CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-FIRST CONGRESS, FIRST SESSION,

ALSO

SPECIAL SESSION OF THE SENATE.

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CONGRESSIONAL RECORD,

SPECIAL SESSION OF THE SENATE,

AND

SIXTY-FIRST CONGRESS, FIRST SESSION.

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CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE SIXTY-FIRST CONGRESS.

SPECIAL SESSION OF THE SENATE.

SENATE.

THURSDAY, *March 4, 1909.*

JAMES S. SHERMAN, Vice-President of the United States, to whom the oath had been administered at the close of the last regular session of the Sixtieth Congress, took the chair.

The VICE-PRESIDENT. The Senate will be in order. The Chaplain will ask God for His blessing.

PRAYER.

Rev. Edward E. Hale, Chaplain of the Senate, offered the following prayer:

I will multiply my people; they shall not be few.
I will glorify them, and they shall not be small.
Their congregation shall be established before me;
And I will punish all that oppress them.
Their nobles shall be from themselves and their governors from the midst of them.
I will cause him to draw near
And he shall approach unto me.
And ye shall be my people and I will be your God.
The law shall not depart from them.
Be thou strong and of good courage;
Be not afraid, neither be discouraged,
For the Lord thy God is with thee whithersoever thou goest.

Let us join in prayer.

Father Almighty, Thou hast been pleased to make this people Thine own nation. In Thy providence, Thou hast watched over the fathers. Thou hast led them from the beginning, that this should be that happy nation whose God is the Lord.

This is our prayer: That this Government of the people, for the people, by the people may not cease from the land; that all the people this day would consecrate to-day to Thee and ask for a father's blessing upon the children; that as Thou wert pleased to lead the fathers in a thousand thousand providences, so wilt Thou be pleased to lead all the magistrates of this Nation; that Thou wouldst bind together the States of this Nation; that each and every man, each and every woman, and each and every child may know that they live to Thy glory and in Thy fear.

Hear us, Father, answer us, and bless as Thine own children, in Christ Jesus.

Join me audibly in the Lord's Prayer.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done on earth as it is done in heaven. Give us this day our daily bread; and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever and ever.

God bless the United States of America.

ADDRESS OF VICE-PRESIDENT SHERMAN.

The VICE-PRESIDENT. Senators, there is no need to recite the history of this great legislative body, proud of it though we be, nor yet to suggest methods which might, in coming time, enhance its usefulness. The world knows the one, and you understand the other.

In a government by and for the people the necessity of clearly defining the rights and limitations of the several branches thereof is manifest. An hundred years has demonstrated the farsightedness and the wisdom of the framers of that instrument which has been the foundation of our legislative action. The Vice-President is not one of the makers of the law. It is his duty rather to regulate in this body the method of making them; to regulate, not in accord with his will or ideas, but in accord with rules which you yourselves have established. It is for the presiding officer to require you to act in conformity with your self-imposed regulations just as it is the duty of the Supreme Court to determine if your action is in accord with the Constitution. Two decades of service in this Capitol, though not in this Chamber, have impressed me with the weight of senatorial responsibility and the value of senatorial duty well done. It is well neither to minimize the former nor to exaggerate the latter, but to keep both ever in mind.

I am aware that the burden of responsibility, Senators, is on your shoulders, not mine; and yet I do not fail to realize that I shall have duties to perform which require industry, a clear mind, and a controlled temper. I shall strive to discharge those duties with courtesy and with fairness to all.

I am inducted into the Vice-Presidency with appreciation of the dignity and honor of the lofty place and with pleasurable anticipation of close association with men of high ideals and patriotic purposes.

I accept, sir, from your hand the gavel with the earnest hope that I may measure up to the standard you have set, and if I so do I feel that I shall have met every expectation.

PROCLAMATION.

The VICE-PRESIDENT. The Secretary will read the President's proclamation convening the Senate in extraordinary session.

The Secretary (Charles G. Bennett) read the proclamation, as follows:

By the President of the United States of America:

A PROCLAMATION.

Whereas public interests require that the Senate of the United States be convened at 12 o'clock on the 4th day of March next to receive such communications as may be made by the Executive:

Now, therefore, I, Theodore Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the 4th day of March next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members of that body are hereby required to take notice.

Given under my hand and the seal of the United States at Washington the 27th day of February, in the year of our Lord 1909 and of the Independence of the United States the one hundred and thirty-third.

THEODORE ROOSEVELT.

By the President:
ROBERT BACON,
Secretary of State.

ADMINISTRATION OF OATH TO SENATORS.

The VICE-PRESIDENT. The Secretary will call the names of Senators-elect to whom the oath is to be administered. As their names are called they will present themselves to take the oath.

The Secretary called the names of—

Mr. BRADLEY, Mr. BRANDEGEE, Mr. BRISTOW, and Mr. BURTON.

These Senators were escorted to the Vice-President's desk by Mr. PAYNTER, Mr. BULKELEY, Mr. CURTIS, and Mr. DICK, re-

spectively, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. CHAMBERLAIN, Mr. CLARKE of Arkansas, Mr. CLAY, and Mr. CRAWFORD.

These Senators (with the exception of Mr. CHAMBERLAIN) were escorted to the Vice-President's desk by Mr. BAILEY, Mr. FOSTER, and Mr. GAMBLE, respectively, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. CUMMINS, Mr. DILLINGHAM, Mr. FLETCHER, and Mr. GALLINGER.

These Senators were escorted to the Vice-President's desk by Mr. DOLLIVER, Mr. PAGE, Mr. TALIAFERRO, and Mr. BURNHAM, respectively, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. GORE, Mr. HEYBURN, Mr. HUGHES, and Mr. JOHNSON of North Dakota.

These Senators were escorted to the Vice-President's desk by Mr. OWEN, Mr. BORAH, Mr. GUGGENHEIM, and Mr. MCCUMBER, respectively, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. JOHNSTON of Alabama, Mr. JONES, Mr. MCENERY, and Mr. NEWLANDS.

These Senators were escorted to the Vice-President's desk by Mr. BANKHEAD, Mr. PILES, Mr. FOSTER, and Mr. NIXON, respectively, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. OVERMAN, Mr. PENROSE, Mr. PERKINS, and Mr. ROOT.

These Senators were escorted to the Vice-President's desk by Mr. SIMMONS, Mr. KEAN, Mr. FLINT, and Mr. DEPEW, and the oath was administered to them by the Vice-President.

The Secretary called the names of Mr. SHIVELY, Mr. SMOOT, Mr. SMITH of Maryland, Mr. SMITH of South Carolina, and Mr. STONE.

These Senators (with the exception of Mr. SMITH of Maryland) were escorted to the Vice-President's desk by Mr. BEVERIDGE, Mr. SUTHERLAND, Mr. TILLMAN, and Mr. WARNER, respectively, and the oath was administered to them by the Vice-President.

SENATORS PRESENT.

The Senators-elect having been sworn and having taken their seats in the Senate, the following Senators were present:

From the State of—

Alabama—John H. Bankhead and Joseph F. Johnston.
Arkansas—James P. Clarke.
California—Frank P. Flint and George C. Perkins.
Colorado—Simon Guggenheim and Charles J. Hughes.
Connecticut—Frank B. Brandegee and Morgan G. Bulkeley.
Delaware—Henry A. du Pont and Harry H. Richardson.
Florida—Duncan U. Fletcher and James P. Taliaferro.
Georgia—Alexander S. Clay.
Idaho—William E. Borah and Weldon B. Heyburn.
Illinois—Shelby M. Cullom.
Indiana—Albert J. Beveridge and Benjamin F. Shively.
Iowa—Albert B. Cummins and Jonathan P. Dolliver.
Kansas—Joseph L. Bristow and Charles Curtis.
Kentucky—William O. Bradley and T. H. Paynter.
Louisiana—Murphy J. Foster and Samuel D. McEnery.
Maine—William P. Frye and Eugene Hale.
Maryland—Isidor Rayner.
Massachusetts—Winthrop Murray Crane and Henry Cabot Lodge.
Michigan—Julius C. Burrows and William Alden Smith.
Minnesota—Moses E. Clapp and Knute Nelson.
Mississippi—Anselm J. McLaurin and H. D. Money.
Missouri—William J. Stone and William Warner.
Montana—Thomas H. Carter and Joseph M. Dixon.
Nebraska—Norris Brown and Elmer J. Burkett.
Nevada—Francis G. Newlands and George S. Nixon.
New Hampshire—Henry E. Burnham and Jacob H. Gallinger.
New Jersey—Frank O. Briggs and John Kean.
New York—Chauncey M. Depew and Elihu Root.
North Carolina—Lee S. Overman and F. M. Simmons.
North Dakota—Martin N. Johnson and Porter J. McCumber.
Ohio—Theodore E. Burton and Charles Dick.
Oklahoma—Thomas P. Gore and Robert L. Owen.
Oregon—Jonathan Bourne.
Pennsylvania—Philander Chase Knox and Boies Penrose.
Rhode Island—Nelson W. Aldrich and George Peabody Wetmore.
South Carolina—Edley D. Smith and Benjamin R. Tillman.
South Dakota—Coe I. Crawford and Robert J. Gamble.
Tennessee—James B. Frazier and Robert L. Taylor.
Texas—Joseph W. Bailey and Charles A. Culberson.
Utah—Reed Smoot and George Sutherland.
Vermont—William P. Dillingham and Carroll S. Page.
Virginia—John W. Daniel and Thomas S. Martin.
Washington—Wesley L. Jones and Samuel H. Piles.
West Virginia—Stephen B. Elkins and Nathan B. Scott.
Wisconsin—Robert M. La Follette.
Wyoming—Clarence D. Clark and Francis E. Warren.

INAUGURAL ADDRESS.

The VICE-PRESIDENT. The Chief Justice of the United States will now administer the oath of office to the President-elect, after which the President will deliver his inaugural address in this Chamber.

The President-elect was escorted to the Vice-President's chair by Mr. KNOX, and the oath of office was administered to him by the Chief Justice.

The President of the United States delivered the following address:

MY FELLOW-CITIZENS:

Anyone who has taken the oath I have just taken must feel a heavy weight of responsibility. If not, he has no conception of the powers and duties of the office upon which he is about to enter, or he is lacking in a proper sense of the obligation which the oath imposes.

The office of an inaugural address is to give a summary outline of the main policies of the new administration, so far as they can be anticipated. I have had the honor to be one of the advisers of my distinguished predecessor, and, as such, to hold up his hands in the reforms he has initiated. I should be untrue to myself, to my promises, and to the declarations of the party platform upon which I was elected to office, if I did not make the maintenance and enforcement of those reforms a most important feature of my administration. They were directed to the suppression of the lawlessness and abuses of power of the great combinations of capital invested in railroads and in industrial enterprises carrying on interstate commerce. The steps which my predecessor took and the legislation passed on his recommendation have accomplished much, have caused a general halt in the vicious policies which created popular alarm, and have brought about in the business affected a much higher regard for existing law.

To render the reforms lasting, however, and to secure at the same time freedom from alarm on the part of those pursuing proper and progressive business methods, further legislative and executive action are needed. Relief of the railroads from certain restrictions of the antitrust law have been urged by my predecessor and will be urged by me. On the other hand, the administration is pledged to legislation looking to a proper federal supervision and restriction to prevent excessive issues of bonds and stocks by companies owning and operating interstate-commerce railroads.

Then, too, a reorganization of the Department of Justice, of the Bureau of Corporations in the Department of Commerce and Labor, and of the Interstate Commerce Commission, looking to effective cooperation of these agencies, is needed to secure a more rapid and certain enforcement of the laws affecting interstate railroads and industrial combinations.

I hope to be able to submit at the first regular session of the incoming Congress, in December next, definite suggestions in respect to the needed amendments to the antitrust and the interstate-commerce law and the changes required in the executive departments concerned in their enforcement.

It is believed that with the changes to be recommended, American business can be assured of that measure of stability and certainty in respect to those things that may be done and those that are prohibited which is essential to the life and growth of all business. Such a plan must include the right of the people to avail themselves of those methods of combining capital and effort deemed necessary to reach the highest degree of economic efficiency, at the same time differentiating between combinations based upon legitimate economic reasons and those formed with the intent of creating monopolies and artificially controlling prices.

The work of formulating into practical shape such changes is creative work of the highest order, and requires all the deliberation possible in the interval. I believe that the amendments to be proposed are just as necessary in the protection of legitimate business as in the clinching of the reforms which properly bear the name of my predecessor.

A matter of most pressing importance is the revision of the tariff. In accordance with the promises of the platform upon which I was elected, I shall call Congress into extra session to meet on the 15th day of March, in order that consideration may be at once given to a bill revising the Dingley Act. This should secure an adequate revenue and adjust the duties in such a

manner as to afford to labor and to all industries in this country, whether of the farm, mine, or factory, protection by tariff equal to the difference between the cost of production abroad and the cost of production here, and have a provision which shall put into force, upon executive determination of certain facts, a higher or maximum tariff against those countries whose trade policy toward us equitably requires such discrimination. It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the reduction of rates in certain schedules and will require the advancement of few, if any.

The proposal to revise the tariff made in such an authoritative way as to lead the business community to count upon it necessarily halts all those branches of business directly affected; and as these are most important, it disturbs the whole business of the country. It is imperatively necessary, therefore, that a tariff bill be drawn in good faith in accordance with promises made before the election by the party in power, and as promptly passed as due consideration will permit. It is not that the tariff is more important in the long run than the perfecting of the reforms in respect to antitrust legislation and interstate-commerce regulation, but the need for action when the revision of the tariff has been determined upon is more immediate to avoid embarrassment of business. To secure the needed speed in the passage of the tariff bill, it would seem wise to attempt no other legislation at the extra session. I venture this as a suggestion only, for the course to be taken by Congress, upon the call of the Executive, is wholly within its discretion.

In the making of a tariff bill the prime motive is taxation and the securing thereby of a revenue. Due largely to the business depression which followed the financial panic of 1907, the revenue from customs and other sources has decreased to such an extent that the expenditures for the current fiscal year will exceed the receipts by $100,000,000. It is imperative that such a deficit shall not continue, and the framers of the tariff bill must, of course, have in mind the total revenues likely to be produced by it and so arrange the duties as to secure an adequate income. Should it be impossible to do so by import duties, new kinds of taxation must be adopted, and among these I recommend a graduated inheritance tax as correct in principle and as certain and easy of collection.

The obligation on the part of those responsible for the expenditures made to carry on the Government, to be as economical as possible, and to make the burden of taxation as light as possible, is plain, and should be affirmed in every declaration of government policy. This is especially true when we are face to face with a heavy deficit. But when the desire to win the popular approval leads to the cutting off of expenditures really needed to make the Government effective and to enable it to accomplish its proper objects, the result is as much to be condemned as the waste of government funds in unnecessary expenditure. The scope of a modern government in what it can and ought to accomplish for its people has been widened far beyond the principles laid down by the old "laissez faire" school of political writers, and this widening has met popular approval.

In the Department of Agriculture the use of scientific experiments on a large scale and the spread of information derived from them for the improvement of general agriculture must go on.

The importance of supervising business of great railways and industrial combinations and the necessary investigation and prosecution of unlawful business methods are another necessary tax upon Government which did not exist half a century ago.

The putting into force of laws which shall secure the conservation of our resources, so far as they may be within the jurisdiction of the Federal Government, including the most important work of saving and restoring our forests and the great improvement of waterways, are all proper government functions which must involve large expenditure if properly performed. While some of them, like the reclamation of arid lands, are made to pay for themselves, others are of such an indirect benefit that this can not be expected of them. A permanent improvement, like the Panama Canal, should be treated as a distinct enterprise, and should be paid for by the proceeds of bonds, the issue of which will distribute its cost between the present and future generations in accordance with the benefits derived. It may well be submitted to the serious consideration of Congress whether the deepening and control of the channel of a great river system, like that of the Ohio or of the Mississippi, when definite and practical plans for the enterprise have been approved and determined upon, should not be provided for in the same way.

Then, too, there are expenditures of Government absolutely necessary if our country is to maintain its proper place among the nations of the world, and is to exercise its proper influence in defense of its own trade interests in the maintenance of traditional American policy against the colonization of European monarchies in this hemisphere, and in the promotion of peace and international morality. I refer to the cost of maintaining a proper army, a proper navy, and suitable fortifications upon the mainland of the United States and in its dependencies.

We should have an army so organized and so officered as to be capable in time of emergency, in cooperation with the national militia and under the provisions of a proper national volunteer law, rapidly to expand into a force sufficient to resist all probable invasion from abroad and to furnish a respectable expeditionary force if necessary in the maintenance of our traditional American policy which bears the name of President Monroe.

Our fortifications are yet in a state of only partial completeness, and the number of men to man them is insufficient. In a few years, however, the usual annual appropriations for our coast defenses, both on the mainland and in the dependencies, will make them sufficient to resist all direct attack, and by that time we may hope that the men to man them will be provided as a necessary adjunct. The distance of our shores from Europe and Asia of course reduces the necessity for maintaining under arms a great army, but it does not take away the requirement of mere prudence—that we should have an army sufficiently large and so constituted as to form a nucleus out of which a suitable force can quickly grow.

What has been said of the army may be affirmed in even a more emphatic way of the navy. A modern navy can not be improvised. It must be built and in existence when the emergency arises which calls for its use and operation. My distinguished predecessor has in many speeches and messages set out with great force and striking language the necessity for maintaining a strong navy commensurate with the coast line, the governmental resources, and the foreign trade of our Nation; and I wish to reiterate all the reasons which he has presented in favor of the policy of maintaining a strong navy as the best conservator of our peace with other nations and the best means of securing respect for the assertion of our rights, the defense of our interests, and the exercise of our influence in international matters.

Our international policy is always to promote peace. We shall enter into any war with a full consciousness of the awful consequences that it always entails, whether successful or not, and we, of course, shall make every effort consistent with national honor and the highest national interest to avoid a resort to arms. We favor every instrumentality, like that of The Hague tribunal and arbitration treaties made with a view to its use in all international controversies, in order to maintain peace and to avoid war. But we should be blind to existing conditions and should allow ourselves to become foolish idealists if we did not realize that, with all the nations of the world armed and prepared for war, we must be ourselves in a similar condition, in order to prevent other nations from taking advantage of us and of our inability to defend our interests and assert our rights with a strong hand.

In the international controversies that are likely to arise in the Orient growing out of the question of the open door and other issues the United States can maintain her interests intact and can secure respect for her just demands. She will not be able to do so, however, if it is understood that she never intends to back up her assertion of right and her defense of her interest by anything but mere verbal protest and diplomatic note. For these reasons the expenses of the army and navy and of coast defenses should always be considered as something which the Government must pay for, and they should not be cut off through mere consideration of economy. Our Government is able to afford a suitable army and a suitable navy. It may maintain them without the slightest danger to the Republic or the cause of free institutions, and fear of additional taxation ought not to change a proper policy in this regard.

The policy of the United States in the Spanish war and since has given it a position of influence among the nations that it never had before, and should be constantly exerted to securing to its bona fide citizens, whether native or naturalized, respect for them as such in foreign countries. We should make every effort to prevent humiliating and degrading prohibition against any of our citizens wishing temporarily to sojourn in foreign countries because of race or religion.

The admission of Asiatic immigrants who can not be amalga-

mated with our population has been made the subject either of prohibitory clauses in our treaties and statutes or of strict administrative regulation secured by diplomatic negotiation. I sincerely hope that we may continue to minimize the evils likely to arise from such immigration without unnecessary friction and by mutual concessions between self-respecting governments. Meantime we must take every precaution to prevent, or failing that to punish outbursts of race feeling among our people against foreigners of whatever nationality who have by our grant a treaty right to pursue lawful business here and to be protected against lawless assault or injury.

This leads me to point out a serious defect in the present federal jurisdiction, which ought to be remedied at once. Having assured to other countries by treaty the protection of our laws for such of their subjects or citizens as we permit to come without our jurisdiction, we now leave to a State or a city, not under the control of the Federal Government, the duty of performing our international obligations in this respect. By proper legislation we may, and ought to, place in the hands of the Federal Executive the means of enforcing the treaty rights of such aliens in the courts of the Federal Government. It puts our Government in a pusillanimous position to make definite engagements to protect aliens and then to excuse the failure to perform those engagements by an explanation that the duty to keep them is in States or cities, not within our control. If we would promise we must put ourselves in a position to perform our promise. We can not permit the possible failure of justice, due to local prejudice in any State or municipal government, to expose us to the risk of a war which might be avoided if federal jurisdiction was asserted by suitable legislation by Congress and carried out by proper proceedings instituted by the Executive in the courts of the National Government.

One of the reforms to be carried out during the incoming administration is a change of our monetary and banking laws, so as to secure greater elasticity in the forms of currency available for trade and to prevent the limitations of law from operating to increase the embarrassments of a financial panic. The monetary commission, lately appointed, is giving full consideration to existing conditions and to all proposed remedies, and will doubtless suggest one that will meet the requirements of business and of public interest.

We may hope that the report will embody neither the narrow view of those who believe that the sole purpose of the new system should be to secure a large return on banking capital or of those who would have greater expansion of currency with little regard to provisions for its immediate redemption or ultimate security. There is no subject of economic discussion so intricate and so likely to evoke differing views and dogmatic statements as this one. The commission, in studying the general influence of currency on business and of business on currency, have wisely extended their investigations in European banking and monetary methods. The information that they have derived from such experts as they have found abroad will undoubtedly be found helpful in the solution of the difficult problem they have in hand.

The incoming Congress should promptly fulfill the promise of the Republican platform and pass a proper postal savings bank bill. It will not be unwise or excessive paternalism. The promise to repay by the Government will furnish an inducement to savings deposits which private enterprise can not supply and at such a low rate of interest as not to withdraw custom from existing banks. It will substantially increase the funds available for investment as capital in useful enterprises. It will furnish the absolute security which makes the proposed scheme of government guaranty of deposits so alluring, without its pernicious results.

I sincerely hope that the incoming Congress will be alive, as it should be, to the importance of our foreign trade and of encouraging it in every way feasible. The possibility of increasing this trade in the Orient, in the Philippines, and in South America are known to everyone who has given the matter attention. The direct effect of free trade between this country and the Philippines will be marked upon our sale of cottons, agricultural machinery, and other manufactures. The necessity of the establishment of direct lines of steamers between North and South America has been brought to the attention of Congress by my predecessor and by Mr. Root before and after his noteworthy visit to that continent, and I sincerely hope that Congress may be induced to see the wisdom of a tentative effort to establish such lines by the use of mail subsidies.

The importance which the Department of Agriculture and of Commerce and Labor may play in ridding the markets of Europe of prohibitions and discriminations against the importation of our products is fully understood, and it is hoped that the use of the maximum and minimum feature of our tariff law to be soon passed will be effective to remove many of those restrictions.

The Panama Canal will have a most important bearing upon the trade between the eastern and the far western sections of our country, and will greatly increase the facilities for transportation between the eastern and the western seaboard, and may possibly revolutionize the transcontinental rates with respect to bulky merchandise. It will also have a most beneficial effect to increase the trade between the eastern seaboard of the United States and the western coast of South America, and, indeed, with some of the important ports on the east coast of South America reached by rail from the west coast.

The work on the canal is making most satisfactory progress. The type of the canal as a lock canal was fixed by Congress after a full consideration of the conflicting reports of the majority and minority of the consulting board, and after the recommendation of the War Department and the Executive upon those reports. Recent suggestion that something had occurred on the Isthmus to make the lock type of the canal less feasible than it was supposed to be when the reports were made and the policy determined on led to a visit to the Isthmus of a board of competent engineers to examine the Gatun dam and locks, which are the key of the lock type. The report of that board shows nothing has occurred in the nature of newly revealed evidence which should change the views once formed in the original discussion. The construction will go on under a most effective organization controlled by Colonel Goethals and his fellow army engineers associated with him, and will certainly be completed early in the next administration, if not before.

Some type of canal must be constructed. The lock type has been selected. We are all in favor of having it built as promptly as possible. We must not now, therefore, keep up a fire in the rear of the agents whom we have authorized to do our work on the Isthmus. We must hold up their hands, and speaking for the incoming administration I wish to say that I propose to devote all the energy possible and under my control to pushing of this work on the plans which have been adopted, and to stand behind the men who are doing faithful, hard work to bring about the early completion of this, the greatest constructive enterprise of modern times.

The governments of our dependencies in Porto Rico and the Philippines are progressing as favorably as could be desired. The prosperity of Porto Rico continues unabated. The business conditions in the Philippines are not all that we could wish them to be, but with the passage of the new tariff bill permitting free trade between the United States and the archipelago, with such limitations in sugar and tobacco as shall prevent injury to domestic interests on those products, we can count on an improvement in business conditions in the Philippines and the development of a mutually profitable trade between this country and the islands. Meantime our Government in each dependency is upholding the traditions of civil liberty and increasing popular control which might be expected under American auspices. The work which we are doing there redounds to our credit as a Nation.

I look forward with hope to increasing the already good feeling between the South and the other sections of the country. My chief purpose is not to effect a change in the electoral vote of the Southern States. That is a secondary consideration. What I look forward to is an increase in the tolerance of political views of all kinds and their advocacy throughout the South, and the existence of a respectable political opposition in every State; even more than this, to an increased feeling on the part of all the people in the South that this Government is their Government, and that its officers in their States are their officers.

The consideration of this question can not, however, be complete and full without reference to the negro race, its progress and its present condition. The thirteenth amendment secured them freedom; the fourteenth amendment due process of law, protection of property, and the pursuit of happiness; and the fifteenth amendment attempted to secure the negro against any deprivation of the privilege to vote because he was a negro. The thirteenth and fourteenth amendments have been generally enforced and have secured the objects for which they were intended. While the fifteenth amendment has not been generally observed in the past, it ought to be observed, and the tendency of southern legislation to-day is toward the enactment of electoral qualifications which shall square with that amendment. Of course, the mere adoption of a constitutional law is only one step in the right direction. It must be fairly and justly enforced as well. In time both will come. Hence it is clear

to all that the domination of an ignorant, irresponsible element can be prevented by constitutional laws which shall exclude from voting both negroes and whites not having education or other qualifications thought to be necessary for a proper electorate. The danger of the control of an ignorant electorate has therefore passed. With this change, the interest which many of the southern white citizens take in the welfare of the negroes has increased. The colored men must base their hope on the results of their own industry, self-restraint, thrift, and business success, as well as upon the aid and comfort and sympathy which they may receive from their white neighbors of the South.

There was a time when Northerners who sympathized with the negro in his necessary struggle for better conditions sought to give to him the suffrage as a protection and to enforce its exercise against the prevailing sentiment of the South. The movement proved to be a failure. What remains is the fifteenth amendment to the Constitution and the right to have statutes of States specifying qualifications for electors subjected to the test of compliance with that amendment. This is a great protection to the negro. It never will be repealed, and it never ought to be repealed. If it had not passed, it might be difficult now to adopt it; but with it in our fundamental law, the policy of southern legislation must and will tend to obey it, and so long as the statutes of the States meet the test of this amendment and are not otherwise in conflict with the Constitution and laws of the United States, it is not the disposition or within the province of the Federal Government to interfere with the regulation by Southern States of their domestic affairs. There is in the South a stronger feeling than ever among the intelligent, well-to-do, and influential element in favor of the industrial education of the negro and the encouragement of the race to make themselves useful members of the community. The progress which the negro has made in the last fifty years, from slavery, when its statistics are reviewed, is marvelous, and it furnishes every reason to hope that in the next twenty-five years a still greater improvement in his condition as a productive member of society, on the farm, and in the shop, and in other occupations may come.

The negroes are now Americans. Their ancestors came here years ago against their will, and this is their only country and their only flag. They have shown themselves anxious to live for it and to die for it. Encountering the race feeling against them, subjected at times to cruel injustice growing out of it, they may well have our profound sympathy and aid in the struggle they are making. We are charged with the sacred duty of making their path as smooth and easy as we can. Any recognition of their distinguished men, any appointment to office from among their number, is properly taken as an encouragement and an appreciation of their progress, and this just policy should be pursued when suitable occasion offers.

But it may well admit of doubt whether, in the case of any race, an appointment of one of their number to a local office in a community in which the race feeling is so widespread and acute as to interfere with the ease and facility with which the local government business can be done by the appointee is of sufficient benefit by way of encouragement to the race to outweigh the recurrence and increase of race feeling which such an appointment is likely to engender. Therefore the Executive, in recognizing the negro race by appointments, must exercise a careful discretion not thereby to do it more harm than good. On the other hand, we must be careful not to encourage the mere pretense of race feeling manufactured in the interest of individual political ambition.

Personally, I have not the slightest race prejudice or feeling, and recognition of its existence only awakens in my heart a deeper sympathy for those who have to bear it or suffer from it, and I question the wisdom of a policy which is likely to increase it. Meantime, if nothing is done to prevent it, a better feeling between the negroes and the whites in the South will continue to grow, and more and more of the white people will come to realize that the future of the South is to be much benefited by the industrial and intellectual progress of the negro. The exercise of political franchises by those of his race who are intelligent and well to do will be acquiesced in, and the right to vote will be withheld only from the ignorant and irresponsible of both races.

There is one other matter to which I shall refer. It was made the subject of great controversy during the election and calls for at least a passing reference now. My distinguished predecessor has given much attention to the cause of labor, with whose struggle for better things he has shown the sincerest sympathy. At his instance Congress has passed the bill fixing the liability of interstate carriers to their employees for injury sustained in the course of employment, abolishing the rule of fellow-servant and the common-law rule as to contributory negligence, and substituting therefor the so-called rule of "comparative negligence." It has also passed a law fixing the compensation of government employees for injuries sustained in the employ of the Government. It has also passed a model child-labor law for the District of Columbia. In previous administrations an arbitration law for interstate-commerce railroads and their employees, and laws for the application of safety devices to save the lives and limbs of employees of interstate railroads had been passed. Additional legislation of this kind was passed by the outgoing Congress.

I wish to say that in so far as I can I hope to promote the enactment of further legislation of this character. I am strongly convinced that the Government should make itself as responsible to employees injured in its employ as an interstate-railway corporation is made responsible by federal law to its employees; and I shall be glad, whenever any additional reasonable safety device can be invented to reduce the loss of life and limb among railway employees, to urge Congress to require its adoption by interstate railways.

Another labor question has arisen which has awakened the most excited discussion. That is in respect to the power of the federal courts to issue injunctions in industrial disputes. As to that, my convictions are fixed. Take away from the courts, if it could be taken away, the power to issue injunctions in labor disputes, and it would create a privileged class among the laborers and save the lawless among their number from a most needful remedy available to all men for the protection of their business against lawless invasion. The proposition that business is not a property or pecuniary right which can be protected by equitable injunction is utterly without foundation in precedent or reason. The proposition is usually linked with one to make the secondary boycott lawful. Such a proposition is at variance with the American instinct, and will find no support, in my judgment, when submitted to the American people. The secondary boycott is an instrument of tyranny, and ought not to be made legitimate.

The issue of a temporary restraining order without notice has in several instances been abused by its inconsiderate exercise, and to remedy this the platform upon which I was elected recommends the formulation in a statute of the conditions under which such a temporary restraining order ought to issue. A statute can and ought to be framed to embody the best modern practice, and can bring the subject so closely to the attention of the court as to make abuses of the process unlikely in the future. The American people, if I understand them, insist that the authority of the courts shall be sustained, and are opposed to any change in the procedure by which the powers of a court may be weakened and the fearless and effective administration of justice be interfered with.

Having thus reviewed the questions likely to recur during my administration, and having expressed in a summary way the position which I expect to take in recommendations to Congress and in my conduct as an Executive, I invoke the considerate sympathy and support of my fellow-citizens and the aid of the Almighty God in the discharge of my responsible duties.

GUESTS OF THE SENATE.

The VICE-PRESIDENT. The Sergeant-at-Arms will further execute the order provided for the inaugural ceremonies.

The guests of the Senate retired from the Chamber in the following order:

The Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House of Representatives.

The marshal of the Supreme Court.

The Chief Justice, associate justices, clerk, and reporter of the Supreme Court.

The ex-President of the United States, the committee of arrangements, and the President of the United States.

Ambassadors to the United States and ministers plenipotentiary.

Ex-members of the Cabinet.

The ex-Vice-President.

The Vice-President and the Secretary of the Senate.

The Speaker and the Clerk of the House of Representatives.

Retiring Members, Members-elect, and officers of the House of Representatives.

Heads of the executive departments.

Governors of States and Territories.

The Chief of Staff of the Army and his aid.

The Admiral of the Navy and his aid.

HOUR OF DAILY MEETING.

The PRESIDENT pro tempore (Mr. FRYE), having taken the chair.

Mr. HALE submitted the following order, which was agreed to:

Ordered, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

Mr. HALE. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 42 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 5, 1909, at 12 o'clock meridian.

SENATE.

FRIDAY, *March 5, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. TILLMAN. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. HEYBURN. I object.

The VICE-PRESIDENT. Objection is made. The Secretary will complete the reading of the Journal.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

SENATORS FROM MARYLAND AND OREGON.

Mr. RAYNER. I ask that my colleague [Mr. SMITH of Maryland] be sworn in. He was delayed yesterday.

Mr. BOURNE. I wish to announce that my colleague, Senator-elect CHAMBERLAIN, is here and ready to take the oath of office.

The VICE-PRESIDENT. The Senators-elect will come to the desk, and the Chair will administer the oath.

Mr. SMITH of Maryland and Mr. CHAMBERLAIN were escorted to the Vice-President's desk by Mr. RAYNER and Mr. BOURNE, respectively; and the oath prescribed by law having been administered to them, they took their seats in the Senate.

CALLING OF THE ROLL.

Mr. LODGE. Mr. President, I do not think the roll of the Senate has yet been called to show the presence of a quorum.

The VICE-PRESIDENT. The roll has not been called, yet the record shows the presence of a quorum. Does the Senator from Massachusetts desire to have the roll called?

Mr. LODGE. I do not think the roll was called yesterday.

The VICE-PRESIDENT. The record shows the presence of a quorum yesterday, but the roll was not called. Does the Senator from Massachusetts ask that the roll be called?

Mr. BAILEY. I was going to suggest, in line with what the Senator from Massachusetts said, that the record may show it; but if it does, it is an arbitrary entry, because there was no roll call and nothing which would manifest a quorum. I think the roll ought to have been called.

The VICE-PRESIDENT. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gore	Page
Bailey	Crane	Guggenheim	Paynter
Bankhead	Crawford	Hale	Penrose
Beveridge	Culberson	Heyburn	Perkins
Borah	Cullom	Hughes	Piles
Bourne	Cummins	Johnson, N. Dak.	Rayner
Brandegee	Curtis	Johnston, Ala.	Richardson
Briggs	Daniel	Jones	Root
Bristow	Depew	Kean	Scott
Brown	Dick	La Follette	Shively
Bulkeley	Dillingham	Lodge	Smith, Md.
Burkett	Dixon	McCumber	Smith, Mich.
Burnham	Dolliver	McEnery	Smith, S. C.
Burrows	Fletcher	McLaurin	Smoot
Burton	Flint	Money	Stone
Carter	Foster	Nelson	Sutherland
Chamberlain	Frazier	Newlands	Taylor
Clapp	Frye	Nixon	Tillman
Clark, Wyo.	Gallinger	Overman	Warren
Clarke, Ark.	Gamble	Owen	Wetmore

Mr. CLAY. My colleague [Mr. BACON] is confined at home on account of sickness.

Mr. STONE. My colleague [Mr. WARNER] is absent on business, but will be in the Senate to-day.

The VICE-PRESIDENT. The roll call evidences the presence of a quorum. Eighty Senators have answered to their names.

SENATOR FROM PENNSYLVANIA.

Mr. PENROSE. Mr. President, I desire to call the attention of the Senate to the fact that the resignation of my colleague [Mr. Knox] has been forwarded to the governor of Pennsylvania, to take effect at the expiration of the Sixtieth Congress, and I would call the attention of the clerks to the fact, so that the name may be omitted from the roll of the Senate in the present Congress.

The VICE-PRESIDENT. The Secretary will take notice of the fact as stated by the Senator from Pennsylvania.

NOTIFICATION TO THE PRESIDENT.

Mr. GALLINGER submitted the following resolution (S. Res. 1), which was considered by unanimous consent and agreed to:

Resolved, That a committee of two Senators be appointed by the Chair to wait upon the President of the United States and inform him that a quorum of the Senate is assembled, and that the Senate is ready to receive any communication he may be pleased to make.

The VICE-PRESIDENT appointed Mr. GALLINGER and Mr. CULBERSON the committee.

RECESS.

Mr. HALE. I move that the Senate take a recess until half past 1 o'clock.

The motion was agreed to, and (at 12 o'clock and 20 minutes p. m.) the Senate took a recess until 1.30 o'clock p. m., when it reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. GALLINGER and Mr. CULBERSON, the committee appointed to wait upon the President of the United States, appeared, and

Mr. GALLINGER said: Mr. President, the committee appointed to wait upon the President of the United States and inform him that a quorum of the Senate is assembled and ready to receive any communication he may be pleased to make have performed that duty; and the President, in reply, informed the committee that he would immediately communicate to the Senate in writing.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After fifty-five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 6, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 5, 1909.

THE CABINET.

SECRETARY OF STATE.

Philander C. Knox, of Pennsylvania, to be Secretary of State, vice Robert Bacon, resigned.

SECRETARY OF THE TREASURY.

Franklin MacVeagh, of Illinois, to be Secretary of the Treasury, vice George B. Cortelyou, resigned.

SECRETARY OF WAR.

Jacob M. Dickinson, of Tennessee, to be Secretary of War, vice Luke E. Wright, resigned.

ATTORNEY-GENERAL.

George W. Wickersham, of New York, to be Attorney-General, vice Charles J. Bonaparte, resigned.

POSTMASTER-GENERAL.

Frank H. Hitchcock, of Massachusetts, to be Postmaster-General, vice George v. L. Meyer, resigned.

SECRETARY OF THE NAVY.

George v. L. Meyer, of Massachusetts, to be Secretary of the Navy, vice Truman H. Newberry, resigned.

SECRETARY OF THE INTERIOR.

Richard A. Ballinger, of Washington, to be Secretary of the Interior, vice James Rudolph Garfield, resigned.

SECRETARY OF AGRICULTURE.

James Wilson, of Iowa, to be Secretary of Agriculture. This is a reappointment.

SECRETARY OF COMMERCE AND LABOR.

Charles Nagel, of Missouri, to be Secretary of Commerce and Labor, vice Oscar S. Straus, resigned.

ASSISTANT SECRETARY OF STATE.

Huntington Wilson, of Illinois, now envoy extraordinary and minister plenipotentiary to the Argentine Republic, to be Assistant Secretary of State, vice John Callan O'Laughlin, resigned.

ASSISTANT SECRETARY OF THE NAVY.

Beekman Winthrop, of New York, to be Assistant Secretary of the Navy, vice Herbert L. Satterlee, resigned.

COLLECTOR OF CUSTOMS.

William Loeb, jr., of New York, to be collector of customs for the district of New York, in the State of New York, in place of Edward S. Fowler.

INDIAN INSPECTOR.

Z. Lewis Dalby, of Roanoke, Va., to be an Indian inspector, vice Cyrus Beede, term expired. Mr. Dalby's recess appointment expired at the end of the last session of the Senate.

RECEIVER OF PUBLIC MONEYS.

John P. McDowell, of Chicago, Ill., to be receiver of public moneys at Williston, N. Dak., vice Victor Chaffee, deceased. Mr. McDowell's recess appointment expired at the end of the last session of the Senate.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 5, 1909.

THE CABINET.

SECRETARY OF STATE.

Philander C. Knox, to be Secretary of State.

SECRETARY OF THE TREASURY.

Franklin MacVeagh, to be Secretary of the Treasury.

SECRETARY OF WAR.

Jacob M. Dickinson, to be Secretary of War.

ATTORNEY-GENERAL.

George W. Wickersham, to be Attorney-General.

POSTMASTER-GENERAL.

Frank H. Hitchcock, to be Postmaster-General.

SECRETARY OF THE NAVY.

George v. L. Meyer, to be Secretary of the Navy.

SECRETARY OF THE INTERIOR.

Richard A. Ballinger, to be Secretary of the Interior.

SECRETARY OF AGRICULTURE.

James Wilson, to be Secretary of Agriculture.

SECRETARY OF COMMERCE AND LABOR.

Charles Nagel, to be Secretary of Commerce and Labor.

ASSISTANT SECRETARY OF STATE.

Huntington Wilson, to be Assistant Secretary of State.

SENATE.

SATURDAY, *March 6, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Journal of yesterday's proceedings was read and approved.

FOREIGN AND DOMESTIC PRICES OF MANUFACTURED GOODS.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

Mr. GALLINGER. Will the Senator withhold the motion for a moment? I wish to offer a resolution.

Mr. ALDRICH. Very well.

Mr. GALLINGER submitted the following resolution (S. Res. 2), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of State is hereby directed to procure, through our consular and other representatives abroad, all available information relating to the practice of foreign governments selling manufactured goods in this country at a price lower than the domestic price, the information to be communicated to the Senate at the earliest possible day.

JOINT COMMITTEE ON THE REVISION OF THE LAWS.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Will the Senator from Rhode Island further yield?

Mr. ALDRICH. I yield to the Senator from Texas.

Mr. CULBERSON. I call attention to an entry in the RECORD, on page 3823:

JOINT COMMITTEE ON THE REVISION OF THE LAWS.

The Vice-President appointed Mr. HEYBURN, Mr. SUTHERLAND, Mr. PILES, Mr. Teller, and Mr. OWEN members on the part of the Senate of the Joint Committee on the Revision of the Laws.

I will state that so far as the minority of that committee is concerned, it was not designated in the usual manner, and that at the proper time an effort will be made to rectify it.

I wanted to make for the RECORD, while we are in legislative session, the statement which I have made.

DATE OF INAUGURATION.

Mr. DEPEW. Mr. President——

The VICE-PRESIDENT. Will the Senator from Rhode Island yield to the Senator from New York?

Mr. ALDRICH. I yield.

Mr. DEPEW. I introduce a joint resolution for reference to the Committee on Privileges and Elections.

The joint resolution (S. J. R. 1) proposing an amendment to the Constitution of the United States respecting the commencement and termination of Congress was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be proposed for ratification by the legislatures of the several States which, when ratified by legislatures in three-fourths of the several States, shall be valid as a part of the said Constitution, namely:

That the Sixty-second Congress and the term of office of the President and Vice-President shall continue until the last Wednesday of April in the year 1913, at noon; and the last Wednesday of April at noon shall thereafter be substituted for the 4th day of March as the commencement and termination of Congress and of the terms of the President, Vice-President, Senators, Representatives, and Delegates in Congress.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Rhode Island yield to the Senator from Massachusetts?

Mr. ALDRICH. Certainly.

Mr. LODGE. This is an extraordinary session of the Senate; the House is not in session; and certainly it has never been our practice at an extraordinary session of the Senate to introduce general business to which the assent of both Houses is required.

Mr. BEVERIDGE. Let the joint resolution be referred in any event.

Mr. ALDRICH. Let it be referred.

Mr. LODGE. It would be referred to the committee, of course, in any event.

Mr. CULLOM. It ought not to have been introduced.

Mr. DEPEW. All I ask is that it be referred to the Committee on Privileges and Elections.

Mr. LODGE. I have no objection, of course.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Privileges and Elections.

EIGHTEENTH KANSAS VOLUNTEER CAVALRY.

Mr. CURTIS presented a concurrent resolution of the legislature of Kansas, which was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

House concurrent resolution 17.

Whereas the Eighteenth Kansas Volunteer Cavalry, under the command of Col. H. L. Moore, consisting of 958 officers and enlisted men, was, on the 15th day of July, 1867, mustered into the United States service and served until the 15th day of November, 1867, and during said time were actually engaged in suppressing Indian hostilities and lost in killed and wounded about 10 per cent of the number of men enlisted, and during said time marched 2,200 miles and endured all of the hardships incident to Indian warfare along the frontier, and was highly commended for bravery and efficiency by Generals Sheridan and Custer; and

Whereas during the summer of 1868 the western part of Kansas, portions of Colorado, and Texas were raided by hostile bands of plains Indians and 158 men were murdered, exclusive of casualties incident to military operations, 17 of whom were captured and burned; 14 women were outraged, 4 women and 24 children were carried into captivity, and of the children 14 perished. To punish these Indians and protect the frontier from further depredations, the War Department decided upon a winter campaign and called upon Kansas for a regiment of volunteer cavalry. Thereupon the Nineteenth Kansas Volunteer Cavalry, consisting of 1,200 men, under the command of Samuel J. Crawford, then governor, was, on the 20th day of October, 1868, mustered into the United States service and marched from Topeka, Kans., through the Indian Territory, a portion of Texas, over an unknown and trackless prairie, in a starving condition, in the dead of winter, and, under command of General Custer, compelled the surrender of the entire hostile bands of Cheyennes, Arapahoes, Kiowas, and Comanches, establishing Fort Sill and recovering the captured women and forever pledging these tribes to peace; and

Whereas after marching to Fort Hays, Kans., they were, on the 18th day of April, 1869, mustered out of the United States service; and

Whereas from the time they were mustered in until they were mustered out this regiment endured all the hardships and suffering incident to Indian warfare in an unsettled country and almost perished for want of food and clothing; and

Whereas General Sheridan describes their march as without parallel in the history of any army, considering the time of year and existing conditions; and

Whereas the officers and men of said Eighteenth and Nineteenth Kansas Volunteer Cavalry are not eligible to be entered on the pension rolls under any of the existing laws of the United States: Therefore be it

Resolved by the house of representatives of the State of Kansas (the senate concurring therein), That the legislature of the State of Kansas memorialize the Congress of the United States to pass a law extending to said officers and men who served for ninety days or more the same rights and privileges granted to the officers and men who served in the war of 1861–1865; and be it further

Resolved, That this legislature instruct our Senators and request our Members of the House of Representatives in the Congress of the United States to prepare and to introduce in both branches of the National Legislature, and to use all their influence to secure the passage of a bill embodying the prayer of this memorial; and be it further

Resolved, That the chief clerk of this house be instructed to forward copies of these resolutions to each of our Representatives in the Congress of the United States.

I hereby certify that the above concurrent resolution originated in the house and passed that body January 30, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Passed the senate February 26, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Approved March 2, 1909.

W. R. STUBBS,
Governor.

STATE OF KANSAS,
OFFICE OF THE SECRETARY OF STATE.

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 3d day of March, 1909.

[SEAL.] C. E. DENTON,
Secretary of State.

TARIFF ON PHILIPPINE SUGAR.

Mr. WARREN presented a joint memorial of the legislature of Wyoming, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I, William R. Schnitger, secretary of state of the State of Wyoming, do hereby certify that the annexed has been carefully compared with enrolled joint memorial No. 2 senate, ninth state legislature of Wyoming, and is a full, true, and correct copy of same, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Cheyenne, the capital, this 2d day of March, A. D. 1909.

[SEAL.] WM. R. SCHNITGER,
Secretary of State.

Joint memorial 2.

Memorial to the Senate and House of Representatives,
Washington, D. C.:

Whereas any legislation by the National Congress that will retard settlement and affect value of agricultural lands in the State of Wyoming is to be deplored; and

Whereas the beet-sugar industry is peculiarly adapted to the condition of soil and climate in the State of Wyoming; and

Whereas that Wyoming is furnishing abundant opportunities for the establishment of homes, through the settlement of its agricultural lands, which will be influenced and encouraged by the establishment of beet-sugar factories; and

Whereas that said beet-sugar industry and the consequent high land values is dependent upon the location within the State of beet-sugar factories; and

Whereas the beet-sugar industry can not be sustained and carried on in free competition with the tropical cane-sugar countries and the Philippine Islands are capable of producing an almost unlimited amount of sugar; and

Whereas the reduction of the tariff upon or the introduction into the United States free of duty sugar of the Philippine Islands will endanger and discourage the building of beet-sugar factories within this State; and

Whereas the tariff policy of the Republican party is founded on the basic principle of fair and reasonable protection of legitimate industry, the carrying out and maintenance of that policy demands protection for the industries of this State and the West, as well as those of the East; Therefore, be it

Resolved, That we are unalterably opposed to and hereby express our condemnation of any and all legislation proposing the further reduction of the tariff duties on Philippine sugar, or on sugar from any other part of the world; and that we deplore the continual agitation of proposed reduction in the tariff on sugar, all of which has a tendency to discourage and retard the development of the beet-sugar industry in our State and throughout the West; be it further

Resolved, That copies of this joint memorial be sent to our Representatives in Congress, with the request that this memorial be presented to the President and to each house of Congress.

Approved March 1, 1909.

EXECUTIVE SESSION.

Mr. ALDRICH. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After one hour and eight minutes spent in executive session, the doors were reopened.

While the doors were closed,

ENABLING ACT FOR NEW MEXICO.

The VICE-PRESIDENT presented a petition, in the nature of a telegram, of the legislative assembly of the Territory of New Mexico, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

[Telegram.]

SANTA FE, N. MEX., *March 4, 1909.*

The Honorable PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.:

I am directed by the legislative assembly of New Mexico to transmit to you the following resolution duly passed by that body:

"Whereas certain charges derogatory to the people of this Territory and its officials, charging various outrages and misdeeds, were made before the United States Senate Committee on Territories; and

"Whereas such charges were made for the purpose of defeating the immediate passage of the enabling act for New Mexico; and

"Whereas our people should be duly advised as to the details and contents of the said charges in order that the same may be fully answered; Therefore be it

"*Resolved*, That the Senate of the United States is hereby respectfully requested to direct its Committee on Territories to transmit a copy of all such charges, statements, and testimony presented before it derogatory to our people and our public officials to the governor of New Mexico forthwith; also that the territorial secretary be directed to telegraph a copy of these resolutions to our Delegate and the President of the United States Senate.

"NATHAN JAFFA,
"Secretary of New Mexico."

NOTIFICATION TO THE PRESIDENT.

Mr. FRYE submitted the following resolution (S. Res. 3), which was considered by unanimous consent and agreed to:

Resolved, That a committee to consist of two Senators be appointed by the Vice-President to wait upon the President of the United States and inform him that, unless he may have some further communication to make, the Senate is ready to adjourn without day.

The VICE-PRESIDENT appointed Mr. FRYE and Mr. DANIEL the committee.

JOINT COMMITTEE ON THE REVISION OF THE LAWS.

Mr. OWEN was, at his own request, excused from service as a member of the Joint Committee on the Revision and Codification of the Laws of the United States.

The VICE-PRESIDENT reappointed Mr. MCLAURIN and Mr. CLARKE of Arkansas as members of the Joint Committee on the Revision and Codification of the Laws of the United States.

SURFACE RIGHTS OF ENTRYMEN.

On motion of Mr. DIXON, it was—

Ordered, That 2,500 additional copies of H. R. 24834, "An act for the protection of surface rights of entrymen," be printed for the use of the Senate document room.

PRINTING FOR COMMITTEE ON FINANCE.

On motion of Mr. ALDRICH, it was—

Ordered, That the Committee on Finance be authorized to have such printing and binding done at the Government Printing Office as may be deemed necessary by it during the Sixty-first Congress, in connection with matters that may come before said committee.

NATIONAL WATERWAYS COMMISSION.

On motion of Mr. GALLINGER, it was—

Ordered, That the National Waterways Commission be authorized to have such printing and binding done at the Government Printing Office during the Sixty-first Congress, in connection with matters pending before it, as may be deemed necessary by the commission.

BUSINESS OF THE SPECIAL SESSION.

Mr. LODGE. Mr. President, at the extraordinary session of the Senate convened March 4, 1893, the question of the right of the Senate to consider matters of legislation to which the assent of both Houses should be necessary was debated at some length in the Senate. I find in the proceedings of the Senate of March 6, 1901, that Mr. Gorman, of Maryland, submitted to the Senate the precedents on the subject from the beginning of the Government until that time. Whilst it is true that several Senators expressed the opinion that the Senate, when convened in extraordinary session, possessed all the rights to legislate which it possessed when both Houses were assembled, the precedents were followed and legislative business, by consent of the Senate, was not initiated.

The question again arose at the extraordinary session of the Senate convened on March 4, 1901, when Mr. Teller, of Colorado, had inserted in the RECORD the precedents furnished by Mr. Gorman in 1893. Whilst on this, as on the previous occasion, there were some expressions of dissent as to the binding force of the precedents, the Senate concluded to follow them and refrained from entering upon legislation.

I ask unanimous consent to have inserted in the RECORD, for the information of the Senate, what occurred on the latter occasion.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The matter referred to is as follows:

[CONGRESSIONAL RECORD, special session of the Senate, Fifty-seventh Congress, March 6, 1901, pp. 9–12.]

BUSINESS OF THE SESSION.

Mr. TELLER. I wish to ask one other question of some one connected with the party in the control of the Senate, and that is whether it is expected that we shall do anything more than executive business.

Mr. HALE. Mr. President, I do not claim to speak for anyone but myself in answer to the Senator from Colorado, but the session that is called is purely executive. There can be no legislative functions performed by the body alone. The other House is not in session; Congress is not in session; the other House has not organized; and for one I do not suppose that we will either be kept here many days or be called upon to consider any subject-matter that is not purely executive.

Mr. TELLER. In 1893, at a special session of the Senate of this character, there was an extensive discussion as to the right of the Senate to proceed to legislative business, if it saw fit. It was discussed quite extensively, and there was prepared by one of the officers of the Senate a complete history of what had been the attitude of the Senate at different sessions of this kind. While it was a controverted question whether

we could legislate or not, very many Senators believing that we could, it was the general opinion that we ought not, and we resolved then not to legislate.

I do not want to delay the Senate this morning from going into executive session, but I will ask leave to put in the RECORD the precedents which were cited in 1893. I ask that the matter may be printed in the RECORD for the convenience of the Senate.

The VICE-PRESIDENT. The Senator from Colorado asks that the matter he has indicated may be printed in the RECORD. Is there objection? There being none, it is so ordered.

The matter referred to is as follows:

[CONGRESSIONAL RECORD, special session of the Senate, Fifty-third Congress, March 13, 1893, pp. 11–15.]

Mr. GORMAN. * * * Mr. President, I have caused to be made an exhaustive examination of the precedents of the Senate in called executive sessions, and can not find a single instance, prior to the present session, in which a bill, a joint resolution, or any matter requiring the concurrent action of the House of Representatives has ever been presented or received, with the single exception of a concurrent resolution submitted by the Senator from Alabama [Mr. Morgan] in April, 1881, in relation to "isthmus ship canals," which was objected to by Mr. Dawes of Massachusetts on the ground that it required the concurrence of the House of Representatives; whereupon, after debate, the Senator from Alabama modified the resolution so as to make it a simple Senate resolution, when it was received and referred to the Committee on Foreign Relations.

I find in the early history of the Senate that many of the presiding officers held that no business of any character at called executive sessions similar to this could be received or acted upon in open session. Among others who took this view was Mr. William R. King, a most accomplished parliamentarian, who was President of the Senate in 1851.

At the called executive session of the Senate in March, 1881, the Senator from Indiana [Mr. Voorhees] submitted a resolution concerning the attitude of national banks toward the refunding of the national debt; which was objected to by the Senator from Vermont [Mr. Morrill] "as being out of order, this being an executive session and the resolution clearly pointing to legislative business."

Mr. Ferry, of Michigan, who had been President pro tempore of the Senate, took the ground that the Senate was called in executive session and could not consider legislative business; whereupon the Senator from Indiana obtained permission of the Senate to make a statement concerning the precedents which had been observed by the Senate at such called executive sessions. The speech, which will be found in the CONGRESSIONAL RECORD, volume 12, Forty-seventh Congress, special session of the Senate, pages 37 to 40, is an elaborate review of all the precedents from 1825 to that date; but there is not a single instance cited of a bill, joint resolution, or other subject requiring the concurrent action of the House of Representatives having ever been presented or received, the whole current of the precedents being that the Senate can do, when the House is not in session, only such business as does not require the action of the body.

In recent times it has been held by such distinguished authority as Vice-President Hamlin, Judge Thurman of Ohio, Mr. Bayard and Mr. Saulsbury of Delaware, Mr. Garland of Arkansas, Mr. Stevenson of Kentucky, Justice Lamar of Mississippi, and others, that the Senate at a called executive session is not a legislative body, but is then assembled as a branch of the treaty-making and executive department of the Government. This position was also taken by the Senator from Mississippi [Mr. George] in an elaborate constitutional argument March 18, 1889.

While the instances are numerous in which it has been held that the Senate could transact any business relating to its organization and membership, the passage of resolutions of the Senate calling for information, and so forth, it has never heretofore been seriously contended by any considerable number of Senators that the Senate could transact, in any such a session as this, legislative business; and when the attention of the Senate was called to the question in 1873 it even refused to receive petitions.

An elective body has always been conservative in its character, and has adhered with great pertinacity to the usages and customs of the past. I submit (laying aside for the moment the question of the right of the Senate to transact any business it may see proper) that we should at this session, convened for the purpose of acting upon executive matters, confine ourselves to action upon those matters, and of course considering, as they arise, questions relating to the organization and membership of the body, with which the Senate may unquestionably rightfully and properly deal.

I ask the privilege of the Senate to insert in the RECORD a statement of some of the precedents in this case, so that they may be printed for the convenience of Senators. I think it will probably be gratifying to some Senators other than myself to see them.

By unanimous consent the matter referred to was ordered to be printed in the RECORD as follows:

"At the called executive session of the Senate at the beginning of the Forty-third Congress, in 1873, CONGRESSIONAL RECORD, volume 1, special session of the Senate, page 30, Mr. Chandler of Michigan and Mr. Fenton of New York presented petitions.

"Mr. Hamlin, who had been Vice-President of the United States, objected to the presentation of petitions of a legislative character at a called executive session, saying: 'We have no legislative functions whatever. The matter has been discussed and deliberately determined by the Senate, and we may just as well begin precisely as we are to go on. I object to any legislative business, and this is legislation.'

"Thereupon Mr. Fenton withdrew his petitions.

"The VICE-PRESIDENT: 'They will be withdrawn, and those presented by the Senator from Michigan [Mr. Chandler] will also be regarded as withdrawn, the point having been made.

"On page 63, CONGRESSIONAL RECORD, volume 1, of same session, March 13, 1873, on certain petitions being presented—

"Mr. Sherman said: 'I think myself it is objectionable in an executive session to present legislative petitions.'

"The PRESIDENT pro tempore (Mr. Carpenter of Wisconsin). The Chair, on reflection, will rule all the petitions and memorials which have been offered, looking to legislation, out of order at the present session, regarding the binding objection which was made by the Senator from Maine [Mr. Hamlin] as continuing on that subject.'

"At the called executive session of the Senate in 1875, CONGRESSIONAL RECORD, volume 4, part 1, page 25, March 11, Mr. Clayton of Arkansas, having submitted a resolution for the appointment of a select committee to visit the Indian Territory—

"Mr. Ferry of Connecticut raised a question of order on the resolution that 'at a called session of the Senate business of a legislative character or looking to legislation could not be entertained.'

"Mr. Hamlin said: 'Under the Constitution, however, I think that the Senate has no earthly power or constitutional right to pass any such resolution which is legislative in its character, or looking to any matter upon which legislation is subsequently to be had.' Mr. Hamlin denied even the right to withdraw petitions from the files of the Senate to be delivered to the parties. He furthermore said

"'The Senate is a part of Congress when the House of Representatives is in session; and it is not at any other time a part of Congress. It is an executive body, convened solely and exclusively for executive purposes.' (Ibid., p. 26.)

"He held that the Senate was limited by the proclamation of the President to the subjects for the consideration of which it had been convened.

"Mr. Sherman said: 'We have no power to pass laws, because we can not pass laws except with the assent of the other House. * * * We can not send a bill to the House because there is no House here.'

"Mr. HAMLIN. But we may pass bills if the Senator's position is correct, and have them ready to submit to the House when they come.

"Mr. SHERMAN. I am inclined to think we can not.

"Mr. Morton of Indiana took the ground that the Senate could do anything which did not require the cooperation of the House of Representatives.

"Mr. Thurman of Ohio insisted that there was 'no legislature of the Union now in session. The Senate when convened in executive session or special session, when the House of Representatives is not in session at all, is not a legislature. It is simply a body with whom the Constitution confides certain duties in connection with the executive power to ratify treaties, the power to confirm nominations, and the power, of course, to decide upon the qualifications, returns, and elections of its own Members. That is necessarily inherent in the Senate, * * * but it has not one particle of legislative power, for it is not a legislature.

"'There is no legislature of this Government except when both Houses are convened. * * * We must confine ourselves to that which the Senate sitting alone, when there is no session of Congress, has the power to do, and it has no power whatever to do one single legislative act—no more power than any 74 gentlemen of the United States who might get together have power to do legislative acts.'

"The question of order was submitted to the Senate, whereupon Mr. Anthony of Rhode Island moved to lay the whole subject on the table; which was agreed to—yeas 40, nays 22. (CONGRESSIONAL RECORD, vol. 4, pt. 1, special session of the Senate, p. 27.)

"At the same session, March 20, 1875, CONGRESSIONAL RECORD, volume 4, part 1, special session of the Senate, pages 92 and 93, on a resolution submitted by Mr. Frelinghuysen of New Jersey, relative to the condition of Louisiana—

"Mr. Bayard of Delaware raised the point of order that the resolution, 'if not legislative in its character, is equivalent to legislation. It is intended to have legislative effect, and is not, therefore, consonant to the object of this special session of the Senate.'

"He took the ground that the special session was called by the President of the United States as 'an executive session for the purpose of considering such nominations as he (the President) might see fit to lay before it, and for the performance of its constitutional duty in relation to such treaties as he might propose for its concurrence.'

"He also held that no other matters could be considered at such a called session except the question of the membership of the body.

"March 23, 1875, CONGRESSIONAL RECORD, page 147, Mr. Bayard said: 'The Senate of the United States is but one portion of the legislative branch of the Government. By itself it has no legislative power whatever; and only in conjunction with the other House of Congress and the action of the President of the United States can it have legislative power at all.'

"Mr. Saulsbury of Delaware said: 'We are now convened in extraordinary session, and certain it is that in our capacity as a Senate, convened under the proclamation of the President of the United States, we do not possess the powers which we ordinarily possess when we meet as a legislative body. Our power of legislation is entirely gone. We can only perform the functions pertaining to our character as an executive council. We may deal with questions affecting the constitution of this body, * * * but we may not deal directly or indirectly, in my judgment, with questions which do not pertain either to the constitution of this body itself or to the questions with which it has to deal in its character as an executive council.' (Ibid., p. 30.)

"Similar views were expressed by other leading Senators on both sides of the Chamber.

"At the called session of the Senate March 5, 1881, CONGRESSIONAL RECORD, volume 12, Forty-seventh Congress, page 4, Vice-President Arthur decided that at an extraordinary session of the Senate petitions for legislation could not be received.

"April 6, 1881, page 211, same volume of RECORD, the Vice-President ruled that petitions could not be received 'except by unanimous consent, as the rule in reference to the morning hour does not apply to an executive session of the Senate.'

"At the same session, March 23, 1881, Mr. Voorhees of Indiana offered a resolution concerning the attitude of national banks toward the refunding of the national debt.

"Mr. Morrill of Vermont objected to its reception 'as being out of order, this being an executive session and the resolution clearly pointing to legislative business.'

"Mr. Ferry of Michigan (who had been President pro tempore of the Senate) took the ground that the Senate was called in executive session and could not consider legislative business, whereupon—

"Mr. Voorhees obtained permission of the Senate to make a statement concerning the precedents of the Senate as to its action at such called executive sessions. The speech, which will be found in the CONGRESSIONAL RECORD, volume 12, Forty-seventh Congress, special session of the Senate, pages 37–40, contains all the precedents from 1825 to that date; but there is not a single instance cited of a bill, joint resolution, or other subject requiring the concurrent action of the House of Representatives having ever been presented or received, the whole current of the precedents being that the Senate can do, when the House is not in session, only such business as does not require the concurrence of the other body.

"April 1, 1881 (same volume, p. 154), Mr. Lamar of Mississippi said: 'We are here as part of the treaty-making department of the Government, and also as part of the executive department. We were called here for the purpose of adjusting our relations with foreign nations and confirming appointments nominated by the President. This, and this alone, is the business for which this body was convened. It is here

in no legislative capacity, but simply, I repeat, as a branch of the treaty-making and executive department of the Government.'

"On a petition which Mr. McPherson of New Jersey asked to present in relation to the arrest and imprisonment in a British jail of Michael Boyton, an American citizen—

"Mr. Harris of Tennessee said: 'I suppose the propriety of receiving the petition depends altogether upon its character. If it be in respect to executive business, I should think it would be in order to receive it; if it be upon a legislative subject, it would not be in order.' (Vol. 12, p. 192.)

"Mr. Bayard of Delaware, April 6, 1881 (CONGRESSIONAL RECORD, p. 211), said:

"'In the absence of the other House of Congress, no such thing as practical legislation can be begun here, because it can not be considered by the House of Representatives at the same session of the same Congress.'

"April 27, 1881, Mr. Morgan of Alabama submitted a concurrent resolution in relation to 'Isthmus ship canals,' which was objected to by Mr. Dawes, of Massachusetts, on the ground that it required the concurrence of the House of Representatives; whereupon, after debate, Mr. Morgan modified the resolution so as to make it a simple Senate resolution, when it was referred to the Committee on Foreign Relations.

"After the death of President Garfield in 1881 and the accession of Vice-President Arthur to the Presidency, there having been no President pro tempore of the Senate elected at the preceding session, and there being imminent danger, as the law relating to the presidential succession then stood, that the Government would be left without a head in the event of the death of the then President, a special executive session was called by President Arthur, which assembled October 10, 1881.

"At that session Mr. Garland of Arkansas, afterwards Attorney-General, said: 'It is very evident that we can not do any legislative business at this extra session of the Senate. We can only perform executive business.'" (CONGRESSIONAL RECORD, vol. 12, 47th Cong., special sess. of the Senate, 1881, p. 516.)

At the extraordinary session of the Senate convened by the proclamation of President Cleveland, March 4, 1889, on a resolution submitted by Mr. Call, of Florida, for the appointment of a special committee to investigate and report on the relations of the United States with the island of Cuba and the other West Indies, a very interesting debate occurred as to the power of the Senate to act upon such a resolution at a called session of the Senate alone, from which I quote the following from the CONGRESSIONAL RECORD, volume 20, Part I, special session of the Senate:

"Mr. Gray of Delaware said:

"'Mr. President, if from the resolution as reported at the desk we are to understand the scope of this proposition of the Senator from Florida, it is that a committee shall be now constituted which shall proceed to consider matters of public interest with a view to legislative action; and the resolution goes on to authorize this committee to make its investigations and to report to the Senate. I do not understand that this body, convened as it is in extraordinary session, is clothed with any legislative function whatever, and I think it is exceedingly important that we should maintain the distinction between this executive session and the ordinary legislative session in which we are one branch of the lawmaking or legislative power of the Federal Government.'

* * * * * * *

"There is no possible action that could be taken by the Senate on a report made by this proposed committee that would not, in my opinion, be legislative action. If the Senator from Florida has the idea and maintains that this proposition of his looks merely to performing some executive function, of course that puts it upon a different ground from the one on which I object to the resolution; but I can not understand, as I heard the resolution read, that anything can come as the ultimate result of the investigation proposed by this committee except action on the part of the Senate, and that action must be legislative action in connection with the other branch of Congress. If that be so, it comes clearly within the scope of the objection that I made. I think we should be very careful to confine ourselves within our just powers and not proceed to business which it is not competent for the Senate to transact at this extraordinary session (p. 23).

"Mr. Sherman of Ohio said:

* * * * * * *

"'Everything that can be done by the Senate at any time can be done by the Senate when assembled in extraordinary session. It is true we can not pass a bill so as to make it a law, but we might consider a bill, we might inquire into a bill, we might pass resolutions. We can not make a charge on the Public Treasury, because that requires the assent of both Houses; but we can express our opinions and do anything that the Senate of the United States may lawfully and rightfully do. We might pass a bill, so far as we are concerned, but it would seem to be idle work, the other House not being in session to act upon it.'

"But here is the point, and all the precedents referred to turn on this. That in every case the Senate has by its vote and by its rule limited its action. For instance, in July, 1861, when both Houses were convened in extraordinary session, one of the first acts done by the two Houses was to declare that no measure should be adopted or introduced except that which related to the subject-matter, that was the rebellion then existing in the United States. So eight years ago a similar, not rule, but practice was adopted. Objection was made to the introduction of resolutions and also to the introduction of bills, but petitions were presented.

"So in 1873 petitions and resolutions were presented and the point of order was made, not as to the right to introduce those resolutions, but as to whether it was expedient or wise, having been convened in extraordinary session, for the Senate to consider or even to introduce resolutions looking to legislative action. It was not denied that we might receive those resolutions and might receive those petitions, and, if you choose, refer them to appropriate committees already organized, but it was held not to be wise to do it, because as we could not complete anything we had better not do anything, and therefore the petitions were laid upon the table.

* * * * * * *

"We are here without the power to enact laws, without the power to act upon laws, but we have the power to act upon resolutions. There can be no great use, however, in expediting matters by undertaking to introduce petitions for the passage of certain bills. Doing so would not really expedite matters in the least. Therefore, in my judgment, we ought to confine ourselves, unless there is some strong reason for making an exception as to a particular subject-matter) simply to discharging the duties imposed upon us in confirming nominations and in passing upon treaties; we should confine ourselves simply to those duties that we can conclude and terminate by our separate action (p. 23).

"Mr. Platt of Connecticut said:

"'There is certainly nothing in the proclamation which limits the power of the Senate to do business at this session. There is nothing in the proclamation that requires this to be a short or temporary session of the Senate. We may continue in session until next December. And for one I believe, and have always believed since I have examined the question, that it is in the power of the Senate at a session like this to transact any business that it can transact at the regular sessions of the Senate.

"'It would seem to be somewhat futile to pass bills, because the other House is not in session so that we can send them to the other House; but if it were thought best in order to facilitate the business of the coming session, I believe that we could pass bills and send them to the other House when it shall be convened next December in regular session, and I have never understood that any settlement of this question has ever been made which in any way limited the right of the Senate to transact any business in this session which it could transact in a regular session.

* * * * * * *

"'I think it is true that we have not passed bills at these called sessions, but very many resolutions which are entirely outside of executive matters and entirely outside of matters relating to treaties have been passed at almost every special session of the Senate' (pp. 23 and 24).

"Mr. Gray again said:

"'Mr. President, the Senate of the United States convened in extraordinary session, as the Senate is now convened, in the absence of the other House, undoubtedly has in one sense the power to do anything that it is its will to do. I do not dispute that. There is no text of the Constitution that forbids it doing anything, taking any order of proceeding, making any investigation that it may by its vote determine upon. This is not a question of order, properly so called, but it is a question of propriety. The question to be considered is of the competence of the Senate, to be determined by a consideration of the legislative power as conferred by the Constitution, taking into account the scheme of our Government and the appropriate departments of its various powers. It is a matter which ought to be carefully and gravely considered by the Senate before it commits itself to a precedent which, as seems to me, is so unwarranted as the one proposed by the unmodified resolution of the Senator from Florida.

"'It is true this question has been before the Senate heretofore. It is not remarkable that it should often have been, as it has been, decided in various ways. In 1873, on the reception of a petition looking to matters of general concern presented to the Senate at one of its extraordinary sessions called by the President in the same manner and for the same purpose as this has been called, the question was debated at some length, and I find here an expression of opinion from Senators on both sides, Senators whose opinions are entitled to the greatest respect, in regard to this question of propriety and competency on that matter of the reception of general petitions and having them referred. The then Senator from Wisconsin, Mr. Carpenter, a man of unusual ability, as well as of unusual brilliancy, said:

"'"But the real question is"——

"'That was March 14, 1873——

"'"not whether the Senate could do such a thing, but whether the Senate alone, at an extra session, should enter upon business which belongs to the Congress of the United States. The Senate, of course, could receive petitions; the Senate could, perhaps, pass bills; but the question is whether it would be proper to do it. The ruling that was made yesterday, as I understood it then and understand it now, in following the precedents that have been determined by the Senate where the objection was made."

"In that same debate the Senator from Ohio, the present senior Senator from that State [Mr. Sherman], said:

"'"Mr. President, my friend from Wisconsin [Mr. Howe] seeks to establish a precedent. I submit to him whether on the whole, if we are to do that, it is not better for us to establish the precedent that the Senate shall not undertake to do what it can not do. The Senate is always disposed to exercise all the power it possesses, and sometimes we go a little beyond the line. Now, when the point is distinctly made, I submit to the Senator whether it is not better for the Senate to be content with what it has the right to do, rather than to undertake to do what it has not the right to do. The Senate has no power at this session to do anything of a legislative character. All legislative power is conferred upon Congress, and both Houses must be in session at the same time or legislation can not be done; and then the Constitution provides that neither House can adjourn more than a specified number of days without the consent of the other. If this petition is in the nature of legislative business, it is the business of Congress, not the business of the Senate alone."

"'So I say now that here is a resolution to create a committee to take into consideration business which can not be the business of the Senate alone, but is necessarily the business of Congress.

"'The Senator from Ohio went on to say:

"'"The Senate for certain purposes is a distinct political body, performing other duties besides those of legislation. The Senate shares with the President in the executive power. In certain cases it shares in the judicial power; in certain other cases it shares in the legislative power, but when it shares in the legislative power it must be as part of the Congress assembled, and the two Houses of Congress must both be in session."

"'Further on in the course of the same speech the Senator from Ohio said:

"'"Therefore, since the point of order is made, I submit to the Senate whether we ought not now to settle forever the question that this body has no power, when separated from the House of Representatives, when not in Congress assembled, to do anything of a legislative character. The various propositions which have been made here since this session commenced are all right."'

"Mr. SHERMAN. From what page does the Senator read?

"Mr. GRAY. Page 19 of the CONGRESSIONAL RECORD for the special session of 1873. The debate was on March 14, 1873.

"'We have the power to pass upon the election and qualifications of our members upon their right to hold seats here. Each House is by the Constitution the judge of that question, and we may act upon it. We are not in Congress assembled, but we may pass on executive business. We may continue our committees; we may direct our committees during the vacation to perform certain duties. We may do that under the rules of the Senate, because the Constitution authorizes each House to prescribe rules for its own government. Hence we may, under our rules, continue our committees in action during the vacation. Therefore the resolution offered by the honorable Senator from Michigan this morning is perfectly within our power.

"'We may continue all our committees during the vacation, because it is a power expressly given to us by our rules, and those rules are

authorized by the Constitution of the United States. But, sir, the same Constitution declares that all legislative power, everything that affects legislation, which makes laws, shall be done in Congress assembled. These petitions are not addressed to the Senate; they are addressed "to the Senate and House of Representatives in Congress assembled." Why, therefore, receive petitions not addressed to us? If a petition is addressed to me as a member of the Senate, or even in a semiofficial capacity, I can not present it under the rules and usages of the Senate.'

"Then the Senator from Ohio went on to quote from a debate which had occurred in the Senate at the called session of March, 1861, when Mr. Powell of Kentucky undertook to present a petition:

"'Mr. POWELL. I present a petition of various citizens of Superior, Wis., praying for the adoption of the Crittenden compromise.

"'Mr. FESSENDEN. That can hardly be presented, I apprehend, at this session. We can not do any legislative business, and I think it improper to present petitions for matters of legislation.

"'Mr. POWELL. Why not?

"'Mr. FESSENDEN. Congress is not in session.

"'Mr. POWELL. I am aware of that. I merely wish to present the petition and let it lie on the table.

"'Mr. FESSENDEN. My question was as to the propriety of presenting it at all. It is a precedent. It calls for legislation. I raise the question upon the propriety of it. It is nothing in reference to the petition itself, but simply because I doubt whether there is any propriety in receiving it.

"'Mr. POWELL. I can see no impropriety in that. The petition is addressed to the Senate, and is respectful in its terms.

"'The VICE-PRESIDENT. Does the Senator from Maine raise the question?

"'Mr. FESSENDEN. Yes, sir.

"'The VICE-PRESIDENT. The impression of the Chair is, that such communications have been received at previous sessions, simply for the purpose of placing them on the files of the Senate, and not for the action of the Senate.

"'Mr. FESSENDEN. Very well, sir; I take no appeal.

"'The VICE-PRESIDENT. This communication, therefore, will be placed on the files of the Senate.'

"I will not weary the Senate with reading further from the discussion of this point, which was carried on at great length; but it seems to me that every objection made by the Senator from Ohio to the reception and reference of those petitions in 1873 lies to the adoption of this resolution. Those petitions could undoubtedly have been received by the Senate and could have been referred; that is, the Senate had the power to do it. There was no constitutional inhibition in the text of the Constitution which forbade their doing it, nor is there any that forbids the Senate entertaining this resolution; but, as I said before, as a matter of propriety, as a matter of competency on the part of the Senate, inasmuch as this resolution looks to legislation, looks to some action which makes necessary the presence of the other branch of Congress, it seems to me that we should not undertake the first step toward considering it when we are not present in Congress assembled, but merely convened in extraordinary session as a Senate alone, and as such vested with no legislative power whatever.

"Mr. SHERMAN. Mr. President, I do not find fault with anything that I said in 1873; it is exactly in accordance with my position now; but the question as to whether we should enter upon these matters of legislation was then a question of propriety. I am of the same opinion now, that we ought not to enter upon anything that we can not complete as a Senate; but even then, in 1873, although petitions were ruled out because they were addressed to both Houses of Congress, by a vote of nearly two to one on two separate occasions petitions were excluded because they were purely legislative in their character, resolutions of various kinds were adopted and acted upon. So a distinction was made in 1873 that is palpable to the eye of everyone between legislative proceedings and mere resolutions of inquiry to get information in regard to legislative matters or in regard to executive business. For instance, on the very date from which the Senator reads, I find a resolution introduced by the then Senator from Michigan——

"Mr. GRAY. From what page is the Senator reading?

"Mr. SHERMAN. From page 77.

"Mr. CHANDLER. I offer the following resolution, and ask for its present consideration.

"'*Resolved*, That the Committee on Commerce be authorized and directed to sit during the recess, and to investigate and report upon the subject of subsidies to steamship lines, and what lines, if any, should be subsidized; also, upon the propriety of paying bounties to shipbuilders, etc.'

"Instituting an inquiry into the whole subject of subsidies to steamship lines, and that was objected to because it had not been printed, and it was ordered to be printed and laid over one day, and it was taken up subsequently and considered. So the Senate at the very time when this debate occurred, while they refused to receive petitions and enter upon the consideration of petitions, did receive resolutions.

"Mr. GRAY. The Senator from Ohio will allow me to say that that resolution and a great many others, I believe, of the same character as the one proposed by the Senator from Florida [Mr. Call] have been adopted by the Senate, and they have generally been adopted by unanimous consent, as the Senator from Ohio, if he will pardon me, on page 78 of the volume before me, said in relation to just that point:

"'Mr. SHERMAN. It was done by unanimous consent without objection. By that kind of logic I can show that there are no rules in the Senate at all, because every rule in the Senate has been violated by unanimous consent. Unless the point was made, I insist that a precedent was not established by the Senate, because every rule has been violated. There is no rule on the whole list but what has been waived over and over again by unanimous consent; but that does not establish what the rule is.

"'The Senate can do what it has a right to do, by unanimous consent, and it can do what it has a right to do, by a majority vote; so that it makes no difference and there is nothing in that point. As a matter of course, if the Senate has the power to do anything, it is for it to determine. Usually all these matters are done by unanimous consent; and if of them may be by a majority vote, and a majority of one vote makes it the act of the Senate just as much as if it was done by a unanimous vote. A question of order may be waived by a unanimous vote, but a question of power can not be. There is the difference.'

"I say, then, it is a mere question of expediency, a mere question of propriety. I do not differ with the Senator from Delaware that on the question of expediency and propriety the Senate had better confine itself simply to executive business or to resolutions which affect its organization and separate business, but as to its power. I claim that the Senate of the United States has the power to go on now and pass bills or do anything which the Constitution authorizes it to do where the presence of the House of Representatives is not required. We can not send messages to the other House; we can make no progress toward the final passage of the bills; but whatever the Constitution authorizes the Senate to do, that may be done properly at this time (pp. 24, 25).

"In the same debate Mr. George of Mississippi said:

"'I do not think that the Senate can exercise any legislative power when assembled in what is called "extraordinary session," the House of Representatives not being in session. All the powers that this body can exercise are powers granted by the Constitution of the United States. No legislative power is granted by the Constitution of the United States to the Senate, none to the House of Representatives. The grant made by the Constitution is in the language read by the Senator from Florida, and which I shall read again:

"'All legislative powers herein granted shall be vested in a Congress'——

"'Not in a Senate, not in a House of Representatives, but "in a Congress." Reading all of that section of the Constitution, we find what a Congress is:

"'All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.'

"'There is no Congress and can be no Congress under the Constitution unless there be a Senate and House of Representatives——

"'Mr. PLATT. May I ask the Senator a question?

"'Mr. GEORGE. Not now. There must be both a Senate and a House of Representatives, and in order to constitute that Congress, that Senate and that House of Representatives must be organized according to the Constitution, and must be assembled, both of them, at a time and place prescribed by law. Unless there is such an assemblage of both Houses, both of a Senate and of a House of Representatives, at a time and place prescribed by law, there is no body in existence entitled to be called "a Congress," in which, by that clause of the Constitution which I have just read, all legislative power is vested.

"'"Congress" itself in its literal meaning simply means an assemblage, a coming together, a coming together of the representatives of the States and of the people, and it is inaccurate and unconstitutional language to apply the term "Congress" to any individuals, though they be Senators or Representatives, unless they be organized and assembled as a Congress in pursuance of law. The assembling of the Senate in extraordinary session by proclamation of the President is not an assemblage of Congress. It is not a Congress, and therefore is not a body in which the Constitution vests legislative power. It is not in that condition even a part of Congress. It is the assemblage of a body which may, under certain circumstances and in accordance with law and when the other body is assembled also, become then, and not till then, a part of the Congress of the United States.

"To show that is correct I have but to call the attention of Senators to the formula prefixed to every bill and to every joint resolution ever passed by the Congress, which is in these words:

"'*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*'

"That formula was adopted at the very first session of Congress held under the Constitution, and it has been adhered to from that time to this. That formula expresses this idea, that there must be an assembly in Congress of both the Senate and the House of Representatives before that constitutional body is formed in which legislative power is vested by the Constitution.

"Mr. GRAY. The Senator from Mississippi will allow me to say that I understood the Senator from Ohio [Mr. Sherman] and the Senator from Connecticut [Mr. Platt] both to contend that it was competent for the Senate of the United States convened in extraordinary session, in the absence of the House of Representatives, to pass a bill.

"Mr. HARRIS. To transact any legislative business.

"Mr. GEORGE. To do any legislative business whatever; a pretension which I am trying to overturn and which I think has been sufficiently overturned by the mere calling of the attention of the Senate to that part of the Constitution which was read by the Senator from Florida [Mr. Call], and which I have also read.

"Mr. President, there is no Senate, there is no House of Representatives, constitutionally speaking, until each body has been assembled according to law. We have 76 members of this body. The 76 individuals who hold commissions from the 38 States as their Senators might all meet together at the same time and place, and unless that time and that place were designated by law, which law clothed them with their character as a Senate, they would not be competent to perform any act whatever, legislative, executive, or anything else. Any act intended to be officially performed by these 76 Senators assembled at a particular place and time not specified by law would be as valueless in law as the acts of any other 76 persons in the United States assembled at any time and place.

"There is, then, no Senate unless it be assembled at the time and place fixed by law. There is no House of Representatives now, because there is no body composed of 325 Representatives of the different States assembled at a time and place fixed by the law and the Constitution for the performance of their duties.

"So we stand to-day in this wise, that there is a Senate of the United States and there is no actual House of Representatives. There have been, it is true, so many men elected to the House of Representatives who, when the time arrives which is fixed by law, may assemble together at the place fixed by law, and then, organizing themselves as the Constitution requires them to be organized, they will constitute a House of Representatives.

"Now, having made that clear beyond controversy, I go back to the Constitution, and when Senators claim that this body now assembled, lawfully it is true, and in pursuance of the proclamation of the President, may exercise legislative power, I call their attention to the Constitution, which says—I will read it again:

"'All legislative power'—not a part of them, but 'all legislative power herein granted shall be vested in a Congress of the United States,' and that, too, 'in a Congress of the United States, which shall consist,' not of a Senate alone, but 'of a Senate and House of Representatives.' Then, sir, there being no House of Representatives, there is no body, no organized body, in which by the terms of the Constitution any part of the legislative power of this Government can be vested. For though there is a Senate, yet there is no Congress, and it is only in the Congress that legislative power is vested by the Constitution.

"Mr. SPOONER. Will the Senator allow me to ask him a question?

"Mr. GEORGE. Yes, sir.

"Mr. SPOONER. I understand the Senator to argue that this body is not one of the Houses of Congress under the Constitution.

"Mr. GEORGE. No; I did not say that.

"Mr. PLATT. Sitting now.

"Mr. SPOONER. Sitting now. Did I understand the Senator?

"Mr. GEORGE. I did not say that.

"Mr. SPOONER. Does the Senator say that sitting now this body is not a part of Congress?

"Mr. GEORGE. I say that the Senate as now organized and as now sitting is not one of the two constituent bodies, is not per se a Congress of the United States, but is only one of two constituent bodies, both of which must be convened in order that a Congress may be constituted in which by the Constitution legislative power is vested. There is no legislative power vested by the Constitution in the Senate. There is no legislative power vested by the Constitution in the House of Representatives. The legislative power is vested in a Congress. That is what the Constitution says. What, now, is a Congress? A Congress must be, if it be a constitutional Congress, according to the express words of the Constitution, composed of both the Senate and the House of Representatives, and there is no such body in existence. There is no answer to that.

"Mr. GRAY. The proposition of the Senator from Mississippi, if he will pardon me, is that the Senate of the United States or the House of Representatives, when convened in the absence of the other body, is not under the Constitution in any sense the depositary of legislative power.

"Mr. GEORGE. It is not the depositary of any legislative power whatever.

"Mr. HARRIS. And is not a legislative body.

"Mr. GEORGE. And is not a legislative body. As unanswerable as that position must be when tested by the language of the first section of the first article of the Constitution, it becomes, if possible, even more clear when we consider another clause of the Constitution to which I invite the attention of the Senate. The fourth clause of the fifth section of the first article of the Constitution reads in this wise:

"'Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days.'

"Alone this provision would be of no value in determining this question, but taken with the first section of the first article on which I have commented it shows in the strongest and most conclusive manner that the body of Congress mentioned in the first section in which legislative power is vested shall not exercise any of its powers unless both Houses be in session. When both Houses get here under the clause to which I have called the attention of the Senate, although being in legal session, yet the Constitution so considers the necessity of having both branches in actual session when legislative duties are performed that it provides that neither House shall adjourn without the consent of the other for more than three days. So that, though the Congress be regularly convened, the Constitution by this clause provides against the transaction of business by one branch alone, except by its own consent.

"Mr. President, I am not bound to furnish the motives and the reasoning upon which the framers of the Constitution proceeded in making that instrument. It is sufficient if we can understand the plain meaning of its terms used in the Constitution. According to its plain meaning, if there be any proposition not mathematical, merely of a moral character, which can be said to be demonstrated, it is demonstrated by a consideration of the clauses of the Constitution to which I have called attention that legislative power can not be exercised except when both Houses are in session" (pp. 26, 27).

[CONGRESSIONAL RECORD, March 6, 1901, p. 12.]

Mr. PLATT of Connecticut. Of course no Senator can speak for anyone but himself; but for myself, I should not think it wise to attempt to proceed at this executive session of the Senate to consider legislative business. I was one of the Senators who in 1893, if that was the date——

Mr. TELLER. That was the time——

Mr. PLATT of Connecticut. For that the Senate had a right to do so. But I do not think there is any necessity for it, or that it would be wise to do so at this session.

Mr. GALLINGER. Mr. President, while I quite agree with the view expressed that we ought not to enter upon legislation in the ordinary sense, yet it appears to me that there are some matters we can do, and as an illustration I submit a Senate resolution which looks to charging a Senate committee with a certain duty, which I trust will not be opposed. I ask that the resolution be read and that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. MORGAN. I desire, before that order is taken, to call the attention of the Chair and of the Senate to the rules of the Senate. The rules of the Senate prescribe to the Chair a certain order of business in the morning hour, and there is no exception in those rules in reference to an executive session or an extraordinary session. This is not an executive session of the Senate. It is an extraordinary session, when the Senate is called, under the Constitution, by the President to discharge such duties as they see fit to discharge and as he may see fit to lay before them. The rules of the Senate apply in full force to this extraordinary session, and it is my opinion—I do not know how many concur in it—that the order of business is to be pursued in this session precisely as in any regular session of Congress, and that no one has the right to set aside these rules until it has been done in an orderly way, and we make them apply only to regular sessions of Congress instead of an extraordinary session of the Senate.

Under that rule, Mr. President, the first order of business, of course, is reading the Journal. Then the call for petitions and memorials. I presume that this extraordinary session of the Senate would not exclude the people from their right to present petitions and memorials, which is a constitutional right and which we can not dispense with until we have changed the rules, to say the least of it, if we can ever do that. The next order of business is reports from committees. The next order of business is bills and joint resolutions. The next order or business is concurrent and other resolutions. The Chair has always, without any omission, so far as I am aware, proceeded with that order of business; and if Senators have business to offer under these respective orders they have the right to do it.

Taking that view of the subject, I on yesterday presented a resolution which relates to the treaty-making powers of the Senate, which certainly are within the purview of any construction that might be placed upon our present rights or our present duties. That resolution came over from yesterday. No objection was made to it at the time, and I desire when it is reached in the regular order of business to submit some remarks upon it, and I expect to be able to do so unless the Senate shall violate its rules by cutting me off.

Mr. PLATT of Connecticut. I think the Senator from Alabama is clearly right. When I submitted my amendment I said that I took the liberty to do so if there was nothing preliminary to it in the order of business. So supposing, I obtained the consent of the Senate to offer it at that time; but clearly the rules prescribing the order of business must be pursued.

The VICE-PRESIDENT. Does the Senator from Alabama call for the regular order?

Mr. MORGAN. I call for the regular order.

The VICE-PRESIDENT. The regular order of business.

Mr. TELLER. I agree with the Senator from Alabama that this is a legislative session if we choose to exercise the power. That question was pretty thoroughly debated in 1893. While I think the consensus of opinion was that we had the power to legislate, we then resolved not to legislate. There is certain business that we must transact. It would be quite impossible for us to say, if a citizen or a number of citizens sent a petition here, that we could not receive the petition. I believe that we can do everything that the Senate can do when the House is in session. Of course we would not have any House bills, but we can pass all the bills that we are authorized to originate. However, it has been the custom, I think, not to do that. It seems to me to be well far the Senate to determine that question in the very earliest stages of the present session. I do not know what is the resolution proposed by the Senator from New Hampshire [Mr. GALLINGER].

The VICE-PRESIDENT. The regular order has been called for. The presentation of petitions and memorials is first in order.

NOTIFICATION TO THE PRESIDENT.

Mr. FRYE and Mr. DANIEL, the committee appointed to wait upon the President of the United States, appeared, and

Mr. FRYE said: Mr. President, the committee appointed to wait upon the President of the United States have performed that duty, and the President stated to the committee that he has no further communication to make to the Senate.

Mr. ALDRICH. I move that the Senate adjourn without day.

The motion was agreed to, and (at 2 o'clock and 16 minutes p. m.) the Senate adjourned without day.

NOMINATIONS.

Executive nominations received by the Senate March 6, 1909.

RECEIVER OF PUBLIC MONEYS.

Oliver C. Kippenbrock, of Highmore, S. Dak., to be receiver of public moneys at Gregory, S. Dak. A new office under executive order of January 18, 1909, by removal from Mitchell.

REGISTER OF THE LAND OFFICE.

Thomas C. Burns, of Mitchell, S. Dak., to be register of the land office at Gregory, S. Dak. A new office under executive order of January 18, 1909, by removal from Mitchell.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 6, 1909.

COLLECTOR OF CUSTOMS.

William Loeb, jr., to be collector of customs for the district of New York, N. Y.

ASSISTANT SECRETARY OF THE NAVY.

Beekman Winthrop to be Assistant Secretary of the Navy.

RECEIVERS OF PUBLIC MONEYS.

John P. McDowell to be receiver of public moneys at Williston, N. Dak.

Oliver C. Kippenbrock to be receiver of public moneys at Gregory, S. Dak.

REGISTER OF THE LAND OFFICE.

Thomas C. Burns to be register of the land office at Gregory, S. Dak.

SIXTY-FIRST CONGRESS, FIRST SESSION.

CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE SIXTY-FIRST CONGRESS.

FIRST SESSION.

SENATE.

MONDAY, *March 15, 1909.*

The first session of the Sixty-first Congress commenced this day at the Capitol, in the city of Washington, in pursuance of the proclamation of the President of the United States of the 6th day of March, 1909.

The VICE-PRESIDENT (JAMES S. SHERMAN, of New York) took the chair and called the Senate to order at 12 o'clock noon.

PRAYER.

The Chaplain, Rev. Edward E. Hale, offered the following prayer:

Seeing we also are compassed about with so great a cloud of witnesses, let us lay aside every weight, let us run with patience the race that is set before us, looking unto Jesus the author and finisher of our faith.

For ye, brethren, were called for freedom—only use not your freedom for an occasion to the flesh. But through love be servants one to another.

Let us pray. Father, we thank Thee that we are here again. We are here with the new week beginning, to consecrate the week to Thee, not for to-morrow nor the day after to-morrow, but for to-day. We ask Thy blessing, that Thou wilt inspirit us, that our lives may be spiritual lives throughout, that we may live in the spirit, that we may walk in the spirit.

We can not thank Thee enough that Thou hast shown us that we are Thy children, that we can partake of Thine own almightiness, if we will, if we choose, that we can go about our Father's business. Show us to-day, each one of us, what is the duty that comes next his hand to-day.

We ask it in Christ Jesus.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come; Thy will be done on earth as it is done in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil; for Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

THE PROCLAMATION.

The VICE-PRESIDENT. The Secretary will read the proclamation of the President of the United States convening Congress in extraordinary session.

The Assistant Secretary (Henry M. Rose) read the proclamation, as follows:

By the President of the United States of America:

A PROCLAMATION.

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 15th day of March, 1909, to receive such communication as may be made by the Executive:

Now, therefore, I, William Howard Taft, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the city of Washington on the 15th day of March, 1909, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

Given under my hand and the seal of the United States of America the 6th day of March, in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States the one hundred and thirty-third.

[SEAL.] WILLIAM H. TAFT.

By the President:
P. C. KNOX,
Secretary of State.

CALLING OF THE ROLL.

The VICE-PRESIDENT. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Hale	Penrose
Bailey	Culton	Heyburn	Perkins
Borah	Cummins	Hughes	Piles
Bourne	Curtis	Johnson, N. Dak.	Rayner
Bradley	Daniel	Johnston, Ala.	Richardson
Brandegee	Depew	Jones	Root
Briggs	Dick	Kean	Scott
Bristow	Dillingham	La Follette	Simmons
Brown	Dolliver	Lodge	Smith, Mich.
Bulkeley	du Pont	McCumber	Smith, S. C.
Burkett	Elkins	Martin	Smoot
Burnham	Fletcher	Money	Sutherland
Burrows	Flint	Nelson	Taylor
Burton	Frazier	Newlands	Warner
Carter	Frye	Nixon	Warren
Chamberlain	Gallinger	Overman	Wetmore
Clapp	Gamble	Page	
Crane	Guggenheim	Paynter	

Mr. MONEY (when Mr. BACON's name was called). The senior Senator from Georgia [Mr. BACON] is absent, sick in this city.

Mr. MONEY (when Mr. CLAY's name was called). The junior Senator from Georgia [Mr. CLAY] is absent, at home sick.

Mr. MONEY (when Mr. McLAURIN's name was called). My colleague [Mr. McLAURIN] is absent, at home sick.

Mr. FLETCHER (when Mr. TALLIAFERRO's name was called). The senior Senator from Florida [Mr. TALLIAFERRO] is unavoidably detained. He is on the way here, but has not yet arrived.

Mr. BAILEY. I desire to announce that my colleague [Mr. CULBERSON] is detained from the session by sickness.

Mr. SMITH of South Carolina. The senior Senator from South Carolina [Mr. TILLMAN] is unwell and unable to be present.

The VICE-PRESIDENT. Seventy Senators have answered to the roll call. A quorum of the Senate is present.

SENATORS PRESENT.

By States the following Senators were present:

Alabama—Joseph F. Johnston.
California—Frank P. Flint and George C. Perkins.
Colorado—Simon Guggenheim and Charles J. Hughes.
Connecticut—Frank B. Brandegee and Morgan G. Bulkeley.
Delaware—Henry A. du Pont and Harry H. Richardson.
Florida—Duncan U. Fletcher.
Idaho—William E. Borah and Weldon B. Heyburn.
Illinois—Shelby M. Cullom.
Iowa—Albert B. Cummins and Jonathan P. Dolliver.
Kansas—Joseph L. Bristow and Charles Curtis.
Kentucky—William O. Bradley and T. H. Paynter.
Maine—William P. Frye and Eugene Hale.
Maryland—Isidor Rayner.
Massachusetts—Winthrop Murray Crane and Henry Cabot Lodge.
Michigan—Julius C. Burrows and William Alden Smith.
Minnesota—Moses E. Clapp and Knute Nelson.
Mississippi—H. D. Money.
Missouri—William Warner.
Montana—Thomas H. Carter.
Nebraska—Norris Brown and Elmer J. Burkett.
Nevada—Francis G. Newlands and George S. Nixon.
New Hampshire—Henry E. Burnham and Jacob H. Gallinger.
New Jersey—Frank O. Briggs and John Kean.
New York—Chauncey M. Depew and Elihu Root.
North Carolina—Lee S. Overman and F. M. Simmons.
North Dakota—Martin N. Johnson and Porter J. McCumber.

Ohio—Theodore E. Burton and Charles Dick.
Oregon—Jonathan Bourne and George E. Chamberlain.
Pennsylvania—Boies Penrose.
Rhode Island—Nelson W. Aldrich and George Peabody Wetmore.
South Carolina—Edley D. Smith.
South Dakota—Coe I. Crawford and Robert J. Gamble.
Tennessee—James B. Frazier and Robert L. Taylor.
Texas—Joseph W. Bailey.
Utah—Reed Smoot and George Sutherland.
Vermont—William P. Dillingham and Carroll S. Page.
Virginia—John W. Daniel and Thomas S. Martin.
Washington—Wesley L. Jones and Samuel H. Piles.
West Virginia—Stephen B. Elkins and Nathan B. Scott.
Wisconsin—Robert M. La Follette.
Wyoming—Francis E. Warren.

SENATOR FROM WISCONSIN.

Mr. LA FOLLETTE presented the credentials of ISAAC STEPHENSON, chosen by the legislature of the State of Wisconsin a Senator from that State for the term beginning March 4, 1909, which were read and ordered to be filed.

Mr. LA FOLLETTE. I ask that the oath be administered to my colleague.

The VICE-PRESIDENT. The Senator-elect will present himself and take the oath of office.

Mr. STEPHENSON was escorted to the Vice-President's desk by Mr. LA FOLLETTE, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

NOTIFICATION TO THE HOUSE.

Mr. HALE submitted the following resolution (S. Res. 1), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. ALDRICH submitted the following resolution (S. Res. 2), which was considered by unanimous consent and agreed to:

Resolved, That a committee consisting of two Senators be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The VICE-PRESIDENT appointed Mr. ALDRICH and Mr. DANIEL the committee on the part of the Senate.

HOUR OF MEETING.

Mr. CULLOM submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

RECESS.

Mr. HALE. I move that the Senate take a recess until 2 o'clock.

The motion was agreed to, and (at 12 o'clock and 15 minutes p. m.) the Senate took a recess until 2 o'clock p. m., when it reassembled.

MESSAGE FROM THE HOUSE.

Mr. William J. Browning, the Chief Clerk of the House of Representatives, appeared and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled; that JOSEPH G. CANNON, a Representative from the State of Illinois, has been elected Speaker; that Alexander McDowell, a citizen of the State of Pennsylvania, has been elected Clerk, and that the House is ready to proceed to business.

Also, that a committee of three were appointed by the Speaker on the part of the House of Representatives to join the committee appointed by the Senate to wait on the President of the United States and inform him that a quorum of each of the two Houses has assembled and that Congress is ready to receive any communication he may be pleased to make, and that Mr. OLMSTED of Pennsylvania, Mr. MCKINLAY of California, and Mr. CLARK of Missouri were appointed such committee on the part of the House.

Mr. HALE. I move that the Senate adjourn.

The motion was agreed to, and (at 2 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 16, 1909, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 15, 1909*.

This being the day fixed in the proclamation of the President for the assembling of the first session of the Sixty-first Congress, the Clerk of the last House, Mr. Alexander McDowell, called the House to order.

The Chaplain of the House of Representatives of the Sixtieth Congress, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, in whom all our longings, hopes, and aspirations are centered, we draw near to Thee in the sacred attitude of prayer that we may receive abundantly of Thy spirit, that working in and through us it may be to the uplift of humanity.

Under Thy providence the Sixty-first Congress of these United States is convened in extraordinary session, confronted with a stupendous problem which touches every hearthstone throughout our Republic.

We pray most fervently for Thy wisdom to guide, Thy strength to sustain, in all its deliberations. Inspire the minds and hearts of these Thy servants with patriotism, zeal, courage, and statesmanship that their work may be for the best interests of all. Bless, we beseech Thee, the Speaker of this House, that with firmness in the right, as it is given him to see the right, he may guide with unerring precision in all its sessions. Let Thy spirit come mightily upon the President of these United States, his advisers, and all others in authority, that the affairs of state may be wisely administered and the laws of the land faithfully executed. Let Thy wisdom guide in justice the decisions of our judiciary; let righteousness, peace, and prosperity smile upon us, that the nation may go forward to larger and grander achievements; and everlasting praise be Thine, through Jesus Christ our Lord. Amen.

The CLERK. The Clerk will read the proclamation of the President of the United States convening the Sixty-first Congress in extra session.

The Clerk read as follows:

By the President of the United States:

A PROCLAMATION.

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 15th day of March, 1909, to receive such communication as may be made by the Executive;

Now, therefore, I, William Howard Taft, President of the United States of America, to hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the city of Washington on the 15th day of March, 1909, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

Given under my hand and the seal of the United States of America the 6th day of March in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States the one hundred and thirty-third.

[SEAL.] WILLIAM H. TAFT.

By the President:
P. C. KNOX,
Secretary of State.

The CLERK. The hour having arrived, under the proclamation of the President, for the convening of the first session of the Sixty-first Congress, the roll will be called alphabetically by States to determine if a quorum of the Members of the House of Representatives is present.

The roll was called, and the following Members answered to their names:

ALABAMA.

George W. Taylor.
S. H. Dent, jr.
Henry D. Clayton.
William B. Craig.
J. Thomas Heflin.
Richmond Pearson Hobson.
John L. Burnett.
William Richardson.
Oscar W. Underwood.

ARKANSAS.

R. B. Macon.
W. A. Oldfield.
J. C. Floyd.
Ben Cravens.
Charles C. Reid.
Joe T. Robinson.
R. M. Wallace.

CALIFORNIA.

William F. Englebright.
Duncan E. McKinlay.
Joseph R. Knowland.
Julius Kahn.
E. A. Hayes.
James Carson Needham.
James McLachlan.
S. C. Smith.

COLORADO.

Edward T. Taylor.
Atterson W. Rucker.
John A. Martin.

CONNECTICUT.

John Q. Tilson.
E. Stevens Henry.
Nehemiah D. Sperry.
Edwin W. Higgins.
Ebenezer J. Hill.

DELAWARE.

William H. Heald.

FLORIDA.

Stephen M. Sparkman.
Dannite H. Mays.

GEORGIA.

Charles G. Edwards.
James M. Griggs.
Dudley M. Hughes.
W. C. Adamson.
L. F. Livingston.
Charles L. Bartlett.
Gordon Lee.
William M. Howard.
Thomas M. Bell.
Thomas W. Hardwick.
William G. Brantley.

IDAHO.

Thomas R. Hamer.

ILLINOIS.

Martin B. Madden.
James R. Mann.
William W. Wilson.
James F. McDermott.
Adolph J. Sabath.
William Lorimer.
Fred Lundin.
Thomas Gallagher.
Henry S. Boutell.
George Edmund Foss.
Howard M. Snapp.
Charles E. Fuller.
Frank O. Lowden.
James McKinney.
George W. Prince.
Joseph V. Graff.
John A. Sterling.
Joseph G. Cannon.
William B. McKinley.
Henry T. Rainey.
James M. Graham.
William A. Rodenberg.
Martin D. Foster.
Pleasant T. Chapman.
N. B. Thistlewood.

INDIANA.

John W. Boehne.
William A. Cullop.
William E. Cox.
Lincoln Dixon.
Robert W. Moss.
William O. Barnard.
Charles A. Korbly.
John A. M. Adair.
Martin A. Morrison.
Edgar D. Crumpacker.
George W. Rauch.
Cyrus Cline.
Henry A. Barnhart.

IOWA.

Charles A. Kennedy.
Albert F. Dawson.
Charles E. Pickett.
Gilbert N. Haugen.
James W. Good.
N. E. Kendall.
John A. T. Hull.
W. D. Jamieson.
Walter I. Smith.
Frank P. Woods.
Elbert Hamilton Hubbard.

KANSAS.

D. R. Anthony, jr.
Charles F. Scott.
E. H. Campbell.
J. M. Miller.
William A. Calderhead.
W. A. Reeder.
E. H. Madison.
Victor Murdock.

KENTUCKY.

Ollie M. James.
A. O. Stanley.
R. Y. Thomas, jr.
Ben Johnson.
Swagar Sherley.
Joseph L. Rhinock.
James C. Cantrill.
Harvey Helm.
J. B. Bennett.
John W. Langley.
D. C. Edwards.

LOUISIANA.

Albert Estopinal.
Robert F. Broussard.
John T. Watkins.
Joseph E. Ransdell.
Robert C. Wickliffe.
Arsène P. Pujo.

MAINE.

Amos L. Allen.
John P. Swasey.
Edwin C. Burleigh.
Frank E. Guernsey.

MARYLAND.

James Harry Covington.
Joshua Frederick C. Talbott.
John Kronmiller.
John Gill, jr.
Sydney E. Mudd.
George A. Pearre.

MASSACHUSETTS.

George P. Lawrence.
Frederick H. Gillett.
Charles G. Washburn.
Charles Q. Tirrell.
Butler Ames.
Augustus P. Gardner.
Ernest W. Roberts.
Samuel W. McCall.
John A. Keliher.
Joseph F. O'Connell.
Andrew J. Peters.
John W. Weeks.
William S. Greene.
William C. Lovering.

MICHIGAN.

Edwin Denby.
Charles E. Townsend.
Washington Gardner.
Edward L. Hamilton.
Gerrit J. Diekema.
Samuel W. Smith.
Henry McMorran.
Joseph W. Fordney.
James C. McLaughlin.
George A. Loud.
Francis H. Dodds.
H. Olin Young.

MINNESOTA.

James A. Tawney.
W. S. Hammond.
Charles R. Davis.
Frederick C. Stevens.
Frank M. Nye.
Charles A. Lindbergh.
Andrew J. Volstead.
Clarence B. Miller.
Halver Steenerson.

MISSISSIPPI.

Ezekiel S. Candler, jr.
Thomas Spight.
Benjamin G. Humphreys.
Thomas Upton Sisson.
Adam M. Byrd.
Eaton J. Bowers.
William A. Dickson.
James William Collier.

MISSOURI.

James T. Lloyd.
William W. Rucker.
Joshua W. Alexander.
Charles F. Booher.
William P. Borland.
David A. De Armond.
Courtney W. Hamlin.
Dorsey W. Shackleford.
Champ Clark.
Richard Bartholdt.
Patrick F. Gill.
Harry M. Coudrey.
Politte Elvins.
Charles A. Crow.
Charles H. Morgan.
Arthur P. Murphy.

MONTANA.

Charles N. Pray.

NEBRASKA.

John A. Maguire.
Gilbert M. Hitchcock.
James P. Latta.
Edmund H. Hinshaw.
George W. Norris.
Moses P. Kinkaid.

NEVADA.

George A. Bartlett.

NEW HAMPSHIRE.

Cyrus A. Sulloway.
Frank D. Currier.

NEW JERSEY.

Henry C. Loudenslager.
John J. Gardner.
Benjamin F. Howell.
Ira W. Wood.
Charles N. Fowler.
William Hughes.
Richard Wayne Parker.
William H. Wiley.
Eugene F. Kinkead.
James A. Hamill.

NEW YORK.

William W. Cocks.
George H. Lindsay.
Otto Godfrey Foelker.
Charles B. Law.
Richard Young.
William M. Calder.
John J. Fitzgerald.
Daniel J. Riordan.
Henry M. Goldfogle.
William Sulzer.
Charles V. Fornes.
Michael F. Conry.
Herbert Parsons.
William Willett, jr.
Jacob Van Vechten Olcott.
Francis Burton Harrison.
William S. Bennet.
Joseph A. Goulden.
John E. Andrus.
Thomas W. Bradley.
Hamilton Fish.
William H. Draper.
George N. Southwick.
George W. Fairchild.
Cyrus Durey.
George R. Malby.
Charles S. Millington.
Charles L. Knapp.
Michael F. Driscoll.
John W. Dwight.
Sereno E. Payne.
James B. Perkins.
Jacob Sloat Fassett.
James S. Simmons.
Daniel A. Driscoll.
De Alva S. Alexander.
Edward Butterfield Vreeland.

NORTH CAROLINA.

John H. Small.
Claude Kitchin.
Charles R. Thomas.
Edward W. Pou.
John M. Morehead.
Hannibal L. Godwin.
Robert N. Page.
Charles H. Cowles.
Edwin Y. Webb.
John G. Grant.

NORTH DAKOTA.

L. B. Hanna.
Asle J. Gronna.

OHIO.

Nicholas Longworth.
Herman P. Goebel.
James M. Cox.
William E. Tou Velle.
Timothy T. Ansberry.
Matthew R. Denver.
J. Warren Keifer.
Ralph D. Cole.
Isaac R. Sherwood.
Adna R. Johnson.
Albert Douglas.
Edward L. Taylor, jr.
Carl C. Anderson.
William G. Sharp.
James Joyce.
David A. Hollingsworth.
W. A. Ashbrook.
James Kennedy.
W. Aubrey Thomas.
Paul Howland.

OKLAHOMA.

Bird McGuire.
Dick T. Morgan.
Charles E. Creager.
Charles D. Carter.
Scott Ferris.

OREGON.

Willis C. Hawley.
W. R. Ellis.

PENNSYLVANIA.

Henry H. Bingham.
Joel Cook.
J. Hampton Moore.
Reuben O. Moon.
William W. Foulkrod.
George D. McCreary.
Thomas S. Butler.
Irving P. Wanger.
William W. Griest.
T. D. Nicholls.
Henry W. Palmer.
Alfred B. Garner.
John H. Rothermel.
Charles C. Pratt.
William B. Wilson.
John G. McHenry.
Benjamin K. Focht.
Martin E. Olmsted.
John M. Reynolds.
Daniel F. Lafean.
Charles F. Barclay.
George F. Huff.
Allen F. Cooper.
John K. Tener.
Arthur L. Bates.
A. Mitchell Palmer.
J. N. Langham.
Nelson P. Wheeler.
William H. Graham.
John Dalzell.
James Francis Burke.
A. J. Barchfeld.

RHODE ISLAND.

William Paine Sheffield.
Adin B. Capron.

SOUTH CAROLINA.

James O. Patterson.
Wyatt Aiken.
Joseph T. Johnson.
David E. Finley.
J. Edwin Ellerbe.
Asbury F. Lever.

SOUTH DAKOTA.

Charles H. Burke.
Eben W. Martin.

TENNESSEE.

W. P. Brownlow.
Richard W. Austin.
John A. Moon.
Cordell Hull.
W. C. Houston.
Joseph W. Byrns.
L. P. Padgett.
T. W. Sims.
Finis J. Garrett.
George W. Gordon.

TEXAS.

Martin Dies.
C. B. Randell.
Jack Beall.
Rufus Hardy.
A. W. Gregg.
John M. Moore.
George F. Burgess.
A. S. Burleson.
R. L. Henry.
O. W. Gillespie.
John H. Stephens.
James L. Slayden.
John N. Garner.
William R. Smith.

UTAH.

Joseph Howell.

David J. Foster.

William A. Jones.
Harry L. Maynard.
John Lamb.
Francis Rives Lassiter.
E. W. Saunders.

William E. Humphrey.
Francis W. Cushman

William P. Hubbard.
George C. Sturgiss.
Joseph Holt Gaines.

Henry Allen Cooper.
John M. Nelson.
Arthur W. Kopp.
William J. Cary.
William H. Stafford.

VERMONT.

Frank Plumley.

VIRGINIA.

Carter Glass.
James Hay.
C. C. Carlin.
C. R. Slemp.
H. D. Flood.

WASHINGTON.

Miles Poindexter.

WEST VIRGINIA.

Harry C. Woodyard.
James A. Hughes.

WISCONSIN.

Charles H. Weisse.
James H. Davidson.
Gustav Küstermann.
E. A. Morse.
Irvine L. Lenroot.

WYOMING.

Frank W. Mondell.

The CLERK. The Clerk presents for the information of the House a statement showing the changes that have occurred since the regular election of Members of the Sixty-first Congress.

The statement is as follows:

District.	Name.	Date of vacancy.
Second Louisiana	R. C. Davey [a]	December 26, 1908.
Twenty-first Ohio	T. E. Burton [b]	January, 1909.

[a] Died. [b] Resigned.

Three hundred and eighty-two Members have answered to their names; a quorum is present.

ELECTION OF SPEAKER.

Mr. CURRIER. Mr. Clerk, I am directed by the Republican caucus to present the name of Hon. JOSEPH G. CANNON, a Representative-elect from the State of Illinois, as its nominee for Speaker of the Sixty-first Congress. [Loud applause on the Republican side.]

Mr. CLAYTON. Mr. Clerk, I am directed, by the unanimous vote of the Democrats, to nominate for the office of Speaker of the House of Representatives of the Sixty-first Congress of the United States Hon. CHAMP CLARK, a Representative-elect from the State of Missouri. [Loud applause on the Democratic side.]

The CLERK. Are there any other nominations? If not, the nominations are closed. The following tellers are appointed to conduct the election: Mr. VREELAND of New York and Mr. DENT of Alabama, who will please take their places at the desk. The Clerk will call the roll, and Members will designate whom they desire to elect Speaker.

The tellers having taken their places, the House proceeded to vote viva voce for Speaker.

The following is the vote in detail:

FOR MR. CANNON—204.

Alexander, N. Y.	Cushman	Graham, Pa.	Küstermann
Allen	Dalzell	Grant	Lafean
Ames	Davidson	Greene	Langham
Andrus	Dawson	Griest	Langley
Anthony	Denby	Gronna	Law
Austin	Diekema	Guernsey	Lawrence
Barchfeld	Dodds	Hamer	Longworth
Barclay	Douglas	Hamilton	Lorimer
Barnard	Draper	Hanna	Loud
Bartholdt	Driscoll, M. E.	Haugen	Loudenslager
Bates	Ducey	Hawley	Lovering
Bennet, N. Y.	Dwight	Hayes	Lowden
Bennett, Ky.	Edwards, Ky.	Heald	Lundin
Bingham	Ellis	Henry, Conn.	McCall
Boutell	Elvins	Higgins	McCreary
Bradley	Englebright	Hill	McGuire, Okla.
Brownlow	Fairchild	Hollingsworth	McKinlay, Cal.
Burke, Pa.	Fassett	Howell, N. J.	McKinley, Ill.
Burke, S. Dak.	Fish	Howell, Utah	McKinney
Burleigh	Focht	Howland	McLachlan, Cal.
Butler	Foelker	Hubbard, W. Va.	McLaughlin, Mich.
Calder	Fordney	Huff	McMorran
Calderhead	Foss	Hughes, W. Va.	Madden
Campbell	Foster, Vt.	Hull, Iowa	Madison
Capron	Foulkrod	Humphrey, Wash.	Malby
Chapman	Fowler	Johnson, Ohio	Mann
Cocks, N. Y.	Fuller	Joyce	Martin, S. Dak.
Cole	Gaines	Kahn	Miller, Kans.
Cook	Gardner, Mass.	Keifer	Millington
Cooper, Pa.	Gardner, Mich.	Kendall	Mondell
Coudrey	Gardner, N. J.	Kennedy, Iowa	Moon, Pa.
Cowles	Garner, Pa.	Kennedy, Ohio	Moore, Pa.
Creager	Gillett	Kinkaid, Nebr.	Morehead
Crow	Goebel	Knapp	Morgan, Mo.
Crumpacker	Good	Knowland	Morgan, Okla.
Currier	Graff	Kronmiller	

Mudd	Pratt	Southwick	Tirrell
Murphy	Pray	Sperry	Townsend
Needham	Prince	Stafford	Volstead
Norris	Reeder	Steenerson	Vreeland
Nye	Reynolds	Sterling	Wanger
Olcott	Roberts	Stevens, Minn.	Washburn
Olmsted	Rodenberg	Sturgiss	Weeks
Palmer, H. W.	Scott	Sulloway	Wheeler
Parker	Sheffield	Swasey	Wiley
Parsons	Simmons	Tawney	Wilson, Ill.
Payne	Slemp	Taylor, Ohio	Wood, N. J.
Pearre	Smith, Cal.	Tener	Woods, Iowa
Perkins	Smith, Iowa	Thistlewood	Woodyard
Pickett	Smith, Mich.	Thomas, Ohio	Young, Mich.
Plumley	Snapp	Tilson	Young, N. Y.

FOR MR. CLARK OF MISSOURI—166.

Adair	Dixon, Ind.	Hull, Tenn.	Ransdell, La.
Adamson	Driscoll, D. A.	Humphreys, Miss.	Rauch
Aiken	Edwards, Ga.	James.	Reid
Alexander, Mo.	Ellerbe	Jamieson	Rhinock
Anderson	Estopinal	Johnson, Ky.	Richardson
Ansberry	Ferris	Johnson, S. C.	Riordan
Ashbrook	Finley	Jones	Robinson
Barnhart	Fitzgerald	Kellher	Rothermel
Bartlett, Ga.	Flood	Kinkead, N. J.	Rucker, Colo.
Bartlett, Nev.	Floyd	Kitchin	Rucker, Mo.
Beall, Tex.	Fornes	Korbly	Sabath
Bell, Ga.	Foster, Ill.	Lamb	Saunders
Boehne	Gallagher	Lassiter	Shackleford
Booher	Garner, Tex.	Latta	Sharp
Borland	Garrett	Lee	Sherley
Bowers	Gill, Md.	Lever	Sherwood
Brantley	Gill, Mo.	Lindsay	Sims
Broussard	Gillespie	Livingston	Sisson
Burgess	Glass	Lloyd	Slayden
Burleson	Godwin	McDermott	Small
Burnett	Goldfogle	McHenry	Smith, Tex.
Byrd	Gordon	Macon	Sparkman
Byrns	Goulden	Maguire, Nebr.	Spight
Candler	Graham, Ill.	Martin, Colo.	Stanley
Cantrill	Gregg	Maynard	Stephens, Tex.
Carlin	Griggs	Mays	Sulzer
Carter	Hamill	Moon, Tenn.	Talbott
Clayton	Hamlin	Moore, Tex.	Taylor, Ala.
Cline	Hammond	Morrison	Taylor, Colo.
Collier	Hardwick	Moss	Thomas, Ky.
Conry	Hardy	Nicholls	Thomas, N. C.
Covington	Harrison	O'Connell	Ten Velle
Cox, Ind.	Hay	Oldfield	Underwood
Cox, Ohio	Heflin	Padgett	Wallace
Craig	Helm	Page	Watkins
Cravens	Henry, Tex.	Palmer, A. M.	Webb
Cullop	Hitchcock	Patterson	Weisse
De Armond	Hobson	Peters	Wickliffe
Dent	Houston	Pou	Willett
Denver	Howard	Pujo	Wilson, Pa.
Dickson, Miss.	Hughes, Ga.	Rainey	
Dies	Hughes, N. J.	Randell, Tex.	

FOR MR. COOPER OF WISCONSIN—8.

Cary	Hubbard, Iowa	Morse	Nelson
Davis	Lenroot	Murdock	Poindexter

FOR MR. NORRIS—2.

Cooper, Wis. Hinshaw

FOR MR. HEPBURN—1.

Lindbergh

FOR MR. ESCH—1.

Kopp

NOT VOTING—7.

Cannon	Clark, Mo.	Legare	Sheppard
Clark, Fla.	Esch	Russell	

At the conclusion of the roll call,

The CLERK said: The result of the vote is as follows: JOSEPH G. CANNON, of Illinois, received 204 votes. [Applause.] CHAMP CLARK, of Missouri, received 166 votes. [Applause.]

Mr. CLAYTON. I desire to know if that is the report of the tellers.

The CLERK. They indorse this report.

Mr. CLAYTON. I understand that the tellers have not concluded their work—have not cast up the vote.

Mr. VREELAND (one of the tellers). They have not.

The CLERK. We will await the pleasure of the tellers.

Mr. CLAYTON. I therefore suggest that we wait until we receive the proper report.

The CLERK. The tellers agree in their tally. JOSEPH G. CANNON, of Illinois, received 204 votes [applause]; CHAMP CLARK, of Missouri, received 166 votes [applause]; HENRY A. COOPER, of Wisconsin, 8 votes; GEORGE W. NORRIS, of Nebraska, 2 votes; JOHN J. ESCH, of Wisconsin, 1 vote, and William P. Hepburn, of Iowa, 1 vote.

A quorum being present, and JOSEPH G. CANNON, of Illinois, having received a majority of all the votes cast, is elected Speaker of the Sixty-first Congress. [Applause.] Mr. CLARK of Missouri, Mr. CAMPBELL of Kansas, and Mr. BARTLETT of Georgia will wait upon the Speaker and conduct him to the chair.

The committee appointed to conduct the Speaker-elect to the chair having returned with him,

Mr. CLARK of Missouri said: Gentlemen of the House of Representatives, I present to you the second man in the history of the United States who has been elected Speaker of the House of Representatives for four consecutive terms, the Hon. JOSEPH G. CANNON, of Illinois. [Prolonged applause.]

ADDRESS OF THE SPEAKER.

The Speaker-elect on taking the chair, said:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES: The election to the high office of Speaker, which I now have for the fourth time by virtue of your confidence and judgment, is a compliment the honor of which I do not underestimate and of which I am not lacking in personal appreciation.

We have before us a most important and difficult session of Congress. The adjustment of the national revenues has been since the foundation of the Government a fundamental question, yielding to none other in importance. Even in the civil war the question of adequate revenue marched side by side with the valor of our armies and the patriotism of our people. And in time of peace, even, disordered finances are a prolific source of national ills, not so acute as those of war, but fruitful of calamity for the general interest and suffering for the individual.

These considerations should animate us to a high devotion to the duty before us. We must subordinate personal feelings to the general good, trusting to the considerate judgment of the people for approval of our work when it shall have been completed. [Applause.]

I am now ready to take the oath of office.

The oath of office was administered to the Speaker by Mr. BINGHAM.

SWEARING IN OF MEMBERS.

The SPEAKER. The Clerk will now call the names of Members by States, and they will assemble in front of the Speaker's desk to take the oath of office.

The Members presented themselves as their names were called by States, and took, respectively, the oath of office provided by law.

Mr. A. MITCHELL PALMER, Mr. BUTLER, Mr. COCKS of New York, Mr. BARNARD, and Mr. HEALD affirmed.

The oath of office was then administered to the Delegates from the Territories.

ELECTION OF CLERK AND OTHER OFFICERS.

Mr. CURRIER. Mr. Speaker, I am directed by the Republican caucus to offer the following resolution and move its adoption.

The SPEAKER. The gentleman from New Hampshire offers the following resolution, which will be reported by the Clerk.

The Clerk read as follows:

House resolution 13.

Resolved, That Alexander McDowell, of the State of Pennsylvania, be, and he is hereby, chosen Clerk of the House of Representatives;

That Henry Casson, of the State of Wisconsin, be, and he is hereby, chosen Sergeant-at-Arms of the House of Representatives;

That Frank B. Lyon, of the State of New York, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Samuel A. Langum, of the State of Minnesota, be, and he is hereby, chosen postmaster of the House of Representatives; and

That Henry N. Cobden, of the State of Michigan, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. CLAYTON. Mr. Speaker, for the resolution just reported I offer the following substitute, and ask the Clerk to report the same.

The SPEAKER. The gentleman from Alabama offers the following substitute for the resolution which has been reported and which the Clerk will read.

The Clerk read as follows:

Resolved, That W. P. Kimball, of Kentucky, be elected Clerk of the House of Representatives;

That J. T. Ellington, of North Carolina, be elected Sergeant-at-Arms of the House of Representatives;

That William W. Adams, of Indiana, be elected Doorkeeper of the House of Representatives;

That Robert L. Douglas, of South Carolina, be elected Postmaster of the House of Representatives; and

That George A. Bacchus, of Maryland, be elected Chaplain of the House of Representatives.

The SPEAKER. The question is on agreeing to the amendment to the resolution offered as a substitute.

The amendment was rejected.

The resolution of Mr. CURRIER was agreed to.

The SPEAKER. The officers-elect of the House of Representatives will present themselves at the bar.

The officers presented themselves at the bar of the House, and the oath of office was administered to them by the Speaker.

NOTIFICATION TO THE PRESIDENT.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

House resolution 4.

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected JOSEPH G. CANNON, a Representative from the State of Illinois, as Speaker; and Alexander McDowell, a citizen of the State of Pennsylvania, as Clerk of the House of Representatives of the Sixty-first Congress.

The resolution was agreed to.

NOTIFICATION TO THE SENATE.

Mr. HOWLAND. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

House resolution 3.

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that JOSEPH G. CANNON, a Representative from the State of Illinois, has been elected Speaker; that Alexander McDowell, a citizen of the State of Pennsylvania, has been elected Clerk; and that the House is ready for business.

The resolution was agreed to.

NOTIFICATION TO THE PRESIDENT.

Mr. OLMSTED. Mr. Speaker, I offer and move the adoption of the following resolution.

The Clerk read as follows:

House resolution 5.

Resolved, That a committee of three be appointed by the Speaker, on the part of the House of Representatives, to join the committee on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may be pleased to make.

The resolution was agreed to.

The Chair appointed as the committee on the part of the House Mr. OLMSTED, Mr. MCKINLAY of California, and Mr. CLARK of Missouri.

DAILY HOUR OF MEETING.

Mr. HAMILTON. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

Resolved, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be 12 o'clock meridian.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

Senate resolution 5.

Resolved, That a committee, consisting of two Senators, be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

And that, in compliance with the foregoing, the Vice-President had appointed as said committee Mr. ALDRICH and Mr. MONEY.

The message also announced that the Vice-President had appointed Mr. HEYBURN, Mr. SUTHERLAND, Mr. PILES, Mr. MCLAURIN, and Mr. CLARKE of Arkansas members of a special joint committee "to consider the revision and codification of the laws of the United States," on the part of the Senate, under the authority conferred by Senate joint resolution 140, approved legislative day March 3 (calendar day, March 4), 1909.

The message also announced that the Vice-President had appointed Mr. GALLINGER, Mr. PILES, Mr. SMITH of Michigan, Mr. SIMMONS, and Mr. CLARKE of Arkansas members of the National Waterways Commission on the part of the Senate, under the authority conferred by the river and harbor bill (H. R. 28243), section 7, approved legislative day March 3 (calendar day March 4), 1909.

The message also announced that the Senate had passed the following resolution:

Senate resolution 4.

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

RULES.

Mr. DALZELL. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

Resolved, That the rules of the House of Representatives of the Sixtieth Congress be adopted as the rules of the House of Representatives of the Sixty-first Congress, including the standing orders of December 2, 1907, relating to the consideration of pension and claim bills, the provisions of which are hereby continued in force during the Sixty-first Congress.

Mr. DALZELL. On the adoption of that resolution, Mr. Speaker, I demand the previous question.

Mr. CLARK of Missouri. And on that I demand the yeas and nays.

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD. Will the Chair inform the House whether the gentleman from Pennsylvania will not explain what the rules are, and will he not give an opportunity to offer amendments?

The SPEAKER. That is not a parliamentary inquiry. The gentleman from Pennsylvania has offered a resolution, and that

resolution speaks for itself. The gentleman demands the previous question, and on that the gentleman from Missouri demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 193, nays 189, answered "present" 1, not voting 6, as follows:

YEAS—193.

Alexander, N.Y.	Edwards, Ky.	Kennedy, Ohio	Pearre
Allen	Ellis	Knapp	Perkins
Ames	Elvins	Knowland	Plumley
Andrus	Englebright	Kronmiller	Pratt
Anthony	Estopinal	Lafean	Pray
Austin	Fairchild	Langham	Prince
Barchfeld	Fassett	Langley	Reeder
Barclay	Fish	Law	Reynolds
Barnard	Focht	Lawrence	Riordan
Bartholdt	Foelker	Longworth	Roberts
Bates	Fordney	Lorimer	Rodenberg
Bennet, N. Y.	Fornes	Loud	Scott
Bennett, Ky.	Foss	Loudenslager	Sheffield
Bingham	Foster, Vt.	Lowden	Simmons
Boutell	Foulkrod	Lundin	Slemp
Bradley	Fuller	McCall	Smith, Cal.
Broussard	Gaines	McCreary	Smith, Iowa
Brownlow	Gardner, Mich.	McGuire, Okla.	Smith, Mich.
Burke, Pa.	Gardner, N. J.	McKinlay, Cal.	Snapp
Burke, S. Dak.	Garner, Pa.	McKinley, Ill.	Southwick
Burleigh	Gillett	McKinney	Sperry
Butler	Goebel	McLachlan, Cal.	Stafford
Calder	Goldfogle	McLaughlin, Mich.	Sterling
Calderhead	Graff	McMorran	Stevens, Minn.
Campbell	Graham, Pa.	Madden	Sturgiss
Capron	Grant	Malby	Sulloway
Chapman	Greene	Mann	Swasey
Cocks, N. Y.	Griest	Martin, S. Dak.	Tawney
Cole	Guernsey	Miller, Kans.	Taylor, Ohio
Conry	Hamer	Miller, Minn.	Tener
Cook	Hamilton	Millington	Thistlewood
Cooper, Pa.	Hanna	Mondell	Thomas, Ohio
Coudrey	Hawley	Moon, Pa.	Tilson
Cowles	Heald	Moon, Tenn.	Tirrell
Creager	Henry, Conn.	Moore, Pa.	Vreeland
Crow	Higgins	Morehead	Wanger
Crumpacker	Hill	Morgan, Mo.	Washburn
Currier	Howell, N. J.	Morgan, Okla.	Weeks
Cushman	Howell, Utah	Mudd	Wheeler
Dalzell	Howland	Murphy	Wiley
Dawson	Hubbard, W. Va.	Needham	Wilson, Ill.
Denby	Huff	Nye	Wood, N. J.
Dickema	Hughes, W. Va.	O'Connell	Woodyard
Dodds	Hull, Iowa	Olcott	Young, Mich.
Douglas	Humphrey, Wash.	Olmsted	Young, N. Y.
Draper	Joyce	Palmer, H. W.	The Speaker
Driscoll, M. E.	Kahn	Parker	
Durey	Keifer	Parsons	
Dwight	Kennedy, Iowa	Payne	

NAYS—189.

Adair	Ellerbe	Jamieson	Pujo
Adamson	Ferris	Johnson, Ky.	Rainey
Aiken	Finley	Johnson, Ohio	Randell, Tex.
Alexander, Mo.	Fitzgerald	Johnson, S. C.	Ransdell, La.
Anderson	Flood	Jones	Rauch
Ansberry	Floyd	Kellher	Reid
Ashbrook	Foster, Ill.	Kendall	Rhinock
Barnhart	Fowler	Kinkaid, Nebr.	Richardson
Bartlett, Ga.	Gallagher	Kinkead, N. J.	Robinson
Bartlett, Nev.	Gardner, Mass.	Kitchin	Rothermel
Beall, Tex.	Garner, Tex.	Kopp	Rucker, Colo.
Bell, Ga.	Garrett	Korbly	Rucker, Mo.
Boehne	Gill, Md.	Küstermann	Sabath
Booher	Gill, Mo.	Lamb	Saunders
Borland	Gillespie	Lassiter	Shackleford
Bowers	Glass	Latta	Sharp
Brantley	Godwin	Lee	Sherley
Burgess	Good	Lenroot	Sherwood
Burleson	Gordon	Lever	Sims
Burnett	Goulden	Lindbergh	Sisson
Byrd	Graham, Ill.	Lindsay	Slayden
Byrns	Gregg	Livingston	Small
Candler	Griggs	Lloyd	Smith, Tex.
Cantrill	Gronna	Lovering	Sparkman
Carlin	Hamill	McDermott	Splight
Carter	Hamlin	Macon	Stanley
Cary	Hammond	Madison	Steenerson
Clark, Mo.	Hardwick	Maguire, Nebr.	Stephens, Tex.
Clayton	Hardy	Martin, Colo.	Sulzer
Cline	Harrison	Maynard	Talbott
Collier	Haugen	Mays	Taylor, Ala.
Cooper, Wis.	Hay	Moore, Tex.	Taylor, Colo.
Covington	Hayes	Morrison	Thomas, Ky.
Cox, Ind.	Heflin	Morse	Thomas, N. C.
Cox, Ohio	Helm	Moss	Ten Velle
Craig	Henry, Tex.	Murdock	Underwood
Cravens	Hinshaw	Nelson	Volstead
Cullop	Hitchcock	Nicholls	Wallace
Davidson	Hobson	Norris	Watkins
Davis	Hollingsworth	Oldfield	Webb
De Armond	Houston	Padgett	Weisse
Dent	Howard	Page	Wickliffe
Denver	Hubbard, Iowa	Palmer, A. M.	Willett
Dickson, Miss.	Hughes, Ga.	Patterson	Wilson, Pa.
Dies	Hughes, N. J.	Peters	Woods, Iowa
Dixon, Ind.	Hull, Tenn.	Pickett	
Driscoll, D. A.	Humphreys, Miss.	Poindexter	
Edwards, Ga.	James	Pou	

ANSWERED "PRESENT"—1.

Townsend

NOT VOTING—6.

Clark, Fla.	Legare	Russell	Sheppard
Esch	McHenry		

So the previous question was ordered.

During the call of the roll and when the name of Mr. TOWNSEND was called the following occurred,

Mr. TOWNSEND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. TOWNSEND. To make a parliamentary inquiry and to make a statement.

Mr. COOPER of Wisconsin and others. Regular order, Mr. Speaker.

The SPEAKER. It is very unusual to interrupt a roll call. Unless a question of high privilege is involved, the Chair thinks a roll call could not be interrupted.

Mr. TOWNSEND. Mr. Speaker, I regard it as a question of high privilege so far as I am concerned. [Cries of "Regular order!"]

The SPEAKER. Does the gentleman regard it as a question of high privilege touching the integrity of the proceedings?

Mr. TOWNSEND. I do as affecting myself in regard to my vote.

The SPEAKER. The gentleman can not explain a vote during a roll call if the gentleman's vote is regularly recorded. [Cries of "Regular order!"]

The Clerk will resume the call.

The Clerk resumed and concluded the call of the roll.

At the conclusion of the roll and before the announcement of the vote the following occurred:

Mr. HENRY of Texas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HENRY of Texas. Mr. Speaker, I desire the Clerk to call my name in order that I may vote.

The SPEAKER. In the opinion of the Chair, under general parliamentary usage, as the rules have not been adopted, the gentleman's name will be called.

The Clerk then called the name of Mr. HENRY of Texas, and he answered "no."

The SPEAKER. Upon this vote the yeas are 194, the nays are 188, present 1, and the previous question is ordered. [Applause and cheers on the Republican side.]

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Missouri. Mr. Speaker, on account of the closeness of the vote and on account of the large vote, I ask a recapitulation.

The SPEAKER. So far as the Chair recollects, on a vote of 194 to 188 there never has been an error found sufficient to justify a recapitulation. Any actual error in the vote can be changed to-morrow, if it be an actual error.

Mr. CLARK of Missouri. Mr. Speaker, there is no rule on that subject, is there? That is a matter of ordinary fair dealing and good taste.

The SPEAKER. On the contrary, the Chair thinks not; and on a vote, during the taking of which the House was in exceptional order, and which stands 194 to 188, the Chair will not order a recapitulation. [Applause on Republican side.]

Mr. CLARK of Missouri. Then, Mr. Speaker, I appeal from the decision of the Chair.

The SPEAKER. There is nothing from which to appeal.

Mr. CLAYTON. Is the Chair afraid of a recount?

The SPEAKER. The vote has been announced.

Mr. SULZER. Let us have a recapitulation. It will do no harm.

The SPEAKER. The vote has been announced, and gentlemen will be in order.

Mr. SULZER. Mr. Speaker, it will not do any harm.

The SPEAKER. The vote has been announced, and gentlemen will be in order.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Pennsylvania [Mr. DALZELL]. As many as are in favor of agreeing to the resolution will say "aye"——

Mr. CLARK of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 189, nays 193, answered "present" 1, not voting 6, as follows:

YEAS—189.

Alexander, N. Y.	Bennet, N. Y.	Calder	Creager
Allen	Bennett, Ky.	Calderhead	Crow
Ames	Bingham	Campbell	Crumpacker
Andrus	Boutell	Capron	Currier
Anthony	Bradley	Chapman	Cushman
Austin	Broussard	Cocks, N. Y.	Dalzell
Barchfeld	Brownlow	Cole	Dawson
Barclay	Burke, Pa.	Cook	Denby
Barnard	Burke, S. Dak.	Cooper, Pa.	Dickema
Bartholdt	Burleigh	Coudrey	Dodds
Bates	Butler	Cowles	Douglas

Draper	Higgins	McMorran	Sheffield
Driscoll, M. E.	Hill	Madden	Simmons
Durey	Howell, N. J.	Malby	Slemp
Dwight	Howell, Utah	Mann	Smith, Cal.
Edwards, Ky.	Howland	Martin, S. Dak.	Smith, Iowa
Ellis	Hubbard, W. Va.	Miller, Kans.	Smith, Mich.
Elvins	Huff	Miller, Minn.	Snapp
Englebright	Hughes, W. Va.	Millington	Southwick
Estopinal	Hull, Iowa	Mondell	Sperry
Fairchild	Humphrey, Wash.	Moon, Pa.	Stafford
Fassett	Joyce	Moore, Pa.	Sterling
Fish	Kahn	Morehead	Stevens, Minn.
Focht	Keifer	Morgan, Mo.	Sturgiss
Foelker	Kennedy, Iowa	Morgan, Okla.	Sulloway
Fordney	Kennedy, Ohio	Mudd	Swasey
Foss	Knapp	Murphy	Tawney
Foster, Vt.	Knowland	Needham	Taylor, Ohio
Foulkrod	Kronmiller	Nye	Tener
Fuller	Lafean	O'Connell	Thistlewood
Gaines	Langham	Olcott	Thomas, Ohio
Gardner, Mich.	Langley	Olmsted	Tilson
Gardner, N. J.	Law	Palmer, H. W.	Tirrell
Garner, Pa.	Lawrence	Parker	Vreeland
Gillett	Longworth	Parsons	Wanger
Goebel	Lorimer	Payne	Washburn
Graff	Loud	Pearre	Weeks
Graham, Pa.	Loudenslager	Perkins	Wheeler
Grant	Lowden	Plumley	Wiley
Greene	Lundin	Pratt	Wilson, Ill.
Griest	McCall	Pray	Wood, N. J.
Guernsey	McCreary	Prince	Woodyard
Hamer	McGuire	Reeder	Young, Mich.
Hamilton	McKinlay, Cal.	Reynolds	Young, N. Y.
Hanna	McKinley, Ill.	Riordan	The Speaker
Hawley	McKinney	Roberts	
Heald	McLachlan, Cal.	Rodenberg	
Henry, Conn.	McLaughlin, Mich.	Scott	

NAYS—193.

Adair	Ellerbe	James	Pou
Adamson	Ferris	Jamieson	Pujo
Aiken	Finley	Johnson, Ky.	Rainey
Alexander, Mo.	Fitzgerald	Johnson, Ohio	Randell, Tex.
Anderson	Flood	Johnson, S. C.	Ransdell, La.
Ansberry	Floyd	Jones	Rauch
Ashbrook	Fornes	Kellher	Reid
Barnhart	Foster, Ill.	Kendall	Rhinock
Bartlett, Ga.	Fowler	Kinkaid, Nebr.	Richardson
Bartlett, Nev.	Gallagher	Kinkead, N. J.	Robinson
Beall, Tex.	Gardner, Mass.	Kitchin	Rothermel
Bell, Ga.	Garner, Tex.	Kopp	Rucker, Colo.
Boehne	Garrett	Korbly	Rucker, Mo.
Booher	Gill, Md.	Küstermann	Sabath
Borland	Gill, Mo.	Lamb	Saunders
Bowers	Gillespie	Lassiter	Shackleford
Brantley	Glass	Latta	Sharp
Burgess	Godwin	Lee	Sherley
Burleson	Goldfogle	Lenroot	Sherwood
Burnett	Good	Lever	Sims
Byrd	Gordon	Lindbergh	Sisson
Byrns	Goulden	Lindsay	Slayden
Candler	Graham, Ill.	Livingston	Small
Cantrill	Gregg	Lloyd	Smith, Tex.
Carlin	Griggs	Lovering	Sparkman
Carter	Gronna	McHenry	Splight
Cary	Hamill	Macon	Stanley
Clark, Mo.	Hamlin	Madison	Steenerson
Clayton	Hammond	Maguire	Stephens, Tex.
Cline	Hardwick	Martin, Colo.	Sulzer
Collier	Hardy	Maynard	Talbott
Conry	Harrison	Mays	Taylor, Ala.
Cooper, Wis.	Haugen	Moon, Tenn.	Taylor, Colo.
Covington	Hay	Moore, Tex.	Thomas, Ky.
Cox, Ind.	Hayes	Morrison	Thomas, N. C.
Cox, Ohio	Heflin	Morse	Ten Velle
Craig	Helm	Moss	Underwood
Cravens	Henry, Tex.	Murdock	Volstead
Cullop	Hinshaw	Nelson	Wallace
Davidson	Hitchcock	Nicholls	Watkins
Davis	Hobson	Norris	Webb
De Armond	Hollingsworth	Oldfield	Weisse
Dent	Houston	Padgett	Wickliffe
Denver	Howard	Page	Willett
Dickson, Miss.	Hubbard, Iowa	Palmer, A. M.	Wilson, Pa.
Dies	Hughes, Ga.	Patterson	Woods, Iowa
Dixon, Ind.	Hughes, N. J.	Peters	
Driscoll, D. A.	Hull, Tenn.	Pickett	
Edwards, Ga.	Humphreys, Miss.	Poindexter	

ANSWERED "PRESENT"—1.

Townsend

NOT VOTING—6.

Clark, Fla.	Legare	Russell	Sheppard
Esch	McDermott		

So the resolution was rejected.

During the roll call the following occurred:

Mr. CLARK of Missouri. Mr. Speaker, I ask that the desk be cleared of Republicans standing around there watching this count.

The SPEAKER. The rules of the House, if we had rules, prohibit Members from standing at the Clerk's desk during a roll call, and the Chair will assume, analogous to those rules or following those rules or because of the practice of the House heretofore, in this instance that Members will not be at the Clerk's desk during a roll call.

The roll call was resumed and completed.

Mr. TOWNSEND. Mr. Speaker, I would like to inquire how the gentleman from Texas [Mr. RUSSELL] has voted?

The SPEAKER. The gentleman has not been sworn in.

Mr. TOWNSEND. Mr. Speaker, I had an arrangement with Mr. RUSSELL before he left, both leaving at the same time, that I would not vote and he would not unless we were both here to protect each other. I desire, therefore, to ask to withdraw my vote and answer "present." If he were here, I should vote "aye". [Applause.]

The SPEAKER directed that his name be called, and when it was called he answered "Present."

The result of the vote was announced as above recorded.

Mr. CLARK of Missouri. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Missouri offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 11.

Resolved, That the rules of the House of Representatives of the Sixtieth Congress be adopted as the rules of the House of Representatives for the first or extra session only of the Sixty-first Congress, including the standing orders of March 8 and March 14, 1900 (relating to consideration of pension and claims bills on Friday), which are continued in force during said first session, with the following amendments to said rules of said Sixtieth Congress:

First. That the Speaker be, and he is hereby, authorized to appoint the following standing committees and no others (unless he is hereafter specially authorized to appoint other committees by resolution of the House), viz: The Committee on Ways and Means, on Printing, on Accounts, on Mileage, and on Enrolled Bills.

Second. That section 1 of Rule X, where it relates to the Committee on Rules, be amended to read as follows:

"On Rules, to consist of 15 members, who shall be elected by the Members of the House, said committee to elect its own chairman."

Resolved further, That the following-named Members of the House:

JOHN DALZELL,	EVERIS A. HAYES,
WALTER I. SMITH,	CHAMP CLARK,
JAMES R. MANN,	OSCAR W. UNDERWOOD,
FRANK D. CURRIER,	OLLIE M. JAMES,
JOSEPH H. GAINES,	GILBERT M. HITCHCOCK,
AUGUSTUS P. GARDNER,	JAMES HAY, and
JOHN M. NELSON,	ALBERT S. BURLESON,
GEORGE W. NORRIS,	

be, and they are hereby, elected and appointed members of the Committee on Rules, with all the rights, powers, and privileges conferred upon the Committee on Rules by the rules of the House, and in addition to the powers conferred upon them, they are hereby authorized and directed to revise, amend, simplify, and codify the rules of procedure of the House and report their conclusions to the House of Representatives on the first Monday in December, 1909, which report shall be of the highest privilege, and remain so until disposed of by the House. That said committee shall have authority to sit during the session of Congress and in recess, to send for persons and papers, and to take testimony either before the full committee or any subcommittee thereof; that the necessary and actual expenses incurred in carrying out the purpose of this resolution shall be paid out of the contingent fund of the House: *Provided*, That said Committee on Rules shall continue to act until said report shall be acted upon by the House.

Mr. CLARK of Missouri. Mr. Speaker, I move the previous question on that resolution and its passage, imitating the example of my friend from Pennsylvania [Mr. DALZELL].

Mr. MANN. Upon that I demand the yeas and nays.

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD. I wish to inquire if the gentleman from Missouri [Mr. CLARK] will yield——

Mr. CLARK of Missouri. I can not yield without losing the floor, and I am not going to take any chances about it.

Mr. FITZGERALD. Then, I shall vote against the previous question. I am against "gagging" on either side.

Mr. CLARK of Missouri. All right; the gentleman can vote as he pleases. This is a free country.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 180, nays 203, answered "present" 1, not voting 5, as follows:

YEAS—180.

Adair	Clark, Mo.	Foster, Ill.	Heflin
Adamson	Clayton	Fowler	Helm
Aiken	Cline	Gallagher	Henry, Tex.
Alexander, Mo.	Collier	Gardner, Mass.	Hinshaw
Anderson	Cooper, Wis.	Garner, Tex.	Hitchcock
Ansberry	Covington	Garrett	Hobson
Ashbrook	Cox, Ind.	Gill, Md.	Houston
Barnhart	Cox, Ohio	Gill, Mo.	Hubbard, Iowa
Bartlett, Ga.	Craig	Gillespie	Hughes, Ga.
Bartlett, Nev.	Cravens	Glass	Hughes, N. J.
Beall, Tex.	Cullop	Godwin	Hull, Tenn.
Bell, Ga.	Davidson	Good	Humphreys, Miss.
Boehne	Davis	Gordon	James
Booher	De Armond	Goulden	Jamieson
Borland	Dent	Graham, Ill.	Johnson, Ky.
Bowers	Denver	Gregg	Johnson, S. C.
Burgess	Dickson, Miss.	Griggs	Jones
Burleson	Dies	Gronna	Kendall
Burnett	Dixon, Ind.	Hamill	Kinkaid, Nebr.
Byrd	Driscoll, D. A.	Hamlin	Kinkead, N. J.
Byrns	Edwards, Ga.	Hammond	Kitchin
Candler	Ellerbe	Hardwick	Kopp
Cantrill	Ferris	Hardy	Korbly
Carlin	Finley	Haugen	Küstermann
Carter	Flood	Hay	Lamb
Cary	Floyd	Hayes	Lassiter

Latta	Murdock	Richardson	Steenerson
Lee	Nelson	Robinson	Stephens, Tex.
Lenroot	Nicholls	Rothermel	Sulzer
Lever	Norris	Rucker, Colo.	Talbott
Lindbergh	Oldfield	Rucker, Mo.	Taylor, Ala.
Lloyd	Padgett	Sabath	Taylor, Colo.
Lovering	Page	Saunders	Thomas, Ky.
McDermott	Palmer, A. M.	Shackleford	Thomas, N. C.
McLenny	Patterson	Sharp	Ten Velle
Macon	Pickett	Sherley	Underwood
Madison	Poindexter	Sherwood	Volstead
Maguire, Nebr.	Pou	Sims	Wallace
Martin, Colo.	Pujo	Sisson	Watkins
Maynard	Rainey	Slayden	Webb
Mays	Randell, Tex.	Small	Weisse
Moore, Tex.	Ransdell, La.	Smith, Tex.	Wickliffe
Morrison	Rauch	Sparkman	Willett
Morse	Reid	Spight	Wilson, Pa.
Moss	Rhinock	Stanley	Woods, Iowa

NAYS—203.

Alexander, N. Y.	Ellis	Kelfer	Parker
Allen	Elvins	Kellher	Parsons
Ames	Englebright	Kennedy, Iowa	Payne
Andrus	Estopinal	Kennedy, Ohio	Pearre
Anthony	Fairchild	Knapp	Perkins
Austin	Fassett	Knowland	Peters
Barchfeld	Fish	Kronmiller	Plumley
Barclay	Fitzgerald	Lafean	Pratt
Barnard	Focht	Langham	Pray
Bartholdt	Foelker	Langley	Prince
Bates	Fordney	Law	Reeder
Bennet, N. Y.	Forelles	Lawrence	Reynolds
Bennett, Ky.	Foss	Lindsay	Riordan
Bingham	Foster, Vt.	Livingston	Roberts
Boutell	Foulkrod	Longworth	Rodenberg
Bradley	Fuller	Lorimer	Scott
Brantley	Gaines	Loud	Sheffield
Bronsard	Gardner, Mich.	Loudenslager	Simmons
Brownlow	Gardner, N. J.	Lowden	Sleman
Burke, Pa.	Garner, Pa.	Lundin	Smith, Cal.
Burke, S. Dak.	Gillett	McCall	Smith, Iowa
Burleigh	Goebel	McCreary	Smith, Mich.
Butler	Goldfogle	McGuire, Okla.	Snapp
Calder	Graff	McKinlay, Cal.	Southwick
Calderhead	Graham, Pa.	McKinley, Ill.	Sperry
Campbell	Grant	McKinney	Stafford
Capron	Greene	McLachlan, Cal.	Sterling
Chapman	Griest	McLaughlin, Mich.	Stevens, Minn.
Cocks, N. Y.	Guernsey	McMorran	Sturgiss
Cole	Hamer	Madden	Sulloway
Conry	Hamilton	Malby	Swasey
Cook	Hanna	Mann	Tawney
Cooper, Pa.	Harrison	Martin, S. Dak.	Taylor, Ohio
Coudrey	Hawley	Miller, Kans.	Tener
Cowles	Heald	Miller, Minn.	Thistlewood
Creager	Henry, Conn.	Millington	Thomas, Ohio
Crow	Higgins	Mondell	Tilson
Crumpacker	Hill	Moon, Pa.	Tirrell
Currier	Hollingsworth	Moon, Tenn.	Vreeland
Cushman	Howard	Moore, Pa.	Wanger
Dalzell	Howell, N. J.	Morehead	Washburn
Dawson	Howell, Utah	Morgan, Mo.	Weeks
Denby	Howland	Morgan, Okla.	Wheeler
Dickema	Hubbard, W. Va.	Mudd	Wiley
Dodds	Huff	Murphy	Wilson, Ill.
Douglas	Hughes, W. Va.	Needham	Wood, N. J.
Draper	Hull, Iowa	Nye	Woodyard
Driscoll, M. E.	Humphrey, Wash.	O'Connell	Young, Mich.
Durey	Johnson, Ohio	Olcott	Young, N. Y.
Dwight	Joyce	Olmsted	The Speaker
Edwards, Ky.	Kahn	Palmer, H. W.	

ANSWERED "PRESENT"—1.

Townsend

NOT VOTING—5.

Clark, Fla.	Legare	Russell	Sheppard
Esch			

So the demand for the previous question was rejected.

During the roll call,

Mr. CLARK of Missouri. Mr. Speaker, I ask that the desk be cleared of everybody not entitled to be there.

The SPEAKER. The Clerk's desk, so far as the roll call is concerned, is clear.

Mr. CLARK of Missouri. There is a Member of the House supervising something right there.

Mr. DALZELL. There is a Member of the House getting your resolution, which he has a right to have.

The SPEAKER. The Clerk will suspend. [Cries of "Get off there!" on the Democratic side.]

The SPEAKER. The gentleman from Missouri and all other gentlemen will please be seated. In the meantime the Clerk will suspend.

Mr. CLARK of Missouri. I ask, as a matter of ordinary decency, that the gentleman from Pennsylvania leave that desk.

The SPEAKER. The gentleman from Missouri is not in order. Gentlemen will please be seated.

Mr. CLARK of Missouri. All right; I want him to get out of there.

The SPEAKER. Gentlemen will please be seated. The Clerk will suspend until order is restored. The gentleman from Missouri is clearly within his right, in the ordinary proceeding of business, that during the roll call the desk shall be clear; but "the letter killeth, the spirit maketh alive." The gentleman from Pennsylvania states, and the Chair sees, what he came for—to see the resolution which the gentleman offered, which is in the possession of the Clerk; and the character of the gentleman from Pennsylvania, as well as the character of the gentleman from Missouri, justifies the Chair in suspending the roll call; and now the gentleman from Pennsylvania will even occupy the floor——

Mr. DALZELL. The "gentleman from Pennsylvania" now has a copy of the resolution furnished him by the gentleman from Massachusetts [Mr. GARDNER]. [Cries of "Order!" on the Democratic side.]

The SPEAKER. One word.

Mr. CLARK of Missouri. Now, Mr. Speaker—— [Cries of "Regular order!" on the Republican side.]

The SPEAKER. There is no occasion for any trouble.

Mr. CLARK of Missouri. Not a bit in the world.

The SPEAKER. The Chair will see that order is kept.

Mr. CLARK of Missouri. All I want to say is this, Mr. Speaker: The gentleman from Pennsylvania, with whom I am on good terms, or any other gentleman who wanted to investigate the matter, if he had come to me could have gotten a copy. [Cries of "Regular order!" on the Republican side.] All right, now.

The SPEAKER. One moment. The regular order is demanded, and the Chair trusts that he will not again have to call attention to disorder. The Clerk will proceed with the call of the roll.

The Clerk resumed the call of the roll.

Mr. OLMSTED. Mr. Speaker, I desire to call attention to the gentleman from Alabama, who seems to be supervising something at the Clerk's desk. [Laughter.]

Mr. CLAYTON. Because "the gentleman from Alabama" was simply getting some information by reading the resolution. [Renewed laughter.]

The SPEAKER. The Chair is satisfied he was doing exactly what the gentleman from Pennsylvania was. [Renewed laughter.]

Mr. MANN. Nobody else could get the resolution.

The Clerk resumed and concluded the call of the roll.

The result of the vote was then announced as above recorded.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Who has charge of the time for debate?

The SPEAKER. The previous question having been refused, the gentleman from New York [Mr. FITZGERALD], who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.

Mr. FITZGERALD. I offer the following amendment to the pending resolution:

The SPEAKER. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all after the words *"Resolved,* That" and insert: "the rules of the House of Representatives of the Sixtieth Congress be adopted as the rules of the Sixty-first Congress, including the special orders of December 2, 1907, relating to the consideration of pension and claims bills on Fridays, which are hereby continued in force during the Sixty-first Congress except as the said rules are hereby modified, to wit:

"'1. Amend paragraph 61 of Rule XI by adding thereto the following:

"'The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 4 of Rule XXVI shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.'

"'2. Amend Rule XIII by adding the following paragraph, to be numbered 3, as follows:

"'3. After a bill which has been favorably reported shall have been upon either the House or the Union Calendar for three days any Member may file with the Clerk a notice that he desires such a bill placed upon a special calendar to be known as the "Calendar for Unanimous Consent." On days when it shall be in order to move to suspend the rules the Speaker shall, immediately after the approval of the Journal, direct the Clerk to call the bills upon the "Calendar for Unanimous Consent." Should objection be made to the consideration of any bill so called it shall immediately be stricken from the Calendar for Unanimous Consent, and it shall not thereafter be placed thereon.'

"'3. Amend Rule XVI by adding at the end of paragraph 4 the following:

"'After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.'

"'4. Amend paragraph 4 of Rule XXVI so that it shall read as follows:

"'On Wednesday of each week no business shall be in order except as provided by paragraph 4 of Rule XXIV unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against.

"'On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are

privileged under the rules, but bills called up from the Union Calendar shall be considered in Committee of the Whole House on the state of the Union.

"'This rule shall not apply during the last two weeks of the session.'

"'It shall not be in order for the Speaker to entertain a motion for a recess on any Wednesday except during the last two weeks of the session.'"

Mr. FITZGERALD. Mr. Speaker, for ten years I have been endeavoring to have the House vote down the previous question upon the motion to adopt the rules. I have taken that course because from some investigation I was convinced that there were some abuses in the procedure in the House which should be corrected. I would consider myself as nothing less than a blithering idiot if, after clamoring here for ten years, I was unable to suggest a single remedy for the abuses against which I complain.

I have no fault to find with the position taken by other gentlemen, but I am in favor of these particular reforms in the procedure of the House. If these changes be made in these rules, then the rules will be satisfactory to me. If these changes be not adopted, I shall vote for the resolution offered by the gentleman from Missouri [Mr. CLARK]; not because I believe that it is a desirable resolution to adopt, but because I would prefer it to the present rules as they now exist. The amendments which I have submitted to the House are designed to accomplish the following purposes:

One of the abuses against which great complaint has been made is the fact that Members are compelled to go to the Speaker before they can have a bill submitted to the House for consideration by unanimous consent. Under the amendment I propose, after a bill has been three days upon either the House or the Union Calendar any Member of the House may file a notice with the Clerk and have that bill placed upon a special calendar for unanimous consent. On days when it is in order to move to suspend the rules, two days in each month and the last six days in each session of the Congress, the Speaker, immediately after the approval of the Journal, shall direct the Clerk to call the bills upon this calendar, and they shall then be called for consideration unless somebody objects to their consideration. If objection be made, they go off the unanimous-consent calendar to the calendars to which they belong.

Another change that I propose is that Calendar Wednesday——

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. I will yield briefly.

Mr. MANN. On that unanimous-consent proposition. As I understand the gentleman——

Mr. GARDNER of Massachusetts. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARDNER of Massachusetts. I rise to the point that if the gentleman from New York yields at all, he must yield absolutely.

Mr. FITZGERALD. I yield only for a question.

The SPEAKER. The gentleman from Massachusetts makes the point of order that if the gentleman from New York yields, he loses the floor.

Mr. MANN. Will the gentleman yield for a question?

The SPEAKER. The Chair understood that the gentleman from New York yielded for a question.

Mr. FITZGERALD. That is all. I do not propose to give up the floor just yet.

The SPEAKER. The Chair submits to the gentleman from Massachusetts that that is in order.

Mr. CLARK of Missouri. You might accidentally give it up.

Mr. MANN. That is one of the fine and new rules, I suppose, that we will have when the gentleman from Massachusetts gets in charge.

Mr. FITZGERALD. If the gentleman wants to ask a question, I yield for that purpose and for no other.

Mr. MANN. I simply wish to ask the gentleman this question: Whether under the rule which he proposes it will do away with the necessity, as gentlemen now claim, of waiting upon the Speaker and asking to have a name put upon a list for recognition in order to ask for unanimous consent?

Mr. FITZGERALD. Absolutely. It gives a Member the absolute right to have submitted to the House, at a definite time, a bill for consideration by unanimous consent. No Member need seek the consent of the Speaker, unless he is unwilling to wait until the day specified in the rule. The second change, Mr. Speaker——

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. RANDELL of Texas. If unanimous consent is necessary under the rule you propose, would not the Speaker, being a Member of this House, have the same right to object to the bill that he now has to refuse recognition for it?

Mr. GARNER of Texas. Yes.

Mr. FITZGERALD. He could object when the Clerk called the bill; but the complaint that has been made has been this: Under the present practice the Speaker objects in private and not in the open like other Members; but this puts him on the same plane with other Members. If he wishes to object, he must object when the bill is called up by the Clerk.

The second change made by the proposed amendments is that it requires a two-thirds vote instead of a majority vote to set aside calendar Wednesday. I believe there should be a day in the House when bills can be considered without the interference of a partisan majority. If there be a great and urgent necessity for setting aside calendar Wednesday, it would be easy to obtain a two-thirds vote for that purpose, and a partisan majority could not do it.

There is one other change, Mr. Speaker, which, from my standpoint, is the most important one of all the changes proposed. I believe the greatest legislative outrages that have been perpetrated in this country have been by means of special rules by which the majority has denied to the minority the right at some time to have a vote upon its position upon great public questions.

One of the amendments I submit provides that after the previous question shall have been ordered upon any bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give priority in recognition to some one who is opposed to the bill. Under our present practice, if any Member desires to move to recommit with instructions, the Speaker, instead of recognizing the Member desiring to submit a specific proposition by instructions, recognizes the gentleman in charge of the bill, and he moves to recommit, and upon that motion demands the previous question. When the previous question is ordered the motion to recommit is voted down. Under our practice the motion to recommit might better be eliminated from the rules altogether.

In addition there is a provision that the Committee on Rules shall not report any rule or order which will prevent the offering of a motion to recommit as just stated, so that the practice that has been followed, as was illustrated on the currency bill last year, can not hereafter prevail. The Committee on Rules can not bring in a rule which would provide that after so many hours of general debate the previous question shall be considered as ordered, and that the House without intervening motion shall vote upon the passage of the bill.

Mr. HOBSON. Will the gentleman yield?

Mr. FITZGERALD. For a question.

Mr. HOBSON. Would the present number of the Committee on Rules be determined as at present?

Mr. FITZGERALD. It would, absolutely.

Mr. HOBSON. Composed of five members, including the Speaker?

Mr. FITZGERALD. Exactly. I shall discuss my reasons for believing that that is proper as against a conglomerate committee, representing the minority and dissatisfied members of the party in control to combine and put through all sorts of legislation. [Applause.]

Mr. HOBSON. Will the gentleman yield for another question?

Mr. FITZGERALD. If it be a question.

Mr. HOBSON. Does the gentleman consider that his resolution embodying the detail of changes of the rules would be wiser in its provisions than would be a resolution or a report of the committee contemplated in the original resolution after mature consideration?

Mr. FITZGERALD. It would, because I present it in the open, where every man can see just what my views are. On the other hand, it is proposed to have suggestions made by a committee which, in my opinion, has already determined upon one of the important provisions that it will report and to which I am unalterably opposed—that is, the provision that selects a committee which shall select the committees of the House.

Mr. UNDERWOOD rose.

Mr. HOBSON. Now, if the gentleman will permit one question further——

Mr. FITZGERALD. I decline to yield to the gentleman further. I do not propose to demand the previous question, and anybody can criticise——

Mr. HOBSON. Will the gentleman answer——

Mr. FITZGERALD. I decline to yield further. The gentleman from Alabama should not abuse the courtesies of debate. I do not propose to demand the previous question, and anybody who has any criticism to make can make it when I have finished. I will now yield to the other gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. The gentleman recognizes, of course, that if this Committee on Rules is elected, that whatever may

be their preconceived ideas, or whatever determination they may come to, the rules will be reported back to the House for its consideration and its final determination at a time when the House is in very much better frame of mind to consider these questions than it is to write a set of rules to-day.

Mr. FITZGERALD. If the practice be followed in December that has been attempted to be followed here to-day by those who are interested in this Select Committee on Rules, there evidently will be very little opportunity for full discussion if they have the votes to put through their scheme. [Applause.]

Mr. PARSONS. Mr. Speaker, will the gentleman yield for a question?

Mr. FITZGERALD. Mr. Speaker, I should prefer to decline to yield further, but I will yield to the gentleman from New York.

Mr. PARSONS. Why does the gentleman provide that on calendar Wednesdays the Speaker shall not entertain the motion for a recess?

Mr. FITZGERALD. Because by providing that it shall take a two-thirds vote instead of a majority vote to set aside calendar Wednesday, calendar Wednesday is absolutely secured to the House. Making the day absolute I do not believe that the House by a majority should abuse the right and prolong the day by taking recesses, from day to day, if the time should ever arrive when a motion to take a recess should be in order, and thus continue calendar Wednesday indefinitely, to the detriment of the business of the House.

Mr. PARSONS. If the gentleman made that provision, would it not then be in order on a calendar Wednesday, after having considered some matters, to take a recess and have Thursday also act as calendar Wednesday?

Mr. FITZGERALD. Mr. Speaker, I am opposed to that practice, and that is why I put this provision in the resolution. I wish to be perfectly frank, and I wish to explain my position fully on these questions.

Mr. GARDNER of Massachusetts. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield.

Mr. GARDNER of Massachusetts. May I ask the gentleman if in his rule he has also put in the provision that a motion to recess on previous days, like Tuesdays, shall not be in order, and thereby prevent getting rid of his calendar Wednesday?

Mr. FITZGERALD. No; because it is unnecessary to do so. Under the rules at present, Mr. Speaker, the motion to take a recess is not privileged. It will never be privileged until that time when the calendar has been called and the business under the call of committees is exhausted. With a calendar Wednesday, that is not very likely to happen in this House on any Tuesday in the week. I think the gentleman from Massachusetts [Mr. GARDNER] understands that.

Mr. GARDNER of Massachusetts. The gentleman understands that there has never been a ruling as to whether it is privileged or not.

Mr. FITZGERALD. The rules themselves determine the motions which are privileged; and not being privileged under the rules, a point of order could be made and would lie against such a motion, as I made a point of order against the motion of the gentleman from New York, [Mr. PAYNE] when he moved that when the House adjourns it adjourn to a time certain.

Mr. LASSITER. Will the gentleman yield——

Mr. FITZGERALD. I yield for a question.

Mr. LASSITER. For the purpose of offering an amendment to carry out, in a measure, the suggestion the gentleman has made as to the difficulty individual Members have in securing recognition for public business?

Mr. FITZGERALD. The gentleman understands that I can not yield to permit him to offer an amendment at this time.

Mr. LASSITER. That is what I wish the gentleman would discuss with me.

Mr. FITZGERALD. I do not think I shall permit the gentleman to intrude his ideas. He will have an opportunity, if the House continues in the same frame of mind, to make any suggestion that he pleases regarding these rules.

Mr. HITCHCOCK. Will the gentleman yield for a question?

Mr. FITZGERALD. Yes.

Mr. HITCHCOCK. Under the amendments proposed by the gentleman from New York [Mr. FITZGERALD], would it be possible on a Tuesday to take a recess until 11 o'clock on a Wednesday, and thereby cut out the calendar Wednesday provided?

Mr. FITZGERALD. Not if any Member of the House should make a point of order that the motion to take a recess was not in order, because it is not privileged under the rules, and could not be made, and a demand for the regular order would cut it out.

I believe there should be one day each week for business on the calendars. Already, however, Mondays have been set aside for one class of business, Fridays for another class of business, and we now set aside Wednesday for a third class of business, if this be adopted. There should be at least two days a week when general business might be considered.

Mr. Speaker, I am in favor of the rules if amended in these respects. I have no sympathy with the suggestion that a committee of fifteen be elected at this time to revise the rules. I believe that whatever changes are to be made should be made before the tariff bill is taken up and considered. Those who are agitating a change of rules have not made a single concrete suggestion not embodied in my substitute, unless it be the one to take from the Speaker the power to appoint the committees. If it be wrong to permit this wicked old Speaker [laughter] to appoint the committees of the House, what an infamous outrage it is to propose that he shall be permitted at this time to appoint the Committee on Ways and Means, which will make up and report the most important legislation that the Congress will be called upon to consider in a period of twenty years.

I do not do an injustice to those gentlemen who are supporting the main question when I assert that they are in favor of selecting members of the various committees by a committee. I am opposed to it. The changes which I have suggested will cure the defects against which complaints are made. If these abuses be eliminated, what others exist? Now, in reference to the Committee on Rules. Under the rules and practice of the House it seems to me that it is immaterial whether the Committee on Rules consists of 5, 7, 9, or 15 members. It is simply an instrumentality by which the majority of the House, whenever great stress of public business requires, is enabled to expedite the passage of legislation through the House. The only object in permitting Members of the minority to be upon the committee is to have them informed in advance of what legislation it is proposed shall be enacted. For that reason it seems to me that it is immaterial of how many members it consists. If the power of this committee is curbed as I propose, first, to prevent the committee from reporting a resolution which sets aside calendar Wednesday by less than a two-thirds vote, or to prevent the minority making the motion to recommit on any bill or resolution; if this power be restricted in the only proper way, and——

Mr. JAMES. Will the gentleman yield?

Mr. FITZGERALD. For a question.

Mr. JAMES. What remedy do you propose for getting bills out of the hands of a committee appointed by the Speaker?

Mr. FITZGERALD. I do not propose any remedy.

Mr. JAMES. That is what I thought.

Mr. FITZGERALD. I do not propose any remedy, and I have never been able to make up my mind that there should be a remedy. Let me suggest one thing to the gentleman. There are certain legislative bodies that are odious to the American people. Every one which enjoys an unenviable reputation has in its rules some provision which makes privileged a motion to discharge a committee from the consideration of a bill. There are some persons who have given attention to such matters who will understand the reason the opportunities thus given have undesirable effects. I am not sure that it is desirable to have such provision in the rules——

Mr. GAINES. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield.

Mr. GAINES. For a question only. Copies of the resolution are not accessible to us, and I wish to know whether the gentleman's proposition for a calendar day and for unanimous consent are made to apply in his resolution to this special session.

Mr. FITZGERALD. If my amendment be adopted the rules will be adopted as amended as I desire and will go into effect at once. If these rules should be amended, in my judgment they should be amended now, and whatever changes are required should be made before the House starts to consider the tariff bill. If they are unfit to do business under, surely they should not be permitted to continue for the consideration of the most important legislation that will be before the country for years. I can understand why gentlemen on that side of the House who are dissatisfied, who are anxious to have certain changes in the rules, have made as one of the conditions that the rules as they now exist shall be in force while the tariff bill is under consideration.

These Republicans have assured the country that they will put no obstacle in the way of speedy tariff legislation, which is merely another way of saying that they will be prepared to swallow whatever special rule may be reported, in order to expedite in the usual well-known manner the tariff bill when it is determined it shall leave this House. I prefer not to trust

my cause to those who have so repeatedly shown their sympathy to this side of the House by voting solidly for the special rules if I can have an opportunity to have the House pass upon my suggestions at this time.

Mr. HAY. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HAY. What opportunity is there in the rule proposed by the gentleman from New York to prevent the majority from bringing in a special rule under which the tariff bill can be considered in any way it is desired?

Mr. FITZGERALD. None whatever. The minority, however, will have what it has never had before—an opportunity to move to recommit that bill, with instructions to report in any way the minority may determine.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. FITZGERALD. I will yield to the gentleman for a question.

Mr. SHACKLEFORD. Who will determine which one of the opposition is to be recognized to make the motion to recommit?

Mr. FITZGERALD. The Speaker will; and if the Speaker is so unfit, so unfair, so partisan, so partial in his administration of the office of Speaker as to be unfitted to exercise this power, I should like gentlemen on the other side of the House who want to change these rules, and who voted for his election, to explain why they are willing to trust him with any power at all.

Mr. DALZELL. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. DALZELL. The gentleman understands, as we all do, that this session will probably be occupied entirely by the discussion of a tariff bill.

Mr. FITZGERALD. I am not in the confidence of those who control the House.

Mr. DALZELL. Let us assume that that is a fact. Now, would the provision of the gentleman's resolution with respect to calendar Wednesday require that on Wednesday of every week we would have to dispense with that special order?

Mr. FITZGERALD. Not at all. If there were no bills upon the calendars, there could be no business done under the rule. And if it be the intention not to appoint committees at this session, no bills will be reported and upon the calendars and there would be no such obstacle in the way of the tariff bill.

Mr. DALZELL. The gentleman's explanation is entirely satisfactory.

Mr. GARDNER of Massachusetts. Mr. Speaker——

Mr. FITZGERALD. I yield to the gentleman from Massachusetts for a question.

Mr. GARDNER of Massachusetts. The question which I wish to ask the gentleman is this: I hold his resolution in my hand. I see a great deal of merit in it. Will the gentleman consent, if we adopt this resolution, to adopt it in conjunction with the resolution offered by the gentleman from Missouri [Mr. CLARK] instead of as a substitute for it?

Mr. FITZGERALD. I will not. That would send my proposition to this committee. What will happen in that committee no one on this earth can tell. I wish to be perfectly frank. If I can not get this amendment adopted it will be with great reluctance that I will vote to elect a committee to do any business in this House. But if I can not obtain the changes I think desirable in the rules, as a last resort I would vote for that resolution.

Mr. GARDNER of Massachusetts. Then, if I understand the gentleman, this is a proposition which will make it absolutely impossible during the Sixty-first Congress for the House of Representatives to elect any committee whatever, either the Committee on Rules or any of the other standing committees?

Mr. FITZGERALD. The gentleman is absolutely accurate. That is my purpose.

I have no desire in this discussion to engender any ill feeling. I desire to be perfectly fair and courteous to everybody. I have certain well-defined ideas as to what constitutes the abuses in the rules. I wish to present what I believe will correct those abuses. The situation which exists here offers me that opportunity. I stated in the Democratic caucus that if the previous question on the adoption of the rules were voted down I should resort to every parliamentary expedient to obtain during the present session what I thought were essential changes in the rules. I stated that if anybody thought that was inconsistent with the attitude of the caucus I would leave the caucus. Nobody did so.

Mr. UNDERWOOD. I ask the gentleman if he will yield?

Mr. FITZGERALD. I yield to the gentleman for a question.

Mr. UNDERWOOD. You will not yield time for debate on your motion?

Mr. FITZGERALD. I have already stated that when I have finished I intend to surrender the floor.

Mr. NORRIS. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield to the gentleman for a question.

Mr. NORRIS. I think the gentleman will agree that we have not had time or opportunity to examine his resolution, and we offered our resolution providing for an investigation.

Mr. FITZGERALD. I never saw it or knew what it was until it was read from the Clerk's desk.

Mr. NORRIS. If the gentleman will agree to send his resolution in connection with the one to which it is offered as an amendment to the committee, if the resolution were amended so that when the report comes back it would have to be considered, for instance, under the five-minute rule, and be subject to debate and consideration, that would probably give a proper opportunity for its consideration.

Mr. FITZGERALD. I will not. This original resolution purports to be for the purpose of enabling the House to elect a committee to do this work. There is no election about it. It is a mere selection by two or three Members. It is as bad as leaving it to the Speaker. [Loud applause.] It simply shifts the duty to somebody else instead of permitting the Speaker to exercise the authority. [Loud applause on the Republican side.]

Mr. NORRIS. But we could strike out all those names of the committee named in the resolution, and we could have them elected here to fill their places.

Mr. FITZGERALD. I have no control over that resolution. There are certain gentlemen who have taken a very long time to discuss the form in which they should present their matter to the House. I have given some time to considering the form in which I desire my motion to come before the House. I wish to say that I have no particular liking for the other proposition, and if I vote for it and for the changes contemplated therein I am simply choosing the lesser of two evils. I think the changes which I have indicated are essential, and that we can force this House now to adopt them. Now is the time. Do not wait until December, permitting the administration in the meantime to exercise its whole coercive force upon the recalcitrant Members upon that side of the House. Now is the time to force the Republican side of the House to make concessions. What the House will do with this committee scheme I do not know, but it will have a choice. It can either take my changes in the rules or it can take the other plan. What is done is immaterial to me.

Mr. Speaker, I have presented these views for the information of the House. I have expressed my views as to what are the existing abuses. I present my remedies. Nobody else has presented anything in the form of a remedy. It has merely been suggested that 15 men go off in secret for six or eight months and then come back to this House with something or other. If after fourteen years of complaint there is nobody with enough capacity to formulate a well-defined plan by which the present abuses will be eliminated, then we are in a very pitiful condition on this side of the House.

Mr. HITCHCOCK. Will the gentleman permit a correction?

Mr. FITZGERALD. No; I will not. I decline to yield for corrections.

Mr. HITCHCOCK. Does the gentleman yield to a question? I think the gentleman will do that. Does the gentleman understand this resolution provides for secret meetings of this committee?

Mr. FITZGERALD. I did not say that.

Mr. HITCHCOCK. It provides for meetings to take testimony.

Mr. MANN. How can anybody know what it provides for? We can not get it. You will not let us see it at the Clerk's desk. You will not furnish us with a copy.

Mr. FITZGERALD. If anybody will tell me upon what particular question a committee to revise the rules of the House can take testimony, it will give me valuable information. These rules are not the making of a day. They have not been evolved even in the century and a quarter that this Republic has been in existence. They can be traced back in their evolution for more than three hundred years.

Mr. JAMES. That is back of George the Third.

Mr. FITZGERALD. In my brief service here I have endeavored to understand the philosophy of the rules, to obtain some information as to the various changes that have been from time to time made in the rules, to understand the particular reason for the existence of particular rules, to find out what were the existing abuses in this House, and to formulate what, in my opinion, would eliminate those abuses. Embodied in the amendment submitted are the changes which I believe will effect necessary and substantial reforms. I submit them

to the House, and I shall be perfectly satisfied with whatever may be the action of the House upon the resolution. [Applause.]

The SPEAKER. The gentleman from New York yields the floor.

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER. The gentleman from Missouri.

Mr. CLARK of Missouri. I should like to make some remarks on this pending question.

The SPEAKER. The gentleman is opposed to the amendment offered by the gentleman from New York?

Mr. CLARK of Missouri. Yes, sir.

The SPEAKER. The gentleman from Missouri.

Mr. CLARK of Missouri. Mr. Speaker and gentlemen, this is one of the greatest days the House of Representatives has seen in a quarter of a century. It does not make any difference if you beat us by a few votes, or if we beat you by a few votes; the jig is up with the House machine. [Applause on the Democratic side.]

Before I begin talking about these propositions as to changes in the rules, I want to say there is not a man in the House for whom I have a kinder feeling than for the gentleman from New York [Mr. FITZGERALD]. He is exceedingly bright. I have done everything that I could in the last three months to afford him an opportunity for the exploitation of his peculiar talents. Everybody could not go on the committee of fifteen. If I had believed that the gentleman from New York coincided with me in my views about it, his name would have been the first written there by my hand.

Mr. FITZGERALD. Mr. Speaker, I hope the gentleman will yield to me for one statement.

Mr. CLARK of Missouri. Why, with a great deal of pleasure; yes.

Mr. FITZGERALD. I have no feeling because I have not been named on the committee.

Mr. CLARK of Missouri. I did not say you had.

Mr. FITZGERALD. I am not in sympathy with what I understand to be the fundamental purpose of those who wish to elect the committees, and I think it was with the utmost propriety that I was left off the committee.

Mr. CLARK of Missouri. I think so, too, under the circumstances—not because I have the slightest ill will against the gentleman from New York. I state now publicly what I have stated repeatedly in private—that, in my judgment, he is the most expert parliamentarian on the floor of this House. [Applause.]

I regret exceedingly to part company with him on this matter, which I regard as ultimately of vast importance. If it were a question of parliamentary expertness, I would not hesitate to choose the gentleman from New York [Mr. FITZGERALD] as one of my lieutenants—indeed, as the chief of them—but it is not merely a matter of expertness in parliamentary law, it is a grave question of public policy on which the gentleman is against me, and clearly it would be preposterous to ask him to try to enforce a policy to which he is opposed. We need not try to deceive ourselves. We could not if we wanted to. For fourteen years there has been an insistent, ever-present demand in the House to revise these rules by reforming and liberalizing them. Six times I have seen this identical motion made that was made to-day by my friend from Pennsylvania [Mr. DALZELL], and each time I have seen every Democrat line up and vote the way that I voted to-day. I am not quarreling with anybody. Every man has a right in this world to change his opinion, but I now remind Democrats that a demand for revision of the rules is part of the Denver platform. Outside of this House the demand for the revision of these rules is insistent, strong, increasing; you may turn it down to-day and turn it back to-day, but the time is not far distant when the public opinion outside of this House will be overwhelming inside of this House. [Applause.]

So far as what happens under the rules, I am not complaining about myself. Every Republican that has been Speaker of this House since I have been here has treated me well. I never was refused recognition on this floor in my life when I was entitled to it. No mortal man ever objected to an extension of my time, except twice. Once the gentleman who is now Vice-President did it under circumstances very exasperating to that side, because I was saying things wholly pertinent, but which they did not want to hear; but with that good nature for which he is famous he immediately withdrew his objection. On another occasion my distinguished friend from New York [Mr. PAYNE] objected to letting me have five minutes. I did not complain about it. I made up my mind I would get even with him, and I did, so that I am not complaining about myself. But here we are now—391 Members. At 12 o'clock to-day the Speaker of this House was equal to only one of us. Perhaps by reason of his mental equipment he may have been a little superior to any man on the floor; I am willing to grant that for the sake of the argument, although I do not believe it. [Laughter.]

But the minute he was elected Speaker he is bigger than the whole 390 of us who are left. [Laughter and applause on the Democratic side.] Some people may enjoy that sort of arrangement, but I do not. It is too one-sided.

I will say now what I have stated before, that as far as the Speaker's personality is concerned I am friendly to him, but I am dead against this system of rules. The gentleman from New York [Mr. FITZGERALD] complains that the Democrats went into a log-rolling scheme to form a coalition with certain Republicans. True; but what of it? Since when was it wrong for good men to combine for good and patriotic purposes? Here and now I want to express my admiration for the courage and fidelity of the so-called "insurgents" who voted with us here to-day. [Applause on the Democratic side.]

Mr. GARNER of Texas. If the gentleman will permit me, does it not appear that there is a coalition of a part of dissatisfied Members on this side of the House with the satisfied Members on that side?

Mr. CLARK of Missouri. Exactly; I was just coming to that.

Mr. MANN. You do not complain of it, do you?

Mr. CLARK of Missouri. And I want to say that the 166 Democrats that stood by the insurgents and voted were deserving of credit from the country also. Listen to what we had to fight. We had to fight the power of the machine in this House, and nobody appreciates the power of that machine more than I do. We had to fight the influence of the President of the United States, new in office, with the pap undistributed and lots of hungry people. It took a Republican with nerve to stand out against that. In addition to that the entire force of the Cabinet was enlisted against us. In addition to that the "regular" Senators were enlisted against us, and whether they have drafted the Supreme Court or not I do not know. [Laughter.]

In addition to that the preponderance of the influence of the newspapers in this town is against us. What is the objection to this committee of fifteen? I only regret that I had to put in my own name, but I had to do it. I did it with the advice and at the request of every man that spoke to me about it.

But leave that out. It matters little whether I am on the committee, just so the majority are right. This committee of fifteen is to be appointed to bring into the House a revised code of rules. What changes it would finally suggest I do not know. If we did not like them, we could reject them, whether important or unimportant. The thing wanted and the thing that we will finally secure is full opportunity to debate the rules, and it is monstrous to say that we shall not debate them and amend them in any respect whatsoever. In the Fifty-third Congress we debated them off and on for six weeks, and no harm was done. On the contrary, much good was accomplished. The committee of fifteen is authorized to investigate and hear witnesses and to hear arguments. The gentleman from New York [Mr. FITZGERALD] would be perfectly welcome before the committee, and the gentleman from Illinois [Mr. MANN], the senior wrangler of the House, would be welcome. [Laughter.] The Speaker himself would be welcome before the committee, and the truth is I would like to get him before the committee. [Laughter.] The gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from New York [Mr. PAYNE], or anybody else, would be perfectly welcome before that committee. Any suggestion whatsoever from any source whatsoever as to reforming and liberalizing the rules will be welcomed. What is this committee going to do, this "monstrous proposition" that the gentleman from New York talks about? It is going out and take plenty of time, take the best judgment of the Members of this House, and see if there is any way that we can revise these rules.

That is what it is. It took a world of trouble to get together on that. Here comes my friend from New York, with wisdom superhuman, with a proposition that there is not one man out of fifteen here that knows what it is now, and I am against it. He says you can not tell what the insurgents will do. I will tell you what the insurgents will do. They will stand firm, and so will the Democrats. So much for that.

Mr. MANN. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Why, certainly.

Mr. MANN. Does the gentleman from Missouri mean by that that the four insurgents and the six Democrats would stand together on that committee as against the five Republicans?

Mr. CLARK of Missouri. As firm as the Rock of Ages—— [Laughter.]

Mr. MANN. That is what I think. [Laughter.]

Mr. CLARK of Missouri (continuing). On the proposition to revise the rules. [Applause.] Does the gentleman think there is anything improper in men standing together to revise the rules?

Mr. MANN. Will the gentleman yield to me to answer?

Mr. CLARK of Missouri. Certainly.

Mr. MANN. Certainly not; but the gentleman has often complained that the Democrats are not sufficiently represented on certain committees. Does the gentleman think it a fair representation that a majority of two or three in the House should have two to one on the committee?

Mr. CLARK of Missouri. Just as fair as things that happen here every day.

Mr. MANN. That means that what the gentleman complains of as unfair on this side he will follow the example.

Mr. CLARK of Missouri. I mean that we intend to do the things that will enable us to revise these rules; that is what I mean.

Mr. MANN. To-morrow?

Mr. CLARK of Missouri. No; not to-morrow.

Mr. GAINES. Will the gentleman yield?

Mr. CLARK of Missouri. For a question.

Mr. GAINES. I would like to ask the gentleman from Missouri whether he has the warrant of the Republican insurgents for the statement he has made that they would stand with the Democrats? I ask his permission to ask that question of the gentleman from Massachusetts.

Mr. CLARK of Missouri. If the gentleman wants to do that, I will suggest that he ask the insurgents. They know how to talk.

Mr. GAINES. That is exactly what I have done. I am requesting the gentleman from Missouri [Mr. CLARK] to yield to me for the special purpose of asking the gentleman from Massachusetts [Mr. GARDNER] whether the gentleman from Missouri had warrant for that assertion or not.

Mr. CLARK of Missouri. I yield to the gentleman from Massachusetts.

Mr. GARDNER of Massachusetts. Mr. Speaker, the alliance between the insurgents and the Democrats goes merely to changing the rules. As to what happens when that committee is appointed, there is no understanding under heaven. [Applause on the Democratic side.]

Mr. MANN. Then the gentleman does not agree with the gentleman from Missouri. "He is deceiving you!"

Mr. CLARK of Missouri. That is precisely what I said. I repeat now that the Democrats and the insurgents on that committee stand firm as a rock in favor of the proposition of revising these rules. [Applause on the Democratic side.]

Mr. GARDNER of Massachusetts. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. GARDNER of Massachusetts. And I indorse that statement. [Applause and cheers.]

Mr. CLARK of Missouri. Mr. Speaker, the gentleman from New York [Mr. FITZGERALD], and I infer that the gentleman from Pennsylvania [Mr. DALZELL], agreed with him from what I could see——

Mr. DALZELL. Mr. Speaker, I did not hear what the gentleman said.

Mr. CLARK of Missouri. I was making a statement about the gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from New York [Mr. FITZGERALD]. I say that the gentleman from New York—and as far as I could see from what the gentleman from Pennsylvania was doing and saying, he indorsed his idea—was very much aggrieved because we did not take away from the Speaker the right to appoint the Committee on Ways and Means.

Mr. DALZELL. Oh, I think the gentleman is mistaken.

Mr. CLARK of Missouri. I may be mistaken as to you, but I am not mistaken as to the gentleman from New York.

Mr. FITZGERALD. The gentleman from Pennsylvania could not agree to that, nor do I. I think the Speaker should appoint that committee, and I think the gentleman from Missouri [Mr. CLARK] should name the Democrats to go on the minority of that committee.

Mr. CLARK of Missouri. I will explain so that there can not be any mistake about that, because I have always tried to be frank with this House. Sometimes my manners are not as good as they might be. The reason that was done is a double reason. In the first place, this extra session of Congress is called to revise the tariff; and in the second place, as far as I can ascertain, everybody is in favor of revising it down. I may possibly be mistaken about that. [Laughter.] There was a hue and cry raised in the newspapers that those of us who were in favor of this propaganda to revise the rules were trying to hold up tariff revision.

That is a very strange thing, is it not, that I should be accused of undertaking to hold up tariff revision downward, the very thing I have been urging in season and out of season for a lifetime, and that my distinguished friend from Pennsylvania [Mr. DALZELL], and my distinguished friend from New York [Mr. PAYNE], and the Speaker of this House, and Senator ALDRICH should be more interested in revising and expediting a revision down than I am. [Laughter and applause on the Democratic side.] Did anybody ever hear of as ridiculous a lie as that? That was in the newspapers. So, in order to get rid of that, we concluded to let the Speaker appoint for this extra session only the Committee on Ways and Means, and the committees that necessarily went with it. Now, that is the whole thing.

Mr. LINDBERGH. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. LINDBERGH. The gentleman from New York [Mr. FITZGERALD], who introduced the substitute for the resolution offered by the gentleman from Missouri [Mr. CLARK], made the statement that it provided for a continuance of the Committee on Ways and Means through our special session.

Mr. CLARK of Missouri. Yes.

Mr. LINDBERGH. Now, I want to ask the question—and that he objected to it on that account?

Mr. FITZGERALD. Oh, I beg the gentleman's pardon. I did not object to it because it considered the Committee on Ways and Means. I objected to it because it considered the present rules.

Mr. LINDBERGH. Then, take it in that way. I want to ask the gentleman whether there is any human probability, if the question is left to the Speaker, as is provided by this last proposition of the gentleman from New York [Mr. FITZGERALD], that there will be any change in that Ways and Means Committee?

Mr. CLARK of Missouri. Why, there would not be any change under the resolution that I introduced.

Mr. FITZGERALD. Nor under this one, either.

Mr. CLARK of Missouri. And I can not understand his. I will be frank to say that I can not, because it was read so fast, and I do not know what is in the resolution of the gentleman from New York.

I might agree to all the propositions which he has made here to-day if I knew what they were; but here we went to work and spent two or three months on a proposition that we could stand on, and I am in the habit of keeping faith with people, and if I was in favor of every proposition that the gentleman from New York offered here to-day I would vote against every one of them in order to keep faith with my allies. [Applause and laughter.] That may not suit some people and may suit some others. You were applauding because you did not know what you were doing——

Mr. MANN. Call them that again; we like to hear it.

Mr. CLARK of Missouri. What is the difference what you call them? We are operating together for the public good.

Mr. DALZELL. Certainly; call them Democrats if you want to do so.

Mr. CLARK of Missouri. You would be very sorry if we called them Democrats. I am very sorry for you if you call them Democrats and make them believe you call them that. That is all there is to this thing one way or the other as far as I am concerned. There is no ill will in it. It is a settled proposition in my mind that the young men that come to Congress and think that it is a great boon to get here shall have a fair chance to display their talents after they get here. [Applause.] That is what I am in favor of; and I want to notify every newcomer here to-day that if he votes with the gentleman from Pennsylvania [Mr. DALZELL] on one side instead of voting with me on the other, he has tied his hands for two years next ensuing. [Applause.] And it will not do, after this debate here to-day, for any Member ever to go home, Democrat or Republican either, and undertake to explain to his constituents that he did not get his bill through because the Speaker of this House is such a tyrant that he would not allow him the chance to get his bill through. [Applause.] People have found their tongues, and the Speaker is no worse than the rest of you. [Applause.] And sometimes I think he is hardly as bad as some of you. [Applause.] He represents a bad system; he is the flower of that system; and in the public mind you can not disassociate him from it to save your souls.

I want to repeat the warning I gave, that the man who votes with the gentleman from Pennsylvania to-day votes to tie his hands for two years, and after this debate here to-day no man, Democrat or Republican, will make anything by going home and whining to his constituents that the reason he did not get done what he wished to have done was because the Speaker of this

House was such an infernal despot that he could not get it done. I have done my duty; now you can do your duty. I now yield ten minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. MANN. Mr. Speaker, I make the point of order that the gentleman can not yield time.

The SPEAKER. The gentleman from Illinois makes the point that the gentleman can not yield time, and it seems to the Chair the point is well taken.

Mr. OLMSTED. Mr. Speaker, I voted for the resolution offered by my colleague from Pennsylvania providing for the adoption by this Congress of the rules for the Sixtieth Congress. I believe these the best rules for the transaction of business ever adopted by any legislative body comparable to this in size or importance, but I have never insisted that they were perfect. I listened attentively to the reading of the resolution offered by the gentleman from Missouri providing for the taking of the testimony of witnesses to determine what shall be the rules of this House, which seems utterly unreasonable and meaningless. That resolution would accomplish nothing practically and immediately effective except delay. But its ultimate purpose is not to make better rules but to tie the hands of the Republican majority in this House and put control in the Democratic leader and a very small minority on this side. I have listened to the reading of the proposed substitute amendment offered by the gentleman from New York and to his explanation thereof. I have so recently discussed the rules at length that I do not propose to take up the time of the House further than to say that, while I would prefer some modifications of his proposed amendment, I believe that, upon the whole, it proposes fairly and reasonably a settlement of this whole difficulty. The old rules were not the work of a day, but of a century of evolution and progress. There were some reasonable objections to them which this amendment will remove. I, Mr. Speaker, hope that the proposed amendment will be adopted. I now demand the previous question upon the resolution and amendment thereto. [Cries of "Oh, no!"]

The SPEAKER. The gentleman from Pennsylvania demands the previous question upon the resolution of the gentleman from Missouri and the amendment thereto offered by the gentleman from New York.

Mr. GARDNER of Massachusetts. Mr. Speaker, a parliamentary inquiry.

Mr. WILSON of Pennsylvania. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Pennsylvania will state it.

Mr. WILSON of Pennsylvania. The point of order is this: That the previous question can not be moved at the end of a speech under ordinary parliamentary practice. The gentleman made a speech before he moved the previous question.

The SPEAKER. The previous question is applicable under general parliamentary law, and the Chair does not see why the gentleman from Pennsylvania, having the floor and asking to be recognized to demand the previous question, should not be recognized.

Mr. WILSON of Pennsylvania. Mr. Speaker, under parliamentary practice the assumption is that when any gentleman has spoken upon a question he has no right then to move the previous question and thereby prevent anybody else from answering the argument that he himself has made prior to the time of his moving the previous question. It is a well-established rule of procedure along those lines.

The SPEAKER. The Chair is of the opinion that it is in order, under parliamentary usages as they have been applied in the House under similar circumstances, to recognize the motion.

Mr. FITZGERALD. Mr. Speaker——

Mr. GARDNER of Massachusetts. A point of order.

Mr. LASSITER. A parliamentary inquiry, Mr. Speaker.

Mr. GARDNER of Massachusetts. I rise to make the point of order that whereas the motion for the previous question may be in order before the adoption under parliamentary law, the previous question on a succession of motions is not in order. As I understood the Chair to state the question, the gentleman from Pennsylvania asked for the previous question on the amendment and on the resolution to its passage.

The SPEAKER. On the resolution and the amendment thereto to its passage.

Mr. GARDNER of Massachusetts. And I raise the point of order that under general parliamentary law the previous question on a succession of motions is not in order.

The SPEAKER. This is on a resolution and an amendment thereto. Now, under the practice of the House in similar cases, the previous question may cover, in the opinion of the Chair, both the amendment and the resolution.

Mr. NORRIS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. NORRIS. The reference made by the Speaker to the previous question applying to several motions under the rules of the House is because it is provided for in the rules, is it not? I understood the Speaker to say, in answer to the gentleman from Massachusetts [Mr. GARDNER], that the rules for the procedure of the House had recognized the motion as made by the gentleman from Pennsylvania [Mr. OLMSTED], but I want to call the Speaker's attention to the fact that that is specifically provided for in the rules, and that would explain why it would be good under the procedure of the House and not as general parliamentary law.

The SPEAKER. The Chair will state that the House is operating not under the rules, but under general parliamentary law; and Speakers have hitherto held, and correctly held, that the general parliamentary law was founded on Jefferson's Manual and other treatises on parliamentary law and on the practice of the House under similar conditions, and the Chair believes the motion to be in order.

Mr. FITZGERALD. Mr. Speaker, I desire to appeal to the gentleman from Pennsylvania [Mr. OLMSTED] to withdraw the motion for the previous question at this time. I have no desire myself to prevent reasonable discussion, and I think it ought to be had.

Mr. HAY. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Pennsylvania [Mr. OLMSTED] has the floor, unless he yields it.

Mr. MANN. Mr. Speaker, I ask unanimous consent that debate may proceed upon this proposition for one hour, thirty minutes of the time to be controlled by the gentleman from Missouri [Mr. CLARK] and thirty minutes to be controlled by the gentleman from New York [Mr. FITZGERALD], and at the end of that time the question shall be voted upon.

The SPEAKER. Is there objection?

Mr. HENRY of Texas. I object, Mr. Speaker.

Mr. HAMLIN. I object.

Mr. MANN. By whom is objection made?

The SPEAKER. By the gentleman from Texas [Mr. HENRY].

Mr. HAMLIN. Also by the "gentleman from Missouri" [Mr. HAMLIN].

Mr. MANN. I just wanted to show that they did not want debate; that is all.

Mr. OLMSTED. Mr. Speaker, I insist on the previous question.

The SPEAKER. The gentleman demands the previous question on the resolution offered by the gentleman from Missouri [Mr. CLARK] and the amendment thereto offered by the gentleman from New York [Mr. FITZGERALD].

Mr. CLARK of Missouri. Mr. Speaker, I would like, with the permission of the House, to resubmit the request of the gentleman from Illinois [Mr. MANN]. I think it is better all around to have it.

Mr. MANN. Mr. Speaker, I again ask unanimous consent that debate on the pending proposition may continue for one hour, thirty minutes of the time to be controlled by the gentleman from Missouri [Mr. CLARK] and thirty minutes by the gentleman from New York [Mr. FITZGERALD].

The SPEAKER. Is there objection?

Mr. HENRY of Texas. Do I understand that the gentleman from Missouri [Mr. CLARK] joins in the request?

Mr. CLARK of Missouri. Yes.

Mr. HENRY of Texas. I always follow my leader, and I withdraw the objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, I yield five minutes to the gentleman from Alabama.

Mr. MANN. Mr. Speaker, I ask for order, and then I will ask that the resolutions be read.

The SPEAKER. Both?

Mr. MANN. The resolution and the proposed amendment.

The SPEAKER. The Clerk will again report the resolution and the proposed amendment.

The resolution and amendment were again reported.

Mr. UNDERWOOD. Mr. Speaker, there is a very radical difference between the proposition of the gentleman from New York and the proposition of the gentleman from Missouri. The proposition of the gentleman from New York contemplates that the Speaker shall control the House of Representatives; the proposition of the gentleman from Missouri contemplates that the House of Representatives shall control the Speaker. That is the radical difference. Now, I have no doubt that some of the amendments offered by the gentleman from New York are an

improvement of the rules of the last Congress, but his amendment does not go in any way to the radical proposition that the country is demanding. There is no great legislative body in the world except this where the leadership of that body is in the Chair. In every great legislative body in the world the chairman or speaker is the parliamentarian, the presiding officer, the man who sits there to do equal justice between the contending sides; but in the House of Representatives, as it has been organized for many years, the Speaker is the leader of his party. Now, I am not reflecting on the present Speaker of the House when I say that there is no man living who, in the excitement of the battlefield, can disassociate the leader from the Speaker. When the battle waxes hot the contending forces are close, and the Speaker always has and always will use the power of the gavel to aid along the battle line and help to win the fight. He will not leave it only to the vote on the floor to determine what the result should be.

Now, so long as you leave the power to appoint a Rules Committee, which is the governing committee of this House, in the hands of the Speaker of the House, he will continue to be the leader. It will be his fight that is being fought out on the floor. He can not disassociate himself from that fight, but will become a part of it in the chair. The very moment that you elect a Rules Committee, the chairman on the floor of this House and the chairman in the committee will become the leader of the dominant party in this House and the Speaker will become an impartial presiding officer. Now, that is what we are contending for. That is the great issue before the American people. The issue is that the people of the United States may have their legislation here passed on by the Members of this House.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I yield five minutes to the gentleman from Georgia [Mr. BRANTLEY].

Mr. BRANTLEY. Mr. Speaker, as between the adoption of the old rules of the House and the appointment of a committee to consider and report on amendments, I would unhesitatingly and unreservedly vote for the appointment of such a committee; but if I am given the choice of voting between the appointment of such a committee and voting for certain specific definite amendments to the rules of this House, amendments that appeal to my judgment, I propose and intend to vote for such amendments. I prefer definite results to-day to uncertain promises for the future.

Mr. Speaker, I have no quarrel with any man who disagrees with the views that I hold; but as a Democrat, instructed by the last national convention of my party to favor amendments to the rules of this House, I am not willing to go back to my people and tell them that as the result of my twelve years of service here I was unable to decide upon one single amendment that ought to be made. And therefore I had, as a Democrat, consented that nine Republicans and six Democrats should think the matter over and advise me next December as to what amendments they thought should be made.

As against occupying that position and one of voting for certain specific amendments, I propose to vote for the amendments; and if any of my colleagues who favor amending the rules have any other amendments to offer, and they also appeal to my judgment, I will vote for them, if they will present them.

I think we will never have any better time than right now in this extraordinary session to make whatever amendments ought to be made to the rules of this House; and I can see no good and sufficient reason for allowing the question of amending the rules to go over until next December, when the calendar will be crowded with business, as it will not be during this extraordinary session.

Mr. Speaker, there is one other thought that I desire to give utterance to, and that is this: That if all the hue and cry that has gone out throughout the land against what is called "Cannonism" means anything at all, it means opposition and antagonism to Republicanism, for you can not draw a distinction between what is called "Cannonism" and what is called "Republicanism." I am opposed to allowing the issue of Republicanism to be shifted to that of Cannonism, a shifting that robs the Democratic party of its just advantage.

I would ask my friends who sit upon the other side of this Chamber, and who are talking about Cannonism and seeking to amend the rules, to point to one piece of legislation that has been enacted, or one piece of legislation that has been defeated through what is called Cannonism, that did not represent the will of the majority sitting on the other side of the aisle. [Applause.]

Mr. JAMES. I will do that for the gentleman.

Mr. BRANTLEY. I called on the Republicans; on the other side. [Laughter.]

Mr. JAMES. Oh, yes.

Mr. BRANTLEY. The reason the Democrats have not been legislating since I have been here has not been due to too many rules, but it has been due to too many Republicans. [Laughter.] The rules of this House have been framed to enable the majority to work its will, and the majority has done so. The responsibility is that of the Republicans, and the country should so understand it and not be diverted by the talk of Cannonism. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Speaker, I yield ten minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER of Massachusetts. Mr. Speaker, in almost everything that the gentleman from Missouri has said to-day I agree with him. It is not often that I find myself in the position of agreeing with the gentleman from Missouri, but to-day, except in one respect, I find that I agree with him absolutely.

The gentleman is mistaken, however, in giving heed to those reports which would lead the country to think that the President of the United States is not in sympathy with this movement to change the rules. I tell you he is in sympathy with it; and if any man in this House has received any pressure from the Cabinet or from the President to induce him to dissociate himself from this programme for the change of rules, let him stand up on the floor of this House and say so now. No one arises; just as I expected. There is not, in my opinion, one man who has been guided against this movement by the President. I am confident that he, in heart and in soul, approves of the movement. A little while ago I heard some gentleman speaking of us insurgents, asking if we were Democrats. When it comes to carrying out the provisions of the Republican national platform, I will match the Republicanism of the 31 insurgents against the Republicanism of any man in this House. [Applause.] But if they are not Republicans, the Republican party in their own homes will teach them that fact two years from now. [Applause.] It is then that the test will come as to whether we are Republicans or not. But why are we not Republicans? Because a party caucus of the Republican party chooses to declare for certain rules! Why, you are going to vote in a few minutes against the very declaration of your caucus Saturday night. That is just what you are going to do. Now, what right has the Republican caucus to pass on the question of rules and say that that is a party measure? Up to three Congresses ago the rules were never considered in caucus, and I reject that test of Republicanism.

But, then, said somebody, "You insurgents have been trading with the Democrats." So we have. Will the other gentlemen in our party match us in frankness, and tell this House whether they also have not tried to do so? [Applause.]

With regard to these amendments of the gentleman from New York [Mr. FITZGERALD], as I read them over, I found no objection to them. I admit that they are one long step further toward a real calendar Wednesday and toward correcting this unanimous-consent abuse; but that is a mere drop in the bucket when you consider that by adopting those amendments you prevent the appointment of a committee to revise the rules of the House of Representatives, and you fasten on the House of Representatives for two years all the rules in existence at the end of the last Congress, with the exception of the amendments offered by the gentleman from New York.

Mr. FITZGERALD. Will the gentleman yield for a question? Will he state what, in his opinion, should be the other changes to be made in the rules?

Mr. GARDNER of Massachusetts. No, Mr. Speaker; I will not be led into any such trap as that.

Mr. FITZGERALD. I have done it. I have stated what I thought the changes should be.

Mr. GARDNER of Massachusetts. Now, with regard to what the gentleman says, if his resolution is voted down and the resolution of the gentleman from Missouri [Mr. CLARK] is adopted, he will find out what amendments I think ought to be made to the rules when the time comes for the committee to report. I, for one, can not agree to the proposition to stop that revision, much as I should like to see these amendments adopted, for they are well enough in their way.

Mr. MANN. Mr. Speaker, I have never sympathized with many of the assaults upon the rules. Instead of putting in the time abusing the rules, like some gentlemen in the House whom I have heard upon this question, I have endeavored at times to study the rules [applause]; and if those gentlemen who are so much abusing the rules had ever read the rules, there would be less objection on their part and much more knowledge.

Now, what is the proposition we have before us? Some changes are offered by the gentleman from New York. One provides for a unanimous-consent calendar, which does away with most of the criticism now leveled at the Speaker, and which provides

that any objection to the consideration of a measure shall be in the open, so that any Member who makes it takes his objection back with him to his district, and he only makes it when he feels the responsibility of making it.

On the other hand, what is the proposition submitted by the combination of allies in the House? The other day the now President of the United States in his inaugural address laid down certain propositions upon which he proposed to urge Congress to legislate. The proposition of these gentlemen now is that during all the summer the Committee on Rules shall be in session, investigating every wild-eyed idea of every crank in the country; and next December they shall submit that report, which necessarily must be considered rule by rule, clause by clause, paragraph by paragraph, and instead of proceeding to the enactment of legislation or the consideration of legislation urged by the President and performing the duties of our office, next February we would still be listening to my distinguished friend from Kansas or my distinguished friend from Massachusetts arguing upon some proposition of this report of the Committee on Rules.

Mr. MURDOCK. Will the gentleman yield?

Mr. MANN. If the gentleman will give me more time; I have only five minutes. However, I will yield for a question.

Mr. MURDOCK. Does not the gentleman from Illinois think that if he listened a little while to the gentleman from Kansas he would be making repayment for the time the gentleman from Kansas has listened to the gentleman from Illinois? [Laughter.]

Mr. MANN. Mr. Speaker, I have often listened to the gentleman from Kansas, and it reminds me of a little incident that happened a moment ago when I heard the gentleman from Missouri tell how he had always been able to get the floor, but he knew that new Members could not; and I saw a Member new in the last Congress applaud him vigorously, and yet I have seen that new Member speaking on the floor more than 150 times during the last Congress. [Laughter.] What do you gentlemen expect—rules under which each man can talk a month during a Congress?

Mr. JAMES. We expect to consider bills instead of speeches.

Mr. MANN. That is precisely what this proposition means, a consideration of bills instead of a consideration of procedure as to how to get to the consideration of bills. We propose now, if we can, to adopt a method by which we reach bills for consideration. Your proposition is to talk about it to see how it can be done. There never has been a time when this side of the House in majority was not willing to proceed to the consideration of measures, not merely words, and I believe that we are warranted in supporting the suggestion of the gentleman from New York and adopting the rules with the amendments which he proposes. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I now yield two minutes to the gentleman from South Carolina [Mr. FINLEY].

Mr. FINLEY. Mr. Speaker, if I understand the demand by the public and the press of this country for a revision of the rules, it is not that more time be given, or further opportunity be given, for unanimous consent to measures, but that great measures that the people of the country are interested in may be brought up here and considered; that there may be time for discussion and for a vote when the majority of the House sees fit.

I have listened to the debate here, and I say, Mr. Speaker, let no man deceive himself, for the amendments offered by the gentleman from New York [Mr. FITZGERALD] to the present rules of this House are more objectionable than the present rules.

What is in the amendment offered by the gentleman from New York? Principally that we shall have a unanimous-consent calendar; a unanimous-consent calendar for what? We have one now with the Speaker. Now it rests with him and with every Member in this House when he gives his consent whether there shall or shall not be objection. A bill may be brought up more than once. That is the present rule, and practically all that there is in the proposed amendment of the gentleman from New York is to have the consent calendar, and when that calendar is called two days in the month a single objection from any Member of this House will remove the bill from that consent calendar and the bill can not be called up again—a worse policy than we have to-day. What the people demand is that the rules of the House be revised. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Speaker, I yield three minutes to the gentleman from Virginia [Mr. LASSITER].

Mr. LASSITER. Mr. Speaker, I shall not take up any of the time allotted to me in discussing the abuses and the remedies for business by unanimous consent in this House. I desire to ask the Clerk to read in my time a resolution which I send to the desk.

The Clerk read as follows:

Resolved, That a majority of the House may proceed to the consideration and determination of any matter as follows:

"A communication addressed to the Speaker and signed by a majority of the Members elected to the House shall be a matter of the highest privilege, and may be presented by any Member at any time during a sitting of the House.

"Such a communication shall be printed in the RECORD on the day of its presentation.

"Immediately upon the consideration of the Journal and RECORD and after the same shall have been ascertained to be correct, upon the motion of any Member signatory to such a communication, all rules shall be held to be suspended, consideration shall be ordered, and a vote taken on the main question."

Mr. LASSITER. Mr. Speaker, the difficulty which the American people have with the House of Representatives is not so much the personality of the Speaker or the personality of the Committee on Rules. It is the fact that not only an individual has no power to express the wishes of his constituency, but even a majority of this House has no power whatever to bring before this House a measure which the members of that majority agree upon, in order to have a vote upon that measure. I submit, after having voted for the previous question as demanded by the gentleman from Missouri [Mr. CLARK], and being in full accord with the programme which has been outlined by him as the leader of the minority on that side, that a resolution placing in concrete form the demand of the American people that a majority of this House shall have the right to express its will ought to be submitted to that committee and be reported to this House for action.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Speaker, I do not think I have ever been placed in a more embarrassing position than I was in this morning when I had no opportunity to explain my vote. My esteemed colleague on the Committee on Interstate and Foreign Commerce, Mr. RUSSELL, in the final days of the last Congress stated that he had a seriously sick daughter at home in Texas and he desired to go to her, and it might not be expedient for him to return here during the first days of the session. He requested me to pair with him in case he did not return in time. I, too, was going home, and, not anticipating the business of to-day, I consented to protect him by pairing with him. This action on my part has placed me between two contending duties, that of voting on measures in which I am interested and with which I have been identified, and that of meeting a moral obligation to my friend, who, had he not relied upon me, would have been here. I must respect my agreement with Judge RUSSELL and vote "present."

Mr. Speaker, it seems to me that I can detect in the debate here and in the attitude of the gentlemen who constitute the minority on the Republican side a question of policy rather than of principle. Gentlemen seem to have absolutely no regard for the responsibilities which have been placed upon the Republican party at this time. [Applause on the Republican side.]

There is not a man here who will not admit that the amendments pending are all in line with the ones which the reformers have been demanding. The only other thing they have ever asked for is the appointment of a committee on committees, and they themselves do not dare now, it seems, submit that as a proposition for the House to vote upon.

But there is something else to be done hereafter which must inevitably result in embarrassment to the administration which is charged with responsibility now. I can not think of a proposition more violative of the rules of justice and equality than the one submitted by the gentleman from Missouri [Mr. CLARK], by which he, according to his own admission, picks out a committee of six on that side whom he says are committed practically to the doctrine which he has been advocating and leaves off the gentleman from New York [Mr. FITZGERALD], whom he admits is perhaps the best qualified of any man on that side to be placed upon such a committee—leaves him off because the gentleman has ideas of his own. [Applause on the Republican side.]

He then goes on and appoints four members of the minority on this side of the House and leaves the majority, which is charged with the responsibility of legislation, absolutely powerless in the hands of a combination which has been admitted to exist by both Democrats and insurgents. So I say, Mr. Speaker, inasmuch as we are looking for rules which will expedite the business of the Congress, inasmuch as we are presenting amendments which answer every objection that any gentleman has

urged against existing conditions, I can not see for the life of me how Members on this side of the House are going to satisfy themselves with the cheap notoriety that they are going to get at home, or that they think they are going to get, and harmonize statesmanship with their vote on this floor to-day. Why not accept the thing that we can get, the thing that we know is in the interests of the business of Congress, and thus be content at least for the time being, and go on with the great work that is laid down in our national Republican platform. Democrats and Republicans alike believe that the least possible embarrassment should be experienced in tariff revision, which may mean either prosperity or adversity, according as it receives the honest, patriotic, and harmonious action of Congress, or is met not only by a divided House but by a divided majority charged with important legislation. Let us adopt these amended rules and proceed to the business of the country. [Applause on the Republican side.]

Mr. FITZGERALD. Mr. Speaker, two speeches will be made on this side——

Mr. CLARK of Missouri. Well, go on and make one of them.

Mr. FITZGERALD. I will let the gentleman from Pennsylvania [Mr. DALZELL] make one of them first.

Mr. CLARK of Missouri. All right.

Mr. FITZGERALD. Mr. Speaker, I now yield ten minutes to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. Mr. Speaker, I have no disposition to occupy the time of the House in any general discussion of the merits of the rules. I propose simply to make a few observations as to the amendments suggested by the gentleman from New York [Mr. FITZGERALD]. I am one of those who have believed and still believe that the rules of the House are the best rules that could have been devised to conduct the business of the House. People talk about the rules of the House as though some gentlemen had gotten together somewhere or other and devised those rules; as though some particular Congress, being in control of the business of the country, had devised those rules. Why, the rules of the House, Mr. Speaker, are the evolution of one hundred and twenty years of parliamentary experience. They represent the wisdom of the best and most accomplished statesmanship, so far as our present rules are concerned, of the last two decades of our history. There is not a single rule upon the rules book of this House that does not have a reason for having been put there, and there is not a rule upon the rules book of this House that does not have a sufficient reason for being retained there.

The trouble, Mr. Speaker, with the objections to the rules of the House is that those objections are made by those who know nothing about the rules of the House. They are made from ignorance and unreasonable apprehensions. For twenty years in this House I have found at the beginning of every session objection to the rules upon the part of—whom? Upon the part of men who have never occupied a seat in this House, but who come into it for the first time. Why, this House is constituted of 391 Members. There can not be 391 Speakers; there can not be 391 chairmen of committees. Twenty-eight thousand four hundred bills were introduced in the last Congress. Twenty-eight thousand four hundred bills could not be considered by this House. The right of selection must exist somewhere, and it exists, under the rules of the House, in such a way as to operate to bring to the surface and put upon the statute book the best legislation that we can have. Now, Mr. Speaker, there have been some difficulties found in the operation of these rules; that I confess.

There is no such thing as perfect rules. First, it has been found impossible under the existing rules to take advantage of the rule for a call of committees as often as might be desirable. It is impossible to have a call of committees—I mean it has been found to be impossible in operation to have a call of committees—as often as is desired, because, while the call of committees is provided for, business of various kinds having a privileged standing under the rules of the House intervenes; and therefore there has been complaint upon the part of Members of the House because they were unable to reach the bills that they would like to consider, either upon the House Calendar or the Union Calendar. But just two weeks before the Sixtieth Congress adjourned the Committee on Rules of the last House listened to the gentlemen who were preferring a complaint of that character, and by a new rule provided for a calendar day or a day for call of committees which should occur every week, and which should be imperative unless it were dispensed with by a direct motion made to dispense with it.

Now, I understand that one of the amendments presented by the gentleman from New York [Mr. FITZGERALD] is in further defense of that so-called "calendar day." He provides that it shall not be dispensed with except by a two-thirds vote. Well, I should prefer that the House of Representatives should be ruled in all cases by a majority vote, but I see no serious objection to making a two-thirds vote necessary to dispense with this calendar day. The gentleman further proposes that instead of going to the room of the Speaker and asking for recognition to propose unanimous consent there shall be a unanimous-consent calendar, which shall be under the control of Members of the House. As he proposes, any Member may go to the Clerk and say, "I want my bill that is on a certain calendar put on the unanimous-consent calendar," and then when the day comes around when it is in order to take up that calendar the bills are called in their order, and, wholly irrespective of the Speaker and subject only to the control of the House, the bills are considered or are not considered, as the House may see fit. It seems to me that is a good amendment to the existing law. It will be a relief alike to the Speaker and to the Members of the House. The gentleman from New York further provides by his amendment that the minority shall have a preference upon a motion to recommit.

We all know that the motion to recommit, under existing practice, has been used not to secure recommittal, but to prevent recommittal. The custom has grown up to have a Member of the majority party move to recommit and then to have his colleagues vote the motion down. Now, that is, without any doubt, an infringement of the rights of parties who under the rules are understood and were intended to have the right to test the sense of the House on a motion to recommit. I can see no honest objection why it should not be provided that the minority of the House, those in opposition to any measure, whether that minority be Republican or Democratic, shall have secured to them what was intended to be secured to them under the rules as they now exist; and, therefore, I see no objection to that provision of the gentleman's amendment which provides that preference shall be given to the opposition when it desires to make a motion to recommit.

Gentlemen, the proposition to choose all of the committees of this House by a committee which is to take the place of the Speaker is utterly impracticable. It is a proposition that has been discussed time and again for over one hundred years in this body, and always pronounced by every Congress in which it was suggested as utterly impracticable.

The Speaker is not the absolute arbiter in the selection of committees. There are limitations upon his power that he can not ignore. There are geographical limitations, limitations incident to length of service, limitations as to ability, and besides all that there is a limitation arising out of the desire upon his part honestly to organize the House in such a way as to make his administration a success.

Mr. CLAYTON. May I ask the gentleman a question?

Mr. DALZELL. Why, certainly.

Mr. CLAYTON. I understood the gentleman remarked, in the course of his speech, that the Speaker was not absolute in regard to the personnel or selection of the committeemen for the various committees. Now, I suppose you are in the confidence of the Speaker, and what I want to know is as to what is contemplated in regard to the membership of committees. Take, for example, the Committee on the Judiciary of this House. In it there are only 6 Democratic Members and 12 Republican Members, whereas the respective membership of the two parties is pretty nearly equal. I want to ask you if it is the purpose of the Speaker and the majority here to perpetrate as to that——

Mr. DALZELL. I will anticipate the gentleman and say that I can not answer his question, as I am not in the confidence of the Speaker with respect to appointments.

Mr. CLAYTON. I wanted to ask the gentleman as to the programme in that respect.

Mr. DALZELL. I am sorry I can not answer the gentleman; I would have been pleased to do so.

Mr. CLAYTON. I am sorry that the gentleman can not answer the question.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLARK of Missouri. I will ask the gentleman from New York how many more speakers he intends to have?

Mr. FITZGERALD. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore (Mr. CAPROON). The gentleman has five minutes remaining, and the gentleman from Missouri thirteen minutes.

Mr. CLARK of Missouri. Are you going to conclude in one speech?

Mr. FITZGERALD. I am.

Mr. CLARK of Missouri. I yield five minutes to the gentleman from Nebraska [Mr. NORRIS].

Mr. NORRIS. Mr. Speaker, there will be no change in the rules that will be satisfactory or produce satisfactory results either to the House or to the country that does not take away from the Speaker the right to serve on the Committee on Rules and the right to appoint all the standing committees of this House. [Loud applause.] Any other proposition that may come in here will only blind the real situation. [Renewed applause.] It is to be regretted, Mr. Speaker, that we were not left to settle this question without any outside influences. During the vacation Members of this House have been worked upon by the various departments of this Government, especially what are known as the "insurgent" part of the House; Senators, Cabinet members, and, I regret to say, the President, have all been working in behalf of the Speaker and his machine; so that we have had a combination of the Senate, the Cabinet, the Executive, and the "Knights of the Iron Duke," all combined in an assault upon that little band of insurgents. [Laughter.]

We stand, Mr. Speaker, for a principle, and we are not willing to trade off that principle for political pie or even for political life. [Renewed applause.] The newspapers all over the country in the last few days have circulated reports that if we are defeated in this fight we are going to be punished, first, by loss of important places on committees, and, second, by losing from the executive department of the Government patronage that heretofore has been given to Members of the House. If we are to be punished for standing for a principle which we believe to be right, then let the lash be unfurled. Do your worst. We will not be intimidated. We will not surrender. I would rather go down to my political grave with a clear conscience than ride in the chariot of victory, a congressional stool pigeon, the slave, the servant, and the vassal of any man, whether he be the owner and manager of a legislative menagerie or the ruler of a great nation. [Applause.]

I want to say that I have the greatest of confidence and faith in our present Chief Executive. I believe, as my friend from Massachusetts [Mr. GARDNER] has said, that his sympathies are with us who want to revise these rules, and the present position of the Chief Executive in working against the insurgent movement only illustrates what is to-day before the country as a practical illustration of the wonderful power of the "Iron Duke" and his machine in the House. The "Duke" is at the helm. He is the commander. He is supreme. The President is an unwilling and drafted lieutenant and a common United States Senator is nothing but a private in the rear rank. [Applause on the Democratic side.]

Mr. Speaker, I come from a State which was the first to declare in favor of the candidacy of the present Chief Executive. I was in the convention that so declared. I was on the committee that reported the plank of indorsement. I worked in my weak way and did all I could to bring about both his nomination and his election.

I have yet all faith and confidence in him and believe him to be one of the great men of the present day. But it is certainly a humiliating spectacle that on account of the power of the machine that has held sway for years in this House—power given entirely by the rules—he has been forced, I believe against his own better judgment, to come to the relief of the Speaker and his machine. The Iron Duke, sitting upon his throne, crowned with the power given him by the rules, reaches out his mighty hand and forces even the Chief Executive to do his bidding. This very fight is an apt illustration that the power of the Speaker should be curbed by a proper change of the rules. It is the most important question to-day before the American people. We insurgents may have the life crushed out of us by the machine, but the cause is right, and in the end it must prevail.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Ask any citizen of the United States what is the order of importance of the branches of the Government and he will answer: "The President, the Supreme Court, the Senate, and the House of Representatives." Turn to the Constitution and what do you find? First, a short preamble, and after that the House of Representatives. What next? The Senate, and next the President, and, lastly, the Supreme Court. Ask any citizen of the United States the personages of the United States in the order of their importance to-day and he will answer: "The President, the Speaker of the House, the justices of the Supreme Court, and the Members of the Senate."

The question to-day to be answered is a question that the country knows clearly. It is this: Has the House of Representatives surrendered to one of its Members all its power and its original importance in the democracy? No man can serve here six years without knowing that when the electrical word passes through this Chamber that "the Speaker wants it," that thing is carried; and if the equally electrical word passes through here that the Speaker does not want it; it is beaten. [Applause.] These are plain, simple things that come into the lives of all of us here. They argue one thing, namely, that this House has surrendered its power to one man. You can not get any power back to yourself as a Member on this floor, as a Representative, unless you go to the sole place where it is lodged, and that is with the Speaker. He holds that power largely, but not wholly, by reason of committee appointments. And just as sure as I am standing here, no matter what the action may be here to-day, the American people are going to see that the American Congress takes to itself again this, a measure of its own power, in order that it may become finally representative, as it was intended it should be. [Applause on the Democratic side.]

Mr. FITZGERALD. Mr. Speaker, who has the right to close this debate?

The SPEAKER pro tempore. The gentleman from New York has the right to close the debate.

Mr. CLARK of Missouri. I thought I had the right to close it. It is my proposition.

Mr. FITZGERALD. I think it is my proposition.

The SPEAKER pro tempore. In the opinion of the present occupant of the chair, the gentleman from New York [Mr. FITZGERALD] has the right to close.

Mr. CLARK of Missouri. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman has five minutes remaining.

Mr. CLARK of Missouri. I yield the rest of my time, five minutes, to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, the membership of this House divides itself, and has divided itself, into two classes, one in favor of amending the rules and one opposed to amendment of the rules. Those who favor the amendment of the rules favor deliberate consideration of propositions to amend, a consideration of the whole subject, with a view to a report to the House as to the amendments deemed to be feasible, with full opportunity to the House to discuss and to vote upon those amendments and amendments generally.

What the other element of this House desires was shown when the gentleman from Pennsylvania [Mr. DALZELL] made the motion to adopt the rules of the Sixtieth Congress as the rules of the Sixty-first Congress, and moved the previous question upon that motion. He meant, and those who voted with him meant—if they had the power, but fortunately they did not have it—to have the House directly adopt the rules, without the possibility of amendment and without the possibility of consideration. That motion to impose the old rules upon the House being defeated, my colleague, the gentleman from Missouri [Mr. CLARK], has offered in behalf of those in favor of amending the rules, in behalf of those in favor of liberality in reference to the rules, in behalf of those who desire consideration of the subject of the amendment of the rules, a resolution for which the gentleman from New York [Mr. FITZGERALD] has offered a substitute. But who, in the main, are supporting the substitute?

The very gentlemen who in the first place were in favor of the adoption of the rules without the slightest amendment. [Applause on the Democratic side.] If the substitute be adopted, 9 out of 10, if not 19 out of 20, of the votes which go to its adoption will be votes cast by the gentlemen opposed to any sort of amendment.

Mr. CLAYTON. That is the truth.

Mr. DE ARMOND. Now, the real question before the House is whether those in favor of amendment shall be sustained by a vote of the House, so that there shall be for all of us fair opportunity for consideration, fair opportunity for discussion, fair opportunity for a vote upon every proposition submitted; or whether, because there may be something of good in the substitute offered by the gentleman from New York [Mr. FITZGERALD], we shall be content to take that and to deny to ourselves everything else. It is not a question of bettering the rules or not bettering them. It is a question of considering amendments or not considering amendments. It is a question of taking what the men opposed to all amendment are now willing, out of necessity, to concede, or standing upon a proposition to amend, and having the time to consider it.

The same appointments may be made with reference to the Committee on Ways and Means to deal with the tariff question, whether the Clark resolution or the Fitzgerald substitute be adopted, and by the same Speaker. The one, the only, question is whether or not there shall be a chance for this House to determine how it shall select its committees. The substitute is

discussing the abuses and the remedies which answer every objection that any gentleman has

shall not be dispensed with except by a two-thirds vote. Well, man from Nebraska [Mr. NORRIS].

for a perpetuation of the abuse of a selection of committeemen by the Speaker, and particularly the perpetuation of the abuse of a committee of five on rules, which is not a committee at all, but is the Speaker, with his decision to be reported to the House by one of his colleagues, selected by him for a place on the Committee on Rules, followed by the marshaling of a partisan majority under whip and spur to make effective in this House the decision of the Speaker. It is not a question whether what is offered by the gentleman from New York [Mr. FITZGERALD] will make these rules better, but the question is whether we will be content with that, or will stand upon and vote for our right to consider amendments, to pass upon them deliberately, to adopt just such rules as the majority of this House deliberately, consciously, understandingly, after consideration and the full opportunity for consideration, shall see fit to adopt. [Applause.]

OATH OF OFFICE.

Mr. CLARK of Missouri. Mr. Speaker, before the gentleman from New York [Mr. FITZGERALD] makes his speech I should like to have the gentleman from Texas [Mr. SHEPPARD] sworn in; and if there are any others here who have not been sworn in, they may come forward, too.

The SPEAKER. The oath of office has not been taken by one of the officers of the House and by the gentleman from Texas [Mr. SHEPPARD]. Is there any other Member who has not taken the oath?

The oath of office was administered by the Speaker to Mr. SHEPPARD, a Representative from Texas, and to Mr. Frank B. Lyon, Doorkeeper of the House of Representatives.

THE RULES.

The House resumed consideration of the amendment offered by Mr. FITZGERALD.

Mr. FITZGERALD. Mr. Speaker, I have listened with care to the discussion that has taken place on this substitute. There has not been made a single legitimate criticism of the propositions contained in it. When the House, for the first time in my ten years of service, has voted down the previous question on the rules, so that the rules might be considered and amended, those who were in a position to suggest changes and have them made, instead of offering amendments, propose to delay for six or eight months instead of acting——

Mr. PUJO. Will the gentleman from New York yield for a question?

Mr. FITZGERALD. Well, I only have five minutes.

Mr. PUJO. I will only take one minute to ask this question. Why did you not submit your amendment to the Democratic caucus this morning? [Applause on the Democratic side.]

Mr. FITZGERALD. That is a fair question.

Mr. PUJO. Of course it is.

Mr. FITZGERALD. Because I could only get three minutes in the Democratic caucus to state my position on the rules. [Applause.]

Mr. PUJO. Mr. Speaker——

Mr. FITZGERALD. I decline to yield further. There was published in the public press this morning my attitude on the rules, as outlined and as followed here to-day. My only difference with the gentleman from Missouri [Mr. CLARK] on any change in the rules, so far as I know as the result of conferences with him, is as to whether the committees of the House should be selected by an elective committee or by the Speaker. The gentleman from Missouri [Mr. CLARK] paid me the extravagant compliment of saying publicly what he states he had often repeated privately, that I was the most skillful parliamentarian in the House of Representatives, and yet he refused to put me on a committee to revise the rules because I differed with him on one question alone of all that might be proposed. [Applause.]

Mr. GARRETT rose.

Mr. FITZGERALD. I can not yield any further. What more is needed, Mr. Speaker, to demonstrate the absurdity of the plan to select committees by a committee? My opinion still is that if such a practice were to be put into effect, men would not be put upon committees because of their capacity to perform the work that devolves upon them, but because of their predetermined and preconceived ideas as to what a certain committee should do on proposed legislation.

Let me say this to the Democratic Members of the House: The Republicans do not welcome these changes. [Derisive laughter on the Democratic side.] They may take them in preference to the other plan proposed; nothing much else has been suggested but delay. I suggest some substantial reforms to be put into effect now. You had an oportunity to formulate your ideas as to what changes should be made in the rules. Everybody who thought that these rules should be changed had the same opportunity to prepare such changes as they desired and to submit them as I had. No one else has done so.

Mr. Speaker, this side of the House will realize some day that this is the only opportunity that has been had, not only in a long while, but that would occur, even with this delaying scheme, for a much longer while, to make effective changes in the rules.

Mr. CLAYTON. Will the gentleman yield?

Mr. FITZGERALD. For a question.

Mr. CLAYTON. I want to say that the gentleman from Missouri [Mr. CLARK], who offered the main resolution, said that he had conferred with the so-called "insurgents" on that side. May I inquire of the gentleman from New York if he has conferred with the gentleman from Pennsylvania [Mr. DALZELL] and the regulars on that side before offering his resolution?

Mr. FITZGERALD. I have not.

Mr. CLAYTON. I would like to ask the gentleman another question. I would like to know—I suppose he is in a position of confidence with the Speaker——

Mr. FITZGERALD. I am not responsible for the gentleman's supposition.

Mr. CLAYTON (continuing). And I want to ask if the Speaker intends to accord to the minority a larger representation on the standing committees of the House?

Mr. FITZGERALD. I will answer that question frankly. I said more than a week ago to the leader on this side of the House that, in my judgment, the most important attribute in the leadership of the minority was the right to organize his side of the House by designating the Members for the respective committees; that if he insisted upon that right and demanded a larger representation on the committees, he probably could have both; that, in my opinion, it was of more importance to us to have such rights than any combination that could be made with the dissatisfied members of the majority could bring. The gentleman from Missouri differed with me. I have no fault to find with him. I believe he should assume the responsibility for determining his course. I have answered the question of the gentleman from Alabama.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CLAYTON. I ask unanimous consent that his time be extended to answer a question. [Cries of "Regular order! Regular order!"]

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The question was taken, and Mr. CLARK of Missouri demanded a division.

Mr. NORRIS, Mr. MANN, and Mr. CLARK of Missouri demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 173, answered "present" 1, not voting 4, as follows:

YEAS—211.

Alexander, N. Y.	Cushman	Greene	Livingston
Allen	Dalzell	Griest	Longworth
Ames	Dawson	Griggs	Lorimer
Andrus	Denby	Guernsey	Loud
Anthony	Dickema	Hamer	Loudenslager
Austin	Dodds	Hamilton	Lowden
Barchfeld	Douglas	Hanna	Lundin
Barclay	Draper	Harrison	McCall
Barnard	Driscoll, M. E.	Hawley	McCreary
Bartholdt	Durey	Heald	McJlermott
Bartlett, Nev.	Dwight	Henry, Conn.	McCulloch, Okla.
Bates	Edwards, Ga.	Higgins	McKinlay, Cal.
Bennet, N. Y.	Edwards, Ky.	Hill	McKinley, Ill.
Bennett, Ky.	Ellis	Hollingsworth	McKinney
Bingham	Elvins	Howard	McLachlan, Cal.
Boutell	Englebright	Howell, N. J.	McLaughlin, Mich.
Bradley	Estopinal	Howell, Utah	McMorran
Brantley	Fairchild	Howland	Madden
Broussard	Fassett	Hubbard, W. Va.	Malby
Brownlow	Fish	Huff	Mann
Burke, Pa.	Fitzgerald	Hughes, W. Va.	Martin, S. Dak.
Burke, S. Dak.	Focht	Hull, Iowa	Miller, Kans.
Burleigh	Foelker	Humphrey, Wash.	Miller, Minn.
Butler	Fordney	Johnson, Ohio	Millington
Calder.	Fornes	Joyce	Mondell
Calderhead	Foss	Kahn	Moon, Pa.
Campbell	Foster, Vt.	Keifer	Moon, Tenn.
Capron	Foulkrod	Keliher	Moore, Pa.
Chapman	Fuller	Kennedy, Iowa	Morehead
Cocks, N. Y.	Gaines	Kennedy, Ohio	Morgan, Mo.
Cole	Gardner, Mich.	Knapp	Morgan, Okla.
Conry	Gardner, N. J.	Knowland	Mudd
Cook	Garner, Pa.	Kronmiller	Murphy
Cooper, Pa.	Gillett	Lafean	Needham
Coudrey	Goebel	Langham	Nye
Cowles	Goldfogle	Langley	O'Connell
Creager	Goulden	Law	Olcott
Crow	Graff	Lawrence	Olmsted
Crumpacker	Graham, Pa.	Lee	Palmer, H. W.
Currier	Grant	Lindsay	Parker

Parsons	Rodenberg	Steenerson	Vreeland
Payne	Scott	Sterling	Wanger
Pearre	Sheffield	Stevens, Minn.	Washburn
Perkins	Simmons	Sturgiss	Weeks
Peters	Slemp	Sulloway	Wheeler
Plumley	Smith, Cal.	Swasey	Wiley
Pratt	Smith, Iowa	Tawney	Wilson, Ill.
Pray	Smith, Mich.	Taylor, Ohio	Wood, N. J.
Prince	Snapp	Tener	Woodyard
Reeder	Southwick	Thisslewood	Young, Mich.
Reynolds	Sparkman	Thomas, Ohio	Young, N. Y.
Riordan	Sperry	Tilson	The Speaker
Roberts	Stafford	Tirrell	

NAYS—173.

Adair	Driscoll, D. A.	Johnson, Ky.	Ransdell, La.
Adamson	Ellerbe	Johnson, S. C.	Rauch
Aiken	Ferris	Jones	Reid
Alexander, Mo.	Finley	Kendall	Rhinock
Anderson	Flood, Va.	Kinkaid, Nebr.	Richardson
Ansberry	Floyd, Ark.	Kinkead, N. J.	Robinson
Ashbrook	Foster, Ill.	Kitchin	Rothermel
Barnhart	Fowler	Kopp	Rucker, Colo.
Bartlett, Ga.	Gallagher	Korbly	Rucker, Mo.
Beall, Tex.	Gardner, Mass.	Küstermann	Sabath
Bell, Ga.	Garner, Tex.	Lamb	Saunders
Boehne	Garrett	Lassiter	Shackleford
Booher	Gill, Md.	Latta	Sharp
Borland	Gill, Mo.	Lenroot	Sheppard
Bowers	Gillespie	Lever	Sherley
Burgess	Glass	Lindbergh	Sherwood
Burleson	Godwin	Lloyd	Sims
Burnett	Good	Lovering	Sisson
Byrd	Gordon	McHenry	Slayden
Byrns	Graham, Ill.	Macon	Small
Candler	Gregg	Madison	Smith, Tex.
Cantrill	Gronna	Maguire, Nebr.	Spight
Carlin	Hamill	Martin, Colo.	Stanley
Carter	Hamlin	Maynard	Stephens, Tex.
Cary	Hammond	Mays	Sulzer
Clark, Mo.	Hardwick	Moore, Tex.	Talbott
Clayton	Hardy	Morrison	Taylor, Ala.
Cline	Haugen	Morse	Taylor, Colo.
Collier	Hay	Moss	Thomas, Ky.
Cooper, Wis.	Hayes	Murdock	Thomas, N. C.
Covington	Heflin	Nelson	Tou Velle
Cox, Ind.	Helm	Nicholls	Underwood
Cox, Ohio	Henry, Tex.	Norris	Volstead
Craig	Hinshaw	Oldfield	Wallace
Cravens	Hitchcock	Padgett	Watkins
Cullop	Hobson	Page	Webb
Davidson	Houston	Palmer, A. M.	Weisse
Davis	Hubbard, Iowa	Patterson	Wickliffe
De Armond	Hughes, Ga.	Pickett	Willett
Dent	Hughes, N. J.	Poindexter	Wilson, Pa.
Denver	Hull, Tenn.	Pou	Woods, Iowa
Dickson, Miss.	Humphreys, Miss.	Pujo	
Dies	James	Rainey	
Dixon, Ind.	Jamieson	Randell, Tex.	

ANSWERED "PRESENT"—1.

Townsend

NOT VOTING—4.

Clark, Fla.	Esch	Legare	Russell

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken, and the resolution as amended was agreed to.

On motion of Mr. FITZGERALD, a motion to reconsider the last vote was laid on the table.

SELECTION OF SEATS.

Mr. SMITH of Iowa. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the House do now proceed to draw seats for Members and Delegates of the present Congress, in pursuance of Rule XXXII, and when the names of Members absent from the city or on account of sickness are called that seats be selected by their colleagues.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn. [Cries of "No!" "No!"]

Mr. Speaker, there seems to be so much opposition to that on both sides of the House that I will withdraw the motion.

Mr. CLARK of Missouri. If the gentleman withdraws the motion, I shall renew it.

Mr. PAYNE. Then, I renew the motion.

The SPEAKER. The question is on the motion of the gentleman from New York that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 1) to require persons carrying on occupations and trades subject to the regulative power of Congress to pay compensation to employees injured, and to change the general law for injuries received on mail routes—to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 2) appropriating $30,000 for the improvement of the Yaquina River, Oregon, from Yaquina to Toledo—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3) for the erection of a public building at the city of Roseburg, in the State of Oregon, and appropriating moneys therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4) to extend the provisions, limitations, and benefits of an act entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892," approved June 27, 1902—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 5) for the erection of a monument to the memory of Gen. Evan Shelby—to the Committee on the Library.

Also, a bill (H. R. 6) providing for the reorganization of the police force of the Congressional Library—to the Committee on the Library.

Also, a bill (H. R. 7) relating to arrears in pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8) to provide for a United States reform school, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 9) to prevent superannuation in the classified civil service and to create a retirement fund for employees—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 10) to establish in the Department of Agriculture a bureau to be known as the bureau of public highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

Also, a bill (H. R. 11) for the purpose of acquiring national forest reserves in the Appalachian Mountains and White Mountains, to be known as the Appalachian Forest Reserve and the White Mountain Forest Reserve, respectively—to the Committee on Agriculture.

Also, a bill (H. R. 12) to provide for the erection of a public building at Newport, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13) to provide for the erection of a public building at Elizabethton, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14) to provide for the appointment of an additional district judge in and for the middle and eastern districts of Tennessee—to the Committee on the Judiciary.

Also, a bill (H. R. 15) for the appointment of a United States district judge for the eastern district of Tennessee, to detach certain counties from the eastern district of Tennessee and to attach the same to the middle district of Tennessee, to provide for divisions in said middle district of Tennessee and the time for holding the courts, and to provide for officers of the courts, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 16) to extend Fourth street SE. from Congress Heights to Washington Highlands, District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 17) to limit the effect of the regulation of commerce between the several States and with foreign countries in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 18) to provide for the erection of a public building at Rogersville, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. SLEMP: A bill (H. R. 19) to provide for the erection of a public building at Wytheville, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 20) to provide for enlarging and improving the United States building at Abingdon, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21) for the erection of a monument to the memory of Gen. William Campbell—to the Committee on the Library.

Also, a bill (H. R. 22) to provide for the erection of a public building at Pulaski, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 23) to amend the act approved February 27, 1902 (32 Stat. L., p. 43), entitled "An act for the relief of

parties for property taken from them by military forces of the United States"—to the Committee on War Claims.

Also, a bill (H. R. 24) to authorize the President of the United States to appoint shorthand reporters for the circuit and district courts of the United States, to fix their duties and compensation, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 25) to divide the State of Virginia into three judicial districts, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 26) for the establishment, control, operation, and maintenance of a sanitarium for disabled volunteer soldiers at New River, White Sulphur Springs, in the State of Virginia—to the Committee on Military Affairs.

Also, a bill (H. R. 27) to provide for the improvement of Powell River in Virginia—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 28) to provide for the improvement of the headwaters of Big Sandy River in Virginia—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 29) to provide for the improvement of Clinch River in Virginia—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 30) providing for the use of $2,000,000 of the money that would otherwise become a part of the reclamation fund for the drainage of certain lands in Virginia, and for other purposes—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 31) to provide for the erection of a public building at Norton, Va.—to the Committee on Public Buildings and Grounds.

By Mr. CALDER: A bill (H. R. 32) making Saturday afternoon a legal holiday, with pay, for employees in navy-yards and naval stations during the months of July, August, and September of each year—to the Committee on Naval Affairs.

Also, a bill (H. R. 33) providing for the raising of the U. S. battle ship *Maine* in Habana Harbor, and to provide for the interment of the bodies therein—to the Committee on Naval Affairs.

By Mr. FORNES: A bill (H. R. 34) to encourage the sale and exportation of articles of domestic manufacture—to the Committee on Ways and Means.

By Mr. FOWLER: A bill (H. R. 35) to amend an act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Pensions.

Also, a bill (H. R. 36) to provide for the erection of a public building at Morristown, N. J.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 37) to erect a replica in bronze in the city of Washington of the log cabin in which Abraham Lincoln was born—to the Committee on the Library.

Also, a bill (H. R. 38) to provide for maximum and minimum tariff schedules, and to establish a commission which shall investigate all duties on imports and fix the rates within said maximum and minimum tariff schedules, negotiate reciprocal trade treaties and recommend the adoption of the same, and collect such information with regard to products, manufactures, and commerce as will aid it in the performance of its duties and promote and provide for the general welfare—to the Committee on Ways and Means.

By Mr. LAFEAN: A bill (H. R. 39) to provide for the erection of a public building at Gettysburg, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 40) to authorize and direct the Secretary of War to purchase certain lands on the battlefield of Gettysburg, and making an appropriation therefor—to the Committee on Military Affairs.

Also, a bill (H. R. 41) amending section 2 of the act of April 19, 1908, increasing the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant pensions to certain widows of deceased soldiers and sailors of the late civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 42) providing for an experimental parcel-post system, to be confined entirely to rural delivery routes operating from post-offices located in not to exceed four counties in the United States—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 43) providing for the purchase of a site and the erection thereon of a public building at Hanover, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 44) making Columbus Day a legal holiday—to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 45) to amend sections 2586 and 2587 of the Revised Statutes of the United States as amended by the acts of April 25, 1882, and August 28, 1890—to the Committee on Ways and Means.

Also, a bill (H. R. 46) to provide for obtaining certain information relative to the White Mountain, Appalachian, and other watersheds and forests—to the Committee on Agriculture.

Also, a bill (H. R. 47) extending the operation of pension laws in favor of the officers and soldiers of the Indian wars to include the officers and soldiers of the Bannock war, Oregon and Washington, of 1878 and 1879—to the Committee on Pensions.

Also, a bill (H. R. 48) granting to the Siletz Power and Manufacturing Company a right of way for a water ditch or canal through the Siletz Indian Reservation, in Oregon—to the Committee on Indian Affairs.

Also, a bill (H. R. 49) amending the acts of July 27, 1892, and of June 27, 1902, by increasing the pension paid to officers and men of Indian wars and their widows, and amending the act of February 6, 1907, relating to the pensioning of officers and soldiers of the war with Mexico and the civil war by extending its provisions to include the officers and soldiers of the Indian wars—to the Committee on Pensions.

Also, a bill (H. R. 50) appropriating $300,000 for the acquiring, by purchase, condemnation, or construction, of a boat canal and locks around the falls of the Willamette River, at Oregon City, Oreg., and to be used with a like sum appropriated by the legislative assembly of the State of Oregon for the purposes named herein—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 51) appropriating the sum of $2,500,000 for the improvement of Coos Bay and bar, Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 52) to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon—to the Committee on Indian Affairs.

Also, a bill (H. R. 53) providing for repair of dikes and maintenance work on Tillamook Bay and Hoquarton Slough, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 54) appropriating $50,000 for the improvement of Tillamook River, Bay, and bar, and the tidal slough to Tillamook City, all in Oregon—to the Committee on Rivers and Harbors.

By Mr. WANGER: A bill (H. R. 55) providing for the erection of two memorial arches at Valley Forge, Pa.—to the Committee on the Library.

Also, a bill (H. R. 56) to establish Paul Jones Day in the navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 57) providing for the retirement of petty officers and enlisted men of the United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 58) to create in the War Department a roll to be known as the volunteer retired list, to authorize placing thereon with retired pay certain surviving officers and privates of the United States Volunteer Army of the civil war, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 59) to authorize the Postmaster-General to establish a station, substation, or branch post-office in certain communities—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 60) to provide for a site and public building at Pottstown, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BATES: A bill (H. R. 61) to aid the Gridley Memorial Association in the erection of a monument to Charles Vernon Gridley, late a captain, United States Navy—to the Committee on the Library.

Also, a bill (H. R. 62) amending the pension act approved March 2, 1903 (public act No. 134)—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 63) for acquiring national forests on the headwaters of Red River, in the State of Texas—to the Committee on Agriculture.

Also, a bill (H. R. 64) to repeal sundry paragraphs of the act approved July 24, 1897, entitled "An act to provide revenue for the Government and to encourage the industries of the United States," and to place wood pulp and agricultural implements on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 65) authorizing the President of the United States to enter into commercial agreements for the purpose of securing enlarged foreign markets for the beef and pork products of the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 66) to authorize the Secretary of the Interior to lease allotted or unallotted Indian lands for mining purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 67) authorizing the Secretary of the Interior to complete the final rolls of the Choctaw and Chickasaw tribes of Indians in Oklahoma—to the Committee on Indian Affairs.

Also, a bill (H. R. 68) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

Also, a bill (H. R. 69) regulating the passenger fare on railroads in Arizona and New Mexico, and for other purposes—to the Committee on the Territories.

Also, a bill (H. R. 70) for the erection of a federal building for the United States at Bowie, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 71) for the erection of a federal building for the United States at Denton, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 72) for the erection of a federal building for the United States at Vernon, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 73) for the erection of a federal building at Amarillo, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 74) to promote competition and to prevent discrimination in trade—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 75) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from January 1, 1851, to January 1, 1861, and from 1866 to 1876, inclusive, and for other purposes—to the Committee on Pensions.

Also, a bill (H. R. 76) directing the Secretary of War to ascertain the amount of money expended by the State of Texas between January 1, 1866, and December 31, 1876, inclusive, and report the same to Congress for its consideration—to the Committee on Claims.

Also, a bill (H. R. 77) to authorize the publication of a dictionary of the minerals and ores of the United States—to the Committee on Printing.

Also, a bill (H. R. 78) requiring any citizen of a foreign country who may procure a copyright or letters patent from the United States to pay to the United States for such copyright or patent the same amount of fees and to subject himself to the same laws, rules, and regulations relating to such patent, its use and control, as the government of such foreign country exacts by its laws and regulations from citizens of the United States, and for other purposes—to the Committee on Patents.

Also, a bill (H. R. 79) to establish a fish hatchery and biological station at Canyon City, Randall County, Tex.—to the Committee on the Merchant Marine and Fisheries.

By Mr. PERKINS: A bill (H. R. 80) to provide for the collection of taxes on legacies of property and on property inherited or given in contemplation of death—to the Committee on Ways and Means.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 81) to increase the tax on distilled spirits, beer, and playing cards—to the Committee on Ways and Means.

Also, a bill (H. R. 82) to prevent payment of special tax on retail liquor dealers under assumed or fictitious name, etc.—to the Committee on Ways and Means.

Also, a bill (H. R. 83) to increase the compensation of rural letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 84) for the erection of a public building at Clarksdale, Miss.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 85) to provide for holding terms of United States courts at Clarksdale, Miss.—to the Committee on the Judiciary.

By Mr. ANSBERRY: A bill (H. R. 86) to place coal on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 87) for the distribution of the cotton-tax fund collected in the State of Ohio—to the Committee on Claims.

Also, a bill (H. R. 88) to place lumber on the free list—to the Committee on Ways and Means.

By Mr. MUDD: A bill (H. R. 89) to reorganize and enlist the members of the United States Naval Academy Band—to the Committee on Naval Affairs.

Also, a bill (H. R. 90) providing for the construction of dry docks—to the Committee on Naval Affairs.

Also, a bill (H. R. 91) to provide for the purchase of ground for and the erection of a public building for an immigration station, on a site to be selected for said station, in the city of Baltimore, Md.—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: A bill (H. R. 92) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.—to the Committee on the Library.

By Mr. MUDD: A bill (H. R. 93) authorizing the President of the United States to purchase the Chesapeake and Delaware Canal—to the Committee on Railways and Canals.

By Mr. SULLOWAY: A bill (H. R. 94) making an appropriation toward the construction of a dry dock at the Portsmouth Navy-Yard—to the Committee on Naval Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 95) to provide for a Delegate to the House of Representatives of the United States from Porto Rico—to the Committee on Insular Affairs.

Also, a bill (H. R. 96) providing that the inhabitants of Porto Rico shall be citizens of the United States—to the Committee on Insular Affairs.

Also, a bill (H. R. 97) setting aside a portion of the proceeds of the sales of public lands in the Philippine Islands for school purposes—to the Committee on Insular Affairs.

Also, a bill (H. R. 98) to provide for the purchase of a site and the erection of a public building thereon at Monroe, in the State of Wisconsin—to the Committee on Public Buildings and Grounds.

By Mr. RODENBERG: A bill (H. R. 99) for the purchase of the Oldroyd collection of Lincoln relics, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 100) to retire on full pay certain disabled persons from the United States Light-House Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: A bill (H. R. 101) amending section 2 of the invalid-pension act of June 27, 1890—to the Committee on Invalid Pensions.

Also, a bill (H. R. 102) to increase and fix the pay of petty officers and enlisted men of the United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 103) to provide for an allowance for subsistence of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 104) providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States—to the Committee on Naval Affairs.

By Mr. AUSTIN: A bill (H. R. 105) for acquiring national forests in the Southern Appalachian Mountains and White Mountains—to the Committee on Agriculture.

Also, a bill (H. R. 106) to provide for the erection of a public building at Morristown, in the State of Tennessee—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 107) to provide for the purchase of a site and erection of a public building at Maryville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 108) to provide for the purchase of a site and erection of a public building at Jellico, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 109) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of soldiers and sailors of the civil war, the war with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war"—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 110) to provide revenue for the Government by levying an income tax—to the Committee on Ways and Means.

Also, a bill (H. R. 111) requiring the assessment and collection of taxes imposed by the income-tax law of August 28, 1894—to the Committee on Ways and Means.

Also, a bill (H. R. 112) to establish a fish hatchery and biological station in Fourth Congressional District of the State of Tennessee—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 113) for the erection of a public building at Lebanon, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 114) for the erection of a public building at Cookeville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 115) to amend an act entitled "An act to provide revenue for the Government, and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

Also, a bill (H. R. 116) to repeal import duties on antitoxin and diphtheria serum—to the Committee on Ways and Means.

Also, a bill (H. R. 117) to reduce the duties on watches imported into the United States from foreign countries—to the Committee on Ways and Means.

Also, a bill (H. R. 118) to repeal the duty on coal—to the Committee on Ways and Means.

Also, a bill (H. R. 119) for the relief of tobacco growers—to the Committee on Ways and Means.

By Mr. CRUMPACKER: A bill (H. R. 120) to amend section 2 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

Also, a bill (H. R. 121) authorizing a judicial review of law and facts in fraud-order cases—to the Committee on the Judiciary.

Also, a bill (H. R. 122) to provide for the purchase of a site and the erection of a public building thereon at Valparaiso, in the State of Indiana—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 123) to provide for the establishment of judicial divisions in the district of Indiana, and for other purposes in connection therewith—to the Committee on the Judiciary.

Also, a bill (H. R. 124) to authorize the Chicago, Indiana and Southern Railroad Company to construct and maintain a bridge across the Grand Calumet River in the city of East Chicago, Ind.—to the Committee on Interstate and Foreign Commerce.

By Mr. HOBSON: A bill (H. R. 125) to promote the cause of international peace and arbitration—to the Committee on Naval Affairs.

Also, a bill (H. R. 126) providing for the deposit of a model of any vessel of war of the United States Navy bearing the name of a State of the United States in the capitol building of said State—to the Committee on Naval Affairs.

Also, a bill (H. R. 127) to provide for the naturalization of aliens who have served, or shall hereafter serve, five years in the United States Navy or Marine Corps—to the Committee on Naval Affairs.

Also, a bill (H. R. 128) to provide suitable civilian clothing and a cash gratuity to naval prisoners on discharge—to the Committee on Naval Affairs.

Also, a bill (H. R. 129) to authorize the attendance of five midshipmen from the Philippine Islands at the United States Naval Academy—to the Committee on Naval Affairs.

Also, a bill (H. R. 130) to provide a navy adequate for national defense—to the Committee on Naval Affairs.

Also, a bill (H. R. 131) to equalize the rank, pay, and allowances of the swordmaster at the Naval Academy with corresponding position at the Military Academy—to the Committee on Naval Affairs.

Also, a bill (H. R. 132) to prevent a combination of firms or individuals from conspiring to raise or raising prices of supplies furnished the United States Government, or combining to put up prices for structural work, and providing penalties therefor—to the Committee on the Judiciary.

Also, a bill (H. R. 133) to provide for the appointment of a commission to gather statistics regarding injuries in the industrial trades—to the Committee on the Judiciary.

Also, a bill (H. R. 134) to provide for the opening to entry of the surface rights of public mineral lands in the State of Alabama—to the Committee on the Public Lands.

Also, a bill (H. R. 135) to provide a site and erect a public building at Greensboro, Ala.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 136) to provide a site and erect a public building at Jasper, Ala.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 137) to authorize the attendance of five cadets from the Philippine Islands and one from Porto Rico at the United States Military Academy—to the Committee on Military Affairs.

Also, a bill (H. R. 138) to promote the cause of international arbitration—to the Committee on Foreign Affairs.

Also, a bill (H. R. 139) to provide for experiments in the delivery of merchandise packages on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. McLACHLAN of California: A bill (H. R. 140) directing the Panama Railroad Company to establish and operate a line of steamers along the Pacific coast, and making provision therefor—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNLOW: Joint resolution (H. J. Res. 1) for the relief of Newton A. Patterson—to the Committee on Military Affairs.

By Mr. FOWLER: Joint resolution (H. J. Res. 2) authorizing George H. Bridgman to accept from the British Government a silver inkstand, in recognition of his services to British interests while minister of the United States to Bolivia—to the Committee on Foreign Affairs.

By Mr. HENRY of Texas: Joint resolution (H. J. Res. 3) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 4) proposing an amendment to the Constitution of the United States respecting the commencement and termination of Congress, and the terms of office of President, Vice-President, Senators, and Members of Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. GAINES: Joint resolution (H. J. Res. 5) proposing an amendment to the Constitution of the United States respecting the commencement and termination of Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 6), authorizing the President of the United States, in conjunction with the State of Texas, to reestablish and re-mark the boundary lines between the Indian Territory and the State of Texas, and for other purposes—to the Committee on Indian Affairs.

Also, joint resolution (H. J. Res. 7) setting aside certain lands within the Mescalero Indian Reservation, in New Mexico, for the use of the Indians thereon, and providing for the sale of the residue of the lands therein for the benefit of said tribe of Indians—to the Committee on Indian Affairs.

By Mr. AUSTIN: Joint resolution (H. J. Res. 8) to provide for distribution of documents and reports published from March 4, 1909, to March 4, 1911—to the Committee on Printing.

By Mr. HOBSON: Joint resolution (H. J. Res. 9) to provide a consecutive naval programme—to the Committee on Naval Affairs.

Also, joint resolution (H. J. Res. 10) for the appointment of a commission on arbitration and armament—to the Committee on Foreign Affairs.

By Mr. LOWDEN: Joint resolution (H. J. Res. 11) proposing an amendment to the Constitution in relation to the term of service of the President of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. HAWLEY: Concurrent resolution (H. C. Res. 1) respecting disposal of public domain—to the Committee on Indian Affairs.

By Mr. HOBSON: Concurrent resolution (H. C. Res. 2) relating to general treaties of arbitration—to the Committee on Foreign Affairs.

By Mr. BROWNLOW: Resolution (H. Res. 1) providing for printing the inaugural addresses of President Lincoln and certain other specified documents—to the Committee on Printing.

Also, resolution (H. Res. 2) providing for payment to P. L. Coultry for services in the folding room of the House of Representatives—to the Committee on Accounts.

By Mr. FOWLER: Resolution (H. Res. 6) providing for salary to the clerk of the Committee on Banking and Currency—to the Committee on Accounts.

By Mr. RODENBERG: Resolution (H. Res. 7) relating to pay of officers and employees of the House—to the Committee on Accounts.

By Mr. BATES: Resolution (H. Res. 8) providing for the appointment of a janitor for the Select Committee on Disposition of Useless Executive Papers—to the Committee on Accounts.

Also, resolution (H. Res. 9) relating to compensation of clerk to Select Committee on Disposition of Useless Executive Papers—to the Committee on Accounts.

By Mr. HULL of Tennessee: Resolution (H. Res. 10) instructing the Committee on Ways and Means to report bills for certain purposes—to the Committee on Rules.

By Mr. LASSITER: Resolution (H. Res. 12) providing for consideration and determination of any matter—to the Committee on Rules.

By Mr. REEDER: Memorial of the legislature of Kansas, relating to the participation by national banks in the bank depositor's guaranty fund of the State of Kansas—to the Committee on Ways and Means.

Also, memorial of the legislature of Kansas, relative to reservation of inheritance taxes to the States—to the Committee on Ways and Means.

Also, memorial of the legislature of Kansas, relative to an amendment to the Constitution of the United States regarding election of United States Senators—to the Committee on Ways and Means.

Also, memorial of the legislature of Kansas, concerning soil investigations—to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Memorial of the legislature of South Dakota, asking Congress to establish hospitals for the examination of intending immigrants at the principal European ports of embarkation—to the Committee on Immigration and Naturalization.

By Mr. CARY: Memorial of the legislature of Wisconsin, asking Congress to institute measure looking to repair of the Portage levee—to the Committee on Levees and Improvements of the Mississippi River.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BATES: A bill (H. R. 141) granting an increase of pension to William Henry Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 142) granting an increase of pension to Edward F. Harter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 143) granting an increase of pension to John Crowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 144) granting an increase of pension to T. H. Apple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 145) granting an increase of pension to James M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 146) granting an increase of pension to John W. Van Natta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 147) granting an increase of pension to John H. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 148) granting an increase of pension to Theodore C. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 149) granting an increase of pension to Calvin L. Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 150) granting an increase of pension to Abram Gaskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 151) for the relief of James Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 152) for the relief of Robert M. Brown—to the Committee on Claims.

Also, a bill (H. R. 153) for the relief of Henry Mulvin—to the Committee on Military Affairs.

Also, a bill (H. R. 154) to reimburse A. J. Caufman, Girard, Erie County, Pa., in the sum of $300, together with interest thereon from October 10, 1862, for soldier furnished United States, being the amount paid by him to one Charles Morton as a substitute—to the Committee on War Claims.

By Mr. BROWNLOW: A bill (H. R. 155) for the relief of John E. Barrett—to the Committee on Pensions.

Also, a bill (H. R. 156) for the relief of Edwin S. Harris—to the Committee on Claims.

Also, a bill (H. R. 157) for the relief of R. R. Robinson—to the Committee on Claims.

Also, a bill (H. R. 158) for the relief of Emma H. Worley, widow, and the heirs at law of Nathaniel T. Worley, deceased—to the Committee on Claims.

Also, a bill (H. R. 159) for the relief of D. A. Harvey—to the Committee on War Claims.

Also, a bill (H. R. 160) for the relief of William M. Goforth—to the Committee on War Claims.

Also, a bill (H. R. 161) for the relief of Peter Dougherty—to the Committee on War Claims.

Also, a bill (H. R. 162) for the relief of Solomon Q. Dugger—to the Committee on War Claims.

Also, a bill (H. R. 163) for the relief of Daniel B. Bowman—to the Committee on War Claims.

Also, a bill (H. R. 164) for the relief of Jacob C. Barkley—to the Committee on War Claims.

Also, a bill (H. R. 165) for the relief of George F. Brott—to the Committee on War Claims.

Also, a bill (H. R. 166) for the relief of Charles H. Adams—to the Committee on War Claims.

Also, a bill (H. R. 167) for the relief of Lewis Atkins—to the Committee on War Claims.

Also, a bill (H. R. 168) for the relief of C. M. Justus—to the Committee on War Claims.

Also, a bill (H. R. 169) for the relief of Samuel B. Moore—to the Committee on War Claims.

Also, a bill (H. R. 170) for the relief of Albert W. Perry—to the Committee on War Claims.

Also, a bill (H. R. 171) for the relief of J. J. Starnes—to the Committee on War Claims.

Also, a bill (H. R. 172) for the relief of Jacob J. Shakelford—to the Committee on War Claims.

Also, a bill (H. R. 173) for the relief of Clara L. Sheffield—to the Committee on War Claims.

Also, a bill (H. R. 174) for the relief of James Vandergriff—to the Committee on War Claims.

Also, a bill (H. R. 175) for the relief of John Walker—to the Committee on War Claims.

Also, a bill (H. R. 176) for the relief of Marion F. Wolfe—to the Committee on War Claims.

Also, a bill (H. R. 177) for the relief of Lewis White—to the Committee on War Claims.

Also, a bill (H. R. 178) for the relief of Thomas J. Wear—to the Committee on War Claims.

Also, a bill (H. R. 179) for the relief of George W. Webster—to the Committee on War Claims.

Also, a bill (H. R. 180) for the relief of Richard M. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 181) for the relief of William Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 182) for the relief of Calloway Horton—to the Committee on Military Affairs.

Also, a bill (H. R. 183) for the relief of Alexander Harmon—to the Committee on Military Affairs.

Also, a bill (H. R. 184) for the relief of Dulaney P. Harmon—to the Committee on Military Affairs.

Also, a bill (H. R. 185) for the relief of Jacob Hybarger—to the Committee on Military Affairs.

Also, a bill (H. R. 186) for the relief of Jackson Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 187) for the relief of F. M. Hilton—to the Committee on Military Affairs.

Also, a bill (H. R. 188) for the relief of Pleasant Haun—to the Committee on Military Affairs.

Also, a bill (H. R. 189) for the relief of J. W. Godsey—to the Committee on Military Affairs.

Also, a bill (H. R. 190) for the relief of William Gardner—to the Committee on Military Affairs.

Also, a bill (H. R. 191) for the relief of Newton Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 192) for the relief of Daniel Gilbert—to the Committee on Military Affairs.

Also, a bill (H. R. 193) for the relief of Arthur Y. Green—to the Committee on Military Affairs.

Also, a bill (H. R. 194) for the relief of Silas J. Grenade—to the Committee on Military Affairs.

Also, a bill (H. R. 195) for the relief of Samuel Greenlee—to the Committee on Military Affairs.

Also, a bill (H. R. 196) for the relief of Robert M. Fox—to the Committee on Military Affairs.

Also, a bill (H. R. 197) for the relief to Joseph Fawbush—to the Committee on Military Affairs.

Also, a bill (H. R. 198) for the relief of David Foster—to the Committee on Military Affairs.

Also, a bill (H. R. 199) for the relief of Ezekiel T. Delph—to the Committee on Military Affairs.

Also, a bill (H. R. 200) for the relief of John H. Dickenson—to the Committee on Military Affairs.

Also, a bill (H. R. 201) for the relief of Riley Day—to the Committee on Military Affairs.

Also, a bill (H. R. 202) for the relief of William M. Cox—to the Committee on Military Affairs.

Also, a bill (H. R. 203) for the relief of Thomas Colyer—to the Committee on Military Affairs.

Also, a bill (H. R. 204) for the relief of Samuel S. Caldwell—to the Committee on Military Affairs.

Also, a bill (H. R. 205) for the relief of Andrew Cutshal—to the Committee on Military Affairs.

Also, a bill (H. R. 206) for the relief of Solomon S. Crosswhite—to the Committee on Military Affairs.

Also, a bill (H. R. 207) for the relief of William S. Cloud—to the Committee on Military Affairs.

Also, a bill (H. R. 208) for the relief of Jacob Barkley—to the Committee on Military Affairs.

Also, a bill (H. R. 209) for the relief of Samuel Babb—to the Committee on Military Affairs.

Also, a bill (H. R. 210) for the relief of Richard Burton—to the Committee on Military Affairs.

Also, a bill (H. R. 211) for the relief of Walter W. Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 212) for the relief of John Butler—to the Committee on Military Affairs.

Also, a bill (H. R. 213) for the relief of William Buttery—to the Committee on Military Affairs.

Also, a bill (H. R. 214) for the relief of Allen Bruner—to the Committee on Military Affairs.

Also, a bill (H. R. 215) for the relief of Hugh L. Bowlin—to the Committee on Military Affairs.

Also, a bill (H. R. 216) for the relief of George Bailey—to the Committee on Military Affairs.

Also, a bill (H. R. 217) for the relief of John G. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 218) for the relief of James H. Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 219) for the relief of Henry Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 220) for the relief of Howard Holt—to the Committee on Military Affairs.

Also, a bill (H. R. 221) for the relief of Lincoln S. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 222) for the relief of William Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 223) for the relief of Pleasant C. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 224) for the relief of Willis M. Kent—to the Committee on Military Affairs.

Also, a bill (H. R. 225) for the relief of James B. Leedy—to the Committee on Military Affairs.

Also, a bill (H. R. 226) for the relief of Lewis H. Lee—to the Committee on Military Affairs.

Also, a bill (H. R. 227) for the relief of John M. Morrison—to the Committee on Military Affairs.

Also, a bill (H. R. 228) for the relief of William Moyers—to the Committee on Military Affairs.

Also, a bill (H. R. 229) for the relief of W. G. McKenzie—to the Committee on Military Affairs.

Also, a bill (H. R. 230) for the relief of Robert P. Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 231) for the relief of James Mills—to the Committee on Military Affairs.

Also, a bill (H. R. 232) for the relief of Henry J. Manis—to the Committee on Military Affairs.

Also, a bill (H. R. 233) for the relief of William A. Morgan—to the Committee on Military Affairs.

Also, a bill (H. R. 234) for the relief of James McDonald—to the Committee on Military Affairs.

Also, a bill (H. R. 235) for the relief of James Nicholes—to the Committee on Military Affairs.

Also, a bill (H. R. 236) for the relief of J. G. Odell—to the Committee on Military Affairs.

Also, a bill (H. R. 237) for the relief of E. S. Parrott—to the Committee on Military Affairs.

Also, a bill (H. R. 238) for the relief of W. E. Peirce—to the Committee on Military Affairs.

Also, a bill (H. R. 239) for the relief of Henry Poe—to the Committee on Military Affairs.

Also, a bill (H. R. 240) for the relief of Louis B. Quillan—to the Committee on Military Affairs.

Also, a bill (H. R. 241) for the relief of Alfred Raines—to the Committee on Military Affairs.

Also, a bill (H. R. 242) for the relief of Ingram Rains—to the Committee on Military Affairs.

Also, a bill (H. R. 243) for the relief of David Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 244) for the relief of Joshua Richardson—to the Committee on Military Affairs.

Also, a bill (H. R. 245) for the relief of Jesse Rhea—to the Committee on Military Affairs.

Also, a bill (H. R. 246) for the relief of Thomas F. Sutton—to the Committee on Military Affairs.

Also, a bill (H. R. 247) for the relief of Henry Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 248) for the relief of Alfred Sellers—to the Committee on Military Affairs.

Also, a bill (H. R. 249) for the relief of Thomas J. Spencer—to the Committee on Military Affairs.

Also, a bill (H. R. 250) for the relief of Thomas Saylor—to the Committee on Military Affairs.

Also, a bill (H. R. 251) for the relief of W. R. Sentell—to the Committee on Military Affairs.

Also, a bill (H. R. 252) for the relief of Ruben S. Sea—to the Committee on Military Affairs.

Also, a bill (H. R. 253) for the relief of George Shults—to the Committee on Military Affairs.

Also, a bill (H. R. 254) for the relief of Elbert S. Shanks—to the Committee on Military Affairs.

Also, a bill (H. R. 255) for the relief of Homer Sheldon—to the Committee on Military Affairs.

Also, a bill (H. R. 256) for the relief of William H. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 257) for the relief of William Vance—to the Committee on Military Affairs.

Also, a bill (H. R. 258) for the relief of Levi Viles—to the Committee on Military Affairs.

Also, a bill (H. R. 259) for the relief of John G. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 260) for the relief of George T. Welch—to the Committee on Military Affairs.

Also, a bill (H. R. 261) for the relief of George Washington Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 262) for the relief of John Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 263) for the relief of Robert Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 264) for the relief of Wiley Wolf—to the Committee on Military Affairs.

Also, a bill (H. R. 265) granting a pension to William H. Hart—to the Committee on Pensions.

Also, a bill (H. R. 266) granting a pension to Michael Grace—to the Committee on Pensions.

Also, a bill (H. R. 267) granting a pension to Madison Grimsby—to the Committee on Pensions.

Also, a bill (H. R. 268) granting a pension to J. S. Grubb—to the Committee on Pensions.

Also, a bill (H. R. 269) granting a pension to Ernest V. Fletcher—to the Committee on Pensions.

Also, a bill (H. R. 270) granting a pension to William M. Faidley—to the Committee on Pensions.

Also, a bill (H. R. 271) granting a pension to Nancy Dillard—to the Committee on Pensions.

Also, a bill (H. R. 272) granting a pension to Wiley Cazart—to the Committee on Pensions.

Also, a bill (H. R. 273) granting a pension to D. W. Crawford—to the Committee on Pensions.

Also, a bill (H. R. 274) granting a pension to Quincy F. Buttry—to the Committee on Pensions.

Also, a bill (H. R. 275) granting a pension to Winnie Brewer—to the Committee on Pensions.

Also, a bill (H. R. 276) granting a pension to James K. Bowman—to the Committee on Pensions.

Also, a bill (H. R. 277) granting a pension to John Ward—to the Committee on Pensions.

Also, a bill (H. R. 278) granting a pension to Zachariah T. Spurgen—to the Committee on Pensions.

Also, a bill (H. R. 279) granting a pension to George B. Snapp—to the Committee on Pensions.

Also, a bill (H. R. 280) granting a pension to Joseph Phillips—to the Committee on Pensions.

Also, a bill (H. R. 281) granting a pension to Oscar C. Oliver—to the Committee on Pensions.

Also, a bill (H. R. 282) granting a pension to Tide Owens—to the Committee on Pensions.

Also, a bill (H. R. 283) granting a pension to Ruben B. Hyder—to the Committee on Pensions.

Also, a bill (H. R. 284) granting a pension to Charles F. Isbell—to the Committee on Pensions.

Also, a bill (H. R. 285) granting a pension to Hester J. Mitchell—to the Committee on Pensions.

Also, a bill (H. R. 286) granting a pension to R. S. B. Nave—to the Committee on Pensions.

Also, a bill (H. R. 287) granting a pension to Ruetha Moran—to the Committee on Pensions.

Also, a bill (H. R. 288) granting a pension to Parlade Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 289) granting a pension to John Hearn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 290) granting an increase of pension to J. W. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 291) granting a pension to Elizabeth Herron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 292) granting a pension to Mary Hallenbeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 293) granting a pension to Thomas A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 294) granting a pension to Mary Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 295) granting a pension to Mary Greeh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 296) granting a pension to George W. Gaby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 297) granting a pension to George W. Gabey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 298) granting a pension to John B. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 299) granting a pension to Daniel Fugate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 300) granting a pension to William Estes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 301) granting an increase of pension to Isaac Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 302) granting a pension to Thomas Dalton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 303) granting a pension to William K. Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 304) granting a pension to A. C. Donnelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 305) granting a pension to David P. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 306) granting a pension to James Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 307) granting a pension to John Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 308) granting a pension to John A. Collett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 309) granting a pension to William H. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 310) granting a pension to John D. Cary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 311) granting a pension to Martin Click and four others—to the Committee on Invalid Pensions.

Also, a bill (H. R. 312) granting a pension to George Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 313) granting a pension to Manley W. Capps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 314) granting a pension to Sarah Cupp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 315) granting a pension to Richard Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 316) granting a pension to Margaret Cotter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 317) granting a pension to William Cruso—to the Committee on Invalid Pensions.

Also, a bill (H. R. 318) granting a pension to Terry W. Crabtree—to the Committee on Invalid Pensions.

Also, a bill (H. R. 319) granting a pension to Rebecca E. Bagwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 320) granting a pension to John A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 321) granting a pension to Pleasant P. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 322) granting a pension to Sarah Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 323) granting a pension to William Branscom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 324) granting a pension to Samuel Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 325) granting a pension to Elizabeth L. Bayliss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 326) granting a pension to Nancy West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 327) granting a pension to Frederick Wulff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 328) granting a pension to Mary E. Wlan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 329) granting a pension to Green G. F. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 330) granting a pension to Joseph A. Whaley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 331) granting a pension to Hartwell B. Whittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 332) granting a pension to Zachariah Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 333) granting a pension to John B. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 334) granting a pension to Strawberry B. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 335) granting a pension to Monroe Trent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 336) granting a pension to Mollie Townsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 337) granting a pension to Thomas R. Trent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 338) granting a pension to Peter Spurgeon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 339) granting a pension to Nathan B. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 340) granting a pension to James E. Shehan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 341) granting a pension to Absalom L. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 342) granting a pension to Jackson Stokely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 343) granting a pension to D. M. Simerly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 344) granting a pension to Matilda A. Runions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 345) granting a pension to Sarah Ann Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 346) granting a pension to Henry S. Rease—to the Committee on Invalid Pensions.

Also, a bill (H. R. 347) granting a pension to Rebecca Prichard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 348) granting a pension to N. A. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 349) granting a pension to David A. Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 350) granting a pension to Thomas Y. Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 351) granting a pension to William H. Pierre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 352) granting a pension to Charles Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 353) granting a pension to Rebecca Pritchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 354) granting a pension to George W. Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 355) granting a pension to Bettie Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 356) granting a pension to John H. Guntner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 357) granting a pension to Louisa Harwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 358) granting a pension to Daniel P. Hensley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 359) granting a pension to William H. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 360) granting a pension to Samuel M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 361) granting a pension to James C. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 362) granting a pension to Morris McIntosh, father of John McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 363) granting a pension to Francis M. McClendon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 364) granting a pension to Lizzie M. McDougal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 365) granting a pension to William May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 366) granting a pension to Henry Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 367) granting a pension to Ann Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 368) granting an increase of pension to Harrison B. Carter—to the Committee on Pensions.

Also, a bill (H. R. 369) granting an increase of pension to P. A. Cobb—to the Committee on Pensions.

Also, a bill (H. R. 370) granting an increase of pension to Andrew J. Brown—to the Committee on Pensions.

Also, a bill (H. R. 371) granting an increase of pension to John M. Wild—to the Committee on Pensions.

Also, a bill (H. R. 372) granting an increase of pension to F. P. Robinson—to the Committee on Pensions.

Also, a bill (H. R. 373) granting an increase of pension to Isaac Phipps—to the Committee on Pensions.

Also, a bill (H. R. 374) granting an increase of pension to James R. Harrover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 375) granting an increase of pension to George W. Harden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 376) granting an increase of pension to James J. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 377) granting an increase of pension to W. M. Guy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 378) granting an increase of pension to John Goins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 379) granting an increase of pension to William H. Greer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 380) granting an increase of pension to John E. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 381) granting an increase of pension to James M. Good—to the Committee on Invalid Pensions.

Also, a bill (H. R. 382) granting an increase of pension to Joseph Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 383) granting an increase of pension to Noah N. Greer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 384) granting an increase of pension to Garrett Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 385) granting an increase of pension to John W. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 386) granting an increase of pension to John E. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 387) granting an increase of pension to John Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 388) granting an increase of pension to Earl B. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 389) granting an increase of pension to W. H. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 390) granting an increase of pension to William French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 391) granting an increase of pension to James C. England—to the Committee on Invalid Pensions.

Also, a bill (H. R. 392) granting an increase of pension to John Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 393) granting an increase of pension to Sarah M. Dove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 394) granting an increase of pension to Samuel F. Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 395) granting an increase of pension to L. W. Depew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 396) granting an increase of pension to William Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 397) granting an increase of pension to Archibald Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 398) granting an increase of pension to George W. Caseday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 399) granting an increase of pension to James W. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 400) granting an increase of pension to Reuben Cornett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 401) granting an increase of pension to George Cantrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 402) granting an increase of pension to Rufus C. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 403) granting an increase of pension to William Beeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 404) granting an increase of pension to Dillion Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 405) granting an increase of pension to Jonathan N. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 406) granting an increase of pension to Joseph R. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 407) granting an increase of pension to John Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 408) granting an increase of pension to George R. Begley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 409) granting an increase of pension to Dillon Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 410) granting an increase of pension to George R. Begley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 411) granting an increase of pension to Porter M. Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 412) granting an increase of pension to David P. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 413) granting an increase of pension to John M. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 414) granting an increase of pension to George Abel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 415) granting an increase of pension to John Allingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 416) granting an increase of pension to James H. Humphries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 417) granting an increase of pension to Roman M. Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 418) granting an increase of pension to Henry Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 419) granting an increase of pension to Thomas Hurney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 420) granting an increase of pension to Edward J. Hurley, alias John Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 421) granting an increase of pension to Benjamin M. Winchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 422) granting an increase of pension to William D. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 423) granting an increase of pension to Malinda J. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 424) granting an increase of pension to James White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 425) granting an increase of pension to Benjamin Wofford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 426) granting an increase of pension to Henry Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 427) granting an increase of pension to Charles Wedelstedt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 428) granting an increase of pension to Alwilda A. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 429) granting an increase of pension to Robert Valentine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 430) granting an increase of pension to Madison T. Trent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 431) granting an increase of pension to William C. Tilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 432) granting an increase of pension to Mack Million Trotter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 433) granting an increase of pension to C. C. Tipton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 434) granting an increase of pension to Jesse Toney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 435) granting an increase of pension to Timothy Sivils—to the Committee on Invalid Pensions.

Also, a bill (H. R. 436) granting an increase of pension to Andrew Sherfey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 437) granting an increase of pension to William A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 438) granting an increase of pension to William J. Smalling—to the Commitee on Invalid Pensions.

Also, a bill (H. R. 439) granting an increase of pension to George E. Simons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 440) granting an increase of pension to Reuben Sellers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 441) granting an increase of pension to James F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 442) granting an increase of pension to William Riddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 443) granting an increase of pension to James P. Richie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 444) granting an increase of pension to Elizabeth S. Reess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 445) granting an increase of pension to James Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 446) granting an increase of pension to Edward J. Quigley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 447) granting an increase of pension to William E. Quirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 448) granting an increase of pension to Sandy W. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 449) granting an increase of pension to George Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 450) granting an increase of pension to Benjamin Pritchett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 451) granting an increase of pension to John T. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 452) granting an increase of pension to Thomas Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 453) granting an increase of pension to Jacob Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 454) granting an increase of pension to David Meek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 455) granting an increase of pension to Sarah McQueen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 456) granting an increase of pension to Joseph McGulgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 457) granting an increase of pension to W. H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 458) granting an increase of pension to James M. Maddox—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 459) granting an increase of pension to Elizabeth C. Montrose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 460) granting an increase of pension to James L. Mayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 461) granting an increase of pension to John McArdle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 462) granting an increase of pension to Samuel A. Lady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 463) granting an increase of pension to Albert O. Locke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 464) granting an increase of pension to Rena Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 465) granting an increase of pension to Jacob Lehr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 466) granting an increase of pension to David N. Louthen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 467) granting an increase of pension to Levi Levengood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 468) granting an increase of pension to William Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 469) granting an increase of pension to James A. Lemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 470) granting an increase of pension to James N. J. Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 471) granting an increase of pension to E. B. Koenig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 472) granting an increase of pension to E. W. Keys—to the Committee on Invalid Pensions.

Also, a bill (H. R. 473) granting an increase of pension to Milton W. Jeffries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 474) granting an increase of pension to Joseph M. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 475) granting an increase of pension to James H. Humphries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 476) for the relief of the estate of John Moody, deceased—to the Committee on War Claims.

Also, a bill (H. R. 477) for the relief of the estates of George W. and Richard B. Cooper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 478) for the relief of the estate of Allen L. Barnes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 479) for the relief of the estate of William J. Middleton—to the Committee on War Claims.

Also, a bill (H. R. 480) for the relief of estate of D. W. F. Peoples, deceased—to the Committee on War Claims.

Also, a bill (H. R. 481) for the relief of the estate of Alexander Reeder, deceased—to the Committee on War Claims.

Also, a bill (H. R. 482) for the relief of the estate of Samuel Stolsworth, deceased, late of Grainger County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 483) for the relief of the estate of Bryant Wheeler, deceased, late of Claiborne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 484) to correct the military record of Samuel Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 485) to correct the military record of James Miner—to the Committee on Military Affairs.

Also, a bill (H. R. 486) to correct the military records of W. J. Whitson and Sidney Whitson and grant their dependent father, Isaac Whitson, a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 487) to correct the military record of Robert Henson—to the Committee on Military Affairs.

Also, a bill (H. R. 488) to correct the military record of James H. Dunbar—to the Committee on Military Affairs.

Also, a bill (H. R. 489) to correct the military record of John Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 490) to correct the military record of Ellis Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 491) to correct the military record of Cleaveland Creech—to the Committee on Military Affairs.

Also, a bill (H. R. 492) to correct the military record of William A. Cope—to the Committee on Military Affairs.

Also, a bill (H. R. 493) to correct the military record of Henry C. Coleman—to the Committee on Military Affairs.

Also, a bill (H. R. 494) to correct the military record of Charles Birchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 495) to correct the military record of Thomas Brackins—to the Committee on Military Affairs.

Also, a bill (H. R. 496) to correct the military record of Robert Burchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 497) to correct the military record of George W. Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 498) to correct the military record of Daniel Telley—to the Committee on Military Affairs.

Also, a bill (H. R. 499) to correct the military record of Samuel Seal—to the Committee on Military Affairs.

Also, a bill (H. R. 500) to correct the military record of Samuel Presley—to the Committee on Military Affairs.

Also, a bill (H. R. 501) to correct the military record of Daniel K. Self—to the Committee on Military Affairs.

Also, a bill (H. R. 502) to correct the military record of Nelson Stover—to the Committee on Military Affairs.

Also, a bill (H. R. 503) to correct the military record of Joseph Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 504) to correct the military record of Thomas Ownby—to the Committee on Military Affairs.

Also, a bill (H. R. 505) to correct the military record of J. K. P. McNabb—to the Committee on Military Affairs.

Also, a bill (H. R. 506) to correct the military record of Jesse B. Mitchell—to the Committee on Military Affairs.

Also, a bill (H. R. 507) to correct the military record of Joseph W. Marley—to the Committee on Military Affairs.

Also a bill (H. R. 508) to correct the military record of Mat Eliot McLain—to the Committee on Military Affairs.

Also, a bill (H. R. 509) to correct the military record of William H. Manley—to the Committee on Military Affairs.

Also, a bill (H. R. 510) to correct the military record of Jacob Linebaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 511) to correct the military record of William Kelly—to the Committee on Military Affairs.

Also, a bill (H. R. 512) to correct the military record of John Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 513) to correct the military record of Elijah Hicks—to the Committee on Military Affairs.

Also, a bill (H. R. 514) to correct the military record of John Hickman—to the Committee on Military Affairs.

Also, a bill (H. R. 515) to remove the charge of desertion standing against William A. Spears—to the Committee on Military Affairs.

Also, a bill (H. R. 516) to remove the charge of desertion against Andrew Potter—to the Committee on Military Affairs.

Also, a bill (H. R. 517) to remove the charge of desertion against William Mullins—to the Committee on Military Affairs.

Also, a bill (H. R. 518) to remove the charge of desertion against J. N. McKinnis—to the Committee on Military Affairs.

Also, a bill (H. R. 519) to remove the charge of desertion against Thomas Earls—to the Committee on Military Affairs.

Also, a bill (H. R. 520) to remove the charge of desertion against Jonathan Large—to the Committee on Military Affairs.

Also, a bill (H. R. 521) to remove the charge of desertion against Thomas B. Wingfield—to the Committee on Military Affairs.

Also, a bill (H. R. 522) to remove the charge of desertion against William H. Wheatley—to the Committee on Military Affairs.

Also, a bill (H. R. 523) to remove the charge of desertion from the military record of Jasper L. Bailey—to the Committee on Military Affairs.

Also, a bill (H. R. 524) to remove the charge of desertion from the record of Samuel Lane—to the Committee on Military Affairs.

Also, a bill (H. R. 525) to grant an honorable discharge to Canada Peck—to the Committee on Military Affairs.

Also, a bill (H. R. 526) for the relief of the heirs of James A. Galbraith—to the Committee on Claims.

Also, a bill (H. R. 527) for the relief of the heirs of Margaret Kennedy—to the Committee on Claims.

Also, a bill (H. R. 528) for the relief of heirs of Thomas Harvey—to the Committee on War Claims.

Also, a bill (H. R. 529) for the relief of heirs of Harriett G. Woods, deceased—to the Committee on War Claims.

Also, a bill (H. R. 530) for the relief of the heirs of William M. Piper, late provost-marshal with the rank of captain—to the Committee on War Claims.

Also, a bill (H. R. 531) for the relief of the heirs of Philip Roberts, deceased—to the Committee on War Claims.

Also, a bill (H. R. 532) granting a pension to certain East Tennesseans engaged in the Secret Service of the United States during the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 533) for the relief of the trustees of the Methodist Church of Prospect, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 534) for the relief of the legal representatives of George J. Kinzel—to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 535) granting a pension to Henrietta V. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 536) granting a pension to J. M. O'Rourke—to the Committee on Pensions.

Also, a bill (H. R. 537) granting a pension to Minnie H. Greene—to the Committee on Invalid Pensions.

Also, a bill (H. R. 538) granting a pension to Ingeborg Moeller—to the Committee on Pensions.

Also, a bill (H. R. 539) granting an increase of pension to John Kelby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 540) granting an increase of pension to Matilda Butt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 541) granting an increase of pension to John H. Styles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 542) granting an increase of pension to John Parker Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 543) granting an increase of pension to Michael J. Daley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 544) granting an increase of pension to William D. Halsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 545) granting an increase of pension to Frank Burt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 546) granting an increase of pension to Dennis Desmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 547) granting an increase of pension to Alonzo D. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 548) granting an increase of pension to Chauncey R. Lathrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 549) to complete the military record of Elijah M. Beraud—to the Committee on Military Affairs.

Also, a bill (H. R. 550) to pay Edgar F. Luckenbach for damages to his barge *C. P. Sargent* by collision with the U. S. dredge *Manhattan*—to the Committee on Claims.

Also, a bill (H. R. 551) to pay Herman A. Deltus for services rendered in and about the burial of certain 17 soldiers who died at Camp Wykoff, Long Island, New York, in August and September, 1898—to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 552) granting a pension to Mary A. Platt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 553) granting a pension to Lucinda M. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 554) granting a pension to Annie Oleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 555) granting a pension to Hannah McAdams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 556) granting a pension to John Maley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 557) granting a pension to Permelia Kleckner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 558) granting a pension to Nellie M. Kenniston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 559) granting a pension to Jennetta T. Keese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 560) granting a pension to Lizzie Jestadt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 561) granting a pension to Fred Hugaboom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 562) granting a pension to Jane K. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 563) granting a pension to Anna M. Dixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 564) granting a pension to Mary Degnan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 565) granting a pension to Della S. Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 566) granting a pension to John W. Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 567) granting an increase of pension to Willoughby H. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 568) granting an increase of pension to Charles Van Wormer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 569) granting an increase of pension to James H. Van Wagenen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 570) granting an increase of pension to George W. Van De Bogert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 571) granting an increase of pension to Charles G. Turney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 572) granting an increase of pension to Luke Tabor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 573) granting an increase of pension to George N. Stork—to the Committee on Invalid Pensions.

Also, a bill (H. R. 574) granting an increase of pension to Benjamin Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 575) granting an increase of pension to Helen Lydia Ruger—to the Committee on Pensions.

Also, a bill (H. R. 576) granting an increase of pension to John H. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 577) granting an increase of pension to John C. McNaight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 578) granting an increase of pension to Jane McManus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 579) granting an increase of pension to Thomas Mosher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 580) granting an increase of pension to George E. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 581) granting an increase of pension to George Knilans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 582) granting an increase of pension to Chloe M. Hewitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 583) granting an increase of pension to Bevadilla Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 584) granting an increase of pension to Isaac L. Ferris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 585) granting an increase of pension to Robert D. Cresson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 586) granting an increase of pension to Merrill H. Cram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 587) granting an increase of pension to James H. Compton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 588) granting an increase of pension to Arthur B. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 589) granting an increase of pension to William B. Britton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 590) granting an increase of pension to John Beidelman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 591) granting an increase of pension to Lawrence Agnew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 592) for the relief of the city of Racine—to the Committee on Claims.

Also, a bill (H. R. 593) for the relief of Frank Lincoln—to the Committee on Claims.

Also, a bill (H. R. 594) for the relief of William G. Keats—to the Committee on War Claims.

Also, a bill (H. R. 595) for the relief of Milton S. Harrington—to the Committee on Claims.

Also, a bill (H. R. 596) for the relief of Hans Peter Guttormsen—to the Committee on Claims.

Also, a bill (H. R. 597) for the relief of the heirs of Patrick Sullivan—to the Committee on War Claims.

Also, a bill (H. R. 598) to correct the military record of James Donnallan—to the Committee on Military Affairs.

Also, a bill (H. R. 599) to correct the military record of James U. Quinn—to the Committee on Military Affairs.

Also, a bill (H. R. 600) to correct the military record of William A. Persons—to the Committee on Military Affairs.

Also, a bill (H. R. 601) to correct the military record of Christopher Parkin—to the Committee on Military Affairs.

Also, a bill (H. R. 602) to correct the military record of John H. Ethridge—to the Committee on Military Affairs.

Also, a bill (H. R. 603) to correct the military record of S. Spencer Carr—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 604) granting a pension to Horace Stambaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 605) granting a pension to Phoebe J. Sawdey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 606) granting a pension to Elizabeth Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 607) granting a pension to Laura Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 608) granting a pension to Phoebe Miller—to the Committee on Pensions.

Also, a bill (H. R. 609) granting a pension to Edward McQueen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 610) granting a pension to Mable Hullinger—to the Committee on Pensions.

Also, a bill (H. R. 611) granting a pension to Hoyt Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 612) granting a pension to Harriett M. Glazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 613) granting a pension to Mary L. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 614) granting a pension to Mary A. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 615) granting a pension to Patrick Feeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 616) granting a pension to Anna Christie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 617) granting an increase of pension to Oliver S. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 618) granting an increase of pension to Aaron Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 619) granting an increase of pension to Joseph L. Whiting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 620) granting an increase of pension to Christ Westphal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 621) granting an increase of pension to Edward P. Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 622) granting an increase of pension to William Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 623) granting an increase of pension to Harvey Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 624) granting an increase of pension to Green Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 625) granting an increase of pension to Samuel K. Verrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 626) granting an increase of pension to James W. Van Deman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 627) granting an increase of pension to Hattie A. Towle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 628) granting an increase of pension to Frederick Tanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 629) granting an increase of pension to Harry N. Styner—to the Committee on Pensions.

Also, a bill (H. R. 630) granting an increase of pension to Richard C. Strumphford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 631) granting an increase of pension to William W. Storks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 632) granting an increase of pension to Hugh H. Steele—to the Committee on Invalid Pensions.

Also, a bill (H. R. 633) granting an increase of pension to John Spies—to the Committee on Invalid Pensions.

Also, a bill (H. R. 634) granting an increase of pension to Joseph Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 635) granting an increase of pension to Hiram Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 636) granting an increase of pension to Ephriam J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 637) granting an increase of pension to Jacob Seigler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 638) granting an increase of pension to Phillip Schnepp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 639) granting an increase of pension to Daniel D. D. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 640) granting an increase of pension to Patrick Reilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 641) granting an increase of pension to Cyrus A. G. Rayhouser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 642) granting an increase of pension to George Rance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 643) granting an increase of pension to Willard A. Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 644) granting an increase of pension to William H. Ogden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 645) granting an increase of pension to Madison Obenchain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 646) granting an increase of pension to William H. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 647) granting an increase of pension to Mary A. Meehan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 648) granting an increase of pension to John O. McNabb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 649) granting an increase of pension to Robert C. McCulloch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 650) granting an increase of pension to William H. Loghry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 651) granting an increase of pension to Charles S. Leon, alias Samuel T. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 652) granting an increase of pension to Jacob F. Kull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 653) granting an increase of pension to Francis Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 654) granting an increase of pension to John M. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 655) granting an increase of pension to John N. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 656) granting an increase of pension to William D. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 657) granting an increase of pension to John L. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 658) granting an increase of pension to Henry C. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 659) granting an increase of pension to Daniel S. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 660) granting an increase of pension to John W. Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 661) granting an increase of pension to Allen S. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 662) granting an increase of pension to William Inman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 663) granting an increase of pension to Clarence D. Hess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 664) granting an increase of pension to Philip Hawn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 665) granting an increase of pension to Peter Hastings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 666) granting an increase of pension to John Harrigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 667) granting an increase of pension to Emanuel Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 668) granting an increase of pension to John Ginder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 669) granting an increase of pension to William Gillespie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 670) granting an increase of pension to Mary A. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 671) granting an increase of pension to Josiah J. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 672) granting an increase of pension to Jacob L. Etnire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 673) granting an increase of pension to David S. Durbin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 674) granting an increase of pension to Peter Dinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 675) granting an increase of pension to William H. Dike—to the Committee on Invalid Pensions.

Also, a bill (H. R. 676) granting an increase of pension to Jesse Dickens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 677) granting an increase of pension to Solomon Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 678) granting an increase of pension to Joseph J. Delebaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 679) granting an increase of pension to Margaret J. Deaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 680) granting an increase of pension to Mary A. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 681) granting an increase of pension to Francis M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 682) granting an increase of pension to Elias Corns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 683) granting an increase of pension to Thomas Conley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 684) granting an increase of pension to William H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 685) granting an increase of pension to Andrew J. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 686) granting an increase of pension to N. A. Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 687) granting an increase of pension to John M. Castle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 688) granting an increase of pension to Wellington Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 689) granting an increase of pension to John Cain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 690) granting an increase of pension to Ephraim M. Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 691) granting an increase of pension to Isaac Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 692) granting an increase of pension to John Brugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 693) granting an increase of pension to Charles C. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 694) granting an increase of pension to Amos Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 695) granting an increase of pension to James Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 696) granting an increase of pension to Josiah Allman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 697) granting an increase of pension to Jacob Ackerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 698) for the relief of Claude M. Waite—to the Committee on Claims.

Also, a bill (H. R. 699) to correct the military record of Louis Laddauer—to the Committee on Military Affairs.

By Mr. DAWSON: A bill (H. R. 700) granting a pension to William M. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 701) granting a pension to Michael McInery—to the Committee on Pensions.

Also, a bill (H. R. 702) granting a pension to Minerva Kenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 703) granting an increase of pension to William S. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 704) granting a pension to Mary E. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 705) granting an increase of pension to Chauncey R. Dickinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 706) for the relief of Florence Lambert—to the Committee on Claims.

Also, a bill (H. R. 707) for the relief of D. M. Rowland—to the Committee on Claims.

Also, a bill (H. R. 708) for the relief of William Pfeiffer—to the Committee on War Claims.

Also, a bill (H. R. 709) for the relief of Severin Hartmann—to the Committee on Claims.

Also, a bill (H. R. 710) for the relief of Cornelius Cahill—to the Committee on Military Affairs.

Also, a bill (H. R. 711) for the relief of George Humphrey—to the Committee on Military Affairs.

Also, a bill (H. R. 712) for the relief of the legal representatives of Frederick Bartemeyer—to the Committee on War Claims.

By Mr. FOWLER: A bill (H. R. 713) granting a pension to Mary E. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 714) granting a pension to Oliver L. Kerkendall—to the Committee on Pensions.

Also, a bill (H. R. 715) granting a pension to Rosa S. Warne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 716) granting an increase of pension to Nathaniel Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 717) granting an increase of pension to Nancy Horton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 718) granting an increase of pension to William L. Shipps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 719) granting an increase of pension to Roselina M. Donovan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 720) granting an increase of pension to Alice G. Parkhurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 721) granting an increase of pension to Sarah Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 722) granting an increase of pension to Anna Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 723) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 724) granting an increase of pension to Israel D. Lum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 725) granting an increase of pension to Adaline Creveling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 726) granting an increase of pension to William N. Furman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 727) granting an increase of pension to Matilda Vail—to the Committee on Invalid Pensions.

Also, a bill (H. R. 728) granting an increase of pension to Jacob G. Voorhees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 729) granting an increase of pension to James E. Tier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 730) for the relief of the David Kauffman & Sons Company—to the Committee on Claims.

Also, a bill (H. R. 731) for the relief of George Serrell—to the Committee on Claims.

Also, a bill (H. R. 732) for the relief of the Merchants' Exchange National Bank, of the city of New York—to the Committee on Claims.

Also, a bill (H. R. 733) for the relief of Commander William S. Hogg, Paymaster Frederick G. Pyne, and Civil Engineer Adolfo J. Menocal, of the United States Navy—to the Committee on Claims.

Also, a bill (H. R. 734) to correct the military record of Ralph Deremer—to the Committee on Military Affairs.

Also, a bill (H. R. 735) to correct the military record of Joseph A. Blanchard—to the Committee on Military Affairs.

Also, a bill (H. R. 736) to correct the military record of Henry G. Craft—to the Committee on Military Affairs.

Also, a bill (H. R. 737) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Clifford C. Pearson, deceased—to the Committee on War Claims.

By Mr. HOBSON: A bill (H. R. 738) granting a pension to John A. Wyers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 739) granting a pension to Arminta Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 740) granting a pension to Charles N. B. Nicholson—to the Committee on Pensions.

Also, a bill (H. R. 741) granting a pension to Steven Konicka—to the Committee on Invalid Pensions.

Also, a bill (H. R. 742) granting a pension to Olaus Anderson—to the Committee on Pensions.

Also, a bill (H. R. 743) granting a pension to D. G. Harrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 744) granting an increase of pension to Charles M. Stebbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 745) granting an increase of pension to Mary Johnson Happel—to the Committee on Pensions.

Also, a bill (H. R. 746) granting an increase of pension to Arthur Gable—to the Committee on Pensions.

Also, a bill (H. R. 747) for the relief of Jefferson Phillips—to the Committee on War Claims.

Also, a bill (H. R. 748) for the relief of Ransom Day—to the Committee on War Claims.

Also, a bill (H. R. 749) for the relief of Mrs. Ann E. Sanders—to the Committee on War Claims.

Also, a bill (H. R. 750) for the relief of John Thompson—to the Committee on War Claims.

Also, a bill (H. R. 751) for the relief of J. C. Markham—to the Committee on War Claims.

Also, a bill (H. R. 752) for the relief of W. P. Roebuck—to the Committee on War Claims.

Also, a bill (H. R. 753) for the relief of Josefa T. Philip, widow late Admiral John W. Philip—to the Committee on Naval Affairs.

Also, a bill (H. R. 754) for the relief of Chief Carpenter Herbert M. Griffiths, U. S. Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 755) for the relief of the estate of Sylvia Cannon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 756) for the relief of heirs or estate of Jessie R. Northington, deceased—to the Committee on War Claims.

Also, a bill (H. R. 757) for relief of heirs or estate of Jacob Holbrook, sr., deceased—to the Committee on War Claims.

Also, a bill (H. R. 758) for the relief of heirs or estate of Jessie L. Taylor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 759) for relief of heirs or estate of Dr. R. O. Perrin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 760) for relief of heirs or estate of W. C. Burleson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 761) for relief of heirs or estate of John C. Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 762) for the relief of heirs or estate of William Ervin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 763) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of William Cochrane, deceased—to the Committee on War Claims.

Also, a bill (H. R. 764) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Augustus N. Perkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 765) to appoint Holmes E. Offley upon the retired list of the navy with the rank of lieutenant—to the Committee on Naval Affairs.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 766) for the relief of the Charles Clark Chapter, United Daughters of the Confederacy, of Cleveland, Miss.—to the Committee on Claims.

Also, a bill (H. R. 767) for the relief of the B. G. Humphreys Chapter of the United Daughters of the Confederacy, of Lexington, Miss.—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 768) granting a pension to Rosina Wavell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 769) granting a pension to Susanna Olewiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 770) granting a pension to Margaret A. Manifold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 771) to correct the military record of T. Abram Metrick—to the Committee on Military Affairs.

Also, a bill (H. R. 772) to correct the military record of Edward T. Lewis—to the Committee on Military Affairs.

By Mr. LOVERING: A bill (H. R. 773) granting a pension to George F. Willard—to the Committee on Pensions.

Also, a bill (H. R. 774) granting a pension to Sarah V. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 775) granting a pension to George B. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 776) granting a pension to Osmond Ames—to the Committee on Invalid Pensions.

Also, a bill (H. R. 777) granting a pension to S. Augusta West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 778) granting a pension to Abby C. Goebell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 779) granting a pension to Ellen Faulkner—to the Committee on Pensions.

Also, a bill (H. R. 780) granting a pension to Bridget Clancey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 781) granting a pension to Thomas Coriam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 782) granting an increase of pension to John H. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 783) granting a pension to Daniel K. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 784) granting an increase of pension to Charles H. Holmes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 785) granting an increase of pension to Elson B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 786) granting an increase of pension to Henry M. Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 787) granting an increase of pension to George E. Skillings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 788) granting an increase of pension to Henry J. Earle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 789) granting an increase of pension to Luther Stephenson, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 790) granting an increase of pension to Albert Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 791) granting an increase of pension to George I. Deaves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 792) granting an increase of pension to John E. Bickford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 793) granting an increase of pension to Lewis E. Prince—to the Committee on Invalid Pensions.

Also, a bill (H. R. 794) granting an increase of pension to Frank E. Moore—to the Committee on Pensions.

Also, a bill (H. R. 795) granting an increase of pension to Annie Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 796) granting an increase of pension to Henry L. Cushing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 797) granting an increase of pension to Frank Erskine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 798) for the relief of William Arthur—to the Committee on Military Affairs.

Also, a bill (H. R. 799) for the relief of Harry D. Nickerson—to the Committee on War Claims.

Also, a bill (H. R. 800) for the relief of Alberth Pires—to the Committee on Military Affairs.

Also, a bill (H. R. 801) to correct the military record of Frederic E. Fiske—to the Committee on Military Affairs.

Also, a bill (H. R. 802) to refund inheritance tax illegally collected—to the Committee on Claims.

By Mr. McKINLEY of Illinois: A bill (H. R. 803) granting a pension to Elenor Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 804) granting a pension to William C. Stevenson—to the Committee on Pensions.

Also, a bill (H. R. 805) granting a pension to John Webb—to the Committee on Pensions.

Also, a bill (H. R. 806) granting an increase of pension to Albert Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 807) granting an increase of pension to William Harbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 808) granting an increase of pension to Richard Harkness—to the Committee on Invalid Pensions.

Also, a bill (H. R. 809) granting an increase of pension to Francis M. Leeds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 810) granting an increase of pension to Henry A. Butcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 811) granting an increase of pension to W. H. Burtnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 812) granting an increase of pension to Noah Tohill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 813) granting an increase of pension to George M. Bence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 814) granting an increase of pension to James S. Gustin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 815) granting an increase of pension to Elizabeth F. Peddecord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 816) for the relief of Francis M. Watrous—to the Committee on Military Affairs.

Also, a bill (H. R. 817) to correct the military record of Norman B. Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 818) to correct the military record of Lewis Rankin—to the Committee on Military Affairs.

Also, a bill (H. R. 819) to correct the military record of John Healy—to the Committee on Military Affairs.

Also, a bill (H. R. 820) to correct the military record of A. C. Burk—to the Committee on Military Affairs.

Also, a bill (H. R. 821) to remove the charge of desertion against John McElhiney—to the Committee on Military Affairs.

Also, a bill (H. R. 822) granting an increase of pension to Enoch Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 823) granting an increase of pension to William H. Edie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 824) granting an increase of pension to Thomas Daugherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 825) granting an increase of pension to John W. Lowry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 826) granting an increase of pension to William H. H. Yakey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 827) granting a pension to James W. Mathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 828) for the relief of W. S. Carpenter—to the Committee on Claims.

By Mr. McKINNEY: A bill (H. R. 829) granting a pension to Charlotte Myer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 830) granting a pension to Anna Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 831) granting a pension to William H. Bauguess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 832) granting a pension to Emma Mattocks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 833) granting an increase of pension to William H. Stevenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 834) granting an increase of pension to Joseph H. Bayles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 835) granting an increase of pension to Oscar J. Matteson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 836) granting an increase of pension to William A. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 837) granting an increase of pension to Samuel Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 838) granting an increase of pension to Milon L. Tompkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 839) granting an increase of pension to John M. Miller—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 840) granting a pension to Henry A. Dahle—to the Committee on Pensions.

Also, a bill (H. R. 841) granting a pension to Andrea P. Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 842) granting an increase of pension to William T. Pierson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 843) granting an increase of pension to Dominick Roach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 844) for the relief of John Jakes—to the Committee on Military Affairs.

Also, a bill (H. R. 845) for the relief of James Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 846) for the relief of Thomas B. Gourley—to the Committee on Claims.

Also, a bill (H. R. 847) for the relief of George Wollett—to the Committee on War Claims.

Also, a bill (H. R. 848) for the relief of Jeanie G. Lyles—to the Committee on Claims.

Also, a bill (H. R. 849) for the relief of F. Weston Hyde—to the Committee on Claims.

Also, a bill (H. R. 850) for the relief of Frederick A. Holden—to the Committee on War Claims.

Also, a bill (H. R. 851) for the relief of Pay Director Worthington Goldsborough, U. S. Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 852) for the relief of Thomas B. Burgess, administrator of Francis B. F. Burgess, deceased—to the Committee on War Claims.

Also, a bill (H. R. 853) for the relief of the legal representatives of Walter A. Haislip—to the Committee on War Claims.

Also, a bill (H. R. 854) for the relief of the heirs of Thomas M. Grahame—to the Committee on War Claims.

Also, a bill (H. R. 855) to correct the military record of a discharge without honor to that of an honorable discharge of Charles H. Way—to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 856) for the relief of Almareen Owens, sr.—to the Committee on Claims.

Also, a bill (H. R. 857) for the relief of John E. McDowell—to the Committee on War Claims.

Also, a bill (H. R. 858) for the relief of Swan Hamlen—to the Committee on War Claims.

Also, a bill (H. R. 859) for the relief of John W. Hyatt—to the Committee on Military Affairs.

Also, a bill (H. R. 860) granting a pension to Erskine E. Teague—to the Committee on Pensions.

Also, a bill (H. R. 861) granting a pension to Nathaniel L. Lawrence—to the Committee on Pensions.

Also, a bill (H. R. 862) granting a pension to Victoria G. Harrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 863) granting a pension to Henry T. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 864) granting an increase of pension to Frank Brownlow—to the Committee on Pensions.

Also, a bill (H. R. 865) granting an increase of pension to Felix L. Huff—to the Committee on Pensions.

Also, a bill (H. R. 866) granting an increase of pension to La Salle Corbell Pickett—to the Committee on Pensions.

Also, a bill (H. R. 867) granting an increase of pension to William S. Shoupe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 868) granting an increase of pension to Isaac Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 869) granting an increase of pension to John A. Lovin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 870) granting an increase of pension to Henry Widener—to the Committee on Invalid Pensions.

Also, a bill (H. R. 871) for the relief of the heirs of Henry Sinon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 872) to correct the military record of Richard Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 873) to pay Isaac W. Airey for services rendered to the United States Army during the late civil war between the United States and the Confederate States as scout and for expenses necessarily incurred and paid by him thereby—to the Committee on War Claims.

Also, a bill (H. R. 874) for the relief of Shelby Lodge, No. 162, Ancient Free and Accepted Masons, Bristol, Va.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 875) granting a pension to Jesse T. Atchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 876) granting a pension to W. J. Chrisman—to the Committee on Pensions.

Also, a bill (H. R. 877) granting a pension to Wallace A. Cogdell—to the Committee on Pensions.

Also, a bill (H. R. 878) granting a pension to Louis H. Dowd—to the Committee on Pensions.

Also, a bill (H. R. 879) granting a pension to Ruth Garrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 880) granting a pension to Chappel Q. Fossett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 881) for the relief of J. M. Gurley—to the Committee on Claims.

Also, a bill (H. R. 882) for the relief of Luna Roberts—to the Committee on War Claims.

Also, a bill (H. R. 883) for the relief of Harriet C. Hunter—to the Committee on War Claims.

Also, a bill (H. R. 884) for the relief of J. W. Hedrick—to the Committee on Claims.

Also, a bill (H. R. 885) for the relief of H. C. Linn and the heirs of Samuel Powers—to the Committee on Claims.

Also, a bill (H. R. 886) for the relief of the heirs of William Stansbury, deceased—to the Committee on War Claims.

Also, a bill (H. R. 887) for the relief of the heirs of Calvin T. Hazelwood—to the Committee on Claims.

Also, a bill (H. R. 888) for the relief of Mrs. S. E. Underwood, formerly widow of Samuel Ward, and the heirs of Samuel Ward, deceased—to the Committee on Claims.

Also, a bill (H. R. 889) for the relief of Elizabeth De Graffenreid, widow, and the heirs of Jasper N. De Graffenreid, deceased—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 890) for the relief of Z. T. Taylor—to the Committee on Claims.

Also, a bill (H. R. 891) for the relief of E. D. Cook—to the Committee on Claims.

Also, a bill (H. R. 892) granting a pension to Mary T. Cositt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 893) granting a pension to Jennie Bowles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 894) granting a pension to William E. Gilchrist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 895) granting a pension to Elizabeth Lasswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 896) granting a pension to Samuel Custer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 897) granting a pension to John O'Donnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 898) granting a pension to Marjorie Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 899) granting a pension to Sarah M. Broughton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 900) granting a pension to Mary L. Constant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 901) granting a pension to Ann Stanbrough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 902) granting a pension to David H. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 903) granting an increase of pension to Isaac Z. Stine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 904) granting an increase of pension to Sylvanus G. Peppel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 905) granting an increase of pension to John Jewell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 906) granting an increase of pension to William T. Gibbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 907) granting an increase of pension to James M. Slown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 908) granting an increase of pension to Joseph M. Cherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 909) granting an increase of pension to Thomas A. Tribble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 910) granting an increase of pension to Jeremiah E. Waldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 911) granting an increase of pension to Thomas A. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 912) granting an increase of pension to Thomas Saul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 913) granting an increase of pension to Benjamin F. Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 914) granting an increase of pension to James M. Latham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 915) granting an increase of pension to James B. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 916) granting an increase of pension to Ira Hougham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 917) granting an increase of pension to George W. Horine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 918) granting an increase of pension to John S. Bray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 919) granting an increase of pension to James L. Gunnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 920) granting an increase of pension to Job J. Whiteman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 921) granting an increase of pension to Jacob B. Proctor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 922) granting an increase of pension to John Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 923) granting an increase of pension to James W. McMillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 924) granting an increase of pension to James Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 925) granting an increase of pension to David B. Wacaser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 926) granting an increase of pension to James T. Rolff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 927) granting an increase of pension to Emma Templeton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 928) granting an increase of pension to Thomas B. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 929) granting an increase of pension to Samuel Stauffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 930) granting an increase of pension to Thomas E. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 931) granting an increase of pension to Charles C. Sater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 932) granting an increase of pension to Thomas F. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 933) to correct the military record of Albert Sidney Coomer—to the Committee on Military Affairs.

Also, a bill (H. R. 934) to correct the military record of William Schroeder—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 935) granting an increase of pension to Enoch Tibbetts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 936) granting an increase of pension to David Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 937) granting an increase of pension to Freeman F. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 938) granting an increase of pension to William E. S. Foss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 939) granting a pension to Sarah J. Sherman—to the Committee on Invalid Pensions.

By Mr. WANGER: A bill (H. R. 940) granting a pension to Cornelius F. Hendricks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 941) granting a pension to Susan C. Schucking—to the Committee on Invalid Pensions.

Also, a bill (H. R. 942) granting a pension to Mary A. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 943) granting a pension to Robert K. Stevenson—to the Committee on Pensions.

Also, a bill (H. R. 944) granting a pension to Malinda K. Erlenmeyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 945) granting a pension to Charles H. Butcher—to the Committee on Pensions.

Also, bill (H. R. 946) granting an increase of pension to John Roop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 947) granting an increase of pension to John S. Worrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 948) granting an increase of pension to Conrad Maiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 949) granting an increase of pension to Levi F. Kepler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 950) granting an increase of pension to James D. Sands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 951) granting an increase of pension to Joseph T. Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 952) granting an increase of pension to Henry W. Birkey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 953) granting an increase of pension to William Guest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 954) for the relief of H. J. Randolph Hemming—to the Committee on Claims.

Also, a bill (H. R. 955) for the relief of Paschal C. Hibbs—to the Committee on Military Affairs.

Also, a bill (H. R. 956) to correct the military record of George W. Flack as a private in Company I, Fifth Regiment U. S. Veteran Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 957) to correct the military record of Calvin Hough as a private in Battery C, Fifth U. S. Artillery—to the Committee on Military Affairs.

By Mr. BENNET of New York: A bill (H. R. 958) granting a pension to Clara L. A. Read—to the Committee on Pensions.

Also, a bill (H. R. 959) granting a pension to Carrie F. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 960) granting a pension to Edward Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 961) granting a pension to George D. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 962) granting an increase of pension to Patrick Oates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 963) granting a pension to Mary A. McCort—to the Committee on Invalid Pensions.

Also, a bill (H. R. 964) granting an increase of pension to George H. Crossman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 965) granting an increase of pension to George H. Rugg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 966) granting an increase of pension to Leroy S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 967) granting an increase of pension to Anton Mazzanovich—to the Committee on Pensions.

Also, a bill (H. R. 968) granting an increase of pension to John D. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 969) granting an increase of pension to Alfred Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 970) for the relief of Edward C. Kittle—to the Committee on Military Affairs.

Also, a bill (H. R. 971) for the relief of Joseph R. Reichardt—to the Committee on Claims.

Also, a bill (H. R. 972) for the relief of William H. Sloan—to the Committee on Military Affairs.

Also, a bill (H. R. 973) for the relief of Caleb W. Durham—to the Committee on the Judiciary.

Also, a bill (H. R. 974) for the relief of the owners of lighter No. 128—to the Committee on Claims.

Also, a bill (H. R. 975) for the relief of the heirs of George W. Soule—to the Committee on Claims.

Also, a bill (H. R. 976) granting an honorable discharge to William H. H. Thompson—to the Committee on Naval Affairs.

Also, a bill (H. R. 977) granting an honorable discharge to George O. Penfield—to the Committee on Naval Affairs.

Also, a bill (H. R. 978) to amend the military record of Howard A. Whitfield—to the Committee on Military Affairs.

Also, a bill (H. R. 979) to restore the name of Arthur M. Tompkins to the pension roll—to the Committee on Pensions.

Also, a bill (H. R. 980) to permit the payment to T. J. Larkin, as administrator, of the pension money due Eugene Finnegan—to the Committee on Claims.

Also, a bill (H. R. 981) to have the charge of desertion removed against Maurice Brower as of Companies B and C, Sixty-fifth Regiment New York Volunteer Infantry—to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 982) granting a pension to John Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 983) granting a pension to Thomas Wyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 984) granting a pension to Elizabeth J. Cornell—to the Committee on Pensions.

Also, a bill (H. R. 985) granting a pension to Asa B. Greenland—to the Committee on Pensions.

Also, a bill (H. R. 986) granting a pension to Hiram H. Hern—to the Committee on Pensions.

Also, a bill (H. R. 987) granting an increase of pension to Alfred H. Hooker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 988) granting an increase of pension to William Russell—to the Committee on Pensions.

Also, a bill (H. R. 989) granting an increase of pension to William S. Winsor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 990) granting an increase of pension to Joseph Gaunyau—to the Committee on Pensions.

Also, a bill (H. R. 991) granting an increase of pension to Francis H. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 992) granting an increase of pension to Benjamin M. Donaca—to the Committee on Invalid Pensions.

Also, a bill (H. R. 993) granting an increase of pension to Josephus C. Dine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 994) granting an increase of pension to John H. Turpin, jr.—to the Committee on Pensions.

Also, a bill (H. R. 995) granting an increase of pension to Charles M. Coffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 996) granting an increase of pension to Walter St. Clair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 997) granting an increase of pension to John M. Jeans—to the Committee on Pensions.

Also, a bill (H. R. 998) granting an increase of pension to Albert G. Rockfellow—to the Committee on Pensions.

Also, a bill (H. R. 999) granting an increase of pension to George W. Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1000) for the relief of the estate of Louis Schneider, deceased—to the Committee on Claims.

Also, a bill (H. R. 1001) to correct the military record of Henry M. Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 1002) to correct the military record of Paris R. Winslow—to the Committee on Military Affairs.

Also, a bill (H. R. 1003) to correct the military record of James Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 1004) to correct the record of discharge of Capt. Amos Dahuff—to the Committee on Military Affairs.

Also, a bill (H. R. 1005) authorizing the President of the United States to appoint Col. James Jackson, U. S. Army, to the position of brigadier-general on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 1006) providing for the final settlement with the Clatsop Indian tribe, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between the said parties dated August 7, 1851—to the Committee on Indian Affairs.

Also, a bill (H. R. 1007) providing for a final settlement with the Tillamook tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties dated August 7, 1851—to the Committee on Indian Affairs.

Also, a bill (H. R. 1008) to provide for a final settlement with the Kathlamet band of Chinook Indians, of Oregon, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 9, 1851—to the Committee on Indian Affairs.

Also, a bill (H. R. 1009) to provide for a final settlement with the Nue-quee-clah-we-muck tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 7, 1851—to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BATES: Petition of Burke Electrical, Erie, Pa., favoring no increase of duty on mica—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of E. E. Grindle, of Stonington, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of Charles L. Mull & Sons and 68 other mercantile firms of Muscatine, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of L. Rutenbeck, of Lost Nation, Iowa, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, against reduction of duty on lumber and wooden-box shooks—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of Sheelan Brothers, Fanwood, N. J.; George C. Smith, Morristown, N. J.; Strait Brothers Company, Rockaway, N. J.; favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Brotherhood of Locomotive Engineers, Elizabeth, N. J., against a permanent tariff commission—to the Committee on Ways and Means.

Also, petition of the National Tool Builders' Association and Board of Trade, Summit, N. J., for a tariff commission as established by H. R. 28050—to the Committee on Ways and Means.

Also, petition of Morristown (N. J.) Lodge, No. 815, Benevolent and Protective Order of Elks, asking for the creation of a reserve in the State of Wyoming (H. R. 21980)—to the Committee on the Public Lands.

Also, petition of Woman's Club of Westfield, N. J., favoring the children's bureau bill (H. R. 24145)—to the Committee on Expenditures in the Interior Department.

By Mr. FULLER: Petition of National Association of Manufacturers of United States, favoring creation of a tariff commission—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers of United States, against revision of tariff on lumber and box shooks—to the Committee on Ways and Means.

Also, petition of New York Fruit Exchange, asking specific duty on lemons—to the Committee on Ways and Means.

Also, petition of G. Gardner, of Sandwich, Ill., for reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HIGGINS: Petition of citizens of Connecticut, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Hartford, Conn., against the extradition of Jan Janor Pouren—to the Committee on Foreign Affairs.

Also, petition of citizens of Connecticut, favoring parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. KRONMILLER: Petition of George Goetz & Son and many other business firms of Baltimore, Md., protesting against reduction of duty on merchandise imported into the United States from any foreign country by tourists—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of Fine Arts Federation of New York, favoring creation of a fine arts commission as per Newlands bill (Senate)—to the Committee on the Library.

Also, petition of Gustave Boacke and George Wendlin, of New York City, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York, for appropriation to deepen the Hudson River—to the Committee on Rivers and Harbors.

Also, petition of P. Jacoby, of Sunset Hill, N. Y., and David H. Robinson, of West Granville, N. Y., against election of Hon. JOSEPH G. CANNON to the Speakership of the House of Representatives—to the Committee on Rules.

Also, petition of Jed Frye & Co., against reduction of duty on foreign sardines—to the Committee on Ways and Means.

Also, petition of the Adirondack Lumber Manufacturers and Shippers' Association, against reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of the National Association of Box Manufacturers, Chicago, Ill., against reduction of the duty on lumber and wooden-box shooks—to the Committee on Ways and Means.

Also, petition of American Paper and Pulp Association for removal of duty on ground wood pulp—to the Committee on Ways and Means.

By Mr. McKINNEY: Petition of citizens of Alexis, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Monmouth (Ill.) Lodge, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

Also, petition of residents of the Fourteenth Congressional District of Illinois, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MADDEN: Petition of citizens of Cook County, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Petition of citizens of Fedora, S. Dak., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. REEDER: Petition of Lee Warren Milling Company, of Salina, Kans., favoring certain modifications of duties on flour—to the Committee on Ways and Means.

By Mr. STERLING: Petition of citizens of Illinois, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. STURGISS: Petition of citizens of West Virginia, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

SENATE.

TUESDAY, *March 16, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

CHARLES A. CULBERSON, a Senator from the State of Texas; JOSEPH M. DIXON, a Senator from the State of Montana; THOMAS P. GORE, a Senator from the State of Oklahoma; and JAMES P. TALIAFERRO, a Senator from the State of Florida, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. Without objection, the Journal is approved.

NOTIFICATION TO THE PRESIDENT.

Mr. ALDRICH and Mr. DANIEL, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared, and

Mr. ALDRICH said: Mr. President, the committee appointed by the Senate and House of Representatives to wait upon the President of the United States and to inform him that the two Houses of Congress had assembled and were ready to receive any communication which he might see fit to make to them have discharged their duty and beg leave to report that the President will communicate with Congress in writing at once.

PRESIDENT'S MESSAGE.

Mr. M. C. Latta, assistant secretary to the President of the United States, appeared and said: Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

The message was received from the Secretary and handed to the Vice-President.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read by the Secretary.

The Secretary read the message, as follows:

To the Senate and House of Representatives:

I have convened the Congress in this extra session in order to enable it to give immediate consideration to the revision of the Dingley tariff act. Conditions affecting production, manufacture, and business generally have so changed in the last twelve years as to require a readjustment and revision of the import duties imposed by that act. More than this, the present tariff act, with the other sources of government revenue, does not furnish income enough to pay the authorized expenditures. By July 1 next the excess of expenses over receipts for the current fiscal year will equal $100,000,000.

The successful party in the last election is pledged to a revision of the tariff. The country, and the business community especially, expect it. The prospect of a change in the rates of import duties always causes a suspension or halt in business because of the uncertainty as to the changes to be made and their effect. It is therefore of the highest importance that the new bill should be agreed upon and passed with as much speed as possible consistent with its due and thorough consideration. For these reasons I have deemed the present to be an extraordinary occasion, within the meaning of the Constitution, justifying and requiring the calling of an extra session.

In my inaugural address I stated in a summary way the principles upon which, in my judgment, the revision of the tariff should proceed, and indicated at least one new source of revenue that might be properly resorted to in order to avoid a future deficit. It is not necessary for me to repeat what I then said.

I venture to suggest that the vital business interests of the country require that the attention of the Congress in this session be chiefly devoted to the consideration of the new tariff bill, and that the less time given to other subjects of legislation in this session the better for the country.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1909.*

The VICE-PRESIDENT. If there be no objection, the message will be ordered printed (H. Doc. No. 1) and referred to the Committee on Finance. No objection is heard.

ADJOURNMENT TO FRIDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Friday next, it being understood that no legislative business shall be transacted on that day.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a concurrent resolution of the legislature of Washington, which was referred to the Com-

mittee on the Judiciary and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 17. By Senator Metcalf.

Whereas it appears from the investigation made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof; and

Whereas the practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the same under federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce: Now, therefore, be it

Resolved by the senate of the State of Washington (the house concurring), That application be, and the same is hereby, made to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved further, That the secretary of state be, and is hereby, directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several Members of the said body representing this State therein.

Passed by the senate February 2, 1909.

A. S. RUTH,
President of the Senate.

Passed by the house February 24, 1909.

LEO. O. MEIGS,
Speaker of the House.

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 29, as passed by the legislature of 1909, together with all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 29.

A joint resolution memorializing Congress to establish hospitals for the examination of intending immigrants at the principal European ports of embarkation.

Be it enacted by the house of representatives of the State of South Dakota (the senate concurring), That the Congress of the United States be, and it hereby is, respectfully petitioned to establish at the chief European ports of embarkation hospitals, under the direction of expert American physicians, for the physical examination of intending immigrants to America, to the end that the hardships incident to examinations and the refusal of the authorities to admit immigrants at the American ports, by reason of which families are broken up and submitted to great distress, may be averted.

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 28 as passed by the legislature of 1909, together with all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

Joint resolution memorializing Congress to sink experimental artesian wells on arid and semiarid lands.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring), That the Congress of the United States is hereby petitioned to provide for sinking a number of experimental artesian wells upon arid and semiarid public lands in the several States which are remote from streams of running water.

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 23 as passed by the legislature of 1909, together with all indorsement thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

A joint resolution memorializing and petitioning Congress to enact laws giving the Interstate Commerce Commission power and authority to fix maximum rates of express charges, and otherwise to supervise, regulate, and control express companies.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

SECTION 1. Whereas under the present system there is no adequate power controlling the state and interstate business of express companies; and

Whereas the express charges in many instances are exorbitant: Therefore be it

Resolved, That we do hereby urge and request the Congress of the United States, by proper enactment, to authorize and command the Interstate Commerce Commission: to fix the maximum rates of express charges and otherwise to supervise, regulate, and control the express companies.

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 22, as passed by the legislature of 1909, together with all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 22.

Joint resolution requesting Congress to set aside a township of land in the Bad Lands of South Dakota for a national park.

Whereas there is a small section of country about the headwaters of the White River in South Dakota where nature has carved the surface of the earth into most unique and interesting forms, and has exposed to an extent perhaps not elsewhere found; and

Whereas this formation is so unique, picturesque, and valuable for the purpose of study that a portion of it should be retained in its native state: Therefore be it

Resolved by the house of representatives (the senate concurring), That Congress be, and hereby is, requested to provide that the Secretary of the Interior shall select a township of government land in the most picturesque portion of the region mentioned and the same shall be set aside and be kept as a national park.

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 15 as passed by the legislature of 1909, together with all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

A joint resolution and memorial, requesting the Congress of the United States to pass an act granting unto the State of South Dakota 62,029.40 acres of land in lieu of a like amount of land heretofore granted to said State for the support of the common schools of said State, and which said land so heretofore granted has been appropriated by the Government of the United States for public reservations and which is included in the public reservation known as the Black Hills and the Sioux national forests, and permitting the State of South Dakota to make lieu selections out of any public lands within the said State of South Dakota which are now opened to settlement.

Be it resolved by the house of representatives of the State of South Dakota (the Senate concurring):

SECTION 1. Whereas by an act of Congress passed and approved on the 22d day of February, 1889, there was granted unto the State of South Dakota for the support of the common schools all of sections 16 and 36 in every township within the State; and

Whereas by act of Congress of March 3, 1891, and acts amendatory thereto power was vested in the President of the United States to set apart and reserve in any State or Territory having public land bearing forests wholly or in part covered with timber or undergrowth as public reservations; and

Whereas the President of the United States, by proclamation, has set apart and reserved for the purposes before mentioned public reservations including lands in Custer, Lawrence, Meade, Pennington, and Butte counties, S. Dak.; and

Whereas there was included within said reservations so set apart 62,029.40 acres of school lands of the State of South Dakota; and

Whereas the said State of South Dakota, by virtue of the creation of said reservations, is largely deprived of said lands; and

Whereas the State of South Dakota is desirous of relinquishing any claim which it has or should have in or to any of the school lands which the said State has or should have had within said reservations and of securing from the Congress of the United States an act permitting it to select lieu lands out of any public lands which are now being opened to settlement in said State within the Standing Rock and Cheyenne River Indian reservations prior to the opening of such lands to homestead entry, in place of the said school lands so included within said reservations: Be it therefore

Resolved, That we do hereby earnestly urge the Congress of the United States, by proper enactment, to authorize the said State of South Dakota to select out of any unappropriated lands which are now being opened to settlement within said Indian reservations in said State 62,029.40 acres of land for the support of common schools of said State in lieu of the same amount of land appropriated by the Government of the United States in the establishment of the Black Hills and Sioux national forests: Be it further

Resolved, That we request our Senators and Representatives in Congress to employ their best efforts to accomplish this end during the present session of Congress or during the special session which may convene soon after the adjournment of the present session.

The VICE-PRESIDENT presented a joint resolution of the legislature of Minnesota, which was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Joint resolution.

Whereas there is a general demand by the people of the United States and of the people of the State of Minnesota for better and more permanent public roads: Therefore be it

Resolved by the senate of the State of Minnesota (the house concurring), That it is the sense of the people of this State that owing to the increase in population, the increase of the products of the farm, seeking a market in reciprocal exchanges for manufactured articles, the increased wealth of our country, coupled with the extension of the rural free delivery mail carrier service of the General Government, which is now recognized as a fixed and permanent policy of the Federal Government, furnishes sound reason why the General Government should aid in the improvement of the public highways of the several States and Territories, and the Congress of the United States is hereby memorialized to extend some such aid by the appropriation of a percentage of the cost of such permanently improved main highways throughout the different States and Territories of the Union where and whenever a State and the several counties thereof shall by statute extend a like aid in so improving their main highways, under such condition and restrictions as may be by said Congress determined upon and deemed advisable: Be it further

Resolved, That it is the sense of the people of the State of Minnesota that an annual appropriation of at least $50,000,000 for a long term of years would do more to advance the betterment of the whole people of the United States than would the expenditure of a like amount of money for any other purpose: Be it also further

Resolved, That the secretary of state be and is hereby directed to forward a copy of this memorial to the Senate and House of Representatives of the United States, in Congress assembled.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution providing that the legislature institute measures leading to repairs of the Portage levee.

Whereas a part of the levee along the north bank of the Wisconsin River at Portage, to wit, about 3½ miles of the lower part of such levee, locally known as the "government levee," is in urgent need of immediate repairs; and

Whereas this part of the levee was built by the General Government in 1888 and maintained by the General Government until about 1900, since which time no repairs have been made; and

Whereas it is generally understood that the General Government still holds the right of way and has the legal control of this part of the levee, thus preventing the state, county, or local authorities from repairing or exercising control over the same; and

Whereas these facts were set forth in a report made by a committee of this legislature, which report appears in the journals of senate and assembly under date of June 24, 1907, and the same facts are now further confirmed by a communication from the state levee commission, consisting of three citizens of Portage acting under state authority, which communication is in part as follows:

"The undersigned state levee commissioners respectfully inform you that the Wisconsin River since the inspection made by the legislative committee in 1907 has washed off all of the bank for a distance of nearly 300 feet and even slightly undermined the government levee at some places, which make repairs absolutely necessary to prevent a break." Such state commission further says: "We are firm and right in our belief, in which the whole community shares, that the government levee is a necessary protection to the government canal leading from the Wisconsin River to the Fox, as well as the improvements in the Fox River in aid of navigation, both of which works have been done by the General Government at large expense and to protect which this levee was originally built, the damage done to the canal by the levee break of 1900 being in direct support of this contention;" and

Whereas not alone the important government works above mentioned need the protection of this levee, but the safety of several thousand of our citizens who have homes in the district that will be overflowed in case of a break in the government levee, as well as private property valued at several millions of dollars, and to a great extent all of the cities and villages, the vast manufacturing and farming interests along the upper Fox River above Lake Winnebago: Therefore be it

Resolved, That the foregoing facts be immediately brought to the attention of the Wisconsin Members of Congress; and further

Resolved, That the legislature urgently requests that measures be promptly instituted leading to the repair by the General Government of that part of the Portage levee herein referred to, such repairs being imperative and conditions will not admit of delay; and further

Resolved, That if any question exists as to the legal ownership of the right of way and the right of supervision of this so-called "government levee" that the necessary investigation be made to determine such ownership, but that the needed repairs be not delayed during such investigation.

JOHN STRANGE,
President of the Senate.
P. E. ANDREWS,
Chief Clerk of the Senate.
L. H. BANCROFT,
Speaker of the Assembly.
C. E. STAFFER,
Chief Clerk of the Assembly.

The VICE-PRESIDENT presented a memorial of the legislative assembly of the Territory of Arizona, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the twenty-fifth legislative assembly of the Territory of Arizona, respectfully represent that—

The Colorado River is the boundary line between the Territory of Arizona on the east and the States of Nevada and California on the west, and is a navigable stream and under the direct control of the Government of the United States. The Government, through its Reclamation Service, is engaged in reclaiming vast areas of the arid lands lying on both sides of this river, and when such reclamation is accomplished these sections will be densely populated by a citizenship second to none in patriotic devotion to our country and flag. No wagon bridge spans the Colorado River from the State of Utah at any place in its entire course to the Gulf of California. The completion of the Yuma project and rush of settlers on both sides of the river at this point will necessitate closer communication between the two sides of the river than is afforded by the railroad bridge (which is private and closed to all but the use of the railroad company) and the primitive ferry. Yuma is now, and always has been, the natural commercial terminal for distribution for the Southwest. It is the gateway for the southern entry of Arizona and California. A large tract of land on the Mexican boundary, reaching almost to the city of Guayamas, is also tributary to Yuma and vicinity for commercial necessities. No city lies within miles of Yuma on either side of the river, and the time is at hand when the means of communication between the two banks of the river must be of a dependable character.

Yuma is the physical as well as the commercial point for this bridge. The river narrows around the site of the old government fort between high bluffs which are natural foundations for the support of the structure. The ferry, which has been the means of transportation across the river since the days of the overland stages and the prairie schooners were first carried to the California banks, is already inadequate for the traffic of the large agricultural and mining districts which border the stream, and at high water it can not be used at all.

While a bridge across this river will be of untold benefit to the people of both the State of California and the Territory of Arizona, its construction is peculiarly a government function, because the river is an interstate and an international stream and the uses of the bridge will be—must be—purely interstate.

In the past the people of Arizona have asked but little in the way of public improvements from the General Government, and asking little they have received little (except in the reclamation of the arid lands of the Territory, the expense of which they are obligated to repay); yet all the while this magnificent Territory has been and now is contributing with lavish hands to the world's wealth. She furnished in the person of her beloved and lamented son, William O. O'Neill, the first volunteer in the Spanish-American war, and in that conflict the blood of her gallant sons was shed freely that tyranny and despotism might be forever banished from the American Continent. With willing hands and throbbing hearts they assisted in hoisting our flag to a prouder height and in demonstrating the true mission of our Republic among the nations of the world. As then, so now, the people of Arizona are enthusiastic in their devotion to duty. No call will find them laggard; no just demand will ever be ignored by them.

To assist people like these in the development of a mighty Commonwealth, to improve a country such as this, is the duty of the Government. No money was ever expended in a worthier enterprise.

Wherefore your memorialists earnestly request that an appropriation of $200,000 for the construction of a wagon bridge across the Colorado River at Yuma be made, and that such sum so appropriated be expended and such bridge constructed under the direction of such proper department official as the Congress may designate, and your memorialists will ever pray.

GEO. W. P. HUNT,
President.
SAM F. WEBB,
Speaker.

The VICE-PRESIDENT presented a memorial of the legislative assembly of the Territory of Arizona, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

TERRITORY OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA, *Territory of Arizona, ss:*

I, John H. Page, secretary of Arizona, do hereby certify that the within is a true and complete transcript of house memorial No. 7, which was filed in this office on the 26th day of February, 1909, at 10.30 a. m.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 3d day of February, A. D. 1909.

JOHN H. PAGE, *Secretary of Arizona.*

Memorial to the honorable Senate and House of Representatives in Congress assembled:

Your memorialists, the legislative assembly of the Territory of Arizona, most respectfully represent:

That the treaty of peace between the United States and Mexico, executed at the city of Guadalupe Hidalgo, February 2, 1848, in article 6 especially reserved and provided that "the vessels and citizens of the United States shall at all times have a free and uninterrupted passage, between the Gulf of California and by the River Colorado, below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article, it being understood that this passage is to be by navigating the Gulf of California and the River Colorado and not by land, without the express consent of the Mexican Government." That the then southern boundary of the United States possessions was the Gila River; and, on December 30, 1853, under the treaty known as the "Gadsden treaty," between the United States and Mexico, all that portion of Arizona lying south of the Gila River to the present international boundary was acquired; and in article 4 of the said treaty the navigable right was preserved by reiterating section 6 of the Guadalupe Hidalgo treaty, as follows:

"The vessels and citizens of the United States shall at all times have free and uninterrupted passage through the Gulf of California to and from their possessions, situated north of the boundary line of the two countries, it being understood that this passage is to be by navigating the Gulf of California and the River Colorado, and not by land, without the express consent of the Mexican Government."

That for many years the said navigable right was put to great use and was of much benefit to the citizens of Arizona and was, in fact, the only means of transportation by which they could get in their supplies and ship out mineral and other export products; that with the advent of the railroad, owing to the then sparsely settled condition of the Territory, navigation on the river became unprofitable and was practically abandoned in so far as it consisted in navigating the Colorado River to its mouth at the Gulf of California, but did continue and still continues along nearly the whole western boundary of the then Territory; that during the last five years there has been a great increase in the population of western and southwestern Arizona; that much desert land has been reclaimed; that there is in western and southwestern Arizona, in territory contiguous to the Colorado River, an immense amount of low-grade mineral ore, which must necessarily remain undeveloped on account of the excessive cost demanded for the transportation of fuel; that the railway traffic in southwestern Arizona is practically under the control of one company, and therefore that section is without the benefit of competing rail lines and competitive freight rates.

Your memorialists would further show that the several transcontinental lines traversing the Isthmus of Panama, the State of Guatemala, and the Isthmus of Tehuantepec, in connection with the steamship lines established from Atlantic ports and ports on the Gulf of Mexico, furnish and afford now a direct and beneficial competition in the way of freight rates to all sections of the country having access to Pacific coast ports; that with the completion of the Panama Canal in the next five or six years, together with the construction of the several additional transcontinental lines now contemplated in Central American states and the Republic of Mexico, this direct and beneficial competition of freight rates will be greatly augmented.

That the navigable way down the Colorado River from Yuma to the Gulf of California has, through the lack of use and proper government attention and control, become somewhat unfitted for navigation by boats of anything like heavy draft; that Arizona, with its wonderful natural resources now in the infancy of their development, can, by the benefit of water transportation and the low competitive rates of transportation resulting therefrom, develop its vast resources and take its place among the wealthy sections of the Union.

Wherefore your memorialists most earnestly request your serious consideration to the end that governmental aid be had, proper investigations instituted, and sufficient appropriations made to dredge, protect, and control the channel of the Colorado River from Yuma, in the Territory of Arizona, to the Gulf of California, and thus conserve, perpetuate, and make useful and of benefit for this generation and for posterity the most valuable of our Territory's natural resources—our right of navigation over the Colorado River and the Gulf of California.

The secretary of the Territory is hereby directed to immediately transmit one copy of this memorial to the President of the United States, one copy to the President of the Senate of the United States, one copy to the Speaker of the House of Representatives of the United States, one copy to the Chairman of the Rivers and Harbors Committee of the House of Representatives of the United States, one copy to the Secretary of War, and one copy to the Hon. MARCUS A. SMITH, Arizona's Delegate to Congress.

SAM F. WEBB,
The Speaker of the House.
GEO. W. P. HUNT,
The President of the Council.

The VICE-PRESIDENT presented a memorial of the legislative assembly of the Territory of Arizona, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

TERRITORY OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA, *Territory of Arizona, ss:*

I, John H. Page, secretary of Arizona, do hereby certify that the within is a true and complete transcript of house memorial No. 6, which was filed in this office on the 26th day of February, A. D. 1909.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 3d day of March, A. D. 1909.

[SEAL.] JOHN H. PAGE,
Secretary of Arizona.

House memorial 6.

Whereas an attempt is now being made before the Congress of the United States to provide for the annexation to the State of Utah of all that portion of the Territory of Arizona lying north and west of the Colorado River; and

Whereas the members of former legislative assemblies of the Territory of Arizona, who have been fully advised, declare that the Territory sought to be acquired by the State of Utah from Arizona comprises an area nearly as large as the State of Massachusetts; that it is rich in mineral resources, containing vast areas of valuable timber and grazing lands that can readily be brought under cultivation by system of water storage and irrigation; that said tract is of inestimable value and important to the Territory of Arizona, as a source of revenue and a field of industry and husbandry; and

Whereas the said tract is traversed from east to west by the Grand Canyon of the Colorado River, the most marvelous and majestic of all nature's handiwork of world-wide fame, and which has always been peculiarly and exclusively an Arizona endowment;

Therefore, your memorialists respectively declare that the people of the Territory of Arizona, through the members of the legislative assembly, are unalterably opposed to the anexation of any part of said tract to the State of Utah, and earnestly protest against the enactment by Congress of any measure designed to accomplish such purpose, and request that the domain of Arizona be protected by Congress against the proposed unjust and indefensible encroachment by the State of Utah.

The secretary of the Territory is directed to forward one copy of this memorial to the President of the Senate, one copy to the Speaker of the House, and one copy to our Delegate to Congress.

SAM F. WEBB,
Speaker of the House.
GEO. W. P. HUNT,
President of the Council.

The VICE-PRESIDENT presented a concurrent resolution of the legislative assembly of the Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed in the RECORD, as follows:

Concurrent resolution.

Whereas by the section 91 of an act of the Congress of the United States entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, it is provided that the public property ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July 7, 1898, shall be and remain in the possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it at its own expense, until otherwise provided for by Congress; and

Whereas there was included therein certain property now required for the advancement of the administration of county government within the Territory of Hawaii, it is desired that each county may be able to acquire, maintain, and conduct for its own use and as its own property the public waterworks systems, fire department buildings, and jails, and property connected therewith within such county: Therefore be it

Resolved by the senate of the legislature of the Territory of Hawaii (the house of representatives concurring), That the Congress of the United States be, and is hereby, respectfully requested to pass at an early date an act whereby and whereunder there shall be ceded back to the Territory of Hawaii by the United States the title to all and singular the several public waterworks systems, public highways, parks, squares, fire department buildings, and jails, and all property, appurtenances, and interests used in connection therewith; and be it further

Resolved, That the governor of this Territory be, and he is hereby, requested to transmit a duly certified copy of this resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and the Delegate of the Territory of Hawaii in Congress, with the request that this resolution be laid before the Congress of the United States.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, February 19, 1909.

We hereby certify that the foregoing concurrent resolution was adopted in the senate of the Territory of Hawaii on the 19th day of February, A. D. 1909.

WILLIAM O. SMITH,
President of the Senate.
WILLIAM SAFFORD,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES,
Honolulu, Hawaii, February 19, 1909.

We hereby certify that the foregoing concurrent resolution was adopted in the house of representatives of the Territory of Hawaii on the 19th day of February, A. D. 1909.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

TERRITORY OF HAWAII:

I hereby certify that the annexed concurrent resolution of the legislature of the Territory of Hawaii is a full, true, and correct copy of the original thereof on file in my office at Honolulu.

Honolulu, Hawaii, February 24, 1909.

[SEAL.] E. A. SHAW SMITH,
Secretary of Hawaii.

The VICE-PRESIDENT presented a petition of the Chamber of Commerce of New York, praying that provision be made in the new tariff law for such equitable arrangement as will insure for our exports the application by the Republic of France of the minimum rates of duty that other nations have with that country, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of New York, praying for the retention of the present basis of value of merchandise upon which ad valorem rates of duties are levied, which was referred to the Committee on Finance.

He also presented a memorial of the Manufacturers' Association of Brooklyn, N. Y., remonstrating against the establishment of a national consular school, which was referred to the Committee on Commerce.

He also presented a petition of the Commercial Coal Company of New York City, N. Y., praying for the enactment of legislation providing for a uniform system of liens on vessels for repairs, supplies, and other necessaries, which was referred to the Committee on Commerce.

He also presented a petition of the Adirondack Lumber Manufacturers and Shippers' Association, praying for the enactment of legislation providing for the conservation of the forests of the country and remonstrating against the removal of the duty on print paper, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of the congress of the Knights of Labor, remonstrating against the enactment of any tariff legislation which will not adequately protect American labor and industry, which was referred to the Committee on Finance.

He also presented petitions of the Railway Business Association, the American Hardware Manufacturers' Association, the Battle Creek Industrial Association, the Board of Trade and Transportation of New York City, the Board of Trade of Chicago, Ill., the Bristol (Virginia-Tennessee) Board of Trade, the Business Men's Association of Auburn, N. Y., the Board of Trade of Clarkesburg, W. Va., the Board of Trade of Columbus, Ohio, the Commercial Club of Birmingham, Ala., the Chamber of Commerce of Dayton, Ohio, the Board of Commerce of Detroit, Mich., the Illinois Manufacturers' Association, the Board of Trade of Indianapolis, Ind., the Board of Trade of Jacksonville, Fla., the Manufacturers and Merchants' Association of Kansas City, Mo., the Merchants' Association of New York, the Merchants' Association of York, Pa., the National Shoe Wholesalers' Association of the United States, the National Boot and Shoe Manufacturers' Association, the New Orleans Progressive Union, the Board of Trade of Philadelphia, Pa., the Chamber of Commerce of Pittsburg, Pa., the Retail Merchants' Association of Richmond, Va., the Business Men's Club of San Antonio, Tex., the Southern Commercial Congress, and the National Association of Wool Manufacturers, praying for the enactment of legislation providing for moderation in the restriction of railways, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Northeast Washington Citizens' Association of the District of Columbia, praying for the enactment of legislation changing the date for the inauguration of the President of the United States from March 4 to the last week in April, which was referred to the Committee on Privileges and Elections.

Mr. CURTIS presented a concurrent resolution of the legislature of Kansas, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House concurrent resolution 24.

Reservation of inheritance taxes to the States.

Whereas the several States are now taxing inheritances with marked success and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by the legislature of the State of Kansas:

First. That the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That the legislature of the State of Kansas hereby respectfully requests and urges the several Senators and Representatives representing the State of Kansas in the Congress of the United States to support a properly drawn joint resolution when proposed for adoption by the two Houses of the Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes, and to reserve this source of revenue for the exclusive use and benefit of the several States.

I hereby certify that the above concurrent resolution originated in the house and passed that body February 20, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Passed the senate March 4, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

STATE OF KANSAS,
OFFICE OF THE SECRETARY OF STATE.

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 6th day of March, 1909.

[SEAL.] C. E. DENTON, *Secretary of State.*

Mr. CURTIS presented a concurrent resolution of the legislature of Kansas, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 20.

Whereas Congressman GRIGGS, of Georgia, has introduced an amendment to the agricultural appropriation bill, appropriating $237,000 instead of $137,000, for soil investigations provided by the bill as reported from the committee;

Whereas the success of this amendment is vital to the colonization and agricultural progress now being made west of the Missouri River: Therefore be it

Resolved by the senate of the State of Kansas (the house concurring therein), That the Kansas delegation in Congress be requested to give the amendment their support and do all they can to secure the passage of the bill.

I hereby certify that the above concurrent resolution originated in the senate and passed that body February 17, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Passed the house February 24, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

STATE OF KANSAS,
OFFICE OF THE SECRETARY OF STATE.

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 6th day of March, 1909.

[SEAL.] C. E. DENTON, *Secretary of State.*

Mr. CURTIS presented a concurrent resolution of the legislature of Kansas, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House concurrent resolution 33.

Relating to the participation by national banks in the bank depositor's guaranty fund of the State of Kansas.

Be it resolved by the house of representatives (the senate concurring), That our Representatives in Congress and United States Senators are hereby instructed to exert every influence to definitely settle the question of the participation by national banks in Kansas in the bank depositor's guaranty fund of the State of Kansas: Be it further

Resolved, That a copy of this resolution be promptly forwarded to each Representative in Congress and United States Senators from Kansas.

I hereby certify that the above concurrent resolution originated in the house and passed that body March 2, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Passed the senate March 3, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

STATE OF KANSAS, *Office of the Secretary of State:*

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 6th day of March, 1909.

[SEAL.] C. E. DENTON, *Secretary of State.*

Mr. CURTIS presented the following concurrent resolution of the legislature of Kansas, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House concurrent resolution 24.

Reservation of inheritance taxes to the States.

Whereas the several States are now taxing inheritances with marked success, and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by the legislature of the State of Kansas:

First. That the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That the legislature of the State of Kansas hereby respectfully requests and urges the several Senators and Representatives representing the State of Kansas in the Congress of the United States to support a properly drawn joint resolution when proposed for adoption by the two Houses of the Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes, and to reserve this source of revenue for the exclusive use and benefit of the several States.

I hereby certify that the above concurrent resolution originated in the house and passed that body February 20, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Passed the senate March 4, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

STATE OF KANSAS,
OFFICE OF THE SECRETARY OF STATE.

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 13th day of March, 1909.

[SEAL.] C. E. DENTON, *Secretary of State.*

Mr. CURTIS presented a concurrent resolution of the legislature of Kansas, which was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

Senate joint resolution 4.

Be it resolved by the senate of the State of Kansas (the house of representatives concurring therein), That our Representatives in Congress be, and they are hereby, requested to vote and labor for the submission of an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people.

I hereby certify that the above joint resolution originated in the senate and passed that body February 13, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Passed the house March 1, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

STATE OF KANSAS,
OFFICE OF THE SECRETARY OF STATE.

I, C. E. Denton, secretary of state of the State of Kansas, do hereby certify that the above and foregoing is a correct copy of the original enrolled bill now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 6th day of March, 1909.

[SEAL.] C. E. DENTON, *Secretary of State.*

Mr. GALLINGER. I present a joint resolution of the legislature of New Hampshire, relating to inheritance taxes. I ask that the joint resolution be read and referred to the Committee on Finance.

There being no objection, the joint resolution was read and referred to the Committee on Finance, as follows:

STATE OF NEW HAMPSHIRE,
A. D. 1909.

Joint resolution in reference to a tax on legacies and inheritances.

Resolved by the senate and house of representatives in general court convened, That whereas the several States are now in some form imposing a tax on legacies and inheritances and can easily use all the revenue to be drawn from that source; and

Whereas the Federal Government can readily raise additional revenue from other sources: Therefore be it

Resolved by the general court, That the taxation of inheritances, in such form as may seem expedient by the legislative power, should be reserved to the several states as a source of revenue for their exclusive use and benefit.

Resolved, That the secretary of state forward a copy of this resolution to our Senators and Representatives in Congress.

WALTER W. SCOTT,
Speaker of the House of Representatives.
HARRY T. LORD,
President of the Senate.

Approved March 10, 1909.

HENRY B. QUINBY, *Governor.*

Mr. GALLINGER presented a memorial of the Retail Grocers and Provision Dealers' Association of Concord, N. H., remonstrating against the imposition of a tax on tea and coffee, which was referred to the Committee on Finance.

He also presented a petition of Local Lodge No. 876, Benevolent and Protective Order of Elks, of Laconia, N. H., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BURROWS presented a memorial of the Michigan Dairymen's Association, remonstrating against the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Eastern Star Chapter of Pinckney, Mich., and a petition of sundry citizens of Lansing, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented petitions of the Farmers' Institute of Bangor; of sundry citizens of Paw Paw, and of sundry citizens of Ironwood, all in the State of Michigan, praying for the passage of the so-called "rural parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Lodge No. 343, of Port Huron; Local Lodge No. 404, of Calumet; Local Lodge No. 274, of Muskegon; Local Lodge No. 50, of Kalamazoo; Local Lodge No. 680, of Cadillac; Local Lodge No. 541, of St. Joseph; Local Lodge No. 753, of Owosso; Local Lodge No. 405, of Marquette; Local Lodge No. 381, of Hancock; Local Lodge No. 250, of Manistee; and of Local Lodge No. 736, of Ludington, all of the Benevolent and Protective Order of Elks, in the State of Michigan, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BOURNE presented petitions of Local Lodge No. 326, of Roseburg; of Local Lodge No. 944, of Ashland; and of Local Lodge No. 336, of Salem, all of the Benevolent and Protective Order of Elks, in the State of Oregon, praying for the enactment of legislation providing for the creation of a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

EXECUTIVE SESSION.

Mr. FRYE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until Friday, March 19, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 16, 1909.

CONSUL-GENERAL.

Edward D. Winslow, of Illinois, now consul of class 8 at Gothenburg, to be consul-general of the United States of class 6 at Stockholm, Sweden, vice Edward L. Adams, appointed consul of class 5 at Dublin.

COLLECTORS OF CUSTOMS.

Edward W. Durant, jr., of South Carolina, to be collector of customs for the district of Charleston, in the State of South Carolina, in place of William D. Crum, resigned.

Rentfro B. Creager, of Texas, to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in place of John W. Vann, removed. A temporary commission was issued to Mr. Creager during the recess of the Senate.

UNITED STATES CIRCUIT JUDGE.

John W. Warrington, of Ohio, to be United States circuit judge for the sixth judicial circuit, vice John K. Richards, deceased.

UNITED STATES ATTORNEY.

John H. Jordan, of Pennsylvania, to be United States attorney for the western district of Pennsylvania, vice John W. Dunkle, whose term expires March 17, 1909.

PROMOTIONS IN THE ARMY.

PAY DEPARTMENT.

Lieut. Col. Harry L. Rogers, deputy paymaster-general, to be Assistant Paymaster-General with the rank of colonel from March 4, 1909, vice Tucker, retired from active service.

Maj. George F. Downey, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel from March 4, 1909, vice Rogers, promoted.

ADVANCED ONE GRADE ON THE RETIRED LIST.

With the rank of lieutenant-colonel.

Maj. Ferdinand E. De Courcy,
Maj. Henry F. Brewerton,
Maj. Lafayette E. Campbell,
Maj. William M. Waterbury,
Maj. John R. Brinckle,
Maj. Edward G. Mathey,
Maj. James N. Morgan,
Maj. Edmund K. Russell,
Maj. Henry M. Kendall,
Maj. Thomas Sharp,
Maj. Washington I. Sanborn,
Maj. Henry P. Ritzius,
Maj. James M. Burns, and
Maj. William H. Kell.

With the rank of major.

Capt. John A. Payne,
Capt. George K. Spencer,
Capt. William W. Tyler,
Capt. Dillard H. Clark,
Capt. William O. Cory,
Capt. Christopher W. Harrold,
Capt. Lewis Merriam,
Capt. William M. Williams,
Capt. John H. Gifford, and
Capt. Edward I. Grumley.

NOTE.—After consideration of an opinion of the Acting Attorney-General, dated June 1, 1904, concurred in by the Secretary of War, that officers retired with the rank to which they were entitled to be promoted, under the provisions of an act of Congress approved October 1, 1890, were not entitled to advancement in rank on the retired list under a provision of the act making appropriations for the support of the army, approved April 23, 1904, the President, on June 4, 1904, instructed the Secretary of War to take action in accordance with said opinion. Consequently no nominations have been heretofore submitted of officers of the class referred to for advancement in grade.

On February 23, 1909, the Attorney-General, upon a reconsideration of the question, expressed the opinion that the one rendered by the Acting Attorney-General on June 1, 1904, was erroneous, and that "officers retired for physical disability contracted in the line of duty, in accordance with the terms of the act of 1890, are entitled, in the discretion of the President, by and with the consent of the Senate, to the promotion permitted by the act of 1904." This opinion, having been concurred in by the Secretary of War, is accepted as the correct interpretation of the law, and the foregoing nominations of officers whose names are now borne on the retired list, and who may be advanced in rank in accordance therewith, are submitted to the Senate.

PROMOTIONS IN THE NAVY.

Lieut. Commander Robert E. Coontz to be a commander in the navy from the 1st day of February, 1909, vice Commander De Witt Coffman, promoted.

Lieut. Charles M. Tozer to be a lieutenant-commander in the navy from the 3d day of September, 1908, vice Lieut. Commander Joseph Strauss, promoted.

Lieut. Leigh C. Palmer to be a lieutenant-commander in the navy from the 30th day of October, 1908, vice Lieut. Commander Armistead Rust, promoted.

The following-named lieutenant-commanders to be lieutenant-commanders in the navy from the dates set opposite their names, to correct the date from which they take rank, which is made necessary on account of the failure of an officer senior to them to qualify for promotion:

Thomas D. Parker, July 1, 1908;
Jonas H. Holden, July 4, 1908;
Thomas T. Craven, July 11, 1908;
Daniel W. Wurtsbaugh, July 11, 1908;
Gatewood S. Lincoln, July 20, 1908;
Ivan C. Wettengel, August 1, 1908;
Wat T. Cluverius, September 7, 1908;
Albert W. Marshall, November 12, 1908;
Thomas A. Kearney, December 15, 1908;
Arthur MacArthur, jr., December 17, 1908; and
Frank E. Ridgely, December 23, 1908.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Andrew C. Pickens,
Paul P. Blackburn,
Forde A. Todd, and
Allen B. Reed.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Andrew C. Pickens,
Paul P. Blackburn,
Forde A. Todd, and
Allen B. Reed.

Midshipman Joseph S. Evans to be an ensign in the navy from the 13th day of September, 1908, to fill a vacancy existing in that grade on that date.

The following-named paymasters, with the rank of lieutenant, to be paymasters in the navy, with the rank of lieutenant-commander, from the 1st day of July, 1908:

Timothy S. O'Leary,
George Brown, jr.,
Walter B. Izard,
David Potter,
Samuel Bryan,
Arthur F. Huntington,
Barry H. Balthis,
Charles Conard, and
William T. Gray.

The following-named paymasters, with the rank of lieutenant, to be paymasters in the navy, with the rank of lieutenant-commander, from the 7th day of September, 1908:

George P. Dyer,
John W. Morse,
Robert H. Woods,
Robert H. Orr,
William A. Merritt,
John Irwin, jr.,
Webb V. H. Rose,
William H. Doherty,
Charles Morris, jr., and
Frederick K. Perkins.

Paymaster George C. Schafer, with the rank of lieutenant, to be a paymaster in the navy, with the rank of lieutenant-commander, from the 1st day of February, 1909.

The following-named assistant paymasters, with the rank of ensign, to be assistant paymasters in the navy, with the rank of lieutenant (junior grade), from the 2d day of February, 1909:

Dallas B. Wainwright, jr.,
William H. Willerdink,
George P. Shumer,
Harry H. Palmer,
Omar D. Conger,
John F. O'Mara,
Patrick T. M. Lathrop,
James P. Helm,
Byron D. Rogers,
Edward C. Little,
Frank H. Atkinson,
Frank Baldwin,
Manning H. Philbrick, and
Henry L. Beach.

Naval Constructor Richard H. Robinson, with the rank of lieutenant, to be a naval constructor in the navy, with the rank of lieutenant-commander, from the 1st day of July, 1908.

The following-named assistant naval constructors, with the rank of lieutenant (junior grade), to be assistant naval constructors in the navy, with the rank of lieutenant, from the 2d day of February, 1909:

Fred G. Coburn,
Waldo P. Druley,
John E. Otterson,
Charles A. Harrington,
Herbert S. Howard,
Robert B. Hilliard, and
Edwin O. Fitch, jr.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer Charles Edward Sugden, of Virginia, to be third lieutenant of engineers, in the Revenue-Cutter Service of the United States, to fill an original vacancy. Mr. Sugden is now serving under a temporary commission issued during the recess of the Senate.

Cadet Engineer Benjamin Curtis McFadden, of Illinois, to be third lieutenant of engineers, in the Revenue-Cutter Service of the United States, to fill an original vacancy. Mr. McFadden is now serving under a temporary commission issued during the recess of the Senate.

Cadet Engineer Francis Ellery Fitch, of New York, to be third lieutenant of engineers, in the Revenue-Cutter Service of the United States, to fill an original vacancy. Mr. Fitch is now serving under a temporary commission issued during the recess of the Senate.

Cadet Engineer Kurt Wolfgang Krafft, of New York, to be third lieutenant of engineers, in the Revenue-Cutter Service of the United States, to fill an original vacancy. Mr. Krafft is now serving under a temporary commission issued during the recess of the Senate.

POSTMASTERS.

NEW YORK.

Theron A. Farnsworth to be postmaster at Camden, N. Y., in place of George J. Skinner. Incumbent's commission expired January 9, 1909.

OREGON.

John C. Young to be postmaster at Portland, Oreg., in place of John W. Minto. Incumbent's commission expired December 8, 1908.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 16, 1909.

UNITED STATES CIRCUIT JUDGE.

John W. Warrington to be United States judge for the sixth judicial circuit.

POSTMASTERS.

NEW YORK.

Theron A. Farnsworth, at Camden, N. Y.

OREGON.

John C. Young, at Portland, Oreg.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 16, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

THE JOURNAL.

The Journal of the proceedings of yesterday was read and approved.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. OLMSTED. Mr. Speaker, the committee appointed under the resolution of the House to wait upon the President reports that in conjunction with the similar committee of the Senate it has performed that very agreeable duty; that the President desires it to present his friendly greetings to Congress, express his congratulations upon its prompt organization and readiness for business, and to say that he will, without delay, communicate further in writing. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

REVISION OF THE TARIFF.

The SPEAKER laid before the House the following message from the President.

The Clerk read as follows:

To the Senate and House of Representatives:

I have convened the Congress in this extra session in order to enable it to give immediate consideration to the revision of the Dingley tariff act. Conditions affecting production, manufacture, and business generally have so changed in the last twelve years as to require a readjustment and revision of the import duties imposed by that act. More than this, the present tariff act, with the other sources of government revenue, does not furnish income enough to pay the authorized expenditures. By July 1 next the excess of expenditures over receipts for the current fiscal year will equal $100,000,000.

The successful party in the late election is pledged to a revision of the tariff. The country, and the business community especially, expect it. The prospect of a change in the rates of import duties always causes a suspension or halt in business because of the uncertainty as to the changes to be made and their effect. It is therefore of the highest importance that the new bill should be agreed upon and passed with as much speed as possible consistent with its due and thorough consideration. For these reasons I have deemed the present to be an extraordinary occasion, within the meaning of the Constitution, justifying and requiring the calling of an extra session.

In my inaugural address I stated in a summary way the principles upon which, in my judgment, the revision of the tariff should proceed, and indicated at least one new source of revenue that might be properly resorted to in order to avoid a future deficit. It is not necessary for me to repeat what I then said.

I venture to suggest that the vital business interests of the country require that the attention of the Congress in this session be chiefly devoted to the consideration of the new tariff bill, and that the less time given to other subjects of legislation in this session the better for the country.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1909.*

The SPEAKER. The message will be referred to the Committee on Ways and Means when appointed and ordered to be printed (H. Doc. No. 1).

SELECTION OF SEATS.

Mr. MANN. Mr. Speaker, before the drawing of seats I ask unanimous consent that the following-named Members have permission to take their seats before the drawing commences: The gentleman from Pennsylvania [Mr. BINGHAM], the father of the House; the gentleman from Ohio [ex-Speaker KEIFER]; the gentleman from Ohio [General SHERWOOD]; the gentleman from New York [Mr. PAYNE], the floor leader on this side; the gentleman from Missouri [Mr. CLARK], the minority leader; the gentleman from Minnesota [Mr. TAWNEY]; the gentleman from Georgia [Mr. LIVINGSTON]; the gentleman from Connecticut [Mr. SPERRY], the oldest Member of the House; and the gentleman from Missouri [Mr. DE ARMOND].

Mr. CLAYTON. Mr. Speaker, I have no objection to the request preferred by the gentleman from Illinois, but I desire to ask him to agree that there may be added to the list of names mentioned in his resolution the name of Mr. TALBOTT, of Maryland, whose service, I believe, on this side antedates the service of any Member on this side, with the exception of Mr. SHERWOOD, of Ohio.

Mr. MANN. Well, Mr. Speaker, that would make five on each side, and I add that to my request.

The SPEAKER. Is there objection?

Mr. CLAYTON. Mr. Speaker——

Mr. MANN. No more.

Mr. CLAYTON. Well, the gentleman from Virginia [Mr. JONES] came in at the same time with Mr. DE ARMOND and Mr. LIVINGSTON.

Mr. MANN. And a good many Members on this side came in at the same time; that is five on a side——

Mr. JONES. There is not another one on this side——

Mr. MANN. That is five on a side, and there are a number of men on this side who came in at the same time.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Mr. Speaker, before the drawing commences I desire to inquire as a parliamentary inquiry whether the rule adopted yesterday by the House for the drawing of seats provides that the seats shall be held until the end of this Congress, the same numbers of seats, or until the new Congress is completed?

The SPEAKER. The Chair will cause the rule to be read.

Mr. DE ARMOND. Mr. Speaker, I would like to make a request for unanimous consent.

The SPEAKER. The House will be in order, and the Clerk will report the rule.

The Clerk read as follows:

RULE XXXII.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box prepared for that purpose a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished; and whenever the seats of Members and Delegates shall have been drawn, no proposition for a second drawing shall be in order during that Congress.

Mr. UNDERWOOD. Now, Mr. Speaker, I desire to submit a request for unanimous consent in reference to that rule. I understand that under the resolution of the Congress providing for a new Hall of the House of Representatives to be built, that that Hall will probably be completed before the last session of this Congress. It may be wise, then, not to select or designate seats for any particular Member, but it may be better to leave the matter open, for if we draw for this Congress now we do not know how the seats will apply in the new Hall when it is completed. So I ask unanimous consent that this drawing of seats shall only apply in this Congress as long as we remain in the present Hall.

Mr. MANN. Mr. Speaker, reserving the right to object, I suggest to the gentleman that that is a matter that can easily be taken care of by the House when the proper time comes by a resolution authorizing the changing of the form of the House and the seating of the House.

Mr. UNDERWOOD. I want to suggest this to the gentleman, that if the seats in the new House Chamber are numbered and some gentleman has a good numbered seat he may be opposed to a resolution of that kind on that account. There is no reason why we should foreclose that proposition now. There is no reason why we should occupy the present seats, or similarly located seats, in another House, and therefore I think we might as well save that proposition. There is no reason that the House can not determine the matter when it reaches it.

Mr. MANN. If the House is changed, it must be during the vacation of next year. When the House meets in December the Chamber will probably have been reconstructed. Then the House can determine for itself at that time, it seems to me.

Mr. UNDERWOOD. Can there be any objection to reserving the proposition to determine then, so that it will not be foreclosed at this time in any way? It is merely a request that the drawing of seats shall apply to this House and not to the next one. [Cries of "Regular order!"]

Mr. DE ARMOND. Mr. Speaker, I wish to submit a request for unanimous consent.

The SPEAKER. Has the demand for the regular order been withdrawn?

Mr. COX of Indiana. Regular order, Mr. Speaker. However, I withhold it for the present.

Mr. DE ARMOND. Mr. Speaker, by the unanimous consent just given, among others the gentleman from Georgia [Mr. LIVINGSTON] and I have been permitted to choose our seats before the drawing. We are two of the three oldest in service on this side. The other one is the gentleman from Virginia [Mr. JONES]. My request is that the gentleman from Virginia [Mr. JONES] and the oldest in service on the other side not covered by the request of the gentleman from Illinois [Mr. MANN] be permitted to draw their seats. [Cries of "Regular order!"]

Mr. MANN. Mr. Speaker, I ask to submit a request.

Mr. FOSTER of Vermont. Regular order!

Mr. COOPER of Wisconsin. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. When and how can I get consent to draw a seat for the gentleman from Wisconsin [Mr. ESCH], having received a letter from him on that subject?

The SPEAKER. That is provided for in the rule. Regular order is demanded. The regular order is on the motion of yesterday, that the House proceed to the drawing of seats.

OATH OF OFFICE.

Mr. MANN. Mr. Speaker, the gentleman from Texas [Mr. RUSSELL] desires to be sworn in.

The oath of office was administered by the Speaker to Mr. RUSSELL, a Representative from the State of Texas.

SELECTION OF SEATS.

The SPEAKER. The drawing of seats will now begin, and the Clerk will proceed under the rule.

The drawing of seats began at 12 o'clock and 25 minutes p. m., and was concluded at 1 o'clock and 39 minutes p. m.

RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess for one hour.

The motion was agreed to, and accordingly (at 1 o'clock and 40 minutes p. m.) the House was declared in recess.

The recess having expired,

Mr. MANN. Mr. Speaker, I ask unanimous consent that the House be in recess until 3 o'clock.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The recess having expired,

COMMITTEE ON RULES.

The SPEAKER. The Chair announces the following Committee on Rules.

The Clerk read as follows:

The Speaker, Mr. DALZELL, Mr. SMITH of Iowa, Mr. CLARK of Missouri, and Mr. FITZGERALD.

COMMITTEE ON WAYS AND MEANS.

The SPEAKER. The Chair announces the following Committee on Ways and Means.

The Clerk read as follows:

Mr. PAYNE, Mr. DALZELL, Mr. MCCALL, Mr. HILL, Mr. BOUTELL, Mr. NEEDHAM, Mr. CALDERHEAD, Mr. FORDNEY, Mr. GAINES, Mr. LONGWORTH, Mr. CRUMPACKER, Mr. CUSHMAN, Mr. CLARK of Missouri, Mr. UNDERWOOD, Mr. GRIGGS, Mr. POU, Mr. RANDELL of Texas, Mr. BROUSSARD, and Mr. HARRISON.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. PAYNE. Mr. Speaker, I offer the following resolution (H. Res. 17) and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

House resolution 17.

Resolved, That the Committee on Ways and Means is authorized to sit during the sessions of the House, and said committee is authorized to have such printing and binding done as it shall require, and in addition to requiring the attendance of the committee stenographers is authorized to employ during the present session an additional stenographer, and to incur such other expenses as may be deemed necessary by said committee; and all the expenses of said committee shall be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law.

The question was taken, and the resolution was agreed to.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to, and accordingly (at 3 o'clock and 4 minutes p. m.) the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LOUDENSLAGER: A bill (H. R. 1010) to distribute the business of the Department of the Navy in relation to personnel and matériel—to the Committee on Naval Affairs.

Also, a bill (H. R. 1011) for the erection of a monument to the memory of Philip Kearny—to the Committee on the Library.

Also, a bill (H. R. 1012) for the erection of a public building at the city of Woodbury, in the State of New Jersey—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1013) to increase the pensions of widows of soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant pensions to certain widows of such soldiers and sailors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1014) providing for the repair and rebuilding of the road from Harrisonville, N. J., to the post of Fort Mott, N. J., and the national cemetery at Finns Point, N. J.—to the Committee on Military Affairs.

By Mr. BENNET of New York: A bill (H. R. 1015) to amend an act entitled "An act making an apportionment of Representatives in Congress among the several States under the Twelfth Census"—to the Committee on the Census.

Also, a bill (H. R. 1016) constituting a commission to investigate diplomatic and consular affairs—to the Committee on Foreign Affairs.

Also, a bill (H. R. 1017) authorizing the appointment of a commission to collate information concerning the alcoholic liquor traffic and to consider and recommend any needful legislation in relation thereto—to the Committee on Alcoholic Liquor Traffic.

Also, a bill (H. R. 1018) to enable the Government of the United States to acquire certain real estate in the District of Columbia—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1019) to amend the act of June 27, 1884, chapter 126, Twenty-third Statutes at Large, page 60, entitled "An act to grant letter carriers at free-delivery offices fifteen days' leave of absence in each year," relative to certain other leave of absence—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1020) to classify certain positions in first-class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1021) for the construction of a steam vessel for the Revenue-Cutter Service for anchorage duty at the port of New York—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1022) to amend section 21 of the immigration law—to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1023) to validate certain certificates of naturalization—to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1024) relative to Presidents of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a bill (H. R. 1025) to classify certain grades in numbered post-office stations—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1026) providing for the payment of salaries or wages to all Government employees who may be injured in the line of duty or may be required to absent themselves from duty as the result of quarantine measures—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 1027) to authorize the reliquidation of certain entries of merchandise—to the Committee on Ways and Means.

Also, a bill (H. R. 1028) to amend the act entitled "An act to encourage the establishment of public marine schools," approved June 20, 1874—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1029) to amend section 842 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also (by request), a bill (H. R. 1030) to protect trade and commerce against unlawful restraint and monopolies—to the Committee on the Judiciary.

Also, a bill (H. R. 1031) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898—to the Committee on the Judiciary.

Also, a bill (H. R. 1032) to increase the salaries paid to the district court judges of the southern district of New York—to the Committee on the Judiciary.

By Mr. CRUMPACKER: A bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses—to the Committee on the Census.

By Mr. BURNETT: A bill (H. R. 1034) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State—to the Committee on the Public Lands.

By Mr. BARTLETT of Georgia: A bill (H. R. 1035) to regulate the trial of contempts of courts—to the Committee on the Judiciary.

By Mr. DOUGLAS: A bill (H. R. 1036) to establish in the Department of the Interior a bureau of mines—to the Committee on Mines and Mining.

Also, a bill (H. R. 1037) for the purchase of a site and the erection thereon of a public building at Pomeroy, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1038) for the purchase of a site and the erection thereon of a public building at Nelsonville, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. SHERLEY: A bill (H. R. 1039) to amend section 953 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 1040) to establish a fish-cultural station in the State of Kentucky—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1041) to amend section 1537 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901—to the Committee on the District of Columbia.

Also, a bill (H. R. 1042) to amend an act entitled "An act to promote the efficiency of the militia, and for other purposes"—to the Committee on Military Affairs.

Also, a bill (H. R. 1043) punishing conspiracy to injure any alien in the exercise of any right secured to him under any treaty of the United States—to the Committee on the Judiciary.

By Mr. THISTLEWOOD: A bill (H. R. 1044) for acquiring a site and the erection of a federal building for the post-office at Marion, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1045) for acquiring a site and the erection of a federal building for the post-office at Carbondale, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1046) making appropriation for the protection of the banks of the Mississippi River at Cairo, Ill., and immediate vicinity—to the Committee on Rivers and Harbors.

By Mr. EDWARDS of Georgia: A bill (H. R. 1047) to establish a fish hatchery and biological station in the First Congressional District of the State of Georgia—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1048) providing for a military highway between the city of Savannah, Ga., and Fort Screven, Tybee Island, Georgia—to the Committee on Military Affairs.

Also, a bill (H. R. 1049) to provide for the reduction of mileage to actual expenses of Representatives and Senators—to the Committee on Appropriations.

Also, a bill (H. R. 1050) to locate a subtreasury at Savannah, Ga.—to the Committee on Ways and Means.

By Mr. OLDFIELD: A bill (H. R. 1051) for the relief of the citizens of Brinkley, Ark.—to the Committee on Appropriations.

By Mr. CULLOP: A bill (H. R. 1052) to authorize the Hydro-Electric Coinpany to construct a dam across White River near the village of Decker in Knox County, Ind.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1053) for the improvement of the Wabash River between Terre Haute, Ind., and the mouth of said river, and making an appropriation therefor—to the Committee on Rivers and Harbors.

By Mr. ROTHERMEL: A bill (H. R. 1054) to establish a fish-cultural station in the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. WANGER: A bill (H. R. 1055) to establish a fish-cultural station in the southeastern part of the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. PETERS: A bill (H. R. 1056) to require the installation of submarine signals apparatus on certain ocean steamers—to the Committee on the Merchant Marine and Fisheries.

By Mr. LAFEAN: A bill (H. R. 1057) to provide for making the necessary surveys for a national road to be called "The Lincoln Way," from the White House, Washington, D. C., to the battlefield of Gettysburg, Pa.—to the Committee on the Library.

By Mr. AUSTIN: A bill (H. R. 1058) to prohibit interstate carriers from transporting products of any factory or mine in which convicts are worked—to the Committee on Interstate and Foreign Commerce.

By Mr. KÜSTERMANN: A bill (H. R. 1059) to establish a fish-cultural station in the State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1060) to amend the laws relating to commerce and navigation—to the Committee on the Merchant Marine and Fisheries.

By Mr. BENNET of New York: A bill (H. R. 1061) to amend the act entitled "An act to encourage the establishment of public marine schools," approved June 20, 1874—to the Committee on Appropriations.

Also (by request), a bill (H. R. 1062) for the consolidation of third and fourth class mail matter under the title of "Merchandise," for the establishment of parcels post, and for the insurance of all mail matter against loss or damage—to the Committee on the Post-Office and Post-Roads.

Also (by request), a bill (H. R. 1063) to reduce letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1064) to amend section 842 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 1065) to grant employees of the United States classified civil service an indefinite leave of absence—to the Committee on Reform in the Civil Service.

By Mr. OLCOTT: A bill (H. R. 1066) regulating the operation of motor vehicles within the District of Columbia or the Territories of the United States and while regularly engaged in interstate or foreign commerce or the postal service—to the Committee on the District of Columbia.

By Mr. WASHBURN: A bill (H. R. 1067) to amend the act approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies"—to the Committee on the Judiciary.

By Mr. BENNET of New York: Concurrent resolution (H. C. Res. 3) authorizing the appointment of a committee to investigate the transmission service between the Capitol, the office buildings, and the different departments of the Government—to the Committee on Rules.

Also, concurrent resolution (H. C. Res. 4) deploring acts of violence and inhumanity—to the Committee on Foreign Affairs.

By Mr. LOUDENSLAGER: Resolution (H. Res. 14) authorizing the appointment of additional stenographer to committees—to the Committee on Accounts.

By Mr. HUMPHREYS of Mississippi: Resolution (H. Res. 15) to name the House Office Building Henry Clay Hall—to the Committee on Rules.

By Mr. EDWARDS of Georgia: Resolution (H. Res. 16) fixing the hour for convening the House, etc.—to the Committee on Rules.

By Mr. BENNET of New York: Resolution (H. Res. 18) to amend Rule X—to the Committee on Rules.

By Mr. LATTA: Memorial of the legislature of Nebraska, asking for legislation looking toward the improvement of the rivers, harbors, and waterways of the country and the issuance of bonds to pay therefor—to the Committee on Rivers and Harbors.

By Mr. BURKE of South Dakota: Memorial of the legislature of South Dakota, requesting Congress to pass an act granting unto the State of South Dakota 6,202,940 acres of land in lieu of like amount of land heretofore granted, etc.—to the Committee on Indian Affairs.

Also, memorial of the legislature of South Dakota, asking Congress to establish hospitals for the examination of intending immigrants, etc.—to the Committee on Immigration and Naturalization.

Also, memorial of the legislature of South Dakota, asking Congress to sink experimental artesian wells on arid and semi-arid lands—to the Committee on Irrigation of Arid Lands.

Also, memorial of the legislature of South Dakota, asking Congress to pass laws giving certain power to the Interstate Commerce Commission, etc.—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of South Dakota, asking Congress to set aside a township of land in the Bad Lands of South Dakota for a national park—to the Committee on the Public Lands.

By Mr. GRONNA: Memorial of the legislature of North Dakota, relating to revision of the present tariff—to the Committee on Ways and Means.

By Mr. ANTHONY: Memorial of the legislature of Kansas, urging that the question as to whether national banks shall be allowed to participate in the bank-deposit guaranty law in Kansas be speedily settled—to the Committee on Banking and Currency.

Also, memorial of the legislature of Kansas, urging that the appropriation for soil investigations in the agricultural appropriation bill be increased to $237,000—to the Committee on Agriculture.

Also, memorial of the legislature of Kansas, urging an amendment to the Federal Constitution providing for the election of Senators by a direct vote of the people—to the Committee on Election of President, Vice-President, etc.

Also, memorial of the legislature of Kansas, requesting Congress to pass a law giving pensionable status to the officers and men of the Eighteenth Kansas Volunteer Cavalry—to the Committee on Invalid Pensions.

Also, memorial of the legislature of Kansas, urging that Congress refrain from the collection of inheritance taxes for federal purposes, and that this source of revenue be reserved entirely to the several States—to the Committee on Ways and Means.

By Mr. NORRIS: Memorial of the legislature of Nebraska, asking the Congress of the United States to provide by law for the improvements of the rivers, harbors, and waterways, and the issuance of bonds therefor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT of Georgia: A bill (H. R. 1068) granting a pension to John G. Patton—to the Committee on Pensions.

Also, a bill (H. R. 1069) granting a pension to William A. Baker—to the Committee on Pensions.

Also, a bill (H. R. 1070) granting a pension to Ed Schlueter—to the Committee on Pensions.

Also, a bill (H. R. 1071) granting a pension to Edward Ousley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1072) granting a pension to John G. Kimbrough—to the Committee on Pensions.

Also, a bill (H. R. 1073) granting a pension to Charles E. Holcomb—to the Committee on Pensions.

Also, a bill (H. R. 1074) granting a pension to John A. Cherry—to the Committee on Pensions.

Also, a bill (H. R. 1075) granting an increase of pension to Pierce J. Reynolds—to the Committee on Pensions.

Also, a bill (H. R. 1076) granting an increase of pension to Miriam P. Yates—to the Committee on Pensions.

Also, a bill (H. R. 1077) for the relief of J. M. King—to the Committee on Claims.

Also, a bill (H. R. 1078) for the relief of Alberti Operti—to the Committee on the Library.

Also, a bill (H. R. 1079) for the relief of P. A. Wingate—to the Committee on War Claims.

Also, a bill (H. R. 1080) for the relief of Mrs. S. A. Dunn, formerly Mrs. S. A. Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 1081) for the relief of Mary Wellmaker—to the Committee on War Claims.

Also, a bill (H. R. 1082) for the relief of John I. Nelson—to the Committee on War Claims.

Also, a bill (H. R. 1083) for the relief of Pinkney Persons—to the Committee on War Claims.

Also, a bill (H. R. 1084) for the relief of Thomas J. Irvin—to the Committee on Claims.

Also, a bill (H. R. 1085) for the relief of Thomas F. Hastings—to the Committee on Claims.

Also, a bill (H. R. 1086) for the relief of M. Birdsong—to the Committee on Claims.

Also, a bill (H. R. 1087) for the relief of W. T. Morgan—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1088) for the relief of Edward Ousley—to the Committee on Military Affairs.

Also, a bill (H. R. 1089) for the relief of Orin J. Lucas—to the Committee on Military Affairs.

Also, a bill (H. R. 1090) for the relief of the heirs of David R. Cook, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1091) for the relief of the heirs of R. W. Jemison—to the Committee on Claims.

Also, a bill (H. R. 1092) for the relief of the heirs of Jordon Lyons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1093) for the relief of the heirs and legal representatives of Mrs. E. Ann Lowry—to the Committee on War Claims.

Also, a bill (H. R. 1094) for the relief of the heirs and legal representatives of Martha McLeroy—to the Committee on War Claims.

Also, a bill (H. R. 1095) for the relief of the heirs of Lawrence Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1096) for the relief of the heirs of L. G. Brantley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1097) for the relief of heirs of John W. Stallings, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1098) for the relief of the heirs and legal representatives of John P. Lamar, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1099) for the relief of the heirs and legal representatives of Wiley Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1100) for the relief of heirs of Gabriel Parks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1101) for the relief of the heirs and legal representatives of William N. Dickson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1102) for the relief of the heirs and legal representatives of Edward H. Adams—to the Committee on War Claims.

Also, a bill (H. R. 1103) for the relief of the heirs and legal representatives of James V. Grier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1104) for the relief of the trustees of Timber Ridge Presbyterian Church—to the Committee on War Claims.

Also, a bill (H. R. 1105) for the relief of Sarah E. Rankin, sole heir at law and next of kin of Emily R. Hathorn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1106) for the relief of Philip Epstein, Mordecai Davis, Henry Stein, Julius Louis, and Herman Somers—to the Committee on War Claims.

Also, a bill (H. R. 1107) for the relief of Mrs. J. M. Thomas, Lula Lawson, E. L. Lawson, and F. M. Lawson, heirs and legal representatives of Nancy Lawson—to the Committee on War Claims.

Also, a bill (H. R. 1108) for the relief of Mrs. J. M. Thomas, Lula Lawson, E. L. Lawson, and F. M. Lawson, heirs and legal representatives of Robert Lawson—to the Committee on War Claims.

Also, a bill (H. R. 1109) to correct the military record of Jerome S. Long—to the Committee on Military Affairs.

Also, a bill (H. R. 1110) for the relief of the estate of John C. Green, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1111) for the relief of the estate of Calvin W. Battle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1112) for the relief of the estate of Abraham M. Weaver, deceased—to the Committee on War Claims.

By Mr. BENNET of New York: A bill (H. R. 1113) entitling the owner of the launch *Elsa* to sue the United States for damages to said boat—to the Committee on Claims.

By Mr. CAPRON: A bill (H. R. 1114) granting an increase of pension to Frederick Borden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1115) granting an increase of pension to Joseph Walker—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 1116) granting a pension to Elmira Ater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1117) granting a pension to William Alkire—to the Committee on Pensions.

Also, a bill (H. R. 1118) granting an increase of pension to Hiram S. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1119) granting an increase of pension to John T. Robb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1120) granting an increase of pension to Dudley Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1121) granting an increase of pension to Lewis A. McKibben—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1122) granting an increase of pension to Robert Knox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1123) granting an increase of pension to Robert Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1124) granting an increase of pension to George W. Brittenham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1125) granting an increase of pension to Perry C. Brake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1126) granting an increase of pension to Anthony Barleon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1127) granting an increase of pension to Daniel H. Bailey—to the Committee on Invalid Pensions.

By Mr. GRONNA: A bill (H. R. 1128) granting an increase of pension to Herbert Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1129) granting an increase of pension to George W. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1130) granting an increase of pension to Oscar J. Jolley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1131) granting an increase of pension to Joseph Luckman—to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 1132) granting an increase of pension to William H. Strehlow—to the Committee on Pensions.

Also, a bill (H. R. 1133) granting an increase of pension to John A. Farmer—to the Committee on Pensions.

Also, a bill (H. R. 1134) granting an increase of pension to Evelyn Dutton—to the Committee on Pensions.

Also, a bill (H. R. 1135) granting an increase of pension to Matthew M. Salisbury—to the Committee on Pensions.

Also, a bill (H. R. 1136) granting an increase of pension to Samuel W. Townsend—to the Committee on Pensions.

Also, a bill (H. R. 1137) granting an increase of pension to Peter Hahncke—to the Committee on Pensions.

Also, a bill (H. R. 1138) granting an increase of pension to John Charles—to the Committee on Pensions.

Also, a bill (H. R. 1139) granting an increase of pension to Sylvester Hill—to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 1140) granting an increase of pension to John W. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1141) granting an increase of pension to Wyman J. Crow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1142) granting a pension to R. T. Elson—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 1143) granting a pension to Robert C. Foster—to the Committee on Pensions.

Also, a bill (H. R. 1144) for the relief of John A. Brent—to the Committee on War Claims.

Also, a bill (H. R. 1145) for the relief of Jane P. Moore—to the Committee on War Claims.

Also, a bill (H. R. 1146) for the relief of the heirs of A. M. Harton—to the Committee on War Claims.

Also, a bill (H. R. 1147) for the relief of the heirs of W. N. Hood—to the Committee on War Claims.

Also, a bill (H. R. 1148) for the relief of the heirs of R. H. Montgomery, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1149) for the relief of the heirs of U. H. Buck, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1150) for the relief of the heirs of Francis Griffin—to the Committee on War Claims.

Also, a bill (H. R. 1151) for the relief of the estate of Samuel Barefield, deceased—to the Committee on War Claims.

By Mr. LOUDENSLAGER: A bill (H. R. 1152) granting an increase of pension to Catherine Hanigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1153) for the relief of William E. Culin—to the Committee on Military Affairs.

Also, a bill (H. R. 1154) providing for the presentation of a medal of honor to John J. Moran—to the Committee on Military Affairs.

Also, a bill (H. R. 1155) to carry into effect the findings of the Court of Claims in the matter of the claim of Henry Millingar and other heirs of James Millingar, deceased—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 1156) granting a pension to James H. Beattie—to the Committee on Pensions.

Also, a bill (H. R. 1157) granting a pension to Martha A. Goodall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1158) granting an increase of pension to Margaret Connelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1159) granting an increase of pension to Emily H. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1160) granting an increase of pension to Mary Gorman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1161) granting an increase of pension to Hugh McParland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1162) for the relief of Charles T. Hanson—to the Committee on Claims.

Also, a bill (H. R. 1163) for the relief of John A. Ganley—to the Committee on Claims.

Also, a bill (H. R. 1164) for the relief of the heirs of William Pitcher and Axel Hayford and Samuel Otis and George B. Fergusson—to the Committee on Claims.

Also, a bill (H. R. 1165) to correct the military record of John McGrail—to the Committee on Military Affairs.

Also, a bill (H. R. 1166) to correct the naval record of William Joseph Mulligan—to the Committee on Naval Affairs.

Also, a bill (H. R. 1167) to correct the naval record of Robert Downing—to the Committee on Naval Affairs.

By Mr. ROBINSON: A bill (H. R. 1168) granting an increase of pension to Albert McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1169) granting an increase of pension to Stephen P. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1170) granting a pension to Julius C. Parrott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1171) granting a pension to Albert I. Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1172) granting a pension to George H. Preddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1173) granting a pension to G. A. Joyner—to the Committee on Pensions.

Also, a bill (H. R. 1174) granting a pension to Phoebe A. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1175) granting a pension to George H. Preddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1176) granting a pension to W. C. Whitthorne—to the Committee on Pensions.

Also, a bill (H. R. 1177) granting a pension to Nancy E. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178) granting a pension to Mont M. James—to the Committee on Pensions.

Also, a bill (H. R. 1179) granting a pension to William B. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1180) for the relief of Mrs. M. A. Hibbard—to the Committee on War Claims.

Also, a bill (H. R. 1181) for the relief of J. F. Steel—to the Committee on War Claims.

Also, a bill (H. R. 1182) for the relief of Mrs. Margaret Hardwick—to the Committee on War Claims.

Also, a bill (H. R. 1183) for the relief of Anne H. Rainey and heirs of William S. Rainey—to the Committee on War Claims.

Also, a bill (H. R. 1184) for the relief of the heirs of J. A. Patillo—to the Committee on War Claims.

Also, a bill (H. R. 1185) for the relief of the heirs of Eliza Ann Ashcraft—to the Committee on War Claims.

Also, a bill (H. R. 1186) for the relief of the heirs of Marguerite E. Dennis—to the Committee on War Claims.

Also, a bill (H. R. 1187) for the relief of the heirs of Wesley W. Wallace—to the Committee on War Claims.

Also, a bill (H. R. 1188) for the relief of the heirs of Azrah Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 1189) for the relief of the heirs of Thomas O. Burkhead—to the Committee on War Claims.

Also, a bill (H. R. 1190) for the relief of the heirs of William W. Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1191) for the relief of the heirs of R. A. Crutcher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1192) for the relief of the heirs of G. W. Morris—to the Committee on War Claims.

Also, a bill (H. R. 1193) for the relief of the heirs of George Sink—to the Committee on War Claims.

Also, a bill (H. R. 1194) for the relief of legal representatives of Dr. W. D. Barnett, deceased, late of Cleveland County, Ark.—to the Committee on War Claims.

By Mr. SHERLEY: A bill (H. R. 1195) granting an increase of pension to John W. Lains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1196) granting an increase of pension to Benjamin Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1197) granting an increase of pension to Hiram S. McNutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1198) granting a pension to Emma A. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1199) granting a pension to Emeline Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1200) granting a pension to Lottie B. Gallehr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1201) granting a pension to Mary McJenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1202) granting a pension to Robert Rosenthal—to the Committee on Pensions.

Also, a bill (H. R. 1203) granting a pension to Teresa C. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1204) granting a pension to C. A. M. Yarbra—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1205) granting a pension to Patrick Grogan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1206) granting a pension to Annie Estes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1207) for the relief of Anthony McAndrews—to the Committee on Claims.

Also, a bill (H. R. 1208) for the relief of William Hullings Henry—to the Committee on Claims.

Also, a bill (H. R. 1209) for the relief of J. C. Pendleton—to the Committee on War Claims.

Also, a bill (H. R. 1210) for the relief of C. P. Cammack, of Jefferson County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1211) for the relief of Louisa Henderman—to the Committee on War Claims.

Also, a bill (H. R. 1212) for the relief of Rudolphus Minton—to the Committee on War Claims.

Also, a bill (H. R. 1213) for the relief of W. W. Johnson—to the Committee on Claims.

Also, a bill (H. R. 1214) for the relief of Cora Cousens—to the Committee on War Claims.

Also, a bill (H. R. 1215) for the relief of Ann Ford Mattingly—to the Committee on War Claims.

Also, a bill (H. R. 1216) for the relief of Mrs. C. Hasselback—to the Committee on War Claims.

Also, a bill (H. R. 1217) for the relief of Brown & Co., or Brown & Bryant—to the Committee on War Claims.

Also, a bill (H. R. 1218) for the relief of the heirs of Henry Diehl—to the Committee on War Claims.

Also, a bill (H. R. 1219) for the relief of the heirs of Richard Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1220) for the relief of the estate of John R. Poplin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1221) for the relief of the estate of Elizabeth A. Hoffler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1222) for the relief of the estate of W. M. Dickinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1223) for the relief of the estate of Stephen Camplin—to the Committee on War Claims.

Also, a bill (H. R. 1224) for the relief of the estate of William Thomas Lowe—to the Committee on War Claims.

Also, a bill (H. R. 1225) for the relief of the estate of John Yancy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1226) for the relief of the estate of John H. Seebold, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1227) for the relief of the estate of R. W. Hawkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1228) for relief of the estate of Samuel W. Venable—to the Committee on War Claims.

Also, a bill (H. R. 1229) for the relief of the estate of Henrietta Hudgens—to the Committee on War Claims.

Also, a bill (H. R. 1230) for the relief of the estate of Dr. J. M. Buckley—to the Committee on War Claims.

Also, a bill (H. R. 1231) for the relief of the Greenbrier Distilling Company, of Louisville, Ky.—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 1232) granting an increase of pension to Cornelius Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1233) granting an increase of pension to Alphonso B. Rayner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1234) granting an increase of pension to Thomas Brannan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1235) granting an increase of pension to Owen O'Brien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1236) granting a pension to Ella Fall—to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 1237) granting a pension to Elijah Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1238) granting a pension to Alfred Hayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1239) granting a pension to Jane Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1240) granting a pension to Virginia E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1241) granting a pension to Jane Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1242) granting a pension to Walter M. Corn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1243) granting a pension to R. J. Jamison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1244) granting a pension to Alice F. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1245) granting a pension to William H. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1246) granting an increase of pension to John W. Toler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1247) granting an increase of pension to John T. Beem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1248) granting an increase of pension to Charles A. Kraaz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1249) granting an increase of pension to Steth M. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1250) granting an increase of pension to James M. Ing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1251) granting an increase of pension to Thomas Summers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1252) granting an increase of pension to B. F. Montague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1253) granting an increase of pension to Francis M. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1254) granting an increase of pension to John L. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1255) granting an increase of pension to Thomas Eckols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1256) granting an increase of pension to James N. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1257) granting an increase of pension to Jacob Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1258) granting an increase of pension to Robert C. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1259) granting an increase of pension to John W. Marcum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1260) granting an increase of pension to Anderson Pryon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1261) granting an increase of pension to Nathan Gunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1262) granting an increase of pension to Michael D. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1263) granting an increase of pension to John S. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1264) granting an increase of pension to Martin H. Ozment—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1265) granting an increase of pension to Joseph G. Lanham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1266) granting an increase of pension to Edwin A. Atwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1267) granting an increase of pension to James N. McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1268) granting an increase of pension to Liberty G. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1269) granting an increase of pension to E. C. Wafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1270) granting an increase of pension to James H. Weatherby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1271) granting an increase of pension to James W. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1272) granting an increase of pension to George N. Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1273) granting an increase of pension to Allen Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1274) granting an increase of pension to Adrain Paul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1275) granting an increase of pension to L. F. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1276) granting an increase of pension to William Bolam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1277) granting an increase of pension to William A. Fry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1278) granting an increase of pension to John Gulley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1279) granting an increase of pension to William Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1280) granting an increase of pension to Charles G. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1281) granting an increase of pension to Aaron F. Youngblood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1282) granting an increase of pension to George D. Bateman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1283) granting an increase of pension to Thomas H. Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1284) granting an increase of pension to William White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1285) granting an increase of pension to William F. Waggle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1286) granting an increase of pension to Henry Wedel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1287) granting an increase of pension to Lester Haskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1288) granting an increase of pension to Beal Pickett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1289) granting an increase of pension to Robert Carlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1290) granting an increase of pension to Nathan G. Springs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1291) granting an increase of pension to W. T. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1292) granting an increase of pension to John L. Brandt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1293) granting an increase of pension to James A. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1294) granting an increase of pension to James A. Woodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1295) granting an increase of pension to Mary B. Jenks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1296) granting an increase of pension to Silas Crisler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1297) granting an increase of pension to Martin Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1298) granting an increase of pension to Alfred B. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1299) granting an increase of pension to George W. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1300) granting an increase of pension to Kate G. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1301) granting an increase of pension to Solomon L. Motsinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1302) granting an increase of pension to Ignatius O'Daniell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1303) granting an increase of pension to Andrew J. Lolless—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1304) granting an increase of pension to Henry J. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1305) granting an increase of pension to Joseph Dickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1306) granting an increase of pension to John McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1307) granting an increase of pension to Alford A. Fulford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1308) granting an increase of pension to Richard Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1309) granting an increase of pension to James R. Candle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1310) granting an increase of pension to Joshua G. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1311) granting an increase of pension to James E. Ledbetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1312) granting an increase of pension to John A. Burgner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1313) granting an increase of pension to William T. Freeze—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1314) granting an increase of pension to John O. Durall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1315) granting an increase of pension to Joseph M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1316) granting an increase of pension to Elijah Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1317) granting an increase of pension to John A. Shultz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1318) granting an increase of pension to Jesse McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1319) granting an increase of pension to Riley S. Hartwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1320) granting an increase of pension to William T. McMillan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1321) granting an increase of pension to George W. Ruble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1322) granting an increase of pension to Isaac Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1323) granting an increase of pension to James T. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1324) for the relief of James J. Elliott—to the Committee on Military Affairs.

Also, a bill (H. R. 1325) for the relief of Adam Miller—to the Committee on Naval Affairs.

Also, a bill (H. R. 1326) for the relief of John A. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 1327) for the relief of certain officers commissioned from the enlisted force and noncommissioned grades of the navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 1328) for the relief of the heirs of William A. Redman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1329) to remove the charge of desertion from the record of Rudolph Pensteel, also borne as Penstrell and as Bernstiel—to the Committee on Military Affairs.

Also, a bill (H. R. 1330) to remove the charge of desertion from the record of Charles W. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 1331) for the removal of the charge of desertion from the record of Drewry J. McCormick—to the Committee on Military Affairs.

Also, a bill (H. R. 1332) to remove the charge of desertion from the record of Alfred Rinehart—to the Committee on Military Affairs.

Also, a bill (H. R. 1333) to remove the charge of desertion from the record of John A. Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 1334) to remove the charge of desertion from the record of William Millis—to the Committee on Military Affairs.

Also, a bill (H. R. 1335) to remove the charge of desertion from the record of James Orange—to the Committee on Military Affairs.

By Mr. MOON of Pennsylvania: A bill (H. R. 1336) granting a pension to James B. Coppuck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1337) granting a pension to Margaret Bresnehan—to the Committee on Pensions.

Also, a bill (H. R. 1338) granting a pension to Christina Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1339) granting a pension to Mary Ann Connell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1340) granting a pension to Smith Crowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1341) granting a pension to Mary Dolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1342) granting a pension to Thomas A. Downs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1343) granting a pension to Stephen Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1344) granting a pension to George W. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1345) granting a pension to Ely L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1346) granting a pension to Emeline T. Hayner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1347) granting a pension to Thomas F. Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1348) granting a pension to Emma Wagner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1349) granting a pension to Katharine H. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1350) granting a pension to Emma Worrall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1351) granting a pension to Hannah Tomlinson—to the Committee on Pensions.

Also, a bill (H. R. 1352) granting a pension to Sallie B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1353) granting a pension to Mary Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1354) granting a pension to Lena Roedelsheimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1355) granting a pension to Ellen Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1356) granting an increase of pension to Sylvester Byrne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1357) granting an increase of pension to Isabella Brockway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1358) granting an increase of pension to David M. Blizzard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1359) granting an increase of pension to George W. Cramer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1360) granting an increase of pension to Albert De Barry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1361) granting an increase of pension to Mary Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1362) granting an increase of pension to George I. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1363) granting an increase of pension to Frederick Bender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1364) granting an increase of pension to Philip Liebrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1365) granting an increase of pension to Joseph S. Lechler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1366) granting an increase of pension to William Mays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1367) granting an increase of pension to Dennis Buckley McCread—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1368) granting an increase of pension to Ida M. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1369) granting an increase of pension to Robert W. Keen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1370) granting an increase of pension to William Hinckle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1371) granting an increase of pension to Thomas Hagerty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1372) granting an increase of pension to George R. Holt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1373) granting an increase of pension to Mary L. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1374) granting an increase of pension to Joseph Uhll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1375) granting an increase of pension to Harrison Seabrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1376) granting an increase of pension to Jacob G. Orth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1377) granting an increase of pension to Annie R. E. Nesbitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1378) granting an increase of pension to Samuel Munyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1379) granting an increase of pension to Rosa D. Mayhew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1380) for the relief of Morris Busch—to the Committee on War Claims.

Also, a bill (H. R. 1381) for the relief of Aimee H. Keller—to the Committee on Claims.

Also, a bill (H. R. 1382) for the relief of Capt. Martin Hammer—to the Committee on War Claims.

Also, a bill (H. R. 1383) for the relief of Samuel D. Hawley—to the Committee on Military Affairs.

Also, a bill (H. R. 1384) for the relief of Mary Jane Pollard—to the Committee on Claims.

Also, a bill (H. R. 1385) for the relief of the heirs of Dr. Samuel E. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1386) to correct the naval record of James C. Johnson—to the Committee on Naval Affairs.

By Mr. WANGER: A bill (H. R. 1387) granting an increase of pension to Anna M. Umstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1388) for the relief of the estate of John C. Spear, deceased—to the Committee on War Claims.

By Mr. ASHBROOK: A bill (H. R. 1389) granting a pension to Herbert O. Kohr—to the Committee on Pensions.

Also, a bill (H. R. 1390) granting a pension to Joseph Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1391) granting an increase of pension to Arthur C. Gregg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1392) granting an increase of pension to Peter Everly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1393) granting an increase of pension to Garrett H. Fowler—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 1394) granting an increase of pension to Thomas M. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1395) granting an increase of pension to Thomas E. Galbreath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1396) granting an increase of pension to Pleasant Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1397) granting an increase of pension to John V. Mays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1398) granting an increase of pension to William A. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1399) granting a pension to William C. Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1400) to muster John Curtis as a captain—to the Committee on Military Affairs.

By Mr. BEALL of Texas: A bill (H. R. 1401) for the relief of William H. Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 1402) for the relief of John J. Mullins—to the Committee on War Claims.

Also, a bill (H. R. 1403) for the relief of William C. Short—to the Committee on War Claims.

Also, a bill (H. R. 1404) for the relief of Alvin Poe, heir at law of Jonathan Poe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1405) for the relief of the heirs of John G. Miller, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1406) for the relief of Martin A. Barry, widow, and the heirs of Capt. J. B. Barry, deceased—to the Committee on War Claims.

By Mr. BENNET of New York: A bill (H. R. 1407) granting a pension to Mary Walsh—to the Committee on Pensions.

Also, a bill (H. R. 1408) granting a pension to Lewis Mundheim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1409) granting an increase of pension to Solon P. Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 1410) granting an increase of pension to John Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1411) granting an increase of pension to Richard Schwabin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1412) granting an increase of pension to John Mahuken Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1413) granting an increase of pension to Joseph A. Hollister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1414) for the relief of Alexander Jeannisson—to the Committee on Military Affairs.

Also, a bill (H. R. 1415) for the relief of the children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario—to the Committee on Claims.

Also, a bill (H. R. 1416) for the relief of the International Enameled Ware Company and Stranski & Co., of New York City, N. Y.—to the Committee on Claims.

Also, a bill (H. R. 1417) for the relief of the officers and crews of the U. S. gunboats *Kinco* and *Chocusa*—to the Committee on War Claims.

Also, a bill (H. R. 1418) granting an honorable discharge to Maurice Spillane—to the Committee on Military Affairs.

Also, a bill (H. R. 1419) to authorize the enrollment of Sergt. Jacob A. Weil as a member of the Sixth New York State Militia—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 1420) for the relief of Parsey O. Burrough—to the Committee on Claims.

By Mr. BOUTELL: A bill (H. R. 1421) for the relief of William Boldenweck, assistant treasurer of the United States at Chicago—to the Committee on Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 1422) granting a pension to Lucinda Bull—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 1423) granting a pension to H. B. Lemcke—to the Committee on Pensions.

By Mr. FOELKER: A bill (H. R. 1424) granting an increase of pension to August Westhoff—to the Committee on Invalid Pensions.

By Mr. FORNES: A bill (H. R. 1425) granting an increase of pension to Agnes C. Devereux—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 1426) amending the record of William Stewart—to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 1427) for the relief of Elizabeth J. Bishop—to the Committee on War Claims.

By Mr. KÜSTERMANN: A bill (H. R. 1428) granting a pension to Mayme E. Laconficlere—to the Committee on Pensions.

By Mr. LATTA: A bill (H. R. 1429) for the relief of Sadie A. Lewis—to the Committee on Claims.

By Mr. LOVERING: A bill (H. R. 1430) granting an increase of pension to William Wilder—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 1431) for the relief of Lucy Moore, widow, and the heirs of W. P. Moore, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1432) granting a pension to Josephine McGuire—to the Committee on Pensions.

By Mr. NORRIS: A bill (H. R. 1433) granting an increase of pension to N. T. Jones—to the Committee on Invalid Pensions.

By Mr. PARSONS: a bill (H. R. 1434) granting an increase of pension to Mary Schoonmaker Smith—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 1435) for the relief of R. R. Russell, Irve W. Ellis, J. L. Borroum, N. H. Corder, and Wooten & Vasbinder—to the Committee on Indian Affairs.

By Mr. WANGER: A bill (H. R. 1436) granting an increase of pension to Lewis P. Heckroth—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 1437) granting a pension to Katherine Kenney—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of Shawnee Breeders' Association, Topeka, Kans., and Kansas State Swine Breeders' Association, Topeka, Kans., favoring establishment of a national highways commission—to the Committee on Agriculture.

By Mr. ASHBROOK: Petition of Charles F. Schaus, Newark, Ohio, and Perry Miller, Berlin, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petitions of H. V. Kell, D. F. Patterson, George P. Weathers, G. W. Hanson, W. E. Robinson, all of Griffin, Ga., and Robert Flournoy, Fort Valley, Ga., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of H. V. Kell, G. W. Hanson, D. F. Patterson, G. W. Weathers, W. E. Robinson, of Griffin, Ga., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BEALL of Texas: Paper to accompany bill for relief of Alvin Poe—to the Committee on War Claims.

By Mr. BURLEIGH: Petition of E. O. Thwaites, of Sargentville, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CALDER: Petition of Chamber of Commerce of New York, for appropriation to deepen and widen channel in Hudson River to Troy—to the Committee on Rivers and Harbors.

Also, petition of New York Fruit Exchange, for a reduction of the duty on lemons—to the Committee on Ways and Means.

Also, petition of Fine Arts Federation of New York, favoring Newlands bill for a fine arts commission—to the Committee on the Library.

By Mr. CAPRON: Paper to accompany bill for relief of Frederick Borden and Joseph Walker—to the Committee on Invalid Pensions.

Also, petition of Rhode Island State Federation of Women's Clubs, favoring the children's bureau bill—to the Committee on Expenditures in the Interior Department.

Also, petition of Swedish Congregational Church of East Greenwich, the District Bible School Association, First Baptist Church of New Shoreham, the Methodist Episcopal Church of East Greenwich, the First Baptist Church of Woonsocket, the Young People's Society of Christian Endeavor of New Shoreham, the Christian Endeavor Society of Arnolds Mills, all of the State of Rhode Island, for bill regulating shipment of liquor into prohibition States—to the Committee on Interstate and Foreign Commerce.

Also, petition of harbor commissioners of Providence, R. I., for widening entrance to Providence River—to the Committee on Rivers and Harbors.

Also, petition of Woman's Christian Temperance Unions of Woonsocket, Westerly, Manton, New Shoreham, Providence, Cumberland, and Centerville, all of the State of Rhode Island, for bill against shipment of intoxicants into prohibition territory—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Petition of John G. Logan and M. L. Watson, of McKeesport, Pa.; also T. H. Vernon, Elmer A. Jones, and V. F. Geyer, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Richmond Chamber of Commerce for reduction of duty on lumber—to the Committee on Ways and Means.

By Mr. DUREY: Petition of Watertown (N. Y.) Locals Nos. 4 and 6, International Brotherhood of Papermakers, against reduction of duty on print paper—to the Committee on Ways and Means.

Also, petition of James H. Gravin, of Waterford, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Chamber of Commerce, State of New York, for the Lowden bill, H. R. 21491, Sixtieth Congress, for diplomatic quarters—to the Committee on Foreign Affairs.

Also, petition of Subordinate Association, No. 4, Lithographers' International Protective and Beneficial Association, of Chicago, Ill., for tariff covering lithographic products—to the Committee on Ways and Means.

Also, petition of Adirondack Lumber Manufacturers and Shippers' Association, of Utica, N. Y., favoring retention of tariff on lumber—to the Committee on Ways and Means.

Also, petition of Mid Continent Oil and Gas Producers' Association, for retention of duty on petroleum—to the Committee on Ways and Means.

By Mr. GRONNA: Petition of citizens of Donnybrook, N. Dak., for retention of duty on grain—to the Committee on Ways and Means.

Also, petition of citizens of Stutsman County, N. Dak., for retention of duty on grain—to the Committee on Ways and Means.

Also, petition of citizens of Lansford, N. Dak., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Cass County, N. Dak., for retention of duty on grain—to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petition of citizens of Texas, for legislation to prevent gambling shops—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of J. J. Deitche, Perth Amboy, N. J., and Charles L. Rogers, Lakemont, N. J., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Board of Trade of Summit, N. J., urging a tariff commission—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of citizens of Iowa, favoring pensions for nurses in the civil war—to the Committee on Invalid Pensions.

By Mr. JAMES: Petition of Mayfield (Ky.) Lodge, No. 565, Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on the Public Lands.

Also, petition of Covington Brothers & Co., Mayfield, Ky., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of the Civic League, of Danville, Ky., and the Civic Woman's Club, Paducah, Ky., against any legislation calculated to discredit the work of Dr. Harvey W. Wiley—to the Committee on Agriculture.

By Mr. LASSITER: Petition of Richmond Chamber of Commerce against reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of J. F. Watson & Co., Farmville, Va., and R. F. Matteson & Co., Petersburg, Va., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LATTA: Petition of Union Veterans' Republican Club, of Lincoln, Nebr., asking favorable action on $1 per day bill for benefiting old soldiers—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of retail grocers of Minnesota, against duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Staples, Minn., for removal of duty on hides—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of Union Veterans' Republican Club, of Lincoln, Nebr., favoring $1 per day pension bill—to the Committee on Invalid Pensions.

Also, petition of residents of Edison, Nebr., against the parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

Also, petition of residents of Sutton, Nebr., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SIMMONS: Petition of Crick Brothers, Niagara Falls; Orleans County Canning Company; George C. Bewley, Lockport; Lockport Canning Company, Lockport, all in the State of New York, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of citizens of Anna, Ill., against a duty on coffee—to the Committee on Ways and Means.

Also, petition of United States Military Telegraphers, asking to be placed on the pension roll—to the Committee on Invalid Pensions.

Also, petition of Board of Trade of Cairo; Cairo Commercial Club, of Cairo; and Board of Trade of Mound City, all in the State of Illinois, favoring improvement of inland waterways—to the Committee on Rivers and Harbors.

By Mr. TOU VELLE: Petition of Lockington (Ohio) Council, No. 249, Junior Order United American Mechanics, for an effective exclusion law against all Asiatics save merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of John Laufferswaler, Minster, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. WASHBURN: Paper to accompany bill for relief of Katharine Kenney—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 17, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I desire to present the following bill, and to have it referred to the Committee on Ways and Means. [Applause.]

The SPEAKER. The gentleman from New York [Mr. PAYNE] presents the following bill, the title of which will be reported by the Clerk.

The Clerk read the title of the bill, as follows:

A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The SPEAKER. The bill will be referred to the Committee on Ways and Means.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, That there be printed for the use of the two Houses 20,000 copies of House bill 1438, entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes;" 6,000 copies for the use of the Senate and 14,000 for the use of the House.

Mr. CLARK of Missouri. Mr. Speaker, I should like to inquire of the gentleman from New York where these 14,000 copies are to be placed?

Mr. PAYNE. I will ask my colleague [Mr. PERKINS], who was on the Committee on Printing in the last session, whether these copies would go to the folding room or to the document room, nothing being said about it in the resolution?

Mr. PERKINS. They would go to the folding room.

Mr. PAYNE. The statement of my colleague is that they would go to the folding room, under the resolution, without other special direction.

Mr. PERKINS. Unless there is a direction to the contrary, when documents are ordered to be distributed, part to the Senate and part to the House, they go to the folding room and are divided pro rata among Members.

Mr. CLARK of Missouri. That is the way I want them to go, so every man can get his share.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, I would ask my colleague if these 14,000 copies are to be distributed among the Members pro rata?

Mr. PAYNE. I am informed that under this resolution the copies will go to the folding room and be distributed equally among the Members of the House.

Mr. KEIFER. I will ask the gentleman from New York whether or not the print will contain, either in the margin or otherwise, a statement of the existing duties on the different articles, so that we may have the comparison before us? It seems to me that would be practicable and would save expense.

Mr. PAYNE. Mr. Speaker, I desire to say in reply to the inquiry of the gentleman from Ohio that I have already prepared a statement, to go into the report of the committee when the bill is reported, showing the changes that have been made from the existing law. There is also in course of preparation a comparative print of the present law and the proposed law. It will take a little time to complete it.

Mr. SCOTT. I should like to inquire whether it is the intention to ask for the printing of an additional number of copies of this report?

Mr. PAYNE. The report can not be made until the committee agree to report the bill. When the report is presented, which will be in open House, we will consider the question of printing copies of it.

Mr. SCOTT. It seems to me there ought to be an additional number of copies of the report.

Mr. PAYNE. I agree with the gentleman. I think that is correct; but that question has not been considered yet.

Mr. LIVINGSTON. Mr. Speaker, will there be anything connected with or accompanying the report that will show the present revenue on the different articles and the expected revenue under the new schedules?

Mr. PAYNE. That information will be contained in the report.

Mr. WEEKS. I should like to ask the gentleman from New York if he proposes to ask for an additional print of the bill?

Mr. PAYNE. That is the pending resolution, for 20,000 copies of the bill, 14,000 for the House.

Mr. WEEKS. That would only give about 35 to each Member, and I certainly have applications for ten times that number now.

Mr. PAYNE. I will say to the gentleman that if there is a demand for additional copies, of course the House will grant any reasonable request of that kind.

Mr. HAMILTON. Why not ask for it now?

Mr. PAYNE. I fixed the number of 20,000 copies because that was the number fixed in the resolution offered by Mr. Dingley when the Dingley bill was introduced in the House.

Mr. HUGHES of West Virginia. I think that number should be increased.

Mr. PAYNE. It will be very easy to pass an additional resolution.

Mr. TAWNEY. If the gentleman will pardon me, the bill has just been introduced. Now, when the committee reports the bill back to the House there can be additional copies, and that will be the official bill from the committee. This is not the official bill of the committee.

Mr. PAYNE. Mr. Speaker, of course this bill is now only the bill as introduced. The Committee on Ways and Means will have a meeting to-morrow morning at 10 o'clock to consider the bill, and, I hope, will report the bill back at an early date to the House. Then the bill will be the official bill, coming from the committee. At that time, if additional copies are required, I should be very glad to offer a resolution myself, as any Member may, for the printing of sufficient copies for the use of the House. I think this is sufficient for the present print of the bill.

Mr. BENNET of New York. Will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from New York.

Mr. BENNET of New York. I would ask my colleague if the printing law, which has been passed since the Dingley law, does not call for a modification of this resolution, and if without undue extravagance it would not be possible to authorize a much larger number. I agree with the gentleman from Massachusetts [Mr. WEEKS] that our requests call for something like ten times as much as we can supply under this resolution.

Mr. PAYNE. Mr. Speaker, in response to what seems to be a strong demand on the part of the House, if the consideration of the resolution is authorized at this time, I will myself offer an amendment increasing the number 50 per cent—to 30,000.

Mr. BENNET of New York. Why not make it 40,000?

Mr. KEIFER. Will the gentleman yield?

Mr. PAYNE. Yes.

Mr. KEIFER. I was going to inquire of the gentleman from New York [Mr. PAYNE], Mr. Speaker, whether or not there is any likelihood of a different bill coming in from the committee; and if there is, whether it would not be possible to postpone the printing of so large a number as 30,000 at this time and then print only the committee bill when it comes in, and all that may seem to be necessary?

Mr. PAYNE. I would say in response to the gentleman from Ohio, Mr. Speaker, that I can not forestall the action of the committee, and still I hope that the bill will be reported back from the committee precisely as it was introduced to the House to-day.

Mr. MANN. Will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Illinois.

Mr. MANN. The gentleman stated that he would offer an amendment increasing the number, at the request of gentlemen in the House. Does not the gentleman believe it would be a little better if this bill is to be reported back to the House, probably this week, to have a larger number printed of the committee bill as reported, instead of having a great number printed of the bill as introduced?

Mr. PAYNE. I would say that was my idea as expressed to the House.

Mr. MANN. Then I hope the gentleman will maintain his idea. Twenty thousand of this are enough to begin with, and then, when the bill is reported back, the bill and the report can be sent out together in large numbers.

Mr. STEPHENS of Texas. Mr. Speaker, I have been unable to get a copy of the bill. A great many other gentlemen on this side of the House are in the same fix, and I would like to know how many have been distributed this morning.

Mr. MACON. Mr. Speaker, I want to ask the gentleman a question, and that is, How many copies of this bill have already been printed?

Mr. PAYNE. Well, I can not give the precise number, but sufficient for the House and the Senate both. If there are any Members who have not copies, I will say that I shall see they have them to-day.

Mr. MACON. I would like to know of the gentleman what have become of the copies brought into the House. Quite a number of gentlemen around me can not secure copies.

Mr. PAYNE. More than sufficient copies have been brought in here for each Member of the House. I regret exceedingly if in the distribution some Members have not received copies.

Mr. MACON. Mr. Speaker, under the circumstances I shall withhold my consent for the present.

Mr. DALZELL. Mr. Speaker, I desire to state that a gentleman connected with the Printing Office has just suggested to me that it would be much more sensible to have this bill printed in document shape at this time, so that it can be sent through the mail with much greater facility than it can if printed as a bill and at very much less expense. In addition to that, it would be much more convenient for people reading the bill. I suggest that the gentleman from New York modify his resolution so as to cover that point.

Mr. CLARK of Missouri. Mr. Speaker, I think that the suggestion of the gentleman from Pennsylvania is a good one, and I will make the additional suggestion that it would be a good thing if we had an index printed with it. What the gentleman from Arkansas [Mr. MACON] was talking about—there is so much uproar that one can hardly be heard—and what I am talking about is that every Member wants a copy of this bill, and there are about 50 or 60 Members who are short of copies over here.

Mr. PAYNE. Mr. Speaker, I am informed that an abundant number of copies was brought into the House for distribution.

Mr. CLARK of Missouri. Then somebody has gobbled them.

Mr. PAYNE. They were distributed by the pages of the House. The pages report that some Members of the House took two or three copies from them, or more, and so there is a shortage now for the Members of the House. It was not through any fault of the committee or of mine.

Mr. CLARK of Missouri. I was not accusing the gentleman of doing anything wrong.

Mr. PAYNE. An ample number was provided for each Member to have a copy.

Mr. CLARK of Missouri. But I am trying to find out who has the copies.

Mr. MANN. I will suggest to the gentleman from Missouri that the Printing Office will undoubtedly send copies enough to the document room inside of an hour to furnish every Member with a copy.

Mr. HENRY of Texas. I would like to ask the gentleman from New York if there are not copies enough now in the room of the Ways and Means Committee?

Mr. GARRETT. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Tennessee?

Mr. PAYNE. I will yield to the gentleman from Tennessee.

Mr. GARRETT. I want to ask, if this is printed as a document, as suggested by the gentleman from Pennsylvania, if that will change the manner of its distribution; will it still be distributed through the folding room?

Mr. PAYNE. Of course. I think myself it is a good suggestion to have it printed as a document.

Mr. GARRETT. I think so, too, if it will not change the manner of distribution.

Mr. TAWNEY rose.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Minnesota?

Mr. PAYNE. I will.

Mr. TAWNEY. Mr. Speaker, the printing of this bill, either in the form of a document or in the form in which it is now introduced, will be of very little value to our constituents. The information which they want will be afforded by a comparison with the existing law. I understand from the gentleman from New York [Mr. PAYNE] that it is the purpose of the committee in reporting the bill to the House to accompany it with a report that will give this information.

It seems to me the practical thing to do now is to print enough bills to meet the demand of the Members on the floor and then wait for the printing of the bills for distribution until the bill has been reported from the committee with the accompanying report and the comparative statement, so that our constituents will know what changes are made by glancing at the report itself.

Mr. DOUGLAS. When will that be done?

Mr. TAWNEY. In a day or two, when the committee makes its report. It seems to me to be an unnecessary expense to print 20,000 copies of the bill just introduced when the information which the country wants will accompany the bill when reported by the Committee on Ways and Means. This bill with its report ought to go to the country, otherwise they will not know what changes are proposed, and that is the information the country wants.

The SPEAKER. The first question is whether the House by unanimous consent will consider this resolution.

Mr. CLARK of Missouri. Which resolution is it that we have up now: the resolution of the gentleman from New York, or the resolution of the gentleman from Pennsylvania?

Mr. PAYNE. There is no resolution for which consideration is asked except that introduced by the gentleman from New York. If we get consent for consideration, then I will yield to the gentleman from Missouri for any suggestion he has to make.

Mr. HAMILTON. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman from Michigan.

Mr. HAMILTON. In view of the proposal to print the bill in document form instead of in bill form, does the gentleman from New York anticipate that there will be any difference between the bill as reported by the committee and the bill as now introduced?

Mr. PAYNE. I have said several times——

Mr. HAMILTON. I did not hear the gentleman.

Mr. PAYNE (continuing). That I hoped the committee would report the bill as introduced.

Mr. JAMES. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Kentucky?

Mr. PAYNE. Yes.

Mr. JAMES. In view of the fact that there are several thousand schedules in the tariff bill just presented by the gentleman from New York [Mr. PAYNE], I think it is entirely too hazardous to say that it will be reported back exactly as the gentleman from New York has introduced it; and with that view of it, I am unwilling that the Government should be put to the expense of printing several thousand copies of this bill until it is finally reported to the House by the committee, and therefore I object.

The SPEAKER. The gentleman from Kentucky [Mr. JAMES] objects.

Mr. FOWLER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FOWLER. I rise to make a motion to authorize the printing of the bill and report when the comparative statement is made which the gentleman from New York speaks of.

Mr. PAYNE. That will come up when the bill is reported.

COMMITTEE ON MILEAGE.

The SPEAKER. The Chair announces the following Committee on Mileage.

The Clerk read as follows:

Mr. KENNEDY of Iowa, Mr. LUNDIN of Illinois, Mr. GARNER of Pennsylvania, Mr. Lewis of Georgia, and Mr. DENVER of Ohio.

Mr. BARTLETT of Georgia. Mr. Speaker, Mr. E. B. Lewis, of Georgia, is not a Member of the House.

The SPEAKER. The Chair stands corrected, and the Chair will appoint the gentleman from Georgia.

Mr. BARTLETT of Georgia. I decline the appointment. [Applause on the Democratic side.]

The SPEAKER. The gentleman declines to act; and without objection, the Chair will announce the appointment of the gentleman from Kentucky [Mr. JAMES].

Mr. JAMES. And the gentleman from Kentucky refuses to accept. [Applause on the Democratic side.]

The SPEAKER. It is for the House to determine whether the gentleman from Kentucky shall be excused from acting. As many as are in favor of excusing the gentleman from Kentucky will say "aye," and those opposed will say "no."

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. LANGLEY. I ask for a division.

The SPEAKER. Does the gentleman from Kentucky ask for a division?

Mr. LANGLEY. On the suggestion of several Members around me, Mr. Speaker, I will withdraw the demand.

The SPEAKER. The Chair announces as an additional member on this committee the gentleman from Mississippi, Mr. JAMES W. COLLIER.

JOHN T. CHANCEY.

Mr. WEEKS. Mr. Speaker, I offer the following resolution, and ask unanimous consent for its consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 19.

Resolved, That John T. Chancey be continued in the service of the House in his present position during the Sixty-first Congress.

Mr. MANN. The gentleman from Massachusetts asked unanimous consent, I take it.

The SPEAKER. The gentleman from Massachusetts asked unanimous consent for the present consideration of this resolution. Is there objection? [After a pause.] The Chair hears none; and without objection, the resolution is agreed to.

There was no objection.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

MINORITY EMPLOYEES.

Mr. CLAYTON. Mr. Speaker——

The SPEAKER. The gentleman from New York will withhold his motion for the present.

Mr. CLAYTON. Mr. Speaker, I desire to offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 20.

Resolved, That during the Sixty-first Congress and until the organization of the Sixty-second Congress Robert E. Coward, jr., be authorized to act as special employee of the House of Representatives, and receive compensation at the rate of $1,800 per annum; that Joseph J. Sinnott and Felton B. Knight be authorized to act as special messengers of the House of Representatives, each to receive a compensation at the rate of $1,500 per annum; and that Paul D. Porter be authorized to act as special chief page of the House of Representatives, at the rate of $1,100 per annum and $700 additional for services as pair clerk.

Said officers shall at all times be under the direction and control of the Speaker of the House of Representatives, and they shall be subject to removal for cause at any time.

Mr. PAYNE. Mr. Speaker, I desire to ask the gentleman from Alabama if this increases at all the number of employees, or the compensation of any of them, accorded to the minority in the last Congress?

Mr. CLAYTON. It does not; it is the same number of employees and the same employees and the same compensation.

Mr. PAYNE. I have no objection.

Mr. CLAYTON. I now desire, Mr. Speaker, to move to amend the resolution——

The SPEAKER. Unanimous consent has not yet been given.

Mr. MANN. Mr. Speaker, reserving the right to object, what is the gentleman's amendment?

Mr. CLAYTON. I will await the ruling of the Chair.

The SPEAKER. The Chair only states that the request for unanimous consent was asked and unanimous consent has not yet been given. The Chair will put the request again, if the gentleman wishes. Is there objection——

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask the gentleman if his amendment proposes to increase the number, or anything of that kind?

Mr. CLAYTON. I was anticipating the gentleman's desire, and I want to say that the resolution as reported by the Clerk does not. I drew the resolution in the original form in the exact terms that the resolution carried at the last session, and you will find that the compensation afforded to these employees under this resolution is exactly the compensation formerly fixed by law and which they drew. After conversation with my associates the unanimous opinion on this side of the House was that Mr. Sinnott, who is called upon frequently to act as assistant pair clerk, ought to have his pay increased by $300. As I understand it, two such employees are accorded to the majority in the House, a pair clerk and some clerk who assists the pair clerk, each one of whom draws $1,800 a year, as I understand it, and I therefore ask unanimous consent to amend the resolution so as to increase the compensation to Mr. Sinnott by $300, making his total salary $1,800 per annum.

Mr. MANN. What is the compensation which he receives now?

Mr. CLAYTON. Fifteen hundred dollars.

Mr. MANN. How long has he been receiving that compensation, and when was that increased, if the gentleman knows?

Mr. CLAYTON. I can not answer the gentleman, but it is no new thing. I think he has been drawing that compensation a good long time.

Mr. MANN. I think the gentleman is mistaken. The gentleman's compensation was increased when other compensations were increased, about a year ago.

Mr. CLAYTON. Perhaps the gentleman is correct.

Mr. PAYNE. I would suggest to the gentleman from Alabama [Mr. CLAYTON] that he ask unanimous consent for the passage of the resolution in its present form, and then offer an amendment, which can go to the Committee on Accounts and be reported.

Mr. CLAYTON. Very well, then. I will let it take that course. Mr. Speaker, I ask for the adoption of the resolution.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the adoption of the resolution. Is there objection?

Mr. KEIFER. Mr. Speaker, I desire to ask a question before this is decided.

Mr. CLAYTON. Certainly, Mr. Speaker.

Mr. KEIFER. I understood the resolution as read to provide for these people in the first session of the Sixty-second Congress.

Mr. CLAYTON. No.

Mr. KEIFER. I misunderstood it, then.

Mr. CLAYTON. Now, Mr. Speaker, I ask for the adoption of the resolution.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. PAYNE], that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 34 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Merrimac River, Massachusetts (H. Doc. No. 2), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PAYNE: A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes—to the Committee on Ways and Means.

By Mr. GRONNA: A bill (H. R. 1439) to establish an agricultural experiment station at or near the city of Dickinson, in the State of North Dakota—to the Committee on Agriculture.

Also, a bill (H. R. 1440) to increase the compensation of rural mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. ASHBROOK: A bill (H. R. 1441) providing for the erection of a public building at Wooster, in the State of Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1442) providing for the purchase of a site and the erection thereon of a public building at Coshocton, in the State of Ohio—to the Committee on Public Buildings and Grounds.

By Mr. CLINE: A bill (H. R. 1443) to amend section 2 of an act approved April 19, 1908, relating to the increase of widows' pensions, etc.—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 1444) for the purchase of a site and the erection thereon of a public building at Linton, Ind.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1445) for the erection of a public building at Bloomington, Ind.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1446) for the purchase of a site and the erection thereon of a public building at Washington, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. EDWARDS of Georgia: A bill (H. R. 1447) for the refunding of the cotton tax—to the Committee on War Claims.

By Mr. WEISSE: A bill (H. R. 1448) transferring swamp lands to the State of Wisconsin—to the Committee on the Public Lands.

Also, a bill (H. R. 1449) to provide for the further improvement of the harbor of Sheboygan, Wis.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1450) to repeal the duty on printing paper, wood pulp, and all material used in the manufacture of printing paper—to the Committee on Ways and Means.

Also, a bill (H. R. 1451) authorizing and requiring the Secretary of the Treasury to issue noninterest-bearing Treasury notes in certain contingencies—to the Committee on Ways and Means.

Also, a bill (H. R. 1452) providing for the importation in bond of materials for constructing, repairing, and equipping ships, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 1453) authorizing and requiring the Secretary of the Treasury to issue noninterest-bearing Treasury notes in certain contingencies—to the Committee on Ways and Means.

Also, a bill (H. R. 1454) to provide for the bringing and maintaining of actions at law in the circuit court of the United States for the eastern district of Wisconsin against the United States of America for damages heretofore or hereafter suffered or sustained by the maintenance of flashboards on the Menasha dam of the United States of America at Menasha, Wis.—to the Committee on the Judiciary.

Also, a bill (H. R. 1455) to provide for the payment of accrued quarterly pension up to the time of the death of the pensioner where such death occurs before such pension under existing laws is payable—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1456) fixing the rate of pensions for persons eligible under section 2, act of June 27, 1890, who require the frequent and periodical attendance of another person—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1457) to establish a fish-hatching and fish station in the city of Sheboygan, Sheboygan County, State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1458) to provide for the purchase of a site and the erection of a public building thereon at Beaver Dam, in the State of Wisconsin—to the Committee on Public Buildings and Grounds.

By Mr. HINSHAW: A bill (H. R. 1459) to pension widows of deceased soldiers and sailors of the United States at the same rate as their deceased husbands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1460) providing for certain pensions to be paid widows of civil and Mexican war soldiers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1461) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico"—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1462) establishing certain rates of pay for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1463) providing for a site for a public building at Wymore, Nebr.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1464) authorizing the procuring of additional land for the site of the public building at Beatrice, Nebr.—to the Committee on Public Buildings and Grounds.

Also (by request), a bill (H. R. 1465) regulating the payment of commutation money to soldiers—to the Committee on Military Affairs.

Also, a bill (H. R. 1466) to provide for the adjustment of certain sales of lands in the late reservation of the confederated Otoe and Missouria tribes of Indians in the States of Kansas and Nebraska—to the Committee on the Public Lands.

By Mr. MADISON: A bill (H. R. 1467) authorizing national banks to comply with the provisions of state laws providing for the guarantee of bank deposits and for other purposes—to the Committee on Banking and Currency.

By Mr. GRIEST: A bill (H. R. 1468) to provide for the erection of a public building at Columbia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. DIXON of Indiana: A bill (H. R. 1469) to amend section 1 of "An act to provide revenues for the Government and to encourage the industries of the United States"—to the Committee on Ways and Means.

By Mr. HAMLIN: A bill (H. R. 1470) providing for an amendment to section governing the compensation of registers and receivers of United States land offices—to the Committee on the Public Lands.

By Mr. OLDFIELD: A bill (H. R. 1471) to provide for use of water power at Dam No. 1, on White River, Arkansas—to the Committee on Rivers and Harbors.

By Mr. CHAPMAN: A bill (H. R. 1472) for the erection of a federal building for the United States at Harrisburg, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. BYRD: A bill (H. R. 1473) to equalize taxation and to provide revenue for the Government—to the Committee on Ways and Means.

By Mr. MADDEN: A bill (H. R. 1474) for the relief of telegraph operators who served in the war of the rebellion—to the Committee on Military Affairs.

Also, a bill (H. R. 1475) to remove the charge of desertion on the rolls against officers and enlisted men of the Army, Navy, or Marine Corps—to the Committee on Military Affairs.

Also, a bill (H. R. 1476) to establish a postal savings bank system, and to provide for the conduct and regulation of the same—to the Committee on the Post-Office and Post-Roads.

By Mr. COUDREY: A bill (R. H. 1477) placing certain officers on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 1478) relative to ex-Presidents of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 1479) to regulate the settlement of shippers' claims against express companies—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1480) providing for the establishment of a Bureau of Mines in the Department of the Interior—to the Committee on Mines and Mining.

Also, a bill (H. R. 1481) to increase the compensation of bookbinders, printers, and pressmen in the Government Printing Office—to the Committee on Printing.

Also, a bill (H. R. 1482) granting pensions to certain enlisted men, soldiers and officers, who served in all Indian wars prior to the civil war—to the Committee on Pensions.

Also, a bill (H. R. 1483) to equalize and fix the pay of the Army, Navy, Marine Corps, and Revenue-Cutter Service, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 1484) in relation to pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1485) requiring the United States Government to own its own post-office building in every county seat in the United States—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1486) providing for the transfer of special policemen to the regular police force—to the Committee on the District of Columbia.

Also, a bill (H. R. 1487) prohibiting and providing penalties for false, fraudulent, or misleading advertisements—to the Committee on the Judiciary.

Also, a bill (H. R. 1488) to regulate commutation for good conduct for United States prisoners—to the Committee on the Judiciary.

Also, a bill (H. R. 1489) to parole United States prisoners, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 1490) to provide for the purchase of the Grant farm, in St. Louis County, State of Missouri, and to establish a national park thereat, etc.—to the Committee on the Library.

Also, a bill (H. R. 1491) concerning baggage and excess baggage carried by common carriers in the District of Columbia and Territories, and common carriers while engaged in commerce between the States and between the States and foreign nations, and prescribing the duties of such common carriers in reference thereto while so engaged, defining certain offenses and fixing the punishment therefor, and repealing all conflicting laws—to the Committee on Interstate and Foreign Commerce.

By Mr. McHENRY: A bill (H. R. 1492) granting pensions to all enlisted men, soldiers and officers, who served in the civil war and war with Mexico—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1493) authorizing the Secretary of War to bestow a medal of honor upon Lieut. Russell Karns—to the Committee on Military Affairs.

By Mr. KEIFER: A bill (H. R. 1494) to amend section 2 of an act to provide for the appointment of an additional district judge in and for the southern district of Ohio—to the Committee on the Judiciary.

By Mr. GRIGGS: A bill (H. R. 1495) requiring the destruction of whisky, brandy, wines, beers, and other illicitly distilled liquors when seized by the officers of the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 1496) granting increase of pensions to survivors of the Indian wars and disturbances under the act of July 27, 1892—to the Committee on Pensions.

Also, a bill (H. R. 1497) to establish 1-cent postage on rural routes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1498) denying the use of the mails to certain persons—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1499) providing for a parcels post for rural routes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1500) providing for a public building at the city of Thomasville, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1501) to place linotypes, composing machines, and their parts on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 1502) to provide for the location of a branch home for aged and disabled volunteer soldiers of the United States at Thomasville, Thomas County, Ga.—to the Committee on Military Affairs.

By Mr. ANSBERRY: A bill (H. R. 1503) to amend sections 1791 and 1792 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 1504) providing for the erection of a monument to Gen. Anthony Wayne at Defiance, Ohio—to the Committee on the Library.

Also, a bill (H. R. 1505) to increase the pension of certain pensioned soldiers and sailors who lost the sight of one eye or the sight of both eyes in the service of the United States, and to provide a rate of pension for those who have lost the sight of one eye and partial loss of sight of the other eye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1506) for a survey for a canal between Toledo, Ohio, and Chicago, Ill.—to the Committee on Railways and Canals.

Also, a bill (H. R. 1507) for a survey of the Maumee River, Ohio and Indiana—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1508) to amend an act approved February 6, 1907, granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1509) to furnish bronze medals of honor to surviving soldiers who responded to President Lincoln's first call for troops—to the Committee on Military Affairs.

By Mr. WEISSE: Joint resolution (H. J. Res. 12) proposing an amendment to the Constitution providing for the election of Senators of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 13) providing for the creation of a joint committee to investigate the collections and expenditures of funds during the national campaigns of 1896, 1900, and 1904—to the Committee on Rules.

Also, joint resolution (H. J. Res. 14) authorizing and directing the Secretary of War to cause a survey and examination to be made of the harbor at Fond du Lac, Wis., with a view to securing a depth sufficient to permit of the navigation of vessels with a draft equal to that of those vessels which ordinarily

navigate Lake Winnebago—to the Committee on Rivers and Harbors.

By Mr. ANSBERRY: Joint resolution (H. J. Res. 15) authorizing the Secretary of War to award the congressional medal of honor to Peter B. Cupp—to the Committee on Military Affairs.

By Mr. SPERRY: Resolution (H. Res. 21) authorizing the appointment of a clerk to Committee on Alcoholic Liquor Traffic—to the Committee on Accounts.

By Mr. EDWARDS of Georgia: Resolution (H. Res. 22) sympathizing with those seeking home rule in Ireland—to the Committee on Foreign Affairs.

By Mr. WEISSE: Resolution (H. Res. 23) compelling the Secretary of Commerce and Labor to compile and publish a monthly statement of malt and grains used—to the Committee on Ways and Means.

By Mr. CAMERON: Memorial of the legislature of Arizona relative to the construction of a bridge across the Colorado River at Yuma, Ariz.—to the Committee on Appropriations.

Also, memorial of the legislature of Arizona relative to improvement of the Colorado River—to the Committee on Rivers and Harbors.

By Mr. MAGUIRE of Nebraska: Memorial of the legislature of Nebraska, asking Congress to provide by law for the improvement of the rivers, harbors, and waterways, and the issuance of bonds therefor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 1510) granting an increase of pension to Charles W. Boland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1511) granting an increase of pension to Andrew Lybold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1512) granting an increase of pension to David Wineland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1513) granting an increase of pension to George Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1514) granting an increase of pension to Oscar Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1515) granting an increase of pension to Moses M. Haver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1516) granting an increase of pension to Loren G. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1517) granting an increase of pension to Gregory Dolt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1518) granting an increase of pension to George W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1519) granting an increase of pension to Joseph Mase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1520) granting an increase of pension to Edwin Cowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1521) granting an increase of pension to Henry Matson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1522) granting an increase of pension to William A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1523) granting an increase of pension to Mathias Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1524) granting an increase of pension to John Love—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1525) granting an increase of pension to Richard Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1526) granting an increase of pension to George W. Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1527) granting an increase of pension to Alexander G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1528) granting an increase of pension to Leven Corkwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1529) granting an increase of pension to Isaac H. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1530) granting an increase of pension to Lay W. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1531) granting an increase of pension to John Stickle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1532) granting an increase of pension to William T. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1533) granting an increase of pension to William Breckbill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1534) granting an increase of pension to Lafayette Riker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1535) granting an increase of pension to John Hepler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1536) granting an increase of pension to George B. Light—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1537) granting an increase of pension to William M. Saer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1538) granting an increase of pension to Solomon Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1539) granting an increase of pension to Rachel Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1540) granting an increase of pension to Martin G. Paxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1541) granting an increase of pension to Joseph E. Kistner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1542) granting an increase of pension to Frederick N. Welker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1543) granting an increase of pension to Augustus Resch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1544) granting an increase of pension to Samuel Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1545) granting an increase of pension to William A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1546) granting an increase of pension to Andrew Tennison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1547) granting an increase of pension to John A. Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1548) granting an increase of pension to Malissa Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1549) granting an increase of pension to Thomas C. Kinmont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1550) granting an increase of pension to David J. Yost—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1551) granting an increase of pension to James C. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1552) granting an increase of pension to Joseph M. Gaston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1553) granting a pension to Catharine Crockett—to the Committee on Pensions.

Also, a bill (H. R. 1554) granting a pension to Emma Attlebarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1555) granting a pension to Lydia R. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1556) granting a pension to Harry Van Holzer—to the Committee on Pensions.

Also, a bill (H. R. 1557) granting a pension to Fred F. Travis—to the Committee on Pensions.

Also, a bill (H. R. 1558) granting a pension Amanda S. Kline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1559) granting a pension to Mary A. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1560) granting a pension to Barbara A. Dewel (now Bacon)—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1561) granting a pension to George W. Willets—to the Committee on Pensions.

Also, a bill (H. R. 1562) granting a pension to Daniel L. Goodman—to the Committee on Pensions.

Also, a bill (H. R. 1563) granting a pension to Ellen E. Wilson (now Webster)—to the Committee on Pensions.

Also, a bill (H. R. 1564) granting a pension to Jonathan Budd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1565) granting a pension to Harriet M. Slough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1566) granting a pension to Lottie B. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1567) granting a pension to Moses G. Coates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1568) granting a pension to Sarah A. Long (now Christy)—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1569) granting a pension to Mary Gary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1570) granting a pension to Mary J. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1571) to remove the charge of desertion from the record of Burdett J. Lamson—to the Committee on Military Affairs.

Also, a bill (H. R. 1572) to remove charge of desertion from the record of William L. Wiles—to the Committee on Military Affairs.

Also, a bill (H. R. 1573) to remove charge of desertion from the record of Allen Keffer—to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 1574) granting an increase of pension to Anna Irvine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1575) granting an increase of pension to Alexander M. Dice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1576) granting an increase of pension to Simon Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1577) granting an increase of pension to Thomas Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1578) granting an increase of pension to Josiah Hensel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1579) granting an increase of pension to James B. Cooper—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 1580) granting an increase of pension to James Devirs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1581) granting an increase of pension to James M. Endalley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1582) to remove the charge of desertion against Alkanah Ballinger—to the Committee on Military Affairs.

Also, a bill (H. R. 1583) to remove the charge of desertion against Creed F. Castee—to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 1584) granting an increase of pension to John G. Seyfer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1585) granting an increase of pension to Orson M. Markcum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1586) granting an increase of pension to Hiram King—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 1587) granting a pension to Alfred U. Whiffen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1588) granting an increase of pension to James P. Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1589) granting an increase of pension to Charles E. Marks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1590) granting an increase of pension to William A. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1591) granting an increase of pension to Thomas S. Coley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1592) granting an increase of pension to Thomas J. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1593) granting an increase of pension to Lovell E. Cropper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1594) granting an increase of pension to John Dempsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1595) granting an increase of pension to Lewis Kraus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1596) granting an increase of pension to Martin Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1597) granting an increase of pension to Eli Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1598) granting an increase of pension to Francis M. Crocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1599) granting an increase of pension to William R. Strawn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1600) granting an increase of pension to Mary L. B. Winn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1601) granting an increase of pension to James A. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1602) granting an increase of pension to Samuel Burkett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1603) granting an increase of pension to Frederick Hortin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1604) granting an increase of pension to Thomas C. Lumm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1605) granting an increase of pension to Brown M. Parkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1606) granting an increase of pension to Morris McGlasson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1607) granting an increase of pension to William Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1608) granting an increase of pension to Frederick Hortin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1609) granting an increase of pension to William Wafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1610) granting an increase of pension to Bailey M. Nalley—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 1611) granting an increase of pension to James M. Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1612) granting an increase of pension to Albert M. Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1613) granting an increase of pension to J. R. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1614) granting an increase of pension to Eli W. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1615) granting an increase of pension to Jacob Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1616) granting an increase of pension to Palmer Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1617) granting a pension to Sarah J. Paynter—to the Committee on Pensions.

By Mr. DRAPER: A bill (H. R. 1618) granting an increase of pension to James F. Kilburn—to the Committee on Pensions.

Also, a bill (H. R. 1619) granting an increase of pension to John Maguire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1620) granting an increase of pension to Mary B. Kincald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1621) granting an increase of pension to Elizabeth M. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1622) granting an increase of pension to Antoinette M. Barnhart—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 1623) to correct the military record of John Hurst and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1624) to correct the military record of Tandy F. Cheatham—to the Committee on Military Affairs.

Also, a bill (H. R. 1625) granting an increase of pension to Lafayette Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1626) granting an increase of pension to John W. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1627) granting an increase of pension to Paton Drewry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1628) granting an increase of pension to Benjamin M. Ammons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1629) granting an increase of pension to James Burkett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1630) granting an increase of pension to John Bingman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1631) granting an increase of pension to William M. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1632) granting an increase of pension to Mary A. Bingaman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1633) granting an increase of pension to J. M. Cookson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1634) granting an increase of pension to James C. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1635) granting an increase of pension to Alonzo E. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1636) granting an increase of pension to William H. Cleveland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1637) granting an increase of pension to Thomas A. Carson—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 1638) granting an increase of pension to David A. Funk—to the Committee on Invalid Pensions.

By Mr. GRIGGS: A bill (H. R. 1639) for the relief of the estate of Dr. R. H. Hardeway, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1640) for the relief of the estate of Henry M. Mitchell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1641) granting a pension to Polly Giddens—to the Committee on Pensions.

Also, a bill (H. R. 1642) granting a pension to Saint Elmore Middleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1643) granting an increase of pension to Samuel N. Clary—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 1644) granting a pension to M. C. Bixby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1645) granting a pension to Louisa K. Holbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1646) granting a pension to Ella Mansell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1647) granting a pension to William S. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1648) granting a pension to Jane D. Goss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1649) granting a pension to Easter Henson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1650) granting a pension to John T. Brake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1651) granting a pension to Keziah Phlegly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1652) granting a pension to Robert C. Grove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1653) granting a pension to Fay Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1654) granting a pension to Louis Legune—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1655) granting an increase of pension to Richard L. Drumwright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1656) granting a pension to James W. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1657) granting a pension to Narcissa E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1658) granting a pension to Fred Wakefield—to the Committee on Pensions.

Also, a bill (H. R. 1659) granting a pension to Helena Koester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1660) granting a pension to J. G. Dollison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1661) granting a pension to Ira Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1662) granting a pension to John Gerdts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1663) granting a pension to O. A. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1664) granting a pension to Thomas F. Jessup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1665) granting a pension to Henry B. Meyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1666) granting a pension to Lemuel Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1667) granting a pension to Marion Yest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1668) granting a pension to Mary A. Gurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1669) granting a pension to John R. Cropp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1670) granting a pension to Julia E. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 1671) granting a pension to Mary Esser—to the Committee on Pensions.

Also, a bill (H. R. 1672) granting an increase of pension to John T. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1673) granting an increase of pension to Mathew W. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1674) granting an increase of pension to Moses Callison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1675) granting a pension to Herman H. Richter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1676) granting an increase of pension to James Looney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1677) granting an increase of pension to E. E. Garner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1678) granting an increase of pension to Viola T. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1679) granting an increase of pension to Franklin C. Overturf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1680) granting an increase of pension to Solon B. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1681) granting an increase of pension to William E. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1682) granting an increase of pension to Jonathan C. Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1683) granting an increase of pension to William H. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1684) granting an increase of pension to R. R. Dill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1685) granting a pension to Solomon Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1686) granting an increase of pension to Louis F. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1687) granting an increase of pension to David B. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1688) granting an increase of pension to Thomas Cossins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1689) granting an increase of pension to Andrew J. Davison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1690) granting an increase of pension to George Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1691) granting an increase of pension to Amos G. Mount—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1692) to correct the military record of Charles J. Lanning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1693) to correct the military record of Oliver T. Worman—to the Committee on Military Affairs.

Also, a bill (H. R. 1694) to correct the military record of Francis Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 1695) to correct the military record of William Eller—to the Committee on Military Affairs.

Also, a bill (H. R. 1696) to correct the military record of William F. Lawson—to the Committee on Military Affairs.

Also, a bill (H. R. 1697) for relief of the heirs of J. A. J. Rooker, deceased; James Deatherage, administrator of estate of deceased—to the Committee on War Claims.

Also, a bill (H. R. 1698) restoring the name of Berry Weese to the pension roll—to the Committee on Invalid Pensions.

By Mr. McHENRY: A bill (H. R. 1699) granting a pension to Edwin H. Moyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1700) granting a pension to Alice Milliken Byerly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1701) granting a pension to William H. Eoute—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1702) granting a pension to Frederick Wagner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1703) granting a pension to Jacob Kelchner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1704) granting a pension to Sarah Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1705) granting a pension to William F. Bodine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1706) granting a pension to Oscar S. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1707) granting a pension to Eva Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1708) granting a pension to Harriet Barnd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1709) granting a pension to Ellen Gunton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1710) granting a pension to Laura C. Robison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1711) granting a pension to Benjamin E. Knebbler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1712) granting a pension to Luther L. Kauffman—to the Committee on Pensions.

Also, a bill (H. R. 1713) granting a pension to Benjamin F. Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1714) granting a pension to Martin Purcell—to the Committee on Pensions.

Also, a bill (H. R. 1715) granting a pension to Michael S. Dietrich—to the Committee on Pensions.

Also, a bill (H. R. 1716) granting a pension to Emma B. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1717) granting a pension to Joseph Yeager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1718) granting a pension to Edwin R. Warburton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1719) granting a pension to James F. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1720) granting a pension to Everett M. Letts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1721) granting a pension to Sophia G. Eckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1722) granting a pension to Harry W. Albeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1723) granting a pension to Mary Alice John—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1724) granting a pension to William Harlan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1725) granting a pension to Emma Crewitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1726) granting a pension to Cathrine G. Bibby, widow of John H. Bibby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1727) granting a pension to Kate H. Loyett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1728) granting a pension to Mary E. Kline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1729) granting a pension to Andrew J. Hackley, alias Thomas Jefferson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1730) granting an increase of pension to Daniel Bubb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1731) granting an increase of pension to William H. Morton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1732) granting an increase of pension to Jacob B. Getter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1733) granting an increase of pension to James M. Wiest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1734) granting an increase of pension to Martha D. Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1735) granting an increase of pension to William Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1736) granting an increase of pension to John B. Otto—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1737) granting an increase of pension to Edward Bretz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1738) granting an increase of pension to Felix Kerstetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1739) granting an increase of pension to William Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1750) granting an increase of pension to Alexander Dodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1751) granting an increase of pension to Jonathan P. Hare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1752) granting an increase of pension to Wesley R. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1753) granting an increase of pension to William Croft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1754) granting an increase of pension to Nathan Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1755) granting an increase of pension to Christopher Sigmund—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1756) granting an increase of pension to William H. Small—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1757) granting an increase of pension to Henry Kearns, alias Henry Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1758) granting an increase of pension to Nathan Kaseman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1759) granting an increase of pension to James W. Kearns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1760) granting an increase of pension to Elwood W. Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1761) granting an increase of pension to James McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1762) granting an increase of pension to Carrie Keefer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1763) granting an increase of pension to John N. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1764) granting an increase of pension to Thomas McCann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1765) granting an increase of pension to Henry P. Billman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1766) granting an increase of pension to Elizabeth C. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1767) granting an increase of pension to Virginia Brewster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1768) granting an increase of pension to James Sheap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1769) granting an increase of pension to Adam Seid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1770) granting an increase of pension to Samuel C. Krickbaum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1771) for the relief of Joseph G. Swank—to the Committee on Military Affairs.

Also, a bill (H. R. 1772) for the relief of Louisa Weaver—to the Committee on War Claims.

By Mr. MACON: A bill (H. R. 1773) granting a pension to Eli Craig—to the Committee on Pensions.

Also, a bill (H. R. 1774) for the relief of the heirs of John McAnulty, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1775) for the relief of the heirs of Alfred Mullins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1776) for the relief of the estate of James S. Ford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1777) for the relief of the estate of John Jones, deceased—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 1778) granting an increase of pension to James T. Sawyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1779) granting an increase of pension to Harry J. Drew, alias Henry H. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1770) granting an increase of pension to John Franklin Hobbs, alias John Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1771) granting an increase of pension to John T. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1772) granting an increase of pension to Jackson H. Lawrence—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 1773) granting a pension to William L. Zweiger—to the Committee on Pensions.

Also, a bill (H. R. 1774) granting a pension to Jake H. Wickert—to the Committee on Pensions.

Also, a bill (H. R. 1775) granting a pension to Emil Schuett—to the Committee on Pensions.

Also, a bill (H. R. 1776) granting a pension to Michael Landgraf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1777) granting a pension to Anna Kress—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1778) granting a pension to Peter Medinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1779) granting a pension to August Capelle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1780) granting a pension to Rebecca Serles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1781) granting a pension to Julius Jensen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1782) granting a pension to John W. Kolste—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1783) granting a pension to Louis Ochler—to the Committee on Pensions.

Also, a bill (H. R. 1784) granting a pension to Wilbur M. Root—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1785) granting a pension to Rosina Stoll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1786) granting a pension to Catherine Brill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1787) granting a pension to Emil Clafer—to the Committee on Pensions.

Also, a bill (H. R. 1788) granting an increase of pension to Henry Kraeger—to the Committee on Pensions.

Also, a bill (H. R. 1789) granting an increase of pension to Edward Thimmig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1790) granting an increase of pension to Joseph Ostheldor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1791) granting an increase of pension to J. H. Heather—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1792) granting an increase of pension to William Anglum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1793) granting an increase of pension to Charles Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1794) granting an increase of pension to August Grupe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1795) granting an increase of pension to Charles Ihde—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1796) granting an increase of pension to August Moldenhauer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1797) granting an increase of pension to Adam Kronzer—to the Committee on Pensions.

Also, a bill (H. R. 1798) granting an increase of pension to Francis Marcoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1799) granting an increase of pension to Adam Stenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1800) granting an increase of pension to Herman Ecke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1801) granting an increase of pension to James O. Ackerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1802) granting an increase of pension to William Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1803) granting an increase of pension to Valentine Schwartz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1804) granting an increase of pension to Jacob Zimmermann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1805) granting an increase of pension to August Kluener—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1806) granting an increase of pension to James Bowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1807) granting an increase of pension to Joseph Crugom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1808) granting an increase of pension to Hiram Pray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1809) granting an increase of pension to Robert A. McComb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1810) granting an increase of pension to Henry C. Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1811) granting an increase of pension to John P. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1812) granting an increase of pension to Ann McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1813) granting an increase of pension to Gustav Wernicke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1814) granting an increase of pension to Ferdinand Pfennig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1815) granting an increase of pension to Annie E. Callaghan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1816) granting an increase of pension to Mary E. Verhaalen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1817) granting an increase of pension to William Schroeder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1818) granting an increase of pension to William H. Meade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1819) granting an increase of pension to Charles O. Cleveland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1820) granting an increase of pension to Charles Stockley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1821) granting an increase of pension to Daniel Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1822) granting an increase of pension to Harrison Trowbridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1823) granting an increase of pension to S. E. Wierman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1824) granting an increase of pension to Frederick Leonhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1825) granting an increase of pension to Joseph Cornelius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1826) granting an increase of pension to Lewis Hyde—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1827) granting an increase of pension to Donald McMillan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1828) granting an increase of pension to Robert C. Yoost—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1829) granting an increase of pension to Margaretha Esswein—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1830) granting an increase of pension to August Maffert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1831) granting an increase of pension to Winget Burgess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1832) granting an increase of pension to D. H. Norton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1833) granting an increase of pension to Lebrecht Poetting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1834) granting an increase of pension to Susan Burroughs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1835) granting an increase of pension to William D. Hambright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1836) granting an increase of pension to Samuel W. Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1837) granting an increase of pension to John Nuss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1838) granting an increase of pension to Celia Congdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1839) granting an increase of pension to Edward Pfrang—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1840) for the relief of Peter Gumm—to the Committee on Military Affairs.

Also, a bill (H. R. 1841) to remove the charge of desertion against John Walther—to the Committee on Military Affairs.

Also, a bill (H. R. 1842) to remove the charge of desertion against Jacob Imig, late a landsman on the ships *North Carolina* and *Nauhuc*, United States Navy—to the Committee on Military Affairs.

By Mr. ADAIR: A bill (H. R. 1843) granting a pension to Benjamin H. Isenhour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1844) granting a pension to Joshua B. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1845) granting a pension to John Rittenhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1846) granting a pension to John H. Ashbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1847) granting a pension to Lewis Moler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1848) granting a pension to Jeremiah D. Woodard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1849) granting a pension to Benjamin F. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1850) granting an increase of pension to John W. Crismond—to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 1851) granting an increase of pension to John McCauley—to the Committee on Invalid Pensions.

By Mr. COUDREY: A bill (H. R. 1852) granting a pension to Freda Burow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1853) granting a pension to Patrick Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1854) granting a pension to Mary Gonter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1855) granting a pension to Mary A. Laurient—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1856) granting a pension to Cordelia Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1857) granting a pension to Helen Mathews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1858) granting a pension to Jesse H. Wade—to the Committee on Pensions.

Also, a bill (H. R. 1859) granting a pension to William Tepe, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1860) granting an increase of pension to John Fritz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1861) granting an increase of pension to David F. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1862) granting an increase of pension to Andrew Houlihan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1863) granting an increase of pension to Louisa Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1864) granting an increase of pension to Oscar Messick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1865) granting an increase of pension to Mary A. McDonough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1866) granting an increase of pension to John F. Nixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1867) granting an increase of pension to James M. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1868) granting an increase of pension to Harvey S. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1869) granting an increase of pension to C. L. Stevenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1870) granting an increase of pension to Adam Zimmerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1871) for the relief of Joseph La Barge, jr.—to the Committee on Claims.

Also, a bill (H. R. 1872) for the relief of Bartholomew Buckley—to the Committee on Military Affairs.

Also, a bill (H. R. 1873) for the relief of James Clarkson, Company C, Sixty-ninth Regiment Ohio Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1874) for the relief of John H. Drosselmeier—to the Committee on Military Affairs.

Also, a bill (H. R. 1875) for the relief of Camille Noel Dry—to the Committee on Military Affairs.

Also, a bill (H. R. 1876) for the relief of John Dieter—to the Committee on War Claims.

Also, a bill (H. R. 1877) for the relief of Isaac W. Harding—to the Committee on Military Affairs.

Also, a bill (H. R. 1878) for the relief of Charles W. Howard—to the Committee on Military Affairs.

Also, a bill (H. R. 1879) for the relief of Capt. George W. Murray—to the Committee on Claims.

Also, a bill (H. R. 1880) for the relief of Thomas S. McKee—to the Committee on Military Affairs.

Also, a bill (H. R. 1881) for the relief of John H. Rheinlander—to the Committee on Claims.

Also, a bill (H. R. 1882) authorizing the Secretary of the Interior to enroll Isabell Richter, née Bell Cook, and her son, Charles H. Richter, as Cherokee Indians—to the Committee on Indian Affairs.

By Mr. GRIEST: A bill (H. R. 1883) for the relief of John G. Stauffer & Son—to the Committee on Claims.

By Mr. HILL: A bill (H. R. 1884) authorizing a survey of Goodwives Creek, town of Darien, Fairfield County, Conn., with a view to improvement of navigation—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: A bill (H. R. 1885) granting an increase of pension to William McKenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1886) granting an increase of pension to Joseph Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1887) granting an increase of pension to Amos Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1888) granting an increase of pension to John W. McCauley—to the Committee on Pensions.

Also, a bill (H. R. 1889) granting an increase of pension to Perry Emery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1890) granting an increase of pension to Elizabeth Eberhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1891) granting an increase of pension to Hiram Frank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1892) granting an increase of pension to Daniel H. Ferman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1893) granting an increase of pension to Oliver Freel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1894) granting an increase of pension to William P. Fullmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1895) granting an increase of pension to Austin Fosdick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1896) granting an increase of pension to Martha E. Geesman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1897) granting an increase of pension to Charles B. Hackney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1898) granting an increase of pension to Everill J. Hills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1899) granting an increase of pension to Isaac Hogaboom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1900) granting an increase of pension to Samuel Hillegas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1901) granting an increase of pension to William L. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1902) granting an increase of pension to William H. Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1903) granting an increase of pension to John Wesley Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1904) granting an increase of pension to William Bivens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1905) granting an increase of pension to John Boyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1906) granting an increase of pension to James Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1907) granting an increase of pension to John E. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1908) granting an increase of pension to William M. Coop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1909) granting an increase of pension to Hanley B. Closson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1910) granting an increase of pension to John Cherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1911) granting an increase of pension to John W. Carmony—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1912) granting an increase of pension to William Crisp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1913) granting an increase of pension to Simon Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1914) granting an increase of pension to John Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1915) granting an increase of pension to Sarah Dutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1916) granting an increase of pension to David Dowd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1917) granting an increase of pension to John Driskell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1918) granting an increase of pension to Heman Emerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1919) granting an increase of pension to Byron C. Elms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1920) granting an increase of pension to Peter S. Augustine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1921) granting an increase of pension to Howell G. Adell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1922) granting an increase of pension to Daniel Arbuckle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1923) granting an increase of pension to Theodore W. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1924) granting an increase of pension to George A. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1925) granting an increase of pension to Samuel W. Brees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1926) granting an increase of pension to Arthur Belding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1927) granting an increase of pension to Charles F. Boorman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1928) granting an increase of pension to Milton B. Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1929) granting an increase of pension to William Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1930) granting an increase of pension to Leyard E. Benton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1931) granting an increase of pension to James L. McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1932) granting an increase of pension to James McClay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1933) granting an increase of pension to James V. Morrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1934) granting an increase of pension to David McCargar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1935) granting an increase of pension to John P. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1936) granting an increase of pension to Samuel R. McFarland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1937) granting an increase of pension to Robert Marvel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1938) granting an increase of pension to George G. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1939) granting an increase of pension to Peter New—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1940) granting an increase of pension to Isaac D. Neihardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1941) granting an increase of pension to Isaiah Paisley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1942) granting an increase of pension to John P. Neu—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1943) granting an increase of pension to Cyrus Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1944) granting an increase of pension to George Rudisil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1945) granting an increase of pension to Joseph T. Roller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1946) granting an increase of pension to Byron C. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1947) granting an increase of pension to Enos H. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1948) granting an increase of pension to James P. Roby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1949) granting an increase of pension to Robert Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1950) granting an increase of pension to James H. Riddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1951) granting an increase of pension to Aaron B. Stonerook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1952) granting an increase of pension to Andrew W. Sponsler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1953) granting an increase of pension to Alexander Sample—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1954) granting an increase of pension to William S. Shuster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1955) granting an increase of pension to Lyman D. Stilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1956) granting an increase of pension to James Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1957) granting an increase of pension to John J. Stower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1958) granting an increase of pension to Josiah Sheppard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1959) granting an increase of pension to Alfred B. Ebner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1960) granting an increase of pension to Charles E. Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1961) granting an increase of pension to Beulah Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1962) granting an increase of pension to William Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1963) granting an increase of pension to John Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1964) granting an increase of pension to Simon P. Ulch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1965) granting an increase of pension to Thomas G. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1966) granting an increase of pension to Marvin F. Weston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1967) granting an increase of pension to William G. Winslow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1968) granting an increase of pension to W. E. Warthen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1969) granting an increase of pension to D. C. Westfall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1970) granting an increase of pension to Philander G. Woodworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1971) granting an increase of pension to Francis Westerfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1972) granting an increase of pension to Benjamin F. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1973) granting an increase of pension to George W. Walden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1974) granting an increase of pension to Hiram A. Winslow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1975) granting an increase of pension to Horace W. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1976) granting an increase of pension to Christopher Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1977) granting an increase of pension to Garrett V. D. Hageman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1978) granting an increase of pension to Hiram B. Hollett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1979) granting an increase of pension to John Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1980) granting an increase of pension to John D. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1981) granting an increase of pension to Mary H. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1982) granting an increase of pension to Horace J. Kirtland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1983) granting an increase of pension to Daniel L. Littrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1984) granting an increase of pension to John L. Lashells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1985) granting an increase of pension to Simon P. Lash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1986) granting an increase of pension to Richard Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1987) granting an increase of pension to William C. Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1988) granting an increase of pension to Ephriam Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1989) granting an increase of pension to James C. McClay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1990) granting an increase of pension to Celia McKenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1991) granting a pension to Tabitha E. Goodrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1992) granting a pension to Hulda Gilbreath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1993) granting a pension to Frank Bouger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1994) granting a pension to Dessa Clough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1995) granting a pension to Mary Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1996) granting a pension to Beatrice H. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1997) granting a pension to Joseph Erit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1998) granting a pension to Fred Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1999) granting a pension to Nelson Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2000) granting a pension to Julia A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2001) granting a pension to Anna L. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2002) granting a pension to Dewey Shaw—to the Committee on Pensions.

Also, a bill (H. R. 2003) granting a pension to H. F. E. Schroer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2004) granting a pension to Lucy A. Tibbetts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2005) granting a pension to Sarah S. Wellington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2006) granting a pension to Ruth Walston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2007) granting a pension to Catherine West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2008) granting a pension to I. M. Wolf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2009) granting a pension to William Kral—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2010) granting a pension to Mary J. Leary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2011) granting a pension to Jennie M. Lowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2012) granting a pension to Sallie J. Latham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2013) granting a pension to Lucy B. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2014) for the relief of Christopher Clary—to the Committee on War Claims.

Also, a bill (H. R. 2015) for the relief of Fred M. Yale—to the Committee on Military Affairs.

Also, a bill (H. R. 2016) for the relief of the Nebraska Mutual Life Insurance Company, of Stromsburg, Nebr.—to the Committee on Claims.

Also, a bill (H. R. 2017) to correct the military record of William H. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 2018) to correct the military record of William Walther—to the Committee on Military Affairs.

Also, a bill (H. R. 2019) to correct the military record of Thomas Whittaker—to the Committee on Military Affairs.

Also, a bill (H. R. 2020) to correct the military record of August Miltner—to the Committee on Military Affairs.

Also, a bill (H. R. 2021) amending the records of the War Department in the case of John D. McGeehan—to the Committee on Military Affairs.

Also, a bill (H. R. 2022) to provide for payment of the claims of the Roman Catholic Church in Porto Rico—to the Committee on Claims.

Also, a bill (H. R. 2023) providing for a certain construction of the pension laws of the United States in relation to Captain Stufft's independent company Indian scouts, Nebraska Volunteer Cavalry—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 2024) granting an increase of pension to John D. Tidrick—to the Committee on Invalid Pensions.

By Mr. LOWDEN: A bill (H. R. 2025) granting a pension to Susan M. Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2026) granting a pension to Anna Harrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2027) granting an increase of pension to William I. Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2028) granting an increase of pension to Henry A. Cook—to the Committee on Pensions.

Also, a bill (H. R. 2029) granting an increase of pension to John A. Binninger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2030) granting an increase of pension to James C. Burwell—to the Committee on Pensions.

Also, a bill (H. R. 2031) granting an increase of pension to Charles L. Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2032) granting an increase of pension to Aaron M. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2033) granting an increase of pension to Martin J. Klock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2034) granting an increase of pension to George H. V. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2035) granting an increase of pension to Henry R. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2036) granting an increase of pension to Jasper N. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2037) granting an increase of pension to John S. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2038) granting an increase of pension to James C. Goldthorp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2039) granting an increase of pension to John H. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2040) granting an increase of pension to Thomas Roberts—to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 2041) granting an increase of pension to Albert H. Brown—to the Committee on Pensions.

Also, a bill (H. R. 2042) granting an increase of pension to Charles F. Matteson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2043) granting an increase of pension to Rollin B. Organ—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2044) granting an increase of pension to Albert C. Chamberlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2045) granting an increase of pension to John Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2046) granting an increase of pension to Alden F. Litchfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2047) granting an increase of pension to Henry Harrison Pond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2048) granting an increase of pension to John F. Hart, alias Edward Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2049) granting an increase of pension to William M. Hartnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2050) granting a pension to Wardell Guthrie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2051) granting a pension to George Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2052) granting a pension to Elmer E. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2053) granting a pension to Annie Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2054) granting a pension to Harriet M. Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2055) granting a pension to Harry W. Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2056) granting a pension to Katherine Grubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2057) for the relief of James T. Healy—to the Committee on Claims.

Also, a bill (H. R. 2058) for the relief of John C. De Lany—to the Committee on Claims.

Also, a bill (H. R. 2059) for the relief of Valentine Lapham—to the Committee on Claims.

Also, a bill (H. R. 2060) for the relief of Maria McMurdie—to the Committee on Claims.

Also, a bill (H. R. 2061) for the relief of Lina Hennig—to the Committee on Claims.

Also, a bill (H. R. 2062) for the relief of U. S. Davis and Mrs. A. D. Foote—to the Committee on Claims.

Also, a bill (H. R. 2063) for the relief of Mrs. William W. Sherman—to the Committee on War Claims.

Also, a bill (H. R. 2064) for the relief of Ruben A. Stern—to the Committee on Claims.

Also, a bill (H. R. 2065) for the relief of Mary C. Mayers—to the Committee on Claims.

Also, a bill (H. R. 2066) for the relief of the North American Transportation and Trading Company—to the Committee on Claims.

Also, a bill (H. R. 2067) for the relief of the North American Transportation and Trading Company—to the Committee on Claims.

Also, a bill (H. R. 2068) to remove the charge of desertion from the record of C. G. S. Mills—to the Committee on Military Affairs.

Also, a bill (H. R. 2069) to remove the charge of desertion from the record of William H. Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 2070) to remove the charge of desertion from the record of William Birk—to the Committee on Military Affairs.

Also, a bill (H. R. 2071) to correct the military record of George F. Dewey—to the Committee on Military Affairs.

Also, a bill (H. R. 2072) to correct the naval record of Ezekiel Downey—to the Committee on Naval Affairs.

Also, a bill (H. R. 2073) to establish a military status for William B. Okeson—to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 2074) granting a pension to Elizabeth A. Stillhamer—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 2075) granting an increase of pension to Samuel Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2076) granting a pension to Bridget Elliot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2077) granting an increase of pension to Sumner Cummings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2078) granting an increase of pension to Frank L. Curby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2079) granting an increase of pension to Peter McKenna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2080) granting an increase of pension to Henry F. Hobart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2081) granting an increase of pension to Charles W. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2082) granting an increase of pension to Hannah L. Holman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2083) granting an increase of pension to John J. Upham, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2084) granting an increase of pension to Franklin E. Bullard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2085) granting an increase of pension to Moritz Schultz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2086) granting a pension to Walter McLaughlin—to the Committee on Pensions.

Also, a bill (H. R. 2087) granting a pension to Mary A. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2088) granting a pension to Bridget Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2089) granting a pension to Pauline Paul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2090) granting a pension to Agnes Murphy—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Paper to accompany bill for relief of Alex M. Dice and Simon Fisher—to the Committee on Invalid Pensions.

Also, petition of Clifford L. Sturgeon, of Newark, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Sandy Valley Council, No. 109, Junior Order United American Mechanics, Coshocton County, Ohio, favoring an exclusion law against Asiatics, save merchants, students, and travelers—to the Committee on Immigration and Naturalization.

By Mr. BENNET of New York: Paper to accompany bill for relief of John McCauley—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: Petition of Mound City Board of Trade, favoring annual appropriation of $55,000,000 for inland waterway improvement—to the Committee on Ways and Means.

By Mr. CRAIG: Petition of C. W. Hooper & Co., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Farmers' Union, of Vincent, Ala., favoring a national highways commission—to the Committee on Agriculture.

By Mr. DAWSON: Petition of Robert N. Carson, Iowa City, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Muscatine, Iowa, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of Hoosick Falls Lodge, No. 1005, Benevolent and Protective Order of Elks, for a reserve in Wyoming for the American elk—to the Committee on the Public Lands.

By Mr. MICHAEL E. DRISCOLL: Petition of Lester Judson Company, Otisco, N. Y.; J. W. Larkin & Son, Brewerton, N. Y.; Lieut. Charles B. Howell, Onondaga Hill, N. Y., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. DUREY: Petition of residents of Waterford, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FULLER: Paper to accompany bill for relief of David A. Funk—to the Committee on Invalid Pensions.

Also, petition of J. A. Dooley, of Clare, Ill., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Braid Manufacturers' Association of New York, for modification of the tariff on silk braids, trimmings, etc.—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of J. D. Wilson, of Hopedale, Ohio—to the Committee on Ways and Means.

Also, petition of W. E. and O. H. Groves, of Hendrysburg, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition favoring an exclusion law against all Asiatics save travelers, students, and merchants—to the Committee on Foreign Affairs.

Also, paper to accompany bill for relief of John D. Tidrick—to the Committee on Invalid Pensions.

By Mr. McMORRAN: Petition of dealers and growers of beans of Michigan, asking that the tariff be left as it is—to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of Veteran Republican Club, of Lincoln, Nebr., favoring $1 per day pension—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of citizens of Chicago, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Chicago, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. NORRIS: Petitions of citizens of Shelton, Nebr., and Holbrook, Nebr., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. PRAY: Petitions of Helena (Mont.) Lodge, No. 193; Kalispell (Mont.) Lodge, No. 725; and Miles City (Mont.) Lodge, No. 537, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

Also, petition of citizens of Avon, Mont., against removal of tariff on lumber—to the Committee on Ways and Means.

By Mr. ROBINSON: Paper to accompany bill for relief of W. B. Howard and Julius C. Parrott—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of George Sink—to the Committee on War Claims.

By Mr. SIMS: Petition of citizens of Tennessee, in favor of a national highways commission and federal aid in road construction—to the Committee on Agriculture.

By Mr. SMITH of Texas: Petition of business men of San Angelo, Tex., favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Resolutions passed at a mass meeting of citizens of Hartford, Conn., against the extradition of Jan Janov Pouren—to the Committee on Foreign Affairs.

By Mr. STERLING: Petition of citizens of Bloomington, Ill., against duty on tea and coffee—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

THURSDAY, *March 18, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, the Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, by direction of the Committee on Ways and Means, I am authorized to report back without amendment the bill H. R. 1438.

The SPEAKER. By direction of the Committee on Ways and Means the gentleman from New York [Mr. PAYNE] reports back the following House bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

DISPOSITION OF USELESS PAPERS.

The SPEAKER laid before the House the following communication (H. Doc. No. 3) from the Postmaster-General:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., March 15, 1909.

SIR: I have the honor to transmit herewith a schedule of papers and documents which are not needed in the transaction of public business and which have no permanent value or historical interest:

1. Reports regarding condemned waste materials, prior to January, 1908.
2. Reports of "Cash on hand" in the office of the disbursing clerk, 1906–1908.
3. Reports of "Condition of business" in the various bureaus of department, 1906–1908.
4. Reports as to condition of appropriations for contingent expenses, prior to July, 1907.
5. Proposals for services, Post-Office Department, 1908.
6. Proposals for purchase of waste materials, 1908.
7. Proposals for painting interior of department building, 1906.
8. Requests for passes to department building, 1907–8.
9. Requests from postmasters for permission to dispose of old Postal Guides, etc., prior to July, 1908.
10. Requests for copies of the Postal Guide, prior to July, 1908.
11. Requests for copies of the Postal Laws and Regulations, prior to July, 1908.
12. Requests for copies of the annual reports, prior to July, 1908.
13. Carbon copies of directions to travel, prior to January, 1908.
14. Letters from various divisions of department indicating useless files, prior to 1907.
15. Letters indicating apportionment of appropriations, 1906–7.
16. Civil-service certificates returned without selection, prior to July, 1908.
17. Book in regard to advertising, prior to 1892.

NOTE.—The papers listed in the above 17 items are now stored in the office of the chief clerk of the department.

18. Cases relating to registered matter, Class A, Nos. 167891 to 178201, both numbers inclusive, covering the period from January 1, 1905, to December 31, 1905, making a total of 10,311 cases.
19. Cases relating to ordinary mail, Class B, Nos. 559338 to 763824, both numbers inclusive, covering the period from January 2, 1906, to July 13, 1907, making a total of 204,487 cases.
20. Cases relating to matter dispatched to or from foreign countries, Class F, Nos. 56667 to 87732, both numbers inclusive, covering the period from January 1, 1905, to January 1, 1906, making a total of 30,767 cases.
21. Jackets and carbon jackets of "S" cases from 80001 to 99714, both numbers inclusive, covering the period up to May 13, 1907.
22. Jackets of "I" cases from 63307 to 86948, both numbers inclusive, covering the period up to and including July 15, 1906.
23. Advices of the appointment clerk affecting post-office inspectors, prior to July 1, 1908.
24. Records of pay accounts of post-office inspectors and rural agents, prior to July 1, 1906.
25. Applications of post-office inspectors and clerks at division headquarters and records of leave of absence granted prior to January 1, 1907.
26. Monthly certifications of inspectors in charge of salaries due post-office inspectors prior to January 1, 1909.
27. Cash statements from December 31, 1901, up to and including December 31, 1904.
28. Requisitions of clerks in charge for supplies, and the repair of furniture, etc., from January 1, 1908, to January 1, 1909.
29. Requisitions of division headquarters for supplies prior to January 1, 1909, and receipts of division headquarters for supplies from January 1, 1908, to January 1, 1909.
30. Forms 562 and 591, from July, 1907, to July, 1908.
31. Forms 594 and 595, from July, 1907, to July, 1908.
32. Statements of clerks in regard to cases referred and returned from July, 1907, to July, 1908.

NOTE.—The papers, etc., listed under items 18 to 32, both inclusive, are stored in the office of the chief inspector. Such cases and papers as from their nature or for other reasons it is thought best to retain permanently to be excepted from the above list.

33. Statements of the weights of mails dispatched to foreign countries up to June 30, 1907, except to those relating to dispatches from Honolulu.
34. Routine reports in connection with details of contract ocean mail service up to June 30, 1907.
35. Miscellaneous letters and papers of no permanent value received up to December 31, 1907, which have been fully acted upon and which are therefore of no value for future reference.
36. Five hundred pamphlets, regulations for promotion of railway postal clerks, 1903.
37. Old requisitions for printing and binding, 1906, 1907, and 1908.
38. Two thousand five hundred jackets, form 5160a.
39. Five hundred jackets, form 5080a.
40. Five hundred jackets, form 5083a.
41. Congressional Directory (3), 1905 and 1906.
42. Congressional Directory (6), 1907 and 1908.
43. Printed division orders, from 1895 to 1904, inclusive.
44. Statement of inner registered sacks, 1900 to 1904.
45. Statement of through registered pouches (established), 1901, 1902, 1903, and 1904.
46. Statement of register exchanges discontinued, 1903 to 1907.
47. Statement of temporary register exchanges, 1903, 1904, 1905, and 1906.
48. Statement of weekly train reports, 1904.
49. Statement of discontinued register exchanges, 1902 to 1907.
50. Statement of unworked mails, 1906, 1907, 1908, and January, 1909.
51. Requisitions for printed facing slips, 1906, 1907, and 1908.
52. Copy of daily journal, 1905, 1906, 1907, and to June, 1908.
53. Copy for scheme of South Carolina, 1908.
54. Copy for scheme of New York, 1908.
55. Copy for scheme of Birmingham, Ala., 1908.
56. Copy for scheme of South Dakota, 1908.
57. Copy for scheme of Virginia-Chicago Stdpt., 1909.

NOTE.—The papers, etc., listed in items 33 to 35, inclusive, are stored in the Division of Foreign Mails; those listed in items 36 to 57, inclusive, are stored in the Division of Railway Mail Service, Bureau of Second Assistant Postmaster-General.

58. Summaries of postal account, 1904.
59. Correspondence files, 1903.
60. Advertisements for mail service for the term 1896–1902.
61. Postmasters' requisitions on forms 3201, 3202, 3203, and 3235 for postage stamps, postal cards, plain stamped envelopes, newspaper wrappers, special-request envelopes, and postage-due stamps of a date prior to 1905.
62. All postmasters' monthly stock reports on Form 3240 (discontinued by Postmaster-General's Order No. 874 of November 25, 1907).
63. Notifications from the First and Fourth Assistant Postmasters-General of postmasters' appointments and changes of bonds of date prior to 1907.
64. Miscellaneous correspondence.
65. Post-office inspectors' forms relating to registry matters.
66. Credit jackets from 1901 to 1904, inclusive.
67. Ten receipt books, Nos. 53 to 62, inclusive.

NOTE.—The papers, etc., listed in items 58 to 60 stored in Division of Finance; items 61 to 63, Division of Stamps; items 64 to 65, Division of Registered Mails; items 66 and 67, Division of Redemption, Bureau of the Third Assistant Postmaster-General.

68. Petitions for rural-delivery service, duplicate jackets, and other papers no longer necessary in connection with investigation and report on such petitions, filed up to and including December 31, 1907.
69. Petitions for rural-delivery service adversely reported up to and including December 31, 1906.
70. Inspection reports (Form 573–1) up to and including June 30, 1908, as to condition of rural-delivery service in connection with regular inspection of post-offices.
71. Statistical reports of mail matter delivered and collected on rural routes up to and including the quarter ended December 31, 1907.
72. Inspection jackets containing requests for amendments or changes in rural routes, from which the reports have been withdrawn up to and including December 31, 1907.
73. Card records, inspection reports, and old requisitions dated prior to June 30, 1908.
74. Three hundred and twenty-four bound volumes of records showing the receipt and disposition of mail matter prior to July 1, 1904.

NOTE.—The papers, etc., listed in items 68 to 74, inclusive, are stored in the Bureau of the Fourth Assistant Postmaster-General.

Respectfully,

F. H. HITCHCOCK,
Postmaster-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The SPEAKER. Under the law the Speaker is required to appoint a committee of two to examine papers, with the end in view of their destruction, in whole or in part, according to the recommendations of the respective departments.

The Chair appoints the gentleman from Pennsylvania [Mr. BATES] and the gentleman from Maryland [Mr. TALBOTT], who served upon this committee in the last Congress.

SMOKING IN THE HOUSE.

The SPEAKER. The Chair will cause the following rule to be read:

The Clerk read section 7 of Rule XIV, as follows:

While the Speaker is putting a question or addressing the House no Member shall walk out of or across the Hall, nor, when a Member is speaking, pass between him and the Chair; and during the session of the House no Member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke upon the floor of the House at any time.

The SPEAKER. The Chair has instructed both the Doorkeeper and the Sergeant-at-Arms, especially touching the clause in relation to smoking, to see that the rule is rigidly enforced.

MINORITY VIEWS.

Mr. PAYNE. Mr. Speaker, I would like to have the attention of the gentleman from Missouri [Mr. CLARK]. I ask unanimous consent that the minority may have until Tuesday next to file their views on the bill just reported.

Mr. CLARK of Missouri. That is satisfactory.

The SPEAKER. The gentleman from New York [Mr. PAYNE] asks unanimous consent that the minority may have until Tuesday next to file their views in connection with the bill which has just been reported. Is there objection?

There was no objection.

PRINT OF TARIFF BILL.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 5.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the two Houses 30,000 copies of the bill of the House (H. R. 1438) entitled "A bill to provide revenue equalize duties, and encourage the industries of the United States, and for other purposes," with an index thereto, and the same number of the report thereon, 25,000 copies of said report to be accompanied with the views of the minority, all in document form, 9,000 copies for the use of the Senate and 21,000 copies for the use of the House.

Mr. CLARK of Missouri. Mr. Speaker, these things are to go to the folding room, as I understand it.

Mr. PAYNE. I understand that they will go there under the law.

Mr. MANN. Mr. Speaker, in reference to the matter of going to the folding room or the document room, I simply would like to make this suggestion: Undoubtedly most of the documents ought to go to the folding room, where they are subject to the order of Members of Congress; yet it is an invariable practice of Members to send to the document room for documents of this kind; and unless some can be placed in the document room, Members on the floor who send out for the document can not get it.

Mr. PAYNE. The usual number of copies of this bill was printed yesterday, and nearly 2,000 copies are in the document room. I want to say, further, that the Committee on Ways and Means are having a comparative statement made of the present law and the proposed bill, and it is the purpose of the committee to ask to have this printed when it is prepared, probably not later than Monday next.

Mr. MANN. I have been informed by those in the document room that it is the constant practice of Members of the House to send to the document room for documents which they have to their credit in the folding room, and then a complaint is raised because they can not get a particular document in the document room after the print has been exhausted.

Mr. CLARK of Missouri. I think if the gentleman from Illinois will take five minutes some day to explain to the House all the particulars about the folding room and the document room, there would not be any trouble about that. The trouble here is that it is hard to get the hang of the thing.

Mr. MANN. What I wanted to point out was that it would be desirable for some copies to be kept in the document room, most of the copies going to the folding room to the credit of individual Members.

Mr. CLARK of Missouri. I have no objection to a reasonable number, say 500 or 1,000, being put in the document room.

Mr. MANN. The people in the document room do the very best they can.

Mr. TAWNEY. There are 2,000 copies in the document room now.

Mr. MANN. No; the gentleman is mistaken about that.

Mr. PAYNE. Two thousand copies went to the document room yesterday, and there will be a reprint of the bill and 2,000 copies more will go to the document room with the report on the bill.

Mr. FOSTER of Vermont. And a reprint can be had at any time.

Mr. MANN. Two thousand copies went to the document room by reason of the bill being ordered printed, as the usual thing. Two thousand copies went to the document room yesterday, and the Clerk of the House, following the desire of the House, ordered a lot of extra copies, but that is not the usual way of having the documents printed.

Mr. PAYNE. Well, I was informed by a gentleman who ought to understand this matter, if he did not, that, under the law, on the introduction of a bill 2,000 copies went to the document room. In addition to that I ordered printed, under the general leave the committee has to print, 500 more copies. So there ought to be 2,500 copies in the document room now.

Mr. MANN. Of all documents as ordered printed from the desk or ordered by the House, the "usual number" is printed, which is fourteen or fifteen hundred, and they are sent to the document room. There are also a proportion of them sent to the document room of the Senate, and there is set aside in the Printing Office a number equal to the membership of the House and Senate; in addition to that the copies that are sent to depositories in the country; and the Clerk, for the benefit of the House, orders extra copies printed where there is a great demand.

Mr. TALBOTT. I want to make this suggestion to the gentleman.

Mr. PAYNE. Of course I desire to have the bill printed and to go through the document room or the folding room so that Members can get them, and I would like as fair a distribution among Members as possible; and that is the reason I introduced the resolution in this form.

Mr. TALBOTT. I would like to say——

Mr. PAYNE. I yield to the gentleman from Kentucky.

Mr. JAMES. I would like to ask the gentleman whether or not this bill was reported by the committee as originally introduced?

Mr. PAYNE. It was.

Mr. TALBOTT. I want to ask why not have it printed in the RECORD, showing the changes between the proposed law and the Dingley bill, and then we will have this bill and the Dingley bill side by side?

Mr. PAYNE. I do think they ought to be printed in the RECORD. We are having prepared, section by section, paragraph by paragraph, the Dingley bill with the corresponding paragraphs in this bill, and as soon as that is prepared I propose to ask the House to print a reasonable number of copies of that comparison.

Mr. TALBOTT. That will do what we want.

Mr. LANGLEY. That is right; that will suit the convenience of us all.

Mr. HUGHES of New Jersey. It is not the gentleman's intention to have that put in the RECORD, is it?

Mr. PAYNE. Not to put the bill in the RECORD; no.

Mr. HUGHES of New Jersey. No; the comparative tables.

Mr. PAYNE. I have no such intention as that. The House can regulate that matter when it is brought in here at a later date.

Mr. PERKINS. I would like to ask the gentleman whether in the publication now provided for there is any statement of the comparative rates or changes that are made by this bill when compared with the Dingley bill, or whether that is to be in a subsequent statement?

Mr. PAYNE. The report shows the changes made from the Dingley law, item by item. In addition to that, I stated to the House that the clerks of the committee are now making, paragraph by paragraph, a comparison of the Dingley bill and the proposed bill.

Mr. CLARK of Missouri. I should like to state to the gentleman from New York [Mr. PERKINS] that time is so precious that it only took twelve minutes from the time the Ways and Means Committee got inside the room to report this bill back, and he could not reasonably expect——

Mr. MANN. I make the point of order that the gentleman has no right in the House to state what took place in the committee.

The SPEAKER. The Chair sustains the point of order.

Mr. CLARK of Missouri. My understanding was that anybody could state what he pleased. It is already stated, anyhow. [Laughter.]

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. DE ARMOND. Mr. Speaker, I rise to a point of order. I want to be heard now under a motion to reconsider the ruling. The gentleman from Missouri was not stating what occurred. He was stating the time of the occurrence. [Laughter.] I should like to have the rule read that prevents the stating of the time occupied by a committee in consideration or in failure to consider some matter. The gentleman from Missouri [Mr. CLARK] stated nothing that occurred.

Mr. OLMSTED. He was stating what occurred in twelve minutes.

Mr. MANN. He did say what occurred. The gentleman from Missouri [Mr. DE ARMOND] is incorrect.

Mr. CLARK of Missouri. It is already stated, anyhow, and you can not get it back.

The SPEAKER. It seems to the Chair that the gentleman from Missouri has stated that.

Mr. PAYNE. I hope now we can get unanimous consent to print.

Mr. DAWSON. Is it proposed to print this comparison as a House document or as a committee document?

Mr. PAYNE. As a House document. It is proposed to ask the House to print it when it is prepared.

Mr. DAWSON. In that case there will be plenty of available copies in the document room.

Mr. PAYNE. That is for the House to determine when that matter comes up. I want to say now that there are 500 copies of this bill in the document room, and I am informed that they are expecting 2,000 more copies inside of a few minutes, so that there will be 2,500 copies of the bill in the document room, aside

from those provided by the resolution to be sent to the folding room.

Mr. DAWSON. If this is printed as a House document, it will be available to every Member of the House?

Mr. PAYNE. We will cross that bridge when we come to it.

Mr. FINLEY. Does the gentleman's request contemplate placing any part of this publication in the document room?

Mr. PAYNE. It does not, but there are already 2,500 copies of the bill in the document room. Those printed under this resolution will all go to the folding room.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

THIRTEENTH DECENNIAL CENSUS.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent for the present consideration in the House, as in the Committee of the Whole House on the state of the Union, of the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration in the House as in the Committee of the Whole House on the state of the Union of a bill of which the Clerk will report the title.

The Clerk read the title of the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The SPEAKER. Is there objection?

Mr. DE ARMOND. Mr. Speaker, I am of the opinion that we had better consider this in Committee of the Whole.

The SPEAKER. Does the gentleman from Indiana modify his request?

Mr. CRUMPACKER. I modify my request, so as to cover that.

The SPEAKER. The gentleman from Indiana modifies his request, which now is that the bill be considered at this time under the rules of the House. Is there objection?

Mr. DE ARMOND. I think we had better proceed in the regular way, Mr. Speaker. Let us find out what the rules are now. I object.

Mr. HAY. I hope the gentleman will withhold his objection a moment.

Mr. DE ARMOND. Very well.

Mr. HAY. Mr. Speaker, I understand that this bill is the same bill which was passed by the Sixtieth Congress, with no change in it except as to the appointment of clerks to be utilized in the Census Office. Am I correct about that?

Mr. CRUMPACKER. And striking out that provision respecting the printing of reports outside of the Government Printing Office.

Mr. HAY. I also understand that it is of vital importance that this bill be passed at as early a moment as practicable. I understand the rules of the House to be, so far as the consideration of this bill is concerned, the same as they were in the last Congress, and that if the request of the gentleman from Indiana is agreed to, the House will consider the bill in Committee of the Whole House on the state of the Union; that the bill will be read for amendment, and, if necessary, that there will be time given for general debate. Under these circumstances I hope the gentleman from Missouri will not object to the consideration of the bill.

Mr. DE ARMOND. Nevertheless and notwithstanding, I think we had better take the regular order, and I object.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess for thirty minutes.

The motion was agreed to.

Accordingly (at 12 o'clock and 20 minutes p. m.) the House took a recess.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

Mr. DALZELL. Mr. Speaker, I submit the following report from the Committee on Rules.

The Clerk read as follows:

House resolution 24.

Resolved, That immediately on the adoption hereof it shall be in order to consider, under the rules of the House, House bill 1033, a bill to provide for the Thirteenth and subsequent censuses.

Mr. DALZELL. On that I demand the previous question.

The question was taken, and the previous question was ordered.

Mr. DALZELL. Mr. Speaker, as is well known, the time approaches when it is necessary to take a new census under the provisions of the Constitution. The Sixtieth Congress passed a bill providing for the taking of the census; it passed both Houses and went to the President, and was disapproved by the President for two reasons: First, because of a provision contained in the bill with respect to appointments, and, second, with respect to a provision for printing. Now, the bill has been introduced as it passed the House, with the exception of these two provisions, and the proposition under the rule is that the House shall proceed to a consideration of that bill under the rules. In other words, that the House shall resolve itself into Committee of the Whole House on the state of the Union and consider the bill by general debate and by paragraph. That is all there is to it.

Mr. BARTLETT of Georgia. May I interrupt the gentleman?

Mr. DALZELL. Certainly.

Mr. BARTLETT of Georgia. The gentleman says that the only difference between this bill and the other bill is in the two provisions which he has named. Is there not another change with reference to the appointment of supervisors? The old bill provided that the supervisors should be appointed by the President, "by and with the consent of the Senate," and this bill leaves out the words "by and with the consent of the Senate."

Mr. DALZELL. That is one particular, I understand, in which the bill differs.

Mr. BARTLETT of Georgia. The gentleman said that there were only two changes, which he named—the appointment of clerks in the Census Office and the printing.

Mr. DALZELL. If I am mistaken, it will appear from the bill itself. The bill will be open for consideration under the five-minute rule and for unlimited amendment. Mr. Speaker, I reserve the balance of my time.

Mr. CLARK of Missouri. Mr. Speaker, I yield ten minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, I am aware of the necessity for the passage of a bill to regulate the taking of the next census. The bill in its present form could have been passed and approved by the President during the last Congress. There could have been an effort made to pass the old bill over the veto of the President. So the idea of urgency was not so great with the brethren then as it is now.

When I objected a few moments ago to this bill being taken up by unanimous consent, I confess that I had a desire to see the working of this old system, said to be made somewhat new. I have a desire to see wherein the new attachment affects the old machine, and how it operates. We are not so tremendously pressed for time now that there could not be a consideration of this bill in the ordinary and orderly way. Altogether this illustrates right well, it seems to me, the necessity for amendment of these rules with reference to the constitution and operation of the Committee on Rules.

There would have been no meeting of this committee called if the Speaker had not decided in advance that a rule like this should be reported. The committee was not assembled for consideration of this rule or anything else, but merely to give form and substance, in a technical way, under the rules, to the decree of the Speaker already rendered. There was no deliberation about it; and later there was simply an announcement by the gentleman from Pennsylvania [Mr. DALZELL] to the House of a decision previously arrived at by the Speaker. As to this particular matter, it is a question of choice in procedure between a resort to this rule and the appointment of a committee on the census, the reference of the bill to that committee, a report by that committee, and then the consideration of the bill in Committee of the Whole House on the state of the Union or in the House.

This shows the readiness with which the Committee on Rules is operated. Whenever anything may be a little difficult, whenever there may be a little obstruction anywhere, apply to the Committee on Rules! In other words, when the Speaker has decided to have something done, this Committee on Rules, of his own creation, is the orderly and very expeditious means resorted to for accomplishment in the House.

I am one of those who believe it would be a great improvement, one of lasting and far-reaching benefit, to have the Committee on Rules representative of the House and not representative merely of the Speaker of the House; have the Committee on Rules made by the selection of the Members of the House, and not made solely by the selection of the Speaker of the House, I suppose that no such thing ever happened as a member of the Committee on Rules, belonging to the party of the Speaker, voting in a meeting of that committee against the will and wish of the Speaker. I think no such thing ever happened, and I am sure no such thing ever will happen, so long as the committee is made up in the way in which it is now made up, by the agency which makes it, the Speaker, whoever the Speaker may be.

This Committee on Rules, then, is not a representative body. It is not really a committee at all. It is an indirect way for the

Speaker to say to his party friends upon the floor, "I have decided to have this done, and I call upon you to do it." It would be the same thing in effect if the Speaker from his place in the Speaker's chair were to rise and announce that the Speaker had decided that this, that, or the other thing should be done, and that he called upon his party friends upon the floor to make effective his decision. It would be the same thing as if the Speaker were to vacate the chair temporarily, take his place upon the floor, and from the floor make the motion, calling upon the House to register approval of a decree already entered by him.

Mr. TAWNEY. Mr. Speaker, I will state that that was done in the Fifty-third Congress by Mr. Speaker Crisp.

Mr. DE ARMOND. It can be done very easily. That is certainly a more direct way of doing it than the method practiced in the Sixtieth Congress, and now inaugurated in the Sixty-first Congress. It does not make any difference who did it, or when it was done. The question remains the same: Ought the important Committee on Rules to be one chosen by the membership of the body representing it, or ought it to be one chosen by the Speaker of the House, with the Speaker its controlling member, and directly representing him? That is the direct question, no matter where it first arose, and no matter how it may have been determined some place, some time.

Here we have the first fruits, in this Congress, in this House, of the action of this committee. They have taken out of regular channels a bill, as it turns out in this particular instance, which easily could come before the House without their agency, and to which probably there is no particular objection; but what they have done with this bill is precisely what they can do with any other bill at any time.

Then another thing. As this Committee on Rules now is, and always, I think, will be, made up merely to echo the sentiment and to voice the decrees of the Speaker, when made with rules such as we now have in force, so any and every committee in this House by operation of the present rules, even with the innocuous amendments put into them, can be made to report any particular measure or to suppress during the entire life of a Congress other measures along any line or any particular measure referred to the committee.

The rules heretofore and now put the House, the membership of the House, and the business of the House and legislation submitted to the House in the control of the Speaker. Now, then, without any reference to the personality of the gentleman who occupies the Speaker's chair, without any reference to any Speaker past or to come, these rules concentrate in the Speaker powers that belong to the House, and whatever powers are concentrated in the Speaker are powers taken from the membership of the House.

Mr. FOSTER of Vermont. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Vermont?

Mr. DE ARMOND. Yes, for a question. My time is short.

Mr. FOSTER of Vermont. Does not the gentleman know that a Republican caucus elected the present Republican members of the Committee on Rules?

Mr. DE ARMOND. I heard that, Mr. Speaker.

Mr. FOSTER of Vermont. If, then, this plan works so badly, as he declares, as to the Committee on Rules, would he be in favor of extending the method to the selection of other committees?

Mr. DE ARMOND. Mr. Speaker, the gentleman, I think, already knows that I am very much in favor of extending the selection of committees so that every committee in the House may be selected by the House.

Mr. FOSTER of Vermont. Why complain, then, of the membership of the Committee on Rules, selected in that way?

Mr. DE ARMOND. The gentleman does not seem to be able to appreciate the distinction between complaining and discussing a proposition. I understand this question to be a great and far-reaching and important question in American politics—one that goes to the very foundation of the organization and usefulness of the House of Representatives—that goes to the very source and mainspring of legislative life in these United States of America.

There can not be taken from the Members of the House of Representatives upon either side, from any Member, any right or any power which, under the Constitution and by virtue of his election, belongs to him without a wrong being done, not only to him and his constituency, but to the whole people of the United States, and a dangerous blow being struck at our institutions themselves. That is the reason that I am opposed to this one-man power. I am opposed to this concentration of power; I am opposed to this agency which operates to deprive Members of what belongs to them and concentrates it somewhere else.

Mr. FOSTER of Vermont. Mr. Speaker——

Mr. DE ARMOND. Now, if there be given time——

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Vermont?

Mr. DE ARMOND. I thought my time had expired. Yes; I yield.

Mr. FOSTER of Vermont. Is it not true that the Democratic caucus instructed the minority leader to name the Members of the various committees of the House?

Mr. DE ARMOND. Mr. Speaker, it is true that the Democratic caucus intrusted to the leader upon this side, as the gentleman knows and as the Speaker knows, and as the gentleman knew and as the Speaker knew, the matter of suggesting to the Speaker who would be satisfactory and who would not be satisfactory to this side, and it is also a matter of history that the Speaker, in the few appointments that he has announced, made selections not satisfactory to this side, without consulting anybody upon this side who had the right to be consulted about it at all, and misrepresented this side in his appointments and misrepresented the party——

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. CLARK of Missouri. Mr. Speaker, I yield three minutes additional to the gentleman from Missouri.

Mr. HARRISON. Will the gentleman yield for a question?

Mr. DE ARMOND. I will.

Mr. HARRISON. Does the gentleman mean to suggest that I have taken my place on the Committee on Ways and Means without the approval or consent of the minority leader?

Mr. DE ARMOND. Mr. Speaker, I do not know how the matter stands with reference to that. I did not have the gentleman particularly in mind. I am right well satisfied, however, that the gentleman was not selected with a view of carrying joy to this side of the House. [Applause on the Democratic side.] And I am thoroughly satisfied that as to the selection of other gentlemen named by the Speaker, whatever the motive may have been, the thing that actuated the Speaker was not a desire to represent this side or the sentiment of this side in the selection of persons for committee places, or with reference to the questions to be dealt with. I am satisfied also that when the Speaker gave to this side 7 members of the important Committee on Ways and Means out of 19, when this side is entitled to at least 8, when he took 1 from this side and gave 1 to the other side, and when he put upon that committee, ostensibly from this side, men who did not and do not represent this side in sentiment or in anything else—that then the Speaker, not accidentally but by conscious act, illustrated to the House and to the country the dangerous possibilities of power concentrated in the Chair for the making up of committees for particular purposes, in view of particular considerations, without regard to the large body of Members of this House, and the large body of the people of the country, who do not receive proper consideration or representation. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, of all the unreasonable kicks I have heard in previous Congresses from a similar locality the one just indulged is the most unreasonable. The House passed and the Senate passed during the last Congress the census bill, which was carefully considered for months in the Committee on the Census and was carefully considered in both Houses of Congress. For reasons satisfactory to the Executive, he vetoed that bill. Now, we come up with this same bill, agreed to in this manner by both Houses, eliminating the features that were objectionable to the Executive, and want to pass it. It must be passed, as the commencing of the taking of the census is only a few months off. We have met here in extra session for the purpose of revising the tariff. The bill has been reported. We propose to have it read this week and at the earliest moment possible—and gentlemen have been actively engaged for the last six months working upon that bill—take it up for discussion on Monday next. The gentleman from Indiana [Mr. CRUMPACKER] comes in here this morning and asks unanimous consent to consider this bill. Objection is made. There is no alternative except to let the bill go over and not pass it, or to bring in a rule simply to consider it in the Committee of the Whole——

Mr. DE ARMOND. Will the gentleman yield for a question?

Mr. PAYNE. I have not time to yield now. (Continuing.) To consider it in the Committee of the Whole, where every opportunity will be given for amendment. Now the gentleman drags in here a personal attack upon the Speaker of this House, trying to carry on the lost battle of Monday last.

He criticises the appointment of the Committee on Rules; and yet the Republican caucus led the way, suggesting to the Speaker two members of the Committee on Rules, members approved by solid vote in that caucus, to be appointed by the Speaker. There have been several Democratic caucuses since. How have they responded to that invitation? They bicker among themselves; they try to discipline members of their party; but what response has there been made to the invitation of the Republican caucus? Not a sign. But they go on and declare that no man shall serve on the minority side of the committees unless he is approved by whom? A man selected by the House? No. Why, they come down immediately from their committee of fifteen and select one man in their own party [applause on the Republican side], saying that no man on their side of the House shall dare to serve on a committee, although appointed by the Speaker of the House, under the rules of the House, without being put under the Democratic ban. I think there are some men in the House left on that side who have manhood enough and enough sense of responsibility to their constituents—yes, and a regard for the oath that they took when they entered this Congress to well and faithfully discharge the duties of the office upon which they were about to enter—to serve upon the committees of the House unless excused by the House. I do not think that the Members on that side of the House have become so servile that they will yield to this imperious demand that comes to them, and even violate the oath of their office by refusing to serve on the committees of the House when properly and constitutionally under the rules of the House appointed to serve upon the committees of the House. And yet that is what you are trying to do. That is your attitude. You are trying to turn away from the folly of your committee of fifteen and concentrate the whole power on that side into the hands of one man, who was not selected by the House, but by the caucus on your side of the House. Talk about your one-man power! What explanation have you to make of that? Oh, my friend from Missouri thinks it is proper just now to denounce the rules of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. I yield as much more time as the gentleman wants.

Mr. PAYNE. They denounce the rules of the House and denounce the Committee on Rules, and yet without this committee now it would be impossible for a majority of the House, however much they favored this bill, to get consideration of it. No; it would be impossible with 390 Members in favor of this bill to get consideration of it against the inconsiderate folly that comes from one Member on that side of the House.

Mr. DE ARMOND. Will the gentleman yield?

Mr. PAYNE. I will yield for a question.

Mr. DE ARMOND. I wish just to suggest to the gentleman that that tremendous difficulty could be avoided by the appointment of a Committee on the Census. [Applause on the Democratic side.]

Mr. PAYNE. We might appoint all the committees of the House.

Mr. DE ARMOND. No; the Committee on the Census.

Mr. MANN. Would the gentleman from Missouri accept an appointment on the Committee on the Census if one were appointed?

Mr. PAYNE. It has been the general consensus of opinion on both sides of the House that only certain committees—the Committee on Rules, the Committee on Accounts, the Committee on Printing, and the Committee on Ways and Means—should be appointed, in order not to retard the consideration of the tariff bill. Fortunately the House has a committee, when 390 Members want a vote on a bill, that will prevent the factious objection of one man, a tyrannical one-man power by a man not chosen by a caucus even, without any more power than any other Member of the House.

Mr. SHACKLEFORD. Chosen by the people.

Mr. PAYNE (continuing). We are proceeding in the orderly manner of business, determining by a vote of the majority of the House whether we want to consider this bill, and not indulging in carping criticism and abuse of the honorable gentleman who is the Speaker of this House, the peer of any Member of this House [loud applause on the Republican side], equal in integrity, in character, in fairness, with any who sits here or have sat here during my service of twenty-four years. [Loud applause on the Republican side.]

Mr. CLARK of Missouri. How much more time is there, Mr. Speaker, on either side?

The SPEAKER. The gentleman from Pennsylvania has ten minutes, and the gentleman from Missouri has seven minutes.

Mr. CLARK of Missouri. I think you can go on and use some more of your time.

Mr. DALZELL. You have only had one speech; go ahead, now, and make another. I want to hear it. [Laughter.]

Mr. CLARK of Missouri. You will hear it whether you want to hear it or not, if you are within a half a mile's distance. [Laughter.]

Mr. Speaker, the gentleman from New York [Mr. PAYNE] is always amusing when he enters upon the rôle of lecturer of this House, and the madder he gets the more amusing he becomes. I do not care anything about the eulogy that he passed upon the Speaker. It has nothing to do with it. I will tell you what I think about the Committee on Rules; and it will only take one or two sentences to do it. As long as the Committee on Rules is appointed by the Speaker and the Speaker is the chairman of the Committee on Rules, the Speaker is the Committee on Rules. [Applause on the Democratic side.] He is the whole thing. Now, so much for that. I am opposed to that system. I do not believe that the Speaker of the House ought to be a member of the Committee on Rules [applause on the Democratic side], and I will tell you why.

The Speaker is the leader of his party in the House. The minority leader is supposed to be the leader of the minority. The Speaker and the minority leader are pitted against each other, and the Speaker has the determining voice as to who wins the victory. Now, if Jack Johnson and Jim Jeffries have a prize fight, nobody would suppose that either Jim Jeffries or Jack Johnson ought to be the referee in that fight, would they? [Laughter.]

I say very frankly, and always have said, that if this House in a Republican administration is to have a czar, I would just as lief the present occupant of the chair was the czar as anybody else. He is a sort of benevolent despot. [Laughter.]

Now, one other word in that direction. I never knew, Mr. Speaker, that the Republican caucus had elected two members on the Committee on Rules until I heard it—I suppose it must have been, Tuesday. I had not read the proceedings of the Republican caucus.

Mr. MANN. And you were not present.

Mr. CLARK of Missouri. And I was not there; I am sorry I was not, when they passed that resolution. I never was informed of it; never. We never had an opportunity to elect two on our side.

It seems to me that it is a very poor pretense for the gentleman from New York [Mr. PAYNE] to undertake to say that we are opposed to electing committees when that was the very thing we were making the fight for on Monday, and we had the machine of this House flat on its back for three hours. [Loud applause on the Democratic side.] Now, that is the truth about it.

Mr. WILSON of Illinois. Did you remain on top?

Mr. CLARK of Missouri. We were on top for three hours. [Laughter.] And everybody knows why we did not stay on top. [Great laughter.] Now, one other thing: The gentleman spoke about the Democratic caucus passing a resolution that a Democrat should not serve on these committees unless I "visséd" his appointment, as they say in French, or "O. K.'ed" it. I visséd Mr. HARRISON'S appointment by reason of the fact that he acted the man and came into the Democratic caucus and gave back to us his appointment to that committee. [Great applause.] So much for that.

I say this about these committees: That the Republicans in some way ought to make up their side of the committees and the Democratic side in some way ought to make up their side of the committees. In that way each side would undertake to get men placed on the committee that represented their side to the best advantage and where they could do the most valuable work. I am not complaining that the Speaker has resumed the powers that he originally had; but I do say that there are two political committees in this House, and only two. One of them is the Committee on Rules, the other is the Committee on Ways and Means; and if there are any two committees in the House in which the men ought to be Republicans, on one side, who will stand hitched, or Democrats, on the other side, who will stand hitched, it is on the Committee on Rules and on the Ways and Means Committee. [Applause on the Democratic side.]

If we had had the opportunity we would have elected all of the Democratic members on all of the committees, and that is my fight. It has just begun; and I do not have a particle of doubt about the ultimate triumph of our cause in that direction, and neither do you.

Mr. MANN. No; we do not.

Mr. CLARK of Missouri. Not a bit; if you have any sense you do not.

Now, one other thing about this census bill, of course everybody knows that the census bill has to be passed; that is, that it ought to be.

The gentleman from Missouri [Mr. DE ARMOND] has suggested a way out of this, instead of bringing into operation this juggernaut machine called the "Rules Committee," and that is by appointing the Committee on Census and doing things in order. But here is the situation: This House, after ample debate and due deliberation, passed a census bill. The Senate passed it, and President Roosevelt, in the exercise of his power, vetoed it, and when the veto came back over here the fighting qualities of the Republican side flamed up, and the tip went around that if we would stand with them they would override the President's veto. That was the first day; but after a little time for reflection the Republicans' courage, like that of Bob Acres, oozed out. [Laughter on the Democratic side.] And although the man who was wielding the "big stick" was about to go out of the White House, they were afraid they would get one more crack on the head with that weapon, so they ignominiously backed down, and here you are with the bill back here now. You had plenty of time to pass it in the last session, but you were afraid to. Half of you over there in the last two weeks of the last Congress trembled in your boots constantly for fear President Roosevelt would send in a blood and thunder message that would arouse the country against you, as he had done once or twice before. That is the situation about the whole business. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, has the gentleman from Missouri [Mr. CLARK] occupied all his time?

The SPEAKER. His time has expired.

Mr. DALZELL. I yield the balance of my time to my colleague on the Committee on Rules, the gentleman from Iowa [Mr. SMITH].

The SPEAKER. The gentleman has ten minutes.

Mr. SMITH of Iowa. Mr. Speaker, the Committee on Rules originated early in American history.

From the First Congress, in 1789, there has always been a Committee on Rules, but it was for many years simply a select committee authorized at the beginning of each Congress to report a system of rules. In 1841 it was decided that the committee, which was still a select committee, might report from time to time. At first the Speaker was not a member of the committee, but on June 14, 1858, a resolution was agreed to authorizing the appointment of a committee on rules, of whom the Speaker was to be one, to revise the rules and report at the next session. The committee continued to be a select committee until the revision of 1880, when it was made a standing committee, with its membership fixed at five, in accordance with the previous usage. In 1891 the right to report at any time was conferred upon the committee, and in 1893 it was given the right to sit during sessions of the House.

I read from Hinds's Parliamentary Precedents. It thus appears that it was a Democratic Congress in 1880 that first created this Committee on Rules as a standing, as distinguished from a select, committee of the House. [Applause on the Republican side.] It has always been chosen, under Democratic administrations of the House, by the Speaker of the House. But the Republican party, recognizing a popular demand, whether based upon full information or not, for a change, determined to make this committee not one selected by another committee, a mere oligarchy, but to make this a committee selected by the House itself, every Republican member selected by the Republican caucus, and every Democratic member selected by the Democratic caucus. It passed a resolution to that effect on Saturday night. That was printed in three daily papers in the city of Washington on Sunday, and yet it is claimed that no information of it got to the Democratic side of the House until after Monday. [Laughter on the Republican side.]

Mr. UNDERWOOD. Will the gentleman allow me a question?

Mr. SMITH of Iowa. Certainly.

Mr. UNDERWOOD. Why did not the Speaker inform the Democratic leader that he was waiting for the announcement of the Democratic Members?

Mr. SMITH of Iowa. Oh, the gentlemen were advised by the public prints, and they will not claim that none of them read the daily papers at all.

Mr. UNDERWOOD. But we were not advised, and we did not know of it.

Mr. SMITH of Iowa. Now, what is the fact? The Democratic party met in caucus on Monday at 10 o'clock, the day after this notice had been published in three Washington dailies, and selected no one for this committee. It met again on the afternoon of that day and selected no one for this committee. The rules commanded the Speaker to appoint the Committee on Rules, and when the time came he appointed the committee strictly in accordance with the rules of the House, appointing those Members chosen by the Republican caucus, and selecting men for the Democratic side, the Democratic caucus having failed to act.

Mr. JAMES. Will the gentleman yield?

Mr. SMITH of Iowa. I do not think I care to yield; I have only a short time.

Mr. JAMES. I would not either, on that line.

Mr. SMITH of Iowa. The gentleman from Kentucky need not be disturbed, but in my short time I do not care to yield. Now, what is the fact? That side of the House proposed to appoint a committee to select the members of the Committee on Rules, and we adopted the policy that the House itself should select the members. The Members on this side selected our members, and the Members on that side were authorized to select their members.

Mr. CLARK of Missouri. I would like to ask the gentleman a question.

Mr. SMITH of Iowa. Very well.

Mr. CLARK of Missouri. If it is a good thing now for the Republican party to select two members of the Committee on Rules, why don't you go the whole hog and select the whole?

Mr. SMITH of Iowa. There are about a thousand appointments to be made on all the committees of this House, and no intelligent man will claim that it is possible for this body of 400 people to make a thousand separate selections of Members on committees. Now, the gentleman from Missouri recognized that when he proposed a committee on committees in place of the election of the committee in the body of the House——

Mr. CLARK of Missouri. One more question.

Mr. SMITH of Iowa. My time is rapidly passing and I must proceed.

Mr. CLARK of Missouri. How do you reconcile the action of the caucus and the selection of two members with the repeated declarations of the gentleman from Pennsylvania——

Mr. SMITH of Iowa. I am not responsible for the declarations of the gentleman from Pennsylvania.

Mr. CLARK of Missouri (continuing). That the old code of rules was the most perfect ever devised by the will of man?

Mr. SMITH of Iowa. Yes; but he never declared that it was the most perfect that ever could be devised by the will of man. [Laughter on the Republican side.] The truth is that these gentlemen were so busy preparing to chasten certain gentlemen upon their side of the House in their caucus in the evening that they forgot to name the members of the Committee on Rules. [Laughter on the Republican side.] "Rebels in Cork are patriots at Madrid." [Laughter.]

The Committee on Rules has no power to force any rule upon this House; it has simply the power to bring measures before the House, and unless the majority favor the action of that committee its action is null. So that all the Committee on Rules can do is to give the majority an opportunity to vote.

We have heard a good deal of talk lately, Mr. Speaker, about the inability to compel committees to report, and about the helpless character of the House when committees do not report; but here is a proposition to bring a bill before the House that has previously been considered by the committee of another Congress and let the House itself, in its aggregate capacity, determine every question as to the census. Oh, but the gentleman says, why not appoint a Committee on Census? I call the gentleman's attention to the fact that when the gentleman from Missouri brought in his resolution the other day it provided that the Speaker was authorized to appoint certain specific committees, revoked his authority to appoint all the other committees, and left the Census Committee off the list that he was going to permit the Speaker to appoint at this session of Congress. [Laughter on the Republican side.]

Mr. CLARK of Missouri. Are we operating under the rule that I brought in or under something else? What do you say about that? [Laughter on the Democratic side.]

Mr. SMITH of Iowa. The gentleman declared his hostility to the appointment of a Committee on Census at this session of Congress, and sought to prohibit the Speaker from doing so, and now when we yield to that suggestion that no Committee on the Census shall be appointed we are again arraigned for arbitrary conduct in trying to carry out even his plan and purpose in this small way. [Laughter and applause on the Republican side.]

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Pennsylvania.

The question was considered, and the resolution was agreed to.

Mr. CRUMPACKER. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MANN in the chair.

The CHAIRMAN. The Clerk will read the bill.

Mr. CRUMPACKER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. CRUMPACKER. Mr. Chairman, this bill, in most of its aspects, is identically the same as the bill that passed both Houses late in the last Congress and was disapproved by the President. The original bill was discussed in the House for four or five days, and after thorough consideration in the Senate it was amended somewhat and was agreed to in conference. The President pointed out one material objection to the bill. That related to the manner of the appointment of clerks in the Census Office in this city.

It was the purpose of the Congress in enacting the bill in the first place to confer upon the Director of the Census a very wide latitude of discretion all along the line, and that large discretion was embodied in the provision for the appointment of clerks as well as in all other provisions of the bill. The work of taking a decennial census is a gigantic task. It is largely emergency work. There are three chief considerations to be observed in the preparation of a census law.

The first, and prime one, perhaps, is the accuracy of the work, and second, its dispatch, and the third, economy in the administration of the work. In order that these things may be accomplished, experience has shown that it is imperatively necessary that the man at the head of this great undertaking shall have a free hand in relation to most of the administrative matters, so that he can meet and settle exigencies as they arise with the least possible delay; and that explains, Mr. Chairman, the reason why the Congress incorporated in the first bill the provision respecting the appointment of clerks. It was an attempt to adapt the merit system to the peculiar character of the work during the temporary period in the Census Office.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. CRUMPACKER. I yield for a question.

Mr. COX of Indiana. Does the gentleman believe that under the bill as it is now prepared the Director of the Census, on whose shoulders rests its accuracy, will have as full and complete a hand as he had under the bill which passed the Sixtieth Congress?

Mr. CRUMPACKER. No; the Director of the Census under the pending bill does not have as much latitude, his power is somewhat circumscribed, and that provision was changed to meet the objection made by the President in disapproving the bill. But allow me to say this: The provision is so framed as to still confer upon the Director of the Census all the latitude, all the liberty, he may require for the welfare of the service, because it does provide that when exigencies arise he may select clerks from the eligible list upon other considerations than the ground of rating; but to meet exigencies only.

Mr. ALEXANDER of New York. The eligible lists of what?

Mr. LANGLEY. The Civil Service Commission has nothing to do with the appointments.

Mr. CRUMPACKER. Oh, I beg pardon; I should be cross-examined by only one counsel at a time. I am yielding now to the gentleman from Indiana.

Mr. COX of Indiana. Mr. Chairman, I am not trying to cross-examine the gentleman, but to get the gentleman's knowledge, having made the former admission that the gentleman has made, whether or not it is a fact that he does believe that if this bill passes and becomes a law as it is now prepared it will strike a blow at the accuracy of the Thirteenth Census.

Mr. CRUMPACKER. Oh, I do not. I am willing to confess that in our attempt to secure to the Director of the Census full control over the work, we conferred upon him a latitude that was not necessary. We gave him more liberty in making appointments than was required for the proper administration of the service, and in this provision we have specified the manner of appointments, the policy of appointment, and saved to him expressly simply that latitude that may be necessary for the proper administration of the work.

Mr. COX of Indiana. Is there not danger, if the bill as it is now prepared passes, of a conflict occurring between the Director of the Census and the Civil Service Commission?

Mr. CRUMPACKER. I think not.

Mr. COX of Indiana. Suppose the director comes to the conclusion that an exigency exists whereby he ought to employ certain people; under the bill as it is now prepared does the gentleman believe that the Director of the Census would have the power, over the opposition of the Civil Service Commission, to appoint anybody?

Mr. CRUMPACKER. The bill provides that there shall be a special test examination, the character of which shall be determined by the Director of the Census, the examination to be conducted by the Civil Service Commission, equipped with the official mechanism to conduct such examinations, and that the examinations shall be open to everybody, without regard to political party affiliations. It does require the Civil Service Commission to certify the whole list of eligibles over to the Director of the Census, with all the examination papers. The Director of the Census then is the custodian of the entire eligible roll, and the bill provides that the clerks shall be selected without regard to the rule of geographical apportionment; but the director must give preference in order of rating, excepting when the exigencies of the service may require it he may give preference in order of location or other conditions to secure clerks who are immediately available. There can be no conflict.

Mr. COX of Indiana. Under the bill, if the eligible list is certified over to the director, is he not compelled to accept it?

Mr. CRUMPACKER. Yes.

Mr. COX of Indiana. So it takes away to that extent any discretion in the Director of the Census altogether?

Mr. CRUMPACKER. No, no. I think the gentleman misunderstands the situation. I yield now to the gentleman from Iowa [Mr. HULL].

Mr. HULL of Iowa. Mr. Chairman, on pages 4 and 5 of the bill the entire force is put under the civil service, and on page 5, line 4, I find these words:

Without regard to the law of apportionment.

Now, if the gentleman will permit, my understanding of the civil-service law now is that the law of apportionment applies to the different localities in the United States; so that even if some of the applicants living near the seat of government stand higher than those at a farther distance, if those localities near the capital have their full quota they would have to wait until other localities in the United States had received their quota before they would take precedence over those at a distance.

Now, I would like to ask the gentleman why, in putting this under civil service—which to my mind is an almighty bad thing, but conceding we have got to take it—why it was that the localities represented by gentlemen in the Mississippi Valley are virtually prohibited from any possibility of being employed on this temporary force?

Mr. CRUMPACKER. I think the gentleman from Iowa misunderstands the force or the meaning of that provision. In the first place——

Mr. HULL of Iowa. Then, let me make myself a little clearer——

Mr. CRUMPACKER. I think I understand the gentleman——

Mr. HULL of Iowa. You provide here that the selection made by the Civil Service Commission shall be certified over to the Director of the Census, and the Director of the Census must make his selection without regard to the law of apportionment in the order of rating——

Mr. CRUMPACKER. Yes.

Mr. HULL of Iowa. Now, that is a change of the civil-service law——

Mr. CRUMPACKER. Yes.

Mr. HULL of Iowa (continuing). Making it still worse on parties representing constituents at some distance from the seat of government.

Mr. CRUMPACKER. And that recommendation was made by a special committee appointed by the Secretary of the Department of Commerce and Labor, at the head of which was Carroll D. Wright, specially recommending the abolition of the rule of geographical apportionment, and the President, in his message of disapproval to this bill, especially——

Mr. HULL of Iowa. Yes.

Mr. CRUMPACKER (continuing). Especially referred to that fact and said it ought to be left out of the bill, and the Director of the Census, who perhaps knows more about census work and the official requirements than any other man in the

country, asked to have it left out. Now, these are the witnesses——

Mr. HULL of Iowa. Yes; but why should it be left out?

Mr. CRUMPACKER. These are the witnesses who have testified it should be left out.

Mr. HULL of Iowa. But why?

Mr. CRUMPACKER. For the good of the service. Now, the object of leaving it out is to avoid the difficulties that might be met, as the gentleman remembers, in following the rule of geographical apportionment. Suppose, now, as the gentleman states, those States within a hundred or two hundred miles of the city of Washington have their full quota or more. Suppose we adhere to the rule of geographical apportionment. Then, of course the remote States are the only ones which could furnish clerks in the temporary service, and the gentleman must bear in mind this service is only temporary——

Mr. HULL of Iowa. I know that.

Mr. CRUMPACKER (continuing). And the average tenure will not perhaps be to exceed two years and the pay is from $600 to $1,000 a year, and under the rule of geographical apportionment the Director of the Census would be compelled to go to California and other remote States for the clerks. He would have to keep a large number of clerks on hand on the waiting list, on the pay roll, to meet emergencies, so that the application of that rule would be costly and embarrassing.

This bill was drawn with the view of avoiding unnecessary "red tapism," a thing that strangled and destroyed the value of the census taken in 1890. If we preserve all the requirements that are applicable to the permanent service we will surround the Census Office again with these red-tape requirements that will greatly impair the value of this great work, and greatly increase its cost. Rather than do that we had better not have the work done and save the money in the Treasury.

Mr. HULL of Iowa. Mr. Chairman, the gentleman, it seems to me, does not give very much weight to the language of the bill a little farther down, which provides that—

when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available.

If that language means anything, it means in case of emergency and the States far off have not their quota they can take them from near here——

Mr. CRUMPACKER. Surely.

Mr. HULL of Iowa. And if you put it as you have, in my judgment you simply give notice to Illinois and Iowa and Nebraska and other States of the West that——

Mr. CRUMPACKER. Let me answer at this point that I think the gentleman has business judgment enough to appreciate the importance of doing business in a business way, and doubtless realizes the fact that the work in the Census Office during the decennial period is not ordinary administrative work.

It can not suffer the ordinary delays. Now, leaving the provision in the bill, abrogating the rule of geographic apportionment, and retaining the requirement that gives preference in order of rating, we have a kind of apportionment not based upon geography, but upon rating, and we require the safety provision in the bill under any circumstances.

Now, another thing. These examinations will be held all over the country, I have no doubt; and all those on the eligible list will be certified, and the Director of the Census can foresee that he will require, say, a hundred, five hundred, or a thousand clerks in a week or ten days or two weeks, as the case may be. He will pick them out. He will notify the availables in the gentleman's district, in the State of Iowa, in the State of California, and other remote States, as they come, to be here in due time. It will be done in that way, excepting when something arises that has not been foreseen that requires the immediate appointment of clerks, then we give him the right to appoint from the eligible roll upon considerations of availability.

Mr. HULL of Iowa. If the gentleman will let me have three or four minutes, he can answer me fully, and I will not delay any longer.

Mr. CRUMPACKER. The gentleman wants to make a speech?

Mr. HULL of Iowa. I do not want to make a speech. If I did I would want more time. I want to make an explanation of my position, not in the form of a question, and the gentleman can answer it.

Mr. CRUMPACKER. I yield to the gentleman from Iowa [Mr. HULL] to make his statement.

Mr. HULL of Iowa. I only want four minutes, and would like to have that time entirely to myself.

Under the last census, and the one taken before that, the director made up the list of all his force on the recommendation of Members of Congress, but only selecting those who could pass a prescribed test examination. That made it nonpartisan. To my mind that was a true merit system.

Mr. HAY. Noncompetitive.

Mr. HULL of Iowa. Noncompetitive; but the applicant for appointment had to pass a test examination, and all who failed to pass that examination and show their ability to do that work were rejected by the Director of the Census. To my mind that was the merit system in a greater degree than the civil-service system. The civil service will load up here in the neighborhood of 4,000 employees, and when this is completed, no matter what you put in the bill now, every pressure on earth will be brought to bear to provide places for them, on the ground that they ought to stand equally with every other man in the civil service. The other men were taken from different localities and were appointed, if they passed a test examination, and probably some of them came here from a distance. Do you propose in this bill—and I am not objecting to the civil-service provision in the bill, as I would be glad to get rid of the responsibility of naming anybody for any place—to give no man in a distant State notice that he can get an appointment, but notify him that he has to pass higher than the other fellow on the list or he can not get an appointment?

Some of the very best men in the last census, as the Director of the Census, who took the census then, will testify, were men who had not the best of scholastic ability, but had practical ability, and did their work in such a manner that they received promotion sooner than many of the men who passed a higher examination than they did. That is true.

Now, Mr. Chairman, what I would like for the gentleman from Indiana [Mr. CRUMPACKER] to do as chairman of this committee, is not to waive all the rights of all the States distant from the capital, but arrange it so that you can have a merit system, so that every man that gets a place must pass a prescribed examination, and demonstrate by that his ability to do the work. Then let it be distributed among all the congressional districts of the United States, and let some man outside this locality have some chance to work for the Government some time during his life.

The CHAIRMAN. The time of the gentleman has expired.

To whom does the gentleman from Indiana [Mr. CRUMPACKER] now yield?

Mr. CRUMPACKER. I have not made my selection.

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. CRUMPACKER. I yield to the gentleman from Tennessee [Mr. PADGETT] first.

Mr. PADGETT. I would like to call the gentleman's attention, beginning with the proviso on line 5, page 5:

Provided, however, That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available.

Especially to the words, "or other conditions," and to submit this question: Suppose that a man with the highest rating lived in New York State and a man with a lower rating, but with a good political pull, is with his Congressman here at the time in the city of Washington. Are not "other conditions" thus presented under this law that would give preference over the man with the better rating in the State of New York, who might be had the day after to-morrow? That is to say, a condition that would make him immediately available.

Mr. CRUMPACKER. That interpretation could be put upon the provision, but the object of the provision, if the gentleman will allow me to explain——

Mr. PADGETT. Certainly.

Mr. CRUMPACKER. The object of the provision is written clearly on its face. When any considerable discretion is vested in a public officer for the public good, it is liable to be abused. The most benevolent, the most necessary discretion, the great judicial discretion that is reposed in the courts of the country is liable to be abused every day. The purpose of the provision is written as clearly and as plainly as it could be. And let me say this: That identical provision is in the present civil-service law where appointments are made for temporary service. The Civil Service Commission can give preference in cases of emergencies on account of residence and other conditions, which makes eligibles immediately available.

Now, here is the proposition we had in mind: Suppose an eligible lived in Nebraska and happened to be here. The Director of the Census, if the exigency justified, could appoint that eligible without respect to his relative grade, as the condition of his being here would make him immediately available. Any condition that makes a man on the eligible list immediately available would come under the provision. The gentleman must bear this in mind. The applicant must pass the examination.

That is the condition of the applicant, and nobody will have his name placed on the register until he has demonstrated his fitness, his efficiency. We have safeguarded this provision as fully as we could safeguard any provision in respect to administration and carry out its purpose.

Mr. PADGETT. May I ask this further question?

Mr. CRUMPACKER. The gentleman may.

Mr. PADGETT. The provision in the civil-service law for selections to be placed on the temporary list is limited to sixty days' employment?

Mr. CRUMPACKER. This service is temporary.

Mr. PADGETT. This will be for two years or more.

Mr. CRUMPACKER. Yes.

Mr. PADGETT. Now a further question. In the line above you insert the words "without regard to the law of apportionment," eliminating that provision of the civil-service law, and then incorporate the words "or other conditions;" do you not make the provision thereby broad enough to bring in a whole freight train loaded with men that can be here in the city of Washington, and the only condition of appointment will be that they have passed an examination, are on the list, and in the city of Washington?

Mr. CRUMPACKER. I think the gentleman is hypercritical in his objections. He is imagining and dreaming things that are not at all likely to occur. As I said a moment ago, all discretionary power is liable to be abused. If there is any abuse of this discretion, it will come through the Director of the Census, an executive officer appointed by the President and to be removed by the President.

Can we find a safer agent in whom to vest this discretion than a man whose character and reputation are such that he has been appointed by the President, with the advice and consent of the Senate, to be Director of the Census? I have faith enough in human nature to believe we can trust such an officer.

Mr. PADGETT. One more question, and in good humor. The gentleman, I understood, in answering the gentleman from Iowa a while ago, stated that the Director of the Census would notify the eligibles from the States of Iowa, Illinois, Indiana, Kansas, and California. I would like to ask the gentleman if he would notify them also from Tennessee, Alabama, Kentucky, South Carolina, and Texas?

Mr. CRUMPACKER. Well, now, I do not know. That is a problem I am not able to answer.

Mr. PADGETT. That is the question I want to get at—when you eliminate the law of apportionment.

Mr. CRUMPACKER. I regard the gentleman's question as a little bit of pleasantry, and not as a serious one.

Mr. PADGETT. I stated it pleasantly for the purpose of illustrating the effect of the elimination of the law of apportionment.

Mr. CRUMPACKER. I understand the gentleman by his course of questions is discrediting the integrity of the present Director of the Census, or any other man who may be chosen to administer that office. I have more faith in human nature than the gentleman from Tennessee seems to have.

Mr. DOUGLAS. Mr. Chairman——

Mr. CRUMPACKER. I will yield to the gentleman from Ohio for a question, and then I would like to explain the bill. If the gentlemen would allow me to proceed with my explanation, I will cover these questions in one-fourth the time it is taking now.

Mr. DOUGLAS. I want to ask one question apropos of what the gentleman from Iowa [Mr. HULL] has said and of what the gentleman from Indiana has just said. What authority has the gentleman from Indiana from the Director of the Census to say that the director will proceed impartially with reference to this clause which strikes out the law of apportionment? What authority has the gentleman for saying that the director will do what I know he has not done in certain instances in the past; that is, give a chance to those who are away from here as well as those who are here and bringing local pressure to bear?

Mr. CRUMPACKER. The Director of the Census has never said to me that he would be honest. He has never said to me that he would regard his oath of office; but——

Mr. DOUGLAS. He does not have to be honest, under this provision.

Mr. CRUMPACKER. But the gentleman from Ohio knows, or at least he ought to know from the history of this legislation, that these provisions must be incorporated into the bill or we will have no satisfactory census.

Mr. DOUGLAS. I do not agree with the gentleman on that.

Mr. CRUMPACKER. That will be the practical effect.

Mr. DOUGLAS. We will have a census all right, but we will have it taken under the most arbitrary method of administration.

Mr. HAY. I desire to call the attention of the gentleman from Indiana to the provision for the appointment of supervisors. On page 9, line 25, it is provided that—

The supervisors shall be appointed by the President.

In the bill which was passed by this House in the last Congress it was provided that the supervisors should be appointed by the President, by and with the advice and consent of the Senate, and I should like to know why that was left out of this bill. And would the gentleman object to an amendment at the proper time to reinsert those words, which will be inserted by the Senate anyway, as they were inserted during the last Congress?

Mr. CRUMPACKER. Well, I do not know. That was stricken out, and if the gentleman desires, when the time comes, to move to amend it, he will have that opportunity. He understands the force and effect of that as well as I do, and there will be an opportunity given to move to restore the provision requiring confirmation by the Senate.

Mr. SHERLEY. The gentleman's sole argument so far has been based upon the constant assertion that a very wide discretion is needed in regard to appointments. Now, a lot of us would like to know the reason for that discretion, rather than the constant assertion that it ought to be there. Practically this bill gives a discretion so wide as to make the civil-service features of it negligible. Now, if that be necessary, then all right; but instead of the assertion as to the necessity, will the gentleman give us the reason for it?

Mr. CRUMPACKER. In the first place, the gentleman assumes a proposition that I do not think is based on fact, because the bill does not grant any such latitude. There is only one element of discretion, and that is where exigencies may arise——

Mr. SHERLEY. Of which the Director of the Census is the sole judge.

Mr. CRUMPACKER. Of course.

Mr. SHERLEY. And it does away with the law of apportionment.

Mr. CRUMPACKER. Of course the discretion is exercised by the director, and it is just like a judge of a court in granting an injunction or exercising any other discretion. There must be an exercise of discretion in the administrative service.

Mr. SHERLEY. You would hardly put the Director of the Census on the same plane as the judge of a court.

Mr. CRUMPACKER. It is an administrative discretion, and the gentleman is familiar with matters of administration, and knows that it is necessary in every administrative bureau to provide for it.

Mr. SHERLEY. And it is more frequently abused than exercised properly.

Mr. CRUMPACKER. That is the reason we have circumscribed and safeguarded it as much as possible.

Mr. SHERLEY. Where is the circumscription, and where is the safeguarding?

Mr. CRUMPACKER. I have talked about this matter in the House and to the House until it has come to be an old story with me. Now, this work, as I have said, is emergency work all the way through. It is not necessary for me to go on and explain in detail why it is emergency work or repeat what its character is in detail. In the first place, the Director of the Census is the commander in chief of an army of 65,000 people in the field making schedules, enumerating the population, and obtaining statistics of manufactures. Schedules will come in by the million. More than 150,000,000 separate schedules will come in. Nobody can tell how rapidly they may come. The director may, in the exercise of his judgment, appoint 500 or 1,000 or 1,500 clerks, and conclude he has enough for a time. A flood of schedules may come into the office, many more than he anticipated, and he may need four or five hundred more clerks at once.

If he is bound by the merit system absolutely, under these circumstances it may require him three weeks to get the clerks. The object of this provision is to give him the power under such circumstances to select the clerks immediately available. Exigencies do arise. In the hearings before the House Census Committee Governor Merriam, director of the last census, stated that questions came up every day to be met and solved immediately, and he said it was absolutely necessary to give the director a free hand if the country expects him to do an accurate and economical piece of work. It is necessary, in view of the character of the work, to adapt the merit system to the particular service and not sacrifice the substance to the form.

Mr. SHERLEY. Then why tie him up at all?

Mr. CRUMPACKER. Now, I think I have said all I care to on the emergency nature of the service.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. CRUMPACKER. Yes.

Mr. STAFFORD. When the bill was first under consideration certain gentlemen who advocated the selection of employees under the civil service did not believe it should extend to messenger boys, watchmen, unskilled labor, and charwomen. To my mind, I can see no necessity whatever in subjecting charwomen and unskilled labor to the civil-service requirements of this bill, especially for a temporary employment, and I would like to ask if the gentleman would have any objection to inserting an amendment in the proper place excepting that character of employees from the purview of the civil-service rule?

Mr. CRUMPACKER. I do not feel at liberty to consent to accept any such amendment, and I would not have the power to accept any such amendment if I would. I submitted an appointment provision to several gentlemen interested in the matter and it met with their approval.

Mr. STAFFORD. Does the gentleman believe that there is any necessity for bringing charwomen and messenger boys and unskilled labor under the requirement of the civil service?

Mr. CRUMPACKER. I may not, but if we are to be hypercritical about it we might as well stop; if we are to bicker over every little immaterial provision which is not vital at all, we can not get a bill through, and I do not think this is a matter of sufficient importance——

Mr. STAFFORD. Can the gentleman give us any idea of the number of employees that would be needed for that service?

Mr. CRUMPACKER. I do not know; nobody can tell; not a great many, I imagine.

Mr. STAFFORD. I had no intention of bickering.

Mr. CRUMPACKER. I know; but it is one of that class of questions that is not material——

Mr. STAFFORD. I wish to take exception to that remark, because those who favored the civil-service examination when this bill was up before did not embody that in their recommendation.

Mr. CRUMPACKER. The only request that was made, and I think the one which the gentleman from Wisconsin supported himself—it may be that it included others—was changing the word "noncompetitive" to "competitive."

Mr. STAFFORD. The record will show that we excepted those employees from the civil-service examination.

Mr. CANDLER. Will the gentleman from Indiana yield to me?

Mr. CRUMPACKER. Yes; I will yield to the gentleman from Mississippi, and then I must decline to yield any further.

Mr. CANDLER. Under this bill there are three classes who are to be selected, beginning on page 4 of the bill, from the eligible list, and in the second class are those that may be selected on emergencies upon their previous record in the Census Bureau. Then there is a third class of employees in other branches of the classified service who have had previous experience who may be transferred to the Census Office and service during the whole or a part of the census period.

Now, then, when you do away with the law of apportionment and then provide these three classes from which the employees may be obtained, could they not all be obtained in and around Washington and within a limited space of the city?

Mr. CRUMPACKER. I think not. I undertook to explain to the gentleman from Iowa [Mr. HULL] a moment ago that examinations will be held all over the country, and the eligible list will be sent to the Director of the Census; and he can foresee, in a large measure, the number of clerks that will be required, and they will be selected from Mississippi or Indiana, or wherever it may be. This is the spirit of the bill; but where some matter arises that can not reasonably be foreseen, some contingency that must be met immediately, we give the director the other power to meet it, and that is all there is to the provision.

Mr. CANDLER. Can the gentleman say how many there are in the classified force that have had experience in the taking of the census heretofore?

Mr. CRUMPACKER. Perhaps 300 or 400, scattered about through the country. It may be there are more that may be available—some in Washington, some in Mississippi, some in Indiana—scattered all over the country. Clerks that have records of efficiency in the office would be eligible without an examination at all, at the discretion of the Director of the Census.

Mr. HAMLIN. Will the gentleman yield for a question?

Mr. CRUMPACKER. Yes.

Mr. HAMLIN. Does not the gentleman recall the fact that the Director of the Census stated that if we ignored the law of apportionment a large majority of these clerks would come from the District of Columbia, Virginia, and Maryland?

Mr. CRUMPACKER. He may have made that statement.

Mr. HAMLIN. Did he not suggest that would not be a bad idea, because it was a temporary service?

Mr. CRUMPACKER. Yes.

Mr. HAMLIN. Well, now, does the gentleman think it would be a good idea to ignore the law of apportionment and cut off the States that are not very proximate to the city of Washington?

Mr. CRUMPACKER. I will say this to my friend: This is public business. The census is not for the benefit of the office-holder or office seeker. It is public business. Now, I do not believe Congress would be justified in making any material sacrifice of the public business, involving considerable unnecessary expenditure of money, simply for the purpose of distributing these small appointments according to an arithmetical ratio amongst the States. I think the first consideration is to get satisfactory results.

Mr. HAMLIN. What additional expense would there be?

Mr. CRUMPACKER. Mr. Chairman, if I have talked to any purpose at all, it has been to show that it is necessary to have clerks at hand, so as to meet every exigency as it arises, and you can not do that and have your clerks in Oregon and California when you need them to-day or to-morrow. If that should be done, the director will have to keep a large waiting list on the roll at public expense, so as to avoid the embarrassment that may come from such emergencies as that. I think I have explained that as far as I can. If that is not satisfactory, I can not make it satisfactory.

Mr. HAMLIN. If the gentleman will permit just one more question: Is it not contemplated that these examinations will be held in advance of this work?

Mr. CRUMPACKER. Most certainly.

Mr. HAMLIN. And the eligible list made up?

Mr. CRUMPACKER. Most certainly.

Mr. HAMLIN. Could they not be notified if they lived in Illinois or Missouri or in Indiana in time to reach here without any expense to the Government?

Mr. CRUMPACKER. Mr. Chairman, I have gone over this same proposition four or five times to-day in answer to questions very similar to that, and shown that the eligible list would be established and be in the office of the Director of the Census, and he could foresee in a general way when he would need clerks, and he would make selections in accordance with the law, make selections from the States that were entitled to the selections; but this discretion was given to cover a case when some exigency might arise requiring an immediate selection of clerks that he could not foresee. That is the third time, I am sure, that I have explained it.

Mr. HAMLIN. I understand that, but I understand that under this bill there is no requirement that the director shall go to any of these other States for any of these clerks.

Mr. CRUMPACKER. Except on the question of rating. We have a right to presume that the rating will be as good in one State as in another, and clerks will be selected according to the same rule from Missouri that they will be selected in the States of New York and Virginia or the District of Columbia.

Mr. HAMLIN. But there is no assurance that there will be any examinations held anywhere except in the District of Columbia.

Mr. CRUMPACKER. The examination is to be general and conducted by the Civil Service Commission and will be open to all applicants, without regard to sex or to political party affiliations. Will not that require them to be general? The Civil Service Commission has examining offices all over this country.

Mr. MILLER of Kansas. Is there any provision in this law that requires these examinations to be made anywhere else except at Washington?

Mr. CRUMPACKER. There is no provision requiring them to be held at Washington.

Mr. MILLER of Kansas. Then, may not all of them be required to be held here by the commission?

Mr. CRUMPACKER. Certainly not. Is there any provision in the law requiring other examinations to be held outside of the District? And yet the Civil Service Commission holds them all over the country.

Mr. MILLER of Kansas. Suppose the position of the chairman is correct, that they will be held wherever the Civil Service Commission wants them, is it not true that there will be on the eligible list for appointment persons from every State in the Union?

Mr. CRUMPACKER. I presume so.

Mr. MILLER of Kansas. And if that is true, why should the discretion be put in the Director of the Census to select, as the

gentleman from Missouri [Mr. HAMLIN] has suggested, from the District of Columbia or the territory contiguous thereto as the Director of the Census may see fit?

Mr. CRUMPACKER. Let me ask the gentleman a question, as a business proposition. Here is this Census Office, with two or three or four thousand clerks, and a great volume of work coming in. There are eligibles around here and there immediately available, and some exigency arises that requires the immediate appointment of more clerks, and suppose they should be in Kansas or Missouri, all of them. What would the gentleman do? Allow the public business to be delayed in order to get the clerks from Kansas when others just as good are at hand?

Mr. MILLER of Kansas. That is the very thing that the Members of this House are objecting to, to permitting the Director of the Census to have the discretion so that he may abuse that.

Mr. CRUMPACKER. So the gentleman from Kansas would take the discretion entirely away from him.

Mr. MILLER of Kansas. No; the gentleman from Kansas would not do that at all, but the gentleman from Kansas would insist that the people from that State who are upon the eligible list are just as capable and competent and efficient for doing high-grade work as persons in the District of Columbia or from the State of Maryland.

Mr. DOUGLAS. At least they ought to have the chance to come here and be appointed.

Mr. CRUMPACKER. I infer from the character of this discussion that the President's message vetoing the other bill was somewhat justified; that the desire is more in the line of getting jobs than in providing for the government work. The question, in my judgment, is how can we best accomplish the work that we are providing.

Mr. MILLER of Kansas. Why not permit the Director of the Census to make the selection himself in his own way for efficiency, which point the gentleman seems so exceedingly anxious about?

Mr. CRUMPACKER. I will say to the gentleman, he is a Member of the House, the same as I am. This is not my bill. I have no personal interest in it at all. I am simply a Representative of a district of Indiana, and I introduced the bill and took charge of it before because I happened to be chairman of the Committee on the Census in the last Congress. We sent a bill to the President during the last Congress and he vetoed it, and I have no doubt if we repeated the performance there would be another veto by the present President. We did not have the courage in the last Congress to take up and pass that bill over the veto of the President. Is it right now to embarrass the succeeding President with the same question? If Congress wanted that bill to become a law, why did it not pass it over the President's veto? Now, is it right to hand this same proposition up to the present Chief Executive? And if we do I have no doubt it will be vetoed. Does the gentleman want that done?

Mr. MILLER of Kansas. No; certainly not.

Mr. CRUMPACKER. Will the gentleman from Kansas vote for the same bill we passed in the last House?

Mr. MILLER of Kansas. If the ex-chairman of the Committee on the Census presents that bill in the House, I will vote for it, as I did before, believing in that kind of legislation; but now the ex-chairman of the Committee on the Census suggests to Members of the House that we did not have the courage to pass the former bill over the veto of the President. Let me ask the ex-chairman of the Committee on the Census, the gentleman who is now acting as the chairman of the committee, why we did not have the courage to do that?

Mr. CRUMPACKER. I do not know.

Mr. MILLER of Kansas. Wait a moment. Was it not because the chairman of the Committee on the Census did not present it to the House and give the House an opportunity to pass upon that question?

Mr. CRUMPACKER. The chairman of the Committee on the Census had it referred to the Committee on the Census to get the temper of the House, and after consultation——

Mr. MILLER of Kansas. And never reported it back again.

Mr. CRUMPACKER (continuing). And after consultation Republicans by the score said that it would not do, that it could not be gotten through the Senate, and we should not attempt to override the veto. I think the gentleman appreciated the temper of the House as well as I did. However, I do not care to discuss that further.

Mr. LOUDENSLAGER. Will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. LOUDENSLAGER. I presume the earnest desire of the gentleman is to have this bill acted upon by the House and by Congress in order that we may get to the work of making a correct census. Is that the purpose of this extraordinary rule?

Mr. CRUMPACKER. I share the same desire that every Member of the House ought to have; I am simply a Member of the House.

Mr. LOUDENSLAGER. As I understand the bill, it purports to carry the views of the gentleman as to what should and should not be legislated upon. Is that correct?

Mr. CRUMPACKER. Well, I do not know that it is, in every respect.

Mr. LOUDENSLAGER. Then we will be glad to know in what respect it does not; but before I get to that point, in view of the urgency of this matter and with the knowledge the gentleman must possess—because he has made a study of this matter—in view of the fact that the Civil Service Commission has in the last two or three years been from nine to fourteen months certifying the eligibility of those who have passed examinations for positions, does the gentleman think that the Civil Service Commission can give us that quickness in dispatch in regard to those who are eligible in order that we may have a good census?

Mr. CRUMPACKER. I think if the gentleman would carefully read the bill he would find that is all taken care of.

Mr. LOUDENSLAGER. How?

Mr. CRUMPACKER. The clerks are not appointed upon requisition to the Civil Service Commission. The Director of the Census will estimate the number of clerks he will need to have appointed, he will frame the character of the examination, and the Civil Service Commission will conduct that examination and will aim to have the examination broad enough to establish an eligible list to fill all the requirements, and then certify the whole list at once before the work begins to the Census Office, and it will be in the Census Office all the time.

Mr. LOUDENSLAGER. I understand exactly what the bill provides. The Civil Service Commission have been from nine to fourteen months before they were able to certify who was eligible or who was not.

Mr. CRUMPACKER. Yes. I think the Civil Service Commission is a few months behind in its work.

Mr. LOUDENSLAGER. Then, why burden it?

Mr. CRUMPACKER. That is the reason why we incorporated in this bill a provision requiring the entire eligible registry to be certified over to the Director of the Census and to be in his office all the time, so he will not have to make requisitions to the Civil Service Commission to get certifications for each appointment. He must make appointments in the order of rating, beginning at the top, with the single exception that he may depart from that policy only to meet unforeseen exigencies. The President vetoed the other bill on account of the appointment provision. Congress did not see fit to pass it over his veto. We thus impliedly agreed that the President's method of appointment is the better one, and this bill is made now in spirit to conform to the President's suggestion. That is the object of it.

Mr. JOHNSON of South Carolina. What I want to ask the gentleman is this: The bill provides for these clerks to be examined by the Civil Service Commission. Will the same rules and regulations that now control that commission control as to the age in these temporary clerkships? For instance, a man over 45 years of age can not stand the civil-service examination. Will men beyond that age under this bill be excluded from standing the examination for this temporary service?

Mr. CRUMPACKER. The bill provides that the Director of the Census shall prescribe the character of the examination.

Mr. JOHNSON of South Carolina. That is, about the kind of questions.

Mr. CRUMPACKER. That means the general questions and limits. Whatever is included in a test examination, the age limit, the minimum and maximum, is involved. The Director of the Census will do that, and all the Civil Service Commission will have to do is the mechanical work of taking the examinations. It will have no discretionary power at all. The bill does not propose to confer any discretionary power upon the Civil Service Commission. All the discretionary power is in the Director of the Census and the commission is required to do what the Director of the Census suggests.

Mr. JOHNSON of South Carolina. In other words, he prescribes the regulations, and we are not governed by the regulations now in force?

Mr. CRUMPACKER. No; he will not be required to be governed by the regulations now in force.

Now, Mr. Chairman, I think we have gone over this appointment provision pretty fully, and I want to emphasize the importance of enacting this bill into law now, and of conforming the appointment provision in letter and spirit to the

views outlined in the message of the recent President in disapproving the other bill.

Mr. BENNET of New York. Before the gentleman passes on that, I would like to ask him if I am not correct in the understanding that the portions of the bill to which the recent President objected are all eliminated from this bill? As I understand it, there were two—the method of appointment, and that in relation to the Government Printing Office.

Mr. CRUMPACKER. The President suggested that if we authorized the printing to be done outside of the Government Printing Office, the eight-hour law should be made applicable. The bill omits that provision altogether. It does not authorize the printing to be done outside of the Government Printing Office.

I have a letter before me from the director, written yesterday or to-day, stating that he had arrangements with the Public Printer, and that he was satisfied that entirely just and equitable terms could be obtained from the Government Printing Office for all the printing, and that it would not be necessary to go outside of the government office to have any work done. So that provision is out of the bill altogether.

Mr. BENNET of New York. If it will not interrupt the gentleman to make this statement, I will say that the new Public Printer now says that the work can be done, and he will guarantee it can be as cheaply done in the Government Printing Office as it can outside.

Mr. CRUMPACKER. Well, the Director of the Census informs me the same, or substantially the same, in a letter which I received from him, and which I will incorporate in my remarks.

Now, one other amendment that was made: The other bill did not provide for the enumerating of the blind and deaf outside of public institutions. There were a large number of petitions or requests sent in after we had prepared the bill and it had passed the House, asking for that provision, and it was not made.

The Committee on Census ordered a resolution reported requiring the director to enumerate the blind and the deaf outside of institutions as well as in. We have incorporated that provision in one of the schedules in this bill, and the names and addresses of the blind and the deaf and dumb outside as well as inside public institutions will be collected.

Mr. PERKINS. Will the gentleman allow me to ask him one question?

Mr. CRUMPACKER. I will.

Mr. PERKINS. That information will be obtained by the same enumerators that go around and obtain the list and number of the population?

Mr. CRUMPACKER. The same enumerators upon the same schedule, without any additional expense.

Mr. PERKINS. And it will require no additional enumerators?

Mr. CRUMPACKER. It will require no additional enumerators and no additional expense, so the director informed the committee.

Mr. COX of Indiana. One other question, and that is whether there was a resolution passed by the Census Committee requiring the Director of Census to make reports on cotton?

Mr. CRUMPACKER. That applies to the permanent office.

Mr. COX of Indiana. That is not in this bill?

Mr. CRUMPACKER. That is already law.

Now, I want to inquire if the gentleman from Virginia desires any time?

Mr. HAY. I will have the right to take the floor in my own right.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HAY. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. HUGHES] for five minutes.

Mr. HUGHES of New Jersey. Mr. Chairman, I desire to address myself to the pending measure. So seldom is it in this House that we get a chance to talk about something before the House that that would be almost sufficient reason if I did not have any other. But, on looking through the provisions of this bill, it strikes me that no vital change has been made in it, and that it is practically the same measure that passed the House and was vetoed by the President. Now, I have not often been in a position where I could gladly and conscientiously follow the last President; but it so happens that I can say that I was with him, heart and soul with him, and believe that one of the best acts he ever performed while President of the United States was his veto of that measure. I can not speak too strongly on that subject. I have as much desire as any man in this House to make appointments in my district. I have as many intelligent men in my district as there are in any other. I represent a population of over 400,000, and over 50,000 qualified voters. I am satisfied from the percentage that they furnish to the other departments of the service that the Census Bureau could look with confidence to the State of New Jersey and to my district for the full quota of able and efficient men.

As I understand the provisions of this bill, this clause, commencing on page 5 and line 5, which reads as follows:

Provided, however, That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available—

practically nullifies the provision it is proposed to safeguard, and under this language men can be taken in who are not necessarily qualified to do the work.

Now, I have seen a census taken by men who were appointed from purely political considerations. I have seen school censuses taken and state censuses taken by men appointed in that way. I have seen deplorable results that followed from that method and that system. I have seen men indicted and punished under the provisions of the census law for misdemeanors in not filing or furnishing information, their records being in such a condition that they themselves were ashamed to submit them to the proper authority; they would rather face a grand and petit jury than bring in to the authorities the work that they were never fitted to perform. I have the presumption to claim to be a man of average intelligence. The fact that I have been elected to fill a place in this body justifies me in that presumption. But I do not claim that I am better able than the Civil Service Commission to select the men from my district to perform this very important work which is to cost so much money at a time when money is very precious in this country.

But under the terms of the proviso no man can tell by what means an applicant is to get one of these places. He may pass a good examination and the "exigencies" may keep him from being appointed. He may have the indorsement of his Congressman or Senator, and the same influences prevail. The proviso is neither for civil service nor a frank opposition of the spoils system. I am against it.

Mr. HAY. Mr. Chairman, I have heard with a great deal of interest what the gentleman from New Jersey said. I want to point out the fact that these clerks to whom he refers have to be on the eligible list. In other words, they must have stood the test examination provided for in the first part of this section.

Mr. HUGHES of New Jersey. Will the gentleman yield?

Mr. HAY. Yes.

Mr. HUGHES of New Jersey. In the few minutes I had it was impossible for me to get to that stage of my argument.

Mr. HAY. Go ahead now.

Mr. HUGHES of New Jersey. I can state it briefly in the form of a question directed to the gentleman from Virginia. The language of the bill is that these applicants shall be subject to certain special test examinations as the Director of the Census may prescribe; and under this language it is possible for the Director of the Census, yielding to the clamorous insistence of Members of Congress, to provide such a test that practically any man will be able to pass that examination.

Mr. LANGLEY. I will ask the gentleman from New Jersey if he thinks the Director of the Census is more likely to do that than are the members of the Civil Service Commission?

Mr. HUGHES of New Jersey. I will state again that under the language of the bill it seems to me that the test, being prescribed by the Director of the Census, may be of such a character that practically any man who can read and write can get upon the eligible list; not of course rated in such a way as to be likely to be appointed, but yet on the list; and then, once on the list, he is subject to the provisions of this proviso that when the exigencies of the service require, or these other conditions named, but with which we are not familiar, arise, then this man passing the test prescribed by the Census Director, and about which we know nothing, will be just as eligible, although far down on the list, as if he stood at the top.

Mr. HAY. I want to say to my friend from New Jersey that of course that might happen, but that it never will happen with the present Director of the Census.

Mr. LANGLEY. That was the point I was going to bring out.

Mr. HAY. He never would prescribe a test examination of the character referred to by the gentleman from New Jersey, because he is a man of very high character, with a great regard for the duties of his office, and he would not put himself in the attitude of prescribing an examination for the single and sole purpose of getting somebody a little clerkship.

Now, as I understand this provision, which is objected to not only by the gentleman from New Jersey [Mr. HUGHES] but by others, it is for the purpose of meeting some great exigency which may occur in the taking of this census and which has

occurred in the taking of other censuses, and it is not intended to cover into the service of the Census Bureau a large number of clerks who are unfit to perform the duties of the offices to which they may be appointed.

The only difference between this bill and the bill which was passed by the two Houses of the last Congress is in providing the test examination prescribed by the director, and appointing the clerks from the roll so made up, and the noncompetitive examination which was provided for in the other bill.

Mr. LANGLEY. If the gentleman will permit me, the last bill to which the gentleman refers contained practically this same provision regarding a test examination.

Mr. HAY. Well, it was a noncompetitive examination.

Mr. LANGLEY. Yes.

Mr. HAY. It was a noncompetitive examination, under which and through which, if the gentleman had two constituents who passed the noncompetitive examination, one of them making a percentage of 80 and the other 95, the gentleman from Kentucky could have either one of them appointed.

Mr. LANGLEY. That is correct; and often I would get the best census clerk by doing that.

Mr. HUGHES of New Jersey. Does the gentleman claim this examination is competitive?

Mr. HAY. I do.

Mr. HUGHES of New Jersey. Is there any objection to having the bill amended so that it shall read that the examination shall be competitive?

Mr. HAY. It already so provides.

Mr. LANGLEY. That is the meaning of the language.

Mr. HAY. On page 5, line 5.

Mr. LANGLEY. It is another way of stating it.

Mr. HUGHES of New Jersey. It is another way of stating it, perhaps, and yet it may be that the order of rating will be made to depend upon the time when the application was made or something of that kind, rather than upon the standing of the applicant in his examination papers.

Mr. LANGLEY. I think the gentleman from New Jersey [Mr. HUGHES] has altogether too many misgivings about what the Director of the Census will do. I have served with him, and know that those misgivings are utterly groundless, and that he will give us an honest, conscientious, and faithful administration of the law, in whatever shape we pass it.

Mr. HAY. I want to say that I know it is a competitive examination, because it says in terms that they shall be appointed in the order of their rating.

Mr. HUGHES of New Jersey. I understand that, but——

Mr. HAY. And their rating, of course, is the mark which they receive on the examination; not the order in which they are examined, or anything of that kind. So, Mr. Chairman, I can not see any objection to this provision in the bill, and it seems to be the only provision in the bill that is causing any comment from any source. In all other respects the bill seems to be entirely proper and to meet the wishes of gentlemen on the floor.

I will say that at the proper time, when the bill is read for amendment, I propose to offer an amendment, in line 10, page 4, to strike out the words "and other employees," which will take from this competitive examination such people as the messenger boys and charwomen, because I do not believe it was intended that they should be placed under that provision.

Mr. LANGLEY. The words "other employees," literally construed, covers clerks also, so that the gentleman had better be careful in drawing his amendment.

Mr. HAY. It says "additional clerks and other employees."

Mr. COLE. Will the gentleman yield for a question?

Mr. HAY. Certainly.

Mr. COLE. What sort of an examination would the gentleman prescribe for charwomen?

Mr. HAY. I do not know, and that is one reason why I want to strike it out.

Mr. EDWARDS of Georgia. Will the gentleman yield?

Mr. HAY. Certainly.

Mr. EDWARDS of Georgia. What provision is made in this bill for printing?

Mr. HAY. There is no provision in the bill. It is to be done by the Government Printing Office. The provision with reference to printing reports outside the office, in the bill passed by the last Congress, is omitted.

Mr. EDWARDS of Georgia. I understood there was a great deal of objection to that.

Mr. MILLER of Kansas. I would like to ask the gentleman from Virginia where is the language that he is going to move to strike out?

Mr. HAY. It is on page 4, line 19. I just said line 10, but that was a mistake.

Mr. MILLER of Kansas. That was the reason that I put the question to the gentleman.

Mr. HAY. Now, Mr. Chairman, I want to yield to my friend from Indiana, who wants some time.

Mr. MILLER of Kansas. Before the gentleman yields, will he answer a question?

Mr. HAY. Certainly.

Mr. MILLER of Kansas. Under the gentleman's interpretation of this bill, is it not possible for the Director of the Census to employ all the clerks from Maryland, Virginia, or the District of Columbia?

Mr. HAY. It is possible, if they stand a better examination than the people who take the examination from other States. As I understand it, if a man from Kansas stands first on the list he is first to be appointed.

Mr. MILLER of Kansas. I am talking about cases of emergency.

Mr. HAY. Oh, well, the gentleman and others seem to think that everything is going to be emergency.

Mr. MILLER of Kansas. No employees from other territory outside that which I have named will get in unless we have people here hanging around Washington waiting for employment, and I assure the gentleman that there will be none from the State of Kansas of that kind.

Mr. HAY. The gentleman must know that the emergencies referred to will not arise when this great force of clerks is first put on. There will be ample time for these examinations to be held, and for the gentleman's constituents to stand the examination and then come on here and take the place if they stand the examination.

Mr. LANGLEY. Will the gentleman yield to me for a moment?

Mr. HAY. Certainly.

Mr. LANGLEY. In the Twelfth Census I was the appointment clerk, and we had an arrangement whereby clerks were notified quite a while in advance that they would be required on a certain day and to notify us whether they would be ready to report for duty then. We fixed the number approximately that we would need on such day, and as a result of that arrangement, there was no difficulty in bringing clerks promptly from all sections of the country and assigning them to duty without interrupting the work.

Mr. HAY. Then, let me ask the gentleman, were all the clerks appointed under the Twelfth Census for this emergency from Maryland and the District of Columbia?

Mr. LANGLEY. Certainly not; and the exigencies referred to under which this bill permits a departure from the order of rating scarcely ever arose.

Mr. LOUDENSLAGER. But they were not appointed under provisions like those in this bill. That is the reason they were not from Maryland and Virginia and the District of Columbia.

Mr. LANGLEY. But the Director of the Twelfth Census could have done what gentlemen suggest is possible to be done under this bill.

Mr. MILLER of Kansas. Is it not true that under the Twelfth Census, when the gentleman was an appointment clerk, a very large majority of the number of the employees were from Maryland and Virginia and the District of Columbia—a larger proportion than from any other like territory in the United States?

Mr. LANGLEY. I am inclined to think that there was proportionally a larger number. I am not certain, but that is my recollection.

Mr. MILLER of Kansas. And the exigency and emergency existed two or three weeks and sometimes more than a month, in the mind of the appointment clerk as well as the Director of the Census?

Mr. LANGLEY. I beg to disagree with the gentleman.

Mr. SMITH of Michigan. Will the gentleman from Virginia yield for a question?

Mr. HAY. Certainly.

Mr. SMITH of Michigan. How many clerks are there in the regular force in the Census Office at this time?

Mr. HAY. I do not know exactly; I suppose 700 or 800. I do not know about that.

Mr. SMITH of Michigan. There is no limit by the provisions of this bill?

Mr. HAY. Yes; I think about 3,000. They are to be temporary clerks, to be used during the actual period of taking the census. Now, Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. Cox].

Mr. COX of Indiana. Mr. Chairman, as a member of the Committee on the Census of the Sixtieth Congress I voted to pass the bill out of the committee, and as a member of that committee I voted to pass the bill in the House early in the ses-

sion of Congress just closed. The then President of the United States saw fit not to approve the measure, and every man who voted for it was characterized as a politician, and the measure itself was characterized as a fraud, and was sent back to the House with his veto. To-day the bill comes before the House apparently endeavoring to meet the objections urged against the bill by the ex-President of the United States. We all agreed in the committee, and the House agreed, and I think will agree to-day upon this proposition, that accuracy and efficiency are two of the essentials we should strive for in trying to have the Thirteenth Census taken; and it was universally agreed and was so stated by General Merriam, the Director of the last census, before our committee that if you wanted accuracy, you would have to give the Director of the Census the freest hand you possibly could give him; and if Director North did not openly make that statement in our committee at least he gave his tacit assent to it, because he was present before the committee and read the bill and approved of section 7. Now, then, we reach this kind of a condition to-day, whereby it is proposed to appoint thirty-two or thirty-four hundred clerks, either under the Civil Service Commission or not under it; I do not know which, by the terms of the bill under consideration. The objections which I urge to this bill this evening are that it is, to my judgment, indefinite and uncertain. If you are going to put the taking of the census, so far as these clerks are concerned, directly under the Civil Service Commission, let us do it. If you are not going to put all of these clerks under the Civil Service Commission and you are going to throw the responsibility for efficiency upon the Director of the Census, let us do that.

Mr. HUGHES of New Jersey. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. COX of Indiana. Yes.

Mr. HUGHES of New Jersey. Is there any doubt in the gentleman's mind about this being absolutely under the direction of the Director of the Census?

Mr. COX of Indiana. There is.

Mr. HUGHES of New Jersey. I want to call the attention of the gentleman to the fact that the Director of the Census prescribes the examination and the Civil Service Commission simply conducts the examination, and after the Civil Service Commission has conducted the examination the Director, who has prescribed it, can set aside their findings and appoint anybody he likes.

Mr. COX of Indiana. I did not yield to the gentleman for anything except a question.

Mr. HUGHES of New Jersey. I just wanted to clear up the gentleman's mind.

Mr. COX of Indiana. The gentleman has his idea as to what is clear and I have mine. Mr. Chairman, referring to section 7 of the bill, in my judgment you strike down one of the very vital provisions of the law; and do you propose to strike down that part of the law which requires that appointments to various positions shall be made throughout the United States with regard to area and population? I undertake to say that, in my judgment, the great western country will have but small, if any, opportunity to get a single, solitary one of these thirty-two or thirty-four hundred appointments of clerks for the taking of the Thirteenth Census.

Mr. FLOYD. Will the gentleman yield?

Mr. COX of Indiana. Yes.

Mr. FLOYD. Where are these examinations to be held?

Mr. COX of Indiana. The bill does not provide.

Mr. FLOYD. Are they all to be held in Washington?

Mr. COX of Indiana. The bill does not provide.

Mr. FLOYD. Are they to be held by the same examiners who examine the civil-service applicants?

Mr. COX of Indiana. The bill does not provide.

Mr. FLOYD. Would they not be held throughout the country?

Mr. COX of Indiana. That would be the presumption, but whether they will or not the bill does not say, and here is the danger that overcomes that presumption, and that is the emergency clause that is attached to it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAY. I yield the gentleman five minutes more.

Mr. COX of Indiana. Let me read:

Provided, however, That when the exigencies of the service require preference may be given to eligibles who by reason of residence or other conditions are immediately available.

Who is to determine when the exigencies of the occasion arise?

Mr. HAY. I would like to ask the gentleman a question.

Mr. COX of Indiana. Yes.

Mr. HAY. Was not that clause in the last bill?

Mr. COX of Indiana. Yes; but the last bill provided for a noncompetitive examination. I again ask the question, Who is to be the judge of when and where the exigency arises?

Mr. MILLER of Kansas. I will answer the gentleman by saying the Director of the Census, and nobody else.

Mr. COX of Indiana. The Director of the Census, and, in my judgment, that is the mare's nest in this entire bill, which absolutely destroys and completely nullifies the civil-service law.

Mr. HAMLIN. Will the gentleman yield for a question?

Mr. COX of Indiana. Yes.

Mr. HAMLIN. Right on that point, did not the gentleman argue awhile ago that the Director of Census should have the freest possible hand in the matter?

Mr. COX of Indiana. I am taking the position that this bill ought to be framed upon one theory or the other—that I object to a bill being framed up here that will catch somebody coming or going.

Mr. HAMLIN. Mr. Chairman, I think I agree with the gentleman, and I believe he agrees with me, that the director should have a free hand in this matter and the Civil Service Commission ought to have nothing to do with it.

Mr. COX of Indiana. Mr. Chairman, if ex-President Roosevelt was the true, genuine reformer that he was said to be, I want to call attention of this House to a bill which he signed two months ago providing for the appointment of a disbursing clerk at the insane asylum here in the District, which absolutely took 900 employees out of the civil-service employment and put them directly under the control of the disbursing clerk of that institution, and that bill is a law to-day. I make that argument, however, in response largely to his characterization of all this body of men who voted for this bill that they were "professional politicians;" that we had brought a bill upon this floor; and not only that, but had passed a law that was a fraud. Now, then, I oppose this bill for the reason, in my judgment, that it is uncertain. I oppose it because, in my judgment, it strikes down one of the vitally important principles in the civil-service law. I oppose it because, in my judgment, it will give to the Director of the Census absolute complete plenary power to appoint all of the 3,200 or 3,400 clerks from the District of Columbia or the immediate vicinity thereof.

Mr. SCOTT. Will the gentleman yield for a question?

Mr. COX of Indiana. Yes.

Mr. SCOTT. Would not the gentleman's objection be at least largely met if the words "without regard to the law of apportionment" should be stricken out of line 4, page 5?

Mr. COX of Indiana. Comparatively it would, and I will say to the gentleman that if no one else does I am going to offer an amendment at that point when the time comes.

Mr. SCOTT. It seems to me that amendment is a very important one and ought to be adopted.

Mr. COX of Indiana. In conclusion, therefore, Mr. Chairman, I can not support this measure and act, in my judgment, consistently with the way I have acted heretofore. Let us put it all under the civil service completely and throw the responsibility upon it and let us leave it there, or else let us take it from the civil service and throw the responsibility directly upon the Director of the Census. But it was openly stated, I think, in debate here last winter in the Sixtieth Congress, at least at the hearing before our committee, that the Twelfth Census was the most important census that was ever taken in the United States, and that census was taken without a competitive examination.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAY. Mr. Chairman, I have no further time to use. I do not know anybody at this time who desires time. If there is, I will be glad to yield time.

Mr. HUGHES of West Virginia. Will the gentleman yield to me for two minutes?

Mr. HAY. Certainly.

Mr. HUGHES of West Virginia. Mr. Chairman, I just want to say in reference to this bill that it seems that this bill does not meet with the approval of all the Members of the House; that the committee in considering this bill brought in a bill that they felt would accurately and economically take said census, which bill was vetoed by the President of the United States. Now, then, it seems to me that the only objection that can be urged against this bill in its present form is on line 4, page 5, to the words "without regard to the law of apportionment." It would seem to me if those words were stricken out that this would cover the objectionable part as near as we can and we would get the kind of a bill which we should now put up to the President of the United States, in view of what happened at the last Congress with reference to the census bill.

I do not think that we could afford to make any very serious changes in it, and while President Roosevelt objected in his veto seriously to those words, it seems to me had this been the

only part of the bill that was objectionable to him at that time he would not have vetoed it, and while the former chairman feels that it is very important that these words should remain in the bill, and believes if it is passed in its present shape, with those words out that the President would feel that he would have to veto it, I do not feel that way about it. I feel that unless those words are stricken out that the Director of the Census will be put in a very embarrassing position in order to do what is really his purpose. While the District of Columbia, Virginia, and other near-by States have very much over their apportionment in the departments here, by leaving this paragraph in the bill they will take the examination, they will pass, and there will be a line for two squares from the Pension Office, and the Director of the Census will have no option whatever with regard to them. He will have to take them from the District of Columbia, Virginia, and other near-by States, and fill up this whole bureau.

The CHAIRMAN. The Clerk will proceed with the reading of the bill under the five-minute rule.

The Clerk read as follows:

SEC. 7. That the additional clerks and other employees provided for in section 6 shall be subject to such special test examination as the Director of the Census may prescribe, the said examination to be conducted by the United States Civil Service Commission, the examination to be open to all applicants without regard to political party affiliations. Copies of the eligible registers so established and the examination papers of all eligibles shall be furnished the Director of the Census by the Civil Service Commission, and selections therefrom shall be made by the Director of the Census, without regard to the law of apportionment, in the order of rating: *Provided, however*, That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available; and that preference may be given to persons having previous experience in census work whose efficiency records are satisfactory to the said director, who may, in his discretion, accept such records in lieu of said examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred, shall be eligible to appointment to positions of similar grade in any department without examination: *And provided further*, That during the decennial census period and no longer the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section 6 of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

Mr. STERLING, Mr. HULL of Iowa, Mr. HUGHES of West Virginia, Mr. HUGHES of New Jersey, Mr. HAY, and Mr. DOUGLAS rose.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. STERLING].

Mr. STERLING. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. STERLING] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 4, page 5, strike out the words "without regard to" and insert in lieu thereof the words "in conformity with."

The CHAIRMAN. The Clerk will read the section as it is proposed to be amended.

The Clerk read as follows:

SEC. 7. That the additional clerks and other employees provided for in section 6 shall be subject to such special test examination as the Director of the Census may prescribe, the said examination to be conducted by the United States Civil Service Commission, the examination to be open to all applicants without regard to political party affiliations. Copies of the eligible registers so established and the examination papers of all eligibles shall be furnished the Director of the Census by the Civil Service Commission, and selections therefrom shall be made by the Director of the Census, in conformity with the law of apportionment, in the order of rating: *Provided, however*, That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available; and that preference may be given to persons having previous experience in census work whose efficiency records are satisfactory to the said director, who may, in his discretion, accept such records in lieu of said examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions of similar grade in any department without examination: *And provided further*, That during the decennial census period and no longer the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section 6 of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

Mr. HULL of Iowa. Mr. Chairman, I would like to ask the gentleman a question. The law of apportionment, if you leave in any of those words, will be whatever this bill provides for; and they can appoint under the other provisions of the bill, in my judgment, with at any regard whatever to what the gentleman is seeking to arrive at. It seems to me that the object will be attained that we are discussing here if you strike out the words "without regard to the law of apportionment" and leave the law as it stands on the statute books. I think the amendment will defeat this entirely.

Mr. STERLING. I think the gentleman from Iowa is right in the proposition that if we would strike out those words the appointments would be made according to the civil-service law. The only difference between his proposition and the one I offer is this: That mine provides expressly that they shall follow the law relating to apportionment, while if you would strike out the words as he suggests it would probably be implied. I think that it is better that it be expressly stated in the bill here that the appointments shall be made without regard to the existing law.

Mr. HULL of Iowa. I would put in more than the gentleman suggests, namely, "in conformity with the existing law as to apportionment."

Mr. STERLING. I do not think that would add anything to it. I think it is perfectly clear to everybody that it refers to the law of apportionment as provided in the census law, and it is equally clear without those additional words.

Mr. LANGLEY. My understanding of it is that the law of apportionment applies only to the classified service. These positions provided for in this bill are not placed in the classified service, and therefore the gentleman's amendment, as it reads, will not accomplish his purpose, and I think the gentleman from Iowa is correct in the suggestion that the intent of Congress should be definitely specified, so as to make it clear that it refers to the law of apportionment as applied to the classified service.

Mr. HULL of Iowa. I would suggest to the gentleman to change the amendment by inserting, after the word "apportionment," the words "as now provided for the classified service."

Mr. STERLING. I have no objection to that. I do not think it adds anything at all excepting the words, and I will agree to the amendment offered to my amendment by the gentleman from Iowa [Mr. HULL].

The CHAIRMAN. Does the gentleman from Illinois [Mr. STERLING] ask to modify his amendment?

Mr. STERLING. I will modify it in that way.

The CHAIRMAN. The gentleman from Illinois [Mr. STERLING] asks to modify his amendment so that it will read as the Clerk will now report.

The Clerk read as follows:

On page 5, line 4, insert after the word "apportionment" the following, "as now provided by the classified service."

Mr. HUGHES of West Virginia. I do not believe that will cover all that the gentleman intends it to cover.

The CHAIRMAN. Does the gentleman from Illinois [Mr. STERLING] yield to the gentleman from West Virginia [Mr. HUGHES]?

Mr. STERLING. I do not, now. I will in just a minute. I desire to state what I understand will be effected by this amendment. I think I am right in my position with regard to it. As the bill is now unamended, it does not guarantee that the States will get their due proportion or that the localities throughout the country will get their due proportion of appointments. With this amendment, it would guarantee to all the States, the near-by States and the remote States, the same right and the same advantages and the same chances of having a representation in this service in the Census Office.

Mr. HUGHES of West Virginia. Will the gentleman allow me? I was just afraid that the gentleman's amendment would not do what he suggests, and I would like to have the attention of the House to have his amendment read again.

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the Clerk will again report the amendment offered by the gentleman from Illinois as modified.

The amendment as modified was again reported.

Mr. CRUMPACKER. Mr. Chairman, in the first place I hope the Committee of the Whole House will not so fashion this bill as to give the clerks and officers appointed under it a classified status, so that they will be eligible to be transferred and reappointed. That is one thing the bill aims to avoid. I do not know that the amendment offered by the gentleman from Illinois would accomplish that purpose, but it is a step in that direction.

Now, judged by the merit system, Mr. Chairman, the amendment offered by the gentleman from Illinois is absolutely indefensible. The bill as it now stands provides that clerks shall be appointed in the order of rating, and if applicants in the State of Illinois stand highest on the eligible list, they will be appointed, not because they live in Illinois, but because they have shown the highest and best capacity for the service.

Mr. STERLING. Now, Mr. Chairman, may I ask the gentleman a question?

Mr. CRUMPACKER. Not until I have finished this statement. (Continuing.) If, on the other hand, the law of apportionment shall be enforced upon this service, then a clerk in the State of Illinois of a low grade will have preference over a clerk in another State who may have a better grade and have shown much higher capacity for public service. He will be forced into the service, not because of his ability but because he happens to live in the State of Illinois. I state to the gentleman from Illinois that that is the reason why the bill that was passed by the last Congress was vetoed by the President. It was not based upon the merit system.

The CHAIRMAN. The gentleman had already addressed the Chair, and had preferred his request. Does the gentleman yield to the gentleman from Illinois?

Mr. CRUMPACKER. I yield to the gentleman from Illinois.

Mr. STERLING. The gentleman from Indiana says that the proposition is indefensible. If it is indefensible in this law as applied in this case, it is also indefensible in the civil-service law. This places this bill and these appointees in strict conformity with the civil-service law.

Mr. CRUMPACKER. If the gentleman pleases, I yielded to him for a question. I realized the force of his comparison. It is an illogical feature of the civil-service law; it is illogical because it is not true to the merit system. The appointments are not based upon merit alone; they are based in many instances upon the accident of location; and the gentleman knows that the purpose is to undertake to establish a pure merit system of appointment. The character of this service being peculiar and of a temporary nature, we have taken it out from under the general provisions of the civil-service law.

Mr. STERLING. Is it not true that that provision of the civil-service law has worked satisfactorily?

Mr. CRUMPACKER. I do not know that it has——

Mr. STERLING (continuing). And thereby the States have got a fairer proportion than they would have had had it not been in existence?

Mr. CRUMPACKER. Judging from the temper of this House on both sides of the aisle, the civil-service law has not always operated in a satisfactory manner.

Mr. STERLING. I say in that regard.

Mr. TAWNEY. Will the gentleman from Indiana permit a question?

Mr. CRUMPACKER. I yield now to the gentleman from Kentucky. I will have to ask for a brief extension of my time.

Mr. SHERLEY. Is it not true that any man who would be put upon the eligible list would be put there by virtue of the fact that he was competent to perform the service? Is not that the whole theory of the eligible list?

Mr. CRUMPACKER. That implies that the eligible list means competency as far as a test examination is evidence of competency; and under the rating system, if it is of any value, applicants who secure the highest rating will have the greatest competency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent that the gentleman's time may be extended.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Now, is it not true that a man who had the lowest average and was yet on the eligible list, if that examination means anything, would yet be competent to perform the service?

Mr. CRUMPACKER. Well, yes; in a way.

Mr. SHERLEY. Now, does not the amendment offered by the gentleman from Illinois simply mean this, that instead of having your competents taken as they would be, under the discretion lodged in the director, from this locality, that you would have to distribute them throughout the country?

Mr. CRUMPACKER. Oh, but the gentleman loses sight of the fact that there are grades of efficiency and competency, degrees that are illustrated by the ratings. One man may be a powerful man physically and another man less strong, and so on down the line; but the minimum may be fairly strong enough to do the work that is required and yet not as capable as the best. If you undertake to establish a merit system, you should prefer the applicants who show by the test that they have the highest degree of efficiency. That is the only test of a true merit system.

Now, Mr. Chairman, I want to submit the testimony of a few competent witnesses on this question. The Director of the Census, before the Committee on the Census and in his annual report, expressly requested that the law of geographical apportionment should not apply to the temporary census office. A committee of experts, appointed by the Secretary of the Department of Commerce and Labor a year ago last January to examine the bill, made the same recommendation. The President, in his veto message of the bill recently passed by Congress, among other things said:

> In view of the temporary character of the work, it would be well to waive the requirements of the civil-service law as regards geographical apportionment.

Now, I want the Committee of the Whole House to have these facts before them.

Mr. TAWNEY. Will the gentleman permit an interruption?

Mr. CRUMPACKER. I will.

Mr. TAWNEY. As I read and understand the language which the gentleman quotes from the message of ex-President Roosevelt, it is a mere suggestion on his part that it might be well to waive the geographical apportionment because of the temporary character of the work. He does not give any facts or any argument. It is a mere matter of opinion. Now, the gentleman from Indiana [Mr. CRUMPACKER] knows, as does every other gentleman representing a Western State on the floor of this House, that even under the existing civil-service law, with this express provision in regard to geographical apportionment, none of the Western States have ever received their full apportionment in the civil service or in the service of the executive departments here in Washington.

Mr. CRUMPACKER. And they will not under this proposition, because——

Mr. TAWNEY. I do not think they will to the full extent; but I do think that if this is allowed to remain in here we will get only what is left after Virginia, Maryland, and the District of Columbia are satisfied.

Mr. DOUGLAS. And the State of Massachusetts.

Mr. CRUMPACKER. If the chief purpose of the measure is to get places for applicants, then the gentleman is right. If its object is to equip the Census Office so that it can best conduct this work for the people, then the gentleman is wrong.

Now, I want to say this to the committee, and I wish to have the attention of the Members for a moment: I sincerely believe that the appointments will be better distributed and more equitably distributed geographically under the bill as it is drawn than under the bill if it should include the amendment offered by the gentleman from Illinois. I wish the special attention of the gentleman from Iowa [Mr. HULL], who seems to be an enthusiastic champion of the policy of distributing as many of the appointments as possible to the State of Iowa in the next census.

Mr. HULL of Iowa. The gentleman is right about that.

Mr. CRUMPACKER. Now, if we have the geographical rule, there will be more frequent exigencies, and the Director of the Census will be required more often to make appointments under the exigency provision. That necessarily follows, and the result will be an increased number of appointments made from the District of Columbia, Virginia, and the adjoining territory. If we make these appointments according to the order of rating, whenever Iowa has an applicant who has the best rating that applicant will be appointed, not because he lives in Iowa, but because he has shown the highest merit. The same rule will apply to Ohio and Kentucky and Kansas. That is the policy of the law, and the exigency proviso will only be utilized when unforeseen matters arise—matters that could not be provided against by ordinary foresight.

But if you hamper the law with this geographical provision there will be exigencies up every week, and I have no question that it will double the percentage of clerks who will be appointed in the District of Columbia and the immediate neighborhood.

I ask gentlemen if they are not willing to have applicants from their State stand a test on the merit proposition with applicants from other States? Are they afraid that the applicants from their States can not stand that test? That is all we require in the enactment of this law. I think it is a reasonable proposition. It is recommended by every expert who has given the matter any consideration at all, and is recommended by the President of the United States. I ask the Committee of the Whole to vote down the amendment offered by the gentleman from Illinois.

Mr. FINLEY. Will the gentleman yield?

Mr. CRUMPACKER. Certainly.

Mr. FINLEY. Do I understand the gentleman to say that he wishes the competitive examination to be based on an examination in which all who compete in the United States shall be eligible, and the highest to be taken therefrom?

Mr. CRUMPACKER. All the whole country.

Mr. FINLEY. Does not the gentleman understand that that would hardly be fair; that those who come from the colleges and high schools would inevitably have the advantage?

Mr. CRUMPACKER. Is there any difference in the distribution of the high schools and colleges throughout the country? If so, the delinquent States ought to get busy and encourage high-school and college education.

Mr. FINLEY. Does the gentleman think that any better service would be rendered the country by the appointees from that class?

Mr. CRUMPACKER. That question is an indictment against the whole merit system, and I am assuming that we intend to adopt the merit system; I am assuming that Congress intends to incorporate the merit system into the bill.

Mr. HULL of Iowa. Mr. Chairman, so far as the candidates for places under this bill from Iowa are concerned, I want to say to the gentleman from Indiana that I am not asking any favors for them except to put them on an equality with the people who live near Washington. I am not opposed to their being required to pass as rigid an examination as any other class of people must pass to be eligible for appointment; but with the gentleman's bill as it is, I regard it as absolute folly for a man as far from the seat of government as Iowa to undertake an examination. A few will get in, but it will be because the supply has been exhausted near the seat of government. No man from a distance will stand a first chance.

There is to my mind one thing, judging from the debate here, that the membership of the House would like to have done, and that is to have these appointments apportioned among the States according to the population as near as practicable. If this amendment which is now pending is voted down, I shall offer this, striking out all those words without regard to the law of apportionment and inserting these:

> In making such selections they shall be apportioned among the States, the District of Columbia, and the Territories as nearly as practicable in proportion to population.

I do not believe that I could offer it as a substitute; but if the gentleman from Illinois will withdraw his amendment, I will offer this.

Mr. STERLING. I could not do that; but is not that just what the civil-service law does now?

Mr. HULL of Iowa. This seems to be a bill independent of the general civil-service law. I want to say to the gentleman that I propose to offer another amendment to this page of the bill, lower down, affecting the transfer back to the civil service. In my judgment, this language is so plain that no man can misunderstand it. The language of the amendment we have been perfecting may be misunderstood, and it may be wrongly applied; but if this passes, the Director of the Census must take that in the order of the States, apportioning these temporary clerks among the States according to the population, and then, when it comes to Iowa or South Carolina, he would select from the eligible registry then standing the highest, unless those States shall have no eligibles, and then he could fill it up from other States.

Mr. COX of Indiana. Will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. COX of Indiana. The amendment the gentleman proposed strikes me as having more merit in it; but upon whom will it throw the burden in determining the number and rate of distribution?

Mr. HULL of Iowa. On the Director of the Census. The language of the bill is that they shall be furnished to the Director of the Census. Then in making such selection they shall be apportioned among the States as nearly as may be, according to population.

Mr. COX of Indiana. Whether or not the gentleman thinks that the amendment is strong enough to bind the Director of the Census so as to compel him to operate under the civil-service law?

Mr. HULL of Iowa. The Civil Service Commission must furnish him under this law all that he can select from. If there are no eligibles from my State, he can take others. I want to say to my friend that if it is known in your State and my State and other States distant from the seat of government that their rights are preserved if they pass an examination, they will take the examination and be ready to come when their turn comes; but if you leave it as you have it in this bill, you will have very few men who will take the examination, because of the almost positive certainty that no one, or but very few, will get in.

Mr. LANGLEY. Mr. Chairman——

Mr. HUMPHREYS of Mississippi. Does not the gentleman think that the proviso which immediately follows takes all the virtue out of any amendment that we can put on?

Mr. HULL of Iowa. I think not.

Mr. LANGLEY. That is the point that I was going to make.

Mr. HULL of Iowa. I think the Director of the Census would be exceedingly slow to go to work and ignore the law in order to select men around the seat of government.

Mr. HUMPHREYS of Mississippi. It says, "when the exigencies of the service require." Who is to determine that?

Mr. HULL of Iowa. I would not limit him on that.

Mr. LANGLEY. How could the Director of the Census comply with that provision that he shall appoint them in the order of rating if your proposition prevails?

Mr. HULL of Iowa. I can not tell that.

Mr. GARDNER of Michigan. Mr. Chairman, I hope the amendment of the gentleman from Illinois [Mr. STERLING] will prevail and if not, then that the amendment proposed by the gentleman from Iowa [Mr. HULL] will prevail. I have no sympathy with the theory of the chairman of the committee, the gentleman from Indiana [Mr. CRUMPACKER], in selecting all of them on the highest standard of rating. That does not mean necessarily the greatest efficiency. The gentleman from Kentucky [Mr. SHERLEY] put the whole question in brief when he said that any man or woman who passes the required rate of per cent is presumably able to perform the duties assigned. Now, this simply means an equitable distribution of these appointees. It is well known—and if it is not I make it as a declaration—that this city has several schools having for their purpose the training of young men and women for what? Not to be educated along any broad lines as men are educated in colleges and universities, but on specific lines, and for what? To pass the civil-service examinations for a specific thing. And not only that. In some way, they tell me, they are able to get almost an exact, if not an absolutely correct list of the questions that the Civil Service Commission presents to its candidates, giving them every point of advantage over the young men from Iowa or from Kentucky or from the Dakotas or from the South or from the great West.

Mr. FOELKER. Will the gentleman yield for a question?

Mr. GARDNER of Michigan. Yes.

Mr. FOELKER. Are we to understand from the gentleman's remarks that the Civil Service Commission is in league with these various schools or universities, or whatever they may be who train young men for these specific purposes?

Mr. GARDNER of Michigan. Mr. Chairman, I am very glad the gentleman has asked that question because I would not have that inference drawn from anything I have said. The gentlemen composing the Civil Service Commission are high-grade men, and would scorn to be in league with that sort of thing; but in some way, I know not how, the papers get out and these schools get them. They advertise they can do that, and boast of their ability to assure young men and women that they will pass the examination, if they will only patronize their schools, and then give the percentage that do pass after they have taken this special coaching.

I submit to the gentleman from Indiana [Mr. CRUMPACKER] that that kind of an education does not qualify a young man or a young woman for independent thinking or acting, or doing anything but the most routine work. Give me the young man or woman who passes on his or her intellectual merit for what he or she knows and knows in general, rather than the one who passes on some specific questions that have been laid down to them, and that they have been coached upon and are able to answer accordingly.

Mr. CRUMPACKER. Does the gentleman from Michigan know of any service in any of the departments here that involves any independent thinking or action? Is it not all purely routine and mechanical? That is peculiarly true of the Census Office.

Mr. GARDNER of Michigan. Does the gentleman say that Mr. Cortelyou or the present Postmaster-General did not have some initiative, some independent thinking, and they did not take their examinations from a bureau prepared to coach them into a successful taking of the civil-service examination?

Mr. CRUMPACKER. Well, they did not develop that capacity in the lower lines of work. That was congenital with them.

Mr. GARDNER of Michigan. If their biographies are correct, they did reveal it, and it is the survival of the fittest there as elsewhere.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and on a division (demanded by Mr. LANGLEY) there were—ayes 100, noes 25.

So the amendment was agreed to.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

In line 19, page 4, after the word "employees," insert "except messengers, assistant messengers, messenger boys, watchmen, unskilled laborers, and charwomen."

Mr. HAY. Mr. Chairman, that amendment takes from under this provision the people in those grades.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken, and the amendment was agreed to.

Mr. TAYLOR of Ohio. I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 24, page 4, strike out the period and insert: "And such examinations shall be held at such places in each State as may be designated by the Civil Service Commission."

Mr. TAWNEY. Mr. Chairman, I would suggest to the gentleman from Ohio that that is the law now. We have civil-service boards all over the country.

Mr. TAYLOR of Ohio. If it is the law now, it can do no harm to expressly state it in the bill.

The question was taken, and the amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I move to amend, on page 5, line 18—and I hope my friend from Indiana will listen to this—by striking out the words "of similar grade" and inserting after the word "department," in line 19, the words "held by them at the date of transfer to the Bureau of the Census."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

In line 18, page 5, strike out the words "of similar grade," and in line 19, after the word "department," insert "held by them at the date of the transfer to the Bureau of the Census."

Mr. HULL of Iowa. Mr. Chairman, my object in this amendment is to prevent men being transferred into the census work from departments and then after two years', or even much less, service being transferred back to the department at a higher grade and salary. Now, my amendment provides that they shall be transferred back to the department at a grade similar to that which they held at the time of their transfer to the census; but if we leave it in the language of the bill as reported by the committee, it would provide that any favorite who gets into the Census Office could be put up over the head of other employees in the departments, and by only a short service in the Bureau of the Census get high promotion in the departments. The census work is temporary; the department work is permanent; and I submit it is not fair to other government clerks to permit this kind of favoritism.

Mr. CRUMPACKER. I hope gentlemen will listen to me before they vote upon this proposition. If a clerk is transferred because of his capacity from another department to perform work in the Census Office, he may be there two years or three years; and if the amendment of the gentleman from Iowa is adopted, he will lose all opportunity of promotion that he might otherwise merit during that two years he is absent from the regular service. Is it a just proposition to deprive a clerk transferred of all opportunity of promotion that he would have had if he had continued in the service from which he was transferred? Then, again, there may not be any opening in the department of the class that he occupied at the time. The transfer provision will be exercised only when it is necessary to secure experienced clerks along some particular line from other departments for some particular work in the Census Office, and generally those who have had experience in census work. There are quite a number of clerks in other departments who are skilled in statistical work who have been transferred from the Census Office. Now, it would hardly be fair to require them to submit to a transfer and to prevent them from having the opportunity of promotion during the period of their absence.

Mr. MILLER of Kansas. Will the gentleman yield for a question?

Mr. CRUMPACKER. Yes.

Mr. MILLER of Kansas. Under this law there is no provision, is there, of any kind which provides that a clerk must yield to a transfer to the Census Bureau?

Mr. CRUMPACKER. I think if the department orders a transfer the clerk must go.

Mr. MILLER of Kansas. I do not so understand it, Mr. Chairman, and we ought to avoid the very objection made by the chairman of the committee or the gentleman having this matter in charge. They do not have to go, but if they do they ought not to be certified back to another department at a much higher salary than that which they received when they went.

Mr. CRUMPACKER. If it is discretionary with them, and this amendment prevails, you might as well strike the transfer provision out of the bill. You can not get a clerk voluntarily to accept a transfer under those conditions, because it would be to his positive disadvantage. The Census Office will not call for the transfer of a low-grade clerk, for it will only be a high-grade, efficient clerk that there will be any object in having transferred.

Mr. TAWNEY. Mr. Chairman, I think the amendment of the gentleman from Iowa [Mr. HULL] is one that ought to be adopted. It is well known that in the work of the Census Bureau and in the taking of the next census there will be a number of employees in other departments transferred to the Census Bureau because of their peculiar fitness for the work of that bureau. It is also true, as the Director of the Census stated to the Committee on Appropriations in the last session of Congress, that men of that class will receive higher compensations for their services than they would if employed permanently either in the Census Bureau or in any bureau of any other department of the Government. It is special service, it is temporary, and therefore requires and will receive higher compensation than that service would otherwise receive.

Now, as the bill has been reported it proposes to authorize the retransfer of these men back to the department from which they were transferred at the compensation which they receive in the Census Bureau for these special services of a temporary character. I do not think that it would be just to the Government to allow a promotion of that kind. The man transferred would not get the promotion in the department by reason of service there. He would get a promotion by reason of special temporary services in the Census Bureau. For that reason, I think it is absolutely right that when he goes back to the department, after he has had the benefit of this increased compensation during this temporary employment, he should go back to the department in a position or at a grade not below or not above the grade in which he was formerly employed.

Mr. CRUMPACKER. Will the gentleman allow me to ask him if he does not bear in mind the fact that this provision is not new? This provision is the identical provision that met the approval of the House in the last session of Congress, as well as of the Senate, and is among the provisions that brought an expression of approval from the President. He said, with the two exceptions he made, it was in effect an excellent bill. Are we to go over this whole thing again and thrash it out? We approved it by a decisive vote.

Mr. TAWNEY. I understood, Mr. Chairman, that we were considering the bill de novo, notwithstanding the remarks of the gentleman. I doubt if the attention of the committee or of the House was called to this provision when it was considered in the last Congress.

Mr. CRUMPACKER. I want to quote the chairman of the Committee on Appropriations of last session, as against the chairman of the Appropriations Committee to-day. He helped to put it through. He voted for it.

Mr. TAWNEY. That is true. I know I helped to prevent its going through at the first session of the last Congress, with the aid of several other Members. My attention was called to this provision only a short time ago in reading over the bill, and being somewhat familiar with the way in which clerks are transferred around here from one department to another for the purpose of securing promotion, it occurred to me that this was opening another door to accomplish that end.

Mr. GARDNER of New Jersey. Mr. Chairman, neither of the propositions pending before the House is, in my judgment, as it ought to be, and I wish the chairman of the committee would redraw the provision to meet the difficulty which he means to remedy. When the provision was incorporated in the bill for the transfer of clerks from one bureau in a department to another, or from one department to another, at a higher grade and salary, a difficulty was imported into the service on the matter of promotion that can only be avoided by a specific provision of some length. It is unfair, as the chairman of the committee suggests, to take a man out of his own bureau, put him in the census for three years, let him miss the opportunities of promotion that would there occur to him, and then transfer him back to his old grade. It is equally unfair and unjust to take a thousand-dollar man, who may have some expert knowledge on the census, give him a $1,400 or a $1,600 place in the census for two or three years, and then retransfer him over the heads of a hundred men that stood on the rolls above him before he was transferred. Either proposition carries with it a radical wrong.

Mr. DOUGLAS. Will the gentleman allow me? Which does he prefer?

Mr. GARDNER of New Jersey. I do not think we should take either. I will plead guilty to the accusation, if you want to make it, that I should have drawn the provision about which I make the suggestion. You want to transfer the man back to the place that he probably would have been in had he not been transferred. Besides, that place will be filled. Somebody will have the place that he would otherwise have got. To put him back at a higher grade is to take a man into a grade that is not needed in that service. A man of that grade is appointed to the place that he would have had, had he been there. A man will have been put in his place, because a vacancy occurred by reason of his being made a clerk in the Census Office. That seems to be the difficulty that the chairman has. I think that on retransfer he should be taken back as of that grade which, in the judgment of the Secretary or the head of the bureau, he would have had had he remained in that service; to either deprive him of all advantage of promotion during his absence from the service, or give him undue advantage because he is absent a year and is given the increase from having some expert knowledge, is equally unjust, and they both equally tend to the demoralization of the service.

Mr. HUGHES of West Virginia. Mr. Chairman, I think this amendment would be very unfair, for the reason which has been stated by the gentleman from New Jersey. If a clerk can be transferred from some other department to the Census Bureau and in the Census Bureau he gets a great deal of experience that will be of benefit to him in departments of the Government outside of the Census Office, when the man can be employed in statistical work in the Census Office and in making examinations throughout the country when agents are sent out from the Census Office, and then he can be transferred back to the Agricultural Bureau, where the same class of work is valuable for him to do, and where it is entitled to a higher salary than he was having when he left his position formerly, and had him go and perform this kind of service and then be transferred back at a higher pay, I think is very unfair.

Now, a man can not be transferred into another bureau of the Government unless there is a vacancy. Therefore at the end of his service in the Census Office he will not necessarily take anybody else's place, but will take the same place at a similar salary that was vacant; and he can not be transferred at a higher rate than he is now receiving. For instance, he leaves the Agricultural Department and goes into the Census Office, and gets a salary of $1,200 and stays in there two or three years and then should be transferred back to the Agricultural Bureau, he could only be transferred back at a $1,200 salary, and then he could only be transferred if a vacancy occurs. Now, I think this amendment would be very unfair. I believe the House should not adopt it, but leave the bill as it now stands.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. HUGHES of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 5, line 5, strike out the proviso beginning on line 5 and ending on line 12.

Mr. HUGHES of New Jersey. Mr. Chairman, this amendment strikes out that section of the bill to which I made objection when the bill was being considered in general debate. I want to call the attention of members of the committee to this fact. The section which deals with the kind of examination prescribed by the Census Director conducted by the Civil Service Commission contains absolutely no reference to the percentage a man must obtain. So that any man who makes an application to the Civil Service Commission for a position under this section of the act must be certified to the Director of the Census, no matter what he gets in that examination. Now, that brings us so that everybody is carried over with all the papers and all the examinations; every name is carried bodily to the Director of the Census. Now, this provision states:

That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available.

So that this provision is only a civil-service affair in name; and, in my judgment, it is simply an attempt to "beat the devil around the stump."

Mr. LANGLEY. Will the gentleman yield to me?

Mr. HUGHES of New Jersey. I yield to the gentleman.

Mr. LANGLEY. Is the gentleman aware of the fact that the language he is proposing to strike out is the exact language now provided in one of the civil-service rules?

Mr. HUGHES of New Jersey. I do not know anything about that.

Mr. LANGLEY. But I do.

Mr. HUGHES of New Jersey. And it does not make any particular difference. Under this language there will not be anything like a civil-service regulation applying to the selection of these men——

Mr. LANGLEY. Why not?

Mr. HUGHES of New Jersey (continuing). And yet we are trying to go before the country and give the impression that this is a different kind of bill from that which the President vetoed. In my judgment this bill is worse than the bill the President vetoed, because in this bill, and I do not care what the gentleman says about the civil-service regulation, a man who obtains a 25 or 30 per cent rating will be certified with all the papers to the Director of the Census.

Mr. LANGLEY. The gentleman is mistaken.

Mr. HUGHES of New Jersey. I do not think I am mistaken.

Mr. LANGLEY. But he is. Only eligibles are to be certified to the director, with their examination papers. The Director of the Census has the power to prescribe a test examination, and with that power goes the power to fix the minimum rating that the applicant shall receive to be eligible, and that will probably be at least 70 or 75 per cent.

Mr. HUGHES of New Jersey. There is no language in this bill which will admit of the construction that the gentleman seeks to put upon it. At least, he is injecting something into this discussion that the House has no knowledge of, so far as this particular legislation is concerned. I desire to repeat that under the plain intent and meaning of this bill, a man can make application to the Civil Service Commission, take the examination, receive a percentage of 15, 20, or 30, be certified to the Director of the Census, and then, if he determines that the exigencies of the service demand it, or that the man is for some other reason available, he may be appointed over the head of a man who received a percentage of 100.

Mr. LANGLEY. Mr. Chairman, I desire to state that the language in section 7, which gives the Director of the Census the power to prescribe the special test examination, necessarily carries with it the power to fix the rate of per cent that applicants shall pass before their names can go upon the eligible list. In the Twelfth Census that minimum rating was 70 per cent. I take it for granted that this will probably be the rating fixed by the director under this bill, and the construction put upon this provision by the gentleman from New Jersey [Mr. HUGHES] is certainly entirely incorrect and misleading to the House, because it is preposterous to say that the Director of the Census would desire to appoint anyone who could only get a rating of 15, 20, or 30 per cent in this test examination, or that the minimum will be fixed so low.

I think also that this amendment should not be adopted for another reason: If we are going to conform in any degree to the civil-service idea in this bill, then the proposition of the gentleman from New Jersey should be voted down, because he proposes to strike out of the bill a provision which is identical with a civil-service regulation now in force, and which regulation is followed by the Civil Service Commission in making certifications whenever an exigency like the one contemplated in this bill arises in any branch of the classified service. The gentleman is contending for civil service, and yet is opposing a civil-service proposition.

Mr. MILLER of Kansas. Would it not be almost impossible to take an efficient census without this provision?

Mr. LANGLEY. Yes, I think so; and it is put in the bill chiefly, I take it, to meet the objection raised in the discussion of the bill at the last session—that it would be impracticable for the Director of the Census to bring clerks here from remote sections of the country on a competitive basis with sufficient promptness to meet the requirements of the work, especially in cases of emergency; and this provision is put in to enable him, whenever he needs a clerk and can not get promptly, the one highest on the list, to meet the exigency by the appointment of an eligible who is nearer to or at the seat of government who is lower on the list. This situation would not often arise, however.

Mr. DOUGLAS. Mr. Chairman, I offer the following amendment as a substitute for the one of the gentleman from New Jersey.

The Clerk read as follows:

On page 5, lines 5 and 6, strike out the words "when the exigencies of the service require." Also in line 7, the words "or other conditions," and insert after the word "that," in line 5, the words "only after due notice to those on the eligible register."

Mr. DOUGLAS. Mr. Chairman, I do not believe that any of the amendments which have been already adopted to this bill

will in any material way curtail the absolute power of the Director of the Census to do exactly as he pleases concerning these appointments unless something further is done regarding this provision. The provision now reads——

Mr. BOOHER. Will the gentleman yield?

Mr. DOUGLAS. Not for a moment, until I have explained this matter. The provision now reads:

Provided, however, That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available.

In other words, it is absolutely within the discretion of the Director of the Census to say what the "exigencies of the service" require and, second, what "the other conditions" are; so that it is utterly useless for us to try to save for our States a fair proportion of the eligible appointments if we leave that provision in. Now, this amendment, if it is adopted as a substitute for the provision of the gentleman, will read in this way:

That only after due notice to those on the eligible register preference may be given to eligibles who by reason of residence are immediately available.

Mr. LANGLEY. Due notice of what?

Mr. DOUGLAS. Due notice of the appointment.

Mr. LANGLEY. That will defeat the very purpose of the provision. The amendment of the gentleman deprives the Director of the Census of the power to meet the exigency.

Mr. DOUGLAS. I beg the gentleman's pardon, I do not think it does deprive the director of the power to meet the emergency. It does require him to give the eligibles at a distance due notice to appear here and accept their appointment. What is the use of getting men upon the eligible list who live in Ohio or Nebraska or Montana if they get no notice of an appointment to appear here? In other words, those who by reason of residence and other conditions are immediately available, those who stay here and press for appointments are the ones that will get the places.

Mr. HUMPHREYS of Mississippi. Does not the gentleman think he ought to put those words into the amendment as he offers it, so that after due notice to the other party the director can go on and make appointments, and so forth?

Mr. DOUGLAS. Mr. Chairman, I ask unanimous consent that I may modify my amendment by adding the words "only after due notice of their appointment."

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment, which he offers as a substitute, so that it will read as follows.

The Clerk read as follows:

Only after due notice of their appointment to those on the eligible register.

Mr. CRUMPACKER. Mr. Chairman, I want to submit some remarks in opposition to the amendment.

Mr. DOUGLAS. I believe I have the floor, Mr. Chairman.

Mr. CRUMPACKER. I thought the gentleman had closed.

Mr. DOUGLAS. What I want to do is to take away from the director—and I want to say that I have had some experience with his arbitrary and unjust disposition regarding this question—to take away from him the right of judging of the conditions and judging of the exigencies of the service so as to put in anybody he pleases that is immediately available.

Mr. MILLER of Kansas. Will the gentleman yield to me?

Mr. DOUGLAS. Certainly.

Mr. MILLER of Kansas. With whom would the gentleman lodge discretion? It must be lodged with somebody; and if not with the Director of the Census, who has the work in charge, with whom would he lodge it?

Mr. DOUGLAS. I would lodge the discretion with him, but I would hedge it about with some provision that would require him to give notice to those who are entitled to the places in season for them to come here.

Mr. MILLER of Kansas. I sympathize with the object of the gentleman, but it must be lodged with the Director of the Census, if you are going to take a census at all.

Mr. DOUGLAS. I agree with the gentleman, but I think the discretion should not be left with the director to ignore the examinations that have been taken and appoint eligibles here that are immediately available. It simply means that these eligibles who are on the ground from Virginia, Maryland, the District of Columbia, and Massachusetts may have these places to the exclusion of the eligibles who are not immediately available.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I am not in sympathy with the purpose of the gentleman's amendment. I believe that the discretion ought to be left with the Director of the Census, but I do not believe that the amendment of the gentleman from Ohio would accomplish his purpose at all if incorporated into the bill. It would simply read "only after due notice to the successful applicants of their appointment preference may be given to eligibles who by reason of residence," and so forth. That would not accomplish the purpose the gentleman is seeking to secure. You would notify the people that they had been appointed and that is all, and then go on and give preference to the others whom the exigencies of the service would make it desirable should be appointed.

Mr. DOUGLAS. Mr. Chairman, I admit that construction is possible, and I ask to further modify my amendment by saying "due notice of their appointment on the eligible register and their failure to accept."

Mr. HUGHES of West Virginia. Will the gentleman from Mississippi permit a suggestion?

Mr. HUMPHREYS of Mississippi. Yes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment as follows——

Mr. HUGHES of West Virginia. Mr. Chairman, I object to the gentleman modifying his amendment. I do not think that any gentleman should offer an amendment without knowing more about the question. [Laughter.]

Mr. DOUGLAS. I will offer it later, Mr. Chairman.

Mr. HAMLIN. Mr. Chairman, I ask that the amendment be read as now modified.

The CHAIRMAN. It has not been modified; the gentleman from West Virginia objected.

Mr. CRUMPACKER. Mr. Chairman, I hope this provision of the bill will not be stricken out or modified as suggested by the gentleman from Ohio. His amendment is utterly inconsistent with the spirit of the proviso. The bill contemplates that appointment shall be made from the eligible register, according to rating, and, of course, it contemplates that the director will know in advance the number of clerks he will actually require in the normal development of the work in the office; but it provides that when exigencies arise and he may need a number of clerks immediately, he may depart from the general method of appointment provided in the bill, and select those at hand. The amendment of the gentleman from Ohio provides that if an exigency arises the director may select from those that may be immediately available, provided he has already given notice to those who are regularly on the list, and who would otherwise be entitled to appointment, and give them reasonable time to get here. It is utterly inconsistent, it seems to me; it is an absurd proposition because the director can not know in advance when an exigency is going to arise and can not give the notice the gentleman desires.

If he knows the exigency in advance, he will make appointments regularly. It is an absurd proposition on its face. Another thing: I regard this limited discretion of the Director of the Census as of vital importance. Let me emphasize again the experience of the Government in the Eleventh Census in 1890. The Director of the Census, the superintendent then, was surrounded by conditions and his power was circumscribed, and the census was strangled to death by department red-tapeism and was not worth 25 cents on the dollar for what it cost the Government. This bill does vest discretion in the Director of the Census, and that discretion is necessary because of the numerous exigencies that may arise. This is a gigantic work. The enumerations must be made, and the sorting and the punching and the tabulation and the printing of this great work must be done, and the reports must be ready for distribution within a fixed time. There is no time to lose. There is no time for delay waiting for three days' notice or six days' notice for a corps of clerks somewhere in the country. I repeat, Mr. Chairman, that if the committee should adopt the amendment of the gentleman from Ohio it would take a large step toward shackling the Census Office and embarrassing its progress, and add greatly to the expense of administering the work. I sincerely hope the amendment of the gentleman from Ohio will be voted down.

Mr. HUGHES of New Jersey. Mr. Chairman, I would like to call the attention of the committee to the original amendment. I do not know just exactly what state that is left in by the modification offered by the gentleman from Ohio [Mr. DOUGLAS], and I will ask now that when I close and before the vote upon the modification offered by the gentleman from Ohio is taken the original amendment be read, as well as the modification offered. For the information of the members of the committee, I will say that my amendment strikes out the entire proviso, beginning on line 5, page 5.

Mr. DOUGLAS. Mr. Chairman, I withdraw the amendment that I have offered, and in place thereof I offer the following.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to withdraw his amendment.

Mr. CRUMPACKER. I object. I insist on voting on amendments as they are offered.

Mr. DOUGLAS. Very well; then I will offer it further on.

The CHAIRMAN. The gentleman from New Jersey moves to strike out the first paragraph on page 5. The gentleman from Ohio offers an amendment to perfect that amendment, which the Clerk will now report.

The Clerk read as follows:

On page 5, in lines 5 and 6, strike out the words, "when the exigencies of the service require," and also in line 7 the words, "or other conditions," and insert after the word "that," in line 5, the words, "only after due notice of their appointment to those on the eligible register."

The CHAIRMAN. The amendment of the gentleman from Ohio to perfect the text takes precedence. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New Jersey, to strike out the proviso.

The question was taken; and on a division (demanded by Mr. HUGHES of New Jersey) there were—ayes 38, noes 80.

So the amendment was rejected.

Mr. SHERLEY. Mr. Chairman, I offer an amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 8, beginning with the word "and," strike out the remainder of said line and lines 9, 10, and 11, and the words "said examination" on line 12.

Mr. SHERLEY. Mr. Chairman, the words that I propose to strike out are as follows:

And that preference may be given to persons having previous experience in census work whose efficiency records are satisfactory to the said director, who may, in his discretion, accept such records in lieu of said examination.

Now, there are only two classes of people who will be affected by this, those who could stand the examination now and have had previous experience in census work, and those who could not stand the examination now and have had previous experience in census work. If they have the qualifications ten years later to do efficient work, they can stand the examination, and ought to stand it, and if they have not the qualifications they should not be put in to encumber the government service simply because ten years ago they did have the qualifications.

Mr. HUGHES of West Virginia. Will the gentleman permit a question?

Mr. SHERLEY. Certainly.

Mr. HUGHES of West Virginia. Does the gentleman understand that there is a whole lot of work that is done in the Census Office which does not require an educational qualification, but experience with punching machines, cards, and tabulating; and the people who have had experience in that line can do twice or three times as much work as people without such experience?

Mr. SHERLEY. Then I will say that the remedy would be to make this specific kind of employment free from the test of a mental examination; but the remedy is not to throw the doors down and let all old ineligibles in because they were eligible ten years ago and are now to be presumed to be eligible.

Mr. HUGHES of West Virginia. I will say for the information of the gentleman that it was the intention to cover this class.

Mr. SHERLEY. It may have been the intention, but it does not have the effect. The effect of it is to load the service down with a lot of incompetents who ten years ago may have been competent.

Mr. LANGLEY. That was not the effect of the operation of the law.

Mr. SHERLEY. It will be the operation now. I happen to know something about the applications of the people who came to me with the claim that ten years ago they did this work who are now too old and incompetent, and this would simply bring into the service such a class of clerks. The gentleman knows one of the great abuses in the service to-day is the fact that we have a lot of people there who by age are no longer fit to do the work, and yet the Government does not feel it is proper to turn them out into the world. There is no reason why we should add to that number of people by putting in the Census Office a lot of such people who are now out of the service.

Mr. LANGLEY. Nor will the effect of this proviso be to add to that number.

Mr. SHERLEY. I think it would. The gentleman and myself differ as to the effect of the proviso.

Mr. HAY. Will the gentleman from Kentucky yield?

Mr. SHERLEY. Certainly.

Mr. HAY. Does the gentleman think that the Director of the Census, who is charged with this work and who is responsible for the accuracy with which the census is taken, would appoint a lot of inefficient people to do such work?

Mr. SHERLEY. I answer the gentleman by saying that if in this regard he can trust the Director of the Census, why put any restrictions on him? Why, every restriction you put on him is on the supposition that there will be sufficient political pressure to keep him from doing his full duty and which will make him yield to that pressure. I do not want to have him subjected to that pressure. I know what it will be. Every man who has had experience with the departments knows what it will be, and if these people are competent they can stand the examination, and if they are not they ought not to be put in there.

Mr. GARDNER of Michigan. Has it not been reported from responsible quarters that a good many incompetents were employed in compiling the last census?

Mr. SHERLEY. We have had that statement from the gentleman from Indiana to-day several times, if not in the last census, in the one twenty years ago.

Mr. CRUMPACKER. No; I beg the gentleman's pardon. I did not say there were any incompetents employed in the Eleventh Census, but I stated that the system of red-tapism had broken down its efficiency.

Mr. SHERLEY. I should say that that was evidence of incompetency.

Mr. GARDNER of Michigan. Will the gentleman yield for another question?

Mr. SHERLEY. I will.

Mr. GARDNER of Michigan. I would like to ask the gentleman if these incompetents were not covered into the classified service at the close of the compilation——

Mr. SHERLEY. I understand some were.

Mr. GARDNER of Michigan. And that they are now there?

Mr. SHERLEY. But there is no reason, in my judgment, why any man should be now put in the service on his record of previous work of ten years ago. If he is competent now he can take and pass the examination.

Mr. GARDNER of Michigan. Do you think their efficiency has been increased in the last ten years?

Mr. SHERLEY. I should hardly think it should be, judging by our experience with such persons.

Mr. LANGLEY. Mr. Chairman, perhaps the——

Mr. SHERLEY. Does the gentleman ask me a question, or is he making a speech?

Mr. LANGLEY. I thought the gentleman had yielded the floor.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. SHERLEY] has expired.

Mr. LANGLEY. I happen to have some personal knowledge of the origin and necessity of this provision. Twenty years ago even, tolerably accurate records were kept of the efficiency records of certain employees of that census, particularly those who were skilled in operating the punching and tabulating machines, and we were anxious during the Twelfth Census, wherever we could, to engage the services of such an employee of the previous census where he had had that sort of training and was an expert. And I undertake to say that if you strike out this provision you will deprive the Director of the Census of an opportunity of getting some very valuable employees, possessing qualifications by reason of their expert knowledge of and equipment for certain portions of the census work which no sort of an educational test could determine.

Mr. COX of Indiana. May it not be possible also for the Director of the Census to get some one who is not competent?

Mr. LANGLEY. That suggestion has been repeatedly made here.

Mr. COX of Indiana. Is it not true?

Mr. LANGLEY. I am unable to understand why gentlemen make it. As the gentleman from Indiana [Mr. CRUMPACKER] has stated, we must repose some confidence in the integrity of officers like the Director of the Census. We must take it for granted that he is going to endeavor to administer the law properly, to the best of his ability and for the best interests of the service, and I will undertake to say that, in my judgment, there would not be under this provision a single appointment made of an old incompetent former census employee, as the gentleman from Kentucky [Mr. SHERLEY] has suggested. The purpose of it is, and the desire of the director in asking for this provision is, to give him an opportunity to get for a limited time that class of persons who have had particular training in this peculiar and exceptional class of work, adaptability to which no educational test could possibly determine.

Mr. HUGHES of New Jersey rose.

Mr. MILLER of Kansas. Will the gentleman yield to me for a question?

Mr. LANGLEY. I will yield to the gentleman from New Jersey [Mr. HUGHES] first, as he arose first.

Mr. HUGHES of New Jersey. After the last census was taken, there was a mid census taken, was there not?

Mr. LANGLEY. There have been several special inquiries; yes.

Mr. HUGHES of New Jersey. Some attempt was made at the taking of that mid census, as I recall it, to employ old men. In fact, were they not all employed without any examination or other qualification or inquiry of any kind? Was there not put up to the Member of Congress, if he happened to be a Republican, an opportunity to name half of the men who performed certain duties when the original census was taken, without any inquiry whatever into their qualifications or fitness?

Mr. LANGLEY. The gentleman is mistaken about that. I do not recall any such proceeding, if I understand him.

Mr. HUGHES of New Jersey. The gentleman from Kentucky knows absolutely whether I am mistaken or not.

Mr. LANGLEY. I do not recall any such state of facts as the gentleman mentions. I am not quite certain that I catch his meaning.

Mr. MILLER of Kansas. I call the gentleman's attention to the law, which says that preference must be given to persons whose efficiency records are satisfactory to the Director of the Census, who may accept such records in lieu of examination. The language of the law itself takes care of the efficiency of the department.

Mr. LANGLEY. Yes; except that some gentlemen seem to intimate that the director will take advantage of the provision——

Mr. SHERLEY. Is not every qualification upon the powers of the director based upon the theory that he may abuse his discretion? If we are to trust him entirely, what is the use of having any provision restricting his power?

Mr. LANGLEY. It is unnecessary to answer that question.

Mr. SHERLEY. It may be embarrassing to answer it. I do not think it is unnecessary.

Mr. LANGLEY. Well, that is a question of opinion. I think the gentleman from Kentucky [Mr. SHERLEY] will agree with me that it is not necessary or wise to deprive executive officers of all discretionary power; and I think he will agree with me, on the other hand, that it is unwise to leave them absolutely unlimited as to their powers of discretion.

Mr. HUGHES of New Jersey. Will the gentleman yield?

Mr. LANGLEY (continuing). That seems so self-evident that I do not see why the gentleman from Kentucky [Mr. SHERLEY] asks me the question.

Mr. HUGHES of New Jersey. I want to say this, that several times the gentleman from Kentucky [Mr. LANGLEY] who now has the floor has stated that somebody might desire to reflect upon the present Director of the Census. I want to say that I am more afraid of the Members of the House, like myself, than I am of the Director of the Census. I believe if the gentleman from Kentucky would leave the Director of the Census alone and other Members of the House, including myself, would let him alone, we would get a good census.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. SHERLEY. I ask for a division.

The committee divided; and there were—ayes 30, noes 61.

So the amendment was rejected.

Mr. DOUGLAS. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

On page 5, in lines 5 and 6, strike out the words "when the exigencies of the service require;" and also, in line 7, the words "or other conditions;" and insert after the word "that," in line 5, the words "only after due notice to those on the eligible register of their appointment and notice from them of their refusal to accept the same."

Mr. CRUMPACKER. Mr. Chairman, I think that is identical with the amendment voted down.

Mr. DOUGLAS. It is not by any means.

The CHAIRMAN. The gentleman from Ohio states that it is not the same amendment. It is the amendment he desired to offer, and the gentleman from Indiana objected to it.

Mr. DOUGLAS. This is a proposition offered in place of my original amendment, which was intended to mean the same thing, and as I think did, in fact, substantially and fairly express the same idea. This amendment, it seems to me, is absolutely essential if any effect or force is to be given to the amendments already adopted by the committee. Because if you leave this section in its present form, as amended, leaving in it the words "exigencies of the service require" and "other conditions" to be judged of solely by the Director of the Census, you may just as well have made no changes in the section. This amendment simply limits the discretion of the director to the appointment of those immediately available after he has given due notice to those who are at a distance and they, having had the opportunity, have refused appointment; then the other appointments may be made.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was rejected.

Mr. HAMLIN. Mr. Chairman, I desire to offer an amendment.

The Clerk read as follows:

After the word "commission," in line 2, on page 5, insert the words "within thirty days from the date of said examination."

Mr. HAMLIN. Now, Mr. Chairman, the purpose of this amendment is, I think, apparent to everyone who heard it read. The leading keynote this afternoon seems to have been, and I think very properly, to give speed to the passage of this bill, in order that the work of the next census may be undertaken. The statement was made by the gentleman from New Jersey this afternoon, and I think very accurately, that the usual custom of certification of the Civil Service Commission was from nine to fourteen months from the date of the examination. Under the terms of this bill the hands of the director will be tied until he receives this eligible list. Now, if no time is provided in which the Civil Service Commission can certify this eligible list the whole work of taking the census will be tied up for several months. This amendment seeks to cure that by requiring this certification within thirty days from the date of the examination, and I think that the amendment ought to be adopted.

Mr. TAWNEY. Will the gentleman allow me to ask him a question?

Mr. HAMLIN. Certainly.

Mr. TAWNEY. Do you not think that the exigencies of the service will require a prompt certification of all who have a claim to be placed on the eligible list?

Mr. HAMLIN. I think they will be required to do so if this plan is adopted.

Mr. TAWNEY. The exigencies and demands of the service will require it; and I trust the amendment will not be adopted, because it will simply open a way for them to make another demand for increased appropriations for that additional purpose.

Mr. HAMLIN. I think the gentleman's position is hardly consistent if, as he says, the exigencies of the occasion will require them to make the certification within a reasonable time and they do make it, the fact that we require them to make it would necessarily add an additional cost.

Mr. TAWNEY. Well, I will say to the gentleman from Missouri that it would not necessarily mean an additional cost, except in so far as it would afford the department an opportunity to pass a claim for additional appropriations for meeting this requirement.

Mr. HAMLIN. I think I voice the sentiment of this House when I say that the chairman of the Committee on Appropriations is entirely able to take care of that sort of a claim by the Civil Service Commission. I think the sentiment of the House ought to be to require by specific statement in this bill that there should be a certification of this list in a reasonable time.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was rejected.

Mr. BENNET of New York. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 5, line 5, after the word "rating" insert: *Provided, however,* That no person afflicted with tuberculosis shall be appointed."

Mr. BENNET of New York. Mr. Chairman, some little experience with forces under the Government, which are large and congested, leads me to offer this amendment. I am aware that gentlemen may say, "Where will you draw the line? How will you make the distinction?" But I prefer to put that responsibility upon the director. In our post-office in New York the employees on each of the five stories find the greatest menace to their health and that of their families is the contagion of this disease, which to-day causes more deaths than any other disease. I am informed that this census force is to consist of something like 2,000 people. That may not be exact, but at any rate it is to be a very large force. I want to arm the Director of the Census with the power, right at the threshold, to bar out those pitiable and to be pitied persons who, possessing the highest degree of mentality, able successfully to pass the mental examination, come to an appointing officer and refuse

to admit that there is any danger in their presence amongst a large body of people.

That is one of the symptoms and accompaniments of the disease. There is more danger from tuberculosis than there is from smallpox, and for their own good and for the good of the community such people ought to be rigidly excluded from such a service as this.

Mr. MILLER of Kansas. Would not this require also a medical examination of every applicant for appointment?

Mr. BENNET of New York. Oh, I do not think so.

Mr. MILLER of Kansas. If there was not a medical examination, would not the Director of the Census lay himself liable to prosecution for damages if he made a charge that anyone had tuberculosis?

Mr. BENNET of New York. Oh, I do not think so at all. I take it for granted that one of the requirements will be a physical examination which will disclose the presence of tuberculosis.

[The time of Mr. BENNET of New York having expired, by unanimous consent, at his request, it was extended three minutes.]

Mr. BENNET of New York. I want to call the attention of the gentleman from Kansas and of the House to this language:

Without regard to the law of apportionment, in the order of rating.

Now, if there is not a physical examination, then if a man or woman who passed the examination subsequently contracted smallpox or any other loathsome, dangerous, or contagious disease, the Director of the Census would be compelled to appoint such a person under the law. But I am going to assume that there will be a physical examination. Otherwise you put the Director of the Census in a position where he is bound, unless he violates the law, to appoint people without regard to their physical qualifications.

Mr. TAWNEY. Will the gentleman from New York permit an interruption?

Mr. BENNET of New York. Certainly.

Mr. TAWNEY. If your amendment is adopted, do you not think it ought to be accompanied with a provision requiring the applicant to file with his application a certificate of the condition of his health, such certificate to be obtained at his own expense and to be signed by some reputable physician?

Mr. BENNET of New York. I will accept that modification, Mr. Chairman.

Mr. JAMES. What is the modification?

Mr. BENNET of New York. That each applicant for examination shall accompany his or her application with a certificate from a reputable physician, showing the condition of his or her health.

Mr. OLMSTED. And a photograph?

Mr. BENNET of New York. Oh, no; the gentleman is making fun of me now.

Mr. HUGHES of West Virginia. Does not the civil-service law now require that?

Mr. TAWNEY. Yes.

Mr. HUGHES of West Virginia. So what you mean to require is what the civil-service law now requires in the case of an examination?

Mr. BENNET of New York. Exactly.

The CHAIRMAN. The time of the gentleman from New York [Mr. BENNET] has again expired. The question is on his amendment.

The question being taken, the amendment was rejected.

Mr. TAWNEY. The gentleman from New York modified his amendment.

The CHAIRMAN. No suggestion of a modification was made to the Chair.

Mr. BENNET of New York. Then I offer the following amendment: On page 5, line 5, after the word "rating" insert:

Provided, however, That no person afflicted with tuberculosis shall be appointed, and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 5, line 5, after the word "rating" insert:

"*Provided, however,* That no person afflicted with tuberculosis shall be appointed, and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and on a division (demanded by Mr. BENNET of New York) there were 57 ayes and 53 noes.

Mr. CRUMPACKER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CRUMPACKER and Mr. BENNET of New York.

The committee again divided, and the tellers reported that there were 71 ayes and 44 noes.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 8. That the Thirteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, number of years in the United States, citizenship, occupation, whether or not employer or employee, school attendance, literacy, and tenure of home and whether or not a survivor of the Union or Confederate Army or Navy; and the name and address of each blind or deaf person; and for the enumeration of institutions, shall include paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions.

Mr. KEIFER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "employee," line 14, page 6, add "whether or not engaged in agriculture."

Mr. KEIFER. Mr. Chairman, this is to carry out what we attempted to provide for in the original bill passed in the last Congress. At the time the bill was under consideration an amendment was offered by me, which was adopted. It applied to the agricultural schedule, a succeeding paragraph of the present bill. In the Senate it was agreed the purpose sought to be accomplished was a good one, but it was decided in the Senate to strike out my amendment and insert language in lieu of it in the population schedule. The words that the Senate inserted were put in the original bill after the word "occupation," and they were these: "whether or not employer or employee." My amendment is to insert, after the word "employee," in line 14, page 6, of the bill, the words "and whether or not engaged in agriculture." It is supposed that by using these words the census can be so taken as to show the number of people engaged in agriculture, distinct from all other people, regardless of occupation, in the United States. As some doubt has arisen as to whether the purpose sought would be accomplished by the Senate's language, this amendment is now offered by me to remove the doubt. I understand it has the consent of the gentleman from Indiana [Mr. CRUMPACKER], now in charge of the bill, and it is simply to carry out an important purpose that has not been in dispute. I do not care to further discuss the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The schedules relating to agriculture shall include name and color of occupant of each farm, tenure, acreage of farm, value of farm and improvements, value of farm implements, number and value of live stock on farms and ranges, number and value of domestic animals not on farms and ranges, and the acreage of crops as of the date of enumeration, and the acreage of crops and the quantity and value of crops and other farm products for the year ending December 31 next preceding the enumeration.

Mr. BOOHER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "improvements," in line 23, page 6, insert "the amount of indebtedness, if any, secured by mortgage or deed of trust on such farms."

Mr. CRUMPACKER. Mr. Chairman, has the reading of the section been completed?

The CHAIRMAN. It has not.

Mr. CRUMPACKER. I think the gentleman from Missouri should wait until the whole section is read.

The CHAIRMAN. The Chair thinks the way the bill is printed that it can be read by paragraphs.

Mr. BOOHER. Mr. Chairman, there is no provision in the bill for ascertaining the mortgage or other farm indebtedness. In this bill we propose to go out and find the value of farms and farm improvements, but we do not propose to take into consideration at all the indebtedness on the farms. Some years ago a law was passed to ascertain the amount of farm indebtedness in the country. It cost more than a million dollars to do it, and then the information secured was not reliable because it was not taken or procured from the people who owed the money, but parties got the information by going into the recorder's office in the various counties and securing it. In every county in my district the report shows the mortgage greater than it actually was; the record does not always show the exact amount of the indebtedness, for the reason that payments made are not shown by the record. Some of the mortgages are nearly, if not almost entirely, paid off, and the records do not show the partial payments.

Now, in a few years, unless this is done, there will be another application for securing the information as to farm indebtedness in this country, and it will cost a large sum of money to take it, and this can be saved by adopting this amendment, and I hope it will be agreed to.

Mr. CRUMPACKER. Mr. Chairman, I would like to have the amendment reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. CRUMPACKER. Mr. Chairman, I hope that amendment will not be adopted. It will involve a great deal of additional expense. It will require a special investigation of all the records in the United States to determine the amount of mortgage encumbrance, and when that determination is made it is of no practical value, because you can not tell on the face of a record how much is due on it, how much may have been paid; and if any such inquiry is made at any time in the future, it ought not to be a part of the decennial census; it ought to be a special investigation, to be made by the permanent office.

Mr. BOOHER. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. BOOHER. Mr. Chairman, it is true you can not get a complete census of farm indebtedness from an examination of the records. I agree with the gentleman in that. The only way that you can get it is to ask the farmer how much mortgage indebtedness there is on the farm. It is usually a great deal less than the record shows. Of course I speak only for my own section, but in the West nearly every mortgage or deed of trust on land contains a provision giving the mortgagor the option to make payments of $100 or any multiple thereof, and in many instances during the five years' term nearly all of that mortgage is paid off.

Mr. CRUMPACKER. I yielded for only a question, Mr. Chairman.

Mr. BOOHER. Would it not be better to ascertain this indebtedness under this census? It certainly can be done more economically than in any other way.

Mr. CRUMPACKER. I think not, because it will require special schedules, and it will necessitate the examination of the owner of the farm personally. You can not get the information from the wife or somebody about the household, and many people perhaps may feel a little of reluctance about giving the information; and if the investigation is made at all, I repeat it ought to be made as a special investigation, conducted by the permanent Census Office. I do not think it is practicable to take it in connection with the decennial census.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. BOOHER and Mr. Cox of Indiana) there were—ayes 35, noes 62.

So the amendment was rejected.

The Clerk read as follows:

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Thirteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State and Territory, the District of Columbia, Alaska, the Hawaiian Islands, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska and the Hawaiian Islands, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the President: *Provided*, That the whole number of supervisors shall not exceed 330: *And provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified ninety days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of the supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

Mr. HAY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Page 9, line 1, amend by inserting after the word "President" the following:

"By and with the advice and consent of the Senate of the United States."

Mr. HAY. Mr. Chairman, the bill as it passed both Houses contained the provision which is in the amendment which I have just offered. The bill as it passed the House in the last Congress was the same as the bill is now in this respect, and it was changed in the Senate and agreed to in the House, and we might as well change this now, as it will undoubtedly be changed by the Senate.

Mr. DE ARMOND. Mr. Chairman, I think it would be a better plan to let the Senate make that change, if it suits them to do it. It is a change that will not bring anything to the House or to any Member of the House, or that is likely to bring any better service to the country.

Mr. HAY. Mr. Chairman, I believe I have the floor.

Mr. DE ARMOND. Oh, I beg the gentleman's pardon. I thought the gentleman had yielded the floor.

The CHAIRMAN. The Chair also begs the gentleman's pardon, as the Chair was of that opinion also.

Mr. HAY. Mr. Chairman, it is the usual custom in all appointments made by the President to have these appointments confirmed by the Senate. I believe that that is in conformity with the Constitution. The gentleman says that it does not give anything to any Member of the House. I do not know whether it does or not. It probably will bring something to some Members of the House to have them protected in the Senate by their Senators and not to trust entirely to the President.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr HAY) there were—ayes 42, noes 77.

So the amendment was rejected.

The Clerk read as follows:

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 15th day of April; and it shall be the duty of each enumerator to commence the enumeration of his district on that day, unless the Director of the Census in his discretion shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made, except those relating to paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions, and to forward the same to the supervisor of his district within thirty days from the commencement of the enumeration of his district: *Provided*, That in any city having 5,000 inhabitants or more under the preceding census the enumeration of the population shall be commenced on the 15th day of April aforesaid and shall be completed within two weeks thereafter.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to ask the chairman of the committee in reference to line 21, page 17, where it says, "except those relating to paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions." This would seem to contradict the provision made in section 8 for a census of the blind, deaf, and dumb. Section 8 provides that the census shall "include the name and address of each blind or deaf person; and for the enumeration of institutions shall include paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions." Section 20, on page 17, which we have just passed, seems to except these institutions and the blind, deaf, and dumb from the enumeration.

Mr. CRUMPACKER. They are to be enumerated. I think they have a special enumeration.

Mr. MOORE of Pennsylvania. If the Chairman understands, the enumeration of deaf, dumb, and blind is to be provided for——

Mr. CRUMPACKER. It is provided for in the bill. The deaf, dumb, and blind enumeration outside of institutions was not in the original bill and we put it in this bill. Section 20 says:

And to forward the same to the supervisor of his district within thirty days from the commencement of the enumeration of his district.

And it also says:

But in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made.

Mr. MOORE of Pennsylvania. This does not interfere with the enumeration of the deaf, dumb, and blind.

Mr. CRUMPACKER. No; this is purely administrative in reference to the time of making the report; that is all.

The Clerk read as follows:

SEC. 21. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as enumerator or clerk or other employee, or shall in any way receive or secure to himself any part of the compensation paid to any enumerator or clerk or other employee, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $3,000 and be imprisoned not more than five years.

Mr. DE ARMOND. Mr. Chairman, I move to insert the word "supervisor" before the word "enumerator" where it occurs in line 9, and again where it occurs in line 12, page 18.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 18, line 9, before the word "enumerator," insert the word "supervisor;" and before the word "enumerator," in line 12, insert the word "supervisor."

Mr. CRUMPACKER. What is the effect of the gentleman's amendment?

Mr. DE ARMOND. The effect is to extend this offense to the receiving of compensation or reward for securing the appointment of a supervisor or dividing the fees and compensation with a supervisor.

Mr. MILLER of Kansas. Let the Clerk state the amendment from the desk.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. CRUMPACKER. Mr. Chairman, I ask unanimous consent to return to page 19 of the bill to supply a clerical omission.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to page 19 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. After the word "persons," in line 15, page 19, I ask to insert the word "who."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 15, after the word "person" insert the word "who," so it will read "any person who is or has been an enumerator," etc.

The question was taken, and the amendment was agreed to.

Mr. CRUMPACKER. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. DALZELL having resumed the chair as Speaker pro tempore, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, and had instructed him to report the bill back with the recommendations that the amendments agreed to in the committee be agreed to in the House and that the bill as amended do pass.

The SPEAKER pro tempore. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. NYE, for three days, on account of important business.

To Mr. TAYLOR of Alabama, indefinitely on account of important business.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 2091) for the improvement of the Chattahoochee River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2092) authorizing the Secretary of the Interior to purchase part of the McIntosh reservation, in Carroll County, Ga., and erect a monument thereon—to the Committee on the Library.

Also, a bill (H. R. 2093) to distribute the surplus in the Treasury of the United States to the several States, Territories, and the District of Columbia for the sole purpose of improving the roads therein—to the Committee on Ways and Means.

Also, a bill (H. R. 2094) granting increase of pension to survivors of the Mexican and Indian wars and to their widows—to the Committee on Pensions.

Also, a bill (H. R. 2095) to construct a road from Fort McPherson, Ga., to the rifle range and military reservation near Waco, Ga.—to the Committee on Military Affairs.

By Mr. CLINE: A bill (H. R. 2096) to amend section 5136 of the Revised Statutes of the United States, permitting national banking associations to make loans on farm land as security, and limiting the amount of such loans—to the Committee on Banking and Currency.

By Mr. ADAMSON: A bill (H. R. 2097) to provide for the erection of a public building in the city of Carrollton, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. THOMAS of North Carolina: A bill (H. R. 2098) for the survey of Shelter River, North Carolina, with a view to the improvement of its navigation—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2099) for the survey of Core Creek, Craven County, N. C.—to the Committee on Rivers and Harbors.

By Mr. HULL of Tennessee: A bill (H. R. 2100) to appropriate $175,000 for the prosecution and extension of the work of the Office of Public Roads in the Department of Agriculture—to the Committee on Agriculture.

Also, a bill (H. R. 2101) to appropriate $500,000 for the prosecution and extension of the work of the Bureau of Soil Surveys in the Department of Agriculture—to the Committee on Agriculture.

By Mr. HAMLIN: A bill (H. R. 2102) providing for the extension of the provisions of the pension act of June 27, 1890, to the Seventy-second Regiment Enrolled Missouri Militia—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 2103) to authorize the Secretary of War to furnish the village of Johnstown, Ohio, with a condemned cannon and suitable outfit of cannon balls—to the Committee on Military Affairs.

By Mr. BENNETT of Kentucky: A bill (H. R. 2104) to increase appropriation for site and erection of public building at Ashland, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2105) to provide for the erection of a public building at Cynthiana, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2106) for the construction of a lock and dam in the Ohio River, below mouth of Big Sandy River—to the Committee on Rivers and Harbors.

By Mr. KITCHIN: A bill (H. R. 2107) to limit removals from state courts into courts of the United States in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 2108) to prevent removals from state courts into courts of the United States by nonresident corporations—to the Committee on the Judiciary.

By Mr. HUGHES of Georgia: A bill (H. R. 2109) to provide for a national road from Americus, Ga., to Andersonville (Ga.) National Cemetery—to the Committee on Military Affairs.

By Mr. SHEPPARD: A bill (H. R. 2110) to provide for the taxation of incomes—to the Committee on Ways and Means.

Also, a bill (H. R. 2111) authorizing experimentation by the Secretary of Agriculture in reference to cotton bollworm, cotton boll weevil, and cotton wilt disease—to the Committee on Agriculture.

Also, a bill (H. R. 2112) directing the Office of Public Roads of the Agricultural Department to advise and cooperate with state and local authorities as to the best methods of maintaining roads used as rural routes in passable condition, and to inspect and report the condition of said roads with recommendations to the Post-Office Department whenever requested by it to do so—to the Committee on Agriculture.

Also, a bill (H. R. 2113) to regulate the importation of virus that may be infectious for domestic animals—to the Committee on Agriculture.

Also, a bill (H. R. 2114) for an investigation by the Secretary of Agriculture to promote the more general use of cotton goods and materials manufactured of raw cotton in the United States—to the Committee on Agriculture.

Also, a bill (H. R. 2115) to authorize the investigation and survey of swamp, wet, and overflowed lands in the valleys of the Red, the Sulphur, and the Cypress rivers, of Texas, and to devise plans and systems for the drainage of said lands—to the Committee on Agriculture.

Also, a bill (H. R. 2116) to provide for the erection of a public building at Clarksville, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2117) to provide for the erection of a federal building at Mount Vernon, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2118) for the enlargement of the federal building at Texarkana, Ark.-Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2119) for the erection of a new federal building for court-house, post-office, and other governmental purposes at Texarkana, Ark.-Tex., and for the disposition of the

present structure—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2120) to provide for the erection of a federal building at Atlanta, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2121) for an addition or annex to the federal building at Paris, Tex., said addition or annex to consist of a separate post-office building on the site now owned by the United States—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2122) to provide for the erection of a federal building at Daingerfield, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2123) to provide for the erection of a federal building at Mount Pleasant, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2124) to provide for the erection of a federal building at Cooper, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2125) for the erection of a new federal building for court, post-office, and other government purposes at Jefferson, Tex., and for the disposition of the present structure—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2126) to provide for the erection of a federal building at Pittsburg, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2127) for the establishment and maintenance of libraries in the life-saving stations of the United States—to the Committee on the Library.

Also, a bill (H. R. 2128) for the erection of a suitable memorial to the mother of Washington—to the Committee on the Library.

Also, a bill (H. R. 2129) to create a committee on interstate and foreign quarantine and public health—to the Committee on Rules.

Also, a bill (H. R. 2130) for the establishment of a fish hatchery at Paris, Tex.—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2131) authorizing the Interstate Commerce Commission to hold a contest, open to the world, to determine the best device for preventing railway collisions, wrecks, accidents, etc., and providing awards—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2132) to amend an act entitled "An act to adjust the salaries of postmasters," approved March 3, 1883, by increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2133) increasing salaries of rural free-delivery letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2134) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," public No. 190, approved July 2, 1890, so as to make imprisonment penalty imperative and to increase penalties of fine and imprisonment—to the Committee on the Judiciary.

Also, a bill (H. R. 2135) amending an act entitled "An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission," approved March 3, 1901, public No. 171, second session Fifty-sixth Congress, so as to increase the scope of the monthly accident reports, and requiring the form of said reports to be regulated and prescribed by the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2136) to amend an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes," approved June 26, 1906, public No. 297, so as to enable local printers to publish return requests, advertising, etc., on stamped envelopes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2137) to provide for a world temperance conference, to be called by the President of the United States—to the Committee on Foreign Affairs.

Also, a bill (H. R. 2138) to consolidate the Bureau of Manufactures and the Bureau of Statistics of the Department of Commerce and Labor into one bureau, to be called the "Bureau of Foreign and Domestic Commerce"—to the Committee on Expenditures in the Department of Commerce and Labor.

Also, a bill (H. R. 2139) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887," and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission so as to enable it to fix and establish all freight and passenger tariffs and other charges subject to federal regulation—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2140) for the insurance of deposits in national banks—to the Committee on Banking and Currency.

Also, a bill (H. R. 2141) repealing section 17, chapter 266, United States Statutes at Large, volume 14, so as to discontinue mileage allowance of Members of the House of Representatives—to the Committee on Appropriations.

Also, a bill (H. R. 2142) to amend an act entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900, by providing additional subsidiary silver coinage, increasing the limit to one hundred and fifty millions—to the Committee on Banking and Currency.

Also, a bill (H. R. 2143) for the continuance of cleaning and clearing operations on Red River above Fulton, Ark.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2144) for the continuance of cleaning and clearing operations on Sulphur River, Arkansas and Texas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2145) for continuing the cleaning and clearing operations now in progress on the waterway connecting Jefferson, Tex., and Shreveport, La.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2146) for the construction of a lock and dam at the foot of Caddo Lake and the deepening of the channel from the dam to Red River on the waterway connecting Jefferson, Tex., with Shreveport, La.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2147) to provide for the improvement of upper Red River by the construction of levees on the south bank thereof above Fulton, Ark.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2148) to provide for the improvement of Sulphur River by the construction of levees along both its banks from its mouth to the confluence of the Delta County forks—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2149) for a survey to determine the cost and practicability of constructing a canal between Red River and Sulphur River, Texas, by way of Texarkana, Tex.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2150) prohibiting the issuance and operation of federal liquor licenses in communities where state or local laws forbid the sale of intoxicating liquors—to the Committee on Ways and Means.

Also, a bill (H. R. 2151) prohibiting corporations organized outside of the District of Columbia who buy, sell, or deal in real estate, except real-estate agency or brokerage corporations, from operating in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2152) establishing fines and penalties for failure of corporations in the District of Columbia to file annual reports—to the Committee on the District of Columbia.

Also, a bill (H. R. 2153) establishing forfeitures and fines for false reports of corporations in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2154) prescribing annual registration fees for corporations operating in the District of Columbia and providing for enforcing payment thereof—to the Committee on the District of Columbia.

Also, a bill (H. R. 2155) making regulations regarding annual reports of corporations in the District of Columbia equally applicable to corporations organized outside the District of Columbia and authorized to operate within the same—to the Committee on the District of Columbia.

Also, a bill (H. R. 2156) to provide for repaying to rightful owners, their heirs or legal representatives, the proceeds of the cotton tax illegally collected by the United States in the State of Texas in the years 1863, 1864, 1865, 1866, 1867, and 1868, and for the disposition of such proceeds as may remain unclaimed and unawarded—to the Committee on War Claims.

Also, a bill (H. R. 2157) requiring corporations organized outside of the District of Columbia and desiring permits to operate within the same to show that 10 per cent of authorized capital has been paid in and to file with the recorder of deeds certified copies of their charters before such permits shall be issued—to the Committee on the District of Columbia.

By Mr. RUCKER of Colorado: A bill (H. R. 2158) providing for the erection of a public building at Littleton, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. MACON: A bill (H. R. 2159) to prohibit the receipt, delivery, or transmission of interstate or foreign messages, or other information to be used in connection with or furtherance of any project or transaction concerning the interstate or foreign buying or selling or otherwise dealing in futures in agricultural products or commodities, and to prohibit the interstate or foreign buying or selling or otherwise dealing in futures in said products and commodities—to the Committee on Agriculture.

By Mr. SIMS: A bill (H. R. 2160) to prevent the nullification of state antigambling laws by international or interstate transmission of race gambling bets or of racing odds—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN of South Dakota: A bill (H. R. 2161) to establish a fish-hatching and fish-culture station at Dell Rapids, S. Dak.—to the Committee on the Merchant Marine and Fisheries.

By Mr. GILLESPIE: A bill (H. R. 2162) for the erection of a federal building for the post-office at Weatherford, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. COUDREY: A bill (H. R. 2163) to compel all corporations to pay a license tax of one-tenth of 1 per cent on their capital—to the Committee on the Judiciary.

By Mr. KENDALL: A bill (H. R. 2164) for the acquisition of a site and the erection thereon of a public building at Grinnell, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. PATTERSON: A bill (H. R. 2165) to restore to certain citizens the proceeds arising from the sale of their lands under the several acts levying direct taxes, and for other purposes—to the Committee on War Claims.

Also, a bill (H. R. 2166) providing for the disposition of the cotton-tax fund collected from the several States from 1862 to 1868, inclusive—to the Committee on War Claims.

Also, a bill (H. R. 2167) to regulate interstate commerce in intoxicating liquors—to the Committee on the Judiciary.

Also, a bill (H. R. 2168) to amend the Bowman Act, volume 22, Statutes at Large, page 485—to the Committee on the Judiciary.

Also, a bill (H. R. 2169) to repeal section 3480 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 2170) establishing regular terms of the United States circuit and district courts at Aiken, S. C.—to the Committee on the Judiciary.

Also, a bill (H. R. 2171) to regulate and fix the fees of United States commissioners and to define their powers and duties—to the Committee on the Judiciary.

Also, a bill (H. R. 2172) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 2173) to amend an act entitled "An act to amend the act of Congress approved March 3, 1875, entitled 'An act to determine the jurisdiction of circuit courts of the United States and to regulate the removal of causes from state courts, and for other purposes, and to further regulate the jurisdiction of circuit courts of the United States, and for other purposes'"—to the Committee on the Judiciary.

Also, a bill (H. R. 2174) to prevent the issuance by any judge of any court of the United States, inferior to the Supreme Court, of any writ of injunction, habeas corpus, or prohibition in any case wherein the validity of a law of any one of the United States, or the act of any officer of any such State done, or required to be done, in pursuance of such law, is called in question—to the Committee on the Judiciary.

Also, a bill (H. R. 2175) appropriating the receipts from the sale and disposal of public lands in certain States to the construction of works for the drainage or reclamation of swamp and overflowed lands belonging to the United States, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 2176) providing for the erection of a public building at Edgefield, S. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2177) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

Also, a bill (H. R. 2178) to improve and extend the navigation of Saltkahatchie River, in South Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2179) to establish a fish hatchery and fish station in the State of South Carolina—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2180) to provide for the erection of a public building at the city of Beaufort, S. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2181) to increase the salaries of rural free-delivery carriers of mail—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2182) to establish an agricultural experiment station in the Second Congressional District of the State of South Carolina—to the Committee on Agriculture.

Also, a bill (H. R. 2183) to confer jurisdiction upon the Court of Claims to hear and determine the claims of churches, lodges, and educational or eleemosynary institutions arising from the late civil war—to the Committee on War Claims.

Also, a bill (H. R. 2184) providing that the question of loyalty be not considered in certain cases before the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 2185) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

Also, a bill (H. R. 2186) providing for the transfer of the naval station at Port Royal, S. C., to the Bureau of Navigation, Navy Department, as an adjunct to the naval training station, Rhode Island, and making appropriations for the improvement and maintenance of the same—to the Committee on Naval Affairs.

By Mr. MARTIN of South Dakota: A bill (H. R. 2187) for the erection of a public building at Rapid City, S. Dak.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2188) to amend "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2189) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes—to the Committee on Mines and Mining.

By Mr. NICHOLLS: A bill (H. R. 2190) declaring such persons as were engaged in the operation and construction of the United States military railroads during the war of the rebellion to have been a part of the army of the United States and having a pensionable status in accordance therewith—to the Committee on Military Affairs.

Also, a bill (H. R. 2191) to amend an act entitled "An act granting leaves of absence to clerks and employees in first and second class post-offices, and to employees of the Post-Office Department employed in the mail-bag repair shops connected with said department," approved October 1, 1890—to the Committee on Expenditures in the Post-Office Department.

By Mr. CARY: A bill (H. R. 2192) to increase the pensions of the blind who served in the war with Mexico and the civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2193) appropriating $5,000 for the improvement of that portion of National avenue, village of West Milwaukee, Milwaukee County, Wis., abutting the grounds of the Northwestern Branch National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations.

By Mr. OLCOTT: A bill (H. R. 2194) to incorporate the trustees of the Chi Psi fraternity—to the Committee on the District of Columbia.

Also, a bill (H. R. 2195) for the relief of certain surgeons, passed assistant surgeons, and assistant surgeons, United States Navy, retired—to the Committee on Naval Affairs.

Also, a bill (H. R. 2196) for the relief of war telegraphers—to the Committee on Military Affairs.

Also, a bill (H. R. 2197) to provide for the appointment and compensation of professors and instructors at the Naval Academy—to the Committee on Naval Affairs.

Also, a bill (H. R. 2198) to amend an act entitled "An act to provide for the reorganization of the consular service of the United States"—to the Committee on Foreign Affairs.

Also, a bill (H. R. 2199) for the erection of a building for the criminal insane in the District of Columbia—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2200) for the establishment of an asylum for the criminal insane in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2201) to amend the act making appropriations to provide for the expenses of the government of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2202) for free lectures—to the Committee on the District of Columbia.

Also, a bill (H. R. 2203) to purchase the original painting of Gen. Philip H. Sheridan on his favorite horse Rienzi, known as "Sheridan's Ride"—to the Committee on the Library.

Also, a bill (H. R. 2204) to change the proceedings for admission to the Government Hospital for the Insane, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 2205) to repeal section 3186, Revised Statutes—to the Committee on the Judiciary.

Also, a bill (H. R. 2206) creating a commission to investigate weights and measures, etc.—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 2207) to grant additional grade to officers and veterans—to the Committee on Military Affairs.

Also, a bill (H. R. 2208) authorizing the President of the United States to appoint certain persons in the Regular Army and place them upon the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 2209) to regulate rank of officers in the army—to the Committee on Military Affairs.

Also, a bill (H. R. 2210) to create in the War and Navy departments a roll to be known as the civil war retired list—to the Committee on Military Affairs.

By Mr. RANSDELL of Louisiana: A bill (H. R. 2211) to provide for the improvement of the waterways of the United States and Territories—to the Committee on Ways and Means.

By Mr. HAYES: A bill (H. R. 2212) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico," approved February 6, 1907—to the Committee on Pensions.

Also, a bill (H. R. 2213) to provide for the erection of a light-house on Pilar Point, at the entrance to Half Moon Bay, California—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2214) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2215) to regulate the coming into and the residence within the United States of Chinese, Japanese, Koreans, Tartars, Malays, Afghans, East Indians, Lascars, Hindoos, and other persons of the Mongolian or Asiatic race, and persons of Chinese, Japanese, Korean, Tartar, Malayan, Afghan, East Indian, Hindoo, or other Mongolian extraction, and for other purposes—to the Committee on Foreign Affairs.

Also, a bill (H. R. 2216) to amend section 3255 of the Revised Statutes of the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 2217) to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2218) for preventing the manufacture, sale, or transportation of adulterated or misbranded fungicides, Paris greens, lead arsenates, and other insecticides, and for regulating traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA: A bill (H. R. 2219) for the acquisition of a site and the erection thereon of a public building at Valley City, Barnes County, N. Dak.—to the Committee on Public Buildings and Grounds.

By Mr. THOMAS of North Carolina: A bill (H. R. 2220) providing beacon lights in Bogue Sound, Carteret County, N. C.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2221) authorizing the retirement of light-house keepers and the payment to them of a pension—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2222) to appropriate the sum of $5,000 for equipping and maintaining a weather bureau observatory at Newbern, N. C.—to the Committee on Agriculture.

Also, a bill (H. R. 2223) to increase the salaries of light-house keepers—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2224) appropriating the sum of $10,000 for repairs and improvement of the roadway to the national cemetery at Newbern, N. C.—to the Committee on Military Affairs.

Also, a bill (H. R. 2225) to provide for the defense of Beaufort Harbor, North Carolina, and the inland waters of the State tributary thereto—to the Committee on Appropriations.

Also, a bill (H. R. 2226) to provide for terms of the United States district and circuit courts at Goldsboro, N. C.—to the Committee on the Judiciary.

Also, a bill (H. R. 2227) providing for a survey of New River, in Onslow County, N. C.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2228) for the improvement of navigation of Carrot Island Slough, Carteret County, N. C.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2229) for the survey of Northeast Cape Fear River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2230) directing the Secretary of War to cause a survey to be made of New River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2231) to authorize a survey of Bogue Inlet, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2232) amending an act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes"—to the Committee on Ways and Means.

Also, a bill (H. R. 2233) authorizing a survey to be made of Queens Creek, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2234) for the survey of Big Swift Creek from Vanceboro to Gardners Ford, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2235) to provide for the erection of a levee or levees upon the Cape Fear River above Wilmington, N. C.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2236) for the relief of the State of North Carolina—to the Committee on War Claims.

Also, a bill (H. R. 2237) to provide for erection of a memorial to Maj. Pierre Charles L'Enfant—to the Committee on the Library.

By Mr. TAYLOR of Ohio: A bill (H. R. 2238) to fix a license fee and regulate soliciting orders, making sales or exhibits of women's wearing apparel or head gear by sample, picture, or model of any description, by nonresidents within the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2239) to amend section 178 of an act entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department," approved June 8, 1872—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2240) prescribing the mode of executing the death sentence within the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2241) to transfer jurisdiction of a part of the Washington Aqueduct to the Commissioners of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2242) to regulate the compensation of stationary firemen employed in the public buildings of the United States—to the Committee on Expenditures on Public Buildings.

Also, a bill (H. R. 2243) to pay all federal soldiers honorably discharged $2 a day while confined in confederate military prisons thirty days or more—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 2244) to authorize the purchase of the statue America, by Cyrus Cobb—to the Committee on the Library.

Also, a bill (H. R. 2245) for the erection of a replica of John Quincy Adams Ward's statue of Washington—to the Committee on the Library.

Also, a bill (H. R. 2246) providing for the appointment of probation officers and for the suspension of sentence in United States courts—to the Committee on the Judiciary.

Also, a bill (H. R. 2247) increasing the pensions of army nurses—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2248) declaring section 6 of act 781, passed by the United States Philippine Commission, to be null and void—to the Committee on Insular Affairs.

Also, a bill (H. R. 2249) requiring corporations operating street railways within the District of Columbia to equip open cars with guard rails, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 2250) providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. HANNA: A bill (H. R. 2251) for the acquisition of a site and the erection thereon of a public building at Williston, N. Dak.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2252) for the acquisition of a site and the erection thereon of a public building at Dickinson, N. Dak.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2253) for the acquisition of a site and the erection thereon of a public building at Jamestown, N. Dak.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2254) for the acquisition of a site and the erection thereon of a public building at Mandan, N. Dak.—to the Committee on Public Buildings and Grounds.

By Mr. MARTIN of South Dakota: A bill (H. R. 2255) to provide for the erection of a public building at Brookings, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. BURKE of South Dakota: A bill (H. R. 2256) for the erection of a public building at Rapid City, S. Dak.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2257) to provide for the erection of a public building at Brookings, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. CAMERON: A bill (H. R. 2258) granting right of way over certain sections of the Grand Canyon Monument Reserve in Arizona to the Grand Canyon Scenic Railroad Company—to the Committee on the Public Lands.

Also, a bill (H. R. 2259) to provide for the purchase of a site and the erection of a public building thereon at Douglas, Territory of Arizona—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2260) to provide for the purchase of a site and the erection of a public building thereon at Globe, Ariz.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2261) to provide for the purchase of a site and the erection of a public building thereon at Nogales, in the Territory of Arizona—to the Committee on Public Buildings and Grounds.

By Mr. LAFEAN: A bill (H. R. 2262) to provide for standard packages, grades, and marks for apples in closed packages entering into interstate and foreign commerce, and for other purposes—to the Committee on Agriculture.

By Mr. CROW: A bill (H. R. 2263) to authorize J. W. Vance, L. L. Allen, O. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnll, D. H. Kemp, Sig Solomon, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., to construct a dam across the James River, in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river again to create electric power—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMSON: A bill (H. R. 2264) to increase the compensation of rural letter carriers to $90 per month, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. TOU VELLE: A bill (H. R. 2265) for the erection of a memorial monument at Fort Recovery, Ohio—to the Committee on the Library.

By Mr. SHACKLEFORD: A bill (H. R. 2266) making appropriations for the improvement of the Missouri River from its mouth to Sioux City, Iowa—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2267) to provide for dredging, improving, and maintaining the channels of the Osage and Gasconade rivers within the State of Missouri—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2268) providing for the payment of certain coupons of bonds issued pursuant to an act of the legislature of the State of California to pay the expenses of suppressing Indian hostilities—to the Committee on Claims.

Also, a bill (H. R. 2269) construing the provisions of sections 2304 to 2309 of the Revised Statutes of the United States in certain cases—to the Committee on Invalid Pensions.

By Mr. OLCOTT: Joint resolution (H. J. Res. 16) for the relief of the heirs of George B. Simpson—to the Committee on Claims.

By Mr. SHEPPARD: Joint resolution (H. J. Res. 17) proposing an amendment to the Constitution of the United States, so that it shall contain a recognition of God and shall begin with the words "In the name of God"—to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 18) to change and improve the present method of distributing vegetable seeds—to the Committee on Agriculture.

Also, joint resolution (H. J. Res. 19) empowering the President to appoint a commission of physicians to test the arsenization theory for the prevention of yellow fever—to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON: Joint resolution (H. J. Res. 20) authorizing the Secretary of War to furnish condemned cannon for park decoration at Saluda, S. C.—to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 21) authorizing the Secretary of War to furnish condemned cannon for park decoration at Edgefield, S. C.—to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 22) directing the Secretary of Agriculture to cause a survey and investigation to be made of the swamp and tidal lands of the Second Congressional District of South Carolina, to determine the feasibility and cost of leveeing and draining said lands, and the benefits to agriculture and the public health which would result therefrom—to the Committee on Agriculture.

By Mr. RANSDELL of Louisiana: Joint resolution (H. J. Res. 23) authorizing the occupancy of reservation No. 68 in the city of Washington, D. C., as a site for and erection of a pedestal of a statue in honor of the late Rev. Dennis J. Stafford, D. D.—to the Committee on the Library.

By Mr. McCALL: Joint resolution (H. J. Res. 24) for the neutralization of the Philippine Islands—to the Committee on Insular Affairs.

Also, joint resolution (H. J. Res. 25) relative to gaps in the published records of United States history—to the Committee on the Library.

By Mr. HULL of Tennessee: Concurrent resolution (H. C. Res. 6) authorizing consular and diplomatic agents to report on income tax in foreign countries, etc.—to the Committee on Ways and Means.

By Mr. CRUMPACKER: Resolution (H. Res. 24) to consider the bill of the House (H. R. 1033) entitled "A bill to provide for the Thirteenth and subsequent censuses"—to the Committee on Rules.

By Mr. JAMES: Resolution (H. Res. 25) requesting the President to advise Congress as to the need of an income tax, etc.—to the Committee on Ways and Means.

By Mr. HULL of Tennessee: Resolution (H. Res. 26) to investigate the validity of acts under which an income tax has been collected—to the Committee on Ways and Means.

By Mr. CLAYTON: Resolution (H. Res. 27) providing payment for the services of an additional pair clerk to the minority—to the Committee on Accounts.

By Mr. SHEPPARD: Resolution (H. Res. 28) for facilitating the distribution of public documents—to the Committee on Printing.

Also, resolution (H. Res. 29) providing for Committee on Levees and Improvements of Rivers not Tributary to the Mississippi—to the Committee on Rules.

Also, resolution (H. Res. 30) providing for Committee on Levees and Improvements of Rivers Tributary to the Mississippi—to the Committee on Rules.

Also, resolution (H. Res. 31) for investigation of expenditures in Navy Department—to the Committee on Rules.

Also, resolution (H. Res. 32) for investigation of expenditures in the Department of Justice—to the Committee on Rules.

Also, resolution (H. Res. 33) for investigation of expenditures in the Treasury Department—to the Committee on Rules.

Also, resolution (H. Res. 34) for investigation of expenditures in the State Department—to the Committee on Rules.

Also, resolution (H. Res. 35) for investigation of expenditures in the War Department—to the Committee on Rules.

Also, resolution (H. Res. 36) for investigation of expenditures in the Post-Office Department—to the Committee on Rules.

Also, resolution (H. Res. 37) for investigation of expenditures on public buildings—to the Committee on Rules.

Also, resolution (H. Res. 38) for the investigation of expenditures in the Department of Commerce and Labor—to the Committee on Rules.

Also, resolution (H. Res. 39) for the investigation of expenditures in the Department of Agriculture—to the Committee on Rules.

Also, resolution (H. Res. 40) for investigation of expenditures in the Interior Department—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 2270) granting a pension to Sarah Hodge—to the Committee on Pensions.

Also, a bill (H. R. 2271) granting an increase of pension to Martin R. Gentry—to the Committee on Pensions.

Also, a bill (H. R. 2272) for the relief of John A. Brown—to the Committee on Naval Affairs.

Also, a bill (H. R. 2273) for the relief of H. T. Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 2274) for the relief of Jesse J. Bull—to the Committee on War Claims.

Also, a bill (H. R. 2275) for the relief of the city of Columbus, Ga.—to the Committee on Claims.

Also, a bill (H. R. 2276) for the relief of Mrs. Mary Perkinson—to the Committee on War Claims.

Also, a bill (H. R. 2277) for the relief of Mary Bethune Hanserd—to the Committee on War Claims.

Also, a bill (H. R. 2278) for the relief of Sidney T. Dupuy and George R. Dupuy—to the Committee on War Claims.

Also, a bill (H. R. 2279) for the relief of the heirs of S. H. Hill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2280) for the relief of the heirs of Willis Miller, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2281) for the relief of W. T. Strickland, administrator of John M. Strickland—to the Committee on War Claims.

Also, a bill (H. R. 2282) for the relief of the legal representatives of W. L. Gordon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2283) for the relief of the legal representatives of Edward Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2284) for the relief of the legal representatives of Henry Callier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2285) for the relief of the legal representatives of Anderson Abercrombie, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2286) for the relief of the legal representatives of E. H. Abercrombie—to the Committee on War Claims.

Also, a bill (H. R. 2287) for the relief of the legal representatives of F. M. T. Brannan—to the Committee on War Claims.

Also, a bill (H. R. 2288) to compensate the legal representatives of Henry S. Castellaw for stock and provisions taken for the use of the Army of the United States—to the Committee on War Claims.

Also, a bill (H. R. 2289) to compensate P. K. Leathers for services rendered the United States in the prosecution of William T. Head and others in the circuit court for the northern district of Georgia—to the Committee on the Judiciary.

Also, a bill (H. R. 2290) to compensate W. T. Godwin for transportation, rent, and supplies furnished United States authorities engaged in suppressing a riot in Harris County, Ga., in 1867—to the Committee on War Claims.

By Mr. ALEXANDER of Missouri: A bill (H. R. 2291) for the relief of Christopher L. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 2292) for the relief of the heirs of John G. W. Brooks—to the Committee on War Claims.

By Mr. ASHBROOK: A bill (H. R. 2293) granting a pension to John P. Swigert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2294) granting a pension to August Hofacker—to the Committee on Pensions.

Also, a bill (H. R. 2295) granting an increase of pension to Frank S. Mathews—to the Committee on Pensions.

Also, a bill (H. R. 2296) granting an increase of pension to George W. Boner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2297) granting an increase of pension to John H. Blessing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2298) granting an increase of pension to Harry Remer—to the Committee on Pensions.

Also, a bill (H. R. 2299) granting an increase of pension to Thomas W. Blunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2300) granting an increase of pension to John Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2301) granting an increase of pension to Gifford Ramey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2302) granting an increase of pension to Moses Stockdale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2303) granting an increase of pension to Eli Garrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2304) to remove the charge of desertion from the military record of S. Mains—to the Committee on Military Affairs.

Also, a bill (H. R. 2305) to remove the charge of desertion from the military record of Solomon Holtsberry—to the Committee on Military Affairs.

Also, a bill (H. R. 2306) to remove the charge of desertion from the military record of Milton A. Romig—to the Committee on Military Affairs.

Also, a bill (H. R. 2307) to remove the charge of desertion from the military record of Samuel V. Miller—to the Committee on Military Affairs.

By Mr. BARCLAY: A bill (H. R. 2308) granting an increase of pension to John V. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2309) granting an increase of pension to Robert Slutman—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 2310) granting an increase of pension to Henry Wegner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2311) granting an increase of pension to Albison Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2312) granting an increase of pension to S. Guckenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2313) granting an increase of pension to Clay Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2314) granting an increase of pension to Charles E. Rowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2315) granting an increase of pension to Frederick B. Huehting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2316) granting an increase of pension to Andrew K. M. Pickert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2317) granting an increase of pension to Fred W. Verkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2318) granting an increase of pension to John F. Hoben—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2319) granting an increase of pension to Joseph Kolhamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2320) granting an increase of pension to Thomas Forrester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2321) granting an increase of pension to William J. Courtney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2322) granting an increase of pension to George Larson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2323) granting an increase of pension to William L. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2324) granting an increase of pension to M. J. McRaith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2325) granting an increase of pension to John Moran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2326) granting an increase of pension to Charles A. Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2327) granting an increase of pension to Martin P. Broberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2328) granting an increase of pension to John J. Moloney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2329) granting an increase of pension to Benjamin Vine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2330) granting an increase of pension to George H. Fisler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2331) granting an increase of pension to John Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2332) granting a pension to Charles Dillon—to the Committee on Pensions.

Also, a bill (H. R. 2333) granting a pension to Fred Meyer—to the Committee on Pensions.

Also, a bill (H. R. 2334) granting a pension to John H. Neumann—to the Committee on Pensions.

Also, a bill (H. R. 2335) to remove the charge of desertion from record of Patrick Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 2336) to remove the charge of desertion standing against the military record of Leonard Seis—to the Committee on Military Affairs.

Also, a bill (H. R. 2337) for the relief of Carl Hartman—to the Committee on Military Affairs.

By Mr. CLINE: A bill (H. R. 2338) granting an increase of pension to Hiram B. Melendy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2339) granting an increase of pension to Frederick C. Waterman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2340) granting an increase of pension to Albert Preston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2341) granting an increase of pension to Elias Stoneburner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2342) granting an increase of pension to William Bronze—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2343) granting an increase of pension to Jacob Deems—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 2344) granting an increase of pension to Adam Stoker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2345) granting an increase of pension to Patrick H. Overman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2346) granting an increase of pension to William I. Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2347) granting an increase of pension to Samuel L. Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2348) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2349) granting an increase of pension to William V. Grose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2350) granting an increase of pension to Stephen Rowlands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2351) granting an increase of pension to Henry H. Harlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2352) granting an increase of pension to John W. Kemp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2353) granting an increase of pension to Addison N. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2354) granting an increase of pension to Hamilton T. Faris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2355) granting an increase of pension to Michael Fetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2356) granting an increase of pension to Daniel Gilliland—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 2357) granting an increase of pension to Joseph A. Noble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2358) granting an increase of pension to John S. Lewis—to the Committee on Pensions.

Also, a bill (H. R. 2359) granting a pension to James A. Coyne—to the Committee on Pensions.

Also, a bill (H. R. 2360) for the relief of Mrs. Matilde Chaplin and her infant son—to the Committee on Pensions.

Also, a bill (H. R. 2361) for the relief of Adolph M. Cohen—to the Committee on War Claims.

Also, a bill (H. R. 2362) for the relief of Harry G. Walthour, heir of Simeon Walthour, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2363) for the relief of Z. T. De Loach, of Bulloch County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2364) for the relief of Jacob Cohen—to the Committee on War Claims.

Also, a bill (H. R. 2365) for the relief of B. C. Thompson—to the Committee on Claims.

Also, a bill (H. R. 2366) for the relief of Mrs. V. E. Sikes—to the Committee on War Claims.

Also, a bill (H. R. 2367) for the relief of Thomas McFarlane—to the Committee on War Claims.

Also, a bill (H. R. 2368) for the relief of J. Caples Mallonee—to the Committee on War Claims.

Also, a bill (H. R. 2369) for the relief of Ellen Blount—to the Committee on War Claims.

Also, a bill (H. R. 2370) for the relief of J. J. Nease—to the Committee on War Claims.

Also, a bill (H. R. 2371) for the relief of Dr. C. D. Royall—to the Committee on Claims.

Also, a bill (H. R. 2372) for the relief of J. B. Shearouse—to the Committee on War Claims.

Also, a bill (H. R. 2373) for the relief of R. Boatright—to the Committee on War Claims.

Also, a bill (H. R. 2374) for the relief of Elizabeth T. Belt—to the Committee on War Claims.

Also, a bill (H. R. 2375) for the relief of Abraham Leffler—to the Committee on War Claims.

Also, a bill (H. R. 2376) for the relief of the white Baptist Church at Sunbury, in Liberty County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2377) for the relief of the Jerusalem Evangelical Lutheran Church, Ebenezer, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2378) for the relief of the Lutheran Church of the Ascension, of Savannah, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2379) for the relief of the First Presbyterian Church of Darien, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2380) for the relief of the heirs at law of Samuel White—to the Committee on War Claims.

Also, a bill (H. R. 2381) for the relief of A. F. Mira, or his heirs at law—to the Committee on War Claims.

Also, a bill (H. R. 2382) for the relief of the heirs of M. M. Wilson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2383) for the relief of the heirs of Mrs. M. E. Elders—to the Committee on War Claims.

Also, a bill (H. R. 2384) for the relief of the heirs of A. Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2385) for the relief of the heirs of Richard B. Sconyers—to the Committee on War Claims.

Also, a bill (H. R. 2386) for the relief of the heirs at law of the late Joseph S. Claghorn and John Cunningham, both now deceased—to the Committee on War Claims.

Also, a bill (H. R. 2387) for the relief of the heirs of William A. Baggs, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2388) for the relief of the heirs of Francis H. McLeod—to the Committee on War Claims.

Also, a bill (H. R. 2389) for the relief of the heirs at law of Charles Evans, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2390) for the relief of the heirs of John Brannen, deceased, of Bulloch County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2391) for the relief of the heirs of Joseph V. Connerat, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2392) for the relief of the heirs of Fredrick R. Wylly, deceased, of Effingham County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 2393) for the relief of the estate of John W. Anderson, deceased—to the Committee on Claims.

Also, a bill (H. R. 2394) for the relief of the estate of C. Royal, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2395) for the relief of the estate of Mrs. Rosana McGuire—to the Committee on War Claims.

Also, a bill (H. R. 2396) for the relief of the estate of Mary Lloyd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2397) to pay to the heirs of Lieut. Col. John McIntosh, late of McIntosh County, Ga., certain moneys due for his services in the war of the American Revolution—to the Committee on War Claims.

By Mr. FISH: A bill (H. R. 2398) granting an increase of pension to Adam Hepp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2399) granting an increase of pension to James H. Robeson—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 2400) granting an increase of pension to James L. Waller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2401) granting an increase of pension to Samuel Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2402) granting an increase of pension to Stephen Weathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2403) granting an increase of pension to John S. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2404) granting an increase of pension to Malinda Stinnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2405) granting an increase of pension to Elizabeth W. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2406) granting an increase of pension to J. H. O. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2407) granting an increase of pension to John Starr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2408) granting an increase of pension to Samuel S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2409) granting an increase of pension to Jesse Shewmake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2410) granting an increase of pension to Joshua Pruitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2411) granting an increase of pension to Horatio M. McGaughey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2412) granting an increase of pension to Warren Mallory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2413) granting an increase of pension to Joseph Mattocks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2414) granting an increase of pension to Edward C. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2415) granting an increase of pension to Amos W. Littlejohn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2416) granting an increase of pension to Lowery C. Carlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2417) granting an increase of pension to John W. Lay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2418) granting a pension to James Keef—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2419) granting an increase of pension to D. R. Jamison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2420) granting an increase of pension to John A. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2421) granting an increase of pension to Elias Yarborough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2422) granting an increase of pension to Franklin Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2423) granting a pension to James L. Stevens—to the Committee on Pensions.

Also, a bill (H. R. 2424) to correct the military record of John Smith, Company K, First Regiment Arkansas Volunteer Cavalry—to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 2425) granting a pension to John Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2426) granting a pension to William England—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2427) granting a pension to Henry G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2428) granting a pension to Sophrona Pursley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2429) granting a pension to John Gatts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2430) granting a pension to Samuel A. Gott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2431) granting a pension to Napoleon B. Goodknight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2432) granting a pension to Sarah F. Preston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2433) granting a pension to Thomas J. Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2434) granting a pension to I. T. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2435) granting a pension to Charles W. Gist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2436) granting a pension to William David Allee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2437) granting a pension to R. C. Goswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2438) granting a pension to Fielding W. Means—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2439) granting a pension to Thomas Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2440) granting a pension to Samuel M. Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2441) granting an increase of pension to Samuel P. Rinkert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2442) granting an increase of pension to James A. Ellison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2443) granting an increase of pension to James A. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2444) granting an increase of pension to Ira T. Bronson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2445) granting an increase of pension to James Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2446) granting an increase of pension to Thomas Braswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2447) granting an increase of pension to John B. Thompson—to the Committee to Invalid Pensions.

Also, a bill (H. R. 2448) granting an increase of pension to Andrew J. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2449) granting an increase of pension to Samuel W. Sheridan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2450) granting an increase of pension to John W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2451) granting an increase of pension to Anderson Weese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2452) granting an increase of pension to James Dodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2453) granting an increase of pension to Reuben S. Weldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2454) to correct the military record of Henry Stufflebam—to the Committee on Military Affairs.

Also, a bill (H. R. 2455) to correct the military record of Richard D. Shackleford—to the Committee on Military Affairs.

Also, a bill (H. R. 2456) for the relief of the First Baptist Church of Springfield, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 2457) for the relief of the widow and heirs of John A. Stephens, deceased—to the Committee on War Claims.

By Mr. HAYES: A bill (H. R. 2458) granting a pension to Herbert H. Skinner—to the Committee on Pensions.

Also, a bill (H. R. 2459) granting a pension to Charles Francis Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2460) granting an increase of pension to Theodore Messinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2461) granting an increase of pension to Thomas Bingham Corey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2462) granting an increase of pension to William T. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2463) granting an increase of pension to Charles A. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2464) granting an increase of pension to Mary M. Loudon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2465) granting an increase of pension to James Wardell Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2466) for the relief of Jasper J. Henry—to the Committee on Military Affairs.

Also, a bill (H. R. 2467) for the relief of Jeremiah C. Conkling—to the Committee on Claims.

Also, a bill (H. R. 2468) for the relief of Thomas P. Curran—to the Committee on Claims.

Also, a bill (H. R. 2469) to provide for payment of the claims of certain religious orders in the Philippine Islands—to the Committee on War Claims.

Also, a bill (H. R. 2470) to provide for payment of the claims of the Roman Catholic Church in Porto Rico—to the Committee on War Claims.

By Mr. HENRY of Texas: A bill (H. R. 2471) for the relief of W. A. White—to the Committee on War Claims.

Also, a bill (H. R. 2472) for the relief of Nancy Pierson, widow of J. H. Pierson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2473) for the relief of Nancy E. Wright, heir of Melvif Wilkerson, deceased—to the Committee on War Claims.

By Mr. HOUSTON: A bill (H. R. 2474) granting an increase of pension to J. L. Adams—to the Committee on Pensions.

Also, a bill (H. R. 2475) granting an increase of pension to Samuel L. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2476) granting an increase of pension to George J. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2477) granting an increase of pension to Thomas G. Bratten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2478) granting an increase of pension to James W. Crook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2479) granting an increase of pension to William Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2480) granting an increase of pension to Charles M. Adcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2481) granting an increase of pension to Edward L. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2482) granting a pension to Rufus W. Pearson—to the Committee on Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 2483) granting a pension to Lucinda F. Slater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2484) granting a pension to Melvina J. Swiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2485) granting a pension to Elizabeth Barnhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2486) granting a pension to Elizabeth F. Brubaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2487) granting an increase of pension to John M. Null—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2488) granting an increase of pension to Isaac H. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2489) granting an increase of pension to Mahala C. Lydick—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 2490) granting an increase of pension to George W. Damron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2491) granting an increase of pension to Stanley Copley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2492) granting an increase of pension to John W. Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2493) for the relief of West Virginia state troops—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 2494) granting a pension to Nancy E. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2495) granting a pension to Henry T. Dawson—to the Committee on Pensions.

Also, a bill (H. R. 2496) granting an increase of pension to Alwilda A. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2497) to increase the pension of Mexican war survivors and their widows—to the Committee on Pensions.

Also, a bill (H. R. 2498) for the relief of John Gentry—to the Committee on Military Affairs.

Also, a bill (H. R. 2499) for the relief of R. F. Pippin, of Putnam County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2500) granting bounty and pay to Joseph P. Rollins—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 2501) granting an increase of pension to Charles S. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2502) granting an increase of pension to Hilas R. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2503) granting an increase of pension to Alexander Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2504) granting an increase of pension to Stella Pritchard—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 2505) for the relief of Samuel M. Blair—to the Committee on War Claims.

Also, a bill (H. R. 2506) for the relief of Arthur R. Henderson—to the Committee on Claims.

Also, a bill (H. R. 2507) for the relief of Paul D. Walbridge—to the Committee on Claims.

Also, a bill (H. R. 2508) for the relief of Herbert H. Russell—to the Committee on Claims.

Also, a bill (H. R. 2509) for the relief of the legal representatives of Paul Curtis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2510) for the relief of the heirs of Joseph E. Wakefield—to the Committee on Claims.

Also, a bill (H. R. 2511) to appropriate the sum of $4,000, to be paid to Alfred Roberts for personal injuries received at the United States custom-house in Boston, Mass.—to the Committee on Claims.

By Mr. MARTIN of South Dakota: A bill (H. R. 2512) granting an increase of pension to Edward D. Mundy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2513) granting an increase of pension to James S. Daugherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2514) granting a pension to Henry A. Tortat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2515) granting a pension to Charles S. Munger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2516) granting a pension to Warren W. Braman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2517) granting a pension to Charles Windolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2518) for the relief of Garland & Bergh—to the Committee on Claims.

Also, a bill (H. R. 2519) for the relief of William J. Allen—to the Committee on Claims.

Also, a bill (H. R. 2520) for the relief of Lee Stover—to the Committee on Claims.

Also, a bill (H. R. 2521) for the relief of Isaac Bettelyoun—to the Committee on the Public Lands.

Also, a bill (H. R. 2522) for the relief of the First National Bank of Bellefourche, S. Dak.—to the Committee on Irrigation of Arid Lands.

By Mr. MILLER of Kansas: A bill (H. R. 2523) granting an increase of pension to John N. Raley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2524) granting an increase of pension to Alexander Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2525) granting an increase of pension to Isaac Wilkison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2526) granting an increase of pension to Stephen A. Devers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2527) granting an increase of pension to John M. Dickerson—to the Committee on Invalid Pensions.

By Mr. NICHOLLS: A bill (H. R. 2528) removing the charge of desertion from the military record of Charles H. Shippey—to the Committee on Military Affairs.

Also, a bill (H. R. 2529) removing the charge of desertion from the military record of William H. Thomas—to the Committee on Military Affairs.

By Mr. NORRIS: A bill (H. R. 2530) granting an increase of pension to Jesse H. Darnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2531) granting an increase of pension to Charles G. Vanness—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2532) granting an increase of pension to Alvin Galley—to the Committee on Invalid Pensions.

By Mr. OLCOTT: A bill (H. R. 2533) granting a pension to Kate M. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2534) granting a pension to Martha M. del B. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2535) granting an increase of pension to Richard Esmond—to the Committee on Pensions.

Also, a bill (H. R. 2536) to correct the military record of Bartholomew Cronin—to the Committee on Military Affairs.

Also, a bill (H. R. 2537) to correct the military record of Roswell M. Shurtleff—to the Committee on Military Affairs.

Also, a bill (H. R. 2538) for the relief of Mary Murray, sister, and the heirs at law of Michael Murray, deceased—to the Committee on Claims.

Also, a bill (H. R. 2539) for the relief of Tracey Edson—to the Committee on Naval Affairs.

Also, a bill (H. R. 2540) for the relief of Winfield S. Ferdon—to the Committee on Military Affairs.

Also, a bill (H. R. 2541) to correct the War Department records of Henry Donovan—to the Committee on Military Affairs.

Also, a bill (H. R. 2542) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Wilbur with the United States—to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 2543) granting an increase of pension to Henry C. Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2544) granting an increase of pension to Samuel A. Stroud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2545) for the relief of the heirs of Wesley W. Wallace—to the Committee on War Claims.

By Mr. PATTERSON: A bill (H. R. 2546) granting a pension to Dora Dee Walker—to the Committee on Pensions.

Also, a bill (H. R. 2547) granting an increase of pension to Annie B. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2548) for the relief of S. R. Illy—to the Committee on War Claims.

Also, a bill (H. R. 2549) for the relief of the trustees of Columbia Baptist Church—to the Committee on War Claims.

Also, a bill (H. R. 2550) for the relief of the trustees of Steep Bottom Baptist Church—to the Committee on War Claims.

Also, a bill (H. R. 2551) for the relief of Mount Pleasant Baptist Church, of Barnwell County, S. C.—to the Committee on War Claims.

Also, a bill (H. R. 2552) for the relief of Great Salkehatchie Baptist Church, of Barnwell County, S. C.—to the Committee on War Claims.

Also, a bill (H. R. 2553) for the relief of Bethesda Baptist Church, of Bamberg County, S. C.—to the Committee on War Claims.

Also, a bill (H. R. 2554) for the relief of William P. Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 2555) for the relief of William A. Chisolm, administrator of William S. Chaplin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2556) for the relief of R. A. Sisson—to the Committee on Claims.

Also, a bill (H. R. 2557) for the relief of Abram Gilchrist—to the Committee on War Claims.

Also, a bill (H. R. 2558) for the relief of Thomas B. Ellis—to the Committee on War Claims.

Also, a bill (H. R. 2559) for the relief of E. Youmans—to the Committee on War Claims.

Also, a bill (H. R. 2560) for the relief of W. W. Weekley—to the Committee on War Claims.

Also, a bill (H. R. 2561) for the relief of J. E. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 2562) for the relief of Pierson Peeples—to the Committee on War Claims.

Also, a bill (H. R. 2563) for the relief of W. J. Peeples—to the Committee on War Claims.

Also, a bill (H. R. 2564) for the relief of A. R. Speaks—to the Committee on War Claims.

Also, a bill (H. R. 2565) for the relief of Michael De Loach—to the Committee on War Claims.

Also, a bill (H. R. 2566) for the relief of James T. Dowling—to the Committee on War Claims.

Also, a bill (H. R. 2567) for the relief of G. R. Smook—to the Committee on War Claims.

Also, a bill (H. R. 2568) for the relief of Alden R. Holden—to the Committee on Claims.

Also, a bill (H. R. 2569) for the relief of Miss Evalina A. E. Fripp—to the Committee on War Claims.

Also, a bill (H. R. 2570) for the relief of Jane A. Sanders, widow of Edward W. Sanders—to the Committee on War Claims.

Also, a bill (H. R. 2571) for the relief of John H. Ruddell, administrator of the estate of Reuben R. Turner—to the Committee on War Claims.

Also, a bill (H. R. 2572) for the relief of the heirs of Matthew Ready, sr.—to the Committee on War Claims.

Also, a bill (H. R. 2573) for the relief of Harmony Lodge, No. 17, Ancient Free and Accepted Masons, at Barnwell, S. C.—to the Committee on War Claims.

Also, a bill (H. R. 2574) for the relief of the heirs of Daniel P. Jenkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2575) for the relief of the heirs of T. B. Fripp, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2576) for the relief of the heirs of Dr. John W. Kirk, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2577) for the relief of the heirs of Joseph G. Thorpe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2578) for the relief of the heirs of Elizabeth T. Davis—to the Committee on War Claims.

Also, a bill (H. R. 2579) for the relief of the heirs of Richard Reynolds, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2580) for the relief of the heirs of W. F. Matthews, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2581) for the relief of the heirs of Allen Fanning, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2582) for the relief of the heirs of Philip Kitching, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2583) for the relief of the heirs at law of William Corley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2584) for the relief of the estate of Stephen A. Kittles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2585) for the relief of the estate of John Fripp, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2586) for the relief of the estate of Richard N. Kittles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2587) for the relief of the estate of Simon Brown, deceased—to the Committee on War Claims.

By Mr. RODENBERG: A bill (H. R. 2588) granting an increase of pension to Thomas Waggoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2589) granting an increase of pension to James T. Atchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2590) granting an increase of pension to John W. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2591) granting a pension to Emma T. Reid—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 2592) granting an increase of pension to Oscar F. Corson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2593) granting an increase of pension to William H. Littlefield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2594) granting an increase of pension to Reuben C. Moulton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2595) granting an increase of pension to Francis R. Johnson—to the Committee on Invalid Pensions.

By Mr. SWASEY: A bill (H. R. 2596) granting an increase of pension to James Sillinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2597) granting an increase of pension to Stephen B. Marston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2598) granting an increase of pension to Winfield Scott Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2599) granting an increase of pension to Edward K. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2600) granting an increase of pension to Hosea B. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2601) granting an increase of pension to William Foye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2602) granting an increase of pension to Patrick A. Galvin—to the Committee on Pensions.

Also, a bill (H. R. 2603) granting an increase of pension to Charles W. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2604) granting an increase of pension to Joseph Lapham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2605) granting an increase of pension to Isaac W. Comery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2606) granting an increase of pension to Ansel G. Marston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2607) granting an increase of pension to John W. Bigelow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2608) granting an increase of pension to Alvin A. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2609) granting an increase of pension to Eliab Averill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2610) granting a pension to John Aldrich—to the Committee on Pensions.

Also, a bill (H. R. 2611) granting a pension to George I. Leonard—to the Committee on Pensions.

Also, a bill (H. R. 2612) granting a pension to Freeman B. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2613) granting a pension to Daniel P. Hobart—to the Committee on Military Affairs.

Also, a bill (H. R. 2614) granting a pension to Mary K. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2615) granting a pension to Sarah E. Averill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2616) granting a pension to Margaret E. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2617) granting a pension to Luella F. Sessions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2618) to remove charge of desertion from record of Francis G. French, alias Frank Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 2619) to remove the charge of desertion from the military record of John H. Rollins—to the Committee on Military Affairs.

Also, a bill (H. R. 2620) to remove charge of desertion from record of Frederick W. Buck—to the Committee on Military Affairs.

Also, a bill (H. R. 2621) to remove the charge of desertion from the military record of Frank Cooper—to the Committee on Military Affairs.

Also, a bill (H. R. 2622) to remove charge of desertion from record of Chauncey M. Allard—to the Committee on Military Affairs.

Also, a bill (H. R. 2623) to remove the charge of desertion from the naval record of John C. Warren, alias John Stevens—to the Committee on Naval Affairs.

By Mr. TAYLOR of Ohio: A bill (H. R. 2624) granting an increase of pension to Marcellus M. Pixley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2625) granting an increase of pension to Andrew McIlvain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2626) granting an increase of pension to Richard Wait—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2627) granting an increase of pension to John C. Dawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2628) granting an increase of pension to Josiah Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2629) granting an increase of pension to William F. Davisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2630) granting an increase of pension to William R. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2631) granting an increase of pension to Francis M. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2632) granting an increase of pension to William H. Zombra—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2633) granting an increase of pension to Leonard Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2634) granting an increase of pension to Joshua F. Whipps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2635) granting an increase of pension to John Macklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2636) granting an increase of pension to Hiram Swank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2637) granting an increase of pension to Benjamin Strain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2638) granting an increase of pension to Jacob Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2639) granting an increase of pension to John F. Sutphin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2640) granting an increase of pension to Louisa Anne Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2641) granting an increase of pension to Anna N. Burnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2642) granting a pension to Jeanette Blandy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2643) granting a pension to Levi H. Mallanna—to the Committee on Pensions.

Also, a bill (H. R. 2644) granting a pension to Bertha Greaves—to the Committee on Pensions.

Also, a bill (H. R. 2645) granting a pension to Pearl L. Phillips—to the Committee on Pensions.

Also, a bill (H. R. 2646) granting a pension to Sarah E. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2647) granting a pension to Frances E. McKenna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2648) for the relief of Harry [illegible] Krumm, postmaster at Columbus, Ohio—to the Committee on [illegible]aims.

Also, a bill (H. R. 2649) for the relief of the legal representatives of Joseph White, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2650) for the relief of Robert W. Caldwell, First Regiment Ohio Heavy Artillery Volunteers—to the Committee on Military Affairs.

By Mr. ALEXANDER of Missouri: A bill (H. R. 2651) granting a pension to Jeremiah R. Whitsell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2652) granting a pension to James R. Thornton—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 2653) granting an increase of pension to James Shoemaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2654) granting an increase of pension to Isreal F. Shirley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2655) granting an increase of pension to George W. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2656) granting an increase of pension to John Madden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2657) granting an increase of pension to John Arras—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2658) granting an increase of pension to Frank Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2659) granting a pension to Nettie Metzgar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2660) for the relief of Thomas N. Boyle—to the Committee on Military Affairs.

Also, a bill (H. R. 2661) to correct the military record of John Kearns—to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 2662) granting an increase of pension to Henry T. Murtha—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 2663) granting a pension to Mabel G. Gehrke—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 2664) granting an increase of pension to Forest M. Lentz—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 2665) for the relief of the heirs of John Ferrel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2666) to remove the charge of desertion from the military record of George M. Thomas—to the Committee on Military Affairs.

By Mr. LINDSAY: A bill (H. R. 2667) granting a pension to Adolph Weil—to the Committee on Pensions.

Also, a bill (H. R. 2668) granting an increase of pension to Samuel Young—to the Committee on Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 2669) for the relief of the estate of James M. Thompson, deceased—to the Committee on War Claims.

By Mr. McKINLEY of Illinois: A bill (H. R. 2670) granting a pension to John Patterson—to the Committee on Pensions.

By Mr. OLCOTT: A bill (H. R. 2671) to amend an act entitled "An act providing for the adjudication of certain claims by the Court of Claims," approved January 9, 1903—to the Committee on Claims.

By Mr. SHACKLEFORD: A bill (H. R. 2672) granting a pension to Jesse W. Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2673) granting a pension to James C. Tyron—to the Committee on Pensions.

Also, a bill (H. R. 2674) granting an increase of pension to W. P. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2675) granting an increase of pension to Calvin Gunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2676) granting an increase of pension to Meredith T. Moore—to the Committee on Pensions.

Also, a bill (H. R. 2677) granting an increase of pension to Henry S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2678) granting an increase of pension to Catherine R. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2679) granting an increase of pension to George Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2680) granting an increase of pension to James C. Simmons—to the Committee on Pensions.

Also, a bill (H. R. 2681) for the relief of Samuel P. Dresser—to the Committee on War Claims.

Also, a bill (H. R. 2682) to remove the charge of desertion from the military record of William E. Miller and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 2683) to carry out the findings of the Court of Claims in the case of John W. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 2684) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Christian Church of Sturgeon, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 2685) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the First Baptist Church of Jefferson City, Mo.—to the Committee on War Claims.

By Mr. SIMMONS: A bill (H. R. 2686) granting an increase of pension to Amelia Cutler—to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 2687) granting an increase of pension to William R. Reed—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 2688) granting an increase of pension to Edward R. Roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2689) granting an increase of pension to James Nunan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2690) granting an increase of pension to Enoch M. Brown—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of James F. Larimore, Solomon F. Brown, Daniel H. Groves, James Cain, Jacob E. West, Thomas C. De Witt, William D. Parks, and William Vorhees—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: Petition of Hicksville (Ohio) Fair Company, favoring a national highways commission and federal aid in construction of public highways—to the Committee on Agriculture.

Also, petition of Paulding Grange, of Paulding, Ohio, favoring Davis bill—to the Committee on Agriculture.

By Mr. ASHBROOK: Paper to accompany bill for relief of Eli Garnett—to the Committee on Invalid Pensions.

Also, petitions of J. R. Elder, of Walhonding, and Hoover Merchandise Company, of Canton, Ohio, favoring reduction of duty on sugar—to the Committee on Ways and Means.

Also, petition of Holmes County (Ohio) citizens, favoring a national highways commission and appropriation for federal aid in construction and improvement of highways—to the Committee on Agriculture.

By Mr. BARCHFELD: Paper to accompany bill for relief of John Kearns—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of John Arras—to the Committee on Invalid Pensions.

By Mr. BARTLETT of Georgia: Petition of Elan Local, No. 7939, Farmers' Educational Cooperative Union of America, favoring legislation to restrict immigration—to the Committee on Foreign Affairs.

By Mr. BURLEIGH: Petition of Hayard Peirce, of Frankfort, Me., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BURNETT: Petitions of N. H. Rohardson of Seddon; B. F. Mackey, of Mackey; B. B. S. Grocery Company, R. James, F. M. Cattle, F. M. Cassels, and T. J. Woodliff, of Gadsden, all in the State of Alabama, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CARY: Petition of Glass Bottle Blowers' Association, Branch No. 15, of Milwaukee, Wis., against decision of Justice Wright—to the Committee on the Judiciary.

By Mr. DRAPER: Petition of National Association of Box Manufacturers, of Chicago, Ill., favoring increase of duty on lumber—to the Committee on Ways and Means.

By Mr. FISH: Paper to accompany bill for relief of James H. Robeson—to the Committee on Ways and Means.

By Mr. FOSTER of Illinois: Petition of citizens of Centralia, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Effingham (Ill.) Lodge, No. 1016, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

By Mr. FULLER: Petition of County Line Grange, No. 1751, favoring the Davis bill (H. R. 18204), providing for industrial education—to the Committee on Agriculture.

Also, petition of B. M. Morey and others, of Durand, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Forest M. Lentz—to the Committee on Invalid Pensions.

By Mr. GRONNA: Petition of citizens of Bowbells, N. Dak., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAMMOND: Petitions of Thomas Randall & Son, of Amboy; Martin B. Johnson, of Garvin; James Faley, of Mapleton; F. A. Torrance & Son, of Worthington; P. McGrath, of

Good Thunder; Thomas Madsen, of Sherburn; B. Bosch, of Balton; F. S. Brady and two others, of Avoca; and Bieter & Robson, of Heron Lake, all in the State of Minnesota, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Mullen Brothers and 16 others, of Medilla; A. W. Ebert and 6 others, Brewster; Wilson & Evans Brothers and 20 others, of Pipestone; David Rempel and 11 others, of Mountain Lake; H. A. Zettel and 5 others, of Welcome; Crowley & Brattsberg and 7 others, of Ellsworth; and C. S. Howard and 11 others, of Edgerton, all in the State of Minnesota, against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. A. Matschke and 37 others, of Westbrook, Minn., against duty on teas and coffees—to the Committee on Ways and Means.

By Mr. HARDWICK: Paper to accompany bill for relief of Delilla McGuire—to the Committee on Invalid Pensions.

By Mr. HILL: Petition of Business Men's Association of Norwalk, Conn., against removal of duty on wood pulp and paper—to the Committee on Ways and Means.

By Mr. HUBBARD of West Virginia: Petition of A. B. Barnett and 51 others, of Rocklick, W. Va., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Lodge No. 294, Benevolent and Protective Order of Elks, for an appropriation to create a reserve in the State of Wyoming for the protection of the American elk—to the Committee on the Public Lands.

By Mr. HULL of Iowa: Petition of Retail Grocers' Association of Des Moines, Iowa, against a tax on tea and coffee—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of William Roth, of Woodsfield, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, joint resolution of Ohio legislature, against any reduction of the tariff on wool—to the Committee on Ways and Means.

By Mr. LINDBERGH: Paper to accompany bill for relief of the estate of James N. Thompson—to the Committee on War Claims.

By Mr. LINDSAY: Petition of Oronogo Circle Mining Company, favoring a duty on zinc ore—to the Committee on Ways and Means.

Also, a petition of the National Association of Box Manufacturers, of Chicago, Ill., against reduction of duty on lumber—to the Committee on Ways and Means.

By Mr. McKINNEY: Petitions of W. F. Cunningham, of Blandinsville; R. Hudson, of Oquawka; and Scott Brothers & Co., of Monmouth, all in the State of Illinois, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of J. W. Wine & Co., of Macomb, Ill., favoring modification of tariff on oilcloth—to the Committee on Ways and Means.

By Mr. McMORRAN: Petition of Daniel Walker and two other citizens of Lapeer, Mich., for H. R. 15837, in aid of highways—to the Committee on Agriculture.

By Mr. MARTIN of South Dakota: Petition of citizens of Huron, S. Dak., for repeal of duty on hides—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of certain residents of Benkelman, Nebr., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. O'CONNELL: Petition of Quincy (Mass.) Lodge, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

By Mr. SIMMONS: Petition of Central Labor Union of Batavia, N. Y., against piecework system in United States navy-yards and arsenals—to the Committee on Naval Affairs.

By Mr. SWASEY: Paper to accompany bill for relief of John C. Warren—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of Winfield S. Howe and James Sidlinger—to the Committee on Invalid Pensions.

Also, petitions of M. T. Jameson & Co., of Owls Head; Warren M. Dam & Co., of Bath; J. T. Gay, jr., and Benner & Chute, of Waldoboro; C. S. Staples, of North Haven; C. H. Record, of Auburn; John H. Stacey, of Popham Beach; T. W. Sullivan, of Hurricane Isle; and B. Perley Putnam, of Rumford, all in the State of Maine, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of Cairo (Ill.) Lodge of Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on Agriculture.

By Mr. THOMAS of North Carolina: Petition for appropriation to improve Shelter River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. TOU VELLE: Petition of Joseph Turkes, of Celina, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

SENATE.

FRIDAY, *March 19, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Vice-President being absent, the President pro tempore, WILLIAM P. FRYE, took the chair.

MURPHY J. FOSTER, a Senator from the State of Louisiana, BENJAMIN F. SHIVELY, a Senator from the State of Indiana, and WILLIAM J. STONE, a Senator from the State of Missouri, appeared in their seats to-day.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on the request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

SENATOR FROM PENNSYLVANIA.

Mr. PENROSE presented the credentials of GEORGE T. OLIVER, chosen by the legislature of Pennsylvania a Senator from that State to fill the vacancy in the term ending March 3, 1911; caused by the resignation of Philander C. Knox, which were read and ordered to be filed.

Mr. PENROSE. Mr. OLIVER is present, and I ask that the oath of office may be administered to him.

Mr. OLIVER was escorted to the Vice-President's desk by Mr. PENROSE, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Monday.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a concurrent resolution providing for the printing of 30,000 copies of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 1033) providing for the Thirteenth and subsequent decennial censuses, in which it requested the concurrence of the Senate.

PRINTING OF TARIFF BILL.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives, which was read and referred to the Committee on Printing:

House concurrent resolution 5.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the two Houses 30,000 copies of the bill of the House (H. R. 1438) entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," with an index thereto, and the same number of the report thereon, 25,000 copies of said report to be accompanied with the views of the minority, all in document form, 9,000 copies for the use of the Senate and 21,000 copies for the use of the House.

HOUSE BILL REFERRED.

H. R. 1033. An act to provide for the Thirteenth and subsequent decennial censuses was read twice by its title and referred to the Committee on the Census.

Mr. HALE. As it was part of the arrangement when the Senate adjourned on Tuesday that no legislative business should be done to-day, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate adjourned until Monday, March 22, 1909, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 19, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, the Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

WITHDRAWAL OF PAPERS.

Mr. HUGHES of New Jersey, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Michael Tully and George Ihnath, Sixtieth Congress, no adverse report having been made thereon.

SWEARING IN OF A MEMBER.

Mr. ESCH, a Representative from the State of Wisconsin, presented himself at the bar of the House and took the oath of office.

RECESS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the House take a recess for fifteen minutes.

The motion was agreed to.

Accordingly (at 12 o'clock and 10 minutes p. m.) the House took a recess.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

ADJOURNMENT UNTIL MONDAY NEXT.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1438, entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," with Mr. OLMSTED in the Chair.

The CHAIRMAN. The Clerk will read the bill.

The bill was read at length.

During the reading.

Mr. PAYNE. Mr. Chairman, I desire to interrupt the reading a moment to make an announcement. I do this because some of the newspapers have announced that general debate will not commence until Tuesday. It is the purpose that general debate will commence on Monday morning, when the House meets. I state this because a number of Members have asked me about it. That is all I have to say.

The Clerk resumed the reading of the bill.

During the reading.

Mr. SIMS. Mr. Chairman, I make a parliamentary inquiry. What is the object of reading a bill of this length through on the first reading when nobody in the House or in the gallery or on earth or in heaven is paying any attention to the reading?

The CHAIRMAN. The rules require the reading of the bill unless it is dispensed with by unanimous consent.

Mr. SIMS. Then, to end this farce, I ask that the further reading of the bill be dispensed with.

Mr. PAYNE. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

During the reading of page 45,

Mr. SIMS. Mr. Chairman, I again renew my request that the further first reading of the bill be dispensed with.

Mr. NEEDHAM. I object.

The CHAIRMAN. Objection is heard.

Mr. SIMS. There are very few present. Then, Mr. Chairman, in order that the country may know of the little attention being given to the reading, I make the point of no quorum. Let the Chairman count and see how many are present and put it in the RECORD.

The CHAIRMAN. The Chair will count.

Mr. SIMS (during the count). How many are present, Mr. Chairman? I counted only 35 before I made the point.

The CHAIRMAN. The Chair will count.

Mr. SIMS. If the Chairman is unable to count, I will ask for tellers.

The CHAIRMAN. The Chair is fairly good in arithmetic.

Mr. SIMS. Mr. Chairman, in order to expedite the matter, I withdraw the point of no quorum, and move that the further reading of the bill be dispensed with.

Mr. HENRY W. PALMER. I object.

The CHAIRMAN. This is a case where unanimous consent is required to dispense with the reading of the bill.

Mr. SIMS. The motion, then, is not in order?

The CHAIRMAN. It is not.

Mr. SIMS. I withdraw the point.

The CHAIRMAN. The point of no quorum is withdrawn; the Clerk will read.

The Clerk resumed the reading of the bill.

During the reading of page 83,

Mr. SIMS. Mr. Chairman, I am not going to make the point of no quorum, but it is perfectly evident that this bill is not going to be read by paragraph for amendment. It is perfectly evident that this reading is worth nothing. It is also perfectly evident that every Member in the House, as far as I am advised, is going to vote for it if no opportunity is given to vote for a bill perfected by desirable amendments or for a Democratic substitute. Therefore, if we are not to be permitted to amend this bill, I ask unanimous consent, in order to save time, that the committee rise and report the bill back to the House with the recommendation that it do pass.

The CHAIRMAN. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent that the reading be dispensed with and that the committee do rise——

Mr. MANN. Reserving the right to object, Mr. Chairman——

The CHAIRMAN (continuing). And report the bill back to the House with the recommendation that it do pass.

Mr. MANN. Reserving the right to object, I simply wish to state that while doubtless the gentleman from Tennessee [Mr. SIMS] has been in the confidence of the committee in making up the bill, and hence knows what it contains, there are a few of us who have not had the opportunity of reading the bill or knowing what is in it except as we now follow the reading of the bill by the Clerk, as I am doing, and I wish to do that until the end of the reading. Therefore, I feel constrained to object.

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to ask the gentleman from Illinois [Mr. MANN] a question.

Mr. MANN. Certainly.

Mr. JOHNSON of South Carolina. Has the gentleman from Illinois the slightest idea that he would vote to amend any paragraph in that bill?

Mr. MANN. "The gentleman from Illinois" has a very strong idea that he would vote to amend various paragraphs in the bill and hopes that he will have the opportunity of voting on amendments.

Mr. JOHNSON of South Carolina. And the "gentleman from South Carolina" will probably help him on some of them.

Mr. MANN. And it is probable that there are some gentlemen here who are much afraid that they will not have the opportunity to change their mind.

Mr. JOHNSON of South Carolina. I hope we will have it.

Mr. SIMS. Now, Mr. Chairman, I am not making a mere play. The business of the country is held up; business is stagnated. We have been advised from the White House to be as expeditious as possible. If a long, general debate means nothing in the way of amendment, why not report this bill and let it pass and go to the Senate where it can be amended?

Mr. BARTLETT of Georgia. Mr. Chairman, I object to further proceedings of this kind.

The CHAIRMAN. Regular order is demanded. The Clerk will proceed with the reading.

The Clerk resumed and concluded the reading of the bill.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438—the tariff bill—and had come to no resolution thereon.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until 12 o'clock noon on Monday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Attorney-General, transmitting recommendations as to appropriation for special assistant attorneys (H. Doc. No. 4), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HUGHES of Georgia: A bill (H. R. 2691) to provide for increasing the limit of cost of the public building authorized to be erected at Cordele, Crisp County, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. OLCOTT: A bill (H. R. 2692) to increase the efficiency of the Marine Band—to the Committee on Naval Affairs.

By Mr. MACON: A bill (H. R. 2693) to confer jurisdiction upon the Court of Claims to hear and determine the claims of churches, lodges, and educational or eleemosynary institutions arising from the late civil war—to the Committee on War Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 2694) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—to the Committee on the Post-Office and Post-Roads.

By Mr. ASHBROOK: A bill (H. R. 2695) establishing certain rates of pay for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2696) fixing the rate of pension for persons eligible under section 2, act of June 27, 1890, who require the frequent and periodical attendance of another person—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2697) granting pensions to all enlisted men, soldiers and officers, who served in the civil war and war with Mexico—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2698) providing for certain pensions to be paid widows of civil war and Spanish war and Mexican war soldiers—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 2699) to amend the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HARDY: A bill (H. R. 2700) to prohibit unfair trade discrimination and competition—to the Committee on the Judiciary.

Also, a bill (H. R. 2701) to provide for the erection of a public building at Bryan, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2702) to provide for erection of public building at Cameron, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2703) to provide for the erection of a public building at Teague, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2704) to provide for the erection of a public building at Mexia, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. RHINOCK: A bill (H. R. 2705) for the relief of tobacco growers—to the Committee on Ways and Means.

Also, a bill (H. R. 2706) to provide for the erection of a public building at Williamstown, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2707) to provide for the erection of a public building at Falmouth, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2708) for the relief of the Kentucky drafted men—to the Committee on War Claims.

Also, a bill (H. R. 2709) to provide for the construction of an ice harbor in the Kentucky River at or near Carrollton, Ky.—to the Committee on Rivers and Harbors.

By Mr. STERLING: A bill (H. R. 2710) to establish in the Department of Commerce and Labor a bureau to investigate the cause of pulmonary consumption in humans, and to seek remedies for the prevention and cure of the same—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2711) to amend an act entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," approved May 30, 1908—to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 2712) to confer jurisdiction upon the circuit court of the United States for the ninth circuit to determine in equity the rights of American citizens under the award of the Bering Sea arbitration of Paris and to render judgment thereon—to the Committee on the Judiciary.

Also, a bill (H. R. 2713) to protect free labor and the industries in which it is employed from the injurious effect of convict competition, by confining the sale of goods, wares, and merchandise manufactured by convict labor to the State or Territory in which they are produced—to the Committee on Interstate and Foreign Commerce.

By Mr. KEIFER: A bill (H. R. 2714) to authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a ship canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami and Erie Canal from Toledo to Cincinnati, Ohio, and to estimate the cost thereof—to the Committee on Rivers and Harbors.

By Mr. FULLER: A bill (H. R. 2715) for the erection of a public building at Sycamore, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 2716) to provide for the erection of a public building at Searcy, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2717) to provide for the erection of a public building at Newport, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2718) granting pensions to certain officers and men of the Fourth Regiment of Arkansas Mounted Infantry—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 2719) for the erection of a public building at New Haven, Conn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2720) for the erection of a public building at Middletown, Conn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2721) to provide for the purchase of a site and the erection of a public building thereon at Seymour, in the State of Connecticut—to the Committee on Public Buildings and Grounds.

By Mr. BATES: A bill (H. R. 2722) to regulate the strength and promote the efficiency of the personnel of the United States Navy—to the Committee on Naval Affairs.

By Mr. GODWIN: A bill (H. R. 2723) to authorize Beaufort County Lumber Company, of North Carolina, to construct a bridge or bridges across Lumber River, in the State of North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. GARRETT: A bill (H. R. 2724) to limit the jurisdiction of district and circuit courts of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 2725) to amend the jurisdiction act of 1887 so as to abrogate federal jurisdiction over state corporations when the jurisdiction is founded only on the fact that the action or suit brought is between citizens of different States—to the Committee on the Judiciary.

Also, a bill (H. R. 2726) to prevent the use of the United States mail for transportation of matter relating to "dealing in futures," "stock gambling," etc., and providing penalties for its violation—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2727) to provide for the issuance of process from courts of the United States in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 2728) for the purchase of a site and erection of a public building at Humboldt, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. CAMERON: A bill (H. R. 2729) authorizing the governor and secretary of Arizona and the supervising engineer of the United States Reclamation Service for the district embracing Arizona, and their successors in office, to act as a commission for the settlement of title to certain lands—to the Committee on the Territories.

By Mr. SISSON: A bill (H. R. 2730) to increase the compensation of rural letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2731) to tax the manufacture and sale of deadly weapons—to the Committee on Ways and Means.

Also, a bill (H. R. 2732) to provide a punishment for the procuring of a special retail liquor license under an assumed or fictitious name, etc.—to the Committee on Ways and Means.

By Mr. DENBY: A bill (H. R. 2733) to amend an act approved June 29, 1906, entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission"—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2734) to amend section 3469 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. HULL of Iowa: A bill (H. R. 2735) to increase the efficiency of the veterinary service of the army—to the Committee on Military Affairs.

Also, a bill (H. R. 2736) to organize a service corps in the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2737) to provide a temporary home for ex-

Union soldiers, sailors, and marines in the District of Columbia—to the Committee on Military Affairs.

Also, a bill (H. R. 2738) to authorize commissions to issue in the cases of officers of the army retired with increased rank—to the Committee on Military Affairs.

Also, a bill (H. R. 2739) to provide for the purchase of a site and the erection of a public building thereon at Perry, in the State of Iowa—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2740) for preventing the manufacture, sale, or transportation of imitated or misbranded articles of commerce and regulating the traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2741) authorizing the President to appoint a professor of mathematics in the navy, etc.—to the Committee on Naval Affairs.

By Mr. COLE: A bill (H. R. 2742) to provide for the erection of a monument to soldiers of the war of 1812 at Fort McArthur, Hardin County, Ohio—to the Committee on the Library.

Also, a bill (H. R. 2743) to provide for the erection of a public building at Kenton, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2744) to provide for the erection of a public building at Bellefontaine, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2745) to provide for the erection of a public building at Urbana, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. DENBY: A bill (H. R. 3035) to repeal section 3114 of the Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: A bill (H. R. 3036) granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 3037) to correct the lineal and relative rank of certain officers of the United States Army and to prevent the recurrence of like cases by amending the act approved October 1, 1890, entitled "An act to provide for the examination of certain officers of the army and to regulate promotion therein—to the Committee on Military Affairs.

By Mr. TOWNSEND: A bill (H. R. 3038) to provide for the investigation of controversies affecting interstate commerce, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Joint resolution (H. J. Res. 26) to allow the city and county of San Francisco to exchange land in the Yosemite National Park and adjacent national forest for portions of the Hetch Hetchy and Lake Eleanor reservoir sites in said Yosemite National Park for the purposes of a municipal water supply—to the Committee on the Public Lands.

By Mr. OLDFIELD: Joint resolution (H. J. Res. 27) to restore the status of the Fourth Regiment Arkansas Mounted Infantry Volunteers (state militia), who served the United States Government ten months in the civil war—to the Committee on Military Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 28) to allow the city and county of San Francisco to exchange lands for reservoir sites in Lake Eleanor and Hetch Hetchy valleys in Yosemite National Park, and for other purposes—to the Committee on the Public Lands.

By Mr. OLCOTT: Joint resolution (H. J. Res. 29) relating to the issuing of campaign service medals—to the Committee on Naval Affairs.

By Mr. BUTLER (by request): Resolution (H. Res. 41) directing the Committee on the Post-Office and Post-Roads to inquire into the expediency of amending certain laws—to the Committee on Rules.

By Mr. MARTIN of South Dakota: Memorial of the legislature of South Dakota requesting Congress to set aside a township of land in the Bad Lands of South Dakota for a national park—to the Committee on the Public Lands.

Also, memorial of the legislature of South Dakota asking Congress to enact laws giving the Interstate Commerce Commission power and authority to fix maximum rates of express charges and otherwise supervise, regulate, and control express companies—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMER: Memorial of the legislature of Idaho, recommending the passage of a bill now pending in the Senate of the United States granting certain rights to the Panhandle Electric Railway and Power Company—to the Committee on the Public Lands.

Also, memorial of the legislature of Idaho, asking Congress to appropriate $75,000 for the purpose of surveying, constructing, and building a certain wagon road in Idaho—to the Committee on the Public Lands.

Also, memorial of the legislature of Idaho, asking Congress to amend the present reclamation laws of the United States in sundry respects—to the Committee on Irrigation of Arid Lands.

By Mr. MILLER of Kansas: Memorial of the legislature of Kansas, urging that the taxation of inheritances should be reserved to the several States—to the Committee on Ways and Means.

Also, memorial of the legislature of Kansas, relating to the participation by national banks in the bank depositors' guaranty fund of the State of Kansas—to the Committee on Banking and Currency.

Also, memorial of the legislature of Kansas, concerning soil investigations—to the Committee on Agriculture.

Also, memorial of the legislature of Kansas, urging an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people—to the Committee on Election of President, Vice-President, etc.

By Mr. REEDER: Memorial of the legislature of Kansas, asking that the taxation of inheritances should be reserved to the several States—to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: Memorial of the legislature of Washington, concerning the creation of a reserve for the American elk in the State of Wyoming, etc.—to the Committee on the Public Lands.

By Mr. LINDBERGH: Memorial of the legislature of Minnesota, petitioning for appropriation in aid of permanent improvement of public highways of States and Territories—to the Committee on Agriculture.

By Mr. WEISSE: Memorial of the legislature of Wisconsin, asking Congress to enact into law H. R. 39—to the Committee on Military Affairs.

Also, memorial of the legislature of Wisconsin, concerning legislation leading to repairs of the Portage levee—to the Committee on Levees and Improvements of the Mississippi River.

Also, memorial of the State of Wyoming, concerning final proof of settlers under the reclamation act—to the Committee on the Public Lands.

Also, memorial of the legislature of Wisconsin, petitioning Congress for the enactment of a law creating a volunteer retired list—to the Committee on Military Affairs.

By Mr. ESCH: Memorial of the legislature of Wisconsin, concerning legislation leading to the repair of the Portage levee—to the Committee on Levees and Improvements of the Mississippi River.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 2746) granting a pension to Elizabeth Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2747) granting a pension to Ruben Driskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2748) granting a pension to Catharine J. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2749) granting a pension to Elizabeth Ballew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2750) granting a pension to William Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2751) granting a pension to Patrick Deneen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2752) granting a pension to Allen Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2753) granting a pension to John E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2754) granting a pension to John N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2755) granting a pension to W. J. Prater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2756) granting a pension to Thomas T. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2757) granting a pension to Rebecca Schofield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2758) granting a pension to Sabina Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2759) granting a pension to Lucy R. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2760) granting a pension to James A. Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2761) granting a pension to Ambrose Giseburt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2762) granting a pension to Harrison R. Crecelius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2763) granting an increase of pension to William P. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2764) granting an increase of pension to Thomas Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2765) granting an increase of pension to Levi P. Hyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2766) granting an increase of pension to John Q. Hickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2767) granting an increase of pension to Henry F. Peery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2768) granting an increase of pension to William Voorhes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2769) granting an increase of pension to William D. Parks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2770) granting an increase of pension to Thomas C. De Witt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2771) granting an increase of pension to Jacob E. Westfall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2772) granting an increase of pension to Martin V. Helton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2773) granting an increase of pension to Anson E. Millegan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2774) granting an increase of pension to Richard H. Swank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2775) granting an increase of pension to John G. Hearn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2776) granting an increase of pension to Henry E. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2777) granting an increase of pension to Agnes Miller—to the Committee on Pensions.

Also, a bill (H. R. 2778) granting an increase of pension to Alexander M. Rainey—to the Committee on Pensions.

Also, a bill (H. R. 2779) granting an increase of pension to James Cain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2780) granting an increase of pension to Daniel H. Groves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2781) granting an increase of pension to Solomon F. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2782) granting an increase of pension to James F. Larimore—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 2783) granting an increase of pension to Leonidas M. Goff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2784) granting an increase of pension to George Sloughman—to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 2785) granting a pension to Samuel Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2786) granting a pension to George W. Edwards—to the Committee on Pensions.

Also, a bill (H. R. 2787) granting an increase of pension to Richard N. Salomon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2788) granting an increase of pension to Laranzy Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2789) granting an increase of pension to Elijah Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2790) granting an increase of pension to James Shelby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2791) to correct the military record of James H. Beal—to the Committee on Military Affairs.

Also, a bill (H. R. 2792) to correct the military record of George A. Tillett—to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 2793) granting an increase of pension to William Varian—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2794) granting an increase of pension to David R. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2795) granting an increase of pension to Oscar E. Mitchell—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 2796) granting a pension to Anderson G. Pittman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2797) granting a pension to Harry A. Benedict—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2798) granting an increase of pension to James T. Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2799) granting an increase of pension to Isaac B. Sandusky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2800) granting an increase of pension to Zach J. Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2801) granting an increase of pension to James Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2802) granting an increase of pension to Joel M. Morgan—to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 2803) granting an increase of pension to Stephen J. Lansdown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2804) granting an increase of pension to Joseph T. Duffy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2805) granting an increase of pension to John T. Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2806) granting an increase of pension to Nathaniel E. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2807) granting an increase of pension to John Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2808) granting a pension to James L. Ballenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2809) granting a pension to Enoch G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2810) for the relief of the estate of George P. Dorriss, deceased—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 2811) granting a pension to Iva Stxton—to the Committee on Pensions.

Also, a bill (H. R. 2812) granting a pension to Charles F. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2813) granting a pension to Adam H. Constant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2814) granting a pension to John S. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2815) granting a pension to Charles B. Fessenden, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2816) granting a pension to Sallie Jane West—to the Committee on Pensions.

Also, a bill (H. R. 2817) granting a pension to John W. Linder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2818) granting a pension to Jasper N. Swisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2819) granting a pension to Francis M. Davison—to the Committee on Pensions.

Also, a bill (H. R. 2820) granting a pension to Samuel Faust—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2821) granting a pension to Madison M. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2822) granting an increase of pension to Frank West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2823) granting an increase of pension to James P. Lewman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2824) granting an increase of pension to Hugh D. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2825) granting an increase of pension to Lee Toms—to the Committee on Pensions.

Also, a bill (H. R. 2826) granting an increase of pension to William L. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2827) for the relief of James Tulley—to the Committee on Military Affairs.

Also, a bill (H. R. 2828) for the relief of William Martinson—to the Committee on Military Affairs.

Also, a bill (H. R. 2829) to amend the military record of George W. Cathus—to the Committee on Military Affairs.

Also, a bill (H. R. 2830) for the relief of John Carr—to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 2831) granting a pension to Thomas Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2832) to carry into effect the findings of the Court of Claims in the claim of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased—to the Committee on War Claims.

By Mr. CLINE: A bill (H. R. 2833) granting an increase of pension to Samuel C. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2834) granting an increase of pension to William T. Wyatt—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 2835) granting an increase of pension to Joseph T. Oliphant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2836) granting an increase of pension to Thomas S. Wirtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2837) granting an increase of pension to George Wininger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2838) granting an increase of pension to William Ashbaugh—to the Committee on Invalid Pensions.

By Mr. DENBY: A bill (H. R. 2839) granting a pension to William J. Allmand—to the Committee on Pensions.

Also, a bill (H. R. 2840) granting a pension to John Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2841) granting a pension to Elias B. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2842) granting a pension to Sarah Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2843) granting a pension to Pierre L. Carmouche—to the Committee on Pensions.

Also, a bill (H. R. 2844) granting a pension to Thomas Dolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2845) granting a pension to Hattie L. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2846) granting a pension to the minor children of William Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2847) granting a pension to Sophie M. Guard—to the Committee on Pensions.

Also, a bill (H. R. 2848) granting a pension to Charles H. Goldsmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2849) granting a pension to Fanny Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2850) granting a pension to George Hutton—to the Committee on Pensions.

Also, a bill (H. R. 2851) granting a pension to John Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2852) granting a pension to Victoria Kidd—to the Committee on Pensions.

Also, a bill (H. R. 2853) granting a pension to Charles F. Luebner—to the Committee on Pensions.

Also, a bill (H. R. 2854) granting a pension to George H. Lozon—to the Committee on Naval Affairs.

Also, a bill (H. R. 2855) granting a pension to Margaret A. Murriby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2856) granting a pension to Augusta L. Mumford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2857) granting a pension to Catherine Nothwong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2858) granting a pension to Margaret Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2859) granting a pension to Joseph Wynne—to the Committee on Pensions.

Also, a bill (H. R. 2860) granting a pension to Margaret J. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2861) granting an increase of pension to Joseph Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2862) granting an increase of pension to John B. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2863) granting an increase of pension to Irene J. Love—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2864) granting an increase of pension to John H. McMurtrie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2865) granting an increase of pension to Clara B. Mercur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2866) granting an increase of pension to Robert R. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2867) granting an increase of pension to Lewis B. Moon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2868) granting an increase of pension to Matilda F. Myler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2869) granting an increase of pension to Henry H. Norton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2870) for the relief of Patrick Powell—to the Committee on Claims.

Also, a bill (H. R. 2871) for the relief of Francis E. Rosier—to the Committee on Military Affairs.

Also, a bill (H. R. 2872) for the relief of Theodore E. Rollott—to the Committee on Claims.

Also, a bill (H. R. 2873) for the relief of Charles Brown Calvert—to the Committee on Claims.

Also, a bill (H. R. 2874) to carry out the findings of the Court of Claims in the case of Mrs. Christian Schwartz, administratrix of Christian Schwartz, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2875) correcting the military record of James Bailey—to the Committee on Military Affairs.

Also, a bill (H. R. 2876) correcting the military record of John Newmen—to the Committee on Military Affairs.

Also, a bill (H. R. 2877) to authorize the President to appoint William S. Biddle, late a captain, United States Army, to the position of captain of infantry, United States Army, and to place him on the retired list as of that grade—to the Committee on Military Affairs.

Also, a bill (H. R. 2878) to pay to James Caniff $5,000 for personal injuries received in the service of the United States—to the Committee on Claims.

Also, a bill (H. R. 2879) authorizing the payment of $126.40 for bounty and arrears to John Dorsey—to the Committee on Claims.

Also, a bill (H. R. 2880) to reimburse $337.52 to Col. Phillip Kirschner—to the Committee on Claims.

Also, a bill (H. R. 2881) to transfer Capt. John Clarke Wilson from the retired to the active list of the navy—to the Committee on Naval Affairs.

By Mr. GARRETT: A bill (H. R. 2882) granting an increase of pension to R. H. Nanrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2883) granting an increase of pension to William Henders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2884) granting an increase of pension to W. J. Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2885) granting a pension to Lendora Getchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2886) for the relief of Mathew Williams—to the Committee on War Claims.

Also, a bill (H. R. 2887) for the relief of Dilly Williams—to the Committee on War Claims.

Also, a bill (H. R. 2888) for the relief of Thomas J. Lovell—to the Committee on Claims.

Also, a bill (H. R. 2889) for the relief of H. H. Belew—to the Committee on War Claims.

Also, a bill (H. R. 2890) for the relief of heirs of C. H. Medlin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2891) for the relief of heirs of John Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2892) to carry into effect the findings of the Court of Claims in the matter of the claim of William H. Landrum—to the Committee on War Claims.

Also, a bill (H. R. 2893) to carry into effect the findings of the Court of Claims in the matter of the claim of the Walnut Grove Baptist Church, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2894) to carry into effect the findings of the Court of Claims in the matter of the claim of Elam C. Cooper—to the Committee on War Claims.

Also, a bill (H. R. 2895) to carry into effect the findings of the Court of Claims in the matter of the claim of the Humboldt Female College, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. HARDY: A bill (H. R. 2896) granting a pension to Martha J. Kolb—to the Committee on Pensions.

Also, a bill (H. R. 2897) granting a pension to Luther Sargent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2898) for the relief of heirs of Larkin Echolls—to the Committee on War Claims.

By Mr. HARDWICK: A bill (H. R. 2899) for the relief of Eugene J. O'Connor and J. B. Schweers—to the Committee on Claims.

Also, a bill (H. R. 2900) granting a pension to Delila McGuire—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 2901) granting a pension to Albert M. Winebrener—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2902) granting a pension to Robert F. Tietz—to the Committee on Pensions.

Also, a bill (H. R. 2903) granting a pension to Harriet L. Burwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2904) granting a pension to Patrick Dolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2905) granting a pension to Isabelle C. Woodward—to the Committee on Pensions.

Also, a bill (H. R. 2906) to remove the charge of desertion now standing against the name of Edward Gordon—to the Committee on Military Affairs.

Also, a bill (H. R. 2907) granting an increase of pension to Michael Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2908) granting an increase of pension to Thomas J. Jordan—to the Committee on Pensions.

Also, a bill (H. R. 2909) granting an increase of pension to Winslow E. Brown—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 2910) granting an increase of pension to D. H. Matteson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2911) granting an increase of pension to Samuel J. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2912) granting an increase of pension to Frederick B. Banta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2913) granting an increase of pension to Francis Burroughs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2914) granting an increase of pension to Charles L. Chappell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2915) granting an increase of pension to George E. Leonard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2916) granting an increase of pension to Henry E. Silcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2917) granting an increase of pension to Mary A. Hough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2918) granting an increase of pension to Hezekiah B. Smith, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2919) granting an increase of pension to Mary E. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2920) to correct the military record of Charles H. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 2921) to pay Thames Tow Boat Company amount due them on a dredging contract with Government—to the Committee on Claims.

By Mr. KAHN: A bill (H. R. 2922) granting an increase of pension to John H. Edge—to the Committee on Pensions.

Also, a bill (H. R. 2923) granting an increase of pension to Grace Miller—to the Committee on Pensions.

Also, a bill (H. R. 2924) granting a pension to Ellen O'Donnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2925) granting a pension to Frances M. Comba—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2926) for the relief of George W. Bell—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 2927) for the relief of William E. Culin—to the Committee on Military Affairs.

By Mr. McHENRY: A bill (H. R. 2928) granting an increase of pension to Mary Jane Schreyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2929) granting an increase of pension to William Stephens—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 2930) granting a pension to James H. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2931) for the relief of the Old School Presbyterian Church, of Helena, Phillips County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 2932) to carry into effect the findings of the Court of Claims in the matter of the claim of the First Baptist Church of Helena, Ark.—to the Committee on War Claims.

By Mr. OLCOTT: A bill (H. R. 2933) for the relief of the executors of the estate of Edward W. Southworth and others—to the Committee on Claims.

Also, a bill (H. R. 2934) providing for the restoration and retirement of Frederick W. Olcott as a passed assistant surgeon in the navy—to the Committee on Naval Affairs.

By Mr. OLDFIELD: A bill (H. R. 2935) granting a pension to Matilda Inman—to the Committee on Pensions.

Also, a bill (H. R. 2936) granting a pension to Sarah A. Moss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2937) granting an increase of pension to Josiah Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2938) granting an increase of pension to Hiram E. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2939) granting an increase of pension to Thomas Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2940) granting an increase of pension to Thomas B. Stallings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2941) granting an increase of pension to Caralton D. Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2942) granting an increase of pension to Andrew E. Anderson—to the Committee on Pensions.

Also, a bill (H. R. 2943) for the relief of the heirs of A. J. L. Stevens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2944) for the relief of Shadrack H. Wren—to the Committee on War Claims.

Also, a bill (H. R. 2945) for the relief of Charles W. Fowler—to the Committee on Military Affairs.

Also, a bill (H. R. 2946) for the relief of Lee Robbins—to the Committee on War Claims.

Also, a bill (H. R. 2947) for the relief of Laura J. Dills—to the Committee on War Claims.

Also, a bill (H. R. 2948) for the relief of Lillie L. Penrod, sole heir of Mary E. Wycough, deceased, late daughter and heir of Buford H. Neely, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2949) for the relief of the heirs of Mary E. Williamson, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2950) for the relief of the heirs of Simon Rockwell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2951) for the relief of the heirs of James King, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2952) to correct the military record of John R. Chapman—to the Committee on Military Affairs.

By Mr. RHINOCK: A bill (H. R. 2953) granting an increase of pension to William Selhorst—to the Committee on Pensions.

Also, a bill (H. R. 2954) granting an increase of pension to Francis M. Bristow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2955) granting an increase of pension to Uriah Bickers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2956) granting an increase of pension to N. L. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2957) granting an increase of pension to Mary Kearns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2958) granting an increase of pension to Walter McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2959) granting an increase of pension to Norval L. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2960) granting an increase of pension to Joseph Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2961) granting an increase of pension to James Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2962) granting an increase of pension to Lewis Michaels—to the Committee on Pensions.

Also, a bill (H. R. 2963) granting an increase of pension to Thomas Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2964) granting an increase of pension to Julius Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2965) granting an increase of pension to Julius A. Pherson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2966) granting an increase of pension to Simon Schmitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2967) granting a pension to Julius Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2968) granting a pension to Herbert Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2969) granting a pension to Thomas Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2970) granting a pension to Eliza J. Cameron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2971) granting a pension to Alpheus L. Woodard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2972) granting a pension to W. H. Mullins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2973) granting a pension to Frank A. Berlage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2974) granting a pension to Elizabeth Bingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2975) granting a pension to William H. Liter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2976) granting a pension to David E. Redman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2977) granting a pension to Bridget M. Perry—to the Committee on Pensions.

Also, a bill (H. R. 2978) granting a pension to Alberta E. Fleming—to the Committee on Pensions.

Also, a bill (H. R. 2979) granting a pension to Clara A. Ritter—to the Committee on Pensions.

Also, a bill (H. R. 2980) granting a pension to Caroline Siebenthaler—to the Committee on Pensions.

Also, a bill (H. R. 2981) granting a pension to Maria M. Wandelohr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2982) granting a pension to Thomas B. Youtsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2983) granting a pension to Elizabeth Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2984) granting a pension to Henry H. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2985) granting a pension to Daniel L. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2986) granting a pension to Henry D. Bender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2987) granting a pension to Florence Meader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2988) granting a pension to Emily Crooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2989) granting a pension to Thornton Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2990) granting a pension to William H. Liter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2991) granting a pension to James C. Darnell—to the Committee on Pensions.

Also, a bill (H. R. 2992) granting a pension to James W. Mullins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2993) granting a pension to W. B. May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2994) granting a pension to Josiah J. Salmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2995) granting a pension to Rachael E. Yager and two infant heirs, Thomas Yager and Ellick Yager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2996) granting a pension to Peter M. Clause—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2997) granting a pension to William Fortner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2998) granting a pension to William Dickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2999) granting a pension to Sarah Moore—to the Committee on Pensions.

Also, a bill (H. R. 3000) granting a pension to Anna K. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3001) granting a pension to Frank Taphorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3002) granting a pension to Nettie Eckler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3003) granting a pension to Mary Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3004) granting a pension to William McCormack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3005) granting a pension to Betsy Hare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3006) granting a pension to Margaret Sylvester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3007) granting a pension to Henry Wehrmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3008) granting a pension to Coleman Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3009) granting a pension to Sarah E. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3010) granting a pension to Catherine Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3011) granting a pension to Robert A. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3012) granting a pension to Albert C. Skillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3013) granting a pension to Anna K. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3014) for the relief of John Armstrong, jr.—to the Committee on War Claims.

Also, a bill (H. R. 3015) for the relief of John W. McKibben—to the Committee on War Claims.

Also, a bill (H. R. 3016) for the relief of L. M. Northcutt—to the Committee on Claims.

Also, a bill (H. R. 3017) for the relief of J. W. Knox, of Gallatin County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 3018) for the relief of John A. Cassell, of Newport, Campbell County, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 3019) for the relief of John Riley—to the Committee on War Claims.

Also, a bill (H. R. 3020) for the relief of William C. Watts, of Boone County, Ky.—to the Committee on Claims.

Also, a bill (H. R. 3021) for the relief of L. H. Lyne & Co., late of Lynchburg, Va.—to the Committee on Claims.

Also, a bill (H. R. 3022) for the relief of the heirs of the late John Hawkins—to the Committee on War Claims.

Also, a bill (H. R. 3023) to correct the military record of Conrad Seither—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 3024) granting an increase of pension to Benjamin P. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3025) granting an increase of pension to Sylvester G. Atwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3026) granting an increase of pension to Benjamin M. Tilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3027) granting an increase of pension to Charles White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3028) granting a pension to Sarah D. Drew—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 3029) granting a pension to Lavina W. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3030) granting a pension to August Pfefferle—to the Committee on Pensions.

Also, a bill (H. R. 3031) granting a pension to Emma L. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3032) granting an increase of pension to Frederick W. Sedgwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3033) granting a pension to Spencer M. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3034) granting an increase of pension to John F. Woodard—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of citizens of Leavenworth, Kans., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of Coshocton Lithographic International Protective Association of the United States and Canada, indorsing recommendations of the tariff commission on the employment of lithographers—to the Committee on Ways and Means.

Also, petitions of W. H. McNeal, of Blissfield, and Samuel Gamble, of Coshocton, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BATES: Petitions of the Arcade Store, of Linesville, and J. M. Robinson, of Meadville, Pa., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of W. J. Hastettler Shoe Company, against duty on hides—to the Committee on Ways and Means.

Also, petition of J. M. Critchlow, against duty on oil—to the Committee on Ways and Means.

Also, petition of Morris Brown & Co. and R. E. Dickinson, against change in countervailing duty on petroleum—to the Committee on Ways and Means.

Also, petition of Williams & McClelland, of Girard, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Wayne Brewing Company, of Erie, Pa., favoring removal of duty on Canadian barley—to the Committee on Ways and Means.

Also, petitions of B. E. Waltz, of Waterford Electric Light Company, and Corry City Electric Light Company, favoring a decrease of duty on carbons—to the Committee on Ways and Means.

Also, petitions of Joseph J. Webber and R. E. Palmer & Co., for reduction of duty on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petitions of Erie Business Men's Exchange, William Petrat, C. Kessler, C. H. Kessler, E. V. Lett, and N. J. Sullivan, all of Erie, Pa., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of E. O. Emerson, of Titusville, Pa., against reduction of duty on rice and plate glass—to the Committee on Ways and Means.

Also, petition of Melbourne Knitting Mills of Philadelphia, Pa., favoring a revision upward of the tariff on hosiery—to the Committee on Ways and Means.

Also, petition of Corry (Pa.) Lodge, No. 769, of Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on Agriculture.

Also, petition of Titusville Woman's Club, favoring passage of bill for creation of child-labor bureau—to the Committee on Expenditures in the Interior Department.

By Mr. BOOHER: Paper to accompany bill for relief of George P. Dorris—to the Committee on War Claims.

By Mr. BURLEIGH: Petition of W. A. Griffin, of Park, Me., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BURLESON: Petition of J. B. Mayfield, of Tyler, Tex., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of Nelson C. Brown, of Thornton, Pa., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CAMPBELL: Paper to accompany bill for relief of John Carr—to the Committee on Invalid Pensions.

By Mr. DAVIDSON: Petition of Twentieth Century Club, of Oshkosh, Wis., favoring bill for federal bureau for children—to the Committee on Expenditures in the Interior Department.

Also, petition of 320 citizens of Oshkosh, Wis., against duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of several hundred farmers of Winnebago County; 50 farmers of New Holstein and Hilbert; 64 citizens of Calumet and Manitowoc counties; 100 farmers of Calumet, Waupaca, and Portage counties, all in the State of Wisconsin, against reduction of duty on barley and other farm products—to the Committee on Ways and Means.

Also, petitions of A. P. Shelton and others and C. R. Anderson and others, favoring legislation for parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petitions of 60 citizens of Portage County; several business men of Collins; 100 and more business men of Manitowoc,

all in the State of Wisconsin, against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. M. Capps & Co., of Stevens Point, Wis., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Leisure Hour Art Club, of Oshkosh; Consumers' League; Woman's Club of Stevens Point, all in the State of Wisconsin, favoring bill for federal bureau for children—to the Committee on Expenditures in the Interior Department.

Also, petition of Stevens Point (Wis.) Lodge, No. 64, Benevolent and Protective Order of Elks, for an appropriation to create a reserve in the State of Wyoming for the protection of the American elk—to the Committee on the Public Lands.

By Mr. DUREY: Petition of various residents of the Twenty-fifth New York Congressional District, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ESCH: Petition of Twentieth Century Club, of La Crosse, Wis., favoring the establishment of a children's bureau—to the Committee on Expenditures in the Interior Department.

Also, petition of citizens of Osseo, Wis., favoring parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

Also, petition of Watertown Locals, Nos. 4 and 6, International Brotherhood of Paper Makers, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of Elmer Stein and other citizens of Wisconsin, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Thorpe, Wis., against reduction of the duty on barley—to the Committee on Ways and Means.

Also, petition of citizens of Neillsville and citizens of Cashton and vicinity, all in the State of Wisconsin, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FOSTER of Vermont: Petition of Morton H. McAllister and other citizens of Vermont, favoring a national highways commission and appropriation for federal aid in construction and improvement of highways—to the Committee on Agriculture.

By Mr. FULLER: Paper to accompany bill for relief of John Leitch—to the Committee on Invalid Pensions.

Also, petition of Bradford Weise Company, Rockford, Ill., against increase of duty on foreign hosiery—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwalk, Conn., against reduction of tariff on news print paper—to the Committee on Ways and Means.

Also, petition of Edward and John Burke (Limited), relative to modification of tariff on bottled malt liquors—to the Committee on Ways and Means.

By Mr. GRIEST: Petitions of W. C. Pugh, L. R. Grabill, and C. G. Gehmin, all of Lancaster, Pa., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. GRONNA: Petition of citizens of Powers Lake and citizens of Traill County, all in the State of North Dakota, against reduction of duty on grains—to the Committee on Ways and Means.

By Mr. GUERNSEY: Petition of citizens of Enfield, Me., against removal of duty on pulp—to the Committee on Ways and Means.

By Mr. HAYES: Petitions of J. H. Van Tain, William Powers, H. D. Wright, M. L. Lewellen, F. R. Gonzales, G. A. Beard, A. L. Starks, Harry R. Lawrence, L. M. Allen, Patrick Doherty, E. T. Rowe, R. E. Frost, E. A. Hafely, O. McCoy, William J. Juarez, J. E. Harmon, M. Mathison, George W. Smith, Frank Prowse, Theodore Perry, J. F. Knight, Ernest Miller, James Haunn, Joseph La Gara, Alfred Laplace, W. O. Miller, and 88 others, of San Jose, Cal., and August Rubin and 92 others, of Milpitas, Cal., favoring an effective exclusion law against all Asiatics, excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of citizens of California, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of San Francisco (Cal.) Lodge, No. 3, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

By Mr. HIGGINS: Petition of Isaac Gallup Greer, Ledyard, Conn., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwalk, Conn., against any reduction of duty on paper—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of John D. Tidrick, previously referred to Committee on Invalid Pensions—to the Committee on Pensions.

By Mr. HOWELL of New Jersey: Petition of Braid Manufacturers' Association, relative to tariff on braids—to the Committee on Ways and Means.

Also, petition of residents of Lakewood, N. J., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petitions of R. B. McReynolds, of Gerlaw; R. W. Brooks, of New Windsor, and other citizens of Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LAWRENCE: Petitions of Transcript Printing Company; Anker Printing Company; Leahy Printing Company; M. J. Doyle Printing Company, all of Holyoke, Mass., against printing business addresses on envelopes sold by the Government—to the Committee on the Post-Office and Post-Roads.

By Mr. LINDBERGH: Petition of citizens of Forada, Minn., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of Nebraska City Lodge, No. 1049, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

By Mr. NORRIS: Petition against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. OLMSTED: Petition of Rev. W. S. Harris, of Harrisburg, for a commission to investigate claim of Theodore R. Tunley as the inventor of the revolving turret on the *Monitor* and other ships—to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: Petition of Charles Knickerbocker and 8 others, of Clio, Mich., favoring a constitutional amendment allowing women to vote—to the Committee on the Judiciary.

By Mr. WEBB: Petition of John Thomas and other North Carolina merchants, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of H. E. Rameaur & Son, of Lincoln County; Morris Brothers and other merchants of Gaston County; Charles E. Barker and other merchants of Mecklenburg County; J. E. Suttle Company and other merchants of Cleveland County, all in the State of North Carolina, against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

By Mr. WEISSE: Petition of citizens of Clyman, Wis., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Allenton, Wis., against reduction of duty on farm products—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, favoring an increase of the duty on lumber—to the Committee on Ways and Means.

SENATE.

MONDAY, *March 22, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

AUGUSTUS O. BACON, a Senator from the State of Georgia, JOHN H. BANKHEAD, a Senator from the State of Alabama, ALEXANDER S. CLAY, a Senator from the State of Georgia, and JOHN WALTER SMITH, a Senator from the State of Maryland, appeared in their seats to-day.

The Journal of the proceedings of Friday last was read and approved.

STANDING COMMITTEES OF THE SENATE.

Mr. ALDRICH. Mr. President, I submit a privileged resolution, and I ask for its adoption.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the following shall constitute the standing committees of the Senate of the Sixty-first Congress:

On Additional Accommodations for the Library of Congress.—Messrs. Money, chairman, Stone, Cullom, Nelson, and Wetmore.

On Agriculture and Forestry.—Messrs. Dolliver, chairman, Warren, Burnham, Perkins, Burkett, Guggenheim, Page, Johnson of North Dakota, Money, Bankhead, Gore, Chamberlain, and Smith of South Carolina.

On Appropriations.—Messrs. Hale, chairman, Perkins, Warren, Gallinger, Elkins, Kean, Burkett, Curtis, Tillman, Daniel, Clay, Foster, and Culberson.

To Audit and Control the Contingent Expenses of the Senate.—Messrs. Kean, chairman, Gamble, Flint, Money, and Clarke of Arkansas.

On Canadian Relations.—Messrs. Smith of Michigan, chairman, Cummins, Burton, Root, Jones, Tillman, Foster, Gore, and Smith of Maryland.

On the Census.—Messrs. La Follette, chairman, Hale, McCumber, Carter, Guggenheim, Cummins, Bradley, McEnery, Taliaferro, Bailey, and Shively.

On Civil Service and Retrenchment.—Messrs. Cummins, chairman, Perkins, La Follette, Lodge, ———, McLaurin, Clarke of Arkansas, Rayner, and Owen.

On Claims.—Messrs. Burnham, chairman, Kean, Smoot, Stephenson, Richardson, Page, Crawford, Bristow, Oliver, Martin, Overman, Frazier, Davis, and Paynter.

On Coast and Insular Survey.—Messrs. Piles, chairman, Richardson, Frye, Cullom, Wetmore, Clay, Culberson, Davis, and Bankhead.

On Coast Defenses.—Messrs. Nixon, chairman, du Pont, Bourne, Crane, Root, Jones, Taliaferro, Clay, Simmons, Foster, and Smith of Maryland.

On Commerce.—Messrs. Frye, chairman, Elkins, Nelson, Gallinger, Penrose, Depew, Perkins, Piles, Smith of Michigan, Bourne, Burton, Martin, Stone, Simmons, McLaurin, Clarke of Arkansas, and Newlands.

On Conservation of National Resources.—Messrs. Dixon, chairman, Clark of Wyoming, Beveridge, Dolliver, Dillingham, Heyburn, Dick, Briggs, Guggenheim, Jones, Newlands, Overman, Davis, Bankhead, and Smith of South Carolina.

On Corporations Organized in the District of Columbia.—Messrs. Taliaferro, chairman, Shively, Brown, La Follette, and Jones.

On Cuban Relations.—Messrs. Sutherland, chairman, Burnham, Clapp, Beveridge, Bulkeley, Curtis, Taliaferro, Simmons, Newlands, and Stone.

On Disposition of Useless Papers in the Executive Departments.—Messrs. Simmons, chairman, Frazier, and Gallinger.

On the District of Columbia.—Messrs. Gallinger, chairman, Dillingham, Scott, Gamble, Burkett, Carter, Bulkeley, Bradley, Martin, Paynter, Johnston of Alabama, Smith of Maryland, and Fletcher.

On Education and Labor.—Messrs. Borah, chairman, Dolliver, Penrose, Flint, Brandegee, Daniel, Rayner, Bankhead, and Shively.

On Engrossed Bills.—Messrs. Bacon, chairman, Lodge, and Burton.

On Enrolled Bills.—Messrs. Gamble, chairman, Stephenson, and Foster.

To Examine the Several Branches of the Civil Service.—Messrs. Richardson, chairman, Warner, Page, Crawford, Culberson, Simmons, and Smith of South Carolina.

On Expenditures in the Department of Agriculture.—Messrs. Stephenson, chairman, Depew, Page, Simmons, and Gore.

On Expenditures in the Interior Department.—Messrs. Crawford, chairman, Burrows, McCumber, Davis, and Chamberlain.

On Expenditures in the Department of Justice.—Messrs. Bradley, chairman, Brown, Burnham, Bailey, and Rayner.

On Expenditures in the Navy Department.—Messrs. ———, chairman, Borah, Dillingham, Martin, and Tillman.

On Expenditures in the Post-Office Department.—Messrs. Bristow, chairman, Smith of Michigan, Johnson of North Dakota, Bacon, and Frazier.

On Expenditures in the Department of State.—Messrs. Root, chairman, Warren, La Follette, McLaurin, and Stone.

On Expenditures in the Treasury Department.—Messrs. Burton, chairman, Briggs, ———, Clarke of Arkansas, and Smith of Maryland.

On Expenditures in the War Department.—Messrs. du Pont, chairman, Cullom, Cummins, Money, and Foster.

On Finance.—Messrs. Aldrich, chairman, Burrows, Penrose, Hale, Cullom, Lodge, McCumber, Smoot, Flint, Daniel, Money, Bailey, Taliaferro, and Simmons.

On Fisheries.—Messrs. Bourne, chairman, Perkins, Bulkeley, Briggs, Jones, McEnery, Bailey, Overman, and Fletcher.

On the Five Civilized Tribes of Indians.—Messrs. Tillman, chairman, Fletcher, Clapp, Curtis, and Johnson of North Dakota.

On Foreign Relations.—Messrs. Cullom, chairman, Frye, Lodge, Clark of Wyoming, Kean, Beveridge, Carter, Smith of Michigan, Root, Bacon, Money, Frazier, Stone, and Shively.

On Forest Reservations and the Protection of Game.—Messrs. Brandegee, chairman, Depew, Perkins, Burnham, Smoot, Lodge, Tillman, Overman, and Taylor.

On the Geological Survey.—Messrs. Briggs, chairman, Elkins, Burkett, Sutherland, Money, Rayner, and Smith of South Carolina.

On Immigration.—Messrs. Dillingham, chairman, Lodge, Penrose, Heyburn, La Follette, Briggs, Brown, Richardson, McLaurin, Davis, Gore, Hughes, and Smith of South Carolina.

On Indian Affairs.—Messrs. Clapp, chairman, McCumber, Gamble, Sutherland, La Follette, Curtis, Brown, Dixon, Page, Stone, Davis, Paynter, Owen, Bankhead, and Hughes.

On Indian Depredations.—Messrs. Curtis, chairman, Dick, Dixon, Stephenson, Crawford, Oliver, Martin, McLaurin, Davis, Johnston of Alabama, and Owen.

On Industrial Expositions.—Messrs. Jones, chairman, Crane, Stephenson, Page, Johnson of North Dakota, Crawford, Oliver, Daniel, Rayner, Overman, Taylor, Bankhead, and Paynter.

On Interoceanic Canals.—Messrs. Flint, chairman, McCumber, Brandegee, Dolliver, Dick, Borah, Richardson, Crawford, Bristow, Taliaferro, Simmons, Johnston of Alabama, Smith of Maryland, and Hughes.

On Interstate Commerce.—Messrs. Elkins, chairman, Cullom, Aldrich, Kean, Clapp, Crane, Nixon, Cummins, Tillman, McLaurin, Foster, Newlands, and Taylor.

To Investigate Trespassers upon Indian Lands.—Messrs. Johnson of North Dakota, chairman, Bradley, and Paynter.

On Irrigation and Reclamation of Arid Lands.—Messrs. Carter, chairman, Warren, Flint, Nixon, Sutherland, Borah, Briggs, Jones, Bailey, Newlands, Gore, Smith of Maryland, and Chamberlain.

Joint Committee on the Revision of the Laws of the United States.—Messrs. Heyburn, chairman, Sutherland, Piles, McLaurin, and Clarke of Arkansas.

On the Judiciary.—Messrs. Clark of Wyoming, chairman, Nelson, Depew, Dillingham, Sutherland, Piles, Warner, Brandegee, Borah, Bacon, Culberson, Clarke of Arkansas, Overman, Rayner, and Paynter.

On the Library.—Messrs. Wetmore, chairman, Briggs, Cummins, Root, Burton, Daniel, Newlands, and Shively.

On Manufactures.—Messrs. Heyburn, chairman, Gallinger, Oliver, ———, Clay, Frazier, and Smith of South Carolina.

On Military Affairs.—Messrs. Warren, chairman, Scott, Bulkeley, Warner, du Pont, Dick, Dixon, Briggs, Brown, Taliaferro, Foster, Overman, Frazier, Johnston of Alabama.

On Mines and Mining.—Messrs. Dick, chairman, Scott, Heyburn, Nixon, Sutherland, Guggenheim, Tillman, Johnston of Alabama, Gore, and Hughes.

On the Mississippi River and its Tributaries.—Messrs. Warner, chairman, Dolliver, Brown, Burton, McEnery, McLaurin, and Owen.

On Naval Affairs.—Messrs. Perkins, chairman, Hale, Penrose, Gallinger, Burrows, Wetmore, Clapp, Tillman, Martin, McEnery, and Smith of Maryland.

On Pacific Islands and Porto Rico.—Messrs. Depew, chairman, Clapp, Flint, Piles, Warner, Richardson, ———, Rayner, Clarke of Arkansas, Owen, and Fletcher.

On Pacific Railroads.—Messrs. Burkett, chairman, Frye, Smith of Michigan, Stephenson, Guggenheim, Taliaferro, Gore, Chamberlain, and Shively.

On Patents.—Messrs. Brown, chairman, Clapp, Brandegee, ———, Foster, Shively, and Smith of South Carolina.

On Pensions.—Messrs. McCumber, chairman, Scott, Burnham, Smoot, Piles, La Follette, Curtis, du Pont, Taliaferro, Taylor, Gore, Hughes, and Shively.

On the Philippines.—Messrs. Lodge, chairman, Beveridge, Burrows, Dick, Nixon, Brandegee, Heyburn, du Pont, Guggenheim, Johnston of Alabama, Paynter, Chamberlain, Fletcher, and Hughes.

On Post-Offices and Post-Roads.—Messrs. Penrose, chairman, Dolliver, Burrows, Scott, Crane, Carter, Dick, Bourne, Guggenheim, Clay, Taliaferro, Owen, Bankhead, and Taylor.

On Printing.—Messrs. Smoot, chairman, Elkins, Gallinger, Richardson, Bourne, Smith of Maryland, Chamberlain, and Fletcher.

On Private Land Claims.—Messrs. Daniel, chairman, McEnery, Davis, Kean, Smith of Michigan, Oliver, and ———.

On Privileges and Elections.—Messrs. Burrows, chairman, Depew, Beveridge, Dillingham, Dolliver, Gamble, Heyburn, Bulkeley, Bailey, Frazier, Paynter, Johnston of Alabama, and Fletcher.

On Public Buildings and Grounds.—Messrs. Scott, chairman, Warren, Heyburn, Warner, Wetmore, Gamble, Bulkeley, du Pont, Stephenson, Culberson, Clay, Stone, Overman, Taylor, and Gore.

On Public Expenditures.—The chairman of the Committee on Appropriations, acting chairman; the chairman of the Committee on Finance; the chairman of the Committee on Military Affairs; the chairman of the Committee on Naval Affairs; the chairman of the Committee on Post-Offices and Post-Roads; the chairman of the Committee on Agriculture and Forestry; the chairman of the Committee on Indian Affairs; Messrs. Nelson, Gamble, Crane, Carter, Bourne, Cummins, Burton, Root, McLaurin, Newlands, Owen, Fletcher, and Hughes.

On Public Health and National Quarantine.—Messrs. Martin, chairman, McEnery, Culberson, Fletcher, Depew, du Pont, Bourne, Smoot, Bristow, and Crawford.

On Public Lands.—Messrs. Nelson, chairman, Clark of Wyoming, Gamble, Smoot, Flint, Heyburn, Dixon, Jones, Johnson of North Dakota, McEnery, Newlands, Davis, Owen, Bankhead, and Chamberlain.

On Railroads.—Messrs. Bulkeley, chairman, Clark of Wyoming, Nelson, Bourne, du Pont, Bristow, Oliver, Bacon, Money, Taylor, and Bankhead.

On Revolutionary Claims.—Messrs. Bailey, chairman, Bradley, and Root.

On Rules.—Messrs. Crane, chairman, Aldrich, Elkins, Warren, Carter, Bacon, Bailey, and Clarke of Arkansas.

On Standards, Weights, and Measures.—Messrs. Page, chairman, Borah, Bristow, Bacon, and Hughes.

On Territories.—Messrs. Beveridge, chairman, Dillingham, Nelson, Burnham, Kean, Dick, Piles, Clarke of Arkansas, Frazier, Owen, and Hughes.

On Transportation Routes to the Seaboard.—Messrs. Oliver, chairman, Clark of Wyoming, Warner, Bristow, ———, Daniel, Rayner, Gore, and Bankhead.

On Transportation and Sale of Meat Products.—Messrs. McEnery, chairman, Stone, Clark of Wyoming, Nixon, and Bradley.

On the University of the United States.—Messrs. Guggenheim, chairman, Frye, Dillingham, Curtis, Wetmore, Dixon, Oliver, Clay, Foster, Overman, and Taylor.

On Woman Suffrage.—Messrs. Clay, chairman, Johnston of Alabama, Beveridge, Burkett, and Wetmore.

Mr. ALDRICH. The committee on committees will at a later date submit a joint resolution increasing the number of members upon the joint committees on the Library and on Printing. The membership is now fixed by law at a smaller number than under the resolution just adopted by the Senate.

The committee will also at a later date bring in a resolution fixing the powers and duties of the new Committee on Public Expenditures, which the Senate has just created.

Mr. BACON. If I understood the Senator from Rhode Island correctly, he spoke of a committee on committees. I should like to inquire if there is a Senate committee of that style now organized?

Mr. ALDRICH. I think not. Perhaps I should have said that I, as a Senator, would present the resolutions.

ADJOURNMENT TO THURSDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Thursday next.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 27 as passed by the legislature of 1909 and all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 16th day of March, 1909.

[SEAL.]

S. C. POLLEY,
Secretary of State.
By E. A. PLATTS,
Assistant Secretary of State.

House joint resolution 27.

A joint resolution memorializing Congress to create in the War and Navy departments, respectively, a roll to be known as the "civil-war soldiers' roll."

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring). That the Congress of the United States be, and it is hereby, respectfully petitioned to amend the bill now pending in the Senate to create in the War and Navy departments, respectively, a roll to be known as the "civil-war officers' roll," so as to create a roll to be known as the "civil-war soldiers' roll," and that all soldiers and sailors of the civil war who served with credit for one or more years during the civil war be carried upon such roll, and that all soldiers and sailors carried upon such roll now living be granted pay at the rate of $1 per day during the remainder of their lives.

The PRESIDENT pro tempore presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 9 as passed by the legislature of 1909 and all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 18th day of March, 1909.

[SEAL.]

S. C. POLLEY,
Secretary of State.
By E. A. PLATTS,
Assistant Secretary of State.

House joint resolution memorializing Congress to refuse revenue licenses for the sale of intoxicants to be used as a beverage in States and portions thereof where laws prohibiting the sale of intoxicating liquors are in force.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

SECTION 1. That the Congress of the United States is hereby petitioned to enact laws providing that no license to sell intoxicating liquors as a beverage be issued by the United States for revenue tax or any other purpose in any State or portion thereof where laws prohibiting traffic in intoxicating liquors are in force.

The PRESIDENT pro tempore presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of senate joint resolution No. 1, as passed by the legislature of 1909, and all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 18th day of March, 1909.

[SEAL.]

S. C. POLLEY,
Secretary of State.
By E. A. PLATTS,
Assistant Secretary of State.

A joint resolution on waterways.

Be it resolved by the senate of the State of South Dakota (the house of representatives concurring). That whereas the subject of improvement by the Federal Government of internal waterways of the United States for purposes of navigation, and the promotion of commerce thereby, is a vital issue before the whole people; and

Whereas the policy of such improvement and promotion is one which has been emphatically indorsed by most if not all political parties and by the statesmen and representatives of said parties; and

Whereas said policy arose out of the necessity for larger facilities for prompt, universal, and cheapened carriage of the subjects of commerce, which policy demands, to those ends, the greatly enlarged use of natural waterways as well as the building of artificial waterways in various localities; and

Whereas such improvement of waterways is for the benefit of the people everywhere, and to inland towns as well as those located on waterways; and

Whereas there exist in the more westerly sections of the country and elsewhere various organizations created and in active operation for the purpose of promoting the above-stated ends, one of which organizations, more particularly devoted to bringing about the systematic improvement of the Missouri River on both its upper and lower reaches, for the purpose of navigation and greatly increasing the facilities of operating boats thereon in trade and commerce, is the Missouri River Navigation Congress, and the purposes of said organization are of great interest and benefit to the people of the Missouri Valley at large, including the State of South Dakota; Therefore be it

Resolved, That the State of South Dakota is vitally interested in, and hereby, through her legislature, heartily indorses the issue and the policy of improvement of internal waterways throughout the United States, including the Missouri River and its navigable tributaries, the building of the deep waterways canal from Lake Michigan to the Gulf of Mexico, and the deepening of the channel of the lower Missouri River and the Mississippi to render such canal more practicable and useful for large lines of commerce of the West and South, and the systematic improvement of the upper Missouri as part of such general process, thereby bringing the seaboards, east and south, practically much nearer the Missouri Valley and to South Dakota producers, merchants, and consumers, which improvements will result in materially cheapening and accelerating the carriage of commodities in this State and the Northwest at large, and of increasing the value of our products in the markets of the world.

Resolved, That the State of South Dakota and her citizens will encourage in all proper ways the work of the Missouri River Navigation Congress and will heartily aid in making the first annual convention of said organization, to be held in Yankton in June, 1909, a success; that

we appreciate the honor conferred upon Yankton and this State by said organization in selecting said city as the place of holding said convention.

Resolved, That South Dakota, as one of the upper Missouri Valley States among the seven States represented by said Missouri River Navigation Congress, sends greeting to each and all of the other States represented in said organization, and asks their united cooperation in common with South Dakota—whose cooperation is hereby pledged in the promotion of the purposes of said organization and of the affiliated organizations in the West and South; that we favor an intelligent and comprehensive plan of improvement of the Missouri River and other commercial waterways, and a faithful and economical expenditure of moneys by the Federal Government to those ends and pursuant to such plans.

Resolved, That we urgently request the South Dakota delegation in Congress to cooperate in bringing about, by the present and the next Congress, such reasonable appropriations for internal waterways improvement for purposes of navigation, including the Missouri River and her navigable tributaries, as will be adequate to effectuate substantial progress in such improvements as soon in future as proper plans for such outlay can be adopted.

Resolved, That the secretary of state is hereby instructed to transmit copies of these resolutions to our Senators and Representatives in Congress.

The PRESIDENT pro tempore presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 18 as passed by the legislature of 1909, and all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre, this 16th day of March, 1909.

[SEAL.]

S. C. POLLEY,
Secretary of State.
By E. A. PLATTS,
Assistant Secretary of State.

House joint resolution 18.

A joint resolution memorializing Congress to remove the tariff on lumber.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

Whereas the forests of the United States are being rapidly consumed and the day is not far distant when we will be dependent wholly on importation for our lumber supply; and

Whereas the lumber supply of the United States is now entirely owned and controlled by the most arrogant and grasping of all of the commercial combinations: Therefore,

Resolved, That the legislature of the State of South Dakota hereby does petition the Congress of the United States to remove the tariff upon lumber to the end that foreign lumber may be encouraged to come into our markets and at the same time the power of the lumber trust to oppress the public be to some extent limited.

The PRESIDENT pro tempore presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 34, as passed by the legislature of 1909, and all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 18th day of March, 1909.

[SEAL.]

S. C. POLLEY,
Secretary of State.
By E. A. PLATTS,
Assistant Secretary of State.

House joint resolution 34.

A joint resolution memorializing Congress to provide for the return of discharged soldiers and sailors from the Battle Mountain Sanitarium at Hot Springs, S. Dak., to their homes:

Be it resolved by the house of representatives of South Dakota (the senate concurring). That the Congress of the United States be, and it hereby is, respectfully petitioned to provide that soldiers and sailors discharged from the Battle Mountain Sanitarium at Hot Springs, S. Dak., be returned to their homes and not left a charge upon the community where the sanitarium is located.

The PRESIDENT pro tempore presented a concurrent resolution of the legislative assembly of the Territory of Hawaii, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Concurrent resolution 2.

Whereas there is now pending before the Congress of the United States of America a certain bill introduced by Hawaii's Delegate to Congress, Hon. J. K. KALANIANAOLE, which, if passed by said Congress, will confer upon the legislature of the Territory of Hawaii the power and right to amend and repeal the public-land laws of Hawaii; and

Whereas it is the expressed wish of the people of this Territory that the legislature may in the near future acquire by act of Congress the power and right to legislate for the regulation and disposition of the public lands: Therefore be it

Resolved by the house of representatives (the senate concurring), That we hereby indorse the principle of said bill and do hereby urge and recommend that Congress act favorably upon said bill as soon as may be, believing that the final passage of said bill will promote a broader development of the industrial pursuits and interests of this Territory; and be it further

Resolved, That certified copies of this resolution be forwarded to each of the following persons: The President of the Senate, the Speaker of the House of Representatives, and the Delegate to Congress.

Resolved further, That the secretary of the Territory of Hawaii be, and he is hereby, requested to act for and on behalf of the legislature in the transmission of certified copies of this resolution.

THE HOUSE OF REPRESENTATIVES
OF THE TERRITORY OF HAWAII,
Honolulu, H. I., March 1, 1909.

We hereby certify that the foregoing concurrent resolution was this day adopted by the house of representatives of the Territory of Hawaii.

H. L. HOLSTEIN,
Speaker, House of Representatives.
EDWARD WOODWARD,
Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, H. I., March 1, 1909.

We hereby certify that the foregoing concurrent resolution was this day adopted by the senate of the Territory of Hawaii.

WILLIAM O. SMITH,
President of the Senate.
WILLIAM SAVIDGE,
Clerk of the Senate.

The PRESIDENT pro tempore presented a petition of the Territorial Bank of Agriculture of Porto Rico, praying for the enactment of legislation providing for certain changes in the tariff which affect the products of that Territory, which was referred to the Committee on Finance.

He also presented a memorial of the Business Men's Association, of South Norwalk, Conn., remonstrating against the repeal of the duty on wood pulp and print paper, which was referred to the Committee on Finance.

He also presented a petition of the Congress Club, of Kings County, N. Y., praying for the enactment of legislation providing for certain changes in the monetary system of the country, which was referred to the Committee on Finance.

He also presented a memorial of the Central Labor Union of Boston, Mass., remonstrating against the usurpation of the constitutional right of freedom of speech and of the press, which was referred to the Committee on the Judiciary.

He also presented a petition of Kitching Post, No. 60, Department of New York, Grand Army of the Republic, of Yonkers, N. Y., praying that an appropriation be made for the raising of the wreck of the battle ship *Maine*, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Fathers and Mothers' Club, of Boston, Mass., praying for the establishment of a children's bureau in the Interior Department, which was referred to the Committee on Education and Labor.

He also presented a petition of the Aeronautic Society of New York City, N. Y., praying that an appropriation of $500,000 be made to enable the Signal Corps to carry on experiments in aeronautics, which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Branch, International Brotherhood of Paper Makers, of Watertown, N. Y., remonstrating against the proposed reduction of the duty on print paper, which was referred to the Committee on Finance.

He also presented a petition of the National Association of Box Manufacturers, praying for an increase of the tariff on lumber to at least $3 per thousand feet, which was referred to the Committee on Finance.

He also presented a memorial of the Chamber of Commerce of San Juan, P. R., praying for a protective duty on coffee, sugar, and tobacco, which was referred to the Committee on Finance.

Mr. HEYBURN presented a joint memorial of the legislature of Idaho, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

(Certificate of certified copy.)

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert Lansdon, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 8, by Parsons, which was filed in this office the 8th day of March, A. D. 1909, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 8th day of March, A. D. 1909.

[SEAL.]

ROBERT LANSDON,
Secretary of State.

House joint memorial 8. By Mr. Parsons.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the legislature of the State of Idaho, respectfully represent—

That the county of Idaho, in the State of Idaho, contains in total 7,213,490 acres of land, of which 911,165 are surveyed lands, and that the remaining acreage of the county of Idaho is absorbed by the national forest reserves and contains 5,036,480 acres; that the rentals of and from these reserves in the year 1906 (the last report obtainable) amounted to but $1,729.90.

That within the boundaries of these reserves there are not less than 25 mining camps, in more or less conditions of real and bona fide stages of development, and that there is now in this county of Idaho not less than 20 stamp mills of from 2 to 30 stamp capacity.

That from the eastern terminus of the Clearwater branch of the Northern Pacific Railroad, at the town of Stites, Idaho, in the county of Idaho, to the mining camps of Newsome, Elk City, Dixie, Orogrande, Buffalo Hump, and Concord there is but one wagon road to the camps above mentioned, and that this wagon road passes over three heavily timbered mountain ranges of high elevation, and that said wagon road is at times almost, and at other times wholly, impassible for the mail, passenger, and freight traffic, to which uses it was intended to serve, and that the conditions as above described prevail for long periods of time in the seasons of fall, winter, and spring, thereby causing great delay in the transporting of mail, passengers, and freight, and keeping up the cost of production, of living, and for freight rates, retarding the progress of that part of the county of Idaho to such an extent as to almost prohibit development along any lines of investment.

That during the first eleven months of the year 1908 Idaho County produced $119,380.91 in metal value, practically all gold, the above-mentioned camps having produced the greater portion of the total.

That a good wagon road to the within-mentioned camps from the city of Grangeville—the county seat of Idaho County and now the terminus of the Lapwai branch of the Northern Pacific Railroad—would be of inestimable value to not alone the mining, but to the agriculture, grazing, timber, and postal service as well.

That a wagon road could be constructed on practically a water grade, and avoiding the high ranges in the heavy-timbered and snow-covered route, as is now the only manner of reaching the camps herein mentioned, if the following-described route is considered, viz:

Commencing at Grangeville; thence in an easterly direction, by way of Mount Idaho, the Dewey mine, and "The Cove," to the South Fork of the Clearwater River; thence up the said South Fork of the Clearwater River to Fourmile Creek; thence diverging into two branches, one of which would extend on up the South Fork of the Clearwater River to the Elk Basin via the American River grade, and the other branch would extend on up the Fourmile Creek to the mining camps of Orogrande, Buffalo Hump, and Dixie, thereby opening up a vast scope of country not now available to postal routes or for grazing or agriculture and mining purposes.

That the distance and the time essence of the interests involved would be greatly lessened by the above route, and the Nation, State, and county would be benefited to an extent beyond any practical doubt of the project.

That the distance covering the proposed route would be 75 miles, and that a reasonable estimate of the cost to construct said wagon road as contemplated would be not more than $75,000, and that this expenditure would be the means of opening up one of the most promising resources of wealth in the northwestern part of the United States of America.

And your memorialists further represent that said county of Idaho is compelled to exercise police power and maintain criminal jurisdiction over the immense national forest reserves of 5,036,480 acres, being larger in extent than the combined States of Rhode Island, Delaware, and Connecticut, and the only revenue of the said Idaho County receives from the forest-reserve department is 10 per cent of the rentals of said reserve lands, which is not sufficient to cover the cost of a single criminal case originating in the above-mentioned reserves.

We therefore pray that the sum of $75,000 may be appropriated by the honorable House of Representatives and the Senate of the United States for the surveying, construction, and building of a wagon road, as herein set forth, and that there may be provided a suitable commission or board, by appointment, to superintend such construction and building of said wagon road.

That the secretary of state is hereby directed to forward to the Senate, the House of Representatives of the United States, and to our Representatives in Congress copies of this memorial.

This house joint memorial No. 8 passed the house of representatives on the 6th day of March, 1909.

PAUL CLAGSTONE,
Speaker of the House of Representatives.

This house joint memorial No. 8 passed the senate on the 6th day of March, 1909.

L. H. SWEETSER,
President of the Senate.

I hereby certify that the within house joint memorial No. 8 originated in the house of representatives of the legislature of the State of Idaho during the tenth session.

JAMES H. WALLIS,
Chief Clerk of the House of Representatives.

Mr. HEYBURN presented a joint memorial of the legislature of Idaho, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

(Certificate of certified copy.)

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert Lansdon, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 1, by Whitaker, to the Senate and House of Representatives of the United States in Congress assembled, which was filed in this office the 9th day of March, A. D. 1909, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 10th day of March A. D. 1909.

[SEAL.]

ROBERT LANSDON,
Secretary of State.

Senate joint memorial 1. By Mr. Whitaker.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialist, the legislature of the State of Idaho, respectfully represents that:

Whereas a bill is now pending in the Senate of the United States providing for the granting of a right of way to the Panhandle Electric Railway and Power Company, with necessary station and terminal grounds, through a portion of the Kaiska National Forest Reserve, in Bonner County, State of Idaho; therefore

Your memorialist, the legislature of the State of Idaho, earnestly recommends the passage of said bill, and represents that the construction and building of said railway will be of vast importance and great public benefit to the northern portion of the State of Idaho, opening up numerous and valuable mines which now have ready for shipment many tons of ore, which, at the present time, is valueless for lack of transportation; also placing a vast amount of timber and timber products in reach of available markets; will aid and assist many settlers who are now residing upon and are improving and cultivating valuable agricultural lands, in reaching ready markets and disposing of their product at reasonable profit.

The national forest will also be greatly benefited by the passage of said bill in placing all their surplus products within the national forest in close touch with the outside world.

Your memorialist therefore earnestly recommends the passage of said bill, in order that there may be no delay in securing this great and additional improvement to northern Idaho.

The secretary of state is hereby requested to forward copies of this memorial to the Senate and House of Representatives of the United States, and to the Representatives in Congress from this State.

I hereby certify that the above senate joint memorial No. 1 originated in the senate during the tenth session of the legislature of the State of Idaho.

F. A. SHAW,
Secretary of the Senate.

The above senate joint memorial No. 1 passed the senate on the — day of February, 1909.

L. H. SWEETSER,
President of the Senate.

The above senate joint memorial No. 1 passed the house of representatives on the — day of March, 1909.

PAUL CLAGSTONE,
Speaker of the House of Representatives.

Mr. HEYBURN presented a memorial of the legislature of Idaho, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

(Certificate of certified copy.)

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert Lansdon, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 7, by Messrs. Ribbett, Patch, Adams, and Storey, which was filed in this office the 6th day of March, A. D. 1909, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 8th day of March, A. D. 1909.

[SEAL.]

ROBERT LANSDON,
Secretary of State.

House joint memorial 7. By Messrs. Ribbett, Patch, Adams, and Storey.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the legislature of the State of Idaho, respectfully represent: That

Whereas under the reclamation act, as it now provides, the settlers on the government projects, reclaimed under said act, are greatly hampered and inconvenienced and the development of such tracts greatly retarded by the long period required in said act in which to perfect title to such land;

Now, therefore, your memorialists do ever pray that the reclamation act be so amended as to allow commutation as provided in the homestead act, and to provide that at the expiration of five years from the date of entry, or after commutation, the entryman may, upon filing with the proper officer an affidavit to the effect that he has complied with all the provisions of the act up to the time of making such affidavit, receive a certificate vesting in him a conditional fee which will entitle him to sell, transfer, or convey to any person or persons all his rights, title, and interest in the land covered by his entry, subject, however, to be defeated by failure of the entryman, his heirs, executors, or assigns to pay to the Government the water apportionments as provided in said act; And be it

Resolved, That the secretary of state of the State of Idaho be, and he is hereby, instructed to forward this memorial to the Congress of the United States, and copies thereof, to our Senators and Representative in Congress.

This house joint memorial No. 7 passed the house of representatives on the 5th day of February, 1909.

PAUL CLAGSTONE,
Speaker of the House of Representatives.

This house joint memorial No. 7 passed the senate on the 5th day of March, 1909.

L. H. SWEETSER,
President of the Senate.

I hereby certify that the within house joint memorial No. 7 originated in the house of representatives of the legislature of the State of Idaho during the tenth session.

JAMES H. WALLIS,
Chief Clerk of the House of Representatives.

Mr. BURKETT presented a petition of the Union Veteran Republican Club, of Lincoln, Nebr., praying for the enactment of legislation granting a per diem pension to the soldiers of the civil war, which was referred to the Committee on Pensions.

He also presented a petition of Local Lodge No. 739, Benevolent and Protective Order of Elks, of Plattsmouth, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of sundry citizens of Lincoln, Nebr., remonstrating against the imposition of any duty on tea and coffee, which was referred to the Committee on Finance.

Mr. SCOTT presented a petition of Local Lodge No. 294, Benevolent and Protective Order of Elks, of Fairmont, W. Va., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Farmers' Institute, of French Creek, W. Va., praying for the passage of the so-called "Davis bill," providing for the establishment of agricultural and industrial high schools, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Dawson, W. Va., praying for the enactment of legislation to create a volunteer retired list in the War and Navy departments for the surviving officers of the civil war, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Towanda, Pa., and Louisville, Ky., praying that an appropriation be made to place an appropriate memorial to the memory of James Rumsey in Statuary Hall in the Capitol building at Washington, D. C., which were referred to the Committee on the Library.

Mr. NELSON presented a joint resolution of the legislature of Minnesota, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

By Mr. Thorpe.

Whereas the details of the "denaturized-alcohol" law recently enacted by the last Congress are under the supervision of the Internal Revenue Commissioner; and

Whereas the present law requires a fee of $20 on every worm for the purpose of extracting spirits from the different products; and

Whereas this would apply to individual consumers' stills with a daily capacity of from 5 to 25 gallons in the manufacture of "industrial alcohol" for house consumption:

Resolved by the senate and house of representatives of Minnesota, That the $20 tax on worms for "individual stills" is an unnecessary and prohibitive tax and to a certain extent prohibits the intents and purposes for which the "industrial-alcohol" law was enacted, and that we hereby request the Internal Revenue Commissioner to exempt the individual consumers' stills from this unnecessary tax;

Resolved further, That a copy of these resolutions be forwarded to our Representatives in Washington and to the President of the United States by the secretary of the senate, asking their support in this important matter.

Mr. NELSON presented a joint memorial of the legislature of Minnesota, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Joint resolution.

Whereas there is a general demand by the people of the United States and of the people of the State of Minnesota for better and more permanent public roads: Therefore be it

Resolved by the senate of the State of Minnesota (the house concurring), That it is the sense of the people of this State that owing to the increase in population, the increase of the products of the farm seeking a market in reciprocal exchanges for manufactured articles, the increased wealth of our country, coupled with the extension of the rural free-delivery mail carrier service of the General Government, which is now recognized as a fixed and permanent policy of the Federal Government, furnishes sound reason why the General Government should aid in the improvement of the public highways of the several States and Territories, and the Congress of the United States is hereby memorialized to extend some such aid by the appropriation of a percentage of the cost of such permanently improved main highways throughout the different States and Territories of the Union where and whenever a State and the several counties thereof shall by statute extend a like aid in so improving their main highways, under such conditions and restrictions as may be by said Congress determined upon and deemed advisable: Be it further

Resolved, That it is the sense of the people of the State of Minnesota that any annual appropriation of at least $50,000,000 for a long term of years would do more to advance the betterment of the whole people of the United States than would the expenditure of a like amount of money for any other purpose: Be it also further

Resolved, That the secretary of state be, and is hereby, directed to forward a copy of this memorial to the Senate and House of Representatives of the United States in Congress assembled.

Mr. NELSON presented a joint resolution of the legislature of Minnesota, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Mr. Weis offered the following concurrent resolution:

Whereas it is concurrently reported that an effort will be made either at the approaching special or the Sixty-second Congress to secure the enactment of a graduated inheritance-tax bill as a source of revenue for the National Treasury; and

Whereas Minnesota is one of 33 of the States of the Union which now has a graduated inheritance-tax law which has been sustained by the courts, after many repeated trials, and has produced a revenue to the state treasury since its enactment and up to August 1, 1908, of $365,882; and

Whereas the Minnesota inheritance law has become an established principle of law and administration in this State and produces a certain revenue without imposing any great hardship upon those taxed under its provisions; and

Whereas the scientific tax associations of the country are unanimous in their view that an inheritance tax is a function properly imposed by the State and by the State alone; Now therefore be it

Resolved by the senate of the State of Minnesota (the house concurring), That it is the sense of the people of this State that the National Congress refrain from the taxation of inheritances for federal purposes and to reserve this source of revenue for the exclusive use of the several States.

This legislature therefore respectfully requests and urges the several Senators and Representatives representing the State of Minnesota in the Congress of the United States to support a properly drawn joint memorial, when proposed for adoption by the two Houses of the Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes.

Mr. NELSON presented a petition of Local Lodge No. 516, Benevolent and Protective Order of Elks, of St. Cloud, Minn., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of sundry citizens of Staples, Minn., praying for the repeal of the duty on hides, which was referred to the Committee on Finance.

He also presented a petition of the Retail Grocers and General Merchants' Association, of St. Paul, Minn., praying for the repeal of the duty on tea and coffee, which was referred to the Committee on Finance.

He also presented a petition of the Retail Hardware Association of Minnesota, praying for the repeal of the duty on individual stills used in the manufacture of denatured alcohol, which was referred to the Committee on Finance.

Mr. PERKINS presented petitions of Local Lodges Nos. 652, 1073, 171, 906, 646, 613, 901, 888, 966, 1002, of Eureka, Redding, Oakland, Santa Monica, Santa Rosa, Santa Barbara, Petaluma, Long Beach, San Pedro, and Berkeley, all of the Benevolent and Protective Order of Elks, in the State of California, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of sundry citizens of San Jose, Cal., praying for the enactment of legislation to prohibit the immigration of all Asiatics into the United States except merchants, students, and travelers, which were referred to the Committee on Immigration.

Mr. DICK presented a petition of sundry citizens of Hannibal, Ohio, praying that an appropriation be made for the improvement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Ohio, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on Woman Suffrage.

Mr. ROOT presented a petition of the Fireman's Fund Insurance Company, of New York City, N. Y., and a petition of the Chamber of Commerce of New York City, N. Y., praying that an appropriation be made for the improvement of the rivers and harbors of the country, which were referred to the Committee on Commerce.

He also presented a petition of the Queens-Nassau Medical Society, of Glen Cove, N. Y., praying for the enactment of legislation to establish a national bureau of public health in the Department of the Interior, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of Williamsville, N. Y., and a petition of sundry citizens of Albion, N. Y., praying for the passage of the so-called "rural parcels-post" and "postal savings bank" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of New York, remonstrating against the passage of the so-called "parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of Middleburg and New York City, in the State of New York, remonstrating against the passage of the so-called "postal savings banks bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Standard Varnish Works, of New York City, N. Y., praying for the enactment of legislation to prohibit the manufacture, sale, or transportation of

adulterated, misbranded, or falsely graded naval stores, which was referred to the Committee on Naval Affairs.

He also presented a memorial of the Jewelers' Board of Trade, of New York City, N. Y., remonstrating against the repeal of the national bankruptcy law, which was referred to the Committee on the Judiciary.

He also presented a petition of the Eureka Fire Hose Manufacturing Company, of New York City, N. Y., praying for the enactment of legislation providing for a system of national wagon roads in the Territory of Alaska, which was referred to the Committee on Territories.

He also presented petitions of sundry citizens of New York City and Mount Vernon, in the State of New York, praying for the passage of the so-called "children's bureau bill," which were referred to the Committee on Education and Labor.

He also presented the memorial of James P. Hayes, of New York City, N. Y., remonstrating against the enactment of legislation to declare the intent of certain provisions of the coastwise laws, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Troy, N. Y., praying for the passage of the so-called "Nelson bankruptcy bill," relating to voluntary bankruptcy, which was referred to the Committee on the Judiciary.

He also presented the petition of Joseph Wild & Co., of New York City, N. Y., praying for the enactment of legislation to establish a national court of patent appeals in Washington, D. C., which was referred to the Committee on the Judiciary.

He also presented a memorial of Local Union No. 247, International Brotherhood of Electrical Workers, of Schenectady, N. Y., remonstrating against the adoption of any system of piecework in the navy-yards of the country, which was referred to the Committee on Naval Affairs.

He also presented a petition of the New York Chamber of Commerce, praying for the enactment of legislation to acquire sites and buildings in foreign countries for the use of the diplomatic and consular establishments of the United States, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Williamson Fruit Growers' Association, of Williamson, N. Y., praying for the enactment of legislation to provide a uniform national and state law governing the manufacture and sale of insecticides and fungicides, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of New York City, N. Y., praying for the passage of the so-called "Newlands bill," providing for the erection of the Lincoln memorial on the Mall west of the Washington Monument, Washington, D. C., which were referred to the Committee on the Library.

He also presented a petition of Chapin Post, No. 2, Department of New York, Grand Army of the Republic, of Buffalo, N. Y., praying for the enactment of legislation providing for the erection of a memorial to the memory of Brig. Gen. Henry W. Lawton, which was referred to the Committee on the Library.

He also presented a memorial of New York Division, Sons of Veterans, of Mount Vernon, N. Y., remonstrating against any appropriation being made for the purpose of erecting monuments to the memory of men who were connected with the confederate army, which was referred to the Committee on Military Affairs.

He also presented a petition of the New York Chapter, American Institute of Architects, of New York City, N. Y., praying for the enactment of legislation to create in the Office of the Supervising Architect of the Treasury a bureau of arts and public buildings, which was referred to the Committee on Appropriations.

He also presented the petition of Luytles Brothers, of New York City, praying for the adoption of a certain amendment to the proposed tariff bill to encourage the sale and importation of articles of domestic manufacture, which was referred to the Committee on Finance.

He also presented the memorial of C. W. Snow & Co., of Syracuse, N. Y., remonstrating against any change being made in the basis of assessing dutiable values from the present basis of current market values in the country of export to the selling price in the United States, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Brooklyn and Long Island City, in the State of New York, remonstrating against the appointment of a permanent tariff commission, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Oneida, Hudson, Buffalo, Oswego, and Troy, all in the State of New York, praying for the repeal of the duty on Canadian barley, which were referred to the Committee on Finance.

He also presented a memorial of the Dean Alvord Company, of New York City, remonstrating against the repeal of the duty on lead and zinc ores, which was referred to the Committee on Finance.

He also presented a memorial of Wool Sorters' Union No. 349, American Federation of Labor, of Lawrence, Mass., remonstrating against any reduction being made in the duty on textile goods, which was referred to the Committee on Finance.

He also presented petitions of Local Lodges Nos. 364, 141, 841, 767, 744, 1039, and 748, of Hornell, Schnectady, Troy, Staten Island, Oneida, Peekskill, Owego, and Cortland, all of the Benevolent and Protective Order of Elks, in the State of New York, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of the Alabama Marble Company, of New York City, remonstrating against the repeal of the duty on marble, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Schenectady and Albion, in the State of New York, praying for the passage of the so-called "Burkett-Foelker" bill to prohibit the interstate telegraphing of race-gambling bets, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York City, praying for the enactment of legislation governing the operation of motor vehicles within the District of Columbia and the Territories while engaged in interstate or foreign commerce, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Division No. 367, Brotherhood of Locomotive Engineers, of Syracuse, N. Y., praying for the passage of the so-called "Nicholls bill" relative to the military establishments of the country, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of New York, praying for a modification of the present duty on oilcloth and linoleum, which were referred to the Committee on Finance.

Mr. JONES presented a joint resolution of the legislature of Washington, which was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Senate joint resolution 5. By Senator Ruth.

Whereas the daily papers are authority for the report that the aged mother of Capt. Charles Gridley, who commanded the cruiser *Olympia* at the battle of Manila, must toil for her daily bread at the age of 83; and

Whereas, the cruiser *Olympia* fired the first shot in that illustrious battle which gave the command of the great Pacific Ocean to the United States, thereby forever associating our state capitol with the noble captain who responded with such effect to Admiral Dewey's laconic command, "You may fire when ready, Gridley:" Therefore be it

Resolved by the senate of the State of Washington (the house concurring), That our Senators and Representatives in the Congress of the United States be urged to secure for this aged woman, Mrs. Ann Gridley, an adequate pension to solace her declining years.

Passed by the senate February 26, 1909.

A. S. RUTH,
President of the Senate.

Passed by the house February 27, 1909.

LEO. O. MEIGS,
Speaker of the House.

Mr. JONES presented a joint memorial of the legislature of Washington, which was referred to the Committee on Forest Reservations and the Protection of Game, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, Sam H. Nichols, secretary of state of the State of Washington, and keeper of the seal thereof, do hereby certify that the annexed copy of house joint memorial No. 7, of legislative session of 1909, has been compared by me with the original enrolled copy of said resolution now on file in this department, and that the same is a true copy thereof and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed the seal of the State, at the capitol, in the city of Olympia, this 12th day of March, A. D. 1909.

[SEAL.]

SAM H. NICHOLS,
Secretary of State.

House joint memorial 7.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the senate and house of representatives of the State of Washington, respectfully petition that,

Whereas the American elk, formerly so plentiful in the United States and other sections of North America, is rapidly diminishing in numbers and will become entirely extinct within a few years unless the National Government takes some immediate steps for the preservation of the species; and

Whereas at the present time no suitable reserve has been established by the National Government for such purpose: And now therefore be it

Resolved by the house and senate of the State of Washington, That the Congress of the United States pass such legislation as is now before it creating a reserve for the American elk in the State of Wyoming, and making a suitable appropriation for that purpose; and be it further

Resolved, That a copy of this resolution be forthwith transmitted to each Senator and Congressman from the State of Washington for their use in endeavoring to secure the passage of such legislation.

Passed by the house February 26, 1909.
Passed by the senate March 2, 1909.

Mr. JONES presented a concurrent resolution of the legislature of Washington, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 17. By Senator Metcalf.

Whereas it appears from the investigation made by the Senate of the United States and otherwise that polygamy still exists in certain places in the United States, notwithstanding prohibitory statutes enacted by the several States thereof; and

Whereas the practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the same under federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce: Now therefore be it

Resolved by the senate of the State of Washington (the house concurring), That application be, and the same is hereby, made to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited and Congress shall be given power to enforce such prohibition by appropriate legislation.

Resolved further, That the secretary of state be, and is hereby, directed to transmit copies of this application to the Senate and House of Representatives of the United States and to the several Members of the said body representing this State therein.

Passed the senate February 2, 1909.

A. S. RUTH,
President of the Senate.

Passed the house February 24, 1909.

LEO. O. MEIGS,
Speaker of the House.

Mr. JONES presented memorials of sundry citizens of Washington remonstrating against any reduction being made in the duty on lumber, which were referred to the Committee on Finance.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution providing that the legislature institute measures leading to repairs of the Portage levee.

Whereas a part of the levee along the north bank of the Wisconsin River at Portage, to wit, about 3½ miles of the lower part of such levee, locally known as the "government levee," is in urgent need of immediate repairs; and

Whereas this part of the levee was built by the General Government in 1888, and maintained by the General Government until about 1900, since which time no repairs have been made; and

Whereas it is generally understood that the General Government still holds the right of way and has the legal control of this part of the levee, thus preventing the State, county, or local authorities from repairing or exercising control over the same; and

Whereas these facts were set forth in a report made by a committee of this legislature, which report appears in the journals of senate and assembly under date of June 24, 1907, and the same facts are now further confirmed by a communication from the state levee commission, consisting of three citizens of Portage, acting under state authority, which communication is in part as follows:

"The undersigned state levee commissioners respectfully inform you that the Wisconsin River, since the inspection made by the legislative committee in 1907, has washed off all of the bank for a distance of nearly 200 feet and even slightly undermined the government levee at some places, which make repairs absolutely necessary to prevent a break." Such state commission further says: "We are firm and right in our belief, in which the whole community shares, that the government levee is a necessary protection to the government canal leading from the Wisconsin River to the Fox, as well as the improvements in the Fox River in aid of navigation, both of which works have been done by the General Government at large expense, and to protect which this levee was originally built; the damage done to the canal by the levee break of 1900 being in direct support of this contention;" and

Whereas not alone the important government works above mentioned need the protection of this levee, but the safety of several thousand of our citizens who have homes in the district that will be overflowed in case of a break in the government levee, as well as private property valued at several millions of dollars, and to a great extent, all of the cities and villages, the vast manufacturing and farming interests along the upper Fox River above Lake Winnebago; Therefore be it

Resolved, That the foregoing facts be immediately brought to the attention of the Wisconsin Members of Congress; and further

Resolved, That the legislature urgently requests that measures be promptly instituted leading to the repair, by the General Government, of that part of the Portage levee herein referred to—such repairs being imperative and conditions will not admit of delay; and further

Resolved, That if any question exists as to the legal ownership of the right of way and the right of supervision of this so-called "government levee" that the necessary investigation be made to determine such ownership, but that the needed repairs be not delayed during such investigation.

JOHN STRANGE,
President of the Senate.
F. E. ANDREWS,
Chief Clerk of the Senate.
L. H. BANCROFT,
Speaker of the Assembly.
C. R. SHAFFER,
Chief Clerk of the Assembly.

Mr. STEPHENSON presented memorials of sundry citizens of Appleton, Little Chute, Park Falls, Marinette, Eau Claire, and Crivitz, all in the State of Wisconsin, remonstrating against the repeal of the duty on print paper, wood pulp, etc., which were referred to the Committee on Finance.

He also presented a petition of the William Lawrence Shoe Company, of Milwaukee, Wis., and a petition of sundry citizens of Madison, Wis., praying for the repeal of the duty on hides, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Milwaukee, Wis., praying for the imposition of just and higher duties on imported lithographs to equalize the conditions existing between the importer and the domestic producer, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Boyd, Wis., remonstrating against the repeal of the duty on barley and other grains, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Omro, Osseo, and Ellison Bay, all in the State of Wisconsin, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Lodges Nos. 864, 259, 402, and 410, of Beloit, Green Bay, Eau Claire, and Madison, all of the Benevolent and Protective Order of Elks, in the State of Wisconsin; praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. PILES presented a joint memorial of the legislature of Washington, which was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all whom these presents shall come:

I, Sam H. Nichols, secretary of state of the State of Washington and keeper of the seal thereof, do hereby certify that the annexed copy of house joint memorial No. 7 of session of 1909 has been compared by me with the original enrolled copy of said resolution now on file in this department, and that the same is a true copy thereof, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed the seal of the State at the capitol, in the city of Olympia, this 12th day of March, A. D. 1909.

[SEAL.]

SAM H. NICHOLS,
Secretary of State.

House joint memorial 7.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the senate and house of representatives of the State of Washington, respectfully petition that,

Whereas the American elk, formerly so plentiful in the United States and other sections of North America, is rapidly diminishing in numbers and will become entirely extinct within a few years unless the National Government takes some immediate steps for the preservation of the species; and

Whereas at the present time no suitable reserve has been established by the National Government for such purposes: And now, therefore, be it

Resolved by the house and senate of the State of Washington, That the Congress of the United States pass such legislation as is now before it, creating a reserve for the American elk in the State of Wyoming, and making a suitable appropriation for that purpose; and be it further

Resolved, That a copy of this resolution be forthwith transmitted to each Senator and Congressman from the State of Washington for their use in endeavoring to secure the passage of such legislation.

Passed by the house February 26, 1909.
Passed by the senate March 2, 1909.

Mr. GAMBLE presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 29 as

passed by the legislature of 1909 together with all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 29.

A joint resolution memorializing Congress to establish hospitals for the examination of intending immigrants at the principal European ports of embarkation.

Be it enacted by the house of representatives of the State of South Dakota (the senate concurring), That the Congress of the United States be, and it hereby is, respectfully petitioned to establish at the chief European ports of embarkation hospitals under the direction of expert American physicians for the physical examination of intending immigrants to America, to the end that the hardships incident to examinations and the refusal of the authorities to admit immigrants at the American ports, by reason of which families are broken up and submitted to great distress, may be averted.

Mr. GAMBLE presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 23, as passed by the legislature of 1909, together with all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 23.

A joint resolution memorializing and petitioning Congress to enact laws giving the Interstate Commerce Commission power and authority to fix maximum rates of express charges and otherwise to supervise, regulate, and control express companies.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

SECTION 1. Whereas under the present system there is no adequate power controlling the state and interstate business of express companies; and

Whereas the express charges in many instances are exorbitant: Therefore be it

Resolved, That we do hereby urge and request the Congress of the United States by proper enactment to authorize and command the Interstate Commerce Commission to fix the maximum rates of express charges and otherwise to supervise, regulate, and control the express companies.

Mr. GAMBLE presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 22 as passed by the legislature of 1909, together with all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 22.

A joint resolution requesting Congress to set aside a township of land in the Bad Lands of South Dakota for a national park.

Whereas there is a small section of country about the headwaters of the White River in South Dakota where nature has carved the surface of the earth into most unique and interesting forms and has exposed therein the geological formations to an extent perhaps not elsewhere found; and

Whereas this formation is so unique, picturesque, and valuable for the purpose of study that a portion of it should be retained in its native state: Therefore be it

Resolved by the house of representatives (the senate concurring), That Congress be, and hereby is, requested to provide that the Secretary of the interior shall select a township of government land in the most picturesque portion of the region mentioned and the same shall be set aside and be kept as a national park.

Mr. GAMBLE presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Irrigation and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 28, as passed by the legislature of 1909, together with all indorsements thereon, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 28.

A joint resolution memorializing Congress to sink experimental artesian wells on arid and semiarid lands.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring), That the Congress of the United States is hereby petitioned to provide for sinking a number of experimental artesian wells upon arid and semiarid public lands in the several States which are remote from streams of running water.

Mr. GAMBLE presented a joint resolution of the legislature of South Dakota, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 15 as passed by the legislature of 1909, together with all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 4th day of March, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution 15.

A joint resolution and memorial, requesting the Congress of the United State to pass an act granting unto the State of South Dakota 62,029.40 acres of land in lieu of a like amount of land heretofore granted to said State for the support of the common schools of said State, and which said land so heretofore granted has been appropriated by the Government of the United States for public reservations and which is included in the public reservation known as the "Black Hills" and the "Sioux" national forests, and permitting the State of South Dakota to make lieu selections out of any public lands within the said State of South Dakota which are now being opened to settlement.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

SECTION 1. Whereas by an act of Congress passed and approved on the 22d day of February, 1889, there was granted unto the State of South Dakota for the support of the common schools all of sections 16 and 36 in every township within the State; and

Whereas by act of Congress of March 3, 1891, and acts amendatory thereto power was vested in the President of the United States to set apart and reserve in any State or Territory having public land bearing forests, wholly or in part covered with timber or undergrowth, as public reservations; and

Whereas the President of the United States by proclamation has set apart and reserved for the purposes before mentioned public reservations including lands in Custer, Lawrence, Meade, Pennington, and Butte counties, S. Dak.; and

Whereas there was included within said reservations so set apart 62,029.40 acres of school lands of the State of South Dakota; and

Whereas the said State of South Dakota by virtue of the creation of said reservations is largely deprived of said lands; and

Whereas the State of South Dakota is desirous of relinquishing any claim which it has or should have in or to any of the school lands which the said State has or should have had within said reservations, and of securing from the Congress of the United States an act permitting it to select lieu lands out of any public lands which are now being opened to settlement in said State within the Standing Rock and Cheyenne River Indian reservations prior to the opening of such lands to homestead entry in place of the said school lands so included within said reservations: Be it therefore

Resolved, That we do hereby earnestly urge the Congress of the United States by proper enactment to authorize the said State of South Dakota to select out of any unappropriated lands which are now being opened to settlement within said Indian reservations in said State 62,029.40 acres of land for the support of common schools of said State in lieu of the same amount of land appropriated by the Government of the United States in the establishment of the Black Hills and Sioux national forests; be it further

Resolved, That we request our Senators and Representatives in Congress to employ their best efforts to accomplish this end during the present session of Congress, or during the special session which may convene soon after the adjournment of the present session.

Mr. FRYE presented a memorial of the New England Dry Goods Association, remonstrating against the proposed increase in the duty on hosiery and gloves, which was referred to the Committee on Finance.

He also presented a petition of the quarterly meeting of Friends, of Vassalboro, Me., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry lithographers employed in the State of Maine, praying for an increase in the duty on lithographic products, which was referred to the Committee on Finance.

EMPLOYMENT OF CLERKS AND MESSENGERS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported the following resolution (S. Res. 5), which was considered by unanimous consent and agreed to:

Senate resolution 5.

Resolved, That the Committee on Conservation of National Resources and the Committee on Expenditures in the Post-Office Department be, and they are hereby, each authorized to employ a clerk at the rate of $2,220 per annum and a messenger at the rate of $1,140 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

EMPLOYMENT OF MESSENGERS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported the following resolution (S. Res. 6), which was considered by unanimous consent and agreed to:

Senate resolution 6.

Resolved, That the resolutions of February 5, 1902, and January 4, 1906, authorizing the employment of messengers to the following committees, viz: On Revision of the Laws of the United States, To Investigate the Condition of the Potomac River Front at Washington, and On National Banks, be, and the same are hereby, repealed from and after the passage of this resolution.

PRINTING OF TARIFF BILL, ETC.

Mr. ELKINS, from the Committee on Printing, to whom was referred the concurrent resolution 5 from the House of Representatives, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

House concurrent resolution 5.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the two Houses 30,000 copies of the bill of the House (H. R. 1438) entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," with an index thereto, and the same number of the report thereon, 25,000 copies of said report to be accompanied with the views of the minority, all in document form, 9,000 copies for the use of the Senate and 21,000 copies for the use of the House.

BILLS INTRODUCED.

Mr. HEYBURN introduced a bill (S. 1) authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes, which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2) to establish land courts of the United States and an appellate land court of the United States, which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3) to amend section 4 of an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, which was read twice by its title and referred to the Committee on Interstate Commerce.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Irrigation and Reclamation of Arid Lands:

A bill (S. 4) providing the manner of making payments for water rights under reclamation act of June 17, 1902; and

A bill (S. 5) providing for the reappraisement of unsold lots in town sites on reclamation projects, and for other purposes.

Mr. HEYBURN introduced the following bills, which were severally read twice by their titles and referred to the Committee on Mines and Mining:

A bill (S. 6) providing for the establishment at the seat of government of a department of mines; and

A bill (S. 7) to validate the location of mineral claims heretofore made by United States deputy mineral surveyors during their incumbency in office.

Mr. HEYBURN introduced the following bills, which were severally read twice by their titles and referred to the Committee on Public Lands:

A bill (S. 8) to reimburse the States and Territories for sections 16 and 36 when taken for forest or other government reserves;

A bill (S. 9) to amend an act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891; and

A bill (S. 10) to modify the boundary lines of the Priest River National Forest in Idaho.

Mr. HEYBURN introduced a bill (S. 11) to establish a fish-cultural station in the State of Idaho, which was read twice by its title and referred to the Committee on Fisheries.

He also introduced a bill (S. 12) providing for the deposit of a model of any vessel of war of the United States Navy, bearing the name of a State of the United States, in the capitol building of said State, which was read twice by its title and referred to the Committee on Naval Affairs.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (S. 13) to amend the military record of John J. Muehleisen;

A bill (S. 14) to amend the military record of Edward B. Metz; and

A bill (S. 15) to amend the military record of Jonas O. Johnson.

Mr. HEYBURN introduced a bill (S. 16) to prevent fraudulent representations as to government guaranties of foods and medicines, which was read twice by its title and referred to the Committee on Manufactures.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 17) granting an increase of pension to Moses Ashenfelter, with accompanying papers;

A bill (S. 18) granting a pension to Maria H. Amsden;

A bill (S. 19) granting a pension to Anthony L. Bledsoe, with accompanying papers;

A bill (S. 20) granting an increase of pension to Edward A. Butt;

A bill (S. 21) granting an increase of pension to Christopher Camp;

A bill (S. 22) granting an increase of pension to David Chapman, with accompanying papers;

A bill (S. 23) granting an increase of pension to John A. Chretien;

A bill (S. 24) granting an increase of pension to Martha Clark;

A bill (S. 25) granting an increase of pension to Alonzo Conklin, with accompanying papers;

A bill (S. 26) granting an increase of pension to John D. Elliott;

A bill (S. 27) granting a pension to Emma Felch;

A bill (S. 28) granting a pension to Jethro J. T. Garde;

A bill (S. 29) granting an increase of pension to Dewitt C. Gardner, with accompanying papers;

A bill (S. 30) granting an increase of pension to John Hays;

A bill (S. 31) granting a pension to Thomas Heady;

A bill (S. 32) granting an increase of pension to Simon Jenson;

A bill (S. 33) granting an increase of pension to David Jewell;

A bill (S. 34) granting an increase of pension to Alexander Kinney;

A bill (S. 35) granting an increase of pension to Leander McGrew;

A bill (S. 36) granting an increase of pension to Robert Moore, with accompanying papers;

A bill (S. 37) granting an increase of pension to Allen D. Mourer, with accompanying papers;

A bill (S. 38) granting a pension to William L. Naftzger, with accompanying papers;

A bill (S. 39) granting an increase of pension to Jacob D. Passage, with accompanying papers;

A bill (S. 40) granting an increase of pension to Lafayette Piatt;

A bill (S. 41) granting an increase of pension to Samuel J. Powers, with accompanying papers;

A bill (S. 42) granting an increase of pension to John W. Rogers, with accompanying papers;

A bill (S. 43) granting an increase of pension to Max Reidel, with accompanying papers;

A bill (S. 44) granting an increase of pension to Alexander Roe, with accompanying papers;

A bill (S. 45) granting an increase of pension to Michael Savage;

A bill (S. 46) granting an increase of pension to David D. Sullivan, with an accompanying paper;

A bill (S. 47) granting an increase of pension to John Todd;

A bill (S. 48) granting an increase of pension to Eri C. Tuller;

A bill (S. 49) granting an increase of pension to James R. Vassar;

A bill (S. 50) granting an increase of pension to James K. Watts;

A bill (S. 51) granting an increase of pension to Thomas W. Wheeler, with accompanying papers; and

A bill (S. 52) granting an increase of pension to Edward Woolring, with accompanying papers.

Mr. SCOTT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 53) granting a pension to William M. Pomroy;

A bill (S. 54) granting a pension to John R. Clegg, with an accompanying paper;

A bill (S. 55) granting an increase of pension to John S. Kenney;

A bill (S. 56) granting an increase of pension to William S. Holland, with the accompanying papers;

A bill (S. 57) granting an increase of pension to Peter Vandyke;

A bill (S. 58) granting an increase of pension to Charles S. Cain;

A bill (S. 59) granting an increase of pension to Thomas G. Harper;

A bill (S. 60) granting an increase of pension to Henry L. Smith;

A bill (S. 61) granting an increase of pension to William P. Lovejoy;

A bill (S. 62) granting a pension to Cemantha Hyer;

A bill (S. 63) granting an increase of pension to Henry Newhouse;

A bill (S. 64) granting a pension to Joshua I. Cooksey;

A bill (S. 65) granting pensions to volunteer army nurses of the civil war;

A bill (S. 66) for the relief of Capt. Isaac Alt's company (B), Forty-sixth Regiment West Virginia Volunteer Militia;

A bill (S. 67) for the relief of Capt. John Bogg's company, West Virginia Volunteer Militia;

A bill (S. 68) for the relief of Capt. John Bond's company, West Virginia Volunteer Militia;

A bill (S. 69) for the relief of Capt. Sampson Snyder's company, West Virginia Volunteer Militia;

A bill (S. 70) granting a pension to H. Heasley;

A bill (S. 71) granting a pension to John B. Garvey;

A bill (S. 72) granting a pension to Cora C. O'Neill;

A bill (S. 73) granting an increase of pension to William E. Cornwell;

A bill (S. 74) granting an increase of pension to John H. Crumbaugh;

A bill (S. 75) granting an increase of pension to Benjamin F. Harless;

A bill (S. 76) granting an increase of pension to James H. McGill;

A bill (S. 77) granting pensions to officers and enlisted men of the military and naval service of the United States who served ninety days or more during the war of the rebellion, and for other purposes;

A bill (S. 78) granting an increase of pension to H. H. Michael;

A bill (S. 79) granting an increase of pension to George W. Bachus;

A bill (S. 80) granting an increase of pension to Carr Nicholas; and

A bill (S. 81) granting an increase of pension to Joseph E. Insco.

Mr. SCOTT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 82) for the relief of the estate of Philip Null, deceased;

A bill (S. 83) for the relief of the estate of John Burns, deceased;

A bill (S. 84) for the relief of Oakley Randall;

A bill (S. 85) for the relief of the heirs of William A. Griffin, deceased;

A bill (S. 86) for the relief of the heirs of James L. Pyne, deceased;

A bill (S. 87) for the relief of William H. West;

A bill (S. 88) for the relief of William D. Graham;

A bill (S. 89) for the relief of the estate of James R. D. Morrison, deceased;

A bill (S. 90) for the relief of the estate of Jacob Custer, deceased;

A bill (S. 91) for the relief of the heirs of Charles A. Dinkle, heirs of John F. Dinkle, and J. Daniel Dinkle;

A bill (S. 92) for the relief of the heirs of Thomas G. Flagg, deceased;

A bill (S. 93) for the relief of Jessie W. Graham, sole heir of Jesse Graham, deceased;

A bill (S. 94) for the relief of the estate of Henry Gannon, deceased;

A bill (S. 95) for the relief of the estate of James H. Hardesty, deceased;

A bill (S. 96) for the relief of the estate of Levi Moler, deceased;

A bill (S. 97) for the relief of the estate of Samuel Ridenour, deceased;

A bill (S. 98) for the relief of the heirs of Harmon Snyder, deceased;

A bill (S. 99) for the relief of the estate of James Watson, deceased;

A bill (S. 100) for the relief of George A. Davis, administrator of Mrs. Martha N. Davis, deceased;

A bill (S. 101) for the relief of the estate of Jacob J. Foreman, deceased;

A bill (S. 102) for the relief of George A. Davis, administrator of Patrick Brady, deceased;

A bill (S. 103) for the relief of R. S. Gilliian, executrix of the estate of M. B. Gilliian; and

A bill (S. 104) for the relief of George W. Board.

Mr. SCOTT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (S. 105) to remove the charge of desertion from the military record of Andrew C. Boyd;

A bill (S. 106) to remove the charge of desertion from the military record of Solomon M. Bennett;

A bill (S. 107) for the relief of Stephen A. West;

A bill (S. 108) to correct the military record of David N. Kinkead;

A bill (S. 109) to bring about the gradual readjustment of rank throughout the several lines of the artillery, cavalry, and infantry of the Regular Army;

A bill (S. 110) (by request) to correct the inequalities of promotion in the army caused by the one-time system of regimental promotion; and

A bill (S. 111) to increase the efficiency of the Army of the United States.

Mr. SCOTT introduced a bill (S. 112) to limit the jurisdiction of certain judges appointed under the authority of the United States, which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced a bill (S. 113) to amend section 3166 of the Revised Statutes of the United States relative to revenue officers who may administer oaths and take evidence, which was read twice by its title and referred to the Committee on Commerce.

He also introduced a bill (S. 114) taxing real estate in the District of Columbia at the true value thereof, which was read twice by its title and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 115) for the relief of Marcellus Troxell, which was read twice by its title and referred to the Committee on Interoceanic Canals.

He also introduced a bill (S. 116) to tax certain deposits with national banking associations, and for other purposes, which was read twice by its title and referred to the Committee on Finance.

He also introduced a bill (S. 117) authorizing the issuance of bonds to erect public buildings in cities of 5,000 or more population, which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Appropriations:

A bill (S. 118) to repeal acts heretofore passed relating to alienation of the title of the United States to land in the District of Columbia, and for other purposes; and

A bill (S. 119) to provide for ascertaining the interest or title of the United States in any land or water rights in the District of Columbia.

Mr. SCOTT introduced a bill (S. 120) for the relief of Capt. E. C. Harper's company (A), Forty-sixth Regiment West Virginia Volunteer Militia, which was read twice by its title and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 121) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes, which was read twice by its title and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 122) to provide for the inspection of immigrants to the United States, which was read twice by its title and referred to the Committee on Immigration.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 123) to amend an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war;" and

A bill (S. 124) to provide for placing ex-Presidents of the United States on the retired list as Commander in Chief of the Army and the Navy of the United States, and to provide for an annuity for the widows of Presidents and ex-Presidents.

Mr. McCUMBER introduced a bill (S. 125) to provide for the payment of installments due on contracts or land entries made under the provisions of an act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, which was read twice by its title and referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also introduced a bill (S. 126) to confirm and legalize prior admissions to citizenship of the United States where the judge or clerk of the court administering the oath to the applicant or his witnesses has failed to sign or seal the record, oath, or the judgment of admission, and to establish a proper record of such citizenship, which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Agriculture and Forestry:

A bill (S. 127) to establish an agricultural plant, shrub, and tree experimental station at or near the city of Mandan, west of the Missouri River, in the State of North Dakota; and

A bill (S. 128) to establish an agricultural experiment station at or near the city of Williston, in the State of North Dakota.

Mr. McCUMBER introduced a bill (S. 129) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," which was read twice by its title and referred to the Committee on Finance.

He also introduced a bill (S. 130) to establish a fish-culture station at the city of Fargo, in the State of North Dakota, which was read twice by its title and referred to the Committee on Fisheries.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

A bill (S. 131) to provide for the purchase of a site and the erection of a public building thereon at Wahpeton, N. Dak.; and

A bill (S. 132) to provide for the purchase of a site and the erection of a public building thereon at Jamestown, N. Dak.

Mr. McCUMBER introduced a bill (S. 133) to provide for the incorporation, control, and government of associations organized to carry on business entering into or becoming a part of interstate commerce, which was read twice by its title and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 134) establishing rate of pay for rural free carriers, which was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. BROWN introduced a bill (S. 135) to amend section 3224 of the United States Compiled Statutes so as to prevent the restraining of the assessment or collection of any tax, state, county, municipal, district, or federal, which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced a bill (S. 136) to amend an act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," which was read twice by its title and referred to the Committee on Public Lands.

Mr. BURROWS introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 137) granting an increase of pension to Byron R. Pierce, with the accompanying papers;

A bill (S. 138) granting an increase of pension to William D. Kilgour;

A bill (S. 139) granting an increase of pension to William F. Rodgers;

A bill (S. 140) granting a pension to Grace M. Hunt;

A bill (S. 141) granting an increase of pension to William H. Lewis;

A bill (S. 142) granting an increase of pension to Benjamin S. Wilbur;

A bill (S. 143) granting an increase of pension to William Gaunt;

A bill (S. 144) granting an increase of pension to George W. Edson;

A bill (S. 145) granting an increase of pension to James W. Smith;

A bill (S. 146) granting an increase of pension to Charles R. Davis;

A bill (S. 147) granting a pension to Ann Stearns;

A bill (S. 148) granting an increase of pension to Walt B. Steenberg;

A bill (S. 149) granting a pension to Margaret Barry;

A bill (S. 150) granting an increase of pension to Charles L. Randall; and

A bill (S. 151) granting an increase of pension to John W. Angell.

Mr. TAYLOR introduced a bill (S. 152) to improve the Cumberland River, which was read twice by its title and referred to the Committee on Commerce.

He also introduced a bill (S. 153) to erect an addition to the post-office and court-house building in the city of Jackson, State of Tennessee, which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 154) to authorize the construction of a national road from the city of Nashville, Tenn., to The Hermitage, which was read twice by its title and referred to the Committee on Military Affairs.

He also introduced a bill (S. 155) requiring railroads and other common carriers engaged in interstate commerce to make prompt acknowledgment and adjustment of claims for overcharge on freight, and for loss and injury to same, which was read twice by its title and referred to the Committee on Interstate Commerce.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 156) for the relief of T. J. Murphy; and

A bill (S. 157) for the relief of George T. Larkin.

Mr. TAYLOR introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 158) granting an increase of pension to James F. Campbell;

A bill (S. 159) granting a pension to Georgia B. Snapp;

A bill (S. 160) granting an increase of pension to A. F. Broyles;

A bill (S. 161) granting an increase of pension to Prior P. Baird;

A bill (S. 162) to grant pensions to the East Tennessee bridge burners;

A bill (S. 163) granting a pension to Mary E. Simerly;

A bill (S. 164) granting an increase of pension to John G. Burchfield;

A bill (S. 165) granting a pension to Henry Jones;

A bill (S. 166) granting an increase of pension to Lottie J. Lewis;

A bill (S. 167) granting an increase of pension to Jesse M. Moore;

A bill (S. 168) granting a pension to Dorris Gregg;

A bill (S. 169) granting a pension to Elihu Messer;

A bill (S. 170) granting an increase of pension to A. Bornstein;

A bill (S. 171) granting a pension to Michael Grace;

A bill (S. 172) granting a pension to A. C. Donnelly;

A bill (S. 173) granting an increase of pension to Jesse H. Patterson;

A bill (S. 174) granting a pension to Israel W. Bennett;

A bill (S. 175) granting a pension to John H. Smith; and

A bill (S. 176) granting a pension to Eliza Houston.

Mr. PAYNTER introduced a bill (S. 177) to fix the price of gas in the District of Columbia, which was read twice by its title and referred to the Committee on the District of Columbia.

Mr. FLETCHER introduced a bill (S. 178) to remove the charge of desertion from the military record of Abraham Collinsworth, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. CLAPP introduced a bill (S. 179) to provide for the distribution of the reports of the United States circuit courts of

appeals and of the United States circuit and district courts to certain officers of the United States, and for other purposes, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. GAMBLE introduced a bill (S. 189) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, which was read twice by its title and referred to the Committee on Indian Depredations.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Public Lands:

A bill (S. 181) granting to the State of South Dakota a certain amount of land in lieu of a like amount of land heretofore granted to the State and subsequently appropriated by the United States for forest reservation purposes, and for other purposes; and

A bill (S. 182) regulating the settlement of the accounts between the United States and the several States relative to the disposition of the public lands, and for other purposes.

Mr. GAMBLE introduced a bill (S. 183) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect, which was read twice by its title and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 184) authorizing the purchase of additional lands for the Fort Meade Military Reservation, in the State of South Dakota, and making appropriation therefor, which was read twice by its title and referred to the Committee on Military Affairs.

He also introduced a bill (S. 185) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes, which was read twice by its title and referred to the Committee on Mines and Mining.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

A bill (S. 186) providing for the erection of a public building in the city of Brookings, S. Dak.;

A bill (S. 187) providing for the erection of a public building in the city of Rapid City, S. Dak.;

A bill (S. 188) to provide for the purchase of a site and the erection of a public building thereon at Madison, in the State of South Dakota;

A bill (S. 189) to provide for the purchase of a site and the erection of a public building thereon at Canton, in the State of South Dakota; and

A bill (S. 190) to provide for the purchase of a site and the erection of a public building thereon at Vermillion, in the State of South Dakota.

Mr. GAMBLE introduced the following bills, which were severally read twice by their titles and referred to the Committee on Irrigation and Reclamation of Arid Lands:

A bill (S. 191) to amend an act approved February 24, 1905, for the protection of persons furnishing labor, materials, plant, and supplies for the construction of public works; and

A bill (S. 192) for the relief of the First National Bank of Bellefourche, S. Dak.

Mr. GAMBLE introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 193) for the relief of James D. Elliott; and

A bill (S. 194) for the relief of Isaac Bettelyoun.

Mr. GAMBLE introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 195) granting an increase of pension to Martin V. Benkert, with accompanying papers;

A bill (S. 196) granting a pension to Sarah M. Trousdale;

A bill (S. 197) granting an increase of pension to Perry Fellers;

A bill (S. 198) granting an increase of pension to Gilman Stevens;

A bill (S. 199) granting an increase of pension to William H. Maxwell;

A bill (S. 200) granting an increase of pension to Samuel H. Parker, with accompanying papers;

A bill (S. 201) granting an increase of pension to Lynus J. Kibbe, with accompanying papers;

A bill (S. 202) granting an increase of pension to Thomas W. Knight, with accompanying papers;

A bill (S. 203) granting an increase of pension to Joseph B. Fearon, with accompanying papers; and

A bill (S. 204) granting an increase of pension to Joseph Hough, with an accompanying paper;

Mr. BURNHAM introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 205) granting a pension to Hannah A. J. Cooper;

A bill (S. 206) granting a pension to Sarah D. Drew;

A bill (S. 207) granting an increase of pension to Mary A. Baker;

A bill (S. 208) granting an increase of pension to Alonzo Blood;

A bill (S. 209) granting an increase of pension to Leonard Boardman;

A bill (S. 210) granting an increase of pension to Lillia Q. Brackett;

A bill (S. 211) granting an increase of pension to Irene A. Cochrane;

A bill (S. 212) granting an increase of pension to William Cody;

A bill (S. 213) granting an increase of pension to Horatio J. Collins;

A bill (S. 214) granting an increase of pension to John W. Currier; and

A bill (S. 215) granting an increase of pension to Charles E. Doying.

Mr. BURKETT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 216) for the relief of Wells C. McCool;

A bill (S. 217) for the relief of Mary C. Burgess; and

A bill (S. 218) for the relief of Leander Gerrard and Edward A. Gerrard.

Mr. BURKETT introduced a bill (S. 219) to establish a fish-cultural station in the State of Nebraska, which was read twice by its title and referred to the Committee on Fisheries.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

A bill (S. 220) to provide for the purchase of a site and the erection of a public building thereon in the city of Falls City, State of Nebraska;

A bill (S. 221) to provide for the purchase of a site and the erection of a public building thereon in the city of Westpoint, State of Nebraska;

A bill (S. 222) to provide for the purchase of a site and the erection of a public building thereon in the city of Wayne, State of Nebraska; and

A bill (S. 223) providing for the procuring of additional land for the site of the public building at Beatrice, Nebr.

Mr. BURKETT introduced a bill (S. 224) providing for carrying free of postage in the mails reading matter for the use of the blind, and for other purposes, which was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on the Judiciary:

A bill (S. 225) to prevent the nullification of state anti-gambling laws by international or interstate transmission of race-gambling bets or of racing odds;

A bill (S. 226) to amend an act entitled "An act to divide the judicial district of Nebraska into divisions and to provide for an additional district judge in said district;" and

A bill (S. 227) to amend section 720 of the Revised Statutes of the United States.

Mr. BURKETT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (S. 228) to provide for macadamizing Fort Crook military boulevard from Fort Crook, Nebr., to the south city limits of South Omaha, Nebr., and appropriating money therefor;

A bill (S. 229) for the establishment of a general depot of the Quartermaster's Department of the United States Army at Omaha, Nebr.;

A bill (S. 230) to increase the efficiency of the Signal Corps of the Army;

A bill (S. 231) to establish the true status of the First Regiment, Second Brigade, Nebraska Mounted Militia; and

A bill (S. 232) to establish the true status of the Nebraska Territorial Militia.

Mr. BURKETT introduced a bill (S. 233) to amend section 5239 of chapter 4 of title 62 of an act entitled "National banks," Revised Statutes of the United States, 1878, which

was read twice by its title and referred to the Committee on Finance.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Interstate Commerce:

A bill (S. 234) to regulate commerce;

A bill (S. 235) to prevent discriminations in interstate telegraph and telephone rates and fixing requirements governing the receipt and preservation of such messages; and

A bill (S. 236) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to equip their locomotives with safe and suitable boilers and appurtenances thereto.

Mr. BURKETT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 237) to extend the provisions of the acts of June 27, 1890, and May 9, 1900, and February 6, 1907, regarding pensions, so as to include the officers and privates of Captain Stuff's independent company of Indian scouts, Nebraska Volunteer Cavalry, and the widows and minor children of such persons;

A bill (S. 238) granting a pension to Jerome De Vriendt;

A bill (S. 239) granting an increase of pension to Samuel W. Upright;

A bill (S. 240) granting an increase of pension to George B. Smith;

A bill (S. 241) granting a pension to Jane Warren;

A bill (S. 242) granting an increase of pension to George W. Mann;

A bill (S. 243) granting an increase of pension to Benjamin F. Dodd;

A bill (S. 244) granting an increase of pension to Charles E. Barker;

A bill (S. 245) granting an increase of pension to Alexander Brady;

A bill (S. 246) granting an increase of pension to Maud J. Clark;

A bill (S. 247) granting an increase of pension to Silas M. Clark;

A bill (S. 248) granting an increase of pension to Howard G. Cleaveland;

A bill (S. 249) granting an increase of pension to H. T. Coffman;

A bill (S. 250) granting an increase of pension to Ella R. Cooper;

A bill (S. 251) granting a pension to Joseph L. Cooper;

A bill (S. 252) granting an increase of pension to Thornton S. Crosley;

A bill (S. 253) granting an increase of pension to Thomas A. Crouch;

A bill (S. 254) granting an increase of pension to John Currie;

A bill (S. 255) granting an increase of pension to George W. Davenport;

A bill (S. 256) granting an increase of pension to Amos H. Denman;

A bill (S. 257) granting an increase of pension to Benjamin F. Dodd;

A bill (S. 258) to pension Michael Evans without deduction or rebate on account of former alleged overpayments or erroneous payments of pension;

A bill (S. 259) granting an increase of pension to Henry Ferster;

A bill (S. 260) granting a pension to Sarah J. Fulton;

A bill (S. 261) granting an increase of pension to Calvin W. Green;

A bill (S. 262) granting a pension to Mary Guinn;

A bill (S. 263) granting an increase of pension to John Hastings;

A bill (S. 264) granting an increase of pension to Peter Henkel;

A bill (S. 265) granting an increase of pension to Jesse Hiner;

A bill (S. 266) granting an increase of pension to German L. Hunt;

A bill (S. 267) granting an increase of pension to W. L. Ireland;

A bill (S. 268) granting an increase of pension to Richard M. Johnson;

A bill (S. 269) granting an increase of pension to John Kemmer;

A bill (S. 270) granting an increase of pension to Lewis H. Laflin;

A bill (S. 271) granting an increase of pension to John H. Lennon;

A bill (S. 272) granting an increase of pension to George W. Mann;

A bill (S. 273) granting an increase of pension to William H. Mason;

A bill (S. 274) granting an increase of pension to William O'Brien;

A bill (S. 275) granting an increase of pension to William S. Peery;

A bill (S. 276) granting an increase of pension to Horace Perry;

A bill (S. 277) granting an increase of pension to Ichabod S. Prosser;

A bill (S. 278) granting a pension to A. G. Robinson;

A bill (S. 279) granting an increase of pension to Helen E. Salsbury;

A bill (S. 280) granting an increase of pension to George D. Salyer;

A bill (S. 281) granting an increase of pension to William Sherman;

A bill (S. 282) granting a pension to Mildred E. Tigner;

A bill (S. 283) granting an increase of pension to Carah Van Matre;

A bill (S. 284) granting an increase of pension to Willard W. Wilkinson; and

A bill (S. 285) granting a pension to Anna A. Yule.

Mr. BURKETT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Agriculture and Forestry:

A bill (S. 286) providing for the control of grazing upon the public lands in the arid States and Territories of the United States; and

A bill (S. 287) to provide for the advancement of instruction in agriculture, manual training, and home economics in the state normal schools of the United States.

Mr. BURKETT introduced a bill (S. 288) for the creation of the police and firemen's relief fund, to provide for the retirement of members of the police and fire departments, to establish a method of procedure for such retirement, and for other purposes, which was read twice by its title and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 289) for the relief of Sadie A. Lewis, which was read twice by its title and referred to the Committee on Indian Depredations.

Mr. WETMORE introduced a bill (S. 290) to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters, to take the place of the revenue cutter *Dexter*, which was read twice by its title and referred to the Committee on Commerce.

He also introduced a bill (S. 291) to establish a fish-cultural station in the State of Rhode Island, which was read twice by its title and referred to the Committee on Fisheries.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 292) for the relief of George R. Frye; and

A bill (S. 293) for the relief of Patrick J. Sullivan, Jeremiah McCarthy, and Bartholomew Shea, and for the relief of the heirs and legal representatives of John B. Dillon.

Mr. WETMORE introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 294) granting an increase of pension to Joseph H. Havens;

A bill (S. 295) granting an increase of pension to Joseph N. Weaver;

A bill (S. 296) granting an increase of pension to James McDonald;

A bill (S. 297) granting an increase of pension to John Galvin;

A bill (S. 298) granting an increase of pension to John H. Flier;

A bill (S. 299) granting an increase of pension to James Franklin Woodcock;

A bill (S. 300) granting an increase of pension to James K. Pritchard, with accompanying papers;

A bill (S. 301) granting an increase of pension to John A. Crowningshield, with accompanying papers; and

A bill (S. 302) granting an increase of pension to Augustus F. Snow, with accompanying papers;

Mr. CULLOM introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 303) granting an increase of pension to Jacob Souder; and

A bill (S. 304) granting an increase of pension to Tyrus C. Dickinson.

Mr. DOLLIVER. I introduce a bill and ask that it may lie on the table.

The bill (S. 305) to regulate the issue of securities by transportation, telegraph and telephone companies engaged in interstate commerce, for the purpose of better protecting the people against unreasonable rates and charges was read twice by its title.

The PRESIDENT pro tempore. The bill will lie on the table at the request of the Senator from Iowa.

Mr. DOLLIVER introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 306) granting an increase of pension to Daniel P. Andrus;

A bill (S. 307) granting an increase of pension to Charles Bachman;

A bill (S. 308) granting an increase of pension to Andrew J. Bass;

A bill (S. 309) granting an increase of pension to Wilson S. Bell;

A bill (S. 310) granting an increase of pension to William Baldwin;

A bill (S. 311) granting an increase of pension to James C. Betts;

A bill (S. 312) granting an increase of pension to Salem Bruner;

A bill (S. 313) granting an increase of pension to James C. Bullock;

A bill (S. 314) granting a pension to Susan C. Carpenter;

A bill (S. 315) granting an increase of pension to David M. Caviness;

A bill (S. 316) granting an increase of pension to John Coburn;

A bill (S. 317) granting a pension to Orlando Collins;

A bill (S. 318) granting an increase of pension to Gustavus M. Cowger;

A bill (S. 319) granting a pension to Mary Dano;

A bill (S. 320) granting an increase of pension to Alvin Eck;

A bill (S. 321) granting an increase of pension to John Feehan;

A bill (S. 322) granting an increase of pension to James G. Fiester;

A bill (S. 323) granting an increase of pension to Henry Fightmaster;

A bill (S. 324) granting an increase of pension to Thomas Fisher;

A bill (S. 325) granting an increase of pension to William H. Fisher;

A bill (S. 326) granting an increase of pension to Francis M. Gard;

A bill (S. 327) granting a pension to Thomas Glynn;

A bill (S. 328) granting an increase of pension to John E. Gilmore;

A bill (S. 329) granting a pension to Anna E. Grages;

A bill (S. 330) granting a pension to Martha S. Grimes;

A bill (S. 331) granting an increase of pension to John M. Guthrie;

A bill (S. 332) granting an increase of pension to Thomas J. Hart;

A bill (S. 333) granting an increase of pension to Ransom L. Harris;

A bill (S. 334) granting an increase of pension to Henry Hime;

A bill (S. 335) granting an increase of pension to James E. Houghland;

A bill (S. 336) granting an increase of pension to Charles Hussey;

A bill (S. 337) granting an increase of pension to Jacob W. Kelley;

A bill (S. 338) granting an increase of pension to William S. Lackor;

A bill (S. 339) granting an increase of pension to Willis Lake;

A bill (S. 340) granting a pension to Millard F. Lash;

A bill (S. 341) granting an increase of pension to Moses Lezer;

A bill (S. 342) granting an increase of pension to Francis M. Linn;

A bill (S. 343) granting an increase of pension to Thomas McLarnan;

A bill (S. 344) granting an increase of pension to Charles H. Mallo;

A bill (S. 345) granting an increase of pension to John Mosmer;

A bill (S. 346) granting an increase of pension to Henry Mingles;

A bill (S. 347) granting an increase of pension to Elias G. Moore;

A bill (S. 348) granting an increase of pension to James I. Moss;

A bill (S. 349) granting an increase of pension to Oliver F. Pettibone;

A bill (S. 350) granting an increase of pension to David S. Porter;

A bill (S. 351) granting a pension to Samuel H. Portz;

A bill (S. 352) granting an increase of pension to Loren G. Robinson;

A bill (S. 353) granting an increase of pension to Henry B. Rose;

A bill (S. 354) granting an increase of pension to John M. Ryan;

A bill (S. 355) granting an increase of pension to Phil Schaller;

A bill (S. 356) granting an increase of pension to Jacob Shannon;

A bill (S. 357) granting an increase of pension to David Sharp;

A bill (S. 358) granting an increase of pension to Duane E. Simons;

A bill (S. 359) granting an increase of pension to John H. Sims;

A bill (S. 360) granting an increase of pension to George O. Stedman;

A bill (S. 361) granting an increase of pension to Amos Stewart;

A bill (S. 362) granting a pension to Eliza Stone;

A bill (S. 363) granting an increase of pension to John C. Thompson;

A bill (S. 364) granting an increase of pension to Stephen A. Troops;

A bill (S. 365) granting an increase of pension to Rufus B. Tucker;

A bill (S. 366) granting an increase of pension to Joseph D. Vandel;

A bill (S. 367) granting a pension to Martha M. A. Whitcomb; and

A bill (S. 368) granting an increase of pension to Thomas Williams.

Mr. CURTIS introduced a bill (S. 369) authorizing national banking institutions to take advantage of guarantee bank-deposit laws in certain States, and for other purposes, which was read twice by its title and referred to the Committee on Finance.

Mr. DICK introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 370) granting a pension to Elise Lowe;

A bill (S. 371) granting a pension to Ethel M. Hoffman;

A bill (S. 372) granting a pension to Charles H. Jessee;

A bill (S. 373) granting a pension to Lizzie H. Voris;

A bill (S. 374) granting a pension to Helen L. Fitch;

A bill (S. 375) granting a pension to Susan E. Lime;

A bill (S. 376) granting a pension to Sophia M. Henry;

A bill (S. 377) granting an increase of pension to Francis W. Hibbard;

A bill (S. 378) granting a pension to Virginia Yard;

A bill (S. 379) granting an increase of pension to Israel O. Gaskill;

A bill (S. 380) granting an increase of pension to Mary S. Adams;

A bill (S. 381) granting an increase of pension to Stephen M. Taylor;

A bill (S. 382) granting an increase of pension to George Albright;

A bill (S. 383) granting an increase of pension to Timothy D. McGillicuddy;

A bill (S. 384) granting an increase of pension to Zachariah T. Houseman;

A bill (S. 385) granting an increase of pension to Samuel W. Hart;

A bill (S. 386) granting an increase of pension to Ellanora M. Hollis;

A bill (S. 387) granting an increase of pension to Edward Everett Henry;

A bill (S. 388) granting an increase of pension to Dorcas Jones;

A bill (S. 389) granting an increase of pension to Edward W. Freeman;

A bill (S. 390) granting an increase of pension to John Akerman;

A bill (S. 391) granting an increase of pension to Margaret W. Goodwin;

A bill (S. 392) granting an increase of pension to James H. Dickson;

A bill (S. 393) granting an increase of pension to William A. Mullen;

A bill (S. 394) granting an increase of pension to Charles W. Hoskins;

A bill (S. 395) granting an increase of pension to Eugene R. Eggleston;

A bill (S. 396) granting an increase of pension to Erwin F. Mason;

A bill (S. 397) granting an increase of pension to Bertha Forbriger; and

A bill (S. 398) granting an increase of pension to Edward F. Reeves.

Mr. PERKINS introduced a bill (S. 399) authorizing the Secretary of the Treasury to cause to be erected a suitable building or buildings for marine-hospital purposes on the present marine-hospital site at San Francisco, Cal., and to remove all or any of the present structures on said site, which was read twice by its title and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Naval Affairs:

A bill (S. 400) for the relief of officers of the navy retired for disability incident to the service, employed on active duty; and

A bill (S. 401) directing that the charge of desertion standing against the name of George F. Stedman be removed.

Mr. PERKINS introduced a bill (S. 402) granting an increase of pension to John H. Edge, which was read twice by its title and referred to the Committee on Pensions.

Mr. BACON (by request) introduced a bill (S. 403) for the relief of John W. Boston, which was read twice by its title and referred to the Committee on Claims.

Mr. JOHNSTON of Alabama introduced a bill (S. 404) for the proper observance of Sunday as a day of rest in the District of Columbia, which was read twice by its title and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 405) authorizing the President to reinstate William T. Rossell, jr., and Harry G. Weaver as cadets in the United States Military Academy, which was read twice by its title and, with the accompany papers, referred to the Committee on Military Affairs.

Mr. BRANDEGEE introduced a bill (S. 406) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended by an act approved February 5, 1903, which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 407) granting an increase of pension to Miner A. Robbins;

A bill (S. 408) granting an increase of pension to Charles H. Gladding;

A bill (S. 409) granting an increase of pension to George W. Rowley;

A bill (S. 410) granting a pension to Franklin H. Sage;

A bill (S. 411) granting an increase of pension to Benjamin M. Carroll;

A bill (S. 412) granting an increase of pension to Amos S. Hancox;

A bill (S. 413) granting an increase of pension to Charles F. Reynolds;

A bill (S. 414) granting an increase of pension to Thomas M. Lord;

A bill (S. 415) granting an increase of pension to John C. Bushnell;

A bill (S. 416) granting an increase of pension to Thomas B. Fish;

A bill (S. 417) granting an increase of pension to Mary A. Hill;

A bill (S. 418) granting a pension to Julius Ortman;

A bill (S. 419) granting an increase of pension to William S. Ely;

A bill (S. 420) granting a pension to Laura E. Hicks; and

A bill (S. 421) granting an increase of pension to Kate Gorham.

Mr. BRANDEGEE introduced a bill (S. 422) to remove the charge of desertion against John White, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. FLINT introduced a bill (S. 423) to establish in the Department of the Interior a bureau to be known as the "children's bureau," which was read twice by its title and referred to the Committee on Education and Labor.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Commerce:

A bill (S. 424) to authorize the Chucawalla Development Company to build a dam across the Colorado River near Parker, Ariz.;

A bill (S. 425) directing the Secretary of the Treasury to reimburse the city of Coronado and the Coronado Beach Company for protecting property from the encroachment of the Pacific Ocean;

A bill (S. 426) for the improvement of the harbor at San Diego, Cal.;

A bill (S. 427) for the purchase or construction of a launch for the customs service at and in the vicinity of Los Angeles, Cal.; and

A bill (S. 428) directing the Secretary of War to establish and operate a line of steamers along the Pacific coast, and making provision therefor.

Mr. FLINT introduced the following bills, which were severally read twice by their titles and referred to the Committee on the Judiciary:

A bill (S. 429) to divide the southern judicial district of California into three divisions and to provide for the holding of terms of court at the cities of Fresno, Los Angeles, and San Diego; and

A bill (S. 430) to provide for an additional district judge for the southern district of California.

Mr. FLINT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 431) to reimburse the Southern Pacific Company the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River;

A bill (S. 432) for the relief of Carlos Manjarrez; and

A bill (S. 433) for the relief of Ella Phillips, widow of David Phillips, deceased.

Mr. FLINT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pacific Islands and Porto Rico:

A bill (S. 434) to ratify and confirm an act of the legislature of the Territory of Hawaii, authorizing the manufacture and distribution of electric light and power in the district of Wailuku, Territory of Hawaii;

A bill (S. 435) to ratify an act of the legislature of the Territory of Hawaii, authorizing the manufacture and distribution of electric light and power in the district of Lahaina, Territory of Hawaii;

A bill (S. 436) to confirm to the Wahiawa Water Company, of Hawaii, the right of way for irrigation purposes; and

A bill (S. 437) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

Mr. FLINT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Mines and Mining:

A bill (S. 438) to provide for the disposal of lands chiefly valuable for oil and asphaltum; and

A bill (S. 439) to establish an assay office at Los Angeles, State of California.

Mr. FLINT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (S. 440) to correct the military record of Lewis W. Crain; and

A bill (S. 441) to correct the military record of Paul Sinock.

Mr. FLINT introduced a bill (S. 442) for the relief of the legal heirs of A. G. Strain, which was read twice by its title and referred to the Committee on Public Lands.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 443) granting an increase of pension to John M. Spangler, with accompanying papers;

A bill (S. 444) granting an increase of pension to Edward Waltemeyer;

A bill (S. 445) granting an increase of pension to John A. Blak;

A bill (S. 446) granting an increase of pension to Jeremiah J. Hannon;

A bill (S. 447) granting an increase of pension to Lyman A. Holcomb;

A bill (S. 448) granting an increase of pension to William Stein;

A bill (S. 449) granting a pension to Cora E. Ruttinger;

A bill (S. 450) granting an increase of pension to Albert S. Winchester;

A bill (S. 451) granting an increase of pension to John Hopper;

A bill (S. 452) granting an increase of pension to Caspar Wilky;

A bill (S. 453) granting an increase of pension to William Murray;

A bill (S. 454) granting an increase of pension to Joseph R. Driesbach;

A bill (S. 455) granting an increase of pension to Alphonso L. Stacy;

A bill (S. 456) granting a pension to John T. Young;

A bill (S. 457) granting an increase of pension to James Congdon;

A bill (S. 458) granting an increase of pension to Nathan Ward Fitz-Gerald;

A bill (S. 459) granting an increase of pension to William M. Dunn;

A bill (S. 460) granting an increase of pension to James Walter Smith; and

A bill (S. 461) to increase the pensions of certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico.

Mr. PILES introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 462) granting an increase of pension to Josephus Hosier, with accompanying papers;

A bill (S. 463) granting an increase of pension to Charles Rogers;

A bill (S. 464) granting an increase of pension to Hiram S. Stevens;

A bill (S. 465) granting an increase of pension to William Deering;

A bill (S. 466) granting an increase of pension to Zaphna L. King;

A bill (S. 467) granting a pension to Francis R. Gorman;

A bill (S. 468) granting a pension to Elizabeth Agnes Plunkett;

A bill (S. 469) granting an increase of pension to Edward Thornberry;

A bill (S. 470) granting an increase of pension to Thomas H. Brown;

A bill (S. 471) granting arrears of pension to Pardon A. Morris;

A bill (S. 472) granting an increase of pension to George W. Gibson;

A bill (S. 473) granting an increase of pension to Robert J. Foster;

A bill (S. 474) granting an increase of pension to William C. Shute;

A bill (S. 475) granting an increase of pension to David A. Craddick;

A bill (S. 476) granting an increase of pension to Sophia Ekstrand;

A bill (S. 477) granting an increase pension to Edward F. Parker;

A bill (S. 478) granting an increase of pension to August Brulot;

A bill (S. 479) granting an increase of pension to William H. Gifford;

A bill (S. 480) granting an increase of pension to Robert Stewart;

A bill (S. 481) granting an increase of pension to Fidelia A. Boyd;

A bill (S. 482) granting an increase of pension to Charles W. Taylor;

A bill (S. 483) granting an increase of pension to Marion L. Metcalf;

A bill (S. 484) granting an increase of pension to Rudolph Kahls;

A bill (S. 485) granting an increase of pension to Augustus J. Moonert;

A bill (S. 486) granting an increase of pension to William H. Johnson;

A bill (S. 487) granting an increase of pension to Edgar H. Jones;

A bill (S. 488) granting an increase of pension to George G. Darrow; and

A bill (S. 489) granting a pension to Elisha Painter.

Mr. BAILEY (by request) introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 490) for the relief of Oliver P. Boyd;

A bill (S. 491) for the relief of William Davenport, John B. Lacoste, William J. Locke, John Green, Theobold Monier, and William A. Wallace, citizens of the State of Texas;

A bill (S. 492) for the relief of Mrs. S. E. Underwood, formerly widow of Samuel Ward, deceased;

A bill (S. 493) for the relief of L. F. Gower, Laura Gower, M. R. Gower, and Mrs. Sarah P. Boykin, heirs of Dr. James Gower, deceased;

A bill (S. 494) for the relief of the heirs of William Stansbury, deceased; and

A bill (S. 495) for the relief of Mrs. Emma L. Bryant, heir at law of Green Caswell Culp, deceased.

Mr. GAMBLE introduced a joint resolution (S. J. R. 2) authorizing the Secretary of War to furnish two condemned cannon to the board of regents of the University of South Dakota, at Vermillion, S. Dak., to be placed on the campus of said institution, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. CUMMINS introduced a joint resolution (S. J. R. 3) directing the selection of a site and the erection of a pedestal for a bronze statue of William B. Allison in Washington, D. C., which was read twice by its title and referred to the Committee on the Library.

Mr. PERKINS introduced a joint resolution (S. J. R. 4) to allow the city and county of San Francisco to exchange lands for reservoir sites in Lake Eleanor and Hetch Hetchy valleys, in Yosemite National Park, and for other purposes, which was read twice by its title and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a joint resolution (S. J. R. 5) to restore the status of the First Battalion Mountaineers, California Volunteers, who served during the late war of the rebellion, which was read twice by its title and referred to the Committee on Pensions.

INDIAN SERVICE AT OMAHA, NEBR.

Mr. BURKETT submitted an amendment proposing to appropriate $100,000 for the erection of a warehouse for the Indian Service at Omaha, Nebr, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

THE CENSUS.

Mr. BURKETT submitted an amendment intended to be proposed by him to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, which was referred to the Committee on the Census and ordered to be printed.

CALIFORNIA NAVAL BASE.

Mr. FLINT submitted the following concurrent resolution (S. C. Res. 1), which was referred to the Committee on Naval Affairs:

Senate concurrent resolution 1.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Navy is directed, by suitable board, to investigate and report to Congress the advisability and necessity of establishing a naval base, including a navy-yard and repair station, on the coast of the State of California, south of San Francisco; and if the establishment of such naval base is deemed necessary and advisable, at what place on said coast said naval base should be located, and an estimate of the cost of same.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. WETMORE submitted the following resolution (S. Res. 3), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 3.

Resolved, That the Committee on the Library be, and is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum.

EMPLOYMENT OF STENOGRAPHER.

Mr. CURTIS submitted the following resolution (S. Res. 4), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 4.

Resolved, That the Committee on Indian Depredations be, and the same is hereby, authorized to employ a stenographer, to be paid from the contingent fund of the Senate, at the rate of $1,200 per annum, said employment to continue during the Sixty-first Congress.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 5 minutes p. m.) the Senate adjourned until Thursday, March 25, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 22, 1909.

UNITED STATES ATTORNEYS.

Robert T. Devlin, of California, to be United States attorney for the northern district of California. A reappointment, his term having expired on March 7, 1909.

Edward E. Wagner, of South Dakota, to be United States attorney for the district of South Dakota. Mr. Wagner's nomination was sent to the Senate during the first and second sessions, Sixtieth Congress, but not confirmed. He is now serving under a recess appointment.

Charles W. Miller, of Indiana, to be United States attorney for the district of Indiana, vice Joseph B. Kealing, resigned.

INDIAN INSPECTOR.

Z. Lewis Dalby, of Roanoke, Va., who was appointed March 6, 1909, during the recess of the Senate to be an Indian inspector, vice Cyrus Beede, term expired.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. Clarence Deems, Coast Artillery Corps, to be colonel from March 10, 1909, vice Parkhurst, retired from active service.

Maj. Charles H. Hunter, Coast Artillery Corps, to be lieutenant-colonel from March 8, 1909, vice Barney, retired from active service.

Maj. Stephen M. Foote, Coast Artillery Corps, to be lieutenant-colonel from March 10, 1909, vice Deems, promoted.

Capt. George Blakely, Coast Artillery Corps, to be major from March 8, 1909, vice Hunter, promoted.

Capt. Frank W. Coe, Coast Artillery Corps, to be major from March 10, 1909, vice Foote, promoted.

First Lieut. Francis W. Clark, Coast Artillery Corps, to be captain from March 8, 1909, vice Blakely, promoted.

First Lieut. George A. Wieczorek, Coast Artillery Corps, to be captain from March 10, 1909, vice Coe, promoted.

First Lieut. Edward Canfield, jr., Coast Artillery Corps, to be captain from March 15, 1909, vice Gardner, deceased.

Second Lieut. Edward N. Woodbury, Coast Artillery Corps, to be first lieutenant from March 8, 1909, vice Clark, promoted.

Second Lieut. Ray L. Avery, Coast Artillery Corps, to be first lieutenant from March 12, 1909, vice Gottlieb, dismissed.

Second Lieut. Edward A. Stockton, jr., Coast Artillery Corps, to be first lieutenant from March 15, 1909, vice Canfield, promoted.

INFANTRY ARM.

First Lieut. George I. Feeter, Seventh Infantry, to be captain from February 28, 1909, vice Shields, Seventh Infantry, resigned.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from March 15, 1909.

John Anson Burket, of Iowa.
Charles Carroll Demmer, of New York.
Owen Chester Fisk, of Kentucky.
George Burgess Foster, jr., of Pennsylvania.
James Shelton Fox, of South Carolina.
James Charles Haley, of New York.
Howard Hume, of the District of Columbia.
Thomas Holland Johnson, of Virginia.
Glenn Irving Jones, of the District of Columbia.
Charles Tomlinson King, of Indiana.
Condon Carlton McCornack, of Oregon.
Edward Leroy Napier, of Alabama.

PROMOTIONS IN THE NAVY.

Lieut. Hilary Williams to be a lieutenant in the navy from the 1st day of January, 1904, to take rank next after Lieut. Charles T. Owens, U. S. Navy, to correct the date from which he takes rank, in accordance with the provisions of an act of Congress approved February 6, 1909.

Commander De Witt Coffman to be a captain in the navy from the 1st day of February, 1909, vice Capt. Edward B. Barry, promoted.

Commander Thomas D. Griffin to be a captain in the navy from the 2d day of March, 1909, vice Capt. Hamilton Hutchins, retired.

Lieut. Commander Charles M. McCormick to be a commander in the navy from the 17th day of December, 1908, vice Commander Washington I. Chambers, promoted.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

David McD. Le Breton,
Carl A. Richter,
Husband E. Kimmel,
Robert A. Dawes,
Arthur G. Caffee,
Clyde S. McDowell,
Charles C. Soule, jr., and
Luman E. Morgan.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

David McD. Le Breton,
Carl A. Richter,
Husband E. Kimmel,
Robert A. Dawes,
Arthur G. Caffee,
Clyde S. McDowell,
Charles C. Soule, jr., and
Luman E. Morgan.

Second Lieut. Allen M. Sumner to be a first lieutenant in the United States Marine Corps from the 29th day of December, 1908, vice First Lieut. John Newton, dismissed.

Hugh M. T. Pearce, a citizen of Arkansas, to be a chaplain in the navy from the 5th day of March, 1909, to fill a vacancy existing in that grade on that date.

RECEIVERS OF PUBLIC MONEYS.

John C. Ing, of Sacramento, Cal., to be receiver of public moneys at Sacramento, Cal., vice William A. Newcum, term expired.

Colon E. Eberhard, of Joseph, Oreg., to be receiver of public moneys at La Grande, Oreg., vice Albert A. Roberts, resigned.

POSTMASTERS.

ARIZONA.

Frank E. Smith to be postmaster at Jerome, Ariz., in place of Dan L. Robinson, resigned.

CALIFORNIA.

Ora R. Miller to be postmaster at El Centro, Cal. Office became presidential January 1, 1909.

Flora B. Reynolds to be postmaster at Mill Valley, Cal., in place of Flora B. Reynolds. Incumbent's commission expired March 16, 1909.

FLORIDA.

Charles S. Williams to be postmaster at Key West, Fla., in place of George B. Patterson, resigned.

GEORGIA.

Alice B. Bussey to be postmaster at Cuthbert, Ga., in place of Alice B. Bussey. Incumbent's commission expired February 3, 1909.

HAWAII.

George Desha to be postmaster at Hilo, Hawaii, in place of George Desha. Incumbent's commission expired February 4, 1909.

John N. S. Williams to be postmaster at Kahului, Hawaii. Office became presidential October 1, 1908.

ILLINOIS.

Edgar N. Carter to be postmaster at Oakland, Ill., in place of Edgar N. Carter. Incumbent's commission expired March 16, 1909.

Edward Cole to be postmaster at Marshall, Ill., in place of Etta M. Perdue. Incumbent's commission expired January 30, 1909.

R. E. Mabry to be postmaster at Fairfield, Ill., in place of William M. Goudy. Incumbent's commission expired February 23, 1909.

Milton M. Pate to be postmaster at Sandoval, Ill. Office became presidential October 1, 1908.

INDIANA.

James E. Leonard to be postmaster at Gas City, Ind., in place of Burr M. Harris, resigned.

IOWA.

William Stuart to be postmaster at Armstrong, Iowa, in place of Matthew Richmond, resigned.

KANSAS.

Elva B. Hilton to be postmaster at Attica, Kans. Office became presidential January 1, 1909.

Charles S. Rahes to be postmaster at Galena, Kans., in place of Gordon H. Boughton, deceased.

Charles K. Ware to be postmaster at Downs, Kans., in place of Joseph H. Smith, resigned.

LOUISIANA.

Charles W. Lyman to be postmaster at Rayne, La., in place of Charles W. Lyman. Incumbent's commission expired February 9, 1909.

MASSACHUSETTS.

William R. Brooks to be postmaster at Beverly Farms, Mass., in place of Elmer Standley, resigned.

Fred D. Walker to be postmaster at Belchertown, Mass., in place of Fred D. Walker. Incumbent's commission expired December 8, 1908.

MINNESOTA.

Charles G. Spaulding to be postmaster at Mapleton, Minn., in place of Charles G. Spaulding. Incumbent's commission expired March 17, 1909.

Robert S. Tucker to be postmaster at Lake Benton, Minn., in place of Robert S. Tucker. Incumbent's commission expired March 17, 1909.

MISSISSIPPI.

Henry L. Rhodes to be postmaster at Ackerman, Miss., in place of Henry L. Rhodes. Incumbent's commission expired January 17, 1909.

MISSOURI.

Sebastian Netscher to be postmaster at Pacific, Mo., in place of Sebastian Netscher. Incumbent's commission expired February 27, 1909.

Edgar A. Remley to be postmaster at Columbia, Mo., in place of Samuel H. Elkins, deceased.

MONTANA.

Eugene R. Clingan to be postmaster at Belt, Mont., in place of Eugene R. Clingan. Incumbent's commission expired March 1, 1909.

Paul C. Long to be postmaster at Taft, Mont. Office became presidential January 1, 1909.

NEBRASKA.

Lou W. Frazier to be postmaster at Fairmont, Nebr., in place of Clark Robinson, resigned.

NEW YORK.

Benjamin A. Babcock to be postmaster at Brasher Falls, N. Y., in place of Wallace H. Wells, deceased.

William L. Cooke to be postmaster at Edmeston, N. Y. Office became presidential January 1, 1908.

Peter S. Krum to be postmaster at Afton, N. Y., in place of Augustus T. England, resigned.

Edward Sautter to be postmaster at Lyons, N. Y., in place of Harry T. Zimmerlin. Incumbent's commission expired February 20, 1908.

Isaac M. Smith to be postmaster at Alden, N. Y. Office became presidential October 1, 1908.

Charles M. Walrath to be postmaster at Ellicottville, N. Y., in place of William C. Laidlaw, deceased.

Nathan P. Wild to be postmaster at Valatie, N. Y., in place of Nathan P. Wild. Incumbent's commission expired December 15, 1908.

NORTH DAKOTA.

James M. Bunker to be postmaster at Ellendale, N. Dak., in place of James M. Bunker. Incumbent's commission expired December 12, 1908.

OHIO.

James L. McDonald to be postmaster at Wellsville, Ohio, in place of Tanner R. Snowden, resigned.

OKLAHOMA.

Hugh Scott to be postmaster at Waukomis, Okla., in place of Joseph A. Randolph. Incumbent's commission expired February 9, 1909.

Sid Smith to be postmaster at Stillwell, Okla. Office became presidential July 1, 1908.

OREGON.

Byron A. Washburne to be postmaster at Springfield, Oreg., in place of Finley E. Roberts, resigned.

PENNSYLVANIA.

John Cincannon to be postmaster at Kennett Square, Pa., in place of James M. Worrall, deceased.

James E. Johnston to be postmaster at Barnesboro, Pa., in place of James E. Johnston. Incumbent's commission expired March 3, 1909.

James C. McGregor to be postmaster at Indiana, Pa., in place of James C. McGregor. Incumbent's commission expired December 15, 1908.

Leanus Schreiner to be postmaster at Tower City, Pa., in place of Leanus Schreiner. Incumbent's commission expired January 14, 1909.

Frank A. Springer to be postmaster at Belle Vernon, Pa., in place of Frank A. Springer. Incumbent's commission expired March 16, 1909.

SOUTH DAKOTA.

Edward O. Bromwell to be postmaster at Mount Vernon, S. Dak., in place of Calvin Betts. Incumbent's commission expired February 3, 1909.

Frank E. Brown to be postmaster at Iroquois, S. Dak. Office became presidential October 1, 1907.

TEXAS.

George W. Crossman to be postmaster at Garland, Tex., in place of George W. Crossman. Incumbent's commission expired February 23, 1909.

Thomas H. Danforth to be postmaster at Goliad, Tex., in place of Thomas H. Danforth. Incumbent's commission expired February 23, 1909.

Joseph Fohn to be postmaster at Hondo, Tex., in place of Joseph Fohn. Incumbent's commission expired February 9, 1909.

Mary S. Parish to be postmaster at Huntsville, Tex., in place of Mary S. Parish. Incumbent's commission expired February 10, 1909.

James B. Seargent to be postmaster at Orange, Tex., in place of James B. Seargent. Incumbent's commission expired March 1, 1909.

S. P. Stubbs to be postmaster at Lubbock, Tex., in place of James H. Johnson, deceased.

WASHINGTON.

DeWitt C. Hostetter to be postmaster at Sumner, Wash., in place of Ernest L. Darr, resigned.

WISCONSIN.

Christian A. Hansen to be postmaster at Stoughton, Wis., in place of Christian A. Hansen. Incumbent's commission expired March 17, 1909.

CONFIRMATION.

Executive nomination confirmed by the Senate March 22, 1909.

RECEIVER OF PUBLIC MONEYS.

Colon E. Eberhard to be receiver of public moneys at La Grande, Oreg.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 22, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Friday last were read and approved.

SWEARING IN OF MEMBER.

Mr. CLARK of Florida appeared at the bar and took the oath of office.

DAILY HOUR OF MEETING.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that until further order the daily hour of meeting be 11 o'clock a. m.

The SPEAKER. The gentleman from New York [Mr. PAYNE] asks unanimous consent that until further order the daily hour of meeting be 11 o'clock a. m. Is there objection? [After a pause.] The Chair hears none.

THE TARIFF.

Mr. PAYNE. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1438.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1438, the tariff bill.

Mr. PAYNE. Mr. Chairman——

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed until he concludes his remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from New York may proceed until he concludes his remarks. Is there objection? [After a pause.] The Chair hears none. [Loud applause on the Republican side.]

Mr. PAYNE. Mr. Chairman, I desire to thank the House for the extension of this courtesy, and I will try not to impose upon its good nature by a prolonged continuation of remarks.

I do not think it worth the while at this time to enter upon any academic discussion of the tariff question. The country is overwhelmingly in favor of a protective tariff. It is an American policy. It seems to be acquiesced in by a great majority of the American people. It is true there are some looking for protection to industries who do not come out into the open, who declare themselves in favor of a tariff for revenue, disguising, or trying to disguise, their real belief in a tariff for protection. We have advanced some in the last twenty years in this regard, and now I do not believe that there is a man within the sound of my voice that would rise in his place and say that he is in favor of "tearing down every custom-house in the United States from turret to foundation stone." [Laughter.]

When the McKinley bill was brought into the House a different condition prevailed in the country from that of the present time. Then we had a superabundance of revenue. We were trying to get rid of revenue, and the bill was framed partially with that purpose in mind.

Then we took the duty off sugar, because sugar was a great revenue producer, and we offered a bounty on the production of sugar of 2 cents a pound. That policy was adopted with great unanimity on this side of the House, and that feature went into the law. The McKinley bill became the law just thirty days before the election, and there was no time to meet the falsehoods that were circulated throughout the country with respect to the operations or the prospective operations of the McKinley bill. The election resulted in an overwhelming majority against the promoters of that bill in the House of Representatives; and such was the final result that in 1894 we had the Wilson bill. Of this measure I do not propose to say much. It was like a kaleidoscope. It depended upon which way we looked at it. There was protection in spots and there was free trade in spots, and no well-balanced schedule in the whole bill. It lagged a brief life. It put a duty of 40 per cent ad valorem, or about that, upon sugar, on account, I suppose, of its being a revenue producer, or else it was because by repealing the bounty part of the law it was necessary to have a tariff on sugar in order that the Louisiana plantations might not be wholly destroyed as the result of the bill. This bill hobbled along until 1897, when we had a new President and a new Congress, Republican in this branch, and, by the aid of some Populists, with a bare majority in favor of a protective tariff in the other branch of Congress.

When the Dingley bill was enacted we were looking for revenue; we were running behind in our receipts and could not keep up with our expenditures, due partially from the construction of the bill and partly by the destruction which the Wilson bill had wrought in the industries of the United States.

We cast about for revenue. At the same time we were aiming at protection for American industries. When the bill was brought into the House it was criticised much more severely than the bill which is before the House to-day. All sorts of allegations were made against it; but we finally passed it, and it has proved to be a boon to the people of the United States. I do not need to go back over the industrial progress of this country in the last twelve years to prove my assertion. That history is known and read of all men. Everybody understands that. Closely allied with the features of that bill as the primal cause has been that wonderful growth in the industries of the United States that has been the marvel of the world. [Applause on the Republican side.]

Nor was the Dingley bill a failure as a revenue producer. I have had a little computation made of the entire revenues received under the Dingley bill for the total period from July 1, 1897 (it became a law on the 20th), to March 16, 1909, and I find the total receipts of the United States from all sources except postal were $6,558,220,264, the total expenditures, except postal, $6,483,664,856, leaving a surplus for the entire twelve years of its history of $74,555,408. And these expenditures included $50,000,000 for the Panama Canal, for which no bonds have been issued; so that the entire surplus over the ordinary expenditures of the Government has been about $125,000,000 during that period.

But there has been a deficit for the period in the post-office receipts and expenditures, the total receipts being $1,539,700,032 and the expenditures $1,638,843,511, a deficit of $99,143,479. Of course no one will dispute that this post-office deficit resulted largely from the enormous increase of the rural free-delivery service, a service which has proved a boon to the agriculturists of the country, carrying a daily mail to every household in all the thickly settled communities, but at great expense to the Government of the United States and a drain upon its Treasury.

But notwithstanding this enormous drain upon the resources of the Treasury, for the entire period we have a surplus of over $25,000,000 of ordinary receipts of all kinds over the expenditures, including those of the postal department; surely not a bad showing for a revenue bill which is also a protective measure, and that has stood for twelve years of its duration with this crowning feature of its success.

It is true that this bill has not brought a surplus during every year of its existence. For the last two years the receipts have decreased and the expenditures have increased. The expenditures have increased beyond the anticipation of any of the originators of the Dingley law. We did not dream then of the Spanish war. Much less did we imagine the increased expenditures that would come after that war had ceased, with great victory and honor to the national arms and the national flag, but it brought increased burdens and increased responsibilities. We jumped forward to a place as a world power without a peer in the world. Our relations with other countries were changed. We not only changed the map, but we changed our responsibility with the foreign nations, and with that change came the burdens; the burden of an increasing navy, which seems to be one of the most popular things we have among the citizens of the United States; an increased army, increased coast defenses. Hence we have had extrordinary expenditures, which have been an enormous burden upon the Treasury of the United States.

Yet, notwithstanding all this, the Dingley law has produced during its existence more than sufficient money to pay all these expenditures, enormous as they have been, and to bring in a surplus of $25,000,000 to the Treasury—an apparent surplus of only $25,000,000—and yet I am reminded at this point that we have paid out of the money coming into the Treasury, of ordinary receipts, the expenditures in the building of the Panama Canal. It is true we have issued bonds, but the bonds do not appear in this statement. The bonds come into the Treasury and swell the assets of the Treasury, but the Treasury officials have never made the mistake in bookkeeping of adding those as a part of the revenues of the country. They have incurred a debt. To offset that is the money in the Treasury. They do not treat that as revenue. It goes in to keep the Treasury from being depleted, but it does not

came presidential October 1, 1908.

Colon E. Eberhard to be receiver of public moneys at La Grande, Oreg.

appear in the annual expense. So the grand result of the Dingley bill to-day is that having paid all the expenses of the war and all the expenses incurred thereby, and having expended a large amount for the Panama Canal, there is a surplus of $25,000,000 for the entire period. [Applause.]

But time makes changes. It becomes necessary to have a revision of our revenue laws. There are two controlling reasons for this revision. Twenty years ago we incorporated into the McKinley bill what is known as the "third section"—a reciprocity provision—which authorized the Executive to make trade agreements with the nations of the earth, and when he procured a trade agreement which was fair and reasonable for the people of the United States with any country he proclaimed that fact, and thereupon the third section went into operation and duties on certain articles were fixed on a lower scale than in the general law.

We incorporated the same third section into the Dingley bill, and provided that where these trade agreements were made on a fair and reasonable basis there should be a reduction in duty on a few articles only—argols, or wine lees, on wines both still and sparkling, and on works of art from 20 to 15 per cent—not a very large inducement to offer to the nations of the world, and yet it was all that Congress was willing to offer at that time.

Under this third section the Government has gone on and made commercial agreements with most of the nations of the earth and has obtained favorable trade relations, not as favorable as have been made to some other countries, but more favorable than the maximum tariff had ever seen fit to impose it upon us, and all for the concessions contained in section 3 on these four different classes of articles.

Trade agreements were made under the McKinley bill, but when the Wilson bill became a law, or, rather, when it was introduced into the House, it was found that all these trade agreements, without giving notice to any nations of the earth, were repealed by the repeal of the third section. Pretty rough treatment with friendly nations, with no regard to the courtesy which should exist between these nations and ourselves. By this simple amendment they were all wiped out with one blow, and the repeal gave notice that Congress had abrogated the third section and their agreements were no longer of any effect.

Since the time of the enactment of the Dingley bill other nations have been adopting the maximum and minimum tariff, with a lower tariff at protected rates and a maximum tariff much higher—even 100 per cent over the minimum rates, scarcely ever below 40 per cent—although some of the articles of these maximum and minimum tariff countries are at the same rates in both maximum and minimum schedules.

Then came the tug of war. Then came the hard part of the proposition. We saw our rivals for the trade of the world getting conventional rates that we could not get, partially because of our system that under the Constitution no change can be made in the tariff except Congress takes the initiative. We must pass legislation to enable the Executive to offer favorable trade agreements. It is with us here to originate it. Under the rules of the House and the rules of the Senate, no amendment could be made to the tariff law providing for a single change of this condition or any other without opening the whole schedule of the bill to amendment—not of the bill, but of the present revenue laws. Congress was hampered if it desired to give a freer hand to the Executive to cope with these new conditions that had come into existence after the Dingley law was passed.

The situation was becoming intolerable. We could not meet these new conditions under the third section of the Dingley act. Already one or more nations were giving us the worst of it in their trade relations, giving us the maximum rates and shutting out what the energy and wisdom and foresight of some of our people had accomplished in entering into their trade with the manufacturers, the products of the labor of the United States. That hastened the time when it was best to take up the consideration of the revision of the tariff schedules.

With respect to the time, I have always stood upon this proposition: You can not revise the tariff without halting manufacture and trade and industry. I said I was ready to undertake the work any time that it should appear that it was to the interests of the American people to go through the sacrifice of the period of passing a tariff bill, because they could get greater advantages in the end than they would suffer from the temporary destruction of business, and this condition hastened the time. Then the revenues during the latter days did not seem to be keeping up with the expenditures of the Government.

The time had come to hunt for more revenue in a tariff bill, and these two considerations hastened the consideration by the House and the country of a new tariff act. Hence it came about that the Republican platform in the last election pledged the party to the revision of the tariff. Already, before that, your Committee on Ways and Means had begun its work, anticipating the verdict of the country, even before the Chicago convention met, and that committee had set its clerks to work looking up information that would aid the committee in the passage of this bill. When they were ready to undertake the work, even at the hearings, they had provided for them a comparison of duties and of imports for the last fifteen years that enabled them at a glance to see what effect this duty or that in each paragraph had had upon the importation of goods under it. No witness could come before them and with an array of figures that he had gained from some newspaper, be privileged to assert that the importations under the paragraph were great, enormous, showing that there was no protection, without being met by some member of the committee with the cold facts, which in some cases showed that the importations were very small, and ofttimes took all there was out of the argument that the witness had made.

This was the beginning of it. Then in May last we passed a resolution authorizing the committee to gather information from all sources, to call on every department of the Government for clerical aid, to call into the deliberations of the committee every tariff expert in all the departments. When that resolution was passed I went to the President of the United States and told him what people I desired to have detailed, and he said, "You can detail anybody from any department to aid your committee;" and we went to work, before the Chicago convention, gathering information. We sent schedules to every consulate of the United States in all the foreign countries, with carefully prepared questions, to ascertain the condition of the industries in those countries, especially the condition of the workingmen, the wages paid, the cost of the unit of manufacture—everything that would enable us to arrive at a just conclusion. Hundreds of those answers came back, and they were filed for the confidential information of the committee, but available to its members, to get at the facts contained in those reports; and often they have been of great value, sometimes confirming to a remarkable degree the statements made by manufacturers before the committee as to the wages paid abroad and sometimes not confirming the statements of the manufacturers, but all tending to give the committee accurate information.

Agents were sent out from the Department of Commerce and Labor, the Bureau of Manufactures, traveling over the world, visiting factories, getting at the facts from the first source, and reporting them for the information of the committee, many of which reports have been published and are available to the Members of the House. This work was done in anticipation of a revision of the tariff.

Under the direction of the clerk of the committee every decision of the courts and of the general appraisers was examined and digested, a vast amount of material information gathered, from which was published The Notes and Comments, a publication of great service to the committee and of lasting benefit to the student of economics for years to come.

Promptly after the election the committee were called together by telegraph, and people in the United States were notified by telegraph of hearings, commencing on the 10th day of November, and the committee sat in its rooms from half past 9 in the morning until 11 or 12 o'clock at night, except on those infrequent occasions when the words and the wind of the witnesses gave out at a little earlier period and gave us a little rest, until the 24th day of December, working every day, listening to the testimony of these people who knew the facts. A great many of them, with unwillingness, were forced to give up the facts which were material to a revision of the tariff.

Promptly when these hearings were closed the committee met. I can not disclose what was done in the committee, but its deliberations resulted in the appointment of a subcommittee, consisting of the majority members of the committee, to frame a bill, and the gentlemen on the other side had the privilege—I do not know whether they availed themselves of it or not—of framing a bill according to their understanding of the subject. This was not without precedent. In every one of the three tariff bills that have been formulated since I have been a member of the committee, commencing with the McKinley bill, precisely that course was adopted. You can see how difficult it would be with 12 men believing in protection to American industries—fair protection, honest protection, to American industries—on the one hand, and 6 or 7 other men, believing I know not what, going into a conference with the idea of reaching an harmonious conclusion in the framing of a bill. Why, if we had adopted that course, Mr. Chairman, instead of reporting this bill on the 15th day of March, 1909, we would have been

stroyed as the result of the bill. This bill hobbled along until

to keep the Treasury from being depleted, but it does not

lucky if there had been enough surviving members of the committee to report it on the 15th of March, 1910.

We did just what we were compelled to do, and that was to forego the pleasure of the presence of our Democratic brethern while we sat around the table and made this bill. We still met at half past 9 in the morning and we adjourned when we got tired, and we sat every day until the bill was finally reported on the 15th of March. So, whatever may be said about this committee and about this bill, the country never can say that this committee has not labored early and late from beginning to end to get all the information possible, and when they came to consider the bill paragraph by paragraph, to study that information in order to form a tariff bill. [Applause on the Republican side.]

Now, the question of revenues under this bill is a serious question, and yet it is not so serious as it would appear at first blush. It is true we had a big deficit on the 1st day of July last for the previous year, but we had had a big depression in business. Importations had halted, revenues had been cut down, and when that continued during the fiscal year 1909 down to the present time, showing a deficiency of $87,000,000, it looked like a difficult task to provide sufficient revenue for the expenditures of the Government.

But this was only a surface view of the case because, with reviving industry, with prosperity, with putting money in the purses of the people that their demands may be supplied importations will increase, revenues will increase from all the sources from which the Government derives revenue, and it would not be fair to strive to make up a deficiency of probably $100,000,000 as things were going for the present fiscal year in order to make a bill that should extend into several years in the future. We have all noticed with pleasure that with increasing revenue the deficit for the first twenty days of the present month is less than $1,000,000.

The committee took up the question further than that. They took up the appropriations made by the last session of Congress amounting to $1,044,014,298.23. Those seemed to be appalling figures, but we looked into it to see what those appropriations were made up of, to see what part of them demanded cash from the Treasury, from the revenues of the Government. We found there were $60,000,000 of appropriations for the sinking fund. Now, there is a law which requires the Secretary of the Treasury to set aside $60,000,000 for the sinking fund for this fiscal year, and that law has been enforced—I said "enforced," but I meant to say "in force" ever since it was enacted sometime after the war, and yet everybody knows the law is not complied with.

The Secretary has not had the money to do it, and it would seem to be a useless thing for him to do it. If the money was in the Treasury, it still would not be necessary for him to set it aside for that purpose; and that sinking-fund appropriation is in default several hundred million dollars—I do not know the precise amount—and that leads us to the conclusion that it is no part of our duty to provide that $60,000,00 sinking fund by adding additional taxes to the tariff bill. We eliminated that from the calculations. A few years ago Congress by law turned over into the general fund of the Treasury the amount of money there held in trust for the purpose of redeeming national-bank notes in cases where banks gave up their circulation or went out of business. It went into the General Treasury and the Government assumed the responsibility of redeeming those notes. Of course, that money is not paid out of general taxation. It is paid out of the money that the national banks are compelled to deposit when they begin to retire their notes, and there is no need of providing that in the revenue bill to the amount of $30,000,000.

Mr. Chairman, when we passed the Panama Canal legislation we provided for bonds for the payment of the appropriations for the canal. It was the policy of Congress that this great expenditure of money for such work as has been contemplated, dreamed of for more than four hundred years and to be a work of centuries, running way down into the future, should be paid for in the first instance by bonds issued by the Government of the United States and giving posterity, and the revenues of the canal when they came in, an opportunity to pay for this canal. Bonds were provided for in the original act and bonds have been authorized. Not for all the money that has been expended. Bonds were not authorized, through some oversight, for the $40,000,000 purchase. There was seven or eight million dollars already paid out otherwise than this $40,000,000 of purchase that has not been provided for by bonds, and the appropriations for 1910 contain the amount of $35,886,190.58 for the construction of the Panama Canal during that fiscal year.

The Treasury Department has authority now to issue these bonds if they were necessary to replenish the cash in the Treasury; it should not be counted as a part of the money that it is our duty to raise by taxation, because it is contrary to the policy of the law by which we commenced the work of this canal and under which we propose to complete it.

Mr. TAWNEY. Will it interrupt the gentleman from New York?

Mr. PAYNE. Not at all——

Mr. CLARK of Missouri. I wish the gentlemen would talk a little louder; we can not hear them.

Mr. PAYNE. Does the gentleman refer to me or the gentleman from Minnesota?

Mr. CLARK of Missouri. Both of you——

Mr. TAWNEY. I desire to ask the gentleman from New York whether or not he has taken into consideration the fact that the authority for the issuing of bonds for the construction of the canal would be very nearly exhausted by the end of this fiscal year, and that at the last session of Congress, Congress refused to authorize the issuing of bonds to meet the expenditures for the fiscal year 1910, and therefore the canal expenditures for 1910 will have to be paid out of the current revenues of that year unless authority is given during this session of Congress?

Mr. PAYNE. This $25,000,000?

Mr. TAWNEY. The amount carried in the last sundry civil appropriation bill.

Mr. PAYNE. I am glad the gentleman stated that. I shall ask the committee to amend the bill giving that authorization. The policy of the law should be carried out.

Mr. TAWNEY. I will say to the gentleman from New York that the Committee on Appropriations recommended an issue of bonds to meet the appropriations authorized in the sundry civil act. It went out on a point of order in the House. It was put in again in the committee of the Senate, and the Senate struck it out, so that the appropriations for canal expenditures for the fiscal year 1910 are made without any authority to meet these expenditures from the proceeds of the sale of bonds.

Mr. PAYNE. Mr. Chairman, I was not familiar with the history of the legislation. The fact is that during the last session of the last Congress I was hardly in my seat for a moment, because I had other matters pressing for attention over at the Office Building, and was not able to keep up with the legislation as it progressed.

Mr. MANN. Mr. Chairman, will the gentleman from New York yield?

Mr. PAYNE. Certainly.

Mr. MANN. In that same connection, I wish to say that I obtained the figures this morning from the Treasury Department. The authorized issue of bonds for the construction of the canal is $130,000,000; that the appropriation of the last Congress, including the amount which has been appropriated for the construction of the canal proper, not including some moneys for the Panama Railroad, is one hundred and forty-five millions and some odd.

Mr. PAYNE. That includes the appropriation for 1910?

Mr. MANN. That includes the appropriation for the fiscal year 1910, not including the original $10,000,000 which was appropriated. Now, it is perfectly manifest that there must be authority to issue new bonds over the one hundred and thirty million now authorized, or else the construction work must be paid out of the revenues in the Treasury. Now, will the gentleman consider an amendment increasing the bond issue authorized in connection with the proposed forty millions bond issue?

Mr. PAYNE. I certainly would, so far as I am individually concerned.

Mr. CLARK of Missouri. Mr. Chairman, I would like permission from the gentleman from New York to ask the gentleman from Illinois [Mr. MANN] a question in order to bring out one further fact and clear up this bond situation. What is the amount of the Panama bonds that have already been issued under that one hundred and thirty million authorization?

Mr. MANN. Eighty-four million six hundred and thirty-one thousand nine hundred and eighty dollars.

Mr. CLARK of Missouri. Now, how much does that leave you?

Mr. MANN. I have not the exact figures. It is in the neighborhood of $45,000,000. But the total amount which has been proposed, for which bonds might be issued if the authority is extended, is $145,688,204.31.

Mr. SMITH of Iowa. I think I can make it entirely plain to the gentleman from New York [Mr. PAYNE]. Owing to the fact that the expenditures have vastly exceeded the bond issue, under the law authorizing the refunding to the Treasury of those expenditures, these bonds that are now authorized might all be issued to replace cash in the Treasury already expended

on account of the Panama Canal, and when it becomes necessary to replace that cash, by issuing these bonds for that purpose, there would then be no bonds issuable for the expenses of the appropriation made for the year ending June 30, 1910.

Mr. MANN. In response to the suggestion of the gentleman from Minnesota [Mr. TAWNEY], if the gentleman will permit, the amount which I give as the amount of the appropriation does not include $4,380,000 and some odd which has been advanced to the Panama Railway Company and which is to be reimbursed.

Mr. PAYNE. It seems, according to the statement of the gentleman from Illinois, that we still have authority to issue about $45,000,000 of bonds.

Mr. MANN. Yes; but that will not provide for the entire amount of money which has been appropriated up to the end of the next fiscal year.

Mr. PAYNE. That $45,000,000 which will come into the Treasury and be there for general expenditure when the bonds are issued. And so it does not at all interfere with the argument which I made that we can, by the issue of bonds, replace this $35,000,000 appropriated during 1910, or an equivalent amount, even up to $45,000,000.

Mr. MANN. If the gentleman will pardon me, I simply intended to supplement the gentleman's argument, in order to enforce the argument which the gentleman makes.

Mr. PAYNE. Now, Mr. Chairman, deducting these three several sums, amounting to $125,886,190.58, we have $918,128,170.65 that is to be provided for. Well, the committee went a little further into this subject. We had some ideas that the appropriations were not expended each year and that a certain percentage of unexpended appropriations is found in the Treasury at the end of each fiscal year. I had an idea in my mind it amounted to 8 or 10 per cent. We called in the very accomplished clerk of the Committee on Appropriations, who probably knows as much about that as any Member of the House, and who has had longer experience, and I do not know that anybody would take offense if I should state that he has more information than anyone else on the subject; and he said the average of the unexpended appropriations would equal each year 6 or 8 per cent. The committee thought they would take a conservative estimate of the unexpended appropriations, and so deducted 5 instead of 6 or 8 per cent a year from the amount of money that has to be raised. After taking this 5 per cent off we have $872,221,701.77. Now, these appropriations include all the expenditures of the post-office and everything else.

Then we looked at the report of the Secretary of the Treasury made last November and the estimated revenue: From internal revenue, $250,000,000; miscellaneous revenues, $62,000,000; postal revenues, $223,340,712. Then we had a careful estimate made of the schedules under this bill as we had prepared it. In fact, we prepared some of the schedules after we had the estimate made. We were looking for revenue and we found that the final estimate of revenues from the tariff part of the bill were $305,225,173. Still desiring to be conservative in these figures, we based this estimate, not upon the importations of 1907, which was a boom year, a year of the largest importations and which produced about $320,000,000 under the tariff schedules of the Dingley act, but we took it from the year 1906, going back three years prior to the time this bill will be in operation, discounting all the increase in population, increase in business resources, increase in everything—the growth of the United States for four years. We went back to 1906 and took the importations of that year under the Dingley Act as the basis of computation and found that the revenues from the tariff would amount to more than $305,000,000.

At least, we were safe in making that estimate. Then we add an inheritance tax, of which I will speak later. We made an estimate of that. It was difficult to get at. There were meager statistics on the subject. A New York newspaper published last Saturday a report of the amount of the revenues received by the States on that account, because we have in operation now an inheritance-tax law in several States. Now, the aggregate in 33 States was $12,000,000, in round numbers. But the taxes in the various States were less than those imposed in our bill. The taxes in my own State were less than the rate upon direct descent in our bill; and yet, in the State of New York there are between five and six millions, nearly six millions of revenue, from the inheritance tax; and we thought, and we still think, that $20,000,000 from this source is a fair, conservative estimate of the revenue to be received from it.

We added an extra tax upon cigarettes. Whereas they are now paying $3 per thousand, or a little less than that, according to the grade, we added 50 and 60 cents a thousand, and on last year's consumption this would amount to a million and a half dollars additional revenue.

We summed all these sources of revenue up and they came to $862,065,885, and this left an apparent deficit of $10,155,816.77. We continued our investigation a little further. We found that there was a discrepancy between the Bureau of Commerce and Labor's report and that of the Secretary of the Treasury as to the amount of the revenue from the tariff, and after we came to that conclusion, we found that the tonnage and some other taxes were not included in the report of the Secretary of Commerce and Labor, and they amounted to $6,341,458.27, and should be added to the estimated revenue of this bill, and thus the total is about $3,000,000 apparent deficit.

Mr. Chairman, of course no one can say what the revenue will be under this bill from the 1st day of July next for the following fiscal year. That is largely speculation; but we have taken the same means to find out what it would be that has been employed in relation to the other tariff bills, and we find that those in the main have been conservative, as to the other bills, but not so conservative as we have tried to make them with this. We have a fair and reasonable hope and prospect that this bill during the first year of its existence will leave no deficit in the Treasury of the United States.

But suppose there is a small deficit, Mr. Chairman? We have in the Treasury to-day $135,000,000 of available cash assets to meet any deficit that may come in the next year. We have provided for the issue of $40,000,000 of bonds to replace $40,000,000 of purchase money of the Panama Canal, which would make $175,000,000 available if the Secretary of the Treasury should deem it best to issue those bonds during the next fiscal year. And we have in addition to that, according to the statement of the gentleman from Illinois, an authorization of $45,000,000 more, authorized by the original Panama Canal act, available to the Secretary of the Treasury to issue during the next fiscal year. It seems to me that there is no question for any gentleman to get panicky over, about the revenues under this bill. I have no doubt after the bill becomes a law and business settles down, in the year 1911 it will do what it is sent out to do, provide sufficient revenue for the Government.

Nor is that all, Mr. Chairman. I think there is some room for economy in our expenditures. Economy can be brought about by this House——

Mr. SIMS. Before we get away from the canal bond issue of $40,000,000—the gentleman speaks of issuing bonds to reimburse the Treasury. Is it the idea of the gentleman that in the future there will be receipts from the Panama Canal to take up those bonds, that there will be a revenue from charges made by the Government for using the canal——

Mr. PAYNE. I think undoubtedly there will be a revenue some day. Perhaps it will not be in the gentleman's lifetime or mine. It took the Suez Canal a long time to produce a revenue to pay the interest on its bonds; but I think it is sure to come.

Mr. SIMS. And the gentleman's idea, then, in issuing bonds is that the Treasury will ultimately be relieved of that charge; that the burden ultimately will not come out of the common taxpayers. Is that it?

Mr. PAYNE. Oh, I think ultimately; but whether we do or not, this canal is built for the ages. Why not let the people of the ages share a part of the burden of the building? [Applause.]

Mr. SIMS. Mr. Chairman, in reply to that question, I can not see any difference between issuing bonds to pay current demands on the Treasury and in issuing bonds to take the place of the current revenue already expended on the Panama Canal if they have both got to be paid by the common taxpayers in the end.

Mr. PAYNE. The gentleman is familiar with the fact that we had a large surplus in the Treasury when we entered upon the building of this canal, and we have paid the money out of the Treasury. Some of us were desirous of reducing the surplus somewhat, so that it should not be in sight every time a man came in here for an appropriation, and should not tempt the people of the country to raid the Treasury because there was a big surplus in it. I do not believe in a large surplus, but I believe in fortifying the Treasury, so that no warrant of the United States will ever suffer the slightest danger of remaining unpaid for a single minute after it is presented to the Treasury. [Applause on the Republican side.] Right there, Mr. Chairman, it was reported in some newspaper a few weeks ago that the Treasury would now be bankrupt if it was not for the fact that the late Secretary of the Treasury had held back some $50,000,000 of warrants. Inquiry of the Treasury Department developed the fact that that statement was made out of the whole cloth, that every warrant was being paid regularly and in order as it came to the Treasury for payment.

So, Mr. Chairman, we have guarded against any deficit in the Treasury, but we have gone a little further than that. In the

war revenue act the Committee on Ways and Means reported a section providing against any contingency of a deficit in the Treasury.

We provided for the issue of $100,000,000 of certificates, to run for one year at not exceeding 3 per cent per annum, so that in any time of stress the Secretary of the Treasury might go out and borrow money and provide sufficient funds temporarily for the necessities of the Treasury. When we repealed the war revenue act by two separate bills we were careful not to repeal this section, but left it there for that purpose. It has been suggested to the committee, and the committee of its own motion made the suggestion as well, to increase that limit from one hundred million to two hundred and fifty million dollars, and we put that into the bill. With that section added, the Treasury seems to be fortified and buttressed at every point, so that gentlemen may have no nervous spell over the Treasury if this bill becomes a law as it is brought in here by your committee.

Mr. Chairman, I will take up some of the schedules in the bill. In the first place we have provided a minimum and maximum tariff. Our minimum tariff is a protective tariff, built on the lines of our party platform and sometimes a little more than the party platform, because it is impossible to hold the scales evenly, even with all the information available to your committee on all these schedules; but it is the firm belief of your committee that if this first section, providing for a minimum tariff, is put into effect and it becomes the universal tariff law, as we believe it will, in the United States in their dealings with all foreign countries, no business will suffer from unfair and unequal competition from any foreign source, and every laborer in the United States will continue to receive good and fair compensation for the work which he performs. We believe it is a protective tariff.

Then we provide that any country which gives us as fair trade relations as they give to any other country, which makes no discrimination against us which they do not make against the most favored nation under their conventions or tariffs, shall receive this minimum tariff provided for in sections 1 and 2. But if they do not, if they do not give us an equal chance in their markets with any other nation, we do not propose to allow them to come into our market at this minimum rate. Our market is the market of the world, for we are the greatest consumers, the greatest buyers of any nation on earth, consuming from one-third to one-half of the productions of the world over.

Some gentlemen have pretended to get nervous over that. I have seen some items in the newspapers that this was a trick on the part of the committee, that while we had reduced rates in the first section we had added 20 per cent of duty in some instances to the Dingley rate, and in some instances to the free section, and that that was the joker; that the maximum rate was the rate on which the nations of the earth were to enter our markets. Did they stop to think that that great country of our cousins—the English—give us, as they give every other nation of the earth, equal trade relations, and from the very moment that this bill becomes a law until it is finally repealed Great Britain will be entitled to come into this country with its products precisely at the minimum rates in sections 1 and 2?

Take her great rivals for our market, France and Germany; can they stand by and see Great Britain take up that trade and they do nothing? Will they enforce their maximum rate against us because we do not give them our minimum rate? Will they force our maximum rates on exports to this country and see Great Britain come in and take the trade of this market? Is there any man within the sound of my voice that supposes for a minute that France and Germany and the nations of the earth seeking our markets will not immediately avail themselves of the minimum rate which we offer in sections 1 and 2?

We provide that no maximum rate shall go into effect within sixty days after the passage of the bill. We give them an opportunity to make their rates with us or put themselves on an equality with Great Britain. Now, you may call it a club, you may call it reciprocal trade, you may call it holding out the olive branch of peace in trade by giving them the minimum rates if they deal fairly with us, but whatever you call it it is absolutely certain that the great nations of the earth will take the advantage which we give them under sections 1 and 2 of this act to make their rates with us such as to get the rates prescribed in these sections.

Mr. Chairman, the bill does not keep up the Dingley rates on section 1. We have utilized these hearings to adjust the rates under section 1. We have followed somewhat the line of President McKinley in his Buffalo speech—that speech that has been so often misquoted and lied about on the stump, wherein he used this language:

> If, perchance, some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

We have taken up the duties under this bill no longer needed at the rates prescribed for protection. Unfortunately, they seem to be needed in some cases for the revenue. We offer, also, rates to those countries of the world that they may come in here and pay the tariff that Great Britain pays upon her products and trade with us. Of course, Mr. Chairman, every country that seeks trade in the country having a protective tariff must make up its mind, and its manufacturers must make up their minds, to pay the tariff to enter into the trade of that country. That is a rule of economic law that can not be overridden or disregarded. We give them rates by which they may pay our tariff and come in, sometimes in equal competition and sometimes in not quite equal competition, with our manufacturers, in seeking our markets here; and all we ask of them is that they shall do the same thing to us and leave it to the skill and the enterprise of our manufacturers to go into their markets and pay tariff rates on even terms with every other foreign country and seek in open competition for their trade.

Mr. Chairman, it was not an easy question to adjust these rates. As I said before, the committee have considered every paragraph of the Dingley bill, reading it through carefully, reading the evidence, considering it, and finally adjusting the rates. Of course, we did not all agree to each paragraph after we had read the hearing on it. The committee differed. I do not suppose there is any member of the twelve who is fully satisfied with every paragraph in this bill which we propose, but it was the judgment of the majority of that committee, in which we all finally agreed, and the 12 Republican members bring in this bill as a unanimous agreement for the tariff bill which, after its enactment, shall be in force in this country.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield for a question?

Mr. PAYNE. Yes.

Mr. LONGWORTH. Before the gentleman leaves the subject of the maximum and minimum tariff, I would like to call his attention to the proviso at the end of section 4 of the bill.

Mr. PAYNE. Mr. Chairman, I am very glad that the gentleman has called my attention to that. There have not been a great many mistakes made in the printing of this bill, but when clerks have to work until 2 or 3 o'clock in the morning it can not be expected that they will get everything all right, and so it transpires that the fourth section, the maximum and minimum section—that is, the application of the maximum and the minimum rate—is printed in the bill as originally drafted and not as finally agreed upon by the committee. Possibly this may have been the result of my own mistake.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the chairman of the committee if this small print is correct.

Mr. PAYNE. No; it is not. This print was printed from the print of the bill as introduced, and the proof was read in the Printing Office and not by the clerk of the committee, and I have discovered several mistakes in it.

Mr. CLARK of Missouri. I was not trying to bother the gentleman at all——

Mr. PAYNE. No; but I say I have found a number of mistakes in it.

Mr. CLARK of Missouri. I was trying to ascertain whether the proviso that the gentleman from Ohio [Mr. LONGWORTH] called attention to, as printed on page 74, is as the gentleman intends it to stand?

Mr. PAYNE. The gentleman means the proviso?

Mr. CLARK of Missouri. Yes; this proviso printed on page 74. Is that the way the gentleman intends it to stand?

Mr. PAYNE. It is not the way that the committee agreed upon; and I was just saying for the benefit of the gentleman and the committee, that since the bill was reported to the House it has been found that there are errors in the print which the committee did not intend to be there. I was about to explain that. I was going to read the proviso first as it reads in the print, and then the proposed change in it. I read from page 74 of one print (Report No. 1), and it will be found on page 152 of the comparative document. The proviso reads in the printed bill:

> *Provided, however*, That these provisions for additional duties shall not apply to the cases where the preferential duties to other countries are those which are given to a province, dependency, or colony to the mother country only.

That would apply as it reads only where a colony gave preference to the mother country. The intention of the committee is that where the mother country gives preference to a colony as

Treasury, but we have gone a little further than that. In the

well, these provisions of the bill should not apply. I will ask the Clerk to read the substitute which I hope to offer at the proper time for section 4, making changes in the original text of section 4 as printed, and also in this proviso.

The Clerk read as follows:

Strike out section 4 and insert the following in lieu thereof:

"SEC. 4. Whenever any country, province, dependency, or colony admits each and every article imported into said country, province, dependency, or colony from the United States, or any of its possessions (except the Philippine Islands), the growth or product in whole or in part of the soil or industry of the United States or any of its possessions (except the Philippine Islands), upon payment thereon of duties, imposts, excises, or taxes which shall not be in excess of those levied upon like articles imported from any other country, province, dependency, or colony, and admits such articles on terms as favorable as those accorded to any article imported from any other country, province, dependency, or colony, there shall be levied, collected, and paid upon articles imported into the United States and any of its possessions (except the Philippine Islands) from such country, province, dependency, or colony, the growth or product of the soil or industry of such country, province, dependency, or colony, and whether such articles are shipped from the ports of such country, province, dependency, or colony, or from any other foreign port or ports, the rate of duty prescribed in section 1 of this act; and in like cases the articles mentioned in section 2 of this act shall be admitted free of duty.

Whenever on or after sixty days after the passage of this act any country, province, dependency, or colony discriminates against any article imported from the United States, or any of its possessions (except the Philippine Islands), the growth or product, in whole or in part, of the soil or industry of the United States, or any of its possessions (except the Philippine Islands), by levying duties, imposts, excises, or taxes thereon in excess of those levied upon similar articles imported from any other country, province, dependency, or colony, or if any way fails to admit any article imported from the United States, or any of its possessions (except the Philippine Islands), on terms as favorable as those accorded to any article imported from, and the products of any other country, province, dependency, or colony, there shall be levied, collected, and paid upon all articles imported into the United States, or any of its possessions (except the Philippine Islands), the growth or product of the soil or industry of such country, province, dependency, or colony so discriminating against any article imported from the United States the rates of duty prescribed in section 3. *Provided however*, That these provisions for additional duties shall not apply to the cases where the preferential duties are those which are given by and between a province, dependency, colony, or the mother country only."

Mr. PAYNE. Mr. Chairman, I have had this read in order that it might be printed in the RECORD and meet the scrutiny of Members of the House. It has been not an easy section to draw, but the committee believe they have perfected it now; but still, among the nearly 400 Members of the House, they would be glad to receive any suggestion that would in any way tend to clear the section or make it in any better manner express the intention of the committee.

Mr. LONGWORTH. Will the gentleman permit?

Mr. PAYNE. Certainly.

Mr. LONGWORTH. Under that amendment the country which has preferential rates with its dependencies or colonies would, nevertheless, be entitled to our minimum rates.

Mr. PAYNE. Oh, certainly; if they were otherwise entitled they certainly would be under this.

Mr. PARKER. Will the gentleman permit?

Mr. PAYNE. Certainly, I yield to the gentleman from New Jersey.

Mr. PARKER. Under this amendment, if there were preferential duties between different colonies of the same country, as between Canada and Australia, would not the maximum duties go into effect?

Mr. PAYNE. I do not think so, if the gentleman will carefully study the language when he sees it; and I would be glad after he has done so to receive his opinion and any suggestion that the gentleman has to offer.

Mr. BARTHOLDT. Will the gentleman permit?

Mr. PAYNE. Certainly.

Mr. BARTHOLDT. I ask for information, Mr. Chairman. In order to secure the benefits of the minimum rates as fixed in the new bill it will be necessary for the parliaments of the foreign countries to meet and offer to this country agreements for that purpose. I should like to ask the distinguished chairman of the Committee on Ways and Means whether the time which is provided for in this bill, namely, sixty days, is a sufficient time for the foreign countries to comply with that provision?

Mr. PAYNE. I understand the German Reichstag is now in session, and I suppose they are taking notice of what we are doing here, and in some of the other countries they have authority outside, an executive authority, without the meeting of parliament.

Mr. BARTHOLDT. And is there anything in the bill which would enable us to enter into these special agreements which would secure to us the most-favored-nation clauses in their tariff bills and in return extend to them the minimum rates?

Mr. PAYNE. I want to say to the gentleman the committee considered the question whether it was better to continue, as under the third section of the Dingley bill, and authorize the Executive to make agreements, and when the proclamation of such agreement was made for this minimum to go into effect, or to make this section automatic, so that whenever any country gave us their favorable trade relations, the Secretary of the Treasury might collect the revenues according to whether they had or not given us the most favorable trade relation, or whether they discriminated against us or not.

And if the Secretary of the Treasury made a mistake, it would be up to any importer of goods to bring an action to decide the matter in court upon evidence. We thought that was a better way to determine it than to put it up to the Executive or to the State Department and have some clerk in the State Department without sufficient authority collect evidence, prepare agreements, and decide that serious question. So we left it in the bill as it is, preferring that it should be automatic in its operation, depending upon whether they did, in fact, or not give a favorable trade relation, and that fact, if a mistake is made, to be settled in the courts of the United States. So we have wiped out the provision of section 3 in regard to negotiations.

Now, Mr. Chairman, I am going to speak of some of the changes made in this bill. The committee have transferred some items from the free list to the dutiable list. They have increased the duty on some paragraphs. They have not done this under cover. They published these in the statement and in the report made and court the attention of the Members of the House and the country to the changes they have made. The increases are few in number. They are not very serious, but every one of them was made for a reason, after examining the evidence that was before the committee.

In Schedule A, the chemical schedule, we have increased the duty on perfumeries and toilet articles from 50 to 60 per cent. We thought that was a fair subject for revenue, and that 60 per cent would produce more revenue than 50 per cent. That was not taxing any man's breakfast table. That is not open to any hue and cry on the part of any demagogue in the United States. It is to increase the revenue.

Now, we have made some other similar increases. We have increased fancy soap from 15 to 20 cents a pound. You and I and the other common people can still buy our castile soap at the old rate, which is sufficient for the ordinary toilet purposes of the ordinary man, but if people want fancy soaps let them pay a little more into the Treasury of the United States and furnish a little more revenue.

Schedule C is the iron and steel schedule. We increased two items, namely, swords and side arms, from 35 to 50 per cent ad valorem. I do not believe there will be much kicking about that. I got this morning, about an hour before the House met, a sketch of the views of the minority to be filed. They had overlooked this increase on swords and side arms, as they did on bottle caps, the foil that goes over the top of a champagne bottle. I say champagne bottle because possibly more of my auditors will recognize what it is. They have increased the duty on that from 45 to 50 per cent ad valorem.

And then there is chicory root, which adulterates the coffee of the honest man that tries to buy the pure article. We increase the duty on that from 1 cent to 2½ cents. I do not know but that some Member will get up and talk about taxing the poor man's breakfast table. We do not believe in letting adulterants come in without being taxed.

And then there is cocoa. We increase cocoa butter, dandelion root, and other adulterants and articles used as a substitute for coffee from 2½ cents to 4 cents a pound.

Spices, unground, have always been on the free list. Why they have not been made to pay a revenue duty I do not know. I do not use any of them myself, because I think the only proper use for them is when you go to a bar to get a drink. Therefore I do not have any occasion to use them. I do not believe that they are a useful article of food. I believe the human stomach is better without them than with them; but some people think they have got to have them, and if that is so, let them pay a revenue duty on them. We transferred spices, unground, from the free list to the dutiable list at 30 per cent ad valorem, and then when they are manufactured, at 30 per cent ad valorem, and in addition to that the same duty per pound that was originally on the manufactured article when the unmanufactured was on the free list. I do not believe anybody is going to get up any serious complaint about that. If they do, they will not be able to catch the ear of many people.

And then we raised feathers from 15 per cent to 20 per cent ad valorem, and feathers, dressed, colored, and so forth, from 50 per cent to 60 per cent. Furs, dressed on the skins, from 20 per cent to 27½ per cent. Manufactures of hair, from 20 to 25 per cent. That is hard on baldheaded men; yet if you will

wear a wig contrary to the law of nature, why, in heaven's name, should you not pay a reasonable duty? [Laughter.]

Then we have increased the duty on some articles where we thought that the protection under the law did not measure up to the plank of the Chicago platform which we believe in.

Oxalic acid, which up to the time of the Dingley bill was not made in this country, was kept on the free list. Some enterprising people have gone to work and are manufacturing oxalic acid, and with a little protection they can supply the wants of this country and set people to work. Why should they not do it? Since they have been conducting business their foreign competitors have come in to drive them out by lowering the price, and they can not meet the competition. It is either duty or closing up of the factory. We preferred to keep the factory open, and we put a duty of 1 cent a pound on it, which would equal 25 per cent, as I recollect it, or about that.

We increased the duty on coal-tar dyes or colors from 30 per cent to 35 per cent ad valorem. The committee did not do this without doing the subject full justice so far as investigations were concerned, because these colors are used in the manufactures of goods. We found that some enterprising gentlemen had put $2,000,000 into a factory to manufacture these dyes. They did it soon after the tariff rates were put in the Dingley bill, believing that under that they could meet the foreign competition and establish the business. What was the result? Nearly all the colors manufactured from coal tars were invented in Germany. I am sorry to have to confess it, but the truth is that the chemists in Germany beat the world. There are no equals anywhere in the world to the German chemist, and he is ingenious, constantly at work, and out of 4,000 different materials that are found in common coal tar they have extracted color after color and have cheapened processes of manufacture. In most instances these dyes enter into the color of all textiles the world over. They get out a patent in Germany, and under our very favorable patent laws they take out a patent here for their invention, and then they let our people have them for whatever prices they ask.

But it happens that twelve years ago the patents in some of these colors had expired in the United States and these enterprising men here wanted to go into the business and thought that when that rate of duty was fixed they would be able to maintain the manufacture here. But, as I say, the Germans came in here and dumped colors in the market, and as often as our people succeeded in making the color and putting it on the market, the Germans came in and sold cheaper colors, or an equal color at a less price, driving them out of the production of that branch; and then they started up something else. The Germans, in the meantime, sometimes recouped themselves on the patented colors that they had. These gentlemen showed us their balance sheets for seven years. They showed them privately and confidentially to the members of the committee, and when we read these we concluded to raise this duty from 30 to 35 per cent. We want to make these dyes in this country, by American labor, out of the abundant supply we have of coal tar, for the benefit of the people of this country, and in order to let them make this product we have increased this duty from 30 to 35 per cent.

These are all the increases we made in the chemical schedule. We have 80 paragraphs in this schedule.

In Schedule B we increase the duty on Keene's cement from 30 to 35 per cent ad valorem. Keene's cement is made out of gypsum and is a new article of commerce. In all the hotels in Washington where you see these beautiful marble columns you would naturally think they were dug from the bowels of the earth and finished by the labor of man. They are shaped by the use of Keene's cement. They are beautiful. They seem almost an improvement on nature. When you come to look at them you would think that nature had done the work. We were making that and thought that we were doing fairly well, but a few years ago there began quite an importation of it. They came along here and asked us for a miserable little increase of 5 per cent on the duty, and we very gladly put it in the bill.

We want to make Keene's cement in this country, so that future generations can see what we have contributed to the beauty of the modern hotel and office building by encouraging this industry.

Asphaltum we changed from a specific duty that meant in one case a small percentage, and in another a large percentage on valuation, to fifteen one-hundredths of 1 per cent per pound on the bitumen contained therein. That is the same kind of a duty as the duty on lead ores, a duty on the amount of stuff there is in the substance; and, if it comes in with 20 per cent, it pays a duty on 400 pounds to the ton; if it comes in at 90 per cent, it pays a duty on the corresponding number of pounds to the ton, so that it is an equalized duty all the way through.

Fluorspar, crude, from 10 per cent ad valorem to 50 cents per ton; crushed or otherwise manufactured, from 20 per cent ad valorem to $1.75 per ton.

Cast polished plate glass, increased from 8 cents to 10 cents per square foot on sizes not exceeding 16 by 24 square inches, and on those above that and not exceeding 24 by 30 inches, from 10 cents to 12½ cents per square foot; all above that, 22½ cents per square foot, which is a reduction on nearly all of these larger sizes.

People interested in these schedules, both the makers of plate glass and the consumers who make furniture, came before the committee and asked for a flat rate of 22½ cents a foot on all sizes of plate glass. That would increase these lower sizes from 10 cents to 22½ cents and from 12 cents to 22½ cents, while it would decrease those more than 24 by 30 inches all the way from 38 cents per square foot to 22½ cents per square foot and, I think, on some of them from 50 cents per square foot to 22½ cents. Well, the committee looked into it. They found they were entitled to increased protection on these small sizes, and they added 25 per cent to the duty. They found that they can make the larger sizes without the protection in the Dingley bill, and so they decreased the duty. That is the principle on which we have framed this bill. Sometimes you see a man stand up and say, "I am a protectionist." I claim to have been a protectionist all my life. Still, I find some gentlemen who claim to be protectionists with whom I do not exactly agree. Some gentlemen think in order to be protectionists that after they have found out the difference between the cost of production here and the cost abroad they ought to put on double that difference by way of a tariff rate, and they are willing to vote for such a provision in the bill, and if crowded hard they will go to three times that amount.

I do not believe that such a man is a good friend of protection. I believe we should fix these duties as nearly as we can at the difference between the cost here and the cost abroad, and not after we have decided what that difference is, double it, add 100 per cent to it; because when that is done, that rate is pointed to as one of the inconsistencies and incongruities of a protective-tariff bill. He is the better friend of protection who tries to keep the rates reasonably protective to the people engaged in the industry. [Applause on the Republican side.]

Now, there are other changes. Pins with solid heads, the same rate of duty; but with ornamental heads, where they have diamonds and everything else hanging around the head, so that they get into the class of jewelry, we have increased the rate from 40 to 50 per cent ad valorem.

We increased the rate on some watch movements, after full and careful hearing; and I invite the attention of gentlemen of this committee on both sides to the hearings on the watch schedule. I believe those of us who believe in protection will think we did the right thing. I can not go into details now.

Those who believe in a tariff for revenue will also believe that we will produce more revenue under the schedules as we have made them than we did out of the schedules under the Dingley bill; and those who believe in a tariff for revenue, with one eye closed on the protective principles of the bill, will be enthusiastic in support of the changes that we have made upon watches. Oh, I do admire a man who comes up and says, "I am for a tariff for revenue, but my people are doing this or that down at my district, and they can not stand for the foreign competition." Take, for instance, peanuts, which come in at half a cent a pound. Gentlemen say they can not meet the competition unless you raise the duty 800 per cent and make it 4 cents a pound. Still they say, "We are for a tariff for revenue, but we want to protect the peanut industry." We talked some of changing this from half a cent per pound to half a cent a peanut. Of course that would be more in line with their tariff for revenue, and it would give them all the protection they want. [Laughter.] But, wisely, the committee after a considerable examination of the subject came to the conclusion that half a cent a pound was ample protection for the peanut industry of the United States, and they have left the rate just where it was.

Zinc in ore. That has been a burning question to some Members of the House and in some localities in the United States.

Zinc ore was never on the dutiable list until this proposed bill. There was never any necessity for it until within the last three or four years. None came in to interfere with the zinc miners of the United States. But three or four years ago the people up in Missouri, in the Joplin district, including the Kansas district and running through into Oklahoma, found out

that calamite was coming into the United States from Mexico and interfering with their industry. They posted hotfoot to the Treasury Department. Calamite was on the free list, but under the general clause relating to ores there was a duty of 20 per cent on zinc ore. They never had occasion to study it up before. The Treasury officials decided that inasmuch as calamite was more or less rich in zinc it should come in under a duty of 20 per cent, and they imposed it. Suits were commenced in several parts of the United States—in New York, in New Orleans, and elsewhere—to recover back the 20 per cent paid under protest, claiming that it should come in free.

As these suits came to trial, one by one, the United States was beaten, and the courts decided that it should come in free. Still the Government continued to collect the duty, hoping for a reversal in the higher courts, perhaps ultimately in the Supreme Court of the United States.

This is the rule of the Government in these cases, and you will see the necessity for it. If the Government should lay down on the collection of a duty when they had the first adverse decision, and then on appeal the court should finally determine that they were right in assessing and collecting the duty, the Government would have no redress against the people who, in the meantime, had imported ore; they would have to hunt for the money, and could not get it. And so they have continued to impose the duty and collect it on calamite up to the present time.

Still the ore came in in increasing quantities, and these people came down here and asked for a duty on the ore, and they wanted a cent and a half a pound. The committee took a good deal of time in the investigation to find out the truth about the matter. It was no easy matter to investigate.

These gentlemen came up, and with nothing but hearsay as to the price in Mexico of labor and cost of the production of the ore. When we came to pin them down, the information was not very accurate. In fact, one gentleman drew on his imagination, and testified before the committee that the Mexican ore had to be drawn by ox teams about 40 miles from the mines to the railroad. He said that a team of two or four oxen would draw 3 tons of that ore through a sandy road from the mine to the railroad. Some of us that had gee-hawed the oxen when we were boys knew something about what ox teams could do in drawing 3 tons of ore over a sandy road. We doubted that proposition and all his evidence. By and by some gentlemen who had the facts appeared before the committee and made a brief, in which they stated their case, and finally the committee concluded to put a cent a pound on the zinc contained in the ore—a cent a pound on the zinc in pigs and bars, the same as the duty on the ore. It may cost the difference of one-fifth of a cent to refine zinc in ore in this country from what it costs in Great Britain and it may not. The difference in price between New York and London has averaged about one-fifth of a cent a pound during the last ten or twelve years.

The truth is that over there they have cheaper labor, and here the smelters being located in the Kansas district, where there is natural gas, we have the cheaper fuel, and one about balances the other. Some of the refiners claim that the British have sort of inherited their adaptiveness to smelting because it has been handed down from father to son, and that they are a little more expert than our people who have only had their experience and have not come into it by the transmission of blood. Then the matter of freight, I think, cuts some little figure in it, but we concluded that, on the whole, it was better to put the same duty on the zinc in the ore and zinc in the pig, 1 cent a pound in each case. We think we have given them all the protection they are entitled to, both the miner and the refiner. We present that as one of the additional duties in this bill.

Mr. CAMPBELL. Will it interrupt the gentleman to ask him a question?

Mr. PAYNE. It will interrupt, but it will be a pleasant experience to have an interruption.

Mr. CAMPBELL. It is now claimed that the reduction made from a cent and a half to a cent a pound on zinc spelter leaves the zinc manufacturers open to a competition with the manufacturers of spelter in foreign countries that they can not stand. It is claimed that the Italian, the Belgian, and the German refiners of zinc spelter can import the ore from old Mexico, refine it in their countries, pay $20 per ton duty, and supply it to our markets cheaper than our own manufacturers can make spelter here.

Mr. PAYNE. Mr. Chairman, in reply to that let me state this one concrete fact: Great Britain has been importing this old Mexico zinc ore and reducing it, smelting and refining it, importing it, of course, free of duty, and we have had a duty of a cent and a half a pound here on the pig. Notwithstanding that, as stated by one of the witnesses in behalf of the smelter company, the difference in price between New York and London has been only one-fifth of a cent a pound in favor of London—one-fifth of a cent less during all these years. Now, he asks for an additional duty. He asks for a cent a pound duty, and he made it up in this way: There was a quarter of a cent because of the efficiency inherited from the grandfather who had been a smelter in Great Britain, as compared with the efficiency of the smelter here.

We did not consider that proposition very long. He added a quarter of a cent for contingencies which had not happened during the last twelve years, and we did not draw on our apprehension for that contingency. Then he asked eighteen one-hundredths of a cent for difference in freight, which did not exist on examination of it. In that way he claimed they ought to have a cent a pound, and he did not conjure up Belgium or Germany or anybody else, but he was talking about Great Britain, where his competition is; not Germany or Belgium. Of course, after this bill is published, gentlemen with those interests who have not followed the matter before will come to Members of the House and conjure up some bugbear, some ghost, and transfer its existence from Great Britain to Belgium or Germany.

Mr. CAMPBELL. The freight rate from Belgium is about 10 cents, and the freight rate from the Kansas smelter is 28½ cents to the seaboard markets. For this reason 1 cent a pound does not afford protection to the zinc-spelter manufacturer in this country.

Mr. PAYNE. Ten cents a what?

Mr. CAMPBELL. Ten cents a hundred.

Mr. SCOTT. That is correct.

Mr. PAYNE. I examined very carefully the gentleman's statement of the difference in freight. I did not find it there. I may have been wrong and he may have been right. I may have been a little prejudiced because he tried to work in this quarter of a cent for hereditary transmission in the smelter in Great Britain, or because he tried to work in the quarter of a cent for contingencies—laboring to make it a cent a pound, when he had to admit that the difference in price was only one-tenth of a cent; and he had done business here against freight rates and everything else, and the price here with this ample protection, and more than protection, upon the article had ruled only one-fifth of a cent more than the London price. Why, Mr. Chairman, there are some things that we get in statistics that can not be controverted. Facts are stubborn things when they are on the official reports, and when this same man came in here and had made the average of the difference in price for a number of years one-fifth of a cent a pound—and I was willing to go him a little better, because I discovered one year that it was almost two-fifths of a cent a pound—that was a concrete fact that he could not get over by any imagination or apprehension.

Mr. Chairman, if we made this bill on the apprehensions of people, there is no knowing where it would stop. Just now we are suffering from a depression in business, from a panic which was world-wide, and we have been having the effect of that panic since the fall of 1907. People abroad can not sell their goods as well as the people here. They are dumping them on us to get the money and keep their heads above water, selling them at lower than normal or average price for the last few years prior to 1907. We can not adjust a bill to meet just that panicky condition. We have got to take a reasonable view of the business for the years where it has been prosperous under the Dingley rate up to 1907. It ill becomes the man who is a smelter or a miner of zinc in ore to come in here and complain or criticise. On the contrary, I met one of these gentlemen this morning, and he took me by the hand and said:

I am from the Joplin district, and I want to thank the committee for the fair consideration which they gave to the zinc business.

Of course you can find somebody who is disgruntled always.

Mr. CAMPBELL. The duty on zinc spelter under the Dingley bill was a cent and a half a pound.

Mr. PAYNE. Yes.

Mr. CAMPBELL. Under the Payne bill it is proposed to make it a cent a pound.

Mr. PAYNE. Just 1 cent.

Mr. CAMPBELL. A reduction of $10 in the ton. Now, my contention is that the protection that is offered to the ore men by placing a cent a pound on the metallic contents of zinc in the ore——

Mr. PAYNE. I did not yield for a speech.

Mr. CAMPBELL (continuing). Is taken from them by removing the duty of half a cent a pound on the zinc spelter, because the larger importations which will come in the finished product from foreign countries will injure our mines and our smelters alike.

Mr. PAYNE. Now, Mr. Chairman, I will not go through all the small matters that are covered by increases in this bill——

Mr. MORGAN of Missouri. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. PAYNE. I do.

Mr. MORGAN of Missouri. Mr. Chairman, I desire to say, representing the mining interests and the miners, that we have no contention to make in regard to the tariff that has been changed on spelter. The miners appreciate the fact that you have given a tariff of 1 cent a pound upon the metal contents in zinc ore, and we believe that we are entitled to that, and we are making no fight nor have we any fault to find in regard to the matter of tariff on spelter at present.

Mr. PAYNE. Now, Mr. Chairman, I will not comment on all the items we have changed in this bill. A number of them appear in the report, and the reason for them is so plain that it does not need comment, but if hereafter they are attacked when this bill is considered by paragraphs, I may have something to say upon them. We raised the duty on lithographic prints after a full hearing and careful consideration. Why, we found that Germany was making pictures for postal cards and supplying the United States. In my own town some ladies wrote me, wanting to know what the duty was on postal cards of the beautiful scenes around the most beautiful city in the world, "Auburn, sweet Auburn," and I wrote to know why, and they said that they were going to distribute a large number of those cards, and they found they could get them cheaper in Germany after paying the tariff than in the United States. So I started in, a little prejudiced by this testimony which had come to me, and I was not surprised to find that people who knew about the business stated the exact facts as to the need of additional protection in order that our people who work at the lithographic trade might have a chance to live and to do business, so we increased the amount to the protective point to make up the difference of cost here and in Germany. We hope that the result will be that the bulk of these photographic cards will be produced by the laborers in the United States and not by the laborers in Germany.

Mr. PERKINS. Will the gentleman yield to me for a question?

Mr. PAYNE. I do so with pleasure.

Mr. PERKINS. On page 52 of the bill, at paragraph 407, at the close of the section, there is a change of duty on plain basic papers used for photographic or solar processes. The duty there has been increased 50 per cent. Does the gentleman recall the reason for that at all, or recall that item?

Mr. PAYNE. I do not recall the evidence. There was a mass of evidence about the paper schedule, somewhat technical, and, while I understood it at the time, I do not recall it.

Mr. PERKINS. I want to say to the gentleman this article is imported entirely from abroad. It is not manufactured in this country, and there seems no reason why the duty at 6 cents, which would average about 20 per cent ad valorem, should be largely increased; and the people who have to pay the tax, because there is no domestic manufacture, were curious to know on what theory the committee made so large an increase in the duty which they have to pay.

Mr. PAYNE. I want to state to my colleague that his friend and mine, the general counsel of the great photographing establishment of his own town, kept pretty close tab on this hearing and appeared before the committee.

I do not recall that he appeared and made any argument in answer to the argument that was made in favor of increasing these rates. I do not pretend to remember now the evidence. I would be glad to take it up with the gentleman later.

Mr. PERKINS. I would be glad if the gentleman would. The gentleman kept close tab on the evidence and is still surprised to find an increase made on this item. I hope the gentleman will take it up later.

Mr. PAYNE. I am always glad to take up any question with my colleague.

Now, in Schedule G, we increase the duty on split peas because of the personal knowledge and evidence of a Member of the House who knows all about the business. We did not give him what he asked for, but we did increase it 5 cents a bushel. On figs we made an increase of from 2 to 2½ cents a pound. On pineapples, from $7 to $8 per thousand.

On Schedule I we put an additional duty of 1 cent a yard on mercerized fabrics. Mercerized fabrics are something new to the trade. They are produced by saturating the cloth with some chemical compound and then stretching it and drying it. It produces a beautiful finish in the cloth that will almost deceive an ordinary man to believe it is silk. This was invented by a man named Mercer, and is called the "mercerized process." The additional labor and the difference in the cost of labor here and abroad clearly showed that they were entitled to a cent a yard. Then, there is an increase of duty on stockings that are shaped on a machine to the conformation of the foot. We did it after hearing a good deal of evidence and after carefully considering it, and came to the conclusion that if we wished to continue the manufacture of our own ladies' hose we must give an additional protection to our manufacturers. So we increased this duty. I understand the ladies are forming an organization. I hope no Member of the House will be intimidated by any such organization. I hope they will be able to make their peace at home and abroad when this question is under discussion. I am sure they will if they will carefully study the evidence and present the arguments from the facts presented to the committee.

Now, the next thing, Mr. Chairman, was an increase of duty on women's gloves. And thereby hangs a tale! In 1897 we increased the duty on men's gloves from about $2 a dozen pairs to $4 a dozen pairs. They demonstrated to the committee that that would make up the difference in the cost of labor between this country and the countries abroad, and that they could make men's gloves here and take the principal share of the market if we put on that duty. The committee then considered the proposition carefully, after hearing all the evidence. We believed that they should have an increase of duty to $4 a dozen on men's gloves. Then we were making perhaps 5 per cent of the men's gloves in this country and importing the balance. To-day we are making 90 per cent of the gloves worn by men in the United States and importing the 10 per cent. It transferred an industry, built up small cities and towns. People take these gloves to their homes, sew them by machinery and by hand. The fruit of their labor is sold to the people of the United States, and the price per pair of men's gloves to-day in the United States, they tell me, is less than it was when we put on this duty in 1897.

It is not quite as big in proportion, but as good an illustration of the benefits of protection as was the duty on tin plate put into the McKinley bill in 1890. Now they come to us and say that they are making about 5 per cent of the ladies' gloves in this country and importing 95 per cent. It is just as easy and just as difficult to make a lady's glove as it is to make a man's glove. The duty should be the same, and if it is made the same they promise to set 50,000 people at work and make the gloves for the women of the United States. So we put on this increase. A pretty large increase on one of the items is $1.75 a dozen on schmaschen gloves. The schmaschen glove is made from the skin of a prematurely born kid. But there are so many schmaschen coming into the United States that it would seem almost as though all the kids in Europe had been born too early. [Laughter.] Of course it is a fraud. They get in a schmaschen glove that does not belong in the class, gloves that should pay $2.50 and $3 a dozen under the Dingley law. We wipe out that schmaschen business, and we put on a duty of $4 a dozen on women's gloves, and where they were over 14 inches in length we added an additional duty for every dozen pairs. We did it to build up an industry. Women could get along without the kid gloves, or fewer pairs of them, use silk gloves and cotton gloves, and all that sort of thing.

They could keep their hands warm, although they could not cover their pride. So we increased that duty. We believe that when this bill becomes law and is in full operation and before it is repealed; we will be making 90 per cent of the women's gloves in this country.

Mr. PERKINS. Will the gentleman allow me to ask him a question?

Mr. PAYNE. I yield to the gentleman.

Mr. PERKINS. The gentleman believes that this dollar and a half a dozen pairs will materially increase the price of women's gloves? That is the object, is it not?

Mr. PAYNE. Well, $1.50 a dozen pairs would make 12½ cents a pair. Yes; in the first operation it would—that is, while we were having protection, increasing the price first as a benefit to the manufacturers, and then when competition comes in you get back to the old rates, just as we have on men's gloves, or below.

Mr. PERKINS. Then, as I understand, this duty is not intended as a means of increasing the revenue?

Mr. PAYNE. Fortunately, both meet in this schedule. It is beautiful for revenue and magnificent for business.

Mr. PERKINS. Then I understand that if we manufacture 90 per cent of the women's gloves that are used, instead of what we are doing now, there will be no importation, and the revenue on gloves will certainly be less. You can not both get the revenue and make the gloves without making the revenue less.

Mr. PAYNE. Well, we need the revenue now, right off, next year. The year after that we will not need so much of it, and before this bill is repealed I hope we will not need any from this source. That is a third good reason. I wish my colleague would ask me another question.

Mr. PERKINS. I would like to ask my colleague if he really thinks if this duty is fixed so high, and the women's gloves which are now imported and pay duty are in the future made in this country and no women's gloves are imported, there will be an increased revenue made by the duty?

Mr. PAYNE. If in the initiation of the business I did not think there would be an increase in the revenue, I would hesitate. It will take some time to build up this business. But the gentleman knows that the ladies who wear these gloves will wear out just as many gloves and buy just as many next year as they do now if they do cost 15 or 25 cents a pair more than they do now.

Mr. YOUNG of New York. Will my colleague allow me to make a statement? I desire to make this statement——

Mr. PAYNE. I do not want my colleague to make a speech.

Mr. YOUNG of New York. I do not intend to make a speech, in the gentleman's time. I want to ask him this question: While the manufacture of gloves will be greater the importation of leather will be increased very much, and the revenue will not be so greatly changed as it would seem on the first statement of the case.

Mr. PAYNE. I am glad that my colleague made that statement. The duty on leather is 20 per cent. The question came here that we should take that off in order to encourage the manufacture of gloves. We found out that people were making leather here, and this leather is subject to a peculiar method of manufacture. It is "knee stretched." They take the leather and manipulate it over a human knee in order to make it, and of course that calls for manual labor, and that means the establishment of a factory for its production, and that 20 per cent is for an industry they have established in the past few years and which they hope to make a permanent industry of the United States.

Mr. RUCKER of Missouri. Will the gentleman yield to me?

Mr. PAYNE. I yield to the gentleman from Missouri.

Mr. RUCKER of Missouri. I desire to ask the gentleman a question, not entirely germane to his recent remarks which were discussing gloves, but I want to get to liquor—whisky. I noticed in a paper some time ago the committee was diligently considering and possibly had determined to increase the tax on beer from $1 to $1.50 a barrel. Now, will the gentleman kindly state whether that was done?

Mr. PAYNE. I have no knowledge of the committee having in mind the question of changing the tax on beer in any manner, whether $1 or $2 or any other sum.

Mr. RUCKER of Missouri. Would the gentleman tell us, if it was considered, why it was not increased? There was a good deal of demand for it.

Mr. PAYNE. Well, Mr. Chairman, the tax on beer was an old tax, and had been in force for a good many years. When we had the Spanish war coming on and providing revenue for that war, we increased the tax from $1 to $2 per barrel, and we kept it there for a year or two, and they came around and complained that they were about to go into bankruptcy.

They took us into their confidence in regard to their balance sheets, and so forth. It seemed to us then, and it seems to the committee now, that that particular thing is taxed about all the business will bear. We were not making a prohibition bill. We were raising revenue. We must treat this matter not solely from a moral standpoint, but from a business standpoint. I mean not from the moral standpoint of temperance or a prohibition standpoint, but from a business standpoint, and it seemed that a dollar a barrel on the beer with the tax on the brewers and the wholesalers and the retailers and then the tax on the saloons, which in my State frequently, perhaps not generally, amounts to as much as $1,000 a year, that this business was taxed about to its limit as a tax-producing business.

That is the reason why I was not in favor of raising the tax.

Mr. RUCKER of Missouri. I asked the question in all good faith.

Mr. PAYNE. Certainly.

Mr. RUCKER of Missouri. The gentleman is anxious to raise revenue, because revenue is very much needed at this time. The gentleman did increase the tax on ladies' stockings and on ladies' gloves, and it looked to me as though it might have been consistent to put a little more tax on beer, even if we drove it out of the country.

Mr. PAYNE. The difference is that the tax on stockings and the tax on gloves encourage industries. The tax on beer might destroy some brewers and destroy the revenue. We are seeking revenue; we are not trying to enforce prohibition.

Mr. RUCKER of Missouri. The increased tax on spices imported, I understand, was not for the purpose of protecting American manufacturers, but for the purpose of raising revenue.

Mr. PAYNE. Both.

Mr. RUCKER of Missouri. I can not see the consistency of the difference in the two. I will say by the way, though I imagine that had nothing to do with it, that one reason I was provoked to ask this question was because the newspapers are full of suggestions, whether true or false I do not know, that the whisky interests had a large and strong lobby here in Washington.

Mr. PAYNE. Now, I want to say to the gentleman that no man appeared before the committee asking that a tax be kept off beer or put on beer. The subject was not mentioned by anyone before the committee; and so far as I have been able to read the evidence, there is no brief asking either for an increased tax or against it, certainly not against it. So that the lobby did not appear either in that or in the liquor interests.

Mr. RUCKER of Missouri. I accept the statement of the gentleman fully. It seems that there was no occasion for the lobby to appear before the committee.

Mr. PAYNE. Of that fact the beer people had no more knowledge than had the gentleman from Missouri.

Mr. RANDELL of Texas. In that connection I will ask the gentleman from New York what the purpose of the majority of the committee was in drafting this bill, in reducing the tariff on barley to 15 cents a bushel and on barley malt to 20 cents a hundred? Was not that in favor of the brewers, or was it intended for some other purpose?

Mr. PAYNE. Mr. Chairman, barley is an old subject to me. When we were forming the McKinley bill the duty on barley was 10 cents a bushel. There was some of it came in from Canada—quite a good deal of it as I remember—and most of it was imported into the State of New York, and there mixed with New York State barley, which was a little inferior in grade, and the malt made was sold to the brewers as first-quality Canadian malt. Three or four of those malt houses were located in my district.

The committee came to the subject of barley and increased the duty from 10 cents a bushel to 30 cents a bushel, which was about twice over prohibition of the importation of barley. They stopped raising barley in Canada. The malt houses in my district were broken up. A committee of citizens from the city of Oswego came down here in great force, with a great deal of moral force behind them, asking for the restoration of the duty on barley to 10 cents a bushel. I made the motion in the committee for 10, 15, and 20 cents. I could not get the committee to reduce it to either of those figures. We had an election soon after that, and the city where I had formerly had a thousand majority gave a majority against me of a thousand on the barley and malt question, so that that was burned into my memory. [Laughter.]

Now, some gentlemen came down here, went before the committee, and said they were going to argue for the reduction of the duty on barley. I told them of the trials that I had had formerly on this subject, but they went before the committee and made their argument. Some of them were people from Buffalo, N. Y. None of them were from my district. The people there have given up. The malt houses have been turned into something else, and the city is still living. It has not been in my district since the last time they cut me, so I don't know what they would do if I was running for office there now.

The committee heard these gentlemen, and a majority of the committee decided to reduce the duty on barley from 30 to 15 cents. Fifteen cents is perfectly high protection on barley. One statement was made, as I remember, possibly by a member of the committee, but outside of the meeting of the committee, that the duty on barley was out of proportion to every other duty in the farm schedules. It reduces it 15 cents, and while it will still be high it will be in proportion to the duty on wheat and oats.

Mr. GRONNA. Will the gentleman yield for a question?

Mr. PAYNE. Certainly.

Mr. GRONNA. Is it not true, that while the duty is out of proportion the farmers are not receiving the price for barley that they ought to receive?

Mr. PAYNE. I do not know why the farmer does not get the price he ought to receive, for none is coming in from any foreign country. He has no competition, except among ourselves. If he is not receiving what he ought to receive I do not know why. These gentlemen that appeared before the committee said that the farmer and the elevator man out in the gentleman's vicinity were getting outrageously big prices. I do not know, as I have no personal knowledge of it. Barley dropped out of my recollection, notwithstanding it had been burned in, until these gentlemen appeared before the committee.

Mr. GRONNA. A year ago there was considerable barley imported from Canada into the United States.

Mr. POU. Will the gentleman from New York yield for a question?

Mr. PAYNE. I will yield to the gentleman from North Carolina.

Mr. POU. I want to call the gentleman's attention to this fact and then ask him a question based upon it: The gentleman from New York is well aware that the duty on men's gloves is almost prohibitive. I do not think that proposition will be controverted.

Mr. PAYNE. I want to say to the gentleman that he will remember that Mr. Littauer, who appeared before the committee, said that the importations were greater now than a year before the duty was put on. I have not examined it.

Mr. POU. There has been some increase in the importation of men's gloves, but the committee has seen fit to increase the rate on women's gloves until the ad valorem duty is even higher than on men's gloves. For instance, on gloves of over 14 inches in length the ad valorem duty has been increased from 58 per cent to 132 per cent.

Now, if the present duty on men's gloves is practically prohibitive, I would like for the gentleman from New York to explain why there is such a large increase in the duty on women's gloves.

Mr. PAYNE. I think the gentleman from North Carolina was not present when I was trying to answer the question of my colleague, Mr. PERKINS. I explained to him by saying that it was to build up that industry in this country, an industry from which we might get a revenue. These two facts met and we were glad to put on a duty. My colleague suggested that the revenue might be large for the first few years and finally cut down, and that suggested to me a third reason for imposing the duty, that we would get a revenue at once, and before the ten years comes around and business is good, I think, if the bill is still in force, we will get revenue enough.

Mr. POU. Does the gentleman insist that an ad valorem duty on gloves under 14 inches in length, which are those most universally used, would be a revenue-producing duty?

Mr. PAYNE. Most certainly. The gentleman talks as if women were not going to wear any more gloves. I want to say to the gentleman, and I have explained it at length, that the large duty is on the schmaschen gloves, and we do not care if no more are imported—they are a fraud.

Mr. POU. The increase is all the way down the line, and schmaschen gloves are increased from $2.50 to $4 a dozen.

Mr. LONGWORTH. Will the gentleman from New York allow a suggestion?

Mr. PAYNE. Certainly.

Mr. LONGWORTH. In regard to barley, about which the gentleman was asked a question, the importation of barley has steadily decreased during the last ten years, and in 1907 only $6,000 worth was imported at an ad valorem rate of over 60 per cent.

Mr. PAYNE. I am glad the gentleman has that book. That was my recollection about it, and if the gentleman from North Dakota will study the statistics he will find out that the duty is prohibitive.

Mr. GRONNA. I want to say that at that time they were paying a dollar a bushel for barley in this country.

Mr. PAYNE. And still none of it came in.

Mr. TOWNSEND. Will the gentleman yield for a question?

Mr. PAYNE. Certainly.

Mr. TOWNSEND. If I understood the gentleman correctly, the gentleman advocates the old-fashioned Republican theory that a duty shall be equal to the difference in the cost of production. Does the gentleman claim that it requires $4 a dozen to measure the difference between the cost of gloves in this country and abroad?

Mr. PAYNE. I do, based on the evidence that appeared before the committee. I have no personal knowledge of it any more than the gentleman has.

Mr. TOWNSEND. Would the gentleman advocate a prohibitive duty on gloves?

Mr. PAYNE. No, sir.

Mr. TOWNSEND. Is there enough difference between the two prices to establish the industry in the country?

Mr. PAYNE. That was the evidence before the committee.

Mr. TOWNSEND. And the committee had full hearings on that, did it?

Mr. PAYNE. Everybody who wanted to appeared. I do not know that many men appeared, but the hearings were commenced early, and were published. I want to say this about the hearings: We published every morning the hearings of the day before, and we mailed over 2,500 copies, which were sent out to the merchants, mechanics, and manufacturers of the United States. If any merchant or manufacturer saw anything in these hearings that did not agree with his views, we heard from him. Our view was to open up a discussion by publicity. This thing has not been done in a corner. It has been done in the open and it is all aboveboard. Everybody had an opportunity to be heard.

Mr. POU. I would like to ask the gentleman one more question.

Mr. PAYNE. I yield to the gentleman.

Mr. POU. I would ask the gentleman if he still insists that this large increase in the duty on women's gloves will be a revenue producer? I see that the gentleman has not only calculated it as a revenue producer here, but he has made it increase the revenue. I would ask him in view of that fact how could such increase possibly operate to protect the glove manufacturer in this country, if the same quantity of gloves still comes in?

Mr. PAYNE. I will make that clear to the gentleman, Mr. Chairman. They can not establish this industry in a minute or in a year or fully in five years. Until it is established these gloves must come in. People are going to wear gloves, notwithstanding the gloves cost them 25 cents more a pair. They will come in, and we will still get an increase in the revenue, because we will get $4 instead of $2.50 or $3.

Mr. HILL. Mr. Chairman, if the gentleman will permit, I have just figured up the difference between the importations of men's and women's gloves. Out of a total of 14,000,000 pairs of gloves imported last year over 13,000,000 pairs were women's gloves. It is only a question of whether we want that business in this country or whether we want to leave it where it is. If you put the same duty on that you have on men's gloves, you will do the work here. [Applause on the Republican side.]

Mr. PAYNE. Mr. Chairman, that seems to be pretty fully established, and I hope there will be enough men in the House to take the side of the American mechanic and the American woman who takes these gloves—men's gloves—to her home and sews them, so that we may give more of them an opportunity to earn a livelihood at the American wage rate and transfer this industry in women's gloves from other countries to the United States.

Mr. CUSHMAN. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. I yield to the gentleman.

Mr. CUSHMAN. Mr. Chairman, I am fully in harmony with the statement that the gentleman has made as to his attitude on the glove schedule, that the rate ought to be raised. I do not want to get him away from that subject, but there occurs to me at this time another article, to wit, shingles. I find from an examination of the report that we are importing 329 times as many shingles per year from Canada into the United States as we export to Canada. Now, then, if it is desired to equalize the protective forces of this country by increasing the revenues in relation to the glove schedule, why would it not be an excellent idea to raise the tariff on shingles from about 30 cents to about 60 cents a thousand?

Mr. PAYNE. Mr. Chairman, there may be other reasons for raising the duty on shingles, but I would not be for raising it simply because we imported 329 shingles from Canada where we sent 1 over there. I do not deem that a sufficient reason for increasing the duties, and I have not acted on that principle.

Mr. CUSHMAN. If the gentleman will allow me to make one more statement, during this particular time when they were importing three hundred and twenty-nine times as many shingles into our country as we were sending into theirs, the shingle mills in my State, the home of the red-cedar shingle, were idle on an average of about five months in a year.

Mr. PAYNE. When was that?

Mr. CUSHMAN. During the last two years.

Mr. HUMPHREY of Washington. Always have been, for several years.

Mr. PAYNE. No; they have not.

Mr. CUSHMAN. Yes; that condition has been for several years.

Mr. PAYNE. The evidence before the committee was that there were more importations during the last two years than previous years. Why? Because goods were low the world over. Nobody appeared to be buying except the United States, and they not in their usual quantities, and the manufacturers

abroad were forced to dump their produce over here in order to find a market. I ask the gentleman to take his lumber schedule from beginning to end and inquire whether the importation of American lumber to neutral markets in the Pacific has not increased by leaps and bounds beyond the importation of British Columbia lumber on the Pacific coast, and whether he can formulate an argument out of that for an increased duty on shingles. He can do that at his leisure.

Mr. KÜSTERMANN. Mr. Chairman, I understood the gentleman from New York to say that the imports of barley had decreased. Well, I have it right before me that in 1907 there was sent into this country 37,000 bushels; in 1908, 198,118 bushels.

Mr. PAYNE. I do not know what the gentleman has before him, but my colleague from Ohio read from the book Duties and Imports, which was prepared at the instance of the committee and under their direction, and in which I have not yet found a mistake.

Mr. KÜSTERMANN. This is the very latest; I got it this morning: Imports of Merchandise into the United States, by the Department of Commerce and Labor, Bureau of Statistics.

Mr. PAYNE. Now, I will give the gentleman a little additional information on the barley question, if he will listen to me.

Mr. KÜSTERMANN. I will, with a great deal of pleasure.

Mr. PAYNE. In 1898 we imported 104,000 bushels; in 1899, 110,000 bushels; in 1901, 17[illegible],000; in 1902, 57,000; in 1903, 30,000; in 1904, 88,000; in 1905, 79,000; in 1906, 10,000—I omit fractions, but it was about 11,000; in 1907, 11,815 bushels. That is the history, and the gentleman can draw his own inference.

Mr. RUCKER of Missouri. Will the gentleman permit a question?

Mr. PAYNE. Yes. Is it on barley?

Mr. RUCKER of Missouri. I notice in the list of reductions barley is reduced from 30 to 15 cents a bushel. Barley, I understand—I know nothing about it—is largely used in the manufacture of beer.

Mr. PAYNE. I guess almost exclusively.

Mr. RUCKER of Missouri. Some gentleman suggested it takes about 5 bushels of barley to make a barrel of beer.

Mr. PAYNE. I do not believe 5 bushels of barley ever went into 1 barrel of beer.

Mr. RUCKER of Missouri. Hence this reduction of 15 cents per bushel on barley enables the beer manufacturer to make his beer about 75 cents a barrel cheaper than under the Dingley bill.

Mr. PAYNE. That is all moonshine.

Mr. RUCKER of Missouri. In view of that, ought not you to put a little greater——

Mr. PAYNE. I do not believe that the barley duty proposed in this bill has got below the prohibitive point of barley coming in here. I do not believe the additional coming in here will hurt the American market or the American farmer, and I do not believe the man who makes beer will get a market any cheaper.

Mr. RUCKER of Missouri. Is this a reduction to protect the American farmer or the beer manufacturer?

Mr. PAYNE. Well, there has not been any reduction from the American farmer—that is not going to do him any hurt. The schedule remains about where it is. You gentlemen, every man of you—if there is a man on that side who has not done it, let him stand up and say so—has gone on the stump and said these duties were prohibitive; that they did not need any such duties, and they were put in and held out as a sop to the American farmer. Have you not done so?

Mr. RUCKER of Missouri. I have so charged and I believe it now——

Mr. PAYNE. Why are you whining about it now?

Mr. RUCKER of Missouri. I believe this talk of protection to the products of the American farmer is a fraud, a sham, and a pretense. [Applause on the Democratic side.]

Mr. PAYNE. I never saw the like of the agility with which you gentlemen can get on both sides of the rail at the same time.

Mr. RUCKER of Missouri. Not on both sides, but we want to get you on the other side a little bit. [Applause on the Democratic side.]

Mr. EDWARDS of Kentucky. If the gentleman will allow me, returning to the schedule of lumber, I would like to ask the chairman of the committee whether he has reduced the tariff on lumber for the purpose of increasing the revenue or for the purpose of conserving our forests or for the purpose of reducing the price of lumber to the consumer?

Mr. PAYNE. Now, I will get to the discussion of the lumber in due order. I was only switched off by the gentleman from Washington [Mr. CUSHMAN]. I do not want to take it up now, if the gentleman will allow me, because I will get a little mixed as to some things I desire to say. Now, I am not going through all the various reductions in duty in the chemical schedule. I should think two-thirds of the paragraphs have been reduced on the chemical schedule as it appears here on this bill. I want to say a word here about ad valorems as they appear. In paragraph 1 there are six or eight articles, and we made a positive cut on more than one-half of them. The rest of them we have left where they were. We transferred oxalic acid to that paragraph, and we find that instead of showing a lower ad valorem rate on goods coming in in paragraph 1 than under the Dingley bill, that it is increased 24 per cent. Now, we made a positive reduction on four or five articles, but we transferred oxalic acid to that list, with a duty of 25 per cent, and made this increase in the equivalent ad valorem. Part of it may be due to the clerk who made it not being familiar with the price of oxalic acid and getting it too low.

I do not know how that is. And part of it may be due to the German machine that we use for dividing and multiplying. I am suspicious of German machines, especially when they get at our tariff bill, because they have played havoc with some of the schedules in regard to the equivalent ad valorem, as gentlemen will find when they get the books showing them in detail. On the whole, of the dutiable articles in this bill the increase in the ad valorem is about 1½ per cent, coming about in this way—the things we have transferred from the free to the dutiable list. They figured nothing in the Dingley law. In this they figure the full duty we put upon them, and then the increases that we have made on such articles as gloves, perfumeries, fancy soaps, and things of that kind. And the things we have transferred from the free list to the dutiable list are some oils and some spices, and matters of that kind, as it is claimed they should pay a revenue duty. So we have put them on there. It shows the utter fallacy of trying to figure on anything like that. One of these days we will have a complete figure of equivalent ad valorem on all goods imported in 1906 under this bill and under the other. And then gentlemen can make their comparisons in the privacy of their offices as to what the effect is.

Well, we reduced the duty on boracic acid from 5 to 2 cents a pound. By the way, I have a document sent to me this morning by the gentleman from Missouri [Mr. CLARK], which I got an hour or two before I took the floor. I think he says something about this schedule, and I would judge from the tone of his remarks that he considered it a pretty fair schedule on the whole, made up on scientific principles. It shows that the gentleman from Missouri can once in a while appreciate a good thing when he sees it. When he got down to Schedule C, his vision was turned in the wrong direction as to very many items. He did not seem to realize what we had done in respect to Schedule C, and still we have left every paragraph of it where business will proceed and prosper, because we have not taken away their protection. He says that there are a dozen or more articles left in the bill on which the rates are prohibitive under the Dingley law, allowing very little of importation, raising practically no revenue, and noticeable among these are rivets. He says the duty on rivets has remained the same. We have changed it from 2 cents a pound to 1¼ cents a pound. Still, this is a paragraph that he is complaining about for containing the same duty. There is a new grade of rivets used in the wheels of automobiles to keep them from skidding, and that are of a high grade of manufacture, with turned-up heads, and all that sort of thing, and on which we have put an ad valorem rate of duty.

The revenue officials were holding that they were dutiable at 45 per cent, and we have put them in at 45 per cent ad valorem. When you consider that an automobile is a fair subject of revenue, we should keep the duty 45 per cent. We were willing that people should have automobiles, even of foreign make, if they only pay Uncle Sam enough in the way of taxes on the importation of them. So we made the duty on those rivets correspond to the duty on automobiles. If he will turn to paragraph 143, bolts and bolt blanks, and so forth, he will find that we have lowered these duties from a cent and a half to a cent and a quarter a pound.

Then he speaks of nails. We reduced the duty on cut nails from six-tenths to five-tenths cent per pound, from 6 cents to 5 cents on wire nails. On spikes we have reduced the duty from 1 cent to one-half a cent, paragraph 161. On paragraph 162—tacks—we have reduced the duty from 1¼ cents to five-eighths of a cent—cut it in two. Then, on hooks and eyes, he

says that we have kept the same rate, yet we have reduced the duty from 5½ cents and 15 per cent ad valorem to 4 cents and 15 per cent ad valorem. We have taken off a quarter of the duty. Nothing will satisfy our friends over there.

Now, the suggestion is made in this report that we could get together and we could possibly agree. How can you agree with a minority who will not agree to the interpretation of the language of the bill, or they would not make such an egregious error as that; and of course my friend will correct this mistake that he made, because I know he will want to go down to history as truthful and not as a mistaken man. And he says of the metal schedule:

> It is apparent from a careful reading of this schedule that in those cases where the interest of the manufacturer of high-grade material demands a cut a reduction has been made, in cases like steel rails. Where the eyes of the country were watching to see what would be done, an apparent reduction has been made, but in very many cases in this schedule it is as radically a prohibitive tariff as it was in the beginning, and the changes in the schedule will undoubtedly not materially increase the revenues.

Mr. CLARK of Missouri. I could not understand what you said when you said that I had made such an egregious error. If there is any mistake, I do not understand what it was.

Mr. PAYNE. Oh, tacks, nails, and several other things. You will find it all in my remarks.

Mr. CLARK of Missouri. I know; but the trouble is when will I find your remarks?

Mr. PAYNE. If I get off the floor in any sort of season, I will try to have them in the RECORD to-morrow, and if not, as soon as I can.

Mr. CLARK of Missouri. What is it that you say I have made an egregious error in—a statement of fact, or what?

Mr. PAYNE. The gentleman has got the bill there. If he will refer to paragraphs 165, 143, 158, and 160——

Mr. CLARK of Missouri. Paragraphs of the bill?

Mr. PAYNE. Yes.

Mr. CLARK of Missouri. If it is a misstatement of fact, I want to correct it.

Mr. PAYNE. I want the gentleman to correct it.

Mr. CLARK of Missouri. If what you are talking about is a misstatement of conclusion, I refuse to change it an iota.

Mr. PAYNE. The gentleman can do anything he pleases. I am calling it to the attention of the gentleman.

Mr. CLARK of Missouri. You had three months to fix up your bill and report, and there were only four days given us to examine the bill and fix up our report; and if it should turn out that there are some mistakes in our report that would not be a very wonderful performance. What was it?

Mr. PAYNE. Have you a pencil?

Mr. CLARK of Missouri. I have a friend here who is noting it.

Mr. PAYNE. Paragraph 165, rivets; paragraph 143, bolts; 158 and 160, nails; 161, spikes; 162, tacks; 178, hooks and eyes.

Mr. CLARK of Missouri. Well, that is the mare's nest, is it?

Mr. PAYNE. That comprises a majority of the articles the gentleman criticises in that schedule.

While I am up, I may as well talk a little about these views of the minority. They say there is a joker in the coffee business. I would like to find if there is a joker somewhere in the bill.

Mr. CLARK of Missouri. Why, it is as plain as the nose on a man's face.

Mr. PAYNE. Let me call the gentleman's attention——

Mr. CLARK of Missouri. You are standing up there propounding questions like Anadaisis Klootz to the universal world——

Mr. PAYNE. I am not propounding any question to the gentleman.

Mr. CLARK of Missouri (continuing). And I am ready to answer.

Mr. PAYNE. The gentleman can answer me when he makes his speech. Let me make my statement and then answer. We can not both of us make the speech.

Mr. CLARK of Missouri. I thought you were asking me a question.

Mr. PAYNE. Not at all. No. [Laughter.] I was addressing the Chair.

Mr. CLARK of Missouri. The Chair did not know. [Laughter.]

Mr. PAYNE. Well, I do not think the Chair is seriously impeached. Now, Mr. Chairman, if I can get at this a minute. They say there is a joker in paragraph 553 as to coffee. Coffee is placed on the free list; but there is a proviso as to coffee, and what is it? That whenever any country levies an export tax on coffee that we will levy an import tax equal to the amount on the coffee exported. Well, that is not a new thing in a tariff bill. It has been there before, and it will appear in other tariff bills. Why, when the McKinley bill was reported a gentleman whom the gentleman from Missouri is fond of quoting, putting in the mouth of Mr. Blaine words that he suggests as the argument of a free trader, Mr. Blaine said that the McKinley bill was a bad bill; "it would not make a market for a barrel of pork or a pound of beef." Congress had a long time before thrown away the duty on coffee. I think it was in 1871 that was reported, or somewhere about then. Immediately Brazil and other countries levied an equal amount of export tax on coffee coming to this country, and so the talk about the free breakfast table was taken up—that the poor man was paying the same for his coffee that he paid before—and the duty went into the treasury of Brazil and did not go into the Treasury of the United States.

Well, coffee has remained on the free list from that day to this. And what are the facts? If they correctly appeared before this committee, Brazil is now levying an export duty of forty-seven one-hundredths of a cent upon every pound of coffee exported to the United States. We are paying that, and it is added to the price of the coffee, and we are paying that toward the support of the Brazilian Government. Some South American republics are putting on a larger export tax even than that. We propose to meet them on that ground and say to them that whatever the amount of their export tax we will put the same amount as an import tax. We will double it, and we will get half of it and they will get the other half.

Mr. CLARK of Missouri. Does not that mean in plain, every-day English that the American consumer of coffee will be paying both taxes?

Mr. PAYNE. Well, now, I will come to that before I get through. I would have come to it if the gentleman had not interrupted me.

Mr. CLARK of Missouri. I could not tell. I do not know the operations of the gentleman's mind.

Mr. PAYNE. Now, there are some countries that do not levy an export tax. They are rivals of Brazil. They do not produce as much coffee as Brazil. They do not export as much to the United States. If they can get in here forty-seven one hundredths of a cent a pound cheaper than Brazil can, then, unless Brazil cuts off her export tax, the exporters of coffee in Brazil will be paying on their coffee to get into this market forty-seven one hundredths of a cent to the Government of Brazil and forty-seven one hundredths of a cent to the Government of the United States, or ninety-four one hundredths of a cent, while the other countries will have no export tax and will not have to pay any duty to the United States. That is all the joker there is in this paragraph—a plain business proposition. We propose, if we let coffee free into the United States, by proper legislation, to compel those countries to export it free into the United States. [Applause on the Republican side.]

It does not satisfy us that whatever is levied on the export is to go to the Brazilian treasury. We are not going to sit down and shut our eyes to the situation and holler at somebody, but we are going to try to meet it by a business proposition. "If you want your coffee to come in here free, you do the square thing by the people of the United States and export it free," and that is all the joker there is in this proposition. We do not rely on getting a dollar of revenue out of Brazilian coffee or any other coffee under this paragraph. We expect that every duty will be taken off.

Mr. BARTHOLDT. If the gentleman will allow me to interrupt him, I find that coffee is quoted at 5 and 6 cents a pound. After that the 1-cent export duty charged by Brazil brings it up to 7 cents a pound. When you or I go to the market, we have to pay 30 to 35 cents or 40 cents a pound. Will the gentleman tell me where that difference goes and whether it would not be possible to levy a duty upon coffee——

Mr. PAYNE. The subject of the profit of the middleman upon coffee is a very interesting subject. All the way from the producer to the gentleman whom my friend from Illinois so fervently describes as the ultimate consumer, they all take a toll from it, and in some way coffee which is introduced into this country at 8½ cents a pound gets to the consumer at 35 cents a pound. Who does the milking and where the profit goes I never yet have been able to find out, and I do not see how we could regulate it by law if we did. We can fix the duty, that is all. We can not compel a man when he imports an article at 8 cents a pound to sell for 10 or 15 or 20 or prohibit him from selling it at 35 cents. He is in business not for his health, but to make money.

And it is true that there are some excuses in some cases for these large profits. Where a man does not sell more than a couple pounds of coffee a day, even if he makes 25 cents a pound, he is not getting exceedingly rich out of that particular business. Where they sell large quantities they are able to

build more palatial stores and they do not crush out the little fellows.

Mr. BARTHOLDT. Evidently there is a profit of about 300 per cent. I wondered whether it would not be possible for some of that profit to go into the Treasury of the United States without increasing the cost to the consumer.

Mr. PAYNE. Well, a tax on coffee is a subject that can be approached from many directions. If we needed the duty and had no other resource, for one I would not hesitate to put the tax on it; but I think I have demonstrated that this bill will raise sufficient revenue without putting a tax on coffee, and therefore I am not in favor of it for that reason.

Mr. DOUGLAS. Will the gentleman yield for a suggestion?

Mr. PAYNE. Certainly.

Mr. DOUGLAS. Is not the gentleman talking about green coffee coming in at 8½ cents, while roasted coffee costs 25 cents? I buy good green coffee for 14 cents. Of course, if you roast it, it will increase the cost.

Mr. PAYNE. I want to say that I do not want to spend much time on this coffee question. Of course it is a green coffee that comes in as a general thing, for if it comes in roasted it is apt to get damp and spoil.

Mr. MANN. If the gentleman will permit——

Mr. PAYNE. Certainly.

Mr. MANN. I want to make the suggestion that when we passed the pure-food law requiring coffee, like other articles, to be labeled correctly, if labeled at all as to the place of origin, people who had been selling mocha and java coffee which came from Brazil ceased doing that, and in order to get the higher price, put on fancy names, and nearly all the coffee which gentlemen in this body buy, instead of buying plain rio coffee, is in packages under fancy names, although it is the same coffee, and they pay for the name. As long as people like to pay for names they will continue to do it. The same coffee can be bought in the market and the stores, under the proper name for it, at a very much less price.

Mr. PAYNE. Mr. Chairman, I had intended to discuss many of the reductions made in the bill seriatim, but I have had so many interruptions and have digressed so much that I see that I have been on the floor an unconscionable length of time, and I dislike to trespass on the time of the committee any longer. [Cries of "Go ahead!" "Go ahead!"]

Mr. HINSHAW. Talk about lumber.

Mr. PAYNE. Mr. Chairman, we have put iron ore on the free list after full consideration by the committee. I do not think I will go into that in detail, but I want to say that the evidence of Judge Gary, president of the United States Steel Company, was that in the production of pig iron 2 tons of our iron would go as far as 3 tons of the iron imported from across the sea; and that is true also of the Nova Scotia iron, they yielding about 40 per cent and ours about 60 per cent. Of course while that is true, it follows that there would be no occasion or necessity of a duty of 40 cents a ton on iron ore.

They have discovered some mines in northern Cuba, which are not largely developed, where there is a larger per cent of iron, amounting to in the vicinity of 50 per cent as against 60 per cent of our ores in the State of New York in the Champlain district. That presents a clear question of competition, because 5 tons of our ore will go as far as 6 tons of theirs, or in that vicinity. So that there is not so great a difference, because of the difference in the richness of the ore.

Our New York State ores are largely hard ores that are necessary in mixing with softer ores in the making of pig iron. They are absolutely essential. I want to say right here that if there is anybody in the United States that has a right to complain over the ore duty it is the owners of the mines in my own State, and I think they have no right to complain. I satisfied myself of that before I agreed to this provision of free ore. Under our treaty with Cuba their ores are to come in with a reduction of 20 per cent, which means, of course, 32 cents a ton.

Mr. Wetherbee, a most intelligent and worthy gentleman, one of the citizens of the highest character of our State, living in the northern part of it some distance from my district, a man whom I have known for many years, came before the committee and stated that they could stand a reduction still further of the duty on iron ore, but he did not think they could stand a reduction to a free-ore basis. After we had had these statements in the committee, I wrote a letter to Mr. George Otis Smith, of the Geological Survey, and got the records of that survey as to the richness of ores, both foreign and domestic, and made a careful comparison of his statement and of the statement presented by this gentleman, and I found that they agreed as to the richness of the ores.

Now, the importation of iron ore has been, on an average, about a million tons a year for a good many years, with a tariff of 40 cents a ton. After the Cuban treaty, reducing the ores from Cuba to 32 cents, by reason of the 20 per cent reduction, the importations from Cuba increased to about half a million tons a year, while those from foreign countries decreased about half a million tons a year, showing, as was stated by some gentleman acquainted with this business, that the business required an importation of this large amount of ore for some reasons which he gave that I do not remember, and confirming him in this respect, because when Cuban ores came in at a lower rate of duty they were enabled to drive out a half million tons of foreign ores and take their place in the market of the United States.

Mr. SIMS. Mr. Chairman, as to the Spanish ores, it used to be claimed in Tennessee that Spanish ores brought over as ballast practically paid no freight—came practically free of freight.

Mr. PAYNE. The evidence was that freight-cost all the way from $1.50 even up to $2.50 a ton, but as to Spanish ores, no one has any reason to fear anything from them. They are a very low-grade ore. Three tons of them will not go as far as 2 tons of our ore. No one has any reason to fear anything from the Spanish ores.

The only active competition that can come, in my judgment, in any event is from Cuba, and those mines have not yet been sufficiently developed so that you can say to a certainty that they will be a factor in the way of competition. So the committee, after review of all the evidence in the case, and careful review because this is a great subject, came to the conclusion that iron ore should go on the free list.

Mr. RANDELL of Texas. Mr. Chairman, is it not a fact that iron ore that is imported from Cuba is owned by the United States Steel Corporation and its subsidiary companies?

Mr. PAYNE. I do not think that was proved. I think Judge Gary was asked the question as to whether he would not buy, and he said they were in the market for all the ore beds they could buy at a reasonable price; but I do think that there is some evidence that Mr. Schwab's company has some interest in Cuba.

Mr. RANDELL of Texas. Is it not a fact, as shown by the evidence before the committee, that the imported iron ore is used simply on the Atlantic coast, and that to take off the tariff will not decrease the price of iron products to the consumer, but will be giving the revenue to certain furnaces in New England on the Atlantic coast?

Mr. PAYNE. It can not get very far into the interior, of course, because it is so heavy and freight is so high.

Mr. RANDELL of Texas. Is it not the fact that the proof before the committee was that the taking off of this duty will not reduce the price of iron or the products thereof to the consumer, but will be practically giving this revenue to those furnaces that are favored?

Mr. PAYNE. Mr. Chairman, I think there was some such evidence as that. I will say in answer to the gentleman's question, because I want to give the gentleman full credit for what he has done in the committee and say that he has all the time been solicitous about the revenue, and if there was an opportunity to cut a duty his first inquiry was whether, under the cut rates, we would get as much revenue as we would without the cut. I think it is due to the gentleman to state that.

Mr. RANDELL of Texas. I want to ask if, as a matter of fact, the taking off of the revenue in this particular case does not amount only to giving that revenue to these certain furnaces? Is it not a fact that that amounts to about half a million dollars a year?

Mr. PAYNE. Well, the gentleman can argue that out with himself.

Mr. RANDELL of Texas. But I want to ask the gentleman about it.

Mr. PAYNE. If we collect $200,000 on iron ore some one must pay it. The gentleman's theory has ever been that it was the ultimate consumer that paid that duty. I do not know whether he still holds to that or not.

Mr. RANDELL of Texas. Is not this a special case, and do not the facts show that this action could not reduce the price of iron because it affects only certain furnaces at certain points, and that in this particular case it is a gift of that much revenue to these furnaces, and taking that much from the Treasury? That is the proposition I am asking the gentleman about.

Mr. PAYNE. Mr. Chairman, I want to suggest to the gentleman another proposition that may not have occurred to him.

Mr. RANDELL of Texas. I would be glad to hear the gentleman answer my question first.

Mr. PAYNE. And that is this: The gentleman was solicitous about the steel trust for some reason or other in the hearings, and there has been some fear in some quarters that the steel trust might ultimately drive the smaller concerns out of business. Some of the smaller concerns are located near the Atlantic seacoast—the Pennsylvania Steel Company at Sparrows Point; and perhaps this company is at more disadvantage than some of the others who are manufacturing iron and steel goods. If they can get their iron ore a little cheaper on account of the taking off of this duty, it would strengthen that company and help them to keep on in the uneven race which it has with the great concern, the United States Steel Company.

Mr. RANDELL of Texas. But, Mr. Chairman, how can that happen when the tariff is taken off ore that belongs to the steel trust?

Mr. PAYNE. Well, if I have not made it plain to the gentleman, I despair, and will have to give it up. Now, Mr. Chairman, the next article on which we reduced the duty was pig iron; but before I pass from iron ore, I want to say that Judge Gary testified that twelve years ago the royalty per ton was 10 cents; that he figured the royalty now at 40 cents a ton, and that went on into all his computations when he was figuring the profits on various articles of manufacture manufactured by the steel company.

Mr. YOUNG of Michigan. Mr. Chairman, will the gentleman permit me right there——

Mr. PAYNE. I wish the gentleman would let me finish this remark and then I will yield. Now, Mr. Chairman, he said in addition to that that they had just entered into a contract with the Great Northern Railroad Company to take a certain quantity of iron ore out of the beds, or at least to pay for the same or provide for its payment at 85 cents a ton for the first-year royalty; that they were to pay interest at 4 per cent on the price of this quantity of iron ore at 85 cents a ton, increasing the price from year to year until it got up to $2 a ton.

I understand also there is a clause in that contract by which Mr. Gary can revoke it at the end of a certain time and need not stand by it during the period of its existence. There is a feeling on the part of people who control ore beds to keep up the price of the royalty. It is a great advance from 10 to 40 cents a ton in ten or twelve years, a difference of 300 per cent, and those gentlemen do not like to give up the amount of royalty. They are fearful they may have to give up part of it if we take off the duty of 40 cents a ton, and yet the question comes whether it is not right for the American people to have some consideration in that regard. Now I yield to the gentleman from Michigan.

Mr. YOUNG of Michigan. Mr. Chairman, I wish to say to the gentleman that if Judge Gary's statement will bear the construction that he puts upon it that it is absolutely misleading. I have lived in the iron district for thirty-six years. I have drawn probably more leases for ore than any man living in that district. Long before twelve years ago those leases were frequently drawn at 75 cents a ton royalty. I only know of one instance where as low as 10 cents was given, and that was on a low-grade ore, very difficult to reach. The average royalty, aside from this astounding contract for the Hill land, is not higher clear through the entire iron region than it was twelve or fourteen years ago, and averages about 30 cents. I myself, before the organization of the steel company, have paid as high as 75 cents royalty; and if the gentleman is drawing any conclusions from that statement they must be wrong, and I wish to say right here——

Mr. PAYNE. If the gentleman would not take up all of my time——

Mr. YOUNG of Michigan. Oh, no; but just one moment——

Mr. PAYNE. Go ahead.

Mr. YOUNG of Michigan. I wish to say right here that I think that Judge Gary's statement was based upon the fact that during the panic years following 1893 the old Carnegie company did buy—not lease, but bought—some ore lands which turned out to be about on a basis of 10 cents per ton, there being much more ore than the parties who sold them supposed there was, they being at that time in financial stress.

Mr. PAYNE. Well, all I have to say is, Judge Gary made that statement under oath, and I do not know whether he is mistaken or not.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. PAYNE. Yes.

Mr. HOBSON. I wish to ask whether that is supposed to cover depreciation of the ore land put down at the rate of 40 cents per ton——

Mr. PAYNE. Why, Judge Gary stated that as the royalty. There was another charge which went in there, which I do not now remember.

Mr. HOBSON (continuing). And whether this applies to the ore lands which the steel company owns and which it has capitalized at something like $900,000,000?

Mr. PAYNE. Well, I do not know whether it applies to their lands, and I do not know whether they were capitalized at $900,000,000 or $900,000,000,000; it does not change the value of it.

Mr. HOBSON. Combining the two, will the gentleman allow me to state——

Mr. PAYNE. I will answer any questions if I can, but I must object to gentlemen interjecting speeches here.

Mr. HOBSON. It is only one minute, and part of the question. That allowing 40 cents per ton for depreciation of the land, and 30 cents per ton for royalty on the total output for the next sixty years, for which they have estimated, and allowing 6 per cent interest, this alone would be the equivalent of about four billions of dollars at the end of the sixty years.

Mr. PAYNE. Now, is the gentleman content?

Mr. HOBSON. My question has not been answered.

Mr. PAYNE. I have answered that question.

Mr. HOBSON. It has not been answered as to whether it applied to their land or to land——

Mr. PAYNE. Mr. Chairman, who has the time? I tried to say to the gentleman that I had answered his question. If he has another question, and not a speech to make, I will answer the question if I can.

Mr. HOBSON. The question is whether Judge Gary ought to be allowed 30 cents a ton royalty for mining his own ore, and whether in addition he ought to be allowed 40 cents a ton for the depreciation of the land.

Mr. PAYNE. If the gentleman asks me that question, I think not.

Mr. HOBSON. That will appear later as part of the basis for opposing the reductions made upon their products.

Mr. PAYNE. Now, Mr. Chairman, coming to pig iron, from 1902 to 1906, both inclusive, the Bureau of Corporations in the Department of Commerce and Labor received reports from seven iron and steel companies in the United States which produced 93 per cent of the entire output. They were allowed to examine the books as well as the reports of these steel corporations, and to employ experts. They made a thorough examination. Judge Gary said that his company was first to yield to this examination, and that the examiners had every facility. The result was that the average cost of pig iron in these furnaces, producing 93 per cent of it in the United States, was $14.01 a ton. Judge Gary also said that his company could produce pig iron a dollar per ton cheaper than the outsiders, and he did not know but more than that; perhaps $2. So that would make the cost as being from $13 to $13.50 a ton, an increase of cost proportionately to the outside companies.

The committee will notice that this was during five of our prosperous years under the Dingley tariff, not boom years like 1907, but five prosperous years, that the pig iron cost $14.01 per ton. Judge Gary figured that from 1908 down to the present time the cost was a little more than that—$14.75 to $15 a ton. In that he put 40 per cent depreciation for ore property, put in profits on hauling, profits on manufacturing coke, and, of course, profits all along the line, until he got down to the final cost of his pig iron.

Mr. Schwab, of the Bethlehem Steel Company, who appeared to be a very frank and fair witness before the committee, made his cost of pig iron $14.19 a ton, or less than Judge Gary made it. We had some estimates from these gentlemen about the cost of pig iron abroad, mentioning one or two districts where pig iron had been produced as low as $9—perhaps $9.75—a ton. And I think Judge Gary is, perhaps, the only witness that mentioned this. But, fortunately, through the efforts of this committee and the efforts of the Department of Commerce and Labor, Mr. George M. Pepper, well known to many of the older Members of the House, formerly a newspaper correspondent and a bright, well-informed man, was sent to Germany to study the iron and steel industry.

He went to the two best districts in Germany, the Dortmund district and the Luxemburg district, and in a report which I have here, which is available to the Members of the House, he made up the cost of pig iron. In the Dortmund district it was from $13.57 a ton to $14.28 per ton. In the Luxemburg district from $12.38 to $13.61 per ton. And I will say to the Members of the House that an average of this would be about $14.01 per ton, with the seven companies, for the period of five years. It would be only slightly less than the amount placed by Mr. Schwab on the cost of his pig iron, namely, $14.19, in Germany, at the furnace, inland, with the inland freight and the ocean freight to be paid. Judge Gary says that the freight to New York from these districts—I am not sure whether he said

from the inland districts or from the ocean carriage; my impression is from the districts, and I will so state it—was $2.85 per ton, which would seem to give our people a mighty good show for competition with a reduction of duty from $4 to $2.50 per ton. So we cut the duty from $4 to $2.50 per ton. Judge Gary was asked the question whether, if the duty was taken off of pig iron, it would bring any more foreign pig iron into the United States. He said that while that entered somewhat the realm of prophecy, he thought it would be much more profitable for the foreign countries to manufacture pig iron into steel and iron products than it would to sell it even at an advance to the United States.

Mr. KENNEDY of Ohio. In pig iron I see that there is a spread made between the duty on pig iron and scrap iron.

Mr. PAYNE. I am just coming to that.

Mr. HOBSON. Before the gentleman leaves the question of pig iron, may I ask him a question that may bear upon the estimates of Judge Gary? Judge Gary, in the same statement, a written statement, where he estimated the cost of the production of pig iron by his company at $15.30, said that the cost in Germany under similar conditions is $8.71.

Mr. PAYNE. The gentleman refers to the statement filed by Judge Gary some time after his examination and cross-examination by the committee, made up by one of his subordinates, to which an affidavit was attached, in which he did put the cost of Germany and Belgium and England altogether somewhere about $9 a ton at the furnace, and he did advance in that statement the cost of his own pig, and that he figured it completely so as to manage to show that he needed almost to the penny the exact duty of $4 a ton. That is what I recollect about that.

Mr. HOBSON. The second part of the same question, if you please. Does the gentleman understand that in the estimate of $15.30 per ton as the cost of production that there is included not only the 30 cents per ton royalty on iron ore from their own lands, 40 cents per ton of ore for depreciation on their own lands, but also includes 40 cents depreciation of the furnaces which had been included in the total cost otherwise provided for in maintenance and up-keep; also various items termed "profits," of subsidiary companies which, in reality, go to the steel company itself, namely, $1.06 per ton of ore profit for mining company, 55 cents per ton of ore profit in freight, and 54 cents per ton of ore profit in coke, making altogether $5.47 per ton of iron, which should be deducted from the cost figure $15.30, or a net cost of $9.83?

Mr. PAYNE. May I ask the gentleman a question before I answer? Is the gentleman for or against the reduction of the duty on pig iron?

Mr. HOBSON. I come from a section in which the manufacture of pig iron has become a great industry [laughter and applause]; and I am glad to be able to say that our conditions for this manufacture are such that when we come right down to similar bed-rock conditions in the production of pig iron all over the world, as illustrated in the years 1896, 1897, and 1898, that the people of my section were able and would now be able to put down and did put down pig iron in every pig-iron market of the world, including Pittsburg, at a profit, where the local furnaces could not meet the competition. Now, to answer the gentleman's statement direct, I believe that the reduction should have been a little more drastic than it was, if you can use that word. I believe it should have been put down as much as a third more. This could work no injury to the pig-iron industry of this country, and would at the same time cause some importations, which were only 200,000 tons last year, though our consumption is about 25,000,000 tons. If the duty were put down somewhat lower than is proposed, it would enable the people in the coast States to get the benefit of it, and it would also yield us revenue. In view of the vital importance to the general prosperity and revival of business for the cost of structural materials to be reduced and to be kept down, I believe the reduction should have been made greater than it was, even though my own district might naturally wish a higher duty——

Mr. PAYNE. I thank the gentleman. I also want to say that he is the first southern Democrat I have come across that did not want all the products in his district or immediate vicinity—I mean that has expressed himself on the subject—that did not want a rate fully equal to the Dingley rate or a little larger.

Mr. BURLESON. You must keep away from this side of the Chamber when you say the gentleman is the first one.

Mr. PAYNE. Of course I except the gentleman from Texas, because I see he is not of that way of thinking. Now to answer the gentleman's question, which I have almost forgotten. I did not figure the profit as much as the gentleman stated, but I did make out from the statement that there was no question about the reduction of the duty on pig iron to the extent made by the committee, nor any decent excuse or rational excuse under the heavens against reducing it given by a single man in the United States. [Applause on the Republican side.]

Mr. GARRETT. Mr. Chairman, I understand the gentleman's statements have been predicated upon the minimum tariff in the bill.

Mr. PAYNE. Certainly.

Mr. GARRETT. And the estimated revenue in this circular which I hold in my hand is also predicated on the minimum schedules?

Mr. PAYNE. Certainly.

Mr. GARRETT. May I ask the gentleman, under existing conditions of trade agreements between the countries, if they remain as they are now, to how many countries from which we have importations will the maximum schedule of this bill apply as regards pig iron?

Mr. PAYNE. How much?

Mr. GARRETT. To how many countries from which we have importations would the maximum schedule apply as to pig iron under present conditions?

Mr. PAYNE. I am not familiar with all the trade relations with all the countries. I have only one country in mind at this moment.

Mr. GARRETT. That is Germany?

Mr. PAYNE. I had in mind France, with her new tariff; possibly Germany. Undoubtedly the maximum rate would apply to France as at present, and I am inclined to think to Germany, but I am not quite sure about that. It requires more investigation than I have been able to give it.

Mr. GARRETT. Has the gentleman before him there the importations from France and Germany?

Mr. PAYNE. Importations of what?

Mr. GARRETT. Of pig iron.

Mr. PAYNE. No; I have not. I have not the details here.

Mr. GARRETT. I am trying to get it for the purpose of studying it from the revenue standpoint, from the maximum as well as the minimum schedule.

Mr. PAYNE. Now, the gentleman from Ohio [Mr. KENNEDY] spoke of the subject of scrap. Gentlemen appeared before the committee and stated that in the new process of making steel, the open-hearth process, it was absolutely essential that they have wrought-iron and wrought-steel scrap, and that there was not produced in the furnaces, from that clipped from the rails and all that sort of thing, enough to furnish the open hearths with a sufficient quantity of this wrought iron and steel scrap. The reason it is necessary to have it is that the pig contains so great a quantity of carbon that when it is superheated the carbon makes it boil over, the carbon is not consumed rapidly enough, and the scrap helps to steady it. There is not so much carbon in that, and they are able in that way to make the open-hearth steel with greater facility and greater ease.

In fact, one man told me that they could not make this steel unless they had scrap to put with the pig iron. An appeal was made to the committee to put scrap steel and scrap iron on the free list. They said it was already scarce in this country, that there was not sufficient to supply the demand, and with the universal revolution in steel manufacture, going from the old Bessemer furnaces to the open-hearth process, there was a famine in scrap, and that there would be a greater famine when the furnaces had all started up. He thought it was essential for the prosperity of the business to put this scrap on the free list.

Mr. KENNEDY of Ohio. I have read the hearings. But your section 116 makes no distinction between cast-iron scrap and cast-steel scrap; and the furnaces producing iron to be exported to this country would not make any pig iron. They would make it all into scrap cast iron and send it in at 50 cents a ton.

Mr. PAYNE. Now, Mr. Chairman, that may be so and it may not be. When this paragraph was considered by the committee and in all the hearings it was never suggested that there was any such thing as scrap cast iron, unless it was an old stove broken up or something of that kind.

Such a thing as making scrap iron from the manufacture of pig, or the breaking up of pig, never occurred to anybody on the committee or to anybody who appeared before the committee. We had a general idea that we knew what scrap was, that the scrap made in the manufacture of steel would be scrap steel and that it referred to wrought iron and wrought steel. I have had some talk with gentlemen since who are skilled in the business, and they are a little doubtful, but are inclined to the opinion that the name applied to wrought scrap iron and scrap steel; but we wanted it made perfectly plain, and I have no objection to an amendment that confines that to wrought iron and wrought steel, so that there will be no question about it, and no ground for the apprehension that seems to be raised here that pig iron broken in two would be scrap iron.

Mr. KENNEDY of Ohio. It would not be iron in pigs, at all events.

Mr. PAYNE. I do not think it would help it by breaking it in two.

Mr. JAMES. What provision, if any, is made in this bill relative to the tax upon tobacco in the hand or in the unmanufactured state?

Mr. PAYNE. There is no provision at all made in regard to it. The old law remains.

Mr. JAMES. The gentleman is aware, of course, that his committee unanimously reported to the House, and the House three times passed without a dissenting vote, a bill taking the tax off tobacco in the hand or in an unmanufactured state, and it failed of passage in the Senate, and I should like to know if he would object to an amendment embodying that provision in this bill? Such a law would greatly aid the tobacco growers of my State in their fight against the tobacco trust.

Mr. PAYNE. I suppose the gentleman from Kentucky would vote for the bill if that was put in it?

Mr. JAMES. I do not propose to commit myself to the bill. [Laughter.] I will gladly support such an amendment as I suggest, however.

Mr. PAYNE. Then, I do not propose to commit myself now to the gentleman's proposition. [Laughter.]

Mr. MACON. Will the gentleman from New York yield for a question?

Mr. PAYNE. I will yield to the gentleman.

Mr. MACON. I have been waiting for some time to ask the gentleman about a paragraph in this bill, but I wanted him to get away from the pig-iron schedule before I interrupted him.

Mr. PAYNE. I will try to get away from it as soon as I can and get down to steel billets.

Mr. MACON. I want to ask the gentleman a question about paragraph 548. He has in a good-natured way made the statement several times about the bill being fashioned in favor of the laboring man and the laboring woman.

Mr. PAYNE. Will the gentleman ask his question and not make a speech?

Mr. MACON. Oh, the gentleman need not become impatient.

Mr. PAYNE. I am impatient because I do not want to trespass too long on the patience of the House.

Mr. MACON. The question is this, paragraph 548 which says:

> Diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaning, splitting, cutting, or other process, including glaziers' and engravers' diamonds not set.

Now, I would like to know what laborer this is in the interest of——

Mr. PAYNE. The gentleman wants to know why there is no duty on rough diamonds.

Mr. MACON. Yes; and why this is in the interest of the laboring man.

Mr. PAYNE. I know about the laboring man, and I know he is not wearing diamonds as well as does the gentleman.

Mr. MACON. I want to know how uncut diamonds on the free list can be in the interest of the laboring man and the laboring woman——

Mr. PAYNE. Mr. Chairman, who has the floor?

The CHAIRMAN. The gentleman from New York has the floor.

Mr. PAYNE. Then I would like to be protected.

Mr. MACON. Mr. Chairman, I have endeavored to treat the gentleman from New York fairly, and I would like to know what he means by asking the protection of the Chair as against me.

Mr. PAYNE. I will tell the gentleman, if he will stop long enough. I was trying to answer his question and he kept interrupting, and I asked the Chair to stop him.

Mr. MACON. The only question I asked the gentleman was how rough diamonds——

Mr. PAYNE. And the world is waiting breathlessly for an answer. [Laughter.] Mr. Chairman, on cut diamonds we put a duty of 10 per cent ad valorem. We did it advisedly. No one would like to put a higher duty on diamonds than myself, if it could be collected. When the Wilson bill was framed Mr. Wilson conferred with me about the duty on diamonds. I told him that he would find that a duty higher than 10 per cent on cut diamonds could not be collected. It would pay a man to run the risk of smuggling. Notwithstanding my sound advice which I gave to him on that and other questions, he persisted and put a duty of 25 per cent on cut diamonds. I happened to be in Paris a year or two after his bill was in operation, and I talked with branches there of Tiffany & Black, I think, from a firm in Chicago about diamonds. They said they had not imported into the United States a diamond since a month or two after the Wilson bill went into operation, because they could buy them in this country a good deal cheaper than they could import them and pay the duty on them. The duty was so high that it paid a man to run the risk of smuggling diamonds into the country.

It has been the universal experience of gentlemen connected with the collection of revenue, almost from the foundation of the Government down to the present day, that not more than 10 per cent can be collected on diamonds. We get a much larger revenue from diamonds than they did under the Wilson bill at two and a half times the rate of duty. A handful of diamonds at 25 per cent would pay a man to go over to Europe and back and pay all his expenses, and a large salary for the time occupied. Of course, he runs a risk, but the pay is large, and plenty of people in the United States are willing to undertake it.

Now, not being able to put more than 10 per cent on diamonds cut, the question came whether we could put any duty on rough diamonds. The diamonds imported are, to some extent, rough diamonds. We have people here who cut diamonds, not a large number of them, but they make their living from it. They have built up a trade in this country of this kind, and if they can not get the material free of duty they can not make their wages and run the risk of making mistakes in cutting the diamonds.

Mr. STANLEY. Is it not true that this Government maintains in all the diamond markets of Europe an expert secret service, and if a man buys diamonds in any great quantities, that fact is reported to the customs officers here with a complete list of the diamonds and a description of the person buying them?

Mr. PAYNE. Mr. Chairman, I put the statement of the gentleman against the experience of those engaged in that business, with the further statement that that may apply to the honest dealer. There is no question about collecting the duty of him. It does not apply, however, to all the dealers. The United States Government can not put its hand out on a man in Germany and in France and compel him under customs regulations to make an oath. It can not go into that thing. The United States Government is directly at their mercy, and the experience has demonstrated that a higher duty than 10 per cent can not be collected.

Mr. McCALL. Mr. Chairman, I would like to call the attention of the chairman of the committee to the testimony of the collector of the port of New York, with regard to the impossibility of appraising rough diamonds. I believe he testified to the effect that a man who could appraise a rough diamond would have to have at least $10,000 a year salary, and he thought there would be such difficulty in the administration of any such provision that it ought not to go into the law.

Mr. PAYNE. Mr. Chairman, I thank the gentleman for calling my attention to that, and I think he further stated that it was difficult even with an expert to properly appraise a rough diamond.

Mr. McCALL. Yes.

Mr. PAYNE. Although they are appraised, of course, and they have to make some sort of an appraisal of them when they sell them.

Mr. MACON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Arkansas?

Mr. PAYNE. Yes.

Mr. MACON. The gentleman's explanation as to the reason for carrying uncut diamonds on the free list is no doubt satisfactory to himself, but it is hardly so to me. I now want to know why it is that he proposes to put paragraph 709 on the free list. Smugglers can not bring them into the United States like they can diamonds. I read from that paragraph:

> 709. Works of art, drawings, engravings, photographic pictures, and philosophical and scientific apparatus brought by professional artists, lecturers, or scientists arriving from abroad, for use by them, temporarily for exhibition and in illustration, promotion, and encouragement of art, science, or industry in the United States, and not for sale, shall be admitted free of duty, under such regulations as the Secretary of the Treasury shall prescribe.

Mr. PAYNE. Mr. Chairman, the question of putting works of art on the free list has been a mooted question ever since I became a member of this committee twenty years ago. The McKinley bill put works of art on the free list, as reported to the House. That bill passed the House in that shape, and the Senate put on a duty, which was finally made at the rate of 15 per cent. When Mr. Wilson reported his bill to the House, he reported works of art free. I think it went through the House

with works of art on the free list, and a duty was afterwards put on, but I am not sure about that.

Mr. McCALL. I think not. I think the bill as it passed carried art free.

Mr. PAYNE. I am inclined to think it did, when it became a law.

Mr. MACON. Will the gentleman allow me to interrupt just there?

Mr. PAYNE. Oh, I would ask the gentleman to allow me to answer his question.

Mr. MACON. I want to say this, that I do not care anything about whether it was in the Wilson bill or not. Is it right for it to be in this bill is what I want to know?

Mr. PAYNE. O Mr. Chairman, I was only trying to show to the gentleman that it was a mooted question that had been in debate, and people took both sides of it. Mr. Chairman, having proceeded thus far, when we came to make the Dingley bill we were looking for revenue——

Mr. GARNER of Texas. Before the gentleman starts on that, will he allow me to ask him a question?

Mr. PAYNE. Oh, let me answer the question of the gentleman from Arkansas. The Dingley bill, looking for revenues, put works of art back onto the revenue list, and we got a revenue out of it. When the hearings were had on this bill, a number of gentlemen appeared before the committee and appealed to have works of art put on the free list. They said that it was an educational measure, that these great works of art exhibited to the people, to the young people of the United States, was of itself a liberal education in some directions, and they spoke of the connection between a study of art, the æsthetic, and a study of other subjects, leading up to practical work in everyday life, and made a very strong argument toward allowing works of art to come into this country free of duty for the purposes of education.

The committee considered some time the proposition as to whether they should not admit these works of art free of duty, provided that the owner of them would agree to put them in a public gallery, to be built by the United States and cared for by them—the question of making an art gallery of the Smithsonian building, which was denied in the House a year ago when the appropriation for finishing that building was being discussed—and it appeared to the committee that they were not warranted in inaugurating any such expense as that, which would open a free art gallery at the expense of the United States; to be maintained and kept by them, where these works of art should be deposited for a year or so after they were imported. Of course it would not end with an art gallery in Washington, but every large city, like New York, Philadelphia, Boston, Chicago—and I am reminded of St. Louis by the smile of my genial friend from that city—and other cities would demand the same thing. It would lead to endless expense, which we are not warranted in incurring. But the committee thought we might open up the subject as far as we have in this bill and provide that works of art that had survived for twenty years and still were called works of art, both painting and statuary, should come in free.

That they had sufficient merit in them if they had survived this length of time and anybody wished to buy and import them and set them up as a standard for education in art, as a standard for the youth of America to learn from and get lessons that would be of value to them, so we exempted works of art of that age from the protective duty or any duty and left the other duty, which is not a protective but a revenue duty, where it is. I do not believe that this clause will tend to reduce the revenues of the United States, because these works of art of this age and merit are of such great value that the owner of them, even if he is wealthy, hesitates to pay the duty to bring them into the United States. That is the reason, I want to say to my friend from Arkansas, that we have made this provision in this bill.

Mr. GARNER of Texas. Mr. Chairman, the gentleman from New York is making a very interesting talk, and I hope the committee will have the opportunity to apply his logic to this bill, and I want to ask whether or not we will have an opportunity to offer amendments to each paragraph of the bill.

Mr. PAYNE. Well, now, just possess your soul in patience and let me finish this speech, if there is any end to it. I now yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Texas having asked the question I proposed to propound, and the answer having been given, I withdraw. [Laughter and applause.]

Mr. POU. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended——

Mr. PAYNE. Oh, it is extended indefinitely now. That is one trouble to me, as I can not refuse interruptions, because I have unlimited time.

Mr. BURLESON. If the gentleman from New York will permit, I attended the hearings before the Ways and Means Committee for one day. Fortunately the boot and shoe men were given a hearing on that day, and I heard a representative of the boot and shoe industry say that they were willing to have free boots and shoes if they could have free hides. You have given free hides in this bill. Now, why did not the committee take them at their word and give the people the benefit of free boots and shoes?

Mr. PAYNE. I will talk about that with the committee later. I am now on the subject of steel billets, and I will not be led aside no matter how enticing may be the inducement.

Mr. BURLESON. I thought the gentleman had talked about diamonds and talked about works of art, and I thought this was an opportune time to make known to the American people the reason why they do not have boots and shoes free of duty.

Mr. PAYNE. I did that because my genial friend from Arkansas insisted I should answer the question, and I saw no other way out of it. [Laughter.]

Mr. BURLESON. If the gentleman prefers to defer his answer I will await with pleasure.

Mr. PAYNE. I will take the time later.

Mr. STEPHENS of Texas. If the gentleman will permit this question in regard to works of art——

Mr. PAYNE. If it is about steel billets I will——

Mr. STEPHENS of Texas. I want to know now why works of art 20 years old are permitted to come in free.

Mr. PAYNE. I have just been over that in the last fifteen minutes. I refer the gentleman to the RECORD, as I can say nothing more on that.

Mr. STEPHENS of Texas. Are they to be old enough to vote? I think they should have been 21 years of age.

Mr. PAYNE. Now, Mr. Chairman, if I may be permitted to go on in reference to steel billets, Judge Gary gave the cost of steel billets, Bessemer, $20.18 a ton; open hearth, $20.87, and in that he put the cost of pig iron at $15.06; cost of converting pig into ingots, $2.88; cost of converting ingots to rails, $3.22; depreciation, .84 cents, making a total of $22 for steel rails. Mr. Pepper reports from the Dortmund district the cost of pig iron at $14.28, and cost of conversion into ingots $3.81, making a total of $18.09, as against $20.18 of Mr. Gary. The cost of Luxemburg pig iron, $12.65, and the conversion into steel billets is $5.95, a total of $18.53, as against $20.18. Mr. Smith, of the Bureau of Manufactures, reports that these companies reported to him the cost of Bessemer billets at $20.18, and the cost of open-hearth billets at $20.87.

Now, Mr. Chairman, we have reduced the duty on steel billets by cutting it in two. We have not reduced it beyond the protection point. We still furnish protection. The measure of the difference of cost of production here and in Germany leaves here an ample protection upon the steel billets in making this reduction. We have done the same thing with steel rails. I will not delay the committee by giving the figures that have been presented by these gentlemen. I may say in regard to steel rails that I believed in 1897, and it was my own individual opinion, that it was time and proper then to cut the duty in two on steel rails, as the committee has done to-day. Some of the gentlemen are willing to admit that it might have been done at that time. At any rate, they propose to do it now. But generally, I think, the steel men are pretty well satisfied with these schedules. I know that some of them have expressed satisfaction at the result of this bill and the fairness of it and have paid the committee the compliment of saying that, while there are a few minor things where it is not exactly well balanced, on the whole it is a good bill on the iron and steel schedules. Now, I want to ask the Clerk to read a newspaper clipping of this morning.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[Washington Post, March 22, 1909.]

AWAKENING IN STEEL MILLS—PLANTS IDLE FOR MANY MONTHS WILL RESUME WORK TO-DAY—TIN PLATE AND SHEET BUSINESS SHOWS MORE ACTIVITY, WHILE PUDDLERS AND PIPE MAKERS HAVE JOBS.

(Special to the Washington Post.)

PITTSBURG, *March 21, 1909.*

Three tin-plate plants, two sheet plants, and a puddling plant, some of which have been idle the past seventeen months, will resume work to-morrow morning, giving employment to more than 5,000 skilled men. The Westinghouse Electric and Manufacturing Company will begin work on the order for electric motors for the Pennsylvania Railroad, and the steel-pipe industry has taken on a boom. By April 1 additional plants will be in operation.

The Greer tin-plate plant, at Newcastle, Pa., of 20 mills, will resume to-morrow, after an idleness of nine months. This is one of the largest in the world. The La Belle plant of 10 mills, at Wheeling,

W. Va., will also resume, after a year's idleness. The New Kensington (Pa.) plant of 8 mills, and the Demmler, at McKeesport, of 11 mills, will also resume. These are all operated by the American Sheet and Tin Plate Company. In addition, 2 sheet mills, Leechburg and Scottdale, will get under way, after having been idle since the fall of 1907. The American Sheet and Tin Plate Company will, by April 1, have 213 tin mills in operation, as against 164 last week.

After seventeen months' idleness, the puddling furnaces of the Crucible Steel Company of America, of this city, will be started to-morrow morning. As nothing but refined iron is produced in this plant, the men are paid a higher price for puddling than the regular scale of wages. The finishing mills of the Crucible Company will increase operations.

Orders aggregating $8,000,000 for steel pipe are seen to be let. Orders and inquiries aggregating 400 miles of pipe have been placed by gas and oil companies, and this will probably increase 400 miles more in another month.

Mr. PAYNE. Mr. Chairman, I desired to have that extract from the paper of this morning read for the benefit of any timid soul in the House who fears that the committee by the reductions they have made upon the metal schedules have possibly done any injustice to any manufacturing business in the United States. It is a well-known fact that there has been a cut and a reduction in the prices of these articles, led on, perhaps, by the United States Steel Company, perhaps occasioned, however, by a cut made by some minor companies—in many instances a cut greater than the reduction in duty made by this bill. And still there is no reduction in the wages of the men. Still, according to the dispatch, which has just been made after the publication of the schedules of this bill, thousands of men are called back into the shops that have been vacant and idle for nine months, and given work at American wages, responding to the call of these companies who have made these reductions, to increase their business or get new business, and in response to this bill introduced in the House of Representatives and now under discussion.

Mr. Chairman, I would like to stop now and go on after an adjournment of the House to-morrow.

I move that the committee do now rise.

Mr. WEISSE. Will the gentleman from New York yield for a question in regard to the free-hide proposition?

Mr. PAYNE. I will talk about that in the morning.

Mr. WEISSE. I wish to state, also, that since this free-hide schedule has been inserted in the bill hides have been advanced 10 per cent.

Mr. PAYNE. Wait until to-morrow and ask me the question.

The CHAIRMAN. The question is on the motion of the gentleman from New York [Mr. PAYNE], that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment the following House concurrent resolution:

House concurrent resolution 5.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the two Houses 30,000 copies of the bill of the House (H. R. 1438) entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," with an index thereto, and the same number of the report thereon, 25,000 copies of said report to be accompanied with the views of the minority, all in document form, 9,000 copies for the use of the Senate and 21,000 copies for the use of the House.

WITHDRAWAL OF PAPERS.

Mr. PEARRE, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Charles E. Welker, Sixtieth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MUDD, indefinitely, on account of sickness.

To Mr. STURGISS, for two days, on account of important business.

VIEWS OF MINORITY ON TARIFF BILL.

Mr. CLARK of Missouri. Mr. Speaker, I would like to have leave to file the minority views on the tariff bill. We have until to-morrow, but I think we will file them now.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARTLETT of Georgia. Mr. Speaker, I ask unanimous consent that the views of the minority may be printed in the RECORD, so that we can get them in the morning.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the views of the minority upon this bill, the tariff bill, be printed in the RECORD.

Mr. MANN. Mr. Speaker, reserving the right to object, let me ask whether it may not be advisable to print both the report as well as the views of the minority together in the RECORD, so that they will be side by side?

Mr. BARTLETT of Georgia. I hope that will be done.

Mr. PAYNE. The report of the committee has not been printed in the RECORD. They might go in together.

Mr. BARTLETT of Georgia. And I ask that both the report of the committee and the views of the minority be printed in the RECORD.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the report of the Committee on Ways and Means on the tariff bill, with the views of the minority, be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

[House Report No. 1. Sixty-first Congress, first session.]

TO PROVIDE REVENUE, EQUALIZE DUTIES, ENCOURAGE THE INDUSTRIES OF THE UNITED STATES, AND FOR OTHER PURPOSES.

Mr. PAYNE, from the Committee on Ways and Means, submitted the following report to accompany H. R. 1438:

The Committee on Ways and Means, to whom was referred the bill (H. R. 1438) entitled "A bill to provide revenue, equalize duties, encourage the industries of the United States, and for other purposes," having had the same under consideration, report it back to the House without amendment, and recommend that the bill do pass.

The main reasons for the revision of the tariff at this time are two: First, that after twelve years of the operation of the present tariff many new conditions have arisen which render it advisable that the rates be readjusted. This has been confirmed by the information received by the committee, and a large number of rates have been readjusted in the bill proposed. Second, since the passage of the Dingley Act a large number of foreign countries have adopted tariffs with a maximum and minimum rate, and it has been found that section 3 of the present act was not sufficiently broad in its scope to meet these changed conditions.

It is true that the State Department, through a number of commercial agreements with different countries, has obtained more favorable rates. But to obtain such concessions in exchange for the meager inducements proposed in section 3 has grown more difficult from year to year, until now we are compelled to face the maximum rates in one or more countries on a large portion of our exports. It is imperative that these latter conditions should be fully met, and the bill amply provides for reciprocal tariff arrangements.

The present tariff in interchange for favorable trade arrangements affords no inducement except a lower rate of duty on argols, wines, and works of art. The bill reported proposes a reduced rate on the bulk of our imported articles.

In the formation of the bill, the committee has had no easy task. There has been a popular demand, more or less widespread, for a general cutting of rates. It has been the cardinal principle of the party in power that the tariff should be protective to American industries and to American workmen. This principle was incorporated in the national platform, and the election carried with it an indorsement of that platform. On the other hand, while duties should be protective, they should be adjusted as nearly as possible to represent the difference in cost of production at home and abroad.

Another question before the committee has been that of revenue. Under the present law the revenues for the whole period of its existence have been abundant, and the surplus of receipts over expenditures up to the 16th day of this month have exceeded the disbursements by $74,555,408, to wit:

July 1, 1897, to March 16, 1909, inclusive.

Total receipts (except postal)	$6,558,220,264
Total expenditures (except postal)	6,483,664,856
Surplus	74,555,408

To this amount should be added the amount of the purchase price paid for the Panama Canal and nearly $40,000,000 in addition, in all $50,000,000, which has been paid out of the receipts during the period mentioned, and which will be reimbursed by a sale of bonds, making the total surplus for the twelve years $124,555,408. But owing to the depression in business the revenues have been greatly impaired since the fall of 1907, while the expenditures have increased in proportion to the population and the magnitude of the undertakings of the Government. It is the hope of the committee that with a return of business prosperity the revenues will show a large percentage of increase and prove entirely adequate for any rational and economical scale of expenditures.

However, during the same period there was a large deficit in the postal revenues, to wit:

July 1, 1897, to September 30, 1908.

Postal receipts	$1,539,700,032
Postal expenditures	1,638,843,511
Deficit	99,143,479

The total receipts of the Government, including postal, are as follows:

July 1, 1897, to March 16, 1909.

Total receipts	$8,097,920,296	
Advanced payment on Panama Canal	50,000,000	
		$8,147,920,296
Total expenditures, including postal		8,122,508,367
Surplus		25,411,929

Since the first of the present month the revenues have shown a gratifying increase, and the deficit for the first sixteen days of the month is only $1,814,799.30. This is at the rate of about $3,500,000 per month, instead of $10,000,000 deficit on an average since July 1.

The committee has analyzed carefully the appropriations for the fiscal year 1910 to ascertain the amount of money required to meet them.

It is their belief that the entire expenditure for the building of the Panama Canal should be met by bonds issued for that purpose, and they have authorized in the bill a provision for the issue of bonds equal to the original appropriation of $40,000,000 for the purchase of the canal, which was paid out of the general fund in the Treasury.

It is proved by experience and from an examination of the appropriations from year to year that a balance of from 6 to 8 per cent of the appropriations calling for the payment of money is unexpended at the end of each fiscal year. In estimating for the expenditure of money for the year 1910 the committee has made a deduction of only 5 per cent on this account in order to furnish a conservative estimate.

The estimates of the revenue to be derived from customs made by the committee, and found below, are on the basis of the importations for the fiscal year 1906. That year was selected because it was the last year of normal conditions. If the year 1907 had been taken as a basis, at least $30,000,000 would be added to this estimate, and it is quite probable that the importations under this bill during the second year of its existence will equal or exceed those of 1907, and that the revenue will approach the same amount.

With these explanations the committee submits the following table showing the estimate of the amount of money required to meet the expenditures under the appropriations for 1910, and the estimate for revenue, viz:

Total appropriations for 1910		$1,044,014,298.23
Deduct estimated sinking-fund appropriation	$60,000,000.00	
Deduct bank-note redemption (paid by banks)	30,000,000.00	
Deduct Panama Canal appropriation, to be provided by bonds	35,886,190.58	
		125,886,190.58
		918,128,107.65
Deduct 5 per cent estimated appropriations which are not usually expended		45,906,405.88
Amount for which revenue is to be provided		872,221,701.77
Estimated revenues, Report, Secretary Treasury:		
From internal revenue	$250,000,000	
From miscellaneous revenue	62,000,000	
From postal revenue	223,340,712	
Estimated by committee from—		
Customs under proposed bill	305,225,173	
Internal revenue on legacies, etc.	20,000,000	
Internal revenue on cigarettes, increase	1,500,000	
		862,065,885.00
Deficit		10,155,816.77

This estimate shows a deficit of about $10,000,000. If the bill could have its full effect during the year 1910, this deficit would be more than wiped out by the increased revenue.

With return of prosperity, which the committee believe will follow a settlement of the tariff question, and with a continuation of the increase in revenue which has manifested itself during the present month, there is no doubt but that this bill will produce a largely increased revenue to that estimated above.

The committee therefore are abundantly justified in the belief that the bill will produce sufficient revenue after the year 1910, even if it does not during that fiscal year. Of course the latter is dependent upon the question of revival of business and trade.

The Treasury, however, is amply protected by the authorized issue of $40,000,000 of the canal purchase bonds and the additional issue which can be made at any time to upward of forty millions in addition for excess of expenditures beyond the proceeds of the sale of bonds already made, and the appropriations for the year 1910.

The committee has, from time to time during the past two years, been obtaining information for a revision of the tariff, to have it in readiness whenever such revision should be undertaken. During the past year, and especially since the resolution of May 16 last, the committee has had an additional force of clerks at work, mainly of experts in tariff matters, detailed from the different departments by the order of the President, obtaining and properly tabulating the information that came to the committee. They also prepared blanks early in the summer, which were sent to all of our consuls and consular agents seeking detailed information as to the cost of labor, manufacture, etc., in the foreign countries. There has been a large number of responses to these inquiries, which have been properly filed and have been available for the use of the committee. This information has been particularly useful for comparison with the statements of wages paid abroad submitted in the public hearings before the committee, in some cases confirming the statements and in others contradicting the statements made before the committee.

The committee has also obtained valuable information through the Department of Commerce and Labor from special agents employed in that department who have reported from time to time on the industries abroad, frequently furnishing very detailed and valuable information.

The committee opened up hearings at Washington on the 10th day of November, which continued daily until the 24th day of December, and everyone who desired an oral hearing up to that time was granted the privilege. Since then briefs have been invited and have been filed. This information has been printed for the use of the committee, and a carefully indexed edition will be distributed to the Members of the House, covering more than 8,000 printed pages, and a large portion of it replete with information bearing directly upon the questions involved.

The subcommittee preparing the bill has been in daily sessions since the 24th of December. Each paragraph in the former tariff has been very carefully considered, and the hearings bearing upon the same have been carefully examined and read by the committee.

The minimum rates are embraced in sections 1 and 2, section 2 being the free list. These sections present rates under which it is expected the great bulk of importations will come into the United States.

Section 3 presents the maximum rates of duty, in which the rates are generally 20 per cent of the rates imposed in section 1 in addition to the rates imposed under said section 1, and a rate of 20 per cent on a large portion of the principal items contained in section 2 or the free list.

Section 4 provides for the time and method of application of the minimum and maximum rates to different countries and is automatic in effect. Any nation which gives the United States equally favorable trade relations with those given to any other nation is entitled to the minimum rate; if they discriminate against imports from the United States, they must pay the maximum rates. Of course, this matter of discrimination will be determined in the first instance by the Secretary of the Treasury in order that he may enforce its provisions. Ultimately, the courts must finally decide the question.

It has been complained that section 3 of the present law was unjust in discrimination, so far as Great Britain was concerned. There seemed to be no way by which they could get the minimum rates under section 3, while they have treated our national trade relations with fairness and impartiality. Under a continuance of their present policy they are entitled, at once, to the minimum rates under this bill.

The committee has caused a most thorough examination to be made of the classification under the various paragraphs of the present law. A most thorough analysis has been made of all the decisions of the courts and of the general appraisers for the past fifteen years, and amendments suggested conforming the language of the various paragraphs to meet the decisions of the courts and render the language of the act clear, so that the courts will have no difficulty in interpreting the meaning of Congress. It is believed that the amendments that the committee has proposed in these particulars will greatly facilitate the proper enforcement of the law and render it more certain than any previous tariff act.

The committee has prepared and printed "Notes on the Tariff," which embraces a digest of all these decisions and furnishes concise and accurate information as to the various articles enumerated in the tariff law, with a statement of the importations in 1907, and the production and domestic consumption of each in 1905. This publication and the comparison of import duties for each fiscal year since 1894, also prepared for the use of the committee, have been of great service in the preparation of the bill, as they will be to the Members of the House in its consideration.

The following is a statement, in general, of the changes in the rates made in section 1, and also the general provisions of the bill, viz:

INCREASED DUTIES.

The committee have transferred some articles from the free list to the dutiable, and have increased duties on others for the sole purpose of increasing the revenue. Most of these articles on which duties have been increased are luxuries. Of this class the rates of duty have been increased as follows:

SCHEDULE A.

Perfumeries and toilet articles, from 50 to 60 per cent ad valorem.
Fancy soap, from 15 to 20 cents per pound.

SCHEDULE C.

Swords and side arms, from 35 to 50 per cent ad valorem.
Bottle caps, if enameled, etc., from 45 to 55 per cent ad valorem.

SCHEDULE G.

Chicory root, raw, not dried, from 1 cent to 2½ cents per pound; roasted, etc., from 2½ cents to 5 cents per pound.
Cocoa, crude, from the free list to the dutiable, at 4 cents per pound; prepared or manufactured, valued at not over 15 cents per pound, from 2½ cents to 5½ cents; valued above 15 cents and not above 21 cents, from 2½ cents to 5½ cents per pound and 10 per cent ad valorem; valued above 24 cents and not above 35 cents, from 5 to 7 cents per pound, and the same ad valorem; valued above 35 cents, remains the same; powdered cocoa, from 5 cents to 9 cents per pound.
Cocoa butter, from 3½ cents to 5½ cents per pound.
Dandelion root, and articles used as a substitute for coffee, 2½ cents to 4 cents per pound.
Spices: Mustard, unground and not prepared in any manner, from free list to 30 per cent ad valorem; if ground or prepared, 10 cents per pound and 30 per cent ad valorem; red pepper, cayenne pepper, cassia, cassia vera and cassia buds, cinnamon and chips of, cloves and clove stems, mace, nutmegs, pepper, black or white, pimento, and spices not specially provided for, when unground, 30 per cent ad valorem; if ground, 2½ cents per pound and 30 per cent ad valorem; ginger root, unground and not preserved or candied, 30 per cent ad valorem; if ground or otherwise prepared, 2½ cents per pound and 30 per cent ad valorem. The crude or natural of the foregoing spices are transferred from the free list, and if advanced in any manner an additional duty of 30 per cent ad valorem is added.

SCHEDULE N.

Feathers, from 15 per cent to 20 per cent ad valorem; feathers, dressed, colored, etc., from 50 per cent to 60 per cent.
Furs, dressed on the skin, from 20 per cent to 27½ per cent ad valorem.
Manufactures of hair, from 20 to 25 per cent ad valorem.
Duties on the following articles have been increased because the committee found that there was not sufficient protection under the present law:

SCHEDULE A.

Oxalic acid has been transferred from the free list with a duty of 1 cent per pound.
Coal-tar dyes or colors, now bearing a duty of 30 per cent, to 35 per cent ad valorem.

SCHEDULE B.

Keene's cement or other cement in which gypsum is the component material of chief value, from 30 per cent to 35 per cent ad valorem.
Asphaltum and bitumen, not refined or otherwise advanced in condition from its natural state, to fifteen one-hundredths of 1 cent per pound on the bitumen contained therein.
Fluorspar, crude, from 10 per cent ad valorem to 50 cents per ton; crushed or otherwise manufactured, from 20 per cent ad valorem to $1.75 per ton.
Cast polished plate glass, increased from 8 cents to 10 cents per square foot on sizes not exceeding 16 by 24 square inches, and on those above that and not exceeding 24 by 30 inches, from 10 cents to 12½ cents per square foot; all above that, 22½ cents per square foot, which is a reduction on nearly all of these larger sizes.

SCHEDULE C.

Pins with solid heads, the same rate of duty, 35 per cent ad valorem; with ornamental heads, with a new classification, including those set

with precious stones, pearls, or corals, from 40 to 50 per cent ad valorem.
Watch movements, with more than 7 jewels, from 35 cents each and 25 per cent ad valorem to 70 cents each; if more than 7 jewels and not more than 11, from 50 cents each and 25 per cent ad valorem to $1.35 each; more than 11 and not more than 15 jewels, from 75 cents each and 25 per cent ad valorem to $1.85 each; having more than 17 jewels, the rates of duty remain the same.
Watch cases and parts of watches and clocks, the duty remains the same.
Zinc in ore, now brought in at 20 per cent ad valorem, to 1 cent per pound for the zinc contents contained therein.

SCHEDULE D.

Osier or willow, prepared for basket makers' use, from 20 per cent to 25 per cent ad valorem.
Porch and window blinds, not stained, dyed, painted, etc., remain at 35 per cent ad valorem; if stained, dyed, etc., an increase from 35 per cent to 40 per cent ad valorem.

SCHEDULE G.

Peas, split peas, from 40 cents to 45 cents per bushel.
Figs, from 2 cents to 2½ cents per pound.
Lemons, from 1 cent to 1½ cents per pound.
Pineapples, from $7 per thousand to $8 per thousand.

SCHEDULE I.

An additional duty of 1 cent per yard on mercerized fabrics (a new process of manufacture invented since the present law was enacted).
Also a small additional duty on lappets. There is also an increased duty on stockings fashioned and shaped wholly or in part on knitting machines.

SCHEDULE M.

Surface-coated papers, wholly or partially covered with metal, from 3 cents and 20 per cent to 5 cents and 20 per cent ad valorem; other surface-coated paper, from 2½ cents per pound and 15 per cent ad valorem to 5 cents per pound.
Lithographic prints, from 6 cents per pound to 8 cents; cardboard, from 20 cents to 25 cents per pound; other paper, 20 cents to 25 cents per pound, with small increases on various sizes of other paper. Lithographic cigar labels, etc., from 20 cents per pound to 30 cents per pound; printed in colors less than eight, from 20 cents to 30 cents per pound; more than eight, from 30 cents to 37½ cents per pound; printed in metal leaf, from 50 cents per pound to 52½ cents per pound; paper hangings, from 25 per cent to 30 per cent ad valorem; paper not specially provided for, from 25 per cent to 35 per cent ad valorem.
Plain paper envelopes, from 20 per cent to 30 per cent ad valorem.

SCHEDULE N.

Women's and children's gloves, not over 14 inches in length, as follows:
"Schmaschen" from $1.75 per dozen pair.
"Glace" of sheep origin from $2.50 per dozen pair.
"Glace" other than sheep origin from $3 per dozen pair.
"With exterior grain surface removed" from $2.50 per dozen pair.
"Kid of other leather than of sheepskin" from $3 per dozen pair.
All to $4 per dozen pair, and 35 cents in addition per dozen pair for each inch over 14.

REDUCTIONS IN DUTY.

SCHEDULE A.

Boracic acid, from 5 cents to 2 cents per pound.
Chromic acid and lactic acid, from 8 cents to 2 cents per pound.
Salicylic acid, from 10 cents to 5 cents per pound.
Tannic acid or tannin, from 50 cents to 35 cents per pound.
Gallic acid, from 10 cents to 8 cents per pound.
Tartaric acid, from 7 cents to 5 cents per pound.
Alumina, hydrate of, or refined bauxite, from six-tenths of 1 cent to one-half of 1 cent per pound.
Alum, alum cake, etc., from one-half of 1 cent to one-fourth of 1 cent per pound.
Sulphate of ammonia now dutiable at three-tenths cent per pound is transferred to the free list.
Argols and wine lees are reduced from 5 cents per pound to 5 per cent ad valorem; tartrate of soda or potassa or Rochelle salts from 4 cents per pound to 3 cents per pound; cream of tartar and patent tartar from 6 cents to 5 cents per pound.
Borax is reduced from 5 cents to 2 cents per pound.
Borate of lime and other borate material is reduced from 4 cents to 1½ cents per pound and from 3 cents to 1 cent per pound according to the percentage of anhydrous boracic acid contained.
Chloroform is reduced from 20 cents to 10 cents per pound.
Collodion and all compounds of pyroxylin are reduced from 50 to 40 cents per pound; if in sheets, etc., from 60 to 45 cents per pound; and if manufactured into articles, from 65 cents per pound and 25 per cent ad valorem to 50 cents per pound and 20 per cent ad valorem.
Copperas, now dutiable at one-fourth of 1 cent per pound, is transferred to the free list.
Sulphuric ethers are reduced from 40 to 8 cents per pound.
Spirits of nitrous ether, from 25 to 20 cents per pound.
Fruit ethers, oils or essences, from $2 to $1 per pound; all other ethers from $1 to 50 cents per pound.
Gelatin, glue, isinglass, valued at not above 10 cents per pound, reduced to 20 per cent ad valorem; if in sheets or articles, 35 per cent ad valorem.
Iodoform from $1 to 75 cents per pound.
Licorice, all forms of, from 4½ cents per pound to free list.
Cotton-seed oil and croton oil transferred to the free list.
Flaxseed, linseed, and poppy-seed oil reduced from 20 to 15 cents per gallon.
Peppermint oil, reduced from 50 cents to 25 cents per pound.
Ocher and ochery earths, sienna and sienna earths, and umber and umber earths, if ground in oil or water, reduced from 1½ cents to 1 cent per pound.
Orange mineral, from 3¾ to 2¾ cents per pound.
Red lead, from 2½ cents to 2¾ cents per pound.
Varnishes, reduced from 35 to 25 per cent ad valorem; and spirit varnishes from $1.32 per gallon and 35 per cent to 25 per cent ad valorem.
Vermilion red, made of lead or containing lead and not containing quicksilver, from 5 cents to 4½ cents per pound.
White lead, white paint and pigment containing lead, from 2¾ cents to 2¾ cents per pound.
Whiting and Paris white, dry, from one-fourth of 1 cent to one-eighth of 1 cent per pound; ground in oil, or putty, from 1 cent to one-half cent per pound.
Lead: Acetate of, white, from 3½ cents to 2¾ cents per pound; brown, gray, or yellow, from 2½ cents to 1¾ cents per pound; nitrate of, from 2½ cents to 2¼ cents per pound; litharge, from 2¾ cents to 2¼ cents per pound.
Potash: Bichromate and chromate of, from 3 cents to 1½ cents per pound.
Potash: Chlorate of, from 2½ cents to 2 cents per pound.
Plasters, healing, etc., from 35 per cent to 25 per cent ad valorem.
Santonin, from $1 to 50 cents per pound.
Crystal carbonate of soda, from three-tenths of 1 cent to one-fourth of 1 cent per pound; chlorate of soda, from 2 cents to 1½ cents per pound.
Hydrate of, or caustic soda, from three-fourths of 1 cent to one-half cent per pound; nitrite of soda, from 2½ cents to 2 cents per pound; hyposulphite of soda, from one-half of 1 cent per pound to 30 per cent ad valorem.
Sal soda, or soda crystals, not concentrated, from two-tenths of 1 cent to one-sixth of 1 cent per pound.
Soda ash, from three-eighths of 1 cent to one-fourth of 1 cent per pound; arseniate of soda, from 1½ cents to 1 cent per pound.
Silicate of soda, or other alkaline silicate, from one-half of 1 cent to three-eighths of 1 cent per pound.
Sulphate of soda, or salt cake, or niter cake, from $1.25 per ton to $1.
Sponges, and manufactures of, from 40 per cent to 30 per cent ad valorem.
Strychnia, or strichnine, from 30 cents to 15 cents per ounce.
Sulphur, refined or sublimed, or flowers of, from $8 per ton to $6 per ton.
Vanillin, from 80 cents per ounce to 15 cents per ounce.

SCHEDULE B.

Fire brick, glazed, enameled, etc., reduced from 45 per cent to 35 per cent ad valorem; brick other than fire brick, if glazed, enameled, etc., reduced from 45 per cent to 35 per cent ad valorem.
Plaster rock or gypsum, crude, from 50 cents to 40 cents per ton; if ground or calcined, from $2.25 to $1.75 per ton.
Filter tubes, from 45 per cent to 35 per cent ad valorem.
Unpolished, cylinder, crown, and common window glass, above 24 by 36 inches square, reduced one-eighth of a cent per pound on all sizes; cylinder and crown glass, above 24 by 30 and not exceeding 24 by 60 inches square, reduced from 15 cents to 12 cents per square foot; sizes above that, from 20 cents to 15 cents per square foot.
Onyx in block, from $1.50 per cubic foot to $1 per cubic foot.
Marble, sawed or dressed, over 2 inches in thickness, from $1.10 to $1 per cubic foot; slabs or paving tiles of the same containing not less than 4 superficial inches, and not more than 1 inch in thickness, from 12 cents to 10 cents per superficial foot; if more than 1 inch and not more than 1½ inches in thickness, from 15 cents to 12½ cents per superficial foot; if more than 1½ inches and not more than 2 inches in thickness, from 18 cents to 15 cents per superficial foot; if rubbed in whole or in part, from 3 cents per superficial foot, in addition, to 2 cents.
Cast polished plate glass, silvered, etc., exceeding 24 by 30 inches, 25 cents per square foot, which is a reduction on most sizes from 38 to 25 cents per square foot.
Mosaic cubes of marble, onyx, or stone, not exceeding 2 cubic inches in size: If loose, from 1 cent per pound to one-half cent and same ad valorem; if attached to paper or other material, from 20 cents to 10 cents and same ad valorem.
Freestone and other building or monumental stone, except marble and onyx, unmanufactured, from 12 cents to 6 cents per cubic foot.
Mica, cut or trimmed, from 12 cents per pound and 20 per cent ad valorem; unmanufactured, from 6 cents per pound and 20 per cent ad valorem, and mica cut or trimmed, from 12 cents per pound and 20 per cent ad valorem; all to 30 per cent ad valorem; mica plates or built up mica, 35 per cent ad valorem.

SCHEDULE C.

Iron ore and basic slag, from 40 cents per ton, transferred to the free list.
Pig iron, iron kentledge, and spiegeleisen, from $4 per ton to $2.50.
Scrap iron and steel, from $4 per ton to 50 cents per ton.
Bar iron, from six-tenths of 1 cent to four-tenths of 1 cent per pound.
Round iron, less than seven-sixteenths of 1 inch in diameter, from eight-tenths of 1 cent to six-tenths of 1 cent per pound.
Slabs, blooms, loops, or other forms less finished than bars, from five-tenths of 1 cent to four-tenths of 1 cent per pound.
Charcoal iron, from $12 to $6 per ton.
Beams, girders, joists, angles, etc., from five-tenths of 1 cent to three-tenths of 1 cent per pound.
Anchors, from 1½ cents per pound to 1 cent.
Iron and steel forgings, from 55 per cent to 30 per cent ad valorem.
Hoop, band, or scroll iron or steel, not thinner than No. 10 wire gauge, from five-tenths of 1 cent to three-tenths of 1 cent per pound; thinner than No. 10 and not thinner than No. 20, from six-tenths of 1 cent to four-tenths of 1 cent per pound; thinner than No. 20, from eight-tenths to six-tenths of 1 cent per pound. Steel bands or strips, untempered, suitable for making band saws, from 3 cents per pound to 1½ cents; if tempered, from 6 cents per pound and 20 per cent ad valorem to 3 cents per pound and 20 per cent ad valorem.
Cotton ties, from five-tenths of 1 cent per pound to three-tenths.
Railway bars and steel rails, from seven-twentieths of 1 cent per pound to seven-fortieths; railway fish plates, from four-tenths of 1 cent per pound to two-tenths.
Iron steel sheets, valued at 3 cents per pound or less, thinner than No. 10 and not thinner than No. 20 wire gauge, from seven-tenths to five-tenths of 1 cent per pound; thinner than 20 and not thinner than 25, from eight-tenths to six-tenths of 1 cent per pound; thinner than 25 and not thinner than 32, from 1.1 to eight-tenths cent per pound; thinner than 32, from 1.2 to nine-tenths of 1 cent per pound; corrugated or crimped, from 1.1 to eight-tenths of 1 cent per pound.
Sheets, polished, planished, or glanced, from 2 cents per pound to 1¾ cents per pound; if pickled or cleaned, two-tenths of 1 cent per pound in addition.
Tin plates, from 1½ cents to 1.2 cents per pound.
Steel ingots, cogged ingots, blooms, and slabs, etc., valued at 1 cent per pound or less, from three-tenths of 1 cent per pound to seven-fortieths; valued above 1 cent and not above 1.4 cents, from four-tenths to three-tenths of 1 cent per pound; valued above 1.4 cents and not above 1.8 cents, from six-tenths to five-tenths of 1 cent per pound; valued above 1.8 cents and not above 2.2 cents, from seven-tenths to

six-tenths of 1 cent per pound; valued above 2.2 cents and not above 3 cents, from nine-tenths to eight-tenths of 1 cent per pound; valued above 3 cents and not above 4 cents, from 1.2 cents to 1.1 cents per pound; valued above 4 cents and not above 7 cents, from 1.3 cents to 1.2 cents per pound; valued above 7 cents and not above 10 cents per pound, the same duty; valued above 10 cents and not above 13 cents per pound, from 2.4 cents to 2.3 cents per pound; valued above 13 and not above 16 cents per pound, from 2.8 cents to 2.7 cents per pound; valued above 16 cents per pound and not above 30 cents, from 4.7 cents to 4.6 cents per pound; valued above 30 cents per pound, 15 per cent ad valorem.

Round iron or steel wire, not smaller than No. 13 wire gauge, from 1¼ cents per pound to 1 cent; smaller than No. 13 and not smaller than No. 16, from 1½ cents to 1¼ cents per pound; smaller than No. 16, from 2 cents to 1½ cents per pound. That all the foregoing valued at more than 4 cents per pound shall pay not less than 40 per cent ad valorem.

Steel bars or rods, cold rolled, cold drawn, or cold hammered, or polished, from one-fourth of 1 cent per pound in addition to the above rates, to one-eighth of 1 cent per pound; on strips, plates, or sheets of iron or steel, other than polished, where cold rolled, etc., from 1 cent per pound in addition to the rates on plates, to five-tenths of 1 cent per pound.

Bolts, with or without threads or nuts, from 1½ cents to 1¼ cents per pound.

Cast-iron pipe, from four-tenths of 1 cent to one-fourth of 1 cent per pound.

Cast hollow ware, coated, glazed, or tinned, from 2 cents to 1½ cents per pound.

Chains not less than three-fourths of an inch in diameter, from 1¼ cents to seven-eighths of a cent per pound; less than three-fourths of an inch and not less than three-eighths of an inch in diameter, from 1¾ cents to 1¼ cents per pound; less than three-eighths and not less than five-sixteenths, from 1¾ to 1¾ of 1 cent per pound; less than five-sixteenths remain at 3 cents per pound. But no chains will pay less than 45 per cent ad valorem.

Lap welded, butt welded, seamed, or jointed iron or steel boiler tubes, etc., if not less than three-eighths of an inch in diameter, from 2 cents to 1 cent per pound; if less than three-eighths and not less than one-fourth, from 2 cents to 1½ cents per pound; if less than one-fourth, 2 cents per pound; welded cylindrical furnaces, from 2½ cents per pound to 2 cents per pound; all other iron or steel tubes, from 35 per cent to 20 per cent ad valorem.

Table, butchering, carving, etc., knives, with pearl, shell, or ivory handles, from 16 cents each to 14 cents each; handles of deer horn, from 12 cents each to 10 cents each; with handles of hard rubber, bone, celluloid, etc., from 5 cents each to 4 cents each; with other handles from 1½ cents each to 1 cent each, with the same ad valorem addition of 15 per cent: *Provided*, That none of the above shall pay at a less rate than 40 per cent ad valorem, instead of 45 in the present law.

Files were reduced from specific rates, the equivalent of 80 per cent ad valorem, to 40 per cent ad valorem.

Cut nails, spikes, from six-tenths of 1 cent to five-tenths of 1 cent per pound.

Horseshoe nails and hob nails, from 2½ cents to 1½ cents per pound.

Wire nails, not lighter than No. 16 wire gauge, from one-half of 1 cent to one-fourth of a cent per pound; lighter than No. 16, from 1 cent to one-half of 1 cent per pound.

Spikes, nuts, washers, and horse, mule, or ox shoes, from 1 cent to one-half of 1 cent per pound.

Cut tacks, not exceeding 16 ounces to the thousand, from 1½ cents to five-eighths of 1 cent per thousand; exceeding 16 ounces, from 1½ cents to three-fourths of 1 cent per pound.

Steel plates engraved, etc., from 25 per cent to 20 per cent ad valorem.

Rivets, from 2 cents to 1½ cents per pound.

Crosscut saws, from 6 cents to 5 cents per foot; mill saws, from 10 cents per linear foot to 8 cents per linear foot; pit and drag saws, from 8 cents per linear foot to 6 cents per linear foot; circular saws, from 25 per cent ad valorem to 20 per cent ad valorem; steel band saws, from 10 cents per pound to 5 cents per pound, and 20 per cent ad valorem remaining; all other saws, reduced from 30 per cent to 25 per cent ad valorem.

Screws, more than 2 inches in length, from 4 cents to 2½ cents per pound; over 1 inch and not more than 2 inches, from 6 cents to 4 cents per pound; over one-half inch and not over 1 inch, from 8½ cents to 6 cents per pound; one-half inch and less, from 12 cents to 8 cents per pound.

Umbrella parasol ribs and stretchers, from 50 per cent to 35 per cent ad valorem.

Wheels for railway purposes, or parts thereof, from 1½ cents to 1¼ cents per pound; ingots, blooms, or blanks for the same, from 1½ cents to 1 cent per pound.

Aluminum, in crude form, from 8 cents to 7 cents per pound; in plates, etc., from 13 cents to 11 cents per pound.

Hooks and eyes, from 5½ cents to 4 cents per pound, retaining the additional 15 per cent ad valorem.

Lead dross, bullion, base bullion, and lead in pigs, from 2½ cents to 1½ cents per pound; in sheets, pipes, shot, etc., from 2½ cents to 1½ cents per pound.

Monazite sand and thorite, from 6 cents to 4 cents per pound.

Zinc in blocks or pigs, from 1½ cents to 1 cent per pound; in sheets, from 2 cents to 1½ cents per pound.

Cash registers, electrical apparatus and machinery, jute manufacturing machinery, linotype and all typesetting machines, machine tools, printing presses, sewing machines, typewriters, and all steam engines, from 45 per cent to 30 per cent ad valorem. Embroidery machines and lace-making machines, the same rate, with a proviso that they may be imported free until July 1, 1911.

SCHEDULE D.

Timber, from 1 cent per cubic foot to one-half cent per cubic foot.

Sawed boards, planks, etc., of whitewood, sycamore, and basswood, from $1 per thousand to 50 cents per thousand.

All other sawed lumber from $2 to $1.

If further advanced and manufactured, the same reduction from the present law.

Paving posts, railroad ties, telephone poles, etc., from 20 per cent to 10 per cent ad valorem.

Clapboards, from $1.50 per thousand to $1 per thousand.

Kindling wood transferred to the free list.

Laths, from 25 cents per 1,000 pieces to 20 cents per 1,000 pieces.

Fence posts, from 10 per cent to the free list.

SCHEDULE E.

Sugar, refined, from 1 cent and ninety-five one-hundredths of 1 cent to 1 cent and ninety-one one-hundredths of 1 cent per pound.

SCHEDULE G.

Barley, from 30 cents per bushel to 15 cents.
Barley malt, from 45 cents to 25 cents.
Cabbages, from 3 to 2 cents each.
Bacon and hams, from 5 cents per pound to 4 cents.
Fresh meat, from 2 cents to 1½ cents per pound.
Lard, from 2 cents to 1½ cents.
Tallow, from three-fourths of 1 cent per pound to the free list.
Wool grease, from one-half of 1 cent to one-fourth of 1 cent.
Dextrin, burnt starch, etc., from 2 cents to 1½ cents per pound.
Peas, green, from 40 cents per bushel to 30 cents per bushel.
All starch, except potato starch, from 1½ cents to 1 cent per pound.

SCHEDULE J.

Flax straw, at $5 per ton under present law, and flax, not hackled or dressed, at 1 cent per pound, transferred to the free list.

Cables and cordage, reduced from 1 cent to three-fourths of 1 cent per pound.

Threads, not finer than 5 lea or number, reduced from 13 cents to 10 cents per pound, with five-eighths instead of three-fourths of 1 cent per pound advance with each lea in number in excess of 5.

Single yarns, not finer than 8 lea, reduced from 7 cents to 6 cents per pound.

Flax gill nettings, from 25 to 20 per cent.

Carpets, mats, etc., from 5 cents per square yard and 35 per cent ad valorem to 4 cents per square yard and 30 per cent ad valorem, when valued not above 15 cents per square yard; if valued above 15 cents, from 10 cents per square yard and 35 per cent ad valorem to 8 cents per square yard and 30 per cent ad valorem.

Hydraulic hose, from 20 cents per pound to 15 cents per pound.

Oilcloth, including linoleum under 6 feet in width, the same; above 6 feet, from 20 cents per square yard and 20 per cent ad valorem to 12 cents per square yard and 15 per cent ad valorem.

Waterproof cloth remains the same.

Shirts, collars, and cuffs of cotton, from 45 cents per dozen and 15 per cent ad valorem to 35 cents per dozen and 10 per cent ad valorem.

SCHEDULE K.

Wool of the third class, known as "carpet wool," from a duty of 4 cents per pound on such wool worth 12 cents or less, and a duty of 4 cents per pound upon such wool exceeding 12 cents in value, to a duty of 3 cents per pound on such wool valued at not more than 10 cents per pound; and if valued at more than 10 cents per pound and not more than 16 cents per pound, 3 cents per pound and in addition thereto one-half of 1 cent per pound for each cent per pound of additional value exceeding 10 cents; if valued at more than 16 cents, 7 cents per pound.

Top waste and roving waste, from 30 cents to 25 cents per pound; slubbing waste, ring waste, and garnetted waste, from 30 cents per pound to 20 cents per pound.

Shoddy, from 25 to 20 cents per pound; noils and all other wastes, from 20 to 18 cents per pound.

Woolen rags, mungo, and flocks, from 10 cents per pound to 6 cents per pound.

Tops, from 33 cents per pound and 50 per cent ad valorem, when valued at not more than 40 cents per pound, and 44 cents per pound and 50 per cent ad valorem when valued above 40 cents and not above 70 cents to the duty imposed on scoured wool and 6 cents in addition.

SCHEDULE M.

Mechanically ground wood pulp, from one-twelfth of 1 cent per pound to exemption from duty on pulp from any country not imposing export duty, etc., on certain forest products.

Printing paper, valued at not above 2½ cents per pound, from three-tenths to one-tenth of 1 cent per pound; valued above 2½ cents a pound and not above 2½ cents a pound, from four-tenths to two-tenths of 1 cent per pound.

SCHEDULE N.

Bituminous coal and coke, from any country admitting American coal free, from 67 cents per ton for coal and 20 per cent ad valorem for coke, to free list.

Gunpowder, valued at 20 cents and less per pound, from 4 cents per pound to 2 cents; valued over 20 cents per pound, from 6 cents per pound to 4 cents.

Cartridges, from 35 to 30 per cent ad valorem; blasting caps, from $2.36 per thousand, equivalent to 84 per cent ad valorem, to 30 per cent ad valorem; mine and blasting powder fuse, from 35 per cent to 25 per cent ad valorem.

Hides of cattle, from 15 per cent ad valorem to free list. Band and sole leather, from 20 per cent ad valorem to 5 per cent ad valorem. Upper leather, calf skins, chamois skins, kangaroo, sheep and goat skins, and other leather not provided for, from 20 per cent to 15 per cent ad valorem. Patent leather, weighing not over 10 pounds per dozen skins, from 30 cents per pound and 20 per cent ad valorem; weighing over 10 pounds and not over 25 pounds per dozen, from 30 cents per pound and 10 per cent ad valorem; weighing over 25 pounds, from 20 cents per dozen and 20 cents per pound and 10 per cent ad valorem, all to 20 per cent ad valorem; pianoforte leather, from 35 per cent ad valorem to 20 per cent ad valorem; boots and shoes, from 25 per cent ad valorem to 15 per cent ad valorem; shoe laces, from 50 cents per gross and 20 per cent ad valorem to 15 per cent ad valorem; leather cut into shoe uppers, etc., from 35 to 30 per cent ad valorem; all other manufactures of leather, from 35 per cent ad valorem to 30 per cent ad valorem.

Agricultural implements, plows, etc., from 20 per cent ad valorem to 15 per cent ad valorem, and further provision to free list from any country admitting American agricultural machinery free.

Works of art, including paintings and statuary, more than 20 years old, from 20 per cent to the free list.

The articles mentioned in the remaining paragraphs are rated substantially at the same duty as under the present law.

MISCELLANEOUS PROVISIONS OF THE BILL.

METHOD OF VALUATION.

The bill adds a new paragraph to section 11 of the customs administrative act, which provides for the appraisement of goods imported by consignment and not by sale where there is no market price at the place

of the origin of the goods. After reenacting the present provisions to ascertain the value the bill adds this paragraph:

"The actual market value or wholesale price, as defined by law, of any imported merchandise which is consigned for sale in the United States or which is not actually sold and freely offered for sale in usual wholesale quantities in the open market of the country of exportation to all purchasers, shall not in any case be appraised at less than the wholesale price at which such or similar imported merchandise is actually sold and freely offered for sale in usual wholesale quantities in the United States in the open market to all purchasers, due allowance by deduction being made for estimated duties thereon, cost of transportation, insurance, and other necessary expenses from the place of shipment to the place of delivery, and a reasonable commission not exceeding 10 per cent, if any of the same has been paid."

It will be seen that this provision is only applied to consigned goods, and not to those actually sold for importation.

PHILIPPINE IMPORTATIONS.

The bill provides for reciprocal free trade with the Philippine Islands on all articles, but limiting the sugar to be imported free of duty to 300,000 tons; wrapper tobacco to 300,000 pounds, and 3,000,000 pounds of filler tobacco, and 150,000,000 cigars in any one fiscal year. The excess of sugar, tobacco, and cigars to pay full tariff rates. This exemption from duty is confined to the growth or products of the islands, however, and does not admit articles imported into the Philippine Islands from a foreign country without payment of full rates of duty on such importations.

PATENTS.

A section is added applying the same rules to patents obtained in the United States by aliens that are in force in the country of which these aliens are citizens in respect to patents issued there to citizens of the United States. This will either compel foreigners obtaining patents in the United States to build factories and manufacture here for our trade or eventually forfeit the right to their patents.

CUBAN RECIPROCITY.

A section is inserted preserving the Cuban reciprocity provisions of the present law and treaty.

FOREIGN TRADE AGREEMENTS.

Provision is made to terminate the various commercial agreements with foreign countries, according to the terms of said agreements, by notice, and in the meantime keeping faith in those agreements. The provisions of section 4, applying the minimum and maximum rates, will take the place of section 3, under which these agreements were made.

CUSTOMS REVENUE.

The estimated revenue under the tariff duties prescribed in the bill amount to $395,225,173.

INTERNAL REVENUE.

The bill provides for a tax on transfers of property, both real and personal, by inheritance or succession, and by will. It is believed that this provision, when in full operation, will bring in a revenue of $50,000,000, although no accurate estimates can be made.

The tax on cigarettes is increased on those weighing over 3 pounds per thousand, from $3 to $3.60, and on those weighing less, from $1 to $1.50.

DRAWBACKS.

The bill contains a carefully prepared section (sec. 29) extending the privileges of drawback on material imported on which tariff has been paid and the products of which are manufactured in this country when exported. It is believed that this section carefully guards the revenue and at the same time liberalizes the provision and will stimulate our export trade.

TIME OF TAKING EFFECT.

It is provided that the bill shall go into effect the day following its enactment.

The bill contains provisions for the issue of bonds for the purchase of the Panama Canal, and also amends the provisions for issuing certificates of indebtedness, increasing the amount from $100,000,000 to $250,000,000.

The section of the present law prohibiting the importation of goods manufactured by convict labor is reenacted.

Provision is also made for countervailing duties where an export tax is levied on importations, equal to the duties imposed.

New provisions are included in the bill concerning the marking and branding of goods made abroad.

[House Report No. 1, part 2. Sixty-first Congress, first session.]

The report of six minority members of the Ways and Means Committee, to accompany H. R. 1438.

The undersigned members of the Ways and Means Committee present the following as their views on the bill (H. R. 1438) referred to said committee entitled "A bill to provide revenue, equalize duties, encourage the industries of the United States, and for other purposes:"

A tariff is a tax paid by the consumer. The only proper and legitimate function of a tariff law is to raise revenue to supply the needs of the Government economically and effectively administered. The tariff should be so arranged as to bring into the Public Treasury the largest possible portion of the money taken from the pockets of the people by its operation, with the lowest rates or none at all on the necessaries of life and on luxuries of life the highest consistent with the prevention of smuggling.

Under the rates of the Dingley bill, in many cases prohibitive, there is a large and constantly increasing deficiency in the revenues, which, according to the statement of Hon. JAMES A. TAWNEY, chairman of the House Committee on Appropriations in the last two Congresses, is likely to amount to $150,000,000 for the fiscal year ending June 30, 1909. With this huge deficiency staring them in the face, the Sixtieth Congress at its short session made appropriations in excess of the billion-dollar mark for the fiscal year ending June 30, 1910, thereby achieving "the bad eminence" of breaking the record for extravagance. There are only three ways of curing a deficiency: (1) Cut down expenditures; (2) increase the taxes; (3) issue bonds. To cut down expenses which the dominant party seems utterly unable to do is the wisest and most humane way to cure a deficiency. To increase taxes where it can be avoided is unjustifiable and unpatriotic. To issue bonds, thereby creating a new indebtedness, is simply postponing the evil day, for they must be paid at last with interest. The most easily understood feature of the Payne tariff bill is that it increases the authorization of the interest-bearing bonds from $100,000,000 to $250,000,000 in any one year to run for that year, and that too, in a period of profound peace. True, the framers of the Payne bill do not use the unpopular word "bond," but substitute therefor the more euphonious word "certificate," which will mislead nobody, for a "certificate" and a "bond" are one and the same—a distinction without a difference. We insist that instead of an increase of taxes or a new issue of interest-bearing certificates or bonds, the correct remedy for the growing deficiency in the revenues is the Jeffersonian principle of "economy in the public expense that labor may be lightly burdened."

When the long and laborious "hearings" closed the Republican members of the Committee on Ways and Means segregated themselves from the Democratic members and spent almost three months in incubating the Payne tariff bill, though we would have gladly aided them in their investigations, meditations, and conclusions. We submit to all concerned that the posture of affairs would be better to-day perhaps had they invited us to join them in considering and framing the tariff bill. Inasmuch as we are laboring under the compulsion of increasing the revenues by something over $150,000,000 per annum, because it seems impossible for a Republican Congress to reduce the appropriations, and inasmuch as we are in the unprecedented situation of both parties standing pledged to a revision of the tariff downward, such joint action would have been eminently proper. We might—who knows?—being in this amazing predicament, have agreed on a bill, if not in whole, then in part. The Democratic members did as much work during the "hearings" as did the Republican members, and were as patriotic and conscientious as they. In such a joint labor nobody would have placed in the bill all he wanted. Nor is it at all probable that even a single Republican member of the committee or of the House is entirely satisfied with the Payne bill as reported, to say nothing of the Democratic members. In such a joint labor there could have been no danger of our outvoting them. If the whole committee could have united on a bill, either in whole or in part, under the peculiar circumstances in which we find ourselves, it would have greatly expedited the passage of the bill, thereby relieving the country of the long and wearisome weeks, perhaps months, of business uncertainty and suspense. If there is delay in the passage of the bill and business stagnates by reason thereof and financial loss results from it, let the blame be placed where it properly belongs, upon the head of the Republican party.

Having spent nearly three months in framing their bill, they graciously called in the Democratic members, and in precisely twelve minutes reported it back to the House without one moment's discussion, without changing a word, without even reading the title—an astounding demonstration of the fact that we live in a fast age and are traveling at a rapid gait.

This happened on March 18, and no member of the minority had ever seen the bill or any paragraph thereof till noon on Wednesday, the 17th of March, and had not the remotest idea of its provisions, except by the merest guesswork. In fact, it was currently reported in the public press that so fearful were the Republican members that the Democratic members or some other American citizen might secure some knowledge of the contents of the Payne bill that its authors not only kept it under lock and key, but employed armed guards to keep watch and ward over their precious bantling—an absolutely superfluous performance, as many parts of it are utterly incomprehensible even after careful study. And yet this bill, which was too sacred for any eyes except the 12 majority members and a few of their trusted friends, contains 234 large pages and deals with tariff taxes on about 4,000 articles of everyday consumption, influencing the interests, prosperity, and happiness of 90,000,000 American citizens, and involving our trade relations with the whole world. We have had only five days in which to consider and report upon a bill which they spent nearly three months in preparing.

There are many changes—for the most part minor changes—of the Dingley rates, some up and some down. Most of the changes in a downward direction are reductions more apparent than real, the Payne rates being as prohibitive in their results in many cases as the Dingley rates. In some of the schedules containing the most exorbitant rates there are no changes giving any appreciable relief to the great body of consumers. This omission is notable in the rates on manufactures of wool, which in our changeable climate are absolutely necessary to human comfort. The only noteworthy change in the rates on manufactures of wool is that in the Payne bill a lower rate is put on tops than upon yarn, as it should be, whereas in the Dingley bill the rate upon tops is higher than upon yarns—a gross outrage, as yarns are a grade higher as manufactures than tops.

Nevertheless, the squabble about the relative rates on tops and yarns was of interest only to the makers of tops and the spinners of yarns, a fight of absolutely no consequence to the consumer, for he will in any event experience no reduction in the price of the woolen goods which he buys, because the tariff taxes under the Payne bill are almost identical with those under the Dingley bill. No man, woman or child will ever have cause to thank the framers of the Payne bill for cheaper and more abundant clothes and blankets.

Most of the rates on manufactured wool in both the Dingley and Payne bills are compound; that is, made up of both specific and ad valorem duties, and many of them are practically prohibitive. It is this compounding of specific and ad valorem rates which so puzzles and befogs the average citizen as to what tariff rates he is really paying. Here are a few samples of the rates on woolen manufactures, when both the specific rates and the ad valorem are reduced to ad valorem rates:

Paragraph 375 of the Payne bill, which is identical with paragraph 367 of the Dingley bill, runs as follows:

"On blankets and flannels for underwear, composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem. On blankets, composed wholly or in part of wool, valued at more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem. Flannels, composed wholly or in part of wool, valued at above 5 cents per pound, shall be classified and pay the same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section: *Provided*, That on blankets over 3 yards in length the same duties shall be paid as on cloths."

The specific duty on a pound of unwashed wool of the first class is 11 cents; consequently on a pound of blankets or flannels worth not

more than 40 cents per pound the specific duty is 22 cents. This never varies, but to that is added the 30 per cent ad valorem, which does vary. In practice the result is that on that class of blankets and flannels the compound duties when reduced to ad valorem duties ran as low as 88.65 per cent in 1899 and as high as 125.10 per cent in 1901, and fell to 107.60 per cent in 1907, the last year for which we have the figures. These are the cheapest blankets and flannels. To show how nearly prohibitive those rates are, it is only necessary to state that in 1907 we imported that kind of blankets and flannels to the value of $316 only, and the tariff on the same amounted to $340.32. On blankets and flannels valued at more than 40 cents and not more than 50 cents per pound the rate in 1907 was 106.12 per cent ad valorem, of which we imported $219 worth only and upon which we paid $232.41 tariff.

On blankets and flannels more than 3 yards in length valued at not more than 40 cents per pound the rates in both the Dingley and Payne bills are 33 cents per pound and 50 per cent ad valorem, which in operation amounted in 1907 to 165.42 and in 1908 to 182.71 per cent. In 1907 we imported blankets and flannels of that kind of the infinitesimal value of $40.60, on which we paid tariff duties to the amount of $67.16. Yet the framers of the Payne bill, for some inscrutable reason, let these prohibitive rates stand at a time when the deficiency in the revenues is startling and worrying the country. Why not give the consumers cheaper blankets and flannels and at the same time replenish the Treasury? How can any man believe, or how can any man claim, that the Payne bill is a bona fide revision downward while it contains such monstrous provisions as those just cited? Many other such rates in the woolen-manufactures schedule could be pointed out, but these are fair samples and must suffice.

We are told that the reduction of five one-hundredths of 1 cent per pound on refined sugar is a great boon to the ultimate consumer. The public press informs us that one of the Republican members of the Committee on Ways and Means describes this reduction as "a blow between the eyes of the sugar trust." When the trust received that blow between the eyes, instead of seeing stars, the usual and natural result of such a blow, it saw a golden stream like unto the river Pactolus flowing steadily into its coffers during the entire life of the Payne bill. To show how pitiful this boon really is, let it be remembered that the annual per capita consumption of sugar in this country is about 80 pounds; so that a person would be compelled to eat sugar at the top of his speed in order to save one nickel in fifteen months, even if the trust should be compelled to reduce the price of sugar by five one-hundredths of a cent per pound, which most assuredly it would not be. Theoretically the trust receives "a blow between the eyes." In reality this infinitesimal reduction of the Dingley rate will not reduce the price of refined sugar—a prime necessary of life—to the consumer in any degree whatsoever. Certainly that reduction may be properly denominated as a "sham."

The Standard Oil Company is as handsomely cared for in the Payne bill as in the Dingley bill, and by reason of the proviso in paragraph 637, popularly known as "the joker," continues to be protected by a tariff duty of about 99 per cent, which enables it to dominate and exploit the American market and to levy tribute upon the public, thereby piling up millions of dollars of ill-gotten gains. Surely the Standard Oil, which openly and constantly defies the law, needs no protection from the Government to enable it to take care of itself; and the countervailing duty ought to be repealed.

SCHEDULE A.

In the chemical schedule we find a very general reduction in the rates. An attempt has been made to produce something like a scientific arrangement and to bring order out of existing chaos in this schedule.

The cuts in rates seem to us not sufficiently extensive in all particulars to produce the most revenue. There are, moreover, not a few items in which no reduction has been made and in which there appears to be a thus far unexplained desire to favor a trust. There are, however, certain increases of rates in this schedule which are unjustifiable from any point of view.

GLASS. (B.)

Referring to paragraph 97 (common window glass), the reduction proposed of one-eighth of 1 cent per pound on sizes exceeding 720 square inches enables the statement to be made that there is a reduction on common window glass and that it is as far as one can go. The reduction amounts to 3 or 4 per cent in duty on 6 or 7 per cent of the importations, or less than one-half of 1 per cent on the importations as a whole. As for revenue, it is obvious that the proposed slight change will have no special effect one way or the other. The only way to get revenue out of this schedule is to reduce the rates materially.

French glass is imported mainly on account of its superiority for special purposes. Comparatively very few buyers will pay the present difference in price. At a decreased margin between French and American glass the consumption would undoubtedly increase enormously. Aside from this, it is not fair to the American consumer to offer a premium for the formation of an industrial combination in this article behind the shelter of a tariff wall equal on the average to the entire cost of production in this country. A fair rate to the American manufacturer could be adopted that would give some relief to the consumer and at the same time increase the revenue.

Taking up paragraph 100 (polished plate glass), the proposed rates are neither in accordance with the theory of equalizing the difference in the cost of production here and abroad, nor with revenue considerations. The difference in the cost of production here and abroad is shown to be less than 3½ cents per square foot, whereas the proposed rates figure out at about 15 cents per square foot on the average consumption. There is a small importation of foreign plate glass which will probably continue to enter the country at any rate of duty within reason. The great bulk of the importation, however, consists of glass that the American manufacturer can and does keep out whenever he wants to. Witness the shrinkage of importations of plate glass during the calendar year 1908 as compared with 1907. During this period plate-glass importations decreased 79 per cent, window-glass importations only 31 per cent, and rough rolled glass 36 per cent. The decrease in the last two items was principally due to depressed business conditions. The decrease in plate glass was partly due to this cause, but the proportionate decrease as compared with the two other varieties of building glass demonstrated how large a proportion of the present importations can be kept out by the American manufacturer under the present rates on small sizes, which are 8 and 10 cents per square foot. At the proposed advanced rates the decrease in importations would counterbalance several times over the increase in the rate of duty; in fact, there would not be any importations worth mentioning until the American consumer had first paid the additional tax of 25 per cent of the duty on all the small sizes consumed in the country, and even then the importations would be far less than in past years, for, while French plate glass is imported principally on account of its quality, even good quality can be taxed out of existence.

The reduction proposed in the rate of duty on the large sizes exceeding 1,440 square inches will not yield an increase in revenue, as the proposed rate of 22½ cents is still practically prohibitive and is even more unreasonable in its relationship to comparative cost than the proposed rates on the smaller sizes.

The remaining paragraphs—98, 99, 101, and 102—are comparatively of minor importance, as compared with the plate and window glass schedules. In most of these paragraphs there is no change from the present rates in the newly proposed rates. What slight changes as have been made are apparent and not real reductions, as there is practically no importation in the items in which changes have been made.

SCHEDULE C.

The reduction of duties on iron and steel commodities are more numerous and in some particular instances apparently more far-reaching than any in the bill, but a close examination will show that many of these reductions are only on the surface and not real. In other instances the reductions are made in the interests of the manufacturer and not in the interests of the government revenue or the consumer.

On many articles of manufactured iron and steel, where the rates are now prohibitive, a reduction has been made. This is true of steel ingots, blooms, slabs, round iron and steel wire, and a number of other articles. Again, there are articles left in the bill on which the rates are as prohibitive as under the Dingley law, allowing very little of importations, raising practically no revenue, and barring out competition. Notable among these are rivets, screw, fence, and other wire rods, axles, axle bars, blacksmiths' hammers, sledges, track tools, wedges, crowbars, bolt blanks, cast-iron vessels, stove plate, saddirons, muskets, shotguns, rifles, nails, spikes, tacks, needles, steel plates engraved, stereotype plates, electrotype plates, hooks and eyes, and many other articles named in the schedule.

It is apparent, from a careful reading of this schedule, that in those cases where the interest of the manufacturer of high-grade material demanded a cut a reduction in his favor has been made; in cases like steel rails, where the eyes of the country were watching to see what would be done, an apparent reduction has been made, but in very many cases in this schedule it is as radically a prohibitive tariff as it was in the beginning and the changes in the schedule will undoubtedly not materially increase the revenues.

SCHEDULE G.

The treatment of the farmer by this bill is along the same lines as have characterized Republican methods in the past. He gets practically no relief, and the laborer and producer have greater burdens imposed upon them. The cost of living for the average man is increased; the advantage of wealth and power is also increased. Heavy taxes are laid on coffee, tea, and substitutes for coffee, which, with cocoa, butter, mustard, pepper, cinnamon, and all sorts of flavors for foods, are declared to be luxuries. While figs, lemons, etc., are raised in price without hope of increasing the revenue, barley is reduced 15 cents and barley malt 20 cents, the reason for which it would be interesting to know. Every article of food the laborer must have to live comfortably is heavily taxed; even the salt on his table is not exempt. This schedule was evidently prepared by the same mind which has dominated this bill—a mind certainly not unfriendly to the great trusts.

As this bill places hides on the free list, it would be consistent it should also remove the duty on leather, shoes, harness, and other manufactures of leather.

That the bill is a sectional one is shown by the failure of the majority of the committee to lift any burden whatever from the shoulders of the southern farmer. The grower of cotton must sell his product in the open markets of the world. In order, however, to benefit the manufacturer of cotton the Republican party makes him pay a heavy tax on every pound of it that is exported and comes back into the United States in the shape of manufactured goods. Thus he sells in free-trade markets and buys in a protected market. Not only have these burdens not been lifted, but additional ones have been placed on him. By a lately discovered process a fabric known as "mercerized fabric" is now being made. This is a very fine article of cotton goods, looking very much like silk, and is largely worn. In order to further enrich the manufacturer and to further tax the masses of the people a tax has been laid on these goods.

Cotton hose have fallen under their greedy gaze, and the tax on them, already too much, has been greatly increased. Cotton goods are more generally used than any other class of goods by the masses of the American people and every cent of duty laid on such fabrics is an additional tax on the people least able to pay it.

The tea tariff is a tax of 8 and 9 cents per pound on consumption, and is in direct contradiction of that "free breakfast table" about the blessings of which we heard so much when raw sugar was put on the free list in the McKinley bill. If a free breakfast table was a desirable thing in 1890, and it undoubtedly was, it is an equally desirable thing now. This tea tax will probably bring into the Treasury something like $7,000,000 per annum, and it increases the cost of living by the same amount. That sum, or twice or thrice that sum, could have been added to the revenues by reducing the exorbitant rates on woolen manufactures alone, and at the same time reducing the cost of living, which has increased to an alarming extent in the last few years.

In paragraph 553 as to coffee we find another joker similar to the one as to petroleum. Ostensibly coffee is placed on the free list, but by reason of the proviso as to countervailing duties, it really places a tariff on coffee equal to the export duty levied upon it by the exporting country from which it comes. For example, if Brazil levies an export duty of 8 or 10 cents per pound, then we must clap a tariff rate of 8 or 10 cents a pound on all coffee imported from Brazil, which arrangement really authorizes Brazil and other coffee-exporting countries to fix our tariff duties on coffee. This may be a delightful situation for the coffee-exporting countries and for our Treasury Department, but it will not bring joy to the heart of the American coffee consumer, who must pay both the export duty levied by the other countries and the import duty levied by our own Government.

Indeed, the whole maximum and minimum tariff scheme as set forth in the Payne bill enables foreign countries to force us to raise the rates of the Payne schedules 20 per cent, which would, after making ample allowance for all reductions in the Payne bill, increase our tariff rates on the average much above the rates of the Dingley law, a prospect which will bring sorrow and dismay to the great body of the people. We are most heartily in favor of such a maximum and minimum tariff as will enable our Government to negotiate tariff arrangements by

making concessions to other governments by reducing the rates of the statute when such other countries will make equally valuable concessions to us. The maximum rates should be the rates of our statute, whatever they are, and the minimum a reasonable rate below our statutory rates; but as it stands the maximum and minimum tariff plan of the Payne bill is an open challenge to a trade war with every other nation on earth. It is seeking trade with a club or meat ax. We are opposed to such an unwise and unnecessary performance. In this connection it may be well to ponder thoroughly our relations with Cuba. Does any sane man suppose for one moment that the great commercial nations, our competitors for the world's trade, will concede that Cuba is one of our "dependencies?" It is a thing incredible. To ask that question is to answer it.

The tariff arrangement between us and the Philippine Islands has no proper place in a general tariff bill. The legitimate function of a general tariff bill is to set forth our trade relations with foreign nations, but foreign nations have absolutely nothing to do with our relations to the Philippines, which relations should be most carefully and prayerfully considered by us in a separate bill.

There are some schedules and many items which we have been absolutely precluded from considering by the short space of time allowed for the examination of this voluminous bill and the preparation of this report. On them we pronounce no opinion, and as to them we make no suggestion at this time; but our silence as to them is not to be construed into an indorsement, for the chances are that they are as objectionable as those which we have discussed in this report.

The bill is in many respects crude, indefinite, sectional, and prohibitive. It seems to us from our examination, which was necessarily hasty, that on the whole it increases the cost of living. For example, it will increase the price of hosiery about 30 per cent, and certainly nobody will claim that hosiery is a luxury in this day and generation. Many increases of the sort might be mentioned. In numerous instances the protection exceeds the entire labor cost of production. This can not be defended on any ground whatsoever, even by a standpatter. In all, the reductions, both apparent and real, fall far short of the substantial relief which the people were led to expect.

We do not desire to delay the passage of the tariff bill, and do not propose to waste an hour; but, having had no opportunity whatsoever to modify or amend it before it was reported, we will insist on having full opportunity to amend and debate it paragraph by paragraph under the five-minute rule, as is right and proper. That much we demand. We will be satisfied with nothing less.

CHAMP CLARK.
O. W. UNDERWOOD.
J. M. GRIGGS.
EDWARD W. POU.
C. B. RANDELL.
FRANCIS BURTON HARRISON.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 19 minutes p. m.), the House adjourned until to-morrow at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Postmaster-General, transmitting a statement of papers and documents not needed in the transaction of the public business (H. Doc. No. 3)—to the Joint Select Committee on Disposition of Useless Executive Papers and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for expenses of taking the census (H. Doc. No. 5)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney-General submitting an estimate of appropriation for payments to special assistant attorneys (H. Doc. No. 6)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a schedule of useless papers on the files of his department (H. Doc. No. 7)—to the Joint Select Committee on Disposition of Useless Executive Papers and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John T. Ayres, executor, against the United States and the Chickasaw Nation (H. Doc. No. 8)—to the Committee on Claims and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 3039) for the establishment of a national tubercular sanitarium in the State of Colorado for persons afflicted with tuberculosis—to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 3040) to increase the efficiency of the army—to the Committee on Military Affairs.

By Mr. BURLESON: A bill (H. R. 3041) to prohibit interference with commerce among the States and Territories and with foreign nations and to remove obstructions thereto—to the Committee on Agriculture.

By Mr. ROBERTS: A bill (H. R. 3042) to purchase a painting of the several ships of the United States Navy known as the "Squadron of Evolution," and entitled "Peace"—to the Committee on the Library.

By Mr. RAUCH: A bill (H. R. 3043) to erect a monument on the Missisinewa battle ground, in Grant County, Ind.—to the Committee on Military Affairs.

Also, a bill (H. R. 3044) to provide for the purchase of a site and the erection of a public building thereon in the city of Huntington, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. SHACKLEFORD: A bill (H. R. 3045) providing for the erection of a public building at Boonville, in the State of Missouri—to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 3046) to provide for the purchase of a site and the erection of a building thereon at Oregon City, in the State of Oregon—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3047) to amend section 6 of an act entitled "An act to regulate commerce," approved February 4, 1887, and acts amendatory thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: A bill (H. R. 3048) to raise the wreck of the U. S. battle ship *Maine* in Habana Harbor, and remove the bodies therein to Arlington Cemetery for interment—to the Committee on Naval Affairs.

By Mr. HAMILTON: A bill (H. R. 3049) providing for the erection of a public building at the city of Three Rivers, Mich.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3050) permitting the construction of a ship canal between Lakes Michigan and Superior, by way of Whitefish River, Mud Lake, and Au Train River and Lake, in the State of Michigan—to the Committee on Railways and Canals.

Also, a bill (H. R. 3051) to protect national banking associations from libel and slander—to the Committee on Banking and Currency.

Also, a bill (H. R. 3052) to amend section 2139 of the Revised Statutes of the United States—to the Committee on Indian Affairs.

Also, a bill (H. R. 3053) to amend section 1 of an act approved January 30, 1897, entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes"—to the Committee on Indian Affairs.

Also, a bill (H. R. 3054) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico," approved February 6, 1907—to the Committee on Pensions.

By Mr. HIGGINS: A bill (H. R. 3055) to provide for the construction of a revenue cutter of the first class for service at the port of New London, Conn., and adjacent waters—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of Pennsylvania: A bill (H. R. 3056) to amend an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes," approved March 2, 1907—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 3057) to establish in the Department of the Interior a Bureau of Mines—to the Committee on Mines and Mining.

Also, a bill (H. R. 3058) to regulate the issuance of restraining orders and injunctions and procedure thereon and to limit the meaning of conspiracy in certain cases—to the Committee on the Judiciary.

By Mr. BOOHER: A bill (H. R. 3059) to require clerks of the courts of record of the United States to keep a public record, to be called a judgment docket, prescribing its nature and contents, and providing for the taxation of fees for the services of the clerks—to the Committee on the Judiciary.

By Mr. GRANT: A bill (H. R. 3060) for the erection of a public building at Hendersonville, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. GORDON: A bill (H. R. 3061) providing for the erection, either by this Government alone or jointly with such other nations and peoples as may voluntarily cooperate therein, of a memorial light-house to commemorate the work and achievements of the late Matthew Fontaine Maury, and for the creation of a commission to take up this subject with other nations and peoples, and appropriating for the expense of the same—to the committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3062) to construct a road from the national cemetery in Shelby County, Tenn., to the eastern bound-

ary line of the city of Memphis, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 3063) for the suppression of gambling on horse races through national and interstate commerce and the postal service, subject to the jurisdiction and the laws of the United States—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3064) requiring railroads and other common carriers engaged in interstate commerce to make prompt acknowledgment and adjustment of claims for overcharge on freight, and for loss and injury to same—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3065) for the purchase of a site and the erection of a public building in the city of Covington, Tipton County, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. MAYNARD: A bill (H. R. 3066) to provide for acquirement, by condemnation, of lands at Cape Henry, Va., for the purpose of fortification and coast defense—to the Committee on Appropriations.

Also, a bill (H. R. 3067) granting permission to the Lynnhaven Terminal Corporation to improve the lower Chesapeake and Lynnhaven Bay by the construction of a breakwater—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3068) to provide a uniform rate of salaries and wages paid in the United States navy-yards—to the Committee on Naval Affairs.

Also, a bill (H. R. 3069) to establish in the Department of Agriculture a bureau to be known as the bureau of public highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

Also, a bill (H. R. 3070) to repeal section 3480 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 3071) to establish a light-ship at a point about 6 miles east of Cape Henry, Va.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3072) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land on Hampton Roads, Virginia, and the buildings, structures, piers, and improvements thereon, for the use of the Navy Department of the United States as a naval training station and a coaling station, and for other governmental purposes—to the Committee on Naval Affairs.

Also, a bill (H. R. 3073) to fix the compensation of light-house keepers and to provide for their retirement on half pay—to the Committee on Interstate and Foreign Commerce.

By Mr. TOU VELLE: A bill (H. R. 3074) to establish a fish-hatching and fish station on the bank of the reservoir in Mercer or Auglaize County, State of Ohio—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 3075) prohibiting the printing of certain matter on stamped envelopes and the sale thereof—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 3076) making appropriation for the construction and equipment of a Weather Bureau observatory at Lima, Ohio—to the Committee on Agriculture.

Also, a bill (H. R. 3077) to place agricultural implements upon the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 3078) to place binding twine and all material used in making or manufacturing the same upon the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 3079) to repeal the duty on printing paper, wood pulp, and all materials used in the manufacture of printing paper—to the Committee on Ways and Means.

By Mr. GRIEST: A bill (H. R. 3080) to provide for the erection of a monument to Thaddeus Stevens—to the Committee on the Library.

By Mr. WILSON of Pennsylvania: A bill (H. R. 3081) providing for the erection of a public building at Lock Haven, Clinton County, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. THISTLEWOOD: A bill (H. R. 3082) for the erection of a federal building for the post-office at Duquoin, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Ohio: A bill (H. R. 3083) to amend an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war"—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3084) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906, and as amended by an act approved April 13, 1908—to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Kansas: A bill (H. R. 3627) to regulate the sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. THOMAS of North Carolina: A bill (H. R. 3628) for the erection of a monument to Gen. James Moore upon Moores Creek battle ground, North Carolina—to the Committee on the Library.

By Mr. COLLIER: A bill (H. R. 3629) authorizing a survey of Pearl River, Mississippi—to the Committee on Rivers and Harbors.

By Mr. FOCHT: A bill (H. R. 3630) to provide for site and public building at Lewistown, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3631) to provide for the purchase of a site for a public building at Lewistown, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3632) to provide for site and public building at Lewisburg, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3633) to provide for the purchase of a site for a public building at Lewisburg, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3634) to provide for site and public building at Huntingdon, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3635) to provide for the purchase of a site for a public building at Huntingdon, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3636) authorizing the Secretary of War to furnished two condemned brass or bronze "Napoleon" guns, carriages, and cannon balls to the Grand Army Post at Lewistown, Pa.—to the Committee on Military Affairs.

By Mr. SULZER: A joint resolution (H. J. Res. 30) authorizing the appointment of three additional army chaplains—to the Committee on Military Affairs.

By Mr. LASSITER: A joint resolution (H. J. Res. 31) proposing an amendment to the Constitution relative to the term of service of the President of the United States—to the Committee on the Judiciary.

Also, a concurrent resolution (H. C. Res. 7) directing the Secretary of War to cause to be made an investigation of the lines of investment and defense around Petersburg, Va.—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A resolution (H. Res. 42) amending Rule XXXII—to the Committee on Rules.

By Mr. THISTLEWOOD: A resolution (H. Res. 43) appropriating $300 each to certain employees of the House—to the Committee on Accounts.

By Mr. HULL of Tennessee: A concurrent resolution (H. C. Res. 8) asking the Secretary of State for information relative to the lack of representation of the cotton-growing States in the diplomatic and consular service—to the Committee on Foreign Affairs.

By Mr. BURKE of South Dakota: A memorial of the legislature of South Dakota, asking Congress to create in the War and Navy Departments, respectively, a roll to be known as the "civil war soldiers' roll"—to the Committee on Military Affairs.

Also, a memorial of the legislature of South Dakota, asking Congress to remove the tariff from lumber—to the Committee on Ways and Means.

Also, a memorial of the legislature of South Dakota, concerning waterways—to the Committee on Interstate and Foreign Commerce.

Also, a memorial of the legislature of South Dakota, asking Congress to refuse revenue licenses for the sale of intoxicants to be used as a beverage in States and portions thereof where laws prohibiting the sale of intoxicating liquors are in force—to the Committee on Ways and Means.

Also, a memorial of the legislature of South Dakota, asking Congress to provide for the return of discharged soldiers and sailors from the Battle Mountain Sanatorium, Hot Springs, S. Dak., to their homes—to the Committee on Military Affairs.

By Mr. MARTIN of South Dakota: A memorial of the legislature of South Dakota, asking Congress to create in the War and Navy Departments, respectively, a roll to be known as the "civil war soldiers' roll"—to the Committee on Military Affairs.

Also, memorial of the legislature of South Dakota, on waterways—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of South Dakota, asking Congress to provide for the return of discharged soldiers and

sailors from the Battle Mountain Sanatorium, Hot Springs, S. Dak., to their homes—to the Committee on Military Affairs.

Also, memorial of the legislature of South Dakota, asking Congress to remove the tariff on lumber—to the Committee on Ways and Means.

Also, memorial of the legislature of South Dakota, asking Congress to refuse revenue licenses for the sale of intoxicants to be used as a beverage in States and portions thereof where laws prohibiting the sale of intoxicating liquors are in force—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARCHFELD: A bill (H. R. 3085) granting an increase of pension to Ralph G. Bergemann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3086) to correct the muster of William N. Miller—to the Committee on Military Affairs.

By Mr. BARCLAY: A bill (H. R. 3087) granting a pension to Arabella M. Marks—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 3088) for the relief of the heirs of Benjamin Holliday, deceased—to the Committee on Claims.

By Mr. BOOHER: A bill (H. R. 3089) for the relief of the legal representatives of Napoleon B. Giddings—to the Committee on Military Affairs.

Also, a bill (H. R. 3090) for the relief of the heirs of William S. Thatcher—to the Committee on War Claims.

By Mr. BURLEIGH: A bill (H. R. 3091) granting an increase of pension to James H. Roundy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3092) granting an increase of pension to Samuel F. Davey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3093) granting an increase of pension to Daniel Libbey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3094) granting an increase of pension to Nathaniel L. Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3095) granting a pension to M. Emily Putnam—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 3096) granting a pension to Roy Riley—to the Committee on Pensions.

By Mr. BURLESON: A bill (H. R. 3097) granting a pension to Ann Rager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3098) granting an increase of pension to Thomas H. Stone—to the Committee on Pensions.

Also, a bill (H. R. 3099) granting an increase of pension to Joel W. Adkins—to the Committee on Pensions.

Also, a bill (H. R. 3100) granting an increase of pension to Jacob Anders—to the Committee on Pensions.

Also, a bill (H. R. 3101) granting an increase of pension to Wilson H. White—to the Committee on Pensions.

Also, a bill (H. R. 3102) granting an increase of pension to William L. Williams—to the Committee on Pensions.

Also, a bill (H. R. 3103) granting an increase of pension to William A. Williams—to the Committee on Pensions.

Also, a bill (H. R. 3104) granting an increase of pension to William A. White—to the Committee on Pensions.

Also, a bill (H. R. 3105) granting an increase of pension to Sebastian Wipff, sr.—to the Committee on Pensions.

Also, a bill (H. R. 3106) granting an increase of pension to James P. H. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 3107) granting an increase of pension to James F. Wright—to the Committee on Pensions.

Also, a bill (H. R. 3108) granting an increase of pension to Isaac Williams—to the Committee on Pensions.

Also, a bill (H. R. 3109) granting an increase of pension to Hezekiah G. Williams—to the Committee on Pensions.

Also, a bill (H. R. 3110) granting an increase of pension to Emil F. Wurzbach—to the Committee on Pensions.

Also, a bill (H. R. 3111) granting an increase of pension to David A. T. Walton—to the Committee on Pensions.

Also, a bill (H. R. 3112) granting an increase of pension to Charles A. Williams—to the Committee on Pensions.

Also, a bill (H. R. 3113) granting an increase of pension to William O. Tumlinson—to the Committee on Pensions.

Also, a bill (H. R. 3114) granting an increase of pension to Hermann W. Toepperwein—to the Committee on Pensions.

Also, a bill (H. R. 3115) granting an increase of pension to H. Simpson Tom—to the Committee on Pensions.

Also, a bill (H. R. 3116) granting an increase of pension to George W. Tom—to the Committee on Pensions.

Also, a bill (H. R. 3117) granting an increase of pension to Velerius P. Sanders—to the Committee on Pensions.

Also, a bill (H. R. 3118) granting an increase of pension to Thomas K. Sparks—to the Committee on Pensions.

Also, a bill (H. R. 3119) granting an increase of pension to Robert Schaefer—to the Committee on Pensions.

Also, a bill (H. R. 3120) granting an increase of pension to Samuel Shelton—to the Committee on Pensions.

Also, a bill (H. R. 3121) granting an increase of pension to Josephus Sparrow—to the Committee on Pensions.

Also, a bill (H. R. 3122) granting an increase of pension to Israel S. Standefer—to the Committee on Pensions.

Also, a bill (H. R. 3123) granting an increase of pension to Gustav H. Schmeltzer—to the Committee on Pensions.

Also, a bill (H. R. 3124) granting an increase of pension to Benjamin N. Shropshire—to the Committee on Pensions.

Also, a bill (H. R. 3125) granting an increase of pension to William B. Reagan—to the Committee on Pensions.

Also, a bill (H. R. 3126) granting an increase of pension to Marion M. Redmon—to the Committee on Pensions.

Also, a bill (H. R. 3127) granting an increase of pension to John Y. Rankin—to the Committee on Pensions.

Also, a bill (H. R. 3128) granting an increase of pension to Jacob F. Roberts—to the Committee on Pensions.

Also, a bill (H. R. 3129) granting an increase of pension to Gilford Ratliff—to the Committee on Pensions.

Also, a bill (H. R. 3130) granting an increase of pension to Francis M. Rainbolt—to the Committee on Pensions.

Also, a bill (H. R. 3131) granting an increase of pension to William W. Parker—to the Committee on Pensions.

Also, a bill (H. R. 3132) granting an increase of pension to Robert Parsons—to the Committee on Pensions.

Also, a bill (H. R. 3133) granting an increase of pension to Green B. Powell—to the Committee on Pensions.

Also, a bill (H. R. 3134) granting an increase of pension to George S. Powell—to the Committee on Pensions.

Also, a bill (H. R. 3135) granting an increase of pension to Frank W. Petmecky—to the Committee on Pensions.

Also, a bill (H. R. 3136) granting an increase of pension to Charles A. Patton—to the Committee on Pensions.

Also, a bill (H. R. 3137) granting an increase of pension to Frederick W. Nohaus—to the Committee on Pensions.

Also, a bill (H. R. 3138) granting an increase of pension to Charles H. Nimitz—to the Committee on Pensions.

Also, a bill (H. R. 3139) granting an increase of pension to Marcellus Moore—to the Committee on Pensions.

Also, a bill (H. R. 3140) granting an increase of pension to Lewellen Moore—to the Committee on Pensions.

Also, a bill (H. R. 3141) granting an increase of pension to Leonard Moss—to the Committee on Pensions.

Also, a bill (H. R. 3142) granting an increase of pension to Joseph Mahavier—to the Committee on Pensions.

Also, a bill (H. R. 3143) granting an increase of pension to Samuel J. McElrath—to the Committee on Pensions.

Also, a bill (H. R. 3144) granting an increase of pension to James McMorries—to the Committee on Pensions.

Also, a bill (H. R. 3145) granting an increase of pension to George W. McKinzie—to the Committee on Pensions.

Also, a bill (H. R. 3146) granting an increase of pension to David McFadden—to the Committee on Pensions.

Also, a bill (H. R. 3147) granting an increase of pension to Robert G. Long—to the Committee on Pensions.

Also, a bill (H. R. 3148) granting an increase of pension to Martin V. Lackey—to the Committee on Pensions.

Also, a bill (H. R. 3149) granting an increase of pension to Levi D. Ladd—to the Committee on Pensions.

Also, a bill (H. R. 3150) granting an increase of pension to James M. Low—to the Committee on Pensions.

Also, a bill (H. R. 3151) granting an increase of pension to George W. Light—to the Committee on Pensions.

Also, a bill (H. R. 3152) granting an increase of pension to John J. Jacobs—to the Committee on Pensions.

Also, a bill (H. R. 3153) granting an increase of pension to Stephen A. Jones—to the Committee on Pensions.

Also, a bill (H. R. 3154) granting an increase of pension to James W. Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 3155) granting an increase of pension to Polk R. Kyle—to the Committee on Pensions.

Also, a bill (H. R. 3156) granting an increase of pension to Richard J. D. Kolb—to the Committee on Pensions.

Also, a bill (H. R. 3157) granting an increase of pension to Robert H. King—to the Committee on Pensions.

Also, a bill (H. R. 3158) granting an increase of pension to William B. King—to the Committee on Pensions.

Also, a bill (H. R. 3159) granting an increase of pension to Anthony L. Houston—to the Committee on Pensions.

Also, a bill (H. R. 3160) granting an increase of pension to Valentine Wilson—to the Committee on Pensions.

Also, a bill (H. R. 3161) granting an increase of pension to Cullen C. Ratliff—to the Committee on Pensions.

Also, a bill (H. R. 3162) granting an increase of pension to John H. Blair—to the Committee on Pensions.

Also, a bill (H. R. 3163) granting an increase of pension to Charles L. McGehee—to the Committee on Pensions.

Also, a bill (H. R. 3164) granting an increase of pension to John H. Bingham—to the Committee on Pensions.

Also, a bill (H. R. 3165) granting an increase of pension to John C. Bonner—to the Committee on Pensions.

Also, a bill (H. R. 3166) granting an increase of pension to James S. Bigham—to the Committee on Pensions.

Also, a bill (H. R. 3167) granting an increase of pension to James Besser—to the Committee on Pensions.

Also, a bill (H. R. 3168) granting an increase of pension to Jacob Burleson—to the Committee on Pensions.

Also, a bill (H. R. 3169) granting an increase of pension to Charles Bock—to the Committee on Pensions.

Also, a bill (H. R. 3170) granting an increase of pension to Anton L. Berger—to the Committee on Pensions.

Also, a bill (H. R. 3171) granting an increase of pension to Alfred G. Brown—to the Committee on Pensions.

Also, a bill (H. R. 3172) granting an increase of pension to Abner H. Beard—to the Committee on Pensions.

Also, a bill (H. R. 3173) granting an increase of pension to Thomas J. Awbrey—to the Committee on Pensions.

Also, a bill (H. R. 3174) granting an increase of pension to John F. Arnett—to the Committee on Pensions.

Also, a bill (H. R. 3175) granting an increase of pension to Joshua F. Huff—to the Committee on Pensions.

Also, a bill (H. R. 3176) granting an increase of pension to Montraville Harrell—to the Committee on Pensions.

Also, a bill (H. R. 3177) granting an increase of pension to Robert T. Hurley—to the Committee on Pensions.

Also, a bill (H. R. 3178) granting an increase of pension to Robert W. Hall—to the Committee on Pensions.

Also, a bill (H. R. 3179) granting an increase of pension to William Hurst—to the Committee on Pensions.

Also, a bill (H. R. 3180) granting an increase of pension to Christopher C. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 3181) granting an increase of pension to Edwin P. Jones—to the Committee on Pensions.

Also, a bill (H. R. 3182) granting an increase of pension to Frank Jenull—to the Committee on Pensions.

Also, a bill (H. R. 3183) granting an increase of pension to Joseph H. Harris—to the Committee on Pensions.

Also, a bill (H. R. 3184) granting an increase of pension to John W. Harris—to the Committee on Pensions.

Also, a bill (H. R. 3185) granting an increase of pension to John Hutchinson—to the Committee on Pensions.

Also, a bill (H. R. 3186) granting an increase of pension to Isaac C. Holt—to the Committee on Pensions.

Also, a bill (H. R. 3187) granting an increase of pension to Henry T. Hill—to the Committee on Pensions.

Also, a bill (H. R. 3188) granting an increase of pension to Henry C. Hubert—to the Committee on Pensions.

Also, a bill (H. R. 3189) granting an increase of pension to Alfred House—to the Committee on Pensions.

Also, a bill (H. R. 3190) granting an increase of pension to William R. Gregg—to the Committee on Pensions.

Also, a bill (H. R. 3191) granting an increase of pension to Wenceslao Garza—to the Committee on Pensions.

Also, a bill (H. R. 3192) granting an increase of pension to John R. Gibbons—to the Committee on Pensions.

Also, a bill (H. R. 3193) granting an increase of pension to Frederick Mortimer Gibony—to the Committee on Pensions.

Also, a bill (H. R. 3194) granting an increase of pension to Emory Gibbons—to the Committee on Pensions.

Also, a bill (H. R. 3195) granting an increase of pension to Elijah Goodnight—to the Committee on Pensions.

Also, a bill (H. R. 3196) granting an increase of pension to Ben F. Gooch—to the Committee on Pensions.

Also, a bill (H. R. 3197) granting an increase of pension to William B. Fleming—to the Committee on Pensions.

Also, a bill (H. R. 3198) granting an increase of pension to Solomon Fitzhugh—to the Committee on Pensions.

Also, a bill (H. R. 3199) granting an increase of pension to John M. Fleming—to the Committee on Pensions.

Also, a bill (H. R. 3200) granting an increase of pension to Adam H. Files—to the Committee on Pensions.

Also, a bill (H. R. 3201) granting an increase of pension to Robert W. Eller—to the Committee on Pensions.

Also, a bill (H. R. 3202) granting an increase of pension to James Eastwood—to the Committee on Pensions.

Also, a bill (H. R. 3203) granting an increase of pension to Henry W. Ellis—to the Committee on Pensions.

Also, a bill (H. R. 3204) granting an increase of pension to Alexander Earp—to the Committee on Pensions.

Also, a bill (H. R. 3205) granting an increase of pension to John H. Debord—to the Committee on Pensions.

Also, a bill (H. R. 3206) granting an increase of pension to Charles Wesley Danley—to the Committee on Pensions.

Also, a bill (H. R. 3207) granting an increase of pension to Benjamin F. Dye—to the Committee on Pensions.

Also, a bill (H. R. 3208) granting an increase of pension to Alexander B. Davis—to the Committee on Pensions.

Also, a bill (H. R. 3209) granting an increase of pension to William A. Cole—to the Committee on Pensions.

Also, a bill (H. R. 3210) granting an increase of pension to Thomas C. Capell—to the Committee on Pensions.

Also, a bill (H. R. 3211) granting an increase of pension to Robert Carson—to the Committee on Pensions.

Also, a bill (H. R. 3212) granting an increase of pension to Nicholas N. Cox—to the Committee on Pensions.

Also, a bill (H. R. 3213) granting an increase of pension to John Campbell—to the Committee on Pensions.

Also, a bill (H. R. 3214) granting an increase of pension to John Campbell—to the Committee on Pensions.

Also, a bill (H. R. 3215) granting an increase of pension to Jerry C. Campbell—to the Committee on Pensions.

Also, a bill (H. R. 3216) granting an increase of pension to James Conner—to the Committee on Pensions.

Also, a bill (H. R. 3217) granting an increase of pension to Isaac S. Chapman—to the Committee on Pensions.

Also, a bill (H. R. 3218) granting an increase of pension to Elijah S. Close—to the Committee on Pensions.

Also, a bill (H. R. 3219) granting an increase of pension to Benjamin F. Cotton—to the Committee on Pensions.

Also, a bill (H. R. 3220) granting an increase of pension to William H. Baxter—to the Committee on Pensions.

Also, a bill (H. R. 3221) granting an increase of pension to Milton C. Baird—to the Committee on Pensions.

Also, a bill (H. R. 3222) granting an increase of pension to Joseph Boles—to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 3223) to authorize the Kaw tribe of Indians residing in the State of Oklahoma to bring suit in the Court of Claims, and for other purposes—to the Committee on Indian Affairs.

By Mr. CARLIN: A bill (H. R. 3224) for the relief of Julia T. W. Furlong, executrix of estate of Thomas Wrenn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3225) for the relief of the estate of Antonia Sousa, deceased—to the Committee on Pensions.

Also, a bill (H. R. 3226) to carry into effect the findings of the Court of Claims in the case of Alice E. Davis, heir at law of John C. Davis, deceased—to the Committee on War Claims.

By Mr. COLE: A bill (H. R. 3227) granting an increase of pension to John Watters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3228) granting an increase of pension to George B. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3229) granting an increase of pension to Thomas E. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3230) granting an increase of pension to Anna B. Blessing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3231) granting an increase of pension to George L. Byers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3232) granting an increase of pension to Wilson S. Brittin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3233) granting an increase of pension to Marion P. Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3234) granting an increase of pension to Alvy Degood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3235) granting an increase of pension to Loammie Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3236) granting an increase of pension to Ella F. Stoddard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3237) granting an increase of pension to Jeremiah Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3238) granting an increase of pension to Julius A. Southwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3239) granting an increase of pension to David W. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3240) granting an increase of pension to Andrew J. Surface—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3241) granting an increase of pension to Sebastian Parmenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3242) granting an increase of pension to William McMannis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3243) granting an increase of pension to Delano Morey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3244) granting a pension to Thomas J. Mullin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3245) granting an increase of pension to John C. F. Martin—to the Committee on Pensions.

Also, a bill (H. R. 3246) granting an increase of pension to Benjamin F. L. Meredith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3247) granting an increase of pension to William McAdams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3248) granting an increase of pension to William H. H. Lease—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3249) granting an increase of pension to Daniel Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3250) granting an increase of pension to Richard Harbottle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3251) granting an increase of pension to William F. Galbreath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3252) granting an increase of pension to John Gumpert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3253) granting a pension to Henrietta Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3254) granting a pension to Allen C. Wright—to the Committee on Pensions.

Also, a bill (H. R. 3255) granting a pension to Almira W. Woodard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3256) granting a pension to Minerva E. Banning Sherer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3257) granting a pension to Dock W. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3258) granting a pension to Louie E. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3259) granting a pension to John Ogan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3260) granting a pension to Richard M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3261) granting a pension to Sarah E. Helpman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3262) granting a pension to Sophronia Gaunts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3263) granting a pension to Lydia B. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3264) for the relief of Isaiah Heylin McDonald—to the Committee on Military Affairs.

Also, a bill (H. R. 3265) for the relief of the estate of John H. Piatt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3266) to correct the military record of John J. Troxell—to the Committee on Military Affairs.

Also, a bill (H. R. 3267) to correct the military record of Thomas Moffett—to the Committee on Military Affairs.

Also, a bill (H. R. 3268) to correct the military record of Lanson Zane—to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 3269) granting an increase of pension to Lewis N. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3270) granting an increase of pension to Henry C. Stogsdill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3271) granting an increase of pension to Levi Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3272) granting an increase of pension to John Bonhome—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3273) granting an increase of pension to Daniel P. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3274) granting a pension to Ida F. Hanson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3275) granting a pension to Pernetta J. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3276) granting a pension to Susan F. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3277) granting a pension to Lola C. Hanson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3278) granting a pension to Ida E. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3279) for the relief of Andrew Wilkinson and William D. Wilkinson—to the Committee on Pensions.

By Mr. DRAPER: A bill (H. R. 3280) granting a pension to Charles A. Brayton—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 3281) granting a pension to Paul Carlker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3282) granting a pension to William Lay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3283) granting a pension to Daniel Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3284) granting a pension to W. L. Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3285) granting a pension to G. P. Frederick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3286) granting a pension to James Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3287) to correct the military record of James H. Cowan—to the Committee on Military Affairs.

Also, a bill (H. R. 3288) to correct the military record of William Green Mhoon—to the Committee on Military Affairs.

Also, a bill (H. R. 3289) to correct the military record of Richard A. Hutson—to the Committee on Military Affairs.

Also, a bill (H. R. 3290) to correct the military record of McDonald Meade—to the Committee on Military Affairs.

Also, a bill (H. R. 3291) for the relief of Leonard Keeling—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 3292) granting a pension to Altha M. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3293) granting an increase of pension to William F. Cox—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 3294) for the relief of the estate of F. Z. Tucker, deceased—to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 3295) granting an increase of pension to John Leitch—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 3296) granting a pension to Fred M. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3297) for the relief of the legal representatives of William W. Miller, deceased—to the Committee on Claims.

By Mr. GRANT: A bill (H. R. 3298) granting a pension to Mary A. Hoppen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3299) granting an increase of pension to Robert Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3300) granting an increase of pension to J. H. Posey—to the Committee on Invalid Pensions.

By Mr. GRONNA: A bill (H. R. 3301) granting an increase of pension to Louis Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3302) granting an increase of pension to Caroline Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3303) to correct the military record of Isaac J. Reese—to the Committee on Military Affairs.

By Mr. HIGGINS: A bill (H. R. 3304) granting an increase of pension to Carrie Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3305) granting an increase of pension to Earl S. Cranston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3306) granting an increase of pension to Jacob Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3307) to correct the military record of Dwight Bromley—to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 3308) granting an increase of pension to Benjamin F. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3309) granting an increase of pension to John T. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3310) granting an increase of pension to Byron C. Knapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3311) granting an increase of pension to Lee Lafevor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3312) granting an increase of pension to John W. McAdams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3313) granting an increase of pension to Augustus W. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3314) granting an increase of pension to Andrew J. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3315) granting an increase of pension to James Pritchitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3316) granting an increase of pension to William F. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3317) granting an increase of pension to Burkett F. Starnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3318) granting an increase of pension to James Smithson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3319) granting an increase of pension to Gustavus P. M. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3320) granting a pension to Paul Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3321) granting a pension to William Edward Prater—to the Committee on Pensions.

Also, a bill (H. R. 3322) granting a pension to James B. Prosser—to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 3323) granting an increase of pension to Daniel C. Bishard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3324) granting an increase of pension to Moses L. Bunnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3325) granting an increase of pension to James H. D. Bostwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3326) granting an increase of pension to John J. Draper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3327) granting an increase of pension to George O. Steadman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3328) granting an increase of pension to William H. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3329) granting an increase of pension to Jonathan H. Mohler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3330) granting an increase of pension to Joseph B. Bennington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3331) granting an increase of pension to James M. Hobson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3332) granting an increase of pension to Wyman J. Crow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3333) granting an increase of pension to George H. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3334) granting an increase of pension to Ira Waldo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3335) granting an increase of pension to Sarah A. Coons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3336) granting an increase of pension to John M. Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3337) granting an increase of pension to F. Loehle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3338) granting an increase of pension to John W. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3339) granting an increase of pension to Frederick Christofel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3340) granting an increase of pension to Henry B. Summey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3341) granting an increase of pension to William L. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3342) granting a pension to Joseph D. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3343) granting a pension to Miller C. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3344) granting a pension to Edward Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3345) granting a pension to Amy A. T. Silcott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3346) for the relief of Frank E. Lyman, jr.—to the Committee on Military Affairs.

Also, a bill (H. R. 3347) for the relief of John Kline—to the Committee on Military Affairs.

Also, a bill (H. R. 3348) for the relief of James McKenzie—to the Committee on Military Affairs.

Also, a bill (H. R. 3349) to correct the military record of Robert F. Shugart—to the Committee on Military Affairs.

Also, a bill (H. R. 3350) to correct the military record of John N. Gadd—to the Committee on Military Affairs.

Also, a bill (H. R. 3351) granting an increase of pension to Ezra Dockstader—to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 3352) granting an increase of pension to John C. Griggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3353) granting an increase of pension to Wood C. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3354) granting an increase of pension to William H. Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3355) granting an increase of pension to Thomas H. Simpson—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 3356) granting an increase of pension to William J. Manning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3357) granting an increase of pension to John H. Irwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3358) granting a pension to Henry F. Short—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3359) granting a pension to Mary E. O'Neil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3360) granting a pension to Harry Menovitz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3361) granting a pension to Ellen M. Brennan—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 3362) to correct the military record of George W. Stape—to the Committee on Military Affairs.

By Mr. LAW: A bill (H. R. 3363) to have the name of Robert Galbert changed on the records of the Navy Department to Robert Galbraith—to the Committee on Naval Affairs.

By Mr. LINDSAY: A bill (H. R. 3364) granting an increase of pension to John Fitzenriter—to the Committee on Invalid Pensions.

By Mr. LOWDEN: A bill (H. R. 3365) granting an increase of pension to Charles G. Bennett—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 3366) for the relief of Julius A. Kaiser—to the Committee on Naval Affairs.

By Mr. McKINLEY of Illinois: A bill (H. R. 3367) granting an increase of pension to Allen Albert—to the Committee on Invalid Pensions.

By Mr. MADISON: A bill (H. R. 3368) granting an increase of pension to James R. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3369) granting an increase of pension to James F. McDowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3370) granting an increase of pension to Jesse B. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3371) granting an increase of pension to David Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3372) granting an increase of pension to William C. M. Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3373) granting an increase of pension to Oliver Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3374) granting an increase of pension to John Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3375) granting an increase of pension to William J. Seals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3376) granting an increase of pension to John J. Garr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3377) granting an increase of pension to Nelson Haggerty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3378) granting an increase of pension to Alvaro R. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3379) granting an increase of pension to Milo P. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3380) granting a pension to Martha M. Wilson Hyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3381) granting a pension to Fleming C. Maupin—to the Committee on Pensions.

Also, a bill (H. R. 3382) granting a pension to Mollie J. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3383) for the relief of William Walters—to the Committee on Military Affairs.

Also, a bill (H. R. 3384) for the relief of Jonson Adams—to the Committee on Military Affairs.

Also, a bill (H. R. 3385) to restore John F. Lewis to the United States Army with the rank of captain of infantry and place him upon the retired list—to the Committee on Military Affairs.

By Mr. MAYNARD: A bill (H. R. 3386) for the relief of the Seaboard Air Line Railway—to the Committee on Claims.

By Mr. MOON of Pennsylvania: A bill (H. R. 3387) granting an increase of pension to John L. Harvey—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 3388) granting an increase of pension to James H. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3389) granting an increase of pension to Newton J. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3390) granting an increase of pension to William Misner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3391) granting an increase of pension to Wyatt Botts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3392) granting an increase of pension to Noble Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3393) granting a pension to Edward A. Evans—to the Committee on Invalid Pensions.

By Mr. MORSE: A bill (H. R. 3394) for the relief of Levi J. Billings—to the Committee on War Claims.

Also, a bill (H. R. 3395) for the relief of Axel Jacobson—to the Committee on Claims.

By Mr. RAUCH: A bill (H. R. 3396) granting an increase of pension to Robert M. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3397) granting an increase of pension to Adelaide M. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3398) granting an increase of pension to Stephen L. Freel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3399) granting an increase of pension to Edward C. Jeffries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3400) granting an increase of pension to Peter Brechner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3401) granting an increase of pension to Andrew Carlisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3402) granting an increase of pension to William Harrold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3403) granting an increase of pension to John W. Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3404) granting an increase of pension to Uzee Bump—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3405) granting an increase of pension to Orley B. Giffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3406) granting an increase of pension to Robert C. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3407) granting an increase of pension to John Vetor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3408) granting an increase of pension to John N. Frazee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3409) granting an increase of pension to George Henson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3410) granting an increase of pension to Oliver Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3411) granting an increase of pension to Christopher U. Rumpp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3412) granting an increase of pension to Abram J. Hendershot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3413) granting an increase of pension to Henry Bolner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3414) granting an increase of pension to James M. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3415) granting an increase of pension to William Fosler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3416) granting an increase of pension to James B. Kenner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3417) granting an increase of pension to William H. Lowry—to the Committee on Pensions.

Also, a bill (H. R. 3418) granting an increase of pension to Elias D. Carnahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3419) granting an increase of pension to Daniel Schroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3420) granting an increase of pension to William R. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3421) granting an increase of pension to James F. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3422) granting an increase of pension to Lewis Godschalk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3423) granting an increase of pension to John Stambaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3424) granting an increase of pension to Joseph Bremercamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3425) granting an increase of pension to John W. Keiss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3426) granting an increase of pension to Robert Cameron, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3427) granting an increase of pension to Henrietta S. Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3428) granting an increase of pension to George Forst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3429) granting an increase of pension to David C. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3430) granting an increase of pension to James Chaplin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3431) granting an increase of pension to Harrison Pullman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3432) granting an increase of pension to George W. Whitacre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3433) granting an increase of pension to Henry Creery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3434) granting a pension to William T. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3435) granting a pension to Robert A. Talbott—to the Committee on Pensions.

Also, a bill (H. R. 3436) granting a pension to Gertrude Ballou—to the Committee on Pensions.

Also, a bill (H. R. 3437) granting a pension to William Swift Wright—to the Committee on Pensions.

Also, a bill (H. R. 3438) granting a pension to Mrs. Alfred H. Clawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3439) granting a pension to Stephen Strange—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3440) granting a pension to Annie Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3441) granting a pension to Clarinda H. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3442) granting a pension to William Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3443) granting a pension to Mary J. Brophy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3444) to correct the military record of William Shingler—to the Committee on Military Affairs.

Also, a bill (H. R. 3445) to correct the military record of John Daly—to the Committee on Military Affairs.

Also, a bill (H. R. 3446) to correct the military record of John Stewart—to the Committee on Military Affairs.

Also, a bill (H. R. 3447) to correct the military record of Adam K. Danes—to the Committee on Military Affairs.

Also, a bill (H. R. 3448) to correct the military record of Ralph Cloud—to the Committee on Military Affairs.

Also, a bill (H. R. 3449) to correct the military record of Valentine Durkes—to the Committee on Military Affairs.

Also, a bill (H. R. 3450) to correct the military record of Joseph Elshire—to the Committee on Military Affairs.

Also, a bill (H. R. 3451) to correct the military record of Samuel Dailey—to the Committee on Military Affairs.

Also, a bill (H. R. 3452) to correct the military record of Harvey Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 3453) authorizing the payment of a claim to Tollvar B. Clark—to the Committee on War Claims.

Also, a bill (H. R. 3454) to amend the records of the War Department as to Paul L. Bahr—to the Committee on Military Affairs.

Also, a bill (H. R. 3455) to amend the records of the War Department as to Oliver Capron—to the Committee on Military Affairs.

By Mr. SNAPP: A bill (H. R. 3456) granting an increase of pension to H. A. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3457) granting an increase of pension to Gustav Weil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3458) granting an increase of pension to Laura Cranson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3459) granting an increase of pension to William Ridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3460) granting an increase of pension to Leonard A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3461) granting an increase of pension to Nicholas Hai—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3462) granting an increase of pension to Helen E. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3463) granting an increase of pension to Allen Benson Hodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3464) granting an increase of pension to Samuel Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3465) granting a pension to Clara Zellar Moore—to the Committee on Pensions.

By Mr. SPARKMAN: A bill (H. R. 3466) for the relief of John H. Layne—to the Committee on Naval Affairs.

By Mr. THISTLEWOOD: A bill (H. R. 3467) granting an increase of pension to Maria L. Collins—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 3468) granting a pension to Nannie Vanarsdall—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 3469) granting an increase of pension to Henry Wieser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3470) granting an increase of pension to Erasmus B. Manahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3471) granting an increase of pension to William H. H. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3472) granting an increase of pension to Henry Collett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3473) granting an increase of pension to Alexander Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3474) granting an increase of pension to Nathan S. Parson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3475) granting an increase of pension to Hiram Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3476) granting an increase of pension to Lorenzo D. Barnhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3477) granting an increase of pension to William A. Mullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3478) granting an increase of pension to David Fritz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3479) granting an increase of pension to David E. Niswonger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3480) granting an increase of pension to Daniel Wrights—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3481) granting an increase of pension to John Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3482) granting an increase of pension to Edward W. Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3483) granting an increase of pension to Jacob A. Nonnamaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3484) granting an increase of pension to William Briney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3485) granting an increase of pension to Alexander Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3486) granting an increase of pension to William L. Reck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3487) granting an increase of pension to James H. Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3488) granting an increase of pension to Jacob A. Nonnamaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3489) granting an increase of pension to Isaac N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3490) granting an increase of pension to Thomas J. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3491) granting an increase of pension to Harvey D. Parmenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3492) granting an increase of pension to Enoch Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3493) granting an increase of pension to Richard M. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3494) granting an increase of pension to Joseph A. Bunch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3495) granting a pension to Elizabeth E. Workman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3496) granting a pension to August Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3497) granting a pension to Mary F. Hess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3498) granting a pension to William Runkel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3499) granting an increase of pension to William C. Shockey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3500) granting a pension to James A. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3501) granting a pension to Levi E. Chenoweth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3502) granting a pension to George Schneider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3503) granting a pension to Arvilla Boop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3504) granting a pension to Scott Wilkins—to the Committee on Pensions.

Also, a bill (H. R. 3505) for the relief of George R. Gary—to the Committee on Military Affairs.

Also, a bill (H. R. 3506) for the relief of David W. Stockstill—to the Committee on Claims.

Also, a bill (H. R. 3507) for the relief of Henry S. Call—to the Committee on War Claims.

Also, a bill (H. R. 3508) for the relief of Egbert S. Reed—to the Committee on War Claims.

Also, a bill (H. R. 3509) to remove the charge of desertion from the record of John M. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 3510) to remove charge of desertion from the record of Austin Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3511) to remove charge of desertion from the record of Frank Chronaberry—to the Committee on Military Affairs.

Also, a bill (H. R. 3512) to remove the charge of desertion from the record of Hezekiah R. Hubbell—to the Committee on Military Affairs.

Also, a bill (H. R. 3513) for the relief of the heirs and legal representatives of George S. Simon—to the Committee on War Claims.

Also, a bill (H. R. 3514) for the relief of the heirs of Frederick Dieker—to the Committee on War Claims.

Also, a bill (H. R. 3515) granting an honorable discharge to Ferdinand Tobe—to the Committee on Military Affairs.

By Mr. WASHBURN: A bill (H. R. 3516) granting an increase of pension to John Feaghy—to the Committee on Pensions.

By Mr. WEISSE: A bill (H. R. 3517) granting an increase of pension to Michael Lesselyoung—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3518) granting an increase of pension to Christopher Jacobi—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3519) granting an increase of pension to Sidney Windecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3520) granting an increase of pension to August Schwartz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3521) granting an increase of pension to John G. Beardsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3522) granting an increase of pension to Andrew Tredway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3523) granting an increase of pension to Caleb W. Brigham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3524) granting an increase of pension to Elias A. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3525) granting a pension to Rosetta Maria Johanna Tischer—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 3526) granting an increase of pension to Benjamin Franklin Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3527) granting an increase of pension to Rebecca M. Missemer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) granting an increase of pension to Thomas Morrisey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3529) granting an increase of pension to David H. Mumma—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3530) granting an increase of pension to James T. Naylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3531) granting an increase of pension to John Person—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3532) granting an increase of pension to Stephen W. Pomeroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3533) granting an increase of pension to William Presley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3534) granting an increase of pension to Henry M. Reuter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3535) granting an increase of pension to William H. Rudy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3536) granting an increase of pension to James L. Seebold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3537) granting an increase of pension to Joseph Sheets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3538) granting an increase of pension to Emeline Smink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3539) granting an increase of pension to Thomas Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3540) granting an increase of pension to Lewis C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3541) granting an increase of pension to Benjamin F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3542) granting an increase of pension to Daniel P. Sollenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3543) granting an increase of pension to Mary Ann E. Sperry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3544) granting an increase of pension to Samuel Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3545) granting an increase of pension to Solomon W. Tobias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3546) granting an increase of pension to John Trout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3547) granting an increase of pension to John A. Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3548) granting an increase of pension to E. L. Witman—to the Committee on Military Affairs.

Also, a bill (H. R. 3549) granting an increase of pension to Jacob Witmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3550) granting an increase of pension to Sarah C. Meredith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3551) granting an increase of pension to Maria A. Melly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3552) granting an increase of pension to John McCarty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3553) granting an increase of pension to William Lukens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3554) granting an increase of pension to William Lebo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3555) granting an increase of pension to Jeremiah Layser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3556) granting an increase of pension to Jacob Kimmel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3557) granting an increase of pension to Jacob Killinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3558) granting an increase of pension to Mary A. Jordon—to the Committee on Pensions.

Also, a bill (H. R. 3559) granting an increase of pension to William F. Hummelbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3560) granting an increase of pension to Thomas Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3561) granting an increase of pension to William Hampton, sr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3562) granting an increase of pension to Martha Groner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3563) granting an increase of pension to Frank C. Gratz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3564) granting an increase of pension to John S. Givler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3565) granting an increase of pension to Fannie Huntt Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3566) granting an increase of pension to Samuel A. Garland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3567) granting an increase of pension to Jeanna R. Forster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3568) granting an increase of pension to Daniel Fegan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3569) granting an increase of pension to Robert Enis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3570) granting an increase of pension to Mattie J. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3571) granting an increase of pension to Jared Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3572) granting an increase of pension to Lafayette Billig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3573) granting an increase of pension to Joseph Benner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3574) granting an increase of pension to John Bender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3575) granting an increase of pension to Harry Beitzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3576) granting a pension to Margaret Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3577) granting a pension to Catherine B. Pelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3578) granting a pension to Silas W. Rank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3579) granting a pension to Charles C. Rumpf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3580) granting a pension to Martin P. Schaffner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3581) granting a pension to Mary Shiffler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3582) granting a pension to John S. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3583) granting a pension to Richard M. Steckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3584) granting a pension to Charles E. Stock—to the Committee on Pensions.

Also, a bill (H. R. 3585) granting a pension to Annetta Vale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3586) granting a pension to Henry S. Matter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3587) granting a pension to George W. Lehman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3588) granting a pension to Katherine E. Kemble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3589) granting a pension to Kate E. Keiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3590) granting a pension to Eliza Isele—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3591) granting a pension to Mary Idle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3592) granting a pension to Emma Handshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3593) granting a pension to John P. M. Haas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3594) granting a pension to John W. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3595) granting a pension to Lucetta C. Grattius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3596) granting a pension to Catherine B. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3597) granting a pension to George W. Ennery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3598) granting a pension to John D. Deihl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3599) granting a pension to Sarah Culp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3600) granting a pension to George W. Brenise—to the Committee on Invalid Pensions.

Also a bill (H. R. 3601) granting a pension to Harry R. Bentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3602) granting a pension to Mrs. George Armour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3603) granting a pension to Jacob Ambrose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3604) to correct the military record of Charles Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 3605) to correct the military record of David Polm—to the Committee on Military Affairs.

Also, a bill (H. R. 3606) to correct the military record of Alexander C. Landis—to the Committee on Military Affairs.

Also, a bill (H. R. 3607) to correct the military record of John F. Kelly—to the Committee on Military Affairs.

Also, a bill (H. R. 3608) to correct the military record of John F. Geist—to the Committee on Military Affairs.

Also, a bill (H. R. 3609) to correct the military record of Lieut. John W. Geiger—to the Committee on Military Affairs.

Also, a bill (H. R. 3610) to correct the military record of Philip D. Beidel—to the Committee on Military Affairs.

Also, a bill (H. R. 3611) for the removal of the charge of desertion standing against the name of John Brininger—to the Committee on Military Affairs.

Also, a bill (H. R. 3612) to remove the charge of desertion from the military record of John Frederick—to the Committee on Military Affairs.

Also, a bill (H. R. 3613) to remove the charge of desertion from the military record of Thomas Morgan—to the Committee on Military Affairs.

Also, a bill (H. R. 3614) to remove the charge of desertion from the military record of Michael Neidinger—to the Committee on Military Affairs.

Also, a bill (H. R. 3615) to remove the charge of desertion from the military record of Reuben Seller—to the Committee on Military Affairs.

Also, a bill (H. R. 3616) to remove the charge of desertion from the military record of John Keys—to the Committee on Military Affairs.

Also, a bill (H. R. 3617) to remove the charge of desertion from the military record of John P. Leitzel—to the Committee on Military Affairs.

Also, a bill (H. R. 3618) to remove the charge of desertion from the military record of Joseph Windowmaker—to the Committee on Military Affairs.

Also, a bill (H. R. 3619) to remove the charge of desertion from the military record of Francis Tomlinson—to the Committee on Military Affairs.

Also, a bill (H. R. 3620) to remove the charge of desertion from the military record of John Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 3621) to remove the charge of desertion from the military record of Levi Sheetz—to the Committee on Military Affairs.

Also, a bill (H. R. 3622) for the relief of John C. Colwell, captain on the retired list of the United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 3623) for the relief of James E. Cann, paymaster in the United States Navy—to the Committee on Claims.

Also, a bill (H. R. 3624) to authorize the appointment of Alexander D. B. Smead as a captain of cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 3625) authorizing the President of the United States to nominate Lieut. Samuel Lindsey Graham, now on the retired list, to be commander on the retired list—to the Committee on Naval Affairs.

Also, a bill (H. R. 3626) authorizing the President to promote Capt. James Evelyn Pilcher, United States Army, retired, to the grade of major, United States Army, retired—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petitions of Ogdensburg (N. Y.) Lodge, No. 772, and Plattsburg (N. Y.) Lodge, No. 62, Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on the Public Lands.

By Mr. ASHBROOK: Petition of Coshocton (Ohio) Lodge, No. 376, Benevolent and Protective Order of Elks, for legislation creating a reserve in the State of Wyoming for the care of the American elk—to the Committee on the Public Lands.

Also, petition of Platt & Covis and E. R. Kinner, of Plainfield, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William A. Crane, John W. Bryant, and Alexander Dice—to the Committee on Invalid Pensions.

Also, petition of Carriage Makers' Club, of Cincinnati, Ohio, favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. BOOHER: Paper to accompany bill for relief of John Cox—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of heirs of William S. Thatcher—to the Committee on War Claims.

By Mr. BURLEIGH: Petition of Mr. Ober, of Northwest Harbor, Me., for reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CALDER: Petition of the Adirondack Lumber Manufacturers and Shippers' Association, against reduction of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of P. V. Collins Publishing Company, of Minneapolis, Minn., for removal of the duty on lumber—to the Committee on Ways and Means.

Also, petition of Brooklyn Society of New England Women, Brooklyn, N. Y., favoring bill against misuse of the American flag for advertising purposes—to the Committee on the Judiciary.

Also, petition against any reduction of duty on print paper—to the Committee on Ways and Means.

Also, petition of J. V. Frye & Co., against any reduction of duty on canned sardines—to the Committee on Ways and Means.

By Mr. CAMPBELL: Papers to accompany bill to authorize Kaw Indians in Oklahoma to bring suit in Court of Claims—to the Committee on Indian Affairs.

By Mr. COLLIER: Paper to accompany bill for relief of John H. McCutchen—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: Petition of Consumers' League of Wisconsin, in behalf of the Beveridge-Parsons bill—to the Committee on Labor.

Also, petition of Consumers' League of Wisconsin, favoring bill to establish in the Department of the Interior a children's bureau—to the Committee on Expenditures in the Interior Department.

Also, petitions of George Hale & Co. and Charles H. Phemig, of Kenosha, Wis., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. COX of Ohio: Petitions of the American Rolling Company, against any reduction greater than 20 per cent on sheet iron and steel; Dayton Grinding Wheel Company, against a duty on corundum; the Ernst Mirror Plate Company, against increase of duty on plate glass; the Rike Kumler Company, against increase of duty on hosiery; and the Walker Lithographing and Printing Company, against reduction of tariff on lithographic products—to the Committee on Ways and Means.

By Mr. DAVIDSON: Petition of 143 employees of Kimberly & Clark Paper Company, favoring retention of present rate of duty on print paper—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of John A. Feeney, of Davenport, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Clinton, Iowa, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ESCH: Petition of Hogg & Kimball, M. Clement, McClatchie & Secor, N. F. Fortun, and N. C. Berg and others, all of the State of Wisconsin, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Wisconsin, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FOCHT: Petition of General Horace Porter Camp, No. 79, Division of Pennsylvania, and Sons of Veterans Camp, No. 79, favoring February 12 as a holiday in honor of Lincoln—to the Committee on the Judiciary.

By Mr. FULLER: Paper to accompany bill for relief of George W. Marston—to the Committee on Invalid Pensions.

Also, petition of John F. Jelke Company, of Chicago, favoring legislation to prevent misrepresentation in sale of butters—to the Committee on Agriculture.

Also, petition of Illinois Farmers' Institute, etc., favoring abolition of free seeds by the Government—to the Committee on Agriculture.

Also, petition of the Hardwood Manufacturers' Association of the United States, against any reduction of the tariff on lumber—to the Committee on Ways and Means.

By Mr. GRONNA: Petition of citizens of Sargent and Ransom counties, N. Dak.; citizens of Stutsman, N. Dak.; 112 citizens of North Dakota; and citizens of Williams County, N. Dak., against reduction of duty on grain—to the Committee on Ways and Means.

By Mr. HAMER: Petition of Intermountain Fair Association, of Idaho, favoring a national highways commission and federal aid in construction of public highways—to the Committee on Agriculture.

By Mr. HAMILTON: Petition of citizens of Van Buren County, Mich., urging legislation to prevent shipment of liquor into prohibition territory—to the Committee on the Judiciary.

By Mr. HENRY of Texas: Petition of many citizens from various towns in Texas, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL of New Jersey: Petition of Eastward Wire Manufacturers' Company, of Belleville, N. J., against any radical cut in paper schedule—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of Kauffman Brothers, Des Moines, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of H. F. Chance, of Readfield, and A. J. Horton, of Woodward, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. KAHN: Petitions of S. M. Thompson and other residents, Norman H. Wear and 13 other citizens, George W. Whitney and 48 other citizens, Theodore T. Richardson and 15 other citizens, Haas Brothers and 38 other citizens, George Flaxner and 69 other citizens, Mrs. L. Brown and 25 other citizens, and Arthur T. Thomas and 25 other citizens, all of San Francisco, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. KÜSTERMANN: Petitions of employees of Kimberly Clark Company; employees of Combined Locks Paper Company, of Appleton; employees of Marinette and Menominee Paper Company, of Marinette; employees of Wisconsin Tissue Paper Company, of Appleton; employees of Little Chute Paper Company, of Little Chute; employees of Crivits Pulp and Paper Company, of Crivits; employees of Union Bag and Paper Company, of Kaukauna; employees of Patten Paper Company, of Appleton; employees of Riverside Fiber Paper Company, of Appleton; and employees of Fox River Paper Company, of Appleton, all of the State of Wisconsin, against adoption of recommendation of special commission on paper and wood pulp investigation—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of citizens of Savanna, Ill., opposing tax on tea or coffee—to the Committee on Ways and Means.

By Mr. LOUDENSLAGER: Petition of H. W. Garner, of Collingswood, N. J., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Fred H. Egbert and Henry H. Shaw, of Haddonfield, N. J., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. McDERMOTT: Petition of Walker, Baker & Co., of Chicago, against a duty on crude cocoa—to the Committee on Ways and Means.

By Mr. McKINNEY: Petition of J. M. Glass and R. F. McConnell, of Monmouth, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of D. D. Diffenbough, of Monmouth, Ill., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of Plattsmouth Lodge, No. 1739, Benevolent and Protective Order of Elks, for reservation for the care of the American elk—to the Committee on the Public Lands.

By Mr. MANN: Petition of National Association of Box Manufacturers, favoring the present tariff on lumber, wooden boxes, and shooks—to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Petition of J. Aattenbach, of Deadwood, S. Dak., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MORSE: Petition of Frank M. Wills and other employees in manufacture of paper and wood-pulp products, against reduction of tariff on same—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of certain citizens of Indianola, Nebr., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. PARSONS: Petitions of Schmidt & Co. and other business firms and employees in the lithographic industry of New York City, favoring higher duty on lithographic productions—to the Committee on Ways and Means.

By the SPEAKER: Petition of Harry E. Oty, of Robinson, Ill., and sundry other citizens of Crawford County, Ill., directly interested in the oil industry as independent oil producers, farmers, landowners, etc., praying for the retention of the present countervailing duty on oil—to the Committee on Ways and Means.

Also, petition of J. D. Madding and over 1,000 citizens of Clark and Cumberland counties, Illinois, who are directly interested in the oil field of Illinois as farmers, independent oil producers, etc., praying for the retention of the present countervailing duty on oil—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of legislature of the State of Illinois, against increase of duty on manufactured moving-picture films—to the Committee on Ways and Means.

By Mr. SIMMONS: Petition of W. Dependorf, of Morton Canning Company, of Morton, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of M. A. Macumber, of Perry, N. Y., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. STANLEY: Papers to accompany bill for relief of D. W. Higgins, heir of John W. Higgins; George W. Lackey; and Sarah E. Swindler, heir of William W. Hildreth—to the Committee on War Claims.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 23, 1909.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

Mr. MACON. Mr. Speaker——

The SPEAKER. One moment. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill 1438.

Mr. MACON. Before that motion is put to the House, I would like to state that the gentleman from New York yesterday afternoon, when the committee arose, was making a most interesting speech, and while he became a little restless at some interruptions, still I suppose it was all in good nature; so that inasmuch as he is to continue that speech this morning, and it being of such great importance that he ought to have a full hearing, for that reason I am inclined to suggest that we have a quorum present, and I would like to count——

The SPEAKER. The gentleman makes the point of no quorum?

Mr. MACON. If the Speaker can count a quorum in this House, I think it is one of the impossibilities. I do not think even the Speaker can count a quorum in this Hall now.

The SPEAKER. Well, the Chair, if the gentleman makes the point of no quorum, will put the question, and if no quorum appears, of course——

Mr. MACON. I will not make it, but I wanted the gentleman to have a full hearing; that is my reason for the suggestion.

The question was taken, and the motion to go into Committee of the Whole House on the state of the Union was agreed to.

The SPEAKER. The gentleman from Michigan [Mr. DIEKEMA] will take the chair for to-day, the gentleman from Pennsylvania [Mr. OLMSTED] being called home on account of sickness.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DIEKEMA in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

Mr. PAYNE. Mr. Chairman, when the committee rose last night, or just previous, I had about concluded what I wanted to say about the subject of steel rails. I wish to say nothing further this morning on the subject than to put in the RECORD the prices given by Judge Gary, president of the United States Steel Company, and the foreign prices, each country making a difference in the price as to the rails shipped for export and those consumed for domestic use.

	Export price.	Domestic price.
Germany	$22.20	$29.02
England	23.61	27.85
France	25.60	33.61
Belgium	22.25	27.45

If gentlemen will take these prices and take the prices of steel in this country and add $3.94 per ton and the duty as it is left, at seven-fortieths of a cent per pound, instead of seven-twentieths of a cent per pound as it is now, or $3.94, and add freight, they will readily see that we have left the protective duty upon steel rails upon a fair basis.

Now, Mr. Chairman, there are two other articles in the metal schedule about which I desire to talk; one is the duty on tin plate.

Mr. NORRIS. Mr. Chairman, will the gentleman permit an interruption before he starts on a further discussion of the bill? I want to know if the gentleman will permit of a question at this time in regard to some of the items the gentleman spoke of yesterday?

Mr. PAYNE. Does it relate to the metal schedule?

Mr. NORRIS. No, sir.

Mr. PAYNE. I propose to take the bill up this morning in a little more orderly fashion than I did yesterday, as I was led away from the subject I desired to speak on by questions that were asked me. If it is a single question, I have no objection.

Mr. NORRIS. I would like to have the gentleman give us the benefit of the information, which I suppose was given in the hearings on the question of the importation of coffee. I wanted the gentleman to give us for our information the proportionate part of the world's supply of coffee that was used by our people, and also the proportionate part of the world's supply of coffee that was supplied by Brazil, if he can give it to us.

Mr. PAYNE. I can not do that at this moment. We consume an average of about a billion pounds of coffee a year, most all of which, of course, is imported, and I do not remember so as to state with any degree of accuracy the proportion of the world's supply of coffee that amounts to; but it is a very large proportion.

Mr. NORRIS. Then I will ask the gentleman if this information appears in the hearings and can be obtained there?

Mr. PAYNE. It can be obtained, and I think in the hearings; but I am a little doubtful about that.

Mr. STERLING. When the gentleman was reading the prices of steel rails in foreign countries this morning did he read the domestic and foreign prices of American steel rails?

Mr. PAYNE. Up to two or three weeks ago the price of steel rails in the United States was $28 a ton for domestic purposes. The price of rails sold abroad varied in different countries because of the varying tariffs. Of course, when we go into the foreign trade we have to pay the most or all of the foreign duties, and so the price abroad varied in order to meet the domestic competition in the country where the rails were sold.

Mr. STERLING. Is it generally less or greater than the price here in America?

Mr. PAYNE. Generally less.

Mr. LONGWORTH. If the gentleman will yield, I might suggest there that the chairman of the committee read the foreign and domestic prices of steel rails in other countries.

Mr. PAYNE. I have just read it this morning.

Mr. MOORE of Pennsylvania. Mr. Chairman, it would be a matter of very great convenience if the gentleman could answer this question now, but if he does not feel it the proper time to do so, of course I leave that to his judgment. This is a bill of very great importance to many of us, and very many inquiries have come in from my State since the bill has been presented to the public. Men differ upon many of the provisions of the bill. Large interests and large industries are affected. I desire to know whether there will be an opportunity to offer amendments in the House, or whether we must look elsewhere for the consideration of amendments.

Mr. PAYNE. As I said yesterday, that is entirely in the judgment of the House and in their control. All I am seeking to do at this present moment is what seems to be an impossible task, to conclude this speech that I am trying to make.

Mr. MOORE of Pennsylvania. I thought this the proper time to make the inquiry, for I do not want to interrupt the gentleman on this subject again.

Mr. PAYNE. Now, Mr. Chairman, I want to talk a moment about tin plate.

Mr. GARRETT. May I ask the gentleman a question before he begins on that?

Mr. PAYNE. I yield to the gentleman from Tennessee.

Mr. GARRETT. How much more is the average ad valorem duty in this bill than in the present law?

Mr. PAYNE. As it is computed by the clerk, and as I stated yesterday very frankly, it is 1½ per cent. I explained the reason for that increase. While we have, on the whole—especially in the chemical schedule and the steel schedule—lowered the duty all the way through, yet in the chemical schedule, by reason of having transferred some articles from the free list to the dutiable list, some articles that in the judgment of the committee are properly revenue producers, we have increased the ad valorem, for instance, in paragraph 1, about 2¼ per cent, showing the utter unreliability of that method of calculation.

Now, the clerks are preparing, and I hope to be able to bring to the House in a few days, the ad valorem on all articles imported, those that we have transferred to the free list; all that are on the free list under this bill, and all that are on the dutiable list. That will be a fair comparison with the present law as to the changes in the ad valorem rates. The gentleman will notice further that in our endeavors to increase the revenue under this bill we have taken a number of articles—articles of luxury—from the free list and put a duty upon them. We have taken other articles that had a duty already and increased the duty for the purpose of getting revenue. We have placed tea upon the dutiable list, with a duty of 8 cents and 9 cents per pound. That goes to swell the general ad valorem, and those articles make up for the amounts of the cut we have made upon different schedules in the bill, and they increase it 1½ per cent upon the dutiable articles. I think gentlemen understand that.

Mr. GARRETT. Take it on the whole, then, the revision is upward.

Mr. PAYNE. The gentleman has no right to say that. It is not fair to say that, as an honorable man on the floor of the House. Taken as a whole, the revision is downward; but when you come to put it on articles of luxury, it is upward. The gentleman from Tennessee can understand; any intelligent man can understand by reading the bill that the revision is downward; and his interpolation of such a remark is not fair to me, is not fair to the committee, and is not fair to the country.

Mr. GARRETT. I simply asked the question——

Mr. PAYNE. The gentleman asked it by way of a suggestion, and he meant to insert that remark into the body of my speech, and that is all he did it for. The gentleman's intention is obvious.

Mr. LONGWORTH. Will the gentleman from New York permit a suggestion?

Mr. PAYNE. Certainly.

Mr. LONGWORTH. May I suggest to the gentleman that the duties contained in 130 paragraphs of the Dingley law have been lowered, and in only 30 paragraphs have they been increased.

Mr. PAYNE. I am glad the gentleman from Ohio has put that in, and still some gentleman on the other side will go out and say that the general trend of the bill is upward, whatever may be his idea about it.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman from Texas.

Mr. GARNER of Texas. Speaking about securing revenue, or raising the duty for the purpose of securing revenue, are not hides a good revenue producer?

Mr. PAYNE. I will get to hides if the gentleman can possess his soul in patience. I know it is a local issue with him and I know he will try to hide and cloak himself behind a revenue duty in order to meet the demand of the Democrats who are determined to put a duty on hides and want to take it off from every other article. [Applause.]

Mr. GARNER of Texas. The Democrats in the district that I have the honor to represent are also clamoring for free leather, free saddles, free harnesses, free boots and shoes when you give them free hides.

Mr. PAYNE. I will discuss that to the satisfaction of the gentleman from Texas when we reach it.

Now, Mr. Chairman, again I want to talk about tin plate. Of course the history of the tin-plate industry is known and read of all men. Twenty years ago we put a duty on this article that was protective, and we transferred the industry from Wales to the United States, so far as the making of tin plate is concerned. There was a large cut in the duty in the Dingley bill, and after considering the evidence before the committee we have cut it again 20 per cent of the duty, reducing it from 1.5 to 1.2 cents per pound. This cut will not take away the tin-plate industry from the United States. If it would I never would have voted for it. And yet if we did take away the industry by lowering the duty still further, these gentlemen on the other side would be satisfied, because it would increase the revenue because of the large importation of tin plate that would follow. But the people of this country condemn any such idea as that; they are in favor of still continuing the manufacture for our people of the tin plate now used in the United States.

Then, Mr. Chairman, we took up the subject of files. We observed, there being a specific duty on files, with the changes that have gone on in industrial conditions in that branch of the industry during the past twelve years and the cheapening of the product both here and abroad, that the ad valorem duty averaged some 76 per cent.

The committee, being of an inquiring mind, sent for the president of the Nicholson File Company, located in Providence, to get from him the facts and see what we should do with the duty on files. We knew in a general way that the labor in cutting files was done by machinery; that the clipping work that cuts the file was done by machinery, and we knew that under these circumstances there might be a chance for a reduction of duty, which averaged 76 per cent ad valorem and which only admitted of the importation into this country of $76,000 worth of files, while the consumption was over $5,000,000 worth.

We sent Mr. Nicholson, the president of the company, a subpœna, and brought him before the committee, and he was duly sworn to tell the truth about this business. He admitted that the domestic consumption was $5,000,000 worth. He gave us a very interesting account of how he had got into the markets of the world with his files, selling them in nearly every country on the globe by employing young men, generally college graduates, men that knew the language in the foreign countries, and making an earnest, honest effort to get the trade of those countries. He succeeded and had a large export business, a growing export business, until this high tariff came on in some foreign countries, and still he was pushing his trade there, relying upon the excellence of his workmanship, the excellence of the article that he produces, which helped to sell itself in those markets after being introduced.

It was an intelligent effort on the part of an American to push his industry into the markets of the world and help capture a portion of that trade. We went further into this business. We found there had been invented a file called the Swiss pattern, where the cuts in the file were much finer and much nearer together, involving more labor, requiring a higher grade of steel to make these files, and this is the only kind of file imported into the United States, according to the testimony of Mr. Nicholson. This duty is absolutely prohibitive as to all files except the Swiss article, and out of $150,000 worth of these Swiss patterns used in the United States half of them are imported, which is just about the total imports of files into the United States. We got from him the statement that two invoices which had been presented to the committee represented two invoices sent out from his factory, of bills of files actually sold—one bill sold abroad and another, if I remember the evidence correctly, sold in the United States. We compared those bills in his presence, with the duty levied under the law on these bills of files, and we found that the duty was more than the entire selling price of the bill of files. Well, at once it appeared to the committee——

Mr. CAPRON. Mr. Chairman——

Mr PAYNE. Oh, Mr. Chairman, I know what my friend is going to say and I will get to it in a moment. At once it appeared to the committee that if this duty in any case was more than the selling price of the files, it was entirely too high. It is claimed now in behalf of Mr. Nicholson that these were isolated cases, and yet it appeared from his testimony that he gave the same discount in some instances to people buying the same amount of files, except in the one case of a bill sold to be shipped to Hongkong. He gave us the discount on his files. He had a price list on all sizes, a price list for the ordinary file, a price list for the Swiss pattern, and the price lists were exactly the same on all grades of files. The discount on the common file was about 80 per cent or the price was 20 per cent of the list—80 and 1 and 2 per cent discount, and 80 and 3, or he gave an 80 and 5 and 3, which of course made it about 82 or 83 per cent. Then we asked him what was the selling price of the Swiss pattern. That was about 60 per cent discount instead of 80. In

other words, he was receiving for the Swiss pattern double the price he was receiving for ordinary files. Sixty per cent off a dollar leaves 40 cents. Eighty per cent off a dollar leaves 20 cents, just double the price.

Now, he complained that the tariff ought to be left, because he ought to sell in this country every file made of the Swiss pattern. That was his contention before the committee, and he seemed to be in earnest and honest about it, and wanted us to keep up the duty on the whole list of files in order that he and the other companies might make all of the Swiss pattern files in the United States. The committee did not think that contention was justified. They thought the duty ought to be reduced. They tried to get from him whether there were not some words that could be put into the law that could except the Swiss patterns and describe them, and levy upon the Swiss pattern the same duty provided now by the Dingley law upon all files, and then reduce specifically the duties on other files. Well, after a long and elaborate cross-examination—I conducted it myself, and I never had any harder time with a witness to get at the facts—it finally resolved itself down to this, that the "Swiss pattern" would probably describe this pattern of files so that it would be safe to put it into the tariff law and cover that article. Then the committee considered what it was best to do.

They believed that 40 per cent was a sufficient protective duty on this article, ample protection to protect the business of the American manufacturer, and all to which he was entitled; and the question was where to make it specific on the Swiss pattern and specific on the American, but finding that the selling price of the Swiss pattern was double that of the ordinary file, we adopted the very sensible conclusion of putting 40 per cent ad valorem on all files, and that amounts to a double duty on the Swiss pattern and half of that double duty on the ordinary American file. Hence we made the duty on files 40 per cent ad valorem.

Mr. CAPRON. Will the gentleman yield?

Mr. PAYNE. I now yield to the gentleman from Rhode Island.

Mr. CAPRON. Mr. Chairman, I do not believe the chairman of the Committee on Ways and Means means to be unfair or to show prejudice, but from his statement, unless he should elaborate and modify it more, I think a wrong impression will prevail in regard to the duty on files, the same being a reduction of one-half, which I believe substantially is the amount the committee has reduced it.

The chairman of the committee has not stated that within the last three years a very great increase in the manufacture of files abroad has taken place, and very large factories, not for hand work, but machine work, have been established abroad in files. The gentleman stated in regard to the selling price of files on an invoice of files that it was less than the duty. Now, he will be kind enough, I am sure, to state that that was an invoice of files sold abroad for $123—not a very large wholesale amount of files. I think that was the amount; it was a small amount anyway. It was also stated, which the gentleman will remember, that these files were sold in competition with the Sheffield (England) schedule, which they had to meet, as every American knows must be met abroad if we are to compete with foreign trade with old-established concerns like the Sheffield (England) file manufacturers. Japan within the last few years has instituted a very large manufacture of machine-made files, Mr. Chairman. It is also stated, as the gentleman will remember, that the sales to certain countries have been reduced within the last two or three years to almost nothing for the American file makers. Now, the chairman will remember it was——

Mr. PAYNE. I want to remind the gentleman that my time is being consumed.

Mr. CAPRON. I know; but does not the chairman think at this time, when he has the opportunity——

Mr. PAYNE. I do not think it is hardly fair to the House that I should yield the floor for the purpose of allowing my friend to make a speech, and he knows I would accommodate him as soon as anyone else.

Mr. CAPRON. I think when the gentleman is making a very elaborate statement in regard to a great industry of this country that he ought to state the whole case and not state it as though he were an attorney for the importers.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am very sorry the chairman can not tell us whether we may have an opportunity to amend this bill as we go along; and in view of the fact that I can not get him to make that statement, I wish to ask him a question now, which seems to be the proper time. In Philadelphia we make as many files as are made elsewhere in the United States. It is a large industry and employs a great many hands. I would like to present to the chairman an inquiry——

Mr. PAYNE. I will listen to a question, but I must insist that we have no more speeches.

Mr. MOORE of Pennsylvania. I want to make it clear——

Mr. PAYNE. You should state how many files are made in Philadelphia if you are asking a question.

Mr. MOORE of Pennsylvania. The gentleman has taken his evidence from Mr. Nicholson, but he has not consulted all the file makers in the United States. In a letter received in answer to the Payne bill sent out a few days ago I have this statement. This comes from——

Mr. PAYNE. I wish the gentleman would ask his question.

Mr. MOORE of Pennsylvania. Very well. Will this bill practically destroy the file industry in the United States?

Mr. PAYNE. By no means, or cripple it in any particular.

Mr. MOORE of Pennsylvania. Will it cripple the capital that is put in file establishments in the United States?

Mr. PAYNE. Well, it will not cripple the capital that has been put in; whether it cripples the capital that has not been put in, I do not know.

Mr. MOORE of Pennsylvania. Will it throw out of employment men now engaged in file making?

Mr. PAYNE. Not one of them.

Mr. MOORE of Pennsylvania. And will it protect that industry in this country?

Mr. PAYNE. It will not throw out of employment one of them.

Mr. CAPRON. It will throw out half of them.

Mr. MOORE of Pennsylvania. My friend from Rhode Island says it will throw out half the men employed.

Mr. PAYNE. Now, Mr. Chairman, see what utter folly these gentlemen are uttering. 40 per cent on the manufacture of files made by machinery, and there is not another in the metal schedule that equals 40 per cent, except a few articles at 45 of the highest degree of manufacture, and some of them luxuries, like automobiles and those articles of machinery of the highest grade of manufacture; machine tools made in the United States are seeking outlet abroad, as files have been, and have not yet been successful, and the committee have reduced the duty from 45 to 30 per cent, and they have received nothing but condemnation from the American manufacturers of steel tools since this bill went out. Now, what folly it is for gentlemen to come in here and bring in this statement of men coming in after a thing is done, after the Nicholson evidence is in that they had an opportunity to read, and try here to build up a scare to frighten the Members and say that people will be turned out like dogs. Think of the amount we are exporting in the world and paying a large tariff in foreign countries, exporting and meeting the competition of the world, and still these gentlemen are anxious for fear that under this high duty of 40 per cent ad valorem on this manufacture, made mostly by machinery, we are going to lose our whole file business.

Now, Mr. Chairman, I invite gentlemen to read the evidence of Mr. Nicholson, and I appeal from these gentlemen to his evidence, he being an unwilling witness as to the facts with regard to the file industry.

Now, Mr. Chairman, the committee are receiving letters from the manufacturers of iron and steel, commending the steel schedule as a fair one. Once in a while a man objects in a single instance and tries to show the reason why we have cut it a little too low, but in the main the bill is receiving the commendation of manufacturers of iron and steel. It may be that some of these gentlemen will get up a back fire. It may be that they will frighten their workmen to remonstrance and all that sort of thing, but pass this bill with the metal schedule as it is now and you will find that the wheels of industry will start, not only as they were reported from Pittsburg yesterday, but throughout the whole iron and steel districts of the United States, because the rates of duty are fair—fair to the consumer, fair to manufacturers, and fair to the laboring men. [Applause on the Republican side.]

And now, Mr. Chairman, I come to hides. A duty was put on hides soon after the civil war, when the country was anxious and looking for revenue in every direction in order to pay the interest on our war debt and reduce it. They put a duty on hides, and in 1871 they took it off, regarding it as a war-revenue duty which should not be continued. And why? Hides are a by-product of the animal. Now, I know there are half a hundred people here who will say, "Yes, but it is a sixth or a tenth of the value of the steer." Well, it is. But it is a by-product. People do not raise animals for hides. They raise them for their

meat, and the meat is the principal item when they come to sell the cattle. Not only that, but it is the foundation for half a dozen industries; and every time you put a duty on what is called sometimes the "raw material"—and, as far as hides are concerned, they are raw material—you have got to go all up along the line of goods made from that raw material and increase the duty. That is well recognized. No use in keeping hides out of this country in order to sell the domestic hides. If you have got to send them abroad to be tanned, to be made into shoes, to be made into harness, to be made into carriage-leather, you want a duty on the manufactured goods, you gentlemen that are clamoring for a duty on hides.

The question came up under the McKinley bill. An amendment was offered in the House for a duty on hides. Gentlemen agonized for it as loudly as some of you gentlemen are agonizing for it now, but not quite as loudly as my friend from Texas is agonizing for a revenue duty. It was voted down in the House, and it was kept out of the McKinley bill, and they were left on the free list. When the Dingley bill came before the House, reported by the committee, it was reported with free hides, and I saw a number of gentlemen on this side of the House and a number of gentlemen on the other side of the House, led by the late Jeremiah Simpson, of Kansas, voting for a duty on hides. He was a little more frank than some of these modern-day tariff-for-revenue people. He said he wanted to get his share. He did not believe in a duty on hides, but he wanted to get his share; his people wanted it, and it had something to do with the Populist vote out in Kansas. Marching under his banner and leadership, some of our friends on the other side and some on this voted for it, but the House voted it down. It went over into the Senate. We did not have a Republican majority in the Senate in those days, but we did have a majority of those who claimed to be protectionists, and one of these protectionists of populistic tendencies would not vote for the bill unless it carried a duty on hides, and the Senate accommodated him.

That is one of the courtesies of the Senate when any Member wants something done. They put a duty on hides, and the bill came over here. It was in conference for six weeks. The House conferees struggled against it as a duty that should not go into the bill. The Senate conferees said they could not pass the bill through the Senate unless it contained a duty on hides, and in order to get a bill we were finally forced to yield this duty on hides, and it has been in operation now for twelve years. And while numberless gentlemen have come before the committee, not a single witness has been able to trace a dollar into the hands of the owner of a single steer that came because of this increased duty on hides. But it appeared before the committee that the price of hides was fixed by the "big four;" that they controlled the market in the United States. They control the markets in the United States; they control whatever benefit goes to anybody because of this duty on hides. No man would risk his reputation for veracity by standing up here and saying that the "big four" were ever known to give up a single cent which got into their coffers unless they were forced to do so. So we have this duty; but the packers all contend that they care nothing about it, and still when brought before the committee they make an argument to continue it.

Mr. REEDER. Mr. Chairman, will the gentleman permit me to interrupt him?

Mr. PAYNE. Well, I suppose so.

Mr. REEDER. I would like to ask you if you think that the "big four" would be generous enough to turn this tariff over to the consumers of hides when they will not turn it over to the producers of hides?

Mr. PAYNE. They will not turn over anything to anybody until they are compelled to.

Mr. REEDER. I do not understand what your argument is for if they keep it from the producer of hides, unless the people who are making this fight for free hides think the people who are making the fight will give it to the consumer of those hides.

Mr. PAYNE. Who are making the fight?

Mr. REEDER. The manufacturers of boots and shoes have had a lobby here urging free hides for several years to my personal knowledge.

Mr. PAYNE. We will come to that point later. The trouble is that the gentleman anticipates my argument and I can not reach the point that I desire to do.

Mr. REEDER. My query is on the question you are talking about. It seems to me that it is clearly on the point that you are discussing.

Mr. PAYNE. If the gentleman will wait I will get to it, but I can not state everything at once. Will the gentleman wait and give me an opportunity?

Mr. REEDER. I will.

Mr. PAYNE. I want to give gentlemen full liberty to ask questions, but there is a proper time for all things and I can not discuss everything at once.

Mr. REEDER. I am afraid I will lose out as to the proper time if this is not such a time.

Mr. PAYNE. Now, Mr. Chairman, under this duty on hides a large proportion of the tanning business formerly done in the United States is done in Germany and other foreign countries. Why? Because this 15 per cent of duty turns away the hides from the South American countries from the ports of the United States and drives them into the ports of Germany and other countries.

Mr. REEDER. I want to make a suggestion right there.

Mr. PAYNE. Will the gentleman wait until I get through this point?

Mr. REEDER. You are right at the point now.

Mr. PAYNE. Mr. Chairman, I must insist that I be not interrupted until I get through with this statement.

The CHAIRMAN. The gentleman from New York declines to yield.

Mr. PAYNE. And the result has been that they have taken away the tanning business, and we have to import their leather instead of importing the raw hides and tanning them in the United States. The domestic production of hides is not anywhere near sufficient for the supply of leather which we need in this country. It lacks about 40 per cent of it. Why, we raise a steer, not quite a steer, to each inhabitant in the United States. It falls far short of that. In Argentina they raise six steers to one inhabitant. We can not get that way. Tanning people can not get the hides to run their factories. They can not get them anywhere, from the packers or anywhere else, and they are obliged in some instances to close down their tanneries because of the scarcity of hides and yield up their business to those on the other side. Why? All because of this tariff on raw material, a by-product of the animal. A product of labor? Whose labor or what product? What labor is there in raising steers? There is none in Argentina. Why, our farmers have the advantage. If the hides sold for nothing, still they have the advantage in raising steers. Where is meat so high in the world as in the zone of manufactures in the United States, north of the Potomac and east of the Mississippi River?

Take the statistics of the States, take the prices of agricultural products, and they will average more than 20 per cent higher where consumed in a manufacturing district than in the agricultural States of the Union. The home market for farming products, which go directly there, those towns are teeming with countless thousands of men earning American wages, living at the American rates, eating American meat, not once a week, but every day; and if the hides had no value, still our farmers would be in the front rank with the price of meat.

Now, we have created this magnificent market under our magnificent tariff laws. We have created it for the farmer and everything he raises, because of the fact that the consumer of this country is ready, willing, and able to buy at the best prices in the world. I said "everything." No; not everything. Our farmers raise a surplus for exportation; but they do not raise a surplus of hides for export. Doing their best we still have to have 40 per cent of hides imported in order to carry on our manufacturing industries.

Mr. SCOTT. I should like to ask the gentleman if any evidence was brought before the committee tending to show what proportion of the hides that go into the market from the United States go through the packing houses, and how many come from individuals?

Mr. PAYNE. The statement was made by Judge Cowan, of Texas, that 6,000,000 or 8,000,000 cattle went through the packing houses out of 14,000,000 cattle in the United States of all grades; but of course the grade of cattle that goes through the packing houses are the cattle with the thicker hides, the larger steers, the best beef, and the duty being on that class of hides does not affect the others.

Mr. SCOTT. I asked the question because the argument is commonly made that any advantage reaped from the tariff on hides goes to the packer rather than to the farmer, and I wanted the opinion of the gentleman on that question.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. PAYNE. I suppose I will have to, although I should like to discuss the question.

Mr. GARNER of Texas. I will not interrupt the gentleman unless he wants me to, but his statement is erroneous, and I am sure he wants to give the House the benefit of a correct statement. Did not Judge Cowan say that out of about 14,000,000 hides produced in the United States each year about 5,000,000 came through the packing houses?

Mr. PAYNE. I think he said six million, to be strictly accurate, but I am not sure about that.

Mr. GARNER of Texas. I think the gentleman will find that it was five million; he said that eleven million came under the duty provision, and five million went through the packing houses, and about six million came from individuals.

Mr. PAYNE. I will say to the gentleman that I accepted Judge Cowan's statement with some degree of allowance.

Mr. GARNER of Texas. The gentleman does not undertake to say that Judge Cowan was not stating the facts so far as he knew them?

Mr. PAYNE. No; but he had the enthusiasm of an attorney.

Mr. GARNER of Texas. Mr. Chairman, I am inclined to think, from what I heard and my observation before the Ways and Means Committee, that there were a good many witnesses whom the gentleman puts a good deal of confidence in, who were enthusiastic by reason of their business, in their testimony before the committee.

Mr. PAYNE. There is no doubt about that, but that does not lessen my criticism of Judge Cowan.

Mr. WEISSE. Will the gentleman allow me to answer that question in regard to hides?

Mr. PAYNE. I will pause for the gentleman's reply, if it will not take more than a minute.

Mr. WEISSE. He states that of 14,000,000 hides used by the tanners—under the Dingley bill the tariff classifies hides of 25 pounds and over as being dutiable—80 per cent of the hides of 25 pounds and over are taken off by the packers and city butchers controlled by the packers, and only 20 per cent are marketed directly by the farmer. Eighty per cent of the hides of less than 25 pounds, which come in duty free, are produced by the farmers, and only 20 per cent are taken off by the packers or the butchers controlled by the packers. Further, we have an invoice of hides from the South containing 7,000 hides, and out of the 7,000 there were only 92 hides that would have to pay a duty to get into this country. Over 6,000 would have come in free, and they were all taken off by the farmers.

Mr. PAYNE. In view of the statement of the gentleman from Wisconsin, who knows about the tanning business, is not the gentleman from Texas a little bit sorry he brought in Judge Cowan?

Mr. GARNER of Texas. Not at all. The gentleman from Wisconsin [Mr. WEISSE] made a statement that I think attention ought to be called to—that the Dingley law provided that only hides weighing 25 pounds and over were dutiable. The Dingley law does not do that, but the gentleman from Wisconsin and a few importers of his kind induced the Secretary of the Treasury to make that ruling, and that is the reason that hides weighing less than that are not on the protected list.

Mr. MOORE of Pennsylvania. Will the gentleman from New York yield?

Mr. PAYNE. I want to say a word in reply to my friend from Texas first, if I am allowed to do so. The Dingley law provided a duty on hides of cattle. The question came up on the construction of that language, which was put into the bill not in the House, but elsewhere, as to what "hides of cattle" were; and after consideration of the question, the Secretary of the Treasury drew the dividing line at 25 pounds, and so far as I know no importer of hides has ever questioned that decision. Now I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. If the gentleman from New York will permit me, he will generally find me on the protective side of these questions. But cattle hides are largely used in my district, and I want to say that I am inclined to agree with him in the matter of free hides. Of the production of cattle hides in the United States, I am informed, 60 per cent is sole leather; of that 60 per cent, the packers control 70 per cent of the hides, and tan 65 per cent of the 70 per cent.

I want to ask the chairman—being inclined to agree with him—whether the removal of the duty, as proposed in the Payne bill, will protect the independent tanner against the packer, or whether he will be inevitably pushed to the wall, duty or no duty?

Mr. PAYNE. I believe it will protect the tanner. Tanners can not get hides because the importation has gone to Europe, and they are unable to get the raw material to run the tanneries.

Mr. MOORE of Pennsylvania. And the effect will be to protect the independent tanners?

Mr. PAYNE. Yes; and it will not hurt anybody in the United States except the middlemen and the packers.

Mr. REEDER. Will the gentleman from New York yield to me for a question?

Mr. PAYNE. Yes; I will now yield to the gentleman from Kansas, although I am coming to his question. I would have been there long ago if I had not been interrupted.

Mr. REEDER. Would it not be the proper thing to put a higher tariff on leather, and thus bring the manufacturers to the United States rather than remove the tariff from the farmers' finished product?

Mr. PAYNE. I will answer the gentleman's question when he gets through.

Mr. REEDER. I am through.

Mr. PAYNE. I did not know but that the gentleman was ready to put another question in the middle of my answer. I have just reached the point in discussion. I reached it some time ago when I designed to talk about leather, but was interrupted by a question. So far as I am able I am willing to answer all sorts of questions as long as the House can stand it.

Now, about leather. These heavy hides are used in making sole leather, belting leather, and split leather for uppers of coarse boots and shoes, and carriage leather, and some harness leather. The committee cut the duty on sole leather and belting leather from 20 to 5 per cent. I have been asked why they did not cut it more. That may be a fair question. It is easily answered. The duty on the finished article must be higher than the duty on raw material from which it was made because it involves more labor. There is always to every tariff schedule, even a tariff schedule for revenue, a graduation of the duties from raw material up, according to the degree of manufacture.

Now, some gentlemen came before the committee and stated that if we would take the duty off from hides they would be satisfied to have the duty taken off from sole leather and belting leather. My friends on the other side, some of them, cross-examined these witnesses about it. These men did not say so right out loud, but they squinted in that direction. I do not know but that some of them said so. One of them said:

> If you will make hides free and tanning extracts free, we could get along with free leather, provided you would take care of the labor unions in this country.

Some man had said broadly that on even terms he could compete with any manufacturer beneath the sun, but when he came to examine into it under the skillful examination of some gentlemen of the minority it was conditioned on free hides, free tanning extracts, and no labor unions. Well, the committee had no jurisdiction over labor unions, and they would not exercise it if they could.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman from New York a question right there.

Mr. PAYNE. I will yield to the gentleman.

Mr. CLARK of Missouri. I want to ask the gentleman from New York if he has observed that some of these witnesses cut out all cross-examination in these hearings, or practically all of it?

Mr. PAYNE. I have not noticed that; no.

Mr. CLARK of Missouri. I never noticed it until this morning, but it is absolutely true about the boot and shoe business.

Mr. REEDER. I want to say, Mr. Chairman, that I do not think my question has been answered yet.

Mr. PAYNE. I want to say to the gentleman from Missouri that every hearing was published the next morning, just as the witness uttered it, and as it was taken down by the stenographer. After that we had revised hearings, which were printed, and these gentlemen were allowed to revise but not to alter their evidence. If the gentleman will get the original hearings of these witnesses he will find every word of it.

Mr. CLARK of Missouri. That may be true; but I started in to hunt up the testimony of one of these witnesses this morning so that I could use it, and lo and behold, nearly the entire cross-examination that lasted three hours is cut out because the witness afterwards came in and took back nearly all that he said.

Mr. PAYNE. I do not know to whom the gentleman refers.

Mr. CLARK of Missouri. I refer to C. H. Jones, of Boston, Mass.

Mr. PAYNE. I did read last night the evidence of a witness in the leather business, and his cross-examination was precisely as I had remembered it under the cross-examination of my friend from Missouri [Mr. CLARK], and he stated these things that I have been trying to state and will state if I ever get a chance.

Mr. REEDER. Mr. Chairman, I object very seriously to my friend from Missouri [Mr. CLARK] crowding me out.

Mr. PAYNE. Mr. Chairman, I did not know the gentleman was in. [Laughter.] I will answer his question if he desires

to ask another question, but I had supposed that I have some rights on the floor.

Mr. REEDER. I desire to insist that I do not think the question I asked has been answered as to why a tariff for protection was not levied on leather rather than the leather manufacturer being protected by taking the tariff off the farmer's finished product—hides.

Mr. PAYNE. Perhaps I was not understood, but I will say that when the tariff on hides was put on, a larger protective tariff on leather than was there originally was put there in the Dingley bill. It was increased from 10 to 20 per cent. Taking it off has enabled us to put down the duty, and we have done so.

Mr. REEDER. I do not see that it is a fair thing to cut the tariff off on the farmer's finished product and give it to some manufacturer of leather.

Mr. PAYNE. Oh, the farmer's finished product! Why, Mr. Chairman, two-thirds of my people are farmers. They respect me, and why? Because I tell them the truth. When they want a thing that I do not agree with I tell them so and give my reasons for it. Now, get the farmers out of your mind and the farmer's vote out of your mind and try to consider this matter fairly and squarely as between man and man and see whether we ought to put a duty on this rawest of the raw material when it goes up into every manufactured article made out of it.

Mr. REEDER. I am insisting that we do look at this matter fairly and give the farmers a fair deal. But we will pass that question, as I want to ask one further question, and that is the question that I asked before. That is, What is the reason that induces the people from Boston and Philadelphia to think that the "big four" will give them the benefit of whatever they get out of this reduction in the tariff, which they have been taking away from the farmer, as you have stated?

Mr. PAYNE. The foreign hides do not come into the hands of the "big four." They could import them into the port of New York. Our tanners can get hold of them, less the 15 per cent of duty. They can cut down the price of their leather. We have cut down the duty on the leather, so they will have to cut down the price of leather. Therefore these gentlemen from Boston and from St. Louis who manufacture shoes will have an opportunity of buying the leather at a lower price.

Mr. REEDER. That is a better answer than I had thought could be made to the question. Now I wish to ask this question: What makes the gentleman think that this "big four" does not keep the price of meat high instead of the farmer that raises the cattle getting the benefit of the high prices, if they are able to keep the price of hides where they choose?

Mr. PAYNE. Mr. Chairman, when it comes to explaining what is in the minds of the "big four," I do not know what it is.

Mr. REEDER. The gentleman explained it a moment ago as to hides, and I thought he knew about their influence on prices of the meat as well.

Mr. PAYNE. In regard to lowering and raising the price of meat, I will say that I can not understand some of the things they do. It is something that nobody can find out about, apparently.

Mr. WEISSE. Mr. Chairman, if the gentleman will permit, the gentleman from Kansas was asking why the shoe manufacturers of Massachusetts want the tariff off hides. Under the Dingley bill there is a rebate on imported hides. The American shoe manufacturer wants a tariff so that he can buy American leather as cheaply as the foreigner can, which he can not under the Dingley bill, and increase his exports of manufactured articles. That is why.

Mr. PAYNE. Mr. Chairman, the gentleman from Wisconsin has stated very clearly what I was trying to state.

Mr. COX of Indiana. Will the gentleman yield?

Mr. PAYNE. Yes.

Mr. COX of Indiana. I desire to ask a question for the purpose of eliciting some information. I notice by paragraph 581 of section 1, being the paragraph the gentleman is now discussing, that hides are on the free list. Section 16 of the act provides:

> That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited.

Mr. PAYNE. I know what that is. I would have come to it in the course of two or three hours, I will say to the gentleman, if I had been permitted. That is a provision from the Dingley law incorporated into this bill. It is for the protection of the cattle of the United States, the farmers' cattle of the United States, from cattle infected with diseases like the foot-and-mouth disease; and the gentleman will notice, if he reads the section through, that provision is made, under regulations of the Secretary of Agriculture, for the admission of these cattle, absolutely prohibited in the beginning of the section, with the proviso that the Secretary of Agriculture has made examination and found no contagious or infectious disease. It is simply for the prevention of the spread of disease.

Mr. COX of Indiana. Just one question more. Does the gentleman anticipate that there is likely to be any conflict between paragraph 581, giving free hides, and section 16, prohibiting it?

Mr. PAYNE. Not the slightest; one is free hides and the other relates to cattle.

Mr. BOUTELL. If the gentleman will permit me just for a moment for a possible correction. Before the recent interruptions the chairman was just in the midst of a sentence, and his face was turned, and as the interruptions came the impression made upon my mind was that the chairman stated that the packers, or what he called the "big four," came before the committee and asked for a retention of this duty.

Mr. PAYNE. No; I did not mean to state that. What I stated, or meant to state, was that one of the officers of the "big four" was subpœnaed before the committee; possibly I did not make that statement; but while he said the packers did not care anything about it, he did make an argument for a duty on hides.

Mr. BOUTELL. I think that impression ought to be corrected, and it should be stated that the records of the committee show that no representative of any packer appeared voluntarily, in oral argument or otherwise, before the committee asking anything.

Mr. PAYNE. That is correct.

Mr. BOUTELL. The committee subpœnaed one man, and he stated at the outset that the packers had nothing to ask in this readjustment of the tariff, and on cross-examination he stated that it was immaterial to them whether hides remained at the same duty or were raised or were lowered or the duty removed altogether.

Mr. PAYNE. But he did make an argument that the duty on hides ought to remain. I now yield to the gentleman from Texas.

Mr. BOUTELL. That seems simply an inference, and one not justified, in my opinion, by the records.

Mr. BURLESON. Mr. Chairman, will the chairman explain why the committee failed to put shoes on the free list?

Mr. PAYNE. If I ever get to that point I will try to do so.

Mr. BURLESON. I thought the gentleman was discussing boots and shoes.

Mr. PAYNE. I got as far as sole leather and I had forty questions fired at me. I will answer that.

Mr. BURLESON. I will wait until the gentleman reaches that point.

Mr. MARTIN of South Dakota. Before the chairman leaves the subject of hides I would like to ask a question or two on one point upon which I desire some information. I understand the gentleman from New York to state, at least by inference, that one reason why no duty is placed upon hides in this new tariff bill is that it is a by-product. I would like to ask upon what principle the product of any producer should be discarded from protection upon the theory that it is a by-product? It is part of his own product; whatever value there is in it is his, and it is inevitably a part of the product. Why should not the by-product be protected if the subject itself is entitled to protection?

Mr. PAYNE. Now, Mr. Chairman, if the producer raises cattle for the hides, that would be the principal thing; and if he needed protection, he ought to have it. He raises cattle for meat; incidentally, he can not raise cattle unless there is a hide on them, and the hide is an incidental part of the product, being all the way from one-tenth in value to one-sixth. It is an incidental product, and it has been assumed by tariff framers ever since I have had anything to do with the making of tariff bills that protection should be on the main article and not on the by-product. We protected steers by a protective duty. We protect the meat by a prohibitive duty, largely because it is impossible to get it down on account of the interest of a good many voters or supposed interest of a good many voters.

Mr. MARTIN of South Dakota. As I understand it, the meat product of the steer is something like 60 per cent of the weight of the steer. All else, I suppose, if my figures are approximately accurate, would, in the view of the chairman, be classed as by-product, but still in this day of competition I think we must understand that the by-product must be taken into account by the producer and its value be protected as much to him as the major product.

Mr. PAYNE. Well, the gentleman has made his argument——

Mr. MARTIN of South Dakota. I wanted to inquire of the chairman whether in principle this theory that the hide of the steer is a by-product has had weight with the committee in placing it upon the free list?

Mr. PAYNE. I do not know how the other gentlemen of the committee felt about it. That was one of the considerations with me. It is an incidental product. We got along without a duty on hides for a great many years, from 1871 to 1897, in this country. Nobody seemed to be oppressed or downtrodden because of it. The farmers were doing a good business raising cattle for beef and making a good profit out of it. Then, in 1897, for some reason, not because the farmer was protected by it, but because, perhaps, they thought it would tickle the farmer, gentlemen put a duty on hides. That raised the duty all along the line for the products of hides, namely, leather, shoes, harnesses, leather for carriages, and all that sort of leather, made from those thick hides. It increased the prices of all these commodities to the people of the United States, because we had to have 40 per cent of our consumption from abroad. We had to pay this duty. And wherever the hide passed there was a hand outstretched to gather in the difference between the price of the hide and the price of the hide duty paid, whether it was the middleman or the agent, or the butcher in the city, or the great packer. They were all after it, and our friend, the farmer, did not get a look-in.

Now, people go about and try to persuade the farmers that they will be ruined in the raising of cattle if they do not have this duty on hides, and they are taught to pick the chestnuts out of the fire, not for themselves, but for other people, and all the time it is raising the cost of the raw material to our tanners, has diverted foreign hides to Germany, and they are driving us out of the tanning business. Still gentlemen stand here and do not consider the tanners. They will not consider the industries that are built up by the tanners. They will not consider the thousands of mouths to be fed by the meat from which these hides are taken in the United States. Now, nothing will do except to exact a duty on hides, to enter into the very production of the hides, and into the price and the cost of the farmers' shoes. The farmer comes out at the small end all around, and still men think they are conserving his interests in trying to tickle his fancy with a duty on hides.

Mr. MARTIN of South Dakota. The gentleman, of course, has diverted from the question I asked him. Now, the chairman has stated apparently one reason why the duty on hides should be removed is that the farmer was not getting it, and suggests that the farmer is now being made the tool for some one else in an effort to get the duty restored.

I do not see the logic of the gentleman's argument. He states that the "big four," or the packers, are getting the profit at the present time. If so, our laws ought to be so well enforced that this would not be possible. I have proposed some measures of this character heretofore and may press the subject further in the near future. What inducement is there to the farmer who complains of the prospective free hides to take his position? I think the gentleman misapprehends the nature and the source of the objections that are made by those who are opposed to this free-hide schedule. I have taken a good deal of the gentleman's time, but I would like to ask him one more question, and then I am done. However, if the gentleman from Washington [Mr. CUSHMAN] desires to ask a question, I will not take the time.

Mr. PAYNE. I yield to the gentleman from Washington [Mr. CUSHMAN].

Mr. CUSHMAN. I merely wanted to say that I do not know that I gather the full significance of this "by-product" idea. Now, if by-products are to be placed on the free list in the bill, if we followed that same logic down through the bill we would reach rather a peculiar condition. Now, for instance, milk is the by-product of the cow. [Laughter.] In this bill the cow is protected 27½ per cent, and milk, as I remember, 2 cents a gallon.

Mr. PAYNE. Mr. Chairman, I see that I have talked in vain if so bright a man as my friend from Washington misapprehends the definition of a "by-product."

Mr. CUSHMAN. And the egg is a "by-product" of the hen. I find by examining the bill that poultry is on the protected list, as well as eggs—that is, both the product and the by-product.

Mr. PAYNE. The gentleman does not want any answer to that question?

Mr. CUSHMAN. I would like to have one.

Mr. MARTIN of South Dakota. I would like to ask whether coal tar is a by-product of the coal industry?

Mr. PAYNE. Yes; and it is not protected either.

Mr. WEISSE. If the gentleman from New York [Mr. PAYNE] will allow me, I would like to answer the gentleman from South Dakota [Mr. MARTIN]. As I understand it, the gentleman maintains that 15 per cent duty adds 15 per cent to the value of the hides in this country, and by doing so adds to the price of the cattle.

Mr. MARTIN of South Dakota. I apprehend that if there is a protection of 15 per cent upon any article the tendency would be to add at least a portion of that to the value of the article to the American producer. If this be not true, we are proceeding upon a false theory.

Mr. REEDER. I would like to suggest, in regard to what the gentleman from Illinois [Mr. BOUTELL] says——

Mr. PAYNE. Mr. Chairman, I only yielded to the gentleman from Wisconsin.

Mr. WEISSE. Now, we export about 500,000 head of cattle, with hides. Now, can you get these hides back to this country when these cattle have been taken to Europe and the hides taken off? Can you get them back here free of duty?

Mr. MARTIN of South Dakota. I suppose you would have to pay the 15 per cent duty on them.

Mr. WEISSE. Then the exporters of the cattle would get so much less for their cattle, because that duty is on there, would they not?

Mr. MARTIN of South Dakota. I do not understand that question.

Mr. WEISSE. When you export these cattle with the hides on, our market being the greatest hide market in the world, we have got to buy part of them back, and we pay 15 per cent duty to get them back into this country. If the 15 per cent rate of duty which is laid against those imported is paid, it only decreases the price of the cattle to that extent when they are sold, does it not?

Mr. MARTIN of South Dakota. I apprehend the market for American hides is not controlled by that portion that goes abroad and comes back. Theoretically that may be so, but practically we take very different views on this subject.

Mr. PAYNE. Reluctantly, I will be obliged to resume the floor.

Mr. WEISSE. I think I can enlighten the gentleman on that subject, and I will be very glad if the gentleman will yield us time.

Mr. MARTIN of South Dakota. Theoretically, of course, the amount of protection added to a thing or article measures that much additional value to the American producer, but practically numerous questions may come in, numerous conditions that will not lead to getting the actual increased market value down to a price precisely the same as represented by the figure in the schedule; and answering and applying this to this question, the gentleman proposes the fact that some of the American product of steers exported coming back in the form of hides may have some effect upon fixing the market at any particular time upon American hides. That in a few instances may be true, but in practice I think a very large proportion of hides produced in this country will be sold at prices fixed without taking into consideration the quantity of hides that may be imported from American steers shipped abroad.

Mr. WEISSE. Now, it took the gentleman about five minutes to ask that question——

Mr. PAYNE. I will yield five minutes to the gentleman from Wisconsin.

Mr. WEISSE. In 1898——

Mr. MARTIN of South Dakota. Is this a question?

Mr. WEISSE. I was answering your question. In 1898 there was a duty levied on hides and the Treasury Department levied the tax on calfskins, and the appraisers at New York ruled that calfskins were not hides. As soon as that ruling was made the markets of the world advanced 13 per cent inside of twenty-four hours; and after it was made, calfskins came in free and were 4 per cent higher than when the duty was on.

Mr. MARTIN of South Dakota. I suppose from that the gentleman concludes that a protective duty lowers the price?

Mr. WEISSE. A protective tariff on raw material that makes our manufacturers pay more than the European manufacturer will certainly do so.

Mr. MARTIN of South Dakota. The gentleman approaches this question entirely from the standpoint of one who is taking the products of the farmer instead of from the standpoint of the producer of the steer, or the hides either. The gentleman ap-

parently approaches the subject of American protection from the Democratic side, instead of the Republican side.

Mr. WEISSE. Well, I am taking this question as it works out in the conducting of the leather business, and I am going to tell him this more, that since 1898, when calfskins were put on the free list, they have increased in price in the United States 18 per cent, and hides, formerly on the free list and now paying 15 per cent duty, have only increased 13 per cent, or 5 per cent less than the increase in the price of calfskins.

Mr. MARTIN of South Dakota. Let me ask the gentleman a question, as the gentleman appears to be well informed on the subject and, if reports are true, he is engaged in the industry. If the products of your business, for I presume the gentleman is interested in the business——

Mr. WEISSE. I am in the tanning business.

Mr. MARTIN of South Dakota. May I ask the gentleman whether, from his standpoint as a producer in the tanning business and a manufacturer of leather, the gentleman would be willing to see leather upon the free list?

Mr. WEISSE. I would just as soon see leather on the free list if you put every raw material in the United States on the free list that enters into the manufacture of leather, because if we got that, why we would do the tanning business of the world on this basis.

Mr. MARTIN of South Dakota. Upon that subject we entirely differ.

Mr. WEISSE. Absolutely.

Mr. MARTIN of South Dakota. I believe in American protection, both in theory and in principle——

Mr. WEISSE. Principle is the only thing you have got to hang on, but facts will not support you.

Mr. MARTIN of South Dakota (continuing). And upon the higher scale of wages that is possible in our country by reason of the higher price of products.

We approach this question from a radically different standpoint.

Mr. WEISSE. Absolutely.

Mr. MARTIN of South Dakota. If we were considering only the American consumer, I concede that we should approach just as nearly as possible to a free-trade basis all around, but we are a nation of producers and our first duty, I consider, is to the producer; because if the producer is prosperous, he has the wherewithal with which to buy all that he may consume in the necessaries and luxuries of life. We therefore upon this side of the House stand for the American protective principle of protecting every producing industry in America to the extent necessary to represent the difference in the cost of production here and abroad.

Mr. PAYNE. Mr. Chairman, I hate to interrupt, but I am not going to yield for an academic discussion of the question of protection.

Mr. MARTIN of South Dakota. I just want to close my sentence. The cost of the production of meat and of all that enters into the products of the steer has much increased since the days that the chairman has referred to, when hides were upon the free list. The cost of labor, the diminishing of the area of the great western ranges—all these things help to explain why live stock has advanced so much in value and in necessary cost in the last ten or fifteen years and are upon an appreciating scale at the present time.

Mr. WEISSE. Now I should like about two minutes.

Mr. PAYNE. I yield two minutes to the gentleman from Wisconsin.

Mr. WEISSE. The gentleman from South Dakota makes the statement that he is for the American producer. Under the Dingley law the foreigner can come in here and buy American leather, made by American hands, cheaper than the American can. The shoe manufacturer in a foreign country can buy leather cheaper here than the American can, because you give him back 99 per cent of the 15 per cent duty which the American paid on the imported hides, and give him that advantage. Now, it puts the American in this shape: That to manufacture shoes against him he pays 10 per cent more for American leather than the foreigner does, and that difference is a protection to the European manufacturer, paid directly out of the United States Treasury.

Mr. MARTIN of South Dakota. I suppose the statement which the gentleman makes as to the operation of the Dingley bill applies to other things than leather and hides, does it not?

Mr. WEISSE. I do not know that it does. I am a tanner, and I only know about the question of leather and hides.

Mr. MARTIN of South Dakota. We will accept the gentleman's statement on the leather question.

Mr. YOUNG of New York. Mr. Chairman, I desire to ask the gentleman a question. I have listened to this discussion with a great deal of interest, and especially to the suggestion here that the farmer shall be protected in this matter. I want to call attention to the fact that the price of cattle on the hoof is about 6 cents a pound. The packer takes the animal to be slaughtered, takes the hide off, sells the meat at anywhere from 8 to 12 cents per pound, and for the hide he gets 14 cents per pound. How is the farmer protected in that, when he gets 5 or 6 cents a pound for the animal, and the packer insists upon 13½ to 14½ cents for the hide, thereby taking a monopoly of that business, and tanning 60 per cent of the hides, if the tanners will not buy them at the arbitrary price fixed by them?

The tanner is shut out by this 15 per cent duty on the hides. The hides of the world are not at his command, are not available, and he can not get them. The gentleman on the other side has stated that the business of the independent tanner is diminishing. The packers are tanning 60 per cent of their hides and have recently opened a leather house for the sale of the leather in Boston. Now, if the shoe manufacturers will not buy their leather, the next step in the progress of that great octopus will be the manufacturing of shoes, thereby interfering with an industry amounting to $400,000,000. The leather industry of the country has been impaired very greatly by this. The hide and leather industry of the country, amounting to $400,000,000, is jeopardized. [Applause.]

Mr. PAYNE. Mr. Chairman, to resume. The packers have gone into the tanning business and are tanning their own hides.

Mr. HAMILTON. And tanning other people's hides, too. [Laughter.]

Mr. PAYNE. The gentleman from Michigan says that they are tanning his hide.

Mr. HAMILTON. No; I said they were tanning other people's hides.

Mr. PAYNE. And they are selling the leather. They will not sell their hides to the tanners in this country. The tanners have to buy them abroad and pay the duty; they are between the upper and nether millstones, and you are driving them to the wall by this duty on hides.

Now, you can vote here to help the packers if you want to. You can give them the exclusive tanning business of the country, but when they get it you can bring the hides to their market and take their prices, and when you have delivered your farmer constituents bound hand and foot to the packers, what answer will you have? Oh, you will tell them you thought they wanted a duty on hides and so you voted for it. "Yes; but we sent you here because we thought you were a man of intelligence and informed on these questions and that you would vote for our good even if we were mistaken, and we will try and find somebody to represent us that knows the difference between a packing trust and the farmers' interest."

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. No; I am not going to yield; I will have a little time if I have to fight for it. [Laughter.] Since there has been a duty on hides meat would go up and hides would go down, and then hides would go up and meat down, and still there are gentlemen insisting that precisely this mathematical 15 per cent of duty on hides goes to the farmer. There is not a man that can put up a reasonable argument, that would convince a justice of the peace way back in the woods on a matter of the difference of a couple of dollars between his neighbors, that the farmer ever got a farthing of this duty on hides.

Drive out the tanning business by diverting the hides to Germany and to foreign countries. Destroy our tanning business and then the duty that is actually paid and goes into the American shoes mainly, goes into the coarse shoes bought by the farmer for his daily work and bought by the laboring man. That farmer and the laboring man have to pay the duty on the hides brought in here from foreign countries. Gentlemen try to put this duty on hides and cry out that they are protecting the farmers' interest. Good Lord deliver the American farmer from such a friend and such a protectionist in his interest.

No, take the duty off hides and lower the duty on sole leather from 20 to 5 per cent. The tanner has to pay the duty on tanning extracts. He has to run the gauntlet of the trades unions as the gentleman said before the committee. We have left a little duty of 5 per cent upon his leather because we want the tanning business carried on in this country to make a better market for the American farmer where he is not swindled out of the increase by the packers. We want to carry on this business here. The gentleman from Wisconsin has spoken about the drawback. Well, to encourage American manufacturers

there has always been a drawback since the McKinley law, allowing people to import articles, put our people to work upon them, manufacture the products, and when they export them draw back the duty.

The drawback of the duty on hides collected is about $3,000,000; after the drawback is paid on the exported leather the revenue is about $1,800,000. The Treasury does not get all of that, but a million and a quarter is paid as a drawback on leather exported abroad.

Now, it is true that some gentlemen in their enthusiasm said that if they could get the duty off hides—the tanners that could not get the hides to tan, could not buy them from the packers, could not import them because of the duty and compete with the packers—said that they would be willing to have the duty taken off from leather, and then when their attention was called to it before the committee they saw where that would lead them, and were reminded that there was a duty on tanning extracts, and this benefited the farmer down in Virginia, and that they could not go in and compete with the foreign hides on these terms; they recognized that our wage scale was higher and they could not go under free trade, and so the committee has considered that 5 per cent was absolutely the lowest point that could be put on sole leather and belt leather with hides on the free list, and we have no apology to offer to any man for our action.

Mr. GARNER of Texas. Now, will the gentleman yield?

Mr. PAYNE. I yield now to the gentleman from Texas.

Mr. GARNER of Texas. Mr. Chairman, the chairman of the Committee on Ways and Means then believes that he is rendering the farmer a real benefit in removing this duty on hides.

Mr. PAYNE. I do.

Mr. GARNER of Texas. And that the farmer is mistaken as to receiving any benefit from it.

Mr. PAYNE. I do.

Mr. GARNER of Texas. It is a very good thing that the gentleman does not have to run for Congress in some of the districts that I know of, or he would have a hard time getting elected.

Mr. PAYNE. Oh, well, two-thirds of my people are farmers, and they are like farmers all over the country. They are intelligent men. They yield to reasonable argument. If gentlemen would not fly away from questions when they meet them, but would act out their honest convictions and tell their constituents the reason why certain things are so, they would stay in Congress a mighty sight longer than the average Member of Congress stays here.

Rely upon the intelligence of your people, their honesty, their fairness, their judgment. Be frank with them. Do not try to demagogue, because the farmer will detect that, and the more you demagogue the more you will lose his respect and the more you will weaken your hold upon his affections, and the sooner the farmers will select somebody whom they think has a little more independent judgment to represent them.

Mr. McGUIRE of Oklahoma. Will the gentleman permit a question?

Mr. PAYNE. Yes.

Mr. McGUIRE of Oklahoma. The gentleman states that under the present tariff the packers are tanning. In the gentleman's judgment, would the packers continue to tan under free trade as to hides?

Mr. PAYNE. Possibly they would. If they got into the business and got started in it they are quite liable to continue, but they would not have the monopoly on the hides, because when this duty of 15 per cent is removed and our tanners who are independent of the packers can buy their hides abroad on even terms with these packers they will have a chance to live and go on with their business. Your way—I will not say your way, but the way of some gentlemen who are for a duty on hides—would simply give the packers control of the entire tanning business of the entire country, and add to the trusts which are denounced on the stump, and add to the monopoly which it is so popular to arraign before the farmers in the several districts, and tie the hands of constituents. Of course by and by they will realize what is going on, and they will not commend such conduct, and when some gentlemen came to look for it they would not intrust to them their interests.

Mr. RANDELL of Texas. Will the gentleman yield?

Mr. PAYNE. Yes, I now yield to the gentleman from Texas.

Mr. RANDELL of Texas. If, as a matter of conscience, the producer of leather should have free hides, why should not the farmer—the gentleman illustrates by the farmer—have free farming implements and machinery?

Mr. PAYNE. Well, Mr. Chairman, my friend from Texas has not read the bill.

Mr. RANDELL of Texas. The gentleman assumes a great deal, and is mistaken about it.

Mr. PAYNE. I am mistaken?

Mr. RANDELL of Texas. Yes, in saying that I have not read the bill.

Mr. PAYNE. Then, I think the gentleman has read it very carelessly.

Mr. RANDELL of Texas. Perhaps so.

Mr. PAYNE. We provide in the bill that the duty on agricultural implements shall be 15 per cent——

Mr. RANDELL of Texas. That is not free.

Mr. PAYNE (continuing). Provided that if any country shall admit our agricultural implements manufactured here free of duty, then our ports are open to manufactures of that country free of duty.

Mr. RANDELL of Texas. That is like the coal-oil joker.

Mr. PAYNE. Oh, I do not know. My friend from Texas is never logical, Mr. Chairman. He steers within too narrow a compass. Everything runs through his mill. If gentlemen will read his cross-examination of witnesses before the committee, they will see that every question is to carry out a theory, and when the witness answered, the gentleman from Texas received that as a confirmation of his theory. The gentleman says it is like the oil business. It is not like the oil business at all. If the gentleman would read that, he would understand it is not at all like the oil paragraph and differs entirely from it.

Mr. RANDELL of Texas. I care not for the gentleman's personal estimate of me, but I wish he would answer the question impersonally.

Mr. PAYNE. I had answered it, and still the gentleman will come here if you answer a question yes or no, and say "I wish you would answer the question." I am moved to say this because of some things I found in the RECORD last night that I did not understand, when the gentleman had said I had not answered his question or I would not have yielded to the next question.

Mr. RANDELL of Texas. I have not seen the RECORD.

Mr. PAYNE. Well, I have.

Mr. NORRIS. Mr. Chairman, will the gentleman yield?

Mr. PAYNE. Yes.

Mr. NORRIS. Is there any reason in the gentleman's opinion why leather should be kept off the free list, excepting the tanning extracts have a tariff on them?

Mr. PAYNE. That is the principal reason, and another is that there is a difference in the wage scale between Germany and this country in the manufacture of leather.

Mr. NORRIS. If the tanning extracts were admitted free, the reduction on leather could still be lower.

Mr. PAYNE. Well, I am not sure about that, and I will tell the gentleman why. I want to answer that if we did not keep a duty on tanning extracts they will be made abroad. The material comes largely from the Argentine Republic, a large portion of it. That goes to Germany now. That is manufactured in Argentina now into tanning extracts and if we do not keep a protective duty on the extracts it will transfer that business to Argentina and to Germany and my apprehension is that Germany would get more tanning business. I believe it is unsafe to put it upon the free list for that reason, and I think it unsafe to put a duty of less than 5 per cent upon sole leather.

Mr. NORRIS. Is there any addition in this bill to the present tariff on tanning extracts?

Mr. PAYNE. There is an addition to the tanning extracts. I do not want to take up so much time of the House, otherwise I think I could make it satisfactory to the gentleman why it is.

Mr. HUMPHREYS of Mississippi. Will the gentleman permit a question?

Mr. PAYNE. Yes.

Mr. HUMPHREYS of Mississippi. Does this duty of 5 per cent produce any revenue? Is it thought it will produce any revenue?

Mr. PAYNE. If the Germans continue to export leather here it certainly will produce revenue.

Mr. HUMPHREYS of Mississippi. I understand that, but is it the thought of the committee it will produce revenue?

Mr. PAYNE. It was not put on there for a revenue duty; it was put on there so our people can continue the tanning of leather, I will be frank in saying to my friend from Mississippi.

Mr. CANDLER. I would like to ask the gentleman the difference between the schedule in the Dingley bill and the schedule in this bill in regard to agricultural implements.

Mr. PAYNE. I say we have reduced it from 20 to 15 per cent in every case, with the proviso that wherever they come from

any country which allows our agricultural implements to come in free, theirs shall come here free.

Mr. CANDLER. So there is no duty on agricultural implements sent from any country where the duty is free in that country.

Mr. PAYNE. No; not under this bill.

Mr. CANDLER. Is the same duty levied in this bill on agricultural implements coming from a country that they levy in the country from which they come?

Mr. PAYNE. The duty is reduced from 20 to 15 per cent in any case.

Mr. CANDLER. Thank you.

Mr. WEISSE. Now, the 5 per cent on leather—the duty on leather is taken up more by the additional cost of the extracts which enter into the manufacture of leather, ignoring the labor cost between this country and Europe entirely——

Mr. PAYNE. I think it is——

Mr. WEISSE (continuing). And, further than that, the 15 per cent cut in leather is twice as much as the cut in hides.

Mr. PAYNE. That is also true. We have reduced leather from 20 to 5 per cent, taking off 15 per cent, and, as the gentleman says, that amount is twice the cut there is on hides.

These are leathers made from these thick hides. If I may proceed to shoes, some gentlemen appeared before the committee and stated that if we would give them free hides they would be willing to take free shoes. Some of them waxed eloquent over it and made quite a sensation in the newspapers and somewhat of a sensation in the committee. They got away, and the next day a gentleman appeared before the committee and stated that one member advocating free shoes said if we put shoes on the free list it would ruin him, and we found that he and those other gentlemen who appeared were the manufacturers of fine shoes, in which we are now beating the world, and not of the coarse shoes which are made in Germany cheaper than they are made in the United States. These gentlemen seemed willing to sacrifice their friends who were the makers of coarse shoes if they could get free hides, even if they had to take away the duty from fine shoes. But that was not all. It gradually crept out in the hearings that the machinery to make fine shoes was all of it invented in the United States and held under letters patent; that the holders of those patents having an eye for the main chance had made leases of the patented machinery, not selling it, and they provided in the leases that they should extend not only through the seventeen years of the life of the patent, but I believe for all time to come, and this machinery is rented at a good big rental to the manufacturers of shoes.

And then there is another clause in the contract which was represented to us as binding those who rented these machines to use no other machinery except the machinery manufactured by these people, so that whenever they take out a new patent they are compelled to use the machinery of these people; and even if there was an improvement made by somebody else, they were still obliged to use this old machinery. Well, the machinery was good. Our people got to the front ranks in the manufacture of fine shoes. Some of them were out after the markets of the world. Some of them sat in their offices and swore about their not being able to get into the market; but some of them acted intelligently and sent agents over there and sold their shoes abroad, and they have an export business of $8,000,000 or $9,000,000, more or less, in selling American shoes abroad. But these benevolent gentlemen who own the patents are willing to extend the blessings of their contracts to Germany, and they go over there and make the same kind of a contract with the German manufacturers. Not only that; they agree to send experts over there to teach them how to run the machinery, and the Germans are beginning to make the fine shoes that closely correspond to the best shoes in the world hitherto—the ones made in America.

These people heard of that. And when we heard that one of them had expressed an opinion contrary to what he had said before the committee, we sent for him and examined him on the subject, and he had changed his mind. He could not stand free shoes, even for his fine shoes, even if hides were on the free list and he got sole leather free of the hide duty. That is what the committee expected. We had not been stampeded by any storm in the newspapers during this whole job. We tried to keep our heads level all the time. When those men were before us we questioned whether they were right to submit this great American industry of the manufacture of shoes and the manufacture of leathers, worth $400,000,000, to open competition with the people of the world for the sake of getting free hides into this country. The committee considered, and they put down the duty on shoes to as low a point as they thought they could put it and still afford protection to the laborers in the shoe shops of the United States. We took off 40 per cent of the duty, reduced it from 25 to 15 per cent ad valorem.

I think any gentleman who will sit down in the quiet of his office and read these hearings and fairly consider the case will say that we have made relatively as big a cut on leather and shoes as we have made on anything else.

Mr. BURLESON. The gentleman from New York [Mr. PAYNE] says they placed the duty on shoes as low as they thought they could possibly place it. Upon whose testimony does the gentleman base that conclusion? Am I mistaken in the fact that the president of the Shoe Manufacturers' Association appeared before your committee and said:

Give us free hides, and we are willing to give you free boots and shoes?

Am I mistaken about that?

Mr. PAYNE. I think I just stated that several of these gentlemen appeared. Two or three of them were presidents of some associations of the Lord knows what. One of them, I suspect, may have been the president of the National Association, a man by the name of Jones, from Boston. He did say that, and came back within two or three weeks, when he took it back.

Mr. BURLESON. I was not there when he took it back.

Mr. PAYNE. The gentleman will find it in the hearings, and he gave his reasons.

Mr. BURLESON. I know he was emphatic in his first statement. He was willing to have free boots and shoes.

Mr. PAYNE. They had such confidence in the fairness of this Ways and Means Committee——

Mr. BURLESON. Why did he take it back?

Mr. PAYNE. Because he said the industry could not stand it and exist. I have just been explaining that. Where has the gentleman been?

Mr. BURLESON. I could not hear what the gentleman was saying. His face was in the other direction.

Mr. PAYNE. I am sorry; but I think I ought not to take the time to repeat it.

Mr. GAINES. If my colleague will remember, here is exactly what occurred in the testimony of Mr. Jones: He did say that from his standpoint, personally, he would be willing to see shoes upon the free list. I took it at the time that he meant that the shoe business would not be disturbed if shoes were on the free list, but what he afterwards said—and former statements of his show this to be correct—was that from his standpoint as a free trader he believed that the duty ought to be off of shoes; that under the fostering care of protection an unnatural condition of wages existed in this country; that he would like to see the whole situation, wages and all, come down to what was normal. He wanted to see shoes on the free list because he wanted to see wages reduced and the laboring people and the unions in that industry not so independent.

Mr. PAYNE. I think my colleague is right. I could not locate it on Mr. Jones, but there was some gentleman, or one or two of them, that appeared and said that they would stand free shoes, but they would have to cut wages, as they evidently would.

Now, Mr. Chairman, I will proceed to talk about coal.

Mr. MOORE of Pennsylvania. Before the gentleman proceeds to coal——

Mr. PAYNE. I was mistaken when I said I was coming to coal, but I will yield to the gentleman.

Mr. MOORE of Pennsylvania. I would like to call his attention to vellum and parchment, both of which have been placed on the free list. I ask the gentleman, in view of the fact that vellum and parchment are not generally produced in this country, but can be made here, whether these articles should not be removed from the free list and a reasonable duty imposed?

Mr. PAYNE. I will not say that the committee did not talk about it, but the fact developed that we could not take them from the free list.

Mr. STANLEY. I want to call the gentleman's attention to section 33.

Mr. PAYNE. I am not going to section 33 now. I am going to discuss coal. I will answer any question you want to ask about coal.

Mr. STANLEY. What I wanted to state was that the Department of Agriculture has demonstrated that they can make the very finest of parchment paper ever seen out of cornstalks right here in this country, and make it cheaper than vellum is made anywhere else.

Mr. PAYNE. The experts say we can not make them as cheap. We are not going into any moonshine.

Mr. STANLEY. But you can make good moonshine out of cornstalks. [Laughter.]

Mr. MOORE of Pennsylvania. In Kentucky; yes.

Mr. PAYNE. The gentleman is familiar with that and I am not.

Mr. MOORE of Pennsylvania. I ask the gentleman if he will state the reasons the committee may have had for not putting vellum and parchment upon the dutiable list?

Mr. PAYNE. I can not recall, but I know that we did not regard it as a very important item. I do not know that anybody asked about it. But, as we examined every paragraph, that matter came up, and we decided not to put on a duty. Why we decided that I can not now tell the gentleman.

Mr. MOORE of Pennsylvania. Now, will the gentleman answer me this question: Does the committee think it worth while, where an application is made for protection, whereby a prospective industry may be established, to grant it?

Mr. PAYNE. Why, certainly; we treated oxalic acid exactly in that way, but there has got to be something more than the desire to see it. There must be some reason for it before we go into it.

Mr. MOORE of Pennsylvania. The reason is in evidence; it is the offer to start the industry.

Mr. DALZELL. I hope the gentleman will put the testimony before the committee.

Mr. MOORE of Pennsylvania. It was submitted in the regular way.

Mr. PAYNE. Now, Mr. Chairman, we put bituminous coal on the free list from any country which admits our bituminous coal free of duty. Early in the hearings the miners of bituminous coal in Pennsylvania appeared and asked that this paragraph be inserted in the bill. It appeared from the evidence—I forget now the principal witness—that coal at the mouth of the mine in Pennsylvania cost $1.30 a ton and that coal at the mouth of the mine in Nova Scotia cost $1.40 a ton; that the freight from Nova Scotia to Boston was 25 cents a ton on the railroad and 75 cents on the ocean, making a dollar a ton. It appeared that Pennsylvania coal could be laid down in Boston at $3.65 a ton. He stated that the Nova Scotia coal could be laid down in Boston at $2.50 a ton. The government reports show that the average price of Nova Scotia coal laid down in Boston for the last ten years has been $3.20 a ton. It also appeared that for purposes of manufacture, heating, and so forth, the Pennsylvania coal, ton for ton, was worth 70 cents more per ton than the Nova Scotia coal; and when we came to reducing these figures by addition and subtraction we found that the price of coal laid down in Boston, considering the greater efficiency of American coal, was just about the same thing. Perhaps there was 7 cents a ton to the advantage of the Nova Scotia coal.

Mr. ALEXANDER of New York. Mr. Chairman, I desire to ask the gentleman why it was that the Pennsylvania coal was of greater value than the Nova Scotia coal?

Mr. PAYNE. Because of the presence of other ingredients in the Nova Scotia coal; because there was sulphur in it, I believe.

Mr. WEEKS. That is right; sulphur.

Mr. PAYNE. And this matter of 70 cents was not guesswork. It grew out of a lawsuit. Some Pennsylvania people had agreed to deliver so many thousand tons of Pennsylvania coal at a certain price. They could not do it, and the people were obliged to buy Nova Scotia coal; and, of course, in a comparison between the two coals, it was necessary to show the value, respectively, of the two coals; and in that suit it was established that 70 cents was the difference in economic value in favor of American coal.

The idea of these gentlemen from Pennsylvania was that while they allowed the Nova Scotia coal to come into Boston free of duty under such an arrangement, they would get a greater market in lower Canada than they would lose in New England. In other words, that they would sell more American coal in Canada than could possibly come into the United States under this reciprocal arrangement, with the price of the two coals about the same in the port of Boston, when you compare their efficiency.

Mr. CAMPBELL rose.

Mr. PAYNE. I will come to Kansas coal after a while.

Mr. CAMPBELL. I should like to ask the gentleman if the Dominion government places a duty on coal; and if so, how much?

Mr. PAYNE. It does on bituminous coal, and I think about the amount we do. I do not remember the exact amount. They do place a duty upon it. There will have to be an arrangement made about it.

Mr. DALZELL. It is 50 cents a short ton.

Mr. PAYNE. Now, the coal operators in West Virginia, many of them, approved of this arrangement earlier in the hearings. After the hearings were closed they got together and other counsels prevailed. They were afraid that they might lose the sale of some tons of coal in the New England States if this arrangement was made. Yet they failed to take into consideration the question whether the all-rail hauling of the American coal to Boston at $2.25 a ton by the American railroads would not be reduced so as to meet Canadian competition on coal, the railroads much better affording to take off 25 cents a ton on the haulage than to lose the entire tonnage or any part of it, and whether that would not make up the difference even in the Boston market as between American and Canadian coal.

This coal is mostly west of the Alleghenies. In my judgment, no interest affected by the New England markets would fail to be benefited by free coal between the United States and Canada.

The next point where there was opposition to this arrangement was Wyoming. In Wyoming they have a kind of lignite coal; and across the border, about 500 miles from our coal mines, are coal mines in the Province of Alberta having a better coal than the Wyoming coal. In 1903, when we passed the joint resolution admitting bituminous coal free of duty for one year, they were afraid that that was going to affect their mining interests injuriously. They mine about 6,000,000 tons in Wyoming, in comparison with the 350,000,000 or 400,000,000 tons mined in the United States. Their fears proved to be groundless. By some method or power that I am not familiar with, the freight on coal from the Province of Alberta into the Wyoming markets went up 40 cents a ton, or 50 cents, nearly the amount of the duty that had been taken off, and they did not lose the sale of a pound of Wyoming coal during that entire period. I have a shrewd suspicion that possibly some such thing might result now. I do not know.

Mr. COOPER of Pennsylvania. While the chairman of the committee is talking about this coal proposition, I should like to ask him whether in the Payne bill any provision is made to guard against the alleged abuse in the crushing of Nova Scotia coal, making it into slack, so as to bring it into the eastern markets free, it being an inferior grade of coal which comes in free in that way?

Mr. PAYNE. That is covered in the bill. We impose the same duty on the crushed coal, or duty enough to protect it.

Mr. COOPER of Pennsylvania. I should like to call attention to the fact that there is a great deal of difference in Pennsylvania coal. In my home county, where is located what is called the "Pittsburg seam," 29,000,000 tons were mined in 1907, and in Somerset County, another part of my district, between eight and nine million tons were mined. The Somerset product, largely mined by the Somerset Coal Company, the Berwyn-White Coal Company, the Merchants' Coal Company, and others, goes to the eastern markets. Under the present law there has been some competition between this coal and the Nova Scotia coal.

I only wanted to call the gentleman's attention to the fact that there is a difference in the quality of Pennsylvania coal, in the Pittsburg and Somerset seams being entirely different propositions and not alike.

Mr. PAYNE. Oh, yes; I understand that. Now, proceeding west, the next point was between the State of Washington and the Province of British Columbia.

Here the conditions are reversed in regard to the two kinds of coal. Vancouver coal, next to West Virginia coal and some of the Welsh coal, is the best in the world. Now, I almost tremble when I make the statement, but it is the truth, because I was told by an enthusiastic gentleman when I visited Washington in 1899, that the exact contrary was the truth; but, unfortunately, the Washington coal is not as good as the Vancouver coal. The complaint was then made that the American Navy was loading up with Vancouver coal, buying it there instead of Washington coal, and they wanted me to intercede and see if we could not stop that thing. They said their coal was just as good as the Vancouver coal. I did not get far into the matter before I found that these Washington gentlemen had been imposed upon.

Now, some gentlemen from there are afraid of the provisions in this bill. They say, in the first place, that they have some markets to the south carrying the coal from Puget Sound under the American flag with higher freight rates, and that British Columbia coal can be shipped from the same town with cheaper freight rates because they are not under our coastwise laws. That can be done now. Still, there is no very large quantity of British Columbia coal imported into the United States, and that only because of its superior brand.

California, as I understand it, is largely supplied by Australian and Japanese coal. Am I right about that?

Mr. NEEDHAM. I do not think we get any coal from Japan.

Mr. PAYNE. Well, Australian coal, and that is pretty good coal. The Washington people do not get into that market for some reason or other. One gentleman appeared before the committee, or filed a brief, in which he said that the cost of Washington coal was $2.25 at the mine; that it was only 25 miles from the mine to his town—I don't remember the name of the town—and that it was down grade all the way and the transportation was easy, and when the coal got down there it was worth $6.50, or a profit of $4.25.

If that is correct I think there ought to be a little let-up even there on the amount of duty of 66⅔ cents a ton, so that the Washington people could not charge $4.25 for transportation, sale, and delivery of their coal from the mine to the people of this town.

Mr. CUSHMAN. Will the gentleman yield?

Mr. PAYNE. Oh, I will yield to the gentleman from Washington.

Mr. CUSHMAN. Mr. Chairman, it is true, as I recollect, that the rate on bituminous coal under the Wilson bill was 40 cents a ton.

Mr. PAYNE. That is correct.

Mr. CUSHMAN. Then I would like to ask the gentleman from New York, if the operators could not operate under the Wilson bill with a tariff of 40 cents per ton, how they will be able, under the same conditions, to successfully operate with a tariff entirely removed?

Mr. PAYNE. The operators were younger in the business then and the mines were, comparatively, recently discovered.

Mr. NORRIS. Under the Wilson bill nobody could buy coal. [Laughter.]

Mr. PAYNE. There was not so much of a market for coal, and when you had free coal from British Columbia in 1903 you were still able to buy coal under the conditions that then prevailed.

Mr. CUSHMAN. That did not apply to bituminous coal.

Mr. PAYNE. Yes, it did; it was free and the people up there did not discover it.

Mr. CUSHMAN. I know it to be the fact that after the Wilson bill went into effect, within ten days, for the first time in the history of the Northwest, British Columbia coal was sold in the markets there to the exclusion of our own products.

Mr. PAYNE. What was the difference in price?

Mr. CUSHMAN. The difference was this——

Mr. PAYNE. How much money?

Mr. CUSHMAN. When they first brought British Columbia coal in they put it down to a point where our people could not compete, and after they closed the mines in our country they put the price up.

Mr. PAYNE. What was the difference in price?

Mr. CUSHMAN. Enough to close the mines.

Mr. PAYNE. Well, that is a little indefinite.

Mr. HUMPHREY of Washington. Will the gentleman from New York yield?

Mr. PAYNE. Yes; I will yield to the other gentleman from Washington.

Mr. HUMPHREY of Washington. Mr. Chairman, I want to say for the gentleman's information that the price of coal that came from British Columbia within three months after the Wilson bill went into effect was the same that we had been selling coal for which we produced in our own mines. Several mines closed and the wages of coal miners were reduced 15 per cent and the output of our mines was decreased 158,000 tons during the first year of the operation of the Wilson law, according to the figures I have here, which I found in an old speech which I made some twelve years ago, after the Wilson law went into effect. They are not self-serving, either, for at that time I never anticipated that a bill would come in here with free coal from a committee of which the distinguished gentleman from New York was chairman.

In this speech I find I made some calculations. Under the Wilson law in three years the coal miners in my State lost in wages $1,590,000, and we paid just exactly the same for the coal, only we got it from British Columbia instead of Washington. During the first year of that law the output of our mines decreased 158,000 tons. The question I would like to ask the gentleman is, What reason has he to think it will be different to-day? Then we had a duty of 40 cents per ton on coal. This bill places it on the free list.

Mr. PAYNE. If the gentleman is right about that and the British Columbia coal is exactly the same price as the Washington coal, there was not any excuse for the closing up of the mines or of the lowering of wages of workmen 15 per cent. The price of the coal was the same, but let us get down a little more to recent history. I want to know whether the gentleman warmed up that speech when we brought in the concurrent resolution here to put all bituminous coal on the free list for a year. As I remember it, the only opposition that came to that resolution was from the gentleman from Wyoming [Mr. MONDELL].

Mr. HUMPHREY of Washington. I thought there was a special emergency at that time, and I did not oppose it. Let me answer the gentleman's question which he propounded in saying that there was no excuse for our mines closing. There was this excuse: The British Columbia coal mine owner absolutely held the market in his hand. The moment we started operation again they could immediately reduce the price of coal. That is what they would have done. We could not reduce our price. They could. They had the control of the market, and they kept it, and the conditions to-day in the State of Washington, in regard to coal, are just the same as then. British Columbia still has her mines at tide water, and still employs Japanese to mine the coal, and we still employ white labor and pay higher wages. The British Columbia mine owner has the advantage of foreign tramp ships to bring his product into our market, and we do not. I would like the gentleman to point out wherein we may expect any other result than we experienced under the Wilson bill, with 40 cents duty.

Mr. PAYNE. Do you get any British Columbia coal there now?

Mr. HUMPHREY of Washington. No.

Mr. PAYNE. Notwithstanding, it is more efficient and a better coal.

Mr. HUMPHREY of Washington. No; because coal is protected by 67 cents.

Mr. PAYNE. Well, the gentleman remembers the condition under the free-trade period for a year, during the coal famine.

Mr. HUMPHREY of Washington. There was no particular coal famine that I know of. There was a famine in everything in my country about that time—at the time of the Wilson bill.

Mr. PAYNE. The gentleman remembers the anthracite coal strike?

Mr. HUMPHREY of Washington. The anthracite coal famine—I do not understand the gentleman's question. That was in 1902 or 1903.

Mr. PAYNE. We put coal on the free list for a year some time in 1903. I ask the gentleman if he remembers the condition then?

Mr. HUMPHREY of Washington. Yes.

Mr. PAYNE. What was the condition during that year?

Mr. CUSHMAN. There was not any particular change in the condition at that time.

Mr. PAYNE. Then what is the gentleman afraid of? We had absolutely free coal for a year, and there was a larger importation of coal, amounting, I think, to some three or four millions of tons. I do not remember how much, but it was perhaps more than that—larger that year. There was a coal famine, to be sure, in the anthracite regions.

Mr. CUSHMAN. When that bill was brought in here the whole argument was predicated upon the fact that there was an unusual condition.

Mr. PAYNE. Certainly it was, but that does not make any difference about the argument here. The proof of the pudding is in the chewing of the string. You had it for a year and do not seem to have known it—did not realize any difference.

Mr. CUSHMAN. If that is true in reference to this product, I do not see why it is not true in reference to all other products.

Mr. HUMPHREY of Washington. Let me give the gentleman a little further information.

Mr. PAYNE. I yield to the gentleman.

Mr. HUMPHREY of Washington. You speak about the decrease in the sale of coal going to California. That is true; but that is largely owing to the discovery of oil in California. They are using oil now very largely for fuel. That is what has decreased our coal markets, and it has even limited it so that we are in worse condition to-day in our coal mines in Washington than we were under the Wilson bill, so far as the industry is concerned, because we have largely lost the California market. I would still like to have the gentleman to point out in some way, somehow, so I can say to my constituents that there are different conditions now from what they faced under the Wilson bill.

Mr. PAYNE. Refer them back to something they can remember and which occurred only in 1902-3. The gentleman speaks about Japanese labor in British Columbia in the coal mines.

There was abundant evidence before the committee that people who had gone into British Columbia to manufacture lumber were glad to get rid of the Japanese as laborers in the lumber mills, and imported Americans to go there at higher wages than they were paid in the United States, and at higher wages than they paid to the white laborers in British Columbia, and they found it profitable to do so.

Mr. HUMPHREY of Washington. Well, they may have made that statement; but they are met by this fact, that over 50 per cent of the labor employed in the lumber mills in British Columbia to-day is Chinese, Japanese, or Hindoo.

Mr. PAYNE. Well, now, I give the gentleman this further statement, that some one has stated 80 per cent. The proof is that about 6 per cent of the people working in sawmills in British Columbia are foreigners; that is, of the eastern class—Japanese, Hindoos, and so forth—only about 6 per cent.

Mr. HUMPHREY of Washington. I take issue with the statement of facts; I know that that is incorrect.

Mr. PAYNE. I do not know of my own knowledge, and simply take it from the statement of witnesses.

Mr. HUMPHREY of Washington. I do not find in any evidence, and I have read it carefully—read the most of it—any witness stating that less than 50 per cent of the labor employed in these mills is foreign labor.

Mr. PAYNE. The statement was made.

Mr. HUMPHREY of Washington. Does the gentleman recall the witness who made that statement?

Mr. PAYNE. Oh, no.

Mr. HUMPHREY of Washington. I say that because we will reach that lumber schedule shortly.

Mr. PAYNE. There was a whole regiment of witnesses on the lumber schedule.

Mr. HUMPHREY of Washington. You probably recall Mr. Blodell, who appeared before your committee with affidavits with reference to these figures in reference to——

Mr. PAYNE. Mr. Skinner.

Mr. HUMPHREY of Washington. Mr. Blodell.

Mr. PAYNE. Well, Mr. Skinner got the credit of it.

Mr. HUMPHREY of Washington. I find the estimate is between 50 and 60 per cent by many mill men.

Mr. MONDELL. If the gentleman will yield to me for a question——

Mr. PAYNE. I yield to the gentleman from Wyoming.

Mr. MONDELL. I have been unavoidably detained, and I understand the gentleman has been discussing the coal schedule and that he has informed the House as to the reasons which actuated the committee in departing from our past policy in regard to coal.

I do not expect the gentleman to go over that ground again for my benefit, but if he has not already stated——

Mr. PAYNE. I want to say to the gentleman I did give reasons for the situation, and I would suggest to the gentleman it will be all published in the RECORD; and I understand the gentleman wants to be heard later before the House, and I would suggest that he had better wait and read the matter in the RECORD.

Mr. MONDELL. I do not care to take up the gentleman's time if he has already gone over that.

Mr. PAYNE. I have already talked about that matter and it will go in the RECORD, and the gentleman will be able to reply to what I have said, if I ever get through with this speech.

Mr. STEVENS of Minnesota. Will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Minnesota.

Mr. STEVENS of Minnesota. There is a question I would like to ask. The Northwestern Improvement Company, a branch of the Northern Pacific Railroad, has its headquarters in my district. That company operates some of the largest and best coal mines in the State of Washington.

At the time of the severe storm of two years ago these mines were compelled to furnish a large amount of coal to the people of the State of Washington, as they had always been doing in the past. The Hepburn railroad bill, which was enacted in 1906, provided that coal mines operated by railroads should not be allowed after the 1st day of May, 1908, to sell to individuals; that is the practical effect of it, and the Northern Pacific Railroad was trying to comply with the law, and had commenced some time before that to comply with it by declining to sell coal for domestic use. The company desired to retain the mines solely for its own use. I was shown a large bunch of telegrams from people in the State of Washington stating that they would freeze to death unless the railroads would violate their notice and practically violate the terms of the Hepburn bill, although not then effective. They begged the railroads would sell them coal, though the companies needed it for their own use. I would ask the gentleman if it has been shown that there is a sufficient quantity of coal mined in the State of Washington outside of that mined by the railroads to supply the demands of the State of Washington in cases of such emergency, as those telegrams stated that there was not.

Mr. PAYNE. I do not recall any evidence on the subject, I will say to the gentleman. On that branch of the subject I do not recall of anybody appearing before the committee, and this is the first time I have heard of it.

Mr. STEVENS of Minnesota. That is a rather important matter, as bearing upon the conditions of the market. The railroads now can mine coal for their own use. They can not sell it without violating the law, and it will not probably be sold by the railroads in the State of Washington. Is it not important to consider these facts in connection, with any hardships to the mining interests of Washington?

Mr. PAYNE. It is quite important. Now, Mr. Chairman, with the unanimous consent of the committee, I will take up the subject of lumber. This subject was heard at great length by the committee, the "pros" and the "cons." Every material fact and every fact that was not material, and a good many things which were not facts, because people contradicted each other, and one or the other of them did not tell the truth upon this subject. I am not going to review the evidence before the committee. If any gentleman has any misgivings about the proper action of the committee, I invite him to sit down and read the evidence on both sides.

I do not think, under these circumstances, that he would be in favor of retaining the present duty on lumber.

Mr. MONDELL. With apologies to the gentleman for going back to the coal schedule for just one question, I would like to ask: Was the fact that the Government is the owner of a good many millions of coal lands, which it now has on the market for sale and the product of which comes in competition with the product of the Canadian mines, called to the attention of the committee at all? Did the committee discuss or consider that phase of the situation?

Mr. PAYNE. I do not think it was called to the attention of the committee, unless it was done by the gentleman from Wyoming when he was before the committee.

Mr. MONDELL. I did not take up that feature at all.

Mr. PAYNE. Then I do not recall that it was brought to the attention of the committee; and I am surprised that it was not, because the gentleman always calls up all the facts concerning his case that tend in his direction. I do not mean to say that he argues all sides of it.

Mr. MONDELL. The gentleman evidently did not impress the committee greatly in the matter.

Mr. PAYNE. The gentleman does not know anything about that.

Mr. SMITH of Michigan. I would like to ask, if lumber was put on the free list, would the consumer get the benefit of it; and if not, why not?

Mr. PAYNE. Ask me something easy. We have had a good deal of evidence pro and con. The desire to keep a duty on lumber arises out of the fact that numerous men own stumpage which is bought at a low price, and which has been going up and up and up, and still they have not been able to realize all their greed could wish in profits selling at the present prices. If we took the duty off of lumber entirely, I believe that it would affect this advance in the price of stumpage and would be of benefit to the American people and enable these men to realize a golden fortune, but not the great fortune that they would realize if they could still keep the entire duty upon lumber.

Mr. LANGLEY. Is the reduction of the price of stumpage one of the purposes for proposing this reduction in duty on lumber?

Mr. PAYNE. Now, if the gentleman will allow me to get along a little further I will answer his question. If he will remind me of it again I will talk with him about it.

Why, Mr. Chairman, one morning I was awakened by a servant coming to the door with a telegram. By and by I got a dozen more, and in the course of a day I got a hundred, all of them addressed to SERENO "B." PAYNE, inspired from the same source, coming from bankers in towns I had never heard of, from the Pacific coast, from the Southern States—from the State of Texas, even—and Louisiana, Georgia, Florida, and Alabama. They kept coming until I got, in the course of a month, perhaps 400 of them, all to this effect, that if the present duty on lumber is not maintained there will be a great loss in the capital that has been loaned on stumpage. They were all along the same line. They asked for a duty in order to put up and keep up the price of stumpage throughout the

United States. Up to the fall of 1907, when people could build houses, lumber was sold at good prices, and sold at such good prices that all of that timber which had been left and not cut and carted away and made into lumber was sold at a profit—third and fourth class, and everything.

Still the price of stumpage went up, still the speculation increased, and still these people were not satisfied. One witness said that in 1908 his people bought a block of timber in Oregon at a cost of 17½ cents a thousand, and that it is now worth $1.75 a thousand, 10 times as much in a year. As to the long-leaf yellow pine in Louisiana, stumpage could be bought in 1892 for $1.25 that was sold in 1905 for $25 per acre. An adjoining tract to the one referred to sold for $47.50 per acre within six months.

Mr. TAWNEY. Will the gentleman from New York permit me to ask him a question?

Mr. PAYNE. Certainly.

Mr. TAWNEY. Is it not a fact that up until about two months before the Ways and Means Committee commenced the hearings on the revision of the tariff the manufacturers of lumber generally conceded that the duty on lumber was no longer of any benefit to them and were willing to see lumber go on the free list?

Mr. PAYNE. I am not sufficiently informed on that subject to be a competent witness.

Mr. TAWNEY. I refer to the manufacturers of lumber, not to stumpage owners. That is a fact in our section of the country.

Mr. PAYNE. Well, Mr. Tift, of Tifton, Ga., one of those gentlemen who wants protection and votes the Democratic ticket, frankly said that he wanted to keep the duty on lumber so as to keep up the price of stumpage. When you get down to the bottom, every one of these gentlemen wish to keep the duty of $2 on in order to keep up the price of stumpage. Of course they urge other things.

Here is this cheerful gentleman who came with the pictures, I suppose he was Skinner, from Washington, taking the photograph of some mill in British Columbia, owned by an American, and the photograph showed that all the workmen were Japanese, Hindoos, or something else of that kind. And he wanted me to have that printed by the Government. I told him he could have it done at the Government Office but he would have to pay for it himself; that we were not going into the photographic business. But there was the photograph itself, and he claimed—I think it was Mr. Skinner—that 80 per cent of the labor at the lumber mills in British Columbia were Chinese, Hindoos, Japanese, and so forth. The gentleman from Washington stated 40 per cent.

Mr. HUMPHREY of Washington. Fifty per cent is what I said.

Mr. PAYNE. It appeared by some of the witnesses that only about 6 per cent were employed, and those were employed by some Americans in some instances. Some Americans had gone over there and bought stumpage and built some mills and they had employed in one or more of the mills this class of labor, and in the other mills they had induced American lumbermen to go over there, and the employers paid them, as an inducement to go, higher wages than paid in the United States; and, as a matter of fact, although the eastern people were employed at a lower daily wage, they said they were more expensive, and it cost more per thousand to get out the lumber with that kind of labor than with the higher price paid labor they brought from the States under that inducement.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question? If he will, give me the names of some of those witnesses who so testified, because I have been unable to find them.

Mr. PAYNE. I will try to look it up in my notes and give it to the gentleman privately. You would not want me to undertake to do it now. I can not furnish the gentleman with the names, there are so many of them. They overwhelmed me so far as individuals are concerned. It was said that some of those gentlemen that testified here owned stumpage in British Columbia and Canada, and it was also testified that they owned a great deal more stumpage in the United States than they did in Canada. They told us some of their difficulties in establishing lumber mills. The machinery had to be bought in the United States in competition with the machinery bought by the Americans in the United States, and when they took it into Canada they had to pay 30 per cent duty on it, and they claimed that mill's equipped in Canada costing $400,000 were duplicated in the United States at $250,000. Of course, there was contradictory evidence as to that. I am only giving the evidence. Some other gentlemen——

Mr. HUMPHREY of Washington. Did not one witness testify that they manufactured part of the machinery over there?

Mr. PAYNE. Will the gentleman wait for a minute until I can get to that? Why gentlemen are so anxious, I do not think it is fair to me——

Mr. HUMPHREY of Washington. I do not see why the gentleman should become indignant every time a gentleman asks him a question.

Mr. PAYNE. If the gentleman will wait, I will answer all questions. I have been answering questions, but I can not be all the time interrupted for them until I can complete a statement.

Mr. HUMPHREY of Washington. I repeat that I do not see why the gentleman should become indignant every time he is interrupted when he has invited questions.

Mr. PAYNE. Well, "the gentleman from New York" has stood here for seven hours and has had these interruptions constantly by the House, and the first time I have asserted the right during that time to complete a sentence without being interrupted at every clause—I think the criticism of the gentleman is ill timed.

Now, Mr. Chairman, if I can get back——

Mr. HUMPHREY of Washington. That is the question I wished to ask; that was, if that part of this machinery was not manufactured in Canada?

Mr. PAYNE. I am coming to that.

Mr. HUMPHREY of Washington. You invited me to ask the question, and I did.

Mr. PAYNE. This was the statement of W. W. Austie, on page 3330 of the revised hearings, that "in British Columbia the percentage of eastern labor in good times is only 5 per cent of the whole."

This statement covered the interior district, he said, which produces 60 per cent of the lumber of British Columbia.

Mr. HUMPHREY of Washington. That is not the question I asked.

Mr. PAYNE. You asked me that question five minutes ago. You ask so many questions that I can not keep the track of them.

I would like to reserve the privilege to complete this statement about lumber without being interrupted. Now, it appeared, also, Mr. Chairman, that for a part of the machinery used in the equipment of these mills, such as locomotives, that they had recently established a locomotive factory in Canada. Whether they still buy American locomotives or the Canadian, according to my recollection of the case it was that in exceptional instances these were imported from the United States.

It appears that during the past eight or ten years, because of the great advance in the price of lumber, not due to the tariff, because it is a good many times the amount of the tariff, they have stopped wasting so much of the material in the forests. They are cutting up the rough lumber and finding a market for it at the increased price, simply because they believe it pays. Of course, this is more businesslike, and it supplies the people with this cheap, low-grade lumber—that is, cheap in comparison with the other.

The other has gone up so high that they can not buy it. In many instances they have to buy this low grade, and that is an advantage in clearing up the forests. It helps to guard against forest fires. Although forest fires come mainly from the brush left in the forests, which is not consumed by any modern process of manufacture, yet the taking out of this refuse which was formerly left there, but which makes second-grade lumber, aids somewhat in the prevention of forest fires, or at least it is claimed that it does. Now, what they contend is that if this duty is lowered or taken off, they will get down below the marginal lines, so that it will not be profitable to save this second-grade lumber; that the price will go down so low that they can not afford to take it out for the labor which it costs. Well, a dollar a thousand leaves a duty of over 20 per cent on the low-grade lumber at the prices which it brings, which ought to be a fair protective duty.

The people have been frightened a good deal about this lumber business. No schedule in the whole bill received so much attention from the interests involved as the lumber business. They have created a great deal of sentiment among the bankers who have loaned them money. I received half a dozen telegrams saying that they were going to send down a petition of two or three hundred laborers from a number of mills. I do not know whether the petitions have arrived or not. I think they have in a few instances. They have been heralded by the lumber people, showing that they are active in this interest.

There is substantially no white pine left in the United States, or very little of it. The white pine on this continent is in Canada, in the Georgian Bay district. It does not make any

difference whether the duty on that is $1 or $2 a thousand, or whether it is on the free list. It will take care of itself, because of its superior quality as a lumber, it being, of course, better than fir, spruce, or the yellow pine of the Southern States.

There is no competition with it. Why, yellow pine from the Southern States, even second grade, is exported into Canada in large quantities; not large compared with the great production in the United States, but still in large quantities, going from here into Canada, notwithstanding the claim of the lumbermen that there is a necessity of a duty of $2 a thousand, without which these gentlemen say the industry can not exist for a single moment. Now, we had a great deal of testimony about the question whether this reduction of duty or even free lumber would change the price. It is largely a matter of speculation. I think the testimony on that subject might be said to be evenly balanced. It is like the case of the justice of the peace who, when he heard the plaintiff's story, knew that the defendant was in the wrong. When he heard the defendant, he knew that the plaintiff was in the wrong, and then he did not know which was right. There is a good deal of evenness of balance on this subject—not as to the first-class lumber, but as to the second-class lumber—whether it would disturb that business.

The committee considered all these matters. Of course there was a difference of opinion among the members of the committee in regard to it. Finally they settled down on a duty of $1 a thousand as a fair duty to continue for the lumber. We believed that that would be a sufficient protection for this second-class lumber, and it would remove half the duty and give a chance for the people to find out whether that would have any appreciable influence on the price of lumber, which I doubt very much, and whether it would check the extravagant growth of the value of stumpage in the United States. There was a good deal of evidence that there were very large holdings of stumpage by individuals, and that is more or less correct. There is a large holding of that kind. Stumpage is bought up for speculation and held in that way. I was anxious to reduce this duty in order that we might check that upward tendency to the value of stumpage in the United States. I am willing to protect the laborers. I am willing to protect the business of manufacturing, but I am not willing to vote any duty to increase the chances of a speculator who buys up land or materials of any kind to give him an undue profit.

I do not believe that is a proper use of a tariff. It is not in accordance with the Chicago platform; it is not in accordance with a platform ever adopted by any sane body of men that we should give protection to increase the private holdings of speculators.

Mr. LANGLEY. I am as much opposed to monopoly as the gentleman is, but I would like to ask the gentleman from New York if this cut in the duty will not do more harm to a larger number of people who are the laborers——

Mr. PAYNE. Not if we can keep down the rise in the price of lumber.

Mr. LANGLEY. It may affect a large number of people who are not engaged in speculation, but are employed in the various branches of the lumber industry.

Mr. PAYNE. No; it will not decrease the wages of any man in the United States; it will not stop the cutting off of the forests; it will not stop the production of lumber. All that awaits is better times, more money for the people, and a better opportunity to build.

Mr. LANGLEY. Does not the gentleman think that the reduction will reduce the stumpage price?

Mr. PAYNE. It will check the advance of the value of stumpage in the United States. I do not know whether it will reduce it or not. I would not have any trouble about it, because the speculators make altogether too much out of it now.

Mr. LANGLEY. Perhaps if the gentleman lived in the mountains, as I do, he might feel more concern about this question.

Mr. PAYNE. If I lived in the mountains, I would get upon a mountain and see if I could not see somewhere beyond the woods, and see over among the people of the United States who are working to get a livelihood [laughter and applause] and who are trying to build their little homes.

Mr. LANGLEY. I want to say to the gentleman that I am not antagonizing his bill in its entirety, although I do not like some of its provisions; but if I lived in New York, as the gentleman does, I think I would try to broaden the scope of my vision so as to see the mountains as well as my own section.

Mr. PAYNE. The lumber interests better take the dollar or they may get something worse.

Mr. LANGLEY. I want to say to the gentleman that that statement does not frighten me. All we desire is a fair deal. I hope the gentleman will not lose his temper. I am simply seeking light on this subject, so that I can defend myself and my party if it passes in this shape. I intend to vote for the best bill I can get, because I believe it will be an infinitely better bill than in any bill that would have been framed by the other side of the House, if they had been in control; but I think we ought to have fair consideration, and that is all I am asking.

Mr. PAYNE. Well, if the gentleman wants to vote for a higher duty on lumber, I do not object; but if he finds lumber on the free list, he must not blame me.

Mr. LANGLEY. I shall not blame the gentleman unless he aids in putting it there. If he does, I shall blame him if it injures my people, as I believe it would.

Mr. PAYNE. I shall stand by this bill because the committee agreed to it, and I shall stand by the duty on lumber. I shall oppose the raising of the duty to $2 a thousand; at the same time, an amendment will be in order to put it on the free list.

Mr. LANGLEY. Let me ask the gentleman if we will have an opportunity to offer an amendment to increase it to $2?

Mr. PAYNE. So far as I am concerned, an amendment will be in order to increase it.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for a question?

Mr. PAYNE. I will yield to the gentleman from Mississippi.

Mr. HUMPHREYS of Mississippi. What calculation has the committee made as to the probable amount of revenue that would come to the Government under the schedule provided for in this bill as to lumber?

Mr. PAYNE. I will have the clerk look that up and tell the gentleman later.

Now, Mr. Chairman, according to Bulletin 77 of the Agricultural Department, white pine in the last ten years has increased in value for stumpage from $3.66 per thousand to $8.09. Yellow pine has increased from $1.12 to $3.16. Douglas fir has increased from 77 cents to $1.44. Cedar, from $1.32 to $4.63. Hemlock, from $2.56 to $4.51. Spruce, from $2.36 to $5.49. These are stumpage values. I only introduce this to show the tremendous advance there has been in stumpage on the average in the United States as found by the official records of the department.

Mr. DAVIS. Mr. Chairman, will the gentleman from New York yield to me?

Mr. PAYNE. Certainly.

Mr. DAVIS. Mr. Chairman, I have asked but few questions, and still I am somewhat interested in this particular schedule. I understand the distinguished chairman of the committee to say, and I believe he is honest in that as in everything else, that he is somewhat interested in the great consuming public on this lumber schedule, and especially more so than he is in the large stumpage owners, of which Minnesota, I think, has her complete share—Mr. Walker, Mr. Weyerhauser, and Smith & Co. Now, I notice from the schedule of the present Dingley rates, and the schedule that is proposed in this bill, that there seems to be a uniform reduction of $1 per thousand, be it upon finished or rough lumber or upon the partially finished or completely finished lumber. I also am informed that the consumer uses very little so-called "rough lumber" in comparison to the finished lumber. I will state in that connection, and if I am wrong I wish the chairman would correct me, that at least 90 per cent of the lumber manufactured by our mills and transported for sale by rail or otherwise is of the finished or partly finished product.

Now, the question is, Why, if the committe are anxious to serve the public and give them cheaper lumber, if the tariff will do that, why they do not place the finished product on the same basis as the unfinished product, of which the consumer uses less than 10 per cent?

Mr. PAYNE. Mr. Chairman, in all tariff bills there has been a differential duty between rough boards, planed boards, boards planed on both sides, boards tongued and grooved—a duty adjusted to make up the difference in cost of labor between the finished product and the rough boards. As I recollect it, there has been no evidence before the committee that those differential duties were too high. I do not recollect it if there was any such. We reduced the duty on planed rough boards and deals to a dollar a thousand. We kept on that dollar on all the finished lumber, which is a corresponding reduction, of course. Having taken a dollar off the duty on the rough boards, we took a dollar off the duty on the planed boards, and so on through the list. That is the reason the committee made them as they were.

Mr. DAVIS. I will call the gentleman's attention to these estimated revenues in the "comparison print," which I hold in my hand, and read from it. I will state first that my information

is that less than 2 per cent of the lumber used is imported into this country. Now, under the schedule of "sawed lumber, not specially provided for," I see "not planed or finished," quantity imported into the United States last year, eight hundred and eighty-six million and odd feet, of a value of thirteen million and odd dollars. That is the lumber that is, I believe, on the $2 list and now reduced to $1. Of the finished lumber, however, we find one schedule, partially finished, 234,000,000 and another one 57,000,000 and another 189,000, and so on. It seems that of all the finished lumber, the less import there is in this country. Hence, if you do not reduce the tariff greater upon the finished product than you do upon the unfinished product, the consumer in the United States will receive no benefit whatever, and it is a hollow sham to simply reduce the unfinished lumber 100 per cent because it is a product that can not and does not get into this country, owing to freight rates. The instant you finish a board you reduce it in size and weight.

Mr. PAYNE. I thought the gentleman wanted to ask a question. I shall not yield to a speech any more.

Mr. DAVIS. Very well. I am obliged for the courtesy thus far shown.

Mr. PAYNE. Mr. Chairman, it is true that we have reduced the dollar on rough lumber and on planed lumber; and if a man gets any benefit out of the rough-lumber reduction, he gets a benefit out of the planed-lumber reduction, no matter which one he imports or buys.

Mr. Chairman, Washington and Oregon increased their exports from 131,000,000 feet in 1895 to 263,000,000 feet in 1907——

Mr. EDWARDS of Georgia. Mr. Chairman——

Mr. PAYNE. Mr. Chairman, I shall yield to no one. (Continuing.) While British Columbia increased her exports in the same period from 41,000,000 feet to 67,000,000 feet. This lumber went into foreign countries situated on the Pacific Ocean. Notwithstanding the employment of 50 per cent of Orientals in the British Columbia mills, according to the gentleman from Washington [Mr. HUMPHREY], and notwithstanding the deleterious effect of taking off a dollar duty on lumber, in the neutral markets of the world where there was no duty in favor of the United States export the State of Washington and the State of Oregon increased their exports three times what they were in 1895, while British Columbia came in with a little export of 41,000,000 feet and increased that to 67,000,000 feet in the same time.

Then the other gentleman from Washington had some complaint to make about shingles. It appeared before the committee that the entire cost of making shingles—the labor cost—was 3½ cents a thousand more in the States than in British Columbia. That appears in the hearings. Shingles are made out of the stumps of trees that have been left when they used to cut them up 15 or 20 feet in order to get beyond the sap and take the best of the lumber. They are making shingles out of that; and the reason, as stated, why shingles are coming in from British Columbia to Washington is that they can not get the clear stuff and the first quality of shingles in Washington from their lumber there as they can in British Columbia.

Now, I do not know the difference between a British Columbia shingle and a Washington shingle. I am giving those gentlemen the benefit of what I have read in the hearings, and therefore I think, Mr. Chairman, that the committee certainly has done fairly with the lumber business in this lumber schedule.

I hope it will remain the same. I know that a large portion of the lumber interest—because I am informed so by a gentleman in that business who has been in touch with those people—is willing to take this duty of $1 a thousand and say no more about it. There may be some enthusiastic people who are new to the lumber business who, working through their representatives here, would try to change it; but that is not so with the main body of people manufacturing lumber in the United States by any manner of means.

Mr. EDWARDS of Kentucky. You read the report from the Government on the price of stumpage. I want to ask you if the Government took into consideration, or if your committee took into consideration, the fact that railroad building had developed and brought this stumpage closer to the market, and that had had more to do with the increased price in stumpage than the increase——

Mr. PAYNE. No; the hearings do not show that. They showed the price of stumpage doubled sometimes in six months. There could not have been many railroads built in six months. Possibly there were, but there was a general advance in stumpage all over the United States.

Mr. EDWARDS of Kentucky. Has there not been a general advance in the price of farm lands and farm produce and other products of the United States?

Mr. PAYNE. Not to keep pace with the price of stumpage, or anywhere near it.

Mr. EDWARDS of Kentucky. Now, yesterday I asked the gentleman two or three questions, and he said that he would answer them when he came to them.

Mr. PAYNE. Does the gentleman think he ought to keep me on the floor longer than to-day? I think I am entitled to some consideration. I have tried to be fair with gentlemen. Mr. Chairman, the subject of——

Mr. STEVENS of Minnesota. Mr. Chairman, before the gentleman leaves the subject of lumber, I would like him to explain the proviso in section 197 of the bill as compared with paragraph 195 of the Dingley bill in regard to a discriminating duty, restrictions, or charge made by foreign governments on lumber exported. As I understand this proviso as to paragraph 197, if any country exporting lumber placed a charge or restriction, that then the maximum duty is placed on lumber from such country or province by the provisions of this proviso; and I would like to ask what the committee considered would be the effect if this was placed in the bill, and how the committee considered it would work out?

Mr. PAYNE. The object, of course, is as stated in the proviso—that is, to get free exportation of logs from Canada to the United States, unhampered by any restriction or prohibition, export tax, or discrimination. That was the object of the proviso. I did not have a hand in that, but I made some suggestions.

Mr. STEVENS of Minnesota. Would it not result in considerable of the lumber from Canada and from the crown lands of Canada being admitted at the maximum rate of duty into the United States?

Mr. PAYNE. It might result in that way.

Mr. STEVENS of Minnesota. Was not the proviso in the Dingley bill intended to affect the crown lands of Canada, and does not the proviso accomplish the same thing?

Mr. PAYNE. Not being the author of the proviso, I can not tell the gentleman what was in the mind of the gentleman who drew it. I toned it down some.

Mr. STEVENS of Minnesota. Will not the effect of this proviso as it stands in your bill, be to place the maximum rate upon a very considerable amount of imports from Canada, and that means the great proportion of the imports of lumber into this country?

Mr. PAYNE. It depends altogether on what Canada does.

Mr. SIMS. May I ask about pulp wood? That now comes in free.

Mr. PAYNE. I will get to pulp wood by and by; at least I hope I will some time this year.

Mr. SIMS. I am afraid they will not let you.

Mr. PAYNE. I guess I will.

Now, on the subject of barytes, there was a strong effort made for the increase of duty on barytes from 75 cents a ton to $5 a ton. The gentlemen representing the barytes mines in Missouri, and some from North Carolina, I think, came in and asked for this increased duty. In the Appalachian Range it is mined like coal, and the witness said that it was mined cheaper than coal. The committee will bear in mind that the duty is 67 cents on coal now and has been under the Dingley bill, while the duty on barytes has been 75 cents a ton. In Missouri it is separated from the original rock by the action of the centuries and is embedded in the clay. They find it profitable to dig down as far as 8 feet below the ground and throw out with pick and shovel the clay and let it lie there for the action of the weather, until the clay separates from the barytes ore. Then it is picked up and shipped away to be ground and refined.

In 1907 there were 89,000 tons mined in the United States, of the value of $3.25 a ton. In 1904 the value was $2.66 a ton. Notwithstanding this is an advance in price, gentlemen have discovered lately that unless the duty is raised from 75 cents a ton to $5 a ton their industry will be destroyed. The refined barytes was worth at the mills $14.55 a ton in 1907. Foreign barytes in New York, water floated, is $21.50 a ton. Domestic is laid down there at $20.50 a ton. The duty on refined is $5 a ton. The process of refining is a pretty intricate one, and they get a quarter of a cent a pound duty on the refined product. And with this we are able to get it into New York, even bringing it from Missouri and the Appalachian Range, a dollar a ton cheaper than the refined can be laid down there.

Now, in 1907 there was imported of the unmanufactured product 12,000 tons; manufactured, 8,480 tons. In 1905 we only manufactured 8,000 tons; in 1904, 6,495 tons. Of course, on the whole list of articles there was a larger importation in 1907 than during any of the other years. That was the boom

year of all the years, and the importations were very large of everything.

The general testimony of these people is that they were doing very well in this business up to November, 1907, when the panic came on, and they had been doing exceptionally well during 1907. The principal argument made for a duty of $5 a ton was that they wanted enough to pay the freight on this dirt taken out of the ground from Missouri to New York, in order to refine it, instead of refining it in Missouri and taking the finished product after they had separated all useless stuff from it and paying the freight on that to New York, where they could without doubt meet the competition of Germany.

Some complaint was made in North Carolina. They wanted to carry their crude ore to New York and have it refined there instead of refining it in North Carolina. I think there were some refineries both in Missouri and North Carolina, but not enough to carry the whole output. The use of barytes is increasing. It is used in paints, and is possibly an improvement of paints instead of being an adulterant. It increases the value of paint if they do not use too much of it. It is also used in other processes of manufacture. The committee considered carefully the evidence on this subject, and although some of the gentlemen appeared to be convinced that they were entitled to an increase from 75 cents to $5 a ton, the committee concluded the rate in the Dingley bill was a sufficient rate, and they kept it at the same rate.

I said a few words about hosiery in answer to some question yesterday that had nothing to do with this increase as to hosiery shaped upon the foot, and not that built up straight. Of course, the latter class will keep the human foot just as warm as the former, but it is not quite so dainty if the foot happens to be exposed. Gentlemen of the minority of the committee say that stockings are in no way a luxury, and still a human being can keep warm and keep comfortably clothed if clothed with these stockings not made on shaping machines on which we have not increased the duty, as well as he or she can if clothed with those that are shaped to the foot.

Now, Mr. Chairman, I come down to the subject of pulp and paper, and I hope my genial friend from Tennessee is here.

Mr. SIMS. I am looking and listening and saying nothing.

Mr. PAYNE. I am glad to look at his genial countenance. Pulp and paper have been something more or less of a burning question in this country for the last year or more.

I know that whole columns were devoted or were thrown at my devoted head for a long period of time because I took the position we could not make an exception even in the case of the paper used by newspaper publishers, who have always been more or less favored by the law, even to the extent of the Government carrying their papers through the mail either free or below cost, telling them that we could not go on and run the risk of amendment to the whole tariff before we were ready for it in order to gratify their ambition in regard to this matter. But after a while the House appointed a committee, of which the gentleman from Illinois [Mr. MANN] was chairman, who went into a very thorough investigation of this subject, running through a series of months, taking countless pages of testimony, and finally united in a report. In that report they recommend that chemically prepared pulp, or sulphide, should be admitted with the same rate of duty as exists in the present law. They also recommend that mechanically ground pulp should be put on the free list, reducing it from one-twelfth of a cent a pound.

They also recommend a lower rate of duty on the two lower brackets of paper, which included all the paper used by publishers of newspapers—the first paper, valued below 2½ cents a pound, reduced from $6 per ton to $2, and that from 2½ to 3 cents per pound, reduced from $8 to $4 a ton. That report was presented to the House on the 19th day of February by the gentleman from Illinois [Mr. MANN], and he made a statement after he presented the report, stating that it was believed that among others satisfied with the duties which the committee recommended were the manufacturers of paper and of pulp. That statement was published in the daily papers and sent broadcast over the country, and, of course, challenged the attention of some gentlemen who are interested in this business. On the 5th day of March, precisely two weeks after that, the first protest reached the files of the Ways and Means Committee, coming through the mails. Three days after that another. But for two weeks after this report was published those gentlemen, knowing what the report was, what the recommendation was, never raised a protest, so far as the appearance of anybody in respect to these rates fixed by the Mann committee.

Personally, I was interviewed by the president of one of the largest pulp mills in the country, and he expressed a strong apprehension lest any change should be made in the duty on chemically prepared pulp. He thought that that was provided for in the present law with the lowest duty that could be imposed that would in any way be protective, and at the same time said that he was perfectly willing that ground pulp should be put on the free list. In this communication, which was received by the committee two weeks after the Mann report was filed, there was not any protest against the ground-pulp provision on the ground of protection. They thought the duty on paper should remain as it is, and they said the duty on ground pulp ought to remain as it is for the revenue there is in it, and made no hint about its not being protective. Of all the protests that have come to the committee or to me since that time—there may be 30, I think, in regard to this Mann report—I do not recall but one of them that made any suggestion that mechanically ground pulp should not be put on the free list. The committee received the Mann report under the impression that everybody was satisfied with it—the publishers on the one side and the paper makers on the other—and the duty adopted in the report and adopted in the schedules as prepared by the committee placing ground pulp on the free list and taking $4 off these two varieties of paper.

After that had been done, and three or four weeks after the Mann report had been published, there were twenty or thirty protests arrived by telegraph, saying that the lowering of the duty to this point would ruin the business of paper making, and one of them saying that it would ruin the business of ground-pulp manufacture.

Now, the committee do not claim to have examined carefully the testimony taken by the Mann committee. We took considerable testimony before our committee, and that has been carefully examined. Before the Mann report came in I satisfied myself that there ought to be the same duty on the chemically prepared pulp, and that ground pulp might go on the free list without detriment to any interest. I had not yet come to any conclusion about print paper, but we adopted the judgment of the Mann committee after the full examination they made, and that is precisely why the committee adopted the schedules reported by Mr. MANN in regard to wood pulp. That is all I wish to say upon that subject.

Mr. SIMS. Pulp wood is now admitted free under the Dingley law. If the application of the maximum rate should be made for any cause, there would be a duty of 20 per cent put upon pulp wood, which I am satisfied the committee never intended, because it would be a blow to both paper maker and paper user. It can not possibly be of any benefit to either, and I have no doubt that some proper amendment can be made to carry out the theory of the bill without adding a duty which was never intended by operation of the maximum rate feature of this bill, which can not benefit anybody in this country, either manufacturer or consumer.

Mr. PAYNE. I will talk with the gentleman later on that subject.

Mr. GAINES. Is the gentleman talking about the language reported by the Mann committee?

Mr. SIMS. About the maximum provision of this bill.

Mr. ASHBROOK. Does the gentleman believe that the publishers have been unreasonable in their demands in asking that wood pulp be put upon the free list or that they have been unduly favored by the postal rates; and if so, who has been the beneficiary, the publishers or the people?

Mr. PAYNE. My contention with the publishers was, that I had not investigated the question whether wood pulp should go on the free list or not or whether the duty on paper could be lowered without danger of transferring the industry to some other country; but that they were most unreasonable to come here and ask us to take up that one subject in preference to all others and work it out and try to pass a bill, when such a bill would be open to amendment in the House as to every schedule in the Dingley law, and in the Senate as to every schedule in the Dingley law. That is where I contended that they were unreasonable, and I contend so still.

Mr. KNAPP. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman.

Mr. KNAPP. Can the chairman of the committee call to mind any specific evidence either before his own committee or the Mann committee on which is based the judgment that $2 per ton measures the difference between the cost of production in Canada and in the United States?

Mr. PAYNE. There was some evidence before the Mann committee that that class of paper could be manufactured as cheaply in the United States as in Canada. Whether that evidence is true or false I do not know. I have not examined it

critically enough even to express an opinion on it, but I suppose the members of the Mann committee who heard the witnesses formed a conclusion in regard to it. I suppose that is the reason they made their recommendation.

Mr. SIMS. I am very sorry the gentleman from Illinois [Mr. MANN] is not present at this moment, as he has everything pertaining to this matter at his fingers' ends; but the evidence convinced me, as one member of the Mann committee, speaking alone for myself, that the labor cost of paper making in Canada is greater than it is in the United States, not as to the wood choppers and that class of labor, but the mill hands, the skilled laborers, or quasi skilled.

They have to get that character of labor almost altogether from the United States, and that kind of skilled labor will not give up the advantages afforded by this country as a home and live in Canada without getting some inducements in the way of increased wages.

Mr. KNAPP. As I understand the evidence, and also the report of the Mann committee, it does not justify the judgment that $2 fully measures the difference in the cost of production here and there.

Mr. TIRRELL. Will the gentleman from New York yield to me?

Mr. PAYNE. I will yield to the gentleman from Massachusetts.

Mr. TIRRELL. Will the chairman inform us, if the matter was considered, why cheap wrapping paper which is made out of spruce, the same as news paper, and where the labor is the same and the conditions the same, under the present bill they have an increase up to 35 per cent ad valorem, while print paper made by the same process should be reduced 5 per cent?

Mr. PAYNE. There was considerable evidence and discussion in the committee over wrapping paper. I can not recollect the details now, but the paper we were aiming at, and which I think we hit in the bill, was not a cheap manufactured paper like print paper, but a different class of paper entirely. I can not recall the facts in regard to that.

Now, Mr. Chairman, I come to the miscellaneous sections of the bill. Section 5 provides for free trade between the Philippine Islands and the United States on all articles except sugar and tobacco, and on sugar up to an importation of 300,000 tons in one year and on tobacco up to 300,000 pounds of wrapper and 3,000,000 pounds of filler and 150,000,000 cigars, beyond which the usual rates will apply.

This was done in the expectation of settling this great question in regard to the trade relations between the Philippine Islands and the United States. The House will remember that in the Fifty-ninth Congress we passed a bill and sent it to the Senate, and it laid in the committee for nearly two years and never was reported. It seemed impossible to get it out of the committee, although a majority seemed to be in favor of the passage of the bill. We put it in this bill so that it will get before the Senate and they will have an opportunity to vote upon it, and I trust that this long-delayed measure of justice to the Philippine Islands will no longer be delayed, and under the beneficent provisions of this bill they will be allowed to enter our markets up to the extent of the limit. As far as the limits are concerned, I would not have put them on, but a majority of the committee favored it.

It was a sort of compromise between the friends of the islands and the friends of the sugar beet and other outlying industries, and this section was adopted in the shape it is presented to the committee, and I hope it will meet with the approval of the House.

Mr. KAHN. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman from California.

Mr. KAHN. Would it be practicable to put a proviso in the bill that these products shall be carried in American bottoms?

Mr. PAYNE. I think that would amount to a nullification of the section. The gentleman will remember that we had the coastwise laws extended to the islands twice, and although the people interested in American vessels had agreed to furnish the vessels to ply between the Philippine Islands and the United States, they failed to do so. People who are interested in importing manila fiber, for instance, from the Philippine Islands to the United States came here and urged Congress to put off the application of that law, and we finally repealed it. I think it was recommended by the Committee on Merchant Marine and Fisheries; at any rate, it was supported by Members who during their entire service here stood by the American merchant marine in every instance. I do not think you could put that provision in the bill without nullifying this section.

Mr. HUMPHREY of Washington. I want to say to the gentleman that that bill for the repeal of the coastwise laws came from the Committee on Insular Affairs.

Mr. PAYNE. The gentleman is right about that.

Mr. HUMPHREY of Washington. I do not think it could have been reported by our committee.

Mr. PAYNE. Then I am glad we had the other committee to report it.

Mr. HUMPHREY of Washington. The gentleman will recollect that the bill was introduced one day and passed the next, or in three or four days, without discussion.

Mr. PAYNE. Well, the House did justice in a very short time in that case.

Mr. HUMPHREY of Washington. It did justice according to those who had the bill in charge.

Mr. PAYNE. Now, Mr. Chairman, I would like to see the day when the House will adopt a bill that would tend to build up the American merchant marine, not only in the coastwise trade but in the foreign trade. I think that is one of the most important measures that is liable to come before Congress for years to come.

I hope a way will be worked out to commence under the operations of such a law, so that even those people who do not think beyond the word "subsidy" will see the benefit of it and how such a law would save to the Government in time of stress, by reason of having an auxiliary force for the naval department of the Government. But that is rather aside from this discussion.

Mr. COX of Indiana. Will the gentleman yield for a question relating to sections 3 and 4 of the bill?

Mr. PAYNE. I discussed that yesterday.

Mr. COX of Indiana. Section 4 relates to the maximum and minimum rates?

Mr. PAYNE. To the application of it; yes.

Mr. COX of Indiana. That is what I understand. Let me put a concrete case, if I can. Suppose, as an illustration, that Germany does not admit American manufactured goods, or the product of American soil, upon the same terms and conditions which she grants to other nations; and suppose that our Government wants to avail itself of the provisions of the bill, in the way of retaliation, if it may be so put—is it the idea or the theory of the bill that the duty upon the German goods imported into the United States will be under section 1 of the bill, or under section 3 of the bill, or both?

Mr. PAYNE. It would be under section 3, of course, as long as she discriminates against us.

Mr. COX of Indiana. Then, whether or not, in the opinion of the gentleman, section 3 would operate as a prohibitory duty?

Mr. PAYNE. Oh, no; I think they could still come in, but I think it would cost them so much that they would come to the conclusion that they had better give us fair trade.

Mr. COX of Indiana. One more question. Suppose that Germany, as an illustration with a concrete proposition, refuses to come to terms; is there anything in this bill which would enable the President of the United States to negotiate any trade agreement with Germany?

Mr. PAYNE. There is not.

Mr. COX of Indiana. Is there any other law in effect that would still authorize him to do that?

Mr. PAYNE. No law, except the general provisions of the Constitution allowing him to negotiate treaties and submit them to the Senate.

Mr. Chairman, I am reminded of a clause in the minority views which says that a reduction of 5 cents a hundred on refined sugar was supposed to be a blow to the sugar trust. I do not know who said so, or whether that is just a child of the imagination of the Members of the minority.

The simple fact is this, that raw sugar, 96 degrees and less, comes in to-day at 1.685 cents a pound, and refined sugar at 1.95 cents. So there is a differential of 26½ cents a hundred between the raw and the refined. Now, there is a loss in refining sugar; they can not get all the 96 per cent of sugar out of the raw, and of course it takes the difference between 96 and 100 added to it to make a hundred pounds of refined sugar. In other words, only 96 per cent of the raw sugar is sugar and the rest is dirt, and when the dirt is taken out there is a loss of 4 per cent just from that cause, and a further loss because they can not get all of the saccharine matter out of the dirt. It goes into a low grade of molasses and some into a higher grade, but it is practically a loss. The differential, as I said, between the raw and the refined sugar, 96 degrees, is 26½ cents, and the loss is calculated at 14 cents, leaving a duty of 12½ cents a hundred to make up the difference of cost in refining. The

Dingley bill as it passed the House provided about the same differential, and it finally became a law in nearly the same differential, or a little less than this.

The committee has taken off 5 cents of this differential, so that the duty on refined sugar for the refining process is 7½ cents a hundred pounds. Whether this is any blow to the trust or not, I am not prepared to say. I do not know exactly what the difference is in the wages and cost of refining sugar here and abroad, or whether there is any; but it is a reduction of two-fifths of the differential duty between the raw and the refined.

Section 6 provides that no part of this act shall abrogate or impair in any way the Cuban treaty for reciprocal trade, and the gentlemen of the minority are very much disturbed about this—a continuation of the Cuban treaty. I did not suppose there was a man in the House on either side who had any objection to it. We have entered into it and passed a law carrying it out through both Houses, and the national honor is bound up in it, and I for one would not be in favor of passing a law that incontinently and without notice repealed that Cuban treaty, and I do not believe any other man of the House would vote for such a law.

Now, the question is asked in the draft of the report—I have not seen the printed views of the minority—whether any sane man supposed that the commercial countries of the world would stand for it to have us admit Cuban goods here at a discount of 20 per cent of our duty and still allow us a minimum rate. If the gentlemen who asked that question had thought back for the last four or five years of the existence of the Cuban treaty, they would have found that nearly every nation of the earth did give us better trade relations and the same rate of duty that they gave to the most favored nations, although we were carrying out the Cuban treaty in full and to the letter, because these nations recognized what the minority of the committee do not, that when we give that concession to Cuba we get a concession from them of a reduction of 20 per cent of her duty; and then the nations of the earth also recognize the relation which we have to Cuba as the guardian of her interests and of her people and our effort to uphold her Government and try to make her an independent nation, that she may not have to come in under our flag, which God forbid; and we are willing to give up twelve or fifteen million dollars of revenue to Cuba and supply it by taxation of our own people rather than to have to assume not only the guardianship but the parentage of that lone island of the sea and take her in as a part of our system. The nations can see that if the minority of the committee can not.

The next section to which I wish to call attention is that we have carefully preserved the trade agreements made between the United States and other countries by section 7. We have carefully preserved them until we can give notice under them to the governments that we want to abrogate them. After we have decided that we desire to abrogate them we can do it in an honorable way by giving the required notice of our intention to take advantage of the terms of the agreement.

Section 8 provides whenever any country, dependency, colony, province, or other political subdivision of government shall pay or bestow, directly or indirectly, any grant upon the exportation upon any article of merchandise from such country, and so forth, we put a countervailing duty for the purpose of preventing them evading our tariff under the provisions of it by putting a bounty on the exportation of their goods. That is already the law under the Dingley bill and it has worked well.

Section 9 is a reenactment of section 6, the "catch all" section, that every article not enumerated or provided for in the act, if manufactured, shall pay a duty of 20 per cent, and if not manufactured a duty of 10 per cent ad valorem. It is surprising the different kinds of articles that came in under this provision under the Dingley bill. If gentlemen will look at section 5 in our "notes of comments," I think they will be very much interested, and it will pay for their time in looking it over.

Section 10 is the "similitude" clause, well known to the Members of the House.

In section 11 we have recast the branding or marking section of the law. Under the present marking section it requires that the place of origin, and so forth, shall be placed upon each article. There has been an evasion of it in a great many cases, and in a large percentage of cases by putting on a stamping brand or otherwise that can easily be removed. We propose to have them stamp them indelibly. In case of metals, to cut it in with a stencil in order that it may stay so; and whenever anybody wants to buy an article, if he wants to buy a foreign-made article, of course he can do so; but if he is a good American, and he wants to encourage American industry, he will know whether he is buying an American article or not. I think that is a great improvement on the old law. We have added a penalty clause for disobedience of this law—for an infraction of it.

Sections 13, 14, and 15, relating to the importation of obscene books, and so forth, is a reproduction of the present law.

Sections 20 and 21 of the old law are stricken out, the sections applying to the St. John and St. Croix rivers up in Maine allowing lumber to be manufactured in the Province of New Brunswick by American citizens and imported free of duty.

The fact about that is two years ago the Maine legislature passed a resolution unanimously asking Congress to repeal that section; and not only that, but they came down and talked to the committee about it, and we convinced them we could not take up that subject without opening up the whole tariff question.

Section 16 I have already commented on, in regard to the importation of neat cattle, designed to prevent the spread of contagious or infectious diseases.

Section 18 prohibits the importation of goods made by convict labor.

Sections 19 and 20 are the old shipping sections which are in the bill, which seem to be rendered useless because of the treaties with foreign nations. The sections following that are reproductions of the present law.

Section 25 amends section 2982 of the Revised Statutes and allows the purchase of supplies and extends it to the war vessels of any country who extend like privileges to war vessels of our country. The courtesy has grown out of the courtesy extended to war vessels of the United States in their recent trip around the world and for a period prior to that time.

Now, the smelter clause of section 28, allowing them to smelt lead and other ores in bonded warehouses is readopted, except where the present law allows for a wastage of 10 per cent of the metals. We found that was altogether too high, and the surplus was being dumped into our markets free of duty by the smelters, and we fix as near as we can the exact amount of it and allow them only 5 per cent instead of 10 per cent, which, I think, does them equal and exact justice.

Section 29 is the drawback section.

Mr. GRONNA. Mr. Chairman——

Mr. STANLEY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York [Mr. PAYNE] yield?

Mr. PAYNE. Let me talk about it half a minute. This is in place of the drawback section of the present law. The present law provides that they can receive a drawback only on identifying the goods imported as being a portion of the manufactured article, the House remembering what the provision is. That provision is that whenever any articles manufactured here from imported merchandise that has paid a duty, using them as the material, is exported, there shall be a drawback equal to 99 per cent of the duty paid.

I well remember the feeling of exultation of the late President McKinley when he reported his bill in reference to this drawback clause and the speech which he made in explanation of his bill to the House. Turning to the other side of the House, he said:

> You gentlemen have criticised the protective tariff, because you say it tends to raise the price of raw material used in manufactures, and because that price is raised you are shut out from the markets of the world. But we have put a section into this bill that will obviate that objection, and whenever any manufacturer of the United States desires to go into the foreign trade he can buy his material abroad, pay the duty upon it, manufacture it into the article, ship the product abroad, and in the product will be represented American labor. He can ship it in competition with his rival abroad, who gets his material at no less a price than does the American, because we refund him as a drawback 99 per cent of the duty.

This law was not found in its earlier days workable to a large extent, because the regulations of the Secretary of the Treasury and the law itself required these manufacturers to prove by the appearance of the material in the article that it was there in order to get the duty back. Little by little these decisions and regulations of the Treasury Department have been modified, so that now it is more easy for a manufacturer to get a rebate because of using raw materials. And yet it is impossible for a large manufacturer to separate the manufacture for export, if he has a foreign order, from the manufacture for home consumption. It would cost him more to regulate his factory and his work in order to make up articles for the order from abroad and keep separate the material, so that he could conscientiously make affidavit to it, than the drawback is worth in some instances. But in other instances, where they were doing a large export business, it was possible to keep them separate and get the benefit of this law.

In the last four or five years various bills have been introduced in Congress, some by the gentleman from Massachusetts [Mr. LOVERING] and some by others, seeking to ease up and

make more workable this drawback law. Some of these bills were inspired by what is done in France, where they allow them to substitute; and if they prove that they have imported, for instance, pig iron from abroad and have bought domestic pig iron and have manufactured the article, even from the domestic pig iron, in quantity, quality, and manufacturing value equal to the pig iron which they have imported, on the exportation of the manufactured article they receive that drawback, even though the article manufactured was made of domestic materials. I say that the committee had a good many hearings upon it, and when they came to the consideration of this tariff bill the subject was again presented to them and the committee was in favor of such a provision. Out of that agreement grew this section, No. 29.

Now, some of the brethren have been very much disturbed over this section. It was drawn by a committee composed of two of the best lawyers on the committee and one of the laymen. Of course it is not necessary for me to say that the chairman of the committee was not on that committee, under those circumstances. After consultation with Treasury experts, and so forth, it took the form as it appears in the bill, with, perhaps, a proviso that was put in afterwards at the suggestion of another member of the committee. The object to be attained is what I have described. People could take advantage of the drawback if they could not swear that the foreign material which they had imported had gone into the article; if they still had imported the foreign material, and at the time of importation, and when they were taking it out of the custom-house to enter into consumption, they had served notice upon the collector and he had inspected the material that they intended to use and upon it get the benefit of this section. It was thought by the Treasury officials, as I understand from the report of this committee, that this amply guards against fraud, and carried out the purposes of the committee in this drawback section. All sorts of things have been conjured up about it.

Some question arose about the wheat in the West. I notice that some gentlemen from the West are very anxious for fear that a bushel of Canadian wheat shall be imported into the United States, although it is used in manufacturing flour that goes to foreign markets, and although it is blended with the wheat raised on their farms—the largest portion of the wheat coming from their farms—and although it may be impossible to manufacture a barrel of wheat flour purely from the American wheat and have it marketable when it gets abroad or comes into the markets there, still they are so shortsighted that they do not like to have a bushel of Canadian wheat brought into the country for that purpose.

Now, the truth about it is that the Canadian wheat, and especially that of the western British Province of Manitoba, is harder than the wheat raised on some of the prairies of the West: and taking the seed of that hard wheat imported from Canada and using it on the prairies of the United States and sowing the seed for two or three years, instead of getting hard wheat, the thing they naturally expected, they get softer wheat as time goes on.

It is not as good to make flour for export unless you put some of this hard wheat with it; and so the importation of this Canadian wheat for export trade should be encouraged instead of railed against, because it furnishes a better market for the American farmer for his wheat, using it for mingling purposes, in making it into flour which goes abroad. When they see this provision, why they have fears that wheat will come in from Canada and be made up into flour and some of it sold in this country and another portion of it sold abroad, that it is going to displace American wheat. I do not think it will work that way. I invite the careful study of the Members of this House to section 29. If there is any one thing in it which ought to be better guarded, the committee have no pride about it. They will be glad of any suggestion, not suggestions made here on the floor of this House, because that convinces no one, not even the gentlemen making them, but sitting down as a lawyer would over a paper in his office, and completing his suggestion or amendment to the section with the committee or here in the House, if there is any way of improving it, so far as the committee is concerned—I think I can speak for them—they will be very glad to adopt it.

But I believe that there is a thought here that is worth working out. It has had the approval of these eminent gentlemen. Maybe it is all right now. What we intended to do is to help to improve our foreign trade and help us still further in the markets of the world; help us to meet our competitors in foreign nations, because raw material to the manufacturer is everything he uses to make his goods; getting his raw material as cheaply as he can buy it anywhere, because he gets his duty back. I believe that the enthusiasm Mr. McKinley, when he brought his bill into the House, felt in the value of this provision has more than been justified; and in reference to section 29, I think it will fulfill the dreams that that eminent statesman indulged in when he presented his bill to the House. [Loud applause.]

The next section, section 30, provides for the refunding of the revenue tax when the articles on which a duty has been paid have been reexported.

Then the next section, 31, goes into an amendment of the general administrative act. We have amended a dozen or more sections of that act. Some of them are minor amendments. For instance, the fifth section provided that a declaration should be in a particular form. It says: "I am the consignee or owner or importer of such merchandise," as the case may be. The collectors took that paragraph as a whole, and did not strike out the language that was not applicable to the particular person; and when they came to make their affidavit they could take either one of the three or four horns of the dilemma they chose and they are absolutely safe. Well, we have put into that section the meaning of the discretion which we give to the collector when we adopted the original paragraph, and require him to strike out all the other alternatives and leave only the one that fits the individual.

I will call your attention to section 11; and this was a section that was howled at when the bill was first reported as a "joker" in the bill. But the bill has had so many "jokers," and one after another has disappeared, that it has become pretty hard work to keep up with these "jokers" that they discover. But this was considered as a "joker." The present law provides:

SEC. 11. That when the actual market value, as defined by law of any article of imported merchandise, wholly or partly manufactured and subject to an ad valorem duty, or to a duty based in whole or in part on value, can not be otherwise ascertained to the satisfaction of the appraising officer, such officer shall use all available means in his power to ascertain the cost of production of such merchandise at the time of exportation to the United States, and at the place of manufacture; such cost of production to include the cost of materials and of fabrication, all general expenses, to be estimated at not less than 10 per cent per annum, covering each and every outlay of whatsoever nature incident to such production, together with the expense of preparing and putting up such merchandise ready for shipment, and an addition of not less than 8 nor more than 50 per cent upon the total cost as thus ascertained; and in no case shall such merchandise be appraised upon original appraisal or reappraisement at less than the total cost of production as thus ascertained. It shall be lawful for appraising officers, in determining the dutiable value of such merchandise, to take into consideration the wholesale price at which such or similar merchandise is sold or offered for sale in the United States, due allowance being made for estimated duties thereon, the cost of transportation, insurance, and other necessary expenses from the place of shipment to the United States, and a reasonable commission, if any has been paid, not exceeding 6 per cent.]

That is the law as it stands to-day and has stood for a number of years. The difficulty has been when goods were consigned to this country which were made expressly for exportation here and for no other purpose, where there was no sale of them in the country of origin and they had no market and no market value. The difficulty has been to get at the correct market value, and the frauds on the revenue—the frauds of undervaluation—have been based chiefly upon goods of this class. The question was whether there was not some way to get at it. When we go into a foreign country we have no right to require a man to make an oath. If he does, it is an oath not provided by law and he is not liable to punishment for perjury. We are utterly helpless. When we get the affidavit of a man in the United States, within the jurisdiction of our courts, if he makes a false oath we can go after him and put him in the penitentiary, where he belongs. Now, in order to make some safe rule by which we might get at the value of these goods the committee have added this paragraph to section 11:

The actual market value or wholesale price, as defined by law, of any imported merchandise which is consigned for sale in the United States or which is not actually sold and freely offered for sale in usual wholesale quantities in the open market of the country of exportation to all purchasers, shall not in any case be appraised at less than the wholesale price at which such or similar imported merchandise is actually sold and freely offered for sale in usual wholesale quantities in the United States in the open market to all purchasers, due allowance by deduction being made for estimated duties thereon, cost of transportation, insurance, and other necessary expenses from the place of shipment to the place of delivery, and a reasonable commission not exceeding 10 per cent, if any of the same has been paid.

It will not be possible under that section for gentlemen to import china into the United States as they did once, at a value, I believe, of $8.75 for the quantity imported, and sell it in the United States for upward of $90 at the wholesale price here, without coming under the provisions of this paragraph. We have a chance to get at the wholesale value abroad by the surest test, and that is the first sale made in our market, deducting duty, insurance, freight, commissions—everything in the way of expenses.

Mr. CLARK of Missouri. Will the gentleman yield right there?

Mr. PAYNE. I will yield to the gentleman.

Mr. CLARK of Missouri. I should like to ask the gentleman if that theory is applied to all imports?

Mr. PAYNE. Simply to consigned goods.

Mr. CLARK of Missouri. Why not make it apply to all imports?

Mr. PAYNE. Because I do not think it is necessary. We can get at the import price when the goods are actually sold.

Mr. CLARK of Missouri. How does the principle apply to consigned goods any more than it would if they were shipped directly to the gentleman from New York or to myself and sold to us?

Mr. PAYNE. As the gentleman knows, the principal cases of fraud have arisen from consigned goods, where they have been manufactured abroad and none of them have been sold in the country of manufacture, where they have been consigned to their own agents over here; so that there is no market price in the country of manufacture, and the first market price that attaches itself to those goods is the market price when sold in New York on the market there. Now we work back from that to get what should be the market price in the country from which they are exported.

Mr. CLARK of Missouri. I am asking the gentleman solely for information.

Mr. PAYNE. Certainly. I know the gentleman is in sympathy with the effort to regulate this in some way.

Mr. CLARK of Missouri. Certainly. We all are trying to prevent swindling, but I can not understand to save my life why it is any more difficult to ascertain the value of a cargo of goods that is shipped to a consignee here than it would be if the cargo of goods was shipped directly to the gentleman from New York or myself or to the gentleman from Connecticut [Mr. HILL].

Mr. PAYNE. I want to say to the gentleman that the customs officials, the members of the board of appraisers, and other people who have had so much experience in regard to these things advise that it should not go beyond consigned goods. They think that they can take care of the other part of the imports, where there is an actual sale, because there is a value that they can establish; and in the case of those goods they still have, as under the present law, the right to inquire into the sale here and work back, excepting the duty and all those expenses, and use that as an element in determining the market value. But we go a little further here, and we provide that the market value shall not be less than under the paragraph which we add to this section, and that is the sale in the United States, making these deductions.

Mr. CLARK of Missouri. The real trouble about this swindling in invoices, or rather the reason that we can not find an adequate remedy, is that the men who do part of the swindling are not within the jurisdiction of our courts.

Mr. PAYNE. Certainly.

Mr. CLARK of Missouri. If they are all in the jurisdiction of the court, the way to remedy the whole business is to send them to the penitentiary.

Mr. PAYNE. I think we are going a long way in this bill toward curing this trouble, and under the advice of the Treasury officials I am not willing to go further. I think we are going a long way in that direction, so that the dishonest man will pay the duty as well as the honest man.

Mr. CLARK of Missouri. We all want that.

Mr. UNDERWOOD. Will the gentleman from New York yield?

Mr. PAYNE. I will yield to the gentleman from Alabama.

Mr. UNDERWOOD. Was there any serious difficulty about consigned goods until the Roosevelt an agreement was made with the German Government a year or more ago?

Mr. PAYNE. Yes; there was. There is more now, but there was before that trouble. The gentleman remembers the St. Gall cases.

Mr. UNDERWOOD. My understanding is that the main trouble on consigned goods has arisen since the executive arrangement has been made with the German Government. I want to ask the gentleman from New York, as matter of fact, if this clause as is now put in the bill was not an effort to move away from the German agreement without directly challenging it more than anything else?

Mr. PAYNE. As the gentleman knows, except this section, propositions like this have been before the committee for three or four years. The House has twice passed a bill involving some of these amendments and it went over to the Senate, but they were too busy over there to consider it. Although it went over at the first of the session, they could not focus their minds on it, and so they never passed it. We hope to direct the attention of the Senate to this provision that we have incorporated in the bill.

Mr. UNDERWOOD. The gentleman has not answered the question that I put. If this clause goes through, the agreement, as made by the last President of the United States, is practically wiped out, is it not?

Mr. PAYNE. The gentleman will remember that the previous section in the bill provides for notice to be given by the Executive within ten days after the passage of this bill of the abrogation of this treaty. The notice is provided for, and at the end of that time the agreement is abrogated, and up to that time the clause will not go into effect.

Mr. UNDERWOOD. I want to find out what the majority Members were steering to?

Mr. PAYNE. We are steering to get rid of this agreement as soon as we can honorably, holding our heads up among the nations of the earth. We are not in favor of disrupting any agreement without giving the notice provided for in the agreement itself. We are improving over our manners of 1894 in that respect, and hope to receive the approval of the nations of the earth and the minority of this House. [Laughter.]

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. PAYNE. Certainly.

Mr. CLARK of Missouri. You will get our assistance in breaking up the swindle as sure as you are alive. Now, I want to ask another question. As a matter of fact in criminal cases, this undervaluation can only take place by the cooperation of somebody abroad and somebody at home, which constitutes a conspiracy, a swindle. Where are you going to locate the venue of it, with one set of operators in the United States and the other set in Europe, for instance?

Mr. PAYNE. I frankly state to the gentleman that I give it up. There was a case tried in this city a short time ago in which the court claimed jurisdiction of them, and the principal part of the conspiracy was in a far western State—I think in California—while the minor part of it was executed in this city.

Mr. CLARK of Missouri. The Government lost out in that case, did it not?

Mr. PAYNE. I think so.

Mr. CLARK of Missouri. That is the trouble; you can not locate the venue. The gentleman understands that we are as anxious to break up swindling in this business as are the majority Members. My own opinion about it is that you will never break it up until you make the fellows at this end of the line absolutely responsible and fill up some penitentiary with them. It is plain, ordinary swindling, and that is all that it amounts to. If you leave part of the transaction in Europe, there is no man alive can tell whether the conspiracy is formed in Europe or in the United States. In the Rosenthal case, in New York, Mr. Wakeman investigated that and found out that Rosenthal & Co., or whatever the name of the firm was, swindled the Government out of $1,100,000 a year on undervaluations in their Japanese or Chinese silks, and yet they turned that fellow loose on a $5,000 bond and he lit out to Canada or some other foreign country.

Mr. PAYNE. I want to say to the gentleman that if there is any conspiracy, and one man is at this end of the line, the courts have jurisdiction of that man, under the Revised Statutes. I think section 2083, which provides specifically for the punishment of any person who commits fraud in connection with importations of any article. It is a pretty broad statute, and a pretty good penalty can be inflicted under it.

Mr. CLARK of Missouri. Is not that the very point on which this California-Washington case turns, if it was the California case?

Mr. PAYNE. No; I do not think any part of the res gestæ in that conspiracy was here in Washington. I do not know. I did not keep up with the literature of the day very fully then, because I was engaged in other matters.

Mr. CLARK of Missouri. I know in the case of Aaron Burr, when he shot Hamilton in New Jersey and Hamilton died in New York, they indicted him in both States, and then it turned out that they failed to convict him in either State. That is the kind of divided jurisdiction the courts would have in this matter.

Mr. PAYNE. Well, that is a case that probably would be like appealing to the "unwritten law," as they call it, and I am not very well versed in those cases. I do not care to call the attention of the committee to any amendment in these various sections of the administration act.

Mr. HUBBARD of West Virginia. Mr. Chairman, before the gentleman from New York leaves section 11. He has spoken of the new clause, the concluding sentence, as if it applied only to

consigned goods. Calling his attention to the language of that provision, I would ask whether it is not intended to apply to some cases in which goods are sold, but in which goods of that kind are not actually sold and freely offered for sale in usual wholesale quantities in the open markets of the foreign country? Is it not an alternative provision, one that applies not only to goods that are consigned, but also applies to goods which, although sold and not consigned, are not commonly sold in wholesale quantities in the open market in the country of production?

Mr. PAYNE. It may possibly be that. I was perhaps misled by the arguments of some of the customs officials.

Section 32 is a reenactment of section 33 of the present law. Section 33 provides for an additional internal-revenue tax on cigarettes amounting to from 50 to 60 cents per thousand.

Mr. STANLEY. Will the gentleman yield for a question?

Mr. PAYNE. Yes.

Mr. STANLEY. This section 33 provides—and I approve of the provision in the main—against putting into the packages of tobacco or cigars or cigarettes anything other than the manufacturer's label, or upon such packages anything other than the revenue stamp of the United States. It is the custom now, however, to put the union-labor label upon cigars and tobacco that are manufactured by union labor. I believe that this section, from my reading of it, and a careful reading of it, will prevent the use of that stamp. It is a fact that the American Tobacco Company does not employ union labor, and for that reason especially and because I believe we have a right to know how this tobacco is made, I would ask if that section should not, in the opinion of the chairman, be amended in such manner as not to affect the union-labor label upon cigars, cigarettes, and smoking tobacco.

Mr. PAYNE. Mr. Chairman, the section is the same as the old law, and there is no difficulty about the union-labor label on these things now.

Mr. STANLEY. I do not think the provision provides that no packages of smoking tobacco and fine-cut chewing tobacco and cigarettes shall be permitted to have packed in, or attached to, or connected with them, any article or thing whatsoever other than the manufacturer's wrappers and labels, and so forth.

Mr. PAYNE. It is a copy of the present law, and there is no difficulty whatever about putting the union-labor label on these things now.

Mr. STANLEY. It says in the beginning:

That the same is hereby amended so as to read as follows.

Mr. PAYNE. The only change is in the internal-revenue tax on cigarettes, from $1 to $2.50 and $1 to $1.50.

Mr. STANLEY. I wish to ask the chairman of the committee another question. Under the present law tobacco in the natural leaf, if sold in certain quantities, is exempt from any duty.

Mr. PAYNE. I want to say that we did not propose in this bill to go into an amendment and revision of the laws in regard to tobacco. The only object of introducing this here at all is to increase the tax on cigarettes for the revenue, and we did not propose, and we do not propose, to go into the question of the regulation in any way of the manufacture or sale of tobacco. We have not considered those things, and if the gentleman will introduce his bill and send it to the committee, it will be considered, as have many bills that have come, some of them from the gentleman.

Mr. STANLEY. I am very grateful to the committee and to the gentleman. I wish, however, to state that a simple amendment to the law as now written is all that we ask, and that this provision is not part of the organic law, but is merely a regulation of the department, and that the McKinley bill itself contains no such provision, and all that would be necessary is to cut out a clause making an artificial distinction between 1,000 pounds of tobacco and 2,000 pounds of tobacco in the same physical condition.

Mr. PAYNE. Mr. Chairman, if I thought it was going to take so much time in the House, I would simply have proposed to amend by adding 50 cents a thousand tax on cigarettes and leaving the other law alone, but the committee went about it in the usual way to amend the section by quoting the section and making the amendments.

The next tax is the inheritance tax, a proposition that has created a great deal of discussion throughout the country, as it did in the committee. We want some more revenue. We want about $20,000,000 worth of it in order to be sure to make ends meet under this bill. And the committee cast about for a proper subject for taxation. I think they considered everything in sight. Some suggestion was made about a tax on the net earnings of corporations; and I state this—although some gentlemen will go on the stump and say that this committee was in favor of the trusts and therefore would not submit any amendment for the taxation of the net earnings of corporations—that the people of the United States are not all of them or half of them fools; they are not to be gulled by any such talk as that, and that is the reason you gentlemen find yourselves in such a glorious minority at the end of every election. Now, no man will deny but what the corporations of the United States, during the last two years at least, have been in a pretty precarious condition in a great many instances. They pay taxes; they pay state taxes, municipal taxes, and all kinds of taxes; and although we put a pretty good tax on their net revenue, we still would not get our $20,000,000; so the committee did not think it was best to put that tax on.

Then the question of the income tax was presented to the committee. Well, I have pretty strong convictions about the constitutionality of an income tax. I remember, years ago, when the gentleman from Texas sat on that side of the House as the leader of the minority, of some discussion in the House in regard to the constitutionality of an income tax, and I had the temerity to state in the presence of that great lawyer, contrary to his opinion, that I did not believe an income-tax law could be drawn that would be constitutional. I had occasion to say that the first decision of the Supreme Court declaring the constitutionality of an income tax was based on a prior decision of the court, which did not relate to an income tax, but held that a tax on the use of a carriage was not a direct tax, and hence need not be apportioned among the States according to the population, and was constitutional; but without referring to any case that had a reason in it for the holding that the income tax was a constitutional tax they had made that decision. After that the Springer case arose.

William M. Springer, well known to many a Member of the House, had had one very fortunate year soon after the income tax of the sixties was enacted, in which he had an income of $50,000 or more, and, naturally, he did not want to pay that income tax, and he thought it was unconstitutional. He took it into the courts and went to the Supreme Court, and the Supreme Court decided it was constitutional and referred back to the first case, that the courts had declared it constitutional under the great carriage case as to the use of the carriage.

Mr. CLARK of Missouri. I would like to ask the gentleman two or three questions, not to tire the gentleman, but for information. The income tax that was incorporated in the Wilson bill was only declared unconstitutional as to the income arising from land or rents of lands, was it not?

Mr. PAYNE. That was one of the reasons given.

Mr. CLARK of Missouri. Was not that the whole reason?

Mr. PAYNE. I think not; also the income from municipal bonds.

Mr. MANN. And also the income from personal property, and expressly so stated.

Mr. PAYNE. I think those were the grounds.

Mr. MANN. Those three things.

Mr. CLARK of Missouri. Another question. Is it not true the President of the United States has intimated very broadly that an income tax can be drawn——

Mr. PAYNE. I do not know whether he has or not——

Mr. CLARK of Missouri. Wait a minute until I finish the question. (Continuing.) That the Supreme Court as now constituted would declare constitutional?

Mr. PAYNE. I do not know whether he has or not, but I do not believe that the present President of the United States ever made any such assertion as that.

Mr. CLARK of Missouri. Well, it is published freely in the newspapers.

Mr. PAYNE. That may be. I have seen some articles published about my friend that I did not take any stock in.

Mr. CLARK of Missouri. So did I. [Laughter and applause.]

Mr. PAYNE. Then we both agree about the witness.

Mr. JAMES. Will the gentleman yield for an interruption?

Mr. PAYNE. I yield to the gentleman.

Mr. JAMES. I will say to the gentleman that Mr. Taft, in his speech in Columbus, Ohio, in 1907, made practically the statement relative to an income tax just made by the gentleman from Missouri [Mr. CLARK], and it appeared in a stenographic report of his utterances in that speech that was published throughout the country.

Mr. PAYNE. Well, I do not know whether he did or not. I am not doubting the gentleman's word that the statement appeared. Still, I do not know whether the President said so or not. But whether he did or not, I have a right to my opinion about the constitutional law as well as has the President of the United States. I do not believe that there is any authority for it.

believe that the enthusiasm Mr. McKinley, when he brought his ducting duty, insurance, freight, commissions—everything in the way of expenses.

they were too busy over there to consider it. Although it went

Mr. JAMES. If the gentleman will pardon me——

Mr. PAYNE. I do not believe there is any authority in the Constitution for an income tax.

Mr. JAMES. Mr. Taft said in his speech to which I refer that the Supreme Court was nearly evenly divided upon the case when the income tax was before the court, and that the change in the personnel of the court left the question now where it was not free from doubt as to how the Supreme Court, with its changed membership, would view the question of an income tax when again presented.

Mr. PAYNE. I want to say to the gentleman that that Wilson income-tax law has never been repealed in a single line or letter, and if there is a court now that will hold that it is constitutional, why, it would be the law of the land.

Mr. JAMES. Why do you not collect money under it?

Mr. PAYNE. Because the court has held it as unconstitutional, and, if you ask me why, it is not my business. I think it is unconstitutional.

Mr. JAMES. The gentleman is playing upon the technicality that the Congress has not repealed it and the Supreme Court has. It is the same thing.

Mr. PAYNE. That is right; but the court could reverse that decision.

Mr. CLARK of Missouri. I will ask the gentleman from New York [Mr. PAYNE] if he does not believe himself that the features of the Wilson bill that were not declared to be unconstitutional by the Supreme Court are still in force?

Mr. PAYNE. No. What does the gentleman mean? The income-tax law?

Mr. CLARK of Missouri. Certainly I do.

Mr. PAYNE. None of them have been repealed; so of course they are in force if the Supreme Court has not taken the ground from under all of them.

Mr. CLARK of Missouri. Inasmuch as you have had a deficiency for the last eighteen months, and it has been growing all the time, and you had all the machinery in your hands to enforce it, and you need an income, what is the reason you did not get up steam to make the Attorney-General enforce that law?

Mr. PAYNE. Because we did not believe the law was constitutional.

Mr. CLARK of Missouri. What is the Attorney-General good for?

Mr. PAYNE. Why, he ought to be good to declare an opinion in accordance with the decision of the Supreme Court of the United States: That is my idea. I do not know what the gentleman's idea is.

Mr. CLARK of Missouri. My idea of the Attorney-General is that one of his duties is to supervise the enforcement of all the laws that are on the statute books.

Mr. PAYNE. Whether they are constitutional or not?

Mr. CLARK of Missouri. Certainly.

Mr. PAYNE. And after the Supreme Court has decided that they are not constitutional?

Mr. CLARK of Missouri. I know that the Supreme Court never decided, except in certain features of it, that the Wilson income act was unconstitutional.

Mr. PAYNE. I can never sign a recommendation of the gentleman from Missouri for Attorney-General.

Mr. CLARK of Missouri. I do not want to be Attorney-General.

Mr. PAYNE. I am relieved.

Mr. CLARK of Missouri. I do not want to be.

Mr. PAYNE. I do not think you ought to be.

Mr. CLARK of Missouri. I would rather be a Member of this House than to have a cabinet position or a foreign ambassadorship, or anything of that sort.

Mr. PAYNE. I am glad to agree with the gentleman again.

Now, Mr. Chairman, to proceed with the discussion. Even if an income tax was constitutional, I would greatly prefer an inheritance tax. There is no denying that an income tax occasions perjury and fraud unlimited. The knowledge of a man's income is within his own breast largely and he can cheat and defraud, and if he is one of that class of beings that do not stop at perjury he can cover up a large portion of his income. There is a great incentive in the minds of some men to do that thing.

Mr. CLARK of Missouri. Now, Mr. Chairman, I would like to ask the gentleman a question or two for the sake of information. The gentleman understands the verbiage of that provision better than I do. Suppose a man, before he dies, gives his property to his children——

Mr. PAYNE. I am coming right to that.

Mr. CLARK of Missouri. Does this bill cover that?

Mr. PAYNE. Yes; it does.

Mr. CLARK of Missouri. If I give my boy or my little girl, for instance, a thousand dollars to-morrow, then they would undertake to charge that up as an inheritance if I died thirty years from now?

Mr. PAYNE. Oh, no; but if you gave your boy $2,000 to avoid the provisions of this law, he would have to pay taxes on it. I want to say right here that the provisions of this law are drawn mainly after the best law in the United States, the one adopted by the State of New York, and when we first had an inheritance-tax law there a young gentleman of my acquaintance was very anxious to avoid it and get hold of his father's estate in advance.

My partner looked into the law and found that there was no provision that would prohibit him from escaping the inheritance tax. I think the father transferred his property to the son and the inheritance tax was not paid. Later the legislature amended the law, and, so far as human language can provide, amended it so that the ground was taken out from under that little joker, and they can not avoid the law by any such proposition as that. Of course, the Government has to make proof. That can not be obtained in all cases, but it can be obtained in many of them, and they enforce that part of the law.

Mr. CLARK of Missouri. Has that ever been passed upon by the supreme court of your State, if that is the highest court?

Mr. PAYNE. The court of appeals is the highest. I am not able to state. I will say to the gentleman that I have a copy of the New York tax laws, and in it are noted all the decisions. On this inheritance tax I have not looked them up, but I will furnish the New York laws to the gentleman, if he wants them.

Mr. CLARK of Missouri. I want to ask the gentleman another question, and I want to preface it with this statement: I am not sure whether I am in favor of this provision or not, but if we are going into this kind of a law, we ought to have all the information we can on it. How far back would it go of this period?

Mr. PAYNE. It can not be retroactive.

Mr. CLARK of Missouri. I know; but take the case that I instanced. Suppose I gave to one of my children a thousand dollars to-day and I lived thirty years; then when my estate comes to be wound up, can they collect an inheritance tax on the money that I gave to my children in 1909, thirty years before?

Mr. PAYNE. Not for thirty years, but for a number of years, if they can make proof that you did this to avoid this law. I can not give the number of years that it goes back at this time.

Mr. MANN. Will the gentleman from New York yield to me for a question?

Mr. PAYNE. Certainly.

Mr. MANN. Of course, this inheritance-tax matter happens to be an entirely new idea, so far as a federal tax is concerned.

Mr. PAYNE. I want to say that we had it in the Spanish war tax bill.

Mr. MANN. But it was put there temporarily. How far, in the opinion of the gentleman, will this go, so far as there being more than one inheritance tax? Many States now have inheritance taxes. Is it the judgment of the gentleman and the committee that there will be but one inheritance tax collected, or that the States will abandon their scheme of taxation in that matter and relegate the whole subject to the General Government?

Mr. PAYNE. Well, that will depend altogether on how much agitation there is in the State as to the repeal of the state law. Of course, the gentleman can guess that as well as I can, and it is only a guess.

Mr. MANN. Is there any other instance where the General Government and the State each exact a tax on the same thing?

Mr. PAYNE. Well, yes and no. They both exact taxes on intoxicating beverages and on the sale of them; and every State, of course, has its excise laws, unless they have a "dry" State.

Mr. MANN. The taxation in reference to intoxicating beverages certainly is not along the same lines at all as this.

Mr. PAYNE. No; but you wanted to know whether they had laws on the same subject and taxes on the same object, and I just stated that they collect taxes on the same things.

Mr. MANN. Oh, well, yes; we collect a tax on woolen goods in the United States and the States collect on woolen goods in stores, but that is not along the line. Is there any other instance?

Mr. PAYNE. That is entirely parallel. There is a federal tax on retail liquor dealers of $25 and a state tax all the way from $400 to $1,000. It is for the business of selling liquor. That is the same thing, of course, but that is the only instance that occurs to me now.

the new clause, the concluding sentence, as if it applied only to

Mr. MANN. That is a license in each case, and not a tax.

Mr. PAYNE. It is not a license in the case of the Government.

Mr. MANN. Whatever you call it it is a tax.

Mr. PAYNE. It is a tax in reference to the Federal Government.

Mr. MANN. Whichever it is it is a tax; but does the gentleman put the inheritance tax on the same par as the tax on whisky?

Mr. PAYNE. Does the gentleman think that is a fair question? The gentleman asked me, "Do you know where there is any other instance where the State and Federal Governments have a tax laid on the same thing?" I told him. Now he asks me if they are both on the same par; well, now, I say that is not what the gentleman asked.

Mr. MANN. Is there any other case on a par with that where the Government makes a tax on similar conditions?

Mr. PAYNE. None have occurred to me.

Mr. MANN. The committee must have taken that matter into consideration.

Mr. PAYNE. I say none occur to me.

Mr. MANN. I suppose the committee must have thought out in a way as to what the effect would be of a federal tax upon inheritance?

Mr. PAYNE. And I just said that it was considered.

Mr. MANN. Does the gentleman imagine that his own State is likely, without a good deal of effort, to give up this tax on inheritance?

Mr. PAYNE. I do not think so.

Mr. MANN. It involves a very serious question, when one of the sovereignties of our country takes up a line for taxation, develops it, and then the other seizes the new thought in order to raise taxes, endeavoring to drive the first one out. We may soon have a great deal of competition in that direction; and certainly while I do not feel any desire to criticise the inheritance tax, I think it is worthy of a good deal of consideration.

Mr. PAYNE. I agree with the gentleman, as far as that is concerned.

Mr. GARRETT. I would like to ask the gentleman——

Mr. PAYNE. Now, Mr. Chairman, I wish gentlemen would excuse me. I started in to discuss this proposition. I have not had a chance to say a word of my own about it. I have been asked questions and led off.

Mr. GARRETT. I wish to ask the gentleman a purely legal question.

Mr. PAYNE. Ask your question.

Mr. GARRETT. In the gentleman's opinion, is there any constitutional question involved in this?

Mr. PAYNE. I do not think so. It is a tax upon the transfer of property.

Mr. GARRETT. A direct tax?

Mr. PAYNE. No; a tax on the transfer of property. It is not a direct tax in any sense of the word. It was held to be constitutional in the Spanish war-tax case, and is a tax similar to a stamp tax upon deeds, and so forth, transferring property.

Mr. GARRETT. I am not suggesting that it is. I merely did not know.

Mr. GARDNER of New Jersey. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman from New Jersey, and he is the last man I will yield to until I have discussed this proposition myself.

Mr. GARDNER of New Jersey. I wanted to inquire if there were not already numerous instances in which it would mean a treble tax? As I understand it, if a citizen of Illinois dies owning property in the State of New York, it pays two inheritance taxes. New York takes its tax on the property located there and the State of Illinois takes its tax at the place where the decedent died. Now, adding this tax, the property in such a case will be taxed three times.

Mr. PAYNE. I do not know whether a man in that case pays a tax in Illinois or not. I know he does in New York, and he pays a tax on that property while he is living. Now, I should like to come to the discussion of this question, and I ask gentlemen to reserve their questions until I have done so.

Mr. MACON. Mr. Chairman——

Mr. PAYNE. I can not yield now. I will not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. MACON. I want to ask a question that is right in line with what the gentleman is talking about. I wish to ask him if it is any more likely that an income-tax law would be productive of perjury than the ordinary assessment laws of the various States?

Mr. PAYNE. Mr. Chairman, I insist upon order. I decline to yield. I want an opportunity to discuss this matter for a few moments in an orderly way.

Mr. MACON. If the gentleman will indulge me——

Mr. PAYNE. Mr. Chairman, I ask the Chair to direct that the remarks of the gentleman from Arkansas do not appear in the RECORD. He has not the floor, and he is not entitled to it.

The CHAIRMAN. The gentleman declines to yield.

Mr. PAYNE. I do not want to be discourteous to the gentleman from Arkansas. I yielded to him fully yesterday. He has heard my announcement half a dozen times that I do not desire any more questions now. I wish to discuss this in an orderly way, and after I get through I will be glad to yield to him. I am going to control this time myself for just two or three minutes. The objection that I have raised to an income tax on account of the perjury and fraud which it breeds can not apply to an inheritance tax, because every time an estate passes by the death of either a testator or an intestate the estate goes to the probate court in the State. Everything is done publicly. There is a hearing in the probate court. Witnesses are sworn, affidavits are filed, inventories of the estate are filed, valuations of the estate are made. Everything is done in readiness for the collection of this tax, and there is no question of perjury and fraud to be raised. In that case and for that reason it is infinitely to be preferred to an income tax.

Now, Mr. Chairman, as everybody knows, this tax was recommended by the last President of the United States some two or three years ago, and according to reports in the newspapers of this country the proposition met with the approval of a good many people. This same suggestion was made by the present President of the United States in his inaugural address as a tax which he thought ought to be levied. The objection is made that most of the States already have an inheritance tax, and that is true. I think 33 out of the 45 States are collecting such a tax.

In some States the tax is almost as great as that imposed in this bill, and in some fully as great, and in some greater. All of these States together collected during the last year $12,000,000. The State of New York collected, I think, $5,600,000, or nearly half of the whole amount. We have not modeled this bill on the rates in New York. There the direct descent of property, either by will or inheritance tax, is 1 per cent, if the share amounts to $10,000, on all sums in excess, with no graduation of tax.

We have provided in this bill 1 per cent from $10,000 up to $100,000, 2 per cent from $100,000 to $500,000, and after that 3 per cent. That is, where it is a direct descent, but in case of collaterals in this bill we provide a tax of 5 per cent on all legacies and inheritances exceeding $500.

The question is asked whether the States will give up the tax. I do not know. I think some of the States have contemplated making the tax greater than it is now. I think that if these people have to pay both the state and the national tax they are not overburdened with taxation if this bill should become a law. What easier tax to pay than this? A man gets a legacy, a stranger perhaps to the testator, a clear gain to him; why should not he pay a part of that to the support of the Government?

What easier tax to pay? A father leaves a legacy to his children. When he leaves $10,000 the tax is 1 per cent from $10,000 up to $100,000; that is not a burdensome tax. From $100,000 to $500,000 he can afford to pay more, and this bill proposes to tax him 2 per cent. From $500,000 upward 3 per cent, and in the case of collaterals, in the case of a stranger the Government takes 5 per cent on all legacies exceeding $500.

A legacy of $500 would pay $25, and so on according to the size of the estate that is transferred by will or by the law in case of an intestate. It is a fair tax; it is a tax easily collected; and it is a tax that this class of people ought not to hesitate to contribute for the support of the Government and the protection of the law.

What other tax would you substitute in place of it? The committee looked around; they realized the difficulty of the States already having a tax law of this kind. They looked around for other sources of taxation to make up the twenty million more dollars that we deemed necessary to have for revenue. When we had gone over the whole field and considered the question of taxing deeds and mortgages and papers of that kind, when we looked over what was in sight, the committee determined that the inheritance tax was the best possible solution of the matter. In that we are in accord with the President of the United States and with the late President of the United States. We are in accord with the ideas of the legislatures of 33 States that this is a just tax.

Gentlemen say that it interferes with the State. Well, the States have a wider range of taxation than the Federal Government; they can tax all property in the State; they have other means of getting resources to run the government of the State.

We have had no direct tax in the State of New York for a number of years. There was a little measly tax because of a constitutional provision when we got in debt, as we did, $12,000,000; we had to raise enough money to pay interest on that debt. Aside from that, which is abrogated by a change in the constitution, we have had no direct tax for years on any property for state purposes.

Of course, for local purposes we have direct taxation, but state revenue comes from an inheritance tax, from an excise tax, and from a tax on the transfer of certificates in the stock exchange and otherwise in the State of New York. I heard a man complain bitterly the other day because he had to pay $2 a hundred shares for all stocks he dealt in. I believe that the seller has to pay that. He did not live in the State of New York, but because he bought and sold there he had to pay it. I did not sympathize with him; I was glad that the State got that much out of him in the transaction.

Mr. Chairman, that is all there is of it; we present it to the committee and to the House for what it is worth. We believe that it is the best method for collecting that amount of money. There are objections to it from certain quarters. Every man who thinks he is going to get an inheritance, every man who thinks that he will transmit his property at death, does not like the tax. Every fellow wants the other man to pay the tax, and every tax is unpopular with the man who comes within the purview of the tax, and so there is more or less unpopularity in certain quarters in reference to this taxation. But, after all, I do not believe there is, in the whole range of possibility, any tax by which you can raise $20,000,000 that will have less objection than this provision of this bill.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. PAYNE. I will yield to the gentleman.

Mr. CLARK of Missouri. I repeat the statement I have made several times, that I have not examined this, and I do not know whether I am for it or not, but I want to ask a question to clear up the situation and get the information.

My understanding is that the chief objection to an income tax has always been that it is an inquisitorial tax. Is not that it?

Mr. PAYNE. That and the perjury and fraud, both; yes.

Mr. CLARK of Missouri. Let me ask the gentleman this: Suppose there are no minor heirs to an estate and the estate is settled out of court, does not come into the probate court at all, is there not just as much premium upon perjury in that case in this inheritance-tax matter as there would be in the case of an income tax?

Mr. PAYNE. Well, not quite, because the estate is more visible than the income is, but there would be a chance for perjury and fraud in that case. But I want to call the attention of the gentleman to the fact that a very small percentage of estates are settled in that way, at least that is so in my own locality.

Mr. CLARK of Missouri. They do settle them that way everywhere—well, I do not know that I ought to say that, but I do know two things. The first one is that children are playing out in this country, and there are a whole lot of families that do not have any children in them; and there are no minor heirs, so in that case the estate is wound up outside of the court in Missouri.

I do not know how it is in other States. Then, there is another situation in which it is done—where all of the heirs are of age. If they have really any good sense, they get together without the intervention of the probate court, without having to pay the expenses of the probate court, and divide the estate out among themselves. If they can not do that, they get a good, honest lawyer to divide it among them.

A MEMBER. That is pretty difficult, is it not?

Mr. CLARK of Missouri. Oh, no; it is not difficult at all. Lawyers are as honest as any other class of men on earth. I know this to be the case; that in my own law practice I have parceled out a good many estates in that way.

A MEMBER. And I suppose the gentleman got his part of it.

Mr. CLARK of Missouri. Oh, I always got my part; rest assured of that. [Laughter.] And in one case I was mixed up in the man was comparatively rich, for that country. He had conveyed to each of his four children about $25,000 worth of real estate. When he got to be very old, he called three of his neighbors in and parceled out his personal estate among the four children, and the only thing that he reserved was one pony, and he wound up with the statement, or declaration, that he did not intend that the probate court or the "damned lawyers" should get any of his money.

That is precisely where he fell down, because there were more lawsuits about that estate than any other that was ever administered in my county. The lawyers got a big slice out of it. But the thing I am trying to inquire about is whether the inheritance tax, as opposed to the income tax, does away with the premium put on perjury by the winding up of estates?

Mr. PAYNE. Mr. Chairman, I want to say to the gentleman that in my own State, and I presume in his, if a man dies, not a share of the stock that he owns could be transferred without the appointment of an administrator or executor or proof of his will. No transfer could be made of a mortgage or other personal property he might hold unless it was done by his personal representative, either the administrator or the executor. So it results that there are very few cases in the State of New York that are settled up in the way the gentleman describes.

Mr. ALEXANDER of Missouri. The supreme court of Missouri has held, however, that where the heirs are of age the title may be transferred without the intervention of the probate court.

Mr. PAYNE. That is not so held in our State.

Mr. NORRIS. Will the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Nebraska.

Mr. NORRIS. Mr. Chairman, I would like to make a suggestion in regard to what both gentlemen from Missouri have stated. I want to make the suggestion that I think they have exaggerated the number of cases that would be settled out of court and thus avoid the provisions of the inheritance law, or at least make it possible to have any perjury, for the reason the cases that they suggest, even in Missouri, I take it, and in the other States, unless they went through the methods provided by law for the settlement of estates, at least the formality of it, they would not be able to convey among themselves a good title to any real estate——

Mr. PAYNE. This discussion is going a long way from the subject; that is rather collateral to anything that has been said——

Mr. NORRIS. Every State has a provision for the payment of debts——

Mr. PAYNE. I know, but we are getting a long way from the subject.

Now, Mr. Chairman, if I may be allowed to proceed for a moment——

Mr. MACON. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Arkansas?

Mr. PAYNE. Of course I yield to the gentleman from Arkansas.

Mr. MACON. Mr. Chairman, I did not think the gentleman had any personal feeling in the matter in not yielding to me a few moments ago, or I would not interrupt him now. My question was this: The gentleman has stated that one of the chief objections he had to an income tax was that it encouraged false swearing. I simply want to ask him the question and see if he can explain as to whether or not he thought that it would be more conducive to false swearing than the ordinary assessment law of the various States?

Mr. PAYNE. Well, I have already given that opinion, and I have no desire to go over that again——

Mr. MACON. But I would like for the gentleman to make a comparison whether he thinks one would be more conducive to false swearing than the other.

Mr. PAYNE. I have already gone into that, and I think my friend will have to excuse me. The gentleman from Missouri unconsciously made an argument in favor of an inheritance tax when he stated a few moments ago that the children were becoming scarce in this country, and I think that is lamentable, but a fact; hence there is less direct inheritance in line. It goes more to collateral, and it is all the more just that this inheritance should pay a tax, because it does not go directly to the children, and I think that is an argument in favor of the bill. I now yield to the gentleman from South Carolina.

Mr. FINLEY. Mr. Chairman, I wish to ask the gentleman from New York, the chairman of the committee, if he has made any study of the British or English inheritance tax laws?

Mr. PAYNE. I have not.

Mr. FINLEY. I will state to the gentleman, with his permission, that it has been decided there——

Mr. PAYNE. I want to say to the gentleman that I have not studied it, and I do not care much about it for the reason that I long ago made up my mind that it was unconstitutional. I believe it yet, and until that question is solved I do not believe I will ever take up any English or any other law——

Mr. FINLEY. This is an inheritance tax, not an income tax.

Mr. PAYNE. I thought the gentleman said income tax.

Mr. FINLEY. No; I referred to an inheritance tax.

Mr. PERKINS. If the gentleman will allow, I will say in answer to the gentleman from South Carolina [Mr. FINLEY]

that there is an inheritance tax in force in almost every civilized government of the world except this.

Mr. FINLEY. I wanted to ask the gentleman from New York [Mr. PAYNE] if he was familiar with the English law. It has been decided there recently in the English courts that a title may be parted with in the lifetime of the owner and the tax evaded. In other words, as I understand, before the tax can be collected, where there is a disposition in the lifetime of the holder it must be in the nature of a testamentary disposition.

Mr. PAYNE. Now, Mr. Chairman, I have discussed the main provisions of this bill from the enacting clause to the repealing clause. I thank the House for the patience with which they have listened to the discussion, and I want to thank the Members for their interest and for their inquiries.

Mr. GARNER of Texas. Will the gentleman yield just for a moment?

Mr. PAYNE. I am still under obligations to the House.

Mr. GARNER of Texas. I asked the chairman of the committee on yesterday whether or not the committee would have an opportunity to submit amendments on each paragraph in this bill? He declined to answer the question, but told me to content myself, and that a little later he would answer the question. Just before he takes his seat, I would like to know whether the committee will have an opportunity to submit amendments on each paragraph in the bill?

Mr. PAYNE. I want to say to the gentleman that I am more hazy about it now than I was on yesterday. [Laughter.] I have had the floor now for nine hours and twenty-five minutes, discussing this bill, and I do not know when we are ever going to get through with general debate at that rate. When we do get through, the question of how much time there will be for amendments to the bill will be discussed and settled by the majority vote of the House.

Mr. GARNER of Texas. Will the gentleman use his influence to secure an opportunity to offer amendments to each paragraph?

Mr. PAYNE. I will make no promises, Mr. Chairman, because I am anxious to get at the consideration of this bill and pass it through the House. The country is waiting for the action of Congress. Trade is waiting. The wheels of industry are silent until the action of Congress upon this bill. Men eager to work for a fair day's pay are looking anxiously for the passage of this bill. The business interests of this country and the business interests throughout the world are waiting for the action of this Congress. I want the bill passed at the first possible moment, and I believe that when it is passed and signed by the President of the United States it will accomplish the purpose which we have designed in framing it.

I believe it will open the ports of other countries. I believe it will give better trade relations the world over. I believe it will not stop the labor of a single hand. I believe it will start up industries throughout the United States. I believe that labor will be fully employed. I believe that good and blessing to the people of the United States will come from the passing of this bill, and my ambition and hope is that at the earliest possible moment the bill will go through the House and to the Senate, on its way to become a law. [Loud and long-continued applause on the Republican side.]

Mr. Chairman, if any of these gentlemen, now, who have been so anxious to speak about this bill, will occupy the remaining time until 5 o'clock, I think it will help the consideration of it. I hope some one will take the floor.

[Mr. CLARK of Missouri took the floor amidst applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I make the same request in regard to the gentleman from Missouri [Mr. CLARK] that I made in regard to the gentleman from New York [Mr. PAYNE], namely, that he may proceed until he concludes his remarks.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Missouri [Mr. CLARK] be given time to complete his remarks. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, it is a rather difficult task to make a speech to a weary audience. Of course, if I had my own choice about it, I would begin in the morning, but there is no man on this side of the House that I know of that desires to delay one minute unnecessarily the consideration and the passage of whatever bill the House concludes to pass. Of course, I understand perfectly well that if the Republicans agree on a bill that they have the men to pass it.

Mr. PAYNE. Mr. Chairman, I want to say to the gentleman from Missouri that I do not care to crowd on to-night, or anything of that kind, if he prefers to go on in the morning.

Mr. CLARK of Missouri. Anybody would prefer to make a speech in one piece, but I am not complaining about that at all.

Mr. PAYNE. If the gentleman will yield, I will move that the committee do now rise. [Applause.]

Mr. CLARK of Missouri. Very well.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DIEKEMA, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HUBBARD of West Virginia, by unanimous consent, obtained leave to withdraw from the files of the House without leaving copies the papers in the case of Henry C. Shepherd, Fifty-eighth Congress, no adverse report having been made thereon.

Also, the papers in the case of William E. Cornwell, Fifty-ninth Congress, no adverse report having been made thereon.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until 11 o'clock a. m. tomorrow.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HAMILTON: A bill (H. R. 3637) granting pensions to soldiers, sailors, and marines confined in confederate prisons—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 3638) for the relief of the State of Arkansas—to the Committee on War Claims.

Also, a bill (H. R. 3639) to amend section 2 of an act entitled "An act to regulate the practice in certain civil and criminal cases in the western district of Arkansas"—to the Committee on the Judiciary.

Also, a bill (H. R. 3640) to authorize the purchase of additional grounds to be used in connection with the national cemetery at Fayetteville, Ark.—to the Committee on Military Affairs.

Also, a bill (H. R. 3641) to prevent committeemen or referees of any political party from selling their indorsements for federal positions—to the Committee on the Judiciary.

By Mr. RODENBERG: A bill (H. R. 3642) to define the crime of kidnapping and provide punishment therefor in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURKE of South Dakota: A bill (H. R. 3643) to increase the limit of cost for the enlargement, extension, remodeling, and improvement of the federal building at Sioux Falls, S. Dak.—to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: A bill (H. R. 3644) providing for the raising and removal of the wreck of the United States battle ship *Maine*, in Habana Harbor, and have the remains found therein brought to Washington for interment in the national cemetery at Arlington, Va.—to the Committee on Naval Affairs.

By Mr. KENDALL: A bill (H. R. 3645) to regulate the trial of cases of contempt—to the Committee on the Judiciary.

By Mr. SULZER: A bill (H. R. 3646) to establish a department of labor—to the Committee on Labor.

By Mr. ESCH: A bill (H. R. 3647) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3648) for purchase of site for public building at Sparta, Wis.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3649) requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said commission—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3650) to promote the safety of travelers on railroads by compelling common carriers engaged in interstate commerce to strengthen the construction of day or passenger coaches, mail cars, chair, smoking, and combination cars and tourist sleepers, and for other purposes—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3651) to establish a fresh-water mussel hatchery on the banks of the Mississippi River, in the State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 3652) to promote the safety of employees and travelers upon railroads by requiring the use of the block system by common carriers engaged in interstate commerce, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: A bill (H. R. 3653) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes"—to the Committee on Insular Affairs.

By Mr. PARSONS: A bill (H. R. 3654) to establish in the Department of the Interior a bureau to be known as the children's bureau—to the Committee on Expenditures in the Interior Department.

By Mr. LOWDEN: A bill (H. R. 3655) to provide for the erection of a public building at Rochelle, in the State of Illinois—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3656) to provide for the purchase of a site and the erection of a public building thereon at Savanna, in the State of Illinois—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3657) to appropriate money to eradicate hog cholera—to the Committee on Agriculture.

Also, a bill (H. R. 3658) for preventing the manufacture, sale, or transportation of adulterated or misbranded fungicides, Paris greens, lead arsenates, and other insecticides, and for regulating traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3659) amending section 5 of an act entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," approved July 12, 1882—to the Committee on Banking and Currency.

By Mr. HOWELL of Utah: A bill (H. R. 3660) to extend the provisions of the act of June 27, 1902, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892"—to the Committee on Pensions.

Also, a bill (H. R. 3661) to establish a fish-cultural station in the State of Utah—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 3662) directing the Secretary of War to ascertain the amount of money expended by the Territory of Utah from 1865 to 1868, inclusive, and report the same to Congress for its consideration—to the Committee on Claims.

Also, a bill (H. R. 3663) pensioning the surviving officers and enlisted men of the Utah volunteers employed in the defense of the frontier settlements of the Territory of Utah against Indian depredations during the years from 1865 to 1868, inclusive, and for other purposes—to the Committee on Pensions.

Also, a bill (H. R. 3664) for the relief of persons who participated in the suppression of Indian hostilities in the Territory of Utah, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 3665) to aid the State of Utah to support a school of mines—to the Committee on Mines and Mining.

By Mr. GARDNER of New Jersey: A bill (H. R. 3666) providing for the appointment of a chaplain in the Life-Saving Service of the United States in the district including the coast of New Jersey—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3667) to enact the common law in so far as applied to commerce among the States—to the Committee on the Judiciary.

Also, a bill (H. R. 3668) to provide for the purchase of a site and the erection of a public building thereon at Millville, in the State of New Jersey—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3669) to grant pensions to certain soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, and to grant pensions to certain widows of such soldiers and sailors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3670) to extend to the port of Thompsons Point, in the district of Bridgeton, N. J., the privilege of immediate transportation without appraisement of dutiable merchandise—to the Committee on Ways and Means.

By Mr. HOUSTON: A bill (H. R. 3671) to establish a national military park at the battlefield of Stones River—to the Committee on Military Affairs.

Also, a bill (H. R. 3672) to provide for the purchase of a site and the erection of a public building thereon at Tullahoma, in the State of Tennessee—to the Committee on Public Buildings and Grounds.

By Mr. BARTHOLDT: A bill (H. R. 3673) to authorize the issuing of bonds for the improvement of the waterways—to the Committee on Ways and Means.

By Mr. STURGISS: A bill (H. R. 3674) creating a volunteer retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 3675) to authorize the erection of a monument at Fort Seybert, W. Va., to commemorate the capture and massacre of Captain Seybert and a number of men and women at that point and in the South Fork and South Branch valleys of the Potomac by the noted Indian chief Kill Buck and his band of Indian warriors in the year 1758—to the Committee on the Library.

Also, a bill (H. R. 3676) to establish a fish-cultural station in Tucker County, in the State of West Virginia—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 3677) to provide for the creation of a national highways commission, and for the construction, improvement, and maintenance of public highways, in cooperation with the several States—to the Committee on Agriculture.

By Mr. BURLEIGH: A bill (H. R. 3678) to regulate the movement and anchorage of vessels in Penobscot River, Maine—to the Committee on Interstate and foreign Commerce.

By Mr. SIMS: A bill (H. R. 3679) to amend an act entitled "An act for the widening of Benning road, and for other purposes," approved May 16, 1908—to the Committee on the District of Columbia.

By Mr. WILSON of Illinois: A bill (H. R. 3680) to regulate the hours of work of post-office clerks employed in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. CURRIER: A bill (H. R. 3681) to amend section 4920 of the Revised Statutes of the United States relating to patents—to the Committee on Patents.

Also, a bill (H. R. 3682) to amend section 4886 of the Revised Statutes relating to patents—to the Committee on Patents.

By Mr. CAPRON: A bill (H. R. 3683) to establish a fish-cultural station in the State of Rhode Island—to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: A bill (H. R. 4299) to provide for the erection of a new subtreasury building at San Francisco, Cal.—to the Committee on Public Buildings and Grounds.

By Mr. HUGHES of West Virginia: A bill (H. R. 4300) to provide for the erection of a public building at Beckley, W. Va.—to the Committee on Public Buildings and Grounds.

By Mr. SULZER: Joint resolution (H. J. Res. 32) proposing an amendment to the Constitution providing for the election of Senators of the United States by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. SHEPPARD: Joint resolution (H. J. Res. 33) requesting the President of the United States to renew negotiations with the Government of Russia to secure for American missionaries in Russia the same rights enjoyed by Russian missionaries in the United States—to the Committee on Foreign Affairs.

By Mr. FOSTER of Vermont: Joint resolution (H. J. Res. 34) for the relief of the firm of Fearon, Daniel & Co., of New York and Shanghai—to the Committee on Foreign Affairs.

By Mr. CLINE: Concurrent resolution (H. C. Res. 9) to provide for survey of a ship canal via Toledo, Ohio, and Fort Wayne, Ind., to Chicago, Ill.—to the Committee on Railways and Canals.

By Mr. GARDNER of New Jersey: Concurrent resolution (H. C. Res. 10) authorizing the printing of additional copies of the eleventh special report of the Commissioner of Labor—to the Committee on Printing.

Also, concurrent resolution (H. C. Res. 11) to print additional copies of the tenth special report of the Commissioner of Labor—to the Committee on Printing.

By Mr. ESCH: Resolution (H. Res. 44) authorizing Doorkeeper of the House of Representatives to provide files, etc.—to the Committee on Rules.

By Mr. POINDEXTER: Memorial of the legislature of Washington, recommending national elk preserve in Wyoming—to the Committee on the Public Lands.

By Mr. LINDBERGH: Memorial of the legislature of Minnesota, requesting the Federal Government to refrain from levying an inheritance tax—to the Committee on Ways and Means.

Also, memorial of the legislature of Minnesota, protesting against that feature of the denatured alcohol law requiring a fee of $20 to be paid for individual stills—to the Committee on Ways and Means.

Also, memorial of the legislature of Minnesota, urging the connection of the Great Lakes and the Mississippi River by canal—to the Committee on Railways and Canals.

Also memorial of the legislature of Minnesota, requesting appropriation for clearing the channel of the Minnesota River—to the Committee on Rivers and Harbors.

By Mr. COOPER of Wisconsin: Memorial of the legislature of Wisconsin, asking the United States Government to repair the levee on the north side of the Wisconsin River at Portage, Wis.—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 3684) granting a pension to Jane Patterson—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 3685) granting an increase of pension to Charles Russet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3686) to remove the charge of desertion on the rolls against officers and enlisted men of the Army, Navy, or Marine Corps—to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 3687) granting a pension to William A. Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3688) granting a pension to John W. Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3689) to remove the charge of desertion from the military record of John R. Ellis—to the Committee on Military Affairs.

Also, a bill (H. R. 3690) to remove the charge of desertion from the military record of Sanford F. Timmons—to the Committee on Military Affairs.

Also, a bill (H. R. 3691) granting a pension to William Z. Leitner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3692) granting a pension to Clara Weber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3693) granting an increase of pension to Ferry W. Shaffer—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 3694) for the allowance of certain claims under the Tucker and Bowman acts—to the Committee on War Claims.

By Mr. BARCLAY: A bill (H. R. 3695) granting an increase of pension to Frank T. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3696) granting an increase of pension to Henry E. Schredler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3697) granting an increase of pension to Andrew J. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3698) granting an increase of pension to William T. Sayler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3699) granting an increase of pension to Isaiah Coplin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3700) granting an increase of pension to George Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3701) granting an increase of pension to John W. Lucore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3702) granting an increase of pension to G. T. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3703) granting an increase of pension to John Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3704) granting a pension to Caroline M. Lucas—to the Committee on Pensions.

By Mr. BOEHNE: A bill (H. R. 3705) granting an increase of pension to George A. Rutter—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 3706) granting a pension to Daniel Lane—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 3707) granting an increase of pension to Peter Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3708) granting an increase of pension to Norwood Tobias—to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 3709) for the relief of J. W. Cain, Morde Fuller, Charles Van Buren, and H. C. Perry—to the Committee on Claims.

Also, a bill (H. R. 3710) for the relief of the heirs of John H. McCutchen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3711) granting a pension to Columba F. Mitchell—to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 3712) granting a pension to Susan M. Southworth—to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 3713) to provide for payment of the claims of the Augustinians, the Dominicans, the Recoletos, and the Franciscans, religious orders of the Roman Catholic Church in the Philippine Islands—to the Committee on Insular Affairs.

By Mr. CULLOP: A bill (H. R. 3714) granting an increase of pension to Samuel S. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3715) granting an increase of pension to Aaron Summers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3716) granting an increase of pension to William Connell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3717) granting a pension to James M. Vint—to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 3718) granting an increase of pension to Samuel Barnard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3719) granting an increase of pension to George C. Church—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3720) granting an increase of pension to William Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3721) granting an increase of pension to William A. Eddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3722) granting an increase of pension to Christian Voelker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3723) granting an increase of pension to Isaac W. Thorp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3724) granting an increase of pension to Charles D. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3725) granting an increase of pension to William Spatch—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 3726) granting an increase of pension to Charles O. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3727) granting an increase of pension to William Butcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3728) granting an increase of pension to Stephen T. Wade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3729) granting an increase of pension to William Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3730) granting an increase of pension to Matthias N. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3731) granting an increase of pension to Philena Kemery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3732) granting an increase of pension to Joseph Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3733) granting an increase of pension to Isaac R. Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3734) granting a pension to William Schaffer—to the Committee on Pensions.

Also, a bill (H. R. 3735) granting a pension to Maggie Derwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3736) granting a pension to Mary E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3737) granting a pension to Etta A. Craft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3738) granting a pension to Hattie Russell—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 3739) granting an increase of pension to Philip Lockwood—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 3740) granting an increase of Pension to Charles A. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3741) granting an increase of pension to William Tongue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3742) granting an increase of pension to Joseph Conlon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3743) granting an increase of pension to John S. Ferris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3744) granting an increase of pension to James F. Roody—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 3745) for the relief of W. F. Mitchell—to the Committee on Claims.

Also, a bill (H. R. 3746) for the relief of T. M. Rea—to the Committee on Claims.

By Mr. FOCHT: A bill (H. R. 3747) granting an increase of pension to Robert J. Bingaman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3748) granting an increase of pension to James K. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3749) granting an increase of pension to John Cluck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3750) granting an increase of pension to Michael H. Crouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3751) granting an increase of pension to John Donnchy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3752) granting an increase of pension to Jacob Erb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3753) granting an increase of pension to David Funk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3754) granting an increase of pension to William Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3755) granting an increase of pension to John C. Hamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3756) granting an increase of pension to Mary A. M. W. Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3757) granting an increase of pension to James Kirkwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3758) granting an increase of pension to Daniel Locke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3759) granting an increase of pension to Jacob Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3760) granting an increase of pension to William B. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3761) granting an increase of pension to Henry Loudenschlager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3762) granting an increase of pension to Catharine C. Loy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3763) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3764) granting an increase of pension to Pott Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3765) granting an increase of pension to William A. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3766) granting an increase of pension to Henry Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3767) granting an increase of pension to John Rourke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3768) granting an increase of pension to Henry H. Schrawder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3769) granting an increase of pension to Henry Sheaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3770) granting an increase of pension to Jacob S. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3771) granting an increase of pension to John C. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3772) granting an increase of pension to John A. Speck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3773) granting an increase of pension to James K. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3774) granting an increase of pension to David G. Stahl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3775) granting an increase of pension to Mary E. Vandling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3776) granting an increase of pension to George W. Vertz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3777) granting an increase of pension to George Wineland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3778) granting an increase of pension to Riley R. Zerbe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3779) granting an increase of pension to William Bair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3780) granting a pension to John D. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3781) granting a pension to Mary E. T. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3782) granting a pension to Carrie Booher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3783) granting a pension to Sadie Doan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3784) granting a pension to Sarah E. Hood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3785) granting a pension to Jacob H Howell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3786) granting a pension to Joseph W. Shirey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3787) granting a pension to Casper Wickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3788) for the relief of Henry Brant—to the Committee on War Claims.

Also, a bill (H. R. 3789) for the relief of George W. Clevenger—to the Committee on Military Affairs.

Also, a bill (H. R. 3790) for the relief of Michael Nave—to the Committee on Military Affairs.

Also, a bill (H. R. 3791) for the relief of Henry C. Wolfe—to the Committee on Military Affairs.

Also, a bill (H. R. 3792) for the relief of the legal representatives of George D. Herman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3793) for the relief of the legal representatives of William Findly Morrow—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 3794) granting an increase of pension to George W. Marston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3795) granting an increase of pension to Mantie Hills—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 3796) granting an increase of pension to J. Howard Willets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3797) granting an increase of pension to Theodore Ranigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3798) granting an increase of pension to Richard Gennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3799) granting an increase of pension to William H. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3800) granting an increase of pension to Thomas B. Coles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3801) granting an increase of pension to Edward G. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3802) granting an increase of pension to Daniel Brewster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3803) granting an increase of pension to Stephen H. Chew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3804) granting an increase of pension to Charles B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3805) granting an increase of pension to Stephen H. Chew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3806) granting an increase of pension to Frank T. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3807) granting an increase of pension to Frederick Burnwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3808) granting an increase of pension to Berdsall Cornell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3809) granting an increase of pension to Martin Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3810) granting an increase of pension to Thomas L. Forbis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3811) granting an increase of pension to David B. Husted—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3812) granting an increase of pension to George Laws—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3813) granting an increase of pension to James J. Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3814) granting an increase of pension to William Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3815) granting an increase of pension to Susan G. Maken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3816) granting an increase of pension to Michael O'Neill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3817) granting an increase of pension to Elizabeth Penn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3818) granting an increase of pension to Hamilton M. Roney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3819) granting an increase of pension to James M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3820) granting an increase of pension to Franklin Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3821) granting an increase of pension to Wilbur F. Vannote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3822) granting an increase of pension to Sarah S. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3823) granting an increase of pension to Adam Weaber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3824) granting an increase of pension to George L. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3825) granting a pension to Edward G. Brown—to the Committee on Pensions.

Also, a bill (H. R. 3826) granting a pension to Ellen Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3827) granting a pension to Patrick McClafferty—to the Committee on Pensions.

Also, a bill (H. R. 3828) granting a pension to Thomas S. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3829) granting a pension to Providence S. Ludlam—to the Committee on Pensions.

Also, a bill (H. R. 3830) granting a pension to David U. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3831) granting a pension to Mary J. Merwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3832) granting a pension to Jacob N. Wunder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3833) granting a pension to George W. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3834) to correct the military record of Daniel O'Sullivan—to the Committee on Military Affairs.

Also, a bill (H. R. 3835) to correct the military record of Bernard Rodgers—to the Committee on Military Affairs.

Also, a bill (H. R. 3836) to correct the military record of William H. Cornell—to the Committee on Military Affairs.

Also, a bill (H. R. 3837) to correct the military record of George Davidson—to the Committee on Military Affairs.

Also, a bill (H. R. 3838) to correct the military record of William S. Schenck—to the Committee on Military Affairs.

Also, a bill (H. R. 3839) to correct the military record of Robert T. Short—to the Committee on Naval Affairs.

Also, a bill (H. R. 3840) for the relief of Rear-Admiral John J. Read, U. S. Navy, retired—to the Committee on Claims.

Also, a bill (H. R. 3841) for the relief of the owners of the schooner *T. P. Leland*, or their legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 3842) for the relief of Allan L. Briggs—to the Committee on Claims.

Also, a bill (H. R. 3843) for the relief of Adolphus Yuncker—to the Committee on Military Affairs.

Also, a bill (H. R. 3844) for the relief of Anna M. Mershon, administratrix of Daniel S. Mershon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3845) to authorize the President of the United States to appoint Maj. Gen. Oliver O. Howard, retired, to be lieutenant-general, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 3846) to permit Eugene Boehm to prosecute an action against the United States Government in the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 3847) referring the claim of the legal representatives of William T. Duvall, deceased, against the United States to the Court of Claims—to the Committee on Claims.

By Mr. GILL of Missouri: A bill (H. R. 3848) granting an increase of pension to Nannie C. Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3849) granting an increase of pension to Daniel Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3850) granting a pension to Helen Hascall Woodward—to the Committee on Invalid Pensions.

By Mr. GRANT: A bill (H. R. 3851) granting a pension to Mary A. Hooper—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 3852) granting an increase of pension to George A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3853) granting an increase of pension to Howell H. Trask—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3854) granting an increase of pension to John S. Heald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3855) granting an increase of pension to Joseph P. Gass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3856) granting an increase of pension to Henry Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3857) granting an increase of pension to David S. Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3858) granting an increase of pension to Robert Count—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3859) granting an increase of pension to Albert B. Shirts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3860) granting an increase of pension to William Rowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3861) granting an increase of pension to Edward J. Disbrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3862) granting an increase of pension to Byron Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3863) granting an increase of pension to Ephriam B. Glass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3864) granting an increase of pension to George W. Edson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3865) granting an increase of pension to Charles E. Breithaupt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3866) granting an increase of pension to Marshall B. Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3867) granting an increase of pension to Randall C. Waterman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3868) granting an increase of pension to Levi Haus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3869) granting an increase of pension to George A. Sherburne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3870) granting an increase of pension to William G. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3871) granting an increase of pension to Jonathan Shook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3872) granting an increase of pension to John S. Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3873) granting an increase of pension to James S. Donahue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3874) granting an increase of pension to Samuel Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3875) granting an increase of pension to William H. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3876) granting an increase of pension to Elias J. Everett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3877) granting an increase of pension to George W. Amick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3878) granting an increase of pension to Samuel H. Maxam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3879) granting an increase of pension to Hiram Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3880) granting an increase of pension to Emma Greenfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3881) granting an increase of pension to Edward N. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3882) granting an increase of pension to Samuel Shoop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3883) granting an increase of pension to William Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3884) granting an increase of pension to John P. Rushmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3885) granting a pension to Emilia Granger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3886) granting a pension to Mary J. Ellsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3887) granting a pension to Nettie J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3888) granting a pension to Katie V. Kellogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3889) granting a pension to Mary M. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3890) granting a pension to Celina M. Bass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3891) granting a pension to David Kuney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3892) granting a pension to William Bills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3893) granting a pension to Wesley H. Crockett—to the Committee on Pensions.

Also, a bill (H. R. 3894) granting a pension to Mary A. Dawes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3895) granting a pension to Frank Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3896) granting a pension to Harlow S. Sherwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3897) granting a pension to Jenette Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3898) granting a pension to William McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3899) granting a pension to Benson W. Paddock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3900) granting a pension to Jane Innels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3901) granting a pension to William J. Feather—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3902) granting a pension to William H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3903) granting a pension to Ida Eubank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3904) granting a pension to Melita Latta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3905) granting a pension to Mary A. Alliger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3906) granting an increase of pension to Elmore Hardman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3907) granting a pension to Eliza Bracelin—to the Committee on Pensions.

Also, a bill (H. R. 3908) granting a pension to Albert C. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3909) granting a pension to Herbert L. Lemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3910) granting a pension to Esther Gard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3911) granting a pension to George W. Bannan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3912) granting a pension to Eliza A. Burger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3913) granting a pension to Roderick R. Ackley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3914) for the relief of Earl Hoisington—to the Committee on Military Affairs.

Also, a bill (H. R. 3915) for the relief of Joseph P. Binns, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 3916) for the relief of Charles Geisler—to the Committee on Military Affairs.

Also, a bill (H. R. 3917) for the relief of Richard Stines—to the Committee on Military Affairs.

Also, a bill (H. R. 3918) for the relief of Samuel Washburn, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 3919) for the relief of Hudson M. Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 3920) for the relief of George Davis—to the Committee on War Claims.

Also, a bill (H. R. 3921) for the relief of Warren Wright—to the Committee on Military Affairs.

Also, a bill (H. R. 3922) for the relief of Samuel Lenharr—to the Committee on Military Affairs.

Also, a bill (H. R. 3923) for the relief of Peter Gordon—to the Committee on Military Affairs.

Also, a bill (H. R. 3924) for the relief of the widow of Harrison S. Weeks—to the Committee on War Claims.

Also, a bill (H. R. 3925) for the relief of John Laberdy—to the Committee on Military Affairs.

Also, a bill (H. R. 3926) for the relief of Jacob Garner—to the Committee on Military Affairs.

Also, a bill (H. R. 3927) for the relief of Charles H. Lockwood—to the Committee on Military Affairs.

Also, a bill (H. R. 3928) for the relief of George H. White—to the Committee on Military Affairs.

Also, a bill (H. R. 3929) for the relief of John Reed, alias Michael Flannigan—to the Committee on Military Affairs.

Also, a bill (H. R. 3930) for the relief of John Lamb, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 3931) for the relief of Rev. George W. C. Smith—to the Committee on Claims.

Also, a bill (H. R. 3932) for the relief of Myron Powers—to the Committee on War Claims.

Also, a bill (H. R. 3933) for the relief of Joseph I. York—to the Committee on Military Affairs.

Also, a bill (H. R. 3934) for the relief of John Hahn—to the Committee on Military Affairs.

Also, a bill (H. R. 3935) for the relief of Thomas E. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 3936) granting relief to certain members of the Seventh Michigan Cavalry, war of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 3937) to carry into effect the findings of the Court of Claims in the matter of the claim of Thomas E. Streeter—to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 3938) granting a pension to W. K. Whittaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3939) granting a pension to R. H. Farrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3940) granting a pension to J. J. Gilliland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3941) granting a pension to Andrew J. Patten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3942) granting a pension to Thomas F. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3943) granting a pension to John B. Clements—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3944) granting a pension to Thomas B. Maberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3945) granting a pension to Joseph T. Kerby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3946) granting a pension to Mary Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3947) granting a pension to Mary A. Runyan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3948) granting a pension to James T. Calvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3949) granting a pension to J. H. Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3950) granting a pension to George W. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3951) granting a pension to Tim Clifford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3952) granting a pension to Mordecai Gladish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3953) granting a pension to Joseph L. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3954) granting a pension to James Gladish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3955) granting a pension to Paris G. Strickland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3956) granting a pension to Joseph Caton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3957) granting a pension to Richard L. Drumwright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3958) granting a pension to Leonidas H. Hightshoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3959) granting a pension to George W. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3960) granting a pension to Melissa R. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3961) granting a pension to James M. Wilkerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3962) granting a pension to John I. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3963) granting a pension to Ozias Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3964) granting a pension to James M. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3965) granting an increase of pension to Andrew M. York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3966) granting an increase of pension to Elbert Nugent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3967) to correct the military record of James J. Wallis—to the Committee on Military Affairs.

Also, a bill (H. R. 3968) for the relief of the widow and heirs of John A. Stephens, deceased—to the Committee on War Claims.

By Mr. HAWLEY: A bill (H. R. 3969) granting an increase of pension to John A. Freeman—to the Committee on Pensions.

Also, a bill (H. R. 3970) granting an increase of pension to Ephriam Boslar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3971) granting an increase of pension to William Allen King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3972) granting an increase of pension to James H. Doty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3973) granting an increase of pension to Mathew Dorman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3974) granting an increase of pension to O. H. Willard—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 3975) granting an increase of pension to Laura M. Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3976) granting an increase of pension to Oscar E. Hildebrand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3977) granting an increase of pension to John E. Drohan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3978) granting a pension to Eugene F. Chesbrough, alias Marvey Chase—to the Committee on Pensions.

Also, a bill (H. R. 3979) for the relief of Edward Fitch—to the Committee on Claims.

Also, a bill (H. R. 3980) granting an increase of pension to Eleanor H. Fletcher—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 3981) granting an increase of pension to William H. Colsher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3982) to remove the charge of desertion from the record of David F. Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 3983) for the relief of Joseph H. Thompson—to the Committee on Claims.

Also, a bill (H. R. 3984) for the relief of Joseph Thompson—to the Committee on War Claims.

Also, a bill (H. R. 3985) for the relief of W. J. Winsett—to the Committee on War Claims.

Also, a bill (H. R. 3986) for the relief of the estate of James D. Hays—to the Committee on War Claims.

Also, a bill (H. R. 3987) for the relief of the estate of James F. Phillips, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3988) for the relief of the estate of David Wise—to the Committee on War Claims.

Also, a bill (H. R. 3989) for the relief of the heirs of W. W. Summers—to the Committee on War Claims.

Also, a bill (H. R. 3990) for the relief of the heirs of Madison Turner—to the Committee on War Claims.

Also, a bill (H. R. 3991) for the relief of the heirs of William Bradshaw—to the Committee on War Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 3992) granting an increase of pension to Franklin D. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3993) granting an increase of pension to Adam Hinchman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3994) granting an increase of pension to George Lawhorn—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 3995) granting an increase of pension to Cyrus H. Keeley—to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 3996) granting a pension to William F. Slack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3997) granting an increase of pension to J. Enoch Bailey—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 3998) for the relief of John W. Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 3999) granting an increase of pension to John M. Wallace—to the Committee on Invalid Pensions.

By Mr. LASSITER: A bill (H. R. 4000) for the relief of Lettie Myers—to the Committee on War Claims.

Also, a bill (H. R. 4001) for the relief of Sallie R. Walton—to the Committee on War Claims.

Also, a bill (H. R. 4002) for the relief of W. H. Harrison—to the Committee on War Claims.

Also, a bill (H. R. 4003) for the relief of G. W. Browder—to the Committee on War Claims.

Also, a bill (H. R. 4004) for the relief of Pickrell & Brooks—to the Committee on War Claims.

Also, a bill (H. R. 4005) for the relief of George L. Watkins, Bettie A. Hamilton, Junius F. Watkins, Louisa J. Jones, and Lottie E. Kidd—to the Committee on War Claims.

Also, a bill (H. R. 4006) for the relief of the heirs of William Walton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4007) for the relief of the heirs of William Gee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4008) for the relief of the estate of John B. Ege, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4009) for the relief of the estate of Peter McEnery, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4010) for the relief of the estate of Richard Wiseman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4011) for the relief of the estate of David B. Tennant, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4012) for the relief of the estate of John J. Mitchell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4013) for the relief of the estate of Mary N. Cox, deceased—to the Committee on Claims.

Also, a bill (H. R. 4014) for the relief of the estate of R. A. Young—to the Committee on War Claims.

Also, a bill (H. R. 4015) to carry out the findings of the Court of Claims in the case of the trustees of Calvary Episcopal Church, Dinwiddie Court House, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4016) to carry out the findings of the Court of Claims in the case of the trustees of Oak Grove Methodist Episcopal Church, Reams Station, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4017) to carry out the findings of the Court of Claims in the case of Susan R. Jones, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 4018) to carry out the findings of the Court of Claims in the case of the wardens of Merchants Hope Protestant Episcopal Church, Prince George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4019) to carry out the findings of the Court of Claims in the case of the trustees of Smiths Grove Methodist Episcopal Church, Dinwiddie County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4020) to carry out the findings of the Court of Claims in the case of the trustees of the Methodist Episcopal Church of Garys, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4021) granting a pension to Loring L. Edwards—to the Committee on Pensions.

Also, a bill (H. R. 4022) granting a pension to John Eubanks—to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 4023) granting an increase of pension to William Unverzagt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4024) granting an increase of pension to James H. Casey—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 4025) granting an increase of pension to James J. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4026) granting an increase of pension to John J. Martin—to the Committee on Pensions.

Also, a bill (H. R. 4027) granting an increase of pension to Alex Mattison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4028) granting an increase of pension to Permelia A. Creed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4029) granting an increase of pension to Joseph Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4030) granting an increase of pension to Kate S. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4031) granting an increase of pension to Dora Raine Willcoxon—to the Committee on Pensions.

Also, a bill (H. R. 4032) granting an increase of pension to Robert H. Goodman—to the Committee on Pensions.

Also, a bill (H. R. 4033) granting an increase of pension to Alfred R. Bradeen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4034) granting an increase of pension to James Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4035) granting a pension to Minor L. Braden—to the Committee on Pensions.

Also, a bill (H. R. 4036) granting a pension to Benjamin Williams—to the Committee on Pensions.

Also, a bill (H. R. 4037) granting a pension to William Barrett—to the Committee on Pensions.

Also, a bill (H. R. 4038) granting a pension to Martha J. England—to the Committee on Pensions.

Also, a bill (H. R. 4039) granting a pension to Mary Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4040) granting a pension to Laura A. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4041) granting a pension to Charles S. Kinman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4042) granting a pension to Andrew Dine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4043) granting a pension to John J. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4044) granting a pension to Rachel E. Bean—to the Committee on Pensions.

Also, a bill (H. R. 4045) granting a pension to Louise Jane Belisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4046) granting a pension to Thomas F. Prendergast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4047) granting a pension to Titus B. Willard—to the Committee on Pensions.

Also, a bill (H. R. 4048) granting a pension to John Moncrief—to the Committee on Pensions.

By Mr. LOWDEN: A bill (H. R. 4049) granting an increase of pension to John Hatch—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 4050) granting an increase of pension to Royal J. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4051) granting an increase of pension to Charles H. Jeffers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4052) granting an increase of pension to Henry M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4053) granting an increase of pension to Amos Lake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4054) granting an increase of pension to Albyn L. Bellinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4055) granting an increase of pension to Martin Lacy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4056) granting a pension to Abraham Moggo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4057) to remove the charge of desertion from the record of Joseph Neveux—to the Committee on Military Affairs.

Also, a bill (H. R. 4058) to remove the charges of desertion from the record of John Winton—to the Committee on Military Affairs.

Also, a bill (H. R. 4059) to reimburse Leroy D. Simonds for money expended by him on homestead lands entered to him by error of United States land agent—to the Committee on Claims.

By Mr. McKINLEY of Illinois: A bill (H. R. 4060) granting a pension to John W. King—to the Committee on Pensions.

By Mr. WANGER: A bill (H. R. 4061) granting an increase of pension to Washington A. Bell—to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 4062) granting an increase of pension to W. M. Elliott—to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 4063) granting an increase of pension to Fred H. Cramer—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 4064) granting an increase of pension to Lucy W. Binford—to the Committee on Pensions.

Also, a bill (H. R. 4065) granting an increase of pension to Martha L. De Ryder—to the Committee on Naval Affairs.

Also, a bill (H. R. 4066) granting an increase of pension to William T. Roseberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4067) granting an increase of pension to Oliver M. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4068) granting an increase of pension to Elizabeth Whitty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4069) granting a pension to Nancy Taylor—to the Committee on Pensions.

Also, a bill (H. R. 4070) granting a pension to John Thomas Poyner—to the Committee on Pensions.

Also, a bill (H. R. 4071) granting a pension to Matilda G. Willingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4072) granting a pension to Anna P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4073) granting a pension to James J. Booth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4074) granting a pension to John C. Quinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4075) granting a pension to Mary A. Barraud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4076) granting a pension to John W. Davis—to the Committee on Pensions.

Also, a bill (H. R. 4077) granting a pension to Thomas Allen—to the Committee on Pensions.

Also, a bill (H. R. 4078) for the relief of Mary F. Land—to the Committee on War Claims.

Also, a bill (H. R. 4079) for the relief of Mary Cornick—to the Committee on Claims.

Also, a bill (H. R. 4080) for the relief of Alexander Perry—to the Committee on Claims.

Also, a bill (H. R. 4081) for the relief of James F. Carr—to the Committee on War Claims.

Also, a bill (H. R. 4082) for the relief of William Edward Bailey—to the Committee on Claims.

Also, a bill (H. R. 4083) for the relief of Robert H. Holland—to the Committee on War Claims.

Also, a bill (H. R. 4084) for the relief of Elise Trigg Shields—to the Committee on War Claims.

Also, a bill (H. R. 4085) for the relief of Benjamin P. Loyall—to the Committee on Naval Affairs.

Also, a bill (H. R. 4086) for the relief of Mrs. Margaret Thompson—to the Committee on Claims.

Also, a bill (H. R. 4087) for the relief of Charles Cox—to the Committee on War Claims.

Also, a bill (H. R. 4088) for the relief of E. J. Seeds—to the Committee on Claims.

Also, a bill (H. R. 4089) for the relief of Lieut. Commander Kenneth McAlpine—to the Committee on Naval Affairs.

Also, a bill (H. R. 4090) for the relief of Hudson Brothers, of Norfolk, Va.—to the Committee on Claims.

Also, a bill (H. R. 4091) for the relief of Thomas B. Miller, legal heir of Milton R. Muzzy—to the Committee on War Claims.

Also, a bill (H. R. 4092) for the relief of the legal representatives of Robert I. Walton, jr., and Etta Walton, deceased—to the Committee on Claims.

Also, a bill (H. R. 4093) for the relief of the owners of the American schooner *Wilson and Hunting* and cargo—to the Committee on Claims.

Also, a bill (H. R. 4094) for the relief of the heirs of Jesse Miller, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4095) for the relief of the heirs of Thomas G. Wright—to the Committee on War Claims.

Also, a bill (H. R. 4096) for the relief of the heirs of Samuel Tucker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4097) to carry out the findings of the Court of Claims in the case of the heirs of Lewis Ellison—to the Committee on War Claims.

Also, a bill (H. R. 4098) to permit Charles F. Dalby, of Norfolk County, Va., to enter suit in the United States Court of Claims for damages—to the Committee on Claims.

Also, a bill (H. R. 4099) to reinstate in the United States Navy on the retired list Henry Worthing Robie, of Portsmouth, Va.—to the Committee on Naval Affairs.

Also, a bill (H. R. 4100) making provision for a memorial to Matthew Fontaine Maury—to the Committee on the Library.

Also, a bill (H. R. 4101) to place Dr. Henry Smith on the retired list of the army—to the Committee on Military Affairs.

Also, a bill (H. R. 4102) providing for reference to the Court of Claims of the claim of Eli Alley's personal representatives for property and stores taken and destroyed by the federal authorities during the civil war—to the Committee on War Claims.

Also, a bill (H. R. 4103) providing for the promotion of Chief Boatswain Patrick Deery, U. S. Navy—to the Committee on Naval Affairs.

By Mr. NORRIS: A bill (H. R. 4104) granting an increase of pension to Arak C. Kimball—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 4105) granting an increase of pension to Levi E. Eames—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4106) granting an increase of pension to Samuel H. Crawley—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 4107) for the relief of the legal representatives of Samuel Schiffer—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 4108) granting a pension to Mattie L. Wade—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 4109) granting a pension to Henry Pullam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4110) granting a pension to Mary E. Moore—to the Committee on Pensions.

Also, a bill (H. R. 4111) granting a pension to William Fuller—to the Committee on Pensions.

Also, a bill (H. R. 4112) granting a pension to Nancy Shelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4113) granting a pension to Samuel Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4114) granting a pension to Levi P. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4115) granting a pension to Mary A. Precise—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4116) granting a pension to S. F. Kennamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4117) granting a pension to William M. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4118) granting a pension to Albert M. Geiger—to the Committee on Pensions.

Also, a bill (H. R. 4119) granting a pension to William T. Green—to the Committee on Pensions.

Also, a bill (H. R. 4120) granting a pension to Edith A. McCarteney—to the Committee on Pensions.

Also, a bill (H. R. 4121) granting a pension to Elizabeth McKinn Friar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4122) granting an increase of pension to Robert Barbee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4123) granting an increase of pension to Jonathan B. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4124) granting an increase of pension to Josiah Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4125) granting an increase of pension to Richard H. Smith—to the Committee on Pensions.

Also, a bill (H. R. 4126) granting an increase of pension to John G. McAllister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4127) granting an increase of pension to John W. Suits—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4128) granting an increase of pension to E. G. Falkner—to the Committee on Pensions.

Also, a bill (H. R. 4129) granting an increase of pension to William Carroll McKinney—to the Committee on Pensions.

Also, a bill (H. R. 4130) granting an increase of pension to John H. Hayes—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 4131) granting an increase of pension to Marcus M. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4132) granting an increase of pension to Frank B. Hitchcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4133) granting an increase of pension to Gustave Frey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4134) granting an increase of pension to William B. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4135) granting an increase of pension to David S. Dort—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4136) granting an increase of pension to Jerome Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4137) granting an increase of pension to Mathew Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4138) for the relief of the estate of Sarah B. Field—to the Committee on Claims.

Also, a bill (H. R. 4139) for the relief of the estate of Frances B. Elliott—to the Committee on Claims.

By Mr. STANLEY: A bill (H. R. 4140) for the relief of George W. Lackey, surviving partner of the firm of William Lackey & Sons—to the Committee on War Claims.

Also, a bill (H. R. 4141) for the relief of the estate of John M. Higgins, deceased—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 4142) granting an increase of pension to James R. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4143) granting an increase of pension to Hall Boynton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4144) granting an increase of pension to Benjamin F. Kinsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4145) granting a pension to Ralph G. Tanner—to the Committee on Pensions.

Also, a bill (H. R. 4146) granting an increase of pension to William H. Redmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4147) granting an increase of pension to Augustus M. Goodale—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 4148) granting an increase of pension to Eugene F. Skillington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4149) granting an increase of pension to Benjamin F. Clayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4150) for the relief of Charles Wright Geddes—to the Committee on Naval Affairs.

Also, a bill (H. R. 4151) for the relief of Edmund F. Jenkins—to the Committee on Military Affairs.

Also, a bill (H. R. 4152) for the relief of Thomas Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 4153) for the relief of Frederick See—to the Committee on Military Affairs.

Also, a bill (H. R. 4154) for the relief of the victims of the *General Slocum* disaster—to the Committee on Claims.

Also, a bill (H. R. 4155) to correct the military record of Hugh Reid and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4156) to appoint Warren C. Beach a captain in the army and place him on the retired list—to the Committee on Military Affairs.

By Mr. TAWNEY: A bill (H. R. 4157) granting an increase of pension to Gertrude Bentzoni—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4158) granting an increase of pension to William D. Hogan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4159) granting an increase of pension to B. H. Randall—to the Committee on Pensions.

Also, a bill (H. R. 4160) granting an increase of pension to George Aman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4161) granting an increase of pension to Osker Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4162) granting an increase of pension to Michael W. Weber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4163) granting an increase of pension to George Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4164) granting an increase of pension to James H. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4165) granting an increase of pension to Albert N. Fellers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4166) granting a pension to Annie M. Biggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4167) granting a pension to Mary Jane Brayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4168) granting a pension to Virginia Whytock—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 4169) granting an increase of pension to Martin Modle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4170) granting an increase of pension to Alonzo C. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4171) granting an increase of pension to Nathan C. Gunder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4172) granting an increase of pension to Isaac T. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4173) granting an increase of pension to Isaac B. Hughey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4174) granting an increase of pension to Thomas J. Kemper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4175) granting an increase of pension to Thomas Irey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4176) granting an increase of pension to Washington G. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4177) granting an increase of pension to Edward B. McMillan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4178) granting an increase of pension to Newton S. Haller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4179) granting an increase of pension to William Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4180) granting an increase of pension to John D. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4181) granting an increase of pension to George Albright—to the Committee on Pensions.

Also, a bill (H. R. 4182) granting an increase of pension to Nathan B. McGrew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4183) granting an increase of pension to Richard E. Welch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4184) granting an increase of pension to David L. Coffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4185) granting an increase of pension to Willard B. Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4186) granting an increase of pension to George W. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4187) granting an increase of pension to John W. Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4188) granting an increase of pension to James Baxter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4189) granting an increase of pension to James E. Winegardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4190) granting an increase of pension to Samuel Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4191) granting an increase of pension to William R. Milot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4192) granting an increase of pension to Asa L. Rees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4193) granting an increase of pension to John S. Windsor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4194) granting an increase of pension to Allen M. Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4195) granting an increase of pension to John L. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4196) granting an increase of pension to John Burkhart—to the Committee on Pensions.

Also, a bill (H. R. 4197) granting an increase of pension to John H. Wayne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4198) granting an increase of pension to Thomas S. Nutter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4199) granting an increase of pension to Jasper Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4200) granting an increase of pension to William Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4201) granting an increase of pension to Lucian L. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4202) granting an increase of pension to James Hamrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4203) granting an increase of pension to Noah T. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4204) granting an increase of pension to Cornelius Leport—to the Committe on Invalid Pensions.

Also, a bill (H. R. 4205) granting a pension to Kate Lackey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4206) granting a pension to Nancy Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4207) granting a pension to Anna L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4208) granting a pension to Aschah Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4209) granting a pension to Grace L. Finsterwald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4210) granting a pension to John H. Moore—to the Committee on Pensions.

Also, a bill (H. R. 4211) granting a pension to Charles McCollister—to the Committee on Pensions.

Also, a bill (H. R. 4212) granting a pension to George A. De Voe—to the Committee on Pensions.

Also, a bill (H. R. 4213) granting a pension to Winfield S. Hicks—to the Committee on Pensions.

Also, a bill (H. R. 4214) granting a pension to James M. Polsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4215) for the relief of Thomas Finley—to the Committee on Claims.

By Mr. THISTLEWOOD: A bill (H. R. 4216) granting an increase of pension to Anton Wolf—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 4217) for relief of heirs of Nancy Burfield—to the Committee on War Claims.

Also, a bill (H. R. 4218) for the relief of the heirs of Nancy Barfield, deceased—to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 4219) to remove the charge of desertion from the record of James S. Miller—to the Committee on Military Affairs.

By Mr. WILSON of Pennsylvania: A bill (H. R. 4220) granting an increase of pension to Abram Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4221) granting an increase of pension to John Koch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4222) granting an increase of pension to William E. Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4223) granting an increase of pension to Joseph Casson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4224) granting an increase of pension to Charles A. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4225) granting an increase of pension to Ashbell C. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4226) granting an increase of pension to Isaac A. Brosius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4227) granting an increase of pension to Isaac S. Duck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4228) granting an increase of pension to Ebenezer Mott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4229) granting an increase of pension to Robert Karstetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4230) granting an increase of pension to William W. Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4231) granting an increase of pension to John Sweeds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4232) granting an increase of pension to Israel Osman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4233) granting an increase of pension to Samuel Hoof—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4234) granting an increase of pension to Jennie K. Noll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4235) granting an increase of pension to Susan C. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4236) granting an increase of pension to James Soper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4237) granting an increase of pension to John Maneval—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4238) granting an increase of pension to John H. W. Lawrance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4239) granting an increase of pension to George W. Buckbee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4240) granting an increase of pension to Matthias Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4241) granting an increase of pension to Harry T. Peet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4242) granting an increase of pension to David Rorabaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4243) granting an increase of pension to John Abott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4244) granting an increase of pension to John A. Crissman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4245) granting an increase of pension to Philip Styers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4246) granting an increase of pension to Charles B. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4247) granting an increase of pension to William Willoughby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4248) granting an increase of pension to Thomas Metzgar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4249) granting an increase of pension to William L. Poust—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4250) granting an increase of pension to Dennis McGinnis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4251) granting an increase of pension to John T. Venatta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4252) granting an increase of pension to John W. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4253) granting an increase of pension to John A. Brimmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4254) granting an increase of pension to John Shroat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4255) granting an increase of pension to Ralph M. Musser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4256) granting an increase of pension to George S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4257) granting an increase of pension to Hiram L. Yoder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4258) granting an increase of pension to James A. Roche—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4259) granting an increase of pension to Hugh J. Magee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4260) granting an increase of pension to John S. Schuyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4261) granting an increase of pension to William H. H. McCowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4262) granting an increase of pension to Frederick R. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4263) granting an increase of pension to George W. Musto—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4264) granting an increase of pension to Joseph R. Duffield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4265) granting an increase of pension to David O'Brien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4266) granting an increase of pension to Eli Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4267) granting an increase of pension to James E. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4268) granting an increase of pension to Harriet M. Ritter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4269) granting an increase of pension to William Bessinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4270) granting an increase of pension to Peter Schaddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4271) granting an increase of pension to Leonard H. Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4272) granting an increase of pension to Cassius C. Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4273) granting an increase of pension to Silas T. Cleveland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4274) granting an increase of pension to George W. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4275) granting an increase of pension to Peter Dayton, alias William Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4276) granting an increase of pension to Charles W. Mecum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4277) granting an increase of pension to Gilbert H. Tremain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4278) granting an increase of pension to Andrew P. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4279) granting an increase of pension to Samuel Clary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4280) granting an increase of pension to Percey H. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4281) granting an increase of pension to George W. Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4282) granting an increase of pension to Jacob S. Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4283) granting an increase of pension to James H. Lockey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4284) granting an increase of pension to Augustus W. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4285) granting an increase of pension to John Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4286) granting an increase of pension to George Marker—to the Committee on Pensions.

Also, a bill (H. R. 4287) granting a pension to William Lammerhirt—to the Committee on Pensions.

Also, a bill (H. R. 4288) granting a pension to Julian Staddon—to the Committee on Pensions.

Also, a bill (H. R. 4289) granting a pension to Chauncey G. Tripp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4290) granting a pension to Martin V. Stanton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4291) for the relief of John L. O'Mara—to the Committee on Military Affairs.

Also, a bill (H. R. 4292) for the relief of William S. Rote—to the Committee on War Claims.

Also, a bill (H. R. 4293) to correct the military record of Joseph G. Young—to the Committee on Military Affairs.

Also, a bill (H. R. 4294) to correct the military record of C. W. Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 4295) to correct the military record of Dennis Haneen—to the Committee on Military Affairs.

Also, a bill (H. R. 4296) to correct the military record of George O. Pratt—to the Committee on Military Affairs.

Also, a bill (H. R. 4297) to correct the military record of Hiram B. Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 4298) restoring the name of Henry L. Beck to the army rolls as captain and providing that he then be placed on the retired list—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of J. M. Smucker, of Orrville, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William Z. Leitner—to the Committee on Invalid Pensions.

By Mr. BARTLETT of Georgia: Petition of A. Black, president of the Acme Brewing Company, of Macon, Ga., asking removal of the duty on Canadian barley—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Georgia, favoring retention of the present tariff duty on lumber—to the Committee on Ways and Means.

By Mr. BOEHNE: Petition of citizens of Boonville, Ind., against reduction of duty on barley—to the Committee on Ways and Means.

By Mr. CAPRON: Petition of trustees of the Providence (R. I.) Public Library, against increasing the duty on books and printed matter—to the Committee on Ways and Means.

Also, petition of the Hames Manufacturing Company, of East Providence, R. I., favoring retention of duty on sal soda—to the Committee on Ways and Means.

Also, petitions of Woman's Christian Union of Pawtucket; Ann Gordon Woman's Christian Temperance Union, of Providence; First Free Baptist Church of Providence, all in the State of Rhode Island, favoring bill regulating shipment of liquor into prohibition territory—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of Joseph Walker—to the Committee on Invalid Pensions.

Also, petitions of Alfred C. Schmidt, Annie A. Dillon, Thomas F. McGrath, Perry Smith, and James C. Davis, of Peace Dale; Newport Paper and Grocery Company, George W. Perry, James F. Dunbar, Joseph C. Condon, and R. T. Lennon, of Pawtucket, all in the State of Rhode Island, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Joseph C. Condon, George M. Perry, and James F. Dunbar, of Pawtucket, R. I., against duty on teas and coffee—to the Committee on Ways and Means.

Also, petition of Providence (R. I.) Brewing Company, for the removal of duty on Canadian barley—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petitions of Zincer & Debendorfer, of Monroe; M. Munson, of Blanchardville; Posler Illifrit, of Leslie; and Fred Blackbourn, of Dunbarton, all in the State of Wisconsin, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CURRIER: Petition of D. C. Hamlin and others, of Gorham, N. H., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Halbrook Grocery Company, of Woodsville, and George E. Halbrook & Co., of Keene, all in the State of New Hampshire, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ESCH: Paper to accompany bill for relief of Isaac R. Bryan—to the Committee on Invalid Pensions.

Also, petition of G. A. Dubois and others, against reduction of the duty on wood pulp—to the Committee on Ways and Means.

By Mr. FOSTER of Vermont: Petitions of W. C. Smith, R. C. Marchand, and Preston & Sons, of Fairhaven, Vt., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FULLER: Petition of C. G. Robertson, of Baltimore, Md., for reduction of duty on aluminum and alumina—to the Committee on Ways and Means.

Also, petition of the American Box Company, of Chicago, Ill., against reduction of tariff on lumber and its products—to the Committee on Ways and Means.

Also, petition of the legislature of the State of Illinois, against increase of duty on imported manufactured moving-picture films, etc.—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against increase of tariff on print paper—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Mrs. Mantie Hills—to the Committee on Invalid Pensions.

By Mr. HAMMOND: Concurrent resolution of the legislature of Minnesota, against a federal inheritance tax; also petitions of C. M. Newland and 15 others, of the second district of Minnesota, against a reduction on duty on barley; Northern Granite Manufacturers' Association, of St. Cloud, against reduction of duty on granite; Allyn Brothers, of Madison Lake, against duty on tea and coffee; and Olaf L. Peterson, of Fairmount; Allyn Brothers, of Madison Lake; F. T. Winkler, of Currie; and H. A. Alleman, of Mankato, all in the State of Minnesota, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of R. C. Schmid and 16 others, of Springfield, Minn., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of John D. Tidrick—to the Committee on Invalid Pensions.

Also, petition of R. B. Ullom, N. B. Mercer, W. D. Hobbs, W. H. Hobbs, Will E. Seal, and Fred Mantz, of Barnesville, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of G. W. Wilkins, of Hendrysburg, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HOWELL of Utah: Petition of citizens of Salt Lake City, Utah, against duty on coffee—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of William Hervey, of Des Moines, Iowa, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. KAHN: Petition of George W. Caswell and 30 prominent hotels, individuals, clubs, and restaurants of San Francisco, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. McKINNEY: Petition of Rock Island Lodge, No. 980, Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on the Public Lands.

By Mr. McKINLEY of Illinois: Petition of certain citizens of Rantoul, Ill., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Republican City and Holdridge, both in the State of Nebraska—to the Committee on Ways and Means.

By Mr. POINDEXTER: Petition of Mayview Farmers' Union, against the parcels post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SABATH: Petition of senators and representatives of the State of Illinois, against a duty on manufactured moving-picture films—to the Committee on Ways and Means.

By Mr. STEVENS of Minnesota: Petition of senate of the State of Minnesota, against a national inheritance tax—to the Committee on Ways and Means.

Also, petition of legislature of Minnesota, against the $20 tax on worms for individual stills in the manufacture of denatured alcohol—to the Committee on Ways and Means.

By Mr. STURGISS: Petition of National Commercial Company, of Martinsburg, W. Va., against duty on coffee or tea—to the Committee on Ways and Means.

By Mr. TOWNSEND: Petition of farmers of Michigan, favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petition of Thomas Mendenhall & Son, of Osgood, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. WANGER: Petitions of Albert K. Comly, of Philadelphia; Frank W. Calvert and W. W. Williamson, of Narberth, Montgomery County, all in the State of Pennsylvania, for the removal of the duty from raw and refined sugars—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 24, 1909.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

ADDITIONAL COPIES OF CONGRESSIONAL RECORD.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House concurrent resolution 12.

Resolved by the House of Representatives (the Senate concurring), That during the present session of Congress there shall be printed and allotted for distribution to each Member of the House of Representatives 40 copies and to each Senator 60 copies of the daily CONGRESSIONAL RECORD in addition to the number now provided by law, but no portion of said additional quota shall be reserved for binding.

The SPEAKER. Is there objection?

Mr. EDWARDS of Georgia. Reserving the right to object, I would like to ask what this is?

Mr. MANN. It provides that during this session of Congress 40 additional copies of the daily RECORD shall be allotted to Members of the House and 60 additional copies to Members of the Senate.

Mr. EDWARDS of Georgia. I withdraw the objection.

The question was taken, and the resolution was agreed to.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The question was put.

Mr. GARDNER of Massachusetts. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. Is it not necessary under paragraph 4 of Rule XXIV that the House first by a two-thirds vote dispense with proceedings under that rule before we can proceed to consider public business? It is the new rule.

The SPEAKER. The Chair will look at the rule. The recollection of the Chair is that it is necessary.

Mr. PAYNE. Mr. Speaker, there must be a calendar of that kind before it is necessary, it seems to me.

The SPEAKER. How is that?

Mr. PAYNE. There must be a calendar and bills upon that calendar which can be considered. However, I will ask unanimous consent——

The SPEAKER. The Chair thinks that is true. Let us look at that rule a minute.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent to dispense with that order to-day.

The SPEAKER. The Chair desires to refresh his recollection about the rule. The rule is:

On Wednesday of each week no business shall be in order except as provided by paragraph 4 of Rule XXIV, unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against.

The Clerk will report paragraph 4 of Rule XXIV.

The Clerk read as follows:

After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the last bill under consideration: *Provided*, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order to call up any other bill until the other committees have been called in their turn.

The SPEAKER. The Clerk will read the second part of the new rule.

The Clerk read as follows:

On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules; but bills called up from the Union Calendar shall be considered in Committee of the Whole House on the state of the Union.

This rule shall not apply during the last two weeks of the session.

It shall not be in order for the Speaker to entertain a motion for a recess on any Wednesday except during the last two weeks of the session.

The SPEAKER. In answering the parliamentary inquiry of the gentleman from Massachusetts the Chair must take notice not only of the rules but what there is for consideration under the rules, if anything. The Chair has inquired, and that inquiry, in the opinion of the Chair, has required him to state to the House that there are no bills on any calendar of the House, save alone the bill known as the "tariff bill," which bill would not be in order on a calendar Wednesday. In that condition, answering the parliamentary inquiry, in the opinion of the Chair, it is not necessary to move to dispense with calendar Wednesday.

Mr. GARDNER of Massachusetts. Will the Chair hear me only one minute?

The SPEAKER. With pleasure.

Mr. GARDNER of Massachusetts. The rule says, first, that no business shall be in order except what appears in the definite rule, to wit, the Rule XXIV for the call of committees. Now, then, this tariff bill is on the Union Calendar. If the committees were called and the Committee on Ways and Means were reached and they tried to call up the tariff bill it would not be permissible to go to the Union Calendar for that bill.

The SPEAKER. Correct.

Mr. GARDNER of Massachusetts. Therefore, it seems to me, Mr. Speaker, that it is quite within the bounds of possibility that whereas a majority of this House might wish to proceed with the tariff bill or the census bill, or any other bill that happened to be on the calendar not privileged, two-thirds of the House might not wish to do so. I have brought this up, not in any captious spirit, but because I can see possible situations arising where there is only one bill on the calendar and that bill a privileged bill, and yet where over one-third of the House did not wish to consider that bill. It seems to me that the rule is as plain as daylight. I simply say that, not that I care which way the Chair rules, but because I want the thing definitely settled. But before the Chair rules I should like to have him read the rule once more and see whether it does not in its express terms forbid the consideration of any business except such as comes in under that rule for the call of committees.

The SPEAKER. In answer to parliamentary inquiries, the Chair can only rule upon the present status, and state the opinion of the Chair upon it, without regard to any future question that might arise under the rule. The Chair states again——

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER. One moment. The Chair states again that there are no bills upon any calendar of the House save alone the tariff bill, and it would not be in order on calendar Wednesday to proceed to consider that bill at this stage. The Chair could conceive conditions where, there being no business to transact under the rules of the House on calendar Wednesday, after committees were called the regular order would perhaps naturally be taken up; and even to-day it might be that the committees on Ways and Means, Mileage, and Accounts might be called, they being the only committees that have been appointed.

But they have no business upon the calendars except as indicated. After all, in the consideration of the rules it must always be remembered that they must be construed together, and the Chair, as one Member of the House, must recollect that he must take notice of the condition of the calendars; and in the opinion of the Chair we must all recollect that "the letter killeth, but the spirit giveth life." [Applause.]

Mr. GARDNER of Massachusetts. Mr. Speaker, in order to crystallize the opinion of the Chair into a ruling, I make the point of order that the motion of the gentleman from New York [Mr. PAYNE] is not in order. I expect the Chair to overrule me at once, but I want to crystallize the opinion in the form of a ruling.

Mr. SIMS. In regard to the remark of the Chair about the letter and spirit controlling, I think it very proper; but does not the rule requiring two-thirds simply make all other business out of order except that provided, and is not the statement of the Chair in the nature of an argument for a vote of two-thirds rather than a reason for dispensing with it? Then, again, the gentleman from New York [Mr. FITZGERALD], who is the author of the amendment requiring the two-thirds vote to change rule as to calendar Wednesday, not being present, might not the Chair be mistaken as to the real intention of the gentleman from New York as to this rule; therefore had we not better have a vote?

The SPEAKER. There is much contention from time to time that the rules and their construction should be observed so as to satisfy misconceptions as to what the rules are; or in other words, to throw a tub to the whale, counting public sentiment and misrepresentation as the whale, rather than to construe the rules as they are, and from the standpoint of common sense and practicability. The Chair states again, if there was a bill on the calendar of any kind that could possibly be in order to-day, the Chair would refuse to entertain the motion of the gentleman from New York under the rule; but——

Mr. CURRIER. Mr. Speaker——

The SPEAKER. One moment. But the Chair again states that these committees might be called, and then it might be contended with equal strength and more plausibility that the House should twirl its fingers and thumbs one over the other for the remainder of the day unless two-thirds of the House concluded that they would do something rather than nothing, when there is nothing to do. [Laughter.] The Chair overrules the point of order.

The question is on the motion of the gentleman from New York [Mr. PAYNE].

The motion was agreed to.

THE TARIFF.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

Mr. CLARK of Missouri. Mr. Chairman, before I begin the remarks I have to make on the subject of the tariff, there are two or three preliminary statements I want to make which give me a great deal of pleasure. In the first place, Mr. Chairman, I want to congratulate you on the auspicious event that happened at your home within the last forty-eight hours. [Applause.] The coincidences in this life are sometimes quite amusing. Yesterday, toward the close of the speech of my distinguished friend Mr. Chairman PAYNE, I injected the remark that the production of babies in this country is playing out.

I have the very highest authority for making that statement—the distinguished hunter now on his way to Africa. [Laughter and applause.]

Mr. DE ARMOND. I would like to suggest a reason for that—because it is the spring and good weather. [Laughter.]

Mr. CLARK of Missouri. I accept the gentleman's suggestion. I regret to say, after a good deal of investigation and observation, that the particular branch of the Caucasian race to which most of us belong is dying out in the United States. Just after I sat down, after making that remark to Mr. Chairman PAYNE, Judge PALMER, of Pennsylvania, came over with a telegram announcing that a daughter had been born in the family of the gentleman presiding to-day [Mr. OLMSTED], on which I heartily congratulate him. [Applause.] He makes a most excellent presiding officer, and I have no doubt in the world that he is a most tender and excellent father. [Applause.]

In the second place, I wish to thank my distinguished friend from Illinois [Mr. MANN] for making the motion to let me proceed without limit. I really may get through quicker than I would if I proceeded on a limit. These are pleasant experiences here.

I also desire to congratulate the distinguished chairman of the Ways and Means Committee [Mr. PAYNE]. I do it from the bottom of my heart. He has now become a great historical personage. The history of the United States can not be written now and leave out the name of SERENO E. PAYNE, of New York. [Applause.] He takes his place in the company of Henry Clay, Robert J. Walker, Justin S. Morrill, William McKinley, William L. Wilson, and Nelson Dingley, as father of a great tariff bill, which must be referred to as long as men discuss the tariff in the United States, which, judging the future by the past, will be until Gabriel blows his trumpet. [Laughter and applause.]

There is another thing on which I congratulate the chairman of the Committee on Ways and Means, and I do it as honestly as I did the other, that during the course of these hearings, and by his nine and one-half hours' speech, he has knocked higher than a kite the idiotic theory of Doctor Osler. [Laughter.]

Be it understood that I am not complaining in any degree whatever because he spoke nine and a half hours; it was a superb vindication of his physical and mental strength, and under the circumstances of the case and the character of the speech he was making, explanatory and defensive, answering a good many questions from this side, and carrying on an extended debate with his political confrères on that side, I do not see how it could have been shorter; and what is more, I am not dead sure but that it was the wisest thing he could have done from a political standpoint, because a good many Republican gentlemen, having fired their shots, will not want to make speeches on the bill.

While I am making these preliminary statements, and I do not think I am wasting time in making them, I want to say a word about the Committee on Ways and Means. I say now that no 18 men—because there were only 18, Mr. Granger being sick with the disease which finally proved fatal to him—no 18 men, Democrats and Republicans both, in the history of this country ever did harder, more tedious, or more fatiguing work than the 18 members of the Ways and Means Committee did in these hearings. [Applause.]

Think of it! We began at half past 9 in the morning and worked until 1 o'clock, took an hour for lunch, then worked until 7 o'clock, taking an hour for dinner, as we call it in the city, and supper in the country, and worked until 11 and 12 o'clock at night; keyed up, on edge, tussling with intellectual men who had facts in their possession about the tariff which they were determined not to give up, while we were determined that they should stand and deliver.

The chairman of the Ways and Means Committee, the gentleman from New York [Mr. PAYNE], is nearly old enough to be my father. [Laughter.] I have always been credited with having an iron constitution, but I believe that he came out of that exhausting work fresher than I did, which was an absolute marvel to me.

Mr. REEDER. Mr. Chairman, will the gentleman permit a suggestion?

Mr. CLARK of Missouri. Certainly.

Mr. REEDER. I think it is generally conceded that the impression was that the gentleman from Missouri is the older of the two.

Mr. CLARK of Missouri. That may be, but that is a very wrong impression. I am in the flower of my years. One other thing about that committee. In my time I have done many things to earn a living, among them every species of farm work, clerking in a country store, teaching in all sorts of schools, from a log-cabin schoolhouse in Kentucky to the presidency of a college in West Virginia; editing a newspaper, and practicing law. For three days I was a sort of special deputy sheriff in Cincinnati, guarding a defaulter. I have tried a multitude of cases in court, including betwixt 1,000 and 2,000 criminal cases, ranging from murder and highway robbery to assault and battery and petty larceny; but nowhere, at no time, under no circumstances have I ever performed any other labor so exhaustive of nervous energy as I performed at these tariff hearings. I am not complaining. We simply did our duty; but I have no doubt that it shortened all our lives.

We not only worked like galley slaves while other people were taking their ease, but we tried to ascertain the truth. I will tell you how it worked—it is no violation of confidence, because it was done in public. For four or five days after these hearings began men came in there with such an insolent swagger and such an assumption of superiority that it was offensive to every man on the committee. They would read the Republican platform and declare that that meant revision to the sky, practically, and if you asked them a decent question you were liable to be insulted. The newspapers orated all around over the land that the committee bullyragged people, maltreated witnesses, and insulted them. That criticism was leveled more at the chairman and myself than anybody else, because we happened to have the strongest voices in the crowd; but I say now, in justification of it all, that while some witnesses were grilled, some were operated on with rapiers, and some were hit in the head with a big club, no witness received a harsh word in that committee unless he provoked it by his own action. They went out and growled about the chairman; they went out and cursed me. Well, I do not care anything about that. I did stick some of them as deep as I could. I did crack their heads with a maul, but I was justified in it and have no apologies to offer.

Of course it is extremely difficult under any circumstances whatever to discuss a tariff bill, and the trouble about it is that it is so immense—containing about 4,000 articles of everyday consumption. Nobody can blame people for wanting to take care of themselves. I will make a confession, and it is said that "an open confession is good for the soul." The study of the tariff has been the favorite study of my life. I have studied it much. I thought when these hearings began that I knew practically all about it. When we got through, I felt like Sir Isaac Newton said he felt after making those great scientific discoveries which placed his name at the top of the scanty list of the immortals—"like a boy walking upon the seashore, picking up shells." For the benefit of all concerned, as this debate in all human probability will run in one shape and another for a good while, and as you all ought to be posted on both sides, I will give you my opinion about certain documents. There are four great documents on the subject of the tariff which are invaluable, and you can get them all now. I intended to ask leave of Congress to print them as public documents, as they are out of print, but I find that Professor Taussig has reprinted them in a book, which is easy of access and which does not cost much.

The title of that book is State Papers and Speeches on the Tariff. The four documents that are absolutely invaluable—and there has been a vast amount of literature on the subject, thousands of speeches and hundreds of books—and without which a man can hardly be informed on the tariff question, are Alexander Hamilton's great report on manufactures in 1790; Robert J. Walker's great tariff report on his bill in 1845—and, by the way, he is the only man who ever had ingenuity enough to fasten his name onto a tariff bill, except a chairman of the Committee on Ways and Means; John Quincy Adams's great report in 1831, because any report which that remarkable man ever made is exhaustive; and Albert Gallatin's great free-trade memorial in 1832. Those are the documents that are invaluable. In addition there are four books which are almost invaluable—Professor Taussig's History of the Tariff in the United States; Professor Taussig's book, State Papers and Speeches on the Tariff; Franklin Pierce, on The Tariff and The Trusts, and a book printed by Cicero W. Harris, with the strange title, The Sectional Struggle. In addition to that I recommend to every man in this House to immediately lay hold of this book I have in my hands, Imports and Duties. I believe it was prepared by Mr. Evans, was it not, Mr. PAYNE?

Mr. PAYNE. By Mr. Evans.

Mr. CLARK of Missouri. Evans's book is the most illuminating volume ever printed on the subject of the tariff. It is a public document. It is strange to look at it and see how much arithmetic there is in it. Our report had to be brief, and we had to steer clear of details in it, simply because we did not have time to make the mathematical calculations, such as compose Mr. Evans's book.

Here is the chief difficulty about understanding the tariff. It is because nearly all of these rates are compound rates, specific and ad valorem; they are all mixed up, and to the average citizen—even to the intelligent average citizen—they are riddles.

Let us take a sample from the Dingley tariff bill by way of illustration. On chemicals valued above 35 cents per pound the compound rates are as follows: Specific, 15 cents per pound; ad valorem, 20 per cent. To the average reader that is precisely clear as mud.

An ad valorem duty is easy to understand. The only objection to an ad valorem duty that can be urged honestly is that it seems to be easier to swindle under it. If it were not for that feature of it, I would be against any specific duty whatsoever—certainly against all compound duties.

This is no time for an academic discussion of the tariff. Every tariff theory ever hatched in the brain of man has been discussed repeatedly in this country with thoroughness and splendid ability. Since John G. Carlisle made his first masterful tariff speech in the House, some thirty years ago, it is not much exaggeration to say that we have had a continuous tariff debate in this country—sometimes in general and sometimes in particular localities. Most of the men on the Committee on Ways and Means have participated here and elsewhere in the academic discussion of the subject, and it may well be doubted whether any member of the committee could make a better academic speech on the subject now than he has made in the past. So firmly am I convinced of this that I told Mr. Chairman PAYNE last Friday that, so far as I am concerned, I would cheerfully waive all general debate if we could be assured that we would have ample time for amendment and debate, under the five-minute rule, of the entire bill, section by section.

I now repeat what I said here last night that there is no Democrat I know of who wants to consume one hour unnecessarily in the discussion of this bill—not one. [Applause.] As tired as I was, because really it is a greater mental strain on the nervous system to sit and listen to a speech which you have to answer than to get up and make a speech—and I suspect that last night I was nearly as weary as the chairman of Committee on Ways and Means—I would have been perfectly willing even under those circumstances to go on in order to expedite matters.

While the minority members of the committee have no desire whatever to waste one moment, we do desire a thorough consideration of the bill and a chance to amend it wherever we think it would be improved by amendment, and my judgment is that it could be greatly improved by amendment in many respects.

The tariff is a tax. The tariff is a tax paid by the consumer. Nobody with any reputation for veracity or intelligence to lose will deny either of these two propositions. If he does deny them, he will be confounded by the evidence of high-protective advocates contained in the hearings before the Committee on Ways and Means, which hearings are made up almost exclusively of the evidence of such advocates. Most of the witnesses wanted an increase of the Dingley rates or wanted those held in statu quo. It seems from an examination of the hearings on the tariff bills of the past that the witnesses were usually the beneficiaries of the tariff, struggling to keep what they had and to secure any increase they could. Only a few manufacturers asked for a reduction of rates on articles which they manufactured. One admitted that the tariff on tin plate should be reduced from 1½ cents per pound to 1 cent per pound, and Mr. Claus Spreckels, one of the largest independent refiners, said that the tariff on all sugars should be removed. Mr. Miles advocated reductions.

The Massachusetts boot and shoe men were all for free hides and said that if they could not secure that great boon for themselves any other way they were willing to have leather and all products of leather put on the free list. When that declaration was made almost every member of the committee gave a sigh of relief, thinking that one knotty problem had been solved. Individually I publicly and heartily complimented the gentleman who said that as a candid, intelligent, and patriotic citizen. But within a fortnight he returned and took back all he had said about taking the tariff off leather and the products of leather, but he stuck to free hides for dear life. I think almost every member of the committee felt the disgust which I voiced by withdrawing my previous compliment as publicly as I had bestowed it. The modern reading of the old saying, "Put not your faith in princes," should be "Put not your faith in Massachusetts Republican manufacturers of shoes."

I am not complaining about the nonappearance before the committee of what the gentleman from Illinois [Mr. BOUTELL] felicitously denominates "the ultimate consumer." The reasons why he did not appear are: (1) In the beginning the public looked upon the hearings as a stupendous confidence game; (2) while that feeling wore off to some extent after Mr. Chairman PAYNE publicly extended an invitation to all who had opinions to express to come forward, scarcely one representative of the great body of ultimate consumers appeared, because each one felt that the possibility of having his tariff burden substantially reduced were so remote that he did not think it worth traveling expenses, hotel bills, neglect of business, and loss of time. That applies to the fairly well-to-do ultimate consumer. It goes without saying that millions of ultimate consumers had not the wherewithal to foot the bills for a trip to Washington, and other millions who could scrape together the expense money could not afford to use it in that way, so that the ultimate consumer really speaks in these hearings only through questions propounded by members of the committee in an honest endeavor to ascertain the truth. Most of the cross firing among witnesses was where one set of protected manufacturers fell afoul of another, growing out of two facts: (1) That the tariff pie was not evenly distributed and each one wanted the biggest piece. Not more than half a dozen of them suggested that things be evened up by reducing their own tariff, but almost every one that saw anybody else more highly protected than himself wanted the leveling process to consist of raising his tariff to the maximum; (2) that what is one man's finished product is another man's raw material, which produced clashes among some of the protected classes. For instance, neither Richard Cobden, Sir Robert Peel, John Bright, Henry George, nor Tom Johnson could yell more lustily for free trade on raw materials than the New England Republican tariff reformers, while, on the other hand, neither Benjamin Disraeli, Horace Greeley, Henry C. Cary, "Pig Iron" Kelley, Joseph Chamberlain, nor the gentleman from Michigan [Mr. FORDNEY] could yell louder for a prohibitive tariff on their manufactured products.

The situation in which the Ways and Means Committee found itself was unprecedented. Both parties claimed in platforms, in the public press, and on the stump during the late canvass to be in favor of reducing the tariff rates of the Dingley bill. Of course the Republican platform was equivocal and might be construed to mean either revision up or revision down. Judge Taft in his speeches construed it to mean revision down; but nevertheless many benighted Republicans did not believe he was candid, for they boldly came before the committee after the election asserting that the platform declared in favor of raising the tariff rates, and that they were here to demand their pound of flesh. It is no part of my duty to defend standpatters, but as their platform was equivocal I submit that they had as much right and as great a license to construe it to mean revision up as the President had to construe it to mean revision down. In fact, during the campaign it was conveniently construed one way in one portion of the country and the other way in another, owing to the exigencies of the occasion.

But as most of the Republican members of the committee came at last to construe it into revision downward, and as the Democratic members so construed it, the statement is true that both the majority and minority members, always excepting the gentleman from Michigan [Mr. FORDNEY], were more or less in favor of a downward revision, with many differences, of course, as to how far downward we should go in the revision. That being the case, the part of wisdom and of patriotism would have been for all the members to have collaborated in the work of preparing the bill after the hearings closed. We are all American citizens, equally interested in the prosperity, glory, and happiness of a mighty people. Not one of us had the slightest desire to injure in any way or to any extent whatsoever any legitimate American industry. He would be an idiot if he did.

In addition to the peculiar coincidence of both parties being under orders to revise the tariff downward, we all were stared in the face by a large and increasing deficiency in the revenues, a deficiency which the gentleman from Minnesota [Mr. TAWNEY], chairman of the great Committee on Appropriations in the last two Congresses, and no doubt destined for that high position in this Congress, has declared might reach $150,000,000 at the close of the fiscal year ending June 30, 1909. That is the sad predicament to which the much-vaunted Dingley bill has brought us. There are only three ways known among men by which a deficiency may be cured: (1) Cut down expenses, (2) increase taxes, and (3) issue bonds. Really the issue of bonds is no remedy at all. That simply postpones the evil day, for they must be paid, principal and interest, at last. Taxes should never be increased where it is possible to avoid it. Cutting down appropriations, where it can be done without stinting the Government in any of its proper functions, is the most proper remedy for a deficiency; but our Republican brethren seem utterly incapable of cutting down appropriations. We favor that remedy on the old Jeffersonian principle of "Economy in the public expense that labor may be lightly burdened." So, as the Republicans can not economize and as they are in the majority, the Committee on Ways and Means was under compulsion to somehow increase the revenues by about $150,000,000 per annum. Now, taking the whole situation into account,

when the tariff hearings closed, the wise and patriotic thing for the Republican members to have done would have been to invite the Democrats to join in preparing the bill. I feel absolutely certain that I am right about that. We would gladly have aided them in their investigations, meditations, and conclusions. We are all American citizens. We are interested in the public weal fully as much as they are. This is our country as much as theirs. It is the country—God be praised!—where our children and our children's children will dwell with their descendants to the last syllable of recorded time.

In such joint work no man could have gotten into the bill or out of it all that he desired. I will go bond for the proposition that no reputable man, not even Mr. Chairman PAYNE, will stand up in the light of day and assert that this bill contains everything he desired or that it does not contain certain undesirable things. There was no danger of our outvoting them, for they had 12 members to our 6, our seventh Democratic member, Mr. Granger, of Rhode Island, being absent by reason of the sickness of which he died. But we might by mutual concessions have agreed on all the items, or at least a large part of them, for let it not be forgotten that the tariff bill of 1857 was passed by the consent of all parties and practically without opposition. Had we agreed in whole, or even in part, it would have greatly expedited the passage of the bill, thereby shortening the business suspense now pervading the land.

But the idea of collaboration did not appeal to our brethren. On the contrary, they concluded to segregate themselves and to go it alone—as they had a perfect right to do—but I can not refrain from philosophizing a little on what might have been, and perhaps before the moon waxes and wanes again others will philosophize about it also. After nearly three months of hard labor, for I know it was hard, exhausting labor, they introduced their bill into the House shortly after 12 o'clock noon on Wednesday, March 17, up to which time no Democratic member had set eyes on it or had the remotest idea of what it contained except by merest guesswork. At noon Thursday, March 18, the whole committee, Democrats and Republicans, were called together and, in precisely twelve minutes, without a moment's discussion and without even reading the title, it was reported back to the House just as it was introduced by Mr. Chairman PAYNE the day before.

If a prolonged debate ensues, if the business agony is continued for weeks or even months, it is well to remember that the blame should rest upon the Republican members of the committee and not upon the Democratic members.

The Payne bill contains divers things which should have been omitted and omits divers things which it should have contained. As confessedly its chief purpose is to increase the revenues, it would appear to have been the part of wisdom to have made both the increases and the decreases in rates to that end, and to that end alone. There is absolutely no question of free trade involved in this revision. It is, or should be, wholly a question of raising a certain amount of revenue from customs duties in a manner the most equitable which the combined wisdom and patriotism of Congress could devise.

In the present posture of affairs every approximately prohibitive rate ought to be cut to a revenue basis. There are many of them in the Dingley bill, a large portion of which are retained in the Payne bill. For example, in the Dingley bill the rate on steel rails is $7.84 per ton, which everybody knows is practically prohibitive. The Payne bill cuts that rate in two, in the middle, and its authors can say: "Behold, we are genuine tariff reformers. See how much we reduced the tariff on steel rails!" But the truth is that in practice the Payne rate of $3.92 per ton on steel rails will prove just as prohibitive as the Dingley rate of $7.84. The greatest ironmaster that ever lived, who made more money out of iron and steel than any other of the multitudinous sons of Adam, Andrew Carnegie, speaking as a protectionist—as a protectionist, mark you—says that there is no tariff needed on steel rails, even from a protectionist's view point, and on the steel-rail question I pin my faith to the "Laird of Skibo."

Every man has a theory as to how tariff bills should be built, and yet nobody ever has adhered strictly to a theory in framing one, and what is more, nobody ever will.

A purely revenue tariff is one levied on articles which we do not produce at all; but even Robert J. Walker, who was an exceedingly able and brilliant man, the chief proponent of a tariff for revenue in America, in preparing his tariff bill did not stick to his own theory absolutely, for he put coffee and tea on the free list. That is my recollection about it. Many makers of tariff bills are high protectionists, yet they place good revenue producers on the free list. Even the framers of the Payne bill do that, just as their predecessors did in the McKinley and Dingley bills. If I had carte blanche to make a tariff bill, and there was not any tariff bill on the statute books at all, and I was confronted with the necessity of raising $250,000,000 out of a tariff, I would get up a revenue bill scientific in every respect. But habit has something to do with it. People get used to a thing and they prefer it that way. Men quarrel about a revenue tariff and a protective tariff frequently when the quarrel really is a disagreement about terms. One man will say that he is in favor of a protective tariff, and perhaps he does not know anything about what he is talking about; and another man will say, "No; I am not in favor of a protective tariff; I am in favor of a revenue tariff;" and perhaps he, too, does not know anything about what he is talking about.

I will tell you the truth about revenue tariff and protective tariff very briefly. Up to a certain point on any article that is made in the United States, as well as abroad, a tariff rate is both a revenue rate and a protective rate, and no human being ever had or can have the ingenuity to separate them. It is an impossibility in nature. For instance, I might say that I am in favor of putting a 25-cent rate on a certain article for the purposes of revenue, and my friend from Michigan [Mr. FORDNEY] might say that he is in favor of putting a 25-cent rate on the same thing as protection. The upshot of it would be that I would get my revenue and the gentleman from Michigan would get his protection, whether I wanted him to have it or not.

Revenue rates and protection rates run side by side up to the point where the tariff rate begins to be prohibitive in its nature; then I go down one pathway and the gentleman from Michigan goes down another.

Of course I am not the official adviser of the Republican party. It may be very unfortunate that I am not, but I am not. [Laughter.] I believe that the Republicans made two tactical mistakes about the tariff very lately.

I know and you know, and there is no concealment about that, that about two-thirds of all the Republicans are in favor of a prohibitive tariff. They are very close to it, anyway. About one-third of them are tariff reformers down, varying all the way from somebody that would agree with me in the Republican party to a man that would come mighty near agreeing with the gentleman from Michigan. "One star differeth from another in glory," so with advocates of tariff reform.

Here are the Republican tactical mistakes. The chairman of the Ways and Means Committee let us scare him last year into making on the floor of this House in the last Congress the declaration that he did make—that he violated no confidence in saying that they were going to revise the tariff and that he was in favor of a maximum and a minimun. I say that we absolutely scared him into it.

The second mistake, tactically, that the Republicans made was putting those two propositions into their platform. They put them in there because we had scared them out of their wits. The reason that I say that they made tactical mistakes is that I believe recent events show you could have beaten us anyhow at the general election. [Laughter.] I will tell you what would have done it: The immense and widespread popularity of Theodore Roosevelt. [Applause.] I never had any delusions about that man and about his influence. But he has gone. Some of you Republicans wish he would never come back. [Laughter and applause.] All that I regret is that he left at all [applause], because if he had stayed here, you would have been in such a row in less than ninety days that you would not have known whether you were Republicans or Democrats. [Laughter.]

The historian of our times will record as Mr. Roosevelt's highest honor that he refused a third term when he had it in his grasp. These hints are made in the friendliest way.

I stated what happened the first five or six days in that committee. But after we commenced swatting these witnesses we did swat them, and several Republican members of the Ways and Means Committee came over and helped us. I want to be fair. The chairman of the Ways and Means Committee knows more about the tariff schedules than any man on top of the ground. [Applause on the Republican side.] I think his conclusions are frequently erroneous; his theory bad; but he knows more about exports and imports, and he knows more about what the tariff rates have been, and I sat here yesterday and listened to him saying that he had been here twenty years making tariff bills on this committee. Good heavens! What a set of lies that man must have heard in those twenty years! [Laughter.] If he would make himself up an Ananias Club [laughter] from the witnesses that he has heard testify on the subject of the tariff as to four great tariff bills, no building in the United States, not even the great convention hall in Kansas City, would hold them. [Laughter.]

When they commenced the hearings, men came in here and, in

order to make out a case to get another grab, would commence lying as to the imports and as to what the general production was. Every time a man did that, he rubbed the hair the wrong way on the hide of the chairman, and he went after him without gloves, and he roared at him like a Numidian lion. [Laughter.]

One other word about the chairman that I did not say at the place I wanted to say it. I advise all new Members here, on both sides, that he is not as bad tempered a man as he seems to be. [Laughter and applause.] I thought for several years he was one of the worst-tempered men I ever knew; and to be perfectly plain about it, I made up my mind that if I ever got him into exactly the right situation I proposed to go after him in the most approved style I could command. [Laughter.] After I had been put on the Ways and Means Committee, however, I had been up in New England lecturing, and when I got into the car in New York the gentleman from New York [Mr. PAYNE] was there, and he talked to me all the way down to Washington. He did most of the talking, and I was glad he did. No man ever treated me more kindly and there is no kinder-hearted man in the world than he. [Applause.] By the way, he is one of the best story tellers in Washington. [Laughter.] I never had a more delightful four or five hours, because it was a stream of reminiscences of William M. Evarts, Roscoe Conkling, Governor Morgan, Horace Greeley, William H. Seward, Thurlow Weed, and other great worthies whom he knew in his youth. Some would think he was a regular fire eater from the headwaters of Bitter Creek. [Laughter.] But he can hardly make me mad by sawing me off at the knees, as he frequently has, because I know him. [Laughter.] My judgment is that if he was provoked, he would saw the Twelve Apostles off at the knees. I say this much to clear up the ill feeling there has been.

Now, every Republican on that committee I can say this much truthfully of, and that is, that they helped us out in the direction of asking questions looking to lowering the tariff, except the gentleman from Michigan [Mr. FORDNEY]. [Laughter.] They did it in varying degrees. My friend from Pennsylvania [Mr. DALZELL] took precious little interest in that kind of thing. [Laughter.] The gentleman from West Virginia [Mr. GAINES], I think, was second in rank as to being a stand-patter with the gentleman from Michigan, but Mr. HILL of Connecticut, Mr. MCCALL of Massachusetts, Mr. CRUMPACKER, Mr. LONGWORTH, and Judge CALDERHEAD, when you would keep off hides and wools [laughter], and nearly all the rest helped us some. That much ought to be said in truth. It did not make any difference what they were trying to get, whether they were in favor of a high tariff or getting it higher, the gentleman from Michigan helped them out. I take off my hat to him. [Laughter.] There is no concealment about him. He was always on hand with "first aids to the wounded." [Laughter.] Whenever we pounded one of these prohibitive tariff advocates into a hole, the gentleman from Michigan immediately set about prizing him out, on the theory, no doubt, that every man has the right to prize his own ox out of a ditch and every man has the right to take care of his own donkey. [Laughter.] As a fighter he beats the game cock. [Laughter.] Neither Leonidas at the pass nor Horatius at the bridge is a marker to him. [Laughter.] The only counterpart for him was that glorious band which ascended to immortal glory from the Alamo. If consistency is a virtue, my brother FORDNEY is the most virtuous of men, for he never lowered his crest or furled his colors.

If the gentleman from Michigan had the great privilege of writing a tariff bill, it would be short if not sweet. It would contain just one sentence and be this: "Where any article can be produced in the United States, its like shall not be imported into the United States." [Great laughter.]

President Taft had declared in favor of a revision of the tariff downward. Your platform, while it was equivocal, as was the chairman's statement here last year, was construed in agricultural districts to mean a tariff revision downward, and the truth is the Republican party played both ends against the middle in that campaign, a remark that some of you can understand. [Laughter.]

The Globe-Democrat and the Kansas City Star, great Republican papers, day after day and week after week, said: "Why, there is no difference between the Democrats and the Republicans on the tariff question. Both sides want it revised down, so what is the use in quarreling about that?"

Here is the thing that surprises me most about this bill: Judging from the hearings—and it will be very illuminating for any man to read those hearings—judging from the hearings, especially in the last days of them, I believed that they would bring in a tariff bill that would revise downward sure enough, but they did not do it.

The most easily understood portion of this bill is the authorization to issue $250,000,000 of 3 per cent bonds during any one year, to run for one year. That process can be kept up perpetually, which means really a permanent increase of the bonded debt by $250,000,000. This in a time of profound peace. The framers of the Payne bill do not use the unpopular word "bond;" they use the more euphonious word "certificate." But they are precisely the same. This bond provision proves beyond doubt that the Republican managers do not believe this bill will produce sufficient revenues and are fixing to issue bonds to supply the deficiency.

I want to read you just one fact to begin with. Here is a government publication stating the estimated revenues. It seemed to me that the chairman of the committee got mad at somebody in one of the days of his speech, because somebody called his attention to a fact stated on the last page of this document. Now, recollect that this is prepared by William W. Evans, assistant clerk, with the assistance of government experts. They figured it out that the average rates under the Dingley bill are 44.16 per cent, while under the Payne bill—and I am afraid that the gentleman from New York [Mr. PAYNE] has attained "the bad eminence," to use Milton's phrase, of introducing into the House the very worst tariff bill that ever was introduced into it—the average rates are 45.72 per cent; that is, on an average 1.56 per cent worse than the Dingley bill. Now, this is a government publication. I want to restate the figures, so that you can carry them in your head until your dying day. The average rates on the Dingley bill, about which people were complaining and from which they wanted relief, were 44.16 per cent, and the average rates under the Payne bill are 45.72 per cent, making the average rates of the Payne bill 1.56 per cent higher than the average rates of the Dingley bill. That one fact alone is enough to damn the Payne bill.

No amount of bad temper, no amount of bluster, will conceal that concrete fact from the attention of the American people. The other day the chairman criticised the report that we had gotten up. We only had four days to get up the report, and we would have died of apoplexy or vertigo or something else if we had tried to figure out these new rates.

It used to be said of James Buchanan, who carried his head on one side, that he did so because he was longsighted in one eye and nearsighted in the other. I do not know as to the truth of that, but the optical apparatus of the chairman is regulated on even a stranger plan. He could see a small screw or a horseshoe nail in that report, or any mistake about it, as far as a hawk could see a chicken, but when he came to read the sentence where we declared unequivocally that we are in favor of repealing the countervailing duty on petroleum he was as blind as a belfry full of bats. [Laughter and applause.]

We say in the report—and I say here, and I dare any man to contradict it—that while there are many reductions in this bill the most of them are more apparent than real. They do not amount to anything. Take certain articles and they cut the tariff half in two, and yet there is as much protection on that article as there ever was, because the rate which they retain in the Payne bill is still absolutely prohibitive.

The chairman made a very strange statement here yesterday. Somebody asked him what they put hides on the free list for. I have not had time to read his speech in the RECORD, but the Washington Post says that his answer to the question was that hides were put on the free list because hides are raw material and that there ought not to be a tariff on raw material.

I do not know whether he said it that way or not, but that is the way it is quoted. I beg leave to ask a question or two. There is no doubt about hides being raw material for the tanner, but what about wool? Is not wool as much of a raw material for the first man that gets hold of it in the manufacture as hides, and yet the tariff on wool is not changed at all in this bill, except carpet wool, and there is not a pound of carpet wool produced in the United States.

I want to say a few words about raw material. Bear in mind that what is one man's raw material is another man's finished product, just as truly as what is one man's meat is another man's poison.

I will illustrate it: Wool in the grease is the finished product of the man who owns the sheep, but it is raw material to the man who is going to make scoured wool.

Now, I want to state, because I am going to talk mostly about wool and woolen goods, there is wool in the grease, which means wool clipped off the sheep without doing anything to it. Then there is washed wool, which means wool washed while still on the sheep's back. Then there is scoured wool, which is the first step in the manufacture; then tops is the second step in manufacturing the raw material of the yarn spinner. Then there is yarn, a still higher step, which is the raw material of the cloth weaver, and then the finished cloth, which is the raw material of the tailor and the manufacturer of ready-made clothing, the final step.

The wool in the grease is the sheepman's finished product, but it is the raw material of the scoured-wool man. The scoured wool is the raw material of the man that makes the tops, but it is the finished product of the scoured-wool man. The tops are the raw material of the man that spins the yarn, but it is the finished product of the man that makes the tops. Yarn is the raw material of the man that makes the cloth, but it is the finished product of the man that makes the yarn, and the finished cloth is the raw material of the tailor, the dressmaker, and the manufacturer of ready-made clothing for men, women, and children. It is like the story of the "House that Jack Built."

I am not engaged at this time in making a tariff bill; I have not been commissioned to do so, but that is a fair illustration of it.

A political remark about free raw material may be apropos. There has been a great hullabaloo in later days about free raw material being the Democratic doctrine. It is not true at all. I will tell you what it was. Henry Clay said, in the greatest speech ever made in America in favor of a high protective tariff system—and, by the way, if he and Alexander Hamilton could get hold of these schedules of woolen manufactures, or hear of them, they would turn over in their graves and curse the day on which they ever advocated the system. [Applause.] But, in the greatest speech ever made in America in favor of a high protective tariff system Henry Clay put down free raw materials as one of the four means of working protection. That statement can not be denied. There is no sort of objection to any man's advocating free raw material if he desires, but he ought to give the correct reason for so doing.

The Republican members of the Ways and Means Committee offer a great boon to the American people in the sugar schedule by cutting the tariff on refined sugar from 1.95 cents per pound down to 1.90 cents, a cut down of five one-hundredths of 1 cent per pound. That is represented as a great blessing to the American consumer; and, by the way, one thing that happened in these hearings is that the gentleman from Illinois [Mr. BOUTELL] added a new phrase to the American vernacular, and that is "the ultimate consumer." That phrase will live. Happy is the phrase maker! Half of Grover Cleveland's success in the world depended on the fact that he could turn a good phrase.

The newspapers say that one of the members of the committee described that reduction of five one-hundredths of 1 cent on a pound of refined sugar as a blow between the eyes of the sugar trust. It seems to me it was a love lick. When the sugar trust received that tremendous blow between the eyes, instead of seeing stars, which is the usual result of a blow between the eyes, it saw a stream of gold like unto the river Pactolus, flowing into its coffers every year during the life of the Payne tariff bill. [Applause on the Democratic side.] That is why it saw—enabling it to pile up more millions of ill-gotten gains which it does not need. The average consumption of sugar in the United States is about 80 pounds per capita per annum, so that a man must eat sugar at the top of his speed for fifteen months in order to find an additional nickel in his pocket at the end of that time, and if he loses a day out of the whole fifteen months he will not be able to get the nickel. Why this remarkable tenderness for the sugar trust? It receives a rake-off of 26 cents on every hundred pounds of refined sugar. It is not only a trust, but it is a criminal. Two or three weeks ago the United States Government recovered against it a judgment for a little more than $134,000 for swindling in false weights, and the Government has lawsuits pending against it now for the same thing amounting to over $3,000,000, and every man engaged in that swindling transaction ought to be in the penitentiary [applause on the Democratic side], unless, as some people assert and more believe, there is one punishment for a small thief and a more lenient punishment for a big thief.

The same old "joker" on petroleum is in the Payne bill—ostensibly on the free list but in reality a protective tariff of between 150 and 250 per cent. I do not know whether we are going to get a chance to amend this bill or not. I hope we will; and if we do, I will risk my head on the proposition that that countervailing duty on petroleum goes out. [Applause on the Democratic side.]

You can not discuss everything in one speech. I am not going to undertake to go over the whole tariff bill like my friend the chairman did, and I repeat, I am not criticising him for that at all. Let us now take the question of boots and shoes.

Mr. SCOTT. Mr. Chairman, before the gentleman passes from the countervailing duty on petroleum, I will ask him if he will permit me to ask him a question?

Mr. CLARK of Missouri. Certainly.

Mr. SCOTT. Those of us who represent districts in which there are large independent petroleum-producing interests have received a great many letters and publications urging us to insist upon the countervailing duty on petroleum on the ground that the very life of the independent petroleum-producing interests depends upon it. The argument is that the Standard Oil Company is a refining industry; that it is a purchaser of raw petroleum; that it produces only about 20 per cent of the petroleum it uses and buys 80 per cent; that it would really be to the advantage of the Standard Oil Company to be able to buy raw petroleum and import it into this country without any duty; and I should like the opinion of the gentleman from Missouri upon the soundness of that argument from the standpoint of the independent petroleum producer.

Mr. CLARK of Missouri. I think it is all a humbug; that is what I think. I do not want to stop with that answer, however. The situation about the production of petroleum in the United Sates is this: The gentleman from Kansas [Mr. SCOTT] stated it substantially, although I will state it in another way. He says the Standard Oil Company produces only 20 per cent of the crude oil it uses and buys the other 80 per cent. I take it that that is about right, and for the purpose of this argument I am willing to accept those figures.

I will tell you what the Standard Oil Company does. Year by year it produces less and less crude oil. I think that is true. It develops very few fields. It has too much sense. It has learned a great deal. What it does not know about making money out of petroleum would not make one page of a primer. It permits the gentleman from Kansas and myself and the rest of us to go out hunting for oil fields, boring holes in the ground at our own expense, and when we have discovered a rich field it comes in and takes possession of it at its own figure. [Applause on the Democratic side.] It does not waste any money boring dry holes in the ground. I was fool enough to sink some money out in Utah in a mining venture; but understand what this company does, it does not risk its money very largely in developing fields or in discovery work, but it sits back in its lair and waits for you and me and the rest of us to go and spend our money in boring holes in the ground, and then when we have done that and discovered the finest oil wells in the world it says, "You take our price or we will put you out of business." [Applause on the Democratic side.] And you have to take it. The risk is ours, but the profits are grabbed by Standard Oil.

Mr. STANLEY. Will the gentleman yield for an interruption right there?

Mr. CLARK of Missouri. Yes; certainly.

Mr. STANLEY. As I understand it, the Standard Oil Company does not purchase 80 per cent of its petroleum in the sense that it buys that amount at so much a gallon, but it forces the discoverer of an oil well to pipe his oil into its refineries and then arbitrarily fixes the price which it pays for that oil. The producer does not sell his oil in the open market, with the Standard Oil Company buying against any other competitor. The Standard Oil Company takes the oil and pays such sum as it pleases.

Mr. CLARK of Missouri. Yes; that is absolutely true. The Standard Oil Company fixes the price that it pays for the crude oil. But there is a good deal more of it. It absolutely fixes the price at which kerosene shall be sold to the consumer, Mr. BOUTELL's ultimate consumer.

Mr. HARDY. Will the gentleman yield for an interruption?

Mr. CLARK of Missouri. I would be glad to do so.

Mr. HARDY. Is it not a fact that in the hope of enabling some independent production the State of Kansas has passed a general law by which the Standard Oil Company, if it reduces the price in one community of their oil product, is required to reduce it likewise all over the State, and that under the operation of that law Kansas has some independent refineries, while the balance of the country without such a law has and can have no independent refineries?

Mr. CLARK of Missouri. Well, I do not know about that.

Mr. SCOTT. Will the gentleman from Missouri allow me to answer?

Mr. CLARK of Missouri. I will.

Mr. SCOTT. I am glad to have the opportunity of saying that under the legislation which the gentleman from Texas has very accurately defined there are now some 9 or 10 independent oil refineries—18, my colleague corrects me—in Kansas that are doing a good business and succeeding with it. And while I am interrupting the gentleman I should like to press my former question upon him, because I am anxious, not from a controversial standpoint, but because I have great respect for his judgment, to get his opinion upon it. The understanding which is brought to us from our independent oil producers is that the Standard Oil Company is just as much interested in free raw petroleum as the sugar company is in the introduction into this country of free sugar.

The only interest the sugar trust has is in refined sugar, and therefore the only tariff in which it is interested is a tariff upon refined sugar. It is argued similarly that the only interest the Standard Oil Company has, or at least its chief interest, is refined oil, and therefore the only way in which it is interested is in the duty upon refined oil. It is that argument on which I should like to have the judgment of the gentleman from Missouri.

Mr. CLARK of Missouri. I will answer——

Mr. HARDY. I am glad this matter has been injected so we will get a presentation of the entire matter. The suggestion has been made that if the Kansas law were extended by congressional law to interstate transactions then there would be an opportunity for independent production of refined oil, but that without that national law, or the same law in each State, the Standard Oil Company taxes us what it will, buys our product of crude oil at what it proposes to give, and sells the finished product at what price it fixes regardless of free importation, unless under that importation a strong firm from the outside world may enter into competition in selling to the home consumer and sell the finished product a little cheaper than the Standard Oil Company is willing to do. And should we not have an interstate, congressional law like the Kansas law?

Mr. CLARK of Missouri. These questions are all right. I will state what I think in answer to the gentleman from Kansas [Mr. SCOTT]. I know Kansas has had a great deal of trouble with the Standard Oil Company. I remember that the gentleman from Kansas [Mr. CAMPBELL] introduced all sorts of resolutions here about it. If the Standard Oil Company, in my judgment, was not the greatest beneficiary of this business, if I did not believe that it was practically the only beneficiary, I would not object to the crude-oil producers getting a revenue tariff as far as it goes. I repeat, this bill fixes a prohibitive rate on petroleum. I am not opposed to a revenue tariff or a high revenue tariff upon any article. There is one article that I always insist on being on the free list, and that is salt, because it is a hereditary Missouri doctrine. One of the greatest men that ever sat in the Senate of the United States was Thomas H. Benton. I believe he was the greatest constructive statesman of that age. He fought for twenty-six years to have salt put on the free list. He succeeded, and President Roosevelt said he deserved the greatest credit for doing it. When Benton got salt on the free list, he said in his pompous way that he imagined he could hear the flocks and herds on a thousand hills bellowing out their love and gratitude to him for it, and they would have done it if they had known what he had done for them. Outside of salt and a few other prime necessaries of life I would agree with anybody about a revenue tariff, except, as I say, habit ought to be taken into consideration when you are simply patching up a tariff bill.

People have become used to one thing being on the free list that might as well be on the tariff list, and because they have been in the habit of having it there they want to keep it there. For instance, there is not a bit more sense from a revenue standpoint in keeping coffee off of the tariff list—and I am coming to coffee directly—than there is in keeping any other necessary of life off. But it has been on the free list so long that people have become used to it. If I could be convinced that the revenue tariff on crude petroleum would help the producers of crude petroleum—that is, if they would get the benefit of it, at the same time raising revenue for the Government, and the Standard Oil Company would not get the benefit—I would vote for it. [Applause.]

Mr. SCOTT. Will the gentleman permit another question now?

Mr. CLARK of Missouri. I do not object to a question that is pertinent.

Mr. SCOTT. The gentleman is very kind. I should like the gentleman to give us his reasons for believing that the Standard Oil Company is the chief beneficiary of this duty, or even of a revenue duty that might be laid directly on crude oil, remembering what seems to be admitted as substantially the fact, that the Standard Oil Company produces 80 per cent of the refined oil in this country, and that it buys 80 per cent of the raw petroleum that it uses.

Mr. CLARK of Missouri. Now, the trouble about the gentleman's situation and statement is that the Standard Oil Company compels the producer to take its price, and then it compels the consumer of oil to pay its price; and I give it without any fear whatever, that the Standard Oil Company is the greatest marauder that the sun ever looked down upon in six thousand years. [Applause.]

Mr. SCOTT. Would that condition be changed by eliminating this countervailing duty?

Mr. CLARK of Missouri. I think it would.

Mr. SCOTT. Will the gentleman show us how?

Mr. CLARK of Missouri. Why, certainly. If they put up the price of refined oil too high, somebody else would ship refined oil in here. [Applause.]

Mr. SIMS. Will the gentleman allow me a question right there?

Mr. CLARK of Missouri. That is all right. I am not objecting.

Mr. SIMS. As a choice between evils, would it not be better to repeal all countervailing duty and to put a straight ad valorem duty on petroleum oil of 20 or 25 per cent rather than to pass this bill as it is?

Mr. CLARK of Missouri. Why, eminently better. I thank the gentleman for asking me that question. A straight revenue tariff of 15, 20, or 25 per cent, whatever the wisdom of the Congress thought, on petroleum would be an honest performance. But this countervailing duty is simply a dodge. [Applause.]

Now, one other thing while I am at it. I have no disposition to abuse the Standard Oil Company or anybody else. It is best taken care of of anything in this bill [applause], not only by that countervailing duty, but there is another thing that takes care of it; and while I am not going to discuss drawbacks much, I am going to tell you what that contains.

Under this drawback provision, a man that manufactures stuff out of foreign material gets back 99 per cent of the tariff he has paid on that stuff when it is shipped out. The biggest user of tin plate in the United States, or in the world, is the Standard Oil Company. It does not use American tin plate. It uses foreign tin plate to make its cans for the foreign trade, and then gets 99 per cent of the tariff on that tin plate returned. [Loud applause.] Now, here you are in this bill giving it from 150 to 250 per cent on oil, and then giving to it tin plate practically free. [Renewed applause.] I will not stand for any such performance. Remember that while Standard Oil gets in its foreign tin plate for foreign export practically duty free, the rest of us have to pay a stiff tariff on all the tin plate which we use.

While I am at it, I want to make one remark here, as I may forget it if I do not make it at this time.

I understand perfectly well that any man who stands here for a revision of the tariff downward will be lambasted all over the country as a free trader. If they think anybody is going to be scared about that, they may just as well haul in their horns. I can take the hearings and prove that my friend from Connecticut [Mr. HILL], of whom I am very fond, is a free trader in spots. [Laughter.] I can prove the gentleman from Indiana [Mr. CRUMPACKER] is. I can prove that practically all of them are, except the gentleman from Michigan [Mr. FORDNEY]. [Laughter.] Why, even the gentleman from Pennsylvania [Mr. DALZELL] was opposed to raising the tariff on peanuts. [Laughter.] Here is the strange thing about it: The Republican members of the Ways and Means Committee can put hides on the free list, losing $2,000,000 of revenue, without being jumped on as being free traders, except by one paper.

The American Economist is just as certain to dance a jig on them about that as anything in the world. It put the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL] in a list of free traders about the Cuban reciprocity bill. Now, only think of that. It clapped President Taft and ex-President Roosevelt both in the list of free traders because they advocated buying ships where they could buy them cheapest to keep our manufacturers from gouging about Panama supplies.

The gentleman from New York [Mr. PAYNE] stood up in one breath and boasted on the floor of the House and in his report about things that he put upon the free list, and yet he expects to escape the condemnation of being branded as a "free trader."

I repeat the statement that I made to the gentleman from Kansas a while ago. I do not object to a good, stiff revenue tariff on anything except salt and a few other prime necessaries of life.

Of course, everybody stands around and asks what I think about zinc. I think the very same thing about zinc that I do about every other article of common consumption in the United States. If it turns out on investigation that a cent a pound is a good revenue tariff on zinc, I am going to vote for it; and if it turns out that it is a prohibitive tariff, or anywhere in the neighborhood of that, I am going to vote against it. [Applause.] I am in favor of a revenue tariff, and dead against a prohibitive tariff or anything approximating thereto.

I want to announce a general principle, and that is that I will not help any living human being oppress the great masses of the people of this country. [Loud applause.] I do not care a straw whether they come from Maine or from Missouri, all public plunderers look alike to me. [Loud applause.]

I may go out of public life on account of my conduct about this tariff bill. Of course I would like very well to stay in this

House, and prefer it to any appointive position whatsoever; but whenever I do go out, I intend that it shall be with my own mental integrity unimpaired and my own self-respect intact. [Loud applause.] There are many things worse than being defeated for Congress, and one of them is a cowardly surrender to "the interests," as they are called. I have done honestly and courageously what I thought would benefit the great body of the people, and I have no apology to offer for so doing.

Now, I will tell you about this zinc tariff business. During the campaign my friend the Speaker—and notwithstanding what has been happening and what may happen, and a good deal may happen, I am his personal friend, and barring some little irritation and subirritation I suppose he is mine—during the campaign he went down through Missouri and made three or four speeches in the extreme southeastern part of my district from the tail end of a sleeper. I was glad he did. But his objective point was Joplin.

His speech was reported in full in the columns of his personal and political friend, the Globe-Democrat. I could not find the paper, but I can repeat part of that speech nearly verbatim, because I will never forget it as long as I live; and if I do not state it correctly, he can correct me, as he is doing me the honor to listen to me now. He was speaking at Joplin. He said:

My fellow-citizens, here is the situation: If a Republican House is elected, I will be Speaker.

That much of his prophecy was true.

If the Democrats elect the House, Mr. CLARK will be Speaker.

I do not know whether that was true or not, but I think if we had had a Democratic House and the election had been held twenty days ago, I would have been. Maybe I may be yet. [Laughter and applause.] Then the Speaker proceeded to pay me a very high compliment, for which I am his debtor, and I have paid him many. He said that I had every qualification for Speaker except my politics. [Laughter.] I think he said my political system was about as bad as that of any man he knew. Then he said:

A vote for Mr. MORGAN is a vote for me.

Mr. MORGAN was the Republican candidate for Congress in that district. He said that a vote for Mr. Hackney is a vote for Mr. CLARK; a vote for Mr. MORGAN means a tariff on zinc; a vote for Mr. Hackney means none. As nearly as I can recollect, that is the substance of what he said. I do not object to his having made that speech. I am not criticising it. Some people have a fool notion——

Mr. CANNON. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. CANNON. As the gentleman referred to me and my trip to Joplin and three other districts in that State, I did not know a great deal about zinc——

Mr. CLARK of Missouri. You do not know a great deal about it yet, do you?

Mr. CANNON. I know some things about it.

Mr. CLARK of Missouri. No doubt.

Mr. CANNON. There is a zinc-reduction plant newly established near my city, and I got some information—not from a zinc producer, but a zinc purchaser—that I think was reliable. On that trip, especially at Joplin and Springfield, I met men who professed to be, and I believe were, of the same faith politically as the gentleman [Mr. CLARK of Missouri], and I met Republicans. They said to me that the deep-zinc mining had gone out of business; that the rich ore only was being mined——

Mr. CLARK of Missouri. If you will allow me to interrupt you about a question of fact, you have got it turned around wrong. The rich surface ores have all been worked out, and they complain about having to go so deep to get them.

Mr. CANNON. Precisely; and they said that that deep mining was giving them smokeless chimneys and idle workmen. They stated further that since the Dingley bill was enacted there had come to be a large production of zinc in Mexico, which I have reason to believe is true. Being on the free list, they said it was coming into our markets, and they believed that it affected their industry. I saw the smokeless chimneys and what purported to be the idle men. If the gentleman will allow me one thing further——

Mr. CLARK of Missouri. Certainly.

Mr. CANNON. I was met with the statement there in print, and I believe it has not been denied, that Representative Hackney (then Representative but not now Representative) was stating to his people that he stood upon the Denver platform, but that as to zinc he had the assurance of Representative PAYNE and Representative DALZELL that on the revision of the tariff zinc would be properly protected. They said that the Representatives mentioned had denied that statement. It was an exceedingly interesting audience. We had great audiences on that two days' trip across the State and back. I stated further that words were cheap, that they knew in the Joplin district and elsewhere in Missouri whether a duty on zinc that came in competition with their production was necessary. I told them that action was louder than words; that they being experts, I being a Member of Congress, if I should be reelected, their action would control my vote; that if they sent the message by Representative MORGAN (and I laid my hand on his shoulder), that they being experts believed that zinc ore ought to go upon the protected list, I would take their action and vote accordingly; and if they sent Mr. Hackney, I would take their action and vote accordingly, and that it was up to them. [Laughter and applause.] Now, that in substance was my speech, and in substance it was my speech in the district of Mr. RUSSELL and his near-by Democratic Representative, passing through the zinc and the lead and the glass districts. Now, those people seemed to think that glass, lead, and zinc needed protection. I will take their judgment, after full inquiry, and shall vote for that protection. [Applause on the Republican side.]

Mr. CLARK of Missouri. The Speaker has made a very interesting statement, but there is no essential difference between his statement and mine about what he said in Joplin. I have no doubt he clapped his hand on Mr. MORGAN's shoulder, and he would have clapped it on his head if he had had an opportunity. [Laughter.] What I do say is that the people of the United States are paying a very high price that we may have the society of my friend CHARLEY MORGAN in this House. I like the gentleman from Missouri, Mr. MORGAN. Everybody calls him "CHARLEY" MORGAN, and no man yet was ever called "Charley" that was not a good fellow. [Laughter.]

The situation as to zinc was this: There was no tariff on zinc jack, which is the ore, but there was a tariff of a cent and a half on spelter, which is the finished product. I will tell you what I believe. If the zinc people down there had sent some sensible and truthful men up here to testify before the committee and tell the truth, and had come with the proposition to cut that tariff on spelter of a cent and a half a pound in two and put three-quarters of a cent on ore and three-quarters of a cent on spelter, it would have been accepted by the committee without a dissenting voice. They complained that I grilled them in the Committee on Ways and Means. I did, and I had a right to.

About two days after the grilling I met them accidentally in the corridor, and told him that if they had made that proposition there would not have been a dissenting voice, and both would have been revenue rates and both would have been in this bill; but they wanted the spelter men to hold the 1½ cents per pound on spelter and, in addition, wanted 1½ cents per pound on ore, notwithstanding they claim that the spelter men fix the price of zinc ore and that the zinc trust of New Jersey grinds them down. I promised to inform the Attorney-General about the zinc trust of New Jersey, and I am going to do it.

Let us see what these men testified to—and I say now if we had had the power to swear witnesses before Congress met and some of the men had sworn the way they testified before we got to swearing witnesses, I would go before the grand jury in the District of Columbia and have them indicted for perjury.

I want to tell you some of the testimony of Ihlseng, from New York, and Mitchell, from Pennsylvania, domiciled temporarily in the Joplin district for the purpose of revenue only. They testified that zinc jack was selling for $35 a ton on the very day that it sold for $43 a ton. How can you believe men like that? They undertook to show that zinc ore could be produced in Mexico and gotten to the smelter in Kansas and Missouri cheaper than the Joplin zinc could be produced. It is a curious story to tell, but Ihlseng had the colossal cheek to testify that four Mexican steers, which are not bigger than your fist and will not weigh over 700 pounds each, could pull a bigger load up the mountains and down the mountains and through the sand than two of the biggest and best mules in the State of Missouri could pull on a gravel road as level as a floor. [Laughter.]

The chairman [Mr. PAYNE] referred to that yesterday, and it was just such monumental lying as that that disgusted everybody with these two men and with a good many others who appeared before this committee. Now, if there is anything on earth that I do know about, it is mules. [Laughter and applause.] I represent the greatest mule-producing district on the face of the earth. Mules are not celebrated for grace or

beauty, but they are exceedingly useful in peace and absolutely indispensable in war.

There is another thing I know about, and that is good roads. The finest roads in America are in my district. There is a stretch of 22 miles of gravel road in my district on which the national bicycle races were run for years, and I know what two of the best mules can do on a level road. Down in Joplin they do not have gravel roads, but they have as fine roads as are made in the world—made out of the slag of furnaces, and as smooth as a table.

Another strange thing Ihlseng testified to—and they would testify to anything to get out of a hole. We asked him about the expense of four steers pulling a load 40 miles one way and then back with the empty wagon 40 miles the other. He said it did not cost anything except the driver's wages. [Laughter.] I can prove that by every man on the committee and by the hearings. We asked him how that thing could happen, if they did not have to pay for the feed or take it with them, and he said no; they lived on cactus along the road. I asked him if a new crop grew up along the road every night. [Laughter.] Do you wonder that anybody was disgusted with that kind of testimony?

Then a lot of preachers got together at Joplin and prayed to Almighty God for a high tariff, when they ought to have prayed to "Uncle Joe." [Laughter and applause.]

I have as much respect for a minister of the gospel as any man living, and I do not care a straw what church he belongs to, either. My house is the stopping place for all sorts of preachers, Catholic priests and every species of Protestant preacher indigenous to that soil; and if there were any Jewish rabbis around there, I would have them as guests. I like to talk to preachers. The truth is that I have observed this, and acted on it all my life, that there is not any kind of a man out of whom you can not get information if you talk to him about what he knows about. I like to talk to preachers, for after all a man's soul salvation is the most important subject to which he can turn his thoughts or upon which he can gather information. There is not a man in this House who has more preacher friends than I have, but I have a supreme contempt for a preacher anywhere that commits sacrilege, and that is exactly what that bunch of preachers did down at Joplin. [Applause on the Democratic side.] One witness before the committee volunteered the suggestion that I better look out and not get into a row with the preachers. I am not going to get into any row with the preachers, because nine-tenths of all the preachers in America condemned that bunch down there; and while I am not a theologian, I will debate with that set, the whole of them togethers, as to the proprieties of their performance.

I want to repeat, and we might as well settle it and be through with it, I am not going to help any man plunder the American people because he happens to live in Missouri. [Applause on the Democratic side.] I will go out of public life before I will do it. I do not have to have a Congressman's salary to make a living, bless your soul.

Mr. MORGAN of Missouri. Will the gentleman yield?

Mr. CLARK of Missouri. I yield for a question.

Mr. MORGAN of Missouri. Well, then, I will put it in the form of a question. I want to ask the gentleman this question: If before the Ways and Means Committee anything was offered on behalf of the zinc miners of southwest Missouri which was not absolutely reliable and true? We could not prevent, you will see at once, the filing of briefs from this man and that man, and the gentleman has suggested that the gentleman from New York, Mr. Ihlseng, and the gentleman from Pennsylvania, Mr. Mitchell, had attempted to deceive the Committee on Ways and Means. I want to ask the gentleman if it is not true that the testimony of the miners from southwest Missouri, from that part representing us and representing the zinc tariff club—if their testimony was not true, and based upon public report, consular reports, and reports of the Government, and if it was not such testimony as you could rely upon on the Ways and Means Committee? There was no attempt on our part to deceive anyone. We simply attempted to show the price of zinc and the cost of production. Is not that about the fact?

Mr. CLARK of Missouri. Now, sit down and I will tell you what the facts are.

Mr. MORGAN of Missouri. I would not interrupt the gentleman——

Mr. CLARK of Missouri. Oh, I am not complaining, but I can not yield for a speech at this time. I stated what Ihlseng and Mitchell did. I say that they prejudiced the whole case. I will tell you what else I will say, that that Budd Robinson, Maury, Judge Hoag, and Caulkins filed, when they came up here, what seemed to me to be absolutely a truthful statement, and if Ihlseng and Mitchell had stayed away from here with their ridiculous tales I do not believe there would ever have been any trouble about it.

Mr. UNDERWOOD. Will the gentleman from Missouri yield for a moment?

Mr. CLARK of Missouri. Certainly.

Mr. UNDERWOOD. I would call the attention of the gentleman from Missouri to this fact, that the original witness who came before the committee from Joplin made a comparison of the Joplin ore with the Mexican ore, without drawing any distinction between the grade of ore or the amount of metal contained in it, and when the subsequent briefs were filed it was clearly pointed out that the Mexican ore was a 32 per cent, and they were comparing it with a 60 per cent ore from Joplin; that the cost of ore in Mexico was $9 at the mine, with $6.50 added to the smelter in Missouri, with a 32 per cent ore, as compared to $20 at the Joplin mines, with $1 added to the smelter, for a 60 per cent ore, clearly demonstrating that the subsequent briefs were correct; that the Joplin man, on account of his high-grade ore, had in the beginning before this tariff duty was added the balance or differential in his favor.

Where the original Joplin men attempted to mislead the committee or did mislead them, probably, was in that they did not call the attention of the committee to the different grades of ore—that one was a 32 per cent ore as compared with a 60 per cent ore in Missouri. [Applause on the Democratic side.]

Mr. MORGAN of Missouri. Will the gentleman from Missouri yield till I reply to the gentleman from Alabama?

Mr. CLARK of Missouri. Oh, I can not yield for a speech. I will say this: I believe if Mr. MORGAN had come up here individually and left Ihlseng and Mitchell, at home the chances are we could have agreed about it. I repeat that I do not object to a tariff on zinc jack if it is a revenue tariff, but if that 1 cent a pound is a prohibitive tariff or approximates a prohibitive tariff I will go out of Congress before I will vote for it. That is all there is to it, one way or the other.

Mr. MORGAN of Missouri. It is not a prohibitive tariff.

Mr. CLARK of Missouri. Now, you come to me after I have finished this speech with the facts and figures and convince me of that; I am not prejudiced on this subject or any other. I have had no time to find out whether it is simply a revenue tariff or a prohibitive tariff. Now, another thing: We are all tariff reformers. A few days ago there was a meeting at the White House, a conjunction, so the papers stated, of four stellar bodies of the first magnitude. Perhaps I ought to say one solar body and three stellar bodies—the President of the United States, Senator ALDRICH, the Secretary of the Treasury, Mr. MacVeagh, and "my prophetic soul, my uncle," the Speaker of the House. [Laughter.] They met together as tariff reformers, so the papers said, to discuss what should be the Payne bill. When these four tariff reformers got together, if the angels did not weep it is because they were so completely dumfounded that they had completely lost all emotion whatsoever. [Laughter.] Now, so much for those things.

Mr. CANNON. Mr. Chairman, does the gentleman desire that I should rise at this point? Much is contained in the papers. I did go to the White House, the Executive Office, on the invitation of the President. Senator ALDRICH, the President, and the new Secretary of the Treasury were there. The President stated that the object of asking us to come there was that we might become acquainted with the Secretary of the Treasury. Although from my State, my acquaintance was only nominal, as one would touch and go once in a lifetime——

Mr. CLARK of Missouri. No doubt.

Mr. CANNON. So far as the tariff was concerned, I do not recollect that one word was said about it. If there was anything said about it that contradicted my own individual opinion, with the Republican platform for the minimum protection and the maximum penalization—the Republican platform plainly speaking and making the declaration for the enactment of legislation in pursuance of that platform—I would have contradicted any other proposition. I say again, I do not recollect that the tariff was referred to or anything else except the general condition of the Treasury, the desire for good administration, and so far as possible an organization and an administration of that great department that would tend to bring the expenditures of the Government within the revenues. [Applause.]

Mr. CLARK of Missouri. I was stating what I saw in the papers.

Mr. CANNON. And for that reason, if the gentleman will pardon me, as I sit by I rarely correct any misapprehension that may be uttered on the floor, but it seemed to me in this instance that I could with propriety do so, although in former years I have sat in the chair and sat upon the floor and heard misrepresentations abounding in absolute falsehoods that have been taken for truths by the muck-raking newspapers and even written into the Denver platform. [Applause.]

Mr. CLARK of Missouri. I hope the Speaker did not mean I misrepresented him intentionally.

Mr. CANNON. Not at all. The gentleman is a good fighter, and, so far as I know, I believe when he talks and speaks of facts, speaks the truth as he understands it. I sometimes think, if the gentleman will allow me, that perhaps he is not as clear—his intention as to the matter of differences between a suggestion of that which is an error and the letting alone of that which is the truth—as he might be in discussing public questions, touching especially the revenues. [Laughter and applause.]

Mr. CLARK of Missouri. There are others. [Laughter and applause.] That was about all I was going to say about that newspaper statement. I have myself been misrepresented by newspapers, sometimes inadvertently, sometimes maliciously; hence I can sympathize with the Speaker if he has been misrepresented in this instance or in any other. I have no objection to the Speaker dipping into this debate; I rather feel honored than otherwise. In days gone by frequently the Speaker used to get down from his high perch every once and a while to make speeches. Henry Clay did it repeatedly. I saw Speaker Grisp do it once.

I do not propose to talk about all the schedules. There are one or two that I want to refer to somewhat. I can not pass to the larger schedules, however, without remarking that the increase of 30 per cent in the rates on hosiery is a cruel outrage on men, women, and children, for no man in his senses will claim that hosiery is a luxury in this day and in this climate. These remarks apply with equal force to the increase of 75 per cent on women's, misses', and children's gloves. In this connection it is well to remember that the women had much to do with overthrowing the Republican party on account of the extortions in the McKinley bill. It is to be hoped that history will repeat itself in this instance. There has been more agitation in this House and out of it, I think, on the hide, leather, harness, boot, and shoe question than on any other. Some years ago there was a crusade started in Massachusetts—in New England generally, but in Massachusetts particularly—for free hides. About three years ago the gentleman from Massachusetts [Mr. GARDNER] asked me during a long speech which I made if I was in favor of putting hides on the free list. I countered by asking him if he was in favor of putting leather and all products of leather, including boots and shoes, on the free list. He said he was not certain but that he was. I said then, and I say now, we could make a trade on that basis so quick it would make his head swim.

This bill puts hides on the free list on the ground, it seems, that it is a by-product of raising these cattle. My brilliant and amiable friend from the State of Washington [Mr. CUSHMAN] propounded to the chairman of the Ways and Means Committee yesterday this conundrum, namely, that if they put hides on the free list because they are a by-product of producing beef, what was the reason they did not put milk on the free list inasmuch as it was a by-product from the cow, too. I will illuminate the mind of the gentleman from Washington very suddenly as to why that difference was made. Beef is produced chiefly in the West and South. Milk is liable to come into the State of New York and into New England from Canada. [Applause on the Democratic side.] That is one explanation that is as clear as crystal.

Here is what happened to boots and shoes, and there is a thing that surprised me amazingly. Yesterday morning, when I was getting ready to make some remarks, as I thought I would have to make them yesterday, I undertook to hunt up the testimony of Mr. C. H. Jones, of Boston, Mass., one of the most intelligent men that appeared before the committee. He was on the witness stand nearly all day. I can prove this by every man on the committee. We cross-examined him at length. Lo and behold! nearly every word of that cross-examination is left out of these hearings.

Mr. PAYNE. I think the gentleman is laboring under a mistake in regard to that. The hearings as published on the question of leather and hides are precisely as the stenographer took them and as the notes were furnished by the stenographer for the Printing Office the morning after the testimony was given.

Mr. CLARK of Missouri. The gentleman stated that yesterday.

Mr. PAYNE. It is a fact. I have been examining into it, and they were not corrected by anybody; and this print published here—this bound print that the gentleman has—is simply those same notes republished without any correction. Since that time the clerk has been at work, and the witnesses have had an opportunity of correcting those printed copies; but they have not reached for publication the last schedule under which the hides come in, so that they are exactly as they were furnished by the stenographer, without any correction. There is some mistake about that.

Mr. CLARK of Missouri. It is almost immaterial anyway, except that the hearings do not seem to carry out what I am going to say. I got this volume and looked to see, and it was not in here. Then I sent over to the Ways and Means Committee room and got No. 20 of the hearings, first print, and they are just exactly like the hearings in the bound copy.

We did examine Jones at length. He gave a great deal of information. I will tell you what happened, and I can prove it by members of the committee, whether it is in that book or not. He was insisting on free hides. He was giving facts and figures to justify free hides. Finally, I got hold of him and asked him if, in order to get free hides, he was willing for leather, boots, and shoes, and all of the products of leather to be put on the free list. I will tell you what he said, as nearly as I can recollect it, because I can not find it in the hearings.

Mr. MANN. Is that what the gentleman thinks is left out of the hearings?

Mr. CLARK of Missouri. Yes; that and the answer.

Mr. MANN. The gentleman from Texas had it here yesterday.

Mr. CLARK of Missouri. I will state the whole thing. I do not care whether it is in the hearings or not, except I do not want to be put in the attitude of misquoting it. Mr. Jones hesitated a minute, and then said that they would rather retain 5 or 10 per cent on boots and shoes, but if they could not get this great boon of free hides in any other way, they were willing for the entire tariff to be taken off of boots and shoes.

That is what he said. I said then, and I say now, that I believe that every member of that committee breathed a sigh of relief when he answered that question in that way, and that we thought we had one knotty problem settled. I went so far as to compliment Mr. Jones in the presence of the entire committee and of everybody there as being the most candid and intelligent witness that had appeared before us. A few days after that I was very much surprised. I got back a little after 8 o'clock at night, and the hearings had started. There was Jones standing up there taking back practically everything that he had said that would do us any good out West. I looked at him a half dozen times before I could make up my mind that it was the same man that had been talking about a week before. Finally I asked him this question: If he did not tell the truth when he was down there before; and then, when he went back home, if the brogan-shoe makers, under the lead of my friend from Massachusetts [Mr. GARDNER] did not get hold of him and terrorize him so that he could not have any peace of mind and stay in Massachusetts until he came back here and retracted? Then I announced just as publicly as I had conferred the compliment that I wanted to retract the compliment that I paid him before.

Here is a copy of a letter put in his testimony in chief from the Sorosis Shoe Company, declaring that they could furnish shoes in competition with the world; and I will read it to you now. I suppose it is a reliable firm:

LYNN, MASS., *November 24.*

Hon. SERENO E. PAYNE,
Chairman of Ways and Means Committee,
Washington, D. C.

As probably the largest manufacturers of women's fine shoes in the world, the Sorosis Shoe Company desires to go on record as declaring the present tariff on such shoes as we manufacture wholly unnecessary to our success and a distinct injustice to the consuming public. We favor the complete abolition of this tariff, welcoming the competition of the world. We should be glad, at the convenience of the Ways and Means Committee, to present arguments for the removal of the duty on boots and shoes like those of our own manufacture.

A. E. LITTLE & CO.

Now, what did the Committee on Ways and Means do? If there ever was a proposition proved beyond all controversy to any set of men on earth, that boot and shoe hearing proved that they did not need one particle of protection, according to their own theory.

Mr. TIRRELL. Will the gentleman allow me to ask him a question?

Mr. CLARK of Missouri. Yes; if you will ask it and quit.

Mr. TIRRELL. Now, did Rice & Hutchins, the largest manufacturers of boots and shoes in Massachusetts, take any such position before the committee?

Mr. CLARK of Missouri. I do not know whether they did or not. I do not know.

Mr. TIRRELL. Are you not aware that, though connected with your party, they are utterly opposed to the position taken by the gentleman?

Mr. CLARK of Missouri. I do not know.

Mr. TIRRELL. Did George E. Keith and other manufacturers express the same opinion?

Mr. CLARK of Missouri. I do not know. There were 8,000 pages of hearings.

Mr. TIRRELL. Why, then, does the gentleman say that these people he has quoted represent the sentiment of all the boot and shoe manufacturers of Massachusetts?

Mr. CLARK of Missouri. It is the plainest thing you ever heard, because Jones and others came before the committee and testified. I do not know what is the feeling up in Massachusetts, but they came before the committee and testified.

Mr. TIRRELL. Both of them are opposed to that view expressed before the committee.

Mr. CLARK of Missouri. I do not care whether they are or not. I am talking about the witnesses testifying; the evidence in the case. I think a good many people ought to be hanged, but that is not evidence.

Mr. SLAYDEN. Will the gentleman allow me to ask him a question?

Mr. CLARK of Missouri. Yes; certainly.

Mr. SLAYDEN. I want to ask the gentleman from Missouri if it is a fact that these manufacturers of boots and shoes, with perhaps one or two exceptions, did not demand in the same breath untaxed hides and taxed products of the manufactured sort that competed with theirs?

Mr. CLARK of Missouri. Yes; a great many of them did.

The boot and shoe industry, as I understand it, is divided into two great classes; that is, what you may call "fine" shoes, the light-weight shoes, "brogans" and other heavy shoes. Of course a brogan shoe weighs a great deal more than the shoes that we wear or most of the women wear. Now, I intend to be perfectly fair about this, as I try to be fair about everything. The brogan-shoe makers, and makers of other heavy shoes, claim that the makers of the fine shoes can stand without any tariff and get along first rate, and that the brogan and heavy shoe makers can not.

It is well to state this further fact: No foreign shoes hardly are brought into the United States. There is no question that we have the best shoemakers on the face of the globe, and I rejoice at it. They are so much better than the other shoemakers that foreigners can not compete with our shoemakers, and I rejoice at that.

I have a bill here from one of the biggest shoe houses in St. Louis—the Roberts, Johnson & Rand Shoe Company—to stamp on a shoe the ingredients of that shoe, and I am going to offer it to this bill as an amendment, if I get an opportunity, and I do it for two reasons—at the solicitation of the shoemaker and for the benefit of the consumer. They say, and it is true, that by using inferior material that you can not see in the shoe you can make a shoe look just as good as a shoe that is twice as good. That ought to be stopped, because it is dishonest.

But what did the Ways and Means Committee do about shoes and hides? They placed hides absolutely on the free list, and they cut the tariff on shoes from 25 per cent ad valorem to 15 per cent ad valorem only, and that left 5 per cent more ad valorem tariff on shoes, with the hides free, than Mr. Jones wanted to leave on.

I am in favor of free hides, free leather, harness, free boots and shoes, but they all ought to go on the free list together. If I get an opportunity, I am going to move to put boots and shoes, harness, and all other products of leather on the free list [applause], and they can bellow about free trade as much as they please. I want to serve notice on everybody concerned, you are never going to get the tariff off boots and shoes and other products of leather unless you take it off when you take it off of hides, and in this case the hide should go with the tail. [Laughter.]

Now, here is a curious fact: You take the average citizen, or the working girl getting eight or ten dollars a week, and, strange as it may seem and very much to my surprise, shoes constitute more than a fourth—from about a fourth to a third—of the cost of her clothing for twelve months. It is astonishing. If anybody wants to know how much boots and shoes cost in proportion to other things, let him get Ida M. Tarbell's article in the March number of the American Magazine. These men do not need this tariff to take the markets of the world. What is the sense in greasing a fat hog? [Applause on the Democratic side.]

Mr. WEISSE. In regard to the price of hides, I wish to state that the hides that were on the dutiable list, which constitute about 20 per cent of what are taken off by the farmer, during the panic of last year declined about 70 per cent. Calfskins that are on the free list, which also go into the making of leather, only declined about 20 per cent. If we had free trade in all raw materials and the markets should stay the same as they are in hides and calfskins, the market would be much higher than it would be if they were on the dutiable list.

Mr. CLARK of Missouri. No doubt that is true. Now, the gentleman from New York [Mr. PAYNE] complained yesterday at the statement, as I understood it (anyhow he criticised the statement), that a great many rates in this bill, while they are cut down from the Dingley bill, are still prohibitive. I put that statement into that report. I did not write the entire report. Of course nearly any report is a composite production. But that statement is literally true. I am going to give you an example. I am making a speech now. This is my performance. There is nobody else on earth responsible for it. This is not a composite arrangement. You take the iron and steel schedules. What did they put ore on the free list for? I will tell you. It was to give an advantage to this fringe of iron makers on the Atlantic seaboard, bless your hearts. That was what it was done for. That was the only reason it was done. The price of iron and steel is fixed at Pittsburg, and putting iron ore on the free list will not cheapen it at all, except to the man who makes his iron out of imported ores.

They cut pig iron from $4 a ton to $2.50. I am not going to discuss iron and steel. I am going to leave that to the gentleman from Alabama [Mr. UNDERWOOD]. You cut steel rails one-half. The tariff on steel rails, under the Dingley bill, was $7.84 a ton. Half of that is $3.92 a ton. The $3.92 a ton is just as prohibitive as the $7.94 a ton; that is the truth about it. That is demonstrated by the incontrovertible fact, which is not even denied, that year after year they ship rails to the ends of the earth and sell them at from $8 to half a dollar a ton cheaper than they sell them to American consumers here at home. Now, what is the sense in giving protection to a man or a firm that is doing that?

One gentleman volunteered the information before the committee, when I asked if Carnegie did not know all about steel and had not made a great fortune out of it, that "He made a great fortune by selling out." But the trouble about that answer is that he was worth two or three or four hundred million dollars before he sold out. I said earlier that politics makes strange bedfellows. If a man had told me ten years ago that Andrew Carnegie and I would ever agree about anything as to the tariff, I would have thought he was either a fool or a liar, or both, but it has come true that we do agree about steel rails, at least.

I am going to drop all the rest of these schedules except one; and while it will be a little tedious, when I get through with it some people will know a great deal more about it than they do now. That is the portion of Schedule K, which applies to manufactures of wool. I am rather inclined to the opinion that among the multitude of bad things the woolen-manufactures schedule is the most monstrous thing in this bill.

Judge GRIGGS says that I am mistaken about that; that the cotton-manufactures schedule is still worse. If that is true, and I suppose it is, the cotton-manufactures schedule is a cruel and heartless imposition on the masses of the people, and I do not see how any man with bowels of compassion can vote for it. I did not have time to study that schedule, but I am going to talk about this one. It is the most complicated of all the schedules, and that is the trouble about it. It has more involved sections in it than any other, and it is a monstrous oppression of the poor.

Let us begin at the beginning. If I do not explain everything correctly I hope somebody will interrupt me and correct me. In the first place, all wool—that is, all wool that is used to make clothes—is divided into two classes, class 1 and class 2. There is not a pound of carpet wool produced in the United States. I learned a good deal about wool in these hearings, and I knew a good deal about it before we began. I state, without fear of successful contradiction, that you can not raise sheep either for wool or for mutton, or both, on high-priced land to advantage except for breeding purposes. We raise a great many sheep in Missouri, but we ship a large percentage of them out to the Northwest and the West and down to Texas

for breeding purposes. We get $50, $75, and $100 for a young ram. We import a vast number of sheep from the West and South into my district for feeding purposes, then ship them on to the market.

Barring carpet wools, other wools are divided into two classes. It will be an arithmetical test of your head to undertake to follow this, but all wools are divided into two classes except carpet wools; the wool of the first class, which is of the merino variety, and the other, the second class, the Shropshire and sheep of that kind. The tariff on wool of the first class in the grease is 11 cents a pound, and on the second class in the grease 12 cents a pound. Then it is differentiated in unwashed wool, which is wool cut off the sheep's back in the grease, while another is washed wool, and that is where you wash the wool on the sheep's back. Then you have scoured wool, and then the tops and yarns, and then the finished cloth.

They levy 11 and 12 cents a pound, as the case may be, on the wool in the grease. They say 11 cents, a flat tariff on wools of the first class, or 12 cents, a flat tariff on wools of the second class, per pound on wool in the grease. It turns out that some wools lose as much as 80 per cent in weight in cleaning and some lose only 16 per cent. If one man gets hold of a batch of wool and loses 80 per cent and the other man gets hold of a batch that loses only 16 per cent, the first is paying five times as much tariff as the second one is. If you have not studied on it, I will explain how it comes. That one package will wash out so much more than another. You take Indiana, Illinois, Missouri, and the Central West, where we have blue-grass sod and timothy sod and good sod on all the land, and the wool is comparatively clean when it comes off the sheep's back; but if you get out into the dry, sandy country, like parts of Oregon, Idaho, and Utah, where it never rains, hardly, the winds and sand fill up the sheep's coat as full as it can stick with sand.

I was utterly amazed and did not at first believe it, and I am not dead sure that I believe it yet, but I am rather persuaded to believe it, that wool raised in southeast Ohio, the north end of West Virginia, and the southwest corner of Pennsylvania, on account of some peculiar climatic condition, is the finest raised in the United States.

I disputed it at first, but am almost forced to accept it from facts and figures. The truth about it is, the wool industry does not seem to be suitable to the most of our country. You have had a high tariff on wool for twelve years, practically, and yet, while there were 38,000,000 sheep in the United States when the Dingley bill went into effect, there are only fifty millions now. That is only a gain of 12,000,000 sheep in twelve years under the highest kind of a tariff rate. How many people are there in the United States? Practically one hundred millions. How many sheep are there in the United States? Fifty millions. How much would that be? One-half a sheep to a person. You pay more for the cheapest suit of clothes you ever had on your back than your share of the wool tariff would be. We consume 500,000,000 pounds of wool in the United States every year—300,000,000 of domestic wool and 200,000,000 of foreign import. As a matter of fact, we can not produce, as a general rule, the particular kinds of wool that we import, and we need these foreign wools to mix with our domestic wools to manufacture to the best advantage.

I have got you started on the wool business, and I want to show you how it doubles up. There is one man in this House whom I want to thank—a rampant Republican, Mr. BOUTELL, of Illinois. I think I see his fine Italian hand in this. The tariff on tops was higher in the Dingley bill than on yarn, which was an outrage, as yarn represents a more advanced stage in manufacturing than tops, and should therefore have had the higher rate, even according to the Republican theory. I am going to tell you directly how it got in.

The gentleman from Illinois [Mr. BOUTELL] jumped on a witness over there, and dragged out of him on cross-examination facts which evidently led to putting tops at a lower rate than they are now under the Dingley bill.

Here is the cross-examination of Mr. Whitman by Mr. BOUTELL, which reduced the tariff on tops, a most righteous act:

Mr. BOUTELL. Mr. Whitman, how long have you been in business?
Mr. WHITMAN. In what business do you mean?
Mr. BOUTELL. The manufacturing business.
Mr. WHITMAN. Forty-three years.
Mr. BOUTELL. You were then in active business when the wool tariff of 1867 was framed?
Mr. WHITMAN. Yes, sir; I was.
Mr. BOUTELL. Did you take an interested part in the framing of that tariff?
Mr. WHITMAN. I did not.
Mr. BOUTELL. On what tariff since then have you taken an interested active part in framing?
Mr. WHITMAN. Pretty much every one.
Mr. BOUTELL. Which one of these tariffs has been the most acceptable to you?
Mr. WHITMAN. The present tariff.
Mr. BOUTELL. I notice in looking over these tariffs that the classification founded in 1867 has been carried down to the present time, and that the framework of the schedule adopted in 1883 has been continued through the McKinley and Dingley bills, and you say you had an active part in all those laws?
Mr. WHITMAN. I can not say that I had any part in framing the laws.
Mr. BOUTELL. I mean a part similar to the one you are taking now, or taking an active part in presenting.
Mr. WHITMAN. Oh, yes, sir; a far more active part than now, because in the earlier days I was asked to give information about our industry, both by the Committee on Ways and Means and the Finance Committee, and I think they found they could depend upon what I told them—they always sought information from me.
Mr. BOUTELL. I notice in the law of 1897, in section 364, something that does not appear in any of the other laws, and one which naturally suggests some question as to why it was adopted.
Mr. WHITMAN. Which one is that?
Mr. BOUTELL. It is paragraph 364 of the present law, under which on the wool in which any rudimentary manufacture takes place, even to tying up the bundles, the duty is fixed at treble or quadruple what it is on raw wool, with an added duty of 50 per cent ad valorem to the one outside of the wool industry. That seems to be a most extraordinary provision. Can you give any explanation of it?
Mr. WHITMAN. I am sure that you will find that that is almost an exact transcript of the McKinley law. When the Gorman-Wilson law came into operation it abolished all that. It is in the new law. When this was framed it was framed for the purpose of preventing covering any loopholes. Now, I had nothing to do with the framing of that paragraph; I was sick at home. I should judge possibly from the question that the gentleman perhaps had been told that I had had something to do with the framing of that paragraph.
Mr. BOUTELL. I assure you not, Mr. Whitman. I have never heard your name mentioned in connection with it, and notwithstanding your distinguished position in the wool trade I never heard your name mentioned before to-day.
Mr. WHITMAN. I am very glad of it.
Mr. BOUTELL. But that is a paragraph which naturally attracts the attention of any economic student. It is substantially the same in the McKinley law, but did not appear in the law of 1883.
Mr. WHITMAN. No, sir; because wool was free.
Mr. BOUTELL. Yes; or in the law of 1867. But leaving outside the question of the law, it seems that how it appeared in the law requires explanation. What explanation do you give of this extraordinary duty of treble and quadruple the duty on plain wool, with that added duty of 50 per cent ad valorem?
Mr. WHITMAN. I think it was put in as a sort of catch-all to prevent anything that did not happen to be enumerated coming in at a ruinous rate. That is my recollection, so far as I am cognizant of its origin. I think the chairman remembers that fact.
Mr. BOUTELL. It may appear in some of the detailed hearings on the Dingley law, but to the ordinary reader, and comparing the two laws, it would seem to be a paragraph that needed explanation. You are here to stand by the present law?
Mr. WHITMAN. Yes, sir.
Mr. BOUTELL. And I am here to know what the reasons for it are. That is a paragraph that puzzles me more than any other in the whole schedule. It is an extraordinary thing to say that a raw material which goes simply beyond that stage which would be tying it up into a bundle would stand three times and four times the duty on the raw material, with 50 per cent ad valorem added. That is enough, I admit, to excite the curiosity of any ordinary intelligent citizen.
Mr. WHITMAN. Well, it was undoubtedly put there for the purpose of catching anything that was not enumerated in the law.
Mr. BOUTELL. It seems to me it is a good deal like constructing a whale net to catch a mosquito with, if that was the only intention of it. There must be some explanation for it.
Mr. WHITMAN. I will try to give you all that I know.
Mr. POU. What section is that?
Mr. BOUTELL. Three hundred and sixty-four.
Mr. WHITMAN. In the framing of tariff bills, my experience has been that it is almost impossible to enumerate specific articles; that the law is almost always evaded in some way; and while this does appear on its surface to be extraneous I have no doubt that it was put in for that purpose, and I beg to assure you that it does no harm.
Mr. BOUTELL. That is your idea, is it, that it was put in in that intricate and involved language, and using another paragraph by way of reference, as a merely prohibitive duty on something that might possibly creep in?
Mr. WHITMAN. Yes, sir.
Mr. BOUTELL. That certainly was a very involved and labarynthian way to accomplish a very small purpose.
The CHAIRMAN. It looks very much like a blanket clause.
Mr. WHITMAN. That is exactly what it is.
The CHAIRMAN. To catch anything that the other parties may have omitted or that the courts might construe.
Mr. BOUTELL. That blanket clause is in 366, and it would not have taken but two words to have included the raw wool. Three hundred and sixty-four is a separate clause and refers to 366.
Mr. WHITMAN. The chairman has answered the question far better than I am able to answer it.
Mr. BOUTELL. I admit that.
Mr. WHITMAN. In my judgment, it is all right.

The change in the rate on tops is the only substantial change made in this schedule. Listen to how it climbs up:

The duty on wools of the first class, which shall be imported washed, shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes, which shall be imported scoured, shall be three times the duty to which they would be subjected if imported unwashed. The duty on wools of the third class, if imported in condition for use in carding or spinning into yarn, or which shall not contain more than 8 per cent of dirt or other foreign substance, shall be three times the duty to which they would otherwise be subjected.

Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing; that is, in their natural condition. Washed wools shall be considered such as have been washed with

water only, on the sheep's back, or on the skin. Wools of the first and second classes washed in any other manner than on the sheep's back or on the skin will be considered as scoured wool.

Having laid the foundation, I want to talk about the tariff on woolen manufactures. On blankets valued at not more than 40 cents a pound, 22 cents and 30 per cent ad valorem per pound. That is the same as 2 pounds of unwashed wool of the first class. When both of these rates are reduced to ad valorem, it amounts to 107.60 per cent. It may surprise you to know, when you run this out into the ad valorem, that it varies from year to year, but that is on account of the variation in the value of the wool. In 1907 there were imported only 1,116 pounds of that sort of blanket. If that is not prohibitive, I do not understand the use of the English language. When you strike blankets and flannels valued at more than 40 cents and not more than 50 cents a pound, when reduced to ad valorem, the rate amounts to 106.12 per cent. There was imported of that sort of blankets in 1907 only 472 pounds. Valued at more than 50 cents a pound, 33 cents tariff specific and 40 per cent ad valorem, when reduced to ad valorem, amounts to 71.31 per cent. Blankets more than 3 yards long, 33 cents and 40 per cent ad valorem, when reduced to ad valorem, amounts to 165.42. That was in 1907. Three years before it amounted to 182 per cent and over.

Mr. HUMPHREYS of Mississippi. How much of that comes in?

Mr. CLARK of Missouri. Those are the cheapest blankets—importations, 142 pounds.

Mr. NORRIS. These are under the present law.

Mr. CLARK of Missouri. These are under the Dingley law, and they are not changed in the Payne bill. Flannels valued at more than 30 cents and not more than 40 cents per pound, 22 cents a pound and 30 per cent ad valorem, and when reduced to ad valorem that amounts to 143.67 per cent. Valued at more than 40 cents and not more than 50, 33 cents a pound and 35 per cent ad valorem, when reduced to ad valorem amounts to 102.26 per cent. The importation in 1907 of that was 257 pounds. Valued more than 50 cents and not more than 70 cents per pound, when reduced to ad valorem, 105.49 per cent, and so on to the end of the list. When the specific rates and the ad valorem rates are reduced to ad valorem on women's and children's dress goods, cotton warp, the tariff is 105.92 per cent. Values not exceeding 15 cents per square yard, and above 70 cents a pound, ad valorem, 106.37 per cent; valued above 15 cents per square yard and not above 70, when reduced to ad valorem, 96.87 per cent. Women's and children's dress goods, in paragraph 369, valued not above 70 cents per pound, specific and ad valorem rates, when reduced to ad valorem, amount to 104.19 per cent. One thing that so completely mystifies the public as to the rates they are really paying is that the rates are stated on the pound, while nearly everyone thinks of woolen goods by yards.

Mr. SULZER. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Yes.

Mr. SULZER. Can the gentleman state whether or not under the provisions of the Payne bill the tax on woolen goods has been decreased or increased?

Mr. CLARK of Missouri. It stands nearly precisely where it was.

Mr. HILL. Will the gentleman also publish with his statement of the respective ad valorems on the woolen goods the statement of the importations under the respective items?

Mr. CLARK of Missouri. Yes.

Mr. HILL. Because if he does he will find that in the last item to which he referred during the Dingley bill, the increase on women's dress goods, valued above 70 cents a pound, is from 4,000,000 yards to 18,000,000 yards, a multiplication under that tariff of more than 500 per cent.

Mr. CLARK of Missouri. Well, I will try to publish it all; I do not want to weary the House.

Mr. HILL. Put it all in together; it will look better.

Mr. CLARK of Missouri. In answer to the question of my friend from New York—I do not see Mr. BOUTELL here who was engineering this thing—I will state it as I understand it. This is the only material change I have found in these rates. Tops, you understand, take the place somewhat of the old-fashioned rolls; I do not know whether the gentleman from New York knows what that is, he being a city man.

Mr. SULZER. I do; I have been in woolen mills.

Mr. CLARK of Missouri. Here is the way it was fixed in the Dingley bill. It was a concealed performance. They fixed it in this way—that if wool that had been advanced by any degree of manufacture not specified in this bill should come in, it should come in under certain other sections. This included tops, the first step in manufacture after scoured wool, and made tops pay an enormous per cent, when we consider their place in the scheme of manufacture. Here is what the tariff was on tops in the Dingley bill:

Where they were worth not more than 40 cents a pound the tariff on tops—now, that is wool that is barely started in the manufacturing process—was three times the tariff on 1 pound of wool of the first class; that is, 33 cents plus 50 per cent ad valorem. Now, in the Payne bill it is the same as on scoured wool, and scoured wool is three times instead of four, the same as on scoured wool, and 6 cents per pound. Now, the tariff on scoured wool of the first class is three times the tariff on unwashed wool of the first class, which is 11 cents, and three times that is 33 cents. That is what it is on tops under the new bill, 33 cents plus 6 cents per pound; that makes 39 cents. Anybody can understand that that understands anything about wool. In the other case it was three times the tariff on 1 pound of wool of the first class, 33 cents plus 50 per cent ad valorem. Now the only difference is in 6 cents and 50 per cent ad valorem. If wool of the first class in the grease was worth 18 cents per pound under the old law, the 50 per cent ad valorem would be 9 cents. If it were worth 12, it would be 6, which added to the specific duty of 33 cents would be 45 cents in the one case and 39 in the other. I want to give the gentleman from Illinois [Mr. BOUTELL] credit for doing that, and I will give you his cross-examination of William Whitman, to show you how he did it.

Mr. HUGHES of New Jersey. Will the gentleman state whether or not the schedule about which there were some newspaper statements about a gentleman named Whitman, whether or not that schedule is substantially the same in this bill as in the last bill?

Mr. CLARK of Missouri. I was just explaining that point. I will explain it over again. The making of "tops" is the first step in the manufacture of woolens, after scouring the wool, and amounts to what were the old-fashioned rolls. Then when you get to yarns it ought to be a higher tariff, and when you get to cloth it ought to be a still higher tariff, a compensatory duty, it is called. Now, here is the way it stood in the old law, and it seems to have been worked in by indirection by referring it to another class. I know it is very hard to understand, and that is precisely the reason the enormities stay in these bills. In the Dingley bill the rate on tops was switched way around and put into another section. It said that on wool advanced by any step of manufacture not specifically fixed in this bill the rate, which meant on tops, should be the same as fixed on woolen goods under a certain section in which the rate is very high. Well, now, here is what it was in the Dingley bill: On tops not more than 40 cents per pound (of course that took it all in), three times the tariff on 1 pound of wool of the first class; that is, 33 cents plus 50 per cent ad valorem. Now, if the wool was worth 12 cents per pound, that amounted to 39 cents; if it was worth 18 cents, it amounted to 42 cents, and so on. Now, here is the way it is in the new bill:

It is the same as on scoured wool and 6 cents per pound additional. Now, that means 33 cents plus that 6 cents. So it is changed for the better. That is the one instance I know of in the woolen schedule that is changed for the better. While that was a laudable performance, and was brought about by reason of the utter disgust that every member of the committee felt for one man that testified, as long as you let these enormous rates stay on manufactured cloth it is simply a squabble between the top makers and the yarn spinners, and the ultimate consumer gets no benefit at all. Just listen to one or two of these and see how complicated they are. If you would undertake to listen to all of them you would have a swimming in the head:

On cloths, knit fabrics, and all manufactures of every description, made wholly or in part of wool, not specifically provided for in this section valued at not more than 40 cents per pound, the duty per pound of cloth shall be three times the duty imposed by this section on a pound of unwashed wool of the first class.

And then there is an ad valorem duty of 55 per cent.

It is very interesting to know about these wool schedules and how they got in here, anyhow. When the civil war began the tariff on wool and woolens was very low, and of all the calamities brought about by the civil war, the tariff bill that grew out of that war has cost the American people the most. [Applause on the Democratic side.]

The money value of all the slaves and the loss financially by the destruction of property during the civil war does not amount to a tithe of what these exorbitant rates have cost the American people. [Applause on the Democratic side.] Any man can vote for a tariff that charges the poor in this country

165 per cent or 182 per cent on blankets that wants to do so, but I will not do it. [Applause on the Democratic side.] And I will not vote for any such exorbitant rates on woolen clothes.

I want to read you a few extracts from these hearings. I have never been afraid to do justice to any man, and I want to read you a few questions that the gentleman from Indiana [Mr. CRUMPACKER] pumped into a distinguished citizen.

There was a man, by the name of William Whitman, who came before that committee from the city of Boston, Mass. I hate no man, but I have a more supreme contempt for him than any other human being that I ever clapped my eyes upon. But before I go to that, because that will be a long story, I want to tell you something about wool.

Most of them came in there and testified that they were not making anything at all. The truth is that the men who were getting prohibitive rates and rolling in wealth came in there and testified so frequently that they were not asking anything that at last the gentleman from Georgia [Mr. GRIGGS], who has a very rich sense of humor, did more good than any of us. He would stop the witness when he began and say, "I want to ask you if you are making any money?"

The first time he asked it, it sounded very funny, but by the time he had asked that of a dozen men, the other men, when they went to testify, would voluntarily preface their statement by saying they were making money. They never began to admit that they were making money until the gentleman from Georgia [Mr. GRIGGS] caught onto that scheme. But these wool men came in from Pennsylvania, Ohio, New Mexico, Utah, and from the Lord knows where, and stood up there with faces as straight as a yardstick and testified that they were not making anything. Finally, there was a tall, slender, sinewy man, with a hawkbill nose and a clear, gray eye, a fine sample of a pioneer, that came in from Wyoming to elucidate the situation. What he wanted was for the rates on wool to be doubled, and that is what they all wanted. The chairman had learned a good deal about the wool business from me in those examinations. I cross-examined these men in extenso simply because I was raised in the wool country and knew a great deal about it, and when this man from Wyoming—and I never have been able to find his evidence in the hearings, although it is in there somewhere—got on the witness stand and made his statement, the chairman took him all around Robin Hood's barn. He asked him every question I had asked twenty-five or thirty witnesses. I think he was trying to knock me out of cross-examining him. I did not care if he did. While the man was being cross-examined by the chairman, I came to the conclusion that he was an unusually good-natured citizen.

When the chairman got through with him and he started to leave, I said, "Hold on. I want to ask about three questions." I said: "How long have you been in the sheep business?" Now, recollect that he was asking for these wool rates to be doubled. Instead of getting 11 cents a pound and 12 cents, he wanted to get 22 cents and 24 cents. I asked: "How long have you been in the sheep business?" He replied: "Fourteen years." "How much did you have when you went in? How much money did you put in?" He said: "Nine hundred and sixty dollars." "Are you worth a hundred thousand dollars now?" He said: "Yes, I am." I have always since been sorry that I did not ask him $150,000. I just accidentally hit on $100,000 as a round number. "Now," I said to him, "Mr. Witness, the truth of the whole thing is that you started fourteen years ago with $960 in the sheep business and you made $100,000, and you come here to ask to have the tariff doubled so that you can make some more?" And he said: "That's about the size of it." Then he started in and told me how dangerous it was to raise sheep in Wyoming [laughter], and how brave the pioneers were. [Laughter]. "Why," I said to him, "you need not pass any eulogy on western men so far as I am concerned, for I am one of them." It is the vigorous, ambitious, and venturesome who go out to the West and the drones who stay at home. I said to him: "Where did you live before you went to Wyoming and went into the sheep business?" He said: "In western Kansas." I said: "What did you do in that delectable region?" He said he was a farmer. "Now," I said, "tell me the truth; is it any more dangerous to raise sheep in Wyoming than to drive four mules to a gang plow or a wagon in Kansas?" And he says: "No; it is not." [Laughter.]

I do not pretend to say that everybody has made that enormous profit. I have not figured it out, but it must be 1,000 per cent, or more than that. I do not pretend to say that everybody makes that profit. But I tell you what I do know. I have a good Republican friend in my district, a gentleman who came from Ohio, that makes lots of money this way, and he is as clever and good a man as ever lived. He does not own any farms; he farms out sheep to small farmers. He gets half of the wool and half of the increase. He has been trying for the last ten years to persuade me to go into the business with him, and the only reason I did not do it is because I did not have time to talk the plan out with him. He told me repeatedly that he made 40 and 50 per cent on his money one year with another.

Now, let us see about this sheep increase. There has been only 12,000,000 of sheep increase since 1896. Now, one ewe in that length of time would come up in 1909 with seven ewe daughters and with granddaughters. Sheep reproduce everywhere from a year to eighteen months. They double the flock when well taken care of every year. Witnesses swore they did not, but I know that a flock doubles itself every year if well taken care of. Half of them are ram lambs and half of them ewe lambs. That is about the proportion. The proportion of boys and girls born into the world is 21 boys to every 20 girls. It runs about the same with ram lambs and ewe lambs. Start with a ewe in 1896, and, taking it for granted the product is half rams and half ewes, in 1907 she would come up with at least seven of her female descendants by her side.

Now, if this wool tariff is such a blessing to the people, what is the reason, instead of having fifty millions we have not seven times the thirty-eight millions when they started in 1896? I want to tell you about this man Whitman, William Whitman, of Boston. In all the critiques written on Charles Dickens, of blessed memory, it is said that all his characters are caricatures; but I am as certain as I am living this day that if Charles Dickens could have come back to the earth and walked into the room of the Committee on Ways and Means when Whitman was testifying, he would have walked up and said to him: "How do you do, Mr. Pecksniff?" [Great laughter and applause.] I think that every man on that committee will testify that I was the only man on the committee that ever forced that man to answer questions directly, although he testified nearly all day, and I did it by hard pounding. The chairman would ask him a polite question and he would fence with the chairman for ten minutes. Mr. HILL would ask him a question and he would fence with him. Mr. COCKRAN would ask him a polite question and he would fence with him; and all the rest of them. So, finally, when I tackled him he commenced the fencing game with me. So I said to him "I do not want any more fencing done here to-day. I am going to ask you plain questions and you have got to answer."

But before I got hold of him Judge CRUMPACKER took a turn at him. Now, Judge CRUMPACKER wanted him to answer questions, and I will show you how long it took him to make his answer. I do not know whether Judge CRUMPACKER is here or not. It does not make any difference. This is mighty rich stuff. This is on pages 3322 and 3324 of the first print of the tariff hearings, and on pages 5356 and 5357 of the last print:

Mr. CRUMPACKER. I would like to ask a question or two about a particular schedule—cheap blankets, for instance, valued at not more than 40 cents a pound. Last year there was imported 142 pounds only of the value of 40.60. They paid a duty of 67.16, equal to an ad valorem rate of 165.42 per cent. That duty is practically prohibitive, is it not—165 per cent?

Mr. WHITMAN. On that particular character of blankets; yes, sir.

Mr. CRUMPACKER. Upon that cheap blanket?

Mr. WHITMAN. I do not know that.

He could not tell a thing and stick to it to save his soul.

Mr. CRUMPACKER. Blankets valued at not more than 40 cents a pound; blankets that are used by the poorer classes of people in this country. That is a prohibitive duty, is it not? The records show that.

Judge CRUMPACKER was reading from this report of Mr. Evans, an official document. Now, see how he fences:

Mr. WHITMAN. The records show that they could be bought so much cheaper here.

Whether that was false or true nobody knew, but he would not answer a question directly.

Mr. CRUMPACKER. The American manufacturer of blankets does not need 165 per cent protection, does he, to control his own market?

Mr. WHITMAN. That particular article?

Mr. CRUMPACKER. That particular article; yes.

Mr. WHITMAN. Well, I should think not.

Mr. CRUMPACKER. Now, then, Mr. Whitman, in relation to cloths, woolens, and worsted goods which you manufacture, valued at not more than 40 cents a pound—that is a cheaper grade, is it not?

Instead of answering the question, he said:

Mr. WHITMAN. I am manufacturing dress goods, women and children's dress goods.

Mr. CRUMPACKER. Cloths, woolens, and worsteds is the caption—valued at not more than 40 cents a pound; last year, 1907, the ad valorem rate was 134.97 per cent. Is that large duty necessary in order to protect you against foreign manufacturers in the production of the cheap class of worsteds?

Mr. WHITMAN. Worsteds?

Mr. CRUMPACKER. Yes, sir; 71,308 pounds valued at $23,963; duty, $37,378; 134.97 per cent?

Mr. WHITMAN. I do not know where you find that.

And yet Mr. CRUMPACKER was sitting right there within 10 feet of him, reading from this voluminous report of Mr. Evans, which is a government document.

Mr. CRUMPACKER. I have the record that was prepared—I do not know where it came from. This is an official document, however.

The CHAIRMAN. That was prepared for the use of the committee.

Mr. CRUMPACKER. Yes, sir; from the official records.

The CHAIRMAN. It is undoubtedly correct.

Mr. CRUMPACKER. Valued at not more than 40 cents per pound—cloths, woolens, and worsteds.

Mr. WHITMAN. What page is that?

Mr. CRUMPACKER. Eight hundred and ninety-seven. This is dress goods, women's and children's coat linings, Italian cloths, and goods of similar description, valued at not exceeding 15 cents per square yard and not above 70 cents per pound—the rate last year, 1907, was 109 per cent. You are engaged in that line of manufacture, are you not—women's and children's dress goods?

Mr. WHITMAN. Yes, sir.

He got one answer at least.

Mr. CRUMPACKER. I notice a number of schedules here where the rate is above 100 per cent. Do you believe that more than 100 per cent is necessary for the protection of any American manufacturer of woolen fabrics?

Now, remember that Mr. CRUMPACKER is a Republican. If there is any free-trade talk in this extract, he is guilty of it, and I am not:

Do you not believe that we could reduce it down to 100 or below 100 per cent with entire safety to our own industries?

Mr. WHITMAN. In that schedule to which you refer the importations increased in 1898 from 3,319,000 square yards to 20,270,892 yards in 1905.

Not at all responsive to the question asked.

Mr. CRUMPACKER. Let us adjust this. Now, taking them all together, this is a cheaper class. The scale is graduated according to value. Where the values are below 40 cents, the rate is 134, and as the value increases the rate decreases naturally.

Mr. WHITMAN. That is natural.

Mr. CRUMPACKER. Of course; so that the higher class of woolen goods pay just about one-half the ad valorem rate of duty as the cheap class that are worn and used by the poor people of the country.

Mr. WHITMAN. I do not think that is so.

Mr. CRUMPACKER. That is what the record shows—that the importation in the cheap class of goods is practically nothing.

That closes the dialogue between Mr. CRUMPACKER and Mr. Whitman.

I will read you another part of the examination by the Hon. William Bourke Cockran. As time goes by, and I come to know men better, I change my mind about many men here, some for the better and some for the worse. When Mr. Cockran came back to Congress, I had an intense prejudice against him growing out of political events beginning in 1896. I always had a great admiration for his splendid genius. I think he has one of the most exquisite intellects ever housed in a human skull. He has the most copious vocabulary of all the men that ever served in the Congress of the United States, with perhaps a single exception, that of Henry A. Wise, of Virginia. Not only is his vocabulary comprehensive and copious, but he is as precise in the use of words as was John J. Ingalls, from Kansas, or as is Judge DE ARMOND, of Missouri; and finally he rendered such valuable service in these hearings and was so true to his convictions that my admiration for him grew into personal affection. I think that much ought to be stated. I am certain every man in the House regrets his departure. [Applause.]

It was a delight to hear him examine a witness when he was in fine fettle. He possesses all the politeness of a Frenchman and all the blarney of an Irishman. [Laughter.] He would get hold of a witness and ask him a question, then ask him the same question over 10 or 15 times, changing it a little, and the first thing the witness knew he was in the soup. [Laughter.] He got hold of Mr. Whitman in this fashion:

Mr. COCKRAN. Mr. Whitman, in answer to Judge CRUMPACKER, you made one or two statements that I think perhaps ought to be a little further elucidated. You are engaged, as I understand you, in the production of yarns, woolens, and worsteds, and in the dress goods—women's and children's goods?

Mr. WHITMAN. In the whole business; yes, sir.

Mr. COCKRAN. Now, so far as yarns are concerned, made wholly or in part of wool, I find that they are divided into two classes, some valued at less than 30 cents a pound and some over 30 cents a pound. On the cheaper yarns the duty ranges from 143 to 177 per cent, in different years, and the importation was almost nil—that is, the cheaper class of yarns.

Mr. WHITMAN. Yes, sir.

Mr. COCKRAN. Do you think 170 or 177 per cent, which was the average in 1899, and 143 per cent, which was the average in 1897, are fair rates of duty on those articles?

With a great deal of sweetness, Mr. Whitman replied:

Yes, sir; if you will deduct the wool duty from it, you will find the percentage is not far out of the way.

He always had a hole to try to get out of.

Mr. COCKRAN. But if you import yarns, you only pay one duty.

Mr. WHITMAN. But you pay a compensatory duty equal to three and one-half times; I think it is the duty on wool.

Mr. COCKRAN. As far as the difficulty on yarns is concerned, I do not care where the difficulty may lie; but do you think the rate of duty, ranging from 143 to 177 per cent on yarns, the cheaper quality of yarns, is a fair rate of duty?

Mr. WHITMAN. I think it is in this case.

Now, I want to explain how the high duty got on woolen cloths. As I said, there is a vast literature on the subject of wool and woolen cloths. During the civil war, when they were taxing everything which they could lay hands on, they put a high rate on wool. Then they put a compensatory duty on manufactures of wool. That was the first step. Being in sore need of money, our Government placed an internal-revenue tax on woolen goods on top of the compensatory tariff duty. Then it gave the woolen-goods manufacturers an increased duty to compensate them for paying the internal-revenue duty. After the war closed they took off the internal-revenue tax, but never reduced the compensatory duty on woolen cloths. The duties on woolen cloths are higher to-day than they were at the close of the war, and they are nearly exactly the same in the Dingley and Payne bills.

Now, somehow or other, somebody persuaded Congress to believe that it takes 4 pounds of wool to make a pound of cloth, so that is in here yet. As a matter of fact, it does not do any such thing. Let us see how that stood. I will tell you what they did; they gave them a specific duty of 44 cents a pound; that is four times the duty on 1 pound of unwashed wool of the first class; and to that duty they have added 25 per cent ad valorem. The 44 cents was the compensatory duty, and the 25 per cent ad valorem was supposed to be a protective duty.

They kept going on and on until the ad valorem duty was raised to 55 per cent. Professor Taussig, in his history of the tariff of the United States, figured it out and gives the figures, and on an average it only takes 3¼ pounds of unwashed wool to make a pound of cloth. I know it is common to sneer at college professors when they talk or write about economics; but Professor Taussig, of Harvard, stands high, and here are his discussion and his figures:

The compensating duties, as we have seen, were based on two assumptions; first, that the price of wool, whether foreign or domestic, was increased by the full extent of the duty; second, that 4 pounds of wool were used in making a pound of cloth. The first assumption, however, holds good only to a very limited extent. A protective duty does not necessarily cause the price of the protected article to rise by the full extent of the duty. It may be prohibitory; the importation of the foreign article may entirely cease; and the domestic article, while its price is raised to some extent, may yet be dearer by an amount less than the duty. This is what has happened with regard to most grades of wool. The commoner grades of wool are raised in this country with comparative ease. The duty on them is prohibitory, and their importation has ceased. Their price, though higher than that of similar wools abroad, is not higher by the full extent of the duty. It is true that the importation of finer grades of clothing and combing wool continues; and it is possible that the wools of Ohio, Michigan, and other States east of the Mississippi are higher in price, by the full amount of the duty, than similar wools abroad. Even this is not certain; for the wools which continue to be imported are not of precisely the same class as the Ohio and Michigan wools. As a rule, the importations are for exceptional and peculiar purposes, and do not replace or compete with domestic wools. At all events, it is certain that the great mass of wools grown in this country are entirely shielded from foreign competition. Their price is raised above the foreign price of similar material; but raised only by some amount less than the duty.

The manufacturer, however, gets a compensating duty on all cases as if his material were dearer by the full extent of the duty than that of his foreign competitor. The bulk of the wool used by American manufacturers does not show the full effect of the tariff, and the manufacturers clearly obtain, in the specific duty, more compensation than the higher price of their wool calls for. The result is that this duty, instead of merely preventing the domestic producer from being put at a disadvantage, yields him in most cases a considerable degree of protection over and above that given by the ad valorem duty.

There is another way in which the compensating duty is excessive. A very large quantity of woolen goods are not made entirely of wool. Cotton, shoddy, and other substitutes are in no inconsiderable part the materials of the clothes worn by the mass of the people. In these goods very much less than 4 pounds of wool is used in making a pound of cloth, and the specific duty again yields to the manufacturer a large degree of protection.

The second assumption of the compensating system, that 4 pounds of wool are used in making a pound of cloth, is also open to criticism. The goods in which cotton and shoddy are used clearly do not require so much wool. But it is probable that even with goods made entirely of wool the calculation of 4 pounds of unwashed wool for each pound of cloth is very liberal. Wool, unwashed, shrinks very much in the cleaning and scouring which it must receive before it is fit for use, and the loss by wear and waste in the processes of manufacture is also considerable. The shrinkage in scouring is subject to no definite rule. In some cases wool loses only 40 per cent of its weight in the process, in others as much as 75 per cent. The shrinkage in scouring on American wools is rarely more than 60 per cent; and if to this is added a further loss of 25 per cent in manufacture, there will be needed for a pound of cloth no more than 3¼ pounds of wool. With the great majority of goods made in this country the shrinkage and the loss in manufacture do not amount to more than this. The calculation of 4 for 1 is for most American goods a liberal one; and it is evident that the compensating duty, based on this liberal calculation, yields a degree of protection in the same way that it does on goods that contain cotton or shoddy.

On the other hand, there are some grades of imported wool on which the shrinkage and loss in manufacture are so great that the compen-

sating duty is not excessive. Some grades of Australian wool which are imported for manufacturing fine goods and worsteds are subject to exceptional shrinkage and to exceptional waste in the process of manufacture. Of this class of wool 4 pounds, and sometimes a little more, are apt to be used for a pound of cloth. In such cases the compensating duty evidently may fail to counterbalance entirely the disadvantage under which the manufacturer labors in the higher price of his raw material, for the wool being imported into this country, and paying the duty, must be higher in price by the full amount of the duty than the same wool used by the foreign producer. In other words, there are cases where the specific duty is not sufficient to offset the duty on the raw material. It is probable that this fact explains, in part at least, the regular importation of certain dress goods and finer grades of cloths which continue to come into the country from abroad in face of the very heavy duty. But such cases are exceptional. For most goods made in the United States the compensating duty on the foreign basis is excessive.

And in a footnote in his book he makes the following calculation:

See, as to the loss of wool in scouring, Quarterly Report, Bureau of Statistics, for quarter ending June 30, 1884 (pp. 563-565); Harris, Memorial (p. 11); Schoenhof, Wool and Woolens (p. 10); bulletin, Wool Manufacture (vol. 13, p. 8). The least loss I have found mentioned is 25 per cent (coarse Ohio) and the highest 70 per cent (Buenos Aires wool). Ordinary American wool loses between 50 and 60 per cent in scouring. The loss in weight in manufacturing varies much with the processes, but with care will not exceed 25 per cent. With most goods it is less.

If the loss in scouring 100 pounds of wool is 60 per cent, there remain 40 pounds of scoured wool; deduct 25 per cent for loss in manufacture, 10 pounds, which leaves 30 pounds of cloth, or 1 pound of cloth for 3⅓ pounds of wool.

If the loss in scouring 100 pounds of wool is 65 per cent, there remain 35 pounds scoured wool; deduct 25 per cent for loss in manufacture, 8¾ pounds, leaves 26¼ pounds of cloth, or 1 pound of cloth for not quite 4 pounds of wool.

See the instances given by Mr. Hayes in Wool Manufacturers' Bulletin, vplume 12, pages 4-9. These all refer to Australian wool, which, as Mr. Hayes says elsewhere (ibid. p. 107), is imported in comparatively small quantities for exceptional purposes.

Mr. HILL. Will not the gentleman admit that it is entirely dependent upon the shrinkage of the wool?

Mr. CLARK of Missouri. Certainly it is.

Mr. HILL. And that the shrinkage of domestic territory wool is far in excess of 4 pounds to 1.

Mr. CLARK of Missouri. I will tell you what I will do about that. I will set out the long tables about wool shrinkages. They are very interesting, if anybody wants to read them. But I say that he proves beyond all controversy in his book that on the average it takes only 3½ pounds of wool in the grease to make a pound of cloth. What is the result of that? That these woolen manufacturers get the 36½ cents specific duty on a pound of cloth which Congress intended to give them, and then the ad valorem, whatever it is, and then, in addition to that, they get two-thirds, or 11 cents—that is, 7½ cents—per pound, which Congress never intended they should have and only gave to them by reason of its ignorance. That is the truth about that. I asked Mr. Whitman this question, If the price of woolen goods had not gone up so high that no man could get a suit of all-wool goods unless he paid an exorbitant price for it at a tailor's shop and was a good judge himself of whether a thing was all wool or part cotton?

He said no; that that was not so. I told him I knew that it was so, and the way I knew it was so is that a year or two ago I took my boy into a clothing store downtown. He was 17 or 18 years old then. I got him a nice overcoat—that is, had it laid out on the counter—a very handsome coat for a boy, and it fitted him well. I also had laid out a whole suit of clothes. Then I asked the clerk, who is a very nice gentleman, to tell me whether this suit of clothes and the overcoat were all wool. He said:

Why, Mr. CLARK, you can not get a suit of all wool or an overcoat of all wool unless you first go to a high-class tailor and pay twice as much as you pay for this, and you had better look out mighty close then or you will not get it all wool.

Then somebody else asked Mr. Whitman if the manufacturers did not make up for all this tariff on wool by making an inferior grade of woolen cloths. He disputed that.

Now, Mr. Chairman, I said these Republicans helped us out frequently. I want to be fair to everybody. And, by the way, it turned out, very much to my surprise, that my friend who sits here, the gentleman from Connecticut, used to be a lumber merchant. I supposed that he had been a lawyer all his life.

Mr. SULZER. I supposed that he had been a banker all his life.

Mr. CLARK of Missouri. And you ought to have been over there when he got hold of the lumber barons. It was the case of a man talking about what he knew. Well, Mr. Whitman was testifying that they did not make inferior cloths, and the gentleman from Ohio [Mr. LONGWORTH] got hold of him, and he rendered a very valuable piece of service at that time. I read:

Mr. LONGWORTH. I desire to ask you a question which will not involve any political theory, and I will put it in the form of reading to you a few sentences from a letter that I received this morning from a constituent of mine. I will say that he is a Republican—I know it because I served with him in the legislature—and therefore he would not be biased by free-trade theories in asking for a reduction in the tariff on woolens. He makes this statement:

"As a manufacturer of clothing for a period of almost fifty years, I can truthfully state that I never handled cloth of so inferior a quality for the price as I do now. The masses, consisting of laborers, mechanics, and farmers, the real users of ready-made clothing, are receiving practically no value for their money. The qualities and colorings are so poor that in many instances the colorings fade and cockle, and in the manufacture of garments give positively no satisfaction to the wearer."

Here is a letter which I received the other day from an old lady in Pennsylvania. I am not going to give her name or address. I have got her letter in my pocket, and if any gentleman wants to see it under the seal of confidence I will show it to him, but I am not going to subject her to the persecutions of people who differ from her. I read her letter:

MARCH 17, 1909.

To the Hon. CHAMP CLARK,
Washington, D. C.

HONORABLE SIR: I am the mother of 5 children, all married, and have 6 grandchildren. In my own and their behalf I write to make this petition for a reduction in duties upon articles necessary in our homes.

We are small oil producers, but have refused to sign the papers protesting against the removal of duties upon oil (our own product), which are being circulated here, because we want, we need, and are entitled to cheaper lumber and steel products, which we use in our oil plants; cheaper clothing, so that we can wear woolens in the cold of this climate. We also wish to give President Taft a chance to redeem his pledge for "revisions mainly downward."

There is a concluding sentence which is complimentary to me, and my innate modesty forbids my reading it. [Laughter.]

I will now read an editorial from the Kansas City Star on this subject of warmer clothing for the people, and that the force of it may be understood I will state what the Kansas City Star is: It is the largest evening newspaper published west of the Mississippi River. The editor of it is independent in politics, though he supported Taft for President and Hadley for governor. He has made an independent fortune out of that paper. They say that it has more circulation in Kansas City than there are adult human beings resident in Kansas City. [Laughter.] He is a friend to me. He runs an independent paper. Now, here is what he says about warmer clothing for the people. "Tuberculosis and the tariff." I have had many surprises in my life, but this was another to find that the tariff had anything to do with tuberculosis. I knew that Jim McKenzie, of Kentucky, did help the health of the American people by getting quinine put on the free list.

He has been called "Quinine Jim" ever since, a very honorable title, too. And as one of those pleasantries of legislative life I will tell you how he did it: One morning he rose to a question of the highest personal privilege. Speaker Randall requested him to state it, and he called up his bill putting quinine on the free list. That made Speaker Randall mad, and he said it was not a question of privilege at all. Mr. McKenzie said, "Good God, Mr. Speaker, if I do not get this bill passed I will never get back, and some other fellow will have my seat." [Laughter.] That put the Speaker and the House in a good humor, and he had his bill passed. That there was any connection between the tariff and tuberculosis I never dreamed, but here it is, and when you hear it, it is as clear as day. This article is as follows:

TUBERCULOSIS AND THE TARIFF.

Probably few persons have ever given the matter a thought, but there is an intimate relation between the high protective tariff and the high mortality resulting from tuberculosis. The ravages of this disease are greater in the United States than in any other similarly enlightened country. And the cost of warm clothing is greater in this country than in others. There is where the relation between an unnecessary tariff and a largely preventable malady comes in.

It has been shown that tuberculosis is very largely a disease of poverty. Particularly is the spread of the disease, the miscellaneous infection from it, mainly traceable to poverty. And, next to good food and fresh air, the most important thing in the prevention or the cure of tuberculosis is warm, woolen clothing. But the cost of this kind of clothing, whether for wearing apparel or for bedding, is directly increased about 100 per cent by the heavy import duty on wool and woolens. This excess cost is raised to about 150 per cent by the duty on machinery and other articles affecting the manufacture of woolens. These duties were imposed to promote sheep raising and the manufacture of woolens. But the increased cost of raw material has made the general tariff disadvantageous to the manufacturer, and it has not greatly benefited the woolgrower. At least, such benefits as have accrued to the limited class engaged in growing wool is as nothing compared to the benefits that would come to the masses in general through cheap clothing; or to the cruelties, hardships, sickness, and death resulting from an insufficiency of warm clothing. It is better that the Nation should be comfortably and cheaply clothed, warmed, and saved from preventable disease than that the woolgrowers should increase their profits at the cost of these advantages to the whole people. It is claimed by scientists that cheap wool clothing would do more to suppress tuberculosis than all the sanitariums and other agencies now maintained for that purpose.

But in order to make an equitable adjustment of this question, the tariff should be taken off both raw and manufactured wool, and from all machinery or other articles affecting the cost of manufactured wool.

[Applause on the Democratic side.]

The men who vote to levy these exorbitant rates on the woolen manufactures will have visited upon them the curse that is pronounced in the Bible against those who "grind the faces of the poor." [Applause.]

I now call attention to another remarkable joker in this bill. This countervailing duty on coffee means that the American consumer shall be made to pay both the export duty of the country that it comes from and the import duty in the United States. [Applause on the Democratic side.] That is what it means. Let us suppose a case. I have not had time to find out how much these export duties are, but suppose these countries all go and make an agreement and they levy an export tax of 5 cents a pound on coffee. Under our law, then, we would levy an import duty of 5 cents per pound on coffee, and the American consumer, on his green coffee, would pay 10 cents per pound and on roasted coffee 15 cents per pound tariff tax. Now, so much for the coffee joker.

Probably the worst "joker" in this bill is the one on lumber; it is hard to dig it out of the involved mass of verbiage, and the seeker after the real tariff on lumber has to read in conjunction several different sections of the bill, widely separated. First, let us start with the paragraphs numbered 196 and 197 under Schedule D; these paragraphs pretend to reduce the rates on ordinary building lumber, rough and dressed. I say they pretend to do it, because by reason of a proviso added to section 197 the apparent reduction becomes inoperative and the present high rates of the Dingley law become applicable. The Payne bill "keeps the word of promise to the ear and breaks it to the hope." Now, let us read the proviso; here it is:

That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any foreign product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all the forest products of such country, when imported into the United States, the duties prescribed in section 3 of this act during the continuance of such import duties, charges, embargo, discrimination, or restriction.

Now, in order to understand just what rates lumber will really carry under this bill, we have to turn away over from page 55 of the first print of the bill, where the above language is found, to page 169, where section 3, above referred to, begins thus:

That on and after sixty days after the passage of this act, unless otherwise specially provided for in this act, there shall be levied, collected, and paid upon all articles mentioned in this section, and imported into the United States and into any of its possessions (except the Philippine Islands), from any foreign country, province, dependency, or colony, whenever any such foreign country, province, dependency, or colony, respectively, shall not be entitled under the provisions of section 4 of this act to the rates of duty in sections 1 and 2 provided, the rates of duty which are in this section prescribed, namely.

Then we will turn over two pages further, and on page 171 we find these words:

Upon each article enumerated in paragraphs 196, 197 * * * the same rate of duty as prescribed by the law in force prior to the passage of this act.

Now, in plain language, the situation is this: If any province, state, or dependency of any foreign country shall place any tariff rate or restriction on the exportation of any forest product, then the old Dingley rates go into effect against all the forest products of that entire country. It happens to be a fact that Ontario has a restriction as to the exportation of forest products cut (by government permission) from her forest reserves. Being a Province of Canada and a dependency of Great Britain, then, under the involved provisions of the Payne bill, all the forest products of Great Britain and her dependencies and provinces, on entering this country, have to pay the rates in the Dingley law, the very rates that are so odious to the users of lumber in this country at this time. To go further, under this bill, if Prince Edward Island has a forest reserve of 1,000 acres and should place an export tariff of 25 cents per thousand on shingles cut from that little reserve, then the Dingley rates would apply to all the lumber coming from Canada, British Honduras, New Zealand, and the other British dependencies. That is a very pernicious provision and very carefully concealed.

I will tell you about this maximum and minimum business. I said more than a year ago that the chairman's statement was equivocal, and I say it now. I say that the section he has put in here about maximum and minimum tariff does not provide that in any instance whatsoever any particular tariff rate can be cut down to the extent of a hair. They must all go up. They go up 20 per cent. I undertake to say, without fear of successful contradiction, while the rates of the Payne bill as it stands are on the average only 1.56 per cent higher than the Dingley rates, by the time the maximum and minimum tariff is gotten through with the rates will be at least 21.56 per cent higher than the rates in the Dingley bill. [Applause on the Democratic side.]

It is an open declaration of trade war with every commercial nation under the sun. I am not opposed to a shindy once in a while myself, but when I am cool and collected I have too much sense to believe in waging a perpetual war against all mankind. That is what that amounts to—going out in the world to seek trade with a club and a meat ax. There is an old saying that "molasses catches more flies than vinegar," and it is absolutely true. I am in favor of a maximum and minimum tariff, but I say that the rates as published in our statutes ought to be the maximum. Give us a chance to trade down and to increase our trade that way. Why not?

There is another provision in this bill which I would be very much in favor of if they would turn it around other end foremost. There is a provision that levies 10 per cent higher duties than the rates of the Payne bill on goods imported in foreign bottoms than when imported in American bottoms. That is the good old Democratic doctrine that built up our merchant marine, turned wrong end foremost. That is what built up our merchant marine largely. In that case the goods imported in American bottoms were 10 per cent lower than those imported in foreign bottoms.

There is not a reformatory item really in this bill, even if you would pass it as it stands. Everybody knows you are not allowed to talk much about the Senate here, but I will take one shot at it, anyhow.

Mr. SMITH of Michigan. Before the gentleman leaves the lumber schedule, will the gentleman state that, if the duty is taken off lumber, the consumer will get the benefit? If so, why?

Mr. CLARK of Missouri. Simply because if you give a man $2 he has got $2 more than he had before. [Applause on the Democratic side.] If that is not an elaborate answer enough I will tell you what happened in the committee.

One of the fairest men that came before the committee was Mr. White, of Kansas City—a Republican. I never had seen him before. Of course I knew about him. He is quite a prominent lumberman in Kansas City. He knew me. Before he started to testify he took a shot at me at point-blank range. I did not object to it. He said that the revision of the tariff ought not to be a political question. He said that there was a great Missouri Senator who was a free trader, as he called him, although that was not exactly correct, on every subject except lead, and that that great Senator voted for a tariff on lead. Lead is a Missouri product. I said, "Yes, that is true; but he regretted it until the day of his death, because high-protection tariff organs never got through throwing it up to him." He said, "He died very much regretted." I said, "Yes; he did; but he was not regretted by reason of that vote."

I will tell you what he testified to about lumber, and I think his testimony on that subject is the best given there—the fairest and most candid. Finally, I asked him how much cheaper a man could build a 6-room cottage, considering simply the lumber in it, if we took the tariff off of lumber, and he said, "Sixty dollars." At least, that is my recollection of what he said.

I do not want to talk all day, and I am not going to do so. But this bill raises rates, gentlemen, as sure as you are living, in its operation. If I did not believe that, I would not say it. But what I started to say is that even if you pass it as it stands, or if you amend it in here and improve it in here, when it gets to the other end of the Capitol it will be cut and carved until the chairman [Mr. PAYNE] will not know his own child when he meets it in the big road. Every time they change it it will be in an upward direction. This is three tariff bills I have been present at the making of; the chairman has been present at the making of four. Here is what happened with the others. We passed a fairly good revenue measure in the Wilson bill. It never was a perfect bill, but when it got over to the Senate they added about 700 amendments to it.

The Republicans have always been guying us about hat, and they had a right to until 1897. But Governor Dingley and the Republican party in 1897 passed a bill, with an overwhelming Republican majority here, and they sent it over to the Senate, and it came back with 801 amendments to it. The House swallowed the Senate bill in both cases. Of course, little changes were made in the conference reports, which changes were generally for the worse.

I will tell you what is going to happen: Certain wise and sapient seniors over there are engaged right now in making a tariff bill of their own. I suppose I am really precluded from telling who they are, but one of them does not live a thousand miles from Providence, R. I. [Laughter.] When this bill goes

over there, it will be a mild free-trade measure beside the one they will send back to us. They will strike out every word of this bill after the enacting clause. They will send their stake-and-rider bill to us. Then we will have a conference report, and then the "dog days" will come, and it will be so disagreeable in this city that Members will vote any kind of a bill to get out of town, and it will be 15 per cent, on an average, higher than this bill is now.

Gentlemen, I have concluded what I have to say.

Mr. SMITH of Michigan. I did not have the pleasure of listening to the first twenty minutes of your speech. If you did not say anything about the inheritance tax, for one I would be glad to have your views upon it.

Mr. CLARK of Missouri. I said nothing about it because I am muddled on the subject of whether the inheritance tax is as good as an income tax or whether it is better than an income tax, or whether the income tax is better than an inheritance tax; and so I do not like to venture an opinion until I have had a chance to study the whole subject.

Mr. COX of Indiana. Will the gentleman allow me to ask him one question?

Mr. CLARK of Missouri. Yes.

Mr. COX of Indiana. It is whether or not, under section 23 of the bill as reported, all material going into the construction and building of ships for foreign trade or foreign owners is free?

Mr. CLARK of Missouri. It is in truth. It means this, and it runs through several sections: The general proposition is that wherever an American company builds a ship from foreign material it gets a drawback of 99 per cent of the tariff paid on the foreign material so used, provided the ship is used in the foreign trade.

Mr. COX of Indiana. Now, just one more question.

Mr. CLARK of Missouri. I yield to the gentleman.

Mr. COX of Indiana. And that is whether or not in the support of the necessity for a ship subsidy one of the arguments upon which they insist has not always been the cost of the material in the ship is so much higher to the shipowner that he can not compete with the foreign ship?

Mr. CLARK of Missouri. That is true.

Mr. COX of Indiana. And whether or not under this drawback, either section 23 or section 29, in the last and final analysis of the situation that the shipbuilder in this country will practically get his material free?

Mr. CLARK of Missouri. Yes; that is true. He gets 99 per cent on the tariff back.

Mr. MICHAEL E. DRISCOLL. I listened to the gentleman's speech, but I was at the back end of the hall when he commenced his discussion of the wool schedule. I would like to ask the gentleman if there was a good deal of contention before the committee between the manufacturers of woolens and worsteds?

Mr. CLARK of Missouri. Yes.

Mr. MICHAEL E. DRISCOLL. Was the Dingley tariff in the gentleman's opinion much more favorable to the worsted manufacturers than to the wool manufacturers?

Mr. CLARK of Missouri. I think it is.

Mr. MICHAEL E. DRISCOLL. How about the proposed Payne bill?

Mr. CLARK of Missouri. I think it is just precisely the same.

Mr. MICHAEL E. DRISCOLL. Will the gentleman explain why it is so?

Mr. CLARK of Missouri. I will tell you. What they call "woolen goods" is made out of short-staple wool, and what they call "worsted goods" is made out of long-staple wool. I will tell you what I think about it.

Mr. MICHAEL E. DRISCOLL. That is what I want.

Mr. CLARK of Missouri. The reason that the worsted men got a better deal in the Dingley bill is on account of the machinations of this man William Whitman, of Boston. I am glad you asked that question. I had nearly forgotten him.

Mr. COX of Indiana. Will the gentleman yield for one more question?

Mr. CLARK of Missouri. Yes.

Mr. COX of Indiana. I wish to ask the gentleman if it is not a fact that under section 29, commonly known as the "drawback section," even intoxicating liquors of all kinds, such as beer, wine, whisky, and so forth, that are used upon vessels going to foreign countries, are withdrawn free of duty?

Mr. CLARK of Missouri. Yes.

Mr. COX of Indiana. Does it not relieve them, in other words, even from paying the internal-revenue tax?

Mr. CLARK of Missouri. Well that is this way. They are in bond. They do not actually pay the internal-revenue tax. They get out without paying it. I want to show this as a curious illustration of what happened: During those hearings, one day I asked somebody if he would not like to have his tariff crowded up to 300 per cent, the highest that there was on the list. My friend from Pennsylvania [Mr. DALZELL] asked me if I could name one 300 per cent duty. Well, right off the reel I could not, but I had my secretary go through, and there are a dozen or two more than 300 per cent.

I had him do another thing. I had him go through to see how many were above 100 per cent; and I have a list of them, and there are more than 300. Here is another strange fact, and if I wanted to be unfair I would leave it with one sentence. There is one article on which the tariff is 1,120 per cent. But it would not be fair to leave it that way. That tariff was put on there to compensate for the internal-revenue duty. A good many of these high tariffs, especially in the chemical schedule, were put in there because there is alcohol used in the various articles; and, of course, you know, there is a good stiff internal-revenue tax on it. So, on them the high-tariff rates are put on to compensate for the internal-revenue taxes.

I suggest to you a puzzle. Read section 29 of the Payne bill. There is not a man on top of ground that can pronounce with anything approximating a certainty what it means, and it is going into history as the "Payne Puzzle." The Republicans used to make fun of us when we were offering an income-tax proposition, because they said we were inviting a lawsuit. The other day the chairman himself suggested that certain matters in his bill would have to be settled by the courts; so he is estopped from making fun of us any more. I want to suggest to him that section 29 contains the germ of a fine, fat, juicy lawsuit. Now listen:

On the exportation of articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, or where domestic materials are used, to the duties paid on the equivalent of imported materials, less the legal deduction of 1 per cent.

Mr. SLAYDEN. What does it mean?

Mr. CLARK of Missouri. It means one of two things, and I do not know which. I will tell you what the law is now. I have stated it once before, that where an American manufacturer uses foreign materials in the manufacture of an article which he ships out, he gets back 99 per cent of the tariff. Whether section 29 means, as it is printed in the document form, that in addition to that privilege, if he imports 100 tons, for instance, of pig iron and makes it into steel and ships the steel out, he shall get the drawback; or if he uses that foreign 100 tons in manufacturing articles for domestic use, and then uses a hundred tons of American pig and ships it out, that he shall get the drawback; that is one construction. The other construction is this: If an American manufacturer uses American materials in manufacturing for export, even where he imported no foreign materials, he can go to the Treasury and collect a bounty equal to 99 per cent of the tariff he would have paid on the same quantity and quality of foreign material.

Mr. COX of Indiana. Is it not the gentleman's opinion that the language in this section will bear that construction?

Mr. CLARK of Missouri. I think so.

Mr. BORLAND. Before the gentleman leaves this section, will he yield to me for a question?

Mr. CLARK of Missouri. Yes.

Mr. BORLAND. If we permit the American manufacturer to go to the Treasury at any time within three years and draw back duties there on either American or foreign raw material used in manufactured goods which he sends abroad equal to the amount of foreign raw material which he has imported, is not that a club in the hands of an American manufacturer to pound down the price of the American producer of raw material by enabling him to buy raw material abroad until he can buy cheap enough at home, and then, in time, go back to the other price?

Mr. CLARK of Missouri. That is true; and I will tell you what else is true. The plain meaning of that section is that we are sanctioning a proposition that the American manufactured articles are to be sold in foreign countries cheaper than they are at home. It used to be said that the tariff was for the benefit of the American as against the foreigner, but now it is being turned around so that it is for the benefit of the foreigner as against the American.

I want to state another thing which I might not have mentioned had not the gentleman from Missouri asked me the question. In numerous instances the tariff on articles is greater than the entire cost of the labor production. That is true in numerous instances in this bill. I have always contended, and contend now, that if a tariff is levied in the name of labor, labor ought to get all of that tariff. But a whole lot of these rates fix it so that the entire cost of labor is paid and then it leaves a large share of the tariff over to the manufacturer.

Here is the way Whitman worked the game.

Mr. LONGWORTH. Will the gentleman yield for a suggestion?

Mr. CLARK of Missouri. Certainly.

Mr. LONGWORTH. Apropos of Mr. Whitman, I think that possibly the estimate of the gentleman from Missouri and mine agree, but my attention has been called to the fact that the gentleman from Missouri failed to give Mr. Whitman's answer to my question, and I think, in justice to Mr. Whitman, it ought to be given.

Mr. CLARK of Missouri. Does the gentleman know what he did say? It was left off from the manuscript that I had.

Mr. LONGWORTH. Mr. Whitman's answer was that he denied the truth of it.

Mr. CLARK of Missouri. I am much obliged to the gentleman; I do not want to do Mr. Whitman an injustice. I thought it was on my manuscript, but when I came to read it I found it had been inadvertently left off. This is how he worked it. I am estopped from criticising the Senate, but among other things I asked Mr. Whitman this, or something like it. I said to Mr. Whitman: "This is not the usual place where you get your work in on the tariff bill, is it?" He became indignant and said, "What do you mean?" I said, "Your appearance before the Ways and Means Committee is a pro forma performance; you had a little rather we should fix the bill to suit you." By the way, he said the Dingley bill was the best bill that ever passed. I said, "Really, you do not care very much what we do about this bill or what the House does about it, do you?" He gave one of his evasive answers and said he did not understand that. I said, "I will make it plain. The place you get your work in on the tariff bill is before the Finance Committee of the Senate." Well, he denied that. I did not believe he was telling the truth. I knew he was not, because in less than thirty minutes I proved that he was not. He denied that he had much to do with making that.

I will tell you what he did. The present Director of the Census, Mr. North, was the secretary of the Woolen Manufacturers' Association, of which Mr. Whitman is the president and—as I asked him if he was not—almost "it." It seems that Mr. Whitman was sick in Boston with a carbuncle on his neck during the most of the work on the Dingley bill. Mr. Whitman began making tariff bills way back in 1867. He was very active in 1883 and in 1890, and the only reason why he was not active in 1897 was by reason of the carbuncle, and so he sent Mr. North down here. Mr. North got into that Finance Committee without being a government employee at all. I am not reflecting on Mr. North, unless the plain truth reflects upon him. He did not draw any salary from the Government, but he stayed in that committee all of the time, and was constantly at the ear of Senator ALDRICH and Governor Dingley. They got a higher rate on tops than they did on yarn, although yarn is a further step in the manufacture than tops, which was a gross—the grossest—sort of an outrage.

Why did they do it? Because the Arlington mills, of which Mr. Whitman is practically the owner, are the largest top mills in the world.

Mr. GAINES. Will the gentleman permit me a question?

Mr. CLARK of Missouri. Yes.

Mr. GAINES. Does not the gentleman think that it is only justice to Mr. Whitman and to Mr. North to say that Mr. Whitman has sent a pamphlet to us which, unless it is a forgery, would seem to exonerate him from the charge that the gentleman from Missouri is now making? Unless Mr. Whitman has forged a letter from his own files, it seems that within two or three days after the Dingley bill was reported from the House Mr. Whitman wrote a letter to Governor Dingley protesting that the tariff upon tops was too high, and he himself called attention to the fact that the Arlington mills, of which he was the manager, or in which he was largely interested, was being constructed for the purpose of manufacturing tops, and saying that he would be put in the very unenviable light of having misled the committee into placing a higher duty on tops than ought to have been placed.

Now, I submit if that letter is true, if Mr. Whitman did at that time send to Governor Dingley any such letter, then Mr. Whitman can not be criticised because there went into the tariff bill in his favor something which he was protesting against, nor can Mr. North be charged with having secured in the interests of Mr. Whitman that which Mr. Whitman was himself protesting against.

Mr. CLARK of Missouri. Mr. Chairman, I should like to ask the gentleman a question—wait a minute; stand up.

Mr. GAINES. Oh, there will be lots of time, and the gentleman will stand up; but I suggest that the gentleman from Missouri forgets the amenities of debate.

Mr. CLARK of Missouri. Well, you will not ask any more questions if you perform in that way. I say this, that Mr. Whitman was cross-examined completely by the committee, and he never mentioned that letter which the gentleman from West Virginia talked about, never mentioned it, and I do not believe that he ever wrote any such letter. [Applause on the Democratic side.]

Mr. GAINES. Now, if the gentleman will permit me——

Mr. CLARK of Missouri. Oh, I do not dispute that he put it in a pamphlet.

Mr. GAINES. I know nothing in the world about the proof, whether he did or did not write such a letter, but I think it ought to go into the RECORD in this connection.

Mr. CLARK of Missouri. The gentleman can put it into his speech. I shall not put it into mine.

Mr. GAINES. I do not want to put the letter in the speech, but in justice to Mr. Whitman it ought to be stated that he has made that assertion, and has given us a copy of the letter, so that unless he is guilty of the forgery of a letter from his own files there would seem to be a defense against the very serious charge made against him and Mr. North. I know nothing about the truth as to whether he did or did not write such a letter.

Mr. CLARK of Missouri. I never saw any such letter. He may have sent it. If I had seen it I would not have believed it was written at the time it purports to have been written, unless there was corroboratory evidence from Mr. Whitman. I do not know whether I had finished about Mr. North or not.

Mr. SLAYDEN. The gentleman had not. He said that he was squatting in there like a toad.

Mr. CLARK of Missouri. Well, he was there as Mr. Whitman's friend. Now, here are some letters about which there is no dispute, because I called the letters out and called Mr. Whitman's attention to them, and printed them in the hearings, and they are in the hearings, and he did not deny them.

Mr. STANLEY. Mr. Chairman, was this copy of a letter to Mr. Dingley by Mr. Whitman given to the public before or after Mr. Dingley's death?

Mr. CLARK of Missouri. Oh, I never heard of that letter until—well, it seems to me in a sort of hazy way I have a recollection of a pamphlet coming from Mr. Whitman, but I did not read it, and I never heard of that letter that the gentleman from West Virginia is talking about until to-day.

Mr. GAINES. There was a pamphlet with it in, and it was pretty generally circulated.

Mr. JAMES. I would suggest to the gentleman from Missouri that to allow the statements of the letter of Mr. Whitman to go in setting Mr. Whitman right would be a reflection upon the memory of Mr. Dingley, who is not here and able to speak for himself.

Mr. CLARK of Missouri. It might. I do not think I will put it in. Here are some letters that passed between Mr. Whitman and Mr. North in 1897 that there is no dispute about. I want you to listen to them and recollect that Mr. North was not a public official; that he was drawing no salary; that Mr. Whitman worked him in over there as a clerk without salary from the Government. This is a letter from Mr. North to Mr. Whitman:

WASHINGTON, *June 20, 1897.*

It is lucky I was here, and just in the position I am—

I most thoroughly agree with him; that is, as far as Mr. Whitman is concerned—

It has given me a whole day to work on the matter and put it right, and with ALDRICH away there is no one on the committee who knows anything about it.

There you are exactly. The only man inside the committee room who knew anything about what he was doing or who had any information on the subject was this man North himself.

Mr. JOHNSON of Kentucky. That is when he got in the excessive duty on tops?

Mr. CLARK of Missouri. Yes.

But Allison and Platt trust me—

[Laughter.]

Now, that is how he was getting in his work—

And I expect they will both agree to what I have asked—

And they did agree to it—

I went all over the matter with them last evening.

S. N. D. NORTH.

WASHINGTON, D. C., *April 4, 1897.*

I am the only person whom the committee allows at its meetings—

Now, think of that! The President himself could not have got inside that room—

If I find that it is desirable that you shall come on here, I will telegraph you that the situation requires attention, and you will doubtless have no trouble in finding out what is the matter.

There is no dispute about these letters.

Mr. GAINES. Is the gentleman asking me?

Mr. CLARK of Missouri. Yes.

Mr. GAINES. None whatever, and the gentleman will understand that I am not defending Mr. Whitman.

Mr. CLARK of Missouri. I understand that.

Mr. GAINES. But it seems to me that when in this House we make that sort of an attack on individuals who can not here respond, the entire record should be put in.

Mr. CLARK of Missouri. Well, I am giving the record as far as I have ever seen it or had it. I think I did see a pamphlet that Whitman sent, but I confess I have had so many pamphlets sent me, just as the gentleman from West Virginia has, that I have never read one-tenth, and I have enough to keep me reading for the next five years. He goes on to say:

And you will doubtless have no trouble in finding out what is the matter.

S. N. D. NORTH.

The next letter is dated:

WASHINGTON, D. C., *June 10, 1897.*

I will do the best I can with Mr. Allison when the time comes, but he knows nothing about the understanding I have with Aldrich on the worsted yarn schedule

S. N. D. NORTH.

[Applause on the Democratic side.]

On the worsted-yarn schedule, that is the very identical thing that brother Whitman is attending to.

Now, here comes Mr. Whitman, the apostle of sweetness and light:

78 CHAUNCY STREET, BOSTON, *July 10, 1897.*

MY DEAR MR. NORTH: I am unable to go to Washington, and have no one to look out for my interests there but yourself, and I depend upon you. Of course Messrs. Aldrich and Dingley will do all they can, but I depend upon your letting them know what I need. I depend upon you. Dress goods, yarns, and tops.

Yours, very truly,

WILLIAM WHITMAN.

The next letter is:

BOSTON, *June 2, 1897.*

We all depend upon you to watch closely our interests, to see that nothing is overlooked or neglected by our friends on the committee. I have no doubt they will do all they can do, but with so many interests to look after, our special representative must see to it that our interest receives proper attention.

WILLIAM WHITMAN.

BOSTON, *June 9, 1897.*

Bear in mind that I am depending upon you wholly to look after my interests.

WILLIAM WHITMAN.

Now, let us see what happened. Two and two are supposed to make four. After the valuable services which North rendered Whitman and these other men in connection with him, they presented North with $5,000 in cash. Why did they give it to him? Because he was acting for the public good? No; because he was acting in their interests. Now, that is the whole Whitman tale. Now, gentlemen, I have discussed as fully——

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I asked a question and the gentleman switched off on the discussion of Whitman and North, which I did not inquire about. I would like to have him explain why the schedule in the Dingley bill and in the Payne bill in its actual operation favors the manufacture of worsteds as against the manufacture of woolens in this country.

Mr. CLARK of Missouri. Well, that I have never been able to understand.

Mr. MICHAEL E. DRISCOLL. Well, does the gentleman believe that the duties on these goods ought to be ad valorem instead of specific?

Mr. CLARK of Missouri. Yes——

Mr. MICHAEL E. DRISCOLL. In order that the woolen manufacturers may have an even chance with the worsted manufacturers?

Mr. CLARK of Missouri. I do.

Mr. MICHAEL E. DRISCOLL. That is what I wanted explained; I did not care about the other matter.

Mr. CLARK of Missouri. Since the gentleman called my attention to it I tried to get it, and so did several members of the committee; I was not the only one—Democrats and Republicans alike hammered at it. In the first instance, what is the reason we could not have a simple ad valorem duty on wool? If the wool scourers washed out 80 per cent, they should pay tariff on only 20 per cent, and if they washed out 20 they should pay on 80 per cent. That is the way the tariff is arranged on iron ore, and I can not understand what is the reason that that is not fair.

I am not criticising the majority at all for refusing a proposition that I think is feasible, although there is a good deal of doubt about it, and that is that instead of levying an ad valorem duty on the rate fixed in foreign countries of the article that it should be levied on the wholesale price in the United States. As I stated yesterday in a very brief way, because I did not want to worry the chairman, the way it is now one party to the swindle in undervaluation is in Europe or somewhere else out of this country and the other party is here, and our writs do not run and our statutes do not prevail in foreign countries. Now, gentlemen, I have finished as far as I can the discussion of this wool tariff, except this: I want to say that with the exorbitant rates in this bill I do not understand how any man with a drop of the milk of human kindness left in him can vote for the woolen manufactures schedule of this bill. How many people would freeze, how many people would suffer, that this man Whitman and men like him should make an unjust and unfair profit of 165 or 182 per cent on cheap blankets and things of that kind and rates almost as high on all woolen clothing, no mortal man can tell. [Applause on the Democratic side.]

I repeat that the gentleman from Georgia [Mr. GRIGGS] said that the rates on articles manufactured from cotton are worse than they are on woolen manufactures. If his statement is correct then the situation is simply awful. These rates on woolen cloths are nearly prohibitive in every case.

This bill takes three millions of revenue off of hides. It puts seven millions, or about that, on tea. They lose three in one case and put on seven, leaving a net gain of four millions. They could have made a revenue of twice seven millions, thrice seven millions, quadruple seven millions, by cutting these prohibitive rates in this woolen goods schedule down to a competitive basis. [Applause on the Democratic side.] By so doing they would not have taken from any man anything he is entitled to; they would have prevented much sickness and would have saved many lives.

Now, in conclusion. The entire campaign last year was run on the proposition of a revision of the tariff, and the people thought that it meant downward. Even what the chairman claims for his bill does not come up to their expectations.

Mr. HAMLIN. Will the gentleman permit an interruption before he concludes?

Mr. CLARK of Missouri. Yes.

Mr. HAMLIN. Has the free list in this bill been increased any by placing any of the necessities of life upon it that were not upon it before?

Mr. CLARK of Missouri. I suppose in a few cases. Hides are put on the free list.

Mr. HAMLIN. Anything else?

Mr. CLARK of Missouri. Yes; but I have not had time to go through and find out all additions to the free list or their effect.

Mr. BURKE of Pennsylvania. Will the gentleman permit an interruption?

Mr. CLARK of Missouri. Yes.

Mr. BURKE of Pennsylvania. I did not interrupt the gentleman this morning for the reason that I disliked to do so, but since the gentleman discussed the matter of the oil schedule—the countervailing duties—I want to say to the gentleman, if he will allow me just half a minute, that in the gallery of the House was seated one of his own personal admirers, Lewis Emery, jr., the champion of the independent producers of the United States, who ran for governor of Pennsylvania on the Democratic ticket, on a platform that was aimed principally, as he claimed, against the Standard Oil Company. He also ran for Congress on the same platform. He has requested me to state before the gentleman from Missouri had concluded that the effect of taking off the countervailing duty on oil would in no sense affect the Standard Oil Company, but it would be absolutely fatal to the independent producers of this country, for the reason that 80 per cent of the oil produced in America to-day is produced by the independent producers of the country. And I thought, in justice to this gentleman and in justice to the oil producers of this country, that that statement should go out on the same evening of his very excellent speech.

Mr. CLARK of Missouri. I have no objection to its going out, but it does not change the situation a particle. And I state it over again. The Standard Oil Company does not produce much crude oil, but everybody knows that it screws the producers of crude oil down to the very lowest cent that they will produce it for. That is the situation about that.

I wish to say, gentlemen, one other thing, and then I am going to quit, and I do not wish anybody to interrupt me until I finish.

Mr. MOORE of Pennsylvania. Before the gentleman closes, I would like to ask him with regard to the wool schedule. I listened quite attentively, and I remember that on several occasions he referred to the wool schedule as positively prohibitive.

Mr. CLARK of Missouri. The wool schedule?

Mr. MOORE of Pennsylvania. Yes.

Mr. CLARK of Missouri. I never did anything of the sort. The gentleman is mistaken. I referred to the tariff on manufactures of wool.

Mr. HILL. Absolutely dependent on the wool schedule, is it not?

Mr. CLARK of Missouri. I do not care if it is. You are talking about one thing, and I am talking about another.

Mr. MOORE of Pennsylvania. The gentleman was talking about producing revenue, and I understood him to say that the tariff was practically prohibitive as to wool.

Mr. CLARK of Missouri. Oh, no; I never said anything like that. I said this, that the consumption of wool in the United States is 500,000,000 pounds. Of that, we produce 300,000,000 pounds, and they ship in 200,000,000 pounds.

Mr. MOORE of Pennsylvania. The gentleman was laying such great stress upon the statement of William Whitman that I thought it unfair to the rest of the trade of the United States—the producers and manufacturers of wool—and I find upon looking at the Book of Estimates which has been prepared by the committee that the revenue derived from Schedule K under the Dingley law was $17,783,646.05, and that the estimated revenue under the Payne bill is the same.

Mr. CLARK of Missouri. Yes.

Mr. MOORE of Pennsylvania. I wanted to say that there are other manufacturers of woolens and there are other dealers of wool in the United States besides Mr. Whitman; and I do want to say further, if the gentleman will permit, that there are farmers in the United States who are intensely interested in this Schedule K, the protection under which starts at the farm.

Mr. CLARK of Missouri. I know that perfectly well, and no threat of that sort has any more effect on me than water on a duck's back. [Loud applause.]

Mr. MACON. Mr. Chairman, will the gentleman allow me to interrupt him right there?

Mr. CLARK of Missouri. Yes.

Mr. MACON. I would like to ask the gentleman, as the working minority member of the Committee on Ways and Means, as well as the minority leader of the House, his opinion as to the tariff on lumber when viewed by the light of the Democratic declaration upon the subject in its last platform?

Mr. CLARK of Missouri. So far as I am concerned, and I am speaking for myself and not binding anybody, I am in favor of clapping lumber on the free list. [Loud applause.]

Mr. COLE. Will the gentleman yield to me?

Mr. CLARK of Missouri. Yes.

Mr. COLE. Do I understand the gentleman to say that we produce 200,000,000 pounds of wool a year?

Mr. CLARK of Missouri. Yes; I made that statement and somebody corrected me.

Mr. COLE. It is 311,000,000 pounds.

Mr. CLARK of Missouri. I first stated 300,000,000; do you think it is worth while to interrupt a speech by talking about 11,000,000 out of 300,000,000?

Mr. COLE. I understood the gentleman to say 200,000,000. Is it not a fact that the duty on manufactures of wool, which is over 100 per cent, is because of the inferiority of the wool which goes to the American wool manufacturer?

Mr. CLARK of Missouri. No; it is not true. They count 4 pounds of wool to a pound of cloth, yet it only takes 3 pounds and a quarter to do it.

Mr. COLE. Will the gentleman permit another interruption?

Mr. CLARK of Missouri. Yes, if you get through with it.

Mr. COLE. Is it not a fact that 75 per cent of the wool produced in the world to-day shrinks 66⅔ per cent on scoured wool over the wool in the grease, and is it not a fact that 75 per cent of it takes 4 pounds of wool in the grease to produce a pound of cloth?

Mr. CLARK of Missouri. It is not true.

Mr. COLE. It is true.

Mr. CLARK of Missouri. I yielded to you, and I do not propose to dispute with you. It is not true; there is not a syllable of truth in it. This 4 pounds of wool in the grease to 1 pound of cloth has been a lie from the beginning. [Laughter and applause.] Of course I do not mean that the gentleman lies; he is simply deceived by others; that is all.

Mr. MOORE of Pennsylvania. Will the gentleman permit me to ask him another question?

Mr. CLARK of Missouri. Well, if you will ask the question and try not to inject a speech.

Mr. MOORE of Pennsylvania. I will ask a question.

Mr. CLARK of Missouri. Do not ask so long a one as you did before. [Laughter.]

Mr. MOORE of Pennsylvania. Is it not a fact that the recapitulation of the estimated revenues which was prepared by the Ways and Means Committee shows that the revenues derived under the Dingley bill last year from wool and manufactures of wool was $37,973,891.34, and that the estimated revenue under the new law is the same?

Mr. CLARK of Missouri. Why, it has not been ten minutes since the gentleman asked me if it was $17,000,000. You had better go out and hold a convention with yourself and find out what you do believe. [Great laughter and applause.]

Mr. MOORE of Pennsylvania. I simply wanted to state the facts which are stated here.

Mr. CLARK of Missouri. You just stated that before.

Mr. MOORE of Pennsylvania. I wanted to give you the facts as to the revenue derived from the woolen industry.

Mr. CLARK of Missouri. If you will go out and study a little, you might not ask any questions at all.

Mr. MOORE of Pennsylvania. The facts speak for themselves, and I also wanted to get you away from Mr. Whitman, because there are other manufacturers of woolen goods in the United States.

Mr. CLARK of Missouri. I have settled with Whitman, and I humbly pray Almighty God I will never clap my eyes on him again or hear from him again.

Mr. EDWARDS of Kentucky. I would like to ask the gentleman a question.

Mr. CLARK of Missouri. I yield to the gentleman.

Mr. EDWARDS of Kentucky. The gentleman has stated that he is in favor of free lumber. I would like to get information from him that I failed to get from the chairman of the committee yesterday and the day before. I would like to know whether he is in favor of free lumber for the purpose of conserving our forests or in order to reduce the price to the consumer; and then I would like to know, in all seriousness, whether his investigation of this matter has developed the fact satisfactorily to his mind that there is a lumber trust in the manufacture of lumber in the United States which rules the prices.

Mr. CLARK of Missouri. That is your question, is it? Understand, I am not trying to bind anybody. If I had not consumed so much time, I might have gone into the lumber question on my own motion, but I was drawn into it by a question. I am in favor of free lumber for two reasons: First, that the people of the United States may have cheaper homes [loud applause]; that is the first thing. It is to the interest of the Republic that every man own his own home, even if it consists of only two rooms. [Applause.] The man that owns his home is an independent man, and nobody has strings on him; the man who is a renter certainly is not as independent as the man that owns his home.

The home is the unit of American civilization. [Applause.]

O fortunate, O happy day,
When a new household finds its place
Among the myriad homes of earth,
Like a new star just sprung to birth,
And rolled on its harmonious way
Into the boundless realms of space.

I remember, when I was quite a youth, attending the Cincinnati Law School, that I heard Carl Schurz, the most illustrious German that ever settled in America, deliver a lecture in the Grand Opera House, and he declared that boarding houses and hotels were the bane of American life.

Mr. STANLEY. Especially in Washington. [Laughter and applause.]

Mr. CLARK of Missouri. Anywhere. I do not suppose they had flat houses or apartment houses then. I would put them in the same category with hotels and boarding houses. I want to encourage home building, because I want to encourage marriage, which is the happy condition of man, and woman, too. These people who go around yelling at the top of their voices "Is marriage a failure?" are a job lot of idiots; that is all that is the matter with them. [Applause.]

There is not one family out of ten where the husband and wife do not get along reasonably well. Of course, they quarrel if they are properly constituted. [Laughter.] We used to have a circuit judge out in Missouri, who afterwards was a supreme judge for twenty years, Theodore Brace, a fine Christian gentleman. One day there was a good-looking young woman prosecuting a divorce suit before him, and a big fat widower sitting down in the recorder's office waiting for her to get the divorce, so that he could marry her that evening. There was nobody defending the divorce suit. I suppose her husband was glad to be rid of her. Finally Judge Brace concluded he would defend it himself, and he went to work and cross-ex-

amined the woman. When he got through with the case it resolved itself into the plausible conclusion that she and her husband quarreled once in a while. He said:

Yes, my good wife and I quarrel once in a while, but we kiss and make up. You can do the same, and your bill is refused.

[Applause.]

I wish to heaven that the United States did not have a circuit judge in it that would not act as Judge Brace did. May his tribe increase! [Applause.] A sweet baby is the greatest luxury in nature.

Now, on the other branch of the gentleman's question, on the second branch of this discussion——

Mr. MACON. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Wait until I answer the other one.

Mr. MACON. This is right in line with the gentleman's argument.

Mr. CLARK of Missouri. I ask the gentleman to wait until I answer the other question. As far as conserving the forests is concerned, I am in favor of free lumber for that reason, too. [Applause.] Fifteen hundred years ago Mesopotamia was the most fertile part of the globe. To-day it is a desert. The thing that made it a desert was cutting off the forests at the head of the streams. When the Moors conquered Spain, it was the most fertile country in Europe. The forests had been scarcely touched in the mountains, but the Moors drove the Spaniards to the mountains and kept them there four hundred years. The Spaniards cut off the forests. At the end of four hundred years Ferdinand and Isabella drove the Moors out of Spain, but the incurable evil had been done by cutting off the trees, and Spain has been drying up ever since. Everybody that has any sense knows that if we go on cutting off the timber at the head of the Missouri and Mississippi rivers the Mississippi Valley, the most fertile portion of the globe to-day, is going to dry up in the same way that Mesopotamia and Spain dried up. Yet, in order to give a handful of timber barons, who are already so rich that they can not count their money, an opportunity to make some more, we are asked to deprive the poor people of this country of the chance of building cheap homes and entailing on our descendants the curse of living in a desert instead of a garden. [Applause on the Democratic side.]

Mr. CUSHMAN. Will my colleague yield to me for a question?

Mr. CLARK of Missouri. Yes.

Mr. CUSHMAN. Is not Mr. Gifford Pinchot the greatest expert in this country on questions of forest conservation?

Mr. CLARK of Missouri. I do not know whether he is or not.

Mr. CUSHMAN. His testimony has been quoted a great many times on this subject. I wanted to ask the gentleman if he had read just this one sentence from Mr. Gifford Pinchot:

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes; either to reduce the price to the consumer, or to preserve our forests. In my judgment it would accomplish neither.

Mr. CLARK of Missouri. What is the date of that document?

Mr. CUSHMAN. March 10, 1909. That is signed by Gifford Pinchot, and is his letter addressed to Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee.

Mr. CLARK of Missouri. If you are through with your question, my answer is this, that no man in America did as much to build up the sentiment in favor of free lumber as that same man, Gifford Pinchot. [Applause.] Wait a minute now. These smart lumber kings and their attorneys got hold of him down here and pumped into his head their ideas and he was converted. As a conservator of forests he seems to have fallen from grace.

I do not charge any corrupt motives in the case. I believe he has been deceived.

Mr. CUSHMAN. It seems to me that that is a remarkable statement to go into the RECORD about a man that has furnished a good deal of information about forest preservation; and as long as he was on the gentleman's side he was quoted, but now that he has honestly changed his mind, not from any corrupt motive, but because he was absolutely overwhelmed with the truth, it comes with ill grace from the gentleman to seek to discredit him now.

Mr. CLARK of Missouri. I stated the plain matter of fact. I did not comment upon it at all. There was no reflection upon Mr. Pinchot. I stated that he converted me on this idea of forest conservation, and then when I was converted and thought we ought to have free lumber for that reason, in addition to free homes, lo and behold, he turned a somersault. I refuse to flip-flop because he does.

Mr. CUSHMAN. Does not the gentleman think he ought to have more confidence in his savior than that? [Laughter.]

Mr. CLARK of Missouri. No, sir; I do not. [Laughter.] The gentleman from Kentucky [Mr. EDWARDS] asked me if I thought there was a trust. I think there is a trust, and Mr. Weyerhauser is at the head of it.

I did not intend to speak on this lumber business. There was a man who came before the committee—I think his name was Walker. There are tricks in all trades. I showed up on the lumber business in this examination for ten times as much as I was worth. There were certain gentlemen that wanted lumber on the free list, and I did not care a straw what they wanted it there for. I wanted it on the free list, too. One of them came to me and said they would like to see me. I was suspicious of the transaction at first, but finally I agreed to see them and they told me a great many things. I found they were honest. Among other things they told me what many gentlemen were going to swear to, and finally one night about 9 or 10 o'clock this old chap came in there, and, as I said, his name was Walker. He had on a longtail black coat, a low-cut vest, a white choker, and whiskers all over his face, and I thought he was a preacher. That was my first impression. One of these men who wanted lumber on the free list slipped out into the anteroom and wrote me a note, saying that that man owned 650,000 acres of sugar-pine land in California which he paid $4,000,000 for, at the rate of 15 cents a thousand for stumpage, and is now selling it at $3.50 a thousand as stumpage, and is trying to get $4 a thousand; and that his investment of four millions seven years ago is now worth one hundred millions.

Well, he got up and told his tale, and to listen to it you would have thought that he was pleading the cause of labor. Tears gathered in his eyes when he talked about labor. I was loaded for him by that time, and I sat back and waited for him to finish his tale. Finally he got through. I said: "Do you own 650,000 acres of sugar-pine land in California?" He said: "That is none of your business. [Laughter.] That is a private matter." The gentleman from Pennsylvania flared up and said: "What do you want to ask him that question for? It has nothing to do with it." I said: "If you want to know the bald truth about it, I asked the question to test his credibility as a witness and to see whether he is telling the truth," and I said, "You answer my question." I said: "Do you own 650,000 acres of sugar-pine land in California that you paid $4,000,000 for seven years ago at the rate of 15 cents per thousand stumpage, and are now selling it for $3.50 and trying to get more, and which is worth $100,000,000?" He said: "I don't know whether I own 650,000 acres or not." I said: "How much have you got?" He said: "I don't know." I said: "Have you got 100,000 acres?" He said: "Yes." I said: "Two hundred thousand acres?" "Yes." "Three hundred thousand acres?" "Yes." "Four hundred thousand acres?" "Yes." "Five hundred thousand acres?" "Yes." "Six hundred thousand acres?" "I don't know whether I have or not." I said: "You come here now in that kind of a condition and with that sort of a lay out and try to make this committee believe that the only interest you have in the matter is that of the wages of labor?"

A few days after that I saw a statement in a newspaper where the same man and Mr. Weyerhauser had formed a lumber trust.

Mr. STEVENS of Minnesota. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Certainly.

Mr. STEVENS of Minnesota. I am as strongly in favor of free lumber as is the gentleman from Missouri, but Mr. Weyerhauser is one of my constituents, and I know him very well, and I know he is not a member of any trust, but is doing a legitimate business of his own. I do not agree with Mr. Weyerhauser in his views upon the tariff. He believes in a tariff on lumber, and I do not. I want to state these things that I know to be facts, because I know the gentleman from Missouri does not desire to do Mr. Weyerhauser an injustice.

Mr. CLARK of Missouri. I would not do him an injustice. Now, I would like to ask the gentleman from Minnesota a question. If there is not any trust, how do you reconcile the fact, as stated by the chairman of the committee yesterday, that lumber has advanced more rapidly on the average—that is, stumpage, than any other thing on top of ground?

Mr. STEVENS of Minnesota. I did not say there was no trust. I said that Mr. Weyerhauser was not a member of the trust.

Mr. CLARK of Missouri. I may be mistaken about who is and who is not a member of the trust.

Mr. JAMES. The gentleman from Minnesota is not conducting Mr. Weyerhauser's business, is he?

Mr. STEVENS of Minnesota. Not at all.

Mr. JAMES. That is what I thought. You only know what Mr. Weyerhauser said about it?

Mr. STEVENS of Minnesota. Mr. Weyerhauser can take care of his own business and of himself, and he is one of the most honorable men I know.

Mr. CLARK of Missouri. The gentleman from Washington [Mr. CUSHMAN] was asking me a question about Gifford Pinchot. I will tell you a more remarkable tale than that. I did not accuse Pinchot of corruption. I accused him of ignorance in the second instance. I will tell you what happened over there. There was a bushy-whiskered man who came in there one night, that looked like Secretary Stanton. That was my first observation of him. He was a lumberman by the name of McCormick. Is he one of your constituents, too?

Mr. STEVENS of Minnesota. No; he came from Wisconsin.

Mr. CUSHMAN. He is one of my constituents. [Laughter.]

Mr. CLARK of Missouri. I congratulate the gentleman. A man named McCormick came in there, and he was testifying in this way. He said it was all nonsense, absolutely nonsense, to be talking about the conservation of the forests, and, by the way, he said that the whole Northwest would have gone Democratic last year if it had not been that they thought the Republicans were going to keep this $2 on lumber. Does the gentleman agree to that?

Mr. CUSHMAN. There is some truth in that. [Prolonged laughter.] We thought our industry was entitled to protection in a bill that claims to be a protection bill and framed by a protective party. In that connection, if the gentleman will yield just a moment, in this matter of the tariff on lumber, I am absolutely consistent when I ask for a tariff on the products of my State. I am willing to concede that same thing in respect to a tariff on the products of other States.

Mr. CLARK of Missouri. What does that mean?

Mr. CUSHMAN. It means, to a certain extent, that the gentleman from Missouri is consistent when he is in favor of free trade all along the line, but for the man who advocates a tariff on the products in his own district and free trade on the other fellow's products I have not any sympathy whatever. [Applause.]

Mr. CLARK of Missouri. I am not in favor of free trade all along the line in the condition in which we find ourselves. We have got to raise about $300,000,000 out of this bill, whether we want to or not. So a man would be very unwise to be jabbering about free trade under those conditions. But I agree with the gentleman from Washington, although it deflects me from what I was going to say about McCormick—I do not know whether he was trying to do that or not—I agree with him that a man ought to be somewhat consistent about these things. I announced here this morning that I am in favor of a revenue tariff. I did not care a straw where the thing was—in Maine or in Missouri—but that I am opposed to a prohibitive tariff or anything approaching it, and I do not care a straw whether that is in Maine or Missouri.

Mr. CUSHMAN. Does the gentleman think that when we are importing about five and a half——

Mr. CLARK of Missouri. Oh, I am not talking about the gentleman's particular case. I want to tell about McCormick. McCormick came in there and said that it was nonsense to be talking about conserving the forests; that the best way to conserve the forests was to go on and cut out the lumber and let the fellows clear the brush up, and they would leave the saplings, but which, by the way, they do not do.

I have driven 20 miles at a clip in Minnesota. It used to be the finest white-pine country on earth, and there is nothing left now in many stretches of miles and miles to remind you that it ever was a timber country, except occasionally a sapling and the roots of the trees, which they have pulled up to use in making fences. So this friend of mine came out of the front room and slipped around into the anteroom and sent me a speech that McCormick had made three years ago on an occasion when President Roosevelt and Gifford Pinchot spoke. I opened up this speech and I saw his name. I said: "Is your name R. L. McCormick?" I think those are the initials. He said: "Yes." I said: "Did you ever say in a speech that the end of the present supply of lumber in the United States is now clearly in sight?" He said: "What is the date of that speech?" [Laughter.] So I read him the date. Well, he hummed and he hawed and he bucked and he balked and he did not want to answer at all. But I made him answer. I read him the speech sentence by sentence, some of the most remarkable stuff in favor of the conservation of the forests, to keep the country from drying up, that you ever saw in your lifetime, and having located him in between Roosevelt and Pinchot and given him the date of the speech he could not wriggle out of it.

But I tried to make him tell whether he was or was not in favor of those things which were stated in that speech, but he would not do it. I read it to him and asked if he recanted what he said, and he would not tell us. One statement in that speech was just what I told you, that the end of the lumber supply was in sight. I asked him if he did say that. Listen to his answer: He said that there was more timber in the United States standing now than when Columbus discovered America! The fewer constituents the gentleman from Washington has like that the better.

Mr. STANLEY. Gifford Pinchot has prepared an elaborate map which he displayed to the Committee on Agriculture showing that the end of the lumber supply is within thirty years.

Mr. CLARK of Missouri. That was before he was converted. Now, I yield to the gentleman from Arkansas [Mr. MACON].

Mr. MACON. I desired to ask the gentleman a question directly upon the branch of the question that he was answering at the time he declined to yield to me, and that was why I wanted to ask the question at that point.

Mr. CLARK of Missouri. Of course I would be glad——

Mr. MACON. Now, I do not see that I have any question to ask, because the gentleman has left that branch of the subject. I was simply going to ask him this: If he did not think, in addition to what he had said about the American home, that it was also one of the greatest antidotes for socialistic germs and tendencies of which he had knowledge?

Mr. CLARK of Missouri. I think so.

Mr. MACON. I think so; and I believed the gentleman would think so, and that is why I wanted to ask him the question.

Mr. CUSHMAN. Mr. Chairman, I want to call the gentleman's attention to this phase of the lumber question: Whatever cheapens lumber tends to leave a larger portion of the tree in the forest, because no man will manufacture lumber which costs more to manufacture than he can sell it for when it is made; therefore the man who cries aloud for cheap lumber and cries for the conservation of the forests is the same man crying aloud for two diametrically different things at the same time.

Mr. CLARK of Missouri. That all may be.

Mr. CUSHMAN. One other question. The gentleman mentioned a moment ago a certain California man who had a certain timber acreage in California that increased in value from $4,000,000 to $100,000,000 in a period of seven years.

Mr. CLARK of Missouri. That is what my understanding was.

Mr. CUSHMAN. Now, we have other products, other properties in my State that have increased far greater than that——

Mr. CLARK of Missouri. I congratulate the gentleman if it is an honest increase.

Mr. CUSHMAN. There are agricultural lands in my State, in the Yakima Valley and Wenatchee Valley, which I could have purchased for $50 an acre when I went into that State that are worth $10,000 per acre now.

Mr. CLARK of Missouri. Laid out in town lots?

Mr. CUSHMAN. No; they are fruit lands on which their annual income is $1,200 per acre.

Mr. CLARK of Missouri. I can not yield for a speech; I want to get through with this.

Mr. CUSHMAN. I want to ask this question: If we are going to legislate to take the value out of the stumpage and timber that men buy, are we also going to legislate to take the value out of farm lands?

Mr. CLARK of Missouri. Let me tell you something. We can not legislate to take the value out of stumpage. It is already there. They have got it, and we can not take it away from them, however ill gotten it was, but it will prevent them making more ill-gotten gains by putting up the price of stumpage.

Mr. CUSHMAN. My judgment is if timber for lumber is placed on the free list that the value of the timber would go down with the cost of lumber, and therefore the value of the stumpage would go down.

Mr. CLARK of Missouri. Then the trees would be saved to the next generation.

Mr. CUSHMAN. Yes; that is true about a great many other things. If we do not use up a thing, we will have it left.

Mr. CLARK of Missouri. That is exactly it, precisely, and the coming generations ought to have a chance to live comfortably.

Mr. EDWARDS of Kentucky. I want to ask the gentleman one more question. He stated he was in favor of free lumber for the purpose of encouraging the building of homes. Now, I want to ask him if he will not agree with me that the men living in his State, in my State, and in the State represented

by the gentleman from Arkansas [Mr. MACON] hundreds of thousands of men who work in the lumber woods and who work under the mill sheds, live in the poorest homes, work the longest hours, and have the cheapest wages of any other class of laboring men in the United States to-day?

Mr. CLARK of Missouri. That is dead easy. They live in temporary shacks that are put up to last only until the trees are skinned off of that particular piece of ground.

Mr. EDWARDS of Kentucky. Many of them never owned a home of their own in their lives.

Mr. CLARK of Missouri. They will own them if you make cheaper the lumber they themselves saw. [Applause on the Democratic side.] They will own cheaper homes along with the rest of us.

Mr. WEISSE. I want to ask the gentleman from Washington [Mr. CUSHMAN] if he will explain why hemlock logs for lumber that a year or so ago were $18 a thousand, were down to $6 and $8 a thousand last year, and if it was not on account of the panic?

Mr. CUSHMAN. There was a general depression of prices that affected lumber, as everything else.

Mr. WEISSE. Would it have made any difference if we had had a tariff three times as high?

Mr. CUSHMAN. Not at that particular time. I fail to catch the significance of the gentleman's question.

Mr. WEISSE. Have not hemlock logs for lumber declined in Washington and Wisconsin from $18 to about $6, and I would like to ask if the tariff had anything to do with the decline, or whether or not it was the Republican panic?

Mr. CUSHMAN. It was a temporary depression and passed away. I don't think the tariff had anything to do with it.

Mr. CLARK of Missouri. I want to read a short argument here. I did not expect to get in a controversy on the lumber business, because I tried to quit two hours ago. Here is an article from the Northwestern Agriculturist. The title of it is, "The lumberman no fool." It is as follows:

Another interesting phase of the situation is that many, perhaps most, of the Americans who own timber in British Columbia and also in the States are opposed to the repeal of the American tariff. One of these men explained his position the other day in the following language:

"The way I figure it out is that the best policy for those of us who own timber on both sides of the line is to do our best to keep up the American tariff at the present time. That will help us to get top prices for the products of our American timber as long as it lasts. The faster we cut that timber the more valuable the Canadian timber will be when the time comes for us to use it.

"If the tariff were to come off now our Canadian timber would increase a little in value and our American timber would decline a little, consequently we would gain nothing; but by keeping up the tariff as long as there is any timber left in the United States we win heavily both ways—first, on our American timber; and, second, eventually on our Canadian timber—and the chances are that the American people, with their delusions about a high protective tariff, will 'fall' to this idea."

It is believed here that this view is one that influences the Weyerhaeuser-Hines interests, which directly or indirectly control a large quantity of Canadian timber. In the strenuous fight they are putting up against the repeal of the tariff. Timber brokers here expect that if the American tariff remains as it is British Columbia will be flooded with buyers of those and allied interests for the purpose of picking up all the choice timber they can get, preparatory to staging the second act in the great economic drama of milking the timber wealth of both countries.

I want to say to my southern friends here who are interested in yellow pine that the tariff on lumber never raised the price of yellow-pine lumber one single cent since the world began. It would not lower it now to take the tariff off. You are shipping yellow pine into Canada this very minute. Now, here is a remarkable fact: The Canadian Lumber Association has sent out a letter begging the Canadian government not to take off its export duty, and so forth, on lumber, because they think if they do that we will take the tariff off of lumber; and those Canadians up there fear an invasion of their lumber market from the United States. They say we will dump our cheap lumber on them and drive them out of their own market. The truth about it is that they are scared just as badly as our people. They invade us, and we invade them.

Now, in conclusion. I have talked a great deal longer than I wanted to or set out to do, and if I had not been asked so many questions I would have confined myself more closely to the woolen manufactures and have finished two hours ago. I want to give it as my deliberate opinion, with what study I have been able to devote to it, that this bill raises the Dingley rates. [Applause on the Democratic side.]

I do not believe that the American people voted to do that. I believe that when we get that maximum and minimum into operation that will place the tariff rates more than 20 per cent higher than they are in the Dingley bill. I believe that the speech that the chairman quoted yesterday from President McKinley, at Buffalo, which may be taken as his farewell address to the American people, was the thing that set in operation this widespread movement for the reduction of the tariff. It is a revolution, and revolutions do not move backward. No matter what happens, the men who are in favor of a tariff revision downward this year will be in favor of tariff revision downward next year, especially if you make the tariff bill higher than it is now. Revolutions do not move backward; they move forward.

Though beaten back in many a fray,
Yet freshening strength we'll borrow,
And where the vanguard halts to-day,
The rear will camp to-morrow.

[Loud and long-continued applause on the Democratic side.]

APPENDIX.

EXHIBIT A.

Schedule K, by paragraphs and items.

Item and rate.	Value.	Duty.	Per cent ad valorem.
CLASS 1. WOOL.			
Paragraph 357. Unwashed on the skin:			
No. 3495, 10 cents per pound	$305,162.50	$144,930.35	47.46
Cuba, 20 per cent off	33.00	13.04	39.52
Unwashed, not on the skin—			
No. 3496, 11 cents per pound	22,249,572.25	9,994,685.85	44.92
Washed wool—			
No. 3498, 22 cents per pound	601.00	368.56	61.32
No. 3499, scoured, 33 cents	7,146.00	2,679.41	37.50
CLASS 2. WOOL.			
Paragraph 357. Washed and unwashed on the skin:			
No. 3509, 11 cents per pound	21,908.10	8,646.44	39.47
No. 3510, not on skin, 12 cents	2,893,081.75	1,176,887.36	41.11
No. 3515, Angora, etc., 12 cents	738,540.00	262,985.64	35.61
CLASS 3. WOOL.			
Paragraph 358. Value less than 12 cents:			
No. 3528, on skin, 3 cents per pound	206,159.70	55,104.14	26.73
No. 3529, not on skin, 4 cents per pound	4,891,660.60	1,756,994.15	35.92
No. 3530, scoured, 12 cents	115.00	80.04	69.60
No. 3531, camel's hair, etc., 4 cents	67,050.00	25,136.96	37.49
Paragraph 359. Value over 12 cents:			
No. 3533, on skin, 6 cents	5,208.00	2,378.82	45.68
No. 3534, not on skin, 7 cents	8,843,857.00	3,110,858.03	35.18
No. 3536, camel's hair, 7 cents	261,612.00	110,779.30	42.34
Paragraph 364. Wool and hair advanced, n. s. p. f.:			
No. 3538, 33 cents and 50 per cent	1.00	1.49	149
No. 3540	902.92	902.29	93.70
Paragraph 363. Rags, mungo, and flocks: *			
No. 3547, 10 cents per pound	46,454.00	15,129.06	32.57
Paragraph 362. Noils, shoddy, and wastes:			
No. 3549, noils, 20 cents	175,335.00	88,722.20	50.60
No. 3552, shoddy, 25 cents	14.00	13.75	98.21
In 1905 the ad valorem rate on shoddy was			250
In 1906 the ad valorem rate on shoddy was			174.56
Paragraph 361. Top, slubbing, and roving wastes:			
No. 3556, top wastes, 30 cents	5,224.00	3,284.40	62.87
No. 3557, slubbing, 30 cents	19.00	22.50	118.42
No. 3558, n. s. p. f., 20 cents	61,134.00	28,426.00	46.50
Paragraph 365. Yarns:			
No. 3562, 27½ cents and 40 per cent	21.80	31.18	143.02
No. 3563, 38½ cents and 40 per cent	133,916.06	116,843.59	87.25
Paragraph 367. Blankets and flannels:			
No. 3565, blankets, 22 cents and 30 per cent	316.00	340.32	107.60
No. 3567, 33 cents and 35 per cent	219.00	232.41	106.12
No. 3568, 33 cents and 40 per cent	29,737.95	21,291.53	71.30
Blankets more than 3 yards in length—			
No. 3571, 33 cents and 50 per cent	40.60	67.16	165.42
No. 3572, 44 cents and 50 per cent	3,668.00	4,437.70	120.98
No. 3573, 44 cents and 55 per cent	8,217.60	8,591.35	104.55
Americans have no chance for variety in blankets. The rates prohibit competition.			
No. 3623, flannels, 22 cents and 30 per cent	24.00	34.48	143.67
No. 3625, 33 cents and 35 per cent	128.00	129.61	101.26
No. 3626, 11 cents square yard and 50 per cent	100.00	117.10	105.49
No. 3627, 11 cents square yard and 55 per cent	6,039.13	5,217.29	86.39
Flannels weighing over 4 ounces per square yard—			
No. 3630, 44 cents and 50 per cent	4,356.00	5,480.64	125.80

* No mungo in 1907. In 1906 the ad valorem rate on mungo was 121.15 per cent.

Schedule K, by paragraphs and items—Continued.

Item and rate.	Value.	Duty.	Per cent ad valorem.
CLASS 3. WOOL—Continued.			
Paragraph 367. Blankets and flannels—Continued:			
No. 3631, 44 cents and 55 per cent	$49,890.00	$53,168.50	106.57
This flannel schedule delivers the whole market to American manufacturers.			
Paragraph 368. Women's and children's dress goods: *			
No. 3693, 7 cents square yard and 50 per cent	1,392,913.00	1,475,421.77	105.92
No. 3694, 7 cents square yard and 55 per cent	138,489.00	147,314.18	106.37
No. 3695, 8 cents square yard and 50 per cent	33,131.50	32,092.63	96.87
No. 3696, 8 cents square yard and 55 per cent	1,373,974.45	1,293,387.28	94.13
Weighing over 4 ounces per square yard, no importations in 1907.			
In 1905 the ad valorem rate on 40-cent goods was			165.11
No. 3698, 44 cents and 50 per cent	225.00	249.59	115.53
The ad valorem on these 70-cent goods in 1906 was			132.15
No. 3699, 44 cents and 55 per cent	11,338.40	10,519.31	92.61
The ad valorem rate on these more than 70-cent goods in 1906 was			99.14
No. 3610, 11 cents square yard and 50 per cent	6,556.50	6,831.10	104.19
The rate has gone as high in 1901 as			130.77
No. 3611, 11 cents and 55 per cent	4,109,310.49	4,253,559.17	103.52
In 1901 it was			120.30
No. 3612, 33 cents and 50 per cent	2.00	1.41	70.50
The average ad valorem rate on this item for ten years was			140.00
No. 3613, 44 cents and 50 per cent	162,760.00	192,498.92	118.27
No. 3614, 44 cents and 55 per cent	2,297,821.93	2,311,453.93	100.59
Paragraph 370. Felts:			
No. 3615, 44 cents and 60 per cent	111,465.73	106,935.20	95.98
Paragraph 366. Knit fabrics:			
No. 3635, 33 cents and 50 per cent	1.00	1.41	141.00
No. 3636, 44 cents and 50 per cent	539.00	641.74	119.06
No. 3637, 44 cents and 55 per cent	9,676.00	9,255.23	95.67
No. 3639, 44 cents and 60 per cent	617,267.00	568,967.47	92.17
Paragraph 366. Plushes and pile fabrics:			
No. 3641, 33 cents and 50 per cent	32.00	45.37	141.78
No. 3642, 44 cents and 50 per cent	1,434.00	1,642.32	114.37
No. 3643, 44 cents and 55 per cent	18,082.50	17,237.94	95.33
Paragraph 370. Cloaks, etc., n. s. p. f.:			
No. 3644, 44 cents and 60 per cent	141,740.60	113,860.52	80.32
Higher ad valorem rate for this kind of cloak than ever before under Dingley schedule.			
Hats of wool—			
No. 3648, 44 cents and 60 per cent	15,900.00	13,771.32	86.61
Paragraph 370. Shawls, knit or woven:			
No. 3654, 44 cents and 60 per cent	61,283.75	57,512.67	92.70
Paragraph 370. Ready-made clothing:			
No. 3655	1,016,250.38	778,384.02	70.50
Philippines, 25 per cent off	38.00	20.85	54.87
Cuba, 20 per cent off	81.00	53.75	66.36
Paragraph 371. Webbings, gorings, bandings, beltings, laces, ribbons, etc.:			
No. 3659, 50 cents per pound and 60 per cent	12,522.50	10,122.59	80.83
Philippines, 25 per cent off	4.00	2.20	55
Paragraph 366. Cloths:			
No. 3663, 33 cents and 50 per cent	27,693.25	37,378.42	137.97
No. 3664, 44 cents and 50 per cent	188,917.50	224,596.07	118.89
No. 3665, 44 cents and 55 per cent	5,369,487.80	5,064,787.62	94.32
Cuba	3.00	1.67	55.67
Paragraph 372. Aubusson, Axminster, Moquette, and Chenille carpets:			
No. 3575, 60 cents and 40 per cent	48,146.55	31,939.89	66.34
Paragraph 379. Same carpets woven for rooms:			
No. 3576, 90 cents a square yard and 40 per cent	4,172,734.79	2,503,869.47	60.01
Paragraph 373. Saxony, Wilton, and Tournay velvet carpets:			
No. 3580, 60 cents a square yard and 40 per cent	58,263.00	43,340.05	72.67
Paragraph 374. Brussels carpets:			
No. 3577, 44 cents a square yard and 40 per cent	11,403.33	8,645.08	75.81
Paragraph 375. Velvet and tapestry velvet:			
No. 3583, 40 cents and 40 per cent	49,383.00	29,067.22	58.80
Paragraph 376. Tapestry Brussels:			
No. 3581, 28 cents and 40 per cent	316.00	191.92	60.73
Paragraph 377. Treble ingrain carpets:			
No. 3582, 22 cents and 40 per cent	19,096.00	12,700.97	66.72

* Women who choose to have foreign goods must pay either 140 per cent or 118.27 per cent or 100.59 per cent more, plus retail profits, or do without. This destroys the world idea—the real idea—and substitutes the provincial. One has the right to buy his ideal and government has no right to interfere beyond the legitimate demands of revenue. The women of America are paying to American manufacturers an unwarranted profit on woolen goods.

Schedule K, by paragraphs and items—Continued.

Item and rate.	Value.	Duty.	Per cent ad valorem.
CLASS 3. WOOL—Continued.			
Paragraph 378. Two-ply and Dutch wool carpets:			
No. 3584, 18 cents and 40 per cent	$1,693.00	$992.65	58.63
Paragraph 379. Wool carpets, n. s. p. f., mats, etc.:			
No. 3585, 50 per cent	51,690.00	25,845.00	50
No. 3579, 50 per cent	5.00	2.50	50
No. 3587, mats, 50 per cent	124.00	62.00	50
Paragraph 380. Druggets, etc.:			
No. 3578, 22 cents and 40 per cent	7,321.00	5,183.84	70.81

EXHIBIT B.

Paragraph 366. On cloths, knit fabrics, etc.

1. Woolen or worsted cloths:
   A. Valued at not more than 40 cents, 33 cents and 50 per cent—Dingley.
      Valued at not more than 30 cents, 33 cents and 40 per cent—McKinley.
      Valued more than 30 cents and not more than 40 cents, 38½ and 40 per cent—McKinley; not more than 50 cents, 40 per cent—Wilson.
      Importations, 1907 ..... pounds .. 71,308.45
      Value $27,093.25
      Duty $37,378.42
      Unit value $0.388
      Ad valorem ..... per cent .. 134.97
      The revenue under the McKinley bill for 1894 and 1895 was $142,600, or $71,300 a year; during the Wilson period, $4,127,500, or more than a million a year; during ten years of the Dingley period $181,800, or about $18,000 a year.
   B. Valued at more than 40 cents and not more than 70 cents, 44 cents and 50 per cent—Dingley.
      Valued above 40 cents, 44 cents and 50 per cent—McKinley.
      Valued more than 50 cents, 40 per cent—Wilson.
      Importations, 1907 ..... pounds .. 295,766.58
      Value $188,917.50
      Duty $224,596.07
      Unit value $0.639
      Ad valorem ..... per cent .. 118.89
   C. Valued above 70 cents per pound, 44 cents and 55 per cent—Dingley.
      Valued above 70 cents per pound, 44 cents and 50 per cent—McKinley.
      Valued above 70 cents per pound, 40 per cent—Wilson.
      Importations, 1907 ..... pounds .. 4,799,020
      Value $5,369,487.80
      Duty $5,064,787.62
      Unit value $1.12
      Ad valorem ..... per cent .. 94.32
      The Wilson and Dingley schedules are not exactly comparable—one being above 50 cents and the other above 70 cents—still, in four years the Wilson schedule produced about $22,300,000, or about $5,560,000 per annum; the Dingley produced in ten years about $37,000,000, or about $3,700,000 a year. During four years the Wilson schedule produced on all grades of cloth about $26,581,000, or per annum about $6,645,500.
      The Dingley produced from its three divisions in ten years about $41,856,800, or about $4,185,680 a year. The ad valorem rate produced more than 50 per cent more revenue on cloth.
2. Knit fabrics, not wearing apparel (duty, see below):
   A. Valued not more than 40 cents per pound—
      Importations, 1907 ..... pounds .. 2.75
      Value $1.00
      Duty $1.41
      Unit value $0.364
      Ad valorem ..... per cent .. 141
   B. More than 40 cents and not more than 70 cents per pound—
      Importations, 1907 ..... pounds .. 846
      Value $641.00
      Duty $641.74
      Unit value $0.637
      Ad valorem ..... per cent .. 119.06
   C. Valued above 70 cents—
      Importations ..... pounds .. 8,939
      Value $9,676.00
      Duty $9,255.23
      Unit value $1.07
      Ad valorem ..... per cent .. 95.67
      Duty on A, B, and C the same as on cloths, except that Wilson had 35 per cent on goods valued at more than 30 cents and less than 40 cents per pound.
      The Wilson schedule brought in more than $404,600 revenue in four years; the Dingley schedule brought in but little more than $65,000 in ten years.
3. Plushes and other pile fabrics of wool:
   Duty same as on cloth—Dingley. On all values, McKinley, 49½ cents and 60 per cent. Up to 50 cents per pound, 40 per cent; above 50 cents, 50 per cent—Wilson.
   A. Not more than 40 cents—
      Importations, 1907 ..... pounds .. 89
      Duty $45.37
      Value $32.00
      Unit value $0.359
      Ad valorem ..... per cent .. 141.78

3. Plushes and other pile fabrics of wool—Continued.

B. More than 40 cents and not less than 50 cents—

Importations	pounds	2,103
Value		$1,434.00
Duty		$1,642.32
Unit value		$0.682
Ad valorem	per cent	114.37

C. More than 70 cents—

Importations	pounds	16,574
Value		$18,682.50
Duty		$17,237.94
Unit value		$1.09
Ad valorem	per cent	95.33

The Wilson schedule in 1894 and 1895 brought in $75,300 revenue, or $37,650 a year. The Wilson schedule in four years brought in $155,000, or $38,750 a year; the Dingley, $112,000 in ten years, or $11,200 a year.

4. All other n. s. p. f.:

Importations, 1907	pounds	213,449.15
Value		$292,296.92
Duty		$240,615.96
Ad valorem	per cent	83.50

Census statistics, 1905, woolen goods.

[Establishments, 792, as against 1,035 in 1900.]

EXPENSES.

Salaries, clerks, officials, etc		$3,439,855
Wages, 79,747 employees		28,827,556
Men over 16	44,452	
Women over 16	24,552	
Children under 16	3,743	
Miscellaneous expenses		8,218,766
Cost of materials		87,530,825
Total		128,308,002
Value of product		142,196,658
Profit		13,888,656
Capital, or about 10 per cent		140,302,488

HEARINGS.

Page 5637.—Cincinnati Clothiers' Association corroborates a letter from Max Silbiberg to Hon. NICHOLAS LONGWORTH, which said: "Never before in the history of the country had woolens from the mills been so rank and costly to the clothing manufacturers as now." Mr. Whitman denied this, and the Cincinnati Clothiers' Association affirms its truth.

Page 5638.—American Hosiery Company think there should be no material change in Schedule K, and that woolen knit underwear should remain in the wool-clothing schedule.

The American Wool and Cotton Reporter (January 3, 1907) quotes J. Clifford Woodhull, of the American Woolen Company, as saying in reference to the claims of the National Association of Clothiers, that woolens were rank and high. "It is impossible to produce a fabric of equal quality for the same price as has been done in former years; hence the result that buyers who refuse to pay above a certain price are compelled to sacrifice quality."

Page 6289.—Perseverence Worsted Company asks that the ad valorem duty on cloth be changed to a specific rate; do not ask for a higher rate; really a less rate; we use worsted yarns as our raw material; the present tariff shuts no one out, as in many things; they have the market to-day despite all we can do; some of our customers buy the Drummond fabrics; in fact, this firm has sold thousands of pieces; if they can do so, the tariff is not too high; make the rate specific entirely; the least labor goes into the wool and first process of manufacturing, as top making; then comes the yarn at a higher labor cost, and lastly the manufacturing of the cloth.

Page 6269.—Suttons Mills, North Andover, manufacturers of broadcloths, say that any reduction of duty will force them to close down.

Page 5634.—Max Lowenthal, of Rochester, a manufacturer of thirty-six years, says that the McKinley and Dingley tariffs have both worked injuries to the woolgrowers and the manufacturers of woolens, but most of all to the consuming public; the people wear less of woolen and more of shoddy by reason of these schedules; not a fraction more duty should be put on wool than the difference of raising it here and abroad.

EXHIBIT C.

Paragraph 367. Blankets.

a. Valued at not more than 40 cents a pound:
Dingley, 22 cents and 30 per cent ad valorem.
McKinley, not more than 30 cents, 16½ cents and 30 per cent.
Wilson, not more than 30 cents, 25 per cent.
McKinley, more than 30 cents, but not more than 40 cents, 22 cents and 35 per cent.
Wilson, more than 30 cents, but not more than 40 cents, 30 per cent.

Importations, 1907	pounds	1,116
Value		$316.00
Duty		$340.00
Unit rate		$0.283
Ad valorem	per cent	107.60

Wilson revenues, 4 years, $18,900, or $4,725 per year.
Dingley revenues, 10 years, $15,300, or $1,530 per year.

b. More than 40 cents and not more than 50 cents:
Dingley, 33 cents and 35 per cent.
McKinley, 33 cents and 35 per cent.
Wilson, 35 per cent.

Importations	pounds	472
Value		$219.00
Duty		$232.41
Unit rate		$0.464
Ad valorem	per cent	106.12

c. More than 50 cents:
Dingley, 33 cents and 40 per cent.
McKinley, 38½ cents and 40 per cent.
Wilson, 35 per cent.

Importations	pounds	28,210.09
Value		$29,737.95
Duty		$21,204.33
Unit rate		$1.05
Ad valorem	per cent	71.30

Wilson revenue, 4 years, $14,000, or $3,500 per year.
Dingley revenue, 10 years, $148,000, or $14,800 per year.

d. Blankets more than 3 yards long.
Same duty as cloths.

	Importations.	Value.	Duty.	Unit value.	Ad valorem.
	Pounds.				*Per ct.*
40 cents	142.00	$40.00	$67.16	$0.286	165.42
40 to 70 cents	5,917.50	3,668.00	4,437.70	.62	120.98
Above 70 cents	9,253.80	8,217.60	8,591.35	.888	104.55
Total	15,313.30	11,925.60	13,096.21		

e. Flannels more than 50 cents and not more than 40 cents per pound:
22 cents and 30 per cent—Dingley.
22 cents and 35 per cent—McKinley.
30 per cent—Wilson.

Importations, 1907	pounds	124
Value		$24.00
Duty		$34.68
Unit value		$0.194
Ad valorem	per cent	143.67

Wilson revenue, 4 years, $856, or $216 per annum.
Dingley revenue, 10 years, $617, or $61.70 per annum.

f. Valued more than 40 cents, not more than 50 cents:
33 cents and 35 per cent—Dingley.
McKinley, same.
Wilson, 35 per cent.

Importations, 1907	pounds	257
Value		$128.00
Duty		$129.61
Unit value		$0.498
Ad valorem	per cent	101.26

g. Valued more than 50 cents, not more than 70 cents:
11 cents square yard and 50 per cent—Dingley.
33 cents a pound and 35 per cent—McKinley.
35 per cent—Wilson.

Importations	square yards	560
Value		$111.00
Duty		$117.10
Unit value		$0.198
Ad valorem	per cent	105.49

h. More than 70 cents:
11 cents square yard and 55 per cent—Dingley.
33 cents a pound and 35 per cent—McKinley.
Wilson—35 per cent.

Importations	square yards	17,234.25
Value		$6,039.13
Duty		$5,217.29
Unit value		$0.35
Ad valorem	per cent	86.39

Wilson revenue on all above 40 cents, 4 years, $10,600, or $2,650 a year.
Dingley revenue on all above 40 cents, 10 years, $26,900, or $2,690 a year.
But for an unusual importation of 40,000 square yards, in 1906, the Wilson schedule would have been a far better revenue getter.

i. Flannels, weighing over 4 ounces per square yard—
More than 50 cents, not more than 70 cents, 44 cents per pound and 50 per cent—Dingley.
All values, McKinley, the same.
50 per cent—Wilson.

Importations, pounds	pounds	7,506
Value		$4,356.00
Duty		$5,480.64
Unit value		$0.58
Ad valorem	per cent	125.80

Wilson revenue, 4 years, $120,500, or $30,125 per year.
Dingley revenue, 10 years, $44,800, or $4,480 per year.

j. More than 70 cents a pound—
44 cents and 55 per cent—Dingley.

Importations	pounds	58,475
Value		$49,890.00
Duty		$53,108.50
Unit value		$0.853
Ad valorem	per cent	106.57

Total blankets—

Importations	pounds	45,111.39
Value		$42,199.15
Duty		$34,873.47
Unit value		$0.935
Ad valorem	per cent	82.64

Total flannels—
Importations—

Value		$60,548.13
Duty		$60,147.62
Unit value		$0.719
Ad valorem	per cent	105.94

Exportation flannels and blankets, value $54,937.00

HEARINGS.

Page 3311.—William Whitman, Boston, stated that the quantity of blankets consumed in the United States was very large, but he could not state how large, in figures; several millions of dollars; he did not stand for a prohibitive duty; the imports are very small of blankets and flannels; would not admit that an import of $106,000 with duties of 82 and 105 per cent in a consumption of millions was prohibitive; the fact that less than 1 per cent was imported did not make it prohibitive; we make them so cheap that there is no object in importing; thought a profit of 10 or 12 per cent a losing game; did not think the duties on blankets and flannels could be reduced; the export of $54,000 in flannels was no indication that we do not need the present high tariff; flannels are out of fashion and we dump them; we are not exporting blankets in competition; it is not possible for us to do it; we have the exclusive control of the American market on blankets; I do not produce blankets.

A pamphlet without name, published on page 3446, attacks Whitman and North very seriously, especially North.

EXHIBIT D.

Paragraph 368. Women's and children's dress goods, cotton warp.

a. Not exceeding 15 cents per square yard and not above 70 cents a pound:
7 cents and 50 per cent—Dingley.
Not over 15 cents, 7 cents and 40 per cent—McKinley.
Not more than 50 cents, 40 per cent—Wilson.

Importations 1907	square yards	11,128,071
Value		$1,392,913.00
Duty		$1,475,421.77
Unit value		$0.125
Ad valorem	per cent	105.92

b. Valued not exceeding 15 cents per square yard and above 70 cents a pound:
7 cents and 55 per cent—Dingley.
7 cents and 40 per cent—McKinley.
40 per cent—Wilson.

Importations 1907	square yards	1,016,360
Value		$138,489.00
Duty		$147,314.18
Unit value		$0.136
Ad valorem	per cent	106.37

c. Valued above 15 cents per square yard and not above 70 cents per pound:
8 cents per square yard and 50 per cent—Dingley.
Same McKinley.
40 per cent—Wilson.

Importations 1907	square yards	194,086
Value		$33,131.50
Duty		$32,092.63
Unit value		$0.171
Ad valorem	per cent	96.87

d. Valued above 15 cents a square yard and above 70 cents a pound:
8 cents per square yard and 55 per cent—Dingley.
8 cents and 50 per cent—McKinley.
50 per cent—Wilson.

Importations	square yards	6,721,266.83
Value		$1,373,974.45
Duty		$1,295,387.28
Unit value		$0.204
Ad valorem	per cent	94.13

e. Weighing not more than 4 ounces per square yard and valued not more than 40 cents per square yard:
33 cents and 50 per cent—Dingley.
44 cents and 50 per cent—McKinley.
Not classified—Wilson.

Importations	pounds	476.50
Value		$149.00
Duty		$231.75
Unit value		$0.313
Ad valorem	per cent	155.54

f. Over 4 ounces per square yard and valued not more than 70 cents a pound:
44 cents and 50 per cent—Dingley.
See above, Wilson and McKinley.

Importations	pounds	379.75
Value		$255.00
Duty		$249.59
Unit value		$0.672
Ad valorem	per cent	113.53

g. Over 4 ounces and more than 70 cents:
44 cents and 55 per cent—Dingley.

Importations	pounds	9,709.42
Value		$11,358.40
Duty		$10,319.31
Unit value		$1.17
Ad valorem	per cent	92.61

RECAPITULATION.

	Value.	Duty.
a	$1,392,913.00	$1,475,421.77
b	138,489.00	147,314.18
c	33,131.50	32,092.63
d	1,373,974.45	1,295,387.28
e	149.00	231.75
f	255.00	249.59
g	11,358.40	10,519.31
Total	2,950,270.35	2,960,216.51

Exportations, 6,551 square yards, valued at $5,674.

EXHIBIT E.

Paragraph 369.

A. Women's and children's dress goods, not above 70 cents per pound:
n. s. p. f., 11 cents square yard and 50 per cent—Dingley.

Importations, 1907	square yards	32,298.93
Value		$6,556.50
Duty		$6,831.13
Unit value		$0.203
Ad valorem	per cent	104.19

B. Valze above 70 cents per pound:
11 cents per square yard and 55 per cent—Dingley.

Importations	square yards	18,124,900.22
Value		$4,109,310.49
Duty		$4,253,859.77
Unit value		$0.227
Ad valorem	per cent	103.52

C. Weighing over 4 ounces per square yard and valued not over 40 cents per pound:
33 cents per pound and 50 per cent—Dingley.

Importations	pounds	1.25
Value		$2.00
Duty		$1.41
Unit value		$1.60
Ad valorem	per cent	70.50

D. Weighing more than 4 ounces, valued from 40 to 70 cents:
44 cents and 50 per cent—Dingley.

Importations	pounds	252,543
Value		$162,760.00
Duty		$192,408.92
Unit value		$0.644
Ad valorem	per cent	118.27

E. Weighing more than 4 ounces, valued above 70 cents:
44 cents and 55 per cent—Dingley.

Importations	pounds	2,381,026.97
Value		$2,297,821.93
Duty		$2,311,453.93
Unit value		$0.965
Ad valorem	per cent	100.59
Total value		$6,576,450.92
Total duty		$6,764,645.16
Total for paragraphs 368 and 369:		
Importations—		
Value		$9,526,572.87
Duty		$9,723,674.92

EXHIBIT F.

Paragraph 370. Ready-made clothing, shawls, knit goods, and felts.

A. Clothing:
44 cents a pound and 60 per cent—Dingley.
49½ cents and 60 per cent—McKinley.
Not less than $1.50 per pound, 45 per cent; and not more than $1.50 per pound, 50 per cent—Wilson.

Importations, 1907	pounds	383,258.59
Value		$1,016,250.38
Duty		$778,384.02
Unit value		$2.65
Ad valorem	per cent	76.59
Exportations, value		$1,688,778.00

B. Shawls:
44 cents and 60 per cent—Dingley.
Under 30 cents per pound, 23 cents and 40 per cent—McKinley.
Between 30 and 40 cents, 38½ cents and 40 per cent—McKinley; 35 per cent—Wilson.
Above 40 cents, 44 cents and 50 per cent—McKinley; 40 per cent—Wilson.

Importations	pounds	47,823.52
Value		$61,283.75
Duty		$57,812.67
Unit value		$1.28
Ad valorem	per cent	92.70

C. Knitted goods:
44 cents and 60 per cent—Dingley.
49½ cents and 60 per cent—McKinley.
50 per cent—Wilson.

Importations	pounds	451,378.75
Value		$617,207.88
Duty		$568,967.47
Unit value		$1.37
Ad valorem	per cent	92.17

D. Cloaks, etc.:
44 cents and 60 per cent—Dingley.
49½ cents and 60 per cent—McKinley.
50 per cent—Wilson.

Importations	pounds	65,491.27
Value		$141,740.60
Duty		$113,860.52
Unit value		$2.16
Ad valorem	per cent	80.32

E. Hats of wool:
44 cents and 60 per cent—Dingley.
16½ and 30 per cent, 22 cents and 35 per cent, 33 cents and 35 per cent—McKinley.
30 and 35 per cent—Wilson.

Importations	pounds	9,616.80
Value		$15,900.00
Duty		$13,771.32
Unit value		$1.65
Ad valorem	per cent	86.61

F. Felts:
44 cents and 60 per cent—Dingley.
49½ cents and 60 per cent—McKinley.
25, 30, and 35 per cent—Wilson.

Importations	pounds	91,117.75
Value		$111,405.73
Duty		$106,935.26
Unit value		$1.22
Ad valorem	per cent	95.98

RECAPITULATION.

	Value.	Duty.
A. Clothing	$1,016,250.38	$778,384.02
B. Shawls	61,283.75	57,812.67
C. Knit goods	617,207.88	568,967.47
D. Cloaks	141,740.60	113,860.62
E. Hats	15,900.00	13,771.32
	1,852,442.61	1,532,796.00
F. Felts	91,117.75	111,405.73

American manufacturers, men's clothing:

Number of establishments		4,504
Salaries paid 13,210 officials and clerks		$13,703,162
Wages paid 137,190 workmen		57,225,506
Men over 16	58,769	
Women over 16	75,468	
Children under 16	2,963	
Miscellaneous expenses		57,695,240
Materials		185,793,436
Total expenses		314,417,344

American manufacturers, men's clothing—Continued.

Value product		$355,796,571
Profit		41,379,227
Capital (about 27 per cent)		153,177,500
Value importations	clothing	1,016,250
Value product		355,796,571
Less than one-third of 1 per cent.		
Women's clothing:		
Number establishments		3,351
Salaries paid 10,920 officials and clerks		$9,975,944
Wages paid 115,795 workmen		51,189,193
Men over 16	42,614	
Women over 16	72,242	
Children under 16	849	
Miscellaneous expenses		24,349,282
Materials		130,719,996
Total expenses		216,225,415
Value product		247,661,560
Profit		31,436,145
Capital (about 42 per cent)		73,947,823
Less than 1 per cent is imported.		
Wool hats:		
Number establishments		17
Salaries paid 68 officials and clerks		$94,245
Wages paid 1,503 workmen		619,194
Men over 16	1,030	
Women over 16	433	
Children under 16	40	
Miscellaneous expenses		293,208
Materials		1,369,810
Total expenses		2,376,457
Value product		2,457,266
Profit		80,809
Capital (about 5 per cent)		1,646,064
Importations are as 15,000 to 2,450,000, or as 3 to 49.		
Felt goods:		
Number establishments		39
Salaries paid 201 officials and clerks		$359,594
Wages paid 3,254 workmen		1,356,754
Men over 16	2,546	
Women over 16	699	
Children under 16	9	
Miscellaneous expenses		612,766
Materials		5,754,026
Total expenses		8,074,140
Value product		8,948,594
Profit		874,454
Capital (about 9 per cent)		9,667,136

Page 5026.—William R. Ellis states that English hat bodies weighing 3 pounds to the dozen, price in England $2.06 a dozen, take 1.32 specific duty and 1.23 ad valorem, or $2.55 on an article valued at $2.06; telegraphed England for labor cost on a dozen such hats, and the answer was 40 cents a dozen. In American the labor cost is 70 cents. Very little is imported, and the cost of machinery for a plant to manufacture them is great. If duty were lower, the hat bodies would yield a revenue and give labor to American labor. Suggests 40 per cent duty on hats in the cone or unfinished state and 65 per cent if blocked, shaped, or trimmed.

Page 5179.—Mr. LONGWORTH submitted a letter from a constituent merchant tailor, stating that the real users of ready-made clothing—the laborers, mechanics, and farmers—are practically receiving no value for their money; that the manufacturers of cloth are turning out inferior goods—poor qualities and coloring—fading soon and cockling.

Mr. Whitman, on the other hand, stated that never in the history of the United States were its people wearing such good clothing. The merchant tailors of Cincinnati came back with a statement, saying that all that Mr. LONGWORTH's constituent had stated was true.

Page 5184.—Mr. Theodore Justice, of Philadelphia, stated that an all-wool suit of clothes, such as he had on, could be made for $12.50; that the suit he had on actually cost that. He produced the bill as an exhibit. Its retail price in Philadelphia was $12.50. The wholesale clothing business in the United States is enormous, and we sell ready-made clothing cheaper than anyone in the world. The suit I have on will cost as much in England as here.

All-wool suit, $12.50, is made from 3½ yards, weighing 21 ounces per yard, or 74 ounces scoured wool:

Wool costs	$0.63
Manufacturing	.20
Net mill cost	.83
Profit	.08
Clothiers' price	.91
3½ yards, at 91 cents	3.19
Making	3.50
Wholesale price	6.69
Profit	1.50
Price to retailer	8.19
Profit	4.31
Price to consumer	12.50
74 ounces of clean wool (quarter blood) in America	2.29
74 ounces of clean wool (quarter blood) in England	1.32
Difference between free and protected wool	.97

Mr. Justice, page 3239, claimed that the free-wool schedule of the Wilson law saved the people $65,000,000 in clothing—a tangible essence, which he offset by an intangible quantity, a creation of argument—and claimed that we lost $426,500,000 in purchasing power.

Page 6269.—Sutton's Mills, North Andover, manufacturers of woolen goods (dress), represent that any reduction of duty would close their mills; capital, $450,000; 150 to 200 workmen; operating since 1802; manufacture broadcloths, kerseys, venetians; come in competition directly with French and German goods; labor cost in our mills three times that of the French.

Page 6279.—Richard Rauft, New York City, importer of pianos, asks that felts for pianos be taken out of ready-made clothing; the Wilson bill classified them properly as "felts n. s. p. f.;" the present rate, 44 cents per pound and 60 per cent ad valorem, to which I do not object, if they are placed in a separate paragraph; I import 60,000 pounds per annum; value, $80,000.

Page 5338.—American Hosiery Company think there should be no change in Schedule K, and that woolen knit underwear should remain in the wool-clothing paragraph; the duties on knit underwear should remain as they are, at a minimum rate.

EXHIBIT G.

Paragraph 371. Webbings, gorings, etc.:

50 cents per pound and 60 per cent ad valorem—Dingley.
60 cents per pound and 60 per cent ad valorem—McKinley.
50 per cent—Wilson.

Importations, 1907	pounds	5,218.05
Value		$12,122.50
Duty		$10,122.50
Unit value		$2.40
Ad valorem	per cent	80.83

In 1898 and 1899 goods came in yielding a revenue of $275,000, or $137,500 a year. Since 1899 the highest revenue has been $88,089 in 1906, and the lowest in 1907. The total for eight years has been $382,600, or an average of $38,260. During the Wilson period the total revenue was $250,700, or $62,675 a year.

HEARINGS.

Page 4742.—Pioneer Suspender Company say that they are interested in paragraphs 320 and 371; that ten years ago they bought foreign fabrics freely, but that to-day, on account of protection, the purchases of foreign fabrics are practically nothing. We are exporting suspenders to almost every part of the world. Our business has trebled in ten years; gives employment to hundreds of employees, and has daily sales amounting to $5,000—7,000,000 pairs of suspenders and garters a year. Does not say what he wants, but evidently no change.

Pages 2956 and 4982.—The Braid Manufacturers' Association of the United States ask that the duty be retained.

Page 6279.—Lace and Embroidery Manufacturers' Association represent that machine-made woolen embroideries and laces are great luxuries and nearly all imported. Ask a proviso to paragraph 371, making laces made from certain machines subject to highest rates.

EXHIBIT H.

Profits of wool manufacturing.

Census Bulletin No. 57, 1905, gives the following statistics on woolen and worsted goods and clothing manufactures:

Number of establishments	8,873
Expenses:	
Salaries paid 28,454 officials and clerks	$30,015,521
Wages paid 394,893 workmen	163,503,042
Miscellaneous expenses	98,564,867
Cost of materials	514,002,738
Total expenses	806,086,168
Value of product	911,399,841
Profit	105,313,673
Capital	529,892,740

Approximately 20 per cent.
Miscellaneous expenses cover, according to the census report:
1. Rent of factory works.
2. Taxes.
3. Rent of offices, interest, insurance, etc.
4. Contract work.

EXHIBIT J.

Shrinkage.

Samuel S. Dale, of Boston, in a circular reprinted from the Textile World Record of February, 1909, gives shrinkage on scoured wool, based on experiments running through forty-six months:

1. Loss which can not be accounted for by any tangible material, 21.22 per cent of the weight of the scoured wool and dyed material; or 1.27 pounds of scoured wool produce 1 pound of cloth.
2. Loss which can and which can not be accounted for by tangible by-products, 35.11 per cent; or 1.54 pounds of wool and waste produced 1 pound of cloth.

Greasy wool to 1 pound of cloth:
6¾ pounds Texas wool for lot bought May 18, 1888.
5 pounds Oregon wool for lot bought April 10, 1890.
4 pounds California wool for lot bought February 17, 1887.
3 pounds Oregon wool for lot bought April 28, 1887.
2¾ pounds ¾-blood wool for lot bought June 24, 1887.
1½ pounds East India wool for lot bought June 12, 1890.
There is no ratio between grease wool and finished cloth.
Justice Tables. Page 3263:
5 pounds 5¼-ounce western Australia wool to 1 pound of cloth.
4 pounds 9½-ounce Buenos Ayres.
4 pounds Good Hope.
3 pounds 8¼-ounce Adelaide.
3 pounds 3¼-ounce Port Phillip.
2 pounds 14¼-ounce Port Phillip fine lamb's.
5 pounds 5¼-ounce Montana.
4 pounds 9½-ounce Ohio xx.

Schedule K. Wool—Paragraph 356.

The skirting provision of this paragraph is objected to by the Montana Wool Growers' Association, page 5009; it has been interpreted

and operated so as to prejudice the interests of all woolgrowers in the Union; indorses the letter of W. K. Harber, filed as an exhibit; asks that the duty of 11 cents be retained without the skirting clause; also protests against the dual classification of third-class wool, inasmuch as this wool enters into clothing; claims that 82 per cent of it enters at 4 per cent.

The Harber letter filed claims that an importation of 100 pounds of Australian skirted wool shrinks 50 per cent and pays $11 duty; it yields 50 pounds of wool upon which the duty that has been paid averages 22 cents a pound, compared with the 33 cents contemplated by paragraph 354. To produce 50 pounds scoured wool would require 135 pounds of Montana unwashed wool, shrinking 63 per cent, which is displaced by the Australian wool as above. In other words, 135 pounds of Montana wool is protected by $11 duty, or 8 cents a pound.

The manufacturer benefits by this through a compensatory duty on imports of woolens, about 33 cents a pound, to offset the duty assumed to have been paid upon imports of raw material and the enhanced cost of domestic wool. The actual duty paid, however, was but 22 cents.

PARAGRAPH 357.

a. All wools and hair of the first class.
Eleven cents per pound—Dingley.
Same—McKinley.
Free—Wilson.
First class, not on the skin, unwashed.
Importations, 1907:

Pounds		90,045,325.75
Tons		45,022.66
Value		$22,249,572.25
Duty		$9,904,985.87
Unit value		$0.247
Ad valorem	per cent	44.52

In addition there was 1,675.25 pounds of washed wool, not on the skin, paying a duty of 22 cents a pound and 8,119.50 pounds of scoured wool paying a duty of 33 cents a pound.

b. All wools or hair of the second class.
12 cents per pound—Dingley.
Same—McKinley.
Free—Wilson.
Second class wool, not on the skin, washed or unwashed.
Importations, 1907:

Pounds		9,807,394.50
Tons		4,903.6
Value		$2,863,081.75
Duty		$1,176,887.36
Unit value		$0.292
Ad valorem	per cent	41.11

c. Hair of the Angora goat, Alpaca, and other animals, second class.
Importations, 1907:

Pounds		2,191,547
Tons		1,095.7
Value		$738,540.00
Duty		$262,985.64
Unit value		$0.337
Ad valorem	per cent	35.61

PARAGRAPH 358.

All wools of the third class and camel's hair of the third class valued at less than 12 cents per pound.
4 cents a pound—Dingley.
50 per cent ad valorem—McKinley.
Free—Wilson.
Third class, on the skin, value less than 12 cents per pound.
Importations, 1907:

Pounds		43,924,853.50
Tons		22,962
Value		$4,891,660.60
Duty		$1,756,994.15
Unit value		$0.111
Ad valorem	per cent	35.92

Russian camel's hair, washed and unwashed:

Importations, 1907	pounds	628,424
Value		$67,050
Duty		$25,136.96
Unit value		$0.107
Ad valorem	per cent	37.49

PARAGRAPH 359.

All wools of the third class and camel's hair valued at more than 12 cents per pound, 7 cents a pound wool:
Importations, 1907:

Pounds		44,440,828.86
Tons		22,420.4
Value		$8,843,857
Duty		$3,110,858.03
Unit value		$0.199
Ad valorem	per cent	35.18

Camel's hair:
Importations, 1907:

Pounds		1,582,561
Tons		791.2
Value		$261,612
Duty		$110,779.30
Unit value		$0.165
Ad valorem	per cent	42.34

PARAGRAPH 360.

Wool on the skin:
One cent less than for same class of other wools—Dingley.
McKinley schedule required same rate as other wools.
Free—Wilson.
Importations, 1907:

Class 1	pounds	1,449,303.50
Class 2	do	78,604
Class 3	do	1,836,804.50
Total	do	3,364,712
Total tons		1,682.3
Value:		
Class 1		$305,162.50
Class 2		21,908.10
Class 3		206,159.70
Total		533,230.39

	Duties.	Unit value.	Ad valorem.
		Cents.	*Per cent.*
Class 1	$144,990.35	0.211	47.46
Class 2	8,646.44	.279	39.47
Class 3	55,194.93	.112	26.73
Total	208,780.03		

In addition there were 3 pounds taxed at 33 cents and 50 per cent, 49 pounds at 44 cents and 50 per cent, and 847 pounds at 44 cents and 55 per cent.

	Importations.	Value.	Duties.	Ad valorem.
	Pounds.			*Per cent.*
Class 1	91,504,587.00	$22,562,514.75	$10,058,977.24	44.55
Class 2	12,077,565.50	3,623,269.85	1,448,519.44	40
Class 3	92,453,118.86	14,275,547.30	5,061,251.40	35.45
Total	196,035,251.36	40,461,531.90	16,562,748.08	

PRODUCTION AND CONSUMPTION.

Domestic wool produced, 1907, washed and unwashed, pounds		298,294,750
Total importations, all classes	pounds	196,035,251.36
Total	pounds	494,330,001.36
Domestic wool produced, 1907, washed and unwashed, tons		149,147.3
Total importations, all classes	tons	98,017.6
Total	tons	247,165
Domestic wool exported	pounds	214,840
Domestic wool exported	tons	107.4
Total	pounds	494,115,161
Export of foreign wool	pounds	3,231,908
Total American consumption	pounds	490,883,253

The Bureau of Statistics, in the Statistical Abstract, gives this 498,695,547 pounds; percentage of importation on production, 65.71.

The value of the home production was:
1. Sheared wool, washed and unwashed $62,958,165
2. Pulled wool, washed and unwashed 15,305,000
Total value 78,263,165

Monthly import prices, 1907—Raw wool.

	Class 1.	Class 2.
January	$0.243	$0.303
February	.259	.304
March	.255	.306
April	.260	.313
May	.265	.292
June	.257	.320

Domestic prices—Washed Ohio fleece, per pound, in eastern markets—July 1 and October 1, 1907.

	July.	October.
	Cents.	*Cents.*
Fine	34	35
Medium	36	38
Coarse	35	34

Average value, scoured wool, October 1, 1907, 50.2 cents.

Annual average import prices, 1907:

Clothing wool	cents	26
Combing wool	do	30
Carpet and other	do	15

On January 2, 1896, the Wool and Cotton Reporter gave the following prices, among others, on wools for Texas, California, Oregon, Wyoming, and Arizona:

	Texas.	California.	Oregon.	Wyoming.	Arizona.
Spring choice	12 to 13	12 to 15	12 to 13		13
Spring average	11 to 12	11 to 12	10 to 11		11
Fall choice	10 to 11				
Fall average	9 to 10				
Burry and defective		6 to 7			
Defective		6 to 7			
Fine medium				10 to 11	
Fine				7 to 9	
Choice				13 to 14	
Heavy					7

In February, a slight change in higher grades; no change in lower; no change in March, April, or May.

In June, burry and defective, 5 to 6; fine, 6 to 8; heavy clips, 7 to 8.

In July, California defective went to 5 to 6; all higher grades fell off a cent everywhere. The prices remained practically unchanged for the rest of the year.

American wools.

	October 1, 1896.	May 7, 1896.
Washed clothing:		
Ohio, Pennsylvania, and West Virginia	17 to 19	18 to 19
Do	16 to 17	16 to 17
Michigan, Wisconsin, and New York	14 to 15	15 to 16
Michigan, Wisconsin, and New York, No. 1	17 to 18	18 to 19
Washed combing and delaine	19 to 20	19 to 20
Fine delaine, Michigan and Wisconsin	17 to 18	18 to 19
No. 1 combing	19 to 20	20 to 21
Unwashed combing, one-half blood	15	15 to 16
Kentucky, Indiana, and similar wool	16	16 to 17
Illinois, Missouri, and Wisconsin	14 to 15	15 to 16
Unwashed, light and bright, Ohio and Pennsylvania	12 to 13	13 to 14
Michigan and New York fine	11 to 12	12 to 13
Kentucky, Indiana, and similar	15 to 16	15 to 16
Illinois, Missouri, and Wisconsin	13 to 14	14 to 15
Choice brushed, scoured, extra	32 to 33	33 to 35
A supers	29 to 31	30 to 32
B supers	25 to 26	26 to 27
C supers	22 to 23	22 to 23
Combing	26 to 27	26 to 28
Fine coubing	30 to 32	32 to 33
California:		
Finest	31 to 32	32 to 33
Second	26 to 29	27 to 30
Defective	18 to 25	18 to 25

Foreign wools.

	October 1, 1896; December 3, 1896.	January 2, 1896.	May 7, 1896.
Australian combing, choice	22 to 26	21 to 24	22 to 26
Australian combing, good	20 to 22	19 to 20	20 to 23
Australian crossbreds	22 to 23	22 to 24	22 to 24
Australian clothing	20 to 24	18 to 21	20 to 22
Australian choicest clothing	24 to 27	21 to 24	22 to 26
Cape and Natal	14 to 15	14 to 16	14 to 16
Montevideo	15 to 16	15 to 16	15 to 16
South American pulled	27 to 29	27 to 29	27 to 29
English coarse	24 to 26	24 to 26	24 to 26
English ½ to ¾	22 to 23	25	25
Canada combing, fleece	22 to 23	25 to 26	23 to 24
Canada combing, pulled	22 to 23	26 to 27	22 to 23

On December 1, 1896, English one-fourth to three-eighths went to 25 cents.

HEARINGS.

Page 2776.—William Hooker Atwood, for New Haven Carriage Factory: Tariff on wool should be reduced so that there could be a reduction on cloths suitable for carriage and automobile builders. Tariff on goatskins should be reduced to at least 10 per cent, as American manufacturers have had time enough to make in quality and finish equal to Europe, and they are not doing as well now as they did twenty years ago.

Page 3132.—William E. Dana, of New York State Sheep Breeders' Association, asked for a retention of the tariff.

Page 3134.—Theodore Justice, Philadelphia, Pa., held that Schedule K of the Dingley bill was all right and should be maintained; wore a suit of clothes which he said proved that the United States, under Schedule K, could now make better and cheaper clothing than England or Germany. He showed that an American with four in family, buying eight suits a year, was out of pocket $7.76 by reason of tariff on wool. To offset this, he has received 200 per cent more than German wages, which enables him in three days' work to make what the tariff cost him. He filed several exhibits showing the importations of wool for eleven years, the wool supply of the United States, the use of shoddy, general Republican prosperity, etc.

Page 3270.—Hon. Charles H. Grosvenor maintained that you can not reduce the tariff on wool materially without destroying that industry. He held that it was not naturally as profitable as other agricultural industries and, on the whole, only fairly profitable. He held that XX wool of Ohio could not be produced at 20 cents a pound, and that it needed protection. He held that the free-wool schedule of the Wilson bill cut down the industry in Ohio and throughout the country. Ohio wool sells at the home of the producers at from 25 to 28 cents, and that was the low-water mark of production. He held that wool was the finished product, so far as the farmer was concerned. Argued that the sheep in Harrison County ran down from 161,000 under McKinley bill to 92,000 under the Wilson bill.

Mr. CLARK called his attention to the fact that there were only 107,000 there now, and there was no explanation. He admitted that the price of wool was affected by an increase in the price of land, and this has had some effect in the number of sheep in Ohio. He defined no material reduction to mean no reduction whatever.

Page 3286.—Mr. Moore, of Mannington, W. Va., a woolgrower, representing the fine-wool district of Ohio, Pennsylvania, and West Virginia, held that the industry was in such condition as to demand a tariff, and that not a low tariff. His section produced as good wool as Australia and Argentina. We produced 288,000,000 pounds of wool last year, of which 130,000,000 were scoured. Our wools are sold on the scoured basis on an average of 62½ cents a pound. Our wool income was $78,000,000. Ohio produced $3,700,000 worth, Pennsylvania $1,640,000, and West Virginia $815,000. If Argentina can compete after paying the tariff, what would she do with the tariff removed? So as to Australia. He did not think the industry could stand the least reduction. Wool in 1896 brought from 12 to 15 cents; to-day unwashed wool 20 to 22 and washed wool 25 to 27.

His attention was called to cotton, which sold from 4 to 6 cents in 1896, but he could not explain it. Could not fix the labor cost on a pound of wool. Could not say whether less labor was employed in raising sheep than other animals.

Page 3294.—Mr. P. G. Johnson, for Idaho woolgrowers. Expenses of 1,700 sheep, being 1,200 ewes and 500 yearlings, was $1,479 a year in 1897 and $2,844 in 1907, an increase in cost of production of $1,365. This would be $1.67 a head. The tariff is 11 cents a pound on a 7-pound fleece, which would make the tariff protection $1.309 per given flock, or less than the added expense. In Idaho sheep raising is one of the principal industries, and the tariff should remain on wool—the finished product of the farmer.

Sheep in 1907 were worth $3.50 each and in 1903 but $1 each, going up in value from $1,700 a flock to $5,950 a flock in 1907, which they are worth to-day. Sheep are raised for both mutton and wool. One thousand seven hundred sheep will yield 7 pounds of wool each, and 11,900 pounds of wool, at 17 cents, would be $2,023 for the wool. The mutton sold compensates the loss, and but for that we would go out of business.

Page 3296.—Theodore Justice follows a number of blank pages omitted by request of the committee. A large part of what Justice said might well have been omitted in justice to Justice, to Justice and the committee. Mr. Justice said that Texas wool, under the Wilson bill, now worth 20 cents, was then worth 4, and California wool but 2. The Statistical Abstract for 1907, page 566, gives wool prices for the whole United States, as follows:

	Fine washed.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
January	19	21½	19
April	19	21	18
July	17	18	17
October	18	19	18

The lowest prices for the whole country were in 1895:

	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
January	17½	20	19
April	16½	20	18
July	18	21	19
October	18	21	19

The prices were furnished by Messrs. Maujer & Avery, New York. The prices in 1897 were:

	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
January	19	21	19
April	21	22½	20
July	21½	22½	21
October	27	29	25

These are seaboard market prices, but it is hardly conceivable that Texas or California wool ever receded to 4 cents, or 2-cent prices.

He adduced statistics showing that the sheep in the United States from 1880 to 1905 had increased 10 per cent, while cattle had increased 105 per cent. To produce the wool imported in 1907 would require 38,000,000 sheep, and to raise all our own wool would require 20,000,000 more sheep to make the ratio of sheep to population in 1905 equal to that of 1880. In other words, we would have to double our supply.

Page 3298.—Mr. William Whitman, of Boston, president of the National Association of Wool Manufacturers, stated that his association asked for no reduction on raw wool, and believed that the existing rates should be maintained. The American woolgrower supplies 70 per cent of the wool used in wool manufacture; that encouragement of the sheep industry not only secures the woolen industry, but results in cheaper food and clothing for the people; that the imported wools are not grown here and can not be. Some foreign wool is superior to home-grown wool for some fabrics, but all imported wools compete.

He asked that wool tops be transferred from paragraph 364 to 365, which is a reduction. He asked for no increase on any schedule of manufactures, regarding the present as the most satisfactory schedule ever drawn, and the present protection adequate for every purpose.

The people engaged in woolen manufacture are not paid excessive wages, nor are the managers receiving excessive profits. Neither is there any monopoly. The present duties do not prohibit importations. A reduction of the tariff would reduce wages and profits, causing the industry to lose capital. There are $370,800,000 invested in the business now, employing 185,592 people, making a product worth $380,000,000. There are 1,200 establishments, 333 operated by individuals, 311 by firms and partnerships, and 557 by corporations. There is no monopoly. Dividends are relatively small and few great fortunes have been made.

Page 3369.—Mr. Hans Schmidt, Buffalo, N. Y., representing Schoellkopf & Co., importers of sheepskins and tanners, argued that the difference of 1 cent on fleece wool and wool on the skin was not enough to build up the importing business. Asks for no change in schedules beyond this. Of 200,000,000 pounds imported less than 3,500,000 came in on skins. Asks for a difference of 5 cents a pound, and for a reduction of 50 per cent on class 3 wool. Has been making from 8 to 11 per cent on the wool and leather business combined for several years.

Page 3478.—Mr. Henry O. Reineke, Philadelphia, Pa., wool puller for fifty years. Wool separated from skin chemically and called pulled wool. Being worth 3 to 4 cents less than fleece wool, the differential of 1 cent in the tariff does not permit them to get a sufficiency of foreign skins. The domestic supply is fast going into the hands of the great packers, who pull the wool and tan the skins. The chemical treatment makes the wool less valuable. It costs 50 cents a skin to pull the wool and the average skin will yield 2½ pounds of greased washed wool. Asked that the difference be made 5 cents.

Page 3480.—Mr. Patrick McGraw, of Allegheny, Pa., made the same statements as the preceding.

Page 3486.—Mr. G. M. Wilson, of Douglas, Wyo., stated that before leaving home he had gone to the county clerk and got a statement showing the status of the sheep industry in Wyoming. Converse County showed 225,585 sheep, with mortgages on them to the amount of $506,736, or about $2.50 a head; that is, about 40 per cent are mortgaged, and all the balance are encumbered in some way. Wants no change in the tariff. Wool in 1903 worth 6 cents; this year 15½.

Page 3506.—Mr. A. S. Erickson, of Salt Lake City, for the Utah Wool Growers' Association, claimed that on account of skirting and shrinkage the woolgrowers did not get the full 11 cents protection. It cost $1.50 a head to run a band of sheep a year in Utah. Greasing costs 20 cents a sheep, shearing 15 cents; whether by hand or machinery it costs every man in Utah 12½ cents a head; the old-fashioned shearer gets 8 cents a sheep; a hand shearer shears 75 to 80 sheep a day; some say it is cheaper to shear by hand, others by machinery; he could not say; the machine gets more wool off the sheep and is taking the place of hand shearers; all the items of expense, taxes, herding, etc., make the cost $1.50 a head; the wool sells for about $2.25 a head, which he modified to $1.74—96 cents for wool and 78 cents for lamb—or a profit of 24 cents a sheep, or about 8 per cent. The $2.25 was for the lamb, but only about 35 per cent have lambs, which averages 78 cents for lambs. Started in with 100 head and now has 2,000; fourteen years' growth; increase by raising lambs and buying sheep; has not raised one-half his lambs.

Page 3518.—Mrs. E. Bonnemort, of Salt Lake City, stated about the same as the preceding.

Pages 3520 and 3523.—Two men asked that the tariff on wool be let alone.

Page 3525.—Mr. E. J. Huling, of Trinidad, Colo., representing the sheep raisers of New Mexico and southern Colorado, asked for a continuance of present duties. Thought the present rates adequate. Cost of raising sheep increased 75 to 100 per cent; has 10,000 sheep; grazes 4,000 acres and does nothing else; capital $85,000, but in debt; no dividends in six or seven years; incorporated ten years; rate of interest 10 per cent; twenty years in the business; have made money at times.

Page 3527.—Additional by Mr. Wilson: Owns 20 shearing machines, which cost $1,000 each; engine cost $750; shed, $1,000. It costs more to shear sheep by machinery. We shear that way because it does neater work. Get more wool first year with the machine, but never afterwards. In fact, we lose more by the use of the machine. Shearing by machine costs 10 cents a head for yearlings and 11 cents for 2 and 3 year old wethers. Shearing by machine is at least 1 per cent higher than by hand. A wether sheared by machine will bring 2 cents more a pound in the market. Wool in 1903 was about 13 cents and 6 cents in 1893.

Page 3560.—Mr. S. N. D. North filed a brief showing his connection as secretary of the National Association of Wool Manufacturers, as clerk of the Senate Finance Committee in 1894 and 1897. Claims that it was entirely clerical and legitimate, and that he used his position as clerk for no illegitimate purpose. Explains why the National Association presented him with $5,000 and raised his salary.

Page 4445.—Mr. Solomon Luna, of Albuquerque, N. Mex., asked that the tariff on wool be let alone. The price of wool to-day only makes a profitable investment. The expense of raising sheep has advanced so much that it almost absorbs the 11-cent tariff. Runs a flock of 60,000 sheep; owns land and leases forest reserves; pays 7 cents a head for five months' grazing to forest reserves and 3 to 5 cents per acre for territory land; pays the Government 7 cents a head for 20,000 sheep; rents 25,000 acres from the Territory, 15,000 of which cost 3 cents an acre and the balance 5 cents. Seventy men are needed as herders, at $20 and $25 a month, the year round. About 30 get the higher price. No; 30 get $25, 30 get $20, and 10 from $40 to $50. The 70 men cover the 60,000 sheep. During lambing season we need 210 extra men about forty-five days, at $20 a month and board, which costs about $20 a month more. We also hire shearers at 3 cents a head and board. Shearing lasts about a month, and 30 men are needed. Employ 8 extra men for dipping, which lasts eight days, at $20 a month. The material for dipping costs 3 cents a head when tobacco is used and 2½ cents for lime and sulphur. Loss from storms and drouth about 20 per cent in 1903; in 1904 about 5 per cent; in 1905 about 15 per cent; and the same in 1906 and 1907. Losses from predatory animals from 2 to 3 per cent. The entire clip of wool in 1908 was 360,000 pounds and in 1907 310,000. Last year we netted 12½ cents a pound and in 1906 13 cents; in 1905 about 11 cents. Shears but once a year; some 10 per cent of New Mexico herds shear twice. In 1907 sold 5,000 lambs; in 1906, 16,000. Does not sell much mutton. Gets 3½ to 4½ cents a pound for lambs. They weigh an average of 50 to 60 pounds. Sell some sheep at $2 a head. Two years ago sold 16,000 head at $2.75 each. The wool and sheep that were sold paid expenses, and the profit was the 40 per cent ewe lambs retained. We get 65 per cent increase by lambing. I had 32,000 ewes. This year I had 22,000 lambs and kept 8,000 head, worth $2.50 a head, or $20,000 profit. I made no more profit, and this was not clear profit. Lost 18,000 head of sheep in 1899 in a snow storm. We raise fair-sized sheep and what is called "clothing wool." Can not raise very fine sheep. We raise big sheep, but send none to market. We sell to feeders. Besides the land I lease I own 12,000 acres. Lease from individuals also. We put down wells. It costs about $2,000 to put down a well and to put up a windmill. We have 13 wells that cost us $26,000. It requires 10 acres of land to the head. Got 4½ to 5 cents for wool under free wool. I think I am the largest individual sheep raiser in New Mexico. Under free wool we got from 4½ to 5 cents a pound, but now am getting only 1 cent. In both cases I got the mutton. In all the years of free wool I mean we lost money. (Mr. HILL wound the witness up at this point and showed him that he was making less money to-day under a 11-cent tariff than he made under free wool—page 4453.) Mr. Luna then submitted an estimate for a man who had 2,000 sheep (p. 4454), which purported to show that a small man could make more money. (He was required as soon as he got home to make a balance sheet of his business for five years, swear to it, and send it to the committee.) He kept his sheep in flocks of 2,000.

Mr. Clark then wound him up as to the saving of a wholesaler over a retailer, but he parried; he denied that the lamb crop was velvet; argued that no man in the Territory would so claim; he claimed that wool on the free list would cause wool and sheep, as to prices, to go back to the prices of 1893. In 1907 we had 1,000,000 more sheep than in 1904. (1894.) The industry has grown in Wyoming and I think the future will show an increase; we can stand no reduction in tariff; he admitted that we would never raise wool enough for our own consumption and that the mutton market was about equal to the wool market; I am making about 10 per cent now and would like to have the schedules fixed to make more; mutton is the principal profit and the wool second (4458) I get more for my wool under the tariff, but the people do not pay more for their goods; the manufacturer also gets more; I suppose the consumer pays it; to take the tariff off wool would materially affect the sheep industry, the mutton not being sufficient to make it a paying business; sheep in 1893 ran from 75 cents to $1 a head. On page 4463 he submitted an itemized statement.

Page 4463.—Mr. H. W. Kelly, of Las Vegas, N. Mex., a member of the New Mexico Wool Growers' Association: Have about four and a half million sheep in New Mexico and need all the protection possible; the drought this year destroyed about 25 per cent of the lambs and from 10 to 12 per cent of the old sheep; we had another in 1903; again in 1896—3 in nineteen years. The only calamity demanding feeding is the drought. In business since 1884; started in with $1 sheep; bought 10,000 sheep in Arizona in 1893 at 50 cents a head and sold them in 1894 at $1.50; raise sheep for both mutton and wool, wool first and mutton second; lambs are not clear profit because we do not have 80 and 90 per cent crops; we get 55, 60, and 65 per cent; we have not graded our sheep up to Missouri sheep and can not hold a candle to them; in some places 20 acres to a sheep is required, in others 10; I have about 4,300 sheep; I have made nothing this year, even with the tariff; I raise no lambs; made about $1,100 or $1,200 last year, about 8 to 10 per cent; many years ago two men could care for 3,000 sheep, but not now; we could in old times run 5,000 in a flock, but not now; our sheep are larger to-day, but not one-half larger.

Page 4591.—Mr. J. A. Delfelder, of Lander, Wyo., a woolgrower: Wool product of Wyoming, in the grease, 36,000,000 pounds, shorn from 4,510,300 sheep; requires 5,000 men, supporting 25,000 people—or practically about half our population is dependent on sheep; have been in the business since 1894; own 21,000 sheep; ranches worth $150,000, and make a profit of less than 3 per cent; before 1894 I speculated in sheep; pay 15 cents a head for shearing; my pay roll is $9,000 a year; dipping costs 3 cents; own 12,000 acres; lease about 10,000 acres, at from 2½ cents to 5 cents an acre, averaging about 3½ cents; allow 9 acres for 1 sheep; feed in the winter time; fed 1,500 to 2,000 tons of alfalfa; this costs $5 a ton, but we raise some; winter before last fed 1,000 tons; for five years past about 1,000 tons a year; increase in output this year about 50 per cent; in ordinary years, 70 per cent; some years run 80 per cent; we sell the entire lamb crop; last year we got 5½ cents a pound for an average weight of 62 or 63 pounds—about $3.25 or $3.50 a head; we get a clip of 8 pounds per sheep each year, which two years ago brought 18 cents; this year 15 cents; in 1906 it was 13½ cents; in 1908 I made 3½ per cent, but in 1897 about 18 or 20 per cent; in 1906 about 10 per cent; began with 2,600 head, and it is now 21,000 sheep and 10,000 lambs, practically made out of the business since 1894. I had $960 when I went into business, and, on a safe estimate, I am worth $100,000 to-day. I have made $99,050 in fourteen years; thought that a scaling of the tariff to 5 or 6 cents would lead him to change his business. I ask that the tariff be raised; paid for my sheep in 1894 $2 a head; worth $4.50 to-day. Mr. Delfelder then tried to hedge on the profits he had made, but did not change the status materially.

Page 5505.—Mr. R. J. McClury, Alexander, Pa., protested against any reduction of tariff. Wool is selling at 30 cents a pound, and that is as low as it can be raised for; he submitted estimate of cost of 100 fleeces for $305, with a sale credit of $310, showing a profit of $5; went into business in 1879, under tariff of 1867, with wool selling at 40 cents; the tariff of 1883 gave us a jolt, and sheep went down 50 per cent; recovered under the McKinley tariff; when Cleveland went in the second time I had 200 sheep, worth from $25 to $50 a head for breeding purposes; the Wilson tariff reduced their value to almost nothing; sheep went to the shambles at from 50 cents to $1 a head and I had to quit; under the present tariff I manage to make a living.

Page 5506.—The Oregon Wool Growers, from Morrow County, state that when the Dingley bill came into operation the cost of running a band of 2,000 sheep depended on the following facts: The necessary deeded land was 500 acres, there being enough government land free lying adjacent to make up the necessary 2,500 acres; range land was worth not to exceed $3 an acre; now the sheep raiser has practically to own all his range, and the price has increased from $3 to $8 an acre; wages of herder and camp tender increased 30 per cent; that the summer range, then free, now costs a rental of from 7 to 12 cents a head; 50 per cent more help is needed; there is also an increased loss of sheep through government regulations and increased predatory animals; freights have increased and the price of shearing has gone up; 2,000 sheep then cost in expense $8,950; the cost to-day is $21,790.

Page 5508.—Mr. George P. Dudley, Garo, Colo., protested against any reduction in wool; have been raising sheep twenty-five years in Park County, Colo.; during the Cleveland administration the low tariff wiped out the sheep business; submitted a statement showing the expenses of 2,000 sheep in 1908 to have been $2,154 and the wool and pelt account $1,780, or a loss of $374. This was a dry herd; had there been lambs and a ewe herd the increase would have been from 80 to 90 per cent; sell my wool at the ranch; freight, commission, and drayage when shipped East average 5 cents per pound.

Page 5509.—Eureka Live Stock Company, Eureka, Nev., ask for an increase.

Page 5512.—Lewis Penwell, of the Montana Wool Growers' Association, stated that the average cost of running 16,000 sheep twelve months was $1.25 a head, and that the wool clip was a little less than 7 pounds.

Page 5513.—J. B. Long & Co., of Great Falls, made practically the same statement.

On same page Rea Brothers stated that it cost from 10 to 14 cents a pound to raise wool, and submitted a statement.

Page 5516.—Missouri Sheep Breeders' Association, made up of 500 sheep breeders, asks for a higher import duty on wools; prior to 1900 few men were engaged in the industry; since 1900 about 3,000 have gone into it, handling about 1,100,000 head; the State could sustain 6,000,000 sheep, or an average of 20 head to the farm; think the duty should be raised 5 per cent.

Page 5517.—Chaves County Sheep Breeders' Association, 75 members, with 600,000 sheep, protests against any change in duties on wool or hides.

Page 5518.—National Wool Growers' Association states that it represents several hundred thousand growers, producing annually 300,000,000 pounds of wool, valued at $79,000,000, and mutton valued at $100,000,000, and indorses the present tariff on wool, woolen fabrics, hides, meats, and meat animals. This was the resolution adopted at the forty-fourth annual session of the association at Salt Lake City, January 10, 1909. They ask specially for continued protection of the duty on mohair, to help the Angora goat industry; for a tariff on Angora skins.

Page 5023.—President and secretary of the National Association of Wool Manufacturers and of the National Association of Wool Growers ask that the duties on wool and woolen goods be maintained without reduction.

Page 5639.—Winslow Brothers & Smith, of Boston, ask for an increase of the differentials on wools on the skin; claim that the present tariff discriminates against wools on the skin because they are uniformly heavier in shrinkage than sheared wools, and because they require a pulling to prepare them for market; the shrinkage is from 65 to 72 per cent; a difference of 1 cent should be allowed for shrinkage and of 2½ to 3 cents for pulling; think 3 cents might be enough, but that 4 cents would not be too high.

Page 5643.—Stone, Timlow & Co., Boston, oppose any reduction of wool duties and any increase of the differential on wool skins. On same page P. McGraw Wool Company, Allegheny, Pa., ask that the differential be raised to 4 or 5 cents.

Page 6275.—Funstin Brothers, St. Louis, file letter protesting against any reduction of rates.

Page 6276.—Pennsylvania Wool Growers' Association submit statement of account with 100 sheep; expense $162 a year at lowest prices of feed and $270 at high prices, or an average cost of $2.16 a head for keeping and shearing sheep; clip 6½ pounds a head; in 1904 this brought 30 cents, 35 cents in 1905, 32 cents in 1906, 33 cents in 1907, 30 cents in 1908, or an average of 32 cents, making the receipts for wool $2.08 against a cost of $2.16 for the fleece; a man can keep 200 sheep on a farm of from 100 to 200 acres—50 one year old, 50 two years old, 50 three years old, and 50 four years old; of these 50 must be breeding ewes which will yield 40 lambs, male and female; from his flock he can sell each year 40 head; one-half of these, or 20, would be old ewes at from $2 to $2.50 per head, and 20 wethers, at $4, or an income of $160, which represents interest, care of the flock, losses, etc. For mutton producing a larger and coarser wooled sheep are kept; it is true that 100 ewes will produce from 70 to 80 lambs, but these lambs are sold for mutton while young and the wool from the ewe is all that is produced.

Page 6356.—Datus C. Smith, Blanchard, N. Dak., a farmer, states that he owns 2,800 acres of land and is a Republican; no farmers, so far as he was aware, except woolgrowers, have appeared before the committee, while those that have appeared are the very ones engaged in selling their products to farmers who serve them; both sides of the enormous farming business deserve to be heard; the entire agricultural list should be free; the tariff is not of the slightest advantage to the farmer; even if Canadian wheat should come to Minneapolis, it would not depress the American price; the fear that Manitoba wheat will depress the price of Dakota wheat is groundless; Minneapolis does not and never has made the price on Dakota wheat; Minneapolis prices always lag behind Duluth prices; I am a sheepman; have fed 2,000 at a time and now carry 500 ewes the year round and sell about the same number of lambs annually; I have exported mutton to England and can not see where it mattered much in the price whether Canadian mutton came to New York or mine went to England, or vice versa; the tariff on wool does generally add to the price of the American product, but it has never been of any benefit to American farming; why should sheep ranch men be assisted by the Government when cattlemen and horse raisers are not? I oppose the tariff on wool because it has never accomplished its aims; it has not built up a sheep industry and has degraded sheep husbandry into wool raising; sheep for mutton is neglected for sheep for wool; the Wilson bill gave a real impetus to sheep husbandry, from which it has never departed; farmers lost on bounty, but got a far better class of sheep; I oppose the tariff in that it steals the judgment of the beneficiary; for a little bounty on 40 fleeces of wool he will go the whole length of protection—getting a little and paying much; another fallacy is that the farmer buys little; if a farmer sells $5,000 worth of produce and has $100, he had bought $4,900 worth of things. He has paid for steel rails and trainmen's clothing, for grain elevators and barges, railroad profits, etc.; in so far as the farmer's living expenses are increased by the tariff his toll is increased; on the other hand, the manufacturers have grown great; the factories are accumulating wealth and the farmers alone remain poor; he needs protection while these do not; if he can not be protected, would it not be well to protect him at least from further high prices?

Page 6384.—F. B. Findley, a dealer in woods from Boston, thinks the wool schedule should not be touched, because sheep raising develops arid lands.

Page 6385.—F. E. Warren, for Big Horn County Wool Growers' Association, protests against any reduction.

Page 5949.—Mr. Edward Moir filed a strong paper asking ad valorem rates on all wools. Under the specific system the woolen manufacturer is handicapped on his raw material; one branch of the textile industry is greatly favored.

English pulled and fleece washed wools suitable for combing purposes may be imported at a duty of 12 cents a pound; they lose in washing 16 to 28 per cent, whereas manufacturers using Cape, Montevideo, or fine Australian, whose washing loss averages 65 per cent, must pay 11 cents duty; this helps the worsted manufacturer and hurts the woolen. Says Arlington Mill brings in pulled wool losing 16 per cent; the duty is 12 cents; the compensatory duty on cloth is four times the duty on wool, so that on 4 pounds of this wool the return would be 3.36 clean pounds, on which 48 per cent duty is paid, or 14.3 cents per clean pound. On the other hand, if wool losing 65 per cent washing is brought in at a duty of 11 cents, the compensatory duty on the cloth being four times the wool duty, he would pay on 4 pounds 44 cents and get back 1¾ pounds clean wool, making the duty 34½ cents, as against less than 15 cents paid by the worsted manufacturer. A wool that shrinks 70 per cent, paying 11 cents duty, is nearly 37 cents a pound clean, the extreme duty being 22 cents a pound. A specific duty on wool is absurd; the lowest duty that would have been collected on our importations in 1895 figured 75 per cent on the cost of the wool and the other extreme, 140 per cent; the washing loss runs from 15 to 80 per cent, and a specific duty is unfair to some industries; if the Australian can grow wool successfully and make money, it seems singular that a western woolgrower, with the cheapest land in the world, and grazing for sheep practically free, should have the cheek to ask a duty on foreign wool running from 40 to 120 per cent ad valorem; I have never believed that carpet wools should come in cheaper than clothing wools. Why should a higher rate be paid on a necessity than on a luxury? An ad valorem rate of 25 per cent on all wools paying the same rate of duty would be desirable. One manufacturer told me that he never made so much money as during the last two years of the Wilson bill.

Page 4889.—William H. Harris: The importing trade think the duties on third-class wools should be cut in half; the policy of the Manufacturers' Association prompted not by the needs of the trade nor by any sense of right or justice, but entirely from the fear that any honest readjustment will prompt woolgrowers to demand a reduction on manufactured goods; the present duties on classes 1 and 2 range from 50 to 100 per cent; at low market rates they have several times in the last ten years reached 120 per cent. Mr. Moir is right in asking an ad valorem duty on classes 1 and 2. My interest is in class 3, and every argument here favors an ad valorem duty; class 3 wools call for no protection, there being no carpet wools produced in the United States, some are used for clothing, but only to a very limited extent, none for the last three years; to jump a duty from 4 to 7 cents when the cost of wool crosses the 12-cent line is iniquitous; it leads to fraudulent invoicing and other iniquities; it has injured the carpet industry of the United States.

Page 5902.—The Arkansas Valley Wool Growers' Association asks an increased duty on third-class wools, on the ground that they compete with American wools as clothing wools.

Page 5903.—The Bristol (Pa.) Carpet Mills ask for lower duties on third-class wools.

Mr. WASHBURN. Mr. Chairman, at the proper time I shall move to strike from the bill the provision imposing a direct inheritance tax as a part of our permanent national system of taxation. It is not my purpose to consider in any way the details of this provision, but rather to object to the appropriation by the Federal Government of a tax which has been adopted in either the direct or collateral form to a greater or less extent by at least 36 States of the Union. The latest information I have access to is that 20 States tax both direct and collateral heirs and that in 13 States the tax is progressive.

The new constitution of Oklahoma authorizes progressive taxation of both direct and collateral inheritances. It has happened in my own State of Massachusetts that a collateral inheritance tax was levied in the act of June 11, 1891, which imposed a tax of 5 per cent on collateral relatives only. The principle was further extended in the act which became effective September 1, 1907, including lineal ancestors and descendants and progressive in the amount of the tax. The tendency of the States when the tax has once been adopted seems to be to extend it as the needs for increased revenue become pressing, and it makes up in some measure for the loss of taxation incident upon the elusive form in which so much personal property now exists. As an illustration of this fact, let me say that in my own State one of the most instructive and painstaking reports on the subject which I have ever seen recommended the abolition of the tax on intangible personal property and as one of the substitutes the importation of a direct inheritance tax upon real and personal property.

But whether the tax be regarded as a means for collecting taxes which have been evaded during the lives of the owners or as a substitute for a property tax or as a capitalized income tax, the fact remains that it is a tax which the States have come to rely upon and are likely to develop as their needs may require, and which is likely ultimately to be relied upon as a substitute for the tax on intangible personal property which is now impossible to collect. It would, in my judgment, be most unfortunate if the Federal Government should, by making the inheritance tax a permanent part of its taxing system, make it impossible for the States to avail of the tax to any necessary extent.

I do not forget that the National Government has in times of stress availed of this tax. It did so for four years, ending in 1802, but the conditions then were hardly comparable with those of to-day. An inheritance tax was recommended to meet the expenses of the war of 1812, but peace was declared, and the tax was not levied.

Legacy and succession taxes were levied for the ten years ending in 1872, covering the civil-war period and five years thereafter, yielding nearly fifteen millions, and again during the Spanish war for a period of four years, ending in April, 1902; but these were war taxes and were repealed when the immediate need had ceased.

This is a very different proposition from that to make the inheritance tax a permanent part of our federal-tax system. I fear that the result would be to prevent the States from realizing all the benefit they should from the tax through fear that the Federal Government might increase its tax, and the Federal Government, on the other hand, might hesitate to take full advantage of the tax through fear of embarrassing the States, so that both taxing powers would, in a sense, be paralyzed in administering this particular tax, or else, if it were administered vigorously by both, the double tax might easily become oppressive. I should hope that other sources of revenue should be found by the National Government, and that this should be left to the States. [Applause.]

Mr. ADAMSON. Mr. Chairman, in every country revenue is the most potent factor. It supports the government; it controls the government. It has been said "the revenue is the state."

It may be consistent with the moral obliquity of this bill for its advocates to sneer at moral considerations and with cavalier air decline to "discuss it in an academic way." That, of course, would leave the true purpose of taxation out of question, and confine all debate to the details of narrow and selfish claims and interests. Leader PAYNE is woefully mistaken, however,

in his assumption that protection is the fixed policy in this country. No such state of popular ignorance and commercial corruption has settled in hopeless gloom over the American people, satisfying them with conditions and insuring the perpetuity of prohibitory duties. His habitual sneer at CHAMP CLARK'S celebrated utterance and his customary contortion of that gentleman's expression about "custom-houses" can hardly deceive anybody, nor conceal from our people the truth, that prohibitory duties and free trade are equally unproductive of revenue. One would put the custom-houses out of business as effectually and quickly as the other. Neither is desirable. The difference between them is that free trade would permit general production and business prosperity, and enable the people to pay the taxes which either system would render necessary to support the Treasury; while prohibitory protection would exclude and paralyze all business and impoverish the common people, enriching only those who can not possibly be reached by the taxing power, and leaving those subject to taxation bereft of all means to replenish an empty Treasury.

Countries are endowed with elements of wealth and prosperity. Wisdom and economy in levying revenue and conducting the government can largely affect the development of those resources and the currents of commerce. People are entitled to make the most they can out of their resources, and their opportunities should not be abridged by discriminating legislation. As the winds and the waves flow ceaselessly around the earth when unobstructed, so the activities of men exchanging commodities for commodities would flow freely and profitably throughout the civilized world if unobstructed by restrictive legislation, and bring the greatest wealth to the best equipped, the most skillful, and the most active.

They should never be obstructed, but should be charged with the expense of government, and for that purpose only should be wisely and fairly taxed. The only just and honest pretext for levying taxes is the support of the Government, and the old-fashioned doctrine that no more should be levied than essential to an honest and economical administration should be observed. It is impossible so to levy that tax as to avoid affecting incidentally the interests of various parties. The discovery of that fact led to the practice—vicious in the abuse—of demanding the laying or omission of taxes for the sole or main purpose of affecting the interests of somebody instead of for the benefit of the Treasury. The Republican misstatement, shouted on so many stumps and written on so many pages, that the fight is between tariff and free trade, is an outgrowth of the claims of different interests, who, having discovered that some protection inevitably attends every rate of duty, have entirely lost sight of the constitutional function of taxing to support the Government and have become lost in the contemplation of their own selfish ends.

The fight between different political parties has been consistently, through all our history, a contest between honest and fair taxation and a prohibitory tariff. Honest and fair taxation, laid for revenue only, places the proceeds in the Treasury, and is used to support the Government, going under our theory, to benefit the people who pay the taxes. If the rate of duty is too high, nothing is imported and no revenue reaches the Treasury. If the rate is too low, very little revenue goes to the Treasury, though importations may be large. Neither of these conditions is desirable. However, the lower the duties the more imports, and the more imports the more exports, for usually they keep pace through long periods. Only fortunate and exceptional conditions produce large balances of trade continuously in favor of the same people for a long time. If the people who pay the taxes are prosperous the Government's financial condition is strong, whether the Treasury be full or empty, for it has only to call and collect the money from people whom fair conditions have left able and willing to pay. Therefore a policy which enriches the common people strengthens the Government and the Treasury.

It has long been popular to collect revenue by import duties. Indirect and disguised taxes levied on consumption are not always realized by the taxpayers, and if rightly adjusted, tax people fairly according to the quality and quantity of what they consume. But greed and political cunning have taken advantage of the method, indirect and easily concealed, to transfer the taxing power from the Government to favorite grafters, and substitute political favorites as beneficiaries of the system, designed to replenish the Treasury. The favorites contribute to campaign funds, while it would be somewhat difficult to devise an indirect and undiscoverable method of taking their campaign funds from the Treasury. Necessarily, the tax, whether great or small, operates incidentally to protect the home products against foreign competition, and it does seem that honest and fair men ought to be satisfied with that. What the Republicans call "protection," euphoniously styled "the principle of protection," means fixing the duty so high that no foreigner can pay it and sell as low as the home man.

Therefore no foreign goods are brought in; therefore no revenue is paid into the Treasury; but the object is accomplished, the home manufacturer or producer has no competition. He adds almost the amount of the duty to the value of the article, thus enabling him to sell it just a little below the point which would permit competition, thus making the home consumer pay almost the amount of the tariff in addition to the value of the article, by which operation he is forced to pay to his neighbor an exorbitant tribute, and still the Treasury is empty. But that is not the worst feature of it. The balance of the "protective principle" is that you must then find some other means to tax the same people who paid the tribute in order to secure money to supply the Treasury. This looks hard enough if the common people, constituting the great masses, more than 90 per cent of the entire population, had a fair chance to raise money to pay taxes with; but the most disastrous thing about protection is not that it forces us to pay a higher price for home goods, but because it denies to us all the markets of the world and deprives us of the opportunity to sell to all the world the multimillions of wealth produced by our people, but on which they are not able to realize on account of protection. All of our ports are closed to most of the products of the rest of mankind which could compete with anything produced by the favorites.

We can not carry our products abroad and sell them because we can not take in exchange therefor the products of other countries, the people of other countries being, like us, dependent on their products for their income. In the language of President McKinley, "We can not always hope to sell to people from whom we buy nothing."

As a prohibitive duty prevents bringing into our ports the products of those people with whom we could drive profitable bargains, we can not sell them much. The consequence is that while a few thousand of our people are authorized by our Government to control the home markets for their products, they compel the other ninety-odd millions to rely upon a home market which is utterly insufficient to consume the commodities which they are able to produce, and at the same time the particular commodities which constitute the great staples of our products are not protected and can not be protected against foreign competition, so that our producers must sell all their products in competition with the whole world to the only people who are permitted to buy them and are forced to buy what they need from the only people who are permitted to sell to them at all.

The favored few are authorized by law to exempt themselves from all competition as to their products and then take arbitrary control of all the products of everybody else, selling at their own price and buying at their own price, and controlling the surplus of both. Then the Government, having enriched the favorites and impoverished the masses by the tribute exacted, levies upon the same masses taxes to support the Government, so that the masses are first robbed for the benefit of the classes, and then taxed to support the Government, a double burden and both burdens heavy. There is a stock argument always used in justification, that the duty is designed to protect American labor and should represent the difference between prices of labor abroad and at home. The cost of living is largely a matter of taste and economy, and is always increased under a protective tariff. Making some articles high by levying a tariff has been demonstrated to operate to raise the prices of all things in that particular community, even those untaxed. Besides, the old doctrine of "come easy, go easy" has full force and operation.

People who make money easily by discrimination, legal or otherwise, against their fellow-men become lax and lavish in their expenditures, and the contagion of their spirit and example spreads throughout the community and produces extravagant living; but I have never admitted that intelligent Americans are not skillful enough and resourceful enough to produce commodities of almost any character as cheaply as any people on earth. It is not so important, however, that we produce all things that we need or the world needs as it is that we enjoy sufficient trade relations everywhere to sell profitably the important and valuable things that we do produce. In fact, the protected interests do go outside the tariff wall, and in other countries sell in competition with all the world. They must sell as cheaply as anybody. They sell very much more cheaply to the foreigners than to their own people, and nobody believes, neither have they ever claimed, that they export and sell those goods at a loss.

They may not make as much money on them as they make on those they sell us at home, but I make the statement without fear of contradiction, that it would be more economical for our people to pay taxes and provide bounties or pensions for all those protected favorites, and allow them to live in ease and idleness to the amounts they make or would make on us by operating under the protective tariff, if the exclusion were relaxed so that the masses would be permitted to sell their products in the markets around the world. The other fact, which is plain to everybody, is that the laboring man, in whose interest this iniquity is claimed, does not realize the benefit of it. It is true some of the operatives live well, are paid good wages, but that is nothing remarkable. The profits of the concerns for which they work justify it, but it is well to consider the expensive means to which they have to resort to secure any fair share of the profits. They must keep up iron-bound organizations and tax their members large amounts to maintain a regular standing army of organized workers and fighters, in the shape of federations and labor unions, in order to coerce from an unwilling set of protected employers any fair share of the profits of the business.

If you will take the pains to calculate the expense incurred by the employees to force anything like justice in their wages, you will find that the amount will far exceed any difference in wages at home and abroad. If the Government is to take paternal control and support eleemosynary institutions to maintain industrial establishments on the plausible pretense of looking after American labor, then the Government ought to maintain inspectors and auditors to apportion the profits on a fair basis and see that the laborer gets his dues, for certainly "the laborer is worthy of his hire," even while the employer operates on fair terms with his fellow-men; but when he is permitted to discriminate against 90 per cent of his fellow-men on the pretext of taking care of 10 per cent, he certainly ought to pay the laborer his share. Let those who claim that he has been getting his share fairly and squarely account for the necessity of the expense and time devoted to federations and labor unions and strikes, and let them show a few examples of laborers grown wealthy, traveling in Europe, owning castles in Scotland, building monuments in the shape of houses all over the country, and lying awake at night quaking with dread of inability to spend all their ill-gotten wealth before they die. [Laughter.]

The truth is, the same callous conscience and laxity of morals, which at once are produced by protection and demand more protection, will as readily rob a man's own laborers as his neighbors. The narrow and selfish exponents of special privilege sometimes talk about patriotism as demanding the support of the conditions which I have described. I do not believe law is necessary to compel American citizens to trade with their neighbors. I believe that if the compulsion were released, and the protected favorites would show an honest and fair disposition to sell to our people at home as cheaply as they sell abroad, our people would voluntarily absorb larger quantities of domestic commodities than they do, for they would be able to absorb and pay for a great deal more, being allowed to send the surplus around the world and find a profitable market for that; and the protected favorites, through importers and exporters, on opening their own gates, would find the gates of all the world open to them, so that instead of complaining of congestion and depression in business and warehouses full of goods and securities up in banks they would find American shipping, which protection killed, suddenly resurrected, taking on new life under the impetus of fair trade conditions, and they could send all the goods they could possibly produce around the world and bring back fair returns for their own use and the use of their fellow-countrymen.

It would require a little more work; they would have to handle more goods and deal with more people, but they would make more money. Their characters would be better; their fellow-countrymen would be richer; the Treasury would overflow with revenues; nobody would be robbed; all our institutions would flourish; all parts of the country, treated alike under the sunshine of fair opportunity, "would blossom as a rose and flourish like a trust." [Laughter and applause.] This country, with its vast resources, sturdy stock of intelligent and energetic population, splendid climate, enjoying all the favors of heaven, exempt from the machinations of mean men, would be what heaven designed it to be—the home of the greatest, happiest, and most prosperous people on the face of the earth [applause], glorying in free institutions and prospering by fair and honest conduct. A little enumeration and alignment of the people concerned on the two sides of the proposition would show the desirability of the change. On one side stand a few thousand protected favorites, who claim the right to hold up all business and levy tribute on every living creature and every kind of labor and production; to increase their own wealth and decrease the labor and trouble necessary to secure their gains.

On the other side stand all their own laborers, to begin with, for they consume all their wages will buy, and everything they buy pays tribute, and is thereby increased in price without any benefit to the Treasury. The idea that they are dependent on protection for their employment is a mere delusion and a snare, promulgated every election year to influence their votes against their own interest. Under honest and fair tax laws they would find all they could do at fair wages and buy all their supplies more cheaply, be free from the necessity of keeping up organizations, and exempt from espionage, political guardianship, and intimidation. With their own laborers stand all the importers and exporters, and all American shipping, driven out of business or crippled by protection; all the merchants, who are robbed by protection, unless they recoup by charging the robbery up to their retail customers; all the farmers, lawyers, preachers, artisans, mechanics, doctors, school-teachers, all laborers of every kind—everybody in the country except the handful of protected favorites—must stop and submit to exactions of tribute, and then, in addition, find some other way to pay taxes to the Government, impoverished as they are, and their business paralyzed by being deprived of markets.

Even if it were shown that the employees of the favorites were benefited by protection to any extent, in the face of such tremendous interests on the other side and such appalling losses in the profits and business of the masses, it would be a great deal cheaper just to add the eight or nine million employees of the protected favorites to the pension roll already suggested with the favorites themselves and support them all in ease and affluence at the public expense than to allow such a pernicious system longer to prey upon the industries and commerce of the country. The mainspring, the only reason that maintains the vile system, is that the protected beneficiaries pay campaign funds to the Republican party and persuade, cajole, deceive, and coerce their deluded and downtrodden employees to vote the Republican ticket, and in turn the Republican party votes more protection. Thus the game goes on, commercial greed and political power exchanging favors until the moral sense loses its vitality and goes out of business, and men of intelligence and pretended respectability, acting under oath, deliberately empower a handful of men to rob all their fellow-citizens under the form of law.

Before going into Republican politics Mr. Roosevelt considered that to be immoral, and a poor plan for the distribution of wealth. It is not denied that for the support of government and its institutions all things are rightfully subject to taxation if necessary, but articles of general and prime necessity ought to be the last and most lightly taxed, if at all. Exactly what the revenue point is is a question of practice, to be determined by experts. The trouble with the dominant party in preparing a revenue bill is they hear parties interested for or against the duty, with no reference whatever to the condition of the Treasury nor the production of revenue, but with a view solely to its effect on their own interests. As a matter of fact, the proper question on a tariff hearing ought to relate to conditions of production and trade possibilities at home and abroad and the necessities of the Treasury, and find out approximately the rate of duty to produce the most revenue on each article, if it is thought necessary to tax all to produce sufficient revenue.

For instance, everybody recognizes that sugar is a proper revenue-producing article. It is impossible for the United States to produce what we need, but as it is a comfort to a great many people to use sugar, it is not necessary to collect all our revenue from sugar. The small number of producers of the small quantities of domestic sugar could be made rich by a great deal smaller rate of duty than that fixed on refined sugar by this bill. Millions of people could use more sugar and have it at a lower price. It is not right to make our citizens pay an exorbitant price for all the millions of tons that come in from other countries in order to pay an unnatural and artificial profit either to the cane growers themselves or to the sugar trust, the real beneficiary, which would not hesitate to rob the cane growers any more than the balance of us. The luxuries which the rich are determined to have and are able to pay for should pay the heaviest taxes. The most common necessaries, which the masses of the people must have, should pay the lowest taxes and some of them none at all. If all things were properly considered, according to the rules I have laid down, there would be no trouble about sufficient revenue. The incidental protection unavoidably going with every tax would be found sufficient to satisfy all honest men. [Applause.]

This bill fails signally, and I am satisfied that the failure is

entirely intentional. Prohibitive rates are retained, some of them increased, and other means sought for raising revenue, including additional taxation and bonds. About the only effort at a good thing is the modified and complicated tax on inheritances. It is not popular with protectionists, and will doubtless be eliminated, because it might exact some money from the favorite classes and thus offset their benefits under other provisions of the bill. For the same reason, there is no hope of an income tax. The valid and constitutional objection to the inheritance tax is that it is direct and a proper subject for state taxation, and might cause the common people to be double taxed. That objection, however, may commend it to the dominant party.

There are some kinds of protection which I favor. I would like to protect the forests, and to this end lumber should have a low rate, or go on the free list, thereby we might arrest the rapid and senseless denudation of our forests. We could then exchange for foreign lumber other products, regulate the flow of water, and preserve our rivers and streams.

The pending bill, however, makes a hollow mockery of that, reducing only rough lumber which is little affected by import duties. I would also like to protect our laborers in industrial institutions in the way already indicated, but there are many times that number of laborers in the fields and the forests and the mines whose rights I would like to protect. They constitute the bulk of our population, and, "unawed by power and unbribed by pelf," make up the large majority of honest and independent American citizens who think and vote as they please. In ancient times agriculture was respected by government, and is yet in some countries. In the greatest nations the world ever saw, which reached the most advanced civilization, agriculture was held to be the most honorable profession and was protected and encouraged. Under the operation of Republican policies our greatest agricultural products have been tabooed. They have been crushed down in our own country and practically outlawed abroad. The burdens should be taken from them. Restrictions should be taken off their liberty of trade. Their opportunities should be restored; then they would take care of their own character and prosperity.

The secret which the favorites have discovered is that if they can have all their products protected against competition and everybody else's products put on the free list their fortunes are ready-made and wrapped up in the bank for them. No competition at home for their products, all the world comes to their aid and helps to beat down the price of all they buy from their neighbors. It would baffle the chicanery of a Philadelphia lawyer to explain why cotton-seed oil is placed on the free list. It is the cheapest and best rival and substitute for butter, lard, and all kindred aids to the kitchen and table. It is said that "it is sent abroad and adulterated with olive oil" and brought back here and sold and used as the best "olive oil" obtainable. As a by-product of cotton it can be produced in sufficient quantities to supply this country and exchange large quantities abroad for articles that could profitably be used here. But the bill attempts to enforce the opposite course; it puts our commodity on the free list and protects all the articles for which we could otherwise exchange it, so that we can not possibly bring them home. If from our cotton seed shipped abroad, or from the little fragmentary cotton patches competing with us, any foreign cotton-seed oil comes here, the fair and honest course is to tax it for revenue and then reduce to a revenue basis the rates on the foreign articles for which we desire to exchange. Nor would this mean "passing around the benefits of protection."

It would be a fair and equal distribution of taxation. Republicans love to claim that protection is a local and personal issue, that everybody to whom its benefits are offered favor it, and that the infection is rapidly pervading the South. When a man South demands a tax he is at once applauded as a protectionist and the entire section derided for the spread of the contagion. We need no prohibitive tariff protection. We neither need nor demand tariff for the purpose of protection. We know that protection was invented in this country to prevent our prosperity, and arrest our commercial and political supremacy. We demand that import taxes be honestly and fairly laid, so as not to discriminate against our products, raw and manufactured.

To tax out of competition the things which could compete with other interests and put on the free list all things that compete with our products is dishonest, sectional, and partisan robbery. Let burdens of taxation be placed fairly and equitably, and let incidental protection affect all alike. We want the markets of the world open to us, and are willing to defy all competition if no handicaps are placed upon us. Eastern mills try to hedge and postpone the success of southern competition by carrying their politics with their capital when they go South, foreseeing and dreading the inevitable control of cotton manufacturing by mills located in the South.

They are not even fair and consistent as protectionists, but discriminate sectionally as set out in this letter which I read to show their dishonest inconsistency, and also call further attention to the heresy of free raw materials:

GEORGIA INDUSTRIAL ASSOCIATION,
Toccoa, Ga., March 22, 1909.

Hon. W. C. ADAMSON,
Washington, D. C.

DEAR SIR: I am inclosing a set of resolutions passed at a convention of southern cotton-mill men held under the auspices of the Georgia Industrial Association in Atlanta on March 16. We had not then seen the new tariff bill, but it seems that the things which we feared are about to be—a decrease in the tariff on coarse yarns. The South makes, very largely, the coarse yarns and the low counts in cloth, with heavy weight. The East makes the fine yarns and the high counts. Of course this is speaking broadly, for the South does produce some high numbers in yarn; three mills in Georgia produce yarns around number 80. We hope that Georgia will go further and further into fine goods and ultimately finish these goods in Georgia. We need to get further from that much talked of raw material, so when a bale of cotton is shipped from Georgia in the manufactured state it will bring a return from one to two hundred dollars instead of from thirty to fifty as it now brings in the raw. I especially call your attention to section 2 of the inclosed resolutions. We beg that you use your very best endeavors to the end that we get for our southern industries, especially the infant cotton manufactures, their full share of the benefits accorded in the new bill.

Yours, very truly,

JEFF DAVIS,
President Georgia Industrial Association.

But their effort is not necessary, nor will it be successful. Their views are entirely too narrow. They do great injustice to the magnitude of their country and its stupendous possibilities for production, manufacture, and commerce. We want their capital. We invite all other capital to come there and put up mills. We want a thousand more. We want to take down the Republican protection barrier, which closes all the markets of the world against us, so that mills in the East and the South may prosper, and in common with all other industries may realize prosperity from the use of world-wide markets. If protection does not get out of the way in aid of that consummation, the change will come like a deluge, in spite of protection. There was never a greater piece of folly than to talk about everybody in a country sharing the benefits of protection.

Brick Pomeroy wrote a cheerful lie about two boys locked up in a barn on a rainy day, "who made $10 apiece swapping knives with each other, besides all the fun they had." I have always believed that one boy lost what the other gained. Such smart boys could have made money if they had been permitted to extend their field of operations and get out and trade with the other people. To protect everything and everybody would leave nobody to rob and starve, and would consequently bankrupt and starve everybody. Successful protection necessarily involves the exploitation and subserviency of a large majority for the benefit of the few. When one set gains the other necessarily loses, and unfortunately, under the operation of protection, loses more than the other gains. The Government has nothing to give away, and when it enriches one class out of its own money, it must rob another class to raise that money; likewise, if it prostitutes its taxing function to the use of a favored class to enable that class to enrich itself, it must subject to its ravages another class, upon whom the losses falling far exceed the gain to the favorites. Under protection, the law of supply and demand is suspended, and it is impossible to ascertain the normal or intrinsic value of anything. Prices depend on artificial and arbitrary conditions.

The master, having control of the situation, prices the products of the people as he pleases. The masses, in abject helplessness, part under compulsion with their commodities for whatever price is offered. "Reciprocity" is a favorite word with the Republicans of late. In its ordinary signification it means fair exchange of courtesy and opportunty. If we had been actuated by a true spirit of reciprocity, Canada, Mexico, Cuba, and all neighboring islands, as well as the Central and South American countries, would have been our warmest friends and best customers. Canada, Cuba, and Mexico would be loving us well enough to clamor for admission to our Union. As practiced by the Republicans, reciprocity is, first, an apology for protection—an admission that duties have been placed too high and must be reduced by contract, in order to help commerce; but, second, in making the alleged correction, they aggravate the outrage by making their favorites the sole beneficiaries of reciprocity. They exercise it only to make protection more profitable to their friends and more oppressive to the masses.

The States and Territories of this United States, comprising the largest and most populous territory in the world, enjoying unrestricted trade, present in their stupendous domestic commerce an unanswerable argument against the fetish or dogma or crime, or whatever you call it, of protection. My under-

standing is our domestic commerce is more than forty times greater than our foreign commerce and many times as great as all the commerce, foreign and domestic, of all the balance of the world. As there can be no such thing as protection of one State or Territory against another, commerce has run unobstructed within our boundaries, and we have enjoyed great prosperity in spite of protection blighting our shipping and foreign trade. The prosperity, unfortunately, is affected and warped by the operation of protection so as to produce abnormal fortunes in unnatural ways and repress general prosperity to that extent. That very fact is bringing people to their senses and rapidly building up sentiment against protection.

The original claim in behalf of infant industries, that being exempt from foreign competition they would grow up, become strong and prosperous, multiply, and then cut prices and cut one another's throats to the general joy and prosperity of the masses, has developed into a monumental falsehood, for instead of competing, they simply avail themselves of the opportunity, combine their capital and resources, fix their prices, discharge all unnecessary men to join the great army of the unemployed, close all the plants deemed unnecessary for their purpose, retain just men enough, and operate just plants enough to produce at the least expense only as many commodities as they can sell at the highest prices, and that is the benevolent operation of protection; but it has been discovered that conditions are different in different localities of our vast territory, that climate and fuel and long seasons affect different interests, that protection does not protect Massachusetts manufacturers against Georgia cotton mills, nor Pennsylvania coal and steel against Alabama products. In order to accomplish that, obnoxious interference must be resorted to as to labor and certain other industrial and social conditions. Besides, capacity to produce has been wonderfully increased, and it is being rapidly realized that the surrounding barrier must be broken down in order that manufactured products, as well as surplus raw materials, can enjoy more liberal conditions for general trade throughout the world.

The truth is, the increase of industrial institutions and producing capacity North and South have entirely outgrown the narrow, contracted policy of protection, and all will yet learn that, though involving a little more labor and trouble, a more liberal policy will prove vastly more profitable. Being more familiar with the great cotton staple than with some of the others—my own people relying on that entirely, and this whole country being more dependent upon it than upon any other or all others to maintain our balance of trade with the world—I especially insist that trade conditions be so liberalized that cotton, raw and manufactured, can find a world-wide market. It is far more profitable to us that it be manufactured at home and shipped abroad as far as possible in manufactured form, because a more valuable form. I would like for the manufacturing to be done in this country, and as far as possible in the cotton fields or adjacent thereto; but it is impossible, and always will be, to manufacture all of it. Some surplus will go abroad. Several other great countries depend upon our raw cotton to support millions of people and enable them to buy millions of dollars' worth of our foodstuffs and other products.

They produce some fabrics which some of our people want and have a right to buy. What we insist upon in the interest of the millions of cotton producers and a few thousand who have millions invested in cotton manufactories, is that exclusion of competition be modified, that fair and reasonable reductions be made in duties that will permit the export and exchange of both surplus raw cotton and surplus cotton goods, on which to base profitable exchange for commodities which we need, and which other people want to sell and must sell if they buy from us. The demand often made in the same breath by the same party for free raw material and prohibitive duty on the product manufactured from those materials looks very selfish, but it is quite natural, and natural selfishness, if dealt with at all by government, ought to be curbed and regulated rather than gratified where its tendency is detrimental to the general public. It would be just as fair to insure to the millions of people producing raw material a low price for all they have to buy and a high price for all they have to sell, but the common people do not ask for any such paternalistic preference. They only ask for fair and honest conditions. They complain at discrimination which waste their substance to enrich favorites by artificial means.

I glory in our great industrial advancement. Our splendid institutions, the great industrial establishments, I would not destroy nor weaken any of them. I do not think it would be right for the same Government which established conditions to induce them to enter business suddenly to destroy them by rapid and radical changes, but inequalities in our tariff laws ought to be corrected and equalized as rapidly as possible. The South has always been the victim of protection, but it has never been its dupe. Our people have always known that we were robbed, and the method of the robbery. It has always been our regret that some of the great agricultural people in the West, while likewise being victims of protection, have sometimes also been its dupes. They have frequently ratified and condoned the robbery. We never have. I rejoice that an awakening is going on. The American intelligence and conscience are being quickened. Demands for fair dealing, equal and honest taxation, are arousing the West like a moral revolution. This bill pretends to comply with a promise made to those elements, to revise the tariff downward. Usually a successful party construes its reelection as a ratification of its policy, and makes no changes, but the reformers were so hot and active after the Republicans last fall that they were compelled to make reluctant and equivocal promises in order to carry the election.

I am not advised whether or not the President regards this bill as a compliance with those promises. If so, he is easily pleased. He is renowned, however, all over the world as a most amiable man. I fear that it will not meet the expectations of those people who relied upon promises. It has been anticipated, in the best-informed circles, that only a pretense would be made, and this bill seems to justify the apprehension, to lop off obsolete duties no longer regarded as productive, while increasing others desired for greater protection; and making a great hue and cry about a reform bill really does nothing to benefit the people nor curtail the exactions of the favorites. Verily, it is giving a stone for bread and a serpent instead of a fish. [Applause.]

There are many honest people, however, who voted the Republican ticket last fall who may not share nor appreciate the President's amiability if he accepts this bill. Of course the protectionists who "stood pat" and the regular grafters who wanted patronage willfully, and with malice aforethought, voted the Republican ticket, expecting no reform.

They will not be disappointed if the bill is a sham. It was not necessary to call an extra session and enact a farce to delude and pacify them; but those who really desired tariff reform and relied on the unusual promise of reforming the tariff at an extraordinary session, which would be a most extraordinary performance by a party reelected to power, stand on a different plane; they must be pacified either by substantial compliance with the promise or by deceiving them again, a performance often successfully repeated by the Republican party.

In that connection I would call attention to the following letter, which presents in striking style a sample of many instances of outrage and injustice offered in the pending bill. If any reason for those items can be offered except the selfish desire to extort unjust profits and swindle the masses, I would be glad to hear it.

NEWNAN, GA., *March 17, 1909.*

Hon. W. C. ADAMSON, M. C.,
Washington, D. C.

DEAR SIR: We desire to call your attention to the schedules on kid gloves and linoleum in the new tariff bill just introduced and to urge upon you the importance of opposing increases incorporated in this measure. An increase in tariff on the lower grades, especially of kid, French lamb, and Schmaschen gloves, will make them prohibitory for import and will put us at the mercy of a few manufacturers in Gloversville, who will be the only ones to profit by this measure. Gloves of this kind made in this country are far inferior to the foreign-made article. The proposed schedule will entirely shut out French-made lambskin gloves, such as we now retail at $1 a pair, and will make the price on the better quality so high that their sale will be very limited. A like reason applies to linoleums, which are better made abroad. We hope you will use every effort to prevent the passage of these schedules.

Very sincerely, yours,

P. F. CITTINO & CO.

Of a kind with this is the hosiery schedule, which is throwing into hysterical indignation the sweet and lovely comforters of mankind. [Laughter and applause.] It is said that 2,000,000 of the fair creatures will wage a crusade against high duties on stockings. If our charming sisters would broaden the scope of their vision just a little so as to extend their demands to reducing duties which prevent sale abroad of cotton and cotton goods, the cotton producers of the South would enjoy such enormous legitimate profits now denied them as to enable them, without feeling the burden, to buy out Gloversville, pension all its tariff barons, supply all the ladies with gloves free, and afford an abundant supply of $10 stockings free of charge to all ladies who have shapely diminutive pedal extremities [laughter and applause]; those with more substantial equipment, not caring to make their nether members conspicuous, might rely entirely on other charms and accomplishments for popularity and not care so much about stockings. They would, however, find consolation in both cheaper stockings and cheaper leather. [Laughter and applause.] It is said by persons high in authority that a difference of 10 or 15 per cent ad valorem

is not so important as a speedy settlement of the question, which would restore confidence and settle conditions in business.

This is a most egregious error. If protectionists so believe, let them consent to take 15 per cent ad valorem from their protected schedules and observe the tremendous impetus it will give to commerce, suddenly pulsing and swelling with unaccustomed activity, and rolling and reveling in prosperity, while the Treasury rapidly fills with revenue from import duties. The toiling millions of our country could afford to wait a few days for such a glorious change. The speedy settlement of the question has no charms for them unless settled right, so as to bring relief from oppression long suffered. Protectionist newspapers attempt to gull unthinking people by pretending that revision of the tariff downward would cut off revenue. That is willful and mean deception. Those journals all know that reducing schedules that are so high as to be prohibitory, and therefore barren of revenue, would increase the revenue, but as that would admit some foreign goods and permit our people to buy necessaries at lower prices, these papers object and try to pervert the truth. Some people want to take the tariff out of politics, and treat it as a nonpartisan question. I wish that, consistently with the truth, I could regard such people as innocent or even ignorant. A commission appointed by Republicans would first make the system worse, and then make it permanent, rendering it more difficult to amend or relax.

The Republican party and protection are so mixed up and interwoven that the party could not live beyond an election without the doctrine of protection, and protection could not survive a single session of Congress without the Republican party. Sometimes through ignorance, but oftener from malice, people deplore the South's sectionalism and partisanship, basing the slander on our steadfast adherence to the party of the Constitution and its consistent and paramount demand for local self-government and honest taxation. It is true that we are more solidly and permanently Democratic than some other States, but it is because from environment, education, and conditions affecting immigration we have a greater per cent of native, upright, intelligent, honest voters than favor most other States. [Applause.] Referring all questions to fundamental principle, we not only vote right on political questions, but present the best and purest type of Americanism now extant. Our integrity, purity, and unswerving devotion to principle will prove the bulwark of conservatism and good government, the mainstay of the Republic in dark days that may come when madness, confusion, malice, and reckless desperation destroy peaceful conditions in some regions and plague our country. [Loud applause.]

We have suffered most grievously and without provocation the shafts of sectionalism aimed at us, our social conditions, and our commercial and political ascendency. It has afflicted us with every conceivable form of insult, indignity, and robbery. We have calmly, firmly, honestly, and bravely resisted sectionalism, and for so doing have been called sectional. We ask nothing inconsistent with the good of the people of all parts of the Republic. We want no special favors and advantages, but, in turn, we object to their being conferred on others. We support the only national party ever prominent in this country, the only party that offers fair conditions and honest government and equal protection to all parts of the country alike. We do not care what you call a party. If other people prejudiced against the name "Democratic" would only open their eyes and wake up their consciences so as to cooperate with us in restoring the application of correct principles to the administration of this Government, we would, if necessary to please them, be willing even to go back and take up our old name "Republican," which we discarded long ago, though the practices of the party in power under that name have brought it into considerable disrepute. [Loud applause on the Democratic side.]

The enormity of protection might in some measure be mitigated through some device permitting the Treasury to share the profits the privileged class is enabled to extort from the people. Fifty per cent of the net profits ought to provide the beneficiaries princely incomes; the other half would keep the Treasury overflowing with money. The necessity for further exactions upon the people to replenish the Treasury would be eliminated. The automatic arrangement to support the Government might prove more popular and even remove the system from partisan politics. For such a soft snap in perpetuity as the transferred power to levy tribute on all our people ad libitum the barons should be willing to divide profits with the Treasury. In kingly countries it used to be fashionable to farm out royal prerogatives, something being paid to the crown for the concession. If it is competent to transfer the taxing power gratuitously, it would certainly be equally proper to farm it out on halves or some other reasonable per cent. It is thought that the steel trust could easily support the Post-Office Department; the Standard Oil Company could finance the army and navy; the spool-thread trust and all the other thriving brood of protection could easily meet the expenses of all the other departments of the Government, improve all our rivers and harbors, connect them by canals, restore and maintain our merchant marine, driven from the seas by protection, erect a public building at every county site in the United States, dig the Panama Canal, in a few months pay off the public debt, and leave in the Treasury at all times sufficient loose change for spending money. [Laughter and applause.]

Let those who at first blush regard this as a joke analyze it and satisfy themselves. Those who exercise the taxing power to exhaust the resources of the people and destroy their profits, to increase their own gain, ought in some way to support the government that permits such outrageous conditions. I believe that there are some good, honest men in the Republican party. Some, even, who in honest good faith advocate protection. In the language of my friend, Hon. GEORGE P. BURGESS, of Texas:

> No party has a monopoly of good men, nor is any party chargeable with all the rascals.
>
> In that respect the chief difference between the two parties is that the good men in the Republican party are not numerous enough to control it and change its habit of promoting special privilege and serving and protecting dishonest wealth, while there are not enough bad men in the Democratic party to dominate it and prevent it from advocating popular rights, fair and honest taxation, and good government.

By the glamour of success and the power to reward, the party in power constantly draws to its standard as recruits those men of unsettled convictions and adjustable principles who are not happy nor prosperous in the minority party. On the other hand, the minority party, constantly losing members of that character, would become weak in numbers and probably extinct but for accessions from the party in power in the persons of men of principle and character who prefer right and conscience to success and power. When such recruits outnumber the desertions far enough to reverse the majority a change of administration occurs.

Mr. Chairman, I confess that I am waiting, but looking and confidently hoping, for that "consummation devoutly to be wished" as promising our first and only opportunity for reform. [Loud applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I do not know whether anyone else desires to take the floor. To-morrow I will try to run to 6 o'clock. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had further considered the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CLARK of Florida, for a few days, on account of sickness.

To Mr. LEE, for a few days, on account of sickness in family.

EXTENSION OF REMARKS.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman from New York if he is willing that unanimous consent may be granted to all gentlemen who speak on the bill to revise and extend their remarks?

Mr. PAYNE. Not quite yet. I will talk with the gentleman later on the subject.

I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 14 minutes p. m.) the House adjourned until 11 o'clock a. m. to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Trustees of the Presbyterian Church of Glasgow, Mo., against The United States (H. Doc. No. 9), was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 4301) to amend an act entitled "An act for the relief of soldiers and sailors who enlisted

or served under assumed names, while minors or otherwise, in the army or navy during the war of the rebellion," approved April 14, 1890, so that the title shall read: "An act for the relief of soldiers and sailors who enlisted or served under assumed names, while minors or otherwise, in the army or navy during the wars of the United States of America"—to the Committee on Military Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 4302) to provide for the appointment of an additional district judge in and for the southern judicial district of the State of West Virginia—to the Committee on the Judiciary.

Also, a bill (H. R. 4303) appropriating $50,000, or so much thereof as may be necessary, for the improvement of the Kanawha River in West Virginia—to the Committee on Rivers and Harbors.

By Mr. DAWSON: A bill (H. R. 4304) to reorganize the Navy Department of the United States—to the Committee on Naval Affairs.

Also, a bill (H. R. 4305) authorizing the appointment of dental surgeons in the navy—to the Committee on Naval Affairs.

By Mr. SULZER: A bill (H. R. 4306) to make October 12 in each year a public holiday, to be called "Columbus Day"—to the Committee on the Judiciary.

By Mr. O'CONNELL: A bill (H. R. 4307) for the erection of a bust to the memory of Charles Thompson, first Secretary of the Continental Congress—to the Committee on the Library.

By Mr. COWLES: A bill (H. R. 4308) to provide for the erection of a public building at Wilkesboro, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. GILLETT: A bill (H. R. 4309) to improve the navigation of the Connecticut River between Hartford and Holyoke, and to develop water power in connection therewith—to the Committee on Rivers and Harbors.

By Mr. KEIFER: A bill (H. R. 4310) granting a pension to all persons who have lost their hearing from causes originating in the military service of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4311) granting an increase of pension to all persons who have lost the sight of one eye from causes originating in the military or naval service of the United States—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 4312) providing for the erection of a public building at Van Wert, in the State of Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4313) providing for the erection of a public building at Defiance, in the State of Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4314) providing for the purchase of a site and the erection thereon of a public building at Napoleon, in the State of Ohio—to the Committee on Public Buildings and Grounds.

By Mr. HUGHES of West Virginia: A bill (H. R. 4315) for the protection of the banks of the Guyandot River at Barboursville, Cabell County, W. Va.—to the Committee on Rivers and Harbors.

By Mr. DE ARMOND: A bill (H. R. 4316) to authorize the granting of pensions and the increase of pensions in extraordinary cases not now provided for—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4317) to extend the pension laws of the United States to the soldiers engaged in the Utah expedition of 1857 and 1858, and to the widows and children of such soldiers—to the Committee on Pensions.

Also, a bill (H. R. 4318) to provide for the manufacture and sale by the Government of diphtheria antitoxin—to the Committee on Military Affairs.

Also, a bill (H. R. 4319) concerning employment in the classified civil service in the departments at the seat of government—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 4320) to authorize the Secretary of War to detail officers of the army for service in the construction of good roads in the several States—to the Committee on Military Affairs.

Also, a bill (H. R. 4321) concerning permits to sell intoxicating liquors—to the Committee on Ways and Means.

Also, a bill (H. R. 4322) to require national banks to contribute to a fund for the protection of depositors, and for other purposes—to the Committee on Banking and Currency.

Also, a bill (H. R. 4323) to provide for securing interest upon deposits of public funds, to prevent their use in gambling operations, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 4324) to declare and limit the jurisdiction of courts as to the question of the constitutionality and validity of acts of the Congress and acts of state legislatures—to the Committee on the Judiciary.

Also, a bill (H. R. 4325) concerning national-bank statements and prescribing the punishment for certain offenses—to the Committee on Banking and Currency.

Also, a bill (H. R. 4326) to authorize and direct the Postmaster-General to procure postal cars and contract for hauling them, and appropriating money therefor—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4327) to regulate practice as to instructing juries—to the Committee on the Judiciary.

Also, a bill (H. R. 4328) providing for the assessment by jury of the punishment to be imposed upon conviction of crime—to the Committee on the Judiciary.

Also, a bill (H. R. 4329) concerning jurisdiction in judicial proceedings—to the Committee on the Judiciary.

Also, a bill (H. R. 4330) to change the time for the meeting of the Congress and the time for the inauguration of the President—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. TAYLOR of Colorado: A bill (H. R. 4331) to provide for the erection of a public building at Grand Junction, State of Colorado—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4332) to provide for the purchase of a site and the erection of a public building thereon at Durango, State of Colorado—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4333) to provide for the purchase of a site and the erection of a building to be used as a summer residence by the President of the United States at or near the city of Glenwood Springs, Garfield County, Colo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4334) to provide for the purchase of a site and the erection of a public building thereon at Glenwood Springs, State of Colorado—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4335) to establish an agricultural experimental station on the western slope of Colorado—to the Committee on Agriculture.

Also, a bill (H. R. 4336) authorizing certain national banking institutions to make loans on real estate in certain cases—to the Committee on Banking and Currency.

Also, a bill (H. R. 4337) to provide for the erection of suitable monuments over the graves of deceased ex-Presidents of the United States—to the Committee on the Library.

Also, a bill (H. R. 4338) to erect a monument to Gen. James W. Denver in the city of Denver, Colo.—to the Committee on the Library.

Also, a bill (H. R. 4339) to establish and maintain a fish-hatching and fish-culture station in Garfield County, State of Colorado—to the Committee on the Merchant Marine and Fisheries.

By Mr. CLAYTON: A bill (H. R. 4799) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898—to the Committee on the Judiciary.

By Mr. STANLEY: A bill (H. R. 4800) for dredging and removing sand bars in Ohio River near Hawesville and Uniontown, Ky., and near the mouth of Green River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4801) for the relief of farmers, merchants, and other dealers in leaf tobacco—to the Committee on Ways and Means.

Also, a bill (H. R. 4802) to establish a fish-hatching and fish-cultural station in Christian County, in southwestern Kentucky—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4803) authorizing a survey of Tradewater River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4804) authorizing a survey of Pond River, Kentucky, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4805) for the erection of a public building at Hopkinsville, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4806) for the relief of farmers and tobacco growers—to the Committee on Ways and Means.

Also, a bill (H. R. 4807) for the relief of tobacco growers—to the Committee on Ways and Means.

Also, a bill (H. R. 4808) relating to punishment for contempt in federal courts—to the Committee on the Judiciary.

Also, a bill (H. R. 4809) to admit free of duty certain articles manufactured in the United States of America—to the Committee on Ways and Means.

Also, a bill (H. R. 4810) to admit free of duty certain articles

manufactured in the United States of America—to the Committee on Ways and Means.

Also, a bill (H. R. 4811) relating to punishment for contempt in federal courts—to the Committee on the Judiciary.

Also, a bill (H. R. 4812) for the construction of a lock and dam in the Ohio River below the mouth of Green River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4813) to enable the Secretary of Agriculture to conduct experiments and determine the practicability of making paper material out of cornstalks and to erect buildings and purchase apparatus therefor—to the Committee on Agriculture.

By Mr. DE ARMOND: Joint resolution (H. J. Res. 35) to provide for an investigation of and a report upon the services of certain militia and home guard organizations in the civil war—to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 36) proposing an amendment to the Constitution to authorize the United States to insure the lives of citizens thereof—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 4340) granting an increase of pension to Daniel H. Kindig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4341) granting an increase of pension to Solomon D. Stutz—to the Committee on Pensions.

Also, a bill (H. R. 4342) granting a pension to Bessie L. Rogers and children—to the Committee on Pensions.

By Mr. BOUTELL: A bill (H. R. 4343) granting a pension to Michael P. Roehrig—to the Committee on Pensions.

Also, a bill (H. R. 4344) to correct the military record of Stephen W. Coakley—to the Committee on Military Affairs.

Also, a bill (H. R. 4345) to reimburse the city of Chicago for damage done the Chicago Avenue Bridge by the U. S. lighthouse tender *Dahlia*—to the Committee on Claims.

By Mr. CALDER: A bill (H. R. 4346) for the relief of Theodore R. Timby—to the Committee on Claims.

By Mr. CAPRON: A bill (H. R. 4347) granting an increase of pension to William Bernhard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4348) granting an increase of pension to James Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4349) granting an increase of pension to Henry Bucklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4350) granting an increase of pension to Joseph J. Butcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4351) granting an increase of pension to Christopher Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4352) granting an increase of pension to Matthew N. Chappell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4353) granting an increase of pension to Chester A. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4354) granting an increase of pension to Olney A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4355) granting an increase of pension to John Cotter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4356) granting an increase of pension to John P. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4357) granting an increase of pension to Henry Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4358) granting an increase of pension to Joseph Henry Jewett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4359) granting an increase of pension to Nahum A. Kelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4360) granting an increase of pension to Horace E. Lincoln—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4361) granting an increase of pension to Henry J. Le Valley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4362) granting an increase of pension to Ethan D. Pendleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4363) granting an increase of pension to James H. Rickard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4364) granting an increase of pension to Samuel E. Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4365) granting an increase of pension to Joseph L. Straight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4366) granting an increase of pension to Henry S. Sharpe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4367) granting an increase of pension to Peter Shaughnessy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4368) granting an increase of pension to Timothy W. Tracy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4369) granting an increase of pension to Richard D. Tanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4370) granting an increase of pension to Abraham Vigeant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4371) granting an increase of pension to Charles H. Wilmarth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4372) granting an increase of pension to Charles H. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4373) granting an increase of pension to Joseph Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4374) granting an increase of pension to Terence McDuff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4375) granting a pension to Sarah A. Dow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4376) granting a pension to John J. Coughlin—to the Committee on Pensions.

Also, a bill (H. R. 4377) granting a pension to Nancy A. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4378) granting a pension to James M. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4379) granting a pension to Edward Plunkett—to the Committee on Pensions.

Also, a bill (H. R. 4380) granting a pension to Jedidiah Wilbur—to the Committee on Pensions.

By Mr. CLINE: A bill (H. R. 4381) granting an increase of pension to Jacob H. Schell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4382) granting an increase of pension to Pelig Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4383) granting an increase of pension to Martin V. Heffelfinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4384) to correct the military record of Andrew K. Hite—to the Committee on Military Affairs.

By Mr. COLE: A bill (H. R. 4385) granting an increase of pension to Robert Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4386) granting an increase of pension to Mahlon Willard Gage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4387) granting an increase of pension to Oliver D. Browning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4388) granting an increase of pension to Otho Kinney—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 4389) granting an increase of pension to John V. Howell—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 4390) granting an increase of pension to Henry A. Capen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4391) granting an increase of pension to Lyman M. Ramsay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4392) granting an increase of pension to Ira B. Gould—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4393) granting an increase of pension to Warren C. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4394) granting an increase of pension to Elbridge G. Arlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4395) granting an increase of pension to Charles A. Gilman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4396) granting an increase of pension to Daniel Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4397) granting an increase of pension to Alfred W. Heald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4398) granting an increase of pension to Benjamin W. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4399) granting an increase of pension to Walter E. Jaquith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4400) granting an increase of pension to Jason Densmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4401) granting an increase of pension to Henry S. Corey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4402) granting an increase of pension to Levi Witham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4403) granting an increase of pension to George W. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4404) granting an increase of pension to Henry M. Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4405) granting an increase of pension to Mary B. Gaskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4406) granting an increase of pension to John D. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4407) granting an increase of pension to William S. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4408) granting an increase of pension to James Britton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4409) granting an increase of pension to Lucretia S. Haynes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4410) granting an increase of pension to William O. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4411) granting an increase of pension to Laura K. Starkey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4412) granting an increase of pension to Lorenza Bliss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4413) granting an increase of pension to James Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4414) granting an increase of pension to George F. Edmunds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4415) granting an increase of pension to Reuben C. Philbrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4416) granting an increase of pension to William H. Veasey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4417) granting an increase of pension to George W. Currier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4418) granting an increase of pension to George Roby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4419) granting a pension to Mary E. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4420) granting a pension to Celeste C. Beattie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4421) granting a pension to Mary L. Bingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4422) granting a pension to Elizabeth A. Worcester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4423) for the relief of the legal representatives of George W. Soule—to the Committee on Claims.

By Mr. DE ARMOND: A bill (H. R. 4424) granting an increase of pension to Thomas J. Ayres—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4425) granting an increase of pension to Jeannette Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4426) granting an increase of pension to John Bridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4427) granting an increase of pension to Joel A. H. Buckalew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4428) granting an increase of pension to James T. Cantrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4429) granting an increase of pension to William Conoway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4430) granting an increase of pension to William Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4431) granting an increase of pension to Sarah J. Drummond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4432) granting an increase of pension to Abner Gwinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4433) granting an increase of pension to Martin V. Hardesty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4434) granting an increase of pension to Sarah E. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4435) granting an increase of pension to George W. Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4436) granting an increase of pension to David McGehee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4437) granting an increase of pension to William Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4438) granting an increase of pension to Daniel Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4439) granting an increase of pension to Culvin V. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4440) granting an increase of pension to Lee W. Putnam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4441) granting an increase of pension to George W. Rains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4442) granting an increase of pension to John S. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4443) granting an increase of pension to Conrad Seim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4444) granting an increase of pension to Andrew Shane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4445) granting an increase of pension to Mark A. Shelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4446) granting an increase of pension to George A. Shephard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4447) granting an increase of pension to Elizabeth F. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4448) granting an increase of pension to William H. Stockwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4449) granting a pension to Martha J. Thorne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4450) granting an increase of pension to William K. Trabue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4451) granting an increase of pension to William S. Trader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4452) granting an increase of pension to William H. Tuttle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4453) granting an increase of pension to David R. Walden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4454) granting an increase of pension to Marcus D. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4455) granting an increase of pension to Ellenor E. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4456) granting an increase of pension to Daniel Willholt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4457) granting an increase of pension to George W. Wolfe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4458) granting an increase of pension to David Work—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4459) granting an increase of pension to James L. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4460) granting an increase of pension to Hiram C. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4461) granting a pension to Newton Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4462) granting a pension to Lucinda J. Carman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4463) granting a pension to Sanford P. Cutler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4464) granting a pension to Joe B. Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4465) granting a pension to Louisa M. Ferrier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4466) granting a pension to Margaret S. Griffith—to the Committee on Pensions.

Also, a bill (H. R. 4467) granting a pension to Sudie Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4468) granting a pension to Catherine Husted—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4469) granting a pension to M. W. Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4470) granting a pension to Sarah B. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4471) granting a pension to Nannie E. Parks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4472) granting a pension to D. W. Snider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4473) granting a pension to Davis Woody—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4474) granting a pension to Fred Yeomans—to the Committee on Pensions.

Also, a bill (H. R. 4475) for the relief of William J. Briggs—to the Committee on War Claims.

Also, a bill (H. R. 4476) for the relief of Caroline F. Eddy—to the Committee on War Claims.

Also, a bill (H. R. 4477) for the relief of Joseph Hunter—to the Committee on Claims.

Also, a bill (H. R. 4478) for the relief of Frank Keller—to the Committee on Claims.

Also, a bill (H. R. 4479) for the relief of Samuel L. Landers—to the Committee on Military Affairs.

Also, a bill (H. R. 4480) for the relief of Samuel H. Lofland—to the Committee on War Claims.

Also, a bill (H. R. 4481) for the relief of Herbert Vanderberg—to the Committee on Military Affairs.

Also, a bill (H. R. 4482) for the relief of W. W. Wall—to the Committee on Claims.

Also, a bill (H. R. 4483) for the relief of Benjamin F. Whitlock—to the Committee on Military Affairs.

Also, a bill (H. R. 4484) for the relief of Mary E. Willett—to the Committee on War Claims.

Also, a bill (H. R. 4485) for the relief of William T. and Hannah J. Woolard—to the Committee on War Claims.

Also, a bill (H. R. 4486) for the relief of Jacob S. Young—to the Committee on Claims.

Also, a bill (H. R. 4487) for the relief of the heirs of Robert J. Allen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4488) for the relief of the heirs of Peter S. Clemments, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 4489) for the relief of the heirs of William F. Crenshaw, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4490) for the relief of the heirs of William Friar—to the Committee on War Claims.

Also, a bill (H. R. 4491) for the relief of the heirs of Mary H. Holloway, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4492) for the relief of the heirs of Jacob Hufty, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4493) to correct the military record of William J. McGhee—to the Committee on Military Affairs.

Also, a bill (H. R. 4494) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Christian Church of Pleasant Hill, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 4495) to carry into effect the findings of the Court of Claims in the matter of the claim of the county court of Cass County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 4496) to carry into effect the findings of the Court of Claims in the matter of the claim of Elijah B. Hammontree, administrator of the estate of John Hammontree, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4497) to carry into effect the findings of the Court of Claims in the matter of the claim of the Methodist Episcopal Church South, of Harrisonville, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 4498) granting a pension to Margaret Huston—to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 4499) granting an increase of pension to Mahlon L. Angel—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 4500) granting an increase of pension to Josiah D. Mater—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 4501) granting an increase of pension to Andrew J. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4502) granting an increase of pension to Oscar M. Peck—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 4503) for the relief of the First Nebraska Militia—to the Committee on Military Affairs.

Also, a bill (H. R. 4504) granting an increase of pension to William F. Bullock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4505) granting an increase of pension to James G. Carnahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4506) granting an increase of pension to Jacob Bricker—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: A bill (H. R. 4507) granting an increase of pension to Sarah A. Robertson—to the Committee on Pensions.

Also, a bill (H. R. 4508) granting an increase of pension to Adolph Lochwitz—to the Committee on Pensions.

Also, a bill (H. R. 4509) granting a pension to Nancy A. Watkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4510) granting a pension to John Burton—to the Committee on Pensions.

Also, a bill (H. R. 4511) granting a pension to Lewis N. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4512) granting a pension to Anna L. Young—to the Committee on Pensions.

Also, a bill (H. R. 4513) for the relief of William Murray and David Murray—to the Committee on Claims.

Also, a bill (H. R. 4514) for the relief of William Murray and David Murray—to the Committee on Claims.

Also, a bill (H. R. 4515) for the relief of William P. Alexander—to the Committee on Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 4516) granting a pension to P. S. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4517) granting a pension to Samuel F. Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4518) granting a pension to Alexander Thacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4519) granting a pension to David Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4520) granting a pension to John Muck Maynard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4521) granting an increase of pension to Fannie E. Pennypacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4522) granting an increase of pension to Samuel Gideon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4523) granting an increase of pension to Pleasant Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4524) granting an increase of pension to William Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4525) granting an increase of pension to F. M. Boso—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4526) granting an increase of pension to Paul Schools—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4527) granting an increase of pension to Henry G. Pickens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4528) granting an increase of pension to William Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4529) granting an increase of pension to Jessie Queen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4530) granting an increase of pension to William J. Smith—to the Committee on Pensions.

Also, a bill (H. R. 4531) granting an increase of pension to Samuel Haws—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4532) granting an increase of pension to Maurice Hungerford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4533) for the relief of John H. Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 4534) for the relief of James M. Clouston—to the Committee on War Claims.

Also, a bill (H. R. 4535) for the relief of Jacob Harshbarger—to the Committee on War Claims.

Also, a bill (H. R. 4536) for the relief of Mary A. Smith and others—to the Committee on War Claims.

Also, a bill (H. R. 4537) for the relief of F. F. Morris—to the Committee on War Claims.

Also, a bill (H. R. 4538) for the relief of Leroy Douglass—to the Committee on Claims.

Also, a bill (H. R. 4539) for the relief of Louis F. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 4540) for the relief of Thomas McCallister—to the Committee on War Claims.

Also, a bill (H. R. 4541) for the relief of the Hurricane Baptist Church, Hurricane, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4542) for the relief of James M. Stephenson, of Point Pleasant, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4543) for the relief of heirs of William Douthit—to the Committee on War Claims.

Also, a bill (H. R. 4544) for the relief of the heirs of Charles Ruffner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4545) for the relief of the heirs of Richard Parsons and Mildred Parsons—to the Committee on War Claims.

Also, a bill (H. R. 4546) for the relief of John Morgan's heirs—to the Committee on War Claims.

Also, a bill (H. R. 4547) for the relief of the heirs of Edward and William Holderby—to the Committee on War Claims.

Also, a bill (H. R. 4548) for the relief of the heirs of Charles Ruffner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4549) for the relief of the estate of Philip Null, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4550) to correct the military record of H. C. Dunkle—to the Committee on Military Affairs.

Also, a bill (H. R. 4551) to correct the military record of John A. Patterson—to the Committee on Military Affairs.

Also, a bill (H. R. 4552) to remove the charge of desertion from the records of War Department against James T. Billups—to the Committee on Military Affairs.

Also, a bill (H. R. 4553) to remove the charge of desertion from the record of John W. Shelton—to the Committee on Military Affairs.

By Mr. KEIFER: A bill (H. R. 4554) granting an increase of pension to Henry S. Limes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4555) granting an increase of pension to Abraham Zimmerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4556) granting an increase of pension to David L. Yarnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4557) granting an increase of pension to Henry Wrightsel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4558) granting an increase of pension to Isaac Wise—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4559) granting an increase of pension to John Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4560) granting an increase of pension to Francis M. Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4561) granting an increase of pension to James R. Stroup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4562) granting an increase of pension to John Southard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4563) granting an increase of pension to Madison Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4564) granting an increase of pension to Harvey W. Shockey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4565) granting an increase of pension to John C. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4566) granting an increase of pension to Alfred K. Rouzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4567) granting an increase of pension to James W. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4568) granting an increase of pension to William L. Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4569) granting an increase of pension to Samuel Reddick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4570) granting an increase of pension to Levi Prince—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4571) granting an increase of pension to Thomas H. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4572) granting an increase of pension to Thomas H. Nisewanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4573) granting an increase of pension to Margaret S. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4574) granting an increase of pension to George W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4575) granting an increase of pension to James Mahaffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4576) granting an increase of pension to Emily McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4577) granting an increase of pension to Trophenius Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4578) granting an increase of pension to William N. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4579) granting an increase of pension to James Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4580) granting an increase of pension to Frederick Hogendobler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4581) granting an increase of pension to Thomas Hiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4582) granting an increase of pension to John J. Hicksenhytzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4583) granting an increase of pension to Christopher Heiserman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4584) granting an increase of pension to Joseph O. Hasson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4585) granting an increase of pension to James W. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4586) granting an increase of pension to Henry Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4587) granting an increase of pension to Vincent H. Gaskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4588) granting an increase of pension to Henry E. Fultz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4589) granting an increase of pension to Daniel Eble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4590) granting an increase of pension to Julia B. Drum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4591) granting an increase of pension to John Detrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4592) granting an increase of pension to Leonard Dellinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4593) granting an increase of pension to Harrison Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4594) granting an increase of pension to Leonidas M. Crossland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4595) granting an increase of pension to Lewis F. Counts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4596) granting an increase of pension to John R. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4597) granting an increase of pension to Joseph P. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4598) granting an increase of pension to Emeline Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4599) granting a pension to Albert Fletcher—to the Committee on Pensions.

Also, a bill (H. R. 4600) granting a pension to Helen W. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 4601) granting a pension to Belle Speelman—to the Committee on Pensions.

Also, a bill (H. R. 4602) granting a pension to James Turk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4603) granting a pension to Theresa Kilpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4604) granting a pension to Charles W. Kester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4605) granting a pension to Martha M. Harrier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4606) granting a pension to Mary E. J. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4607) granting a pension to Fannie F. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4608) granting a pension to Sarah Bray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4609) granting a pension to Presley F. Black—to the Committee on Pensions.

Also, a bill (H. R. 4610) granting a pension to Margaret Bower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4611) to remove the charge of desertion from the record of Samuel B. Dump, alias Samuel Brown, and grant him an honorable discharge—to the Committee on Naval Affairs.

By Mr. KENDALL: A bill (H. R. 4612) to compensate the estate of Eber Currie, deceased, for the death of said Currie, etc.—to the Committee on Claims.

By Mr. KINKEAD of New Jersey: A bill (H. R. 4613) granting an increase of pension to Henry Bossler—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 4614) granting an increase of pension to John Newman—to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 4615) granting an increase of pension to Peter McCanna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4616) granting an increase of pension to Amos Shirey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4617) granting an increase of pension to Shiloh S. Walthour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4618) granting an increase of pension to William Strutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4619) granting a pension to John S. Barr—to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 4620) authorizing the Omaha tribe of Indians to submit claims to the Court of Claims—to the Committee on Claims.

By Mr. LAW: A bill (H. R. 4621) for the relief of Henrietta V. Dale—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 4622) granting an increase of pension to Stephen H. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4623) granting an increase of pension to Charles V. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4624) granting an increase of pension to Charles H. Trotler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4625) granting an increase of pension to Charles Pomeroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4626) granting a pension to Hannah M. Rising—to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 4627) granting an increase of pension to William T. Handy—to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 4628) granting a pension to Silas P. Rainey—to the Committee on Pensions.

Also, a bill (H. R. 4629) granting a pension to Anna Howell—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 4630) granting an increase of pension to William Lindsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4631) granting an increase of pension to Robert H. Cranston, alias John Smith—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 4632) granting an increase of pension to William N. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4633) granting an increase of pension to Berry R. Pedigo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4634) granting a pension to William W. Maroney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4635) granting a pension to Henry R. Boatman—to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 4636) granting an increase of pension to Charles J. M. Temple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4637) granting an increase of pension to Louise C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4638) granting an increase of pension to Michael J. Meehan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4639) granting an increase of pension to Charles B. Maher—to the Committee on Pensions.

Also, a bill (H. R. 4640) granting an increase of pension to E. H. McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4641) granting an increase of pension to Jennie C. Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4642) granting an increase of pension to Patrick J. Bench—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4643) granting an increase of pension to Louise A. Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4644) granting an increase of pension to Edwin W. Rand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4645) granting a pension to Johanna O'Brien—to the Committee on Pensions.

Also, a bill (H. R. 4646) granting a pension to Francis Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4647) granting a pension to John H. Leslie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4648) granting a pension to Margaret Haley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4649) granting a pension to Annie Gillis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4650) granting a pension to Alexander A. Garvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4651) granting a pension to Frederick A. Emery—to the Committee on Pensions.

Also, a bill (H. R. 4652) granting a pension to Margery F. Daly—to the Committee on Pensions.

Also, a bill (H. R. 4653) granting a pension to Anna Mansfield—to the Committee on Pensions.

Also, a bill (H. R. 4654) for the relief of William W. Stewart—to the Committee on Claims.

Also, a bill (H. R. 4655) for the relief of Joseph Manning—to the Committee on Claims.

Also, a bill (H. R. 4656) for the relief of Michael Curley—to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 4657) for the relief of the heirs of Samuel Corruthers, deceased—to the Committee on War Claims.

By Mr. HENRY W. PALMER: A bill (H. R. 4658) granting a pension to Mary Costello—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4659) granting an increase of pension to James K. Lunger—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 4660) to grant a disability discharge to Levi D. Buckingham—to the Committee on Military Affairs.

By Mr. SABATH: A bill (H. R. 4661) granting a pension to John Harrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4662) granting a pension to Mary Petrik—to the Committee on Pensions.

Also, a bill (H. R. 4663) granting an increase of pension to Frank G. Cook—to the Committee on Pensions.

Also, a bill (H. R. 4664) granting an increase of pension to Joseph A. Paul—to the Committee on Pensions.

Also, a bill (H. R. 4665) for the relief of Thomas Reed—to the Committee on Claims.

By Mr. SPERRY: A bill (H. R. 4666) granting an increase of pension to James E. Ells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4667) granting an increase of pension to Sarah E. De Pue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4668) granting an increase of pension to Charles H. Foshay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4669) granting an increase of pension to Elmira E. Turner—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 4670) granting an increase of pension to John Coombs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4671) granting an increase of pension to Nathaniel S. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4672) granting a pension to Emmett Puckett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4673) for the relief of the drafted men of Henderson County, Ky., and other counties of Kentucky—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 4674) granting an increase of pension to William F. Mozier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4675) granting an increase of pension to Samuel A. Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4676) granting an increase of pension to Thomas F. Love—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4677) granting an increase of pension to George V. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4678) to correct the military record of James M. Hensley—to the Committee on Military Affairs.

Also, a bill (H. R. 4679), to correct the military record of George M. Watson and to grant him an honorable discharge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4680) for the relief of the heirs of John W. West, deceased—to the Committee on Indian Affairs.

By Mr. STURGISS: A bill (H. R. 4681) granting an increase of pension to Henry C. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4682) granting an increase of pension to Jacob Zirkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4683) granting an increase of pension to Jacob Barrickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4684) granting an increase of pension to Thomas Joyce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4685) granting an increase of pension to Edward R. Girault—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4686) granting an increase of pension to Daniel W. Breakiron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4687) granting an increase of pension to David H. Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4688) granting an increase of pension to John A. Stuart, alias John Vanderpool—to the Committee on Pensions.

Also, a bill (H. R. 4689) granting an increase of pension to Edward D. Madden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4690) granting an increase of pension to Samuel J. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4691) granting an increase of pension to Elijah Coffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4692) granting an increase of pension to Fletcher B. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4693) granting an increase of pension to James H. Michael—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4694) granting an increase of pension to John W. Combs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4695) granting an increase of pension to Alpheus Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4696) granting an increase of pension to Elisha A. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4697) granting an increase of pension to Leonard Wile—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4698) granting an increase of pension to George W. Chidester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4699) granting an increase of pension to Nelson Hendrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4700) granting an increase of pension to John M. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4701) granting an increase of pension to Robert A. A. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4702) granting an increase of pension to Eleam Welch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4703) granting an increase of pension to Mary C. Tattersall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4704) granting an increase of pension to John C. Dearing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4705) granting an increase of pension to Marcellus Albright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4706) granting a pension to John A. McCauley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4707) granting a pension to Stocton Sponseller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4708) granting a pension to John Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4709) granting a pension to Adam Minear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4710) granting a pension to Ella Cotterill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4711) granting a pension to George Sorrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4712) granting a pension to Edgar Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4713) granting a pension to George W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4714) granting a pension to Charles H. Keefer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4715) granting a pension to Isaac D. Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4716) for the relief of Santford Bruce—to the Committee on War Claims.

Also, a bill (H. R. 4717) for the relief of Andrew J. Weese—to the Committee on War Claims.

Also, a bill (H. R. 4718) for the relief of Dennis A. Litzinger—to the Committee on War Claims.

Also, a bill (H. R. 4719) for the relief of Margaret A. Timberlake, administratrix of Richard Timberlake, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4720) for the relief of William D. Graham—to the Committee on War Claims.

Also, a bill (H. R. 4721) for the relief of Edward Tearney—to the Committee on Claims.

Also, a bill (H. R. 4722) for the relief of Edward Tearney, administrator of Samuel Ridenour, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4723) for the relief of John Whittington—to the Committee on War Claims.

Also, a bill (H. R. 4724) for the relief of James H. Hooe—to the Committee on War Claims.

Also, a bill (H. R. 4725) for the relief of Maj. James M. Burns, United States Army, retired—to the Committee on Military Affairs.

Also, a bill (H. R. 4726) for the relief of John Edwards, alias John D. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 4727) for the relief of Joseph R. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 4728) for the relief of the heirs of Jacob J. Foreman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4729) for the relief of the heirs of John H. Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4730) for the relief of the heirs of Lydia A. Hockensmith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4731) for the relief of the heirs of James L. Geasler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4732) for the relief of the heirs of Thomas G. Flagg, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4733) for the relief of the heirs of Charles A. Dinkle, heir of John F. Dinkle and J. Daniel Dinkle—to the Committee on War Claims.

Also, a bill (H. R. 4734) for the relief of heirs of James Watson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4735) for the relief of the estate of Jacob Custer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4736) for the relief of the estate of Henry Gannon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4737) for the relief of the estate of John Burns, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4738) for the relief of the estate of James Allender, deceased—to the Committee on Claims.

Also, a bill (H. R. 4739) to correct the military record of Urias Bolyard, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 4740) to correct the military record of and grant to Louis F. Upwright, alias Ludwig F. Rupprecht, an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4741) to correct the military record of William D. Garner and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4742) to correct the military record of Willis B. Cross—to the Committee on Military Affairs.

Also, a bill (H. R. 4743) to correct the military record of and grant to James Irwin, alias James Williamson, an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4744) to correct the military record of and grant to Lieut. Benjamin S. McDonald an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4745) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of James W. Myers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4746) to carry into effect the findings of the Court of Claims in the matter of the claim of Mary E. Buckey—to the Committee on War Claims.

Also, a bill (H. R. 4747) for the relief of the board of education of the Harpers Ferry school district, of Jefferson County, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4748) to reimburse the estate of Samuel Caldwell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4749) providing for the payment of the amounts due the employees in and the contractors who furnished castings to the United States armory at Harpers Ferry, Va., from January 1, 1861, to April 19, 1861, inclusive—to the Committee on War Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 4750) granting an increase of pension to Augustus Godat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4751) granting an increase of pension to Lewis R. Thomas—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 4752) granting a pension to Edwin Wilcox—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 4753) to grant an honorable discharge to Theodore N. Gates—to the Committee on Military Affairs.

Also, a bill (H. R. 4754) to remove the charge of desertion from the military record of Clement Lamoureaux—to the Committee on Military Affairs.

By Mr. WEISSE: A bill (H. R. 4755) granting an increase of pension to Silas J. Crocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4756) granting an increase of pension to William Dignin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4757) granting an increase of pension to Andrew Dye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4758) granting an increase of pension to William E. McCready—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4759) granting an increase of pension to Cornelius Palmiteer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4760) granting an increase of pension to John Pommerich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4761) granting an increase of pension to Fred Heronimus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4762) granting an increase of pension to Richard Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4763) granting an increase of pension to James McDonough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4764) granting an increase of pension to George H. Daubner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4765) granting an increase of pension to John Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4766) granting an increase of pension to Charles S. De Voin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4767) granting an increase of pension to Edward Pfister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4768) granting an increase of pension to August Knocke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4769) granting an increase of pension to Elvin A. Estey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4770) granting an increase of pension to Michael Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4771) granting an increase of pension to Christian Blanke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4772) granting an increase of pension to Math. L. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4773) granting an increase of pension to Daniel Shultz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4774) granting an increase of pension to Henry Dassow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4775) granting a pension to Margaret Williamson—to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 4776) granting a pension to Elnora J. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4777) granting a pension to Edgar C. Sturges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4778) granting a pension to Adeline Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4779) granting a pension to George F. McKnight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4780) granting a pension to Melinda J. Perham Roberts—to the Committee on Pensions.

Also, a bill (H. R. 4781) granting a pension to Mary O. Daum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4782) granting a pension to Adrienne T. Church—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4783) granting an increase of pension to Frederick A. Battey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4784) granting an increase of pension to Wilson Wightman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4785) granting an increase of pension to Edwin N. Gifford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4786) granting an increase of pension to Elizabeth A. Archer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4787) granting an increase of pension to Melchior Hoerner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4788) granting an increase of pension to James C. Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4789) granting an increase of pension to Carl B. Traver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4790) granting an increase of pension to Isaac Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4791) granting an increase of pension to Frank Odin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4792) granting a pension to John R. Shirley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4793) granting an increase of pension to Frank C. Bruner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4794) to remove the charge of desertion from the military record of Frederick Frosch—to the Committee on Military Affairs.

Also, a bill (H. R. 4795) to remove the charge of desertion from the military record of Michael J. Doyle—to the Committee on Military Affairs.

Also, a bill (H. R. 4796) to remove the charge of desertion from the military record of George S. Green, and to allow his widow, Minnie E. Green, a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 4797) to remove the charge of desertion from the military record of Melville N. Goodrich—to the Committee on Military Affairs.

Also, a bill (H. R. 4798) to appoint Edgar C. Sturges a captain in the army and place him on the retired list—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petitions of Wright, Lybarger & Funk, of Warsaw, and L. Neiswander, of Holmesville, Ohio—to the Committee on Ways and Means.

By Mr. AUSTIN: Petition of many residents of Tennessee, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Knoxville (Tenn.) Lodge, No. 160, and Morristown (Tenn.) Lodge, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

Also, petition of Clinton Council, No. 83, Junior Order United American Mechanics, for legislation to more effectually restrict immigration—to the Committee on Immigration and Naturalization.

Also, petition of Manufacturers and Producers' Association of Knoxville, Tenn., favoring a higher tariff on tannic acid—to the Committee on Ways and Means.

By Mr. CALDER: Petition of Oronogo (Mo.) Circle Mining Company, for a duty on zinc ore—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, favoring increase of duty on lumber—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against reduction of tariff on print paper—to the Committee on Ways and Means.

Also, petition of New York members of the American Paper and Pulp Association, against removal of duty from wood pulp—to the Committee on Ways and Means.

By Mr. COOK: Petition of employees of Harry C. Aberle & Co., of Philadelphia, Pa., for retention and adoption of the proposed rates of duty on hosiery—to the Committee on Ways and Means.

Also, petition of Frank A. Schimpf and others, favoring a higher rate of duty on lithographic products—to the Committee on Ways and Means.

By Mr. DAWSON: Petitions of J. H. P. Peterson, of Maquoketa; L. M. Stable, of North Liberty; and Theo Martin, of Bellevue, all in the State of Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FOCHT: Petition of Waynesboro (Pa.) Lodge, No. 731, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

By Mr. FULLER: Petition of Marblehead Lime Company, of Chicago, Ill., for an investigation by the United States Geological Survey on the subject of lime—to the Committee on Agriculture.

Also, petition of Paul Taylor Brown Company, of New York, against a proposed tariff on fruit with sugar added—to the Committee on Ways and Means.

Also, petition of the New England Dry Goods Association, against the proposed tariff on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Chicago Mill and Lumber Company, of Chicago, Ill., against reduction on lumber and its products—to the Committee on Ways and Means.

By Mr. GARDNER of Massachusetts: Petition of job printers of Salem, Mass., against practice of Post-Office Department printing return envelopes free of charge—to the Committee on the Post-Office and Post-Roads.

Also, petition of residents of Danvers and Groveland, Mass., against a duty on coffee and tea—to the Committee on Ways and Means.

Also, petition of Paul N. Chaput, of Salem, Mass., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Los Angeles (Cal.) Chamber of Commerce, against elimination of the countervailing duty on petroleum—to the Committee on Ways and Means.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, favoring establishment of a line of steamers by the National Government touching all points on the Pacific coast and connecting at Panama with the Panama Railway—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of citizens of San Jose and numerous citizens of San Francisco and Redwood City, all in the State of California, protesting against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HINSHAW: Paper to accompany bill for relief of S. P. Ulch (H. R. 1964)—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: Petition of W. H. Wright & Sons and other merchants and citizens of Ogden, Utah, against an increase of tariff on gloves—to the Committee on Ways and Means.

By Mr. KÜSTERMANN: Petition of employees of Green Bay (Wis.) Paper and Fibre Company, against reduction of duty on plain paper—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of citizens of Brandon, Minn., against a duty on teas and coffees—to the Committee on Ways and Means.

By Mr. MANN: Petition of the Hardwood Manufacturers' Association of the United States, against any reduction of tariff on lumber—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of certain residents of Culbertson, Nebr., against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

By Mr. STURGISS: Petitions of Andrew Corrothers, S. J. Walter, William Held, J. T. Boyce, and J. M. Cost, all of Grafton, W. Va., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Leggerman Brothers, New York, against increase of duty on chicory—to the Committee on Ways and Means.

By Mr. WANGER: Protest of the Lumbermen's Exchange of Philadelphia, Pa., against any reduction in the rates of duty upon articles in the lumber schedule of the Dingley tariff act—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of Martin Jancer, against reduction of the duty on barley, wheat, and other farm products—to the Committee on Ways and Means.

By Mr. WOODYARD: Petition of William Chenoueth and other citizens of Gassaway, Burnsville, and Sutton, all in the State of West Virginia, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

SENATE.

THURSDAY, *March 25, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

Mr. CLARENCE D. CLARK, a Senator from the State of Wyoming, appeared in his seat to-day.

The Journal of the proceedings of Monday last was read and approved.

DISPOSITION OF USELESS PAPERS.

The VICE-PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior transmitting, pursuant to law, a schedule of useless papers, books, and so forth, on the files of the Department of the Interior, which are not needed in the transaction of public business and are of no permanent value or historical interest. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The Chair appoints the Senator from North Carolina [Mr. SIMMONS] and the Senator from New Hampshire [Mr. GALLINGER] members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889. The Secretary will notify the House of Representatives of the appointment of the committee on the part of the Senate.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and two opinions in the cause of John T. Ayres, executor, and the Chickasaw Nation *v.* United States (S. Doc. No. 2) which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a concurrent resolution (H. C. Res. 12) authorizing an additional number of copies of the daily RECORD to be furnished to Senators and Members of the House of Representatives, etc., in which it requested the concurrence of the Senate.

ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Casein Manufacturing Company, of New York City, N. Y., praying for a protective duty on casein and lactarene, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Porto Rico, praying that a duty of at least 5 cents per pound be imposed on all foreign coffee, etc., which was referred to the Committee on Finance.

He also presented a petition from the olive importers' committee, of Philadelphia, Pa., praying for a reduction of the duty on olives, which was referred to the Committee on Finance.

Mr. NELSON presented a joint resolution of the legislature of Minnesota, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Whereas for the transportation development of the great industrial interior of the continent of North America nature has provided, on the one hand, the Great Lakes chain, which is the greatest inland sea in the world, and, on the other hand, the Mississippi River and tributaries, which have no equal as natural transportation channels for a great internal commerce;

Whereas the freight tonnage shipped from the port of Duluth-Superior exceeds that of New York or any other American port, while the net tonnage passing from Lake Superior through the Soo Canal is three times that which passes through the Suez Canal in the trade between Europe and the Orient, and the Great Lakes fleet is the greatest merchant fleet which floats the American flag;

Whereas Minnesota produces and ships to eastern furnaces annually close upon 30,000,000 tons of iron ore, which exceeds one-half of the iron-ore product of America and one-fourth that of the world, and whereas this iron ore should be converted into iron and steel by Minnesota labor on Minnesota soil for distribution throughout the Mississippi Valley and westward, and a great industrial plant for such purpose is now being established at Duluth;

Whereas Minnesota and the near-by upper Mississippi Valley States of Wisconsin, Iowa, Nebraska, and North and South Dakota annually produce about 300,000,000 bushels of wheat and 900,000,000 bushels of corn, oats, and other coarse grains, besides a vast tonnage of flour, lumber, live stock, and dairy products, much of which seeks transportation to the markets of the world; and

Whereas the Great Lakes system, which connects with the Atlantic seaboard, and the Mississippi River, which flows to the Gulf of Mexico, have their common source in Minnesota, the tributaries of the upper Mississippi extending within 50 miles of Lake Superior, and the union of the Great Lakes and Mississippi watersheds by canalization would make the greatest internal waterway of the world: Therefore be it

Resolved by the house of representatives (the senate concurring), That it is the sense of the legislature of Minnesota that the commerce of this great lake and river should be connected by a national waterway canal:

Resolved, That such waterway is of the greatest importance to this State and Nation, and we hereby pledge the cooperation of the Commonwealth of Minnesota with our Federal Government in the construction of such canal and in canalizing the upper Mississippi River;

Resolved further, That our delegation in Congress be, and is hereby, urged to impress upon Congress the necessity for immediate action in constructing such canal, and that a copy of these resolutions be sent to each Senator and Representative from this State.

Adopted by the house of representatives, March 11, 1909.

ARCHIBALD H. VERNON, *Chief Clerk.*

Adopted by the senate March 16, 1909.

GEO. W. PEACHEY, *Secretary of Senate.*

Mr. NELSON presented a joint resolution of the legislature of Minnesota, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution.

Whereas fallen trees and tree tops and sand bars and other obstructions which have gathered and formed around and about the same at many and various places in the channel of the lower Minnesota River seriously clog the channel thereof, and seriously impede and practically make impossible the natural navigation thereof, and operate to destroy navigation thereof and the natural commerce thereon, and, moreover, in the seasons of the high waters thereof necessarily cause numerous destructive overflows of said river, at many and various places and in many and various localities in the valley thereof, destroying, annually, hundreds of thousands of dollars' worth of the cultivated crops of the valley thereof; and

Whereas it is supremely necessary and of paramount importance that said obstructions be early and effectively removed from the channel of said river in order to promote the natural and profitable navigation thereof and develop the natural commerce thereon, and in order to prevent—and such removal is necessary to prevent—the annual, frequent, and destructive overflows thereof, as aforesaid, and in order to prevent the great annual loss and damage inflicted upon the settlers along said river valley resulting from the overflows of the said river, and which are caused by the obstructions above referred to; and

Whereas the said river and the channel thereof and the care thereof, are under the jurisdiction of the United States Government, said river being classed as navigable: Therefore be it

Resolved by the house of representatives (the senate concurring), That our Representatives in Congress be, and they hereby are, requested and urged to forthwith use their influence and utmost endeavor without delay to secure from the Congress of the United States authority for the use of, and appropriation necessary for the early use of, government dredges and snag boats sufficient and adequate for the purpose of the early and complete removal from the channel of the said river of all sand bars and other obstructions therein materially obstructing or impeding or preventing or making impracticable the natural navigation thereof, or materially injurious to the natural commerce thereon, or which necessarily cause the destructive overflows thereof: And be it further

Resolved, That an authenticated copy hereof be mailed to each of our said Representatives.

ADOLPH O. EBERHART,
Lieutenant-Governor.
A. J. ROCKNE, *Speaker.*

Adopted by the house of representatives February 17, 1909.

ARCHIBALD H. VERNON, *Chief Clerk.*

Adopted by the senate February 18, 1909.

GEO. W. PEACHEY, *Secretary.*

Mr. NELSON presented a memorial of sundry granite producers of St. Cloud, Minn., remonstrating against a lower rate of duty on rough or finished granite, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Minnesota, praying for the imposition of a higher duty on lithographic products, which were referred to the Committee on Finance.

Mr. GALLINGER. I present a brief resolution adopted by the Board of Trade of Manchester, N. H., which I ask shall be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolution of Manchester (N. H.) Board of Trade.

The Manchester (N. H.) Board of Trade on March 16, 1909, unanimously adopted the following resolution expressing the attitude of that body toward railroad legislation:

"Whereas the manufacturing establishments of New Hampshire employed at the census of 1905 nearly 70,000 persons, receiving about $30,000,000 annually in salaries and wages; and

"Whereas these establishments, in competition with rivals nearer the source of raw material and the centers of purchasing population, are largely dependent upon swift and regular freight service; and

"Whereas there is a widespread apprehension that public hostility to railroads will imperil their borrowing capacity and impair their confidence in the wisdom of extensive improvements: Therefore be it

"*Resolved*, That the Manchester Board of Trade urges the New Hampshire Senators and Representatives in Congress to use their influence in favor of conservatism as to enactments and decrees affecting railroads."

Mr. GALLINGER presented a petition of Local Lodge No. 97, Benevolent and Protective Order of Elks, of Portsmouth, N. H., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. CULLOM presented a resolution of the legislature of Illinois, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House resolution 40. Offered by Mr. Lederer, March 17, 1909.

Whereas there has been recently organized in this country a gigantic trade combination and monopoly in connection with the manufacture and sale of moving-picture films, machines, and the apparatus used therewith; and

Whereas such combination is intended to destroy competition and to secure a monopoly in this line of business to the parties to such combination: Be it

Resolved, That the Senators and Representatives of the State of Illinois in Congress are hereby requested to oppose any increase of duty on imported manufactured moving-picture films and all other legislation which may tend to aggrandize such monopoly: Be it further

Resolved, That the Senators and Representatives of the State of Illinois in Congress are hereby requested to aid in procuring an investigation of such monopoly to be made by federal intervention and in instituting proceedings and passing laws to suppress such combination and monopoly: Be it further

Resolved, That a copy of these resolutions be sent to the Senators and Representatives of the State of Illinois in Congress by the clerk of this house.

Mr. BROWN presented a petition of the Union Veteran Republican Club of Lincoln, Nebr., praying for the enactment of legislation granting a pension of $1 per day to soldiers of the Mexican and civil wars, which was referred to the Committee on Pensions.

He also presented a petition of Local Lodge No. 739, Benevolent and Protective Order of Elks, of Plattsmouth, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BOURNE presented a joint memorial of the legislature of Oregon, which was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 1, petitioning Congress to favor the extension of the service now established and in operation from New York to Colon to all Pacific coast points, etc., with the original thereof, together with the indorsements thereon, filed in the office of the secretary of state of the State of Oregon on the

16th day of March, 1909, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 17th day of March, A. D. 1909.

[SEAL.] F. W. BENSON,
Secretary of State.

Senate joint memorial 1.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the legislative assembly of the State of Oregon, respectfully represent that—

Whereas there is great need of transportation competition on the Pacific coast via the Isthmus of Panama for the use and benefit of the producers and consumers of the entire Pacific coast; and

Whereas the Government of the United States has established and is maintaining from points on the Atlantic coast to the city of Colon, on the Isthmus of Panama, a line of steamships operated in connection with the Panama Railroad; and

Whereas because of recent advances in transcontinental railroad freight rates the freight tolls into and out of the State of Oregon and into and out of other Pacific coast States have been advanced so that several millions of dollars per annum will be exacted from the producers and consumers of this section by reason of said advance, and that this action on the part of the railroads results not only in the levy of an enormous additional tax, but also necessarily restricts the output of our fisheries and manufactures and the sales of the products of the farm and orchard: Therefore be it

Resolved, First. That your memorialists favor the extension, at as early date as possible, of the service now established and in operation from New York to Colon to all Pacific coast points in order that relief both in rates and in additional facilities may be afforded to the manufacturers, merchants, and producers of the Pacific coast.

Second. That we favor the passage of the bill introduced in Congress by Representative MCLACHLAN, of California, having for its purpose the establishing and operating of a through line of steamers in conjunction with the Panama Railroad from all Atlantic coast ports to all Pacific coast ports.

Third. That in the event this is found impracticable or that there will be unusual delay, we favor the establishment of an American-owned and American-manned line of steamships between all Atlantic ports, said line to be assisted in its establishment and maintenance by the department of the General Government in all lawful ways.

Fourth. That this memorial be forwarded to our Senators and Representatives in Congress, with the request that they present the same and that they exert all possible efforts to have the wishes of this State as contained in this memorial carried out, and that they be further requested to present a copy of these resolutions to the President of these United States and to the Secretary of War.

Passed the House March 15, 1909.

C. N. MCARTHUR,
Speaker of the House.

Passed the senate March 15, 1909.

JAY BOWERMAN,
President of the Senate.

Indorsements: Senate joint memorial No. 1. William H. Barry, chief clerk. Executive department, State of Oregon. Received March 16, 1909. Filed March 16, 1909. F. W. Benson, secretary of state.

Mr. BOURNE presented a petition of the Chamber of Commerce of Seattle, Wash., and a petition of the Chamber of Commerce of San Francisco, Cal., praying for the establishment of a line of steamships from the Pacific coast ports to Panama, which were referred to the Committee on Interoceanic Canals.

Mr. KEAN presented the petition of S. Wegner, of Bound Brook, N. J., praying for the repeal of the duty on lumber, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Summit, N. J., praying for the appointment of a permanent tariff commission, which was referred to the Committee on Finance.

He also presented a memorial of Local Division No. 688, Brotherhood of Locomotive Engineers, of Elizabeth, N. J., remonstrating against the appointment of a permanent tariff commission, which was referred to the Committee on Finance.

Mr. NIXON presented a petition of sundry citizens of Nevada, praying for the imposition of a protective duty on zinc ores, which was referred to the Committee on Finance.

Mr. JONES presented a joint memorial of the legislature of Washington, which was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed in the RECORD, as follows:

House joint memorial 6.

To the honorable Senate and House of Representatives in Congress assembled:

Whereas state road No. 5 has been located in the State of Washington, which road, when completed, will afford communication between Chehalis, in Lewis County, and North Yakima, in Yakima County, in said State; and

Whereas in Yakima County said road has been completed to the east line of the forest reserve, and a large portion of said road has been built in Lewis County, west of said reserve; and

Whereas said road as laid out and constructed passes through the Rainier Forest Reserve, as follows:

Beginning on the east boundary of the Rainier Forest Reserve on the west boundary of township 12 north, range 7 east, Willamette meridian, Washington, near the bank of the Cowlitz River, and running thence up the Cowlitz River and its tributaries to the Carlton Pass, in the summit of the Cascade Mountains; thence down Bumping River and the Natchez River to the east boundary of said forest reserve on the east boundary of township 16 north, range 14 east, Willamette meridian, Washington; and

Whereas said road so passing through said reserve will be of great benefit and convenience in the inspection and preservation of the forests, and will also relieve the Government from the expense of constructing roads or trails through said reserve;

Therefore, your memorialists, the members of the eleventh legislative session assembled of the State of Washington, hereby most respectfully urge that said road be constructed through said forest reserve at the expense of the Government of the United States.

And your memorialists will ever pray.

Yours, truly,

J. E. LEONARD.

Mr. JONES presented a memorial of the Merchants' Protective Association, of Elma, Wash., remonstrating against the imposition of a duty on coffee, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Washington, remonstrating against the removal of the duty on coal, which was referred to the Committee on Finance.

Mr. BURTON presented a petition of sundry citizens of Ohio, praying for a reduction of the duty on wool, which was referred to the Committee on Finance.

Mr. JOHNSON of North Dakota. I present a memorial of the legislature of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Finance.

Mr. CULBERSON. I suggest that a memorial from the legislature of a State ought to be read and not merely printed in the RECORD.

Mr. JOHNSON of North Dakota. I should be glad to have the memorial read.

The VICE-PRESIDENT. Without objection, the memorial will be read. No objection is heard.

The memorial was read and referred to the Committee on Finance, as follows:

Concurrent resolution.

Whereas the present tariff system has created conditions in the United States which need to be remedied, especially in such cases where it has brought a number of necessities of life under the absolute control of a small number of unprincipled trust magnates, we believe in a wise and adequate reduction; but

Whereas the tariff rates now existing for the protection of farm products have proven to be highly beneficial to all agricultural States: Now, therefore, be it

Resolved by the senate of the State of North Dakota (the house of representatives concurring), That our congressional delegation be respectfully requested to use all honorable means to have the present tariff rates on all farm products retained.

I hereby certify that the above resolution originated in the senate and was concurred in by the house of representatives of the eleventh legislative assembly of the State of North Dakota.

JAMES W. FOLEY, *Secretary.*

Mr. CRAWFORD. I present a joint resolution of the legislature of South Dakota.

Mr. CULBERSON. I ask that the joint resolution be read. I desire to say in explanation of my insistence that these resolutions be read that, without reference to the merits of the resolutions themselves, we owe a certain respect to the legislatures of the States of the Union in having them read and entered at length in the RECORD. I insist that such resolutions shall be read.

There being no objection, the joint resolution was read and referred to the Committee on Finance, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 17, as passed by the legislature of 1909 of the State of South Dakota, with all the indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 25th day of February, 1909.

[SEAL.] SAMUEL C. POLLEY,
Secretary of State.

House joint resolution.

A joint resolution memorializing Congress to maintain and increase the tariff upon wool.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

Whereas foreign competition in the wool market is so strong that the price of wool in the United States is frequently reduced below the price of production and a great and profitable industry is crippled thereby; and

Whereas it is with proper protection perfectly possible for the farmers of the United States to not only supply the entire American demand for wool, but to, as well, produce large quantities for exportation: Therefore,

Resolved, That the legislature of the State of South Dakota hereby petitions the Congress of the United States to maintain the tariff upon wool in the revision of the tariff schedules now in contemplation.

Mr. CRAWFORD. I present a joint resolution of the legislature of South Dakota, which I ask may be read and referred to the Committee on Indian Affairs.

There being no objection, the joint resolution was read and referred to the Committee on Indian Affairs, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota, and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 8 as passed by the legislature of 1909, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 2d day of February, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

A joint resolution memorializing Congress to open Indian reservations in South Dakota.

Be it resolved by the house of representatives (the senate concurring):

Whereas over 10,000,000 acres of fine agricultural land in the west half of the State is Indian reservation, unimproved and undeveloped, and so situated as to retard greatly the development of territory already opened to settlement in the west half of the State; and

Whereas the opening of the land would benefit the Indians, would be the home of thousands of settlers, and would materially add to the revenues of the State:

We therefore submit to our United States Senators and Members of Congress the advisability of causing such treaties to be made with the Indians on each of the reservations within this State, and the enactment of such laws as will open all, or as much as possible, of the territory embraced in these reservations with the utmost dispatch.

Mr. CRAWFORD. I present a joint resolution of the legislature of South Dakota, which I ask may be read and referred to the Committee on Military Affairs.

There being no objection, the joint resolution was read and referred to the Committee on Military Affairs, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

UNITED STATES OF AMERICA, *State of South Dakota:*

I, Samuel C. Polley, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 12 as passed by the legislature of 1909, together with all indorsements thereon and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 9th day of February, 1909.

[SEAL.]

SAMUEL C. POLLEY,
Secretary of State.

House joint resolution.

A joint resolution and memorial requesting the Congress of the United States to make Fort Meade, S. Dak., a brigade post, with permanent brick or stone barracks, officers' quarters, and other buildings.

Be it resolved by the house of representatives of the State of South Dakota (the senate concurring):

Whereas Fort Meade is centrally located with reference to all the Indian reservations in North and South Dakota, Montana, and Wyoming, upon which there are quartered about 40,000 uncivilized Indians; and

Whereas Fort Meade is the only military post in South Dakota, and the only post in the whole Northwest possessing the required strategic advantages to exercise surveillance over the Indians and afford proper protection to the property and people of this rich and rapidly developing country; and

Whereas the lines of railroad now in operation offer transportation facilities over four lines in four different directions, forming a basis for military movements, enabling troops to quickly reach any point of trouble; and

Whereas Fort Meade has a large timber reservation with the Black Hills Forest Reserve, upon which there is pine timber and an abundant supply of pure mountain spring water, and also a military reservation, 2 miles by 6 miles, in area, with all available adjoining land needed for the requirements of a brigade post, which collectively would include the level and rolling prairie, open and wooded streams of water, bluffs and brakes, bare hills and timbered mountains, offering all practicable varieties of country for maneuvers; and

Whereas the hospital records show that the pure, malaria-free, bracing climate renders Fort Meade the healthiest post garrisoned in America; and

Whereas Fort Meade is in process of rebuilding as a two-squadron cavalry post, there having been built in the past six years brick and stone barracks for eight troops, hospital, post exchange, line and field officers' quarters, noncommissioned officers' quarters, bakery, powder magazine, stables, fire station, water system and concrete reservoir, sewer system and stable drain, macadamized roads and cement walks, electric-light wiring, and other permanent improvements, modern and up-to-date and costing over $600,000: Therefore be it

Resolved, That we favor, and earnestly urge the Congress of the United States by proper enactment to designate, Fort Meade as a brigade post and provide for the erection of additional barracks, quarters, and other structures ample and suitable for the proper garrison thereof: And be it further

Resolved, That we request our Senators and Representatives in Congress to employ their best efforts to compass this end.

Mr. SHIVELY presented petitions of Local Lodge No. 1077, of Greencastle; of Local Lodge No. 560, of Frankfort; of Local Lodge No. 368, of Elwood; of Local Lodge No. 981, of East Chicago; of Local Lodge No. 270, of New Albany; of Local Lodge No. 155, of Fort Wayne; and of Local Lodge No. 235, of South Bend, all of the Benevolent and Protective Order of Elks, in the State of Indiana, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of the Tell City Improvement Association, of Tell City; the Commercial Club of Lawrenceburg; the Commercial Club of Michigan City; and the Coal Exchange of Jeffersonville, all in the State of Indiana, praying that an appropriation of $50,000,000 be made for the improvement of the inland waterways of the country, which were referred to the Committee on Commerce.

Mr. CLAPP. I present a joint resolution of the legislature of the State of Minnesota for reading and reference.

There being no objection, the joint resolution was read and referred to the Committee on Commerce, as follows:

Joint resolution.

Whereas fallen trees and tree tops and sand bars and other obstructions which have gathered and formed around and about the same at many and various places in the channel of the lower Minnesota River seriously clog the channel thereof, and seriously impede and practically make impossible the natural navigation thereof, and operate to destroy navigation thereof and the natural commerce thereon, and, moreover, in the seasons of the high waters thereof necessarily cause numerous destructive overflows of said river, at many and various places and in many and various localities in the valley thereof, destroying annually hundreds of thousands of dollars' worth of the cultivated crops of the valley thereof; and

Whereas it is supremely necessary and of paramount importance that said obstructions be early and effectively removed from the channel of said river in order to promote the natural and profitable navigation thereof and develop the natural commerce thereon and in order to prevent, and such removal is necessary to prevent, the annual, frequent, and destructive overflows thereof, as aforesaid, and in order to prevent the great annual loss and damage inflicted upon the settlers along said river valley resulting from the overflows of the said river and which are caused by the obstructions above referred to; and

Whereas the said river and the channel thereof, and the care thereof, are under the jurisdiction of the United States Government, said river being classed as navigable: Therefore be it

Resolved by the house of representatives (the senate concurring), That our Representatives in Congress be, and they hereby are, requested and urged to forthwith use their influence and utmost endeavor, without delay, to secure from the Congress of the United States authority for the use of, and appropriation necessary for the early use of government dredges and snag boats sufficient and adequate for the purpose of the early and complete removal from the channel of the said river of all sand bars and other obstructions therein materially obstructing or impeding or preventing or making impracticable the natural navigation thereof or materially injurious to the natural commerce thereon or which necessarily cause the destructive overflows: And be it further

Resolved, That an authenticated copy hereof be mailed to each of our said Representatives.

ADOLPH O. EBERHARD,
Lieutenant-Governor.
A. J. ROCKNE, *Speaker.*

Adopted by the house of representatives February 17, 1909.

ARCHIBALD H. VERNON,
Chief Clerk.

Adopted by the senate February 18, 1909.

GEO. W. PEACHEY, *Secretary.*

Mr. CLAPP. I present a joint resolution of the legislature of Minnesota, which I ask may be read and referred to the Committee on Commerce.

There being no objection, the joint resolution was read and referred to the Committee on Commerce, as follows:

Whereas for the transportation development of the great industrial interior of the continent of North America, nature has provided, on the one hand, the Great Lakes chain, which is the greatest inland sea in the world, and, on the other hand, the Mississippi River and tributaries, which have no equal as natural transportation channels, for a great internal commerce;

Whereas the freight tonnage shipped from the port of Duluth-Superior exceeds that of New York, or any other American port, while the net tonnage passing from Lake Superior through the Soo Canal is three times that which passes through the Suez Canal in the trade between Europe and the Orient, and the Great Lakes fleet is the greatest merchant fleet which floats the American flag;

Whereas Minnesota produces and ships to eastern furnaces annually, close upon 30,000,000 tons of iron ore, which exceeds one-half of the iron-ore product of America and one-fourth that of the world, and whereas this iron ore should be converted into iron and steel by Minnesota labor on Minnesota soil for distribution throughout the Mississippi Valley and westward, and a great industrial plant for such purpose is now being established at Duluth;

Whereas Minnesota and the near-by upper Mississippi Valley States of Wisconsin, Iowa, Nebraska, North and South Dakota annually produce about 300,000,000 bushels of wheat and 900,000,000 bushels of corn, oats, and other coarse grains, besides a vast tonnage of flour, lumber, live stock, and dairy products, much of which seeks transportation to the markets of the world; and

Whereas the Great Lakes system, which connects with the Atlantic seaboard, and the Mississippi River, which flows to the Gulf of Mexico, have their common source in Minnesota, the tributaries of the upper Mississippi extending within 50 miles of Lake Superior, and the union of the Great Lakes and Mississippi watersheds by canalization would make the greatest internal waterway of the world: Therefore be it

Resolved by the house of representatives (the senate concurring), That it is the sense of the legislature of Minnesota that the commerce of this great lake and river should be connected by a national waterway canal;

Resolved, That such waterway is of the greatest importance to this State and Nation, and we hereby pledge the cooperation of the Commonwealth of Minnesota with our Federal Government in the construction of such canal and in canalizing the upper Mississippi River;

Resolved further, That our delegation in Congress be, and is hereby, urged to impress upon Congress the necessity for immediate action in

constructing such canal, and that a copy of these resolutions be sent to each Senator and Representative from this State.

Adopted by the house of representatives March 11, 1909.

ARCHIBALD H. VERNON,
Chief Clerk.

Adopted by the senate March 16, 1909.

GEO. W. PEACHEY,
Secretary of Senate.

Mr. CLAPP presented a memorial of granite companies of St. Cloud, Rockville, Granite City, and East St. Cloud, all in the State of Minnesota, remonstrating against a reduction of the duty on granite and granite products, which was referred to the Committee on Finance.

Mr. WETMORE. I present a resolution of the legislature of Rhode Island, which I ask may be read and referred to the Committee on Commerce.

There being no objection, the resolution was read and referred to the Committee on Commerce, as follows:

STATE OF RHODE ISLAND, IN GENERAL ASSEMBLY,
January Session, A. D. 1909.

Resolution requesting the Senators and Representatives in Congress to urge Congress to make an appropriation of $40,000 to reimburse the State of Rhode Island and the town of New Shoreham for expenditures in opening, keeping, and protecting the breachway at Great Salt Pond, Block Island.

Whereas the town of New Shoreham has expended the sum of $40,000 in causing the breachway or channel existing between the Great Salt Pond, in said town, and the sea to be opened and in keeping and protecting such breachway so opened in accordance with the provisions of chapter 1289 of the public laws, entitled "An act to encourage and protect the fishing industries of the State," passed by the general assembly at its January session, A. D. 1894, and chapter 1435 of the public laws, entitled "An act to complete and protect the breachway at Great Salt Pond, Block Island," passed by the general assembly at its January session, A. D. 1895; and

Whereas the sum of $40,000 so expended by said town was borrowed by said town of New Shoreham from the State of Rhode Island upon the promissory notes of said town for the aggregate sum of $40,000; and

Whereas the State of Rhode Island, by the resolution passed by the general assembly at its January session, A. D. 1908, canceled the indebtedness represented by notes for the sum of $15,000 then past due and caused said notes for said sum of $15,000 to be canceled and surrendered up to the town treasurer of the town of New Shoreham; and

Whereas by reason of the opening of said breachway or channel and the maintenance and protection of said breachway said Great Salt Pond has become an important national harbor of refuge for vessels engaged in the coasting trade and in the fishing industries of New England, and the expenditures made by the town of New Shoreham as aforesaid have inured to the advantage of the coastwise commerce of the United States: Therefore, be it

Resolved, That this general assembly requests the Senators and Representatives from this State in the Congress of the United States to urge the appropriation by Congress of the sum of $25,000 to reimburse the town of New Shoreham for the expenditures made by it in opening, keeping, and protecting said breachway, and the further sum of $15,000 to reimburse the State of Rhode Island for the amount loaned upon the notes of the town of New Shoreham canceled by the State as aforesaid.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, March 16, 1909.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly of the State of Rhode Island on the 16th day of March, A. D. 1909.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.]

CHARLES P. BENNETT,
Secretary of State.

Mr. GAMBLE presented a petition of Local Lodge 7089, Benevolent and Protective Order of Elks, of Mitchell, S. Dak., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. CARTER. I present senate joint memorial No. 5 of the legislature of Montana, favoring the donation of 150,000 acres of public land to the state penitentiary of Montana, 150,000 acres in aid and on account of the state insane asylum, and 150,000 acres of public land in aid and on account of the state orphans' home. I ask that the joint memorial be printed in the RECORD and referred to the Committee on Territories.

There being no objection, the joint memorial was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas it was the manifest intention of Congress when the Territory of Montana was admitted into the Union as a State to set aside and donate public lands to aid in the establishment of all public institutions, following a long-established precedent; and

Whereas through oversight and inadvertence no donation was made on account of the state penitentiary, the state asylum for the insane, nor the orphans' home, as was the case in other States: Now therefore be it

Resolved, That we, your memorialists, petition and earnestly urge that there be set aside and donated out of and from the unappropriated lands of the United States lying and being within the borders of the State of Montana 150,000 acres in aid and on account of the state penitentiary of Montana, 150,000 acres in aid and on account of the asylum for the insane, and 150,000 in aid and on account of the orphans' home: Be it further

Resolved, That the secretary of state be, and is hereby, instructed to forthwith transmit copies of this memorial, properly authenticated, to the Secretary of the Interior and to our Senators and Representatives in Congress.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 10, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 10, 1909, at 2 o'clock p. m.

A. N. YODER,
Secretary of State.

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above and foregoing is a true and correct copy of the senate joint memorial No. 5, enacted by the eleventh session of the legislative assembly of the State of Montana and approved by Edwin L. Norris on the 10th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.]

A. N. YODER,
Secretary of State.

Mr. CARTER. I present senate concurrent resolution No. 1 of the legislature of Montana, praying for the improvement of the Missouri River, the Yellowstone River, or the Red River of the North.

I ask that the concurrent resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the concurrent resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 1.

Whereas the National Rivers and Harbors Congress has asked that provision be made for $500,000,000 to be expended for the development of the navigable waterways of the United States; and

Whereas it has been publicly announced by a high and well-informed official of the United States that a sum of about $275,000,000 has already been appropriated and authorized to be expended upon works now undertaken and to be hereafter completed on the rivers and harbors of the United States; and

Whereas none of said $275,000,000 is being expended on the 1,600 miles of the navigable Missouri River above Sioux City; and

Whereas the report of the Board of Engineers for Rivers and Harbors recommends the improvement of the Missouri River below Sioux City (which is concurred in by the United States engineers), and its estimate provides for the general improvement of the Missouri River below Sioux City, Iowa, of which sum $2,000,000 is to be expended annually upon the Missouri River from Kansas City to St. Louis; and

Whereas no estimates have been made for the general improvement of the Missouri River above Sioux City, Iowa, or the Yellowstone River or the Red River of the North; and

Whereas no money is being expended nor has provision been made to expend any part of the aforementioned $275,000,000 within the States of North Dakota, South Dakota, and Montana; and

Whereas the United States engineers' estimate, submitted to the Chief of Engineers and through him submitted to the present Congress, makes practically no provision for any expenditure for the improvement or snagging of the upper Missouri River above Sioux City or the Yellowstone River in North Dakota and Montana; and

Whereas commerce carried on these streams during the year 1908 in the localities mentioned exceeds that of the Missouri River below Sioux City; Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That our Senators and Representative in Congress be requested to immediately obtain proper estimates through the War Department of the requirements for the permanent general improvement of the Missouri River between Sioux City, Iowa, and Fort Benton, Mont., and the Yellowstone River between its mouth and Terry, Mont., and on the Red River of the North between Fargo, N. Dak., and the international boundary line, and for the specific improvement and the revetment of the river banks at several points, namely, in the vicinity of Judith, Frazier, and Mondak, Mont., and other places where caving banks menace river craft and destroy the channel; and that they be requested to obtain suitable appropriations from the present Congress wherewith to make these specific improvements promptly, and, in the event of there being no river and harbor bill, they be requested to secure adequate appropriations for these specific improvements through some other measure, so as to maintain the channel of these rivers for the purpose of protecting and providing for the present and continually increasing commerce thereon.

Resolved, That a certified copy of this resolution be sent to our Senators and Representative in Congress.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 6, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 6, 1909, at 3.30 o'clock p. m.

A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate concurrent resolution No. 1, enacted by the eleventh session of the legislative assembly of the State of Montana and approved by Edwin L. Norris, governor of said State, on the 6th day of March, A. D. 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.]

A. N. YODER,
Secretary of State.

Mr. CARTER. I present a joint resolution No. 6 of the legislature of Montana, praying for the establishment of a new division of the Railway Mail Service, to include the States of Oregon, Washington, Idaho, and Montana and the Territory of Alaska, to be known as "division No. 13." I ask that the joint resolution be printed in the RECORD and referred to the Committee on Post-Offices and Post-Roads.

There being no objection, the joint resolution was referred to the Committee on Post-Offices and Post-Roads and ordered to be printed in the RECORD, as follows:

Senate joint resolution 6.

Whereas the present postal divisions of the Railway Mail Service now established in the Northwest are of that size that proper and convenient consideration can not be given to all of the territory, the same being composed of part of the eighth and part of the tenth Railway Mail Service divisions, the headquarters of the former being at San Francisco, Cal., and the latter at St. Paul, Minn.; and

Whereas it appears from all of the evidence at hand that it would be extremely desirable that a third division be formed of portions of the said two divisions, to wit, Alaska, Oregon, Idaho, Washington, and Montana, the same to constitute Railway Mail Service Division No. 13: Therefore

We, the senate (the house concurring), most earnestly and respectfully pray that an act of Congress be passed creating a new division of the Railway Mail Service, consisting of the States of Oregon, Washington, Idaho, and Montana and the Territory of Alaska; and

The secretary of state of Montana is hereby directed to send a copy of this petition to the Congress of the United States.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 6, 1909. EDWIN L. NORRIS, *Governor.*

Filed March 6, 1909, at 3.30 o'clock p. m.
A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint resolution No. 6, enacted by the eleventh session of the legislative assembly of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 6th day of March, 1909.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 19th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. CARTER. I present a senate substitute for house concurrent resolution No. 6, of the legislature of Montana, relating to the classification of the mineral lands within the land grant of the Northern Pacific Railroad Company. I ask that the concurrent resolution be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the concurrent resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate substitute for house concurrent resolution 6.

To the honorable Senate and House of Representatives in Congress assembled:

Whereas a bill was passed by Congress providing for the classification of the mineral lands in the Northern Pacific land grant, and where a classification was pretended to be made by certain officials known as "mineral-land commissioners;" and

Whereas investigation of the work of such mineral-land commissioners by special field officials of the Interior Department discloses the fact that said former so-called "mineral-land classification" was unscientific, worthless, and made without full knowledge of the lands within the Northern Pacific land grant, and to the detriment of the Government and public; and

Whereas such investigation has shown such pretended classification to be inaccurate and devoid of merit; and

Whereas as a result of an investigation by the Interior Department of less than 30 per cent of the complaints so far made nearly 20,000 acres of mineral land has been restored to the Government; and

Whereas a proper and just classification of the mineral land of Montana is of vital interest to the miners and prospectors of the State, and involves mineral lands of untold millions of value: Now therefore be it

Resolved by the legislative assembly of the State of Montana (the senate concurring), That we humbly petition and request of the National Congress that it pass an act providing for a just, honest, and thorough mineral reclassification of all lands of the State of Montana within the Northern Pacific land grant.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 4, 1909. EDWIN L. NORRIS, *Governor.*

Filed March 4, 1909, at 11.05 o'clock p. m.
A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate substitute for house concurrent resolution No. 6, enacted by the eleventh session of the legislative assembly of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 4th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. BRIGGS presented a petition of the Verona Chemical Company, of Newark, N. J., praying for an increase in the proposed duty on saccharine, which was referred to the Committee on Finance.

He also presented a petition of the Verona Chemical Company, of Newark, N. J., praying for an increase of the duty on vanillin, and that cloves be placed on the free list, which was referred to the Committee on Finance.

He also presented a petition of Campbell, Merrell & Co., of Passaic, N. J., praying that gypsum be placed on the free list, which was referred to the Committee on Finance.

He also presented a petition of the J. & S. S. Thompson Company, of Elizabeth, N. J., praying for the repeal of the tariff on crude gypsum rock, which was referred to the Committee on Finance.

He also presented a petition of Stengal & Rothschild, of Newark, N. J., praying that raw hides be placed on the free list, which was referred to the Committee on Finance.

He also presented a petition of the Robertson Art Tile Company, of Trenton, N. J., praying for the retention of paragraph 83 of the proposed tariff law, relating to the duty on tiles, which was referred to the Committee on Finance.

He also presented a petition of J. C. Mahlan, of Ridgewood, N. J., praying for the adoption of certain changes in Schedule G of the present tariff law relating to the duty on currants, dates, citron, almonds, etc., which was referred to the Committee on Finance.

He also presented a memorial of Richard Meyer, of New Durham, N. J., remonstrating against the proposed reduction of the duty on leather used in the manufacture of pianofortes, which was referred to the Committee on Finance.

He also presented a memorial of Local Lodge No. 340, International Association of Machinists, of Newark, N. J., remonstrating against the reduction of the duty on iron and steel, which was referred to the Committee on Finance.

He also presented the memorial of John H. Stoddart, general manager of the New York Underwriters' Agency, of New York City, N. Y., remonstrating against the adoption of a federal inheritance tax, which was referred to the Committee on Finance.

Mr. BURKETT presented a petition of sundry lithographers of Omaha, Nebr., praying for an increase of the import duty on lithographic products, which was referred to the Committee on Finance.

Mr. DEPEW presented a memorial of the Chamber of Commerce of Gouverneur, N. Y., remonstrating against any reduction being made in the duty on paper, wood pulp, sulphite, and lumber, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Utica, N. Y., praying for the enactment of legislation providing for the improvement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

He also presented a petition of the Adirondack Lumber Manufacturers and Shippers' Association, of Utica, N. Y., praying for the enactment of legislation to insure the conservation of the Adirondack forest, which was referred to the Committee on Conservation of National Resources.

He also presented petition of sundry citizens of New York, praying for the imposition of a higher import duty on lithographic products, which were referred to the Committee on Finance.

Mr. STEPHENSON presented a memorial of the Menasha Paper Company, of Menasha; of the Grand Rapids Pulp and Paper Company; of the Nekoosa Edwards Paper Company, of Port Edwards; of the Nekoosa Edwards Paper Company, of Nekoosa; and of the Union Bag and Paper Company, of Kaukauna, all in the State of Wisconsin, remonstrating against the repeal of the duty on print paper, wood pulp, etc., which were referred to the Committee on Finance.

He also presented a petition of Local Lodge No. 665, Benevolent and Protective Order of Elks, of Marshfield, Wis., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of sundry lithographers of Wisconsin, praying for the imposition of a higher import duty on lithographic products, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Prairie du Chien, Wis., praying that an appropriation be made for the improvement and regulation of the Mississippi River in the vicinity of Prairie du Chien, which was referred to the Committee on Commerce.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. CULLOM:

A bill (S. 496) to amend an act approved January 5, 1905, entitled "An act to incorporate the American National Red Cross;" to the Committee on Foreign Relations.

A bill (S. 497) to renew and extend certain letters patent; and

A bill (S. 498) to renew and extend certain letters patent; to the Committee on Patents.

A bill (S. 499) making appropriation for expenses incurred under the treaty of Washington;

A bill (S. 500) for the relief of George Q. Allen; and

A bill (S. 501) for the relief of Lucy L. Bane; to the Committee on Claims.

A bill (S. 502) to create in the War and Navy departments, respectively, a roll to be known as the "civil war officers' annuity honor roll," to authorize placing thereon, with pay, certain surviving officers who served in the Volunteer or Regular Army, Navy, or Marine Corps of the United States in the civil war and who are not now on the retired list of the Regular Army, Navy, or Marine Corps, and for other purposes;

A bill (S. 503) to remove the charge of desertion from the military record of Edward Callan;

A bill (S. 504) authorizing the President to transfer First Lieut. George G. Craig, Medical Reserve Corps, United States Army, to the Medical Corps, United States Army, and place him on the retired list; and

A bill (S. 505) to correct the military record of Andrew Edgar; to the Committee on Military Affairs.

A bill (S. 506) for the relief of William Boldenweck, assistant treasurer of the United States at Chicago; to the Committee on Finance.

A bill (S. 507) granting an increase of pension to Benjamin E. Boyd;

A bill (S. 508) granting an increase of pension to George W. Clayton;

A bill (S. 509) granting an increase of pension to Asher M. Castle;

A bill (S. 510) granting an increase of pension to Marion Campbell;

A bill (S. 511) granting an increase of pension to Benjamin V. Carey;

A bill (S. 512) granting an increase of pension to James Clark;

A bill (S. 513) granting a pension to Charles Ames;

A bill (S. 514) granting an increase of pension to Nelson Arsnall;

A bill (S. 515) granting an increase of pension to Thomas Ashton;

A bill (S. 516) granting an increase of pension to Ira Bacon;

A bill (S. 517) granting an increase of pension to Laban S. Babbitt;

A bill (S. 518) granting an increase of pension to Joseph H. Bayles;

A bill (S. 519) granting an increase of pension to Ira Bell;

A bill (S. 520) granting an increase of pension to William T. Coleman;

A bill (S. 521) granting an increase of pension to Isaac B. Doolittle;

A bill (S. 522) granting an increase of pension to William Donegan;

A bill (S. 523) granting a pension to John Donnelly; and

A bill (S. 524) granting an increase of pension to Aaron V. Davis; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 525) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce;" to the Committee on Commerce.

A bill (S. 526) for the relief of the State of New Hampshire; to the Committee on Claims.

A bill (S. 527) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.; and

A bill (S. 528) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.; to the Committee on the Library.

A bill (S. 529) to provide for a term of the circuit and district courts at Keene, N. H.; to the Committee on the Judiciary.

A bill (S. 530) to amend an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and the acts supplementary thereto, so as to extend the benefits thereof to the District of Columbia; to the Committee on Agriculture and Forestry.

A bill (S. 531) to further protect the public health, and imposing additional duties upon the Public Health and Marine-Hospital Service; to the Committee on Public Health and National Quarantine.

A bill (S. 532) to correct the military record of Mirrick R. Burgess; to the Committee on Military Affairs.

By Mr. STEPHENSON:

A bill (S. 533) for the erection of a public building at Milwaukee, Wis.; to the Committee on Public Buildings and Grounds.

A bill (S. 534) granting a pension to John Sherwood;

A bill (S. 535) granting a pension to Olive L. Thew;

A bill (S. 536) granting a pension to Rose A. Rowell; and

A bill (S. 537) granting an increase of pension to George W. Wait (with accompanying papers); to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 538) to amend sections 2586 and 2587 of the Revised Statutes of the United States, as amended by the acts of April 25, 1882, and August 28, 1890, relating to collection districts in Oregon; to the Committee on Commerce.

A bill (S. 539) to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon; to the Committee on Indian Affairs.

A bill (S. 540) granting a pension to Susan E. Baker; and

A bill (S. 541) granting an increase of pension to William F. Hodges; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 542) creating an additional division of the Railway Mail Service, with headquarters at Omaha, Nebr., and providing the necessary officials therefor; to the Committee on Post-Offices and Post-Roads.

A bill (S. 543) to amend section 15 of an act to amend the national banking laws, approved May 30, 1908; to the Committee on Finance.

A bill (S. 544) for the relief of the heirs of David W. Dodson, deceased; to the Committee on Indian Affairs.

A bill (S. 545) to remove the charge of desertion from the military record of Jacob Byers; to the Committee on Military Affairs.

A bill (S. 546) to correct the naval record of William Lewis Holland; to the Committee on Naval Affairs.

A bill (S. 547) granting an increase of pension to William P. Snowden;

A bill (S. 548) granting an increase of pension to Osmund Mikesell;

A bill (S. 549) granting an increase of pension to James Thompson;

A bill (S. 550) granting an increase of pension to Michael Denyant;

A bill (S. 551) granting an increase of pension to Asa J. Clother;

A bill (S. 552) granting an increase of pension to A. J. Snowden;

A bill (S. 553) granting a pension to Catherine Kelly;

A bill (S. 554) granting an increase of pension to Otis B. Smith;

A bill (S. 555) granting a pension to Catherine Mastick;

A bill (S. 556) granting an increase of pension to William Kelley;

A bill (S. 557) granting an increase of pension to John M. Bayley;

A bill (S. 558) granting an increase of pension to Milton H. Bates;

A bill (S. 559) granting an increase of pension to William H. Covert;

A bill (S. 560) granting an increase of pension to Samuel S. Peters;

A bill (S. 561) granting an increase of pension to Renbin P. McCutchen (with an accompanying paper);

A bill (S. 562) granting an increase of pension to Daniel B. Bailey (with accompanying papers);

A bill (S. 563) granting a pension to Elizabeth S. Reed (with an accompanying paper);

A bill (S. 564) granting a pension to Ida M. Smith; and

A bill (S. 565) granting an increase of pension to William C. Hudnall; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 566) providing for the purchase of a painting of Abraham Lincoln; to the Committee on the Library.

A bill (S. 567) increasing the pensions of army nurses; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 568) granting an increase of pension to Otis T. Simonds; to the Committee on Pensions.

A bill (S. 569) to pay Maj. Horace P. Williams amount found due him by Court of Claims; to the Committee on Claims.

By Mr. PILES:

A bill (S. 570) granting an increase of pension to Cassie Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. PAYNTER:

A bill (S. 571) granting a pension to Emma Coleman;

A bill (S. 572) granting a pension to William G. Mandeville; and

A bill (S. 573) granting a pension to Anna C. Hutchinson; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 574) to authorize J. W. Vance, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnil, D. H. Kemp, Sig Soloman, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., to construct a dam across the James River, in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river again to create electric power; to the Committee on Commerce.

By Mr. CLAY:

A bill (S. 575) for the relief of Eugene J. O'Conner and J. B. Schweers; to the Committee on Claims.

By Mr. TAYLOR:

A bill (S. 576) granting an increase of pension to Caloway G. Tucker; and

A bill (S. 577) granting a pension to Will H. Mullins; to the Committee on Pensions.

A bill (S. 578) to erect a post-office building in the city of Morristown, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 579) to correct the lineal and relative rank of certain officers of the United States Army and to prevent the recurrence of like cases by amending the act approved October 1, 1890, entitled "An act to provide for the examination of certain officers of the army and to regulate promotion therein" (with an accompanying paper); to the Committee on Military Affairs.

By Mr. RAYNER:

A bill (S. 580) for the relief of Samuel H. Walker; and

A bill (S. 581) to pay Leopold Luchs moneys laid out and expended by him in the improvement of a tract of ground in the District of Columbia, and for other purposes; to the Committee on Claims.

By Mr. SHIVELY:

A bill (S. 582) granting an increase of pension to Thomas B. Hedges;

A bill (S. 583) granting an increase of pension to Hugh Berryman;

A bill (S. 584) granting an increase of pension to John A. Clemans; and

A bill (S. 585) granting an increase of pension to William Runyan; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 586) granting a pension to William S. Davidson;

A bill (S. 587) granting an increase of pension to Snyder D. Freeland;

A bill (S. 588) granting an increase of pension to Charles T. Shepard;

A bill (S. 589) granting an increase of pension to Fidelana Whitehead;

A bill (S. 590) granting an increase of pension to David L. Smith;

A bill (S. 591) granting an increase of pension to Charles W. Sager;

A bill (S. 592) granting a pension to C. A. Bills; and

A bill (S. 593) granting a pension to Sarah A. Waite; to the Committee on Pensions.

By Mr. CULBERSON:

(By request) A bill (S. 594) for the relief of W. R. Trotter and others (with an accompanying paper); and

A bill (S. 595) for the relief of the estate of W. C. York; to the Committee on Claims.

By Mr. LA FOLLETTE:

A bill (S. 596) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission; to the Committee on Interstate Commerce.

A bill (S. 597) reserving from entry and sale the mineral rights to coal and other minerals mined for fuel, oil, gas, or asphalt upon or underlying the public lands of the United States, and providing for the entry of the surface of public lands underlaid with or containing coal or other minerals mined for fuel, oil, gas, or asphalt, and providing for the leasing of the mineral rights in such lands; to the Committee on Public Lands.

A bill (S. 598) providing for the valuation of the segregated coal and asphalt lands and the surplus lands in the Choctaw and Chickasaw nations and of the surplus lands in the Creek Nation, in the State of Oklahoma, and for the sale of the surface and the disposition of the mineral rights therein; and

A bill (S. 599) providing for the valuation of the segregated coal and asphalt lands in the Choctaw and Chickasaw nations, in the State of Oklahoma, and for the sale of the surface and the disposition of the mineral rights therein; to the Committee on Indian Affairs.

By Mr. BRIGGS:

A bill (S. 600) appropriating $10,000 to aid in the erection of a monument in memory of the late President James A. Garfield, at Long Branch, N. J.; to the Committee on the Library.

By Mr. CRAWFORD:

A bill (S. 601) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes; to the Committee on Interoceanic Canals.

A bill (S. 602) granting an increase of pension to Joel N. Shelton (with accompanying papers);

A bill (S. 603) granting an increase of pension to Hiram Statia (with accompanying papers);

A bill (S. 604) granting an increase of pension to Monroe Masterson (with accompanying papers); and

A bill (S. 605) granting an increase of pension to Jacob Buchman (with accompanying papers); to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 606) granting an increase of pension to William H. Hall (with accompanying papers); and

A bill (S. 607) granting an increase of pension to Frederick Fouce; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 608) correcting the military records of Charles T. Gallagher and Samuel H. Proctor (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 609) incorporating the National Institute of Arts and Letters; and

A bill (S. 610) incorporating the American Academy of Arts and Letters; to the Committee on the Judiciary.

A bill (S. 611) to restore to the active list of the United States Navy the name of Commodore Charles Plummer Perkins, United States Navy, retired; to the Committee on Naval Affairs.

By Mr. NELSON:

A bill (S. 614) to amend an act entitled "An act for the relief of Dewitt Eastman," approved January 8, 1909; and

A bill (S. 615) for the relief of Daniel Wells; to the Committee on Military Affairs.

A bill (S. 616) to amend section 8 of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," approved May 28, 1896, relative to the expense allowance of United States attorneys and assistants while absent from their official residences on official business;

A bill (S. 617) to authorize the issuance of special bench warrants in certain criminal cases;

A bill (S. 618) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended by the act of February 5, 1903;

A bill (S. 619) to provide an additional circuit judge for the eighth circuit; and

A bill (S. 620) to regulate the judicial procedure of the courts of the United States; to the Committee on the Judiciary.

A bill (S. 621) to amend sections 2325 and 2326 of the Revised Statutes of the United States; to the Committee on Public Lands.

A bill (S. 622) to increase the limit of cost for the acquisition of additional land for the site of the new post-office and court-house at Duluth, Minn.; to the Committee on Public Buildings and Grounds.

A bill (S. 623) authorizing national banking associations to make loans on real-estate security in certain cases; to the Committee on Finance.

A bill (S. 624) to amend an act entitled "An act authorizing the construction of additional light-house districts," approved June 26, 1886; to the Committee on Commerce.

A bill (S. 625) to amend an act entitled "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district," approved March 3, 1899; and

A bill (S. 626) to amend the act of Congress approved March 3, 1903, entitled "An act to amend section 1 of the act of Congress approved March 14, 1898, entitled 'An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska;'" to the Committee on Territories.

A bill (S. 627) to establish a fish-cultural station in the State of Minnesota; to the Committee on Fisheries.

A bill (S. 628) granting an increase of pension to Josephine Barnard;

A bill (S. 629) granting an increase of pension to Laura M. Hoard;

A bill (S. 630) granting an increase of pension to Henry F. Sanford;

A bill (S. 631) to amend the pension laws of the United States;

A bill (S. 632) granting an increase of pension to Charles J. Decker;

A bill (S. 633) granting an increase of pension to Harrison Sloggy; and

A bill (S. 634) granting an increase of pension to Daniel W. Ingersoll; to the Committee on Pensions.

By Mr. CLARK of Wyoming:

A bill (S. 635) for the relief of J. Blair Schoenfelt, former United States Indian agent, Union Agency, Okla.; to the Committee on Claims.

By Mr. GORE:

A bill (S. 636) making appropriation to defray expenses of delegates to the constitutional convention of the State of Oklahoma; to the Committee on Territories.

A bill (S. 637) for the distribution of the funds of the Five Civilized Tribes; to the Committee on Indian Affairs.

A bill (S. 638) authorizing national banking associations to conform to state laws levying a tax or assessment to secure depositors; to the Committee on Finance.

A bill (S. 639) granting a pension to Noah E. Curtis; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 640) authorizing the creation of a land district in the State of South Dakota to be known as the "Le Beau land district;" to the Committee on Public Lands.

A bill (S. 641) extending the provisions of existing pension laws to the officers and privates, their widows, children, and dependent parents, of the "Dakota Militia of 1862 and 1863;"

A bill (S. 642) to extend the benefits of the act of June 27, 1890, to the members of the company of Indian scouts under command of Brig. Gen. Alfred Sully in 1864 and 1865; and

A bill (S. 643) granting an increase of pension to Thomas E. Stanley; to the Committee on Pensions.

A bill (S. 644) to amend section 3 of an act entitled "An act to amend and further extend the benefits of the act approved February 8, 1887, entitled 'An act to provide for the allotment of land in severalty to Indians on the various reservations and to extend the protection of the laws of the United States over the Indians, and for other purposes;'" to the Committee on Indian Affairs.

By Mr. PERKINS:

A bill (S. 645) for the relief of Arthur G. Fisk (with an accompanying paper); and

A bill (S. 646) for the relief of the estate of Julius Jacobs (with an accompanying paper); to the Committee on Claims.

By Mr. HALE (by request):

A bill (S. 647) for the relief of Marion B. Patterson; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 648) granting an increase of pension to George W. Peters;

A bill (S. 649) granting an increase of pension to George Pierce;

A bill (S. 650) granting a pension to Cook Gamble;

A bill (S. 651) granting an increase of pension to George W. Hayden; and

A bill (S. 652) granting increase of pensions to survivors of the Indian wars under the acts of July 27, 1892, and June 27, 1902; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 653) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906;" to the Committee on Interstate Commerce.

A bill (S. 654) granting an increase of pension to Charles Richter;

A bill (S. 655) granting a pension to Alma C. Maxey;

A bill (S. 656) granting an increase of pension to Robert A. Hare;

A bill (S. 657) granting a pension to Emily A. Horsefield;

A bill (S. 658) granting an increase of pension to Joseph Robichaud;

A bill (S. 659) granting a pension to Regina Ebert;

A bill (S. 660) granting a pension to Julia Cooley;

A bill (S. 661) granting a pension to John Dillon;

A bill (S. 662) granting an increase of pension to Ezra R. Lathrop;

A bill (S. 663) granting an increase of pension to Merton Stancliff (with accompanying papers);

A bill (S. 664) granting an increase of pension to William Barlow (with accompanying papers);

A bill (S. 665) granting an increase of pension to Mitchell S. Barney (with accompanying papers);

A bill (S. 666) granting an increase of pension to Phillip Sutton (with accompanying papers);

A bill (S. 667) granting an increase of pension to William D. Lovelace (with accompanying papers); and

A bill (S. 668) granting an increase of pension to Charles H. Enos (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 669) granting an increase of pension to Samuel Radcliff;

A bill (S. 670) granting an increase of pension to Ira T. Belden (with accompanying papers);

A bill (S. 671) granting an increase of pension to Parley S. McCracken;

A bill (S. 672) granting an increase of pension to Henry Mott;

A bill (S. 673) granting an increase of pension to William H. Jones (with an accompanying paper);

A bill (S. 674) granting an increase of pension to Joshua B. Shumate;

A bill (S. 675) granting an increase of pension to Young S. Slater;

A bill (S. 676) granting an increase of pension to Soloman Kindt (with accompanying papers);

A bill (S. 677) granting an increase of pension to George D. Anderson;

A bill (S. 678) granting an increase of pension to J. C. Milton (with accompanying papers);

A bill (S. 679) granting an increase of pension to Charles H. Golden (with accompanying papers);

A bill (S. 680) granting an increase of pension to Harrison L. McGinness;

A bill (S. 681) granting an increase of pension to Edward J. O'Donnell;

A bill (S. 682) granting an increase of pension to John W. McDaniels;

A bill (S. 683) granting an increase of pension to William H. Scott;

A bill (S. 684) granting an increase of pension to Jacob Martin;

A bill (S. 685) granting a pension to Annie E. Shout (with accompanying papers); and

A bill (S. 686) granting an increase of pension to Henry C. Suess.

A bill (S. 687) granting an increase of pension to Calvin Gibbons;

A bill (S. 688) granting an increase of pension to W. M. Nace;

A bill (S. 689) granting an increase of pension to Armstead Fletcher;

A bill (S. 690) granting an increase of pension to Eli Lewis;

A bill (S. 691) granting an increase of pension to Eliot J. Hotton;

A bill (S. 692) granting an increase of pension to Hiram D. Brown;

A bill (S. 693) granting an increase of pension to Jonathan Emert;

A bill (S. 694) granting an increase of pension to Josiah C. Ury;

A bill (S. 695) granting an increase of pension to F. M. Ricards;

A bill (S. 696) granting a pension to Terressa Jane Hoyt (with an accompanying paper);

A bill (S. 697) granting an increase of pension to Simon B. Madden;

A bill (S. 698) granting an increase of pension to William E. Puett;
A bill (S. 699) granting an increase of pension to Harry E. Wagner;
A bill (S. 700) granting a pension to Catherine Madden;
A bill (S. 701) granting an increase of pension to Lyman Aldrich;
A bill (S. 702) granting an increase of pension to John L. Langdon;
A bill (S. 703) granting a pension to Mrs. John S. Brannan;
A bill (S. 704) granting a pension to A. C. Constant;
A bill (S. 705) granting an increase of pension to H. Clay Harman;
A bill (S. 706) granting a pension to Purdis Ludington;
A bill (S. 707) granting an increase of pension to Benjamin McElroy;
A bill (S. 708) granting an increase of pension to George E. Ray;
A bill (S. 709) granting a pension to Eliza P. Tagart;
A bill (S. 710) granting a pension to Alexander R. Banks;
A bill (S. 711) granting an increase of pension to Richard Burnside;
A bill (S. 712) granting an increase of pension to Richard H. Bartlett;
A bill (S. 713) granting a pension to Nancy L. Flew;
A bill (S. 714) granting an increase of pension to F. B. Fritz;
A bill (S. 715) granting an increase of pension to Charles Dreyer;
A bill (S. 716) granting an increase of pension to Josiah Wilcox;
A bill (S. 717) granting an increase of pension to Thomas S. White;
A bill (S. 718) granting an increase of pension to Charles Williams;
A bill (S. 719) granting an increase of pension to Norman A. Rupe (with an accompanying paper);
A bill (S. 720) granting an increase of pension to A. F. Wade;
A bill (S. 721) granting an increase of pension to John W. Riffe;
A bill (S. 722) granting an increase of pension to James M. Stanley;
A bill (S. 723) granting an increase of pension to George W. James;
A bill (S. 724) granting an increase of pension to Nat G. Buster;
A bill (S. 725) granting a pension to Emilie J. Raff;
A bill (S. 726) granting an increase of pension to John Brannan;
A bill (S. 727) granting an increase of pension to Almon Sparling;
A bill (S. 728) granting an increase of pension to Alfred Hemmant (with accompanying papers); and
A bill (S. 729) granting an increase of pension to Jesse F. Snow (with accompanying papers); to the Committee on Pensions.

By Mr. BURTON:
A bill (S. 730) for the relief of the several States under the act of July 8, 1898, and acts amendatory thereto; and
A bill (S. 731) for the relief of Mary Sherman McCallum; to the Committee on Claims.
A bill (S. 732) granting an increase of pension to Elizabeth P. Boggis;
A bill (S. 733) granting an increase of pension to A. H. Bash;
A bill (S. 734) granting an increase of pension to Edmund B. Updegrove;
A bill (S. 735) granting an increase of pension to Charles Reader;
A bill (S. 736) granting an increase of pension to Daniel W. Graham;
A bill (S. 737) granting a pension to Charles Keyerleber;
A bill (S. 738) granting an increase of pension to William D. Parlin;
A bill (S. 739) granting an increase of pension to John M. Fitzpatrick;
A bill (S. 740) granting an increase of pension to Alexander Bradley;
A bill (S. 741) granting an increase of pension to Charles Davis; and
A bill (S. 742) granting an increase of pension to Thomas Mulhall; to the Committee on Pensions.

By Mr. BURNHAM:
A bill (S. 743) granting a pension to Verona Harriman;
A bill (S. 744) granting an increase of pension to John B. Holt;
A bill (S. 745) granting an increase of pension to Augustus P. Horne;
A bill (S. 746) granting an increase of pension to Merrill Johnson;
A bill (S. 747) granting an increase of pension to John H. Johonnett;
A bill (S. 748) granting an increase of pension to Dana H. McDuffee;
A bill (S. 749) granting an increase of pension to Ransom Manning;
A bill (S. 750) granting an increase of pension to Charles W. Mansfield;
A bill (S. 751) granting an increase of pension to Hosea Q. Mason;
A bill (S. 752) granting an increase of pension to Charles W. Perley; and
A bill (S. 753) granting an increase of pension to Henry S. Perry; to the Committee on Pensions.

By Mr. SUTHERLAND:
A bill (S. 754) granting an increase of pension to Franklin Wilcox;
A bill (S. 755) granting an increase of pension to Henry W. Charter;
A bill (S. 756) granting an increase of pension to George W. Muncy;
A bill (S. 757) granting an increase of pension to Edwin Kerns;
A bill (S. 758) granting a pension to Samuel Garn;
A bill (S. 759) granting a pension to Persis M. McKee; and
A bill (S. 760) granting a pension to A. J. Staley; to the Committee on Pensions.

By Mr. WARNER:
A bill (S. 761) granting an increase of pension to John R. Wilson;
A bill (S. 762) granting an increase of pension to John H. Bird;
A bill (S. 763) granting an increase of pension to James M. Silvers;
A bill (S. 764) granting an increase of pension to Dollie Taylor;
A bill (S. 765) granting an increase of pension to Mary E. Wrigley;
A bill (S. 766) granting an increase of pension to Allen Davis;
A bill (S. 767) granting a pension to Catherine Wagener;
A bill (S. 768) granting a pension to Jacob Scott;
A bill (S. 769) granting a pension to George W. Morgan;
A bill (S. 770) granting a pension to Thomas Seal;
A bill (S. 771) granting a pension to James N. Snodgrass;
A bill (S. 772) granting an increase of pension to George T. Hayes;
A bill (S. 773) granting an increase of pension to William H. Howell;
A bill (S. 774) granting an increase of pension to Andrew Douglas;
A bill (S. 775) granting an increase of pension to Henry M. White;
A bill (S. 776) granting an increase of pension to Charles Muhlbach;
A bill (S. 777) granting an increase of pension to Austin Shinn;
A bill (S. 778) granting an increase of pension to Alvin Mitchell;
A bill (S. 779) granting an increase of pension to John H. Morrison;
A bill (S. 780) granting an increase of pension to David F. Johnson;
A bill (S. 781) granting an increase of pension to James Robinson;
A bill (S. 782) granting an increase of pension to Albert Slates;
A bill (S. 783) granting an increase of pension to John H. Poynter;
A bill (S. 784) granting an increase of pension to James M. Beal;
A bill (S. 785) granting an increase of pension to Collins South;
A bill (S. 786) granting a pension to Mary E. Williams;
A bill (S. 787) granting a pension to Mary Riffle;
A bill (S. 788) granting an increase of pension to Simeon Lesley;
A bill (S. 789) granting an increase of pension to Simeon K. Howe;
A bill (S. 790) granting an increase of pension to William S. Woodford;

A bill (S. 791) granting an increase of pension to Jacob Yoachum;
A bill (S. 792) granting a pension to Robert F. Jones;
A bill (S. 793) granting a pension to Sudie Hopkins;
A bill (S. 794) granting a pension to James A. Church;
A bill (S. 795) granting an increase of pension to Jerome N. Gesner;
A bill (S. 796) granting a pension to Michael Champlain;
A bill (S. 797) granting an increase of pension to George W. Wade;
A bill (S. 798) granting an increase of pension to Charles E. Collins;
A bill (S. 799) granting an increase of pension to Josiah U. Luyster;
A bill (S. 800) granting an increase of pension to Lee W. Putnam;
A bill (S. 801) granting an increase of pension to John Dixon;
A bill (S. 802) granting an increase of pension to Sylvester M. Johnson;
A bill (S. 803) granting an increase of pension to Gustavus Bishop;
A bill (S. 804) granting a pension to John F. Mitchell;
A bill (S. 805) granting a pension to Joseph B. Harriford;
A bill (S. 806) granting a pension to James P. Hopkins;
A bill (S. 807) granting a pension to Joseph K. Boone;
A bill (S. 808) granting an increase of pension to John P. Todhunter;
A bill (S. 809) granting a pension to William H. Thomas;
A bill (S. 810) granting a pension to John H. Priestley;
A bill (S. 811) granting a pension to Elizabeth P. Wethers;
A bill (S. 812) granting an increase of pension to Herman Schubert;
A bill (S. 813) granting a pension to Herman Ruch; and
A bill (S. 814) to amend section No. 3 of an act entitled "An act in amendment of sections 2 and 3 of an act entitled 'An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor and providing for pensions to widows, minor children, and dependent parents,' approved June 27, 1890," approved May 9, 1900; to the Committee on Pensions.
A bill (S. 815) for the relief of Sanger & Moody; to the Committee on Claims.
A bill (S. 816) to prevent the desecration of the American flag; to the Committee on the Judiciary;
A bill (S. 817) for the relief of Jacob John Locher;
A bill (S. 818) to empower the Secretary of War to allow burial of wives of deceased enlisted men in national cemeteries in the same graves as deceased soldiers; and
A bill (S. 819) to correct the military record of Rudolph Kraut; to the Committee on Military Affairs.

By Mr. NELSON:
A joint resolution (S. J. R. 6) authorizing the Secretary of War to award the congressional medal of honor to Guy C. Pierce and Thomas H. Nolan; to the Committee on Military Affairs.

By Mr. GORE:
A joint resolution (S. J. R. 7) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States; to the Committee on Privileges and Elections; and
A joint resolution (S. J. R. 8) proposing an amendment to the Constitution of the United States providing for the levy and collection of an income tax; to the Committee on Finance.

LODE CLAIMS IN ALASKA.

Mr. NELSON introduced a bill (S. 612) to modify the law pertaining to the acquisition and holding of lode claims in the district of Alaska, which was read twice by its title.

The VICE-PRESIDENT. The bill will be referred to the Committee on Mines and Mining.

Mr. KEAN. As I heard the title of the bill read it is in regard to Alaska, and it was referred to the Committee on Mines and Mining, whereas it ought to go to the Committee on Terriories.

Mr. CLARK of Wyoming. I somewhat doubt the judgment of the Senator as to that. It seems that it is a bill in regard to mines, and it should go to the Committee on Mines and Mining.

Mr. KEAN. The Committee on Territories has entire charge of all business relating to Alaska.

Mr. CLARK of Wyoming. That does not make any difference. I can see no more reason why this bill should go to the Committee on Territories than one relating to mines in New Mexico.

Mr. KEAN. I will only say to the Senator that it has been the custom to send all such bills to the Committee on Territories. I ask that the bill be referred to the Committee on Territories.

The VICE-PRESIDENT. The Chair had referred the bill to the Committee on Mines and Mining.

Mr. KEAN. I ask that the reference be changed to the Committee on Territories.

The VICE-PRESIDENT. The Senator from New Jersey asks that the bill be referred to the Committee on Territories. Is there objection?

Mr. DICK. Mr. President, I desire to lodge an objection against the request.

The VICE-PRESIDENT. Objection is made; and the bill will be referred to the Committee on Mines and Mining.

CONSERVATION OF TIMBER RESOURCES.

Mr. NELSON introduced a bill (S. 613) relating to the conservation of the timber resources of the United States, which was read twice by its title and referred to the Committee on Public Lands.

Mr. DOLLIVER. The bill appears to have been referred, by request of the Senator from Minnesota, to the Committee on Public Lands, whereas it would seem by its title to belong to the Committee on Conservation of National Resources. At least it would seem that if such a bill does not belong to the Committee on Conservation of National Resources, that committee would look in vain for any tangible jurisdiction.

The VICE-PRESIDENT. At the request of the Senator from Minnesota the bill was referred to the Committee on Public Lands.

Mr. NELSON. Mr. President, the bill involves the disposition of public lands. It was before the Committee on Public Lands at the last session, and I think it should now go to that committee, as it relates to the method of disposing of our public lands.

Mr. DOLLIVER. Very well.

TAXATION OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. SCOTT. I ask leave to withdraw the bill (S. 114) taxing real estate in the District of Columbia, which was introduced by me by mistake.

The VICE-PRESIDENT. No objection is heard, and the bill is withdrawn.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. NELSON submitted an amendment proposing to appropriate $80,000 for the purchase, condemnation, or otherwise of land desirable for a new site for the post-office and courthouse at Duluth, Minn., etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

He also submitted an amendment relative to furnishing meals and lodging for jurors in certain cases, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on the Judiciary and ordered to be printed.

He also submitted an amendment providing that hereafter the judges of the district courts of the United States shall be allowed the sum of $6 per day as expenses for traveling, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on the Judiciary and ordered to be printed.

COFFEE TRADE WITH CUBA.

Mr. DEPEW. I submit a resolution and ask for its present consideration.

The resolution (S. Res. 8) was read, as follows:

Senate resolution 8.

Resolved, That the Secretary of State be requested to transmit to the Senate of the United States all papers and correspondence between the Department of State and the Republic of Cuba in connection with the question of recognizing coffee roasted in the United States and exported to the Republic of Cuba, as being a product of the industry of the United States, so far as consistent with the public interests.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CULBERSON. I ask that the resolution be read again. It does not seem to be in accordance with the general practice.

Mr. DEPEW. I think it better that the resolution should go to the Committee on Cuban Relations.

The VICE-PRESIDENT. Without objection, the resolution will be referred to the Committee on Cuban Relations. No objection is heard.

MAJ. PIERRE CHARLES L'ENFANT.

Mr. RAYNER submitted the following concurrent resolution (S. C. Res. 2), which was referred to the Committee on Rules:

Senate concurrent resolution 2.

Resolved by the Senate (the House of Representatives concurring), That the Commissioners of the District of Columbia are hereby granted the use of the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles L'Enfant from the present resting place, the Digges farm, in Prince George County, Md., to Arlington

National Cemetery, where the remains will be reinterred; such use of the Rotunda to be for a part of one day, and to be on such day, and under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives.

Mr. CRANE subsequently, from the Committee on Rules, to whom was referred the foregoing concurrent resolution, reported it without amendment, and it was considered by unanimous consent and agreed to.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. GUGGENHEIM submitted the following resolution (S. Res. 7), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 7.

Resolved, That the Committee on the University of the United States be, and is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum.

HEARINGS BEFORE THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following resolution (S. Res. 11), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 11.

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee; that the committee may sit during the sessions or recesses of the Senate; and that the expense thereof be paid out of the contingent fund of the Senate.

PRINTING FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I submit the resolution which I send to the desk, and ask unanimous consent for its present consideration.

The resolution (S. Res. 9) was read, as follows:

Senate resolution 9.

Resolved, That authority is granted to print and bind, for the use of the Committee on the District of Columbia, such papers and documents as may be deemed necessary in connection with subjects heretofore considered or to be considered by said committee during the Sixty-first Congress.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KEAN. What is the resolution?

Mr. GALLINGER. It is the usual printing resolution.

Mr. CULBERSON. I ask the Senator from New Hampshire if, under the rules, the resolution ought not to go to the Committee on Printing, to examine into the probable cost of the proposed printing?

Mr. GALLINGER. The cost could not possibly be ascertained. Similar resolutions have been passed during the last five Congresses. The Committee on the District of Columbia has hearings from time to time, and the committee wishes the privilege of printing those hearings. It is an inconsequential matter. The committee has been in the habit of doing it for a long time.

Mr. CULBERSON. It is the customary resolution?

Mr. GALLINGER. Yes; it is the customary resolution.

Mr. CULBERSON. Under the circumstances I shall not object, but I understand the rule to be that if the cost of printing exceeds $500 the resolution must go to the Committee on Printing or to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GALLINGER. I will say to the Senator that the printing under the resolution will cost very much less than that; and in the very nature of things we could not anticipate the exact cost.

Mr. CULBERSON. The Senator is sure, however, that the cost of printing will be less than $500?

Mr. GALLINGER. I certainly can give the Senator that assurance.

Mr. CULBERSON. Very well; then it is within the rule.

The resolution was considered by unanimous consent and agreed to.

EDWARD A. KEELER.

Mr. CULLOM submitted the following resolution (S. Res. 10), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 10.

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place the name of Edward A. Keeler on the employees' roll of the Senate, to date from and after the passage of this resolution, at the rate of $1,440 per annum, to be paid out of the contingent fund of the Senate pending further provision by law, and that such employment be continued until otherwise ordered by the Senate.

THE CONGRESSIONAL RECORD.

The VICE-PRESIDENT laid before the Senate concurrent resolution 12 from the House of Representatives, which was referred to the Committee on Printing, as follows:

House concurrent resolution 12.

Resolved by the House of Representatives (the Senate concurring), That during the present session of Congress there shall be printed and allotted for distribution to each Member of the House of Representatives 40 copies and to each Senator 60 copies of the daily CONGRESSIONAL RECORD in addition to the number now provided by law, but no portion of said additional quota shall be reserved for binding.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, March 29, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 25, 1909.

ASSISTANT SECRETARY OF COMMERCE AND LABOR.

Ormsby McHarg, of North Dakota, to be Assistant Secretary of Commerce and Labor, vice William R. Wheeler, resigned.

COLLECTOR OF CUSTOMS.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio. To fill an existing vacancy.

AMBASSADOR TO ITALY.

John G. A. Leishman, of Pennsylvania, now ambassador extraordinary and plenipotentiary to Turkey, to be ambassador extraordinary and plenipotentiary of the United States of America to Italy, vice Lloyd C. Griscom, resigned.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Henry Clay Ide, of Vermont, to be envoy extraordinary and minister plenipotentiary of the United States of America to Spain, vice William Miller Collier, resigned.

Charles H. Sherrill, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Argentine Republic, vice Huntington Wilson, appointed Assistant Secretary of State.

UNITED STATES DISTRICT JUDGES.

Thomas R. Lyons, of Alaska, to be United States district judge, first division, district of Alaska, vice Royal A. Gunnison, whose term expired December 11, 1908.

Charles P. Orr, of Pennsylvania, to be United States district judge, western district of Pennsylvania. An additional appointment, authorized by the act of Congress approved February 26, 1909.

UNITED STATES ATTORNEYS.

Cornelius D. Murane, of Alaska, to be United States attorney, third division, district of Alaska, commencing July 1, 1909, under the provisions of the act of Congress approved March 3, 1909 (Public, No. 322).

George B. Curtiss, of New York, to be United States attorney for the northern district of New York. A reappointment, his term having expired on June 4, 1908.

Henry A. Wise, of New York, to be United States attorney for the southern district of New York, vice Henry L. Stimson, resigned.

William G. Wheeler, of Wisconsin, to be United States attorney for the western district of Wisconsin. A reappointment, his term having expired January 22, 1909.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Lieut. Col. Levi P. Hunt, Second Cavalry, to be colonel from March 23, 1909, vice Hickey, Fourteenth Cavalry, retired from active service.

Maj. Edwin P. Andrus, Third Cavalry, to be lieutenant-colonel from March 23, 1909, vice Hunt, Second Cavalry, promoted.

Capt. Daniel L. Tate, Third Cavalry, to be major from March 23, 1909, vice Andrus, Third Cavalry, promoted.

First Lieut. William H. Winters, Thirteenth Cavalry, to be captain from March 23, 1909, vice Tate, Third Cavalry, promoted.

INFANTRY ARM.

Capt. Walter H. Gordon, Eighteenth Infantry, to be major from March 23, 1909, vice Browne, Second Infantry, deceased.

Second Lieut. John McE. Pruyn, Fourteenth Infantry, to be first lieutenant from December 2, 1908, vice Hawkins, Twenty-seventh Infantry, promoted.

Second Lieut. Henry W. Fleet, Second Infantry, to be first lieutenant from December 9, 1908, vice Hegeman, Nineteenth Infantry, promoted.

Second Lieut. Francis H. Burr, Third Infantry, to be first lieutenant from December 11, 1908, vice Tarlton, First Infantry, retired from active service.

Second Lieut. John C. Ashburn, Fifth Infantry, to be first lieutenant from December 24, 1908, vice Hadsell, Nineteenth Infantry, promoted.

Second Lieut. Robert T. Phinney, Twelfth Infantry, to be first lieutenant from February 28, 1909, vice Feeter, Seventh Infantry, promoted.

Second Lieut. Hugh M. Kelly, Twenty-sixth Infantry, to be first lieutenant from March 6, 1909, vice Rains, Twentieth Infantry, dropped for desertion.

PROMOTIONS IN THE NAVY.

Commander Richard T. Mulligan to be a captain in the navy from the 11th day of March, 1909, vice Capt. Albert F. Dixon, deceased.

Lieut. Commander William H. G. Bullard to be a commander in the navy from the 25th day of February, 1909, vice Commander Henry C. Gearing, retired.

Ensign Darrell P. Wickersham to be a lieutenant (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade.

Lieut. (Junior Grade) Darrell P. Wickersham to be a lieutenant in the navy from the 2d day of February, 1909, to fill a vacancy existing in that grade on that date.

CHIEF JUSTICE, SUPREME COURT OF PORTO RICO.

José Conrado Hernandez, of Porto Rico, to be chief justice of the supreme court of Porto Rico, vice José Severo Quinones, deceased.

ASSOCIATE JUSTICE, SUPREME COURT OF PORTO RICO.

Emilio Toro y Cuevas, of Porto Rico, to be associate justice of the supreme court of Porto Rico, vice José Conrado Hernandez, nominated to be chief justice.

REGISTER OF THE LAND OFFICE.

John W. Miller, of Wisconsin, to be register of the land office at Wausau, Wis., his term having expired. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Minor S. Williams, of Minot, N. Dak., to be receiver of public moneys at Williston, N. Dak., vice Victor Chaffee, deceased, and John P. McDowell, temporary appointee.

POSTMASTERS.

ALABAMA.

Newman H. Freeman to be postmaster at Haleyville (late Haleysville), Ala. Office became presidential January 1, 1909, and to change name of office.

ILLINOIS.

William D. Hardy to be postmaster at Taylorville, Ill., in place of James R. Smith, resigned.

IOWA.

J. W. Jarnagin to be postmaster at Cedar Falls, Iowa, in place of Edward A. Snyder. Incumbent's commission expired December 14, 1907.

KANSAS.

Robert H. Montgomery to be postmaster at Oswego, Kans., in place of Jared C. Richcreek. Incumbent's commission expired December 14, 1908.

KENTUCKY.

Mike Hughes to be postmaster at Shelbyville, Ky., in place of Ludlow F. Petty, resigned.

MARYLAND.

William P. Miller to be postmaster at Forest Glen, Md. Office became presidential January 1, 1908.

MICHIGAN.

Cash B. Herman to be postmaster at Carleton, Mich. Office became presidential October 1, 1908.

MISSOURI.

Robert A. Booth to be postmaster at Buffalo, Mo., in place of Robert A. Booth. Incumbent's commission expired December 13, 1908.

Alexander T. Boothe to be postmaster at Pierce City, Mo., in place of Alexander T. Boothe. Incumbent's commission expired February 27, 1909.

James F. Rhea to be postmaster at Dixon, Mo. Office became presidential October 1, 1908.

NEBRASKA.

Lon Cone to be postmaster at McCook, Nebr., in place of Stuart B. McLean, deceased.

NEW JERSEY.

Herbert C. Farrand to be postmaster at Bloomfield, N. J., in place of George W. Heath, resigned.

NEW YORK.

Herbert B. Eaton to be postmaster at Youngstown, N. Y., in place of Herbert B. Eaton. Incumbent's commission expired January 6, 1909.

Archibald K. Fowler to be postmaster at Caledonia, N. Y., in place of Archibald K. Fowler. Incumbent's commission expired February 3, 1909.

Frederick S. Welch to be postmaster at Allegany, N. Y., in place of Henry E. Harms. Incumbent's commission expired January 18, 1908.

NORTH CAROLINA.

Jesse C. Randall to be postmaster at Bryson City, N. C. Office became presidential October 1, 1908.

OHIO.

Charles M. Trace to be postmaster at New Concord, Ohio, in place of George C. Watson. Incumbent's commission expired January 20, 1909.

OKLAHOMA.

John Coyle to be postmaster at Rush Springs, Okla. Office became presidential July 1, 1908.

G. L. Hamrick to be postmaster at Tuttle, Okla. Office became presidential January 1, 1909.

PENNSYLVANIA.

Thomas F. Bourke to be postmaster at Rossiter, Pa. Office became presidential July 1, 1908.

James Edward Butler to be postmaster at Ellwood City, Pa., in place of Robert A. Todd. Incumbent's commission expired January 30, 1909.

John B. Cox to be postmaster at Sheridanville, Pa., in place of Charles Wolfenden, resigned.

Joseph A. McClarran to be postmaster at Saltsburg, Pa., in place of Joseph A. McClaran. Incumbent's commission expired March 3, 1909.

David I. Stadden to be postmaster at Glen Campbell, Pa., in place of David I. Stadden. Incumbent's commission expired February 27, 1909.

James R. Underwood to be postmaster at Roscoe, Pa. Office became presidential October 1, 1908.

VIRGINIA.

Albert A. Evans to be postmaster at Mount Jackson, Va., in place of Albert A. Evans. Incumbent's commission expired March 17, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 25, 1909.

ASSISTANT SECRETARY OF COMMERCE AND LABOR.

Ormsby McHarg to be Assistant Secretary of Commerce and Labor.

RECEIVER OF PUBLIC MONEYS.

Minor S. Williams to be receiver of public moneys at Williston, N. Dak.

PROMOTIONS IN THE NAVY.

Lieut. Charles M. Tozer to be a lieutenant-commander.
Lieut. Leigh C. Palmer to be a lieutenant-commander.
The following-named lieutenant-commanders to be lieutenant-commanders:
Thomas D. Parker,
Jonas H. Holden,
Thomas T. Craven,
Daniel W. Wurtsbaugh,
Gatewood S. Lincoln,
Ivan C. Wettengel,
Wat T. Cluverius,

Albert W. Marshall,
Thomas A. Kearney,
Arthur MacArthur, jr., and
Frank E. Ridgely.

Lieut. Commander Robert E. Coontz to be a commander.

The following-named ensigns to be lieutenants (junior grade):

Andrew C. Pickens,
Paul P. Blackburn,
Forde A. Todd, and
Allen B. Reed.

The following-named lieutenants (junior grade) to be lieutenants:

Andrew C. Pickens,
Paul P. Blackburn,
Forde A. Todd, and
Allen B. Reed.

Midshipman Joseph S. Evans to be an ensign.

The following-named paymasters, with the rank of lieutenant, to be paymasters, with the rank of lieutenant-commander:

Timothy S. O'Leary,
George Brown, jr.,
Walter B. Izard,
David Potter,
Samuel Bryan,
Arthur F. Huntington,
Harry H. Balthis,
Charles Conrad,
William T. Gray,
George P. Dyer,
John W. Morse,
Robert H. Woods,
Robert H. Orr,
William A. Merritt,
John Irwin, jr.,
Webb V. H. Rose,
William H. Doherty,
Charles Morris, jr.,
Frederick K. Perkins, and
George C. Schafer.

The following-named assistant paymasters, with the rank of ensign, to be assistant paymasters, with the rank of lieutenant (junior grade):

Dallas B. Wainwright, jr.,
William H. Wilterdink,
George P. Shamer,
Harry H. Palmer,
Omar D. Conger,
John F. O'Mara,
Patrick T. M. Lathrop,
James P. Helm,
Byron D. Rogers
Edward C. Little,
Frank H. Atkinson,
Frank Baldwin,
Manning H. Philbrick, and
Henry L. Beach.

Naval Constructor Richard H. Robinson, with the rank of lieutenant, to be a naval constructor with the rank of lieutenant-commander.

The following-named assistant naval constructors, with the rank of lieutenant (junior grade), to be assistant naval constructors with the rank of lieutenant:

Fred G. Coburn,
Waldo P. Druley,
John E. Otterson,
Charles A. Harrington,
Herbert S. Howard,
Robert B. Hilliard, and
Edwin O. Fitch, jr.

POSTMASTERS.

GEORGIA.

Alice B. Bussey at Cuthbert, Ga.

ILLINOIS.

William D. Hardy at Taylorville, Ill.

KANSAS.

Charles K. Ware at Downs, Kans.

NEW YORK.

Edward Sautter at Lyons, N. Y.

PENNSYLVANIA.

John Cuncannon at Kennett Square, Pa.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 25, 1909.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

Mr. STEVENS of Minnesota. Mr. Chairman, I desire to be recognized concerning a matter which is somewhat of personal privilege, and yet is of a public nature.

The newspapers of the country have made many statements in the last two days that I was engaged in the preparation of a bill for an income tax to carry out the policy of the administration of President Taft and that the President had given his official indorsement to such a measure. That is entirely wrong; and if allowed to go without immediate correction, it might lead to some possible embarrassment, or at least misunderstanding, as to the President and to his administration. So, under the circumstances, I desire to place on record exactly what has occurred and the purpose of it, and to place upon myself the entire responsibility for any measure which may be presented, and for that reason will ask about five minutes of the time of this committee.

When the National River and Harbor Congress met in Washington last December and resolved in favor of a large bond issue of $500,000,000 for internal improvements, it seemed to me, as to many other Members of this House, that such a resolution in favor of a bond issue for such purposes was extremely unwise and dangerous, would imperil the national credit, and thus weaken the Nation as against possible future emergencies, and at the same time lead to needless and untold waste and extravagance. At the same time I realized the necessity, as I think we all do, that these great internal improvements must be made and properly provided for in some way, and some adequate way, too, which will satisfy the reasonable demands of the people that the waterways of the country will be speedily and well provided for. I think most of us also realize that the time is rapidly approaching when this Federal Government can no longer expect to derive its full income to defray the vast expenses of carrying on its varied operations entirely from the consuming capacity of the people. There must be some other method of raising revenue to care for the present and increasing future for carrying on the great purposes of the Federal Government. That seems to be recognized, in part, by the measure now before us for consideration.

The decision of Pollock against The Trust Company as to the income tax in the revenue act of 1894 has never been thoroughly satisfactory to the country. In the first case, in the One hundred and fifty-seventh United States, there were five points as to this law considered by the court. I shall not attempt to elaborate, but just to state what has actually occurred. There were two points actually decided in the first case as reported. One was that the tax on incomes from real estate was a direct tax; second, that under the Constitution Congress has no right to levy on the sovereign power of the States and tax the securities of States and their creatures—the municipalities.

In that decision there were three points expressly left undecided by the Supreme Court: First, whether or not these were separable from the other clauses of that law; second, whether or not the tax on personalty was a direct tax; third, the question of uniformity.

Upon the rehearing of this case, as reported in the One hundred and fifty-eighth United States, the court decided the invalid could not be separated from the valid portions of the law, so that all must fall. It further held that taxes on incomes from both real estate and personalty were direct taxes and so were invalid in that act. The question of uniformity was left undecided. So the law was decided to be unconstitutional for the foregoing reasons, which have dried up the sources of revenue from the great mass of concentrated wealth of the Nation best able to contribute to its maintenance and advancement.

Now, assuming that we need a largely increased revenue for the purpose of internal improvements; and, second, that the Federal Government ought to have the power to levy on the income of the aggregate wealth of this Nation; and, third, that

this ought to be provided so that the Government could use it in case of any emergency, it seemed to me that these could all be combined at this time and not interfere with any legislation at all or with improvements at all. The river and harbor bill, then pending and since passed, provided only for surveys, and made no appropriations for purposes of actual improvement. Before those surveys could eventuate into projects and require appropriations by Congress, this matter of providing revenues in this manner might be thoroughly and completely tested and argued and settled. For that purpose, it seemed to me, it might be good policy to have drafted the best kind of a bill, providing for a tax on incomes—an ideal bill, not having any connection with or designed to care for the current revenues or expenses of the Government at all—and place the proceeds of this tax, a small tax designed practically or principally for the purpose of testing these questions, into a special fund for internal waterway improvements. This tax or fund would not be the sole and exclusive fund for such purpose, but mostly a convenient method of framing the law and trying the case.

Now, if the tax be decided to be unconstitutional, and Congress has no power to make it, then no harm is done, no fund is impaired and no project uncared for, no bills unpaid, and credit of the Government would be just as high. The improvements would go along just the same. The matter by this means would be thoroughly and satisfactorily sifted and settled. The question then would be squarely presented to the American people, whether they thought that the Congress should have the power to levy such a tax, and if so, it must be done by means of a properly drafted constitutional amendment. Now, if the tax could be upheld, in whole or in substantial part, then the question of obtaining a fund for internal waterway improvements and, indeed, many other things would be settled. No bond issue would be necessary, and the power of the Government to levy on the aggregate wealth of this country in case of emergency would be completely disposed of. The credit of the Nation would be maintained, and a sentiment created that there would be a more equal distribution of its burdens.

For that reason it seemed to me to be wise to draft a bill with separate clauses, putting a tax upon incomes of real estate in one clause and declaring that the invalidity of that clause should not affect the balance of the provisions of the act. The same could be done as to personalty, and so on, as to the various classes and subjects of taxation. By this method any tax of any substance might be retained, even if some be found to be invalid upon the final consideration. Upon arriving at that conclusion I laid the matter before President Roosevelt. He was delighted with the suggestion and inquired in what way he could be of assistance. He referred me to the Secretary of the Treasury, who also gladly promised cooperation. The Secretary directed his subordinate officers to prepare a bill along those lines, but for some reason or other those officers neglected to do so and did not report their negligence until the very last week of last session. We were all rushed in the last days of the session, so I concluded to wait until the new administration came in.

I laid this matter before President Taft as I am explaining it to the House, and he also was pleased at the suggestion and promised cooperation to see that a bill was prepared as a basis for my own suggestions. The administration assumed no responsibility and the administration had no views in connection with the matter. All it did was to tender the services of the executive departments to do the work for this measure, exactly as it does for nearly every measure of importance presented to the House. And that is what I desire to have made clear, that whatever I do is on my own responsibility. I am only seeking advice and assistance from the various bureaus in the department of the administration and from whatever source I can get it. I will now yield to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. I see that the gentleman has made considerable investigation of this subject, and I desire to ask him whether or not, in his judgment, it would be impossible to frame a just, equitable, and comprehensive income-tax law without first securing a revision by the Supreme Court and a reversal by that court of the decision upon the income-tax question in 1894?

Mr. STEVENS of Minnesota. No, Mr. Chairman; I do not quite agree with the gentleman. As I stated, there were three questions that the Supreme Court expressly refused to decide.

Mr. HULL of Tennessee. Will the gentleman pardon me in that connection?

Mr. STEVENS of Minnesota. Certainly.

Mr. HULL of Tennessee. The first decision of the Supreme Court on this question is reported in the One hundred and fifty-seventh United States Reports. That decided only a portion of the questions raised. In that case the chief questions decided related to incomes derived from real estate and also incomes derived from state or municipal bonds. That decision left undecided and open the question as to whether the void provisions in the bill rendered invalid the remainder of the provisions in the bill, whether an income from personal property was a direct tax, and also whether any part of the tax, if not direct, was invalid for want of uniformity. Those questions were left undetermined in the first decision. Later, when the hearing was had before the full court and the case was heard anew upon all the questions involved, a broad, sweeping decision was rendered by the Supreme Court, reported in the One hundred and fifty-eighth United States, undertaking to settle all the questions, and did do so.

Mr. STEVENS of Minnesota. The gentleman is entirely correct, and I will add the substance of that decision which, inadvertently, I overlooked.

Mr. SIMS. If the gentleman will pardon me, I would like to ask him if he thinks the tax upon receipts of corporations would be in violation of the Constitution?

Mr. STEVENS of Minnesota. I prefer not to go into a discussion of that question. I am glad that the gentleman from Tennessee [Mr. HULL] has made the statement. I intended to supplement my first statement by an additional one as to the effect of the last decision, but it slipped my mind as I completed the analysis of the first decision.

Mr. BARTLETT of Georgia. Will the gentleman yield for a suggestion?

Mr. STEVENS of Minnesota. I will yield to the gentleman from Georgia.

Mr. BARTLETT of Georgia. Speaking accurately, it will not do to say that the first case of Pollock against The Insurance Company in the One hundred and fifty-seventh United States Reports was a decision. It was not a decision; it was simply the opinions of various judges. There was no decision of any of the questions raised until the decision was promulgated in the One hundred and fifty-eighth United States, when the full court was hearing the case and when Judge Jackson came back and took part, and then it was that the decision was rendered by a majority of five judges to four. So that we can not be guided by anything decided in the One hundred and fifty-seventh United States Reports. What was decided in the One hundred and fifty-eighth is a decision, but the case in the One hundred and fifty-seventh was not a decision.

Mr. STEVENS of Minnesota. I might differ slightly with the gentleman from Georgia, and yet he is correct, as he nearly always is upon legal propositions, that the final decision was that in the One hundred and fifty-eighth United States. However, that is not what I rose to present to this committee. The reasoning and arguments as to our powers are presented in both cases and have a bearing upon our actions, and all I want is to have made clear that whatever I am doing personally is upon my own responsibility, with the help of whatever sources of information I can draw from, and I propose to present some kind of a measure to this Congress before the close of this session.

Mr. PARSONS. But, as I understand the gentleman, it has nothing to do with the tariff bill.

Mr. STEVENS of Minnesota. Not at all; it has no connection with any pending measure. I have tried carefully to separate it from every legislative and administrative proposition.

Mr. RICHARDSON. Will the gentleman yield?

Mr. STEVENS of Minnesota. Certainly.

Mr. RICHARDSON. I gather from the statement of the gentleman that the proceeds of the income tax which he proposes is to be used for the development of waterways.

Mr. STEVENS of Minnesota. That is the nominal purpose, for the purpose of testing the question in a convenient manner, so that it shall not affect any pending legislation concerning our revenue.

Mr. RICHARDSON. Is not that directly in conflict with the suggestion and the proposition made in every one of these large waterways conventions that have been held here at Washington by the people advocating the issuance of $500,000,000 worth of bonds? Do not they claim that that is making posterity bear a part of the burdens? The gentleman's proposition is to bring the proceeds of his proposed income bill directly and immediately as a burden upon the people at this time. Does the gentleman intend that his income tax shall have any connection whatsoever with the clause in the present proposed tariff bill concerning the inheritance tax? It has no connection with that.

Mr. STEVENS of Minnesota. There is no necessary connection at all. There can not be any connection, direct or remote, with any item of the measure.

Mr. RICHARDSON. Does not the gentleman think that his suggestion would be a very fine substitute for the inheritance clause in the present tariff bill?

Mr. STEVENS of Minnesota. Not at all. The inheritance clause is there to raise a revenue. The suggestion I make is not.

Mr. RICHARDSON. Does not the gentleman think the income tax would be more satisfactory and equitable than an inheritance tax?

Mr. STEVENS of Minnesota. If the income tax could be collected to raise revenue for current expenses, but it can not. It will have to be tested by the best kind of a bill.

Mr. RICHARDSON. That could be tested in the tariff bill as well as in any other.

Mr. STEVENS of Minnesota. I do not care to enter into that discussion at this time.

Mr. JAMES. If I understand the gentleman correctly, his purpose is to have a bill prepared to be presented to the next session of Congress?

Mr. STEVENS of Minnesota. I should present it to this session.

Mr. JAMES. Does the gentleman expect to have it acted upon at this session?

Mr. STEVENS of Minnesota. I do not say that. I present it for discussion.

Mr. JAMES. Why not present it as an amendment to this bill?

Mr. STEVENS of Minnesota. Because it has an entirely different purpose. The bill I propose to present is for the purpose of having tested the right to levy those taxes.

Mr. JAMES. The purpose is to raise a revenue.

Mr. STEVENS of Minnesota. Yes; but I do not care to embarrass this bill in the slightest.

Mr. JAMES. Is it an embarrassment to this bill to offer to try to tax the wealth of the country to some extent?

Mr. STEVENS of Minnesota. No; because I believe in that more thoroughly than the gentleman, but I am trying to do it in a practical way.

Mr. JAMES. I doubt if the gentleman believes in it more thoroughly than I do.

Mr. HAMILTON. Has the gentleman yet introduced this bill?

Mr. STEVENS of Minnesota. No.

Mr. JAMES. I would like to say to the gentleman that, so far as I am concerned, I think this question of an income tax upon the great fortunes of the rich has been put off thirteen years too long as it is now.

Mr. STEVENS of Minnesota. That is all I care to say at this time, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] is recognized.

Mr. CLARK of Missouri. Mr. Chairman, before the gentleman begins, I ask unanimous consent that he be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Alabama may be permitted to conclude his remarks. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, the gentleman from New York [Mr. PAYNE], and also the gentleman from Missouri [Mr. CLARK], said, in opening their speeches, that this was not the time for an academic discussion of the tariff bill, but before I discuss the bill itself I want to ask the House to pardon me for making a few academical remarks on the subject, because my situation is somewhat different from that of other Members of this House. I represent a great manufacturing district. When I was first elected to Congress from that district, I was nominated by the Democrats of my district on a platform declaring in favor of a tariff for revenue.

I have maintained that position ever since, but I often find myself in the anomalous attitude of having some of my constituents who are protectionists declare that I am a free trader, and often find that when I am in Washington some of my colleagues, because I come here from a manufacturing district, assert that I am a protectionist. I therefore want to make a statement before I come to the discussion of the Payne bill as to what my position is.

The consideration of the questions involved in the bill now pending before the House brings before us all the lights and shadows of varying intensity involved in the taxation of imported commodities, from the position of the extreme prohibitive protectionist to that of the free trader. In my judgment, with a deficit in the Treasury estimated all the way from $100,000,000 to $150,000,000, the most important question for us to consider at this time is the raising of sufficient revenue to support the Government. I believe that a large majority of the people of the United States favor a system of taxation by duties levied on imports of foreign merchandise and that the country desires Congress to continue this mode of raising revenue.

The urgent necessity for a revision of the present tariff laws of the country is apparent to all; in the first place, the present revenues are not sufficient to support the Government; in the next place, the development of improved business methods and advances in the processes of manufacture, due to improved machinery, have made the taxes levied under the Dingley bill out of adjustment with the present needs of the business interests of the country, in many instances prohibitive to such an extent that they not only do not produce revenue, but are a direct injury to the great productive interests of the Nation.

In the preparation of a bill, the differences that exist between the two great parties are not the issue of protection against free trade, but the true issue is that one desires to write a protective tariff that leans toward prohibition of imports and the other a revenue tariff that favors fair competition. Although we occasionally find a free trader within the ranks of the Democratic party, the great rank and file of the party do not favor the doctrine of free trade. There has never been a platform of a national convention since the organization of the Democratic party that has advocated free-trade theories; they have always maintained the true position of the party was in favor of a tariff for revenue. There never has been a tariff bill enacted into law by the Democratic party that has not favored the doctrine of a tariff for revenue as opposed to a tariff levied along free-trade lines, such as the revenue laws of Great Britain.

The most distinctive Democratic tariff bill that was ever written on the statute books of this country was the Walker tariff of 1846, and, although the duties levied under this tariff did not exceed 30 per cent ad valorem, they were levied on competitive articles, such as wool, cotton, iron, and steel; sugar and coffee, noncompetitive articles, were placed on the free list, which clearly demonstrates that the Democratic party in preparing its tariff bills has favored a duty levied for revenue, and also stood for the incidental protection that might arise from the levying of such a duty.

The true distinction between the two great parties of this country, to my mind, is the difference between a prohibitive tariff bill and a competitive tariff bill; the Republican party favors a tariff that will raise some revenue to support the Government, but at the same time will prohibit the importation of as much foreign merchandise from coming into the country as is possible and raise revenue at all, for although the Republican party has repeatedly declared that they favor a tariff to protect the difference in cost of production at home and abroad, they have placed their duties so greatly in excess of this amount, and in so many cases at prohibitive rates, that we are compelled to reach a conclusion that their tariff bills are written to prohibit and not for the purpose of equalizing the difference of the cost of production; in fact, they are protecting the manufacturer in his profits, as declared in the last Republican platform. The Democratic party has always declared for a tariff for revenue.

It is true that any tariff taxes that are levied which allow some imports to enter the country would in one sense be a tariff for revenue, but I take it that the clear meaning of the declaration of the party in favor of a tariff for revenue means a competitive tariff—that is, a tariff that allows sufficient imports of every product made in the United States to be imported from abroad to bring about fair and honest competition, thereby producing revenue and at the same time preventing the home producer from hiding behind a tariff wall that will enable him to establish monopolies and unduly increase the burdens of taxation resting upon the American people without their receiving any benefit in return, either in the shape of revenue for the Government or in the development of the great industrial interests of the country; for it is an axiom that can not be disputed that the moment any industry is enabled to create a monopoly, its development along lines of best endeavor at once ceases.

If there was a more general understanding that the tariff is a tax in which private interests share the proceeds with the Government, there would be a more rigorous questioning of the various duties imposed by Congress than has yet been manifest.

Professor Taussig, in his testimony before the Ways and Means Committee at the recent hearings, stated:

> Protection is granted for the purpose of enabling new industries to establish themselves and to offset the difference in cost at home and abroad. If an infant industry can not be strong and lusty in a reasonable time, it shows it is developed by artificial means and is not justified, and the props should be taken away. Statistics conclusively show that most of our industries are now able to stand alone.

Again he stated:

> Our natural advantages, improved machinery, efficiency of American labor, and ocean freight rates in many instances overcome the difference in cost of labor at home and abroad.

The facts developed before the Ways and Means Committee on the pending bill demonstrate beyond a doubt that if the definition as defined by Professor Taussig of a tariff for protection is the truth, that there are very few, if any, American industries that are left within its terms or entitled to its support. On the other hand, the testimony is conclusive that the present rates of duty are far in excess of the difference in the cost of production; and when the tariff duties exceed the difference of the cost of production at home and abroad they are of necessity levied for the sole purpose of protecting the manufacturer's profits, which, to my mind, can not be justified under any circumstances, for when the manufacturer has a fair field on equal terms he should be required to rely on his own resources, energy, and business judgment to successfully meet his competitor and drive him from the field. Whenever you agree to the doctrine that he is entitled to a protective wall to prevent competition, you have laid the foundation stone to create monopoly and to unduly and unjustly lay burdens upon the consuming masses of the people.

Prior to the war of 1812 the duties levied under the tariff acts, although they incidentally afforded some protection, were clearly levied solely for the purpose of obtaining revenue; but during the war of 1812 the embargo acts and other restrictions that necessarily arose from the war developed certain lines of manufacture to an extent that they were controlling the American market at prices above those justified by normal conditions.

To maintain this stilted condition, they called on Congress to enact a tariff that would protect them against foreign competition, and the tariff of 1816, carrying an average rate of 20 per cent ad valorem, was an outgrowth of this sentiment. From that day to this the great industries of this country have been fostered and protected by tariff laws, in many instances prohibitive laws, in order that they might grow strong and self-sustaining. As the infant industry grew, in most instances the tariff rates increased instead of diminishing, until we have reached a condition where the duties are so high they no longer produce a fair amount of revenue, and in a great many instances by the continual increase of the duty. In other cases it has been brought about by allowing the old duties to remain when the progress and development of the American industry had placed it in a position where it was enabled to compete on equal terms with its foreign rival.

In a speech delivered in the House of Representatives on the 4th of March last, Mr. TAWNEY, chairman of the Appropriations Committee of the House, stated that there would be a deficit in the Treasury at the end of this fiscal year amounting to $150,000,000. I do not think he has made an overestimate. It is absolutely necessary to meet this deficit or we will bring disaster to the Government and the business interests of the country.

There are but three ways in which the deficit can be avoided. First, by reducing expenditures; this seems to be impossible under a Republican administration. Second, by levying taxes additional to those now imposed on the people, in order that the present tariff duties assessed in the interests of the manufacturer may not be disturbed. Third, by reducing the present prohibitive duties of the Dingley bill to a competitive basis, where they will produce sufficient revenue to meet the demands of the Treasury. The protective sentiment in this country has been fostered and cherished for so many years by the Republican party that many great manufacturing interests look upon it as a vested right and seem to believe that, regardless of whether the Government has sufficient revenue to maintain it or not, they are entitled to the absolute and entire control of the American market without competition from abroad. This clearly is not a healthy condition of affairs. Where any great corporation in the United States controls 50 per cent or more of the production of a particular commodity the people are in arms at once and declare it to be a trust; that legislation is needed to control it; that it is not entitled to control 50 per cent of the supply of any great commodity that the people need. And yet, when the great industries in any particular branch of productive development control 99 per cent of the American market against foreign competition, and in many instances make special agreements among themselves to maintain prices, the contention is made that such a tariff is not monopolistic in its tendency, and that such industries are entitled to the absolute and undivided control of the American market for the sale of their product, regardless of the condition of the Treasury and regardless of the right of the consumer to have a reasonable competition to regulate prices.

The Census Bureau prepared a pamphlet entitled "Imports, exports, and domestic manufactures," arranged according to the paragraphs of the tariff law of 1907 for the use of the Ways and Means Committee at its recent hearings. From the facts contained in this pamphlet, I ascertained that the total imports from foreign countries under the so-called "Dingley bill" for the year 1905 amounted to $547,391,557; that the total production of articles protected under the terms of this act in the United States for the year 1905 amounted to $13,543,180,748, and the total consumption of commodities by the American people enumerated in the Dingley Act in the year 1905 amounted to $14,081,572,300, from which it is estimated that the total imports as compared to the total consumption of these products amounted to only $3\frac{8}{10}$ per cent of the American consumption. Of course, in the estimating of these amounts by the Census Bureau there has been some duplications, as there are some duplications in estimating the imports, but the figures are official and are a fair indication of how prohibitive the Dingley rates have become. Schedule A of the tariff bill covers chemicals, oils, and paints; the imports under this schedule amounted to $31,000,000 and the gross consumption of articles named in this section amounted to $604,000,000, making the percentage of imports to gross consumption only $5\frac{1}{10}$ per cent. In the same way, estimating each schedule of the tariff bill from the same report, I find in Schedule B, earths, earthenware, and glassware, the imports were $5\frac{1}{10}$ per cent; Schedule C, metals and the manufactures of, were $1\frac{1}{10}$ per cent; Schedule D, wood and the manufactures of, were $1\frac{1}{10}$ per cent; Schedule E, sugar, molasses and the manufactures of, were $18\frac{1}{10}$ per cent; Schedule F, tobacco and the manufactures of, were $6\frac{1}{10}$ per cent; Schedule H, spirits, wines, and other beverages, were $3\frac{1}{10}$ per cent; Schedule J, flax, hemp, and jute and the manufactures of, were $28\frac{1}{10}$ per cent; Schedule K, wool and the manufactures of, were $6\frac{1}{10}$ per cent; Schedule L, silk and silk goods, were $25\frac{1}{10}$ per cent; Schedule M, pulp, paper, and books, were $2\frac{1}{10}$ per cent; Schedule N, sundries, were $5\frac{1}{10}$ per cent; and articles manufactured in whole or in part not specifically provided for in the enumerated schedules but imported, the percentage of imports to gross consumption amounted to a little over two-tenths of 1 per cent.

The comparison of the imports with the amount of the American consumption show that the reason the Dingley bill does not raise sufficient revenue to support the Government is because of the prohibitive rates that are in that bill. In order to avoid question of duplications as far as possible and at the same time ascertain the prohibitive tendency of the present tariff laws, I have selected the following figures from the special reports of the census on manufactures, comparing the same articles in each case: Showed an importation in the year 1860 of $33,000,000, as compared to the domestic production of $115,000,000, or a percentage of foreign importation of 28 per cent. That was immediately before the civil war, and a Democratic tariff law was on the statute books. In 1880 the imports amounted to $31,000,000, the domestic production to $192,000,000, and the percentage of foreign imports to $16\frac{1}{10}$ per cent; in 1890 the percentage of imports was $11\frac{1}{10}$ per cent, and in 1900 10 per cent. In 1905 the imports amounted to $42,000,000 and the domestic production to $400,000,000; the percentage of importation was $9\frac{1}{10}$ per cent, showing that ever since the Republican party has entered on its policy of protection that there has been a continued raising of the rates and a continual cutting down of importations as compared to the amount of the American consumption and a proportionate falling of the revenue, due to the prohibitive rates placed in its revenue laws.

In 1860 the importation of woolen manufactures, exclusive of duplications, amounted to 58 per cent; in 1890 to $20\frac{9}{10}$ per cent, and in 1905 it had fallen to the small figure of $4\frac{1}{10}$ per cent. During the hearings several gentlemen appeared before us who testified that they had been engaged in the manufacture of woolen goods for thirty or forty years. I asked these witnesses if they could recall the time when they first engaged in the manufacture of woolen goods, and they said they could. I asked them if the industry prospered at that time, and they said it did; and I asked if it was seemingly as prosperous then as now, and they said it was; and yet at that time there was all the way from 20 to 30 per cent of importations, and now, under the Dingley bill, it has been reduced to $4\frac{1}{10}$ per cent.

If the woolen manufacturing business could prosper when 20 per cent of importations were coming into this country, and they testified that it did, why can not they prosper to-day with a fairly competitive tariff instead of a practically prohibitive one? It is a self-evident fact that we can not raise sufficient revenue to support the Government if we continue to apply the prohibitive duties we have had in the Dingley bill that are continued in the Payne bill, with one single exception, and that is on tops. The Government is in need of revenue, and the woolen manufacturers and their representatives here are not willing to con-

tribute their fair portion of this taxation to the Treasury that they exact from the people by a prohibitive tariff that enables them to increase their profits and avoid competition.

In 1860 the importation of woolen manufactures, exclusive of duplication, amounted to 53 per cent; in 1890 to 20 7/10 per cent, and in 1905 to 4 1/10 per cent.

In 1860 the importation of silk manufactures amounted to 500 per cent, and in 1880 to 78 per cent, and in 1905 to 19 1/10 per cent. The importation of leather for the last three censuses varies from 3 1/10 per cent to 2 1/10 per cent in 1905; from 1870 to 1905 the importation of lumber, excluding duplications, varied from 4 1/10 to 2 1/10 per cent, showing that lumber and leather goods have been protected by prohibitive tariff rates for many years past. In 1880 the percentage of importations of glass amounted to 24 per cent, in 1890 to 18 per cent, and in 1905 to 7 1/10 per cent. These figures clearly demonstrate the fact that the Dingley bill is not a protective bill or a revenue bill, but in most of its leading features is a prohibitive bill.

In order to cure the evils of a prohibitive tariff, there is only one way in which it can be accomplished, and that is by reducing the rates of particular commodities to a point where a reasonable amount of importations is allowed and where fair competition is encouraged.

With 90 per cent of the American market assured to the American producer, most assuredly there is no danger of the industry in which he is engaged languishing or being driven out of business by the competitor. On the other hand, an importation of 10 per cent from foreign countries of all the products of American consumption covered by the Dingley tariff schedules would produce all the revenue that the needs of the country require and at the same time prevent the great corporations of America from forming combinations behind prohibitive tariff walls that produce monopolies.

The criticism that I make as to the bill presented by the majority members of the Ways and Means Committee is that it does not accomplish this result, that it does not reduce the rates to a revenue and fairly competitive basis, which I hope to be able to point out later on in my argument by comparison of the rates on particular articles enumerated in the new bill.

The principal argument that has been made for the protected interests in favor of prohibitive duties is that it protects American labor; but the facts show very clearly that there is hardly an industry protected by the Dingley tariff law where the amount of protection afforded has not been far in excess of the difference between the labor cost at home and abroad.

In the first place, by reason of improved machinery, organization, better methods of conducting business, the efficiency of American labor is far in excess of that of most foreign labor, and, as a rule, the unit of production costs less in this country than it does abroad. Of course, when you balance the competition, it is not the daily wage that determines the ability to compete, but the amount of wages that enter into each unit of production.

I find in the report of the secretary of internal affairs of the State of Pennsylvania a very interesting and accurate tabulation of statistics of manufactures. It is Official Document No. 9, page 69. This document shows that the combined production of the steel works and rolling mills for the year 1907 for the State of Pennsylvania amounted to 12,953,000 gross tons, at a total valuation of $594,167,000.

The average yearly earnings of persons employed in the steel works and rolling mills are shown to be $663.80 per year in the mills of Pennsylvania. The two great foreign competitors of this country in iron and steel production are England and Germany. It is conceded by all that the wages of Germany are lower than those of England. The report of Mr. Charles M. Pepper, special agent of the Department of Commerce and Labor, shows that the annual wages of the iron and steel workers in Germany are little more than half of the American wage scale. The Pennsylvania report which I have just referred to shows that the average value of the production of each employee in the mills of Pennsylvania amounts to $3,661. In other words, the average wage in the iron and steel mills in Pennsylvania is $663 as compared with an earning capacity of each employee of $3,661, making the labor cost only 18 per cent of the value of the product of the employee; and the German wage scale being only one-half of the American, 9 per cent of the cost of production would cover the entire difference in the wage scale.

The statistical abstract shows that the total importations of iron and steel produced for the year 1905 amounted to $35,640,000 and the revenue collected amounted to $8,159,000, showing an average ad valorem rate on iron and steel products coming into this country of 22 per cent. As a matter of fact, the taxes levied on most iron and steel products are in excess of this rate, as the importations of ore and pig iron reduce the average of the articles imported at higher rates of duty. But accepting 22 per cent as the average rate, and one-half of 18 per cent as the difference in the labor cost at home and abroad, it shows that the American manufacturer is afforded a protection under the duties levied in the Dingley law of 13 per cent above the difference in the cost of the labor of production, the home producer also having ocean freight rates in his favor.

The same report, referred to above, shows that the average yearly earnings of men employed in the tin-plate industry in Pennsylvania amounted to $722, and the average value of the production for each employee amounted to $2,127, making the labor cost 23 per cent of the value of the product. The duty on tin plate in the Dingley bill is 1½ cents per pound, equal to an average ad valorem rate of from 42 per cent to 54 per cent. If the labor cost abroad is one-half of the labor cost in America, it gives to the American producer from 30 per cent to 40 per cent protection over and above the labor cost.

The same report shows that the average value produced by each employee in the manufacture of cotton and woolen yarns in Pennsylvania is $2,825, and the average yearly earnings of each employee are $363. This report shows that the textile industries of Philadelphia pay their employees on an average $429 a year, and that these employees produce an average value of product amounting to $2,094.

The same report shows that the average value produced by each employee in cotton, woolen, waste, and shoddy manufactures amounts to $5,846, and the average yearly wage in these industries was about $449; that the woolen and worsted goods produced by each employee amounts to $2,445, and the average yearly earnings amount to $454.

When it is borne in mind that the average ad valorem rate of duty on the importations of worsted goods runs all the way from 50 per cent to 140 per cent, and the percentage of labor cost is only 18 per cent of the value of the product produced by each man, and the English workman receives at least one-half the American wage scale, making a difference in the labor cost in any case not to exceed 9 or 10 per cent of the value of the American product, it shows what an enormous protection is given to the industry above the difference in the labor cost at home and abroad.

There is no question that a tariff bill can be written based fairly on the difference in the cost of production at home and abroad, making due allowance for the difference in freight rates, that will be on a fair, reasonable, competitive basis, and that will afford ample revenue to supply all the needs of the Government.

The American people will not be satisfied with any other solution of the tariff question. They realize that the great industries of this country are no longer infant industries in swaddling clothes. They have become giants in power and development; that in most of the industries they are paying the cost of transportation across the seas and competing on equal terms with their foreign rivals in the markets of the Orient, in South America, and in many cases actually in the European markets.

This being the case, there is no reason that can be given to sustain a protective tariff, especially when it is written along prohibitive lines. The real justification for a tariff can be only for the purpose of raising revenue to support the Government, and adjust it on a basis that will fairly represent the difference in cost abroad and at home, if such exists, and if not, at such rates as will not prohibit the importation and be competitive.

When this is done the tariff will cease to be a political issue, and it will be adjusted along business lines and improve business conditions. But as long as it is maintained to protect monopoly and to pay political debts it will continue to be a sore in the life of the Nation.

Now, Mr. Chairman, let us consider the bill before the House. I want to call the attention of the committee to those paragraphs that provide for free raw material. The chairman of the Ways and Means Committee announced in his opening statement that he was a believer in the doctrine of free raw material. Being a protectionist, I believe he can justify his position in favor of free raw material. As far back as three-quarters of a century ago Henry Clay announced that one of the ways in which you could protect the industries of the country was to give them free raw materials. Manifestly so. Protection looks to giving some one something, and it is of no importance to the manufacturer at which end of the line you give him the protection, whether you raise the tariff taxes so high as to prevent competition from abroad and enable him to control the entire market at his own prices or whether, on the other hand, you exempt him from the taxation that is being paid by other people and give into the coffers of his treasury a free gift that other people are obliged to pay for.

I do not see anything inconsistent in the position of the gentlemen who advocate a protective tariff for the benefit of the industries of this country and at the same time advocate giving them free raw material in order that they may make a profit out of it.

But I do say that if the theory of the Democratic party is a correct one, that we are only entitled to levy taxes for the purpose of raising revenue, then we should distribute taxation as broadly as possible, so that its burdens may be borne equitably and evenly by all. That being the case, I do not see how a Democrat can justify himself in the position that what the manufacturer buys should be free and what the people use should be taxed. When he comes to that proposition he admits that he is giving the manufacturer an exemption from taxation for the purpose of making that business prosperous and refuses to levy tariff taxes for the same purpose. Is not the doctrine of free raw material exactly the same position the Republican protectionist takes when he proposes a high protective tariff to make business prosperous? But, although the gentleman from New York may be consistent in his theory in believing in free raw material as a Republican doctrine, I do not believe he has been consistent in his theory in applying his principles to the bill that is presented to the House.

The bill has placed a number of articles that are called "raw material" on the free list. I can not stop now to enumerate them all, but there are three or four marked instances of this kind. He justifies the putting of ore on the free list, and he says in doing so that it is perfectly fair, because the Spanish ores are only 40 per cent and the Cuban only 50 per cent of metallic iron, and that the ores in New York run 60 per cent, and, therefore, to admit theses ores free will only balance the difference.

Now, Mr. Chairman, they may have 60 per cent ore in New York. I will not deny the proposition, because I am not informed. I have heard, however, a great deal of talk in this country about 60 per cent ore, and I have found very little of it. In the opening of a new mine at the top of a vein, where the effect of the atmosphere and water has taken out the impurities, we often find a high grade of ore, but when you get down into the bowels of the earth, where the real mining begins, it is very seldom that you find an ore which runs on an average about 50 per cent of metallic iron. The testimony before the Ways and Means Committee of Mr. Schwab, of the Bethlehem Iron Works, and Judge Gary, of the United States Steel Corporation, was to the effect that the average run of the great Mesaba Range ore was only 49 per cent. So that I do not think that the explanation as given by the chairman of the committee as to why he placed ore on the free list is a sufficient reason. As a matter of fact, I think I can give a better reason from the gentleman's position. What ores they have left in New York State are hard ores, and they need a soft ore to mix with that hard ore so that it can be properly smelted. They import ores for that reason. They imported ores from Spain and from Cuba, and it looks to me very much as if the gentleman from New York had placed ore on the free list because the ironmasters of New York did not want to pay a revenue duty on the ore they were using in their own furnaces. [Applause on the Democratic side.]

In 1894 we had not made the recent treaty with Cuba, and the larger percentage of foreign ores was coming from Spain instead of Cuba. In 1907 the treaty with Cuba had gone into effect, giving Cuba the benefit of the 20 per cent reduction, and the importations shifted largely from Spain to Cuba. So I have the figures for both years to show what amount of ore was imported. In the year 1904 we imported $2,334,789 worth of ore from Spain and Europe, and $346,439 worth of ore from Cuba, making a total of $2,681,228 of iron ore imported, paying into the Treasury $466,307. In 1907 we imported into this country $1,212,607 worth from Europe and from Cuba $2,137,784, making a total of $3,250,391 of iron ore that paid a duty of $391,544, showing that the imports of ore on an average have paid into the Treasury of the United States something in excess of $400,000 a year.

The Republican party says that it is in favor of protection in order to protect the American laborer against the cheap labor of Europe and other foreign countries. Now, mark that, when you consider the proposition the gentleman from New York [Mr. PAYNE] has laid before this House on the question of free ore. When you come to the consideration of the raw product like ore, it is largely one man's muscle against another man's muscle.

As you rise in the higher grades of manufacturing, improved machinery and American methods eliminate the difference in labor costs, and in many instances you find, although the labor cost per day in Europe is less than in this country, that when you come to the unit of production in articles of higher manufacture the American laborer produces as much and more than the foreign laborer for the amount of wages paid. But that is essentially not so when you come down to raw material, where it is merely muscle against muscle; and that is true in raw materials like iron ore. The men who are working in the mines in Michigan and Minnesota, in the great Mesaba Range, are shipping their ore to the eastward and coming in competition along the Atlantic seaboard with foreign ore.

Mr. HARDY. Will the gentleman yield for a question?

Mr. UNDERWOOD. Yes.

Mr. HARDY. If the statement the gentleman has just made is correct, that in the raw material it is a contest between muscle and muscle, while the unit of value in the more finished and higher products may show that there is more value per laborer in America as to the cost, does not that then lead to the conclusion that the raw material is more deserving of protection than the finished product, if the laborer is the man you are trying to help?

Mr. UNDERWOOD. I think so, from the standpolut of the gentleman from New York [Mr. PAYNE].

Mr. HARDY. That is from the standpoint of the man who says he wants to protect the American laborer.

Mr. UNDERWOOD. From the standpoint of the protectionist that should be true. I believe in a revenue tariff on articles imported. I am merely placing this proposition before the House from the standpoint of the gentleman from New York, who stands as a protectionist and says he favors the protection of American labor. The gentleman from New York says the difference in cost is eliminated. I am surprised at that statement, because the Department of Commerce and Labor filed with the Committee on Ways and Means an official report showing the difference in the cost of material used in the iron and steel works of this country. That report is now on file in the rooms of the committee, although I do not believe it has been published. I want to show you from an actual statement of fact how much it costs to lay Mesaba ore—American ore—at seaboard and how much it costs to lay foreign ore there.

The agents of the Government, under the Bureau of Corporations, inspected the books of the various steel plants of this country. They have filed their reports, and, among others, it shows the cost sheet that is taken from the books of the Maryland Steel Company, located down here at Sparrows Point, Md., for 1906.

Now, these figures were made up by the manufacturer as the actual cost shown on his books, afterwards taken by a Government expert and turned in to the Committee on Ways and Means. There were no patched-up figures, no preparation in advance, but they went back to the company's books and got those figures. Now, what does it show? It shows that the Maryland Steel Company used in 1906, 63,772 tons of Mesaba ore that cost them at their furnaces $4.86 per ton. It shows they used of foreign ore, which was Spanish ore, 152,088 tons that cost them $3.97 per ton. Now, mark you, here is a report showing that the Spanish ore, after paying 40 per cent duty, went into the furnaces of the Maryland Steel Company at 89 cents per ton less than the American ore. It shows that they used 447,274 tons of Cuban iron ore, at a cost of $4.47 per ton, or 39 cents less than they had to pay for Mesaba ore. Now, I take it that that is a fair statement of the cost of ore to the furnaces along the Atlantic seaboard.

Mr. SIMS. May I interrupt the gentleman from Alabama right there?

Mr. UNDERWOOD. Certainly.

Mr. SIMS. Is there such a difference in the metallic contents of the ore as to make up that difference?

Mr. UNDERWOOD. Well, there is this difference in the metallic contents, as testified to by Judge Gary and Mr. Schwab: The Mesaba ores run 49 per cent, the Spanish ores run about 40 per cent, and Cuban ores about 50 per cent, so, although there is a little difference as to the Spanish ores, which were 89 cents per ton cheaper, the Cuban ore has 1 per cent more metallic contents than the American ore.

Mr. SIMS. And comes in cheaper.

Mr. UNDERWOOD. And comes in cheaper.

Mr. JOHNSON of Kentucky. How much cheaper?

Mr. UNDERWOOD. Thirty-nine cents cheaper, after paying the duty. Now, the gentleman from New York desires to give to these manufacturers located in New York and along the Atlantic seaboard 40 cents a ton that can not possibly affect the American price of the American finished products. But a small per cent of American pig iron is made by the furnaces located along the Atlantic seaboard. The great productive centers for steel and iron manufacture of this country are Pittsburg, Chicago, and Birmingham. None of them uses foreign ores. They all use American ores and they fix the price of iron and steel.

The price is fixed by what pig iron or the finished rail is quoted at in Pittsburg, Birmingham, or Chicago, and these furnaces along the seaboard merely adapt their price to the price fixed by the great centers, and therefore will not reduce their price one cent by reason of this gift of free ore, and the result is that the gentleman from New York, who says that he favors the protection of American labor, is about to take off 40 cents a ton on raw ore when the foreign ore comes in cheaper now than they can buy the American ore, for the single purpose of making a gift of $400,000 a year out the Federal Treasury to certain special interests that are close to and many of them located along the Atlantic seaboard. [Applause on the Democratic side.] Now, that is not all. Some of these eastern manufacturers also want cheap pig iron. One of the principal witnesses who came before the Committee on Ways and Means was a gentleman from New York who was very anxious to obtain all of his raw material without paying any taxes to the Government.

Mr. HOBSON. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. HOBSON. Before the gentleman leaves the question of the cost of ore at the furnaces I wish to ask him, as he quoted $4.86 as the cost, as determined by the Government, to be the cost——

Mr. UNDERWOOD. I beg the gentleman's pardon; I did not say it was determined by the Government. I said it was taken by government agents from the books of the Maryland Steel Company as showing what they actually paid.

Mr. HOBSON. That being the amount paid, and that ore had to be transported much farther than the ore used at Pittsburg and on the near-lake points, I wish to ask the gentleman how does he reconcile that statement with the statement of Mr. Gary that the average cost of their ore at the furnaces is $8.62?

Mr. UNDERWOOD. Well, the gentleman from Alabama is mistaken as to Judge Gary's statement. Judge Gary did not state that the average cost of a ton of ore was $8.62. His statement was in reference to the amount of ore that went into a ton of pig iron, which is a very different proposition.

Mr. HOBSON. I misunderstood the gentleman. The figure he quoted, then, refers to a ton of iron, for which one and eighty-three one-hundredths tons of ore are necessary.

Mr. UNDERWOOD. Yes; which is an entirely different proposition.

Now, on this question of free raw materials. As I say, it looks to me very much like this bill had been written for the benefit of the people who live in New England and New York. Wherever we find a reduction made, we find it going home in that direction, but where we find a finished product made in New England or New York, like wool, cotton goods, or gloves, we do not find any reduction made at all. [Applause on the Democratic side.]

Mr. HOBSON. Mr. Chairman, I do not wish to interrupt the gentleman at all, nor to break in any way the force of his legitimate conclusion, but in connection with the cost of ore, I wish to call attention to the fact that the estimated cost per ton of ore, $4.86, includes certain profits and certain allowances that are not permissible. These will doubtless come out when the gentleman takes up the question of the cost of pig iron and of steel. I hope to take them up in some detail when I get time of my own.

Mr. UNDERWOOD. Now, there is another item in the bill in which they have given these eastern furnaces and manufacturers free raw material, and that is on scrap iron. Scrap is old pans, broken rails, old stoves, anything that is picked up and brought to the furnace and used to melt down to make pig metal. Under the laws that have heretofore been passed by Congress, scrap, which can be used sometimes in place of pig iron, has always borne the same rate of duty as pig iron. But under this bill scrap is placed at 50 cents a ton and pig iron at $2.50 a ton, and it is not going to reduce the cost of the finished product to the ultimate consumer any more than the gift of free ore is going to reduce the cost to the ultimate consumer.

In 1907 we collected at the custom-house $86,000 on scrap at $4 a ton. Should the same amount of scrap come into the United States under the duty of 50 cents a ton it will only amount to $10,000, a gift of some $70,000 out of the Federal Treasury to these manufacturers.

The same thing is true of coal. This bill practically puts coal on the free list. It is true that it does not do so directly, but it says that when Canada allows American coal to go in the Canadian market free we will let Canadian coal come into this market free. What does that mean? It means that New England wants free coal as well as free scrap and free ore, and the gentleman from New York [Mr. PAYNE] proposes to make them a present of $695,000 a year in free coal.

Then, there is another place where they have adopted his position on free raw material, and that is with hides. I want to tell you about hides. When we were in the Ways and Means Committee, having hearings on this bill, a very large number of gentlemen in the shoe and leather business came before the committee and advocated free hides. And when they first came, fearing that they could not get free hides without they had free shoes, one of them was asked as to whether, if the committee gave him free hides, he was willing to give the American people free shoes, and he said he was. That statement met with applause around that whole circle of manufacturers. He said if he was given free hides, so that he could manufacture his product without paying a duty on hides, that the only thing that would bound the American industry in boots and shoes would be the high dome of heaven. [Applause on the Democratic side.]

Mr. GARDNER of Massachusetts. Will the gentleman yield?

Mr. UNDERWOOD. I will.

Mr. GARDNER of Massachusetts. Does the gentleman from Alabama refer to the evidence of Mr. Jones?

Mr. UNDERWOOD. Well, I am not sure whether it was Mr. Jones who made that statement or another witness who made it, but he was one of the witnesses when Mr. Jones was there.

Mr. GARDNER of Massachusetts. Made the statement that if everything connected with the shoe business was free, then he could stand free boots and shoes? But I call the gentleman's attention to the fact that every man who made that statement was the maker of fine shoes, worth from $4 to $5 a pair.

Mr. UNDERWOOD. Well, I remember Mr. Jones's testimony very distinctly. He came before the committee and was willing to give up all protection to get free hides. Then he went back and talked with a few other manufacturers and a few weeks afterwards he came back again to the committee and took it all back.

Mr. STANLEY. Mr. Chairman, will the gentleman explain to me, if he can, this peculiar desire on the part of gentlemen on the other side of the Chamber to keep up the price of the poor man's shoes, the plain shoes, and their indifference to the prices of the rich man's shoes? It seems to be presumed that they can not protect the value of the rich man's shoes any longer, but they seem specially anxious to keep up the price of the brogan and shoes that sell under $4 or $5 per pair.

Mr. WEISSE. If the gentleman will allow me to, I will take the canvass that was made of the eastern shoemakers by the Shoe and Leather Reporter of 1906. They asked if they were willing to give up the duty on hides and on shoes if hides were admitted free. In reply to that canvass, according to the Reporter, they agreed to remove the whole duty by 140 out of 231 shoe manufacturers.

Mr. GARDNER of Massachusetts. I do not wish to take up the gentleman's time too much, but I stated on the floor of this House at that time, three years ago, that, in my opinion, 65 per cent of the shoemakers in my district could stand free boots and shoes, but the other 35 per cent would be driven to the wall. As the gentleman from Wisconsin knows full well, ever since the United Shoes Company have gone out and put their shoes in Missouri, Finland, and Switzerland on the same day that they do at Haverhill, the situation is entirely changed.

Mr. UNDERWOOD. Well, now, Mr. Chairman. I am not advocating free shoes, nor am I an advocate of free hides. As I stated before, I believe in a revenue tax; I believe that all of these manufactures should pay a revenue tax to support the Government, on the raw material as well as the finished product. What I am criticising is the position of the majority of the members of the Ways and Means Committee in their efforts to give free hides to the manufacturer and at the same time leave them with a practically prohibitive duty on boots, shoes, and leather.

There is practically no competition from abroad on boots and shoes, and the American manufacturer fixes his own prices to the consumer. There is no necessity to give free hides to the American shoe man in order that he may build up his business in the markets of the world, because, under the rebate clause in the Dingley bill he was entitled to a drawback of 99 per cent on all the duties paid on hides when he shipped his manufactured goods out of the country; but the shoe men say the law enabled the man who was not conscientious about his statements to receive the drawback, but did not let an honest man get it back. But the Payne bill does away with all difficulties in tracing the raw material into the finished product. If the manufacturer brings hides into this country he can take his receipt, and if he ships an equal amount of manufactured leather, whether it be the same leather or not, out of the country within three years he can go to the Treasury Department and demand back the amount of the duty he paid on the hides less 1 per cent. So that as to his foreign trade there is absolutely no reason in the world why he should have free hides, and as to his domestic trade he has no competition from abroad.

He will fix the prices to-morrow as he fixes them to-day, and the American consumer will not receive his shoes one nickel cheaper than he does to-day; and yet this bill proposes to give the amount of duty collected on hides, which in the year 1907 amounted to $3,115,390, to the boot and shoe manufacturers of this country as a donation.

Now, what does the bill do? It takes ore, and coal, and scrap, and hides from the dutiable list and puts them on the free list. In these articles that it has put on the free list it does not give to the consumer any reduction in the burden of taxation, but absolutely gives to the manufacturers of the United States $4,287,414 out of the Federal Treasury and has to put a tax on tea and coffee on the poor people of this country to make up that difference. [Loud applause.]

Now then there is another point.

Mr. LOVERING. Mr. Chairman, does the gentleman mean to say that this $4,000,000 goes entirely to the manufacturers? Does it not go to the workingmen, the operatives?

Mr. UNDERWOOD. Not at all, in my judgment. I know no reason why it should.

Mr. LOVERING. Does the gentleman mean that is that much superadded to the profits of the manufacturer?

Mr. UNDERWOOD. I think it will be.

Mr. LOVERING. I think the gentleman is mistaken.

Mr. UNDERWOOD. I can not see any reason why it should not. I think time has demonstrated absolutely that the laborer of this country gets his pay because it is fixed by his organization; and it is a question between him and the manufacturer absolutely as to how much pay he is going to get; and if we make this gift of free raw material, not one cent of it will go into the laborer's pocket.

Mr. LOVERING. Now, one word more, if I may be permitted. Last year, as I understand, we exported between $12,000,000 and $13,000,000 worth of shoes.

Mr. UNDERWOOD. Yes.

Mr. LOVERING. Was there no labor involved in that? If we had not exported those shoes, would not the laborers of this country have been deprived of just that amount of labor?

Mr. UNDERWOOD. Yes; but let me say to the gentleman, as I have just said, that on the boots and shoes you export, where you buy foreign hides you get a rebate back into your own pockets of 99 per cent, and therefore you do not pay any duty into the Federal Treasury on the export business. The same thing is true as to other raw materials imported, manufactured here, and afterwards exported.

Mr. LOVERING. It is paid once into the United States Treasury. It is paid once back and the incident is closed. That is the end of it.

Mr. UNDERWOOOD. You do not want it paid back more than once on the same hides?

Mr. LOVERING. That is sufficient.

Mr. UNDERWOOD. If you import the hide and send it out as a shoe, you pay the duty on the hide and get it back when you send it out in the shoe, and that is all you ought to get back.

Mr. LOVERING. That is all we claim.

Mr. UNDERWOOD. Therefore on the export business this does not cut any figure at all.

Mr. LOVERING. It cuts this figure, that that $12,000,000 or $13,000,000 worth of shoes exported last year furnished labor to a certain number of people in the United States which would not otherwise have been afforded.

Mr. UNDERWOOD. The gentleman understands that I am not raising any question against the rebate that is paid back on the foreign shipments of foreign hides, but what I am objecting to is giving back to these people the duty they paid on hides or ought to pay on hides for the domestic business. They get it back in any event when they engage in foreign trade.

Mr. LOVERING. Precisely the same as though the hides were brought in and the shoes manufactured in bond and again exported.

Mr. HUGHES of New Jersey. Does the gentleman believe that the amount of this duty that is proposed to be taken off from hides will ever find its way into the pay envelope of the employees engaged in manufacturing boots and shoes?

Mr. LOVERING. The rebate or drawback would not be operative with free hides. The gentleman understands that.

Mr. HUGHES of New Jersey. I understand that.

Mr. LOVERING. It is only under the Dingley bill, where a duty of 15 per cent was placed on those hides, and that duty was again repaid when the manufactured product was exported, that it has been of any effective value to the people of this country.

Mr. HUGHES of New Jersey. If the duty was taken off from hides, or an additional duty was put on the manufactured product, thereby raising the price, does the gentleman believe that in either one of those instances the difference would find its way, without the action of the unions or organizations of labor, into the pay envelopes of the employees?

Mr. LOVERING. Without the least doubt in the world.

Mr. HUGHES of New Jersey. Then the gentleman's experience has been different from mine.

Mr. LOVERING. I have been a manufacturer all my days.

Mr. STANLEY. It strikes me that the gentleman's premises, so ably laid down, justify a conclusion much stronger than he has drawn. The system of rebating, as it now exists, would encourage the exportation of shoes by offering this bonus in the way of the repayment of the duty.

Mr. UNDERWOOD. Undoubtedly.

Mr. STANLEY. If that duty on hides is taken off entirely, without a corresponding reduction of the duty on shoes, it strikes me that there will be less encouragement to exportation. The manufacturer can make fewer shoes for export, his smaller sales being compensated by larger profits.

Mr. UNDERWOOD. I am not sure that I go as far as the gentleman does in his conclusion in that matter; but at any rate, as far as the foreign trade is concerned, whether the duties are kept on hides or not, it does not affect that so far as the American consumer is concerned. He is not going to get his shoes for one cent less, but the Treasury of the United States is going to lose over $3,000,000 a year when it needs it by the removal of the duty on hides.

Mr. PARSONS. Is the gentleman opposed to free raw materials?

Mr. UNDERWOOD. Most emphatically. I do not believe in free raw materials any more than I believe in the doctrine of protection. I believe in a tariff levied for revenue, at a fair competitive basis, and spread over the commodities that are imported into the country.

Mr. PARSONS. One more question. Referring to the wool schedule, does the gentleman criticise the duty on raw wool from which we derive a revenue of $17,000,000?

Mr. UNDERWOOD. I would not put raw wool on the free list, but to carry out the idea of the majority of the Ways and Means Committee, they ought to put it on the free list to be consistent. Why should they put hides and iron ore on the free list, and say they believe in free raw materials and not put wool on the free list?

Mr. PARSONS. The gentleman does not answer my question. I asked whether he is opposed to the present duty on raw wool.

Mr. UNDERWOOD. I will come to wool after a while. I am not in favor of free wool; I am in favor of a tariff for revenue on everything.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. UNDERWOOD. I will yield to the gentleman from Texas.

Mr. SLAYDEN. I would like to ask if it has not become perfectly manifest since this discussion began that these manufacturers in the East are demanding free raw material because they believe in excessive protection and realize that it is an additional protection to their interest?

Mr. UNDERWOOD. I think the gentleman's conclusion is absolutely correct.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield for a question?

Mr. UNDERWOOD. Yes.

Mr. MICHAEL E. DRISCOLL. There are shoe manufacturers in my district who claim that if they get free hides they will be able to reduce the price of boots and shoes to the ultimate consumer—that is, they claim there is competition in the shoe business throughout the country, and that if they can have free raw material they can reduce the price of boots and shoes in the market.

Mr. UNDERWOOD. I will say that free hides, in my judgment, although it has been asserted otherwise by some, free hides will not make more than a cent difference in a shoe, and that cent will never get down to the consumer, and the $3,000,000 on hides will go into the treasury of the boot and shoe manufacturers who import hides. I know that they contend that it will go to the people, but I deny the contention.

Mr. MICHAEL E. DRISCOLL. They can make a reasonable profit and reduce the price of shoes to the people who wear them.

Mr. UNDERWOOD. With a difference of not more than 1 cent on a shoe, I do not think it will be reduced to the consumer.

Mr. MICHAEL E. DRISCOLL. Can not they reduce the price of boots and shoes?

Mr. UNDERWOOD. Of course they can; but I do not think they will.

Mr. MICHAEL E. DRISCOLL. Does the gentleman from Alabama claim that there is a trust on boots and shoes?

Mr. UNDERWOOD. No; I do not.

Mr. MICHAEL E. DRISCOLL. Will not the ordinary competition reduce the price of boots and shoes?

Mr. UNDERWOOD. I do not think it will, because shoes are sold in sizes. They sell a dollar shoe, a dollar and a quarter shoe, a dollar and a half shoe, a $2 shoe, and the price goes on a jump of 25 cents at a time. I believe that the cent difference that goes into the shoes will not be affected by free hides. I believe that the cent difference will not cut any figure in the price of boots and shoes to the consumer; that they will sell them at the same old rates.

Mr. MICHAEL E. DRISCOLL. But that is an assumption on the part of the gentleman from Alabama.

Mr. UNDERWOOD. That is my belief. The shoe men say that if we will give them free hides it will reduce the cost, but I do not believe it will, and I believe that every dollar of revenue that we take away from the Government will go into their pockets and stay there.

Mr. HUBBARD of West Virginia. Will the gentleman from Alabama yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. HUBBARD of West Virginia. Some who have been making a claim that the price of shoes will be reduced by reason of free hides have abandoned that argument and are now setting up the claim that while that may not be the case, free hides will enable them to put a better quality of material into their boots and shoes at the same price. I would like to have the views of the gentleman on that point.

Mr. UNDERWOOD. I think that is entirely with the maker of the shoe. I think he can put a better quality of stock into the shoes now, or he can neglect to put in a better quality. I think it will depend entirely on the man and the price. I do not think a man who wants to do business and drive it down to the last cent will put a better quality of stock into his product. I think there are some manufacturers who went to exploit their goods as high-grade manufactures that will try and improve their product as much as possible. But in the end, I do not believe that the American people are going to get one cent of benefit out of the fact that the Government gives this $3,000,000 to the boot and shoe manufacturers.

Mr. BURNETT. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. BURNETT. Does the gentleman think it will prevent them from using paper bottoms and paper soles, as a great many of them do now? [Laughter.]

Mr. UNDERWOOD. I do not.

Mr. BYRD. Will the gentleman yield for a question?

Mr. UNDERWOOD. I will yield to the gentleman.

Mr. BYRD. Regarding the drawback proposition, will the gentleman from Alabama explain to me what is meant by this section 29, which provides

On the exportation of articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, or where domestic materials are used, to the duties paid on the equivalent of imported materials, less the legal deduction of 1 per cent.

Do I understand by that that a man when he makes goods for export out of domestic materials can go to the Treasury and draw back the amount of the duty he would have had to pay had he imported them?

Mr. UNDERWOOD. As I understand the proposition, it simply enlarges the present drawback clause. Originally, if you brought a foreign commodity into the country and manufactured it and shipped the manufactured product out, you got 99 per cent of your duty back. Now, if you bring a foreign commodity into the country under this bill and afterwards ship a manufactured commodity out, even if it is made of domestic material, but of the same class of goods and out of the same material as that you imported, at any time within three years you can go to the Treasury Department and get 99 per cent of the duty that you paid.

Mr. BYRD. Will the gentleman answer one other question? If that be true, is it not then a possibility for the manufacturer to get back out of the Treasury all of the duty that he pays on all the imported raw material that he gets?

Mr. UNDERWOOD. Unquestionably. There is no reason in the world why any manufacturer, if this Payne bill goes through, should lose any part of the duty that he pays on raw material he brings in here and manufactures for reshipment, except the 1 per cent that the Treasury takes out to cover the cost to the Government.

Mr. BATES. Will the gentleman yield for a question?

Mr. UNDERWOOD. Yes.

Mr. BATES. I am interested to know the views of the gentleman from Alabama. The gentleman is opposed to free raw material?

Mr. UNDERWOOD. I am.

Mr. BATES. The gentleman is in favor, therefore, of reducing the tariff rate on manufactured goods?

Mr. UNDERWOOD. I am in favor of putting everything on a revenue rate.

Mr. BATES. Or, in the words the gentleman used a moment ago, reducing them to a competitive basis?

Mr. UNDERWOOD. Undoubtedly. They could not be at a revenue rate without their being on a competitive basis.

Mr. BATES. Precisely. Now, is the gentleman in favor of that, notwithstanding the fact that it would reduce the number of jobs for workmen in this country, or else reduce their wages? Is the gentleman in favor of reducing the wages of the American workman?

Mr. UNDERWOOD. No; I am not in favor of reducing the wages of the American workman, and if the industries of this country are put on a healthy competitive basis, when hard times come, when panics come, the workman of this country will hold his job, and foreign goods will cease to come in; but when you build this protective tariff wall so high that the American people have got to buy every commodity and all they desire in times of great prosperity and great development alone from American manufacturers, you expand conditions, develop your business to such an extent that when hard times come there is no place to retrench or dispose of your surplus production, and you have got to shut up your factories at home. But if you build up the great industries of the country, not with an unhealthy, hothouse growth, but along conservative lines, recognizing fair competition and only revenue rates of duty all the time, while you might not build your industries as rapidly as under a forcing process, yet you would not have the present unhealthy growth, and when hard times and panics come and it is necessary to reduce production, the foreign goods would be driven out; in most cases American mills would continue in operation. [Applause on the Democratic side.]

Mr. BATES. Mr. Chairman, it is as simple as that two and two make four that if we reduce the duty on manufactured iron and woolen and cotton goods, larger imports will come to our shores and there will be less of those goods manufactured in this country.

Mr. UNDERWOOD. Oh, of course I do not deny that. I have not denied it.

Mr. BATES. And the gentleman can not deny the point that John Bright admitted in 1886, when he said that only two things could happen from reducing the tariff rates; one was the reduction in the price of labor, and the other was the closing of mills.

Mr. UNDERWOOD. There is not any question that at the high rate of development that your hothouse growth has carried the manufacturing interests of this country to, when times become hard and competition becomes severe somebody has got to go out of business; but if you had developed it along safe and sound lines, not under stilted conditions, when you meet these days of depression it would not be the American laborer who went out of business, but it would be the foreign workman.

Mr. BATES. I beg the gentleman's pardon—I do not want to interrupt the gentleman——

Mr. UNDERWOOD. I would like to go on with my argument.

Mr. BATES. Just one more question. Take the subject of knit goods. There is now some disappointment and criticism because the rate has been raised on knit goods or hosiery, is there not?

Mr. UNDERWOOD. Yes; I think there is.

Mr. BATES. In spite of our present rate, which is rather high, is it not a fact that there have been large importations all along for the last twelve years, and that only last year there were 61,000,000 pairs of foreign hosiery admitted into this country?

Mr. UNDERWOOD. I think the gentleman will clearly find that on almost every woolen schedule the duty is practically prohibitive. A seemingly large quantity may come in, but it is very small in comparison with the amount of the American consumption, but I think there are some classes of hosieries that we do not manufacture here that are imported; and there are other classes of hosieries that some American people prefer to buy abroad and would not buy here anyhow; you can not keep them out no matter what the tax amounts to—it is the clothing of the idle rich; they are willing to pay any price for the latest styles.

Mr. WEISSE. Will the gentleman from Alabama please allow me to just ask the gentleman from Pennsylvania one question?

Mr. BATES. With the permission of the gentleman from Alabama.

Mr. UNDERWOOD. If it is just a question, I will, but I desire to get on with my speech.

Mr. WEISSE. In 1900 the average wage paid, according to the census report, in the woolen mills of this country was $350 a year for each person who worked there; also the average wage to the carpenter and mason was about $6 a day, or about four times as much. Was the carpenter protected by the tariff, and why is it wages were so low in the woolen industries? [Applause on the Democratic side.]

Mr. BATES. Why, that is easy to answer. The carpenter is the head of a family, a skilled workman, and the wage cited does not include helpers and journeymen; in the woolen industry there is much unskilled labor, and women and children work. I do not think there is much sequence in the citation made by the gentleman, and his statement as to the low wages in the woolen mills does not conform with the statement of the distinguished gentleman from Alabama who yielded to him, who states that we have been hothousing American labor in the supply of woolens and cotton and forcing up the rate of wages, thereby prohibiting imports by foreign manufacturers. It does not accord with the statement of the distinguished gentleman from Alabama. The carpenter has absolutely no competition from abroad and very little at home. The woolen and textile workers have a certain degree of competition, else we would not be now importing the large amounts we do from abroad.

Mr. UNDERWOOD. The wage scales show we have been very far from hothousing American labor in the textile industries. I know of some instances where the present system has been starving them.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, before that statement made by the gentleman from Wisconsin goes into the RECORD I would like to know what is his proof as to carpenters' wages.

Mr. WEISSE. From the census reports of 1900, in regard to labor in woolen mills.

Mr. UNDERWOOD. I do not desire gentlemen to interrupt me for the purpose of asking other gentlemen questions.

Mr. COLE. Will the gentleman yield for a question?

Mr. UNDERWOOD. I will.

Mr. COLE. Is it not a fact that the carpenter is absolutely protected? Can a carpenter working on a building in London compete with a carpenter working on a building in Washington?

Mr. UNDERWOOD. Well, I will not stop to go into that proposition now. I think that the legislation passed by Republican Congresses in the past has clearly demonstrated that; so far as foreign labor coming in here, there is no law on the statute books that protects American labor against the importation of foreign labor. [Applause on the Democratic side.] Now I desire to get back to the line of my argument.

Mr. PARSONS. Will the gentleman yield for a further question? The gentleman from Wisconsin——

Mr. UNDERWOOD. I will have to ask the gentleman if he will please, in his own time, discuss the question with the gentleman from Wisconsin—not in my time.

The CHAIRMAN. The gentleman from Alabama declines to yield.

Mr. UNDERWOOD. I do not wish to be impolite or discourteous; I do not intend to be so, but I desire to go on with my argument, and the continued interruptions are preventing me from doing so. As far as the condition of the country is concerned, affecting men out of employment, we have reached this lamentable situation through the hothouse growth caused by a prohibitive protective tariff, and a panic has been produced as the natural result; men are out of employment under the protective system, and not under a revenue system. [Applause on the Democratic side.]

Now I want to say this further about this question of free raw material: The gentleman from New York [Mr. PAYNE] asserted that he believed in the doctrine of free raw material. As I have shown you all, the free raw material that he has given anybody he has given to New England and the Atlantic seaboard, but we did have something on the free list before this bill was written, and that is zinc ore. Zinc ore has been admitted free. There is zinc ore produced in Mexico, running from 32 to 40 per cent of metallic zinc. There is a 60 per cent zinc ore produced at Joplin, Mo. The freight rate from Mexico on the zinc ore to the smelters amounts to $6.50 a ton. The freight rate from Joplin to the smelter amounts to a dollar. The Joplin ore is a 60 per cent ore, the Mexican ore is only about a 32 per cent ore as a rule. Now, you will see that it is evident from that statement that it costs more to bring the Mexican ore to the mill in Kansas or in Missouri than it does the domestic ore, and the only reason it is imported is that the zinc mines of Joplin and in western Missouri have not been able to produce enough zinc ore to supply the demands of the smelters.

That being the condition, we might expect if any taxes were levied they would be on a revenue basis, that would produce some revenue. That I would most cheerfully vote for; but they propose a tariff that will amount to from $7.50 to $8 a ton on zinc ore. That will be prohibitive, and put the Mexican ore entirely out of business in this country and allow the American ore to be raised to the difference in price, which ultimately must be paid by the American consumer. And every man who uses galvanized-iron and barbed-wire fencing must ultimately pay this increased tax, levied for the producer and not for the Government.

Mr. HILL. The gentleman made a remark a minute ago that the only thing in this bill was giving free raw material to New England.

Mr. UNDERWOOD. No; I did not say it was the only thing in this bill.

Mr. HILL. I mean relating to raw material. I have heard a good deal about that in the last three months. Will the gentleman kindly specify one free raw material that this bill gives to New England as distinct from any other part of the country?

A MEMBER. Hides.

Mr. HILL. The bulk of the shoes of the United States today are made outside of New England, and it is no boon to us any more than it is to you. Name some other.

Mr. UNDERWOOD. I said New England and the eastern seaboard.

Mr. HILL. The gentleman said free ore. There is not a blast furnace in New England which will take advantage of foreign free ore.

Mr. UNDERWOOD. Yes; but the blast furnaces of the eastern seaboard are close to New England. I said New England and the eastern seaboard.

Mr. HILL. Now, the gentleman in his remarks a moment ago said New England.

Mr. UNDERWOOD. If I left out the eastern seaboard and New York in one statement, I have said it enough in my speech to classify the two together. As to hides, New England gets the benefit of the hides, they get the benefit of cheaper ore, they get the benefit of the coal. The free coal shipped will go to New England, and she will be nearly the sole beneficiary from it.

Mr. HILL. Was the gentleman present at the hearing when the hide question was before the committee?

Mr. UNDERWOOD. Oh, yes.

Mr. HILL. Does he not know that New Orleans, Richmond, Va.; St. Louis—where the largest shoe factory in the United States is located—Minneapolis, Cincinnati, and all of the West and South were represented and demanded that?

Mr. UNDERWOOD. Yes.

Mr. HILL. Then, why charge it up to New England?

Mr. UNDERWOOD. I will tell you. The free hides may go, to some extent, to the interior points, but they go largely to New England and the East. And I will tell the gentleman why. The interest that the shoe man in the interior has in New England getting free hides is because it does not make as much competition for the hides that he buys in Chicago and in the interior points from American farmers, and that is why he wants New England to have free hides.

Mr. HILL. Does not the gentleman know, when he speaks of competition with Chicago, that it was demonstrated before the committee that the tanners of this country could not buy hides in Chicago; that the "big four" were tanning their own hides; and that the tanners could get no raw materials to work with, and had to have free hides or go out of business? Now, the gentleman knows that?

Mr. UNDERWOOD. It may apply to some rate war that the tanners were engaged in, but it did not apply to the shoemakers in getting free hides, and that was what I was talking about. I was talking about the shoes.

Mr. KELIHER. A moment ago I understood the gentleman to say that, in his opinion, the duty on hides added but 1 cent a pair to the cost of shoes?

Mr. UNDERWOOD. It was variously estimated in the committee by different witnesses. Some went higher and some went lower. I think some placed it at half a cent and some went up materially higher. I said in my judgment that it would not amount to more than 1 cent.

Mr. KELIHER. Now, will the gentleman permit me for just a second to pit against his opinion the opinion of William L. Douglas, one of the largest and most successful manufacturers of shoes in the world, who said very recently:

The hide duty adds about 7 cents per pair to the cost of producing the grade of shoes I manufacture.

Mr. UNDERWOOD. Let me say to the gentleman from Massachusetts that where the high-grade shoe is being manufactured out of all sole leather it would amount to more than 1 cent a shoe; but the shoe that the poor people wear, that the ordinary people wear, which is not all manufactured out of sole leather, it will amount to very little, and therefore I say that it will not on the average amount to a cent a shoe.

Mr. HUBBARD of West Virginia. Mr. Chairman, when the gentleman was interrupted a moment ago he had instanced coal as having been put on the free list and to be of benefit to New England. If the gentleman has not concluded his remarks on that subject, I would be very glad if he would continue them as to that particular article.

Mr. UNDERWOOD. As to coal, I admit that it is somewhat on a different basis to the other raw material given to New England. The manufacturer of New England will receive a great boon from free coal. I admit that the plain people in the New England States will also receive a boon from free coal which they do not receive with reference to these other raw materials that are given to them. But I do say this: Coal is on a revenue basis. It is paying a large amount of money into the Treasury. The people of my State have to pay high taxes on woolen goods and cotton goods that are manufactured in New England. They have to pay a high tax on agricultural implements that are manufactured in New York; and why is it not just that in equalizing these burdens the people of New York and of New England should pay some tax on the coal that they import for their own benefit? It is equitable in the fair distribution of the burdens of taxation, and from a revenue standpoint there is no reason why they should not bear their share of the burden.

Now, I am taking up a great deal more time than I intended, and I wish to hurry on through my speech.

The next item that I come to in the bill——

Mr. MORGAN of Missouri. Before the gentleman leaves the zinc matter I would like to ask him a question: As I understood the gentleman he stated that the district of Joplin was unable to produce sufficient zinc ore for the necessities of the country.

Now, is it not a fact that when the spelter men first went to Mexico to purchase Mexican ores there was a surplus of zinc ores in the United States, and the only reason they went to Mexico was because they could get those ores cheaper on account of the price of labor, they employing peon labor, as against the high price of labor paid in this country?

Mr. UNDERWOOD. Not at all. They went there because they could not get the ore in Joplin. They went there because the demand in the United States for ore increased so greatly that this country was unable to supply it. Now, in 1898 the Joplin district produced 275,123 tons of ore; in 1907, nearly ten years afterwards, the Joplin district only produced 297,126 tons of ore, or an increase of 26 per cent in your production of ore. But in 1898 the spelter production in the United States—and I will say that spelter is the pig metal that is produced out of zinc ore—the spelter production in the United States amounted to only 114,104 tons, whereas in 1907 the spelter production had increased to 249,612 tons, or an increase of 119 per cent. Now, your increase of ore in the Joplin district in that time was only 26 per cent, and the consumption of spelter by the smelters of the country increased 119 per cent, and that is why they had to go to Mexico to get more ore. [Loud applause on the Democratic side.]

Mr. MORGAN of Missouri. Is it not a fact that the increased amount of spelter over the amount of ore commenced in 1905, the year that the spelter men went to Mexico to buy their ore? And is it not true that the production of zinc ore kept pace with the demand for spelter until they went to Mexico, and the reason it fell off in our district was because of the fact that these men who were engaged in that business went to Mexico simply so they could buy it cheaper on account of the cheap labor that was employed in mining it?

Mr. UNDERWOOD. I can not allow the gentleman to make a speech in my time; but I will say to the gentleman the reason he has not had prosperity in his district is the very same reason that we have not had it in the balance of the country, because we have had too much of the Dingley tariff. [Applause.] I want to say this to the gentleman, that when he talks about the cost of this zinc ore to the American people they had to go abroad to get foreign ores because of the great demand of the American market. The importation of zinc ores into the United States in 1907 amounted to 82,419 tons. If charged an average duty of $7.50, as proposed by this bill, it will amount to $618,000 that the American people will have to pay.

Now, I do not mean to say that I would not favor a fair revenue duty, something like a dollar a ton, two and one-half times as much as there is on iron ore; but there is no reason for putting a duty of $7.50 or $8 a ton on zinc ore and putting iron ore—now at 40 cents a ton—on the free list. But I will say to the gentleman from Missouri [Mr. MORGAN], he has one distinction in this Congress, and always will have. I understood the distinguished gentleman from Illinois [Mr. CANNON], who represents the Danville district in Congress, to say yesterday that when he went to Joplin he told those people there that if they sent a Republican to Congress they would get a tariff on zinc ore, or he would vote for a tariff on zinc; which, in the organization of the House, I take it, meant that a tariff on zinc ore was sure to come; that if they sent a Democrat to this House they would not get any tariff on zinc. And I want to tell the gentleman who obtained his election by reason of the Speaker's promise that putting that tariff on zinc ore will cost the American people $618,000 a year, and the distinguished gentleman from Missouri [Mr. MORGAN], whom I am facing, will have the great distinction of being the highest-priced Congressman that the American people ever paid for. [Applause and laughter on the Democratic side.]

Mr. MORGAN of Missouri. I want to ask one question.

Mr. UNDERWOOD. If the gentleman will ask me a question, but not make an argument.

Mr. MORGAN of Missouri. I will not inject any speech. I think Speaker CANNON can take care of himself in regard to what he said at Joplin.

Mr. UNDERWOOD. What is the gentleman's question?

Mr. MORGAN of Missouri. The question is this: Do you believe that by permitting the spelter people to go to Mexico and buy cheap Mexican ore that will reduce the price of their spelter to the consumers one cent?

Mr. UNDERWOOD. Now, let me tell you what is the fact in reference to that, and the record shows it, that the only reason any ore came in from Mexico was because the Joplin district could not produce enough to supply the demand.

Mr. MORGAN of Missouri. You are mistaken on that.

Mr. UNDERWOOD. And if it is left alone, the Joplin district will go on supplying the demand until the country needs more than Joplin can furnish, and then it will go to Mexico. Now I desire to go on without interruption, Mr. Chairman.

Mr. MORGAN of Missouri. You have not answered the question about the increased cost to the consumers.

Mr. UNDERWOOD. The testimony shows that Joplin ore can be furnished and laid down at the smelter cheaper than the Mexican ore can be, if you believe the testimony before the committee.

Mr. MORGAN of Missouri. The gentleman is entirely mistaken.

Mr. UNDERWOOD. I know what the testimony was.

Mr. MORGAN of Missouri. I know what the facts are.

Mr. UNDERWOOD. Your witnesses came before the committee and compared the ore of Mexico with the ore of Joplin, and said that they had a $9 ore in Mexico with $6.50 freight rate, and $20 ore in Joplin; but they did not say that that Mexican ore was a 32 per cent ore and that the Joplin ore was a 60 per cent ore, and that made the difference, and made the metallic substance in the Joplin ore higher and the ore cheaper than the Mexican ore. [Applause on the Democratic side.]

Mr. MORGAN of Missouri. Is it not true that the Committee on Ways and Means were furnished with the exact facts, that the Joplin ore was 60 per cent and the Mexican ore about 40 per cent? I do not suppose that all the men that went before the committee stated that, but was not that stated so that the gentleman understood and based his action upon it?

Mr. UNDERWOOD. It ran from 32 to 40 per cent, and the best-informed men that I found before the committee stated that it was 32 per cent.

Mr. GAINES. The gentleman has said that the reason Mexican ore came in was because the mines of the Missouri district could not furnish the zinc ore. It was stated before the committee at the hearings that at the very time the Mexican ore

was coming in, the bins in the Joplin district were full of zinc ore for which there could be found no market, because it could not be produced at the price for which the Mexican ore was sold. Now, that was a statement of fact, and we ought to be able to reach some certain conclusion about such a matter. Does the gentleman deny that fact?

Mr. UNDERWOOD. I think there is no doubt about the statement that the Joplin people had an overproduction of ore about the time that the panic struck the country and everything shut down, but that was not the normal condition and will not continue to be the normal condition, I hope. I understand that shortly after the panic occurred the ores in the Joplin district were being consumed and used, and that the stock of ore is not there now.

Mr. GAINES. If my colleague will permit me again, that does not address itself precisely to what I said. The gentleman says there was a panic and that there was less than the usual demand for everything. That is not what I am addressing myself to. It was stated time and again in our hearing, and upon oath, not that there was no demand for zinc ore, but that while the Mexican ore was coming in and there was a demand for Mexican ore the Missouri ore lay in the bins and could not be sold because the price fixed by the Mexican ore was less than the Missouri cost of production. Is that true or not?

Mr. UNDERWOOD. I say there was some testimony that the ore accumulated in Joplin. It accumulated at the time of the bank panic of 1907——

Mr. GAINES. My question is whether the gentleman disputes the fact, or does he brush it aside and refuse to give it consideration?

Mr. UNDERWOOD. Oh, I will answer the gentleman in my own language. I stated before, and I state it again, that there was testimony that a quantity of ore had accumulated in the bins at Joplin, and that it was at the time of the panic when everything shut down. I do say, and the gentleman can not deny these figures, that the cost of ore in Mexico is $9, as testified to by these witnesses, and the cost of freight to the smelter is $6.50; and the cost of ore at Joplin was placed at $20 and the cost of the smelter $1, and that the Joplin ore was 60 per cent ore—most of the witnesses testifying that the Mexican ore was 32 per cent ore, and some said 40—but, taking it at 40 per cent, the gentleman only needs a pencil and a paper to demonstrate the fact that the Joplin ore was cheaper at the smelter than the Mexican ore because it had more metallic zinc in it, and the cost price of the Mexican ore was not the cause of its importation.

Mr. GAINES. I am aware that we are trespassing on the time of the gentleman from Alabama and getting in a good deal of stuff in his speech which perhaps will break up the continuity of it, and I really apologize for the interruption, but the gentleman says that I can not deny the figures. That is very little to the point, because I have no personal information about the matter, nor does the gentleman from Alabama have such personal knowledge, but the figures furnished us were by persons who swore to the figures and knew what they were testifying about. Now, I want to bring the gentleman back to that question: Is it or not a fact that at the very time these Joplin ores could not be sold, because the price was below the cost of production, Mexican ores were sold to the zinc trust?

Mr. UNDERWOOD. I do not know whether the latter statement is true or not. It may have been a fact that the smelters in times of prosperity, before the panic of 1897, might have made a contract for zinc ores that had to be carried out, and their contract did not expire until after the period when Joplin had quit mining on account of the panic.

Mr. SLAYDEN. Will the gentleman from Alabama permit me to make a short statement?

Mr. UNDERWOOD. Certainly.

Mr. SLAYDEN. In looking over the hearings bearing on this production of ore in Mexico, I was struck by the statement made—by whom I do not recall, but absolutely inaccurate as to the cost of mining in Mexico. I want to premise my statement by saying that I have no interest in the production of zinc, never did have, have no friends who do produce it that I know of, and that I am wholly disinterested in it. I have had some experience in mining in other lines and other metals in Mexico, and I know that the most ordinary miners' wages in Mexico are twice, and two and a half, and frequently three and four times as much as was stated in these hearings. The peon labor, which seems to have a mysterious meaning for the gentleman, is the ordinary labor of the miners, and it commands much better wages and they do very much less work per unit than it does in the United States; but, after all, the lower wages paid to Mexican miners is very little cheaper and often not so cheap as the higher wages paid in the United States. [Applause.]

Mr. UNDERWOOD. Now, Mr. Chairman, if gentlemen will allow me to proceed, I wish to come to the prohibitive rates in this bill. I am not sure that I am absolutely correct in the statement I am about to make, but I took the report filed by the majority members of the Ways and Means Committee and counted the number of increases made in the bill. If I counted correctly—and I think I counted about right—they had increased the rates in 46 instances. The reductions made, as set out in the report, if I have counted them correctly, amount to 165 items.

Now, of those items, 49 are in the chemical schedule, 50 in the metal schedule, which makes 100, and leaves only about 65 items of reduction in the entire balance of the Payne bill below the rates in the Dingley bill. Now, when you consider the fact that the Payne bill has 712 paragraphs, and it is stated—I do not know how correctly, but I believe it to be a fact—that the bill has 4,000 items in it, you can see what a small reduction has been made in this bill under the rates of the Dingley bill.

Mr. HILL. The gentleman ought to be fair——

Mr. UNDERWOOD. I want to be fair.

Mr. HILL (continuing). And show at the same time how many items there are on the free list, and then devise some way by which these could be reduced in order to make his statement fair.

Mr. UNDERWOOD. Of course, the items on the free list out of the 4,000 will not cut a very large figure with the items on the protective list.

Mr. HILL. Oh, yes; they will cut a very large figure. The gentleman said 712 paragraphs. How many of them are in the free list?

Mr. UNDERWOOD. Not a large proportion of them.

Mr. HILL. Of course those can not be reduced.

Mr. UNDERWOOD. If the gentleman will state how many there are, I will take his statement for it.

Mr. HILL. I am not making the statement.

Mr. LONGWORTH. Mr. Chairman, I did not quite catch what the gentleman from Alabama said as to the number of paragraphs in which duties were reduced.

Mr. UNDERWOOD. I did not say as to the number of paragraphs. I said I simply took the report and counted the number of places in which the majority stated in the report reductions were made, and I count 165. I may have made a miscount of a figure or two, but that is substantially what is stated in the gentleman's own report of the number of places in which reductions have been made.

Mr. LONGWORTH. One hundred and sixty-five?

Mr. UNDERWOOD. One hundred and sixty-five.

Mr. LONGWORTH. The fact is that 130 paragraphs were reduced, not considering the number of brackets, and only 30 paragraphs were raised.

Mr. UNDERWOOD. The gentleman enumerates 46 in his report, as I understood it. I will take him at his own figures—that 30 have been raised and 130 reduced. My figures are somewhat in excess of that.

Mr. LONGWORTH. That is, out of four hundred and sixty odd paragraphs which carry a duty in the Dingley bill, but that does not include the free list.

Mr. UNDERWOOD. The gentleman sustains my argument. He states that 130 out of the entire bill have been reduced.

Mr. LONGWORTH. I beg the gentleman's pardon. Those are paragraphs, not brackets. It is the commodities contained in 130 paragraphs. In other words, this bill reduces more than 30 per cent of all the paragraphs and increases less than 6 per cent of the paragraphs.

Mr. UNDERWOOD. I will take the gentleman's statement. He had three months in which to prepare a bill and to write a report: we had four days in which to examine it.

Mr. HILL. Mr. Chairman, I am prepared to answer the question which the gentleman asked me, if he desires an answer at this time.

Mr. UNDERWOOD. Oh, I can not talk to two gentlemen at the same time.

Mr. LONGWORTH. May I ask the gentleman another question?

Mr. UNDERWOOD. Yes.

Mr. LONGWORTH. The gentleman and I agree on a good many things in this bill. I also agree with a good many of the views advanced by the gentleman from Missouri [Mr. CLARK], the leader of the minority. The trouble is that I have not an opportunity to hear all of the views of the minority of the committee. May I ask the gentleman why, when he had equal opportunities with the majority in the hearings, having all the information possessed by the majority, having all the various

divisions of the Government at their command for information, the minority of this committee did not draft a complete bill, that we might be acquainted with their views in their entirety?

Mr. UNDERWOOD. Does the gentleman from Ohio know whether or not the minority has drafted a complete bill?

Mr. LONGWORTH. I should think, if they had, they would have produced it or put it in their report. The very statement that the minority make is that they have had no opportunity to criticise this bill.

Mr. UNDERWOOD. If the gentleman will permit me, what the minority say is not that they have not had an opportunity to study the question thoroughly. They have studied it thoroughly; but they say they had only four days in which to study the Payne bill, the bill containing 4,000 items and 712 paragraphs, each requiring accurate mathematical calculation in every instance to determine what has been done. No set of men on the face of the earth could run over it in four days and come to an accurate understanding of all that has been done. Now, as to whether we propose to offer a bill, we will answer that proposition when the bill is taken up under the rule of the House that allows us to offer amendments.

Mr. LONGWORTH. I will, then, only ask the gentleman this question. Have the minority prepared a bill?

Mr. UNDERWOOD. I really would like to have the gentleman from Ohio candidly tell me whether it is the intention of the majority members of this committee to give the membership of this House an opportunity to fairly offer amendments to this bill, or whether they propose to put the gag rule to us? If he would answer that, he would give me some very valuable information.

Mr. LONGWORTH. I will answer the gentleman by saying that I am only one-twelfth of the majority of that committee, and can not speak for them.

Mr. JAMES. "Why don't you speak for yourself, John?" [Laughter.]

Mr. UNDERWOOD. If the gentleman will inform me as to his views on that proposition, it may afford some light on the views of his colleagues.

Mr. HILL. The gentleman does not need it in view of the fact he has power now under the rules of the House to move the recommittal of the bill with instructions. He does not need assistance from this side. I would like to answer the question he asked some time ago——

Mr. JAMES. Mr. Chairman, I would like to suggest that the gentleman from Ohio [Mr. LONGWORTH] has stated that he is one-twelfth of that side and one-twelfth added to our side would enable us to carry a proposition. Now, if we could get an answer from him as to how he stands on this and if he is with us we would be very glad to have the information.

Mr. LONGWORTH. Mr. Chairman, I will candidly say I hope that a reasonable opportunity for amendments will be given, one that will not delay unduly the passage of this bill.

Mr. JAMES. Is that only a hope?

Mr. LONGWORTH. Now, I ask the gentleman from Alabama [Mr. UNDERWOOD], inasmuch as I have answered for myself, if he will answer for himself as to whether the minority of the committee has prepared a complete bill or, if they have not, whether they intend to prepare one?

Mr. UNDERWOOD. I am not prepared to answer the question as to whether the minority has prepared a complete bill or not at this time. The gentleman will receive his answer when the proper time comes.

Mr. LONGWORTH. But the gentleman is one-seventh of the minority——

Mr. UNDERWOOD. Oh, we will answer that——

Mr. LONGWORTH. And has the advantage of me in that respect.

Mr. UNDERWOOD. Oh, we will answer that proposition when we come to it. If we are given opportunity to offer amendments, we will offer such amendments as we think necessary to reduce this bill to a revenue basis. [Applause on the Democratic side.]

Mr. LONGWORTH. Then the gentleman's answer to my question is that the minority have not prepared a bill.

Mr. UNDERWOOD. No; I have not answered the question; I decline to answer.

Mr. HILL. If the gentleman has an opportunity to offer amendments, will the gentleman then vote for the bill when it is amended?

Mr. UNDERWOOD. I will say to the gentleman very candidly that if I can amend this bill I will amend it——

Mr. HILL. To suit yourself.

Mr. UNDERWOOD (continuing). From the chemical schedule to the last schedule in the bill and put it on a revenue basis, or even if I can put a small portion of the bill on a revenue basis I would most cheerfully vote for it, but because we put in one amendment here and another amendment there, and still leave it in the form of the old Dingley bill, with its prohibitive rates, I can assure the gentleman it will not get my vote under any circumstances. There are some paragraphs now on a revenue basis, but not many; the exception proves the rule.

Mr. HILL. I would ask the gentleman what he means by putting it on a revenue basis. What would a revenue basis be on pig iron and steel?

Mr. UNDERWOOD. I am coming to that.

Mr. HILL. I did not know but what the gentleman had already discussed that.

Mr. UNDERWOOD. No; I have been trying to come to the pig-iron schedule for some time. I will say this in reference to the pig-iron schedule, there is a great deal of testimony about what it costs to make pig iron here and what it costs to make it abroad.

I have heard it variously estimated by interested witnesses who came before the committee that pig iron was being made abroad all the way from eight to twelve dollars a ton, and that they estimated the cost of making pig iron at home at from twelve to fifteen dollars a ton. The freight rates have been stated at most remarkable figures, but there is some testimony that I think is reliable. The Government sent an expert to Germany to investigate the cost of making pig iron. He testified that the cheapest pig iron that was made in Germany was at a cost of $11.42 a ton in the Luxemburg district. He testified that it costs $1.49 freight to haul that pig iron to Antwerp for shipment abroad, and I think that the average ocean-freight rate must have been somewhere from one dollar to one dollar and a half a ton. Now, from the best information I can obtain, the cost of production of pig iron in England is somewhere in the neighborhood of $11 a ton, and the freight rate varies from $2 to $3 a ton. Judge Gary in his testimony before the committee stated that the average freight cost of bringing pig iron from the foreign furnaces to the American seaboard was $2.85. Now, as to the cost of making pig iron in this country, I do not think there is a doubt that pig iron can be made in the Birmingham district cheaper than it can be made anywhere else in the world. But the Birmingham district lies to the west. Our markets are protected by the domestic freight rate against foreign competition. We consume 75 per cent of our production of pig iron at home.

The question of a tariff on pig iron is not a matter, it seems to me, that would seriously embarrass the producer of pig iron in the Birmingham district, and I do not think it would be fair to try the case on the cost of production in the Birmingham district.

The real point of competition for pig iron lies between the Allegheny Mountains on the west and the Atlantic seaboard on the east. Wherever foreign iron comes into this country and tries to pass beyond that territory, the domestic freight rate is so heavy that in itself it acts as a prohibitive tariff. Judge Gary testified that at Pittsburg the United States Steel Corporation was making iron at $12 a ton with all the advantages that the United States Steel Company has in owning its own lines of transportation, its own mines, and its magnificent furnaces, and that $12 a ton absolutely excluded all profit. But he testified that it was costing the independent producer about $2 a ton more to produce pig iron than it was the United States Steel Corporation, which would make the cost to the independent producer about $14 a ton. I think that is about a fair estimate. I believe although the United States Steel Corporation is making iron at a less rate, that the independent furnaces located between the Atlantic seaboard and the Allegheny Mountains are making pig iron at about $14 a ton, and that the domestic freight rate from Pittsburg to New York is $2.50 a ton.

Now, if you take the $11.42 for German iron and add $2.85 freight rate on it, you will see that the present reduction by the Ways and Means Committee of the duty on pig iron to $2.50 per ton is near a revenue rate. I believe myself that that is about right. Pig iron, when it had $4 a ton on it, produced more revenue in proportion to the amount of the product than any other item in the iron and steel schedule. I believe that the present reduction to $2.50 has placed pig iron on a fair revenue basis, as far as I can estimate it; and if the gentlemen on the committee had pursued their reductions as successfully as they did on pig iron and iron pipe, which they put on about a revenue basis, they would have done very well.

Now, in the adjustment of these tariff schedules, of course the raw material ought to be the lowest in the amount of duty charged, the next degree of manufacture a little higher, and so on up to the finished product. In order that it can be a fairly revenue rate it must be adjusted very carefully in reference to every detail. Its adjustment ought to be made as carefully as you would adjust the works of a handsome watch, but when I look at this iron and steel schedule and the changes that my colleagues have made in presenting the bill to this House it looks to me very much like it had been adjusted by a blind man with an ax.

There is no homogeneity to it, either from a revenue standpoint or from a protective standpoint. Let me call your attention to one item here where they made a reduction. That is, round iron and steel wire, not smaller than 13 wire gauge. Under the Dingley bill it was 1¼ cents, and under the Payne bill it is reduced to 1 cent a pound. And the gentlemen pride themselves on this reduction. Under the Dingley bill the amount of the American production of that class of iron, as shown by the census report filed with the Ways and Means Committee, amounted to $61,840,000. And the imports for 1905, comparing the same year that the census was taken, amounted to only $496,000, or a percentage of imports, as compared to the American consumption, of five-sixths of 1 per cent. Less than 1 per cent was being imported of the production of this article, a prohibitive duty, raising little revenue; and the gentlemen reduce it from 1¼ cents to 1 cent, or a reduction of one-fourth of a cent.

The majority of the committee in their report say that—

While duties should be protective, they should be adjusted as nearly as possible to represent the difference in cost of production at home and abroad.

That is what they say; and yet they only reduce this duty on round iron and steel wire one-quarter of a cent.

Now, I want to call attention to a piece of the testimony that was before the committee on this particular item. Judge Gary, when he returned his testimony to the Ways and Means Committee, accompanied it with an affidavit of a Mr. J. A. Ferrell. Mr. Ferrell stated that he was one of the employees of the United States Steel Corporation; that he had traveled all over Europe; that he was familiar with the cost of iron and steel at home and abroad, and he knew the freight rates at home and knew the freight rates abroad, and he had made up a table of how much it cost to produce at home and abroad. He said that pig iron abroad cost $8.75, and fixed the cost of pig iron at home at $15.30, when Judge Gary fixed the actual cost, eliminating all profits, at $12. So you can see that Mr. Ferrell in his testimony was giving the doubt as to the low cost to the foreigner and the high cost to the American consumer all through his statement; and yet I find that in his statement he said this:

That wire, No. 018 steel wire, 13 gauge, cost in the United States $33.98 a ton, and the freight rate to the Atlantic seaboard, fixing the point of competition at New York, was $3.58, making the cost, with the freight added, $37.56 a ton at New York.

He said that the cost of the product in Germany was $23.70, the freight rate $3.25 to New York, making the cost price $26.95; the new duty would be $22.40; the old duty would be in excess of that by a quarter of a cent a pound, making the cost of the German product in the harbor of New York $49.35. He estimated the English product the same way, and with duty fixed by the Payne bill added it would be $51.10, thus making a difference in favor of American wire in the harbor of New York of $11.79 as against the German wire, and $13.54 as against the English wire. The committee say that they have cut this bill to a point where they equalize the difference in cost abroad and at home, and yet they still leave the duty high enough to make a difference of $11.75 a ton in one case and $13.54 in the other.

I say that in that instance the committee has not come any way near a revenue rate. In the case of pig iron and iron pipe they have come to a revenue rate. There are many other instances in the iron and steel schedule where they still leave the rates prohibitive. In the case of steel rails, although they have cut it half in two, I do not think there is anything in the testimony that justifies the conclusion that there will be any more steel rails imported under the new rate than under the old rate.

I want to call attention to the manner in which another change is made in the iron and steel schedule. In arranging the rates of duty all will admit that the lower grade of manufactures should bear a less rate of duty than the higher. The committee in its wisdom has seen fit to cut steel rails from seven-twentieths of a cent a pound to seven-fortieths of a cent a pound; and yet when they come to billets, out of which steel rails are made, and it costs $3.22 to convert a billet into a steel rail, the lowest duty they put on billets is the same rate as they put on steel rails; and from the low grade they go on up, so that the average rate of duty put on steel billets is a higher rate of duty than they put on steel rails. If seven-fortieths of a cent a pound is a fair rate for steel rails, unquestionably it must be too high for steel billets. Can anybody deny that? It is in this way they have written the iron schedule from beginning to end. In some places they have a fair revenue rate and in other places they have taken the revenue out of the government pocket and given it to the manufacturer by putting something on the free list, and in other cases they have left the old prohibitive rates of the Dingley bill.

The iron and steel schedule as presented to the House in the Payne bill, to properly balance it and make it a homogeneous whole, should be changed in its entirety.

Now, there are one or two other matters to which I desire to call the attention of the committee, on other schedules, and then I will close. The lemon growers of California came before the committee and stated that they wanted the duty raised on lemons. The examination of those witnesses disclosed the fact that they had an absolutely prohibitive duty at 1 cent a pound on lemons from California to the Allegheny Mountains; that there was not a foreign lemon could be sold in all that vast territory, because when the foreign lemon started westward the freight rates stopped it at the Allegheny Mountains, and it could not come any farther in competition with the California lemon. But they wanted a rate that would let the California lemon come to the city of New York and shut out the foreign lemon. They admitted that they had this prohibitive duty from the Allegheny Mountains to the Pacific Ocean; 90,000,000 people consuming lemons, and they had a prohibitive market for 60,000,000 of those people, but they wanted a prohibitive rate for the other 30,000,000. They wanted to make the man who lives in New York City or along the eastern seaboard buy the California lemon whether he wanted to or not, and make him pay an additional rate in order to do so.

Mr. RANDELL of Texas. I will ask my colleague to state if he has investigated to what extent the competition in lemon growing has been removed by reason of the great calamity in the destruction of the lemon groves by earthquakes?

Mr. UNDERWOOD. I will say to my friend from Texas that I have not investigated that question.

Mr. RANDELL of Texas. That was done before this bill was introduced.

Mr. UNDERWOOD. I have not investigated that question and can not fully answer it, but I have no doubt that this competition was destroyed to a large extent. But whether it has been so destroyed or not, I do say that these California lemon growers are asking for and have obtained a tax rate in this bill that will destroy competition with them.

It costs $13.20 to haul pig iron from Birmingham to San Francisco. It costs $7.50 to haul it from Liverpool. So these people in California think that Congress would be justified in putting a tax of $6.70 on pig iron in addition to the present duty; that is, so that Alabama furnaces could cross the Great Divide with their pig metal and force the people of San Francisco to buy from them and eliminate the advantage of the ocean freight rates that they enjoyed?

I would not demand it, and I think they would rise in arms if anybody suggested it; but they come before the American people and say they are entitled to exploit the entire American market and make the American citizen in New York pay an additional quarter of a cent a pound for lemons, in order that they may enjoy the benefits of a prohibitive tariff throughout the United States, and the Ways and Means Committee have given it to them in this bill.

That is the way this bill has been reduced in the interest of the consumer, by putting prohibitive tariffs on what the people of the United States need in their everyday life. Why, take the woolen schedule. I will not consider it all. There is only one reduction that has been made in that schedule; that is on tops; otherwise the old Dingley rates stand. I want to call your attention to just one paragraph as a fair illustration of the wool schedule. That is paragraph 367 of the Dingley bill and 375 of the Payne bill, both paragraphs being identical in their wording. Under this paragraph the duty on that class of blankets and flannels varies from 22 cents a pound and 30 per cent ad valorem added to 33 cents a pound and 40 per cent ad valorem added. In other words, the ad valorem rate runs all the way from 95 per cent to 130 per cent.

Now, the amount of American imports of this article, as shown by the census of 1905, was $19,719, and the amount of the American production of those articles was $24,620,000. In other words, the imports coming into this country of flannels and blankets amount to only eight one-hundredths of 1 per cent. At the same time these manufacturers of blankets are exporting into foreign countries, paying the freight and competing abroad, to the extent of $81,000. Now, here is an article of prime necessity in the life of the American people, a necessity that in the cold climate of the North they are bound to have, warm flannels and warm blankets. With a protective tariff duty levied of from 95 to 130 per cent, with a prohibitive rate of duty under

the Dingley bill, producing no revenue to speak of, with an empty Treasury, no change is made, protected beyond the entire cost of production, no relief is given the American consumer and no revenue to the Government.

The more you study the paragraphs of this bill the more you come to the conclusion that the bill has been rewritten and revised in the interest of the manufacturers of the United States, not in the interest of the Treasury, and not in the interest of the consuming masses of the people.

They have placed raw material on the free list, thereby taking millions of dollars out of the Federal Treasury to put in the manufacturers' pockets. To make up the deficit that could be made up by a fair reduction of the present duties to a revenue basis, they put additional taxes on the American people by a duty levied on coffee and tea.

Mr. PARSONS. Will the gentleman yield?

Mr. UNDERWOOD. I will yield to the gentleman from New York.

Mr. PARSONS. The gentleman said that he believed in a revenue tariff; would he put a tax on tea and coffee?

Mr. UNDERWOOD. I would put a tax on tea and coffee if it was necessary to obtain revenue to run the Government. But I say to the gentleman that in levying a revenue tariff where you can levy it on structural material, such as iron, steel, lumber, and glass, the burden of your taxes falls more heavily on wealth than it does on poverty, because the poor man may buy a plow, but the rich man builds the skyscraper building, or builds a railroad.

Mr. PARSONS. The poor man has to travel on the railroads.

Mr. UNDERWOOD. When you consider lumber and glass, it is the same way—the distribution of the tax falls more heavily on wealth. When you consider clothing, there is still some difference, as the poor man does not buy as fine a suit of clothes as the rich man, and the burden of taxation is somewhat distributed; but when you put the burden of taxation on articles of food, you bring it down absolutely to a per capita tax. The poor man drinks as much coffee as the rich one, and the plowboy eats as much meat as the farmer. There is no distinction between man and man; and when you put the tax on tea and coffee and meat you put a direct per capita tax on the masses of the American people and make no effort whatever to distribute the burden of taxation so that it may fall more heavily on wealth than it will on poverty. [Applause.] Therefore I say that if I were writing a tariff bill I would endeavor to levy the tax so that it would fall on wealth as far as possible and exempt poverty to the fullest extent I could. For that reason the last place I would levy a revenue tax would be on tea and coffee and the necessities of life. [Continued applause.]

Mr. CRUMPACKER. Mr. Chairman, the bill pending for consideration is not a perfect measure. There never has been an absolutely perfect tariff law in this or any other country. Bills of this character are peculiarly the result of compromises. I am sure there is not a single member of the committee that prepared the bill who would not make a number of changes in it if he could have his own way about it. After a laborious investigation, running a period of over four months, the Ways and Means Committee agreed upon the measure which it has submitted to the House for consideration, and I have no doubt it will receive the support of every Republican member of that committee. If every Member of this body should refuse to support any measure that did not conform to his ideas in every particular there would be very little legislation of general importance. Therefore, at the outset of my remarks, I ask each Member of the House to carefully analyze the bill and determine for himself whether it is a substantial improvement over the existing law; whether it has a substantial preponderance of merit, taken as a whole. If it has, I feel justified in asking its cordial support. In my judgment it is a great improvement over the present law.

THE NEED OF REVISION.

The Dingley Act was the first measure I voted for after becoming a Member of this body. I believed then it was a very wise measure, both from the standpoint of revenue and protection, and I still believe it was well adapted to the conditions that prevailed at that time. The Government required revenue and the country needed protection, and both were given in abundance. But since the enactment of that law great changes have taken place in industrial and commercial conditions not only in this country but throughout the civilized world. The policy of revising the tariff and adjusting schedules to meet the changed conditions was approved by practically all the people of the United States at the last general election. Among the chief commendatory features of this bill is that which puts certain crude raw materials used in the manufactures on the free list and materially reduces the duties on others. This is an important step in the right direction and bespeaks a hopeful and helpful rationalization of our tariff policy. It foreshadows a broad industrial policy for this country, based upon sound economic grounds. The Republican party, of course, believes in the policy of protection to American industries, and it has no compunction in maintaining that Congress has the constitutional right in levying impost duties to discriminate with a view to industrial development. But the policy of protection should be a rational one, and it should be so directed as to bring about the greatest increase of opportunities for the employment of capital and labor. An indiscriminate imposition of duties upon all articles that are or might be produced in the United States without regard to their effect upon the industrial policy of the country as a whole is not only unscientific, but is a positive menace to real progress. The object of protection is to stimulate domestic industries along natural lines where the resources of the country are capable of supplying the entire domestic demand, thereby creating home competition and securing to the people the comforts and necessaries of life at stable and reasonable prices. Customs duties that are not levied in harmony with this principle are not logical protective duties. There may be exceptions to this rule, where it is important, even under great natural disadvantages, for the Government to protect industries and develop the production of articles that are necessary to the national defense in times of war.

Duties imposed for the purpose of protection should tend to advance the welfare of the whole people. It is not the policy of protection to simply surround special interests with conditions under which they may make increased profits. Neither should it be the object of protection to simply increase the price of commodities. In all lines where we have as great natural advantages as any other country we are justified in imposing a sufficient duty upon foreign commodities to encourage the establishment and maintenance of home industries; but where, in any event, we would be required to produce under great natural disadvantages as compared with other countries, the effect of the protective policy would be to unnecessarily and inordinately increase the price of the product, and the result would be a positive injury to the country as a whole. If in any particular line of industry our capacity to produce can not be reasonably developed to such an extent as to supply the demands of our people, that line of industry does not fall within the philosophy of protection. When a substantial portion of the needs of the country must be supplied by imported products the price of the domestic product is always that of the imported article plus the duty. There is no doubt as to who pays the duty under those conditions.

CONSUMERS MUST BE PROTECTED AS WELL AS PRODUCERS.

With these preliminary observations outlining my view of the philosophy of protection, the first question logically relates to the rates of duty that ought to be imposed upon imported articles for the fair and reasonable protection of American industries. The national Republican platform of 1908 declared that the tariff ought to be sufficient only to cover the difference in cost of production in this country and in foreign countries, securing a reasonable profit to the producer. This is an ideal principle. It would give the American producer practical control of the American market, and at the same time protect the people against unjust and inordinate prices as the result of combinations to restrain trade and create monopoly. If tariff schedules could be adjusted and maintained accurately upon the line embodied in the Republican platform, the moment domestic production in a given line went under the control of a combination and prices were raised unduly commodities could be profitably imported from foreign countries, and the effect of the monopoly would be practically destroyed. The difficulty is in making a practical application of that principle, because of the constant fluctuations in the cost of production here and abroad. A tariff that might exactly cover the difference in cost this year might contain many inequalities and incongruities in a year from now. Therefore, the best that Congress can do is to adopt schedules sufficiently large to cover the difference of cost under normal conditions, and I believe in making the duties liberal enough to cover all exigencies that may be reasonably foreseen.

PROTECTION AND TRUSTS.

There ought to be no unnecessary duties. Protective duties should not be unnecessarily high. When the Dingley law was enacted the people of the United States felt little or no concern about monopoly or the suppression of competition on the part of great industrial combinations. The chief concern of the makers of that law was to fix protective duties high enough to take care of American industries under all conditions, with the view that in shutting out foreign competition healthy competition would be created at home. Since that time the problem of industrial

combination has become a serious one in our affairs, and it is now as necessary to protect the people of this country against imposition by trusts and monopolies at home as it is to protect legitimate industries from disastrous competition from abroad. This can only be effectively done by eliminating all unnecessary duties. This is the essence of the tariff doctrine contained in the Chicago platform. It means protection both ways—protection to American industries and protection to American consumers, and both of these objects should be constantly kept in mind in framing a new tariff law. Where an industry has made such development that it can produce commodities as cheaply as any other country in the world, it requires no protection and should have none. There is no difference of cost between production here and abroad, in that instance, upon which to base a protective duty under the doctrine of the Chicago platform. This principle has been recognized by the Republican party in years past. A number of years ago there was a duty on copper ore and copper ingots. Our natural advantages along the line of copper production exceeded those of any other country, and the industry, under the stimulus of the tariff, so developed that copper could be produced more cheaply in the United States than anywhere else in the world. Therefore, the Dingley law put copper ore and copper ingots entirely upon the free list. This is a concrete illustration of Republican interpretation of the protective policy.

It is often charged that a protective tariff creates trusts. Trusts are combinations growing out of the passion of avarice, and they are created to stifle competition and increase profits. Under this definition they are all bad and violate a wise public policy. When a trust becomes good, it is no longer a trust. All combinations are not trusts. Trusts exist in free-trade countries as well as in countries that maintain protective tariffs. The chief difference is that in a free-trade country there is no tariff behind which a combination can find shelter in increasing prices unjustly and imposing upon the people, while in a protection country, if the tariff is higher than is necessary to cover the difference in cost of production, combinations may degenerate into trusts and raise prices clear to the top of the protection wall with entire safety. This illustrates the importance of keeping duties down to a reasonable protective basis.

RELATION OF PROTECTION TO LABOR.

The vital purpose of a protective tariff is to increase opportunities for the employment of capital and labor in the development of the natural resources. The rate of wages and the standard of living in this country are higher than in any other country in the civilized world, and it is, and always has been, the policy of the Republican party to maintain conditions under which the great army of intelligent and independent wage-earners will be able to maintain a high standard of living, such as will enable them to provide well for themselves and their families, and, by industry and frugality, to lay by a fair competence against the exigencies of age. This policy is necessary to the permanent progress of our country. Every honest, industrious, frugal toiler in this land ought to be able to earn enough money to establish and own a home, rear a family with all of the advantages that American society affords in the way of comforts, education, and culture, and provide for all the reasonable requirements of life. The object of government is not merely to encourage the accumulation of wealth, but its prime purpose is to promote the building up of a strong, intelligent, self-reliant manhood and womanhood. [Applause.] Wealth is perhaps the greatest factor in promoting that end, but it is not the end. It is only a means. The leaders, industrial and political, for the next generation are being nurtured at this time, not in the palaces of luxury, but in the virtuous homes of the middle class and the wage-earners of the country, and it is of the greatest importance that the children in these homes shall be surrounded with conditions that will give them an opportunity to make the highest and the best development of the faculties with which they are endowed. The wages of labor, like all prices and values, tend to seek a common level. If there was no protection to American labor, the level of wages in this country would inevitably gravitate to the level of wages in foreign countries. A protective tariff operates like a dam in a river. The water level above the dam is kept at a higher stage than the level below it, but take the dam away and the water will find a common level. The level below the dam will not rise to that above, but the level above will inevitably recede to that below. If the tariff policy that has been maintained in this country for so many years, and which has so greatly blessed and benefited American labor, should be abolished, the rate of wages and the standard of living in this country would become the same as in European countries. I am unalterably opposed to any policy that will tend to reduce the high standard of wages and living that now prevail in the United States.

RELATION OF MACHINERY TO COST OF PRODUCTION.

But, notwithstanding the high scale of wages that is paid in this country, we can successfully compete with the entire civilized world in many lines of production. To begin with, we have the greatest market of any country on earth. The 90,000,000 people in the United States have a consuming capacity equal to that of almost half the entire population of the globe. There is absolutely free and unfettered commercial intercourse among all this great population. It should be our policy wherever we can reasonably do so, to provide for all the demands of our own people. In addition to supplying our own markets with the products of the factory and the farm, we should seek markets abroad along lines where our industries are capable of the greatest expansion. The natural resources of the United States in many lines, if equaled, are not excelled by any country in the world; and where machinery is a large factor in production we are able to overcome the high price of labor and produce as cheaply as any foreign country. Conditions are such here that the capacity and efficiency of labor can be increased in a greater degree by machinery than in any foreign country. Where production is largely the result of handwork, the United States is at a serious disadvantage with its foreign competitors, and in those lines we can not hope to develop a large foreign sale for commodities, but must be content to produce chiefly for home consumption.

But where machinery is the chief factor in production we can excel our competitors in many lines, because of the stupendous magnitude of our output. The consuming capacity of the United States is such as to justify—more than that, to require—the employment of the greatest amount of machinery possible. No other country in the civilized world has anything like as large an exclusive market as the American producer has. Production here is carried on upon such an enormous scale with the use of powerful machinery that the high rate of wages is more than compensated for in the increased productive capacity that labor is given. At the town of Gary, in the State of Indiana, the United States Steel Corporation has recently completed a rolling mill that is capable of turning out 40,000 tons of rails or structural steel a month. The operation of that mill requires only four men. Divided into shifts of eight hours each, it requires only 12 men to keep it running continuously. It is being operated day and night, week in and week out, month in and month out, upon the same type of steel, and there is a ready market in this country for every pound of steel produced at a good price. There is no such rolling mill in any other country in the civilized world. The immediate labor cost of rolling steel at the Gary mill does not exceed 20 cents a ton. No foreign country can establish and operate such a mill as that, because it does not have the market. A 5,000-ton order of steel rails or structural steel is a large order for an English rolling mill, and the change of model in rails and structural steel and the change of machinery from one order to another brings about loss of time at a serious cost; and while the wages paid laborers at the Gary mill are fully twice as high as they are in any other country, the labor cost of rolling in that mill is cheaper than in any mill in the world. There are a number of steel and iron establishments in this country that manufacture on a large scale. Such institutions as those of Jones & Laughlin, the Cambria Steel Company, the Lackawanna Steel Company, and the Bethlehem Iron and Steel Company are looked upon here as modest concerns, and yet there is no establishment in Europe or in any other foreign country that produces as large an output as any one of these, with the single exception of the Krupp establishment in Germany, which is devoting its attention now chiefly to the manufacture of armor plate and armament.

FREE RAW MATERIALS.

Wherever we have at least equal natural advantages, and by the large use of machinery can produce upon such a stupendous scale as the markets of the United States require, there is a prospect of extending our sales along those lines into the neutral markets of the world, and it should be the policy of the Government to create such fundamental conditions as to promote an increasing foreign trade. There are a number of lines of American production that are capable of large expansion, and I believe that raw materials for manufacture along such lines should be admitted into this country free of duty. The theory of the free raw material doctrine is that it promotes the greatest development of industries and gives the greatest opportunities for the employment of capital and labor, and, therefore, is of the highest benefit to the country as a whole. Duties upon raw materials are a handicap upon the American manufacturer for the export trade. They operate to protect his foreign competitor in the neutral markets by seriously increasing his cost of production. When I speak of materials in this connection I have in mind such crude materials as iron ore,

copper ore, coal, coke, lumber, and hides, materials that require relatively a small amount of labor in their production. It is contended with great force and plausibility that the producer of raw materials should be protected as fully as the manufacturer of the finished commodity; that the finished product of one man is often the raw material of another. This claim contravenes a vital principle in the policy of protection, and that is that protective duties should not be imposed as a matter of right for the special benefit of any class of citizens or any particular interests, but they can only be justified when they promote the welfare of the country as a whole. There is no vested right in a protective duty, and it is never justified simply to advance a special interest. Wherever and whenever there can be a larger development of industries by the policy of free raw materials than there could otherwise be, that policy should be unhesitatingly established. A duty upon a raw material that is largely the basis of manufactures might stimulate its production here and give employment to hundreds of our citizens, and at the same time it might so handicap the manufacturer of the completed product as to disable him from competition in open markets and thereby deprive thousands of employment who would otherwise have it.

It is a most unwise policy to impose a duty upon crude products for the purpose of giving employment to hundreds of men when its imposition would deny employment to thousands. In my judgment, the rule in such situations should be to do that which will result in the greatest development and the highest opportunities for the employment of capital and labor. There is no great producing country in the world, except the United States, that does not give its manufacturers the benefit of free raw materials. That policy is sanctioned by the wisdom of experience. The ores, coal, coke, lumber, hides, and all of the crude things that enter largely into production are admitted free of duty in every country in the world excepting this. In iron and steel production we have a tariff on coal and coke and limestone and the ferro alloys that are used in their manufacture, and, notwithstanding these handicaps, our iron industries have made gratifying progress in the world's markets. Only last week the public press noted the fact that Charles M. Schwab, that great genius of steel and iron production, who is now at the head of the Bethlehem Steel Company, in open contest upon quality and price took from all competitors the contract to construct two large modern battle ships for the Argentine Republic. His proposal was $20,000,000—about $3,000,000 below that of any other competitor. Let us no longer live in a fool's paradise and impose duties without discrimination. Do not shackle our industrial Gulliver with numerous Lilliputian bands until he is helpless and hopeless away from home, but strip him and give him a chance to make a place for himself in the industrial world. Allow him to develop his capacity and multiply opportunities for the American wage-earner to supply a greater share of the world's markets as well as to provide for our own. "Loose him and let him go."

This bill is a large move in the right direction. It puts a number of crude raw materials upon the undutiable list and reduces the duties upon others, and I predict, if it shall be enacted into law, that in a number of lines of production America will dominate the neutral markets of the world.

EFFECT OF DUTY ON HIDES UPON THE MANUFACTURES OF LEATHER.

The experience of the United States in the manufacture of leather and leather products is interesting and instructive. The present law imposes a duty of 15 per cent upon cattle hides imported into this country. For twenty-five years before the enactment of that law hides were altogether on the free list, and the Dingley bill, as it passed the House, provided that they should be admitted without duty. The Senate put a 15 per cent rate upon them, and the amendment was agreed to by the House. While hides were free of duty finishers and manufacturers of leather in this country established trade all over Europe and in many other countries, and American leather and manufactures of leather secured a reputation for excellence that was not enjoyed by producers in any other country. Prior to the duty on hides there were large imports of raw hides from South America and other countries. They were tanned and manufactured into leather and leather products and sold abroad very largely. The effect of the duty has been to drive South American hides from the United States to France and Germany and other European countries which admit them free of duty, and to increase opportunities for employment of capital and labor in those countries at the expense of our own.

From the year 1902 to 1906, both inclusive, the increase of imports of cattle hides in Germany was 87,000,000 pounds; in France 32,000,000 pounds, while the increase in this country was only 3,000,000 pounds. Germany increased her importations 52 per cent, France 32 per cent, and the United States only 2½ per cent. This was the effect of our 15 per cent duty on hides. It took away from American capital and labor the opportunity to manufacture a large share of the great volume of hides into leather and leather products, and who was benefited by it?

Does the tariff on hides stimulate their production? Nobody claims that it does. Would there be any fewer cattle grown in this country if hides were free of duty? Nobody claims there would be. Does the duty on hides increase the opportunity for the employment of capital? If so, where? I make the assertion that the duty on hides has not created a demand for a single dollar of additional capital. It has not created employment for a single additional laborer, but it has increased the cost of shoes for the wage-earner and his family. The sole effect of the duty is to increase the price, and to drive from the country a large volume of hides that would otherwise come here and be manufactured into leather and leather products by American capital and labor. The cattle growers' association is insisting upon the maintenance of the duty on the ground that it makes cattle growing more profitable. It is claimed on the other hand that the cattle grower gets no benefit from the duty, but that it is entirely absorbed by the beef packers and the leather trust. For the purpose of my argument it is a matter of indifference where the increase in price goes, but it is likely, however, that it is distributed among the growers, the packers, and the leather producers. It is demonstrable that the direct effect of the duty is to deprive American capital and labor of the opportunity of manufacturing large quantities of hides that would be imported from South America and other countries. Those opportunities have been transferred to Europe. It was stated in the hearings before the Committee on Ways and Means that the exports of oak-tanned sole leather from the United States, which were large under free hides, have fallen off one-half since the imposition of the duty.

DOES THE DUTY ON HIDES BENEFIT THE FARMER?

The average farmer will derive more direct benefit in the decreased cost of boots, shoes, harnesses, and other leather products he is compelled to buy than he now derives from the tariff on cattle hides. It should be kept in mind that calfskins are duty free under the Dingley law. The large cattle feeders may receive some benefit from the tariff, but it is at the expense of the millions of consumers of leather products. The American farmers have uniformly stood against the protection of special interests at the expense of the many. They favor a tariff policy that will build up industries and give employment to labor at good wages. The duty on hides merely increases the cost of one of the necessaries of life. It does not build up or encourage a single industry or furnish employment to a single laboring man. It has no foundation in justice or public policy.

The duty on hides is indefensible from any standpoint. It not only does no good, but it does a great amount of industrial harm. It is a penny-wise and pound-foolish policy. It has driven from our country a large amount of work in the manufacture of leather that would otherwise have come here. In addition to that, it has increased the cost of leather to our manufacturers of shoes, harness, and other products, and has handicapped those manufacturers in the foreign markets. Its result has been to protect the foreign producer of shoes and other leather manufacturers against American competition. Notwithstanding this increased disadvantage, our foreign shoe trade amounts to upward of $10,000,000 a year. It has shown a substantial increase even under the hide tariff. Our total export trade in leather and manufactures of leather amounts to $45,000,000 a year. If our manufacturers of leather were put upon an equal footing with their foreign competitors in respect to material they could pay the high rate of wages prevailing in the United States and excel all foreign competitors in the open markets of the world. Instead of selling $10,000,000 worth of boots and shoes abroad a year, with proper conditions, they could sell a hundred millions. Instead of exporting leather and its products to the amount of $45,000,000 a year, they could easily expand the trade to $200,000,000, and thereby greatly advance the interests of all our people. The manufacture of leather and its products is one of the lines in which, with proper conditions, we can dominate the markets of the civilized world. The stupendous volume of production, the large use of machinery, and other advantages enables the American manufacturer to pay American wages and still make his product at a cheaper labor cost than his foreign competitor. Our manufacturers of leather now are being threatened by the imposition of foreign tariffs. They are fettered by duties, unnecessary and illogical, upon the raw material at home. Their condition is that of one who enters a foot race with a ball and chain about his ankle, in so far as the export trade is concerned. Give the industry a chance to grow

and develop. Let it show to the world what it can do if it is upon an equal footing with other countries. It can overcome the difference in wages, but it can not overcome that and other obstacles like the duty on hides and all of the tanning extracts and other materials affecting the cost of production.

INDUSTRIES CAPABLE OF LARGE EXPANSION.

This policy applies to a number of other lines of production, which, if placed upon an equal footing with foreign competitors with respect to materials, could well afford to pay the high scale of American wages and still become important factors in the open markets. This is true in some classes of iron and steel, in machinery, agricultural implements, locomotives, railroad cars, furniture, common cotton fabrics, copper and its products, and, perhaps, others. Is it not the policy of wisdom to so adjust tariff duties as to allow these great industries to expand and conquer foreign markets? It is not necessary to surrender our home market to do this. We only need to allow certain crude materials that are the basis of manufacture to enter our ports free of duty, and in respect to articles that are of general consumption our home demand will require the largest possible use of machinery resulting in enormous production, with high wages, at a low labor cost. [Applause.]

The principle is one for the general good. It involves the question as to which policy will bring about the greatest industrial development in a given line of production. When that question is settled there is but one thing to do. It is demonstrated that our leather manufacturers, upon an equal footing with foreigners in respect to materials, have the ability to invade the open markets of the world. Is it not the part of wisdom to give that great industry every opportunity to expand its foreign trade? Would it not be to the advantage of the people of the whole country for it to do so? Wherever the opportunities for labor are increased, the tendency is to higher wages, and labor is vitally interested in the embodiment of a broad industrial policy in our tariff laws.

What is the advantage of subsidizing merchant ships to promote foreign trade and at the same time maintaining a policy at home that operates powerfully against it? The nation that can offer the best bargains in the neutral markets of the world is the nation that will establish and maintain commercial supremacy. What good would it do to carry American products to neutral markets in American bottoms and be unable to sell them when they are delivered except at a loss?

HOW TO EXPAND SOUTH AMERICAN TRADE.

We are anxious to promote trade with South American countries, and yet we have made small headway in those markets with our manufactures. The United States is the only great manufacturing country in the Western Hemisphere. All the other countries, with their marvelous natural resources, are engaged mainly in the production of raw materials for manufacturing. They send their materials abroad and bring back the finished product. We buy coffee, wool, hides, and chemicals from South America for our own consumption, but how much of the finished product do we return in exchange for the materials? Ships laden with our necessaries come to us from South American ports, carry products from this country to European countries, and transport merchandise from Europe to South America, hence the marine triangle that is so conspicuous in the commerce of the Atlantic. It is a natural triangle created by the inexorable laws of trade. A subsidized line of American ships to South America will not affect it materially. We can not hope to supply South America with food products, for she produces them as abundantly as we do. Our only hope is to invade her ports with our manufactures, and that we can only do successfully when we become able to offer as good bargains in price and quality as any competitor can offer. We sell farm implements and other machinery there now, because we can meet the conditions. But South American raw materials, in the main, go to the hives of industry in Europe because they can get better returns in finished product than they can from this country. South American materials are welcomed in European ports, where they are absolutely free of charge, while in this country they are burdened with substantial tariffs. Is it not the part of wisdom to admit materials into our ports free of duty to be made into finished products in our factories and sold back to those countries? That is exactly what this bill proposes respecting hides and some other things. That is the only way to destroy the marine triangle and conquer South American markets. This policy does not mean the surrender of our home market; it means its complete protection and its unlimited expansion. It means the establishment of more industries, the employment of more laborers earning high American wages to buy and consume the products of the American factory and farm. It means the expansion of foreign sales of American manufacturers.

In his last address to the American people, on September 5, 1901, President McKinley said:

> Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. *Only a broad and enlightened policy will keep what we have. No other policy will get more.* In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial systems, that we may be ready for any storm or strain. * * *
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> What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and productions and thereby make a greater demand for home labor. [Applause.]

Notwithstanding the handicaps upon American manufacturers for the export trade, their productive efficiency and natural advantages have been so great that our exports of manufactures amount to nearly $500,000,000 a year, an increase of about 130 per cent since the Dingley law went into operation. With a wise tariff policy the exports can still be greatly increased. A small element of cost often determines who will make a sale in an open market. Profits in foreign markets where there is stiff competition are small as a rule, and a relatively small item of increased cost in manufacture may be sufficient to put an industry out of reckoning. We send abroad many raw materials and bring back the finished product. Our raw materials find a free and welcome market in foreign countries. On the other hand, most of the crude materials imported for our large industries are burdened with substantial duties at our ports. The imposition of such duties is justified in behalf of American labor in some instances. Any duty that advances the interests of the American workingman, in my judgment, is justified. I have already expressed my firm adherence to the policy that will maintain a high standard of wages and living as an essential factor in American social and economic life, but the imposition of duties upon crude raw materials may so disable industries as to prevent them from that large and healthy expansion they would otherwise be capable of, and thereby limit and circumscribe the opportunities labor would otherwise enjoy. Many blunders and worse things have been made in the name of labor.

The policy I am advocating is not free trade. It is not tariff for revenue only, but it is protection in its broadest and most enlightened sense. It is the kind of protection that, while preserving the home market for the American manufacturer, will open foreign markets as well, and thereby multiply the opportunities for the employment of capital and labor. The farmers are vitally interested in increased markets for their products, and a policy that would greatly increase the exportation of manufactured commodities would result largely to the benefit of the farmers, because it would correspondingly increase the number of laborers earning good American wages who would buy and consume the products of the farm. It would be to the advantage of the farmer to supply the laborers with food here rather than abroad, because here he has a monopoly of supplying them, while abroad he would meet competition from all countries. It would be especially beneficial to farmers respecting the multiplied millions of dollars' worth of perishable food products grown annually that can not be exported advantageously. I believe in protecting the home market for the American producer where he can supply our own needs without insuperable natural disadvantages, though he can not hope to send products abroad. It is an essential part of the Republican policy of protection to build up American industries that are capable of supplying the American markets, thereby establishing industrial communities all over the country and diversifying industries. This is justifiable even in lines where we have equal natural advantages with foreign nations, but where labor is such an element of cost as to put us at a disadvantage. The protective policy has a number of notable achievements to its credit along that line, such as the manufacture of silk, tin plate, wire nails, pearl buttons, and cotton and woolen fabrics. These industries are entitled to protection as well as those that are capable of large expansion in the export trade. This bill will do much in the direction of providing free iron ore, free coal, and free hides, and substantially reducing the tariff on lead, lumber, and other things.

An instance of the extent to which the protective policy has been disadvantageously extended is respecting extracts for the tanning of leather. Years ago there was a bountiful supply of oak, hemlock, and other timbers in this country, so that our tanners obtained tanning extracts of the very best quality at low cost. The scarcity of timber in recent years has been such as to deprive them of this source of supply, and they are now importing large quantities of woods and extracts from tropical countries. The present law imposes duties on tanning extracts high enough to enable American extract makers to import logs from South America and make the extract here. It requires

4 tons of wood to make 1 ton of extract, and we have a tariff high enough on the extract to enable American producers to pay the cost of handling and the freight 15,000 miles on 4 tons of logs to get 1 ton of extract. The tanning industry has to bear that burden. The payment of the cost of handling and freight for 15,000 miles on 4 tons in order to get 1 ton to market seems to me a most unbusinesslike proposition. That is an extreme case, and yet it illustrates the principle upon which some of our tariffs are laid upon raw materials.

DRAWBACKS.

The pending bill very materially liberalizes the drawback provision of the Dingley law. Under that law a manufacturer who imports material that enters into his product may export that product and receive from the Government 99 per cent of the duty he paid upon the imported material; but it is necessary in order to receive the drawback to show that the identical material that was imported entered into the manufacture of the exported article. The ordinary manufacturer in this country produces with a view to selling in any market. In order to obtain any advantage under the drawback provision of the present law it is necessary to keep a separate account of the imported material and segregate the commodities into which it goes. Very few of our manufacturers can afford to do that. It is only the very large industries that can do so. The Standard Oil Company, in making tin cans for the exportation of petroleum products, has a sufficient trade to justify an establishment exclusively for that trade, and it imports large quantities of tin plate from Wales and obtains the full benefit of the drawback. The International Harvester Company, a combination of a large number of concerns, imports material to use in the manufacture of farm implements, but it has one or two establishments engaged in manufacturing for the foreign trade exclusively, and it has no difficulty in securing the benefit of the drawback provision. The ordinary manufacturer, who produces for the trade generally in a single establishment, secures little or no benefit from it, because he can not tell when he makes a particular article to whom he will sell it. That provision is broadened in the pending bill so that a manufacturer who imports material to use in a finished product need not keep track of the identical material, but will receive the drawback upon exported products containing material of the same quality and productive value as that imported. It will greatly enable our manufacturers to take advantage of the drawback provision. It brings its benefits within the reach of thousands of producers who are not able to avail themselves of it under the present law and will tend largely to increase export trade.

But the drawback provision, liberalized as it is in this bill, will of itself afford only partial relief. Many of the crude materials are not produced in sufficient quantities in this country to satisfy the requirements of our manufacturers, and when that is the case the price of the domestic material is increased to the price of the imported material with the duty added. This is the case with hides, raw wool, lead, and a number of other articles. Most of the valuable standing timber in this country is owned by large syndicates which are able, in a measure, to fix the price of stumpage. This condition in some degree accounts for the largely increased price of lumber in recent years. The bulk of the accessible deposits of iron ore is owned or controlled by a few large corporations, and many independent producers of iron and steel are compelled to buy their ore from those corporations at constantly increasing prices. The duty upon the ferro alloys used in improving the quality of iron and steel in the process of manufacture is a substantial element in their cost. Duties upon such basic materials used in manufactures increase the cost of the finished product which can not be offset by the drawback provision, because it is impracticable to use all imported material in any line of production. The policy of taxing those materials tends to artificialize our industries and fix domestic prices at an abnormally high standard. They are stilted and unnatural and incapacitate our producers for successful competition with their foreign rivals in open markets. The tariff on the raw material is often doubled and even quadrupled in the cost of the finished product. The duty on raw wool of the first class, for instance, is 11 cents a pound. It requires 4 pounds of raw wool to make 1 pound of cloth. The duty of 11 cents on a pound of raw wool amounts to a duty of 44 cents on a pound of woolen cloth, and to that must be added successively duties to protect the spinner, the dyer, the weaver, and the fuller.

The abolition of duties on iron ore, coal, coke, hides, flax, and linseed oil, and the substantial reduction of the duties on lumber, leather, lead, and a number of other things will tend to reduce the price of those articles and decrease the cost of the finished product to the domestic consumer and to the export trade.

IRON AND STEEL.

The most substantial reduction made in any schedule of the bill is upon steel and iron in the metal schedule. The duty on steel rails is reduced from $7 to $3.50 a short ton; on pig iron from $4 to $2.50 a ton, and on other crude forms of steel and iron proportionately. Almost every item pertaining to steel and iron and their manufactures is substantially reduced. Mr. Carnegie recommended the entire abolition of the duties upon all steel and iron products, but the committee deemed it not only unwise, but positively dangerous to make such a radical change. There is much, even in the industries, in the spirit of self-reliance, and all of our steel and iron establishments have been built up under the protective system, and they feel that protection is still necessary to their maintenance. If it should be granted that our industries can produce steel and iron products as cheaply as they can be produced abroad, the entire abolition of all duties on those products, under existing conditions, would likely precipitate an industrial panic. A few of the large establishments, those that own the ore, coal, and other materials they use, and rail and water transportation lines in connection with them, might be able to get along without protection. But there is a large number of other concerns engaged in the industry that are not so fortunately situated, and they would be driven out of business under free trade. These smaller concerns are the chief competitors of the large ones, and it would be of doubtful wisdom, viewed from any standpoint, to legislate them out of existence. The reductions made on steel and iron are substantial, but reasonable, and are as much as can be safely made under existing conditions.

"TARIFF FOR REVENUE ONLY."

The Democratic party is the champion of the policy of what it calls "tariff for revenue only," a policy that seems to me to be a sham and a fraud. Protection is either right or it is wrong. If it is right, it should be adjusted with the view to intelligently developing American industries. Industrial discrimination is the fundamental principle in the application of the policy of protection. Tariff for revenue only means, if it means anything, the imposition of random duties upon imported products for the purpose of raising revenue, without any regard whatever to their effect upon home industries. It is more liable to paralyze industries than to foster them. It is a disastrous and indefensible policy from any standpoint it may be viewed. Every tariff established since the foundation of the Government, even the Walker tariff of 1846, made some discriminations in relation to domestic industries. A tariff for revenue only necessarily precludes any such discrimination. No nation in the civilized world maintains a policy so stupid and unscientific. It looks like a mere subterfuge to enable the opposition party, that has always combated the policy of protection, to advocate even protective duties under the guise of tariff for revenue only. There is a very strong protection sentiment in the Democratic section of the United States. Business men in all sections realize the necessity of a wise protective policy in the maintenance of prosperity; and if sufficient duties are imposed to secure the American market to the American producer, it makes little difference under what title they are imposed. They are protective in spirit and purpose just the same. No party would dare levy duties for revenue without any kind of industrial discrimination.

We can not afford to impose duties for revenue or for any other purpose where it would hamper and prevent the proper development of our industries. Let revenue be raised from duties imposed upon luxuries and from duties properly imposed for purposes of protection, and if these sources of income are not sufficient, duties should be levied upon noncompetitive articles. The tariff on sugar is a fair illustration of an illogical revenue duty. This country consumes about 3,000,000 tons of sugar annually and produces nearly one-half that amount. The duty on refined sugar is about 2 cents a pound. This duty increases the cost of the imported product to its full amount and fixes the price of the domestic product at the price of the imported product plus the duty. The duty yields a revenue of about $55,000,000 a year, and it costs the consumers of this country, at a conservative estimate, $110,000,000 a year. The consumers of sugar are required to pay $2 on account of the tariff for every dollar that goes into the Federal Treasury. As a revenue-raising duty it is altogether too expensive, but it is justified on the ground of protection. Beet and cane sugar production has had great development under the Dingley tariff. The beet-sugar product last year was about 480,000 tons, and the cane-sugar product was near 400,000 tons. It is the hope of those who favor the tariff on sugar that in the course of a few years the sugar product of the United States will supply the entire domestic demand. This is the chief justification for

the tariff on sugar. Coffee is a much more logical subject for a pure revenue tariff than sugar. We import all the coffee we consume, and a duty of 5½ cents a pound would yield an annual revenue of $55,000,000—the amount received from the sugar tariff. It would increase the cost of coffee to the amount of the duty, but every penny of increased cost would go into the Treasury, which is not the case with sugar. Both are necessaries that enter into general consumption by all classes of people. Happily, the duties provided in the bill and the inheritance tax will produce all the revenue required for the ordinary expenses of the Government, and a duty on coffee is not necessary. Is the tariff for revenue only party in favor of the abolition of the duty on sugar, or do they favor the duty under the tariff for revenue only doctrine?

MAXIMUM AND MINIMUM DUTIES.

The bill establishes a dual system of duties, with maximum and minimum rates. It is the policy of the bill to accord the minimum rates to every country that gives the products of the United States as great advantages as are given the products of any other country. If any country should discriminate, either directly or indirectly, against our products, the maximum rates will be enforced against the products of that country entering our ports. It is a wise provision, and its main virtue is in the retaliatory power it contains to compel foreign countries to accord our exports the same treatment they give to those of other countries. Our foreign commercial and industrial policy ought to be that of the open door. We only ask equal consideration at the hands of foreign countries, and that we should insist upon. I have little respect for reciprocity in its narrow sense—in the sense that it is a system of international dickers under which one line of products may secure special advantages in foreign markets in consideration of a grant of special advantages to a particular line of products in return. It is illogical and unscientific and savors of "graft," which it frequently is. The broad reciprocity of treating all competitors and all producers exactly alike is the principle that this country ought to encourage as the permanent commercial policy of the civilized world.

The United States has enjoyed an era of prosperity during the last twelve years beyond that of any other country in the civilized world. There has been no such development in commerce and industry in any period in the world's history. The Dingley tariff act was a wise and judicious measure. As a revenue raiser and a prosperity producer its wisdom has been abundantly vindicated. But conditions have materially changed since its enactment, and now the expansion of our industries into the foreign trade is one of the questions that demands serious consideration at the hands of the Government. I desire to emphasize the paramount importance of creating conditions that will enable the great lines of industries in the United States that are capable of unlimited expansion to arm and equip themselves for further conquests of the neutral markets of the world. Let us put them upon the same basis with their foreign competitors, as far as we can do so by reasonable legislation. Under such a policy, with the great industrial and natural advantages we already possess, I can see no limit to our industrial achievements. I predict for this bill, if it shall be enacted into law, the sincere approval of all the people of the country who are interested only in promoting the general welfare. Following its enactment I confidently look for such a revival of industrial activity as will foreshadow another era of prosperity more splendid if possible than that which followed the enactment of the Dingley law in 1897. [Prolonged applause.]

Mr. POU. Will the gentleman yield for a question?

Mr. CRUMPACKER. I have not the time.

Mr. RANDELL of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana have leave to finish his address, for we want to ask him some questions.

Mr. CRUMPACKER. Mr. Chairman, I should be glad to answer questions, but I know that if we enter upon it it will continue for an hour or more. I have already overstepped the limit of one hour fixed by the rules, and I do not believe that I ought to occupy any more time, even in answering questions, and I therefore object. [Laughter.]

Mr. SHEPPARD. Mr. Chairman, the Payne tariff bill is a deliberate betrayal of the American people. It is a fresh illustration of the perfidy of the Republican party. It is a new evidence of the fact that effective tariff relief is impossible so long as the Republican party retains control of the American Government. It is at once the clumsiest and most impudent measure in American political history. It is a characteristic Republican reply to the prayers of the people for justice in federal taxation. It is the crowning infamy of fifty years of Republican tariffs, signalizing the supremacy of monopoly, the corruption of government, the degradation of the Republic. [Applause.]

It is a fitting sequel to the Republican platform of 1908, which declares in effect that tariff taxes must be kept so high as not only to equal the difference in cost of production at home and abroad, but to guarantee a profit to American industries. The writer of that platform was—

A lecturer so skilled in policy
That, no disparagement to Satan's cunning,
He well might read a lesson to the devil
And teach the old corrupter new temptations.

[Laughter.]

The tariff declaration in the Republican platform gives the protected interests a deed to the Treasury of the United States. The wildest socialist could not have invented a more dangerous and alluring fallacy. The Payne bill completes the delivery of the Treasury to the trusts, and the American people, unable to resist the appeals and promises of Republican leadership, a leadership buttressed with the oratory of BEVERIDGE and Hughes, the perverted logic of ELIHU ROOT, the fulminations of Roosevelt, and the imposing proportions of Mr. Taft, having indorsed the atrocious transaction at the polls, are now witnessing the violation of their confidence in this new license for unlimited pillage. Amusing, indeed, were the ponderous assurances of Mr. Taft that the Republican party would revise the tariff downward. His volcanic predecessor realized the hopelessness of such a proposition and evaded it to the last. Is it possible that the complacent Mr. Taft may succeed where the bifocal whirlwind that recently swept from Washington to Oyster Bay failed utterly? [Laughter.] I say to you that there is more real power in one 5-cent cigar between the iron lips of JOSEPH G. CANNON, the stand-pat leader, than in the big sticks of a whole regiment of Roosevelts and Tafts. [Laughter and applause.]

The Payne bill is from no possible viewpoint a sincere and equitable revision of the tariff. Its practical effect is to reenact or to increase the overwhelming majority of the present exorbitant rates. Of the more than 4,000 articles and classes of articles in the present tariff law, it makes only a conditional reduction as to less than 400! Excepting about 75 outright increases, it leaves the remainder unchanged to serve as a minimum scale, adding 20 per cent or more for a maximum scale. It provides for the transfer of most of the articles of importance on the free list, including hides and iron ore and coffee, to the maximum scale, adding a charge of 20 per cent ad valorem. It is so worded that on and after sixty days from the passage of the bill the maximum scale will become effective as to the majority of imported articles. It provides that on and after sixty days from its passage the maximum rates shall be charged on imports from all countries which give any other country preferential trade treatment over the United States. Most of the countries from which our imports come have special trade treaties which they can not abrogate or modify in sixty days. In any event, it is doubtful whether any country would willingly yield to so insolent and unparalleled a demand and proceed to the immediate rearrangement of commercial relations, the result of years of diligent study and negotiation, merely to placate the United States.

The Payne bill is a declaration of commercial war with all the world. [Applause on the Democratic side.] It announces to the nations that regardless of what their particular trade situation may be, regardless of special arrangements that may have arisen from immemorial usage and environment, the failure to give the United States every preference and advantage extended to other lands will mean the application to the commodities they may desire to send to us of our maximum rates, the highest tariff charges in the world.

The conditions imposed by the Payne bill on countries seeking the benefit of our minimum rates are impossible and monstrous. We have but to recall the fact that section 4 of the Dingley law provided a reduction of 20 per cent on all the Dingley rates as a basis for reciprocal relations in order to appreciate the consummate folly of the Payne proposal. The reciprocity of the Dingley law involved an invitation to other countries to enter into friendly negotiation for mutual concessions, concessions suggested by physical and political surroundings, by past relations, by common ambitions, by ties of blood and interest and other conditions. The distorted reciprocity of the Payne bill is a threat of retaliation in advance against all countries not so abjectly accepting our enormous minimum rates as to accord us absolutely equal treatment with nations that may give them far lower charges and many greater trade advantages than the United States. Let us remember further that the rates of the Dingley bill, which served as maximum rates in reciprocity arrangements under section 4, are as to almost all the articles the

minimum rates of the Payne bill. Let us also call to mind the fact that the maintenance of the Dingley rates literally drove the great European countries to the formation of trade agreements among themselves and the erection of retaliatory tariffs against us. The Payne bill proclaims that unless these countries admit us at once to every privilege and every favor accorded one another they will be subjected to a charge on all their exports to the United States 20 per cent higher than the offensive schedules of the Dingley law. Such a proposal gives the lie to every profession we have ever made in the interest of universal peace. [Applause on the Democratic side.] It makes this country an international braggart, whose threats and bluster fill the world with unspeakable disgust. [Applause on the Democratic side.]

Furthermore, it is impossible under the Payne bill to ascertain how long a given rate will apply to a particular article. The minimum rates find automatic application whenever a nation gives us equal treatment with all others, but the moment this condition ceases the maximum rates become effective as to imports from that nation. If Germany admits us to equal advantages with all other countries, the minimum rates of the Payne bill will apply to the one hundred and thirty-one millions of imports from Germany. If France for any reason declines to do so, the maximum rates will apply to the seventy-one millions of imports from France. No one could foresee how soon these conditions might be reversed. Our tariff would oscillate with every alteration in the varying commercial relations of the world. Rumors of trade agreements in every quarter of the globe would keep our markets in perpetual unrest. The tariff situation would be one of continuous uncertainty, and business would suffer constant disturbance. Great Britain, France, Germany, Austria-Hungary, Russia, Belgium, Holland, Sweden, Norway, Turkey, Spain, Portugal, Switzerland, Roumania, Servia, Canada, Greece, and other countries have preferential trade treaties now in force. By far the greater portion of our export and import trade is with these countries. It would defy human calculation to figure the effect of the Payne tariff bill on our trade with these countries or on the revenue arising from the various commodities involved. Confusion of the direst nature and a universal tariff war would most probably result. Again, the Payne bill provides for the speedy dissolution of all our existing commercial treaties. The sudden termination of our trade treaties with Portugal, Italy, Germany, and France, under which we are reaping distinct advantages, would entail the most serious consequence. It would mean the application of the new German maximum rates to our exports to Germany, an increase which would work untold harm to American meats and breadstuffs.

Germany is our second largest market abroad, taking every year nearly two hundred and fifty millions of the products of our factories and farms. The new German maximum rate on wheat is $1.78 per 100 kilos, as against $1.30 to nations with which she has treaty relations; on corn, 48 cents per 100 kilos higher than the countries making treaties with her; on wheat flour, $1.94 higher; sausages, $5 higher. The termination of the present arrangement with Germany would mean, moreover, the application of our maximum rates to the one hundred and thirty-one millions of imports from that country. Let us no longer harbor the delusion that Germany is dependent on the United States alone for foodstuffs. Canada and Argentina are entirely able to supply her every want in this respect. Having given us every possible advantage under the existing agreement, an agreement by which we save millions through the privilege of her minimum rates, Germany would have every cause for serious offense and open rupture in case the Payne bill, revoking the present understanding and demanding every favor accorded every other nation under penalty of almost prohibitory charges on German imports, becomes a law. Again, the Payne bill assumes that the commercial amity of any foreign nation is equally desirable with that of every other. It offers the minimum rates on the same terms to every nation in the world; to Norway, with which we have a trade of three millions, and to Great Britain, with which we have a trade approaching eight hundred millions; to Persia, with which we have a trade of less than $200,000, and to Germany, with which we have a trade approximating three hundred and seventy-five millions; to Greece, our trade with which falls below $190,000, and to France, with which our trade approaches two hundred millions.

The enactment of the Payne bill would paralyze what little progress we have made in the extension of our foreign trade. With our tremendous natural resources and advantages we ought to occupy a foremost place in the trade of the world. The most fundamental need of our growing country lies in the establishment of more amicable trade relations with other nations. In the shipping and the trade of the earth the position of our country is entirely unworthy of its destiny and power. We are selling to Africa less than thirty millions of her hundred millions of annual imports; to South America, less than one hundred millions of the six hundred millions she buys each year; to Asia, not much over one hundred millions of the eleven hundred millions of her annual purchases. With two billions of minerals leaping annually from our mines, seven billions of commodities from our farms, fifteen billions of articles from our factories, production is beginning to outrun domestic consumption, and we must find markets abroad or suffocate beneath our overflowing energies. Across the pathway of the Nation's advancement stand the leaders of the Republican party, the Paynes, the Dalzells, the Aldrichs, the Tafts [applause on the Democratic side], votaries of the outworn and barbarous doctrine of high protection, the doctrine that locks up the markets of the world, the doctrine that the Federal Treasury must guarantee the profits of private industry, the doctrine that one man may permanently flourish in another's sweat, another's means, another's blood; the doctrine that dries up the springs of progress in the individual and in the State. [Applause on the Democratic side.]

Thus a Republic that boasts of leadership in all that contributes to the advancement and happiness of humanity has hidden its example and lowered its ideals behind the highest tariff taxes in its own history and the world's as well. Thus a Republic that preaches peace invites commercial war, the surest source of mortal combat.

It is humiliating beyond all language to observe that the American Republic, founded to contradict the tyrannies, the frenzies, and the fanaticisms of ages that are dead, is to-day the bigoted disciple of the darkest commercial fallacy of the past, the doctrine of oppressive imposts that drain the country's substance to involve at last the multitudes they starve, the few they gorge, in common ruin, the survival of that ancient mercantilism which for three centuries embroiled the European Continent in trade rivalries, assaults, reprisals, in cruel and exhausting conflicts. [Applause on the Democratic side.]

Considering the bill in its domestic aspect, we are startled to note the failure to remove or to reduce the protection afforded the Standard Oil trust by the Dingley law. The countervailing paragraph on crude petroleum and its products is retained without the slightest change. The effect of this paragraph is to shield the most merciless monopoly of the time. For nearly twelve years this monopoly has flourished under the wings of the Dingley tariff. It has become one of the most tremendous agencies of corruption the world has ever known. The Payne bill leaves it firmly enthroned. To-day it towers above Presidents, Attorneys-General, courts, and laws. As to the hundreds of other trusts that menace the people's means and liberties, it should be said that the limited and illusory reductions of the Payne bill affect them in no material sense. In marked contrast to the favoritism shown the trusts, to the failure to increase the charges on alcoholic liquors, are the new taxes on tea and coffee, which fall directly on the masses.

It is true that coffee is technically on the free list. A countervailing provision is added, however, by which a tax is levied equaling any export charge exacted by countries sending us coffee. The countries from which we obtain almost all our coffee levy various export charges on this commodity. The province of Sao Paulo, in Brazil, which produces half the world's supply, has an export charge of 3 or 4 cents per pound. Thus the Payne bill not only taxes coffee, the beverage of the poor, but imposes a different rate for every country from which our coffee comes. Nothing could be further from the truth than the popular notion that the Payne bill places coffee on the free list. Equally erroneous is the popular impression as to coal, another fundamental necessity of the people. Coal is nominally on the free list, but the provision is added that it must come from a country levying no charge on coal exported from the United States. Canada, the only country from which coal could come in any considerable quantity and at such price as to afford the American people any real relief, levies a tax on our coal. The reduction on lumber and timber is of doubtful value. No one knows what preferential treaties may be made by Canada and other timber-exporting countries, or how soon such treaties might put in operation our maximum charges on these commodities. The same observation may be made as to hides and iron ore. The automatic relation between the maximum rates and foreign trade treaties involving any discrimination whatever against the United States enables us to say with truth that there is not a sincere and permanent reduction in the bill. [Applause on the Democratic side.] Especially deplorable is the fact that the lumber tariff is left in so nebulous a shape.

Sir, I favor any measure that makes it easier for an American to build an American home. [Applause.] Not one-third of the

families in the United States, under the heartless tariff of the Republican party, now own their homes.

It is worse than mockery to call this bill a downward revision. Its only downward feature is the fact that it enables the trusts to dig farther downward into the pockets of the American people. [Laughter and applause on the Democratic side.] Having administered this Government with an extravagance that paralyzes the human imagination, a recklessness that has developed a deficit of a hundred millions, having kept in operation tariff taxes that nurture the trusts and exploit the masses, the Republican party now faces a situation from which only the most wanton duplicity can preserve it. It must pretend to revise the tariff and it must remain the sanctuary of monopoly. The result is the Payne tariff bill, double-faced and double-tongued, a lie from the first paragraph to the last. [Applause on the Democratic side.] The Payne bill confirms the already historic fact that the Republican party will never make a sincere and effective reduction of the tariff. Of all American political parties the Democratic party alone has displayed sufficient justice and sufficient courage to institute a proper correction of tariff evils. Perhaps its most notable performances in this respect were the successful and thoroughgoing revisions of the high tariffs of 1828 and 1842.

The toiling millions have little to hope from the Republican party. The doctrine of high protection makes the laboring man its especial victim, while proclaiming him its especial beneficiary. It bases its principal claim to the support of the American people on the contention that its fundamental design is to aid the American laborer. It asserts that because foreign labor is nominally or actually cheaper than American labor foreign articles are produced at a lower cost than American articles, and that in equalizing the difference in cost of production at home and abroad, it preserves a high-wage standard here. Never was there a more fallacious proposition.

Labor is by no means the only element of production either in the United States or other countries. Raw material, fuel, and other items are also to be considered. The infinite resources of the United States, unparalleled in all the world and hardly in the genesis of their development, enable us to underproduce and undersell the globe. The superior efficiency of American labor and American machinery give the American capitalist in the last analysis greater returns on the outlay for labor than foreign capitalists, even with lower wages, may ever secure.

To say that the cost of production in foreign countries, whose resources have been subjected to the wear and waste of centuries, is lower as to articles of like excellence than in the United States, the richest, freshest, and most potential section of the earth, is to state a sophistry surpassed only by the Republican theory of protection. Under the pretext of shielding labor Republican protection has erected a range of prices enabling monopoly to ravage labor, to absorb its earnings, and to reduce its ranks to economic servitude. It is a gloomy prospect that greets the American laborer as he observes the trend of contemporary events. He sees the higher courts reversing decisions unfavorable to the trusts, affirming decisions unfavorable to labor. He sees the trust leaders controlling legislation, his own leaders under sentence to jail for devotion to him. Whenever reduction is proposed in any tariff schedule he hears the sheltered interests announce that the burden of the reduction must be borne by labor. The pay of the toilers must suffer first, the returns of capital last. The envelope of the wage-earner must ever yield to the coupon of the capitalist. He hears the leaders of the steel trust declare that lower rates on the metal schedule will be immediately reflected in lower wages. Flourishing in splendor and in plenty, the nurslings of a system surrounding them with more than imperial affluence, forgetful of the men whose naked arms have lifted them to luxury, their first and most dominant desire is to shift the burden of the slightest curtailment in the tariff from bond and dividend to wage.

Such is the animus of soulless greed, the offspring of Republican protection. Such is the vaunted friendship of the jeweled darlings of protection for the American laborer. At Denver in 1908 the laboring hosts found permanent refuge in the bosom of the Democracy. They were rejected by the Republicans at Chicago to be welcomed with open hearts by the Democrats at Denver. [Applause on the Democratic side.] This welcome exemplified the essential teaching of Democracy for the relief of oppression everywhere. I know that history sings of emperors, senators, presidents; of commanders of eloquence, of industry, and of arms; of temples, monuments, and capitols; of wars, intrigues, crusades; of parliaments, congresses, and courts. It tells of rulers, not the ruled; of leaders, not the led. It tells of statesmen, not the masses who created them; of warriors, not the nameless myriads who died to build another's fame. It tells of pyramids, not the lowly millions who constructed them; of palaces, not the weary hands that gave them being. It tells of captains of mighty industry, not the faces at the loom; not the muscles at the anvil and the plow; not the fingers around the throttle and the brake; not the unlaureled heroes of the furnace, the sweatshop, and the rail. But the Democracy, throwing the mantle of equal rights about the scarred shoulders of toil, gives to-day a new task to history, and bids it say that labor, labor in mine, on cliff, in factory, and field, shall have its just place in the affairs of men. [Loud and continued applause on the Democratic side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 2.

Resolved by the Senate (the House of Representatives concurring), That the Commissioners of the District of Columbia are hereby granted the use of the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles L'Enfant from the present resting place, the Digges farm, in Prince George County, Md., to Arlington National Cemetery, where the remains will be reinterred, such use of the Rotunda to be for a part of one day, and to be on such day and under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives.

The message also announced that the Vice-President had appointed Mr. SIMMONS and Mr. GALLINGER members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Interior Department.

THE TARIFF.

The committee resumed its session.

Mr. COLE. Mr. Chairman, I can not hope to compete with the gentleman from Texas [Mr. SHEPPARD] in my eloquence of speech; but I do have an ambition to contribute as many facts to the committee, at least, as he has just uttered. It has always been the cry of Democracy that you should open the markets of the United States to the manufacturers of the world. They contend now that to invite commercial war with other nations would be disastrous to American industries. That is contrary to the whole history of this Nation as a great commercial people. Never in the history of this Nation has our standard been lowered beneath that of any competing nation. The provisions of this measure relative to the maximum and minimum tariff will give us a power to compel fair treatment from the commercial nations of the earth that we do not now possess. [Applause on the Republican side.]

Mr. Chairman, we have heard much in the last few days concerning the rule under which we are to revise the tariff. It is always best when we state our case to also state the law which applies to that case. Gentlemen on the other side insist that there is a provision in the Republican platform which declares in favor of revision downward. I have searched that instrument in vain for any such declaration. It is true that during the campaign utterances of that kind were made from the public platform and the stump, but if you will examine the document carefully, no such declaration is there made. I wish to read, for the enlightenment of the committee or the gentlemen on the opposite side, the rule under which the Republican party has undertaken to revise the protective tariff:

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industry.

However, on many important schedules the duty should be lowered.

Mr. JAMES. Mr. Chairman, will the gentleman yield for a question?

Mr. COLE. I do not care to yield now. A little later I will be glad to yield to the gentleman.

Mr. JAMES. But this is something right along that line.

Mr. COLE. Very well.

Mr. JAMES. Has the Payne bill been constructed on that plank of the platform?

Mr. COLE. I am going to discuss Schedule K of this measure and demonstrate to the satisfaction of this committee that that provision in the Republican platform has been complied with in every detail.

Mr. JAMES. Then I want to suggest to the gentleman that the inaugural address of Mr. Taft left off that "reasonable profit to the American manufacturer" which appears in the Republican platform of 1908.

Mr. COLE. Does the gentleman from Kentucky contend that the American manufacturer is not entitled to a profit?

Mr. JAMES. He is entitled to such a profit as he may be able to obtain with fair competition under ordinary circumstances and conditions.

Mr. COLE. And he has that competition to-day among the woolen manufacturers in the United States of America.

Mr. JAMES. Oh, the gentleman evades the question.

Mr. COLE. I must decline to yield further, Mr. Chairman.

Mr. JAMES. The gentleman evades the question.

The CHAIRMAN. The gentleman from Ohio has the floor and declines to yield further.

Mr. COLE. Now, Mr. Chairman, I propose to apply this rule of revision to Schedule K. We listened to an exhaustive treatment of Schedule K on yesterday, and it was denounced in the most vehement of language. I think that when proper study is given to the historical aspect of this schedule and applied to the bill under consideration, there is not a rate there that can not be defended on just and equitable grounds. The committee, having in mind that provision of our platform, provided a schedule of 11 cents on wool in the grease, 22 cents on washed wool, and 33 cents on scoured wool. I desire to insert in the RECORD sections 362 and 365, as it forms the whole foundation of Schedule K.

Section 365 of the proposed bill reads as follows:

The duty upon all wools and hair of the first class shall be 11 cents per pound, and upon all wools or hair of the second class 12 cents per pound.

Section 362 provides:

The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed, and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed.

Now, Mr. Chairman, that provision has been in the law from 1867 down to the present time, save only during the Wilson law. There was a tariff on wool from 1824 to 1894; for a period of seventy years uninterruptedly it has been on the protected list. A gentleman remarked this morning that Henry Clay was one of the first and most eloquent champions of free trade in raw materials. I invite the gentleman's attention to the great measures of 1824, 1828, and 1842 in which Henry Clay was perhaps the greatest and most effective apostle of protection. He will find that in each of those measures what they declare now to be raw material was placed upon the protected list by the work of Henry Clay.

I know not what Mr. Clay may have stated in some of his public speeches, but I do know what has been incorporated in the public statutes as a result of his services in the Federal Congress. The demand of Democracy of 1894 was: Give us free raw material and we will capture the markets of the world. Instead the world captured our markets. Now, Mr. Chairman, we have in our law to-day what is known as a "compensatory duty" on wool. It is a complicated schedule, which I desire to explain. First, I wish to prove to the committee that the ad valorem duty provided in this schedule is for the protection of the manufacturer. Second, I propose to demonstrate that the compensatory duty, the specific duty, is for the benefit of the producer of wool. Keep in mind these two important distinctions: The ad valorem duty provided in Schedule K is for the benefit of the American manufacturer; the specific compensatory duty is for the benefit of the American wool producer. Now, sir, how has the American manufacturer been treated by this measure? In 1828 the average ad valorem duty on the manufactures of wool was 43 per cent. In 1890, under the McKinley law, it was 45 per cent. Under the Wilson bill it was over 40 per cent; in the Dingley bill it was about 43 per cent. So, the measure of protection accorded to the American manufacturer of wool to-day, in comparison with the Wilson bill, is only a margin of 3 per cent. If the Democrats established the rates in the Wilson bill as a revenue producer, we have only raised those rates 3 per cent in order to protect the American manufacturer. So there certainly can be no complaint that the protection of an ad valorem character given to the American manufacturer in the Payne bill is excessive. One-half the woolen manufactories in the country closed under the operation of the Wilson law. Three per cent above the closing-down margin is not an unfair measure of protection. I shall now take up the consideration of the compensatory duty.

Mr. Chairman, I have an exhibit in here that I believe will demonstrate more clearly than any statement I could make in half an hour the reason for the specific compensatory duty.

PRINCIPLE OF THE COMPENSATORY DUTY.

What is the compensatory duty? It is an increasing rate of duty based upon shrinkage in the process of refining. A scientific schedule increases in proportion to the losses sustained in the different stages of manufacture. It is based upon the fact that it takes 3 pounds of wool in the grease to produce 1 pound of scoured wool, and 2 pounds of wool in the grease to produce 1 pound of washed wool. Unless a pound of scoured wool is given three times the protection of a pound of wool in the grease, wool will be imported into this country in scoured condition, and just in proportion as the duty on scoured wool is below that figure will it reduce the duty or protection to the pound of wool in the grease.

First. This fact was established by an industrial commission which reported its findings to the United States Congress and became the basis of the law of 1867.

Second. Twenty-one States east of the Mississippi and north of the Ohio River, including Iowa and Kentucky, produced, in 1908, 71,372,000 pounds of wool, which had a shrinkage of 48.2 per cent.

The 10 Southern States, in 1908, produced 7,849,000 pounds of wool, with a shrinkage of 40 per cent.

The remaining Western States, in 1908, produced 190,916,000 pounds, with a shrinkage of 66.4 per cent.

Seventy per cent of the wool produced in the United States has a shrinkage of over 66 per cent. The average shrinkage of all wools produced in the United States is 61 per cent.

The percentage of the world's production of wool, with a shrinkage of over 66 per cent, is greater than it is in the United States.

Yesterday, when the distinguished champion of Democracy had the floor, I submitted to him this proposition: Is it not a fact that it takes 4 pounds of wool in the grease to produce 1 pound of cloth. He said, "No, sir; no such statement as that can be sustained." My friends, we have——

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. COLE. I can not yield just now.

Mr. RANDELL of Texas. I wanted to make a correction of the gentleman's statement. The statement he made yesterday was that it took 4 pounds of wool to make a pound of cloth.

Mr. COLE. It takes 4 pounds of wool in the grease to produce a pound of cloth; it takes 3 pounds of wool in the grease to produce a pound of scoured wool; that is the statement I made. Now, Mr. Chairman, I desire to call the attention of the committee to the industrial report that was filed in the year 1866. At the head of that commission was one of the best authorities on commercial affairs in this country. Mr. Bigelow chairman of that commission, made the report upon which the compensatory duty has been fixed in the law. It was filed in the year 1866. He proved to the satisfaction of Congress the actual fact, that it takes 3 pounds of wool in the grease to produce 1 pound of scoured wool and 4 pounds of wool in the grease to produce 1 pound of cloth. Now, Mr. Chairman, if that is a fact, we can afford to base legislation upon it. We ought not to base legislation upon anything of such serious character as this schedule, except on facts. It is facts we want in this committee, not fiction and oratory. It is said that the Speaker of this House is dictatorial. There is only one supreme czar in the realm of legislation, and that czar is a fact. I want to demonstrate this fact. When I have succeeded in that the rest of this schedule is a mere matter of mathematics. You will find upon investigation that 70 per cent of the wool produced in the United States shrinks 66 per cent when it is scoured. Seventy-five per cent of the world's wool shrinks 66 per cent in a scoured condition. In other words, it takes 3 pounds of raw wool to produce 1 pound of scoured wool; 4 pounds of raw wool to produce 1 pound of cloth.

I wish to insert in the RECORD, Mr. Chairman, a statement that was made by Senator Sherman, of Ohio, in the United States Senate in the debates of 1890, as follows:

Mr. SHERMAN. Mr. President, I will say a few words in regard to this point, because this same question will arise in many other items in these schedules as they come up.

It seems to me that the Senator from Kentucky overlooks the main facts in regard to these duplicate, triplicate, and quadruple rates upon woolen goods. He forgets—no; he does not forget it, because he is perfectly familiar with the fact—that it requires 2 pounds of ordinary wool as taken from the sheep's back to make a pound of what is called "washed wool." It takes 3 pounds of unwashed wool to make a pound of cloth. That is a fact. If the Senator disputes it, then we are all at sea; but that I believe is a conceded fact.

At any rate it is proved by every witness who came before the committee and is shown by the importers and manufacturers and all woolgrowers that it is a general simple rule which may vary in degree according to the character of the wool, the finer wool being better, that 2 pounds of unwashed wool are equivalent to 1 pound of washed wool; that 3 pounds of unwashed wool are equivalent to 1 pound of scoured wool, and that 4 pounds of unwashed wool are required to make 1 pound of cloth. That seems to be rather strange. One would wonder how this waste could occur, but it is so as a matter of fact. The grease in the unwashed wool is removed partially when it is washed, still more when it is scoured. It not only takes off all the dirt, but all the fiber of the wool. Still in the next process of manufacture, when the wool is converted into cloth, there is a waste, so that all parties have agreed to a general rule, that it requires 4 pounds of unwashed wool to make 1 pound of cloth.

That does not apply to all kinds of cloth. It only applies to the better wool. The general rule is that of good quality it requires 4 pounds of wool to produce a pound of cloth, but it does not apply to all, because in certain articles they use other substitutes for wool to the extent that they use cotton in satinets and in some form of goods. I am not a merchant or a manufacturer or anything of the kind, and I may confound these matters, but in many classes of goods made partly of wool there is cotton and in many there are other articles. In all carpet wools there are great varieties of substitutes. Therefore, the rule does not apply to those, but in all cloths of every kind whatever, it may be said that it requires 4 pounds of wool to make 1 pound of cloth.

That is the reason of this discrimination. In regard to these cheaper woolens that are provided for here at two and one-half times the rate, they are made mainly of cheap wools which bear a low rate of duty comparatively. The carpet wools are sometimes used more or less for this class of goods, and the inferior wools are used for that purpose. Still the endeavor was to equalize the number of pounds of wool that are required for a pound of cloth, because now we are dealing with cloth or woolens, the manufactured articles.

In 1890 the same facts that we expect to make the basis of the law of 1909 were recognized and made the basis for the McKinley law. I think there will be no disposition upon the part of gentlemen upon the floor of this House to deny the statement that was made by Senator Sherman in 1890.

Now, Mr. Chairman, there are only two ways in which we can judge and apply this rule laid down in the Republican platform. First, ascertain the elements of cost in the production of an article abroad, and then ascertain the same elements here at home. That process is almost impossible. These gentlemen who have been upon this Committee on Ways and Means have found that it is next to impossible to get the necessary information from witnesses to ascertain the exact cost of an article produced in a foreign country. I have been endeavoring for the past six months to get some reports of a reliable character from South America and Australia relative to the exact cost of the production of wool in those countries. They are on their way from Honolulu to-day, but they are not here. However, they demonstrate the fact that I have already uttered.

The other method that we have of judging of the difference between the cost abroad and the cost at home is the commercial history of that product.

I wish to call the attention of the committee for a short time to the effect of the law of 1866 upon the wool industry of the United States. Before I enter upon that proposition I wish to make one statement in advance. Some gentlemen upon the floor of this House, especially upon the opposite side, have contended for an ad valorem duty upon wool. We had an ad valorem duty upon wool in 1846 under the Walker tariff law, an ad valorem duty of 30 per cent, and during that ten years, in which there was such amazing progress, as the gentleman from Missouri [Mr. CLARK] has oftimes said on the floor of this House, there was only 1,000,000 increase in the number of sheep, showing that an ad valorem duty, the same on wool as upon the finished product, is not sufficient to protect the American manufacturer, farmer, and producer of wool.

James G. Blaine is responsible for the statement that if this country had enforced a protective policy from 1850 to 1860, the civil war could have been prosecuted upon a specie basis. I desire to insert in the RECORD the report of the Treasury in 1866 on the ad valorem principle, which formed the basis of the great law of 1866:

REPORT UPON THE RELATIONS OF FOREIGN TRADE TO DOMESTIC INDUSTRY AND INTERNAL REVENUE.

[By Hon. Hugh McCulloch, Secretary of the Treasury.]

FEBRUARY, 1866.

Diversified industry is necessary to the prosperity of any nation. Great manufactories more than double the productive power of a country, adding to manual labor the vast results of machinery and of water and steam power.

No nation, except Great Britain, imports to the amount of 10 per cent of its consumption. The purchasing power of the people is measured by their productive power. It is proper, therefore, in the formulation of a tariff measure to consider its effect upon the question of diversified industry.

Our foreign trade, however, its advantages or disadvantages apart, is now undergoing a change which will certainly make it a worse foe to our home industry than it has ever been. This change had its origin in the ad valorem features of our recent tariff. The trade has for many years, therefore, been taking a shape which has now grown into formidable dimensions. The factories, workshops, and the workmen are now in Europe; the warehouses are in New York. Goods intended for the warehouse are invoiced at the factory cost, are entered at our custom-house at that price, the duties are largely diminished, and the evil of competition with cheap labor increased. The mischief of thus harboring a class of men whose business is to debauch or mislead our officers, to rob us of revenue and injure our domestic industry, is so apparent that they should have long since found a remedy.

These foreign agents cooperate constantly for the evasion of our revenue law. They pay inadequate taxes, they render no military service, they pay very little rent, their sympathies are all on the other side, and their business is to nullify laws pertaining to our commerce and our industries. There is no redeeming benefit to reconcile us to their presence and operation. If they realize fortunes here their money, instead of going to increase capital or aid enterprise here, is carried to Europe to swell the volume of capital there, which is employed in overwhelming our rising industry. No country in the world is afflicted with such a multitude of commercial parasites.

It is not only necessary that the duties upon imports should be so regulated as to prevent our ports of entry from being flooded with goods not imported by our merchants, with their full knowledge of the wants of the country, but commodities sent hither by foreign manufacturers and speculators, with the double purpose of realizing a profit upon our financial position and of overwhelming our domestic industry, that industry which suffers even when threatened, which we can not afford to put in peril, much less to see overthrown, even for a year.

The experience we have had in this country of the bad working of the appraisement system as organized under existing laws and as carried out in our custom-houses should force upon us the adoption of the European methods of specific duties. No such abuses can be practiced there as now disgrace our custom-houses and defraud our Public Treasury. There revenues are raised upon specific duties, not mainly, but almost altogether. The British tariff contains 382 specifics to 131 ad valorem duties. Belgium, which is one of the richest countries of Europe in proportion to its population, a country in which the various departments of civilized industry are best blended for their mutual advancement, has 330 specifics in her tariff to 66 ad valorem duties. Our tariff has 2,439 ad valorem duties and 478 specifics. The Belgian tariff presents a feature well deserving the attention of our legislators and statesmen. It has a special schedule by which linens coming from France are charged with a specific duty until the quantity of 4,000,000 pounds weight has been imported. When the amount imported exceeds that quantity and does not exceed 6,000,000 pounds weight, the duty is increased upward of 50 per cent, and when the quantity exceeds 6,000,000 pounds weight all imported within the year is charged double the rate of the first 4,000,000 pounds. The flax manufactures of Belgium are one of the most important of its industries, and this careful and paternal Government has taken this method of saving their markets from being overwhelmed with French linens to the injury of their working classes.

Now, what was the effect of this law of 1866? In 1867 we produced 160,000,000 pounds of wool in the United States. In 1885, after seventeen or eighteen years of the application of this specific compensatory duty of 12½ cents upon a pound of wool in the grease, we produced 308,000,000, a total increase in the period of eighteen years of 148,000,000 pounds.

Mr. Chairman, in the interest of accuracy I desire to put in the RECORD a statement of the rates of duty under the law of 1867 and the figures showing the wonderful progress during that time:

DUTY ON WOOL UNDER THE ACT OF MARCH 2, 1867.

CLASS 1.—CLOTHING WOOLS.

Value at place of exportation, excluding charges at such port.

Thirty-two cents or less, 10 cents per pound and 11 per cent ad valorem.

Above 32 cents, 12 cents per pound and 10 per cent ad valorem.

CLASS 2.—COMBING WOOLS.

Value 32 cents or less, 10 cents per pound and 11 per cent ad valorem.

Above 32 cents, 12 cents per pound and 10 per cent ad valorem.

Production of wool in the United States from 1867 to 1885.

Year.	Pounds.	Increase.	Decrease.
1867	160,000,000		
1868	168,000,000	8,000,000	
1869	180,000,000	12,000,000	
1870	162,000,000		18,000,000
1871	160,000,000		2,000,000
1872	150,000,000		10,000,000
1873	158,000,000	8,000,000	
1874	170,000,000	12,000,000	
1875	181,000,000	11,000,000	
1876	192,000,000	11,000,000	
1877	200,000,000	8,000,000	
1878	208,250,000	8,250,000	
1879	211,000,000	2,750,000	
1880	232,500,000	21,500,000	
1881	240,000,000	7,500,000	
1882	272,000,000	32,000,000	
1883	290,000,000	18,000,000	
1884	300,000,000	10,000,000	
1885	308,000,000	8,000,000	

Total increase, 148,000,000 pounds.

Increase in number of sheep from 1867 to 1885, 10,974,857.

Increase in the production of wool in eighteen years, 90 per cent.

If the same rate of increase had continued until 1895, we would have produced sufficient wool to have supplied the demand of the American market. There was an increase of 25 per cent in the number of sheep in the United States during the last four years of the operation of the law of 1867.

I desire now to show the House what occurred in the year 1883 to this woolen schedule. The tariff was reduced to 10 cents a pound and the compensatory scheme continued. But in the center of that bill there was a provision inserted known as the "basket clause." That clause enabled the importer to bring broken tops into the United States for 10 cents a pound. I am going to show to the committee just exactly what a broken top is. There is a broken top [indicating] that came into the United States from 1883 to 1889 at a duty of 10 cents. The duty on the raw wool was 10 cents. It takes 3½ pounds of raw wool to produce 1 pound of these broken tops [indicating]. The duty on these broken tops should have been at least 30 cents. But what

occurred? The foreign manufacturers of wool went into the business of manufacturing broken tops.

In 1883 there was about 1,300,000 pounds of broken tops imported in the United States; in 1889 there were 8,600,000 pounds of these broken tops shipped into the United States at 10 cents a pound, when it should have been at least 30 cents. It took the place of or displaced 30,000,000 pounds of the finest Ohio wool.

Now, gentlemen, I want you to remember that fact when we come to the consideration of the proposed schedule in the Payne bill. I want to call your attention to one other item that I think is dangerously close to the unprotected line. Now, in order for you to understand this question as I see it, I desire to give you an exhibit, a concrete illustration, of this specific compensatory duty. There are 3 pounds of wool in the grease [exhibiting], just as it comes from the back of the sheep in the State of Ohio. There it is [exhibiting] in the form of scoured wool. It is reduced to 1 pound, having a shrinkage of 66⅔ per cent.

Now, suppose you only had to pay the same duty on that scoured wool that you had on this wool in the grease [exhibiting]. The scoured wool would escape paying a duty of 22 cents a pound. So, in order to protect wool in the grease, you are compelled to levy a duty on the scoured wool just in proportion to its shrinkage in the process of scouring. It takes three times as much of this wool in the grease as it does of this scoured wool to produce 33 cents of revenue, or it takes 3⅓ pounds of this wool to produce 1 pound of this [exhibiting tops]; so you must have three and one-fourth times the protection for this [exhibiting tops] in order to protect this [exhibiting wool], and that protection is for the benefit of the producer of wool and not the manufacturer. It goes to the producer of wool, and unless you do have this higher schedule of protection in the ratio of the average shrinkage, you may as well have no protection for wool at all. That is the theory of the specific compensatory duty, and it has remained in the laws of the United States from 1866 down to the present time. [Loud applause.]

Now, Mr. Chairman, I desire to show to the committee the effect of the reduction of the tariff on wool in the grease 2 cents a pound in 1883, and also of this clause, which laid on broken tops a duty of 10 cents a pound.

In 1885 we produced 308,000,000 pounds; in 1889 we produced 265,000,000 pounds. In other words, under the provisions of the law which reduced the tariff below 11 cents the production ran down 43,000,000 pounds in a period of five years. My recollection does not run back to the campaign of 1888 in the State of Ohio, but I am told by General KEIFER and men who figured in the campaign at that time that that loophole in the law of 1883 was the principal argument of that campaign, and the Republican party carried the State in that year more upon that one item than upon any other consideration.

Mr. Chairman, I desire to have printed in the RECORD the following statement, which shows the decline under reduced duties:

FIRST CLASS—CLOTHING WOOLS.

[Act of March 3, 1883.]

Value at last port or place whence exported, excluding charges at such port:

	Cents.
Not exceeding 30 cents per pound	10
Over 30 cents per pound	12

Double duty on washed wools.

SECOND CLASS—COMBING WOOLS.

Value at last port whence exported:

	Cents.
Not exceeding 30 cents per pound	10
Over 30 cents per pound	12

Results of the operation of the law of 1883.

PRODUCTION OF WOOL.

	Pounds.
1885	308,000,000
1886	302,000,000
1887	285,000,000
1888	269,000,000
1889	265,000,000
Total decrease	43,000,000

Above figures indicate a decrease of 17 per cent in five years.

	Number of sheep.
1885	50,360,000
1886	48,322,000
1887	44,759,000
1888	44,544,000
1889	42,599,000
Total decrease	7,761,000

Decrease of 16 per cent in five years.

Under the law of 1883 the courts held that broken tops should be admitted as waste, upon which a duty of 10 cents per pound had been levied. The following figures give the importations of wool under that clause:

Year.	Pounds.	Value.
1884	1,316,068	$564,694
1885	760,281	287,254
1886	3,059,214	1,036,869
1887	4,834,656	1,843,823
1888	4,483,325	1,719,154
1889	8,602,209	3,447,201
1890	4,980,327	2,052,078

So the wool and sheep industry were shrinking rapidly in production when that sainted and beloved apostle of protection, William McKinley, appeared upon the scene and inserted in his bill a provision for 11 cents a pound on wool of the first class and 12 cents on wool of the second class.

Now to show the effect of the law of 1890 upon the wool industry of the United States. In the year 1890 we only produced 276,000,000 pounds of wool, and in 1894 we produced 298,000,000 pounds. In a period of four years we had increased our production 22,000,000 pounds. These figures indicate an increase of 12 per cent during four years' operation of the McKinley law.

[Act of October 1, 1890—McKinley law.]

		Cents.
Class 1	per pound	11
Double on washed, treble on scoured wool.		
Class 2	do	12
Treble on scoured wool.		

PRODUCTION FROM 1890 TO 1894.

	Pounds.
1890	276,000,000
1891	285,000,000
1892	294,000,000
1893	303,000,000
1894	298,000,000

Increase in 1894 over 1890, 22,000,000 pounds.

These figures indicate an increase of 12 per cent under McKinley law.

	Number of sheep.
1891	43,431,000
1892	44,938,000
1893	47,275,000
1894	45,048,000
Total	180,690,000

Average per year, 45,172,500.

Then we come to the Wilson Act of 1894. The Wilson Act, as you all remember, placed wool on the free list. As a result of that, we came into competition with the wool from South America and the wool from Australia. Wool can be produced in those countries very much cheaper than it can in the United States, or in any other northern climate. The wool industry in Germany from 1875 to 1895 shrunk 45 per cent, because it had no protection against the cheap wools from South America and Australia. The wool industry in the United States can not survive against the wool produced in the tropical and semi-tropical climates of South America, because the cost of labor and the cost of feed in the United States is an element which they do not have to contend with in those southern climates.

What was the effect of the law of 1894? In 1895 we produced 309,000,000 pounds of wool; in 1897, 259,000,000 pounds. So under the operation of the Wilson law, that law that was formed upon the theory of free raw material, there was a decrease in those three years of 50,000,000 pounds.

In 1895 the number of sheep in the United States was 42,000,000; in 1897, 36,000,000. That is the story of the wool industry of the United States as it comes out from under the lack of protection of the Wilson bill.

The following tables will show the great decline under that law and great increase in importation:

Act of August 27, 1894—Wilson bill.

	Pounds.
1895	309,000,000
1896	272,000,000
1897	259,000,000

Decrease in production, 50,000,000 pounds.

	Number of sheep.
1895	42,294,000
1896	38,298,000
1897	36,818,000
Total	117,410,000

Average per year, 39,136,000.

Importations under the Wilson bill for the years 1895, 1896, and 1897.

Year.	Duty.	Pounds.	Class.
1895	Free	105,821,000	Wool in all forms.
1896	do	117,533,000	
1897	do	176,165,000	Wool in the grease.
1897	do	* 48,600,000	
Total		448,119,000	First.
1895	Free	12,400,000	Second.
1896	do	10,698,000	Do.
1897	do	34,807,000	Do.
1897	do	* 1,466,000	Do.
Total		59,371,000	
1895	Free	136,500,000	Third.
1896	do	98,661,000	Do.
1897	do	* 3,040,000	Do.
1897	do	107,834,000	Do.
Total		344,035,000	

* Scoured, 50 per cent added for shrinkage.

Total pounds of first-class wool imported for the above years	448,119,000
Total pounds of second-class wool imported for the above years	59,371,000
Total pounds of third-class wool imported for the above years	344,045,000
Total	851,535,000
Average per year	283,845,000

Now I am going to take up the Dingley law, framed in 1897, with a tariff of 11 cents placed on raw wool of the first class and 12 cents on wool of the second class, and your specific compensatory duties carried out to their logical conclusions. In 1898 we produced 266,000,000 pounds in the United States. This year we produced 311,000,000 pounds, an increase in production of 44,000,000 pounds during the operation of the Dingley law. In 1898 there were 37,000,000 sheep in the United States. In 1908 there were 54,000,000, an increase of 17,000,000 in a period of eleven years under the operation of the Dingley law.

Now, I want to call the attention of the committee to another fact. The gentleman from Missouri [Mr. CLARK] declared yesterday upon the floor of this House that there was not a greater friend of the mule in America than he. I want him to understand that the mule, although the emblem of the Democratic party, is no friend of theirs. [Laughter.] In 1898, at the beginning of the Dingley law, the mules in the United States were worth $92,000,000. This year they are worth $211,000,000. The mules of the United States, that should have remained steadfast in their party faith, violated every political obligation and increased fourfold in value during a Republican administration. [Applause on the Republican side.]

Mr. SIMS. I am asking for information only. The gentleman has spoken of the increase in sheep. Was that confined altogether to the wool-bearing sheep, or does that include the mutton variety also?

Mr. COLE. Mr. Chairman, I have taken these figures from the United States Bureau of Statistics. I think that they include simply the wool-producing sheep of the United States, but of that I am not certain. They may include also the mutton sheep.

Mr. SIMS. I am told that in my own State on account of the high price of mutton the increase in the mutton sheep has been greater than in the wool sheep. In other words, the profit has been greater in mutton than in wool.

Mr. COLE. On the contrary, the mutton-producing sheep of the United States have decreased wonderfully during the last ten years, while the wool-producing sheep, as indicated by the wool output, have increased at a very rapid rate.

Mr. WEISSE. Will the gentleman allow me to ask him a question?

Mr. COLE. Yes.

Mr. WEISSE. According to the Statistical Abstract, 1904, in 1900, a Republican prosperity year, the value of the average horse in the United States was $45, but in 1893 it was $62. Was that on account of the Dingley law that they sold for $17 less in 1900 than they did in 1893?

Mr. COLE. Mr. Chairman, I deny the statement; and what is more, if the gentleman will give me half an hour to get the correct statistics, I can prove it. The gentleman must understand that the value of horses from 1896 to 1908 has increased just like the value of the mules, fourfold. [Applause on the Republican side.]

Mr. WEISSE. If the gentleman will get those statistics and show me that horses were not worth $17 per head less in 1900 than they were in 1893, according to the Census Department, I will be willing to give him a great deal more time to explain it.

Mr. COLE. I am not asking the gentleman for time. Here are the statistics from the annual report of the Department of Agriculture. Has the gentleman any objection to the authenticity of a report filed by that beloved old friend of the farmers, James Wilson, of Iowa? If not, I will state the figures. The number of horses in the United States in 1900 was 13,537,000. Their value was $603,000,000. The number of horses in the United States in 1908 was 19,992,000, and their value was $1,867,000,000. [Applause on the Republican side.]

Mr. WEISSE. If the gentleman will allow me, that will not give the average price of horses. I want the average price. [Applause on the Democratic side.]

Mr. COLE. Mr. Chairman, I have not the time to compute it right now. I will insert in the RECORD the information desired by the gentleman:

Value of horses 1893 (last year of McKinley law)	$61
Value of horses 1897 (last year of Wilson law)	37
Value of horses 1900	44
Value of horses 1908	93

Mr. GARNER of Texas. I want to ask the gentleman a question about what he said a while ago in reference to the inability to secure correct information as to the cost of production of sheep in this country and in South America and in Australia. The gentleman said it is absolutely impossible to secure that information. Now, would the gentleman be willing to create a tariff commission for the purpose of ascertaining the correct information as to the cost of goods in this country and in other countries?

Mr. COLE. Mr. Chairman, I am willing that some bureau in the Federal Government shall be set at this particular task of gathering information relative to the cost of production abroad; but if the gentleman had listened to some of these hearings before the committee, where the committee strove in every way possible to extract from the witnesses and from the documentary evidence that they had the cost of production abroad and at home, he would at once realize the great difficulty that confronted that committee.

Now, Mr. Chairman, I have already demonstrated that under this provision in the law of 1867 that has been retained to the present time there has been a great increase in the wool and sheep industry of the United States. Let me make this further statement: If the law of 1867 had remained in full operation without any change until 1895, we would have been producing the entire consumption of the United States, which means about 650,000,000 pounds annually. But on account of the modification of 1883 and the destruction of 1894 it will take now probably a period of fifty years to recuperate the industry in the United States and place it on the footing where it can supply our demand.

Mr. Chairman, I desire to put in the RECORD the following table, which tells the story of progress under the Dingley law.

[Act of July 27, 1897.—Dingley law.]

Duties.

		Cents.
Class 1. Unwashed	per pound	11
Washed wool, double duty; scoured, treble duty.		
Class 2. Washed or unwashed	do	12
Scoured wool, treble duty.		

	Pounds
1898	266,700,000
1899	272,000,000
1900	288,600,000
1901	302,500,000
1902	316,300,000
1903	287,000,000
1904	291,700,000
1905	295,400,000
1906	298,900,000
1907	298,000,000
1908	311,000,000

Increase in production, 44,300,000 pounds.

	Number of sheep.
1898	37,600,000
1899	39,000,000
1900	41,800,000
1901	59,700,000
1902	62,000,000
1903	63,900,000
1904	51,600,000
1905	45,000,000
1906	50,000,000
1907	53,000,000
Total	* 504,200,000
1908	54,600,000
Total	558,800,000

Average per year, 50,800,000.

* Increase, 17,000,000.

Now, gentlemen will say that the protection goes to the producer. I think I can demonstrate that the 11 cents protection on the pound of grease wool goes to the American farmer—the American producer of wool. I want to quote to you the prices in London and the prices in the United States from 1891 up to the present time, showing how the average difference in price was a little over 10 cents a pound, and showing that the 11 cents on that pound of wool in the grease goes to the American producer.

January, 1891, Port Phillip wool which corresponds to but is slightly more valuable than Ohio XX was quoted in the London market at 20 cents under the McKinley law and in New York at 34 cents, a difference of 14 cents in that year. The next year it was quoted in London at 19 cents and in the United States at 30 cents, which is a difference of 11 cents. In 1893 in Europe, 17 cents, in the United States, 24 cents. We had already begun to feel the effects of the Democratic victory of 1892.

Now, watch this remarkable effect on the price of wool. In the United States when the tariff of 1894 went into operation in 1895, Port Phillip was quoted in London at 17 cents, and Ohio XX in the United States at 17 cents—just exactly what it was in London where, two years before under the operation of the McKinley law, with protection of 11 cents, it had been 30 and 34 cents, showing that every penny that is levied upon wool in the grease goes to the American producer.

Watch again. When the Dingley bill went into effect in 1902, Port Phillip was quoted in London at 30 cents and in the United States at 28 cents. In 1905 Port Phillip was quoted in Europe at 25 cents, and in the United States at 36 cents. I shall insert these figures in the RECORD, showing that within a limit of prices of a cent and a cent and a half during the entire continuation of the McKinley law and the Dingley law the American farmer and producer of wool has received 10 and 11 cents more per pound than the European, South American, and Australian competitor. I also desire to insert a statement of Theodore Justice on this point:

Prices of wool corresponding in quality in England and the United States from 1890 to 1908.

Month and year.	Port Phillip.	Ohio XX.	Difference.
	Cents.	*Cents.*	*Cents.*
January, 1891	20	34	14
January, 1892	19	30	11
January, 1893	18	30	12
January, 1894	17	24	7
January, 1895	17	17	--------
January, 1896	17	17	--------
January, 1897	19	19	--------
January, 1898	21	29	8
January, 1899	21	28	7
January, 1900	17	28	11
July, 1902	20	27	7
July, 1903	24	34	10
April, 1904	23	34	11
July, 1905	25	36	11
July, 1906	25	34	9
April, 1907	26	35	9
October, 1908	23	33	10

Average price of Ohio fine washed wool under McKinley, Wilson, and Dingley laws.

	Cents.
McKinley law	31
Wilson law	19
Dingley law	30

[Justice, Bateman & Co., circular, August 1, 1896.]

THE EFFECTS OF FREE WOOL.

In Table A is a schedule of twelve leading grades of American wool, with the prices in the markets of Philadelphia, Boston, and New York on August 1, 1892, during the second year of the McKinley law, when that law was in full and undisturbed operation. In the next column are the prices in the same markets at this date, the second year of the Wilson-Gorman law. In the third column is the number of cents per pound decline caused by the removal of the McKinley duties. The average decline by the substitution of free trade for McKinley protection on wool has already been 42½ per cent, and prices are still falling. The average price of wool in London, for wool of the same kind and quality, from 1868 to 1894, was 51 per cent lower than in the protected markets of the United States during that time. This difference has now been overcome by the domestic decline and the foreign advance. The removal of protection, which caused American prices to fall, stimulated the London wool market, and the latter has been advancing during the period that American markets have been declining. The London prices for foreign wool of the same kind and quality as the domestic are shown in Table B. If it was not the removal of the McKinley duties which caused this decline in American wools when the markets of the world were advancing, what was it?

TABLE A.—*American wool, Philadelphia and Boston prices.*

	Price Aug. 1, 1892, second year of McKinley law.	Price Aug. 1, 1896, second year of Wilson-Gorman law.	Amount per pound lower.
	Cents.	*Cents.*	*Cents.*
XX Ohio washed	29	17	12
Ohio medium washed	33	19½	13½
Ohio coarse washed (¼ blood)	32½	18½	14
Ohio fine unwashed	20½	12	8½
Indiana and Missouri fine unwashed	19½	11	8½
Indiana and Missouri medium unwashed (¼ blood)	25½	14½	10½
Indiana and Missouri coarse (¼ blood) unwashed	24½	15	9½
Oregon and Colorado fine, shrink 70 per cent	17	8	9
XX Ohio scoured	63	35	30
Ohio medium scoured	55	33	22
Ohio ¼ blood scoured	43	25	18
Oregon and Colorado fine scoured	57	30	27

Average American decline in two years, 42½ per cent.

TABLE B.—*Foreign wool, London prices.*

	Price Aug. 1, 1892, in London.	Price Aug. 1, 1896, in London.	Higher.
	Pence.	*Pence.*	*Pence.*
Port Phillip greasy (similar to XX Ohio)	11	11	--------
New Zealand and crossbred greasy (similar to Ohio medium)	9½	10	½
English Shropshire hoggets (similar to Ohio ¾ blood)	10½	10½	¾
Cape grease (similar to territorial fine)	6	7	1
Port Phillip scoured	22	22	--------
New Zealand crossbred scoured	16	17½	1½
English Shropshire hogs	13½	14	½
Fine Cape scoured	15	17½	2½

Average London advance in two years, 9 per cent.

Now, Mr. Chairman, I think I have demonstrated three propositions beyond a possible doubt. First, that the ad valorem duty levied for the protection of American woolen manufacturers is not exorbitant, inasmuch as it is only 3 per cent higher than that levied by the Wilson bill. Second, I think I have demonstrated the value of the specific compensatory duty, and that that duty does not go to the American manufacturer, but does go to the American producer; and when they say that we are placing a protection of 110 to 120 per cent upon the American manufactures, they falsify the record and convict themselves of ignorance of the operation of the specific compensatory duty. [Applause on the Republican side.]

Mr. HITCHCOCK. Will the gentleman yield for a question?

Mr. COLE. I will yield to the gentleman.

Mr. HITCHCOCK. I notice that the gentleman omitted the prices for 1906, 1907, and 1908. I suggest that the gentleman give those figures.

Mr. COLE. Mr. Chairman, with a relish that is excusable I give the figures. In 1905 Port Phillip was 25 cents and Ohio XX 34 cents. In 1906 Port Phillip was 25 cents and Ohio XX 34 cents. In 1907 Port Phillip was 26 cents and Ohio XX 35 cents. Mr. Chairman, there is a deviation of 1 cent in some of these years, but I think that should be explained on the ground that there was quite a general depression of prices in the United States during the last few years.

Mr. HITCHCOCK. What was it for 1908?

Mr. COLE. October, 1908; that is the latest report——

Mr. HITCHCOCK. Oh, no; there are several reports later than that.

Mr. COLE (continuing). To which I have had access; and inasmuch as I have scattered this over a period of twenty years, the unvarying truth remains, and it occurs to me that you can accept as authority the month of October, 1908. That month Port Phillip was 23 cents, Ohio XX 33 cents, showing that you got your protection and the American producer gets it and not the American manufacturer.

Mr. HITCHCOCK. How does the gentleman account for the tremendous fall in the price of American wool, amounting to something like 10 cents a pound, while this protective tariff that has been the cause of all the prosperity to the woolgrowers is still in force?

Mr. COLE. Mr. Chairman, I have given the gentleman the quotations of the markets of the United States from 1890 up until the present time. If the gentleman will look into those prices and study the subject as he should, he will discover there is no such discrepancy.

Mr. RANDELL of Texas. Will the gentleman yield?

Mr. COLE. Yes.

Mr. RANDELL of Texas. The gentleman from Indiana [Mr. CRUMPACKER], in commenting on the amount of the revenue taken in on the sugar schedule, said that it was $65,000,000, but that it cost about $110,000,000. I wanted to ask the gentleman his method of computation, but he would not answer a question. I would like to ask the gentleman from Ohio now if he can tell us what the revenue received on this woolen schedule has cost the country? Give us the method of calculation.

Mr. COLE. Mr. Chairman, I have not computed what it cost the consumer. I represent an agricultural district in the State of Ohio. I want those farmers out there to get that 11 cents extra upon their wool, and that is what they have been getting during the last ten years. Now, let me tell you something further. The gentleman is in favor of a tariff for revenue only. Mr. Chairman, I want to speak now just a minute on this schedule from the standpoint of the revenue producer. This schedule during the operation of the Dingley law has produced $292,000,000 of revenue for the United States Treasury, one of the best in the entire bill. If the gentleman is in favor of even a tariff for revenue only, it occurs to me that he ought to stand by Schedule K, and at the same time grant proper protection to the producer of wool in the United States.

Mr. RANDELL of Texas. It was with that view that I wished to know the gentleman's idea of how much it cost, because if it cost $50 to get one in the Treasury, I am not in favor of it.

Mr. COLE. I have not entered into that computation. The gentleman is trying, as all apostles of free trade do, to discriminate between the consumer and the producers of the United States.

Mr. RANDELL of Texas. But I am not a free trader.

Mr. COLE. Then, I make my humble apologies to the gentleman from Texas, and we welcome him into our camp. [Laughter and applause.]

Mr. RANDELL of Texas. I do not believe in taking money out of any man's pocket without his consent, except by due process of law.

Mr. COLE. Mr. Chairman, this bill is going to become a law, I think, within the next six weeks; and when it does, it will redound to the undying credit of the Republican party and the utter demoralization of the Democratic party, which has been constantly fighting it.

Mr. RANDELL of Texas. Mr. Chairman——

Mr. COLE. Mr. Chairman, I must decline to yield further. Mr. Chairman, as I said, the gentleman is trying to distinguish between the consumer and the producer. My judgment is that the consuming power of the Nation is dependent upon its producing power. A nation that does not produce, a man that does not produce, can not consume. There are between seven and eight million workmen in the United States and perhaps eight or ten million farmers. There are 30,000,000 American people to-day engaged in what is commonly known as "productive" enterprises.

Of course the clerk working on a salary in the office and Congressmen, perhaps, are consumers, might be listed among the consumers, and not producers, but let me tell you that the salary that the clerk gets in the office is measured and dependent upon the wages the workingman gets in the factory. When the consumers, so-called, of the United States deny a proper reward to the producer, they themselves will drag down their own interests. We all stand on a common level, and when you deny to the producer a proper compensation you are going to regulate the scale of salaries for the clerk and those commonly called "consumers" accordingly. I think that doctrine that has been preached in this country, that one class can stand alone, is wrong. We must all stand together or fall together, and the basis of our industrial structure, of our commercial and social life, is the wages paid to the American producer. If you destroy the producer you can not assist the consumer.

Mr. GILLESPIE. Will the gentleman yield?

Mr. COLE. Yes.

Mr. GILLESPIE. I admire the zeal, Mr. Chairman, with which the gentleman from Ohio stands by the sheep grower of his district and says that he shall get that 11 cents a pound on wool by legislation. Can the gentleman help me to see that my cotton growers get 5 cents a pound on their cotton by legislation?

Mr. COLE. Mr. Chairman, if I settle this wool schedule I think the gentleman from Texas ought to settle the cotton proposition. [Laughter.] He is here in the capacity of a Representative, rated among the great statesmen of the Nation, and recognized as a man of great constructive skill, and why he can not settle a minor proposition such as that is beyond all comprehension. [Applause and laughter.]

Mr. GILLESPIE. Would the gentleman from Ohio join me in voting a bounty of 5 cents per pound to the cotton growers of Texas if I were to ask it?

Mr. COLE. Mr. Chairman, I have not studied the effect of that upon the cotton industry or upon the general industries of the United States. When I have given to that subject the consideration I have given to the wool and woolen schedules, I will be glad to give the gentleman the benefit of my views.

Mr. MANN. Will the gentleman from Texas vote for a 5 cents a pound bounty upon cotton?

Mr. GILLESPIE. I am not the constructive genius the gentleman from Ohio is. He is such a constructive genius as to be able to give the producer of wool 11 cents a pound. Now, can he not be generous enough to give the cotton growers of Texas the benefit of that wonderful genius and by legislation put money into their pockets?

Mr. COLE. Mr. Chairman, I certainly have no disposition to encroach upon the rights of the South. "O, heroic South, we rejoice in your renewed prosperity this day. We hail with rapture the dawn of thy nobler destiny. Mantled with freedom's majesty, a pillar thou shalt stand immutable in the magnificent temple of American constitutional liberty. Fight against you? No; never. Your interests are as sacred to me as the interests of the North." [Loud applause.]

Mr. GILLESPIE. I want to state to the gentleman from Ohio that I believe that the interests of the people of the South would be just as safe in his hands as if he were of the South if the interests of his own people did not lead him to overlook the interests of my people, but as an honest American citizen demanding fair play, how can the gentleman stand here and demand that the consumers of woolen fabrics of the South raising cotton—and I want to tell the gentleman from Ohio that there are no short days of labor for those people; I sprang from them; the men, women, and children are in the fields from the dawn until the dark—shall pay a tax of 100 per cent on the woolens they consume in order that his woolgrowers may receive 11 cents a pound more for their wool than the market justifies?

Mr. COLE. Mr. Chairman, much as I am charmed with the delicious English of the gentleman from Texas, I must decline to yield further. I have one further proposition to which I wish to call attention, and I have but a very short time. Under the present law we have placed a duty of 11 cents on this wool in the grease, 33 cents on the scoured wool. That is good so far, but there is a by-product of this process of manufacture that I feel is going very seriously to affect the wool industry of the United States, this loophole in the law of 1883. Now, let me explain. There is an article known as "tops" [exhibiting]. That is the very finest quality of wool. It is 24 karats fine. That item is admitted in the present schedule under a duty of 39 cents, three times the amount of wool in the grease from which it is made, and 6 cents additional. Here is an item of wool called "broken tops," and this slubbing waste is just as valuable when you get it in that condition as tops. The duty on that slubbing waste is 20 cents. There is a sample of tops made out of slubbing waste, and there is the regular article. [Exhibiting same.] No man can distinguish them. That comes in at 39 cents, and this comes in at 20, and with 1 cent additional you can put them in the same condition. Now, Mr. Chairman, that is the great objection that I have to Schedule K as it stands in the proposed bill at the present time.

Mr. HUBBARD of West Virginia. Will the gentleman from Ohio permit me to inquire under what name what he calls "broken tops" is dealt with in this schedule?

Mr. COLE. Slubbing waste.

Mr. HUBBARD of West Virginia. Will the gentleman tell me also whether that article is included in paragraph 368—in the same paragraph and at the same rate as the product or by-product designated as "ring waste?" Can the gentleman tell me whether "ring waste" is of the same nature as the article of which the gentleman has been speaking?

Mr. COLE. It is of the same nature, but it has not quite the same value. It has to be "garnetted," in the language of the trade, before it gets into this condition, that of tops, and costs perhaps 3 or 4 cents.

Mr. HUBBARD of West Virginia. Will the gentleman indulge me further until I read from a letter received to-day from the president of the Tri-State Wool Growers' Association, an association of woolgrowers in the States of Pennsylvania, West Virginia, and Ohio?

He says:

The part we fear most is the scoured wool admitted under paragraph 368 as ring waste, at 20 cents. It should have been raised to 33 cents per pound instead of being reduced. This wool called "waste" is al-

most ready to weave, being scoured clean and run on reels just before being made into yarn, and will be a competitor against which we can not compete in cost of land, labor, or any other of the many items making up our cost.

Mr. COLE. There is only one safe method of levying a duty on wool, and that is in accordance with shrinkage in the process of refining. I desire to insert in the RECORD a statement of a prominent woolen manufacturer showing the amount of this shrinkage on 1,000 pounds of wool. This statement was made to the members of the Committee on Ways and Means, and received the sanction of every manufacturer who appeared before the committee.

Shrinkages.

		Pounds.
Wool to wash		1,000
Wool loss in wash (65 per cent)		650
Wool to cards		350
Wool loss in cards (1.35 per cent)		4¾
		345¼
Off comb waste		1¼
Wool to combs		344
Nolls (17 per cent)		58½
Tops to yarn (83 per cent)		285½
Waste	14¼	
Loss	14¼	
		28½
Amount of yarn		257

This statement demonstrates the necessity of the graduated scale. One thousand pounds of wool shrinks to 285½ pounds when reduced to tops and 257 pounds when reduced to yarn. This fact has been recognized for forty years, and a great industry is based upon it.

The same principle applies with almost equal force in levying the duty upon the by-product of wool. If the duty on the by-product is fixed greatly below the rate which its corresponding commercial value would demand, the main product is converted into by-product and admitted to this country in competition with our own wool at the reduced rate. I desire to insert in the RECORD a comparison of commercial value of all the by-products with scoured wool of the first class, showing the rate of duty demanded to prevent dangerous competition.

Comparison of the commercial value of scoured wool with the by-products upon a basis of 33 cents duty on scoured wool and fixing duty on by-products accordingly.

Kind.	Comparative value.	Dingley.	Payne.	Relative duty.
		Cents.	*Cents.*	*Cents.*
Scoured wool	100	33	33	33
Top waste	105	30	25	31
Roving waste	100	30	25	33
Slubbing waste	105	30	20	31
Ring waste	100	30	20	33
Garnetted waste	100	30	20	33
Shoddy	90	25	20	23
Noils	60	20	18	20
Wool extract	60	20	18	20
Yarn waste	60	20	18	20
Thread	60	20	18	20
Woolen rags	30	10	6	10
Mungo	20	10	6	6
Flocks	20	10	6	6

Tops are admitted under the provisions of section 371, if made of first-class wool, at 39 cents; if made of second-class wool, at 42 cents. Slubbing waste, under the provisions of section 368, is admitted under a duty of 20 cents per pound. It only costs 1 cent to transform slubbing waste into tops.

Mr. Chairman, my time has about expired. I do not care to encroach further upon the time of the committee or their patience; but I wish to say one thing in conclusion.

Yesterday in the discussion of this measure the gentleman from Missouri [Mr. CLARK] took occasion to criticise in a very caustic manner one of the witnesses who appeared before the committee. I am not here in defense of that gentleman. If he did wrong, let it be published to the world; but what I do say is this: That we can not afford to build up a great schedule in this bill upon a prejudice. The wool industry of the United States is not circumscribed by one man. There are thousands of people engaged in this business. In fact, I might say that there are millions who depend for their livelihood and their comfort upon this great industry. We can not afford to destroy an industry, or, at least, imperil millions of wealth and impoverish thousands of people, in order to penalize some man who has not proven worthy of his trust. [Loud applause on the Republican side.]

Mr. DIES. Mr. Chairman, I crave indulgence of the House while I submit some very brief observations upon the pending measure, and what I lack, Mr. Chairman, in a comprehensive knowledge of the details of the tariff bill I hope to make up by the candor and sincerity with which I express myself. I shall not trespass upon the time of the House by entering into a lengthy academic discussion of the tariff question. Suffice it to say that the collection of revenues for the maintenance of government by means of duties on imports is almost as ancient as government itself. It is an indirect tax upon the consumer; and while it is an unequal tax, in that it taxes the people in proportion to what they eat, drink, wear, and use instead of what they own, yet the experience of men and governments has demonstrated that the people will submit to this form of taxation with less complaining than any other mode ever devised by the ingenuity of man.

There are two theories in this country with regard to this form of indirect taxation. The Republican party insists upon using the taxing power of the Government for the purpose of protection. They look upon the tax as a blessing, because it protects the domestic manufacturer against foreign competition and enables him to get a higher price for his goods.

The Democratic party holds to the opposite view. We regard taxation in every form as a burden upon the people, and the greater the tax the greater the burden. We regard this particular form of taxation as especially burdensome to the people, because under Republican high-tariff exactions five dollars out of every six taken from the pockets of the people goes into the coffers of the protected manufacturers, while only one dollar out of every six goes into the Federal Treasury for the support of the Government. Under the Republican doctrine the greater the tax the greater the blessing, while under the Democratic theory, the greater the tax the heavier the burden to those who must pay and bear it. For myself, Mr. Chairman, I believe that every tax, no matter how you conceal and disguise it, is a burden to those who pay the tax. And I believe, sir, that the exercise of the taxing power of the Government at the expense of the whole people for the benefit of a part of the people is robbery under the form of law. It is an axiomatic truth that protection is absolutely worthless until it reaches the point where it increases the price to the consumer, that silent, absent man, who pays the burden with stolid indifference, whose interests are uncared for by a lobby at the Capitol, and whose troubles, cares, and burdens seem to find no place in the solicitous philanthropy of Republican economy. Under the Republican theory that taxation is a blessing and not a burden a system of unparalleled extravagance has grown up in the expenditures of this Government.

Extravagance is the natural sequence of such a doctrine. What man among you can consistently demand an economic administration of the affairs of government if you believe that to tax is to bless the people? When you thus pervert and debauch the whole theory of taxation, it follows as naturally and as surely as night follows day that the system of expenditure will likewise become perverted and debauched. An economic administration of the Government would be fatal to the whole scheme of protection, because it would destroy the excuse for levying the tax, and the tax must be levied in order to afford the protection. Under that fallacious doctrine of the Republican party, abominable alike to common sense and economic wisdom, the expenditures of this Government have grown until they exceed the expenditures of every other government in the world. From simplicity and economy in the administration of the Government we have assumed that degree of complexity and extravagance which savors more of monarchy than democracy, and leaves us in those respects a Republic in little else than name. The appropriations for the last fiscal year were more than a billion dollars, with every selfish interest in the Government knocking clamorously at the door of the Treasury. Of this stupendous sum more than 50 per cent was expended on account of wars of the past or preparations for wars in the future, while less than 1 per cent was spent in the encouragement of the great agricultural interests of this country. You are taking daily toll from those who toil in field and factory, in mill and mine, in order that you may build up a great army and navy.

Mr. Chairman, the pending measure is just what the people of the United States had a right to expect at the hands of the Republican party. Their platform declared that the—

True principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

The distinguished author of the pending bill [Mr. PAYNE] is not satisfied with having the Government guarantee profits to

American industries. He goes the platform one better and says that—

Our minimum tariff is a protective tariff built on the lines of our party platform, and sometimes a little more than the party platform, because it is impossible to hold the scales evenly, even with all the information available to your committee on all these schedules.

Mr. Chairman, if the English language is comprehensible to the average mind, the Republican party stands committed to a tariff tax which will amount to practical prohibition of imports where such imports would come into competition with any American manufacturer who is fortunate enough to find cover beneath the sheltering wings of the Republican party. Under the terms of this platform declaration two things must happen before the consumer can purchase in a competitive market: First, a tariff tax must be levied against articles produced or manufactured abroad sufficiently high to equalize the difference in the cost of production or manufacture at home and abroad. Second, after taxing the imported goods high enough to thus equalize that difference and start the articles of merchandise out in an equal race for the markets of the world, an additional tax must be levied against the imported article sufficient to guarantee to the domestic producer a reasonable profit. So that, Mr. Chairman, while the imported article is being sold in the market at a price that equals the cost of production, the domestic article yields its vendor a reasonable profit. Under this arrangement, if the imported goods sell in our market at a reasonable profit, the domestic manufacture will sell at two reasonable profits. The effect of all this is that, so long as the domestic manufacturer contents himself with a reasonable profit, the importer is driven from the markets; and when the importer does come into our markets and receives a reasonable profit on his goods, it is the inexorable law of this doctrine that the domestic manufacturer shall receive a double profit. And on top of all this the gentleman from New York [Mr. PAYNE] would resolve every doubt against the consumer.

I should be glad, Mr. Chairman, to direct the attention of the House to certain paragraphs in the bill in which I feel an especial interest.

We do not expect you to frame a tariff bill that will protect the cotton raisers of the South. They do not demand that you lay a tribute upon their brethren in toil for their especial benefit. The cotton growers of the South, magnificent in their manhood and energy and possessed of the most fertile soil of the earth, neither supplicate nor expect the fostering hand of the Federal Government. We are even willing to make up some of the defalcations of our brethren who inhabit the barren soils of other sections; but we implore you, in the name of justice, not to pile it on too thick. [Laughter and applause.]

I want to call your attention to paragraph 460 of the Dingley bill, supplanted by paragraph 468 of the Payne bill, which levies an ad valorem tax of 20 per cent on the users of agricultural implements. Mr. Chairman, last year there were imported into the United States only $23,643.70 worth of agricultural implements, which yielded to the Federal Government the pitiful sum of $4,728.74. During the same period we sent abroad to the markets of the world $26,936,456 worth of these same articles. Thus your protective tariff, amounting to practical prohibition, while bringing a paltry few thousand into the Treasury, laid the farmers of this country under tribute to the International Harvester trust, which concern exported for last year more than $25,000,000 worth of these agricultural implements. By your unjust tax you gave no revenue to the Government, but you forbade the farmers of the country to buy their implements where they could get them cheapest, and thus encouraged the organization of this collossal combine to prey upon those who use the plow, the hoe, the rake, the mower, the reaper, and other tools and implements by means of which the sturdy sons of toil wring from the earth the annual harvest of the Nation. And so, while the farmers of my district are willing to pay a reasonable tax and bear their part of the public burdens, we do insist, with all vehemence of which we are capable, that when you tax us you place the money into the hands of the Public Treasury, and not into the pockets of the International Harvester trust. [Applause.]

Moreover, Mr. Chairman, these prohibitory duties of which we complain are working, as I perceive, havoc with the commerce of this country. One of the representatives of the harvester trust who appeared before the Ways and Means Committee testified as follows:

Our manufacturers would prefer to make everything that they sell abroad in this country, but owing to the extensive duty and threatened discriminations in the tariffs of some nations against the products of this country there have been built factories in Canada and Sweden, and there will soon be built similar plants in Germany and France if they continue to sell goods in those markets unless a favorable treaty can be ratified.

From the following dispatch, which appeared in the Washington Post of March 22, it appears that the harvester trust is rapidly investing the millions wrung from the farmers of America in foreign lands:

HARVESTER PLANTS ABROAD—TRUST WILL MANUFACTURE ITS MACHINES IN FRANCE AND GERMANY.

[Special to the Washington Post.]

CHICAGO, *March 22, 1909.*

The International Harvester Company proposes to invest $30,000,000 in the establishment of two manufacturing plants in Europe, one in France and one in Germany. Sites have been already selected and construction work started. The plant in France is to be at Lillie, in the Province of Croix, near the Belgian border, while the German plant will be at Dusseldorf.

C. S. Funk, general manager of the company, is quoted as saying that all the raw materials needed for the manufacture of various harvesting machines which the company makes are obtainable in Europe, and after the new plants are in working order shipments of the manufactured products from this country to ports in Europe will cease.

High tariffs imposed by a majority of foreign countries on manufactured products are said to be responsible to a large extent for the decision to build plants abroad.

Other nations possess intelligence as well as we. If we will not admit their products to our markets upon reasonable terms, they reply, in sheer self-defense, that our products must keep out of their markets. Thus your short-sighted system of restriction, while bringing only $4,728 in revenues to the Government, has built up a trust at the expense of the great agricultural body of our people, which trust calmly walks away with the booty to build factories in other lands. So I say to you, on behalf of those who till the soil and feed the Nation, if you must rob us by exacting tribute from every stroke of our hands, let the tribute find its way into the empty Treasury of the Nation and not into the bulging coffers of the trusts. [Laughter and applause.]

The change proposed by the Payne bill for this schedule affords no practical relief to agriculture. It reduces the tax only 5 per cent, coupled with pretended free trade, which is dependent upon the laws of other nations for effect.

It would be impossible for me to take this bill up paragraph by paragraph. I but pick out prominent ones to illustrate the complexion of the whole. As you laid tribute upon the farmer that the proceeds might go to the harvester trust, so you laid tribute upon the millions who use kerosene oil in order that you might add to the colossal wealth of Standard Oil. Mr. Chairman, I represent a district which produces more crude oil than any congressional district in the United States, but I believe those of my constituents who are producers of oil will be satisfied with an honest tariff, one which equalizes the burdens of taxation among all the people of all the sections. I believe the consumers of oil in my district are willing to pay a reasonable tax upon the oil they consume, provided the tax goes to the Government and not to the oil trust. Under our present prohibitive tariff tax on the importation of petroleum and its products, not one dollar's worth came to this country last year, and hence not a penny went into the Federal Treasury. The consumers of oil paid the tax, however, in the shape of tribute to the greatest monopoly in the world. This "infant industry," which sent abroad last year $78,000,000 worth of its products, demands a protective tax so high that it amounts to absolute prohibition. The countervailing duty is not only a sham and a fraud, but a brutal perversion of the taxing power of the Government. By its terms you provide that the extent of the taxes to be paid by our people shall be determined by the extent of taxes levied upon the people of other countries. Thus, as to the countervailing duty on petroleum and its products, you say to the people: We will tax you just as high as Russia taxes her subjects, and we will give you no relief until the Czar gives relief to his subjects.

The distinctive difference in the operation of this self-adjusted prohibitory tax in Russia and the United States is that in that oppressed land the Czar robs his subjects and appropriates the money to his own use and benefit, while under the present law, and the one proposed, we rob our people for the sole and exclusive benefit of the Standard Oil Company. Since you forbid us by this law to buy oil in foreign lands and since the Standard Oil is a self-confessed monopolist of the domestic market, you leave us to the tender mercies of this commercial anaconda, which fixes the price we pay without regard to the laws of trade or humanity and in defiance of the laws of both God and man.

Mr. Chairman, I come from a country where we produce lumber in large quantities, the tariff on which the pending bill scales down 50 per cent. In the district I have the honor to represent is a flourishing young industry of rice growing, the tariff upon which, under the terms of the present bill, endangers alike the revenues of the Government and the rice farmer

by opening up a sort of smugglers' free trade through the Philippine Islands with India and Asia. But notwithstanding these worthy interests in my district, and no matter what their views might be, I stand for an honest revision of the tariff in the interests of the American people. I detest that spirit of blind sectional selfishness which demands free trade for all that it buys and high tariff for all that it sells. The trouble with our Republican brethren is that they imagine reform means reforming the other fellow. [Applause.] I have heard a good deal of late, Mr. Chairman, about President Taft's desire to win the South. I would say to the President that it can not be done by means of the Payne tariff bill, a measure which displays more sectional unfairness against the South and the West than any other tariff bill ever presented to Congress.

The farmers of my district pay tribute to the favored pets of Republican tariff taxation in every furrow they plow and in every acre they till. You tax them upon the ax and saw with which they fell the forest and prepare the land for cultivation; you tax the plow and hoe with which he cultivates the soil; you tax the harness upon his mule and the hat upon his head. Nothing escapes the watchful eye of the Republican tax-gatherer—his clothes, his shoes, his tools—his all. When his crop is made, if it be cotton, you tax the very sack in which he picks it, the wagon in which he hauls it, the gin in which he separates it, and the bagging and ties with which he wraps it. "It enhances the price of almost everything—of the salt that seasons the poor man's dish, the iron that points his plow, the woolen that covers his body, the glass that lights his dwelling, the beverage that slakes his thirst—it burdens almost all the comforts and enjoyments of his life in eating, in drinking, in his raiment, in walking, in riding, in reading, and in sleeping, and in articulo mortis it clings to the coffin that receives his mortal remains, and the spade that prepares his last home, where he may sleep with his fathers and mingle with mother earth." Of the tax thus wrung from his labor at every turn you deliver $5 out of $6 to the pets of your system and only $1 to the Government of the United States. Not satisfied with the neglect and injustice you have visited upon these southern farmers, you deliberately place their chief product—cotton—on the free list and invite them to hold their own as best they may in the open sea of commercial struggle.

Last year there was imported into the United States more than $19,000,000 worth of cotton, upon which the tariff law neither collected revenue for the support of the Government nor the protection of those who produced the domestic cotton. It is idle to say in explanation that we are large exporters of cotton, and that we are amply able to take care of ourselves in the cotton markets of the world, for the same is true of wheat, and yet you place a tax of 25 cents a bushel on wheat. Not satisfied with thus discriminating against the southern farmer you found out that since the enactment of the Dingley law our farmers are getting a good price for their cotton seed, from which cotton-seed oil is taken, and you proceed to clap cotton-seed oil on the free list.

If the Republican party ever hopes to win the South or hold the West let them make haste to declare for the white man's dominion of this Government and the integrity of the Caucasian race. Let them repeal their odious sectional tariff laws, and instead let them tax every section and every product with fairness, justice, and impartiality.

Universal robbery amounts to no robbery at all, because the robbed becomes the robber and the robber gets robbed in his turn. You stand for a protective tariff because it takes from one man and gives to another man. If it took from all men to give to all men you would cast it aside as a useless means of oppression because it would not serve your selfish purpose.

Mr. Chairman, a kind providence has wonderfully blessed the Southern States. In spite of the devastating effects of war and disaster, together with the evil effects of discriminatory laws of taxation, she has risen like a giant from the couch of her recent infirmities. She possesses within her borders more wealth and population than were possessed by the entire Union at the beginning of the civil war. Her vast resources are practically untouched and her energy and determination know no bounds. So that no matter how unfair your taxes may be we still have our sunny skies and fertile soil, our noble men and women—the future is ours. With devotion to the Union and its every part we bide the day of our triumph with patriotic resignation. [Applause.]

Mr. KNAPP. Mr. Chairman, the tariff involves the question of the industrial policy of the Nation, both as it provides for raising the revenue necessary for the support of the Government, and also as it affects our diversified industries. For the support of the Government large revenues are necessary, no matter what party may be in power or what tariff policy may be established. These revenues are used in defraying the expenses of the executive, legislative, and judicial branches of the Government; also in the payment of pensions, in maintaining the army and navy, in improving rivers and harbors, in continuing and enlarging our mail facilities, rural free delivery, and so forth. For the support of the General Government and maintaining these expenses there is no direct taxation, unless the internal-revenue taxes may be so considered. The revenues necessary for these purposes are largely raised from two sources—duties levied on imports and internal revenue.

But, beyond the raising of revenue for the support of the Government, the tariff involves the protection to our own industries and labor, and upon this question, the real industrial policy of the Nation, the two parties take issue. All are agreed that tariff duties should be levied for the necessary revenues for the support of the Government, but beyond that point the two parties differ, and for half a century have joined issue. For fifty years the Democratic party, both by declaration of principle in party platform and record, has stood for a tariff for revenue only. During a like period of time the Republican party has maintained, with unflinching loyalty, the principle of a tariff not only for revenue, but also for the protection of home industries and labor. The difference between these two policies, like the resultant effects of the same, are clear, distinct, and well defined.

These two policies have been tested in our national life and experience. The resultant effect of each have been written into the history of this Republic. Upon the certainty of the past we can judge of the probability of the future. By the experience of the years which have gone, we should and may correctly build for those which are to come.

In 1892 the Democratic party was restored to power in the legislative and executive branches of the National Government. It was committed to a revision of the tariff upon the basic principle of tariff for revenue only. Straightway the party proceeded to put into effect this policy. The tariff law bearing the name of that patriot and statesman whose memory will ever be safe in the keeping of his grateful countrymen, William McKinley, was repealed, and there was substituted therefor what was known as the "Wilson tariff bill." That law was intended to be based upon the principle of a tariff for revenue only, and well illustrated the effect of that principle in our industrial experience. It is not necessary to here, in any detail, recall the resultant effects of that law. They are still fresh in the minds of the people. Three long years of industrial depression followed, so appalling in their ruinous results upon our diversified industries that they should serve as a warning for the future against a tariff policy based solely upon the necessary revenues for the support of the Government.

TARIFF REVISIONS.

But further, and as more fully illustrating the effect of these two policies, let us recall a little of tariff history as it has affected the Nation's industrial progress.

Our tariff laws have been revised, in whole or in important part, more than a score of times, and it is a striking fact that the revisions which have given adequate protection to our industries have been beneficial, while, on the other hand, those which have had for their purpose tariff for revenue only have been disastrous.

I will discuss what may properly be termed two epochs in our tariff history—the epoch when the basic principle of our tariff laws was free trade or for revenue only and the epoch when the basic principle was both for revenue and protection. The year 1860 divided these epochs. The period prior to that, in the main, illustrates the effects of the former policy, while the period from 1860 to the present well illustrates the effects of the latter policy. The second measure introduced into the American Congress was a revenue measure. That was the tariff act of 1789, the first in our history. That act had for its purpose both the raising of revenue for the support of the Government and protection to our then infant industries. So it was protective in its features and was beneficial to the industries of the country in the beginning of their development. That law, with slight amendments, continued in force until 1812, when the tariff was revised as a war measure and the duties nearly doubled. Four years later this act was displaced with the tariff of 1816, which greatly reduced the duties and utterly failed as a measure for adequate protection. Succeeding this was the tariff of 1824–1828, which was intended to be more protective and which was of short duration and effect. Then came the tariff of 1832–3, when low duties were again adopted. The injurious result of this law influenced the enactment of the tariff of 1842, intended to be more protective, but which was continued only four years. Then, in 1846, the so-called "Walker tariff" was

placed on the statute books. This was the nearest approach to free trade which we had experienced, and for fourteen years our country underwent severe industrial changes and we had to submit to all but ruinous conditions.

So, that the history of our tariff legislation demonstrates that while the first tariff law enacted was protective in its features, and while the laws of 1816, 1824–1828, and 1842 were also intended to be so protective, still during by far the larger part of the period from 1789 to 1861 our tariff laws were based on the policy of tariff for revenue with, in one instance, an approach to free trade. What were the resultant effects of this?

During the period prior to 1860 the balance of trade against the United States and in favor of foreign nations aggregated $1,270,000,000. We had 140,000 manufacturing establishments, which employed 1,311,000 employees. At the end of the period, or in 1860, the annual value of the manufactured products of the United States amounted in the aggregate to, in round numbers, $1,885,000,000. The wages paid to labor in the manufacturing industries aggregated $378,878,000. The deposits in savings banks aggregated $149,277,000. The annual value of our imports aggregated, in 1860, $353,616,000. The annual value of the exports was $333,576,000. The monetary circulation of the country aggregated $435,407,000. The railway mileage of the country was 30,626. The wealth of the United States aggregated $16,159,616,000. We were paying interest on our bonded indebtedness at from 4 to 12 per cent per annum. Our government bonds were a lug in the markets of the world at 13 cents discount on the dollar. Our Treasury was virtually bankrupt.

At the end of this period, and in 1861, the Republican party came into power in the executive and legislative branches of the Government. Then new tariff laws were enacted and new industrial policies instituted, based upon the principle of revenue for the support of the Government, and also protection to American industries and labor. From that time until the present, with the exception of about three years, during which the so-called "Wilson tariff bill" was in effect, these policies have been continued.

Under these protective policies we paid on the debt created by the civil war, in addition to the interest, in round numbers, $2,200,000,000. We have fought a foreign war and have paid the expenses of that war, aggregating $500,000,000. The number of manufacturing establishments has increased from 140,000 to 515,000, and the number of men employed has increased from 1,311,000 to about 6,000,000. The annual value of our manufactured products has increased from $1,885,000,000 to nearly $15,000,000,000. The wages paid to labor have increased from $378,000,000 to about $2,611,000,000. The deposits in savings banks have increased from $149,000,000 to $3,479,000,000. The annual value of imports has increased from $353,000,000 to $1,194,000,000. The annual value of exports has increased from $333,576,000 to $1,860,000,000. The monetary circulation of the country has increased from $435,000,000 to $3,038,000,000. The railway mileage of the country has increased from 30,000 miles to 228,000 miles. The wealth of the United States has increased from $16,000,000,000 to $107,000,000,000. Our bonded indebtedness, in the main, bears interest at but 2 and 2½ per cent per annum, and our government securities are caught up at a premium in all the markets of the world.

DINGLEY TARIFF LAW.

As still further emphasizing the fact that under the policies of a protective tariff the country has prospered, we may cite our industrial progress during the period since the present tariff law, known as "the Dingley law," has been on the statute books. This law has now been in force nearly twelve years. Twelve years is not a long period in a nation's history, but the recent twelve years have been eventful.

During this period greater industrial progress has come to the Nation than during all the preceding period since that struggle which made one the American Union. During that period the total capital invested in our diversified industries has about doubled; the total wages paid laborers and the total value of the products of our industries have nearly doubled. This progress has not come exclusively to any one class of our citizens; it has come to all; to the farmer, the manufacturer, the laboring man, the business man, in whatever avenue of our diversified industries they may walk.

The deposits in our savings banks have increased from $1,935,000,000 in 1896 to $3,479,000,000 in 1908. The total money in circulation in the country has increased from $1,506,000,000 to $3,038,000,000. The total annual value of the manufacturing products has increased until they reach, in round figures, nearly $15,000,000,000. The total value of the agricultural products has increased until they aggregate for the past year, in round numbers, nearly $8,000,000,000, the largest sum ever realized to agriculture in any one year in any one nation. The total value of our industrial trade and commerce has advanced until it has reached the unrivaled aggregate of nearly $26,000,000,000.

Turning to our foreign trade and commerce, we find the resultant effects during this period equally as striking. During the same period our exports have more than doubled, and our imports nearly doubled. Our exports are increased from $882,000,000 in 1896 to $1,860,000,000 in 1908, making us, as an exporting nation, the rival of Great Britain, which has heretofore been called the "workshop of the world."

The imports for 1896 were $779,000,000 and for 1908 they increased to $1,194,000,000. During this period our exports have reached such a volume as to give us a balance of trade averaging nearly $400,000,000 per year. Excess of exports during the past twelve years over imports has amounted to about $6,000,000,000, and the balance of trade during the past six years in favor of the United States has aggregated more than the balance of trade during all the previous history of the Republic.

Go where you will, to England, to France, to Germany, Russia, Japan, China, to the isles of the sea, to wherever commerce has wended its way, you will find the products of American industry, the evidence of American skill, and the influence of American civilization.

Not, however, from all this that governmental policies alone have influenced these unrivaled triumphs. But who will maintain all of this advancement could have taken place under unwise governmental policies? True, governments can not in and of themselves create, develop, and make prosperous industries, but they can enact such laws and institute such policies as will lend a helping hand to manufactures, to agriculture, to labor, and aid in developing the industries on which depend the prosperity of the Nation and the welfare of the people. Such have been the policies for the past twelve years.

ARTICLES SOLD ABROAD CHEAPER THAN AT HOME.

The criticism is often made that some of our manufactured articles or products are sold abroad cheaper than at home, or below market prices. That practice does not characterize solely the manufactured products of this country. There is not a progressive nation in the world some of the manufactured articles of which are not sold abroad cheaper than at home. This is true of Germany, France, and even of free-trade England.

The percentage of our manufactured articles so sold abroad cheaper than at home is so small in comparison with the aggregate exports as to hardly deserve discussion, and would not but for the fact that dignity has been given to the transaction by persistent opponents of the protective system. It has been explained time and time again that this small percentage so sold may be surplus stock, or be goods that are out of date, or may be for the purpose of gaining a new market or holding a market against strong competition. But it must be remembered in this connection that when goods are so sold the American workingman and farmer are not the losers but the gainers. These goods have been manufactured at the same rate of wages as those sold at home. They have enabled our factories to keep their fires going month after month; to keep their workingmen employed without cessation, and thus to keep the home market for the farmer whose products are necessary for the support of those so engaged in manufacturing industries. Moreover, this system is not a question of tariff but a pure question of business. It is practiced by free-trade countries as well as protective-tariff countries; by the manufacturer whose product is not protected, as well as by those whose product is protected; by merchants who make special inducements for out-of-town people. It is a plain business transaction, practiced by nearly all engaged in any one of our diversified industries, and will doubtless continue so long as industries are prosperous.

TARIFF AND THE TRUSTS.

But, again, the criticism is sought to be established that the tariff is responsible for trusts. The word "trust" is undoubtedly oftentimes applied to combinations which are not in reality trusts. All concede that in our industrial development combinations are necessary. But when these combinations result in, or their purpose is to result in, limiting production, stifling competition, and controlling prices they constitute a trust and should be regulated by law. It is not disputed that in this, as in every country reasonably prosperous, there are some of these combinations known as "trusts." If, however, our system of tariff is responsible for such combinations or trusts, then why is it that they exist in other countries? Why in Austria, in Italy, in Greece? Why do they exist in France and Germany? Why in free-trade England should trusts have existed as they have for over half a century?

The truth about it all is that we are not the only nation that suffers from trusts. They have existed in free-trade and protective-tariff nations. They have existed under republican and monarchical forms of government. They are not the result of political, but commercial, conditions. The commercial world at present is a world of combinations. Business and commercial industries are making busy the cities and dotting alike the hills and valleys. Trade and commerce are spanning continents and crossing seas. River, ocean, and railway transportation is facilitating the interchange of the markets of the world and making nations next-door neighbors. Leading in all this advancement is the United States. We are the greatest agricultural, manufacturing, and industrial nation in the world, but our triumphs have invited our trials. We want the prosperity, but we do not want the evils of the trusts, and so the problem is how to retain the prosperity and regulate the combinations, eliminating the evils.

Various remedies have been urged. That most strenuously advocated by the opponents of a protective tariff is to take the duty off from so-called "trust-made" articles. What would be the result of this?

Take, as an illustration, the corporation which seems to be for the present the special object of attack—the United States Steel Corporation. I am neither the advocate nor the defender of this combination. Whether it be a trust or not, I know not. But, for the purpose of applying the remedy, let it be conceded that it is. Take the duty off from these trust-made articles. When you come to that, however, you find in each case independent competing industries in the same line and manufacturing the same products. These independent industries employ hundreds of thousands of men; pay out annually millions of dollars in wages. When you apply the remedy to the trust-made article you must almost necessarily apply it to the article manufactured by the independent industries. The trust could stand it better than the independents. If it crippled the trusts, it would virtually ruin the independent industries.

The remedy does not lie in this direction, but rather in the enactment of effective laws and their faithful execution, such as are now upon the statute books and some of which should be supplemented and made still more effective.

There are 37 States in the Union which have enacted anti-trust laws. The national statute books contain, among others, five important laws which in their bearings may be considered antitrust laws, viz: The Sherman antitrust law, the interstate-commerce law, the publicity law, or the law creating the Department of Commerce and Labor and giving to the Secretary of the department authority to demand of corporations reports in detail for the purpose of ascertaining whether they are or are not trusts; the Elkins rebate law, preventing rebates by railroads in freight rates; and the Hepburn railway rate law, enlarging the powers of the Interstate Commerce Commission, and more effectively placing common carriers under government control. These are among the wise and effective enactments which may be properly termed "anti-trust laws."

By virtue of these laws many actions have been brought in the courts to regulate combinations and eliminate trusts. The Iron-pipe trust has been dissolved, the Northern Securities trust dissolved, and the beef trust regulated. Actions have been brought, some of which have been successfully prosecuted and others are pending against various railways for rebating, against the American Tobacco Company, against the Standard Oil Company, and so forth. Fines have been imposed in excess of half a million dollars, exclusive of that against the Standard Oil Company, which is still in litigation. In short, more has been accomplished during the past seven years in regulating illegal combinations and eliminating trust from our industrial system than in any seventy-five years of our previous history.

These trusts do not grow up in a night. They can not be destroyed in a day, unless in destroying them you destroy prosperity. The effective way of solving this problem is not so much through the revision of the tariff as the enactment of wise and effective laws and by their faithful and impartial execution, not in a way to injure legitimate industries, not in a way to oppress American labor, not in a way to turn backward the tide of prosperity, but in a way to dissolve the trusts and at the same time retain the prosperity which is making for the happiness and welfare of all the people.

PENDING BILL.

I have discussed our wonderful industrial progress under a protective system, not for the purpose of arguing that in all cases present rates of duty should be maintained, but rather for the purpose of illustrating the wisdom of adhering to the system, while not being wedded to distinct schedules. It is doubtless true that changed industrial conditions indicate the wisdom of a revision of some of the schedules of our tariff laws, and it is likewise true that some of our industries have so advanced that present rates of duty are not needed to insure their future safety and progress.

The history of tariff revision demonstrates that the Republican party, when in power, has never failed to revise the tariff when changed industrial conditions or their relationship to the commerce of the world indicated the wisdom of such revision. It has eight times, in whole or in important part, revised the tariff, and the test of experience has proved each revision to have aided the advancing progress of the country.

We are now again engaged in revising the tariff, not the Nation's industrial policy, but the tariff on which that policy is based. This is being done in fulfillment of the pledges given to the people. The last national platform adopted at Chicago declared:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of a maximum and minimum rate, to be administered by the President under limitations fixed by law, the maximum to be available to meet the discrimination by foreign countries against American goods entering their markets, and the minimum representing the normal measure of protection at home, the aim and the purpose of Republican policy being not only to preserve without excessive duties the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country, who are the most direct beneficiaries of the protective system.

This declaration was supplemented by the pledge of the candidate, now President Taft, both prior to his election and subsequent thereto in his inaugural address, in which, speaking of tariff revision, he said:

> The matter of most pressing importance is the revision of the tariff in accordance with the promises of the platform upon which I was elected. * * * This should secure an adequate revenue and adjust the duties in such a manner as to offer to labor and all industries of the country, whether of the farm, mine, or factory, protection by tariff equal to the difference between the cost of production abroad and the cost of production here, and have a provision which shall put in force by executive determination of certain facts a higher or a maximum tariff against those countries whose trade policy toward us equitably requires such discrimination.

In framing this bill, it is important that in imposing duties upon imports they must be sufficient to raise the revenues necessary for the support of the Government. The situation which confronts the country to-day is far different from any at the time of any revision since the war tariffs. We are confronted at this time with an annual deficit amounting to about $100,000,000, this deficit being due to the fact that during the past year our imports have largely fallen off, probably much affected by the contemplated revision of the tariff, which has made business interests uncertain as to the future, and also our internal revenue has been materially decreased. Up to the time of the so-called "panic" of somewhat more than a year ago our revenues were more than sufficient to meet our expenditures. I give the receipts and expenditures since the adoption of the Dingley tariff, which show, I think, as a whole, that the revenue was sufficient to meet the ordinary expenditures of the Government:

Receipts and expenditures in the United States.

Fiscal year.	Net ordinary receipts.	Net ordinary expenditures.	Excess receipts.	Excess expenditures.
1898	$405,321,335	$443,368,583		$38,047,248
1899	515,960,620	605,072,180		89,111,560
1900	567,240,852	487,713,792	79,527,060	
1901	587,685,328	509,967,353	77,717,985	
1902	562,478,233	471,190,858	91,287,375	
1903	599,396,674	556,029,007	54,297,667	
1904	540,631,749	582,402,321		41,770,572
1905	544,274,685	567,278,913		23,004,228
1906	594,434,122	568,784,799	25,649,323	
1907	663,140,324	578,903,748	84,236,586	
1908	599,895,763	650,532,125		50,636,362
Total			412,735,996	251,589,970

Total excess receipts	$412,735,996
Total excess expenditures	251,589,970
Surplus receipts over expenditures, 1898 to 1908, inclusive	161,146,026

Whether under a continuance of the Dingley tariff, in case we should return to normal conditions in the industrial world our revenues would be sufficient, it is not necessary to consider; but we must, in the adoption of the new schedules and the new general revision that is taking place, see to it that the rates of duty are such as, added to our internal and other sources of revenue, will give us sufficient income to meet our liabilities. It is estimated that under the pending bill the revenues will aggregate

$335,000,000, which, added to our postal and other sources of revenue, will be sufficient to meet ordinary liabilities. This estimate, of course, can not be made with mathematical precision, as the exact revenues that any tariff law may produce are, and must be, to some extent, until put in force, uncertain. No statesman, however farsighted, can judge sufficiently of the future in this respect to frame a bill with exact knowledge of results. It is a problem in itself difficult to solve, and in solving it we have to judge of the experience of the past and the probabilities of the future and be, as far as possible, certain that the results will give sufficient revenue for the necessary support of the Government.

Having framed the bill so that we are reasonably sure of this result, we should go further and see to it that such duties are levied as will give to our farmers, manufacturers, miners, and labor protection against the lesser cost of production abroad and a fair return for capital invested. This is in accordance with the pledges made. Anything else would be to stay our industrial progress. It is not an excessive, but a reasonable, protection and should be meted out to the manufacturers, to labor, and to the farmers, and, in fact, to all engaged in our diversified industries.

The policy of a protective tariff is ofttimes made the subject of criticisms because of the protection it gives to manufacturers. It has been frequently urged that excessive rates of duty have enabled them to reap fabulous fortunes. These criticisms have, perhaps, been justified in some isolated instances, but not to the extent that would make general criticism well founded. Many of our important manufacturing industries are to-day doing business on a close margin and reach reasonable profits only through the magnitude of their enterprise. It must be remembered that these manufacturing industries necessitate the investment of large capital; that they are peculiarly dependent upon the vicissitudes of trade, which are frequently changing the volume of supply and demand. They employ labor. They aid in furnishing a market for the products of the soil. The fact that our commerce reaches every nation and clime is due in no small part to the fact that we are the greatest manufacturing nation in the world.

Labor constitutes the major portion of the entire cost of production of every article we consume, whether it be a product of agriculture or an article of manufacture. It is not necessary to discuss the relative wages and conditions of the laboring people of this and other lands. It is an established fact that the American laboring man, native and naturalized, is better employed, better paid, better clothed, better housed, better educated than are those of any other nation beneath the sun, and one of the principal causes for this is that our industrial policy is such that it furnishes employment for labor.

Agriculture is the basic industry of prosperity. It is the industry on which all other industries are more or less dependent. In earlier days the American farmer farmed it for the home and near-by market. To-day he farms it also for distant and far-away markets. The agricultural exports in the last five years have been more than sufficient to turn the balance of trade in favor of the United States and against foreign nations. But after all it is the home market that most benefits the farmer, and in framing the schedules of this bill the tariff rates should be so adjusted that they will protect him from foreign competition in that market.

I have referred thus briefly to these industries by way of emphasizing the importance of so framing the schedules in the proposed bill as to bring them within the rule of equalizing the cost of production in the United States and abroad. In applying this rule, not of excessive but fair protection, we should keep in mind the consumer and that he should be protected from excessive rates. In other words, in so far as consistent, equalizing the cost of production here and abroad, he should be protected against the imposing of excessive rates on the products and articles which enter into his daily necessities. The resultant effects of this measure, or tariff revision, will come home to every community and every individual in this broad land. All are to be affected by it, both as producers and consumers, and as we protect the interests of the producers we should also protect the interests of the consumers.

But of the separate schedules and provisions of the pending bill, time is not mine to speak either in detail or at length. That it is not a perfect bill would be conceded by its framers. There never was and never will be a perfect tariff bill. That would be impossible in a tariff affecting, as this does, over 4,000 items.

The agricultural schedule, always principally important in a tariff bill, does not, so far as strictly agricultural products are concerned, very materially differ from that of the present law. The duty on barley is reduced from 30 to 15 cents per bushel, but the present duty has not resulted in developing a barley industry, especially in the State of New York, that being to a great extent, a dairy locality and the barley grown being for home consumption. The duties on the most important agricultural products remain substantially as they are in the present law, including those on dairy products, which, in the State of New York and many other States, is the principal branch of that industry. The fact that present duties have proved beneficial may be taken as assurance that their continuance in the pending bill, if enacted into law, will prove equally beneficial to this master industry.

But, while this similarity characterizes these strictly agricultural schedules, it does not apply to many other schedules and provisions. This bill as a whole differs materially from the Dingley bill. It is, as was intended by its framers, a revision downward. While in 30 paragraphs of the bill, the duties have been raised, in 130 they have been lowered, showing, as stated, that the revision has tended to lower rates of duty and to materially enlarge the free list.

As stated, in 30 paragraphs there have been increases in duties; but a careful examination of the bill will show that while some of these increases have been to protect certain industries not adequately protected, and to remove from the free to the dutiable list certain articles or products for protection or revenue, most of the increases have been upon products or articles of luxury. An exception to this may be found, however, in the duty of 8 cents a pound placed on tea, and which does not seem to be justified. Coffee, as in the present law, is placed on the free list, and should be without countervailing duty, and, as it seems to me, tea should likewise be upon that list, and some other article less necessary to the consumer should be found to supply the needed revenue. But, taken as a whole, the increases in these 30 paragraphs are mostly on so-called "luxuries" which do not necessarily injuriously affect the consumer.

But more notable than the increases are the reductions of duty. These are contained in 130 paragraphs of the bill. Prominent among them is the iron schedule. Iron ore is placed upon the free list, and the duties on steel rails, billets, nails, and other articles in these schedules are reduced. These industries constitute one of our greatest manufacturing industries, but it is doubtless true that they have so far developed that they no longer need the present rate of duty for their protection. Their products are necessary to our home life and in all the avenues of our industrial activities, and they should come to the consumer at reasonable prices. The difference in cost of production here and abroad, with a reasonable profit to the producer, should measure their protection, and the rates in the bill will doubtless satisfactorily prove that measure. The same reasoning might, with equal force, apply to the wool, the lumber, and many other schedules on which duties are reduced.

But I think a careful examination of the bill will justify the assertion that the reductions contained in the 130 paragraphs are mainly on articles or products which enter into the necessaries of life. A detailed discussion of these items or articles is not here intended. That would be superfluous, in view of the masterly speech of the chairman of the Ways and Means Committee [Mr. PAYNE], whose name this bill justly bears.

A tariff bill is always, in general results, somewhat a compromise. There never was and there never will be a tariff bill in which every single item or duty on more than 4,000 articles can be absolutely defended and demonstrated as just. It is easy to point to this item and say it is in the interest of the producer and a tax on the consumer, or to that item and say it is the sacrifice of an industry, and so in every case to characterize as a whole the bill. But in justice to both the producer and consumer, it must be looked at as a whole, and the average effect must be the standard upon which correct judgment is reached. One duty will seem to be in favor of the consumer; another more especially in favor of the producer. But when we come to the general result, both producer and consumer are mutually interested; and we realize the fact that it is not a separate item or duty standing alone that in the end most affect the community and the country, but it is the resultant effects of all that produce the greatest good to the greatest number, and it is upon that rule that final judgment must be rendered.

CUBA AND THE PHILIPPINES.

This bill provides for the continuance of the treaty of reciprocity between the United States and Cuba. This continuance is justified both by commercial advantage and, but still more, by the rule of obligation which makes us to a great extent sponsor for the future of the Republic of Cuba. The year prior to the ratification of that agreement our trade and commerce with Cuba, including exports and imports, aggregated $80,289,658.

The year following its ratification, 1904, it aggregated $117,595,336, an increase of $37,305,679. During the past year,

1908, it was $121,566,151, an increase over the year prior to its ratification of $41,276,493, notwithstanding the unhappy internal conditions in Cuba, which prevented the full and natural operation of this treaty. But beyond all commercial change there is a reason more binding for the full and free continuance of this reciprocity treaty. We are bound to that people by a peculiar and what should be a lasting tie. The future of the Republic of Cuba will always be associated with the American name. There is no rule of right by which that treaty can be revoked. Every dictate of justice and humanity demands its full and free continuance.

Also, the bill provides for partial reciprocity with the Philippine Islands, to wit: That hereafter all products wholly the growth of the Philippine Islands coming into the United States shall be admitted free of duty, limited in any fiscal year as follows: Sugar to the amount of 300,000 gross tons; wrapper tobacco to the amount of 300,000 pounds; filler tobacco, 3,000,000 pounds; cigars to the number of 150,000,000. This is tardy and but partial justice to the Philippine Islands. These islands came to us as the unbidden fate of war. We have accepted the trust and are leading that people to a higher and better civilization; and whatever may be the ultimate status of the Philippine Islands, this people are our wards, and justice and right demand that we should extend to them this relation, which would tend to their commercial and industrial development.

CANAL BONDS.

Further, the bill provides for the issue of $40,000,000 of bonds to reimburse the Treasury for $40,000,000 paid for the property of the New Panama Canal Company. Already legislation enacted for the construction of the Panama Canal has provided for the issue of $130,000,000 of bonds. This issue does not include the $40,000,000 paid out of the Treasury for the original purchase of the Panama Canal Company, and this provision for the issue of $40,000,000 of bonds is to reimburse the Treasury for that amount, thus providing for the purchase and construction of the canal by a bond issue.

The construction of the Panama Canal is the greatest work of the ages. For four centuries the magnitude of this task dazed capitalists and puzzled nations. The United States has undertaken and will carry to successful completion this great work which is to link ocean to ocean and be for the world a highway of commerce. It is a wise policy that provides for the construction of this work by the issue of bonds and gives to the revenues of the canal, when in operation, and to posterity the opportunity of, at least in great part, paying for this work. The benefits are not only for the present, but for coming generations, and there is no reason why one generation should bear an unequal share in the cost of this great undertaking.

MAXIMUM AND MINIMUM.

The bill is a new departure in tariff revision, in that it provides a maximum and minimum tariff. The minimum is the regular schedule of rates for the purpose of revenue and protection and available to any nation that does not discriminate against the United States. The maximum, which is, on the average, about 20 per cent above the minimum, is the schedule of rates applied to the products or articles of any nation that discriminates against imports from this country or fails to give us the same benefits given to the most-favored nations in their tariff schedules.

The bill also provides for the termination of existing reciprocity treaties in good faith and by giving the requisite notice for such termination provided for in such treaties. These provisions of the bill still recognize the principle of reciprocity. Reciprocity is a Republican doctrine. It was advocated and put into form by some of the greatest leaders and statesmen, among them James G. Blaine, Benjamin Harrison, William McKinley, Nelson Dingley. They never considered reciprocity inconsistent with protection. Both the tariff laws of 1890, known as the "McKinley law," and the present tariff act, known as the "Dingley Act," were framed with special reference to making applicable to their provisions the doctrine of reciprocity, and it is a significant fact that under both of these acts reciprocal trade relations were entered into with other nations. We have reciprocity treaties providing for such relations with France, Germany, Spain, Switzerland, Portugal, Russia, and other nations. If the provision in this bill providing for maximum and minimum rates was to do away with the principle of reciprocity it would not receive my support, for I believe in the principle and that its resultant effects have been beneficial to our trade and commerce. But it is broadening the application of that principle. Its purpose is to extend our foreign trade and to secure from trade rivals fair treatment for the American exporter. In exchange for the most-favored nations' privileges we give the most-favored nations' privileges. It is an invitation to the nations of the world to accept our minimum scale of duties, and in return for this that they must extend to us their minimum scale of duties. In other words, we propose reciprocal treatment with trade rivals, whether that treatment results in a minimum or a maximum scale of tariff duties.

The contention that this system will tend to create trade wars is not well founded. Great Britain is our greatest purchaser, and our trade relations with her will not be changed by these provisions. We also have a reciprocity agreement with Germany by which we share her minimum scale of duties. Other nations will be quick to realize the advantages of this, and to accept the privilege of our minimum schedules. It will, in my opinion, protect American markets and the American exporter by granting reciprocity only on the basis of the most-favored nation's privileges.

INHERITANCE TAX.

Another and radically new departure in tariff legislation is the provision which provides for inheritance taxes. This provision is modeled largely after the inheritance tax laws of the State of New York. That law provides for a tax on legacies or bequests to direct heirs of 1 per cent on sums over $10,000, and 5 per cent on legacies or bequests to collateral heirs.

This bill provides for a tax on legacies or bequests to direct heirs of 1 per cent on sums over $10,000 to $100,000; 2 per cent on $100,000 to $500,000; 3 per cent on sums above $500,000; and 5 per cent on legacies or bequests to collateral heirs on sums over and above $500, with exemptions from tax to legacies or bequests to churches, religious, and kindred organizations and societies.

The justice of an inheritance tax need not be argued. Thirty-three States of the Union already have such taxes, and such a tax is levied by nearly every civilized nation in the world. It is based upon the principle that wealth should bear its proportionate share of taxation. The problem in many States of the Union has been how to justly reach personal property that did not bear its just share of taxation.

Further, the inequalities of taxation are ofttimes only too apparent. The burden falls too largely upon the householder, the farmer, or the person of moderate means, and too little upon those who have accumulated fortunes that class them as the well-to-do or rich. It is a fact well illustrated in every community that wealth does not bear its just proportion of the burden of taxation, and it has been sought to remedy this wrong and to equalize taxation through inheritance taxes, and also, in many States, notably New York, through a system of indirect taxation. There is justice in all of this. The burdens of taxation should be so equalized that wealth bears its full proportionate share. But the objection now is made that for the Federal Government to resort to this system of inheritance taxes results in dual taxation; that the system, in equity, belongs to the several States; that they have adopted and entered upon it, and that in equity it is the province and belongs to the States and that they should be entitled to the revenue derived therefrom; that for the Federal Government to seize upon and put into operation this system results in double taxation. It can not be denied that there is force in this argument. While the Federal Government has, in some instances, resorted to this system, they have been, in the main, measures of war necessity, as during the civil war and the Spanish-American war. As a federal system of taxation it could only be justified on the ground of exceptional and excessive need of revenue, which from other sources more equitable can not be obtained. Where resorted to it should be as an emergency and not as a permanent system so far as the Federal Government is concerned.

PULP AND PAPER.

While, as stated, in the main I am in sympathy with the provisions of this bill, there are schedules with which I am not in accord, some of which I have mentioned, and one of which I take the liberty of discussing somewhat at length, namely, the pulp and paper schedule.

These industries constitute by far the most important manufacturing industries in the district I have the honor to represent, and they are so closely allied to other industries that they affect to no small extent the entire people of the district, and, I may say, of northern New York. I realize the necessary relationship of these industries to the press, a most important agency in communicating thought, spreading information, and advancing civilization. Not only is the printing business, with all its kindred and allied relations, one of our greatest industries, but it has shown a greater increase in the last half century perhaps than any other. For instance, the increase of all industries from 1850 to 1905 was almost fifteenfold, while that recorded by printing and publishing was nearly thirty-two-fold.

As indicating the importance of these industries in the Nation, the State of New York and the district I have the honor to represent, I may say that, in capital invested, it is, I believe, the second manufacturing industry in the Nation. Reliable statistics show that the capital invested in this industry in the United States aggregates, in round numbers, about $300,000,000; the annual output in value over $200,000,000; the number of wage-earners directly employed over 60,000, and nearly 40,000 in output of raw material; the annual pay roll over $40,000,000; the yearly product of paper of all grades about 4,000,000 tons. The industry furnishes to railways in freight over 20,000,000 tons annually.

In the State of New York alone the capital invested in these industries aggregates, in round numbers, about $60,000,000; the wage-earners about 14,000, exclusive of those employed in output of raw material; annual wages paid, over $7,000,000; annual value of product, about $40,000,000. These figures are exclusive of investments in timber lands and official clerks and for salaries.

In the district I have the honor to represent, including the counties of Jefferson, Lewis, and Oswego, there are 28 pulp and paper mills. The capital invested in these industries aggregates about $16,000,000, exclusive of $11,000,000 invested in timber lands, with an annual pay roll of over $2,000,000, exclusive of output of raw material, and value of product about $11,000,000.

This brief statement shows the growth and importance of this industry and the necessity for its reasonable protection, if it is to be continued. We have at our very door what at any time may become an effective competitor in this industry. Canada, with her almost limitless timber lands, her water power, and facilities for the manufacture of pulp and paper, is coveting our markets; and if, through a revision of the tariff, she is given the opportunity, she will flood our markets with her product; and while the result may be to temporarily slightly reduce the price of paper, in the end, with our industries prostrated or forced to cross the line, she can dictate the price of paper and no benefit as to that would come to the American publisher or consumer.

These schedules in the pending bill are substantially those recommended by the committee which investigated the question of pulp and paper, known as the "Mann committee." And while I do not agree with some of the conclusions reached by that committee, I bear tribute to the distinguished chairman of that committee, whose ability and sincerity of purpose are recognized by the Members of this House and the country, and also to the other members of the committee, justly distinguished for their public service. The fact that I emphatically dissent from some of the conclusions of the committee as contained in the schedules does not deny me this expression of regard for the personnel of the committee.

The change of duties in these schedules from those in the present tariff are, substantially, that mechanically ground wood pulp, which now bears a duty aggregating about $1.66 a ton, is admitted free from duty, and white print paper, cheaper grades, on which the present duty is $6 per ton is reduced to $2 per ton, nearly all other rates remaining substantially as in the present paper, conditional, as to paper, that all restrictions are removed on the exportation of pulp wood, wood pulp, or printing paper by any country, dependency, province, or other subdivision of government making such exportation to the United States.

Those restrictions, as they affect us, relate almost entirely to Canada. While the Provinces of Nova Scotia, New Brunswick, and British Columbia have no restriction, Newfoundland has prohibition. Newfoundland has a timber area of 14,000 square miles. All kinds of timber, pulp wood, and so forth, must be manufactured in the colony.

Ontario, with a timber area of 51,000,000 acres, has prohibition against the export of timber from crown lands, nearly all of the area being crown lands.

Quebec, with a timber area of 328,000 square miles, levies a license tax of 40 cents per cord on pulp wood, cut on crown lands, to be manufactured in Canada; pulp wood, cut on crown lands, to be manufactured outside of Canada, 65 cents, which amounts to an export duty on pulp wood of 25 cents per cord.

As most of the lands in Quebec and Ontario are crown lands, and most of our importations of spruce come from Quebec, these restrictions, which directly affect the importation, must, under the provisions of the above tariff schedules, be removed before the rates of duty under those schedules become available for Canadian export to the United States.

Evidently, in framing these schedules, the committee had in mind substantially a reciprocal trade relation with Canada. That in return for free mechanically ground wood pulp and the reduction of from $6 to $2 per ton on white print paper Canada was to remove all restrictions from exports of raw material, wood pulp, pulp wood, or paper.

It is maintained, and with some force, that the spruce supply of the United States, exclusive of that beyond the Rocky Mountains, is limited to about 70,000,000 cords, while that of Canada, so far as reliable estimates are concerned, is practically unlimited; that the supply in the United States, exclusive of that used for lumbering and other purposes, would not be sufficient for the paper-manufacturing industries in the distant future, while that of the United States and Canada combined would be sufficient for all time to come. True, we are now drawing upon the Canadian spruce supply. Last year there was imported into the United States from Canada about 1,000,000 cords of spruce, and of that, into the district I represent, about 100,000 cords. While many of the industries have timber limits more or less extensive of their own, they conserved those by making importation of part of the spruce supply used. While there is force in the argument of the desirability of reciprocal trade relations, it must, however, be remembered that only about 3 per cent of our wood product enters into the manufacture of paper; and while Canada has a greater supply of spruce, the United States has the population, the industries, and, more than all, the markets, and a reciprocal trade relation should be based upon conditions which do not so far surrender those markets as to jeopardize the paper and kindred industries.

Right here centers the vital question involved in those schedules. Just the extent of the effect of the taking off of the duty on mechanically ground wood pulp on this and kindred industries may not be determined, but the capital and labor involved in that industry deserve recognition. The reduction of the duty on print paper from $6 to $2 per ton is disproportionate to the reduction on ground wood pulp, and what is there to justify confident belief that results will be beneficial to either or in the end result in cheaper paper to the consumer?

There has been a duty on white print paper since the organization of the Government. I here insert schedule of tariff duties:

Act of July 4, 1789, all paper, 7½ per cent.
Act of August 10, 1790, printing paper, 10 per cent.
Act of May 22, 1824, printing paper, 10 cents per pound.
Act of August 30, 1842, printing paper, 10 cents per pound.
Act of July 30, 1846, printing paper, 30 per cent ad valorem.
Act of March 3, 1863, printing paper, 20 per cent ad valorem.
Act of March 3, 1883, printing paper, sized, 20 per cent ad valorem.
Act of March 3, 1883, printing paper, unsized, 15 per cent ad valorem.
Act of October 1, 1890 (McKinley), printing paper, sized, 20 per cent ad valorem.
Act of October 1, 1890 (McKinley), printing paper, unsized, 15 per cent ad valorem.
Act of August 27, 1894 (Wilson), printing paper, sized, 15 per cent ad valorem.
Act of July 24, 1897 (Dingley), printing paper, value not over 2 cents, three-tenths cent per pound—15 per cent—$6 per ton.
Act of July 24, 1897 (Dingley), printing paper, value not over 2½ cents, four-tenths cent per pound.

From this schedule it will be seen that the duty on white print paper is to-day practically as low as it has ever been. The duty in the present tariff law amounts to $6 a ton, but about one-third the average rate of duties under the Dingley Act. It was practically the same under the tariff act of 1883; also the McKinley Act; also the Wilson Act; practically the same during the past thirty years, and yet during that period of time the price of paper has materially declined.

It would be relatively as just to credit the tariff with this reduction as to charge the tariff with being responsible for the present price. The prices of paper during all this period have fluctuated, as have the prices of other manufacturing products, but the net result has been a material decline. There has, however, been an increase during the past few years, but it must be remembered in connection with this that there has been an increase in the cost of production. Since 1890 the hours of labor in the industry have been reduced over 9 per cent, while at the same time the wages per hour have been increased 20 per cent. During this period the cost of pulp wood has increased nearly 50 per cent. In the fact, then, that the cost of material has increased about 50 per cent, that wages of those employed have increased at least 20 per cent, and that the hours of labor have been reduced 9 per cent there may be found in important part the cause of this increase in the price of paper. As further illustrating the added cost of production, it may be stated that at the St. Regis mill, located in the county of Jefferson, one of the largest and most modern mills in the State of New York, the cost of production of news print paper, excluding depreciation and interest, as shown by the books of the company, since 1902, has been as follows:

	Per 100 pounds.
1902	$1.34
1903	1.39
1904	1.42
1905	1.55
1906	1.53
1907	1.60
1908 (January and February)	1.66

This statement, made by a most reliable corporation, and officered by able and conservative business men, establishes the fact of increased cost of production, which has been a material factor in the recent advance in the price of paper.

But it is now proposed by this measure to reduce the duty on white print paper from $6 to $2 a ton. In other words, a reduction of 66 per cent of the duty which has practically been in effect since the organization of the Government, and which is, as it stands to-day, but one-third the average rate of duties under the existing tariff law. What is there in either the past or present history of this industry to justify this sweeping reduction?

In good faith, the rule of equalizing the cost of production here and abroad, with reasonable profit to producer, should be applied to this as well as to other industries. What evidence is there that a duty of $2 a ton will measure the difference in the cost of production of white print paper at home and abroad, especially in Canada, with a reasonable profit to American industries?

Again, where is the evidence that if the duty should be adequately protective it would, in the end, reduce the price of paper to the American publishers and the American consumers?

By reason of the difference in equipment of mills, their distance from timber lands, and in freight to markets it may be difficult to establish the exact difference in the cost of production here and in Canada. But sufficient facts, I think, can be established to demonstrate that $2 per ton will not measure that difference.

First, as to wages. This is to a certain extent a controverted question, but I believe the facts bear out the assertion that while the difference in wages paid to skilled labor may not materially differ here and in Canada, the wages paid to unskilled labor are materially higher here than there. There are employed in these mills different grades of labor, differing in wages from $4 to $1.50 per day, and it has been demonstrated by competent evidence that the wages paid to labor in the woods is about 30 per cent higher in the United States than in Canada. So that, taken as a whole, the wages paid to labor in those industries is, I think, more in the United States than in Canada.

But take the cost of material in which all grades of labor enter. Of the products that enter into print paper, about 80 per cent is spruce or its product. The average cost of spruce in Canada during the past year was about $6 per cord, and in the United States about $9.50 per cord. The average cost of transportation of Canadian spruce to American mills is about $3 to $3.50 per cord. As it takes a cord and a half of spruce to make a ton of paper, it will be seen that there is in the material of spruce alone an advantage to the Canadian manufacturer of more than enough to wipe out the proposed duty of $2 per ton. If it be argued that the Canadian producer has to pay a greater rate of freight to market his products, credit him with that, which was shown before the committee hearings to be 60 cents a ton to principal American markets, and you still have an advantage to the Canadian manufacturer of more than enough to wipe out the proposed duty, to say nothing of the increased cost to American manufacturers of the other products that enter into paper.

But still further than this, and as emphasizing the necessity for the retention of the present duties, the present duty of $6 per ton has not been prohibitive of the importation of white print paper to the United States. During the six months ended December 31 last the imports of print paper from Canada amounted to 17,493,391 pounds, valued at $335,637. The imports of print paper during the period mentioned from all countries amounted to 18,734,967 pounds, valued at $445,472. From this it will appear that during the period referred to the imports from Canada amounted to over 93 per cent of the total imports from all countries.

Again, the imports of print paper from Canada during January, 1909, amounted to 2,267,226 pounds, valued at $42,994. Should that rate of import continue, it would amount to, for the year 1909, 27,206,712 pounds, valued at $515,928. Thus Canada, under the duty of $6 per ton, has been materially and rapidly increasing her imports of print paper to the United States. In the light of these facts, who can question that, with the duty reduced to $2 per ton, Canada, with her limitless forests and facilities for manufacturing, would become a vital competitor and flood our markets with her products of print paper, displacing in a large measure our industries and labor? It does not need a prophetic vision to see that this would be the resultant effect. The fact that she can increase her imports to the extent that she has under a duty of $6 per ton demonstrates that $2 a ton would be entirely inadequate as a measure of protection to our own industries and labor.

But, added to all this, to reduce this duty, as is proposed by this measure, is not in the interest of forest preservation. For twenty years and over the question of forest preservation has engrossed the minds of the people of the State of New York and the country until it has become both a state and national question.

While some of our pulp and paper industries are without, most of them have timber limits of greater or less acreage, yet they have annually imported an important part of the raw material used. In doing this they have conserved forest preservation to the extent of their imports and protected their own timber limits.

But with the duty reduced as proposed in these schedules, Canada would become a vital competitor, and the competition would be so fierce that the owners of American timber limits would have to realize on their investments, and in order to meet Canadian competition they would be obliged to utilize these timber limits, and thus the result would be to destroy rather than to conserve forest preservation. This important fact should lend material force toward increasing the duty proposed.

But still further than all this, what certainty is there that these reductions of duty would result in cheaper white print paper to the American publishers and consumers? History would have to reverse itself if the crippling of American industries in the end resulted in lower prices. This was fully recognized in both the partial and final report of the Mann committee. In the preliminary report of that committee, made near the close of the first session of the last Congress, a majority of the committee reported as follows:

> It would seem that for the American publisher to be assured of low prices for his paper, it is essential to maintain paper mills in the United States. Any policy that would give Canadian mills a preferential advantage over American mills in obtaining raw material at a lower price, must inevitably result in the dismantling of American paper machines and the ultimate dependence of American publishers on Canadian mills.

In the final report made by the committee at the second session of the last Congress, the committee unanimously reported as follows:

> It is not desirable to strike down or injure the present paper mills of the United States. To do so would be not only very expensive to the present paper-mill owners and employees, but would probably in the future enhance the cost and price of paper.

Here is recognized the fact that to insure reasonable prices to publishers and consumers, American industries must be protected; that to cripple these industries would not only be in the end to ruin the industries and deprive American labor of employment, but make Canada mistress of these industries, and in the end place the American publisher and consumer at the mercy of Canadian prices, and, once with a monopoly of the paper industry, who questions that the price of white paper would increase rather than decrease? Such, I believe, would be the result should this schedule be enacted into law.

There is manufactured of print paper in the United States nearly as much as elsewhere in the world. Nearly 50 per cent of that manufactured in the United States is manufactured in the State of New York, and a large proportion of that manufactured in the State of New York is manufactured in the district I have the honor to represent. So the effect of these proposed reductions comes right home to that section.

This will give an idea of the importance of the schedules to that section of the State, and I believe it can be substantiated by reliable proof, and, in fact, is generally conceded, certainly in that locality, that these industries during the past few years have not shared the general prosperity that has come to the other industries of the country. They have been doing business on a close margin and with small profits. They involve large capital and employ thousands of men at good wages; they are industries in the prosperity of which the entire people of that section are largely interested, and I earnestly urge upon the Congress that the final enactment of the schedules shall provide such duties as will give protection to these industries and to the labor which has and is developing them.

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. KNAPP. Yes.

Mr. RANDELL of Texas. What is the matter with the industry—what is the cause for the decline?

Mr. KNAPP. I do not say that there is any decline. I say they are doing business on a close margin with limited profits.

Mr. RANDELL of Texas. They can not stand without protection; they are not strong enough to stand alone, as I understand the gentleman.

Mr. KNAPP. Not if you give the Canadian manufacturer an advantage; they can not stand it.

Mr. RANDELL of Texas. There is no tariff on wood.

Mr. KNAPP. But there is an export duty on wood to the United States. Under any policy that would give the Canadian

manufacturer an advantage over the American manufacturer, it would be to the injury of these mills.

While I am not in accord with some of the schedules in this bill and have spoken of one at length, still I am not in sympathy with that indiscriminate criticism of the bill that would seize on one item or schedule as characterizing the whole measure as ill advised. I believe that in the main its resultant effects would be to supply the revenues necessary for the support of the Government and to promote industrial prosperity beneficial to the people. A general tariff revision always works temporary industrial depression. What is demanded by the great business interests of the country is not continued agitation, but the speedy enactment into law of a tariff measure which recognizes the principle of protection to American industries and labor. With that accomplished, there will be a revival and a renewal of that unrivaled industrial progress and prosperity which has in the past and will in the future characterize the United States.

Mr. KÜSTERMANN. Mr. Chairman, I am very sorry to see so many empty seats in the House, but I prefer quality to quantity. [Laughter.] Anyone who knows the difficulty of compiling a tariff bill such as the one before us must say, if he wants to be fair, that the committee after all did a pretty good job. Yes; their work was well done. Of course, the great trouble is that all human beings are selfish. It was the same with the clothing dealer who had stolen from him a coat hanging outside of his store. He ran to catch the thief, but could not reach him. Finally he met a policeman, and the policeman ran with him, but both were unable to catch the thief. The policeman pulled a revolver and was on the point of shooting the thief when the clothing dealer said "Shoot him in the pants, the coat is mine." [Laughter.] We are satisfied to hit the pants of other interests, but we must not hit the coat of our own industries. [Laughter.]

Now, they may say that I am a little bit selfish in saying that the duty on barley ought to be a little higher than the committee has placed it. It is not for the reason that much barley is raised in my State, but if I had to decide for the brewers or the farmers, I would say give the farmers the advantage, because the brewers do not need it. [Applause.]

The gentleman from New York [Mr. KNAPP] spoke of paper. That reminds me that I have some paper factories in my district, and I am not speaking from a selfish standpoint when I suggest a change in the schedule as it appears in the present tariff bill. I do not believe that the tariff as it was left on print paper, at $2 a ton, is sufficient protection; and I believe the time will come, when the American competition is ruined, that then the publishers will pay more for their paper than they are paying to-day.

There is one matter that I am particularly interested in, because I started the fight a year or more ago. I want to see the little "petroleum joker" removed from the tariff bill.

The words in one of the popular songs of the day give a fair illustration of the experience of the little petroleum or Standard Oil joker in the present tariff bill.

These words would be very applicable to the petroleum item if changed as follows:

> I walked right out
> And turned around
> And walked right in again.

I had the positive assurance that the cunning little proviso which has served its purpose for so many years had been put out of existence by the Ways and Means Committee and buried, and now you may imagine my astonishment when, in looking over the new tariff bill, I found the joker resurrected, again standing before me in all its wickedness.

Yes; the little joker is again in evidence, ready to continue the work of taking twelve to fifteen millions of dollars out of the pockets of our people every single year and adding it to the vast profits of the greatest trust on earth.

This little joker does not to any extent benefit our Treasury, nor does it bring us any revenue, but it does exact 3 to 4 cents more per gallon out of the consumers of oil in this country than the Standard Oil Company, in competition with Russian oil, sells the same article for in Europe.

This was clearly shown by an investigation held a few years ago before the United States Commissioner of Corporations.

From his report the following facts are gleaned:

> Russia's oil supply in 1900 exceeded that of the United States by over 12,000,000 barrels.
>
> It is the only oil-producing country outside of the United States that, in addition to supplying its own needs, has a large surplus to sell to other countries.
>
> In spite of the fact that a high tariff protects the Russian oil companies against the intrusions of the Standard Oil Company into their home market, they do not take advantage of this protection by charging their people unreasonable prices for their product.
>
> Such, however, under the protection afforded by the resurrected little joker, is constantly being done by the Standard Oil Company, and the American people are the sufferers to the extent of many millions of dollars each year.
>
> In 1903, when the average price of American oil in the United States was 11 cents per gallon, the New York export price was 6 cents per gallon, and the American oil was sold in London for 8½ cents, or 2½ cents per gallon less than the United States oil monopoly was furnishing it for in Chicago, Washington, or any other American city.
>
> In other words, this great trust was selling, and is still selling, its product cheaper to foreigners than to American citizens, even after adding the expense of commission and transportation across the ocean.
>
> In 1905 the difference in price was even greater than two years previous—9⅞ cents in American cities and 5.8 cents in England.
>
> Yes, with the aid of that proviso in our former tariff laws, all foreign products were kept out and our people left at the mercy of that ever-hungry oil monopoly.
>
> Figuring that one-half of the production of mineral oil in the United States was consumed at home, and that on an average of 2 cents per gallon more were charged the American citizens than the people of European countries, we find that within ten years the little joker has brought to the coffers of the Standard Oil Company an extra profit of $133,943,880.
>
> No wonder that, according to statistics, the great monopoly was able to make a profit of $490,315,000 in eight years.
>
> In summing up, the United States Commissioner of Corporations says:
>
> > Whatever view may be taken as to the advantage of a great combination in furthering the export trade, it is entirely clear that the advantages derived by the American people from that trade are very small compared with the disadvantages imposed upon them by the Standard's monopoly at home. American consumers might, for the sake of maintaining a large foreign trade and thereby benefiting American industry, be willing temporarily to pay prices a little higher than are charged for the same product abroad. That American consumers, however, should be compelled to pay prices so high that, when an immense quantity of oil is sold by the Standard in foreign countries on the basis of little or no profit, the total profit on domestic and foreign business combined should be 50 or 60 per cent per annum on its capital is an obvious injustice.
> >
> > The prices charged by the Standard Oil Company in the United States are, on the average, altogether excessive, and they have greatly increased during recent years.
>
> With a profit of 50 to 60 per cent on its capital, the Standard Oil Company would not have felt the payment of the $29,000,000 fine for unlawful rebating as much as a man of limited means in paying a fine of $10 or $25 for committing some unlawful act, but as the result of engaging the best of legal talent a hole was found for the great trust to crawl through and escape the payment of any fine.
>
> I do not know what induced our Ways and Means Committee to leave in the proviso, in the face of the many protests from the American people, but I suppose the same well-paid lawyers that pleaded for the great trust in the courts succeeded in convincing the members of that committee that the little joker must be replaced in the bill to save the Standard Oil Company from financial ruin.

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. KÜSTERMANN. Yes.

Mr. RANDELL of Texas. Does the gentleman not think that perhaps the position of Mr. John D. Rockefeller in the last election had something to do with it?

Mr. KÜSTERMANN. I do not know, sir.

The few so-called "independent companies," handling about 15 per cent of the output, perhaps urged that the joker be left in, yet every one of these companies is entirely at the mercy of the Standard Oil Company, not one of them being able to continue in business one day if the great trust did not think it to its advantage to let them live and do its bidding.

The American producer of crude oil is put forth to shield the Standard Oil Company, while not one of them would be affected by the removal of the little joker.

The great monopoly, no matter what its earnings, was never known to pay more for crude oil than it was obliged to pay.

If any of the Members of this House expect to find a soul in this corporation, they make a serious mistake.

Mr. FERRIS. Mr. Chairman, will the gentleman yield for a moment?

Mr. KÜSTERMANN. Yes.

Mr FERRIS. I dislike very much to interrupt the gentleman, but I am deeply interested in the statement that he made, and I hope it will not disturb him to ask him this question. I would

like to hear the gentleman a little further on the proposition that it will not affect the independent producer at all. I am anxious to get all the information I can on that proposition.

Mr. KÜSTERMANN. The independent refiners? There are only 15 per cent of them.

Mr. FERRIS. I think the gentleman is mistaken about that. I think it is about 80 per cent.

Mr. KÜSTERMANN. Oh, the gentleman means the producer of the crude oil?

Mr. FERRIS. Yes.

Mr. KÜSTERMANN. Does the gentleman think that the Standard Oil Company, with 55 to 60 per cent interest on their investment now, would pay less for crude oil if by striking out the countervailing duty the Standard Company is obliged to sell oil to Americans at the same rate as it is now selling to the people of Europe?

Mr. FERRIS. My understanding of the gentleman's statement was this: That removing the duty on oil would in no wise affect the independent producer. As I gathered the inference from the statement, it was that they were merely put out by the Standard Oil Company.

Mr. KÜSTERMANN. The Standard Oil Company is the greatest producer, of course—85 per cent of all refined oils.

Mr. FERRIS. I am inclined to think that is not correct. I think there is about 80 per cent produced by the independent producer.

Mr. KÜSTERMANN. Of the crude oil; yes. The Standard buys that from them and it makes its own price.

Mr. FERRIS. I think that is true.

Mr. KÜSTERMANN. If they were cut down in their profits somewhat, does the gentleman really think that they would pay the producers of crude oil any less? They would not be able to get it then.

Mr. HARDY. Will the gentleman allow me one suggestion there?

Mr. KÜSTERMANN. Yes.

Mr. HARDY. It is simply this, that the Standard Oil Company does not go out and hunt for oil or take any chances. That company occupies the position of the producer of the coal oil of this country because in every field it prices the crude product and takes it at its own price. They are in the attitude of the producer, and, instead of 20 per cent of the oil, really control 100 per cent.

Mr. SMITH of California. Will the gentleman permit a further interruption?

Mr. KÜSTERMANN. Yes; if I am given the time, I am willing to stay all night.

Mr. SMITH of California. It seems to me that the gentleman ought to make some distinction between the effect of repealing this countervailing duty on the crude oil and on the refined. Now, it is the fact, as everyone acquainted with the oil business of the country knows, that the Standard is not a producer of oil.

Mr. KÜSTERMANN. No, not to any great extent.

Mr. SMITH of California. It is interested in buying oil, and if it could buy in Mexico or in Canada more cheaply than it could from any of the fields in the United States, it would be most happy to do it, and to have the countervailing duty repealed. How it may affect refined oil I am not caring to discuss at this time, but it is perfectly plain that it would be to the interest of the Standard to buy its crude stock where it could buy it the cheapest, and therefore——

Mr. KÜSTERMANN. Does the gentleman not think the Standard Oil Company is doing it now? The Standard is not led by sympathy, but simply aims to buy where it can get it the cheapest.

Mr. SMITH of California. Yes.

Mr. KÜSTERMANN. Certainly.

Mr. SMITH of California. And if the company can buy in Mexico cheaper than in the United States and bring it in without paying any duty, then I believe it would be glad to see the countervailing duty repealed.

Mr. KÜSTERMANN. If the gentleman is disturbed about conditions in Mexico, I can read him something written by some one who knows Mexico can not supply us. Here it is:

OIL AND THE TARIFF.

Independent oil producers are worried lest reduction of the tariff on crude oil should enable the Standard Oil Company to engulf the producing branch of the trade.

The oil trust controls about 80 per cent of the refining business. The independent oil producers fear the trust may import Mexican petroleum and subject them to a price cut they can not stand. Or, at least, that is what they tell our legislators at Washington.

The oil trust, like the steel trust, owes its success to methods, processes, and special equipment which enable it to produce and market refined oil at prices that defy competition.

But, for two reasons, it is not at all likely to introduce Mexican petroleum into this country. In the first place, Mexican oil production is very largely in the hands of German and British capitalists. In the second place, Mexico does not produce enough oil for her own needs.

As long as perfection of process enables the Standard Oil Company to ship millions of dollars worth of its products into Mexico each year, in the face of a heavy tariff, American independent oil well men need not worry.

Mr. SMITH of California. I have read that article, but I think there are a good many things about the Mexico oil fields that the author of it does not know.

Mr. STANLEY. Does not the gentleman think that in the greater part of these crude oils, the oil wells of the United States, nominally owned by the independent producers, this oil is piped from the independent well to the refineries of the Standard, and this extensive piping serves a double purpose? It destroys the individual initiative of the producers and prevents their selling to anybody but the Standard Oil Company. At the same time, it will prevent the Standard Oil Company from going into Mexico or the markets of Europe to buy oil, where they do not have their facilities for transportation.

Mr. KÜSTERMANN. That is true.

Mr. WHEELER. Will the gentleman yield?

Mr. KÜSTERMANN. Certainly.

Mr. WHEELER. Did I understand that the gentleman stated the price was entirely contingent on what the Standard Oil was willing to give?

Mr. KÜSTERMANN. I believe so.

Mr. WHEELER. Now, I have the honor to represent the District in which the Standard began its work. The first well producing petroleum is only 18 miles from my present home. It is just over the line in Crawford County. That was fifty years ago. The independent refiners were driven out in the beginning, but there are a good many of them to-day. There are 7 in one of the towns of my district, and I can think of two or three more independent refineries all of whom buy their oil separate and outside entirely of the Standard Oil Company. Some of them have put in pipe lines and pay a little better price than the Standard Oil Company, so that the industry, instead of being crowded and squeezed out so far as my district is concerned, is growing, and every person in it seems in favor of keeping that countervailing duty on oil. I have received no communication from the Standard Oil Company. From the independent refiners and small producers I have received innumerable letters, telegrams, and petitions in favor of retaining the countervailing duty. Yesterday I received a petition with 1,155 names urging keeping the countervailing duty on oil.

Mr. HUBBARD of West Virginia. The same is true of the West Virginia field.

Mr. SIMS. Had not they rather have a straight ad valorem duty and no countervailing duty, say, of 20 or 25 per cent? That is the information that comes to me.

Mr. KÜSTERMANN. Some of the independent companies, perhaps reluctantly defending the Standard Oil Company, as they are forced to do, recently published a pamphlet in which it is stated that the output of the oil fields of Mexico would surely ruin the oil producers of the United States if the joker was removed from the tariff bill and Mexican oil allowed to come in untaxed.

I have it on good authority that this statement is considered a huge joke in Mexico; that their supply of oil is very limited, hardly sufficient to supply their own needs.

Mr. SMITH of California. Will the gentleman yield at that point?

Mr. KUSTERMANN. Certainly.

Mr. SMITH of California. How recent is the information upon which you base that opinion that the production is very limited in Mexico?

Mr. KÜSTERMANN. I got this about a week or two ago.

Mr. SMITH of California. Surely the writer had not heard from Mexico within six or eight months or a year.

Mr. KÜSTERMANN. A circular published by the independent companies simply expresses a fear of a large output in years to come. It says that the principal oil fields in Mexico at the present time are at Ebano, where eight wells, some of them 2 years old, produce an average of about 1,000 barrels a day. This ought not to scare American producers. Remember that the circular was issued by the independent companies.

Mr. SMITH of California. By somebody who did not know anything about it. It is very well known in the West that a very large field, a very rich field, has been developed in Mexico that is just being brought out, and under exceedingly favorable conditions, as to royalties. Mexico is in the oil business.

Mr. KÜSTERMANN. That must be very late, because this last year we exported to Mexico, in order to supply her needs, 17,523,446 gallons of oil.

Mr. SMITH of California. That may all be true.

Mr. KÜSTERMANN. These matters all spring up at a given time—you know when we have the naval bill up we always hear of a war with Japan [laughter], and they come here with this great supply of oil in Mexico when the tariff bill is up. [Laughter and applause.]

Mr. STANLEY. Will the gentleman yield for just a question?

Mr. KÜSTERMANN. With pleasure.

Mr. STANLEY. Has Mexico an export duty on oil?

Mr. KÜSTERMANN. No; only an import duty.

How scared the Mexican oil producers are of the Standard Oil octopus is evidenced by the fact that they induced their Government to place an import duty of $6.63 on every barrel of refined oil brought into Mexico.

If it were true, as is claimed by the agents of the trust, that the supply of oil in Mexico is almost without limit, it would then be a source of regret that the people of this country were prevented from getting oil from so near by a point at somewhat reasonable prices.

With the little joker out of the way, probably not a drop more of oil would be sent into this country from Russia than at present enters the United States. The oil trust would keep out all foreign oil products by bringing their prices on a level, or perhaps a little below those of foreign competitors.

True, removing the little joker may reduce the annual profits of the Standard Oil Company from 55 or 60 per cent, as estimated by the United States Commissioner of Corporations, to perhaps 40 or 45 per cent, which will still be a very satisfactory return on the sum invested.

Great, however, will be the joy of the American people over the removal of the proviso that has forced them to pay excessive prices for so necessary an article as petroleum and its products.

The regulation of the trusts was one of the main planks in the Republican as well as in the Democratic platform.

After unsuccessful efforts by courts and commissions, I say let Congress regulate the Standard Oil trust by removing the little joker, and thus force the great monopoly to a decent treatment of the people of the United States.

There is no one in this House that is more in favor of protecting American industries and American labor than I am, but I am also in favor of giving protection to the American people against the extortions of the Standard Oil or any other trust. How patriotic this monopoly you see from the fact that the tin plate for the cans used in their export trade, to the amount of several million dollars a year, is purchased in England, and the tax is refunded to them under the drawback clause in the tariff bill. This, in the face of the fact that a number of our own tin plate factories and thousands of employees last year were kept idle. The 47 ships of the Standard Oil Company were all built in foreign countries and are sailing under foreign flags.

No Member of Congress can go before his constituents in the next election and defend his course if he voted to continue the proviso which enables the great monopoly to extort millions of dollars every year from the pockets of the American people. [Loud applause.]

Mr. SMITH of California. If the duty were entirely taken off from oil, whence would come the importation that would reduce the price in this country?

Mr. KÜSTERMANN. Why, Russia would stand ready to furnish it to us. Russia eight years ago produced 12,000,000 barrels more than the United States did. They have an ample supply.

Mr. SMITH of California. I thought you stated a moment ago in the course of your remarks that Russia probably would not import oil.

Mr. KÜSTERMANN. No; because the Standard will come down to a decent figure. [Applause.]

Mr. SIMS. May I ask the gentleman from Wisconsin a question, as he seems to be authority on the subject. Would it not be better to accept even a protective tariff duty on crude oil than to retain the countervailing provision with free trade in oil?

Mr. KÜSTERMANN. Certainly; if crude oil needs protection, I have no objection to a specific rate.

Mr. SMITH of California. The rate specific compared with Mexico, of course, is absurdly high now, $1.84 a crude barrel, when oil is worth about 60 cents in California. A specific or direct protective duty is just as satisfactory as this, so far as I am concerned.

Mr. FERRIS. Will the gentleman yield?

Mr. KÜSTERMANN. Yes.

Mr. FERRIS. I am very much of the same belief as the gentleman who occupies the floor, yet I want to get his position on this proposition. To what do you attribute the activity of the independent producer? Do I understand from your remarks, directly or by inference, that they were tools of the Standard Oil Company and acted because they were forced to act, or are they deluded as to the merits of the proposition?

Mr. KÜSTERMANN. Oh, no. They are pretty clear-headed people, but they are forced to act as they are acting by the Standard Oil Company.

Mr. FERRIS. By reason of the Standard Oil Company owning the pipe lines, or what?

Mr. KÜSTERMANN. In every way. Do you think that the Standard Oil Company, if it was not to its advantage, would let the independents live a single day? I do not believe the Standard would.

Mr. GILLESPIE. May I ask the gentleman from Wisconsin a question?

Mr. KÜSTERMANN. Certainly.

Mr. GILLESPIE. The gentleman stated at the beginning of his remarks that he had been assured that this joker was going out. Now, will the gentleman tell the House whether he got that from authority; and if so, what authority?

Mr. KÜSTERMANN. I considered it good authority.

Mr. GARRETT. May I ask the gentleman a question? How much revenue have we been getting out of the present countervailing duty?

Mr. KÜSTERMANN. In about ten or twelve years between $25,000 and $30,000 of import duty. Those must have been samples that were sent over here. [Laughter.]

Mr. GARRETT. Out of even a protective duty upon the crude oil we would get more revenue than out of the countervailing duty, would we not?

Mr. KÜSTERMANN. I should not wonder. I believe we would.

Mr. STEPHENS of Texas. I desire to ask the gentleman if he has discovered a similar joker in the coffee schedule as that he has so well explained as to the Standard Oil?

Mr. KÜSTERMANN. I was so occupied in looking into this little joker I could not look for any other joker.

Mr. STEPHENS of Texas. I wish the gentleman would give an experience of a similar character as to the coffee schedule.

Mr. KÜSTERMANN. I will say that I am very much against jokers in any form. [Laughter.]

Mr. HUGHES of New Jersey. I would like to ask the gentleman what percentage of the total cost of crude oil the labor conditions existing in its production bear?

Mr. KÜSTERMANN. The gentleman can get that all in a report published by the Commissioner of Corporations. It is a report of about two or three thousand pages, and I read most of it, but I do not remember. I would not be able to answer that question.

Mr. HUGHES of New Jersey. It is comparatively insignificant, is it not?

Mr. KÜSTERMANN. I suppose so.

Mr. HUBBARD of West Virginia. Let me ask in what tariff legislation this little joker, or the like of it, first appeared?

Mr. KÜSTERMANN. In the Wilson tariff bill.

Mr. JOHNSON of South Carolina. What did the Wilson bill provide?

Mr. KÜSTERMANN. The Wilson bill provided that the duty be countervailing, but not more than 40 per cent; while, I will say, the present countervailing duty makes it all the way from 75 to 150 per cent.

Mr. HUBBARD of West Virginia. Then, that little joker was similar to this one?

Mr. KÜSTERMANN. The Democrats were to blame in the first place. The Republicans, however, made a serious mistake in thinking that the Democrats had anything that was really good. [Laughter.]

Mr. RANDELL of Texas. May I ask the gentleman a question on that matter? It has been brought out that this little joker first appeared in the Wilson bill. Was that in the Wilson bill as it passed the House or as it was enacted into law?

Mr. KÜSTERMANN. I was not in the House at the time and do not know.

Mr. RANDELL of Texas. As a matter of fact, the Wilson bill as it passed the House might be chargeable to the Democratic party. The Wilson bill as it passed the Senate would not necessarily be classed that way. Is it not a fact that when it was put in it was understood that it was meant to rob the American people?

Mr. KÜSTERMANN. It would be too bad if the Democrats understood it that way and still passed it. I understand both the House and Senate were Democratic at that time.

Mr. RANDELL of Texas. In both the Democratic and Republican parties special corporations and special interests have some people that help them, and they get in their work even in Congress; and is it not a fact that the Republicans have let that little joker stay in there and put it in a worse form than when it first came in?

Mr. COOPER of Wisconsin. Will the gentleman from Wisconsin permit me right there?

Mr. KÜSTERMANN. I will yield to my colleague; yes.

Mr. COOPER of Wisconsin. I was in the House when the Wilson-Gorman bill was enacted into law. I was also in the House when the Wilson and Dingley bills became laws.

I do not believe that more than four men—and if four, I do not know who they were—knew that the joker was in either bill. I went on the stump and made several speeches, in which I was very careful to say that there was no tariff on coal oil. There is not a man on the floor of this House, I believe, but what made the same statement in stump speeches.

Mr. LANGLEY. I did.

Mr. COOPER of Wisconsin. Here is one.

Mr. KÜSTERMANN. I did so myself.

Mr. COOPER of Wisconsin. Nobody knew the joker was in the law except the men who put it in. How it was put in I do not know, but it was put in without the knowledge of but very few Members in either body; and then, to the surprise of everybody, somebody discovered the joker long after the Dingley bill had been passed and became a law.

Mr. STEPHENS of Texas. You object to it?

Mr. COOPER of Wisconsin. I do object to it.

Mr. STEPHENS of Texas. And you admit that it is not necessary?

Mr. COOPER of Wisconsin. I do.

Mr. STEPHENS of Texas. Then why put it in the present bill?

Mr. COOPER of Wisconsin. If I get an opportunity, I will vote against keeping it in the present bill.

Mr. STEPHENS of Texas. Will we get that opportunity?

Mr. COOPER of Wisconsin. I do not know.

Mr. STEPHENS of Texas. I would like to extort from the gentleman his opinion as to whether we will get that opportunity?

Mr. COOPER of Wisconsin. You can not extort from me what I have not got to impart.

Mr. SMITH of California. Mr. Chairman, I rise to make some remarks upon this subject if there is no one else who is to be recognized.

The CHAIRMAN. The Chair knows of no one else to be recognized at this time.

Mr. SMITH of California. Mr. Chairman, I desire to make some remarks upon this subject while it is being considered and occupies the attention of the press of the country and of the Members of the House at this particular juncture rather than wait until it may come up for debate again. I have never looked into the history of this countervailing duty very carefully, but I do not know why it should be called a "joker." It is written in the law in plain type and a plentitude of words to attract everybody's attention. Everybody knows that it has been the law for many years. To call it a "joker" is to intimate that it has some secret and special meaning which does not appear on its face.

Now, I fancy that the Mexican Government—and that is the one that I have in mind, for it is the great threatening nation in this matter—must have placed its present high duties on crude and refined oil for revenue purposes, for it is only within the last few years that this industry has been projected into that country, and while it was a buyer it surely would not put these very high rates on unless it felt that it needed the revenue it would get out of it. I think nothing can particularly justify the present rate of duty in our bill, as measured by the Mexican rate. As stated in a publication of recent date, they are paying $1.84 duty a barrel for crude oil of 42 gallons to the barrel, and no one would undertake to say that the oil industry in the United States needed any such phenomenal rate of import duty for its protection. Oil at the well's mouth in California sells at 60 cents, and that is considered a very good price, and it does not need any protection equal to three or four times the cost of the oil.

Oil, more than any other product in the world, is the most difficult to move, but that is a factor that I may speak of a little later. It is true, of course, that a wonderful monopoly has grown up in this country in the transportation and in the refining and sale of oil. But it has been due chiefly to the favoritism which the Standard Oil Company has been able to enjoy in the transportation of oil. If the Hepburn rate law can be vigorously and fully enforced, the Standard Oil monopoly will be broken up in this country as sure as the sun will rise to-morrow. It has no advantage over other people in the refinement of oil, and if others can get the same rates of transportation, they can distribute the oil; they are doing so now. The Standard Oil Company has had a strong competitor in the Union Oil Company, which is established in California, and in the last two or three years, when the agitation for fair treatment in transportation seemed likely to be realized, a refinery was built at Port Harford at a cost of a million and a half dollars for the purpose of treating oil and entering the markets of this country and of the world in competition with the Standard Oil Company. The Union Oil Company is extending its business all the time.

It has established a line of tank steamers to the Isthmus of Panama, it has laid a pipe line across the Isthmus, and has tank steamers on the Atlantic which are entering into active competition with the Standard Oil Company in all the markets of this country and of the world.

But the production of crude oil in this country is the small man's business; not exactly the poor man's business, for it takes considerable money, but it has drawn to itself the cooperation or pooling of more small sums of money in a common business than any business that I have ever known; and as it is carried on throughout the West now it is the business of the comparatively small capitalist. It is done almost entirely on the leasing of lands, not the purchase.

Mr. SIMS. From the standpoint of the producer, do you think it would be better to keep this bill as it is, or repeal the countervailing duty and put a straight duty on it?

Mr. SMITH of California. I will speak of that in a moment. Leases are frequently of only 5 or 10 acres each, and they drill 1 well to about 2 acres. So you see it is not a monopolistic or capitalistic affair at all. When a man secures a lease he capitalizes his company and proceeds to sell stock, and we all buy.

I have some now that I will sell to you if you want it. We gamble on the outcome of his territory, and every servant, and every workman, and every merchant, and every banker, and everybody else buys stock. If they get a well they make some money; and if they do not, why, they have had a good time anyhow. At any rate they go at it again the next opportunity that is offered, and the development of the great oil production in California, which now reaches into the millions and millions of barrels per annum, has been by the contributions of comparatively small capitalists, or people of comparatively small means.

Now, within the last year or two a very large and rich oil field has been discovered in Mexico. Any figures that were written six months ago are not worth the paper they are written on to establish the conditions of the business in that country. I am personally acquainted with gentlemen who have gone down there and secured exceedingly favorable concessions from the Mexican Government as to royalties and extent of territory, so that they are now becoming the strongest oil producers in the world. Under those circumstances, I say, the crude-oil producers of this country need some protection, just as much as the farmer and the timber men and the miner need some protection, to keep away the competition that has an unfair advantage in the situation.

Mr. HUGHES of New Jersey. Right there I should like to ask the gentleman why he needs that protection? Is it to enable him to get more for his oil than it is worth, or does the gentleman put it on the ground, as so many gentlemen do, that it is necessary to equalize the cost of labor in the production of the Mexican oil and the American oil?

Mr. SMITH of California. To equalize the cost of labor and also to equalize the cost of the territory, or the royalties that have to be paid in Mexico and in the United States for the privilege of drilling for oil. The Mexican Government has given these parties going in there of recent years extraordinary privileges in drilling for oil, and a very small royalty is exacted for it.

Mr. HUGHES of New Jersey. The American Government does not exact any royalty.

Mr. SMITH of California. No; but the American citizen gets his privilege of drilling for oil from another private citizen, and has to pay a greater royalty in order to produce oil than they have to pay to the Mexican Government.

Mr. HUGHES of New Jersey. Then the gentleman does take the position that he wants enough tariff to make the production of oil profitable?

Mr. SMITH of California. Yes, sir.

Mr. HUGHES of New Jersey. Whatever amount that may be?

Mr. SMITH of California. Yes, sir. I always write protection with a capital "P." I am not at all afraid of the word.

I want it for the protection of the comparatively small capitalists who are producing the crude oil in this country.

Now, so far as the Standard Oil Company is concerned, I am sure I have no occasion to defend it, but in my opinion if it were here now and had the decision of this question it would strike out this provision in the law with reference to countervailing duties. I want to be polite to the gentleman from Wisconsin, and yet I am inclined to use the word "absurd" when he says that Russia can invade this country with her oil, in competition with the Standard and other companies here, and beat down the price of oil. They would not get a mile inland until they met transportation facilities which the Standard Oil Company already has and marketing facilities in the way of tankage, and so forth, in the different cities with which they could not compete.

Our competitor in oil is Mexico, and the Standard is just as willing to buy there as in the United States; and if it could buy oil in Mexico cheaper than in the United States and bring it in here, it would do so and leave the American oil producer with his wells shut down and nothing doing at all.

This provision is in no sense in the interest of the Standard Oil Company as a transporter, refiner, or seller of oil, but it is in the interest of the producer.

As to the countervailing provision or a specific duty, I should say that in the logic of the thing I should favor a specific duty. No one can justify a duty of $1.84 a barrel on crude oil and $4 or $5 or $6 on refined oil; and if it should be the judgment of the committee and the House that that provision should be stricken out and a specific duty be placed on crude oil, it would satisfy the people of California probably better than this, and it would be more logical. It seems quite plain to me that if we pass this and adjourn, there is great probability that Mexico may call her Congress together and repeal her duty.

She no longer has any necessity for the duty, having discovered her own supply of oil, and it is no longer a revenue producer for her, and therefore she would be content to wipe it out that she might be permitted to get into our markets.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. SMITH of California. Certainly.

Mr. STEPHENS of Texas. Can the gentleman inform us whether the House will be permitted to offer an amendment to this?

Mr. SMITH of California. I do not know; but if left to me, you would not have a chance to change many provisions of the bill. I am frank to say that. [Laughter.]

Mr. SIMS. I would like to say to the gentleman that the specific or ad valorem duty would bring something into the Treasury.

Mr. SMITH of California. Yes; if any oil came in.

Mr. SIMS. Of course, if any oil came in.

Mr. VREELAND. Mr. Chairman, I do not rise for the purpose of taking any time of the committee, but I merely want to say that I am, to a small extent, responsible in urging the Ways and Means Committee to retain this countervailing clause in the bill. I do it in response to the request of thousands of men in my district who are engaged in the production of oil. I do it in behalf of 500,000 American citizens who are engaged in producing oil every day in the year, who are bringing out of the earth nearly half a million dollars worth of mineral wealth every day the sun rises, for the benefit of the American people. I know nothing of what the Standard Oil Company desires. I merely rise at this time to say that I have asked for time, and at the proper time shall endeavor to explain to the House the reason why the oil producers of the United States are in favor of having this small amount of protection retained in the bill.

Mr. GARRETT. Mr. Chairman, I understood the statement to be made a few minutes ago by some one that this countervailing duty clause in the present bill and in the Dingley bill were the same as that in the Wilson bill. I remember having made an investigation about that, and I feel pretty sure that that statement is not correct.

Mr. VREELAND. I can say to the gentleman that the countervailing clause in the Wilson bill was the same as at present, except instead of making the duty the same as the country imposing the duty on American oil, it made a flat rate of 40 per cent against any duty imposed on American petroleum.

Mr. GARRETT. I thought that statement as a matter of historic interest should be corrected.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. COOPER of Wisconsin, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of J. B. Martin, Sixtieth Congress, no adverse report having been made thereon.

Mr. HUGHES of New Jersey, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of Eugene L. Smith, Sixtieth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. HAMILL, by unanimous consent, was given leave of absence for five days, on account of a death in his family.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until to-morrow at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Postmaster-General, transmitting a schedule of papers and documents not needed in the transaction of the public business (H. Doc. No. 3, pt. 2), was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from consideration of the bill (H. R. 16188) granting an increase of pension to James F. Kilburn and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 4814) for the establishment of a national tubercular sanitarium in the State of Colorado for persons afflicted with tuberculosis—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMLIN: A bill (H. R. 4815) to provide for the erection of an extension to the federal building at Springfield, Mo., and to appropriate money for the same—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4816) for the relief of postal employees—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4817) to amend an act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property, approved March 3, 1863—to the Committee on War Claims.

Also, a bill (H. R. 4818) providing for the taking over by the United States Government of the confederate cemetery at Springfield, Mo.—to the Committee on Military Affairs.

Also, a bill (H. R. 4819) to amend sections 2 and 3 of the act of June 27, 1890, in relation to pensions, etc.—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 4820) to establish a biological and fish-cultural station in the Twenty-third Congressional District of Illinois—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4821) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico," approved February 6, 1907—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4822) granting pensions to all enlisted men, soldiers and officers, who served in the civil war or the war with Mexico—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 4823) to amend the law of patent designs—to the Committee on Patents.

Also, a bill (H. R. 4824) to acquire the manuscript of Charles Chaillé Long, containing an account of the unveiling of the McClellan statue—to the Committee on Appropriations.

By Mr. SULLOWAY: A bill (H. R. 4825) for the relief of the State of New Hampshire—to the Committee on Claims.

By Mr. CAMERON: A bill (H. R. 4826) providing for the exchange and payment by the United States of certain Pima County, Ariz., railroad bonds validated by Congress, and for other purposes—to the Committee on the Territories.

Also, a bill (H. R. 4827) to provide for the payment of certain railroad bonds of the county of Coconino which have been funded into territorial bonds of the Territory of Arizona, and for other purposes—to the Committee on the Territories.

By Mr. HOUSTON: A bill (H. R. 4828) to provide for the purchase of a site and the erection of a public building thereon at Lewisburg, in the State of Tennessee—to the Committee on Public Buildings and Grounds.

By Mr. McKINLAY of California: A bill (H. R. 4829) appropriating money to perform the work described in the special report of the California Débris Commission, with regard to future operations for the control of mining débris, improving navigability, and providing for the control of floods on the Sacramento and Feather rivers of California, dated June 30, 1907, and printed with the Annual Report of the Chief of Engineers of the United States Army for the fiscal year ending June 30, 1907.

Also, a bill (H. R. 4830) establishing regular terms of the United States circuit and district courts of the northern district of California at Sacramento, Cal.—to the Committee on the Judiciary.

By Mr. MACON: A bill (H. R. 5152) to provide for the construction and maintenance of levees along the Mississippi River from Cape Girardeau, Mo., to the Head of the Passes by the Government of the United States of America—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. HARRISON: Joint resolution (H. J. Res. 37) concerning the manuscript prepared by Charles Chaillé-Long containing an account of the unveiling of the statue of the late Maj. Gen. George B. McClellan—to the Committee on the Library.

By Mr. HUMPHREY of Washington: Concurrent resolution (H. C. Res. 13) accepting the invitation extended to the Congress of the United States by the Alaska-Yukon-Pacific Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. BROWNLOW: Resolution (H. Res. 45) providing for the services of an attendant in the ladies' reception room of the House of Representatives—to the Committee on Accounts.

By Mr. HAMMOND: Memorial of the legislature of Minnesota for clearing of channel of Minnesota River—to the Committee on Rivers and Harbors.

Also, memorial of the legislature of Minnesota for canal between the Great Lakes and the Mississippi River—to the Committee on Railways and Canals.

By Mr. HAWLEY: Memorial of the State of Oregon for the establishment of an American line of ships from the Atlantic coast ports to all Pacific coast ports via the Panama Canal—to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 4831) granting an increase of pension to Thomas B. Bukey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4832) granting an increase of pension to Christian Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4833) granting an increase of pension to George W. Samson—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 4834) granting an increase of pension to William H. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4835) granting an increase of pension to Flemin Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4836) granting an increase of pension to Jerome Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4837) granting an increase of pension to John W. Dickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4838) granting a pension to James C. Smith—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 4839) granting an increase of pension to Martin Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4840) granting an increase of pension to Samuel Sneath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4841) granting an increase of pension to John Willford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4842) granting an increase of pension to George M. Veach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4843) granting an increase of pension to Jacob Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4844) granting an increase of pension to William Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4845) granting an increase of pension to Peter Selner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4846) granting an increase of pension to James W. Titus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4847) granting an increase of pension to William H. Schearer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4848) granting an increase of pension to John Stallard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4849) granting an increase of pension to Frank M. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4850) granting an increase of pension to Jeremiah Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4851) granting an increase of pension to Levi C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4852) granting an increase of pension to Martin Mullin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4853) granting an increase of pension to Stephen S. Mann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4854) granting an increase of pension to John R. Kissinger—to the Committee on Pensions.

Also, a bill (H. R. 4855) granting an increase of pension to J. J. Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4856) granting an increase of pension to John Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4857) granting an increase of pension to Henry M. Bedford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4858) granting an increase of pension to Thomas R. Boulton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4859) granting an increase of pension to Ezra K. Barnhill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4860) granting an increase of pension to Jemima E. Callahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4861) granting an increase of pension to James M. Beeber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4862) granting an increase of pension to Oliver Cromwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4863) granting an increase of pension to Arthur Householder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4864) granting an increase of pension to Isaac Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4865) granting an increase of pension to Samuel R. Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4866) granting an increase of pension to Harrison Horner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4867) granting an increase of pension to Joseph Heiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4868) granting an increase of pension to Thomas B. Hedges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4869) granting an increase of pension to David Hay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4870) granting an increase of pension to Lewis H. Fielding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4871) granting an increase of pension to Thomas B. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4872) granting an increase of pension to Thomas V. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4873) granting a pension to Clark R. Parcel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4874) granting a pension to Peter G. Keely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4875) granting a pension to Charles M. Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4876) granting a pension to Jacob Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4877) granting a pension to Napoleon B. Corus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4878) granting a pension to Jeremiah Hahn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4879) granting a pension to Matilda Merrick Goodrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4880) for the relief of Levi C. Smith—to the Committee on War Claims.

Also, a bill (H. R. 4881) to remove the charge of desertion from the military record of William Shaffer and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4882) to remove the charge of desertion from the military record of George W. Philpott and to grant him an honorable discharge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4883) to remove the charge of desertion from the military record of Charles E. Campbell and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 4884) granting an increase of pension to William Wellman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4885) granting an increase of pension to Henry P. Marley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4886) granting an increase of pension to Lorenzo M. Bartholomew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4887) granting an increase of pension to Elvira Knox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4888) granting an increase of pension to J. H. Traut—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4889) granting an increase of pension to J. L. Rogers—to the Committee on Invalid Pensions.

By Mr. BEALL of Texas: A bill (H. R. 4890) for the relief of Mrs. Sallie B. Jones—to the Committee on War Claims.

Also, a bill (H. R. 4891) for the relief of the heirs of Robert M. Williams, deceased—to the Committee on War Claims.

By Mr. BOOHER: A bill (H. R. 4892) granting a pension to James M. Flyn—to the Committee on Pensions.

Also, a bill (H. R. 4893) granting an increase of pension to Samuel G. King—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 4894) granting an increase of pension to David M. Hull—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 4895) for the relief of William Wooster—to the Committee on Claims.

By Mr. CANTRILL: A bill (H. R. 4896) granting an increase of pension to Christopher T. Grinstead—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 4897) granting a pension to Annie C. Almond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4898) granting a pension to Mary Cawood—to the Committee on Pensions.

Also, a bill (H. R. 4899) granting a pension to William F. Myers—to the Committee on Pensions.

Also, a bill (H. R. 4900) granting a pension to Samuel Reeder—to the Committee on Pensions.

Also, a bill (H. R. 4901) granting an increase of pension to John Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4902) granting an increase of pension to Joseph C. Chilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4903) granting an increase of pension to Lewis G. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4904) granting an increase of pension to Fillmore M. Brist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4905) for the relief of the estate of Mrs. William C. Fitzhugh, deceased—to the Committee on War Claims.

By Mr. COWLES: A bill (H. R. 4906) for the relief of E. M. Felts—to the Committee on War Claims.

By Mr. CULLOP: A bill (H. R. 4907) granting an increase of pension to Thomas J. McClure—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 4908) for the relief of Peter J. Van Zandt—to the Committee on Military Affairs.

Also, a bill (H. R. 4909) for the relief of Joseph G. McNutt—to the Committee on Military Affairs.

By Mr. MICHAEL E. DRISCOLL: A bill (H. R. 4910) granting an increase of pension to Oran D. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4911) granting an increase of pension to Martin V. B. Northrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4912) granting an increase of pension to John Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4913) granting an increase of pension to Sarah E. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4914) granting an increase of pension to Alonzo Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4915) granting an increase of pension to Daniel Beeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4916) granting an increase of pension to Edward Beebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4917) granting an increase of pension to Michael Campion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4918) granting an increase of pension to Charles P. Borden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4919) granting an increase of pension to Goold B. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4920) granting an increase of pension to Charles A. Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4921) granting an increase of pension to William H. Watkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4922) granting an increase of pension to Harrison H. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4923) granting an increase of pension to Charles F. Carlisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4924) granting a pension to Mary Caroline Ellis Hargin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4925) granting a pension to Lucy A. Emerson—to the Committee on Pensions.

Also, a bill (H. R. 4926) granting a pension to Emily E. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4927) granting a pension to Sarah A. Huckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4928) granting a pension to Mary J. Kitter—to the Committee on Pensions.

Also, a bill (H. R. 4929) granting a pension to Mary S. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4930) to remove the charge of desertion standing against the name of Henry Shaver, erroneously made as to Company G, Forty-third Regiment New York Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 4931) for the relief of Santa Anna Wallace—to the Committee on War Claims.

Also, a bill (H. R. 4932) for relief of former members of New York Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 4933) for the relief of John Kurtz—to the Committee on Claims.

Also, a bill (H. R. 4934) for the relief of Liston H. Pearce—to the Committee on Military Affairs.

Also, a bill (H. R. 4935) for the relief of the heirs of James Finnegan and the heirs of Thomas Nesdall, deceased—to the Committee on Claims.

Also, a bill (H. R. 4936) for the relief of Albert Edward Adam Engle—to the Committee on Military Affairs.

Also, a bill (H. R. 4937) to remove the charge of desertion from the record of Horatio C. Patch—to the Committee on Military Affairs.

Also, a bill (H. R. 4938) to remove the charge of desertion from the record of James Pratt—to the Committee on Military Affairs.

Also, a bill (H. R. 4939) to remove the charge of desertion from the record of John Roach—to the Committee on Military Affairs.

Also, a bill (H. R. 4940) to remove the charge of desertion from the record of Russell S. Carter, alias Robert Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 4941) to remove the charge of desertion from the record of William S. Herrick—to the Committee on Military Affairs.

Also, a bill (H. R. 4942) to remove the charge of desertion from the military record of James Ryan—to the Committee on Military Affairs.

Also, a bill (H. R. 4943) to remove the charge of desertion from the record of Lucien H. Robertson—to the Committee on Military Affairs.

Also, a bill (H. R. 4944) to remove the charge of desertion from the record of William M. Reals—to the Committee on Military Affairs.

Also, a bill (H. R. 4945) to complete the military record of Joshua C. Warrick, and granting him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4946) to place on the pension roll the name of John H. Jones—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 4947) for the relief of the heirs at law of William Coolidge, late of Savannah, Ga.—to the Committee on War Claims.

By Mr. FOCHT: A bill (H. R. 4948) granting an increase of pension to William C. Hudson—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 4949) granting an increase of pension to Gilbert H. Fellows—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 4950) granting an increase of pension to Henry H. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4951) granting an increase of pension to Henry Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4952) granting an increase of pension to Benjamin V. Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4953) granting an increase of pension to Nimrod T. Stoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4954) granting an increase of pension to John W. Whalen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4955) granting an increase of pension to Henry H. Baltzell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4956) granting an increase of pension to William S. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4957) granting an increase of pension to Varnel G. Compton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4958) granting an increase of pension to Andrew Reiber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4959) granting an increase of pension to Jonathan Huston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4960) granting an increase of pension to William H. Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4961) granting an increase of pension to Daniel W. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4962) granting an increase of pension to Joseph Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4963) granting an increase of pension to Andrew Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4964) granting an increase of pension to Alexander Herrin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4965) granting an increase of pension to Christopher C. Estes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4966) granting an increase of pension to Benjamin Armiston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4967) granting an increase of pension to T. M. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4968) granting an increase of pension to Joseph R. Rosborough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4969) granting an increase of pension to W. D. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4970) granting an increase of pension to George T. Clausen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4971) granting an increase of pension to John D. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4972) granting an increase of pension to F. L. Fergerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4973) granting an increase of pension to John A. McNerney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4974) granting an increase of pension to Joseph H. Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4975) granting an increase of pension to Isaac Kibler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4976) granting an increase of pension to John E. McNeill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4977) granting an increase of pension to James M. Gullett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4978) granting an increase of pension to W. H. Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4979) granting an increase of pension to John A. Crozier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4980) granting an increase of pension to Michael Willman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4981) granting an increase of pension to Henry J. Remington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4982) granting an increase of pension to John R. C. Bray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4983) granting an increase of pension to James A. Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4984) granting an increase of pension to Isaac W. Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4985) granting an increase of pension to Leander C. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4986) granting an increase of pension to Thomas K. Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4987) granting an increase of pension to William P. Carlock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4988) granting an increase of pension to William A. McNutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4989) granting an increase of pension to William S. Rosborough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4990) granting an increase of pension to Alvin Eckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4991) granting an increase of pension to John Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4992) granting an increase of pension to John Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4993) granting an increase of pension to Rolandus O. Longenecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4994) granting an increase of pension to Richard H. Vanderhoof—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4995) granting an increase of pension to Christopher C. McCord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4996) granting an increase of pension to William Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4997) granting a pension to Alfred Levick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4998) granting a pension to Sarah Bolt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4999) granting a pension to Elie Gaston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5000) granting a pension to W. J. Collins—to the Committee on Pensions.

Also, a bill (H. R. 5001) granting a pension to Prudence Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5002) granting a pension to B. F. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5003) granting a pension to Sarah Highsmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5004) granting a pension to Stephen A. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5005) granting a pension to Lee Monroe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5006) granting a pension to J. H. Brimson—to the Committee on Pensions.

Also, a bill (H. R. 5007) granting a pension to J. L. Hull—to the Committee on Pensions.

Also, a bill (H. R. 5008) granting a pension to George Bingaman—to the Committee on Pensions.

Also, a bill (H. R. 5009) granting a pension to Emaranda Sommerville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5010) granting a pension to Ferdinand Schnadel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5011) for the relief of Charles Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 5012) for the relief of Elishama Beaty—to the Committee on War Claims.

Also, a bill (H. R. 5013) for the relief of Jasper C. Banks—to the Committee on War Claims.

Also, a bill (H. R. 5014) for the relief of William Goldsborough—to the Committee on War Claims.

Also, a bill (H. R. 5015) for the relief of Clarence Frederick Chapman, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 5016) to remove the charge of desertion from the record of W. B. Chamness—to the Committee on Military Affairs.

Also, a bill (H. R. 5017) to remove the charge of desertion from the record of George Forbus, alias George Davidson—to the Committee on Military Affairs.

Also, a bill (H. R. 5018) to remove the charge of desertion from the record of George W. Terrell—to the Committee on Military Affairs.

Also, a bill (H. R. 5019) to remove the charge of desertion from the record of John D. Woods—to the Committee on Military Affairs.

Also, a bill (H. R. 5020) to remove the charge of desertion from the record of Frederick Feninger—to the Committee on Military Affairs.

Also, a bill (H. R. 5021) to remove the charge of desertion from the record of Robert G. Waud—to the Committee on Naval Affairs.

Also, a bill (H. R. 5022) to remove the charge of desertion from the record of John Arnold, alias Jackson Arnold—to the Committee on Military Affairs.

Also, a bill (H. R. 5023) to remove the charge of desertion from the record of W. B. Chamness—to the Committee on Military Affairs.

Also, a bill (H. R. 5024) to remove the charge of desertion from the record of Brice Prater—to the Committee on Military Affairs.

Also, a bill (H. R. 5025) to remove the charge of desertion from the record of James Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 5026) to remove the charge of desertion from the record of Henry Benjamin—to the Committee on War Claims.

Also, a bill (H. R. 5027) to remove the charge of desertion from the record of Jubal Grant and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 5028) to remove the charge of desertion from the record of George R. Spore—to the Committee on Military Affairs.

Also, a bill (H. R. 5029) to remove the charge of desertion from the record of Armstrong Hunter—to the Committee on Military Affairs.

Also, a bill (H. R. 5030) to remove the charge of desertion from the record of Herman Kneofler—to the Committee on War Claims.

Also, a bill (H. R. 5031) to remove charge of desertion from the record of Jacob Morrison—to the Committee on Military Affairs.

Also, a bill (H. R. 5032) to correct the record of Allen Byers—to the Committee on Military Affairs.

Also, a bill (H. R. 5033) to correct the military record of Francis M. Price—to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 5034) granting an increase of pension to Charles A. Clark—to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 5035) granting an increase of pension to D. J. Wardwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5036) granting an increase of pension to Thomas Violette—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5037) granting an increase of pension to Edward M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5038) granting an increase of pension to Isaac W. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5039) granting an increase of pension to James J. Reeves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5040) granting an increase of pension to A. J. Pomeroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5041) granting an increase of pension to William K. Nason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5042) granting an increase of pension to Michael Collins, 2d—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5043) granting an increase of pension to Ira L. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5044) granting an increase of pension to Thaxter Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5045) granting an increase of pension to Ira Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5046) granting an increase of pension to George E. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5047) granting an increase of pension to Henry H. Archer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5048) granting a pension to Emma R. Emery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5049) for the relief of Emma R. Emery—to the Committee on Claims.

By Mr. HAMLIN: A bill (H. R. 5050) granting a pension to William F. Neet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5051) granting a pension to Jefferson Knaus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5052) granting a pension to Rhoda A. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5053) granting a pension to Lucy F. Melton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5054) granting a pension to Harriet L. Gist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5055) granting a pension to Solomon Coan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5056) granting a pension to Mary Wehrmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5057) granting a pension to Samuel Moser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5058) granting a pension to Robert S. Hoge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5059) granting a pension to Samuel Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5060) granting a pension to Thomas B. Maberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5061) granting a pension to James G. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5062) granting a pension to Jesse G. Smith—to the Committee on Pensions.

Also, a bill (H. R. 5063) granting a pension to Vina Lindenbower—to the Committee on Pensions.

Also, a bill (H. R. 5064) granting a pension to Oliver P. Jackson—to the Committee on Pensions.

Also, a bill (H. R. 5065) granting an increase of pension to O. A. Stine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5066) granting an increase of pension to John H. Bull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5067) granting an increase of pension to Nathaniel B. Petts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5068) granting an increase of pension to Mahlon N. Boardman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5069) granting an increase of pension to William H. Lyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5070) granting an increase of pension to Logan Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5071) granting an increase of pension to Michael Coplinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5072) granting an increase of pension to Isaac W. Whitsett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5073) for the relief of Greene County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 5074) to correct the military record of Rudolph Kraut—to the Committee on Military Affairs.

By Mr. HARRISON: A bill (H. R. 5075) granting a pension to Agnes Burns—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 5076) granting an increase of pension to Benjamin G. Barber—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 5077) granting an increase of pension to Alvis H. Thomasson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5078) for the relief of D. C. Manire—to the Committee on War Claims.

Also, a bill (H. R. 5079) for the relief of F. S. McKady—to the Committee on Claims.

Also, a bill (H. R. 5080) for the relief of Jordan H. Moore—to the Committee on Claims.

Also, a bill (H. R. 5081) for the relief of the legal representatives of the estate of Lewis M. Maney—to the Committee on War Claims.

Also, a bill (H. R. 5082) for the relief of the legal representatives of the estate of Benjamin Lillard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5083) for the relief of the heirs of William Bradshaw—to the Committee on War Claims.

Also, a bill (H. R. 5084) for the relief of the heirs of Caswell Puckett—to the Committee on War Claims.

Also, a bill (H. R. 5085) to correct the military record of E. D. Judkins—to the Committee on Military Affairs.

By Mr. JOYCE: A bill (H. R. 5086) granting an increase of pension to Isaac Marlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5087) granting an increase of pension to Francis M. Fowler—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 5088) granting an increase of pension to James Spealman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5089) granting an increase of pension to Lewis I. Renaut—to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 5090) granting an increase of pension to Fetner Sheelar—to the Committee on Invalid Pensions.

By Mr. McKINLAY of California: A bill (H. R. 5091) granting an increase of pension to Henry A. Buttner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5092) granting a pension to Anson Greenwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5093) granting an increase of pension to John C. Burns—to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 5094) granting an increase of pension to Albert Allen—to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 5095) granting an increase of pension to James Noble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5096) granting an increase of pension to Harry C. Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5097) granting an increase of pension to Oliver M. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5098) granting an increase of pension to Elijah Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5099) granting an increase of pension to Alexander Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5100) granting a pension to Arthur H. Sproat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5101) granting a pension to Henrietta P. Lull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5102) granting a pension to Emma R. Deyo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5103) granting a pension to Ruth A. Frazier—to the Committee on Invalid Pensions.

By Mr. MOORE of Texas (by request): A bill (H. R. 5104) for the relief of W. R. Trotter and others—to the Committee on War Claims.

By Mr. MORRISON: A bill (H. R. 5105) granting an increase of pension to William McNew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5106) granting an increase of pension to James H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5107) granting an increase of pension to Benjamin Fye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5108) granting an increase of pension to George W. Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5109) granting an increase of pension to Robert Glover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5110) granting a pension to Horace Stambaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5111) granting a pension to Anna Levi—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5112) granting a pension to Louise Theobald—to the Committee on Pensions.

Also, a bill (H. R. 5113) to correct the military record of William Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 5114) to correct the military record of Henry J. McBroom—to the Committee on Military Affairs.

Also, a bill (H. R. 5115) to remove the charge of desertion from the military record of John D. Cohee—to the Committee on Military Affairs.

Also, a bill (H. R. 5116) to remove the charge of desertion from the military record of Ezekiel W. Cohee—to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 5117) granting a pension to Lydia Blair—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 5118) for the relief of the heirs of Augusta W. Diehl, deceased—to the Committee on War Claims.

By Mr. RICHARDSON: A bill (H. R. 5119) for the relief of R. C. Robison, heir of David Robison of Lauderdale County, Ala.—to the Committee on War Claims.

By Mr. SABATH: A bill (H. R. 5120) granting a pension to Mary Kuchar—to the Committee on Pensions.

Also, a bill (H. R. 5121) granting a pension to Anton Slama—to the Committee on Pensions.

Also, a bill (H. R. 5122) granting an increase of pension to James Rozporka—to the Committee on Pensions.

Also, a bill (H. R. 5123) for the relief of heirs of Adele Fowler, deceased—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 5124) granting an increase of pension to William H. Richmond—to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 5125) granting an increase of pension to Francis Hoey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5126) for the relief of the heirs of Jenkins & Havens—to the Committee on Claims.

By Mr. TOU VELLE: A bill (H. R. 5127) granting a pension to Peter J. Cook—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 5128) for the relief of Rebecca Walthall, widow, and the heirs of John Walthall, deceased—to the Committee on War Claims.

By Mr. WHEELER: A bill (H. R. 5129) granting an increase of pension to Nathan Laughner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5130) granting an increase of pension to Jonas L. Mull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5131) granting an increase of pension to James A. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5132) granting an increase of pension to John W. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5133) granting an increase of pension to Freeland H. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5134) granting an increase of pension to Joseph C. Pettigrew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5135) granting an increase of pension to Samuel R. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5136) granting an increase of pension to Elias M. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5137) granting an increase of pension to Walter Harwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5138) granting an increase of pension to George W. Soles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5139) granting an increase of pension to John Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5140) granting an increase of pension to John E. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5141) granting an increase of pension to Robert E. Van Naten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5142) granting a pension to Adaline Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5143) granting a pension to William P. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5144) granting a pension to James S. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5145) granting a pension to George Warren Sawyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5146) granting a pension to John Sutherland—to the Committee on Pensions.

Also, a bill (H. R. 5147) for the relief of Alexander Brown—to the Committee on War Claims.

Also, a bill (H. R. 5148) granting an honorable discharge to Lucien P. Rogers—to the Committee on Military Affairs.

Also, a bill (H. R. 5149) to correct the war record of Caleb F. Higbee—to the Committee on Military Affairs.

Also, a bill (H. R. 5150) correcting record of Oliver M. Hanna—to the Committee on Military Affairs.

Also, a bill (H. R. 5151) correcting record of John Evans—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Charles and Anna Grock, asking for an investigation of alleged oppression of themselves in the federal court—to the Committee on the Judiciary.

By Mr. ALEXANDER of New York: Petition of George D. Fischer and others, of New York, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ASHBROOK: Papers to accompany bill granting an increase of pension to Thomas Henderson—to the Committee on Invalid Pensions.

Also, petitions of L. C. Campbell, of Gratiot, and F. R. Martin, of Roscoe, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CARLIN: Paper to accompany bill for relief of estate of Mrs. William C. Fitzhugh—to the Committee on War Claims.

By Mr. COOK: Petition of the Pennsylvania Free Hide League, favoring removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Bush & Rayner, of Philadelphia, against reduction of the tariff on lumber—to the Committee on Ways and Means.

Also, petitions of the German-American Hosiery Company, Thomas E. Brown & Son, Lee Hosiery Mills, employees of the Brown Knitting Company, Thomas W. Buck Hosiery Company, employees of William B. Threapleton's Sons, and the Glenn Knitting Company, all of Philadelphia, Pa., against any changes in tariff schedules on hosiery—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of sundry voters of the First Congressional District of Wisconsin, favoring repeal of duty on hides—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of citizens of Clinton, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, Local Union No. 2, Sandy Hill, N. Y., against reduction of the tariff on wood pulp—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring tariff on coffee and retention of tariff on tea and tobacco—to the Committee on Ways and Means.

By Mr. DIXON of Indiana: Petitions of Thomas Woods & Son and James U. Myers, of Zenas; Blish Milling Company, of Seymour; and Grafton Johnson, of Greenwood, all in the State of Indiana, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of Miles Clark, of Erieville, N. Y., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: Petition of Los Angeles Chamber of Commerce in favor of countervailing duty on petroleum—to the Committee on Ways and Means.

Also, petitions of Jackson Grocery Company and San Francisco Labor Union, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Petition of E. C. Kopp & Co., of Milwaukee, Wis., favoring increase of duty on post cards—to the Committee on Ways and Means.

Also, petition of Rockford (Ill.) Lodge, Benevolent and Protective Order of Elks, for a reserve in Wyoming—to the Committee on the Public Lands.

Also, papers to accompany bill granting an increase of pension to Charles A. Clooke—to the Committee on Invalid Pensions.

Also, petition of Paepcke-Leicht Lumber Company of Chicago, opposing reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of T. Murray McCallum, of Streator, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. GRONNA: Petition of Grand Forks (N. Dak.) Lodge, No. 255, Benevolent and Protective Order of Elks, for an appropriation to create a reserve in the State of Wyoming for the protection of the American elk—to the Committee on the Public Lands.

Also, a petition of local union of the American Society of Equity of Ramsey County, N. Dak., against reduction of the present duties on grains—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of H. D. Siebring and 5 others, of Holland, Minn., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

Also, petition of Fred Frutiger, of Holland, Minn., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HARRISON: Paper to accompany bill for relief of Agnes Burns—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition of F. G., F. A., and L. D. Wool, of San Jose, Cal., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of representatives of the entire commercial interests of the Pacific coast, for government operated or assisted line of steamships in the Pacific Ocean—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of San Francisco and San Jose, Cal., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HILL: Petition of Saghaunuck Grange, No. 100, Ellsworth, Conn., favoring legislation for parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HOLLINGSWORTH: Petition of Somerset Grange, No. 1662, of Barnesville, Ohio, asking for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. HUFF: Petition of Lumbermen's Exchange of Philadelphia, favoring increase of duty on lumber—to the Committee on Ways and Means.

By Mr. JOYCE: Petition of J. T. Shuman and sundry citizens of Guernsey and Noble counties, Ohio, against reduction of the tariff on wools—to the Committee on Ways and Means.

By Mr. KNAPP: Petition of National Coffee and Tea Association, protesting against any duty on coffee and tea—to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of Manchester Grange, No. 1374, Patrons of Husbandry, favoring establishment of parcels post and United States banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LASSITER: Petition of Petersburg (Va.) Lodge, No. 237, Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming—to the Committee on the Public Lands.

By Mr. LAWRENCE: Petition of 900 woolen mill workers of North Adams, Mass., against reduction of existing tariff duties on woolen goods of foreign manufacture—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of C. C. Pease and others, of the Thirteenth Illinois District, favoring repeal of duty on hides—to the Committee on Ways and Means.

By Mr. McHENRY: Petition of citizens of Pennsylvania, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Sunbury (Pa.) Lodge, No. 267, Benevolent and Protective Order of Elks, for an appropriation to create a reserve in the State of Wyoming for the protection of the American elk—to the Committee on the Public Lands.

By Mr. MOORE of Texas: Paper to accompany bill for relief of heirs of W. B. Trotter—to the Committee on War Claims.

By Mr. MORSE: Petitions of employees of Grand Rapids Pulp and Paper Company; also employees of Ne Koos Ka Edwards Paper Company, of Wisconsin, against reduction of tariff on print paper—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of certain residents of Hastings, Nebr., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. REID: Paper to accompany bill for relief of James A. Hill, heir of Jane Rose—to the Committee on War Claims.

By Mr. SULZER: Petition of Post Card Manufacturers and Allied Trades Protective Association, favoring tariff on lithographic prints as per Payne tariff bill—to the Committee on Ways and Means.

Also, petition of Seaboard Trading Company, favoring reduction of duty on salt fish—to the Committee on Ways and Means.

By Mr. SWASEY: Petition of sundry citizens of Bath, Me., and vicinity, and Portland, Me., and vicinity, for improvement of Bass Harbor bar and Deer Island thoroughfare, on coast of Maine—to the Committee on Rivers and Harbors.

By Mr. YOUNG of Michigan: Petition of citizens of Michigan, favoring creation of National Highways Commission—to the Committee on Agriculture.

Also, petition of citizens of Houghton, Vulcan, and Negaunee, all of Michigan, opposing duty on tea and coffee—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 26, 1909.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

PANAMA CANAL.

Mr. WANGER. Mr. Speaker, I ask unanimous consent to print in the RECORD certain editorials from the Engineering News, entitled "The reasons why the lock plan for the Panama Canal is preferable to the sea-level plan," together with the accompanying illustrations.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to print in the RECORD the matter referred to. Is there objection?

Mr. SCOTT. Mr. Speaker, reserving the right to object, I would inquire whether the gentleman from Pennsylvania has made any inquiry as to the cost of the illustrations which he asks to have printed?

Mr. WANGER. Mr. Speaker, the cost of the illustrations will be nothing at all. The printing will be the mere item. The illustrations will be furnished by the Engineering News, if permission is given to have them appear.

Mr. SCOTT. Mr. Speaker, I think it is a very doubtful practice, a practice that is open to many objections, to fill the RECORD with illustrations, aside from purely outline cuts that are necessary to illuminate the text. I would further inquire of the gentleman from Pennsylvania if his illustrations have any other purpose, and if they are necessary to an understanding of the text?

Mr. WANGER. I think they are reasonably necessary, Mr. Speaker, to an understanding of the text. Many of them are simply engineering sketches.

Mr. WILEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from New Jersey?

Mr. WANGER. Certainly.

Mr. WILEY. Mr. Speaker, I would like to state in regard to this that that is one of the best articles on the Panama Canal that has ever been written. The Engineering News sent one of its editors, a civil engineer named Baker, who is an expert on these matters, at its own expense, and not on the ship that the present President of the United States used, to examine and report the facts as he found them on the Panama Canal, and the reasons why the lock system should prevail. I am familiar with the article, hence I speak knowingly. These illustrations, while not absolutely essential, will be of the greatest service in understanding the text. To an engineer they would not be necessary, but to a layman I think they would be, and therefore I hope the gentleman's request will prevail.

Mr. SCOTT. Mr. Speaker, having been given an opportunity to examine the illustrations, I wish to remark that I would withdraw my objection if the gentleman from Pennsylvania [Mr. WANGER] will limit his request to a consent to have printed such drawings as are necessary to illustrate the text. It certainly is not necessary to publish a half-tone picture showing the scene of a sinking of a railway track over the black swamp in Panama or to have a picture of the Chagres River near Gorgona. There are several pictures of that character, and I would suggest to the gentleman it would be well for him to limit his request to such outline drawings as are necessary to illustrate and make plain the text.

Mr. WANGER. Mr. Speaker, I should be sorry to limit the request exclusively to outline drawings, as I think the photograph of the so-called "flat arch" of the old church in Panama it would be well to have printed.

Mr. PAYNE. Mr. Speaker, I suggest that the gentleman change his request, to make it a House document instead of printing it in the RECORD. It is very unusual to print such a thing in the RECORD.

Mr. WANGER. Very well, I will modify my request to that extent.

The SPEAKER. The gentleman from Pennsylvania modifies his request to the extent indicated. Is there objection to the request that it be printed as a House document with the illustrations (H. Doc. No. 10)?

Mr. DAWSON. Mr. Speaker, reserving the right to object, I would inquire whether this article is in approval or criticism of the lock-type canal?

Mr. WANGER. This is in approval of the lock type of canal.

The SPEAKER. The Chair hears no objection, and it is so ordered.

MAJ. PIERRE CHARLES L'ENFANT.

Mr. McCALL. Mr. Speaker, I ask unanimous consent to take up and consider at this time Senate concurrent resolution No. 2, respecting the remains of Maj. Pierre Charles L'Enfant, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate concurrent resolution 2.

Resolved by the Senate (the House of Representatives concurring), That the Commissioners of the District of Columbia are hereby granted the use of the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles L'Enfant from the present resting place—the Digges farm, in Prince George County, Md.—to Arlington National Cemetery, where the remains will be reinterred, such use of the Rotunda to be for a part of one day, and to be on such day and under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the Senate concurrent resolution.

The question was taken, and the resolution was agreed to.

TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of the consideration of the bill H. R. 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, Mr. OLMSTED in the chair.

Mr. HAY. Mr. Chairman, I ask unanimous consent to extend my remarks on this bill.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Chairman, it is not my intention at this time to make a speech upon the general proposition of the tariff, or to discuss the lumber or coal schedules. I hope I may have an opportunity to discuss the lumber and coal question before this discussion closes. My purpose this morning is to talk for a short time in regard to the employment of oriental labor, and especially to reply to some statements made by the distinguished gentleman from New York, the chairman of the Ways and Means Committee. The other day in making his statement he left the impression that the evidence before his committee showed that only about 5 per cent of the labor employed in the shingle and lumber mills of British Columbia were oriental labor. I attempted at that time to interrupt him, in order that I might call his attention to the error which he had made. I was not successful. I will say, however, to the credit of the distinguished gentleman, that he made a partial correction in the RECORD in regard to the testimony of the witness that he claimed showed this, and I am very glad that he did. But the statement that he had made, which has gone out to the country, that only 5 per cent of he men employed in the lumber and shingle mills of British Columbia are Orientals, is unjust to the country, the people of my State, and to the gentleman himself. I want to take up for a moment the testimony—the witness upon which he relied when he made that statement—and call his attention to some errors that that witness made.

In the first place, I call the gentleman's attention to the fact that the man whom he mentioned, Mr. W. A. Austie, whose testimony is found on page 3230 of Schedule D, did not appear before his committee. He was not a witness. He was not even under oath, he made no affidavit, and there was no opportunity to cross-examine him. Now, what that witness did do was to write a letter to one Theodore M. Knappen, who constitutes the National Conservation League of this country in himself, a man who came down here before the committee under false pretenses, who said he was a real estate agent, that he was here in interest of conserving the forests, while as a matter of fact, as I am informed, he is a timber owner in Canada and was here in his own interest and the interest of those associated with him. Now, what this witness does state in the letter written to Mr. Knappen——

Mr. NYE. May I ask the gentleman a question? Have you any personal acquaintance with Mr. Knappen?

Mr. HUMPHREY of Washington. No, sir; I have not.

Mr. NYE. I do know who he is, and I take pleasure——

Mr. HUMPHREY of Washington. I do not know who he is, but I have a decided opinion as to what he is; it is shown by the testimony in the RECORD.

Mr. NYE. I personally know him, and I have always regarded him with great respect.

Mr. HUMPHREY of Washington. I have not very much respect for a man who appears before the Ways and Means Committee representing himself as the representative of the National Conservation League and then admits that he is the whole league himself. He is the individual who formed it for the express purpose of coming down and testifying before the Ways and Means Committee, hoping thereby to conceal his real purpose. Now, I will yield further, if I have the time, when I get through. Now, what this witness does state in regard to the employment of Orientals is that, in his district, in the 65 mills which he represents, in good times only 5 per cent is employed, and I call the gentleman's attention [Mr. PAYNE] that in that statement he includes 4,000 men who work in the mills and 6,000 men who work in the woods, and by law they are prohibited from employing Orientals in British Columbia for work in the woods; so, according to his own statement, he employs about 12 per cent instead of 5 in the mills which he represents. But the greatest error the gentleman from New York makes in relying upon this so-called "witness" is that the mills of which he spoke are not situated on the Pacific coast. They are 400 or 500 miles from the Pacific coast, over in what is known as the "mountain region." I was not contending that 50 per cent of the labor in that region was oriental, but, from information, I may add that I believe it is, notwithstanding the letter that Mr. Knappen filed from this interested witness.

I want to call attention further to his witness's testimony and see whether or not he is to be relied upon, even in the statement he has made. He says further in his testimony:

With reference to Chinese immigration, I would say that there has been in force for some time a head tax of $500 on every Chinaman coming into the country, and this is practically prohibitive, as the returns for the past few years demonstrate.

Let us see whether he states the truth about that or not. I turn over in the hearings to page 3170, and find there a statement made by Mr. W. L. MacKenzie, commissioner, to the governor-general, in which he says that the Chinese that came into the two ports of Victoria and Vancouver in the year 1907 was 1,266, or over 120 a month. Does that look as though he made a true statement when he said the law was practically prohibitive? That same statement shows that during that year of 1907 11,438 Orientals came into those two ports. There are only a little over 200,000 white people in British Columbia. With 11,000 Orientals coming in in one year, it does not seem to me as though it was a prohibitive law, or that it was checking to a very great extent the coming of these foreigners.

I want to call attention to a further statement made by this witness when he gives you to understand, as he has further on in his testimony, that there are but few Orientals in British Columbia. I find that Mr. Clark, United States immigration commissioner at Toronto, says that there are not less than 60,000 Chinese, Hindoos, and Japanese in British Columbia, practically 25 per cent of the population, and 25 per cent of the population of Orientals means more than 50 per cent of the men who are able to work, because all these Orientals are men. So much for the favorite witness, the 5 per cent witness, of the gentleman from New York [Mr. PAYNE]. He referred to none other. I do not believe that any man could have been found to testify to any such statement before the committee where cross-examination might have shown the truth.

Now, the distinguished chairman of the Ways and Means Committee seemed to speak somewhat lightly, and I think with something of a sneer, of the fact that some witnesses had appeared before that committee and had presented affidavits and pictures showing the amount of oriental labor employed in British Columbia. I happen to know how those pictures came to be made. I took a trip through British Columbia last year in an automobile; and as I passed these lumber mills and saw these Orientals and Chinamen employed in all of them, I became impressed with the amount of oriental labor in British Columbia. I had never before had the opportunity of witnessing it, and I on my return——

Mr. PAYNE. Does the gentleman mean to say that he visited all the lumber camps?

Mr. HUMPHREY of Washington. I said all the mills that I saw were employing Orientals. On my return I was talking with some lumbermen in Bellingham; I told them of what I had seen. I suggested to one that they ought to get photographs showing those conditions; that there might be some dispute as to the fact as to whether or not oriental labor was employed in those mills to such an extent. Events have demonstrated that I was correct in that surmise. On my suggestion, and under the direct promise made to me, those pictures that appear here in these hearings were made. When I inquired what had become of them they stated that instead of sending them to me they had sent them to the Ways and Means Committee.

Now, I want to analyze a few statements in regard to the oriental labor that is employed on the Pacific coast, not the intermountain region, but on the Pacific coast in British Columbia. I am reading from the hearings before the Ways and Means Committee. The first man who testified, or rather who made an affidavit and sent it to the Ways and Means Committee, was Mr. Richard W. Douglas, of Seattle. He personally inspected eight mills. He is a reputable gentleman. He found 20 per cent of the men employed were white and 80 per cent Orientals. The next man was Mr. F. D. Becker, of Seattle, a man who had had the management of three different mills in British Columbia at different times, and he testified that in those three mills 90 per cent of the men employed in the planing mills were Chinese, and 50 per cent of the entire crew of the three mills were Orientals. Mr. Frank L. Housley, of Bellingham, who has been in the lumber business a good many years, testified that he went to British Columbia for the purpose of making inquiry concerning the employment of oriental labor; that he visited four lumber mills, and that he found 44 whites and 561 Orientals. That he visited nine shingle mills, and found that they employed 131 whites and 690 Orientals; he said that one of the shingle mills he visited employs the largest proportion of white labor of any mill in British Columbia. I think this shows he was fair and not attempting to single out the mills that employed oriental labor. He found that these 13 mills employed 175 white men and 1,251 Orientals. When I made the statement the other day that 50 per cent was the amount of oriental labor employed in British Columbia, I placed it entirely too low. Further investigation shows that it is nearer 75 per cent.

Now the question will doubtless suggest itself as to whether or not there are Orientals employed in the shingle mills and the lumber mills in the State of Washington. There are 13,950 American citizens, white men, employed in shingle mills in the State of Washington and only 41 Orientals. In the State of Washington there are 110,000 men employed in the lumber and shingle industry and 1,500 Orientals. In the city of Bellingham, a city almost on the border, only 20 miles from the British Columbia line, there are 1,200 men employed, and not one Oriental—1,200, every one of them white men; and within a few miles of these Canadian mills that employ 50 to 80 per cent Orientals 4,000 men are employed in the sawmills of Seattle, every one of them white. The wages of this oriental labor, on the average, is only one-half of what is paid to the white men employed in the mills in the State of Washington.

Mr. SCOTT. What wages are paid to the Orientals in Washington, as compared to the wages paid to the same class of labor in British Columbia?

Mr. HUMPHREY of Washington. I am not able to state that, because we have only 41 out of 14,000 employed in the shingle mills and 1,500 out of 110,000. I did not look into the question because it is so insignificant that it cuts no figure, and for that reason I have not investigated it.

Mr. ESCH. What is the comparative capacity of the labor?

Mr. HUMPHREY of Washington. That is what I am going to state.

Mr. TOWNSEND. Did you make this statement you are now making before the committee?

Mr. HUMPHREY of Washington. They were all made by witnesses who appeared before the committee. Now, the gentleman from Wisconsin has asked in regard to the efficiency of the oriental labor as compared with the white labor. That is a fair question. White labor, upon an average, will produce more in a given time than oriental labor. The difference between the cost of production by white labor and by oriental labor is not sufficient, however, to overcome the difference in the wages; or, in other words, it costs more to produce a thousand feet of lumber by white labor than it does to produce a thousand feet by oriental labor. It costs more to produce a thousand shingles by white labor than by oriental labor. The difference as to shingles is greater than it is as to lumber. Then there is another condition that should be taken into consideration. In working in the mills there are a great many places where it happens a man is placed in charge of a certain machine, and the machine regulates the amount produced, not the man. In this case the amount done by oriental labor is just the same as that done by white labor, because the machine regulates the quantity.

Mr. HUGHES of New Jersey. I would like to ask the gentleman if he knows what the labor cost is for the production of a thousand feet of lumber?

Mr. HUMPHREY of Washington. I would not undertake to state that from memory.

Mr. HUGHES of New Jersey. I think it is very important. Does the gentleman know what is the labor cost of the production of a thousand shingles?

Mr. HUMPHREY of Washington. It is set out in the statements here.

Mr. CUSHMAN. If the gentleman will allow me, I can state it.

Mr. HUMPHREY of Washington. I did not know it, but I have it under my hand, right here. According to the statement made by Mr. Blodel, who is one of the foremost manufacturers in our State and who owns mills in British Columbia as well as in Washington, and has operated mills in both countries, it costs to produce a thousand shingles by white labor, 55 cents, and to produce them by Chinese labor 25 cents. Chinese are more largely employed in the shingle mills of British Columbia than any other Orientals.

Mr. HUGHES of New Jersey. What is the value of a thousand shingles?

Mr. HUMPHREY of Washington. I do not know what the value is.

Mr. HUGHES of New Jersey. What would they sell for per thousand?

Mr. HUMPHREY of Washington. About $1.50.

Mr. HUGHES of New Jersey. And what is the tariff?

Mr. HUMPHREY of Washington. Thirty cents a thousand.

Mr. HUGHES of New Jersey. At present?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. HUGHES of New Jersey. And the proposed tariff is nothing?

Mr. HUMPHREY of Washington. The proposed tariff is the same. I want to make it clear, so that the Republican party can not escape the responsibility as far as this oriental labor is concerned. I have shown the facts. What will you do? We have always talked about protecting the labor of this country from the ruinous competition of the labor of foreign countries. We have an opportunity here and now to show whether or not we are going to back up what we have said with our voices by our votes. There can be no escape from this situation. I challenge any man who shall follow me hereafter to produce competent evidence to show that the statement I have made here is not correct, when I declare that over 50 per cent of the men engaged in the lumber and shingle mills of British Columbia are Orientals; that they are paid practically one-half less wages than American labor; that the cost of production is less in British Columbia. I want some gentlemen who favor this reduction on lumber, and who have favored placing coal upon the free list, to give me one reason that I can present to my people in the State of Washington why I should vote for this bill.

Let me briefly restate for emphasis this proposition in regard to the use of oriental labor in the Pacific States of the Northwest in the lumber and shingle industry as compared with British Columbia. Fifty per cent of the men employed in the lumber and shingle mills of British Columbia are Japanese, Chinese, and Hindoos. Of the 110,000 men working in the timber mills of Washington all are white but 1,500, and nearly all are American citizens. White labor in Washington receives twice as much wages as oriental labor in British Columbia. The protection of this white labor from the deadly competition of this oriental labor is a responsibility that rests upon the Republican party, and it is a responsibility that the Republican party can not escape.

Mr. PAYNE. I should like to ask the gentleman two or three questions, if it will not interrupt him.

Mr. HUMPHREY of Washington. Certainly.

Mr. PAYNE. What proportion of the men employed in the lumber industry are employed in the woods? How does it compare with the number employed in the mills?

Mr. HUMPHREY of Washington. I think it is probably equal or a little greater.

Mr. PAYNE. Greater; and under the laws of British Columbia they can not employ any Orientals in the woods.

Mr. HUMPHREY of Washington. No; they can not.

Mr. PAYNE. Now, I do not see that the gentleman has any cause to complain of the statement I made the other day. Does not Mr. Anstey in his letter say that his district, which is the interior district of British Columbia, produces about 60 per cent of the lumber of British Columbia?

Mr. HUMPHREY of Washington. Yes; that is what he states.

Mr. PAYNE. And in that interior district the number of Orientals employed is 5 per cent?

Mr. HUMPHREY of Washington. Five per cent, adding the two together; yes.

Mr. PAYNE. Yes; adding all those employed in the lumber industry, the number of Orientals is 5 per cent.

Mr. HUMPHREY of Washington. Defining the lumber industry as separate from the logging industry, no; but taking them together, he so states.

Mr. PAYNE. Did I not state to the gentleman the other day that some witnesses had appeared who estimated it as high as 80 per cent, when the gentleman said he estimated it at 50?

Mr. HUMPHREY of Washington. Yes.

Mr. PAYNE. Then, what is the gentleman complaining about in my statement?

Mr. HUMPHREY of Washington. I am complaining because you left the impression in three different statements in your speech, on pages 187, 189, and 190, if I call the pages correctly, that the evidence before your committee showed that only 5 per cent of oriental labor was employed.

Mr. PAYNE. Did I not say there was such evidence before the committee, and the gentleman denied it, and then I referred him to the page?

Mr. HUMPHREY of Washington. The gentleman did say that a witness appeared before the committee who said that only 5 per cent of the labor employed in British Columbia was oriental labor, and I did dispute it.

Mr. PAYNE. And I gave the gentleman the page and the name of the witness?

Mr. HUMPHREY of Washington. Yes; and I went and looked it up, and the witness did not so testify.

Mr. PAYNE. I think the witness did so testify, according to the gentleman's admission just now.

Mr. HUMPHREY of Washington. I will read it to you.

Mr. PAYNE. The witness stated that he was in the interior district, and they made 60 per cent of the lumber of British Columbia in his district, and that 5 per cent of the labor there was oriental labor.

Mr. HUMPHREY of Washington. Yes; but I call the attention of the gentleman to the fact that he did not limit it to the interior district when I attempted to interrupt him. He did put it in the RECORD, and I thank him for it. But when the gentleman was on the floor and I attempted to interrupt him, he did not limit it to the interior.

Mr. PAYNE. When I found the statement I read a sentence and handed it to the gentleman.

Mr. HUMPHREY of Washington. I am glad the gentleman corrected it in his printed speech.

Mr. PAYNE. Did I not hand it to you?

Mr. HUMPHREY of Washington. And later, when I attempted to interrupt you and show you you had made a mistake——

Mr. PAYNE. Then the gentleman said I was mistaken about it, and I took the book and verified it and put in the RECORD what was in the book. I do not see how the gentleman has any quarrel with me as to the statement I made before the House. Whether that witness told the truth or not I do not pretend to say.

Mr. HUMPHREY of Washington. I will tell the gentleman the quarrel I had with him. Perhaps the gentleman had great provocation, but I had the evidence by me, and I wanted to call the gentleman's attention to the fact that this was a region that was from 300 to 500 miles from that I was talking about, and he would not permit me to interrupt him nor permit me to read the sentence to show that he was mistaken and was leaving a wrong impression on the country. I repeat that this was not a witness before the committee, and this fact I also wanted to call to the gentleman's attention.

Mr. PAYNE. When I was talking the gentleman from Washington was continually interrupting me at every sentence before I completed it, and I asked him to allow me to complete my sentence.

Mr. HUMPHREY of Washington. No; I do not think I interrupted the gentleman at every sentence.

Mr. PAYNE. At the suggestion of the gentleman, I left that colloquy out of the RECORD.

Mr. HINSHAW. Will the gentleman yield to me for a question?

Mr. HUMPHREY of Washington. Yes.

Mr. HINSHAW. As I understand the proposed tariff, it is 30 cents on shingles in the Payne bill, and the Dingley bill also, as far as shingles are concerned. Does the gentleman want to increase that duty?

Mr. HUMPHREY of Washington. I certainly do, and I will tell the gentleman why. I made a statement the other day, which the gentleman from New York [Mr. PAYNE] challenged, when I said the shingle mills in my country shut down from three to six months every year. He challenged that statement, and said "last year." That is a fact relating not only to last year, but it has been so for many years. I think I would be safe in saying that for the last ten years these mills were shut down from three to six months. It is a matter of common knowledge; something that would require no evidence to prove. They close down from three to six months a year, because they can not run in competition with the shingle mills across the line because of better timber and oriental labor.

Mr. HINSHAW. The tariff duty of 30 cents is not sufficient to protect the difference in wages on each side of the line?

Mr. HUMPHREY of Washington. No; considering difference in other conditions.

Mr. CUSHMAN. Will the gentleman yield to me?

Mr. HUMPHREY of Washington. I will gladly, if I have the time.

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. MANN. I will ask the gentleman to yield to me.

Mr. HUMPHREY of Washington. I will yield two and a half minutes to the gentleman from Illinois.

Mr. MANN. I do not want to take the gentleman's time. I simply rose to ask him whether there has been any increase in the shingle mills in his State within the last ten years?

Mr. HUMPHREY of Washington. I think so.

Mr. MANN. During the time that they have been shut down half of the time, as the gentleman says, how much has been the increase, 100, 200, 300, or 700 per cent?

Mr. CUSHMAN. If my colleague will yield——

Mr. HUMPHREY of Washington. I will yield to my colleague, although I can answer the question.

Mr. CUSHMAN. I will call the gentleman's attention to figures that are absolutely conclusive. The basic question is how many shingles are sent into Canada and how many are sent to us?

Mr. MANN. That would not answer my question.

Mr. CUSHMAN. It reaches the heart of the controversy.

Mr. MANN. That is the opinion of the gentleman from Washington, but I would rather have an answer to my question.

Mr. CUSHMAN. If the gentleman contends that we can manufacture shingles just as cheap as Canada, then the imports and exports should balance.

Mr. MANN. I am asking for information which I have not received.

Mr. CUSHMAN. The gentleman will receive some if he will wait a minute.

Mr. MANN. But not what I want.

Mr. CUSHMAN. You will get something that will do you good. [Laughter.]

Mr. MANN. It is like the patent medicine. The gentleman wants to give me something good, but I prefer the brand I ask for. [Laughter.]

Mr. CUSHMAN. It is a brand in accordance with the fact that in the last five years Canada has sent to us shingles to the value of two and one-third million dollars, and during those five years we have only sent $75,000 worth of shingles into Canada.

Mr. HUMPHREY of Washington. Now, one other matter I want to touch upon before my time has entirely expired. The distinguished chairman of the Ways and Means Committee the other day read a dispatch from Pittsburg showing the result of this bill on certain mills situated there. I hope and believe that the dispatch read by the gentleman is true. I hold in my hand a letter from Mr. E. G. Ames, of the Port Gamble Mill Company, one of the largest concerns in the world. He is one of the best-known citizens in my State, a man whose reputation for truth and honesty is equal to that of any man in the State of Washington or any other State. I want to put into the RECORD a statement from that letter against the dispatch from Pittsburg which the gentleman read.

After discussing the question of the new bill and what the effect has been, Mr. Ames adds this paragraph:

> No one seems to know exactly what to do. Eastern buyers are not buying, as they do not care to stock up on a falling market. The result is, during the past thirty days, that more mills are shutting down. The cargo business is always affected in sympathy with the rail branch. When rail business is bad, rail mills that can engage in cargo trade, with the result that both branches of the trade are bad. Shingle mills are shutting down, and in the last two weeks two large cargo mills have decided to shut down, and one which has been shut down for the past year and was considering starting up on the 1st of April is still in doubt as to future prospects and has decided to remain shut down indefinitely. With our own concern we are now running about three-quarters capacity, and we have decided to shut down a part of one of our plants, so that probably, beginning with next Monday morning, we will be running only one-half capacity.

The complaint that I have to make of this bill is that while the industries in New England, in Pennsylvania, in New York, are protected, while their mills are running and while additional men are being employed, in my State exactly the reverse is true. Out in the State of Washington the mills are closing; men are being thrown out of employment. It recalls the days under the Wilson bill, when I saw 1,500 people in one line walking through the streets of Seattle begging for work; I want some of the gentlemen upon the Committee on Ways and Means who are going to follow me to tell me wherein this bill differs from the Wilson bill in so far as my industries are concerned. How can I expect any different result from those following the Wilson bill?

Mr. Chairman, it is true that under the Wilson bill certain classes of lumber were placed on the free list, but under this bill there is left a protection of only less than 6 per cent ad valorem, and coal is placed upon the free list, while it was left 40 per cent under the Wilson bill. Will some of these gentlemen please tell me how I can go back to my constituents and, as a Republican and as a protectionist, say to them that this bill is better than the one that is now upon the statute books? Talk about protecting raw material. You talk about lumber, and the gentleman from Indiana on the Ways and Means Committee [Mr. CRUMPACKER] yesterday classed lumber as raw material.

I happen to know something about the gentleman's district, and I want to say to him that there are probably more men in my district working in the lumber mills and the shingle mills, producing what he calls raw material, than he has living in his entire district. There are more men, there are more people, dependent for a living upon what he calls raw material, lumber and shingles, in my district, than live in his district altogether. What you call raw material here is a finished product with us. You have, in the gentleman's district, protected the steel mills, but what you call the finished product there is the raw material for our shipbuilders and for the men who construct our buildings in my country. You talk about wool being raw material. It is raw material for the people here, but it is not raw material in my country. You talk about lumber being raw material, and yet 80 per cent of the entire value of lumber is paid directly in wages to the men who work in the mills.

Mr. PAYNE. Is my friend satisfied with the duty on wool?

Mr. HUMPHREY of Washington. I have no objection to the duty on wool as it stands.

Mr. PAYNE. Does the gentleman see any difference between the duty on wool in this bill and in the Wilson bill?

Mr. HUMPHREY of Washington. I say I have no objection to it. What I am complaining of is this, that you insist that everything we produce shall be placed on the free list, or else shall have practically no protection. They are your raw materials, and you contend they must be cheap, while the raw materials that we buy from you you insist must be protected; in other words, our raw materials you insist must be cheap, while your raw materials must be high.

You want to protect yourself, but not your neighbor. That is what I am complaining about—protection in spots, with yourself always in the spots protected.

Mr. PAYNE. Again I ask the gentleman about wool. Has the gentleman forgotten about wool?

Mr. HUMPHREY of Washington. No; I have no objection to wool.

Mr. CUSHMAN. Lumber is our product.

Mr. HUMPHREY of Washington. We have little wool in my district.

Mr. GARNER of Texas. The gentleman has a good many cattle out there?

Mr. HUMPHREY of Washington. Yes; and they talk about hides being raw material. Leather is raw material in our country. We have a number of boot and shoe manufactories in Seattle. Leather is a raw material out there.

Mr. MANN. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. Yes.

Mr. MANN. The gentleman just made a statement about the number of people in his district working in the mills.

Mr. HUMPHREY of Washington. Yes.

Mr. MANN. Does the gentleman make the statement advisedly, as compared with the number of people living in the district represented by the gentleman from Indiana [Mr. CRUMPACKER]?

Mr. HUMPHREY of Washington. I think so, if it is an average district.

Mr. MANN. Has the gentleman investigated?

Mr. CUSHMAN. There are 110,000 people in our State in the lumber business.

Mr. HUMPHREY of Washington. Go ahead with the question.

Mr. MANN. I wanted to know whether the gentleman had made actual comparison or if it was merely hot air.

Mr. HUMPHREY of Washington. Go ahead with the question.

Mr. MANN. That is the question.

Mr. HUMPHREY of Washington. Is the gentleman through?

Mr. MANN. If the gentleman says he has made a comparison, I am through; but if he has not, I simply want to call his attention to the fact that the votes in the two districts are about the same. The gentleman received himself a vote of over 39,000, and that might naturally give him the impression that his district had increased very largely in population, while the district of the gentleman from Indiana had not; but the fact is that both districts have had the increase in population, and the vote last fall in both districts was about the same.

Mr. HUMPHREY of Washington. Well, it may be true with that particular district——

Mr. MANN. That is the reason I asked whether the gentleman had made the comparison of districts.

Mr. HUMPHREY of Washington. I did take occasion to look at the vote in the district of the gentleman from New York [Mr. PAYNE], and I found while I have a half million people in my district, according to his report he has less than 200,000. It is probably not true of the district of the gentleman from Indiana, whose district extends up to near Chicago. It has had a rapid growth in that particular district, as I think it includes the town of Gary.

Mr. MANN. While the census returns probably are not reliable in either district, the vote in either district was extremely large last fall and is about the same.

Mr. HUMPHREY of Washington. I think the percentage of the vote cast in his district is much larger than mine, according to the population.

Mr. MANN. I think it should be just the other way.

Mr. HUMPHREY of Washington. No; the gentleman is mistaken.

Mr. MANN. I think the gentleman from Indiana has more people, probably, who did not vote in his district than the gentleman from Washington has.

Mr. HUMPHREY of Washington. I do not think it is material to this discussion; but for the enlightenment of the gentleman I will say he is very much mistaken, because one reason is a man has to reside in my State a year before he can vote, and a large number have come into my State within the last year. Another thing, there is practically no political contest in my district. As the gentleman will notice, I was elected by the insignificant majority of 18,500. It is practically all one way, and there is no great effort made to get out the vote. I happened to live in Indiana once myself, and I know the percentage, as a rule, is very much less there, because when I lived in Indiana we let no voter escape.

Mr. PAYNE. I desire to state to the gentleman that there was no controversy in my district.

Mr. HUMPHREY of Washington. I am glad there was not.

Mr. PAYNE. But the gentleman has compared my district with his.

Mr. HUMPHREY of Washington. I am comparing the percentage of the population as compared with the vote, and you do not have one-half the population in your district that I have in mine. However, I do not think this is material.

Mr. EDWARDS of Kentucky. Mr. Chairman, I would like to ask the gentleman from Washington a question.

Mr. HUMPHREY of Washington. Certainly.

Mr. EDWARDS of Kentucky. Is it not a fact that the people who started out advocating free lumber in this bill asserted that there was a lumber trust in this country which controlled the manufacture of lumber, and then I would like to ask him if they have not wholly and entirely failed to establish that as a fact? Then I would like to ask him if they did not start out with the other proposition that free lumber would conserve the

forests of this country and have failed wholly and completely to establish that fact?

Mr. HUMPHREY of Washington. Well, I do not like to pass upon the evidence for the gentlemen of the committee. It is before the House. In my opinion they did fail, but I am not discussing that particular question; but there is one statement that I will make, and that was that, according to the statement of a member of the Ways and Means Committee, and I make this statement because he has given me permission to do so—I refer to the gentleman from Michigan [Mr. FORDNEY]—every witness who appeared before that committee asking for a reduction of the tariff upon lumber had, either directly or indirectly, an interest in timber in Canada, every one of them.

Mr. PAYNE. Did he tell you this further fact that every gentleman who appeared for retaining the duty on lumber was interested in lumber in this country?

Mr. HUMPHREY of Washington. I do not know whether he did or not, but I understand that is the fact and I was just going to say that every man who appeared there asking that the lumber duty be retained was interested in timber in this country; and that to my mind absolutely establishes one fact, that the removal of the tariff will benefit the Canadian and its retention will benefit the American.

It seems to me that we ought not to hesitate very long when that question is presented. For whom will we legislate, the man in this country or the man in Canada; to increase the value in America or in British Columbia? The only interests in this country that favor the reduction of the tariff on lumber, besides the men who own timber in Canada, are the railroads. The railways that run into the Northwest are interested in it. They want to get lumber that they can haul from east of the Cascade Mountains into the Mississippi Valley. They can get it in Canada; they can not get it in the United States. They are very much interested for this reason in free lumber; and they are also interested in having the tariff taken off of coal, so that they can bring their coal supplies into this country without paying a tariff upon it. It is a well-known fact that some of these western railways own large mines in Canada, and it is to their interest to have coal put upon the free list.

I want to speak for a few minutes in regard to the shingle industry of my State.

I know a clamor has been raised throughout the country for the reduction of the tariff upon forest products. This clamor is based upon a misapprehension of the facts, and made without knowledge of the existing conditions. To do this would greatly injure one of the greatest industries of the country. To remove the tariff upon shingles, notwithstanding the popular belief of those who live in the East, would have the following effects:

First. It would largely, if not entirely, destroy that industry.

Second. It would increase the price of shingles to the consumer.

Third. It would lead to a waste of the timber supply of the country.

In the State of Washington there are 498 shingle mills. Of these nearly all are small and independent concerns. They manufacture $12,000,000 worth of shingles annually. They employ 14,000 men, all of them white and all American citizens. This fact should not be forgotten: That these men receive in wages $9,000,000 a year, or 80 per cent of the entire value of the output. The State of Washington furnishes about 65 per cent of all of the shingles used in the United States.

DIFFERENCE IN TIMBER.

The Washington shingle mill is the scavenger of the forest. After the lumberman has gone the shingle mill takes up the refuse, the split butts, the stumps, the limbs, and tops: any portion of the tree that will make a 4-foot stick that has been left by the sawmill. Just across an imaginary line, so near that the hum of the machine can be heard in the American mill, are foreign mills of another country, Canada. These foreign mills cut largely from standing timber. Their government requires them to buy not by the tree or to buy the timber by the acre, but only that they pay for the timber they actually manufacture. Therefore their material is better than that used by the Washington mills. It takes less sawing, less work, and less cost to manufacture a shingle from good timber, free from knots and other defects, than it does from poor timber, the refuse of the lumberman. This is the first handicap of the American manufacturer.

DIFFERENCE IN WAGES.

The American workman receives an average of $3.12 per day. His competitor at his elbow, with few exceptions, does not belong to the white race. Compare their wages with his. They receive as follows: The Hindoo, 80 cents to $1.10 per day; the Japanese, from $1 to $1.25 per day; while the faithful Chinaman is paid by piecework, receiving 25 per cent less for the same work than the white man on this side of the line. It is true, as I have said, that the white man will, upon an average, do more work in a day than the Oriental, but not sufficient to offset the difference in wages. The Chinaman, while not so fast as the white man, is careful and painstaking to a degree not reached by any other workman. The shingle that he packs is the equal of the best in the world. So, on account of the wages paid to the laborer and poor timber, let me repeat, it costs more to produce a thousand shingles in Washington than in Canada. These disadvantages make certain either that wages must be reduced and the white American must produce a shingle out of inferior timber as low as the Oriental will produce it out of good timber or our mills must close if the tariff is removed. The only barrier that stands between the shingle mill of Washington and that of Canada is the duty. The Washington mill has not a single advantage to overcome the handicap of poor timber and high-priced labor outside of 30 cents per 1,000 tariff.

CONSERVATION OF THE FORESTS.

It has been said with a great show of superior wisdom that if we buy a pack of shingles from British Columbia we save that much of our timber resources. This is far from the fact. If our shingle mills in Washington do not run, being, as I have said, scavengers of the forest, the waste which now supplies these mills will rot in the woods, benefiting no one. Not only this, but by the removal of this refuse from which our shingles are made clearings for valuable farms are begun and a lasting improvement is added to the community. Of vital importance to forest conservation is the removal of this fallen timber, which is of a highly inflammable character, thereby reducing the menace of fire, the greatest of all enemies to our western forests.

Instead of the closing of our shingle mills helping forest conservation, it would add greatly to their destruction. If this refuse material is made too cheap to be cut into shingles by the removal of the tariff, it certainly would be too cheap to be protected. Cheap timber will not lead to conservation. The thing that is conservated is not the thing that is cheap but the thing that is dear.

WOULD IT REDUCE THE PRICE?

Our mills must close or reduce wages to the oriental level, for the market is already so limited that for many years the shingle mills of Washington have been idle several months each year. In spite of the tariff the Canadian is already selling largely in this country. After the Canadian becomes securely established in our market, the supply being less, American competition being gone, the demand remaining undiminished, does anyone believe that the price would be lowered? The wholesale price of shingles has varied greatly within recent years, sometimes as much as $1 per thousand. This difference has always been promptly absorbed by the broker, the wholesaler, and the retailer. The consumer has paid during all the time of this fluctuation practically the same price. The retailer never changes his prices except in one way—upward. If the retailer, the broker, and the manufacturer absorbs a fluctuation of $1 per thousand upon shingles, the consumer getting no benefit therefrom, what reason have we to think that they will not absorb the comparatively small change of 30 cents per thousand should the tariff be removed? If not only the possibility, but the almost certain, should happen, then when we take the import duty off the shingles Canada should place an export duty on them, then we would not only close our mills, waste our forests, throw our men out of employment, pay a higher price for our shingles, but give to Canada the duty, for which the Treasury at home, fast becoming depleted, is yearning. But conceding, for the sake of the argument, that Canada would not do this, and that by reducing the American workmen to the level of the Oriental we could reduce the price of shingles 3 cents per 100, the amount of the tariff upon them, is anyone in this country willing to say it shall be done? Will anyone say that it would be a wise thing to do? A free trader may be in favor of free shingles and know the facts.

But there is not a single reason for protecting a single industry in America that can not be urged in behalf of the protection of the shingle industry—not one. There are two, and only two, reasons why any Republican who believes in the principles of his party practiced and preached from the day of Alexander Hamilton to the day of Taft should advocate the removal of the tariff on shingles, and these are ignorance and fear. The duty on shingles should have been doubled. If the opportunity is given, I shall offer an amendment to that effect.

I am a protectionist and a Republican. I believe in protection of all the industries of the country, not only my own industries, but the industries of every section. My objection to

this bill is that it is a high protective bill in New England, in many of the Eastern States, and in the Middle West, but in the Pacific States of the Northwest it is a free-trade bill.

I do not believe in placing a burden upon your neighbor that you are not willing to bear yourself. I most emphatically protest against protecting one section at the expense of another. If protection is right, then it can not be wrong to protect all; if it is wrong, let us abandon it and adopt the theory of our ancient and oft-discredited enemy, the Democratic party. Justice demands that we protect all or none. This bill smacks too much of selfishness and expediency.

Everywhere it bears the marks of wanting to protect certain industries, and in order to do this sacrifices others that the appearance of a reduction may be given. If the Ways and Means Committee could have known the sentiment of the people today they would not have been so fearful of revising upward. The clamor for a reduction of the tariff has suddenly stilled, as men in their sober second thought have begun to realize the paralysis of our industries that will follow. In that demand they begin to see the silent mill, the deserted factory, the smokeless chimney. When it is done and the result follows the people will forget the clamor to which we listened. They will curse us only for the result. The great criticism of this bill that I make is this: It was fear, and not judgment, that controlled its construction. [Applause.]

I will insert in the RECORD some telegrams that explain themselves:

SEATTLE, WASH., *March 27, 1909.*

W. E. HUMPHREY,
Care House of Representatives, Washington, D. C.:

Congratulations on your able stand. Climatic conditions such shingle mills can operate the year round. However, owing to Canadian competition mills have been forced to close from three to four months every year for ten years past. This is from personal knowledge.

VICTOR H. BECKMAN.

SEATTLE, WASH., *March 27, 1909.*

W. E. HUMPHREY,
Care House of Representatives, Washington, D. C.:

Four thousand one hundred men employed in Seattle sawmills; all white and no Orientals employed.

VICTOR H. BECKMAN.

SEATTLE, WASH., *March 24, 1909.*

W. E. HUMPHREY,
House of Representatives, Washington, D. C.:

Oriental labor employed in State of Washington approximately 1,500 of total of 110,000 employed in lumber industry. Authentic statement to follow. See our brief before Ways and Means Committee. Congratulations on your stand. Lumber industry much misunderstood by Congress and people.

VICTOR H. BECKMAN.

Mr. FORDNEY. Mr. Chairman and gentlemen, I think the people of this country are particularly fortunate in having as the chairman of the Committee on Ways and Means the gentleman from New York [Mr. PAYNE] at this time, especially in the preparation of this tariff bill. I want to do the chairman the honor to say that I believe that his knowledge of the tariff laws of this country to-day is far superior to that of any other man in the country. Therefore I think the people of the country have especially been benefited because of his expert knowledge in the preparation of this bill. I have not always agreed with the gentleman from New York as to the fixing of rates in some of the schedules, but it is because I thought that he was wrong and that I was right. I have in many instances, however, yielded to his good judgment in his explanation of his ideas of the correct rates to be fixed on particular articles in the bill. I am happy to say, however, that he yielded to my wishes in some things, which I considered a great compliment to me.

If I may be permitted, I will read just a few remarks, and then I will take up the question of lumber and will be pleased, indeed, to answer the question of any man on any phase of the lumber schedule. I will give as courteous and correct a reply as I am able to. If I am unable to explain to your satisfaction any part of that schedule, I will readily yield to your better judgment and confess my ignorance of the industry.

The American people at the last election were called on to make choice between two propositions for revising the existing tariff law.

The Democratic party declared, in their platform, for an "immediate revision of the tariff by the reduction of import duties."

The Republican party declared—

unequivocally for the revision of the tariff by a special session of Congress immediately following the inauguration of the next President.

And it further declared that—

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries, and the benefits that follow are best secured by the establishment of maximum and minimum rates, * * * the minimum to represent the normal measure of protection at home—

And—

the maximum to be available to meet discriminations by foreign countries against American goods entering their markets, the aim and purpose of the Republican policy being not only to preserve, without excessive duties, that security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-earners of this country, who are the most direct beneficiaries of the protective system.

The American people, by an overwhelming majority, decided in favor of the Republican plan for and manner of tariff revision. Therefore, Mr. Chairman, the Republican platform is our chart and compass, and I for one shall be guided and governed by it absolutely. Indeed, I am frank to say that had I not been fully in accord with it and willing to subscribe to it without qualification I could not and would not have accepted a seat in this House at the hands of an electorate whose profession of political faith it embodies. Entire frankness obliges me to say further that, in my opinion, some of the schedules or parts of schedules in the bill as reported by the Committee on Ways and Means do not measure up fully to the standard of protection commanded by the platform promises of the Republican party, and I trust upon a fuller digestion of all the facts presented to the committee amendments will be presented to cover such errors and omissions as are shown to exist. With the exceptions I have suggested, the bill is good in that in some of its schedules, where it has been shown that rates in the present law are higher than are necessary to preserve the home market to the American producer, those rates have been cut down in this bill to the protective limit; and in other schedules, where it has been shown to the committee that increased rates of duty were required to enable our own producers to successfully compete in the home market with foreign-made products—made where wages are only from one-half to one-third as high as in this country and where the manner of living of the wage-earners is such as no American citizen who is a wellwisher of his country would be willing to have his wage-earning fellow-citizen live—the rates of duty have been advanced.

In addition to the revision or review of the whole tariff law, and the changes of rates of duty referred to, the committee has put in this bill a minimum and maximum provision, and this I regard of the utmost value to all the people of this country engaged in gainful pursuits. The minimum rates are, according to our best judgment, only sufficient to cover "the difference in cost of production at home and abroad, together with a reasonable profit to the American producer," therefore the minimum rates of duty on all of the products of the farm, forge, and factory, mine and mill, thus enabling the workers thereon and therein to receive American wages in their various occupations, which are from two to four times as much as is received for the same work in other countries, consequently to live better, eat more and better food, wear more and better clothing, and altogether to be better men and women than the people occupying similar positions in any other country in the world.

Also, we have made some changes in the administrative clauses which are beneficial, so that, as we believe, undervaluation of imported goods at our customs-houses will be made more difficult. Undervaluation is not only a crime in cheating the Government of revenue, but by it the American producer is robbed of the protection which is promised him by the schedule rates, and the effort of the committee is to stop this nefarious practice as far as possible. We have consequently established specific instead of ad valorem rates to guard against under valuations.

Mr. Chairman, the bill presented by the committee is not perfect—no tariff ever was and, as human knowledge is limited and human judgment is fallible, I assume none ever will be—but, as I have before said, this bill, taking into consideration all the difficulties and perplexities surrounding the formation of a tariff law covering 4,000 items, to be operative upon and touching the industries and daily life of 90,000,000 of people, and excepting the errors and omissions to which I have referred and which I hope will be corrected before final passage, I declare as my deliberate judgment that this bill will meet the requirements of present existing business conditions and the expectation of the American people, and not only bring to this country a return of the prosperity which we enjoyed before the late panic, but a sufficient revenue to meet the expenses of the Government, thus justifying the confidence placed in the Republican party by the voters of the country. [Applause.]

LUMBER.

Mr. Chairman, much has been said about the duty on lumber. The present rate of duty collected on pine and other lumber, not

including hard woods, coming into this country from Canada, British Columbia, and Mexico is $2 per thousand feet on rough sawed lumber, and on dressed lumber or planed lumber an additional duty is added, 50 cents for each side or edge planed, and another rate of duty on lumber converted into flooring, ceiling, siding, and such like.

The ad valorem rate of duty is 11 per cent, the lowest rate of duty collected on any prominent product coming into the United States. Every man who purchases lumber and does not produce it would like to have lumber placed upon the free list. The human family are all selfish. All want the highest measure of protection to their own product, whether it be agricultural or manufactured or labor, but believe they could purchase the things they consume but do not produce, at a less price, if duties on such articles were removed. It is quite inconsistent for any man to ask for protection on his finished product and free trade on his raw material, when his raw material is the finished product of his neighbor. The tanners demanding free raw hides and protection on leather are most inconsistent in such demands.

The lumber industry in the United States is one of the great industries of the country. The production last year reached the enormous sum of 40,000,000,000 feet, one-half of which was produced in the Southern States. The market value, at the point of manufacture, for this lumber is about $15 per thousand feet, or a total value of $600,000,000. The cost of production, not including stumpage, is about two-thirds of this total sum, or $400,000,000; labor receiving at least $300,000,000 of this amount. The average freight rate on the entire forty billion is about $7.50 per thousand feet. This industry furnishes a greater tonnage to transportation than does any other industry except agriculture. Seven hundred and fifty thousand to 800,000 men are employed in the manufacturing of lumber. About 30,000 sawmills are scattered about the country in every State in the Union. More than 26,000,000,000 feet of the output is produced by small sawmills, none of which cut more than 10,000,000 feet per year. Some small towns in many States are entirely dependent for employment upon this industry.

It is true our forests are being rapidly depleted of their magnificent pine timber, and values of stumpage are increasing. The lumber industry needs protection only on low grades of coarse lumber. Our high grades compete in the markets of the world with any lumber from any part of the world, but a very large percentage of the product of the tree is low grade, and British Columbia is much interested in seeing the duty on lumber wiped out, that they might enjoy a greater proportion of our market. On the low-grade or coarse lumber the operator has the greatest struggle to realize a profit or the cost of production, and it is on this the lumbermen are making a desperate fight to maintain the small measure of protection now provided for in the Dingley law.

I am a firm believer in protection to every American industry, lumber included. I know of no reason why lumber should be made the mark for free-trade argument. Men engaged in that business are just as honorable and fair in their dealings as any other class on earth, and no man, high or low, great or small, has any license to make any statement to the contrary. If he does make such a statement, he does it with absolute unfairness and prejudice and without cause or provocation.

Under present conditions, prices in all lines of industry are depressed, none more so than in the lumber industry. No great industry can be mentioned, or pointed to in the United States that has suffered more during our present financial disturbance than has the lumber industry. While the price of lumber to the manufacturer has fallen off fully 40 per cent in the last twenty months, values of agricultural products have practically remain unchanged, and there never was a time in the history of the Republic when a given amount of agricultural products would buy more lumber than they will to-day. Therefore, if this statement be correct, and I insist that it is, what reason is there in the contention that the values of lumber are out of harmony with other values at the present time?

Mr. Chairman, in advocating a duty giving a fair measure of protection to lumber, I have in mind the army of laboring men employed in that industry and the amount of the purchasing power they may have in supplying the necessities of life and a few comforts to their wives and their children. I also have in mind and give due consideration to the men who spend their lifetime in the industry and have their capital invested. Much credit is due to any man in legitimate lines of industry who acquires wealth, if he is fair in his dealings, and no less credit should be given to manufacturers of lumber than to men engaged in any other line of industry.

Some people have gone into hysterics over the question of free lumber. I want to ask any man present or within the sound of my voice if he can pick out a single prominent industry in this country that has as low a rate ad valorem protection as has lumber. I defy any man to point it out. There is none in the entire tariff laws that has anywhere near as low a rate of protection as has the lumber industry. All kinds of manufactures and farm products are used in the production of lumber in this country, consumed by the lumbermen or the people engaged in that business. Not one single article consumed by any man engaged in the industry has anywhere near as small an amount of protection as the finished product of the lumberman—rough lumber. Wheat, oats, and corn, all kinds of farm products, have somewhere from 25 to 60 per cent ad valorem protection. All those articles are used to a very large extent in the manufacture of lumber. Machinery, such as engines, cables, saws, belting, and all kinds of lumbering tools have the highest measure of protection. Every industry in the country furnishing those supplies to the lumbermen has more protection than has lumber.

Mr. FERRIS. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Michigan yield to the gentleman from Oklahoma [Mr. FERRIS]?

Mr. FORDNEY. Yes; I will be pleased to do so.

Mr. FERRIS. Does the gentleman refer to the existing schedule or to the one in the proposed bill?

Mr. FORDNEY. Either one.

Mr. FERRIS. I wish the gentleman would, if he can do so without trouble, let me know how much revenue the Government has received annually from the lumber schedules since the enactment of the Dingley law.

Mr. FORDNEY. I can give it to you in round numbers. The importations of lumber, which come principally from Canada, are somewhere in the neighborhood of 800,000,000 or 900,000,000 feet, and the duty about $1,600,000 or $1,700,000. The dressed lumber, such as flooring, siding, and ceiling, ready for the use of the carpenter, pays a higher rate of duty, and on all kinds the total revenues amount to less than $3,000,000.

Mr. TAWNEY. And the revenue for the whole amount imported from Canada is a little over a million dollars?

Mr. TOWNSEND. That is the statement of the estimated revenues, $3,650,000.

Mr. TAWNEY. That is what it is.

Mr. GAINES. On rough lumber, $1,700,000 in 1906.

Mr. FORDNEY. That is the amount that is paid on the rough lumber.

Mr. BARTLETT of Georgia. Will the gentleman permit me to ask him a question?

Mr. FORDNEY. Yes, sir.

Mr. BARTLETT of Georgia. The gentleman is aware that certain southern Atlantic and Gulf States are interested in yellow-pine lumber. Has the gentleman investigated and determined whether the freight rates from the lumber mills in the South, in Georgia, South Carolina, Alabama, and Tennessee, are not so high as to prevent competition with Canadian lumber on that lumber coming from any of the States which I have mentioned coming into competition with Canadian lumber at Chicago and the West, and in States north of the Ohio River, and I suppose the principal amount of lumber from which these revenues were received is rough lumber?

Mr. FORDNEY. I would say to the gentleman that the total production of lumber in the entire United States last year was 40,000,000,000 feet. Of that amount, nineteen billions, and about 400,000,000 feet were produced in the 12 Southern States. The average freight paid on all lumber—all rough lumber, shipped, dressed, or planed in the United States—was about $7.50 per thousand feet. From the State of Mississippi the rate on lumber to the Canadian border is about 30 cents per hundred pounds. Where the lumber is rough, not dried, it weighs about 4 pounds to the foot, or 4,000 pounds to the thousand feet, or $12 per thousand freight. If it is dry lumber, it weighs about 3 pounds to the foot or $9 per thousand feet. Canadian lumber can be taken from any port on the Lakes by water shipment and delivered to Chicago, Milwaukee, Detroit, Toledo, Cleveland, Buffalo, Tonawanda, or any of the principal distributing points upon the Great Lakes for about $1.75 to $2 per thousand feet, whereas from the southern mills it will cost over $7.50 per thousand feet to the same distributing point.

Mr. BARTLETT of Georgia. Now, may I ask the gentleman another question?

Mr. FORDNEY. Yes, sir.

Mr. BARTLETT of Georgia. If the tariff were taken off rough lumber and the other kinds, would not the freight rates that you have given be prohibitive, so far as permitting the lumber from southern mills to compete with Canadian lumber?

Mr. FORDNEY. It would beyond a certain zone or territory; but when you get to a certain zone or point between two

great distributing points of manufactured lumber, then there is a territory along which there is common fighting ground, and in this territory the southern lumber will be met by the Canadian lumber.

Mr. BARTLETT of Georgia. Now, if the gentleman will pardon me one minute more?

Mr. FORDNEY. I will say that the better quality of lumber—the best lumber manufactured in this country and in Canada or in any other country—has a ready market and can compete with any lumber in the world in any market of the world.

Mr. BARTLETT of Georgia. Just one question more.

Mr. FORDNEY. I yield to the gentleman.

Mr. BARTLETT of Georgia. What I was undertaking to arrive at and get an opinion on from the gentleman, who is so bountifully supplied with knowledge on the subject, is this: If this tax remain on the rough lumber at $2 per thousand under the Dingley bill, the people who are engaged in the production of lumber in the parts of the country to which I referred—the Southern States—can not compete with the Canadian lumber in the States north of the Ohio.

Mr. FORDNEY. You can not in certain territories. The best markets in the world for the consumption of lumber are the thickly populated States of Indiana, Ohio, Pennsylvania, Illinois, Iowa, and those territories.

Mr. BARTLETT of Georgia. Then the tax being left on or taken off would not aid our people to successfully compete for any of the lumber trade in the localities the gentleman has mentioned?

Mr. FORDNEY. I did not catch that question.

Mr. BARTLETT of Georgia. That is, whether the tax of $2 a thousand on rough lumber remains as it is in the Dingley bill or is reduced to $1.50 or is taken off altogether will not permit the people who manufacture lumber in the Southern States to compete with the Canadian lumber in the localities that the gentleman has stated?

Mr. FORDNEY. I will answer it in this way: The $2 duty now on lumber permits your southern lumber to go to a certain zone in the markets, and there it meets the lumber from Canada. Any reduction in that duty that would give an advantage to Canada, forces you back to your second trench, and lessens your market for your southern lumber. [Applause.]

Mr. BYRD. I understood you to say, and I think you are correct in it, that this duty does not do the southern yellow-pine dealer any good, except on his cheaper grades; that he can take the better grades of his lumber and compete with the world.

Mr. FORDNEY. You do not need it in the lumber industry in any territory in the outside world on your high-priced lumber.

Mr. BYRD. Now, the cheap lumber only costs about $9 a thousand to make it at the mill, does it not? Is not that all?

Mr. FORDNEY. That depends on the kind of lumber you are making and the territory in which your timber stands.

Mr. BYRD. You are in the lumber business in Mississippi, are you not?

Mr. FORDNEY. Yes.

Mr. BYRD. It costs you $9 a thousand to make it, does it not?

Mr. FORDNEY. Yes.

Mr. BYRD. Two dollars a thousand on $9; what per cent is that?

Mr. FORDNEY. You figure it out. I will answer your questions.

Mr. BYRD. Then you are mistaken when you say that it is a less rate of duty than we have on any other product or article?

Mr. FORDNEY. Oh, no, my friend. You can not give a fair comparison by picking out your mill culls or scoots, the lowest grade in the product of the log. You must take the entire product of the log in order to get a fair average.

Mr. BYRD. I say, it does not do you any good except on the lower grades, according to your statement; and if it does not, and the lower grade is only worth $9, then $2 on $9 makes between 20 and 25 per cent.

Mr. FORDNEY. Whether it is low grade or whether it is high grade, you meet the Canadian high-grade lumber with your high-grade lumber, or you meet their low-grade lumber with your low grades, and free trade gives them just that much advantage over you.

Mr. BYRD. Still, you do not answer the question.

Mr. FORDNEY. Now wait a minute. My dear friend, if you must reduce the price on your high grade to a minimum, you then incur a loss on 60 per cent of the product of your log, and you can not exist or make a profit on the whole output——

Mr. BYRD. I want the gentleman to stand by what he has just said—that the duty does you no good on your high grades.

Mr. FORDNEY. It is not needed to compete with Canada in any foreign markets in the world on high grades.

Mr. BYRD. Is it not true that the yellow-pine people and people principally from the States south of the Ohio River sell annually from $4,000,000 to $5,000,000 worth of their lumber in Canada in competition with the Canadian lumber?

Mr. FORDNEY. No; I do not think it is. Let me answer that right here. I am engaged in that business myself, and I think the gentleman from New York [Mr. PAYNE] did the industry this much injustice, not intentionally, but as an error of judgment on his part: It has been said that southern lumber is going into Canada in large quantities. I say that statement is not correct, no matter from whom it comes, because there is no lumber going into Canada to-day, except on special bills, such as timbers 12 by 12, in long lengths. In Canada there is no longleaf pine, and there is no timber in the United States except Douglas fir from the Pacific coast that equals it in strength and lasting quality for building purposes, such as bridge timbers and bill timbers of all kinds. Canada comes to our market to get special bills and no other.

Mr. BYRD. Now, will you answer this question: If we insist on this $2 duty and tax on the cheaper grades of Canadian lumber, is there not danger of Canada putting on a retaliatory duty so as to tax the yellow-pine timber out of Canada, so that they will get their own supply from the forests of the Pacific coast?

Mr. FORDNEY. The great danger of removing the duty on lumber is of bringing in the competition of the low grades of lumber from British Columbia and from the maritime provinces of Canada, the low grades meeting our southern pine in Ohio, Indiana, and the territory along the line of those States.

Mr. BYRD. Will the gentleman answer another question?

Mr. FORDNEY. I will, in a minute. I will be pleased to answer any question the gentleman may ask, if I can have time to answer it. Now, in the preparation and manufacture of this lumber, such as I have mentioned, it is often found to the advantage of the sawmill men in taking a coarse log, if it is perfectly sound, to put it into bridge timber or building timber, which will admit of some coarse knots; and in putting that class of timber into bridge and building timber instead of into boards, a higher price is obtained for it, whereas if it is put into boards it goes into a low grade of lumber, or mill culls, and sells for six or seven dollars a thousand at the mills. If you put it into bridge or building timber, you get $18 or $20 for it. That is the advantage the southern lumbermen have in preparing bills of that special character and shipping it into Canada.

Mr. BYRD. Is it not a fact that the lumber association of British Columbia, one of the provinces in Canada, can manufacture a grade to compete with the southern pine, and that they are now petitioning the Canadian Parliament to put such a duty on yellow pine so as to enable them to supply the markets of eastern Canada, which is now cut out by the overland freight rates?

Mr. FORDNEY. We have many kinds of timber in this country that will produce lumber which will compete with the British Columbia timber, but as I have said, for bridge timber, strength and lasting qualities, the longleaf pine and the Douglas fir from the Pacific coast are the best timbers in the country. But when you come down to common grades, such as box, shook, barn boards, and lumber that is sheltered from the weather, any kind of cheap lumber will do just as well as southern pine or the Douglas fir.

Mr. KITCHIN. Will the gentleman yield?

Mr. FORDNEY. I will yield to the gentleman.

Mr. KITCHIN. The gentleman said a while ago that the great consuming districts in this country were the States of Illinois, Indiana, Ohio, and Pennsylvania.

Mr. FORDNEY. The thickly populated States.

Mr. KITCHIN. Is it not a fact that less than 3 per cent of the shipments of lumber from the Southern States on the Atlantic seaboard are shipped into this great consuming territory?

Mr. FORDNEY. I beg to differ with the gentleman. The firm in which I am interested in the State of Mississippi shipped last year 36,000,000 feet, and 95 per cent of it went into the States I have named.

Mr. KITCHIN. But is not the market for the Atlantic seaboard States in the South, New England, the State of New York, and part of Pennsylvania and West Virginia?

Mr. FORDNEY. The market for southern lumber is in the North. You have nothing to the south but the Gulf of Mexico. The amount of lumber consumed in the South—in the warmer climates, where people do not build as good houses to live in as they build in the colder climates, they do not consume the amount of lumber per capita that the people do in the colder countries.

Mr. KITCHIN. The gentleman does not catch the point of my inquiry. Do the shipments of lumber from the States of Virginia, South Carolina, North Carolina, and Georgia, that go into the great consuming States mentioned by you—Illinois, Indiana, Ohio, and other Western States—amount to more than 3 per cent of their output?

Mr. FORDNEY. I think it is much larger. The great portion of the product goes north; I know it is so from our mill.

Mr. KITCHIN. The gentleman says that in the high grade of timber there is no need of protection. I agree with him. But what does he mean by low grades, and what prices do they bring f. o. b. at the mill? I recollect that it was stated before your committee that this low grade of lumber is lumber that sells for $6 to $8.

Mr. FORDNEY. The distinction between high and low grade lumber is this, especially in the South, in the longleaf yellow-pine belt and the shortleaf pine belt of the South. The usual number of logs cut from each tree—say, 12, 14, or 16 feet in length, which are standard lengths—are about four logs to the average tree. The average height of the body of a tree is from 50 to 60 feet. There is one log in every tree fallen—and that is the top log, among the limbs—that makes coarse boards when cut into lumber. So that in all cases the top log in every tree, and many times the second log from the top, has limbs and knots in it, and the lumber cut from those logs is the low-grade coarse lumber.

The high-grade lumber is that portion of the tree from the first or second logs in the tree, which is free from defects such as knots or ring rots, or, as lumbermen call it, "punk knots."

Mr. KITCHIN. And that same kind of grade, low grade and high grade, pertains to the log of the tree in Canada just the same as in the United States?

Mr. FORDNEY. Oh, anywhere in the country. Now, my friend, the difference as to the price of your lumber depends on whether or not you can take the log from the woods, convert it into lumber and finish it, and put it on board of cars at a profit, or whether it pays you to leave that coarse log in the woods.

When the price of your low-grade lumber is so low, $5, $6, $7, $8, or $9 per thousand, when put on cars at your mill, it will cost that much money to take the log from the woods and convert it into lumber and put it on the cars. Unless you can see some profit in it you are going to leave it lie where the tree has fallen in the woods, and therefore, instead of conserving your forests, you abandon the coarse logs in the woods and deplete your forests by leaving 20, 25, or 30 per cent of the forest lying in the woods for the fire to destroy.

Mr. KITCHIN. If this class of lumber which the gentleman speaks of as low grade will net at the mill f. o. b. from $10 to $12, the gentleman does not think that will need any protection, does he?

Mr. FORDNEY. Mr. Chairman, I believe that every piece of the tree, if it is no bigger than a match, is entitled to protection, no matter what grade it is. [Applause and laughter.]

Mr. KITCHIN. Will this bill or does the Dingley bill protect this low-grade stuff that will net $12 f. o. b.?

Mr. FORDNEY. It gets a fair measure of protection, but not as much as I would like.

Mr. KITCHIN. If, however, it nets from $7 to $8 at the mills, this protection is about 25 or 30 per cent ad valorem, is it not?

Mr. FORDNEY. I did not say net. I said the cost of production, figuring nothing for the stumpage—the timber, the price you pay for it in the woods.

Mr. KITCHIN. You misunderstood the question. If your low grades net, selling price f. o. b. at the mill, from $6 to $8, then the ad valorem tariff now is about 25 or 30 per cent.

Mr. FORDNEY. Oh, yes; on your low grades it is high, but how about your white pine that sells as high as $70 per thousand? What is the ad valorem there?

Mr. KITCHIN. It would be about 3 per cent.

Mr. FORDNEY. If you pick out low grades and measure the ad valorem as against the entire product of the log, why, when sorting beans, do not you put the duty on the hand-picked beans, and not on the beans that go to Boston for baked beans?

Mr. KITCHIN. I understood the gentleman to say that the high-grade lumber needs no protection.

Mr. FORDNEY. In the foreign markets of the world we can compete with any lumber from any country in the world. That is the position.

Mr. KITCHIN. Is it not a fact that we export of boards and deals and low grades and high grades——

Mr. FORDNEY. No.

Mr. KITCHIN. Wait a minute. Do we not export twice as much as we import from every country in the world of that same class of stuff that we import?

Mr. FORDNEY. I do not know of any exports of low-grade lumber from any part of the United States.

Mr. KITCHIN. Is it not a fact that last year we exported of the very kind of lumber, planks, board, and deals, rough and planed, more than twice as much as the whole outside world imported into this country?

Mr. FORDNEY. I have no doubt that that statement is correct.

Mr. KITCHIN. And of the same class of material.

Mr. FORDNEY. Wait; let me answer the gentleman's question. The gentleman can stand here and ask me questions all day, and I will answer them courteously, but let me have time to answer them. Now, I say this: That we export our high grades, and in the foreign markets meet the lumber from any country in the world. The gentleman from New York [Mr. PAYNE] stated the other day that our exports from the Pacific coast far exceeded that from British Columbia, when it had been stated that it cost less money to produce lumber in British Columbia than it does in the great States of Washington, Oregon, and California. Let me tell you why that is true. He is correct in that statement, but it needs an explanation.

Only the high grades are exported. No sawmill man in the world can run steadily day after day and cut up the product of the log and pile up in his yard the low-grade lumber without any market for it and continue to export his high grades, and the British Columbia exporting market is limited absolutely by the market she has for her low grades; and she has been here this winter, through representatives of British Columbia ownership in timber, demanding that the tariff wall of $2 per thousand be taken down, so that they can enjoy the markets of the United States for their low grades, and thereby increase their export on their high grades. [Applause on the Republican side.]

Mr. THOMAS of North Carolina. Will the gentleman yield to me?

Mr. FORDNEY. Yes.

Mr. THOMAS of North Carolina. I want to ask the gentleman, speaking about zones, if it is not an indisputable fact that—as to southern lumber, and especially as to the lower grades of southern lumber—the lumbermen of North Carolina, Georgia, and the other Southern States do market their lumber in the markets of New York and Pennsylvania in competition with Canada?

Mr. FORDNEY. Very little, indeed, sir; because the freight is prohibitive. Now, let me say something about freights——

Mr. THOMAS of North Carolina. One minute. My information is that the lumbermen of North Carolina—and I take it also of other Southern States—do market their lumber, both the low grades and the high grades, in the markets of Pennsylvania and New York. That is my information.

Mr. FORDNEY. Canada, you say?

Mr. THOMAS of North Carolina. No; I said in competition with Canada. I will repeat my question if necessary, but I do not think it is necessary.

Mr. FORDNEY. Perhaps I understood your question, and if so I will answer, and if I did not you can ask me again. Low-grade lumber from southern mills comes in competition in the States of Pennsylvania and New York with the low-grade lumber of many varieties of timber, such as hemlock and hardwoods of all kinds. Hemlock, no matter where it is marketed, is low-grade lumber, and sells in connection with the low grade—from 30 to 40 or 50 per cent—of the product of the longleaf pine of the South, and you must meet that competition and a high rate of freight when you get into other territory; and the low-grade pine coming from Canada and the hemlock produced over there meets those low grades in these great consuming States, and therefore the competition is very keen and the profit exceedingly small, if any at all.

Mr. THOMAS of North Carolina. That is exactly the point I was making. The lumber cut, according to the figures of 1906, in North Carolina, was worth $20,000,000. The lumber cut of the whole South is about one-half the product of the country. Now, my information is that the lumber of my State—and, I take it, of other Southern States—is marketed in the markets of New York and Pennsylvania, in that competitive zone to which the gentleman refers, and it is now marketed there and comes in competition with Canadian lumber. I am not speaking of any shipments into Canada. Now, one further question: Allusion has been made here to low grades of lumber. I think I understand fully what the gentleman means by the low grades——

Mr. FORDNEY. Coarse lumber.

Mr. THOMAS of North Carolina. Yes; I am talking about the rough or coarse lumber of the lower grades. As has been stated on the floor, southern yellow pine can compete with the world, but is it not a fact that within the last decade the low grades of lumber, Nos. 2 and 3, have been most largely manufactured in the South, and that the southern mills have gone largely into the manufacture of low grades of lumber? Is that the fact or not?

Mr. FORDNEY. That is the fact in many cases, let me say, gentlemen. The only men appearing before the Committee on Ways and Means and advocating a reduction of the duty or a removal of the duty on lumber were from a little territory in the State of Minnesota, and I want to tell you about that before I go further in answering those questions.

There came before our committee, and I will be plain and mention their names, a man by the name of Knappen, and, I believe he is in the city, and I hope he is in the gallery to hear what I have to say. There came with him a Mr. Lynch, who is well known to gentlemen from Minnesota as the campaign manager of Governor Johnson of that State, an elegant gentleman. There came with him a man by the name of Rogers, a lumberman, and another gentleman by the name of Scanlon. Mr. Scanlon and his associates have large lumber holdings in the State of Louisiana. Those gentlemen advocated a removal of the duty on lumber.

Mr. Knappen, a young gentleman who prepared a magnificent paper and presented it to the committee, was the spokesman of the crowd. He represented himself to be the secretary of the Great Northwestern Conservation Association. I asked Mr. Knappen who the men were that made up the association. He smiled and said, "I am principally it."

It developed, however, that Mr. Knappen was here as the representative of the other gentlemen whose names I have mentioned. I remember Mr. Rogers in particular advocating the abolition of the duty on imported lumber; and he stated, as I now remember it, that the consumer would get the benefit of a reduction, but that the yard dealer would be benefited in that $2 reduction by the fact that he would have less money invested in his stock of lumber in the yard, and therefore his investment would be less, his insurance would be less, and his risk in every respect would be less, but that the consumer would get all the reduction. Now, let me tell you, gentlemen, I believe Mr. Knappen would not know a sawmill if he met it in the road. [Laughter.] He never was a manufacturer of lumber, and admitted that fact to the committee. I say that he was the spokesman for the other gentlemen. Mr. Scanlon, Mr. Rogers, and Mr. Lynch all admitted they had exceedingly large holdings of timber in British Columbia and were manufacturing in British Columbia.

Mr. CLARK of Missouri. Mr. Chairman, did not those men testify that they owned timber both in Canada, or both in British Columbia and the United States?

Mr. FORDNEY. Mr. Scanlon did, and I have just stated that he owned timber in Louisiana. A few days later a Mr. Bloedel, a lumber manufacturer living in the district of the gentleman from Washington [Mr. HUMPHREY], at Bellingham, came across the country to Washington to request the retention of the duty on lumber, because he is in the business and interested. On his way—at Minot, N. Dak.—a Mr. Murphy, whose letter I hold in my hand, got on the train with Mr. Bloedel, and in a conversation the question of the tariff came up. Mr. Murphy said that there was one thing in the tariff bill that he wanted to see put on the free list, and that was lumber. Mr. Bloedel stated:

> That is the one thing that I do not want to see put on the free list.

Murphy said:

> If you had my end of the string you would want to see free lumber. I am a farmer, living at Minot, N. Dak. I own some farms about there, and in the last few years have been putting up some buildings. I placed an order with a lumber yard at Minot, N. Dak., the other day for eleven hundred dollars' worth of lumber, and I paid $24, $26, and $28 per thousand feet for bill and dimension stuff, barn boards, and so forth, and it is too high.

Bloedel said to him:

> What did you pay for those same grades two years ago, my friend? Absolutely the same price, sir—

He replied.

Mr. Bloedel then turned to him and said:

> My friend, let me tell you something. I know who you bought that lumber from. His name is Rogers, is it not?
>
> Mr. MURPHY. Yes, sir.
>
> Mr. BLOEDEL. Mr. Rogers is to-day buying these grades of lumber at from $5 to $8 per thousand feet less than he did eighteen months ago, and he is charging you the very same price per thousand feet you paid him when he paid a lower wholesale price for it.

Mr. KITCHIN. Will the gentleman allow me to interrupt him?

Mr. FORDNEY. This is the gentleman, Mr. Rogers, that came before our committee and said that the consumer would get the benefit of the reduction of the duty. [Laughter and applause on the Republican side.] I hold in my hand a statement prepared and presented to me after a thorough investigation, I am told, and I will show you to what extent Mr. Rogers is interested in lumber yards in North Dakota, the gentleman who wanted free trade on lumber and said the consumer would be benefited by the removal of the duty. He is interested in and I am told is the president of four companies—the Rogers Lumber Company, the Meyers Lumber Company, the Longworthy Lumber Company, and the Phoenix Lumber Company—which companies have 99 retail yards in that country. In 54 out of 74 towns they own 1 yard; in 18 towns they own 2 yards; and in 2 towns they own 3 yards, and absolutely monopolize the retail lumber industry in that region.

Mr. KITCHIN. Now will the gentleman allow me?

Mr. FORDNEY. Let me finish this statement. That gentleman is manufacturing lumber in British Columbia, and he is exacting from the Dakota consumer the same price to-day, $7, $8, and $10 profit above that which he received when the lumber industry was in its prime two years ago. [Applause on the Republican side.]

Mr. SLAYDEN. Will the gentleman allow me to ask him a question?

Mr. FORDNEY. I yield to the gentleman.

Mr. SLAYDEN. Does the gentleman know whether Mr. Rogers has the retail price of his lumber fixed by an association with headquarters in St. Louis, Chicago, or somewhere else, as I have been informed is done for retailers in the State of Texas?

Mr. FORDNEY. Mr. Pinchot, of the Forestry Department, came before our committee, and while we know that that department of justice has for two or three years been investigating, if I have it correct, have had at their disposal and spent about $500,000 of the Government's money trying to find and locate a lumber trust, admitted before the committee that he had not been able to find one anywhere. [Renewed applause on the Republican side.]

Mr. SLAYDEN. I have my information from lumber people in Texas that prices were fixed for our section of the country in St. Louis, and I know of numerous instances reported by reliable people charging that the price of lumber is fixed for them there, and that the retail dealers do not dare to depart from the schedule so fixed.

Mr. MANN. If the gentleman will permit a correction? The gentleman states that Mr. Pinchot has been making investigation as to whether there was a lumber trust. No investigation has been made by Mr. Pinchot through the Forestry Service, but by the Bureau of Corporations.

Mr. FORDNEY. Well, the gentleman may be correct. I think he is. Mr. Pinchot has access to the facts obtained by the investigation, and he has at his disposal all the information gathered by the Government. Now I am going to answer this gentleman as to the existence of a lumber trust. I have been in the lumber business since I was a boy and I have never known in that business any such thing to exist, and it is pretty certain that I would have known something about it if it had existed.

Mr. SLAYDEN. Mr. Rockefeller has the same sort of ignorance with reference to an oil trust.

Mr. FORDNEY. Do not class me with Rockefeller. I hope the gentleman does not dispute the correctness of my statement.

Mr. SLAYDEN. You have just said that Rogers himself had a monopoly and controlled the trade.

Mr. FORDNEY. Well, suppose you had a peanut stand and there was nobody else had one, you would have a monopoly of the business, would you not? [Laughter.]

Mr. SLAYDEN. Do you not know that the price of lumber is fixed by associations throughout the United States?

Mr. FORDNEY. No; I do not. There is no such thing in this country, and I defy the gentleman to furnish any reliable proof of his assertion. [Applause on the Republican side.]

Mr. SLAYDEN. I have at least been told that it was so.

Mr. FORDNEY. Oh, I have been told that there is a hell and a heaven, but I have never been there. [Laughter.]

Mr. SLAYDEN. I have been told so by a number of people, and if the gentleman will be courteous and patient——

Mr. FORDNEY. Certainly I will.

Mr. SLAYDEN. I have been told so by a man who is the owner of standing timber, who is a manufacturer of lumber in the State of Louisiana, who is a wholesale dealer in lumber in Texas; and, furthermore, he wrote me the other day that, in the interest of the people, I ought to vote for free lumber and free coal. [Applause.]

Mr. FORDNEY. I will be courteous with you, my friend; and let me say to you that if you will request that fellow to come forward with his proof of a combination, and if he furnishes the proof, I will show you a white blackbird. [Laughter.]

Mr. SLAYDEN. I think it very likely they cover their tracks so that you can not get witnesses; but that it exists is a matter of common knowledge.

Mr. HARDY. I buy lumber, and we have retail lumber dealers in my town. I had one of those gentlemen come to me for the purpose of investigating this question of the lumber trust. He showed me circular price lists issued from a syndicate in St. Louis, by the month, and told me that every mill in south Texas that he went to had that circular price list, and he had to buy his lumber at those prices, and I have those circular price lists in my office to-day. It is simply a pricing machine, or combine or trust, or call it what you will; but it makes the market price. [Applause on the Democratic side.]

Mr. FORDNEY. Now, let me answer that.

Mr. HARDY. And those prices are made from year to year and month to month.

Mr. FORDNEY. Let me answer your question. I will repeat that I have been in the lumber business since I was a boy, and I hope to remain in that business until I die, because I do not know anything about any other line of business; but I will demand from the people to whom I sell lumber the best price I can obtain, but deal fair with them.

Mr. HARDY. Very well. Will you combine with all the other lumber producers to fix the price?

Mr. FORDNEY. No; I never did and never will.

Mr. HARDY. And if you do combine——

Mr. FORDNEY. I think it would be unjust. I do not think it ever has been or ever will be done. I will tell you why it has not. In the United States there are to-day about 30,000 sawmills, and out of the 40,000,000,000 feet of lumber cut last year 26,000,000,000 feet were cut by small sawmills, none of which cut more than 10,000,000 feet in any one year. [Applause.]

Now, in the face of that fact, will you say there is a lumber trust among the manufacturers of lumber? I am not a retailer of lumber. I am a manufacturer, and I know of no combination, and there is none in existence, and I defy any man to come forward with proof to the contrary.

Mr. HARDY. Then, I ask you, how do you account for this price list coming from St. Louis? What would you call proof?

Mr. FORDNEY. Oh, I never was in St. Louis but once in my life, and I do not know anything about the retail trade there.

Mr. HARDY. But this is the retail trade in Texas—with prices fixed at nearly all the mills there by a mill men's syndicate in St. Louis.

Mr. FORDNEY. And I am not at all concerned in it, in my remarks, because I am ignorant of the conditions existing there.

Mr. HARDY. But I am asking you about this circular that goes down to southeast Texas and fixes the price of our lumber there for the mills in southeast Texas—fixes the price at the mills for the retail dealer in lumber. I have not only the word of one retailer but of more than one retailer who showed me these circulars, and my own personal inspection of these monthly circulars. How do you account for that, if there is no agreement—no gentleman's agreement or trust in lumber? It may not be a trust, but it makes a noise just like one.

Mr. FORDNEY. I do not know anything about your circulars. I have a circular here which I want to explain to the House.

Mr. HARDY. Those are the facts anyhow.

Mr. FORDNEY. I want to say that while some circulars may be unreliable, I want to show you how unreliable this one is, and it has the name of my friend Mr. Knappen attached to it.

Mr. SLAYDEN. Now will the gentleman yield?

Mr. FORDNEY. Wait a minute, and I will yield.

Mr. GAINES. Before my colleague goes on may I ask this question?

Mr. FORDNEY. Yes.

Mr. GAINES. Have you stated that Mr. Pinchot testified before our committee that he had been for several years looking for a lumber trust and could not find one and did not believe that it existed in the country?

Mr. FORDNEY. Yes; he did so state. Now, my friend, let me state this, and then I will answer your question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELL. I ask unanimous consent that the gentleman from Michigan be allowed to complete his remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Michigan be allowed to proceed until he completes his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. There ought to be some limit on the time.

Mr. FORDNEY. The gentleman knows that I am answering questions. There are several other things I want to speak about besides lumber. I am endeavoring to answer all questions courteously, and all I ask is sufficient time, but I do not want to take up more time than the patience of the House will accord to me.

Mr. MANN. Has the matter of time been closed, Mr. Chairman?

The CHAIRMAN. The Chair submitted the request and announced that there was no objection.

Mr. MANN. I did not hear the Chair. It seems to me there ought to be some limit of time where it is purely asking questions. I ask unanimous consent that the gentleman may proceed for one hour.

Mr. GAINES. I make the point of order, Mr. Chairman, that the committee has already granted the gentelman time to complete his remarks.

Mr. CLARK of Missouri. I want to ask the gentleman one question.

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Missouri?

Mr. FORDNEY. Yes.

Mr. CLARK of Missouri. I want to ask a question in connection with the one asked by the gentleman from West Virginia: Is it not also true that after we got through with these hearings it was announced in the public press that Mr. Weyerhauser and Mr. Walker and others were down here at the New Willard Hotel forming a lumber trust?

Mr. FORDNEY. I saw it in the papers the other day that King Edward was having an operation for appendicitis, but I do not know anything about the truth of the statement. [Laughter.] I will be courteous to the gentleman from Missouri. Mr. Walker was here in November or December. I know also that Mr. Weyerhauser, junior, was here, but Mr. Weyerhauser, senior, has not been here to my knowledge this winter.

Mr. CLARK of Missouri. I know that, because he is sick.

Mr. FORDNEY. Mr. Chairman, this gentleman, Knappen, the only man representing the only interest here asking for free trade on lumber, as an American citizen demanding protection for the consumer, whose sole interest seems to be in the consumer, has sent out a circular published in the American Lumberman, and I want to call attention to it.

Mr. Scanlon, from Minneapolis, of the Brooks-Scanlon Lumber Company, and Theodore Knappen, as secretary of a timber-holding company of British Columbia, say they have recently purchased 1,500,000,000 feet of standing timber, which I know can be purchased for from 50 to 75 cents per thousand feet, have offered for sale stock in that company, capitalized at $6,000,000—I say, they offer to dispose of the stock of their company to American citizens, which means, at this price, $4 per thousand on the billion and a half feet. That is the class of men that have been here asking for a reduction of the duty on lumber. If we have to go to British Columbia or England to get the opinion of King Edward or to the Czar of Russia as how to make up the schedules in the tariff bill, where does the wisdom of the members of the committee and this House come in?

Mr. GRONNA. Will the gentleman yield for a question?

Mr. FORDNEY. Yes; I will yield to the gentleman from North Dakota.

Mr. GRONNA. Since the gentleman has referred to Mr. Murphy, of my State, whom I know very well, I want to ask the gentleman if it is not true, or if he knows anything to the contrary, that lumber is now being sold at retail in the State of North Dakota by the Retail Lumber Association?

Mr. FORDNEY. I have not the slightest idea of any such thing; I never heard of it. I have Mr. Murphy's letter with the figures stating the price he paid, and it was given to Mr. Blaudell on the train. I have repeated just what he stated; and if the gentleman knows him, I ask him for the integrity of Murphy as a gentleman.

Mr. GRONNA. If the gentleman will permit me, I will say that I have been a retailer of lumber and have sold a great deal of it, and the price is regulated absolutely by the Minneapolis association. [Applause.]

Mr. FORDNEY. Association of what?

Mr. GRONNA. Association of lumbermen.

Mr. FORDNEY. Producers of rough lumber or retailers that fix the price to the consumer? Will the gentleman be fair? I am pleading for the protection of rough lumber, and I know nothing about the retail business. Tell me whether or not that association is an association of manufacturers of rough lumber or a retail association.

Mr. GRONNA. If the gentleman will permit me, I will explain. The people of my State—I can not answer the question by yes or no—the people of our State have demanded free lumber, for they believe that by having free lumber it would be sold considerably cheaper than it now is. Of course, that is a question we can not now decide. But the retailers of the State of North Dakota, the individual retailers, are being driven out of business.

Mr. FORDNEY. By whom?

Mr. GRONNA. By these associations.

Mr. FORDNEY. Who makes up the associations?

Mr. GRONNA. I could give the gentleman the names if he would give me the time.

Mr. FORDNEY. Tell me who they are, if you know; and if you do not know, say so.

Mr. GRONNA. Some of them are manufacturers.

Mr. FORDNEY. Who are they?

Mr. TAWNEY. Will the gentleman from Michigan permit me to ask the gentleman from North Dakota a question?

Mr. FORDNEY. Yes.

Mr. TAWNEY. Mr. Chairman, I would like to ask the gentleman from North Dakota if it is not a fact that the price he speaks of being fixed by an association in Minneapolis is not fixed by a retail lumber dealers' association; and is not this also the fact, or was it not the fact only a short time ago, that that association parcels out the territory in which the local retail dealer may sell lumber, and that if the manufacturer in Minneapolis sells direct to the consumer within that territory he is either blacklisted or must pay to the local dealer 10 per cent of the amount of the cost of the lumber sold by the manufacturer to the consumer?

Mr. FORDNEY. Mr. Chairman——

Mr. GRONNA. Mr. Chairman, I will ask the gentleman from Michigan if I may have permission to answer that question.

Mr. FORDNEY. Let me say to the gentleman——

Mr. GRONNA. But I would like to answer the question of the gentleman from Minnesota.

Mr. FORDNEY. I refuse to yield any longer. I am going to answer the gentleman. Gentlemen come here with generalities, but I wish to say to them to bring their proof, and if they know of any such thing they ought to do it. You have had for three months the oportunity to furnish the proof, and why do you not present it. Do not deal in generalities.

Mr. TAWNEY. The gentleman need not address his remarks to me. I was talking about a retail lumber dealers' association. I do not know that there is a combination among the manufacturers.

Mr. FORDNEY. Gentlemen should not attempt to prejudice the Members of this House with generalities without the facts.

Mr. GRONNA. But I know personally of the facts. I have been a retail lumber dealer.

Mr. FORDNEY. What proof has the gentleman?

Mr. GRONNA. I know of my own knowledge.

Mr. FORDNEY. Bring the proof in here. I refuse to answer any further questions of that character, because the gentleman only makes statements. Now I yield to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. But the gentleman has just laid down a condition that I can not possibly comply with.

Mr. FORDNEY. If the gentleman's inquiry is along the same line as the others, there is nothing to it except to prejudice some man within the sound of his voice without furnishing proof.

Mr. SLAYDEN. Will the gentleman permit me to put the question and let us see? The gentleman has yielded to me three or four times for a question, and then has turned his back on me and declined to hear it.

Mr. MANN. The gentleman can ask his question without complaining about it.

Mr. SLAYDEN. I am addressing my remarks, Mr. Chairman, to the gentleman from Michigan, and not to the gentleman from Illinois [Mr. MANN].

Mr. MANN. That is very fortunate.

Mr. SLAYDEN. And, Mr. Chairman, I appeal for protection from the gentleman from Illinois.

Mr. MANN. And I hope the gentleman from Michigan will appeal for protection from the gentleman from Texas [Mr. SLAYDEN], who unfortunately has lost his temper although he is one of the most genial Members of the House.

Mr. SLAYDEN. Mr. Chairman, I have asked the privilege, and invariably addressed the Chair, and I have not injected my questions into a conversation between other Members.

Mr. FORDNEY. Please ask the question.

Mr. SLAYDEN. I want to ask the gentleman if he does not think it is a significant and suspicious circumstance when all the retail dealers in a particular commodity make a uniform price throughout a large given territory, and when that is further confirmed by credible and respectable people with the statement that the prices are named by the lumbermen's association in St. Louis, and does not that make what we speak of as a trust?

Mr. FORDNEY. Good God. I have explained that in the plainest way, in my opinion, that it could be explained. Here is Rogers, a lumber trust within himself.

Mr. SLAYDEN. And there is another one in St. Louis, and that makes two.

Mr. FORDNEY. Wait a minute. Do you blame the manufacturer in Mississippi for what Rogers is doing in North Dakota?

Mr. SLAYDEN. No; but I blame the manufacturer who associates himself with them.

The CHAIRMAN. The Chair will state that the gentleman from Michigan is entitled to the floor.

Mr. FORDNEY. Do not go too far. Do not come here and criticise a manufacturer of rough lumber in Mississippi, or in any other State, for what the retailer is doing in North Dakota. I know nothing about their associations, and the manufacturers of rough lumber are in no way responsible. I shall not answer any more questions along that line, because gentlemen do not furnish the proof.

Mr. KITCHIN. Will the gentleman permit a slight interruption right there?

Mr. FORDNEY. Yes; and then I must go on.

Mr. KITCHIN. The gentleman denies that there is a trust. Is it not a fact that most or a larger portion of the standing timber in this country is in the hands of a very few people?

Mr. FORDNEY. No; it is not.

Mr. KITCHIN. I will ask the gentleman——

Mr. FORDNEY. Wait a minute. It was stated before the Committee on Ways and Means that those great timber holdings of the country amounted to about 2 per cent of the standing timber of the United States. I know, my friend, that some men do have large holdings of timber; and, so help me God, if I had the money I would be one of them, and I ought not to be criticised for it, either. [Applause and laughter.]

Mr. KITCHIN. Just one more question, so as to jog up the gentleman's memory. Did not you state in the hearings before the Ways and Means Committee that most of the profit arising under the protective tariff was made by the stumpage men, and that the stumpage of the United States had gone into "strong hands?" Did not you use that language?

Mr. FORDNEY. I might have, but not just in the same line in which the question of the gentleman has been put.

Mr. KITCHIN. Will the gentleman please explain what he meant by the timber holdings going into "strong hands?"

Mr. FORDNEY. Men who are able to hold and demand such a price as will bring to them a fair return or profit on their investment.

Mr. KITCHIN. Another question right there——

Mr. FORDNEY. No; I am not going to answer any more such questions. If you will ask me a question for information, I will answer it, but I do not want you to take any more of my time in this way. I will be courteous, but do not be afraid that I am alarmed about any question you may ask me, for I can answer the gentleman correctly and will answer it without fear.

Mr. KITCHIN. I believe the gentleman will. Will you permit one question?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Speaking about large stumpage holders, you attended the recent lumber banquet at the New Willard Hotel?

Mr. FORDNEY. No, sir; I did not.

Mr. KITCHIN. You read the speeches.

Mr. FORDNEY. No; I did not.

Mr. KITCHIN. Have you not heard that Mr. Skinner, the chairman of a committee sent to Washington by the Pacific Coast Lumber Manufacturers' Association, stated in his speech there that half of the standing timber of this country was in the States of Washington, Oregon, and California, and 90 per cent of that half was in the hands of a few individuals and corporations?

Mr. FORDNEY. I do not know that Mr. Skinner made any such statement. If he did, I think it is entirely incorrect, because I know better. I know as much about the business as Mr. Skinner, because I have been in the business since before he was born.

Mr. KITCHIN. He is a larger lumber operator than you are——

Mr. FORDNEY. Perhaps he is.

Mr. KITCHIN (continuing). And a strong protective tariff advocate?

Mr. FORDNEY. Oh, yes; he is a splendid fellow and saturated, with the same theory of Republican principles that Mr. CLARK said I possessed, and I am proud of it.

Mr. KITCHIN. Then you would not mind his statement going in the RECORD that 90 per cent——

Mr. FORDNEY. No; I did not say anything of the kind. I admire Mr. Skinner for his advocacy of the protective tariff

to American industries; that is what I said. [Applause on the Republican side.]

Mr. RANSDELL of Louisiana. Mr. Chairman, will the gentleman allow me to ask a question?

Mr. FORDNEY. Yes.

Mr. RANSDELL of Louisiana. I want to emphasize this question about a trust before the gentleman leaves it. If I understand it correctly, there are over 28,000 mills in this country manufacturing lumber.

Mr. FORDNEY. Yes.

Mr. RANSDELL of Louisiana. There are a great many of them in my district. I want to ask the gentleman if it would not be practically impossible to get 28,000 manufacturing corporations to go into any trust; if it is not as nearly impossible as it is to get the cotton producers of the South to go into a trust to raise the price of cotton, which certain people down there have tried to do and have failed.

Mr. FORDNEY. Yes. Certainly there is no such thing as a lumber trust. It may be that certain men in the retail business, in local territories, combine to control prices to the consumer. I do not know anything about it. I have often heard it is so, but whether it is true or not I do not know; but I do know in general that the manufacturer of rough lumber, the man who takes the tree from the forest, who converts it into lumber and puts it on the market, knows no trust and never did, to my knowledge, in the United States.

Mr. BYRD. I want to ask the gentleman a question in regard to a lumber trust. Is there not an understanding in Mississippi among the sawmills and retail dealers, your mill being one of the manufacturing establishments of the State, that if a manufacturer of lumber sells directly to the consumer that the retailers will boycott his mill?

Mr. FORDNEY. Nothing of the kind. It is absolutely buncombe.

Mr. BYRD. Let me say here that I know absolutely of what I speak.

Mr. FORDNEY. I say that you do not know a blamed thing about it.

Mr. GARRETT. I call the gentleman to order, Mr. Chairman. I demand that his words be taken down.

Mr. FORDNEY. Mr. Chairman, let me say to you that if I have used strong language, unbecoming a Member of the House, I wish to apologize. But I say this, that when the gentleman says that there is a combination of that kind, and that my firm belongs to it, then I say that he knows nothing about it. That is what I said, and that is what I repeat. No man has any license to say that my firm belongs to a lumber trust.

Mr. BYRD. I did not say that.

Mr. FORDNEY. You asked me if my firm did not belong to that combination.

Mr. BYRD. Among the lumber retailers and manufacturers, I said, was that not an understanding? And now, if you will let me explain, I will tell you that it is so, and give my reasons for it. The legislature of Mississippi investigated the question and directed the attorney-general to prosecute the lumber trust, and it was then discovered, namely, that there was an understanding between retail dealers in the State that if the manufacturers sold directly to the consumer the manufacturer would be boycotted by every retail lumber dealer in the State.

Mr. FORDNEY. Let me say, in the most courteous terms—and if I have offended you I will most humbly apologize—that I never heard of such a thing until it was uttered from your lips. I say that you have no license to say that my firm belongs to a trust. That is what I said.

Mr. BYRD. I did not say that it belonged to a trust. I did not say that. I said there was an understanding.

Mr. FORDNEY. If you did not, then I will apologize.

Mr. BYRD. Your mill is in Mississippi, is it not?

Mr. SIMS. My district and State are interested in this matter. I would like to ask how much of the duty goes to the owner of the lumber as such, and how much goes to the manufacturer, the mill man, so that it may go in turn to the labor he employs? I really want information.

Mr. FORDNEY. I will tell you, my friend. Mr. Chairman——

Mr. GARDNER of Michigan. Mr. Chairman, the gentleman from Michigan [Mr. FORDNEY] has been exceedingly courteous. He has answered all inquiries that have been made of him. I want to inquire how long should this thing, in courtesy to the gentleman from Michigan, continue?

The CHAIRMAN. The gentleman from Michigan [Mr. FORDNEY] is at liberty to decline to answer any question whenever he chooses.

Mr. FORDNEY. I think that gentlemen in the House are laboring under a misapprehension about the lumber industry, and I believe I know something about it, and would like to explain it, and explain it correctly, and be courteous in my explanation. I will just stay here and answer questions as long as the House will bear with me and give me time, but they must be in order in their questions and give me reasonable time in which to answer; and I will be courteous, as before stated.

Mr. SIMS. Now, I will ask the question over, because I am not asking it in the spirit of antagonism, but for information.

Mr. FORDNEY. That is all right, my friend. Go ahead.

Mr. SIMS. Does any of the present duty of $2 go to the owner of the timber, the stumpage man; and if so, and in the judgment of the gentleman, about how much? If any of it goes to the manufacturer of lumber, in what proportion, to the best of the gentleman's knowledge of the subject?

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, just how much of that $2, if it is wiped out, would go to the consumer or to the man that owns stumpage or to the planing-mill man or to the sawmill man or to the retailer no man on earth can tell. But I will say that at one time I was a manufacturer of lumber in Canada when there was a duty on lumber of $2 per thousand feet. As an exporter to the United States, I often thought that if that $2 were removed on the 30,000,000 feet of lumber that my firm produced annually we would be benefited to the extent of $60,000.

We looked for it all, and so do the Canadians look for the entire benefit, and the retail lumber dealer expects to get it all, and the consumer expects to get it. Just how much each one along the line of the movement of lumber would get no man on earth can tell. The price of lumber in this country depends upon the supply and the demand; and if you wish to conserve the forests, let me say to you that bringing in foreign lumber to reduce the price of lumber to the consumer is not the correct method to be employed to conserve the forests of the United States. Let me explain this. Let me say, gentlemen, that 25 per cent of the timber in the tree is left in the woods and rots or burns, because there is no money in removing it, and the manufacturer, therefore, leaves in the woods that portion of the tree in which there is no profit to him.

Mr. Swenck, I think a German, who is the chief forester on the Vanderbilt estate in North Carolina, stated the other day that in Germany the timber as it stands in the tree in the forest—and Germany is the mother of forestry countries—to-day brings from $17 to $50 per thousand feet in the forests. When the time comes that the timber in the forests of the United States is worth anything like that amount, then, gentlemen, it will be that American citizens or the American Government or the various States can go into forestry conservation. No private citizen, or set of men, can to-day raise timber or cultivate forests with the hope of realizing from it during his lifetime. But the time must come, I say, when high price of stumpage must prevail in order to conserve our forests, and I would suggest this plan. I have thought the matter over very seriously. I am too old to attempt to reforest any part of the land and expect to realize profit from it during my lifetime. Now, if a State or the Government, where reforestation is practicable, will set aside certain land free from taxation until that timber is cut and then tax the man who owns the timber a certain amount per thousand feet, so that local political bodies can not tax the life out of his property before he is ready to market it, then you will engage in reforestation, and not until then. [Applause.]

Mr. SIMS. I got a letter from a gentleman living in one of the counties in my district that claimed seriously that if this $2 would come off, it would come off the people who owned the timber. He claimed that the entire thing would come off the owner of the timber and not off the manufacturer. I want the gentleman, if possible, to furnish me the information so that I may answer that letter.

Mr. FORDNEY. The gentleman is wrong in his claim. One gentleman has said that a great deal of the lands in forests are to-day in the hands of moneyed men who can afford and will hold them until they get their price. I am one of the fortunate number of gentlemen. I own a little standing timber. I can furnish a livelihood for my wife and children and wait until I get my own price for that standing timber, and I will do it.

Mr. GRONNA. Mr. Chairman, will the gentleman allow me to ask him a question for information?

Mr. FORDNEY. Yes, sir.

Mr. GRONNA. The gentleman has been very courteous in answering gentlemen's questions. I want to know the mill price for the last five years—whether it has been increased of decreased on such lumber as we use—in boards and dimension stuff?

Mr. FORDNEY. I can say to you that two years ago, when high prices were prevailing in all lines of industry, the average of Mississippi longleaf pine would be for all products of the log, except the lowest grades of mill culls, from $18 to $20 per thousand feet. That same lumber is selling to-day f. o. b. at the mills for $12; and the firm in which I am interested last year, as I said, manufactured and sold 36,000,000 feet of timber—and it cost us to produce it no less than $10 a thousand feet to take it from the woods and convert it into the finished product and put it on board the cars—and we sold it for less than an average of $13 per thousand, and we paid $3.50 per thousand for the timber in the woods, and at the end of the year we had lost money.

Now, my friend, if by the removal of this $2 per thousand duty the consumer gets the entire benefit of it, how long do you suppose we would run and lose an additional $2 per thousand feet on 36,000,000 feet a year, or 140,000 feet per day? We would not run fifteen minutes. We would close our sawmills, discharge the 300 men employed, pay taxes on our timber, and hold it for a better day.

Mr. GRONNA. I want to thank the gentleman for the information. I have not said at any time that I laid all the blame on the manufacturers.

Mr. FORDNEY. I wish to answer the gentleman's question, and I mean to be courteous. I have not been sarcastic, have I?

Mr. GRONNA. Not at all.

Mr. FORDNEY. I would not think of being so to my dear friend.

Mr. EDWARDS of Kentucky. I want to ask the gentleman a question.

Mr. FORDNEY. Yes.

Mr. EDWARDS of Kentucky. He stated that the total production of lumber in this country is 40,000,000,000 feet.

Mr. FORDNEY. Yes.

Mr. EDWARDS of Kentucky. And that 26,000,000,000 feet of that is produced by the small mills.

Mr. FORDNEY. Yes.

Mr. EDWARDS of Kentucky. Now, I wish you would state for the information of the House—taking into consideration the production of all the mills of all classes of lumber, the black oak and the blackjack and all that sort of stuff—about what per cent of that 40,000,000,000 feet would be termed "high-grade" lumber?

Mr. FORDNEY. There is not to exceed 10 per cent of the choicest grades, or clear lumber. It varies very much. On the Pacific coast, in the great redwood belt and the fir and spruce countries, the percentage of clear lumber of high grade runs from 40 to 80 per cent of the product of the tree. In the South it is not to exceed 5 per cent, and in the great white-pine belt in its palmy days 10 per cent was an exceedingly high average of high-grade lumber; but the low grade, the grade that is in danger, consists of about 50 per cent of the product of the tree, taking the entire cut of the whole country.

Mr. RANSDELL of Louisiana. Not to interrupt the gentleman, I would like to ask him a question.

Mr. FORDNEY. I would be pleased to answer it.

Mr. RANSDELL of Louisiana. I want to ask the gentleman if the principal clamor for free lumber does not come from sections of the Union which had a great deal of timber a few years ago and were very glad to receive the benefits, if there were any benefits, in the Dingley bill?

Mr. FORDNEY. Yes.

Mr. RANSDELL of Louisiana. But which have largely consumed the timber they once had?

Mr. FORDNEY. Yes.

Mr. RANSDELL of Louisiana. If those are not the sections that are complaining now?

Mr. FORDNEY. Yes. Mr. Chairman, in my home city, Saginaw, Mich., there were at one time in a territory not to exceed 13 miles away from that city 109 sawmills, and we manufactured one year of our greatest production about 1,000,000,000 feet of lumber. To-day there is not 1 foot of pine timber being cut in that part of the country. When a boy I booked timber in that country, which I had an opportunity to purchase if I had had the money, at from 25 to 50 cents per thousand feet. To-day what white pine is left in the State of Michigan will readily bring $25 per thousand feet in the tree, and we are now bringing into the State of Michigan some lumber from the States of Mississippi and Louisiana. Some lumber from that section is going into my home city. To the price paid on board the cars at the mill in your State there is added $10 or $12 per thousand feet freight. Consequently the consumers of lumber in Saginaw, Mich., pay to-day two or three times what they paid for their lumber when it was in its bloom in that State.

Now, the great States of Iowa and Minnesota and the great prairie States of the country are here to-day complaining about the removal of the duty on hides. Gentlemen from those States, hides are the finished product of your farmers. I am frank to say that hides went on the free list against my earnest protest. [Applause.]

My friend, when you come and ask protection on your finished product and free trade on the things you wish to buy you are inconsistent. But that is human nature. I have a letter from a man in Moline, Ill., in which he said he was a manufacturer of farming implements, and especially plows, and he said he wanted the duty removed on lumber and removed from iron and steel and coal. But I say to you, my friend, that the products of the factory in the Middle West demand and must have the highest measure of protection in order to pay decent wages to our laborers.

Great Goodness! How long was that man's foresight? He could not see 1 inch beyond the end of his nose. He forgot the 800,000 men employed in the lumber camps of this country. [Applause.] He forgot the hundreds and thousands of men in the iron mines, the rolling mills, and the coal mines. He forgot all about the welfare of the miners hundreds of feet below the surface of the earth digging coal to get bread and butter for their wives and little children and who want some of the comforts. Ah, any man that will come and demand free trade on his raw material, which is his neighbor's finished product, and protection on his finished product is inconsistent.

Now, gentlemen, I want to do a certain member of our committee honor and due credit, and that is the gentleman from Colorado, Mr. Bonynge. He is not now a Member of this House. He was a member of the Committee on Ways and Means up to the 4th of March. I want to say to the people of the country that his successsor, whom I have not had the honor of meeting, must get off from his free-trade or tariff-for-revenue theories if he wants to walk in the trail blazed for him by my friend, Mr. Bonynge. [Applause.] No man put more strenuous, more determined, and honest effort for the cause of protection in this country into this bill than did my friend from Colorado, Mr. Bonynge. I regret to see him go out as a Member of this House, and no matter who his successor may be, how fine a gentleman he may be, I hope to know him; but I want to whisper in his ear that I hope he will stand by us as loyally to the industries predominant in his State as did his predecessor, Mr. Bonynge. [Applause.]

Mr. WEISSE. Will the gentleman yield a few minutes to me for a statement?

Mr. FORDNEY. I will yield to the gentleman.

Mr. WEISSE. Mr. Chairman, there is a reduction of 5 to 30 per cent on the following classes of leather and leather articles: Band and sole leather, from 20 per cent ad valorem to 5 per cent ad valorem. Upper leather, calfskins, chamois skins, kangaroo, sheep, and goatskins, and other leather not provided for, from 20 per cent to 15 per cent ad valorem. Patent leather, weighing not over 10 pounds per dozen skins, from 30 cents per pound and 20 per cent ad valorem; weighing over 10 pounds and not over 25 pounds per dozen, from 30 cents per pound and 10 per cent ad valorem; weighing over 25 pounds, from 20 cents per dozen and 20 cents per pound and 10 per cent ad valorem, all to 20 per cent ad valorem. Pianoforte leather, from 35 per cent ad valorem to 20 per cent ad valorem. Boots and shoes, from 25 per cent ad valorem to 15 per cent ad valorem. Shoe laces, from 50 cents per gross and 20 per cent ad valorem to 15 per cent ad valorem. Leather cut into shoe uppers, and so forth, from 35 to 30 per cent ad valorem. All other manufactures of leather, from 35 per cent ad valorem to 30 per cent ad valorem, of which the American people consume about $700,000,000 worth. The average will be about 10 per cent, or a reduction of $70,000,000, which the leather manufacturers are willing to give up for a difference of 15 per cent on the hides; total production of which is $70,000,000 dutiable, or a total of ten million. The consumers of leather are getting $7 saving where the others are losing a dollar on a hide.

Book of Estimated Revenue, Schedule N, pages 113–114, gives the importation of leather and the amount of duty collected, but does not close the subject, showing that there was a reduction in the duty on heavy leather and leather goods made out of dutiable hides, but connects gloves with it, and on page 119 closes in the grand total, showing that there is an advance from 34.25 to 39.09 in the proposed bill.

It is an unjust and untrue statement to the heavy leather boot and shoe manufacturers and tanners and the members of the Ways and Means Committee, as they attach to this statement the duty on gloves, which has nothing to do with the other class of leather, and no doubt intends to carry and impress one that there is an increased duty on leather made out of dutiable

hides. The fact of the matter is that this is entirely on gloves, and we should not carry the burden of the outrageous increase of tariff in the glove schedule.

The fact is, heavy leather is reduced more than hides in value. Hides, from 1888 to 1892, sold as low in Chicago as 4½ cents, and advanced to 10 cents a pound in 1896, and went up as high as 14 cents, and declined last year in panic to 6 cents a pound for No. 1. Buffs to-day are 11½ cents a pound.

Mr. FORDNEY. All I have to say about the duty on hides is this: The duty on hides is 15 per cent ad valorem on heavy hides. We import about 40 per cent of all the leather and hides that is consumed in this country, and furnish at home about 60 per cent. The hide of an animal, as I have said, is the finished product of the farmer. A gentleman representing the Armour Packing Company, of Chicago, appeared before our committee and said that to-day cattle 3 years old were selling, in December, for $96 a head. I asked him how much the hide from that animal brought in the market after it had been taken from the animal. He said that the price was about 10 cents a pound, and an average hide weighed from 60 to 70 pounds. Therefore, the hide would be worth about $7.

The duty at 15 per cent would be $1.05, or around a dollar. He said the duty on the hide would amount to from 90 cents to $1.20. I asked him how much by-products there was in the animal and he replied 43 per cent, and that his firm made a profit out of every one of the by-products of the animal.

When the hide of an animal is worth $7, and the total animal brings from $75 to $96, it seems to me the farmer must get something for the hide when selling the animal. He is not likely to throw away 10 per cent of the value of the animal. He is too shrewd a trader.

Now, my friends, I was not willing to make certain reductions, but I bowed to the will of the committee, and I say the bill is a great bill—a compromise among men—and I am going to stand by it; but I have a right to complain about some things. I believe that the reductions we made on leather goods and leather were too severe and out of proportion to the removal of the duty on raw hides, but I have no opportunity to get into law my wishes on that and many other things in the bill, and therefore I stand by the bill. Now, I yield to the gentleman from Minnesota.

Mr. TAWNEY. Mr. Chairman, I desire to ask the gentleman from Michigan a few questions in regard to the proviso found in paragraph 197, Schedule D—the lumber schedule. It reads:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, etc.

Now, that is one subdivision of the proviso and relates entirely to the effect of the imposition of an export duty, and, as I understand that part of the proviso, if any Province in Canada imposes an export duty or discriminates against the exportation of any forest product, then, and in that case, the duties under section 3, which I understand are the duties imposed upon lumber under the current law, would be collected?

Mr. FORDNEY. Yes.

Mr. TAWNEY. Now, the next part of the proviso is as follows:

Or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

Now, I want to ask the gentleman, because I know he is familiar with the disposition of timber land in Canada, if it is not a fact that there exists to-day, and has existed for at least ten years, a condition in Canada or in the Provinces of Canada which would make it absolutely impossible for any forest product to be imported from Canada under the schedule as the committee has reported? That condition is the one which is embraced in all of the leases or contracts for the purchase of timber limits in Canada, namely, that the timber must be manufactured in the Province. If it is provincial timber land that is sold, or manufactured in the Dominion of Canada if it is federal timber land that is sold by the federal government; and would not that limitation of the manufacture of the timber amount to such a restriction upon the exportation of forest products, namely, logs, as to put into force automatically the Dingley rates as soon as this bill became effective?

Mr. FORDNEY. Mr. Chairman, I will say this to the gentleman, that prior to the enactment of the Dingley law the forest products of Canada were permitted to be taken across the border into the United States without restriction. Any American citizen purchasing timber in Canada was accorded the same privileges as a citizen of Canada.

Mr. TAWNEY. That is, prior to the adoption of the Dingley law.

Mr. FORDNEY. Prior to the adoption of the Dingley law. There was no discrimination as against American citizens. When the Dingley bill was enacted into law, there was a proviso put into it which provided that if Canada placed an export duty on logs or round timber, or discriminated in any way in the moving of logs by an export tax or a duty on logs or boom sticks or chains, whatever that export duty amounted to, imposed by Canada, the same should be added to the $2 duty on rough lumber. That proviso was put in there for this purpose: It was thought, I presume, that by putting then a $2 duty on lumber, because under the Wilson bill lumber came in free, that Canada would impose an export tax on logs, and at that time 400,000,000 feet of Canadian logs, or timber cut from the forests of Canada, were coming across the Lakes annually and were manufactured in the great State of Michigan in its mills.

Mr. TAWNEY. If the gentleman will pardon me, I at that time was a member of the Ways and Means Committee and drafted the proviso in the Dingley law myself; and I want to say to the gentleman, and for the information of the committee, that that proviso was put on there because the Michigan lumberman, manufacturing lumber on the Michigan side but owning timber in the Georgian Bay district, feared that the imposition of the duty on lumber would prompt the Canadian government or the Provinces of Canada to impose an export duty on the logs on the free list.

Mr. FORDNEY. Provoke them to do it.

Mr. TAWNEY. Provoke them to do it, and this proviso was inserted, and subsequent to the enactment of the Dingley law the Province of Ontario proposed an export duty on logs, whereupon the Secretary of the Treasury, Mr. Gage, announced that in that event the duty on lumber in this paragraph, rough and finished lumber, would be automatically increased by the amount of the export duty.

Mr. FORDNEY. Yes.

Mr. TAWNEY. Thereupon the Province, several Provinces of Canada, abandoned the policy of imposing an export duty, and put in the timber limits contract a condition that the timber must be manufactured in Canada. Now, is not that a restriction such as is contemplated here?

Mr. FORDNEY. I will explain that fully; I want to do it, because I do not wish any man to misunderstand the purposes of the proviso. The Michigan lumberman did not want to prevent the bringing of logs from Canada to Michigan sawmills and to Ohio. The Cleveland Sawmill Company, of which R. G. Hawley was president, had a large sawmill at Cleveland, Ohio, and brought logs from the Great Lakes to that point to saw. Since then, or since this bill went into effect, the Dingley law, Canada readily got around that proviso by inserting a clause in their timber licenses—for instance, in Canada no one owns the timber but purchases from the government the right to cut timber, paying a certain amount per thousand as stumpage when cut. One bids at public auction and secures a license to cut and you pay an additional $5 per square mile per year in some instances, the tax varies, for the right to have your license extended from the 1st of May each year to another year.

Instead of putting an export duty on logs they put a proviso in the law that timber cut from crown lands must be manufactured in Canada and thereby prohibited the exporting of logs to the United States or any of its raw forests product. I am guilty of having used my influence to get this proviso in this bill, and I will tell you what is is for: Do not misunderstand me, for I wish to be absolutely fair to every man and to Canada. Canada to-day prevents her raw material coming to our markets, but is clamoring for the removal of duty on her finished product lumber, and I am one of those who believe that Canada must relinquish her hold on her raw material or her finished product shall pay the present rate of duty of $2 per thousand on lumber. [Applause on the Republican side.] If this bill is enacted into law with that proviso in there it means this, gentlemen, that the American citizens will have access to the raw material of the forests of Canada or she must pay $2 per thousand on her rough lumber. Is there any good reason why we should admit Canadian flour into our markets if Canada will not permit her wheat to come across the line? Is there any reason we should take any finished product from Canada when she will not permit us to have her raw material? If so, I would like to have some reasonable explanation of it. This proviso, let me repeat, gentlemen, means that Canada must change her custom and stop the discrimination against Americans in her forests, or she must pay a duty on her finished products, which is a protection to the 800,000 men employed in sawmills in the United States. [Applause on the Republican side.]

Mr. TAWNEY. Does the gentleman from Michigan believe it is possible by legislation of this kind to impose upon Canada a condition with reference to the disposition of the timber on her public domain any more than Canada or any other foreign country could impose upon the United States a condition with reference to the disposition of our public domain? I simply ask this for the purpose of ascertaining whether or not in the judgment of the gentleman from Michigan it would be possible for this proviso here to change the fiscal policy of Canada with respect to the disposition of her timber, and unless Canada does change that fiscal policy then the rates in the Dingley bill will continue to be in force notwithstanding this proposed reduction.

Mr. FORDNEY. Now, Mr. Chairman, let me say the United States imposes no such restriction on Canada. Canada has access to our forest products. There is no raw material in the United States excluded from Canada's market. [Applause on the Republican side.] Canada has discriminated against American citizens, and, by the heavens above me, I contend that we have the right to strike back at Canada when she strikes at us. [Applause on the Republican side.] And that proviso is intended for that very purpose. We have no right to say to Canada that she shall change the manner of disposing of her timber, but we have the right to say, Mr. Chairman, to Canada that she must make a change or pay a duty on the finished product.

Mr. TAWNEY. Will the gentleman permit another inquiry?

Mr. FORDNEY. Yes, sir.

Mr. TAWNEY. Under the operation of this proviso, if any province of Canada proposes to continue its present policy in respect to the disposition of its timber, namely, prohibiting the exportation of it, then the rates of duty provided in section 3, which are the rates in the Dingley law, would apply as to all forest products coming from the entire Dominion of Canada or from any province in Canada, would they not?

Mr. FORDNEY. That is just what the proviso says exactly. We meant to say that, and I hope it means everything it says. There are parts of the Canadian country, or provinces over there, that impose a crown-land charge of 65 cents per cord on pulp wood, but if that pulp wood is manufactured in Canada, 25 cents per cord is rebated to the man that cuts it, but if it comes to the United States, to the great pulp mills in this country, from the country to which our pulp mills must look for their raw material, they are discriminated against by the extra charge of 25 cents a cord. And I say that it is unjust for Canada to impose any such conditions, and she ought to be brought to understand that we will look after the interests of this country just as earnestly and correctly as Canada looks after her interests. [Applause.]

Mr. TOWNSEND. On the subject about which the gentleman is now talking, the bill says:

If there is any discrimination on any forest product.

Now, that includes everything from saw logs to toothpicks, does it not?

Mr. FORDNEY. Yes, sir.

Mr. TOWNSEND. So that if there should be a discrimination or restriction of any kind imposed by Canada upon toothpicks, for instance, that would put the tax of $2 on lumber?

Mr. FORDNEY. Yes, sir; any forest product. And if you can give, my friend—and I am not quarreling with you—if you can give any good reason why we should sit by and look on, and allow Canada to discriminate against our citizens without retaliating, I would like to have some man tell me why.

Mr. TOWNSEND. Would it not accomplish this if we retaliated on toothpicks, for instance, if the restriction was on toothpicks? In other words, ought we to compel the imposition of the tariff of $2 if we believe in $1, upon boards, if there is a restriction upon some minor product?

Mr. FORDNEY. Yes; but I think the gentleman is picturing an extreme case. There is no disposition to impose a maximum rate of duty on Canada's forest products unless she discriminates against us in a substantial way. And I do not think any American citizen would ask to have the full penalty imposed if she discriminated in a single bundle of toothpicks, worth a penny.

Mr. TOWNSEND. Understand, I agree with the gentleman in this part of his discussion, and that we ought to protect ourselves against any discrimination on the part of Canada. But ought we to go so far as to pass a general law which could be considered to absolutely defeat the intention of the Congress in asking for $1 lumber?

Mr. FORDNEY. I will say to my colleague that I do not know how much or what kind of language to put in that bill that will be a basket clause that Canada can not get around unless you discriminate against the entire forest products. You can not single out from anything that Canada might make from her forest products and name them and have the proviso constitutional. I think it is couched in fitting language and strong enough so that Canada will understand that we have awakened to the fact that we have been discriminated against long enough, and we will stand it no longer.

Mr. TAWNEY. If the gentleman will permit——

Mr. TOWNSEND. I wanted to carry this a little further. I agree with the gentleman, and I dislike very much to interrupt. I wish to say, without flattery, that no man has maintained himself better than the gentleman from Michigan has, and under much provocation to become impatient. I think on this countervailing proposition we might possibly agree. Suppose there should be a patent granted to some citizen of Canada under the general laws covering some wood production; now, would the collector of customs be entitled to impose a duty of $1 a thousand on lumber if there was that restriction or regulation, or whatever you call it, which somehow or other restricted the introduction of that article into the United States?

Mr. FORDNEY. I will read that proviso. It is as follows:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

Now, just one minute and I will yield. I do not know how to put it in stronger language. Had I been able to command any stronger language I would have put it in there and, if possible, gotten the committee to accept it, because I do not want to even leave a rat hole for Canada to get out of.

Mr. YOUNG of Michigan. Mr. Chairman, I just wish to say I do not see how it is possible the granting of a patent would in any way restrict the importation of Canadian lumber or force the product into this country. I certainly think if a special privilege in the way of a patent should be granted for the making of some article out of wood, it would be a strained construction of this statute that would make it apply to a case of that kind. I do not believe any Secretary of the Treasury or any court would ever put any such construction upon it.

Mr. FORDNEY. I will say to my colleague that I believe this—this proviso in paragraph 197, which applies to rough lumber, and rough lumber alone: I believe that the proviso if taken into court would be construed to mean—I am not a lawyer, and never studied law for a minute, and I have kept out of court all my life, with very few exceptions, and know very little about law—but, in my opinion, this proviso in the paragraph that relates to lumber, or some portion of the lumber industry, the court would construe to apply to all the lumber schedule. There is a proviso in the pulp schedule. I believe the courts would correctly say that it was not the intention of the proviso in paragraph 197 to be applied to the pulp schedule, which is entirely another product.

Mr. DAWSON. I understand the gentleman says forest restrictions. Now, does not the gentleman mean that if there is any restriction on the forests, it shall be restored upon the corresponding product?

Mr. FORDNEY. Well, the great difficulty in describing all forest products is this: Round timber, and shingle bolts and heading bolts, and pickets and posts, and telegraph poles all are forest products—forest products of some kind, and to describe them in the law itself would make it longer than the moral law, and we might forget to cover some things of importance, and therefore it is covered in as strong language and as few words as possible. [Laughter.]

Mr. TAWNEY. I want to ask the gentleman if it was his intention under this proviso to affect the wood-pulp schedule in Schedule M?

Mr. FORDNEY. I had in mind the lumber industry alone.

Mr. TAWNEY. Pulp is a forest product, and there is a proviso which relates to pulp, and I think would be so construed by the court as to relate to pulp alone. In paragraph 197 there is a proviso which the gentleman has inserted, which reads:

That if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product of the United States in any way—

That would certainly include wood pulp, and if there is any restriction on wood pulp or pulp wood, that restriction would operate and put in force and effect the rates of the Dingley law.

Mr. FORDNEY. Can the gentleman suggest any language in that provision that he would strike out that would not leave a loophole for Canada to get away?

Mr. TAWNEY. I can suggest no language that would more thoroughly carry out the purposes of the gentleman from Michigan than the language he has used, which would make the peo-

ple of the United States who desire and believe they ought to have rough lumber free of duty depend upon Canada for that benefit rather than upon the Congress of the United States. [Applause.]

Mr. FORDNEY. Now, Mr. Chairman, when a fellow comes along and hits you on the nose, you will strike back and hit him where you can; and if you wait for a chance to hit him on the nose you may not hit him at all.

Mr. TAWNEY. But suppose the blow that you hit the other fellow hurts you worse than it does him?

Mr. FORDNEY. I never hit a fellow in my life but that I hurt him more than it hurt me.

Mr. SHERLEY. Will the gentleman allow me to ask him this?

Mr. FORDNEY. I yield to the gentleman.

Mr. SHERLEY. Why is the reduction made from the Dingley rates to the Payne rates on lumber?

Mr. FORDNEY. Why? Because the majority of the Republican members on the committee so voted, but against my earnest protest.

Mr. SHERLEY. I am willing to believe that they had a reason. What I am anxious to get at is that reason. The gentleman has stated that he had a reason against their position.

Mr. FORDNEY. Those gentlemen on the committee who did not agree with me, I want to say for them that it is an honest difference of opinion. Perhaps they were right and I was wrong, but I disagreed with them.

Mr. SHERLEY. Well, the assumption is this, is it not, that they voted for a reduction because they thought a reduction would be a benefit to the people of America?

Mr. FORDNEY. Let me say to you, my friend——

Mr. SHERLEY. You can say "yes" or "no" to that.

Mr. FORDNEY. Oh, well, I will answer it in my way, and I will do it courteously. In the revision of the tariff, I want to say to you, there was a difference of opinion at times between the Republican Members as to how much reduction or whether any should be made in certain schedules. My friend from Missouri [Mr. CLARK] did me the honor to tell the absolute truth about me. I sweat blood every time they reduced a schedule. [Laughter.] Because, as Mr. CLARK has said, if they had done me the honor to let me write this tariff bill I would have made it almighty short, and in deference to him it would have been almighty sweet to American citizens. I would not permit any article that can be produced in this country to have the duty upon it made so low that it could be produced abroad and come into this country and be sold at a price that would bring starvation wages to the man who gives his brawn and brain to the making of it. [Applause on the Republican side.]

Mr. SHERLEY. Now, will the gentleman come back to the issue? Is it not true that the reduction from the Dingley rate to the Payne rate on lumber was made with the idea of affording relief to the American people?

Mr. FORDNEY. I never thought for a minute, after getting the statement of the prices that Mr. Rogers is charging, that the consumer would get one farthing of the reduction, especially so if the retailers around the country are such fellows as some gentlemen have described them to be.

Mr. SHERLEY. I am not asking the gentleman to change his view point; but for any sort of a logical argument we must have a basis to start from.

Mr. FORDNEY. Yes.

Mr. SHERLEY. It must be assumed that that reduction was made for that purpose. Now, if it was made for that purpose is not the effect of the provision as to retaliation against another country that if they do not agree to give up something that we do not like, then we will punish ourselves by putting the rate back to where we took it from?

Mr. FORDNEY. My friend, it is my opinion that the $2 per thousand on rough lumber is not a sufficiently high tariff to be protection beyond an amount that would appear as reasonable, and I do not want to see it reduced.

Now, I want to say this to you: I know of no interest in the United States that is producing an article for consumption on which I want to see the duty reduced to a point that the foreigner can come in and enjoy our markets and take them away from the laboring men, or deprive them of their right to produce that article in this country. Now, my friend CLARK did me simple justice yesterday in stating to the country that I was a standpatter on the tariff question.

My friend CLARK is one of the best fellows that ever lived. He said to me one day, and I believed him and believe him now:

FORDNEY, if Congress would permit you and me to make this tariff bill, I believe we would make one that both sides of the House would vote for.

[Laughter.]

I believe I could have persuaded my friend to be a protectionist if we had been accorded that great honor. But whether that is right or whether it is wrong, I want to say to the gentleman that the industries of the South are of great importance to the people of that country. Cotton is one of the greatest, amounting in volume to more than $450,000,000. I would have been pleased to see the duty on imported cotton fabrics increased.

The total importation of all manufactures of cotton last year, dutiable	$73,059,548.93
Cotton and cotton waste, not dutiable	20,791,141.00
Total	93,850,689.93

Duty collected, $38,999,267.30.

And those imported goods, to a very large extent, were made in Europe from cotton raised in the United States, exported to Europe, there converted into the finished product by cheap labor—receiving, especially in Belgium, an average of the measly sum of 18 cents per day—and brought back to the United States, and after paying the rates of duty fixed by law on such imports, in some cases as high as 45 per cent ad valorem, and also paying transportation both ways, are sold upon our markets below the cost of production of the same fabrics manufactured in this country. It would have pleased me to see the duty on this class of goods materially increased.

I would also have been highly pleased to see a paragraph in this bill providing for a duty on long-staple cotton. It is a growing and important industry in the South, and needs protection to capital and labor to guarantee success. One hundred million pounds were imported in 1907.

Fifteen years ago, and before the construction of cotton factories in the South, cotton sold at 5 cents per pound, and at that time 10,000,000 bales of cotton brought not to exceed $300,000,000. The producers of cotton at that time were not at all prosperous. On the other hand, they gave a great deal of labor for the money received for their crop, and were poor.

Cotton factories were built in the South, and immediately there became competition for raw cotton between the mills of the South and of the North and in Europe; and while the price of cotton is now somewhere about 10 cents per pound, it brought 13 cents per pound less than two years ago. So that, for the same labor and outlay, the cotton raisers of the South are receiving $600,000,000 for 10,000,000 bales of cotton, as compared with half that amount fifteen years ago.

There are 10,500,000 spindles now operated in the cotton mills of the South and over 15,000,000 in the North, yet the duty on imported cotton fabrics is not sufficiently high to bring about conditions to enable the manufacturing at home of all the cottons we use. The establishment of these factories has diverted from the farm a large number of employees, thus finding a place in the factories for the surplus labor on the farm. This labor so employed in the factory also consumed large quantities of other farm products, such as vegetables and meat, and creates a wider market for various farm products. The money paid to this labor goes to the South, which would not go there were it not for the cotton mills. Cotton is the predominating product of the South, and therefore should receive its fair share of protection along with the products of other States. [Applause.]

Oh, gentlemen, such a condition should not exist; and I would like to see our tariff laws so high that cotton goods of no foreign country could enter our markets and make the shirt that is worn on the back of the man in Mississippi producing the raw cotton. [Applause.] Such goods ought to be made by American labor.

Mr. BARTLETT of Georgia. Will the gentleman yield for a question?

Mr. FORDNEY. Certainly.

Mr. BARTLETT of Georgia. Is it not a fact that in this bill you have reported it reduces the tariff on articles made in the South and raises the duties on articles made in the North?

Mr. FORDNEY. I do not think that is right.

Mr. BARTLETT of Georgia. I can prove it.

Mr. FORDNEY. I do not think that is right. As before stated, long-staple cotton is a growing industry in the South. Last year there were 100,000,000 pounds of long-staple cotton imported into the United States, 78,000,000 pounds of which came from Egypt. I would like to see a duty on long-staple cotton of at least 5 or 8 cents per pound to help that industry in the South. I think it needs it, and it is my earnest wish that before this bill becomes a law there will be a duty of some kind on long-staple cotton.

The capital invested in manufacturing in the South has increased from $1,153,000,000 in 1900 to more than $2,100,000,000 in 1908; and the products of the factories of the South have increased from $1,463,000,000 in 1900 to the magnificent sum of $2,600,000,000 in 1908. The population of the South has increased from 23,500,000 in 1900 to 27,000,000 in 1908. In fact, the Southern States are to-day increasing rapidly in wealth.

The lumber cut in the South in 1900 was less than 14,000,000,000 feet, and in 1908 it was nearly 20,000,000,000 feet. Fifteen years ago the magnificent forests of the South were practically valueless, but the capital of the North, combined with that of the South, has opened up the lumbering industry of that country, and to-day it is one of the predominating industries.

The railway mileage of the South has increased from 52,600 miles in 1900 to 67,200 miles in 1908; and the true value of all property in the South has increased from about $14,000,000,000 in 1900 to more than $20,000,000,000 in 1908. It can not be denied that under our present protective tariff laws the South has advanced in wealth and commercial activity quite equal to the advancement in the North.

Mr. MILLER of Kansas. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MILLER of Kansas. If this bill should become a law, would it apply to the shipment of forest products from Canada under the conditions that prevail in that country at the present time?

Mr. FORDNEY. Was the gentleman here a few minutes ago when I explained that?

Mr. MILLER of Kansas. No; I was not.

Mr. FORDNEY. I went at great length into that matter. This proviso in the bill means, as I intended it to mean—and I hope it will be enacted into law—that Canada must give up to the United States her raw forest products or pay a duty of the present rate in the Dingley bill on her finished products.

Mr. MILLER of Kansas. I thought that would be the answer of the gentleman. Under the law as it exists at present is it not true that in the Province of Quebec there is 65 cents duty on pulp wood?

Mr. FORDNEY. Yes.

Mr. MILLER of Kansas. And in the Province of Ontario 25 cents. In the Province of Quebec if the wood is cut and manufactured into wood pulp, there is a rebate of 25 cents. There is a discrimination in favor of Canada at present, and when the special committee was considering the matter they reduced the duty on wood pulp, practically put it on the free list, and reduced the duty from $6 a ton to $2 a ton, or a little over, on print paper. In view of that fact, if this bill is passed as it now is, would not the duty on wood pulp go back where it is to-day, and would not the duty on print paper go back where it is today and thus the country get no relief in the prices of wood pulp or print paper?

Mr. FORDNEY. I stated at some length, a few minutes ago, that it is barely possible that this proviso would apply to wood pulp. But it is my belief, however, that it would apply only to the articles enumerated in the paragraph in which the proviso is found, and not to wood pulp.

Mr. MILLER of Kansas. Let me ask the gentleman this further question. He is thoroughly familiar with this subject. What is the reason for the change in the language of the proviso that was in the Dingley bill?

Mr. FORDNEY. I will state to the gentleman, as I have stated to the House, that the proviso in the Dingley bill immediately caused Canada, instead of putting an export duty on logs, to put an embargo upon her raw forest products, and absolutely prohibit its coming to this country under an export duty or otherwise. It must be manufactured in Canada.

Mr. JOHNSON of Kentucky. Will the gentleman permit a question?

Mr. FORDNEY. Yes.

Mr. JOHNSON of Kentucky. If that is true, can the owner of the standing timber who sells his logs to the sawmill in the United States possibly receive any part of the duty imposed upon that timber?

Mr. FORDNEY. I do not quite get the gentleman's idea.

Mr. JOHNSON of Kentucky. If a log can not come into the United States from Canada, does not that imply that there can be no competition whatever between Canadian logs and the United States logs?

Mr. FORDNEY. There is none now. They do not permit their raw material to come into the United States at all, but we want it to come in, and I will tell the gentleman why. If we could bring into the United States to-day saw logs or round timber, to be put through our saw mills and converted into lumber, American labor would get from $5 to $6 or $7 per thousand feet for the employment in converting that raw product into the finished product [applause], and I therefore want to help American labor that much.

Mr. JOHNSON of Kentucky. My question is, that if they can not come as the gentleman says they can not, does the original owner of the log in the United States get any part of the tariff which is imposed?

Mr. FORDNEY. Oh, I explained a little while ago as to where the benefits might go if the duty on lumber were removed. There are so many points of exchange in the tree from where it stands in the woods until the sash and door and blinds are put upon the gentleman's house, if he is building one, that it is very hard to tell which of the different hands that it goes through would receive the benefit; whether it would be equally distributed or whether it would go to the consumer. That is a question that no human being can intelligently answer.

Mr. JOHNSON of Kentucky. As I understood the gentleman, he declined to say where the duty went.

Mr. FORDNEY. Oh, no; I do not.

Mr. JOHNSON of Kentucky. Is it not believed that the actual application of the duty begins at the sawmill and not to the owner of the log?

Mr. FORDNEY. No; I do not think so. I will tell the gentleman why. I stated once before that I was at one time a manufacturer of lumber in Canada, and paid a duty of $2 per thousand upon our entire product, thirty millions a year, and brought it across the Lakes to a yard in Toledo, Ohio. I often thought that if lumber was put on the free list that our firm would get $60,000 a year out of it. Whether I was correct in my thoughts or not, I do not know.

Mr. JOHNSON of Kentucky. That would be all of it?

Mr. FORDNEY. That would be all, absolutely. I believe that the Canadian believes to-day, if this tariff is removed, he is going to get the entire benefit. The consumer believes if it is removed he will get the entire benefit, and every man that touches that board or the board out of the log, from the time it leaves the woods until it goes into buildings, believes that he will be benefited. Where it may be distributed, no man can tell.

Mr. MANN. Will the gentleman yield for a question?

Mr. FORDNEY. Yes.

Mr. MANN. It is on the question of wood pulp and pulp wood. In one of the paragraphs of the bill pulp wood is enumerated with logs and other forest products in the rough, and is admitted free of duty. Pulp wood is now admitted free of duty.

Mr. FORDNEY. Yes.

Mr. MANN. Under section 3, however, there would be a maximum tariff imposed of 20 per cent on pulp wood if Canada should not come under the terms of the main provision. Does the gentleman think that the paper mills of the country can stand a duty of 20 per cent on pulp wood in any event?

Mr. FORDNEY. Mr. Chairman, let me say that I have not given a very great amount of study to this print-paper and pulp-wood proposition. The gentleman from Illinois [Mr. MANN] was the chairman of a special committee and gave it very careful consideration. I know that the papers of the country were demanding free trade on print paper. What right they have to ask that their raw material be furnished to them at a less price when they are putting up their rates of advertising I can not see. It does not seem reasonable to me. I will state to my friend that the newspapers of this country have no more right to consideration as to their raw material than has any other industry in the United States, notwithstanding the fact that this is a very unpopular position to take with the newspapers of the country.

Mr. MANN. I do not wish to enter into any controversy with the gentleman on that point, but I was trying to attract his attention not to the raw material of the newspapers, but to the raw material of the paper manufacturers, now admitted free of duty—pulp wood.

Mr. FORDNEY. They are discriminated against, my friend; they are discriminated against in the rebate on the stumpage they pay for their raw material over in Canada.

Mr. MANN. Well, they admit it free of duty to the extent——

Mr. FORDNEY. Whether you make it a duty or rebate in taxes, it amounts to the same thing.

Mr. MANN. Well, if the gentleman will permit me to ask him the question——

Mr. FORDNEY. Well.

Mr. MANN. They are now admitted free of duty to the extent of a million cords a year. Under section 3 of this bill they may be required to pay a duty of 20 per cent on the value of the pulp wood, and if that should be the case, half the paper mills of this country would go out of business.

Mr. EDWARDS of Kentucky. Mr. Chairman, I would like to ask the gentleman a question——

Mr. FORDNEY. I wish to say to my friend here that he has had as much or more to do than any man in this House in

arranging your pulp-wood and wood-pulp and print-paper schedule. It has not been intended on my part to have paragraph 197 conflict with the paragraph in which that proviso appears which you prepared. It might be so construed, but I desire to say I had in mind only the lumber question and not wood pulp, and I am trying to save that industry from the discrimination now placed against us by Canada.

Mr. MANN. I hope the gentleman will not misunderstand me. I am not endeavoring to criticise the committee in any way. I think these conflicts in the bill are purely inadvertent, that is what I have supposed, and because the gentleman is authority on forestry matters is the reason why I have asked him that question.

Mr. FORDNEY. Oh, well; have I answered your question?

Mr. MANN. As far as you have gone.

Mr. EDWARDS of Kentucky. I would like to ask the gentleman from Illinois a question. If a tariff was put on that million cords of pulp wood, do you believe the mills would have to shut down, or could not they move down South in many of the Southern States where millions of cords of pulp wood are rotting annually and there continue in business?

Mr. MANN. There is no pulp wood in the South that would take the place of the spruce wood that is imported from Canada.

Mr. EDWARDS of Kentucky. I would like to ask my friend if he has ever investigated the spruce wood of the South when he makes that statement of fact?

Mr. MANN. I have investigated it; there is very little of it.

Mr. EDWARDS of Kentucky. I would like to say to the gentleman that the Friend Paper Company, I believe one of the leading paper companies, is shipping pulp wood out of my county in my district, and that a thousand million cords of pulp wood have gone to waste throughout the South.

Mr. MANN. Very likely, but not spruce pulp wood.

Mr. EDWARDS of Kentucky. Spruce pulp wood—there are millions of cords of it standing in my district to-day. The only trouble is you have been trying to compete with Canada when Canada is closer to the mills than our spruce wood. Now, why not move them down South where there is wood, and there locate the mills?

Mr. MANN. We have a number of paper mills in the South, but not one of them grinds wood, makes ground wood, because they have not got the spruce to make it out of.

Mr. EDWARDS of Kentucky. There is not one in the State of Kentucky——

Mr. MANN. There are many things in which Kentucky is behind in many particulars.

Mr. LANGLEY. Well, she is ahead of Illinois in a good many things, anyway.

Mr. EDWARDS of Kentucky. I can get substantial contractors who will undertake to furnish them with the spruce wood if they will come down there and establish the mills.

Mr. GOULDEN. I would like to ask out of the 40,000,000,000 feet of finished lumber how much is exported from Canada into this country?

Mr. FORDNEY. The gentleman asks how much lumber comes into the United States from Canada. Our imports of lumber from Canada are only about 2 per cent of the total consumption of lumber in the United States. Out of 40,000,000,000 feet of lumber manufactured in the United States less than 1,000,000,000 feet was imported last year.

And I do not believe that, if that 2 per cent were permitted to come into this country free of duty, the consumer would get his lumber $2 per thousand cheaper.

Mr. GOULDEN. Another question. Who, in your judgment, pays that duty on that 1,000,000,000 feet of lumber now?

Mr. FORDNEY. I will say to the gentleman from New York that I explained it as best I could a little while ago, during his absence.

Mr. GOULDEN. I was not absent.

Mr. FORDNEY. There are so many hands through which this lumber must go that it is so distributed, undoubtedly, that each and every man who handles it looks for the benefit.

Mr. LOUD. Does not the Canadian pay it indirectly?

Mr. FORDNEY. The Canadian pays it indirectly.

Mr. LOUD. By selling that lumber that much cheaper?

Mr. FORDNEY. By selling that lumber that much cheaper. But, on the other hand, this 2 per cent, or 1,000,000,000 feet, that comes into our market comes in at points where it hurts on the low-grade lumber manufactured in that part of the country.

Mr. GOULDEN. One more question, if the gentleman will be kind enough to yield. He has certainly been considerate and has stood the test remarkably well, and I have been here from start to finish. I would like to ask if the amount would be increased materially if the schedule in the Payne bill became a law?

Mr. FORDNEY. I do not believe our imports would increase, but this is what would happen: At a time just like we have now, when there is a depression in the lumber industry, as well as all other industries, Canada is suffering the same as ourselves. And many men engaged in the business, who have large sums of money borrowed, must convert their forests into money in order to meet their obligations and sell, many times, below cost in order to get money to save them from bankruptcy. And just at such times, when this low-grade and cheap lumber from Canada is dumped onto our market and creates disaster among the lumber industries of this country, is when it hurts the worst.

Mr. GOULDEN. The gentleman does not believe, as I understand, that the consumer would be benefited a particle by the reduction in the schedule proposed by the bill?

Mr. FORDNEY. From all the information at hand I should say that if the duty on lumber is removed no one in North Dakota who buys lumber from the gentlemen who are here asking for free trade would be benefited a penny. And it is quite reasonable that other parts of the country would be treated in the same way.

Mr. HUGHES of New Jersey. Does the gentleman seriously contend that a man has any reasonable chance of escaping bankruptcy by selling his product for less than it cost him?

Mr. FORDNEY. My friend, let me tell you something. I have been in business since I was a boy, and during the panic of 1896 I sold some of the timber that I owned at ruinous prices to meet my obligations and made sacrifices on what I sold in order to save what little I had left; just what every other man does in times of panic.

Mr. EDWARDS of Kentucky. I would like to ask the gentleman a question right in that connection. My only excuse for asking him is that I believe he has more information on this question than any other man on the floor and perhaps in the United States, and the further excuse that my district is more interested in lumber than in any other product.

Mr. FORDNEY. I will be pleased to answer the gentleman.

Mr. EDWARDS of Kentucky. The gentleman has stated that we produce about 40,000,000,000 feet of lumber annually, and that only 14,000,000,000 of that is produced by what are known as the "big mills." All this fight has been made on the monopolists, the big fellows. Now, I want to know if, in his opinion, the tariff was taken off of lumber the big mills would not be able to take care of themselves better than these men, who own this large stumpage, are not more able to take care of themselves, and that the real hardship would fall upon the 26,000 small sawmills in this country and the thousands of men who labor in the woods and in those sawmills? And is not that hardship distributed all over the United States, because nearly every State in this Union produces more or less timber and it is cut up by these small mills?

Mr. FORDNEY. In answer to the gentleman, I will say this, that in the lumber industry in the country the cost of production depends entirely upon the character of the land on which the timber stands.

In some localities the timber is much more favorably situated than in others. For instance, I know in California, from my experience there—I have spent a great deal of time in the forests of California near Eureka, Cal., which is near Humboldt Bay—there is a territory in which the timber stands within 10 miles of the city, and which can be brought to the mill for not exceeding $3 per thousand feet; and there is timber on mountainous lands and deep gulches; and in felling that great mass of tall timber across gulches there is a great loss, and then it is very expensive to build log roads on such rough lands; and in some instances it costs $9 and $10 per thousand feet to get the logs from the woods to the mill. Then, in addition to that, instead of having level ground on which to fall a tree of 300 feet in length, it falls on the rough mountain side and is broken in the fall, and from one-quarter to one-half of the timber is destroyed by the splitting of the tree and breaking it up into pieces. A great loss is made. So that in times when prices are low the sawmills and manufacturers of lumber situated where the advantages are much greater than at other places, those are the factories and men that can put lumber upon the market and survive when prices are low, when their less fortunate neighbor, who must go to twice that expense, must go out of business. These are conditions that control the prices of lumber, especially so when the price is low.

Mr. MILLER of Kansas. If the gentleman will permit me, I think I understand his views on the subject of the duty on lumber. I want to know whether I am correct in believing that he would restore the old rates on lumber?

Mr. FORDNEY. If I had my way about it I would not make a change in the Dingley law by the crossing of a "t" or the dotting of an "i." [Applause.]

Mr. MILLER of Kansas. Under this provision there will be no change made, will there, in the judgment of the gentleman from Michigan?

Mr. FORDNEY. Well, I would have preferred to have a joker, with a club sufficiently strong enough to flail Canada into the line of giving us favorable conditions on raw material.

Mr. MILLER of Kansas. I do not think there is any question about the joker, and that it so plainly manifests itself in this bill as to carry out the wishes of the gentleman. Now, I want to ask the gentleman, How can Canada bring herself under the application of this bill, if it should be passed, with this proposition in here, in view of the fact that we know there is a tax on the crown lands of the Dominion in Quebec of 65 cents a cord and in the Province of Ontario of 25 cents a cord, that does not go to the Canadian government, but goes to the home Government, with which the Dominion government certainly has nothing whatever to do except to collect the tax and send it to the home Government? How can Canada bring herself under the application of this bill unless she previously secures permission for it from the home Government?

Mr. FORDNEY. I know of no fair rule on the face of God's green earth that should not bring Canada to terms and give us the same kind of treatment that we give to Canada, and I believe—do not misunderstand me, gentlemen—that if the provision in paragraph 197 remains and is enacted into law Canada will still pay the $2 duty upon lumber, but she may permit logs to come across from British Columbia on Puget Sound to the Washington mills; yet I say that if the embargo is removed to-day, I do not believe one log will come across the Great Lakes to the State of Michigan.

Mr. TOWNSEND. Would the gentleman be willing to have that proviso relate in express terms to paragraph 197?

Mr. FORDNEY. Well, that is the lumber schedule, and there are three, four, or five paragraphs on lumber. I am quite willing to have the proviso so changed that it will not apply to pulp. I had no intention to cover that, but my friend from Michigan must remember that there are many paragraphs in which products of the forest are mentioned that in no way relate to wood pulp.

Mr. TOWNSEND. I understand that; and I am free to say that I am not very much concerned as to the Canadian, but I want to protect the American producer of lumber and the manufacturer and the consumer, and I want that proviso which you mentioned to apply to lumber and boards.

Now, I think if the gentleman will confine his proviso to the items actually mentioned in paragraph 197 there will be no difference between him and me on that.

Mr. FORDNEY. I want to say to my colleague from Michigan that I am willing to say this: I have not made this statement before, but I will make it now, with the hope that it may go to the country, and that I may be understood just as I say it. I believe the reduction of the duty from $2 to $1 is too severe a reduction in the duty on lumber. Along with other reductions made in the tariff bill, I am willing that lumber shall stand a fair reduction of the duty, and I believe that a reduction of 25 per cent of the present rate of duty on lumber would be quite a sufficient reduction. If you will give us $1.50 per thousand on rough lumber and retain the differential on dressed lumber as provided in our present law, which is equitable, I am quite willing now to strike out the proviso and wipe out from the minds of all men any doubt as to what I want or what that proviso may do; because $1.50 per thousand protection on rough lumber is, I say, a fair protection, and I will stand by it and be pleased with it. But I am not satisfied with $1.

Mr. SULZER. Will the gentleman yield for a question?

Mr. FORDNEY. Yes.

Mr. SULZER. Does the gentleman believe, taking it all in all, that the Payne bill is an improvement upon the Dingley law?

Mr. FORDNEY. I will say to the gentleman from New York that I believe it is, and I will state why, briefly. It has been found by an examination of imports and exports that there are some rates in the Dingley law that are higher than the point of necessary protection to certain industries, and therefore can be justly and equitably reduced without injuring the industry affected. There are some rates in the Dingley bill that are too low and that do not afford sufficient protection to the industry, and therefore the duty should be and has been raised where, in the wisdom of the committee, it seemed correct and just. Therefore I do say that time has shown the Dingley rates were rather out of proportion as to some industries. It was as nearly correct as human beings could get it at the time it was drawn, but the experience of twelve years on exports and imports has shown that in some paragraphs it was not distributed with entire equity.

Mr. SULZER. Right there, is it not a fact that the taxes or tariff rates under the provisions of the Payne bill, taking them all in all, are greater than the prevailing rates under the provisions of the Dingley bill?

Mr. FORDNEY. No; I think that computation, made by some gentleman on the other side, is not a just and correct percentage. For instance——

Mr. SULZER. Is not that the fact, according to the investigations and statistics furnished by the Treasury Department?

Mr. FORDNEY. If I understand the gentleman's question—and I want to be absolutely fair—the ad valorem, taking it on all imports, is higher in the Payne bill than it was in the Dingley bill.

Mr. SULZER. Exactly.

Mr. FORDNEY. Now, when a given article comes into our market under an ad valorem rate of duty or a specific duty, when prices are low the ad valorem is high, and when the price is high the ad valorem is low. It depends upon when you take the figures for the comparison. I believe that in the present bill the duties have been so arranged that they are more equitably adjusted than they were in the Dingley bill, and I believe those percentages given by some gentleman on that side are entirely out of proportion, on account of the fluctuations of price at the time when they were taken.

Now, Mr. Chairman, I have occupied much more time than I expected. I hope I have been courteous to every man. I am exceedingly sorry that I have offended any gentleman of the House who seem to be exercised at something I said. I had no such intention. I thought a gentleman made a statement which reflected upon me, and I was denying his statement. He says that he did not so intend it. Therefore I wish most humbly to apologize to him, because I would not offend any man, either here or anywhere else, without reasonable cause, and I did not intend to offend him.

I ask permission of the House to extend in the RECORD some remarks. I had prepared something to say on sugar and about Cuban reciprocity, but I will not trespass upon the time of the House much further. I wish to say, however, that I think Cuban reciprocity was the most unfavorable trade agreement ever made between the United States and any other country in the world. Let me say briefly that I have taken the record of our exports and imports to and from Cuba for five years from the adoption of Cuban reciprocity, and here is the startling statement: The balance of trade against us for the five years prior to the adoption of Cuban reciprocity averaged $15,652,000 per year. Under Cuban reciprocity, which some gentlemen have landed to the skies, the balance of trade against us for five years has reached the enormous sum of $43,781,000; and in addition thereto, in taking on an increased amount of imports from Cuba, the reduction of our revenues on goods coming from Cuba has amounted to more than $60,000,000. I believe, my friends, that the sooner we repeal Cuban reciprocity the better for the people of the United States. [Applause.]

Now, one word and I will close. We are trying to do something for the Philippine Islands. Let me tell you what the Philippine Islands are doing for us. I will stand by the bill and the compromise on sugar, the free importation of 300,000 tons per year from the Philippine Islands into the United States.

I am willing to stand by that, and the sugar men of the country whom I have consulted are also satisfied. For the last ten years there has been turmoil in this House over the duty on sugar. There never has been a session of Congress in the ten years that I have had the honor to be a Member of this House that the question of the reduction of the duty on sugar has not been advocated in some manner or other, and our present good President, Mr. Taft, has agreed in my presence that during his administration he will not permit, as far as he can avoid it by his action, any further reduction in the sugar schedule if we will accept this agreement and let the 300,000 tons come in free from the Philippines. Last year the Philippine Islands exported $60,000,000 worth of stuff and fifteen millions, or 25 per cent, came to the United States. She imported $30,000,000 worth of stuff, and she took the measly sum of $5,000,000 worth from the United States. It is costing us, if I am correctly informed, $14,000,000 per year to maintain peace in the islands, and if you will look up the record you will find that our pension rolls amount to $23,000,000 annually for Spanish war soldiers. Great goodness! After doing all this for the Philippine Islands, she buys only one-sixth of her imports from us—the measly sum of $5,000,000 of our products—and then comes back and asks us for more, and complains because we reserve the right

start to finish. I would like to ask if the amount would be in-

lumber. I want to know whether I am correct in believing that he would restore the old rates on lumber?

correct as human beings could get it at the time it was drawn.

to tax in excess of 300,000 tons of sugar and tobacco coming in here above the limited amount.

I say the Filipinos have nothing to complain of after what the Government of the United States has done for them. As the humorist of the House last year, Adam Bede, said in speaking of the Philippine Islands:

> So far as I am concerned, I would be glad to change them for Ireland and raise our own policemen.
>
> [Laughter and applause.]

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FORDNEY. The Republican platform adopted in 1896 contained the following plank on sugar:

> We condemn the present administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than $100,000,000 annually.

The administration to which this plank refers is that of Grover Cleveland, and the sugar schedule which it condemns is the one found in the Wilson bill, which levied a 40 per cent ad valorem tariff on sugar.

The general tariff plank adopted the same year was:

> We demand an equitable tariff on foreign imports which come into competition with American products as will not only furnish adequate revenue for the necessary expenses of the Government, but will protect American labor from degradation to the wage level of other countries.

The Republican party, in its national platform adopted in the year 1900, made this declaration:

> We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained. By protecting our home market, competition has been stimulated and production cheapened. Opportunity for the inventive genius of our people has been secured and wages in every department of labor maintained at higher rates, higher now than ever before, and always distinguishing our working people in their better conditions of life from those of any competing country.

The platform of the Republican party in the year 1904 stated:

> Protection which guards and develops our industries is a cardinal policy of the Republican party. The measure of protection should always be at least equal to the difference in the cost of production at home and abroad.

President Roosevelt's message sent to Congress in December, 1907, contained this statement regarding the position of the Republican party:

> This country is definitely committed to the protective system, and any effort to uproot it could not but cause widespread industrial disaster. In other words, the principles of the present tariff law could not with wisdom be changed. But in a country of such phenomenal growth as ours it is probably well that every dozen years or so the tariff laws should be carefully scrutinized so as to see that no excessive or improper benefits are conferred thereby, that proper revenue is provided, and that our foreign trade is encouraged. There must always be as a minimum a tariff which will not only allow for the collection of an ample revenue, but which will at least make good the difference in cost of production here and abroad—that is, the difference in the labor cost here and abroad—for the well-being of the wage-worker must ever be a cardinal point of American policy.

The Republican platform of 1908, under which that party has been returned to power, contains the following statement in its tariff plank:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries. * * Between the United States and the Philippines we believe in a free interchange of products, with such limitations as to sugar and tobacco as will afford adequate protection to domestic interests.

President Taft in a speech at Greeley, Colo., October 2, 1908, said:

> I understand you are interested here a great deal in beet sugar, and I also understand that some people have intimated that I was against beet sugar. I deny it. I would not do anything that would injure the beet industry in any way, and the Republican platform pledges the Republican party to take no action which will not leave adequate protection to the beet-sugar interests.

It appears from the foregoing declaration of party principles that every platform adopted by the Republican party from 1896 to 1908, both inclusive, contains a party pledge in favor of a protective tariff, and that two of them—namely, the platforms of 1896 and 1908—contain specific pledges that the domestic sugar industry shall be protected. Moreover, it appears, further, that the President of the United States is recorded as saying that he would not do anything to injure the beet-sugar industry and that the Republican platform pledges the Republican party to maintain adequate protection to the beet-sugar interests.

The purpose of the sugar schedule in the Dingley bill is clearly the protection of the domestic sugar industry of the United States, with a view of the ultimate production on American soil of all the sugar the American people consume. The framers of the Payne bill have drawn the sugar schedule with the same end in view. While the present sugar schedule yields a greater amount of revenue than does any other schedule in the entire bill, still the primary object of such schedule is the protection of an American industry. This was the intent of the Republican members of the Ways and Means Committee in 1897, and it is the intent of the Republican members of the Ways and Means Committee in 1909.

THE SUGAR SCHEDULE OF THE PAYNE BILL.

The sugar schedule in the Payne bill now before Congress provides that sugar testing 96 degrees shall pay a duty of $1.68½ per hundred pounds, and that for each degree below 96 degrees, 3½ cents per hundred pounds shall be reduced, while for each degree above 96 degrees, 3½ cents per hundred pounds shall be added until 100 per cent, or refined, sugar is reached, which shall add an extra 7½ cents per hundred pounds, which excess is called a refiners' differential. This makes the duty on refined sugar to be $1.90 per hundred pounds. This section of the Payne bill is identical with the corresponding section of the Dingley bill, except in the matter of the refiners' differential, which, in the Dingley bill, is 12½ cents per hundred pounds, making the complete duty on refined sugar in the Dingley bill $1.95 as compared with $1.90 per hundred pounds in the Payne bill. A further concession in the sugar schedule is made by the insertion of a section which provides that there may be admitted annually into the United States, from the Philippines, not to exceed 300,000 tons of sugar in any one year duty free. Under the present law, Philippine sugar entering the United States is granted a 25 per cent concession from the rates fixed in the Dingley bill, and the 75 per cent that is actually collected at our customs-houses is returned to the Philippine treasury.

Another section of the Payne bill provides that nothing in this act shall be construed to abrogate or in any manner impair or affect the provisions of the treaty of commercial reciprocity between the United States and the Republic of Cuba of the 23d day of December, 1903.

The above-described provisions cover the only changes in the sugar schedule as set forth in the Dingley bill of 1897. It would seem at first glance that the schedule established in 1897 is practically unchanged. Not so, however. Since the passage of the Dingley law in 1897 the sugar schedule has been subjected to four distinct modifications prior to the ones enumerated in the Payne bill. The conditions growing out of our late war with Spain have led to these modifications. Hawaii was the first to profit by the war. Prior to 1898 free trade between these islands and the United States depended upon treaty. In that year the islands were annexed to our country and our tariff laws extended to include them. The permanency of the relation thus established led to a more rapid development of the sugar industry in the Hawaiian Islands than ever before. At the time of the annexation the Hawaiian crop amounted to 200,000 tons; this year it is 465,000 tons, all of which comes in free of duty. Such an influx of free sugar from Hawaii was not contemplated by the framers of the Dingley bill in 1897.

Porto Rico came to us by right of conquest—a trophy of the Spanish war. Because of her low wage rate it was at first thought best to maintain a tariff on goods from that island to the United States. This plan was soon abandoned, and the Dingley law was extended around Porto Rico, and her products were admitted into the United States free of duty, and none of which the framers of the Dingley bill ever intended should enter the United States without paying full tariff.

In 1903 a reciprocity treaty was made with Cuba, under which sugars from that island were admitted to the United States at 20 per cent reduction from the rates fixed by the Dingley schedule. Since the ratification of this treaty the entire Cuban crop of sugar has been sold in the United States. During the first four years of the operation of this treaty we received from Cuba 4,804,111 tons of sugar, as shown by the United States Annual Report of Commerce for 1907, page 340. On this sugar there was a concession of 20 per cent in the duty, or 33⅓ cents per hundred pounds, the amount of the concession for the first four years of the treaty being $36,718,204.

Surely the framers of the Dingley bill did not contemplate that more than a million and a quarter tons of sugar should enter the United States from Cuba yearly at 20 per cent less than the schedule fixed by that law.

A fourth modification of the Dingley sugar schedule was made for the benefit of the Philippines. Sugars entering the United States from those islands received a concession of 25 per cent, and the 75 per cent that is actually collected is returned to the insular treasury, thus, as far as our National Treasury is concerned, establishing free trade with those islands. The framers of the Dingley bill certainly did not con-

template the importation of free or concessionary sugar from the Philippines.

The combined effect of these tariff modifications is as follows, the figures being taken from page 10 of Willett & Gray's Weekly Statistical Sugar Trade Journal, January 9, 1908, and from Senate Document No. 250, Fifty-ninth Congress, first session, compiled by O. P. Austin, Chief of the Bureau of Statistics:

> In the calendar year 1897 the total consumption of sugar in the United States was 2,070,987 tons. The production of domestic cane sugar that year was 310,537 tons, of domestic beet sugar 39,684 tons, of domestic maple sugar 5,000 tons, making the total domestic crop to be 355,221 tons, none of which paid the duty. In addition to this, Hawaii, operating under a treaty with the United States, shipped us, free of duty, 232,219 tons, making a total of nonduty-paying sugar to be 587,434 tons, and leaving as the full duty-paying sugar entering the first calendar year of the Dingley bill to be 1,483,544 tons.
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> In the calendar year 1907 the total consumption of sugar in the United States was 2,993,979 tons. The domestic cane consumption for that year was 264,969 tons, the domestic beet consumption 375,410 tons, the domestic maple consumption 10,000 tons, and the domestic molasses sugar used was 6,249 tons, making the total domestic consumption to be 656,627 tons. The domestic cane crop for that year was 347,000 tons and the domestic beet crop 410,000 tons, the difference between the crop and the consumption being carried over and used early in the calendar year of 1908.
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> In addition to the above domestic crop we used, free of duty, 418,102 tons from Hawaii and 212,853 tons from Porto Rico. We also used from the Philippines, at 75 per cent of the Dingley rate, 10,700 tons, and from Cuba, at 80 per cent of the Dingley rate, 1,340,000 tons, making a total on which tariff concession is allowed of 1,982,655 tons, leaving a balance of 355,297 tons upon which the full rate of duty was paid. This shows that the tariff concessions granted since the passage of the Dingley bill in 1897 have resulted in increasing the free and concessionary sugar imported into the United States by an amount in excess of 1,700,000 tons. These various concessions have reduced the average rate of duty collected on the sugar entering the United States so that, if computed on the sugar originally intended by the framers of the Dingley bill to come in on payment of full duty, it is at present only $1.14½, provided by the Dingley tariff.

The facts as stated above have been corroborated during the past winter by the New York market for Cuban sugars and the New Orleans market for domestic cane sugar. The Cuban quotation has ranged from 40 to 50 cents below the European quotation plus full duty, while the New Orleans or Louisiana sugars have ranged from one-eighth of a cent to three-sixteenths of a cent below the Cuban quotations.

The average has been about 54 cents below the European price plus the full Dingley rate. If we subtract this 54 cents from the $1.68½ provided in the Dingley schedule, we have $1.14½ as the measure of protection afforded the domestic sugar industry during the past winter under the modifications of the sugar schedule of the Dingley bill as outlined above. The actual market conditions thus show conclusively the effect of the four different concessions already made in the sugar schedule of the Dingley bill.

The Payne bill proposes now to admit a maximum of 300,000 tons of raw sugar free of duty. This, added to the modifications already made, will make a still further concession in the duty on raw sugar. The sum total of the concessions from the Dingley raw-sugar schedule, when the Philippine provision of the Payne bill becomes fully operative, will be at least 45 per cent. In view of this reduction in the tariff on raw sugar, it is only fitting that the differential between raw and refined sugar shall also be reduced. The Payne bill provides for a reduction of 40 per cent in the refiner's differential.

IS THE SUGAR SCHEDULE AS FIXED BY THE PAYNE BILL IN HARMONY WITH THE DECLARED PRINCIPLES OF THE REPUBLICAN PARTY AS SET FORTH IN THE PLATFORM OF 1908 AND INTERPRETED BY THE PRESIDENT?

The present sugar crop of the Philippine Islands is about 200,000 tons, of which approximately one-half is exported, the remainder being used for home consumption. The maximum export of sugar reached by the Philippines is 250,000 tons. It would, therefore, seem that a provision which permits them to export free of duty to the United States 300,000 tons of sugar annually would enable them to accomplish that which President Taft states he desires to see accomplished in the development of the Philippine Islands, namely, to enable their sugar industry to reach that degree of prosperity which it formerly enjoyed.

It will not, however, permit anyone to exploit the islands with the intent to make of them a great sugar-producing region. To make of these islands a great sugar plantation would be to fasten on them forever a system of sugar estates ranging from 25,000 to 50,000 acres, a system of absentee landlordism, and a system of semiserville or peon labor. Such is the universal result following the establishment of great sugar interests in any tropical country. The history of Java, Porto Rico, and Cuba abundantly illustrates the truth of this statement. It is not the policy of our National Government, as now set forth by President Taft, to exploit the Philippine Islands in any such way; rather it is the policy to encourage those industries which will cause the development of the individual Filipino, giving him the incentives which go with individual ownership of land and afford him the uplift consequent upon such ownership. By limiting the amount of free sugar imported from the Philippines into the United States the beneficial effects of access to our markets will be granted to the individual Filipino and not to the great corporations organized for the purpose of exploiting the sugar lands of those islands. This policy is in direct keeping with the enactment of the land laws of those islands, which prohibit any corporation from owning more than 2,500 acres of land.

It must be remembered that a minimum of at least 25,000 acres is necessary for the maintenance of a great sugar estate. The climatic and soil conditions of the Philippines are such that if there was no limit on the amount of sugar they could import, duty free, into the United States, the output of sugar from those islands would be such that it would result in the destruction of the sugar industry of the United States.

By limiting free export to the United States to the amount named in the Payne bill, namely, 300,000 tons, it is expected that the development of these islands can go forward without the destruction of our domestic sugar industry in the United States. Hawaii and Porto Rico, by virtue of their limited area and small population, can not increase their sugar output much beyond the present yield. Cuba, with her 20 per cent concession in the tariff, has the opportunity to develop her sugar industry to its normal capacity, namely, about one and one-half million tons. If the Philippines ultimately export to the United States 300,000 tons annually, it will still leave, with the constantly increasing consumption in the United States, an opportunity for the domestic beet and cane sugar industries to develop as rapidly as conservative business principles shall demand.

It remains for us to consider whether the rates fixed in the sugar schedule of the Payne bill are based on the recognition of the principle that the protective tariff should "equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries." Let us first consider the duty on refined sugar. Europe is the only country that makes refined sugar for export to the United States. The price of European sugar for export is governed by the Hamburg quotation. From Willett & Gray's Weekly Statistical Trade Journal, December 26, 1907, page 7, the Hamburg price per 100 pounds for refined granulated sugar for the past eight years is given as follows:

1900	$2.64
1901	2.29
1902	1.79
1903	2.11
1904	2.55
1905	3.00
1906	2.31
1907	2.40

This makes the average Hamburg price for granulated sugar for the past eight years to be $2.38½ per hundred pounds f. o. b. Hamburg. A careful comparison of these figures with those given by the great English authority, H. H. Hancock, pages 104 and 105 of the International Sugar Journal, February, 1908, shows them to be practically the same as those quoted by the London authority. It is true that this $2.38½ per hundred pounds is the export price and not the consumers' price in Germany, but it is with this export price that the American producer must compete.

From the uncontradicted evidence submitted to the Ways and Means Committee, it appears that the average price paid by the beet-sugar factories of the United States to the American farmer for his beets is $2.40 per hundred pounds for the sugar in the beet before beginning the process of manufacture. In other words, our factories pay the farmer for the raw beets, when delivered to the factory, more money per hundred pounds of sugar than the European exporter asks for his finished product, refined granulated sugar. The chief witness who appeared before the Ways and Means Committee advocating the reduction of the duty on sugar was Mr. Atkins, of Boston. He states that he considered one of the most favorable localities for the production of beet sugar in the United States to be Utah, and gave $3.70 per hundred pounds as the cost of producing granulated sugar f. o. b. the factory in Utah. This price included the farmer's profit in raising beets, but did not include the manufacturer's profit. Beet sugar produced in Utah and imported refined sugar would meet on common ground at Chicago. The freight on sugar from Utah to Chicago is 50 cents per hundred pounds, making the cost of such sugar, without any profit to the manufacturer, $4.20 per hundred pounds delivered at Chicago.

If to the $2.38½ per hundred pounds, the average Hamburg export price for refined sugar, we add 12½ cents freight and insurance from Hamburg to New York, and $1.90 per hundred

pounds duty, we have $4.41 as the cost of this sugar f. o. b. New York, which cost includes the cost of manufacture, the German farmers' profit, and the German manufacturers' profit.

The freight rate from New York to Chicago is 24 cents, making $4.65 the cost of foreign refined laid down in Chicago, plus profit. This includes the profit to all foreigners engaged in the production of such sugar. Against this we have $4.20, the cost of beet sugar made in what is admitted the most favorable location of the United States and laid down in Chicago without profit to the American manufacturer.

In view of such showing it certainly can not be considered that a tariff of $1.90 per hundred pounds on refined sugar is excessive or that the establishment of such a rate is not in keeping with the enunciated platform of the Republican party, governing the principles upon which a protective tariff should be established.

Let us now consider the tariff on raw sugar. From the Report of Commerce and Navigation, 1907, page 1022, it is learned that the average consular price on raw sugar for the fiscal year stated was $2.10 per hundred pounds, and that the average price on imported Cuban sugar for the same year was $2.18 per hundred pounds. As the major portion of the sugar imported comes from Cuba, we should consider the operation of the proposed tariff on the kind of sugar imported from that island, namely, 96 degrees centrifugal sugar. Under the Cuban treaty such sugar pays $1.34 per hundred pounds duty.

The freight rate and insurance from Habana to New York is 10 cents per hundred pounds. When the Cuban sold his sugar, in 1907, for $2.18 per hundred pounds, he made a profit, as is shown by the fact that the sugar industry of that island, as reported by Governor Magoon in his report of December, 1907, was at that time in a more prosperous condition than ever before. If to the $2.18 we add 10 cents freight and the insurance and the $1.34 duty, we have the cost of that sugar, including planter's profit, delivered at New York, to be $3.62 per hundred pounds. The average difference between raw and refined sugar for the past ten years is 88 cents per hundred pounds.

This includes the refiner's profit. We therefore have the cost of refined sugar made from Cuban raws, including profits for the Cuban planters and the American refiners, to be $4.50 per hundred pounds. This sugar is sold f. o. b. New York, Philadelphia, or New Orleans with the freight rate added, whereas the domestic producer of sugar must pay his freight to the competing point. It will therefore appear that the Cuban planter, on the basis of the tariff provided for in the Payne bill, is not unduly taxed and that the schedule on raw sugar provides simply for such protection as covers difference in cost of production at home and abroad.

IS THE SUGAR SCHEDULE LEVIED BY THE PAYNE BILL OPPRESSIVE?

It has been shown that the average rate of duty on sugar provided by the Payne bill is about 40 per cent less than the full rate of duty provided by the Dingley bill. Since the passage of the Dingley bill, in 1897, the per capita consumption in the United States has increased from 60.9 pounds to 81.2 pounds. (See Willett & Gray's Weekly Statistical Sugar Trade Journal, Jan. 7, 1907, p. 2.)

This per capita consumption is greater than that of any other country in the world save England. The reason why England's per capita consumption is greater than that of the United States is that England exports great quantities of jellies, jams, and preserves. The amount of sugar actually consumed in England is less per capita than in the United States. It would thus appear that as long as the Americans have increased their per capita consumption of sugar one-third in twelve years that they have not unduly felt the price paid for their sugar. If the price on sugar had been oppressive, our people certainly would not have thus increased their per capita consumption.

It is interesting also to know the trend of market quotations since the Dingley bill went into effect in 1897. The wholesale price of granulated sugar f. o. b. New York City in 1896, the last year of the Wilson bill, was $4.53 per hundred. (See report of O. P. Austin, Chief of the Bureau of Statistics, S. Doc. No. 250, 59th Cong., 1st sess., p. 93.) The average price for the same grade of sugar in 1906, the year on which the committee bases its computations for the Payne bill, was $4.51½ per hundred pounds, and for the year 1907 $4.65 per hundred pounds. (See Willett & Gray's Weekly Statistical Sugar Trade Journal, January 7, 1909, p. 8.) It thus appears that there has been practically no advance in the price of refined granulated sugar under the Dingley bill.

Our present prices are substantially the same as those under the Wilson bill. Nearly every other necessity of life has had a marked increase in price during the past decade. Except during the times of war there is probably no ten years in our country's history when there has been such a universal rise in prices as during the decade just closed; while during this same period the price of sugar has remained practically a constant quantity, notwithstanding the fact that the rate of duty has been changed from 40 per cent under the Wilson bill to $1.68¾ per 100 pounds for 96-degree sugar under the Dingley bill.

There are two distinct reasons for this condition in the sugar market:

1. The modification of the sugar schedule caused by the annexation of Hawaii, the free admission of Porto Rican sugar, and the reduction of the duty on Cuban and Philippine sugar have so modified the Dingley schedule as to bring it to nearly the same level as that fixed in the Wilson bill.

2. During the operation of the Dingley bill, the beet-sugar industry has developed to such an extent that during the winter months nearly 500,000 tons of domestic granulated sugar is placed on the market. Climatic conditions and carrying charges make it practically impossible to hold this sugar until the following summer. During the winter months the demand for sugar is reduced to the minimum, and during these same months the Cuban and Louisiana crops of raw sugar are placed on the market. The influx of beet sugar lowers the price of standard granulated sugar, which in turn reduces the price of raw sugar, thereby establishing, not only a lower price for sugar during the winter months, but a lower price for raws, upon which a lower price for refined can be based during the remainder of the year.

It has already been shown that during the past ninety days the price of Cuban sugar has ranged practically 50 cents per hundred pounds less than the world's price, plus our full duty. Our price for refined sugar has accordingly been depressed, and the result is that our people have been getting their refined sugar for nearly one-half a cent a pound less than they would have been getting it had it not been for the combined influence of the crop of domestic beet sugar and the Cuban raws both seeking the market at the same time.

The price for sugar paid by the consumers in the United States is less than the price paid by consumers in any other country except England and some of her colonies. Sugar-producing countries of Europe have two prices for sugar. One for export and the other for home consumption, the export price being 2½ to 6 cents a pound less than the consumption price.

It is with the export price that the producer in the United States must compete, but our laws are so adjusted that the consumer in this country actually gets his sugar at a less price than does the consumer in Continental Europe. If we should destroy our domestic sugar industry, it would not be rebuilt. Our consumers would then be at the mercy of the importers and the foreign producer. Every foreign country exporting sugar to us would then raise its export price and lower its domestic price, thus making us ultimately pay fully as much or more for our sugar as we do at the present time, and reducing the cost to the European consumer.

There is not the slightest doubt that this result would practically follow the destruction of the domestic sugar industry in the United States.

In view of the fact that the per capita consumption of sugar in the United States has increased one-third since the passage of the Dingley bill in 1897, and in view of the further fact that the cost of sugar to the consumer in this country has not increased since the Dingley law was passed, and in view of the further fact of the cost of sugar to the consumer of continental Europe, and in view of the further fact that the tax on sugar in the United States is less than the tax on sugar in any other sugar-producing country of the world, we maintain that the rates of duty fixed in the Payne bill, which are practically 40 per cent less than the rates fixed in the Dingley bill, can not possibly be construed so as to work to the detriment of sugar consumers in the United States.

SUGAR DUTIES IN EUROPE.

Every sugar-producing country of Europe maintains a higher tax on sugar than the full Dingley rate on that article, the tax per hundred pounds being as follows:

In Austria-Hungary the tax is $2.86 on raw sugar, and on refined sugar $4.02. In Russia the tax is $6.39 on raw and $8.56 on refined. In Germany the tax on raw sugar is $1.98, and on refined sugar $2.03. In Italy the tax on sugar above 94 degrees is $8.67, and on sugar below 94 degrees $7.70. In France the tax on raw sugar is $2.84, and on refined sugar $2.89. In Holland the tax is $4.82. In Belgium the tax is $2.23, and in Sweden the tax is $1.80 on sugar above No. 18 Dutch standard.

HAS THERE BEEN A REASONABLE DEVELOPMENT OF THE BEET-SUGAR INDUSTRY IN THE UNITED STATES SINCE THE PASSAGE OF THE DINGLEY LAW?

When the Dingley tariff was passed in 1897 there were but six sugar factories in the United States, and the combined output was 37,500 long tons a year. There are now 65 beet-sugar factories in the United States, with a combined output in 1908 of 492,969 long tons (Willett & Gray's Statistical Trade Journal of January 7, 1909). These factories are scattered throughout 16 States, as follows: One in Arizona, 8 in California, 16 in Colorado, 4 in Idaho, 1 in Illinois, 1 in Iowa, 1 in Kansas, 16 in Michigan, 1 in Minnesota, 1 in Montana, 1 in Nebraska, 1 in New York, 1 in Ohio, 1 in Oregon, 5 in Utah, 1 in Washington, and 4 in Wisconsin. The increase in the production of beet sugar since the passage of the Dingley law has been over 1,300 per cent.

The fixed investment of the beet-sugar business has reached a total of nearly $100,000,000, and the American farmers and laborers received in 1908 over $40,000,000 from the factories. The production of sugar from cane grown in the Southern States in 1908 was 390,888 tons (Willett & Gray's Statistical Trade Journal of January 7, 1909). The total consumption of domestic sugar in the United States in 1908 was nearly 900,000 tons.

ADAPTABILITY OF SOIL OF UNITED STATES TO RAISING BEETS.

There is much misinformation concerning the sections of this country suitable for the growing of sugar beets. However, the Department of Agriculture has for years printed maps showing the "beet belt" of the United States, and, undoubtedly Congress and the people will take the conclusions of the Department of Agriculture, based upon the experiments of experts, rather than the prejudiced statements of any person interested in bringing about free trade for the benefit of a particular sugar-refining company.

The following extracts from the Yearbook of the Department of Agriculture give, in a general way, the best area of the United States:

It starts at the Hudson, takes in the southern half of New York and the northern portions of Pennsylvania, Ohio, Indiana, Illinois, Iowa, and Nebraska, the southern half of Michigan, Wisconsin, and Minnesota, all of South Dakota, large sections of Colorado, Utah, Wyoming, Montana, Idaho, Washington, and Oregon, and the coast side of California. * * * A great deal of territory that is showing first-class conditions for growing sugar beets and for manufacturing them into sugar is located around our Great Lakes.

A representative of the Department of Agriculture was asked by the Ways and Means Committee in the tariff hearings, November 16, 1908:

How much territory is there in the United States that is adapted to the growing of sugar beets? Can you state how much territory of that kind there is in the United States?

To this he replied:

It is adapted to a large part of the farming district of New York, Pennsylvania—I am talking about the real farming districts—in fact, you can take a line drawn across the country that will take in Chicago. The Northern States, say, Minnesota, Michigan, Wisconsin, the northern half of the State of Iowa, both of the Dakotas, Colorado, Utah, Idaho, Montana, and it is adapted to nearly all of the intermountain States where they can get water.

This report of the progress of the beet-sugar industry in the United States and the adaptability of the soil in this country made by the Department of Agriculture is based upon experiments recited in detail in the report, and was compiled after years of study and personal investigation by the representatives of the department. It should, in all fairness, put an end to the assertions that only a limited area of the United States is capable of producing beets to be manufactured into sugar.

IS IT REASONABLE TO SUPPOSE THAT UNDER PROPER TARIFF REGULATIONS THE UNITED STATES COULD PRODUCE AT HOME ALL OF THE SUGAR IT NEEDS?

Germany, with an area of 10,000 square miles less than the combined area of Michigan, Wisconsin, and Minnesota, had in operation, in the manufacturing season of 1907 and 1908, 365 factories, which produced 2,129,597 long tons of sugar. The actual area under cultivation in the season of 1907 and 1908 in Germany was 450,030 hectares. A hectare is 2.47 acres. The cultivated area given over to the raising of beets in Germany in the season of 1907 and 1908 was therefore 1,111,574.11 acres, which is considerably less than the area of three average counties in any of the States of Michigan, Wisconsin, or Minnesota. Germany, as just stated, produced 2,129,597 long tons of sugar in 1907–8. The total consumption of sugar in the year 1908 was 3,185,789 tons. Germany therefore produced from beets an amount equal to two-thirds of all the sugar consumed in the United States.

In the manufacturing season of 1907–8, the production of beet sugar in Continental Europe was: Germany, 2,129,597 tons; Austria, 1,425,000; Russia, 1,410,000; France, 728,000; Belgium, 232,000; Holland, 175,000; and other continental countries, 435,000.

The grand total of cane sugar for the world's markets manufactured in the world in the manufacturing season of 1907–8 was 6,909,481 tons, and the grand total of beet sugar manufactured in the same season was 6,972,200. (Willett & Gray's Statistical Trade Journal, January 7, 1909.)

Beet sugar furnishes more than half of the world's consumption of sugar, and, in spite of this fact, free traders are found asserting that the industry is not founded on permanent conditions.

The Department of Agriculture in the Report on the Progress of the Beet-Sugar Industry in the United States states:

If we consider only these localities in this country that have the best facilities for taking up the beet-sugar industry, and limit the territory simply to that portion capable of producing our own consumption of sugar, it might be said that the United States possesses some material advantages over Europe.

WOOL.

Mr. Chairman, I am a great friend of the American sheep; in other words, the woolgrower. It has been my great desire to obtain the greatest measure of protection to American wool. Cheap cost of living and cheap men can never be made the basis of economic progress. Cheap production means cheap labor; cheap labor means low prices; low prices means disaster to American industry. There never has been, and there never will be, a time when labor received starvation wages that the American people were or will be prosperous. The business prosperity of this or any other country depends, to a very great measure, upon the purchasing power of the masses of the people, and what is true of one industry is also true of another industry. When high prices for farm and manufactured products and American labor prevail, prosperity also prevails.

Mr. Chairman, when the duty on wool was less than it is now the number of sheep in this country decreased. In 1884 there were more sheep in the United States than ever before or since. The number, for some reason, fell off until, in 1892, statistics show there were about 47,500,000 sheep in the United States, and in 1897 that number had been reduced to 35,000,000 head. When the Dingley bill was enacted into law, which gave greater protection to American wool, it stimulated the growth of the flocks in the United States, and to-day we are again back close to the highest point in number in the history of the country, or about 47,500,000 sheep, and that industry is fairly prosperous. There is but one way by which this magnificent flock can be increased or retained—that is to give ample protection to wool and woolen goods.

The American woolgrower has no other market for his product except at the woolen mills of the United States, and unless the woolen mill is prosperous certainly the woolgrower will not receive a fair price for his wool. The American sheep and the woolen manufacturer are linked so closely together that it is impossible to separate them. They must and do go hand in hand. They must either prosper or languish as one.

An ad valorem rate of duty has been suggested by some as being more equitable than a specific duty, but this can not be more truly demonstrated to be impractical than by a statement which I received from the editor of the Textile World Record, published at Boston.

The editor of that journal gave me a report of a recent sale of wool in England, in which he stated that wools of the first class were sold on a certain day, and the maximum price received was 21 cents per pound, and the minimum price received the same day was 6½ cents per pound. The duty on such wool is 11 cents per pound, which would mean for the highest prices prevailing that day, wool, duty paid, laid down in the United States, at 32 cents per pound, and the minimum price on that day, duty paid, laid down in the United States, of 17½ cents per pound.

Again, he gives me the highest price obtained December 5, 1908, for 15,000,000 pounds of unwashed and scoured wool of the first class—Australian wool. On unwashed wool he gives 39 cents per pound as the highest price obtained, and 3½ cents per pound the lowest price obtained. This wool paid a duty of 11 cents per pound when brought into our markets. The ad valorem rate on the former is 28 per cent and on the latter 318 per cent. He complains about this high rate ad valorem. Again I say, on the lower-priced wool the tariff is 11 cents per pound, the same as on the high-priced wool. The lower-priced wools were admitted to our markets at 14½ cents per pound, while the higher were 50 cents per pound, duty paid, laid down in American markets. Where, on the other hand, had there been an ad valorem duty of, say, 50 per cent, as suggested by some gentlemen who

wish a change from a specific to an ad valorem, these cheaper wools would have been put upon our markets at the ruinous price of 5¼ cents per pound. No clearer demonstration could be made of the folly of an ad valorem duty on wool.

Again, on scoured wool he quotes the highest price obtained, 40½ cents per pound. The duty on this wool is 33 cents per pound. The ad valorem rate is 81 per cent. Where, on the other hand, the lowest price obtained on that day for scoured wool was 6½ cents per pound, the duty is 33 cents per pound, or 507 per cent ad valorem. Suppose the duty had been 50 per cent ad valorem, as above suggested, that Australian scoured wool would have been placed upon our markets at a cost of 9¾ cents per pound. I believe all men well informed upon this subject will admit that our present specific duty upon wool furnishes better protection and a more equitable scale for prices than would an ad valorem duty.

The total production of woolen goods in the United States last year was about $400,000,000. Of this total, there were imported foreign wools to the value of about $40,500,000 worth and of woolen goods about $22,400,000 worth. These values of course are foreign values. The total amount of wools of the first, second, and third class imported last year was a little less than 200,000,000 pounds.

IMMIGRATION.

Since 1820 more than 26,000,000 immigrants have come to this country from all parts of the world; a population almost equal to three-fourths of the present population of Great Britain. Since 1897 more than 7,000,000 of these people came to the United States, and within the last three years 3,500,000 immigrants have landed on our shores. Never before in the history of the world has the percentage of immigration equaled this, an average per year of 300,000 for eighty-eight years and more than 1,160,000 per year for the past three years. These people came to us because the United States furnishes more comforts to its people and gives greater opportunity for the accumulation of wealth than does any other country in the world.

A man at work is certainly the most valuable asset of a nation. Idle men, consuming and not producing, burn the candle at both ends, and are worse than worthless. Individuals can not make conditions under which our industries may be successfully conducted. Lawmakers must create the conditions. The duty of the lawmaker is to shelter industries from disastrous competition from outsiders, and to encourage and stimulate present and build up new industries. A protective tariff is in the nature of a wall around our garden to protect the worker and his product from foreign intrusion.

The intent and principle of a protective tariff law is none other than to foster capital and labor at home. American markets are the best markets in the world for American products, and great care should be taken in the enactment of laws to protect American industry from foreign competitive products. Domestic industries are none too prosperous to-day, and any revision of our tariff laws that would encourage greater foreign imports would be the most unwise act possible for Congress to perform.

It is my belief that the strongest demand for a revision downward of our tariff schedules comes from men of selfish motives, or men not thoroughly informed as to the true situation as to the inactivity in some lines of industry, largely caused by too much gossip about tariff revision.

There is no disputing that some of our tariff rates in some particular schedules are high enough to be beyond the point of necessary protection, and it is the aim and purpose of this bill to make equitable adjustments, and I believe it is of great importance that Congress should as speedily as possible settle this tariff question and the Members of Congress at the earliest possible date turn their backs upon the Capitol of the United States and hie away to their respective homes, so that our domestic industries may settle down to some fixed plan and know what they may depend upon, so that manufacturing industries may go forward as in the past.

An equitably arranged tariff means no willfully idle men. On the other hand, it means stability to both capital and labor, and is our greatest safeguard to Americans against ruinous foreign competition. Gentlemen, I thank you for your attention.

Mr. POU. Mr. Chairman, I do not expect to consume a great length of time, and I ask now that I may have unanimous consent to conclude my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to conclude his remarks. Is there objection?

There was no objection.

Mr. POU. Mr. Chairman, forced to action by pressure of public sentiment well-nigh universal, a Republican House of Representatives, through its members of the Ways and Means Committee, has attempted to revise the present tariff law.

In 1900 the present Dingley law was considered so perfect, so beneficent in its operation, so stimulating to business, such a splendid producer of revenue that the party in power looked with scorn upon any man who dared to suggest necessity for revision. We were told it was so wonderfully drawn that, while it put up wages, yet it kept down to a minimum by healthy American competition the price of those necessities the wage-earner was compelled to buy. While it insured large profits to the manufacturer, yet those who were compelled to purchase manufactured articles paid for such articles even less than they would have been forced to pay if this marvelous law were not on our statute books.

It guaranteed the largest dividends to those engaged in protected manufacturing industries the country had ever seen; guaranteed the highest wages to the American workingman he had ever received; and, yet, by its operation likewise guaranteed to all the people the lowest prices they had ever paid for both the necessaries and comforts of life. In fine, even as Mr. Webster said of the Constitution, so the Republican party claimed in that campaign that this most marvelous piece of legislative handiwork was in itself "a copious fountain of national, social, and personal happiness."

In 1904, party leaders considered that they could not do better than base their hopes and claim of popular support upon the same foundation; so they solemnly warned the country that well enough had better be left alone.

Between the years 1904 and 1908 some mysterious cause wrought a radical change in popular sentiment. The people of the Nation realized that, while they had enjoyed a period of prosperity, the people of other nations not protected by the Dingley tariff, or, indeed, by any tariff at all, had also enjoyed a prosperity equal, if not higher in degree, than that enjoyed by us. The workingman realized that he had been deceived, for when he examined his account book he found that the cost of living had advanced in proportion considerably beyond any advance in the scale of wages he was receiving. The great mass of people realized that it was contributions taken directly from their pockets which turned out our annual crop of millionaires.

It should not be forgotten that the decade immediately following the enactment of the Dingley law has been characterized by the greatest extravagance in appropriating and expending the people's money in all the history of our national life. From a billion-dollar Congress in the years of the last decade of the last century we are now holding billion-dollar sessions of Congress, and the man who rises in his seat in this Chamber to call a halt is considered a demagogue merely playing to the galleries.

To make a long story as short as possible, in 1908, while the country had not yet passed from under the black cloud of financial panic, the party in power realized that if it did not explicitly promise to revise our present tariff laws, then the people would intrust the performance of the task to some other political party or agency.

A place at the pie counter is desired by us all, let us candidly admit, but I have often thought that our Republican friends get there quicker, stay longer, and are harder to force away than any class of people on the face of the earth. [Laughter.] Therefore, rather than lose its place at the counter of the national restaurant, that party agreed to revise your Dingley tariff; and when you agreed to revise it you intended the people of the Nation to understand that you meant to revise it downward, in a manner fair and just to all sections.

Let us examine how far you have performed your promise; whether or not you have performed it at all.

Mr. Chairman, I make bold to assert here and now that the Payne bill is a worse measure than the Dingley bill, which all parties now admit must pass from the pages of our law books. In the teeth of your promise to the people to revise downward you have revised upward, for you have increased the average ad valorem rate of 44.16 per cent under the Dingley bill to 45.72 per cent under the proposed Payne bill.

You have a deficit in the Treasury confronting you—thanks to your unbridled extravagance—and, in order to cover that deficit, of course you have got to raise more taxes, which will come directly from the pockets of the people; but, as I expect to show, you have been careful not to legislate so that any of your great tariff-fostered trusts will be forced to surrender any part of their unreasonable profits or the protection against competition which has surrounded them like a granite wall. Even where there is the slightest danger of forcing your tariff-made trusts to meet competition you have made them secure by giving them free raw material.

Those of you who support this bill may as well bring yourselves to realize in the beginning of this debate that all the increase in revenues provided by this bill is taken from the pock-

ets of the masses, with no compensating benefit in return, and that when you support the Payne bill you are voting for a higher ad valorem rate than that provided by either the McKinley or the Dingley bill.

IRON AND STEEL.

Probably more time was devoted by the committee to a consideration of the steel and iron schedule than to any other schedule in this bill. Do you gentlemen claim that your revision of this schedule will afford any relief whatever to the consumer? Do you suppose for one moment that the result of your work will save to the man who uses steel one single dollar? If so, I venture the prediction that you will be disappointed.

After all, Mr. Chairman, what are we here for? Is not the consumer entitled to some consideration? Must he be forever taxed and forever forced to buy in a market where all competition is killed? Such has been the position occupied by the consumer for many years. Special interests can afford to send their representatives here. Not so with the average citizen. If he is represented at all, you and I and all other gentlemen elected to fill seats in this Chamber must see that he has a square deal. Will any gentleman on the other side of this Chamber rise in his seat and declare his opinion that the man who is forced to buy and use steel and iron will actually get his steel and iron cheaper if the Payne bill shall become a law?

Great is the reduction, indeed. The average ad valorem rate under the present law is 36.96 per cent. The Payne bill actually reduces this rate to 36.15—that is to say, less than 1 per cent.

One of the most radical changes in the entire bill is that on steel rails. You have cut the import duty in half—that is to say, you have reduced the present duty of $7.84 per ton to $3.92.

It would be interesting to know upon what evidence the majority of the committee based their action in making this reduction. If you acted upon the evidence of Mr. Carnegie, then you should have removed the duty entirely, for he said the steel manufacturers of this country need protection no longer. Even if you accept the evidence of Judge Gary, the head of the steel corporation, you would be justified in taking the same action; but if you acted upon the evidence of any other steel or iron manufacturer, you should have done one of two things—either raise the Dingley rates or permit them to remain as they now are.

Mr. Carnegie spoke with great frankness, and evidently knew what he was talking about. More largely interested in steel and iron than any living man, he yet had the frankness to admit that the time has come when we can beat the world in the manufacture of steel and iron, and that it is idle to talk about our manufacturers needing protection any longer.

Every man who travels a mile on a train or ships a pound of freight over a railroad is interested in the price of rails. Do you imagine that you have helped the man who travels or the man who ships by reducing the duty on rails 50 per cent? Let us see.

In 1907 we imported railway bars of iron and steel to the value of $133,936, or 4,610 tons. Probably not a single additional ton will be imported because of the reduction from $7.84 to $3.92 per ton. Why? Because $7.84 is practically prohibitive and $3.92 is also practically prohibitive. In the same year, 1907, we exported rails to the value of $8,384,241, and a large proportion of rails exported was sold to foreigners considerably cheaper than the same rails were sold to our own people.

In 1899, Mr. Charles M. Schwab, at that time president of the Carnegie Company, wrote in a letter to Mr. Frick:

> You know we can make rails for less than $12 per ton, leaving a nice margin for foreign business. (P. 4895, Hearings.)

At that time the market price of steel rails for home consumption was $28.12 per ton, and has ranged since then from $27.33, the lowest, to $32.29, the highest.

Does anyone wonder that we have been turning out each year a new crop of steel millionaires? I know Mr. Schwab has revised his figures so as to put up the present cost of steel rails to $21.50 per ton.

One who knows nothing about the steel and iron business, except such information as can be obtained from books, government statistics, and the like, has but little warrant to speak on the subject; but I wish every American citizen could read in full the evidence of Mr. Carnegie, Mr. Schwab, and Judge Gary before the Ways and Means Committee in framing the steel and iron schedules offered in this bill for the approval of Congress and the people.

The reductions are paper reductions merely; will help the consumer little, if any, and certainly will not subject the steel corporation or any other concern producing iron and steel to that fair, just, healthy competition which the consumer has a right to expect. The Government can not pass laws which force such competition; but it can, at least, by law, remove obstacles which the Government itself erected. That is what the people expect. They will be satisfied, in my judgment, with nothing less.

But for fear that the manufacturers of steel and iron might suffer some little inconvenience by reason of the change in schedules, behold how careful the majority of the committee has been to compensate for all possible or prospective loss!

Actually, Mr. Chairman, the Republican majority of this committee has placed iron ore on the free list. Just think what a boon this will be to the average American citizen! Iron ore on the free list! After this bill becomes a law you can buy your iron ore in open market, with no duty at all to force you to pay tribute to the man who owns the ore. Who will receive benefit from this change? Certainly not the consumer, for the price of iron and steel will be fixed in Pittsburg and Chicago, as it is now, largely by the Steel Corporation. The revenue which the Treasury will lose by reason of the placing of iron ore and the dross from burnt pyrites on the free list amounted to $344,511 in 1906. This amount is a present to the manufacturer, pure and simple, and attests the tender solicitude of the Republican party in dealing with those who are so abundantly able to take care of themselves.

This fact was established by undisputed evidence during the progress of the hearings, to wit: The Steel Corporation fixes prices, and the independent concerns do not dare to vary those prices. That was admitted in the hearings before the committee. Mr. King, of Pittsburg, representing the Jones & Laughlin Iron and Steel Company, was asked this question:

> As a practical proposition, the price of steel is largely controlled by the "steel trust," as you call it?
>
> Mr. KING. I think that is the fact.

Now, here is this iron and steel schedule, practically prohibitive, under the control of a monopoly, and you leave it practically prohibitive and under the control of a monopoly still; but for fear somebody would think you hurt the steel trust you are in this bill proposing to give them iron ore free, and when you do that you put your hand in the Treasury of the United States and take out $344,511, which is a present, pure and simple, to the steel trust and its allied corporations. Now, gentlemen, that is what took place when you came to deal with the iron and steel schedule. Do you think that the people of the United States are going to say that you have made good your pledge when you go before them with the schedules you have written into this bill? If you do, I predict you will be mistaken. I know that your orators will throw up their hands and declare you put iron ore on the free list; but in Heaven's name, whom is that going to help? The consumer does not buy iron ore; you do not buy iron ore; I do not buy iron ore. The average citizen has no earthly need for iron ore. The housewife returning from market has no iron ore in her basket. [Laughter.] It is the man who is engaged in the manufacture of iron and steel who buys the ore, and when you take off that duty you make him a present of $344,000; nothing more or less.

It is no wonder that this business has turned out an annual crop of millionaires in our country. Let me give you, gentlemen, an extract from the evidence taken by the committee in these hearings. There was a gentleman who appeared before the committee who impressed me as trying to tell the exact truth whether it helped his cause or hurt it; my friend Mr. GRIGGS asked him to tell the amount of the capital stock of his corporation, and he replied $30,000,000. Mr. GRIGGS asked him then what his stock was selling for, and he said there was none of it for sale, but that he supposed it would be worth, certainly, around 110. Then this same gentleman was asked how much capital his concern started with, and what amount do you suppose he named? He said he did not know, but the amount was less than $100,000. Then he was asked the further question whether anything had been paid in since the corporation was originally organized, and he said not a penny. Now, this corporation started with less than $100,000, not a dollar has since been paid in, and it is now capitalized at thirty millions, and is really worth far in excess of that stupendous amount. It is a close corporation, and none of the stock can be bought; and, according to one of the officers, it is worth at least 110 on the market.

That is an illustration of the enormity of this schedule. This is but a small illustration of how the steel producers of the United States build up immense fortunes out of the pockets of the people. The next schedule that illustrates the love of the majority of the committee for the large manufacturer is the leather schedule——

Mr. JOHNSON of South Carolina. I do not desire to interrupt the symmetry of the gentleman's speech, but before the gentleman passes from the iron schedule I want to ask the

gentleman what you have done for the farmers in the way of cotton ties?

Mr. POU. Cotton ties are still on the dutiable list. The bill reduces the duty from five-tenths to three-tenths of a cent per pound.

Mr. JOHNSON of South Carolina. Is this corporation, of which the gentleman spoke as making millionaires every year, engaged in making cotton ties?

Mr. POU. It is.

Mr. JOHNSON of South Carolina. Was there any evidence as to what it costs to make the ties?

Mr. POU. There was evidence before the committee, but I will say to my friend that I have not investigated that and could not answer offhand; but the cotton-tie business is controlled by the Steel Corporation and the price of ties is fixed by the corporation, as Mr. King, the gentleman from whose evidence I read a while ago, admitted. I have the evidence here in this connection, and I suppose I might as well read that also. He admitted that prices were not only fixed by the Steel Corporation, but that, as a rule, the manufacturers of steel sold their products cheaper abroad than at home.

I again quote from his evidence:

Mr. POU. As a rule, all of you do sell a little cheaper outside of this country than you do inside, do you not?

Mr. KING. I think that is true; yes.

Mr. POU. And therefore all steel manufacturers have an export price and a domestic price?

Mr. KING. Yes.

Mr. POU. The export price is less than the domestic price?

Mr. KING. I think that is true.

Mr. Chairman, when this measure comes to be discussed before the people of the country and its practical benefits are brought home to the thousands who toil and pay the taxes that go into the National Treasury, you will find that this steel schedule is still a fraud and a sham; that it protects the man who is able to protect himself; is still making the rich richer and the poor poorer all the time, and that you have failed to carry out the pledge which you made in your platform to revise your tariff, which everybody understood to mean to revise downward. [Applause on the Democratic side.]

DUTY ON SHOES AND HIDES.

Now, take the item of shoes. I have not time to go over these schedules at length. Yes; you reduce the import duty on shoes. Do you think the reduction is going to help anybody? Does anybody think that any more shoes are going to be imported than are imported now? Your schedule is still practically prohibitive. Yes; you cut it down a little. We brought in, I believe, last year, $655,000 worth of shoes. That was the entire amount of importations from abroad. That shows that the American shoe manufacturer has control of the American market. And what did you do for him? You put hides on the free list.

Do you think that is right? I wanted to ask the gentleman from Indiana [Mr. CRUMPACKER] yesterday, when he was making his plea for free raw material, to answer this question: If it is right to put hides on the free list, tell us why it is not right to put wool on the free list also? I understand the gentleman did not want to be asked that question. Possibly our friend from Indiana had in mind a remark, the author of which I will not name—

There's many a speech for home consumption
Badly spoiled by a cruel interruption.

[Laughter.]

But if it is right to put one on the free list, it is right to put the other on the free list, and no man can——

Mr. WEISSE. Will the gentleman allow me to ask him a question?

Mr. POU. Yes.

Mr. WEISSE. Does the gentleman believe that if there was not any duty on hides they would be any lower?

Mr. POU. If there was not any duty on hides?

Mr. WEISSE. Yes; if the price in this country would be any lower?

Mr. POU. I think it would.

Mr. WEISSE. When they put calfskins on the free list, they went up higher, and the markets of the world went up to our market. What caused that?

Mr. POU. I suppose it was due to the great demand for calfskins. There was a peculiar demand for calfskins that did not apply to skins generally. But the gentleman will not deny the proposition that putting an article on the free list affects the price of it, will he?

Mr. WEISSE. I absolutely will in regard to hides and calfskins, because we are the largest consumer of hides and calfskins in the world and establish the price in the world's market, and we will establish it if we have free hides and free calfskins. Further than that, the market declined last year about 70 per cent, and it was not on account of the duty, but it was on account of the Republican panic, which was the cause of the decline in all merchandise, and now they are trying to bring in a tariff bill to brace up the prices that went down, even during the existence of the great Dingley tariff.

Mr. POU. I can not defend the action of the majority of the committee in framing this bill at all, Mr. Chairman. I started out to prove that schedules in the bill are unjust, that they discriminate, and I stick to what I said, that no man can tell a reason why there should be discrimination against the cattle raisers of this country. That is what I am talking about. If you are going to put hides on the free list, then you ought to put wool there also.

I have not heard a solitary reason assigned yet, and do not expect to hear any good reason assigned, because none exists. I believe that a duty on hides does affect the price of hides to some extent, though but little. And in the laying of duties for the purpose of raising revenue, I contend that the people who are engaged in the business of raising hides are entitled to as much, if not more, consideration than the manufacturer of the shoes. Why? Consider the people who are engaged in farming, and there is a vast number of them. It is very much more difficult for them to unite and combine for their own protection and mutual advantage than it is for the large manufacturers. It is a hard matter for these people to unite for their own good. It is a comparatively easy matter for those that are engaged in the manufacture of the finished product. And if you are going to put hides on the free list, no human being, in my judgment, can assign any good reason why shoes should not be put there also. Yet you leave a duty of 15 per cent on shoes. You put hides on the free list. You leave the cattle raisers in the mountains of North Carolina, on the prairies of Texas, and of the West open to competition with the entire world. When it comes to the man who is engaged in the business of manufacturing shoes, you shut out competition from abroad to the extent of 15 per cent, and you have made him a present of the duty that hitherto has gone into the Treasury that comes from the importation of 124,000,000 pounds of hides, which amounts to nearly three millions of dollars—$2,829,000, to be exact.

Mr. YOUNG of New York. May I ask the gentleman a question?

Mr. POU. I yield to the gentleman.

Mr. YOUNG of New York. Do I understand the gentleman to state that the duty on hides has been to the advantage of the farmer?

Mr. POU. I say I think it has had a tendency to keep up the price of hides a little.

Mr. YOUNG of New York. I have gone over the statistics as published by the Government, and I find that the price of cattle is practically the same to-day as it was before the passage of the Dingley tariff bill. I find that cattle sell at 4 and 5 cents a pound on the hoof, and the hide is taken off by the beef trust and sold to the people of this country at about 14 cents a pound. I would like to know where the farmer comes in? I am a merchant in New York, and in Pennsylvania am a farmer. To minimize the loss on the farm, I have for a number of years fattened steers. Last year, and for two or three years past, I sold them for about 4½ cents a pound, and for the beef I bought back I paid about 16 cents, and the hide was sold for about 12 cents. I would like to know where I, as a farmer, was benefited by the duty on hides?

Mr. POU. That would involve too long an explanation for me to make here this afternoon. If the gentleman will ask me a direct question on a subject that I am supposed to know something about, I certainly would answer him; but as to his private financiering as a farmer in Pennsylvania and as a merchant in New York, I would imagine that the balance was largely in favor of the New York merchant and against the Pennsylvania farmer. [Laughter.]

Mr. YOUNG of New York. I can imagine that the cattle business is entirely controlled by a monopoly, and, as I understand that side of the House, it is absolutely opposed to monopolies and trusts.

Mr. POU. What do I understand the gentleman to say is controlled by a trust? I understood the gentleman to state something about a trust.

Mr. YOUNG of New York. The price of beef and hides is controlled absolutely by a trust, the packers of the United States.

Mr. POU. Then, if that is true, according to the gentleman's own contention, the repeal of this duty on hides is not going to hurt or help the farmer, but will inure to the benefit of the trust only.

Mr. YOUNG of New York. It will give the world hide supply to all tanners.

Mr. JAMES. In view of the fact that the gentleman has asserted that there was a trust, a beef trust, why did he not have that monopoly brought to the attention of this vigorous Republican administration, and have the trust prosecuted and destroyed?

Mr. YOUNG of New York. In answer to that I will say that the Government has already prosecuted that trust.

Mr. JAMES. I know they prosecuted the trust, but what did they succeed in doing with it?

Mr. YOUNG of New York. They did the best they could with the evidence procurable.

Mr. JAMES. And what was that?

Mr. YOUNG of New York. I do not want to interfere with the gentleman further, but to say just this one word.

Mr. POU. Mr. Chairman, if the gentleman——

Mr. JAMES. Do not prevent him from answering that question.

Mr. YOUNG of New York. If you will permit one more interruption, I was talking to a large tanner from your own State within three days, and he told me that he found it was impossible to conduct his business as an independent tanner, and he has made arrangement with the trust to tan hides for them to keep in business.

Mr. JAMES. I have not heard an answer to my question. The gentleman said he was going to tell us what was done with the beef trust. That the entire country is trust-ridden all men must admit, and why is it that his party, which is in power, does not do something to free the people from the oppression of monopoly?

Mr. POU. Mr. Chairman, the inquiries of the gentleman from New York were involved with so very many preliminaries and so many conditions I hardly think I could be expected to answer them. What I am arguing, and what I shall not be diverted from, is this: That in the framing of a tariff bill we ought, if possible, adhere to a principle, and no man has assigned any reason which, to my mind, is sufficient why hides should be put on the free list, unless you are going to put shoes, wool, and other raw material also on the free list. Why except hides? What conditions surround the farmer engaged in raising cattle that justify you in exposing him to a competition world-wide unless you require the shoe manufacturer to meet the same competition? You force the cattle raiser to sell his hides in competition with all the world, and you say that is right. But when that same cattle raiser goes to buy shoes you say to him, you must patronize a protected manufacturer or pay a duty of 15 per cent; and I say that is wrong. [Applause on the Democratic side.]

I undertake to say that when you took the duty of $2,829,000 out of the Treasury, which has been annually collected from 124,000,000 pounds of hides, you made a present of just that amount either to the trust or to the shoe manufacurer; I do not care which. You have taken it out of the Treasury. The Treasury will no longer receive it. You have denied the benefit of it to the cattle raisers all over this country; and if your tariff is worth anything, it is worth as much to the cattle raisers, or ought to be, as to anybody else. You have told us it was a great blessing to all classes; that it was a fountain overflowing with benefits to everybody. If that is true, and we have heard that song ever since 1897, why is it that you take the cattle raisers of Texas, North Carolina, and the mountains, plains, and prairies all over this country and force them to compete with the world, when you have surrounded every trust and combination in the country with an all-sufficient wall to protect it against all competition? [Applause on the Democratic side.] I say that in the next campaign, when you go before the country, if you still have that injustice in your bill, you will find that the people will hold you accountable for making a discrimination against this large and respectable class of citizens. [Applause on the Democratic side.]

The item is a revenue producer; and in the laying of revenue which must incidentally protect, I hold that the farmer is entitled to exactly the same consideration as any other citizen of the Republic; and in changing this schedule I respectfully admonish you, here and now, that you have perpetrated a gross injustice upon thousands of American citizens which they ought to resent, and which they probably will resent as soon as they understand the treatment they have received at your hands and when the opportunity is presented. [Applause on the Democratic side.]

You have taken nearly $3,000,000 from the Treasury of the United States and given it to the shoe manufacturers of the country. You have exposed the cattle raiser, as I have said, to competition with the entire world. The price of his hides will be fixed by the world-wide law of supply and demand. This being the case, I respectfully submit there is no reason why the price of the finished product should not be fixed by the same law.

INEQUITY OF THE WOOL SCHEDULE.

Again, Mr. Chairman, every man, woman, and child in America is interested in the wool schedule. Whoever wrote that schedule in the Dingley law did great injustice to the people of this Nation. Here was your opportunity, Mr. Chairman, if you really intended to help the average citizen. The Dingley rates were ridiculously high, and I doubt if anybody in America really understands exactly what these rates mean, except Mr. William Whitman, of Massachusetts.

Women's and children's dress goods protected by an ad valorem rate ranging from 71.43 per cent to 167.68 per cent, averaging 103 per cent; wearing apparel, clothing ready made, and so forth, with an average ad valorem rate of 94.54 per cent; flannels for underwear, with an average ad valorem of 107.52 per cent; blankets, with an average of 80.78 per cent; knit fabrics, with an average of 101.94 per cent; yarns, with an average of 87.77 per cent; wool itself, with an average ad valorem of 42.61 per cent.

Here was your opportunity, Mr. Chairman, if you really wanted to help the man who needs your help—the wage-earner, the salaried man, the farmer, the professional man—all classes in every station in life—here was the great opportunity which the American people offered to your committee when they took you at your word and returned a Republican Congress last November. In 1907 the American people imported $62,000,000 worth of wools and woolen goods, and paid therefor an even hundred million dollars. How much they paid to the manufacturer of woolen goods is beyond all calculation.

Did you avail yourselves of this opportunity? Here is how you did it: You reduced the present average ad valorem duty on wool and woolen goods from 60.02 per cent to 59.40 per cent. The revenue you received under the present law during the last fiscal year was $37,973,891.34.

The revenue which you yourselves reported will be taken from the people under the proposed bill is $37,586,491.96. Wearing apparel you did not reduce at all, and still remains at 94.54 per cent. Women's and children's dress goods you only reduced one-tenth of 1 per cent. Under the old law it was dutiable at 103.33 per cent, while under the new law it will be dutiable at 103.23 per cent. Blankets, which must be used by a large per cent of our people, where they are able to pay for them, are still dutiable, as under the old law, at 80.78 per cent.

I wish every American citizen who can read would send and get Schedule K of your new bill and examine the same for himself. The burden which the people have borne so long, and which you have still left upon their shoulders, would so reveal itself that the people would rise up and require that you make an honest revision of this schedule in the interest of the consumer as well as the manufacturer. The outrage the people have endured would shock the conscience of the Nation, if fully realized, if the people fully understood how the prices of the very necessaries of ordinary everyday living have been doubled by the imposition of the unjust rates provided in Schedule K.

MONOPOLY TO MANUFACTURERS OF GLOVES.

Let us consider, also, the manner in which the majority of the committee has dealt with another very important article of wearing apparel—women's and children's gloves. Gloves worn by men are almost entirely of American manufacture, because the duty under the Dingley bill was placed so high that there has been practically no competition from abroad. In 1907, 108,000 dozen men's gloves were imported from abroad. The duty runs from $4 to $7.55 per dozen. The duty on women's and children's gloves, of sheep origin and not over 17 inches long, under the present law is $2.50 per dozen, and the duty on this class of gloves likewise runs from $2.50 per dozen to $5.80, the ad valorem duty on women's and children's gloves being around the average per cent of 51.98.

This condition of affairs was too much for the Republican party. The opportunity was too inviting; the stake was too large. The result was that this committee, pledged to revise and revise downward, actually increased the ad valorem duty on women's and children's gloves from 51.89 per cent to 72.65 per cent. Gloves under 17 inches in length are increased from $2.50 to $4.70 per dozen; kid gloves not over 14 inches are increased from $3 to $4, from $3.40 to $4.40, from $3.80 to $4.80, from $4 to $5.75, from $4.40 to $6.15, according to the lining, finishing, etc.

If this schedule should be enacted into law, there is not a woman or a child in America who wears gloves who would not

suffer by reason of the change, and the beneficiaries of the change would probably be confined within the limits of one city, Gloversville, N. Y.

The change in this schedule is not surprising to some of us who have been in Washington for quite a while and have gained some little insight into the way in which things are done. During the last days of the last session of the Sixtieth Congress the fate of the subsidy bill was hanging in the balance. The measure had passed the Senate and had come to the House for ratification or rejection. It was known that the vote would probably be very, very close. In this exigency Republican leaders who had this measure in charge brought to their assistance all of the old guard within reach, who were supposed to have influence over the membership of the House of Representatives. One very genial gentleman in particular, who is largely interested in the glove business, was on the scene and, it is said, did yeoman service in bringing up Republican recalcitrants to the support of that vicious measure. Likewise, immediately preceding the assembling of the present Congress, when the organization of the House was in doubt, this same genial gentleman was on hand doing yeoman service to force back into line bolters from the regular Republican column.

His town of Gloversville has control of the output of men's gloves to a very large extent. His community enjoys a protection against competition which is so complete that during the year 1907 only 108,000 dozen men's gloves were brought into the United States from abroad. His community has had a monopoly of this business. Now, lo and behold, he is to be rewarded with an additional monopoly probably of the manufacture of women's and children's gloves also.

It will not be very long before the women of this Nation will experience an object lesson of Republican revision of the tariff on gloves. Woe unto the Republican party on that day when the wrath of the American woman is aroused! The rocks and the hills will not be sufficient to hide you from her vengeance. [Laughter and applause on the Democratic side.]

During a speech of Hon. CHAMP CLARK, leader of the minority in the House of Representatives, on Wednesday last, a colloquy occurred between him and the present Speaker of this House. In that colloquy a statement was made by the Speaker which, when considered, will probably cause some people of this Nation to sit up and take notice. In a speech made by himself in the State of Missouri in the last campaign the Speaker stated, in substance, that he informed the voters of one of the zinc-producing districts of Missouri that if at the ensuing election that congressional district returned a Democrat, he would take it to mean that the people did not desire a duty on zinc; but if they returned a Republican, he would interpret the result as meaning that the people did desire a duty on zinc ore, and that he would vote in accordance with the politics of the gentleman elected by the people of that district at the ballot box in November, 1908.

I have very great respect for the Speaker and can not believe he was speaking seriously when he made that statement; but if he was serious, the statement may throw some light on the action of the committee in framing this bill.

The farmers of Virginia and North Carolina asked for an increase in the duty on peanuts. It was denied to them. The long-staple cotton raisers of Georgia and Florida asked for a duty on long-staple cotton, 300,000 bales of which are imported annually. A reasonable import duty on long-staple cotton would raise considerable revenue, but the request of these people was denied by the majority of the committee.

Their cause was not worthy of consideration. They had sent a Democrat to Congress, not a Republican. If an import duty on long-staple cotton is a good thing for them, then they must be punished for recording their honest convictions at the ballot box.

One of the important mining industries of the mountain district of my State is the mica industry. In 1902, 40 mica mines were reported in operation in the United States. Of these, 28 were located in North Carolina, and 14 of them were reported idle. Those engaged in the industry earnestly begged the committee not to change the import duties provided in the Dingley Act; but they made their plea in vain, and they even sent a Republican to Congress.

No doubt they had heard of what the Speaker of this House told the voters of the Joplin district in Missouri. By a very narrow margin they defeated one of the most useful Representatives in this Chamber. Now, lo! and behold! the Speaker has failed to keep his word; and, even though a Republican has been sent here—for only one term, however, I predict—the committee has recommended a radical reduction in the import duty on mica.

In the face of a probable annual deficit of $100,000,000, the committee was forced to provide for the raising of additional revenue. This additional revenue could easily have been raised by reducing the import duty on various articles in the Dingley bill to the competing point. Without inflicting one iota of injury upon the wool growers of America, much additional revenue could have been raised by an honest revision downward of the wool schedule.

I have not time to discuss this proposition at length, but I have been told by those who have made a careful study of the Dingley schedules, that it is possible to raise much additional revenues by an honest revision downward. [Applause on the Democratic side.]

HOW REVENUE WILL BE RAISED.

Let us consider how the additional revenues have been provided. First, by a tax on tea. Immediately upon the passage of this bill there will be an advance in the price of tea, and every American citizen who is forced to pay that increase in price may understand that the majority in this House is directly responsible therefor. [Applause on the Democratic side.]

Likewise, Mr. Chairman, the southern people are largely interested in the manufacture of lumber. We have a perennial growth of timber. The present rate on sawed lumber is only 12.94 per cent; but your committee has felt constrained to cut this in half, thereby reducing the ad valorem rate to 6.47 per cent. For the fiscal year ending June 30, 1906, the importation of lumber and the manufactures thereof amounted to a trifle more than $28,000,000, paying into the Treasury revenues amounting to $3,650,054.

In the last campaign, throughout the length and breadth of my State at least, Republicans were warning every voter who owned a bunch of trees not to vote the Democratic ticket, because a Democratic Congress would certainly reduce or remove this duty entirely. Everywhere the promise was made that a Republican Congress would see to it that the duty on lumber should not be changed.

LUMBER SCHEDULE.

I am told by those engaged in the lumber business that a duty of $1 per thousand, practically speaking, leaves them at the mercy of the lumber manufacturers of Canada; that is, so far as the eastern market is concerned. They insist that the present rate of $2 per thousand has only benefited them to the extent of enabling them to find a market for their lower grades. In other words, they say it enables them to clean up the cut of the tree. Why strike at these people? Many of them voted your ticket in the last campaign.

Why leave an average ad valorem import duty of 59 per cent on wool while you reduce the average ad valorem on wood and its manufactures from 16.03 per cent to 10.42 per cent? If the manufacturer of metals is entitled to a protection of 36.15 per cent, as proposed by this bill, is not the lumber manufacturer entitled to the same consideration? If the manufacturer of earthenware and glassware is entitled to an average ad valorem duty of 52.13 per cent, which is an actual increase, by what process of reasoning did you feel justified in reducing the average ad valorem rate on lumber from 16.03 per cent to 10.42 per cent?

The chemical schedule is protected to the extent of 28 per cent. Tobacco and the manufactures thereof are protected by an average ad valorem of 104 per cent. Agricultural products and provisions are protected by an average equivalent ad valorem of 39.08 per cent. The manufacturers of spirits, wines, and other beverages are protected by an average equivalent ad valorem of 74.92 per cent—increased from 73.18 per cent. Cotton manufacturers are protected by an ad valorem of 50.27 per cent. I challenge the majority of the committee to name a single individual who has received such a scant consideration as the lumber manufacturers of this Nation.

Upon what evidence the committee based its action I do not know, but I do know that throughout the length and breadth of the country, with singular unanimity, a plea has come up to this committee from lumber manufacturers asking that the old rates of duty be permitted to stand. I charge that this is a discrimination against these people. If you are going to have a tariff at all, they are entitled to exactly the same consideration as any other class of manufacturers of this Nation. [Applause.]

You gave to the woolgrower ample protection against competition from abroad. Is not the man who has carefully protected his forests entitled to the same consideration? Why should you make a distinction? What has the owner of stumpage done that the value of his property must be impaired, as he contends, by the reduction of this duty? [Applause.]

This is another illustration of the discrimination and favoritism which characterizes the pages of this bill. I may be mistaken, but I believe that this large and respected class of citizens will hold you accountable for this discrimination against them at the first opportunity. If you had reduced all duties 50 per cent these people would not have one word to say. If you had made an honest revision as you promised to do, so that lumber manufacturers would receive some benefit when they go upon the market to purchase necessaries, they would have no right to complain.

I believe you had a deliberate purpose in view when you made this radical reduction in the duty on sawed boards, and so forth. Until a storm of protest was raised you intended to make lumber the scapegoat of this bill. You intended to sacrifice lumber to atone for all your other sins. No doubt you think you can go before the people in the coming campaign and use this as a justification of the promise made in your platform. Be warned, here and now, that it is a two-edged sword. The people to whom you will appeal believe in justice, fair play, that which a distinguished gentleman was pleased to denominate "a square deal." You have not given to the lumber people of America a square deal in this bill—a bill that is far worse, as a whole, than the one you are proposing to repeal. Both are bad enough, heaven knows. But were conceived in sin and born in iniquity. The old bill, because it is unjust, has already risen up to curse and plague you. The day is not far distant when the favoritism of your new bill will become so apparent that the people will rise up and sweep from power those who are responsible for its enactment into law. [Applause on the Democratic side.]

Reckless extravagance is the cause of the deficit of $100,000,000 annually, which now confronts the party in power. You could easily have covered a large proportion, or perhaps all, of this deficit by an honest revision of the Dingley law. Possibilities of largely increased revenue are involved in the wool schedule alone. You have preferred, however, to raise additional revenue by a tax on tea, by a tax on inheritances, which have been fully discussed in this Chamber. [Applause on the Democratic side.]

The abuse which was heaped upon those who provided an income tax in the Wilson bill is yet fresh in the memory of most of us. This Congress, in less than thirty days, can provide for submitting to the States an amendment to the Constitution providing for a tax on incomes. Very many prominent lawyers suggest that probably an amendment to the Constitution is not necessary; but even if you had proposed the amendment you would have done your part. You preferred, however, to impose a tax upon inheritances of the poor as well as the rich—a tax already provided by most of the States of the Union. You are, therefore, imposing a double tax upon inheritances in most of the States. It is not surprising, therefore, that the legislature of at least one State has passed resolutions protesting against your inheritance tax. [Applause.]

Mr. Chairman, before leaving this proposed inheritance tax, I will mention one peculiar provision. In the same spirit of discrimination and favoritism the Republican majority of the committee has provided in the bill that where any property is devised or bequeathed to any person who is a bishop, said bishop shall not be required to pay the tax. Why the majority of the committee was willing to extend this exemption to a bishop and not to the ordinary everyday preacher is something I would like to hear explained by those who drew the direct inheritance tax provision. [Laughter.]

DEFICIT UNDER THE DINGLEY BILL.

Mr. Chairman, desperate, indeed, must be the plight of a party which is willing to impose such burdens as these upon a long-suffering people. You have a deficit of a hundred millions annually on your hands, and the Dingley bill is still in force. *A deficit, and the Dingley law still in force.* I will tell you how you are going to cover your deficit, and you are going to have it all right. You may partly cover it by a direct tax on tea, you may partly cover it by a direct tax on inheritances, but there is one thing you are going to do about which there is no earthly doubt. *You are going to issue bonds.* Oh, how we have heard of the Cleveland bond issue! It has been rung in our ears in this Chamber to my knowledge for eight years; yet now, lo and behold, while the Dingley bill is still in force, which was all sufficient, we were told, to bring back prosperity, to furnish abundant revenue, when there is not a cloud that darkens the horizon of national peace, when there is an absolute calm throughout the length and breadth of the land, we are to provide for issuing $250,000,000 of bonds annually! Do not forget that, if you please.

That is the way you are going to raise your revenue—by an issue of bonds and by a direct tax on tea and on inheritances. You could have raised, in my humble judgment, every dollar of this additional revenue if you had put down the wool schedule, if you had revised it honestly in the interests of the consumer. [Applause on the Democratic side.] You would have not had to put a tax on tea; you would not have had to put a tax on inheritances, which in 38 States is going to operate as a double tax. Take a body of experts, who are honestly favorable to a revision of this tariff in the interest of the masses and not in the interests of a few, and let them revise the tariff. The tariff has always been revised in the interests of the few, and that has been the curse of this country during my lifetime. You can not put a dollar into one man's pocket without taking it out of another man's pocket. You can not establish a prohibitive protection without giving to the manufacturer a monopoly of the home market; and the party I belong to says that that is wrong. I am willing to have you put an import duty on almost any article, a duty sufficient to cover the difference in cost here and abroad; and when you have done that, you have done all that any man ought to ask you to do.

When you put the manufacturer in America upon an equality with the manufacturer of the world, he has no right to ask you to do any more. When he asks you to surround him with a protection that kills off all competition, he is asking of you the privilege of putting his hand in somebody's pocket and taking out dollars without giving the value thereof in return. [Applause on the Democratic side.] Such a principle as that can not last forever. I do not wonder the Dingley bill has risen up to plague the party responsible for it, and this bill will rise up to plague you, and if you pass it there will be an ever increasing restlessness among the masses, and the time will come when under God you will be forced to do justice between the masses of the people and the favored few. [Loud applause on the Democratic side.] That is the principle of the party I belong to. I would to God we could take the tariff question out of politics. I would to God we could submit the whole question to some commission or some body of men who would deal with it from a business standpoint, who would deal with it from the standpoint of the manufacturer's interest, but from the standpoint of the people who dot the hills and live upon the plains, and who are forced to pay the taxes that run this great Government.

I would be willing to favor almost any measure that would remove the tariff question as a football to be kicked back and forth between the two political parties. It is too great, there is too much involved in it. The whole country is waiting now while we are discussing this question in this Chamber. The American people are waiting to see what we do here. I say, let us act upon this question as quickly as the importance of the question will justify. Let us settle this spirit of unrest, this fear to do business that now exists throughout the land. [Applause.]

OPPORTUNITY FOR FRAUD.

One of the most important sections in this bill is susceptible of two or more constructions. If there is any gentleman on the other side of this Chamber, or on either side, who can explain to us exactly what section 29 of the Payne bill means, he will confer a favor upon at least one Member of the House by making such explanation. This section corresponds with section 30 of the Dingley bill and section 22 of the Wilson bill. It is identically the same in both, and is not difficult of interpretation. The Dingley law provides that where imported materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States, there shall be allowed on the exportation of such articles a drawback equal in amount to the duties paid on the materials used less 1 per cent.

Before the exporter can place his hand in the Treasury, under the old law, he must show, first, that he has manufactured an article for export; second, that all or part of the materials used in the manufacture of such articles were imported; third, that he has paid the import duty upon such articles. Having shown this, he is entitled to receive back 99 per cent of the duties paid out by him upon the imported material.

Now, the Payne bill materially changes this section, and what it really does mean is certainly not plain. It may mean a great deal, or it may mean nothing. It certainly does provide that a drawback shall be paid, not only in cases where articles manufactured for export are made up of foreign material, but also where such articles are made up of domestic material, as well. If the section means that the exporter is entitled to a drawback where articles for export are made up, wholly or in part, of domestic material, then the committee has conferred upon the exporter a bounty, pure and simple. It is insisted by gentlemen in this Chamber that the section really means that the exporter is

entitled to a bounty wherever he exports articles made up of domestic material. If this construction be correct, it will be difficult to compute the amount of money this section will take out of the Treasury.

I do not believe even a stand-pat Republican can afford to commit himself to such a radical departure as this. Certainly we are entitled to know what the section means, and up to this hour I submit there has been no sufficient explanation.

Now, what do you say in section 29?

On the exportation of articles manufactured or produced in the United States, either in whole or in part, of imported materials, or from domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal to the amount of duty paid on the imported articles used, or where domestic materials are used, to the duties paid on the equivalent of imported material, less the legal deduction of 1 per cent.

Does anybody know what that means? Now, I will tell you what I think it means or rather what I think it was intended to mean.

Mr. CLARK of Missouri. Is that section 29?

Mr. POU. Yes. I think that it was intended to mean this: That where articles are imported and afterwards exported the exporter gets a drawback, and it means that where a man imports an article for any purpose he credits himself with the amount of duty paid to the Government on that article and then if at any time within three years he exports anything, and has used therein either imported material or domestic material, he is entitled to be paid back out of the Treasury whatever amount he has theretofore paid out less 1 per cent. That is what I think you intended to say, but you did not say it.

The result is that a great many gentlemen construe this section to mean that wherever a man is engaged in the export business and uses domestic material he is entitled to be paid out of the Treasury a bounty to the extent of what would have been paid if he imported all the material used, and it looks as if the section might bear that construction. If it does, then during the next year or two after this bill goes into effect you may expect to see $200,000,000 taken out of the Treasury by way of bounties. Why enlarge this section at all? Was it not good enough? We paid out under the old law nearly $7,000,000 annually in drawbacks, and the Standard Oil Company got a large portion of it. Are you not satisfied with the operation of your drawback clause? I think it is broad enough now. Now, I may be obtuse and may not understand the English language sufficiently to construe this section, but I do think that some one of the able lawyers on the other side of this Chamber, and there are quite a number of them over there, ought to take this section and reform it so that it will be perfectly plain and nobody can misunderstand it. I know of no man who could perform that task better than my distinguished friend from Illinois [Mr. BOUTELL].

Mr. HILL. If the gentleman will pardon me for just a moment, I admit the thing is somewhat confusing, and must necessarily be, but if the gentleman will just bear this in mind, if instead of calling it a "drawback law" he would give the French title to it, "the law of temporary admission," then I think he would find that all the difficulties would resolve themselves, the only difference being that in France the manufacturer pays no duty when importing his material, but gives a bond, which is canceled when the manufactured product is exported. Here the manufacturer pays the duty and gets a drawback when the manufactured product is exported, but if in discussing it you will simply bear in mind it is "a law of temporary admission," I think the difficulties will resolve themselves.

Mr. POU. I understand that; but with a period extending over three years——

Mr. HILL. Pardon me just a moment. That is a very great modification of the existing practice. To-day people are getting drawbacks on importations made ten years ago. This is a limitation, and probably the time would not be as long as three years, but for the necessity for providing for the construction of vessels, for instance, where it would require a year or two years or three years to complete the process of construction. It is a limitation rather than an extension, and a great limitation rather than an extension.

Mr. BOUTELL. Mr. Chairman, I would be very glad to accept the challenge of my colleague on the committee in redrafting this section, providing I could have his cooperation in the matter, and we could sit down and do it in an entirely nonpartisan way. I think there are some features of this bill—the administrative features, like the patent-law provision and this drawback provision—which would be entirely outside the realm of partisanship and would receive the unanimous approval of the House and the country. If this drawback provision does not carry out the intention which the gentleman from North Carolina, and I supposed the drawback provision should carry out, then I think we ought to make it clear. But I would like to redraft the provision with the knowledge that it would meet with such approval, and I will ask the gentleman from North Carolina if he does not believe in the wisdom of a general drawback provision by allowing a drawback for the exportation of imported goods when manufactured?

Mr. POU. I believe the law as written in the Dingley bill and the Wilson bill is a reasonable and proper provision, but I do not believe in enlarging the drawback provision so as to cover domestic material. I do not believe that it should be enlarged to that extent.

Mr. BOUTELL. Then, as I understand it, you believe there should be no drawback except on the identical article imported, which must be identified all the way through the manufacture to the point of reexportation?

Mr. POU. I believe that would be the safer route. I believe the enlarging scope of section 29 is fraught with too many possibilities of danger and fraud.

Mr. BOUTELL. Of course the gentleman will recall that we had had a great many illustrations—the manufacturing of foreign cutlery, for example, from Norwegian steel, and manufactured shoes from imported hides—where it is difficult to follow the raw material. That was the reason for the provision.

Mr. HILL. Will the gentleman permit an interruption? Now, suppose a case like this: A canner in Florida and a canner in California putting up goods for shipment abroad and for domestic consumption also. He has to do it quickly, when the fruits are ripe. He has to make an estimate as to what his foreign trade will be and what his domestic trade will be.

He buys foreign tin for his foreign trade and domestic tin for his domestic trade. His foreign orders fall off in certain lines and increase in others. His domestic orders fall off in certain lines and increase in others. What harm can come from his shipping the domestic tin abroad and getting a drawback, if the can made from foreign tin, similar in every respect and to an equal amount, goes into domestic consumption? It is a great deal easier for him to fill his orders in that way, and nobody is harmed. In that case there is simply substitution from one to the other. In the other case, if the imported tin must be exported, he stands to lose on both the domestic and foreign business, for the export trade is oftentimes carried on at a profit less than the amount of the drawback.

Mr. POU. The old law is a concession to the exporter anyway.

Mr. HILL. Oh, not at all.

Mr. POU. If I remember correctly, the Wilson tariff bill was the first tariff law that contained that provision. I will not state that positively, but if I am mistaken my friend will correct me.

Mr. HILL. It is simply a question of securing the foreign orders and doing the work here, or of going without the business and without the work, too.

Mr. POU. I think I have answered the gentleman's inquiry. I think I have answered the gentleman's question as to what harm would come in a given case as stated by him. My answer is, as I stated a while ago, that I think the possibilities of fraud on the Government would be too great. I think it would open the doors too wide. But I respectfully submit that neither of the distinguished gentlemen, neither my friend from Illinois [Mr. BOUTELL] nor my friend from Connecticut [Mr. HILL], both of them on the committee, has stated to us clearly and exactly what this section does mean. And at some time during the debate I hope to hear from one or the other of these gentlemen, because I believe that they both feel about it as I do, and that is that all administrative features of this bill ought to be divorced from any political consideration whatever. I would like to hear them explain exactly what section 29 does mean, and if its meaning may be misconstrued, then it should be reformed so that there can be no doubt as to its meaning. I suppose we will have no opportunity to amend it in committee. If we are to have that opportunity, I would like to be informed of it in advance, because there are quite a number of amendments which I have in mind and would like to offer to this bill. Is it possible, gentlemen, that you are going to pass a measure of such stupendous importance as this, so far-reaching in its results, affecting such a vast number of people, without allowing a reasonable opportunity to amend it in the interest of the people? [Applause on the Democratic side.]

What are we here for if a committee is to be permitted to bring in a great measure, only reported to this House probably once in a decade, and yet the majority on the other side of the Chamber appears to be so fearful of somebody or something that it is not even willing to trust the American

House of Representatives? Even worse than this, you are not even willing to trust your own membership in this body. We have got to a pretty pass if we can not trust ourselves. [Applause.]

Now, gentlemen, I know as well as I know that I am standing here this afternoon that there are enough men in this House who believe that this bill is radically wrong—that is, radically and inherently unjust—to change it if we will stand together. That is the plain truth, and you all know it. [Applause.] I challenge every man in this Chamber who believes that the bill is wrong to do his duty as an American Representative, to insist upon his right as a representative of the people, and thus let those of us who believe that it is wrong unite in changing it in the interest of justice and fairness. [Applause.] Let us eliminate the favoritism in this bill. Let us see to it that no committee, no matter what its membership may be or how powerful they may be, shall bring in a bill and force it through under gag rule, a bill which directly affects every man, woman, and child in this country. [Applause.]

It is humiliating to feel that when a man is elected here as a Representative to this House—the greatest legislative body in the world—his individuality must be dissolved and lost; that he must sit here and see wrong done, injustice perpetrated while his hands are tied by some rule reported from your all-powerful Committee on Rules. [Applause.] I say it is a proud privilege to be a Member of this body, and I do not feel like surrendering up my rights or evading any responsibility, and I know that there are gentlemen on the other side who feel exactly the same way. I predict now that a rule will be brought in here within the next week or two to force this bill through. The question is whether or not the men who want to see fair play to all classes, who want to see the toilers of the land receive a square deal as well as the rich manufacturers, shall unite and put this great measure above party, above and beyond all political considerations, or whether we will cringe to the lash of the machine [loud applause]—whether we shall see to it this measure is considered in a proper way with reasonable opportunity for amendments, or whether it shall be put through under a gag rule. [Loud applause.]

That question is coming; you can not escape it; you are going to be forced to confront it within the next ten days. On this side I hope you will find unanimous response to any proposal from any source that will change this bill in the interest of fairness and justice to all classes. The question is, as I said a moment ago, whether or not the independent men of this body will surrender their independence, whether or not they will submit to the power of the party lash. [Applause.]

I do not subscribe to the doctrine we hear so often mentioned—that no man is bigger than his party. I do not believe that. I believe a sovereign American citizen is bigger than any political party. I believe that the political party is but a machine to register the views and honest convictions of the sovereign voter, and when it ceases to do that it becomes the agent of tyranny of the party boss, and a curse rather than a blessing to a free people. [Applause.] I believe that in this Chamber our interests are very nearly identical.

I represent an agricultural district largely, and there are gentlemen on the Republican side who represent districts with interests almost identical. The same things that I have in mine they have in theirs. Now, why is it that we must be divided by that middle aisle? Why is it we can not stand shoulder to shoulder in behalf of those who send us here? As God is my judge, I want to put this question above party consideration. No matter whom it operates to help or to hurt, I want this measure shaped according to a principle that is just and fair to all—the rich and the poor, the high and the humble, to the strong and to the weak as well; to all of God's creatures equally who dwell in this fair land. [Loud applause.] Now, Mr. Chairman, just one word in conclusion. It may not be exactly apropos just here, yet I desire to submit an extract written by a very distinguished gentleman, and bearing somewhat upon this subject. Just at this time I am not going to tell his name. You may be able to guess it, however, while I am reading:

When it comes to reward, let each man within the limits set by a sound and far-sighted morality get what by his energy, intelligence, thrift, courage, he is able to get, with the opportunity open. We must set our face against privilege, just as much against the privilege which would let the shiftless and lazy laborer take what his brother has earned as against the privilege which allows the huge capitalist to take toll to which he is not entitled. We stand for equality of opportunity, but not for equality of reward unless there is also equality of service.

Theodore Roosevelt, former President of the United States, is the author of this sentiment, which I commend to those gentlemen in the Chamber who favor building our tariff schedules so high that they shut off all possibility of competition and leave the American people to the protected manufacturers for their legitimate prey. Equal and exact justice to all men; equality before the law; economy in the public expenditures, that labor may be lightly burdened; equal opportunity to all citizens, States, and sections; these are the symbols that make a nation great. We can do no better than to recur to them in the consideration of this measure. Let us address ourselves to this question conscientiously. Let us see to it that the gratuities, the favoritism, the unjust features of the Dingley bill are not magnified, not made worse than they are. That is what you have done in this bill, and the American people will hold you accountable for it at the first opportunity. Do not be deceived, gentlemen. You can not perpetrate such a legislative fraud as this upon the people. It is a gold brick, pure and simple, and rest assured the people will find it out. You had better let the law stand as it is than to put this measure on the statute books.

You have helped not a single consumer, so far as I can judge, while, on the contrary, you have increased his burdens. You have taxed the poor man's tea; you have taxed his direct inheritances; you have provided for the issue of bonds; you have raised schedules; you have not changed a single schedule in the real interest of the consumer. You have put ore on the free list. Oh, yes; you have done that. When we go out in the market the average citizen has no need to buy ore. [Laughter.] He has no use for it. What you want to make cheaper are the things that the poor, the needy, the wage-earners, the salaried man, the thousands who have made this Nation great, the farmers, the toilers all over the Nation are compelled to use. [Applause.] These are the people who are entitled to our first consideration. I bring to you here this evening in my humble way this appeal to put this measure above all party considerations. Let us legislate under God in the interest of all the people. [Applause.]

And, in conclusion, I say, as I began, that this bill is more oppressive, more vicious, than the present Dingley law, which all parties admit should now be repealed. There are gentlemen on this floor who insist that industries located in their districts will be absolutely paralyzed if this bill ever becomes a law. No doubt you are considering what you will do. There are gentlemen on the other side of this Chamber who, in private conversation, will not deny that there is disaster lurking in the provisions of the proposed law.

I hope I will live to see the day when no American industry will need any protection. I am opposed to the protective policy on principle. It has never been possible to administer such a policy in a manner fair and just to all the people. It is the same old, old story over again. The law can not put a dollar in your pocket without taking that dollar out of mine. I regret that the time has not yet come when either party can even consider the entire removal of all duties levied for the purpose of protection. The expenses of running the Government are so large that a system of import duties is necessary, and these duties are necessarily so high that they are protective in their operation, whether it is intended or not. I am not asking you for any favors for the State or the section I represent. I am opposed to your entire bill, but I also know you intend to pass it. It is no sacrifice of my Democracy or my principles to insist that in the laying of duties you ought not to discriminate against one State or section. Benefits, if there be any, should be equally distributed, and burdens should be, if possible, borne by all.

The party to which I belong asks that in the laying of these duties, as far as possible, injustice shall be done no one. I call upon the independent membership of this body to unite in one common effort to defeat this, the worst of all tariff bills ever submitted for the consideration of the American Congress.

I venture one thing more: I do not believe the President is favorable to the schedules in this bill, which kill competition and make the building up of monopoly all the more easy. The President is broad and patriotic, and wants a bill passed which will make favoritism and discrimination as nearly as may be impossible. In instead of lowering some of these ridiculously high schedules, you permit them to remain, while you increase other schedules; if you permit your Standard Oil countervailing duty to remain; if you decline to change section 29, which may take millions out of the Treasury; if you permit your direct-inheritance tax, operating as a double tax in 38 States, to remain unchanged; if you insist upon taxing tea instead of beer, I predict that William H. Taft will never sign your bill.

Before it is too late, let us all put aside all considerations of party policy and party advantage. It is all right to be a good Democrat or a good Republican, but it is better still to be a patriotic American.

If, in readjusting duties some of our great manufacturing interests are required to meet a little competition from abroad, it is no injustice to them. All that anybody has promised to do is to levy duties so as to cover the difference in cost here and abroad. Nobody wishes to force American labor to compete with the pauper labor of Europe. I think we are all willing to levy duties amply sufficient to accomplish this, but when you raise duties so high as to become absolutely prohibitive, you do an injustice to the wage-earner, as well as to everybody else, except the manufacturer who enjoys such favoritism; you are thereby unjust to the Treasury of the people, and you raise the standard of monopoly. [Applause.]

It is hard to rise above party, and yet, when one does it political enemies as well as friends applaud. The President has called us together to deal with this great question. Shall we legislate for the benefit of special interests or for all the people of this great Nation? That is the question now presented to every Member of the Sixty-first Congress. [Prolonged applause on the Democratic side.]

Mr. HOWLAND. Mr. Chairman, I propose to discuss a schedule in this bill in regard to which there seems to be a remarkable unanimity of opinion, to wit, the lumber schedule. No schedule in the Dingley bill has been the subject of such adverse criticism as the lumber schedule in that bill; and when the Ways and Means Committee approached the revision of the tariff, there was a great public sentiment in this country that looked forward to a revision—yes, a repeal—of the lumber tariff. In reporting a schedule which, as we supposed, cuts this tariff in two, the committee took a step in the right direction. If they had only taken another step in the same direction, they would have arrived at the proper destination and placed rough lumber on the free list where it belongs. If circumstances ever justified the lumber tariff, they do not justify it to-day, and on the contrary demand its immediate repeal. The agitation in connection with this matter has produced some very interesting literature recently upon this subject. I refer particularly to a letter by the Chief Forester of the United States, Mr. Pinchot, which has been placed in the hands of every Representative on this floor—not by Mr. Pinchot himself, but by Mr. Defebaugh, the representative of the lumber interests here in Washington.

If this had not thus been made practically a public document, I should hesitate to discuss it here on the floor; but inasmuch as it has been placed in our hands by the lumber interests in order to influence our votes upon this question, I propose to call the attention of the House in a public manner to some of the thoughts which have occurred to me in connection with this letter. Before doing so, however, I wish to read a sentence from the Use-Book, containing the regulations and instructions for the use of the national forests, issued by the Secretary of Agriculture July 1, 1908, and edited by Mr. Pinchot. Remember that Mr. Pinchot is speaking in this book to the American people. The sentence to which I wish to call attention is on the first page of the book, and it, I might say, the text on which he chooses to lecture us. He says:

We know that the welfare of every community is dependent upon a cheap and plentiful supply of timber.

Bearing that sentence in mind, we will look for a moment at the argument presented by Mr. Pinchot to the American people upon this question to-day. This letter, Mr. Chairman, is addressed to the chairman of the Ways and Means Committee, and its ostensible purpose, as he says, is to avoid any chance of misunderstanding. I do not know that the chairman of the Ways and Means Committee, or anybody else, misunderstood the distinguished gentleman when he was testifying before the Ways and Means Committee. No one was asking him to write this letter; and why, therefore, was it written? It was written so that it could be given publicity by the lumber interests and placed in the hands of Congressmen in order to influence their votes upon this very question.

Mr. GAINES. Will the gentleman permit me?

Mr. HOWLAND. With the greatest of pleasure.

Mr. GAINES. I think the gentleman is not exactly correct in this statement of fact in connection with the Pinchot letter, and that is the only reason I interrupted him. Mr. Pinchot was examined before the Committee on Ways and Means, and after he had given his evidence he was asked whether he would revise it, and he suggested that probably it would be well to put what he said to the committee in the shape of a letter. I do not know whether he was asked to write this particular letter, but he was asked if he would revise his testimony.

Mr. HOWLAND. Mr. Pinchot asked leave to revise his remarks before the committee.

Mr. GAINES. That is it.

Mr. HOWLAND. Not to write a letter. What I am complaining of is that the day after the letter was written to Mr. PAYNE it appeared in the press all over the country, and the very next day was laid on the desk of every Congressman in this House, with a note from Mr. Defebaugh, representing the lumber interests in Washington.

Now, then, Mr. Pinchot goes on further to say:

The Forestry Service never has declared in favor of reduction or abolition of tariff on lumber. On the contrary—

And I am reading his exact words—

we have been at some pains to avoid taking any position one way or the other until we could complete a satisfactory investigation of the subject.

Mr. Chairman, ex-President Roosevelt hurled philippics at the head of Congress in season and out of season, recommending the placing of forest products on the free list in order to conserve our forests. Who inspired the messages; from whom did the President get the information on this subject, except from the distinguished gentleman who is now advising Congress to stand pat upon the tariff on lumber? [Applause.] Is it any wonder that there has been a misunderstanding as to the position which the gentleman, the Chief Forester, occupies on this question? He says further:

Many believe that the Forestry Service had declared in favor of the abolition of the duty on lumber.

How in the world did they get such information, and how did many of us in conversation with the distinguished gentleman get that impression? The truth of it is, of course, that Mr. Pinchot has changed his mind, undoubtedly. He has a perfect right to do so, and in that connection has a right to submit to us the arguments which convinced him and changed his mind upon this subject.

But imagine the peculiar situation in which Mr. Pinchot has been, according to his own statement, for the last seven years—sitting astride the fence while the President of the United States has been bombarding Congress in favor of the abolition of the duty on forestry products. [Laughter.] All of a sudden this distinguished gentleman, on the 10th of March, six days after the passing away of the last administration, sees a great light and jumps from the fence and tries to carry the whole Forestry Service into the ranks of the "standpatters" and lumber interests of this country. [Applause.]

What is the reason for this sudden change? The reason is plain. On page 5 of the letter he says:

By asking for the reduction of the tariff in order to protect the forests the lumber men have, in substance, entered into an agreement with the people of the United States to perpetuate their forests by wise use. This tacit agreement is freely recognized by many of the leaders. If the tariff is allowed to remain, the lumbermen should be held to their agreement, and if they should fail to carry it out—

That is to say, if they should go ahead and cut down the forests—

the people of the United States should take the matter in hand and enforce such control of lumbering as will protect the forests.

What good will it do to take steps to protect the forests after they have been cut down?

He further says that—

The lumbermen must recognize that the forests they own are not simply pieces of private property, but that they are a public trust.

Mr. Chairman, this would be a most peculiar kind of a trust. The res, the subject of the trust, would be the forest; the trustee, the owner of the forest; and the beneficiary, or the cestui, would be the public. Whoever heard of a trust where the beneficiary, the cestui, had to pay the market price and then some more in order to have his own trust fund turned over to him? [Laughter.] Such an argument as that ought to be submitted to a graduating class in some high school on Arbor Day. [Laughter.]

Mr. Chairman, now we want to turn right back to serious matters. We propose now to examine the reasons why this distinguished forester is insisting upon having a high tariff on forestry products, and he presents two arguments.

On page 2, he says:

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes, either to reduce the price to the consumer or to preserve our forests. In my judgment it would accomplish neither.

If the removal of the tariff on lumber would not reduce the price of lumber, then what do they want it on there for? If the removal of the tariff would not reduce the price, it certainly would not raise the price. They must take one horn of the dilemma or the other, and he says it would not reduce the price to the consumer. Now, here is where the theory of protection to lumber, it seems to me, gets a very suicidal thrust at the hands of Mr. Pinchot:

Free lumber would not materially reduce the price to the consumer. Most of the lumber that is now imported comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our own

forests. It is not likely that under free lumber more than 5 per cent of our annual cutting would be imported. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Her total amount of standing timber is probably not more than one-third of what is left of ours. In the end the Canadians will undoubtedly require for home use all the timber they can produce. Imports from Canada would not be enough, therefore, to limit the cutting from our own forests or to reduce the price of lumber to any important degree.

Can it be that such facts as these are the cause of the hysterical argument that has been presented here on the floor to-day, fearful of this terrible inroad which Canadian lumber was going to make in the American market? This gentleman, Mr. Pinchot, who now becomes the advocate of the standpatters on the lumber tariff, tells you there is no danger because they have not got enough timber up there to import more than 5 per cent of our annual cut, and they will need all their own timber for their own use. Then what in the world do you want a tariff against Canadian lumber for? Oh, but we have heard about these Hindoos and these Japanese up there—trying to make out that the cost of production in Canada is cheaper than here in order to bring themselves within the ordinary rule of protection. But Mr. Pinchot is very careful not to leave any loophole there, for on the same page he says:

The average cost of logging and manufacturing in Canada is probably as great as it is here.

Under these circumstances, with the cost of production as great in Canada as it is here, with no timber supply in Canada to be imported, and with what they have got needed for their own use, what in the world is the use of putting a tariff on Canadian lumber?

Mr. CLARK of Missouri. Will the gentleman allow me to ask him a question?

Mr. HOWLAND. With great pleasure.

Mr. CLARK of Missouri. Is it not true that Gifford Pinchot originally did more to build up the sentiment in favor of free lumber than nearly anybody else in the country?

Mr. HOWLAND. I have so understood it, and while I do not know it to be a fact, I have said here to-day that I believe he inspired every word that President Roosevelt has said upon the subject of free forest products.

Mr. CLARK of Missouri. I think so, too.

Mr. HOWLAND. I do not know it to be so personally, but I believe it. Now, Mr. Chairman, Mr. Pinchot having demonstrated to his own satisfaction, at least, and I trust to the satisfaction of the distinguished gentleman from Michigan [Mr. FORDNEY] that there is no danger of any importation of lumber from Canada in any large amount, and that the removal of the tariff would not reduce the price of lumber, on page 3 of the letter he adopts the very ingenious argument which has been devised by the lumbermen that low prices for lumber increase waste, and he goes on to say that this tariff of $2 a thousand must be maintained in order to prevent low prices and keep down waste in the woods.

Why, Mr. Chairman, we have been operating under this very identical tariff for twelve years and it has not decreased waste in the woods. Mr. Pinchot says:

The waste in logging is already enormous.

We have been operating under the very tariff that he is asking to have retained to cure waste for twelve years.

Mr. WHEELER. Will the gentleman yield for a question?

Mr. HOWLAND. With great pleasure.

Mr. WHEELER. Could the gentleman tell us how he knows that that is true—that the waste is still as great under the Dingley bill as it was before? Has the gentleman any personal knowledge of that?

Mr. HOWLAND. I am using now for my authority the recent recruit of the standpatters, Mr. Gifford Pinchot.

Mr. WHEELER. Does he say that?

Mr. HOWLAND. He says:

The waste in logging is already enormous.

And you have been acting under the Dingley law for twelve years. If you can not cure waste with a $2 tariff in twelve years, how long will it take to do it?

Mr. WHEELER. That is true, just as he says. Does he say that it is as great as it was when we began, or does the gentleman know that or will any lumberman tell him that?

Mr. HOWLAND. Oh, I am not claiming to be a lumberman. I am arguing this on economic principles, and I am showing that Mr. Pinchot's argument is pure moonshine from an economical standpoint. [Applause.]

Mr. WHEELER. And yet that is supported by any forester who will talk about it, and practically supported by every lumberman in the United States who knows what he is talking about.

Mr. HOWLAND. I have no doubt they know what they want.

Mr. WHEELER. No; in the preservation of the forests. I have been in the business all of my life, and I know that the waste is nothing like what it was thirty or forty years ago.

Mr. HOWLAND. I will take up the question of waste in a minute or two, to the satisfaction of the gentleman, I think. Now, Mr. Chairman, I feel possibly I ought to apologize for spending so much time upon this letter, but in view of the fact that it was thrust under the nose of all of us a day or two after it was written to influence our votes upon this question, I really take exception to it, and I must say that Mr. Gifford Pinchot as a standpatter on the lumber tariff is simply impossible. [Applause.]

Now, Mr. Chairman, there is another very interesting document that has come into my hands as a result of the agitation in connection with this proposed revision of the lumber tariff, and that is the report of the banquet that was held at the New Willard Hotel some time ago, given by the lumber interests of the United States to all the Congressmen, and I was very sorry, indeed, I could not be present, because I was out of town otherwise I should have accepted the very courteous and kind invitation of the gentleman from Pennsylvania. However, in order to take care of all Members who were not present at the banquet some one very kindly had a stenographic report made of all the speeches and presented a copy to every Member of Congress, so that any absentees were taken care of in that respect. Now, Mr. Chairman, these forestry experts have come forward in force on this question, and the same argument in regard to waste in the forests was developed at the New Willard banquet by Doctor Schenck, I believe it is, a distinguished forester who was imported from Germany some fourteen years ago by Mr. G. W. Vanderbilt to look after his forest estate in North Carolina.

In the course of his remarks at the New Willard banquet he laid down a law of economics which should apply to the conservation of the forest products, I think he called it, and I will read from the remarks of Doctor Schenck on that occasion. You will find them on page 23 of the pamphlet. He said:

We have to apply the economical rules to the management of our forests—

Everybody supposed that was true—

Now, I ask you gentlemen, is it worth while to apply economics to save and husband a commodity so long as it is at a low price? When I am in a mountain at a 4,000-foot elevation I do not economize in the use of water, because I have fine springs, pure crystal springs, mountain springs, nothing to compare with them; but when I go back to Asheville, where I have to pay water rent, we economize, we conserve, we husband only that commodity which commands a price. The buffalo hunter in the olden times did not economize in buffalo meat; he had plenty of it. But now we raise cattle in lieu of it, owing to the higher price of the beef—

Mr. Chairman, I have carefully looked over all the market reports in an endeavor to find out what the quotations are to-day on buffalo beef, but I have failed to find buffalo beef quoted in the market. The good doctor, it seems, would have us commence to conserve our forests when they are as scarce as buffalo beef; in other words, when they are all gone.

Why, these forestry experts, it would seem, would have us, before they commence to conserve forest products, make them so valuable that we would be proud to wear wooden ornaments instead of diamonds, make the white pine as scarce as the cedar of Lebanon, and charge us admission to the grounds in order to see a real live white pine in the United States of America. [Applause.] Another argument, Mr. Chairman, was presented at this same dinner by Capt. J. B. White. He says:

We ask that the tariff remain on lumber as a means of forest protection. The upper grades of lumber will sell anywhere. They will bear transportation to the foreign market, but the bringing into our market—

And this argument was developed this morning by the distinguished gentleman from Michigan—

The bringing into our market from Canada of the lower grades is certainly against the interest of forest conservation.

In other words, the Captain's argument is this: That the lumbermen do not need a tariff on first grades and first quality. They can export that to the markets of the world and meet competition anywhere, yet they have got to have a tariff on seconds and culls, in order to enable them to sell seconds and culls to the American people.

Mr. Chairman, when it becomes necessary to impose a tariff upon any commodity in order to enable the producer of the commodity to export their first grade and sell their inferior grade to the people by means of the tariff, I am against any such kind of a tariff, and I do not believe it comes within the scope of the protective doctrine anywhere along the line.

Why, notwithstanding the frank statement—and that statement of Captain White was only equaled in frankness by the statement of the gentleman from Michigan [Mr. FORDNEY] this morning—notwithstanding the frank statements of both those

gentlemen, it is urged by others interested in the retention of this duty that the American lumberman can not compete with Canada for one reason or for another. Under those circumstances you would not expect that the American lumberman would be exporting lumber right into the Canadian market itself and selling in the Canadian market and holding the Canadian market against the Canadian manufacturer himself in his own market.

Mr. HILL. If the gentleman desires it, I can tell him right now that the British Columbia manufacturers are petitioning Parliament to give them a protective duty against the American manufacturers.

Mr. HOWLAND. They are in need of that. There would be some reason to ask protection against us. Our lumbermen are invading their market. Canada is the largest purchaser we have on the list, with the exception of Great Britain. I have the figures right here, but I will not take the time to read them. But they are absolutely accurate, because I got them from the Forestry Bureau.

Mr. WHEELER. Will the gentleman answer another question?

Mr. HOWLAND. With pleasure, if I can.

Mr. WHEELER. Will the gentleman kindly tell me what kind of lumber it is that is exported from the United States to Canada?

Mr. HOWLAND. You have got a tariff on all kinds of lumber, and if you do not want to keep a tariff on your first grade, why do you not come in here and say so instead of insisting on it?

Mr. WHEELER. That is not the idea. What kind of lumber is it that is shipped from the United States to Canada?

Mr. HOWLAND. No difference what the lumber is, you insist on a tariff on all grades and kinds of lumber.

Mr. WHEELER. The gentleman has argued that the reason why we ship lumber to Canada is that it is cheaper here than there. Now, what are the facts? We do not export anything to Canada that they have there. We ship to them yellow pine, which does not grow there at all, and it is used for certain purposes and is better than anything they have got. That is the reason it goes there.

Mr. HILL. The exports to Canada year before last were 194,000,000 feet.

Mr. WHEELER. I do not object to that, but it is not the kind of lumber they have there. That is the reason they buy it in the United States.

Mr. HOWLAND. We are exporting directly to the Canadian market, and Canada is the largest purchaser of forest products we have outside of Great Britain in the wide, wide world. Four million dollars and over was the amount Canada paid the American lumbermen for imports direct into Canada during the last year. So much for that.

But we are exporting into the markets of the world, where we have to meet directly the competition of the Canadian lumbermen, and we are able to hold the markets of the world in competition with these Canadian lumbermen on an equal basis. Why, more than an equal basis!

Let me call your attention in this connection to the testimony of Mr. D. E. Skinner, of San Francisco, who appeared before the Ways and Means Committee on November 20 last, during the hearings. Mr. Skinner, according to his own statement, represents the Port Blakely Mill Company, a corporation that has the largest export trade of any in the United States. He said—and I am using his exact language as taken from the hearings:

> We ship all our products, at least, on an average of 20 per cent higher in the export trade f. o. b. the mill than we do to the American trade. * * * We ship to Australia and to the west coast of South America and the Orient.

A question was interposed by a member of the committee:

> On that export trade you meet the competition of British Columbia, so that export prices are 20 per cent higher in full competition with British Columbia, and yet you bear British Columbia shipping into the United States?

He answered:

> Yes, sir; by all means.

He goes on to explain, and the information is rather interesting. He says:

> We know the increase of population in British Columbia is not large enough to increase their output very rapidly. The result will be we will have that timber there ten or fifteen years from now without any cost to us, and it is a pretty good storehouse for us to keep it in, too.

Showing, Mr. Chairman, that in the export trade American lumbermen go forth into the markets of the world and not only meet foreign competition, but add 20 per cent to the domestic price, and with the 20 per cent added are able to hold the market of the world in competition with the Canadian lumbermen. Under these circumstances, when we are invading the Canadian market itself, when we are going forward into the markets of the world, and adding 20 per cent to our domestic price for export, what becomes of all those Hindoos that have been injected into this discussion to try to show that we can not compete with the Canadian in cost of production?

We are competing with Canadian producers, and that question of oriental labor is injected into this discussion to try and bring in some strange manner this peculiar industry within the realm of the protective theory. Why, my friends, the lumber interests contend that the annual cutting of the American forests is marketed for something like $650,000,000, which is undoubtedly true. They compare it with the annual production of corn and wheat, and claim that because it is the fourth greatest industry in the United States that therefore they must be protected. Why, we used to approach this argument from the other side. The burden of proof was put on the industry to establish that it needed protection in order to protect American laborers, in order to protect it against ruinous competition; but to-day the lumbermen talk about the size of their industry and their great exports, and then demand protection against Canada, which sadly needs protection against them. [Applause on the Democratic side.]

Why, there is nothing more erroneous than the statement of the annual cutting of our forests as an annual crop, and there is no more fallacious comparison that can be made than to compare the value of the annual cutting with the value of the farm products of the country. The annual cutting of the forests is simply changing one form of wealth into another, plus the labor. That is all you have got. And instead of its being an annual crop, it is drawing so much from nature's storehouse in depleting nature's forest surplus in the United States. It has taken nature decade upon decade—yes, I might say, century upon century—to provide these forests for us, and the question of the net profit to this country arising from their destruction has not yet been settled and will not be settled for years to come.

We are hearing to-day all sorts of questions and theories upon the effect the destruction of our forests is going to have on our climate and the fertility of the soil and the navigability of our rivers, and I tell you the net profit to this country can not be measured by the annual value of the cutting away of our forests.

It is conceded by every one of us that the conservation of our forests is of the utmost importance to our people; and it is estimated that under present conditions our entire forests will be destroyed at least in a generation. The forests of Michigan, Wisconsin, and Minnesota are all gone. There is nothing practically but brush piles where once these splendid forests stood. The mills have been shut up, and most of them moved into the timber States of the South, or into the forest States on the Pacific coast. In a short time these splendid forests will have followed in the wake of the forests of the older timber States.

I am going to trespass by reading a statement, referred to by the gentleman from Missouri the other day, of Mr. R. L. McCormick, on the condition of our forest supply. Mr. McCormick, president of the Mississippi Valley Lumbermen's Association, and secretary of the Weyerhaeuser Timber Company, as early as 1903, in an address delivered at that time, used the following language:

> Every man in the timber business to-day, whose dealings are of a sufficient extent to be subject to influences beyond those of purely local demand and supply, realizes that the lumber industry is, in many regions, confronted by a growing scarcity of available timber. Statistics point to it. Estimates of timber resources still remaining point to it also, but the strongest proof lies in the conditions which affect our industry.

It is not necessary to turn to statistics to prove that supply of certain valuable timber trees of the United States is rapidly failing, of others is practically gone, and of still others has entirely vanished as a factor in the lumber market. In speaking of the great pinery of the Great Lakes region, he says:

> The forests of Michigan, Wisconsin, and Minnesota originally maintained a stand of about 350,000,000,000 feet. Lumbering began there in the thirties and was of small importance until the early seventies. Since then the great pinery has been cut over in a way unprecedented in lumbering.

Mr. McCormick estimated that there was not more than 35,000,000,000 feet of marketable timber left in this territory. He says the end of the white pine is near, and that ten years will see it disappear as an important factor in the lumber trade. After calling attention to the supply of yellow pine in the Southern States and the consumption, he says these figures show that at the present rate of consumption the present stand of longleaf yellow pine will be exhausted long before a second crop can be produced to take its place.

> We have reached the point now where we are often unable to supply the demand for lumber which we have fostered. We must look to the production of the second crop or prepare to stop lumbering when the first crop is gone. In the old days it was easy to lumber one forest and then turn to another. To-day we can not count, however, on new fields to turn to.

This article was called to the attention of the gentleman when he was heard before the Committee on Ways and Means, and he said that he knew more now than he did then. Under the exigencies of the case it would be fair, I believe, to criticise that statement, and say that in 1903 he was reciting facts, with no interest at stake, and that in 1909 he was trying to shape the facts to secure the retention of a tariff upon his private business.

Mr. Chairman, the retention of a tariff upon lumber can not help but hasten the destruction of our forests. The Canadian forests or our forests must go first. So far as I am concerned I am in favor, so far as possible, of allowing the Canadian forests to go first. We need not worry about them, however. They are trying harder to keep their own forest products at home than we are to keep them out of the United States.

The acute agitation which has grown up in this country in favor of the conservation of our forests has its basis in the deplorable effects which have resulted in certain sections of this country from the depletion of our forests. And this has gone to such an extent that now they are knocking at the Federal Treasury, asking for an appropriation at the hands of Congress to buy back these denuded areas and reforest them. The forests of New England are gone, and our friends from New England are asking us to buy back the White Mountains and their adjacent drainage areas and reforest them. The forests of the Southern Appalachians are substantially gone, and the Representatives from that section of the country are asking us to appropriate money from the Federal Treasury and buy back the Southern Appalachian Mountains and reforest them. And now in a few years our friends from the Pacific slopes, when their forests have gone the same way, will be knocking at the doors of the Federal Congress, asking us to appropriate money to buy back the Rocky Mountains.

Why can they not learn wisdom by the experience of the older timber States in this country, and before it is too late cease to place a premium upon the destruction of our forests in the shape of a tariff against Canada? [Applause.] The situation is simply this: The lumberman is insisting that a tariff shall be placed upon lumber in order that he can sell his seconds and culls to his fellow-citizens, and after he has sold his seconds and his culls to his fellow-citizens at a high price, by means of a protective tariff, then the public is to be taxed again in order to buy back the very land from the lumberman at a robber's price after the forests have been destroyed. Under these circumstances, Mr. Chairman, it would seem to me the height of folly to vote a dollar out of the Federal Treasury in behalf of any reforesting project so long as the Federal Government in another department is placing a premium upon the destruction of our remaining forests. [Applause.]

It has come out in the debate, and the truth is, that this tariff simply protects stumpage values in the United States. The manufacturer of lumber, unless he happens to be an owner of stumpage, would, perhaps, not get much benefit out of it. It is immaterial to the retailer or the middleman. The owner of the stumpage is the man who reaps the benefit. And in proof of that I want to again refer to my good friend Doctor Schenck, whom I hope to meet some day. Here is what he says upon this subject, and it gives you the meat of this whole controversy. I read from page 24 of the report of the banquet at the New Willard:

> We have in this country altogether stumpage amounting to about 200,000,000,000 feet, and if we cheapen that by $2—

That is, remove the tariff—

> If we cheapen that by $2, it means a loss of about $4,000,000,000 to the owners of stumpage in the United States.

Now, Mr. Chairman, I do not wish any harm to come to any particular person or any particular class of people; but if there is a speculative value of $2 in stumpage by reason of the Dingley tariff, that is no reason why we should continue that speculative value in stumpage by continuing the tariff upon lumber; for the owner of the stumpage is the only one it protects. [Applause.] Why, the prices which are charged for lumber now make it almost a luxury, while it still remains a necessity for hundreds of thousands of our fellow-citizens. The prices have increased 100 per cent in the last fifteen years according to the admissions of Mr. Defebaugh, in the American Lumberman, last September.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has twelve minutes.

Mr. JAMES. Will the gentleman yield for a suggestion?

Mr. HOWLAND. Oh, I do not know that I care for any suggestions. I am getting along all right. [Applause.] If the gentleman has any question to ask, I will be glad to answer it.

Mr. JAMES. I quite agree with the gentleman that he does not need any suggestions, and I am heartily in accord with his position. I merely wanted to call his attention to the fact that those gentlemen who are most urgent upon the floor in favor of the purchase of the White and Appalachian mountains, in order that they may be reforested, are likewise most strenuous in their opposition to the removal of the tariff.

Mr. HOWLAND. No; I do not agree with the gentleman. I do not think so. I think the gentleman's suggestion is not accurate. There has been no vote on that question, and possibly there will not be. I hope there will.

Now, in regard to this question of prices and the explanation which Mr. Defebaugh gave in the American Lumberman of September last. He said:

> Undoubtedly it is this sort of advance which has aroused the ire of many people and led to talk of a lumber trust. An average advance of 100 per cent in fifteen years in a commodity based on natural resources seems enormous—

I should say it was enormous—

> It is merely the expression of inflexible, economic influences. As any commodity of common use needed by the community becomes scarce the pressure of competition is felt and prices advance.

After some explanation the article concludes:

> In spite of all the explanations that can be made, the bald comparison is a startling case. It indicates how far the cutting away of the white-pine resources has progressed, and is significant of the future that confronts every other of our great commercial woods. Yellow pine is already beginning to feel the influence of a restricted timber supply, and within a few years more of the west coast woods—even fir, now so abundant—will testify in their prices for stumpage to the fact that they will be the last great resource of our timber users.

These are the words of Mr. Defebaugh in the Lumberman. Now, Mr. Chairman, scarcity of value which he refers to is now an element in the price of lumber and is bound to be for all future time, and the fear expressed by the lumbermen that they will be compelled to leave the tops and limbs in the forest are the nightmares that sometimes follow a New Willard banquet. [Laughter and applause.]

Why, they are digging up stumps, the gentleman from New York said, to make shingles to-day. Everybody that knows anything about the industry knows that they are cutting saplings to-day. The gentleman from Missouri [Mr. CLARK] tells us that the lead-pencil manufacturers are going down into the State of Missouri buying up the old cedar fence rails in order to get cedar to manufacture lead pencils.

The idea that the removal of the tariff will lead to wasteful logging methods in the woods, when we bear in mind the fact that this tariff has been in existence for twelve years, would hardly seem to appeal to anyone with any degree of force. Nobody would expect the simple continuation of this tariff to work any great revolution in the manufacture of lumber in the United States.

Since the enactment of the Dingley law our forests have simply been raided; millionaires have sprung up overnight. I am not complaining about that; they are lucky men; but the argument that the simple retention of the tariff on lumber would revolutionize existing conditions does not appeal to me. I do not claim that the removal of the tariff would reduce the price of lumber to the consumer $2, possibly not a cent. The lumbering interests may be able to take care of the supply and demand in such a careful way as to adjust themselves very satisfactorily to that changed condition, but it might possibly result in preventing an increase of 100 per cent in the next fifteen years.

The argument that high prices tend to conserve forest products is simply an attempt on the part of the lumbermen to take advantage of the sentiment in this country for the conservation of our forests, hoping that we will fail to distinguish between the utilization of forest products and the conservation of our forests. High prices undoubtedly would have a tendency to utilize forest products, but a tree cut for a butt log destroys just that much of the forest, no matter what disposition may be made of the balance of the tree.

Why, if we are to make forest products so valuable that the lumbermen will cut up every limb and branch, it seems to me that if the limbs and the branches are so valuable, the better grades of lumber would be more valuable still, and would result in simply a greater raid upon the better qualities of timber. Mr. Chairman, if the crumbs that fell from the rich man's table were valuable to the hungry Lazarus, what would he have done to the feast if opportunity had offered? [Laughter and applause.]

Everybody but a forestry expert knows that the more valuable you make timber the more of it will be cut, as long as there is a stick standing, and you can not stop it.

There is one industry left in this country which we desire to encourage, whether we are free traders or protectionists,

and that is the building of homes. The frame dwelling is still the type of building of the great majority of our people. The practice of our Government, as expressed by our homestead laws and in other ways, has been to do everything in its power to provide homes for our people, prompted by the belief that the man who owns his own home will be a better citizen. In my judgment the time has come when the Government should refuse longer to put a burden in the shape of a tariff on lumber on the home builders of our country.

Mr. Chairman, in connection with this lumber tariff, I might be permitted in conclusion to compare the protective-tariff system to a tree, beautiful, symmetrical, and strong. On that tree a rotten limb appears, useless, a blemish, and dangerous. The good husbandman cuts off that limb, thereby increasing the strength and beauty of the tree. It is good advice, Mr. Chairman, when a rotten limb like the lumber tariff appears to cut it off lest a hurricane of hostile public sentiment destroy your entire tree. [Prolonged applause.]

Mr. MACON. Mr. Chairman, the tariff question has now gotten to be practically as old as it is great, and it apparently has been discussed to a finality long ago; therefore, I will not undertake to discuss it academically. I find from a reading of the reports of the discussions of the tariff in 1846, before I was privileged to help make up the great population of this world, when the Walker tariff bill was being considered by Congress, that it is stated that the debate on the bill in the House commenced on June 16 and continued until July 3, that nearly all of the speeches were of the "set" variety, and that but few of them contained a syllable that was new. Therefore, if in that day and time of wise statesmanship and splendid oratory the tariff question was discussed from the 16th of June until the 3d day of July, and hardly a single new syllable was uttered in connection therewith, it is not to be expected that we at this time will be able to do much better than Members of Congress did at that time; but we of to-day have a responsibility resting upon us as Members of the House, and we owe it to our constituencies to let them know what we think about great questions of this character, to let them know whether or not we are trying to dodge this or that issue, let them know whether or not we have the courage to represent a brave constituency, and whether or not we are capable of contending with the important issues that confront the American Congress of to-day. It is often the case that Representatives seek to please their constituency for political purposes, and hence, sometimes they are induced to dodge a vote or the expression of an opinion upon an important question because they do not know whether the way their vote would be cast or whether the opinion expressed by them would be popular at home. I insist that whenever any matter confronts us in our representative capacity that we ought to be willing to walk up to the rack, "fodder or no fodder," and do our duty as we see it as long as we have the honor of holding a commission from the people of a congressional district, whether we know that our action will be popular at home or not.

As stated, the tariff question is about as old as it is great. The first tariff bill was presented to the American Congress in 1789 by James Madison, of Virginia, afterwards an illustrious President of the United States. It was framed with a view of protecting infant industries and to assist in raising a revenue to help support the Government. The rate of duty carried in it was 8½ per cent ad valorem, which rate prevailed in all of our tariff laws until 1816. After the war of 1812 it was increased to 24½ per cent, and it kept advancing with the enactment of each revenue act until it reached the high rate of 43 per cent in 1828. The Clay compromise next followed in 1833, with a reduction of 23 per cent by a sliding scale, which terminated in 1842, and, during that year, another revenue act was passed increasing the rate from 20 to 32 per cent. The next tariff law was known as the "Walker tariff," it being enacted in 1846, and reduced the rate from 32 to 22 per cent, which rate continued until 1857. During the life of the Walker tariff that extended over a period of eleven years, the Nation prospered financially and industrially as it had never done up to that time or has done since that time. Under the 22 per cent tariff everybody and everything prospered normally, which is the only kind of true, equitable, and lasting prosperity. Such prosperity as that will always bring gladness to each and every home, no matter how exalted or how humble. Normal prosperity is the only kind that men of sense and honor ought to ever try to produce in any country. It does not produce millionaires over night, nor does it oppress the toiling masses of the country. It will bring smiles to the faces of labor rather than frowns, and it will put praises upon the lips of constituents for their Representatives for what they have done, rather than curses, and hence, Mr. Chairman, in the enactment of a tariff law, we ought to be very careful to levy a just and reasonable rate that will produce just enough revenue to support the Government when economically and honestly administered—a measure that will, as nearly as possible, bridge over the great financial and social chasm that now so completely and unhappily divides what we are pleased to term the "classes" and the "masses."

The revenue law that was enacted in 1857 set a pace for the rapid increase of our tariff rate that did not stop until it reached the high-water mark of nearly 50 per cent in 1897, under the law commonly known as the "Dingley tariff law," which is still in existence. Under the Dingley tariff there has been more wealth created on the one side and more poverty upon the other than at any other period of the history of our country. It has also succeeded in causing a panic that fairly shook the foundation stones of the great commercial institutions of the country when there was no apparent reason for a panic whatever. Ah, Mr. Chairman, it has completely emptied the "full dinner pail" that we have heard so often glowingly described by orators who undertook to sustain it as the greatest piece of tariff legislation that was ever known to mankind. The Dingley tariff law, coupled with the Spanish-American war tax, produced a great deal of revenue for a time, which, when supplemented by the proceeds of the bountiful crops of the farmer—which have been kept at a fair price by the law of supply and demand, a law that has not made fortunes for a favored few at the expense of the toiling many—caused the so-called "government of the people" to enter upon a period of reckless extravagance and expenditure, the very thought of which was calculated to bring on a ruinous panic at almost any time, until we have reached a point where we must have more than a billion dollars a year for the support of the Government; and hence it appears that any tariff that is levied with a view of only raising a revenue sufficiently large to support the Government will necessarily be tainted throughout with the bad odors and impurities of protection.

Mr. Chairman, you will please pardon me for saying just here that since I have had the honor of occupying a seat in this House I have done everything that I could do, in an humble way, to keep down the extravagant expenditures that have brought on this unhappy condition. [Applause.] My course has not entirely pleased all of the Members of the House, perhaps, but I am sure no one will say but what I have been conscientious in what I have done in that regard, and that I have not known politics in connection therewith. If in doing what I have in the interest of right, as I saw it, I have unintentionally displeased anyone, I can not help it now; and, upon the other hand, if what I have done has met with the approval of my colleagues in the House, I appreciate it to the fullest extent. [Applause.]

Mr. Chairman, when the gentleman from Missouri [Mr. CLARK] made the opening speech upon this side of the House against the Payne bill, he stated that the average minimum tariff rate carried in it would be slightly above 45 per cent. That would indicate that every consumer would have to pay only 45 per cent more for what he purchased, by reason of the tariff, than he would otherwise have to pay; but, sir, I insist that that rate of tariff would force him to pay a much higher per cent than that, and I will undertake to show it at this point. So let us suppose that our commercial affairs were free from tariff of any kind and that a wholesale merchant residing in Memphis, Tenn., were to go East to buy goods from the manufacturing establishments with which to supply the retail merchants of his community and that it was his purpose to buy $100,000 worth of goods at that particular time. He would, of course, have to pay $100,000 for them. He would then have them transported to his place of business in Memphis, and there he would add to the original cost of the goods 10 per cent for cost and carriage, and then he would sell them to the retail merchants for a profit of 10 per cent; then the retail merchants would, when the goods were received at their places of business, add 10 per cent for cost and carriage, and then sell them to the consumers of their respective communities at a profit of 15 per cent. The consumers would therefore have to pay $153,065 for the $100,000 bill of goods, which would close up the transaction. Then let us suppose that the average tariff rate under the Payne bill will be 45 per cent if enacted into law and the Memphis wholesale merchant were to go East to buy the same $100,000 worth of goods that he bought when there was no tariff on them. He would select the $100,000 worth just as he had done before, and when he went to pay for them the manufacturer would say, "Why, sir, there is a tariff of 45 per cent upon these goods since the Payne bill became a law, and instead of paying us $100,000 for them, as you did before, you must pay in addition thereto $45,000 because of the 45 per cent tariff rate." "But," replies the merchant, "they have not been imported; they have not passed through a custom-house where a tariff of 45 per cent has been collected upon them, and hence I think it is an outrage for you

to require me to pay you $45,000 in excess of what I paid you for the same goods when I was here before when you have not paid a single cent of tariff upon them. I can go to London and buy this identical bill of goods, in spite of the Payne bill, for $100,000." "That is true," replies the manufacturer, "but after you have bought them you will have to pay freight and insurance upon them across the ocean, and when they get to the American port at New York you will there have to pay a duty of $45,000 on them, so you see that by buying them from me you will save what you would have to pay for freight and insurance on them from London to New York."

The wholesaler accepts the statement as a fact and pays the $145,000 for the $100,000 bill of goods. He has them transported to his place of business in Memphis, and there he adds his 10 per cent for cost and carriage to the $145,000; he then disposes of them to the retail merchants of his community at a profit of 10 per cent upon the amount paid out by him for them, just as he did before. The retailers, when they reach their places of business, add their 10 per cent for cost and carriage, as before, and sell them to the consumers at a profit of 15 per cent, just as they did before. The consumers, therefore, would have to pay $221,944.25 for the $100,000 bill of goods that cost the wholesaler $145,000 at the factory by reason of the 45 per cent tariff, which would close up that transaction. Now deduct the $153,065, the amount the consumers would have to pay for the $100,000 bill of goods without a tariff, from the $221,944.25 that they would have to pay for the same goods with a 45 per cent tariff, and you will find that they would have to pay $68,879.25 more for them with the tariff than without the tariff. The following table will save Members the trouble of making the calculation to prove the correctness of the statement:

Bill of goods without tariff of 45 per cent.

(Example No. 1.)

Bill of goods	$100,000.00
Wholesaler's 10 per cent for cost and carriage	10,000.00
	110,000.00
Wholesaler's 10 per cent profit	11,000.00
Amount paid for bill of goods by retailer	121,000.00
Add retailer's 10 per cent on $121,000 for cost and carriage	12,100.00
	133,100.00
Add retailer's profit of 15 per cent	19,965.00
	153,065.00

Bill of goods, with 45 per cent tariff, under the Payne bill.

(Example No. 2.)

Bill of goods	$100,000.00
Add average tariff of 45 per cent under Payne bill	45,000.00
	145,000.00
Add wholesaler's 10 per cent for cost and carriage	14,500.00
	159,500.00
Add wholesaler's 10 per cent profit	15,950.00
Retailer's purchase price in the market	175,450.00
Add retailer's 10 per cent for cost and carriage	17,545.00
Retailer's price in the store	192,995.00
Add retailer's profit of 15 per cent	28,949.25
Total cost to consumer	221,944.25
Deduct bill of goods without 45 per cent tariff in example No. 1	153,065.00
Excess price of $100,000 bill of goods to consumer on account of 45 per cent tariff	68,879.25

Thus you will see, Mr. Chairman, that the consumer will have to pay a tariff of 68.879 per cent instead of 45 per cent for every average dollar's worth of goods that he buys as a tariff tax if this bill becomes a law, and hence that the toiling masses of the country, who constitute by far the greater part of its consumers, will be tax ridden from year to year and from ocean to ocean [applause], and, sir, you will further observe that notwithstanding the consumers will have had to pay $68,879.25 more for the $100,000 bill of goods with the tariff than they would have had to pay if there had been no tariff, that not one single cent of the amount will find its way into the Treasury to help pay courts and officers for protecting the goods and wares of the tariff barons against the competition of foreign-made goods and wares. It is my judgment that if the Payne bill is enacted into law the average rate under it will be decidedly greater than under the Dingley law, because of the maximum-tariff feature of it, which will be used to a greater extent than the minimum. Therefore, Mr. Chairman, I think it can be safely said that the minimum feature of it is a delusion and a snare, and that no one need expect to receive any benefits from the minimum rate as long as the maximum rate is left in the bill.

When the Dingley bill was enacted it was openly stated by its advocates that the rate carried in it had been deliberately made 20 per cent higher than was necessary so as to enable us to make terms with foreign countries whereby our goods could be exported into them and theirs into ours for a 20 per cent less tariff rate than would otherwise be levied against them, which was tantamount to the maximum and minimum tariff rate provided for in this bill, but no one has ever heard of that provision of the Dingley law having been put into force during its existence of twelve years.

Mr. HARDY. Will the gentleman allow me to ask him a question?

Mr. MACON. Certainly.

Mr. HARDY. By way of suggestion, if I understand your proposition, you mean that in the Dingley bill the tax was professedly fixed 20 per cent higher than was necessary to allow the Government of this country to trade downward?

Mr. MACON. Yes, sir. I mean that very thing.

Mr. HARDY. While in the Payne bill they substantially take the average Dingley rate and allow 20 per cent rise for that purpose, so that there seems to be a 20 per cent higher rate in this bill than there was in the former bill, which was put into it for the purpose of trading downward?

Mr. MACON. Yes, sir.

Mr. HARDY. The Dingley bill provided for trading downward, but this bill fixes substantially the Dingley rate. It has a minimum clause in the bill and then it has a maximum; in other words, they have taken the maximum of the Dingley bill and made it the minimum of the Payne bill?

Mr. MACON. Yes, sir. That seems to be just what has been done. As I said a moment ago, I expect the average tariff rate in the Payne bill, if it becomes a law, to be higher than the average rate has ever been before in this country. [Applause.]

Mr. Chairman, as indicated a few minutes ago, the early tariff idea that prevailed in this country was for a rate just large enough to assist in supporting our Government when honestly and economically administered with an incidental protection to the infant industries, and that idea prevailed throughout most of the stages of our Government up to the time that the Republican party became the dominant party, and conceived the idea of continuing to be the dominant party by extending special favors to a favored few by way of the high-tariff route, thus making sure of financial support from that source while they made themselves solid with labor by proclaiming that the high tariff was for labor's benefit instead of for the benefit of a favored few that it had really been levied in favor of. Sir, it is a sin and a shame for them to try to make labor believe that their wages were made higher than the wages of pauper labor abroad by reason of a high tariff when, as a matter of fact, supply and demand and their organizations have brought about their improved wage condition, and not the tariff that finds its way into the "tills" of the captains of industry. Why, sir, if labor did not have a vote it would no more be thought of or mentioned in connection with the tariff arguments and arrangements of the country than would the horses or hogs of the country. [Applause.]

Supply and demand and labor organizations have been the sole cause of the maintenance of the superior wage scale in this country to that prevailing in foreign countries, and the vote of the laborers has been the cause of labor's mention in connection with the tariff legislation of the country. The whole tariff schedule as found in the existing tariff law, or in the Payne bill either, when carefully scrutinized contradicts every suggestion that is made by the tariff advocates that any of them are really and truly in the interests of labor.

Under the existing law laborers in the highly protected manufacturing establishments do not receive more than one-fifth of the profits of their toil, whereas the negro of the South engaged in agricultural pursuits is given one-half of the profits of his toil where the landowner furnishes everything connected with the production of the crops except the labor, just as the manufacturer furnishes everything connected with the manufacture of the finished product except the labor; and yet we of the South, who give the negro one-half of the profit of his toil, have been maligned and misrepresented for forty years concerning our treatment of him by the people who reside in the industrial districts of this Union and who loudly clamor for protection for labor's sake and yet only give to those that labor in industrial institutions one-fifth of the profits of their toil.

Mr. WEISSE. Will the gentleman yield for a question?

Mr. MACON. Yes, sir.

Mr. WEISSE. Does the gentleman from Arkansas believe that the negro in the South is fed as well as the white man in the North?

Mr. MACON. If the gentleman from Wisconsin means the white man that toils in the industrial institutions of the North, I will say that I have no personal knowledge upon the subject, but that I have lived all of my life in the South and have never seen a negro in the South in a free soup house. Has the gentleman ever seen a white man of the North in one? [Laughter and applause.] I have never seen a negro in the South standing in a bread line in front of a bakery waiting for some generous hand to pass him out a loaf of bread. Has the gentleman ever seen that sight among the white laborers of the industrial institutions of the North? [Laughter and applause.] I will say further, for the gentleman's benefit, that if the manufacturers of the North will give to the industrial laborers of their sections anything like the same fair share of the profits of their toil that we of the South give the negroes that he will never see any more of them in soup houses or in bread lines. [Laughter and applause.]

Mr. HUGHES of New Jersey. Will the gentleman yield for a question?

Mr. MACON. Certainly.

Mr. HUGHES of New Jersey. Has the gentleman from Arkansas been able to discover a paragraph in this bill which provides that any part of the tariff shall go into the pockets of the people whom the advocates of the measure say it is designed to protect?

Mr. MACON. No. There is not a single letter, word, line, or paragraph in the bill that provides, or even indicates, that any part of the tariff provided for in it will go into the pockets of the laboring men whom it is claimed to be designed to protect, and yet they tell us that the tariff is levied in the interest of the industrial toilers of the country. [Applause.]

Mr. WEISSE. Will the gentleman permit me to ask him a question?

Mr. MACON. Certainly.

Mr. WEISSE. The gentleman is talking about the allegation that this bill will protect labor. Does he believe that if this bill is enacted in its present form, it will give work to more laboring men than the Dingley bill?

Mr. MACON. I do not. I am firmly fixed in the belief that if this bill is enacted into law it will come nearer putting men out of work than it will to giving work to them, for the rates will be so very high that the trusts of the country will be able to "gobble up" all of the independent enterprises and in that way destroy many opportunities for labor that now exist. Under this bill trusts can not help but flourish, and it stands to reason that where they do that all competition must perish. We have had many industrial institutions that once gave employment to labor shut down by the strong arm of the trusts, and when that arm is strengthened by additional friendly legislation there is no telling what will be the result of its merciless onslaught.

Mr. WILSON of Pennsylvania. Will the gentleman yield for a question?

Mr. MACON. Yes, sir.

Mr. WILSON of Pennsylvania. Is it not a fact that under the present law and under the proposed bill the laborers of the country, skilled workmen and common laborers, have to purchase everything they use in their household in a protected market and have to sell the only thing they have for sale, their labor, in a market that is open to all of the world, except China, practically?

Mr. MACON. That is true.

Mr. WILSON of Pennsylvania. Then it is not a fact that it is taking something out of the pockets of one class of labor to put into the pockets of another class, but simply taking out of the pockets of laborers and putting it into the pockets of capitalists. [Applause.]

Mr. MACON. Of course. I have been insisting throughout my remarks that the tariff as now provided, fostered, and appropriated was never intended to benefit the laborers of the country. As I stated, the term "labor" would never have been heard of in connection with this bill but for the fact that labor has a vote. [Applause on the Democratic side.] If the tariff had been instituted for the benefit of labor, does not every one know that a commission would have been created, or some officer designated to collect that part of it to which labor is entitled and pay it over to labor? Under existing law every cent of it is put into the hands of the manufacturer, and he pays to labor just such part of it as he, the manufacturer, thinks labor ought to have. That kind of procedure is unjust in every particular, and I can not understand how an honest, intelligent man could make up his mind to even attempt to try to sustain it. Gentlemen, it is a farce to talk about levying a tariff for the benefit of labor and then put it into the hands of the manufacturer for whom labor toils and allow the manufacturer in his discretion to give to labor just such part of it as he, the manufacturer, thinks labor ought to have. That kind of a policy is contrary to common sense, contrary to all reason, and the friends of honest toil ought to rise up everywhere to proclaim against and condemn it. As long as it was believed that the tariff was levied to assist infant industries and to help support the Government, it was not so strenuously contended against as it must be from this day on, if the ordinary every-day human being of this Nation is to have any rights that are to be respected at all. The gigantic combines that have grown so politically under the nurturing and fostering care of a high protective tariff have become so arrogant that they no longer respect the rights of individuals, the rights of courts, nay, I may almost say, the rights of the Government. Sir, they have practically throttled the majority party that has nurtured and cared for them for forty years and more, and are now engaged in the business of writing its platform every four years and seeing to it that Congress carefully carries out the declarations that they have written into the platform and, in the writing of the last one, they came out boldly for themselves, something that they had not felt that they were strong enough to do before; in fact, something that they dared not do until they felt sure of their almost impregnable intrenchment. Here I read from the Chicago platform:

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

That means, if it means anything, that in addition to levying a tariff high enough to pay the difference in cost of wages abroad and in this country and to foster infant industries, that it shall be large enough to guarantee to every combine and trust, every manufacturing establishment and industrial institution between the two oceans such a profit as they themselves would conceive to be a reasonable return upon their investment, whether it consisted of raw or manufactured products, machinery, buildings, lands, stocks, and bonds, whether watered or not, while the poor farmer who produces everything upon which man subsists, and the toiling miner who digs everything out of the earth, and by their combined efforts produce everything that enters into manufacture, are not guaranteed a single fraction of a cent upon their investment. Coming from the South, I am necessarily more familiar with conditions there than elsewhere, and hence am better prepared to speak as to the accumulations of the farmers than I am of the miners, so I will state that there are thousands of farmers all over the South who have been toiling from boyhood until a time when they are practically standing upon the brink of the grave in order to make an ordinary living for their families, and to make for themselves a little home consisting of an humble house and 40, 80, or 160 acres of land and upon which to exist during their declining years. They have been producing cotton all that time and sending it to the manufacturers without any protection upon their raw material whatever, and while they were doing it they barely eked out an existence because their profits were so small, while the manufacturers, having been highly protected all that time by a tariff upon the cotton goods that they have manufactured, have grown immensely rich, and now, when that unequal condition exists it is proposed that these thousands of farmers that have grown old and broken from toil and who are yet poor shall be called upon to pay an additional tax upon their small investment in order that the rich manufacturers of the country may have a guaranty of a reasonable profit upon their large investment, they, the manufacturers, to say what the amount shall be themselves regardless of whether or not their investment is real or fictitious. If that is justice, then God forbid that justice should much longer find favor upon the face of the earth. [Applause.]

Now, Mr. Chairman, let us see what the Payne bill proposes to do for the labor interests of the country and let us see how it is to help the masses. I have already stated that because of the maximum feature in the bill that the rate carried in it will be higher than that of any revenue bill since the protective tariff was fastened upon the country. I will not have time to discuss all of its provisions, in fact, but a few of them, so I will call the attention of the House to some of those that strike me as being particularly obnoxious to the best interests of the masses. Take the oil schedule; it contains a countervailing clause that practically guarantees to the Standard Oil Company that it shall be permitted to charge 75 per cent more for every bit of oil that it sells to the citizens of this country than it would otherwise be able to sell it for, and it is estimated that that advantage will guarantee to that great octopus not less than $12,000,000 more of profit for oil sold to the American people alone than it would receive if the countervailing provision was not in the law. The very thought of putting a provision in a law for the benefit of so gigantic and so brazen a combine as the Standard Oil Company is enough to cause the people to rise up in their might and strike down the party that would accord it so great a benefit. This soulless octopus has been defying the courts and robbing the people year in and year out for a generation or two. It has been having conferences with and writing letters to Senators and Representatives about legislation favorable or prejudicial to its interests and has been successful in its efforts, in some instances by reason of certain inclosures, and that success has caused it to feel that it could do as it pleased without being called to account therefor, and it is just about that way.

There is no danger of it ever being successfully called upon to account for anything that it does in violation of the law, either in the matter of influencing legislation or of disregarding it after it has been enacted, and to bolster up that suggestion it is only necessary for me to recite that about two years ago a certain judge in Chicago, who was fresh from the people, who had only been on the bench for a few months, and who thought that when he was told by the administration to try the octopus and to assess a fine against it, if it was found to be guilty, sufficiently large to warn it and all others of its kind that they must not longer willfully and premeditatedly violate the law of the land, that it meant just what it said; so when he found the octopus to be guilty, he assessed a fine of $29,240,000 against it. Most people thought that fine would put an end to the open violation of the law by it, but somehow I had no faith in the good faith of the administration in the matter and believed that it did not propose to see a single scar made upon this arrogant combine. And to convince you that my surmises and doubts were genuine, I will say that I had an occasion to address an audience of farmers, about 3,000 in number, about two days after the fine had been assessed by Judge Landis, and believing that it was all a fake, I could not help but criticise the administration for ordering a prosecution when it knew that nothing was to come out of it except a bluster that would attract the attention of the people and cause them to believe that the administration was doing big things along trust-busting lines. I told my audience that I thought it was all a hoax and that I did not believe a single cent of the $29,240,000 would ever find its way into the United States Treasury. I said to them that I might be wrong in criticising the administration, but I did not think so; but that I wanted them to watch the case closely, and if they ever heard of a single cent of the amount being paid into the Treasury that I wanted each and every one of them to telegraph me at my expense, so I could immediately wire the administration an humble apology for having unjustly criticised it. Gentlemen, I have not had to pay for a single message telling me that a single cent of the $29,240,000 had been taken from the "till" of the octopus and placed in the United States Treasury up to this good hour. [Applause.] And I will never hear of such a thing being done, for only the other day they had a second trial of the case, and a verdict was returned in favor of the trust.

Mr. GILLESPIE. Mr. Chairman, is it not true that they would not even let farmers sit on the jury in the last trial?

Mr. MACON. Of course; of course, they would not let farmers sit on the jury. They never let farmers sit on the jury when they do not want honest verdicts, for they know that the dear old farmer will return an honest verdict when he is on the jury. [Applause.] If we could have free oil it would benefit the laboring people very much. A 75 per cent reduction in the cost of any necessary commodity is of vital importance and great benefit to the consumers. It would especially be helpful to the farmers of the country, for they can not have any other kind of light, unless they resort to the old tallow dip of several decades ago, or to the old grease-and-rag light of a century ago. Mr. Chairman, it seems that the Standard Oil Company has been writing letters or having some other kind of communication with Members of Congress in regard to this bill, if there is any foundation whatever for the matter contained in the newspaper clipping headed "Deal in tariff bill" that I will insert in my remarks at this point:

DEAL IN TARIFF BILL?—UGLY CHARGES RELATING TO OIL SCHEDULE AND BEER TAX.

[Washington correspondence New York Journal of Commerce.]

In connection with the apparent defects of the bill as a revenue producer, ugly charges are flying about the Capitol. It is alleged that the duty on beer was to have been increased, but that this was refrained from in return for votes cast on the side of the House organization in the rules fight. One Member of the House, who claims to have been approached by representatives of the brewers, said: "A representative of beer men told me on the eve of the contest over the organization of the House, that if Cannon rules should win, the beer tax would be unchanged. If CANNON were defeated, the tax would be put up to $1.50. He wanted me to vote for the old rules. He seemed very positive in his information, and at that time I understood it had been determined to make the tax $1.50. The inference would seem to be justified that the restoration of the tax to $1 had some relation to the fight over the rules."

The Congressman who made this statement would not permit the use of his name, but he is said to have made it to a number of Members, both Democratic and Republican, and the matter is expected to be the subject of further inquiry.

The countervailing duty on petroleum and its products was also the subject of much comment and investigation. Until the very eve of the tariff bill construction it was said with the utmost confidence that this countervailing duty was removed—that is, that petroleum was placed actually on the free list, instead of only nominally.

At noon on Tuesday a western oil man, who was in Washington in the effort to get the countervailing duty restored, made the positive statement that the duty had been stricken out and was still out. He regretted the fact on the ground that it would be a serious blow at producers in this country, because it might let in the oil of Russia and Mexico and injure the market for that product at home.

Bad as it was, however, the oil men said the countervailing duty was removed. It was expected at that time that the tariff bill would be reported within an hour or two. Instead, delay was taken for one day, the bill being held for twenty-four hours, and when it was reported, it contained the provision for the countervailing duty.

Democrats and a great many Republicans threatened to insist upon detailed explanations as to when and why these changes were made, charging that both the beer tax and petroleum duty were involved in the deal for support of the Cannon rules. Of course, there is as yet no positive evidence on any of these points, but the charges are being freely made, and are as yet uncontradicted.

If there is no foundation to the article, then somebody ought to be prosecuted for lying.

Mr. Chairman, this bill is iniquitous because it proposes to raise revenue by taxing the necessaries of life, and insures a large profit to the great industries by maintaining and increasing the cost of living for the American people. If enacted into law, it will greatly intensify the struggle for existence among industrial laborers, for it only apparently reduces a few excessive duties, while it really seizes upon the necessaries of life and raises their price by taxing them.

Take the coffee schedule, for instance; it is a striking example. All classes use it, and especially the laboring class. We have many toilers in this land who are willing to go forth in the morning and work until noon if they can but have a cup of coffee and a bit of bread. Now, in this bill it is proposed that they shall pay at least 3 cents per pound tax upon their coffee. The coffee paragraph is supposed to be upon the free list, but it has coupled with it, and it is a part of it, a countervailing provision to the effect that if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon. Brazil is the chief coffee-producing country of the world. Practically all of our coffee comes from Brazil, and that country has issued bonds based upon an export duty on her coffee, and hence she must charge an export duty to pay the interest on and to raise a sinking fund for the retiring of those bonds, no matter what kind of a revenue provision we should put in our tariff law upon the subject; so you see, gentlemen, that free coffee is a fudge, a fluke, and a fraud, as provided for in this bill.

The glass schedule as provided for in the Payne bill is also a delusion. It represents that it has lowered the rate on common window glass, something that is absolutely a necessity to the poor man if his home is ever to be blessed by the penetrating rays of God's sunshine, but when you figure it out the reduction is less than one-half of 1 per cent, and the rate is left at a prohibitive point, just as it is in the Dingley bill, and hence there will be no way for the consumer to get the benefit of even the one-half of the 1 per cent reduction. Away with such tariff revision downward; it is enough to make a person sick. [Applause.]

The bill is drawn so that it is almost impossible for even a "Philadelphia lawyer" to tell what it means or just what will have to be paid as a tariff on many articles mentioned in it if it becomes a law. Paragraph 375 is fairly illustrative of that statement. I will read it to you and let you see what you can make out of it:

> On blankets and flannels for underwear composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem. On blankets composed wholly or in part of wool, valued at more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem. Flannels composed wholly or in part of wool, valued at above 50 cents per pound, shall be classified and pay the

same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section: *Provided*, That on blankets over 3 yards in length the same duties shall be paid as on cloths.

The glove schedule is another fine specimen of the work of the committee in behalf of the poor people of this country. It raises the rate on the gloves of the poor woman from 58 to 133 per cent. while those worn by the "well to do" are raised from 84 to 108 per cent; that is to say, the poor woman's glove is taxed 90 per cent, while the "well-to-do" woman's glove is taxed 44 per cent, less than one-half as much as that of the poor woman. That schedule seems to have been "fixed" in the interest of somebody, if the information contained in the clipping headed "Who is benefited?" that I will incorporate in my remarks just here, has any foundation in fact beneath it:

WHO IS BENEFITED?

That, of course, can only be explained by the committee. But a bit of light will perhaps be shed on it by the following letter which Representative ADAMSON of Georgia read into the CONGRESSIONAL RECORD in a speech:

NEWNAN, GA., *March 17, 1909.*

Hon. W. C. ADAMSON, M. C.,
Washington, D. C.

DEAR SIR: We desire to call your attention to the schedules on kid gloves and linoleum in the new tariff bill just introduced, and to urge upon you the importance of opposing increases incorporated in this measure. An increase of tariff rates on the lower grades, especially of kid, French lamb, and schmaschen gloves, will make them prohibitory for import, and will put us at the mercy of a few manufacturers in Gloversville, who would be the only ones to profit by this measure. Gloves of this kind made in this country are far inferior to the foreign-made article. The proposed schedule will entirely shut out French-made lambskin gloves, such as now retail at $1 per pair, and will make the price on the better quality so high that their sale will be very limited. A like reason applies to linoleums, which are better made abroad. We hope you will use every effort to prevent the passage of these schedules.

Very sincerely, yours,

P. E. CUTTING & CO.

This letter is but a sample of many which have been received. It is a matter of the commonest knowledge that the Gloversville glove industry is the special beneficiary expected to gain by this remarkable schedule. How did Gloversville manage to get such excellent treatment?

GLOVERSVILLE REPRESENTED.

That, again, is one of the things that only the Ways and Means Committee, presumably, could answer. But a few things are suggestive:

Lucius N. Littauer, for many years a leading and influential Member of Congress, is the recognized head of the great Gloversville glove-making industry.

He stands for it in all its relations to public affairs. He was known in Congress as its representative. It was his special concern, and his great fortune represents investment in it.

Mr. Littauer is one of the closest personal and political intimates of the present organization which controls the House.

As a Member of Congress he was one of the recognized spokesmen of JOSEPH G. CANNON.

He was one of the men who made CANNON Speaker and one of the most effective representatives of the CANNON group in all political affairs. He is a politician of great influence in New York.

When the great fight over the election of Speaker CANNON and the readoption of the Cannon rules of the House started a few weeks ago, Mr. Littauer was early sent for. He hurried on to Washington, and was one of the group of inside managers for Speaker CANNON and the old rules throughout the fight. No longer a Member of Congress, he used his personal acquaintance and influence most effectively. To no man does the present managerial clique owe more for its retention in control. What induced Mr. Littauer to work so hard for the old control?

Nobody knows; patriotism, doubtless.

But it is on the tongue of every cynic in Congress that "Littauer got his reward in the glove schedule."

He certainly got handsome treatment.

But how will the poor woman whose gloves will, under this schedule, be controlled by Mr. Littauer's tariff-protected monopoly feel about that sort of political logrolling?

Mr. Chairman, it seems that a whole lot of people not on the Ways and Means Committee have had something to do with the making of this bill if there is any truth whatever in the suggestions contained in these newspaper clippings.

The drawback clause in the Payne bill is about as confusing as to its real meaning as the wool schedule embraced in paragraph 375 just mentioned. But as confusing as it is, it can be fairly construed to mean that the manufacturer can import all of the raw material he wants, pay a duty on it, and then be allowed a drawback that will equal the amount of duty paid on the importation of the raw material when it has been manufactured into a finished product and exported, less a legal deduction of 1 per cent, provided the exportation shall be made within three years after the importation of the foreign material. I will incorporate the section in my remarks so the people of the country can read it and construe it for themselves. It surely means all I have said.

SEC. 29. On the exportation of articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, or where imported materials are used, on the duties paid on the equivalent of imported materials, less the legal deduction of 1 per cent: *Provided*, That the exportation shall be made within three years after the importation of the foreign material used or checked against: *And provided further*, That the quantity of materials used and the amount of duties paid shall be ascertained, the facts of the manufacture or the production of such articles in the United States and their exportation therefrom, and the equality of domestic and imported materials where the former are substituted for the latter with respect to quantity and productive manufacturing quality and value shall be determined, and the drawback due thereon shall be paid to the manufacturer, producer, or exporter, to the agent of either, or to the person to whom such manufacturer, producer, exporter, or agent shall, in writing, order such drawback paid, under such regulations as the Secretary of the Treasury shall prescribe.

It is clearly intended to allow the manufacturer to have free raw material when it is his purpose to make a finished product and sell it abroad, thus discriminating against the people of this country in favor of the manufacturer and the foreigner. Men who are capable of occupying seats in this House ought to be able to legislate more intelligently and justly than that, unless it is their purpose to "turn a legislative trick" of some sort.

There is one paragraph in the Payne bill, however, that is easily understood, but the reason for its existence can not be so easily comprehended when we consider it in the light of the great ability of the Republican party to run this Government in such an efficient and prosperous manner as they claim to have done, and that is the paragraph authorizing the issuance of $250,000,000 of 3 per cent interest-bearing bonds that the committee pleases to "dub" "certificates." When Mr. Cleveland was President of the United States he issued $60,000,000 of bonds at a time of profound peace, and every Republican voice in all the broad land was raised in righteous indignation against and condemnation of that act. The failure of his administration and his incapacity was heralded from the housetops, and now these same people are providing for the issuance of $250,000,000 of interest-bearing bonds at a time of profound peace, and they say it is a wise piece of statesmanship. They may be able to justify their action in connection with the matter, but poor Cleveland could not. Gentlemen, if the issuance of the $60,000,000 of bonds was any evidence of the inefficiency of a Democratic administration to administer the affairs of this Government, then I would like to know what the issuance of the $250,000,000 of bonds would be evidence of.

This bill is fatally deficient in that it does not admit the products of the Philippine Islands free of duty. We forced our authority upon those helpless people and are now doing our best to keep them helpless by restricting their opportunities as much as we can. We have destroyed their commerce with the rest of the world and are now restricting them in the matter of their selling their products in this country free of duty. In my judgment the trade between the United States and the Philippine Islands ought to be as free as the trade between the various States of this Union, and I do not believe that a contrary policy can be justified on any ground in the world except that of highway robbery. [Applause.]

I introduced a bill to that effect when I first came to Congress, and have kept it alive by reintroducing it at the beginning of each succeeding Congress. I will incorporate it in my remarks and leave it to the fair-minded judgment of the world as to whether its provisions are just or not:

A bill to admit the products of the Philippine Islands into all of the ports of the United States of America free of duty.

Be it enacted, etc., That from and after the approval of this act the products, raw, manufactured, and refined, of the Philippine Islands shall be admitted and received into all of the ports of the United States of America free of duty or tax of every kind.

SEC. 2. That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed as specifically as though specified herein.

We may succeed for a time in spite of our unrighteous treatment of these poor devils, but I firmly believe that our conduct toward them will some day return to plague us.

Paragraph 462 of the Payne bill provides for the admission of works of art and paintings more than 20 years old free of duty. I am constrained to think, Mr. Chairman, that that provision was not put in the bill in the interest of labor, but was put there for the benefit of the very rich who care to adorn their drawing rooms and parlors with the most expensive ornaments to be found in the world.

Mr. HARDY. Mr. Chairman, will the gentleman yield to me for a question?

Mr. MACON. Certainly.

Mr. HARDY. I understand that Mr. J. P. Morgan has some very valuable pictures which he refuses to bring into the United States unless they are admitted free of duty.

Mr. MACON. Yes; I have heard so.

Mr. HARDY. Does not the gentleman think that labor will weep copious tears if Mr. Morgan does not bring those pictures in?

Mr. MACON. Just so. [Laughter.] The Morgans, the Rockefellers, the Vanderbilts, and persons of their financial standing are the only ones that will be benefited by the paragraph. Pictures, like wine, grow more valuable with age, and after they have stood the test of twenty years they become rare and are sought after by connoisseurs the world over, and fabulous prices are generally paid for them; and they, being among the rarest of luxuries, ought to pay a fair portion of the revenue tax of this Nation when they are brought into it. [Applause.]

The Payne bill, however, does allow some articles to be brought into the country free of duty besides works of art over twenty years old.

Mr. HARDY. For labor?

Mr. MACON. Yes; if the gentleman insists that it should be that way. I am inclined to think, however, that labor will not rejoice because of their free admission, for none of them are necessaries, and all of them could bear a tariff if they were imported without injuring the interests or prejudicing the rights of a single human being in the country.

I will call your attention to paragraph 548, which admits diamonds and other precious stones, rough or uncut, free of duty. They are certainly not admitted free of duty in the interest of labor, for laborers hardly ever wear diamonds. The other day while the chairman of the Ways and Means Committee [Mr. PAYNE] was speaking in the interest of the bill he became a little irritated when I interrupted him to ask what class of labor would be benefited by the importation of diamonds and rare works of art free of duty, and he actually called upon the Chair for protection against me. Now, gentlemen, there was no necessity for that; I did not intend to hurt him, and told him so at the time. [Applause.] The trouble with him was that he had been saying too much about the bill being drawn in the interest of labor, and he did not want the attention of the country called to the fact that it was drawn in the interest of almost everything else but labor; but, he said, they were rough diamonds and not prepared for use; but when we turn to paragraph 445 we find that only 10 per cent ad valorem is levied against the rarest of diamonds, rubies, sapphires, and so forth, irrespective of size, while imitations of precious stones, pearls, and so forth, composed wholly of glass or paste and not mounted or set are 20 per cent ad valorem. The first kind the very rich ornament themselves with, while the other kind are used largely by the poor colored people of the country whom the Republicans are continually calling upon for votes. A farce upon its face, gentlemen, and every one knows it.

Let us look further into the free list, gentlemen, and see what there really is in it that is in the interest of labor. Right close to the top of it I find acorns unground, balm of Gilead, blood, catgut and worm gut [laughter and applause]; then we find divi-divi, gold, silver, and copper, all for the benefit of labor [applause and laughter]; and I find that fossils are admitted free; and I want to say in that connection that if they will put the duty on fossils high enough, and arrange it in such a way as to drive a lot of old high-tariff fossils out of the country I think it would be greatly in the interest of labor. [Laughter and applause.] I also notice they have some joss sticks on the free list. I suppose they are the Chinese joss sticks.

Mr. HUGHES of New Jersey. They burn them in front of their protection idols.

Mr. MACON. Is that it? I thought they must be in the interest of protection in some form, for it is harder for a Republican hand to write anything that does not lean toward protection than it is for a rich man to enter the kingdom of heaven. I notice we have leeches upon the free list also, Mr. Chairman. We have a great many old protection leeches that have been residing in this country for forty years and more, and there has not been a moment of that time in which they have not had their special interests fastened to the backs of labor, sucking lifeblood from them with all their might. We also have manna on the free list. I suppose it is left over manna that the Israelites could not use during their forty-years' march through the wilderness, and now that it is too stale to eat they let it in free for labor to feast on. Then we have pulu on the free list. Now, who ever heard of pulu being good for labor? Who on earth is silly enough to think that allowing pulu to be brought into this country free of duty will benefit any class of labor to be found in it? Ah, Mr. Chairman, it is silly to put such things on the free list. They have no more business there than English sparrows or African baboons. [Applause.] If they had desired to do anything for labor, why did they not allow wool hats, shoes, domestics, jeans, cotton stripes, coffee, tea, plows, harrows, reapers, mowers, and other things of that kind to come in free? They have thought to throw this free list to the toiling masses of the country as a sop, but, sir, I believe that it will be taken as an insult when it is properly understood. There are a few articles on the free list that will be in the interest of the consumers, but they are so insignificant in number as to not be worthy of any considerable consideration. A good stiff tariff rate on our high-class ornamental and luxurious importations, such as silks, satins, the finer grade of woolens, high-grade arts, diamonds and other jewels, cigars, high wines and other beverages would produce a magnificent revenue, and the class of consumers that usually purchase them would hardly miss what they pay for them.

It is true that the wool schedule has been made high in the interest of the woolgrowers of Ohio and other States in the West, but I am happy to say that some good has come out of it for the cotton growers of the South, on the principle that "it is an ill wind that blows nobody good." The rate on wool is so high that the manufacturers are mixing cotton with it in the manufacture of what they call "woolen goods," thereby unintentionally furnishing an additional market for the cotton-growers' cotton. It is only an indirect benefit, however, and was never intended to help the cotton producers in any way.

One of the best evidences on earth of the iniquity of the protective-tariff system is to be found in the fact that its beneficiaries are importuning legislative bodies year in and year out, by day and by night, in support of their unjust cause. If it were just, if it possessed that legislative principle of equality that ought to prevail in every free Christian land, the cause would stand for itself and Representatives would not have to be importuned, coerced, and bought to pass laws perpetuating the system. They have been importuning legislative bodies from time immemorial to not only put a tariff upon everything beneath the sky that would help their particular cause, but they have even tried to poison its productions with their system. I remember to have read several years ago where the candle makers' association of France sent a petition to the Chamber of Deputies asking that a tariff be levied upon sunlight, because it came in competition with the lights of the candles that they manufactured and sold. I also remember to have read that the brewers' association of this country at an early period of its life petitioned Congress to not only lay a tariff sufficiently high to shut out all foreign competition to their business, but they insisted that Congress ought to go further and provide such means and measures as would encourage a more general use of malt liquors throughout the United States. [Laughter and applause.] Another petition was presented to Congress by the hat makers praying for a tariff on hats, in which it was stated that the failure to levy a tariff on hats would be taking meat and bread out of the mouths of themselves and their families. I heard a gambling-dive keeper on one occasion give the same reason for opposing the administration of the affairs of a certain city that had closed up his dive. He was cursing the mayor bitterly for having instructed the police to drive gambling out of the city, and said that he was taking meat and bread out of the mouths of his family. The gambler's contention was just as logical and just as that of the hat makers. He had no privilege whereby he was entitled to take money wrongfully from others in order to put bread into the mouths of his family, and the hat makers had no such privilege as to warrant them in doing so, and it was an insult to justice to even ask that such a privilege be given them. The requests contained in these petitions are no more unjust or outrageous, however, than the demand of the Standard Oil octopus that it be protected by a tariff of from 75 to 100 per cent.

The Democratic platform writers of 1900 defined the tariff of this country, as now encouraged and promoted, to be a "robber tariff," and the Republican party became indignant at it and denounced the Democratic party from one end of the country to the other for having used such a term in connection with it. Now, sir, I am not prepared to say whether all tariff is a species of robbery or not, but I have always understood that whenever a thing of value was taken from one person for the benefit of another without the consent of the person from whom it was taken, without force, that the act constituted ordinary larceny, but, if taken by force, that it was robbery; and, sirs, for the life of me I can not conceive of a greater exercise of force along that line than the enactment of a law to be upheld and enforced by courts and marshals compelling one man to give up a thing that belongs to him for the use and benefit of another. Whether that kind of proceeding is a species of robbery or not I will leave to others to say. The very name of tariff is suggestive of robbery within itself. It was taken from the city of Tariffa, the rendezvous and home of the greatest band of sea robbers that ever infested the earth. They filled their coffers with the treasure of the world by roaming the high seas and making every passenger that came their way

pay tribute to their nefarious business. The tariff barons of this country under the guise of the law are roaming over this fair land every hour and day of the year, and they are demanding tribute from its humblest citizens in order that they may fill their coffers just as the sea robbers filled theirs. [Applause.] Mr. Chairman and gentlemen of the committee, I have simply told what has been done and is being done; say for yourselves whether there is any element of robbery connected with the tariff business. The protective system was conceived in greed and has been fed on avarice and deep-seated selfishness, elements of life that ought to be frowned upon at all times and throttled without mercy. The tariff has insidiously fastened itself upon this country and has grown to such an extent that it is almost impossible to realize its gigantic proportions or to estimate the great evil that it has visited upon the average consumer of the land. If the protective system was known to be what it really is, if the people really knew the great tribute that they are paying to the tariff barons of the country, if when they were required to make a purchase it was so ordered that they would deposit the tariff per cent of the purchase in one box and the commercial part in another, it would only be a question of time, coupled with an opportunity to get to an election poll somewhere, before they would cast their vote in opposition to a continuance of the great evil. [Applause.]

The steel schedule in the Payne bill reduces the tariff upon that commodity, but it still leaves it prohibitory; in other words, according to the highest authority, it can be manufactured cheaper in this country than anywhere else in the world, and hence any tariff upon it would make importations of it absolutely prohibitory. Mr. Carnegie, who has grown rich by pilfering from the people under tariff laws, himself says that there is no necessity for a tariff on steel, but it is a powerful institution and can add many sinews of war to a political campaign; and therefore it is in a position to demand tribute from the American people.

The lumber schedule purports to reduce the duty on that commodity 50 per cent, when, as a matter of fact, it has a countervailing clause in it that will prevent the reduction of the tariff on it one cent, but the schedule does not seem to please anybody. The lumber manufacturers and dealers of the country are not only clamoring for the retention of the Dingley duty, but are insisting that it ought to be raised 50 per cent, whereas those who are in favor of cheap homes for the toiling masses and who believe that the ownership of an American home is one of the greatest antidotes and panaceas for socialistic tendencies, those who believe that lumber is a prime necessity, and therefore, according to Democratic doctrine, ought not to bear a tariff, but if a tariff, just such as would make it an incidental revenue producer, and those who are opposed to trust control of any of the commodities of the country, are demanding that it be put upon the free list. Sir, the Democratic party, whose commission I have the honor to bear upon the floor of this House, has instructed me both directly and indirectly, to vote to put lumber upon the free list. The following language in the Denver platform is the indirect instruction given me. Hear it:

Articles entering into competition with trust-controlled products should be placed upon the free list.

Is there a lumber trust in this country and is it controlling the lumber products of the country? If so, then I am commanded to do what I can to put that commodity upon the free list. Every bit of evidence that has been produced upon the subject clearly shows that we have a lumber trust in America and that it is controlling our lumber products without let or hindrance. But further down in the platform we find the following specific instructions to all Democrats upon the subject. It reads:

We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that these articles be placed upon the free list.

Do Members upon this side of the House have to go any further than that to obtain information as to what their vote should be upon this subject? If so, they are indeed a hazy body of individuals. I have been importuned by friends at home—nay, I have seen in the papers that I have been instructed by a commercial club—to vote to retain the present tariff on lumber. Of course I have not paid attention to the newspaper notice, for they are not always reliable; but to all communications received, whether from individuals, companies, or other organizations interested in the lumber schedule of the bill, asking me to vote to retain the present tariff on lumber, I have promptly replied that I was nominated as a Democrat, was directed to stand upon the Democratic platform, and was elected to Congress by Democratic votes, and hence that I was commissioned by the Democratic party to do its will, and that in the platform upon which I stood for election it had directly instructed—nay, demanded—me to vote for the immediate repeal of the tariff on lumber and to place it upon the free list; and I have asked them to let me know what they would do under the circumstances. I have stated to them that I did not believe that they themselves would have any respect for or confidence in me if I were to deliberately and willfully trample the platform of my party into the earth. God knows that I would gladly, gladly do what my constituents, my friends and neighbors, want me to do if I could do so without violating the faith of my party; if I could do so without injury to others. I would be glad, doubly glad to place additional dollars in the pockets of every man, woman, and child in the First Congressional District of the State of Arkansas if I could honorably do so. But, Mr. Chairman, I have too much faith in the nobility of purpose and uprightness of character of the good people that I have the honor to represent to believe that they would ask me to either violate my party obligation or to snatch tribute from others in order that they might have gain. [Applause.] I am happy to say that I do not believe that I will lose a single friend because of the stand that I take upon this question; but if I do, it will be because I refuse to sacrifice the integrity of my party, the party that I have always loved and that has ofttimes honored me, the party that has proclaimed the cause of humanity from the day of its inception to this good hour; it will be because I refuse to be a traitor to that patriotic organization that was founded by Jefferson, sustained and supported by Jackson, by Tilden, and by Bryan; it will be because I prefer honor above privilege or place; because I prefer to hand back the proud old party banner that I have honorably waved aloft for six years to the dear souls who placed it in my hands as stainless as it was when they placed it there; it will be because I refuse to further burden the sweat-begrimed and soot-stained toilers of this country by requiring them to pay a tariff tribute upon the lumber with which they construct their humble huts, under whose friendly roofs they lie down to rest when the shadows of night have fallen about them to warn them that their day's work is done.

Mr. Chairman, I have lived in the atmosphere of the poor man all of my life. I have endured all that he endures and have partaken of that of which he is now partaking, and hence, sir, I know his condition and his necessities, and with God's help and guidance I propose to keep in sight of him and his cause as long as I am permitted to walk to and fro upon the earth.

The fathers established a duty system as the means of raising a revenue with which to support our Government, and hence it is necessary for us who are left behind to conduct its affairs to lay a duty just large enough to support it when honestly and economically administered, and no more; that far I am a protectionist, but no further. The protection of an article manufactured or produced in any community of the United States, for protection's sake, against the competition of like articles manufactured or produced in foreign countries is also a protection against a cheaper and freer use of it by the citizens of every community in the United States except the one in which it is manufactured or produced.

Mr. Chairman, in my judgment, it is an outrage to prejudice the welfare of all the communities of this great Nation in order that a single community, company, or individual manufacturing or producing a particular commodity may be made rich. Special interests are never satisfied with the favoritisms accorded them, no matter how great their benefits or what hardships they cause to be visited upon others because of them. The selfishness of the world has always been and will ever be its greatest blight, and it thrives when fed upon favoritism just as animals thrive when fed upon choicest food, for which reason, if I had the honor of helping to found a government of the people, by the people, and for the people, I would not provide for the raising of its revenue by a tariff tax, because as long as selfishness exists the tariff duties will be so laid and collected as to take from one for the benefit of another, and all men know that that kind of a policy is a curse to any country that has ever been, or will ever be, afflicted with its baneful influences and effects.

Mr. Chairman, I notice that my time has about expired, and hence it will be impossible for me to consider the pending bill more in detail than I have done. I think I have said enough to show that it is a tariff infamy, however, and that men who love right more than they do wrong can not afford to support it. So I will conclude my remarks by saying that I believe that when God created man and placed him upon

the earth He intended that he should have a free and unobstructed race for the prize of life, and that if he could by his own honest efforts outstrip his fellows and possess it that he ought to be permitted to do so without hindrance of any kind from them. For my part, Mr. Chairman, I ask no protection for myself or for my business except as against the highwayman and the sneak thief, and, feeling that way about it, I can not possibly be in hearty sympathy with that class of our citizens who are so paternalistic in their desires and selfish in their views as to want their Government to throw around them a bodyguard of protection as against the honest competitions of life. [Applause.]

Mr. WEISSE. Mr. Chairman, at the request of a number of Members, I ask leave to print some tables and reports on the tariff on hides and business conditions and Bradstreet's report on the panic:

WHY HIDES SHOULD BE FREE OF DUTY.

[By A. H. Lockwood, of Chicago.]

The tariff on hides differs so radically from all other duties levied upon imported merchandise that it should always be considered alone. A careful consideration of the subject will convince any fair-minded man that the tax on hides serves no useful purpose, but works serious injury to an important chain of industries that directly affect every citizen.

Of all the many items on the free and dutiable lists of the revenue law the tariff on hides is perhaps the least understood. Senators and Congressmen, newspaper editors, and the general public have little conception of the justice and importance of the demand for free hides.

The object of this book is to present in concrete form the facts and arguments in favor of the restoration of hides to the free list.

There are chapters devoted to the different phases of the subject. A study of the succeeding pages will show that the hide tariff of 15 per cent is a radical departure in revenue legislation. For twenty-five years previous to its imposition hides had been free, and there was no agitation or demand from anybody for a tax on hides. The Dingley bill as reported to the House and passed by that body retained hides on the free list. There was no protest from the farmers nor from anyone else. In the Senate, however, the tariff was put upon hides during the compromise hours just before final passage of the bill. The leather, shoe, and other leather-consuming industries had little time or chance to present their side of the case. No hearings were had before the Ways and Means Committee. Neither the Democrats nor Republicans of the National Legislature favored the hide tax. It was admitted to be an economic blunder, but it was said the Republican majority were compelled to accept the hide tariff to save the bill.

The farmers derive no benefit from the hide tax, but really are injured, for the reason that agricultural communities are the largest consumers of leather. The principle of "protection" can not be made to apply to hides, because they are not an article of manufacture made in response to demand, but result incidentally from the slaughter of cattle for food.

Free hides would protect American labor by giving increased employment to the people on the larger quantities of leather that would be manufactured into shoes, harness, belting, furniture, and other articles for the home and export trade.

Imports of cattle hides and exports of sole leather have decreased as a result of the tariff on hides. It is significant that during the same period imports of kips and skins free of duty and exports of upper leather have increased.

As a producer of revenue the hide tax is of small consequence. A little over $2,000,000 a year is all the Government derives from the hide tariff, while the cost of raw material to tanners and shoe manufacturers and the price of shoes and other leather goods consumed by the public is raised by reason of the tax.

Tanning and the manufacture of leather goods, such as shoes, harness, belting, etc., are carried on in almost every State of the Union. The demand for free hides is not a sectional issue, but is voiced in the West and South as well as in the East.

Every inhabitant of the country is a consumer of leather, and 24,000,000 of horses and mules are of no use to the people until they are harnessed with leather. The hide tax touches every man's feet and every man's head. It increases the cost of his shoes and the sweat band in his hat. It hits the pocketbook as well as its contents. Every traveling man feels the hide tax upon his suit case and bag, and every mill owner pays more for belts to transmit his power.

The domestic hide supply of every civilized country is much too small for its required quantities of leather. There is no possible way by which it can be made sufficient. Without imports of hides and skins there must be imports of leather, shoes, and other leather goods. Little argument should be necessary to convince anyone that it would be better to import hides and skins in larger quantities than to be compelled to import finished leather merchandise upon which much foreign labor is expended.

Cattle in the United States are decreasing while the the population is increasing. The demand for leather has outstripped the demand for beef. The extension of our exports of shoes depends upon equality of opportunity in respect of raw material. All manufacturing nations, including Canada, admit hides free of duty. The tariff of 15 per cent imposed upon hides coming into the United States enables Europe to convert the surplus hides of South America into articles for the export trade of the world. The manufacturers of and dealers in leather and leather goods of the United States are not soliciting a special privilege. They demand the righting of a wrong put upon them without sufficient hearing in 1897. There can be no justification for the hide tax. It is a tariff monstrosity inflicted upon one of the greatest and most important industries of the land. The burden of unjust taxation has been carried for twelve years only because it was not possible to force revision upon a single item without reopening the entire dutiable and free lists.

HIDE TARIFF NOT A POLITICAL ISSUE.

The hide tax was never a political issue. During the years after 1872, when the Republican party was in complete control of all branches of the National Government hides were on the free list. It thus appears that the most consistent advocate of the principle of protection to American industry and labor is justified in favoring the free entry of hides into our ports.

An examination of all the revenue bills shows that hides and skins were admitted free of duty for seventy-eight years, and were dutiable at various rates and for different periods amounting in all to about thirty years prior to the enactment of the present law. Hides and skins were first taxed August 30, 1842, the object of the bill being to increase the revenues. The vetoes of President Tyler of two tariff bills had caused a Treasury deficit, and hides and skins were taxed 5 per cent ad valorem. By the act of March 3, 1857, the tariff was reduced to 4 per cent. The act of March 2, 1861, put the rate back to 5 per cent, and it so remained until the act of August 5, 1861, when almost everything was taxed to produce revenue to carry on the civil war, and the duty on hides and skins was increased to 10 per cent. This duty remained in force until the act of June 6, 1872, when hides and skins were put upon the free list, where they remained undisturbed in any of the general tariff revisions until the Dingley bill became a law June 24, 1897.

It will be seen from this brief history that hides prior to 1897 were free except during short periods when the Government needed revenue, and that the tax was never more than 10 per cent and was always made to apply to all descriptions of hides and skins. The present law, therefore, was a new departure in hide tariffs which has proved burdensome and oppressive in its operation. It made the duty 5 per cent more than it had ever been before, and taxed cattle hides only, leaving all other kinds of hides and all descriptions of skins on the free list.

Tanners, shoe manufacturers, and producers of harness, saddlery, belting, and leather goods generally are inclined to charge the Republican party with the responsibility for taxing hides, although it can be shown that the hide tariff was never a part of the Republican scheme of protection. Prior to the present law, that went into effect in 1897, hides were free of duty for twenty-five years continuously. When William McKinley was chairman of the Ways and Means Committee of the House of Representatives, although personally he did not favor it, there was an abortive attempt made to put a tax on hides. At that time James G. Blaine wrote, under date of April 10, 1890, the following letter:

"DEAR MR. MCKINLEY: It is a great mistake to take hides from the free list, where they have been for so many years. It is a slap in the face to the South Americans, with whom we are trying to enlarge our trade. It will benefit the farmer by adding 5 to 8 per cent to the price of his children's shoes. It will yield a profit to the butcher only—the last man that needs it. The movement is injudicious from beginning to end—in every form and phase. Pray stop it before it sees light. Such movements as this for protection will protect the Republican party into a speedy retirement.

"Yours, hastily, JAMES G. BLAINE."

The law now in force was known at its inception as the "Dingley bill," after the then chairman of the Ways and Means Committee of the House. As reported from the committee, and as it passed the House, the Dingley bill left hides undisturbed on the free list. This, it should be remembered, was in the spring of 1897, immediately following the first inauguration of President McKinley. At that time the balance of power in the Senate was held by several Populist Senators from the far West, whose terms of office had not yet expired. The Populist platform had a free-trade plank, so that there was no matter of principle involved. The Republican leaders were on record for continuing free hides, and the Populists were pledged by their party platform to oppose all tariffs not for revenue only. And yet in the conference hours before the final passage of the new revenue law a tariff of 15 per cent was put upon hides. Just how it was done has always been in dispute.

HIDE TARIFF CAUSES DECREASE OF SOLE-LEATHER EXPORTS.

Under the baneful influence of the tariff of 15 per cent on heavy cattle hides our exports of sole leather have declined, despite the well-known fact that the use of leather shoes has increased all over the world. In the year 1895, before the imposition of the present tax, our exports of sole leather were 45,364,349 pounds. During the fiscal year ending June 30, 1908, exports of sole leather were only 31,189,897 pounds. Here is a loss of more than 14,000,000 pounds, notwithstanding that the law now in force permits a drawback of 99 per cent of the duty. Under the stimulus of free hides Canada, England, Germany, and other countries have developed their tanning industries, so that to-day it would be hard enough for tanners of the United States to compete for export trade, even with free access to the world's markets for raw material.

Sole-leather exports.

Year.	Pounds.	Dollars.
1895	45,364,349	6,919,372
1896	41,576,523	7,474,621
1897	38,884,314	6,540,404
1898	37,813,019	6,644,553
1899	37,120,912	6,280,994
1900	34,000,290	6,433,203
1901	35,189,366	6,577,732
1902	36,454,284	6,569,857
1903	37,428,437	6,920,467
1904	36,830,717	6,978,497
1905	44,107,664	9,444,873
1906	40,548,767	8,186,279
1907	31,900,868	7,024,313
1908	31,189,897	6,563,960

FREE RAW MATERIAL VITAL TO LEATHER-TRADE EXPANSION.

It is a curious fact that while the highly civilized nations consume the most leather and leather goods they have the smallest cattle and hide supply. In the appendix may be found tables showing the number of cattle and other farm animals in the different countries of the world.

Horses, goats, sheep, and swine furnish material for leather making,

but since the tariff only affects the hides of beef cattle, the argument may be confined to that class.

The United States, with a population of 87,189,892, has 73,246,573 cattle. Argentina, with a population of 5,410,928, has 30,000,000 head of cattle. Indeed, all the countries of South America combined have a population of only 41,116,094, while they have 72,334,623 head of cattle. The supply of cattle in the United States is less than 1 for each inhabitant, while in South America cattle are about 1½ to each inhabitant, and the per capita consumption of leather in the South American countries is very much smaller than in the United States. Only the wealthy classes in South America can afford to buy leather shoes for themselves and leather harness for their horses.

Argentina, with her 6 head of cattle to each person and limited domestic consumption of leather, has a surplus hide supply needed by tanners of the United States for making shoes and other leather goods, not only for domestic consumption, but to develop the export trade. Unfortunately this raw material is diverted from our shores to the free ports of Europe by a foolish tariff on hides. England, France, and Germany combined have only 45,275,603 head of cattle, while their combined population is 138,546,816. In other words, these countries have less than 1 beef animal to every 3 persons. These nations are, of course, highly civilized, and, hence, large consumers of leather. In the United States, where the cattle supply is much greater in relation to population (nearly 1 head of cattle to each inhabitant), our tanners and shoe and harness manufacturers would have a natural advantage in competing for the world's trade in leather and leather goods if the tariff of 15 per cent did not discourage the entry of hides into our ports and make it easier for competing nations, with free raw material, to capture and hold a large share of the world's leather and shoe industry.

All the great labor-saving and time-shortening inventions that have revolutionized the manufacture of shoes are of American origin. The production of leather and shoes has been carried to a high plane of efficiency in the United States, but the domestic supply of hides and skins is inadequate. The American people would be compelled to import shoes and other leather goods in large quantities if foreign material were refused admission to our ports, thus closing many of our industries and shoe, harness, and belting factories for lack of raw material. As the case stands to-day their operations are greatly curtailed by the duty on hides.

FREE HIDES WOULD PROTECT AMERICAN LABOR.

With free raw material America would lead the world in the production of leather, shoes, and other leather goods. Advocates of the political theory of "protection" are prone to be suspicious of every industrial demand for free raw material. It is alleged, and with much truth, that what is raw material to one industry is finished product to another. For example, the growing of wool, the mining of minerals, and the production of lumber are, to an extent, industries susceptible of development and expansion under the fostering influence of a protective tariff.

The radical difference between these commodities and hides seems never to have been recognized by our national legislators. The slaughter of cattle in the United States is greater than the domestic demand for beef, as is shown by the exports of dressed and canned beef. On the other hand, the supply of hides and skins that results incidentally from the domestic slaughter is far too small to furnish raw material for our tanneries.

Free hides would be a very substantial measure of protection to all the industries connected with leather. No labor of consequence is expended upon hides by cattle raisers or butchers. A tremendous amount of labor, however, is put upon hides and skins by tanners, shoe manufacturers, and the men who make harness, belting, gloves, furniture, and the thousand and one articles consisting wholly or in part of leather. It is becoming more and more a vital question to the chain of leather industries how to insure adequate and unfailing supplies of raw material. Imports of hides and skins into the United States amount to about 400,000,000 pounds a year, valued at upward of $90,000,000. Of dutiable cattle hides alone we import annually about $20,000,000 worth. If we assume that the 140,000,000 pounds of heavy cattle hides we import yearly are dry and weigh 20 pounds each we have an importation of something like 7,000,000 hides, or more than the total yearly slaughter at Chicago, Kansas City, St. Louis, and Omaha, the principal packing-house centers. Does anyone in his senses suppose that a tariff of 15 per cent on hides will ever cause farmers to raise this greater number of cattle, unless there is created a similar expansion in the demand for beef?

There are certain fundamental points in this matter of the hide tariff that should be impressed upon Congressmen and Senators.

Let us state them thus:

First. The total production of hides and skins the world over is not too much to supply the world's requirements for leather.

Second. Leather is unique in that it has no substitute, and it can not be made except from the skins of animals.

Third. The quantity of leather produced in the world is measured by the number of hides and skins taken off and offered for tanners' use.

Fourth. The quantity of raw material being thus limited by natural conditions, beyond the control of the leather industries, it follows that for every hide that one nation is enabled to tan, other nations must tan one less. Any tax that diverts raw material for making leather away from our shores is surely playing into the hands of the tanners and shoe manufacturers of foreign countries. It is protecting the labor of England, France, and Germany, and discriminating against the labor of the United States.

Since this method of stating the free-hide position may not at first glance be understood, it may be well to explain what is meant when we say that the hide tariff protects foreign labor. Suppose a hundred new tanneries and shoe factories were to be built in this country, what would be the effect? The competition to buy hides and skins would be greater, but the quantity offered would not be increased, except as more raw material could be imported. If more hides and skins were to come into this country, the result would be that smaller quantities of leather would be tanned abroad and our domestic and export trade in leather and leather goods would be enlarged.

FARMERS NOT BENEFITED BY THE HIDE TAX.

It is evident to those who investigate the matter that there is an attempt to make the farmer a cat's paw to drag others' tariff chestnuts out of the fire.

Since it may be made to appear that the tariff on hides affords some protection or benefit to the farmer, it becomes necessary to consider that the farmer leads all other classes of citizens in the consumption of leather. Any tanner will testify that Texas consumes more harness leather than any other State in the Union, and everyone knows that farm work is especially destructive of shoe leather.

The farmer gets no increase in the price of the beeves he sells by reason of the tax on hides. The tariff, therefore, offers only a visionary benefit to the farmer to compensate for an actual injury in the form of higher prices for shoe and harness leather.

Admitting, for argument's sake, that the farmer, by reason of the tariff on hides, receives a higher price for his cattle, still the reduction in price of the shoes, harness, and other articles made of leather, cheapened by reason of the removal of the tariff on hides, would be of far greater consequence to him than any increase of price on his cattle by reason of the tariff. This argument may be extended further by taking into consideration the benefits of lower prices of shoes, harness, etc., to the laborer, and we would have a vast army of beneficiaries as against a few large cattle raisers who receive an imaginary benefit, and a still smaller number of packers who receive it in reality.

Cattle and hide prices are published every day in Chicago, and are thus a matter of record. Elaborate tables demonstrate that the higher or lower rates paid for hides have no relation to the prices paid for cattle on the hoof. It frequently happens that hides advance just at the time that beeves are declining. Cattle prices are regulated by the demand for beef for food and the supply offered at the several stock yards. Hides fluctuate in response to the demands of tanners for raw material to make leather: Beef is perishable, and can only be held for a limited time, and then under great expense for refrigeration. Hides, after being salted, can be stored for several years, if necessary. In 1895—two years before the hide tax was imposed—the packers paid from $6 to $6.40 per 100 pounds for native steers on the hoof at the Chicago stock yards. During that year native steer hides were sold by the packers at from 7¼ cents to 13½ cents, the latter rate only being realized during a few weeks in the year. In 1908 we find native steers on the hoof selling at from $5.30 to $6.65 per 100 pounds, while native steer hides are bringing 16 cents a pound. These examples could be multiplied, showing that the farmer does not get the benefit of any higher prices the packers may obtain for their hides.

Hides are not strictly a farm product. Farmers shear and sell their own wool, and the sheep can be turned out to raise more wool for the next shearing. The beef animal grows but one hide, and that is not taken off by the farmer, but becomes a by-product of the butchering business.

There is a duty on live cattle imported. Clause 218 of Schedule G of the present revenue law reads thus:

"Cattle, if less than 1 year old, $2 per head; all other cattle, if valued at not more than $14 per head, $3.75 per head; if valued at more than $14 per head, 27½ per cent ad valorem."

Although the domestic supply of hides and skins is far too small to furnish raw material for making leather, there is no scarcity of cattle in the country, as gauged by the consumptive demand for beef for food. This is demonstrated by the exports of cattle on the hoof. The Yearbook of the Department of Agriculture for 1907 gives this table:

Imports and exports of live cattle, with average prices, 1892–1907.

Year ending June 30—	Imports.			Exports.		
	Number.	Value.	Average import price.	Number.	Value.	Average export price.
1892	2,168	$47,466	$21.89	394,607	$35,099,095	$88.95
1893	3,293	45,682	13.87	287,094	26,022,428	90.63
1894	1,592	18,701	11.75	359,278	33,461,022	93.14
1895	149,781	765,853	5.11	331,722	30,693,796	92.56
1896	217,826	1,509,856	6.93	372,461	34,590,672	92.79
1897	328,977	2,589,837	7.87	362,100	36,337,451	92.70
1898	291,589	2,913,223	9.99	439,255	37,827,500	86.12
1899	199,752	2,320,362	11.62	389,490	30,516,833	78.35
1900	181,006	2,257,604	12.47	397,285	30,635,153	77.11
1901	146,022	1,931,433	13.23	459,218	37,566,983	81.81
1902	90,027	1,608,722	16.75	392,884	29,902,212	76.11
1903	66,175	1,161,548	17.75	402,178	29,848,496	74.22
1904	16,056	310,737	19.35	398,409	42,256,291	71.21
1905	27,835	458,572	16.46	567,806	40,598,048	71.50
1906	29,019	548,430	18.90	584,239	42,081,170	72.00
1907	32,404	565,122	17.44	423,051	34,577,392	81.73

The small imports of live cattle each year are for breeding purposes and to improve the quality and quantity of beef produced or to raise the standard of stock for dairy purposes.

PROTECTION TO AMERICAN CATTLE RAISING.

It is impossible for anyone to prove that stockmen and farmers realize more money for their cattle because of the duty on hides, but assuming, for the sake of the argument, that the tariff does increase the value of the hides on the backs of all the steers, bulls, and cows on the plains and farms, the real element of "protection" still is absent. The consumers of both beef and leather, of course, greatly outnumber the producers of cattle and hides. To justify the tariff on hides it must be demonstrated that the effect of it is to foster, increase, and develop an industry that otherwise would languish because of the imports. Even at the high rates now ruling hides constitute but one-tenth of the value of the animals from whose backs they are taken. To produce a $9 hide it is necessary to raise an animal worth $100. Under these circumstances it is not possible to increase the number of cattle raised by putting a premium on the hide. There is no scarcity of beef. Cattlemen find if they ship large quantities of beeves to the stock yards that prices immediately are lowered. If the United States were a country importing great quantities of beef, then some measure of "protection", or bounty would have the effect of keeping out foreign competition, thus enabling the American stockman and farmer to increase the production of cattle.

The making of hides is not an industry to which the policy of "protection" can be applied. No one is engaged in the manufacture of hides. They are an incidental product of the butchering business. Cattle can not be raised for their hides, but are bought on the hoof by the packers and butchers under the operation of the law of supply and demand caused by the supply of cattle for slaughter and the demand for beef for consumption for food. Hides and the other by-products of the beef industry are marketed to the best advantage by the packers, each article being subject to peculiar conditions. It frequently happens that the supply of live cattle is large and the demand for beef is not very heavy at the very time that hides or other subsidiary products of cattle are in active demand at high prices, but that fact does not increase the production of hides one iota, because in this country not an animal is ever slaughtered for its hide alone. It is impossible by putting a tariff on a minor product of the meat and provision business to furnish protection to men who raise cattle thousands of miles away on the western ranges. Statistics covering a period of years show that at the times when hides have brought the highest prices cattle on the hoof have sold at the lowest prices. Cattle are raised in vast herds by large corporations, and it would seem that sufficient protection to the livestock industry is furnished by the Government in the form of free grazing lands and a tariff on the importation of live cattle from Mexico and other foreign countries.

In any case it is inevitable that the United States will have to face the problem of a foreign meat, as well as hide and skin, supply sooner or later. The ranges gradually are being taken up and are producing more wealth than before. Intensive farming now is in order. Farmers, of course, will continue to raise a certain proportion of cattle, but the great ranges of free grazing land must give way to more profitable uses. None of the great commercial nations is able to raise enough raw material to keep its tanneries and shoe and harness factories employed. As our country develops, it is certain that we shall have to depend more and more upon the semicivilized nations for hides and skins for making leather.

CATTLE AND HIDE PRICES.

In the appendix are tables giving the receipts, slaughter, and prices on the hoof for live cattle at Chicago, together with the quotations for hides. It will be seen that live beeves brought about 2 cents more per pound during 1907 than in 1896, just before the tariff of 15 per cent was put upon hides. Hide prices, on the other hand, advanced from 5 to 6 cents.

A careful study of these tables will show that the prices obtained for hides by the big packers do not affect the rates they pay for cattle on the hoof.

WORLD'S HIDE SUPPLY DECREASING.

In recent years the relatively lessened supply of hides as a world's commodity has become apparent. Of course, more hides are taken off in the world than twelve years ago, but the increase is not in proportion to the expansion of population. This is explained by the fact, patent to all, that the world is demanding more leather while consuming proportionately less beef. This condition is easily understood when it is remembered that there are many substitutes for beef for food, but practically no substitute for leather. If cattle breeding were to cease entirely and the bovine race were to become extinct, the people could be well fed with other foods. On the other hand, there would be extreme difficulty in finding raw material of which to make sole, upper, harness, belting, furniture, and automobile leather. The government census of farm animals taken as of January 1 each year shows that there were fewer cattle by 1,267,000 head January, 1908, than in 1907. Meanwhile the population of the country is a million and a half greater each year.

The supremacy of the United States in tanning was largely owing to the vast tracts of hemlock trees that followed the great Appalachian Mountains through New York and Pennsylvania to the South. The hemlock tree only grows in Canada and the United States, so that hemlock-tanned sole leather is essentially an American product. But the supply of hemlock bark is rapidly becoming exhausted, and our tanners now are without the great advantage of cheap tanning material. Chrome, quebracho, cutch, gambier, sumac, and many other foreign tanning agents are now used by American tanners because the previously unfailing supply of our native tannins is becoming exhausted.

The continued expansion of production of leather, shoes, harness, and other leather goods in the United States is dependent upon obtaining supplies of raw material from foreign countries. Imports of cattle hides are decreasing because of the obnoxious tax. During 1899, nine years ago, imports of dutiable cattle hides were 130,396,020 pounds, against 98,353,249 pounds during the fiscal year ended June, 1908. Here is a loss in nine years of 32,042,771 pounds. With our cattle supply decreasing because of the lessened demand for beef and our imports of beef hides decreasing because of the tariff, it is apparent that the great leather and shoe industries in this country are facing an insufficiency of raw material which can only be remedied by placing hides on the free list.

HIDES ARE A WORLD'S COMMODITY.

Hides, like wheat, are a world's commodity. They are taken off the backs of animals every day in the year and in almost every city and town in the world. In the leading commercial and manufacturing nations the production of leather for domestic consumption and export requires many more hides and skins than result incidentally from the cattle slaughtered for food. The international movement of hides and skins is shown by tables reproduced from the Yearbook of the United States Department of Agriculture for 1907. A study of these tables will show remarkable facts that are little understood.

The total exports of hides and skins from all the ports of the world amounted in 1906 to 1,570,003,744 pounds. Of this tremendous quantity of raw material, despite the tariff on cattle hides, the United States imported 370,983,815 pounds. It thus appears that almost one-fourth of all the hides and skins exported throughout the world come into this country.

During the year 1906 Germany imported 367,682,905 pounds of hides and skins, which at first glance is only about 3,000,000 pounds less than the United States, but during the same year Germany exported 119,302,674 pounds, thus leaving for consumption only 248,379,331 pounds.

Exports of hides and skins from the United States during 1906 were 15,396,806 pounds, which, deduced from the imports of 370,983,815 pounds, would leave for consumption in this country 355,587,009 pounds, thus showing that the tanners of the United States lead the next largest tanning nation by 107,207,678 pounds anhually in the use of foreign hides and skins.

Belgium is an important factor in the distribution of hides and skins, largely through her port of Antwerp. Her imports in 1906 were 142,197,407 pounds, but her exports during the same period were 102,400,208 pounds, showing that while Belgium is an important trading nation she does not figure largely in tanning.

Great Britain also is a large importer of hides, taking 122,898,432 pounds in 1906, but her exports that year were 69,195,195 pounds, leaving imports for actual consumption only 53,703,237 pounds.

All the commercial nations export as well as import hides and skins, and this important fact should not be lost sight of in endeavoring to estimate the world's supply of raw material for tanning.

Hides, being a world's commodity, are, like wheat, influenced in price by international conditions. Merchandise naturally flows to the highest market. There is what may be called a world's level of values in hides and skins. When for any reason hides accumulate and decline in price in any country, the market is relieved by exports. Similarly, if hides and skins are advanced in price in any market above the world's level of values, imports are increased until the inequality is corrected.

The hide tax yields no revenue of consequence to the Government, and yet the injury it does to the growing export traffic in leather, shoes, and other leather goods is of serious importance.

HIDE TARIFF DECREASES USE OF CATTLE HIDES.

The alleged purpose of the tariff on hides imposed in 1897 was to increase the demand for and price of domestic cattle hides so that the farmer might be benefited.

During the fiscal year 1898, the first year after the imposition of the hide tax, imports of dutiable hides were 126,243,595 pounds. In 1908, ten years later, imports were only 98,353,249 pounds—a decrease of 27,890,346 pounds in ten years, notwithstanding the great growth of the country during that decade.

During 1908 imports of nondutiable hides and skins were 184,411,676 pounds. In 1898 imports of hides and skins free of duty were 119,531,021 pounds—an increase in ten years of 64,880,655 pounds.

Here is a demonstration of the fact that tanners of the United States have decreased their consumption of cattle hides because of the duty, while using more horse hides, goatskins, calf and kip skins and other raw materials that are admitted free of duty. The reduction of imports of cattle hides caused by the tariff does not inure to the benefit of the stockman and farmer, but cause a curtailment in the production of the kinds of leather made from dutiable hides.

These tables give the figures:

Imports of dutiable cattle hides.

Year.	Pounds.	Dollars.	Average per pound.
			Cents.
1898	126,243,595	13,624,989	10.79
1908	98,353,249	12,044,435	12.24
Decrease	27,890,346	1,580,554	

Imports of free hides and skins.

Year.	Pounds.	Dollars.	Average per pound.
			Cents.
1898	119,531,021	23,448,943	19.61
1908	184,411,676	42,729,701	23.16
Increase	64,880,655	19,281,758	

These tables show that dutiable hides increased in value from 1898 to 1908 14 per cent.

Hides free of duty increased in value about 18 per cent in the same time, while the imports in quantity increased 50 per cent.

No doubt, if hides were on the free list there would be world demand for them and the prices would be higher, as during the panic the dutiable hides declined from 50 to 70 per cent in value, and we exported a great many hides on account of being the lowest market in the world.

The free-of-duty hides only declined about 15 to 20 per cent, for the reason that the tanners knew that they could sell the leather in the markets of the world and their hides did not cost them any more than the tanners of other countries, which has a tendency to hold prices steadier and higher.

WHAT THE GOVERNMENT DOES FOR THE FARMERS.

The tariff of 15 per cent on cattle hides that works such injury to the great leather and shoe trades is defended on the hypothesis that it benefits the farmer. In other articles facts and figures are adduced showing that the hide tax does nothing for the farmer. Packers and butchers are the only beneficiaries. But assuming that the government that "protects" manufacturing by a tariff should help the farmer, it may be well to consider the facts.

HIDE TARIFF NOT A REVENUE PRODUCER.

There are only two reasons for the imposition of a tariff—it must be shown that a duty either is intended to produce revenue for the Government or to furnish "protection" to some struggling industry. Imports of hides and skins of all kinds, dutiable and free, for the fiscal year of the Government ending June 30, 1908, were 282,764,925 pounds, valued

at $54,777,136. Of this large importation only 98,353,249 pounds, valued at $12,044,435, were dutiable. It thus appears that less than one-quarter of the total imports of hides and skins, as measured in dollars, pay an import duty. To make this point clear it should be understood that the duty only is charged upon hides of adult cattle. Calf and kip skins as well as goatskins, sheepskins, horse hides, etc., are admitted duty free. There is a drawback clause in the revenue law that provides for a refund of the duty paid if subsequently exported. Section 30, known as the "drawback clause," is as follows:

"That where imported materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States, there shall be allowed on the exportation of such articles a drawback equal in amount to the duties paid on the materials used, less 1 per cent of such duties: *Provided*, That when the articles exported are made in part from domestic materials the imported materials, or the parts of the articles made from such materials, shall so appear in the completed articles that the quantity or measure thereof may be ascertained: *And provided further*, That the drawback on any article allowed under existing law shall be continued at the rate herein provided. That the imported materials used in the manufacture or production of articles entitled to drawback of customs duties when exported shall, in all cases where drawback of duties paid on such materials is claimed, be identified, the quantity of such materials used and the amount of duties paid thereon shall be ascertained, and facts of the manufacture or production of such articles in the United States and their exportation therefrom shall be determined, and the drawback due thereon shall be paid to the manufacturer, producer, or exporter, to the agent of either or to the person to whom such manufacturer, producer, exporter, or agent shall in writing order such drawback paid, under such regulations as the Secretary of the Treasury shall prescribe."

The duty paid on hides and skins ranges from $1,500,000 to $3,000,000 annually. The drawback refund ranges from $500,000 to $900,000 annually. If we take an average of five years, 1903 to 1907, inclusive, we find the total amount of duty paid on hides was $12,624,579. Drawbacks for the same five years were $3,512,604, making a net revenue resulting from five years of $9,111,875. It thus appears that the total revenue of the Government from the hide tariff is not more than $1,500,000 annually.

Duty, drawback, and net revenue on cattle hides for five years.

Year.	Duty paid.	Drawback.	Total revenue.
1907	$3,115,390.94	$907,386.83	$2,207,904.11
1904	2,984,521.11	963,992.39	2,020,528.72
1905	2,185,981.52	565,514.99	1,619,865.54
1906	1,631,827.28	631,443.91	900,383.37
1903	2,417,458.81	724,236.21	1,693,122.60
Total	12,624,579.70	3,512,604.33	9,111,875.37

DUTY ON LEATHER.

There is a reduction of 5 to 30 per cent on the following class of leather and leather articles: Band and sole leather, from 20 per cent ad valorem to 5 per cent ad valorem. Upper leather, calf skins, chamois skins, kangaroo, sheep and goat skins, and other leather not provided for, from 20 per cent to 15 per cent ad valorem. Patent leather, weighing not over 10 pounds per dozen skins, from 30 cents per pound and 20 per cent ad valorem; weighing over 10 pounds and not over 25 pounds per dozen, from 30 cents per pound and 10 per cent ad valorem; weighing over 25 pounds, from 20 cents per dozen and 20 cents per pound and 10 per cent ad valorem, all to 20 per cent ad valorem; pianoforte leather, from 35 per cent ad valorem to 20 per cent ad valorem; boots and shoes, from 25 per cent ad valorem to 15 per cent ad valorem; shoe laces, from 50 cents per gross and 20 per cent ad valorem to 15 per cent ad valorem; leather cut into shoe uppers, etc., from 35 to 30 per cent ad valorem; all other manufactures of leather, from 35 per cent ad valorem to 30 per cent ad valorem, of which the American people consume about $700,000,000 worth, the average will be about 10 per cent, or a reduction of $70,000,000, which the leather manufacturers are willing to give up for a difference of 15 per cent on the hides; total production of which is $70,000,000 dutiable, or a total of $10,000,000. The consumers of leather are getting $7 saving, where the sellers of hides are losing a dollar on a hide.

Book of Estimated Revenues, Schedule N, pages 113, 114, gives the importation of leather and the amount of duty collected, but does not close the subject showing that there was a reduction in the duty on heavy leather and leather goods made out of dutiable hides, but connects gloves with it, and on page 119 closes in the grand total, showing that there is an advance from 34.25 to 39.5 per cent in the proposed bill.

It is an unjust and untrue statement to the heavy-leather boot and shoe manufacturers and tanners committee, as they attach to this statement the duty on gloves, which has nothing to do with the other class of leather, and no doubt intends to carry and impress one that there is an increased duty on leather made out of dutiable hides. The fact of the matter is that this is entirely on gloves, and we should not carry the burden of the outrageous increase of tariff in the glove schedule.

The fact is heavy leather is reduced more than hides in value.

Hides in 1888 to 1892 sold as low in Chicago as 4½ cents, and advanced to 10 cents a pound in 1896 and went up as high as 14 cents, and declined last year in panic to 6 cents a pound for No. 1 buffs, to-day are 11½ cents a pound.

HOW HIDE DUTY WORKS.

In the tariff hearings, Cowan, as attorney for the cattle raisers, should be attorney for the packers, with the stand that he takes on the hide question. Not a single argument does he present which would show that hides would sell for less money if we had no tariff act, as he does show that calfskins, which were on the free list, have advanced more than hides which were dutiable.

As there is produced, according to his figures, about 14,000,000 of hides, the fact is that about 80 per cent of the value of these hides is sold by the packers, which not only consists of the large four, so-called, but which also control the different slaughterhouses in the different large cities of the Union.

A Texas heavy steer hide, marketed about December, 1908, by the packer, weighing on an average about 80 pounds, would bring about $13. A hide taken off by a farmer in Texas and dried would average about 15 pounds and sell for 17 cents a pound, or bring about $2.55, which plainly shows that every statement he makes is misleading in a way.

He also claims that the farmer gets the benefit of the 15 per cent, and if the 15 per cent raised the price on hides in this country to that extent, claiming that these advances entirely go to the farmer and not to the packer, which is untrue, and if it was true, as we sell about sixty to seventy million dollars' worth of hides, it would increase the value of about $10,000,000.

The reduction, claiming that the farmer gets this and that the tanner loses out in this profit, which is untrue, as there has never been a time where there has been a 15 per cent margin in the tanning business, but he does not get credit for 10 per cent cut on boots and shoes, of which the people use $320,000,000 worth, and which gives the farmer, using the same argument, which, of course, is untrue, $32,000,000 more if the tariff was not reduced the 10 per cent.

We use, on the average per capita, about $4 worth of shoes and produce about 75 cents worth of hides.

There is not a State in the Union where the people of that State, on the whole, would not receive a large benefit if the duty is removed from hides, and it would give them an opportunity to buy their leather as cheap as the foreigner and also giving the cattle feeder who exported his cattle alive an opportunity to get more for his cattle than he does now, as on every head of 500,000 cattle now exported with the hides on, the hide sells in the foreign market for 15 per cent less than it does at home, which no doubt would be a loss of $2.40, and as we export 500,000 head it would be a direct loss to the farmers of this country. As it is now, about one and a quarter to one and a half million dollars, which difference goes entirely into the pockets of the packers and dressers of American beef.

As the farmer of Iowa can not buy the leather made from the hide of his steer, tanned by American labor, as cheap as the farmer of England, and this is the protection of the American farmer under the Dingley bill.

In 1888 to 1892 the low price of hides at Chicago was about 4½ cents; in 1896 they went to 10 cents; neither was it the Democratic panic nor Republican prosperity that changed the price to any great extent.

I insert a letter from the Bureau of Animal Industry, which is absolutely misleading, as, if he wants to make a correct statement, he should show the value of all the hides sold by the packers, large and small, and the value sold direct by the farmer; and if this could be obtained, I am satisfied that he would show about 80 per cent of the dutiable hides in value sold by the packer and about only 20 per cent by the farmer direct as the finished product, and I challenge anyone to deny this statement.

DEPARTMENT OF AGRICULTURE,
March 24, 1909.

Mr. CHARLES H. WEISSE,
House of Representatives:

Regret that neither Bureau of Animal Industry nor Bureau of Statistics can give information desired. I can give exact figures only of meat inspection. During 1908 there were slaughtered under inspection 7,249,837 adult cattle, 1,918,343 calves, practically all at packing houses. Other slaughter by butchers, farmers, and a few packers roughly estimated as 6,000,000 cattle, 3,500,000 calves.

Census figures show average weight of hides about 56 pounds. Market quotation by trade journal show average Chicago price, 1908, packer hides about 11.6 cents pound; country hides, 9.9 cents.

A. D. MELVIN,
Chief, Bureau of Animal Industry.

MORE LEATHER, LESS CATTLE.

January 1, 1892, five years before the tariff was put upon hides, the number of beef cattle in the country, according to the United States Government census, was 54,067,590 head. January 1, 1908, by the same authority, the number of cattle was 71,267,000—an increase in sixteen years of only 17,199,410 head.

The population of the United States in 1892 was 62,622,250. In 1908 we have a population of 86,000,000—an increase of 24,000,000.

It thus appears that the growth of population is greater than the growth of cattle raising. In 1897, when the tax was put upon hides, the exports of fresh, canned, and dried beef were 413,068,090 pounds, valued at $30,907,877. During the fiscal year 1908 exports of beef were 272,426,639 pounds, valued at $26,126,102—a decrease in eleven years of 140,641,451 pounds, valued at $14,781,775. These facts are adduced to show that the kill of cattle is not keeping pace with the demand for leather for shoes, harness, belting, furniture, and automobile leather. The United States cattle census for forty-two years may be found on another page. This table gives the packer slaughter for twenty-two years:

Slaughter at four points for twenty-two years.

	Chicago.	Kansas City.	St. Louis.	Omaha.	Total.
1886	1,259,000	199,000	165,000	71,000	1,615,000
1887	1,591,000	186,000	211,000	134,000	2,302,000
1888	1,643,000	374,000	187,000	84,000	2,088,000
1889	1,763,000	476,000	210,000	239,000	2,688,000
1890	2,224,000	549,000	277,000	322,000	3,373,000
1891	2,184,000	532,000	315,000	325,000	3,356,000
1892	2,450,000	668,000	336,000	456,000	3,911,000
1893	2,233,000	890,000	429,000	543,000	4,104,000
1894	2,024,000	925,000	492,000	518,000	3,959,000
1895	1,898,000	894,000	579,000	314,000	3,590,000
1896	1,782,000	895,000	605,000	345,000	3,627,000
1897	1,711,000	942,000	595,000	463,000	3,711,000
1898	1,615,000	997,000	541,000	400,000	3,553,000
1899	1,702,000	993,000	542,000	549,000	3,786,000
1900	1,794,000	1,116,000	590,000	553,000	4,053,000
1901	2,000,000	1,195,000	717,000	579,000	4,491,000
1902	2,031,000	1,103,000	839,000	646,000	4,619,000
1903	2,163,000	1,029,000	871,000	770,000	4,833,000
1904	1,933,000	1,026,000	911,000	683,000	4,553,000
1905	2,000,000	1,267,000	877,000	682,000	4,826,000
1906	1,976,000	1,347,000	922,000	743,000	4,990,000
1907	1,853,000	1,264,000	897,000	797,000	4,811,000

THE POPULATION PROBLEM.

At the conference of governors called by President Roosevelt and held in Washington it was predicted that the population of the United States in 1950 will be more than 200,000,000. Some writers are asking how the human race will be supplied with food and other necessities of life when the sparsely occupied areas of the world are populated and no longer have surplus raw material to export? At the present ratio of consumption the populous nations are becoming more and more dependent upon imports for wool, lumber, beef, hides, furs, and even wheat. James J. Hill estimates that in twenty years we shall be a wheat importing nation, having passed from a nation that helps to feed the world to one that must import food to sustain life.

This point already has been reached in respect of hides and skins. The imports vary, but we have imported as much as $83,000,000 worth of hides and skins in a year. As civilization advances it becomes necessary to penetrate farther and farther into the semicivilized and barbarous countries in search of raw material to clothe, feed, and house the people. The domestic supply of hides and skins is hopelessly inadequate and imports are vital to keep our tanneries and shoe factories running. Under these circumstances the folly of imposing a tariff on hides is apparent. For years past the most inaccessible parts of the world have been searched for hides and skins. Increased demand and relatively lessened supply have caused prices to advance in all the markets of the world. The raw-material problem is becoming acute for the tanning and leather-consuming industries. For twelve years we have been heavily handicapped by an obnoxious tariff of 15 per cent on hides of cattle that discourages the importation of hides from South America and other countries, and enables the packers to charge more for their hides than they otherwise could exact.

RECIPROCITY THE REAL BASIS OF TRADE.

In the early years of the Nation imports exceeded exports and "protection" was designed to enable the development of the country's industries. This has been accomplished so successfully that our exports now exceed our imports by from $500,000,000 to $600,000,000 annually. Trade is only bartering with money as the medium of exchange. It is axiomatic that the benefits of trade must be mutual or it will not long endure. As a nation we can not indefinitely continue selling more than we buy. The balance will be forced either by larger imports or smaller exports. Already our industries are feeling the effect of retaliatory tariffs imposed by nations whose products we keep out by our badly devised tariff system.

It is admitted that the present revenue law needs revision. Every item on the dutiable list will be on trial. Since the continuance and further development of our export trade depend upon our reciprocal purchase of larger quantities of foreign merchandise, wise statesmanship would suggest that the tariff should be taken off articles that we need but can not produce in sufficient quantities at home. Hides were free for twenty-five years prior to the enactment of the present law twelve years ago. The hide tariff is an experiment in revenue legislation that is economically unsound. The inadequacy of the domestic supply of hides is so great that there is no possibility of increasing the domestic slaughter of cattle to an extent that would discourage the imports of hides and skins needed to keep our industries employed.

BEEF TRUST MONOPOLIZING THE TANNING INDUSTRY.

Since the imposition of a tariff of 15 per cent on cattle hides nearly twelve years ago there have been developments in the tanning industry that have radically changed the complexion of affairs. In recent years the big packers (sometimes called the beef trust) have extensively engaged in the tanning business. Swift & Co., Armour & Co., Nelson Morris & Co., and even some of the smaller packing firms are tanning a considerable proportion of the hides taken off the cattle they slaughter.

When tanners approach the packers to buy hides they frequently are told that "we have no hides to offer." When natural conditions of supply and demand tend to cause hides to decline, the packers send the surplus to their own tanneries, and thus sustain the prices they quote to independent tanners. The tanning industry is thus between two fires. On the one hand is a tariff of 15 per cent on imported cattle hides, while on the other are the packers, who monopolize the domestic slaughter of cattle and are refusing to sell their hides except at extreme prices, and even then only in limited quantities, because of their own extensive tanning operations.

Tanners of heavy hides and the shoe, harness, belting, furniture, and automobile manufacturers, who require quantities of the leather made from such hides, with perfect propriety protest against the tariff of 15 per cent on imported hides of cattle that enables the great packing firms to obtain a monopoly of the tanning business.

WHY CALF AND KIP SKINS ARE FREE OF DUTY.

When the present revenue law went into effect in June, 1897, the Treasury Department, through its board of general appraisers, held that calf and kip skins were dutiable as hides of cattle and not free as skins. The tanners of calf and kip paid the duty under protest, and in September, 1898, a hearing was granted tanners at the office of the collector of the port of Chicago. Assistant Secretary of the Treasury W. B. Howell listened to the arguments of those present, and upon his return to Washington issued the following circular, since which time calf and kip skins have been admitted duty free. Following is the circular:

[Circular No. 173.]

CLASSIFICATION OF CALFSKINS AND HIDES.

TREASURY DEPARTMENT, *September 23, 1898.*

To collectors and other officers of the customs:

In G. A. 4052 the Board of General Appraisers held that raw calfskins are not dutiable as "hides of cattle" under paragraph 437 of the tariff act of July 24, 1897, but are free of duty under the provisions in paragraph 664 for "skins of all kinds, raw (except sheepskins with the wool on)." They found as a fact that "the term 'hides' in trade covers skins of the larger animals weighing 25 pounds and over, while the term used in trade to describe the skin of a calf is 'a calfskin' weighing 25 pounds or under, and that the dividing line between dried skins and dried hides is 12 pounds—that is to say, dried hides weigh 12 pounds and over, while dried calfskins weigh 12 pounds and under."

While the department concurred in the decision that calfskins were not dutiable as cattle hides, it desired to have the question of the line of demarcation as to weights between skins and hides further considered, and therefore instructed custom officers to make up another case to submit of having the matter reviewed by the courts if deemed advisable. After a further hearing the board found as a fact, in G. A. 4215, "that commercially the dividing line between raw cowhides and calfskins in weight is 25 pounds, the term 'calfskins' including all so-called 'hides' or 'skins' which weigh less than 25 pounds. When dry the dividing line is 12 pounds, and all weighing 12 pounds being commercially known as 'skins' and all weighing 12 pounds or over as 'hides.'"

In order that this question might be further reviewed, the department directed an appeal from this decision to the circuit court, and on the recommendation of the conference of local appraisers recently held in New York adopted a table of weights, which are promulgated in circular 165, of August 27, 1898, to be followed by customs officers in classifying skins and hides.

At the request of tanners and shoe manufacturers the department has further considered the subject and carefully reviewed the testimony taken by the Board of General Appraisers, which was substantially unanimous in fixing 25 pounds as the dividing line between hides and skins in a green, or wet condition and 12 pounds when dry. The counsel for the Treasury Department in cases before the Board of General Appraisers, reports that he thinks no trade testimony can be obtained to controvert the dividing line as decided by the board.

The department concludes, therefore, to accept 25 pounds in weight as the dividing line between calfskins and hides when green salted, and 12 pounds as the dividing line between dry hides and skins. You will be governed accordingly, and hereafter assess duty as hides on such skins weighing 25 pounds or over and 12 pounds or over, respectively.

Circular No. 165 is hereby revoked.

W. B. HOWELL, *Assistant Secretary.*

USES OF LEATHER MADE FROM CATTLE HIDES.

Hides that are taken from the backs of beef cattle are used for making sole, upper, harness, belting, furniture, upholstery, automobile, and bag and strap leather.

It is sometimes made to appear that cattle hides are not used for the uppers of shoes. In a debate in Congress this year a Member from Ohio made such a statement. He probably would be astonished to learn that many of the largest tanneries in the country are devoted exclusively to making cowhide upper leather.

Harness leather never is tanned from anything but cattle hides, and, as everyone knows, the farmers are the largest consumers of harness and saddlery.

EXPORTS OF SHOES.

Notwithstanding the tariff on hides the United States is enabled to export considerable quantites of shoes. The growth of the foreign trade in footwear is a demonstration of the efficiency of our manufacturers and workmen. Shoe operatives received larger wages than in another country, but still the labor cost of American-made shoes is less.

The tariff of 15 per cent on cattle hides is a deterrent force, but thus far it has not been powerful enough to stop the exports of shoes. During the past few years, however, England, France, and Germany, under the stimulus of free hides and availing themselves of our hide-tariff handicap, are competing successfully for the export trade in shoes.

It has been found impossible to obtain the drawback of duty on hides based upon exports of shoes, for the reason that seven or eight different kinds of leather are almost invariably comprised in a single shoe and there are no means of identifying the leather made from imported dutiable hides.

Exports of boots and shoes.

Year.	Pairs.	Dollars.
1893	1,096,235	1,436,683
1897	1,224,484	1,708,234
1898	1,307,031	1,810,528
1899	1,934,277	2,711,285
1900	3,016,720	4,276,659
1901	3,492,041	5,530,290
1902	3,960,762	6,182,698
1903	4,197,566	6,665,017
1904	4,642,531	7,228,940
1905	5,315,669	8,057,697
1906	5,672,249	9,143,748
1907	5,833,914	10,666,949
1908	6,552,412	11,469,550

HIDES, LEATHER, BOOTS AND SHOES, AND THE TARIFF.

[By A. Augustus Healy, vice-president United States Leather Company, New York. In "The Annals of the American Academy of Political and Social Science."]

As at present conducted, tanning hides into leather and manufacturing leather into boots and shoes are separate industries, but for the purposes of this article they may be considered as one. Together they form a very great industry. There is none in the United States which is naturally more capable of successful development. There is none which has been more impeded by the tariff. This great industry now calls loudly for a reduction of the tariff. Especially does it call for the abolition of the duty of 15 per cent imposed on hides by the Dingley tariff of 1897.

Hides are its raw material. Before 1897 they had always been free of duty, excepting the civil-war tax of 10 per cent, which was repealed in 1873. The effect of the duty on hides during the past ten years has been very injurious—injurious to the hundreds of thousands engaged in the industry and to the millions of consumers of boots and shoes. Here is a necessity of life whose manufacture is smitten with a blighting tax at the very point of origin. The United States does not produce more than two-thirds of the number of hides required therein for making leather. Even with a 15 per cent duty, one-third of the needed supply must be imported from various parts of the world, principally from South America. The situation, therefore, is one to make such an impost upon a raw material like hides peculiarly disastrous to the prosperity of the industry, while peculiarly advantageous to the few who benefit from it. Where so large a proportion must be imported, the effect of the duty is not only to raise the cost of the imported supplies, but to give an advanced and artificial price to hides produced within the United States. These are concentrated for the most part in the hands of a few owners, to whom this advantage inures. The farmer or cattle grower gets little or no benefit from the artificial price of hides, because, being a by-product and constituting but a small part of the value of cattle when slaughtered, the increased price of the hide does not enter perceptibly into the amount received for cattle going to market. The injury, however, to the leather and shoe industry in putting it at so great a disadvantage in competing with foreign nations in

the hide markets of the world for the acquisition of its raw material is enormous. All those engaged therein realize this too well in its retarded growth and minimized profits.

This injury was foreseen when the duty was imposed in 1897, and a delegation of leather and shoe people went to Washington, while the new tariff bill was still in committee, and strongly argued against the placing of a duty on hides at a hearing given by the Committee on Ways and Means. As the proposed duty was an entirely new feature in the tariff bill, hides having been free of duty for twenty-five years, and as there appeared to be no demand for such a duty, it was to be supposed that Congress would require cogent and positive arguments in its favor before confirming a new impost to which strenuous objection has been made. No one, however, appeared at the hearing in favor of the duty. The shoe and leather delegation were politely promised that full consideration would be given to the arguments advanced in opposition, and went away hoping and believing that they had won their case, because, as it had been developed at the hearing, it seemed to be a very clear and one-sided one in their favor. But some secret influence was at work, which did not come into the light, and the duty was imposed, without public reasons in its favor and against the protests of the representatives of the great industry which it was bound vitally to affect. That duty has been ever since a source of constant and increasing dissatisfaction to all the leather and shoe manufacturers of the United States.

In November, 1905, a delegation of more than 30 individuals, representing more than three-fourths in volume of these combined industries, visited Washington and laid their case before President Roosevelt, in the hope that he might be induced, by the urgency of the matter, to exert his official influence with Congress, at its then forthcoming session, in favor of the immediate repeal of the duty on hides. Nothing, however, resulted from this interview beyond the admission from the President of the importance of the subject and that it had given him anxious thought. Evidently he was then absorbed in other matters which he deemed of more consequence. Besides, both President and Congress seemed to fear that any tariff change, even to correct a mistake that had been made, might result in opening up the whole subject of tariff revision, which was considered by them most undesirable at that time. The duty on hides remained, and somewhat later, in consequence of greater scarcity and the impediment offered to their importation by the tariff, the price of hides soared to an unprecedented height, causing disorder and confusion in the related industries, which intensified the result of the violent reaction and adverse conditions following the panic of last year. The duty on hides still continues to exert its adverse influence upon the leather and shoe industries, and those engaged therein are now turning their eyes to the extra session of Congress, which has been suggested immediately to follow the inauguration of a new President, in the hope that relief will then be afforded by repeal.

It is the particular measure of relief which all those engaged in the manufacture of leather and boots and shoes have in mind when thinking of tariff revision in connection with their own industry. Indeed, this removal of the tax upon their raw material can not be denied them, with any justice, by Congress, when it is remembered that they are further handicapped in their business by the high duties which the tariff in general imposes upon imports. These duties have the effect of adding to their cost of production and at the same time diminish the foreign demand for their manufactured product, without giving them in return any corresponding benefit. The tariff adds to the large item of freight upon their bulky materials and upon their finished goods. It increases the cost of buildings, equipment, machinery, and general supplies. In short, it adds to the cost of the manufactured article and at the same time, like the duty on the raw material, increases the quantity of capital required for a given amount of production. Then, again, as both leather and shoes are exportable articles, the demand abroad for them is restricted by the generally high duties of the present tariff, which prevents the importation of foreign commodities that otherwise would be sent to us in exchange for a larger exportation of leather and boots and shoes. As President McKinley said, in his last public utterance at Buffalo, "We can not sell if we will not buy."

It is therefore most desirable, in the interest of this industry and its further development, that there should be a general reduction of the present very high duties on imports, supplemented by reciprocity treaties with foreign countries, that would enable us to send them larger quantities of leather and shoes, which this country is specially adapted to produce, in return for various commodities in the production of which the natural advantage is with them. The manufacture of leather and shoes, in which our people are particularly skillful, is here capable of enormous development along these lines.

On the other hand, unless tariff changes be made in the direction of liberality, there is imminent danger that we shall lose the valuable export trade in these articles which we already possess. The markets of continental Europe are gradually being closed by exclusive duties, and it is now highly probable that England, our principal foreign customer for leather and shoes, will soon shut her ports to us unless her present liberal policy be met with tariff concessions on the part of the United States. An enlightened policy, such as is here suggested, it would surely seem to be part of wisdom for Congress to adopt, rather than one which, by heavy tariff duties, the avoidance of reciprocity treaties, and a vicious tax upon raw material, tends to nullify, in part, the great advantage which the country possesses for the production of leather and its manufacture into boots and shoes.

The great oak, hemlock, and chestnut forests of the United States supply abundant material of the best kind for the tanning of leather. Improved methods, the introduction of machinery, and the employment of chemical analysis have aided greatly in reducing the cost and improving the quality of the product. Our shoe manufacturers are admitted to be the best in the world. Thorough organization, skill in making lasts adapted to all kinds of feet, and the employment of machinery to an extraordinary degree, which is operated with a perfection and speed unequaled in any other country, have given to the United States the first place among the nations in the manufacture of boots and shoes. Notwithstanding these advantages, the combined shoe and leather industry, as a whole, has not had the increase and development to which it was naturally entitled, nor has it yielded profits commensurate with those of more favored industries. The shoe and leather manufacturers have never asked for protection or governmental aid. They do ask now, however, to be relieved from the burdens which the tariff lays upon their industry.

Why should not the country be permitted to expand its industrial life along the line of least resistance, and why should not these shoe and leather industries be allowed full scope for the growth and development to which they are invited by natural conditions and the genius of our people, and thus be enabled to give profitable employment to many thousands more of our citizens?

MAGNITUDE OF THE LEATHER INDUSTRY.

The magnitude and importance of the leather and leather goods industries may be realized when it is considered that every inhabitant of the country from the cradle to the grave is a consumer of leather shoes, and that purses, gloves, belts, and many other articles of utility and adornment are made wholly or partially of leather.

According to statistics of the Government Department of Agriculture the number of horses in the country January, 1908, was 19,992,000, and of mules, 3,869,000 head. Here are upward of 24,000,000 animals of no use or service to man until they are harnessed; and harness and saddles, as everyone knows, must be made of leather.

Statistics are given, but for those who prefer broad generalizations rather than tabulations it may be said that the production of leather and leather goods in the United States amounts to about $700,000,000 annually. The capital invested is about $400,000,000 and the annual wages paid more than $100,000,000.

Table from the Twelfth United States Census, giving figures for the year 1900.

	Year.	Number of establishments.	Capital.	Wage-earners. Average number.	Wage-earners. Total wages.	Cost of materials used.	Value of products.
Boots and shoes, factory product	1900	1,600	$101,975,233	142,992	$59,175,883	$169,604,034	$261,028,580
Leather, tanned, curried, and finished	1900	1,366	173,977,421	52,109	22,591,001	155,009,604	294,078,127
Saddlery and harness	1900	12,964	43,334,136	24,123	10,725,647	33,127,926	62,630,992
Leather goods, pocketbooks, trunks, and valises	1900	772	13,505,819	14,990	5,097,767	13,485,761	26,993,814
Boots and shoes, custom work and repairing	1900	23,360	9,292,134	9,698	4,128,361	8,288,664	26,530,678
Boot and shoe cut stock	1900	342	7,003,080	6,155	2,230,691	17,860,282	23,242,892
Belting and hose, leather	1900	105	7,410,219	1,667	913,927	7,709,413	10,623,177
Boot and shoe uppers	1900	132	273,790	256	125,627	401,630	709,225
Total		40,751	356,581,838	251,990	105,571,004	405,208,784	615,729,395

Some idea of the magnitude of the traffic may be realized from the imports and exports given in detail on another page. In round numbers, the tanners of this country import annually from $60,000,000 to $80,000,000 worth of hides and skins. Annual exports of leather and leather goods are about $46,000,000. Sole leather is sent abroad to the amount of $8,000,000 each year; glazed kid, $2,000,000 to $4,000,000, and upper leather, $12,000,000 to $18,000,000. Shoe exports are about $11,000,000 annually.

TANNERS' PROTEST OF 1897.

When the present revenue law was framed early in 1897 by the Ways and Means Committee of the National House of Representatives, hides were not taken from the free list. In the Senate, however, the Dingley bill, as it was called, was referred to the Finance Committee. Immediately upon it becoming known that a few Populist Senators favored a tax on imported hides, a convention of tanners was called to meet in Washington. The following statement was printed at the time:

Mr. Chairman and gentlemen of the committee: We appear before you, representing the shoe and leather industry, to respectfully request that hides and skins be allowed to remain on the free list.

There has been no duty on hides since 1873, and nothing has occurred to render a change desirable. The government reports tell a continuous story of dwindling imports and increasing exports of leather. The imports of shoe leather were $6,138,528 in 1874 and only $2,880,314 in 1896. The exports of shoe leather other than sole leather were $232,884 in 1874 and $8,003,863 in 1896. The total exports of leather and leather goods now amount to more than $20,000,000 annually. American-made shoes are being successfully introduced into London and the cities of continental Europe. The leather and shoe trades have adjusted themselves to a system of free raw material that has existed and continuously during the past twenty-five years, and we submit that the basis upon which our great industry rests should not be disturbed without careful investigation and serious deliberation.

Leather is a material for which there is absolutely no substitute, and every man, woman, and child is to a greater or less extent a consumer of it. The imposition of a duty upon hides and skins would therefore directly affect every inhabitant of the country by increasing the cost of his shoes, his purse, his traveling bag, his bicycle saddle, the harness for his horse, and the leather-top dashboard and trimmings of his carriage. Place a duty on hides and every revolving wheel of industry throughout the land would feel the strain of a taxed belt, and every farmer would suffer the burden of a tax upon his horse's harness and his plowboy's boots. Statistics show that there are 15,000,000 horses in the United States. All these require leather to harness them for work.

The demand for a tariff on hides should be specific and not general. The vague declaration that the imposition of a duty would help the

farmer will not suffice. Let the stockman show wherein he would be benefited by an impost on hides. Cattle are not raised for their hides, but in response to the demand for beef. The meat can not be come to without first removing the hide, and thus it is that hides are produced whether they are wanted or not. They are a by-product upon which no labor is expended except what is necessary to prevent decomposition. The domestic take-off of hides and skins is inadequate, and the $12,000,000 worth, exclusive of goutskins, imported from foreign countries each year supplements but does not supplant the native supply. The prices of cattle on the hoof are determined by the demand for beef, and the quotations for hides are made by the demand for leather. At the Chicago stock yards it not infrequently happens that cattle prices are at the lowest when hide prices are at the highest point, and vice versa.

If the stock breeders on the ranges derived any revenue from hides there would soon be a reform in branding. Thousands of steers are so badly branded that the hides are almost useless for conversion into leather. In point of fact hides do not become a merchantable commodity susceptible of being benefited by a tariff until after they have been properly selected and cured and are offered in quantities from the cellars of the dressed-beef companies.

As practical manufacturers and merchants we protest against a movement that has nothing more than a mistaken sentiment back of it. The great dressed-beef firms of the West would not pay higher prices for cattle on the hoof delivered at the stock yards in Chicago and Kansas City simply because the imposition of a duty on foreign hides had caused domestic hides to advance in price. We have prepared a table showing the prices paid for cattle on the hoof by the Chicago packers during each week in 1896 and also the prices the packers obtained for the hides. This table demonstrates our position that the fluctuations in cattle and hide prices do not agree except as the general condition of business sometimes operates to cause all commodities to advance or decline at a given time.

The people have some recourse from the great western packers who are popularly supposed to control the dressed-beef business. If beef is raised in price beyond a certain point, the demand diminishes as the consumers turn to mutton, pork, poultry, and other meat foods. There would be no escape, however, from the effect of higher hide prices induced by a tariff, because, as we have shown, there is no substitute for leather. Apart from the immense exports of dry hides there is always a world's movement in green salted hides. Not one of the great industrial nations produces enough hides to supply the demand for leather, and all of them import dry hides from the semicivilized countries, but with hides admitted free there is established a world's level of prices. If the Chicago packers advance the prices of hides above the world's level, green hides are imported from England, France, Germany, and the Scandinavian peninsula; and on the other hand, if the tanners neglect the domestic hide market prices sink in the United States and an export movement is developed. Hides are admitted free at the ports of the countries we have named, and the imposition of a tariff on hides in the United States would leave the tanners, shoe manufacturers, and, indeed, the consumers of shoes and all articles of leather in this country at the mercy of the so-called "dressed-beef and hide trust."

It is sometimes erroneously made to appear that the demand for free hides comes from Massachusetts, or at least from New England. These States are first in the shoe production, but they do not lead in tanning. In Maine, Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont there are 260 tanneries, against 900 in the South and West. Pennsylvania alone has double the number of tanneries contained in all of New England. The primacy in tanning has passed from the East to the West and South. Tanneries are rapidly being established in Wisconsin and Michigan, where hemlock forests abound, and tanneries using oak bark are multiplying in the Southern States to draw their bark supplies from the immense forests of Virginia, Tennessee, and the Carolinas. The tanning industry is also established on a large and prosperous scale on the Pacific coast, where the supply of tan bark is almost unlimited.

The principle of protection can not be applied to hides, because they are not a manufactured article. It would be impossible to make a tariff high enough to cause cattle to be raised for their hides. To bring one hide to market that will sell for $5, it is necessary to forward at the same time $50 worth of beef. Sheep can be sheared many times; cattle can be skinned but once.

Canada is a keen competitor of the United States in the production of sole leather. The hemlock forests extend into the British possessions and hides are admitted free. If the ports of the United States were closed to the free entry of hides our export trade in leather would pass over the Canadian border. The hide tariff offers a visionary and mythical advantage to the farmer, while dealing a deadly blow at one of the greatest American industries.

The protest was made March, 1897, nearly twelve years ago, and is substantially the attitude of tanners to-day.

APPENDIX A.

UNITED STATES CATTLE CENSUS.

Number and value of milch cows and other cattle, 1867–1908.

January 1—	Milch cows. Number.	Milch cows. Price per head Jan. 1.	Milch cows. Farm value Jan. 1.	Other cattle. Number.	Other cattle. Price per head Jan. 1.	Other cattle. Farm value Jan. 1.
1867	8,348,773	$28.74	$239,946,612	11,730,952	$15.79	$185,253,850
1868	8,691,568	26.56	230,816,717	11,942,484	15.06	179,887,797
1869	9,247,714	29.15	269,610,021	12,185,385	18.73	228,183,001
1870	10,065,600	32.70	330,175,234	15,388,500	18.87	290,400,588
1871	10,023,000	33.89	339,700,528	16,212,200	20.78	336,859,017
1872	10,303,500	29.45	303,438,398	16,389,800	18.12	296,931,664
1873	10,575,900	26.72	282,599,031	16,413,800	18.06	296,448,636
1874	10,705,300	25.63	274,325,680	16,218,100	17.55	284,705,983
1875	10,906,800	25.74	280,700,645	16,313,400	16.91	275,871,664
1876	11,085,400	25.61	283,878,869	16,785,300	17.00	285,387,123
1877	11,200,800	25.47	285,775,030	17,956,100	15.99	287,155,528
1878	11,300,100	25.74	290,897,809	19,223,300	16.72	321,345,601
1879	11,826,400	21.71	256,720,779	21,468,100	15.38	329,253,631
1880	12,027,600	23.27	279,899,420	21,231,000	16.10	341,761,154
1881	12,368,653	23.95	296,277,060	20,938,710	17.33	362,801,509
1882	12,611,632	25.89	326,489,310	23,280,238	19.89	463,009,501
1883	13,125,685	30.21	396,575,405	28,046,677	21.81	611,549,109
1884	13,501,206	31.37	423,486,049	29,046,101	23.52	683,229,054
1885	13,904,722	29.70	412,903,093	29,866,573	23.25	694,382,913
1886	14,235,358	27.40	389,985,523	31,275,242	21.17	661,956,274
1887	14,522,083	26.08	378,789,589	33,511,750	19.79	663,137,926
1888	14,856,414	$24.65	$366,252,173	34,378,363	$17.79	$611,750,520
1889	15,298,625	23.94	366,226,376	35,032,417	17.05	597,226,813
1890	15,952,883	22.14	353,152,133	36,840,024	15.21	560,625,137
1891	16,019,591	21.62	346,397,900	36,875,648	14.76	544,127,908
1892	16,416,351	21.40	351,378,132	37,651,239	15.16	570,749,155
1893	16,424,087	21.75	357,299,785	35,954,198	15.24	547,882,204
1894	16,487,400	21.77	358,998,661	36,608,168	14.66	536,789,747
1895	16,504,629	21.97	362,601,729	34,364,216	14.06	482,999,129
1896	16,137,586	22.55	363,955,545	32,085,409	15.86	508,928,416
1897	15,941,727	23.16	369,239,993	30,508,408	16.65	507,929,421
1898	15,840,886	27.45	434,813,838	29,264,127	20.92	612,296,534
1899	15,990,115	29.66	474,233,925	27,294,225	22.79	637,931,135
1900	16,292,360	31.60	514,812,106	27,610,054	24.97	689,486,260
1901	16,833,657	30.00	505,093,077	45,500,213	19.93	906,644,003
1902	16,696,802	29.23	488,130,324	44,727,797	18.76	839,126,073
1903	17,105,277	30.21	516,711,914	44,659,206	18.45	824,054,902
1904	17,419,817	29.21	508,841,489	43,629,498	16.32	712,178,134
1905	17,572,464	27.44	482,272,203	43,669,443	15.15	661,571,308
1906	19,793,866	29.44	582,788,592	47,067,656	15.85	746,171,709
1907	20,968,265	31.00	645,496,980	51,565,731	17.10	881,557,398
1908	21,194,000	30.67	650,057,000	50,073,000	16.89	845,938,000

International trade in hides and skins.

[Substantially the international trade of the world. This table gives the classification as found in the original returns, and the summary statements for "All countries" represent the total for each class only as far as it is disclosed in the original returns.]

EXPORTS.

Country.	Year beginning—	Kind of hides and skins.	1902.	1903.	1904.	1905.	1906.
			Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Argentina	Jan. 1	Cattle, dried	58,550,351	51,239,825	50,466,002	53,457,674	51,149,435
		Cattle, salted	77,917,955	63,424,770	64,809,279	90,230,588	72,476,948
		Goat	3,025,215	3,113,599	3,961,693	4,205,350	4,164,487
		Horse, dried	4,354,053	2,870,826	2,152,791	2,801,828	680,007
		Horse, salted	4,187,878	4,921,984	4,591,961	1,731,726	3,507,369
		Kid	1,075,505	815,695	1,049,508	971,729	944,222
		Sheep	91,282,374	92,442,005	81,571,014	66,535,492	52,428,116
Austria-Hungary	Jan. 1	Calf, dried	8,363,895	6,681,327	6,139,211	6,855,933	12,382,700
		Calf, salted	3,299,437	5,505,382	6,623,787	9,100,680	
		Cattle, dried	7,717,941	6,801,038	6,274,354	5,676,240	16,000,926
		Cattle, salted	10,025,959	12,569,873	9,172,109	13,682,766	
		Goat	2,079,840	2,004,442	2,542,591	1,977,987	2,542,150
		Horse, dried	1,802,940	1,313,514	1,033,747	2,297,437	5,281,302
		Horse, salted	869,062	2,162,293	2,495,853	3,808,485	
		Kid	1,362,015	1,431,241	2,120,626	1,836,009	a 1,836,009
		Lamb	5,084,079	4,232,874	3,187,442	3,535,111	3,818,356
		Sheep	3,073,243	4,034,017	3,575,676	4,251,393	5,056,962
Belgium	Jan. 1	Hides and skins	90,233,439	91,087,316	90,367,454	101,081,934	102,426,238

a Year preceding.

International trade in hides and skins—Continued.

EXPORTS—continued.

Country.	Year beginning—	Kind of hides and skins.	1902.	1903.	1904.	1905.	1906.
			Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Brazil	Jan. 1	Deer	339,035	265,401	202,167	176,295	.....
		Goat	3,271,247	4,193,246	5,556,653	3,361,740	3,842,815
		Hides, dried, n. e. s. [a]	14,334,210	16,401,680	23,845,672	17,328,272	21,667,230
		Hides, salted, n. e. s. [a]	44,573,697	46,006,347	48,004,782	42,135,260	50,567,124
		Horse	(b)	88,194	245,716	28,936	18,860
		Lamb	33,881	67,298	289,196	5,143	64,218
		Sheep	615,134	598,573	1,042,429	959,755	869,285
		Other	8,426	9,262	28,911	33,113	.....
British India	Apr. 1	Hides and skins	102,390,604	104,922,115	120,635,178	166,161,135	174,292,118
Canada [c]	July 1	do	23,696,000	23,647,000	29,418,000	31,760,000	33,019,183
		Calf	13,710	69,347	90,391	96,582	.....
		Cattle	2,587,960	1,189,172	2,049,386	2,970,438	2,884,161
Cape of Good Hope	Jan. 1	Goat	4,491,204	5,217,449	4,928,931	5,461,265	18,750,766
		Sheep	14,204,556	12,602,310	11,602,058	11,713,890	
		Hides, n. e. s. [a]	13,940	8,545	637	.....	.....
China	Jan. 1	Hides	39,360,667	32,309,600	37,330,133	51,043,990	56,615,924
Cuba	Jan. 1	Cattle	3,605,188	2,351,612	2,488,844	4,622,643	6,757,223
		Other	10,453	84,032	52,482	198,290	207,823
Denmark	Jan. 1	Hides and skins	14,895,545	15,520,748	16,166,351	19,345,629	18,442,353
Dutch East Indies	Jan. 1	do	13,530,863	13,729,200	13,940,635	14,039,571	[d] 14,039,571
Egypt	Jan. 1	Cattle and calf	4,337,137	4,331,513	6,841,357	4,847,315	5,748,384
		Sheep and goat [c]	681,118	697,529	1,084,797	2,020,849	5,075,402
France	Jan. 1	Calf	(b)	(b)	21,348,790	17,430,187	23,497,700
		Goat	(b)	(b)	7,613,556	10,333,449	8,400,500
		Kid	1,014,770	1,198,100	875,649	626,944	937,800
		Lamb	903,981	1,146,708	1,096,486	1,446,190	1,325,000
		Large	61,585,683	48,803,330	53,060,971	61,852,962	69,136,300
		Sheep	9,624,639	8,517,409	9,047,394	10,096,143	11,967,300
		Other	27,862,511	27,052,872	3,035,932	7,776,412	6,723,900
		Calf, green	10,696,516	9,076,870	8,618,308	10,235,619	15,896,157
		Calf, dried	11,096,965	7,410,396	9,228,989	9,504,125	1,269,421
		Cattle, green	73,394,692	65,404,300	65,279,298	65,859,114	78,564,351
		Cattle, dried	10,400,084	9,406,240	9,416,161	11,361,258	1,870,181
Germany [f]	Jan. 1	Goat, with hair on	3,516,593	3,350,364	4,021,451	3,744,110	3,162,310
		Goat, without hair	11,023	12,566	15,432	19,401	36,597
		Horse, green	9,690,416	10,715,124	8,345,156	16,149,953	17,739,050
		Horse, dried	1,488,561	1,711,448	1,782,878	1,629,216	316,804
		Sheep	585,548	811,521	385,147	823,206	137,568
		Other	711,432	607,814	698,865	604,507	610,235
		Cattle and calf	20,757,839	24,070,283	23,639,941	19,357,463	26,858,232
Italy	Jan. 1	Sheep and goat	4,583,409	4,329,437	4,125,950	4,616,038	4,902,500
		Other	571,638	765,665	695,338	2,737,700	910,729
Korea	Jan. 1	Cattle	3,981,600	5,525,600	4,755,600	2,273,200	2,209,733
		Skins	3,954,667	5,421,200	4,660,533	5,507,867	[d] 5,507,867
		Alligator	343,013	263,545	176,853	131,074	147,093
Mexico	July 1	Cattle	14,808,550	11,662,093	13,122,915	15,660,473	19,715,558
		Deer	723,308	627,292	583,367	636,765	843,989
		Goat	6,618,637	5,798,853	5,934,563	7,098,334	7,705,488
		Horse	41,213	35,020	28,418	50,243	.....
		Sheep	2,273	2,657	1,466	16,885	27,655
Netherlands	Jan. 1	Hides, dried	20,012,580	20,607,052	23,647,466	22,724,931	24,050,349
		Hides, fresh	271,541	414,482	301,548	236,435	237,965
		Hides, salted	32,387,467	33,893,118	31,865,968	32,383,298	34,507,035
New Zealand	Jan. 1	Sheep	3,227,362	2,309,591	2,708,125	1,664,492	[d] 1,322,985
		Calf [c]	50,152	23,136	29,862	103,286	276,056
		Hides [c]	835,722	1,013,593	1,041,537	1,820,182	2,554,573
Peru	Jan. 1	Sheep	13,795,190	15,074,406	12,835,612	12,599,222	14,364,574
		Hides and skins	5,324,480	6,009,920	6,717,760	6,954,866	[d] 6,954,866
Russia	Jan. 1	Hides, large	9,601,743	12,774,759	16,666,202	14,284,165	[f] 31,093,121
		Hides, small	19,764,247	19,949,000	24,406,908	24,540,778	[f] 26,326,231
Singapore	Jan. 1	Sheep and goats	15,289,329	17,884,900	22,220,675	19,366,232	[f] 35,092,770
		Hides	6,246,267	8,094,400	6,919,733	7,268,133	[d] 7,268,133
Spain	Jan. 1	Goat	3,158,648	2,628,269	2,014,515	1,748,702	1,017,973
		Sheep	5,714,217	5,210,132	6,305,843	8,383,804	8,042,360
Sweden	Jan. 1	Other	2,355,431	4,248,659	5,965,921	9,359,902	12,536,488
		Hides and skins	11,427,951	13,025,348	12,647,729	15,799,468	16,247,694
Switzerland	Jan. 1	Hides	12,836,632	12,201,260	11,750,194	12,085,438	13,414,623
		Skins	4,976,493	5,041,530	5,544,404	6,062,490	5,744,584
United Kingdom	Jan. 1	Hides	21,073,264	17,431,168	21,128,464	29,427,328	31,399,776
United States	July 1	Skins [c]	32,681,620	44,793,145	49,864,593	46,064,837	37,835,419
		Hides and skins	12,859,549	32,727,643	10,268,722	10,752,827	15,386,806
Uruguay	July 1	Calf	2,083,720	2,967,990	2,074,655	1,795,344	[d] 1,795,344
		Cattle, dried	22,573,437	15,019,492	13,832,273	14,056,903	[d] 14,056,903
		Cattle, salted [c]	33,994,970	35,823,436	41,159,472	30,875,494	[d] 30,875,494
		Goat	1,277	1,414	9,539	34	[d] 34
		Horse, dried [c]	483,096	397,568	1,607,872	515,104	[d] 515,104
		Horse, salted [c]	1,946,505	1,751,392	504,196	124,608	[d] 124,608
		Lamb	358,738	608,383	496,598	346,719	[d] 346,719
		Sheep	14,670,201	19,397,832	16,033,991	14,990,823	[d] 14,990,823
		Cattle	4,346,829	8,366,624	[e] 6,356,726	7,929,730	[d] 7,929,730
Venezuela	July 1	Deer	100,654	.....	.....	349,459	[d] 349,459
		Goat	1,412,091	1,650,675	[e] 1,531,383	1,479,815	[d] 1,479,815
		Sheep	28,997	.....	.....	.....	.....
Other countries		Hides:					
		Cattle	16,437,548	17,486,222	12,706,860	46,832,873	[f] 46,343,144
		Horse	33,486	80,026	348,784	471,222	[b] 384,143
		Large (not otherwise classified)	1,611,336	3,148,888	6,198,614	393,172	[b] 245,841
		Small (not otherwise classified)	501,523	1,352,037	1,915,667	.....	.....
		Unclassified	14,424,497	14,085,945	8,900,979	14,384,816	[f] 20,335,396
		Skins:					
		Calf	2,392,438	1,799,084	2,183,255	2,435,640	[f] 2,448,174
		Deer	1,745,289	1,303,750	1,372,926	839,467	.....
		Goat	3,948,484	6,536,130	4,427,066	8,010,735	[f] 4,897,210
		Kid	66,932	21,786	49,836	1,040,412	[f] 1,634,845
		Sheep	3,173,604	3,313,301	2,942,913	11,014,904	[f] 12,771,909
		Sheep and goat, mixed	7,560,393	6,048,093	8,084,693	19,280,233	[f] 17,082,052
		Unclassified	147,072	73,145	66,311	5,805,481	[f] 1,381,611
		Hides and skins, unclassified	5,471,773	6,441,858	5,393,110	8,597,283	[f] 7,849,699
Total			1,313,009,102	1,318,431,233	1,342,565,755	1,516,304,832	1,570,003,744

[a] N. e. s.—not elsewhere specified. [b] Not separately stated. [c] Estimated. [d] Year preceding. [e] Number of pounds computed from stated number of hides or skins. [f] Preliminary. [g] Average, 1902 and 1903.

International trade in hides and skins—Continued.

RECAPITULATION.

Country.	Year beginning—	Kind of hides and skins.	1902.	1903.	1904.	1905.	1906.
			Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
All countries		Hides:					
		Cattle	340,545,094	306,300,567	301,859,293	365,728,394	351,033,767
		Cattle and calf, mixed	25,094,976	28,401,796	30,481,298	23,904,778	31,606,616
		Horse	24,897,810	26,047,349	23,157,372	29,605,773	28,567,167
		Large (not otherwise classified)	72,798,762	64,786,697	75,931,787	76,468,299	100,475,262
		Small (not otherwise classified)	20,265,770	21,301,037	26,322,575	24,540,778	26,326,231
		Unclassified	206,661,884	203,086,590	214,743,213	230,954,083	261,949,137
		Skins:					
		Alligator	343,013	263,545	176,853	131,074	147,093
		Calf	37,896,833	33,533,502	56,337,248	57,557,376	57,265,552
		Deer	2,909,276	2,196,443	2,218,460	2,021,986	1,193,439
		Goat	31,434,259	34,507,307	42,557,403	47,441,252	37,249,349
		Kid	3,519,222	3,466,822	3,210,970	4,475,094	5,332,876
		Lamb	6,380,679	6,055,263	5,855,371	5,333,163	5,254,293
		Sheep	159,997,338	164,313,794	148,040,578	142,963,009	121,979,597
		Sheep and goat, mixed	28,054,249	28,959,959	35,516,115	45,723,332	80,873,550
		Unclassified	41,759,882	55,331,020	60,135,841	64,340,773	50,469,481
		Hides and skins, unclassified	310,450,085	339,879,542	316,032,373	395,112,666	410,260,334
Total			1,313,009,102	1,318,431,233	1,342,565,755	1,516,304,832	1,570,003,744

IMPORTS.

Country.	Year beginning—	Kind of hides and skins.	1902.	1903.	1904.	1905.	1906.
Austria-Hungary	Jan. 1	Calf, dried	942,035	1,245,171	1,496,718	1,036,896	3,415,400
		Calf, green	1,066,155	1,716,078	1,449,759	994,505	
		Cattle, dried	22,938,651	22,300,192	20,308,855	25,180,311	75,516,461
		Cattle, green	18,459,961	18,503,392	27,347,454	17,540,414	
		Goat	1,027,354	1,100,547	1,588,430	1,410,070	1,243,407
		Horse, dried	679,685	583,784	566,886	360,676	992,521
		Horse, green	75,178	125,223	153,662	224,871	
		Kid	776,688	844,591	1,046,093	723,557	[a] 723,557
		Lamb	9,869,872	9,657,600	12,328,434	8,602,435	10,548,675
		Sheep	5,477,163	5,391,403	5,041,309	5,061,592	6,856,374
Belgium	Jan. 1	Hides, raw	115,127,382	128,694,622	122,539,211	135,911,437	142,197,407
British India	Apr. 1	Hides and skins	10,407,488	12,729,808	12,456,304	17,574,316	17,962,999
Denmark	Jan. 1	do	8,013,801	5,766,189	6,902,196	7,848,454	10,294,482
		Hides, dried	714,803	1,560,180	1,880,515	1,898,433	2,631,124
Finland	Jan. 1	Hides, green	3,780,573	5,907,507	5,780,115	4,263,421	5,529,891
		Sheep	23,420	45,380	89,521	56,061	68,050
France	Jan. 1	Calf	(b)	(c)	7,090,953	7,980,796	9,035,400
		Goat	(b)	(c)	17,899,173	23,110,243	23,276,400
		Kid	5,300,740	4,714,701	4,372,843	4,544,123	4,935,700
		Lamb	212,442	441,758	370,533	378,553	374,600
		Large	80,509,184	89,049,162	85,214,688	98,515,340	106,831,100
		Sheep	3,848,128	3,032,612	2,630,226	2,532,200	3,201,300
		Other	28,625,723	28,990,427	2,063,720	3,209,189	1,674,900
Germany [d]	Jan. 1	Calf, dried	23,886,198	18,793,521	21,104,405	22,145,869	18,811,819
		Calf, green	16,023,193	22,030,386	24,738,945	32,244,140	38,531,942
		Cattle, dried	46,048,822	60,664,363	63,954,541	70,228,234	77,797,583
		Cattle, green	122,198,450	146,242,719	152,057,830	143,851,586	177,694,958
		Goat, with hair on	8,591,191	9,266,908	11,272,453	11,042,052	14,541,907
		Goat, without hair	153,001	25,794	61,064	38,140	1,543
		Horse, dried	3,721,181	4,427,101	4,660,964	4,592,889	6,688,823
		Horse, green	28,144,866	30,128,805	27,629,866	25,891,742	30,573,918
		Sheep	562,840	737,005	1,120,562	746,485	882,510
		Other	2,207,268	3,032,017	3,515,711	3,340,443	2,157,002
Greece	Jan. 1	Hides	5,565,407	5,674,975	7,004,659	6,055,809	5,286,254
		Cattle and calf	33,054,118	32,555,653	42,876,591	39,240,949	44,294,353
Italy	Jan. 1	Sheep and goat	9,236,484	9,197,003	9,997,529	8,740,884	11,596,532
		Other	287,703	136,687	89,287	181,881	277,782
Japan	Jan. 1	Cattle	4,395,787	4,516,054	9,871,720	7,402,046	5,459,564
		Deer	353,188	437,982	373,908	426,217	700,708
Netherlands	Jan. 1	Hides, dried	26,123,950	28,746,002	28,190,550	29,700,569	30,643,584
		Hides, fresh	14,218	3,486	1,080	15,141	5,404
		Hides, salted	21,767,787	24,734,652	25,207,165	21,586,003	27,913,694
Norway	Jan. 1	Sheep	2,578,768	1,631,356	2,084,239	2,367,808	2,094,329
		Hides and skins	5,880,102	5,555,934	6,890,458	8,722,279	10,507,626
Portugal	Jan. 1	Hides, dried	6,659,709	6,188,733	5,829,003	4,216,487	[a] 4,216,487
		Hides, green	1,455,366	507,616	243,906	181,630	[a] 181,630
		Hides, n. e. s.	2,222	990	825	414	[b] 414
		Buffalo	422,935	160,214	30,361	83,987	[a] 83,987
		Calf	29,674	65,731	13,406	13,728	[a] 13,728
Roumania	Jan. 1	Cattle	5,045,606	3,468,799	2,444,346	2,252,932	[a] 2,252,932
		Horse	2,491	8,014	22	3,490	[a] 3,490
		Sheep, lamb, and goat	722,438	610,125	400,000	157,536	[a] 157,536
		Other	820,025	158,376	163,773	132,822	[a] 132,822
Russia	Jan. 1	Hides, dry	12,831,961	12,279,363	10,412,365	12,668,515	[c] 7,764,252
		Hides, green	52,627,183	55,754,913	48,126,842	51,753,326	[c] 45,538,241
Singapore	Jan. 1	Hides	10,275,833	10,258,000	10,554,133	8,191,200	[a] 8,191,200
Spain	Jan. 1	Hides and skins	25,794,130	22,716,150	17,857,599	14,247,484	17,280,965
Sweden	Jan. 1	do	15,676,710	15,172,306	19,782,796	18,959,762	21,290,081
United Kingdom	Jan. 1	Goat	3,546,428	3,557,151	5,517,464	3,790,596	9,329,915
		Hides	73,656,912	62,491,856	61,636,848	60,628,848	70,661,696
		Sheep	44,636,946	44,969,414	34,490,368	34,694,196	42,124,265
		Other	1,054,534	3,124,408	1,386,550	377,999	782,536
United States	July 1	Cattle	131,640,325	85,370,168	113,177,357	156,155,300	134,671,020
		Goat	85,114,070	86,338,547	97,803,571	111,079,391	101,201,596
		Other	102,340,303	103,024,732	126,893,934	158,045,419	135,111,199
Other countries		Hides:					
		Cattle	5,100,292	5,441,221	7,289,141	7,143,387	[c] 3,467,039
		Large (not otherwise classified)	412,785	438,504	1,054,916	328,180	[c] 5,190
		Small (not otherwise classified)	1,499	7,011	17,289	9,368,570	[c] 14,679,557
		Unclassified	5,590,463	8,100,685	4,932,465		
		Skins:					
		Calf	135,079	13,933	153,261	128,604	.....
		Deer	5,679	9,886	21,614	.....	.....
		Goat	142,253	423,808	452,838	665,581	[c] 127,892

[a] Year preceding. [b] Average, 1902 and 1903. [c] Not separately stated. [d] Not including free ports prior to March 1, 1906. [e] Preliminary. [f] Number of pounds computed from stated number of hides or skins.

International trade in hides and skins—Continued.

IMPORTS—continued.

Country.	Year beginning—	Kinds of hides and skins.	1902.	1903.	1904.	1905.	1906.
		Skins—Continued.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Other countries		Sheep	397,783	1,533,850	1,534,647	741,904	[a] 646,855
		Sheep and goat, mixed	25,854	22,447	10,416	3,849	[a] 61,619
		Unclassified	1,249,139	1,348,347	1,277,800	2,003,073	[a] 1,850,918
		Hides and skins, unclassified	2,365,315	3,330,259	1,321,133	839,318	[a] 903,410
Total			1,268,461,682	1,287,754,237	1,365,305,461	1,466,343,284	1,556,494,545
		RECAPITULATION.					
		Hides:					
		Buffalo	422,935	160,214	39,361	83,987	[b] 83,987
		Cattle	355,827,894	346,506,908	405,541,264	429,754,230	476,830,577
		Cattle and calf, mixed	33,054,118	32,555,633	42,876,391	39,240,949	44,234,383
		Horse	32,625,401	35,272,927	33,011,370	31,073,998	38,258,732
		Large (not otherwise classified)	80,921,969	89,487,666	86,269,604	98,843,520	106,836,296
		Small (not otherwise classified)	1,499	7,011	17,289	346,439,743	365,440,865
		Unclassified	396,202,580	350,903,610	332,328,685		
All countries		Skins:					
		Calf	42,082,334	43,873,820	56,047,447	64,564,498	69,808,289
		Deer	353,188	437,982	373,908	426,217	700,708
		Goat	98,574,297	100,712,755	134,594,996	151,102,970	149,722,669
		Kid	6,077,428	5,530,292	5,418,936	5,267,680	5,669,257
		Lamb	10,082,314	10,060,358	10,608,967	8,980,888	10,923,775
		Sheep	57,525,048	57,281,020	46,996,872	46,200,216	55,873,183
		Sheep and goat, mixed	9,984,766	9,830,475	10,407,936	8,902,269	11,815,687
		Unclassified	1,249,139	1,348,347	1,277,800	2,003,073	1,850,918
		Hides and skins, unclassified	203,473,102	203,737,313	199,383,421	233,459,267	218,375,714
Total			1,268,461,682	1,287,754,237	1,365,305,461	1,466,343,284	1,556,494,545

[a] Preliminary. [b] Year preceding.

Receipts and prices of cattle and hides at Chicago.

Saturday.	Cattle at the Chicago stock yards during week.		Top price per 100 pounds for cattle on the hoof for each week.			Hides.							
	Receipts.	Slaughter.	Native steers.	Texas steers.	Cows.	Number 1 packers' native steers.	Number 1 packers' Texas steers.	Number 1 packers' Colorado steers.	Number 1 packers' heavy butt-branded steers.	Number 1 packers' heavy native cows.	Number 1 packers' light native cows.	Number 1 packers' branded cows.	Number 1 country buffs.
1907.	*Number.*	*Number.*	*Dollars.*	*Dollars.*	*Dollars.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
January 5	61,905	37,953	7.20	5.75	5.75	16½	15½	14½	14½	15½	15½	14½	13
January 12	71,675	44,604	7.15	5.75	5.25	16½	15½	14½	14½	15½	15	14½	13
January 19	77,206	47,841	7.30	5.75	5.85	16½	15½	14½	14½	15	15	14½	13
January 26	70,753	41,802	6.90	5.75	5.50	16½	15½	14½	14½	15½	15	14½	12½
February 2	59,989	31,408	6.90	5.75	5.00	16½	15½	14½	14½	15½	15	14½	13
February 9	68,207	41,275	7.25	5.75	5.40	16½	15½	14½	14½	15½	14½	14½	13
February 16	61,091	32,744	6.90	5.75	5.25	16½	15½	14½	14½	15	14½	14½	13
February 23	61,826	32,708	6.75	5.60	5.10	15½	15½	14½	14½	14½	14½	14½	13
March 2	57,528	30,033	6.85	5.60	5.35	15½	15½	14½	14½	14½	14½	14½	12½
March 9	56,068	30,833	6.85	5.60	5.60	15½	15½	14½	14½	14½	14	14½	12½
March 16	64,855	34,180	6.75	5.50	5.50	15½	15½	14½	14½	14½	14	14½	12½
March 23	61,735	32,665	6.90	5.50	5.35	15	15½	14	14	13½	13½	14	11½
March 30	46,088	23,134	6.60	5.50	5.40	14½	15½	14	13½	13½	13½	14½	11½
April 6	52,748	27,948	6.60	5.50	5.40	14½	15½	13½	13½	14½	13½	14½	11½
April 13	56,369	31,196	6.75	5.50	5.75	14½	15	14	14	13½	13	14	11
April 20	68,620	38,673	6.70	5.50	5.50	14½	15	14	13½	13½	12½	14	10½
April 27	72,447	44,942	6.60	5.50	5.40	14½	15	13½	13½	13	12	13½	10½
May 4	58,339	31,978	6.25	5.40	5.35	14½	15	14	13½	13½	13	13½	10½
May 11	53,792	27,850	6.50	5.40	5.60	14½	15	14	13½	13½	13½	13½	11
May 18	60,316	34,782	6.50	5.40	5.60	15	15½	14	14	14	14	13½	12½
May 25	60,180	32,924	6.40	5.40	5.30	15	15½	14	14	14	14	13½	11
June 1	49,257	26,014	6.50	6.15	5.50	15	15½	14	14	13½	13½	13½	11
June 8	64,716	35,424	6.75	6.25	5.75	15	15½	14	14	13½	13½	13½	10½
June 15	69,628	39,793	6.90	6.25	5.30	15	15½	14	14	13½	13½	13½	10½
June 22	53,992	28,334	7.00	6.25	5.60	15	15½	14	14	13½	13½	13½	10½
June 29	47,906	27,211	7.10	5.80	5.60	15	15	13½	13½	13½	13½	13	10½
July 6	40,142	21,337	7.25	5.75	5.90	15	15	13½	13½	13½	13½	13	11
July 13	57,831	33,199	7.30	5.80	6.15	14½	15	13½	13½	13½	13	12½	11
July 20	67,686	43,414	7.35	5.75	6.00	14½	15	13½	13½	13½	13	12½	11
July 27	57,138	34,809	7.35	5.15	6.00	14½	14½	13	13½	13½	13	12½	11
August 3	45,958	26,715	7.50	6.50	6.25	14½	14½	13	13½	13½	12½	11½	11
August 10	54,837	34,986	7.60	6.75	6.25	14	14½	12½	13	13	12½	12	10½
August 17	64,417	40,255	7.45	6.25	5.65	14	14	12	12½	12½	12	11	10½
August 24	54,424	31,097	7.35	5.80	5.00	14	13½	11½	12	12½	12	10½	10½
August 31	56,516	32,764	7.35	6.00	5.25	14	13	11	12	12½	12	10	10½
September 7	70,250	39,934	7.25	6.00	5.40	14	13	11	12	12½	11½	10	10½
September 14	73,895	42,845	7.35	5.75	6.00	14	12½	10½	11½	12½	11½	9½	10
September 21	79,691	46,537	7.15	6.60	5.75	14½	12½	11	12	12½	12	9½	10½
September 28	64,251	33,886	7.25	6.20	5.50	14½	13	11	12	12½	12	9½	10½
October 5	76,760	43,080	7.30	6.20	5.30	14½	13	11	12	12½	12	9½	10½
October 12	87,300	49,746	7.35	6.20	5.40	14½	13½	11½	12½	12½	12½	9½	10½
October 19	90,486	49,909	7.45	6.20	5.00	14½	13½	11	12½	12½	12½	9½	10½
October 26	93,110	53,100	7.35	4.60	4.00	14½	13	11	12	12½	12	9½	10½
November 2	58,208	27,879	7.00	5.45	4.75	14½	13	11	12	12½	12	9½	9½
November 9	51,448	30,337	7.25	5.35	5.00	14	12½	10½	11½	12	11½	9	9½
November 16	74,489	41,931	6.70	5.40	5.50	13½	12½	10½	11½	10½	10½	8½	8½
November 23	67,632	38,712	6.65	5.50	4.50	12½	12½	9½	10½	10	10	8	8
November 30	72,178	38,695	6.50	5.15	5.25	12	11½	9½	10	10	9½	7½	7
December 7	66,224	31,016	6.35	5.75	5.25	11½	11	9½	9½	10	9	7½	7
December 14	53,534	47,049	6.35	5.25	5.60	12	11½	9½	9½	9½	9	8	7½
December 21	58,795	28,310	6.15	5.70	5.00	11½	11½	9½	9½	9½	9	7½	7½
December 28	46,061	22,935	6.30	5.80	4.75	11½	11	9½	9½	9	8½	7½	7½

Receipts, slaughter, and prices of cattle, and the quotations of hides for each week in 1896.

Fifty-two weeks of 1896.	Cattle at the stock yards.		Top price per 100 pounds for cattle on the hoof for each week.			Packers' native steers.	Packers' Texas steers.	Packers' Colorado steers.	Packers' heavy butt-branded steers.	Packers' heavy native cows.	Packers' light native cows.	Packers' branded cows.	Number 1 country buffs.	Number 1 country extreme light hides.	Number 1 country calf-skins.
	Receipts.	Slaughter.	Native steers.	Texas steers.	Cows and heifers.										
January 1 to 4	22,062	8,287	$4.75	$3.75	$3.75	8½	7½	6½	7½	7½	7½	6½	7½	8	9½
Week ending January 11	56,769	40,537	5.00	4.30	4.00	8½	7½	6½	7½	7½	8	6½	7	7½	9
Week ending January 18	62,025	44,617	4.85	4.25	3.75	8½	7½	6½	7	7½	8	6½	7	7½	9
Week ending January 25	50,026	33,923	4.80	4.13	4.10	8½	7	6½	7	7½	7½	6½	6½	7	9
Week ending February 1	47,675	22,272	4.70	3.85	4.00	8	7	6	7	7½	7½	6	6½	6½	9
Week ending February 8	39,475	23,387	4.75	4.00	4.00	8½	7	6½	7	7½	7½	6½	6½	7	8½
Week ending February 15	50,532	30,832	4.65	3.95	3.85	8½	6½	6½	7	7½	8	6½	7	7½	8½
Week ending February 22	56,778	37,340	4.50	3.90	3.85	8½	6½	6½	7	8	8	6½	7	7	8½
Week ending February 29	44,908	28,965	4.65	3.75	3.80	8½	6½	6	7	8	8	6½	6½	7	8½
Week ending March 7	44,116	26,802	4.75	4.10	3.80	7½	6½	5½	6½	7½	7½	6½	6½	6½	8
Week ending March 14	43,413	28,215	4.70	4.15	3.85	7½	6½	5½	6½	7	7½	6½	6½	6½	8
Week ending March 21	55,565	37,250	4.70	4.40	3.85	7	6	5½	6	6½	6½	6	6	6½	8
Week ending March 28	46,143	29,933	4.50	4.00	3.85	6½	6	5½	5½	6½	6½	6	6	6½	8
Week ending April 4	28,883	18,307	4.50	3.95	3.95	6½	6	5½	5½	6½	6½	6	6	6½	7½
Week ending April 11	43,006	27,741	4.75	4.00	3.80	6½	6	5½	5½	6½	6½	6	6	6½	7½
Week ending April 18	44,536	28,811	4.75	4.10	3.95	6½	6	5½	6	6½	6½	6	6	6½	7½
Week ending April 25	50,300	32,049	4.20	3.80	4.00	6½	6½	5½	6	6½	6½	6	6	6½	7½
Week ending May 2	39,915	19,892	4.25	3.55	3.90	7	6½	5½	6½	6½	6½	6½	5½	6½	7½
Week ending May 9	56,202	38,702	4.55	4.10	4.10	7½	6½	5½	6½	6½	6½	5½	5½	6½	8
Week ending May 16	43,310	30,573	4.40	4.15	3.90	8	8	6½	7	7	7	6½	6½	7	8½
Week ending May 23	47,492	31,827	4.30	3.90	4.10	8½	8½	7	7½	7½	7½	7	6½	7½	8½
Week ending May 30	52,803	41,391	4.40	4.25	4.25	8½	8½	7	8	7½	7½	7	6½	7½	9
Week ending June 6	47,428	33,683	4.50	3.85	4.00	8½	8½	7	8	7½	7½	7	6½	7½	8½
Week ending June 13	44,296	31,951	4.45	3.85	4.00	8½	8½	7	8	7½	7½	7½	6½	7½	8½
Week ending June 20	48,963	36,782	4.50	3.75	4.00	8½	8½	7½	8	7	7½	7½	6½	7	8½
Week ending June 27	48,947	34,365	4.55	4.08	4.10	8½	8½	7½	8½	7½	7½	7½	6½	7½	8½
Week ending July 4	48,710	32,884	4.65	4.10	4.10	8½	8½	7½	8½	7½	7½	7½	6½	7½	8½
Week ending July 11	43,915	1,659	4.50	3.75	4.35	9	8½	7½	8½	7½	7½	7½	6½	7½	8½
Week ending July 18	51,994	37,247	4.55	3.50	4.00	8½	8½	7½	8½	7½	7½	7½	6½	7½	8½
Week ending July 25	53,442	39,131	4.45	3.50	3.90	8	8	7	7½	7	7	7	6½	7½	8½
Week ending August 1	46,542	31,827	4.60	3.15	4.25	7	7	6	6½	7	7	6	6½	7	9
Week ending August 8	51,411	35,338	4.65	3.25	4.15	7	7	5½	6½	7	6½	5½	5½	7	9
Week ending August 15	52,339	36,671	4.75	3.15	4.25	6½	6½	5½	6	6½	6½	5½	5½	7	9
Week ending August 22	57,469	40,966	4.85	3.60	3.90	6½	6½	5½	5½	6	6	5	5½	6½	8½
Week ending August 29	56,062	39,085	4.90	3.50	4.25	7½	6½	5½	6	6½	6½	5½	5½	6½	7½
Week ending September 5	63,070	42,902	5.00	3.25	3.60	8½	6½	6½	7	7½	7½	6½	6½	7½	7½
Week ending September 12	59,233	40,040	5.30	3.06	3.85	8½	7½	6½	7½	7½	7½	6½	7	7½	8
Week ending September 19	61,000	40,357	5.10	3.00	3.25	8½	7½	6½	7½	8	8	6½	7	7½	8½
Week ending September 26	44,980	28,991	5.10	3.00	3.50	8½	7	6½	7½	8	8	6½	7½	8	9½
Week ending October 3	57,883	41,282	5.10	3.30	4.05	9	7½	6½	7½	8½	8½	7	7½	8	9½
Week ending October 10	55,833	38,413	5.15	3.10	3.70	9	8	7	8	8½	8½	7	8	8½	10
Week ending October 17	57,883	39,910	5.25	3.15	4.25	9½	8½	7½	8	9	9	7½	8	8½	10½
Week ending October 24	55,668	39,350	5.15	4.10	3.35	9½	8½	7½	8½	9	8½	7½	8	8½	9½
Week ending October 31	42,714	23,848	5.15	3.50	3.30	10½	9½	8½	9½	10	10	8½	9½	9½	10½
Week ending November 7	36,857	27,440	5.25	3.95	3.85	10½	8½	8	8½	9½	9½	8	8½	9½	11
Week ending November 14	53,576	49,576	5.35	4.50	3.85	10½	9	8	7	9½	9½	8	9	9½	10½
Week ending November 21	62,061	43,850	5.10	4.25	3.85	10½	8½	8	8½	9½	9½	8	9	9½	11½
Week ending November 28	42,390	28,930	5.35	4.25	3.90	9½	8½	7½	9	8½	8½	7½	8½	8½	11
Week ending December 5	54,950	38,637	5.60	4.40	3.75	9½	8½	7½	8½	8½	8½	7½	8	8½	10½
Week ending December 12	55,950	40,187	5.90	4.25	3.70	9	8	7	8	8½	8½	7½	7½	8	10½
Week ending December 19	42,156	26,774	5.85	4.95	4.15	9	8	7	7½	8½	8½	7½	7½	8½	10½
Week ending December 26	35,432	23,311	5.50	4.25	4.00	9½	8½	7½	8½	9	9	8	8	8½	10½
December 26 to December 31, 1896	41,254	27,622	5.35	4.15	3.80	9½	8½	7½	8½	9	9½	8	8½	8½	10½

Total 1896, receipts of cattle at the stock yards, 2,600,746; slaughter, 1,782,420. Total 1895, receipts of cattle at the stock yards, 2,558,558; slaughter, 1,803,466.

Farm animals and their products.

[Figures furnished by the Bureau of Statistics, Department of Agriculture, except where otherwise credited. All prices on gold basis.]

LIVE STOCK OF COUNTRIES NAMED.

[Africa incompletely represented, through lack of statistics for large areas. Number of animals in China, Persia, Afghanistan, Korea, Bolivia, Ecuador, Salvador, and several less important countries unknown. For Brazil, number of cattle alone estimated, but roughly. In general, statistics of cattle, horses, sheep, and swine much more complete than those of other animals, as statements for the world.]

Country.	Year.	Cattle.		Horses.	Mules.	Sheep.	Swine.
		Total.	Dairy cows.				
NORTH AMERICA.							
United States:							
Contiguous—							
On farms	1908	71,267,000	21,194,000	19,992,000	3,869,000	54,631,000	56,084,000
Not on farms	1900	1,616,422	973,033	2,936,881	173,908	231,301	1,818,114
Noncontiguous—							
Alaska [a]	1900	15	13	5			10
Hawaii [a]	1900	102,908	4,028	12,982	6,506	102,068	8,057
Porto Rico	1899	260,225	73,372	58,664	6,983	6,363	66,180
Total United States (except Philippine Islands)		73,246,573	22,244,446	23,000,532	4,056,399	54,970,762	57,976,361
Bermuda	1905			[b] 1,246			
New Brunswick	1906	229,000	[c] 111,084	63,000		188,000	52,000
Ontario	1907	2,889,503	1,106,984	672,781		1,324,153	1,903,460
Manitoba	1906	521,112	170,143	215,819		28,975	200,509
Saskatchewan	1906	472,854	112,618	240,566		121,200	123,919
Alberta	1906	950,632	101,245	226,534		154,266	114,623
Other	1901	2,123,932	1,033,135	531,240		1,178,872	561,866
Total Canada		7,187,033	2,635,369	1,949,940		2,995,556	2,959,374

[a] On farms. [b] Including mules and asses. [c] Data for 1905.

Farm animals and their products—Continued.

LIVE STOCK OF COUNTRIES NAMED—continued.

Country.	Year.	Cattle.		Horses.	Mules.	Sheep.	Swine.
		Total.	Dairy cows.				
NORTH AMERICA—continued.							
Central America:							
Guatemala	1898	196,768		[c] 50,343		77,593	29,784
Honduras	1907	600,000		45,000	15,000	15,000	120,000
Nicaragua		1,200,000					
Panama	1906	156,569		30,863	1,500		28,000
Costa Rica	1905	308,160	[a] 93,155	54,974	2,987	250	79,730
Mexico	1902	5,142,437		899,217	334,435	3,424,430	616,139
Newfoundland	1901	32,707		8,851		78,032	34,679
West Indies:							
British—							
Barbados	1906			2,441			
Dominica	1906	[b] 1,437		568		[b] 1,088	
Grenada	1901	1,908		1,074		1,975	
Jamaica	1906	110,258		68,656		16,029	29,000
Montserrat	1906			286			
Turks and Caicos Islands	1906	800		105		125	
Virgin Islands	1906	2,000		255		300	
Cuba	[c] 1906	2,176,178	[d] 1,053,847	342,568	45,559	[e] 9,982	[e] 358,868
Dutch	1905	3,567		741	164	21,720	3,990
Guadeloupe	(f)	30,590		8,819	6,311	11,731	32,656
Total North America		99,397,035		26,425,888	4,462,355	61,624,593	62,268,581
SOUTH AMERICA.							
Argentina	1907	25,844,800		5,374,170	544,870	77,582,100	2,844,000
Brazil		30,000,000					
British Guiana	1906	85,000		2,420		24,500	15,650
Chile	1906	[a] 2,477,004	124,657	698,880	[h] 27,936	2,405,584	287,612
Colombia		2,800,000		341,000	257,000	746,000	2,300,000
Dutch Guiana	1905	8,535		230	81	138	2,662
Falkland Islands	1906	4,500		3,000		702,696	100
Paraguay	1900	2,283,039		182,789	3,400	214,058	23,887
Uruguay	1900	6,827,428		561,408	22,992	18,608,717	93,923
Venezuela	1899	2,094,257		191,079	89,186	175,068	1,618,214
Total South America		72,334,623		7,354,976	945,555	100,460,461	7,186,048
EUROPE.							
Austria-Hungary:							
Austria	1900	9,511,170	[d] 4,749,152	1,716,488	20,323	2,621,026	4,682,654
Hungary	1895	6,605,365	[d] 3,499,724	2,308,457	1,911	8,122,682	7,330,343
Bosnia-Herzegovina	1895	[f] 1,417,341		[k] 239,626		3,230,720	662,242
Total Austria-Hungary		17,533,876		4,264,571	22,234	13,974,428	12,675,239
Belgium	[c] 1906	1,788,328	889,125	245,212	[l] 6,915	[m] 235,722	1,046,519
Bulgaria	1905	[n] 1,366,267	[o] 442,860	536,616	11,828	8,081,816	463,241
Denmark	1903	1,840,266	[d] 1,089,073	486,935		876,830	1,456,699
Faroe Islands	1903	3,930		632		91,034	15
Finland	1905	1,480,692	[d] 1,097,198	323,514		937,565	220,357
France	1906	14,315,552	[d] 7,515,564	3,169,224	198,865	17,783,209	7,558,779
Germany	1904	19,331,568	[d] 10,456,137	4,267,503		7,907,173	18,920,666
Gibraltar	1905			400			
Greece	1902	466,744		159,068	88,860	4,568,158	79,716
Iceland	1904	30,398		47,545		[p] 495,170	
Italy	1905	8,672,030		894,913	341,910	[q] 10,877,000	2,224,000
Luxemburg	1901	92,381		19,777	[r] 10	16,011	91,799
Malta	1907	6,022		3,669	3,302	19,901	5,132
Montenegro		60,000	[d] 20,000	3,000		400,000	8,000
Netherlands	1904	1,690,463	[s] 973,098	296,277		606,785	861,840
Norway	1900	950,201	[d] 689,563	172,999		998,819	165,348
Portugal		817,000		90,000	59,100	3,064,100	1,200,000
Roumania	1906	2,545,051	380,720	864,324	515	5,655,444	1,709,205
Russia:							
Russia proper	1906	31,994,849		21,260,061		[t] 49,114,500	10,372,036
Poland	1906	2,464,618		1,309,640		[t] 2,817,000	800,470
Northern Caucasia	1906	3,157,358		1,265,100		[q] 6,957,954	698,335
Total Russia, European		37,596,825		23,834,801		58,889,454	11,870,841
Servia	[c] 1906	943,967	[u] 153,339	172,278	130	3,066,444	875,537
Spain	1905	2,075,142		498,157	767,570	13,025,512	1,743,863
Sweden	1905	2,549,928	[d] 1,763,857	554,966		1,074,386	829,888
Switzerland	1906	1,467,984	[d] 785,577	135,091	3,136	399,243	548,355
Turkey		1,000,000	[d] 300,000	600,000		10,000,000	
United Kingdom:							
Great Britain	1907	6,912,067	[u] 2,759,246	[v] 1,556,369		26,115,455	2,036,766
Ireland	1907	4,674,834	[u] 1,560,801	[v] 323,007		3,815,995	1,316,729
Isle of Man and Channel Islands	1907	41,582	[u] 18,039	[v] 9,556		79,769	13,329
Total United Kingdom		11,628,483	4,338,086	2,088,932		30,011,219	3,366,824
Total Europe		127,423,308		43,639,337	1,504,384	192,866,023	68,521,843
ASIA.							
British India [w]	1906	[x] 89,033,810	[d] 26,223,537	1,445,069	55,684	[y] 21,354,456	
Ceylon	1906	1,542,900		3,743		95,389	99,495
Cochin China	1903	109,000		11,243			709,400

[a] Cows in 1904.
[b] Data for 1903.
[c] On December 31 of preceding year.
[d] Cows.
[e] Census for 1899.
[f] Official estimate furnished by the French embassy to the United States, under date of May 4, 1906.
[g] Data for 1904.
[h] Data for 1902.
[i] Cows over 1 year old, including buffalo cows.
[j] Including buffaloes.
[k] Including mules and asses.
[l] Including asses; data for 1895.
[m] Data for 1894.
[n] Census, December 31, 1900.
[o] Cows, census, December 31, 1900.
[p] Excluding lambs.
[q] Including goats.
[r] Including asses.
[s] Including cows kept for breeding purposes.
[t] Data for 1905.
[u] Cows and heifers in milk and with calf.
[v] Used for agriculture and also unbroken.
[w] Including native States, as far as officially shown. Statistics cover only 7 districts of Bengal, collected between 1899 and 1903.
[x] Including buffalo calves.
[y] Of which 373,003 in Alwar include goats.

Farm animals and their products—Continued.

LIVE STOCK OF COUNTRIES NAMED—continued.

Country.	Year.	Cattle.		Horses.	Mules.	Sheep.	Swine.
		Total.	Dairy cows.				
ASIA—continued.							
Cyprus	1907	55,282		[a] 59,645		[b] 258,959	45,688
Hongkong	1906	1,077		175		3	
Japanese Empire:							
Japan	[c] 1906	1,171,074	33,154	1,372,422		3,590	228,204
Formosa	[c] 1905	98,528	[d] 39,295	68			976,327
Total Japanese Empire		1,269,602	72,449	1,372,490		3,590	1,204,531
Java	1900	2,654,809		418,400			
Labuan	1906	2,000					
Philippine Islands	1903	127,559		144,171	290	30,428	1,179,371
Russia:							
Central Asia (4 provinces)	1906	1,813,653		1,909,391		[e] 9,113,000	87,842
Siberia (4 provinces)	1906	3,798,010		3,032,803		[e] 3,773,000	767,079
Transcaucasia	1902	2,304,977		388,936		6,302,258	399,479
Other	1903	2,343,000		1,624,000		5,443,000	186,400
Total Russia, Asiatic		10,259,640		6,955,190		24,631,258	1,350,800
Siam		1,104,751		35,812			
Straits Settlements	1906	29,331		3,513		[f] 1,707	[f] 102,000
Turkey, Asiatic		3,000,000		800,000		45,000,000	
Total Asia		109,189,770		11,249,451	55,974	91,575,790	4,091,285
AFRICA.							
Algeria	1906	1,064,685		226,152	171,608	8,801,117	96,012
Basutoland	1904	213,361		64,621	[g] 26	[e] 2,794	[g] 476
British Central Africa	1907	48,877		19	22	14,697	2,177
British East Africa	1905	297,000		[h] 186		2,100,000	
Cape of Good Hope	1904	1,954,390	540,310	255,060	64,433	[e] 14,848,795	385,945
Egypt	1900	350,000		80,000	10,000		
German East Africa	1905	523,052		73	79	1,560,000	1,447
German Southwest Africa	1907	52,189	[d] 18,471	2,141	1,234	111,595	1,202
Madagascar [j]	1905	2,867,612	[d] 1,118,162	1,074	464	333,454	522,021
Mauritius [k]	1906	10,177		636	[l] 264	1,110	4,565
Mayotte	(m)	47,894		21	15	124	
Natal	1906	634,547	[d] 252,496	50,240	2,206	800,060	71,764
Orange River Colony	1905	525,372		93,981		4,194,247	134,782
Reunion	(m)	4,720		1,780	4,534	4,583	
St. Helena	1901	1,014		120		2,094	280
Seychelles	1906	1,000		130		200	6,000
Sierra Leone	1906	1,655		39		463	183
Southern Nigeria Colony (Lagos)	1902	1,522		108		1,610	2,426
Sudan (Anglo-Egyptian) [n]	1905	314,996		9,314		1,421,721	
Transvaal	1905	800,000	350,000	52,159	[f] 44,153	1,200,000	409,000
Tunis	[c] 1905	183,748		35,596	15,995	1,094,761	15,357
Total Africa		9,897,211		873,473	315,033	36,493,455	1,644,637
OCEANIA.							
Australia:							
Queensland	[c] 1907	3,413,919		452,916		14,886,438	138,282
New South Wales	[c] 1907	2,549,944	[g] 644,164	537,444		44,132,421	243,370
Victoria	1907	1,894,323	701,309	406,840		12,937,440	220,452
South Australia	1907	680,095	[o] 93,069	224,447		6,661,217	112,277
Western Australia	[c] 1907	690,011	[p] 27,724	104,922	[l] 840	3,340,745	58,203
Tasmania	1907	211,117		38,299		1,729,394	42,985
Total Australia		9,349,409		1,764,868	840	83,687,655	813,569
British New Guinea	1906	450		100			
Fiji	1906	34,793		[a] 5,031		1,595	4,260
New Caledonia	(m)	73,802		2,938	12	9,442	2,438
New Zealand [q]	1906	1,851,750	543,927	342,608	[r] 451	20,108,471	242,273
Total Oceania		11,310,264	1,366,029	2,115,545	1,303	103,807,163	1,062,540
Grand total		420,552,211		91,658,670	7,284,604	586,827,485	145,374,934

Country.	Year.	Asses.	Buffaloes.	Camels.	Goats.	Reindeer.
NORTH AMERICA.						
United States:						
Contiguous—						
On farms	1900	94,165			1,870,599	
Not on farms	1900	15,847			78,353	
Noncontiguous—						
Hawaii [s]	1900	1,438			653	
Porto Rico	1899	1,085			15,991	
Total United States (except Philippine Islands)		112,535			1,965,596	

[a] Including mules and asses.
[b] Not less than 1 year old. 30 per cent may be added for those less than 1 year old.
[c] On December 31 of preceding year.
[d] Cows.
[e] Data for 1903.
[f] Data for 1904.
[g] Excluding animals owned by natives.
[h] Excluding the province of Jubaland.
[i] Data for 1906.
[j] Not including animals in the public service.
[k] On sugar estates only.
[l] Including asses; data for 1905.
[m] Official estimate furnished by the French embassy to the United States, under date of May 4, 1906.
[n] Animals assessed for tribute and tax.
[o] Not including northern territory; data for 1906.
[p] Data for 1905.
[q] Including animals owned by Maoris.
[r] Including asses.
[s] On farms.

Farm animals and their products—Continued.

LIVE STOCK OF COUNTRIES NAMED—continued.

Country.	Year	Asses.	Buffaloes.	Camels.	Goats.	Reindeer.
NORTH AMERICA—continued.						
Central America:						
Costa Rica	1905	100			906	
Panama	1906	47			1,989	
Mexico	1902	287,991			4,206,011	
Newfoundland	1901				17,355	
West Indies:						
British—Jamaica	1904				14,000	
Cuba	[a] 1906	2,530			[b] 18,564	
Dutch	1903	4,861			54,655	
Guadeloupe	(c)	4,394			13,992	
Total North America		412,458			6,232,978	
SOUTH AMERICA.						
Argentina	1907				1,566,300	
British Guiana	1906				15,500	
Chile	1906	[d] 17,574			461,968	
Colombia					361,000	
Dutch Guiana	1905	568			1,807	
Paraguay	1900	4,067			32,334	
Uruguay	1900				29,428	
Venezuela	1899	312,810			1,667,372	
Total South America		335,019			4,135,549	
EUROPE.						
Austria-Hungary:						
Austria	1900	46,324			1,010,664	
Hungary	1895	23,855	133,000		308,810	
Bosnia-Herzegovina	1895				1,447,049	
Total Austria-Hungary		70,179	133,000		2,775,523	
Belgium	[a] 1905				257,669	
Bulgaria	1905	124,216	[e] 431,487		1,370,201	
Denmark	1903				38,984	
Faroe Islands	1903				10	
Finland	1905				6,276	141,811
France	[a] 1906	365,181			1,476,957	
Germany	1904				3,329,881	
Greece	1902	141,179			3,339,069	
Iceland	1904				401	
Italy	1890	1,000,000			1,860,000	
Luxemburg	1903				14,203	
Malta	1907	3,965			19,231	
Montenegro					100,000	
Netherlands	1904				165,497	
Norway	1899				214,594	108,784
Portugal		146,560			998,680	
Roumania	1900	7,186	43,475		232,515	
Russia:						
Russia proper	1905			224,500	1,100,500	347,000
Poland				1,000	13,500	
Total Russia, European				225,500	1,114,000	347,000
Servia	[a] 1906	1,271	7,710		495,955	
Spain	1905	663,004		1,800	2,385,664	
Sweden	1905				66,560	
Switzerland	1906	1,632			339,913	
Total Europe		2,524,273	615,672	227,300	20,562,123	597,595
ASIA.						
British India [f]	1906	[g] 1,336,868	14,014,354	435,930	28,555,809	—
Ceylon	1905				148,288	
Cochin China	1903		241,750			
Cyprus	1906			1,160	[h] 250,546	
Hongkong	1905				160	
Japanese Empire:						
Japan	[a] 1906				72,121	
Formosa	[a] 1905		226,620		117,214	
Total Japanese Empire			226,620		189,335	
Java	1900		2,436,031			
Philippine Islands	1903		[i] 640,871		124,334	
Russia:						
Central Asia (4 provinces)	1903			365,000	775,000	
Siberia (4 provinces)	1903			500	230,000	58,700
Transcaucasia	1902	122,312	338,042	17,122	745,086	
Other	1903	58,500		296,000	802,000	20,000
Total Russia, Asiatic		180,812	338,042	678,622	2,552,086	58,700
Siam [f]			1,144,478			
Turkey, Asiatic		2,500,000			9,000,000	
Total Asia		4,017,680	19,942,346	1,113,721	40,820,538	58,700
AFRICA.						
Algeria	1906	287,950		201,752	3,999,854	
Basutoland	1904	[k] 10			[k] 1,625	
British Central Africa	1907	190	8		78,511	

[a] On December 31 of preceding year.
[b] Census for 1899.
[c] Official estimate furnished by the French embassy to the United States under date of May 4, 1906.
[d] Data for 1902.
[e] Census data December 31, 1900.
[f] Including Native States, as far as officially shown. Statistics cover only 7 districts of Bengal, collected between 1890 and 1900.
[g] Of which 58,663 in Bengal, Alwar, Gwalior, and Marwar includes mules.
[h] Not less than 1 year old; 30 per cent may be added for those less than 1 year old.
[i] Carabaos.
[j] Number of domesticated elephants returned as 2,036.
[k] Excluding animals owned by natives.

Farm animals and their products—Continued.

LIVE STOCK OF COUNTRIES NAMED—continued.

Country.	Year.	Asses.	Buffaloes.	Camels.	Goats.	Reindeer.
AFRICA—continued.						
British East Africa	1906				1,150,000	
Cape of Good Hope	1904	100,470			[a] 7,826,965	
Egypt	1900	120,000	300,000	40,000		
German East Africa	1905	8,777		24	1,820,000	
German Southwest Africa	1907	1,030		28	103,259	
Madagascar [b]	1905	411			66,747	
Mauritius [c]	1905				6,348	
Mayotte	(d)	58			1,508	
Natal	1906	1,759			724,428	
Orange River Colony	1903	3,096			308,920	
Reunion	(d)	1,916			4,156	
St. Helena	1901	774			1,001	
Southern Nigeria Colony (Lagos)	1902				2,600	
Sudan (Anglo-Egyptian) [e]	1905	[f] 92,272		132,116	1,329,711	
Transvaal	1904	33,013			949,876	
Tunis	[g] 1905	97,990		147,229	574,281	
Total Africa		750,316	300,008	521,149	18,909,790	
OCEANIA.						
Australia:						
New South Wales	[g] 1905			853	37,716	
South Australia	1905				26,948	
Western Australia	[g] 1905			1,953	17,980	
Tasmania	1905				1,694	
Total Australia				2,806	84,338	
Fiji	1905				16,782	
New Caledonia	(d)				6,111	
New Zealand [h]	1891				9,055	
Total Oceania				2,806	116,286	
Grand total		8,039,746	20,858,026	1,866,976	90,828,284	656,295

[a] Data for 1906.
[b] Not including animals in the public service.
[c] On sugar estates only.
[d] Official estimate furnished by the French embassy to the United States under date of May 4, 1906.
[e] Animals assessed for tribute and tax.
[f] Including mules.
[g] On December 31 of preceding year.
[h] Including animals owned by Maoris.

FAILURES AND THEIR CAUSES.

[From Bradstreet's Journal, January 23, 1909.]

For many years past Bradstreet's has published weekly, monthly, and yearly the results derived from and the lessons taught by its statistics of commercial failures, the aim being to supply the business community with necessary, if not exactly palatable, information regarding what have been termed the "decrees of the courts of last resort in the business world." In bringing together this vast mass of information many valuable data regarding the impelling causes of these trade disasters have been compiled and published for the benefit of those who are willing to learn from the experience of others and profit by the lessons taught therein.

Investigations by Bradstreet's over a period of years have demonstrated that tendencies present within the individual himself are largely responsible for four-fifths of all business failures, the remaining one-fifth being due to extraneous conditions over which he has little if any control. It has also been brought out that the amount of capital employed bears a direct relation to the success or failure of the individual traders, those with limited resources having the smallest chance of survival, as attested by the preponderance in the number having very low, if any, ratings at the time of failure. By bringing down these compilations of the causes of failure, the capital employed, the ratings assigned, and the liabilities of those failing to include the records of 1908, the value of this investigation has naturally been enhanced. Believing that last year's happenings along these lines have special interest for the business community, attention is directed to a few leading facts, some of them already published, regarding the failure records of the year following the panic of 1907.

Nineteen hundred and eight, like its immediate predecessor, was a year of extremes, but differed therefrom in that, after a very poor beginning, recuperation and repair asserted themselves, with a natural effect upon failures and failure damage. The number of casualties and the liabilities were alike the third largest on record, the number exceeding all years but 1893 and 1896, while the liabilities were smaller only than in 1907 and 1893. The opening month of the year witnessed the largest number of failures, while September saw the smallest number of suspensions and November the smallest liabilities. Every section of the country reported an increase in the casualties as compared with 1907, but the West and the Northwest only reported larger liabilities. The percentages of assets to liabilities indicated a partial return to normal, and while the commercial death rate advanced and was the highest in ten years, it was considerably below the records of years preceding 1898. One conclusion is that compromise and enlightened consideration, alike for debtors' and creditors interests, mitigated the worst after-effects of the panic of 1907.

There were 14,044 failures of individuals, firms, and corporations reported to Bradstreet's in 1908, with liabilities of $295,901,940 and assets of $168,438,030. This marked an increase of 36.8 per cent in the number over 1907 and of 49.6 per cent over 1906, but was a decrease of 7 per cent from 1896, and of 9.4 per cent from 1893. The liabilities were 22 per cent smaller than in 1907 and 1893, but 133 per cent larger than in 1906 and 20 per cent larger than in 1896. The proportion of assets to liabilities in 1908 was only 56.9 per cent, as against 75 per cent in the preceding year, 55.9 per cent in 1896 and 60.6 per cent in 1893. As there were 1,487,813 individuals, firms, or corporations in business during the year, while 14,044 failures occurred, the commercial death rate was ninety-four hundredths of 1 per cent, an increase over 1907, when the percentage was seventy hundredths, and over 1906, when the percentage was sixty-six hundredths. The increase in the number in business over 1896, however, was 37 per cent, while the death rate was forty-six hundredths of 1 per cent lower, and the increase in number in business as compared with 1893 was 40 per cent, while the death rate was over half of 1 per cent lower. Certainly there is lack of evidence here that the yearly increase in the number in business is bringing a proportionate gain in friction resulting in failure.

Several suggestions as to the causes for this shrinkage in the death rate from other years of stress may be advanced. One is, that with the greater relative enlargement of the number in business a permanent lowering of the business death rate is taking place. Working toward this end, of course, was the unquestioned fact that extensions of time and compromises were influential in averting failure in 1907 and 1908 to an extent unknown in earlier years of stress. Of course, improved agency reporting, resulting in conservative credit granting, must be given due weight, because publicity will have failed of its purpose if the improvements along this line are not to be credited with making commercial life safer and longer. In this connection, the suggestion made in these columns in previous years may again be advanced, viz, that these and other improved conditions in the business world make for a permanently lower commercial death rate, just as discoveries in science, in medicine, and in surgery make for a smaller human mortality. Whatever the cause, however, the fact that the annual commercial death rate in years like 1908 and 1907 was less than 1 per cent and has never been above 1½ per cent in any year completely discredits the tradition that the larger number of persons entering business ultimately fail.

A FAILURE DEFINED.

Here it should be said that Bradstreet's definition of a commercial failure is that there must be some loss to creditors of individuals, firms, or corporations engaged in legitimate mercantile occupations. Under this classification failures of professional men—such as physicians, lawyers, and actors—as well as farmers, stockbrokers, real-estate dealers, and old bankruptcies passing through the United States courts, have no place. Any or all of the foregoing may be, in fact are, dissociated from the recognized commercial life of the country, and are not included in Bradstreet's failure data. On the other hand, it should be clearly borne in mind that these statistics do cover and include all suspensions of banks and other strictly financial institutions, even if these suspensions prove only temporary. For these and other reasons comparisons of the commercial-failure reports made up by Bradstreet's with those issued by other concerns can not be properly made. Failures merely to succeed, without loss to creditors, are not embraced in our data, because these are devoted to cases of insolvency alone.

WHY MEN FAILED IN 1908.

Many years of experience have shown that eight leading causes are subjective and attributable to those who fail, while three others exert their influence from circumstances superior to the individuals themselves. These causes are grouped as follows:

A.—DUE TO FAULTS OF THOSE FAILING.

Incompetence (irrespective of other causes).
Inexperience (without other incompetence).
Lack of capital.
Unwise granting of credits.
Speculation (outside regular business).
Neglect of business (due to doubtful habits).
Personal extravagance.
Fraudulent disposition of property.

B.—NOT DUE TO FAULTS OF THOSE FAILING.

Specific conditions (disaster, etc.).
Failure of others (of apparently solvent debtors).
Competition.

In 1908 the eight factors first mentioned caused 77.5 per cent of all the failures, as against 81.1 per cent in 1907 and 79.7 per cent in 1906. The three influences beyond individual control accounted for 22.5 per cent of all the failures, as against 18.9 per cent in 1907 and 20.3 per cent in 1906. These percentages on their face indicate that the causes outside of the individuals themselves were more fatal last year than in the panic year; but in this connection it needs to be borne in mind that the panic did not become acute until the last quarter of 1907, leaving the fullest effects of the disturbance, as regards the number of casualties, to be exerted in the year just closed. As regards the liabilities, it is found that 62 per cent were due to the individual, as against 44.6 per cent in 1907 and 72.9 per cent in 1906, while 38 per cent were from causes beyond control, as against 55.4 per cent in 1907 and 27.1 per cent in 1906. It will be recalled that very large suspensions in the last quarter of 1907 swelled the aggregate of failure damage very largely. In 1906 73.6 per cent of the failures and 43.7 per cent of the liabilities were due to the faults of those failing, while 26.4 per cent of the number and 56.3 per cent of the liabilities were attributed to outside influences.

Failures, assets, liabilities, and number in business yearly since 1881.

Year.	Number failures.	Per cent increase or decrease.	Actual assets, millions.	Total liabilities, millions.	Per cent assets to liabilities.	Number in business.	Per cent failing.
1908	14,044	+36.8	$198.4	$295.9	66.9	1,487,813	.94
1907	10,255	+ 9.3	207.9	363.7	75	1,447,680	.70
1906	9,385	− 5.9	93.1	127.2	50	1,401,085	.66
1905	9,967	− 4.3	65.0	121.8	53.3	1,352,947	.73
1904	10,417	+ 6.5	75.7	143.6	52.7	1,307,746	.79
1903	9,775	− 1.9	84.1	154.3	54.5	1,275,909	.76
1902	9,964	− 6.3	50.4	105.5	47.7	1,238,073	.80
1901	10,648	+ 7.4	61.1	139.1	46.9	1,201,862	.88
1900	9,912	+ 2.8	60.1	127.2	47.2	1,161,639	.85
1899	9,642	−16.9	60.1	119.8	50.1	1,125,873	.86
1898	11,615	−11.2	72.1	141.6	51.0	1,093,373	1.06
1897	13,063	−13.3	86.5	158.7	54.5	1,086,056	1.20
1896	15,094	+16.4	147.8	246.9	59.9	1,079,070	1.40
1895	12,968	+ 1.8	87.6	158.7	55.2	1,063,633	1.23
1894	12,724	−17.9	93.2	191.5	54.9	1,047,074	1.21
1893	15,506	+51	223.5	382.1	60.0	1,059,014	1.46
1892	10,270	−17.1	54.7	108.6	50.3	1,035,564	.99
1891	12,394	+16.1	122.9	193.1	53.3	1,018,021	1.21
1890	10,673	− 9	92.7	175.0	52.9	989,420	1.07
1889	11,719	+10.7	75.5	149.7	50	975,000	1.20
1888	10,587	+ 9.7	61.9	120.2	52	955,000	1.10
1887	9,740	− 7.8	64.6	130.6	50	963,000	1.04
1886	10,568	− 4.9	65.8	113.6	49	929,000	1.15
1885	11,110	− 4[illegible]	65.2	119.1	46	890,000	1.25
1884	11,020	+33	104.0	248.7	54	875,000	1.32
1883	10,530	+34	90.8	175.9	52	855,000	1.20
1882	7,925	+28	67.4	98.2	51	820,000	.96
1881	5,929	.....	55.9	76.0	47	780,000	.76

Lack of capital was, as usual, the most notable predisposing cause of failure, 34.2 per cent of the number being attributed to this cause, as against 37.1 per cent in 1907 and 35.9 per cent in 1906. Incompetence, with 21.6 per cent of the number; inexperience, with 4 per cent; neglect, with 2.2 per cent; and unwise credits, with 2 per cent, all claimed relatively fewer victims than in the actual panic year, while specific conditions, which cover extraneous and extraordinary circumstances, produced 18.9 per cent of the failures, as against 16.3 per cent in 1907 and 17.3 per cent in 1906. Failures of others and undue competition also claimed a slightly larger percentage of the suspensions. While lack of capital was the most important cause of suspension, it was not, however, as hurtful as regards liabilities as were specific conditions, which accounted for 31.3 per cent of the aggregate failure damage, as against 27.2 per cent due to lack of capital. This percentage marked a decrease of the liabilities due to specific conditions from 1907, when the proportion was 51.7 per cent, but it was still heavily in excess of the proportion of liabilities in 1906, when the percentage was 17.9. Lack of capital, on the other hand, claimed a larger percentage of liabilities than in 1907, but a slightly smaller proportion than in 1906. The smaller proportion of liabilities than of number, due to incompetence and inexperience, was in itself a test alike of credit reporting and of credit granting. Fraud, the fourth most notable cause of suspension, accounted for 11.5 per cent of all the failures in 1908, as against 10.1 per cent in 1907; but the proportion of liabilities due to this cause was only 6.9 per cent, which may be taken as indicating that knowledge of character may have limited money loss to some extent. In 1906, 10 per cent of the failures, but 16 per cent of the liabilities, were due to this reason, and in this connection it may be recalled that dishonesty caused a number of suspensions of large financial institutions in the latter year.

Of the 15,759 failures in the United States and Canada in 1908, 91.3 per cent had only very moderate or no credit ratings at all. Those failing rated in good credit made up 8 per cent of all the failures, and those in very good credit or higher made up only seven-tenths of 1 per cent of all the failures. Compared with 1907, a slightly larger proportion of the lower-rated concerns failed, these figures pointing to the wider distribution of the strain in 1908 affecting the smaller traders. It is found, also, that 90.2 per cent of all those who failed had $5,000 capital or less, the remaining 9.8 per cent being distributed throughout the higher-capital grades, these percentages also pointing to slightly larger proportion of the smaller traders suspending than in 1907. The latter year, it will be recalled, saw some very large institutions hurt by the acute stringency and complications of the latter part of that year. Of those failing in the United States and Canada, 57.3 per cent had less than $5,000 liabilities, the smallest percentage there is record of. The figures indicate that the chief strain came upon the traders who had over $5,000 but less than $20,000 liabilities, and also to the fact that events of the two years made for a closer drawing of the lines of credit among the smaller traders.

IN CANADA.

Three-fourths of the 1,715 failures reported in Canada and Newfoundland in 1908 were from causes inherent in or proceeding from the individual, while one-fourth were due to causes beyond the subject's control. Of the liabilities, totaling $17,582,804 in 1908, 86.8 per cent proceeded from the failing trader himself, while 13.2 per cent were beyond his control. In 1907 the proportion of failures due to faults of those failing was 86 per cent, and the share of liabilities so caused was 92.4. In other words, after-panic stress was felt more strongly in Canada than in the United States in 1908, and outside conditions beyond the failing trader's control seems to have had freer sway. Among the causes of failure lack of capital was preeminent, with 43.2 per cent of the failures and 59 per cent of the liabilities proceeding therefrom, as against 52.5 per cent of the failures and 60.6 per cent of the liabilities in 1907. Specific conditions, the next most destructive cause, was responsible for 22.9 per cent of the casualties and 11.2 per cent of the liabilities, as against 12.7 and 7 per cent, respectively, in 1907. Incompetence, the third most important cause, accounted for 18.2 per cent of the failures and 15.6 per cent of the liabilities, a larger proportion in each case than was recorded in 1907.

The information upon which the foregoing data are based was procured and distributed by the Bradstreet Company while acting in its capacity as an authority through whose instrumentality credit is not only determined but fostered and its extension promoted wherever commerce engages the activities of men. It should not be forgotten, however, that the source of that information is the business community itself, without whose cooperation the results attained could not have been achieved; and the nature and extent of that cooperation reflect in a striking way the confidence of the commercial community in the integrity of purpose of the institution, in the character of its administration, and in the discharge of the functions which have been assumed by it in relation to the business world. That confidence and that cooperation have grown with the growth of this organization itself in the more than half century of its existence, until the offices of the Bradstreet Company, once confined to a few large eastern cities of the United States, now extend not only throughout the territory of the great Republic, not omitting its latest acquisitions, in so far as they are commercially cognizable, but into the Dominion of Canada, Mexico, Cuba and other islands, the United Kingdom, Australasia, and, through its association with the Institute W. Schimmelpfeng, throughout the entire continent of Europe. In a word, this institution exercises its functions as a guardian of solvency and disseminator of commercial information wherever a condition of settled order marks the secure extension of the sphere of civilization, of law, and of commercial credit.

Proportion of failures to those in business for the past four years.

	1908.		1907.		1906.		1905.	
	Number in business.	Number failing.	Number in business.	Number failing.	Number in business.	Number failing.	Number in business.	Number failing.
Middle	323,114	4,801	381,139	3,383	372,517	2,920	360,387	2,878
Eastern	120,223	1,332	118,291	1,314	115,485	1,261	112,919	1,491
Southern	293,684	3,462	263,948	2,213	250,207	1,967	238,618	2,123
Western	409,318	2,462	401,435	1,874	390,818	1,837	380,214	1,810
Northwestern	170,083	763	166,624	697	163,201	658	158,529	747
Far western	95,117	1,195	88,835	653	87,028	653	80,870	780
Territories	6,276	39	24,408	131	22,729	129	21,410	129
Total United States	1,457,813	14,044	1,447,680	10,265	1,401,985	9,385	1,352,947	9,967
Canada	118,875	1,715	116,202	1,365	112,362	1,239	114,335	1,430
Total United States and Canada	1,606,688	15,759	1,563,882	11,630	1,514,347	10,624	1,467,282	11,397

Failures in the United States and Canada, classified according to credit ratings, to liabilities, and to capital employed.

	1908.		1907.		1906.		1905.		1904.		1903.		1902.		1901.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
CREDIT RATINGS OF THOSE WHO FAILED.																
Total number failures United States and Canada	15,759	100	11,630	100	10,624	100	11,397	100	11,592	100	10,733	100	11,068	100	12,027	100
Number failing which had very moderate or no credit rating	14,388	91.3	10,573	90.9	9,615	90.5	10,447	91.7	10,598	91.4	9,290	86.6	9,935	89.5	10,705	89
Number failing rated in good credit	1,253	8	914	7.9	933	8.8	863	7.6	888	7.7	1,269	11.8	1,064	9.6	1,214	10.1
Number failing rated in very good credit or higher	118	.7	143	1.2	76	.7	87	.7	100	.9	174	1.6	99	.9	108	.9
LIABILITIES OF THOSE WHO FAILED.																
Total number failures United States and Canada	15,759	100	11,630	100	10,624	100	11,397	100	11,592	100	10,733	100	11,068	100	12,027	100
Total with less than $5,000 liabilities	9,028	57.3	6,933	59.6	6,660	62.7	7,426	65.2	7,281	62.8	6,817	63.5	7,480	67.6	8,009	66.6
Total with $5,000 liabilities and over	6,731	42.7	4,697	40.4	3,964	37.3	3,971	34.8	4,311	37.2	3,916	36.5	3,588	32.4	4,018	33.4
Total with $5,000 to $20,000 liabilities	4,929	31.3	3,360	28.9	2,978	28	3,008	26.4	3,143	27.1	2,757	26	2,699	24.4	2,995	24.9
Total with $20,000 to $50,000 liabilities	1,152	7.3	751	6.5	642	6	609	5.4	725	6.3	649	6	586	5.3	668	5.5
Total with $50,000 to $100,000 liabilities	357	2.3	276	2.3	193	1.8	199	1.6	230	2	224	2.1	192	1.7	182	1.5
Total with $100,000 to $500,000 liabilities	238	1.5	257	2.2	131	1.3	128	1.1	182	1.6	225	2.1	101	.9	157	1.3
Total with $500,000 to $1,000,000 liabilities	55	.3	53	.5	20	.2	27	.3	31	.2	31	.3	10	.1	21	.2
Total with $1,000,000 liabilities and over	34	.2	35	.3	6	.06	12	.1	11	.1	12	.1	5	.05	7	.06
CAPITAL EMPLOYED BY THOSE WHO FAILED.																
Total number failures United States and Canada	15,759	100	11,630	100	10,624	100	11,397	100	11,592	100	10,733	100	11,068	100	12,027	100
Total with $5,000 capital or less	14,219	90.2	10,469	90	9,723	91.5	10,449	91.7	10,488	90.5	9,668	90.1	10,289	93	11,022	91.6
Total with over $5,000 and less than $20,000	1,089	7	764	6.6	642	6	678	6	722	6.3	681	6.3	527	4.7	760	6.3
Total with $20,000 and less than $50,000	305	1.9	225	1.9	173	1.7	166	1.4	237	2	200	2	161	1.5	156	1.3
Total with $50,000 and less than $100,000	78	.5	83	.7	50	.5	53	.5	84	.7	89	.8	51	.5	54	.4
Total with $100,000 and less than $500,000	52	.3	75	.7	34	.3	48	.4	59	.5	75	.7	39	.3	34	.3
Total with $500,000 and over	16	.1	14	.1	2	.02	3	.02	2	.02	11	.1	1	.01	1	.01
Total with $1,000,000 and over	6	.03	12	.1	2	.02	.....	.....	2	.02	2	.02	.....	.....	1	.01

Business failures classified as to causes.

EASTERN STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	155	206	218	243	$494,213	$487,913	$545,065	$590,661	$1,259,860	$1,157,374	$1,143,402	$1,411,082
Inexperience	31	116	142	145	42,037	283,150	148,721	217,200	109,096	670,422	481,271	527,890
Lack of capital	892	769	657	686	2,913,199	5,422,074	2,757,947	3,251,057	7,290,522	10,011,460	5,790,471	8,717,768
Unwise credits	33	39	38	83	248,768	450,066	100,194	180,212	774,794	641,493	237,360	475,101
Failures of others	8	13	15	21	74,777	892,012	504,529	182,545	135,374	1,480,875	929,635	416,672
Extravagance	6	9	7	11	12,924	22,100	5,100	36,025	59,228	74,029	53,000	89,662
Neglect	21	20	18	47	54,663	26,602	111,483	74,830	118,212	74,733	292,165	211,248
Competition	8	13	16	44	39,399	57,000	29,647	118,000	68,420	147,900	61,601	219,228
Specific conditions	122	62	63	102	3,560,522	20,522,903	1,270,168	1,562,191	7,088,272	24,002,147	2,913,657	2,302,562
Speculation	6	15	14	13	462,420	1,071,975	145,000	56,603	690,817	2,366,671	560,467	291,778
Fraud	50	62	71	96	130,204	175,188	316,465	188,320	410,491	940,008	783,423	548,257
Total	1,322	1,314	1,261	1,491	8,163,126	29,461,045	5,934,349	6,458,663	17,945,046	41,575,622	12,256,456	15,181,677

MIDDLE STATES.

Incompetence	570	418	351	437	$3,806,854	$9,739,020	$2,004,248	$2,825,065	$14,300,945	$14,105,614	$5,106,214	$6,800,002
Inexperience	126	100	32	40	414,222	400,143	582,550	68,775	1,065,539	1,676,646	833,231	289,057
Lack of capital	1,245	941	896	799	14,891,291	19,345,521	6,152,364	4,325,933	27,850,997	33,741,495	12,917,416	8,936,857
Unwise credits	64	57	21	30	2,586,584	7,187,658	42,640	509,756	2,960,060	8,121,335	140,188	1,129,250
Failures of others	134	59	39	65	1,611,790	1,675,120	4,891,727	513,660	5,614,976	4,609,279	7,317,229	1,239,346
Extravagance	53	20	17	34	94,545	64,895	96,317	183,688	577,461	238,473	346,956	483,099
Neglect	93	69	53	62	304,318	578,609	296,483	98,139	743,006	1,006,255	718,323	276,953
Competition	174	72	14	36	846,245	212,450	23,012	212,860	4,130,328	542,367	79,482	425,018
Specific conditions	1,173	1,006	1,002	937	45,199,805	112,227,798	3,557,257	3,501,432	65,137,062	124,391,099	10,692,263	8,861,755
Speculation	194	26	11	27	4,580,113	441,400	98,638	2,489,057	11,308,077	1,088,628	257,974	5,428,215
Fraud	1,065	615	485	411	3,273,465	3,016,575	5,348,082	1,129,773	14,235,562	14,402,210	11,747,616	4,403,182
Total	4,801	3,383	2,920	2,878	77,609,232	154,889,099	23,083,318	15,939,918	147,904,743	204,533,228	50,266,902	38,274,791

Business failures classified as to causes—Continued.

SOUTHERN STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	828	549	488	547	$8,920,274	$2,601,344	$1,774,406	$5,496,998	$5,999,186	$4,309,482	$3,573,325	$6,634,101
Inexperience	183	138	93	88	592,319	7,328,734	202,858	355,344	992,387	8,637,443	379,634	599,593
Lack of capital	974	692	622	618	9,893,257	7,974,993	3,035,649	3,093,198	14,852,061	11,295,061	5,962,970	5,388,536
Unwise credits	139	68	126	138	1,681,296	2,592,852	784,672	1,220,904	2,301,163	2,694,210	1,399,543	1,556,714
Failures of others	49	30	114	91	1,119,059	822,681	567,756	877,720	2,296,050	1,148,042	955,419	1,342,481
Extravagance	41	34	27	25	405,235	437,992	160,609	82,383	813,615	642,302	381,872	256,362
Neglect	87	61	49	51	945,573	165,884	261,065	122,439	577,498	342,725	375,564	235,405
Competition	31	21	30	29	172,485	178,788	104,762	109,275	259,319	246,895	185,698	181,521
Specific conditions	907	288	184	211	8,677,815	7,472,395	3,776,596	1,942,884	12,721,268	7,958,880	5,188,762	3,188,333
Speculation	18	18	20	15	194,367	2,712,772	352,245	1,166,894	570,439	3,468,928	509,680	2,422,190
Fraud	258	166	174	210	1,272,511	889,429	735,832	945,075	2,648,235	1,747,991	1,521,422	1,747,296
Total	3,402	2,213	1,927	2,123	27,896,169	33,158,894	11,759,520	15,360,044	43,876,094	42,511,929	20,415,801	23,582,503

WESTERN STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	697	678	562	667	$5,827,750	$4,468,296	$3,595,941	$5,464,190	$9,816,044	$7,951,914	$7,024,685	$8,195,042
Inexperience	141	66	61	70	1,879,221	304,332	193,251	343,420	2,354,397	677,398	370,302	446,396
Lack of capital	1,167	767	771	664	12,940,978	5,146,917	5,276,927	6,687,116	21,509,257	8,977,080	9,994,248	11,836,609
Unwise credits	91	49	31	63	2,094,451	956,850	321,777	1,245,519	4,602,803	368,095	989,172	1,731,110
Failures of others	86	37	13	30	5,218,458	1,000,933	964,765	1,695,782	6,694,281	2,974,231	1,668,022	2,382,788
Extravagance	39	12	16	10	283,269	443,810	116,345	83,750	788,192	945,581	216,657	142,255
Neglect	47	28	24	48	178,417	97,316	192,789	151,279	384,924	181,227	351,460	275,326
Competition	35	18	16	7	191,825	56,633	25,382	49,539	445,706	329,194	48,810	101,175
Specific conditions	248	172	226	176	1,022,659	28,412,129	1,164,846	777,238	3,273,146	27,663,488	2,240,358	1,308,456
Speculation	13	6	17	7	347,142	384,000	486,725	651,300	634,230	976,700	3,022,233	975,568
Fraud	122	72	100	97	595,397	587,277	2,713,254	993,220	1,895,582	1,203,654	5,870,783	1,999,121
Total	2,492	1,874	1,857	1,819	31,263,648	42,080,374	15,291,722	18,107,381	52,368,863	51,579,542	31,486,730	28,910,771

NORTHWESTERN STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	290	232	234	296	$8,906,004	$1,091,407	$1,099,304	$878,976	$10,612,492	$1,955,976	$1,714,018	$1,458,008
Inexperience	74	69	65	70	210,823	287,010	280,723	162,695	383,131	523,708	484,111	282,924
Lack of capital	231	210	213	238	1,252,805	1,283,396	1,551,073	2,119,196	2,287,592	2,375,260	2,877,219	3,290,375
Unwise credits	9	12	8	13	45,833	58,592	37,893	70,136	66,911	79,576	82,720	113,408
Failures of others	3	5	5	8	108,049	371,522	113,954	184,249	158,225	737,100	296,576	299,391
Extravagance	6	8	7	9	17,106	16,500	19,441	294,348	29,187	43,368	27,949	480,938
Neglect	43	54	38	27	121,329	178,604	56,828	92,400	259,511	400,392	159,802	179,923
Competition	1	5	4	3	3,000	38,320	30,270	14,866	4,500	100,878	67,861	27,800
Specific conditions	85	51	41	56	802,356	5,151,901	1,239,836	1,928,991	1,494,789	6,296,250	1,733,537	2,999,420
Speculation	6	3	4	2	230,551	510,030	89,500	65,000	423,424	1,110,000	150,000	97,800
Fraud	60	55	39	55	239,777	273,425	84,929	263,591	488,158	572,684	289,551	634,461
Total	763	697	658	747	12,098,834	9,256,370	4,825,651	6,074,358	16,207,851	14,175,152	7,882,364	9,837,458

FAR WESTERN STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	514	185	190	224	$3,288,424	$2,913,037	$415,064	$848,598	$5,410,796	$3,873,940	$663,741	$1,244,785
Inexperience	44	16	50	76	139,319	24,816	93,549	175,306	258,900	65,376	171,683	314,067
Lack of capital	375	317	196	283	2,974,642	2,838,589	773,928	1,116,116	6,527,839	3,890,164	1,779,076	2,230,726
Unwise credits	5	10	15	28	78,300	32,925	69,504	62,676	126,149	52,242	100,997	133,365
Failures of others	5	2	4	3	32,205	26,600	46,485	1,221	76,481	20,766	69,298	8,121
Extravagance	3	3	19	12	66,873	4,500	16,916	15,723	129,239	6,300	56,493	59,007
Neglect	8	13	22	47	14,530	41,468	24,511	56,339	41,216	81,281	36,740	151,759
Competition	4	6	19	28	18,700	16,400	32,250	64,895	61,174	52,333	90,438	126,216
Specific conditions	159	79	92	40	4,153,254	7,398,448	600,241	83,295	3,810,400	8,689,308	998,738	154,186
Speculation	1	1	4	9	19,200	3,769,210	4,525	15,465	34,590	9,395,036	11,380	42,922
Fraud	70	21	39	60	380,647	173,574	30,268	61,443	637,580	330,857	114,895	148,317
Total	1,196	653	633	780	11,199,323	16,977,337	2,095,244	2,502,977	17,116,665	26,666,712	4,063,499	4,885,371

TERRITORIES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	16	50	48	34	$90,020	$273,756	$122,652	$121,478	$144,676	$467,895	$396,523	$229,497
Inexperience	5	5	8	12	32,400	103,000	12,408	20,505	54,700	173,300	20,092	44,172
Lack of capital	10	31	19	41	96,755	110,216	49,925	107,659	168,434	158,614	89,684	237,893
Unwise credits		2	5	1		5,700	25,300	2,200		16,000	32,700	4,400
Failures of others		1				1,275,000				1,250,000		
Extravagance	1	1	2	4	2,000	35	9,800	9,400	6,000	737	12,000	12,381
Neglect		6	2	3		23,993	6,778	4,700		33,697	11,478	7,700
Competition		2	2	5		3,600	2,400	7,919		7,400	6,650	14,097
Specific conditions	5	16	13	7	12,022	106,705	65,900	19,888	17,878	142,940	94,657	31,650
Speculation		2		2	40,000	22,000		26,700	55,000	46,000		21,700
Fraud	1	15	30	20	1,000	218,000	131,362	274,455	6,000	337,890	246,876	489,966
Total	39	131	129	129	274,747	2,144,925	456,525	594,811	482,708	2,609,493	811,830	1,099,368

SUMMARY—UNITED STATES.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	3,030	2,318	2,091	2,428	$26,033,529	$21,574,683	$9,743,080	$16,225,783	$47,546,940	$33,822,201	$19,657,908	$26,273,527
Inexperience	571	403	457	481	3,180,251	8,729,185	1,020,516	1,343,245	5,128,150	12,429,493	2,760,234	2,604,858
Lack of capital	4,834	3,897	3,370	3,829	44,993,318	42,171,576	19,577,813	20,646,249	89,496,462	70,458,104	39,342,381	40,144,797
Unwise credits	232	236	244	346	6,767,761	10,565,433	1,381,600	3,391,433	10,832,350	11,973,021	2,652,560	5,190,998
Failures of others	243	147	190	218	8,161,366	6,973,568	7,068,226	3,449,738	11,876,796	12,629,793	11,196,193	5,555,794
Extravagance	147	87	93	105	997,952	999,732	421,532	797,322	2,390,233	1,970,740	1,091,927	1,325,124
Neglect	209	251	206	285	989,650	1,113,478	955,947	600,164	2,124,457	2,120,320	1,835,484	1,738,815
Competition	256	137	101	132	1,273,633	583,101	233,662	560,254	4,969,452	1,467,877	537,470	1,095,905
Specific conditions	2,649	1,674	1,623	1,629	64,510,714	181,292,344	11,674,844	9,815,797	93,523,076	198,444,039	22,925,602	18,005,322
Speculation	152	69	70	75	5,843,813	8,651,357	3,196,633	4,481,199	13,716,287	18,851,893	4,576,734	9,195,199
Fraud	1,636	1,036	938	919	5,853,701	5,333,468	9,389,192	3,816,897	20,291,588	19,544,204	20,574,566	9,940,619
Total	14,044	10,265	9,385	9,967	168,428,090	287,967,944	63,146,329	65,087,985	295,901,940	383,711,638	127,173,492	121,771,942

Business failures classified as to causes—Continued.

SUMMARY—DOMINION OF CANADA, NEWFOUNDLAND, AND ST. PIERRE AND MIQUELON.

Failures due to—	Number.				Assets.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	312	204	203	257	$1,457,792	$968,655	$878,185	$1,633,436	$2,749,340	$1,790,069	$1,528,086	$3,320,019
Inexperience	48	50	41	50	156,912	223,560	250,238	1,045,935	383,224	420,112	527,620	1,338,226
Lack of capital	740	717	626	799	4,375,096	3,142,275	2,296,775	2,787,080	10,374,146	7,105,795	5,089,314	6,297,446
Unwise credits	18	11	13	6	105,962	91,717	90,100	47,500	176,725	156,749	158,227	105,100
Failures of others	21	12	14	12	106,200	18,300	101,200	76,500	248,254	58,900	246,385	130,700
Extravagance	7	8	9	14	74,425	19,900	52,175	49,692	116,314	62,578	29,285	77,341
Neglect	56	63	41	64	219,565	166,410	52,094	145,676	395,888	433,379	111,991	678,147
Competition	9	5	9	11	57,950	4,500	12,213	11,550	106,100	11,152	27,429	28,172
Specific conditions	294	174	168	104	939,235	374,416	292,766	526,000	1,973,034	825,569	694,261	1,049,700
Speculation	9	16	7	4	114,000	102,200	26,000	19,000	241,750	221,600	77,254	110,543
Fraud	101	105	108	118	163,019	173,765	152,760	241,962	816,590	649,275	620,334	736,216
Total	1,715	1,365	1,239	1,480	7,770,207	5,276,698	4,305,076	6,584,191	17,582,304	11,735,272	9,450,026	13,879,760

Percentages of number of failures and liabilities in the United States and Canada in 1908, 1907, 1906, and 1905, classified as to causes.

Failures due to—	United States, per cent.								Canada, per cent.							
	Number.				Liabilities.				Number.				Liabilities.			
	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.	1908.	1907.	1906.	1905.
Incompetence	21.6	22.6	22.3	24.4	16	8.9	15.5	21.6	18.2	14.9	16.4	18	15.6	15.3	16.2	24.1
Inexperience	4	4.9	4.9	4.8	1.8	3.2	2.2	2.1	2.8	3.7	3.3	3.5	2.2	3.0	5.6	9.6
Lack of capital	34.2	37.1	35.9	33.4	27.2	18.4	30.9	33	43.2	52.5	50.6	55.2	50	60.6	53.9	45.4
Unwise credits	2	2.3	2.6	3.5	3.7	3.1	2.1	4.2	1	.8	1	.4	1	1.3	1.6	.7
Failures of others	1.8	1.4	2	2.2	5	3.3	8.8	4.5	1.5	.9	1.1	.8	1.4	.5	3.7	.9
Extravagance	1	.9	1	1.1	.9	.5	.9	1.2	.4	.6	.7	1	.7	.5	.3	.5
Neglect	2.2	2.5	2.2	2.9	.8	.5	1.5	1.1	3.2	4.6	3.3	4.5	2.3	3.7	1.1	4.9
Competition	1.8	1.2	1	1.5	1.7	.4	.4	.9	.5	.4	.7	.8	.3	.1	.3	.2
Specific conditions	18.9	16.3	17.3	16.3	31.3	51.7	17.9	15.5	22.9	12.7	13.6	7.3	11.2	7	9.9	7.6
Speculation	1	.7	.8	.7	4.7	4.9	3.6	7.7	.5	1.2	.6	.3	1.4	1.9	.8	.8
Fraud	11.5	10.1	10	9.2	6.9	5.1	16.2	8.2	5.8	7.7	8.7	8.2	4.6	5.5	6.6	5.3

CAUSES OF FAILURES.

[From Bradstreet's Journal, January 25, 1908.]

For many years past Bradstreet's has published very fully the results derived from its statistics of commercial failures, the aim being to supply the community which it serves with necessary, if not exactly palatable, information regarding what might be termed the "decrees of the courts of last resort in the business world." In bringing together this vast mass of information much valuable data regarding the impelling causes of business disaster have been compiled, and likewise published, for the benefit of those who are willing to learn from the experience of others and profit by the lessons taught.

Investigations by Bradstreet's over a long period have demonstrated that tendencies present within the individual himself are responsible for four-fifths of all business failures, the remaining one-fifth being due to extraneous conditions over which he has no control. It has also been brought out that the amount of capital employed bears a direct relation to the success or failure of the individual traders, those with limited resources having the smallest chance of survival, as attested by the preponderance in the number having inconsiderable ratings, if any, at the time of failure. By bringing down these compilations of the causes of failure, the ratings assigned, and the liabilities of those failing to include the records of 1907, the value of this investigation has been very greatly enhanced by the special incidents of that year. Believing that last year's happenings have special interest for the business community, attention is directed to a few leading facts regarding 1907.

A GLANCE BACKWARD.

Last year was a period of extremes—of immense activity in trade at the beginning, but with financial stringency, panic, depression, and industrial stagnation marking the last quarter. During the year 10,265 individuals, firms, or corporations demonstrated their inability or their indisposition to pay their creditors in full, this being an increase of 9.5 per cent over 1906 and of 2.9 per cent over 1905, but a decrease of 1.5 per cent from the total of 1904. The number of failures, therefore, did not show any sharp divergences from the number reported in recent previous years. Compared with the preceding panic year 1893, a decrease of 34 per cent was shown; but the liabilities, owing to the occurrence of a number of large suspensions in the closing months of the year, aggregated $383,700,000, a sum three times that reported in 1906, and slightly exceeding the total recorded in 1893, hitherto the record year in this respect. That special strain was exerted upon otherwise apparently solvent concerns by the events of the year, especially as it neared the end, is made plain by the fact that the assets of the involved concerns totaled $287,900,000, or 75 per cent of the liabilities, as against a percentage of 50 in 1906, of 59.9 in 1896, and of 60.6 in 1893.

BRADSTREET'S BUSINESS MORTALITY TABLES.

Despite the stress in 1907, and the fact that there were 1,447,680 individuals, firms, or corporations in business then—a gain of 3.3 per cent over 1906 and of 32 per cent over 1898—only seventy hundredths of 1 per cent of these failed, as against sixty-six hundredths in 1906 and seventy-three hundredths in 1905. Up to 1907 the mortality had dropped steadily year by year from 1896, but leaving out 1906 the commercial death rate in 1907 was the lowest recorded. Reasons for this are not far to seek. The full force of the convulsions of 1907, especially upon the smaller concerns, could hardly have been exercised in that year, and the harvest of small and large failures alike since January 1, 1908, lends color to this view. Among the apparent causes for a decreasing commercial death rate is the fact that improved credit reporting, resulting in conservatism in the extension of credit, worked for a smaller possible mortality; in addition, the suggestion made in these columns in previous years may again be advanced, namely, that these and other improved conditions in the business world act as an effective check on the commercial death rate, just as discoveries in science, in medicine, and in surgery are constantly accomplishing a reduction in the rate of human mortality. Moreover, the fact that the annual commercial death rate is less than 1 per cent, and has never been above 1½ per cent, disproves the tradition that the larger number of persons entering business ultimately fail, and consequently this tradition can be pronounced both untrue and misleading.

A FAILURE DEFINED.

Here it should be said that Bradstreet's definition of a commercial failure is that there must be some loss to creditors of individuals, firms, or corporations engaged in legitimate mercantile occupations. Under this classification, failures of professional men, like physicians, lawyers, and actors, as well as farmers, stockbrokers, real-estate dealers, and old bankruptcies passing through the United States courts, have no place. Any or all of the foregoing may be, in fact are, dissociated from the recognized commercial life of the country, and are not included in Bradstreet's failure data. On the other hand, it should be clearly borne in mind that these statistics do cover and include all suspensions of banks and other strictly financial institutions, even if these suspensions prove only temporary. For these and other reasons, comparisons of the commercial failure reports made up by Bradstreet's with those issued by other concerns can not be properly made. Failures merely to succeed, without loss to creditors, are not embraced in our data, because these are devoted to cases of insolvency alone.

WHY MEN FAILED IN 1907.

Many years of experience have shown that eight leading causes are subjective and attributable to those who fail, while three others exert their influence from circumstances not made by the individuals themselves. These causes are grouped as follows:

A.—DUE TO FAULTS OF THOSE FAILING.

Incompetence (irrespective of other causes).
Inexperience (without other incompetence).
Lack of capital.
Unwise granting of credits.
Speculation (outside regular business).
Neglect of business (due to doubtful habits).
Personal extravagance.
Fraudulent disposition of property.

B.—NOT DUE TO FAULTS OF THOSE FAILING.

Specific conditions (disaster, etc.).
Failure of others (of apparently solvent debtors).
Competition.

In 1907 the eight factors above mentioned caused 81.1 per cent of the failures, as against 79.7 per cent in 1906, while the three causes beyond control of the individual induced 18.9 per cent of the failures, as against 20.3 per cent in 1906. Thus the individual was apparently more to blame in 1907 than in 1906, so far as the actual casualties were concerned; but when the figures of liabilities are considered it is found that the three causes grouped in the second classification were responsible for 55.4 per cent of the failure damage, as against only 27.1 per cent in 1906. In 1903, 26.4 per cent of the failures and 56.3 per cent of the liabilities were due to these three causes. When it is considered that the depression of 1893 was distributed throughout the year from the spring onward, while that of 1907 occurred and became wide-

spread late in the year, the variation from 1893 as regards the percentages of the number of casualties is easily understood.

Failures, assets, liabilities, and number in business yearly since 1881.

Year.	Number failures.	Per cent increase (+) or decrease (−).	Actual assets, millions.	Total liabilities, millions.	Per cent assets to liabilities.	Number in business.	Per cent failing.
1907	10,265	+ 9.3	$207.9	$383.7	75.0	1,447,689	.70
1906	9,393	− 5.9	93.1	127.2	50.6	1,401,085	.68
1905	9,977	− 4.3	65.0	121.8	53.3	1,332,947	.75
1904	10,437	+ 6.5	85.7	143.6	55.7	1,307,746	.79
1903	9,775	− 1.9	84.1	154.3	54.5	1,272,509	.76
1902	9,973	− 6.3	90.4	165.5	47.7	1,238,973	.80
1901	10,648	+ 7.4	69.1	139.1	45.9	1,201,892	.88
1900	9,912	+ 2.8	69.1	127.2	47.2	1,191,609	.83
1899	9,642	−16.9	71.1	119.8	50.1	1,128,873	.85
1898	11,615	−11.2	73.1	141.6	51.6	1,093,373	1.06
1897	13,083	−13.3	95.5	156.7	54.5	1,083,051	1.20
1896	15,090	+16.4	147.8	216.9	59.9	1,079,070	1.40
1895	12,998	+ 1.8	97.6	158.7	55.2	1,063,623	1.23
1894	12,764	−17.9	94.2	191.5	54.9	1,047,974	1.21
1893	15,548	+51.0	218.5	382.1	69.6	1,059,044	1.46
1892	10,270	−17.1	93.7	168.6	50.3	1,035,534	.99
1891	12,394	+16.1	106.9	190.1	53.3	1,018,021	1.21
1890	10,673	− 9.0	95.7	175.0	52.9	989,429	1.07
1889	11,779	+10.7	95.5	190.7	50.0	978,000	1.20
1888	10,637	+ 9.7	91.9	129.2	52.0	965,000	1.10
1887	9,740	− 7.8	66.6	139.6	50.0	935,000	1.04
1886	10,568	− 4.9	76.8	119.6	49.0	909,000	1.15
1885	11,110	− 4	76.2	119.1	46.0	890,000	1.25
1884	11,639	+13.0	110.6	218.7	54.0	875,000	1.32
1883	10,299	+24.0	90.8	175.9	52.0	855,000	1.20
1882	7,925	+28.0	65.4	91.2	51.0	820,000	.93
1881	5,929	————	39.9	76.0	47.0	780,000	.76

Lack of capital, as usual, was the most notable predisposing cause of failure, 37.1 per cent of all the casualties being due to this. It is worth noting that this cause has shown a steady rise year by year since 1904, and the percentage covered by it is, in fact, the highest reported since 1891. However, the liabilities due to this cause were not so large as in the preceding year, and, indeed, this cause fell to second place as regards liabilities, resulting therefrom, being supplanted by specific conditions, which, while inducing only 16.3 per cent of the failures, as against 17.3 per cent in 1906, were responsible for 51.7 per cent of the liabilities, as against only 17.9 per cent in 1906. The liabilities due to lack of capital aggregated only 18.4 per cent of the 1907 total, as against 30.9 per cent in 1906. Incompetence, which was credited with causing 22.6 per cent of the casualties, was responsible for only 8.9 per cent of the liabilities, as against 15.5 per cent in 1906. The unsettling events of the last quarter may here be said to have warped the proportions of the liabilities assignable to the various causes, while leaving the percentages as regards number of failures at about the normal. Fraud, the cause fourth in relative prominence, brought about 10.1 per cent of the failures—a proportion, by the way, which changes little from year to year—but resulted in only 5.1 per cent of the liabilities. The large proportion of liabilities due to this cause in 1906—15.1 per cent—was occasioned by dishonesty, affecting the suspensions of some large financial institutions; and it may be said with apparent truth that, taking normal years, the loss from fraud is smaller relatively than the number of failures ascribed to it. The other less important causes showed few changes, as will be seen by reference to the accompanying tabular exhibit.

Proportion of failures to those in business for the past four years.

	1907.		1906.		1905.		1904.	
	Number in business.	Number failing.	Number in business.	Number failing.	Number in business.	Number failing.	Number in business.	Number failing.
Middle	384,139	3,388	372,517	2,020	360,387	2,878	348,663	3,041
Eastern	118,290	1,314	115,485	1,261	112,019	1,491	109,919	1,691
Southern	263,948	2,213	250,297	1,927	238,618	2,123	229,084	1,767
Western	401,435	1,874	390,818	1,877	380,214	1,879	368,830	2,237
Northwestern	166,624	697	163,201	658	158,329	747	154,885	785
Pacific	88,835	653	87,028	653	80,870	780	74,285	764
Territories	24,408	131	22,729	129	21,410	129	21,780	182
Total, United States	1,447,680	10,265	1,401,085	9,585	1,332,947	9,967	1,307,746	10,417
Canada	116,202	1,365	112,262	1,239	114,235	1,430	110,615	1,175
Total, United States and Canada	1,563,882	11,630	1,514,347	10,824	1,447,182	11,397	1,418,361	11,592

APPENDIX B.

EXHIBIT A.

LEATHER SCHEDULE IN THE DINGLEY TARIFF BILL.

427. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem: *Provided*, That upon all leather exported, made from imported hides, there shall be allowed a drawback equal to the amount of duty paid on such hides, to be paid under such regulations as the Secretary of the Treasury may prescribe.

428. Band of belting leather, sole leather, dressed upper, and all other leather, calfskins tanned or tanned and dressed, kangaroo, sheep, and goat skins (including lamb and kid skins), dressed and finished, chamois and other skins, and bookbinders calfskins, all the foregoing not specially provided for in this act, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; patent, japanned, varnished, or enameled leather, weighing not over 16 pounds per dozen sides or skins, 30 cents per pound and 20 per cent ad valorem; if weighing over 16 pounds and not over 25 pounds per dozen, 30 cents per pound and 10 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem; pianoforte leather and pianoforte action leather, 35 per cent ad valorem; leather shoe laces, finished or unfinished, 50 cents per gross pairs and 20 per cent ad valorem; boots and shoes made of leather, 25 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, shall be classified as manufactures of leather and pay duty accordingly.

GLOVES.

429. Gloves made wholly or in part of leather, whether wholly or partly manufactured, shall pay duty at the following rates, the lengths stated in each case being the extreme length when stretched to their full extent, namely:

440. Women's or children's "glace" finish, Schmaschen (of sheep origin), not over 14 inches in length, $1.75 per dozen pairs; over 14

SOME TESTS OF CREDIT GRANTING AND REPORTING.

The collated figures of the capital employed by those who failed in the United States and Canada in 1907 show that 10,469 out of 11,630 failures, or 90 per cent, were of those with $5,000 capital or less. This compares with 91.5 per cent in 1906, and it is the smallest proportion reported since 1897. Those with over $5,000 and less than $20,000 capital numbered 764, or 6.6 per cent, the largest percentage reported in eleven years, though closely approached in 1904; and those with over $20,000 but under $50,000 capital failing numbered 225, or 1.9 per cent of all, a percentage not equaled since 1904. These figures indicated that the larger concerns were hit relatively harder by the troubles of 1907 than were the smaller ones; and it may be said that business mortality in that year, figuratively speaking, chose shining marks. This becomes clearer when the large number of concerns failing with a capital of $1,000,000 or over is considered. Of these there were 12, a number not equaled since 1893. It is also found that there were 10,573 failing concerns, 90.9 per cent of all in this country and Canada, which had only a very moderate or no credit rating at all, while those in good credit made up 7.9 per cent of all failing, and 1.2 per cent were rated in very good or a still higher credit. The compilation as to the liabilities of those who failed, shows that 59.6 per cent owed less than $5,000, as against 62.7 per cent in 1906, while 40.4 per cent of those failing had liabilities of $5,000 or over, as against 37.3 per cent in 1906. This indicates the percentage of those with minimum liabilities to have been the smallest reported since 1893, when 58.9 per cent in that class failed. These latter statistics again point to what has already been indicated, viz, that the small trader and the one possessing the least ability to obtain credit escaped, in 1907 at least, the fullest effects of the convulsions.

IN CANADA.

There were 1,365 failures in Canada, Newfoundland, St. Pierre, and Miquelon in 1907, with liabilities of $11,735,272 and assets of $5,276,698. This marked an increase of 10 per cent in number and of 24 per cent in liabilities as compared with 1906, and the percentage of assets to liabilities was 44.9, as against 45.5 per cent in 1906. Lack of capital caused 52.5 per cent of these failures, as against 50.6 per cent in 1906, and accounted for 60.6 per cent of the liabilities, as against 53.9 per cent in the preceding year. Incompetence, the next cause in point of fatality, provided 14.9 per cent of the number and 15.3 per cent of the liabilities. These two causes, both faults of those failing, therefore effected 67.4 per cent of the failures and 75.9 per cent of the liabilities. Specific conditions, the third cause in order—one, however, beyond control of the individual—accounted for 12.7 per cent of the number and 7 per cent of the liabilities, but this cause, like incompetence, was not so fatal or so damaging as in the year 1906.

The information upon which the foregoing data are based was procured and distributed by the Bradstreet Company while acting in its capacity as an authority through whose instrumentality credit is not only determined but fostered and its extension promoted wherever commerce engages the activities of men. It should not be forgotten, however, that the source of that information is the business community itself, without whose cooperation the results attained could not have been reached. The nature and extent of that cooperation reflect in a striking way the confidence of the commercial community in the integrity of purpose of the institution and the character of its administration in the discharge of the functions which have been assumed by it in relation to the business world. That confidence and that cooperation have steadily grown with the growth of the organization itself in the more than half century of its existence until the offices of the Bradstreet Company, once confined to a few large eastern cities in the United States, now extend not only throughout the territory of the great Republic, not omitting its latest acquisitions in so far as they are commercially cognizable, but into the Dominion of Canada, Mexico, Cuba, and the islands of the sea, the United Kingdom, Australasia, and, through its association with the Institute W. Schimmelpfeng, throughout the entire Continent of Europe. In a word, the institution exercises its functions as a guardian of solvency and disseminator of commercial information wherever a condition of settled order marks the secure extension of the sphere of civilization, law, and commercial credit.

inches and not over 17 inches in length, $2.25 per dozen pairs; over 17 inches in length, $2.75 per dozen pairs; men's "glace" finish, Schmaschen (sheep), $3 per dozen pairs.

441. Women's or children's "glace" finish, lamb or sheep, not over 14 inches in length, $2.50 per dozen pairs; over 14 and not over 17 inches in length, $3.50 per dozen pairs; over 17 inches in length, $4.50 per dozen pairs; men's "glace" finish, lamb or sheep, $4 per dozen pairs.

442. Women's or children's "glace" finish, goat, kid, or other leather than of sheep origin, not over 14 inches in length, $3 per dozen pairs; over 14 and not over 17 inches in length, $3.75 per dozen pairs; over 17 inches in length, $4.75 per dozen pairs; men's "glace" finish, kid, goat, or other leather than of sheep origin, $4 per dozen pairs.

443. Women's or children's, of sheep origin, with exterior grain surface removed, by whatever name known, not over 17 inches in length, $2.50 per dozen pairs; over 17 inches in length, $3.50 per dozen pairs; men's, of sheep origin, with exterior surface removed, by whatever name known, $4 per dozen pairs.

444. Women's or children's kid, goat, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, not over 14 inches in length, $3 per dozen pairs; over 14 and not over 17 inches in length, $3.75 per dozen pairs; over 17 inches in length, $4.75 per dozen pairs; men's goat, kid, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, $4 per dozen pairs.

445. In addition to the foregoing rates, there shall be paid the following countervailing duties: On all leather gloves when lined, $1 per dozen pairs; on all pique or prix seam gloves, 40 cents per dozen pairs; on all gloves stitched or embroidered with more than three single strands or cords, 40 cents per dozen pairs.

446. Glove tranks, with or without the usual accompanying pieces, shall pay 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable.

447. Harness, saddles, and saddlery, or parts of either, in sets or in parts, finished or unfinished, 45 per cent ad valorem.

EXHIBIT B.

THE DINGLEY TARIFF CUSTOM RATES UNDER ACT OF 1897.

Alcohol, amylic, or fusel oil, one-fourth cent per pound.
Barley, bushel of 48 pounds, 30 cents per bushel.
Beads, 35 per cent ad valorem.
Beef, mutton, and pork, 2 cents per pound.
Beer, porter, and ale, 20 to 40 cents per gallon.
Bindings, cotton and flax, 45 per cent ad valorem.
Bindings, wool, 50 cents per pound and 60 per cent ad valorem.
Blankets, 22 to 23 cents per pound and 30 to 35 per cent ad valorem.
Books, charts, maps, 25 per cent ad valorem.
Bronze, manufactures of, 45 per cent ad valorem.
Brushes, 40 per cent ad valorem.
Butter, and substitutes for cheese, 6 cents per pound.
Button, sleeve and collar, gilt, 50 per cent ad valorem.
Canvas for sails, 45 per cent ad valorem.
Carpets, 22 to 60 cents per square yard and 40 per cent ad valorem.
Cattle (over 1 year old), 27½ per cent ad valorem.
Cigars and cigarettes, $4.50 per pound and 25 per cent ad valorem.
Clocks, 40 per cent ad valorem.
Clothing, ready-made, 50 to 60 per cent ad valorem.
Coal, bituminous, 67 cents per ton.
Confectionery, all sugar (if more than 15 cents per pound), 50 per cent ad valorem.
Copper, manufactures of, 45 per cent ad valorem.
Cotton gloves and handkerchiefs, 45 to 55 per cent ad valorem.
Cotton hosiery, 50 cents to $2 per dozen pairs and 15 per cent ad valorem.
Cotton shirts and drawers, 60 cents to $2.25 per dozen and 15 to 50 per cent ad valorem.
Cotton plushes, unbleached, 9 cents per square yard and 25 per cent ad valorem.
Cotton curtains and cotton webbing, 50 and 45 per cent ad valorem.
Cutlery, 16 to 20 cents each, plus 15 to 45 per cent.
Diamonds, 10 cents and 60 per cent ad valorem.
Drugs, not crude, one-fourth cent per pound and 10 per cent ad valorem.
Dyewoods, extract of, seventh-eights cent per pound.
Earthenware, 25 to 60 per cent ad valorem.
Eggs, 5 cents per dozen.
Extracts, meat, 35 cents per pound.
Fish, smoked, dried, three-fourths cent per pound.
Flannels, 22 to 23 cents per pound, 30 to 35 per cent ad valorem.
Flax, manufactures of, 45 per cent ad valorem.
Flowers, artificial, 50 per cent ad valorem.
Fruits, 1 cent per pound, 25 cents per bushel, 35 per cent ad valorem.
Fur, manufactures of, 35 per cent ad valorem.
Furniture, wood, 35 per cent ad valorem.
Glassware, plate, silvered, and bottles, 60 per cent ad valorem, 8 to 11 cents per square foot, 1 cent per pound.
Glucose, 1¼ cents per pound.
Glue, value not over 7 cents per pound, 2½ cents per pound.
Gold, manufactures of, not jewelry, 45 per cent ad valorem.
Hair, 10 to 35 per cent ad valorem.
Hams and bacon, 5 cents per pound.
Hay, $4 per ton.
Hemp cordage, 2 cents per pound.
Hides, 15 per cent ad valorem.
Honey, 20 cents per gallon.
Hoops, iron or steel, baling, 5 to 10 cents per pound.
Hops, 12 cents per pound.
Horn, manufactures of, 35 per cent ad valorem.
Horses, mules, $30 per head.
India rubber, manufactures of, vulcanized, 30 and 35 per cent ad valorem.
Instruments, metal and musical, 45 per cent ad valorem.
Iron, manufactures of, screws, tinned plates, 45 per cent ad valorem, 12 cents per pound, 1½ cents per pound.
Jewelry, 60 per cent ad valorem.
Lard, 2 cents per pound.
Lead, pigs, bars, type metal, 2½ cents, 1½ cents per pound.
Leather manufactures, 35 per cent ad valorem.
Linen manufactures, wearing apparel, 45 to 60 per cent ad valorem.
Macaroni, 1½ cents per pound.
Malt, barley, 45 cents per bushel.
Matches, friction, boxed, 8 cents per gross.
Matting, cocoa and rattan, 6 cents per square yard.
Molasses, 3 to 6 cents per gallon.
Nails, cut, horseshoe, 6 to 10 cents, 2¼ cents per pound.
Oilcloth, value over 25 cents, 8 to 20 cents per square yard.
Oil, olive, whale, and seal, foreign, 40 to 50 cents, 8 cents per gallon.
Onions, 40 cents per bushel.
Opium, 40 per cent ad valorem and $1 per pound.
Paintings and marble statuary, engravings, 20 to 25 per cent ad valorem.
Paper manufactures, 35 per cent ad valorem.
Pepper, cayenne, unground, 2½ cents per pound.
Perfumery, alcoholic, 60 cents per pound and 45 per cent ad valorem.
Photograph albums, slides, 35 per cent, 25 per cent ad valorem.
Pickles, 40 per cent ad valorem.
Pins, metallic, 35 per cent ad valorem.
Pipes of clay, common, 15 cents per gross.
Poultry, dressed, 5 cents per pound.
Pulp wood for paper makers, 1 to 12 cents per pound.
Quicksilver, 72 cents per pound.
Railroad ties, cedar, 20 per cent ad valorem.
Rugs, oriental, 10 cents per square foot plus 40 per cent.
Salt, 8 to 12 cents per 100 pounds.
Sauces, 40 per cent ad valorem.
Sausages (except bologna), 25 per cent ad valorem.
Silk, in skeins, laces, wearing apparel, 35 per cent, 60 per cent ad valorem.
Skins, tanned and dressed, 20 per cent ad valorem.
Slates, manufactures of, 20 per cent ad valorem.
Smokers' articles, except clay and meerschaum pipes, 60 per cent ad valorem.
Soap, castile, toilet, perfumed, 1½ cents, 15 cents per pound.
Spirits, except bay rum, $2.25 per gallon.
Straw manufactures, 20 per cent ad valorem.
Sugar (raw, 96°), 1.68 cents per pound.
Sugars (refined), 1.95 cents per pound.
Tin plates, 1⅛ cents per pound.
Tobacco, 35 cents to $2.50 per pound.
Umbrellas, silk or alpaca, 50 per cent ad valorem.
Vegetables, natural, preserved, 25 per cent, 40 per cent ad valorem.
Velvets, silk, $1.50 per pound and 15 per cent ad valorem.
Watches, and parts of, 40 per cent ad valorem.
Wheat, bushel of 60 pounds, 25 cents per bushel.
Willow, for basket makers, manufactures of, 20 per cent, 40 per cent ad valorem.
Wines, 50 cents per gallon.
Wines, champagne, $2 to $8 per dozen.
Wool, 7 to 11 cents per pound.
Worsted yarns, 27½ to 38½ cents plus 40 per cent.
Woolen or worsted clothing, 44 cents per pound and 60 per cent ad valorem.

APPENDIX C.

[From the Shoe and Leather Reporter of January 18, 1906.]

DUTIES ON HIDES, SOLE LEATHER, AND SHOES—EXPRESSION OF OPINION FROM SHOE MANUFACTURERS REGARDING THE REMOVAL IN WHOLE OR IN PART OF THE DUTIES AFFECTING THE RAW MATERIAL AND FINISHED PRODUCT.

Early in December the Shoe and Leather Reporter sent a copy of the following letter and questions to the leading shoe manufacturers of the United States:

GENTLEMEN: We would respectfully call your attention to the inclosed letter from Mr. Charles H. Jones, president of Commonwealth Shoe and Leather Company, Boston, which appeared in the Shoe and Leather Reporter of December 7, and believe that you will be interested in reading his views on a subject of vital importance to the shoe and leather trade. In order to ascertain the present views of the shoe manufacturers of the United States on the hide and sole leather duties, we ask the following questions. An expression of opinion is desired from every manufacturer, and we request the favor of an early reply:

Are you in favor of the repeal of the 15 per cent duty on hides and the 20 per cent duty on sole leather?

If you answer "yes," are you willing to offer in exchange for these benefits to the shoe manufacturer the whole or any part of the 25 per cent duty on shoes?

As a result of the canvass, 231 replies were received, as follows:

In reply to the first question:

Yes	199
No	4
Yes on hides, but only partial reduction sole leather	9
Noncommittal, and those not using leather in shoe making	19

In reply to the second question:

Yes—remove the whole duty if necessary	140
No	20
A part of the duty, ranging from 10 to 15 per cent	38
Noncommittal	33

Of these replies 96 were from New England shoe manufacturers and the remainder from those in the other States.

Quite a number commented on the topic, and believing that their views will be of interest, we publish some of the comments herewith:

Snedicor & Hathaway, Detroit, Mich.: "Our idea would be, first get hides free, after that sole leather, and then take duty off shoes."

The Haynes-Webb Shoe Manufacturing Company, Denver, Colo.: "We certainly believe that the duty on hides, especially, should be abandoned. We would like to see a new bill put in effect."

Fargo Shoe Manufacturing Company, Belding, Mich.: "Am satisfied with condition that is best for the majority, only so it is settled and not brought up every little while to keep everyone guessing."

Andrews & Co., Everett, Mass.: "We have made no answer to the second question. The 'benefits' are all for the public and not the manufacturer."

Wichert & Gardiner, Brooklyn, N. Y.: "We have your circular letter of the 8th instant, relative to the repeal of duties, but are disinclined to express a lengthy opinion on this matter, as we have not gone sufficiently deep into its details. Our position would naturally incline us to favor a repeal of the 15 per cent on hides and 20 per cent duty on sole leather, believing that these measures would not be of very great disadvantage to those concerned in this line of business.

"With regard to the offering in exchange a surrender of the whole or any part of the 25 per cent duty on shoes, we should hesitate to

express an opinion on a matter of so grave an import until some of the figures connected with it, and also some of the facts, were before us, on which a competent opinion might be based.

"It seems to us from the very fact that the United Shoe Machinery Company is placing its newest types of shoe machines in large quantities in all parts of the civilized world, that this fact, taken into consideration with the low price of labor prevalent in foreign countries, might be a good reason why the duty on shoes should remain undisturbed."

John A. Frye Shoe Company, Marlboro, Mass.: "We do not believe a reduction or repeal of the duty would benefit us at all, and so long as all shoe manufacturers are running to their fullest capacity with good profits, as they evidently are at the present time, we are in favor of 'letting the tariff alone.'"

The Pingree Company, Detroit, Mich.: "We are bending our energies to getting hides on the free list, and feel that at this time it is unwise to take up the question of free sole leather or free shoes, both of which would entail considerable inquiry. We do not feel competent to answer your questions concerning this without more information than we have at hand."

M. F. Hammond, Pleasantville, N. Y.: "With cheap material we can make a fair profit; with high material we stand a chance to get part of it back, but a very small proportion. The condition of the shoe trade to-day could hardly be worse, so far as the manufacturers are concerned."

The Comfort Slipper Company, New York: "A reduction of duty on slippers, especially on cloth and felt slippers, which are classified under shoes, will practically ruin our business, no matter how cheap sole leather may be. Therefore, if the reduction of duty can only be reached by a reduction of duty on shoes, we must be against it."

Jerolemon-Oliver Company, Rochester, N. Y.: "I should not be in favor of taking the duty off shoes coming to this country."

Hanan & Son, Brooklyn, N. Y.: "If the duty of 15 per cent on hides is removed and the duty on sole leather reduced to 10 per cent duty for shoes reduced to 10 per cent, I believe it would meet with all the requirements and necessities of the situation."

The Rich Shoe Company, Milwaukee, Wis.: "We favor most emphatically the repeal of the 15 per cent duty on hides, which, in our opinion, is nothing more nor less than an arbitrary tax on the American boot and shoe manufacturer, and is a protection only to the meat packer and incidentally to the foreign boot and shoe manufacturer, who receives a drawback on American-made leather of imported hides.

"We would further say that, while we favor the removal of the 20 per cent duty on sole leather, we would not object, as a fair compromise with the tanner, to return to the McKinley 10 per cent duty on sole leather instead of demanding the repeal of the entire present duty of 20 per cent.

"In consideration of the above we would be willing to take our chances to compete with the world in the sale of shoes without any protective duty whatever. We believe that with the exception of a small proportion of fancy slippers, etc., in which a good deal of hand work is utilized, the American manufacturer, in spite of higher labor, can produce goods of superior fit and style that would give the American goods such preference as to command the trade of the world; at least so it appears to us at the present time."

Pontiac Shoe Manufacturing Company, Pontiac, Ill.: "We believe it would be a good thing for the people to have free hides. We are a part of the people."

William Eastwood & Son Company, Rochester, N. Y.: "We are in favor of the repeal of the duty on hide and sole leather, and, in further response to your inquiry, would state that we are in favor of such a revision of the duty on shoes as can be consistently made without jeopardizing the interests of shoemakers in a general way—say to such an extent as the proposed repeal of the duty on hide and sole leather would enter into the cost of shoes."

Glenecke-D'Oench-Hays Shoe Company, Jefferson City, Mo.: "If our industries are to be encouraged, it seems to us that the Government would better not add additional burdens in the shape of revenue taxation on raw material. This is surely no encouragement to manufacturing enterprises. Our own Government handicaps us in our efforts to establish export trade by giving foreigners the opportunity to buy American leather cheaper than citizens of this country can purchase it. This, of course, is due to the rebate which the Government grants on export leather. This means the encouraging of one industry at the expense of another."

Neenah Shoe Company, Neenah, Wis.: "If the 25 per cent duty on shoes, or any portion of that duty, would prevent the removal of the duty on hides, we would say, Remove all of the duty from shoes, as we need not at present fear competition from foreign countries in the manufacture of shoes. The removal of the duty on hides we believe to be essential, and should not have been placed there in 1897."

Isaac Ferris, jr., Company, Camden, N. J.: "I fully concur in the opinion expressed by Charles H. Jones in Shoe and Leather Reporter."

Tappan Shoe Manufacturing Company, Lynn: "Shoes need no protection. Foreign shoes could not be given away in this country. They are ill shaped and not fitted for the trade in this country. Besides, shoes can not be produced in any country as cheaply as here."

The D. M. Jones Shoe Manufacturing Company, Columbus, Ohio: "Yes, we are in favor of the repeal of all duties pertaining to the leather industry, and are willing to do what we can to that end."

Florsheim & Co., Chicago: "We are unqualifiedly in favor of the immediate repeal of the 15 per cent duty on hides, and also the 20 per cent duty on sole leather."

"It is a fact patent to almost all people identified with the shoe or leather industries that the repeal of the duty on hides without the repeal of the duty on sole leather would be more or less ineffective. It is absolutely essential that both the duty on hides and the duty on sole leather should be repealed in order to conserve the future of the shoe, leather, and harness business of the United States.

"In exchange we would be more than pleased to see the entire 25 per cent duty on shoes taken off. We require no protection as far as shoes are concerned. There should be none. It is a mere makeshift and sop. It does no good.

"We should have lower tariffs and more reciprocity, particularly with Canada and South American republics."

Noyes-Norman Shoe Company, St. Joseph, Mo.: "If hides and leather should go much higher, would favor free list for hides, leather, and shoes. If a steady leather market now continues on about present basis, would be opposed to revision; shoes, leather, and hides are high enough; not much too high."

Racine Shoe Manufacturing Company, Racine, Wis.: "We believe the repeal of duty on hides is almost unanimous with shoe manufacturers. As to the duty on shoes, our trade is growing, with every country under the sun in open competition, and it does not seem that a duty on shoes is necessary."

Roberts, Johnson & Rand Shoe Company, St. Louis, Mo.: "The repeal of the duty on hides will help. It is just as important that the duty on leather be also repealed."

Craddock-Terry Company, Lynchburg, Va.: "We heartily concur in Mr. Jones's forceful views on this subject."

Werthheimer-Swarts Company, St. Louis, Mo.: "We favor the repeal of the duty on hides and sole leather. Lowering the cost of making of shoes, competition will take care of prices."

Churchill & Alden Company, Campello: "Am anxious to have the duty taken off." (This firm replied "yes" to both questions.)

M. D. Wells Company, Chicago, Ill.: "If we can have free hides, would be willing to allow shoes to come free of duty."

A. E. Noyes & Co., Georgetown, Mass.: "If we have free raw material, we will risk all competition."

J. S. Zulick & Co., Orwigsburg, Pa.: "Haven't studied the question carefully, but Mr. Jones's views on the subject seem right and are plausible."

F. M. Hodgdon, Haverhill, Mass.: "It would seem that possibly in the far-distant future a duty of 10 per cent might be an advantage to equalize difference in cost of labor on shoes, but believe the probability is to the contrary."

Friedman Brothers Shoe Company, St. Louis, Mo.: "The duty off hides and sole leather will benefit everyone. The duty on shoes very few at present, and with the advantage of free hides the American manufacturer can meet any conditions that may arise through foreign competition."

H. R. Ford & Co., Lynn, Mass.: "We are heartily in favor of repealing the duty on hides and sole leather, and are willing to have the whole duty on shoes taken off, as we do not fear competition on cheap shoes. We know that the manufacturers of this country can hold their own in this line."

J. G. Hynds Shoe Manufacturing Company, Nashville, Tenn.: "The shoe duty does not help us any, and we do not believe it helps any other shoe manufacturer in the United States.

"The hide duty enables the beef trust, like 4, to dictate prices on hides in the United States. Abolish the hide tariff and the beef and hide monopoly will not be enabled to 'hold up' tanners as they now do."

THE PROBLEM OF FUTURE PRICES.

As the old year draws to a close and will soon sink into history and as the new year looms on the horizon, thoughtful men in our trade are mingling with their holiday rejoicing serious conjectures as to what may be in store for the leather and leather-consuming industry. Everyone, from the hide dealer to the consumer of shoes, harness, etc., realizes that 1905 was a year of advancing prices.

WILL PRICES DECLINE OR ADVANCE?

The past is an open book that all may read, but the future is a blank page. Will prices stick or will they decline? These are pertinent questions, but a more sensational interrogation presses for an answer—will the advance continue and will present prices look small and cheap a year hence?

It is difficult to set aside self-interest and consider trade movements dispassionately, but it would seem necessary at this time seriously to decide whether the higher prices already established resulted from natural causes that will continue operative or whether the advance movement has reached its apex. If the disruption in leather values logically resulted from world-wide conditions, why should it not continue?

NO AX TO GRIND.

Hide and Leather has no interest except to hold the mirror up to a great industry and faithfully to reflect things as they are. We do not venture to predict, but we do call attention to world-wide conditions that are likely to affect future prices. For two years Hide and Leather has been printing articles demonstrating that the per capita consumption of beef is not keeping pace with the per capita consumption of leather, with the result that hides and skins under the operation of the law of supply and demand are increasing in cost in all the markets of the world.

MORE SHEEP, LESS BEEF.

With a view to further substantiating or disproving this postulate we have interview M. F. Horine, official statistician of the Union Stock Yards and Transit Company, Chicago. He tells us that his company does not expect any considerable increase in the cattle supply, for the reason that the demand for beeves on the hoof and the prices paid do not furnish any incentive to stock raisers to increase their herds. Mr. Horine gives a variety of reasons why the cattle and beef industries are not expanding proportionately with the population of the country. He deplores the widespread daily newspaper attacks upon the so-called "beef trust," and says that these, together with the stories about embalmed beef printed during the Spanish-American war, prejudiced the American public against dressed beef. In this connection he adduces the fact that receipts and slaughter of sheep have increased in much greater degree than those of cattle. In 1888 receipts of cattle at the great stock yards of Chicago, Kansas City, Omaha, and St. Louis were 4,475,470 head. In 1904 the entry at these centers amounted to 7,271,110. Receipts of sheep at the four points in 1888 were 2,307,650 head, and in 1904, 8,050,900 head. From these figures it will be seen that receipts of cattle have not quite doubled in sixteen years, while receipts of sheep have almost quadrupled.

NO BEEF FOR BREAKFAST.

The introduction of cereal breakfast foods has probably not been sufficiently considered as a factor in revolutionizing the food supply of the American people. There are said to be sixty-two manufacturers of cereal foods at Battle Creek, Mich., alone. It is only necessary to visit any one of the thousands of small grocery stores and glance at the shelves to form some idea of the tremendous consumption of prepared cereals.

EFFECT OF IRRIGATION AND REFRIGERATION.

Irrigation has become an important factor in the food supply. Thousands of acres that formerly were used for cattle feeding are now yielding cereals and table vegetables. The refrigerator car has made possible the transportation of perishable articles from long distances, and the cold-storage plant enables dealers to hold such merchandise for sale, so that eggs, poultry, fish, fruit, and fresh vegetables are obtainable by the American people practically during every month of the year. All these circumstances tend to lessen the per capita consumption of beef, and this reduces the supply of hides and skins available for making leather.

MORE LEATHER, BUT LESS RAW MATERIAL.

Coincident with this limitation of raw material is the greatly expanding consumption of leather. In recent years leather has come into great favor for upholstering fine furniture, as well as for mural decorations. A tanner of leather for automobiles recently told us that the sales of his company were just fifteen times greater than one year ago. Foot gear has been made for so many years at such reasonable prices that the per capita consumption of leather has increased by reason of the fact that nearly everyone possesses a number of pairs of shoes. There are shoes for every vocation and sport, and fashionable ladies have foot gear to match every gown.

CHEAP BEEF—DEAR HIDES.

Hides and skins are in less supply and greater demand in all the markets of the world, a condition that is faithfully reflected in the markets. The increasing demand for hides and the decreasing demand for beef are reflected in the selling prices of hides and cattle on the hoof. During 1893 native steer hides ranged from 5½ to 9 cents in price, while the steers themselves brought from $5.25 to $6.50 per hundred pounds. To-day we find beeves on the hoof bringing about the same prices as twelve years ago, while the hides are closely sold up at 16 cents. Years ago hides sold for little more and sometimes for even less than beef, but to-day steers that sell for 5½ cents per pound on the hoof yield hides that easily bring 16 cents per pound.

It must be admitted that the increasing cost of leather has a substantial basis in conditions affecting the quantity of raw material available. As we said at the outset, the question for every thoughtful man in the trade to endeavor to answer for himself is, Will the upheaval in prices during 1905 continue in the same or greater degree during 1906?

APPENDIX D.

[From the Shoe and Leather Reporter.]

BRITISH POLITICIANS ON AMERICAN SHOE TRADE—EFFECTS OF OUR TARIFF AS SEEN THROUGH ENGLISH SPECTACLES.

As I have said, opinions on the tariff question are much divided, even among manufacturers; as far as the operatives are concerned, however, I fancy the vote will go solid for free trade at the election. British shoemakers have always been advocates of liberal principles, and it seems most unlikely they will be won over by any arguments in favor of protection. Speaking at a small army-shoemaking center called Raunds recently, F. A. Channing, the late member for the division, dealt extensively with the speech of the American shoe trade and its position under a protective tariff. The speech appears to me to be so directly interesting to your readers that I am tempted to give rather copious extracts from it. Mr. Channing prefaced his remarks by observing that he had only recently returned from a tour of the United States, which included an inspection of the shoe industry of Massachusetts—"the Northamptonshire of the United States." He said this district was exactly in the same position, and had been for the past ten years, in which Mr. Chamberlain wanted to place the whole of this country. He went on to say Massachusetts resembled England in the sense that the greater portion of its food and raw material came from outside. She had been placed under a complete scientific tariff protecting every industry in the country. They had had ten years of protection, and what was the result? The whole of the workmen and nine-tenths of the manufacturers of that State engaged in the shoe industry were eagerly demanding a complete and absolute withdrawal of the system. The feeling was of the strongest possible kind against protection, because it was felt its burdens were far greater than any advantage the duty gave them. Mr. Channing went on to say that whilst he was in the State an election was in progress, and that turned on the question which of the two parties—Republicans and Democrats—were the most in earnest in getting rid of protection from that highly protected State. Until the Dingley tariff was adopted the boot and shoe industry was going up by leaps and bounds. The increase was 80 or 90 per cent in the ten years before the tariff, but now the growth of the industry was almost suspended and the number of employees and the amount of wages had decreased. They got the advantage of 25 per cent duty yet they had to pay an enormous duty on coal, although they could otherwise have coal for very little by sea from Canada. They were prevented from getting steel and timber at terms reasonable enough for the construction of factories and machinery, and the raw materials, hides, or finished leather, were subject to a heavy duty, which largely increased the cost of production.

TRUSTS FROM A BRITISH STANDPOINT.

This champion of the British shoemakers was particularly caustic in his observations on American trade combinations. Alluding to the beef trust he said it had bribed the legislators to impose a duty of 15 per cent on raw hides, and were thus enabled to impose a blackmail of £2,000,000 on every industry of which leather was the raw material. Passing to the leather trust, he said that no sooner did it become powerful than the beef trust bought them up. The leather trust had a duty of 20 per cent on all leather imported into the United States, and got a rebate of 90 per cent on the rawhide, which they converted into leather and exported to England. The result was that English manufacturers, with their happy system of free trade, got the American leather 15, 20, to 25 per cent cheaper than the American manufacturers could get their leather, which was manufactured in America. At the conclusion of his speech to these British army shoemakers, Mr. Channing said these precious tariffs handicapped the American manufacturers and gave the English command of the markets of the world. "They need not be afraid," he added, "that these poor American manufacturers were going to slip out of the tolls and compete with them in the near future, for no toad under the harrow was half so badly off as the American shoe industry under the combined forces of the gigantic trusts which used protection as their weapons."

I give the above opinions for what they are worth; they are, however, from two representative men, and show that American shoes and leather are playing an important part in shaping the destiny of British economic policy. Mr. Channing may be "playing to the gallery," as we say in England, but his opinions are given with a frankness which leaves no doubt as to his opinions. Whether his probably superficial inspection of American industrial conditions was sufficient to make him an authority on the effects of protected leather it is difficult to say, and I leave American readers to form their own opinions.

APPENDIX E.

LEATHER TRUSTS.

The United States Leather Company, a corporation formed under the laws of New Jersey, February 25, 1893, acquired the properties of a large number of companies and firms engaged in the manufacture of leather. The property consists of real estate, tanneries, bark lands, hides, bark, etc.; stock, par $100; authorized, common, $64,000,000; preferred, $64,000,000; issued, common, $62,882,300; preferred, $62,282,300; total, $125,164,600.

The preferred stock is 8 per cent cumulative. Stock is transferred at the office of the company, New York. Registrar, Central Trust Company, New York.

The amount of stock originally authorized was $60,000,000 each of preferred and common. In July, 1895, an increase of $4,000,000 in each class was authorized to provide for purchase of bark lands, etc.

During 1895 6 per cent was paid on preferred, and in 1896 1 per cent. In 1897 4 per cent was paid on preferred, and in 1898 4½ per cent. In April, 1898, dividend was increased from 1 to 1½ per cent. In 1895 5 per cent was paid on the preferred. In 1900, 1901, 1902, 1903, and 1904 6 per cent was paid. The dividend paid January, 1905, was 1½ per cent, being also on the 6 per cent annual basis. The amount of dividends over-due on the preferred January 1, 1904, was about 41 per cent. Dividends on the preferred are paid quarterly, in January (1), April, July, and October. (See below regarding details of the reorganization plan dated December 17, 1904.)

On December 17, 1904, a committee—P. Anderson Valentine, chairman; Edward C. Hoyt, A. Augustus Healy, W. G. Garritt, Eugene Horton, Samuel P. Davidge, Lewis H. Lapham, Frederic P. Olcott, Alvin W. Krech, and George Foster Peabody—submitted a plan of reorganization. It provided for a new company to acquire the assets of the old one, or to control it through a majority of the stock, the new company to have $45,000,000 twenty-year 5 per cent bonds, $40,000,000 7 per cent, cumulative, preferred stock, and $40,000,000 common stock.

Under the plan, holders of the old preferred were to exchange it for 50 per cent in new preferred, 50 per cent in new bonds, and 23¼ per cent in new common, and the old common stock was to be exchanged for the new in the proportion of one share of new for three of the old common stock. The old 6 per cent debentures were left undisturbed. The capitalization of the new company would be as follows, if all holders of the stock accepted the plan: Five per cent bonds, $31,141,150; new preferred, $31,141,150; new common, $14,636,340, the latter including $6,200,000 of stock to be given to new interests in the company for cooperation and for all services and expenses in carrying out the plan.

The depositary of the committee was the Central Trust Company, New York, and deposits of the old stock were to be made over before February 15, 1905, the plan having been declared operative.

FUNDED DEBT.

Debentures, 6 per cent, due May, 1913, May and November, $5,280,000.

The issue of debentures was to provide the company with working capital. The bonds are subject to redemption by a sinking fund of 4 per cent annually, and bonds can be drawn for it at 110. There were, on December 31, 1904, $600,000 of the bonds in the company's treasury.

Report for the year ending December 31, 1902, gave profits $4,702,384. In 1903, profits, $4,784,998.

Balance sheet December 3, 1904.

ASSETS.

Cash	$2,420,667
Due by customers	5,757,802
Bills receivable	549,117
Doubtful debtors, valued at	40,735
Sundry other debtors and book accounts	141,006
Hides and leather on hand and in process of tanning	9,814,944
Drawbacks due	559,485
Bark at tanneries	2,262,880
Sundry personal property	595,987
Advances to other companies	343,656
Tannery plants and lands	6,696,069
Stocks of other companies	50,515,442
Bonds of Central Pennsylvania Lumber Company	9,055,000
Bonds of Susquehanna and New York Railroad Company	879,888
Railroad mortgage	100,000
Treasury stock	100,000
Unexpired insurance policies	56,570
Good will, account, etc	62,832,300
Total	152,672,468

LIABILITIES.

Accrued interest	26,254
Current accounts	285,261
Bills payable	2,100,000
Exchange not due	1,098,297
Bonds	5,880,000
Less in treasury	600,000
	5,280,000
Reserve for fire insurance	517,685
Preferred stock	62,282,300
Common stock	62,882,300
Surplus January 1, 1905	18,200,011

American Hide and Leather Company, a corporation formed under the laws of New Jersey in August, 1899. The company acquired the plants and business of 22 different establishments engaged in the manufacture and sale of upper leathers, particulars of which are given in the manual for 1901.

The establishments acquired represented 75 per cent of the business in upper leather in the United States. In each case the properties acquired were taken in fee clear of all incumbrances. The aggregate annual net earnings of the separate concerns before consolidation were $1,585,748. Stock, par, $100; authorized, common, $17,500,000; preferred, $17,500,000. Issued, common, $11,274,100; preferred, $12,548,300; total, $23,822,400.

The stock preferred is 7 per cent, cumulative, and has a preference as to assets. At the beginning of 1905 the accumulated unpaid dividends amounted to about 35 per cent.

Transfer agents, North American Trust Company, New York; Colonial Trust Company, New York.

The first dividend on the preferred stock was 1 per cent, paid February 15, 1905. It was understood that this was a quarterly dividend, and that the stock had been placed on a 4 per cent basis.

FUNDED DEBT.

First mortgage, 6 per cent, due September, 1919, March and September, $7,837,000.

The first mortgage is for $10,000,000. Of the bonds outstanding, $2,445,000 were accepted by vendors of the property acquired by the company in payment for same, $3,200,000 were disposed of privately, and $2,800,000 were sold in January, 1900, by public subscription. Of the bonds held in the treasury, $1,000,000 only can be issued for the acquisition of new properties, which shall become subject to the mortgage. The trustee of the mortgage is the Colonial Trust Company, New York. Interest being paid at that institution. There is a sinking fund of $172,500 per annum. Bonds may be bought for the sinking fund at not over 115, but are not subject to compulsory retirement. On June 30, 1903, there were $494,000 bonds in the sinking fund.

In the year ending June 29, 1901, the surplus over charges was $377,139. In the year ending June 30, 1902, the total profits were $1,411,541; interest and deductions for depreciation, etc., $1,004,634; balance, $406,871. In 1902-3 profits were $886,114; interest, deductions, etc., $962,748; balance, deficit, $76,634. In 1903-4, profits, $1,294,601; deductions, $814,329; balance, surplus, $294,272. Total surplus, June 30, 1904, $838,155.

APPENDIX F.

TABLES SHOWING AVERAGE ANNUAL PRICES OF STAPLE PRODUCTS IN ST. LOUIS, MILWAUKEE, AND CINCINNATI FOR ABOUT TWENTY YEARS.

Quotations of No. 2 corn, No. 2 oats, and native steers at St. Louis for twenty years.

[Furnished by George H. Morgan, secretary of the St. Louis Merchants' Exchange.]

Year.	No. 2 corn, per bushel.	No. 2 oats, per bushel.	Native steers, per 100 pounds.
	Cents.	*Cents.*	
1905	41½ to 58½	25½ to 34½	$5.25 to $7.10
1904	42½ to 57	30½ to 44	4.20 to 6.65
1903	38½ to 55	32½ to 54	5.00 to 6.00
1902	40½ to 69½	26½ to 50	5.15 to 8.75
1901	37½ to 70	26 to 50	4.75 to 8.25
1900	30½ to 42½	21 to 30	4.00 to 6.50
1899	29½ to 36½	20 to 29½	4.00 to 6.10
1898	25½ to 36½	22 to 32½	3.90 to 5.65
1897	19½ to 29½	16½ to 23½	3.25 to 5.25
1896	18 to 27½	15 to 21	3.00 to 5.10
1895	23½ to 33	16½ to 31	2.90 to 6.25

Quotations of No. 2 corn, No. 2 oats, and native steers at St. Louis for twenty years—Continued.

Year.	No. 2 corn, per bushel.	No. 2 oats, per bushel.	Native steers, per 100 pounds.
	Cents.	*Cents.*	
1894	31½ to 56	27½ to 45	$3.00 to $5.80
1893	31½ to 41½	25 to 33	3.75 to 6.00
1892	34½ to 50½	28 to 34½	3.70 to 6.10
1891	47 to 73	27 to 36	3.50 to 6.30
1890	24½ to 54	19½ to 45	3.00 to 6.50
1889	28½ to 33½	17½ to 29½	2.00 to 4.85
1888	30½ to 56	21 to 37½	2.10 to 6.10
1887	33½ to 49½	25½ to 32½	2.75 to 5.00
1886	36½ to 49½	25 to 31	2.85 to 5.65

Yearly range of leading grades of cash prices of corn and oats in the Milwaukee market for the past twenty years.

Year.	Corn, No. 3.	Oats, No. 3 white.
	Cents.	*Cents.*
1905	40 to 59½	26 to 43½
1904	40 to 58½	28½ to 45
1903	39 to 55	31½ to 42
1902	43 to 67	29 to 61
1901	34½ to 65½	25 to 48½
1900	30½ to 45½	22½ to 28½
1899	29½ to 36	21½ to 31
1898	24 to 38	20½ to 33½
1897	18½ to 31½	16 to 25½
1896	20 to 30	14 to 21½
1895	24½ to 55	17½ to 33
1894	32½ to 60½	27 to 52
1893	33½ to 44½	24 to 36½
1892	34½ to 53½	27½ to 37
1891	36 to 75	27½ to 60
1890	26 to 55	a21½ to 48½
1889	28 to 37½	a20 to 30
1888	30 to 58½	27 to 39
1887		27½ to 34
1886	34 to 46	a25½ to 37
1885	33 to 53	a24½ to 39

a No. 2 white.

Average annual prices of staple products at Cincinnati, Ohio.

[From the report of the Cincinnati Chamber of Commerce, 1904.]

Year	Cattle, gross, per 100 pounds.	Sheep, gross, per 100 pounds.	Hogs, gross, per 100 pounds.	Pork, barrels, each.	Ohio River salt, per barrel.	Leaf tobacco, per 100 pounds.	Cotton, middling, per 100 pounds.	Tallow, per 100 pounds.	Hides, per 100 pounds.	Leather, per 100 pounds.	Wool, per 100 pounds.
1884-85	$3.53	$3.99	$4.44	$0.82	$1.00	$9.50	$10.42	$3.18	$9.22	$29.87	$28.52
1885-86	3.21	4.13	3.82	.83	.97	8.00	9.17	4.82	9.70	29.46	30.07
1886-87	2.98	4.10	4.28	.81	.87	10.80	9.72	4.22	9.17	30.78	31.10
1887-88	3.04	4.58	5.18	.78	.91	13.00	9.83	4.56	7.98	29.25	27.37
1888-89	2.84	4.46	5.15	.85	.93	10.25	10.24	5.12	7.60	29.49	29.53
1889-90	2.90	4.84	3.74	.83	.90	9.25	11.04	4.52	6.77	27.82	30.15
1890-91	3.28	4.83	3.64	.79	.93	9.00	9.25	4.90	5.75	27.70	29.67
1891-92	2.17	4.79	3.90	.70	.92	9.75	7.60	4.67	4.66	26.87	25.87
1892	2.22	4.86	5.05	.71	.92	10.00	7.73	4.65	4.44	26.31	26.50
1893	3.61	4.20	6.90	.76	.89	11.85	8.58	5.56	4.00	23.84	25.70
1894	2.85	5.10	5.10	.79	.84	10.05	6.33	5.15	3.66	22.44	19.60
1895	3.85	5.30	4.85	.78	.81	9.40	7.04	4.67	6.02	26.60	18.53
1896	3.40	3.15	3.50	.81	.75	6.95	7.57	3.75	5.52	23.96	17.81
1897	3.54	3.74	3.30	.80	.73	8.05	6.96	3.59	7.73	25.92	24.45
1898	3.70	3.87	3.85	.80	.77	9.10	5.69	3.90	8.71	25.96	24.95
1899	3.85	3.77	4.65	.71	.82	7.95	6.30	4.71	8.57	27.27	21.85
1900	4.00	3.72	5.10	.70	1.01	8.52	9.38	5.13	7.99	29.11	25.64
1901	3.78	3.34	5.95	.78	1.03	7.90	8.38	5.56	7.63	30.14	23.35
1902	4.10	3.80	6.80	.92	.80	8.10	8.65	6.75	7.70	30.50	23.50
1903	3.50	3.80	6.05	.83	.83	8.35	10.95	5.65	7.00	28.10	25.50
1904	3.40	3.70	5.25	1.03	.90	10.05	11.60	4.80	8.25	30.10	30.00

Year	Butter, dairy, per pound.	Butter, creamery, per pound.	Butterine, per pound.	Cheese, factory, per pound.	Eggs, selected, per dozen.	Potatoes, standard, per bushel.	Apples, green, per barrel.	Apples, dried, per 100 pounds.	Peaches, dried, per 100 pounds.	Sugar, hards, per 100 pounds.	Molasses, New Orleans, per gallon.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*					*Cents.*
1884-85	18.45	25.34	14.56	9.24	16.56	50	$2.15	$3.31	$7.29	$7.00	48.70
1885-86	14.12	20.07	11.93	9.41	13.58	48	1.35	2.40	3.39	7.16	43.03
1886-87	18.82	24.92	14.50	11.19	14.60	53	2.59	3.99	5.58	6.51	42.31
1887-88	17.40	27.09	15.19	10.39	15.84	88	2.20	6.03	6.97	7.40	41.50
1888-89	14.66	22.01	16.29	9.69	13.50	40	1.54	3.01	2.82	8.49	41.21
1889-90	13.50	20.81	15.50	9.00	13.56	52	2.82	3.73	3.11	7.39	40.39
1890-91	14.98	22.89	16.23	9.60	16.50	97	3.49	9.07	8.16	6.12	34.60
1891-92	16.53	23.92	17.25	10.17	15.77	45	2.14	3.40	2.74	4.89	34.31
1892	17.03	24.27	18.00	10.00	15.68	55	2.50	3.35	3.10	5.04	31.73
1893	19.00	25.00	16.90	10.18	18.30	74	2.90	5.04	4.88	5.64	33.27
1894	12.88	18.92	14.97	9.75	12.41	66	3.30	5.55	5.65	5.06	32.11
1895	10.54	17.13	14.25	9.00	13.79	49	2.02	4.52	7.40	5.03	28.97
1896	8.69	14.50	12.50	8.88	10.73	38	1.80	2.25	6.25	4.73	31.86
1897	9.65	15.45	12.80	9.05	10.79	48	1.97	2.64	7.13	5.29	26.13
1898	11.03	16.46	13.75	8.63	12.14	57	2.76	4.31	8.05	5.74	31.82
1899	12.36	18.60	14.03	10.66	13.55	49	2.59	4.81	10.22	5.57	32.00
1900	13.99	19.90	16.02	10.98	16.43	43	2.54	3.41	8.85	6.15	38.46
1901	11.97	19.56	13.25	10.28	14.98	62	2.53	3.31	8.18	5.82	34.25
1902	15.52	21.83	16.80	11.60	18.00	62	2.90	4.20	8.36	5.22	33.46
1903	13.65	20.95	13.80	11.40	17.80	59	2.40	4.50	7.00	5.53	32.62
1904	11.40	20.70	13.00	9.40	19.60	78	2.50	4.45	7.85	5.80	32.66

Yearly range and average prices of grain, in cents, at Cincinnati, Ohio.

[From the report of the Cincinnati Chamber of Commerce, 1904.]

Year.	Wheat.		Corn.		Oats.		Rye.		Barley.
	Range.	Average.	Range.	Average.	Range.	Average.	Range.	Average.	Average.
1893	52 - 75	64	35½-51	44	20 -36	32	48 -68	55	64
1894	48 - 60	54	32½-58½	45	29½-54	35	41½-56	52	60
1895	53 - 90	66	24½-55	41	19 -34½	27	40 -75	58	55½
1896	55 - 97	72	18½-33	27	15½-23	20	26½-44	38	36
1897	79 -100	89	20 -33	26	16½-25	21	33 -52	41	39
1898	64 -145	86	27½-41	34	21½-34½	27	40 -80	51	47
1899	68 - 77	72	29 -40	36	21½-31½	27	56 -68	62	52
1900	70 - 89	75	34 -47	41	21 -28	25	51½-67	59	53
1901	64 - 90	77	39 -74½	52	25 -50½	34	45 -73	60	64
1902	68 - 92	80	44 -69	61	27 -57	41	51 -71½	58	64
1903	74½- 92	81	40 -54½	47	31½-43½	37	54 -63	58	62
1904	92½-125	108	45½-59	51	31 -44½	38	61 -87	77	62

Average price of live hogs, winter seasons, at Cincinnati, Ohio.

[From the report of the Cincinnati Chamber of Commerce, 1905.]

1888-89	$5.15
1889-90	3.75
1890-91	3.65
1891-92	3.90
1892-93	6.60
1893-94	5.35
1894-95	4.35
1895-96	3.80
1896-97	3.35
1897-98	3.60
1898-99	3.55
1899-1900	4.40
1900-1901	5.05
1901-2	6.00
1902-3	6.50
1903-4	4.90
1904-5	4.80

Average annual prices of staple products at Cincinnati, Ohio.

[From the report of the Cincinnati Chamber of Commerce, 1905.]

Year.	Clover seed, per 100 pounds.	Timothy seed, per bushel.	Flax seed, per bushel.	Hay, timothy, per ton.	Bran, per ton.	Middlings, fine, per ton.	Middlings, coarse, per ton.	Coal, afloat, Pittsburg, per bushel.	Coal, afloat, Kanawha, per bushel.	Coal, delivered, Pittsburg, per ton.	Coal, delivered, Kanawha, per ton.	Coal, anthracite, per ton.
								Cents.	*Cents.*			
1884-85	$8.02	$1.41	$1.31	$12.81	$12.96	$16.18	$14.49	8.04	7.43	$3.03	$2.98	$7.05
1885-86	9.27	1.83	1.06	12.16	11.76	14.84	13.26	6.68	6.24	2.79	2.68	6.62
1886-87	7.05	1.87	.97	11.17	12.85	14.62	13.21	9.55	7.25	3.06	3.01	6.78
1887-88	6.77	2.44	1.44	14.79	15.66	17.71	16.56	10.01	9.75	3.68	3.68	7.63
1888-89	7.78	1.50	1.25	12.74	12.07	13.86	12.66	6.71	6.10	2.76	2.68	7.00
1889-90	5.64	1.80	1.26	10.56	11.16	12.76	11.49	6.78	6.37	2.69	2.69	6.46
1890-91	6.88	1.30	1.18	10.58	16.64	19.37	18.27	7.28	6.75	2.84	2.84	6.86
1891-92	8.43	1.27	.92	11.25	14.25	16.20	15.55	7.63	7.09	2.87	2.87	6.41
1892	9.70	1.47	.95	11.10	13.67	15.11	13.94	7.49	.....	2.88	2.88	6.79
1893	10.67	1.68	1.05	12.55	13.85	14.76	13.18	7.58	7.20	3.07	2.94	7.23
1894	8.80	2.10	1.16	10.95	13.15	14.10	13.40	6.34	6.69	2.53	2.55	6.35
1895	7.64	2.07	1.08	12.70	13.25	14.60	13.30	6.00	5.42	2.51	2.49	6.16
1896	6.74	1.89	.80	12.20	8.90	9.50	9.00	5.72	5.23	2.34	2.34	6.44
1897	5.82	1.20	.73	9.80	9.55	10.55	10.10	5.70	4.91	2.25	2.26	6.42
1898	5.08	1.11	.87	8.67	11.92	12.62	13.23	5.66	4.89	2.23	2.27	6.20
1899	5.48	1.06	.94	10.10	12.70	13.75	13.20	5.30	5.58	2.64	2.63	6.50
1900	7.75	1.37	1.19	13.96	14.60	15.90	15.35	7.50	7.48	2.03	3.05	6.90
1901	9.27	2.21	1.31	13.60	16.75	18.15	17.45	7.50	7.15	2.82	2.78	6.70
1902	7.92	2.20	1.30	13.35	17.35	19.50	18.60	7.92	7.86	3.25	3.25	9.00
1903	9.66	1.45	1.08	15.40	17.00	19.00	18.00	9.25	9.25	4.66	3.66	8.00
1904	9.75	1.25	1.00	13.00	18.65	21.20	19.60	8.50	8.50	3.20	3.20	7.30

EXHIBIT G.

[From the Statistical Abstract for 1904.]

In 1891 the average farm value of hogs was $4.15. January 1, 1893, under Democratic rule, was $6.41, and January, 1894, was $5.98, two Democratic years, against January 1, 1904, of $6.15, and January 1, 1905, $5.99, in these prosperous years. How much more are the farmers' hogs worth than they were before, and how much did the tariff add to their value, when the price of corn had increased wonderfully?

How much better off is the farmer selling a bushel of timothy seed that he was able to get for in 1893 an average price of $3.85 and in 1894 $4.80, in 1895 $4.84, in 1896 $3.04, against $2.88 last year, under these prosperous times?

How much better off are the farmers who owned, according to the agricultural report, January 1, 1893, 35,954,196 head of cattle other than milch cows, at a value of $547,882,204, an average of $15.25, than the farmers who owned January 1, 1905, 43,660,443 head of cattle other than milch cows, valued at $661,571,308, an average of $15.15?

How much better off are the farmers who in 1893 had 16,424,087 milch cows, at a value of $357,299,785, or an average of $22 per head, against 16,292,360 in 1900, at a value of $314,812,106, which averaged about $31.50, and against the farmers that had in 1905 17,572,464 head, at a value of $482,272,203, or an average of $27.50?

The price of sheep, of which there was 47,273,553 in 1893, valued at $125,909,000, an average of $2.70, against 41,883,065 in 1900, valued at $122,665,913, an average of about $2.90, and in 1905, the most prosperous year, 45,174,423, valued at $127,331,850, an average of about $2.80.

In 1893 we had 16,206,202 horses, worth $992,225,185, an average of $62 per head, and in 1900, a prosperous year, had 13,537,524, valued at $603,960,442, an average of $45, and in 1905 we had 17,057,702, at an average of about $70. Was it Republican prosperity that made the price $45 in 1900 and $62 in 1893, and $70 in 1905, or was it due to the wars all over the world that created an extra demand for them, that they sold for an average price of $80.72 in 1906, or was it because the horses are better, as most of them are sold for working on the farms, no doubt?

Monthly range of prices at Chicago for 1,200 to 1,800 pound native beef cattle during 1904, with yearly prices.

[From Yearbook of Live Stock Figures, published by Chicago Daily Drovers' Journal, February, 1905.]

Month.	Steers, 1,200 to 1,350 pounds, average.	Steers, 1,350 to 1,500 pounds, average.	Steers, 1,500 to 1,800 pounds, average.
January	$3.65 to $5.85	$4.10 to $5.75	$4.55 to $5.90
February	3.50 to 5.90	3.80 to 6.00	4.35 to 6.00
March	3.65 to 5.80	4.10 to 6.00	4.50 to 5.80

Monthly range of prices at Chicago for 1,200 to 1,800 pound native beef cattle during 1904, with yearly prices—Continued.

Month.	Steers, 1,200 to 1,350 pounds, average.	Steers, 1,350 to 1,500 pounds, average.	Steers, 1,500 to 1,800 pounds, average.
April	$3.80 to $5.60	$4.25 to $5.70	$4.45 to $5.80
May	3.90 to 5.90	4.25 to 5.90	4.60 to 5.90
June	4.60 to 6.65	5.20 to 6.65	5.60 to 6.70
July	4.40 to 6.65	5.00 to 6.55	5.40 to 6.50
August	3.80 to 6.40	4.25 to 6.40	4.75 to 6.40
September	3.65 to 6.35	4.25 to 6.55	4.90 to 6.50
October	3.50 to 7.00	4.10 to 6.90	5.10 to 7.00
November	3.50 to 7.10	4.00 to 7.25	4.70 to 7.30
December	a3.35 to 12.25	a4.00 to 9.00	a4.40 to 10.50
Year.			
1904	3.35 to 12.25	3.80 to 9.00	4.35 to 10.50
1903	3.35 to 6.80	3.75 to 7.50	4.10 to 7.85
1902	3.60 to 9.60	4.00 to 9.00	4.25 to 14.50
1901	3.60 to 8.75	4.30 to 12.00	4.80 to 9.30
1900	3.90 to 8.50	4.30 to 11.00	4.70 to 15.50
1899	4.00 to 7.30	4.30 to 8.25	4.60 to 8.25
1898	3.80 to 5.90	3.90 to 6.15	4.10 to 6.25
1897	3.35 to 5.60	3.65 to 6.00	4.00 to 6.00
1896	2.90 to 5.85	3.20 to 6.50	3.40 to 6.25
1895	2.90 to 6.25	3.20 to 6.40	3.60 to 6.60
1894	2.90 to 6.40	3.10 to 6.40	3.50 to 6.00
1893	2.90 to 5.80	3.10 to 6.05	4.00 to 6.75
1892	2.85 to 5.85	3.25 to 6.35	3.75 to 7.00
1891	2.70 to 6.20	3.00 to 6.50	4.00 to 7.15
1890	2.75 to 5.10	3.25 to 5.00	3.75 to 6.40
1889	2.60 to 4.70	2.85 to 5.40	3.40 to 6.10
1888	2.75 to 6.40	3.30 to 6.75	4.00 to 7.00
1887	2.60 to 6.25	3.20 to 6.25	3.60 to 6.50
1886	3.00 to 5.80	3.50 to 6.10	4.25 to 6.50
1885	3.50 to 6.10	3.90 to 6.00	4.75 to 6.80
1884	4.10 to 7.00	4.50 to 7.25	5.35 to 8.00
1883	4.10 to 7.00	4.80 to 7.10	5.35 to 7.25
1882	4.25 to 9.00	4.70 to 9.00	5.40 to 9.30
1881	3.80 to 7.00	4.10 to 7.20	5.30 to 8.00
1880	4.50 to 5.50	4.30 to 6.00	5.00 to 7.00
1879	3.20 to 5.00	3.90 to 6.50	4.00 to 6.00
1878	3.00 to 4.70	3.50 to 5.00	4.00 to 5.50

a International show cattle. Highest on open market, $7.65.

Monthly average prices for 1,200 to 1,500 pound native beef cattle at Chicago for seven years.

Month.	1904.	1903.	1902.	1901.	1900.	1899.	1898.
January	$4.90	$4.90	$6.20	$5.10	$5.40	$5.35	$4.70
February	4.75	4.75	6.05	5.10	4.95	5.20	4.80
March	4.85	4.90	6.20	5.15	5.00	5.10	4.70
April	4.80	5.00	6.80	5.35	5.10	5.05	4.60
May	5.00	4.95	7.00	5.40	5.20	5.20	4.55
June	5.95	5.00	7.45	5.70	5.30	5.25	4.60
July	5.60	5.00	7.90	5.35	5.35	5.50	4.95
August	5.20	5.10	7.85	5.30	5.55	5.80	5.10
September	5.35	5.15	7.45	5.75	5.50	5.90	5.10
October	5.60	4.90	7.10	5.70	5.40	5.85	5.10
November	5.05	4.70	5.80	5.70	5.35	5.80	5.00
December	4.75	4.90	5.30	5.90	5.20	5.95	5.05
Yearly average	5.10	4.90	6.75	5.45	5.30	5.50	4.85

Monthly range of prices at Chicago for 900 to 1,200 pound native beef cattle and distillery-fed steers during 1904, with yearly comparisons for ten years.

	Steers, 1,050 to 1,300 pounds average.	Steers, 900 to 1,050 pounds average.	Distillery-fed steers.
Month.			
January	$3.15 to $5.75	$3.00 to $5.75	.....
February	3.20 to 5.50	3.00 to 5.35	.....
March	3.25 to 5.60	3.00 to 5.40	$3.65 to $4.50
April	3.35 to 5.65	3.10 to 5.15	.....
May	3.60 to 5.70	3.35 to 5.50	4.25 to 5.65
June	4.00 to 6.40	3.80 to 6.25	4.75 to 6.30
July	3.95 to 6.40	3.80 to 6.10	5.00 to 6.25
August	3.35 to 6.30	3.00 to 6.25	5.15 to 5.90
September	3.00 to 6.15	2.85 to 6.05	4.65 to 5.85
October	2.75 to 6.60	2.40 to 6.35	4.50 to 5.30
November	2.60 to 7.75	2.40 to 6.25	4.75 to 5.10
December	a 2.80 to 8.00	a 2.50 to 8.00	4.80 to 4.90
Year.			
1904	2.60 to 8.00	2.40 to 8.00	3.65 to 6.30
1903	2.00 to 8.35	2.90 to 6.05	3.50 to 5.70
1902	3.15 to 8.60	2.90 to 8.15	3.80 to 8.20
1901	3.30 to 9.50	3.30 to 8.70	3.90 to 6.25
1900	3.50 to 7.90	3.25 to 6.50	3.50 to 5.65
1899	3.85 to 6.75	3.75 to 6.50	3.80 to 6.25
1898	3.70 to 5.85	3.60 to 5.60	3.75 to 5.50
1897	3.35 to 5.60	3.25 to 5.25	3.70 to 4.90
1896	2.90 to 5.75	2.90 to 4.90	3.50 to 4.40
1895	2.75 to 6.20	2.70 to 5.85	4.25 to 5.75
1894	2.70 to 6.00	2.70 to 5.50	3.45 to 4.75

a International show cattle.

Monthly average prices of native beef cattle at Chicago during 1904, with the yearly average for ten years.

	1,500 to 1,900 pounds.	1,300 to 1,500 pounds.	1,200 to 1,350 pounds.	1,050 to 1,200 pounds.	900 to 1,050 pounds.	900 to 1,900 pounds.
Month.						
January	$5.30	$5.10	$4.65	$4.40	$4.15	$4.65
February	5.25	4.95	4.50	4.10	3.85	4.50
March	5.30	5.05	4.60	4.25	3.90	4.60
April	5.15	4.95	4.60	4.30	4.05	4.65
May	5.35	5.15	4.85	4.65	4.30	4.85
June	6.35	6.10	5.80	5.35	4.95	5.60
July	6.10	5.85	5.40	5.05	4.60	5.40
August	5.85	5.35	5.05	4.55	4.15	5.10
September	5.95	5.50	5.20	4.50	4.25	5.10
October	6.25	5.90	5.30	4.50	4.05	5.20
November	6.10	5.40	4.70	4.10	3.75	4.95
December	5.60	5.00	4.50	3.70	3.40	4.40
Year.						
1904	5.70	5.45	4.95	4.45	4.10	4.95
1903	5.20	5.05	4.80	4.45	4.15	4.80
1902	7.25	6.80	6.25	5.65	5.05	6.20
1901	5.95	5.60	5.25	4.85	4.50	5.25
1900	5.55	5.40	5.15	4.90	4.70	5.15
1899	5.75	5.55	5.25	4.95	4.70	5.30
1898	5.05	4.85	4.65	4.45	4.30	4.65
1897	4.95	4.70	4.45	4.25	4.10	4.50
1896	4.40	4.30	4.05	3.90	3.70	4.05
1895	5.20	4.85	4.40	4.10	3.95	4.50
1894	4.75	4.55	4.20	3.95	3.75	4.25
1893	5.35	4.75	4.40	4.10	3.85	4.45

Monthly receipts of Texas cattle at Chicago for 1904, with comparisons.

Month.	1904.	1903.	1902.	1901.	1900.
January	500	413	8,600	14,175	19,150
February	1,673	6,684	8,919	9,208	14,200
March	1,902	2,809	4,031	8,517	18,400
April	492	2,702	3,473	5,423	7,100
May	1,870	4,478	7,640	2,316	6,000
June	25,135	22,299	26,076	12,510	11,300
July	16,705	35,398	37,695	26,075	20,859
August	14,375	22,130	23,714	17,600	32,127
September	9,983	29,411	25,900	25,105	23,324
October	3,210	17,428	22,575	26,510	25,410
November	900	4,622	13,246	6,780	9,178
December	200	2,000	8,400	7,000	7,500
Total	76,945	150,374	190,269	161,219	194,726

Monthly prices at Chicago for Texas steers, cows, heifers, and bulls for 1904, with yearly comparisons for twelve years.

	Steers.	Bulk of sales.	Cows and bulls.
Month.			
February	$3.10 to $4.65	$3.40 to $4.00	$2.60 to $3.55
March	3.20 to 5.00	4.20 to 4.90	3.00 to 3.60
April	4.25 to 4.80	4.40 to 4.75	3.20 to 4.20
May	3.65 to 5.10	4.10 to 4.75	2.75 to 3.50
June	3.00 to 5.95	4.00 to 5.50	2.25 to 4.00
July	2.90 to 5.35	4.00 to 5.00	1.75 to 4.00
August	2.75 to 4.85	3.25 to 4.25	2.00 to 3.40
September	3.00 to 3.50	3.40 to 3.50	.....
October	3.75 to 3.45	3.10 to 3.45	.....
December	4.30 to 4.65	4.30 to 4.65	.....
Year.			
1904	2.75 to 5.95	3.25 to 5.50	1.75 to 4.20
1903	2.40 to 5.10	3.25 to 4.60	1.50 to 4.15
1902	2.55 to 7.65	3.25 to 6.50	1.85 to 6.35
1901	2.85 to 5.60	3.25 to 5.30	1.50 to 4.85
1900	3.10 to 5.90	3.40 to 5.00	2.35 to 4.45
1899	3.00 to 3.75	3.50 to 5.00	2.10 to 4.65
1898	3.15 to 5.40	3.40 to 4.75	2.00 to 4.54
1897	2.75 to 4.80	3.00 to 4.50	1.75 to 4.25
1896	2.10 to 5.50	2.75 to 4.25	1.25 to 3.65
1895	1.90 to 5.75	2.75 to 4.20	1.40 to 5.15
1894	1.50 to 4.50	2.60 to 4.00	1.00 to 3.80
1893	1.60 to 6.00	3.00 to 4.25	1.25 to 4.30

Monthly average prices for straight Texas steers at Chicago for seven years.

[From the same source.]

Month.	1904.	1903.	1902.	1901.	1900.	1899.	1898.
January	.....	$4.30	$4.85	$4.35	$4.50	$4.45	$4.20
February	$3.65	3.95	5.10	4.15	4.30	4.20	4.15
March	4.50	4.10	5.40	4.45	4.30	4.50	4.25
April	4.55	4.55	5.70	4.75	4.65	4.80	4.20
May	4.50	4.10	5.65	4.65	4.65	4.70	4.15
June	4.80	3.95	5.65	4.65	4.40	4.70	4.20
July	4.50	4.10	5.00	4.10	4.25	4.60	4.45
August	3.75	4.00	4.30	4.15	3.95	4.20	4.00
September	3.45	3.65	3.85	3.80	3.85	4.00	3.60
October	3.20	3.30	3.75	3.45	3.65	3.75	3.65
November	.....	3.25	3.50	3.55	3.95	3.85	3.75
December	4.40	3.85	4.50	4.55	3.90	4.30	3.80
Average	4.10	3.95	4.80	4.20	4.20	4.35	4.05

Monthly top prices for straight Texas cattle (steers) at Chicago for seven years.

Month.	1904.	1903.	1902.	1901.	1900.	1899.	1898.
January	.....	$4.75	$6.25	$4.85	$5.90	$5.25	$4.65
February	$3.65	4.35	6.00	5.05	5.15	5.05	4.65
March	5.00	4.65	6.65	4.95	5.40	6.00	5.40
April	4.80	5.10	6.50	5.40	5.40	5.35	4.55
May	5.10	4.80	6.85	4.90	5.05	5.00	4.65
June	5.95	4.75	7.65	5.60	5.35	5.15	4.75
July	5.25	5.10	6.60	5.20	5.40	5.65	5.00
August	4.85	5.00	5.62	5.25	4.90	5.35	4.50
September	3.50	4.70	4.25	4.70	4.85	5.15	4.00
October	3.45	4.25	5.45	4.10	4.80	4.65	4.25
November	.....	3.65	4.00	4.75	5.00	6.75	4.30
December	4.65	4.00	5.00	5.20	5.90	5.50	5.00
Top	5.95	5.10	7.65	5.60	5.90	6.75	5.40

A load of show Texas fed in Ohio sold in December, 1901, at $12, the highest Texas-bred cattle on record.

Monthly average prices for straight Texas, native-fed Texas steers, and native corn-fed western steers for 1904, with yearly averages.

	Straight Texas steers.	Texas bulls, cows, and heifers.	Native corn-fed Texas steers.	Native corn-fed westerns.
Month.				
January	.....	.....	$4.40	$4.90
February	$3.65	$2.95	4.30	4.75
March	4.50	3.30	4.65	4.90
April	4.55	3.65	4.70	4.90
May	4.50	3.25	4.90	5.10
June	4.80	2.70	5.45	6.05
July	4.50	2.95	5.30	5.85
August	3.75	2.80	4.95	5.35
September	3.45	.....	4.80	5.35
October	3.20	.....	4.50	5.50
November	.....	.....	4.45	5.10
December	4.40	.....	4.50	4.85
Year.				
1904	4.10	3.10	4.75	5.20
1903	3.95	2.95	4.70	4.95
1902	4.80	3.35	6.20	6.60
1901	4.20	3.10	5.05	5.55
1900	4.20	3.30	4.75	5.30
1899	4.35	3.25	4.90	5.35

Top prices for grass western range cattle at Chicago for seven years.

Month.	1904.	1903.	1902.	1901.	1900.	1899.	1898.
July	$5.00	$4.60	$6.90	.....	$5.00	.....	.....
August	4.75	4.75	7.15	$5.05	5.35	$5.40	$4.90
September	5.10	5.00	7.25	5.55	5.35	5.40	4.75
October	5.65	5.05	7.40	5.75	5.05	5.30	5.00
November	5.40	4.50	6.50	5.45	5.00	5.70	4.55
December	5.00	3.85	5.20	5.00	.....	4.75	4.25
Top	5.65	5.05	7.40	5.75	5.35	5.70	5.00

Monthly average prices for grass western steers at Chicago for seven years.

Month.	1904.	1903.	1902.	1901.	1900.	1899.	1898.
July	.....	$3.90	$5.80	.....	$4.45	.....	.....
August	$3.80	3.85	5.55	$4.60	4.40	$4.65	$4.30
September	3.85	3.70	4.85	4.55	4.40	4.60	4.30
October	3.50	3.55	4.80	4.55	4.25	4.55	4.25
November	3.50	3.40	4.55	4.45	4.25	4.60	4.00
December	3.80	3.50	4.25	.....	.....	4.50	4.00
Average	3.65	3.65	4.95	4.55	4.35	4.60	4.20

During 1904 Chicago received 2,882,185 head of so-called "native" cattle, being the second largest run of natives on record. Receipts of straight Texas during 1904 were the smallest in over twenty-five years, while western range receipts were over 90,000 larger than in 1903.

Classified receipts of cattle at Chicago for the last eighteen years.

Year.	Natives.	Texas.	Westerns.	All kinds.
1904	2,882,185	77,000	300,000	3,259,185
1903	3,072,386	150,300	209,800	3,432,486
1902	2,441,990	190,269	309,300	2,941,559
1901	2,729,499	161,419	140,478	3,031,396
1900	2,387,320	194,726	147,000	2,729,046
1899	2,169,524	171,222	173,700	2,514,446
1898	2,154,943	130,408	195,546	2,480,897
1897	2,118,696	202,697	233,531	2,554,924
1896	2,005,279	323,425	271,775	2,600,479
1895	1,798,389	359,643	430,526	2,588,558
1894	2,215,465	384,469	374,429	2,974,363
1893	2,148,887	670,099	314,420	3,133,406
1892	2,583,516	717,153	271,127	3,571,796
1891	2,190,829	689,187	370,343	3,250,359
1890	2,597,758	657,058	229,494	3,484,280
1889	2,246,128	616,757	160,396	3,023,281
1888	1,796,864	547,185	267,494	2,611,543
1887	1,635,205	485,528	261,275	2,382,008
1886	1,404,550	320,850	238,520	1,963,900

Monthly and average prices for all grades of hogs and pigs at Chicago during 1904, with comparisons.

	Mixed.	Heavy.	Light.	All grades.	Pigs.
Month.					
January	$4.85	$4.95	$4.80	$4.90	$4.30
February	5.15	5.25	4.95	5.15	4.45
March	5.40	5.50	5.25	5.35	4.75
April	5.10	5.15	5.05	5.10	4.55

Monthly and average prices for all grades of hogs and pigs at Chicago during 1904, with comparisons—Continued.

	Mixed.	Heavy.	Light.	All grades.	Pigs.
Month.					
May	$4.65	$4.75	$4.60	$4.65	$4.25
June	5.05	5.05	5.05	5.05	4.65
July	5.40	5.35	5.45	5.40	5.20
August	5.30	5.25	5.45	5.30	5.30
September	5.75	5.70	5.85	5.75	5.40
October	5.45	5.35	5.40	5.40	5.00
November	4.80	4.80	4.70	4.80	4.40
December	4.50	4.55	4.45	4.50	4.10
Year.					
1904	5.15	5.15	5.10	5.15	4.70
1903	6.00	6.00	5.95	6.00	5.70
1902	6.80	6.95	6.70	6.85	6.90
1901	5.85	5.90	5.80	5.85	4.95
1900	5.05	5.05	5.05	5.05	4.50
1899	4.05	4.05	4.05	4.05	3.75
1898	3.85	3.85	3.80	3.85	3.45
1897	3.70	3.65	3.75	3.70	3.40
1896	3.50	3.40	3.60	3.50	3.40
1895	4.30	4.35	4.30	4.30	3.90
1894	5.00	5.05	5.05	5.05	4.25
1893	6.60	6.55	6.60	6.60	6.05

Monthly prices at Chicago for western sheep and export sheep and yearlings during 1904, with yearly comparisons.

	Western sheep.	Bulk of westerns.	Export sheep and yearlings.
Month.			
January	$2.25 to $4.75	$3.75 to $4.50	$3.85 to $4.75
February	2.40 to 4.75	3.95 to 4.60	4.25 to 4.75
March	2.75 to 5.45	4.40 to 5.15	4.70 to 5.45
April	3.50 to 5.80	5.00 to 5.75	5.00 to 5.75
May	2.75 to 5.80	5.00 to 5.60	5.00 to 5.80
June	2.25 to 5.50	4.25 to 5.20	5.25 to 5.50
July	2.00 to 4.65	3.50 to 4.40	3.75 to 5.25
August	2.00 to 4.25	3.35 to 4.00	3.80 to 4.50
September	2.00 to 4.35	3.00 to 4.10	4.00 to 4.50
October	2.00 to 4.75	3.15 to 4.35	3.90 to 4.75
November	2.00 to 4.85	3.60 to 4.60	4.10 to 5.00
December	3.00 to 5.60	4.20 to 5.00	4.35 to 5.60
Year.			
1904	2.00 to 5.80	3.50 to 5.20	3.75 to 5.80
1903	1.25 to 7.00	3.00 to 5.50	3.15 to 6.50
1902	1.25 to 6.30	3.00 to 6.25	3.40 to 6.35
1901	1.25 to 5.25	3.00 to 5.00	3.25 to 5.25
1900	2.50 to 6.50	3.40 to 6.30	3.75 to 6.00
1899	2.40 to 5.55	3.35 to 5.50	3.85 to 5.25
1898	2.75 to 5.25	3.50 to 5.00	.....
1897	2.15 to 5.35	3.00 to 5.50	.....
1896	1.15 to 4.30	2.40 to 3.85	.....
1895	1.35 to 5.55	2.00 to 4.75	.....
1894	1.10 to 5.40	1.75 to 4.50	.....
1893	1.25 to 6.40	2.50 to 5.25	.....

APPENDIX H.

Range of prices of No. 1 buffs and calfskins since 1892 in Milwaukee.

Year.	No. 1 buffs.				No. 1 calfskins.			
	High.		Low.		High.		Low.	
	Price.	Month.	Price.	Month.	Price.	Month.	Price.	Month.
	Cents.		*Cents.*		*Cents.*		*Cents.*	
1892	5½	Jan	4½	Sept	9½	Dec	7½	June.
1893	5	Mar	3½	Nov	10½	Mar	6½	Aug.
1894	6	Dec	3½	June	9½	Dec	7	Apr.
1895	9½	July	5½	Feb	14½	July	8	Dec.
1896	9½	Oct	5½	Aug	11½	Nov	7½	Apr.
1897	10	Sept	7½	May	14	Nov	9½	May.
1898	10½	June	9	Apr	13½	Feb	11½	Apr.
1899	12½	Dec	9½	Apr	13½	Dec	12	June.
1900	11	Jan	8½	Aug	13½	Jan	9½	Aug.
1901	9½	Oct	7½	Apr	12½	Oct	11½	Mar.
1902	9½	Sept	7½	Mar	12½	Dec	11	July.
1903	9½	June	8	Nov	13	Dec	11½	June.
1904	10½	Nov	8½	Feb	14½	Dec	13	Apr.
1905	13½	Nov	10	Mar	16	Nov	14½	June.

This table plainly shows that calfskins, which are upon the free list, advanced and declined at different times, depending solely upon the supply and demand and not the tariff.

Green hide prices since 1854 in St. Louis.

Year.	Highest.	Lowest.	Year.	Highest.	Lowest.
	Cents.	Cents.		Cents.	Cents.
1854	6¼	4¼	1880	10	6¼
1855	6¼	4¼	1881	9¼	8¼
1856	8	6	1882	9¼	8¼
1857	5¼	4	1883	8¼	7
1858	7¼	4¼	1884	9¼	8¼
1859	8¼	6	1885	9¼	7¼
1860	7	6	1886	9¼	8¼
1861	6	2¼	1887	8	6¼
1862	7¼	4¼	1888	7¼	6¼
1863	9¼	7	1889	6	4¼
1864	11¼	8	1890	8	4¼
1865	9	5	1891	6¼	4¼
1866	10¼	6¼	1892	4¼	3¼
1867	12	8	1893	4¼	2¼
1868	12	10	1894	5¼	3¼
1869	12	9	1895	9	5
1870	10	7¼	1896	8¼	4¼
1871	10	9	1897	9¼	7¼
1872	11	10	1898	9¼	8
1873	11¼	7	1899	10¼	8¼
1874	9¼	5¼	1900	9	7¼
1875	9¼	7	1901	8¼	6¼
1876	9¼	6	1902	8¼	7¼
1877	9¼	7¼	1903	8	7¼
1878	8¼	5¼	1904	9¼	7¼
1879	10¼	6¼	1905	13¼	9¼

Prices of hides at Chicago, with comparisons of previous years.

CHICAGO PACKER HIDES, 1905.

Date.	Heavy native steers.	Butt branded steers.	Heavy Texas steers.	Light Texas steers.	Heavy Colorado steers.	Heavy native cows.	Light native cows.	Branded cows.	Native bulls.	Branded bulls.	Average price.
Jan	$13.80	$12.50	$13.81	$12.47	$12.37	$12.03	$11.75	$11.05	$10.50	$9.25	$11.993
Feb	13.49	12.47	13.81	12.40	12.27	11.81	11.65	11.75	10.50	9.25	11.993
Mar	13.60	12.41	13.96	18.10	12.32	11.62	11.62	11.92	10.37	9.37	11.969
Apr	13.11	12.65	14.75	12.75	12.62	12.00	12.06	12.12	10.25	9.50	12.292
May	13.46	13.25	15.11	14.25	13.16	12.37	12.50	12.50	10.37	9.62	12.658
June	13.42	13.08	14.63	14.75	13.12	12.55	12.75	12.65	10.25	9.46	12.586
July	14.13	13.11	14.50	13.12	13.10	13.20	13.17	12.96	10.27	9.56	12.712
Aug	15.25	13.66	14.78	14.37	13.59	14.15	14.00	13.50	10.82	9.93	13.401
Sept	15.19	13.75	14.30	14.37	13.54	14.24	14.09	13.50	11.25	10.00	13.433
Oct	15.34	13.75	14.41	14.40	13.50	14.50	14.41	13.50	11.25	10.04	13.520
Nov	15.66	13.91	14.57	14.40	13.65	14.69	14.62	13.65	11.65	10.50	13.750
Dec	15.77	14.00	14.75	14.75	13.75	14.75	14.75	13.75	11.70	10.67	13.864
Average:											
1905	14.30	13.21	14.44	13.91	13.68	13.16	13.10	12.74	10.77	9.76	12.847
1904	11.66	10.82	12.65	11.67	10.81	10.60	10.52	10.28	9.10	8.15	10.633
1903	11.69	10.57	12.64	11.39	10.54	10.07	9.64	9.19	9.61	7.69	10.283
1902	13.38	12.33	14.41	12.42	12.10	11.12	10.12	10.01	10.50	9.10	11.549
1901	12.37	11.46	12.88	11.63	11.21	10.66	10.07	9.87	10.19	8.54	10.878
1900	11.94	11.01	11.99	11.49	10.49	10.62	10.44	10.18	9.93	8.42	10.614
1899	12.34	11.44	12.07	11.63	10.70	11.27	10.40	10.90	10.01	8.50	11.021
1898	11.50	10.08	10.74	10.43	9.34	10.84	11.02	9.72	9.56	7.32	10.045
1897	9.96	9.14	9.33	8.44	8.28	9.35	9.74	8.71	8.27	6.36	8.810
1896	8.14	7.25	7.41	6.94	6.45	7.55	7.53	6.66	6.63	5.25	6.980
1895	10.20	8.97	9.48	8.40	8.29	8.76	8.52	8.00	7.41	6.42	8.475
1894	6.38	5.73	6.39	5.41	5.31	4.95	4.67	4.53	4.38	3.81	5.156
1893	7.31	6.28	6.45	5.49	5.59	5.21	4.74	4.71	5.20	4.07	5.505
1892	8.79	7.40	7.46	6.40	6.26	5.94	5.88	5.17	5.87	4.31	6.318

Average prices of Chicago packer and country hides for 1908 with comparisons.

PACKER HIDES.

	Native steers, heavy.	Butt branded steers.	Texas steers, heavy.	Texas steers, light.	Colorado steers.	Native cows, heavy.	Native cows, light.	Branded cows.	Native bulls.	Branded bulls.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
January	11.31	9.46	11.25	9.75	9.47	9.09	8.53	7.78	9.62	7.69
February	10.75	9.88	11.40	10.20	10.00	8.08	8.40	8.45	8.97	7.45
March	9.36	8.97	10.75	9.81	9.06	8.34	7.81	8.31	8.37	6.96
April	10.68	10.31	12.00	10.93	10.37	9.18	8.93	9.08	8.93	7.58
May	11.45	11.15	13.00	12.00	11.15	9.60	9.33	9.40	8.90	7.75
June	13.50	12.56	14.93	13.87	12.68	10.82	10.82	10.82	9.18	8.13
July	15.06	13.81	15.25	13.81	13.87	12.75	12.37	11.50	10.07	9.00
August	16.75	14.17	15.45	13.95	14.00	13.70	13.25	11.95	10.75	9.70
September	15.81	14.31	15.50	14.00	14.21	13.96	13.43	12.00	11.25	9.68
October	15.65	14.15	15.25	13.75	13.50	13.60	12.90	11.75	10.85	9.70
November	15.87	14.44	15.43	14.06	14.00	13.81	13.12	12.06	11.31	10.00
December	16.00	14.43	15.81	14.43	14.37	14.12	13.43	12.81	11.75	10.50
Average:										
1908	13.43	12.30	13.89	12.55	12.26	11.42	11.02	10.40	10.00	8.69
1907	14.56	12.20	14.09	13.23	11.82	13.12	12.72	11.88	11.85	9.99
1906	15.43	13.99	14.88	14.85	13.66	14.96	14.88	14.11	12.20	10.59
1905	14.36	13.26	14.45	13.91	13.13	13.18	13.10	12.90	10.80	9.78
1904	11.77	10.93	12.67	11.71	10.84	10.62	10.47	10.27	9.12	8.13
1903	11.72	10.62	12.71	11.14	10.47	9.92	9.59	9.19	9.61	7.68
1902	13.37	12.33	12.45	12.46	12.09	11.21	10.14	10.02	10.62	9.15
1901	12.40	11.46	12.93	11.52	11.23	10.68	10.12	9.91	10.17	8.52
1900	12.00	11.08	12.09	11.16	10.54	10.68	10.59	10.24	9.93	8.46

Average prices of Chicago packer and country hides for 1908 with comparisons—Continued.

CHICAGO COUNTRY HIDES, 1905.

Date.	No. 1 heavy steers.	Branded steers, flat.	No. 1 heavy cows.	Branded cows, flat.	No. 1 buffs.	No. 1 extremes.	No. 2 buffs.	Bulls, flat.	No. 1 calfskins.	No. 1 kips.	Average price.
Jan	$11.50	$11.18	$10.37	$10.01	$10.22	$10.32	$9.31	$8.50	$14.33	$11.82	$10.756
Feb	11.17	11.50	10.37	10.14	10.18	10.35	9.20	8.50	14.43	11.36	10.717
Mar	11.33	11.03	10.36	9.71	10.35	10.50	9.44	8.50	14.55	11.39	10.718
Apr	11.37	11.25	10.50	9.92	10.52	10.60	9.64	8.53	14.70	10.89	10.792
May	11.42	11.42	10.94	10.25	11.00	10.94	9.95	8.78	14.66	10.96	11.023
June	11.60	11.58	11.39	10.56	11.31	11.44	10.34	9.06	14.17	11.22	11.263
July	12.25	11.58	12.33	10.62	12.33	12.53	11.39	9.25	14.44	12.00	11.872
Aug	13.67	12.10	12.96	11.26	12.96	13.25	12.07	9.57	14.86	13.22	12.532
Sept	13.50	12.42	13.25	11.87	13.25	13.75	12.38	9.84	15.19	14.40	12.985
Oct	13.94	12.45	13.42	11.93	13.38	13.96	12.58	10.31	15.19	14.67	13.157
Nov	14.25	12.78	13.65	12.28	13.65	14.25	12.78	10.67	15.85	14.88	13.504
Dec	14.21	13.05	13.55	12.56	13.40	13.75	12.52	11.12	15.71	14.20	13.407
Average:											
1908	10.54	.....	9.34	.....	9.19	9.70	8.19	7.84	14.43	9.91	.....
1907	11.77	.....	10.99	.....	10.88	10.06	9.83	9.86	15.81	11.41	.....
1906	13.76	.....	13.44	.....	13.41	13.44	12.45	11.07	15.76	13.73	.....
1905	12.47	11.86	11.92	10.93	11.88	12.14	10.96	9.39	14.84	12.58	11.897
1904	10.03	9.42	9.47	8.42	9.45	9.75	8.49	7.87	13.37	11.08	9.734
1903	9.71	8.82	8.66	7.85	8.59	8.87	7.63	7.75	12.06	10.16	9.009
1902	10.99	9.45	9.41	8.55	8.74	8.83	7.78	8.73	11.69	9.67	9.404
1901	10.60	8.84	9.25	8.56	8.73	8.77	7.73	8.43	11.93	9.36	9.210
1900	10.29	8.75	9.30	8.73	9.11	9.52	8.26	8.05	11.91	10.16	9.409
1899	10.79	9.69	10.13	9.56	10.08	10.43	9.58	8.71	12.84	10.95	10.276
1898	10.25	8.85	9.90	8.85	9.94	10.49	9.43	8.46	12.49	11.20	9.986
1897	9.00	7.77	8.65	7.88	8.86	9.55	8.35	7.45	12.08	10.50	9.009
1896	7.29	6.16	6.86	6.21	6.85	7.43	6.56	5.83	9.10	7.96	6.996
1895	8.79	8.07	7.97	7.26	7.86	8.07	7.36	6.51	11.23	8.93	8.205
1894	5.30	4.89	4.41	4.02	4.21	4.76	3.73	3.89	7.84	6.12	4.917
1893	6.09	4.82	4.57	3.91	4.26	4.49	3.65	4.37	8.35	6.21	5.072
1892	7.61	5.64	5.30	4.49	4.86	6.28	4.28	5.05	8.15	6.00	5.764

Antwerp prices of South American salted ox hides.

Year.	Price.	Year.	Price.
	Cents.		Cents.
1905	14¼	1895	13¾
1904	14¼	1894	10½
1903	14	1893	10
1902	13¼	1892	9¼
1901	12¼	1891	10½
1900	13	1890	11¼
1899	12¼	1889	11
1898	12¼	1888	10¼
1897	11¼	1887	13½
1896	11	1886	12¼

The price of hides is, after all, the best index of supply and demand. It will be observed that South American hides were dearer in 1905 and 1904 than at any time in twenty years. It should be interesting and instructive to readers of Hide and Leather to discover that conditions affecting the supply and cost of hides are substantially the same in South America as in our own country.

THE SUPPLY OF PACKER HIDES.

The actual slaughter of cattle at five leading western packing points for 1905 shows an increase of 295,090 head from 1904, but a decrease of 127,772 head from 1903. This table gives the detailed figures:

Slaughter of cattle at five points for three years.

	1905.	1904.	1903.
Chicago	2,002,273	1,939,152	2,163,031
Kansas City	1,244,775	1,012,665	1,033,384
Omaha	681,757	642,277	766,870
St. Joseph	367,916	406,467	404,937
St. Louis	765,162	766,232	821,433
Total	5,061,883	4,766,793	5,189,655

It is evident from this showing that the supply of packer hides is not keeping pace with the increased consumption of leather caused by the increased population and prosperity of the country.

APPENDIX I.

EXHIBIT A.

[Letters from harness-manufacturers showing quantity and value of leather used in heavy harness.]

ST. LOUIS, *January 18, 1906.*

Mr. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: Your kind favor of 15th to hand. In response to same we give you herewith weight of the leather used on the heavy farm-team harnesses. Weight of same would be from 35 to 45 pounds, according to the grade. The value of the leather would be 45 cents per pound for cut stock, based on to-day's prices of harness leather. In order to make one dozen heavy full-leather horse collars it would take from 85 to 90 feet of collar leather, which is worth to-day 19 cents per foot.

Trust information is satisfactory. If anything further is required, we shall be pleased to furnish same, and remain,

Yours, very truly,

———

ST. PAUL, MINN., *January 19, 1906.*

Hon. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: Replying to your communication of the 15th, would state the amount of leather used in a heavy team harness ranges, according to the style and dimensions, from 35 to 60 pounds. Think the average for this section is about 45 pounds per set, for two horses, and costs (cut stock), not counting labor for cutting, if average good stock is used, $22.50 at the present price of leather. The labor on an average-priced team harness, by hand, about $6.50 per set. A good ordinary team horse collar has 85 feet of leather, and which is worth $17 per dozen. Labor, from $5.50 to $6.50 per dozen.

It seems to the writer, when we consider, according to the best statistics at hand, there is a world shortage on hides, and especially when the price of cattle is not at all based on the value of the hide, which is considered a by-product only and really benefits only the large packers, who control both the hide and leather market to-day, the tariff ought to come off. There is no considerable number of people benefited by high-priced hides, as the percentage of country hides taken off is very small indeed compared to a few years ago, before the time when large packers inaugurated their present system of furnishing dressed beef to all the small markets throughout the country, thereby cutting off the local killing by the small butchers. The heavy increased demands for different kinds of leathers has, during the past two years, made it very difficult for manufacturers to secure sufficient quantity of certain kinds of leather to supply their needs. Tanners outside of what is ordinarily called the "trust" claim that they are unable to secure hides at a price sufficient to run their tanneries at a full capacity.

Very truly, yours,

———

CHICAGO, *January 17, 1906.*

Hon. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to yours of 15th instant, the cost of leather in producing heavy farm team harness is from $10 to $20 per set; the labor from $3 to $6 per set. For heavy full-leather horse collars cost of leather is from $15 to $20 per dozen, and labor from $4 to $10 per dozen.

This information is not definite, but there is considerable difference as to both cost of materials and labor, depending upon the grade and heft of the harnesses and collars.

Very truly, yours,

———

KANSAS CITY, MO., *January 19, 1906.*

Hon. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to yours of the 15th, will say that in a single set of heavy farm team harness there is about 40 pounds of leather, at about a valuation of 45 cents per pound. In a dozen full-leather horse collars there are about 100 feet of collar leather, at 21 cents per foot.

Trusting this will be satisfactory, we remain,

Yours, very truly,

———

EXHIBIT B.

[Letters from manufacturers of plow shoes and plow boots, showing quantity of leather used and its value per pair.]

MILWAUKEE, WIS., U. S. A., *January 20, 1906.*

Mr. CHARLES H. WEISSE,
Sheboygan Falls, Wis.

DEAR SIR: We have your favor of the 15th instant, inquiring as to the amount of leather used in producing heavy grain-leather plow shoe and boot.

It takes fully 2½ feet to cut a regular height (6 inches) plow shoe, and for the lowest plow boot we make, which is 14 inches, it takes fully 4½ feet of leather. The leather we are using now costs 19 cents a foot.

Yours, truly,

———

CHICAGO, *January 18, 1906.*

Mr. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to yours of the 15th, figures such as you ask for necessarily will vary in different institutions, according to the size of the last, height of shoe, and quality. Those we give below are the ones in use in our establishment, and apply to standard height, last, and quality made for workingmen.

Six and one-half to 7 ounce western oil grain is used, for which we are asked 18½ cents per foot, with the usual discount. It requires about 2¼ feet per pair; about quarter of a foot for the gusset, or tongue, which is cut out of 7-cent leather. The strap on leather is usually got out of scrap which falls from the cutting of the sides. On shoes made plain, without any trimmings, the above constitute all the leather in the upper.

In sole leather it is hard to give any idea of the amount, for different stocks are used for outsoles, slip soles, counter, and heels, and the total weight in the shoe can only be arrived at by footing up the estimates for these different parts and dividing by the average cost of the leather. In this way we arrive at about 2½ pounds. As to cost, there is considerable variation, according to the quality of the leather used. An outsole cut from leather tanned from South American dry hides, at 24½ cents per pound, to-day's market, would cost about 24 cents per pair on our dies; inner soles, about 7½ cents; slip soles, 6½ cents; the counter, at 7½ cents; the heel and top lift, 10 cents; total of 56 cents. If domestic-slaughter sole leather is used, about 2½ cents should be added to the allowance for the outsole.

The amount of stock used in boots varies according to the height. We have made boots which take only 5½ feet per pair, and from that up to 6. These would be cut from 7½-ounce oil grain sides, which are to-day quoted at 20 cents per foot, with the usual discount. This brings the cost of the upper from $1.05 to $1.20. To the sole-leather estimates about 12 to 15 per cent should be added on account of the heavier weight required for boots.

Trusting that this information will be satisfactory, and ready to serve you further,

Yours, truly,

———

APPENDIX K.

EXHIBIT A.

[Telegrams showing weights of western hides.]

MINNEAPOLIS, MINN., *January 17, 1906.*

CHARLES H. WEISSE,
House of Representatives, Washington, D. C.:

Three thousand October hides shipped by one dealer average 50 pounds, including all selections 25 pounds and up.

———

CHICAGO, ILL., *January 15, 1906.*

Hon. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: Shipments of hides received from small packer in Montana to-day. After sorted 25 pounds and up, the hides, 1,055 green salted, averaged 56½ pounds.

Yours, truly,

———

KANSAS CITY, MO., *January 16, 1906.*

Hon. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: The hides sold in Kansas City during the month of October and September, this year, 25 pounds and up, averaged 48 to 50 pounds.

Yours, truly,

———

DAYTON, OHIO, *January 16, 1906.*

Hon. CHARLES H. WEISSE.

DEAR SIR: Our hide collections in September, 1905, averaged 52 pounds for 25 and upward. Indianapolis collections averaged about the same.

———

EXHIBIT B.

[Letters quoting freight rates of the Chicago, Milwaukee and St. Paul Railway on green and dry hides.]

CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Denver, Colo., to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$1.25
C. L., per 100 pounds	.70
Hides, dry:	
L. C. L., per 100 pounds	2.05
C. L., per 100 pounds	.95

———

CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Butte, Mont., to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$2.10
C. L., per 100 pounds	1.15 7/10
Hides, dry:	
L. C. L., per 100 pounds	3.10
C. L., per 100 pounds	1.80

———

CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY,
Chicago, January 20, 1906.

Confirming my telephone message of this date, following are present rates from Salt Lake City, Utah, to Chicago, Ill.:

Hides, green:	
L. C. L., per 100 pounds	$2.20
C. L., per 100 pounds	1.38
Hides, dry:	
L. C. L., per 100 pounds	3.30
C. L., per 100 pounds	1.57

———

EXHIBIT C.

[Letters showing ocean freight rates on green and dry hides, loose and baled.]

NEW YORK, *January 22, 1906.*

Hon. CHARLES H. WEISSE,
Washington, D. C.

DEAR SIR: In reply to your esteemed favor of the 20th instant we beg to quote you the following freights:

Dry hides from Mexico, loose, 20 cents each and 5 per cent primage.

Dry hides from Mexico, when baled up, three-fourths cent per pound plus 5 per cent.

W. S. hides from Mexico, three-eighths cent per pound plus 5 per cent.

Dry hides from Central America, in bales, 1½ cents per pound net.

Dry hides from South American ports, 12½ cents each plus 5 per cent, and light-house dues 86 cents per ton, wharfage 12 cents per ton. These are export entry charges.

If we can get you any further information, please command us.

Yours, truly,

———

NEW YORK, *January 23, 1906.*

Hon. CHARLES H. WEISSE,
House of Representatives, Washington, D. C.

DEAR SIR: Referring to your previous inquiry about freight rates, we give you below the following quotations which we received this morning, and which we hope will be of service to you:

From Calcutta: Buffalo hides, 60s. per 14 hundredweight; goatskins, 70s. per 14 hundredweight.

———

NOTE.—Sixty shillings equal $14.75; 70s. equal $17.20.

NEW YORK, *January 17, 1906.*

Hon. CHARLES H. WEISSE,
Congress, Washington, D. C.

DEAR SIR: Referring to our communication regarding the freight rates, our freight agent gets us the following:

London to New York, goatskin hides, 15s. plus 10 per cent for 2,240 pounds (on deck).

New York to Milwaukee, goatskin hides, 30 cents per 100 pounds, minimum 30,000 pounds; less than carload, 35 cents per 100 pounds.

London to New York, dry hides, loose, 27.6s plus 10 per cent; in bales, 22.6s, plus 10 per cent.

New York to Milwaukee, dry hides, loose, 50 cents per 100 pounds; in bales, 35 cents per 100 pounds; minimum, 20,000 pounds.

If we can be of any service to you here, please command us.

We are importing dry Batavia cowhides, very spready, about 8 pounds average, which we have sold very extensively in your neighborhood, and we expect some in next month, and can offer you about 1,000 of them, subject to previous sale, at 30 cents per pound.

If you are interested in them, kindly advise us.

Hongkong-New York rates are not obtainable here, but we estimate 25 per cent for green salted.

Yours, truly, ———— ————.

[According to the above letter of January 17, the rate on green salted hides from London to New York is 15s. plus 10 per cent for 2,240 pounds (on deck), which is about 33 cents per hundred, or 68 cents per hundred to Milwaukee in less than carload lots, against a rate of $2.10 for less than carload lots from Butte, on green salted hides to Chicago, and a rate of $2.20 on less than carload lots on green salted hides from Salt Lake City, making a difference in the stock about the same as the difference in the tariff, or, according to the average country hide prices since the duty has been on, making a difference in the value of hides from there about the same as the duty, and the man from Butte, Mont., doesn't receive any more for his hides if he ships them to Chicago than the man from London, England, who ships to Chicago, which is the greatest hide market in the world. How does the 15 per cent duty protect the man in Butte, and is it not the railroads that fix the price?]

APPENDIX L.

A COMPARISON OF THE WORLD'S CATTLE STATISTICS—TABULATION OF OFFICIAL RETURNS.

[By Alfred Seymour Jones in the London (England) Leather Trades Review. Reprinted in Hide and Leather, issue of January 27, 1906.]

WHY HIDES ARE DEARER.

"I am inclined to say that the increase in cattle has not kept pace with the constantly increasing demand for leather brought about by increase in population, new industries, factories, and wealth." (Alfred Seymour Jones, English leather trade authority.)

Much has been said and written to explain the cause of, or causes for, the advance in the values of hides during recent times. Among the causes advanced the following have been especially urged: That the birth rate of cattle has not kept pace with the birth rate of human beings. That when a country becomes a manufacturing area it does so at the expense of the depletion of the head of cattle. That rinderpest and drought have caused serious losses. That more people to-day buy leather than formerly. That war, during recent years, has, at least in two countries, accounted for large declines in local herds.

In order to ascertain whether these causes are good, we must take the official returns for all those countries which at present furnish them and, at the same time, compare in a relative sense the demands of the population for leather.

In all cases I give the maximum head first, then the minimum, and when necessary the latest returns. The figures are extracted from official returns during the past twenty-five years. The comments following each are my own.

THE UNITED KINGDOM.

1905	11,674,026
1882	9,832,417

The progress of increase has been steady for over twenty-five years, and the total head has never been so large as it is to-day.

It is interesting to note and to remember when comparing the figures for the United States that the British board of agriculture say: "The live imports of cattle for 1904 numbered nearly 550,000 head, or 27,000 more than for 1903. The increase came from the United States, whence 100,000 more cattle were received than in 1903, equal to 72 per cent."

We will now turn our attention to the four leading continental countries.

Russia in Europe, including Poland and Caucasia.

RUSSIA.

1900	32,913,228
1883	23,628,031
1903	32,791,700
1904 (estimated)	30,838,410

POLAND.

1888	3,013,392
1903	2,887,400
1904 (estimated)	2,349,524

CAUCASIA.

1903	3,625,600
1900	3,515,500
1904 (estimated)	2,892,841

The official Russian returns for 1904 show a decline, and from my knowledge of that country I should put the reduction down to the unsatisfactory political situation which has existed there for some years past, but with the establishment of good government the total head of cattle should be largely augmented. The country is especially suited to the rearing of cattle.

GERMANY.

1900 (latest)	18,939,692
1873	15,776,702

I have gone back thirty years in the case of Germany to ascertain if there is any justification for the plea that "when a country has become a manufacturing area it does so to the depletion of the head of cattle."

I think no one will deny that the Fatherland, since the war of 1870, which brought her unity, has become a large manufacturing country. Yet from 1873 up to date each year shows a steady and progressive increase in her cattle.

FRANCE.

1902	14,928,556
1885	13,164,970
1903	14,103,090

The increase has been continuous up to 1902.

AUSTRIA.

1900 (last)	9,566,626
1869	7,425,212

HUNGARY.

1895 (last)	6,783,365
1870	5,279,193

In the instance of Austria I had to go as far back as 1869 to find the minimum. It is regrettable that both countries afford no later dates than those given, but each country shows a remarkable and steady increase.

In referring to the above countries, the British board of agriculture says: "So far as the head of the five leading European countries are concerned, viz, Russia in Europe, Germany, United Kingdom, France, and Austria, there would appear to have been a general advance in numbers. The combined heads are greater by nearly 22 per cent than they were some thirty years ago. If the older figures may be trusted, the percentage of rise in Austria was the greatest, or something like 28 per cent, as against 20 per cent in France and Germany and 13 per cent in our own country."

UNITED STATES OF NORTH AMERICA.

1900	67,822,336
1870	25,820,608
1903	61,241,907

"The heads of the United States have, according to the official data, shown no growth whatever since this country began," say the British board of agriculture.

It will perhaps be of interest if I give the statistics since 1870:

1870	25,820,608
1880	29,675,536
1890	57,948,792
1900	67,822,336

The above are census figures. The census of 1900 included spring calves, a procedure, it is explained, adopted in only a few instances in the enumerations of 1890, 1880, and 1870.

1902	61,424,599
1903	61,764,433
1904	60,949,517
1905	61,241,907

It appears to me that had the annual census been taken on 1900 basis there would have been no falling off, but a fairly steady total during the past five years.

CANADIAN DOMINION.

1901 (last)	5,576,451
1891	4,120,586

The data collected at the census for the following provinces do not agree with those published by the provincial governments, consequently are not comparable with above:

ONTARIO.

1904	2,776,104
1881	1,702,167

The increase has been constant annually.

MANITOBA.

1903	310,577
1902	282,343
1901	306,943

NORTHWEST TERRITORY.

1901 (last)	591,739
1891	231,827

NEW BRUNSWICK.

1901 (last)	227,196
1891	204,692

NEWFOUNDLAND.

1901 (last)	32,767
1891	23,828

NOVA SCOTIA.

1891	324,772
1901 (last)	316,174

PRINCE EDWARD ISLAND.

1901 (last)	112,779
1881	90,722

QUEBEC.

1901 (last)	1,365,829
1891	969,312

With the exception of two Provinces, Canada as a whole has steadily, year by year, increased her store of cattle.

Australian commonwealth.

NEW SOUTH WALES.

1895	2,150,057
1902	1,741,226
1903	1,880,578

This State every three years reaches 2,000,000 head, and in subsequent two years loses ground. Drought possibly has something to do with it.

VICTORIA.

1891	1,782,881
1881	1,286,267
1901	1,602,384

Census taken every ten years.

QUEENSLAND.

1895	6,822,401
1903 (last)	2,481,717

This State has reduced her head of cattle steadily since 1895, and appears to be going out as a live-stock producer.

SOUTH AUSTRALIA, EXCLUDING NORTHERN TERRITORY.

1891	359,938
1903	213,343
1904	244,610

This State has been declining in head of cattle for some years, falling below 300,000 in 1897.

WESTERN AUSTRALIA.

1903 (last)	497,617
1887	93,544

This State shows an annual increase since 1887.

TASMANIA.

1904 (last)	185,938
1890	150,004

This State shows a steady annual increase.

NEW ZEALAND.

1904	1,736,850
1898	1,203,024

Here, too, the increase has been year by year.

It can scarcely be maintained that the vast area of Australia, 1,902,447,000 acres, and of New Zealand, 67,041,000 acres, are cattle-raising countries; yet, excepting Queensland, the total head of cattle has been fairly maintained in spite of the drought, etc.

CAPE OF GOOD HOPE.

1896	2,303,582
1899 (last)	1,077,044

The returns of 1899 do not include Vryburg division of Bechuanaland. Since 1899 war has undoubtedly diminished the head of cattle, but it is anticipated that when enumeration is resumed the figures of 1896 will be approached.

NATAL.

1903 (last)	626,727
1898	278,558

This colony shows a continuous increase since 1898.

RHODESIA.

1905	114,592
1903	94,544

A new colony with great promise.

TRANSVAAL.

1903	200,000
1902	50,000

These are official estimates.

URUGUAY.

1900	6,827,428
1894	5,205,272
1901	6,326,601

Returns show a fairly continuous advance up to 1900.

ARGENTINA.

1888	21,961,657
1895 (last)	21,701,526

Unfortunately this important cattle-raising state provides no regular or recent statistics, but we may reasonably expect a further decline, because as agriculture increases it is the invariable rule for live stock to make way for the plow.

ALGERIA.

1891	1,233,051
1898	1,004,175
1901	1,035,104

MEXICO.

1902	5,142,457

JAPAN.

1901 (last)	1,282,341
1890	1,044,976

It is doubtful whether Japan, in spite of her 94,499,000 acres, will ever be a serious cattle-raising country. The area of the pasture land is limited, and the prevalence of bamboo grass a constant source of danger to live stock; nor is she likely, in my opinion, for many years yet, to become, outside of her army and navy requirements, a large user of leather.

SIBERIA AND STEPPES.

1903	4,946,800
1900	4,154,450
1904	4,483,585

Latter is an official estimate.

SERVIA.

1900 (last)	942,087
1890	819,251

Increase continuous.

SPAIN.

1891	2,217,659

ROUMANIA.

1900 (last)	2,588,526
1897	2,138,315

Increase erratic.

BULGARIA.

1893	1,767,974

Including 342,193 buffalo.

ITALY.

1890	5,000,000
1875	3,489,125
1882	4,783,232

1890 estimated by authorities.

SWITZERLAND.

1901 (last)	1,340,375
1876	1,035,856

Steady annual increase.

SWEDEN.

1901	2,594,359
1880	2,227,757
1903	2,586,204

Increase fairly steady.

NORWAY.

1875	1,016,617
1900 (last)	950,201

Steady decrease.

HOLLAND.

1903 (last)	1,667,100
1894	1,504,300

Increase annually.

BELGIUM.

1903 (last)	1,720,150
1866	1,242,445

Increase slow, but steady throughout.

INDIAN EMPIRE.

India plays no small part in influencing hide values. The number of bovine animals is so large that I give the totals for the past five years of enumeration returns:

1899	87,069,789
1900	87,737,930
1901	87,288,933
1902	85,295,210
1903	85,135,600

In comparing these figures we must bear in mind that in 1899 Sind was not included, and in 1902 and 1903 the largest province of Bengal was not included. Had it been enumerated I think it would have been found that India shows little or no decline in numbers.

CEYLON.

1901	1,476,747
1902	1,347,827
1904	1,421,533

CONCLUDING SUMMARY.

The foregoing official returns, though not up-to-date, will furnish us with some indication of the position of the cattle herds of the major portion of the world. It omits such important countries as China, Korea, Manchuria, Malay States, Africa (general), and many South American states. A careful study of the figures will show that the herds have been fairly maintained, if not increased, in many important instances, and that when a country becomes a manufacturing area the tendency is to increase the herds. If that is true, what are the causes for the apparent scarcity? I am inclined to say that the increase in herds has not kept pace with the constantly increasing demand for leather brought about by increase in population, new industries, factories, and wealth.

This increased demand has been met somewhat in the past by the splitting machine, which made a hide or skin go from two to four times as far as formerly, but even that limit has been passed. The introduction of electricity was heralded as the abolitionist of leather belting, yet more belting is being made to-day in leather, textile, and rubber than ever, and electric works have become large users of leather. In boots and shoes we have become extravagant. Our forefathers were not content if a boot did not last a few years; it had to be soled and heeled until the upper was done. Where are the boot-repairing shops, the cobbler, to-day? Clogs in Lancashire and Yorkshire are giving place to boots. On the Continent sabots no longer find favor. Increased facilities of locomotion—electric cars, motor cars, palatial steamers, etc.—all make for increased consumption of leather, even to alteration in style of footwear.

We have, in my opinion, to recognize that the social and mechanical revolution during the past two decades accounts for a very large share of the increased demand.

The wars in South Africa and Manchuria must have depleted the world's accumulation of leather, and while raging brought grist to the suppliers; but war always leaves evil effects on commerce which time alone can repair.

In conclusion, the foregoing statistics do not in all cases bring us up-to-date; but looking at the various countries in the light of their history and over the events of the past few years, especially where we have no returns, I think that we may reasonably sum up the situation: "The herds of the world have increased in proportion to demand in a declining ratio."

APPENDIX M.

Imports of cattle.

Year.	Free, for breeding.		Dutiable.	
	Number.	Value.	Number.	Value.
1895	14,956	$99,114	134,825	$666,749
1896	734	15,091	217,092	1,494,765
1897	204	24,360	328,773	2,565,497
1898	577	76,631	291,012	2,856,592
1899	624	95,293	199,128	2,225,009
1900	1,045	202,615	179,961	2,055,079
1901	1,249	273,728	144,773	1,697,705
1902	1,928	375,096	94,099	1,233,626
1903	1,481	225,875	64,691	935,673
1904	684	79,986	15,372	230,751

Exports of cattle.

[From Agricultural Year Book, 1904.]

Year.	Number.	Value.	Average price.
1892	294,607	$35,099,095.00	$88.95
1893	237,094	26,032,428.00	90.68
1894	359,278	33,461,922.00	93.14
1895	331,722	30,603,796.00	92.26
1896	372,461	34,560,672.00	92.79
1897	392,190	36,357,461.00	92.70
1898	439,255	37,827,500.00	86.12
1899	389,490	30,516,833.00	78.35
1900	397,286	30,635,153.00	77.11
1901	459,218	37,566,980.00	81.81
1902	392,884	29,902,212.00	76.11
1903	402,178	29,848,986.00	74.22
1904	593,409	42,256,291.00	71.21

The tariff of 27½ per cent added to the price of these cattle, no doubt, according to the man from Iowa's idea, in the home market, and the duty of 15 per cent on hides added to the price of these cattle when the hides are sold in the foreign market and must pay 15 per cent duty to get back in the United States. Won't the hide be worth less the duty and freight in the foreign market; and then don't the cattle sell for less here than they would if hides came back here free, we being the largest tanning country in the world, and use them? Or was it because we imported 328,773 head in 1897 and only 15,372 in 1904 that caused these large exports and the difference in price of $21.50 lower in 1904?

Imports of hides and skins.

Year.	Pounds.	Value.	Dutiable.
1905	240,071,391	$64,763,146	$14,949,518
1904	274,733,467	52,006,070	10,989,035
1903	319,094,698	58,031,613	16,759,902
1902	325,169,103	58,006,618	17,474,039
1901	280,809,837	48,220,013	14,047,413
1900	345,934,778	57,935,698	19,408,217
1899	267,090,750	41,988,043	13,621,946
1898	245,774,616	36,668,932	13,624,989
1897	296,100,844	27,868,026	Free.
1896	210,398,011	30,520,177	Free.
1895	226,575,745	26,122,912	Free.
1894		16,784,152	Free.
1893		28,347,896	Free.
1892		26,850,218	.....
1891		27,930,759	.....

In 1898 we tanned 126,243,595 pounds of imported hides, with the duty on. In 1904 we tanned 85,370,168, or a decrease of over 50 per cent of hides that we pay a duty on, which shows that in the tanning business this class of stock has been decreasing because we can't get the raw material free. In 1898 we tanned hides that come in free, or so-called "skins," to the extent of 54,607,534 pounds, and in 1904 103,024,752 pounds, an increase of almost 100 per cent, showing plainly that when we have the raw material free we can compete with the world in producing leather, and if we have free hides will tan sufficient leather to supply the needs of the whole world, employing American capital and American labor.

Export of hides.

Year.	Pounds.	Value.
1904	32,737,643	$3,246,887
1903	12,859,949	1,224,409
1902	9,372,947	906,904
1901	11,161,749	1,094,952
1900	7,486,256	804,674
1899	10,140,840	929,117
1898	11,536,073	1,015,062
1897	31,119,166	2,338,550
1896	39,545,324	3,868,946
1895	36,002,859	2,310,328

Export of hides is caused by the use of different grades of hides for different purposes, as, in order to make the different grades of shoes, they must have leather made out of different kinds of hides to produce the shoe at the lowest possible price.

Imports of all kinds of leather and kid gloves and all other manufactures of leather.

Year.	Leather.	Kid gloves, etc.
1905	$12,952,519	$6,571,844
1904	4,909,231	6,190,984
1903	5,173,566	6,120,601
1902	5,021,846	6,236,969
1901	5,701,193	6,185,819
1900	6,519,172	6,073,024
1899	5,237,707	5,838,940
1898	5,625,145	5,788,880
1897	6,337,664	6,945,507
1896	6,098,005	7,362,137
1895	6,803,343	6,959,695

Imports of leather consist mostly of fine kid, manufactured kid shoes, and fancy gloves, and fine English rein and saddle leather, which is mostly used for the fine trade in the large cities, and costs a great deal more than the American goods, and could not be produced in America on account of the difference in tanning and currying. Enameled leather, which we have never been able to make successfully on account of our tanning, Germany and France having the quality of bark that is necessary to make these goods, which we can not secure except by going over there and buying it from them.

Exports of leather and manufactures of leather.

1905	$37,936,745
1904	33,980,615
1903	31,617,389
1902	29,798,323
1901	27,923,653
1900	27,293,010
1899	23,466,985
1898	21,113,640
1897	$19,161,446
1896	20,242,756
1895	15,615,407
1894	14,283,492
1893	11,912,154
1892	12,084,781
1891	13,278,847

Exports of leather increased about 90 per cent in the four years from 1893 to 1896, so-called "dull and panic years," and from 1897 to 1905, such prosperous years, only increased about 95 per cent, showing plainly that when hides were on the free list the exports of manufactures of leather increased more rapidly.

Statistics of boot and shoe manufacture in the United States.

[From the Census Report of 1900.]

	Year.	Establishments.	Capital.	Wage-earners.
United States	1900	1,600	$101,795,233	142,922
	1890	2,082	95,282,311	133,690
California	1900	30	1,257,746	994
	1890	56	1,740,173	2,280
Connecticut	1900	15	789,618	719
	1890	20	683,100	995
Illinois	1900	55	5,351,482	5,583
	1890	56	3,781,476	3,992
Kentucky	1900	7	251,382	307
	1890	11	280,166	296
Louisiana	1900	12	289,345	397
	1890	17	293,244	786
Maine	1900	48	5,148,278	6,432
	1890	53	4,804,946	6,582
Maryland	1900	19	499,609	896
	1890	28	863,965	1,182
Massachusetts	1900	640	37,577,630	58,645
	1890	1,067	44,597,702	67,374
Michigan	1900	13	1,135,961	1,117
	1890	12	972,594	1,309
New Hampshire	1900	67	8,123,481	12,007
	1890	64	3,956,774	7,912
New Jersey	1900	84	3,153,255	4,421
	1890	109	2,811,088	5,162
New York	1900	223	11,983,239	15,796
	1890	257	11,950,891	15,361
Ohio	1900	81	7,549,142	12,718
	1890	63	3,176,318	6,743
Pennsylvania	1900	146	6,860,480	9,144
	1890	158	5,394,729	7,616
Wisconsin	1900	40	2,473,626	2,507
	1890	32	2,621,606	2,036

Exports of boots and shoes.

Year.	Pairs.	Value.
1905	5,315,699	$8,057,697
1904	4,642,531	7,238,940
1903	4,197,566	6,665,017
1902	3,966,795	6,182,098
1901	3,494,041	5,526,290
1900	3,016,720	4,726,656
1899	1,934,277	2,711,385
1898	1,207,031	1,816,558
1897	1,224,484	1,708,221
1896	1,035,225	1,436,686
1895	822,412	1,010,228
1894	647,318	777,254
1893	493,027	590,754
1892	745,112	914,974
1891	551,735	651,343

Boots and shoes, from 1893 to 1896, increased about 100 per cent, and from 1901 to 1904 increased only about 30 per cent, showing that the percentage of gain was much larger when we had free hides than when we had the duty on.

THREE HUNDRED AND SEVENTY-NINE DOLLARS A YEAR IS WHAT ILLINOIS MINERS GET—BUREAU OF LABOR STATISTICS REPORT SHOWS THIS WAS AVERAGE PAY FOR 1905—199 WERE KILLED AND 535 INJURED AT WORK—WHILE THE OPERATORS CRY "OVERPRODUCTION," THEY ARE OPENING NEW MINES.

[By W. C. Roberts.]

SPRINGFIELD, *April 8, 1906.*

The bureau of labor statistics demonstrates in glaring figures why the Illinois miners are seeking an advance in wages. The 53,266 employees who work underground in the mines earned an average of only $379 last year. They received an average of only one hundred and seventy-five days' work. They earned an aggregate of $20,214,344.

The value at the mouths of the pits of the coal they mined was $38,659,514. What the operator received for his coal in the different markets to which it was shipped is not given. The figures are taken from reports made by the operators and the amount for which the coal was sold omitted by them.

Another feature of the report that establishes the danger of the miners' employment is that 199 were killed, or 1 to every 186,857 tons of coal mined, and 535 were injured. Children left fatherless number 231. This was before the shot-firers law was enacted. Since the law went

into effect there have been fewer violent deaths. The operators do not like the law, because the miners in their new agreement demand that the operators pay the shot firers. The miners claim that it is the duty of the operators to make employment in mines as safe as possible, and therefore they should pay the shot firers, who, the legislature believed, were necessary for that purpose.

WHAT THE REPORT SHOWS.

Advance sheets of the coal report of 1905 have been furnished by Secretary David Ross. The following table gives many interesting facts regarding the miners:

Table showing mining statistics for 1905 and 1904.

	1905.	1904.
Number of counties producing coal	56	54
Number of mines and openings of all kinds	990	932
New mines or old mines reopened during the year	168	106
Mines closed or abandoned since last report	110	109
Total output of all mines in tons of 2,000 pounds	37,183,374	37,077,591
Number of shipping or commercial mines	397	380
Total output of shipping mines.....tons	35,956,543	35,779,517
Number of mines in local trade only	593	352
Output of local mines.....tons	1,226,831	1,298,580
Total tons of mine-run coal	9,248,558	10,627,994
Total tons of lump coal	16,819,321	16,888,010
Total tons of egg coal	1,716,219	1,014,700
Total tons of nut coal	2,636,152	1,602,380
Total tons of pea coal	6,247,511	5,751,570
Total tons of slack coal	1,115,613	1,193,334
Total tons shipped	37,667,073	37,778,260
Tons supplied to locomotives at the mines	1,178,237	1,223,099
Tons sold to local trade	2,660,808	2,821,612
Tons consumed or wasted at the plant	1,737,256	1,554,926
Average days of active operation for shipping mines	198	213
Average days of active operation for all mines	175	197
Average value per ton, all grades, at the mines	$1.041	$1.10
Average value per ton of mine-run coal at mines	$1.062	$1.03
Average value per ton of lump coal at the mines	$1.291	$1.37
Average value per ton of egg coal at the mines	$1.237	$1.39
Average value per ton of nut coal at the mines	$0.865	$1.0194
Average value per ton of pea or screenings coal at the mines	$0.48	$0.5613
Average value per ton of slack coal at the mines	$0.301	$0.5336
Aggregate home value of total product	$38,689,858	$40,771,223
Number of mines in which mining machines are used	78	66
Number of mining machines in use	784	609
Number of tons undercut by machines	8,202,066	7,400,345
Number of tons mined by hand	28,981,308	26,677,554
Average number of miners employed during the year	41,202	37,987
Average number of other employees underground	10,694	9,812
Average number of boys employed underground	1,540	1,562
Average number of employees above ground	5,794	5,413
Total employees	59,230	54,774
Number of men at work underground	53,436	49,361
Number of men on surface	5,794	5,413
Average price paid per gross ton for hand mining, shipping mines	$0.5782	$0.5933
Average price paid per gross ton for machine mining	$0.4432	$0.4659
Number of kegs of powder used for blasting coal	938,500	923,418
Number of kegs of powder used for other purposes	4,168	3,717
Number of men accidentally killed	199	157
Number killed inside of mines	197	148
Number killed outside of mines	2	9
Number of wives made widows	102	87
Number of children left fatherless	231	239
Number of men injured so as to lose a month or more of time	535	507
Number of gross tons mined to each life lost	86,851	236,165
Number of employees to each life lost	298	349
Number of deaths per 1,000 employed	3.4	2.87
Number of gross tons mined to each man injured	69,502	73,132
Number of employees to each man injured	111	108

NEW MINES BEING OPENED.

Many new mines are being opened in Illinois, notwithstanding the operators say that too much coal is being mined. At the Indianapolis convention the operators declared they could not pay an advance because of overproduction. Now they are discrediting their own claims by preparing to increase the production when they sign up with the miners, after getting rid of the vast quantities of coal they stored in anticipation of a strike.

While the miners lived last year upon an average of $379, they increased this during the months of February and March. They were given all the work they could do, but they received no more per ton. They simply mined more coal. But for the next sixty days they are not likely to have any employment, and the average for this year will be as low as that of the last.

Mining is different from almost every other occupation. The miners work out in the country, far from factories and large towns. When not employed in the mines they can not get work at any other calling. They must remain idle. They are therefore slaves to their trade. The operator knows this, and he can take advantage of the miner by throwing him out of employment whenever the whim strikes him.

There are several thousand miners in Sangamon County. They are nearly all idle. A number of small mines are working. But the miners who are waiting the pleasure of the operators declare they intend to stand out for the advance in wages. They have no doubt they will get it. Even the operators admit this. But not now.

"Let us sell our coal first," they say.

Mr. MACON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. JOYCE, by unanimous consent, was granted leave of absence indefinitely, on account of important legal business.

ADJOURNMENT.

Mr. HILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 6 o'clock and 10 minutes p. m.) the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LANGHAM: A bill (H. R. 5153) to provide for the erection of a public building at Punxsutawney, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 5154) prohibiting the issuance and operation of federal liquor licenses in communities where state or local laws forbid the sale of intoxicating liquors—to the Committee on Ways and Means.

By Mr. MANN: A bill (H. R. 5155) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD of Virginia: A bill (H. R. 5156) to provide for the improvement of the Appomattox River, in Virginia—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5157) to provide for the improvement of Willis River, in Virginia—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5158) to provide for enlarging and improving the United States building at Staunton, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5159) to distribute the surplus in the Treasury of the United States to the several States, Territories, and the District of Columbia for the sole purpose of improving the roads therein—to the Committee on Ways and Means.

Also, a bill (H. R. 5160) to establish a fish-cultural station in the State of Virginia—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 5161) to repair a portion of the roadway to the national cemetery at Staunton, Va., and to keep said portion of said road in repair—to the Committee on Military Affairs.

Also, a bill (H. R. 5162) to constitute a commission to investigate the purchase of American-grown tobacco by the governments of foreign countries—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5163) to construct a highway from the station in the town of Appomattox, Va., to the battlefield of Appomattox and other points of interest near said battlefield—to the Committee on Military Affairs.

Also, a bill (H. R. 5164) providing for the erection of a public building in the town of Waynesboro, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5165) to create a commission to prepare a code of laws for the regulation and control of insurance companies doing business within the District of Columbia—to the Committee on the District of Columbia.

By Mr. SISSON: A bill (H. R. 5166) to provide for the purchase of a site and the erection of a public building thereon at Winona, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5167) to provide for the purchase of a site and the erection of a public building thereon at Grenada, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5168) to authorize a survey of the Yalobusha River, Mississippi, with the view to making same navigable—to the Committee on Rivers and Harbors.

By Mr. LANGLEY: A bill (H. R. 5169) to regulate the interstate-commerce shipment of intoxicating liquor—to the Committee on the Judiciary.

By Mr. MARTIN of South Dakota: A bill (H. R. 5170) to regulate corporations, joint stock companies, and other associations engaging in interstate and foreign commerce in food and fuel supplies—to the Committee on Interstate and Foreign Commerce.

By Mr. WEEKS: A bill (H. R. 5171) for the relief of officers of the navy retired for disability incident to the service, employed on active duty—to the Committee on Naval Affairs.

By Mr. HUFF: A bill (H. R. 5172) to amend an act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, and for other purposes, approved March 3, 1883—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5173) to provide for the erection of a public building at Butler, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. MARTIN of South Dakota: A bill (H. R. 5174) to regulate corporations, joint stock companies, and other associations engaging in interstate and foreign commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. SHEFFIELD: A bill (H. R. 5175) for the erection of a monument to Admiral Esek Hopkins—to the Committee on the Library.

By Mr. COCKS of New York: A bill (H. R. 5176) providing for the regulation, identification, and registration of motor vehicles engaged in interstate travel—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: A bill (H. R. 5177) for the purpose of exempting lime nitrogen, an agricultural fertilizer, from import duties—to the Committee on Ways and Means.

Also, a bill (H. R. 5178) for the erection of a monumental statue in the city of Florence, Ala., to Gen. John Coffee—to the Committee on the Library.

Also, a bill (H. R. 5179) to regulate the removal of causes from the state courts to the federal courts on account of prejudice or local influence—to the Committee on the Judiciary.

Also, a bill (H. R. 5180) to make it unlawful for certain federal officeholders to serve as delegates in a convention called to nominate a President of the United States or other elective United States officers—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. AUSTIN: A bill (H. R. 5181) to create in the War and Navy departments, respectively, a roll to be known as the civil war officers' annuity honor roll, to authorize placing thereon with pay certain surviving officers who served in the Volunteer or Regular Army, Navy, or Marine Corps of the United States in the civil war and who are not now on the retired list of the Regular Army, Navy, or Marine Corps, and for other purposes—to the Committee on Military Affairs.

By Mr. TOWNSEND: A bill (H. R. 5182) to amend an act to increase the pensions of those who have lost limbs in the military or naval service of the United States, approved March 2, 1903—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 5183) for the continued improvement of Caney Fork River, Tennessee—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5184) to provide for the purchase of a site and the erection of a public building thereon at Fayetteville, in the State of Tennessee—to the Committee on Public Buildings and Grounds.

By Mr. KEIFER: A bill (H. R. 5185) to provide for the erection of a monument in the city of Washington, in recognition of the services of regular and volunteer enlisted men in all the wars of the United States—to the Committee on the Library.

By Mr. LOUD: A bill (H. R. 5186) to provide for the construction of a federal building at Petoskey, Mich.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5187) for the purpose of constructing a breakwater in Lake Huron at Rogers City, Mich.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5188) for dredging the inland water route in Michigan—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5189) to dredge a channel in the Saginaw River, Michigan—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5190) for the construction of a dredge for use on the western shore of Lake Huron, State of Michigan—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5191) to provide for opening a channel at Rogers City, Mich.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5192) to create a third federal district court in Michigan, to be known as the northern district—to the Committee on the Judiciary.

By Mr. PADGETT: A bill (H. R. 5193) for the erection of a public building at Pulaski, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5194) authorizing the Secretary of War to have erected at Hohenwald, Tenn., a monument in honor of Meriwether Lewis—to the Committee on the Library.

Also, a bill (H. R. 5195) establishing the Franklin National Military Park—to the Committee on Military Affairs.

Also, a bill (H. R. 5196) to establish a fish-cultural station in the county of Hickman, in the State of Tennessee—to the Committee on the Merchant Marine and Fisheries.

By Mr. REID: A bill (H. R. 5463) to amend an act approved September 30, 1890, providing for the building of a bridge across the Arkansas River at Dardanelle, Ark.—to the Committee on Interstate and Foreign Commerce.

By Mr. HIGGINS: A bill (H. R. 5464) fixing the return days in the circuit court of the United States for Connecticut—to the Committee on the Judiciary.

By Mr. CARTER: A bill (H. R. 5465) for the erection of a public building at McAlester, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5466) for the acquisition of a site and the erection thereon of a public building at Ardmore, Okla.—to the Committee on Public Buildings and Grounds.

By Mr. MANN: Joint resolution (H. J. Res. 38) repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909—to the Committee on Printing.

By Mr. DRAPER: Memorial of the legislature of Wyoming, in opposition to any reduction in the present tariff on wool or hides—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 5197) granting a pension to Franklin Barbour—to the Committee on Pensions.

Also, a bill (H. R. 5198) granting a pension to William H. Scheer—to the Committee on Pensions.

Also, a bill (H. R. 5199) granting an increase of pension to James Helme—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5200) granting an increase of pension to Lewis Skaggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5201) granting an increase of pension to Edward Condon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5202) granting an increase of pension to Henry M. Reed—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 5203) granting an increase of pension to William Wise—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5204) granting an increase of pension to Lemuel Jefferies—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 5205) granting an increase of pension to William J. Byerley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5206) granting an increase of pension to Christian Schaick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5207) granting a pension to Sue C. Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5208) granting a pension to Jane Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5209) for the relief of John T. Brown—to the Committee on War Claims.

Also, a bill (H. R. 5210) for the relief of Frank B. Smith—to the Committee on Claims.

By Mr. BOEHNE: A bill (H. R. 5211) granting an increase of pension to John A. Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5212) granting an increase of pension to Thomas J. Hildebrant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5213) granting a pension to Jonathan F. Titus—to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 5214) granting an increase of pension to Theodore D. Risser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5215) granting an increase of pension to Josiah Vanbuskirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5216) granting an increase of pension to James G. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5217) granting an increase of pension to William H. McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5218) granting a pension to Martha J. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5219) to correct the military record of Otis B. Vanfleet—to the Committee on Military Affairs.

Also, a bill (H. R. 5220) granting an increase of pension to George W. Burnes—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 5221) for the relief of Luther H. Potterfield—to the Committee on War Claims.

Also, a bill (H. R. 5222) for the relief of James R. Skinker—to the Committee on War Claims.

Also, a bill (H. R. 5223) for the relief of Mason Shipman—to the Committee on War Claims.

Also, a bill (H. R. 5224) for the relief of John Mann—to the Committee on War Claims.

Also, a bill (H. R. 5225) for the relief of John W. Fairfax—to the Committee on War Claims.

Also, a bill (H. R. 5226) for the relief of George M. Fry—to the Committee on War Claims.

Also, a bill (H. R. 5227) for the relief of James W. Ficklin—to the Committee on War Claims.

Also, a bill (H. R. 5228) for the relief of Richard K. Hughlett—to the Committee on War Claims.

Also, a bill (H. R. 5229) for the relief of the estate of Robert Brockett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5230) for the relief of the estate of William Fletcher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5231) for the relief of the estate of Sina Hughlett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5232) for the relief of the estate of Charles A. Newlon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5233) for the relief of the estate of Dr. Bailey Shumate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5234) for the relief of the estate of Henry S. Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5235) for the relief of the estate of James P. Yancey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5236) for the relief of the estate of Lewis Shumate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5237) for the relief of the estate of Mary E. Binns, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5238) for the relief of the estate of Adelaide Withers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5239) for the relief of the estate of Harriet Sudduth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5240) for the relief of the estate of Alexander F. Dulin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5241) for the relief of Elias E. Conner, sole heir of Mary C. Conner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5242) for the relief of Gordon Jones, administrator of the estate of William M. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5243) for the relief of Emma C. Franner, George W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy—to the Committee on War Claims.

Also, a bill (H. R. 5244) for the relief of legal representatives of James M. Streshley—to the Committee on War Claims.

Also, a bill (H. R. 5245) for the relief of the heirs of John D. Rawlings, deceased—to the Committee on War Claims.

By Mr. CLINE: A bill (H. R. 5246) granting an increase of pension to Franklin King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5247) granting an increase of pension to John Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5248) granting an increase of pension to Samuel C. Hoover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5249) granting an increase of pension to Enos D. Messimore—to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 5250) granting an increase of pension to Ephraim A. Bard—to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 5251) for the relief of Susan D. Frame—to the Committee on War Claims.

Also, a bill (H. R. 5252) for the relief of Rufus L. King—to the Committee on Claims.

Also, a bill (H. R. 5253) for the relief of Mrs. Sallie L. Minter, formerly widow of C. L. Campbell, deceased—to the Committee on Claims.

By Mr. FLOOD of Virginia: A bill (H. R. 5254) granting a pension to James Manning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5255) granting a pension to Walter English—to the Committee on Pensions.

Also, a bill (H. R. 5256) granting a pension to Myers Fertig—to the Committee on Pensions.

Also, a bill (H. R. 5257) granting a pension to Emma L. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5258) granting a pension to Louis H. Pennington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5259) granting a pension to Luther M. Southall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5260) granting an increase of pension to Susan Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5261) for the relief of J. Terry Dillard—to the Committee on War Claims.

Also, a bill (H. R. 5262) for the relief of J. D. Rodgers, deputy United States marshal for the western district of Virginia—to the Committee on Claims.

Also, a bill (H. R. 5263) for the relief of Bolser H. Pullin, of McDowell, Highland County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5264) for the relief of Virgil A. Fitzgerald, of Montebello, Nelson County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5265) for the relief of the estate of John Gibson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5266) to reimburse the estate of Gen. George Washington for certain lands of his in the State of Ohio lost by conflicting grants made under the authority of the United States—to the Committee on the Public Lands.

By Mr. FOCHT: A bill (H. R. 5267) granting a pension to Mary E. T. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5268) granting an increase of pension to Joseph W. Shirey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5269) for the relief of Alexander Everhart—to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 5270) granting an increase of pension to Elisha S. Singer—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 5271) for the relief of the legal representatives of Sydney W. Moss—to the Committee on Claims.

By Mr. HOLLINGSWORTH: A bill (H. R. 5272) for the relief of the Bridgeport National Bank, Bridgeport, Ohio—to the Committee on Claims.

Also, a bill (H. R. 5273) granting an increase of pension to George W. Pitner—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 5274) granting a pension to William F. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5275) granting a pension to Cornelia Jamison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5276) granting an increase of pension to Ferdinand H. Wurdemann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5277) granting an increase of pension to Charles P. Worthley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5278) granting an increase of pension to Alexander A. Yard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5279) granting an increase of pension to Pierson Hendrickson, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5280) granting an increase of pension to Henry Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5281) granting an increase of pension to Augustus J. Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5282) granting an increase of pension to William H. Salmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5283) granting an increase of pension to George H. Bryan—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 5284) granting an increase of pension to John Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5285) granting an increase of pension to Lewis Keefer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5286) granting an increase of pension to William M. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5287) granting an increase of pension to Adam Bruner—to the Committee on Invalid Pensions.

use on the western shore of Lake Huron, State of Michigan—to the Committee on Rivers and Harbors.

of pension to Theodore D. Risser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5232) for the relief of Rufus L. King—to the Committee on Claims.

Also, a bill (H. R. 5233) granting an increase of pension to Adam Bruner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5288) granting an increase of pension to Wilson Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5289) granting an increase of pension to Samuel C. Burkholder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5290) granting an increase of pension to Lewis Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5291) granting an increase of pension to Jonathan H. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5292) granting an increase of pension to George H. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5293) granting an increase of pension to Andrew McMurry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5294) granting an increase of pension to Thomas B. Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5295) granting an increase of pension to Elizabeth Sober—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5296) granting an increase of pension to Carrier Thompson—to the Committee on Pensions.

Also, a bill (H. R. 5297) granting an increase of pension to George W. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5298) granting an increase of pension to Samuel Leasure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5299) granting an increase of pension to Thomas G. Gillespie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5300) granting an increase of pension to John D. Harbison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5301) granting an increase of pension to William L. De Haven—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5302) granting an increase of pension to Charles A. Geissenhainer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5303) granting an increase of pension to Michael Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5304) granting an increase of pension to William Jellison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5305) granting an increase of pension to John Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5306) granting an increase of pension to Amos Feathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5307) granting an increase of pension to Jacob Dewalt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5308) granting an increase of pension to Robert Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5309) granting an increase of pension to Charles Roques—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5310) granting an increase of pension to John Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5311) granting an increase of pension to James W. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5312) granting an increase of pension to John V. S. Minerd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5313) granting an increase of pension to John W. Park—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5314) granting an increase of pension to William S. Doutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5315) granting an increase of pension to Thomas H. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5316) granting an increase of pension to Gabriel Duffy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5317) granting an increase of pension to Thomas T. Spence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5318) granting an increase of pension to John Schlermann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5319) granting an increase of pension to John S. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5320) granting an increase of pension to John Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5321) granting an increase of pension to William Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5322) granting an increase of pension to Samuel Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5323) granting an increase of pension to William J. Carns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5324) granting an increase of pension to Lewis Hazlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5325) granting an increase of pension to George M. Hobaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5326) granting an increase of pension to Robert D. Humes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5327) granting an increase of pension to Henry M. Neighly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5328) granting an increase of pension to Daniel M. Peer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5329) granting an increase of pension to John H. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5330) granting an increase of pension to Robert R. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5331) granting an increase of pension to William Eberhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5332) granting a pension to Samuel S. Jamison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5333) granting a pension to Ernest W. Hilliard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5334) granting a pension to James Emmett Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5335) granting a pension to James H. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5336) granting a pension to Edith Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5337) for the relief of Joseph M. Cochran—to the Committee on Claims.

Also, a bill (H. R. 5338) to correct the military record of James Green—to the Committee on Military Affairs.

Also, a bill (H. R. 5339) to correct the military record of Joseph R. Berg—to the Committee on Military Affairs.

Also, a bill (H. R. 5340) to correct the military record of Aaron Loughner—to the Committee on Military Affairs.

Also, a bill (H. R. 5341) granting an honorable discharge and a pension to W. Scott King—to the Committee on Military Affairs.

Also, a bill (H. R. 5342) granting an honorable discharge and a pension to William Conner—to the Committee on Military Affairs.

Also, a bill (H. R. 5343) granting an honorable discharge and a pension to Daniel Foust—to the Committee on Military Affairs.

Also, a bill (H. R. 5344) granting an honorable discharge and a pension to Jacob Gaffney—to the Committee on Military Affairs.

Also, a bill (H. R. 5345) granting an honorable discharge to Milton Vandevort—to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 5346) granting an increase of pension to James Miller—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 5347) for the relief of the estate of Q. K. Underwood, deceased—to the Committee on War Claims.

By Mr. NICHOLLS: A bill (H. R. 5348) granting an increase of pension to A. M. Dershimer—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 5349) granting an increase of pension to Thomas Horner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5350) granting an increase of pension to John R. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5351) granting an increase of pension to James K. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5352) granting an increase of pension to Walter C. Clark—to the Committee on Pensions.

Also, a bill (H. R. 5353) granting an increase of pension to Louis M. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5354) granting an increase of pension to George W. McKim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5355) granting an increase of pension to Joseph Beiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5356) granting an increase of pension to Joseph J. Pritchett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5357) granting an increase of pension to Gustave Freudenthal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5358) granting an increase of pension to Robert McNeal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5359) granting a pension to Stephen Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5360) to correct the military record of Edward W. Gobble—to the Committee on Military Affairs.

Also, a bill (H. R. 5361) to remove the charge of desertion standing against Merida Mealor—to the Committee on Military Affairs.

Also, a bill (H. R. 5362) to remove the charge of desertion against W. A. Kilburn—to the Committee on Military Affairs.

Also, a bill (H. R. 5363) to remove the charge of desertion against J. W. Teas—to the Committee on Military Affairs.

Also, a bill (H. R. 5364) for the relief of J. S. Woody, Martins Mills, Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5365) for the relief of S. H. Bailey, sr.—to the Committee on War Claims.

Also, a bill (H. R. 5366) for the relief of Thomas J. Lawson, sr.—to the Committee on War Claims.

Also, a bill (H. R. 5367) for the relief of George Pillow—to the Committee on Military Affairs.

Also, a bill (H. R. 5368) for the relief of James P. Sprott—to the Committee on War Claims.

Also, a bill (H. R. 5369) for the relief of H. J. Brewer, of Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5370) for the relief of P. H. Nelson—to the Committee on War Claims.

Also, a bill (H. R. 5371) for the relief of W. T. Kinkaide, alias Kincade—to the Committee on War Claims.

Also, a bill (H. R. 5372) for the relief of Holly Prater, alias Plater—to the Committee on Military Affairs.

Also, a bill (H. R. 5373) for the relief of Capt. J. W. Hanner—to the Committee on Claims.

Also, a bill (H. R. 5374) for the relief of William Montgomery—to the Committee on War Claims.

Also, a bill (H. R. 5375) for the relief of W. H. Francis—to the Committee on War Claims.

Also, a bill (H. R. 5376) for the relief of William M. Beasley—to the Committee on War Claims.

Also, a bill (H. R. 5377) for the relief of William G. Tidwell—to the Committee on War Claims.

Also, a bill (H. R. 5378) for the relief of Mrs. Jane Henry—to the Committee on War Claims.

Also, a bill (H. R. 5379) for the relief of Henry Harris—to the Committee on War Claims.

Also, a bill (H. R. 5380) for the relief of N. F. Chealrs—to the Committee on War Claims.

Also, a bill (H. R. 5381) for the relief of Jonathan Amis—to the Committee on War Claims.

Also, a bill (H. R. 5382) for the relief of Marcus Stevens—to the Committee on War Claims.

Also, a bill (H. R. 5383) for the relief of Richard Workman—to the Committee on War Claims.

Also, a bill (H. R. 5384) for the relief of the estate of Mitchell J. Childress—to the Committee on War Claims.

Also, a bill (H. R. 5385) for the relief of the estate of William B. Smith—to the Committee on War Claims.

Also, a bill (H. R. 5386) for the relief of the estate of Blythe Sprott—to the Committee on War Claims.

Also, a bill (H. R. 5387) for the relief of estate of E. C. Overton—to the Committee on War Claims.

Also, a bill (H. R. 5388) for the relief of the estate of B. H. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 5389) for the relief of the estate of Benjamin Bolton, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5390) for the relief of the estate of J. A. Milhous, deceased, late of Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5391) for the relief of the estate of Nathan Perry—to the Committee on War Claims.

Also, a bill (H. R. 5392) for the relief of the estate of Robert Thompson Williams—to the Committee on War Claims.

Also, a bill (H. R. 5393) for the relief of the estate of F. T. McLaurine—to the Committee on War Claims.

Also, a bill (H. R. 5394) for the relief of the estate of Jonathan Mills—to the Committee on War Claims.

Also, a bill (H. R. 5395) for the relief of the estate of David H. Hays, deceased—to the Committee on Claims.

Also, a bill (H. R. 5396) for the relief of the estate of John W. McKissock, deceased—to the Committee on Claims.

Also, a bill (H. R. 5397) for the relief of the estate of Mrs. Martha B. Skillern, late of Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5398) for the relief of the estate of John H. Birdsong, late of Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5399) for the relief of the estate of Daniel Foresee—to the Committee on War Claims.

Also, a bill (H. R. 5400) for the relief of the estate of John W. Neely—to the Committee on War Claims.

Also, a bill (H. R. 5401) for the relief of the estate of Banks C. Wells, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5402) for the relief of the estate of J. J. Brison, deceased, late of Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5403) for the relief of the estate of Lemuel Long—to the Committee on War Claims.

Also, a bill (H. R. 5404) for the relief of the estate of Nancy P. Garrison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5405) for the relief of the estate of S. J. Stockard, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5406) for the relief of the estate of N. E. Perkins, deceased, late of Williamson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5407) for the relief of the estate of John H. Grimes, deceased, late of Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5408) for the relief of the estate of Henry Kelly, late of Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5409) for the relief of the estates of Rolling Gordon and Richard Gordon—to the Committee on War Claims.

Also a bill (H. R. 5410) for the relief of the estate of Sarah Pewitt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5411) for the relief of the estate of Edwin Grant—to the Committee on War Claims.

Also, a bill (H. R. 5412) for the relief of the estate of William Johnson, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5413) for the relief of the estate of N. M. Buyers—to the Committtee on War Claims.

Also, a bill (H. R. 5414) for the relief of the estate of Andrew Scott—to the Committee on War Claims.

Also, a bill (H. R. 5415) for the relief of the estate of Mrs. Henly Patton—to the Committee on War Claims.

Also, a bill (H. R. 5416) for the relief of the estate of Andrew Roberts—to the Committee on War Claims.

Also, a bill (H. R. 5417) for the relief of the estate of James H. Huey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5418) for the relief of the estate of William Grigsby, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5419) for the relief of the estate of Isaac Johnson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5420) for the relief of the estate of William Grigsby, deceased—to the Committtee on War Claims.

Also, a bill (H. R. 5421) for relief of heirs of Joseph W. Baugh, sr.—to the Committee on War Claims.

Also, a bill (H. R. 5422) for the relief of heirs of Amasa Ezell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5423) for the relief of the heirs of James Henderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5424) for the relief of the heirs of Michael Holoran—to the Committee on War Claims.

Also, a bill (H. R. 5425) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Hiram Galley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5426) to carry out the findings of the Court of Claims in the case of Mary E. Haygood, heir of John M. Lawson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5427) to carry out the findings of the Court of Claims in the case of Woodson H. Webb, administrator of the estate of Harriet Day (late Litteral), deceased—to the Committee on War Claims.

Also, a bill (H. R. 5428) to carry out the findings of the Court of Claims in the case of St. Peter's Protestant Episcopal Church, of Columbia, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5429) for the relief of the trustees of Mount Olivet Methodist Episcopal Church South, at Nolensville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5430) for the relief of Mumford Smith, executor of James H. Cecil, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5431) for the relief of John D. Reed, administrator of J. P. C. Reed, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5432) for the relief of Randall Buck, formerly called Randall Conn, of Williamson County, for services as blacksmith during the civil war—to the Committee on War Claims.

Also, a bill (H. R. 5433) for relief of James W. Hardin, and to remove charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 5434) for the relief of G. M. D. Alexander, administrator of the estate of R. M. Alexander, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5435) for the relief of the legal representatives of W. B. Long, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5436) for the relief of W. S. Reid, administrator of Mrs. F. M. Harris, deceased, late of Franklin, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5437) for relief of Missionary Baptist Church, of Franklin, Tenn.—to the Committee on War Claims.

Daniel M. Peer—to the Committee on Invalid Pensions.

the Committee on War Claims.

P. Garrison, deceased—to the Committee on War Claims.

Church, of Franklin, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5438) to pay Thomas S. Truett the sum of $340, the value of property taken from him by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 5439) to pay to the heirs of Nathan Curry, deceased, the sum of $1,503, for property taken and used by the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 5440) to pay to the heirs of Pleasant Hines, deceased, the sum of $1,000, the value of property taken from him by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 5441) to pay Josephine O. Anderson the sum of $175, the value of property from her taken and used by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 5442) to pay the heirs of James Ramsy, deceased, the sum of $250, the value of property from him taken and used by the troops of the United States Army—to the Committee on War Claims.

By Mr. RHINOCK: A bill (H. R. 5443) granting a pension to Herman Beyland—to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 5444) for the relief of Oliver P. Boyd—to the Committee on War Claims.

Also, a bill (H. R. 5445) for the relief of J. P. Clark—to the Committee on War Claims.

Also, a bill (H. R. 5446) for the relief of John H. Claiborne—to the Committee on War Claims.

Also, a bill (H. R. 5447) for the relief of William H. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 5448) for the relief of F. P. Brower—to the Committee on Claims.

Also, a bill (H. R. 5449) for the relief of C. W. Reid and Sam Daube—to the Committee on Claims.

Also, a bill (H. R. 5450) for the relief of the legal representatives of Dr. Thomas B. Waters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5451) for the relief of the legal representatives of Samuel Dickins—to the Committee on War Claims.

Also, a bill (H. R. 5452) for the relief of the legal representatives of Samuel Dickins—to the Committee on War Claims.

Also, a bill (H. R. 5453) for the relief of the legal representatives of M. N. Swofford, deceased—to the Committee on Claims.

Also, a bill (H. R. 5454) for the relief of Mrs. M. E. Ezell, feme sole, and only heir at law of Eli Splawn, deceased, of Clarksville, Tex.—to the Committee on War Claims.

Also, a bill (H. R. 5455) for the relief of the estate of W. C. York—to the Committee on War Claims.

Also, a bill (H. R. 5456) for the relief of the estate of Ransom Cunningham, deceased—to the Committee on Claims.

By Mr. SNAPP: A bill (H. R. 5457) granting an increase of pension to Carlos B. Clark—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 5458) granting an increase of pension to Peter Scherschel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5459) granting an increase of pension to Robert Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5460) granting an increase of pension to Adam Stenger—to the Committee on Pensions.

By Mr. YOUNG of New York: A bill (H. R. 5461) granting an increase of pension to George W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5462) to correct the military record of Andrew Gaffney—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petitions of Charles E. Hayes and others, and Dunston Lithographic Company and others, of Buffalo, N. Y., favoring higher tariff duties on lithographic products—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of the Cincinnati Boot and Shoe Makers' Association, to abolish all duties on hides—to the Committee on Ways and Means.

Also, petition of citizens of Defiance and Henry counties, Ohio, against duty on teas and coffee—to the Committee on Ways and Means.

By Mr. ANTHONY: Petition of business men, of Altoona, Kans., against proposed increased duty on zinc ore—to the Committee on Ways and Means.

By Mr. ASHBROOK: Paper to accompany bill for relief of John W. Bryant—to the Committee on Ways and Means.

Also, petition of Wyoming state legislature, against repeal of duty on wool or hides—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Manufacturers' Association, favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Piercefield Local, No. 65, of International Brotherhood of Paper Workers, against reduction of tariff on print paper—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of Louis Walker and others, of the Seventh Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CLINE: Petition of citizens of Fort Wayne, Ind., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. COOK: House joint resolution of the legislature of Wyoming, against tariff reduction on wool or hides—to the Committee on Ways and Means.

Also, petitions of employees of the Angola Dyeing Company, Pilling & Madeley, E. G. Chester, Bower & Kaufmann, John Blood & Co., all of Philadelphia, Pa., for retention of the duty on hosiery—to the Committee on Ways and Means.

By Mr. COOPER of Pennsylvania: Petition of voters of the Twenty-third Congressional District of Pennsylvania, for removal of duty on hides—to the Committee on Ways and Means.

Also, petition of David H. Cook and others, of the Twenty-third Congressional District of Pennsylvania, favoring a national highways commission and appropriation for federal aid in construction and improvement of highways—to the Committee on Agriculture.

Also, petition of H. J. Heffman and other citizens of Pennsylvania, for national highways commission—to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Petitions of E. A. Elderkin, Ed Taylor, Robert Orme, W. H. Webb, and N. G. Eadus, of Racine, Wis., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. COX of Indiana: Petitions of Common Council of Tell City and Tell City (Ind.) Improvement Association, favoring inland waterways improvement—to the Committee on Rivers and Harbors.

By Mr. EDWARDS of Kentucky: Petition of General Federation of Women's Clubs, of Louisville, Ky., expressing disapproval of attacks on Dr. H. W. Wiley, Chief of the Bureau of Chemistry, Department of Agriculture—to the Committee on Agriculture.

Also, petition of Z. G. Merchants and other citizens of the Eleventh Congressional District of Kentucky, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FOCHT: Petition of Lewiston (Pa.) Lodge, No. 663, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

Also, petitions of citizens of Huntington County, and S. S. Woods and others, of Lewiston, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of W. D. Byron & Sons and others, of Mercersburg, Pa., for removal of duty on hides—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Merick & Co., of New York, against reduction of duty on salicylic acid—to the Committee on Ways and Means.

Also, petition of Machine Printers, Local Assembly No. 1, of North America, and Machine Printers and Color Mixers of the United States, American Federation of Labor, favoring increase of duty on wall paper—to the Committee on Ways and Means.

Also, petition of National Coffee and Tea Association, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of committee of wholesale grocers, favoring protection of the beet-sugar industry—to the Committee on Ways and Means.

By Mr. FULLER: Paper to accompany bill for relief of Elisha S. Singer—to the Committee on Invalid Pensions.

Also, petition of Chicago Packing Box Company, of Illinois, against reduction of tariff on lumber and its products—to the Committee on Ways and Means.

Also, petition of Erickson & Strong, of Morris, Ill., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Illinois Manufacturing Association, of Chicago, for admission of 300,000 tons of Philippine sugar per year free of duty—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, of New York, favoring removal of lactarine and casein from the free list and placing a duty thereon—to the Committee on Ways and Means.

Also, petition of Schifflisticker Union, No. 1276S, of American Federation of Labor, favoring increase of duty on embroideries—to the Committee on Ways and Means.

By Mr. HAMILTON: Petition of citizens of Lawton, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Niles, Mich., urging a duty on lithographic products—to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of San Francisco and San Jose, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of Jefferson County (Ohio) Wool Growers' Association, for retention of present tariff on wool—to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Petitions of residents of Monmouth County and New Brunswick, N. J., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HUFF: Petition of Jeannette (Pa.) Business Men's Association, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Paul Taylor Brown Company, of New York, and the Porto Rico Canning Company, against increase of duty on preserved pineapples—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, favoring a duty on casein—to the Committee on Ways and Means.

By Mr. HUGHES of New Jersey: Petition of citizens of the Sixth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. JOYCE: Petition of C. J. Tullins and other citizens of Lowell, Ohio, favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. KINKEAD of New Jersey: Petition of citizens of the Ninth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of citizens of Reynoldsville, Pa., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of William L. Sanson, of Clarion, and other voters of the Twenty-seventh Congressional District of Pennsylvania, favoring removal of duty on hides—to the Committee on Ways and Means.

Also, petitions of G. W. Snyder, of New Mayville, and E. S. Gilmore, of Blairsville, Pa., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of M. F. Irvine, favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. LOWDEN: Petition of citizens of the Thirteenth Congressional District of Illinois, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. McMORRAN: Petition of residents of the Seventh Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of various residents of Utica, N. Y., against a tariff on tea, coffee, cocoa, or spices—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Sutton, Nebr., against legislation for parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. REID: Paper to accompany bill for relief of James M. King, Udora E. Moore, and Noah Hayes—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of J. H. Sykes—to the Committee on Pensions.

By Mr. RICHARDSON: Paper to accompany bill for relief of R. C. Robison (H. R. 5119)—to the Committee on War Claims.

By Mr. RHINOCK: Petition of Jonesville (Ky.) American Society of Equity, favoring a national highways commission and appropriation for federal aid in construction and improvement of highways—to the Committee on Agriculture.

By Mr. SMITH of Michigan: Petitions of Seth B. Rubert and 37 others, of Howell, and 26 citizens and business men of the Sixth Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Adirondack Lumber Manufacturers and Shippers' Association, against reduction of the duty on lumber—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York, for legislation to deepen and widen, in the plan of river and harbor improvements, the Hudson River up to Troy—to the Committee on Rivers and Harbors.

Also, petition of Chamber of Commerce of New York, favoring provisions of bill for buildings for diplomatic and consular service—to the Committee on Foreign Affairs.

Also, petition of legislature of Wyoming, against removal of duty on wool and hides—to the Committee on Ways and Means.

Also, petition of Bellevue and allied hospitals, favoring removal of tariff from medical and surgical instruments—to the Committee on Ways and Means.

Also, petition of Wyoming legislature, for legislation enabling settlers to prove up land when they have reclaimed a portion, etc.—to the Committee on the Public Lands.

Also, petition of Subordinate Association No. 1, Lithographers' International Protective and Beneficial Association of the United States and Canada, favoring adjustment of equalization of rates to bring the specific duty to a uniform ad valorem equalization to conform with amendments as submitted to the Ways and Means Committee—to the Committee on Ways and Means.

Also, petition of H. Behlen & Bro., against raise of duty on steel, wool, and steel shavings—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petitions of citizens of Denver and Durango, Colo., against a duty on tea and coffee—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 27, 1909.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, the Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the daily hour of the meeting of the House be 10 o'clock a. m. until further order of the House.

The SPEAKER. The gentleman from New York asks unanimous consent that the daily hour of the meeting of the House be 10 o'clock a. m. until further ordered. Is there objection?

Mr. CLARK of Missouri. I would like to ask the gentleman from New York, because so many men ask me, can he give us any idea about how long the general debate will run?

Mr. PAYNE. Unfortunately, I can not.

Mr. CLARK of Missouri. The reason I ask is that everybody asks me.

Mr. PAYNE. I know, and I am trying to answer the gentleman, but unfortunately I can not do so. I am told that there is a list of forty or fifty on the list of the Chairman of the Committee of the Whole of gentlemen who desire to speak. I wish to accommodate as many as I can, and I would like next week, or as long as general debate lasts, to commence at 10 o'clock a. m. and run until 6 o'clock p. m., and then take a recess for a couple of hours.

Mr. CLARK of Missouri. Are you asking for both? I have no earthly objection to it.

Mr. PAYNE. I desire to make progress on this bill and pass it as soon as possible.

Mr. CLARK of Missouri. A man asks me how long the debate is going to run, and when I can not tell him half the time he will not believe me.

Mr. PAYNE. I want to tell the gentleman that I am embarrassed the same way. I add to the request that the daily hour of meeting be 10 o'clock a. m. and run until 6 o'clock p. m., and then that the House take a recess until 8 o'clock in the evening and run until 10.30 p. m.

Mr. CLARK of Missouri. I have no objection to that.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438—the tariff bill.

MICRO SAFETY A. N

Mr. HARRISON. Mr. Chairman, I approach the subject of tariff revision with some hesitation. I have been for only ten days a member of the Committee on Ways and Means; but it so happens that I am the only Democratic Representative upon that committee from the great section east of the Mississippi River and north of Mason and Dixon's line. Under those circumstances, I think it is only proper that I should endeavor to express the sentiments, as I understand them, of the great consuming section of the country of which I have the honor to represent one district; but I have a still further hesitation in this discussion of the tariff, because it seems to me that what has been said about the law might be equally applied to the tariff. It has been said that no law has ever been devised by human ingenuity but human ingenuity could circumvent. It seems to me almost equally true that no argument has been advanced on either side of a tariff discussion but what, apparently, almost an equally good argument can be opposed to it. With this disclaimer of any pretensions to universal wisdom on the subject of the tariff, I shall present to you my views about the present revision.

We are in a time of great financial stress. At the end of the present year it is anticipated that there will be a deficit of $150,000,000 in the National Treasury, and this after twelve years of uninterrupted Republican rule, executive and legislative. We have been told in many campaigns that the Republican party was the party of the business man. If that be so, I am sorry for the American business man, for there is not a man of business in my city who would not be ashamed to show so large a gap between his receipts and expenditures as will be shown by the present Republican administration.

Under the circumstances they were driven to what they call a "revision of the tariff;" but in their proposed tariff bill one of the remedies which they offer for the present situation is the very thing for which they have for so many years assailed us in national campaigns. During a recent period in our history a Democratic administration came into power and received from the hands of its Republican predecessor the legacy of a bankrupt Treasury. Under these circumstances that Democratic administration had struck from the plates ordered to be prepared by the outgoing Republican Secretary of the Treasury bonds to supply the deficiency in the Treasury. In the present proposed bill they do not call them bonds, they have a more euphonious term, "certificates of indebtedness;" but the fact remains that the Republicans are now resorting to the very remedy for which they have so roundly abused Mr. Cleveland in many recent campaigns.

One of the amusing features of the situation is that the Republican majority in the Senate, alarmed at the increase of national expenditures and the impending bankruptcy, has appointed a committee to "sit on the lid" of House expenditures, whereas it is a well-known fact that the gentlemen at the other end of the Capitol are responsible for most of the great extravagances in appropriations.

Mr. Chairman, there is no evidence that I can discover that Democrats wish to delay the passage of the tariff bill. On the contrary, I believe that all that we demand is a sane and sensible discussion of the paragraphs of this bill. During the agitation over the rates in this bill business is practically at a standstill in many branches of industry. Nothing will cure this unhappy situation except sane and speedy consideration of the bill. In fact, I think I may say that the Democrats of this country realize that the burden of the cure for the present financial unrest lies equally upon the Democrats and upon the Republicans of the Congress. Not so very long ago the business men of this country intrusted to the Democratic party the management of national affairs. There are still many prominent business men within our party——

Mr. GARNER of Texas. The statement the gentleman made a moment ago I do not think is full enough with reference to the opportunities Democrats might have for a sane discussion of this bill, but also for the opportunity to offer amendments to each of the paragraphs of the bill.

Mr. HARRISON. I am glad the gentleman called my attention to that.

Mr. GARNER of Texas. You made no reference to opportunity to amend the bill.

Mr. HARRISON. I intended to say most emphatically that we demand an opportunity to offer amendments to the paragraphs of the bill also.

Business men in the Democratic party are entitled to a voice in these proceedings, and I hope that they will make their influence felt, as I believe they will.

I can find no radical demand in the Democratic ranks to-day for free trade. The point upon which, as I judge it, the Democrats of this Nation can unite is the sound Democratic doctrine of a tariff for revenue with free raw materials. Formerly high protectionists were able to delude some of the people into believing that the tariff on imports is a tax levied upon the foreigners; to-day the people of the United States understand that tariff taxes are levied not upon the foreigner but upon the consumer here at home. His rights can be best secured and his interests preserved by a tariff for revenue and free raw materials. This is especially desirable when the raw materials constitute the necessaries of life. No plea of revenue requirements, however seductive, should prevail which demands the retention of any duty taxing the necessaries of the people in behalf of monopolies. Conspicuous examples of this class are the existing duties on food, iron ore, coal, lumber, hides, and petroleum.

To the proposition of free raw materials I can see no ground for dissent. As to the question of a tariff for revenue, I believe it is a ground upon which moderate men of both parties can unite for the common welfare. I have not yet heard a speech from the gentleman from Massachusetts [Mr. MCCALL], my colleague on the committee, but I doubt very much whether his position on the tariff revision, even though he is a Republican, would be much different from mine, and I believe that there is a growing feeling in the United States that the moderate wings of both parties are coming together on the subject of tariff revision. The protection afforded by our revenue law should be simply and solely incidental to the necessity of procuring revenue sufficient honestly and economically to administer this Government. Show us where the revenue can be secured upon manufactured articles of import and we will not begrudge you the incidental protection necessary to such a tax.

I believe, Mr. Chairman, that a very instructive sample of unfair argument in tariff revision is being presented by some of the manufacturers of the United States to-day. In their appearance before the Committee on Ways and Means many selfish and greedy men raised a loud clamor for increase in the protection on the articles they manufactured so as to amount to a complete prohibition. A tariff creates in men an appetite to feed upon themselves. In the course of time every tariff impoverishes somebody. Capital is attracted, competition increased, and there are only two means of relief—one, an increase of the duty, and the other, a trust or combination of manufacturers to save operating expenses and to hold the prices up. The very arguments of the early protectionists were that the tariff would stimulate industry, and thus cause a fall in prices. Nowadays the most inconspicuous business man can employ a lawyer to teach him how to evade the statute and common law against combinations in restraint of trade. Protection is now demanded for the very purpose of keeping up the prices.

Some American manufacturers, angered by apparent reductions in some schedules of the proposed tariff, are to-day raising a threat of reduction in the wages of labor in case this bill is enacted into law. Now, I do not propose to detain the gentlemen of this committee with a lengthy academic discussion of tariff matters. I doubt very much whether this country as a whole is as interested as it used to be in these academic discussions, but I think it is only fair to say that, in my opinion at least, the rates of wages are not and never have been permanently established by tariff regulations.

Mr. HITCHCOCK. Will the gentleman yield?

Mr. HARRISON. Certainly.

Mr. HITCHCOCK. If the gentleman will permit, I want to suggest that the announcement has already been made by one of the large tariff-protected concerns—the Republic Iron and Steel Company—of a reduction of wages under the present tariff.

Mr. HARRISON. I am glad the gentleman has called attention to that, and, in my opinion, that reduction was made for the purpose of being used as a club during the tariff revision, and if the reduction is permanent it will contribute to the profit of the manufacturers.

The laborers of this country are assumed by the radical campaign orators to be radical. In my opinion, the laboring men are conservative. They can see that up to a certain point the interests of capital and labor run side by side, but beyond that point they are often unable to see. Gross abuse of that situation is made by unscrupulous manufacturers. At the present moment many laborers are unable to see beyond the threat of the reduction of their wages. Similar tactics have been unfairly adopted in several recent political campaigns. In many of the manufacturing sections of our country a notice is sent out by employers of labor in industrial plants that if the Democratic ticket is successful the plant will be shut down. Thus laborers have been reduced to political and industrial slavery.

It is undoubted, in my mind, that the high protective Dingley tariff would never have been enacted had not the support of a considerable portion of laboring men been secured for a high protective tariff, with the idea that their wages depended on it. These men seem to be unable to appreciate that wages are now and always have been higher in the United States than anywhere else; that they have been so because of the character and intelligence of the American laborer and because of the extraordinary services he renders in the marvelous expansion of our industries; that they were higher here than anywhere else before the protective tariff was adopted; that the wages of the laboring men are higher to-day in free-trade England than they are in protected Germany; and that the wages of the laboring men in the United States depend, like all other commodities, upon the law of supply and demand, and not upon the form of our taxation; and, finally, that they are able to hold up the high prices of their labor by reason of the strength of labor unions operating upon the law of supply.

The American laboring man is entitled to the highest wages in the world because he earns them; he has played a tremendous part in the development of our country, and will continue to do so whatever may be the threats of the angry manufacturers used for selfish purposes to operate as a club on Members of Congress during a tariff revision.

But what do his wages mean to the workman except as a medium of exchange? In a country where a prohibitive tariff has enabled firmly intrenched industries to charge the highest prices ever known in the world for the necessaries of life, the laborer is the chief sufferer, whether it be that his money goes only for the bare necessaries of existence or for the luxuries which his wife and family regard as almost equally necessary. It is generally true that the workingman in our country has laid by very little in the savings bank. He can not save much money; it costs him too much to live, and until the prices of the necessaries of life are reduced to a point within the reach of every industrious man, "something is rotten in the State of Denmark." This reduction can only be accomplished by a genuine reform of the tariff by unselfish men animated by the soundest of Democratic doctrines.

Mr. GAINES. Will the gentleman yield to me?

Mr. HARRISON. Certainly.

Mr. GAINES. Accepting the gentleman's theory as the correct one, that the rate of wages is a question of supply and demand, does the gentleman think that the demand for American wages would be as great as it now is if we lowered our tariff to such a point as to admit a considerable increase of importation of foreign goods?

Mr. HARRISON. I will answer by saying that in a specific instance it might be true for the time being that there would be less demand for laboring men in that line of goods; but I do not believe the economic prosperity of this country depends upon the stimulation by a tariff for American industries. I think better of American industries than that. I think they can stand on their own footing and that they will.

Mr. HITCHCOCK. Will the gentleman permit another interruption?

Mr. HARRISON. Certainly.

Mr. HITCHCOCK. Is it not a fact that at the present time there is far more surplus of idle labor in tariff-protected industries of the United States than in those industries and occupations not protected by any tariff?

Mr. HARRISON. I believe that to be entirely so. I believe the same principle would operate in the case of all the over-protected industries.

Mr. NICHOLLS. Will the gentleman yield for a question?

Mr. HARRISON. Certainly.

Mr. NICHOLLS. Is it not true that foreign laborers have been coming in at the rate of a million and a quarter to take the work from the Americans who are already here?

Mr. HARRISON. Well, I believe that there is work enough for all. I do not believe that the works of this country are half done yet.

Mr. NICHOLLS. Is it not true that there are a lot of Americans idle now, and that there are likely a lot of foreign laborers who came in recently who are at work.

Mr. HARRISON. I do not know as to that, but I believe that there is a coming recrudescence of industrial operations in this country, and that there will be work enough for all.

Mr. NICHOLLS. Is it not true that while the manufacturers are protected by the tariff, the workmen are not protected from competition with foreign laborers, because they are allowed to come in here almost unrestricted and compete with us on our own ground?

Mr. HARRISON. So far as the gentleman's statement goes, I believe it is an accurate statement, but I believe the laboring man of this country is able to look out for himself and has abundantly proved so at all times in our past. The gentleman also makes no allowance for the tens of thousands of foreign laborers who return to their home country in times of industrial depression—again following the laws of supply and demand—nor does he make allowance for the great number of laboring men who have taken up public lands in the West and become farmers.

Mr. REEDER. Will the gentleman permit me to ask him a question?

Mr. HARRISON. Yes.

Mr. REEDER. Does not the gentleman regard it as a fact that every article of manufacture which is furnished to citizens of the United States from outside labor decreases the labor of the American workingman? In other words, whenever any material in the way of manufactures is furnished to the United States market, does not that decrease the possibilities for American labor?

Mr. HARRISON. I am inclined to think it does not.

Mr. REEDER. When the work is done some place else, does not that take the labor from our people?

Mr. HARRISON. I believe there is a demand for all. Except in certain economically unhealthy industries, the American laborer need fear no competitors in the world.

Mr. REEDER. Suppose there is a number of days' labor done in any other country to manufacture certain goods, does not that take that much labor from our people, if those goods come to this country?

Mr. HARRISON. No; I do not believe the labor market of America can be regulated by the arithmetic of the gentleman because so many other elements enter into it. I want to say to the gentleman that he must be quite oblivious of the fact that the laborer's wage represents not only so much cash, but a medium of exchange, and it does not profit him to attain a certain figure if every one of the necessaries of life is raised behind the wall of a prohibitive tariff. Let me say that the consumer of this country is entitled to a voice on the floor of the House of Representatives, and however unworthy I may be to voice his sentiments, I believe the country recognizes to-day that the consumer pays the tax and not the foreigner, as the gentleman's party formerly would have us believe. [Applause on the Democratic side.] And I want to say further to the gentleman that upon the necessaries of life—the prime necessaries, food, clothing, and shelter—this tariff bill will offer no further reduction in the cost of those necessaries of life to the consumer, and, pro tanto, it is a sham reduction. [Applause on the Democratic side.]

Mr. REEDER. That has nothing to do with the question which I asked. I asked this question: If there is a certain amount of work to be done and that work is done in Germany, can that work be done by the American workmen here at the same time?

Mr. HARRISON. I suggested to the gentleman before, and I repeat, that he can not regulate the laws of supply and demand of this country by any such arithmetic. I believe that if there is demand for the article we can take all we can get, and his tariff ought to let some more of it in.

Mr. REEDER. Neither does that answer the question I propounded.

Mr. HARRISON. It answers the question as well as I can, and in addition I will say his contention is only justified by the condition in certain lines of industry entirely the result of tariff "hothousing," in which the employment of labor is economically artificial and unjustifiable. It would be much better to allow our workingmen to purchase articles cheaper by importation under a revenue tariff and to furnish to other countries that enormous list of articles in which American labor can compete triumphantly with the rest of the world.

Mr. WEEKS. Mr. Chairman, will the gentleman explain to the House why there is such an influx of labor, a million and a quarter a year, as has been called to his attention by the gentleman from Pennsylvania [Mr. NICHOLLS], if the laborer is not relatively better off in this country than he is abroad?

Mr. HARRISON. I will say to the gentleman that I think he is relatively better off, but that it is due to his own energy and intelligence and not due to the protective tariff. [Applause on the Democratic side.]

Mr. WEISSE. Mr. Chairman, if the gentleman will permit, I have the figures taken from the Census Department. In 1890 the laborer received 20 per cent of what he produced in manufacture, in 1900 he received 18 per cent, and in 1905 he received only 17½ per cent. In 1890 it took the work of a laborer five days to buy what he produced in one day. In 1900 it took five days and seven and one-half hours; in 1905 it took five days

crats of this Nation can unite is the sound Democratic doc- | slavery.

and eight and one-half hours to buy the same amount of his products. [Applause on the Democratic side.]

Mr. HARRISON. Mr. Chairman, when this bill was first introduced in the House there was a general impression that a genuine revision of the tariff was being undertaken. A sentiment for tariff revision forced the managers of the last Republican convention to put into their platform a plank for the revision of the tariff. Until the public sentiment developed during the campaign they were somewhat equivocal upon the point as to whether this was to be a revision upward, as they have always revised it in the past, or a revision downward. Public sentiment showed plainly that the latter was the course that the people of the United States demanded of the Republican party. The people of this country have had in that respect the powerful support of the successful Republican candidate, the President of the United States. However sincere or insincere may have been the motives of the managers of the Republican convention, their candidate was and is a sincere man, and he is doing his best to secure a downward revision of the tariff, and in that effort he should have the support of all patriotic citizens without regard to party.

This bill does contain some substantial reforms. Would that all of them had been real, and not merely apparent; but for the moment, at least, our antagonists seem to have yielded from their former advanced position of high protection and have come some little way to meet the Democratic ideas and to satisfy the demands of the people. Seem to have yielded, I say; but in many, if not most, of the proposed reductions in the rates, the new figures are equally as prohibitive as those of the existing law. If, for example, a rate is 50 per cent and prohibits the importation of any article and is then reduced to 25 per cent, at which point it still prohibits the importation of any article, the public is no better off than before and the manufacturer is no worse off. That seems to me to be about the condition of affairs in this bill. Were I convinced that this was a genuine repentance and reform, and that a general revision of the tariff downward was attempted and was likely to remain the fixed policy of the Republicans, and did I believe that certain high priests of protection in the Chamber at the other end of this Capitol would leave the bill even in the shape that it is now, I would venture to prophesy in the future an elimination of the tariff from politics. My opinion is, however, that when this bill comes out of the Senate its own father will not know it.

Now, Mr. Chairman, to proceed to a discussion of some specific schedules in this bill, I shall first dwell a short time upon the chemical schedule. This is not a matter of very great public interest, but it happens to be a schedule upon which I personally have spent some time and about which I have endeavored to inform myself at some length. The present chemical schedule of the Dingley bill produces a revenue of $9,743,468. The proposed chemical schedule of the Payne bill, it is hoped, will produce a revenue of $10,029,339, an increase of $285,871 in the annual revenues. In my opinion they could have secured a vastly greater revenue upon this schedule by a reduction of the rates to a point where importations would come in in some considerable quantity and a considerable amount of revenue might be collected thereon. They have made in the chemical schedule about five raises in the rates. They have made 60 reductions in the rates.

In almost all those instances the rates are still as prohibitive as they were before. They have also transferred 5 articles from the dutiable list to the free list and have taken about 15 articles from the free list and put them on the dutiable list. The increase in the revenue which is expected is not counted upon to arise by a reduction in the rates in the chemical schedule to a revenue point, but is expected to arise from increased taxation, and so we are back again in the same old vicious circle. I do not mean to say I think all of the items which they have selected in this schedule for increased taxation are unjustly taxed, because the fact is that they have selected in the main luxuries for that purpose. For instance, the new increased taxes are partly upon fancy soaps and perfumeries and the essential oils going into the making of those articles, and they are proper articles to tax, but there are many in the chemical schedule from which revenue might have been derived and which are still prohibitive.

In my opinion, the rates could have been lowered still further in many of these items, the better to secure more revenue. This could have been accomplished, moreover, while upholding the principle enunciated by the Republican platform, that the object of their tariff is to be protection in an amount equal to the difference in the cost of production here and abroad, even adding, as they boldly demanded, a reasonable profit. The rate they adopted in the chemical schedule averages 28.48 per cent ad valorem, which, to be sure, is considerably lower than the average ad valorem rates of this proposed tariff, but which, in my opinion, should have been 15 per cent ad valorem, which would have been ample to provide for the difference in wages here and abroad.

Also, I could have wished that some scientific arrangement of the items in this schedule might have been undertaken. It is especially disappointing to find that the classifications in this schedule have not been rearranged and simplified. There still seems to be no fixed principle of taxation upon chemicals. They are still carrying items inserted in the old bill of 1883, for which, in some instances, the reasons for existence have long disappeared. The whole thing is artificial, and, in my opinion, inaccurate, and many articles specifically mentioned in the chemical schedule might well have been stricken out and allowed to come in under the omnibus clause of paragraph 3, which taxes at 25 per cent all chemical compounds not otherwise specifically mentioned.

I now take up some specific items of the chemical schedule. Four of the acids of paragraph 1 have not been reduced to a revenue point. They are acetic acid, citric acid, salicylic acid, and sulphuric acid, which is the basis of the manufacture of more chemicals than any of the others.

In paragraph 7 blacking is carried at 25 per cent, which was the same in the Dingley bill. Whereas the value of all blacking products produced in the United States in 1905 was nearly $6,000,000; in the same year the value of the imports was only $35,000; and the rate is evidently prohibitive.

Another article of interest is in paragraph 9, blue vitriol or sulphate of copper. This is of great importance to the farmers of the United States, because it is used in making Bordeaux solution, in truck gardening and in preventing wheat smut. Now, blue vitriol is still taxed at one-half of 1 cent a pound, the same as in the Dingley bill. The production in the United States in 1904 was 39,101,151 pounds. In that year we imported 527,329 pounds, and in the same year we exported 17,936,801 pounds. And witnesses testified before the committee that a trust in the United States keeps up the price on this article and sells it much cheaper abroad. This was an article curiously enough overlooked by them in their so-called "revision of the tariff." It should have gone on the free list.

Another article is chloroform, taxed at 10 cents a pound, a reduction from the Dingley rate of 20 cents a pound. Even at the lower rate the ad valorem equivalent is 40 per cent. The importations in 1904 were 2,202 pounds. In the same year in the United States the manufactures were 616,670 pounds. The rate was then evidently prohibitive, and, in my opinion, will still be so. Now, chloroform in this country sells for 25 cents a pound. They used to make it from alcohol, but now they make it from acetone, which is produced from acetate of lime, which is largely produced in the United States. It is evident that they do not need any duty at all upon this article.

An article that they have selected for a raise in the rates is the quebracho extract. I have not time under this general debate to go deeply into the subject of quebracho extract, but I want to call the attention of the committee to the fact that in the higher form of this extract, which is used by the tanners of the United States, namely, that having a density above 28° Baumé, the rates have been raised from half a cent a pound to seven-eighths of a cent a pound.

The chairman of the committee, in submitting his majority report, in which he called attention to what he enumerated as raises in the rate, skipped gently over this point and did not mention the raise on quebracho extract. The fact is that the extract manufacturers of the United States put up a tremendous clamor before the Committee on Ways and Means for a raise in the duty on quebracho extract, hoping to keep out the importation of it from South America. The advantage that quebracho extract has over domestic tanning extracts is that it can be produced more cheaply, not only on account of the difference in labor, but on account of the difference in the method of production in South America. Down there they seeem to employ something like a portable plant and move around in the forests, consuming their raw materials as they go. The fact is that the tanners of the United States will have to pay the piper for this great raise in the tax. The same is true of the raise in the rates on extract of nutgall.

Mr. GAINES. Will my colleague upon the committee permit me?

Mr. HARRISON. With pleasure.

Mr. GAINES. I think he has overlooked the facts with reference to the particular item he refers to. The only source of supply for the tanners of this country of tanning extract, except the extract of the Argentine Confederation, is the chestnut extract produced by a number of mills throughout this country.

It is true that the recent development of the quebracho extract business would enable the people of the Argentine Confederation to produce and sell their extract at a lower price than the cost of production of chestnut extract in America, but the tanners would get no relief if we left their industry in America at the mercy of the foreign producers of extract, because the control of the situation there is such that they will charge in this country all that they can, the only limit being that if they get up to the chestnut price then they meet the American product. Now, I submit that when we are undertaking to give American trusts foreign competition it is bad legislation to give a foreign trust American competition.

Mr. HARRISON. The gentleman is submitting a familiar Republican argument. He does not take into account the fact that there is an enormous industry in the United States in tanning acids, and that will regulate the price in spite of the South American extract.

Mr. WEISSE. Mr. Chairman, will the gentleman tell us whether the European tanner can buy quebracho extract cheaper than the Americans now or whether they add the duty when they sell it to the foreign tanner?

Mr. GAINES. I do not know. Mr. Chairman, that anybody can answer that question. What price shall be charged is in the hands of these people who control the quebracho extract.

Mr. HARRISON. It is in the control of the laws of supply and demand.

Mr. GAINES. My point is this: That since these people have no sufficient competition but American competition, and since they can drive absolutely out of business, if they choose, the American producer, as soon as they drive him out of business then the American consumer will be at the mercy of the foreign companies.

Mr. WEISSE. Is it not a fact that the European tanner buys that extract for less than the American tanner can, and they make leather cheaper out of it than the tanner in this country?

Mr. GAINES. If the gentleman is correct, that prices are so manipulated, then I appreciate an additional argument for the proposition which I have laid down.

Mr. HARRISON. Mr. Chairman, another instance in which the tanners will have to pay more for tanning acid is in the rates on extract of nutgalls, which used to be carried in the Dingley bill under paragraph 20 as a drug. It is now placed upon the Payne bill at what amounts to a 20 per cent duty, instead of 12 per cent, as formerly.

Now, I have a number of other instances which I would be glad to discuss, but I fear my time is rapidly elapsing. To select only a few of them:

Paragraph 31, castor oil, taxed now and ever since the Wilson bill at 35 cents a gallon. In 1904 the value of the American production of castor oil was $642,665, and the same year the imports amounted to only $4,790. It is evident that the tax is out of all proportion to the rates of the schedule, which equals, at the lowest computation, 35½ per cent ad valorem. It is impossible to understand why no reduction was made in this item of the schedule.

The testimony shows that castor oil costs 68 cents a gallon to manufacture, and is selling at 76 cents. Foreign castor oil can be imported for 48 cents a gallon, less the duty. It should be realized that this paragraph and the one immediately preceding, alizarin assistant, which is chiefly composed of castor oil, are not only used as medicines but in the manufacture of dyestuffs, and are therefore vastly important in the textile trades. It is believed that there is a trust in the United States that manufactures these articles, and the price is made only sufficiently low to keep out a foreign article. No reason is apparent for retaining the duty at this rate.

Paragraph 33, flaxseed, linseed oil, and so forth. A reduction is made from 20 cents a gallon in the Dingley bill to 15 cents a gallon in the Payne bill. We export at least ten times as much as we import, and there is no reason why any duty should be maintained upon this item, except for the purpose of keeping up the prices. The tax still equals 35 per cent ad valorem.

Mr. LASSITER. Will the gentleman allow me to interrupt him?

Mr. HARRISON. Certainly.

Mr. LASSITER. I have a letter from a constitutent desiring to be informed on a nut oil which is largely used in manufacturing varnish, which is transferred from the free list in the Dingley bill to the dutiable list in this bill. I would like to inquire of the gentleman of the committee whether this transfer was intentional on the part of the committee?

Mr. HARRISON. I can not interpret the intention of the Republican members of the committee, because they did not do us the honor to take us into their confidence; but a general reduction of the rates on varnishes has been made, which will be of great advantage to the American consumer. Therefore I surmise that this particular item was carried, along with the essential oils, from the free list, where they are in the Dingley bill, and made dutiable in this bill at 25 per cent ad valorem as an expressed oil. It was probably transferred under a general principle or theory that most of these oils go into the manufacture of perfume or fancy soaps, and are therefore articles of luxury and properly dutiable.

Now, Mr. Chairman, another article, and one in which New York is particularly interested, is olive oil, which was again made dutiable in this bill at 40 cents a gallon, which amounts to 52 per cent ad valorem, and is twice as high as the other articles on the chemical schedule.

It is a gross injustice to the Italian and Greek and other foreign-born populations on our eastern seaboard. It is levying a tax upon the poor man's food. The Italian Chamber of Commerce of New York requested a reduction on the rates, which was not given them. This is an example of taxing the poor man's belly, for olive oil is as indispensable to the people from the Mediterranean countries as is butter to the native American. The only reason I can conceive why this tremendous tax is still retained in this bill is because out there in California they manufacture about 5 or 10 per cent of the consumption of the United States, and for that reason they desire to keep up the rates where they are. They are making the poor people of the east side of New York City pay their freight rates on olive oil from the Pacific coast.

In this bill another absurdity is the 25 per cent on peppermint oil; this should be on the free list. The importations in 1907 amounted to 13,642 pounds, while during the last ten years the yield of peppermint oil in the United States has averaged from 150,000 to 400,000 pounds annually. More than three-fourths of all true peppermint oil of the world is produced within a radius of 75 miles of Kalamazoo, Mich., and about one-fourth of our production is exported to the continent of Europe. There is no excuse whatever for a duty on this product.

In the section of the chemical schedule relating to paints there are several apparent reductions, but it is doubtful whether the rates even as reduced are not still practically prohibitive.

In paragraph 46, orange mineral is reduced from 3¾ cents per pound to 2¾ cents per pound. The importations now are only one-half of what they used to be under the Wilson bill, when they were taxed 1¾ cents. Less than 3 per cent of the consumption is imported. It is evident that this rate is still practically prohibitive.

The same may be said of red lead, in paragraph 47; reduced from 2¾ to 2¾ cents per pound. Under the Wilson bill it was 1½ cents per pound, which is more than ample protection. The rate of the Payne bill is still prohibitive, importations amounting to between 3 and 4 per cent of the consumption and being less than half of what they were under the Wilson bill.

Again, in paragraph 48, ultramarine blue is unchanged at 3¾ cents per pound. This equals from 30 per cent to 40 per cent ad valorem and should be cut in half.

Paragraph 51, white lead reduced from 2¾ cents per pound to 2¾ cents per pound. Under the Wilson bill it was 1½ cents per pound, and importations are less than one-half of what they were then. Importations average less than one-fourth of 1 per cent of the consumption, and the duty is still prohibitive.

Paragraph 53. Dry oxide of zinc is still carried at the same rate as under the Dingley bill, namely, 1 cent per pound. The present duty on this is prohibitive. The imports averaged less than 3 per cent of the production, and the duty imposed is greater than the cost of producing the material from the ore, exclusive of the cost of the ore. Under the circumstances, it is fairly evident that the New Jersey Zinc Company, the great trust, is receiving extended protection.

Under the heading of "Medicinal preparations," paragraph 63, is a combination of paragraphs 67 and 68 of the Dingley bill. The retention of the general rate of 25 per cent is unfair. It should be 15 per cent. In most instances the duty is prohibitive, and the industry has not grown substantially in the United States in twenty-five years. This protection enables the American manufacturer to put up his prices at least 25 per cent above those of European competitors. Difference in the cost of production is greatly exaggerated. When the duty was taken off of quinine the American manufacturers continued to make it, and do so to-day successfully in competition with foreigners. The same state of affairs was true after the reduction in the tariff on strychnine. Medicines which are taxed under this paragraph are of importance to the whole community—rich and poor alike—and inasmuch as it is believed that there is an absolute combination of manufacturing chemists in the United States, this protection of 25 per cent is useful to them chiefly for the purpose of keeping up the prices to the consumer.

ad valorem, which, to be sure, is considerably lower than the

country.

us the honor to take us into their confidence; but a general reduction of the rates on varnishes has been made, which will

this protection of 25 per cent is dealt to them only for the purpose of keeping up the prices to the consumer.

Now, Mr. Chairman, to turn from the chemical schedule to some other matters of more general interest, I will discuss for a moment the schedule on steel and iron. This is a more spectacular schedule, and in this they have enacted something remotely resembling gallery play. It is true they have put iron ore on the free list, and for this relief much thanks. But it is evident that this was not done from any economic principle, but only to give certain manufacturers on the Atlantic seaboard cheap raw materials. Next, on steel rails there is an absurdity which still exists. The old duty of $7.84 a ton was prohibitive, but the present rates of 55 per cent less than that, or $3.92 a ton, are, in my opinion, still prohibitive. It is a notorious fact that the steel company transports to most of the foreign countries American steel rails, pays the freight on them, and sells them not only cheaper than the foreigners can, but sells them to foreigners 20 per cent cheaper than they sell them here at home to Americans.

Under the circumstances, is not this apparent reduction a farce? I have not the slightest doubt that the American manufacturers of steel and iron are strong enough to enter every market of the world. They have passed far beyond the stage where they need any protection. Infant industries of the time of Alexander Hamilton have become the giant trusts of the time of JOHN DALZELL. It is shameful to see their representatives cowering behind a tariff wall and whimpering for protection.

Of all the witnesses who appeared before the Committee on Ways and Means on this schedule, no one carried more weight with the people than Andrew Carnegie. He stated, as a result of a lifetime experience crowned with the most successful career known in the annals of the trade, that the American steel and iron industry to-day needed no protection whatever. He warned us further not to believe the witnesses who testified for their own pockets. Before any other jury the motives of some of the witnesses would have discredited their testimony. Before the jury of the House of Representatives we can assign to them their true value now.

Every item on the steel and iron schedule should be carried on the free list, in order to cheapen the price of the products to the American consumer and put him on a level with the foreigner, to whom our corporations now sell their products so much cheaper.

Two other trusts have come practically unscathed from the hands of the Republican majority. One of these is the Standard Oil trust, which retains its countervailing duty on petroleum. The Republican boast is that the Standard Oil Company receives no protection; that petroleum is on the free list. But thereby hangs a joker. The countervailing duty upon petroleum came into operation with the importation of a small amount of oil from Russia. It has been frequently asserted that this importation was made by the Standard Oil Company for the very purpose of putting up the tariff barriers on oil. Thereupon a countervailing duty of 99 per cent became a fixed part of our tariff schedule, and behind that wall the Standard Oil Company can rest immune from competition. I hope that an opportunity will be given us to strike this countervailing duty from the bill, and I am sure that when the American people understand the nature of this special favor they will cordially support such action.

Another example is the sugar trust, which retains its differential upon refined sugar. The reduction of five one-hundredths of a cent in the duty on refined sugar is a farce. The differential itself really amounts to about one-eighth of 1 per cent. That should have been struck off, and opportunity should have been given to the consumers of America to get their sugar cheaper. The Englishman gets his now for about half of what the American pays for his sugar. This is due partly to the duty upon raw sugar, but also because of the differential. The differential is the amount per pound the refiners can collect from consumers over and above the amount of duty which the refiners have to pay on the raw sugar used. Seventy-five-degree sugar pays a duty of ninety-five one-hundredths of a cent a pound and thirty-five one-thousandths of a cent is added for each additional degree of purity. The duty, therefore, on 100 degree, theoretically, pure sugar is 1.825 cents per pound. But the actual duty on refined or pure sugar is 1.95 cents, or one-eighth of a cent per pound more than the equivalent duty on sufficient raw sugar to make a pound of refined sugar. But in fact the net protection to the sugar trust is more than 12.5 cents per 100 pounds, because of the hidden protection in the scale of duties on raw sugar, for the graduations in the duty on raw sugar are greater than actually over the impurities. Thus sugar testing 90 degrees should be about 1.66 cents per pound, instead of 1.47 cents, as the law provides. The sugar trust gains that advantage over and above the differential of one-eighth of a cent a pound, and also gets the sugar from Hawaii and Porto Rico free of duty, and importations from Cuba at 20 per cent less than the regular duty.

Mr. Chairman, the charge is advanced that this is a sectional bill. In my opinion it is so.

Mr. SMITH of California. May I interrupt for a question before the gentleman leaves the sugar question?

Mr. HARRISON. If the gentleman will confine himself to a question.

Mr. SMITH of California. With reference to the sugar duty, do I understand you object only to the differential?

Mr. HARRISON. Personally I object to the whole duty upon refined sugar. [Applause on the Democratic side.]

Mr. SMITH of California. Upon all brands of sugar?

Mr. HARRISON. To all duty on refined sugar. Mr. Spreckels, of your State, testified that the refiners did not need any duty on refined sugar.

Mr. SMITH of California. Do you object to the duty on raw sugar?

Mr. HARRISON. I personally do object to it, but until the time comes when we can provide other sources of revenue, such as an income tax, you are not going to be able to take the duty off raw sugar, because it produces an income of about $60,000,000 a year.

Mr. SMITH of California. Then your criticism now is only to the differential?

Mr. HARRISON. It is to reduce the cost of sugar to the American people. The present high price is due partly to the duty on raw sugar, but chiefly to the differential and to the duty on refined sugar. [Applause on the Democratic side.]

Mr. Chairman, I was about to instance some of the items in which I considered this bill to be sectional. One of them is in the abolition of the duty upon hides and the retention of the duty upon boots and shoes. Hides are on the free list, where, in my mind, they should be, and boots and shoes should go upon the free list, too, in common fairness and decency. [Applause on the Democratic side.] And I will say, in justice to the manufacturers of Massachusetts, who are deeply concerned, that I believe most of them will meet that proposition fairly. There are very few exceptions to that statement.

Mr. WEISSE. Will the gentleman allow me to ask him a question in regard to that?

Mr. HARRISON. Yes.

Mr. WEISSE. Would it not be equally just, then, to have everything go on the free list that enters into the manufacture of leather and shoes?

Mr. HARRISON. That is my opinion.

Mr. WEISSE. And we could compete with the world on that proposition.

Mr. HARRISON. Undoubtedly. I was merely dealing with it for the moment as presenting a sectional proposition.

Another sectional proposition is the increased duty on lemons from 1 cent to a cent and a quarter. The representatives of the lemon interests testified before the Ways and Means Committee that as to all that section of our country west of the Allegheny Mountains the present rate was prohibitive, and the California lemon growers had the markets to themselves.

They came before the committee and demanded an increase in the duty, which will give them also the market of the Atlantic seaboard. Now, I do not begrudge my brethren in California anything, but I do resent the imposition of this tax upon the people of our seaboard, the imposition of the freight rate all the way from California to New York in the interest of the California lemon growers. This is protection run mad. [Applause on the Democratic side.] Incidentally, I believe that this new rate will become prohibitive as to the importations on the Atlantic seaboard as well, and I believe that a million and a half dollars of revenue will probably be swept out of the budget.

Mr. SMITH of California. Will the gentleman permit a question?

Mr. HARRISON. Certainly.

Mr. SMITH of California. As a matter of fact the duty on oranges has been very nearly prohibitive, but oranges have sold cheaper, have they not, of recent years, than they formerly did?

Mr. HARRISON. Yes; along with a great many commodities, not due to the tariff in any way, and probably in spite of that.

Mr. SMITH of California. But due to the home competition among the producers of oranges.

Mr. HARRISON. Due to the laws of supply and demand, and not to the tariff.

Mr. HUGHES of New Jersey. Is it not a fact that they could not form a trust in that particular commodity?

Mr. SMITH of California. We hope to produce all the lemons that will be produced in the United States, and by the same

process of home competition, or supply and demand, the price of lemons will be reduced below what it is now.

Mr. HARRISON. Yes; you propose to do it at the expense of the consumers. If you will take your hands off, we will get lemons cheaper than you can ever sell them to us, because then we will not have to pay that 4,000 miles freight rate.

Mr. SMITH of California. The consumer pays less for his oranges now than he did formerly.

Mr. HARRISON. Yes; and he would have paid a mighty sight less if the California growers had kept their hands off.

Mr. SMITH of California. I do not think so. There is nothing to show that.

Mr. HARRISON. Again, why have they given us free iron ore and taken zinc ore from the free list and taxed it at 1 cent per pound?

What interests are served by such an inequality? Firmly entrenched in the old Democratic principles, we welcome iron ore on the free list. Why, then, did they offset that act of economic virtue by a wrongful transposition from the free list to the dutiable list of another raw material—zinc ore. The rest of the country is to be taxed, it seems, to provide protection to the zinc mines in Missouri.

Another example in this bill of revision which does not revise is in the reduction of the rates on barley from 30 cents a bushel to 15 cents. This is an industry of great importance to the farmers of New York State. The duty of 30 cents was prohibitive; so is the duty of 15 cents. It should be not more than 10 per cent ad valorem, thus producing a revenue for the Government, and permitting once more the importation of Canadian barley. By what seems almost a paradox in Republican tariff principles, the value of barley has fallen enormously since the imposition of the prohibitive rate of duty. For the seventeen years before 1890 the average price paid to farmers was 61.6 per bushel; for the seventeen years since 1890, the average price for barley is 43.4 cents a bushel. The explanation of this is that the presence in the American markets of Canadian barley raises the standard. Let us lower the rates still further, and restore barley to its former value.

Mr. Chairman, this bill appears to me to be aimed at the women of America. The increases in taxation on women's stockings and women's gloves and on tea and coffee are a blow at the women. It is a direct provocation to woman suffrage, and if this bill does not bring about equal franchise for women, I consider their cause is hopeless. [Laughter and applause.]

The more serious aspects of this raise in these necessaries of life is that it will fall more heavily upon the poor than upon the rich. These new taxes are chiefly specific, and that means that they are levied equally in amount upon the cheaper grades as well as upon the expensive grades, and therefore that the poor person will pay more in proportion than the rich. Take, for instance, the tax on tea. The New York Journal of Commerce and Commercial Bulletin quotes the present prices of tea at 14 cents to $1.20. The tax of 8 cents a pound will be 8 cents on the 14-cent tea used by the poor man, and only 8 cents on the $1.20, or $2, or $3 tea used for the rich man's table. That is a striking example of the disproportion of specific taxation and the way the burdens fall more heavily upon the poor, instead of equally on all classes, as should be done.

The new tax on stockings is one of the most extraordinary provisions against the poor people of this country. On the cheaper grade of stockings the new ad valorem rate is raised from 67 to 117 per cent; upon the next grade from 58 to 83 per cent; upon the next grade from 51 to 91 per cent; and upon the next grade from 59 to 84 per cent. The two highest grades are left unchanged, so that the woman who can pay $1 a pair for her stockings is not taxed any more under the Payne bill than under the Dingley bill, while the poor woman will now be obliged to pay from 25 to 40 per cent more for her stockings.

Stockings, hose, and half hose, selvedged or seamless, clocked, etc.	Rate of duty, law 1897.	Rate of duty, Payne bill.	Imports, 1907.			Value per unit.	Ad valorem rate.	Estimate of increase in ad valorem rate under proposed bill.
			Quantity.	Value.	Duty.			
PARAGRAPH 318.								
				Dollars.	Dollars.	Dolls.	P. ct.	Per cent.
Valued not more than $1 per dozen	50 cents per dozen and 15 per cent.	70 cents per dozen and 15 per cent.	2,449,277.67	2,350,249.77	1,577,176.36	0.96	67.11	117.11
PARAGRAPH 326 IN PAYNE BILL.								
Valued more than $1 and not more than $1.50	60 cents and 15 per cent.	85 cents and 15 per cent.	1,155,693.75	1,600,634.75	933,511.51	1.37	58.32	83
Valued more than $1.50 and not more than $2	70 cents and 15 per cent.	$1 and 15 per cent	1,330,226.67	2,557,341.40	1,314,759.91	1.92	51.41	91.41
Valued more than $2 and not more than $3	$1.20 and 15 per cent	$1.50 and 15 per cent	131,433.33	354,188.55	210,848.31	2.69	59.53	84.52
Valued more than $3 and not more than $5	$2 and 15 per cent	$2 and 15 per cent	28,578.00	114,625.56	74,349.81	4.01	64.86	Same.
Valued more than $5	55 per cent	55 per cent	6,379.67	42,356.17	23,295.90	6.64	55	Same.
Total					4,133,941.83			

The above figures are from the official returns reported by the Department of Commerce and Labor of duties collected for the fiscal year ending June 30, 1907, page 27. Another feature of this tax is that a revenue of over $4,000,0 0 will be nearly wiped out.

The proposed rate in the schedule on women's gloves is equally unjust. The taxation upon the cheaper grades is raised, and I want to say to the gentleman from New York [Mr. PAYNE], the chairman of this committee, that I understood his position to be, as an excuse for this raise in the taxation of women's gloves, that the production of women's gloves in this country was to be established and promoted through this new duty. The gentleman from New York lives about 100 miles from Fulton County, N. Y., in which for the past twenty years from 25,000 to 30,000 people have been engaged in the production of gloves, and they have produced women's gloves as well as men's gloves at a great profit; so his argument seems to me to fall to the ground by the weight of its own absurdity.

On the cheaper quality of gloves, not exceeding 14 inches in length, the duty has been increased from $1.75 a dozen to $4 a dozen, which will add to the cost directly 19 cents per pair, plus the additional profit the importer, wholesaler, and retailer will see fit to add for their investment in the extra duty. The increased duty on extra lengths to over 17 inches will add $3.55 to the cost per dozen pairs, or about 30 cents per pair, and on intermediate lengths in proportion. If lined with fur or skin, the cumulative duty is increased from $1 extra per dozen pairs to $2.50 per dozen. The ad valorem increase of duty on the lower grade of gloves will therefore be from the present duty of 41 per cent to nearly 80 per cent, and on fur-lined gloves to over 100 per cent.

Now, Mr. Chairman, I want to ask whether my time will elapse at the end of an hour, or whether, under the rules, I can proceed a little longer.

The CHAIRMAN. The rule is that no gentleman can speak longer than one hour without unanimous consent.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from New York have thirty minutes after his hour has expired.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from New York may proceed for thirty minutes after the expiration of his time. Is there objection?

There was no objection.

Mr. HARRISON. I thank the gentleman from Missouri and the committee and assure you I will not abuse your patience to that extent.

Mr. WEISSE. Will the gentleman permit an interruption?

advantage over and above the differential of one-eighth of a cent a pound, and also gets the sugar from Hawaii and Porto Rico

Mr. SMITH of California. We hope to produce all the lemons that will be produced in the United States, and by the same

Mr. HARRISON. Yes.

Mr. WEISSE. Can the gentleman tell me the percentage of labor—the total cost—that enters into the manufacture of gloves?

Mr. HARRISON. I can not; I will be glad to have the gentleman tell me.

Mr. WEISSE. The census Report of Manufacturing, 1905, under the heading "Glove and mitten manufactures," at page 82, gives the following figures:

Wage-earners	number	10,645
Total wages paid		$3,840,253
Amount of production		$17,740,385
Per cent of labor (about)	per cent	22
Average yearly wages for labor		$360

Mr. HARRISON. Yes; and I may add that the Book of Estimates on the Payne tariff bill shows the duty on gloves in Schedule N, pages 114 to 120, ranging from 26 per cent to 594 per cent, excepting one grade, where the value of importation has been only 34 cents, the duty is 11.33 per cent, and the duty remains the same in the new bill.

Mr. NEEDHAM. Before the gentleman from New York leaves the subject of gloves, will he yield for a question?

Mr. HARRISON. Certainly.

Mr. NEEDHAM. If we produce both women's and men's gloves in this country, why is it that nine-tenths of the gloves used by women are imported, while practically nine-tenths used by men are produced here?

Mr. HARRISON. I do not know whether the gentleman's figures are correct, but I believe that the glove industry in my own State can hold its own with any glove industry in the world.

Mr. NEEDHAM. The most of the importations come in under the bracket "schmasen" in order to get the cheap rates. That is supposed to be the skins of prematurely born kids.

Now, there is no such thing. There are not millions of kids born in that way, so that such an importation should come in here. Does the gentleman believe in keeping up that fraud?

Mr. HARRISON. I believe in keeping down the price of women's gloves, and the gentleman evidently does not believe in it. [Applause on the Democratic side.]

Mr. Chairman, the first press announcements of the proposed Payne bill were to the effect that they had put coffee upon the free list. It is upon the free list ostensibly, but with a countervailing duty which is leveled directly at Brazil, from which comes most of the coffee used in the United States. Immediately upon the passage of this bill, if it contains this provision, a tax equal in amount to the Brazilian export tax will be laid upon all coffee coming into this country from Brazil, and this duty will bear entirely upon the American consumers of coffee.

The price of coffee has already begun to rise. It has gone up 2 cents, or 33 per cent already, I understand. I do not believe that a cent of revenue will be derived from this new tax for some years to come, because it is understood that enormous quantities of coffee have been imported into the United States already, and are being held for the rise in prices, and the ultimate effect of this section of the bill will be to make the people pay the increased price on the coffee.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Certainly.

Mr. BATES. I will ask the gentleman from New York what the export duty on coffee is from Brazil to the United States?

Mr. HARRISON. I believe it is about 3 cents a pound, though I may be mistaken. I have tried to find out.

Mr. BATES. I would like to inform the gentleman that the export tax on coffee from Brazil to the United States is less than one-half of 1 cent per pound, or 47 per cent.

Mr. HARRISON. The gentleman is right as to a particular part of their export duty, namely, the surtax; but the bulk of the coffee, as the gentleman will find if he reads their law, is taxed at 3 cents a pound.

Mr. BATES. Not the bulk of the coffee which comes from Brazil to the United States. The general provision of the Government is less than one-half of 1 per cent.

Mr. HARRISON. If the gentleman will examine it again, I think he will find that the tax is different as it comes from different provinces of Brazil, and, although at first blush it would seem that his statement is correct, the fact is that the bulk of the coffee exported from Brazil is taxed about 3 cents a pound.

Mr. BATES. I think the gentleman is mistaken.

Mr. HARRISON. As to that I will be very glad to hear from the gentleman when he speaks.

Mr. CLARK of Missouri. Mr. Chairman, whatever it is, the upshot of the thing is that the American consumer pays both taxes, the export and the import.

Mr. BATES. If it is only one-half a cent per pound, will the gentleman explain why coffee has just risen 2 cents a pound?

Mr. HARRISON. Still disputing the accuracy of the gentleman's figures, he now appears to me to misapprehend the nature of the "infinitesimal amount" we hear so much about. A tax may be only one-half a cent per pound upon each specific article, but when you take into consideration the extra investment required by the wholesale and the retail dealers and their profits, the ultimate increase in the price by an apparently infinitesimal increase in tax is three, four, five, and ten times as much as the tax itself, and that runs through this whole scheme of taxation. Mr. Chairman, they say the middleman will pay the new tax. We had a tax on tea during the war with Spain and in consequence the price of tea to the consumer rose about 15 cents a pound. Already the price of tea has begun to rise, I believe 2 or 3 cents, in anticipation of this new proposed tax.

Mr. DAVIS. Mr. Chairman, I agree with the gentleman that coffee should actually be upon the free list, and I hope this legislation may be so framed as to put it there. I have received communications in circular form and through newspaper articles, that there have been large quantities of coffee imported in anticipation of this tax.

Now, I hope the gentleman can furnish to the House evidence other than newspaper accounts that touches the case. I believe such importations have been made, but can not the gentleman furnish some positive proof that there are large quantities of coffee now lying in the city of New York and elsewhere recently imported free of tax that would have a tendency to stop any revenue coming from this proposed tax for sometime to come?

Mr. HARRISON. I can not furnish any evidence. I am merely giving the gentleman what is my opinion on the subject. I believe that is true.

Mr. DAVIS. I believe so myself; but I would like to have some facts.

Mr. HUGHES of New Jersey. Mr. Chairman, if the gentleman from New York will permit, I would state to the gentleman from Minnesota that a gentleman known to me, and in whom I have the utmost confidence, being in the coffee business, tells me himself that he was laying in a supply of coffee in anticipation of this new tax, although he hoped that Congress would not lay it upon the people; but in anticipation of what might happen he, in common with many other coffee handlers, was getting ready for the work.

Mr. DAVIS. Mr. Chairman, I thank the gentleman from New Jersey very much for the information. That is the best evidence I have heard on the subject.

Mr. BARTLETT of Georgia. Mr. Chairman, if the gentleman from New York will permit, I would state, in reference to the statement of the gentleman from Pennsylvania [Mr. BATES] about the duty on coffee, that I have not the pamphlet at hand—but I will have before this debate is through—which will show that the export duty is 5 francs per bag of 60 kilos, and if you figure it out it will be seen that the Brazilian tax is 3¼ cents per pound and over.

Mr. HARRISON. I am very glad to have the gentleman's statement, which I will still further supplement by the following detailed statement of the Brazilian export duty on coffee:

Export duty on coffee:
Rio de Janeiro, kilo, 29.75 reis=$0.0162335.
Minas Geraes, ad valorem, 6½ per cent.
Sao Paulo, 41.4 reis=$0.0226044.

In addition to the duty above, coffee exported from the above-mentioned Brazilian States is subject to a duty of 5 francs per bag of 60 kilos—about $1 per bag. According to the decrees of September 12, 1908, an additional tax of 20 per cent ad valorem is to be levied on all coffee exported from the State of Sao Paulo in excess of 9,000,000 bags during the crop year commencing July 1, 1908; in excess of 9,500,000 bags during the crop year beginning July 1, 1909; and in excess of 10,000,000 bags during succeeding crop years.

Mr. MAYNARD. Mr. Chairman, I would like to say this in reply to the query of the gentleman from Minnesota: I was talking to a large coffee dealer in Philadelphia, and he told me that if this tariff bill passed, the coffee he had on hand would be worth $4,000 or $5,000 more to him than now under the old bill.

Mr. HARRISON. This is the first time since the war between the States, when the great national peril required recourse to unusual methods of taxation, that the Republican party has dared to place a tax upon coffee. I think it will have a considerable effect on the next congressional election, and I hope it will have. In the humblest homes of America all else has been taxed while coffee remained free; for that exemption, at least, our countrymen could render up thanks before the altar of high protection, but not so now.

The Republicans will go far to put the price of one of the prime necessaries of life beyond the reach of the very poor. Let them exchange their senseless cry of the full dinner pail for the slogan of the empty coffee pot.

Another subject that is dealt with in this bill is the inheritance tax. This is substantially a copy of the inheritance tax of the State of New York. In itself I believe it is a most estimable tax and a proper way to collect a revenue. It not only offers a method of increasing the national revenues, but it is a step in the direction of keeping down swollen fortunes. Now, I hope, Mr. Chairman, I will not be said by anybody to be a demagogue, but I fear the effect of some of these great mushroom fortunes upon the future. Accumulated by men of intelligence and capacity, who are able to direct and maintain them while they live, they pass by means of the law to children who, in too many cases, are utterly unfit for the responsibility intrusted to them, and who have in their keeping the fate of all the people who depend upon the stability of the finances of which they have so large a share. This, in my opinion, is a considerable menace to the Republic.

I believe, therefore, this is a just tax in itself, and that it does not go nearly far enough. But I have a specific objection to the appearance of an inheritance tax in a federal bill. Thirty-three of the States of the United States already have a tax upon inheritances. My own State has one, and they have found it a most satisfactory source of revenue. I believe that more than one-fifth of the revenues of the State of New York are already gathered in this way. But, Mr. Chairman, if this bill becomes a law, in those 33 States we will have either ousted the State from its own tax or else we will have established the odious principle of double taxation. We can not stand for that. What we should do now is to strike out the inheritance-tax feature of this bill and to enact into law a graduated income tax. [Applause on the Democratic side.] At a very recent period in our political history an income-tax provision contributed in no small degree to a sweeping party victory. The Supreme Court of the United States held that particular tax to be unconstitutional. It is my opinion that an income-tax provision can now be drafted which will be constitutional. I have been informed that this is a part of the programme of the present administration. I hope that that is so; and when it does become a law, if ever, we will see the first blow struck at the root of prohibitive tariff duties.

High protectionists will then be unable to secure a hearing before the American people, as they have done in the past, since abundant revenues from another source will displace that tariff which they now subvert to their greedy and selfish purposes.

Another feature of this bill upon which I wish to dwell for a moment, Mr. Chairman, is the maximum and minimum rate. This seems to me to be one of the most iniquitous provisions of the bill. It is highly probable that it will plunge us into commercial wars with some of the countries of the world just at a time when we are most in need of industrial peace. We are just attempting to emerge from the effects of an industrial panic, and yet we are writing into our statute books, if we enact this into law, a provision by which, automatically, an increase of some 20 per cent in the whole tariff rates will go into effect against any other nation which receives from elsewhere any goods at a lower rate of duty than they charge us for similar articles.

This is an instance of just what we ought not to do in our foreign trade relations. Not since the days of the embargo act has a more foolish policy in our foreign trade been enunciated. We need an administration conscious of its strength and moderate in the use of it. We do not want a government standing like a schoolboy with a chip upon his shoulder, provoking quarrels. I will show you just how the blow may fall. Germany and France are now engaged in revising their tariffs. In the revision of their tariffs consideration of this provision will play an important part. If the Germans resent this proposed threat against them, as I suppose they would be inclined to do, they will put into operation against us their maximum rate, and the chief sufferers would be the American agriculturists, because the German maximum rates bear more heavily upon the products of the American agriculturists than upon anything else.

Now, Mr. Chairman, this does away with any possibility of real reciprocity. If you are going to have a maximum and a minimum feature of the bill, in my opinion the maximum rates should be the stated rates in the tariff, whatever they are, and the minimum rates 20 per cent below, so that the administration can use this 20 per cent concession for the purpose of securing reciprocity treaties with other countries.

That would carry into effect the noble idea enunciated by President McKinley in his last speech, and would afford, I believe, an opening up of our foreign commerce, of which we are sadly in need. The day is fast passing when the American manufacturer is going to be entirely content with what he can sell at home here, and he is going to branch out in competition for all the markets of the world. And when he does that, it must be done according to the principles of fair play in international trade. We can not go around like a bully, with a club, threatening to beat the other nations over the head.

Do not let us provoke the wrath of our industrial rivals and call down upon ourselves trade wars, sometimes more disastrous in their ultimate effects than the more loud sounding combats of armed forces.

Another administrative feature of this bill which has struck me as being capable of gross abuse is the new provision for the valuation of goods. It says that in the collection of custom duties upon goods consigned for sale here, where there is no established market value abroad, the value upon which the rate is to be based is to be taken as the market value in the United States, less the duty and insurance and a reasonable commission of 10 per cent. Now, it is true that in the collection of the duties in the past there have been abuses of undervaluation. It is probably equally true that this section will create abuses of overvaluation. It is true it applies only to goods that are sent to a consignee for sale, but he will be interested in getting the highest price he can, and the probability is that a higher tax than was intended by the law will be collected upon many articles of import. This method, moreover, increases the inquisitorial powers of the Government's agents and the scope of their interference in private business affairs.

Mr. Chairman, I rejoice that the recent amendments to the rules have given to the Democrats, or to the minority, rights which it was originally intended they should have under the rules, but of which they have been heretofore deprived. For the first time in many years, if ever, the minority will now be able to secure an expression of their party position on the amendments to a tariff bill. By the Fitzgerald amendments, which we adopted, our side of the House will have an opportunity to force a record vote upon proposed amendments to the bill.

The gentleman from Missouri [Mr. CLARK] will be expected—and the country will watch eagerly to see whether we are standing by our Democratic principles—to move to recommit the bill with certain instructions. That motion, under the new rules, must be recognized by the Speaker, and Democrats must be given the right to vote upon certain amendments to the bill. In my opinion, some of those items——

Mr. RANDELL of Texas. Will the gentleman permit a question there?

Mr. HARRISON. Yes.

Mr. RANDELL of Texas. My curiosity having been much excited by the remarks of the gentleman. I would like him to explain, if he has a mind, how it is under the rules, called the "Fitzgerald amendment to the rules," this side of the House will be accorded the privilege of making amendments and having amendments made to different items of this bill?

Mr. HARRISON. Because one of the principles of the new rules adopted was to the effect that upon the passage of the bill a Member of the opposition is entitled to recognition upon the floor for the purpose of moving to recommit with instructions to make certain amendments.

Mr. RANDELL of Texas. As to this point, I know that they permit a motion to recommit with instructions; but the gentleman certainly understands that that would not supply the place and the need, the urgent need, of this House to vote upon the bill by sections and to amend each paragraph.

Mr. HARRISON. I now understand my colleague's position on the subject, and I am in hearty accord with him. We must have a recognition of our right to amend the bill, paragraph by paragraph, as we go through it, under the five-minute rule, and I am going to stand for that just as vigorously as the gentleman from Texas or anybody upon our side. [Applause.]

Mr. RANDELL of Texas. Have we any assurance that the Republican party will give us any such chance?

Mr. HARRISON. We have no assurance, but we must demand assurance to that effect. The amendment to the rules recently secured will enable us to force a record vote upon the passage of the bill, even if we also have the right to go through the bill paragraph by paragraph, which I insist we should have. In Committee of the Whole no record vote is taken, and now we can force a record vote upon these amendments when the bill passes the House.

Mr. RUCKER of Missouri. Will the gentleman yield for a question?

Mr. HARRISON. Yes.

upshot of the thing is that the American consumer pays both taxes, the export and the import.

emption, at least, our countrymen could render up thanks before the altar of high protection, but not so now.

Mr. RUCKER of Missouri. Suppose in the vote taken on the passage of this bill the gentleman from Michigan [Mr. FORNEY], who spoke here yesterday in opposition to the lumber schedule, should vote against the bill; is there anything in the Fitzgerald rule, then, that would prevent the Speaker from recognizing him to move to recommit the bill with instructions?

Mr. HARRISON. That rule of Mr. FITZGERALD was designed to prevent that very thing being done.

Mr. RUCKER of Missouri. The gentleman will find before this bill is disposed of that it will be used for that purpose.

Mr. HARRISON. It will not be. It would not be permitted by the House for a moment. Such a move would be a travesty upon the rules, and a decision of the Speaker to that effect would be overruled by the House.

Mr. RUCKER of Missouri. It will become manifest before the session ends that the Fitzgerald resolution is not worth a baubee.

Mr. HARRISON. The gentleman and I can not agree upon that point.

Mr. Chairman, some of the amendments which I hope will be offered by the gentleman from Missouri, the scope of which will be eagerly watched by all Democrats throughout the country, are the following: To put upon the free list the whole steel and iron schedule, for reasons that I have adduced. To put upon the free list boots and shoes; to put upon the free list lumber, to which the Denver platform specifically pledged us. To put upon the free list zinc ore where it used to be, and where it ought to be. To put tea and coffee on the free list; to strike off the countervailing duty on petroleum and the differential on refined sugar.

And now, Mr. Chairman, the newspapers have been filled with statements as to supposed differences existing in the Democratic ranks on the tariff question. I, for one, am convinced that when the votes come to be taken here Democrats will stand by Democratic principles. Our party platforms have been too clear in the past to permit of equivocation now, and I believe that there will not be found in the Democratic party to-day men clamoring for their share of spoils during a tariff revision.

It can not have come to pass that Democrats are for high protection in their own districts and free trade everywhere else. The only way for us to win a national victory is to win it upon principles and not upon expediency. It is for us to recognize that there are only two reasons for which men are sent to this House: First, to serve the interests of the American people or, second, to serve some special interest clamoring for protection in his own district. Many of the latter will be found in the ranks of the Republicans. I fondly hope that none of them will be found in the ranks of the Democrats. [Loud applause on the Democratic side.]

The CHAIRMAN. The gentleman from Ohio.

Mr. LONGWORTH. I yield one minute to the gentleman from Kansas [Mr. REEDER].

Mr. REEDER. I just want to make a statement suggested by my question not answered by the gentleman from New York. I want to say if you can make men believe that you can have work done in foreign countries and the same work done in the United States, you can always have Democrats; or if you can make men believe it is better for Americans to have foreigners get the pay for work we need done, you can always have a few Democrats; not many, but some.

I wish to add that in my opinion the more nearly we permit Americans to do all the labor necessary to supply our needs and get good wages for this labor, the more prosperous all our people will be. I say this as a representative of a section which consumes a large amount of the goods manufactured by American workmen; and we prefer to have those goods made by our own people, giving them their wages for their labor, rather than insist that our laboring people shall stand a cut in their wages to compete with pauper labor abroad. [Applause on the Republican side.]

Mr. LONGWORTH. Mr. Chairman, my colleague on the committee, the gentleman from New York [Mr. HARRISON], has made a very interesting and instructive speech. The gentleman from New York has large opportunities and large responsibilities, for he is called upon to fill the shoes of one whom I regard as one of the greatest Democrats in this country, and I want to reecho everything that the gentleman from Missouri [Mr. CLARK] so eloquently said about Mr. Bourke Cockran. [Applause on the Democratic side.] The gentleman from New York spoke of the approach to an agreement in views that is now taking place between the Republican and Democratic parties upon the tariff question. He said that he believed that the views of the gentleman from Massachusetts [Mr. MCCALL] and his views are pretty close together. If it is true, Mr. Chairman, that the Democratic and Republican parties are coming closer together in an agreement about tariff policy, it is because they are coming over to our side, not because we are going over to theirs. [Applause on the Republican side.]

Mr. SHERLEY. Is it not true also that the corollary of this is that the new bill reduces the protective features which are a burden upon the consumer?

Mr. LONGWORTH. On the contrary, the very essence of the protective policy as enunciated in the Chicago platform is that there shall not be excessive duties, and this bill aims to reduce excessive duties, and does so. It is perhaps——

Mr. RANDELL of Texas. Will the gentleman answer a question?

Mr. LONGWORTH. Will the gentleman from Texas let me get fairly started? If so, I will be very glad to yield to him later.

Mr. Chairman, it is, perhaps, unfortunate that a question of such importance to the American people should have to be conducted on partisan lines. And yet it is absolutely necessary, because the two parties differ fundamentally upon the very essence of a tariff. As the gentleman from Missouri [Mr. CLARK], the leader of the minority, explained the other day, there are only two committees in this House which divide on partisan lines—the Committee on Rules and the Committee on Ways and Means—and in the Committee on Ways and Means that is illustrated by the fact that the chairman of that committee is the leading Republican on the floor of this House and the first minority member is the leading Democrat.

I want to say, Mr. Chairman, that both parties are fortunate in their leadership on that committee. The chairman of that committee [Mr. PAYNE] knows more about the tariff and can talk more intelligently about it than any other man in this country.

The gentleman from Missouri [Mr. CLARK], while he may not know quite so much as the gentleman from New York, nevertheless is able to say a great deal about it, and to say it in a most instructive way, and with a humor that is absolutely irresistible. I have the greatest admiration for the gentleman from Missouri. I regard him as a typical American, and I am proud to know him.

This bill, Mr. Chairman, is the practical fulfillment of the pledge made eight months ago by the Republican party in convention assembled at Chicago. We are here to deliver the goods. The Republican party have been in control of the Government of this Nation almost continuously since the civil war, and it is because they have played square with the people. This practically continuous control of government affairs can be well illustrated by a story we have sometimes heard of the school teacher who had a class of 50 boys, whom she was instructing in the rudiments of American history. She told them that every little boy born in this country had some day a chance to be President of the United States; and at the conclusion of her remarks she asked every boy who thought that he might some day be President to hold up his right hand. Forty-nine hands went up. To the lone boy that had made no sign she said: "Johnnie, don't you think you will ever be President of the United States?" and he said, "No, ma'am; I can't. I am a Democrat." [Laughter.]

Mr. RUCKER of Missouri rose.

Mr. LONGWORTH. I need not ask whether the gentleman from Missouri is a Democrat. I know he is.

Mr. RUCKER of Missouri. The gentleman is illustrating his speech with a story. Will he pardon a question which I desire to ask?

Mr. LONGWORTH. Certainly.

Mr. RUCKER of Missouri. The gentleman, in paying a well-merited tribute to the leader of the Republican party, chairman of the Committee on Ways and Means, said, as I understood, that he knew more about the tariff than any other man living. I want to suggest that whatever the gentleman from New York [Mr. PAYNE] knows about ladies' stockings must be a mere reminiscence or he would not have practiced that infamy upon them. [Laughter.]

Mr. LONGWORTH. Mr. Chairman, the gentleman who has just interrupted me is from Missouri, and he must ask the chairman of the committee and not me to show him. [Laughter.]

Mr. RUCKER of Missouri. I have no doubt the gentleman is fully informed.

Mr. LONGWORTH. The gentleman from Ohio is barred from saying how he voted in the committee upon that question, but he will say that he has never been accused of lack of gallantry toward the fair sex.

In the Republican platform we declared for a protective tariff based upon the difference in the cost of production at home and

abroad, together with a reasonable profit to American industries. We declared for maximum and minimum rates—the maximum to meet discrimination by foreign countries against American goods, and the minimum to represent the normal measure of protection at home. The Republican platform declared for the measure of protection which will preserve, without excessive duties, that security against foreign competition which American manufacturers, farmers, and producers are entitled, and which will also preserve the high standard of living of the wage-earners of this country. It declared for free trade between the United States and the Philippines, with reasonable limitations on sugar and tobacco. I will insert the full text of the platform:

The Republican party declares unequivocally for the revision of the tariff by a special session of Congress immediately following the inauguration of the next President, and commends the steps already taken to this end in the work assigned to the appropriate committees of Congress which are now investigating the operation and effect of existing schedules. In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of maximum and minimum rates to be administered by the President under limitations fixed in the law, the maximum to be available to meet discriminations by foreign countries against American goods entering their markets, and the minimum to represent the normal measure of protection at home, the aim and purpose of the Republican policy being not only to preserve, without excessive duties, that security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-earners of this country, who are the most direct beneficiaries of the protective system. Between the United States and the Philippines we believe in a free interchange of products with such limitations as to sugar and tobacco as will afford adequate protection to domestic interests.

I maintain that this bill is a literal compliance with those declarations. As an earnest for the performance of this pledge the Republican convention named for President the man best fitted in this country to carry out this and every other pledge of the platform, and in whom the people soon afterwards showed their confidence by electing him President of the United States by the largest majority but one ever given to any President. [Applause on the Republican side.]

In his speech accepting the nomination, President Taft reiterated the declarations of the Republican platform almost in terms, and I want to be pardoned for going into this question in some slight detail, because, if I can judge from a question asked the other day by the gentleman from Kentucky [Mr. JAMES], the insinuation is thrown out that the President has departed in some degree from his views as expressed at that time.

The President, in accepting the nomination, spoke as follows on the tariff question:

The Republican doctrine of protection as definitely announced by the Republicans this year and by previous conventions is that a tariff shall be imposed on all imported products, whether of the factory, farm, or mine, sufficiently great to equal the difference between the cost of production abroad and at home, and that this difference should, of course, include the difference between the higher wages paid in this country and the wages paid abroad and embrace a reasonable profit to the American producer.

A system of protection thus adopted and put in force has led to the establishment of a rate of wages here that has greatly enhanced the standard of living of the laboring man.

It is the policy of the Republican party to permanently continue that standard of living. In 1897 the Dingley tariff bill was passed, under which we have had, as already said, a period of enormous prosperity.

The consequent material development has greatly changed the conditions under which many articles described by the schedules of the tariff are now produced. The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate.

On the other hand, there are other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be increased.

A revision of the tariff undertaken upon this principle, which is at the basis of our present business system, begun promptly upon the incoming of the new administration and considered at the special session, with the preliminary investigations already begun by the appropriate committees of the House and Senate, will make the disturbance of business incident to such a change as little as possible.

The gentleman from Kentucky [Mr. JAMES] said the other day, if I understood him correctly, that the President in his inaugural address had omitted any allusion to the profits of the manufacturer, and that therefore he was going back on what he had said and what the Republican party had provided.

In a speech delivered last December, after the election, at the Ohio Society, in New York, the President spoke as follows about the tariff:

Now, the most important plank, or at least the most pressing plank, is that declaring for a revision of the tariff at an extra session to be called as early as possible after the 4th of March. That plank fixed the standard by which that revision shall be governed. It declares that the tariff shall be revised on principles of protection, and then the principle of protection is defined by stating that the tariff rates are measured by the difference between the cost of production abroad and the cost of production here, embracing a reasonable profit to the manufacturer. Now, what that means, as I understand it, is that the cost of production in both places includes a reasonable profit or interest on capital; that is, you include in the cost abroad at least the cost of raw material, the cost of labor, interest on capital, or the profit usual in the foreign country; and so on this side you include the cost of material, the price of labor, and also the profit usually earned in this country by manufacturers. The difference between the cost abroad and that at home is the proper duty. It means that the Congress shall make every effort to determine the difference thus constituted and then fix the tariff accordingly.

Mr. CLARK of Missouri. I would like to ask the gentleman one question right there.

Mr. LONGWORTH. I will yield with pleasure to the gentleman from Missouri.

Mr. CLARK of Missouri. Does not the gentleman think that the declaration of the Republican platform wanting the cost of labor equalized and also a reasonable profit would turn Congress into an insurance company for manufacturers and leave the rest of the people to take care of themselves?

Mr. LONGWORTH. I have never thought that that meant in any sense a proposition to insure, as the gentleman has stated. I do not see how you can determine the cost of producing any article except on the basis on which it is manufactured. No man is going into any business or can stay in any business in which he can sell his article only at the mill cost of production. I understand that basis is the one adopted by this committee—in determining or trying to arrive at the cost of production to include a reasonable profit in estimating that cost—and I am perfectly willing to say that by so much, perhaps, as the wages of the American labor exceed the wages of any other country just so much are our manufacturers at home entitled to profits at least as great or greater than their competitors abroad.

Mr. GRIGGS. Will the gentleman yield?

Mr. LONGWORTH. I will yield to the gentleman from Georgia.

Mr. GRIGGS. In view of the statement just made, do I understand the gentleman from Ohio is afraid of Belgium?

Mr. LONGWORTH. I do not think that I have that great terror of Belgium that the gentleman from Georgia has.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. LONGWORTH. I will yield to the gentleman.

Mr. COX of Indiana. Whether or not in the preparation of the bill the Ways and Means Committee took into consideration as to what would be a reasonable profit to the manufacturer?

Mr. LONGWORTH. I think so.

Mr. COX of Indiana. Take the manufacturers of steel—the steel industry of the United States—did the committee determine what would be a reasonable profit for the manufacturer on his investment?

Mr. LONGWORTH. When we asked any man who was before us what the cost of any particular article was, I have no doubt that he included in his estimate a reasonable profit.

Mr. COX of Indiana. Did the committee get any concrete information from any steel manufacturer as to how much profit they thought they ought to have upon their investment—say 10 per cent, or 20 per cent, or 25 per cent?

Mr. LONGWORTH. I should say that the average steel manufacturer before us stated that his average profits did not exceed 10 per cent.

Mr. COX of Indiana. In framing up this bill, whether or not the committee that reported it to the House thought that any manufacturer should have 10 per cent on his investment?

Mr. LONGWORTH. In estimating the cost of the production of an article in this country we took into consideration that a part of the cost of that article was a legitimate and reasonable profit.

Mr. COX of Indiana. One more question, whether or not the Ways and Means Committee arrived at the profits which the manufacturer should have by deduction, whether they took into consideration the cost of the raw material, the cost of manufacture, or whether or not the Ways and Means Committee took the statement from the manufacturer of what his profit should be?

Mr. LONGWORTH. The gentleman from Indiana knows that there was a great diversity of testimony on every conceivable schedule.

Mr. COX of Indiana. But I want to know what the Ways and Means Committee's rule was.

Mr. LONGWORTH. I will say that the committee tried to make up its mind from the best information that it could get and balance one statement against the other.

Mr. COX of Indiana. And drew its own deduction as to what the profit should be?

Mr. LONGWORTH. We took the manufacturer's word in most cases that his profit in the steel business did not exceed 10 per cent.

Mr. COX of Indiana. Whether or not the same rule obtained through all the schedules that the committee reported on?

Mr. LONGWORTH. Of course, there are different profits in different manufactures; generally speaking, I should say that we considered the reasonable profit in the manufacture.

Mr. WILSON of Pennsylvania. Will the gentleman yield to me?

Mr. LONGWORTH. Certainly.

Mr. WILSON of Pennsylvania. In the evidence presented to the committee by the steel manufacturers the gentleman states that they gave as a maximum profit 10 per cent. Was it stated to that committee, or had the committee any information to show whether or not that 10 per cent was based on a physical valuation of the property or upon stocks and bonds outstanding?

Mr. LONGWORTH. I should prefer, Mr. Chairman, not to get into a discussion of the steel or any other particular schedule. It is very difficult to answer a question of that sort categorically. I am willing to concede that large profits should be considered fair in the steel business because of developments every year, new methods of production, and the consequent need of new plants to keep abreast of the times, and to keep up also with the new inventions and improvements constantly taking place.

Mr. WILSON of Pennsylvania. Will the gentleman yield for another question?

Mr. LONGWORTH. If the gentleman will permit, I do not care to discuss these specific schedules along this line.

Mr. WILSON of Pennsylvania. Mr. Chairman, there is another phase of the gentleman's discussion upon which I would like to have a statement from him. The gentleman has stated that the purpose of this bill is to furnish sufficient protection to enable the manufacturer to pay the difference between the wages here and abroad and still have a reasonable profit on the investment. I want the gentleman to state wherein in this bill it provides any protection whatsoever to American labor.

Mr. LONGWORTH. Mr. Chairman, in answer to the gentleman I will say that every article which is not on the free list provides protection to American labor.

Mr. WILSON of Pennsylvania. Is it not a fact that labor is admitted practically free of duty from all countries in the world except China?

Mr. LONGWORTH. Oh, Mr. Chairman, that is not a question that has anything in the world to do with this question of tariff discussion, and I must decline to answer it.

Mr. WILSON of Pennsylvania. Will the gentleman permit another interruption?

Mr. LONGWORTH. Mr. Chairman, I will ask not to be interrupted for a few moments, at least. I would like to get ahead. I have quoted from the President's recent speech to show that he stands to-day exactly where he stood before the convention which nominated him, on the stump after that convention, and to-day.

Mr. DIES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman has already stated his desire not to be interrupted.

Mr. LONGWORTH. Mr. Chairman, I claim that this bill is exactly in the words of the President in the speech from which I quoted a few moments ago, an honest attempt to find out that difference of cost on the proposition as laid down in the Republican platform, and that we have substantially succeeded.

Mr. DIES. Before the gentleman leaves that——

Mr. LONGWORTH. Mr. Chairman, I can not yield at this time.

The CHAIRMAN. The Chair will state that the gentleman has stated his desire not to be interrupted, and he is entitled to the floor.

Mr. LONGWORTH. Mr. Chairman, from the time of the Republican convention until the election, the Republican party, on the stump and in the newspapers and through the mails, reiterated to the people that the tariff would be revised in accordance with those principles. The Democratic party also promised a speedy revision of the tariff, but that party laid down only one rule. It mentioned specifically only wood pulp, print paper, lumber, timber, and logs, and made the general declaration that all articles entering into competition with trust-controlled products should be placed upon the free list. It was manifest at that time, Mr. Chairman, that this promise to revise the tariff was impossible of performance, even if they were successful in electing a President and a House of Representatives, because, admitting the possibility of their being able to get together on this basis, the Senate was and was bound to remain Republican, and any bill designed on those principles could never become a law. It would seem, however, that the very least the Democratic party could do in this House, under all of the circumstances, would have been to have drafted a bill which would have shown to the country what they would have done had they been successful.

Gentlemen of the minority on the Ways and Means Committee had just as much opportunity as had the majority for drafting a bill. They were present at the hearings, to which they contributed greatly—and I am glad to say it—by their very intelligent and able cross-examination. They had at their command all of the information that we possess, and yet they now complain that they had only a few days in which to make a report. They complain of the secrecy of the Republican methods. Will any fair-minded man say that it would have been proper for the Republican subcommittee to have given out from day to day what they proposed to do respecting the various tariff schedules? Mr. Chairman, it would have been nothing short of a scandal if the Republican subcommittee had given this sort of information to the public.

Mr. GARRETT. Will the gentleman yield?

Mr. LONGWORTH. I yield to the gentleman.

Mr. GARRETT. There is much force in the suggestion of the gentleman that the subcommittee should keep secret their work. That is in accordance with the history of tariff legislation, is it not?

Mr. LONGWORTH. Yes.

Mr. GARRETT. Is it not also in accordance with the practice in regard to tariff legislation that the minority has never reported a bill as a substitute?

Mr. LONGWORTH. I do not think so. I am not certain of that, however. What I am criticising is the complaint of the subcommittee that they had no opportunity in which to make a report.

Mr. GARRETT. I understood the gentleman to also criticise the minority for not presenting a bill.

Mr. LONGWORTH. I am criticising the minority for that; yes.

Mr. GARRETT. Has not the practice followed by the minority in that respect been the usual practice with respect to tariff legislation?

Mr. LONGWORTH. I think inasmuch as the Democratic party laid down certain fixed principles, inasmuch as they are now complaining about the lack of sufficient revenue, and speaking of the deficit that must be met, it was their duty to present to this House a complete bill drafted on the principles laid down in the Democratic platform, and one which would provide enough revenue for the Government.

Mr. GARRETT. It is my understanding that when the Morrison bill was made up, when the Mills bill was made up, the McKinley bill, the Wilson bill, and the Dingley bill, no minority bill was offered.

Mr. LONGWORTH. It seems to me that the direct issue that could and should have been made between the two parties would have been by a bill offered by the minority and a bill offered by the majority.

They have complained that we spent three months in an incubating process that they were not invited to join. We should have much enjoyed their company, but what would have been the use? How could two bodies of men differing absolutely on the very foundation of a tariff have met on any common ground in the preparation of this bill? They say in their report that the only legitimate function of a tariff is to raise revenue. We say that it is equally its function to protect American industries and American labor. No tariff bill that I have heard of in history was framed by Republicans and Democrats acting together.

Mr. SHERLEY. If the gentleman will permit, is it not true that in two instances the majority of the committee permitted the minority of the committee to have a real discussion in the arrangement of the schedules? I am not saying that they were able to outvote the majority, but I am saying they did meet in actual conference over the items of the bill in two instances—once on a Republican bill and once on a Democratic bill.

Mr. LONGWORTH. Well, I can not answer that question; it may be so; I do not know. I do know, however, that the leader of the minority said at the close of the hearings that he had no doubt, according to the precedent, that the Republican subcommittee would meet together, apart from the minority members.

Mr. SHERLEY. That precedent is a recent precedent, and the gentleman will find on examination of some of the earlier bills that what I said is the fact, that there was an actual frank conference between all the members of the committee.

Mr. LONGWORTH. Can the gentleman state how long ago that was and what bill it was?

Mr. SHERLEY. I think one was the Wilson bill and the Republican bill following that.

Mr. LONGWORTH. The gentleman from New York [Mr. PAYNE] would know——

Mr. PAYNE. It was not the case when the Wilson bill was framed, and was not true of the McKinley bill.

Mr. SHERLEY. I am not saying the majority members did not draft their bill. But when that bill was drafted, there was a legitimate opportunity given the minority members for criticism and discussion in the committee prior to the reporting of the bill.

Mr. PAYNE. I will tell the gentleman about that. When the McKinley bill was presented to the full committee the minority offered a few amendments. Finally a motion was made to report the bill as it stood. The vote was taken, and that was done. When the Wilson bill came in, we of the minority offered some amendments. By and by some one moved to report the bill as it was, and while some one of the committee was offering an amendment on the part of the minority, Mr. Wilson, chairman of the committee, properly enough, I think, proceeded to put the motion to report the bill as it stood, and that was carried by a majority vote.

Mr. DALZELL. And that at the first meeting.

Mr. PAYNE. And that at the first meeting of the Wilson committee.

Mr. SHERLEY. I think the gentleman is clearly mistaken as to the facts.

Mr. PAYNE. The gentleman was there.

Mr. SHERLEY. That may be, but——

Mr. PAYNE. And the gentleman from Pennsylvania was there.

Mr. SHERLEY (continuing). The facts that show in the debate at that time do not bear out the contention of the gentleman.

Mr. PAYNE. I do not remember the debates show anything of the kind, but I know my remembrance is——

Mr. DALZELL. Was that on the floor?

Mr. PAYNE (continuing). That the motion was put by Mr. Wilson and carried.

Mr. SHERLEY. Mr. McMillan, in answering the gentleman from Pennsylvania upon consideration of the rule upon which the bill was considered—the Dingley bill, I think it was—stated the fact, and I can cite the gentleman to the exact page.

Mr. PAYNE. Now, the minority of this committee, relying on those precedents, did not even offer amendments to the bill. They offered no objection to the motion which was made to report the bill, and a vote was taken in the committee.

Mr. DALZELL. On the contrary, they asked us what was our pleasure; what we wanted to do.

Mr. PAYNE. I think that is correct.

Mr. LONGWORTH. I can not believe from my experience that the gentleman from New York [Mr. PAYNE] did not know what was going on at that time. I do not think that he was asleep at the switch.

Mr. SHERLEY. I think he probably did know at that time.

Mr. LONGWORTH. My criticism of the minority is simply not that they did not ask to meet with us then, but they now criticise us for not having invited them, and complain about lack of time in which to present a report. They content themselves merely with opposing a few features of this bill—very few in comparison with all its provisions—giving us the reason that they have had no time to examine them and hazarding a suggestion that the chances are that they would have found them as objectionable as those discussed in the report. It is for that reason that I ask, Would not the effective way of announcing opposition have been to have drafted a complete bill? Is it by any chance possible that they may have feared the sad fate of the Williams currency bill, of recent memory, which was knifed to death by its own friends? I do not make that assertion. I merely offer it as a question.

Mr. SHERLEY. Does the gentleman want the question answered?

Mr. LONGWORTH. Well, I would not mind. I would like to hear it; yes.

Mr. SHERLEY. It may be that we had in mind the treachery of the Republican party that undertook to force a bill as a minority bill which was not the minority bill. And is it not, to be perfectly frank, and laying aside partisanship, the province of the minority to criticise the affirmative propositions of the majority party, and does it lie legitimately within their province, and has it been so considered, to always present an affirmative proposition as against an affirmative proposition?

Mr. LONGWORTH. It seems to me that in a question so great as this, in which so many elements enter, and principally at this time the element of the revenue, it is the duty of the minority to state their position fully and frankly to the country. How can you tell what revenue a bill will raise unless you have a complete bill? If you have a better method than we have of raising the necessary revenue to run this Government, why do you not show it to us?

Mr. SHERLEY. When we have power to put our recommendations into law we will. The gentleman knows that it is purest buncombe to talk about a minority bill. Whenever we have control of legislation we will propose it, and you gentlemen will criticise it; and that is the true function of the two sides.

Mr. LONGWORTH. I think the next time the Democratic party comes into control of this House and drafts a tariff bill, the Republican party will have the courage to draft a bill, too.

Mr. SHERLEY. Well, the gentleman is prophesying against the previous history of his party.

Mr. LONGWORTH. And he is prophesying against the probabilities, I will say to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. I am free to admit the gentleman's prophecy is usually against the probabilities.

Mr. LONGWORTH. Well, it has been fairly accurate for the last six years. [Applause on the Republican side.]

Mr. JAMES. Will the gentleman yield for a question?

Mr. LONGWORTH. If the gentleman will postpone it for a little while, I will be very glad to yield to him.

Then, besides, it is a matter of personal regret to me that I have not had the pleasure of seeing that complete bill. I have always had a deep feeling of curiosity to know upon what basis the gentleman from Missouri [Mr. CLARK], the gentleman from Alabama [Mr. UNDERWOOD], and the gentleman from Texas [Mr. RANDELL] would meet. I confess to the greatest curiosity to see a metal schedule as framed by the gentleman from Alabama [Mr. UNDERWOOD] and the gentleman from Texas [Mr. RANDELL].

I would not mind seeing a hide schedule as framed by the gentleman from Missouri [Mr. CLARK] and the gentleman from Texas [Mr. RANDELL]. One of my criticisms is perhaps a selfish one, in that I am to be deprived of the pleasure of satisfying my natural curiosity.

Mr. SHERLEY. Does not the gentleman get enough pleasure at seeing the attitude of the gentleman from Michigan [Mr. FORDNEY] and the attitude of the gentleman from Massachusetts [Mr. MCCALL]? [Applause on the Democratic side.]

Mr. LONGWORTH. I will admit without argument that it does not give me such personal pleasure to see gentlemen on this side disagree as it does to see disagreement between gentlemen on the other side.

Mr. SHERLEY. An honest confession is good for the soul.

Mr. LONGWORTH. Nevertheless, the gentleman from Michigan and the gentleman from Massachusetts have, in fact, collaborated upon a bill, and the gentlemen to whom I have alluded have not. All the time since the date of election, and even before election, every resource of the National Government was at work to furnish information upon which a tariff bill could be based. We hear a good deal nowadays about the necessity for a tariff commission—a commission of experts to advise Congress in tariff matters. I venture to say that this Government has to-day the best tariff commission in the world in its various executive branches and in the extremely efficient clerk and the assistants of the Committee on Ways and Means.

Five days after election the Committee on Ways and Means met and proceeded to hold hearings and investigate a mass of information that had been gathered from experts all over the world. People interested as manufacturers or consumers were invited to attend, and in many cases those possessing special knowledge were commanded to attend.

These hearings, as the chairman of the committee has recited, were most exhaustive. All sorts and kinds of people appeared before us, from the man whose motives were purely disinterested in behalf of the welfare of the community to the man whose motives were purely selfish, and I am willing to admit here that the latter were in the majority. There was the man who did not care what was done to anybody else so long as he was looked after. There was the man who asked frankly, not for protection, but for prohibition. There was the man whose product already controlled 99 per cent of the American market, who wanted to make it an even hundred. There was the man who wanted the customs duties of all kinds abolished; and while he did not use the phrase originally written by Sir Walter Scott and quoted by a distinguished member of the minority, "from turret to foundation stone," he meant the same thing.

We had arguments on everything, from steel rails to antiseptic toothpicks, and from pearls down to peanuts, and finally, after the public hearings were over, we were deluged with communications and briefs upon every conceivable subject. In fact,

this committee has had, it is estimated, five times as much information as any other committee in history, and if this bill is faulty it is not because of lack of thoroughness or of information. Then we began to receive visits from that type of gentleman who talked in whispers, who, when you asked him why he did not present his views in public to the committee, would respond in a voice scarcely audible that he feared that he might be asked inconvenient questions. I have respect for the man, no matter how selfish his purpose may be, who asks for what he regards as a legislative favor frankly and openly. I have no respect whatever for the man with the rubber soles, who sneaks uninvited into your rooms and whispers his wants into your ear. I suppose that this sort of thing is necessary in the formation of any tariff bill, just as what is called the "lobby" is a necessary incident to all legislative halls. But I divide the lobby into two classes. There can be no objection to the man who frankly and openly opposes legislation or advocates legislation in which he is interested.

I am speaking of the whispering lobby—those who do not like the bright light and fear the sound of their voices. Now, while this thing has been going on, I venture to say—and I say it with absolute sincerity—that those arguments were unavailing in any schedule as adopted in this bill. I say that there is not a schedule which, whether advisable or not, can not be defended from something that appears in the public hearings and in the printed documents in the committee.

This Congress was called together by the President of the United States in accordance with his promise and the promise of his party. In his inaugural address the President, in discussing the tariff question, used this language:

> A matter of most pressing importance is the revision of the tariff. In accordance with the promises of the platform upon which I was elected, I shall call Congress into extra session, to meet on the 15th day of March, in order that consideration may be at once given to a bill revising the Dingley Act. This should secure an adequate revenue and adjust the duties in such a manner as to afford to labor and to all industries in this country, whether of the farm, mine, or factory, protection by tariff equal to the difference between the cost of production abroad and the cost of production here, and have a provision which shall put into force, upon executive determination of certain facts, a higher or maximum tariff against those countries whose trade policy toward us equitably requires such discrimination. It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the reduction of rates in certain schedules and will require the advancement of few, if any.
>
> The proposal to revise the tariff made in such an authoritative way as to lead the business community to count upon it necessarily halts all those branches of business directly affected, and as these are most important it disturbs the whole business of the country. It is imperatively necessary, therefore, that a tariff bill be drawn in good faith in accordance with promises made before the election by the party in power, and as promptly passed as due consideration will permit.
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> In the making of a tariff bill the prime motive is taxation, and the securing thereby of a revenue. Due largely to the business depression which followed the financial panic of 1907, the revenue from customs and other sources has decreased to such an extent that the expenditures for the current fiscal year will exceed the receipts by $100,000,000. It is imperative that such a deficit shall not continue, and the framers of the tariff bill must, of course, have in mind the total revenues likely to be produced by it and so arrange the duties as to secure an adequate income. Should it be impossible to do so by import duties, new kinds of taxation must be adopted, and among these I recommend a graduated inheritance tax as correct in principle and as certain and easy of collection.
>
> The obligation on the part of those responsible for the expenditures made to carry on the Government, to be as economical as possible and to make the burden of taxation as light as possible, is plain and should be affirmed in every declaration of government policy. This is especially true when we are face to face with a heavy deficit. But when the desire to win the popular approval leads to the cutting off of expenditures really needed to make the Government effective and to enable it to accomplish its proper objects, the result is as much to be condemned as the waste of government funds in unnecessary expenditure. The scope of a modern government in what it can and ought to accomplish for its people has been widened far beyond the principles laid down by the old laissez faire school of political writers, and this widening has met popular approval.

We claim for this bill that it is practically a literal compliance with the pledges of the Republican party and of the repeated declarations of the President of the United States, not only in his original speeches but in his inaugural address.

It must be realized that this bill has presented difficulties which did not confront the framers of the Dingley law. They had to make a bill which was to succeed one which had proved a dire and dismal failure. We had to make a bill which was to succeed one which had proved a most phenomenal success, one under which this country has grown and prospered to an extent that has dazzled the eyes of the world, and beyond even the dreams of the men who drafted the Dingley tariff bill.

Mr. SULZER. Will the gentleman be good enough to point out a difference between the Payne bill and the Dingley law, showing wherein the Payne bill is better than the Dingley law?

Mr. LONGWORTH. I am coming to some instances later on. I say that it is better, generally speaking, than the Dingley law, in that it has made very substantial reductions of excessive rates.

Mr. SULZER. The Payne law increases the taxes on the necessaries of life more than the Dingley law. So I would like to know, as a Member of the House, wherein the Payne bill is better than the Dingley law, so far as the taxpayers of the country are concerned.

Mr. LONGWORTH. On the contrary, I believe that the Payne bill substantially reduces most of the necessities of life.

Mr. SULZER. You put a tax on tea and a tax on coffee.

Mr. LONGWORTH. We have put some items in this bill which were not necessary in the Dingley bill simply and solely for revenue purposes, and for that reason I should have liked to have seen how the Democratic party proposed to raise revenue, for you can not show how you are going to raise revenue from one schedule or item of the bill, or a criticism of the entire bill, but you have got to produce a complete bill.

Mr. SULZER. Answering for myself, I would say very briefly that I would be in favor of putting some of the burdens of the Government upon idle wealth, and not all the burdens of government upon consumption.

Mr. LONGWORTH. For that reason we have put an inheritance tax in this bill, which I think is a measure in the right direction.

Mr. SULZER. I am in favor of the inheritance tax, but why not put a provision in the bill in favor of creating a constitutional income tax?

Mr. LONGWORTH. I am not prepared to say now, because it is not a question at issue in this bill. I will ask that I be not interrupted for a little while. I will be glad to yield later.

Mr. SULZER. I shall not interrupt the gentleman again.

Mr. LONGWORTH. I shall be glad to answer the gentleman later.

Now, in the second place, the Dingley law was designed to produce additional revenue, which was at that time demanded, by a revision of the schedules upward. This bill is intended to produce a revenue even greater than the Dingley law by a revision of the schedules, where possible, downward. I want to be frank upon this question of a downward revision. I am aware that many of my Republican brethren say that there was no promise given, either express or implied, in the Republican platform or during the campaign, for a downward revision. I do not so interpret it. I think the true interpretation of the platform and the utterances of our leaders conveyed a promise, at least implied, that the schedules should be adjusted, at least in part, downward; not that the Republican party has abandoned one iota of its policy of protection, but that the lopping off of excessive rates and useless excrescences, wherever they might be found, would help rather than interfere with true protective policies.

The Republican party always has and always will favor protection, but we do not favor rates so high as to shelter monopolies and amount in effect to prohibition. That is my construction of the Republican platform.

The President of the United States, in his inaugural address, said that on account of the changes in conditions since the passage of the Dingley Act, a measure could be drawn on a principle equally protective which will permit the reduction of rates in certain schedules and require the advancement of few, if any.

This bill illustrates the truth of that statement. A number of gentlemen on that side have said that this bill in effect was not a reduction measure; that the reductions were insignificant in number; or that the ad valorem in this bill is higher than it was in the Dingley law. I propose to show that neither of those statements is founded in fact.

Gentlemen have stated vaguely that there are 4,000 items in this bill. I do not know what they mean by items. As a matter of fact, every duty that is imposed under this bill is imposed in a bracket.

Very often a number of articles are included in that bracket at the same duty; but those are not items of the bill in the sense in which "items" should be used. "Items" should be used in the sense of brackets, or that phraseology which imposes a duty. Now, the fact is that there are 763 brackets, in round numbers, of articles on the dutiable list, and including the entire free list there are less than a thousand brackets. Of those brackets contained in the dutiable list in this bill there are seven hundred and sixty-odd. Of those, 225 have been reduced, 51 have been increased, 469 have been left unchanged, and 17 have been put on the free list.

Mr. SHERLEY. Will the gentleman permit an inquiry? Can the gentleman tell us how many of the rates which are reduced from the Dingley schedules would be above or equal to the

Dingley rates if the maximum provided in this bill went into effect?

Mr. LONGWORTH. I can not answer that absolutely now. I should say in a great many of these schedules the Dingley rates would be the maximum. I think that is true throughout the steel schedule.

Mr. SHERLEY. I was not asking for criticism, but for information.

Mr. LONGWORTH. I understand.

Mr. SHERLEY. Because no gentleman has yet shown what the effect would be of the maximum in the Payne bill as compared with the Dingley rates except here and there.

Mr. LONGWORTH. I can only answer on the dot for the metal schedule. I think it is a fact that in the metal schedule the maximum rates under this bill are the rates fixed in the Dingley law.

Of the duties in the paragraphs of the bill in which duties were changed, 130 were reduced, 30 only were raised, 282 left unchanged, and 17 put on the free list.

Mr. HARDWICK. Will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. HARDWICK. How many new articles have been added to the dutiable list?

Mr. LONGWORTH. Very few.

Mr. HARDWICK. Pepper and coffee.

Mr. LONGWORTH. Very few. Thus, 31 per cent of all the brackets and paragraphs of this bill have been lowered; and only 6 have been increased. In other words, the Payne bill reduces 5 duties for every 1 that it increases, and if you include the free list, it reduces 15 for every 1 that it increases.

Mr. SHERLEY. Will the gentleman pardon an interruption right there?

Mr. LONGWORTH. Certainly.

Mr. SHERLEY. Of course it is apparent that these figures, either one way or the other, do not necessarily indicate anything. Has the gentleman worked out the value of commodities that will be affected by the reduction and increase in specific cases, because that will determine whether the bill is a revision up or is a revision down?

Mr. LONGWORTH. The gentleman from Missouri [Mr. CLARK] the other day claimed that this bill was an increase in the ad valorem.

Mr. SHERLEY. Frankly, I do not think that argument has any more weight than the gentleman's argument. Neither has any value unless you take into consideration the amount of goods affected—the total value.

Mr. LONGWORTH. I do not see any better way to determine whether a tariff bill in fact reduces duties than to take the number of duties it reduces, and, as I say, the Payne bill has reduced 5 duties for every 1 that it has increased; and if you include the whole free list and include these articles transferred from the free list for dutiable purposes it reduces 15 articles for every 1 that it increases. If that is not a genuine reduction I do not know how there can be one.

The gentleman from Missouri [Mr. CLARK], as I said, stated that this bill raises the ad valorems of the Dingley law, and he quotes the estimate made by the committee upon the actual receipts of 1906, which, under the Dingley law, were 44.16 per cent ad valorem, and in this bill they are 45.72.

Now, if we are to admit that ad valorems are a proper basis to estimate whether duties have been increased or reduced, the facts are these: The ad valorems under the first ten years of the operation of the Dingley law—these being the only figures available—were 47.92, and so this bill is a reduction of the ad valorems under the Dingley law of 2.20 per cent. The ad valorems under the Wilson bill was 43.48 per cent, and this is an increase over the Wilson bill of only 2 per cent, and yet gentlemen talk about this being a high tariff.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SHERLEY. I ask that the gentleman may have half an hour further time.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the time of the gentleman from Ohio be extended thirty minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Now, if the gentleman from Ohio will permit one more question, and I do not wish to take up his time, the point I make is that, figuring on an average of ad valorem does not necessarily indicate anything unless you also figure the quantities and values of the imports, and it does not matter whether the changes are one way or the other. You may have made a reduction on some article where the import and consumption is very small, or, on the other hand, you may have raised the duty on some article where the import and consumption is very great.

Mr. LONGWORTH. I have not made an accurate calculation of that, but we have put hides and many other things on the free list, and the whole steel schedule has been reduced.

Mr. SHERLEY. I do not mean to be understood as denying the gentleman's contention one way or the other, but the only information that would be accurate would have to be based on these other elements that have not been presented.

Mr. LONGWORTH. I agree with the gentleman from Kentucky that this basis offered by the gentleman from Missouri is very faulty because, in the first place, it is based only on one year, and the ad valorems change very largely from year to year.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. GARNER of Texas. Did the committee in placing hides on the free list act in response to the demand of the Republican platform at Chicago?

Mr. LONGWORTH. Not in any direct terms, no.

Mr. GARNER of Texas. Does the Chicago platform justify it in putting hides on the free list?

Mr. LONGWORTH. I do not think that is a question that needs an answer. I ask to be allowed to go on, Mr. Chairman.

The CHAIRMAN. The gentleman declines to yield further.

Mr. LONGWORTH. Mr. Chairman, to show the utterly flimsy basis of the statement that this is a high ad valorem bill, I might merely call attention to the fact that the ad valorem rate of Great Britain is 77.11 per cent, and the per capita from customs in Great Britain in 1905 was 4 per cent and with us in this country about 3. Now, to take a concrete example, the sugar schedule, according to this report, is advanced on the ad valorem from 61.13 per cent to 61.39, and yet the only two things we did in the sugar schedule were, in the first place, to reduce the differential on sugar and, in the second place, to admit Philippine sugar free; and the ad valorem shows an increase, because we put on the free list those articles which formerly came in and were considered dutiable.

Mr. SHERLEY. Has not the gentleman proved himself out of court?

Mr. LONGWORTH. I think I have proved the gentleman from Missouri [Mr. CLARK] out of court.

Mr. SHERLEY. Does not the gentleman come in the same class?

Mr. LONGWORTH. Well, I should be glad to be considered in the same class with the gentleman from Missouri [Mr. CLARK]. Now, if this bill is shown to be an honest readjustment of the tariff schedule, such as has been rendered necessary by changes in conditions throughout the last seven years, it must also be shown that it will produce an adequate revenue, a revenue not only sufficient to wipe out the present deficit, but sufficient also to meet with the growing demands and increasing expenses of the country. It is easy to talk of economy in governmental expenditures. It is easy to berate the party in power for extravagance. It is another thing to point out exactly where these expenditures can be cut down. You gentlemen criticise us for extravagance, but you always vote for our appropriation bills; and not only that, but you urge upon Congress the expenditure of vast sums of money in addition.

Where can the expenditures of this Government be in any substantial degree curtailed? Shall we in our present position as one of the great powers of the world cut down our army appropriations? Shall we stop building our navy? Shall we cut down our appropriations for pensions? I am one of those who believe, Mr. Chairman, that it is idle to talk of reducing the expenditures of this Government in any substantial degree. I have no doubt that much can be done in the direction of practical economy. I do not doubt that our system of making appropriations through various committees which are entirely unrelated to each other is faulty, and I believe that the adoption of a budget system or something in the nature of a committee on general control of expenditures might have the effect of reducing useless expenses somewhat. But with all these reforms, and with the most rigid economy, I can not avoid the conclusion that the expenditures of this Government will increase from year to year.

I also believe that the time will soon come when we shall be making appropriations for governmental objects which are not now in immediate contemplation. One thing I certainly think calls for larger appropriations than we are making now. I firmly believe that the time is at hand when we must make far larger expenditures on our inland waterways. [Applause.]

Day by day the need is becoming more pressing, and it must be met either by a bond issue in some cases or by far larger

showing wherein the Payne bill is better than the Dingley law?

Mr. LONGWORTH. I am coming to some instances later on. I say that it is better, generally speaking, than the Dingley

and I have been put on the free list.

Mr. SHERLEY. Will the gentleman permit an inquiry? Can the gentleman tell us how many of the rates which are reduced from the Dingley schedules would be above or equal to the

made a reduction on some article where the import and consumption is very small, or, on the other hand, you may have

Day by day the need is becoming more pressing, and it must be met either by a bond issue in some cases or by far larger

appropriations. The people of my State and of the whole Ohio Valley, and no one knows it better than the gentleman from Kentucky [Mr. SHERLEY], are vitally interested in this question. The Ohio River ought to be a great national highway. To-day it is only so at certain seasons of the year. For some reason or other, perhaps from the wanton destruction of the forests, the Ohio River seems to be more of a menace to the people who live along its shores in winter and less of a benefit in summer. For three months last year the Ohio River was not navigable for any kind of a boat. It was navigable only for automobiles, which requently crossed it at various points. We feel that it is just to ask from the Government that the Ohio River shall be in fact a navigable stream at all seasons of the year, winter or summer, to boats of reasonable draft. After many years of effort the people of the Ohio Valley have obtained from the Government a recognition of the policy that the 9-foot stage shall be permanently established, and a few small appropriations have been made for building dams to provide a 9-foot stage, but at the present rate of expenditure our grandchildren will hardly live to see the time when there is a 9-foot stage in the Ohio River from Pittsburg to Cairo.

This project is worth something more than work at haphazard and piecemeal. The improvement of the Ohio River is a great and a concrete whole. Until all is done, nothing is done. A chain is no stronger than its weakest link, and a river is no deeper than its shallowest place. What is the use of starting off in a deep channel at Pittsburg if you are going to run aground at Cincinnati or Louisville?

Mr. SHERLEY. Mr. Chairman, I would suggest that that is a mighty good place to stop. [Laughter.]

Mr. LONGWORTH. Cincinnati; yes.

Mr. SHERLEY. No; Louisville.

Mr. LONGWORTH. Why is not this a legitimate subject for the issue of bonds? It is a project in which posterity will benefit for all time, but we hope that some one now living may benefit with posterity.

But it is idle to talk about this or any other great national improvement unless we have the funds to meet it, and the question is whether this bill will provide revenues sufficient to meet our present financial necessities, to meet the expenses of the ordinary affairs of the Government economically and efficiently administered, and provide ultimately, not for a great surplus, but a revenue sufficient to meet the expenses which the growing demands of this country will justly make necessary, and my answer is that it will.

Mr. JAMES. Will the gentleman yield right there?

Mr. LONGWORTH. Yes.

Mr. JAMES. I was out of the Chamber when the gentleman commenced his speech, and some reference, so I am informed, was made to the statement I made upon the floor with reference to the inaugural address of President Taft.

Mr. LONGWORTH. Yes.

Mr. JAMES. Do you dispute the statement I made that he did not refer to that provision in the Republican platform which provides for a tariff not only equal to the difference in the cost of production at home and abroad, but, in addition thereto, a "reasonable profit to the manufacturer?"

Mr. LONGWORTH. I regret the gentleman was absent at the time, because I went fully into that subject.

Mr. JAMES. In other words, did he not leave out the words "reasonable profit to the manufacturer," which appear in your Republican platform?

Mr. LONGWORTH. There is no question those words do not appear in the inaugural address, and that is what I took a good deal of time to discuss, and I regret the gentleman from Kentucky was absent.

Mr. JAMES. Did he not also use the other part of the Republican platform?

Mr. LONGWORTH. If the gentleman will pardon me, the statement I made was that the President of the United States stands exactly where he did before that convention, after that convention, and before and after election on that proposition. Now, the gentleman was absent and I read very fully——

Mr. JAMES. That is all right.

Mr. LONGWORTH. I read very fully from the President's recent speech and the gentleman, when he examines the RECORD——

Mr. JAMES. I will read what the gentleman says with a great deal of pleasure. Now, I want to inquire, was this present bill formulated upon the proposition in the platform providing a tariff not only to equal the cost of production abroad and at home but in addition thereto "a reasonable profit to the manufacturer?"

Mr. LONGWORTH. I have gone into that very fully, and if the gentleman from Kentucky had been here he would have heard me.

Mr. JAMES. I would like to know how much tariff was provided in the bill for "the reasonable profit to the manufacturer."

Mr. LONGWORTH. If the gentleman reads my remarks in the RECORD he will see all that. The total appropriations made in the last Congress for the fiscal year 1910 were, in round numbers, $1,044,000,000. This is a huge sum, but when viewed in the light of genuine actual expenditures for the support of the Government for which revenue must be provided, many deductions must be made.

It contains, for instance, an appropriation of $60,000,000 to the sinking fund, $30,000,000 for bank-note redemption, and $35,000,000 for the Panama Canal, all of which items must be deducted in considering the necessary amount to provide by way of revenue. Besides this, there must be deducted the amount which was appropriated, but which will not be, in fact, expended, which experience for many years has shown to average nearly 6 per cent a year. Deducting only 5 per cent, to be on the safe side, it would amount to about $46,000,000, and there remains $872,000,000, which represents the sum for which revenues must be provided. The estimates of this committee are based upon the year 1906, on the theory that that was a good average to show the revenue-producing power of the Dingley law. Upon this it is estimated that the bill will produce revenue from customs $312,000,000; inheritance tax, $20,000,000; increased tax on cigarettes, $1,500,000——

Mr. HARDWICK. If the gentleman will allow me right there, what do you estimate the revenue will be from the coffee tax?

Mr. LONGWORTH. Nothing.

Mr. HARDWICK. I mean if we do have the import duty equal to the export duty?

Mr. LONGWORTH. There is no chance of having a revenue from coffee; there is no estimate made; it is a cipher.

Mr. HARDWICK. All right.

Mr. LONGWORTH. The Treasury Department estimates that the receipts from internal revenue will be $250,000,000; for miscellaneous receipts, $62,000,000; and postal revenues, $223,000,000. Upon this basis the deficit for the year 1910 would only be about $3,000,000, which, if this bill should have its full effect during that year, would be more than wiped out. Now, it seems to me that in this estimate the committee has erred upon the side of conservatism, because they have failed to take into account both as to customs revenue and internal revenue the increase of population, and also a consequent increase in the revenues which will have taken place between the years 1906 and 1910. I base this statement upon the yearly average increase in the revenues under the Dingley Act during all the years that it has been in operation.

In 1898, after the Dingley law had been in operation a year, the year after its enactment, when it may be presumed to have shown its full effect, the receipts from customs and internal revenue were $320,000,000. Ten years later, in the year 1907, the receipts from customs and internal revenue were $602,000,000. This represents an increase over 1898 of approximately $282,000,000, or at an average increase of $28,000,000 a year. To be entirely conservative, let us take the year 1908 as a basis. We are accustomed to talk about 1908 as a disastrous year, a year of great business depression, and yet it produced a revenue from all sources greater than any year in the history of this country, except alone the year 1907. In only one source of revenue did 1908 fall below 1906, and that was in customs, and it only fell below it by $4,000,000; but in total receipts 1908 exceeded 1906 by more than $6,000,000. Thus the year 1908, with all its financial disturbances and panic, or whatever you may be pleased to call them, was far and away the best year, from the point of view of the money that it turned into the Treasury, of any year of our history except the boom year of 1907.

Mr. SHERLEY. Is that the calendar year of 1908 or the fiscal year?

Mr. LONGWORTH. I have taken it from the actual receipts, which I presume is the fiscal year, as reported in the Treasury.

Mr. SHERLEY. That would be ending June 30, 1908, and that was before the panic.

Mr. LONGWORTH. Oh, no; on the contrary.

Mr. SHERLEY. I merely want to know which year the gentleman is referring to.

Mr. LONGWORTH. This publication is entitled "Receipts and Disbursements of the Government. Recapitulation of Receipts by Fiscal Years." Therefore, the full effect of the panic is shown in these receipts. The total receipts from customs and internal revenue in 1908 were $537,000,000, or an increase over 1906 of $217,000,000, or an average increase of more than

$20,000,000 a year. I have recently read that a distinguished financier told his son that any man who was a bear on the future of this country would "go broke." And I think it is in the highest degree conservative, unless we are bears about the future, to estimate that the average increase in receipts from customs and internal revenue will at least continue during the next ten years. If it does, we are greatly underestimating what this bill will produce.

Another way of estimating the receipts under this bill for ten years is this: The total receipts of 1906, upon which this bill is based, excluding postal, were $594,000,000. Add to this $1,500,000 for cigarettes, $8,000,000 for tea, $20,000,000 for an inheritance tax, and we have a total of about $624,000,000. If we should add to this $40,000,000, representing the normal increase of four years at the rate of only $10,000,000 a year, we have a total of $664,000,000. The amount of revenue to be provided is $872,000,000, as I have indicated. Deducting from this $235,000,000, being the postal appropriation, there is a balance left of $637,000,000. If we subtract this from $664,000,000, the balance is $27,000,000. As the estimate for postal expenditures is $223,000,000 and the estimated deficit in postal revenues will hence be $16,000,000, we deduct $16,000,000 from $27,000,000, which leaves $11,000,000 as the net surplus of revenues over expenditures for the year 1910.

Mr. SHERLEY. What does the gentleman do in regard to the sinking fund—anything?

Mr. LONGWORTH. The $60,000,000 appropriated for the sinking fund is a permanent appropriation and is deducted from the total appropriations for the year 1910 for the purposes of this estimate.

Mr. SHERLEY. In other words, you make no provision for the setting aside of $60,000,000 under the sinking-fund act?

Mr. LONGWORTH. In estimating the amount for which it is absolutely necessary to provide revenue for the year 1910, we have deducted $60,000,000 from the total appropriations.

Mr. COX of Ohio. Will the gentleman yield?

Mr. LONGWORTH. With pleasure.

Mr. COX of Ohio. The gentleman made the statement that he was not counting on any revenue being derived from coffee. Am I correct in that?

Mr. LONGWORTH. Yes.

Mr. COX of Ohio. That you had denominated the sum total of your revenue from that direction with a cipher. Now, if you can not control the situation with reference to Brazilian exportations, and coffee does come to us taxed, and you derive a large sum of money thereby, will you tell me, please, whether you mean to spend that money, or, as a matter of good faith, do you intend to reduce the taxes on sugar and tea?

Mr. LONGWORTH. Well, I do not believe that there is any chance of a revenue on coffee being forced on us against our will. I have no idea of a surplus on account of that kind of a tax.

Mr. COX of Ohio. But if we do derive several millions from that source, will that money be expended or, as a matter of good faith, will you reduce the tax on sugar and tea?

Mr. LONGWORTH. Well, I will say to the gentleman that I can not predict what may happen should contingencies of which I have no idea arise. This countervailing duty on coffee is simply put on to compel Brazil to take off her export duty and to prevent the consumers of the United States from paying Brazil's export duty.

Mr. COX of Indiana. Will the gentleman yield for one question?

Mr. LONGWORTH. Certainly.

Mr. COX of Indiana. Suppose Brazil does not take off the export duty; then, has your committee made any estimate as to the probable amount of revenue that we would derive from the duty on coffee?

Mr. LONGWORTH. Oh, yes.

Mr. COX of Indiana. How much will it amount to?

Mr. LONGWORTH. It is safe to say for every cent a pound that you put on coffee you will have a revenue of ten millions a year.

Mr. COX of Indiana. From that item?

Mr. LONGWORTH. On that item.

Mr. COX of Indiana. Then, as I understand the gentleman, the committee that framed the bill framed it under the impression that the time would come when Brazil and the other coffee-growing countries would take off the export duty?

Mr. LONGWORTH. Unquestionably, the only reason that that provision referred to by the gentleman was put in was to prevent Brazil keeping up her export tax, and hence raise the price to the consumers of this country, if we have no means of retaliation. I have no question, certainly I have no question, but that if we impose against Brazil the same tax which she imposes by way of export tax that she will immediately take off the export tax.

Mr. COX of Indiana. Will the gentleman permit another question? I want to get information on that if I can. Has the gentleman individually or did the committee collectively receive any assurance from any of the coffee-growing countries on earth which export coffee into this country that they would remove that export duty?

Mr. LONGWORTH. We have had no communications except such as we got from American citizens.

Mr. COX of Indiana. Then it is a matter of speculation.

Mr. LONGWORTH. It is not a matter of speculation to say to Brazil, "If you tax our consumers of coffee, we are going to tax you to pay for it."

Mr. GAINES. Does not the gentleman also understand that the Brazilian Government buys the coffee of Brazil and is a seller of Brazilian coffee, and that the situation is this, that when our people have untaxed trade between that country and this in coffee they find out at first Brazil has levied an export tariff on coffee and then put a tax on the trade and transferred the revenue that is received from that trade into its own treasury, and then it created a government monopoly of the coffee trade? The purpose of this feature of the bill was to see if we can not drive out that government monopoly and give us free trade in coffee. It seems contrary to all reasonable probability, if the gentleman from Ohio will allow me, that Brazil will continue this monopoly, and that monopoly is what the Ways and Means Committee have struck at in this provision.

Mr. LONGWORTH. I yield to the gentleman from Indiana.

Mr. GAINES. I really ought to apologize for taking so much of the gentleman's time as I have.

Mr. LONGWORTH. I yield to the gentleman with pleasure.

Mr. COX of Indiana. Then, as I understand the gentleman from West Virginia, as a matter of last resort and last analysis, if Brazil absolutely refuses to take off the export duty, then we propose to put a duty on the coffee while the coffee users pay for it?

Mr. GAINES. To that question I will say to the gentleman that probably to a considerable extent we would buy from the countries that do not levy an export tax, such as Java and Arabia. The gentleman must understand that we are now dealing with a governmental monopoly in buying Brazilian coffee, so that the result of a countervailing duty would be to cut off the oppression that that government monopoly imposes.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. LONGWORTH] has again expired.

Mr. PAYNE. I ask unanimous consent that his time be extended half an hour.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Ohio be extended half an hour. Is there objection?

There was no objection.

Mr. COX of Indiana. If the gentleman from Ohio will yield to allow me to ask one more question of his colleague [Mr. GAINES], then I will not interrupt him again. I did not catch fully the gentleman's answer to my question. Probably I did not make my question as plain and specific as I could.

Mr. GAINES. The question was quite plain. If there was any fault, it was with the answer.

Mr. COX of Indiana. No; I think probably the fault was my own. Supposing, now, that as an ultimatum Brazil flatly refuses to lift her export duty, but continues to keep it on? Then is it the gentleman's idea that we will impose a duty upon coffee and make the consumers of Brazilian coffee in this country pay that duty?

Mr. GAINES. I will repeat that my answer is this: In the first place we would have a considerable amount of trade probably in such an event with other countries which do not put on an export duty, instead of trading to that extent with Brazil. But even if there were no other trade to come in and moderate the situation, yet we are paying to-day every cent for Brazilian coffee that Brazilian coffee will command. There is an absolute governmental monopoly. There is no competition of Brazilian coffee with Brazilian coffee in the market of America; and that governmental monopoly is to-day exacting the last penny Brazilian coffee can exact from the American consumer. So that in no possible contingency can the price be raised by any slight tax.

Mr. COX of Indiana. Can the countries of the world which raise or produce coffee, outside of Brazil, furnish American producers and consumers of coffee with a sufficient quantity of it? In other words, must we not buy a large proportion of our coffee from Brazil?

Mr. GAINES. I will tell the gentleman what I think of the coffee situation and how it will work. I am inclined to think

Mr. LONGWORTH. I have gone into that very fully, and if over 1906 of $217,000,000, or an average increase of more than

that if we were to put a tax of 5 or 6 cents a pound upon Brazilian coffee—or 4 cents, possibly—it would increase to some extent the price to the consumer.

Mr. COX of Indiana. No doubt it would.

Mr. GAINES. There is grave doubt whether it would. There are many people who think, in view of the difference between the cost of Brazilian coffee laid down in New York and the price which the consumers of the country pay, that the middle men have the situation in their own hands in this country, so that it would make no difference. There is doubt about it, but it seems to me that that would increase the price.

But now, so far as the slight countervailing duty is concerned that we have put on, in my opinion it would in any event do no more than either, as we hope, break up that governmental monopoly and give us untaxed coffee, and give us cheaper coffee; or if so slight an increase of duty could be added to the price of Brazilian coffee, the Brazilian governmental monopoly would add it now.

Mr. COX of Indiana. Will the gentleman kindly answer my question, whether or not, in his judgment, there is enough coffee raised in the world outside of Brazil to comply with the demand for coffee in the United States?

Mr. GAINES. Why, of course there is, though our source is generally Brazilian. We seem to be the only people in the world who will drink in any great quantity the rather inferior Brazilian coffee; but if our conditions required us to purchase a part of our coffee from other coffee-producing regions, of course the supply would come in from other sources; and they would increase their supply in order to meet our demands.

Mr. LONGWORTH. Mr. Chairman, I think the briefest way of answering the gentleman from Indiana on the question of the countervailing duties, and also the proposition of the gentleman from New York this morning with reference to the maximum and minimum, is by the statement that by this bill it is not intended to place a tax on any of those articles to wield the club against any foreign nation, but it is simply a way of genteelly forcing other nations to do business with us on the most favorable terms and has no relation whatever to the question of revenue.

I have given as an estimate $11,000,000 as the probable net surplus of the receipts over expenditures for the year 1910, based on an average increase for the four years from 1906 to 1910 of only $10,000,000 a year. I have pointed out the fact that the increase for the last eleven years under the Dingley law of customs in internal revenue was more than $20,000,000 a year. I therefore say that the committee was very conservative in only estimating an increase to continue at $10,000,000. If it should continue at $20,000,000, we would have a surplus of $31,000,000 a year at the conclusion of the fiscal year of 1910.

Of course, while it is true that the revenues during the last ten or eleven years have increased, it is also true that the expenses have increased. The total expenditures, not including the postal department, were, in 1898, $443,000,000; in 1907, $576,000,000, and $660,000,000 in 1908, an increase of $135,000,000 for the year 1907 over 1898, or an average of more than $13,000,000 a year. For 1908 it was $217,000,000, an average of about $20,000,000 a year. But this amount includes all that has been spent for the Panama Canal, in the neighborhood, as nearly as I can find, of about $100,000,000, an investment pure and simple not properly chargeable against the running expenses of the Government. If we deduct this amount from the excess of expenditure of 1908 over 1897, it leaves $117,000,000, or an average of about $11,000,000 a year. Thus, for the period to which I have referred, the average increase of receipts has exceeded the average increase of expenditures for governmental purposes, properly considered, by nearly 2 to 1.

I believe firmly that this bill will be a far greater revenue-producing law than the Dingley law, and that when it has had a chance to show its revenue-producing power it will not only wipe out the deficit, but will enable the Government to embark on legitimate projects for which it ought to provide and for which the people will demand that it shall provide.

Since the passage of the Dingley law, and within the last few years, a new question of most far-reaching importance has come prominently before the people of the United States, the question of the conservation of our natural resources. The country has progressed so rapidly and our people are so immensely industrious that many of our natural resources are being used up to an alarming extent. The time is coming to call a halt and look the situation in the face.

This question was considered in the formation of this bill, principally in regard to three great staples of national wealth—iron ore, coal, and wood. Coal and iron ore have been placed on the free list, and the duty on lumber has been cut in half.

I am aware that there is a great difference of opinion as to whether the change in the tariff law will have any effect in reducing the waste of resources; but I, for one, believe that it is a self-evident proposition that the larger the area from which the American people can draw for iron, coal, and lumber, the less rapid will be the destruction of coal, iron, and timber in this country. [Applause.]

So far as lumber is concerned, I am well aware that I am running counter to the opinion of the man who is, without doubt, the greatest authority in this country on forestry; but, with all respect for his opinion, I agree with my colleague from Ohio [Mr. HOWLAND] that there are certainly two sides to this question.

Mr. SHERLEY. The gentleman means counter to the second opinion of Mr. Pinchot, I presume?

Mr. LONGWORTH. Counter to the only opinion of his that I have seen. The proposition was advanced early in the hearings by those interested in maintaining a tariff on lumber that the high price of lumber tends in the direction of less waste in the cutting of standing timber than the low price of lumber; and they argue from this that as a reduction of the tariff on lumber would tend to lower its price, it would tend, therefore, to increase the waste and hasten the destruction of the forests. If we take the converse of the proposition, then if the raising of the tariff would raise the price of lumber it would be apparently wise, from the forest-conservation point of view, to raise the tariff so high that no lumber could possibly be imported, and this, according to their argument, would tend to prevent the destruction of the forests in this country. If this is not a reductio ad absurdum I never met one.

Mr. STEVENS of Minnesota. Is the gentleman familiar with the practice of the Forestry Bureau in conserving the cut of the forest in Minnesota in what is known as the "Cass Lake Reservation," where the Forestry Bureau requires that the trees should be cut as required by the regulations, and that those regulations provide for using all of the material in the trees, and burning and disposing of the waste? Is the gentleman familiar with that?

Mr. LONGWORTH. I have heard of it.

Mr. STEVENS of Minnesota. And that the prices obtained for such lumber were as high as the stumpage outside, so that the work has actually been done, and no attention has been paid to any tariff on that at all.

Mr. LONGWORTH. It seems to me that the defense of this proposition must rest upon this ground, that if the price of lumber is raised much higher than it is now—as high, for instance, as it is in Germany, where the ideal system of reforestation prevails—then lumber would not be used for some of the purposes for which it is now used. If people stop building frame houses and wooden fences and sheds, then, of course, the destruction of the forests would be lessened, because the uses to which lumber could be put would be few. I am not willing to subscribe to the theory that this is the proper way to protect the forests. On the contrary, I believe that a reduction in the duty on lumber is at least a step in the direction of conserving the forests.

Mr. COX of Indiana. Mr. Chairman, I am heartily in accord with the gentleman's statements; but if a reduction will be one step in tending to conserve the forests of this country, would not a complete abolition or removal of the duty on lumber be two steps in the right direction?

Mr. LONGWORTH. Mr. Chairman, I will state to the gentleman that I am not at liberty, under the circumstances, to state how I may have voted upon that or any other question in the committee.

Mr. SPARKMAN. Will the gentleman state about how much the present duties, the duties as provided for in the present bill, would tend toward the conservation of the forests of the country?

Mr. LONGWORTH. I think that possibly the reduction of the duties would tend to increase the imports.

Mr. SPARKMAN. To what extent?

Mr. LONGWORTH. I do not know.

Mr. SPARKMAN. I think Mr. Pinchot says it would be very slightly increased.

Mr. LONGWORTH. Oh, I understand that Mr. Pinchot says there will be no change whatever. The fact is, I am putting my opinion against Mr. Pinchot's, and I know it is not worth nearly as much.

Mr. SPARKMAN. The gentleman, then, has not given sufficient thought to the subject to enable him to answer the question?

Mr. LONGWORTH. No; I regret that I can not answer the question. Mr. Pinchot stated categorically that the placing of lumber on the free list would have no effect whatever on the price of lumber or on the question of reforestation. I can not

believe that that is so, though, as I say, his opinion is worth far more than mine.

Mr. Chairman, one other feature of this bill I am going to allude to, and then I shall close. That is the maximum and minimum as provided in this bill. Since the passage of the Dingley law many countries have adopted the maximum and minimum, and it is now in successful operation in almost every country in Europe which has a protective policy. Gentlemen are accustomed to allude to this as a "joker," and have charged that it was intended to raise duties. Mr. Chairman, this sort of criticism either is not sincere, or if sincere, it is based on misinformation. Let us see what the maximum and minimum means. It means simply that any country which admits our goods on as favorable terms as it admits goods of any other country is entitled to all our minimum rates, and any country which treats any other country better than she does us will have to accept our maximum rates. All we ask is to be treated as well as anybody else, as any other nation. Any nation that so treats us we will treat as well as we do any other nation. Gentlemen say this may provoke retaliatory measures from other countries. The fact is that it is designed to prevent retaliatory measures, and it will do that and nothing more.

Far from forcing upon any other country our maximum rates, it is designed to allow them the enjoyment of our minimum rates, and it would be the height of folly for any country which does any business with us to voluntarily debar herself from our market. For instance, as soon as the maximum and minimum features of this bill go into effect there is one country certainly which is immediately entitled to their benefit, and that is England. Does anyone suppose that France or Germany or any other country is going to let England come into this market on substantially better terms than they do? It would be cutting off their nose to spite their face. Far from being a challenge to a tariff war, it is an invitation to do business on the most favorable terms. We make no threat and demand no concession. We merely ask for as fair treatment as anyone else.

Reciprocal trade agreement, as provided in section 3 of the Dingley law, has not proved a success. Under it we have acquired few valuable concessions, and it has had the effect of unsettling prices, because the duties might at any time be changed by negotiations, and importers could not plan far in advance.

I do not believe that there can be the least doubt that as soon as our agreements have been determined after the passage of this bill that there will be no country in the world with whom we have trade relations of any substantial size that will not be enjoying all the benefits of our minimum tariff. To say anything else would be to impugn their good sense.

I would like, if I had the time, and I have already taken up a good deal too much, to have alluded to some of the schedules of this bill. I should like, for instance, to have at some length expressed my commendation of the placing of genuine works of art on the free list. I should have liked to have spoken at some length of the Philippine tariff provision, which I regard as a measure of long-delayed justice to the Filipinos, but I shall conclude in only a few words more. The title of this bill is, "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." It will do these three things. It is a literal compliance with the pledge made in the Republican platform. It is in line with the most enlightened leadership of the Republican party. It adopts the suggestions made by the former President and the present President of the United States. It will produce a revenue amply sufficient to meet the requirements of this, the most progressive government in the world.

It protects every American industry North, South, East, and West that needs protection. It will guarantee to every man who wants to work steady employment at steady wages, and wages immensely higher than those paid in any other country under the sun. It is a revision downward. It has reduced five rates of duty for every one that it has increased, and fifteen for every one that it has increased except for revenue purposes alone. It recognizes the principle of the conservation of our national resources. It provides for true reciprocity as understood by Blaine and McKinley. It is an enlightened and progressive Republican tariff measure and as such should receive the vote of every Republican in this House, and of every Democrat who believes in the principles of protection to American industries and protection to American labor. [Loud applause.]

The CHAIRMAN. The gentleman from Georgia [Mr. HARDWICK] is recognized for thirty minutes.

Mr. HARDWICK. Mr. Chairman, while it is undoubtedly true that an academic and theoretical discussion of the tariff question is of at least doubtful utility just at a time when we are in the very act of considering and passing upon a tariff bill which presents many difficult and perplexing practical questions for immediate and practical answer in the votes that each of us must soon cast, yet I do think that a brief statement of the principles that govern and control our actions and votes in this most important matter can not fail to be of interest not only to the House and to the country, but is also an absolute necessity, so that from the maze of involved schedules and rates, of intricate provisions and teeming figures, the motives which govern our actions and control our votes may be known to the people whose servants and agents we are. Some brief, clear statement of those principles is, to my mind, as necessary as is a clear and precise statement of the legal principles which control a law case before application of the law is made to the facts.

When this Government was founded, it was the clear and undoubted design of our fathers that its expenses should, under ordinary circumstances, be raised from customs duties imposed upon imports into the country and from what is now generally known as internal-revenue taxation. It was intended that all other sources of revenue should be left to the States and their various local subdivisions, untouched by the hand of the federal tax collector and undrawn upon by the General Government. No man who has studied the history of our country or who is familiar with its wonderful dual system can either doubt or dispute that proposition.

From the very earliest days of the Republic all statesmen and all political parties were agreed that a large proportion of the revenue required for the General Government must be raised from the customs duties. This is still admitted everywhere and by everybody. It was once seriously contended, however, that the customs duties would come out of the pockets of the foreign importer, who would receive no remuneration therefor when he sold his wares to the domestic purchaser.

Alexander Hamilton himself lived long enough to admit the fallacy of this contention, and even the brilliant Henry Clay was never able to establish its soundness when confronted by the cold logic of established facts, and the proof that the American price was in almost every case, the foreign price plus the cost of transportation, plus the duty. The contention has been long since abandoned and it is difficult indeed to find an intelligent man anywhere who will deny that the tariff is a tax on consumption and that the customs duty comes finally and ultimately out of the pockets of the American consumer.

The tariff being a tax, and a tax on consumption, there are few thoughtful and disinterested men who are willing to subscribe to the wondrous doctrine, so often and so plausibly advanced by our friends on the other side of the Chamber, that it is really a blessing in disguise and that the more you tax the masses of the people the happier and more prosperous they become. [Applause on the Democratic side.]

There are even fewer disinterested men who will seriously contend, with any hope for respectful attention, that the sovereign power of taxation, the supreme and kingly attribute of power, should be prostituted for private purposes, lent to private and selfish interests, and used, not for the purpose of raising necessary revenue for the Government, but for the purpose of enabling the domestic manufacturer or producer to charge a higher price for his goods and wares by shutting out his foreign competitors.

In the early days of our history it was generally conceded that customs duties ought to be levied not only for the primary purpose of raising governmental revenue, but also for the secondary and hardly less important purpose of enabling our infant industries to compete with powerful and long-established European rivals. In those days this country was almost an entirely agricultural country, and some protection, always incidental, was considered necessary in order to diversify its interests, render it independent of foreign trade and self-sufficient in times of war. This view was generally entertained at that time by all political parties and by men who agreed with each other on little else.

But it was never contended in those days that protection ought to be continued, for protection's sake, to these favored infants long after they had grown to giant size and strength, had conquered and monopolized American trade, had reached out toward every quarter of the globe in spectacular trade campaigns of foreign conquest, and were sighing, like the great Alexander, for more worlds to conquer. It has remained for latter-day Republican statesmanship to present and elaborate this amazing doctrine.

Taxation is the price we pay for orderly and well-administered government. It should be the lightest, whether direct

or indirect, that is consistent with honest and efficient administration. It is not a blessing, but a burden. No amount of sophistry about building up and diversifying industries, "protecting" home enterprises, or paying higher wages to the American laborer can long obscure that truth, and the day is not far distant, in my judgment, when the advocate of protection for protection's sake will stand unmasked before the American people in all the naked and hideous ugliness of his selfishness and greed.

If the Republican party and its leaders upon this floor and at the other end of the Capitol continue to legislate as they have in the past and as they propose to legislate in this bill, with an eye single to the interests of the producer and blind to that of the consumer, the day is not far distant when the unprotected consuming masses of the people will at last open their eyes and drive from power the party and the men who have so atrociously abused that power.

It may be that I have expressed my sentiments on this question somewhat warmly. If so, it is because I feel deeply. The particular constituency that I represent on this floor, and in large part and by a vast majority the people of the State and section of the country in which I live, have been the most oppressed, the most heavily burdened of all the people in the United States by the high-tariff policy that sprung from revenue necessities at the time of the civil war and has since been perpetuated by the greed and cunning and money of its beneficiaries. Cotton, their principal product, is sold in the unprotected markets of the world. All they have to sell must be sold at a world price, without tariff protection, and all that they have to buy must be bought in the most highly protected market on earth.

The cruel injustice of this situation is apparent at a glance. The treatment which caused their fathers to rebel against King George's Government was not more unfair, and the fact that they have borne so much so long and with such patience is the highest tribute that loyalty and patriotism has yet laid on the American altar. If the South has prospered during all these years, it has not been because of your tariff laws, but in spite of them. If she has sprung, Phœnix-like, from the ashes of the civil war and from the desolation of an overturned system, it has not been with the aid of any helping hand that you have extended to her on this great question, but by the courage and energy of her unconquerable people [applause] and with the greatest burden fastened to her massive shoulders under which a brave people ever labored. She is not always understood. A few chambers of commerce in our cities may resolve and declaim in favor of ship subsidy, for instance. Let no man deceive himself, however, with the delusion that the great South has spoken.

A few of her manufacturers, or all of them; a few of her lumber kings, or all of them; a few of her iron barons, or all of them; a few of her citizens, with special interests to serve and special favors to ask, or all of them, may come to Washington, appear before your committees and parade in the newspapers as in favor of a highly protective tariff, but let no man deceive himself into the belief that these men, or any of them, or all of them, speak for the great, toiling, suffering, burdened South.

Let me assure you to-day, as a representative of the South, a resident of one of her smaller towns in the very heart of her great cotton belt, that the South of to-day is no more inclined to bless the system that loads her down with great and grievous burdens than she has ever been. Human nature is about the same in the South as anywhere else, and there are doubtless many men and many interests in that section who would be willing to see all the rates and schedules raised until they kiss the skies, provided only they can get their own particular schedules fixed to suit themselves. These men by no means speak for our toiling, unfavored, and unprivileged millions. They speak for themselves and for their own pockets.

Let this be clearly understood and you will get a pretty clear idea about the worthlessness of all this talk, so often heard and so often seen in print, that the South is turning toward Taft, is eager to embrace Republicanism, and is hungering for the fleshpots of protection. Taft, the man, we like immensely. Taft, the statesman, we respect and admire, even while disagreeing with him. For the honest Republican we have the respect which one manly man entertains for another with whom he can not agree. Protection we still condemn and denounce, as we have always tried to condemn and denounce wrong and injustice whenever and wherever it may be found.

While we deplore the necessity for taxation, we admit its existence, and bow our backs as cheerfully as may be to the burdens that must be imposed in order to secure honest and efficient administration of government, but we are unwilling to see a single duty imposed, a single rate raised or maintained, where the purpose and effect of such rates and duties is not to fill the Treasury, but to fill the pockets of the domestic manufacturer or producer out of the pockets of his unprotected fellow-citizen. To paraphrase somewhat the immortal expression of an early and glorious Virginia orator, we will cheerfully pay "millions for necessary governmental revenue, but not one cent for tribute" to the trusts and monopolies that swarm and infest the land.

The five great rules for tariff legislation laid down by Robert J. Walker in 1846 have never been improved on, or equaled, for that matter, since; and if the Democratic party were to-day framing the tariff bill it could not, in my judgment, act more wisely than to follow them religiously. It would need no other rule except that contained in the Denver platform on the subject of tariff-protected trusts. Without stating all five of these rules, there are two of them to which I now wish to direct your especial attention as worthy of the most serious consideration when we come to carefully examine and finally act upon the pending bill.

Walker's second rule was as follows:

> No duty should be imposed upon any article above the lowest rate that will yield a just amount of revenue.

His fourth rule was that—

> The maximum revenue rate should be placed on all luxuries.

If these two yardsticks could be applied, particularly the one suggested in Walker's second rule, it would be a great triumph for the right.

Now, as I understand the difference between the Republican and Democratic position on this matter, the Democratic position is well stated by Mr. Walker when he advocated the lowest rate that can be imposed in order to raise a just revenue, and the Republican doctrine, as I understand it, and I think I will express it in a way that will meet the approbation of every Republican in this House, is that a duty shall be imposed which carries the maximum of protection and at the same time raises the necessary revenue for the Government. That is the doctrine which I have heard them advocate generally, and if any gentleman here takes issue with that I will be glad to have him do so now. The issue between the parties thus stated is plain and simple enough.

I realize full well that in following the Democratic tariff idea, incidental protection is often, if not usually, afforded. But the protection so afforded is not only incidental, but one might say almost accidental. If the strict free-trade theory were followed, the tariff would necessarily be levied on articles which are not produced in this country, which is, I believe, the English tariff system. This system has, however, never been advocated in this country by either of the great parties, and neither of them contends for it now. The Democratic idea of the tariff has always been, in whatever words expressed, that the tariff should be imposed for the purpose of revenue only, that it should be levied on the largest number of articles, so as to distribute as generally as possible among all the people and all the sections of the country the burdens of taxation as well as such incidental benefit as might come through the imposition of even a purely revenue tariff upon competitive articles. A hardly less important article of faith is that the tariff shall be high on luxuries and as low as possible upon necessities. To this theory I sincerely and honestly subscribe, and I shall, if given the opportunity, vote in accordance therewith on every proposition in the bill.

So far as I am concerned, I shall make no effort to "get my share of the pie;" if there are any interests in my district or in my State that think they ought to be given "protection," because a protective-tariff bill is being passed, I can only say that they will not get it by my vote at least. I shall vote for nothing more than a revenue duty on any product or any article, whether the same is produced in the North or in the South, in the East or in the West. While I might be willing to vote for a proper revenue duty on any article for which imperative reasons could not be given for placing on the free list, yet I will never vote for a duty that is primarily protective or even partially prohibitive, even if the purpose and effect thereof should be to protect some product of my own State or even of my own district.

I am opposed to the Payne bill as a whole, and shall vote against it for many reasons, a number of which I shall now undertake to state.

The Republican party, in the platform upon which it went to the people in the election of 1908, declared "unequivocally" for "the revision of the tariff by a special session of Congress immediately following the inauguration of our next President." While pledging itself to maintain the principle of protection in

whatever revision was undertaken, the fact that it promised a revision at all was conclusive evidence that it had heard and proposed to heed, or at least to promise to heed, the loud murmurs of the discontented American consumer against the unjust and oppressive rates and schedules of the Dingley bill—schedules so high that many of them kissed the heavens, to which their injustice cried.

There was no clamor in the Republican party or out of it for revision upward. That was not the Iowa idea; that was not the demand of the West; that was not the cry of the burden carrier. Oh, no! There can be little doubt that the platform was intended to mean, and was generally construed to mean, in most parts of the country, at least, revision downward. What the beneficiaries of the protective-tariff system themselves were told that it meant I know not, but generally the people believed it meant downward revision. Upon this subject let me quote from the speech of President Taft, delivered at Cleveland, Ohio, on July 28, 1908, accepting the Republican nomination for the presidency:

> The consequent material development has greatly changed the conditions under which many articles described by the schedules of the tariff are now produced. The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate.
>
> On the other hand, there are some few other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be raised. A revision of the tariff undertaken upon this principle, which is at the basis of our present business system, begun promptly upon the incoming of the new administration and considered at a special session, with the preliminary investigations already begun by the appropriate committees of the House and Senate, will make the disturbances of business incident to such a change as little as possible.

It must be remembered that this speech of the President was not one of many campaign utterances, delivered on the spur of the moment and without due deliberation and careful consideration. It was a solemn and formal declaration of principles upon which he and his party stood before the country, asking the suffrage of its people, almost approaching a state paper in its dignity, solemnity, and importance. Can any man believe that the average voter who read it understood that we were to have tariff revision upward at the extraordinary session? Can any man fairly and justly deny that it amounted to an indorsement of that portion of the Democratic tariff declaration that dealt with the tariff-sheltered trusts? Can any man doubt that its deliberate purpose, and in view of the result of the election, its undoubted effect, was to eliminate as a campaign issue that phase of the tariff discussion?

What has happened? Our new President is inaugurated amid general good will and with the best wishes of the entire country, regardless of party lines; the extraordinary session of Congress is called, according to promise, to revise the tariff. After months of labor the Payne bill is born, and lo! according to the figures of the accurate, careful, and painstaking clerk of the Ways and Means Committee, Mr. Evans, given in the recapitulation on page 126 of his Comparison of the Payne Tariff Bill with the Present Tariff, it appears that, instead of revision downward, we are presented with revision upward, the ad valorem minimum duties under the Dingley law being 44.16 per cent and the average under the Payne bill being 45.72 per cent. The maximum duties provided are 20 per cent higher than the minimum duties, which average 45.72 per cent, as stated. Not only that, but I defy any gentleman in this House to name or to point out a single trust that has been killed or even slightly wounded by the bill. If there are any, they are so few in number and so insignificant in size that they have escaped my attention. Surely the sugar trust is not sorely afflicted when you have left the duties on raw sugar unchanged and have decreased the duty on refined sugar but 5 cents per hundred pounds.

Sure the steel trust is unhurt, although you have taken off the present duty of 40 cents per ton on iron ore, have cut the duty on steel rails in half, besides having made numerous other reductions of lesser importance. It is unhurt, because the duties, as you have left them, are still prohibitive, for the reason that the American steel and iron industry is easily the first in the world and needs no protection whatever. Even if no duty were imposed the foreigner could not compete with the American producer, because steel and iron are produced more cheaply here than anywhere else on earth. The foreign importations are already of small volume and value and are yearly decreasing. You have left the Standard Oil untouched; the countervailing duty by which Russian competition was shut out being left unaltered and unrepealed in the very words in which it was tucked away in the Dingley law.

And so on down the line; when the great tariff battle of 1909 is fought out and ended, if the Republican party can work its will, as it doubtless can, and the roll is called of all the great industrial trusts to see which of them have survived the bloody assault made upon them by their friends, I have no doubt that each of them, of any size or importance, will come up smiling and answer "here," and that, too, in spite of the awful but somewhat Pickwickian threat of President Taft and his party to shave off the tariff "excess," which "serves no useful purpose, but offers a temptation to those who would monopolize the production and sale of such articles in this country to profit by the excessive rate."

I now desire to invite your attention to certain particular provisions of the Payne bill upon which I wish to make some observations.

First, let us take sugar. Under the Dingley law there were imported into the United States during the fiscal year ending June 30, 1907, 2,329,564 long tons of raw sugar. This sugar is classified as follows in reference to the duty paid by it:

	Long tons.
Full dutiable sugar	347,509
Concession sugar, preferential rates of duty, from—	
Philippine Islands	10,700
Cuba	1,340,400
Free sugar from—	
Hawaii	418,102
Porto Rico	212,853
Total	2,329,564

The total duties collected on all raw sugars during that year were $54,310,082. All of this sugar must, of course, be refined before it is used, and it is well known that the sugar trust owns and controls the vast majority, indeed almost every one of the refineries. The sugar trust therefore had to pay this $54,000,000 (round numbers) to get its raw sugar. For that amount of money paid in duties they were allowed to import free and dutiable raw sugar to the amount of 2,329,564 long tons, so that it will be readily seen that the average duty actually paid on all raw sugar was $23.31 per long ton, or 1.04 cents per pound.

During the fiscal year ended June 30, 1907, there were refined in the United States 2,843,923 long tons of sugar. During the same period there was imported into the United States only 4,318,995 pounds, or 1,928 long tons, of refined sugar, that paid a duty of $84,220.43. The importations of refined sugar had dropped from 101,198,512 pounds in 1900, yielding a revenue of nearly $2,000,000, to the pitiful figures already given for the fiscal year 1907 under the joint and beneficent operation of the Dingley tariff and the sugar trust.

It is thus seen how completely the heavy duty on refined sugar has shut out importations of refined sugar and compelled the importation of raw sugar only. The sugar trust, owning and controlling the refineries of the country, pays the duty on the raw sugar and then sells to the American consumer the refined sugar that appears upon his table at the foreign price plus the American duty, which for the fiscal year 1907 was $1.95 per hundred pounds, or $43.68 per long ton. During that year we consumed 2,843,923 long tons of sugar refined in this country (besides the comparatively trifling amount of 1,928 long tons imported), and upon every ton and every pound of this sugar the American consumer paid to the sugar trust a bonus equal to the protective and prohibitive tariff imposed on refined sugar; a duty so useless as a revenue producer that during the fiscal year 1907 it yielded to the Government of the United States but $84,000 in revenue, and yet so powerful as a bulwark, behind which the sugar trust lies sheltered, that it cost the people of the country $124,202,956.64, or the number of long tons of sugar refined in this country (2,843,923) multiplied by the duty per long ton ($43.68).

So that if our account be cast up with the sugar trust, and that concern be given credit for the $54,000,000 that is paid in duties on raw sugar and be charged with the $124,000,000, the extra price which it is enabled to charge the consumer on refined sugar by means of a miserable and fraudulent duty which yields the Government but $84,000 per year, it will be seen that the net result of this delectable process is to demonstrate that this beautiful system results in a clean gift to the sugar trust of $70,000,000 per annum out of the pockets of every man, woman, and child in America.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a suggestion?

Mr. HARDWICK. Certainly.

Mr. JOHNSON of South Carolina. The bill also provides that certain 300,000 tons of sugar shall come in from the

Philippine Islands absolutely free of duty, which I think has paid a duty.

Mr. HARDWICK. Exactly; but that is raw sugar.

Mr. JOHNSON of South Carolina. The sugar trust can get the benefit.

Mr. HARDWICK. The sugar trust, of course, will be glad to have all the free raw sugar possible, because the more free raw sugar you let in the less money you force them to pay to the Government. But whenever you talk about letting refined sugar in, then the sugar trust begins to squeal; and the fact that you have left it so high that you are not going to let refined sugar in is the reason why the sugar trust is so satisfied with the present situation and so intensely delighted with the Payne bill.

As far as the sugar matter is concerned, the Payne bill will hurt the sugar trust hardly a penny. When you consider the constantly and yearly increasing consumption of sugar, my prediction is that during the fiscal year ending June 30, 1910, the sugar trust will actually get a larger bonus under the operation of the Payne bill, even at the slightly decreased rate, than it now gets under the Dingley law.

Mr. JAMES. Will the gentleman from Georgia state definitely how much the tariff upon refined sugar adds to the cost to the consumer?

Mr. HARDWICK. One dollar and ninety cents a hundred pounds.

Mr. JAMES. Nearly 2 cents a pound?

Mr. HARDWICK. Nearly 2 cents a pound. And what remedy is proposed in the Payne bill? What relief, if any, and how much relief is to be given? As to the remedy, none is proposed, none suggested. As to relief, it is so pitiable, so insignificant, so trifling, as to suggest that the party in power either has a very low opinion of the intelligence of the people or has grown callous to their wrongs and overbold in their favoritism to the privileged and powerful.

The Payne bill leaves the rates on raw sugar unchanged and grants the pitiful reduction of 5 cents a hundred pounds on the duty on refined sugar, fixing the duty thereon at $1.90 per hundred pounds instead of $1.95, as fixed by the Dingley bill. Let us see just how much relief this tremendous reduction will give. If the amount of sugar refined this year is, in round numbers, 3,000,000 long tons, and that is somewhere near what it will be, then this duty on refined sugar will enable the American sugar trust to add $127,680,000 to the price it charges our people for their refined sugar, while the refiner will not pay to the Government more than $57,000,000 at the outside as the duty on raw sugar he imports, and from the transaction he will clear not less than $70,000,000 as a net gift from our tariff system over and above his legitimate profit that he would make in any event, tariff or no tariff. Where the Dingley bill operated to make the sugar trust a clear gift of $70,000,000 during the fiscal year ending June 30, 1907, the best that the most hopeful advocate of the Payne measure can claim is that under that splendid bill that is to be enacted in pursuance of the solemn promise of the party of the gentleman from New York [Mr. PAYNE] and of its presidential candidate that the excessive rate behind which the trusts are sheltered were to be "shaved" off, we will not make the sugar trust a larger gift during the fiscal year ending June 30, 1910, than we did in 1907, the increase in consumption of refined sugar at least compensating it for the trifling reduction in the duty.

Let us next consider the tax on tea and coffee as carried in the Payne bill. According to section 295 of the bill, tea, if imported directly from the country of its growth and production, is taxed 8 cents per pound; if otherwise, 9 cents per pound. It is estimated by the committee that this duty is equivalent to an ad valorem duty of 34.54 per cent and will produce a revenue of $8,000,000 (round numbers). Tea was free in the Dingley law. When King George undertook to tax our tea, nearly a century and a half ago, revolution followed. Our people of to-day will submit, of course, because if the tax is imposed at all it will be put upon them by the act of their own duly elected representatives, but I much mistake their temper if a political revolution does not follow that will drive the Republican party from power.

Coffee, with great ostentation and parade, is placed upon the free list, but a significant and fatal proviso is attached to this deceptive action which completely destroys both its generosity and its value. This proviso is contained in paragraph 533 of the bill and is in these words:

Provided, That if any country, dependency, or colony shall impose an export duty or other export charge of any kind whatsoever, directly or indirectly, upon coffee exported into the United States, a duty equal to export duty, tax, or charge shall be levied, collected, and paid thereon.

The gentleman from New York [Mr. PAYNE] contended on the floor the other day, when he made his elaborate and exhaustive speech, and the gentleman from Ohio [Mr. LONGWORTH] and the gentleman from West Virginia [Mr. GAINES] repeated and reinforced his contention to-day that after all coffee would be free, because the countries that now impose this export tax would be forced to repeal it in order to meet the competition of other countries that export coffee into the country and impose no export duty thereon. In other words, according to the gentleman from New York [Mr. PAYNE], we are not only to have free coffee, as we had in the Dingley law, but this great proviso will, in the end, actually give the American consumer coffee at a cheaper price than he has ever gotten it before. What is the real situation? I append hereto as "Exhibit A" a statement recently furnished by the Bureau of Statistics, Department of Commerce and Labor, showing the amount and value of the coffee imported into the United States from every country in the world during the fiscal year ending June 30, 1908; also the rate of export duty of each country which imposes an export duty on coffee.

From this statement it appears that of $67,682,901 worth of coffee imported into the United States during the fiscal year 1908, $48,317,377 came from Brazil, or about 72 per cent of all our coffee. It must be recalled, also, that the coffee of the middle classes and of our poorer people comes almost entirely from Brazil, the finer grades being imported from Java and Ceylon.

The statement also shows that three States of Brazil—Rio Janeiro, Minas Geraes, and Sao Paulo—levied a specific export tax on all coffee exported from their ports—and practically all of the Brazilian coffee comes from these three Brazilian States and its ports—that average at least 2 cents per pound, besides a provision that an additional export tax of 20 per cent ad valorem shall be levied on the excess of the crop of 1908 above 9,000,000 bags (132 pounds each), and on the excess of the crop of 1909 above 9,500,000 bags, and on the excess of all future crops above 10,000,000 bags. With this 20 per cent added it is carefully estimated by competent experts that the average Brazilian export duty will not net very far from 2½ cents per pound. The American consumer already pays this, or will be forced to pay it, and now the Payne bill comes along and proposes to double his burden by imposing an American import duty of 2½ cents per pound, thereby taxing his coffee 5 cents per pound and increasing by that much the price he must pay for it.

But the gentleman from New York [Mr. PAYNE] ventures into the realm of prophecy and predicts substantially that the Brazilian Government will be forced to repeal these export duties by our action in imposing an import duty on coffee. That prediction is repeated this morning by the gentleman from Ohio [Mr. LONGWORTH] and the gentleman from West Virginia [Mr. GAINES].

It seems to me that this prophecy is not based on a correct understanding of the present condition of the coffee industry in Brazil and of the situation of the Brazilian Government in reference thereto. An examination of consular report No. 336, page 192, September, 1908, and of consular report No. 339, page 743, December, 1908, will disclose those facts. Briefly stated, it seems that in 1908 the three great Brazilian coffee States, Rio de Janeiro, Minas Gaeres, and São Paulo, purchased in 1908 about 8,400,000 bags of coffee from the immense crop of 1906–7 and warehoused it so as to defend the price of coffee by holding it and selling it in other seasons when the crop is short. This action was taken as the result of a broad, comprehensive, and well-considered plan to regulate both the production and price of coffee by controlling the acreage and limiting exportation as much as possible over a fixed amount by imposing thereon a heavy tax.

The Government has now gone out of the business, but the plan has been financed by certain American, English, German, and French financiers, who make advances to the coffee producers on the coffee so warehoused through the middlemen.

The Brazilian Government, in order to get out of the coffee business, had to borrow over $93,000,000 from these financiers, and has pledged its faith to levy an export tax of at least 5 francs per bag and 20 per cent ad valorem in addition on all coffee exported in excess of amounts that have been agreed upon and which I have already stated. This plan is called the "valorization scheme," and while I believe that I have stated it with substantial accuracy, I will append as an exhibit to my remarks a full extract giving the substance of the information on this subject contained in the consular reports that I have already referred to.

Now, I submit to the House and to the country: Has the gentleman from New York sufficient grounds upon which to base the prediction that he so confidently made, that Brazil would be forced to repeal her export duty on coffee? It seems to me that she can not do so unless she is willing to break faith with the financiers who have advanced many millions to her upon the faith that she will comply with her contract to levy this export tax. It seems to me that she can not do so unless she is willing to abandon her well-considered, deliberately planned, and immensely popular, in Brazil, at least, "valorization scheme."

I do not believe she can be forced to do so by competition, because, I believe, and the reports prove it, that as to the production of the middle-grade coffees she has so many natural advantages and produces at a comparatively cheaper price coffee of comparatively so much better a grade and quality that she has little to fear from any foreign competition, even after the American consumer is forced to pay the export tax that Brazil imposes and the import tax carried in the Payne bill. Her position as to foreign competition in that matter is almost as independent as that of our cotton grower.

For these reasons I firmly believe that the result of it all will be that the American consumer will not only pay from 8 to 9 cents a pound more for his tea, but at least 2½ cents a pound more for his coffee because of the Payne bill, thereby giving us, in spite of alleged "free coffee," the most heavily taxed breakfast table on earth. The duty on whisky and beer is left unchanged, though much more revenue might fairly and justly be obtained from both, and the highest of all public policies at the same time be subserved, but in order that the whisky decanter and the beer bottle may not be further burdened with taxation, the necessity for governmental revenue has turned us to the coffee pot and to the teakettle. I do not approve of this, nor do I believe that the American people will approve of it when they make up their judgment about it.

Mr. Chairman, I can not undertake to go into many more of the specific wrongs and injustices carried in the bill. In my judgment it is teeming with them, and in many particulars not only unfair and unjust, but shamelessly sectional.

Let me give you one or two instances of that. Jute bagging for covering cotton is now taxed six-tenths of a cent per pound, or 7½ cents per 100 yards. Every cotton farmer who uses an average of 6½ yards per bale pays a duty of nearly 5 cents on the bagging that covers every bale of cotton that he makes. The more fortunate wheat grower of the West gets his binding twine free. Yet, in spite of this discrimination, which has been clearly pointed out to Congress and the country, the Payne bill still preserves and still continues this most unjust and partial discrimination. If I am given the opportunity, I shall, when the proper time arrives, move to amend the bill so as to put jute bagging on the free list. It is true that the Payne bill practically cuts in two the duties on the steel ties used in baling cotton, but it leaves a duty of at least 12 cents per bundle on cotton ties, or a tax of something like 2½ cents per bale. If I have the opportunity I shall move to amend by putting them on the free list. The result is that the cotton farmer still pays a tribute of about 7½ cents per bale to the bagging and tie trust, and when it is remembered that this year we produced about 13,500,000 bales of cotton, it will be seen that this tribute while apparently small is really quite a considerable sum, amounting to almost a million dollars. On this subject I will print a very strong letter from Mr. W. B. Thompson, president of the New Orleans Cotton Exchange.

It appears from the recapitulation in the statement issued by authority of the Ways and Means Committee that the average duty on cotton manufacture is raised from 46.29 per cent ad valorem in the Dingley law to 50.27 per cent in the Payne bill. Professor Taussig, in his History of the Tariff, says of the cotton-manufacturing industry:

> Probably as early as 1824, and almost certainly by 1832, the industry had reached a firm position in which it was able to meet foreign competition on equal terms.

This opinion was also expressed in 1833 by Mr. Nathan Appleton, a large cotton manufacturer. Only last summer one of the largest and brainest cotton manufacturers in the South, a resident of my own State, told me that the cotton manufacturers could very well afford to see the duty on the articles they made lowered or even removed, provided the duty on the machinery and oil which they had to buy was lowered or removed.

Be that as it may, it is undoubtedly true that this oldest of our industrial "infants" is no longer entitled to the protective and prohibitive duties that are given it in this bill, averaging, as I have shown, more than 50 per cent ad valorem. The imposition of such high duties is not only not in the interest of revenue, but against it, for if the duty were lower the revenue derived therefrom would be much larger.

It enables the manufacturer of cotton goods to charge 50 per cent more than he is entitled to charge, or could otherwise obtain, for his wares. It renders dear the clothes that the masses of our people wear, but which they will soon be unable to buy unless these rates are arrested in their skyward march.

I have always thought that this was a particularly pathetic and a lamentably unjust thing when viewed from the standpoint of the cotton producer. In the first place, one natural result of these protective and prohibitive duties on cotton goods is to narrow his market and decrease the demand for his raw cotton. Again, he sells his raw material in the unprotected markets of the world, at a world price, and yet when he comes to buy back the very article that he originally produced and does buy it back in the shape of cotton clothing for himself and his family he must repurchase what is, in large part at least, the product of his own toil in the dearest and most highly protected market on earth. As a net result the Georgia farmer who makes the cotton is forced to pay a much higher price for cotton goods than the Englishman or the German or the Frenchman or, I believe now, even the Japanese, who transport Georgia-raised cotton across the broad oceans and make it into cotton cloth and clothing, which they sell to their own people cheaper than the cotton producer in Georgia can buy similar articles. It is unjust; it is unfair; it is inherently wrong.

Others may embrace the doctrine and engage in the "grab game," the "log-rolling system" that is constantly going on in Congress and throughout the country in order that they may get as much as they can for their own districts. That is a matter for each man to decide for himself. As for me, I can not do so, and never will. If certain gentlemen and certain interests are right, and it is indeed the demand of the so-called "progressive business man's South" that her Representatives shall engage in this game, then I confess that, though young in years, I am too old-fashioned in principle to subscribe to the doctrine and my district needs a more "progressive" Representative, for I can never support in whole or in part any legislation that but places a heavier burden upon the backs of my people, as this Payne bill does. [Applause.]

Mr. GAINES. I understood the gentleman to say that Brazilian coffee was a superior coffee.

Mr. HARDWICK. No; I did not. I said that when compared with the Mexican coffee, which is a cheap coffee, and the other cheap grades of coffee, that the Brazil coffee was the best and cheapest.

Mr. GAINES. If the gentleman will permit me.

Mr. HARDWICK. I have not but a minute or two more, unless the gentleman is very anxious to ask the question.

Mr. GAINES. I will refrain.

Mr. HARDWICK. I yield anyway.

Mr. GAINES. What I wished to say to the gentleman was this, that this country takes the great bulk of the Brazilian coffee.

Mr. HARDWICK. No; I want to say to the gentleman, from a study of the consular reports I am satisfied that is not true.

Mr. GAINES. But, at any rate, Mr. Chairman, the Brazilian coffee is sold only by the Brazilian Government.

Mr. HARDWICK. The truth of it is, if the gentleman will permit, that the Brazilian Government has gone entirely out of the coffee business. If the gentleman will read the consular reports, he will see that the Brazilian Government is now out of the business.

Mr. GAINES. The gentleman will find that the coffee of Brazil is sold by a monopoly and that the monopoly now exacts the last possible penny that their coffee will bring in the market up to the point where people buy coffee from other countries.

Mr. HARDWICK. That monopoly is just like all other monopolies; it exacts the last penny they can out of the consumer and will not sell to him for a penny cheaper than it is forced to pay by competition.

Mr. GAINES. And it can not charge any more under that countervailing duty.

Mr. HARDWICK. Oh, yes; it will make a difference of two and a half cents a pound more in the cost of coffee imported from Brazil. [Applause on the Democratic side.]

APPENDIX A.

Imports of coffee by countries, quantities, and values during the fiscal year ended June 30, 1908.

[Compiled from report published by Bureau of Statistics, Department of Commerce and Labor.]

	Pounds.	Value.
Europe:		
Austria-Hungary	66,594	$4,666
Belgium	6,500	358
France	215,190	26,459
Germany	634	93
Italy	1,930,800	226,835
Netherlands		
Portugal	7,850	1,734
Spain	26,412	4,154
Turkey in Europe	669,288	86,760
United Kingdom		
North America:		
Bermuda	200	22
British Honduras	119,942	15,729
Canada		
Central American States—		
Costa Rica	11,834,366	1,342,723
Guatemala	17,211,819	2,005,997
Honduras	494,922	60,128
Nicaragua	1,220,619	123,401
Panama	247,915	19,992
Salvador	9,212,595	909,684
Mexico	29,012,345	3,338,510
West Indies—		
British	3,410,795	276,638
Cuba	1,342	322
Dutch	117,250	11,724
French	132	24
Haiti	3,266,011	181,266
Santo Domingo	702,359	62,504
South America:		
Brazil	697,845,696	48,317,337
Chile	90	10
Colombia	47,963,700	3,953,445
Ecuador	106,490	17,468
Guiana—		
British	800	60
Dutch	233,374	36,071
Peru	2,597	301
Venezuela	51,610,511	4,837,362
Asia:		
Aden	2,737,908	417,354
Chinese Empire	26,000	4,000
East Indies—		
British India	2,464	332
Straits Settlements	407,228	35,181
Other British		
Dutch	8,769,832	1,124,098
Turkey in Asia	1,036,490	170,039
All other Asia		
Oceania, Philippine Islands		

EXPORT DUTY ON COFFEE.

Belgian Congo, 100 kilos 3 francs=$0.579.
Brazil:
Rio de Janerio, kilo 29.75 reis=$0.0162335.
Minas Geraes, ad valorem 6½ per cent.
Sao Paulo, kilo 41.4 reis=$0.0226044.
NOTE.—In addition to the duty above, coffee exported from the above-mentioned Brazilian States is subject to a duty of 5 francs per bag of 60 kilos. According to the decree of September 12, 1908, an additional tax of 20 per cent ad valorem is to be levied on all coffee exported from the State of Sao Paulo in excess of 9,000,000 bags during the crop year commencing July 1, 1908; in excess of 9,500,000 bags during the crop year beginning July 1, 1909, and in excess of 10,000,000 bags during succeeding crop years.
Ceylon, hundredweight 0.10 rupee=$0.032444.
Dominican Republic, per 46 kilos=$0.15.
Ecuador, kilo 0.005 sucre=$0.001455.
French Congo, ad valorem 5 per cent.
French Somali coast protectorate, 100 kilos 1 franc=$0.193.
Guatemala, 101 pounds, $1.
Haiti:
Coffee, 101 pounds, $5.
Coffee, broken and residues of 101 pounds, $2.50.
Nicaragua, 100 pounds, $0.40.
Portuguese possessions:
Cape Verde Island, kilo 4 reis=$0.00432.
Congo, 100 kilos 1$880 reis=$1.8144.
San Tome y Principe:
To Portuguese ports, kilo 16 reis=$0.01728.
To foreign ports in Portuguese vessels, kilo 30 reis=$0.0324.
To foreign ports in foreign vessels, kilo 45 reis=$0.04860.
Timor, picul 2$5.50 reis=$2.7216.
Salvador:
From the ports of Libertad and Acajutla, 46 kilos, $0.40.
Surtax, 46 kilos, 0.265 peso (silver)=$0.096725.
From the port of La Union, 46 kilos, $0.40.
Surtax, 46 kilos, 0.51 peso (silver)=$0.18615.
NOTE.—Compiled in the Bureau of Manufactures, Department of Commerce and Labor.

APPENDIX B.

VALORIZATION SCHEME.

The State of Sao Paulo, with assistance from the States of Rio de Janiero and Minas Geraes, purchased in 1908, 8,400,000 bags of coffee from the immense crop of 1906-7, warehoused it, and is holding it to defend the price of coffee by selling in other seasons when the crop is short. This is called "valorization of coffee," and prohibits further extension of acreage, limits the exportation beyond a fixed amount by a progressive tax on exports in excess of 9,000,000 bags in 1907, 9,500,000 the next year, and 10,000,000 each succeeding year, the last amount covering the maximum annual average produced in the State of Sao Paulo.

The excess of the amount produced over that allotted for export will be stored in Sao Paulo warehouses and made the basis of advances of money to the middlemen, and by them to the producers.

The coffee is not held by the Government, but by the middlemen and producers. Certain American, German, and English financiers agreed to take two-thirds of the $73,000,000 loan asked for by the Sao Paulo Government, and French financiers the balance. Under the loan contract the State goes out of the coffee business, so far as present contracts admit. Prior to this the Government met all the expenses incurred, partly from the treasury and partly by loans.

In 1907 the Government had borrowed $93,011,297 upon coffee bought by the Government and stored.

It expended $4,644,900 on loan repayment and $71,173,566 for purchasing coffee, leaving a balance of $17,192,826 for premium on loans, payment of interest, and other expenses.

The entire valorization scheme is based on a 3-franc (58 cents) surtax on exports. In 1907 this tax of 3 francs was levied on each bag exported and yielded a revenue of $7,112,475. All the expenses incurred in the defense of coffee, interest, commissions, difference between par value and rate sold of the external loans, publications, traveling expenses ($6,388,318) come from this tax.

A bag of coffee is 132 pounds. The tax, 58 cents, is about ½ cent a pound.

At the end of 1907 the state had 7,700,000 bags of coffee stored in Havre, Hamburg, Bremen, Antwerp, London, Trieste, Marseille, New York, and New Orleans, and 657,000 bags in Santos.

Under the new arrangement, by which the state goes out of the business, a surtax of 5 francs per bag is to be levied on coffee exported, and 20 per cent ad valorem on all exports in excess of 9,000,000 bags. The surtax will be about eight-elevenths of a cent per pound, and 20 per cent ad valorem.

In 1907 the average import price of coffee at New York was 7.9 cents per pound, and in 1906, 8.6 cents. Twenty per cent of this is about 1.6 cents per pound, making a total tax of about 2¼ cents.

Brazilian imports—1907–8.

	Bags.
New York	3,334,712
New Orleans	1,791,626
Charleston	10,000
San Francisco	108
Total	5,136,446

See Consular Report, No. 336, September, 1908.
See Consular Report, No. 339, December, 1908.

APPENDIX C.

NEW ORLEANS COTTON EXCHANGE,
New Orleans, January 30, 1909.

Hon. THOMAS W. HARDWICK,
Member of Congress, Washington, D. C.

DEAR SIR: I am in receipt of your favor of the 20th instant, acknowledging my letter concerning the request of the cotton exchange to the honorable Secretary of Agriculture to institute an investigation looking toward increasing the uses of cotton. I also note your request for some data in the matter of the tariff on jute bagging. I beg to thank you for the interest you are taking in both of these matters, and in relation to the latter I give you the following details:

Jute bagging for covering cotton is taxed now six-tenths of a cent per square yard, or, say, 73½ cents per 100 yards, costing the cotton farmer (who uses an average of 6½ yards per bale) in duty 4¾ cents on every bale of cotton grown in America.

Steel cotton ties at present are protected by a duty of five-tenths of a cent per pound, or 22½ cents per bundle, which contains enough for five bales of cotton, making cost to farmer in duty 4½ cents on each bale of cotton grown, which, together with the above-mentioned duty on bagging, brings the total protection afforded the American trusts engaged in making bagging and ties 9 cents per cotton bale, which is taken out of the southern farmers' pockets, while the more fortunate growers of wheat in the Northwest get their binder twine free of duty.

The bagging industry of America is under the control of three concerns, namely, the American Manufacturing Company, of New York; the Ludlow Manufacturing Associates, of Boston; and the Peru Bagging Manufacturing Company, of Peru, Ind., who for many years past have worked under an agreement as to prices, output, etc. Independent mills have been bought by the bagging trust and dismantled.

The importations during 1907 of bagging were about 20,000,000 square yards, or, say, 16,363,636 running yards, and the major portion of same were imported by those in control of the American Manufacturing Company, in New York; and this year the same condition of affairs will exist, because of heavy purchases abroad already of this class of bagging by the American Manufacturing Company.

No cotton ties have been imported for several years, as the Carnegie Steel Company keeps the price at a point equal to cost of importing. For several years past the distribution and sale of cotton ties made by the steel trust has been in the hands of those in control of the bagging trust.

The present cotton crop looks to be 13,000,000 bales, so you may see the tax the cotton farmer is called upon to pay as a tribute to the bagging and tie trusts of America is quite considerable.

Some note may be made of an apparent inconsistency of the cotton exchange in that it advocates the extension of the use of cotton and at the same time declares in favor of free jute bagging. When properly understood there is no inconsistency herein. The exchange advocates the removal of the duty on foreign bagging, first, because as yet no satisfactory method has been discovered for manufacturing cotton bagging, and, in the second place, we believe that it will be to the interest of the American producer of cotton to buy his bagging as cheaply as possible. Inasmuch as the cotton farmer is the only user of bagging, any increase in the price thereof would fall directly and solely upon him. It is our opinion that any advance in the price of cotton that might be brought about by the compulsory use thereof for bagging would be more than offset by the increased cost to the farmer of marketing his cotton.

If I can give you any further information on this subject, command me.

Very truly, yours, W. B. THOMPSON, *President.*

Mr. FOCHT. Mr. Chairman, a great philosopher and publicist, and former Speaker of this House, Thomas B. Reed, in discussing the tariff, once declared that he cared not for pedantic maxims, nor for theory, nor for how the proposition might sound, or how it would look; what he wanted to know was, How does it work?

Now, Mr. Chairman, I believe the tariff enactments by the Republican party have all worked out well. I propose to vote for this measure, as presented by the Committee on Ways and Means, but, Mr. Chairman, I wish to call attention to one paragraph in that bill to which I am obliged to raise objection.

It is proposed to take the duty from hides for the reason that we do not produce enough to supply the consumers. I also find that it is proposed to take the tariff from bituminous coal, when it is known to every Member of this House that we produce bituminous coal in nearly every State in the Union. The propositions seem to be absolutely contradictory, and inasmuch as the last will impose disaster, if not complete ruin, on the operators of my district, if I have no other opportunity than this, I desire to enter my protest against taking the tariff from bituminous coal. I desire also to file several letters on this subject.

HUNTINGDON COAL COMPANY,
Huntingdon, Pa., March 25, 1909.

Hon. B. K. FOCHT, *Washington, D. C.*

DEAR SIR: Your telegrams received this evening. In our judgment free coal will be a very decided injury to our district. Thanking you for your inquiry, we are,

Yours, very truly,
JOHN LANGDON.
JOHN WHITE.
E. A. MILLER.

ROCKHILL IRON AND COAL COMPANY,
OFFICE OF PRESIDENT AND GENERAL MANAGER,
Orbisonia, Pa., March 26, 1909.

Hon. B. K. FOCHT,
House of Representatives, Washington, D. C.

MY DEAR MR. FOCHT: After making careful inquiry, I have wired you, in reply to your esteemed inquiry, as follows: "Bituminous-coal operators in the central Pennsylvania district, so far as I can ascertain, are opposed to reciprocal free trade with Canada."

The Payne bill would probably benefit the bituminous-coal operators of northwest Pennsylvania and also of New York State, where freight rates would admit of their shipping coal into Canada, but Canadian coal shippers would knock out the trade of central Pennsylvania operators in the New England States, and we would have no opportunity to compete with them in their own territory.

With assurance of our appreciation of the interest you have taken in our behalf,

Very truly, yours, R. S. SEIBERT, *President.*

In attempting the important task of revising the tariff, an undertaking the effects of which will be so far-reaching that the keenest prophet will hardly venture to be too precise in his predictions, it will be the part of wisdom not to lose sight of the landmarks that indicate the economic progress of the United States ever since the beneficent policy of protection has blessed both the manufacturer and the workingman. By virtue of the operations of the protective tariff we have attained a degree of national opulence never dreamed of fifty years ago. Before that time we were almost wholly an agricultural people. To-day we are a nation of manufacturers than whom the world knows no greater. The product of our factories in the aggregate is the marvel of the world. Under the Republican policy of protection the wealth of the country has increased nearly sixfold; its foreign trade threefold; the value of manufactured products nearly sevenfold; wages in manufacturing establishments nearly sixfold; the number of wage-earners more than three-fold; and our mileage of railroads more than sixfold. When the Republican party came into power our wealth per capita was about one-third of what it is now. Then the balance of trade against us was something like $20,000,000 a year. For the year 1908, our imports were $1,116,449,681, and our exports $1,728,668,188, a balance in our favor of $612,218,507.

HOLD ON TO A GOOD THING.

While, of course, a reversal of such a policy would be almost national suicide, and does not enter the imagination of anyone save the most harebrained free trader, even a serious modification of it would spell ruin to a number of important domestic industries. I do not hesitate, Mr. Chairman, to admit that I am fixed in my belief that there can not be put into successful operation free trade between the nations of the earth until labor and other conditions are equalized. Far better wait for the elevation of the European standard than lower our own. I believe when you have a good thing you ought to keep it. All this talk about it being necessary to reduce our tariff rates in order to enable us to acquire new markets for our manufactured products is, in my opinion, the merest moonshine. Other nations who have become converted to the doctrine of protection do not seem to be impressed with that sort of argument. Germany has a stiff protective tariff, and yet she is giving free-trade Great Britain, with all the latter's commercial prestige, the closest rub in the competition for foreign trade which that nation has ever experienced. France is not moved by any altruistic folderol when she raises her tariff rates in such manner as to discriminate almost viciously against the products of the United States. Bismarck, the greatest statesman Europe has known in the last half century, and who was most accomplished in the game of international politics, used to say that dealing with the tariff was a game in which the other fellow is duped. Well, Mr. Chairman, if that is true, then let us see that we are not "the other fellow."

It was due to Bismarck that Germany adopted the protective tariff policy, and to it she owes her present commanding position in the world of commerce. England has been a free-trade nation ever since Cobden formulated her commercial policy. She was forced to be such, because she needed the raw material of the world for her great diversified manufacturing industries, and was willing to become the dumping ground for the surplus of the world's fields so as to give her manufacturers their material as cheaply as possible. But of late a new light is shining even there. A constantly increasing number of British economists are of the opinion that the time is rapidly approaching when free trade must make way for protection, and when that time comes, Mr. Chairman, we may be sure that "John Bull" will look out for number one, as he always does.

WHAT THE DINGLEY TARIFF HAS DONE.

The Republican party by its latest national platform and through the utterances of the distinguished citizen who now sits in the presidential chair, is committed to a revision of the tariff. It ought to make good its pledge. It ought to and will revise the schedules of the Dingley tariff, under the operations of which the capital invested in manufacturing industries, the number of wage-earners, and the aggregate of wages paid have increased by hundreds of millions. They say that the steel and iron business is a pretty good barometer, so far as the prosperity of the country is concerned, and I guess that comes very near to being the truth. Well, then, Mr. Chairman, the Dingley tariff went into effect actually in 1898. In that year our exports of manufactures of iron and steel, according to the Statistical Abstract of the United States, were $70,406,885; in 1907—ten years later—they were, so the Monthly Summary of Commerce and Finance of the United States informs us, $197,066,781, an increase of nearly 300 per cent. Not so bad for a tariff created in accordance with a policy which, its adversaries claim, makes foreign markets inaccessible.

THE REPUBLICAN PARTY'S PLEDGE.

Though revision is the slogan of to-day, and we are bound to live up to our promises, I doubt if the revision which some people seem to have in mind, which would play the mischief with some of our industries, and would simply compel us to devise new taxes to cover the deficit in our Treasury, is just the thing the people of this country are hankering after. The tariff plank of the Republican national platform declares that—

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries. * * * the aim and purpose of the Republican policy being not only to preserve, without excessive duties, that security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-earners of this country, who are the most direct beneficiaries of the protective system.

In view of this declaration, it is of interest to give a few figures showing how the tariff of 1897—the Dingley tariff—has operated in regard to wage-earners. Again I take the year 1898 as the year in which the Dingley tariff actually went into effect. The following table shows the increases for each year until and including 1906, as given in the Statistical Abstract for 1907:

Year.	Employees.	Hours per week.	Wages per hour.	Full time week's earnings per employee.
1898	106.4	99.7	100.2	99.9
1899	112.1	99.2	102	101.2
1900	115.6	98.7	105.5	104.1
1901	119.1	98.1	108	105.9
1902	123.6	97.3	112.2	109.2
1903	126.5	96.6	116.3	112.3
1904	125.7	96.9	117	112.2
1905	133.6	95.9	118.9	114
1906	142.9	95.4	124.2	118.5

short. This is called "valorization of coffee," and prohibits further

Very truly, yours,

W. B. THOMPSON, *President.*

We see from this that since the Dingley tariff took effect the number of wage-earners has steadily grown; their relative hours of labor have greatly diminished, and yet their earnings as steadily and considerably increased. This increase in the number of wage-earners is directly traceable to the operations of the protective tariff which has been the cause of the investment in this country of hundreds of millions of foreign capital, which, under a policy of free trade, would have been invested elsewhere. Many foreign-manufacturers shut out of our market or heavily handicapped by the heavy duties imposed by our tariff, but attracted by the business our home market offers, have established plants here or invested their money in stock in plants already existing, thereby enlarging their capacity.

THE WORKINGMAN'S OPPORTUNITY.

No statistics are available to show just how much of such foreign capital has been brought here, but it is safe to say that hundreds of millions of dollars have in this manner found their way to our shores. The foreign capitalists would undoubtedly have preferred to keep their capital at home if they could have reached our home market in another way. But the protective policy compelled the investments, and thus American labor was given the opportunity to make many products that foreign labor would have made but for the tariff. There is comfort in the contemplation of the fact that even if the cost of living on this side of the water is somewhat greater than it is in England or France or Germany yet the earnings of the American workingman are so much better that he can afford to maintain a very much higher standard of living. Again it is the tariff that has made wages higher and placed the American workingman where he is envied by all his fellow-workers the world over.

Look at our immigration. In 1898 there came to our shores 229,299. Year by year the number grew until in 1907 there came a host of 1,285,349. What does this prove, Mr. Chairman? Why, that the opportunity to earn a livelihood was here; that the demand for workingmen was steadily growing, and that the wages paid here were alluring. People do not go to places where there is no work for them, and again it is the protective tariff that gave birth to, or made it possible, to enlarge the industries in which all these millions found ready employment. Some of these immigrants do not make desirable citizens, but they would not come if it were not for the inducement of better conditions. This is the house that "Jack Tariff" built and which he filled full of everything that man needs for the comforts of life.

There is in the tariff clause of the Republican platform which I have quoted, a declaration that the duties to be imposed should be such—

As will equal the difference of the cost of production at home and abroad, together with a reasonable profit to American industry.

That is the crux of protection. Our tariff does nothing more than "equal the difference of the cost of production at home and abroad." It protects the American manufacturer against the importation of articles made by the poorly paid labor of Europe and the Far East, and it protects the American workingman against having to come down to the level of that poorly paid labor. It insures that reasonable profit to American industries; only that and nothing more. It behooves us, therefore, in taking upon ourselves the revision of the tariff schedules, to be careful not to disturb the balance in the one scale of which is the welfare of the American manufacturer, and in the other the welfare of the American workingman.

The dairy business is among the leading industries of my district. Pennsylvania ranks sixth in the list of dairy States, and the counties composing my district are in the very forefront of the business in the Keystone State. I shall trespass upon the time and patience of the House long enough to show by census statistics the great proportions of that business in this country and in my State. In the census of manufacturing industries, taken in 1905, we find the following as to butter, cheese, and condensed milk:

	1905.	Increase, 1880-1905.
		Per cent.
Number of establishments	8,926	127
Capital	$47,225,556	392
Salaried officials, clerks, etc	3,507	
Salaries	$1,376,007	
Wage-earners, average number	15,557	96.08
Total wages	$8,412,937	444
Miscellaneous expenses	$4,074,268	
Cost of materials used	$142,920,277	678.3
Value of products	$168,182,780	533.3

For Pennsylvania the figures show the extent of the industry and its growth from 1900 to 1905:

	1900.	1905.
Number of establishments	749	645
Capital	$3,003,128	$3,649,110
Salaried officials, clerks, etc	127	311
Salaries	$45,560	$88,560
Wage-earners, average number	976	1,218
Wages	$445,708	$556,310
Miscellaneous expenses	$116,195	$237,544
Cost of materials	$8,711,685	$10,299,009
Value of products	$10,250,009	$31,581,115

Pennsylvania dairies produced in 1905 butter and by-products to the amount of 288,540,218 pounds of the value of $9,298,311; cheese and its by-products to the amount of 41,664,181 pounds of the value of $1,024,574, and condensed milk and its by-products to the amount of 40,720,400 pounds of the value of $1,234,417.

FREE TRADE IN DISGUISE.

Our exports of these commodities amounted in 1904, according to the report of the Bureau of Statistics on "Commerce and navigation of the United States," to 10,717,824 pounds of butter, valued at $1,768,184, and 23,335,172 pounds of cheese, valued at $2,452,239. Now, the present tariff imposes a duty of 6 cents per pound on butter and the same on cheese. Reduce that tariff and you destroy the differential of the cost of production at home and abroad, which to maintain the Republican party has given its solemn pledge no less than the pledge to revise the tariff. I realize full well that it will be practically impossible to construct a tariff that will please everybody. Even the Republican tariff builders, with all their experience and all their painstaking labor, will make mistakes. Of course, they will not bring forth anything so ill fitting as the Wilson tariff, which even President Cleveland, when he unwillingly signed it, declared to be a crime against the country and which, for the period of its operation, cast a blight upon the industries of our land.

But as there is nothing perfect that is made of human hands, so this tariff, which is to be the fruit of this extraordinary session, will lack perfection. Recognizing the fallibility of our judgment, it behooves us to be all the more careful as to possible mistakes, and so to guide our final decisions that no injury shall be done to any of the industries which by virtue of the protective tariff have reached their present degree of prosperity and have unmeasurably benefited the American workingman.

There is a school of political economists, Mr. Chairman, whose contention is that the reduction of tariff duties would bring more revenue to the Government by increasing the volume of imports. Let us see how this would work. We imported in 1907 in dutiable goods $773,448,834; our duty-free imports amounted to $641,953,451. Of the total imports of $1,415,402,285 (see Statistical Abstract for 1907), therefore, 45.35 per cent came in free of duty. Our average ad valorem duty on dutiable articles was 42.55 per cent. Cut this in half and we would have to import $1,546,897,668 in order to bring into the Treasury the same amount of revenue derived from present tariff rates. Or, to put it another way, with a tariff only half as high as the present, instead of importing $1,415,402,285, we would have to import $2,830,804,570 to raise the same revenue, and would have to deprive American capital and American labor of their legitimate activity to just that extent. No, Mr. Chairman, this deceptive argument of your tariff-for-revenue-only economist, charm he ever so wisely, falls upon deaf ears as far as I am concerned. It is free trade in disguise, and that flower by another name smells just as bad.

REDUCTION IN THE IRON AND STEEL SCHEDULE.

We have heard a good deal, Mr. Chairman, in the course of the recent tariff hearings about Mr. Carnegie's statement before the Ways and Means Committee, to the effect that there is no further need for import duties on steel and iron. Mr. Carnegie is no longer in the iron business. He has made his pile and sits snug and warm, and the marvelous income which he derives from the underlying bonds, not of the United States Steel Corporation but of the properties which he sold to that concern, enables him to scatter far and wide throughout this blessed country libraries, large and small, for the benefit of its people. That is all right; and yet, Mr. Chairman, this opinion of the Laird of Skibo reminds me much of the story of that wealthy lady who, coming in from the street on a raw, cold, winter day, called her butler and directed him to send a ton of coal to a certain poor family. She sat down by the cozy open grate fire,

had a dainty luncheon, and felt warm and comfortable. Her butler entered and asked for the address of the poor family, when the lady said:

You need not mind sending the coal now, Jeffries; the weather has moderated a good deal.

I truly believe that the weather has moderated considerably for Mr. Andrew Carnegie.

There may be a schedule here and there, Mr. Chairman, a slight reduction of which may not work irremediable injury to the industries affected by it. It may be that our supply of iron ore is so abundant that it will more than supply the demand at home and from abroad. It may be that our iron and steel manufacturers have attained such a degree of skill in the production of their wares that they can hold their own against all foreign competition, even if the duty on such imports should be reduced.

I shall not be so presumptuous as to constitute myself their mouthpiece. They are fully competent to state their own case and state it much more effectively than I can possibly make it. I shall simply point to the testimony of Mr. Gary, the president of the United States Steel Corporation, and others now actively engaged in the iron and steel manufacturing business, and put their contention that the industry can not prosper without the protection of the tariff against Mr. Carnegie's opinion to the contrary. But this particular instance will serve quite acceptably as an illustration of how great minds do not always run in the same channels, and how doctors may differ, especially when one of them has gone out of practice and the others are still in it.

NOT A NEW ISSUE.

In 1904 the Republican platform said, as did the platform of 1908, that—

The measure of protection should always at least equal the difference in the cost of production at home and abroad.

But it added:

Rates of duty should be readjusted only when conditions have so changed that the public interest demands their alteration.

And still further on:

When the only free-trade country among the great nations agitates a return to protection, the chief protective country should not falter in maintaining it.

In the Republican Campaign Book of 1904 will be found the following utterance:

Much has been said during the past year as to the importance of a revision of the present tariff. To this it is only necessary to say in reply that the Republican party has adjusted, revised, increased, or reduced the tariff whenever such adjustment, increase, or decrease seemed necessary during all of the forty years since it assumed government in 1861. In that period of forty years there have been more than 20 different tariff changes. A considerable number of these have been changes of a broad, general character, many of them increases or decreases all along the line, while others were of less importance and relating to certain classes of merchandise only, but any of them sufficient to show the willingness of the Republican party at any period of its control to make any necessary changes, revisions, or reductions which, in view of new conditions, may be demanded by public opinion.

The declarations of the platform of 1904 and the citations from the campaign book are all on a line with what we—I mean Republicans—have contended for and admitted during the last presidential campaign.

In the industrial and commercial fields there are continually warring and changing ideas as to the exactness of one schedule or another, and as to the propriety of making the free list contain a larger or a smaller number of articles. Congress responds to the demands of the people, while the people determine the whole matter according to their varying interests. Transpositions from the free to the dutiable list, and vice versa, are constantly occurring, all depending at last upon a real or supposed advantage to the people and responding to their demands.

NO STEP BACKWARD.

I have already adverted in passing to the deficit with which the National Treasury is confronted. There will be no actual deficit at the end of the current fiscal year, because of the cash balance in the Treasury of $250,000,000. At the close of the fiscal year 1910, however, the deficit will be actual at the present rate of income and expenditure, and it behooves the Republican party to provide for that contingency. We may as well familiarize ourselves with one fact: Our expenditures are not going to be any less; on the contrary, quite the reverse. Our country is growing constantly; the functions of the Government are enlarging as a result of that growth; its needs consequently will also become larger.

WE ARE GROWING.

As a nation, Mr. Chairman, we are still in our adolescence. Uncle Sam is a lusty youth, and not only does he need from time to time an enlargement of his garments, but also such adornment as will make it possible for him to hold his own among the nations of the world. You may talk as you please, but our navy is bound to increase; you may talk as you will, but our army will not get smaller.

The agricultural interests of the country will demand what is due to their importance. Good roads must be built for the greater convenience of the farmer. Commerce will demand the establishment of interstate waterways, of canals that shall join the waters of the Great Lakes with those of the Gulf, and that also will make it possible to load a vessel at Chicago and send her straight to the Atlantic Ocean without a transshipment of her cargo. Our rivers must be maintained or made navigable, as the case may be. The Panama Canal must be completed, no matter how great a cost, for the pride of the American people will not permit a halting there. The national capital must be made truly national in that it must keep step with the growth of the Union, and herein, too, the people at large must take a part. All this costs money, and while for some enterprises—such as the Panama Canal, the inland waterways, and the building of good roads—a bond issue would be permissible and, I think, practical, as a partial solution of the fiscal problem, there is yet not much room for a radical reduction of tariff duties.

As I said at the beginning of my remarks, the pledge for a revision of the tariff has been given. We must not go back on our promise. But I venture to express the hope, Mr. Chairman, that there will be no revision that will not be wholly in keeping with the time-honored shibboleth of the Republican party—protection for American industries and American workingmen.

Mr. GARDNER of Massachusetts. Mr. Chairman, the impression seems to prevail in this House and to some extent throughout the country that the boot and shoe manufacturers have always said that if they should be given free hides they would be willing to see the duty removed from boots and shoes. Now, the gentleman from Missouri [Mr. CLARK], in speaking the other day, said that he had searched through the evidence given on the leather schedule before the Committee on Ways and Means and that it had been somewhat altered. I do not think he was correct, because I have the original print under my hand. I acknowledge, however, that I was present at the hearings and heard with some dismay the evidence given by makers of certain kinds of leather and by makers of fine boots and shoes. I feared lest the committee might think from the evidence offered that the whole shoe and leather trade was willing to abandon all protection for its product in return for free hides.

VIEWS OF THE BOOT AND SHOE TRADE.

In examining the evidence, however, I found that in but a single instance did any witness speak for any one except himself in venturing the opinion that free raw materials would enable him to face the world's competition without protection. It is true, however, that Mr. Charles H. Jones, representing the New England Shoe and Leather Association, our best-informed witness, probably, made answer to Representative Cockran, of the committee, in a manner which needs some explanation.

Mr. Cockran said:

I assume, and for the purpose of the argument you can assume it as your remark, that the giving of free raw material would enable you to take your chances without protection.

Mr. Jones replied:

I am glad to say that I am on record in a statement to the effect that I shall be very glad to see shoes absolutely free if all the leather and other materials were free. The New England Association is united in that view at this time.

I was surprised at this view of the matter, as I believed that many of my constituents who did not make fine shoes felt quite differently on the subject. Nevertheless, as I entirely appreciated the difficulties under which even so good a witness as Mr. Jones labored, I felt that he probably missed the drift of Mr. Cockran's question.

Five days later, those hearings were held on November 28, 1908, the New England Shoe and Leather Association, through their president and their secretary, filed with the Committee on Ways and Means this letter, of which I shall read the beginning:

DEAR SIR: It has been repeatedly stated by the local press since the hearings on the hide and leather schedules held before your committee on November 28 that the tanners and shoe manufacturers present would not object to the removal of the duty on leather and shoes if hides and tanning materials could be admitted free. As such articles seem to be based on the statements made by our representatives before your committee, we think it perhaps wise that they should be corrected, and that the attitude of the members of our association should be made clear.

Then the letter goes on to say that certain grades of fine shoes probably need but little protection, but that other grades require a tariff of from 10 to 25 per cent.

The gentleman from Missouri [Mr. CLARK] called attention

created an artificial sentiment among the farmers in favor of

certain poor family. She sat down by the cozy open grate fire,

Uncle Sam is a lusty youth, and not only does he need from time to time an enlargement of his garments, but also such probably need but little protection, but that other grades require a tariff of from 10 to 25 per cent.

The gentleman from Missouri [Mr. CLARK] called attention to the fact that I myself three years ago in this House asked him if he would support a proposition for free hides, coupled with a proposition to take the duty off the products of leather. That was on January 5, 1906. I asked that question of him in the middle of his speech, because I wanted to ascertain his position, not because I wished to give my own.

Eight days later, January 13, 1906, when I addressed the House on this subject, I definitely stated my position, and this is what I said: If I thought that such a rule could be brought in, I should go before the Ways and Means Committee with a bill for free hides, free sole leather, and a duty of 10 cents per pair and 10 per cent ad valorem on boots and shoes.

In that same speech I stated that 35 per cent of the manufacturers in my district could not stand free boots and shoes. On January 19, 1906, I reiterated this statement in a discussion with the gentleman from New York [Mr. PERKINS], when he told the House that the shoemakers in his district did not care for any protection. I thought then, as I think now, that the gentleman's enthusiasm had run away with him. Again, in debate with the gentleman from Mississippi, Mr. Williams, I stated specifically that 35 per cent of the makers of shoes in my district could not afford to exchange free shoes for free hides. The percentage to-day is much greater. This discussion of March 6, 1906, with Mr. Williams, of Mississippi, contains some very significant matter.

In December, 1905, Mr. Williams introduced a bill to amend the leather schedule. A copy of that bill I held in my hand. I questioned Mr. Williams about that bill on the floor of the House, and this is what he said in reply:

> It is in absolute keeping with the Democratic doctrine of the Walker tariff, the greatest distinctive tariff that this country ever saw in all its history.

That sentence makes mighty interesting reading at the present time, because the Williams bill is almost exactly like the leather schedule reported by the Committee on Ways and Means in the Payne bill.

To be sure, Mr. Williams did not provide for free hides. He provided for a 5 per cent duty on hides, but subsequently, I believe, he introduced a bill for free hides. He provided for 7 per cent on sole leather, and your committee has reported 5 per cent on sole leather; he provided for 12½ per cent on upper leather, and your committee has provided for 15 per cent on upper leather; he provided for 15 per cent on boots and shoes, and your committee has provided for 15 per cent on boots and shoes. The leather schedule of the Payne bill, of which you on the opposite side of this Chamber complain, bears a singular resemblance to the bill which Mr. Williams told the House was absolutely in accord with Democratic doctrine.

Mr. Chairman, this House has been given so much misinformation as to the facts that a short account of the history of the hide duty and the leather schedule will do no harm.

HISTORY OF THE HIDE DUTY.

During the civil war, when it was necessary to tax everything possible, a 10 per cent duty on hides was imposed, but in 1872 hides were put on the free list, and there they remained during the tariffs of 1875, 1883, 1890, and 1894. Meanwhile the duty on boots and shoes varied from 20 per cent to 30 per cent, and the duty on upper leather remained pretty constantly at 20 per cent, while the duty on sole leather never has been lower than 10 per cent.

Even in the Wilson Act the Democratic party only reduced the duty on boots and shoes to 20 per cent, leaving the duty on upper leather and sole leather where it stood in the McKinley Act.

In 1897 the Dingley Act imposed a duty of 15 per cent on hides and at the same time raised the duty on boots and shoes only from 20 per cent to 25 per cent, leaving upper leather unchanged.

I have examined hearings held during the preparation of the McKinley Act, the Wilson Act, and the Dingley Act, and find that not one single individual, be he farmer or be he butcher, even by letter or by word suggested the imposition of a hide duty. Whence came the pressure which resulted in this anomaly no one can now discover.

The Dingley bill passed the House with hides on the free list, but in the Senate a high duty was added. Subsequently the conference reduced the figure to 15 per cent.

IS THE LEATHER SCHEDULE SUFFICIENTLY REDUCED?

Whether or not this duty was imposed at the instigation of the great Chicago packers I do not know. Whether or not a hide in the hands of a packer is entitled to the same protection as a hide in the hands of a farmer I do not pretend to say. Whether of late years the packers have financed a campaign which has created an artificial sentiment among the farmers in favor of this duty is beside the question.

The fact remains that this sentiment undoubtedly exists, and it must be reckoned with. I impute no blame to you Members who honestly admit that you oppose free hides because your people oppose free hides, but I confess that I lose patience with gentlemen who conceal themselves behind the pretext that they can not vote for free hides because, forsooth, the leather duty and boot-and-shoe duty have not been sufficiently cut. How much would you have them cut? Would you ruin men before you were satisfied, for ruin is spelled by free calfskin leather and free patent leather, and ruin is spelled by free boots and shoes, so far as a substantial minority of manufacturers is concerned.

It is not a fair trade, you tell me, because the duty is entirely removed from hides, and yet the duty on shoes is only reduced 40 per cent and the duty on upper leather only 25 per cent. Why is it not a fair trade, pray? The duty on shoes and leather is reduced to a point lower than it has been for half a century, lower than it was before the duty on hides was imposed in 1897.

If the duty on upper leather was raised not at all, and the duty on shoes was raised but from 20 per cent to 25 per cent when hides were made dutiable, surely more than justice is done if we reduce those duties now by more than they gained under the Dingley Act.

It is an old, old question as to the difference that the duty on hides makes in the cost of a pair of shoes. I am coming to that question later, but for present purposes we can all agree that no one believes it amounts to as much as 15 cents. Yet the reduction in this bill of the duty on shoes from 25 per cent to 15 per cent curtails the shoemakers' protection by from 15 to 50 cents. The duty on a pair of $5 shoes to-day is $1.25.

The duty on the same shoes under the Payne bill would be 75 cents, or 50 cents less protection for the shoemakers. Suppose that shoes as cheap as $1.50 a pair should be imported. To-day they would pay 37½ cents duty; under the Payne bill they would pay but 22½ cents, a loss of 15 cents protection. On the one hand we know that free hides could not help the manufacturer as much as 15 cents per pair, and on the other hand gentlemen draw long faces because the shoe trade thinks that from 15 to 50 cents a pair is quite enough of their protection to forego in return.

I have talked enough about trading and trades. If a duty can not stand on its own merits, it should not stand at all, no matter whether gentlemen wish to tie it up with some other duty or not.

DOES THE HIDE DUTY SQUARE WITH THE PROTECTIVE DOCTRINE?

That which is raw material for one man is the finished product of another. True enough; and protectionists admit that every finished product presents a prima facie claim for protection, provided that it can prove that it needs it; but no product may claim a rate of duty in excess of its need of protection. Neither should any protection be afforded when the resultant harm offsets the utmost possible good.

We protectionists believe that duties should be imposed for two distinct reasons: First, to encourage additional home production of a given article; second, to prevent domestic goods being supplanted in our market by foreign goods. Few of us believe that a protective duty should be so high as materially to exceed the difference in the cost of production abroad and at home.

Let us see how nearly the duty on hides conforms to these requisites. Does it encourage the breeding of a single additional animal? It certainly has not done so as yet, for our population is increasing faster than the number of our cattle. Who ever heard of a farmer consulting the quotations on hides before deciding whether to raise more stock or not? It is the price of beef that governs. The hide is but a small part of the value of an animal. If the people demand more beef, the farmer breeds more animals; but if the people demand more leather, no one raises more hides, for such an act would simply result in overstocking the market with beef.

Does this duty furnish a market for a single American hide? Not for a single one. We use all our own hides and also a great many more which we import. The world's demand for leather is outstripping the world's demand for beef. Every hide taken off every animal in the world finds a ready market, and hides continue to rise in price because the supply fails to meet the demand.

Prophecies are dangerous, but, in my opinion, whether this duty is removed or not, hides will gradually rise in price. Of this we may be sure, that whether the scale be up or down the price in this country will be just so much lower as the duty is less.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. GARDNER of Massachusetts. Yes.

Mr. COX of Indiana. Do I understand from the force of the gentleman's argument that the rising price of hides will be governed exclusively by the law of supply and demand?

Mr. GARDNER of Massachusetts. I think it would be largely governed by the law of supply and demand.

Mr. COX of Indiana. Then, if the constant rising price of hides is governed exclusively by the law of supply and demand, why will not the same law of supply and demand govern the price of other commodities?

Mr. GARDNER of Massachusetts. I think the law of supply and demand at any one particular time governs the price of most products, especially by-products. I am not one of those people who think that the laws of trade are substantially interfered with by attempted or imaginary manipulation of the market.

Mr. WEISSE. May I answer the gentleman's question, I will ask the gentleman from Massachusetts?

Mr. GARDNER of Massachusetts. I yield.

Mr. WEISSE. Mr. Chairman, we being the largest tanning people in the world, no doubt we will establish the price for hides in the world. We tan and can tan probably 80 per cent of the hides produced in the world, provided we can get them in here at the same price foreign countries can get them.

Mr. GARDNER of Massachusetts. Mr. Chairman, in answer to the gentleman from Indiana [Mr. Cox], I do not want to go into an economic discussion. Therefore I will briefly outline my views by saying this: I believe that the law of supply and demand fixes the price of any article for the time being. This economic law, of course, is modified by considerations of future cost of production. In the long run, except in the case of articles whose production is limited by a law of nature or in some other way, cost of production must ultimately control value.

Mr. COX of Indiana. Will the gentleman yield in this connection?

Mr. GARDNER of Massachusetts. Yes.

Mr. COX of Indiana. If the law of supply and demand inevitably fixes the price of an article, in the gentleman's opinion or judgment, can that law of supply and demand be controlled by legislation?

Mr. GARDNER of Massachusetts. Oh, that is an academic question, and, besides, the gentleman misquoted me. I said "at any particular time" the law of supply and demand governs, under certain modifications. Everybody knows that the cost of production must of necessity in the long run control the value of products which can be produced in unlimited quantity. Supply and demand themselves are, to a great degree, determined by cost of production.

Mr. CLARK of Missouri. Mr. Chairman, just one question: Is it not true that notwithstanding the higher wages paid to men and women working in these shoe shops, yet, on account of their extraordinary skill, American shoes are really produced much more cheaply than the shoes of anyone else?

Mr. GARDNER of Massachusetts. Certain kinds. I will come to that later if my time is not cut off. I shall go very extensively into that question. Let me get ahead a little with my argument.

That the protectionist's doctrine of the equalization of labor cost does not enter into this hide question, I need hardly point out. If the United States is at any disadvantage in comparative labor cost, the difference is infinitely small and quite indistinguishable from the general cost of raising beef. Does any one seriously maintain that this difference amounts to 15 per cent of the value of the product?

WHO REAPS THE BENEFIT?

I realize perfectly well that there are other reasons than those already given which impel Congressmen to vote for the protection of a given article. The foremost reason of all is the fact that their constituents are human and therefore desire a duty, right or wrong, on whatever article they produce. No one knows better than I that the great obstacle which impedes the repeal of the hide duty lies in the fact that in this country there are more cows than shoemakers. I see clearly enough that we must persuade the farmers that they shoulder the curse and not the blessing of this duty.

Touching the question as to whether the packer or the farmer gets the benefit of the tax, reams and reams have been written smothering arguments in figures. Yet neither side is convinced. One party claims that there is no thought of anything except the beef value when the bargain is struck between the farmer and the packer, and that the latter reaps the whole benefit or takes the whole loss if hides rise or fall. The other party claims that if the hide is worth an increased price to the packer, the laws of competition and trade necessitate a higher payment to the farmer. In all the mass of argument one fact stands out preeminent. A carload of steers badly and carelessly scarred by branding brings the same price as a carload of similar steers whose hides have not been ruined. If the stock raisers on the ranges really believed that they derived a revenue from hides, do you not suppose that they speedily would reform their method of branding?

Perhaps the farmer may get some part of the profit on the hide duty. I can not prove that he does not do so, but I will wager that he will agree with me that the packer gets the lion's share.

But whether the packer or the farmer gets the profit, whether it goes into few hands or into many, the production of hides in this country has all the economic results of a monopoly. The output is limited and the demand is great. The only limit on price on the one hand is, "what the traffic can bear," or on the other hand the price of importation duty paid. When times are fair and the demand normal, given equal quality, American hides will be 15 per cent higher than the world's quotation.

Mr. MOSS. Will the gentleman permit me to ask him a question there?

Mr. GARDNER of Massachusetts. If the gentleman will wait just a minute, I will; I want to find my place.

Mr. MOSS. You were speaking of the fact that hides had nothing to do with the price of cattle. Why will a carload of cattle with horns cut off shipped to the market bring more money than the same carload of cattle with horns on?

Mr. GARDNER of Massachusetts. I admitted that no one can prove whether or not the increased value of a hide is measured in the price the farmer receives for his cattle. I merely gave an illustration of two carloads of steers side by side to show that the packer got the lion's share.

Mr. MOSS. Does not the gentleman know that it is a fact that if you ship cattle with horns on it reduces the price of those cattle on sale in the market?

Mr. GARDNER of Massachusetts. No; I do not know it; and if the gentleman will pardon me, I think he is mistaken as to the fact.

Mr. SLAYDEN. Mr. Chairman, I merely want to say to the gentleman from Massachusetts that his statement that branding the hides of cattle so as to impair their value exercises no influence on the price of the steer received by the seller is distinctly and positively denied by the largest shippers, men who are so intelligent that they are generally thought to know their own interests. I contend that the hide is an important element of value and recognized in every transaction.

Mr. GARDNER of Massachusetts. I did not know that even Judge Cowan denied that fact.

Mr. SLAYDEN. I do not know whether he did or not; he is a lawyer, and may not always agree with the shippers.

Mr. GARDNER of Massachusetts. I have never heard one word in denial of my contention from gentlemen on your side of this question. The gentleman from Wisconsin [Mr. WEISSE] continually buys these hides. I ask him to inform the gentleman from Texas as to the facts.

Mr. WEISSE. Is not this the fact, that the farmer or cattle raiser appears to be under the impression that the packer will give the additional 15 per cent on hides if he sells his beef, but the shoe manufacturer who sells him the shoes he is able to buy, and the tanner who sells him leather for less money, so to speak, will not give him anything? Do they think that the packer trust will give it quicker than ten or twenty thousand shoe manufacturers? I would like to have an answer to that from the gentleman from Texas.

Mr. SLAYDEN. I can say to the gentleman that they do not expect a donation from either of the parties, and if we do we will not get it.

Mr. GARDNER of Massachusetts. I take it that the gentleman from Texas thinks that the farmer is going to get an extra value from these hides in consequence of the duty, does he not?

Mr. SLAYDEN. Undoubtedly part of it; he may not get the whole 15 per cent.

Mr. GARDNER of Massachusetts. Is it a large part?

Mr. SLAYDEN. I am not a shipper, and I can only say what gentlemen who are interested in the trade say about it.

Mr. GARDNER of Massachusetts. The reason I asked was because I have heard so many of the Texas gentlemen recently take the same position that the gentleman from Texas [Mr. SLAYDEN] has taken. I was rather interested to find this statement of the gentleman from Texas [Mr. BURLESON], made on the floor of this House on January 19, 1906—three years ago. The gentleman from New York [Mr. PERKINS] said:

> I have always been told that two or three Senators from some of the small western mountain mineral States held up the Dingley bill until they got the duty on hides, because they thought it would be of some advantage to them.

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To which Mr. BURLESON replied:

They were mistaken about it, and the farmer and stock raiser were handed a gold brick.

There has been a change in the attitude of some of the gentlemen from Texas since that time.

Mr. GARNER of Texas. Does the gentleman from Massachusetts contend that the farmer gets no benefit from this?

Mr. GARDNER of Massachusetts. If the gentleman has done me the honor to listen to my address up to the present point he must be quite aware that "the gentleman from Massachusetts" makes no such contention; but distinctly states that the proposition is neither subject to proof nor to disproof.

Mr. GARNER of Texas. Does the gentleman from Massachusetts, then, believe that this squares with the Republican platform adopted at Chicago?

Mr. GARDNER of Massachusetts. Bless my soul! do not ask me conundrums like that. [Laughter.]

THE CONSUMER'S SHARE.

And now a new Richmond has entered the field of tariff discussion, our friend the ultimate consumer. I am prepared to admit that this gentleman has been somewhat neglected in previous tariff discussions. Perhaps that fact is not to be wondered at. Americans have made money easily and have earned good pay. The result has been that we have been somewhat indifferent in regard to our own expenditures unless they should happen to be expenditures incident to our business.

I admit, then, that the interests of the ultimate consumer must be shown to be on our side, and that fact seems to me to be as susceptible of proof as any future proposition can be.

At the risk of thrashing over old straw, I have a word to say as to the extra cost which the present duty on hides adds to a pair of shoes. Of course, it all depends on what kind of shoes you are discussing. If you mean a pair of thin-soled Sunday shoes with a calfskin upper, the difference may not be over 3 cents. If, however, you mean a double-soled, fine street boot with a grain top, I doubt if 11 cents is an exaggeration. If you mean a farmer's pegged shoe, that, some of you gentlemen call a "brogan," the extra cost would probably be about 9 or 10 cents with hides at the present prices.

Farmers' peg shoes in my part of the world are made with a good, heavy sole and heel, while the upper is frequently made of what is called a "split." It takes from 2 to 2¼ pounds of sole leather for a pair of such boots, and it takes about 3 feet of "split" leather for the uppers. Now, do not mistake me and go home and weigh some soles and heels and measure the leather in uppers. You would come to the conclusion that I had joined the Ananias Club. You probably would forget to send for all the scraps that have been cut off and weigh them also. I will not guarantee my figures, as I never made farmers' shoes, but that which I tell you is my conclusion after much cross-questioning.

Mr. TIRRELL. Will my colleague please state what the proportion of cost would be on a shoe of that kind?

Mr. GARDNER of Massachusetts. The factory cost is something I have had difficulty in finding out. I know the retail price of these shoes. They run from $2 to $2.50. What the factory cost amounts to depends a good deal on bookkeeping; but I will say, for a guess, that the factory cost does not run over a dollar on the $2.50 shoe. It may run up as high as $1.25. People make more shoes of that sort in the gentleman's district than they do in mine. Down my way they make more cheap and medium grade women's and misses' wear—shoes and slippers.

Mr. TIRRELL. The cost of these shoes sold in the factory is from 67 cents up to a dollar.

Mr. GARDNER of Massachusetts. Let us suppose, then, for the sake of argument, that the extra-duty cost on a pair of $3.50 shoes amounts to 5 or 6 cents. Is the ultimate consumer going to get the benefit of the reduction of the duty? Now, do not ask me any such absurd question as to how much cheaper a pair of $3.50 shoes will be sold if hides are free. You might just as well ask me how much cheaper a dollar dinner would be if the price of beef were to fall. You will get a better dollar dinner for your money in the one case and you will get a better shoe for your money in the other. The real question is this: Will you get as much more for your money as you have a right to expect?

Mr. NORRIS. If the gentleman will allow me.

Mr. GARDNER of Massachusetts. I yield to the gentleman.

Mr. NORRIS. The point that I would like to get some information on is this: Why is it that he believes that the removal of the tariff would improve the grade of shoe made here—that we will get a better character of shoe? Certainly the tariff has nothing to do with that.

Mr. GARDNER of Massachusetts. I see that the gentleman's mind works the same way as mine. He sees the natural sequence of this argument. He has anticipated the exact question which I am just approaching.

Mr. VOLSTEAD. On what figure do you estimate the hides?

Mr. GARDNER of Massachusetts. I estimate dry salted imported hides at 20 cents a pound. The imported hide makes up, on an average, 1.7 of a pound of sole leather to the pound of hide. A packer hide, the domestic hide, makes about eight-tenths of a pound of sole leather to the pound of hide. Figure a first-class domestic hide at 15 cents per pound.

Mr. SLAYDEN. Mr. Chairman, did the gentleman mean to say that they got 1.7 pounds of sole leather out of a pound of imported hides?

Mr. GARDNER of Massachusetts. Just about one pound and seven-tenths.

Mr. SLAYDEN. I would like to have the gentleman explain how that is possible.

Mr. GARDNER of Massachusetts. Because the imported hides I speak of are dry; they are shriveled up. That is why they sell at 20 cents a pound, when the best packer hides, of infinitely superior quality, sell at only 16 or 17 cents. All the weight has gone out of the dry salted hides. That is one of the facts which confuses many of you gentleman when you start to figure.

The hide that weighs 70 or 80 pounds when it is taken off the animal would not weigh more than 35 pounds when imported dry salted. When it comes out of the tanning liquor most of its weight has been regained.

Now, coming to the question as to whether cheaper raw materials will improve the quality of boots and shoes, I can not positively assert that the consumer of shoes will get all the benefit if the price of raw material falls, but I can positively assert that he is always obliged to shoulder the whole loss when the price of raw material rises. Let me explain to you just what happens when a raise in cost of production faces a shoe manufacturer. As an illustration, let me take a typical case in my own district, where most of the establishments are small and where a member of the firm frequently goes on the road to sell directly to the retail trade.

Our typical manufacturer has a list of regular customers who are in the habit of purchasing from him a certain grade of ladies' $2 shoes. The price of raw material goes up, and he finds that he can not make that shoe at a profit. A meeting of all hands is called—the head of the firm, the traveling member, the foreman, the forelady, the bookkeeper, and the office boy. The shoe is put on the middle of the table and they all sit around and look at it. The head of the firm suggests a cheaper sole, cut, perhaps, from the neck of the hide. The traveling man suggests the use of a little "leather board" where it will not show. The foreman suggests a sheepskin top, and the forelady suggests cheaper trimmings and laces. By the time the office boy has had his say the shoe has been skimped enough to meet the rise in materials. The consumer pays that bill, does he not?

Good customers' orders are filled with that skimped shoe and the shoe manufacturer sits trembling, for he knows full well that those chickens are coming home to roost before he fills his orders for the next spring trade. The only consolation he has is that the manufacturer next door is in the same boat. Time goes by, the ultimate consumer is protesting to the retailer about the poor wear of the shoes, and the retailer is passing the complaint upward to the manufacturer. The retailer will give that firm just one more show. Meanwhile, material goes up once more, and with sobs and sighs the $2 shoe is skimped again. Then comes the deluge. The ultimate consumer changes his retailer and the retailer changes his manufacturer. Can anyone wonder that the manufacturer leaves no stone unturned to keep down the price of his raw material? Now, if I am right in supposing that the general tendency of leather prices must be upward, anything which can be done to stay it must of necessity stay this skimping process and so will benefit the ultimate consumer. Of course the manufacturer will get the profit if he can; but he can not. He must content himself with holding his customers. So long as the shoe trade is not controlled by a trust competition will keep the profits down.

Mr. DOUGLAS. Will the gentleman yield for a question?

Mr. GARDNER of Massachusetts. Yes.

Mr. DOUGLAS. I have listened with much interest to what the gentleman has said. I should like to know what is meant in the trade by "leather board?"

Mr. GARDNER of Massachusetts. Oh, it comes about as near——

Mr. CLARK of Missouri. I should like to ask the gentleman a question.

Mr. DOUGLAS. Let him answer mine.

Mr. CLARK of Missouri. I thought he had.

Mr. GARDNER of Massachusetts. No; I have not yet.

Mr. CLARK of Missouri. Then I waive my question.

Mr. GARDNER of Massachusetts. I should say that leather board is mostly thick paper, or something of the sort, which has been waved within sight of a steer. [Laughter.] It has shreds of leather running through it.

Mr. DOUGLAS. Is it a substitute for leather?

Mr. GARDNER of Massachusetts. It is stiffening.

Mr. CLARK of Missouri. If it will interest the shoe houses in America any, I will make the statement that if we get a chance to amend this bill, I am going to offer an amendment that there shall be stamped on each shoe the materials which go into its manufacture. Are you in favor of that proposition?

Mr. GARDNER of Massachusetts. Oh, I will vote for it, and down in my district they will take my head off for voting for it, if the gentleman wants to know. He is right about it.

Mr. CLARK of Missouri. Oh, I do not want the gentleman to lose his head.

Mr. WEISSE. If the gentleman will allow me to answer the question of the gentleman from Ohio, leather board is composed of wood pulp and scraps of old leather. When the stuff is ground up it is put under high hydraulic pressure and made a solid sheet of so-called "leather board."

BENEFITS TO THE SOLE-LEATHER INDUSTRY.

Mr. GARDNER of Massachusetts. Although I know more about the shoe and upper leather business, yet I should not omit to say a word of the great boon that free hides would prove for the manufacturers of sole leather. Our exports of this commodity have actually diminished since the Dingley bill was passed. Whether this diminution is or is not caused by the duty on hides is a matter of dispute. Personally I believe that, to some extent, it certainly is the result of the duty. To be sure, if a tanner imports a foreign hide, converts it into sole leather, and ships it to England, he is entitled to a drawback of the amount of duty the hide has paid. Hitherto the collection of this drawback has not been simple, but that is not the worst of it. There is no drawback on exported sole leather made from packer hides, and yet, if my argument is sound, the price of packer hides is raised 15 per cent by the existence of a duty on foreign hides. Be this as it may, the fact remains that our exports of sole leather in 1907 and 1908 were less than three-quarters of our exports of the same articles in the two years prior to the passage of the Dingley Act.

The loss of a foreign market is bad for our sole-leather tanners, but they are now confronted with a situation which is alarming. The great packers themselves have extensively entered into the tanning business, with the result that the independent tanners must buy their raw materials from their own competitors.

Hides fell sharply as a result of the business depression in 1907, but the independent sole-leather tanner did not reap the benefit. Large quantities of hides were held out of the market by the packers, and were either tanned in their own tanneries or let out for tanning on contract to the independents. The result is that there are very few independent tanners to-day in this country who have not, at one time or another, been compelled to compromise with their powerful rivals on account of the scarcity of their raw material.

THE BOOT AND SHOE INDUSTRY.

A sketch of the boot and shoe industry and I am done. We make in this country between three and four hundred million dollars' worth of boots and shoes annually, and of this amount we export less than 3 per cent. How is it that we need protection if we can export 3 per cent, or any other per cent, of our shoes? The bulk of our exports are light-weight shoes, often made partly of canvas, and they are sold in Cuba and in Central and South America. The others are mostly exported to Europe and are high-grade shoes, with well-known names like the Walkover, the Regal, and the Hannan. A few manufacturers like Rice & Hutchins, of Boston, and Florsheim, of Chicago, export a shoe of even higher grade. These shoes are sold mostly to American customers traveling abroad at American shops established for the purpose. To suppose that we are really seriously cutting into the sales of European shoes to European customers is a very great mistake. I believe that the sales of American shoes in France is only one-seventh of 1 per cent of the whole French product. A few years ago it really looked as if we were going to break down the native shoemakers of Europe, especially in England, but to-day the tendency is all the other way, and our English trade is retrograding instead of increasing.

The cause of all this is not far to seek. Nearly every man in this House, I will venture to say, is wearing a welt shoe at the present instant. The welt is the strip of leather to which the upper and the sole are both fastened. It is the welt which makes a shoe elastic, comfortable, and noiseless. The Goodyear patent for welting shoes by machinery is at the bottom of our leap into foreign markets. Until recently, foreigners never welted shoes by machinery, and we easily undersold their hand-sewed shoes of similar quality. There are many other valuable patents beside the Goodyear; but I mention it for the reason that our European trade grew out of it more than out of any other.

Even after foreigners began to install Goodyear machines, nevertheless, our rapid inventive power until a few years ago kept us far in the lead of European shoemakers.

A few years ago the United Shoe Machinery Company obtained control of the best patents and in one way or another has developed a situation by which it has become the best customer for new inventions. Inasmuch as the United Shoe Machinery Company has agencies all over the world from which it provides instructors and equips factories, a new machine may be installed in Switzerland or even in far-off Finland just as promptly as in Haverhill. With my own eyes I saw last summer in Nuremberg a shoe made in that town from an American pattern by American methods with American machinery. I examined it as thoroughly as an amateur could do, and I knew the right questions to ask. That shoe sold for 7 marks, or $1.75 at retail. Outside of a sample shop I do not believe that the same shoe could be bought in this country at retail for less than $2.25.

It was precisely along this line that Mr. George E. Keith, of Brockton, Mass., spoke at a meeting of shoe men in Boston just before the hearings before the Ways and Means Committee. Mr. Keith is the largest exporter of American shoes. He makes the Walkover shoe. He had just returned from a trip to Europe when he spoke in Boston. While he felt that he himself was in no danger, he warned the medium-priced men that they were in great danger. Mr. Keith came on to Washington to the hearings, accompanying the leaders of the boot and shoe industry. I asked Mr. Keith to go on the stand and tell the Committee on Ways and Means the facts about European shoes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCALL. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARDNER of Massachusetts. Mr. Chairman, I shall not be very long. I have very nearly finished.

Mr. DOUGLAS. May I remind the gentleman that he was speaking about the testimony of Mr. Keith, and I hope he has not lost track of it.

Mr. GARDNER of Massachusetts. I had forgotten that for a moment, Mr. Chairman. I asked Mr. Keith to make a statement. I lunched with him. He was modest and seemed to feel that a great many of his fellow-manufacturers of fine shoes did not agree with him. At all events he did not go on the witness stand. At a meeting of the boot and shoe men in New York, held a little while later, men spoke their minds more freely.

At that meeting some Swiss shoes were exhibited. I am told that they were a revelation to those gentlemen. Be that as it may, the meeting passed resolutions, which they sent to the Committee on Ways and Means, asking a minimum duty of 15 per cent on their product.

Mr. TIRRELL. Mr. Chairman, will my colleague allow me to ask him this question: If it is not a fact that Mr. George E. Keith, of whom the gentleman has been speaking, has more American shoe stores in England and on the Continent than any other shoe manufacturer in this country?

Mr. GARDNER of Massachusetts. He is the largest exporter of shoes in this country.

Mr. TIRRELL. And also one of the largest manufacturers in the United States.

Mr. GARDNER of Massachusetts. One of the largest.

Mr. TIRRELL. And did he state to the gentleman—and if so, will the gentleman state to the House, having that European knowledge of the situation—why he objected to the tariff being taken off shoes?

Mr. GARDNER of Massachusetts. He stated those views in public in Boston. I do not recollect correctly enough to repeat his private conversation with me.

Three years ago I spoke in this House on the hide question. At that time this world-wide development in shoemaking was but just underway, and yet even then I stated that 35 per cent of the shoemakers in my district would be driven to the wall by free boots and shoes. To-day the proportion is infinitely greater and the percentage will continue to increase just as fast as the rest of the world develops our methods in the different grades of shoes.

Now, do not deceive yourselves with the idea that Europeans are not good machinists. Any automobilist can tell you better than that. I do not know how many automobiles are imported into this country to-day, but the number is large, and yet every one of them must surmount a tariff wall of 40 per cent. I have heard many Americans claim that our automobiles are just as good as the foreign car. I have yet to hear anyone claim that ours are the better. We have excellent workmen in the shoe trade, and we pay them high wages. They have excellent workmen abroad, and they pay them low wages. Formerly their labor cost was higher than ours. Since the introduction of American machinery in Europe that statement is no longer true.

Formerly we could defy the world, in spite of our high wages, for two good, substantial reasons: First, the superiority of American methods of manufacture; and, second, the superior style, fit, and finish of American shoes. We have lost the first advantage, but we retain the second. We still produce shoes of superior style, fit, and finish, and a great protection it is in fine shoes; but it is a poor reed to lean upon in the cheaper goods. Cheaper grades are not bought for their style, fit, and finish, but for their durability and usefulness.

The American maker of fine shoes can still challenge the world. The maker of cheaper grades must be protected or go to the wall.

CONCLUSION.

Lastly, gentlemen, let me impress on you that the demand for free hides is based less on a desire for profit than on a sense of injustice. We believe that the cattle industry is thriving; we believe that the cow is amply protected in other ways, and we believe that the profits from this duty go mostly into the pockets of the man who needs them least.

The CHAIRMAN. The gentleman from Ohio [Mr. ANSBERRY] is recognized for twenty minutes.

Mr. ANSBERRY. Mr. Chairman, the consideration of this or any tariff bill from even the constitutional view point, that is considered under a strict construction of the section of the Constitution of the United States from which the Congress derives its power to levy and collect taxes, duties, and imposts, always presents to the legislators attempting to frame the bill, not one, but a series of vexatious questions; but when, as in this case, there is added the difficulties attendant upon apportioning the spoils produced by a tariff bill, not framed for revenue alone, but with a view to protecting special interests, then, indeed, is the task an onerous one. It is the special interests, great and small, that in these days and the days that immediately preceded the public consideration of this bill, infested congressional halls and committee rooms seeking their own selfish interests, and not, as some of them urged, the public weal that add new difficulties.

However, if the membership of this House are permitted to pass upon the various schedules of this bill untrammeled by caucus action, it is my opinion, gathered from the debates that I have heard, that the demands of at least some of these selfish interests will be denied.

In the current issue of the American Magazine, Ida Tarbell, in commenting on the difficulties I have mentioned, called attention to the fact that much of the evidence adduced before the Committee on Ways and Means was ridiculous and unreliable. She also pointed out the well-known fact that a cursory reading of the testimony taken before this committee would easily reveal the interests which each witness represented, as well as their narrow and selfish view and the ends sought by these men. Miss Tarbell says, and the records bear her out, that "the infant-industry" argument is more alive and persistent than ever. From New York came a woman who wanted the duty increased on basket willows because she was compelled to compete with foreign-grown willows, sent into this country by the shipload and sold far below what willows can be grown for in this country. From Virginia came a cry that mountain-ivy root, for making pipes, be protected from the competition of briar wood.

There were many more industries like this which in the nature of the case should affect but a small number of people that ask that the whole country be taxed that they be taken care of. There has never been a more general and complete demonstration of how general the notion has become that, no matter how few are benefited, it is fair to ask the whole mass to subscribe to the fund. Hundreds of pages of testimony are given to requests not to disturb the present schedules unless it be to increase the duty, and the reason for the requests when sifted down has invariably been that of Mr. George O. Bower, of Philadelphia, in asking for an increase on a certain product handled by his firm, that it was not for protection but for prohibition, to increase his profits by securing more of the market. But, of course, most of the witnesses pretended that they were solicitous for the American workmen, and various other philanthropic motives. The "laird of Skibo" appeared before the committee and gave away some of the secrets of the game. It was said by the steel men that Andrew violated the rules of the game; that after he had gotten all he wanted he was unwilling to permit them to continue.

Among other things he hit the nail on the head when he said, with reference to the testimony of the magnates of the steel trust who had preceded him:

> They are incapable of judging; no judge should be permitted to sit in a cause in which he is interested; you make the greatest mistake in your life if you attach importance to an interested witness.

Rather crudely put, but no one could misunderstand his meaning.

Judge Alton B. Parker, in a speech recently delivered, gave utterance to a truism when he said:

> The instant we impose a tariff on the importation of any merchandise, not for the purpose of raising money for the support of the Government, but solely for the purpose of shutting out competition, that instant we tax unjustly every other class in the community, not for the common good but for the undue benefit of those engaged in producing the particular article. Immediately on doing so as to one article, the manufacturers or producers of another desire earnestly to pass into the favored class. Example furnishes precedent; precedent creates new example. This is but the working out of ordinary human impulse.

The ideal way of collecting taxes to pay the expenses of government would be a system whereby those who can best afford it would carry the heavy end of the burden, instead of, as it is now, the reverse; those who can least afford it are paying the big end of the taxes. And the procuring of this desired end, it seems to me, is not so hard if we will go about it earnestly and intelligently. The inheritance tax can be made to yield a larger return. Then, there is the income tax, on the authority of no less a man than the President of the United States in his speech accepting the nomination tendered him by the Republican convention, when he said that, in his opinion, an income-tax law could be placed upon the statute books without amending the Constitution. Of course this should be graduated, and probably the lowest income taxed should be about $4,000. It is true that the possessors of these incomes might have to forego some of their luxuries, but they will be able to derive satisfaction from the fact that they are thus enabling their less fortunate brethren to obtain a few more of the necessities of life. Of course we would still levy duties on imports, but they could be levied highest on luxuries and lowest on necessities.

The Democratic party, in convention assembled, at Denver last summer adopted as a plank in its platform a demand for the repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, a departure from its position for tariff for revenue only, but it seems to me that our party was justified in trying to put consumers of the articles mentioned in the privileged class just by way of giving the greatest number a taste of what the other infinitesimally smaller group, the manufacturers of lumber and the owners of stumpage, had enjoyed so long. It also had in mind the conservation of the forest and the prevention of the great losses due to freshets, which we were assured by authorities were caused by the destruction of our forests. For we, like President Roosevelt, had sat at the feet of that great conservator, Gifford Pinchot, and had learned our lessons well. Gifford Pinchot attained his high position in public life by reason of the fact that he was a protégé of Theodore Roosevelt, and because of the confidence that the American people had in him as an unselfish worker with high aims.

But he has fallen from his high estate. About the time of the so-called "lumberman's banquet," held in this city on February 13 last, rumors began to be current that Mr. Pinchot was wavering, but it was not until Mr. Roosevelt had retired from the presidency that Pinchot finally lined up on the other side. There is an old saw which runs, "When the cat's away the mice will play;" and any person gifted with imagination can, in his mind's eye, see a short but strenuous gentleman restlessly pacing to and fro on the captain's bridge of an African-bound steamer and ever and anon, Napoleon-like, gazing with far-away and saddened look toward the fast receding shores of far-away America; the while an embryo Binns, perched high in the wireless cage, is sending a message addressed, "Pinchot, Washington: The lumbermen will get you if you don't watch out. Signed, T. R." [Applause.] But it is too late. The lumbermen advanced on Washington. They saw, they con-

verted; and when they left the Nation's Capital, it is said that Gifford Pinchot was chained a captive at their chariot wheels.

Lumber enters in some form or other into the absolute necessities of the daily life of every man, woman, and child of our great country; and now, in this season of depression, in the midst of the terrible panic, while the great mass of our citizens are compelled by dire necessity or the fear of it to skimp and save and exercise the greatest care in their expenditures and to practice all forms of pitiful and petty economies, it seems is a splendid time to grant them the boon of unprotected lumber. But we are told that lumber is now comparatively cheap. My answer is, let us make it cheaper, and if there be anything in the insistent demands of the lumber and stumpage interest removal of the tariff will make it cheaper. If it is made cheaper, it will stimulate building operations, and that means renewed activity and the employment of men, not only in the lumber and building lines, but in all its allied industries. We are told by some so-called "authorities" that the tariff has nothing to do with the price of lumber. Common sense teaches the contrary, else why is it that the most powerful and far-reaching lobby that this city has ever seen has been diligently at work for the purpose of preserving a prohibitive tariff? The concern exhibited by the lumber interests either refutes the proposition or is evidence that these men know nothing about their business.

Government statistics show that less than 2 per cent of our lumber supply at present comes from Canada, and that fully as much lumber is exported from this country to Canada. The American lumberman will not much longer be permitted to "eat the cake and keep it also." The lumbermen of Canada are so incensed at the absence of all reciprocity in our lumber duty that unless the bars are thrown down and the importation of lumber into this country permitted, there will be a prohibitive import duty levied by Canada which will deprive our lumber interests of the market which they have been enjoying there. It is notorious that for many years lumber from this side of the line has been shipped into Manitoba and the other prairie provinces in great quantities; also that the southern pine has flooded the maritime and eastern provinces. The Canadian Pacific Railway purchases practically all of its car material from our Southern States, and only this last season the Grand Trunk Pacific Railway, after calling for bids for timber to be used on the western end of its line, placed the contract on Puget Sound. How can it be possible that our lumbermen are unable to compete on a parity with Canadian lumbermen in their home market when they are constantly shipping their lumber into the Canadian market?

We are astonished to learn that the sidetracks of the railroads of the country are crowded to their utmost to furnish standing room for 305,000 idle cars and locomotives. Think of it. Idle cars and engines enough to make a solid line from Washington to San Francisco.

Now, no one will dispute that if a movement is started in the lumber industry but that these cars, or a large portion of them, will start, will once more be engaged in carrying out the designs for which they were constructed, and to man them will give employment to idle trainmen and others formerly engaged in the railroad business.

But the case of the consumer versus the lumber trust, the lumber manufacturer and producer, and those interested in stumpage, it seems to me is proven beyond peradventure. The last word on the subject was spoken by my friend and colleague [Mr. HOWLAND], when yesterday for one hour he held the attention of this House and exposed the fallacies of the opposition with clear and convincing argument based on incontrovertible facts.

Mr. Chairman, I have always been proud of the fact that I was born in the Buckeye State; that my ancestors, as pioneers, helped to drain her swamps and to clear her trackless forests. Northwestern Ohio, which I have the honor to represent, was referred to contemptuously in the long ago as the "hoop-pole district," but it has now developed into the fairest garden spot in that fair State. Ohio is sweet music to my ears. Her statesmen sons, whether as Chief Executive of this Republic, in the Senate of the United States, or upon this floor, have always faced and performed every duty with singular ability, high courage, and strong endeavor, and my colleague [Mr. HOWLAND] proved by his masterful handling of the task which he yesterday essayed that he is no exception to the rule. [Applause.]

It has been urged by the opponents of free lumber that it will result in wasting in the woods all of the cheaper grades of timber, for the reason that it will not pay to move it from the place of felling it to the point of manufacture. That this argument is mere speculation and contrary to the facts I know from personal knowledge, for in my own home city among its largest and most successful enterprises is a concern, the Defiance Box Company, which manufactures into crates and boxes timber that our opponents would have us believe would be entirely wasted; and this was the one manufacturing plant within my knowledge which increased its business and was not compelled to shorten its working days during the panic, or depression, as my friends on the other side prefer to call it. A striking refutation of the dismal prediction of the "standpatters."

That the lumber industry needs no protection, except from the rapacity of some of those engaged in it, is proven by the advance in the price of the commodities handled by them between the years 1892 and 1907. Facts admitted and published to the world by the publication known as the American Lumberman, of Chicago, the mouthpiece of the lumbermen of America, show the advance in these commodities as follows:

	1892.	1907.	Per cent of increase.
Fencing:			
6-inch, No. 1	$15.00	$32.00	113.33
4-inch, No. 1	12.00	30.00	150.00
4-inch, No. 2	9.00	26.00	188.88
4-inch, No. —	7.00	19.00	171.42
6-inch, No. 2	12.00	29.00	141.66
6-inch, No. 3	9.00	21.50	138.88
Common boards:			
8-inch, No. 1	12.50	30.00	140.00
8-inch, No. 2	11.00	28.00	154.00
8-inch, No. 3	10.00	25.00	150.00
10-inch, No. 1	12.50	31.50	160.00
10-inch, No. 2	11.00	28.00	154.54
10-inch, No. 3	10.00	25.00	150.00
12-inch, No. 1	14.00	37.00	164.28
12-inch, No. 2	12.50	31.00	148.00
12-inch, No. 3	9.50	26.00	173.68
Flooring:			
No. 1, fancy	16.50	33.00	100.00
C, fancy	25.00	47.00	88.00
Piece stuff:			
2 by 4, 12, 14, and 16	11.50	23.00	100.00
2 by 6, 12, 14, and 16	10.00	27.50	175.00
2 by 8, 12, 14, and 16	11.00	27.50	150.00
2 by 10, 12, 14, and 16	10.50	29.00	176.19
2 by 12, 12, 14, and 16	11.50	30.50	165.21
3 by 12, 12, 14, and 16	11.50	31.50	173.91
White pine lath	2.00	5.00	150.00

It has been proven that there is no need of protection for the American lumber industry and that the present tariff is an unnecessary and galling burden upon the people and a premium on more rapid destruction of our forests, and this the more glaring when conservation of these natural resources is one of the problems of greatest national importance, and attention has been time and time again called to this fact by Mr. Pinchot, and he has painted a dark and gloomy picture of the price that future generations will pay for this wanton destruction.

As to the plaint that labor engaged in the lumber business can not compete with the Hindoo and other oriental labor of Canada—and it seems that Canada is practically our sole competitor in the lumber business—as my colleague [Mr. HOWLAND] well said yesterday, this is an illusion and a dream, for testimony of credible witnesses before the Ways and Means Committee shows conclusively that white labor is paid better prices in British Columbia than in Washington and Oregon; and while it is admitted that some of the western Canadian mills employ oriental labor, it is not through choice but necessity, because of the scarcity of white labor, and while the wage per day per man paid to the oriental is somewhat lower than to the white man for the corresponding work, still the superiority and efficiency of the white man make his labor cheaper. Mr. F. V. Lynch, a lumberman of St. Paul, Minn., manufacturer of lumber in Canada and the owner of timber in the United States, testified before the Ways and Means Committee that he was interested in two large sawmills in western Canada; that the cost of these mills and equipment was about $400,000 apiece; that similar mills and equipment in United States cost $150,000 less, and that the difference in cost was accounted for by the tariff charged by the Canadian government on American machinery, with which his company's mills are equipped, the high freight rate in transporting machinery, and the high cost of labor which prevails there, together with the lack of efficiency of the Canadian mechanics as compared with the American.

He further said they employed no oriental labor; that most of the employees were Americans, highly skilled employees, including manager and superintendents. That they had learned their trades and business in the United States, and that they were induced to go to Canada for Mr. Lynch's company because they received higher wages in Canada than at home, and it follows, I think, that Mr. Lynch's company, like

all others, pays these Americans higher wages, not from philanthropic motives, but because they were more efficient than could be obtained in Canada. Mr. A. J. Scanlon, a lumberman of Minneapolis, scouts the claims of the "standpatter." He says that he and associates are heavily interested in Canadian stumpage, but are likewise owners of timber in Oregon, Florida, and Louisiana, and are interested in the manufacture of lumber on large scale at Scanlon, Minn., and Kentwood, La., and that proportionately for every hundred dollars invested in Canadian timber they had more than a thousand dollars invested in timber and mills on this side of the line.

Now, it seems to me that Mr. Scanlon, interested as he is in the manufacture of lumber and the ownership of stumpage both here and in Canada, would make an ideal witness. He said:

> If I had any reason to believe that our business would be seriously affected by a removal of the tariff on lumber, I would not be here advocating it. I am of the opinion that the tariff on lumber should be removed, because it is not a protection to American manufacturers of lumber or American labor, except so far as they are owners of stumpage. A large part of the timber of this country is in the hands of individuals and corporations, and is held as an investment, and also not purchased with a view to manufacturing it. Such investments have always proven very profitable, and will continue to do so, regardless of whether there is a duty on lumber coming into this country or not. I do not consider it equitable and just to afford protection to that form of investments at the expense of the public at large.
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> In 1894, 1895, 1896, and 1897 it was possible to purchase timber in Minnesota at from $1 to $2 per thousand for white and Norway pine. The tamarack, jack pine, and spruce, if there was any on the land, was included in the sale without cost to the purchaser. To-day the minimum price on timber in Minnesota is not less than $6 per thousand and the maximum $12 per thousand, depending on the quality and the accessibility of it for logging purposes, and there is little to be had at these prices. The jack pine, spruce, and tamarack above mentioned, which were not formerly included in the purchase price, are now paid for at the same rate as the other timber on the land. The same conditions prevail to-day in the pine districts of Michigan and Wisconsin, except that prices of stumpage are higher for especially good bunches of timber.
>
> I believe that the removal of the tariff on lumber would conserve the forests of our country. I think it would have a tendency to check the abnormal advances that have occurred of late years, both in timber and lumber. I believe it will broaden the markets for the consumers of lumber and eventually lead to a more uniform, healthy condition of the lumber trade in general in this country.

I have on my desk clippings from over 100 prominent newspapers and farm journals published in every portion of the United States that are calling upon the American Congress to put lumber and the products of logs and timber on the free list, among them one from the Ohio State Journal, a progressive and independent Republican newspaper, of my own State. In the light of this insistent demand from the great body of the American consumers, in the light of this call from an enlightened press, in the light of the testimony of these lumbermen and what amounts to almost common knowledge, logs and the products of logs should be placed upon the free list. It will enlarge the opportunities of thousands of men to own their own homes. Even though it should work a temporary hardship to the few, manufacturers of lumber and owners of stumpage, it will have the effect of benefiting the many. It will encourage the home builder, and everyone concedes that a man who owns his own home is a better citizen. It may have the effect of reducing the number of mansions on the hill, but it will undoubtedly increase the number of cottages in the valley. As to which state of affairs is preferable, determine by your vote.

There are many other things in this bill that I would put on the free list; notably, all of those natural products of which we have but one crop—coal, iron ore, petroleum and its products—as well as coffee, tea, and many other necessities. I can not subscribe to the "standpatter's" doctrine that anything that will make it harder for the workingman to own a little home, through high prices for lumber, nails, hardware, glass, and everything that enters into the construction of a house, will be a good thing for the country. I will add that the products of steel should be on the free list or very near it. A fallacious argument of the "standpatter" when driven to bay, as they are on the lumber and steel question, is that while a protective duty on these things is almost indefensible, still when woven into a systematic whole is perfection itself, as though by combining many things, wrong in themselves, good could result.

And, Mr. Chairman, if by an effort of mine I can encourage or be of assistance to an American home builder, I will feel that I have not lived in vain. [Loud applause.]

Mr. WEISSE. Mr. Chairman, I desire to ask the gentleman a question.

Mr. ANSBERRY. I will be very glad, indeed, to yield to the gentleman.

Mr. WEISSE. For just a single question. On March 26 I asked the gentleman from Ohio [Mr. COLE] whether the decline in the price of horses from 1893 to 1900 was not $17 per head. He denied that statement in his answer to me. He has inserted in the RECORD a statement showing that horses did decline $17 from 1893 to 1900. [Applause on the Democratic side.]

Mr. ANSBERRY. I believe the gentleman from Wisconsin is right; I agree in that. Now, Mr. Chairman, I would like to insert in the RECORD a letter I received recently from the editor of a farm and stock journal, which is self-explanatory, and for that purpose I ask that my remarks may be extended in the RECORD. I do not care to trespass further on the time of the House, as I have already had the time allotted me extended fifteen minutes, for which courtesy I thank the House.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The letter inserted is as follows:

FARM AND STOCK,
St. Joseph, Mo., February 16, 1909.

Hon. TIMOTHY T. ANSBERRY, *Washington, D. C.*

DEAR SIR: Now that tariff revision is impending and the Ways and Means Committee is at work on a bill for a new tariff law, we have sometimes wondered whether Members of Congress fully understand how deeply interested the farmers of this country are in the tariff on lumber and other forest products.

Rightly or wrongly, the farmers believe that what amounts to a lumber trust practically controls the price of lumber all over the country. They know that the price of lumber has increased anywhere from 75 to 200 per cent in the last ten or fifteen years; they also know from the publications of the Department of Agriculture that our forests are nearly exhausted, and they can not understand how Congress can for a moment permit any portion of the tariff on lumber, whether rough or finished, to remain at a time when our forests are dwindling and the price of lumber is endlessly ascending. The way the farmer figures it out, he is taxed 10 per cent on every post he buys, 20 per cent on every box shook; $2 a thousand feet on every rough board, and from $2.50 to $3.50 a thousand on the finished lumber he may require, all for the purpose of creating a tariff wall which makes his lumber higher, enormously increases the value of the standing timber held by the speculators, and encourages the destruction of the remaining forests, which eventually can only be regarded as a national disaster.

We are sending you under another cover a copy of Farm and Stock, containing a marked editorial on this subject, which voices our views and, we believe, the views of the great masses of the farming population of this country. If there is any one feature of the tariff law on which the farmers are well informed, it is in regard to lumber, and it will be impossible to placate them with any tariff which merely takes some kinds of lumber off the dutiable list and leaves others. Fully half the lumber the farmer buys for a new house is finished and the present tariff on it is absolutely prohibitive.

The farmer knows full well that if he could not raise cereals and provisions enough to feed the country the consuming millions would knock the tariff off these commodities in a flash. He knows very well that the present timber crop, which is practically the only crop that can be raised, is nearly exhausted, comparatively speaking, and he can not understand any process of reasoning which undertakes to defend the tariff on these commodities.

Very truly, yours,

FARM AND STOCK,
FRED. J. WRIGHT, *Editor.*

Mr. KEIFER. Mr. Chairman, it is pleasant to be able in general debate to violate the usual custom here by speaking on the subject before the committee.

If Members desiring to ask questions can contain themselves until I conclude what I desire to say, I will be thankful to them. My remarks will be confined mainly to the history of tariff legislation and the wisdom of its revision. I will have something to say on the subject of a duty on hides, also a little on wool and sugar.

I shall waste little time in answering the long since exploded academic free-trade theories still reiterated here. Their fallacy was demonstrated in actual practice by the operation of the Wilson free-trade tariff of 1894, which produced unparalleled distress in this country, and by the operation of the present protective tariff, which restored universal prosperity to this country.

With a limited time and an unlimited subject for discussion, I am warned that I can not hope to more than touch on a few of the many important things involved in this tariff bill.

SOME TARIFF HISTORY.

A tariff on imports to this country came first chiefly on account of England's unjust laws by which her colonies were prohibited from manufacturing even necessary articles in common use and compelling the inhabitants thereof to buy their goods "manufactured in England across the sea."

I think the Ways and Means Committee of this House and the country are to be congratulated upon the general fairness of the bill reported and the evident desire of the committee to maintain the principle of protection to American labor and American industries. I say this much in justice to the committee, although there may be parts of the bill which I think should be amended.

The task devolving on a Republican Congress of revising the Dingley tariff act of 1897, a Republican measure, is a vastly more difficult and delicate task than a revision of any former tariff act. This because, for the first time, a party of protection is called on to revise a protective tariff act exclusively of

its own creation. Without now going back to the earlier tariff acts and the history of their repeal or revision, we commence with the Walker tariff act, passed July 30, 1846, in President Polk's administration, which embodied only the principle of tariff for revenue only, based on ad valorem duties, and for that purpose it proved a signal failure. It was entitled "An act reducing the duty on imports." The Democratic platform of 1908 uses almost the same language. There was no general revision or repeal of that act until the passage of the Morrill tariff act of March 2, 1861, at the close of Buchanan's administration, and this latter act was largely in the nature of an emergency act to provide for an empty Treasury and the payment of then existing Treasury notes and loans and to authorize a further loan, as well as to fix the duties on imports. The Treasury of the United States was not only then empty by reason of the operation of the Walker tariff, but money could not then be borrowed by the United States, at home of abroad, at 10 per cent per annum. This pretended revenue tariff had prevented new industries from being started and had destroyed the few that had been struggling for existence. The fires had gone out of the furnaces and the wheels of industry had ceased to hum, and labor was scarce, and what little there was in mine, field, or shop was cheap. The price of imported inferior railroad iron—not steel rails—was then usually above $100 per ton, and many other imported articles were equally high, compared with present prices paid for American protected like products.

The Morrill tariff act was largely a Republican measure, though it had the approval of President Buchanan only two days before Abraham Lincoln's first inauguration. The clouds of the civil war were then darkening the political sky. Seven States of the Union had already passed ordinances of secession, and the so-called "Confederate States of America" had been (February 8, 1861) christened. War was in the air. Under such existing and impending conditions the Morrill tariff bill was enacted into law to provide for and to meet them. The financial conditions that arose during and incident to the war and the general business conditions which also necessarily then arose were so unusual in character as to prevent our accurately calculating the normal effect of a protective tariff act, even of the moderate kind then existing.

The Government was a buyer and consumer of agricultural and all kinds of home products. Eleven States of the Union joined the Confederate States. The whole business and productive power of the loyal States of the Union were devoted to sustaining it, and foreign commerce, especially in American bottoms, disappeared from the seas. Our surplus products, in so far as we had any, were not sold in competition with other nations of the world. Our able-bodied men were in the army or navy, and the demand for labor was great and wages were high. Grain, forage, and meats from the farms brought high prices. So of manufactured articles of all kinds. Yet, notwithstanding all the unusual or abnormal conditions, the Morrill tariff act of 1861 and other less general tariff acts of the war times helped largely to start up business on favorable lines, conducive to higher wages for the wage-earner and more stable prices for the products of the agriculturists—in short, to Americanize our productive powers and resources. The war marks strongly the beginning of a period in this country when the tendency was for our people to remove from the farms to cities and towns, to change from a bucolic life to a city or to a more gregarious one. About 75 per cent of the people of the United States in 1860, before slavery was abolished, were engaged in agriculture, and now, according to the best statistics obtainable, not over 35 per cent of them are engaged directly or indirectly in agriculture.

Three of the five counties, Madison, Fayette, and Pickaway, of my district in Ohio, unexcelled for richness of soil and productiveness, have decreased in population since 1880. The two counties, Clark and Miami, with large manufacturing interests have increased in population. It must not be inferred from this statement that the number of farms in the three counties has decreased or that their productiveness or value has depreciated or that the dignity of labor thereon has been affected by any social, business, or political changes. On the contrary, farmers now are better housed, have better barns, do their field work easier, possess better implements, have better roads for travel and over which to transport their products to market, have more and better carriages and buggies to ride in, enjoy more and better facilities for improvement and the education of their children, and have better mail advantages through rural delivery and otherwise than at any prior period. Their lands are generally cleared and are easier cultivated than in earlier times.

It is highly important that the probably now 30,000,000 of our agricultural people should have their interests carefully protected in any tariff legislation, for on our food supply depends largely the success of all other pursuits. The farmer has the least representation here and before our committees, and his interests are the most likely to be neglected. All other general or special interests seem to be represented by agents, attorneys, or lobbyists. The sheep or wool interests seem to be the only ones concerned in agriculture who are represented here.

But I have strayed somewhat from the history of tariff legislation. There were a number of partial or amendatory tariff acts passed between the Morrill tariff and the next general tariff revision. The tariff act of March 3, 1883, was a general one, and it was largely prepared on the report of a tariff commission. It was generally moderate in its protective provisions, and though favored in the course of its preparation by supposed strong advocates of protection, some of them—William McKinley, a member then of the Ways and Means Committee, and others—voted against the bill. Some of this unexpected opposition came through the persuasion of Mr. Blaine, of Maine (not then in Congress), who was then of the opinion that free trade was about to become popular. Mr. Blaine, and some Members of Congress who failed to support the 1883 tariff act, later changed their minds and became somewhat famous as protectionists.

The Mills tariff bill was reported to this House April 2, 1888, and to the Senate with amendments January 22, 1889. The House disagreed to a conference on the Senate amendments January 26, 1889, and the bill failed.

The House bill, popularly known as the "McKinley bill," was reported by him April 16, 1890, and it became, with some amendments, a law October 1, 1890. It, too, was not extremely radical as a protective tariff act.

Next came the Wilson-Gorman Act of August 27, 1894. On December 20, 1893, Mr. Wilson, of West Virginia, reported the bill to the House, and the House passed it February 2, 1894, and the Senate passed it with amendments July 3, 1894; and on the conferees of the Senate and House failing to agree, the House discharged their conferees and concurred in the Senate amendments August 13, 1894, and the bill was presented to President Cleveland for his approval August 15, 1894, and it became a law without his approval. He neither vetoed nor approved the bill, but expressed his condemnation of it in a letter to Mr. Wilson July 2, 1894, which was read to the House August 13, 1894, roundly scolding his party friends for their failure to carry out Democratic free-trade principles.

The consequences arising from the fact that it was understood that the Democratic party, when it came into power in 1893, would pass a free-trade tariff act, and the further fact that it soon did so in principle, necessarily proved most disastrous to all the business interests of the whole country and produced more distress, especially among the laboring classes of our people, than ever occurred in a like period before. The previous good protective times helped to intensify the real business depression that followed this act. It destroyed business confidence, without which prosperity can not exist.

The country awaited anxiously the revision which came when the Republican party was restored to power and the Dingley tariff of July 24, 1897, became a law. The Dingley bill was reported to the House from the Committee on Ways and Means March 19, 1897, and passed it March 31, 1897, and the Senate July 7, 1897, and by both the Senate and the House July 24, 1897. It was debated eleven days in the House and forty-two days in the Senate. It was approved by President McKinley July 24, 1897.

This act speedily brought prosperity to the whole country with the assurance that a protective system would continue indefinitely. Although its operation has been violently assailed here and elsewhere for a dozen years, its protective principle has proved a blessing to our people, especially to the laboring classes of all occupations, and in six successive congressional and in three presidential elections the people have approved it. During its existence there has been more universal prosperity, greater increase in wealth, more general employment of our people, more money spent and donated to support, establish, and maintain religious, charitable, and educational institutions; to encourage art and science; to upbuild the Army and Navy of the United States; to fortify our coasts; to extend the mail service to all our inhabitants, and so forth; and to provide for the general welfare of our people than in any other like period in our history. In the same period the expense of the war with Spain has been mainly met and the United States has expanded into a world power, and new possessions have been acquired, with consequent large expenditures. The map of the world has been changed. We have built a navy to cope on the high seas with the most powerful nations of the earth. The building of the Panama Canal has been entered on, and is being fast pushed

toward completion. The Dingley tariff act made these and other great things possible.

The claim that monopolies and trusts have also prospered during the existence of the Dingley tariff and that particular individuals have amassed a disproportionate share of wealth and power is more apparent than real, and the Dingley tariff is not responsible for them. The number of these is comparatively small when the whole number of our inhabitants engaged in business are taken into account. The common people never before enjoyed so much general prosperity as in the last ten years, and never before, in this or any other country, toiled so few hours per day and yet possessed so much of the Nation's wealth and so many homes. All parties profess to favor legislation that will secure universal prosperity. This can not be brought about without some of the more enterprising acquiring large fortunes. Poverty of the masses of our people is not the panacea for inordinate individual wealth, as our Democratic friends seem to think.

If trusts and monopolies were necessarily incident to our Nation's prosperity, then general poverty and distress would seem to be the only way to get rid of them. But, happily, they are not necessarily the offspring of prosperity, nor is poverty the true remedy for them. Trusts and monopolies, whenever found to be an evil, should be separately dealt with by proper legislation.

The financial panic of 1907 bore no relation to the tariff, and but for the tariff its evil effects would have been more calamitous and far-reaching than they were. Bad business methods brought it about, and a return to honest methods soon stopped its disastrous progress. We have learned some wholesome lessons from it. The large business corporations, such as controlled the railroads and the larger operations of the country, were the first and principal sufferers from the panic. These same corporations are here denounced as monopolies and in the same breath their condition is pointed to as evidence of the hard times supposed to still exist.

It is, however, somewhat misleading to point out that railways have large numbers of idle cars on sidetracks and that there are now large numbers of unemployed men. If through short crops and want of business confidence cars are not in use and men are unemployed, a protective tariff is not to be blamed for it. The remedy certainly will not come from free trade; that is, by turning our laborers out of mills and shops at home and by buying our supplies of manufactured articles from other countries, and by compelling our farm people to sell their grain and food animals to pauper-paid laborers in distant parts of the world.

In even ordinary prosperous times, in certain seasons of each year, there are necessarily many idle cars to be seen on sidetracks, and there are always a considerable number of people unemployed; some through misfortune, some by accident, some because their chosen occupation does not continue the year round, and some by choice or indisposition. Business can not continue to boom perpetually, even in the United States.

If there are, in exceptional times, apparently many unemployed persons in a great business center like New York, Pittsburg, Chicago, or other great city, where large, varied, and numerous industries exist, it is because there is in it a large population and many employees. When conditions, from any cause, become unfavorable throughout the whole country, it naturally seems that more people are thrown out of work at such a center than elsewhere, though, relatively, this is not the case. It is only where large numbers are brought together that unfavorable conditions are clearly observed. And what would the condition of unemployed people be if they were located where no manufacturing or producing enterprises existed? What would or could they do if mining or manufacturing were not conducted anywhere? What would be the effect on these people if they could only be employed as farm hands or as agriculturists? If so employed, where would the market be for their surplus farm products, if they had any? If they were not able to get work at all on farms, then where?

But the real cause of trouble never arises in the great active business centers, but always in consequence of a general business depression and a failure of confidence in the future, or for some other controlling cause over which the producers at such centers have no control and which are not connected with or dependent on any American tariff law. The trouble, if trouble comes, is always with the consumers of a particular product rather than with its producer; not on account of any protective duty on any special thing. And the general result is that as soon as confidence is restored business revives, and those who were in enforced idleness are given work, and usually at the same wages formerly paid them. Wages no not in such cases go, or have not usually gone, down for men employed in the principal industries.

Free trade which prevents the establishing of important industries at great centers, or generally anywhere, is the only remedy proposed to prevent idleness. It is the mother of idleness. That is, to prevent natural laborers, in exceptional times, from the danger of becoming temporarily unemployed, the free trader would so legislate as to prevent his being employed at good wages at all; or if employed in a prosperous business, the free trader would destroy it, to make certain that by no possibility could they obtain employment at all where their genius, skill, and industry would be properly rewarded.

The annual values, stated in round numbers, of products of all kinds in the United States are:

Farm products	$7,500,000,000
Mineral products	2,000,000,000
Forest and fish products	1,000,000,000
Manufactured products	18,000,000,000
Total	28,500,000,000

The value of our annual exports is $1,700,000,000. The foreign market for our products is only 5.9 per cent. The value of our home consumption is $26,800,000,000.

The home market for our products is 94.1 per cent.

Our prosperity depends on maintaining the home market as much as on home production.

When capital and labor are employed our people are interdependent producers and consumers, and necessarily enjoy prosperity. The value of material used, cost of production, and the wages earned and profits made then remain in the United States.

Revision that will lessen either our home production or our home market will be unjust, unwise, un-American, and will endanger our prosperity.

Some of our capitalists and business men who are slow to resume their former business enterprises in their full scope are now only waiting for a new tariff act to be passed to restore confidence and in order that they may know what business policy is to permanently prevail. Business confidence must be general to bring general prosperity.

Having said this much as to the history of past tariff legislation and its effect upon labor and business, I come to the position of the two principal parties on tariff revision.

REPUBLICAN V. DEMOCRATIC TARIFF POLICIES.

A tariff is a duty on goods imported from a foreign country. It is of early origin in the United States. The first Congress, as its first general law in its first session, July 4, 1789, enacted the first tariff act. It had the approval of George Washington, the first President of the young Republic. It was professedly protective in character. Its first section opened with a preamble expressing its objects thus:

Whereas it is necessary for the support of Government, for the discharge of debts of the United States, and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported.

During Washington's Presidency 14 acts were passed, and received his approval, relating to the collection of duties on imports.

The tariff acts of March 3, 1791, and May 2, 1792, established, in the main, our administrative system of collecting import duties through customs officers, ports of entry, and so forth, the existence of which some of our Democratic Members here so much deplore.

That there must be from time to time a careful revision of any tariff law all should agree. Changes in the condition and development of new and the going out of old industries in our still new and highly progressive Nation necessarily require this, but it should not be so revised as to destroy or impair existing industries or to reduce the wages of laborers engaged therein. A business that has been honestly built up with labor, skill, enterprise, and capital under the operation of a wise law has vested rights, and those dependent on its continuing for their employment at remunerative wages are justly entitled to have it maintained. It would be criminal in character to repeal or modify a law on the faith of which a business has been established so as to destroy it. Revision of the present tariff law does not imply a reversal of our existing tariff system of protection. An abnormally high duty should be reduced, but to reduce any duty below a reasonably protective level would invite disaster.

The Republican party, though strongly committed to a tariff revision in its last national platform, promised a continuance of the present protective tariff system and laid down the central principle upon which the revision should be had. This is clearly stated in its platform thus:

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of maximum and minimum rates to be administered by the President under limitations fixed in the law, the maximum to be available to meet discriminations by foreign countries against American goods entering their markets, and the minimum to represent the normal measure of protection at home, the aim and purpose of the Republican policy being not only to preserve, without excessive duties, that security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-earners of this country, who are the most direct beneficiaries of the protective system.

I am, in considerable part, responsible for the language used in the essential portions of this plank.

The difference between the cost of production at home and abroad, together with a reasonable profit to American industries, is promised, and anything short of that will work wrong and injustice and will not keep the faith.

Reasonable security against foreign competition to which American manufacturers, farmers and producers are entitled is also promised, and if this Congress does not secure this it will be recreant to its duty.

These cardinal principles for revision have had the recent approval of the people. But for countervailing things that came into the last national election, it is believed that a more significant and overwhelming indorsement of them would have been shown. Temperance and other state and local issues had much to do with results in many parts, especially in the Northern States, and, of course, the real or pretended fear of the people of most of the Southern States that in some way they were in danger of the negro dominating the white race, or becoming entitled to some right to live if the Republican party was continued in power, led many persons there, who would not otherwise have done so, to vote the Democratic ticket, free-trade principles and all.

Notwithstanding they so voted, the stronger and better business men of the South are now boasting of a "new South," a "greater South," and they are rejoicing over its recovery through protective tariff laws from effete and free-trade business notions which prevented the establishing of healthy and prosperous industries and the development of its natural resources. They will no longer seek to prevent manufacturing and general business industries being established and maintained in their midst and to prevent well paid independent free labor, as was long the rule in the South. The expression of this rule was embodied in the constitution of the Confederate States of America, which ran thus:

Nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.

Under this provision duties on imports were prohibited for the express purpose of preventing the establishing or fostering of any branch of industry. Slavery was bucolic, and any industry, likewise progress, was inimical to it.

It was most gratifying to see, as I did to-day, a sign on a lot on the northeast corner of Fifteenth and H streets, of this city, reading:

On this site will be erected the building for the Southern Commercial Congress for a greater Nation through a greater South.

Under this should have been written:

Who would have thought it:
The Dingley Act brought it.

A little reference here to some facts shown by statistics will be more eloquent and convincing than any declamation. The wealth of the United States as shown by recent and the most reliable statistics is shown for the years stated in the following table:

	Total national wealth.
1890	$61,208,755,972
1900	82,304,517,845
1902	91,228,732,842
1904	100,272,917,840
1907	113,749,270,337

It appears by these statistics that our national wealth has about doubled since the present tariff law went into operation.

Experience has also shown that both our exports and imports have increased under protective tariff laws. An example showing this will be found in the following tables giving the value of imports and exports of merchandise in three successive years under each of the Wilson and Dingley tariff acts:

Values of imports and exports of merchandise under the Wilson tariff act.

	Imports.	Exports.
September 1, 1894, to August 31, 1895	$759,108,416	$806,670,060
September 1, 1895, to July 31, 1896	687,805,637	837,892,519
August 1, 1896, to July 31, 1897	766,296,619	1,054,379,733
Total	2,698,832,304	2,213,010,662

Values of imports and exports of merchandise under the Dingley tariff act.

	Imports.	Exports.
August 1, 1905, to July 31, 1906	$1,244,612,289	$1,747,627,353
August 1, 1906, to July 31, 1907	1,456,450,869	1,897,707,339
August 1, 1907, to June 30, 1908	1,069,719,899	1,732,223,811
Total	3,770,783,057	4,367,558,503

It will be seen by these tables that both imports and exports were almost double in the three protective over the three practically free-trade years.

The balance against us of imports over exports under the Wilson act, it is seen, was $645,641,642, while the balance in our favor under the Dingley act was $596,775,446, the difference being $1,242,417,088.

Comment is unnecessary. The lesson was long ago learned that under protection our people enjoy prosperity, indulge in more luxuries, and hence purchase more in value of certain articles abroad than in times of free trade and its necessary business depression. But I must hasten to a more significant lesson shown by conditions at home as to which the new South is awakening.

Manufacturing industries have been unknown or have existed in a languishing way in large parts of the United States. What has been the result in such parts in an economic sense?

Where the raw material has been dug from the earth and utilized in manufacturing useful things, where mills and factories have been established and made to flourish and skilled and all kinds of labor has commanded good living wages, there prosperity and wealth are found largely in excess of any and all other parts of our Union.

Mainly the manufacturing section of this country is in area north of the Potomac and Ohio rivers and east of the Mississippi, and including the New England and Middle States, Maryland, Ohio, Indiana, Illinois, Michigan, Wisconsin, and the District of Columbia, containing of the total area of continental United States only 14.1 per cent, and wherein was produced in 1900 of the total manufactures produced 77 per cent, the gross value of which in that year was $10,021,718,161, while in the other States, comprising 85.9 per cent of the whole area, it was only $2,988,318,053, and then paying out in a single year in salaries and wages in manufacturing $2,194,936,683 as against only $536,471,656 in the other States; employing then in manufacturing industries 4,437,714 persons as against only 1,273,917 in the other States, and wherein the average per capita deposits in savings banks then were $56.90 as against $6.67 in the other States, and with a total savings bank deposit of $2,200,439,838 as against $249,108,047 in the other States, and with an average per capita deposit in all banks of $153.80 as against $37.10 in the other States, and with a total deposit in all banks of $5,949,934,845 as against $1,384,666,395 in the other States, and with banking resources more than four times as great as in the other States; and so in like proportions as to the value of lands, real-estate improvements and personal property, and the number of schools, colleges, and universities, and of salaries paid to professors and teachers. The contrast holds good throughout, and demonstrates the wisdom of diversifying, protecting, and fostering industries.

There are always, relatively, less employed people in the smaller than in the larger area, though the population is about the same in each.

The foregoing evidence of the wonderful comparative prosperity of a small area of our country over the remaining area is a most important and interesting study, and the lesson therefrom is most gratifying. It will be noted that in the larger area, almost 86 per cent of the whole area, many of the old States are found, also many of the older as well as some of the really prosperous newer cities, including the southern, northern, and western cities of New Orleans, St. Louis, Minneapolis, Kansas City, Omaha, Denver, San Francisco, Seattle, Tacoma, and others, and this large area includes the richest mining regions, especially of gold and silver, of the United States. Yet for want of a diversity of manufacturing industries being mingled with agriculture, the larger area described is only about equal in population to the smaller area—about 14 per cent of the whole—and produces only about 23 per cent of the total manufactures and less than one-third of the whole value thereof, pays out in wages only one-fourth and employs only a little more than one-fourth as many laborers as the smaller area; and wherein the average per capita savings bank deposits is not one-eighth and the total of such deposits is only one-ninth and the average per capita deposit in all banks and the total deposits in all banks is less in each case than one-fourth in the smaller area.

This answers completely the common cry of the free traders that a protective tariff only enriches the few at the expense of the many—that "protection is a robbery."

The large per capita of deposits in savings banks in the manufacturing regions referred to shows the general distribution of wealth among the people and its great excess over that of the people of the other regions. The importance of locating the producer and consumer side by side is shown in this comparative statement. The price of farm lands in the manufacturing region is, all things considered, much higher than in the other parts. Every spot of the once nonmanufacturing South that has been touched with a mining or manufacturing industry has prospered in contrast with the other parts, and this is the case elsewhere in this country.

Whoever produces something from his mechanical or inventive skill immediately becomes a patriotic American protectionist, and whoever does nothing or produces nothing is a natural free trader, and he always pretends to believe that he has, in some way, been robbed by tariff protection of what he never had or deserved to have. He pretends to believe that if he could buy cheap foreign pauper-made things he would still prosper, although he had nothing and earned nothing to buy anything. There must be earning power and capacity and opportunity to exercise them to acquire money, and without money nothing can be purchased. There is no practical difference between high and low prices to a would-be purchaser who is without money.

If an article costs a dollar and is needed by a person who has not and can not earn the dollar, it might as well be offered to such person at $2, but if a person has not the dollar and somebody is standing ready to employ him at two, three, or four dollars per day, the acquisition of the needed article is easily in sight. This is well understood by the intelligent wage earners of this country, and appeals to excite prejudice against their employers have been, and will continue to be, vain. And where the operatives in mills and factories are employed at good wages, all classes of mechanics and farm hands necessarily are in like manner employed, and when everybody is so employed general prosperity in all pursuits prevails. When employed, our people become independent producers and consumers and all enjoy prosperity.

Our market for all kinds of products of farm and factory is approximately 94 per cent of it at home. This is the market to promote and make secure. To do so is both wise and patriotic. "America for Americans" should be the watch cry until the millenium comes.

We still hear some talk about our manufacturers selling some of their product abroad for less than at home. This is rarely true save in appearance. Goods are generally sold to go abroad at wholesale and bring to the manufacturer more in net cash than he can realize if sold at home through agents and commission houses. The sales abroad are also generally of a surplus or remnant, and the goods are often made to sell in a foreign market to keep a home plant in operation. The proposed Democratic remedy for these foreign sales is to totally destroy our home producing power and prevent our people from selling anything at home or abroad.

The small area in which so much of our national and individual wealth and prosperity exists has no superior or natural advantages over the other parts of the United States. The difference is represented in business enterprise, energy, spirit, and faith in the success and development of our institutions.

In spite of the past and of adverse party affiliations, the South has awakened to new and better business life and is now prospering, and is further to prosper in comparison with its past, in which I heartily rejoice. The South's great resources, incident to its climate, rich soil, abundant minerals, water power, and other like natural resources and conditions, are certain to develop when her people have awakened to modern and progressive business methods and to her opportunities and possibilities. When she produces from her soil and manufactures through her own natural resources what she needs at home and a surplus for foreign markets her day of business resurrection is at hand, and universal enterprise, and not cotton, will reign as king. Through a protective policy, practically applied, prosperity will come to the South not hitherto dreamed of. "Plant the factory beside the farm" is a good motto for all sections of our country.

The position of the Democratic party is impossible of definition on the tariff question. Its late national platform gave us only one declaration of policy for revision. It reads:

> We favor immediate revision of the tariff by the reduction of imposed duties.

This appears to have been copied from the title to the Walker tariff act already mentioned.

This declaration admits of no consideration of the effect of revision on the needed revenues of the Government or of the wisdom of protecting the American wage-earner or of maintaining any branch of American industry. The only thing declared for is "reduction of import duties," and this regardless of consequences. No vested rights of property, no established industry, no scale of wages for the skilled mechanic or the common laborer in this country would be respected if Democratic revision could prevail. American interests and markets would be slaughtered to promote foreign interests and markets. American mines, mills, and factories would be closed and capital sacrificed or remain uninvested, all to promote foreign industries and investments.

The farmers' surplus product would be left to perish, or to be sold, if at all, at home to a largely idle people at very low prices, or transported for a like market, if any, to foreign parts, the farmer paying the cost of transportation and then selling, if at all, to pauper-paid classes of people. Democratic revision would have the consumers of American farm products located as far as possible from where they are grown. Such policy would separate as widely as possible the producer and consumer, reversing the axiomatic prosperity maxim, "Farm and factory side by side."

This Democratic policy would not only turn the laborers from mining, mill, factory, and shop, but, in time, would drive them to agricultural pursuits and, by increasing the number of farmers, lessen their chances for profits, and thereby reverse existing conditions.

In the proportion that the consumers of products of the field and farm exceed the number engaged in agriculture will the business of farming pay. The people in continental United States engaged in agriculture is about 35 per cent of the whole number. I remember when they were about 85 per cent of the whole number, and then farmers generally were poor and their products brought comparatively little.

The theory that our markets abroad for farm products would be increased by our buying manufactured or other goods abroad is not even plausible, and it has never been supported by experience. No country or people buy from us what they have or can produce at home. Not a bushel of wheat, a barrel of flour, a pound of beef or pork, or other product of agriculture or anything else ever was purchased from the United States by any foreign people unless they needed it and could not produce it themselves. And we have just seen that we both buy and sell more abroad in protective than in free-trade times.

The further Democratic un-American theory that if we buy our goods from abroad and thereby enrich the foreign manufacturers and keep the foreign masses employed that they will be better able to buy of us needs only to be stated to show its fallacy. Is it not a better and wiser policy to establish and maintain flourishing mills, shops, and factories at home, filled with American well-paid laborers, and then rely on home consumption of our farm and other products? Anything that sacrifices home industries and thereby drives our mechanics to the streets, idle, is business suicide and un-American.

The Democratic party, judged by its legislative history and by its platform declarations, can only be regarded as a free-trade party and inimical to all American protection of labor and capital. The individual views of certain Democrats only indicate their desire to abandon a party that has done so much to prevent universal prosperity throughout the Union. When in power its legislation proved disastrous to the people. When out of power it has had some apparent success as a party of criticism, which is the last and lowest stage of party existence.

In 1892 its national platform read:

> We denounce protection as a robbery of the many to enrich the few.

It then denounced reciprocity as a jugglery; and the Wilson-Gorman Act repealed all of the provisions in the McKinley Act of 1890 relating to reciprocity, and declared that everything done or attempted to be done to enforce it should be held to be null and void. By this our Government could not keep its reciprocal tariff agreements with certain foreign countries, and was compelled to break faith with them, to our great dishonor. Yet in 1904 that party in its national platform indorsed reciprocity as sound in principle if coupled with free trade, as though reciprocity could be practiced or would be necessary if our ports were open for free importations to all the world. Reciprocity is only possible as an incident to protection. Reciprocity relates to a concession of existing duties between countries that levy duties; and consequently, if no American duty exists, there can be no concession, and none is needed or could possibly be made.

I understood the distinguished gentleman from Missouri [Mr. CLARK] to announce in his recent speech that he and his party

were not now in favor of putting raw material on the free list. I congratulate him and his party over this conversion and, I may say, progress. It was the platform policy of the Democratic party in 1892, and later, to class many things as raw material and then put them on the free list. President Cleveland, in his memorable letter of July 2, 1894 (see RECORD, vol. 23, pt. 3, p. 8494), to Mr. Wilson, then chairman of the Ways and Means Committee of this House, after soundly and truthfully denouncing and trouncing his party for its failure when in power to be able to act wisely and in the interest of the people, proceeded to declare:

> We have in our platforms and in every way possible declared in favor of the free importation of raw material.
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> * * * * * * *
>
> It must be admitted that no tariff measure can accord with Democratic principles and promises, or bear a genuine Democratic badge, that does not provide for free raw material.

Wool, hides, and some other things were then commonly treated as raw material.

I agree, in the main, with the gentleman from Missouri [Mr. CLARK] in his recently expressed views here that there is no such thing as raw material in the hands of its producer, and that everything is raw material to the user or consumer in manufacturing or otherwise. I also like his convenient policy of favoring a protective duty on anything, raw material or not (salt only excepted), provided such duty will produce a revenue. He says he stands for free trade on salt under all circumstances as a Missouri ancient tradition, and on that alone. I heard him with interest discuss the policy of a duty on zinc, a product of Missouri, and I would call a 10-cent limit on the proposition that his mental show down will disclose that he has reached the conclusion that zinc needs a protective duty against Mexican zinc because such a duty will produce a revenue. I hope he and his party will work the same mental racket on some other things that should be protected.

In a broad sense there is no such thing as raw material, and in a narrower sense almost everything is, to somebody, raw material. An article or commodity is never raw material in the hands of its producer, and in the hands of a manufacturer thereof or of its consumer it is, to him, raw material.

WHAT REVISION SHOULD AND SHOULD NOT BE.

The principle of protection must be generally maintained with reduction of duty on articles in the interest of revenue and without endangering the perpetuation of our home industries and the employment of our laborers at fair and remunerative wages. The farmer as well as the manufacturer and laborer should have his interests safeguarded. Our diverse and local interests, regardless of section, must be honestly cared for. If revision means a scramble for protection of one section or industry to the exclusion of other sections or industries, or if the struggle is to be to put products of one section or class of our people on the free list because they are desired to be cheapened for manufacturers in other parts or by other classes, then when such revision comes, if it can come, there will be great cause of complaint and it will prove a failure if it does not promptly and inevitably lead to great business disaster.

Free trade, universal free trade, would be preferable to such revision.

Let us not deceive ourselves in advance. Most, if not all, our established industries are of a character that, from their very nature, were not established and built up in a brief time, or cheaply, nor can they be abandoned or restored at will. If once put out of business, plants can not again become going concerns in any short period of time, and in no case without great expense and loss. A failure to foster established industries will destroy confidence and drive capital from them as an investment. Experience has shown that if the doors are open for free foreign competition as to any generally needed thing in this country, and that if the price thereof should be lowered thereby, that it would be only for a time sufficient to destroy American competition and to drive our capital and labor out of the business involved, and then that the price would go back to a point higher than it had been produced for at home. For example, the Wilson tariff act (1894) put cotton ties on the free list, and the result was that they ceased to be made in the United States, and the price thereof soon just about doubled.

The contention that products may be bought more cheaply abroad, through free trade, is fallacious; but, if so, are we willing to abandon our policy of establishing, maintaining, and diversifying our own industries, and our policy of upbuilding and extending the employment of our own people, and thereby enabling them to receive living wages, and to permit our capital to be invested at a fair profit?

A tariff may seem only to protect a particular industry or occupation, yet if it is protected and made to flourish all classes of our people will be, directly or indirectly, benefited. So of all industries. They should, as far as possible, all be equitably protected. It is impossible, especially in this country, for any large body of our people to follow successfully one occupation; and in so far as they do the country as a whole will not flourish financially or mentally.

My friend from Indiana [Mr. CRUMPACKER], in his recent speech, commented on the so-called "raw-material producer" as though he was of a favored class, entitled to no consideration in American tariff legislation. But for this class all other industries would be impossible. If this class did not produce a surplus for sale, there would be no other class of producers. If there are abundant consumers of the farmers' products, they will flourish, and the more steady and higher the wages paid these consumers the more prosperous will be the farmer class, and the more will they purchase of the products of other labor and industries. There must be mutuality in all protective tariff legislation or it will largely fail.

It must not be forgotten that all history, from the earliest times, teaches that a nation of people mainly engaged in one pursuit is always poor and, in general, its people are poor, and their mental and progressive condition is dwarfed. People thus employed live too much on a dead level to flourish or progress. The Egyptians were, from the beginning, agriculturists. They flourished only in the period when the Pharaohs forced them from the fields to work in quarries and in erecting pyramids and monoliths. So as to other purely agricultural countries. Many of them have, in a large sense, passed away. Their people languished and degenerated mentally, physically, and financially. Commerce, trade by land and sea, diverse pursuits, and sometimes war, have given vital energy to nations, and have brought spirit, enterprise, and prosperity to their people. The condition of Egypt to-day, as well as of certain countries of Asia, such as Persia, China, and especially India under English rule, afford striking examples of people becoming and remaining effete, helpless, and hopeless failures in any desirable or progressive form of civilization, and they generally and easily surrender their liberties. These countries cut no figure in the exaltation of humanity in the world. Italy even dates her passing away as a world power or as a nation of influence from the time her people sought to dominate in painting, sculpture, and generally in works of art.

It is only through diversified industries and ambitions that this country can continue to hold its commanding position and to exercise its controlling influence in the mental, moral, and business affairs of the world, or its people can generally prosper and be happy.

The example and the statistics I have already given sufficiently demonstrate the difference between the general and individual wealth of the manufacturing over the nonmanufacturing parts of our country. Of course I believe that the occupation of the farmer is as elevating in every way, if not more so, than any other. I only want to emphasize the fact that our state would be bad if we were principally farmers, merchants, or of any other one class of producers.

But to return to the matter of tariff revision. We have operated for about a dozen years under a fairly protective system, and this should continue. Revision, as we have seen, is interpreted by our Democratic friends to mean reduction of import duties in all cases. Their theory is that this country can prosper only when we are able to buy at lower rates goods of foreign manufacture or can buy them of domestic manufacture after forcing the American laborer in mines, mills, factories, and shops to accept lower wages. Revision downward might temporarily produce this result, but it would not last. Such revision would soon destroy our industries and leave our consumers to pay whatever price the foreign producer might demand. Such has been the experience of the past. If a necessary commodity or article is needed by our people and they, or some of them, can produce it, we do not have to send gold abroad to pay for it; if we do not produce it, we must send the gold or do without it. If it is made or grown abroad, all the labor attending its production is foreign, and to that extent labor is idle or lessened at home. The principal part of the prime cost of production of all manufactured articles, or of agricultural products even, consists of skilled and unskilled labor.

A reduction of import duties that does not result in bringing foreign goods into our country not hitherto in competition with domestic goods will benefit nobody nor will it produce any additional revenue. To the extent that foreign goods take the place of our homemade goods our laborers and capitalists must suffer. For every article purchased abroad that could be purchased of home production, gold or its equivalent will

go abroad and our laborers and industries will be deprived of it. If revision is not such as to bring foreign and domestic goods in competition, then it will mean nothing. If this does not result, then the revision will lead to no good nor do no harm, save in destroying confidence. And even free trade or any approach to it that does not secure pauper-manufactured foreign goods and the dispensing of a like amount of our own goods will be equally vain and prices will not be reduced by it.

If an industry has reached a point in production that it can undersell, at home or abroad, in competition with the same industry of other countries, then a reduction of import duties will bring no results. In such case it would bring little or no revenue, and any revision will be deceptive, and time would be misspent in doing it.

It follows that any revision that does not destroy or injure some home industry by inviting cheaper foreign manufactured goods to be brought here to take the place of our own, or to take the place of what is called "raw material," such as hides, wool, and so forth, would not stop our own home production, and would likewise produce no useful results, not even revenue. So a revision of duties by reduction on what we are now able through protection to produce would only have the effect to seriously injure or destroy our own industries, turn our laborers out of them, or compel them to accept reduced wages.

If the duty is reduced only so as to threaten the coming in of foreign products and so as to require the reduction of the price of our own home products, then the laborers, farmers, and manufacturers will still suffer the penalty in reduced wages, lower prices, and in the value of home products.

The 1908 Republican platform gives us the only safe or satisfactory rule by which Congress can now be guided, namely:

The imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

Mr. GARRETT. Mr. Chairman, is it agreeable to the gentleman to submit to an interruption at that point?

Mr. KEIFER. Certainly.

Mr. GARRETT. I want to ask this of the gentleman because I know he is very familiar with the history: Has that clause as to "a reasonable profit to American industries" ever been in a Republican platform before—that particular phrase?

Mr. KEIFER. I think not in exactly that form. I can tell the gentleman I am, I think, the author of this clause of the platform myself. It first appears, and I am sure of that, in the Republican state platform of Ohio. I think the Republican state convention that first adopted it met in March, 1908, and then it was carried into the national platform at Chicago in the June following. I do not recall whether or not it is in just that language in both platforms, but my recollection is that it is.

Mr. GARRETT. The gentleman understands that I am asking as a matter of historical interest——

Mr. KEIFER. Certainly.

Mr. GARRETT. Whether it has been in any Republican platform before.

Mr. KEIFER. I think not in that language, but in principle. We should not depart from this rule for revision, and it should be liberally applied in the interest of the American wage-earners and industries.

So much of a misleading character is said of President McKinley's last (Buffalo) speech (September 5, 1901) in which he talked of tariff revision, that I think best to try to have his then real views better understood. This speech was delivered after the present tariff law had been in force only four years. Listen to some of the things he said in that speech had been accomplished by it:

My fellow-citizens, trade statistics indicate that this country is in a state of unexampled prosperity. The figures are almost appalling. They show that we are utilizing our fields and forests and mines, and that we are furnishing profitable employment to the millions of workingmen throughout the United States, bringing comfort and happiness to their homes, and making it possible to lay by savings for old age and disability. That all the people are participating in this great prosperity is seen in every American community and shown by the enormous and unprecedented deposits in our savings banks.

* * * * * * *

We have a vast and intricate business built up through years of toil and struggle, in which every part of the country has its stake, which will not permit of either neglect or undue selfishness. No narrow, sordid policy will subserve it. The greatest skill and wisdom on the part of the manufacturers and producers will be required to hold and increase it. Our industrial enterprises which have grown to such great proportions affect the homes and occupations of the people and the welfare of the country. Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have.

* * * * * * *

By sensible trade arrangements, which will not interrupt our home production, we shall extend the outlets for our increasing surplus.

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What we produce beyond our domestic consumption must have a vent abroad.

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If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

Whatever of suggestion the speech contains as to extending trade to other countries through reciprocity or through an interchange of commodities is conditioned upon first protecting and increasing our home industries, upon preserving fair and existing wages to our laborers, and upon securing a needed revenue to the Government.

Of course, on such condition, it should be our highest ambition to secure a market for all the surplus commodities we may or can produce. President McKinley, in that speech, uttered no word showing a purpose to lower the banner of protection he had so long upheld.

I have thus far refrained from speaking of particular schedules or items thereof in this bill, and I would remain silent as to all of them if I could reconcile my views to what I regard as manifest inequities, and as serious omissions from any duty which, if not corrected by amendments of the bill, will lead to gross inequality among and injustice toward certain classes of our people, and to consequent dissatisfaction of a serious character. The exceptional commodities are commonly miscalled "raw materials."

RAW MATERIALS—HIDES, WOOL, ETC.

The committee adopted no general rule, even as to the so-called "raw materials." Some are protected in whole or in part and others are put on the free list. A striking example of this is hides. I shall speak here principally of them. Under the Dingley Act the duty on "hides of cattle, raw or uncured, whether dry, salted, or pickled," is 15 per cent ad valorem. Under this bill such hides are put on the free list, while leather, dressed skins of all kinds, and manufactures of leather are to be made dutiable, ranging from the lowest, sole leather and so up, at 5 per cent ad valorem to 15 per cent on dressed and 30 per cent on manufactures of leather. This is severely discriminating. It will protect the American tanner and shoe and harness makers and other manufacturers of leather goods without cheapening them to the buyers or consumers of the product. Shoes and harness will continue to sell to the "ultimate consumer," to use Mr. BOUTELL's new-coined phrase, at the former and not reduced prices. If this should not prove to be true, still a great injustice would be done to the cattle raisers and stockmen of this country, and it will work a manifest injustice to the whole people, whether interested in cattle or not, regardless of class in the United States. The meat, as well as the hide product, will be lessened by the removal of the duty on hides. Less neat cattle will be raised.

Mr. WEISSE. I do not like to interrupt the gentleman from Ohio, because he has stated that he did not want to be interrupted. I am satisfied that he does not want to make a misstatement, however, in any way. He does not understand the leather business.

Mr. KEIFER. Wait until I am through, and then you will see.

Mr. WEISSE. I will just say this, that the cut in leather is twice as large as it is in hides.

Mr. KEIFER. That is a very commonplace statement. I do not know very much about making leather shoes. I could once, as an amateur, make a pair of shoes for a horse's feet, but I could not make a pair of shoes for the gentleman's feet.

Mr. GARRETT. You would not make the shoes for a horse's feet out of leather.

Mr. KEIFER. Out of iron or steel; but I would not fall into the mistake that the distinguished gentleman from Massachusetts [Mr. GARDNER] did a little while ago, when he pretended to know all about shoes, leather, hides, and all, and made a calculation showing that there would be 11 cents duty on the leather in a pair of shoes, when only the leather in the heels and the soles of them came from cattle hides or other articles dutiable at all under the law. He calculated on all of the elements that entered into the shoes, when there was but a small fraction of them that was dutiable at all under the Dingley tariff law. But that comes from an assumed overknowledge, overinformation, or overlearning, or from only a little learning on the subject. I believe it was the poet Pope who said:

A little learning is a dangerous thing.
Drink deep or taste not the Pierian spring:
These shallow draughts intoxicate the brain,
And drinking largely sobers us again.

The term "free hides" is misleading, as only "hides of cattle" are dutiable under existing law, and other hides and skins now on the free list, used largely in making leather for shoes, and so forth, such as horse hides, goat, sheep, kangaroo, porpoise, and calf skins. All hides save of cattle are on the free

list. Calfskins are distinguished from cattle hides by the weight. All green salted hides weighing each 25 pounds or less and all dry hides weighing 12 pounds or less are regarded as calfskins, and all over these weights as cattle hides. And there is no actual duty on leather exported made of imported hides. There were imported in 1905 cattle hides in value $18,384,650 out of a total import of hides and skins (excluding fur skins) of $73,397,418, so it will be seen that about three-fourths of the hides and skins used for leather are now imported free of duty.

Trade reports show that in free-trade England the price of hides is constantly in excess of the price in the United States. The price of hides here, it would seem, is not advanced by the duty on them, while the 15 per cent duty on "hides of cattle" slaughtered here are in number about 12,500,000 and of a value of about $75,000,000, the duty value thereon being $11,250,000, which, if it at all inured to the cattle raisers, would go far to encourage cattle breeding to supply both meat and hides.

The pretended erudition displayed to prove that hides are raw material and should not be protected is more amusing than instructive. I have not taken the pains to read the testimony of the shoe and leather men who advance such views.

Why should not the breeder, grower, or feeder of cattle have protection on his production as well as the tanner and shoemaker and all manufacturers of leather goods, however hides may be classed? He invests his capital in his land, in his breeding stock, or in purchasing his cattle to feed, in the feed to raise and fatten them; devotes labor, involving much exposure, on their care, drives or transports them, generally to a distant market, or slaughters or causes them to be slaughtered for him, and in various other ways takes care of them, and always at much risk of loss by exposure, disease, accident, or otherwise. By the time the hide is taken from the animal and ready for the tanner it represents a substantial cost and, at least relatively, equivalent to the cost of any ordinary manufactured article of equal value. This is accomplished by the farmer investing his own labor and capital, and he is not to be regarded as a speculative dealer or tradesman, though he may have more of capital, skill, labor, and risk involved in the hide product, according to its value, than a person usually has in any product manufactured from it.

A bullock, ready for sale and slaughter, is the finished product of his owner, and his parts can not be segregated and regarded as raw material.

I am in favor of a reasonable and equitable duty on hides, the leather made therefrom, and the manufactures thereof. The producer of either promotes a large industry and a great interest at great cost, each employing much labor and capital; but if hides are not to be dutiable, then leather and the manufactures thereof should go on the free list. The line and policy of protection should, in that respect, be broken.

The statement that the duty on hides does not tend to the increase of cattle or the number of hides, like the further statement that the cattle owner receives no part of the duty, and that it all goes to the packer and enables him to have a monopoly on hides and the tanning business, is the picked-up common talk of interested or ignorant parties. There is no more reason or logic in saying that a duty on hides does not promote the breeding of cattle for the market than to say that the price of beef or of the animal ready for slaughter does not have anything to do with encouraging the breeding and raising of cattle. Why not say the value of the whole hide of an animal or the tallow in him does not have anything to do with his being bred for market? Commonly, the value of a hide of a beef animal is one-sixth the value of the whole animal, and the value of the hide of a calf is more nearly the one-fourth of its whole value.

I have here a bill actually rendered for the carcass of an animal sold for slaughter subject to a post-mortem inspection of the meat on account of his having a lump on his neck. The meat was found to be good, and the whole animal was accounted for in its several parts, the value of each being given. Here is the bill as rendered:

CHICAGO LIVE STOCK EXCHANGE,
OFFICE OF THE SECRETARY,
Union Stock Yards, Chicago, Ill.

Statement of the disposition of one carcass of beef and its offal, pronounced fit for food by the state veterinarian of the State of Illinois at a post-mortem examination thereof held in the city of Chicago on October 23, 1908.

Owner, Lee L. S. Com. Co. Tag No. 8.
Sold to M. C. Dea.

CREDIT.

By four quarters of beef, 765 pounds, at $6.50	$49.72
By butter stock, 38 pounds, at $8.55	3.25
Hide, 79 pounds, at $11.38	8.99
By head, tongue, etc	.60
	62.56

DEBIT.

To slaughtering, dressing, chilling, and delivering carcass	$0.97	
To feed and petty incidental expenses	1.18	
		$2.15
Net proceeds		60.41

RADCLIFFE BROTHERS, *Dexter, Kans.*

This bill is an old one, and not made for the use I now make of it.

The understanding is that packers usually never sell the meat of a fat steer for as much as they pay for him. Their profit comes from by-products—all of his parts, even the hair, are conserved and turned into value.

The 15 per cent ad valorem duty provided in the present law has been in force for nearly twelve years, and cattle raising has been largely promoted thereby, and its repeal will cause the business to fall off materially, thereby reducing the supply and increasing the price of beef, and probably of hides, all over this country. The beef consumer will be seriously affected by putting hides on the free list—he will soon pay more for his meat because of its scarcity.

Cattle breeding, raising, and feeding have wholly changed in recent years in most parts of the United States. Few large herds are found on open, unowned, or uninclosed lands. They are raised, grazed, and fed in inclosures and in small lots. The lands on which they are kept are now valuable; also the feed and grain required to fatten a bunch of cattle often will sell for more at a near-by market than the bunch of cattle will bring when fattened. There is seldom a considerable lot of cattle gathered for feeding, as in former times. Cattle and hogs are now marketed in every month in the year. It is easy for a farmer to go out of the cattle business. But for the duty on hides many farmers and cattle feeders would now be out of the business, and the number of hogs raised and fed for market would likewise be much less, as cattle and hogs are generally kept and fed together. Cattle are often fed for the sake of the hogs. The price of pork would also be materially increased by putting hides on the free list.

Enough has already been said and shown to demonstrate the fallacy of the claim that the packer only gets the benefit of the duty on hides. The packer has to be interested in the producer, and the price he pays for his butcher stock must be such as to stimulate its production or his business would languish. The aggregate value of the elements in an animal are what determine its whole value. The price meat is sold for at wholesale or retail, the price tallow brings, and the price other parts, as well as the hide, are sold for, augmented, if you please, by the duty thereon, all go to make up the value of the animal and measure the price the packer can afford to and usually does pay for him.

It is convenient for some persons to advocate a bad cause by finding somebody to denounce for dishonesty, and then assume that he is the only beneficiary of something they oppose. The packers, though large dealers, are as honest as other business men. And the farmer is not wholly dependent on them for a market for his fat stock. A large portion of the beef cattle are butchered by small operators; and farmers are themselves taking steps to secure a fair market for their fat stock, even to establishing convenient packing facilities for themselves. Cattle are bred and fed for meat in all parts of the Union on almost every farm and by millions of farmers, all of whom must suffer if hides are put on the free list.

Mr. WEISSE. If the gentleman will allow me just a question again. He claimed and I claimed that the price of hides does enter into the price of the cattle. He and I agree on that absolutely. Then, I just want to ask him a fair question, namely, If he does not believe that the 500,000 head of cattle that are exported from this country every year—or about that number every year, as it varies—that the farmer loses the 15 per cent on that hide when it is sold in London and has to pay a duty to come back to this country, which is $2.40 on a $16 hide taken off the steer raised in Ohio and Iowa?

Mr. KEIFER. Mr. Chairman, the answer to that I can give very briefly. I do not believe the assumption of the question. I am sure it is inaccurate, though not intentionally so.

Mr. WEISSE. If the gentleman will allow me——

Mr. KEIFER. I can not yield further, because my time will soon be up and I will have to hasten through. I do not want to get off on a side track.

It is a still more feeble theory that a duty on hides enables the packer to create a monopoly on hides and their tanning.

The facts show this theory has no basis to rest on. The big packers slaughtered only about 5,000,000 of the total 13,000,000 cattle, and about 1,000,000 of the 5,500,000 calves slaughtered last year; the large balance of 8,000,000 of cattle and 4,500,000 of calves were slaughtered singly or in small lots by farmers themselves and small butchers, as the necessities of population

and the production and distribution of cattle and the consumption of beef require. The big packers, therefore, as slaughterers of cattle, do not control two-fifths of our cattle hides and but little over one-fifth of our calf hides. And there are about 1,000,000 "fallen hides" secured in this country yearly with which the packers have nothing to do.

It thus appears that of the 19,500,000 hides annually produced only a possible 6,000,000—less than one-third—are controlled by packers by reason of their business. While on most of the calf and on all of the "fallen hides" there is no duty, all hides must be taken into account in demonstrating that the claim that the big packers have a monopoly on hides and their tanning is not true. As a matter of fact, the big packers regularly sell to the tanner trade about 50 per cent of the hides they take from animals they slaughter, retaining only a small per cent of the total hides of this country for tanning.

Without a duty such a monopoly could at least as easily be formed. Such a monopoly may be as promotive of honest prices as a monopoly composed of dealers in imported hides from the pampas and other vast plains of South America and other regions where the cattle cost nothing comparatively to raise, the land where they graze being generally open and without market value, and where the cattle are often killed alone for their hides, and where labor is cheaper than in any other part of the world.

Hides from these distant parts, like wool from the Argentine and the Cape of Good Hope, can be transported by steam or sail vessel to our Atlantic ports for less money than they could be transported to the same ports by rail from Columbus, Ohio.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEISSE. I move that the gentleman's time be extended.

Mr. KEIFER. It will take very little time for me to finish.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent that the gentleman have time to conclude his remarks.

The CHAIRMAN. How long?

Mr. GARRETT. That he have time to conclude his remarks.

Mr. KEIFER. It will not take ten minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the time of the gentleman from Ohio be extended for ten minutes. Is there objection?

There was no objection.

Mr. KEIFER. It is also said that the bringing in of foreign hides does not affect the industry of cattle raising or the price of hides. If this were true, but it is not, it seems strange that principally the tanners of imported hides do not deal in domestic hides, and thereby encourage home production. Every foreign hide that comes in must take the place of a domestic one; and if the removal of the duty will let in, as is supposed, enough hides to supply the demand, then the hides of domestic animals would not be worth the cost of taking them off. To remove this duty will prove more disastrous to our people universally than any other thing we are likely to do by the passage of this bill.

Others will speak at length upon the effect removing the duty on hides will have on the price of boots and shoes to the wearer. In so far as this duty may be paid by the wearer of shoes, it would not amount to as much on a pair of $4 shoes—on which the hide duty is only about 2 cents—as the advance price is likely to be on the meat of a single meal by reason of the supply of meat being lessened and its price increased by the removal of this duty.

If the tanners and shoe dealers who are weeping just now so copiously over the burdensome tax the shoe wearers are suffering from, why do they not give up some of the duty on leather and the manufactures thereof put on for their protection?

Douglas, the manufacturer of a $3.50 pair of shoes, long ago said in effect that he had to add 50 cents to the retail price of each pair on account of the duty on hides—how philanthropic—only about 2 cents of such duty could possibly be in the leather of a pair of his $3.50 shoes. This alone, it seems, warranted him in adding 50 cents to the price of a pair of shoes, the protective duty on the leather therein being about equal to one-fourth of its whole value. Also on the shoes.

Allow me, Mr. Chairman, to say here that I am surprised to find that the advocates of taking the duty off of cattle hides are driven to the exigency of claiming or pretending that there are duties on hides of all kinds, and on skins used in making various kinds of leather, all of which are on the free list save cattle hides; and in the calculation made by the distinguished gentleman from Massachusetts [Mr. GARDNER] he proceeded on the theory that all kinds of hides and skins from which the leather is made for all the things that are in a lady's shoe are taxable, and on the same basis that the tax is on leather, not hides. The 15 per cent ad valorem duty on hides, raw or dry, is on the value of the hides at the time they were imported. And the 5, 15, and 30 per cent duty that is on leather is on it in the state it is in just before it is ready to be put into harness or shoes, and the one is very small and the other comparatively large. But there is no duty on most of the leather articles that go into ladies' shoes and much of the leather that goes into many of the others. If you will look at the schedule, you will see that skins and various kinds of hides that are used to "make leather," as we call it, are not taxable at all. There is only a duty on cattle hides, and it is so construed as to be very limited.

I here adopt the statements of Hon. Henry Bannon, of Ohio, found in an exhaustive speech made by him in the Fifty-ninth Congress on the subject of a duty on hides. He shows the inaccuracy of the calculations made here as to the amount of such duty entering into a pair of shoes and other things, and he gives the true rule for obtaining the amount of it:

AMOUNT OF TARIFF IN LEATHER MADE FROM CATTLE HIDES.

The method of computing the amount of the tariff on raw hides used in the manufacture of leather is as follows: One hundred pounds of dry hides will produce from 150 to 185 pounds of leather, and we can safely put it at an average of 175 pounds. At the present high prices of dry hides they are worth 20 cents per pound, and if the duty has increased the price 15 per cent such increase would be 3 cents per pound, or for the 100 pounds the duty would amount to $3. This quantity of raw hide will produce 175 pounds of leather, and the duty in this quantity will, of course, be $3. If the duty on 175 pounds of leather is $3, on 1 pound of leather it is 1¾ cents. At normal prices this small amount is greatly reduced. When we apply this to any particular pair of boots or shoes we find that the tariff represented therein must necessarily be very small indeed. Take, for instance, the shoes of women and children. They are not made from cattle hides, but the leather in the uppers is made from sheepskin, goatskin, and, occasionally calfskin. The only portion of their shoes that contain any cattle hide whatever are the soles and heels, and inasmuch as the weight of these is very light, because such soles are quite thin, it will be seen that the duty represented in these soles and heels is not appreciable.

In all the higher grades of men's and boys' shoes worn in this country—and they are the ones now commonly worn—the leather in the soles and heels is also the only portion bearing any tariff, because the uppers of this grade of shoes are made of kid, calf, kangaroo, or goat skins, or horsehides; and the way to determine the amount of the tariff in such shoes is simply to take the weight of the soles and heels and multiply that by the amount of 15 cents, and you have the result. It will readily be seen that it is so small it can not affect the retail price of shoes, because in no case does it exceed 2 cents per pair. The only boots and shoes made altogether from cattle hides are worn principally by the farmers, and in order to determine the amount of the tariff thereon multiply the weight of a pair of such boots or shoes by 15 cents. Even in this case the amount is too small to effect the retail price; but granting that it does, the farmer raises the cattle from which the hides are taken, and when he sells them he gets the advantage of the increased price. The shoe known as "Little's brogan" is worn largely by the farmer. It is made from cattle hides, and the weight of a pair of these shoes is 5 pounds; so the tariff represented in them can not exceed 5 cents.

Mr. Bannon is from a large shoe-manufacturing district and thoroughly posted in the business.

Now, I have heard something said to-day and heretofore about there not being sufficient hides in this country. If that be true, Mr. Chairman, I would encourage the breeding of cattle until I got enough of them, and this would also increase the quantity and reduce the price of meat at the same time.

A circular which has been sent here in the form of a bill nearly large enough to cover a barn door has at the head of it this:

No civilized country on the face of the earth breeds enough cattle to furnish sufficient leather for domestic use.

Where do the hides and leather come from? From barbaric countries, we may conclude. We are asked to legislate to promote barbarism and barbaric production. This is the limit in efforts to find a reason for free trade.

Mr. Chairman, the Republican party has had tasks enough assigned to it to undertake by a protective policy to take care of American industries and American labor against and in competition with civilized people and civilized nations, but now it is said the Republican party should not continue a duty on hides and thereby shut out competition coming from barbaric people in some distant and unknown lands. Free trade with savage tribes should be secured. Has it come to this? [Long-continued applause.]

But I must desist here.

WOOL, SUGAR, ETC.

The already great length of this speech compels me to omit a discussion of other items of the bill worthy of attention.

A passing reference to one or two must suffice. Wool, commonly classed as raw material, is in the main reasonably well protected by the duty fixed in the bill. It is substantially like that of the Dingley Act, save possibly in a few particulars, to which others here may call attention.

But, inasmuch as the free raw material advocates are abroad, with the purpose of putting wool on the free list, and some of our Republican brethren, for the same or other reasons, threaten to join them, I will be pardoned for a bare reference to the

necessity of a duty on wool. Like the leather dealers and manufacturers, the wool dealers and manufacturers are pleading loudly for free wool and high protection for American woolen goods. "Consistency, thou art a jewel!" They likewise plead for the consumer of woolens and only deplore his oppression on account of a duty on wool. If wool, like hides, must go on the free list, its manufactures should go there also.

The present duty on wool or hides is far from prohibitive. The world's production of wool in 1908, in round numbers, was 2,660,000,000 pounds; the production of wool in the same year in the United States was 311,000,000 pounds, and the consumption thereof was in excess of 600,000,000 pounds. It will be observed that the United States produces about one-eighth of the world's supply of wool, consumes about one-fourth of it, and imports an amount about equal to its home production. The wool imported comes mainly, like hides, from regions where sheep are bred on open, almost valueless unimproved lands, and labor is extremely cheap. American farmers and wool producers can not compete, with their high-priced lands, grain, and other feed, and the cost of American labor, with the wool producers of the Argentine Republic, and the Cape of Good Hope.

Sugar is also protected in the bill, but the free traders here seek to place it, too, on the free list. It is an American product—both from cane and beets. We annually send abroad in gold, or its equivalent, about $125,000,000 to buy sugar, much we buy being beet sugar. The existing and proposed duty on sugar is not prohibitory. It might be more nearly so.

I would not violate any Cuban treaty or other reciprocal arrangement for trade with her or any other country, and I would keep faith with our territorial and island possessions; but as far as consistent with these obligations, I would approach nearer and nearer to the prohibitory line to the supreme end that this country should produce its own cane and beet sugar, and, if possible, have some for export. By doing this it would not be necessary to export annually the $125,000,000 in gold. Our climatic and soil conditions, covering a vast area of continental United States well adapted to beet culture, are such as to enable us soon to do this. Our principal drawback comes from the difference in the cost of labor, and that is being largely overcome by improved machinery used both in cultivating the beet and in making sugar therefrom.

It is said that Germany consumes of sugar about 17 pounds; Italy, 8 pounds; France, 15 pounds; England, 25 pounds; and the United States, 73 pounds per capita. This disparity in greed in its use should stimulate us to produce what we need at home, and a reasonable duty should be maintained on sugar to this end as well as for needful revenue.

One of the principal causes producing high prices of food is our great consumption of it in comparison with a like consumption in any other country of the world, the instance of sugar consumption being only a marked example.

This session of Congress will have kept the faith; redeemed the promises made by the Republican party on the faith of which the majority of the Members of this House was recently elected; will maintain public confidence; will have secured and promoted prosperity to the masses of our people; will have given assurance to them of continued employment at good American wages; will have encouraged capital to more generally embark in industrial enterprises, thereby enlarging, extending, and multiplying those we now have and establishing new and important ones; will have assured the agriculturists of this Union an enlarged near-by home market for all their products; will have kept the furnace fires lighted in shops and mills, and the wheels of industry whirling and the cars of transportation trundling behind steaming locomotives throughout the land; will have insured a surplus of farm and factory products for sale abroad; and will have generally secured continued prosperity to all our people by the enactment into law of this bill, with a few amendments thereto, thereby continuing a protective and revenue policy such as has in the last dozen years done more to promote the universal prosperity and happiness of our citizens and to extend American influence and blessings abroad than was ever vouchsafed by any other policy. [Applause.]

With our large developed and undeveloped area of lands; with our almost divine genius for discovery and invention; with our inexhaustible mineral and other available natural materials beneath and above the earth's surface; with our unparalleled industry, energy, and enterprise in all directions; with our unlimited ability for production of all things useful to mankind; with our millions of intelligent, independent, skilled, and unskilled laborers, able, ready, and anxious to toil for fair wages, let us continue to hold our banner of liberty and progress on high and to do business in our American Republic. [Loud applause.]

Mr. SLEMP. Mr. Chairman, as a southern Republican in hearty accord with the policies of my party, I desire to address myself to some practical observations on the pending tariff bill and the interests and issues involved in it, with special reference to its application to the South.

In so doing I wish to detail at some length and with some particularity what may seem to many the surprising industrial development which that section has of late attained, and to call attention to the radical change that has quietly and almost imperceptibly taken place in the sentiment of its people on the subject of protection as a prime principle of business and economic policy. In that connection I desire to set forth earnestly the propriety and necessity of a continuance of that policy, especially as to those industries which are identified with the production of raw materials. Incidentally I wish to show by a brief sketch that such a continuance will promote and confirm that militant sentiment which is now operating in the South in behalf of a broad protective policy, since it can not fail to quicken in the minds of the good people of the South a fuller appreciation of the historic and consistent relation which that policy bears to the South as a part of our common country, to its proudest memories and traditions, going back to the beginning of the Republic and extending over four decades thereafter, when the South took the lead in our national councils and in the conduct of our national policies, with the noble Commonwealth of Virginia in the very forefront of service, responsibility, and distinction.

EARLY SOUTHERN STATESMEN FOR PROTECTION.

Historically, the principle of protection to American industry may be said to have had its origin in the South, and the adoption of that principle as a measure of fundamental national policy was effected primarily through the instrumentality of statesmen from the South. Beginning with the first tariff law enacted by the First Congress at its first session, the initial basis for the practical conduct of our newly founded Government in the sense of a truly independent nation in fact, approved by President George Washington with zeal, gladness, and alacrity—significantly so—on July 4, 1789, the thirteenth anniversary of the paper Declaration of Independence, the fathers and founders of the Republic, both North and South, seem to have had no more disagreement as to the aptness and soundness of the principle of protection to American industry than they had as to the soundness of the principle of self-preservation.

The act of July 4, 1789, was entitled "An act for laying a duty on goods, wares, and merchandise imported into the United States," and the language of its preamble is pregnant with meaning for us:

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, *and the encouragement and protection of manufactures*, that duties be laid on goods, wares, and merchandise imported, etc.

The Members of that First Congress, in House and Senate, who had been largely members of the Constitutional Convention of 1787, which framed the great guiding instrument under which we live, and President Washington, who had presided over its deliberations, may safely be assumed to have known what they were about when they formulated and signed the first revenue act under that Constitution. If there had been any possible question or scruple as to the propriety and constitutionality of a tariff levied for protection, it would have been there expressed and developed. But not a whisper, not a syllable, of protest was uttered or heard upon that point, and the reason and object of the act are boldly and simply stated—so simply that a child may read and understand:

For the support of the Government, for the discharge of the debts of the United States, *and the encouragement and protection of manufactures.*

SOUTHERN PRESIDENTS FOR PROTECTION.

Subsequently, from that time onward during the sixty fateful and formative years that followed that historic enactment, of the seven illustrious and duly-elected Presidents which the South contributed to the Union—Washington, Jefferson, Madison, and Monroe, all of Virginia; Jackson and Polk, of Tennessee; and Taylor, of Louisiana—all save Polk were earnest and consistent advocates of the policy of protection, and assisted to the full extent of their power in effectuating that policy as the law of the land.

PRESIDENT WASHINGTON.

Let me quote briefly from their opinions and observations on this specific subject. President George Washington, of Virginia, in his first annual message, speaking of our Nation as "a free people," said:

Their safety and interest require that they promote such manufactures as tend to render them independent of others for essentials, particularly military supplies.

In his seventh annual message he said:

Our agriculture, commerce, and manufactures prosper beyond example. Every part of the Union displays indications of rapid and various improvements, and with burdens so light as scarcely to be perceived, is it too much to say that our country exhibits a spectacle of national happiness never surpassed, if ever before equaled?

In his eighth and last annual message he said:

Congress has repeatedly, and not without success, *directed their attention to the encouragement of manufactures.* The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible.

PRESIDENT JEFFERSON.

President Thomas Jefferson, of Virginia, our third President, the second chosen from the South, and regarded as the founder of the Democratic party, mentioned the following as one of the indispensable lines of policy by which we are to guide ourselves as a nation:

To protect the manufactures adapted to our circumstances.

In his sixth annual message he thus expressed his views as to the best method of disposing of the surplus then anticipated to arise under the original tariff act that had been enacted in 1789:

Shall we suppress the imposts and give the advantage to foreign industry over our domestic manufactures? On a few articles of more general and necessary use the suppression in due season will doubtless be expedient; but the great mass of the articles on which imposts are laid are foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them.

Again he wrote:

The general inquiry now is, Shall we make our own comforts, or go without them at the will of a foreign nation? He, therefore, who is now against domestic manufactures, must be for reducing us either to a dependence upon that nation, or to be clothed in skins and live like wild beasts in caves and dens. I am proud to say I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comforts.

The prohibiting duties we lay on all articles of foreign manufacture, which prudence requires us to establish at home, with the patriotic determination of every good citizen to use no foreign article which can be made within ourselves, without regard to difference of price, secures us against a relapse into foreign dependency.

In his letter to Colonel Humphrey, January 20, 1809, he said:

My own idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we raise the raw materials.

Again, in his letter to Mr. Leifer, January 21, 1809, he said:

I have lately inculcated the encouragement of manufactures to the extent of our consumption, at least.

Again, in a letter to Governor Jay, he said:

An equilibrium of agriculture, manufactures, and commerce is certainly become essential to our independence. Manufactures sufficient for our own consumption, of what we raise the raw materials, and no more; commerce sufficient to carry the surplus produce of agriculture, beyond our own consumption, to a market for exchanging for articles we can not raise, and no more. These are the true limits of manufactures and commerce. To go beyond them is to increase our dependence on foreign nations and our liability to war.

Mr. GARRETT. Would it be agreeable to the gentleman to submit to an interruption right there?

Mr. SLEMP. Yes, sir.

Mr. GARRETT. Do I understand the gentleman to say that Thomas Jefferson was a protectionist?

Mr. SLEMP. I am giving statements taken from the writings of Thomas Jefferson.

Mr. GARRETT. You do not mean to say that those statements indicate that he was a protectionist?

Mr. SLEMP. I do mean to say that many of his writings show that he was a protectionist, although he may not always have entertained such views. These are verbatim extracts taken from the writings of Thomas Jefferson.

Mr. GARRETT. Certainly, I know that is correct; but I do not think it is a fair construction.

Mr. SLEMP. It may now be a question of inference. But President Jackson so interpreted Jefferson's words and actions.

In 1817, after the close of the second war with Great Britain, in accepting an election to membership in a "Society for the Encouragement of Domestic Manufactures," Jefferson wrote:

The history of the last twenty years has been a significant lesson to us all to depend for necessities on ourselves alone, and I hope twenty years more will place the American hemisphere under a system of its own, essentially peaceable and industrious and not needing to extract its comforts out of the eternal fires raging in the Old World.

PRESIDENT MADISON.

President James Madison, our fourth President, and the third chosen from Virginia, recognized as "The Father of the Constitution," in a special message to Congress, May 23, 1809, said:

It will be worthy of the first and provident care of Congress to make such further alterations in the laws *as will more especially protect and foster the several branches of manufacture* which have been recently instituted or extended by the laudable exertions of our citizens.

Again, in a special message of February 20, 1815, he said:

But there is no subject that can enter with greater force and merit into the deliberations of Congress than a consideration of the means *to preserve and promote the manufactures* which have sprung into existence and obtained an unparalleled maturity throughout the United States during the period of the European wars. This source of national independence and wealth I anxiously recommend, therefore, to the prompt and *constant guardianship* of Congress.

PRESIDENT MONROE.

President James Monroe, our fifth President, and the fourth President chosen from Virginia and the South, in his inaugural address, said:

Our manufactures will likewise require the systematic and fostering care of the Government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. Equally important is it to provide a home market for our raw materials, as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets.

Indeed, continuously in all his messages President Monroe recommended protection and the encouragement of American industries. In his special message of May 4, 1822, he said:

Duties and imports have always been light, not greater, perhaps, than would have been imposed for the encouragement of our manufactures had there been no occasion for the revenue arising from them; and taxes and excesses have never been laid except in cases of necessity, and repealed as soon as the necessity ceased.

In his seventh annual message he said:

Having formerly communicated my views to Congress respecting the encouragement which ought to be given our manufactures and the principles on which it should be founded, I have only to add that these views remain unchanged. I recommend a review of the tariff for the purpose of affording such *additional protection* to those articles which we are prepared to manufacture, or which are more immediately connected with the defense and independence of the country.

PRESIDENT JACKSON.

President Andrew Jackson, of Tennessee, our seventh President and the fifth from the South, in his second annual message, in 1830, expressed in clear language his concurrence in the views of his predecessors thus:

Among the numerous causes of congratulation, the condition of our import revenues deserves special mention, inasmuch as it promises the means of extinguishing the public debt sooner than was anticipated and furnishes a strong illustration of the practical effects of the present tariff upon our commercial interests.

The object of the tariff is objected to by some as unconstitutional, and it is considered by almost all as defective in many of its parts.

The power to impose duties on imports originally belonged to the several States. *The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely incidental to that power that it is difficult to suppose the existence of one without the other.* The States have delegated their whole authority over imports to the General Government without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them, and consequently if it be not possessed by the General Government it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations, and this surely can not be the case. This indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject expressly delegated to Congress.

And he adds:

In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

This same objection to the enactment of a tariff for protection on the claim of its being unconstitutional had been answered unofficially but still more forcibly, indeed in a way that ought to have effectually disposed of it for all time to come, by ex-President Madison two years before, in 1828, then in his seventy-sixth year, enjoying the ripe wisdom and unrivaled experience of his active public life, after having served successively as a member of the Continental Congress, as a member of the Federal Constitutional Convention, as a Representative in Congress for four terms, as Secretary of State for eight years, and as President of the United States for eight years. No other man in all the world could possibly be picked out who was in a better position to say the final word on that subject, since it was Madison who, shortly after the close of the Revolution and before our present form of government was created, not only made the first suggestion of a stronger government for the regulation of trade and commerce, such as was developed under the Constitution, replacing the old Articles of Confederation, but it was he who largely helped to frame the Constitution and secure its adoption, who wrote the only contemporaneous commentary thereon, aided in the enactment of the first protective tariff act under it, while a Member of the First Congress, served in the Cabinet of President Jefferson during his satisfactory administration of that act, and later as President himself continued its effective administration; and lastly, it was he who approved and effectively administered the protective

tariff act which superseded it in 1812, doubling the rates of duty imposed by that first tariff act of 1789.

In his famous letter to Mr. Cabell, in 1828, Madison wrote:

That the encouragement of manufactures was an object of the power to regulate trade is proved by the use made of the power for that object in the first session of the First Congress under the Constitution, when among the Members present were so many who had been members of the Federal Convention which framed the Constitution, and of the state conventions which ratified it, each of the classes consisting also of members who had opposed and who had espoused the Constitution in its actual form. It does not appear from the printed proceedings of Congress on that occasion that the power was denied by any of them. *And it may be remarked that Members from Virginia in particular, as well of the anti-Federal as the Federal party—the names then distinguishing those who had approved and those who had opposed the Constitution—did not hesitate to propose duties and to suggest even prohibitions in favor of several articles of her production.* By one a duty was proposed on mineral coal in favor of the Virginia coal pits; by another a duty on hemp was proposed, to encourage the growth of that article; and by a third, a prohibition even of foreign beef was suggested, as a measure of sound policy.

A further evidence in support of the constitutional power to protect and foster manufactures by regulation of trade, an evidence that ought of itself settle the question, is the uniform and practical sanction given to the power by the General Government for nearly forty years, with a concurrence or acquiescence of every state government throughout the same period, and, it may be added, through all the vicissitudes of party which marked the period. No novel construction, however ingeniously devised or however respectable and patriotic its patrons, can withstand the weight of such authorities or the unbroken current of so long and universal a practice. * * * And may it not be fairly left to the unbiased judgment of all men of experience and of intelligence to decide which is the most to be relied upon for a sound and safe test of the meaning of the Constitution—a uniform interpretation by all the successive authorities under it, commencing with its birth and continued for a long period through the tried state of political parties, or one warped, as often happens, by the eager pursuit of some favorite object, or carried away, possibly, by the powerful eloquence or captivating address of a few popular statesmen, themselves, perhaps, influenced by the same misleading causes?

Here, then, are succinctly stated the views of our early southern Presidents, all statesmen of the first order and accepted leaders of political thought throughout the Union for forty years, the period during which the protective-tariff law of 1789 and its immediate successors remained in force, and thus laid the initial basis for the prosperity that followed.

PRESIDENT TAYLOR.

Coming down to a later date, President Zachary Taylor, of Louisiana, our twelfth President, and the seventh duly elected from the South, born in Virginia and reared in Kentucky, in his inaugural address, delivered March 5, 1849, said:

It shall be my study to recommend such constitutional measures to Congress as may be necessary and proper to *secure encouragement and protection to the great interests of agriculture, commerce, and manufactures.*

Again, in his first and only annual message, he said:

I recommend a revision of the tariff and its adjustment on a basis which may augment the revenues. *I do not doubt the right or duty of Congress to encourage domestic industry,* which is the great source of national as well as individual wealth and prosperity. I look to the wisdom and patriotism of Congress for the adoption of a system which may place home labor at least on a sure and permanent footing, and by due encouragement of manufactures give a new and increased stimulus to agriculture and promote the development of our vast resources and the extension of our commerce. Believing that to the attainment of these ends, as well as to necessary augmentation of the revenue and the prevention of frauds, a system of specific duties is best adapted, I strongly recommend to Congress the adoption of that system, *fixing the duties at rates high enough to afford substantial and sufficient encouragement to our own industry and at the same time so adjusted as to insure stability.*

These statements of President Taylor are a candid exposition of the protective doctrine as held and inculcated by the Whig party, which had a large following in the South as well as in the North, and was no more to be characterized as a sectional party than was the Democratic party. Henry Clay, of Kentucky, the idolized Whig leader, was preëminently an ardent and enthusiastic protectionist and the ablest and most persuasive champion of home industries in his day. For more than a generation he was the foremost exponent of what he termed "the American system" of protection, whereunder he contended that the entire Nation should be profitably occupied in developing our limitless resources in all practicable lines, thus upbuilding on this continent a great and free people, self-centered and self-supporting, happy, intelligent, and prosperous, the like of which the world had never seen before.

EARLY SOUTHERN STATESMEN THOUGHT PROTECTION CONSTITUTIONAL AND SATISFACTORY.

In none of the expressions quoted of the earlier Presidents from the South do we find any distrust on their part of the principle of protection, no hint of dissatisfaction with its workings, no suggestion for a repeal of the tariff laws, and no intimation of a need for their modification except to give them a more "prompt and constant guardianship" and to assure "additional protection to those articles we are prepared to manufacture." Indeed, in Madison's elucidation we find a complete and perfect answer to that later school of statesmen in the South, under the leadership of Mr. Calhoun, who developed the strange and divergent theory that tariff duties levied for purposes of protection, aside from mere revenue, were unconstitutional. Even Mr. Calhoun in the earlier days of his statesmanship was a vigorous protectionist. It was at a later date that, intent with a marvelous concentration upon the perpetuation and exploitation of slave labor—in the righteousness and fitness of which he implicitly believed—he invented and perfected with almost superhuman ingenuity that system of economic and political doctrine which embraced as cardinal factors inseparably bound together human slavery, state rights, nullification, secession, and free trade.

RISE AND FALL OF THE FREE-TRADE IDEA IN THE SOUTH.

As part of a system of policy founded and dependent upon involuntary slave labor, free trade was undoubtedly a sound principle as applied to the agricultural South, whose interest as such lay in cheap imports of goods manufactured abroad and paid for with the products of the plantation operated by slave labor. But as a policy for the whole United States, bound together in a coherent union, it was unsound and impracticable, and the growing apprehension of that fact gave rise to "the irrepressible conflict" of interest and policy between the North and the South which grew to its dreadful culmination in arms as the years progressed.

From the year 1830 to 1860, a period of thirty years, there was a gradual and progressive development of that doctrine in the South in almost exact ratio with the development of the twin theory of the right of secession or disunion. Both theories, it should be repeated, were inextricably interwoven with the increasing development of plantation-slave labor as contradistinguished from free labor in the manifold and diversified industries which now nourish our expanding civilization. From the moment when the philosophy of Mr. Calhoun gained ascendency in the South the Democratic party as then constituted became more and more committed to the advocacy of a tariff for revenue only, not for protection, while in that section the support of the old protective doctrine of the fathers was remitted to the ranks of the Whigs until it became submerged and lost in the colossal civil conflict of 1861. So far, indeed, had the pendulum of southern thought swung at the beginning of that conflict in the direction of absolute free trade and implacable hostility to protection that the sons and grandsons of the early statesmen who helped to enact the first tariff law "for the encouragement and protection of manufactures" deliberately incorporated in the constitution of the southern confederacy a provision expressly prohibiting the imposition of any tax or tariff duty on foreign importations "to promote or foster any industry." (Sec. 8, par. 1, Const. Southern Confederacy.)

In the long titanic struggle that then ensued the theory of free trade, together with its underlying base in the Calhoun philosophy—the institution of slavery—was annihilated in the wreck and ruin of war, and the South on emerging from that unprecedented contest was stripped of all save honor, the record of unexampled valor in the field and heroism at home, but so crippled, spent, and exhausted that it could not at once enjoy the freedom from the benumbing incubus of slavery, of which it had been forcibly relieved.

It is not my purpose here to revive the memory of those harrowing five years of fratricidal strife, nor of the fifteen years of painful reconstruction that followed them. I simply refer to the cause and result of that huge tragedy in order to repeat the lesson that if ever a proud and mighty people suffered grievously beyond description in consequence of the pursuit of an erroneous economic theory, it was the good people of the Southland. It is equally far removed from my purpose to cast an aspersion upon the name and fame of Calhoun and the doctrinaires who sincerely but mistakenly carried out his theories. My object is solely to emphasize for the benefit of my fellow-citizens of the South and the country at large the edifying fact that whereas the teachings of Calhoun, one southern statesman, led to unspeakable disaster, ruin, and misery, the contrary teachings of Washington, Jefferson, Madison, Monroe, Jackson, and Taylor, all southern statesmen at least equally distinguished and equally sincere, as exemplified in their creative labors and their conduct of the Federal Government, and as followed by their Republican successors, have invariably led to success, happiness, wealth, and prosperity, and are still leading unerringly in that direction. [Applause.]

PROTECTION AN UNCHANGING PRINCIPLE.

A true and correct economic principle, such as that underlying the policy of a protective tariff to a country situated and constituted as is the United States, is abstractly and immutably true at all times. It is automatic in its action. It is uniform and impersonal in its application, like the principle of gravitation, or that mysterious law of physics that holds the planets

in their courses. It is impartial in its operation, like the sun and the rain, shining and falling upon the broad earth, with its hills and valleys and plains, without distinction of artificial boundary lines between townships, counties, and States. Once true, it is always unchangeably true, yesterday, to-day, and forever. Provided conditions remain the same, the lapse of time makes no fundamental difference. The passage of a day is as a thousand years, and a thousand years are as one day. With it—

An age shall fret like earthly year;
Its years as moments shall endure.

The value of the policy of protection to domestic industry in all its forms was demonstrated in the South at the beginning of our history as a Nation, and its value during the past three decades, and especially to-day, I shall proceed presently to show. A protective tariff was beneficial in the days of Washington, of Adams, of Jefferson, of Madison, Monroe, Jackson, and Taylor. It has been beneficial under all Republican Presidents—and they have all been protectionists—from Abraham Lincoln to William H. Taft. [Applause.]

SOUTH RETURNING TO PROTECTION.

The full realization of the truth of this reflection is gradually dawning upon the progressive people of the South. Traditions of the olden time still linger, and prejudices begotten of suffering and loss are difficult to remove. But they are steadily wearing out and are being forgotten. And already it is growing clear to the people of the South that, in turning from the bitter memories of the past generation and adopting the approved economic principles of to-day they are in reality only getting back to the safe and beaten highway which their immediate fathers had left, but which their grandfathers and great-grandfathers had trodden. The sound and successful economic principles of this present hour are precisely those of the founders and builders of the Republic, as I have shown, and in following these we are simply availing of the heritage established and bequeathed to us and to our children's children from the beginning of our National Government.

Let the dead past bury its dead. Over the issues of the past let us draw the veil. While we of the South revere the memories of our gallant confederate soldiers—in the care of whose graves the North now magnanimously shares—whose valor was demonstrated upon and whose blood christened unnumbered battlefields, yet we are proud to-day to take our place among our sister States in the glorious Union, one and inseparable. We of the South have set and are setting our faces cheerfully and hopefully toward a brighter day, and the new industrial era that began in the South in 1880, under Republican economic policies derived from the wisdom of our forefathers, is growing more splendid and wonderful each year, evoking expressions of astonishment and delight from those who witness its visible manifestations.

This is our time of thrift, of commerce, of art, and of science,
And nature, our nursing mother, healeth the hurts of war.

SOUTH'S MARVELOUS GROWTH.

The growth of the South under protection has been marvelous, despite the opposition to it from most of its representatives, themselves distinct beneficiaries thereof. In all that indicates progress it has made giant strides. The present population of the South is estimated to be about 27,000,000. The area of the South is 850,000 square miles, of which 530,000 are agricultural land, 200,000 of which are improved. It is estimated that the value of the farm products this year will be one-fourth of the farm products of the entire country.

Its principal raw materials are cotton, iron ore, timber, and fuels. In 1907 it produced, in round numbers, 12,000,000 bales, or 6,000,000,000 pounds, of cotton; 6,000,000 tons of cotton seed; 6,000,000 tons of iron ore; 20,000,000,000 feet of lumber; and 95,000,000 tons of coal. There were manufactured during the same period 1,000,000,000 pounds of cotton, or one-sixth of the total; 4,000,000 tons of cotton seed, two-thirds of the total; 4,000,000 tons of pig iron, one-sixth of the total; and 9,000,000 tons of coke. According to Mr. H. von Schon, an eminent consulting engineer of Detroit, the cotton manufacturing industries of the South now represent one-third of the total in the United States. In 1900 the total was one-fifth; in 1880, one-sixteenth.

Mr. M. R. Campbell, geologist of the Geological Survey, prepared a map, which was published in May, 1908, showing that the known coal areas of the Southern States embrace a total of 165,166 square miles, the original contents of which were 532,438,000,000 short tons, of which 200,000,000,000 short tons are available and 1,800,000,000 have already been extracted.

The mileage of railroads in the South increased 92.1 per cent, from 36,200 miles in 1887 to 67,556 miles in 1907, or an increase of 33,347 miles, equal to the entire mileage of the country at the close of the civil war. It is estimated that this increase gives steady employment at good wages to an army of 166,735 men, whose families number fully 750,000 persons. Increase in value of adjacent property, $5 an acre, has added $2,137,400,000 to the wealth of southern landowners. In step with this railroad development, says Mr. W. J. Meaney, an expert statistician, the farms of the South have been rehabilitated, her rich mineral deposits opened, her forests tapped of their wealth, mills and factories have been put in operation, trade and commerce extended, the latest labor-saving and wealth-producing devices adopted. The manufactures of the South now exceed the agricultural products, and thus a complete change has been effected in the character of her industries.

The following statement, prepared by Mr. Meaney, shows the marvelous development of the South within the past thirty years:

	1880.	1890.	1900.	1908.
Manufacturing capital	$250,000,000	$550,000,000	$1,150,000,000	$2,100,000,000
Value of manufactures	450,000,000	990,000,000	1,450,000,000	2,600,000,000
Farm products	660,000,000	870,000,000	1,200,000,000	2,200,000,000
Exports	260,000,000	366,000,000	484,000,000	648,000,000

In a recent interview Secretary Wilson, of the Department of Agriculture, in a comprehensive statement on agricultural conditions in the South, said:

The business of agriculture has made wonderful progress throughout the whole United States in the last ten or twelve years. In this advance the South has richly shared. The turning point of better prices for farm products came about 1897, and since that time the financial condition of the farmer has steadily improved. The production of cotton increased 53 per cent from 1896 to 1908 and the value of the crop 135 per cent. An immense load of mortgage indebtedness has been lifted from southern plantations by this great advance in the value of cotton, and I see no reasons why the old conditions should ever return. The South has her feet solidly planted on an improved and improving agriculture, is sensible of past mistakes, and is greedily absorbing the new knowledge that science has placed before her.

In the words of President Taft, "The South has become rich, and only the surface of her wealth has been scratched. Her growth has exceeded that of the rest of the country, and she is now in every way sharing in its prosperity."

Hon. John Barrett, Director of the International Bureau of American Republics, in an article on the meaning of the Panama Canal to the South, said:

The South has within the past few years experienced a great awakening. Anyone making a trip through the regions below the Ohio River will have this truth emphasized in the most astonishing way when he sees the great improvements already accomplished or projected in every direction. The South has become one of the great factors in the growing strength of the Nation, and the natural resources have only begun to be appreciated. Already they are beginning to reach out for something besides local markets. The coal and iron are going all over the country. The output of the factories is sold farther and farther away from home, and these products must be exchanged for products originating elsewhere.

If we take the period from 1897 to 1907, we observe that the capital invested in southern manufacturing enterprises has actually doubled within that period; twice as many spindles go their ceaseless rounds, sending their products to all parts of the civilized world; twice as much homemade coke enters to make twice as much homemade pig iron, as was made ten years ago. Within that period the value of farm products, lumber products, and mineral products in the South has doubled, while the resources of our national banks have increased more than 100 per cent, and yet our development has only just begun. We need more railroads, we need more industries, we need a larger population, we need more home markets; in short, we need the diversified industries with the resultant good that would be brought about by the maintenance of truly protective principles. It is no wonder, therefore, that we have looked with deep concern upon any change in our tariff system or its application that might injuriously affect our material condition.

Mr. WEISSE. Will the gentleman yield for a question? It has been stated on the floor that the decline in the value of hides was on account of the tariff agitation during the last two years. I will make the question as short as I can and ask if it is not on account of the panic which existed, involving failures to the extent of $679,000,000 in the last year, that has made the value of hides decline from 14 cents to 6 cents a pound—twice as much as they were worth in 1890?

Mr. SLEMP. That panic was world wide.

Mr. WEISSE. It is certainly not on account of agitation?

Mr. SLEMP. I do not think that it will be necessary for me to deal with that in a speech on an altogether different line.

Mr. WEISSE. You spoke about the prosperity of the country. I wanted to know if all this shutting down of factories and all the idle workmen were not on account of the panic and the Dingley bill?

Mr. SLEMP. No, sir. The panic, which was a money panic, doubtless caused some industrial depression, but the Dingley

law, in my judgment, had nothing whatever to do with it. The effects of the panic—thanks to the prompt remedial measures adopted both by the Secretary of the Treasury and by Congress—were soon dissipated in this country. That panic has been described as having been largely "a state of mind," and, as I said, it was universal. While we have recovered from it in part, full recovery, I think, has been delayed, not by the operation of the Dingley bill, but by agitation for a revision of it. The effects of the panic of 1907 are still painfully apparent abroad.

SOUTH'S DEMAND FOR PROTECTION.

But to resume: Coincidently with this development, and as a most logical conclusion therefrom, has been a change in the attitude of the South toward protective principles. It realizes that it needs their application to its situation in order to give it the further industrial development which that policy has given the North and West. This is best exemplified by the statements of southern men in the hearings before the Ways and Means Committee. No Democratic legal doctrinaires appeared before the committee advising that protection as a policy was unconstitutional. Can it be possible that constitutional theory has yielded to candid reflections on the gradual enrichment of the South, in which each and all participate?

No sooner was the result of the recent presidential election announced than southern lumber interests, cotton interests, citrus interests, tobacco and peanut interests, barytes, mica, tannin, coal, and iron interests became active. Boards of trade, business men's organizations, chambers of commerce, fruit growers' and cotton growers' associations, lumbermen's clubs, and similar commercial bodies met and protested against the lowering of the tariff, and many asked for higher duties. My sympathy is with every one of these interests that have made such appeals, and I do not care to make many refinements of thought as to distinctions between a competitive and a prohibitive protective tariff when the life and existence of an American industry is at stake.

I will insert at the end of my remarks extracts from the hearings before the Committee on Ways and Means; also letters, resolutions, and so forth, showing a general demand throughout the South for protection.

The CHAIRMAN. Is there objection? The Chair hears none.

REPUBLICAN GAINS IN THE SOUTH.

Mr. SLEMP. This growing demand for protection in the South is reflected in the recent national political contest, in which the principal gains made by the Republican party were in the South. Examining the results of that contest, we observe that Republican gains were registered in eight Southern States and Democratic loss sustained in eight Democratic States. Three Republican Congressmen from North Carolina, two additional Republicans, and some from Missouri (one of whom was formerly a Democratic Representative) are here for the first time to advocate the cause of protection, not only for their own districts, but as a great American national policy.

DEMOCRATIC CRITICISM OF PAYNE BILL.

The demand for protection in the South is still further made evident from the fact that the Democratic leaders in the House instead of preparing a tariff bill on the basis of tariff for revenue only, omitting entirely the protective feature in keeping with the declarations of their Denver platform, have contented themselves with a perfunctory criticism of some few details of the present Payne bill. Had they presented such a bill the country, and particularly the South, could have known, through proposed changes in schedules and articles proposed to be taxed and those proposed to be admitted free, what is really meant by a tariff bill for revenue only. Would not it have been a part of political wisdom to present such a bill in response to the many requests coming from the South if the tariff-for-revenue-only theory be economically correct and all these demands for protection both a delusion and a snare, or is it safer for the Democrats to say that we are all, Democrats and Republicans alike, protectionists of different degrees of intensity, remembering that there are gradations even in heaven; and, following the line of cleavage indicated by the gentleman from Alabama [Mr. UNDERWOOD] in his competitive and prohibitive theory.

The Richmond News-Leader, a paper having a large circulation in Virginia and Democratic in faith, has this wholesome advice to give to the Democratic Members of this House:

ADVICE TO THE DEMOCRATS.

[From the Richmond News-Leader.]

The Democrats can gain nothing by standing back and hurling fierce and fine rhetoric at measures suggested by the Republicans. They should do one of two things. They should go to work heartily and earnestly to help the Republicans cure the defects in the tariff bill, as presented, and to make it acceptable to the country, or they should construct a better bill and bring it in as a Democratic measure, representing the ability and principles of the Democratic party. If they do not intend to do either of these, the next best thing for them to do is to keep their mouths shut and let people who are not afraid to do business do it.

DEMOCRATS WITH "PROTECTIVE PROCLIVITIES" FOR LOCAL PRODUCTS.

I believe the true attitude of the southern Democratic Congressman, at least deep down in his heart, is responsive to the sentiment expressed by a distinguished Member of the House from Florida [Mr. LAMAR] when he said before the Ways and Means Committee:

I am a Democrat from a Democratic State with protective proclivities for Florida products.

I think there are some here from Virginia with protective proclivities for Virginia products—peanuts and tobacco, for example. Some from Louisiana for rice and sugar, and some from all over the South for lumber.

It does not require a great stretch of the imagination to suppose that, sooner or later, a broader vision will come to these gentlemen, and that they would have protection not alone for their state products, but would also apply this protection nationally and have protection for all American products. We no longer hear from the South that protection is robbery, as declared in a recent Democratic national platform, but we do hear about the inequitable distribution of the benefits of protection. Horned protectionists and robber barons may be stalking through the land with evil designs against all mankind, but since we have entertained a few of them in the South, others are cordially invited to follow. We do not feel quite so unfriendly to our northern neighbor who puts his money in a southern factory, gives employment to our laborers, and a home market for our farm products, as we did when, forty-five years ago, we were trying to keep him out of Richmond. President Taft aptly said, in Atlanta, January 18, 1909:

The man who is prosperous and successful forgets his traditional enmities and causes of bitterness and yields easily to the conciliatory advances of his neighbors.

THE SOUTHERN DEMOCRATIC CONGRESSMAN'S DILEMMA.

And when our good southern people themselves try the same experiment of building a factory—and many of them have done so—and a revision of the tariff is announced, forthwith they write their Congressman, usually a modern-day Democrat, and ask him for protection, I imagine they get a reply something like this: "You know I am a Democrat and have made speeches all my life against the protective tariff principle. But I must confess that my views have undergone some change, and I now have 'protection proclivities' for products in my own district. What you demand is contrary to our Democratic platform declaration, but is essential to us locally, as a business proposition. Without appearing to be inconsistent, which really I am not, I believe we can get the desired protection by a duty, apparently for revenue only, or one simply for competitive protection. I have never had opportunity publicly to favor this sort of protection, because, during campaigns when, in order to preserve the purity of our race, I have given exclusive attention to the 'negro question,'"

We realize their political dilemma, and while their inconsistencies may be amusing, yet I feel they ought to be pitied rather than censured. But why should the cry of our southern interests for help in the way of fostering protection be lost to the ear of the great Republican party because, forsooth, that call has had to come mainly through Democratic channels? The Republican party has a great opportunity to do a just and magnanimous act, the effect of which will be not only life-giving to these industries and uplifting to a great Nation, but the consequence of which will be far-reaching to the advancement of the benign policies of our party among these people.

Now, Mr. Chairman, addressing myself to the particular measure before the House and the country, permit me to say that the Ways and Means Committee has in general done its duty, and done it well. I for one am desirous of extending to them my own and of invoking for them from others a broad and generous review of their labors, a view, also, which will be free from provincial circumspection or individual interest. Everything that is protective in the bill has my heartiest approval, and what criticism I venture at all is that in many cases we have not secured the measure of protection actually needed by our industries, and to which they are entitled by every consideration of equity and fair dealing.

OPPOSED TO FREE IRON ORE, COAL, LUMBER, AND HIDES.

The tendency toward free raw materials, referred to by the gentleman from Indiana [Mr. CRUMPACKER] as iron ore, coal, lumber, and hides, I greatly deplore and most heartily disapprove. The whole theory of free raw materials is that the manufacturing interests shall be permitted to secure them here or abroad as cheaply as possible in order that they may be the better able to compete in the world's markets, and that in our

own country the ultimate consumer of the finished product may buy more cheaply.

It has been well said that one man's raw material is another man's finished product, and the motives seem to me purely selfish that would give to the manufacturers the home market of goods and not give the producers of raw material the home market of raw materials. Likewise, nothing can be more absurd than to predicate independence of goods upon dependence for materials of which to make them. The drawback principle, which allows a remission of duty on foreign raw material when that material, made into finished products by American labor, is exported, should be all the advantage that the American manufacturer should ask in regard to raw materials which we can or do produce. He can thus enter the markets of the world with all the advantages that foreign cheaper raw material can give him; but I enter my protest against giving them our home markets, with the producers of our raw materials in open competition with the cheaper labor of foreign countries. I submit that the man who extracts ore from the bowels of the earth is as much entitled to protection as the man who works it into pigs and into shapes above ground. This wise provision has been a part of the American system of protection, and it is Republican doctrine as well. It was preached in recent political campaigns by Republicans and enunciated in the Republican text-book for the congressional campaign of 1906, at which time many Members of this House were elected for the first time. I quote the following from that text-book:

When it is understood that a considerable more than half of the value of our products in manufacturing is made up of the value of so-called "raw material," and that fully two men are employed upon the preparation of that raw material where one man works in turning it into the finished product, it will be seen what a delusion is the free-trade cry for free raw material, or even cheap raw material. We have free cotton, and yet we buy $50,000,000 worth of cotton goods from abroad. England has free raw material and cheap labor, and yet we have passed her in the possession of foreign markets. There is no example in all history where free or cheap raw material and cheap labor has any advantage whatever over our own system of protection to all our labor and all our industries. In every section of the country, fortunately for our people, the predominant party to-day is harmonious and united upon the central idea of maintaining a protective tariff. A mere handful, however, of the Republican party has been asking that the duty be removed or reduced upon certain materials entering into the products of their own locality. It is believed that this demand has been made more for political than economical results. We have heard perhaps more of free hides than of anything else, though some have asked for free lumber, free wool pulp, and free coal. It is not claimed by those who asked for free hides that consumers would get their boots and shoes for a single cent less in price. It is not promised that the laborers in that industry would get a cent more in wages. There is but one inference, then, and that is that if anyone gained any advantage it would go wholly into the pockets of the manufacturers, and yet it can readily be shown that even that could not be true, for the demand for their wares would fall off from the consumers, who would lose the benefit of the moderate tariff now imposed upon the material which they sell.

As a broad nation-wide protective principle, we should advocate the free importation of both raw and finished products, which we do not produce, and the protection of both raw and finished products which we can produce. This principle was carried out under the Dingley bill very effectively. We placed a duty on tin plate and allowed the raw product—blocked tin—to come in free of duty, because we mined no tin, and a duty on tin would neither help nor injure anyone; but we do mine $20,000,000 worth of iron ore a year, and hence there was a duty on that product, as well as on the finished product of iron and steel. In order to build up a great domestic silk industry which employs 65,000 wage-earners and turns out an annual product valued at over $100,000,000, and because we produce no raw silk at home, we allow $50,000,000 worth of raw silk to enter our ports free; but we place a duty on every pound of imported wool which goes into the manufacture of our $400,000,000 worth of woolen goods, and as a result of so doing, out of the $232,000,000 of raw materials used in this country, but $13,000,000 is imported wool. Cinnamon oil and peppermint oil are both raw materials, and while we allow cinnamon oil to come in free of duty, because we can not produce it ourselves, we tax peppermint oil 50 cents a pound in order to protect home producers in New York and Michigan.

This same principle, while in some respects doubtless has been a basis for consideration in the Payne bill, yet in other respects the principle has undoubtedly been violated. I am fully conscious that the Republican party is committed to tariff revision, and by many this is construed to mean a reduction in tariff rates. The underlying principle, however, of this reduction would not be to simply reduce the tariff rates in all cases for the sake of reduction, but only to reduce them in cases where the reduction can be borne by the industries affected, and in no case should the reduction destroy or cripple an American industry.

entire mileage of the country at the close of the civil war. It is estimated that this increase gives steady employment at good wages to an army of 166,735

the Dingley bill?

Mr. SLEMP. No, sir. The panic, which was a money panic, doubtless caused some industrial depression, but the Dingley

No better application of this idea can be had than in the case of the iron ore and pig iron schedules as arranged in the Payne bill.

I beg now to call attention, Mr. Chairman, to a letter I have received on this subject from Mr. Horace L. Haldeman, second vice-president of the Pulaski Iron Company, which sets out clearly and forcibly the effect of free iron ore and the reduction of duty on pig iron so far as our section is concerned.

I beg also to file as a part hereof a letter I have received from the Low Moor Iron Company of Virginia with reference to the same thing.

I wish also to file a letter from the Tug River Lumber Company to me of March 22, and one from the Oakes Lumber Company of March 22, with reference to the tariff on lumber.

I could also, no doubt as every other Congressman could do, file numbers of protests in regard to the various changes contemplated in the bill. I only file these, however, because they are illustrative of the kind received, and because they represent a policy that it seems to me ought to be carried out not only for the Southern States, but for the entire section of the country.

EVERY CONSUMER A PRODUCER, AND EVERY PRODUCER A CONSUMER.

We hear much about the ultimate consumer. In our anxiety to benefit him let us not forget the ultimate producer. Every consumer is a producer and every producer a consumer. While we are answering the demands of one for cheaper goods, let us not destroy the market of the other. To sell at all, even cheaply, is predicated upon the ability to purchase. Let us guard, therefore, the interests of all American producers as well as all American consumers. Failure to recognize this principle in the Wilson bill was chiefly responsible for the period of industrial depression that followed its enactment. The features of the pending bill relating to free raw materials will, I hope, be open to amendment.

RAW MATERIALS SHOULD BEAR ONLY PROPORTIONATE REDUCTION.

Before leaving this branch of the subject, I will read an article appearing in the Lynchburg (Va.) News, editorial column, which expresses my own personal views, particularly with reference to the difficulty of the consumer in even participating in the ultimate cheapening of production through the operation of free raw materials:

FREE RAW MATERIALS—A PROTEST IN BEHALF OF COAL AND IRON INTERESTS OF VIRGINIA.

Should the Payne bill when finally enacted retain its present provisions in regard to free raw material, the result will be that various manufacturing interests will be enabled to produce at less cost than is now the case. With duty-free coal, timber, and iron ore, they will likely hold the key to the situation, in so far as the benefits of the new tariff bill are concerned, for it will be for them to say whether the saving they realize in the cost of production will be reflected in the price of the product when sold to the consumer. Are the American people willing to have these interests vested with such power? Are they prepared to approve legislation which in essential degree leaves it with one class of producers to determine to what extent, if any, the public shall enjoy the fruits of tariff reduction?

This question was made the subject of exhaustive discussion when the Wilson bill was pending, and the proposition involving free raw material was presented. At that time all southwest Virginia rang with protest. The coal, iron, and timber interests in that territory were regarded as being threatened solely in behalf of the manufacturers who used coal, iron ore, or timber in turning out their wares. Certain interests were to stand between the consumers and the raw material—on the one hand enjoying free trade in what they bought and on the other enjoying protection upon what they sold.

It strikes us that the Payne bill follows very closely these same inconsistent and indefensible lines and that those interested in the development of the country's resources, as well as the general public, have just right of complaint thereat. A fair tariff reduction on raw material, accompanied by corresponding tariff reductions upon the products into which raw material enters, would indicate a principle in which at least the element of justice resided; but that policy does not seem to find anything like a reasonable degree of recognition in the provisions of the Payne measure.

It seems to me that instead of removing the duty entirely from our raw materials we should simply permit them to share in the reduction proportionately and not take off the duty entirely.

FREE COAL AND IRON ORE.

The proponents of free coal propose to open the New England market, where there are 57,941 manufacturing establishments, to Canadian coal, in return for the market in the Province of Ontario, where there are only 6,543 manufacturing establishments. They propose to exchange a market where there are 5,592,017 people for a market where there are 2,182,947 people. The proponents of free iron ore, absolutely disregarding any difference in labor cost in this country and elsewhere, the principle on which this Payne bill is supposed to be framed, and disregarding any revenue to be derived from foreign importations,

base their reasons for admitting iron ore free on the ground that the present iron-ore importations are so very small as not to affect our markets, being at the present time only 2 per cent of the total. There is nothing to show that an importation of 20 per cent of our iron-ore consumption would not affect seriously, if not disastrously, many of our iron-ore industries. By similar fallacious reasoning they argue that hides are raw material, but wool is not; that coke is raw material, but zinc spelter is not. In urgent need of revenue they propose to lose $3,000,000 on hides, $400,000 on iron ore, $1,000,000 on coal and coke, $700,000 on lumber, and make up for it in other ways, such as a tax on teas, pepper, cocoa, chocolate, probably coffee, and on inheritances. I had rather see an additional tax placed on beer, and a stamp tax on proprietary medicines, telegrams, bonds, stock certificates, and the like. And this process would yield infinitely greater revenue without hurting a single industry.

It has been urged that the principle of free raw materials should be adopted in order to conserve our natural resources. As a national policy this is commendable. Yet it should not be done at the expense or destruction of American industries. Even this argument, however, is not applicable to hides. The hide is one of the farmer's finished products, capable of annual reproduction, and the loss occasioned by the removal of the duty would fall on him as the ultimate producer.

DIVERSIFIED INDUSTRIES OF SOUTHWEST VIRGINIA.

This provision for free raw materials has another aspect. The South is rich beyond measure in so-called "raw materials" and primary products. I represent a district, Mr. Chairman—the Ninth Virginia—that now produces practically all the coal that is mined in the State of Virginia, having an area of coal deposits alone estimated by the Geological Survey as approximating over 1,500 square miles, from which is fed the hungry mouths of thousands of coke ovens that dot the hillsides and valleys; that has within its limits seven iron furnaces, four barytes mills, several tanneries, several extract plants, one pulp mill, great deposits of iron ore, zinc, gypsum, barytes, limestone, and marble, and large bodies of standing timber—a splendid agricultural country, from which is shipped annually approximately seventy-five to one hundred thousand head of cattle, nearly 200,000 lambs, and many carloads of hogs, and, besides supplying home demands, large quantities of farm products. In no part of this country have we seen exemplified the effect of diversified industries any more than we have in this section of Virginia. The mills are literally located in close proximity to the farms. Near the coal and coke plants, near the iron furnaces, near the zinc furnaces are fertile valleys inhabited by a prosperous and contented people, who are thus afforded a home market for their agricultural products. Practically all the development in southwest Virginia has occurred since 1897, and I dare say there is no section in all the Southland that has developed more rapidly under the protection afforded by the Dingley tariff bill than this immediate section of Virginia.

In behalf of this enterprising and progressive section of the South, which illustrates the possibilities of southern development, I most earnestly appeal for a just measure of encouragement, and protection for our raw materials as well as for our manufactured products.

AN APPEAL FOR FAIR PLAY AND JUSTICE FOR THE SOUTH.

Will the North and the East and the West, now more happily advanced than the South in their manufacturing enterprises, but less favored as to raw materials, reverse their past policy and favor the withdrawal from the South of protection for those products of the mine, field, and forest, in which the South is most vitally interested and from which they themselves have grown rich? Having in a measure themselves passed the raw-material stage, while the South has not, will those sections abandon the ground they have hitherto maintained, when it was to their advantage so to do, and advocate now a policy that will injure and retard the activities of the South, operating in the self-same products upon which they themselves have enjoyed protection? We do not believe it. In asking that the rate on lumber, coal, iron ore, and hides, so-called "raw materials," be restored, or at least be only proportionately reduced, I have in mind what I conceive to be the interest of the whole country as well as of the South, for we have a country now one in all its parts. And I base this appeal upon the broad Americanism always to be found in the attitude of the Republican party upon an economic policy that has hitherto been recognized as one of our party tenets, upon the necessities of our situation, and upon the principles of eternal justice. [Prolonged applause.]

and fine rhetoric at measures suggested by the Republicans. They should do one of two things. They should go to work heartily and earnestly to help the Republicans cure the defects in the tariff bill, as presented, and to make it acceptable to the country, or they should

manufacturing interests shall be permitted to secure them here or abroad as cheaply as possible in order that they may be the better able to compete in the world's markets, and that in our

APPENDIX.

Letter of Mr. Horace L. Haldeman, second vice-president of the Pulaski Iron Company, in part as follows:

* * * Free iron ore means a loss of revenue to the Government, with no benefit to the consumer of pig iron, but a loss to labor, the mine owner, and transportation lines in this country. The only apparent benefit derived through free iron ore would be to the blast furnaces near tide water, which, owing to their situation, no longer have an ore or fuel supply near and are unable to compete during periods of depression with the blast furnaces that do have such facilities, with short hauls for the raw materials, and were for that reason erected at such points. The blast-furnace owners near tide admit, when pressed, that they do not purpose reducing the price of pig iron to the consumer to correspond with the duty saved on free ore, as in that case they would derive no benefit themselves; therefore, as the consumer of pig iron does not use iron ore, there would be no gain to him through free ore and a loss of revenue to the Government and trade of other regions of this country to support an artificial condition. The supply of iron ore in the United States is so great that the argument of the necessity for raw material does not enter into the question. The price of pig iron is governed not by the furnaces near tide, but by the competition of the furnaces in various other regions having the raw material near, among which are those of Virginia and Alabama, notwithstanding the high freight rates on pig iron of from $3 to $4.60 per ton.

The tide furnaces simply follow the others in price so long as they can; therefore the consumer of pig iron near tide, who neither buys nor mines iron ore, would derive no benefit either as to supply nor price of pig iron through free iron ore. About one-half of the product of the blast furnaces in Virginia is marketed in Pennsylvania, New York, and the New England States. As the value of the iron ore in the ground in Virginia only represents about 25 cents per ton, any reduction in cost would have to be at the expense of labor, which, as shown by the brief of Mr. Joseph G. Butler, jr., to the Ways and Means Committee of the House filed January 29, 1909, runs in Virginia from $2.05 to $2.30 per ton of ore.

The foreign ore imported into this country under existing duties amounted to 1,229,168 tons in 1907.

With reference to pig iron, I again quote from the letter of Mr. Haldeman:

The duty on pig iron should not be reduced below $4 per ton, which is far from excessive. We do not believe that there is at present any region in this country that can place pig iron at tide at a less than actual cost of $17 per ton. The best of foreign pig iron, including $4 duty, can be delivered here at $18 per ton, allowing a good profit to the producer, and, during seasons of industrial depression at much lower figures. It is claimed by reliable authority that German pig iron can now be delivered at New York, Boston, Philadelphia, or Baltimore without any loss to the producer at $15.21 per ton, and English iron at $15.98, including $4 duty. The greatest competition we have to fear is from Germany, where industrial conditions are weak. The United States would be an attractive dumping ground for German surplus stock, even at prices which would yield less than the cost of production there.

If you will refer to the brief of Mr. Joseph G. Butler, jr., above mentioned, you will note that from the reports furnished him the cost of all labor to produce a ton of pig iron in Virginia, including that for the ore, fuel, and limestone entering into the same, but excluding that for transportation, ran from $6.22 to $9.42. Every ton of foreign iron that takes the place of Virginia iron means the labor alone of your State would lose that much, exclusive of the losses of the manufacturers and transportation companies.

A portion of the trade could be saved to our country if we went back to the wage scale of past years, but to do so at present would mean that the laborer could not decently support his family. When trade is prosperous foreign pig iron is freely imported. The present duty is sufficiently low to prevent excessive prices here, and the Government derives a duty of $4 per ton.

The result will be that the only interest deriving any material benefit in the end from the reduction in the tariff below $4 will be the foreign producers of pig iron, with the risk to us of financial disaster, which, if that should unfortunately occur, will enable the foreigner to later advance prices after killing our industries. The argument of Abraham Lincoln would here apply when he said:

"If I understand the tariff question, when we buy a ton of rails abroad we get the rails and the foreigner gets the money; but when we buy a ton of rails at home we get both the rails and the money."

The new tariff practically eliminates the duty on scrap iron, as it is reduced from $4.50 to 50 cents per ton. This means that our country would become the dumping ground for scrap for the rest of the entire world.

The same general principle is involved in the coal schedule, which, under certain conditions likely to be accepted by the Canadian government, is to be placed on the free list. I beg, in reference thereto, and as an expression of my own views on this subject, to again quote from the letter of Mr. Haldeman:

The reciprocity clause for bituminous coal, eliminating the duty on same, will be injurious to the Virginians. This change is in the interest of western Pennsylvania coal operators who desire to reach Canadian points distant from British provincial coal mines. This policy would enable the latter to have free trade for coal in New England, where a very large tonnage is shipped from the Virginias and none from western Pennsylvania.

These Pennsylvania interests are also at this time endeavoring to force the Virginias' coals out of the Lake trade through the manipulation of large railway interests by an advance by our lines of freights from the Virginias to the Lakes to an excessive rate, the effect of which would be that we could not retain the trade, and the cost to the consumer would be increased. The railways are now considering the question and have intimated the advance would be made. The rates now paid are the highest that have ever been in existence, and there is no necessity for the advance, other than to force our coal out of this market in the same manner that it has already been forced out of some markets and attempted to be out of others.

It seems to us that the interests of Virginia now at stake are so vital that its Representatives in Congress should feel compelled to rise above partisanship.

We trust this country will not abandon a tariff policy that has made it the greatest and the envy of the world and return to policies that have always proven disastrous and which Europe is now, or contemplating, abandoning.

THE LOW MOOR IRON COMPANY OF VIRGINIA,
Low Moor, Va., March 22, 1909.

Hon. C. B. SLEMP,
House of Representatives, Washington, D. C.

DEAR SIR: I wish to thank you for H. R. 1438 and for your letter calling attention to same.

The Virginia furnaces are very much interested in the retention of the duties on pig iron and iron ore. In the brief submitted by Mr. Joseph C. Butler to the Ways and Means Committee, there were letters from three Virginia furnace companies, going into the question of costs, showing the necessity of protection for our eastern seaboard trade. One report was by the Virginia Iron, Coal and Coke Company, one by our own company, and one by a company "south of the Mason and Dixon line," which, I understand, was the Pulaski Company. I do not have a copy of Mr. Butler's brief or I would send it to you.

Although in the northern district and in Alabama there has been a great increase in the production of pig iron in the last ten years, I do not know of a single new furnace having been built in Virginia. This speaks for itself of the uncertainties of making pig iron in Virginia. In other words, it is proof that there is not sufficient profit in the business in Virginia to warrant additions to the number of furnaces which were built prior to ten years ago.

During the present depression fully eight-tenths of the Virginia pig iron has been sold in the eastern seaboard territory.

Virginia furnaces are located at such a distance from tidewater that it is not probable that they will be able to use imported ores if same are made free of duties. On the other hand, it would be a disadvantage in that the eastern Pennsylvania and New York State furnaces would be able to make cheaper pig iron with cheaper ore, and place the Virginia furnaces at a greater disadvantage than at present to compete in our present best market.

Further in this connection I would state that the Alabama furnaces are to-day delivering pig iron in Lynchburg at lower prices than we can make and deliver iron there.

As you are probably aware, the per diem paid laborers by the Virginia furnaces is as low as it should be, considering cost of living, and with an active demand for labor there would be a decided shortage in laborers unless the Virginia furnaces are kept in position to advance wages with any advance in the price of pig iron.

I have had experience in making pig iron in Ohio and Kentucky, and I can say truthfully that the Virginia furnaces contend with a great many more difficulties than those located in the above States. I do not know of any State which requires the continuance of a high-protective tariff more than Virginia.

Yours, truly,

E. C. MEANS, *General Manager.*

As to lumber, the following letters are illustrative of the situation:

TUG RIVER LUMBER COMPANY,
Bristol, Va.-Tenn., March 22, 1909.

Hon. C. B. SLEMP,
House of Representatives, Washington, D. C.

DEAR SIR: We beg to acknowledge receipt of your favor of the 17th instant. Any reduction whatever of the tariff on lumber will hurt the lumber business. It will affect principally hemlock and low-grade stock. Removing the duty on any portion of it at this time will work a great hardship on the owners of hemlock stumpage. For instance, take our tract of timber in Wise County, near Big Stone Gap, with which you are familiar. This tract is fully 50 per cent hemlock, and the stumpage stands us $2 per thousand. We can make no profit whatever in the manufacture of hemlock to-day with a protective tariff of $2 per thousand; removing the tariff will let in from foreign companies a great deal of this material, or lumber that can be substituted for hemlock, yellow pine, and low-grade oak and chestnut, and, in our opinion, it would have the effect of reducing the price of hemlock a great deal more than $2 per thousand.

If nothing can be done but reduce the tariff on lumber, we think that it should be removed gradually; that is, at the rate of 25 cents per thousand each year, until the reduction agreed upon has been accomplished. We hope very much that you will use your efforts to prevent the reduction of the tariff on lumber. If, upon the other hand, this can not be accomplished, then, by all means, if it is possible, reduce the tariff on a gradual scale.

Yours, truly,

TUG RIVER LUMBER COMPANY.

OAKES LUMBER COMPANY (INCORPORATED),
Gladys, Va., March 22, 1909.

Hon. C. B. SLEMP,
House of Representatives, Washington, D. C.

DEAR MR. SLEMP: We have your letter of the 17th, asking for our views on the question of the proposed reduction of the tariff on sawed lumber.

In reply thereto we beg to state that the lumber situation with us and others similarly situated is this: The southern mills produce more lumber than we can find a local market for, so that in order to keep our mills running and dispose of our surplus product we must sell in the northern markets, the principal ones being Cleveland, Ohio, Pittsburg, Pa., New York City, and the New England cities. As all of these points are not far from the Canadian border, a reduction of the tariff such as is proposed would open up competition with us in these markets from Canadian lumber interests, thus compelling us to sell in our local markets with cut-throat competition and ruinous prices.

The lumber business is one of the principal industries in this section, and if that business is destroyed, as we believe it will be by the proposed reduction in the tariff, it will mean great loss to those of us who have already invested largely in timber lands, as well as the loss of employment to many laborers who are engaged in handling and manufacturing lumber and lumber products in various ways.

Then, too, the farmers who own timber lands will be unable to dispose of them except at a great sacrifice, and as these people bear the brunt of tariff duties more heavily in proportion to the benefits they receive than any other, it seems to us that they should have the burden equalized as far as possible by getting some measure of protection on what they have to sell.

In short, it seems to us that if we are to pay protection prices to northern manufacturers for what we buy of them, it is no more than fair that they should pay us protection prices for what they buy of us.

Trusting that you will be successful in our efforts in our behalf, we are, with best wishes,

Very truly, yours,

OAKES LUMBER COMPANY (INCORPORATED).
By W. T. OAKES, *Secretary-Treasurer.*

SOUTHERN DEMOCRATIC CONGRESSMEN URGE PROTECTION.

[Extracts from statements of Mr. WILLIAM B. LAMAR, a Representative from the State of Florida.]

I am a Democrat and represent a Democratic State, with protection proclivities for Florida products.

Under the influences of the Dingley tariff unquestionably the price of tobacco was raised in my district and in the southern part of Georgia, where they have grown a tremendous amount of domesticated Sumatra tobacco. Under that element of protection afforded our people many of those engaged in that business in my district and the vicinity have gotten rich.

I stand squarely on the ground that since the American people have not departed from the principle of protection to American industries, then, as a Representative from a State which raises an article which will be directly in competition with an article from Egypt, raised with Egyptian labor and skill and science, I simply want to say that so far as this article is concerned I want to vote against that Egyptian cotton so as to prevent its importation into this country. So long as that policy is to be continued I want a reasonable protection to the people of my district and I want them to get the advantages inuring to the people of the North and West through this protective policy.

Mr. GAINES. Suppose there should come out of this committee two bills, one containing the protection that you ask for now, and the other a bill for revenue only, which one would you support?

Mr. LAMAR. I would support the one granting protection to cotton. I had a bill before this committee to that effect. I will answer some questions propounded by my distinguished friend from Missouri, Mr. CLARK, and say that you should protect our citrus fruit. When the committee begins slashing the duty on steel or on zinc made in the State of Missouri, or when the committee begins slashing, either horizontally or perpendicularly, any other article, then it will be all right to hit an article grown in my State.

The doctrine of the Republican party has been that American industries can be expanded under a protective tariff, and that it will result in direct good to the producer and consumer; and I simply make an appeal for that treatment for this article and others grown in the States of Florida, Georgia, and North Carolina, which States have not at the present time sufficient margins between the costs of production and the prices as against foreign competition. They simply ask a sufficient amount to guarantee some profit over and above the cost of production as against the foreigner. If the minority of the committee are not in favor of this proposition, I should be pleased to have the majority consider it.

Mr. HILL. Has it ever been proposed to grow this sea-island cotton anywhere else in order to meet the demand?

Mr. LAMAR. I am told that they raise 5,000 bales of this cotton to-day in my State, and that they have not sufficient profit on the article to meet the cost of production.

[Extracts from statement of Hon. FRANK CLARK, a Representative in Congress from the Second Congressional District of the State of Florida.]

First, I submit, Mr. Chairman, without in anywise discussing or even infringing on the relative virtues of a "protective tariff" and a "tariff for revenue," that the recent election and other elections preceding it have, in my opinion, forever established as a part of our system of government the indirect scheme of taxation, viz, the levy and collection of customs duties on articles imported into this country from foreign lands. This being true, I am firmly of the opinion that this matter ought to be removed from the domain of partisan politics and hereafter treated as a business proposition, and a commission or other proper tribunal created to deal with it.

MEMORIAL NO. 2.

Memorial to the Congress of the United States, asking that a duty of at least 10 cents per pound be levied on all importations of Egyptian and other long-staple cotton brought into the United States as raw material.

Whereas the present price of long-staple or sea-island cotton is below the standard of profitable production and has so been for some years past, causing a large area of our State which raises an article which will be directly in competition with an article from Egypt, raised with Egyptian labor and skill and science, I simply want to say that so far as this article is concerned I want to vote against that Egyptian cotton so as to prevent its importation into this country. So long as that policy is to be continued I want a reasonable protection to the people of my district and I want them to get the advantages inuring to the people of the North and West through this protective policy.

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The convention adopted certain resolutions, which are as follows:

"In convention of the sea-island cotton growers of Georgia and Florida held at Lake City, Fla., this the 25th day of November, 1908, the growers of cotton finding, after years of experience, that Egyptian cotton without a tariff on it on account of the cheap labor of 8 or 10 cents per day required to produce said Egyptian cotton, is injuring the interest of the sea-island cotton growers by placing the value or selling price of his cotton below the cost of production, which at present is from 22½ to 24 per pound, and thereby jeopardizing the industry and output of the yield of sea-island cotton necessary for the world's consumption and needs: Therefore be it

"*Resolved*, That a committee of four from Georgia and four from Florida be elected to meet the Ways and Means Committee at Washington, December 1, and ask that a tariff of 10 cents per pound be placed on Egyptian cottons.

"*Resolved further*, That it is the sense of this convention that we want our American industries protected, and that we want the producer to share equally in such protection with the manufacturer.

"*Resolved further*, That Hon. Harvie Jordan, president of the Sea Island Cotton Association, and Hon. C. S. Barrett and Hon. R. F. Duckworth, of the Farmers' Educational and Cooperative Union, be requested to cooperate with any committee selected by this meeting."

Mr. CLARK (continuing). In addition, along this line, I beg permission to say, Mr. Chairman, that when I came here to Congress for the first time I came here through a long-drawn-out primary election contest, in which there were four other candidates, and in that contest from every stump I openly and publicly promised the people that, if chosen, I would use every legitimate and proper effort to secure the duty on cotton which I am now before you contending. My election then by quite a large majority and in my return twice since then without opposition clearly establishes, in my opinion, the wishes of my constituents on this subject.

During present year, in a hotly contested primary election for United States Senator from Florida, the Hon. DUNCAN U. FLETCHER was chosen by a large majority, and Mr. FLETCHER announced himself on this subject as favoring exactly what I stood for four years ago.

Having, I feel, established that the people of Florida desire the asking here made, I now invite your attention to existing conditions, upon which we base our insistence.

We are not asking any special favors, Mr. Chairman; we are not insisting upon any privileges being granted to us that are not granted to the remainder of the citizenship of this country, but we do believe that when we toil in the sun of a semitropical climate for twelve months in the year to produce a crop of cotton, and when everything we purchase for our own consumption, even if manufactured from the identical sea-island cotton which our sweat and toil has produced, we are forced to bear the burden of paying the price increased by the addition of a tariff, that we should at least be permitted to enter, with the article which we produce, the markets of our own country upon an equal footing with Egypt and the West Indies, conscious that we are asking nothing but that which our patriotic and republican fellow-citizens, with full knowledge of the facts, will gladly accord us; I submit to this committee the case of my constituents.

[Extract from statement of Hon. JOHN H. SMALL, a Representative from North Carolina.]

Mr. HILL. In case we have a protective tariff bill and peanuts are in it, does the gentleman from North Carolina expect to vote for the bill? He makes that the ground of his claim.

Mr. SMALL. If the gentleman thinks that is entirely appropriate in the line of my argument.

Mr. HILL. I did not until you made the argument just now that we were going to have it, and therefore you would like to have protection.

Mr. SMALL. Does not the gentleman think, in the framing of a protective tariff bill, that peanut growers should have their share of protection, to put them on an equality with others?

Mr. HILL. If they can prove the necessity for it by a difference in the cost of production abroad and the cost of production at home; that is shown largely, is it not, by the production here and by the comparative importations and exportations?

Mr. SMALL. I admit the truth of that proposition.

Mr. HILL. And I am going to vote for the bill when it is framed, made up under those conditions. Are you?

Mr. SMALL. I prefer not to answer that now. I am simply talking for peanuts, and asking the committee what is fair as to the peanut industry.

[Extract from statement of Hon. HARRY L. MAYNARD, a Representative in Congress from the State of Virginia.]

Mr. MAYNARD. I did not expect to say anything at all, but there were some questions put here that if the same questions were put to me I would like to give my views on. One gentleman was asking a witness what would be my position on a tariff bill when it was framed. I hope Mr. HILL will put the same question to me. I want to say here that I favor an increase in the duties on peanuts. As to the tariff bill, I have not a vote on the framing of the tariff bill, but after it is framed, and I know what is in it, then I will decide whether I am going to vote for it in its entirety or not. I never agree to vote for anything I do not know what I am voting for, but if we do get an increased protection for peanuts, I will vote for it.

[Extract from statement of Hon. FRANCIS R. LASSITER, a Representative in Congress from Virginia, on peanuts.]

Mr. DALZELL. What are you advocating?

Mr. LASSITER. I am advocating an increase in the duty on both shelled and unshelled.

Mr. DALZELL. How much?

Mr. LASSITER. Two cents on one and 3 cents on the other.

The CHAIRMAN. Do you want to have an increased duty of 2 cents on the unshelled?

Mr. LASSITER. And 3 cents on the other, for the reason, gentlemen of the committee, that this product has arrived at a point where our farmers can not produce them at a profit.

The CHAIRMAN. You advocate that as a protection against Japanese peanuts?

Mr. LASSITER. I suppose it would operate in a measure as a protective duty, but the Japanese can raise peanuts so much cheaper than our people can raise them under modern conditions, since the negroes in the South have practically left the fields, that it is impossible to draw a comparison between the cheapness of the present labor in Japan and Spain and Africa with the labor of the white man of the South, which now produces these peanuts.

Mr. RANDELL. When the present bill went into effect, in 1898, imposing a duty of one-half a cent a pound, the importations increased from 77,000 right straight along by leaps and bounds to 10,000,000 pounds. Now, you say that interference on account of the difference in the quality of the peanut, if you put on 2 cents a pound, that would be absolutely prohibitive. Would you not say so?

Mr. LASSITER. I do not think so, because there is a difference in labor that did not exist twenty years ago and certainly did not exist ten years ago.

Mr. RANDELL. Does it not indicate that somewhere between half a cent and a cent would bring in the most revenue to the Government?

Mr. LASSITER. I think not. I intended to emphasize the fact that labor in places where these nuts are raised has increased from 20 to 35 cents for women to 75 cents for women and for men from 40 to 45 to 50 cents a day up to $1.25 a day, and scarce at that, almost impossible to get.

[Extract from statement of Hon. STEPHEN M. SPARKMAN, a Representative in Congress from Florida.]

Mr. SPARKMAN. Mr. Chairman and gentlemen of the committee, being neither a grower nor a manufacturer of tobacco, I shall have very little to say on the subject now before the committee. My purpose in coming here is to say that, representing a district in which more clear Habana cigars are made than in any other district of the country—indeed, one city, that of Tampa, in which more clear Habana cigars are made than any other city or place in the world—I am here for the purpose of saying that the manufacturers of my district do not desire any change whatever made in the tobacco schedule. They are perfectly satisfied with it as it is, and, speaking for myself, I can not see that there is any advantage that could accrue either to the cigar industry of the country or to the Government by a change.

[Statement of Hon. H. L. GODWIN, a Representative from North Carolina.]

Upon the question of repealing the present duty on lumber, or placing it on the free list, I have given considerable study of late and made some rather searching investigations, both in person and by correspondence. After due consideration I am thoroughly convinced that the removal of the present duty of $2 per thousand on rough lumber will work a serious hardship to the manufacturers of the South, because many of our mill men ship their entire output in the rough to various points in the Northern and Western States to be reworked into dressed stocks. From the very nature of the case this would produce more or less embarrassment to the business interests of practically every community throughout the South, for, according to the statistics of the Government and otherwise, the lumber business at this time stands at the head of the list. Retaining the present tariff of $2 per thousand would in all probability shield our people from that embarrassment which I believe would otherwise be inevitable; and in view of the further fact that the present specific duty of $2 per thousand amounts to less than an ad valorem tax of 12 per cent, which Democrats everywhere must see is on a parity with the fundamental principle of a tariff for revenue only.

My sense of duty to my own people, whose capital and labor are invested in milling and lumber properties, as well as thousands of employees with dependent families on their hands to take care of, force me to take my stand with those who believe the present tariff is none too high. I am a Democrat and believe in a tariff for revenue only, but as a North Carolinian, with a large lumber constituency, it seems to me it would be very poor policy on the part of the Democrats of the House to demand at the hands of a Republican Congress a tariff for revenue only on southern products while we are powerless to prevent them from supplying the principles of a high protective tariff on products in other sections of the country.

As I understand it, all of the machinery and appliances of every kind used in the manufacture of lumber are protected on an average of about 45 to 48 per cent, which is practically prohibitive, while lumber is protected less than 12 per cent, which is not prohibitive, and as an illustration of this fact more than 950,000,000 feet of Canadian lumber was imported into this country last year. Thus we have a live example of the fact that the present tariff of $2 per thousand on rough lumber is a tariff for revenue only, and as the Democratic party has been known, from my earliest recollections to the present time, as a "tariff for revenue only" party, I, for one, propose to stand for the interests of my people in North Carolina and other Southern States as well. I have talked with many other Representatives from the South on the question, and I find a good many expressing views that coincide with my own, as outlined above. As a matter of fact, if duty to our constituents is the first consideration with a Representative in Congress, then I do not see any other alternative offered me but to support the present $2 duty on foreign lumber.

If the present tariff on iron, steel, coal, cement, saws, files, belting, and all other machinery entering into the production of lumber were reduced to the present level with lumber, then I would say lumber should stand a proportional reduction in the tariff along with other things. But so long as other things are protected three, four, and five times as high as lumber, then I feel it my duty to my constituents at least to stand for the present tariff of $2 per thousand on every foot of lumber imported into this country from Canada, Mexico, and elsewhere.

Again, I find that in my district not only are the lumber manufacturers asking for the retention of the present tariff on lumber, but I find likewise the bankers, and the cotton, fertilizer, naval stores, and other great manufacturing companies are protesting against any repeal or reduction of the present lumber tariff. As a matter of fact, I do not believe there are a dozen business men in my district, if they had it in their power to determine, would remove the present tariff on lumber. If there are that many, certainly they have not made known their wishes to me, for up to this time I have not had a single request from all my constituents demanding the repeal of the present tariff on lumber. On the contrary, I have hundreds of letters, also many telegrams, memorials, petitions, and other expressions of opinion, asking—and demanding in some instances—that I use my best efforts and

influence to prevent any repeal or reduction whatever in the present lumber schedule.

I am conscious of the fact that the last national Democratic convention adopted a platform with a plank in it demanding the repeal of the duty on lumber, logs, and forest products; but throughout that platform there were such demands for a general revision of the tariff downward, that many articles, together with lumber, would have been placed on the free list had we been fortunate enough to elect a Democratic House of Representatives. But we failed in this, and as the Republicans are in a majority in the House, we need not expect any reduction of the tariff; they may revise it, but they will never reduce it on articles of the North and West. For them to retain a high protective duty on products of other sections and remove the duty on products of the South would be grossly unfair to our section, and would be a serious blow to our industries, of which I am very much opposed, and I intend to vote and work against such unjust discrimination.

[Letter of Hon. F. M. SIMMONS, United States Senator from North Carolina.]

UNITED STATES SENATE,
Washington, D. C., February 9, 1909.

Mr. Z. W. WHITEHEAD,
Editor Southern Lumber Journal, Wilmington, N. C.

MY DEAR SIR: I have the honor to acknowledge receipt of your esteemed favor of recent date, containing copy of resolutions adopted by the Chamber of Commerce of the city of Wilmington in opposition to the removal of the duty upon lumber, and giving the reasons therefor.

During the last two or three weeks I have received a large number of communications from various manufacturers of lumber in and outside of North Carolina, all opposing the removal of the present duty on lumber. I have answered these promptly and frankly. None of the letters received by me has advocated a reduction of the present duty on lumber.

Replying to your letter and these resolutions, I repeat, with some additions, the substance of my answer to the correspondents above referred to as defining my position with respect to this question. The duty on steel, iron, cement, and most other structural and building materials that come in competition with lumber, some of which, in the form of machinery, enter largely into the cost of its manufacture, ranges under the present law from 25 to 60 per cent ad valorem, while the duty on lumber is only about 12 per cent. There is as much, yea, more reason, in my judgment, why there should be a duty upon lumber as upon the articles with which it necessarily competes and which enter so largely as an element in the cost of its manufacture.

The present duty upon lumber is upon a revenue basis; that is to say, that notwithstanding that duty lumber is imported into this country and the Government derives considerable revenue therefrom, while the duty upon iron, steel, etc., is protective almost to the point of prohibition; that is to say, that under that duty practically no iron or steel is imported into this country and the Government realizes no revenue from it. Doubtless there will be some slight reductions at the extra session of Congress of these highly protective or prohibitive duties; but even if that reduction is large, and there is not much probability that it will be, they will still be highly protective and largely in excess of that now upon lumber, the present duty upon lumber being only about one-fourth of the average rate of duty imposed by the Dingley Act.

If we are to have a tariff for protection, treating the duty upon lumber as a protective duty, it would seem unjust to protect one industry and not another, or to protect the industries of one section of the country and not those of another.

Again, by reason of the proximity to the large lumber-consuming markets of the North and by reason of water connection with the large lumber-consuming markets of the West, Canada has a decided advantage in transportation charges and rates over the southern lumber producers, which is a proper subject of consideration in connection with a tariff bill which will be confessedly constructed along high-protective lines.

These, together with other reasons, which I need not now recount, impel me to support a duty upon lumber; and if there is to be any duty upon it, it would seem that the present duty, certainly as compared with probable duties upon articles of the same general classification, is not excessive, the present duty upon lumber being, as before stated, only about one-fourth of the average rate of duty imposed by the present tariff law.

I am not unmindful of the declaration of the Democratic platform adopted at Denver upon the general subject of the tariff. That platform declared if the Democrats were given power they would so revise the tariff as to put the whole system upon a revenue basis. The declaration in that platform with reference to the duty upon lumber must be construed in connection with this general promise with reference to the tariff. If we had been successful, we would, I assume, have revised the tariff along the lines indicated. Iron and steel and such other structural materials as either directly or indirectly compete with lumber, or as enter as an element of cost into its manufacture, would either have been put upon the free list or the duty upon them reduced to a revenue basis. But the election having eventuated against us, it is impossible for us to carry out our general declaration or promise with reference to the tariff, and therefore the conditions upon which our declaration or promise with reference to lumber was predicated do not exist and will not exist. A new tariff bill will be framed by the Republican party, and while there may be some slight reduction of duties it will be like the McKinley and Dingley tariffs—a highly protective measure. Did the Democrats mean to promise free lumber without any regard to the character of the general measure of which it was to be a part or the discrimination that would result if that measure covered with highly protective or prohibitory duties other articles in the same general classification? I think not. To give the declaration in question that construction would be holding to the letter of that promise while disregarding its spirit; at least that is my view of the matter, and with the lights before me I shall act upon that view.

I wish to say in conclusion that the resolutions you have sent me, both in their general statements with reference to the principles which should control in the construction of tariff laws and in the analysis of that question as it affects lumber are exceedingly forceful and lucid and in the main coincide with my views.

Very truly, yours,

F. M. SIMMONS.

[Extracts from speech of Hon. J. E. RANSDELL, Member of Congress from Louisiana, before the national tariff commission convention at Indianapolis, February 16, 1909.]

In discussing the southern farmers' interest in a tariff commission I assume that the aim of this convention is to secure a nonpartisan, business commission which will help to remove the tariff problem from party politics, and elevate it to the high plane of economic statesmanship where it properly belongs. It is most unfortunate that this great question which concerns so vitally the welfare of our Nation should ever have been a partisan one and policies and schedules should have been adopted in many cases for political effect rather than economic reasons.

Under the fiscal system of our Government from its earliest days customs or import duties have been one of the recognized means of raising revenue for paying national expenses. The imposition and collection of these duties were necessary to carry on the Government. They constituted a very material part of our annual bank receipts, and without them the Nation's wheels could not have turned unless we had devised and replaced them with some other system. Hence, all political parties have advocated a tariff in some form. The division of opinion came in the preparation of the tariff schedules, and the political fights have been long and bitter. It would be wise for our lawmakers to unite on some sensible, businesslike plan, just and fair to every section of the country, for providing money on which to run the Government, and political differences should not be allowed to enter into the financial question. Surely the mere raising of revenue is a commercial problem—not a political one—but along with this the financial feature of tariff bills is the more serious one of protecting home industries, either directly or as incidents to the revenue, and on this problem comes the rub. If a tariff commission can be devised which will remove, even in part, this great business matter from the stormy sea of partisan politics, it will confer a boon on the Nation and all patriots should welcome it gladly.

The South feels a deep interest in the tariff. It has not secured financial returns from the protective features of the system equal to those sections of the Union largely engaged in manufacturing; nevertheless it has many industries which are affected, and is therefore glad to participate in this convention and do what it can to aid in solving the very important questions before it for discussion.

The tariff is well described as a "local issue," and a man's views thereon, be he Democrat or Republican, are very much influenced by his surroundings. Being a citizen of Louisiana, which has so many protected industries—sugar, rice, lumber, etc.—I can not help leaning somewhat to that side, and, in my opinion, the whole South is rapidly changing its ideas on this subject. Lincoln once said: "I don't know much about political economy, but I do know that when we purchase a ton of steel rails from Great Britain for $100, we get the rails and Great Britain gets the money; and when we produce the rails from our own mines and in our own mills, we have both the money and the rails." Now, surely the latter condition is much better than the former, and it seems right and proper to assist in procuring and maintaining it by wise tariff enactments whenever possible. Partly as a result of such laws we have for years been producing our "own rails from our own mines and in our own mills," and innumerable factories of every kind and sort have sprung up and prospered in such manner as to make the United States the richest and most marvelous commercial nation on earth. Great abuses, however, have crept in. This is especially true of articles controlled by trusts, where the protective tariff is so high as to shut out foreign imports entirely; to promote combinations at home that prevent all local competition; and to permit the sale of our manufactures abroad much cheaper in many instances than in this country. These things are very wrong and bring into much disrepute the whole system. Many radical changes in our tariff laws are necessary, and we should all strive hard to separate the worthless chaff from the good wheat in our tariff basket.

The South was for many years a purely agricultural community, and as most of the direct benefits of the tariff go to manufactures rather than to products of the soil the southern people leaned strongly to free trade. They wished to sell their cotton in the highest markets of the Old World and supply their needs untrammeled in the same markets. But since the civil war a vast change has taken place. In 1908, the United States manufactured, in round numbers, 3,849,000 bales of cotton, of which 2,119,000 bales, or considerably more than one-half, were used by the southern cotton mills. Compare this with 1860, when of a total for our Union of 845,000 bales the factories of Dixie consumed only 117,700, or less than one-seventh.

The revenue in 1907 from imports on articles of cotton manufacture was $38,999,267—one of the best of our revenue producers—and from the revenue point a reasonable tariff on them seems warranted. But to the southerner there are other strong reasons for retaining this duty. He believes there is much benefit to him in having the cotton factory adjacent to the cotton farm. Transportation charges and fees of middlemen would be saved thereby; the producer would receive better prices for his raw cotton, and the factory employees would become heavy consumers of the diversified crops of the farm, which can not be raised with profit now because the markets are too far. The southerner is convinced that his superior advantages will ultimately cause practically all the cotton factories to go South. He starts with an initial advantage of fully $2 a bale on transportation from the field to the factory; he has the cheapest and best power on earth—electricity from his living waters—and his labor is cheaper because of his mild climate, short winters, and rich food supply of the adjacent farms. He confidently expects in the future a surer and more rapid growth in cotton manufacturing than even the phenominal increase of the past, which, as I showed above, grew from 117,700 bales in 1860 to 2,119,000 in 1908. He would gladly welcome to Dixie these cotton factories and factories of every kind, for he has learned the benefits of diversified industries, and become a firm believer in the wealth-producing qualities of articles finished and ready for consumption as compared with the low price of the crude materials of mine, forest, and farm. He still loves agriculture, and cotton is still his king, but manufactures are daily receiving

more and more of his allegiance and the sway of "King Cotton" may be in danger ere long.

There can be no direct tariff in favor of the cotton grower because we are heavy exporters of cotton rather than importers, but I submit that if the present protective tariffs are to be maintained there should be a reasonable duty on long-staple cotton in order to protect our sea island and other long-staple varieties against the importations from Egypt and other countries, which amounted in 1907 to 198,924 bales, and threatens to destroy the sea-island cotton industry.

Another large revenue producer of the southern farm is tobacco, which brought an income duty in 1907 of $26,125,037. The tobacco crop of the Union that year was valued at $76,234,000, of which the South grew $51,630,000 worth, or two-thirds thereof, and I am sure the southern tobacco growers would not relish any reduction in this schedule.

Cane sugar and molasses are exclusively southern products, confined principally to Louisiana, and beet sugar is a very important industry in the North and West. Sugar is incomparably our largest producer of customs revenue, yielding in 1907 the sum of $60,284,059, about one-fifth of our total import duties, which amounted that year to $332,223,363. Even the most confirmed free trader would not interfere with the sugar schedule because of the large revenue it produces. It is conceded that neither the cane nor the beet sugar industries could exist without protection, for cane sugar is made in Cuba and Java for less than one-half of its cost in Louisiana, and beet sugar costs much less in Germany and other European countries than here. Our annual consumption of sugar is about 3,000,000 tons. We made in 1907 about 350,000 tons of cane sugar and 490,000 tons of beet sugar; about 500,000 tons came in free from Porto Rico and Hawaii; Cuba sent us 1,300,000 tons at 80 per cent of the regular rate ($1.68 per 100 pounds for No. 16 Dutch standard, or 96 per cent pure); and the remainder, some 400,000 tons, came from Germany, France, South America, South Africa, and a small amount from the Philippines and Java.

Rice is produced in large quantities in Louisiana and Texas, their combined yield being 574,791,000 pounds in 1908, and with proper encouragement the industry will spread rapidly, as there are many sections in the South where conditions for rice culture are favorable. We imported in 1907 principally from China and Japan 209,603,180 pounds of rice, on which the duty was $1,254,207.

If time permitted I might discuss the citrus fruits and vegetables of our Gulf coast, which have to compete with those of the Tropics; our peanut and cotton-seed oil, that are extensively used to adulterate foreign olive oil, which is admitted free of duty to the great injury of these southern oils; our rapidly growing cattle and sheep industries, and the importance to many Southerners of the duty on hides and wool; but a mere suggestion must suffice.

I can not refrain, however, from saying a few words about lumber, though a little foreign to my subject. The South leads the Union to-day in the production of lumber, her yield in 1907 being about nineteen and a quarter billion feet, as compared with forty and a quarter billion feet for all the States combined. In round numbers, we are producing one-half of the lumber cut of the Nation, and Louisiana is second only to Washington in the volume of her output.

I am a strong believer in the conservation of all our national resources, especially our splendid forests, and would like to see them safeguarded in every way by national and state laws, but I doubt the wisdom of any change in our lumber schedule. We of the South have vast quantities of low-grade material, which can not compete with cheap Canadian lumber if admitted free, and the removal of the duty will cause much of our low-grade stuff to waste, and result in more rapid destruction of the forests than if the entire output could be manufactured with profit. I can not believe the removal of this duty will help to conserve our forests, and I feel sure it will seriously injure one of the greatest industries of the South, whose annual product is worth fully $300,000,000.

Mr. Chairman and gentlemen of the convention, the South bids you godspeed in your efforts, and earnestly hope you can devise some wise, comprehensive plan for the best settlement of the tariff, one of the greatest of our national problems, a plan that will cure it of its present serious defects and make it a business and economic system that will oppress none of the people, but benefit all alike.

FACTS ABOUT THE SOUTH.

I am indebted to Mr. Richard H. Edmonds, editor of the Manufacturers' Record, of Baltimore, Md., for the following statistical information extracted from his exhaustive and illuminating review of "Facts about the South."

Bird's-eye statistics of southern progress.

	1880.	1890.	1900.	1906.
Capital in cotton mills	$21,000,000	$50,000,000	$112,837,000	$250,000,000
Number of spindles	667,000	1,712,000	6,567,000	9,760,000
Cotton bales used	225,000	516,000	1,597,000	2,374,000
Value of cotton crop, excluding seed	$213,693,000	$390,000,000	$363,773,000	$641,720,000
Pig iron made, tons	397,000	2,000,000	2,604,000	3,467,000
Coal mined, tons	6,000,000	21,200,000	49,048,000	84,111,000
Lumber products, value	$20,000,000	$90,730,000	$168,114,000	$300,000,000
Capital in manufacturing	$357,000,000	$859,000,000	$1,153,000,000	$2,000,000,000
Value of manufactures	$457,000,000	$917,000,000	$1,465,643,000	$2,500,000,000
Value of exports	$391,000,000	$909,000,000	$484,644,000	$842,032,000
Railroad mileage	20,000	42,000	52,600	61,000
Farm products, value	$660,000,000	$773,000,000	$1,271,654,000	$2,000,000,000
Property, assessed value	$3,061,175,000	$4,540,925,000	$5,457,553,000	$8,025,000,000
Capital in cotton-oil mills	$3,800,000	$12,820,000	$34,450,000	$90,000,000
Number of cotton-oil mills	45	119	369	830
Phosphate mined, tons	211,377	510,426	1,490,000	1,970,000
Coke production, tons	397,776	2,535,470	5,799,000	9,000,000
Petroleum, barrels	179,000	498,632	17,094,000	32,000,000

Southern agricultural progress in twenty years.

State.	Farm values.		Value of farm products.	
	1880.	1900.	1880.	1900.
Alabama	$105,531,307	$179,399,889	$56,872,994	$91,387,469
Arkansas	99,339,377	181,416,001	48,796,261	79,649,490
District of Columbia	3,792,501	11,535,376	514,441	879,247
Florida	27,902,481	53,929,064	7,439,392	18,390,104
Georgia	143,158,308	228,374,627	67,028,989	104,894,670
Kentucky	358,709,832	471,045,856	63,850,135	123,293,785
Louisiana	76,770,347	158,536,991	42,823,922	72,607,592
Maryland	187,137,266	264,645,497	28,839,251	43,625,419
Mississippi	122,016,968	264,221,027	63,791,844	102,492,283
North Carolina	164,286,737	233,334,693	51,729,641	89,309,638
South Carolina	84,079,702	153,501,100	41,168,112	68,266,912
Tennessee	239,456,170	341,202,025	62,070,311	106,166,440
Texas	256,084,364	482,476,273	65,294,329	239,233,244
Virginia	247,476,320	323,513,977	45,726,221	86,548,545
West Virginia	153,588,725	268,907,349	19,360,049	44,768,979
Total South	2,290,364,321	3,931,631,632	660,131,452	1,271,654,273
Total United States	12,180,501,539	20,439,901,164	2,212,540,927	4,717,069,973

NOTE.—In comparisons in this table of figures for 1880 and 1900, those for Alaska and Hawaii are not included in the general totals for the United States.

Southern manufacturing progress, 1880–1900.

State.	Capital.		Value of products.	
	1880.	1900.	1880.	1900.
Alabama	$9,603,008	$70,370,051	$13,565,504	$80,741,449
Arkansas	2,953,130	35,400,040	6,750,159	45,197,731
District of Columbia	5,562,526	41,861,245	11,882,316	47,667,622
Florida	3,210,680	33,107,477	5,546,448	36,810,243
Georgia	20,672,410	89,789,656	26,440,948	105,654,527
Kentucky	45,815,039	104,970,791	75,483,377	154,166,365
Louisiana	11,462,468	113,864,294	24,205,183	121,181,683
Maryland	58,742,384	163,147,360	100,789,563	249,552,899
Mississippi	4,727,600	35,807,419	7,518,302	40,431,386
North Carolina	13,045,639	76,308,894	20,095,037	94,949,663
South Carolina	11,205,894	67,356,465	16,728,908	68,748,731
Tennessee	20,692,845	71,814,068	37,074,886	108,144,565
Texas	9,245,561	99,432,882	20,779,928	119,414,982
Virginia	26,968,990	103,670,468	51,789,992	122,172,910
West Virginia	13,885,300	55,904,228	22,897,125	74,858,330
Total South	257,244,564	1,155,002,368	457,454,777	1,463,643,177
Total United States	2,790,272,606	9,831,486,500	5,369,579,191	13,010,036,514

Twenty years of lumbering.

State.	Establishments.		Capital.		Value of products.	
	1880.	1900.	1880.	1900.	1880.	1900.
Alabama	354	1,111	$1,545,655	$13,020,185	$2,640,634	$12,867,551
Arkansas	319	1,195	1,067,840	21,727,710	1,793,848	23,959,983
Florida	135	416	2,210,350	14,997,693	3,090,291	10,848,403
Georgia	655	1,254	3,101,492	11,862,716	4,876,310	13,701,923
Kentucky	670	1,280	2,296,558	9,895,404	4,094,361	13,774,211
Louisiana	175	432	903,950	20,093,044	1,764,644	17,408,513
Maryland	369	367	1,237,694	2,622,925	1,813,332	2,650,082
Mississippi	295	844	922,585	17,337,538	1,930,335	15,656,110
North Carolina	776	1,770	1,743,217	13,385,995	2,692,796	14,882,599
South Carolina	420	729	1,056,295	5,187,727	2,031,507	5,297,184
Tennessee	756	1,732	2,001,503	12,990,505	3,744,995	18,127,784
Texas	324	637	1,090,932	19,161,265	3,673,449	16,299,473
Virginia	907	1,341	2,122,995	9,599,046	3,434,163	12,137,177
West Virginia	472	950	1,068,920	10,421,570	2,431,357	10,612,837
Total South	6,626	14,062	23,516,076	181,702,326	39,930,432	188,114,524
Total United States	25,708	33,035	181,186,122	611,611,524	233,268,729	566,832,984

Pig-iron production.

State.	1880.	1890.	1900.	1906.
	Tons.	Tons.	Tons.	Tons.
Maryland	61,437	147,821	299,073	386,709
Virginia	29,934	292,779	499,617	483,525
North Carolina				
Georgia	29,821	41,726	39,134	92,599
Texas				
Alabama	77,100	816,911	1,184,037	1,674,548
West Virginia	70,358	129,488	166,758	394,534
Kentucky	67,708	47,861	71,562	96,127
Tennessee	70,873	267,626	362,190	429,574
Total		397,301	1,744,162	2,601,671	3,467,216

The production of pig iron in this section has increased from 387,301 tons of 2,240 pounds in 1880 to 1,744,162 tons in 1890, to 2,604,671 tons in 1900, and to 3,467,216 tons in 1906.

In coal mining much progress has been made, but still greater is ahead of the South. In 1880 this section mined 6,049,471 tons; by 1890 this had increased to 21,214,223 tons; in 1900 to 49,048,059 tons; and in 1906 to 84,000,000 tons, or twice the total production of Bituminous coal in the entire country as late as 1880. Between 1887 and 1896 the 10 coal States of the South produced a total of 236,494,017 tons of 2,000 pounds each, and between 1897 and 1906 nearly twice as much, or 571,629,338 tons. It is conservative to say that in the next ten years this section will produce 1,000,000,000 to 1,250,000,000 tons, or an average of from 100,000,000 to 125,000,000 tons a year. As a matter of fact, the figures will doubtless exceed this.

The coal output.

State.	1880.	1890.	1900.	1906.
	Tons.	Tons.	Tons.	Tons.
Maryland	2,228,[illegible]47	3,231,185	4,024,698	5,014,995
Virginia	45,[illegible]	2,250,000	2,[illegible],754	4,500,000
West Virginia	1,829,945	5,424,991	22,647,207	42,500,000
Georgia	154,041	225,000	333,291	342,409
Alabama	323,[illegible]62	4,200,000	8,204,235	12,881,755
Tennessee	495,[illegible]71	2,000,000	3,500,562	6,200,000
Arkansas	14,[illegible]78	500,000	1,447,915	1,875,569
Texas	.....	300,000	968,373	1,300,000
Kentucky	946,[illegible]88	2,489,144	5,238,964	9,336,425
Total	6,049,471	21,214,223	49,048,059	84,111,233

Increase in railroad mileage.

State.	1880.	1886.	1890.	1896.	1900.	1906.
Alabama	1,843	2,105	3,422	3,676	4,197	4,746
Arkansas	859	1,586	2,203	2,[illegible]	3,109	4,409
Florida	518	1,506	2,490	3,103	3,256	4,088
Georgia	2,459	3,328	4,601	5,286	5,720	6,641
Kentucky	1,630	2,753	2,942	3,067	3,694	3,405
Louisiana	652	1,693	1,740	2,252	3,801	4,292
Maryland	1,040	1,246	1,391	1,342	1,364	1,496
Mississippi	1,127	645	2,471	2,553	2,934	3,836
North Carolina	1,480	1,834	3,128	3,298	3,723	4,196
South Carolina	1,427	1,723	2,289	2,624	2,919	3,133
Tennessee	1,843	2,895	2,767	3,136	3,185	3,698
Texas	3,244	6,504	8,710	9,489	9,992	12,689
Virginia	1,893	3,006	3,360	3,635	3,736	4,082
West Virginia	691	681	1,433	2,084	2,485	3,264
Total	20,612	31,392	42,947	48,133	52,594	64,035
United States, excluding South	71,684	102,214	113,751	134,467	141,727	155,965

Such progress here reviewed, which has been most rapid during the past ten years in agriculture, mining, lumbering, manufacturing, trade, and commerce, has naturally been reflected in an increase in the wealth of the South.

True value of real and personal property.

	1860.	1880.	1890.	1900.	* 1906.
South	$6,286,214,148	$7,505,000,000	$11,150,632,304	$13,863,072,149	$20,500,000,000
Rest of country	9,873,401,999	36,137,000,000	53,886,358,863	74,654,233,626	96,500,000,000
United States	16,159,616,068	43,642,000,000	65,037,091,197	88,517,306,775	117,000,000,000

* Estimated.

The assessed value of real and personal property in the South in 1906 was $8,025,050,496, or $2,520,959,678 more than the assessed value of 1880. The increase in assessed value in the six years between 1900 and 1906, $2,567,497,496, was greater than the increase of twenty years between 1880 and 1900.

Assessed values of southern property.

State.	1880.	1890.	1900.	1900.	1906.
Alabama	$[illegible]	$139,[illegible]	$263,776,624	$270,408,432	$377,468,402
Arkansas	180,241,[illegible]	90,411,[illegible]	174,737,[illegible]	201,988,788	*221,700,000
District of Columbia	41,[illegible]	99,401,7[illegible]	148,640,599	150,958,987	268,131,587
Florida	6[illegible]	31,1[illegible]	91,983,49[illegible]	96,883,654	142,018,571
Georgia	6[illegible]	251,421,[illegible]	415,868,0[illegible]	433,328,[illegible]	624,465,472
Kentucky	[illegible]	270,[illegible]	547,295,788	640,688,240	808,041,918
Louisiana	[illegible]	177,0[illegible]	234,330,791	276,649,497	459,271,270
Maryland	[illegible]	439,1[illegible]	482,181,824	616,719,782	738,762,161
Mississippi	[illegible]	115,1[illegible]	165,847,334	215,765,947	366,739,083
North Carolina	[illegible]	1[illegible]	216,873,574	308,579,715	480,790,450
South Carolina	[illegible]	131,1[illegible]	176,692,451	176,422,238	240,534,422
Tennessee	[illegible]	228,[illegible]	386,358,188	386,367,586	474,416,837
Texas	[illegible]	311,470,[illegible]	782,111,883	914,097,634	1,221,159,849
Virginia	657,087,336	318,831,[illegible]	415,240,107	480,425,925	629,641,523
West Virginia	.....	144,622,[illegible]	188,991,707	240,631,580	357,839,858
Total	3,590,199,818	3,051,175,0[illegible]	4,639,514,833	5,457,553,031	8,025,050,496

* Estimated.

The true value of southern property is now more than $20,000,000,000, nearly $5,000,000,000 greater than the true value of all the property in the country in 1880, and the increase in value since 1900 has been at the rate of $3,000,000 a day.

The South to-day by comparison.

	Rest of country in 1880.	Southern States in 1906.
Population	33,855,000	25,000,000
Cotton mills:		
Capital invested	$108,000,000	$250,000,000
Number of spindles	9,985,000	9,760,000
Bales used	1,345,000	2,374,000
Pig iron made ...tons	3,838,000	3,467,000
Bituminous coal mined ...do	35,700,000	84,111,000
Coke made ...do	2,940,000	9,000,000
Petroleum ...barrels	26,107,000	32,000,000
Lumber products	$194,000,000	$300,000,000
Manufactures:		
Capital invested	$2,353,000,000	$2,000,000,000
Products	$4,912,000,000	$2,500,000,000
Exports	$571,000,000	$642,022,000
Railroads ...mileage	71,000	64,000
Farm products	$1,590,000,000	$2,000,000,000
Property, assessed value	$14,080,000,000	$8,025,050,000

The South's demand for protection is shown in the hearings before the Ways and Means Committee and by appeals to Congress through commercial bodies and representative business men and citizens. The following are samples:

FLORIDA WANTS PROTECTION FOR SEA ISLAND COTTON, WRAPPER TOBACCO, RED CEDAR, CITRUS FRUITS, AND LUMBER.

[Extract from statement of Mr. John W. Hatcher, of Lake City, Fla.]

The true conditions of the country have been that we have raised our cotton with our family, with free labor, as we might say. In other words, you see, it is raised by a very cheap labor; but you go at it from a business standpoint and you find you can not raise it. I am a failure. I have had to quit it, almost. I have tried it; I have bought it; I have raised it; I have produced it; I have sold it; and I have lost the better part of my life trying to get a living out of it.

So I would like to give you the figures, and I will endeavor to be conservative, because I do not want to overestimate anything. I simply want to give you the real facts as I know them from my experience.

Mr. HATCHER. The reason, Captain, that we appeal to you here for this protection is because we feel like our labor is competing with a foreign labor—putting up cotton side by side without duty—that we can not exist and raise it under our present price of labor. It is impossible for us to compete with the other fellow if the Egyptian cotton is worth within a cent or about a cent a pound what ours is worth.

Mr. GRIGGS. Won't you answer my question? My question was, Do you not think you had better go to work and lower the cost of production?

Mr. HATCHER. I think it is a good idea, but it is hard to do.

[Extract from statement of the supervising expert of the Jefferson County (Fla.) Sumatra Tobacco Company.]

MONTICELLO, FLA., *December 30, 1908.*

Millions of dollars are now invested in the business of growing wrapper tobacco in northern Florida; millions more are needed and will be invested to develop this industry to the point and position it merits in the world's market. The larger portion of the present investment in the growing of shade tobacco is in the hands of farmers, and from the small beginning of several years ago has gradually developed under the protective duty. The lowering or removal of this duty would stop all further efforts to build up this very important industry, which has brought portions of our country from unprofitable conditions (with the absence of all social and intellectual advantages) into their present thrifty state, with great promise, under further protection, of still greater advancement.

[Extracts from statement of Joshua C. Chase, of Jacksonville, Fla., relative to citrus fruits and pineapples.]

WEDNESDAY, *November 18, 1908.*

Mr. CHASE. Mr. Chairman and gentlemen of the committee, before beginning I would like to know whether it would be the pleasure of the chairman to hear me on citrus fruits, and then follow it with pineapples and vegetables in their natural state?

Mr. DALZELL. Take your own course, Mr. Chase.

Mr. CHASE. Thank you.

Mr. UNDERWOOD. You are from California, Mr. Chase?

Mr. CHASE. No; I am from Florida.

I would like to open my remarks by reading a telegram that I received this morning from the Jacksonville Board of Trade:

JACKSONVILLE, FLA., *November 17, 1908.*

J. C. CHASE,
Care of Hotel Raleigh, Washington, D. C.

At special meeting board trade held to-day following resolutions unanimously adopted:

"Whereas the Committee on Ways and Means of the National Congress is now considering a revision of the tariff; and

"Whereas the Florida fruit and vegetable growers fear that the tariff on pineapples and citrus fruits may be abolished or reduced; Therefore be it

"*Resolved*, That the Jacksonville Board of Trade heartily indorses the efforts of the Florida Fruit and Vegetable Growers' Protective Association to see that, if any changes are made at all, the tariff be increased. Be it also

"*Resolved*, That we delegate Mr. J. C. Chase, a member of this board, to represent us at the meeting of the Committee on Ways and Means and convey to them the views of this the largest commercial organization in the South."

H. H. RICHARDSON,
Secretary Board of Trade.

The Florida Fruit and Vegetable Growers' Protective Association comprises in its membership fully 75 per cent of the orange and pineapple growers and a large percentage of the vegetable producers. I was requested to appear before your honorable body to present in a concise form, for your consideration, facts and figures surrounding these Florida industries, representing estimated values as follows: Vegetable and garden products, $4,420,392; fruit crops, $7,773,500.

* * * * * * *

Mr. UNDERWOOD. You had a telegram from the Board of Trade at Jacksonville?

Mr. CHASE. Yes, sir.

Mr. UNDERWOOD. Stating that they desire to maintain the present rate of protection, or increase it, on citrus fruits?

Mr. CHASE. Yes; citrus fruits, pineapples, and vegetables; they enumerate everything in the telegram.

Mr. UNDERWOOD. Is the sentiment of the Board of Trade at Jacksonville in favor of a protective tariff throughout the industries of the United States?

Mr. CHASE. I should judge so from that message.

Mr. UNDERWOOD. Well, I want to know whether those people that you represent stand for the general principle of protection or only for protection on the article you mentioned?

Mr. CHASE. Well, I think that they feel that as long as they have some articles that should be protected they should get the protection.

Mr. UNDERWOOD. Is their sentiment in favor of the general policy of protection, or do they stand for a policy of tariff for revenue?

Mr. CHASE. Well, now, you know I am a grower and a shipper, and I am not in political touch with the people. But I know they are business men, that they look at this question in a business way, and would prefer seeing protection on their industries that need it.

Mr. UNDERWOOD. Well, do they want protection on other great industries of this country, such as wool, iron, and sugar, or do they want a tariff for revenue?

Mr. CHASE. Well, as coming from the solid South, and knowing that some others in the solid South are favored on wool, and some other industries, I suppose Florida, as long as she has not any wool, would like very much to have her citrus fruits protected. They look at it on the same basis as they do on others.

Mr. UNDERWOOD. I am satisfied of that, but I was trying to find out whether you favored protection on citrus fruits, and yet expect Congress to write a revenue bill in other directions.

Mr. CHASE. I think it is more of a give-and-take proposition. If their interests are protected, they are perfectly willing to support a fair bill that would protect all parts of the country, and conserve the American market for American products as long as there is no injustice to the consumers.

Mr. UNDERWOOD. Is that the sentiment of the Board of Trade of Jacksonville?

Mr. CHASE. Yes, sir.

Mr. UNDERWOOD. I wanted to find out what it was.

Mr. CHASE. That is it.

Mr. BOUTELL. That is practically the sentiment of all the people of Florida. Is it not?

Mr. CHASE. Yes, sir; that is, all the thinking people.

Mr. UNDERWOOD. I wanted to find out the special status of Florida on this question, was the reason I asked you these questions.

Mr. CHASE. Well, I think they are gradually being reformed. They feel that way now, or they never would have sent me that telegram, I am quite sure.

JOSEPH DIXON CRUCIBLE COMPANY, CRYSTAL RIVER, FLA., ASKS RETENTION OF PRESENT RATE ON LEAD PENCILS.

CRYSTAL RIVER, FLA., *November 21, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

DEAR SIR: We understand that the tariff will shortly come up for discussion, and we would request of you not to make any change in Schedule N, paragraph 456, for the following reasons, viz:

1. Since the last tariff went into effect the Dixon Company has invested a great deal of money in the purchase of cedar lands, and we represent a great number of farmers in this city in the purchase and sale of timber. This timber is used almost exclusively in the manufacture of lead pencils. The Dixon Company owns a large mill here in Crystal River and have a financial investment in other mills, as well as taking the output of still other cedar mills.

2. The Dixon Company is now engaged in the growing of red-cedar timber for lead pencils, and in the purchase and sale of same, and in the manufacture of boards ready for the manufacture of pencils.

While we speak for ourselves in this specific matter, yet we speak for many others as well, and we would ask you to bear in mind that in the tariff question nearly all the southern people are high protectionists and do not wish any change in the tariff.

3. If the tariff on the above paragraph is reduced, many of the cedar mills will have to shut down, as lead pencils made out of cheaper and poorer wood would then be imported from foreign countries, to the great detriment of southern farmers engaged in this industry.

4. Aside from the mill industry, the timber land on which this cedar is grown has more than doubled in value, and we can see no reason why the farmers and others who are owners of this land should suffer by reason of a reduction in the tariff. The farmers, especially, have to depend almost entirely for the sale of this product on those who manufacture lead pencils.

Respectfully,

JOSEPH DIXON CRUCIBLE COMPANY,
By C. E. HERRICK, *Manager.*

Letters similar to the above were received from the following: Houston & Liggett, by W. G. Liggett, Houston, Tex.; Hudson Lumber Company, by J. A. Elledge, manager, Springfield, Mo.

STATEMENT OF MR. J. L. M'FARLIN, QUINCY, FLA.

Mr. MCFARLIN. I am president of the Florida and Georgia Leaf Tobacco Association and a member of the firm of Kraus-McFarlin Company, of Chicago, growers and packers of Florida tobacco.

I appeared before the Ways and Means Committee at the time that the Philippine tariff was discussed. At that time you were fully informed as to the manner in which we grow tobacco—that is, under the shade, which is made by suspending cloths 9 feet above the ground or by weaving slats between wire, and the tobacco is grown artificially. There are at the present time at least 5,000 acres of this shade tobacco grown in Florida and Georgia. It represents capital of at least $7,000,000 invested in barns for curing and shade apparatus erected alone. Taking the cost of the lands, teams, and farm implements necessary for the production of this tobacco, with packing houses to finish the article for the market, there is invested in Florida and Georgia over $20,000,000, and this gives employment to twenty or thirty thousand people directly in the tobacco business.

* * * * * * *

This great industry started in 1906 and has had the encouragement and assistance of the Government through the Agricultural Department. With the present condition of the country any change in the tariff would be disastrous to Florida and Georgia, and not alone to those States but to Texas and to Alabama. The Agricultural Department has encouraged the industry, showing to the people the advantage of such an investment, and without the present tariff there would be a great loss to all who are interested in this industry. I do not go into any statement of figures; you gentlemen can easily obtain them.

* * * * * * *

I view the matter from a selfish standpoint and also from the general standpoint, and for the life of me I do not see how a reduction of the tariff will benefit anyone in the United States. On the other hand, it will almost ruin the industry in Florida, Georgia, and Connecticut, and will be of no advantage to anyone.

* * * * * * *

Mr. BOUTELL. What is the name of the Chicago firm with which you are connected?

Mr. MCFARLIN. The Kraus-McFarlin Company.

Mr. BOUTELL. You yourself are a citizen of Florida?

Mr. MCFARLIN. Yes, sir; and I am president of the Georgia and Florida Tobacco Association.

Mr. BOUTELL. You said that you spoke not only from a selfish standpoint but from a general standpoint against any reduction in the tariff. I take it that the maintenance of the present duty would meet with the general approval of the people of Florida?

Mr. MCFARLIN. Yes, sir.

STATEMENT OF MR. W. M. CORBY, OF QUINCY, FLA.

* * * * * * *

Mr. CORBY. I have been a resident of Florida for twenty-one years. I was sent there by Mr. Duval, of the Florida Central and Peninsular Railroad, to develop the possibilities of the tobacco industry in Florida, and in 1887, after a very careful and thorough canvass of the State, we found 362 acres of tobacco actually being cultivated in Florida. The farmers did not have the means to put up barns and erect buildings and go into the business extensively, and yet the possibilities of Florida tobacco appealed to us. So the industry was practically started in 1887, and was gradually developed until we had the McKinley tariff of $2 per pound. Afterwards it was lowered to $1.50 under the Wilson bill, and the business languished at that time.

Then the shade-tobacco industry was begun in 1896, and the Dingley tariff came back to $1.85, and that was a great encouragement to the people to develop the business, to erect shades, and to go into it on a very large scale. The individual farmers in Florida, not having money to improve and develop their lands, could only start at first with perhaps half an acre, and then an acre, and then 2 acres; but gradually the shading of the land has developed until we have to-day over 5,000 acres of land under shade.

* * * * * * *

The duty of $1.85 per pound stimulated the production and has encouraged the farmers to improve their lands, to build barns and put up sheds, and to go into the business very extensively.

Now, to-day we ask that the duty be permitted to remain as it is; that agitation be prevented, and under the present rate of duty we believe the business can expand still further.

* * * * * * *

The money that has been made out of tobacco has gone back to swell the acreage. We have over 5,000 acres there to-day, with fine barns and good shade structures and good dwelling houses for the employees. A great deal of this land is irrigated, and pumping stations are established, and all the way through we have had the aid and advice and cooperation of the Agricultural Department; and to some of you gentlemen here who are responsible for the Dingley tariff we certainly owe a great debt of gratitude, and we believe if the present rates are maintained and no change takes place we can develop a very large business down there. We can hold a great deal of the money in this country that now goes to Holland.

[Telegram.]

JACKSONVILLE, FLA., *February 3, 1909.*

Hon. SERENO PAYNE,
Chairman Ways and Means Committee,
House of Representatives, Washington, D. C.:

The Jacksonville Clearing Association, by unanimous resolution, wish to enter protest against the removal of the tariff on lumber, believing that such action would seriously affect the business interests of the South, and especially the lumber interests.

THOMAS P. DENHAM,
President Jacksonville Clearing Association.

GEORGIA WANTS PROTECTION FOR LUMBER, RED CEDAR, AND KAOLIN.

[The Georgia-Florida Sawmill Association submits resolution objecting to change in duty on lumber.]

[Telegram.]

TIFTON, GA., *January 7.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
Washington, D. C.:

The regular meeting of the Georgia Florida Sawmill Association, held in Jacksonville, Fla., the 5th instant, adopted the following:

"Whereas the press dispatches from Washington forecasting the action of the Ways and Means Committee on the various tariff schedules recite the fact that lumber is being named as one of the commodities to go on the free list; and

"Whereas such action would mean serious and widespread demoralization to all business interests, in that further depression of lumber prices would permanently cripple many of the sawmill and other woodworking industries, and at the same time effect disastrously the wage-earning power of an army of day laborers: Therefore be it

"*Resolved*, That the Georgia-Florida Sawmill Association, in convention assembled, representing 1,[illegible] sawmills and woodworking industries, do most earnestly protest against any change in the present tariff on lumber.

"*Resolved further*, That the president of this association be, and he is hereby, instructed to transmit a copy of this preamble and resolution to Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee, at Washington, by wire.

"H. H. TIFT, *President.*
"E. C. PARRELL, *Secretary.*"

MEMORIAL OF THE GEORGIA KAOLIN COMPANY.

MACON, GA., *November 18, 1908.*

Members of the Tariff Commission, Washington, D. C.

SIRS: Your committee having announced its readiness to receive on the 23d instant memorials from those interested in the proposed tariff legislation as it may affect imported earths, etc., the undersigned, representing their various enterprises located in the State of Georgia, respectfully submit the following statement with their petition that the duties on imported clays be increased, circumstances and conditions having so combined that the present duty affords very little, if any, protection to the industry in which they are interested.

The duty upon imported clays was at one time $5 per ton of 2,240 pounds, and this was reduced to the present rate of $2.50 per 2,240 pounds. Since this reduction the competition of trunk lines and ocean steamers has combined to place the miners and refiners of clays located in the interior parts of the country at a decided disadvantage as compared with the foreign miners, whose plants are really all located convenient to shipping points in England.

* * * * * * *

In conclusion, your memorialists beg to state with all the emphasis of which they are capable that the deposits of domestic clays of different character located between the Hudson and Mississippi rivers on the Atlantic coast are of sufficient abundance and of such qualities as to answer every necessary requirement of every trade and manufacturer in the country and that their general use is only a question of time, provided those whose enterprise leads them to develop these deposits are assured a fair working profit; and we beg further to state that there is no combination, pooling arrangement, or trust management of any of these existing enterprises, each of which is working independently.

AMERICAN CLAY COMPANY,
P. W. MARTIN, *President.*
ATLANTA MINING AND CLAY COMPANY,
YOUNG A. GERSHAM, *General Manager.*
THE GEORGIA KAOLIN COMPANY,
By CYRUS MORGAN, *General Manager.*

LEAD PENCILS AND PENHOLDERS.

O. F. CHICHESTER, FREDERICA, GA., REQUESTS THAT PRESENT DUTY BE RETAINED.

FREDERICA, GA., *November 21, 1908.*

Hon. SERENO E. PAYNE,
Washington, D. C.

DEAR SIR: I am the owner of Little St. Simons Island, in this State, and in view of the new tariff desire to state that I have invested a large amount of money in acquiring this island for the purpose of cutting the cedar timber.

I would respectfully request that no change be made in the tariff on lead pencils and penholders; and I have an important contract with one of the large pencil manufacturers to deliver them this cedar, which it would be impossible to carry out for any fair remuneration if pencils could be imported from Germany. In making this request I represent other farmers who own land containing pencil cedar, out of which slats are made in the mills for pencils.

I hope that you will protect us in order to enable us to start a mill and thus employ a good deal of labor which is now idle, as there are no manufacturing industries in this neighborhood.

Yours, respectfully,

O. F. CHICHESTER.

STATEMENT OF MR. H. H. TIFT, OF TIFTON, GA.

Mr. TIFT. Mr. Chairman, I am here in response to your invitation to appear before this committee, and I am here, sirs, at your service.

The CHAIRMAN. One of the members of the committee asked to have you invited to come here on the subject of lumber, or timber, or both.

Mr. BOUTELL. Judge Gaddis, of Georgia, gave his name to the committee.

The CHAIRMAN. And Judge Gaddis seems to be out of town.

Mr. TIFT. I regret very much that the judge is not here this morning, for I was in hopes of meeting him here.

The CHAIRMAN. The question is whether the duty should be kept upon lumber. I do not know which side of that proposition you are on, but——

Mr. TIFT. I am in favor of maintaining the present duty on lumber.

* * * * * * *

The CHAIRMAN. Now, there is another question, although I do not know whether it bears very strongly on this question; I never thought it did in my endeavors to adjust the tariff; but it is a curious circumstance, and I would like to know why you people in the South are always here asking for the highest rates of duty, and yet all of the time voting for the lowest rates of duty. Can you explain that little inconsistency among your people?

Mr. TIFT. Mr. Chairman, for myself I want to say that I did not vote that way.

* * * * * * *

The CHAIRMAN. Well, I am glad to find one; but why is it that most of your people vote that way, and yet they come here and ask for the very highest protection? There is no section in the whole United States asking for as high protection as you people of the South, and why is it that you vote the other way?

Mr. TIFT. Mr. Chairman, the record shows that Mr. Taft got something over 40,000 votes in Georgia.

The CHAIRMAN. Forty thousand—well, he ought to have had an overwhelming majority, considering the number of your people who are asking for protection.

Mr. TIFT. Mr. Chairman, there was no campaign made in Georgia for Mr. Taft, and it is my firm belief that if there had been and the people had been educated—we have to educate our people, you know——

[Telegram.]

SAVANNAH, GA., *February 2, 1909.*

Hon. SERENO E. PAYNE,
Chairman Committee on Ways and Means,
House of Representatives, Washington, D. C.:

At a meeting of this association, representing the entire banking interests of Savannah, Ga., held on January 28, it was unanimously voted to protest against the removal of the tariff on lumber, believing that such removal would injuriously affect the lumber and other business interests of the South.

F. D. BLOODWORTH,
President Savannah Clearing Association.

RESOLUTIONS ADOPTED BY THE SAVANNAH BOARD OF TRADE JANUARY 5, 1909.

Resolved, That our Senators and Representatives in Congress be, and are hereby, requested to use their best efforts to prevent the unjust discrimination against the lumber trade which would result from removing or still further reducing the present low tariff on lumber.

Resolved, That they be, and are hereby, requested to call attention to the following facts in this connection:

1. That the present tariff on lumber is only 11 per cent, while the tariff on other heavy building material with which lumber comes in competition ranges from 32 to 45 per cent, and that the present duty of 11 per cent on lumber is therefore strictly a tariff for revenue only. This disparity becomes even more striking when the extremely heavy duty on the articles necessarily used in the manufacture of lumber is considered.

2. That practically one-half of the total lumber output of the United States comes from the South, and that its volume is so great that much injury must inevitably result to allied industries, as well as to the lumber trade, if the tariff is removed or lowered.

3. That the parts of the United States that consume rather than produce lumber will not be materially benefited, as past experience has shown that the foreign timber owners, importers, and middlemen, rather than the consumers, are the only ones that profit by such changes.

4. That conservation of the forests will not be promoted, as tariff removal or reduction will affect almost exclusively the lower grades, which are manufactured from the tops and slabs of the trees, so that practically the same number of trees will be cut down, the only difference being that those portions which can no longer be marketed at a profit will be left to decay and meanwhile increase the fire hazard to the young growing timber.

5. That the net result of removal or further reduction of the tariff on lumber will be to help foreign labor and the foreign manufacturer at the expense of our own manufacturers and domestic labor without benefiting consumers anywhere in the United States, and to cause waste instead of conservation of our forest resources.

KENTUCKY WANTS PROTECTION FOR HEMP.

[Extract from statement of Mr. Hamilton Scott, of Lexington, Ky.]

Mr. SCOTT. Mr. Chairman and gentlemen, I am here in the interest of the American hemp growers. Most of the product is grown in central Kentucky, but not all of it. I am, like most Kentuckians, very modest in my demands. We simply ask that the duty on raw materials be left as it is. You may wonder why we ask a duty at all on raw materials. We are simply interested in the duty on raw materials for this reason: If you remove the duty, say, on flax, then a cheaper grade of flax, called "Russian flax tow," will be introduced into the market, and it will mean practically the wiping out of the American hemp industry. There is now being introduced into the United States and being sold in competition with us what is known as "flax tow," and this product is not local at all. It is being introduced into Indiana, Minnesota, Michigan, Nebraska, and California very successfully. What has retarded the industry heretofore has been more the want of a machine for separating the fiber from the lint. We think now that there are three or four machines that will accomplish that purpose. There is no reason in the world why American hemp should not be doubled—yes, any quantity of it grown in the United States—with a moderate protection. We do not think it unreasonable to ask that the duty be retained.

LOUISIANA WANTS PROTECTION FOR RICE, SUGAR, AND LUMBER.

Representative BROUSSARD, Democrat, of Louisiana, member of the Committee on Ways and Means, voted in favor of the Payne tariff bill in the committee.

WELSH, LA., *November 14, 1908.*

H. G. CHALKLEY,
Lake Charles, La.

DEAR SIR: I am very glad to know that you are to be one of the committee to go to Washington and appear before the Committee on Ways and Means, and make a showing why the present tariff on our staple crop—rice—should not be reduced in the proposed new tariff bill. Your position as manager of large canal interests, as well as land interests, especially qualify you to act in this matter, and I sincerely hope for your success.

In reference to the expense of making a rice crop, I herewith give a detailed statement of such expense, and from an experience of twenty years in rice farming, both on canal and well irrigating, feel that it is conservative in every item.

	Per acre.
Cost of plowing	$1.25
Cost of preparing the land for seeding	1.50
Cost of seeding, on basis of $4.50 per barrel for seed	2.25
Cost of drilling and dragging	1.00
Cost of fertilizer	1.00
Cost of cutting	1.50
Cost of shocking	.60
Cost of twine	.50
Machine hire for thrashing	.80
Labor for thrashing	3.20
Sacks for thrashing	.80
Hauling rice to warehouse	1.20
Warehouse charges	.80
Irrigating, average, either well or canal	5.00
	21.40

The average yield per acre in this locality will not exceed 7½ bags per acre.

Very truly,

L. E. ROBINSON.

We, the undersigned rice farmers of Welsh, most of us with long personal experience in growing rice, have carefully read the above statement as to the cost of making a crop of rice, and certify that it is conservative and well within the actual cost of making a crop, with many instances and seasons when the expense is much above.

G. W. PATTERSON (300 acres).
PATTERSON BROS. (300 acres).
Per E. R. PATTERSON, *Manager.*
PAUL W. DANIELS (1,200 acres).
E. M. CLARK (5,000 acres).
A. F. DAY (300 acres).
W. T. HUTCHISON (1,500 acres).
E. A. ARCENAUX (900 acres).
H. E. WESSON.
A. T. JONES (500 acres).
G. M. HAMMIL (200 acres).

[Extract from statement of the Southern Cypress Manufacturers' Association, New Orleans, La.]

RESOLUTIONS ADOPTED BY THE SOUTHERN CYPRESS MANUFACTURERS' ASSOCIATION AT SAVANNAH, GA., NOVEMBER 24, 1908.

Whereas the present duty on lumber of $2 per thousand amounts to an ad valorem tariff of about 12 per cent, in comparison with 40 per cent on iron and steel, 32 per cent on cement, and 45 per cent on building stone, all of which enter largely into competition with lumber for construction purposes; and

Whereas this 12 per cent ad valorem tariff on lumber is already so much lower than all other articles coming into competition with it that the amount in reality amounts only to a tariff for revenue: Therefore be it

Resolved by the Southern Cypress Manufacturers in convention assembled, That, as business men, we here and now register our most solemn protest against any appeal or modification of the lumber schedule in Dingley tariff, on the ground that it is already reduced to the basis of a revenue tariff, and therefore needs no further revision.

Resolved (2), That our Senators and Representatives in Congress be, and are hereby, requested to use all reasonable means to prevent any repeal of the present lumber tariff, and thereby conserve the best interests of their constituents at home, who are bearing their full share of the burden of taxation and other responsibilities.

Resolved (3), That we renew our pledge and support to the Forestry Department and call upon the officers of that department to cooperate with us in not only reforesting our cut-over lands, but at the same time to further cooperate with us in the enhancement of our timber after it is grown, by the enactment at this time of such legislation as will protect our present as well as prospective holdings from the cheap lumber of Canada and other foreign countries, as produced by Hindoo, Chinese, and Japanese labor, from stumpage costing 50 cents to $1 per thousand, in comparison with $2.50 to $4 and $5 per thousand in the United States, where labor costs from $1.25 to $2.25 per day, as against 80 cents to $1.20 per day for foreign labor.

Resolved (4), That our governors in the Southern States, who compose in part the American Conservation Congress, be, and they are hereby, urgently requested to investigate for themselves and to use their good offices in our behalf at the approaching meeting of that body in Washington next month, to prevent this threatened injustice to the South's second greatest industry, since the South now produces practically one-half of all the lumber produced annually in the United States.

NEW ORLEANS ORGANIZATION REQUESTS RETENTION OF TARIFF.

NEW ORLEANS, LA., *January 21, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
Washington, D. C.

The New Orleans Progressive Union, representing business interests and professions of all political parties, earnestly requests the retention of the present tariff on lumber. The yellow-pine industry is one of the most important in the South, and delivers the greatest tonnage to our common carriers. We are convinced that a reduction in the tariff would exert the most injurious effect not only upon this industry but the business and financial interests of the entire South.

PHILIP WEELEIT, *President.*

NEW ORLEANS, LA., *January 20, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
Washington, D. C.

Believing that the yellow-pine manufacture is one of the most important industries of the Southern States, affording the greatest tonnage to our railroads, we earnestly recommend the retention of the present tariff on lumber. Under present conditions we do not believe the industry can stand reduction of tariff, and a reduction would injuriously affect business and financial interests of the South.

GERMAN AMERICAN NATIONAL BANK.
W. R. IRBY, *President.*

NOTE.—Telegrams similar to above were sent by all the banks in New Orleans.

NORTH CAROLINA WANTS PROTECTION FOR TOWELS, YARNS, MICA, AND LUMBER.

[Extract from statement of J. W. Cannon, Concord, N. C.]

We have recently built at Kannapolis, N. C., one of the largest towel mills in this country for manufacturing towels, and we very much desire that the tariff on all foreign towels be made so that it will allow the American industry to expand and manufacture all the goods used in this line that are now imported; and with the tariff high enough to keep out the foreign goods it would aid the American manufacturers to bring up their goods to the highest state of perfection, and also expand the industry so that all these goods would be manufactured in the United States, thereby giving more work for the American operatives and also a greater demand for cotton that enters into the construction of these towels.

Most respectfully, yours,

J. W. CANNON, *President,*
Cannon Manufacturing Company, Concord, N. C.; Cannon Manufacturing Company, Kannapolis, N. C., towels, sheetings, the celebrated Cannon cloth; Gibson Manufacturing Company, Concord, N. C., madras, blankets, etc.; Cabarrus Cotton Mills, Concord, N. C., brown sheetings and domets; Franklin Cotton Mills, Concord, N. C., weaving yarns; Patterson Manufacturing Company, China Grove, N. C.; Patterson Manufacturing Company, Kannapolis, N. C., brown sheetings and crashes; Kesler Manufacturing Company, Salisbury, N. C., brown sheetings and crashes; Wiscasset Mills Company, Albemarle, N. C., hosiery yarns and weaving yarns and hosiery; Efird Manufacturing Company, Albemarle, N. C., hosiery yarns and sewing twines; Tuscarora Cotton Mills, Mount Pleasant, N. C., hosiery yarns.

[Extract from statement of Mr. R. M. Miller, jr., of Charlotte, N. C.]

Mr. MILLER. I simply want to say that I am a new spinner of fine yarns. I am attempting to spin fine yarns in the South, and in order to do so I find that we need some protection from the old country. I went over the schedule paragraph as prepared by Mr. Weld, and it has my approval and indorsement. I believe that I am one of the first ones to attempt high-grade spinning in the South, and having said that, I do not know that I have anything more to say.

[Extract from statement of C. W. Burleson & Son, Plumtree, N. C., who wish present duty on mica retained.]

PLUMTREE, N. C., *December 10, 1908.*

WAYS AND MEANS COMMITTEE,
Washington, D. C.

GENTLEMEN: We write to say that if the tariff is lowered or taken off of mica, great harm will be done the poor class of people in western North Carolina and other southern sections that produce mica.

We trust you will use your influence to have the tariff on mica retained at its present mark.

In most cases the producers of mica are of the poorer class, while those consuming it are in most cases the money class, and for this reason, if for no other, we trust the tariff may be retained.

Yours, truly,

C. W. BURLESON & SON.

[Extract from statements of the Asheville Mica Company, Asheville, N. C.]

We trust, therefore, you will give full consideration to the plea we have made in the interest of the American miner for protection, both as against the Canadian amber product, as well as the product of India.

Yours, respectfully,

ASHEVILLE MICA COMPANY.
GREAT SOUTHERN MICA COMPANY.
W. VANCE BROWN.
B. C. GRINDSTAFF.

ASHEVILLE, N. C., *November 21, 1908.*

WILLIAM K. PAYNE,
Clerk Committee on Ways and Means,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of the 17th received during my absence.

I would like to be heard on the subject of mica on November 25. My permanent address is Asheville, N. C., and the Raleigh House, in Washington, my temporary address. I represent the Asheville Mica Company, being one of the partners. I wish to advocate the retention of the duty on mica, and believe that ten minutes will be long enough time to state what I desire.

I inclose herewith a copy of a brief which I wish to be filed with the committee.

Thanking you, I am,
Yours, truly,

W. VANCE BROWN.

CHAMBER OF COMMERCE,
Newberne, N. C., February 27, 1909.

Hon. C. B. SLEMP,
House of Representatives, Washington, D. C.

DEAR SIR: Herewith you will find copy of resolutions passed by the Newberne (N. C.) Chamber of Commerce, which you will note are directed against the repeal of the present tariff on foreign lumber, and which are submitted for your consideration.

As this is a question of vital importance to our section of the country, where the lumber industry is our principal means of support, we beg of you to use your influence to the end that the present tariff be maintained.

The loss to this community by reduction of this tariff would be incalculable. We have had a desperate struggle in our section for the past year and a half on account of the terrible panic; crops have been a failure for the past three years, and if we are to have our principal industry, that upon which we lean principally for support, crippled and paralized to the point of bankruptcy we will be very greatly embarrassed indeed.

Your earnest consideration of this great and momentous question is respectfully urged.

Yours, very truly,

CHAMBER OF COMMERCE,
W. G. BOYD, *Secretary.*

are always here asking for the highest rates of duty, and yet all of conservative in every item.

CHAMBER OF COMMERCE,
Newbern, N. C., February 15, 1909.

Whereas lumber and forest products throughout this State and throughout the South furnish the basis of credit and sinews of war for many other lines of commerce and trade; and

Whereas we are advised that the Congress of the United States is to-day considering the repeal of the present tariff on lumber, and as such action would mean embarrassment to southern mills producing medium and low trade stocks, for the reason that with the tariff removed Canada would supply American markets, first on account of the advantages she would have over other mills in the South through lower freight rates to all eastern and Lake state ports, and, secondly, because of the low price of stumpage in that country and the difference in the scale of wages in Canada and the United States; and

Whereas the present duty amounts only to an ad valorem tax of 12 per cent as compared with 40 per cent on all commodities entering into competition with lumber: Therefore be it

Resolved by the Chamber of Commerce of the city of Newbern, N. C., in special session, That as an organization, designed to aid capital in finding remunerative investments in our midst, regular employment, and a general expansion of our trade and commerce, we here and now do register our protest against any repeal or reduction in the present tariff on lumber, and call upon our Senators and Representatives in Congress to exercise their best efforts to protect our people and section against such an injustice and discrimination as the repeal of the tariff on lumber would work, and prevent such legislation at all hazards.

Resolved further, That the president and secretary of this organization be, and they are hereby, instructed to send a copy of these resolutions to our Senators and Representatives in Congress from North Carolina and other Southern States.

THE WILMINGTON CHAMBER OF COMMERCE,
Wilmington, N. C., February 4, 1909.

Hon. CAMPBELL SLEMP,
House of Representatives, Washington, D. C.

MY DEAR SIR: I beg to inclose herewith copy of resolution passed by the Wilmington Chamber of Commerce, to which I invite your thoughtful attention.

I have no personal interest whatever in the lumber industry, but the resolution in question was drafted and offered by myself as a legitimate expression of the views of disinterested business interests. Personally, I am a free trader in theory, but a revenue-tariff man from necessity, and I can conceive of no case coming more clearly within the purview of this principle than the lumber schedule, when considered in connection with all the facts set out in the resolution.

I am sure that you can support the resolution with perfect consistency and with unanswerable logic from your political view point.

Yours, very truly,

J. A. TAYLOR, *President.*

In view of the approaching revision of the tariff, and disclaiming any purpose to consider partisan political questions, it is within the legitimate province of commercial organizations to consider changes in the law which affect commercial interests. Both of the present political parties of the country, and all the political parties of the past, have adhered to the policy of laying a duty on imports as a revenue measure, and it is, therefore, the settled policy of this country, by whatever political party administered, to raise a large part of the revenue through tax on imports. The present exigencies of the revenues do not permit of a reduction of income from customs source unless some other form of taxation, either direct or excise, is laid, and for this the public mind is not prepared. Under such a situation it is obvious that the proposed revision of the tariff will be more nominal than real, but, notwithstanding, there is a strong intimation from authoritative sources that the duty on lumber will be entirely removed, and inasmuch as the South produces one-half of the lumber supply of the country, and as the duty on lumber is now only $2 per thousand, or about 12 per cent ad valorem, and is in fact as well as in theory a revenue tariff, it would be essentially inequitable to remove the tariff on lumber while leaving undisturbed practically all other schedules: The situation can be analyzed as follows:

First. The need for revenue does not warrant the placing on the free list of revenue-producing articles unless some other form of taxation is to be substituted, which public sentiment is against.

Second. The duty on lumber being only about 12 per cent and being in fact on a revenue basis, there is no justification for disturbing this schedule on the ground of excessive rate. While the duty on lumber is only 12 per cent, the duty on articles that enter largely into the construction of sawmill plants, such as iron and steel, cement and building stone, are 40 per cent, 32 per cent, and 45 per cent, respectively, and there is no likelihood that these schedules will be materially reduced or reduced at all. Moreover, while the average duty on iron and steel is 40 per cent, the duty on such articles as saws and the like are as great as from 65 per cent to 75 per cent, so that to cut these schedules in two would still leave a rate on these articles of 30 per cent above the rate on lumber.

Third. The markets for southern lumber, and especially the low grades, such as are produced from the short leaf pine, are principally in the Northern States, which, being remote, subject shipments to a high freight rate; and to remove the duty from lumber would, because of the proximity of Canada to these northern markets, introduce ruinous competition with southern mills.

Fourth. To remove the duty from lumber would force southern mills to the manufacture of higher grades of goods, thus at once rapidly depleting the long-leaf timber supply and leaving unutilized the cheaper grades, which, unless used promptly, would in many cases mean a total loss of this property.

Fifth. There is perhaps no article in the tariff schedules which touches so numerous an interest as that of lumber. Every farm in the cotton belt of the Atlantic States and of the Gulf is directly affected. This view of the matter is distinguished from the character of ownership in such schedules as steel, iron, ore, coal, etc., in which interests are largely concentrated; and where the disturbance of a condition affects so large an area and so numerous interests, the public well-being forbids the dislocation unless a serious evil is to be remedied thereby.

In consideration of the foregoing statement of facts and conditions, it is—

Resolved by the Wilmington Chamber of Commerce:

First. That in view of the preamble herein set out there is no justification for removing or changing the present duty on lumber.

Second. That a copy of this resolution be forwarded to our Senators and Representatives in Congress, with the request that they use their influence to defeat any change in the lumber rate.

Third. That we believe that in making this request of our Senators and Representatives we are asking nothing of them that they can not conscientiously grant and, in granting, render a service alike to the public revenues and legitimate industry.

SOUTH CAROLINA WANTS PROTECTION FOR CLAYS.

AUGUSTA, GA., *November 20, 1908.*

Hon. SERENO PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

DEAR SIR: For nearly twenty years I have been interested in the clay business at Langley, S. C., and on account of the very low duty and the fact that they bring English clays in as ballast, it has virtually put us out of business.

We understand that these clays are washed clays of Cornwall, England, which can be manufactured very cheap, and it is very hard indeed for us to compete with these clays, considering the amount of earth that is removed, the high price of labor, and the higher freight rates that we are forced to pay. It reduces our profits on these goods to a minimum, and for the last few years our company has been unable to make a dividend on account of the low prices which was brought about by competition of these English clays.

Such being the case, I beg to ask that you will not reduce the tariff on the English clays, but will raise same at least $1 per ton. Thanking you for your assistance in this matter, I remain,

Yours, truly,

THE T. G. LAMAR KAOLIN COMPANY, OF LANGLEY, S. C.
By J. S. NIXON, *Secretary and Treasurer.*

TENNESSEE WANTS PROTECTION FOR LUMBER, BARYTES, AND TANNING EXTRACTS.

[Extract from statement of H. E. Graves, Bristol, Tenn.]

Germany and Nova Scotia have just about put all the mills and mines of Virginia, Tennessee, and Kentucky out of business. There is no possible chance for us to compete with the foreigners and their cheap labor and who are getting a rate by water to New York and Philadelphia of less than one-half of any rail rate we can get. I am frank to say to you that if we can get a duty placed upon foreign barytes and its products it would mean millions of dollars to east Tennessee and southwest Virginia, both sections having large and valuable deposits of the finest barytes on the American Continent, but can not be worked, owing to the tremendous amount of foreign material coming to our shores without duty.

[Extract from statement of J. M. Greer, Knoxville, Tenn., advocating retention of present duties on timber and lumber.]

With all due deference to the opinion of the politicians to the contrary, I will say that the South needs, should have, and the people want protection for their timber and lumber. Excepting cotton, it is the largest asset they have to-day.

PRECIPITATED CARBONATE OF BARYTA.

WILLIAM D. GILMAN COMPANY,
Sweetwater, Tenn., November 25, 1908.

To the honorable Committee on Ways and Means.

GENTLEMEN: We have been engaged in the manufacture of precipitated carbonate of baryta, as well as mining crude barytes, native sulphate. On November 16, 1901, the Board of General Appraisers held that the precipitated carbonate of baryta was dutiable at the rate of 25 per cent ad valorem as a chemical compound under the provisions of paragraph 3 of the act of July 24, 1897, which requires that all chemical compounds not specifically provided for in this act shall be assessed 25 per cent ad valorem. Soon suit was brought by Gabriel & Schall in the southern district of New York, the court reversed the decision of the board (T. D., 24331), holding that the said article was free of duty under paragraph 480 of said act, and we were compelled to discontinue the manufacture of precipitated carbonate of baryta, as we could not meet the price of German goods coming in free of duty. Our factory stood idle from May, 1902, until July, 1907, when the Treasury Department instructed (see T. D., 27525) the collector of customs at New York to assess duty again upon precipitated carbonate of baryta at the rate of 25 per cent ad valorem under paragraph 3 of the act of July 24, 1897. We at once resumed the manufacture, but Gabriel & Schall again protested, and on March 31 the board very unwillingly sustained the protest on the doctrine of "stare decisis," stating at the same time: "As an original proposition our conclusion would have been different." (See No. 186653, Lunt, General Appraiser, Mar. 31, 1908.) The Treasury Department up to last May (4th) was still levying duty on precipitated carbonate of baryta. We are still running our plant, but we find it quite impossible to meet the German goods on account of the importers largely evading the duty by undervaluation. We ask that your honorable committee recommend a duty of $10 per ton on the precipitated carbonate of baryta, the same rate as is now in force on the precipitated sulphate of baryta or blanc fixe. Also, that you give us protection on crude barytes of $5 per ton instead of 75 cents, the present duty. We assure you that German crude barytes ore is laid down in New York and Philadelphia, including the duty of 75 cents, for $6 to $7 per ton, while the freight alone from our mines is $5.25 per ton. The Germans sell their ore for a good price in their home market and use us for a dumping ground for their surplus ore.

We are producing chemicals never before made in the United States, and the Germans are selling in this market at a lower price than they do at home in order to try to run us out. We only ask this duty in order to force them to sell at the fair market price, and do not ask any more than enough to protect our investment of $200,000, so that we can manufacture our goods at a fair profit and furnish a supply to our home trade. Most paint manufacturers and color makers who have appeared before your honorable committee have, I see, expressed themselves as desirous of seeing the barytes industry enjoy the same protection which has enabled other lines of manufacturing business to be developed in this country. The writer has for the past twenty years devoted his time to the study of this business and is in a position to manufacture all the compounds of baryta which are at this time imported, and this to the advantage of many lines of business which make constant use of them. I can not make these goods (except at a loss) without the duty asked for, and will have to quit, leaving many men idle and at a great loss to ourselves. Nay, more, we can not sell our crude ore in New

York and Philadelphia, which are our largest markets, without more duty. In five years the German imports of ore have risen from 7,000 tons to 20,544. The last is about 25 per cent of the amount used in this country. I wish that it was in my power to impress on you gentlemen that the statement here made is the truth and not dictated by a desire to get an unusual or unfair profit. If you will give us a fair and reasonable protection here asked for, we will develop a business which will give employment to many thousand farmers, teamsters, and workingmen, and be a growing benefit to several sections of our country.

Respectfully submitted.

WILLIAM D. GILMAN COMPANY,
By W. D. GILMAN, *Vice-President.*

EXHIBIT A.

Barytes factories in United States: Missouri 4, Illinois 1, Kentucky 3, North Carolina 1, Virginia 4, Tennessee 3, New York 1; total, 17 factories.

NOTE.—The New York factory is the smallest, and is owned by a company in Canada using ore from their mine; do not think it has been successful.

Amount paid for labor by miners and shippers of barytes: 1905, $148,803; 1906, $169,367; 1907, $231,777.

This shows a growing business with a healthy increase. The 89,621 tons mined in 1907 was 75 per cent of the amount used in the United States that year.

We have ample ore to supply all the home trade and our quality is equal to the best imported. The duty asked for will work no hardship to any user, but will tend, by giving a steady market, to open up new mines and enlarge the output of old ones. Competition will in time result in lower prices.

In 1907 there were imported into the United States barium compounds valued at $357,117. At least two factories are being put into position to manufacture these goods if protected by duty.

HON. NATHAN W. HALE, M. C., SUBMITS LETTER OF C. E. LUCKY, OF KNOXVILLE, TENN., RELATIVE TO TANNING EXTRACTS.

KNOXVILLE, TENN., *December 14, 1908.*

Hon. NATHAN W. HALE, M. C.,
Washington, D. C.

MY DEAR SIR: A very important question affecting the tannic-acid people will come before the Committee on Ways and Means this week, probably Wednesday or Thursday, which, as you know, is holding daily sessions, hearing different persons upon the tariff scale. They will take up the tannic-acid question, as I understand, about Wednesday or Thursday of this week.

Within the last ten years there has been two or three million dollars invested in tannic-acid plants in east Tennessee. There is a plant at Newport; a plant here at Knoxville, run by the two Oberues (both of whom voted for you); a plant at Tellico Plains, Monroe County; and a plant at Bristol, Tenn. All of these plants are vitally interested in the protection given tannic acid and other leather-manufacturing acids. The Dingley tariff only levies an import of one-half cent per pound on foreign extracts, seven-eighths cent per pound upon bark extracts, and five-eighths cent per pound upon other wood extracts. The importation of what is called "quebracho extract," subject to a duty of only one-half cent per pound, is now threatening and endangering all the tannic-acid plants in Tennessee, North Carolina, Virginia, and West Virginia. This quebracho is from a tree grown in South America and is much richer in tanning qualities than either the chestnut or chestnut oak, and unless this duty of one-half cent per pound can be raised to 1 cent per pound every tannic-acid plant in this State will be endangered, and it is now seriously affecting all of them. Germany gives her tannic-acid people a protective duty of 1¼ cents per pound, while, as before stated, ours have a protection of only one-half cent per pound.

You could not do anything that would strengthen you more in east Tennessee than to help these tannic-acid people, who will be in Washington Wednesday or Thursday. The manufacture of tannic acid is almost all done south of the Ohio, and these southern people are wanting protection, which, I fear, the Democrats will not help them get. I hope you can help them before the Ways and Means Committee this week.

Yours, very truly,

C. E. LUCKY.

CYRIL F. HERFORD, TELLICO PLAINS, TENN., ASKS FOR INCREASED PROTECTION FOR TANNINS.

TELLICO PLAINS, TENN., *December 18, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
Washington, D. C.

SIR: I have been requested by the Tellico Extract Company, of this place, who manufacture tannic acid from native chestnut, to address a letter to you as to the question of what influence the industry has had on this particular section, etc. It may be proper to state that I am peculiarly conversant with the proposition, as my company has sold to this local factory some 20,000 acres of such stumpage as is used by them, and I personally was instrumental in their introduction to this section. Having already sold them the stumpage, we are personally not as much interested, from the pecuniary point of view, as if we were still trying to sell to them, but until the advent of this concern (with a very large investment) the situation as regards labor and use for this wood was that any kind of rough labor could be hired for from 75 cents to $1.25 per day, and to-day the same labor is in full demand at $1.50 minimum. The chief use for a great many old tracts of mountain lands, which have been cut over for saw stumpage, has been and is for chestnut by the cord for extract, and this is the same all over the mountains of eastern Tennessee. Nearly every small farmer and landowner has some small or scrub chestnut, which to-day has a market in addition to the uncut chestnut tracts, and while we are in favor of conservation of timber resources, yet to a practical owner the position of the extract business using chestnut is by no means the same as that of the owner of saw stumpage or large timber.

The chestnut grows up and reproduces itself once in every few years for extract purposes, and to-day the extract company are recutting on lands which they cut over five years ago, with about the same result.

We regard it as very important that sufficient protection should be afforded the users of this wood, particularly in competition with foreign producers, and the fact that most of these mountains have their value as producers mainly from chestnut and other timbers, and that most of the rough population here are to-day employed in various capacities in cutting, hauling, and getting out the wood, is a very practical question to our section.

Again, the same point of view is applicable to all other immediate sections where timber grows under the same conditions, and it must be remembered that the chestnut used and paid for is cut down to a very small size, as low as 4 inches. This of itself will explain why so many farmers are dependent to a large extent on this industry who are not owners of large timbers.

As regards the hemlock-bark part of the extract business, the argument is still stronger, as this bark would, when the trees are cut down for saw timber, go to waste unless peeled and used as a by-product for extract, and in this way is a direct saving of resources.

When the Tellico Extract Company first proposed coming in this section the only employment was from sawmills and small mountain farms.

These mills cut only the large timber and very little chestnut. It was therefore apparent that a small owner could not look for more value from his mountain lands when the cream of his large saw timber was cut.

The completion of this plant and other kindred extract plants changed this situation by taking the small chestnut down to 4 inches and giving employment in its delivery to the manufacturing point to numbers of hands.

This situation is apparently one that recurs once every five years, as it seems the average growth of small chestnut attains its size for this purpose every five years, and to anyone conversant with the mountain situation it is apparent that there are many lands that are either too steep or too poor to grow anything except such growths.

It is not necessary to multiply instances of these facts, but it is insisted that destructive competition in this industry would automatically shut off the means of employment and living, to say nothing of improved conditions, from thousands of poor people living in these hills, and with this statement of fact the foregoing is respectfully submitted.

Yours, truly,

CYRIL F. HERFORD.

LUMBERMEN'S CLUB OF MEMPHIS, TENN.,
January 16, 1909.

Hon. C. BASCOM SLEMP, *Washington, D. C.*

DEAR SIR: Inclosed herewith I hand you copy of resolutions regarding the proposed reduction in tariff on lumber adopted at the last meeting of our club on January 2.

For your information, I beg to advise that the Lumbermen's Club of Memphis, Tenn., comprises a membership of 172, all of whom are representative manufacturers and dealers in hard-wood lumber in Memphis and vicinity. This membership represents in the aggregate a vast investment and an enormous volume of business, being the largest local organization of its kind in the country.

The inclosed resolutions present, I believe, the unanimous sentiment of this club toward the proposed change in tariff on lumber.

I recommend this matter to your most careful consideration.

Respectfully, yours,

J. W. MCCLURE,
Secretary and Treasurer.

RESOLUTIONS ADOPTED BY THE LUMBERMEN'S CLUB OF MEMPHIS.

Whereas the members of the Lumbermen's Club of Memphis have been advised of an effort to reduce the tariff on lumber;

Whereas the past year having been one of great hardships and unremunerative to all lumber manufacturers, any reduction is bound to increase these hardships;

Whereas 50 per cent of the lumber produced in this territory is of low-grade character, and any further hardship imposed will be offset by permitting at least 30 per cent of this low-grade lumber to remain on the land, to the great detriment of labor, merchants, and communities in general;

Whereas the average per cent of duties on all commodities imported is 42 per cent, while on lumber it averages 15 per cent:

Resolved by the Lumbermen's Club of Memphis, That the secretary of this club be instructed to convey to the chairman of the committees of Congress and its Members its opposition to any alteration in the present tariff, believing that this works no hardship to the consumers of lumber.

Resolved, That copies of this resolution be forwarded to all Members of Congress whose districts are producers of lumber.

JOHN T. WILLIAMS & SON,
Bristol, Tenn., January 2, 1909.

Hon. C. BASCOM SLEMP,
Committee on Accounts, House of Representatives,
Washington, D. C.

DEAR SIR: I have delayed answering your letter of December 17, further than the acknowledgment of its receipt, owing to the fact that our Mr. John T. Williams, the senior member of our firm, is in New York, and I wished to refer the matter to him before making a definite reply.

You speak in this letter of the "barytes interests," and, as you probably know, this business might be divided, broadly, into two classes—one the mining and manufacture of what is known as "manufactured barytes" or "ground barytes" and the other the manufacture of the various "barium salts." We are practically the only people manufacturing barium salts in this country. Ground barytes, or, as it is called, "manufactured barytes," we also make, and this is also made largely in St. Louis and in several places through North Carolina and southwestern Virginia. With us the manufacture of the ground barytes has been almost entirely discontinued, in consequence of the fact that the German product is brought into the United States at so low a price. The other manufacturers in St. Louis and at the different points in North Carolina and Virginia have also felt the effect of this competition from abroad and have taken up the question of a duty on this material very earnestly, hoping to get the Ways and Means Committee to recommend a duty of $5 per ton on the crude ore and $12 per ton on the ground ore or manufactured article. The duty on these two at present is 75 cents per ton on the crude ore and $5.25 per ton on the ground or manufactured barytes. We were asked some time ago to join with the manufacturers in St. Louis in a petition to have this higher duty imposed, and also a duty of $25 per ton on all barium salts.

We have not taken this action with them, as at about this time we received your letter and, appreciating the interest that you have taken in this matter, preferred to take it up direct with you. We do not believe

that a duty of $5 per ton on the ground barytes would be at all excessive, and it would tend to give the bulk of the business to the home manufacturers and would very materially increase the amount of ore produced in Missouri, Virginia, Tennessee, North Carolina, and Georgia. The cost of producing this ore is almost entirely labor, and if the above duties were imposed, instead of this industry languishing, as it does at the present time, we believe that it would start up the production of barytes and there would be a great deal of activity in the districts mentioned above in consequence of the shutting off of some of the foreign competition. You will understand, of course, that in order to get the crude ore or manufactured product to the market, which is largely in the Eastern States, at such points as Boston, New York City, Philadelphia, Baltimore, etc., the product has to stand a railway freight of from $4 to $6 per ton, while the foreign product is landed at these various ports with only the water transportation, and this is a low item of cost, as it is largely brought over for the purpose of ballast.

BARIUM SALTS.

Of these there are several made, as follows: Chloride of barium, blanc fixe, carbonate of barium, binoxide of barium, and lithopone.

Lithopone is a combination of 70 per cent of barium sulphate and 30 per cent of zinc sulphide.

The duty on the foregoing barium salts is as follows:

Chloride of barium, 25 per cent ad valorem; blanc fixe, ½ cent per pound; binoxide of barium, 25 per cent ad valorem; lithopone, 1¼ cents per pound.

On the carbonate of barium we are not certain as to the correct duty. We have not produced any carbonate, but are contemplating the production of the same. At the present time we believe there is a suit between the Government and some of the importers as to the correct amount of duty on the carbonate. The importers, we believe, claim that the correct duty on the precipitated carbonate of barium should be the same as on the crude ore, which is called "witherite," and which is also a carbonate of barium, but not suitable for the same purposes as the precipitated.

As we mentioned above, the St. Louis manufacturers asked us to join them in a petition asking for $25 per ton on all barium salts. We do not consider that such a duty is necessary, nor that it would be wise to ask Congress for such an increase. We do believe, however, that the duty on blanc fixe, chloride of barium, and carbonate of barium should be 1 cent per pound and on the binoxide 40 per cent ad valorem; while the duty on lithopone of 1¼ cents per pound we consider to be ample. No binoxide of barium is manufactured in this country at the present time, and unless the duty is increased it will not be manufactured here. The cost of this, as well as of the other barium salts, is largely in the labor item, which, of course, in Germany and England is much cheaper than here. In regard to the carbonate of barium precipitated, we believe that the duty should be the same as on the chloride of barium and blanc fixe, and that all of these should be raised to 1 cent per pound. This would encourage the manufacture of these articles here, but the duty on the crude carbonate of barium, or "witherite," we should say would be ample at $12 per ton. This latter ore is not produced in the United States in any appreciable quantity, and where it has been found it has been difficult of access and occurs in small quantities, so that it will not be handled in this country unless it is protected against the German product, which is mined cheaply near the seacoast and brought over here as ballast at a very low rate of freight.

In reference to your inquiry as to the extent of the deposits in southwest Virginia, I do not know exactly what kind of an estimate you would like to have on this. There are deposits of barytes all along the line of the Norfolk and Western Railway from Bristol to Pulaski, which were worked several years ago, but which are not now worked, principally owing to the fact that the deposits are small, and the labor cost, at the present price of ore, renders it prohibitive to work this section. There are quite extensive deposits on the Clinch Valley division of the Norfolk and Western from Tazewell to Norton, which have been worked by the Clinch Valley Barytes Company, located at Honaker, Va., and by the Tristate Mining and Manufacturing Company at Richlands, Va. There are also extensive deposits at, or near, Roanoke of low-grade ore, and there are quite extensive deposits located along the line of the new Tidewater Railroad, and, while we have investigated these, they are so located that at the present price of ore they can not be worked to advantage, being 3 to 4 miles from the railroad, which makes the item of hauling prohibitive at the present prices. There is no question that a large tonnage of ore could be mined through southwest Virginia if the conditions of the business were improved by a higher tariff.

We appreciate greatly the interest that you have shown in this matter, and I have written to the other manufacturers in southwest Virginia, notably the Clinch Valley Barytes Company at Honaker and the Tristate Mining and Manufacturing Company at Richlands, and to a number of property owners in regard to this same matter, but so far without reply from them, and assume that you may have taken the matter up direct with the other manufacturers.

Should you wish to take this matter up any further, or to have a clearer understanding than I may have given you in this letter of the conditions as they now exist, our Mr. Williams, sr., would be pleased to meet you at Washington to go over the matters with you. I would like to know also when this subject will come up again before the Ways and Means Committee, and if you would care to prepare a brief to submit to this committee, Mr. Williams would be glad to take the matter up in any way that you saw fit, or if you could submit a brief to him he would be pleased to go over it and make any suggestions that would seem to fit the case better from his practical knowledge of the subject.

As I assume that the time is short in which anything could be done, I would suggest that, if these suggestions appeal to you, you communicate direct with Mr. John T. Williams, sr., at 114–118 Liberty street, New York city.

Again assuring you of our appreciation of the interest you have taken in this matter,

Very truly,

JOHN T. WILLIAMS & SON.
JOHN T. WILLIAMS, Jr.

TEXAS WANTS PROTECTION FOR WOOL, COTTON, RICE, AND HIDES.

[Extract from statement of John G. Cawlfield, Stockdale, Tex.]

If the cotton raisers living in Messrs. GARNER'S and SLAYDEN'S congressional districts would call their attention to their deplorable condition, they would defend them with the same zeal that they have shown for producers of horses, mules, cattle, and sheep. They heretofore

crude ore and $12 per ton on the ground barytes and if we are bound to give the manufacturers and would very materially increase the cost of producing this ore is almost entirely labor, and if the above duties were imposed, instead of this industry languishing, as it does at the present time, we believe that it would start up the production of barytes and there would be a great deal of activity in the districts mentioned above in consequence of the shutting off of some of the foreign competition. You will understand, of course, that in order to get the crude ore or manufactured product to the market, which is largely in the Eastern States, at such points as Boston, New York City, Philadelphia, Baltimore, etc., the product has to stand a railway freight of from $4 to $6 per ton, while the foreign product is landed at these various ports with only the water transportation, and this is a low item of cost, as it is largely brought over for the purpose of ballast.

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Lithopone is a combination of 70 per cent of barium sulphate and 30 per cent of zinc sulphide.

The duty on the foregoing barium salts is as follows:

Chloride of barium, 25 per cent ad valorem; blanc fixe, ½ cent per pound; binoxide of barium, 25 per cent ad valorem; lithopone, 1¼ cents per pound.

On the carbonate of barium we are not certain as to the correct duty. We have not produced any carbonate, but are contemplating the production of the same. At the present time we believe there is a suit between the Government and some of the importers as to the correct amount of duty on the carbonate. The importers, we believe, claim that the correct duty on the precipitated carbonate of barium should be the same as on the crude ore, which is called "witherite," and which is also a carbonate of barium, but not suitable for the same purposes as the precipitated.

As we mentioned above, the St. Louis manufacturers asked us to join them in a petition asking for $25 per ton on all barium salts. We do not consider that such a duty is necessary, nor that it would be wise to ask Congress for such an increase. We do believe, however, that the duty on blanc fixe, chloride of barium, and carbonate of barium should be 1 cent per pound and on the binoxide 40 per cent ad valorem; while the duty on lithopone of 1¼ cents per pound we consider to be ample. No binoxide of barium is manufactured in this country at the present time, and unless the duty is increased it will not be manufactured here. The cost of this, as well as of the other barium salts, is largely in the labor item, which, of course, in Germany and England is much cheaper than here. In regard to the carbonate of barium precipitated, we believe that the duty should be the same as on the chloride of barium and blanc fixe, and that all of these should be raised to 1 cent per pound. This would encourage the manufacture of these articles here, but the duty on the crude carbonate of barium, or "witherite," we should say would be ample at $12 per ton. This latter ore is not produced in the United States in any appreciable quantity, and where it has been found it has been difficult of access and occurs in small quantities, so that it will not be handled in this country unless it is protected against the German product, which is mined cheaply near the seacoast and brought over here as ballast at a very low rate of freight.

In reference to your inquiry as to the extent of the deposits in southwest Virginia, I do not know exactly what kind of an estimate you would like to have on this. There are deposits of barytes all along the line of the Norfolk and Western Railway from Bristol to Pulaski, which were worked several years ago, but which are not now worked, principally owing to the fact that the deposits are small, and the labor cost, at the present price of ore, renders it prohibitive to work this section. There are quite extensive deposits on the Clinch Valley division of the Norfolk and Western from Tazewell to Norton, which have been worked by the Clinch Valley Barytes Company, located at Honaker, Va., and by the Tristate Mining and Manufacturing Company at Richlands, Va. There are also extensive deposits at, or near, Roanoke of low-grade ore, and there are quite extensive deposits located along the line of the new Tidewater Railroad, and, while we have investigated these, they are so located that at the present price of ore they can not be worked to advantage, being 3 to 4 miles from the railroad, which makes the item of hauling prohibitive at the present prices. There is no question that a large tonnage of ore could be mined through southwest Virginia if the conditions of the business were improved by a higher tariff.

We appreciate greatly the interest that you have shown in this matter, and I have written to the other manufacturers in southwest Virginia, notably the Clinch Valley Barytes Company at Honaker and the Tristate Mining and Manufacturing Company at Richlands, and to a number of property owners in regard to this same matter, but so far without reply from them, and assume that you may have taken the matter up direct with the other manufacturers.

Should you wish to take this matter up any further, or to have a clearer understanding than I may have given you in this letter of the conditions as they now exist, our Mr. Williams, sr., would be pleased to meet you at Washington to go over the matters with you. I would like to know also when this subject will come up again before the Ways and Means Committee, and if you would care to prepare a brief to submit to this committee, Mr. Williams would be glad to take the matter up in any way that you saw fit, or if you could submit a brief to him he would be pleased to go over it and make any suggestions that would seem to fit the case better from his practical knowledge of the subject.

As I assume that the time is short in which anything could be done, I would suggest that, if these suggestions appeal to you, you communicate direct with Mr. John T. Williams, sr., at 114–118 Liberty street, New York city.

Again assuring you of our appreciation of the interest you have taken in this matter,

Very truly,

JOHN T. WILLIAMS & SON.
JOHN T. WILLIAMS, Jr.

TEXAS WANTS PROTECTION FOR WOOL, COTTON, RICE, AND HIDES.

[Extract from statement of John G. Cawlfield, Stockdale, Tex.]

If the cotton raisers living in Messrs. GARNER'S and SLAYDEN'S congressional districts would call their attention to their deplorable condition, they would defend them with the same zeal that they have shown for producers of horses, mules, cattle, and sheep. They heretofore

have shown that they intend to represent their constituents as best they could. They said if we are bound to have a protective tariff and it is a good thing we want our people to have all the benefit there is to be got out of it. Congressmen of other districts by their action seem to say we represent a principle regardless of the interest of our constituents or State. This article is offered for the consideration of the public and criticism of those so disposed. These are the views not of a trained writer, but one whom adversity has forced to think—a farmer.

[Extract from statements of Prosser & Le Min, of Sanderson, Tex., who think American woolgrowers are entitled to protection.]

We beg to submit the following statement in regard to the capital invested necessary to produce wool, for the purpose of showing that for raising wool (our finished product) there is as much capital invested in the "plant" in proportion to the product as the manufacturer invests in his plant. Moreover, we took hold of a waterless desert that had never been used, and that had paid no lease and very little taxes to the State and can never be used but for raising live stock, so believe we are entitled to protection for our industry.

Capital invested in sheep ranch in Terrell County, west Texas, 40 miles northeast of Rio Grande.

For 20,000 acres patented land, with improvements consisting of five 600-foot wells and reservoirs, buildings, shearing plant, corrals, etc. (with 40,000 acres land leased, mostly from the State)	$50,000
14,000 head merino sheep, with wagons, horses, etc., necessary to run same	50,000
Total invested	100,000

[From tariff hearings.]

PIERCE, TEX., *November 13, 1908.*

Mr. S. LOCKE BREAUX,
New Orleans, La.

MY DEAR SIR: Replying to your favor of 10th instant, regarding the cost of making a rice crop or crops, I beg to give you the following, which, as you are fully aware, is compiled from a thorough system of bookkeeping. Some eight years ago I planted the first crop in this section, close to the town of Bay City. From that year until the present time I have increased my acreage until at present I have in about 4,000 acres. Taking as a guide the past four years and on a land valuation of $40 per acre, which is conservative seeing that land is changing hands round here at from $40 to $50 cash, I hand you the undermentioned figures which I hope will be of service to you:

	Per acre.
Interest at 8 per cent on $40 land	$3.20
Cost of breaking land	2.00
Cost of preparing and seeding	2.00
Cost of seed	1.50
Cost of water rent	6.00
Cost of levee hand	1.00
Cost of cutting	2.00
Cost of shocking	.75
Cost of twine	.25
Cost of sacks	1.00
Cost of thrashing	3.50
Cost of hauling	1.00
Cost of warehouse rent for one month	.50
Total	24.75

The land during the past five years has averaged barely 9 sacks to the acre per annum, the average having been cut down by the loss of last year's crop. Owing to bad harvest weather last year we only made 5 sacks per acre. Of course I think it quite probable that a man will lose one crop in four, owing to bad weather, storms, etc., and I count myself lucky in not having more rice.

In the last four years I have disposed of my crop at prices varying from $2 to $4 per barrel, but in every case I have had to hold my rice for several months before I got my price. My selling price, less warehouse charges, for four years averages $3.20. Roughly speaking, the profits have been $4 per acre per annum, and, with the interest on land, which in my case is a revenue, leaves an income of about $7.20 per acre. I have just completed a large pumping plant to water about 10,000 acres of my own land, but, to be candid with you, if the tariff is in any way reduced I will never turn a wheel.

Yours, very truly,

A. P. BORDEN.

[Extract from brief of argument against putting cattle hides on the free list, by S. H. Cowan, representing the Cattle Raisers' Association of Texas.]

The Cattle Raisers' Association of Texas is composed of cattle raisers throughout the Southwest, in Texas and the trans-Missouri States and Territories.

We oppose placing hides on the free list. We demand equality of opportunity.

VIRGINIA WANTS PROTECTION FOR PEANUTS, TOBACCO, BRIAR ROOT, PIG IRON, IRON ORE, GYPSUM, BARYTES, LUMBER, AND COAL.

[Extracts from statements of Mr. J. P. Holland, of Franklin, Southampton County, Va.]

Mr. HOLLAND. Colonel Day was asked if he was a protectionist. I am one of those fellows that has objected to protection, but I am converted, not altogether on the theory that protection is right, but that protection is here to stay; that pig iron and all the other products of all the other parts of the United States are protected, and that their labor is protected, and that this labor is as sacred and has as much right to be protected as your labor, or our labor, or any other labor.

[Extract from statements of Mr. E. J. Raiford, Conley, Va.]

We want to have 2 cents placed on the foreign nuts, so we will be able to get a living profit and induce our boys to stay on the farm and help to develop our lands and build up home industry. I believe the revenue on foreign nuts will be just as much, and our own country will be built up more.

[Extracts from statements of Mr. Day, of Virginia.]

Mr. UNDERWOOD. I wanted to ask you to look at it from the standpoint of this committee, where there is some revenue expected out of the proposition. If we make the duty higher, where would the revenue come from?

Mr. DAY. I am not interested in the revenue. We want protection.

Mr. UNDERWOOD. You want protection, even if we do not get any revenue?

Mr. DAY. Yes, sir.

Mr. UNDERWOOD. If we apply that proposition right along the line, to every manufacturing business, we will probably have to build a Chinese wall around the United States and levy whatever tax might be necessary.

Mr. DAY. The importation of peanuts is very small, and the revenue would be very small; but the effect on the peanut farmer is very great.

Mr. DALZELL. Do you believe in a tariff for protection?

Mr. DAY. I want protection on peanuts. [Laughter.]

Mr. DALZELL. Do you believe in a tariff for the protection of anything else?

Mr. DAY. Well, yes; I must say I do.

Mr. DALZELL. You do?

Mr. DAY. Yes.

Mr. DALZELL. Then you are a protectionist?

Mr. DAY. No; I am not. [Laughter.]

Mr. DALZELL. To what extent are you a protectionist?

Mr. DAY. I believe that certain industries of the country ought to be protected.

Mr. DALZELL. What are they?

Mr. DAY. I think Virginia tobacco is one.

Mr. DALZELL. And you think Virginia peanuts is another?

Mr. DAY. Peanuts is another.

Mr. DALZELL. Anything else? Do you believe that any of the growers outside of Virginia ought to be protected? [Laughter.]

Mr. DAY. There are a good many things that grow outside of Virginia that are protected. [Laughter.]

Mr. DALZELL. But I ask you if you think that anything that grows outside of Virginia ought to be protected?

Mr. DAY. Why, yes; I reckon so. I can not tell what they are, though. [Laughter.]

Mr. DALZELL. What are they?

Mr. DAY. I can not tell what they are. [Laughter.]

Mr. DALZELL. But you think that an advance of 400 per cent and 300 per cent in protection for peanuts is a reasonable request to make of this committee?

Mr. DAY. I do.

Mr. DALZELL. That is all.

Mr. CLARK. If you will state what it is you want, I will ask you a few questions.

Mr. DAY. All right, sir.

Mr. CLARK. That is, if nobody else wants to ask them.

The CHAIRMAN. Proceed, Mr. Day.

Mr. CLARK. What is it you want, Mr. Day?

Mr. DAY. We want the tariff on peanuts put at 2 cents a pound.

Mr. CLARK. What for?

Mr. DAY. For the sake of protection.

SEPTEMBER 25, 1908.

Hon. C. BASCOM SLEMP,
Big Stone Gap, Va.

DEAR SIR: At the coming session of Congress I believe it would be worth your time and of value to your constituents to look into the matter of pipe blocks for making "French briar-root pipes." Formerly there was a large business in southwest Virginia and east Tennessee in the getting out and shipping of ivy roots for these pipe blocks, and one or two small plants in the same territory for cutting the roots into pipe blocks. The chief item of revenue was to the local people in the mountains in getting out, hauling, and selling these ivy roots. When the Wilson tariff bill was passed, as the writer is advised, these pipe blocks were put upon the free list, and since that they have been coming in from foreign countries cheaper than our people could get them out of the mountains, haul them to the railroad, and ship them. If there is an infant industry in the United States which needs a little protection and which would benefit the workingman and farmer, it is this pipe-block business.

I would suggest that it would be well for you to discuss this question with Mr. W. P. BROWNLOW, as it affects his district as well as yours.

Yours, very truly,

W. E. MINGEA.

[Extract from statement of Mr. A. B. Carrington, of Danville, Va.]

Mr. CARRINGTON. At a recent meeting of the Tobacco Association of Danville the following preamble and resolutions were unanimously adopted:

"Whereas the importation of Turkish tobacco into this country has increased enormously in the last ten years and is being manufactured and sold in cigarettes in direct competition with the tobacco raised in Virginia and North and South Carolina; and

"Whereas the importation tax on Turkish tobaccos is so low that it does not appreciably affect the price at which they are sold in direct competition with Virginia and North and South Carolina tobacco; and

"Whereas the Turkish Government does not allow American tobacco to be imported into the Empire of Turkey, absolutely excluding same from her markets; Be it therefore

"*Resolved*, That a committe be appointed by the association to present these facts before the Ways and Means Committee of the House of Representatives, now in session at Washington, requesting them to increase the tax on Turkish tobacco imported into this country to the same duty now charged by this Government on the importation of Sumatra wrapper leaf."

[Henry E. McHarg, of the Virginia Iron, Coal, and Coke Company, asks retention of present duty on pig iron.]

NEW YORK, N. Y., *November 30, 1908.*

Hon. SERENO E. PAYNE,
Chairman, Washington, D. C.

MY DEAR SIR: In the published reports of the newspapers of the proceedings before your committee it has seemed to me steel and iron as affected by the existing duties have for the most part been considered as one subject, whereas, to my mind, the latter is upon a very different basis from the former, and it will be my endeavor in as concise a manner as possible to give you, knowing full well your laborious duties, the reason why from my standpoint the present duty on pig iron should not be changed, and I would be glad to appear before your committee at any time after this week and to verify any statements made herein, or to answer any further questions the committee may desire.

This company owns nine blast furnaces—seven in the State of Virginia and two at Middlesboro, Ky. It owns and leases a large acreage of iron-ore lands, mostly in the State of Virginia, but some few of the properties are in Tennessee, Kentucky, and Georgia. It also owns approximately 950 coke ovens situated at Inman and Toms Creek, Va., and some 30,000 acres of coal lands in Virginia, and 80,000 or 90,000 acres of coal lands in Kentucky, these latter being mostly at long distances from the railroad, and all being undeveloped. We practically sell no coke, it being made and used in our furnaces in producing pig iron.

On February 6, 1901, I was appointed one of the receivers of the company by the United States court at Harrisonburg, Va. On January 1, 1903, all debts having been paid, the property was restored to the stockholders and I became president. The company has never paid any cash dividends to its stockholders. When our furnaces, ore mines, coke ovens, and coal mines are in active operation we employ from five to six thousand men, and, figured on the basis of four persons to a laborer, furnish food, clothing, and a living for from 20,000 to 25,000 people. From July, 1906, to July, 1907, this company made 202,453 tons of pig iron, 394,791 tons of coke, and mined 1,166,445 tons of coal, and during this year—I have not the official figures at hand—I believe it to be very conservative when I make the statement that we paid out for labor alone between $2,000,000 and $3,000,000.

We use no foreign ores, and practically our entire consumption is furnished by mines in three States—Virginia, Tennessee, and Georgia—in the past, probably 95 per cent Virginia alone. With few exceptions our ores are washed; in some cases it takes 20 cars of material from natural state to produce 1 car of iron ore that will assay 45 to 50 per cent metallic iron, and our cost for making pig iron for the period named, from July 1, 1906, to July 1, 1907, was $14.11.

At Roanoke, where we have two furnaces, is our nearest point to tide water and to points in New England, where 40 to 50 per cent of our iron finds a market. Our average railroad rate to New England points is $4 per ton; from Radford and Pulaski, which are 60 to 75 miles farther west on the Norfolk and Western road, our rate is 25 cents additional, and from Max Meadows and Bristol, which are, respectively, about 100 to 125 miles farther west from Roanoke, the rate is 50 cents additional. At each of these places we have one furnace, and considering the additional distance and additional haul, the above rates are fully justified; in fact, although our all-rail rate to New England, in which way 95 per cent of our shipments are made, averages about $4 per ton, it is practically a haul of 800 miles, which gives the railroad but 5 mills per ton per mile, and is as low as the business can be expected to be handled.

Let us look now to the foreign market for iron. The New York papers give the quotation as 49s. 6d.; this is practically $12. It is well known that it is a habit for vessels bound to the West from England, Belgium, Germany, and France, bound for Boston, New York, Philadelphia, and Baltimore to come largely in ballast, the rate by Cunard Line being lately quoted $1.22 per ton from Liverpool to New York. They will take iron or any other heavy commodity as freight for whatever rate they can obtain, for outside of the handling whatever sum they receive is all gain. They can, therefore, put English iron down at our ocean ports, irrespective of the $4 duty, at about $14 a ton, a price less than our cost prices for the year referred to at our furnaces in Virginia. This is the basis of my argument: That it is unfair, under conditions which prevail owing to subsidies given by some foreign nations to their mercantile marine, and the known lukly nature of our exports to England, Belgium, Germany, and France, creating as it does a large proportion of empty cargo room in vessels bound to the States from above countries, and that therefore the rate on freight shipments bound west bears no proportion to the actual cost of carrying the same, but simply results in an unfair competition, which in the case of pig iron needs fully the present duty of $4 per ton to place our manufacturers on an equal footing.

Our company has from $10,000,000 to $15,000,000 invested in furnaces, ore mines, coke ovens, and coal lands; we give a living to 20,000 or 25,000 people when our plants are in active operation, and have from the different agitations lost money in the past eighteen months in common with the majority of our fellow-citizens. After the presidential election we enjoyed for two weeks the best market for iron since April, 1907, since which time these hearings began and newspapers reported the same, sales have stopped, and a relapse is once more in full force. It is hardly necessary to remind your committee that the wages paid in our furnaces are double those of England, Belgium, Germany, and France for common labor. That our maritime laws very justly reserve to American bottoms the coastwise trade, which precludes our shipment by water north from Norfolk, except at rates as measured by distances six or seven times greater than England or Norwegian tramp ships will bring it from foreign ports. There can never be a combination of pig-iron producers; they are too many in number and their location and condition surrounding them are so widely different, and because iron is the basis of steel. Should the interest of those that have their money invested in the production of the former be published for the sins of the latter, which in some lines of production are controlled by a few companies and individuals of large means?

As long as present hard times and depression exist in England, Belgium, and Germany, and prices of iron remain there as at present, I believe any reduction of duty on pig iron will compel us to close our entire operations, with the exception of our coal mines, throwing necessarily a large number of worthy American workingmen out of employment.

After Mr. McKinley's election in 1896, the ten years following gave this country, its business men, its farmers, and its laborers, such prosperity and wages as the most optimistic would hardly have conceived. Let well enough alone. Certainly any lowering of duty on pig iron will be an unjust discrimination against those citizens who have their money invested in furnaces and ore lands in our own country and who employ a large force of employees mining and manufacturing the same.

Very truly, yours,

HENRY K. MCHARG.

P. S.—Since the above I have received from a large importing firm the following statement:

"In 1906 and 1907 we chartered nine steamers with pig iron from Middlesboro, England, and to New York, Philadelphia, and Baltimore, and the highest rate paid was 6 shillings and 9 pence—the lowest 6 shillings. Ocean freights are lower now than they were then."

ALEXANDRIA, VA., *November 20, 1908.*

CHAIRMAN WAYS AND MEANS COMMITTEE,
United States Congress, Washington, D. C.

DEAR SIR: I desire to request, on behalf of myself and others interested with me in the production and shipment of baryta in eastern Tennessee, that there be a tariff of $5 per ton placed upon baryta imported from other countries. This is made necessary in order to operate our mines at a fair and reasonable profit. We have the finest grade of ore, and have been compelled to produce this ore and deliver same in market at a loss in consequence of foreign competition. By reason of this competition we have not been able to ship any ore to market for the past two years.

Very truly, yours, J. F. DOHERTY.

[Extract of statement of George E. Roberts relative to gypsum.]

* * * * * * *

Mr. ROBERTS. I would like to say in addition and in conclusion, referring to this mill in Virginia that has been built within the competitive territory reached by foreign plaster: The plaster manufactured from foreign rocks goes all along this coast and back for some distance, and the Virginia gypsum comes in direct competition with it. That industry has been put there within the last year, a building and a little community of several hundred people where there was absolutely nothing before, and the removal of the duty on gypsum would very seriously imperil that enterprise and others like it along the coast that have been established under the policy adopted in 1897.

THE MEADOWS STOCK FARM,
Abingdon, Va., March 5, 1909.

Hon. C. BASCOM SLEMP.

DEAR SIR: I am sending you a paper from the Plaster Manufacturing Association, giving a tariff showing of conditions connected with the plaster business of the United States at this time. It speaks for itself, and representing our district, in which lies the only gypsum or plaster deposit in Virginia, it is respectfully submitted for your consideration. With cheaper labor and all-water transportation, it should seem apparent that the present tariff of 50 cents per ton affords but little protection to the home manufacturers in competition with Canada.

Yours, very truly, FRANK S. ROBERTSON,
President Buena Vista Plaster Company.

BOARD OF TRADE AND BUSINESS MEN'S ASSOCIATION OF NORFOLK, VA.,
January 30, 1909.

Hon. C. BASCOM SLEMP, M. C.
House of Representatives, Washington, D. C.

SIR: The attached resolutions, which are self-explanatory, are submitted to you for your kindly consideration.

Yours, very truly,
JOS. A. HALL, *Secretary.*

Whereas the question of placing lumber on the free list is now being considered by the honorable Ways and Means Committee; and

Whereas the Board of Trade and Business Men's Association of Norfolk, Va., feels a keen interest in an industry which is of such import to this section: Therefore be it

Resolved by the board of directors of the Board of Trade and Business Men's Association (in special meeting assembled) this 29th day of January, 1909, That our Senators and Representatives in Congress be, and are hereby, requested to use their best efforts to prevent the unjust discrimination against the lumber trade which would result from removing or still further reducing the present low tariff on lumber.

Resolved further, That they be, and are hereby, requested to call attention to the following facts in this connection:

First. That the present tariff on lumber is only 11 per cent, while the tariff on other heavy building material, with which lumber comes in competition, ranges from 22½ to 45 per cent, and the present duty of 11 per cent is strictly a tariff for revenue only. This disparity becomes even more striking when the extremely heavy duty on the articles necessarily used in the manufacture of lumber is considered.

Second. That practically one-half of the total lumber output of the United States comes from the South; and from this market alone there is handled more than 600,000,000 feet annually, by far the largest amount handled by any other city on the Atlantic seaboard; and with these facts in view, the injury to the allied industries, as well as to the lumber trade, if the tariff is removed or lowered, would be disastrous to this entire section.

Third. That the parts of the United States that consume rather than produce lumber will not be materially benefited, as past experience has shown that the foreign lumber owners, importers, and middlemen, rather than the consumers, are the only ones that will profit by such changes.

Fourth. That conservation of the forests will not be promoted, as tariff removal or reduction will affect almost exclusively the lower grades, which are manufactured from the tops and slabs of the trees, so that practically the same number of trees will be cut down, the only difference being that those portions that can no longer be marketed at a profit will be left to decay and meanwhile increase the fire hazard to the young growing timber.

Fifth. That the net result of the removal or further reduction of the tariff on lumber will be to help foreign labor and the foreign manufacturer at the expense of our own local manufacturers and domestic labor, without benefiting consumers anywhere in the United States, and to cause waste instead of conservation of our forest resources.

AKERS LUMBER COMPANY (INCORPORATED),
Lynchburg, Va., February 11, 1909.

Hon. CAMPBELL SLEMP, *Washington, D. C.*

DEAR SIR: Referring to the lumber tariff now being agitated by Congress, beg to say that if the tariff is removed it will seriously affect the lumber industry of the entire South, and we earnestly recommend that the present tariff be retained. Lumber is probably the greatest industry of the Southern States, affording the greatest tonnage to the railroads and giving employment to a large number of persons. We don't think the removal or reduction of the present tariff would benefit anybody but the Canadian manufacturers and timber holders. The latter, we understand, constitute the rank and file of the National Forest Conservation League, which is spreading broadcast over the United States reasons why the duty on lumber should be removed.

We understand the present duty of $2 per thousand on lumber amounts to only an ad valorem tariff of about 12 per cent, in comparison with 40 per cent on iron and steel, 32 per cent on cement, and 45 per cent on building stone, all of which enters largely into competition with lumber for construction purposes, and as this 12 per cent ad valorem tariff on lumber is so much lower than all other articles coming into competition with it in reality it amounts only to a tariff for revenue.

If the tariff is removed, Canada and her provinces will monopolize the lumber trade in the Northern, New England, and Middle States, thus depriving the lumbermen of Virginia, North Carolina, and South Carolina of their best markets.

We trust it will be your pleasure to cooperate with us to the extent of using your influence to prevent any modification whatsoever of the lumber schedule of the present Dingley tariff.

Very truly, yours,
AKERS LUMBER COMPANY.

STONEGA COKE AND COAL COMPANY,
Philadelphia, Pa., March 22, 1909.

Hon. C. B. SLEMP,
Room 299, House of Representatives, Washington, D. C.

MY DEAR MR. SLEMP: If the provisions of paragraph 424 of the proposed tariff bill are enacted by Congress, Nova Scotia coals will unquestionably drive a large tonnage of Virginia and West Virginia coal from the North Atlantic seaboard. It is problematical how far south Nova Scotia coals will go. I believe that Virginia, West Virginia, and Pennsylvania will be more seriously affected if the duty is removed from bituminous coal than will any other coal-producing States. Pennsylvania and probably West Virginia will find an increased market for coal in Canada, via the Lakes, should the reciprocity feature of the proposed bill become operative. Because of its geographical situation, Virginia will be unable to profit by the lake coal trade with Canada, and it will be a direct and heavy loser by reason of reciprocity with Canada. I therefore believe it to be vitally important to the coal interests of Virginia that the present tariff on coal be maintained.

Very truly, yours,
D. B. WENTZ, *President.*

Mr. SLEMP. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMORRAN having taken the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

Mr. SLEMP. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 14 minutes p. m.) the House adjourned until 10 o'clock a. m. on Monday next.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 5467) to establish a fresh-water mussel hatchery on the banks of the Clinch River, in the State of Tennessee—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSTER of Illinois: A bill (H. R. 5468) to amend an act entitled "An act to regulate commerce," approved February 4, 1887—to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Georgia: A bill (H. R. 5469) fixing the pay of Senators and Representatives in Congress—to the Committee on Appropriations.

By Mr. COUDREY: A bill (H. R. 5470) regulating advertisements in interstate commerce or within the District of Columbia or Territories or dependencies of the United States, and prohibiting and providing penalties for such as are objectionable, pernicious, false, fraudulent, or misleading—to the Committee on the District of Columbia.

By Mr. SULZER: A bill (H. R. 5471) to create in the War and Navy departments, respectively, a roll to be known as the Volunteer officers' retired list, to authorize placing thereon with pay surviving officers who served in the Volunteer Army, Navy, or Marine Corps of the United States in the civil war, and who are not now on the retired list, and for other purposes—to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: A bill (H. R. 5472) to allow certain persons who have made second homestead entries the right to commute—to the Committee on the Public Lands.

By Mr. HENRY of Connecticut: A bill (H. R. 5473) providing for a low common postal tariff on the local business of the free rural mail routes and for the reduction of the Treasury deficit by placing the rural mail service on a paying basis—to the Committee on the Post-Office and Post-Roads.

Also (by request), a bill (H. R. 5474) to increase the national revenues by the reduction of the postal tariff on general merchandise and the consequent increase of postal business—to the Committee on the Post-Office and Post-Roads.

By Mr. MURDOCK: A bill (H. R. 5475) to secure the repayment of all money owing to the United States, repayment of which has been pledged—to the Committee on Ways and Means.

By Mr. WOODYARD: A bill (H. R. 5476) to authorize the Parkersburg Bridge Company to construct a bridge across the Ohio River connecting Parkersburg, W. Va., with Belpre, Ohio—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5477) granting pensions to teamsters of the war of the rebellion, from 1861 to 1865, inclusive—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5478) granting an honorable discharge to the Independent State Scouts, or Guards, of West Virginia—to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 5695) to further protect the public health and imposing additional duties upon the Public Health and Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON: A bill (H. R. 5696) making the 12th day of October in each year a legal holiday—to the Committee on the Judiciary.

By Mr. LAMB: A bill (H. R. 5697) providing for a military highway between the city of Yorktown, Va., and Jamestown, Va., via Williamsburg, Va.—to the Committee on Military Affairs.

Also, a bill (H. R. 5698) to authorize citizens of the District of Columbia to vote on an excise law—to the Committee on the District of Columbia.

By Mr. BURLESON: A bill (H. R. 5699) to provide for the erection of a public building at Lockhart, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5700) to provide for the erection of a public building at Taylor, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5701) to provide for the erection of a public building at Austin, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. LAMB: Joint resolution (H. J. Res. 39) directing a suitable shaft to be placed at the grave of John Tyler—to the Committee on the Library.

Also, joint resolution (H. J. Res. 40) directing a suitable shaft to be placed at the grave of George Wythe—to the Committee on the Library.

By the SPEAKER: Memorial of the legislature of Hawaii, praying that it may have the power to legislate concerning the public lands of Hawaii—to the Committee on the Territories.

Also, memorial of the legislature of South Dakota, praying for legislation to provide for the sinking of experimental artesian wells on arid lands—to the Committee on Irrigation of Arid Lands.

Also, memorial of the legislature of South Dakota, praying for the reduction of the duty on lumber—to the Committee on Ways and Means.

Also, memorial of the legislature of South Dakota, praying for the establishment of a national park in the White River region—to the Committee on the Public Lands.

Also, memorial of the assembly of Arizona, protesting against the annexation of any part of the Territory to the State of Utah—to the Committee on the Territories.

Also, memorial of the legislature of South Dakota, praying for the cession of certain lands for the benefit of certain schools for Indians—to the Committee on Indian Affairs.

Also, memorial of the legislature of Minnesota, praying for national aid in the improvement of highways—to the Committee on Agriculture.

Also, memorial of the legislature of South Dakota, praying for the establishment of hospitals for the examination of persons intending to immigrate to America—to the Committee on Immigration and Naturalization.

Also, memorial of the legislature of Arizona, praying for an investigation with a view to improve the Colorado River for navigation—to the Committee on Rivers and Harbors.

Also, memorial of the legislature of Colorado, praying for an amendment to the Constitution, to provide for the election of Senators by the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial of the legislature of Colorado, praying for legislation for the creation of a bureau of mines—to the Committee on Mines and Mining.

By Mr. FULLER: Memorial of the legislature of Wyoming, in relation to the provisions of the United States reclamation act—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 5479) granting a pension to James Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5480) granting an increase of pension to Martin Dell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5481) granting an increase of pension to John Wichterman—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 5482) granting a pension to Daniel Weimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5483) granting an increase of pension to Samuel Dine—to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 5484) for the relief of Josiah Williams—to the Committee on War Claims.

By Mr. CARTER: A bill (H. R. 5485) for the relief of Sabini Jones—to the Committee on Claims.

By Mr. CLINE: A bill (H. R. 5486) granting an increase of pension to George W. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5487) granting an increase of pension to Leslie H. Kellogg—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 5488) granting a pension to Richard Nelson—to the Committee on Pensions.

By Mr. COUDREY: A bill (H. R. 5489) granting an increase of pension to Oscar Messick—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 5490) granting an increase of pension to Peter Hoover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5491) granting an increase of pension to Thomas J. Nolan—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 5492) granting a pension to Jacob L. Simmons—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 5493) granting an increase of pension to Edward Furrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5494) granting an increase of pension to Edward Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5495) granting an increase of pension to Robert J. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5496) granting an increase of pension to Alonzo L. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5497) granting an increase of pension to Christian Schonert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5498) granting an increase of pension to Felix M. Wheat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5499) granting an increase of pension to William Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5500) granting an increase of pension to James A. Ashmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5501) granting an increase of pension to John T. McGaughey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5502) granting an increase of pension to John H. Speer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5503) granting an increase of pension to John Wingert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5504) granting an increase of pension to Samuel B. Bowman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5505) granting an increase of pension to Thomas Hingson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5506) granting an increase of pension to John Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5507) granting an increase of pension to Bryant Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5508) granting an increase of pension to Edmond W. Spear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5509) granting an increase of pension to David Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5510) granting an increase of pension to B. M. Laur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5511) granting an increase of pension to John T. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5512) granting an increase of pension to James Fagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5513) granting an increase of pension to Simon P. Beyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5514) granting an increase of pension to George M. Vlandl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5515) granting an increase of pension to Elisha R. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5516) granting an increase of pension to Henry Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5517) granting an increase of pension to Joseph M. Ashcraft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5518) granting an increase of pension to John H. Steele—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5519) granting an increase of pension to Joseph Towell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5520) granting an increase of pension to Daniel Brubaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5521) granting an increase of pension to Henry V. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5522) granting a pension to E. B. McMillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5523) granting a pension to Jacob Kuntz—to the Committee on Pensions.

Also, a bill (H. R. 5524) granting a pension to W. A. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5525) granting a pension to Sarah Groves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5526) granting a pension to Auguste Eisserman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5527) granting a pension to Harriet Kitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5528) granting a pension to George W. Irvin—to the Committee on Pensions.

Also, a bill (H. R. 5529) granting a pension to W. A. Dobbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5530) granting a pension to Mary I. Baugh—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 5531) granting an increase of pension to Charles McCallister—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 5532) to correct the military record of William H. Seward—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 5533) for the relief of Timothy Ellsworth—to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 5534) granting an increase of pension to Martha J. Hill—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 5535) granting an increase of pension to George H. Young—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 5536) for the relief of A. G. Duncan—to the Committee on War Claims.

Also, a bill (H. R. 5537) for the relief of James Gothard—to the Committee on War Claims.

Also, a bill (H. R. 5538) for the relief of Dr. J. J. Crunk, of Marshall County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5539) for the relief of the Cumberland Presbyterian Church, of Tullahoma, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 5540) for the relief of S. M. Gentry—to the Committee on War Claims.

Also, a bill (H. R. 5541) for the relief of Joseph B. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 5542) for the relief of Hiram B. Crowell and William H. Jones—to the Committee on Claims.

Also, a bill (H. R. 5543) for the relief of the legal heirs of Mrs. George M. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 5544) for the relief of heirs of estate of W. T. Garrett, deceased—to the Committee on War Claims.

By Mr. HOWARD: A bill (H. R. 5545) for the relief of Mrs. Elizabeth A. C. Galloway—to the Committee on War Claims.

By Mr. HOWELL of Utah: A bill (H. R. 5546) for the relief of Marion B. Patterson—to the Committee on Claims.

Also, a bill (H. R. 5547) for the relief of Marion B. Patterson—to the Committee on Claims.

By Mr. LOUD: A bill (H. R. 5548) for the relief of Sarah Spaulding—to the Committee on Private Land Claims.

By Mr. LOVERING: A bill (H. R. 5549) granting an increase of pension to John Brown—to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 5550) for the relief of Acencion Lucero, widow of Gabriel Lucero, deceased—to the Committee on Claims.

Also, a bill (H. R. 5551) for the relief of Felipe de Jesus Cantee—to the Committee on Claims.

Also, a bill (H. R. 5552) for the relief of the heirs of Kit Carson, deceased—to the Committee on Claims.

By Mr. MORRISON: A bill (H. R. 5553) granting a pension to William R. Pryor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5554) granting an increase of pension to Isaac M. Martz—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 5555) granting an increase of pension to Nathan Yingst—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 5556) granting an increase of pension to Noah Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5557) granting an increase of pension to Mary A. Ault—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5558) granting a pension to Udora E. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5559) granting a pension to James M. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5560) granting a pension to James H. Sykes—to the Committee on Pensions.

Also, a bill (H. R. 5561) granting a pension to William A. Pollard—to the Committee on Pensions.

By Mr. RICHARDSON: A bill (H. R. 5562) for the relief of Mrs. Bathsheba Gordon—to the Committee on War Claims.

Also, a bill (H. R. 5563) for the relief of Salina E. Lauderdale—to the Committee on War Claims.

Also, a bill (H. R. 5564) for the relief of Elisha Stogsdill—to the Committee on War Claims.

Also, a bill (H. R. 5565) for the relief of Mary J. Bailey—to the Committee on War Claims.

Also, a bill (H. R. 5566) for the relief of R. D. Crosthwaite, administrator—to the Committee on War Claims.

Also, a bill (H. R. 5567) for the relief of Henry C. Haynes—to the Committee on Military Affairs.

Also, a bill (H. R. 5568) for the relief of Martha J. Sibley—to the Committee on War Claims.

Also, a bill (H. R. 5569) for the relief of James Eli Schrimsher—to the Committee on War Claims.

Also, a bill (H. R. 5570) for the relief of John T. Graves—to the Committee on War Claims.

Also, a bill (H. R. 5571) for the relief of Mrs. Nancy Coffey—to the Committee on War Claims.

Also, a bill (H. R. 5572) for the relief of John Thomas Owen—to the Committee on Military Affairs.

Also, a bill (H. R. 5573) for the relief of William M. Hilliard—to the Committee on War Claims.

Also, a bill (H. R. 5574) for the relief of Mrs. H. H. Cribbs—to the Committee on War Claims.

Also, a bill (H. R. 5575) for the relief of George M. Harraway—to the Committee on War Claims.

Also, a bill (H. R. 5576) for the relief of B. G. Chandler—to the Committee on War Claims.

Also, a bill (H. R. 5577) for the relief of Nancy M. Weaver—to the Committee on War Claims.

Also, a bill (H. R. 5578) for the relief of B. F. Hembree—to the Committee on War Claims.

Also, a bill (H. R. 5579) for the relief of Boling King—to the Committee on War Claims.

Also, a bill (H. R. 5580) for the relief of Alfred O. Williamson—to the Committee on War Claims.

Also, a bill (H. R. 5581) for the relief of James G. Porter—to the Committee on War Claims.

Also, a bill (H. R. 5582) for the relief of Littleton McCloud and Bill Mull—to the Committee on War Claims.

Also, a bill (H. R. 5583) for the relief of Mary Tullis—to the Committee on War Claims.

Also, a bill (H. R. 5584) for the relief of James Henry and Porter Henry—to the Committee on War Claims.

Also, a bill (H. R. 5585) for the relief of William C. Bragg—to the Committee on War Claims.

Also, a bill (H. R. 5586) for the relief of John C. Thomas—to the Committee on War Claims.

Also, a bill (H. R. 5587) for the relief of Stephen Fanning—to the Committee on War Claims.

Also, a bill (H. R. 5588) for the relief of Amanda M. Warren, of Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5589) for the relief of Mrs. W. E. Trousdale—to the Committee on War Claims.

Also, a bill (H. R. 5590) for the relief of Houston L. Bell—to the Committee on War Claims.

Also, a bill (H. R. 5591) for the relief of Mary B. Dancy—to the Committee on War Claims.

Also, a bill (H. R. 5592) for the relief of Mrs. E. L. Raney—to the Committee on War Claims.

Also, a bill (H. R. 5593) for the relief of John T. Lehman—to the Committee on War Claims.

Also, a bill (H. R. 5594) for the relief of John Smaw—to the Committee on War Claims.

Also, a bill (H. R. 5595) for the relief of Anderson Malon—to the Committee on Military Affairs.

Also, a bill (H. R. 5596) for the relief of John W. McAfee—to the Committee on War Claims.

Also, a bill (H. R. 5597) for the relief of Nantippe Jackson—to the Committee on War Claims.

Also, a bill (H. R. 5598) for the relief of John T. Graves—to the Committee on War Claims.

Also, a bill (H. R. 5599) for the relief of Mrs. Cassa Simpson—to the Committee on War Claims.

Also, a bill (H. R. 5600) for the relief of J. W. Smart—to the Committee on War Claims.

Also, a bill (H. R. 5601) for the relief of William M. Underwood—to the Committee on War Claims.

Also, a bill (H. R. 5602) for the relief of William J. Wilcoxson—to the Committee on War Claims.

Also, a bill (H. R. 5603) for the relief of Francis Wilkes—to the Committee on War Claims.

Also, a bill (H. R. 5604) for the relief of Phillip D. Wright—to the Committee on War Claims.

Also, a bill (H. R. 5605) for the relief of Griffin Callahan—to the Committee on War Claims.

Also, a bill (H. R. 5606) for the relief of William Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 5607) for the relief of James A. Allen—to the Committee on War Claims.

Also, a bill (H. R. 5608) for the relief of James T. Dowdy—to the Committee on War Claims.

Also, a bill (H. R. 5609) for the relief of William W. Callahan, administrator of the estate of Thomas Gibbs—to the Committee on War Claims.

Also, a bill (H. R. 5610) for the relief of M. G. Jetton, J. P. Jetton, D. M. Jetton, B. H. Jetton, and M. G. Williams, heirs at law of Mitchell Jetton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5611) for the relief of Samuel H. Yarbrough and the estate of John Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5612) for the relief of Leroy P. Walker, sole heir at law of Eliza D. Walker and L. P. Walker, her husband—to the Committee on War Claims.

Also, a bill (H. R. 5613) for the relief of Samuel W. Shackelford, trustee of Susan A. Shackelford—to the Committee on War Claims.

Also, a bill (H. R. 5614) for the relief of the legal heirs of James I. Donegan—to the Committee on War Claims.

Also, a bill (H. R. 5615) for the relief of Jonathan Morris, executor of Jonathan Morris, deceased—to the Committee on Claims.

Also, a bill (H. R. 5616) for the relief of William Moseley, administrator—to the Committee on War Claims.

Also, a bill (H. R. 5617) for the relief of Bettie Linder, administratrix of B. Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5618) for the relief of B. F. Ludwig, former postmaster at Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5619) for the relief of Cumberland Presbyterian Church of Pleasant Springs, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5620) for the relief of heirs of Andrew C. Legg, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5621) for the relief of heirs of J. P. McGaha, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5622) for the relief of heirs of Mathew N. Grimmett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5623) for the relief of the heirs of Kennon H. Steger, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5624) for the relief of heirs of Preston Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5625) for the relief of heirs of Marcus M. Massengale, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5626) for the relief of heirs of Mary McCaa, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5627) for the relief of heirs of W. J. Langston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5628) for the relief of the heirs of Joseph Logan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5629) for the relief of the heirs of Enoch R. and Louisa J. Kennedy—to the Committee on War Claims.

Also, a bill (H. R. 5630) for the relief of the heirs of A. E. Mills, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5631) for the relief of the heirs of Jane McCartney—to the Committee on War Claims.

Also, a bill (H. R. 5632) for the relief of the heirs of Eliah Matheny—to the Committee on War Claims.

Also, a bill (H. R. 5633) for the relief of heirs of Elizabeth Thompson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5634) for the relief of heirs of Sidney Tate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5635) for the relief of the heirs of James H. Ware, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5636) for the relief of the heirs of J. R. B. Eldridge, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5637) for the relief of heirs of Alexander F. Perryman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5638) for the relief of heirs of William Wann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5639) for the relief of heirs of Andrew J. Peacock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5640) for the relief of heirs of Alfred Hambrick, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5641) for the relief of the estate of Isaac Winston, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 5642) for the relief of the estate of Mrs. Melissa Gathright, deceased, late of Riverton, Colbert County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5643) for the relief of the estate of Benjamin B. Coffey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5644) for the relief of the estate of William P. Tanner—to the Committee on War Claims.

Also, a bill (H. R. 5645) for the relief of the estate of Jesse Vann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5646) for the relief of the estate of Henry Ingram, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5647) for the relief of the estate of Alfred Hambrick—to the Committee on War Claims.

Also, a bill (H. R. 5648) for the relief of the estate of A. L. Logan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5649) for the relief of the estate of Mathew N. Grimmett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5650) for the relief of the estate of Marius B. Cawthon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5651) for the relief of the estate of Peter S. Baker—to the Committee on War Claims.

Also, a bill (H. R. 5652) for the relief of the estate of Bradford Hambrick—to the Committee on War Claims.

Also, a bill (H. R. 5653) for the relief of the estate of Peter S. Baker—to the Committee on War Claims.

Also, a bill (H. R. 5654) for the relief of the estate of John Sibley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5655) for the relief of the estates of Stephen Cordell and Elizabeth Cordell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5656) for the relief of the estate of John Walston, of the State of Alabama—to the Committee on War Claims.

Also, a bill (H. R. 5657) for the relief of the estate of Thomas Knight, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5658) for the relief of the estate of Enoch R. Kennedy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5659) for the relief of the estate of Joseph A. Martin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5660) for the relief of the estate of James Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5661) to refer the claim of Nancy Taylor against the United States to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 5662) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of David B. Johnson, deceased—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 5663) granting an increase of pension to James Ahmuty—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 5664) granting an increase of pension to William Ward—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 5665) granting an increase of pension to Charles M. Sarles—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 5666) granting an increase of pension to Drury Badgley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5667) granting an increase of pension to William Satow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5668) granting an increase of pension to Eli W. Metcalf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5669) granting an increase of pension to William Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5670) granting an increase of pension to Frederick Fouce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5671) granting an increase of pension to Salathial S. Stalnaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5672) granting an increase of pension to George W. Bachus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5673) granting an increase of pension to Alexander Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5674) granting an increase of pension to Linden Batten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5675) granting an increase of pension to George W. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5676) granting an increase of pension to Abraham Hickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5677) granting an increase of pension to Augustus Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5678) granting an increase of pension to Henry Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5679) granting an increase of pension to Gideon Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5680) granting an increase of pension to Martin L. Willers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5681) granting an increase of pension to Daniel W. Bartlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5682) granting an increase of pension to Jordan McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5683) granting an increase of pension to Andrew H. Boon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5684) granting an increase of pension to Ann J. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5685) granting an increase of pension to Mary E. Bee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5686) granting an increase of pension to Thomas A. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5687) granting a pension to Oma Harshbarger—to the Committee on Pensions.

Also, a bill (H. R. 5688) granting a pension to Dora Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5689) granting a pension to Dovie Vance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5690) granting a pension to Ida M. Sterling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5691) granting a pension to Eliza J. Gay—to the Committee on Pensions.

Also, a bill (H. R. 5692) for the relief of Marcellus Troxell—to the Committee on Claims.

Also, a bill (H. R. 5693) for the relief of John W. Trader—to the Committee on Military Affairs.

Also, a bill (H. R. 5694) to correct the military record of William M. Cheuvrout—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Fathers and Mothers' Club, of Boston, praying for the establishment of a federal children's bureau in the Department of the Interior—to the Committee on Expenditures in the Interior Department.

Also, memorials of the members of the order of United American Mechanics at Aurora, Ind., and North Hampton, Ohio, praying for legislation to prevent the immigration of Asiatics into the United States—to the Committee on Foreign Affairs.

Also, memorial of the citizens of Boston, assembled in Faneuil Hall, March 14, 1909, protesting against the action of the courts in the case of Messrs. Mitchell, Gompers, and Morrison—to the Committee on the Judiciary.

Also, memorial of the Owensboro (Ky.) Business Men's Association, praying for the improvement of the Ohio River locks and dams—to the Committee on Rivers and Harbors.

Also, memorial of the Mound City (Ill.) Board of Trade, praying for liberal river and harbor appropriation—to the Committee on Rivers and Harbors.

Also, memorial of the Cairo (Ill.) Lodge of Elks, praying for the establishment of an elk reservation in the State of Wyoming—to the Committee on the Public Lands.

Also, memorial of the Seattle Chamber of Commerce, praying for assistance for the establishment of steamships between Panama and Pacific coast ports—to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the German-Austrian Benevolent Society of St. Louis, Mo., protesting against the passage of any prohibition legislation—to the Committee on Alcoholic Liquor Traffic.

Also, memorial of the Owensboro (Ky.) Business Men's Association, praying for the careful consideration of legislation relating to the building and operating of railroads—to the Committee on Interstate and Foreign Commerce.

Also, memorials of Alida Frankfother and 21 others, and William Beecher and 21 others, of Jerry City, Ohio, and E. Charles Hughes and 28 others, of Dighton and Leroy, Mich., praying a constitutional amendment to enable women to vote—to the Committee on the Judiciary.

Also, memorial of the Northeast Washington Citizens' Association and the quarterly meeting of the Society of Friends at Baltimore, praying for legislation to change the day of the inauguration—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, petitions of C. F. Garrison, W. G. Pickle, W. M. Enlow, J. H. C. Scurlock, and others; the Business Men's Association of Shelbyville, Ky.; and R. E. Andrew and 12 others, of East Andover, N. H., praying for federal aid in the construction of highways—to the Committee on Agriculture.

Also, memorials of the mine owners and mine workers of Missouri, Kansas, Oklahoma, and Arkansas, praying for the establishment of a direct duty on crude oil not less than the present countervailing duty—to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of the State of New York, protesting against any departure from the present method of fixing ad valorem rates of duty—to the Committee on Ways and Means.

Also, memorial of the Oronogo Circle Mining Company, praying for tariff on zinc ore—to the Committee on Ways and Means.

Also, memorial of the Girard (Kans.) Local Union of the United Mine Workers of America, praying for the enactment of a direct duty on crude oil—to the Committee on Ways and Means.

Also, memorial of the American Lumbermen, protesting against the reduction of the duty on lumber—to the Committee on Ways and Means.

Also, memorial of the paper makers of Watertown and Piercefield, N. Y., protesting against the reduction of the duty on print paper—to the Committee on Ways and Means.

Also, memorials of the Wichita Grange, of Connecticut; the Mohawk Valley Cooperative Company, of New York; and other firms, corporations, and individuals of the United States, praying for the removal of the duty on sugar—to the Committee on Ways and Means.

By Mr. ANDRUS: Petition of Peekskill (N. Y.) Lodge, No. 744, Benevolent and Protective Order of Elks, for a reserve in Wyoming for the American elk—to the Committee on the Public Lands.

Also, petitions of citizens of the Fourteenth and Nineteenth Congressional districts of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petitions of Carriage Makers' Club of Cincinnati, Ohio, and Boot and Shoe Manufacturers' Association, in conjunction with the tanners, harness manufacturers, carriage manufacturers, and leather and shoe dealers, representing over 700 firms, favoring repeal of the duty on hides—to the Committee on Ways and Means.

By Mr. ANTHONY: Petition of members of Oak Grange, Topeka, Kans., favoring postal savings bank and parcels-post laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of Commercial Club of Pittsburg, Kans., favoring reduction of duty on zinc ores or corresponding increase on spelter—to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of J. H. Shields, of Utica, and J. T. Buxton, of Walhonding, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Samuel Dine and Daniel Weimer—to the Committee on Invalid Pensions.

By Mr. BEALL of Texas: Petition of citizens of Hubbard, Tex., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWNLOW: Petition of Sanford, Chamberlain & Ackers Company, favoring same duty on scrap as on pig iron—to the Committee on Ways and Means.

By Mr. DAVIDSON: Petition of 75 or more laboring men of Menasha, Wis., favoring retention of present duty on print paper—to the Committee on Ways and Means.

By Mr. DE ARMOND: Paper to accompany bill for relief of David McGehee and William S. Trader (H. R. 4451)—to the Committee on Invalid Pensions.

Also, petition of United Mine Workers of Windsor, Mo., favoring duty on crude oil not less than the present countervailing duty—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of citizens of Troy, N. Y., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FOCHT: Petition of Pennsylvania Free Hide League, favoring removal of duty from hides—to the Committee on Ways and Means.

Also, petition of citizens of Mercersburg, Pa., and citizens of Eighteenth Pennsylvania district, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Oronogo Circle Mining Company, of Oronogo, Mo., favoring tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of National Liberal Immigration League, of New York, relative to American missionaries in Russia—to the Committee on Foreign Affairs.

Also, petition of American National Live Stock Association and cattle raisers, against placing hides on free list—to the Committee on Ways and Means.

Also, petition of Landers & Sheehey, of Utica, Ill., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of British Columbia Mountain Lumbermen's Association, against reduction of the duty on lumber—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Charles McCallister—to the Committee on Invalid Pensions.

By Mr. GRIEST: Petition of citizens of the ninth district of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HAYES: Petition of numerous citizens of San Francisco, Cal., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of Croxall Chemical and Supply Company, of East Liverpool, Ohio, against proposed duty on lithographic prints in ceramic colors—to the Committee on Ways and Means.

Also, petition of the American China Company, of Toronto, Ohio, against proposed change in the duty on decalcomania transfer—to the Committee on Ways and Means.

Also, petition of Gill Brothers Company, of Steubenville, Ohio, for retention of present duty on carbonate of potash and glassware—to the Committee on Ways and Means.

Also, petition of E. E. Richards and others, of Bellaire, Ohio, against tariff duties on tea and coffee—to the Committee on Ways and Means.

By Mr. HOWARD: Paper to accompany bill for relief of Elizabeth A. Galloway—to the Committee on War Claims.

By Mr. LAMB: Petition of Hon. John Lamb, of Virginia, praying for a tariff on dog puer—to the Committee on Ways and Means.

Also, petition of citizens of the Third Congressional District of Virginia, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of Charles Battles and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LASSITER: Petition of citizens of Petersburg, Va., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Harvard, Nebr., against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

By Mr. OLMSTED: Petition of citizens of the Eighteenth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. A. MITCHELL PALMER: Petition of citizens of the Twenty-sixth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. PAYNE: Petition of electors of the Thirty-first Congressional District of New York, favoring reduction of duty on Canadian barley—to the Committee on Ways and Means.

By Mr. REID: Paper to accompany bill for relief of W. H. Hicks, administrator of estate of John Diehl—to the Committee on War Claims.

By Mr. REYNOLDS: Petition of 275 citizens of the Nineteenth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ROTHERMEL: Petition of citizens of the Thirteenth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of residents of Bucks and Lehigh counties, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Jed. Frye & Co., of New York City, for a reduction of duty on canned sardines—to the Committee on Ways and Means.

Also, petition of the Castle Braid Company, of New York City, relative to braid and dress trimmings—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of William Ward—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: Petition of A. N. Wilson & Sons, of Greenville, Ohio, against increase of tariff rates on cotton hosiery and women's leather gloves—to the Committee on Ways and Means.

Also, petition of 30 citizens of Ohio, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. WILEY: Petition of residents of Sixth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

MONDAY, *March 29, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

MESSAGES FROM THE PRESIDENT.

Several messages, in writing, from the President of the United States were communicated to the Senate by Mr. M. C. Latta, his assistant secretary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had agreed to Senate concurrent resolution 2, granting the use of the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles L'Enfant from the present resting place, the Digges farm, in Prince George County, Md., to Arlington National Cemetery.

ADJOURNMENT TO THURSDAY.

Mr. HALE. I move that when the Senate adjourns to-day, it be to meet on Thursday next.

The motion was agreed to.

BUSINESS OF THE SESSION.

Mr. HALE. I offer the following resolution or order, and ask for its consideration.

The resolution (S. Res. 12) was read, as follows:

Senate resolution 12.

Resolved, That until otherwise ordered, no legislative business, except the consideration of the census bill, shall be transacted at the sessions of the Senate.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HEYBURN. Mr. President, I ask that it may go over.

Mr. MONEY. Does it require unanimous consent? I wish simply to ask a question about it. Would it prevent bills from being introduced?

Mr. HALE. Mr. President, the object of the resolution or order is to carry out what I think is the general understanding of the Senate, that no business shall be transacted at least for the present except the consideration of the census bill. Senators are very busy; the sessions which we have twice a week are very thin, because with the understanding that no general business will be taken up Senators do not come here; there is an immense amount of departmental business required to be transacted as a new administration has come in; and many new Senators, and old Senators for that matter, have said to me that it would be a relief if the Senate would establish the situation outlined by the resolution which I have introduced.

I do not expect that its operation will extend over a great length of time. The Committee on Finance is early and late wrestling with the provisions of the tariff bill. It is not waiting for the action of the House, but is proceeding upon the House bill as reported to that body, and it is the hope of the committee that almost as early as the tariff bill reaches the Senate that committee will be able to report. Of course when that situation arises, and the Senate grapples with the tariff bill nobody will want to consider any other business, and every Senator representing, as he does, a constituency here, will have his hands full of business.

So this resolution or order, if it shall pass, will only carry into effect what I believe, from what has been said to me in my talks with Senators upon both sides, is the general understanding.

Now, Mr. President, there are two ways of doing this. It can be done, as it has been thus far, by adjourning over each Monday and Thursday until the next Thursday and Monday.

Mr. MONEY. Will the Senator from Maine permit me to interrupt him there?

Mr. HALE. I am very glad to be interrupted. I would be glad to have any questions put that would bring out any light on this subject.

Mr. MONEY. I was about to ask the Senator if he would not consent to let the resolution go over until Thursday. There will be no business done to-day.

Mr. HALE. Undoubtedly. Mr. President, I am no more interested in this matter than every other Senator.

Mr. MONEY. I know.

Mr. HALE. I am entirely willing to let it go over, and I think it better at this time that it should go over.

Mr. MONEY. I think we generally agree with the Senator from Maine, but there are a great many here who have bills and petitions that they want to get rid of.

Mr. HALE. I was at fault undoubtedly in drawing the resolution, that I did not except routine morning business, because that will help business in the future. The introduction of bills and their consideration before committees will help business hereafter; it will help it in the long session beginning in December. The report of bills, which I seek to shut off, makes a calendar here, and with it comes the interest of one Senator, and then another and of many Senators to take up special bills.

If the resolution goes over, which I think it is entirely proper it should, I will, when the matter comes up, remedy in the construction of the resolution what has been a fault of mine in not excepting morning business.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Texas?

Mr. HALE. Certainly.

Mr. CULBERSON. I was in the rear of the Chamber when the resolution was introduced, engaged in conversation, and I did not hear it, as probably other Senators did not. I will ask the Senator from Maine if he will not permit the Secretary to read the resolution again at this point, so that we may understand exactly what it is?

Mr. HALE. Certainly, I will.

The VICE-PRESIDENT. Without objection, the Secretary will read the resolution.

The Secretary read as follows:

Resolved, That until otherwise ordered, no legislative business, except the consideration of the census bill, shall be transacted at the sessions of the Senate.

Mr. HALE. The additional words "and the routine morning business" should have been inserted, so that bills can be introduced and sent to the appropriate committees. I will modify the resolution in that way, and then let it go over until Thursday.

Mr. HEYBURN. I should like to be heard before the resolution goes over.

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Idaho?

Mr. HALE. Certainly.

Mr. HEYBURN. When the resolution was read, I asked that it might go over, in order that it might not be speedily adopted without consideration. There is one matter before the Senate that ought to be placed within the same class as the census bill. It is the work of the joint committee on the revision and codification of the laws. That committee is working steadily, and will have the judiciary title ready to report in the very near future. It seems to me to be particularly appropriate that the Senate should place the consideration of that title within the same class as the census bill, so that it may receive consideration when we have leisure to give it consideration.

It would not probably receive the same careful, deliberate consideration at the next regular session of Congress that we would be able to give to it at this session of Congress.

It is a peculiar work, not within the ordinary class of legislation. It is one where those who are lawyers will particularly desire to be present and give it consideration. Perhaps there may be other members of this body who will be inclined to leave it largely to those who are versed in the law.

Before the resolution is adopted I desire that the Senate shall consider carefully the question as to whether the door will be open for the presentation of the report of the Joint Committee on the Revision of the Laws. The other House is entitled to be considered in determining whether that report shall be brought before the Senate, because it is the work of a joint committee of the two Houses.

Mr. HALE. The Senator from Idaho is undoubtedly sincere in his statement and desires that the work of his committee shall be made an exception to the general rule. Several chairmen of committees have indicated to me a desire that important measures to come from their committees shall be excepted from this rule. There is important business to come from the Joint Committee on Printing. I have said to the Senators who seek, as the Senator from Idaho does, to have bills made an exception, that all that must be left to the Senate. If we make a general rule and except none of the committees no one can find any special fault.

But all this matter, Mr. President, goes over, and I wish Senators would keep it in mind, so that we may have on Thursday a reasonable number present to consider what shall be the policy for the rest of the session until we reach the consideration of the tariff bill.

The resolution or order does not, of course, interfere with executive business in any way.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield further to the Senator from Idaho?

Mr. HALE. Certainly.

Mr. HEYBURN. I would also suggest that I may feel inclined to urge upon the Senate on the occasion when this matter is up for disposition, the importance of making the consideration of the revision of the laws an exception.

Mr. DICK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Ohio?

Mr. HALE. Certainly.

Mr. DICK. The term "legislative business" under our procedure here is a very broad one. May I venture to suggest that when the resolution or order is amended it should be made quite specific as to what we shall or shall not do in our sessions?

Mr. HALE. I think the Senator from Ohio is right. I have already found that my original draft of the order is very imperfect. One good result of its going over is that if the resolution or order is to pass there will be an opportunity to perfect it so that it shall carry out the reasonable intention of this body. That is all I desire to accomplish. I shall call it up on Thursday next.

Mr. STONE. May I ask the Senator from Maine a question?

Mr. HALE. Certainly.

Mr. STONE. I understood the Senator to say a moment ago that in reframing his resolution or order he would except from its operation what is called "routine morning business." Reports from committees——

Mr. HALE. No.

Mr. STONE. Reports from committees are a part of the morning business. Is it the idea of the Senator to exclude those?

Mr. HALE. Yes.

Mr. STONE. To prevent reports from being made?

Mr. HALE. That is the very thing.

Mr. STONE. That is the principal reason for the order?

Mr. HALE. That is the principal reason for it. My own excuse for not having the resolution in better form is that I am so occupied with the Committee on Finance, having just left the committee room, where there are some thirty or forty disaffected or dissatisfied Pennsylvanians, that I have not had time to consider the form of anything that I write. I am not able to write decent letters.

Mr. BACON. If the Senator will pardon me, the question as to whether the Senate will consider any business is always within the control of the majority of the Senate. It seems to me that the only purpose of the resolution is to give Senators

the opportunity to be safely absent from the Senate. My observation has been that Senators do not need any encouragement in that line.

Mr. HALE. It is undoubtedly the desire of a great many Senators just now, and for the next two or three weeks, to attend to other business, which they will not be able to attend to when we begin to consider the tariff bill, for then we shall have to have early sessions, late sessions, night sessions. The order proposed is rather in accordance with the expressed feeling of a great many Senators to me that they may not be obliged to come to every one of the sessions that are now being held.

Mr. BACON. Do I understand the Senator from Maine to say that the Senate Finance Committee is now having sessions?

Mr. HALE. Now. That committee has been in session early and late, with the exception of the Democratic Senators. Through an arrangement such as has always been made, it is a subcommittee, consisting of the Senators who happen to sit on this side of the aisle.

Mr. BACON. That is the particular point to which I desired to call the attention of Senators. I understood the Senator just now to say that the Finance Committee was very busily engaged, and had been this morning engaged, with a very large number of witnesses, some thirty-odd, before that committee.

Mr. HALE. You can hardly call them witnesses.

Mr. BACON. Well, persons who are here for the purpose of giving information to the committee.

Mr. HALE. Yes; that is it.

Mr. BACON. I was very much gratified by the statement of the Senator, because I think that the committee ought to have all the information it can get. I have been under the erroneous impression, from information which I had received, that the Finance Committee was not in session, but that certain members of the committee were taking this information, to the exclusion of the Democratic Senators, who are not permitted to have any participation in the meetings of the committee or any enjoyment of the information which might thus be given.

Mr. HALE. The Senator is well able to give expression to his feeling at being early, perhaps, displaced——

Mr. BACON. I am not a member of the committee.

Mr. HALE. I was going to say that I might have better used the word subcommittee.

Mr. BACON. I understand it is usual, when subcommittees are appointed, that both sides of the Chamber shall be represented on a subcommittee.

Mr. HALE. Not in a proceeding of the Senate on the tariff. I will say, Mr. President, that this whole matter of the subcommittee, consisting of Senators who sit on this side of the aisle, was gone over with the Senators on the committee who sit on the other side, who made no objection and said that they understood very well that the course which had been pursued heretofore would be taken now. When this subcommittee arrives at a conclusion—if it ever does, and it hopes to do so ere long—it will not attempt to report its conclusions to the Senate until a meeting of the entire committee has been held.

I am inclined to think that a subcommittee of Senators who sit on the other side of the aisle is at the present time engaged in some form of consideration of this matter, and that finally when the two subcommittees pass over the space between them and into one room and one committee meeting the subcommittee of Senators on the other side of the aisle will have certain suggestions to make to the whole committee, which will be considered before it reports. But I can say that what is being done now is what has been done in the framing, I think, of every tariff bill, so far as I know anything about them, since the beginning of my service in this body.

Mr. BACON. What I want to ask the Senator is this: The Senator states that a large number of persons are now before the committee giving it information, whatever may be the character in which they appear, whether as witnesses or as volunteers. I wish to ask the Senator whether what those parties are now saying to what he denominates the subcommittee is being taken down stenographically, in order that all the Senators who belong to the committee may hereafter have the advantage of what those persons present to the subcommittee?

Mr. HALE. Yes, Mr. President; we have a stenographer there all the time, and when we tire one stenographer out another one takes his place.

Mr. BACON. That being the case, does not the Senator think when parties are thus giving information before the committee the minority members, as well as the members of the majority, should have the opportunity to cross-examine those witnesses?

Mr. HALE. It is a matter of convenience——

Mr. MONEY. If the Senator will permit me——

Mr. HALE. I wish to answer the Senator from Georgia. But I will yield to the Senator from Mississippi.

Mr. MONEY. I was going to say that I am a member of the minority of that committee, and we were not consulted about whether we were to sit and examine witnesses. We were told about the arrangement, to which we assented. We did not make any objections; we did not think it was worth while to dissent. We were informed by the distinguished chairman that the hearings would be taken down, and we were to have the liberty to read them, of course. I am corrected by my colleague on the committee [Mr. TALIAFERRO]. It was what the committee thought was important that would be taken down.

Of course the minority is deprived of the privilege of questioning these so-called "witnesses." They are really parties in interest who have come down here to look after what their interests most desire, as has been the custom, I believe, heretofore. We have had no opportunity whatever, and will have none, to shape the hearings by any interrogatories we might put to these interested witnesses. We have also been notified that they would be ready to report just as soon as the House had completed the bill.

We were also told that we could have such experts as we desired, and read the testimony as taken down. I inquired of the chairman of the committee whether he had asked for the use of a certain accountant and expert in the Treasury Department, whom I found very useful once in the Committee on Foreign Relations on a reciprocity treaty with France and in treaties with other countries. He said "no." I said we would like to have him. He said we could have him. I asked the Secretary of the Treasury for him, and he declined to give him to the minority, but said if the committee requested it, then we should have him. The chairman very readily asked the Secretary of the Treasury that that man might be sent to us whenever we wished him.

So at last it is the majority providing for the minority not only all the testimony, but all the experts, and we are at this disadvantage—that we will not have time to confer, or debate, as I understand it, with the majority when they are ready to report to the Senate. I do not know that a great deal is going to be lost by a failure to join with them in conversation, but a great deal will be saved in time.

Mr. HALE. Undoubtedly.

Mr. MONEY. As far as I am concerned, I will say, as one of the minority, that I have no expectation of joining in a substitute bill or anything of that sort. I will simply struggle to have certain principles of taxation recognized by the Senate when the bill comes into the Senate, and not by the committee, because we know very well that we are here upon antagonistic principles. It is the difficulty of agreeing upon those general principles that I presume led the majority to take the bill into their own hands to save time. I do not know that they have acted badly in that; I will not say that they have; but I am simply stating the disadvantage the minority labor under when they have no experts except those which can be granted as a matter of courtesy on the part of the majority or of the Senate, and we must go and ask for them, and we must take that evidence which they themselves have shaped.

I want to say that, looking a little bit over the testimony taken before the Ways and Means Committee, there are many questions that were asked by the minority, and many more that could have been asked probably that would in some measure give a better understanding of the motives that induce these witnesses to come down here and testify. I do not know a single witness in the interests of the great body of the consumers of this country. But I do not want to go into that discussion here. I wanted to let the Senate understand exactly the relation of the minority to the coming bill.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Nevada?

Mr. HALE. In one moment. The Senator from Mississippi, in his characteristic way, has stated the question with entire fairness. There has been no departure from the course that has been pursued in the past. The Democratic members, if I may use that term, were fully consulted, and both sides felt that it was reasonable. The members who are now at work on the bill have felt, as the Senator has said, that it is the proper course for the expedition of the public business, although it does cut out what might be granted if we had all the time in the world, the valuable privilege of the other side of cross-examining. On the whole, considering the saving of time and the importance of expediting the business of revising the tariff, we believe that this is the most fitting and the wisest course.

Mr. BACON. Does the Senator understand, if he will pardon me, the Senator from Mississippi to say that the minority were satisfied in being excluded from the privilege of examining the witnesses?

Mr. HALE. I leave that, Mr. President, to the impression which the Members of the Senate received from the remarks of the Senator from Mississippi. He did not say that he was entirely satisfied; he was not, I think, called upon to make the statement, but he stated the question with great fairness, and disclosed in what he said just what was the attitude of the entire committee on this subject. I leave that to the impression received by the Senate from the remarks of the Senator from Mississippi.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Nevada?

Mr. HALE. Certainly.

Mr. NEWLANDS. I should like to ask the Senator from Maine whether it has not been the custom for the entire committee to participate in the examination of witnesses and the securing of information essential to the framing of a tariff bill? Is it not the fact that the exclusive action of the majority party has related heretofore only to the framing of the bill itself after the information has been secured?

Mr. HALE. No, Mr. President, I was not a member of the Committee on Finance at the last revision twelve years ago, but I was here and I was repeatedly before the committee. I may be mistaken, but I am confident the same course was taken then as now, with the exception that the consideration was even narrower then than now, and that a subcommittee of five, I think, upon only one side of the committee politically, considered the whole subject, not only the conclusion to be arrived at, but the hearing and examination of schedules; and not only was the other side not called in, but the balance of the committee upon the same side politically with the subcommittee were not called in until the consideration had been completed and the form and extent of the schedules fixed by the subcommittee. That, I think, has been the general way. I do not think it is the ideal way.

It is my recollection that the same thing was done and the same course followed by the Senate when the other side of the Chamber had the majority. It is felt and has always been felt that it is better, it being in a way a political question, that the majority, whichever it is, shall first have the opportunity to perfect, so far as it may, its own policy on the tariff bill. That is the practice in the Senate. It is different in the House.

Mr. NEWLANDS and Mr. CULBERSON addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Maine yield?

Mr. HALE. I yield to the Senator from Nevada.

Mr. NEWLANDS. I should like to continue my inquiry of the Senator from Maine. I am not as familiar with the practice of the Senate as the Senator from Maine is, because I was not here when the Dingley bill and the Wilson bill were considered. I was at that time a Member of the House.

I call the attention of the Senator to the fact that the examination which is now being held is not an examination by a committee of this body; that the hearings are not entitled even to publication as a public document of this body; that the hearings are purely voluntary hearings conducted by certain members of this body without its authority; and that hence the information is absolutely under the control of a few individuals and is not under the control of the Senate itself.

It seems to me that that is a bad practice, and that if the practice has been pursued in the past it is a practice that should be discontinued in the future. In the House of Representatives, within my experience, the practice was entirely to the contrary. I am aware that whatever party has been in power it has been the custom of the majority party to frame a bill and then call the committee together and submit the bill to the entire committee, consisting of the members of both majority and minority parties. That practice existed when the Democratic party was in power and when the Republican party was in power, and it is a practice which has existed only, I believe, with reference to a tariff bill.

I have always regarded it as a bad practice, but when you go beyond it and exclude the minority members of the committee from participation in reaching the very sources of information, it seems to me that we are only extending a bad practice, and we not only exclude the minority members of the committee, but we exclude the entire Senate from the very information which is under the control of four or five members, acting voluntarily.

It seems to me that this is a practice that ought to be discontinued. If I were a member of the minority of the Finance Committee I would make a vigorous protest against it, and I think it would be quite becoming in this body to make a protest against it. The practice itself of framing the bill outside of the committee by only a few of the majority members is a bad one, but when you go beyond that and exclude the minority members of the committee and the entire Senate from participation in the information within their command, it appears to me that we are carrying a bad rule to a very bad extent.

Mr. ELKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield the floor?

Mr. HALE. I yield to the Senator from West Virginia [Mr. ELKINS].

Mr. ELKINS. I have the floor in my own right, I think.

The VICE-PRESIDENT. The Chair asked the Senator from Maine if he had yielded the floor.

Mr. HALE. I yield to the Senator from West Virginia.

Mr. ELKINS. Can I not get a chance to speak?

Mr. BACON. I want to call the attention of the Senator from Maine to the fact that the Senator from Texas [Mr. CULBERSON] asked the privilege of interrupting before the Senator from West Virginia did.

Mr. ELKINS. I should like to have the floor in my own right. Can the Senator from Maine get the floor, speak, then sit down, and yield time to other Senators? I want to know when he is through.

The VICE-PRESIDENT. The Senator from Maine [Mr. HALE], as the Chair understood, had not yielded the floor, but was sitting during the period that he had temporarily yielded the floor to the Senator from Nevada [Mr. NEWLANDS]. The Senator from Maine now yields to the Senator from West Virginia [Mr. ELKINS].

Mr. ELKINS. Mr. President, I agree with my brethren from the South that it is a most extraordinary proceeding that a Senate committee is in session holding hearings with the minority of the committee excluded. I have never before heard of such a method of making a tariff bill being adopted in the Senate.

Mr. GALLINGER. It has always been adopted.

Mr. LODGE. It has been adopted every time a tariff bill has been considered.

Mr. ELKINS. If this is the case, then how does the minority have any chance to set forth the claims of their people and their great industrial interests and defend them against discrimination. Why have minority members on the Finance Committee if they are excluded from the hearings and the making of a tariff bill? I want to know where they have any show unless they join New England in securing free trade or low duties on all southern products and the highest protection for New England products.

That is what I suppose the Senator from Massachusetts wants, as also the distinguished senior Senator from Maine and the chairman of the Finance Committee. I was told in a somewhat semiconfidential way that the part of the Finance Committee now in session in the new Office Building of the Senate would have no hearings; that nobody and no interest would be allowed to be heard and present their case. I ask, "Might a Senator not be permitted to be heard?" I was told he did not know, but I might be permitted to do so if I would just come under the yoke, be good, be obedient, and promise to report every morning at a certain place to which all roads in the Senate lead, and there get instructions. I might be heard and have a chance to defend the interests of my State. I then asked if I promised all these things, in addition to being heard before the Finance Committee, would I have a chance, perhaps once a week, in open Senate to make a motion to adjourn? He said, "You might get permission once a week to move to adjourn."

Mr. President, I come from the South, was reared and educated amongst her people. For two hundred and fifty years my ancestors were born and lived on the soil of that grand old State—Virginia.

I love the South, her people and interests are dear to me, and I will defend both as long as I have a voice in this body.

I consider again, as in the long past, her interests and property are to be put in jeopardy by hostile influences now in control of the Senate, and here and now I stand ready to resist these sinister influences and defend southern interests.

I sympathize with my brother Senators on the other side of the Chamber in their efforts to serve their people and will join hands with them and stand for the protection of the interests and industries of West Virginia and the South. They have not had a fair chance in Congress in fifty years. The southern Republicans—there are four of them in the Senate——

Mr. PERKINS. Six.

Mr. ELKINS. Yes; there are six, counting the able Senators from Delaware. Not one of these Senators has been permitted to go on the Finance Committee, and now we are told that this same austere, resistless, remorseless, and dominating

power has excluded the minority, the Democratic members, from hearings before the committee or helping make the tariff bill, although they are an integral part of the committee. It seems it has been determined by the powers that control the Senate that the South shall not now, at the end of forty years of unjust treatment in tariff matters, have a Republican member of the Committee on Finance, but that even the Democratic members of the committee shall not take any part in making the tariff in the committee. I admit that I want to make the tariff a little different from what my brethren on the other side wish to make it; but whatever our differences may be on policies and economic questions, West Virginia and the South only want fair treatment in framing a tariff bill, affecting industries, interests, and property valued at twenty thousand millions of dollars, and I will do my best to see that they get it. I see some signs in the South of encouragement in the direction of protection, at least for the articles that the South produces and raises. I hope this may go on, and the South, through her able statesmen on this floor, learn to ask and demand the same protection that other portions of the country enjoy. She pays her portion of the high duties that afford protection. Why not have the benefits that follow?

Mr. President, this whole tariff proceeding in the Senate looks like a kind of secret war against the South and southern interests and industries. The five Members from the South on the Finance Committee, able, loyal, and distinguished statesmen, by reason of their traditions and their professed faith, have to vote with New England for free trade, or a very low tariff, on southern products, when that question comes up and submit not only to high protection on all New England products, but worse than all this, as consumers pay the high duties levied to protect these products. This has been going on for forty years since the Morrill tariff bill. In effect, New England says: "You poor, miserable, deluded people of the South and Senators, go on and vote for free trade or low duties, stand by your principles, and we will be good to you and give you free trade or low tariff on your products, which is our raw material, and we will have the highest duty put upon the manufactured articles we produce and you buy." Strange to say, for forty years the South and portions of the great West have in this way been cajoled and imposed upon by New England.

Mr. President, it looks as if the Finance Committee was fashioned to keep the South for the next forty years in that thraldom and subjection to free trade or low tariff on her products that has so long obtained. The dominating force in the Senate, the ruling power, was not satisfied with two Members on the Finance Committee from New England, but added another to fill a vacancy from the great State of New York, making three, while the South and the great Middle West were denied representation on that great committee.

The South has not a Republican Member on the Finance Committee. Now, we are told by the distinguished member of the Finance Committee from Maine that the Republicans on the committee are now hard at work with the three Members from New England, eight in all, in the committee room making a tariff for a continent holding 90,000,000 people. I was never more surprised when I heard this statement from the Senator from Maine. There must be some time when one can be heard before the full committee; for instance, in a hearing before eight members of the committee five might be against what I propose and three favor it, and I would lose, but if the five Democrats were present with the three Republicans my proposition would carry and be a part of the bill as reported to the Senate. It is a great advantage to have an item reported favorably in the bill. In effect this method of procedure would allow five members a minority to make and report the bill to the Senate. If the Finance Committee can do this, why not every other committee of the Senate?

I suppose when the bill comes from the other House it will be sent to the Finance Committee. Then there will be some sort of method found to report it back in a few days, giving the minority Members from the South and friends of southern interests no sufficient time to consider it. Then it will be rushed through the Senate under some other method or practice that we do not understand. In this way neither the Democratic nor Republican Members from the South will have a fair opportunity to be heard in an effort to do the South justice in making the tariff.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. ELKINS. I yield.

Mr. CLAPP. I simply want to put in the RECORD the assurance of the perfect innocence of the relation of the Senator

Mr. MONEY. If the Senator will permit me——

Mr. HALE. I wish to answer the Senator from Georgia. But I will yield to the Senator from Mississippi.

satisfied in being excluded from the privilege of examining the witnesses?

to any method of rushing measures through the Senate. [Laughter.]

Mr. ELKINS. Mr. President, I do not know how it is done, but New England manages, somehow or other, to control and shape things all the time in the Senate. It has dominated this Senate and, indeed, Congress for forty or fifty years. Yet I can say most heartily that I am proud of New England. I do not wish to do injustice to her truly wonderful people and am willing always, here and elsewhere, to do them full justice and help protect their interests and industries. I do not forget that New England gave the ideas and thoughts that shot the rebellion to death and saved the Union.

I know, however, as a matter of history, New England has joined with the South on all occasions to have free trade or low tariff on what the South produces, thereby, from an economic standpoint, injuring her interests. During the last forty years Congress has taken from the South, in the way of taxes, three or four thousand million dollars to pay for protection to manufactured products, and the South has gotten nothing in return; worse, the South has been compelled to pay duties the same as if it were a foreign country and imported New England and Eastern products. Protection has been the backbone of the Republican party for fifty years. Without protection the Republican party could not have succeeded so often in electing the President and Congress, and the chief reason for Democratic failure during all this time is because it has opposed protection, while the majority of the people have favored it. I know when I say this that southern statesmen have, as a matter of principle, agreed to all this, but the time for a protest is at hand. The South recognizes, though tardily, that protection is the policy of the American people and of this Government, and as long as this is the case her people and her industries should share in the benefits of this protection, and the time is at hand when southern statesmen should, and I think will, claim and demand that share of protection they are entitled to by reason of the high duties the people of the South are compelled to pay. We have reached a point, owing to our reckless extravagance in government expenditures and the expanding needs of the Government, where we must raise large revenues, sufficient, if duties are properly adjusted and distributed to afford ample protection to all American industries. Then why should not southern statesmen insist on a fair share of this protection they help pay for, to help southern industries?

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Michigan?

Mr. ELKINS. I am glad, however, to feel that after forty years of mistakes and doing just what Republicans have desired them to do the southern Senators and the Democratic statesmen on the other side of the Chamber are beginning "to take notice," and are ready to stand by southern industries as never before.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Michigan?

Mr. ELKINS. I yield.

Mr. SMITH of Michigan. The statement of the Senator from West Virginia is most astounding. I desire to ask the Senator whether the Senate is to understand that the Committee on Finance are now framing a free-trade measure?

Mr. ELKINS. No; not at all. I did not say that. The Senator from Michigan is mistaken, but need not be astounded. He will get over it. The able Senator is always right and alive to the interests of his people. [Laughter.] I want to astound the Senators from New England on the Finance Committee, but I can not do it. I said the Senator from Maine [Mr. HALE] said that a portion of the Finance Committee was having hearings and framing a tariff bill. This is all the information I have, but I regard it as authentic, coming as it does from the leader of the Senate.

Mr. SMITH of Michigan. If the bill is in the nature of a free-trade measure, which I doubt, I should think, in the interest of the country, that Senators who are not members of the Committee on Finance ought to organize in favor of an acceptable protective-tariff bill.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Oklahoma?

Mr. ELKINS. I do.

Mr. GORE. Mr. President, I desire to suggest to the Senator from West Virginia that when the majority of the committee finally agree, possibly the minority will be called into consultation.

I understand that that course was pursued in another branch of Congress. The Senator suggests that the South has had very little opportunity in the other House in the consideration of the tariff bill. I desire to correct the Senator with reference to that statement. I am reliably informed that when the majority agreed as to what the bill should be, the minority was afforded an opportunity to deliberate and to confer with them, and that they occupied in that deliberation and in the revision of the measure as prepared by the majority fourteen minutes. That is the opportunity which was given them. [Laughter.]

Mr. ELKINS. I agree with the Senator from Oklahoma, but I do not want that to happen in the Senate, and Democratic Senators should see to it that it does not happen; they will have help.

Mr. President, this is a serious matter. The South has about twenty-four million of people out of the ninety millions of this mighty Republic. I do not know how many New England has—six millions, I believe.

The South has one-fourth of the wealth of the United States. From 1870 to 1904 the taxable value of property in the South increased 339 per cent; in the remainder of the Union 312 per cent. Her railroads increased 382 per cent; balance of the country, 312 per cent. From this splendid showing the South should be consulted somewhere in the making of a tariff as to what taxes should be paid, what duties should be levied, and what amount of protection should be guaranteed the industries of the South.

I can understand how New England is now traveling in the direction of low tariff or free trade on articles she does not produce and why it is to her interest to do so. I can understand why her statesmen, who are amongst the ablest that have ever appeared in the Senate, sympathize with my Democratic brethren on the other side of the Chamber on low-tariff or free-trade propositions. The people of New England want and need free trade in what they call raw materials and their Senators and Members of the House can not emancipate themselves from their environment; they have to respond to the sentiment and wishes of their constituents. New England does not produce what is called "raw material," which is often the manufactured and finished product of the South and West. She wants raw material free or as low as she can get it, so as to make as cheap manufactured goods as possible and at the same time enjoy protection at the hands of the Government, so that the profits and fortunes of her trusts and people may be swollen at the expense of the whole people.

Mr. President, for my part, I believe in a fair, just, and equitable revision of the tariff, advocated by the President and demanded by the Republican platform; not high duties on some products and low duties or none at all on others, but as near as may be on all industries and products alike, having regard to the difference in cost of production in this and other countries, thus making lighter the burdens of taxation and at the same time protecting American industries and the American wage-earner.

I believe in good wages and am opposed to everything that tends to reducing wages. I believe in making the tariff, the ultimate consumer should be considered. I believe in taxing wealth, not poverty. I believe in making the necessaries of life not dear and high, but as cheap as possible in the interest of the poor people. I do not believe the tariff should be so made as to take money from the people to enrich the trusts; I do not believe the trusts need help; they can and always do help themselves; but I do know the American wage-earner, American industries, and the interests of the people do need all the help they can get.

I am for that protection which protects all industries alike. I am not for protection in spots, but protection all around, treating all industries as to levying duties and taxation as near as may be fairly and alike; this would be a fair revision of the tariff. I stand with President Taft and the Republican platform and his promises as our candidate in the campaign, which was that the people should have a fair, equitable, and just revision of the tariff. Such a tariff would not only raise sufficient revenue, but afford sufficient protection to our home industries and lighten the burdens of taxation. Take notice—the majority in the next House depends on carrying out the Republican platform and doing justice to the whole people. Of late the American people have gone mad with extravagance and the Government wild with reckless expenditures. Both should stop and the most rigid economy should begin in every department of the Government. New England says coal is raw material when we send it for use to her factories. When coal comes to the mouth of a mine and is ready for shipment, it becomes a manufactured product as much as New England's manufactured products and is not a raw material. Iron ore the same. In the ground it is raw material; when ready for shipment it becomes a manufactured product. A tree in the forest is raw material, but when it is cut down and put into sawed lumber it becomes a manufactured product. Cotton in the field is raw material. When gathered and baled ready for shipment it becomes a manufactured product. Wool, when ready for shipment, the same. Now, these so-called "raw materials" should have no lower duties imposed upon them than manufactured products of other sections. More people are employed and more money expended in producing lumber, coal, iron ore, hides, cotton, and wool than in manufacturing these products into other articles. Then why not afford them the same protection as afforded to other manufactured products? Why discriminate? Why make a difference? One industry should under the law be as sacred as another. Protection and the tariff should maintain some sort of relation in an equal way to all products of the country and not have a distinction made, as has always been the case against the products of the South and West, in favor of some sections and against others. We want no mountain peaks and depressions in the tariff. We must stand by the President and the Republican platform and make a fair tariff—a just revision. Thank heaven, we have a President who wants to encourage and help the poor South and lift her up, and he is doing this every day, and both Republicans and Democrats in Congress should help and sustain him in this portion of the great work he has in hand.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. ELKINS. I do.

Mr. GALLINGER. Mr. President, the Senator from West Virginia has in better words than I have ever employed argued the tariff question very lucidly and convincingly, to my mind. I want to remind the Senator, however, when he is delivering his lecture to New England, that there are some Senators representing States of New England who are all-around protectionists precisely as the Senator asserts that he is, and that when he talks about New England having changed its attitude and being prepared to-day to argue in behalf of free trade he is doing a great injustice to at least a portion of the men who represent New England constituencies. I do not think New England has yet come to the point when she is going to change her protection policy for a free-trade policy. If the Senator from West Virginia will only possess his soul in patience until the tariff bill, which is now being considered and that will hereafter be considered, is reported to this body, I think he will find that he is quite mistaken in his assertion that it will be, even for New England, a free-trade bill.

Mr. ELKINS. Mr. President, I am glad to say I agree in the main with the Senator—and there are only a few New England Senators who, I fear, will stand for low duties on southern products and high protection on what their people manufacture. Now, mind you, I do not want to say these Senators willingly want to do injustice, but the interests of their constituents compel them to stand for New England interests, and this hurts the interests of the South—but these few govern. It is this that brings on a conflict of interests between sections of the great Republic which nothing but broad statesmanship can reconcile on a basis of fairness and justice. I have something to say here in behalf of the many important industries of my wonderful State and those of the South, and I say it because this is the best way that I know of to reach the Finance Committee. They are holding their meetings, according to the Senator from Georgia [Mr. BACON], and this is concurrred in by the Senator from Maine [Mr. HALE].

Mr. CLAY. May I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. ELKINS. I do.

Mr. CLAY. Does the Senator from West Virginia undertake to say—I am not aware of what is the situation—that the majority of the Finance Committee of the Senate is having hearings daily in regard to the tariff bill? I presume they have taken the bill that is in the House with a view of amending it, and that other Senators are not to have access to such hearings?

Mr. HALE. Mr. President——

Mr. ELKINS. I yielded to the Senator from Georgia, and I do not see that it is the time of the Senator from Maine to intervene.

Mr. HALE. But I was going to ask the Senator from West Virginia to allow me to answer the Senator from Georgia.

Mr. ELKINS. But the Senator from Georgia asked me the question.

Mr. HALE. Answer it, then. You can answer it.

Mr. ELKINS. You see, Mr. President, you can not move or speak here but what New England wants to answer for you. [Laughter.] This contest between the South and New England has been going on ever since the time of Webster and Hayne. You can not speak as to standing by a southern interest but what New England is right up and ready to contest. You can not make an appeal for the South but what New England is right here to oppose it with its three able members on the Finance Committee while the Republicans from West Virginia and the South have none. That is what I am trying to talk about and to make plain, and this is precisely what I mean to oppose.

Now, I will answer the Senator from Georgia [Mr. CLAY]. Here is an able Senator, though a sort of a free trader, yet he wants justice for his great State and for the South. I was told—the Senator was not in the Chamber when I stated it before—I was told——

Mr. HALE. Mr. President——

The VICE-PRESIDENT. The Senator from Maine yielded——

Mr. HALE. No, Mr. President; I have not yielded the floor.

The VICE-PRESIDENT. The Senator from Maine yielded to the Senator from West Virginia.

Mr. HALE. Yes; I yielded to the Senator from West Virginia, but I did not yield the floor.

The VICE-PRESIDENT. The Senator from Maine, as the Chair understood, yielded to the Senator from West Virginia without limit, and the Senator from West Virginia still has the floor.

Mr. ELKINS. And I am trying to enjoy it. [Laughter.]

Mr. HALE. I think the Senator, at least, is enjoying it.

Mr. ELKINS. I hope the Senator from Maine will possess himself in patience, and try to learn the lessons of justice and fairness in his leadership of the Senate. From his great and powerful position in this body he can not afford to be unjust. Injustice can not last; it works its own destruction. If there is any place where there should be justice and fairness it is in the Senate of the United States.

The Senator from Georgia has asked me a question, and I am going to reply if the Senator from Maine will allow me to do so.

Mr. HALE. I will wait.

Mr. ELKINS. The Senator from Georgia, as I understand, asks if the Finance Committee are holding hearings. I only know what I was told here by the Senator from Maine this morning, that they are, or, rather, that a certain section, the Republican section, of the committee are now holding hearings. The minority members are not present, he admitted, but in due season the minority and the majority would get together, and then consider the bill. I believe this is a fair statement of what the Senator from Maine said, and what is now going on in the making of a tariff bill. How long the minority would be allowed to consider the bill the Senator from Maine did not say. I do know, however, that as to the hearings and what experts say the Senate will never know, except as members of the Finance Committee may see fit to tell the Senate.

Mr. CLAY. Now, with the Senator's permission, my understanding from the newspapers—I do not know it to be true—is that when the tariff bill was framed in the House the Ways and Means Committee held hearings for days and weeks and months, and those hearings were printed daily, and Senators and Representatives had access to them. So far as I am concerned, I have found this tariff bill and all other tariff bills I have tried to study very complicated affairs, and if the Committee on Finance, or a part of the committee, is daily having hearings in regard to different schedules, certainly those hearings ought to be printed and copies ought to be given to each Senator, if he desires them, with the view and purpose of understanding what changes the Committee on Finance intend to make when the House bill gets here.

Mr. HALE. If the Senator will allow me to answer——

Mr. CLAY. I will let the Senator answer right there.

Mr. ELKINS. I want to know if I lose my right to the floor.

The VICE-PRESIDENT. The Senator yielded to the Senator from Maine.

Mr. ELKINS. No; I did not yield to the Senator from Maine. I want to answer the Senator from Georgia.

Mr. HALE. The Senator from West Virginia——

The VICE-PRESIDENT. The Senator from West Virginia has the floor. He yielded to the Senator from Georgia and declines to yield to the Senator from Maine.

Mr. ELKINS. Mr. President——

Mr. HALE. I ask the Senator from Georgia if he will let me answer his question?

Mr. CLAY. Certainly; I have no objection.

Mr. ELKINS. Do I lose my right to the floor?

The VICE-PRESIDENT. The Senator from Georgia has the floor, and temporarily yields to the Senator from Maine.

Mr. HALE. I am very glad that the Senator from Georgia has brought up the question. There is no mystery about the course being pursued by the Senators who are considering the tariff bill. There are no public hearings, as there were in the House, but the chairman of the committee and the members of the committee have advised every Senator who has approached the subject that if he desired to appear before the committee or bring any constituent or constituents before the committee, he could have that opportunity. In the interest of the expedition of the public business, there are not public hearings, open to large numbers of men and to audiences and all of the considerations that take up time, but any Senator who desires to appear before that committee will be welcomed, and any suggestions that he or any of his constituents may make will be received. Those who have appeared there were brought in in that way.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Texas?

Mr. HALE. Certainly.

Mr. CULBERSON. I understand the Senator from Maine to say that any Senator may appear while this present inquiry is going on before the subcommittee of the majority of the Committee on Finance?

Mr. HALE. No; before the entire majority. The portion of the committee that is considering this subject has no subcommittee.

Mr. CULBERSON. I understand, then, that the majority of the Committee on Finance, representing the Republican party, I will say, to be clear——

Mr. HALE. Yes; that is what it is——

Mr. CULBERSON (continuing). Are now considering the tariff, and any Senator may appear there. I will ask him if it is not a fact that the minority of that very committee is excluded?

Mr. HALE. Oh, well, that we have all been over. It is excluded for the time being from its deliberations, but it is not excluded from appearing, making suggestions, and bringing parties in that are interested in the tariff bill.

Mr. CULBERSON. So far as that particular matter is concerned, it is not very important. The most important thing about it, so far as the minority of the committee is concerned, is that they should be present and hear the testimony and cross-examine or make inquiries of witnesses themselves, rather than submit to ex parte examination along protectionist lines.

Mr. HALE. That we have already gone over, and I will not repeat it. That is being done, as it has always been done, in every tariff bill.

Mr. CLAY. With the permission of the Senator, right there the point that I wanted to make is this: I presume the majority of the Finance Committee is having daily hearings, with a view and purpose of completing the tariff bill at as early a date as possible after it comes to the Senate.

Mr. HALE. Yes.

Mr. CLAY. Now, Mr. President, does not the Senator think it just, proper, and right that the hearings in regard to the different schedules that are under consideration should be printed daily and that each Senator should have access to them, with a view and purpose of aiding Senators in understanding the bill after the Finance Committee shall have completed it?

Mr. HALE. That is a new question, which the committee has not considered. I do not think that has ever been done.

Mr. CLAY. Otherwise, I would say to the Senator, those of us who are not members of that committee would not have the information necessary to aid and assist us in examining the new bill, for I presume it will practically be a new bill. The House hearings we could read every day, and see what they were, and they have been a great deal of aid to many of us in understanding the bill pending in the House.

Mr. HALE. Those were public hearings. The course now being pursued is the same that has always been pursued in the consideration of tariff bills.

Mr. BACON. In that particular does the Senator assert that heretofore in either the Senate or the House—I will say the Senate—there have been hearings where witnesses were examined, from which hearings the minority were excluded? I am not speaking of the deliberations of the majority; I am speaking of their hearing witnesses. Has that ever occurred before?

Mr. HALE. That depends upon what the Senator calls "hearings."

the mouth of a mine and is ready for shipment, it becomes a manufactured product as much as New England's manufactured products and is not a raw material. Iron ore the same. In the

Mr. ELKINS. Answer it, then. You can answer it.

Mr. BACON. I am talking about where you have parties coming before a portion of the committee, giving information and views and arguments with reference to the framing of a tariff bill.

Mr. HALE. The same thing has been done heretofore when I was not a member of the Finance Committee that is being done now. I have appeared before the committee with a constituent——

Mr. ELKINS. I rise to a point of order, Mr. President.

The VICE-PRESIDENT. The Senator from West Virginia will state his point of order.

Mr. ELKINS. I want to know who has the floor?

The VICE-PRESIDENT. The Senator from West Virginia is entitled to the floor; but the Senator from West Virginia temporarily yielded the floor, as the Chair understood.

Mr. ELKINS. But only temporarily. Now, I do not want to lose the right to speak.

The VICE-PRESIDENT. The Senator from West Virginia can reclaim it at any time.

Mr. NELSON. I rise to a point of order, Mr. President.

The VICE-PRESIDENT. The Senator from Minnesota will state his point of order.

Mr. NELSON. Except for the purpose of asking a question, there is no such thing in the Senate as yielding a portion of one Senator's time to another.

Mr. ELKINS. I understand that to be so.

Mr. NELSON. Such a rule prevails in the other House, but it can not prevail in the Senate and never has prevailed here.

The VICE-PRESIDENT. The Chair so understands.

Mr. NELSON. When a Senator has the floor, he can yield for a question, but he can not parcel out the time to other Senators.

Mr. ELKINS. I understand that to be the rule of the Senate. Now, I should like to proceed with my remarks.

Mr. RAYNER. I rise to a point of order, Mr. President.

The VICE-PRESIDENT. The Senator from Maryland will state his point of order.

Mr. RAYNER. I call for the regular order.

Mr. ELKINS. The regular order is the resolution.

The VICE-PRESIDENT. The resolution has gone over until Thursday, under the objection of the Senator from Idaho [Mr. HEYBURN].

Mr. ELKINS. I want to discuss the resolution.

The VICE-PRESIDENT. The Senator from Idaho objected to the present consideration of the resolution.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. ELKINS. I want to speak on the resolution. I desire to finish my remarks.

Mr. LODGE. The resolution has gone over.

Mr. ELKINS. If New England will allow me to go on, I want to reply to some criticisms made by the Senator from Maine and some statements he made.

The VICE-PRESIDENT. The Chair begs to inform the Senator from West Virginia that the resolution has gone over until Thursday, under the objection of the Senator from Idaho, and that all the discussion that has taken place has been under unanimous consent, theoretically, at least. Now, objection has been made, and therefore the discussion is ended. The Senator from Massachusetts [Mr. LODGE] moves that the Senate proceed to the consideration of executive business.

Mr. SCOTT. I call for the yeas and nays on the motion.

Mr. ELKINS. I should like to finish my remarks. Such a thing as cutting off a Senator in the midst of his remarks has never been done nor attempted before in the Senate.

Mr. SCOTT. It is not fair to take my colleague off the floor.

Mr. MONEY. I rise to inquire whether or not we are to have a morning hour?

The VICE-PRESIDENT. The Senate has not entered upon the consideration of morning business.

Mr. RAYNER. Mr. President, I will withdraw the point of order, if the Senator from West Virginia desires to finish his remarks.

Mr. ELKINS. I should like to finish my remarks.

The VICE-PRESIDENT. The Senator from Massachusetts [Mr. LODGE] has moved that the Senate proceed to the consideration of executive business.

Mr. ELKINS. I hope the Senator will not press that motion.

The VICE-PRESIDENT. The question is upon that motion.

Mr. CULBERSON. On that motion I demand the yeas and nays.

Mr. BACON. The Senator from Massachusetts did not have the floor for the purpose of making that motion.

Mr. ELKINS. I was on my feet.

Mr. LODGE. Mr. President, the resolution went over, and all this debate was out of order. The Senator from Maryland made an objection. That ended the debate.

Mr. RAYNER. And then I withdrew the objection.

Mr. LODGE. I am speaking of what happened, not of what has been done since.

Mr. RAYNER. I had a right to withdraw the point of order.

Mr. LODGE. Any Senator can renew it; and I will renew it, if necessary.

Mr. MONEY. I rise to a parliamentary inquiry. What has become of the morning hour?

The VICE-PRESIDENT. The morning business has not been entered upon.

Mr. MONEY. Then I demand that we go on with the morning business.

The VICE-PRESIDENT. The Senator from Massachusetts [Mr. LODGE] has already moved that the Senate proceed to the consideration of executive business.

Mr. MONEY. I ask the Senator from Massachusetts if he will not withdraw his motion?

Mr. CULBERSON. On motion of the Senator from Massachusetts, I ask for the yeas and nays.

Mr. LODGE. Mr. President, on a point of order, I understand that the regular order has been called for. The regular order is the morning business, as I understand.

Mr. MONEY. That is it.

Mr. LODGE. In that case, of course, I withdraw the motion to proceed to the consideration of executive business. I was not here early, and did not know that morning business had not been concluded.

The VICE-PRESIDENT. The Senator from Massachusetts withdraws his motion. The order of business is the presentation of petitions and memorials.

Mr. CARTER. Mr. President, I have not heretofore witnessed a proceeding of this kind in the Senate. The Senator from West Virginia [Mr. ELKINS] had the floor and was addressing the Senate. A point of order was interposed and the Senator temporarily discontinued his remarks. That point of order was subsequently withdrawn, the Senator from West Virginia, during the pendency of the point of order, still insisting that he held the floor.

Mr. LODGE. The Senator forgets that the regular order was demanded.

Mr. CARTER. Mr. President, the Senator from Massachusetts [Mr. LODGE] thereupon interposed a motion to proceed to the consideration of executive business. The Senator from Maryland [Mr. RAYNER] withdrew the point of order. Now, I concede that technically, in that juncture, the Senator from West Virginia was deprived of the floor; but, while assenting to that proposition, I do insist that such a discourtesy has not heretofore been offered a Senator within my observation. I certainly hope that the Senator from Mississippi will withdraw his demand for the regular order, to the end that the Senator from West Virginia may conclude his remarks.

Mr. MONEY. I certainly will do so. I did not understand the situation. I understood that we were about to go into executive session without transacting any routine morning business. I had no desire in the world to cut off the Senator from West Virginia; on the contrary, I was very much enjoying his remarks, and he can continue just as long as he pleases, and I will be here to hear him.

Mr. CARTER. Mr. President, it is an unwritten rule—a rule that all Senators have observed, and it has not been necessary to write it—that no Senator should be ruthlessly taken from the floor while addressing the Senate, and I realized fully the Senator from Mississippi would, upon being advised of the exact parliamentary situation, withdraw his demand for the regular order, as he has done.

The VICE-PRESIDENT. The Chair desires to state that the debate has been proceeding by unanimous consent, theoretically. Objection was finally made. That ended the debate, whereupon the Chair announced that the resolution went over until Thursday, and announced the regular order of business to be the presentation of petitions and memorials.

Mr. CARTER. Mr. President, I desire to have it distinctly understood that my remarks are not to be taken as in any manner reflecting upon the actions of the Chair. The Chair had no course whatever to pursue save the course pursued by the Chair. The matter of courtesy rested with the Senate. It rests with the Chair to enforce the rules of the Senate when any Senator demands that they be enforced, and that the Chair very properly did.

The VICE-PRESIDENT. The order of business now is the presentation of petitions and memorials.

Mr. BACON. I hope the Senate may consent that the Senator from West Virginia proceed.

Mr. ELKINS. I should like to finish my remarks. I may not be here on Thursday.

Mr. HALE. I hope there will be no objection to the Senator from West Virginia going on.

The VICE-PRESIDENT. Is there objection to the Senator from West Virginia proceeding with his remarks? No objection is heard. The Senator from West Virginia.

Mr. ELKINS. I am delighted that the portion of New England represented by the Senator from Maine [Mr. HALE] allows me to speak in the Senate, although his distinguished colleague [Mr. LODGE] would cut me off and not allow me to be heard. [Laughter.] I do not mean to say this as applying to all New England Senators.

Mr. GALLINGER. That is right.

Mr. ELKINS. I rejoice in the greatness and history of New England. She leads in culture, music, literature, and art; she leads in great ideas and lofty ideals, in education, in great seats of learning, and in everything that makes American civilization grand and glorious; but when New England, or any portion of New England, or three Senators from New England on the Finance Committee, or the Finance Committee as a whole, try to hinder, destroy, impair, and set back the progress and prosperity of the great State of West Virginia and the South by denying both fair representation in making a tariff and imposing duties I stand here to object, whether my colleagues and brethren from the South on the other side do or not.

Mr. President, such a procedure as has been followed in this case is unknown and unheard of. That it should come from New England is evidence of what I am trying to say to the Senate, that in the making of the tariff bill the South is to have but little show. It is known that some of the Republican Senators from the South, known to be protectionists, did their best to become members of the Finance Committee. They begged, appealed, and implored to be put on it; but there was a New England chairman of the caucus committee; there was a New England chairman of the Finance Committee, and he was made chairman of the committee on committees; and then there was another New Englander put on the committee on committees. These three, with some other Senators here—strong Senators, and men I admire and respect—were also put on the committee on committees. Can this sort of procedure and leadership in the Senate of the United States last? This is one place where there should be justice and fair dealing between Senators, sections, and States.

Not satisfied with two members, New England gets a third in the person of the distinguished senior Senator from Massachusetts [Mr. LODGE], one of the most accomplished and able statesmen of his time, not to fill a vacancy from Massachusetts but from New York. What is this for? What does it all mean? My brethren on the other side of the Chamber had better open their eyes and not keep on voting with New England to impose high duties on the products of New England, which the southern people purchase at high prices, and on what they produce impose low or no duties. There is no surer way of retarding the progress and prosperity of the South.

Let us see how the Finance Committee is fashioned and made up, and then we can understand where the South is coming out in the making of the tariff. I hope it is not a violation of the proprieties of the Senate to read the names of the members of the committee——

Mr. GALLINGER. Oh, no.

Mr. ELKINS. I did not have any voice in selecting this committee. I could not get on the committee. In the first place, it is something to a Senator's credit, in the State and the country at large, to be on the Finance Committee. It is a certain promotion. Besides, it enables a Senator to look out for his own State and section. Naturally, therefore, I do not want three Senators from New England to be put on that committee to the exclusion of Republican Senators from my State and the South.

Then again, Mr. President, I wanted to be on the Finance Committee, or have my colleague [Mr. SCOTT] or some Republican Senator from the South to speak and protest against high duties for the East and New England and low duties for the manufactured products of the South. That is why I wanted to get on the Finance Committee, apart from the personal interest I had. But our appeals were not heard, and, now, as constituted, the South has not a solitary Republican member on the Finance Committee, which will deal with questions affecting not only her interests but the interests of 90,000,000 people.

I want to call the attention of the Senate to another matter. Here is the great Middle West, where each State is an empire in itself. You could put New England down fifteen or twenty times in that vast country. But the Middle West has no representation on this committee.

Mr. HALE. Mr. President——

Mr. LODGE. What does the Senator call "the Middle West?"

Mr. ELKINS. I will tell the Senator if he will give me a chance. [Laughter.]

Mr. LODGE. I should like to know——

Mr. HALE. Mr. President——

Mr. ELKINS. Now, you see two New England Senators at a time interrupting me when I am trying to answer a question one of them asked. [Laughter.]

Mr. LODGE. I asked a question, and I should like the Senator to answer it.

Mr. ELKINS. I will name the States of the Middle West. I am sorry the Senator does not know the geography of the country, living in New England, but it is far away. I readily excuse the Senator.

Mr. LODGE. Call the Middle Western States, as you describe them.

Mr. ELKINS. I call Colorado and the Dakotas, Wyoming, the great State of Iowa, that has for twenty-five years had a representative on the Finance Committee, and now has none, although the State has two able and distinguished Senators in this body, one of them of long experience in the House and the Senate, one of the foremost orators and statesmen of his time. Why could he not be made the successor of his dead colleague—the mighty Allison, always just and fair as a leader on this floor? Be it said to his memory he was a great protectionist and knew no sections but the whole country.

Mr. LODGE. Let the Senator name the Middle Western States that he says have no representation on the committee.

Mr. ELKINS. Iowa has none.

Mr. LODGE. The Senator from South Dakota [Mr. MCCUMBER], who sits next to me, is a member of the Committee on Finance.

Mr. ELKINS. One of the Dakotas does not mean both.

Mr. LODGE. You can not have a member of the Finance Committee from each State.

Mr. ELKINS. No; but New England can have three, where the Senators can speak to each other from their front porches in the morning and be easily heard, at least on the phone. [Laughter.]

I do not stand here for the South alone, but for the Middle West. Why is it that, although for twenty-five years the State of Iowa has had representation on the committee, this time her appeals were strangled, as were those of the South, West Virginia, and Iowa? I name Kansas, Minnesota, Nebraska, Missouri, Ohio, and Wisconsin—great States, great empires, puissant nations. How is it possible that the Senator from Massachusetts did not know these great States were in the Middle West? They can not get representation on the Finance Committee. Michigan, fortunately, had one member, a great statesman, but if she had not I doubt if she would have secured one. New England then might have taken four.

Mr. GALLINGER and Mr. LODGE. And Illinois also has a member.

Mr. ELKINS. Illinois has one, and I am proud of him. Illinois is a great State, the third in the Union. Is it possible that these two New England Senators are jealous because Illinois has a member on the Finance Committee? He is a grand old Republican, a protectionist, and stands for a fair tariff.

Mr. GALLINGER. That is three.

Mr. ELKINS. Yes; I can count that much. [Laughter.] Let us see how this looks. The Senator from Rhode Island [Mr. ALDRICH] is chairman of the Finance Committee.

Mr. GALLINGER. And a good chairman.

Mr. ELKINS. None abler; none more adroit and more alert. Then comes the Senator from Maine [Mr. HALE]. And then there is the Senator from Massachusetts [Mr. LODGE]. There were two Senators from New England on the committee before. Why did they add a third? Was it not enough to have these two able men, the greatest leaders the Senate has had in twenty-five years, full of experience and the highest ability, alert as tigers, dominating the Senate? They had a monopoly. Why should they take in another partner? [Laughter.] I do not know why—to fill a vacancy not from New England, but New York.

Mr. President, where is the great State of New York in this transaction? New York, with 9,000,000 people and a greater manufacturing State than all of New England put together and one-third more population, is not represented. I ventured to remark—and I am not a new Senator, either—that New York was not heard. I was told, "Never you mind about New York,

Mr. ELKINS. I was on my feet.

presentation of petitions and memorials.

New England will take care of New York." I said, "New England has got her hands full now." However, New York was not given representation on the Finance Committee, although there was a vacancy on the committee from the State of New York. And think of denying that great State representation on the Finance Committee, great and leading in every way, but most of all in the experience, ability, and high character of her two most able, distinguished, learned, and brilliant Senators, known all around the world as great men and great statesmen. This passes all understanding. Then comes the Senator from Michigan [Mr. BURROWS], the Senator from Utah [Mr. SMOOT], the Senator from North Dakota [Mr. MCCUMBER], and the junior Senator from California [Mr. FLINT].

Mr. President, look how far they kept away from the South and Middle West in selecting the Committee on Finance—California, North Dakota, Utah—just as far from the South as they can well be without locating one in Alaska and the other two in Canada. Then New England, with her three members, as far away in one corner of the Republic as she can be. Now, as to the personnel of the committee, I have not one objection. They are all good men and able Senators and my personal friends whom I admire, but as much as I like each and all I would have preferred having one member from the South and one from the Middle West.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Jersey?

Mr. ELKINS. Certainly.

Mr. KEAN. I call the attention of the Senator to the fact that he has failed to mention Pennsylvania, which is pretty close to West Virginia.

Mr. ELKINS. Yes; and I am glad this great State has a member in the person of one of the ablest and best Members of the Senate. What point, however, I may ask, is there in that? What do you mean by that? I know Pennsylvania is close to my State. I do not see that throws any light on the subject. If the Senator wants to help New England and he always does——

Mr. KEAN. He is merely a member of the committee.

Mr. ELKINS. Mr. President, I understand and appreciate the solicitude and the anxiety of the South about her industries and her prosperity. She has just about emerged from the condition of a conquered people from the awful demoralization, destruction, and disaster following the greatest war in the tide of time. A great future is before the South and her wonderful and liberty-loving people. All the South needs is a fair show in making the laws affecting her industries. Her people have suffered and been tried as no other people have been. She has been chastened by fire, poverty, and the sword, and now stands forth in her new life and strength asking no favors but simple justice.

The personnel of the Finance Committee, as I said before, is as good as it could be. The members are able, hard working, good Republicans. But I would feel better if they had some of the same kind of Republicans from the South and some from the Middle West or some nearer to the South.

I think I understand the situation. New England has to be helped. So far as concerns maintaining her industrial position in the country the committee, in fashioning a tariff bill, will respond to her wishes. This means thousands of millions of dollars to the people of the South, if the South could only see it from a purely economic point of view; southern statesmen should stand by the South—I do not mean to abandon their traditions altogether—but in whatever is good for the progress and industrial interests of the South, and if the country is to have protection, let the South get her share.

The natural tendency of things is that New England should want what it calls "raw materials" free. But what it calls "raw materials" are the manufactured products of the South and West; and the great statesmen from New England, though desiring to do justice, can not emancipate themselves from their environment. They respond to it and the interests of their constituents, and naturally the highest kind of duties are put upon manufactured articles—hosiery, cotton goods, gloves, shoes, cutlery, and so forth—with a small duty on cotton, wool, lumber, coal, iron ore, and wood pulp. This low duty is a sop to the South, in order that it may come in and agree to the new bill. Why should there not be a reasonable duty on every product of the South, as well as the products of other sections, having due regard to condition and locality?

Mr. TALIAFERRO. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Florida?

Mr. ELKINS. I do.

Mr. TALIAFERRO. I should like to ask the Senator where this bill gives any duty on cotton?

Mr. ELKINS. I supposed it would, but I find it does not.

Mr. TALIAFERRO. Cotton is a raw product. There is not a cent on it, that I have heard of.

Mr. ELKINS. The Senator is right; great injustice has been done the cotton interests of the South. It is in the interest of New England to have all manufactured goods—cotton goods, woolens, glass, needles, button hooks, machinery, shoes, cutlery—protected. It is to their interest to get what they call the "raw material" free or as low as they possibly can. The people of New England want free coal, free hides, free lumber, free iron ore, and free cotton, low duties on steel and pig iron. Now, if the Democratic statesmen of the South see that protection is the rule and policy of the country, and they can not help it, why not as Senators stand and demand a fair share for the products of the South; otherwise the South must fall behind in her industrial progress.

I do not mean to say the representatives from New England are going to vote for free raw materials in every case. If I were a New Englander I would want free lumber, iron ore, coal, wool, and cotton. The Senate is a body that can not afford to be unfair. Why should there be three members, able Senators as they are, put on the Finance Committee from New England, and the whole South, with 24,000,000 people, excluded from membership?

Mr. President, this is not fair, and this injustice will not endure forever in the Senate, in my judgment. The appeals of the Middle West and the South for membership on the Finance Committee were not heard. I predict they will be heard some day.

Mr. GALLINGER. Some of us do not think so.

Mr. ELKINS. I honor you for that.

Mr. HALE. We are very much against it. I certainly am.

Mr. ELKINS. I will say for Maine that she is sound as to lumber and pulp.

Mr. GALLINGER. New Hampshire joins Maine.

Mr. ELKINS. New Hampshire is generally right and her very able Senators always right.

Mr. President, I thought this was a suitable opportunity to make an appeal for a fair and just revision of the tariff and place before the Senate what I think has been an injustice to a tremendously growing part of this Republic. The South to-day is in natural resources the richest part of this Union, the West is growing in mining, manufacture, and agriculture as well; and why these two great sections should be excluded from the consideration of this bill in the Finance Committee I can not tell, and I can not understand. I have heard no explanation whatever for this strange proceeding. When the time comes to consider a bill reported by the Finance Committee, it will be difficult for a Senator to be heard intelligently on this floor. The committee collects data and holds hearings of which we have no knowledge, documents which we have never had a chance to see. Then there are experts waiting upon them now, I understand—three or four—detailed to inform the committee.

We have no opportunity to know what these experts say. We are not represented on the committee. I mean by sections. All the States, I know, can not be represented on the committee. But I insist again and again that a fair distribution would give the South at least one member and the Middle West another member or two members.

I omitted to mention the great State of Wisconsin. What has become of that State, with able Senators on this floor—able to defend it and to speak for it? Wisconsin has no part in the tariff, except through speeches and persuasion on the floor of the Senate.

It is an immense advantage, Mr. President, for a section of the country to have a member on the Finance Committee. If it is not so important, why put three on from New England? Why was that so important and the Middle West entirely overlooked? I hope the Senator from Maine, the next time he comes into the Chamber—after he gets the usual adjournment and fixes matters to suit the workings of the majority of the Finance Committee—will be able to inform us and to draw a resolution acceptable to the Senate, and that Senators and the great interests of all sections of the country may be afforded a fair hearing before the Finance Committee in making the tariff.

Mr. GALLINGER. The regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The regular order is the presentation of petitions and memorials.

Mr. SCOTT. I desire to say a word.

The VICE-PRESIDENT. The Senator from West Virginia asks unanimous consent that he may proceed. Is there objection? The Chair hears none.

Mr. RAYNER. Will the Senator from West Virginia permit me to introduce morning business? It is necessary for me to leave the Chamber.

Mr. SCOTT. Certainly.

Mr. MONEY. I wish to ask the Senator from West Virginia to consent to wait on us while we introduce some bills. I should like, myself, to hear the Senator, but I am anxious to introduce some measures and have them referred.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? No objection is heard.

FOURTEENTH AMENDMENT TO THE CONSTITUTION.

Mr. MONEY. I introduce a joint resolution, and ask that it be read and lie on the table until it shall be called up, and also that it may be printed in the RECORD.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none.

The joint resolution (S. J. R. 9) directing the Attorney-General to submit to the Supreme Court all information available bearing on the validity of the fourteenth amendment of the Constitution of the United States, was read the first time at length, as follows:

Senate joint resolution 9.

Whereas the ends of justice and obedience to law alike require that—

"When the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of the State, or the members of the legislature thereof is denied to any male inhabitants of such State being 21 years of age and citizens of the United States, or in any way abridged, except for participation in the rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of male citizens shall bear to the whole number of male citizens 21 years of age in such State"—

if the fourteenth amendment to the Constitution of the United States containing the above provision is valid and binding and the privileges and immunities conferred by said amendment should cease if said amendment is not valid and binding; and

Whereas the official Journals of the Senate and House of Representatives of the United States of the Thirty-ninth and Fortieth Congresses show that there was neither a two-thirds vote of said two Houses nor yet a three-fourths vote of the States in ratification of the congressional action, as defined and required by Article 5 of the Constitution; and

Whereas the questions as to the validity of said amendment can now only be determined by the Supreme Court of the United States, and have never heretofore been judicially considered or decided; and

Whereas it is highly important that any doubts on this subject should be removed in this manner, to the end that future legislation on this subject may be guided by such decision; Therefore it is hereby

Resolved, etc., That the Attorney-General of the United States be, and hereby is, directed to submit all information available on this subject to said Supreme Court in an appropriate proceeding, so that said court may review the same and determine whether said amendment is valid and binding.

The VICE-PRESIDENT. The request of the Senator from Mississippi is that the joint resolution be printed in the RECORD and lie on the table for future action.

Mr. MONEY. To be called up.

The VICE-PRESIDENT. Is that the Senator's request?

Mr. MONEY. That is the request.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. I rise to object to the second reading of the joint resolution.

Mr. GALLINGER. It has not been read the second time.

Mr. HEYBURN. I want the objection to appear in the RECORD.

The VICE-PRESIDENT. The joint resolution was not read the second time. It was read at the request of the Senator from Mississippi, and ordered to be printed in the RECORD, and to lie on the table.

Mr. HEYBURN. I object to its being printed in the RECORD.

Mr. GALLINGER. The joint resolution having been read, the Senator can not object to its appearing in the RECORD.

The VICE-PRESIDENT. It goes in the RECORD as a matter of course, having been read.

Mr. GALLINGER. Certainly.

The VICE-PRESIDENT. The request was that the joint resolution should lie on the table for future action. Is there objection to that request?

Mr. HEYBURN. Before the matter passes I desire to do what may properly be done in the premises to prevent any action, even the receiving of the joint resolution.

The VICE-PRESIDENT. The joint resolution was received out of order and has been read, and therefore goes into the RECORD. The request was that it should lie upon the table for future action, not after it had been read the second time, but before.

Mr. HEYBURN. Had the contents of the joint resolution been known, unanimous consent would not have been given even to its being received out of order, and inasmuch as its contents could not have been known until the instrument was read the objection should apply as though made to the request for unanimous consent.

The VICE-PRESIDENT. It seems to the Chair that the joint resolution having been read in full, and no objection having been made at any period during the reading, it must go into the RECORD.

Mr. MONEY. Will you allow me to say a word on that point? What difference does it make to the Senator from Idaho or anybody else whether or not it is done by consent? I could do it in the regular order. But I presented it now simply in order that the Senator from West Virginia [Mr. SCOTT] might proceed. I could have stopped him by an objection. I could put it in in regular order, whether anyone consented or not. I need not have asked the consent of anybody.

Mr. HEYBURN. I am well aware of the full rights of the Senator from Mississippi under the rules in regard to the matter.

Mr. MONEY. I did not think the Senator was, from his remarks.

Mr. HEYBURN. I merely desire that the RECORD shall show that the joint resolution was received without notice by the Senate, and that it does not go into the RECORD by unanimous consent.

PUBLIC LANDS IN IDAHO.

Mr. HEYBURN. I ask leave to present a concurrent resolution of the legislature of Idaho. I ask that it may be printed in the RECORD.

Mr. MONEY. I object to the printing in the RECORD. I do not know what it is.

The VICE-PRESIDENT. Objection is made.

Mr. HEYBURN. Then I ask that it may be read.

The VICE-PRESIDENT. Is there objection to the reading of the resolution?

Mr. MONEY. Yes; I object.

Mr. HEYBURN. I take it there is no valid objection to the reading of a resolution of a state legislature.

Mr. MONEY. I make no objection whatever. I merely wanted to show the Senator how easy it is for anybody to object to anything.

Mr. HEYBURN. Mr. President, I do not desire a suggestion of that kind to appear in the proceedings of this body without any response at all. The remark of the Senator from Mississippi was doubtless called forth by the objection which I made to the introduction into this body of a joint resolution calculated to attack the amendments to the Constitution of the United States that were proposed, made, and ratified by the loyal element of the United States at a time when it was proper to make and adopt those resolutions; and never, so long as I am a member of this body, will such a joint resolution receive any consideration that I can prevent.

I have no personal feeling whatever in the matter; but I have not forgotten the lessons of loyalty to the Government of the United States, and I will, if the question comes before this body for more extended and responsible consideration, make my position so plain that no Senator, not even a Senator upon the other side of the body, will deny my right or the justice of my cause.

The VICE-PRESIDENT. The Senator from Mississippi withdraws his objection.

There being no objection, the resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

(Certificate of certified copy.)

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Robert Lansdon, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate concurrent resolution No. 8, by the judiciary committee, which was filed in this office the 9th day of March, A. D. 1909, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of March, A. D. 1909.

[SEAL.] ROBERT LANSDON, *Secretary of State.*

Senate concurrent resolution 8. By the judiciary committee.

Be it resolved by the legislature of the State of Idaho:

Whereas by an act dated July 3, 1890, Congress granted to the State of Idaho about 3,000,000 acres of public lands, including sections 16 and 36 in every township of the State, for the support of common schools and in aid of various public institutions, with the right where sections 16 and 36, or any part thereof, had been sold or otherwise disposed of by or under the authority of any act of Congress to select

other lands equivalent thereto in legal subdivisions of not less than one quarter section and as contiguous as may be to the section in lieu of which the same was taken; and

Whereas by an act dated August 18, 1894, Congress granted to the State of Idaho the right to apply for the survey and withdrawal of townships of public lands then remaining unsurveyed, and that such townships should be reserved upon the filing of the application for said survey from any adverse appropriation by settlement or otherwise, except under rights that might be found to exist of prior inception, for a period to extend from such application for survey until the expiration of sixty days from the date of the filing of the township plat of survey in the proper district land office; and pursuant to said act of Congress, the State of Idaho made application for the survey of a large number of townships of public lands within the State of Idaho for the purpose of selecting the quota of lands donated the State; and

Whereas the President of the United States has, by proclamations, established certain forest reserves within the State of Idaho embracing more than 28 per cent of the total area of the State, including sections 16 and 36, aforesaid, and the Department of the Interior has, by rules and regulations, denied the right of the State of Idaho to perfect its selections of public lands in townships now included in the forest reserves, but which were not included within the forest reserves at the time of the State's application for the survey thereof; and

Whereas approximately 1,000,000 acres of lands so donated to the State of Idaho have not been selected and there are not sufficient unappropriated public lands within the State of Idaho outside such forest reserves of the value of $10 per acre to enable the State to make selection thereof; and

Whereas the State board of land commissioners of Idaho have heretofore pretended to renounce the title of the State of Idaho to certain sections 16 and 36, amounting to more than 200,000 acres, and announces its intention of using such relinquished lands as a basis for making selections of other public lands, and such action of the state board of land commissioners was not authorized by any act of the legislature of the State of Idaho and was in violation of the express terms of the admission bill and the constitution of Idaho: Therefore be it

Resolved, That the State of Idaho hereby proclaims, declares, and asserts its ownership and title to all sections 16 and 36 in every township granted by the United States to the State of Idaho and not heretofore disposed of by the State in accordance with the donation act and the constitution and laws of the State of Idaho: Be it further

Resolved, That the state board of land commissioners is hereby required to insist upon the right of the State to complete and perfect the State's selection of public lands in the forest reserves where the State made application for survey prior to the creation of such forest reserves, and that the board take all necessary proceedings to establish such right in the State: Be it further

Resolved, That the Congress of the United States is hereby memorialized to require the Department of the Interior to ascertain what portions of sections 16 and 36, or any subdivision or portion of any smallest subdivision thereof, in any township may be mineral lands, and to certify the same to the State of Idaho, so that the State may select in legal subdivisions an equal quantity of other unappropriated lands in said State in lieu thereof for the use and benefit of the common schools of said State; be it further

Resolved, That the Representatives of Idaho in Congress be, and they are hereby, directed to aid the state board of land commissioners in establishing the right of the State to complete and perfect its title to public lands in forest reserves, initiated by filing an application for the survey thereof: Be it further

Resolved, That the secretary of state forthwith transmit a copy of this resolution to each Representative in Congress from the State of Idaho: Be it further

Resolved, That the state board of land commissioners and the legal department of the State of Idaho is hereby advised to take such steps as will bring about an early determination by the Supreme Court of the United States of the question of the rights of the State to the sections 16 and 36 included within forest reserves as hereinbefore stated.

I hereby certify that the above senate concurrent resolution No. 8 originated in the senate chamber of the legislature of the State of Idaho during the tenth session.

F. A. SHAW,
Secretary of the Senate.

The above senate concurrent resolution No. 8 passed the senate on the 2d day of March, 1909.

L. H. SWEETSER,
President of the Senate.

The above senate concurrent resolution No. 8 passed the house of representatives on the 4th day of March, 1909.

PAUL CLAGSTONE,
Speaker of the House of Representatives.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE presented a petition of sundry citizens of Madison, Wis., praying for the repeal of the duty on hides, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Poynette, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors in prohibition districts, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Vernon, Rock, Dane, Sauk, and Crawford counties, all in the State of Wisconsin, remonstrating against the importation free of duty of tobacco and cigars from the Philippine Islands or other insular possessions of the United States, and also against the repeal of the present duty on tobacco imported from foreign countries, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Osseo, Augusta, Melrose, Chaseburg, Genoa, Stoddard, River Falls, New Richmond, Stanton, and Deer Park, all in the State of Wisconsin, remonstrating against any reduction of the import duties on barley, wheat, or other grains, which were referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Neenah, Wis., and a memorial of sundry citizens of Kaukauna, Wis., remonstrating against the repeal of the duty on print paper and wood pulp, which were referred to the Committee on Finance.

Mr. HEYBURN presented a paper to accompany the bill (S. 40) granting an increase of pension to Lafayette Platt, which was referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of Local Lodge No. 720, Benevolent and Protective Order of Elks, of Nashua, N. H., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BRANDEGEE presented a petition of sundry citizens of Ellsworth, Conn., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURNHAM presented petitions of Local Lodge No. 97, of Portsmouth; of Local Lodge No. 720, of Nashua; and of Local Lodge No. 876, of Laconia, all of the Benevolent and Protective Order of Elks, in the State of New Hampshire, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

EMPLOYMENT OF STENOGRAPHER.

Mr. ELKINS, from the Committee on Interstate Commerce, reported the following resolution (S. Res. 15), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 15.

Resolved, That the Committee on Interstate Commerce or any subcommittee thereof be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings, bills, and such papers and documents as may be deemed necessary printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. SCOTT (by request):

A bill (S. 820) authorizing a resurvey of the interior of the east half of township 3 south, range 86 west from the sixth principal meridian, in Eagle County, State of Colorado (with an accompanying paper); to the Committee on Public Lands.

By Mr. RAYNER:

A bill (S. 821) to provide for the appointment of an additional district judge in and for the district of Maryland; to the Committee on the Judiciary.

By Mr. MONEY:

A bill (S. 822) for the relief of the estate of William Joslin, deceased; and

A bill (S. 823) for the relief of Louis T. Barnes; to the Committee on Claims.

A bill (S. 824) granting an increase of pension to John F. Davis; to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 825) providing for the promotion of assistant paymasters in the navy; to the Committee on Naval Affairs.

A bill (S. 826) for the relief of Frances Gurley Elderkin; to the Committee on Claims.

A bill (S. 827) granting an increase of pension to Martin V. Worden;

A bill (S. 828) granting an increase of pension to John Ryan;

A bill (S. 829) granting an increase of pension to Horace E. Russell;

A bill (S. 830) granting an increase of pension to George W. Rowe;

A bill (S. 831) granting an increase of pension to Orrin W. Reed; and

A bill (S. 832) granting a pension to Mariette Roach; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 833) for the erection of a monument to the memory of Gen. John Sullivan; to the Committee on the Library.

A bill (S. 834) for the relief of Walter F. Rogers, executor of the estate of Sarah Edwards; to the Committee on the District of Columbia.

A bill (S. 835) to refer to the Court of Claims the war claims of the State of New Hampshire; to the Committee on Claims.

A bill (S. 836) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States; to the Committee on Public Buildings and Grounds.

By Mr. HEYBURN:

A bill (S. 837) authorizing the county commissioners of Malheur County, Oreg., and Canyon County, Idaho, and the Chamber of Commerce of the town of Ontario, Oreg., to construct a bridge across the Snake River at the town of Ontario, Oreg.; to the Committee on Commerce.

A bill (S. 838) granting an additional pension to soldiers who were confined in confederate prisons during the war of the rebellion (with accompanying papers);

A bill (S. 839) granting an increase of pension to John B. Lydick (with accompanying papers);

A bill (S. 840) granting an increase of pension to Edgar A. Kent; and

A bill (S. 841) granting a pension to Amelia Xandry; to the Committee on Pensions.

By Mr. GUGGENHEIM:

A bill (S. 842) granting an increase of pension to Jacques Lapp (with accompanying papers);

A bill (S. 843) granting an increase of pension to William D. Tanner (with accompanying papers);

A bill S. 844) granting a pension to William J. Clark (with accompanying papers);

A bill (S. 845) granting an increase of pension to Jacob Ross (with accompanying papers);

A bill (S. 846) granting a pension to Jennie Simpson;

A bill (S. 847) granting an increase of pension to Matthew Paul;

A bill (S. 848) granting a pension to James C. Sellers;

A bill (S. 849) granting an increase of pension to James W. Nelson;

A bill (S. 850) granting an increase of pension to Charles H. Wilsey;

A bill (S. 851) granting an increase of pension to Frederick H. Williams;

A bill (S. 852) granting an increase of pension to Charles R. Crouch;

A bill (S. 853) granting an increase of pension to Oliver Hand;

A bill (S. 854) granting a pension to Elizabeth F. Faught (with an accompanying paper);

A bill (S. 855) granting an increase of pension to Mary E. Elwood (with an accompanying paper); and

A bill (S. 856) granting an increase of pension to Mahala A. Brumley; to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 857) granting a pension to Isabella S. Hull;

A bill (S. 858) granting an increase of pension to Charles H. Lester;

A bill (S. 859) granting an increase of pension to John Fagan (with accompanying papers);

A bill (S. 860) granting an increase of pension to Hiram Buckingham (with accompanying papers); and

A bill (S. 861) granting an increase of pension to William Ford (with accompanying papers); to the Committee on Pensions.

A bill (S. 862) to reimburse John G. Foster and Horace M. Sanford (with accompanying papers); to the Committee on Claims.

A bill (S. 863) to correct the military record of John M. Miller (with accompanying papers); and

A bill (S. 864) to correct the military record of John Oates (with accompanying papers); to the Committee on Military Affairs.

By Mr. ELKINS:

A bill (S. 865) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased; and

A bill (S. 866) for the relief of the heirs of John S. Chenoweth (with the accompanying papers); to the Committee on Claims.

By Mr. CRAWFORD:

A bill (S. 867) to establish a fish-hatching and fish-culture station at Dell Rapids, S. Dak.; to the Committee on Fisheries.

By Mr. BACON:

A bill (S. 868) for ascertaining the feasibility and probable cost of constructing a canal from the Tennessee River, at or near the city of Chattanooga, in the State of Tennessee, to the navigable waters of the Ocmulgee River, in the State of Georgia, by which there will be furnished adequate water communication by the shortest and most practicable route between the Atlantic Ocean and the navigable waters in the rivers of the Mississippi Valley; to the Committee on Commerce.

A bill (S. 869) to establish a fish-hatching and fish-cultural station for the hatching and propagation of shad upon or near the seacoast in the State of Georgia; to the Committee on Fisheries.

A bill (S. 870) to parole United States prisoners, and for other purposes; to the Committee on the Judiciary.

A bill (S. 871) for the relief of heirs of Gunther Peters, deceased;

A bill (S. 872) for the relief of James Peek;

A bill (S. 873) for the relief of the heirs of George W. Perkerson, deceased;

A bill (S. 874) for the relief of Mary Perkinson;

A bill (S. 875) for the relief of the heirs of J. S. Perkerson, deceased;

A bill (S. 876) for the relief of the heirs of James Peek, deceased;

A bill (S. 877) for the relief of heirs of Gabriel Parks, deceased;

A bill (S. 878) for the relief of the heirs of Larkin Nash, deceased;

A bill (S. 879) for the relief of heirs of Duncan Murchinson, deceased;

A bill (S. 880) for the relief of the heirs of Willis Miller, deceased;

A bill (S. 881) for the relief of heirs of Charles P. McLain, deceased;

A bill (S. 882) for the relief of heirs of Solomon Kemp, deceased;

A bill (S. 883) for the relief of the heirs of William Kile, deceased;

A bill (S. 884) for the relief of the heirs of John M. King, deceased;

A bill (S. 885) for the relief of heirs of James M. Lawrence, deceased;

A bill (S. 886) for the relief of the heirs at law of John G. Lawton, deceased;

A bill (S. 887) for the relief of the heirs of Elisha Lowry;

A bill (S. 888) for the relief of the heirs of Elisha Mashburn, deceased;

A bill (S. 889) for the relief of the heirs of Anderson Mayfield, deceased;

A bill (S. 890) for the relief of the heirs of Mrs. Ellen McAllister, deceased;

A bill (S. 891) for the relief of the heirs of William McConnell, deceased;

A bill (S. 892) for the relief of heirs of D. M. McCurry, deceased;

A bill (S. 893) for the relief of the estate of Abraham M. Weaver, deceased;

A bill (S. 894) for the relief of Mary Wellmaker;

A bill (S. 895) for the relief of the heirs of William Wilmoth, deceased;

A bill (S. 896) for the relief of P. A. Wingate;

A bill (S. 897) for the relief of the estate of William F. Youngblood, deceased;

A bill (S. 898) for the relief of Jesse J. Bull;

A bill (S. 899) for the relief of B. C. Green;

A bill (S. 900) for the relief of the estate of James Hart, deceased;

A bill (S. 901) for the relief of the heirs of William H. Harvill, deceased;

A bill (S. 902) for the relief of the heirs or estate of Jackson Higginbotham, deceased, and others;

A bill (S. 903) for the relief of the heirs of Matthew Higginbotham, deceased;

A bill (S. 904) for the relief of Jane Holbrook;

A bill (S. 905) for the relief of heirs of James Johnson, deceased;

A bill (S. 906) for the relief of the heirs of James Jordan, deceased;

A bill (S. 907) for the relief of heirs of Mark M. Shipp, deceased;

A bill (S. 908) for the relief of heirs of Zebudee Slaton, deceased;

A bill (S. 909) for the relief of Burrel C. Smith;

A bill (S. 910) for the relief of the heirs of Lawrence Smith, deceased;

A bill (S. 911) for the relief of the heirs of Blueford D. Smith, deceased;

A bill (S. 912) for the relief of heirs of John W. Stallings, deceased;

A bill (S. 913) for the relief of the heirs of Joseph Summerlin, deceased;

A bill (S. 914) for the relief of the heirs at law of Allen Tarver, deceased;

A bill (S. 915) for the relief of the heirs of A. K. Tribble, deceased;

A bill (S. 916) for the relief of Walter Wadsworth;

A bill (S. 917) for the relief of the heirs of Robert H. Walthour and Taylor Walthour, deceased;

A bill (S. 918) for the relief of the heirs of Mary E. Wash, deceased;

A bill (S. 919) for the relief of heirs of James Watts, deceased;

A bill (S. 920) for the relief of heirs of William Fenn, deceased;

A bill (S. 921) for the relief of the heirs of John Fisher, deceased;

A bill (S. 922) for the relief of heirs of Wiley Franks, deceased;

A bill (S. 923) for the relief of the heirs of Noah Fugate, deceased;

A bill (S. 924) for the relief of heirs of W. M. Gamel, deceased;

A bill (S. 925) for the relief of heirs of William R. Poole, deceased;

A bill (S. 926) for the relief of Mary A. F. Preston;

A bill (S. 927) for the relief of the heirs of Mrs. Hannah Pruett, deceased;

A bill (S. 928) for the relief of heirs of William B. Quinn, deceased;

A bill (S. 929) for the relief of Micajah Rasbury;

A bill (S. 930) for the relief of George T. Reeves;

A bill (S. 931) for the relief of heirs of Bennett Robertson, deceased;

A bill (S. 932) for the relief of heirs of C. E. Rosser, deceased;

A bill (S. 933) for the relief of the heirs of Nancy Scroggins, deceased;

A bill (S. 934) for the relief of Otto Seiler, administrator of the estate of Carl Weiland, deceased;

A bill (S. 935) for the relief of the heirs at law of Mary A. Cameron and John Cameron, deceased;

A bill (S. 936) for the relief of the heirs of Andrew J. Casey, deceased;

A bill (S. 937) for the relief of the estate of Cornelius P. Cassin, deceased;

A bill (S. 938) for the relief of the heirs of Nancy Cates, deceased;

A bill (S. 939) for the relief of Thomas S. Causey;

A bill (S. 940) for the relief of Mrs. Susanna M. Clay;

A bill (S. 941) for the relief of the heirs of Mrs. Eliza A. Clay, deceased;

A bill (S. 942) for the relief of the heirs of Carr Cox, deceased;

A bill (S. 943) for the relief of the heirs of Benjamin F. Crowley, deceased;

A bill (S. 944) for the relief of the heirs of Eliza Ann Davis, deceased;

A bill (S. 945) for the relief of Mrs. S. A. Dunn;

A bill (S. 946) for the relief of the heirs at law of William C. Dixon, deceased;

A bill (S. 947) for the relief of the heirs at law of Charles Evans, deceased;

A bill (S. 948) for the relief of Mrs. Mary Fagan;

A bill (S. 949) for the relief of Virgil H. Burns;

A bill (S. 950) for the relief of the heirs of Greenberry Backus, deceased;

A bill (S. 951) for the relief of heirs of William A. Baggs, deceased;

A bill (S. 952) for the relief of heirs of Aleck Baswell, deceased;

A bill (S. 953) for the relief of the heirs of Henry Bennett, deceased;

A bill (S. 954) for the relief of the heirs of John C. Bowden, deceased;

A bill (S. 955) for the relief of the heirs of L. G. Brantley, deceased;

A bill (S. 956) for the relief of William B. Brooks;

A bill (S. 957) for the relief of the heirs of W. S. Brown, deceased;

A bill (S. 958) for the relief of the heirs of William Bullard, deceased;

A bill (S. 959) for the relief of the heirs of Seaborn J. Burk, deceased;

A bill (S. 960) for the relief of the heirs of Lydia Golasby, deceased;

A bill (S. 961) for the relief of the heirs of Clark Gorham, deceased;

A bill (S. 962) for the relief of the legal representatives of Anderson Abercrombie, deceased;

A bill (S. 963) for the relief of the heirs of E. H. Abercrombie;

A bill (S. 964) for the relief of heirs of William Adams, deceased;

A bill (S. 965) for the relief of heirs of George N. Anderson, deceased; and

A bill (S. 966) for the relief of Elizabeth A. C. Galloway (with an accompanying paper); to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 967) granting an increase of pension to Clifford Fetter (with the accompanying paper); and

A bill (S. 968) granting an increase of pension to Samuel R. Shirley (with the accompanying papers); to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 969) granting an increase of pension to Asa B. Henry (with the accompanying paper); to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 970) granting an increase of pension to Reuben R. Wilkinson; and

A bill (S. 971) granting a pension to Betsey A. Lockwood; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 972) granting a pension to Augustus E. Davis (with the accompanying paper); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 973) for the relief of the heirs of Lewis D. Brown; and

A bill (S. 974) for the relief of Albert S. Henderer; to the Committee on Claims.

A bill (S. 975) to establish a fish-cultural station in the State of Delaware; to the Committee on Fisheries.

A bill (S. 976) granting a pension to William H. Burton (with the accompanying papers);

A bill (S. 977) granting a pension to Samuel C. Bailey (with accompanying papers); and

A bill (S. 978) granting an increase of pension to George E. Ward (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 979) providing for the erection of a public building at McAlester, Okla.;

A bill (S. 980) providing for the erection of a public building at Tulsa, Okla.;

A bill (S. 981) providing for the erection of a public building at Shawnee, Okla.;

A bill (S. 982) to provide for the erection of a public building at Vinita, Okla.;

A bill (S. 983) providing for the erection of a public building at Chickasha, Okla.; and

A bill (S. 984) providing for the erection of a public building at Ardmore, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. DOLLIVER:

A bill (S. 985) granting an increase of pension to William S. Smith; and

A bill (S. 986) granting an increase of pension to Alfred Evans; to the Committee on Pensions.

A bill (S. 987) for the relief of Florence Lambert; and

A bill (S. 988) to compensate the estate of Eber Currie, deceased, for damages sustained by said estate by reason of the death of said Eber Currie while in the service of the United States as a locomotive engineer in the construction of the Panama Canal; to the Committee on Claims.

By Mr. BROWN:

A bill (S. 989) granting a pension to Nellie A. Getchell; and

A bill (S. 990) granting an increase of pension to Gus D. Robison; to the Committee on Pensions.

By Mr. DICK:

A bill (S. 991) authorizing the appointment of Col. T. J. Kirkman, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army;

A bill (S. 992) authorizing the appointment of Col. H. R. Brinkerhoff, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army;

A bill (S. 993) to remove the charge of desertion against Adam B. Ackerman;

A bill (S. 994) to amend the military record of Charles W. Fillmore;

A bill (S. 995) authorizing the President to place William Welsh on the retired list with the rank of captain;

A bill (S. 996) authorizing the appointment of Col. S. A. Day, U. S. Army, retired, to the rank and grade of brigadier-general on the retired list of the army;

A bill (S. 997) to correct the military record of Samuel Cole;

A bill (S. 998) to correct the military record of Lora E. Reed;

A bill (S. 999) for the relief of John W. Lewis;

A bill (S. 1000) for the relief of John F. Lewis;

A bill (S. 1001) for the relief of William W. Johnson;

A bill (S. 1002) for the relief of Theodore D. McCaddon;

A bill (S. 1003) to correct the military record of George W. Pellon;

A bill (S. 1004) for the relief of Edward Byrne;

A bill (S. 1005) for the relief of Harlow L. Street;

A bill (S. 1006) for the relief of John A. Wanless;

A bill (S. 1007) for the relief of William H. W. Krebs;

A bill (S. 1008) to correct the military record of George G. Patterson;

A bill (S. 1009) to correct the military record of Erwin M. Harley, alias Erwin M. Bergstresser;

A bill (S. 1010) to correct the military record of Frank Wempe;

A bill (S. 1011) to correct the military record of William H. Garrett; and

A bill (S. 1012) to correct the military record of James Kane; to the Committee on Military Affairs.

A bill (S. 1013) for the relief of David W. Stockstill; to the Committee on Claims.

A bill (S. 1014) for the relief of John Thomas Power; and

A bill (S. 1015) authorizing the appointment of dental surgeons in the navy; to the Committee on Naval Affairs.

A bill (S. 1016) for the relief of the Bridgeport National Bank, Bridgeport, Ohio; to the Committee on Finance.

By Mr. BACON:

A joint resolution (S. J. R. 10) proposing an amendment to the Constitution of the United States respecting the succession to the Presidency in certain cases; to the Committee on Privileges and Elections.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. NELSON (for Mr. CLAPP) submitted the following resolution (S. Res. 13), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 13.

Resolved, That the Committee on Indian Affairs be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON FINANCE.

Mr. BACON. I offer the resolution I send to the desk.

Mr. TALIAFERRO. I suggest the absence of a quorum. I think the Senate ought to hear the resolution.

The VICE-PRESIDENT. The Senator from Florida suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Culberson	Heyburn	Rayner
Bankhead	Cullom	Hughes	Richardson
Bradley	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Jones	Scott
Briggs	Depew	Kean	Simmons
Bristow	Dick	La Follette	Smith, Md.
Brown	Dillingham	McCumber	Smith, Mich.
Bulkeley	Dolliver	Martin	Stone
Burnham	du Pont	Money	Taliaferro
Carter	Elkins	Nelson	Taylor
Clapp	Frazier	Oliver	Warner
Clay	Gamble	Overman	Warren
Crane	Guggenheim	Page	Wetmore
Crawford	Hale	Paynter	

Mr. JONES. I desire to state that my colleague [Mr. PILES] was called out of the city on account of sickness in his family.

Mr. MONEY. I wish to state that my colleague [Mr. McLAURIN] is absent, sick.

Mr. STONE. I have been requested to announce that the junior Senator from Arkansas [Mr. DAVIS] is absent by reason of very serious illness.

The VICE-PRESIDENT. Fifty-five Senators have answered to their names. There is a quorum present. The resolution submitted by the Senator from Georgia [Mr. BACON] will be read by the Secretary.

The Secretary read the resolution (S. Res. 14), as follows:

Senate resolution 14.

Resolved, That in the opinion of the Senate all hearings by the Finance Committee of the Senate, or by the majority of said committee, for the purpose of examining witnesses or of hearing the statements or information from them to aid in the framing of the tariff bill or amendments thereto should be open to all the members of the Finance Committee, in order that any member of said Finance Committee may have the opportunity to question or cross-examine said witnesses or parties.

Mr. HALE. Let it go over, Mr. President.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. The Senator from Maine objects, and the resolution will go over.

Mr. BACON. I think I have the floor. I offered the resolution. I was not going to ask for present consideration. I simply desire to say one word.

Mr. HALE. I do not object.

Mr. BACON. I am not going to ask for present consideration. I had no such intention.

The VICE-PRESIDENT. The resolution goes over. The Senator from Georgia is recognized.

Mr. BACON. I desire, before the resolution goes over, simply to say this: I am not a member of the Finance Committee, and therefore have no personal interest in the purposes of the resolution. I very freely and frankly recognize the propriety of the majority of the committee holding their deliberations, if they desire to do so, separately and apart from the minority of the committee. But when it comes to the question of hearing witnesses who may be formally summoned or parties who may voluntarily appear for the purpose of giving information or presenting views which they may think important to be heard by the committee in order that they may properly frame a bill, I think it is scarcely open to argument that the entire committee ought to have the opportunity to be present at the time the information is given, and that it is not sufficient that the testimony or the information shall be taken down stenographically and that other members of the committee who are debarred from the hearing may afterwards have the opportunity to read it. It is of the utmost importance that Senators may be present for the purpose of examining those who are there as witnesses or who may be there voluntarily to give information. I do not desire to say more than this, Mr. President, because the resolution goes over, and doubtless there will be a full discussion upon the question.

The VICE-PRESIDENT. The resolution goes over.

Mr. HALE. There is no objection, of course, and can not be, to the resolution formally coming before the Senate, as it will at its next session; and then there will be full opportunity to debate it and to show what is the course of the proceeding now going on and what it has been heretofore.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. BRADLEY submitted the following resolution (S. Res. 16), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 16.

Resolved, That the Committee on Expenditures in the Department of Justice be, and is hereby, authorized to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of $1,440 per annum.

CONFERENCE ON CARE OF DEPENDENT CHILDREN.

Mr. LA FOLLETTE. I offer a concurrent resolution and ask for its present consideration. I do not think there will be any objection to it.

The Secretary read the concurrent resolution (S. C. Res. 3), as follows:

Senate concurrent resolution 3.

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 additional copies of Senate Document No. 721, Sixtieth Congress, second session, being a report of the proceedings of the conference on the care of dependent children held at Washington, D. C., January 25 and 26, 1909; 5,000 copies for the use of the Senate, and 5,000 copies for the use of the House of Representatives.

Mr. KEAN. I should like to ask the Senator from Wisconsin whether he has made inquiry as to the cost.

Mr. LA FOLLETTE. I have not made inquiry as to the cost. I made inquiry as to the number in the document room.

Mr. KEAN. If the cost is over $500, the Senate has no right to order it except on a report of the Committee on Printing.

Mr. LA FOLLETTE. Then I will ask to have the resolution go over until the next meeting of the Senate.

Mr. KEAN. Let it go to the Committee on Printing. It can then be reported back.

Mr. LA FOLLETTE. All right; let it go to the Committee on Printing.

The VICE-PRESIDENT. The concurrent resolution will be, without objection, referred to the Committee on Printing.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 2 o'clock and 5 minutes p. m.) the Senate adjourned until Thursday, April 1, 1909, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 29, 1909.

CONSUL-GENERAL.

James T. Du Bois, of Pennsylvania, now law clerk of the Department of State, to be consul-general of the United States

Anderson Abercrombie, deceased;

A bill (S. 963) for the relief of the heirs of E. H. Abercrombie;

on the retired list of the army;

A bill (S. 997) to correct the military record of Samuel Cole;

Mr. BACON. Mr. President——

The VICE-PRESIDENT. The Senator from Maine objects, and the resolution will go over.

James T. Du Bois, of Pennsylvania, now law clerk of the Department of State, to be consul-general of the United States

of America of class 5, at Singapore, Straits Settlements, vice Thornwell Haynes.

ASSISTANT SECRETARY OF THE TREASURY.

Charles Dyer Norton, of Illinois, to be Assistant Secretary of the Treasury, in place of Beekman Winthrop, resigned.

SOLICITOR-GENERAL OF THE UNITED STATES.

Lloyd W. Bowers, of Illinois, to be Solicitor-General of the United States, vice Henry M. Hoyt, whose resignation has been accepted to take effect March 31, 1909.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF NEW MEXICO.

Ira A. Abbott, of Massachusetts, to be associate justice of the supreme court of New Mexico. A reappointment, his term having expired on January 9, 1909.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Second Lieut. George E. Price, Tenth Cavalry, to be first lieutenant from January 8, 1909, vice Chapman, Fourteenth Cavalry, promoted.

Second Lieut. Isaac S. Martin, Fifteenth Cavalry, to be first lieutenant from January 28, 1909, vice Lippincott, Fourteenth Cavalry, promoted.

Second Lieut. Raymond S. Bamberger, Seventh Cavalry, to be first lieutenant from February 26, 1909, vice Parker, Second Cavalry, promoted.

Second Lieut. George A. Somerville, Third Cavalry, to be first lieutenant from March 23, 1909, vice Winters, Thirteenth Cavalry, promoted.

PROMOTIONS IN THE NAVY.

Ensign Bradford Barnette to be a lieutenant (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade.

Lieut. (Junior Grade) Bradford Barnette to be a lieutenant in the navy from the 2d day of February, 1909, to fill a vacancy existing in that grade on that date.

Asst. Paymaster Edward R. Wilson to be a passed assistant paymaster in the navy from the 8th day of July, 1908, to fill a vacancy existing in that grade on that date.

Second Lieut. Clayton B. Vogel to be a first lieutenant in the United States Marine Corps from the 25th day of February, 1908, vice Second Lieut. William L. Burchfield, who was due for promotion, but failed to qualify therefor.

Boatswain Edwin Murphy to be a chief boatswain in the navy from the 8th day of September, 1908, after the completion of six years' service in the present grade.

REGISTER OF THE LAND OFFICE.

Jose Gonzales, of Las Cruces, N. Mex., to be register of the land office at Las Cruces, N. Mex., vice Eugene Van Patten, resigned.

POSTMASTERS.

CALIFORNIA.

Cyrus F. Demsey to be postmaster at Mojave, Cal. Office becomes presidential April 1, 1909.

ILLINOIS.

Willard C. Magner to be postmaster at Morris, Ill., in place of Henry C. Claypool, deceased.

INDIANA.

Charles H. Bell to be postmaster at Ossian, Ind. Office became presidential January 1, 1909.

IOWA.

J. W. Colvig to be postmaster at Lake City, Iowa, in place of William C. Snyder. Incumbent's commission expired January 14, 1909.

KANSAS.

Charles Friskel to be postmaster at Frontenac, Kans. Office becomes presidential April 1, 1909.

MASSACHUSETTS.

Benjamin W. Brown to be postmaster at Northbridge, Mass. Office becomes presidential April 1, 1909.

MICHIGAN.

Thomas A. Dailey to be postmaster at Adrian, Mich., in place of Frank E. Priddy, deceased.

Robert E. Newville to be postmaster at Boyne, Mich., in place of Robert E. Newville. Incumbent's commission expired February 8, 1909.

M. Byron Pierce to be postmaster at Farmington, Mich. Office becomes presidential April 1, 1909.

MINNESOTA.

Lewis O. Norheim to be postmaster at Montevideo, Minn., in place of Lewis O. Norheim. Incumbent's commission expired December 16, 1908.

Harry E. Woodis to be postmaster at Amboy, Minn., in place of David E. Cross, resigned.

NEVADA.

Katherine Cannon to be postmaster at Rawhide, Nev. Office becomes presidential April 1, 1909.

NEW HAMPSHIRE.

Frank I. Morrill to be postmaster at Contoocook, N. H., in place of William A. Patterson, resigned.

NEW YORK.

Edward V. Baker to be postmaster at Marcellus, N. Y., in place of Watson J. Matteson. Incumbent's commission expired March 1, 1909.

Benjamin E. Jones to be postmaster at Nundá, N. Y., in place of Benjamin E. Jones. Incumbent's commission expired February 12, 1907.

Frederic J. Merriman to be postmaster at Madrid, N. Y., in place of Frederic J. Merriman. Incumbent's commission expired January 11, 1909.

Ambrose C. Montrose to be postmaster at Larchmont, N. Y., in place of Ambrose C. Montrose. Incumbent's commission expired February 27, 1909.

OHIO.

Charles H. Ellis to be postmaster at Yellow Springs, Ohio, in place of Charles H. Ellis. Incumbent's commission expired March 1, 1909.

Emley B. Gatch to be postmaster at Milford, Ohio, in place of Emley B. Gatch. Incumbent's commission expired February 10, 1909.

Seymour S. Tibbals to be postmaster at Franklin, Ohio, in place of Seymour S. Tibbals. Incumbent's commission expired February 10, 1909.

OKLAHOMA.

James L. Admire to be postmaster at Fairview, Okla. Office became presidential January 1, 1907.

A. M. Brixey to be postmaster at Mounds, Okla., in place of William R. Casteel, resigned.

Edward O. Butler to be postmaster at Durant, Okla., in place of William H. Hilton, deceased.

John C. Byrd to be postmaster at Wagoner, Okla., in place of Samuel S. Cobb. Incumbent's commission expired February 12, 1907.

William N. Walker to be postmaster at Stillwater, Okla., in place of Charles F. Neerman. Incumbent's commission expired December 20, 1906.

Frank V. Wright to be postmaster at Lawton, Okla., in place of Josiah T. White. Incumbent's commission expired December 20, 1906.

PENNSYLVANIA.

Helen P. Howell to be postmaster at West Alexander, Pa. Office became presidential January 1, 1909.

Arthur H. Rider to be postmaster at Freedom, Pa., in place of Arthur H. Rider. Incumbent's commission expired January 6, 1909.

SOUTH CAROLINA.

James F. Hunter to be postmaster at Lancaster, S. C., in place of James F. Hunter. Incumbent's commission expired March 1, 1909.

VIRGINIA.

Robert Irby to be postmaster at Appomattox, Va. Office became presidential January 1, 1909.

WEST VIRGINIA.

J. F. Hudson to be postmaster at Charleston, W. Va., in place of John E. Dana. Incumbent's commission expired December 12, 1908.

WISCONSIN.

Thomas H. Wylie to be postmaster at Owen, Wis. Office becomes presidential April 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 29, 1909.

CONSUL-GENERAL.

Edward D. Winslow to be consul-general of the United States at Stockholm, Sweden.

COLLECTOR OF CUSTOMS.

Edward W. Durant, jr., to be collector of customs for the district of Charleston, in the State of South Carolina.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer Charles Edward Sugden to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Benjamin Curtis McFadden to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Francis Ellery Fitch to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Kurt Wolfgang Krafft to be third lieutenant of engineers in the Revenue-Cutter Service.

PROMOTIONS IN THE NAVY.

Lieut. Hilary Williams to be a lieutenant.

Commander De Witt Coffman to be a captain.

Commander Thomas D. Griffin to be a captain.

Lieut. Commander Charles M. McCormick to be a commander.

The following-named ensigns to be lieutenants (junior grade):

David McD. Le Breton,
Carl A. Richter,
Husband E. Kimmel,
Robert A. Dawes,
Arthur G. Caffee,
Clyde S. McDowell,
Charles C. Soule, jr., and
Luman E. Morgan.

The following-named lieutenants (junior grade) to be lieutenants:

David McD. Le Breton,
Carl A. Richter,
Husband E. Kimmel,
Robert A. Dawes,
Arthur G. Caffee,
Clyde S. McDowell,
Charles C. Soule, jr., and
Luman E. Morgan.

Second Lieut. Allen M. Sumner to be a first lieutenant in the Marine Corps.

CHAPLAIN IN THE NAVY.

Hugh M. T. Pearce to be a chaplain.

RECEIVER OF PUBLIC MONEYS.

John C. Ing to be receiver of public moneys at Sacramento, Cal.

POSTMASTERS.

ARIZONA.

Frank E. Smith, at Jerome, Ariz.

CALIFORNIA.

Ora R. Miller, at El Centro, Cal.
Flora B. Reynolds, at Mill Valley, Cal.

ILLINOIS.

Edgar N. Carter, at Oakland, Ill.
Edward Cole, at Marshall, Ill.
R. E. Mabry, at Fairfield, Ill.
Milton M. Pate, at Sandoval, Ill.

IOWA.

William Stuart, at Armstrong, Iowa.

KANSAS.

Elva B. Hilton, at Attica, Kans.
Charles S. Raines, at Galena, Kans.

KENTUCKY.

Mike Hughes, at Shelbyville, Ky.

MASSACHUSETTS.

William R. Brooks, at Beverly Farms, Mass.
Fred D. Walker, at Belchertown, Mass.

MINNESOTA.

Charles G. Spaulding, at Mapleton, Minn.
Robert S. Tucker, at Lake Benton, Minn.

MISSOURI.

Sebastian Netscher, at Pacific, Mo.
James F. Rhea, at Dixon, Mo.

MONTANA.

Eugene R. Clingan, at Belt, Mont.
Paul C. Long, at Taft, Mont.

NEW YORK.

William L. Cooke, at Edmeston, N. Y.
Peter S. Krum, at Afton, N. Y.
Isaac M. Smith, at Alden, N. Y.
Charles M. Walrath, at Ellicottville, N. Y.
Nathan P. Wild, at Valatie, N. Y.

OREGON.

Byron A. Washburne, at Springfield, Oreg.

PENNSYLVANIA.

James C. McGregor, at Indiana, Pa.
Frank A. Springer, at Belle Vernon, Pa.

TEXAS.

George W. Crossman, at Garland, Tex.
Thomas H. Danforth, at Goliad, Tex.
Joseph Fohn, at Hondo, Tex.
Mary S. Parish, at Huntsville, Tex.
James B. Seargent, at Orange, Tex.
S. P. Stubbs, at Lubbock, Tex.

WASHINGTON.

DeWitt C. Hostetter, at Sumner, Wash.

WEST VIRGINIA.

J. F. Hudson, at Charleston, W. Va.

WISCONSIN.

Christian A. Hansen, at Stoughton, Wis.

WITHDRAWAL.

Executive nomination withdrawn from the Senate March 29, 1909.

UNITED STATES DISTRICT JUDGE.

Thomas R. Lyons, of Alaska, to be United States district judge, first division, district of Alaska.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 29, 1909.*

The House met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of Saturday's proceedings was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for general leave to print on House bill 1438 up to ten legislative days after the final vote on the passage of the bill in the House.

Mr. CLARK of Missouri. The vote on this bill, and when it passes the House?

Mr. PAYNE. The final vote on this bill in the House.

Mr. CLARK of Missouri. That is this particular bill pending here now?

Mr. PAYNE. I do not mean after the conference report comes in, or anything of that kind, but after the passage of this bill.

Mr. CLARK of Missouri. I just wanted to have it clear.

The SPEAKER. The gentleman from New York asks unanimous consent for general leave to print on this bill for ten days after the passage of the bill by the House. Is there objection?

Mr. PAYNE. Upon the subject of the bill.

The SPEAKER. On this bill. The Chair hears no objection.

Mr. PAYNE. I move that the House resolve itself into Committee of the Whole House on the state of Union for the further consideration of the bill H. R. 1438.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union, for the further consideration of the bill H. R. 1438, the tariff bill.

Mr. FORNES. Mr. Chairman, I desire to be as brief as possible in calling the attention of the House and the country to what, in my judgment—formed by many years of business experience and observation in our country and abroad—are grave defects, and consequently unjust conclusions of facts, in the pending tariff bill. If tariff is a tax, as it truly is, then the bill proposed may well be defined as a dishonest tax on the many for the benefit of the favored few. The difficulties existing and ever arising in obtaining the necessaries of life and the comforts of home ever have been, and ever will be as long as the world exists, the life struggle of the masses against vested advantages of special struggle of the masses against vested advantages of special classes. If this bill becomes a law, then I predict that the vantage of the favored classes will be more pronounced and that the laborer, the mechanic, the agriculturist, the small manufacturer, and the commercial house will meet greater difficul-

becomes presidential April 1, 1909.

at Stockholm, Sweden.

Peter S. Krum, at Afton, N. Y.

ties in earning a fair livelihood. The necessaries of life are agricultural products and provisions. Schedule G of the contemplated tariff bill increases the taxation on these from $18,161,265 to $32,171,658, an increase of $14,010,393, and on cotton products, the poor man's wearing apparel, and largely house furnishing material, $1,056,847. The greater amount of the fourteen-million increase consists of the proposed duty on tea, namely, eight million.

Mr. Chairman, it has been, and still is, a proverbial rule that only about 5 per cent of commercial men are successful; that is, gain a fair livelihood and accumulate enough for old age and family demands. The record of time has established few exceptions to this calculation, hence we may assume that 95 per cent of the people must render lifelong labor for self-support. Two items alone in the bill submitted by the Republican members of the Ways and Means Committee impose an additional cost of $15,000,240 annually upon the laboring classes. Is this just? Is it honorable? It may be, according to the doctrine and practices of the Republican party—to protect the interests of the favored few at the cost of the many, to enrich the rich and impoverish the poor. When compared, how noble and beneficent seem the doctrines of Democracy to-day, and as they have ever been—watchful of the welfare of the masses, lessening their costs of necessaries of life, and so increasing the value of their labor and business interests.

I admit the necessity of sufficient revenues for the effective and economical support of the Government, but I do not for one moment admit the justice of the Republican doctrine as again exemplified in the so-called "Payne bill," of a protective tariff and only inasmuch as affects the difference of cost of labor. In this respect I may properly quote the excellent theory of Daniel Webster, pronounced in his great speech in Faneuil Hall in 1820, referring to the policy of protection. He stated:

> To individuals, this policy is as injurious as it is to the Government. A system of artificial protection tends to the people too much reliance on the Government. If left to their own choice of pursuits, they depend on their own skill and industry. But if the Government essentially affects their occupations by its systems of bounties and preferences, it is natural, when in distress, that they should call on the Government for relief. Hence a perpetual contest carried on between the different interests of society. Agriculturists taxed to-day to sustain manufacturers, commerce taxed to-morrow to sustain the agriculturists, and their impositions, perhaps, on both manufacturers and agriculturists to support commerce. And when the Government has exhausted its invention in these modes of legislation, it finds the result less favorable than the original and natural state and course of things.

He could hardly conceive of anything worse than a policy which should place the great interests of the country in hostility to one another—a policy which should keep them in constant conflict and bring them periodically to fight their battle in Congress. A protective tariff never has and never can give stability and satisfaction to its own beneficiaries. Its natural aim is to attain a prohibitive figure. For instance, consider the demands of our woolen manufacturers to-day—demanding the same protection they now possess and have since 1867—and are promised it, because I believe the Ways and Means Committee at the hearings, it seems, heard only those witnesses who were favorable to the retention of the present tariff, excepting on the very low grades of woolens. I have frequently visited important sections of woolen factories in Europe, purchasing from the manufacturer; and from information obtained there, declare wages in the mills there are not 100 per cent lower than in our woolen mills, as stated at the hearings.

Forty per cent higher is an extreme figure. Owing to improved machinery, lower rate of interest, lower rate of freight, greater skill of our weavers, lower cost of material, it seems to me preposterous for our manufacturers to claim that they need or will need in the future as high a tariff as the present law imposes. When I note the statements and demands of the National Association of Wool Manufacturers, how verified become the predictions made by Daniel Webster in 1820, how significant the patriotic declaration made by the wool manufacturers in 1857, when it was proposed to increase the duty on woolens, stating, "Let us alone." The fact should not be overlooked that a hundred per cent tariff on woolens prevents fair competition; hence increases the price to the consumer, which is again a burden on ninety-five out of every hundred people of our country. To justify their request to retain the present tariff, they call attention to the small dividends paid by the mill corporations, but they do not allude to the over-capitalization or gross profits. Why should the duty on wool remain nominally the same? Is it to help the meat trust? Is it to prevent our wool manufacturers selling in the markets of the world, thereby gaining wealth for our country and a larger demand for labor? In 1908 the wool production was 311,000,000 pounds. The normal demand of our wool manufacturers is quoted to be 500,000,000 pounds annually; hence we import about 200,000,000 pounds, realizing a revenue of about $20,000,000. Suppose the manufacturer could obtain his wool 10 per cent cheaper; then it would eliminate the $20,000,000 tariff outlay and, reducing the ad valorem duty on imported cloth from 50 to 40 per cent, it would, I feel confident, still enable the American manufacturer to protect wages and, moreover, sell in the foreign markets. Again, why should the woolgrowing industry receive a bounty of fully 30 per cent? Surely the trifling expenditure of cost of labor to feed and shear a flock of sheep does not warrant it; nor does the higher cost of grazing land in our country as compared with similar land and shipping facilities in other sections of the world. The wool schedule ought to be reduced fully 20 per cent. It would be no injustice, and it would reduce the cost of clothing to the millions only earning a bare existence. When we contemplate the principal sources of our wool production and find that of the 311,000,000 pounds produced in 1908 271,000,000 pounds were grown in so-called "safe" Republican States, about 20,000,000 in doubtful States, and the balance in Democratic States, the tenacity with which the Republican party adheres to its policy of pretended protective tariff on wool is very clear and significant.

It can not or will not understand that the wisest commercial policy is and ever will be for any nation having the natural resources we possess to so apply them that the finished product thereof can be sold in the markets of the world, and if so, home consumption can be obtained at the least cost. The expansion of trade creates an active and steady labor market. Reduced cost of living and steady employment more than equalizes a slight reduction perchance of wages. Our cotton mills compete successfully with the manufacturers of the world, pay relatively as high wages as are paid in any industry, and why? Simply because they obtain the raw material as cheap as do their competitors. American genius, coupled with the best mill equipments, has made our cotton products the foremost in the world's market value. An unbiased, scientific, just tariff on our wool and woolens would soon place our wool manufacturers in the same proud position. Even if it would increase importation, it would not only proclaim to all the people our conception of the best and broadest "international commercial policy" is to sell in all markets possible, and not prohibit foreign markets on account of our excessive tariff to sell to us. To "live and let live" is as good a motto between nations as between individuals. If our woolen manufacturers could, under a just and liberal tariff, sell but 5 per cent of their four hundred millions of annual production in foreign markets and importations would be increased by that amount it would not only stimulate international trade, but it would add to the Government's revenue at least fifteen millions of dollars, thereby making it entirely unnecessary to put the extremely unjust tariff of 8 cents a pound on tea or any tax on coffee and lumber. In this connection I desire to express my emphatic disapproval of a specific tax on tea. If it is to be taxed, it should be on an ad valorem basis, thereby increasing the cost only as the value increases. Mr. Chairman, a further study of the bill shows only an increase of 3¾ per cent on imported spirits and wines. If the proclaimed object of the revision of the tariff is to raise sufficient revenue to meet the government expenditures is true, then, in all fairness, why was not the duty raised at least 10 per cent on such a luxury as champagne? It surely would not affect the poor man's pocket as will the tariff on tea, coffee, chicory, also women's wearing apparel, or an increased tariff on beer, the people's beverage, and already excessively taxed for local and national revenue.

The increased duties average fully 50 per cent on many family necessities, but champagne, a prominent item in the spirit and wine schedule, pays a duty of about 40 per cent of its value, as heretofore. The several petitions I received, signed by hundreds of honored citizens, residents of my district, protesting against the contemplated unjust tax on tea and coffee, should be heeded by Congress, because their appeal is most considerate and just. In place of an inheritance tax, which is already imposed by most of the States of the Union, and justly so, because the property is subject to the jurisdiction and responsibilities of the state or local government, the National Government could properly impose a tax of 2 per cent on dividends paid by all corporations, whether incorporated by national or state laws. It would be least burdensome and uniformly collected at a minimum cost. In this connection I desire to state that I have always been of the opinion that a graded income tax for national revenue is proper, based on property value, because the peaceful possession and protection of such property of a citizen, wherever situated, is guaranteed by

the Government. The greater the extent and value of such property, the greater the degree of responsibility of the Government, and therefore the justice of a varying percentage on a personal income. The proper schedule, in my judgment, would be one-half of 1 per cent on an income of less than $1,000 annually, 1 per cent on $1,000 to $2,000, 1½ per cent on $2,000 to $4,000, 2 per cent on $4,000 to $6,000, 2½ per cent on $6,000 to $10,000, 3 per cent on $10,000 to $20,000, 3½ per cent on $20,000 to $40,000, 4 per cent on $40,000 to $60,000, 4½ per cent on $60,000 to $100,000, 5 per cent on $100,000 and over. I am fully aware that objections are made to an income tax on account of its doubtful constitutionality and also its inquisitorial nature. In answer to such objections, I will state regarding the first one, if it is illegal it should be legalized by a constitutional amendment; the second one, that it is no more of a personal nature than is a personal tax. I have full faith in the honesty of our American citizenship, therefore believe it would be readily and conscientiously paid. It would at all times produce sufficient revenue for urgently needed improvements of our waterways and the creation of new ones, especially the proposed ship canal connecting Lake Erie with Lake Michigan, thereby lessening freight charges, hence decreased cost to the consumer, and the enlargement of exportations, and thus a rapid increase of the Nation's wealth. I sincerely believe that the suggestions contained in these brief remarks are worthy of the serious consideration of Congress, to the end that taxes should be levied where they are least burdensome.

Mr. GOULDEN. Mr. Chairman, the various schedules of the proposed tariff bill, known as the "Payne measure," have been thoroughly thrashed out since its introduction a week or more ago.

I shall not confine myself strictly to the bill, but discuss the principles on which the fabric rests.

Of recent years the so-called "economic interpretation" of history has been making headway among the students of the human race and its civilization; and beyond question there is a great measure of weight back of the principle that human progress and uplift from savagery has been furthered more by economic desires than by any other measure of progress or civilization, with the possible exception of religion. The desire to soften the hardships of life by the good things which nature affords, rather than by intellectual indifference or by the religious promise of rewards in a future life, is surely a natural and, at the same time, a grand conception. The wrestling of prosperity from nature and the protection of each man in the happiness thus earned is a sufficient aim in life for individuals and governments, and may be the key to all future progress.

But without going to the full lengths of the advocates of the economic interpretation of human history, we know that nothing so concerns us as the compensation we receive for our labors and the limitations put upon this compensation in the way of cost of living, taxes for protection against all other creatures, and the liberty we enjoy in the use or distribution of any excess or surplus.

And it is for these very reasons that the tariff question is of such grave importance to the American people. Besides providing for the expenses of government by taxation, it touches the pockets of the people in so many other ways under present conditions as to have become a means of embarrassment to some, misery to many, and oppression to all.

It is astonishing that the question is so little understood, in spite of the fact that it affects the entire country, and has been the shuttlecock of the political parties for years. But here is some justification for this lack of knowledge when we consider how little the real purpose of a tariff is mentioned in the discussions of it.

In the past year an immense mass of matter on this subject has pervaded the country; the newspapers have been filled with it, associations and societies have discussed it, many people have issued their views in interview or pamphlet, or have addressed meetings or talked at dinners. But always and everywhere the tariff has been spoken of in its relations with trade and commerce and industry and manufactures; its effects on prices and wages, on cost of living, on trade balances, have been feelingly referred to; and blood has almost been spilled over questions of increased or decreased schedules, and their ability to open new markets or their tendency to cripple infant industries.

And yet all these things are merely incidentals to a tariff; it is necessary to raise funds for the expenses of government, and a tax on imports is one of the methods. The internal-revenue tax never seems to excite anybody, nor lead to party disputes. The raising of revenue is the only excuse for such a tax on imports, and is the only constitutional authority for Congress to thus tax the consumers. But this essential of a tariff is never mentioned, and the merely incidental features have grown apparently into the principal place, and in this conflict over incidentals the people are distracted from the truth.

Another regrettable feature of the tariff discussion is the inconsistency of the various organized bodies of standpatters; they can not agree among themselves as to just what they want, except a general higher scale of schedules; and they fill the public prints with their petty quarrels and expect the American people to feel deeply interested. Perhaps their real intention is to fool the people into a forgetfulness of the real nature of the question, and to keep them committed to a tariff for the protection of American capitalists. The old, old story of protection to infant industries is no longer used to deceive the voters of the country.

Let us hope that the time has arrived when the people can no longer be fooled by such Punch and Judy methods; the manufacturers and capitalists should be told once for all that tariffs were not intended for their special benefit, but for the raising of necessary revenue with the least hardship to the individual taxpayer. This is the only ground upon which a tax can be justified at all, and is the only ground upon which Congress can legally impose the tax.

When it comes to the actual imposition of such a tax on imports, and the selection of articles for the purpose, it has been customary in all countries to afford a certain measure of assistance to new or struggling industries, as well as to give aid in the payment of living wages to the workingman. The method is well known and hardly requires explanation; but these principles have never been used by any government, or even permitted, beyond the initial stages of an industry, except in the matter of wages.

It was reserved for the Republican party to carry this protective principle to its logical conclusion, the use of an import tax as a protection to capital, or, to put it in their words, as a "protection to infant industries." We see the logical conclusion of this principle in our country to-day. In the past twenty years the infant industries have grown into gigantic corporations, the wonder of the world. Are these great manufacturing industries still "infant industries?" No; but they have become the arrogant masters of trade and commerce. Hundreds of millions have been wrung from the people in the shape of abnormal profits, destroying the very foundation on which the whole tariff spoliation fabric rested.

From whence came the gigantic wealth of the steel magnates, the iron, coal, and glass barons? How did men, from a small pittance, in fifty years or less become the possessors of hundreds of millions? By what means did these men become the owners of residences costing $5,000,000? The answer is easy—the protective tariff of the Republican party did it. The beneficiaries were not to blame. True, they were frequently called on for campaign funds to save the country.

The Republican party principle has heretofore been asserted to be the protection of American industries, especially infant industries, but in default of the infant ones, then any old industries, so long as they are dignified by the country's name and their promoters ask for protection. In their last national party platform, however, they have gone one step further, and their principle is now declared to be the equalizing of the difference in production cost between American and foreign manufactures, the usual protective principle, plus a reasonable profit to American manufacturers.

Thus for the first time in history it is declared to be the purpose of the Government to so use the taxing power as to guarantee the American manufacturer and capitalist his profits. The tax is imposed on the people, but it must be so imposed as to give the profits to these favored few. It is a great pity that the American people are not permitted to understand this up-to-date Republican doctrine because of the great noise made by these favored ones in their struggles over the division of the profits.

Some hope for the people is in sight, however. It has been decreed that there shall be a revision of the tariff schedules, and the Committee on Ways and Means has been endeavoring to frame a bill which will permit of the execution of the decree. But in the hearings on this bill the same conflict of testimony has been apparent; practically no one has been heard except representatives of the Republican favored classes, the protected few, and while most of them want the tariff revised, yet they insist it shall be done in the schedules which affect the other fellow. Their particular industry still needs protection, but the industries of the other fellows can stand a little revision. They are willing to have the tax burden of the people lightened somewhat, but not at the expense of their own profits, which the newly formulated Republican principle guarantees to them.

demand for labor? In 1908 the wool production was $11,000,000

a tax on imports, and is the only constitutional authority for Congress to thus tax the consumers. But this essential of a

such property of a citizen, wherever situated, is guaranteed by

somewhat, but not at the expense of their own profit, and the newly formulated Republican principle guarantees to them.

Let me adduce a few remarks from these hearings and from statements of some of the sincere revisers:

Mr. CARNEGIE (in answer to a question by a member of the Ways and Means Committee). My dear sir, allow me to tell you just what happened about that. I purposely refrained from reading the statements of interested parties. They are incapable of judging justly. No judge should be permitted to sit in a cause in which he is interested; and you make the greatest mistake in your life if you attach importance to an interested witness. You would not do it in a court of justice, would you? If the judge were interested in a cause, would you respect his decision? [No response.] Silence in the court. [Great laughter.] Upon my word, I must laugh at you people.

Mr. H. E. Miles, the well-known Republican and manufacturer, said:

For relief from the infinite grasp and hurt of the present tariff; a tariff that is not a protective tariff in any sense; a tariff that is in truth and in fact a bastard tariff, many of the schedules having no relation whatever to the principle of protection, or if related, then misapplying and abusing them.

In an article in the North American Review of last January, published the month before he came to Washington as the representative of the industrial interests of the country, Mr. Miles said:

We make small objection to the three hundred millions of tariff revenue that went last year into the Government Treasury, but we make very great objection to the five hundred millions or more that went into the pockets of the favored few who collected the revenue for their personal and private gain, with the connivance and approval of Congress, in products made within this country.

Imagine for a moment the significance of this statement; grasp its shocking import. This Republican, this manufacturer, this protectionist, and withal this critical student of public affairs tells us that the present system is taking from the American people in sheer plunder five hundred millions a year or more.

Some of the testimony at the hearings were startling to the Republican members of the committee and to the country at large. After years of preaching about the sacredness of the tariff and the disasters bound to follow in the wake of any reduction, some of the favored ones have boldly declared that the favored industries no longer needed protection. Mr. Carnegie stated, and reiterated in many ways, that the steel industry no longer needs protection; that the day has passed when any foreign country can seriously affect our steel manufactures, tariff or no tariff. In another place Mr. Carnegie stated positively that the Republic has become the home of steel and this is the age of steel.

Judge Gary, in his testimony, was willing to admit that the United States Steel Corporation no longer needed a tariff on steel as a protection against foreign competition, but feared that some of the smaller concerns might still need it. The smaller concerns he referred to are all gigantic plants, capitalized at millions and paying dividends on the millions. Judge Gary's testimony was a case of willingness to reduce the tariff, but at the expense of some other industry; of admitting that he no longer needed protection, but appealing for help for his weaker brothers.

There was much other testimony of the character of Mr. Carnegie's, to the effect that many industries were now so large and powerful that protection could be dispensed with; that our country was competing with the world in many lines and beating them with cheaper cost of production; and that, in the interest of the American taxpayers, the tariff should be scaled down.

That these standpatters have been willing to admit in any way that the tariff needs revision is due to the long-continued agitation of the Democratic party, the real champion of the people. It has shed some light in the dark places and made some of the people realize the iniquity of present conditions. This has brought the dominant party to the point of revising the tariff or forfeiting its power; and under duress it has consented to some revision, on the principle that it is better to have nine-tenths of the leaf than none of it.

In conformity with this decision of the Republican party and under pressure from President Taft, the majority members of the Ways and Means Committee have presented the bill now before the House. Apart from all partisan differences of opinion, I think it can safely be said that the introduction of the bill and its indorsement as a government measure marks a turning point in the economic history of the country. After twelve years of a prohibitive tariff, it required some courage to admit that the schedules were too high and needed cutting down in the interest of the American people; it required courage to admit that the arguments relied upon for twelve years were not as sound as believed and are now ineffective from one cause or another.

As the bill in the main, so its framers claim, provides for some radical reductions, it can be indorsed to that extent without violation of party pledges; and in so far as the pending measure provides for real reductions in the tariff, especially free raw material, I am willing to support it. I am particularly pleased with the reduction of the steel schedules, an indication that the members of the committee must have been convinced that Mr. Carnegie was right in his contentions. The putting of hides on the free list is also a provision that meets with sincere approval, as well as the reduction in the leather, shoe, wool, coal, and lumber schedules; even if these pleasing results were an effort to stop the harmful agitation of New England Republicans in their efforts to bore holes in the tariff wall, yet the effort will be of benefit to the people, and its incorporation in the pending bill is praiseworthy.

But it is a pity that the committee could not put away the temptation to tax tea; surely there is no American tea industry to be protected, and the few experiments in its culture now carried on have not asked consideration as an infant industry; a tax on tea can benefit no one in a Republican sense and is purely and simply a new burden added to the tax load of our people. Apart from the historical associations of a tea tax which England once tried to levy on certain colonies of hers, and from the general history of tea in the world's commerce, the fact that tea shares with coffee the distinction of being about our only untaxed articles of food or drink should have saved it from the arm of the tax gatherer.

I am opposed to this tax, and hope it will be eliminated from the present bill, or, if retained, changed to an ad valorem duty of, say, 20 per cent instead of 8 and 9 cents per pound.

Another general provision of this bill, that for a maximum and minimum tariff, should be condemned without reservation. It is a scheme to force the Government into tariff wars with other countries, and can have no other than evil effects. Whether used as a threat or a retaliation, it will be harmful, and, as is always the case, it will result in increasing the taxes on imports, making the American people, the consumers, on whom the heaviest burden of taxation always falls, foot the bills. In addition to that, it will more than offset all the good done by reducing some of the schedules and destroy the hope created by putting a few things on the free list. Saddest of all to contemplate is the working of this provision on coffee imports, for it will surely sweep away this last untaxed article of food and drink and make the dining table groan with its last burden. Let us be fair in this matter of tariff schedules; let us have one price for all and a square deal; not a shifting scale of prices, with the consequent bargaining and jobbing and constant conflicts with every nation willing to sell us things. The coffee schedule will result in an increase in price, as Brazil, from which the bulk of our coffee comes, charges an export duty, which is to be added as an import tax.

The hand of President Taft is again visible in this bill in the provisions for reciprocal free trade with the Philippines, and all honor is due him for the hand. One of the most incomprehensible things about the standpat attitude was its blind injustice to its own ward. The Republican party was responsible for the retention of these islands, yet would not lift a hand to help them to become self-supporting. The free trade which the States enjoy, and which is now enjoyed by Porto Rico, was denied to the other ward; annexed to us without consent, without a voice as to their wishes in the matter, these islands asked for a little help from us. Sternly refused, they were forced to sell their products to the world in order to live. The Republican party forced the islands into the position of being owned by us, but begging a living from the rest of the world.

But the sugar and tobacco men had their pocketbooks to look after, and could not be bothered about a few islands out in the Pacific; the sacred tariff must be left inviolate, even though a few million people must starve to death. President Taft understood the matter, however, and has never taken the trouble to conceal his views; and these have now been incorporated in the present bill, at least to some extent. The Philippines will not have free trade with us, to which they are entitled; but they will get a good measure of it, and they will find the taste so good that only the full measure will satisfy them. True, the sugar and tobacco men will howl, but it will be the cry of the stuffed pig when some little morsel slips away from it.

The admission of error made by the standpatters in the new attitude toward the Philippines is at once offset by the provision for a tax on inheritances. This latter is a distinct invasion of the rights of the States, and, as a Democrat, I protest against it. Senator ROOT informed the States a few years ago, while speaking for President Roosevelt, that unless the States exercised the rights and powers reserved to them by the Constitution, that the National Government would take them away by constitutional interpretations in the Supreme Court. Are we here confronted with an effort to take away one of these rights, not by judicial interpretation, but by the taxing power?

The right to tax inheritances is not mentioned in the Constitution either directly or indirectly as a right reserved to the States; but as it is a means used by some 36 or 37 States at present for the raising of revenue, surely they have settled their claim to have it considered as a right. And the States have deprived Senator ROOT's suggestion of its force by actually exercising the right.

The States can even set up the doctrine that the taxing of inheritances is a vested right, in which they should be protected by law. But the very Government which should protect them is now determined to enter their field, and to utilize one of their means of raising revenue; it will be an invasion of vested rights of the most heinous description, and should be denounced in unmeasured terms.

The States will surely look to their rights in this matter, and will undoubtedly protest against this provision of the present bill; and, as a Democrat, with the instinctive jealousy of my party against all encroachments on the reserved rights of the States, I protest against a national taxing of inheritances, direct and collateral.

I might give my active support to the administration tariff bill now pending if such changes were made in it as already indicated, particularly the elimination of the maximum and minimum provision, and the taxation of inheritance, and the granting of immediate free trade to the Philippines, and the placing of tea on the free or the ad valorem list as well as that of coffee by removing section 533 of the Payne bill. I would also ask for the placing of wool and steel on the free list. As these would be a much fairer revision, and more in line with public sentiment than seems to be provided for by the present bill, they might receive my vote, which I would not feel inclined to give to the present bill as long as it carried with it such objectionable features as stated.

On several occasions I have felt it my duty while opposing the ship-subsidy schemes, mooted in this House, to point out how our American shipping might be stimulated by a reduction of the tariff. And now that an actual reduction of the tariff seems to be in prospect, I am encouraged to prophesy as to its beneficial results in shipping; if the reduction of schedules was absolute and not deprived of their genuineness by the sliding scale, I might almost figure out how Americans could engage in the shipping business without the help of grants from the Public Treasury. The tariff reduction may prove after all to be a false hope, and the sliding scale precipitate us into greater tax burdens than ever, but that remains to be seen when the new schedules go into effect.

Like railroad transportation, shipping rates are cheapest to the shippers when there is a cargo both ways. At the same time this double cargo enables the shipowner to net a good profit. As the tariff has paralyzed American shipping both ways, and made it impossible for American shipowners to realize a profit unless they charged exorbitant rates for the one-way transportation, the foreign owners got the business. But with transportation both ways the American owners could well afford to reduce their prices to American shippers and be assured of their trade. The problem is simple enough, but the standpatters would not learn the lesson here enjoy, more than they would in the case of the Philippines; but as they have come to the latter, so they must come to the former if American shipping is to be revived.

Profitable shipping requires trade and cargoes, and unless these can be furnished the ships will rot at the docks. Giving the owners subsidies does not solve the problem, for that is merely taking from the Treasury profits which should be earned by the ships; it is guaranteeing profits to the owners by robbing the public funds. No; the only way to make the idle ships pay is to put them into use carrying cargoes, and the only way they can secure cargoes is to stimulate trade and commerce by cutting down some of the barriers. This view is so simple as to be easily grasped by the uninitiated, and yet the trusts and combinations of the country will not see it. Yet if the present reduction proves to be genuine and effective, it will surely result, among other things, in some revival of our shipping trade in American ships. Foreign-built yachts owned by Americans should pay a duty. On this subject I have attached some letters fully explaining the matter. All in all, the pending bill is only a step in the right direction. It should force some of the trusts to stop fattening on the American people; the standpatters, so pungently and pointedly classified by Charles Francis Adams, will have to back out from the tariff swill trough and give up their signed and sealed licenses to defraud the American consumer. And when the people will send up a sigh of relief for even the little relief—if any should accrue from the present bill—the regret must be that the Republican party will claim the credit, and the good old Democratic party, the consistent and persistent advocate of tariff for revenue only, will be cheated of its dues.

The lesson taught by the trusts has been learned by the Republican party; as the trusts have fattened on the people, so has the Republican party fattened on the agitation of the Democrats, and will now try to reap the gains which properly belong to the party of Jefferson, Jackson, and Cleveland. The Republican party has reached the point where the people were angry at its stand-pat attitude and threatened to deprive them of their long-continued enjoyment of power. The Republicans stole the tariff reduction plan from the Democrats, and are now throwing it to the people as a sop to keep them quiet for a while.

President Taft is undoubtedly sincere in his determination to afford the much-needed relief to the masses. Whatever benefit is derived from the proposed legislation when enacted into law will be due to his influence and to the determined and persistent efforts of the Democratic party in Congress. This effort to revise the tariff should speedily become an accomplished fact, so that the industries of the country may again assume their normally prosperous condition. No improvement of business can be expected until this matter is finally settled.

GAS ENGINE AND POWER COMPANY AND
CHARLES L. SEABURY & CO.,
Morris Heights, New York City, November 30, 1908.

Hon. JOSEPH A. GOULDEN,
House of Representatives, Washington, D. C.

MY DEAR MR. GOULDEN: I suppose at this time you are in receipt daily of some thousands of letters, and the question of tariff revision has become rather a monotonous one.

While I do not know how you feel on this matter, I do think it fair to call your attention to a condition which I believe very few of the Congressmen or Senators know about. I am quite sure that comparatively few Americans know about it either.

Perhaps you have sometimes wondered why we builders of yachts were so poor, did not ride around in automobiles, and blow ourselves out generally, but the secret of all this is that our yards are idle a good deal of the time, because the wealthy men who can afford to own large yachts go over to the other side and have them built. Now, you would naturally suppose that such a luxury of luxuries as a steam yacht being brought into a country where we have protection should pay some duty, but the fact of the matter is not one cent of duty is collected from such a source. Of course labor is cheaper abroad and the materials probably do not cost any more, and the result is that yachts can be built abroad for very much less money than in this country, so that every year several millions of dollars are spent abroad for such purchases, while the yacht builders in this country can only look on and see their yards lie idle. A conservative estimate during the year 1908 would be a loss of employment in the American yards of from 5,000 to 10,000 men.

Not only the component parts of the yacht, such as hull, spars, ironworks, joiner work, and machinery are duty free, but also all the accessories, the lighting plant, furniture, upholstery, bedding, china, silver and glassware, nautical instruments, and even the uniforms for the crew.

If the owner of an American-built yacht desires to purchase any of such fittings that are made abroad, and buy them separately from the yacht itself, he must pay not only freight, but a very high duty, whereas the buyer of a yacht that is assembled abroad gets in scot-free.

Furthermore, these yachts that are built abroad are not subject to the United States pilot laws or regulations, neither do the United States authorities have any power to require licensed officers aboard such yachts, all of which are required of American-built yachts.

As you are aware, the merchant marine is amply protected by the existing laws, as foreign-built merchant vessels can not be brought into this country, even by paying a duty, whereas a foreign-built pleasure vessel can be purchased and entered into service in this country without paying one cent of duty.

You will understand that this condition affects not only the yacht builder, but manufacturers of every accessory that goes into making a yacht complete. I do not understand why this condition could have existed as it has for so many years without some protest, but I am under the impression that the different builders have hesitated to call attention to this fact, fearing that it might militate against their interests by the loss of possible orders from these wealthy people who can afford such playthings.

The matter should be brought up very forcibly, it seems to me, and something be done to eradicate this evil.

I know well your ability and push to right a wrong where it is patent, and I feel that in your hands this thing should be made apparent to everyone who has a voice in deciding the matter.

Pardon this long letter, and accept my kind personal regards.

Yours, very truly,

JOHN J. AMORY.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 13, 1909.

Hon. J. A. GOULDEN,
House of Representatives.

SIR: As a reply to your letter of the 9th instant, in which you request to be informed whether materials, fittings, and supplies used in the building of ships, sloops, yachts, etc., for coastwise and foreign trade would be admitted without the payment of duty, I have the honor to inclose herewith a copy of the tariff act and invite your attention to sections 12 to 14 thereof, with special reference to the first section mentioned, which provides that all materials of foreign production which are necessary for the construction of vessels built in the United States for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, and all such materials necessary for the building of their machinery, as well as the articles necessary for their outfit and equipment, may be imported in bond, and upon proof that such materials have been used for

such purposes no duty will be exacted. The section further provides that vessels receiving the benefit thereof shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year except upon the payment of the duty.

Section 4 of the act of January 16, 1895 (28 Stat., 625), provides that no licensed yacht shall engage in trade, and as section 12 refers to fittings and supplies for use in the building of ships engaged in trade the department is of the opinion that a yacht would not be entitled to the privileges of this section.

Respectfully,

BEEKMAN WINTHROP,
Acting Secretary.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
Washington, December 21, 1908.

The Hon. JOSEPH A. GOULDEN,
House of Representatives, Washington, D. C.

DEAR MR. GOULDEN: I have received by reference from the Supervising Inspector-General, Steamboat-Inspection Service, a letter dated November 30, 1908, from John J. Amory, president of the Gas Engine and Power Company and Charles L. Seabury & Co. Mr. Amory suggests a duty upon foreign-built yachts brought into this country by American citizens. This subject was presented to the Ways and Means Committee by the Hon. L. E. Payson about a week ago, and complying with your request for suggestions, I think it would be well for you to confer with the Hon. SERENO E. PAYNE, chairman, and other members of the Ways and Means Committee, leaving with them a copy of Mr. Amory's letter.

Respectfully,

E. T. CHAMBERLAIN,
Commissioner.

Mr. JAMES. Mr. Chairman, we have heard a great deal said about the Republican platform and its provisions with reference to the question under consideration. The truth of it is that the last utterance of the Republican platform was the highest protective-tariff declaration ever written by any party. All the other Republican platforms heretofore have contented themselves by declaring for a protective tariff that would equalize the cost of production at home and abroad; but the Republican platform adopted at Chicago in 1908 goes a step farther in this pillaging of humanity and declares not only that the tariff shall be high enough to equal the difference in the cost of production at home and abroad, but in addition thereto there shall be given to the manufacturer a "reasonable profit." What is a reasonable profit? Who shall decide how much it shall be? Shall it be left to Mr. Carnegie, who started with a pittance and whose wealth, from the profit of his protected industry, increased by leaps and bounds until it became so great that he was not able to give it away? [Applause on the Democratic side.] Pricked by a conscience that has allowed him to loot for many years, he commenced to establish in the various cities and towns of the country libraries where hungry, ragged men might read of feasts they could not attend and of comforts they could not enjoy. [Applause on the Democratic side.] Will you leave to Mr. Carnegie the right to say what is a reasonable profit? The country need not be surprised at this tariff bill. I know you won this last campaign, not upon your platform, but upon the popularity of the man who was then in the White House. You played the proposition in the West that you intended to revise the tariff downward, but the wise men still were in the East who had written your platform, and they provided that the tariff rates should be greater than ever before; and when this tariff bill comes in with a provision 2 per cent greater than the Dingley bill, the country need not be surprised. [Applause on the Democratic side.] But they tell us that a reasonable profit should be added. You allow these gentlemen to fix the reasonable profit upon their watered stock, upon their fictitious values, upon their miscellaneous accounts. You allow the reasonable profit in the tariff bill to be so arranged.

I called the attention of the House to the fact that Secretary Taft in his inaugural address had left out the words "reasonable profit," and I had hoped, as he had gotten in the presidential chair to rule all the people, that he had seen the mistake of his party in that declaration, and that he might go back to the stand of Blaine and of Harrison and of all your illustrious leaders heretofore and stand by that. But my friend the gentleman from Ohio [Mr. LONGWORTH], evidently speaking for the President, being the son-in-law of the man who did more to elect Mr. Taft than all other forces combined and coming from the President's home district in which the Chief Executive lives, we must believe that he speaks authoritatively when he says that President Taft stands where he always stood and where the platform puts him—in favor of a reasonable profit to the manufacturer.

Let us see how the Republican party applies the platform declaration relative to the tariff and the "reasonable profit to the manufacturer." I have here three columns, one the cost of labor to produce the article; another, the protective-tariff rate in this bill; and subtracting the cost of labor from the tariff rate we get the "reasonable profit" you so generously give the trusts of the land. It is as follows:

	Cost of labor.	Protection in this bill.	Profit for manufacturing.
	Per cent.	*Per cent.*	*Per cent.*
Standard Oil, on crude oil	2	99	97
Brass trust	17	45	28
Car builders' trust	19	45	26
Sugar trust	3	73	69
Woolen goods trust	18	104	86
Steel trust	20	45	25
Linseed oil trust	4	49	45
Meat or beef trust	3	36	33
Glass trust	14	70	56
Wire trust	14	40	26
Lead trust	6	79	73
Glove trust	22	88	66
Tobacco trust	18	104	86

The above table shows the operation of the present bill now under discussion. I allow the total cost of labor, when the platform of the Republican party only demands a tariff protection to equal the "difference" in the cost of labor at "home and abroad." Yet, behold the "profit for the manufacturer" which is carried in this bill. The trusts are all most abundantly provided for; the license to pillage the whole people is plainly given. Is there any wonder that they contribute millions to the Republican campaign fund. But I beg you to behold how it is returned to them, even a thousandfold.

What right have you to provide that a certain class of our people shall receive a reasonable profit from all the rest? If the farmer down in my country happens to meet with a misfortune in the growing of his crop, the price of his crop is not so high, and he fails to make a reasonable profit, has any gentleman risen upon this floor advocating a law that guarantees to him a reasonable profit? No, indeed; but the mortgage upon his home is foreclosed and it is sold, and the Treasury is not open to him nor the taxing power given to him, in order that he may have a reasonable profit. The laboring people of this country, who live in tenement homes and work for a pittance a day; how much have you given to them for a reasonable profit? Oh, no; this favored class of humanity—these men whose fortunes you have built up—you carefully take care of them in your platform utterance of a reasonable profit given to them. [Applause on the Democratic side.]

I notice one thing—that in the free list in this bill there is a provision which places fossils on the free list. I looked in the dictionary to find out the exact definition of a fossil. I wondered why it was that the gentlemen upon the other side had placed fossils upon the free list. Here is the way that Webster's Dictionary describes a fossil:

> A fossil is a person whose views and opinions are extremely antiquated; one whose sympathies are with a former time rather than the present.

[Laughter.]

Gentlemen, it was a scheme on your part to get more protectionists into this country free of duty, because we all know if there is a class of people whose views are extremely antiquated and whose sympathies are with a former time rather than the present, certainly it is the protective-tariff advocate. [Laughter.] And why?

Mr. REEDER. I understand that proposition was purely in the interest of the Democracy.

Mr. JAMES. Your understanding, as usual, is very vague [laughter], for the reason that if it had been in favor of the Democracy you would not have put it in the bill. [Applause on the Democratic side.] But the reason you want fossils here is that you want to go back to a former time. And when was that? A time when you contended that the tariff was for the protection of infant industries; that they should be protected until they were able to stand upon their own feet; and now they have come to stand on everybody else's feet. [Applause.] You want to give them more protection than ever in this bill. There is one difference I would make in this definition, and that is, instead of saying "one whose sympathies are with the past rather than the present," I should amend it and say, "one whose sympathy is with the trusts against the people;" and I believe you would have a much better definition of protection advocates. [Applause on the Democratic side.]

But there is another article I notice you have taken from the free list in the Dingley bill. You had "cultch" upon the free list. You have stricken that from the free list in the Payne bill. I looked it up and found that "cultch" meant oyster shells. The

poor, the unemployed people of this country, driven into idleness by your Dingley bill, were cultivating some sort of a taste for oyster shells, and you at once took them off of the free list and placed them on the protected list. [Laughter and applause.]

But what do you offer the farmer in this bill? Why, Mr. Chairman, I can hear our friends across the aisle go before the farmers and say, "This bill gives you protection on your farm products. The Republican party has put a tariff of 25 cents per bushel upon wheat." But let us examine this question. The farmer can not be the beneficiary of a protective system; he must necessarily be its victim.

His wheat must be sold in the open markets of the world at prices fixed by them. Last year he exported 76,569,423 bushels of wheat. What benefit could protection be to him upon his wheat? Who will deny that the price the surplus brings in the open market fixes the price at home? Wheat in June, 1907, sold in Liverpool as follows: White, 33s. 6d. per quarter (504 pounds), or 96 cents to $1.04 per bushel; red, 33s. 6d. per quarter (504 pounds), or 96 cents to $1.01 per bushel.

The New York price in June, 1907, was 90 cents.

The freight rate from New York to Liverpool in June, 1907, was 3.74 cents per bushel, making the American wheat in Liverpool 93.74 cents per bushel.

By this statement it will be seen that while wheat was bringing 90 cents in New York, which market our Republican friends tell the farmers they have so generously protected with a tariff of 25 cents per bushel, it was bringing from 96 cents to $1.04 in free-trade England. It cost the American farmer 3.74 cents per bushel to transport his product from New York to Europe. What a fraud this discloses the protective theory to be when it is said to benefit the farmer in the sale of his wheat. Every sensible man knows very well that no farmer, no dealer, no person would be exporting his wheat to Liverpool if it did not bring more there than it would bring at home, for the simple reason that it cost him nearly 4 cents a bushel to ship it there, to say nothing of the cost of insurance and the hazard of transportation. [Applause.]

And so it is with corn. Our Republican friends go to the great corn producers of the West and attempt to justify the protective-tariff robbery upon everything that they must buy by saying to them, "We gave you a tariff duty of 15 cents a bushel on corn." We exported last year 83,300,708 bushels of corn; we exported, in 1906, 117,718,657 bushels of corn. We have exported as high as 209,000,000 bushels of corn in one year, loading it upon ships, paying transportation to get it to foreign markets, where there is no 15 cents protection afforded to it. What fools these men must have been if the 15 cents per bushel tariff makes the farmer's corn sell for more at home than abroad. Why did they not sell it here? For the very simple reason that there was no market for it here.

We produced more than we could consume. It was worth more abroad than it was at home. Corn in 1907 sold in Liverpool at 23s. 6d. per quarter of 504 pounds, or 62 to 63 cents per bushel. At the same time corn was selling in New York at 59 cents, which, with 3½ cents added for freight, would make it worth about 63 cents delivered in Liverpool. The May export price was 57½ cents, which, with 3½ cents added for freight, would make about 61 cents per bushel in Liverpool. From this it will be seen that corn was bringing from 62 to 63 cents per bushel of 56 pounds in Liverpool, while the New York price was 59 cents per bushel. And so it is upon all these articles on which they pretend to benefit the farmer by a tariff. So, gentlemen, the truth of the whole matter is that the tariff, so far as it relates to the farmer in affording him protection when he must sell in the open markets of the world, is not only a delusion and a snare, but a most consummate fraud. [Applause on the Democratic side.] And, Mr. Chairman, when the farmer has shipped his wheat to Liverpool and sold it in that open market in competition with the world, he makes a purchase of farming implements, of household goods, of the necessities of life, and they are shipped back to him. He comes down to the port in New York, and what is the result? You furnish him with a list which he must fill out, showing the character and quantity of goods he has. He must swear to this, and then he must pay an exorbitant tariff duty, fixed upon all these articles which he bought in the same market where he sold, before he can take them home to use them upon the farm where he raised the products that he sold. [Applause on the Democratic side.]

And the outrage of this protective tariff system is not fairly illustrated even by this example, because the amount the farmer would pay in this instance would go into the Treasury; but under the provisions of this bill the tariff is so high in most instances that all the protective tariff duties are added to the price of the article he must buy, and go into the pockets of the monopoly and not into the Treasury. [Applause on the Democratic side.] For when a tariff becomes prohibitive the result is to keep out imports and to keep up prices, the result of which is the manufacturer acts as a collecting agent.

Mr. GOULDEN. Can you tell the House what amount of corn or wheat was imported into this country last year?

Mr. JAMES. About 10,000 bushels of corn. I have not the amount of wheat.

Mr. GOULDEN. I suppose that was for seed purposes.

Mr. JAMES. Certainly.

Mr. GOULDEN. One further question: Is it not a fact that the market at Liverpool fixes the price of both corn and wheat as it affects this country, and, in fact, the whole world?

Mr. JAMES. The gentleman is correct.

When this Republic was formed and the States associated themselves into a union the right of taxation was understood to be given to the Federal Government for the purpose only of administering the Government economically. No human being dared then to assert, no representative of monopoly assumed to proclaim, that the taxing power of the Government could be used for any other than the purpose of raising sufficient revenue to defray the expenses of the Government, administered in honesty and economy. The idea that the governmental power or the legislative decree could be invoked to aid some and pillage others, to enrich some and despoil others, was never dreamed of. [Applause on the Democratic side.] Such a contention that the taxing power of the Government could be used to enhance the price of articles or protect them from competition was a species of Republicanism that had not then been born. [Applause on the Democratic side.] No one can contend that the States could have been associated together under any such doctrine.

The true position of the Democratic party upon the tariff question, stripped of all verbiage, is that the tax shall be gathered, first, from the articles of luxury, from the fortunes and incomes of the rich; then, if this does not produce enough, then from the comforts of life, and if this does not produce enough, then from the necessities of life. The position of the Democratic party has always been that that class of our countrymen who prosper most are most greatly indebted to the Government, and therefore should bear more of its burdens. No party free from the domination of plutocracy would dare advocate any other doctrine. [Applause on the Democratic side.]

In the days gone by you have pretended the tariff system was all for the laboring man, yet you are now forced to admit that the American laborer is the most intelligent, the most skilled, the most industrious of all the world. He turns out over one and a half times as much work in the same hours as any other toiler on earth. He receives less for his labor, with this considered, than any abroad, to say nothing of the increased and much greater cost of living in the United States. The laborer here owes the wages he now gets to his own good sense in organizing. The labor unions have done more to keep his wages at what they are than all the tariff laws ever written. Destroy the union and, though the tariff law remain as high as the sky, he would become an industrial slave. The Republican party refused to exempt the laborer's organization from the antitrust law; they placed the toiling millions of the land, who have hearts that beat, hands that work, and lips that pray, along the side of merchandise, the droves of cattle, or tons of steel. [Applause on the Democratic side.] You refused to give him the same protection from oppressive injunction that you afford the rest of humanity; you refused to allow him to stand with all the rest when they come to the oppressive power of the federal court in the matter of injunctions. The Republican party gives to the manufacturer the power of the law to enhance the price of his product, but at the same time it denies to the laboring man the right to publish the truth for his protection. The manufacturer is given the protection of the law; the laborer is denied the publicity of truth. [Applause.]

But there is a provision in this bill placing fluor spar on the taxed list—50 cents per ton on crude fluor spar. Mr. Van Cleave, the high priest of protection, complains that the steel trust has been hit hard by this bill; that the article that goes into the manufacture of steel as one of its ingredients—fluor spar—has been placed upon the taxed list at 50 cents per ton. I had a gentleman figure that out for me. He tells me that 5 pounds of fluor spar go into each ton of steel, and the amount of increase in this tariff bill upon the steel trust is one-tenth of 1 cent, or 1 mill, per ton, and I know that you all must agree with me that that will ruin the steel trust if it is to stand a thing of that sort. [Applause on the Democratic side.] No wonder that Mr. Van Cleave feels that the country has been outraged, and espe-

cially the steel trust, when you add to the price that it costs them to make a ton of steel one-tenth of 1 cent, or 1 mill. [Laughter.] You ought to be ashamed of yourselves for imposing upon this pitiless corporation in that way. [Applause on the Democratic side.] The truth of it is this tariff upon fluor spar was placed in the bill, in my judgment, for the purpose for which it is used by Mr. Van Cleave—to undertake to justify the steel trust in trying to maintain its robber tariff duties upon steel, which have enabled the steel monopoly to charge the American people $28 for a ton of steel, and then ship across the sea the same article and sell in competition with the whole world to the foreigner at $18 to $20 per ton; a system that has produced so many millionaires, who are only equaled in numbers by the paupers the policy has made.

The Republican party for many years maintained its supremacy by the fraudulent pretense that a tariff was not a tax paid by the consumer. Our forefathers knew better than this, for when they pitched the tea into Boston Harbor it was because England had put a tax upon tea, which they had sense enough to know they would be compelled to pay when they bought it to place it upon their tables. Then, the Republican party justified the tariff upon the contention that if it were a tax it was paid by the foreigner. But all of these contentions and pretensions have been exploded.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for me to make a statement at this time——

Mr. JAMES. Yes.

Mr. HUMPHREYS of Mississippi (continuing). On the subject of the benefit the farmer is getting out of this tariff? There is a tariff on cotton ties which amounts to about 5 cents a bale on every bale of cotton, and which does not yield to the Federal Treasury one nickel of revenue. In other words, under this tariff bill, they permit the steel trust to collect a royalty of 5 cents on every bale of cotton produced in this country. [Applause.]

Mr. JAMES. Yes; and in connection with that I might say this, that if these gentlemen of the East, in New England, who have imposed this tariff tax upon the people of the Northwest, the West, and the South, produced cotton like the southern States do and had to sell it in the open markets of the world in competition with the poorly paid labor of Egypt and India, you would be taking out of the Treasury a bounty and giving it to your producers of cotton. [Applause on the Democratic side.] But what is the contention? You say that the tariff increases the price of wool to the grower, and to the consumer you say that it cheapens the price of clothes. You say to the farmer that the tariff increases the price of wheat, and to the consumer you say that it decreases the price of flour. You say to the farmer that it increases the price of corn, and to the man who buys the meal that it decreases the price of meal. To the cattle grower you say that it increases the price of his cattle, and to the consumer you say that it decreases the price of beef. You say to the farmer that it increases the price of hides, and to the consumer that it decreases the price of shoes. And so on, all through your list, you are forced, when you go from one class of our countrymen to another, from the producer to the consumer, to entirely change your contention upon the tariff question in order to meet the divergent views held by the people in the various localities, whether they are consumers or producers.

Mr. WEISSE. Will the gentleman permit an interruption?

Mr. JAMES. Yes.

Mr. WEISSE. Is it not a fact that through the rebate system the foreigner can buy American leather cheaper than the American, who produces it, through the Dingley bill?

Mr. JAMES. That is undoubtedly true. He can do that. Upon this question of reasonable profit that you give to the manufacturer you have a provision also that fixes a maximum rate in this bill and a minimum rate. What is that? Your idea in having a maximum rate is that it will make governments deal with us fairly in trade relations. Your contention in having a minimum rate is that it will offer them a reward for fair dealing. But what is the result? I never did believe in the contention that in order to treat our people fairly we had to treat somebody else unfairly. [Applause on the Democratic side.] I never did believe in the doctrine that we ought to tax our people because others tax their people. [Applause on the Democratic side.] I never did believe that we ought to give fair play to our people only when fair play is given by other governments to their people. [Applause.] We reversed that doctrine of governments one hundred and twenty years ago, when our fathers upon this continent gave to our people something other people did not have and were refused by their governments, and that was the right to be free and to enjoy the blessings of liberty. [Applause on the Democratic side.]

Now, upon the maximum and minimum rate provision of the bill, let us see. You are going to punish the consumer in this country; and why? Because the governments across the sea will not deal fairly with our manufactures. Your whole vision sees only the manufacturer. You see the manufacturer when you place the tax upon our people here. You see the manufacturer when you go to the maximum rate—always for the benefit of the manufacturer. Now, let us see if we can not get fair play for the consumer. I am going to offer an amendment, if I have an opportunity, when this bill is under consideration, and I shall read it here:

Provided, That whenever the President of the United States shall be satisfied that the price of any commodity or article of merchandise has been enhanced in consequence of any monopoly or trust in the United States, he shall issue his proclamation suspending the collection of all customs duties or import taxes on like articles of merchandise or commodities brought from foreign countries. Such suspension shall continue as long as such enhancement in price of such commodity or article of merchandise exists and until revoked by the President.

Will you gentlemen be in favor of that? That is the minimum rate of free trade and a minimum rate in favor of and for the benefit of the consumer, when the manufacturer does not deal fairly with our people here. [Applause on the Democratic side.] You want to punish somebody when the manufacturer is not dealt fairly with. Now let us punish the manufacturer when he fails to deal fairly with the people who build this protection wall around him and protect him from competition with the world. This amendment is in the interest of the people. It can not be invoked against any commodity except when that commodity has been monopolized by the lawless. [Applause on the Democratic side.] What objection can be offered to this? Who is willing to contend that the maximum rate should be invoked in the interest of a manufacturer because some government has done wrong, and deny that the free list should be the protection of the American consumer when the manufacturer has become a brigand, pillaging without conscience from the people whose laws afford him protection and strength? Who is willing to contend that it is just that the manufacturer should be permitted to monopolize a certain article of necessity to our people, raise the price as high as they can stand, and then ship the same article across the sea and sell it in competition with the open world at a less price than he sold it for at home?

Let the minimum rate of the free list be invoked in the interest of untrammeled trade and open competition for the benefit of the consumer, the one at last who makes his country great, as well as invoke the maximum rate in the interest of the manufacturer to punish another people. Some gentlemen may say this is too much power to place in the President's hands. I deny it. This is not the power of "oppression." It is the power of "suppression" of monopoly, the power to relieve the people. Our Republican friends were willing in the Dingley bill to place in the hands of the President the power to declare a tariff duty which did not exist to become operative. It was not a power that was too great to place in the hands of the Chief Executive then, because if he exercised it it redounded to the interest of the manufacturer. So then, I ask that the same proposition be reversed and the President be permitted to exercise this power in the interest of the people, for the benefit of the people and against the men who oppress them with monopoly. The provision that you have in the Dingley tariff bill—it is section 3—provides that whenever the President, with a view to securing reciprocal trade relations with countries producing coffee, tea, and tonka beans, whenever any such government shall not be treating us fairly in trade relations, shall have the right to do what? Put the tariff up on tea and on coffee, articles that all the people must consume. You yourselves lodged in the hands of the President the power to increase the price of the poor man's tea and coffee, on tea 10 cents per pound, on coffee 3 cents per pound, on tonka beans 50 cents per pound. Now, will you deny the right when opportunity comes, in order to destroy the trusts or monopolies or combinations, to the President in the interest of the people, to say to these great manufacturers, "You have got this protection thrown around you and you are using it for bad purposes. You are using it to rob the American consumer, and therefore we provide that the tariff under such conditions shall be declared off by a proclamation of the President of the United States." [Applause on the Democratic side.]

When Alexander Hamilton advocated a tariff for protection, he did it upon the contention that there would always be competition enough in the protected boundary to keep prices reason-

able; but Alexander Hamilton's day was before the trusts; it was before a monopoly ever existed, and no man believes that if he had known then that the competitors, protected by the tariff, would amalgamate themselves into one octopus, known as a "trust" to oppress the people, he would ever have advocated a protective tariff at all. [Applause on the Democratic side.]

Mr. COX of Indiana. Will the gentleman yield?

Mr. JAMES. Certainly.

Mr. COX of Indiana. I desire to ask the gentleman whether or not the same doctrine was not advocated and believed in by such stalwart Republicans as James A. Garfield and John Sherman?

Mr. JAMES. Certainly; and not only that——

Mr. CLARK of Missouri. And Horace Greeley.

Mr. JAMES. Yes; and Greeley, also. And in regard to the position of Garfield and Sherman, I desire to read from a speech made by Mr. Garfield.

The late President Garfield said:

Duties should be so high that our manufacturers can fairly compete with the foreign product, but not so high as to enable them to drive out the foreign articles, enjoy the monopoly of the trade, and regulate the prices as they please.

Senator Sherman, discussing the tariff commission bill in 1883, said:

The measure of protection should extend only so far as to create competition, and not to create home monopoly.

I am by this tariff bill and the position of the Republican party declaring it to be a revision downward like the fellow down in Metcalf County, Ky., of whom I have often heard Mr. Eugene Newman, better known as "Savoyard," the most learned and gifted biographical and political sketch writer in the United States, speak. [Applause.].

He said down in Barren County, Ky., there lived a man after the order of "Black George," in Fielding's immortal novel. He was a squatter-sovereignty person and his domicile was on the southwestern slope of Pilot Knob, near the Green County line. His name was Creedall—Bluford Creedall. He was a noted character, and, like Ancient Pistol, he held to the creed "Base is the slave that pays." A heavy forest extended from his very door clear down into the Devil's half acre and far into Lick Swamp. There were the giant white oak, the prolific post oak, the fruitful beech, the productive chestnut. The undergrowth was thick with hazelnut. It was a hunter's paradise and in autumn a fine "range for swine." The title to the soil was in Waddy Thompson, a prosperous farmer, who dwelt some miles off. Every fall Thompson drove some five score thrifty shoats to the forest, where they fed on the "mast," grew, and developed into fine porkers. One bright October morn Thompson rode up to Mr. Creedall's cabin and a dialogue like this began:

"Good morning, Blufe."

"Good morning, Wad."

"Blufe. I have just brought over a bunch of hogs to take the mast on the range, and have chosen you to look after them. You know there is a mighty shackling set around here, and some of them don't mind stealing a hog when they are not watched. Now, Blufe, if you will keep an eye on my hogs and take care of them for me, I'll make you a present of the pick of the lot at killing time. You may have five of the very best, your own pick."

"Wad, that seems reasonable; we have always been the best of friends in the world, you have done me a heap of favors, and I guess I'll have to accommodate you; but I'll be d—d if I don't lose pork by it." [Laughter.]

So I think if this is the character of bill which is to be the revision so long promised by the Republican party—downward revision, as they please to say—then I think we had better put the trusts and monopolies of the country upon their honor and let them formulate a bill along tariff lines, for I will swear I believe we would save pork by it. [Laughter and applause on the Democratic side.]

Mr. Chairman, this bill presents the much-heralded, long-promised Republican revision of the tariff. Its provisions more firmly intrench monopoly than ever before.

Mr. CLARK of Missouri. In that connection I would like to ask the gentleman if the government experts themselves have not figured it out that the average rates in this bill are 1.56 per cent higher than in the Dingley bill?

Mr. JAMES. The gentleman from Missouri is entirely correct. The average rate under the Dingley bill was 44.16, under this the average rate is 45.72 per cent.

Mr. CLARK of Missouri. And I want to ask you another question. When this maximum goes into effect, if it does, that elevates it 21.56 per cent above the rate of the Payne bill?

Mr. JAMES. That is undoubtedly true, and in addition to your increase upon that, whenever they put in operation the maximum rate it will sweep off of the free list at least 50 articles that are now there.

Gentlemen here have discussed the lumber question. We heard from a manufacturer the other day, a man engaged and interested in the business, the gentleman from Michigan [Mr. FORDNEY]—my personal friend. He pleaded the cause of protection. Why? Why, he says he is acquainted with the business. He is interested in lumber, but the poor man who is without a home has no one to speak for him except the Representatives upon this floor. [Applause on the Democratic side.]

A great banquet was given by the lumber trust a few weeks ago at the New Willard Hotel in this city. A most sumptuous feast, I am told, was offered to the guests. They were lobbying to keep the $2 tariff on lumber; but, gentlemen, I am in favor of free lumber. The millions of people in our country who are without homes have no banquets to offer you, no sparkling wine for you to sip, no hot birds for you to eat. They have a ballot, though, and can reward you at the polls with their love, their vote, and their confidence; and I appeal from the banquet of the lumber trust to the homeless of the land and ask you to choose which side you will serve. [Loud applause.] But our friends, and many of them from New England, have told us that we ought to go into the Treasury and take out millions of dollars and buy the White and Appalachian Mountains for the purpose of reforesting them; that the lumber is being cut off, and it is the only way we can save our timber and our forests. And yet some of these gentlemen, I regret to say, are most vigorous in their opposition to a reduction of the tariff upon lumber. Gentlemen, think of refusing to allow a man to build a home, refusing to give him a spot of earth where he may plant his own vine and fig tree, and sit under his own roof unless the clutch of monopoly is laid upon him. I desire to call your attention to the fact that the home is the world's great civilizer. The home makes a man a good citizen; it encourages him in the battle of life. And how can gentlemen here upon this floor see only from the lumber dealer's view, a monopoly which has increased the cost of lumber 100 per cent in the last five years, rather than look at the millions who are without homes. I take from the census reports of 1900 the following statement:

Census of 1900.

Total dwellings	14,474,777
Total families	16,239,797
Total homes owned free	4,739,934
Total mortgaged	2,180,229
Total tenants or hired	8,246,747
Total unknown homes	298,612

Of the 6,920,143 homes owned in 1900, 5,064,842 were native whites, 1,730,970 were foreign whites.

So, by this we will see that there are 8,246,747 families who are living in homes they do not own, tenants who have to pay a monthly rent. Virtually 42,000,000 of our people do not own their own homes, but live in tenement houses. This is an appeal, to my mind, stronger than any music that ever swelled in the banquet hall; this is a mute, silent appeal in favor of free lumber. [Applause on the Democratic side.]

And right here I want to say that no Democrat can justify his position before his people in undertaking to get a protective tariff upon something the people of his district produce, for when he does this he strengthens the bands of protection everywhere. No man can advocate that his people may be permitted to rob under the guise of a protective tariff without conceding the same privilege to all others. They might loot the rest of the people in a small way, but they must remember that all other people are being looted in a greater way upon every necessity of life. [Applause on the Democratic side.]

Mr. Chairman, there is another provision in this bill to which I wish to refer, and that is the one relating to sugar. The amount of raw sugar imported into this country in 1907 is as follows:

Raw sugar imported in 1907.

	Long tons.
Full dutiable sugar	347,509
Concession sugar, Philippines	10,700
Concession sugar, Cuba	1,340,400
Free sugar, Hawaii	418,102
Free sugar, Porto Rico	212,853
Total imported	2,329,564

The total duties on all raw sugar were $54,310,082.

Refiners got all of this raw sugar at a tariff cost of $54,310,082 or $23.31 a long ton or 1.04 cents per pound. The raw

sugar duty when equalized in this way amounts to 1.04 cents per pound.

In fixing the present rate for refined sugar, five hundredths of a cent was deducted from the old rate of 1.95 cents, so that the present differential is twenty-one and a half hundredths.

If twenty-one and a half hundredths be added to 1.04 cents, the actual duty rate on all sugar, the refined duty rate would be 1.255 instead of 1.90, as the Payne bill fixes. The refiners get 0.645 more than they are entitled to, even on protective principles.

There is no reason whatever for adding the differential, 0.215 cent to 1.685 cents, the duty rate on 96° sugar. This assumes that the refiners pay 1.685 cents for all imported raw sugar, when, as a matter of fact, they only pay 1.685 cents on 264,961 long tons.

On all dutiable sugar they pay 0.0137 cents per pound, and on all imported sugar 0.0104 cents.

If 0.0214 be assumed as the proper differential, and the Payne bill makes that assumption, then it should be added to what the imported raw sugar as a whole costs refiners—0.0104 cents—and not to what a particular item costs them—0.01685 cents.

The duty on refined sugar should therefore not be more than 0.0125½, instead of 0.190 as the bill proposes. The duty on refined sugar proceeds on the idea that the refiners have actually paid 0.01685 cents per pound duty on all the 2,329,564 tons of imported sugar, when, as has been shown, they pay on but 264,961 tons. They actually get 2,329,564 tons of raw sugar at a duty of 1.04 cents per pound, and the differential 0.21½ should attach to this and not to 0.168½, as is proposed.

One hundred and twenty-five and a half hundredths and not 1.90 should be the rate on refined sugar even on your protection principles, and less than this on sound revenue principles.

The truth is that this bill gives the sugar trust a tribute of nearly 1 cent per pound on every particle of sugar used in the homes of this land, while if we had free sugar, which is a necessity to our people, they could buy it for half the price they now pay.

The import prices for sugar, not above No. 16 Dutch standard in color, cane, were for the year 1906–7, as follows:

1906.	
July	$0.0198
August	.0216
September	.0196
October	.0196
November	.0196
December	.0190
1907.	
January	.0221
February	.0215
March	.0207
April	.0208
May	.0228
June	.0234

Average for a year, 0.0208 cents per pound.

The wholesale price for Standard A for 1907 was 0.0445 per pound, and for granulated 0.0465. The export price of sugar refined in 1907 was 0.0386 cents, or about 4 cents a pound.

In other words, the average foreign cost per pound was 2.08 cents in 1907, while the wholesale price of granulated sugar in New York for the same year was 4.65 cents per pound, and the export price of all refined sugar was 3.86.

The consumption in the United States for 1907 was 2,993,979 long tons, or 6,706,512,960 pounds, an average of 77.5 pounds per capita, or 387.5 pounds per family of five.

So this shows that under this bill the sugar monopoly is allowed to reach into every home, to every cottage and cabin in the land, and take the sum of almost $4 from each family per year, while if we had free sugar it would save all families who use 387 pounds per year more than $7.

There is another provision of this bill to which I wish to invite your attention. The Ways and Means Committee three times reported favorably a bill taking the tax off tobacco in the hand or unmanufactured state. Many of you are familiar with the conditions in Kentucky. The tobacco trust, which is protected in this bill in the sale of its manufactured tobacco by more than 100 per cent, went down into my country and they monopolized and trustized and organized all the competitive buyers. And what did they do? They fixed the price at which the farmer had to sell his tobacco. They laid the country off, and they said to one man, "You can go this road," and to the other, "You must go that." They said to one man, "You can go and buy on this side of the road," and to the other, "You must not go." What was the result? They fixed the price of the farmer's tobacco, and forced it down from $12 to $3 a hundred. I am speaking of the dark tobacco.

Mr. GARRETT. Will the gentleman permit a statement right there?

Mr. JAMES. Certainly.

Mr. GARRETT. In my own county there are instances of farmers owning land on both sides of the road and having tobacco on both sides of the road. I know of several such cases, but I speak of one that I remember of just now, when a buyer from town went to the barn on one side of the road and bought the tobacco in it, and refused to look at the same kind of tobacco on the other side of the road because, he said, under his orders he was not permitted to do it.

Mr. JAMES. That is undoubtedly true. The reason he would not look at it was because it was not in his territory, the territory fixed by the trust. What is the result? Our people, patriotic people who love the Government as well as any of your people, do not ask your aid; we do not want a bounty from the Treasury; we do not ask legislative aid to make our tobacco sell for more; we only ask that you do not use the power of the Government against us in favor of the trust. [Applause.] We only ask the right to sell what we grow to whom we please in its natural state. We demand that you repeal the law that forces us to sell to the tobacco trust and denies us the right to sell to the people. [Applause.] You say to our farmers that they shall not be able to sell their tobacco to anybody but the trust. [Applause.] The farmer has had this tariff racket worked on him in two ways: To increase the price of the necessities of life, which he must buy from the manufacturers, and decrease the price of the article he has to sell. The Committee on Ways and Means reported the bill unanimously, and unanimously it passed the House three times, in the Fifty-eighth, Fifty-ninth, and Sixtieth Congresses, taking the tax off unmanufactured tobacco. But in the Senate it halted. They never would give it consideration, and when this tariff bill came before the House I asked the chairman of the Committee on Ways and Means [Mr. PAYNE] if he would agree to an amendment taking the tax off of tobacco, and he said, "Well, we better not load this bill down too much." I said, "It will not be loading it down; it will lighten it up." [Applause.] It would lighten the hearts, lighten the homes, and lighten the lives of our people. [Applause.] I want to call the attention of my friend across the aisle to the Republican platform upon the question of the tobacco tax, which is not included in this bill. Your party said this in 1888: "We pledge ourselves to repeal the tax upon tobacco, which is an annoyance and burden to agriculture." When was that? In 1888. Twenty years and more have gone and the pledge remains unredeemed.

We had almost an industrial war in Kentucky caused by the merciless oppression of this tobacco trust. The people have stood the grinding. They were almost driven to desperation, gouged and oppressed, and their children made ragged by this trust. Our people are law-abiding, law-loving, church-going people. I have always appealed to them to abide by the law; that their remedy was in an appeal to you, to your conscience, to your idea of fair play and justice; I have told them that they would get justice, that my appeal to you would not be in vain. [Loud applause.]

Mr. Chairman, I very much regretted to see this bill brought in without any provision for an income tax. I know that when you talk of an income tax it may be said, "Oh, an income tax is unconstitutional." But, gentlemen, remember that, though that law had been held to be constitutional for a hundred years, the wealth of the country never stopped its battle, and when the tax was imposed, as it was in 1894, the wealth of the country believed in perseverance, and went to the Supreme Court of the United States and fought again to have that tax declared unconstitutional. What was the result, gentlemen? In this country to-day, out of $110,000,000,000 of wealth, $80,000,000,000 of the wealth of this country does not pay a dollar to help keep up this great Government whose beneficence it enjoys. Why, let me read you briefly from a statement made by this author:

> In a modest, old-fashioned building in Wall street, so modest that it seems out of place in the locality of the canyon-like streets of America's great financial center, there gather occasionally about a directors' table 23 men who all but own the United States. They are the directors of the National City Bank, of New York, the greatest bank of America, and they represent a total financial power of $11,000,000,000, or about one-tenth the entire wealth of the United States of America.

How much does that wealth pay to keep up this Government? Practically nothing; yet you take it off of those people and put

it on those who consume the necessities of life. [Applause on the Democratic side.]

But, further, there are in this country 7,305,448 depositors in the savings banks of America. How much have they under this glorious system of protection about which you tell us so much? By lives of self-denial, travail, and toil, they have been enabled to save $3,060,000,000 of money, representing, as they do, about 40,000,000 of our people; but here 23 men under your system of protection, exempt from taxation, have four times as much controlling power of money as nearly 40,000,000 of our people in the United States of America. [Applause on the Democratic side.]

An income tax is the most just of all taxes. There is not a civilized country in the world that does not impose an income tax. The man who is making money is able to pay of his profits more than the poor fellow is able to pay of his earnings. Let us see what Secretary Taft said upon the income tax. The other day when the gentleman from New York was speaking and this question was brought up, he said he doubted if Secretary Taft made a statement like that. I went to the paper owned by Secretary Taft's own brother, and his own brother's paper published this statement as coming from Secretary Taft, who is now President of the United States. It was in a speech that he prepared and gave out, and it was published in every paper in the United States, and here is what he said:

> A graduated income tax would also have a tendency to reduce the motive for the accumulation of enormous wealth, but the Supreme Court has held an income tax not to be a valid exercise of power by the Federal Government. The objection to it from a practical standpoint is its inquisitorial character and the premium it puts on perjury. In times of great national need, however, an income tax would be of great assistance in furnishing means to carry on the Government and it is not free from doubt how the Supreme Court, with changed membership, would view a new income tax law under such conditions. The court was nearly evenly divided in the last case, and during the civil war great sums were collected without judicial interference, and as it was then supposed within the federal power.

Let us analyze this statement briefly; let us see whether or not the objections given are good; let us see if the time for an income tax has not arrived. President Taft says:

> In times of great national need, however, an income tax would be of great assistance in furnishing means to carry on the Government.

What is a time of great national need, Mr. Chairman, in the affairs of a government? Is not this such a time? Why, President Taft himself told us in his message that the deficit in the Treasury amounted to more than a hundred million dollars, and in this very bill we are now considering there is a provision for the issuance of $250,000,000 worth of interest-bearing bonds, bonding the property, the earning capacity, and the patriotism of the American people to this great extent, which bonds are to bear interest at the rate of 3 per cent. Is this a time of great need, with an empty treasury, a deficit of more than a hundred million dollars, and the issuance of bonds pending to this great extent? Let us strike out this bond issue, let us call upon these great fortunes, made by monopolies, trusts, and combinations, to bear some of the burdens of this great Government. Although it is not inquisitorial to inquire of the poor man how many hogs he has, how many horses he has—you are not inquisitorial then—but when you approach a man with a mighty fortune, you are inquisitorial when you ask him what he has. [Applause on the Democratic side.] But let us proceed.

> And the premium it puts on perjury—

According to that objection, in order to keep the millionaires honest and keep them from committing perjury, we must allow them to go untaxed, because if we tax them they will swear to a lie about it. [Applause on the Democratic side.]

But let us examine this statement further—

> and it is not free from doubt—

Mark the language—

> It is not free from doubt how the Supreme Court, with its changed membership, would view an income-tax law under such conditions. The court was nearly evenly divided in the last case, and during the civil war great sums were collected without judicial interference, and, as it was then believed, within the federal power.

How many men are on the bench who were there when this income-tax law was declared unconstitutional, when one judge changed his mind between the setting and the rising of the sun? [Applause on the Democratic side.] How many upon that bench were for an income tax, and how many against it? How did they stand upon that case? Two of them were in favor of an income tax and two of them were against it who now remain upon the bench. Five new members are upon the bench, who have been appointed since this decision. I believe that when this income tax again comes before our federal court they will declare it constitutional. President Taft says it is not free from doubt, and he is a great lawyer; but my sincere regret is that President Taft did not rise to the occasion and send to this House a message calling upon us to place upon the incomes of the rich, the corporations, and monopolies an income tax. [Applause.]

The gentleman from Minnesota [Mr. STEVENS], who was in consultation with the President, tells us that he will introduce a bill for an income tax. I asked him, "Will you introduce it as an amendment to this bill?" "Oh, no," he said, "we do not want to embarrass this bill." Is it an embarrassment to a bill that taxes the poor man's coffee, his sugar, his farming implements, his clothes, and all that he consumes—is it an embarrassment to that bill to provide an amendment taxing in some degree the mighty fortunes that pile up like Pelion on Ossa? [Applause on the Democratic side.]

Mr. HARDY. Will the gentleman yield for an answer?

Mr. JAMES. I yield to the gentleman.

Mr. HARDY. I wish, in my way, to answer that it is an embarrassment to this bill to tax the rich, because this is a bill simply to tax the poor. [Laughter and applause on the Democratic side.]

Mr. JAMES. I entirely agree with the gentleman's statement; it is a good answer. I was in hopes that it might come from the other side of the aisle in the same spirit as it was given by my friend from Texas.

Mr. BARTLETT of Georgia. Will the gentleman yield?

Mr. JAMES. Certainly.

Mr. BARTLETT of Georgia. I want to call the attention of the gentleman from Kentucky, the House, and the country to the fact that what the gentleman has read from Secretary Taft's speech in Ohio in reference to an income tax is about what was in the Democratic platform of 1896; and for so declaring the Republicans and some Democrats criticised it as an assault on the court because we said it indicated that the court might change its opinion.

Mr. JAMES. That is undoubtedly true. But gentlemen have observed the political events that have followed, and the Democratic party stood out in the wilderness and advocated this doctrine when it was unpopular, and now the Republicans come along and try to advocate the same thing by innuendo, but not in the real spirit in which it ought to be incorporated into law. They promise, but never perform. You say you will present an income-tax law. When are you going to do it? Thirteen years have gone and no income-tax law has been presented. I want to say that one will be offered to this bill as an amendment, unless the machine of this House denies us this right by a rule, and you gentlemen will have an opportunity to vote upon it, and then we shall see how you will line up on this question.

Mr. BARTLETT of Georgia. What I wanted to call attention to was the fact that what we did in 1896 was called an attack upon the court, and that we have been followed in that attack by men who are now chiefs in the Republican party.

Mr. JAMES. Of course, nobody can attack the court except a Democrat. The Republicans can talk about the court any way they please and it is no attack; but if a Democrat says anything about a decision, it is a terrific assault on the integrity of the court. [Laughter and applause on the Democratic side.]

When you view this bill, up one side and down the other, it reminds me of the old lady who had the only spring in the neighborhood, and she always gave freely to everybody who came for water. She was most generous, and when the drought came on she was just as liberal; and finally the neighbors said: "She is such a good old woman and has never seen anything of the world, but has always so longed to see the ocean; we will make up some money and send her to the seashore." They did so, and put her on the train, and she made the journey to the seashore; and as she stood looking out upon its broad, tossing, rolling bosom, a broad smile spread over her face, and she exclaimed, as she threw up her hands: "Thank God, there is water enough for us all." [Laughter.]

And so it is with the trusts of the United States. As they gather about this bill, looking over its various items, seeing safely written upon its pages their continued license to steal, a broad smile spreads over their faces, as they throw their hands up and exclaim, "Thank God, there is loot enough in it for us all!" [Laughter and continued applause on the Democratic side.]

The CHAIRMAN. The gentleman from Washington [Mr. CUSHMAN] is recognized. [Applause.]

Mr. CUSHMAN. Mr. Chairman, it is with more hesitancy than usual that I rise this morning to add my few words

to this debate upon the all-absorbing topic of tariff revision. I do so rather from what I conceive to be a sense of duty than from any personal inclination. It is known to all my colleagues on this floor on both sides of the Chamber that I am the "baby member" of the Ways and Means Committee—the committee having this important bill in charge.

Speaker CANNON recently appointed me to this important place. It has been an observation of my life—frequently confirmed by experience—that gratitude in this world usually runs in the inverse ratio to our deserts. The less capacity a man has for a place the more grateful he feels when he gets it. I merely allude, in passing, to this general trait of mankind, and in that connection state that my gratitude for this appointment can only be measured in the superlative degree. [Laughter and applause.]

I felt when I received this appointment that I had been handed a larger portfolio than I merited. But I recalled that when I was a boy my father purchased a certain pair of trousers for me. And did they fit? Not on your life! No American boy ever had a suit of clothes bought for him that fitted him at the time. Those trousers hung around my emaciated form like a collapsed balloon, but dad said they would be all right, because I "*was goin' to grow*." It may be that the Speaker of the House indulged in a similar fond anticipation when he appointed me to a place on this committee. He may have thought that I "*was goin' to grow*." [Laughter.]

Mr. Chairman, the thanks not alone of the membership of this House but of the country at large are due to these older members of the Ways and Means Committee. They have labored hard and long to produce a bill that in their judgment will meet on the one hand the necessities of the United States Treasury, and upon the other hand the necessities of the consumer—and that contains provisions that maintain the doctrine of protection to American industries.

My remarks on this bill to-day will be personal. By that I mean I do not presume to speak for the committee nor for anyone else save and excepting myself.

I shall speak upon my own responsibility and according to my light, granting a similar privilege to all others.

I was not appointed a member of the Ways and Means Committee until March 16, 1909. And it so happened that when I was appointed that that great committee had then been at work almost continuously for five months framing this lengthy bill.

Immediately after my appointment I went to the committee room and was then advised by the older members of the committee that the bill had been entirely prepared and was then ready to be introduced. I thought of the old Spanish proverb to the effect, "When buying a horse or selecting a wife, shut your eyes and commend your soul to God." [Laughter.] And the committee, in a sense at least, invited me to close my eyes and commend this bill to the tender mercies of this great House. I did so, and here we are.

I make this statement in order that it may be understood in future days that while this bill in some degree reflects my ideas, I had no chance in the committee to attempt to make it in all respects what I think it ought to be.

Before leaving that subject I would like to add that when as a brand new member I reached the Ways and Means Committee room the great Democratic leader of this House, my friend from Missouri [Mr. CLARK] paid me one of the most priceless and cherished compliments I ever received, and I shall cherish the memory of it all the days of my life.

He came forward graciously, seized my hand warmly and shook it cordially, and then said with evident feeling: "*And Satan came also!*" [Applause and laughter.]

When I consider the tariff-for-revenue views of that eminent gentleman as contrasted with my belief in the doctrine of protection to American industries, I consider that quite a compliment.

THE MOUNTAIN OF SORROW.

I read, when I was a child I think it was, one of the fables of Addison, which he called the "Mountain of Sorrow."

There was in those days, according to that fable, a god who was in charge of the destinies of the people.

He was not the god Billiken, who is the "God of Things as They Ought to Be," but he was evidently the god of trouble.

Because the people were discontented, the multitude was murmuring. They were discontented, each complaining of his individual trouble or burden. And the god called them together one day in a great valley in the mountains. He invited each sorrowing son of Adam to lay aside his own particular burden and frolic all day unhindered and unhampered.

Each laid off his particular sorrow, his misfortune, or his affliction, and the pile rose like a great mountain in the midst of the plain.

The old women threw away their wrinkles and the young women their freckles; one laid down his sickness and another his deformity—and one man cheerfully added to the heap as his contribution a quarrelsome wife.

After they had frolicked all day and evening came the god informed them that each must return to that pile and pick up and carry away not necessarily the burden that he had laid down, but *one* burden, either his or another man's.

That sorrowing throng walked round and round that aggregation of human misery, and finally each one picked up and carried off with him the same individual sorrow and burden that in the morning he had laid down.

That fable was destined to teach us that heavy as our own burden seems it may in reality be no heavier than that which our neighbor carries.

If I should attempt to apply that fable to this tariff revision trouble of ours, I should certainly confer upon the gentleman from New York [Mr. PAYNE] the distinction of the title rôle, and designate him as the "god of trouble," because we are all murmuring at him, and each of us claiming that the burden which his bill casts upon us is heavier and more grievous than that borne by any other.

When I think of the mighty lumber and coal interests of my State and the thousands of people depending upon those industries for bread, and think of the provisions of this bill regarding those industries, I confess I think my burden is heavier than that of others.

But perhaps if each of the 391 Members of this House were given a chance to lay down his own particular complaint and take instead the troubles of another, it might be that, like the people in the fable, each sad son of Adam might pick up again his own particular burden.

Mr. Chairman, there are many embarrassments surrounding the formation of any tariff bill.

It is even a gigantic task to comprehend a tariff bill after it has been framed. As I stand here to-day trying to discuss this bill I feel like one trying to grasp a globe larger than his hand could hold.

There are some provisions in this bill which do not meet my views, chief among them are the provisions regarding lumber and coal—and also hides.

I shall before I sit down probably make some adverse criticisms relating to several schedules of this bill. I trust that in so doing I will not be considered discourteous, or unfair to my fellow-members on the Ways and Means Committee. I do not intend to make any unjustifiable onslaught on this measure.

The only reason that justifies any man in rising to speak on this or any other bill is that he may give expression to his honest views. If we all sit here and conceal rather than express what we believe, then our deliberations become a mockery and a failure.

If I criticise some of the provisions of this bill I want it understood that I still have a great and high regard for all the members of the Committee on Ways and Means who have labored so hard on this measure, not for the benefit of any particular section, but for the benefit of the entire country.

The framing of a tariff bill is surrounded with difficulties and embarrassments that are not understood by all the people of this nation at large. It is not easy to revise the tariff and produce a perfect bill.

Thomas B. Reed once said:

> Did a perfect tariff bill ever exist? Oh, yes. Where? Why, in your mind, of course. Everybody has a perfect tariff bill in his mind, but unfortunately a bill of that character has no extra-territorial jurisdiction.

[Laughter.]

THE HOME BY LARAMIE PEAK.

I had an experience in my youth that I think illustrates some of the difficulties that surround the building of an American tariff.

The present populous and thrifty State of Wyoming twenty-five years ago was a sparsely settled territory possessing a few towns that struggled on with the ambition to be cities, possessing many frontier settlements, each surrounded with a fringe of empty tin cans, a horizon of sage brush, and an unlimited destiny. [Laughter and applause.] The great Laramie Plains stretched out on the bosom of that broad domain like the open hand of the Infinite. Along the northern border of these plains rose the Laramie Mountains, and from out the surrounding and lesser hills rose old Laramie Peak standing like a mighty sentinel upon the horizon.

A quarter of a century ago, a lad in my teens, barefooted and footsore, I walked across those plains and toward that old mountain peak that seemed to beckon to me when I had nowhere else to go.

Underneath the shadow of that majestic mountain my mother, my brother, and I built our little cabin home. It was only a cabin built of logs, but it sheltered hearts as pure and hopes as exalted as ever existed beneath the sweep of the Almighty stars. [Applause.]

But it is not of those things that I intended to speak; but I do want to refer for a moment to the building of that cabin, because I think it points a moral and adorns a tale. That structure in my judgment to-day constitutes the eighth wonder of the world. Certain it is that on all the wide bosom of the planet it has no counterpart, because the ordinary dwelling is rectangular in shape and the opposite sides and ends are of the same length. Not so with that structure. There were four of us who builded that cabin—one to each side—and each fellow made his own particular side of the length he thought it ought to be without any reference to the length that the other fellow was making his side. [Laughter.] And when we got through and took the exact measurements we had a cabin that was 16½ by 17 by 22½ by 24 on the ground, and sloped up at different angles and dimensions as it rose toward the roof.

Jack and Jim and brother Ed and I were the four workmen who builded that mighty structure. And for the past quarter of a century each one has contended that it would have been a monument of architectural perfection and a dream of symmetrical beauty had it not been for the other three fools whose lack of sense spoiled it.

But, sir, there it stands on the hillside to-day, hospitable but hideous. It is a monument to the fact that when four men start to build a house that the final product will be a composite photograph of the brains, or lack of brains, of all of them.

And the same thing, my friends, is true of a tariff bill. We have here in this House 391 boss carpenters, each with a tariff broadax, who will whittle and chop away at this measure to their hearts' content, taking orders from no one else. And then we have 92 eminent gentlemen in the Senate, at the other end of this Capitol, and after we have finished with the bill each one of them will hew away at it unrestrained by anything save the fear of God and the approaching election! [Laughter and applause.]

And thus it sometimes happens, sir, that when the American Congress after a fierce and prolonged struggle brings forth a so-called "finished tariff bill" and sets it up on the hillside for the inspection of the American public it is found to be like that little cabin out in the valley of the Laramie Mountains—a little out of plumb. [Laughter.]

The tariff question is a practical question. Why? Because the adjustment of our governmental revenues and expenditures is a practical question.

One of the nation's chief sources of revenue is the tariff—that is, the duties levied on imports. Therefore the tariff is the thing which to a large extent fixes the amount of our government revenue, and it will continue to be a source of argument and controversy as long as that system of raising revenue continues.

There are theorists and dreamers of dreams who say they expect to live to see the day when the tariff question shall be removed from the domain of American politics.

So long as our revenues are derived from the tariff, just that long will the tariff question remain a live issue in American politics.

American politics with the tariff left out would be like peach pie without any peaches, or like the play of Hamlet with the melancholy Dane omitted.

I AM A PROTECTIONIST.

Speaking for myself, sir, I am a protectionist, without any qualifying adjectives. I am not only a protectionist, but a high protectionist.

I believe in the protection of American industry and the protection of American labor—yes, I believe in it like the heathen believes in his idol.

That may sound a little strange in these degenerate days, when a great many men don't seem to have any fixed convictions on any subject but act like human weather vanes trying to point in any direction that the shifting breeze of popularity or prejudice may temporarily indicate.

When I say that I am a protectionist, I thank my God I don't have to apologize to anybody for that belief. I can plant the feet of my faith on the pages of my country's history. [Applause.]

Time and again in experience, and by the light of history, I have seen the industries of my nation flourish under protection, and I have seen them fade under free trade—or tariff for revenue only, which is another name for free trade.

If a man is a genuine protectionist he believes in protection all the way through—and not in spots. A genuine protectionist wants the industries of his own region protected, and is willing to grant that same right to other people and other industries.

Frequently you will hear a man say, "I am a protectionist, but I am in favor of free lumber," or "I am a protectionist, but I am in favor of free hides." The man whose Republican convictions are not any deeper than his selfishness is not a protectionist. The man who wants his own industries protected, but who is willing to leave his neighbor's industry naked to the competition of the world, is not a Republican; he is just a common political cannibal, willing to eat up his neighbor.

For the man who really believes in protection, I have the greatest admiration.

For the man who honestly believes in free trade, I have at least respect. I do not agree with him, but I respect his consistency.

But for the spotted animal who wants his industry protected and his neighbor's industry left naked to the industrial winds of all the world, I have neither admiration nor respect.

The two great achievements of the Republican party in its political lifetime have been, first, the settlement and adjustment of those vexed questions which grew out of the great civil war—now happily forgiven if not forgotten; second, the building of a great and prosperous industrial system under the protecting wing of an American tariff law.

If you take away from the record of the Republican party all the splendid fruits that have grown under its system of protection, you will find but little left.

The Democratic leaders may rail about the system of protection and promise grander returns to the laboring man under their chosen plan, but there is an old saying that "the proof of the pudding is in the chewing of the string." The promises of the Democratic party have been infinite—but where are its performances?

I have heard a number of eminent gentlemen on the Democratic side of this House speaking in the last few days in behalf of a tariff for revenue. I heard the young gentleman from Texas [Mr. SHEPPARD] deliver one of the most finished and beautiful orations I have heard in many a day. As a literary product, pure and simple, I am willing to add my leaf to the wreath which the Democrats of this House laid at his feet when he concluded.

But as a historic justification of the policy and the performances of the Democratic party it was as empty as the seashell which sings in your ear from sheer emptiness.

My Texas friend spoke feelingly of two Democratic free-trade laws which had vindicated themselves in operation. What two laws were they? He spoke of the acts of 1824 and 1847! The last of those laws was enacted sixty-seven years ago. Has the Democratic party no history since sixty-seven years ago? My young friend does not appear to be an old man, and yet I marveled much at two things: First, how he was able to remember so accurately the effects of a tariff bill that was enacted some thirty years before he was born, and, second, how he could so utterly forget the Democratic Wilson bill that was enacted during his lifetime.

He appealed to the imaginations of men. I appeal to their recollections. He sought to vindicate a theory. I refer to a demonstration. He wandered in the realms of fancy. I turn the pages of history to recently recorded facts.

In 1894 we tried the same policy that is to-day advocated by the free-trade or tariff-for-revenue side of this House, and the question rises before us to-day, "How did your theory work when you tried it last?" It was a humiliating failure.

Well, we have the same country here now that we had then; we have the same people that we had then; we have the same industries that we had then; we have the same soil beneath us and the same sky above us. If it did not work then what makes you think it will work now? [Applause.]

I regret that there seems to be growing up in this country a disposition on the part of some of our Republican brethren to drift away a little from the doctrine of protection.

That same disposition was manifest in this nation just before the last Democratic victory. Their victory was due then more to our weakness and vacillation than to the strength of their own cause. Are you going to help create a similar result again?

What the Republicans of this nation need to-day more than they need all things else is to have their faith renewed.

There is an old saying that "the blood of the martyr is the seed of the church." By that it was meant that the blood of the persecuted strengthened the faith of the living. The church was stronger after the sacrifice than before.

If I might paraphrase that old saying I would exclaim that "the destruction of American industries is the seed of Republican faith."

In other words, some Republicans seem to require a disastrous demonstration of Democratic doctrines about every ten or fifteen years in order to strengthen their faith in their own belief.

So far as I am concerned I don't need to have my faith half-soled. My memory is still working.

I have certain fixed convictions, and one of those convictions is in favor of a high protective tariff law, and on that I am willing to plant my feet and go up or down with it. [Applause.]

Some man asks, "Well, how high ought protection to be?" My friends, you can not figure out in degrees or percentages how high a tariff ought to be. In my judgment an American protective tariff ought to be high enough to protect the industries that it was built to defend; and no tariff wall, however altitudinous, that has that object in view has any terrors for me.

I was raised on the farm. We had a "breachy" old mare in those days that was in the habit of jumping into the corn field. We started in to raise the height of that rail fence. We raised it from five rails to six rails, but that did not stop her; we raised it from six rails to seven rails, but that did not stop her; we raised it from seven rails to eight rails, but that did not stop her; but when we added the ninth rail we reached the limit of her vaulting capacity. For the purposes of protection, had that fence been one rail less, it might as well have been "a painted ship upon a painted ocean." [Applause on the Republican side.]

The way to build a tariff wall is to build it high enough to protect. I knew a man once who fell into a cistern. He was a very tall man. He was 6 feet tall. Now, the water in that cistern was only 6 feet and 2 inches deep, only 2 short inches over his head; but he drowned as effectually as if he had been dropped into the depths of the unfathomable ocean. [Laughter.]

You talk about lowering the tariff wall by degrees or per cents. You may only lower the tariff on a given article 2 per cent, but that 2 per cent may be like the last two inches of water in that cistern—just enough to destroy. And when you lower a tariff wall enough to destroy an American industry, the blood of that industry is on your hands.

I say these things in order that it may be understood that I have not lost either my faith in protection nor my courage in proclaiming what I believe.

STICK TO THE DIET THAT AGREES WITH YOU.

In its inception in America the protective tariff found its justification in the fact that it built up our infant industries.

In its maturity the protective tariff finds its justification in the fact that it is the mightiest single instrument in this nation for maintaining the prosperity of all classes and all sections of our common country.

Some men will say, "Well, I did not object to it when our nation was young, but how long are you going to continue to protect these industries?"

Let me tell you a little story that answers that question:

A few years ago I had a very fierce attack of indigestion. I had been eating all kinds of truck that no human stomach should ever try to assimilate. In the midst of my troubles I went to a doctor who put me on a very simple diet of rice and boiled eggs and brown bread and fresh beef, etc.

I soon got into first-rate shape again. And then my old appetite returned. I longed to eat plum pudding and fruit cake; I had a hankering for hot mince pie, and the contents of the seductive chafing dish—that tastes so good *going down* and so bad *coming up*.

Finally one day I spoke to the doctor and said:

"How long do you expect me to keep on this diet you have prescribed for me?"

He said to me: "Young man, don't you think it would be a good idea for you to stick to that diet *as long as it agrees with you?*"

And I say to the American people that it will be an almighty good idea for us, as a nation, to stick to the protective tariff as long as it agrees with our welfare and our prosperity.

And when men tell you that protection does not agree with us as a nation, ask them to point out to you some other national diet that when tried agreed with us better.

Some of these free-trade notions are like the contents of the chafing dish—they are fair to look upon, but are followed by terrible results when absorbed into the system.

Men will talk about things being "cheap" and being "dear." Did it ever occur to you that the two terms "cheap" and "dear" are relative terms and not absolute? Nothing in this world is dear at any price if you can procure it with financial ease. And nothing in this world is cheap at any price if you haven't got the money to get it. [Applause on the Republican side.]

My beloved friend from Missouri [Mr. CLARK] appealed in his speech to the farmer and the laboring man, because he said he wanted them to have an opportunity to get things cheap.

To my mind that argument constitutes the fundamental and underlying weakness of the whole Democratic theory. You go to the man who is receiving high wages, when employment is abundant and industry universal, and you say to him, "My friend, the only trouble with you is you have to pay too much for what you buy. You vote the Democratic party into power and we will scale down the price of what you have to buy."

You leave that man under the delusion that while you are scaling down the price of everything which he has to buy, that his own product and his own wages shall remain alone and undisturbed on the high scale they occupy.

He votes you into power, and then he discovers that you do reduce the price of what he has to buy 50 per cent, but at the same time you have reduced his ability to buy it 100 per cent. [Applause.]

You say you are going to bring down the price of products and the price of living. How are you going to do it? The price of products in all free countries on earth rests upon the price of labor—because it is labor that makes the product. The only kind of a country on earth where the price of labor does not control the price of products is in a slave country where labor is unpaid. When labor is high, the things that labor produces are likewise high—they are bound to be. You talk about keeping down the price of commodities without lowering the price of labor.

It was old Archimedes who once said that given a fulcrum on which to rest his lever he could move the world. When you attempt to adjust your lever to bring down the price of living expenses and commodities, there is only one fulcrum on earth upon which you can rest that lever, and that is the price of labor and wages.

And when you rest your lever on that fulcrum, for every inch you pry down commodities you will lower labor two inches. [Applause.] That is the place where your philosophy lands you.

Gentlemen on the other side of the aisle have talked unceasingly upon what they choose to call the iniquities of this Payne tariff bill.

Gentlemen, let me ask you where is your bill? Have you any bill here that you propose as a substitute for it? It is an easy thing for a man to stand up and make an onslaught on somebody else's bill. It is an easy thing to criticise, but it takes genius to create. And I say to this nation to-day, that it would be a most interesting contribution to the political literature of this nation to have printed side by side in deadly parallel columns exactly what bill you gentlemen propose as a substitute for this bill.

TWO PICTURES OF PACIFIC AVENUE.

My Democratic friends, you are always telling the American people what you are going to do for them in the future when you get into power and revise the tariff. Why don't you tell the American people what you did do to them when you were last in power and did revise the tariff?

I have lived in the city of Tacoma, in the State of Washington, since and before the year of 1894.

In the year of 1894 the Democratic Wilson free-trade law was working in this country—and it was the only thing in the nation that was working.

Pacific avenue is the main business street in my home city. And there rises in my mind two vastly different and contrasting pictures of that great avenue.

Every time I walk down Pacific avenue in these good days my mind harks back to those old Democratic days of 1894.

In those days, in the gloom and the silence of that desolate and all but abandoned highway, no sound of genuine progress stirred the stillness.

The only hammer that was heard in those days was the hammer of the sheriff, who with remorseless haste was foreclosing not only the property equities but the human hopes of men.

To-day along that avenue I can hear the ever-increasing hum of established commerce, mingled with the click of the builder's hammer repairing old and building new structures in a frantic effort to keep pace with the nation's increasing business and prosperity.

Permit me to remind you that this mighty change was not wrought by that much-heralded Democratic panacea, "The free coinage of silver at 16 to 1." [Applause.]

In 1894 the only industrial(?) demonstration that occurred along that avenue was when Jumbo Cantwell, with the left wing of "Coxey's industrial army," passed that way—and the echo of their misguided tread resounded through empty buildings and amidst deserted market places.

To-day along that dear old avenue I see a mighty throng of my countrymen, so many and so busy that they elbow each other off the pavement and into the street in an effort to get along. The sides of that street are lined with stores full of things to sell, and the middle of that street is filled with people who have money to buy. [Applause.]

Permit me to remind you that the idiocies and idiosyncrasies of the Democratic party did not produce these great results.

In 1894 honest but hungry men fought each other and cursed their country because of the misunderstandings born of those desperate days.

To-day the toilers of America, in peace and plenty, look out upon an industrial field of more work and better wages than mankind has ever known before.

Permit me to remind you that William Jennings Bryan is not responsible for that mighty industrial resurrection.

In the midst of these distressing scenes and disheartening days there came to us as a Nation a voice sounding from the midst of our industrial wilderness.

It was the voice of William McKinley. That voice reached the ears, touched the hearts, and moved the understanding of the American people. He had God-given sense enough to know that you can not legislate a nation into wealth by cutting in two the purchasing power of the money.

His voice sounded like a bugle call across a field of strife whereon the battle had been all but lost.

Ah, sir, that bugle call sounded a distinct double note. It sounded retreat for those politicians whose false policies had brought disaster to this Nation and its people. But it also sounded a grand forward movement for Americans all along the line.

Once again the unnumbered millions of our countrymen formed into the ranks and battalions of labor's peaceful army and moved out again to occupy the vast and fruitful plain of American industry. [Applause.]

Mr. WEISSE. Will the gentleman yield for a question?

Mr. CUSHMAN. Certainly.

Mr. WEISSE. I am glad the gentleman says his country is in such great shape. According to Bradstreet's reports for the last two years the total failures have been $670,000,000, against $533,000,000 in two Democratic years. [Loud applause on the Democratic side.] Is that difference the result of the Dingley bill?

Mr. CUSHMAN. I have not examined the figures the gentleman refers to. I do not know whether they are correct or not; and, to my mind, they would not prove much if they were conceded to be correct.

Let me give the gentleman a few instances that do not deal with capital, but deal with labor conditions. We have heard a great deal of talk in these last two years about Republican panic and the depressed conditions that existed. I confess I have failed to see it.

Last fall in the city of Spokane, in the State of Washington, in September, 1908, I noted the following signs along the street:

Wanted.—Enaville, on Idaho Northern: 10 teamsters, $2.25 per day; 15 trackmen, $2 per day; 25 laborers, $2 per day.
Wanted.—Idaho Northern Electric Road: 10 teamsters, $2.25 per day.
Wanted.—10 men for surfacing, free pass, $2 per day.
Wanted.—5 men cast to-day, free pass, $2 per day.
Wanted.—2 men for brickyard, $2 per day.
Wanted.—5 steam-shovel laborers, free pass, ship to-day, $2 per day.
Wanted.—3 yard men, $2 per day.
Wanted.—Extra gang, Chicago, Milwaukee and St. Paul, $2 per day, company work, fare advanced.
Wanted.—10 spikers, Chicago, Milwaukee and St. Paul, $2.50 per day.
Wanted.—Government ditch, Montana: 15 teamsters, 25 cents per hour; 10 scraper holders, 25 cents per hour; 10 wood choppers and 6 laborers, $2.25 per day.
Wanted.—Plasterers wanted, union wages.
Wanted.—Plane men, $3 per day.
Wanted.—15 railroad spikers, $2.50 per day.
Wanted.—Carpenters' helpers, $2.25 per day.
Wanted.—Milkman, $35 and board. Close in.
Wanted.—Lumber piler, $3 per day.
Wanted.—3 sawmill laborers, $2.25 per day.
Wanted.—6 yard men, railroad work, $2 per day.
Wanted.—Carpenters, $3.50 to $4.50 per day.
Wanted.—5 rough-carpenters, $3.50 per day.
Wanted.—6 laborers, West, $2.25 per day.
Wanted.—4 cable men, $2.25 per day.
Wanted.—6 pitmen, $2.25 per day.

Now, can the gentleman refer to any condition similar to that when he and his party were in power? And if that is the condition of the laborer in this Nation, with the opportunity to work, what significance have your figures?

Mr. WEISSE. If the gentleman will allow me, I will answer his question.

Mr. CUSHMAN. I shall be most happy.

Mr. WEISSE. I am glad that those conditions exist in the State of Washington; but according to labor reports 40 per cent of manufacturing American labor has been out of work for the last eighteen months.

Mr. CUSHMAN. That is not true. [Applause on the Republican side.]

Mr. WEISSE. There are thousands of them to be had, and all the Chicago and Northwestern Railroad is paying to-day is $1.25 to section men in Wisconsin; but instead of working them nine hours as they did in 1893, they work them ten hours for the same wages. [Applause on the Democratic side.]

Mr. CUSHMAN. Of course I am not familiar with the conditions that may exist in Wisconsin, but I can give the gentleman a few facts regarding the conditions in the State of Washington. The common labor that built much of the Pacific coast extension of the Milwaukee road was paid $2.50 per day—and they had trouble often getting laborers for that. I do not believe that the conditions to-day are quite so prosperous as two years ago; but when the gentleman attempts to make the country believe that the conditions now are similar to the conditions that existed when he and his party were in power, he has taken on his broad shoulders an almighty large job. [Applause on the Republican side.]

There sits above and beyond all figures and statistics the common sense of mankind. When I went over this Nation in 1894 the dominating feature of the human landscape was rags. Nearly every man had his American posterior ornamented with either a patch or a puncture—and sometimes both. [Laughter.] In the last few years I have traveled up and down this country lengthwise, sidewise, and otherwise, and I have scarcely seen an idle or a ragged man. Now, if the multitude of American laborers are being pressed and ground down the way you say they are, they are about the best dressed and best fed assembly of down-trodden patriots that I have ever seen.

Occasionally in my home city of Tacoma on Saturday evening I take my wife and my mother and go down into the city and watch the throng along Pacific avenue. And I defy any man on earth who is a stranger in that city to tell from looking at that crowd by their clothes or any other way who is the banker and who is the artisan, who is the business man, or who is the machinist. They wear as good clothes as anybody, and they wear them as well as anybody. [Applause on the Republican side.]

Mr. WEISSE. The gentleman has not yet answered my question. Does the gentleman say that 40 per cent of American labor has not been idle?

Mr. CUSHMAN. I do.

Mr. WEISSE. Then you deny the statistics.

Mr. CUSHMAN. I deny emphatically that 40 per cent of the men in this country are idle. I know it is not true. [Applause on the Republican side.]

Mr. WEISSE. Do you deny Bradstreet's report that there were $689,000,000 worth of failures in the last two years of panic?

Mr. CUSHMAN. I have not seen the figures that the gentleman refers to, but I have seen the country. There is an old saying that figures won't lie, but the converse of that is that liars will figure. I do not apply that to my friend, but I say that you can juggle with figures and prove or disprove almost anything?

Mr. WILSON of Pennsylvania. Will the gentleman——

Mr. CUSHMAN. I would like to talk a little now, myself. I will be glad to yield to the gentleman a little later.

Any man who walks abroad over this Nation to-day will find employment far more abundant than it was when your party, the Democratic party, was in power. You appeal to the American laborer to-day with an imaginative condition. You display before his eyes some kind of a Utopian condition under which you say that wages shall be high and all other things shall be

cheap. That condition never has existed in six thousand years of the world's recorded history and it never will exist.

The conditions that the Republican party have created in this Nation in the past twelve years are not only recorded on the pages of industrial history, but, what is more, they are enshrined in the grateful hearts of 90,000,000 American people. [Applause on the Republican side.]

PRICE OF REPAIRING THE COTTAGE.

Now, then, my friend from Missouri [Mr. CLARK] has spoken very feelingly about his desire to have the price of commodities and living expenses and lumber come down, but the gentleman never raised his voice to congratulate the laborers of this country on the fact that wages were high. If anybody ever hears of a leading Democrat in this Nation congratulating somebody because wages are high, industry universal, and employment plenty, please wire me at once at my expense. [Laughter and applause on the Republican side.]

Now, then, it is not very often that I have occasion to hire a man to do some work, but once in a while I hire a man to do something that I am too lazy to do or can not do myself. Therefore if I refer to a few prices that have come within my personal observation I trust you will not consider it egotistic on my part. I only refer to them because they have come within my personal observation.

In the city of Tacoma, my home, I purchased a little cottage, which I have decorated with a mortgage—and other permanent improvements. [Laughter.] I have had occasion once or twice to have a few repairs and changes made on that dwelling. Let me quote you a few prices.

That cottage is not much bigger than a railroad box car, but a short time ago when I wanted the outside of it painted it cost me $98, all right. But I am not complaining about that, because I like to see people get paid for what they do.

I concluded that I wanted the two front rooms repapered. What we call the "large" room in our house is about 9 by 11 feet. [Laughter.] It cost me $[illegible] to get those two front rooms repapered just the same. Am I complaining about it? Not at all. I like to see people get paid for what they do.

A little later I concluded that I wanted our dining room retinted. The dining room in my palatial mansion is about 8 by 9 feet. [Laughter.] But it cost me $40.20 to get it retinted. But I am not complaining. I like to see people get paid for what they do. [Laughter.]

One day there was a piece of plaster came loose on the ceiling of my dining room, and, as God is my witness, that piece of plaster was not much bigger than the rim of my old slouch hat, but it cost me $5.50 to get new plaster put over that hole. I could have taken five $1 bills and almost covered the hole. [Laughter.] But I am not complaining. I am one of those individuals who like to see people get paid for what they do. [Laughter.]

I wanted an extra doorway cut through the wall from the kitchen into the pantry. It was to be an open doorway—just a hole. It cost me $7.95 to have that hole made. But it was a good-looking hole. [Laughter.] I never saw a better looking hole. [Laughter.] And I do not regret the money. And if I want another carpenter in the future, I will send for the same man. I am not complaining, because I am one of those peculiar individuals who like to see people get well paid for what they do. [Laughter.]

I wanted a hot-water boiler moved from one room to another, and I subsidized a plumber friend of mine to the tune of $16 for moving it. But I am not complaining, because one of my personal peculiarities is that I like to see people get paid for what they do.

I had a wire fence built along one side of my lot; perhaps the fence was 90 or 100 feet in length. I paid a workman $53 for putting up that fence. [Laughter.] Well, I am not complaining. It is a good-looking fence, and I look at it every day. [Laughter.] I was glad to have it built, and glad to see the man who built it get paid for his work.

You can't hire a drayman with one horse and a dinky wagon in my town short of about $6 per day, or $4 for a half a day. I have paid that much, and I know. I do not regret the money, because I like to see people get paid for what they do.

Last summer I walked out into the alley to the rear of my house one morning where I had had a wagonload of wood unloaded. A man came along and told me that he had just got into town and asked me if he could split some of that wood and pile it in the woodshed. It was nearly 10 o'clock in the morning. I told him to go to work. He worked until noon, a trifle more than two hours, and I paid him for that $2 and gave him his dinner and offered him a pair of my old shoes. He took the $2, he ate the dinner, but he declined the shoes—because he said they were not as good as the pair he already had. [Laughter.] I never regretted the $2; I am glad I gave him his dinner, but I confess it did grind my pride a little to have that fellow refuse the shoes of a genuine "statesman" because they were not as good as he was in the habit of wearing. [Great applause and laughter.]

Mr. WILSON of Pennsylvania rose.

Mr. CUSHMAN. Well, I am getting along fairly well, and my time is limited, but what does the gentleman want?

Mr. WILSON of Pennsylvania. How does the gentleman account for the discrepancy between the $6 and $8 per day he is required to pay out there for labor and the advertisements he has just read for labor for $2 and $2.25 a day?

Mr. CUSHMAN. There is no discrepancy between the two. In one case it was skilled labor and the other it was common labor. And in that connection I might remark at the very time I read those figures on the streets of the city of Spokane the Democratic party in that part of the State was trying to make a campaign by claiming that a panic was on, and nobody could get work.

Mr. WILSON of Pennsylvania. Is the gentleman aware of the fact——

Mr. CUSHMAN. Oh, let me talk a little of the time.

Mr. WILSON of Pennsylvania. Is the gentleman aware of the fact that the United States Steel Corporation in its report for the year ending December 31, 1907, shows that it has a total number of employees of 210,000, and that for the year ending December 31, 1908, it shows it had but 165,000 employees?

Mr. CUSHMAN. Well, what would all that prove if it is true?

Mr. WILSON of Pennsylvania. Does not that show there are a large number of men out of employment?

Mr. CUSHMAN. Not necessarily. I have never known a time yet in this Nation under the best of circumstances when wages were high and employment abundant, that some men were not claiming that times were hard and wages were low. If you find something in the report of the Steel Corporation that you think helps your side of the case, you are willing to give it full credit. And yet if on to-morrow some Republican should read some figures from that same report the Democracy would hoot and say it wasn't worthy of belief.

I refer to certain things that have come directly under my observation. You say that wages are low and that employment is scarce. These conditions now are far better than when your party was in power. I recall now one little incident that to my mind illustrates the difference between the conditions that exist now and the conditions that existed in the days of 1894-95. Within three blocks of my cottage there is a little meat market. My friend Geiger, who keeps that meat market, charges good high prices for his meat, too, but I never object, because I like to see people get good prices for what they sell. [Laughter.] I occasionally drop in there to buy a bit of meat. I dropped in there one Saturday night, and a laboring man came in and said to the butcher, "Cut me off a couple of slices of that porterhouse, medium thick, and take the change out of that," and he threw down a $10 gold piece. I saw that same man go into a meat market in that same town in 1895 and ask for a dime's worth of liver *on credit*. [Applause and laughter.] You can talk all you want to about the conditions that have existed under your party and mine. I tell you that the laboring man of this Nation has traveled a mighty distance since the Democratic party was last in power. He has traveled all the way from a dime's worth of liver on credit to a dollar's worth of porterhouse for cash—and that represents a mighty and an unmeasured distance on the chart of domestic economy and national prosperity! [Loud applause on the Republican side.]

Mr. WILSON of Pennsylvania. Mr. Chairman, is it not a fact——

Mr. CUSHMAN. Mr. Chairman, I regret that I must decline to yield, because——

Mr. WILSON of Pennsylvania. Is it not a fact that there are thousands of men trying to get meat on credit to-day?

Mr. CUSHMAN. Mr. Chairman, I do not want to be discourteous to my friend, but I must insist upon using a little of this time *myself*. Many gentlemen have spoken recently on his side of the Chamber and said many things I did not agree with, but I did not continually interrupt them.

Mr. WILSON of Pennsylvania. I beg the gentleman's pardon. I thought he had yielded.

Mr. CUSHMAN. I did not yield.

Mr. WILSON of Pennsylvania. I certainly beg the gentleman's pardon.

Mr. CUSHMAN. I do not mean to be discourteous, but my time is limited.

THE AMERICAN FARMER AND THE TARIFF.

Mr. Chairman, a good many things have been said about the farmer's prosperity in this Nation, and it has many times been stated that a protective tariff does not help the farmer. That I deny, and if my observation and my experience goes for anything I can prove it.

In the first place what does the farmer do? He raises crops. What for? To sell. To sell to whom? *Not* to sell to other farmers, because they are engaged in the same kind of industry; they are his competitors and not his customers. The farmer raises products to sell to other people engaged in different kinds of industries. His customers are the clerks in the stores; the laborers on the railroads; the laborers in the factories; the workmen in the mine, and the men who work in the sawmills, and all other men in the Nation who do not raise products.

Therefore the price of the farmer's products are high when all these men are at work and are on a pay roll, because they are then buying the farmer's products. A laborer may be just as hungry when he is "broke" as when he has money, but his custom lacks profit. The laborer must have money or he can not buy. He must have work or he hasn't got money.

Now, then, it has been by reason of the fact that our factories have been running, that the mills have been running, that our mines have been running, that all our men are employed, that wages are high, that employment is plenty, that industry is universal—these are the things that have made the prices of the farmer's products high.

That is what makes eggs in my town worth 50 cents a dozen. That is what makes butter worth 45 cents a pound. That is what makes a spring chicken no bigger than your fist and mostly neck and pin feathers worth 65 cents. [Laughter.] That is what makes strawberries worth 20 cents a box—and the bottom of the box is a good deal nearer to the top than it is close to the bottom. [Laughter.] That is what makes Uncle Tom's old brood mare, 16 years old and blind as a bat, worth $100 in gold. I have been buying some of the farmer's products in the past few years and I know the prices that I have quoted, because I have paid them; but I am not complaining, because I like to see people get well paid for what they produce. [Laughter.]

I also had some knowledge and some experience with the price of the farmer's products in the State of Washington in 1894 and 1895. You could buy horses in that State then, good sound horses, that weighed 900 pounds for $15 per head. You can absolutely sell a fat hog to-day in my State for more than a small horse would bring in those days. Eggs were then worth about 8 cents a dozen. I saw strawberries offered for sale in those days on the streets of Tacoma 9 boxes for 25 cents, but mighty few people were eating strawberries in those days at any price.

Oh, there does not anybody need to sit up nights worrying about the condition of the American farmer these days. He is laying away the gold coin with every revolution of the sun, and at the same time the price of his farm land is soaring into the sky until an acre of good farm land is worth more than a city lot. [Applause.]

My friend from Missouri [Mr. CLARK] has been talking on this floor about cheap things. He wants the price of lumber to be cheap so the laboring man and the farmer can build homes. Well, we had cheap lumber in this Nation in the years of 1894 and 1895—the cheapest lumber that was ever known in recent years. Did people build homes in those days? Oh, no; they not only did not build new homes, but most of them lost the homes that they had already built. [Laughter and applause on the Republican side.]

Do you think that it is an ideal condition when things are cheap?

Horses were never so cheap in the world before as they were then—but everybody went on foot. [Laughter.]

Food was never so cheap as it was then—but everybody was hungry. Clothes were never so cheap—but the whole human landscape was patched and ragged. And the free-trade party was never so cheap as it was then—because nobody wanted it at any price. [Laughter and applause on the Republican side.]

I tell you that high wages is a sign of good times. It is the wage scale, and not the price list that is the barometer of a nation's prosperity. [Applause on the Republican side.]

THE AMERICAN TARIFF ON COAL.

I want to talk for a few moments on the provisions of this bill that relate to coal. As I said in the beginning, if I raise my voice against some of the provisions of this bill, I do so because I feel it is my duty to my constituents and to the mighty coal industry in my State of Washington.

Anthracite coal is now and has been on the free list for many years—no tariff at all on anthracite.

The present tariff under the existing Dingley tariff law on bituminous coal is 67 cents per ton.

As far as the coal traffic is concerned, we can practically eliminate all the rest of the world from our consideration except the United States and Canada, because the largest amount of coal that comes into the United States comes from Canada, and the largest amount of coal that goes out of the United States goes to Canada.

Therefore, it becomes important, first, to understand what the law of both countries is regarding coal, and, second, to understand what the conditions are in each country.

The American tariff on bituminous coal is 67 cents per ton. Neither Canada nor any other nation can ship a ton of coal into the United States without paying a tariff of 67 cents.

The Canadian government maintains a tariff on all coal imported into Canada, but it has two different rates. The Canadian government levies a tariff of 53 cents a ton on all coal coming into Canada, except in the case of coal coming into Canada from some other British possession, and then the tariff is 35 cents a ton.

So much for the laws of the two countries as they now exist.

Now, the American Congress can not change the Canadian law. That is beyond our reach.

But the Payne tariff bill, which we are now considering, proposes one very important change in the coal tariff. Section 524 of this bill relates to bituminous coal, and it leaves the tariff at 67 cents per ton, with the following proviso:

Provided, That any of the foregoing (coal, etc.), when imported from any country, dependency, province, or colony *which imposes no tax or duty* on like articles imported from the United States, *shall be imported free of duty*, etc.

There are two very important things to bear in mind regarding this provision: First, whether coal comes into the United States free or with a tariff of 67 cents a ton depends on circumstances. Second, the "circumstances" which settle this matter are (under this bill) left in Canadian hands and not in American hands. The Canadians, by repealing or refusing to repeal their 53 cents a ton coal tariff, can make this bill work either way they want it to.

I do not complain of a provision of that character where the advantages derived will correspond in degree with the advantages conferred, but it is a dangerous provision to insert in a bill when the other fellow has the chief advantage.

Coal (bituminous) and coke imported into United States from Canada and exported from United States into Canada.

AMOUNT.

	1904.	1905.	1906.	1907.	1908.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Imported	1,317,347	1,229,348	1,479,143	1,297,376	1,255,036
Exported	4,422,579	4,676,674	4,909,949	6,152,833	6,851,170

	Tons.
Total *exports* bituminous coal to Canada in five years	27,023,196
Total *imports* bituminous coal from Canada, five years	6,578,250
Excess of *exports* in five years	20,444,946

VALUE.

	1904.	1905.	1906.	1907.	1908.
Imported	$3,342,972	$3,006,761	$3,592,685	$3,089,254	$3,145,507
Exported	11,524,514	11,667,531	11,982,510	14,981,221	16,730,450

Values, *exports* bituminous coal to Canada, five years	$66,886,226
Values, *imports* bituminous coal from Canada, five years	16,137,182
Excess value of exports over imports, five years	50,749,044

The only other portion of the world from which the United States imports any amount of coal worth mentioning is from

British Oceania, which consists of Australia, Tasmania, and New Zealand.

The figures during these last five years show that we import from British Oceania about one-fifth to one-tenth as much coal as we do from Canada. We practically export no coal from the United States to British Oceania.

The chief reason why we import any coal from Australia and these other islands comprising the group of British Oceania is, that vessels which are bound from Australia to the United States for cargoes of any description can carry coal as ballast for the ship, instead of any other substance of worthless dead weight.

Now, where are the main coal deposits situated, both in Canada and in the United States?

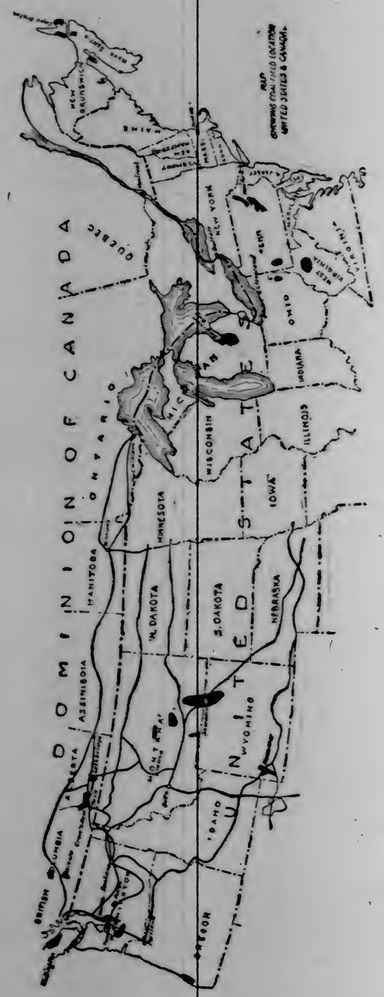

Table of distances.

From—	To—	Miles.
Wellington, British Columbia	Seattle	175
Fernie, British Columbia	Spokane	235
Frank, Alberta	do	309
Lethbridge, Alberta	do	396
Kemmerer, Wyo	do	925
Roslyn, Wash	do	302
Common points, western Washington	do	326
Kemmerer, Wyo	Portland	501
Common points, Washington	do	193
Wellington, British Columbia	do	450
Kemmerer, Wyo	Helena	510
Sheridan, Wyo	do	382
Lethbridge, Alberta	do	301
Frank, Alberta	do	391
Pictou, Nova Scotia	Montreal	810
North Sydney	do	974
Pittsburg, Pa	do	721
Pittsburg, Ohio	Cleveland	195
(Cleveland water route on Great Lakes to all Canadian points; 65 cents freight rate to Port William.)		
Port William	Winnipeg	417
Frank	do	841

I desire to call the attention of the committee to this map of the United States and Canada. I regret that it is not a better map, but I prepared it with some haste.

The black spots on this map indicate the chief coal deposits, both in the United States and in Canada. The chief coal deposits in Canada are in Nova Scotia—away over here on the northeast coast. About three-fifths of all the coal produced in Canada is produced in the Nova Scotia mines. The only other deposits of coal in Canada of any magnitude or importance (which are now developed) are clear across the continent in British Columbia, quite near to the Pacific Ocean, and also—as you will notice—quite near to the northern border line of the United States. These mines produce nearly all the remaining two-fifths of Canada's coal.

When you look at that map you will notice that the great central portion of Canada between Winnipeg and Montreal is far removed from the Canadian coal deposits on both the Atlantic and the Pacific coasts. Coal is a very heavy commodity and transportation charges are necessarily high, and, therefore, freight rates always control in the coal trade.

Look again at this map, and look now on the American side of the line. Notice the black spots in Michigan, in Ohio, in Pennsylvania, and in West Virginia, which indicate the principal coal deposits in the eastern portion of the United States.

You can see at a glance that those black spots on the American side are a great deal nearer to the great central portion of Canada than are the black spots in Nova Scotia. You will at once say to yourself, "Why, American coal is a great deal nearer to central Canada than Nova Scotia coal." You are right. The deposits of American coal are a great deal nearer to the coal-consuming population of Canada than her own Canadian coal is.

Briefly, those are the facts. Now, what are the results? The result is that to-day, in spite of the Canadian tariff of 53 cents per ton, American coal dominates the coal market of all central Canada. Our coal-mine owners in West Virginia, in Ohio, in Pennsylvania, and Michigan practically control the coal market now in central Canada. They do that because God Almighty placed American coal *nearer* to central Canada than Nova Scotia coal. Therefore we don't need to do anything to help the American coal miner on the Atlantic coast and in the Middle States get into the Canadian market. He is already there with "both feet." And the only place where the Nova Scotia coal competes with our coal is along the New England coast and down as far as Boston.

If this bill is passed with the coal provision in it as it is now written, it will accomplish one thing: It will enable the American coal-mine owner on the Atlantic coast and in the Middle States not only to continue to dominate the Canadian coal market but it will give him 53 cents a ton more for his coal in Canada (providing Canada accepts the proviso and removes her 53-cent tariff in order to have our 67-cent tariff removed).

Some one will say, "Well, I don't see that American interests are injured by this proposal." If the United States extended no farther west than the Mississippi River, I am free to confess that, as far as I can see, this bill would be in the interest of the American coal miner and coal-mine owner.

But I think I can prove to you that the effect of this provision will be to sacrifice absolutely the American coal interests on the Pacific coast in order to give an additional advantage

to the American coal interests on the Atlantic coast—which they don't need or require. I think I can prove that statement.

Look at the map again. Away out here toward the Pacific coast the coal mines on the American side and the Canadian side are both near the international boundary. As you look at the map you will say to yourself, "Well, the conditions on the Pacific coast seem nearly balanced." It does not appear that way to the eye on the map.

It will at once become apparent to you that any slight advantage possessed either by the Canadian or the American will give the lucky possessor of that advantage complete control of the coal market of the Pacific coast, on both sides of the international line.

The facts are that the Canadian mine owners on the Pacific side possess not only one advantage over their American cousins, but they possess all the advantages. What advantages do they possess? I will enumerate some of them:

First. Their coal lands are cheaper.

Second. Their taxes are not so high.

Third. The quality of their coal is better.

Fourth. The formation of their mines require less work to mine a ton of coal.

Fifth. The wages for labor are less in British Columbia than in the United States.

Sixth. The American coastwise shipping laws afford an additional advantage to the Canadian in water shipping rates.

Seventh. In some instances the Canadian has a cheaper rail rate to American points than the American has.

Their deposits of coal in Canada on the Pacific slope are near our border line. They have a better quality of coal than we have. They have a better formation; it takes less work under ground to get out a ton of coal, and it takes less work on top of the ground to separate the shale from the coal, because they have more clear coal and less refuse. They also enjoy another advantage over us because the American coastwise shipping laws apply to us and do not apply to the Canadian. Every ton of coal shipped from the State of Washington to the State of California must go in an American vessel, but every ton of coal from Canada can go to California in any kind of a vessel. It is a notorious fact that all rates on American vessels are necessarily higher.

Why? First, the cost of building the boat is higher, and, second, the cost of the labor employed in sailing the ship is higher.

All of these advantages taken together have given the Canadian such a tremendous advantage that the American coal-mine owners in my country are to-day struggling for their very existence, even with the aid of the 67 cents per ton tariff on every ton of Canadian coal that comes over the border.

If you take off that 67 cents per ton tariff, or place the Canadian in a position where by his action he can force it off, and that action spells "RUIN" in big letters for the American coal-mining business in Washington, Oregon, Montana, and Wyoming.

A large number of Asiatics at cheap wages are employed in the Canadian coal mines. No Asiatic labor is employed in the coal mines of the State of Washington.

I quote the following significant sentences from Mr. F. A. Hill, an American, a coal-mine operator, who for the past twenty years has been familiar with all coal-mining conditions in the United States and in Canada—especially on the Pacific coast. Mr. Hill says:

> Removing the duty on coal could not possibly benefit the New England States to offset the loss to the Northwestern States. Should the New England States receive six times as much foreign coal with no duty, and they receive the benefit, it would only benefit them $2,193,521 annually, while the loss in wages alone to the State of Washington would be $2,500,000 annually, with a loss to the operators in invested capital of fully $6,000,000.
>
> No reciprocal advantage can be gained with Canada. The mineral industry shows from three to five times as much *export* of American coal into Canada as the *imports* are from Canada. What advantage does Pittsburg or the Middle West expect to gain by reciprocal arrangement?
>
> The Canadian coal fields lie in the extreme east of Canada, principally in Nova Scotia; and in the extreme west on the western side of Alberta and in British Columbia. Pittsburg and the Middle West operators have every advantage over these coal fields from Montreal to Winnipeg. Freight tariff and distance prohibit the Canadian mines from shipping into that section of Canada, etc.

Sir, knowing the conditions as I do, when I read this bill suspicion deepens into certainty that the provisions of this bill will trade off the interest of the western coal miner and coal-mine operator in order to give the eastern American mine operators a further advantage, which they do not need.

In what I have said thus far in these remarks upon coal I have spoken exclusively of the coal-mine operator and the coal miner. Some one might say that I had never thought of the consumers of coal in the United States. Indeed I have.

Forty years of life as an American citizen and ten years' experience as an American legislator have taught me one lesson that I can not forget and that I do not want to forget. And that is that the interests of the consumer and the producer in America are mutual and not hostile.

There are 6,000 coal miners in my State of Washington. They make their daily bread by digging coal. Ah, yes, more than that, they have their families to support. On an average there are about four in the family. That makes 24,000 mouths to be fed in the State of Washington alone from this coal-mining industry.

If you make 24,000 paupers in one State, don't you think that that condition will be reflected in every other branch of human industry in my State? Indeed it will.

When you appeal to the merchant and the business man and tell him you are going to give him cheaper coal, don't forget at the same time to tell him that in the decrease of his business he will lose ten times as much every year as he makes on the decrease in the price of his coal.

That is universally the pathetic effect that all this miserable free-trade theory produces whenever it is put to the test.

A burnt child dreads the fire and a wise man learns by experience. My memory is still intact.

On August 27, 1894, the Democratic Wilson free-trade bill went into effect. It remained on the statute book till it was repealed by the Dingley tariff law of July 24, 1897.

The Wilson bill reduced the American tariff on bituminous coal to 40 cents per ton. I lived in the State of Washington in those days and I know what the effect of that Wilson bill was upon our coal-mining industry.

Many of our coal mines closed. The wages of all our coal miners dropped. Why? Because inside of ten days after that bill went into effect British Columbia coal was selling on the streets of Seattle and Tacoma for less than coal mined in Washington State.

Well, you may say, that was a good thing. But it did not work out that way. First, the Canadians pressed down the coal market to the point where the Washington State mines were obliged to close, and as soon as they closed the Canadian raised the price of coal to the American consumer. That game of hide and seek soon wore out the American coal-mine operator, because of the total advantage in the hands of the Canadian.

In order to mine coal successfully a mine operator must have a known market to supply and a reasonably steady demand for his product. He can't operate a coal mine successfully on the plan of "now you see it, and now you don't see it."

He can't open his mine and run two days and then shut down for a week, and then open up and run two days more, and then close for two weeks.

Under the Wilson bill our mine operators struggled along as best they could until they lost heart playing a game where the other fellow held all the trumps. Then they quit. And immediately the Canadian raised the price of coal to the consumer. The result was our miners starved, our good money went to Canada, and the dear consumer still paid the same price for his coal.

PAYNE ON FREE COAL—EMERGENCY.

One of the triumphs of this session of Congress, I think, came to the gentleman from New York [Mr. PAYNE] when he stood upon the floor here for two days and answered all comers from both sides of this Chamber who made attacks upon his bill.

I think he made a wonderful defense of this bill, and I believe that his standing in this House rose immensurably as the result of that speech. I know he rose in my estimation very greatly. [Applause on the Republican side.]

Therefore, do not deem it discourteous in me if I say that in reference to one or two of the schedules in this bill that the gentleman's logic was a little faulty.

When somebody attacked a schedule relating to a product in the State of New York as being too high, the gentleman from New York [Mr. PAYNE] said, with great warmth and vehemence: "We had to raise that to protect the industry; we had to raise it in order to protect American wages; we had to raise it in order that these products might be produced in the United States." That sounded good to me, and I agreed absolutely with the gentleman.

A little later on I raised the question of the necessity of protecting the coal miners of the West and the sawmill men of the Northwest, and he then said: "We can't do that, because we must consider the 90,000,000 consumers."

Mr. Chairman, those two answers taken separately are absolutely unassailable—but taken together they are absolutely irreconcilable! [Laughter.] I can take two bottles and fill them with different logic of that kind, and by refreshing myself

first from one bottle and then from the other, I can defend any tariff bill that was ever framed by anybody.

Free coal is not a Republican doctrine to-day, and it never has been.

I have detailed how when the Democratic party reduced the tariff on coal to 40 cents a ton that it ruined our coal-mining industry in the State of Washington.

Now, here comes the Payne bill (which is supposed to be a Republican measure) and it don't give our coal-mining industry as much consideration as the Democratic bill did.

And yet my Republican brethren seem to be surprised that I am not throwing up my hat for that portion of this bill.

When the gentleman from New York [Mr. PAYNE] who has charge of this bill was on the floor the other day when I objected to the free-coal provision in this bill he said that coal was placed on the free list for a year in 1903, and intimated that I had never found it out.

Indeed I remember it distinctly. I not only remember that in January, 1903, Congress passed a law placing coal on the free list for a year, but my memory of that transaction is so clear that I remember what the gentleman from New York [Mr. PAYNE] said about that emergency bill at the time we passed it.

Let me read you what he said——

Mr. FERRIS. Will the gentleman yield for a question?

Mr. CUSHMAN. I was just going to read a brief extract, and after doing that I will gladly yield to the gentleman.

I read from the CONGRESSIONAL RECORD, Fifty-seventh Congress, second session, page 788, under the date of January 14, 1903.

The bill under discussion was as follows:

An act to provide rebate of duties on coal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to make full rebate of duties imposed by law on all coal of every form and description imported into the United States from foreign countries for the period of one year from and after the passage of this Act.

SEC. 2. That the provisions of paragraph four hundred and fifteen of the tariff act of July twenty-fourth, eighteen hundred and ninety-seven, shall not hereafter be construed to authorize the imposition of any duty upon anthracite coal.

The bill was finally passed, it was approved by the President January 15, 1903, and became a law. And it remained on the statute book in force for a year.

Mr. PAYNE rose on the floor of the House as a Republican to support that bill. He said:

As has been said, in the case of the Chicago fire, a rebate of all duties was granted upon everything used in building there except lumber; and in the case of the Eastport (Me.) fire a rebate of duties was granted upon lumber alone. Those cases were emergencies.

The gentleman from Tennessee [Mr. Richardson] says that we (the Republicans) are adopting Democratic doctrine. Why, no; to meet an emergency is not Democratic doctrine.

You will note that the gentleman from New York was defending that bill because it was strictly an emergency measure. Continuing he said:

I simply want to know whether this bill is sufficient to meet the emergency in this case.

* * * * * * *

But we bring it forward simply as an emergency measure.

And Mr. PAYNE then said—and please mark this well:

We do not bring it forward as expressing our ideas upon the question whether there shall be a duty on coal. We do not bring it forward with that idea, Mr. Speaker, because of the conditions upon the Pacific coast, because of the conditions in the State of Wyoming, because of the conditions where our white labor in the mines is brought into direct competition with the Chinese labor in the British North American and western possessions.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. GARDNER of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Washington be allowed time in which to conclude his remarks.

Mr. CUSHMAN. Mr. Chairman, I would not ask for that. I do not think it would be courteous in me to ask for unlimited time, when there are many other gentlemen who desire to speak, and who can only secure limited time. I do not wish to be unfair to any other Member.

The CHAIRMAN. The gentleman from Michigan [Mr. GARDNER] asks unanimous consent that the gentleman from Washington [Mr. CUSHMAN] have time in which to conclude his remarks. Is there objection? No objection is heard, and the gentleman from Washington is granted time in which to conclude his remarks. [Applause.]

Mr. CUSHMAN. I thank the gentleman from Michigan for his kindness and the House for its courtesy. I will endeavor not to impose upon your good nature by prolonging my speech to an unreasonable length.

Those remarks which I have just read were the remarks which my friend from New York [Mr. PAYNE] made on the floor of this House when we had before us for consideration the bill which was to place coal on the free list for a year. He said he brought it forward at that time merely as an emergency measure. Well, there is no similar emergency in this country to-day. I have a high regard for that gentleman. But it does not lie in his mouth to question my Republicanism, because when I raise my voice to-day for a tariff on coal I am preaching the doctrine which he himself taught me. [Applause on the Republican side.]

I am bound to say that it fills me with some alarm when the gentleman from New York even looks toward the Democratic side of this Chamber. He first repudiates a Democratic doctrine entirely. Then he accepts it temporarily on the ground of emergency. And then he swallows it whole. Which reminds me of the lines of the poet:

> Vice is a monster of so frightful mien,
> As to be hated, needs but to be seen;
> But seen too oft', familiar with her face,
> We first endure, then pity, then embrace.

THE TARIFF ON LUMBER.

Now, I want to speak for a few moments on the subject of lumber and in relation to the tariff. The present tariff on common lumber is $2 per thousand feet. If this Payne bill in its present form shall become a law it will reduce the tariff on common lumber from $2 to $1 per thousand feet.

The other day when I objected to this reduction the gentleman from New York [Mr. PAYNE] said with evident feeling that I would better accept that reduction or lumber might go on the free list entirely.

That reminds me of an incident that happened in the good old State of Iowa a good many years ago:

On a very hot summer day there was a small boy hoeing potatoes in a farm lot near the roadside. A very fine, magnificent looking gentleman rode by in a covered buggy with soft cushions. He looked over the fence at the boy who was perspiring freely, and said: "Bub, what do you get for hoeing these potatoes?"

And the boy said, "I get nothin' if I do—and hell if I don't!" [Laughter.]

Well, Mr. Chairman, it seems to me that that incident presents a very graphic picture of the mental attitude of my friend from New York in reference to the lumber schedule.

He proposes to give me nothing if I submit—and something worse if I don't.

I asserted on this floor that the witnesses who came before the Ways and Means Committee and asked for free lumber did so because they expected to get timber in Canada and ship it into the American market for their profit. Therefore, I asserted that they were selfish, and had no interest in the matter.

That argument of mine was answered very flippantly by the counter statement that the American lumbermen who were resisting the removal of the reduction of the tariff on lumber were likewise interested. The man who attempts to make that comparison of "interest" between these two classes of individuals either isn't wise or he isn't candid.

My friends, if I wake up in the middle of the night and find a burglar trying to break into my house, I know that he is interested. [Laughter.] I don't deny that. He is intent on stealing my property, perhaps infinitely worse, destroying my household. Of course he is interested. He has the interest of a rapist or a robber.

But when I meet that invader at the threshold willing to lay down my life in the defense of my home, I admit that I am interested. Of course I am interested. But do you pretend to compare the interest which a man has in defending his own rights and his own home to the interests of a bandit or a brigand who is intent on despoiling another man's home? [Applause.]

CONGRESSMAN KINKAID ON FREE LUMBER.

Mr. Chairman, the Sixth Congressional District of Nebraska is represented ably on this floor by a gentleman from that district [Mr. KINKAID].

I have known him for many years. Something like twenty years ago he and I were in a sense pioneers in that region. Therefore, I have the kindest personal feelings for him.

Some of his political ideas, however, do not impress me in a similar way. He comes from a great prairie State where farming is supreme, but where they have no forests of any great consequence.

My friend is, or at least claims to be, a Republican, who believes in protecting American labor and American industry.

On the 22d day of February, 1909, that distinguished gentleman put into the CONGRESSIONAL RECORD a very adroit and able speech, in which he freely admitted and feelingly portrayed the splendid benefits which had come to this Nation from the protective tariff policy. He vowed that he was in favor of continuing that protection on the products of the State of Nebraska—*but he was in favor of placing lumber on the free list.*

The inconsistency and transparent selfishness of a declaration of that kind ought to defeat itself.

The gentleman attempted to justify his inconsistent position by saying that protection was well enough when afforded to an "infant industry," but that the lumber business had grown beyond the stage of infancy. I wonder if the gentleman is willing to apply his own logic to his own industries. I find on the protective tariff list to-day the following articles and items, all of which are produced in Nebraska, and which are on the high end of the tariff list—and none of these relate to an industry that is in its infancy:

[At this point Mr. CUSHMAN displayed on the floor of the House the following chart.]

CHART NO. 1.—*"Infant industries" of Nebraska.*

		Rate of tariff, Payne bill.
Mules	per head	$30.00
Hogs	do	$1.50
Sheep	do	$1.50
Corn	per bushel	$0.15
Poultry	per pound	$0.03 to $0.05
Bacon	do	$0.05
Cows	per cent ad valorem	27½
Wheat	per bushel	$0.25
Hay	per ton	$4.00

This chart shows a few of the protected "infant industries" of Nebraska. [Laughter.]

Mules. Great Lord, nobody will contend that the raising of mules is an infant industry. [Great laughter.]

People have been engaged in raising mules since the days when Balaam wandered with the Children of Israel and saddled his ass on the plains of Moab on this side of the Jordon. [Laughter.]

Hogs, protected by a tariff of $1.50 per head. No well-informed man will claim that the raising of hogs is an "infant industry." People have been engaged in that industry ever since the Biblical swine ran down the steep place into the sea.

Sheep, protected by a tariff of $1.50 per head. The raising of sheep is not an "infant industry." Men have been engaged in raising sheep since and before the days when Lot tended the flocks of Abraham on the plains of Canaan.

Corn, protected by a tariff of 15 cents per bushel. The raising of corn is not an "infant industry." People have been raising corn ever since Joseph went down into Egypt and cornered the corn crop in the days when there was no Sherman antitrust law to stay his hand or interfere with his enterprise. [Laughter and applause.]

Mr. CLARK of Missouri. That was wheat. [Laughter.]

Mr. CUSHMAN. They called it corn.

Mr. CLARK of Missouri. They call it corn, but they do not know what they are talking about.

Mr. CUSHMAN. Well the Bible calls it corn. But if it was wheat instead of corn it is all the better for my argument on this bill, because wheat is protected by a higher tariff than corn.

Poultry. I also see there is a tariff on chickens, 3 to 5 cents per pound. Now, the raising of chickens is not an infant industry. People have been raising chickens on this planet since the cock crew after Peter had thrice denied his Master. [Laughter.]

Now, if the eminent gentleman from Nebraska [Mr. KINKAID] wants to apply the logic of infant industries to all the schedules of this bill, then he and his industries are off the map before we start, because his industries were old—indeed they were venerable—before the world ever heard the music of a band saw or listened to the hum of a shingle weaver.

Yes; I lived in Nebraska years ago. And there comes to me to-day, rising like a beautiful phantom from those broad and sunlit prairies, the most touching and beautiful memory of my life.

In all the years that have intervened, when I have heard that prosperity had reached the old home in Nebraska, it filled my heart with joy and satisfaction. I was glad to learn that the gentleman and his people were all prosperous.

I make no onslaught on his State or her industries, and it ill becomes him to make this onslaught upon lumber, the chief industry of my State.

At one place in his speech the gentleman from Nebraska turned loose this wonderful piece of original wisdom. He said:

> *"The manufacture of lumber, Mr. Chairman, has become overdeveloped because, as I contend, that when the consumption of any product is much greater than its production it is essentially overdeveloped* as far as a resource to be continually drawn upon is concerned."

To my mind that is the most remarkable specimen of distorted logic that I ever read. The ordinary man would say "that when the consumption of a product was much greater than its production" that that particular industry was *underdeveloped* and not overdeveloped.

But, Mr. Chairman, a great many years ago I learned that when a person makes up his mind to do a thing that he wants to do, that he is not overparticular regarding the logic that he uses to justify his action.

I recall the old fable of the wolf who stood by the stream when the lamb came down to drink. The wolf said to the lamb: "*You* have muddied the water that I am drinking, and I am going to eat you up." The lamb replied: "That can not be, because I am standing in the stream below you and not above you." Whereupon the wolf replied: "Well, I am going to eat you up, anyway."

That fable did not state what kind of a wolf that was. But since I have discerned the great similarity of logic between the arguments of the gentleman from Nebraska and the logic of that animal, I am willing to bet that the animal mentioned in that story was a genuine Nebraska wolf.

The gentleman from Nebraska [Mr. KINKAID] in his speech made complaint because the price of lumber has advanced in the past few years.

If the price of lumber has advanced any faster than the price of farm products, then the fact has escaped my attention.

The people in his State are complaining because lumber produced in my State is high in price.

And the people of my State are complaining because the food products which we buy from his State are so high in price.

In my town, Tacoma, Wash., I pay 50 cents for a dozen eggs.

I pay 45 cents a pound for butter.

I pay 65 cents for a spring chicken, and other prices in proportion.

My friend from Nebraska does not complain because the price of farm products have soared into the sky. On the contrary, he points to that as an evidence of our wonderful advance in prosperity.

But when the price of lumber goes up he thinks it is time that the Government should rise up and smite my industry.

In the very next paragraph of his speech the gentleman from Nebraska said that lumber had not risen in any case 100 per cent, then admitted that stumpage or standing timber had risen in many instances 1,000 and 2,000 per cent.

This standing timber is what the sawmill man has to buy to make the lumber out of.

And yet Mr. KINKAID complains that lumber had advanced from 64 to 77 per cent which was made from standing timber that cost the mill man an advance of 1,000 and 2,000 per cent.

These statements which the gentleman placed in the CONGRESSIONAL RECORD in his speech absolutely refute the very conclusions which he attempts to draw therefrom.

He tries to make out that the price at which the millmen sell lumber is the thing that controls the price of standing timber, whereas it is the price at which the standing timber is held which fixes the price of lumber.

Will the gentleman contend that it is the price of flour that controls the price of wheat? He knows that it is the price at which wheat is held that controls the price of flour.

I would not for the world say anything bitter about my good friend from Nebraska. But if ever there was a man who has a bad attack of twisted figures and inverted logic that man is the gentleman from the Sixth Congressional District of Nebraska.

The gentleman also complains bitterly of the rise in the price of lumber in the last seven years, but I looked in vain in his speech for any complaints about the rise in the price of farm lands in Nebraska during the same period.

He puts into his speech a table showing the rise in the price of several kinds of lumber.

His table covers a period from 1899 to 1906, which is a period of seven years. Let us examine this table of his, which is as follows:

	Advanced—		Rise.
	From—	To—	
	Per M.	*Per M.*	*Per ct.*
Yellow pine	$8.48	$15.02	77
Cedar	10.91	18.12	66
Cypress	13.32	21.94	64
Redwood	10.12	16.64	64
Douglas fir	8.67	14.20	64
Poplar	14.03	24.21	73

the consumers of coal in the United States. Indeed I have,

them with different logic of that kind, and by refreshing myself

to an unreasonable length.

Those remarks which I have just read were the remarks which my friend from New York [Mr. PAYNE] made on the floor of

"*The manufacture of lumber, Mr. Chairman, has become overdeveloped because, as I contend, that when the consumption of any product is much greater than its production it is essentially overdeveloped* as far as a resource to be continually drawn upon is concerned."

Redwood	10.12	16.64	64
Douglas fir	8.67	14.20	64
Poplar	14.03	24.21	73

You will note that none of these lumber prices of which he complains have advanced as much as 100 per cent in these seven years.

How much, sir, has farm land advanced in price in the State of Nebraska? Mr. KINKAID and I both lived in that region many years ago. I lived in Rock County, and that was part of the judicial district over which he then presided as judge.

When I left Nebraska I went to the Pacific coast. I guess it was six or seven years before I wandered back that way for a visit. And when I got back to Rock County, Nebr., on that visit all my old friends told me how much the value of lands had risen since I had gone away; land values in that region have advanced 100, 150, and in some cases 200 per cent.

I have never complained because the price of farm lands and farm products in the State of Nebraska have soared into the sky.

I do not begrudge the people of Nebraska one whit of the prosperity they have enjoyed. I hope it may continue and increase.

Why, then, does my Nebraska friend attack the chief industry of my State, the product of which has not advanced in price as rapidly as much of the farm lands in his own State?

Now, if the values of farm products and farm lands have increased about as much as lumber has increased in the same time, then it is manifest that the farmer has no just complaint.

I desire at this time to exhibit another chart, which is as follows:

Values of farm produce and stock at the farm.

[Yearbook, Agricultural Department, 1907.]

	1900.	1902.	1904.	1906.	1907.	Increase since 1890.
						Per cent.
Wheat	$0.619	$0.63	$0.924	$0.667	$0.874	41.1
Corn	.355	.403	.441	.399	.513	44.5
Oats	.258	.305	.313	.317	.443	71.6
Hay	8.89	9.06	8.72	10.37	11.68	31.3
Horses	44.61	58.61	67.93	80.72	93.51	109.4
Mules	52.55	67.61	78.88	98.31	112.16	109.2
Hogs	5.00	7.03	6.15	6.18	7.62	52.4
Sheep	2.95	2.65	2.59	3.51	3.84	31
Potatoes	.481	.471	.453	.511	.717	43.1
Cotton	.0724	.0828	.0873	.1008	.104	43.6

Farm values: Real estate and buildings.

Groups of States.	Year 1900.	Year 1905.	Per cent increase in five years.
			Per cent.
North Atlantic	$283,434,743	$321,659,562	13.4
South Atlantic	178,598,124	242,884,169	35.9
North Central	842,762,447	1,140,405,866	35.3
South Central	294,663,111	414,721,646	40.7
Western	113,647,881	158,198,563	39.2

You will see by examining that chart that in these seven years during which gentlemen complain that lumber has advanced that there has also been a wonderful increase in the price of the farmer's products. These have not been "seven lean years" for the American farmer.

There was (as shown by my former chart) no increase in the price of any kind of lumber in these seven years that reached as much as 100 per cent. Wheat increased 41 per cent; corn increased in price 44 per cent; oats increased in price 71.6 per cent; hay increased 31 per cent; and mules—I ask particular attention of the gentleman from Missouri [Mr. CLARK], for I am talking about his product now—mules have increased about 109 per cent in price.

Now, then, I ask any man to look these two charts in the face and then say whether the price of lumber has risen unfairly and out of proportion to other products in the United States—including the products of the farm. And I also call attention before I leave this chart to the fact that not only the price of farm products has risen, but the price of farm land has risen as well. This chart shows the advance in the price of farm products during seven years, but it only shows the advance in the price of farm land in five years. That is because the Agricultural Department only take the farm values once in five years—and the next date will therefore be in the year 1910.

Mr. RUCKER of Missouri. Will the gentleman yield for a question?

Mr. CUSHMAN. Yes.

Mr. RUCKER of Missouri. I understand the gentleman to say that there has been a great increase in the value of farm products. Let me ask the gentleman if it is not true, and if statistics do not show the fact, that, for the ten-year period beginning 1895 and ending in 1904, as compared with the ten-year period just before that, the total loss to the farmers of this country in the six great cereal crops was great enough to pay half the national debt?

Mr. CUSHMAN. No, sir; I do not have any such understanding.

Mr. RUCKER of Missouri. I say the statistics of the Census Department will show it, and the gentleman can find them.

Mr. CUSHMAN. It is a matter of notorious and common knowledge among all men that, in recent years, the price of all farm products has advanced wonderfully. I said a while ago it is possible to juggle with figures and prove almost anything. During the very period the gentleman has mentioned we have had all the outward evidences of prosperity, and during that time the price of farm products has been so high——

Mr. RUCKER of Missouri. I repeat the statement, that during the ten-year period referred to the loss to the farmers by depreciation in the value of the six great cereal crops alone, as compared with the average price for the ten years next preceding, was half enough to pay the national debt.

Mr. TOWNSEND. What was the period?

Mr. RUCKER of Missouri. 1895 to 1904, compared with the ten-year period preceding.

Mr. CUSHMAN. I will frankly say that I never heard that statement before, and without intending any reflection upon the gentleman I do not believe it to be the fact. It is the common knowledge of all men that shortly after 1894—about 1897—all prices in this Nation began to rise, and rose very rapidly all the time up to 1904, and past that date.

Mr. HINSHAW. Will the gentleman permit an interruption?

Mr. CUSHMAN. Certainly.

Mr. HINSHAW. The gentleman says from 1894 to 1904. Now, in 1896 I sold, as well as the rest of the farmers in Nebraska, corn at 9 cents a bushel, but it has been four or five times that high since.

Mr. CUSHMAN. Yes; and we sold shingles in the State of Washington at from 80 to 90 cents a thousand, and they are about twice that high now.

Mr. CLARK of Missouri. A few years ago, under a Republican administration, we burned corn in Nebraska and Kansas for fuel.

Mr. HINSHAW. I have lived in Nebraska for the last twenty-two years—from 1887 up to the present time—and we have never burned corn at all, notwithstanding that it went as low as 9 cents a bushel. [Applause on Republican side.]

PRICE OF HOGS ADVANCES FASTER THAN PRICE OF LUMBER.

Mr. CUSHMAN. I would like to show you at this point the newspaper advertisement of an Iowa lumber yard that to my mind is the most convincing argument that I have seen on this question of the price of lumber.

Here is the newspaper advertisement:

PRICE OF THE FARMER'S HOGS ADVANCES FASTER THAN PRICE OF LUMBER.

[Columbus Safeguard, the leading newspaper of Louisa County, W. E. Whetstine, editor, Columbus Junction, Iowa.]

YES, LUMBER IS HIGH, BUT LET THE PORKER FIGURE A LITTLE FOR YOU.

When everything was cheap it took two big fellows like me, 325 pounds each, at 3 cents to buy 1,000 feet of lumber.

Now it only takes two little fellows like me, 225 pounds each, to buy the same 1,000 feet.

You can better afford to build a good house or barn now than then, and it will please

REANEY & ELIASON

to load the lumber.

Mr. Chairman, Columbus Junction, Iowa, is a little city located on the Iowa River in Louisa County. I have been familiar with that town and its people for the past thirty-five years—as the town is near my grandmother's farm.

The Columbus Junction Safeguard is a weekly newspaper that has been published in that town for thirty years or more. The town is located in the midst of a typical Iowa farming community. The farmers haul their produce into town and sell it for top-notch prices, and then sit around

and "cuss" and discuss because the price of lumber has gone up some.

Reaney & Eliason run a lumber yard in that town and sell lumber principally to the farmers.

The picture which I have displayed was the paid advertisement of these lumber-yard men in the newspaper. And I assert that this hog picture answers most convincingly the farmer's complaint that the price of lumber is advancing faster than the price of farm commodities, because the farmer can get more lumber now for a given amount of pork than he could when lumber was somewhat cheaper—and pork was a great deal cheaper.

The farmer, of course, wants the price of hogs to stay up where it is now, and at the same time he wants the price of lumber to come down. What a dream! What a reverie that is.

THE DOG WHO LOST THE BONE.

Mr. Chairman, a great many years ago when I was a child in school in my primer there was a picture of a dog crossing a stream with a bone in his mouth.

There was a story about that picture to the effect that the dog saw in the water the reflection of that bone and he grabbed for the bone he saw in the stream and he lost the bone which he had in his mouth.

Let me say this to the Representatives on this floor of the great prairie States, some of whom are being urged by their constituents to vote to take the tariff off lumber:

Your constituents are now possessing a great boon in the way of the mighty trade which they enjoy with the lumber-producing regions of the United States.

If they think they can reach out with one hand and take the duty off lumber, thus destroying the prosperity of the lumber industry, and at the same time not feel the disastrous effects of that action in the price of their own products, they will wake up to find what a mighty mistake they have made.

I do not make the comparison in any offensive sense, but like that historic dog they will wake up and find out that they grabbed at a *shadow* which they saw, and that they lost the *substance* which they had.

Great God, it seems to me that our Nation has existed long enough and that we have all lived long enough to have learned by experience that we all enjoy prosperity together, or we all suffer depression together.

Whenever any man or any Representative stretches out his hand to drag down his neighbor's industry he may be sure that sooner or later he will find his own industry engulfed in the common ruin which he himself has created.

Let us not start in then to crucify one another. Let us protect with an adequate measure of protection every legitimate industry of every section of our beloved country, and we will all march along the blessed highway of prosperity keeping step together.

Before leaving this chart I want to call attention to the fact that during this same time the price of farms and farm buildings has increased enormously.

Now, do you contend seriously on this floor that the price of other products ought to go up, the price of labor ought to go up, the price of everything the sawmill man has to buy should go up, and at the same time the price of the only product on earth that he has to sell ought to be coming down? There can not anybody on earth proclaim a policy of that kind and defend it with his brains. You may appeal, gentlemen, to the passions and prejudices of men, and that, to my mind, is one of the most unfortunate phases of the discussion about lumber. There never have been more honorable men engaged in any branch of American business, nor in any branch of manufacture, than the men who are engaged to-day in making lumber. They come to us in the State of Washington from all over the Union; they have in their veins your own blood; they came from Michigan, from Minnesota, and some from Nebraska, and some from the far away South, and when you rise on this floor and attempt to inflame the minds of the people against the men who are manufacturing lumber I say to you beware, you are sowing the wind and you will reap some day the whirlwind.

Some day a spasm of popular reform will attack your particular industry, and then the seeds of discord and malice which you have sown will spring up like the crop that grew from the dragon's teeth to annoy you. Men have endeavored to make the American people believe that the American lumberman is a kind of monster, like Attila, the Hun, who boasted that the grass never grew where the foot of his war horse had trod. It isn't true. [Applause.] The American lumberman is not an agent of devastation. If any gentleman on this floor knows of any way to manufacture lumber without cutting down trees, I wish he would put that information on record. [Applause.] It is necessary to a certain extent to destroy a forest in order to create lumber. Let me call attention to another thing.

Whenever a forest reserve is created, that takes off the market the timber that is in that forest reserve. I know that it does not do that theoretically, but I know that it does so for all practical purposes, because I live in a State more than one-quarter of the total area of which is a forest reserve. Yet men have stood upon this floor on one day and thrown up their hats and applauded when a million acres were put into a forest reserve, and they were in favor of that, and the next day when the price of lumber went up they yelled against that. In other words, they yell to-day in favor of a certain policy and they will cry out to-morrow against the logical effects of the policy they yell for to-day. Could anything be more inconsistent?

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman one question, not for the sake of controversy, but for the sake of information, because I really don't know much about the thing.

Mr. CUSHMAN. Certainly.

Mr. CLARK of Missouri. Is not the whole theory of this conservation of forests built up on what is supposed to be the fact that they are going to cut and market the timber in a scientific manner, preserving the crop of young timber, whereas they claim on the other hand that the way that timber is cut and marketed now it is a great waste of the young trees? I am not defending anybody. I am asking for information solely.

Mr. CUSHMAN. That is unquestionably true that that is the theory, and I regret to say from my own observation it does not work out in a very practical way in my country. I concede that it was conceived with good ideas and intentions. Practically I fear it will not work out for this reason: Whenever you go into the forests in my State and cut down large quantities of trees, it will be found that they stand very close together. The foliage is heavy, it makes a heavy mass of shade, and that protects the hillside. Almost invariably, after logging operations have been carried on, a fire will break out in that district, and it will sweep through that region, destroying everything that is left, dead tops, young trees, and old trees. Men have claimed that the Forest Service prevented and stopped forest fires. I am frank to say I believe they do the best they can, but I have lived in that State for twenty years, and no man ever lived that *stopped* a forest fire in my State. You may prevent a man from building a camp fire and thereby prevent a subsequent fire that sweeps through the forest, but when that forest fire once starts, it rages until Almighty God puts it out with the rains or the combustible material gives out.

Mr. CLARK of Missouri. Is not part of their theory this: That by their system, whatever it is, they use up carefully these tops that produce the forest fires and thereby do the very thing that you say can be done to prevent them?

Mr. CUSHMAN. They try to, and I pay to them the meed of my praises by saying they are trying to accomplish what they can, but you can not go into an immense forest of heavy trees interspersed with small trees and fell those big trees without crushing and destroying many of the smaller ones. Further than that, experience shows that while many of these hillsides have been devastated in that way the remaining timber does not grow nearly as well as it did when it stood in the natural shaded condition.

Mr. CLARK of Missouri. I understand perfectly well, and know it to be true, what the gentleman says about one big tree breaking off the tops of half a dozen little ones. Is it not also true that these men that are running these forest reserves have prevented fires to a large extent?

Mr. CUSHMAN. They have prevented some fires by posting notices warning campers to be careful about building fires. They have posted these notices all through the woods, and they have had a good effect. To a certain extent, I think, they have lessened the building of fires, but they never stopped one after it got well under way.

Mr. CLARK of Missouri. One other question. Is it not true that this same system they are trying to introduce into the United States has been practiced in Germany and France and some of the old countries in Europe for more that a century, and that they have more timber now there than they had when they started, notwithstanding the fact that they have cut a supply of timber all of the time.

say that there has been a great increase in the value of farm products. Let me ask the gentleman if it is not true, and if

Iowa farming community. The farmers haul their produce into town and sell it for top-notch prices, and then sit around

It isn't true. [Applause.] The American lumberman is not of timber all of the time.

Mr. CUSHMAN. That is largely true. The difference, however, is this: There is no comparison between a country the size of this and a country the size of Germany or France. If we had a forest service in this Nation that could take care of all the forests, prevent all fires from starting, or stop them after they were started, we would have a pay roll in this Nation that would stagger human imagination.

Mr. CLARK of Missouri. Suppose we did have a big pay roll. If the paying out of that money on the big pay roll not only preserved the timber, but increased the timber supply, would not we get back the money that we pay out on the pay roll?

Mr. CUSHMAN. If that policy did increase the supply of timber, it would be of some benefit. But I am very skeptical about the forest policy of this Nation as it is now administered increasing the timber supply or bringing down the lumber price.

We are spending millions of dollars every year now on our national Forest Service—but the price of lumber is going up instead of down. Unless we go into the forest-raising business on a tremendous scale the population of this Nation is bound to increase faster than the timber supply.

The timber in the western part of the United States, with which I am familiar, grows somewhat slowly, of course. And yet I recall one instance that proves to my mind that the timber supply of this Nation is not in as grave danger as some men imagine it is.

When I was in the city of Aberdeen, in my home State of Washington, one afternoon last summer a friend of mine, Ed Benn, took me to witness a ball game. The ball ground was in a little valley surrounded by a sort of natural amphitheater of hills covered with green forest. As we sat on the "bleachers" my friend called my attention to one point of timber. He said, "Mr. CUSHMAN, the timber was cut off that point about forty-five years ago; I call your attention to it now." There stood a number of magnificent trees, some of them I guess as large as a foot and a half thick, that had grown up during the lifetime of one man.

Mr. HUMPHREY of Washington. Will my colleague yield, although I dislike to interrupt him——

Mr. CUSHMAN. Certainly.

Mr. HUMPHREY of Washington. In regard to the conservation of the forests, I wish to remind my colleague of this condition, in regard to the question propounded by the gentleman from Missouri, that the conditions are different in our State from anywhere else perhaps in the world in that respect. After you cut out a portion of the timber in Washington in many districts, perhaps it is not true in all, the timber grows so thick after a portion is gone the rest of it is very apt to be blown down by the wind, and that is especially true in regard to the hemlock which is mixed with cedar and fir. Everywhere you cut out the cedar and fir the hemlock will not then stand of itself, as it is a tall tree and slightly rooted and the wind blows it down, and and the only conservation of the forest in my country is you cut it off clean as you go. If you do not the wind and fire destroy it. I know that it is not the condition in other portions of the country, but that is true in regard to Washington.

Mr. REEDER. I would like to say to the gentleman, if he will permit me, that I have been looking into the forest conservation matter somewhat and I find that Switzerland, for instance, is making a clear profit of $5 an acre on their forests after seventy-five years of care of their forests. They are spending about $4 an acre in caring for their forests. Of course such care would make an immense pay roll in the United States, but we could well afford such a pay roll in this country to take care of our forests if we could make the same net profit as the Swiss do, for with our great area of forests and consequent greater expense we would yet have enough clear profit from our forests alone to run this Government without even the sale of a postage stamp.

Mr. CUSHMAN. Well, the forests of this country, a certain portion of them, would reproduce themselves, I think, within fifty or sixty years.

Mr. LIVINGSTON. They do down South in twenty years.

Mr. REEDER. I understood the gentleman from Maine, now dead, one of our colleagues, stated that they secured timber in northern Maine, when it had been used over—of course they used it when it was rather small—in twenty years. I do not think there is any question but what we will in a short time learn how to use our forests as has been suggested, so that we will make an annual profit on the forests, and I am very much in favor of using all the lands for the forests that are not fit for anything else.

Mr. CUSHMAN. I think the gentleman is correct. I want to call attention——

Mr. STANLEY. Will my friend yield to me for a question? I very much dislike to interrupt him.

Mr. CUSHMAN. Certainly.

Mr. STANLEY. Can the gentleman from Washington give me the figures as to the comparative rate of destruction by fire between government reservations and the rest of the forests of the country—private lands?

Mr. CUSHMAN. No, I can not, and the figures even if obtainable would not shed any light on the controversy for this reason: When the Government created the reserves they went into the States having the largest remaining forests and took into their reserves those portions of the States where the heaviest timber remained. For instance, there is a map of my State of Washington [displaying map of State of Washington]. The green patches on the map show the forest reserve. There is over one-fourth of the entire area of my State in the forest reserve. These areas are largely areas that have never been cut over, where the forests are green in their virgin form, and there is less danger of a fire breaking out there than there is in the areas that have already been cut over, leaving the dead tops and other brush. It may be there have been less fires within the Government forest reserves than outside of them. If so, Almighty God is responsible for that condition, and not the United States Forest Service.

Mr. SHERLEY. Now, if the gentleman will permit, the figures produced by the Conservation Commission did show that there had been a great saving in fire losses.

Mr. CUSHMAN. Let me say this to my friend from Kentucky: I do not like to impugn anyone's veracity, and I believe that the agents of the conservation service were honest in their compilation of those figures. But I have had some experience with forest rangers, and the chief function that some of those gentlemen have is to send continual reports to Washington City proving the absolute necessity of their being continued on the pay roll. They put out a good many fires in their imagination that they never put out actually.

Mr. SHERLEY. Oh, well, we all can discount their statements to a certain extent; but it is hardly an answer to a statement of figures to say that a man does not tell the truth, unless the gentleman himself can present opposite figures.

Mr. CUSHMAN. I do not think the figures would show up as the gentleman contends in my State. When a forest fire starts it does not pay any attention to an imaginary line. When a forest fire is raging and comes up to a place where the Forest Service has drawn an imaginary line, the line does not deter it for a minute. As the old colored fellow said about the train when a man asked him if it stopped at his town, he said, "*Boss, she didn't even hesitate.*" [Laughter.] That is the way of a forest fire. When a forest fire starts in our State it does not even "hesitate" when it reaches the line of a forest reserve.

Mr. FORDNEY. Will the gentleman from Washington permit a question?

Mr. CUSHMAN. I will.

Mr. FORDNEY. In one of the President's messages during the last session of Congress it was stated that 50,000,000 acres of forests in this country were burned over every year. When Mr. Gifford Pinchot appeared before the Committee on Ways and Means I asked him if that was not a misprint. He said that it was not, but that it meant all of the country that had any forests. Now, the fact is, gentlemen, that there is less than 3,000,000 acres of land in the United States stripped of its timber each year for the purpose of lumber. What the President's message meant is that in the Southern States longleaf pine burned over every year without any injury to timber at all, and the area burned in that manner was taken in in those figures.

Mr. CUSHMAN. I thank the gentleman for the suggestion. Bearing in mind that I must not detain the House too long——

Mr. STANLEY. I have in mind another question that I would like to ask the gentleman. I do not care to throw any bouquets at a trust, but I have been advised that the International Harvester Company has tried an experiment in forestry, and it might be valuable both to the gentleman from Washington [Mr. CUSHMAN] and to the Forest Conservation Commission, if I am correctly advised. They have a forest reservation of their own on the Mississippi River, extending up and down that river for about 30 miles and containing an enormous acreage. What it is I am not advised definitely enough to give it. It is enough, however, to supply the immense demand of the International Harvester Company with all the wood that it uses in its vast business. It is in charge of the most expert foresters in the world. They cut over that reservation every forty years—that is, they

have calculated that at the end of forty years they will have cut over it.

With each succeeding cutting they leave a more magnificent forest than before, by a system of careful selection and preservation of the young timber. I am also advised that in the ten, fifteen, or twenty years that they have had charge of this vast area, containing both hard-wood and coniferous forests, they have never failed either to prevent or to put out a forest fire of any consequence. I would like for the gentleman to advise me whether or not these statements are correct.

Mr. CUSHMAN. I am not familiar as the gentleman is with the conditions to which he refers. I will say that the conditions in the western part of this country, in my State of Washington and the State of Oregon, are far different.

I am not impugning the people of our forest service when I say that they can not put out a forest fire in my State. It can not be done by anybody. Men have no idea of the tremendous magnitude of those trees, and of the density of the undergrowth. When a forest fire once starts, you might as well attempt to take hold of the tail of a cyclone and control it as to control a forest fire in our State. It simply burns until it burns out.

Mr. STANLEY. One other question, Mr. Chairman. Does the gentleman refer now to hard wood or to coniferous wood?

Mr. CUSHMAN. I refer to the pines and the firs in our State. We have practically no hard woods there.

Now, I want to conclude my remarks in a reasonable time, and I refer to the chart that I have here.

A tariff picture of the sawmill man.

What he sells:	
Lumber	On free list.
What he buys:	*Payne bill tariff.*
Engines	45 per cent.
Rollers	45 per cent.
Machinery	45 per cent.
Trucks for logging cars	45 per cent.
Saws—	
Band saws	5 per cent per pound and 20 per cent.
Crosscut	5 cents per foot.
Mill saws	8 cents per foot.
Pit and drag saws	6 cents per foot.
Circular	20 per cent.
All other saws	25 per cent.
Belting—	
Cotton and rubber	30 per cent.
Leather for	5 per cent.
Axes	45 per cent.
Hatchets	45 per cent.
Chains—	
Log chains	¾ cent per pound.
Small chains	1¼ cents per pound.
Iron pipe	1 cent per pound.
Rope	2 cents per pound.
Harness	35 per cent.
Emery wheels	25 per cent.
Fire hose	15 cents per pound.

I want to state in the first place that across the top of this chart I have written "A tariff picture of the sawmill man, what he sells and what he buys." I am aware that lumber is not placed on the free list in the Payne bill. But I am aware that there are many men in this House that think that lumber ought to be placed on the free list in the Payne bill. Therefore, I have drawn this little chart to give you some kind of an idea of what situation the lumberman would be left in if lumber were placed on the free list. You can not expect——

Mr. COOPER of Wisconsin. Will the gentleman allow me to interrupt him?

Mr. CUSHMAN. Certainly.

Mr. COOPER of Wisconsin. Does that chart give the ad valorem on machinery at 45 per cent?

Mr. CUSHMAN. Forty-five per cent.

Mr. COOPER of Wisconsin. I have paragraph 468 of the Payne bill—

Plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horse rakes, cultivators, thrashing machines, and cotton gins, 15 per cent ad valorem.

Is that only sawmill machinery?

Mr. CUSHMAN. I refer only to sawmill machinery. This chart, when it says "lumber on the free list"—I am aware that lumber is not on the free list in the Payne bill in its present form, and it is not expected to put it on the free list, but I draw this chart in order that men on this floor may have some kind of an idea of the situation the mill man would be in if his product is placed on the free list. Lumber is the only thing he produces. It is the only thing he has got to sell. And out of the price of his product he must secure the money with which he buys everything that goes into his industry. He must buy his machinery and his food supplies and everything of that kind. Look at this chart and you will see everything that a sawmill man has to buy is on the high protective tariff list. No man could look that chart in the face and vote for free lumber without his check mantling with the blush of shame. [Applause.]

I do not ask for anything unfair here; I only ask for the same measure of protection of our industries that I am willing to afford to the gentleman from Kentucky in his.

Mr. SHERLEY of Kentucky. When "the gentleman from Kentucky" asks for protective duties for something because it is in Kentucky, then he will be willing to accept the gentleman's statement.

Mr. CUSHMAN. I do not think the gentleman will do that, because he does not belong to the same political school that I do. I am fond of the gentleman from Kentucky, which State is famed for fair women, fast horses, and fine liquor. They tell me, sir, they produce whisky in Kentucky so fine that a man has to shut his eyes when he takes a drink, because if he looked at it it would make his mouth water, and that would spoil the drink! [Great laughter.]

Now, then, gentlemen, I call your attention, not only to the ordinary tariff duties that are imposed here, but to the extraordinary duties that are imposed on everything the sawmill man has to buy.

Mr. STANLEY. While the gentleman is talking about protection of Kentucky industries, I want to remind him that that same whisky cheerfully stands a tax of $1.10 a gallon, that horses have been put out of business by the operation of law—and I am not complaining of that—and that Kentucky women will never ask for any protection until the angels in Heaven enter a beauty contest against them. [Great laughter and applause.]

Mr. CUSHMAN. To all of which I cheerfully agree.

I do not wish to worry the committee with a continual display of charts. I only wish to say in explanation that one reason I prepared these charts is I think in a certain sense it saves time. The chart speaks to a man's mind through his eye. When you are *talking* to an audience you can only reach the mind through the ears, but when a man can look at a chart he can grasp through his eyes the comparative statement of the figures contained thereon.

Now, then, I have another chart here that I have entitled: "Tariff picture of the sawmill man; what the sawmill man sells to the farmer; what the farmer sells to the sawmill man."

A tariff picture.

What sawmill man sells to the farmer:	
Lumber	On the free list.
What farmer sells to sawmill man:	*Payne bill tariff.*
Horses and mules	$30 per head.
Cattle	27½ per cent.
Hogs	$1.50 per head.
Fresh beef	1½ cents per pound.
Bacon and hams	4 cents per pound.
Poultry	3 to 5 cents per pound.
Flour	25 per cent.
Wheat	25 cents per bushel.
Corn	15 cents per bushel.
Oats	15 cents per bushel.
Hay	$4 per ton.
Potatoes	25 cents per bushel.
Butter	6 cents per pound.
Eggs	8 cents per dozen.
Onions	40 cents per bushel.
Apples	25 cents per bushel.
Cheese	6 cents per pound.
Honey	20 cents per gallon.
Wool	3 to 36 cents per pound.
Cabbages	2 cents each.

I call attention to these figures because I think they are important.

Here is a chart showing almost every known product of the American farmer protected by a tariff as high as the pyramids; the farmer's prices for his products have soared into the sky; he is willing and anxious that the tariff shall be continued on his own products—but he thinks that lumber ought to be on the free list.

Every product mentioned in this list is a product which the sawmill men of my State buy from the farmers, and they buy large quantities, too.

And so far as I have observed the sawmill men always pay cheerfully for what they buy, too. They expect to get a decent price for their lumber, and they are always willing to pay everybody else a decent price for his product.

The lumber men of this Nation are to-day standing in an entirely consistent position. They are willing that the labor and

the products of other men shall continue to be protected, and they likewise ask protection for their own product.

The people who are inconsistent are the people who desire to retain protection on their own product and take all protection off lumber.

I say to you that if the lumber men of my State occupied as inconsistent a position as some other people do in this contest I would desert their cause in a minute. [Applause.]

Mr. HITCHCOCK. Mr. Chairman, does the gentleman seriously contend that those tariff schedules on the natural and inevitable products of Nebraska are of any benefit to the people of Nebraska or any compensation to them whatever for the enormous burden they bear by reason of the great tariff on coal and lumber and on the products which they must buy from eastern factories?

Mr. CUSHMAN. I do; and I will ask you if the tariff did not benefit the Nebraska people and their products, what price did they get for those products when you and your Democratic party were last in power? [Applause on the Republican side.] Did they get the same prices they are getting now?

Mr. HITCHCOCK. I want to tell the gentleman that we need no protection, and we are selling those products in competition with all the world to-day, in all parts of the world, without the protection of any tariff. The prices we get are based on the prices in the countries to which we export our surplus, as you very well know. [Applause on the Democratic side.]

Mr. CUSHMAN. Let me say to the gentleman that he only shows one side of the picture. When industry is universal in the United States our working people have money to buy, and then we consume at home the largest portion of what is produced at home. But when labor is out of work and has no money to buy, that forces abroad an ever increasing part of your products, and that brings down the price. [Applause on the Republican side.] The gentleman talks about the market of the world as if we had nothing to do with it. The biggest factor on earth in controlling the market of the world is either prosperity or poverty in America.

Mr. HITCHCOCK. I want to say in reply to the gentleman that the question is not whether we can get prices for our western products, but whether enough western products can be raised to feed the world.

Mr. CUSHMAN. How did it come, then, that the people of this Nation, when you and your party were in power, rose up and kicked you out because they did not like the way your policies affected the Nation.

Mr. HITCHCOCK. I reply to the gentleman that the tariff on hogs and corn and wheat has nothing to do with the case. It is like the flowers that bloom in the spring.

Mr. CUSHMAN. That may be your judgment; it is not mine. My friend from Nebraska [Mr. KINKAID] wanted lumber on the free list, because he thought the price of lumber was too high. The people of Nebraska are complaining because they say lumber is too high; but the people of my State are complaining because the price of the products that they get in Nebraska are too high. I say to you, my friends, that this is a proposition that reaches you as well as me. This is a mighty industry in this Nation. It employs——

Mr. KINKAID of Nebraska. Will the gentleman permit me to ask him a question?

Mr. CUSHMAN. Certainly.

Mr. KINKAID of Nebraska. I want to ask the gentleman from Washington whether the State of Washington is not self-sustaining as to its breadstuff? I will ask him if it is not one of the greatest wheat-producing States in the Union, producing wheat over a very large area and of an excellent quality? I will further ask him if it does not export big quantities of wheat? I will likewise ask him if it does not raise a great many cattle, more than enough for home consumption?

Mr. CUSHMAN. If the gentleman will just step around here. I happen to have prepared a chart that answers his question perfectly. I call his attention to this chart:

RECIPROCITY.

Farmers' sales of products and purchases of lumber for the year 1908.

Iowa sells to Washington:	
Dairy products	$2,250,000
Hogs and pork, etc	750,000
Seed	10,000
Corn and its products	250,000
Total	3,260,000
Iowa buys from Washington:	
Lumber and shingles	1,600,000
Trade balance in favor of Iowa	1,660,000

Sales of farmers' products to State of Washington, year of 1908.

[Estimated total of all products.]

Nebraska	$6,375,000
Wisconsin	9,850,000
North and South Dakota	500,000
Iowa	4,060,000
Kansas	2,475,000
Minnesota	5,800,000
Ohio	5,000,000
Indiana	4,000,000
Illinois	8,750,000
Total (incomplete)	47,310,000

This chart shows very graphically the "reciprocity" that exists between the sawmill man and the farmer. In the first place, I put at the top of this chart a statement regarding the amount of lumber that the Iowa people bought from the State of Washington in the year 1908—$1,600,000 worth of our lumber went that year into the State of Iowa—but during that same time we people of the State of Washington bought of Iowa farm products practically three and a quarter million dollars' worth, leaving the great balance in favor of the Iowa farmer of $1,660,000. In that single year the Iowa farmer got more than twice as much money out of the State of Washington as he sent into it. [Applause.]

This chart was not large enough to permit me to make a *detailed* showing of the reciprocal trade of each of these States with the State of Washington, but the chart does show the total of your products which we buy, and in every instance the figures which relate to Iowa will be borne out in the other States. We buy about twice as much of your products as you buy of our lumber.

I call the attention of the gentleman from Nebraska to the fact that we bought of the products of Nebraska in the last year over six and a third millions of dollars' worth, and we did not sell into Nebraska during that time one-half that much lumber.

And, sir, when you tear down the lumber business and the sawmill industry of this Nation for the benefit of the Nebraska farmer, I bid you remember Samson of old:

He pushed the pillars out from the temple to destroy the Philistines, but most of the bricks lit on *him!*

I say to you that when you get through destroying the sawmill industry of the State of Washington, you will find that most of the wreck lit on you and your people, and I won't put any crape on my hat either! [Great laughter and applause.]

The State of Washington is a great producing State; we do produce lots of wheat and other products, but lumber is our big industry. The lumber industry in my State is not only larger than any other single industry, but it is larger than all the other industries combined. Do you wonder that I am interested in this subject?

Mr. KINKAID of Nebraska. Will the gentleman yield for a question?

Mr. CUSHMAN. I will.

Mr. KINKAID of Nebraska. A few years ago the Pacific coast shipped but very little lumber east of the mountains to the prairie States, but the amount of lumber which the Pacific coast has been shipping east has been constantly increasing, as the forests east of the Rocky Mountains and east of the Missouri and Mississippi rivers have been becoming exhausted. As the lumber product in the east has been decreasing, commensurate with that have the shipments from the Pacific coast been increased to the eastern country. It is not just what has occurred heretofore. That is not a fair criterion. There is rapidly taking place a great change in conditions. The lumber product first came from the Northeast——

Mr. CUSHMAN. I thought you said you wanted to ask me a question, and not to make a speech in my time.

Mr. KINKAID of Nebraska. Perhaps this is going too far, and if I am to answer the gentleman from Washington, who is making a very able and creditable address upon the lumber question, perhaps it would be more fair for me to defer and ask the privilege of taking the floor at some other time.

Mr. CUSHMAN. I have no disposition to cut the gentleman off; the House has been kind to me in giving me unlimited time, but I have been on the floor for more than two hours, and there is a limit to my strength, if not to the indulgence of the House. I hope to conclude within a reasonable time now.

Mr. SIMS. If the gentleman will yield to me, I am in the same trouble he is. I live in a lumber district, and I want to ask two or three questions bearing upon this subject.

Mr. CUSHMAN. I will gladly yield to the gentleman for a question, and answer it if I can, although I am not putting myself forward as a great lumber expert.

Mr. SIMS. I will make a statement of facts, so the gentleman will understand: The Tennessee River runs through my district from the south to the north. Time out of mind a large business has been done on the Tennessee River by cutting and rafting logs to Paducah, on the Ohio, and to Cairo, at the mouth of the Ohio River, and to other points between. The raftsmen buy timber all up and down the river from the farmers or whoever will sell it, then they transport it by rafting down the river to the sawmill man. Now, I get a letter from the timberman and he says, "If you take the $2 tariff off it will come off my timber, because the raftsman will give me $2 less for my logs." That looks reasonable. Then I get a letter from the raftsman saying, "If you vote to take the tariff off it will come off of we raftsmen, because the farmer and the landowner are able to hold their timber for higher prices, while we must continue our business in order to live." And then I get a letter from the sawmill man, who is a real manufacturer, and he says it will all come off him, because he can not get his logs any cheaper, but he will have to sell his lumber cheaper because of competition with Canada.

Now, I do not know which of these gentlemen is right, or whether either of them is. Taking it all together, I would like to have the gentleman's opinion as to whether the removal of the duty will come off the man who owns the timber, or the man who prepares it and gets it to the mill, or the millman who saws it.

Mr. CUSHMAN. The man don't live who can accurately and absolutely answer that question.

Mr. SIMS. Then, you see, I am up against a pretty hard proposition. [Laughter.]

Mr. CUSHMAN. In all human probability the loss would be borne largely by the man who owned the timber. But the exact situation of the timber, and the freight rate on the product when sawed into lumber, and other elements, including distance, would all be matters that would have to be considered in each case.

The pathetic feature of the whole thing is, in my judgment, that the loss would be borne chiefly by the timber owner, and some of it by the sawmill man, but the duty of $2 on lumber would be entirely absorbed by the retail dealer in many instances, and the consumer would get no relief. I do not believe that the ultimate price of lumber when it reached the consumer would be less, even if the tariff were removed, but it would be sufficient in my judgment to put the sawmill man out of business in my State. You may say that is rather strange logic. I admit it. But under an actual trial that is just what happened under similar circumstances to the coal-mining industry of my State when the Wilson bill reduced the tariff on coal to 40 cents a ton. The coal didn't get any cheaper to the consumer, but it put the coal miner out of business, because it closed up American coal mines in my State.

Mr. SIMS. Upon the theory of a protective tariff, supposing we are going to make this bill on that theory, have we any right to vote for protection on standing timber that has cost nobody any labor, but which has grown in value like the interest on a mortgage?

Mr. CUSHMAN. A great many men seem to have the idea that as timber is a kind of natural product, that it never cost anybody anything, and that you can go out into the forest and pluck bunches of shingles off the trees like you can pick bananas in a tropical forest. That is not correct. The tariff on lumber was not placed thereon for the purpose of increasing the value of the timber, but to protect the wages of the men who manufacture that timber into lumber. It is true that the tariff has operated to a small extent to raise the price of timber, but chiefly it has operated to protect American wages.

My observation is that while timber may have grown in the first instance in response to the command of Almighty God, that it is very expensive to hold after a man acquires it. The tax on standing timber in my own State is something enormous. That is where the Canadian has another advantage over us. In the first place labor in Canada is cheaper than in the United States. In the second place, the timber can be bought in Canada for a cheaper price than it can in the United States. And last, they do not have the exorbitant taxes to pay that we do. When they buy timber in Canada they do not buy it outright as we do. They get a timber lease from the Canadian government. They hold these leases for many years, and they only pay for the timber as they cut it, and in the meantime they don't pay taxes on the standing timber as we do. In my State you pay taxes on standing timber every year, and likewise in all other States in our Union.

Recently a man called my attention to two instances—two tracts of timber, one on the Canadian side and one on the American side, approximately the same acreage and about the same amount of standing timber in each tract. The man on the American side paid $90,000 in taxes in one year on his timber; on the Canadian side of the line the total cost for taxes was about $300 per year.

Now, I referred a moment ago to this chart showing the reciprocity between the farmer and the lumberman, because I think it is most interesting.

My friend from Missouri [Mr. CLARK] said yesterday that he wanted the price of lumber to come down, so the farmer could get lumber cheap, in order to build a home.

The tariff on lumber is only $2 per thousand feet. You can build an ordinary house large enough for a man and his wife and two children with 10,000 feet of lumber. Therefore, if the tariff of $2 per thousand were removed, and the home builder got all the benefit of that removal, he would only save $2 a thousand on 10,000 feet, or $20. He would save $20 once in his lifetime.

For the farmer usually builds one house and one barn in his lifetime—but he raises a crop to sell every year. [Applause.]

When you get ready to save the farmer and the wage-earner that $20 on the house that he builds, you will rob them of ten times that much in wages and depreciated products every year, and five hundred times that much in a lifetime. You will find that you are saving at the spigot and losing at the bunghole. You are taking away from the laborer more in wages and taking away from the farmer more in markets than either gain in the transaction. [Applause.]

I listened with interest and amazement when my friend said he wanted to smite Weyerhauser and my friend Mr. McCormick, because they were large timber holders. They are both estimable men, and I am glad to know them—and they had more sense than I had.

They bought the same timber which I might have bought if I had had sense enough. I hope the time will never come when I will raise my voice in an attempt to confiscate the property that another man honestly acquired because I did not have sense enough to buy it when he did.

Mr. CLARK of Missouri. I will ask my friend if there was not something else he and I both lacked besides brains in this lumber transaction, and was not that the money to buy?

Mr. CUSHMAN. Yes; I will admit that there was a little temporary embarrassment on my part in that connection. [Laughter.]

Weyerhauser came to America in an emigrant ship when he was a boy. He has wronged no man and defrauded no man. His rise from poverty through his own efforts ought to be the subject of congratulation and not abuse.

Mr. McCormick is an honored citizen of my home city of Tacoma. When he began life for himself as a typical American boy he had no fortune save his two willing hands—not a dollar in money. His career has been both honorable and successful, and it ill becomes us to speak lightly of him. His neighbors in Tacoma think well of him, and so do I.

There are a very few large timber owners in this Nation, and when my friend from Missouri [Mr. CLARK] tries to smite those few timber owners he will find that he has hit in the face 800,000 laboring men who carry dinner pails and make their living out of this industry. [Applause.]

IMPORTS AND EXPORTS OF WOOD PRODUCTS.

Many men who want the tariff taken off lumber frequently say, "We are exporting more wood products than we are importing." A wise man once said that, "A half truth was worse than a whole lie." That very aptly characterized this statement.

It is true that we are shipping out of the United States more timber and wood products than we import.

The truth about it is, that so far as imports and exports of lumber and shingles are concerned the big end of that business is between the United States and Canada.

There are certain woods in the United States which Canada does not have to any extent, yellow pine and hard-wood flooring, and so forth. She buys those products from the United States because she has to; she can not get them anywhere else.

And at the same time she is dumping into our market vast quantities of common lumber and shingles, bought from cheap crown lands, and manufactured by cheap oriental labor. She only buys from us what she has to, and we buy from her the same kinds that we can make at home.

That is reciprocity—like a jug handle, all on one side.

Let me call your attention to a chart I have prepared showing various importations and exportations of wood products.

1908.—Wood and wood products.

TOTAL IMPORTATIONS AND EXPORTATIONS, UNITED STATES.

Year.		Value.
1908	All wood exported from United States	$81,521,305
1908	All wood imported into United States	43,527,982
	Excess of exports	37,993,323

1908.—Timber.

BOARDS, PLANKS, DEALS, AND SAWED LUMBER.

Year.		Amount.	Value.
		Feet.	
1908	Imported into United States from Canada	779,645,000	$14,933,158
1908	Exported from United States to Canada	142,775,000	4,115,785
	Excess of Canadian imports	636,869,000	10,817,373

SHINGLES.

1908	Imported into United States from Canada	987,266,000	$2,376,349
1908	Exported from United States to Canada	2,955,000	8,873
	Excess of Canadian imports	985,311,000	2,367,476

The upper part of this chart shows that we are sending abroad more timber products than we import. These products which we send abroad, as I before said, are those products which Canada and other countries must have.

The only advantage we get from that is the advantage which God Almighty gave to the United States—of giving us some timber products which other nations do not have.

And yet we are invited by some statesmen to swap off the advantages, which God gave us, to Canada—and get nothing from Canada in return.

Are we to run this Government on business principles and demand trade advantages when we give them; or are we to stand the United States up among all the nations of the earth like a universal Christmas tree from which everybody helps himself and give us nothing in return?

Now, then, look again at this chart. "Boards, planks, deals, and sawed lumber." That is the commonest kind of common lumber. Yet Canada sent to us in the year 1908 five times as much in quantity and three and one-half times as much in value as we sent to her. That means that we sent that much money to Canada that ought to have remained at home. Canada has no woods that we do not possess or have a suitable substitute therefor.

This is what Canada is doing to us in the lumber business right now while the $2 per thousand tariff is on. What do you think she will do to us when we give her a further advantage by taking it off?

Look at the part of that chart that deals with shingles. In the year 1908 Canada sent into the United States 329 times as many shingles as we sent into Canada in the same year. And yet we boast that we believe in protecting home industries and home labor. Any American who has any red corpuscles left in him can not look at that chart and not blush. The American tariff on shingles ought to be raised from 20 cents to 60 cents a thousand, and then we would begin to manufacture our own shingles at home, and the price to the consumer would be little if any greater than it is now.

I will add another table of figures showing the lumber and shingles exported and imported between the United States and Canada during the past five years:

Shingles imported into the United States from Canada and exported from the United States to Canada.

AMOUNT.

	1904.	1905.	1906.	1907.	1908.
Imported	770,272,000	798,725,000	900,800,000	880,903,000	987,266,000
Exported	7,000,000	6,867,000	8,905,000	2,013,000	2,955,000

Total imports shingles for five years from Canada	4,298,072,000
Total exports shingles for five years to Canada	27,809,000
Excess imports over exports	4,270,263,000

In five years one hundred and fifty-eight times as many.

Valuation of shingles imported and exported between the United States and Canada.

VALUE.

	1904.	1905.	1906.	1907.	1908.
Imported	$1,602,998	$1,581,421	$1,852,512	$1,939,791	$2,376,394
Exported	14,186	13,212	16,377	4,265	8,873

Total value shingles imported, 5 years, from Canada	$9,353,071
Total value shingles exported, 5 years, to Canada	56,913
Excess imports over exports	$9,298,158

In five years, value one hundred and sixty-four times as much.

Please note the steady increase in the quantities of the stuff that Canada is sending to us, and the steady decrease of similar products we are sending to her. If that chart was a little wider and contained the record of a few more years, the United States would be clear off the commercial map!

CONSERVATION OF THE FOREST.

Mr. Chairman, I know I have already detained the House longer than I should. As I draw toward a close I want to speak a few words regarding the subject of the *conservation* of the forest.

I presume that all men will concede that the Hon. Gifford Pinchot, the Forester and Chief of the United States Forest Service, is the best and most reliable authority in the United States upon the subject of forest conservation. What does Mr. Pinchot say upon this question? Mr. Pinchot says that the removal of the tariff on lumber would not conserve the American forest and would not make lumber cheaper to the consumer. I have not time to read his entire letter on this subject now, but I want to quote the following sentence from Mr. Pinchot's letter on this subject. He said:

> If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my judgment, it would accomplish neither.

[Mr. Pinchot's entire letter appears in the appendix to Mr. CUSHMAN's speech.]

When I say "conservation," I want to make my meaning plain. When a sheep is butchered if you kept the meat and threw away the wool that wool would not be "conserved," it would be wasted.

If when a butcher killed a beef he saved only a few choice cuts and threw the remainder of the carcass away, that would be waste and not conservation of beef.

Strange as it may seem to you, the higher the price of lumber goes the more of the forest is saved or used—because when you use timber you are saving it. It is only when you throw it away that you waste it.

Now, the lumber business is like any other business on earth. The lumbermen use whatever portion of the tree that it will pay them to use. But, if they find that the top cuts of a tree are costing them $10 per thousand to make into lumber—and that after it is manufactured they can only sell that lumber for $7 or $8 per thousand—they will leave those top cuts in the forest to rot or burn.

You may say they ought not to do that. But applying this to your own business, let me ask you if, from purely philanthropic motives, you would continue any part of a manufacturing business in which the return was not equal to the outlay? Of course you would not, and neither would any other man. The lumbermen many times leave the top cuts of the tree in the forest, not because they want to, but because they have to. As the price of lumber goes up, the more of the tree is brought to the mill from the woods to be manufactured.

Therefore, when men cry out for low-priced lumber, and at the same time for the conservation of the forest, they may be honest, but they are crying aloud for two policies which are diametrically opposed to each other.

Mr. STANLEY. I would like to ask my genial friend a question.

Mr. CUSHMAN. Very well.

Mr. STANLEY. If that argument were carried to its logical conclusion, and chickens were as high as canvas-back ducks, there would be fewer chickens killed, because we would pick the bones cleaner. Is not that right?

Mr. CUSHMAN. Very likely. But those are facts that I have stated, nevertheless. I wish to call your attention to a chart that I have drawn that illustrates very clearly my contention, that cheap lumber leads directly to waste of forest products. Let me invite your attention to this chart.

As the price of lumber advances less timber is wasted and more is saved.

Record of logging firm on Columbia River.

	Feet.
Timber cut in year of 1905	97,808,825
Estimate of logs left on ground wasted	41,671,175
Average selling price of logs	$6.71
Timber cut in year of 1906	165,852,000
Estimate of logs left on ground wasted	25,482,000
Average selling price of logs	$9.41
Timber cut in year of 1907	230,477,003
Estimate of logs left on ground wasted	18,826,977
Average selling price of logs	$9.87

This chart shows the operations of a logging firm on the Columbia River in the State of Washington for three years—for the years of 1905, 1906, and 1907.

The price of logs and the price of lumber run side and side. When lumber is high, logs are high.

Therefore I first invite your attention to that portion of this chart which shows the price at which logs were selling, which prices you will observe were as follows: 1905, $6.71; 1906, $9.41; 1907, $9.87.

You will observe that the price of logs was increasing all the time, and quite rapidly between 1905 and 1906.

Now, let us look at the other figures on this chart and see if my contention is true—that higher-priced lumber brings a greater portion of the tree out of the forest.

In the first year—1905—when logs were low in price, this logging company brought out of the woods about 97,000,000 feet and left about 41,000,000 feet of top logs lying in the woods to rot and burn. They left almost one-half as much as they brought out. But they had to cut the whole tree down to secure what they did bring out. You may call that criminal waste, but if the price of lumber was not high enough to pay for bringing out these top logs would you have brought them out?

Next year—1906—the price of logs rose very much; the price rose from $6.71 to $9.41, which was a raise of $2.70 per thousand feet of scaled log measure.

Under the stimulation of this high price in the year of 1906 the logging company brought out of the woods 165,000,000 feet of logs, and only left in the woods about 25,000,000 feet. That is, they only left one-seventh as much wasted as they saved, whereas in the former year they left almost one-half.

The third year—1907—the price of logs was still rising, and that year the logging company brought out of the woods about 230,000,000 feet of logs, and left only about 18,000,000 feet of top-cut logs to rot; that is, they only wasted about one-thirteenth of the entire cut, whereas two years before they had wasted almost one-half.

Those figures and that logic prove conclusively that I am right when I say that low-priced lumber and conservation of the forest not only do not go together, but are directly opposed to each other.

When a man in Nebraska buys lumber at about $30 per thousand he has an idea that that is all clear profit to the sawmill man, but it is not. About $15 of that is freight, and a good slice of it is the profit of the local lumber-yard man.

The sawmill man gets mighty little out of this transaction. Common lumber is about $8 per thousand in my home town, and the sawmill man, when he piles up in his yard a thousand feet of lumber, can then go into his office and charge up about 90 per cent of that to labor alone—to say nothing of the cost of his mill, the high taxes on his timber, loss by fire in the woods—and a rate of insurance of his mill that is higher than anything you ever dreamed of in insurance matters.

The sawmill men in my State have not become wealthy, as many men seem to think. I have lived in that State for the past twenty years. I recall one of the biggest mills in that State, which I am reliably informed never paid a dividend in fourteen long years. And that was not a matter of juggling with bookkeeping either. They simply did not make the money.

The biggest sawmill in my home town practically paid no dividend for ten long years. Men have drawn in their minds a fanciful picture of sawmill operators becoming immensely wealthy in the lumber business. It is not true, and that is proven by the fact that more men would go into it if fortunes were waiting for them. Instead of making immense fortunes with ease they sit up nights whittling up lead pencils trying to figure out how to make the income meet the pay roll.

You draw pictures of these lumbermen grinding money out of poor people. Let me draw you a picture from life:

Col. C. W. Griggs, of my home city, was the moving spirit in building the biggest sawmill in Tacoma. Shortly after he got it built the panic of 1894–95 came on. Lumber was so low there was no profit at all in running the mill. But the workmen were standing around that mill who had no other source for their bread than their day's work. Griggs ran that mill for years, wore his machinery out, and sawed up his timber. He helped many a man to get bread, but during those years he never made a dollar.

That is history and not fancy that I am giving you now.

ORIENTAL SAWMILL LABORERS IN CANADA.

Before I close I want to call attention to two pictures, one showing an American sawmill in the State of Washington and the other a Canadian sawmill in British Columbia. Look on this picture and then on that.

[The illustrations referred to appear on following page.]

Gentlemen, what separates these two conditions shown in these pictures? I will tell you.

All there is between these two conditions is 250 miles of thin air, one imaginary geographical line, and a $2 lumber tariff. The thin air and the imaginary line will not stop anything—they have no deterrent effect.

Therefore, we of the State of Washington want to protect ourselves and our industry from cheap oriental labor in Canada by having this tariff on lumber at least maintained where it is now.

CLOSING.

And now, Mr. Chairman, I have detained this House far longer than I expected to.

I will say to you all, in conclusion, that the matters upon which I have spoken to-day—both lumber and coal—are industries that are very close to my heart.

We have 110,000 people in my State of Washington who work as laborers in the sawmill industry. Counting four members to the family, that makes 440,000 mouths that are fed by this industry in my State alone—practically a half a million people. This is not a trifling matter that I have been discussing.

We do not ask anything that is unfair. We ask only the same measure of protection for our industry that the Republican party accords to other people and other industries.

I realize that my side of this question is the unpopular side, but as God is my witness I know it is the right side. It has been my duty to present these matters to you as best I could. I ask gentlemen not to be swept away from what is right by a temporary tide of popularity.

Unfortunately, as it seems to me, there are some men in public life during these days who are more anxious to find out what is popular than they are to determine what is right.

I have known men in my lifetime who made themselves hump-shouldered and wry-necked keeping one ear to the ground listening for the rumble of popular approval—but who never raised their eyes toward heaven searching for the signals of the truth. [Applause.]

Mr. Chairman, speaking for myself, I have certain fixed political beliefs and convictions. They may not be the wisest, but such as they are I entertain them honestly. I am so constituted morally that I can not put these convictions on a wheelbarrow and trundle them around after any political acrobat, however exalted his position or pleasing his personality. One of the convictions I have cherished since my young manhood is my unshaken belief in, and my unwavering adherence to, the policy of protection to American industries, and where the pathway of my youth led there the feet of my manhood are still marching. And the history of this Nation throughout all the years that lie between amply vindicates my judgment.

And if, perchance, some people in this Nation to-day may be wavering in their allegiance to that splendid principle that constitutes no reason for me to change—that is all the more reason why those of us who have the courage of our convictions should stand by our principles.

Political death has no terrors for me when it looms athwart the path of duty. He who has the faith to march to political death for an immortal principle is sustained and soothed by an approving conscience, and he sees in the sun as it goes down the blessed reflection of a coming dawn that shall be the signal of his political resurrection. [Applause.] But the political infidel who has no economic convictions, save the changing murmur of the multitude, when political death overtakes him his miserable image passes forever into the changeless night, uncomforted by the companionship of heroic recollections or the blessed hope of a future day.

Sir, in the political life of America those who have eternally chased shifting public opinion at the sacrifice of principle are not those who have eventually planted their feet upon the serene

TYPICAL AMERICAN SAWMILL SCENE AT GRAYS HARBOR COMMERCIAL COMPANY, COSMOPOLIS, WASH.

PART OF FRASER RIVER LUMBER COMPANY PLANT AND CREW, SHOWING HINDOO LABOR, NEW WESTMINSTER, BRITISH COLUMBIA.

and lofty summit. The men who are willing to accept defeat for principle rather than to capitulate for the spoils of office are the men whose treasured memories to-day constitute the noblest heritage of this Republic.

Such a man was William McKinley. [Applause.] Let me remind you, my countrymen, that William McKinley once in his lifetime stood exactly in the same position that the Republican party stands to-day. He was framing the McKinley tariff bill. The political enemy was filling the air with wild denunciations of that bill and its author. The public was wavering in its belief. Some political dodgers and primers in his own party were deserting the ship. But there stood McKinley, with principle in his hand and courage in his heart, and all the world, sir, can not stand against that combination. [Applause.] And was McKinley defeated? Ah! yes. His political ship went down, but the last thing that greeted the gaze of his countrymen before the wanton political waves rolled over that frail craft was McKinley standing on the deck with the flag of protection held aloft in his hand. That flag was the last thing to go down—and therefore it was the first thing to come up! [Applause.] And, sir, when that flag and that matchless standard bearer came once more into view, the loyal and loving hands of his countrymen placed on his brave brow a wreath woven from the fairest garlands ever garnered in a republic. [Loud and continued applause.]

APPENDIX.

Wood and wood products.

[Total importations and exportations from United States.]

Imports.		Exports (domestic).	
Year.	Value.	Year.	Value.
1904	$26,984,353	1904	$65,428,417
1905	29,564,223	1905	58,032,957
1906	36,532,703	1906	69,083,394
1907	42,969,941	1907	83,349,575
1908	43,527,382	1908	81,561,305
Total (5 years)	179,579,605	Total (5 years)	357,382,668

Imports	$357,382,668
Exports	179,579,305
Excess exports	177,803,363

Lumber and timber products imported into the United States from Canada and exported from the United States to Canada during the fiscal year ended June 30, 1904 to 1908.

IMPORTS INTO UNITED STATES FROM CANADA.

Year.	Boards, planks, deals, and other sawed lumber.		Timber, hewn, squared, or sided.		All other unmanufactured wood.		Logs and turned timber.	Pulp wood.	Total.
					Free.	Dutiable.			
	B. M. feet.	*Dollars.*	*Cubic feet.*	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1904	685,194,000	8,729,135	129,447	29,996	1,989,667	5,814	336,210		
1905	794,966,000	10,714,417	182,225	28,514	2,509,603	12,456	721,400		
1906	944,153,000	14,589,894	256,015	46,720	2,398,842	168,016	772,272		
1907	921,873,000	15,828,477			153,509	63,497	932,027	2,792,751	
1908	779,645,000	14,953,158			223,341	51,534	1,245,095	4,989,919	
Total	3,935,821,000	64,815,031	567,687	104,440	7,273,022	301,317	4,207,004	7,782,670	84,485,504

Five years' total wood product imported to United States from Canada (except shingles)	$84,485,504
Five years' total shingles imported to United States from Canada	2,376,349
Total	86,861,853

DOMESTIC EXPORTS FROM UNITED STATES TO CANADA.

Year.	Boards, planks, and deals, and joists and scantling.		Timber, sawed.		Timber, hewn.		All other lumber.	Logs and other, unmanufactured.	Total.
	B. M. feet.	*Dollars.*	*Feet.*	*Dollars.*	*Cubic feet.*	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1904	176,079,000	3,519,771	31,069,000	676,964	870,201	301,693	532,630	588,679	
1905	158,775,000	3,273,977	25,476,000	408,239	833,938	283,171	649,654	521,305	
1906	101,958,000	2,575,077	28,825,000	585,142	280,460	114,751	557,642	757,906	
1907	172,065,000	4,957,237	28,037,000	634,710	250,135	82,675	710,269	551,235	
1908	149,355,000	4,261,699	18,767,000	375,220	325,138	123,689	750,911	691,249	
Total	758,232,000	18,569,761	132,174,000	2,680,275	2,548,872	905,979	3,201,236	3,109,794	28,467,045

Excess of imports for five years, $56,018,459.

DEPARTMENT OF COMMERCE AND LABOR, BUREAU OF STATISTICS,
March 22, 1909.

O. P. AUSTIN,
Chief of Bureau.

Mr. FRANCIS W. CUSHMAN.

Five years, total wood exports United States to Canada (except shingles)	$28,467,045
Five years, total shingle exports to Canada from United States	56,913
	28,523,958
Shingles.	
In five years, total imports from Canada to United States	$2,379,242
In five years, total exports of United States to entire world	75,535

Canada sent us thirty-one and one-half times as many shingles as we sent to the entire world.

In five years, total importation of wood from Canada	$86,864,746	$357,382,668.	Five years total exports wood from United States to *world.*
In five years, total exportation wood to Canada	28,523,958	179,579,305.	Five years total imports woods to United States from *world.*
In five years, *excess imports* wood from Canada	58,340,788	177,803,353.	Five years excess of exports to the world.

In five years we only exported to *the entire world* about four timesas much wood as Canada sent us.

Mr. MOON of Tennessee. Mr. Chairman, the interest that has been manifested in this debate has been great. The debate itself has been very pleasant, and I regret that I must take the advantage of license offered in general debate on the great tariff question to speak, not of the tariff, but of other matters that seriously affect this House. Under no circumstances would I in this presence discuss differences of the Democratic party in connection with the rules of the House in conference or elsewhere, unless in my judgment the action of that party affected the integrity and the orderly administration or procedure in this House. It has been a number of days since the Sixty-first Congress was organized, and that intolerance manifested here on the part of some gentlemen is almost unspeakable. But that time is sufficient for men to cool down, to return to a calm and deliberate consideration of the questions involved in that controversy as they affect the welfare of the people and the true and proper conditions that should maintain in the House of Representatives.

I propose to state the cold facts alone that the public may understand where the error was, and if any be to blame, who they were. What was the question on the organization of the House? What was the question long before the organization which had aroused the American people to a belief that the great House of Representatives, the forum in which all the battles of the American people had been fought on behalf of liberty and independence, was trammeled and held in subjugation by a clique within the dominant party. The country believed that the rules of this House ought to be modified, but when we speak from the standpoint of the people of the United States, respect for them and honor to ourselves demand that we state the issue upon the great question upon which we may be divided. Who made the rules of the House of Representatives? Bad as we all concede they are in many respects, the substantial rules of this House to-day have been in existence since the organization of the Government itself. The Federal party, the Whig party, the Democratic party, and the Republican party have been participants in the making of the rules for the government of this body.

The present rules in their present shape, or in the shape in which they were when this Congress met, are the product of the Republican party, but necessary in many respects to maintain order and carry on legislation proper in a great body like this. But let us be fair; let us be just. The last Democratic Congress not only passed these same rules, but rigidly enforced them to the letter.

The Republican party has since been in power and has enforced them. Of what do we complain? In what respect is this House deprived of its power at the hands of the Speaker or the Committee on Rules? We have said, and we say yet, that the chief trouble is in the matter of recognition of a Member upon the floor from the Chair. We have said that the Speaker, when once having turned to a Member of the House and recognized him, should not have the power to turn away from him and decline to recognize him because, forsooth, he presented a question that did not suit the interests of the party in power or the Speaker for consideration at the moment. We have said that this House ought not to be compelled to go to the Speaker and obtain the right to stand on this floor and ask unanimous consent for the consideration of a proposition.

We have said that this House ought to have a fixed day on which its Union Calendar, on which its House Calendar as well, and the Private Calendar of the House should be called. We have said that the minority ought to have the right to have a vote at some stage of the legislative proceedings upon a proposition of the minority, and at the close of a contest on this floor the rule of the House that permits only one motion to recommit with instructions ought not to prohibit the minority from presenting its views, but that the power ought to rest with the minority party, at least at that stage of the proceedings, to present to the House its views upon a given question.

What has been done in the way of the reform of these rules? Let us take the facts just as they occurred, and I must discuss in this connection not only the action of the House but of the Democratic caucus. The Democratic party on the meeting of this Congress had not chosen their leader, and yet word had gone to the country, through the public press, that every Democrat who did not appear on that day and stand by the movement to correct the rules was to be pilloried and driven from this body.

They came. The caucus met. The plan had been made. The Democratic Representatives in this House were not consulted, save a few. The caucus chairman was elected. The gentleman from Missouri [Mr. CLARK] was chosen as our candidate for Speaker, and then the rule of a Republican Congress was invoked to gag the minority. Secrecy was maintained as to what was to be done. No authority had ever been given by the Democrats of this Congress to enter into an alliance for any purpose with any portion of the Republican party. At that stage of the proceedings, having been advised that things would be done in that caucus that did not meet with my approval, my judgment, or conscience, there being no binding obligation upon any man, but for fear that some calumniator might pervert the facts, at least, I rose on the floor of that alleged caucus—for the Democracy had never had a caucus but a conference heretofore—and I asked if that was a conference of Democrats or a binding caucus. The chairman of that caucus, without the authority from the caucus itself, declared that it was a caucus, and binding.

In obedience to the dictates of my own conscience, my judgment, and my duty to my party and my country, I walked out of a conference in which Democrats were not to have the confidence of the alleged leaders and a plan of secrecy was to be carried out.

Let us see what occurred then. The gentleman from Georgia [Mr. HOWARD], I am informed, realizing that the plan outlined there by the Democratic leader, who had just been chosen, a plan by which every Democrat was to blindly follow a leader in such action as he saw fit to take in this House, asked if another Democrat should offer an amendment to the rules along the same line would it be held as violative of the caucus obligations for Democrats to vote for it? I am informed, for I was not present and know not, that the answer was that such amendments might be made. What was that caucus for, that it had to secrete from its membership the policy of the party to be pursued? To what straits has Democracy come in this House that the Representatives of equal rights in that party can not be taken for a moment into the confidence of its leaders? Who told them to make the alliance that they were proposing to make with the Republican party? Where and whence came their authority? And what developed?

For the very first time on the floor of this House, after the hasty adjournment of that caucus, there was presented by the Democratic leader, after a motion had been made to elect the Speaker, and every Democrat had voted for Mr. CLARK, and nearly all of the Republicans for Mr. CANNON, and Mr. CANNON had been elected, and after the gentleman from Pennsylvania [Mr. DALZELL] had offered a motion to the effect that the rules of the Sixtieth Congress should be the rules of the Sixty-first Congress, and after the Democratic party, voting as a unit, presenting one hundred and seventy-odd votes as against thirty from the insurrection Republicans, had stood against the rules and voted them down, when, for the first time, the organized Republican party in the House had been defeated, what was to come for the consideration of this House, what was to come as an appeal to the intelligence of its membership, what relief was to be offered by this Democratic caucus to their representatives for the emancipation of the American House of Representatives from the domination of a coterie in the majority party.

Let us see what it was. A resolution for the appointment of a Committee on Rules to consist of 15 members; the old rules of the Sixtieth Congress were to be enforced during this session, during the pendency of this great tariff debate, and the disposition of this question under the rules of the House. And who constituted that 15? Sir, for the first time the Democrats in this House were advised, for they had not been informed in the caucus who the committee of 15 were to be. Yet it developed that 9 Republicans, 5 of whom were organization Republicans and 4 alleged insurgent Republicans, and 6 Democrats were to constitute that committee to sit during the vacation and hear proof as to the change of rules. Oh, what incompetency! Should not ten years have been enough to know in what respect, if any, the rules should be changed? Was that the real purpose, or was there an ulterior purpose? Shall the fortunes of the Democratic party through its leadership in this House be committed to the keeping of 9 Republicans and 6 Democrats? Did we expect any such thing to occur? Could it have occurred if Democrats had been consulted in the caucus and the truth made known to them?

What Democrats have insisted on for the party and the country for ten years was against the usurpation and power of the Speaker's chair. Their leaders should at least have been prepared to present to the country those amendments necessary for the protection of the public welfare and the maintenance of the rights of representation upon the floor of the House of Representatives. But, ah, not one word of relief in the language of that resolution.

Let us examine that resolution for a moment and see whether it was wise or not. I would not be understood, Mr. Chairman, as reflecting for one moment upon the political integrity and wisdom, ordinarily, of the Democratic leader and the gentlemen who followed him in that controversy. We know that

mere blind following of admirers in many a campaign has brought defeat. Examine that resolution as a mere matter of policy for a moment and see if it carried out the views of the Democratic party. The demands of Democrats were for immediate revision, not for revision a year hence. The people expected a statement of the reasons why revision was necessary.

It did not come. Do not my friends know that if six or eight months are given that a committee composed of 15, of whom 9 are Republicans—5 organization Republicans, 4 insurgents, and 2 of those insurgents suspected of being with the organization—that the committee would fall to pieces by reason of the party discipline in the Republican party, supplemented by the patronage of the federal administration, if so desired? But if it held together, are they not aware of the fact that it could breed naught but dissension, strife, and party disorganization? Is there nothing more for us to contend for than mere political, factional supremacy? These rules as they are, amended if necessary, are yet rules of the House of Representatives, and they should not be given into the hands of men to toy with and to devise ways and means for House disorganization. When Mr. CLARK offered his resolution, 23 Democrats voted against it and in favor of the motion to amend the resolution made by the gentleman from New York [Mr. FITZGERALD]. Why? Because the minority leader's resolution offered nothing. It made no statement of the case of the party against the rules.

The resolution of the gentleman from New York did offer a unanimous-consent calendar without the consent of the Speaker. It did offer a day for a call of the calendars of the House; it did offer the right of the minority to a vote on a motion to recommit on any bill in this House. It ought to have offered further a remedy for the old cause of complaint about recognition to be made by the Speaker only at his will. It should have offered a remedy for that, but it did not. It might have offered—properly ought to have offered—other amendments, but it did not. But, incomplete as was the Fitzgerald resolution, it presented something to the country as a measure of relief in this House. The other resolution offered nothing.

Mr. GRIGGS. Mr. Chairman, may I interrupt the gentleman from Tennessee?

Mr. MOON of Tennessee. I yield to the gentleman from Georgia.

Mr. GRIGGS. Mr. Chairman, does the gentleman from Tennessee know the fact that three out of those reform Republicans on the committee voted for JOSEPH G. CANNON for Speaker?

Mr. MOON of Tennessee. I imagine they all did, but I do not know.

Mr. GRIGGS. And does the gentleman from Tennessee further believe that any number of Democrats-elect to Congress have the right to bind any other number of Democrats-elect to Congress to a fusion with any party or any part of any party?

Mr. MOON of Tennessee. I had hoped that I had expressed my views upon that question sufficiently strong to show my position or will do so.

Mr. Chairman, the policy pursued was not wise if victory was the object. Let us look a little bit further and see the underlying purpose. Was it a desire to make an honest reform in the rules of the House of Representatives, or was it to secure through this new committee—this mongrel committee to which the fortunes of our country and party were committed—a committee on committees, by which every man in this House of standing to-day, in any position of rank or credit on committees, would be overthrown by this new and unprecedented secret movement?

I do not say that is true. I say there are those who suspected that it was true. Let us see if, in view of the facts, the suspicion was in a measure justified. The Clark resolution met defeat. The Fitzgerald resolution was carried. What then? Did the leader take advantage of the situation? Did he not know that the Democrats to a man had voted against the old rules? Did he not know that the insurgents had voted against them, and that those rules had gone down before a triumphant majority in this House? He did not press the contest. He did not propose other necessary amendments. Why did he not proceed to further amendment? It was not fair to the allies. It is true that they had been defeated in one contest, but was he not prepared to trust them for another? The result of the contest was a triumph for the revision of the rules. Who are the allies? Are they honorable allies, or are they men from whom hostages must be taken for good faith? Can they not be trusted?

Were they like the barbarians, willing to stand for one contest only and then flee unless driven to the struggle before the battle-axes and javelins of a Tenth Legion? Ah, no; you did not trust them. You do not trust them to-day. If they are ready to stand, rally your forces, and every Democrat in this House will stand with them for the abrogation of the rules that are still obnoxious.

They tell us there was no ulterior purpose. I do not say there was. But look further and let us see what occurred. The second caucus met hastily, not for the purpose of devising new means and methods, not with any intention to press the victory that a portion of the minority had won—a victory not the result of a combination, not coming from contaminated political alliance. What did they do? They passed resolutions of indignation. They denounced every Democrat who had stood for something and who had opposed inaction and inefficiency in the party. They denounced the Democrats who had stood by the national Democratic platform and demanded relief for the American people's representatives, not twelve months hence, but now, on this bill under consideration.

Ah, what was that resolution? We will discuss it, in view of the suspicion that has been suggested. They solemnly resolved in caucus that no Democrat should accept a position on a committee in this House to which he had been appointed by the Speaker of the House of Representatives without consulting first and obtaining the consent of the Democratic leader. What does this mean? Escape it if you can. Does it mean that you have surrendered your individuality? Does it mean that you have surrendered your rights as individuals into the keeping of the gentleman from Missouri [Mr. CLARK]? The public will unquestionably so conclude.

But it might be well for gentlemen who had pressed upon the gentleman from Missouri [Mr. CLARK] a losing conflict to give up their rights into his keeping, for he is a very competent and good man, against whom I have not the slightest feeling and for whom I have the greatest admiration. It might have been well for these gentlemen to have turned over their power; but why should they attempt to turn over the power of men that have not agreed with them? Why should they denounce men as traitors to the party who have stood for Democracy in its purity and the platform of their party in its integrity?

Let us analyze this case a little further. It meant—and there is where the serious question comes—not the mere surrender of individual's rights, but the surrender of the representative rights of the people upon this floor. How dare you surrender to any man or to any party your conscience or the representative power delegated to you by your constituency upon this floor? Is it wise, gentlemen? Do you now, after the lapse of two or three weeks, feel that your action was considerate? Ah, that resolution meant more. What! Accept no position in the organization of this House without the consent of one man? Tell me if that is Democracy! That is the result of unwise political fusion. You meant to say, then, did you—that is what the resolution means in its last analysis—that you refused to obey the law of the land; that you refused to perform your duty as representatives in pursuance of appointment by the Speaker, the only lawfully constituted authority to make that appointment? Ah, you put yourselves outside of the pale of law. In your desire to express your enmity to those of your own party who disagreed with you, in your hatred of the Speaker, you declare yourselves for a programme of lawlessness and revolutionary conduct in this House.

Suppose, indeed, that Mr. CLARK should tell you not to perform those duties. He is a man of too much sense and integrity, I think, to do that; but assume that he said to you when appointed upon an important committee, "You shall not discharge the duties to which you have been assigned by virtue of the law of the land." What answer would you make to your constituency on your return, when they said to you, "We sent you to the American Congress, where great local and public interests were to be guarded; we sent you as a man of conscience, of honor, and judgment; a man whom we thought would preserve the integrity of our institutions and the purity of representation in the House of Representatives. Why did you refuse to perform public service? Why did you agree to disobey the law of the land, like a criminal? Are you in a conclave, are you in the society of outlaws, or are you standing in the interests of a great constitutional party, contending for the liberty of the common people on the floor of the House of Representatives?" Ah, your answer can only be, "Mr. CLARK told me I could not do it, and I did not."

Will it be satisfactory, will the great and brave American constituencies consent for their Representatives to yield their individuality, their representative power, to any man? Shall you yield to a mimic czar of mock sway? Is this the part of Democrats? I think not. These things might all be said of you. Do not you feel, in view of the attitude you are in, in view of the position you occupy before your country, in view of your defiance of the principles of your party, that you ought to wipe from the records of your party caucus that dis-

honored and dishonoring declaration that no man shall serve his country in this House save at the behest of the minority leader?

Again, was there a well-founded suspicion that an ulterior purpose existed—the purpose of reorganizing the committees of this House and overriding the precedents of a century? I can not believe that any such purpose existed. But I do say that the facts justified men, whether the merits of the situation did or not, and I insist that they did, in withholding support for the time from an unauthorized caucus dictation.

Review the facts, will you? See the caucus, the election of its chairman, the election of its minority leader, the election of the secretary, the secrecy of the purpose. A gentleman rises on the floor, presents a resolution that did not accord with the established policy of his party, forces by action of the caucus its adoption. The caucus adjourns, its members still in ignorance of what was to be done except to obey the leader. The leader presents to the House for the first time a resolution that meant nothing except the establishment of a committee of 15, 9 of which were Republicans, names not known before; unwilling to trust the allies in a second vote; the denunciation of Democrats who had disagreed; and at last the humiliating, dishonorable, contemptible, and pusillanimous suggestion that a Representative upon this floor should not perform his duties except at the behest of a single man.

Gentlemen, these facts and circumstances speak to you, particularly in connection with the fact that nothing was to be done for twelve months; the old rules should remain in this Congress, the language of suspicion. Does it not indicate to you a well-founded suggestion of an ulterior purpose?

I said you are not guilty, notwithstanding these facts pointing strongly to your guilt. Why? Because of the existence of that rule of law applicable alone to circumstantial evidence that if there exists any reasonable hypothesis consistent with your innocence and facts proven, then there must be an acquittal; and that other most merciful law of the land, that city of refuge to which the law in its mercy permits men to flee when almost proven guilty, but not quite—the citadel of reasonable doubt.

Will you go to this asylum, will the American people attach to you forever the ignominy and disgrace of trying to destroy the lawful organization of the House by illegitimate and improper methods, by a coalition which you did not dare to trust to your fellows? Shall the Scotch verdict be rendered, "Guilty, but not proven."

What next? Let us see. They met again in caucus. Wonderful caucus! King Caucus would be triumphant. They meet. What for? To consider further methods for the alleviation of the House from the condition it is alleged to be in? Not so; but by solemn resolution, notwithstanding the attitude in which they were placed, they resolved that they disavow the acts of 23 men who voted for something and against nothing, on the question of relief in the House of Representatives.

You do well to disavow that act; but disavowal was to be expected. The action of the twenty-three stands clearer and brighter and more patriotic in the light of disavowal of a dubious coalition, an angry and intolerant minority. But you made the rules, did you? Never before had you caucus rules. You confessed then, that very night, that you needed caucus rules to bind the conscience of men who would not submit to the dictatorial power of one man or of a coterie of men within the Democratic party. Did you say that we had violated any pledge? No, no. You dared not say it, because it was not the truth. No pledge had been made, no caucus rule had been made, therefore there was none to disobey, and, for one, I was not within the portals of that caucus. But you did say that we had voted in conflict with your views. Yes; in conflict with your views did we vote, and when the independence of this House and the independence of these Representatives on either side is so crushed that men can not stand for their representative rights and their conscientious convictions of duty, indeed, have evil days fallen upon the Republic.

While I am talking I may just as well speak of some other matters. Who is it that makes these denunciations? Who is it that loads the press with these false insinuations? Men who have always been true and loyal to the party? I think not. Looking over here, I can see those who one day voted against the Loud bill on this floor, Democrats who stood firmly and bravely against the throttling of the country press of the Republic; but in the very next Congress, when the identical question was up, voted exactly and spoke exactly on the other side of the question. Did we question them? Did we question their motives or integrity? No. We accorded that right which belonged to every one, to vote and act and speak as he believed to be right regardless of what may have occurred. Again, these gentlemen are solicitous, some of them, of the integrity of the Democratic party in organization. Tell me, did you not stand on this floor and vote for that most consummate of public plunders, railway subsidies; and who called in question your honor, though, indeed, men differed very seriously upon that question? Again, in violations of the policies and the doctrines of the party, there are some who have voted twice within my knowledge for a ship subsidy and some who have supported it all along.

Are these men the only guardians of my party and my party's interests? Are they safe advisers of a cohesive and powerful party that has for its base that democracy which rests upon the Constitution and the Declaration of Independence of my country? Ah, you have made a mistake. Go back to your constituents, honestly confess that mistake, and then if, indeed, you want our assistance we will not denounce you as traitors to your party or your country, but we will say to your constituents—not like you inferentially say to ours, that we are not worthy to be returned to this House—we will say to them, they are good men; they have made these mistakes; forgive them, for they knew not what they did. [Applause and laughter.]

Are you ready now to take up the battle-axes of democracy? You know that every Democrat voted against the rules. Will you lie supinely and press not the victory? Are you not willing to stand by your allies on the other side, or have they so soon deserted? You can not remain in a position of inertia without a confession of utter incompetency and inability to control the affairs of this House. There are 80,000,000 people in this country devoted to the principles of free government, and in my heart of hearts I believe the vast majority of the American electorate is ready to support the Democratic party if among its leadership there can be found the slightest betrayal of a desire to return to common sense.

Ah, yes, I am not against organization. I am for organization, firm, compact, indissoluble organization; an organization not in secret; an organization that will call every Democrat upon the floor of this House into its councils; an organization in support of the principles and policies of my party, resting on the Constitution of my country, to the honor and glory of the Republic, and for the preservation of life, liberty, and property. Give us an organization that will stand for individualism; an organization that looks upon the common citizen as the only lawful sovereign of a great republic; an organization that will drive from its council boards those twin scions of a bastard democracy, federal paternalism, and state socialism. Give us a democracy that will stand for law and order, a democracy that will stand for the equal rights of men on every foot of American soil. Give us an organization, if you will, so great and so powerful that it will hold forever ajar the gates that lead to the temple of American liberty and justice; that will permit every man to pass its portals and stand proudly erect under the emblem of his country's power and under the Constitution, as the shield of the Nation's liberty, which will protect him in all the rights of citizenship; an organization that will permit no one to minister at the sacred altar of justice who loves not his country and his fellow-man. [Applause.]

MR. KENNEDY of Ohio. Mr. Chairman, I have listened with the most intense interest to the speech of the gentleman from Tennessee [Mr. MOON], who has just concluded his address. As I sat here and listened to that speech there kept running through my mind that old psalm—

> Behold how good a thing it is,
> And how becoming well,
> Together such as brethren are,
> In unity to dwell.

Apropos of the question he was discussing—the rules—I do not think that when we are reading the history of this session——

Mr. CLARK of Missouri. Mr. Chairman, I want to suggest to the gentleman that he did not get his quotation right.

Mr. KENNEDY of Ohio. Maybe not.

Mr. CLARK of Missouri. The proper language is—

> How good and how pleasant it is for brethren to dwell together in unity.

Mr. KENNEDY of Ohio. I quoted Watts's version of it.

Mr. GARRETT. May I ask if the gentleman applied it to his side of the House or ours?

Mr. KENNEDY of Ohio. To both sides. It is applicable to both sides. But apropos of this question of the rules, which the gentleman so ably discussed. Even the friends of the Reed rules have never regarded them as anything but a necessary evil. We endured them just as a man who is vaccinated endures the sickness that follows vaccination in order that he may escape that which he dreads much more, the terrible scourge of smallpox.

You upon that side of the House have declaimed against the Reed rules in the most strenuous way for the past twelve

years, until your party wrote into your platform a declaration of what you were going to do when you got an opportunity to change them. But when your opportunity came you were as unprepared as were the foolish virgins. You realized then that it was easier to criticise than to reform. You had absolutely no concrete change for the better that you could recommend—only the suggestion that we should debate them for six months longer. Your leader stood upon the floor of this House covered about by darkness and uncertainty, and had not a single drop of oil in his lamp. Then when you were saved from utter confusion by the gentleman from New York [Mr. FITZGERALD], who proposed certain amendments to the rules that I do think relaxed those Reed rules at a point where the rigidity of the rules produced the most friction, most irritation, you upon that side of the House voted against them.

Now, I did not, however, rise to talk about the rules, but can not refrain from saying that it would be impossible ever to pass a tariff bill in this great assembly without rules to control the discussion here. Without those rules we would be talking, talking, talking a year from now with nothing done.

I am like the gentleman from Washington [Mr. CUSHMAN]. I am a protectionist. I was reared in an environment of protection. I represent a district which was once represented by McKinley upon the floor of this House. We are protectionists there. We believe in that same principle which McKinley so ably advocated and wrote into our tariff system.

Gentlemen upon the other side of this House are continually talking about the law of supply and demand and that all tariffs ought to be placed upon a competitive basis. The protectionist is not troubled about the constitutional power vested in Congress to, by a revenue bill, do many other things than merely to raise revenues. By a tax law, the primary object of which was not to raise revenue, we put out of circulation a character of bank currency which the people wished to have retired, and we, as Republicans, believe that we have ample power to and ought to stimulate production within our country by limiting the zone of supply for our internal demands. Thus we have and do, every time the Republicans pass a tariff bill, modify and amend that old law of supply and demand. The Dingley bill was an amendment to this law of supply and demand about which Democrats are forever talking. The great apostles of protection in this country have said that by limiting the zone of supply we would indefinitely increase the production of certain articles so that the supply would equal the demand. The Dingley bill was such a bill, and how it carried out and verified the predictions of the old Republican masters!

The Dingley bill has been criticised by the able gentleman from Alabama because, as he said, in the year 1905, while there was only a little over $500,000,000 worth of goods affected by certain schedules, which he criticised as prohibitory schedules, which were imported into this country and upon which the Government received a revenue, there were over $13,000,000,000 worth of such commodities manufactured in our country. By the clearest inference in the world, it was and is admitted by the opponents of the protective principle that production was wonderfully stimulated in all these protected articles which were produced within the restricted zone of supply by this legislation, which did amend the law of supply and demand. Do gentlemen upon the other side, for the mere purpose of getting a larger revenue out of these schedules, wish to close down the great American factory—reduce its output so that the demand for manufactured goods in America shall be met and satisfied by goods produced by the labor of strangers living in other lands? To what extent would they increase the zone of supply? What aliquot part of the $13,000,000,000 worth of manufactured goods which we now produce would Democrats take from the iron and steel workers of my district and yours, to have those goods manufactured in some other country and shipped in here so that we could get some revenue by the change?

The law of supply and demand has been amended by the Dingley bill, and the question of paramount interest now before the American public is: To what extent this law of supply and demand as amended shall be changed in this new legislation, and to what extent shall we give the splendid markets of our country to the manufacturers of other lands to stimulate importations for the purpose of raising revenue. Shall we throw down our barriers of protection so as to permit a large or a small percentage of those articles, the manufacture of which furnishes labor in the cotton mills of New England? Each section of the country, while considering the subject of the readjustment of the tariff, wishes to be favored, and feels that it is its right to have its supply first taken to meet the great common demand which we call the American market. Representatives should be actuated by the spirit of reciprocity and should not forget the needs of other communities, and the Payne bill should be so framed before its passage that it should not needlessly disturb and injure any great industry which has had the benefit of protection. It is a law as universal as the law of supply and demand that production increases as the demand becomes greater. The Dingley bill restricted the zone of supply for all those goods which were highly protected in that bill, and as the demand increased production increased. Many industries drew to them capital and laboring men who, through a long period of years, have trained themselves until they have become skilled in their art, and until we were able, wholly within our own boundaries, to produce sufficient to supply the whole Nation's demands.

It does violence to every sense of fairness which I possess to hear people on this floor talking now of changing again this law of supply and demand for the purpose of bringing goods from other lands merely for the purpose of getting revenue upon them. I do not believe that any effort should be made to place our protected industries upon a competitive basis. The competition which foreign goods in those lines of production where we can and ought to produce all that we consume has never benefited anyone and always has been productive of industrial unrest and discontent, so that when prices have been reduced by the influx of foreign goods into our country, those great factories, workshops, and mills, where labor is all organized in this country, where it is rightfully contending for its just dues in our civilization, industrial war commences. When we have home competition, labor and capital have been able to go forward in peace. They adjust their differences without trouble. But when menaced by foreign goods, there comes a danger which they can not anticipate or measure; then naturally and necessarily follow misunderstanding and disagreement about the raising or cutting of wages. I say those things for the reason that I am profoundly impressed with the great importance that rests upon us in the duties which now confront us. The interests which have been highly protected under the Dingley bill have adjusted themselves to that law. They have invested money in accordance with it. They have generally entered into a fair and generous rivalry, which we call "home competition," and now any change which we make from the schedules in the Dingley bill affecting these interests should be made with the greatest care.

Opponents of the principles of protection forever contend that protection necessarily enhances prices. They give entirely too much credit to the importation of foreign goods for lowering prices in the past.

The encouragement by past legislation of great manufacturing enterprises has all along the line lowered prices of such articles in this country to a point where now it can be asserted with confidence that never before in the history of this country was the price of like articles so low in comparison with all other articles of value as it is to-day. When I left home to come down to attend this session of Congress a farmer could exchange 4 pounds of butter for a hundred-pound keg of wire nails; 40 dozen of eggs would buy a ton of pig iron. It almost seems that one would be better off to own a little chicken farm near some great industrial center than to own a blast furnace. A farmer out in Nebraska is said not long ago to have gone to a general merchandise store to purchase a buggy. He was shown a very nice buggy, and told that its price was $62. He said: "I bought a buggy like that in 1896 for $50." This was promptly denied, but the farmer insisted that he was right. The storekeeper consulted his books and returned, saying he was mistaken, "but you paid in exchange for that buggy 500 bushels of corn at 10 cents per bushel. Corn is now 60 cents per bushel, and if you will bring in 500 bushels of corn now I will give you that buggy at $62. I will give you a sulky cultivator at $25, I will give you a reaper and binder worth $125, I will give you $50 in money, and I will have still $38."

There is abundant evidence that in every line of merchandise that is imported into this country the importers are most thoroughly combined, and, as in the case of pottery, other prices are most exorbitant where we have not home competition. We are, then, at their mercy absolutely, and they do exactly what the Government of Brazil is now doing with respect to coffee. Brazil substantially has our coffee market, and believing as they do that we must buy our coffee from them, they are putting on coffee an export duty, and the limit of their extortion will be reached only when the American consumer refuses to use Brazilian coffee. This fact justifies the countervailing duty upon coffee.

Mr. Chairman, it has been contended on the floor of this House that there was some pledge of the Republican party to revise the tariff downward, and if that understanding had not gone broadcast all over the country that we would have failed in the

to be right regardless of what may have occurred. Again, Reed rules in the most strenuous way for the past twelve

tives should be actuated by the spirit of reciprocity and should broadcast all over the country that we would have failed in the

last election. That is not my experience. I was right in the great industrial center in this country and I know that the Democrats upon the stump all over my State and all over that section of the country attempted to make the people there believe that there was no difference between the two parties upon the subject of the tariff. It was the burden of every Democratic speech made in Ohio.

True, the platforms of the two parties were somewhat alike, both declaring for revision, and the contention upon the part of every Democratic speaker through that section of the country was that our platform upon that subject was the same as the Democratic platform; and we were being thrust backward, were in retreat, defeated, until the ambiguity of our platform was resolved and made certain by the great representative of our party. And I want to call attention to the situation at that time in the contest.

Secretary Taft, now President Taft, in his speech said that the Republican platform in declaring for a revision meant that where the tariffs were too high they should be revised downward, and where they did not afford sufficient protection they were to be revised upward. That made definite and certain what the Republican party meant at a time before the votes were cast. I immediately saw a different look upon the face of the man who was carrying his dinner pail to work from that time on. There was a change. You could feel it in the air. I deny that there is a sentiment abroad or that that sentiment is at all dominant in this country, to depart one iota from the principle of protecting American interests.

The protective feature of a revenue bill performs the function of a barrier or wall to prevent the coming in of goods. Where our tariffs should be protective the greatest care should be exercised in keeping them high enough; when they relate to those things which our people should produce they should be prohibitive. I fear that in making reductions that the Ways and Means Committee have given too much weight entirely to the statements with reference to better equipment of the factories and mills of this country than in the mills of Europe. Much emphasis is placed upon the ability of our manufacturers to sell at low prices because of the excellent character of the machinery they have, although they pay a high rate of wages, and no one seems to consider at all the fact that Europe is rapidly equipping its great plants with our machinery, copying our methods, and will in a short time have every advantage we have in the way of labor-saving devices. To base a tariff that is competitive upon the actual cost of production now, when we are using the very best of machinery, and the mills of Germany and Belgium not having yet discarded that which they are about to throw away and adopt our better ones, is, in my judgment, very careless legislation.

It is almost sure to bring to our protected industries a competition that will prove ruinous in a short period, indeed. It is a matter of most vital importance that the bill we are now preparing should be prepared with a distinct reference to this thought, else it will have to be revised in a few years again, and revisions of the tariff always will bring on business uncertainty and depression. If I am correct in the position I have urged to your attention, that in those industries which we determine to protect tariff rates should be high enough to keep out foreign goods, it becomes imperative that our revenues be derived upon other articles upon which it is our policy to levy a tariff for the purpose of raising revenue and giving incidental protection. Taxation is always distasteful. No one cares to be taxed, but it is necessary, and it will produce far less dissatisfaction if revenues are raised upon goods which compete in the market with our own products, either of a class of which we can not produce sufficient for our demands or, like iron ore, taken from our natural resources, which will never reproduce itself, and which should be our policy to conserve for future generations.

I think that the wool schedule is all right. It is upon a revenue-producing basis and gives incidental protection. That is true also of the tariff upon lumber. It is practically upon a revenue basis as carried in the Payne bill.

I believe we should place a tariff on iron ore great enough to get considerable revenue from that source, and low enough so that not a ton of ore from Cuba may be excluded by reason of it.

Both coal and hides should stay, in my judgment, in this class, and should be taxed for the purpose of raising revenue. Many people in the United States earnestly ask their retention upon the protected list; and a tax raised in this way will have some friends, at least, whereas to raise the revenue upon tea and coffee would meet with universal disfavor.

I took occasion to address the House, because I believe that certain changes should be made in this bill. I want to express my approval in the main of the bill that the Ways and Means Committee have presented to the House, but I think its best features are where it kept closest to the Dingley bill.

I invite the committee's attention, first, to a section of this bill which I believe ought to be changed. It is section 116, under Schedule C—"Metals and manufactures of." The bill, as written, provides for a tax on iron in pigs coming into this country of $2.50 per ton. The Dingley bill provided $4 per ton on pig iron and scrap iron of every form. Now, this bill makes a difference between pig iron and scrap iron. It says:

Wrought and cast scrap iron and scrap steel, 50 cents per ton.

Every pound of scrap iron, either cast or wrought scrap iron that is remanufactured takes the place of pig iron. Every pound of wrought-iron scrap and cast-iron scrap supplants so much pig iron.

I have read the hearings of the Ways and Means Committee on this subject, and the committee evidently allow a difference between pig iron and scrap iron because certain manufacturers insisted that there was a lack of wrought scrap iron in our market.

The great percentage of all the iron that goes out to be used will come back in six, seven, or eight years to be remanufactured. Thousands of tons of railroad rails will return after the lapse of about seven years. Seven years is about the average life of a steel rail, and it will come back into our scrap-iron market. The manufacture of open-hearth steel requires a certain percentage of wrought iron or wrought steel. The idea of the committee in framing this schedule as it is framed was to afford sufficient scrap iron to help the manufacturers of open-hearth and basic steel to have sufficient scrap iron for them to carry on their operations.

It seems to me that if there is anything that is just and fair, it is to afford those people who use steel rails and who are compelled to buy their steel rails in a protected market, a protected market in which to sell their scrap. There will be an abundance of it. The matter came up in the committee in its hearings, and the pig-iron manufacturers did not seem to suspect that there would ever be a disposition to make any difference between pig iron and scrap iron.

There is another thing that evidently escaped the attention of the committee. The language in this bill is: "Iron in pigs." I call the attention of the committee to the fact that every provision in a tariff bill is construed most favorably in favor of the importer. Every taxing law belongs to that class of laws, which are strictly construed. It is a law in derogation of private right, and is strictly construed. If there be even any ambiguity, it will be resolved in favor of the man paying the tax. If there be two meanings, that meaning must be accepted which is most in his favor.

This bill says, "Iron in pigs." Most gentlemen know how pig iron is manufactured. Now, the blast furnaces in Europe importing pig iron into this country would simply run its metal into some other form—break it up into scrap—and it could not bear the duty on "iron in pigs." I think an amendment should go through, correcting this.

Mr. GARRETT. May I ask the gentleman, have not there been decisions clearly stating and defining what is scrap iron?

Mr. KENNEDY of Ohio. Yes; this bill defines what scrap iron shall be. There is no trouble about that. But the metal that I speak of, being broken up and brought in here, if it is not taxed the 50 cents tax as scrap iron it will not pay duty at all.

Mr. GARRETT. Is it the gentleman's contention that under this bill iron can come in here that had not really been manufactured in some product?

Mr. KENNEDY of Ohio. Yes, sir; it would come in here and pay a duty as scrap or come in free. That is my judgment. It would not pay a tax as "iron in pigs," because they would take care that it had never been molded into pigs. That is the point I make.

Now, on page 28, there is a proviso, on line 8, paragraph 118, which is:

Provided further, That all iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of $6 per ton.

The old duty in the Dingley law was $12, and this reduces the tariff on charcoal iron bars from $12 to $6, while it leaves the ordinary merchant bar iron at $8.

Now, the only thing that I can find in the hearings that would seem to justify so extraordinary a change of law, placing this higher grade of iron below the ordinary merchant iron, seems to be a letter which I find on page 1944 of the hearings, of Mr. James A. Coe, an importer, I take it. He is called an "iron and steel merchant," of Newark, N. J. The point he makes in his letter is that Swedish iron smeltered by the use of charcoal

is necessary to make our high grade of cutlery, and therefore that it ought to come in free. Now, this matter seems to be one that was overlooked by these people who have, in this country, been manufacturing iron by processes that make as good iron as charcoal iron and as good iron as the Swedish iron. The new process of making steel, known as the "basic and open-hearth process," makes as good iron as the Swedish iron by keeping out of the metallic iron the impurities that are brought into it by smelting the iron with coal.

Phosphorus and sulphur in coal depreciate the value of iron. By the basic process of making steel the heat is blown down on top of the iron, and the sulphur and other impurities do not pass into the steel at all. So that by our modern processes we make as good iron as they can make in Sweden or anywhere else by the charcoal process. I think that that should be corrected, because in making changes from the Dingley law they ought to be made in a sort of uniform way, so as not to misadjust and make trouble for the manufacturers who make steel by the open-hearth and basic process. If any industry in this country should be protected, it should be those using new methods, which are being perfected every day.

There is one other thing I would like to call the committee's attention to. When the Dingley law went into effect there were a great many tin-plate mills started in my district.

A great industry was built up. Thousands of men learned the trade of making tin plate. I think, perhaps, capitalists and workingmen overestimated the needs of this country in the matter of tin plate. At any rate, the tin-plate mills throughout the North are idle a greater part of the year than any other mills we have that are interested in the iron trade. The laboring men come through me with a petition to this House. They ask the American Congress to amend this bill so that one-half the rebate paid on tin plate manufactured into cans and sent out again shall be retained, and it seems to me that their appeal is reasonable and that it ought to be acceded to. They tell me that they are willing to throw off 25 per cent from their scale of wages if the Congress will only do this, to help them to manufacture the tin plate that goes into export tin. Tin cans are made from the tin plate that is brought into this country. There is scarcely any labor in making the tin cans. A machine has been invented and is in operation which is so perfect that all the work that is done is to feed the tin plate into the machine. An engineer, a fireman, and one man to feed the plate into the machine and another to take the completed cans away as they come out completely made, soldered up, and everything, is all the work there is about it.

There is another thing that I want to call to the attention of the House.

Mr. JOHNSON of South Carolina. Before the gentleman leaves that tin-plate proposition I should like to ask him who gets the benefit of the drawback on tin cans?

Mr. KENNEDY of Ohio. Do you want that answer from a Democratic standpoint or a Republican?

Mr. JOHNSON of South Carolina. No; I want the facts. I do not care what standpoint it is from.

Mr. KENNEDY of Ohio. It is the same old question. I would say to the gentleman——

Mr. JOHNSON of South Carolina. I am not talking about consumers and producers, but I want to know who the people are that really get this tin plate manufactured into cans and send it abroad. Is it not the Standard Oil Company?

Mr. KENNEDY of Ohio. I am told that they are the exporters of 85 per cent of the tin cans that go abroad. Now, I have no definite knowledge on that subject, but it seemed to me that that was an overestimate. I know there are a great many cans that go abroad from the different canning establishments throughout the North. A great many are used by the meat packers, and I know that the export tin, going from this country back to Europe, is very considerable.

Mr. STANLEY. Mr. Chairman, will the gentleman yield for a question for information?

Mr. KENNEDY of Ohio. Certainly.

Mr. STANLEY. What would be the effect on the manufacture of cans, especially by the Standard Oil Company, if these rebates were cut in half? Would the oil be shipped abroad in large tanks and put into cans in foreign countries, or would they necessarily be forced still to put it in cans here?

Mr. KENNEDY of Ohio. I hope they would be forced to put it in cans here, but I do not know. It seems to me there would be no economy in putting their oil in cans here. But having those cans made here is of no advantage to this country, or very little; it is negligible. The labor expended in making the cans amounts to nothing, and we are paying out more in administering this tariff that we collect than the 1 per cent which we retain.

Mr. BARTLETT of Georgia. You mean this tariff which we collect and pay back?

Mr. KENNEDY of Ohio. Yes; it costs far more to administer the law, so far as the export tin is concerned, than we get out of it; and I think it would produce more revenue to retain 50 per cent, or a larger per cent, at all events, than we now retain.

Mr. YOUNG of Michigan. Do we not also get the benefit of the manufacture of the tin plate from which the cans are made?

Mr. KENNEDY of Ohio. That is what I want. If a rebate is not given to so great an extent on this tin plate, we will make the tin plate here.

Mr. YOUNG of Michigan. But if the effect is to transfer that industry across the water, we will not only lose the making of the can, but the making of the tin plate from which the can is made.

Mr. KENNEDY of Ohio. We do not make the tin plate now, not a particle of it.

Mr. YOUNG of Michigan. Oh, we do not produce the tin, but we make the tin plate.

Mr. KENNEDY of Ohio. Not a bit of it that the Standard Oil Company uses. Not a bit of the tin in the cans that go abroad is made in this country. All that tin plate is shipped in from abroad. The tin plate that we make is for domestic consumption. There is $1,300,000 of tariff collected on tin imported into this country, and all except $100,000 of that money is paid back when it is exported again in the form of tin cans, by the Standard Oil Company and by the beef packers and the other canning establishments that send peas and corn and products of that kind abroad.

Mr. YOUNG of Michigan. Does the gentleman mean that no American tin plate is used to make cans that are sent abroad?

Mr. KENNEDY of Ohio. Not a particle. Nobody would use American tin with such a law as this. They do not use a single pound of American tin to export abroad.

Mr. MANN. Will the gentleman yield?

Mr. KENNEDY of Ohio. Certainly.

Mr. MANN. I think the gentleman would hardly want to go as far as he appears to go in saying that no domestic tin cans are exported.

Mr. KENNEDY of Ohio. I mean no appreciable amount. There may occasionally be a can go over in some fellow's trunk.

Mr. MANN. Oh, a great deal more than that. I suppose that what the gentleman is endeavoring to show is that the tin plate imported is all exported, although I have no doubt from my own knowledge that a large amount of tin cans are shipped abroad which are made of tin plate of domestic manufacture.

Mr. KENNEDY of Ohio. Possibly so, but I doubt if there is any considerable amount of domestic tin that goes abroad.

Mr. MANN. The gentleman said that 85 per cent of the Standard Oil Company tin plate——

Mr. KENNEDY of Ohio. Eighty-five per cent of imported tin, I said, goes to the Standard Oil Company.

Mr. MANN. But there are a great many other concerns that use tin plate now on a large scale.

Mr. KENNEDY of Ohio. I do not believe that that statement of 85 per cent being used by the Standard Oil Company is correct. It seems to me the number of cans used by packers of meats and fruits and cereal products is so considerable that that must be a misstatement. It would be of great benefit to the workmen in my district if they might make the tin plate that goes into the meat packers' cans and into the cans of the different canning factories that are exported abroad.

Mr. GARRETT. Will the gentleman yield?

Mr. KENNEDY of Ohio. Certainly.

Mr. GARRETT. Would not that principle hold good throughout the manufactures; and if the drawback provision ought to be amended in regard to tin plate, ought it not also be amended as regards all of the manufactures, from a protection standpoint?

Mr. KENNEDY of Ohio. Not in the same way. There are things that come in where the principle would be different. There might be iron and steel come to this country for the manufacture of a ship and the work be done in our great yards, and as to that material to manufacture the ship it would be as much in line with our policy of so amending and changing the law of supply and demand as to compel the work to be done here. Now I would not urge this at all if the manufacture of tin cans amounted to anything in the way of encouraging American labor or bringing work here for them. It is only because there is no labor furnished by these manufactures here, or so nearly none that it is negligible. Take the item of machinery brought back to this country to be repaired—that is in accord

with the policy of our party in framing a protective tariff; we want to compel, if need be, certain things to be made here.

Mr. STANLEY. Will the gentleman yield?

Mr. KENNEDY of Ohio. Certainly.

Mr. STANLEY. I see that the gentleman is thoroughly acquainted with his subject, and I am very much interested in it. Speaking accurately, there are two kinds of tin plate used in this country, plate that is used for domestic consumption and that used for foreign export.

Mr. KENNEDY of Ohio. They are the same kind of plate, I believe.

Mr. STANLEY. One is tin plate and the other is tinned plate.

Mr. KENNEDY of Ohio. There is no tin plate in the sense that it is all made of tin. All tin plate is simply a steel sheet coated with tin.

Mr. STANLEY. Is there not a vast difference between the process used in the plate for export and the process used in the plate for domestic consumption, in the quantity and character of the tin used in the covering for the steel sheet?

Mr. KENNEDY of Ohio. Not that I know of. They make tin plate in Wales the same as we do here, and we make it here the same as they do in Wales. We started to make tin plate by employing skilled workmen from Wales.

Under the Dingley bill all exporters of anything that was packed in tin got their tin plate from Wales, paid the duty, made their tin into cans, filled the cans, sent them back, and drew the money back, all but 1 per cent.

Now, if this bill can be amended so that this tin plate, or a considerable portion of it, can be made here, it will start our idle tin-plate mills to work again; and I think, under all the conditions, it should appeal to every man on this side of the House that that should be done.

Mr. GARRETT. If I understand correctly, the distinction between the tin that is exported and the other products that are exported, is largely in the fact that the tin is not exported for sale abroad, but to carry within it some of our goods, while boots and shoes, for instance, are exported to be sold abroad.

Mr. KENNEDY of Ohio. That is a fact.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. KENNEDY of Ohio. Yes; certainly.

Mr. COX of Indiana. I am intensely interested in hearing that drawback section of the law discussed. As I read section 25 of the law, it gives to the ship manufacturers in this country the right to import free raw material and work it into a ship for foreign ownership, or a ship that is to be sailed in foreign trade and under foreign flags. That is correct, is it not?

Mr. KENNEDY of Ohio. Yes.

Mr. COX of Indiana. Does not the gentleman believe that the same law should give the shipbuilders in this country the right to have free raw material to build ships for American ownership and to sail under the American flag?

Mr. KENNEDY of Ohio. No.

Mr. COX of Indiana. In other words, does not the gentleman believe that that is a discrimination in favor of the foreign owner of the ship or the foreign trade, as against the American shipowner or American trade, and free raw material is given to one and not to the other?

Mr. KENNEDY of Ohio. We are all tied up together. If this policy of the Republican party is at all tenable, every interest must submit to it. The shipping, the ships that carry the trade of this country and carry the American flag, ought to, as much as any other interest in the country, patronize and employ the materials that are made by workmen of Youngstown and Pittsburg. If it is at all tenable that is so, and I believe its justification is the fact that we do so control the law of supply and demand that we can and ought to make this country prosperous when they have hard times and panics in other countries. I believe that if it is worked out carefully by studious men, in a scientific manner, there is no reason why we in America should be plunged down to the depths every time hard conditions afflict Europe and the rest of the world. America is an empire in herself. We would do mighty well if every other country in the world would sink to-morrow beneath the sea. We could live in and of ourselves and by our own resources, and to allow cheap goods to come in here and plunge us into hard times, make strikes in our factories, and paralyze operations here is not statesmanlike. I believe in a protective tariff.

Mr. COX of Indiana. I am not trying to bother the gentleman, Mr. Chairman, but I am trying to elicit information if I can get it. Will not the gentleman agree to this proposition, then, that if the shipbuilders in this country get free material to construct and build ships for foreign ownership, or to ply in foreign trade, that is giving to that class of people a cheaper vessel over the American owners?

Mr. KENNEDY of Ohio. Certainly; there is no question about that.

Mr. COX of Indiana. Does the gentleman believe that is right, to discriminate in favor of the foreigner as against the American?

Mr. KENNEDY of Ohio. We get even with the foreign vessel by keeping her from engaging in our coastwise trade, and the foreign vessel is not worth as much as though she carried the American flag and were chartered an American vessel. We give that drawback to get foreigners to build vessels in our shipyards. If we did not do this, they would have their vessels built abroad.

Mr. COX of Indiana. Does the gentleman believe that because the foreign vessel that is constructed for either foreign trade or foreign ownership is eliminated from the coastwise trade ten months in the year, that will equal the difference between the cost of the vessel into which those free raw materials are put, as compared to the cost of the vessel into which those duty-taxed raw materials go?

Mr. KENNEDY of Ohio. Mr. Chairman, I have no information on that subject, I think, other than the gentleman has.

Mr. COX of Indiana. I will say to the gentleman that I have not any, and I am trying to find out some information.

Mr. KENNEDY of Ohio. Now, I want to call the attention of the committee to another thing in this tariff bill, and I want to congratulate the committee on having immensely improved upon the Dingley bill in section 11, found on page 211 of the printed bill.

Mr. BARDY. Will the gentleman allow a question right there?

Mr. KENNEDY of Ohio. Certainly.

Mr. HARDY. Can the gentleman see any reason why the same principle that permits free tin to come into the United States for the benefit of the Standard Oil Company's canning process should not allow free steel and free material of every kind to come into the United States to build ships for our merchant marine?

Mr. KENNEDY of Ohio. The tin was permitted to come in free, practically free, paying only 1 per cent of the duty——

Mr. HARDY. Well, we call that free.

Mr. KENNEDY of Ohio. Yes; it is substantially free—on the theory that there would be a great amount of labor expended and employed in this country in the manufacture of tin cans, in the manufacture of that tin before it is reexported. That has turned out to be a good deal of a delusion.

Mr. HARDY. Would not the same theory prompt the idea that free importation of shipbuilding materials would permit laborers to build ships?

Mr. KENNEDY of Ohio. That is the same idea carried in this bill, to allow foreign material to come in here to build ships, provided they do not engage in our coastwise trade; that should be monopolized by the American vessel, built with American steel and American material, and it is the American idea, gentlemen, that I think will prevail in this country.

Now, Mr. Chairman, I have in my district a large industry in pottery. They have been making pottery of all kinds—dishes and tableware. They have built up a great industry in America, and they have had a particularly difficult row to hoe of late years, because of undervaluation. I have never been able to understand why it is in the levying of an ad valorem duty that we have paid any attention whatever to foreign values, but we have, for some unaccountable reason. It seems to me to be unscientific; it leads to all kinds of inconsistencies.

For instance, the protective idea has always been that our tariff should be sufficient to bridge the space between the cost abroad and the cost here. Our ad valorem duties, as at present based upon the foreign market value, do not do this, and it is impossible with any certainty to bridge the distance between the cost price abroad and here. This was brought out in the hearings upon the pottery schedule in the most remarkable way. Pottery comes from England. The English seem to give a fair home price and invoice their goods at a price that seems to be fair. The very same articles, the identical things, coming from Germany in the last nine years have paid a duty of a little over one-half of the duty that same thing coming from England would pay, because the Germans in some way undervalue their pottery. The Holland tea is a specific thing that is made by the German potters, and made by the English potters as well. It is a teacup and saucer. The English invoice price, coming to this market for the payment of duty, was 35 and a fraction cents per dozen. The same thing of exactly the same material, made in the same way and selling at the same price in this country, but coming from Holland and Germany, was appraised for taxation and paid a tariff at a valuation of 19 cents——

Mr. MANN. Where from?

Mr. KENNEDY of Ohio. From Holland, Germany, and France. That it is the deliberate intention of the foreign shippers to nullify the effect of our tariff laws is fully proven by the following, being part of an address made behind closed

doors by the chairman at a meeting of the National Chamber of Commerce, held at Berlin:

ADDRESS AT BERLIN CHAMBER OF COMMERCE.

As a fact, the United States is not dependent for its existence upon the collection of duties, and it can afford to allow the falling off of revenues in this direction for what they claim "the general good." From this standpoint it is clear that in the administration of the tariff is concealed the power and purpose to make the entry of certain competing articles as difficult as possible, and to carry this out the United States government agents resort to the meanest and smallest measures.

The first of these is the certification of the invoices by consular officers stationed in various districts of the Empire. Second, the investigations by customs officials as to the correctness of statements in the invoices which have not the force or effect of an oath in the German Empire. Third, the reexamination in cases where there is reason to doubt values by agents of their treasury department; and fourth, by the high penalties added for undervaluation. Naturally we all admit that an actual swindle is incorrect in any business transaction, but "undervaluation" should not be treated as such unless positively proved. However, no such elasticity is to be found in the minds of American customs officials, who treat "undervaluation," as they call it, as fraudulent, and they at once apply the usual penalties. Our goods have been exported to England and the United States at lower prices than those for the home market, and there have been more or less low values for the state, and in some cases what would be there termed "fraud," and such are the conditions at the present time.

"Market value," as defined under American law, is the wholesale price at the time of export, and our trouble lies in having two sets of prices—one for export and the other for home trade. We have to resort to a division of shipments under the so-called "$100 clause" to keep our matters secret, save fees, and avoid control on that side.

Declarations in invoices compelling all sorts of statements as to how the goods were obtained, whether by purchase or otherwise, values in detail, and charges of every character are the crowning point in the prying curiosity practiced under the American customs laws.

These things all lead to abuses, and we are promised that the means of gaining information through American consuls and agents will be shut off. Our boards of trade are fully awake to the dangers that surround us, and in making every effort to close the doors against this abuse they are hoping for the whole support of the Government.

Experience has taught that the workings of paragraph 8 of the Dingley tariff has not fulfilled the purpose for which it was created, but, on the contrary, the information gained under this regulation concerning costs of production has been so defective that in many cases it has been misleading, because through the prudence of our officials we have taken care that investigations of this character shall throw little light upon the actual value of their consignments.

In many cases trouble has been avoided by having invoices consulated remote from districts in which the goods are manufactured, but we must follow up this whole question as to the rights of consular and other officers to pry into our business for the sole purpose of keeping out our merchandise, and in this we are assured of the cordial support of our Government. Such treatment on the part of American officials and the cause for it is plain, and now that concessions must be made by the American Government, if we stand together firmly as a body, aided and supported by our board of trade, we can bring about a change that will be of untold benefit to our American export trade.

Our ad valorem duties have been levied always in the most unscientific way. Every ad valorem duty should be based on the price in this country. The ad valorem duty should be the ideal duty. Every just tax is based upon the value of the thing taxed and should be the value at the place where taxed. Goods are coming now to this country from Japan that are selling here at wholesale at an advance of 500 per cent of the price in Japan upon which they pay duty. Great potteries are being constructed now in both China and Japan intended to manufacture pottery for our market. Under the vicious method which we follow we are now taxing England, the fairest of all our trade rivals, more than any of the other nations. The way in which we, in the last series of years, have treated England in this regard, if we had not the justification of our own blundering ignorance as a defense, would almost justify war against us. Their pottery has been driven out of our market by pottery coming from the Continent, and to show the way in which such pottery was appraised for taxation I shall print in the RECORD in this connection a statement showing the valuations placed upon pottery by our Treasury Department, coming from Germany to the United States from 1900 to 1907, as given in the statistics of our own Treasury Department. In another column will appear the valuations as given in the official statistical reports of exports from Germany to this country during the same period as shown by German statistics.

STATEMENT.

Domestic exports from Germany to the United States, and general imports into the United States from Germany, of earthen, stone, and china ware during the calendar years of 1900 to 1907.

Year.	Exports from Germany to United States.	Imports into United States from Germany.
1900	$4,307,100	$3,307,996
1901	5,217,900	3,630,974
1902	5,890,300	3,725,383
1903	6,462,000	4,568,487
1904	7,756,200	4,694,621
1905	8,069,900	5,012,605
1906	6,845,400	5,135,913
1907	8,171,500	5,685,580

The vice of it all is that if the protective tariff is intended to bridge the distance between the cost abroad and the cost here, we are putting the lower tax upon the countries where labor is cheapest. Take any article—take the hat I wear. If its cost in France was $1 and its cost here is $2, the tariff ought to be a dollar. If you base it upon the cost in France, we would say 100 per cent; if we base it on the wholesale price at which it sells here, it should be 50 per cent. Fifty per cent on our price would produce $1, and 100 per cent on the price abroad would produce $1. But, now, suppose it costs but a quarter to make it somewhere else. Under the vicious method which has obtained in this country we have taxed the lowest-priced goods least, whereas if there is anything in our policy of protection, we should have taxed them most. Now, it may be interesting to know——

Mr. BARTLETT of Georgia. May I ask the gentleman to give us some instance of where we tax the lowest-paid labor less?

Mr. KENNEDY of Ohio. Why, we tax, for instance, a dinner set of pottery made in Japan a certain percentage ad valorem upon the cost of that dinner set in Japan, and the cost of it is only one-fifth of what it sells for wholesale in our market.

Mr. BARTLETT of Georgia. Now, does this bill change that?

Mr. KENNEDY of Ohio. It changes it materially, but I want to call the committee's attention to the fact that it will not protect us, the potters of my district, from the ruinous competition which they fear will come in the near future from China and Japan. I will call the committee's attention to the change made. I believe this is the way the ad valorem duties should be assessed: I think that the duty should be assessed upon the price, the specific price, at which the importer sells his goods in our market. That is the correct and ideal way of taxing. We should value the property at the place where taxed. If that method were adopted, there would be no trouble in finding out what the market price was. A simple provision that the importer should simply make declaration giving the invoice of his goods, a sworn statement of what goods he is bringing in, and a statement of what he expects to sell them for, will——

Mr. COX of Indiana. Then, I understand the gentleman, that would be the home price in the United States?

Mr. KENNEDY of Ohio. Yes; what he expects to sell wholesale for.

Mr. COX of Indiana. That is the uniform practice upon which all taxes are based.

Mr. KENNEDY of Ohio. Yes; if you view this tax as something paid for the privilege of exploiting our market, if he sells high he ought to pay more. Then let him pay the duty on the price he expects to sell the goods at. Require him under penalty to report immediately upon sale or report, at all events, within a certain time just what he sold them for and to whom. If he is compelled to sell under the value, give him a rebate; if he sells for more, let him pay the surplus duty; and the bill would execute itself. An army of taxgatherers, possibly, would be out of business, but that is no reason why we should not get ad valorem duties to a scientific basis.

This section 11 down to a certain point is the same as section 11 in the Dingley bill. Then, it has this added proviso; there are some other changes, but this one I wish to call to the committee's attention:

The actual market value or wholesale price, as defined by law, of any imported merchandise which is consigned for sale in the United States, or which is not actually sold and freely offered for sale in usual wholesale quantities in the open market of the country of exportation to all purchasers, shall not in any case be appraised at less than the wholesale price at which such or similar imported merchandise is actually sold and freely offered for sale in usual quantities in the United States in the open market to all purchasers, due allowance by deduction being made for estimated duties thereon, cost of transportation, insurance, and other necessary expenses from the place of shipment to the place of delivery, and a reasonable commission, not exceeding 10 per cent, if any of the same has been paid.

This is limited, you will notice, to goods that are consigned.

Mr. HUBBARD of West Virginia. If the gentleman will allow me, I think it is not limited entirely to goods that are consigned.

Mr. KENNEDY of Ohio. It includes more than that. It includes goods that are consigned and also goods coming from a country where there is no market value.

Mr. HUBBARD of West Virginia. Although, in fact, they are sold and not merely consigned.

Mr. KENNEDY of Ohio. Yes; where there is no market. If the importer can not show that there is a wholesale open market in the country where the goods are made, now, that will give to our people protection for their industries, so far as European goods are concerned, but as to China and Japan, I fear it would be wholly inadequate.

I had a very close and intimate friend who operated a steel plant a few years ago in Hankow, China. He told me that in

that steel plant labor cost him 7 cents in our money per day, and that was not an eight-hour day, either.

Now, all of the value that is in pottery consists in labor. The clay costs nothing, except the labor to get it out. So that it is all labor, we may say. They make pottery to-day as they made pottery in Job's time, namely, on a wheel. They have different methods of decorating, but the formation and the making of the pottery has not changed in its method for four thousand years, I expect. They used to run a wheel by trampling a treadle. Now they have a shaft and a belt to operate that wheel.

But it is substantially all labor. And it seems to me preposterous to pay any attention to a market in countries where men work for 7 cents a day, and have an ad valorem duty upon that to bridge the difference between the cost price there and here.

I want to call the attention of the committee again to the fact that an ad valorem duty that would protect the potters against ruinous competition from those eastern countries would be so high that it would exclude every piece of pottery coming from any other country save China and Japan.

Now, it has occurred to me that if the committee would but amend this so that it would read:

The actual market value or wholesale price, as defined by law, of any imported merchandise which is sold or consigned.

Writing in the words "sold or" before the words "consigned for sale in the United States" would be an improvement. Then strike out all words after the words "United States" down to the word "shall," in line 9. That would enable us to have protection against the goods coming from China or Japan.

Failing this, there ought to be a specific duty of so much per pound placed upon pottery in the alternative, providing that our duties fixed earlier in the bill should not in any case be less than so much per pound, so as to give some protection. Make this specific duty low enough so that it will not affect pottery coming from European countries. This request seems to be not unreasonable, and I urge it with all earnestness, believing and feeling that it ought to be granted. The potters of my district have a right to claim it as their due by reason of a specific pledge in the platform of the Republican party. The platform as written at Chicago did not go so far, but at a time long before the votes were counted, the platform was authoritatively interpreted by the only one who had authority to pledge the party's faith, or to interpret doubtful provisions in that platform. Our leader said upon the stump that revision in the Republican platform meant that when duties were too high they should be lowered; that where they were too low to give adequate protection they should be raised, and in that same speech the only industry which he specifically named as inadequately protected was the American potter. His interpretation was everywhere accepted and the votes were cast with that understanding. [Applause.]

Mr. EDWARDS of Georgia. Mr. Chairman, many able and interesting speeches have been made in the House since the tariff bill made its appearance. The speeches have ranged all the way from three minutes to nine hours in length, and almost every conceivable phase of the tariff question has been discussed. It is not my purpose to go into detail in a discussion of this important question, but I propose to take up certain articles in which the people of my section of the country are interested and to tell you briefly of a few things that they want in the way of tariff legislation. I feel that I would be very unfaithful indeed were I not to speak out at this time for what will be of benefit for my section. Of course I can not hope to go into detail in the short time allotted to me, but I can and will refer generally to a few things of vital interest to my people and our industries.

I am indebted to our distinguished leader, Hon. CHAMP CLARK of Missouri, for the suggestion made in his speech on the 25th of this month that "Nobody can blame people for wanting to take care of themselves." Indeed, self-preservation is the first law of nature. This is true in commerce, in legislation, and in everything. The people of my section of the country want to be taken care of, and I think that a Representative should be commended for striving to take care of the interest of the people whom he represents.

In his great tariff speech to which I have just referred, Mr. CLARK also said that "every man has a theory as to how a tariff bill should be built, and yet nobody has ever adhered strictly to a theory for framing one, and, what is more, nobody ever will." I regard Mr. CLARK as perhaps the best authority, from a Democratic standpoint, in this country on the tariff question. Mr. CLARK also said:

Up to a certain point, on any article that is made in the United States as well as abroad, a tariff rate is both a revenue rate and a protective rate, and no human being ever had or can have the ingenuity to separate them. * * * For instance, I might say that I am in favor of putting a 25-cent rate on a certain article for the purposes of revenue, and my friend from Michigan [Mr. FORDNEY] might say that he is in favor of putting a 25-cent rate on the same thing as protection. The upshot of it would be that I would get my revenue and the gentleman from Michigan his protection, whether I wanted him to get it or not.

I take it that it would be next to impossible to get a bill in here that would satisfy everybody, because there is such a diversity of interest represented in this House. That is the reason for having congressional districts and a Representative from each of those districts, because no one man, nor even a few men could, or would, know the needs of every section of the country; and while I regret to see the elections roll around so rapidly, I take it that it was a wise provision to keep the Representatives closely in touch with the people in order that their needs might be better understood and taken care of, and in order that the interest of no section might be neglected.

Where there is a diversity of interest there is bound to be a difference of opinion, even among Democrats. I take it that there is a wide difference of opinion as to many schedules of the tariff bill on both sides of the House, for there are over 4,000 articles referred to in the bill.

The true object of a tariff should be to raise revenue only to meet the expenses of the Government. The tariff is unquestionably a tax, and taxes should only be levied to meet necessities. [Applause.]

My idea is that instead of increasing the tariff and placing additional burdens upon those who are the least able to stand it, that the expenses of the Government should be substantially reduced. The expenses of this Government are enormous. The tendency has been to raise salaries all along the line for several years; it should have been to decrease them in many cases and follow a strict plan of economy. By strict economy a great saving could have been made in many ways. It was, in my opinion, a great mistake when the salaries of Senators and Congressmen were raised from $5,000 to $7,500, for it has been an excuse for increasing hundreds of other salaries. I was not in Congress when this salary increase was made or I would have opposed it, and I have at this session introduced a bill to reduce it to $5,000. I have consistently opposed all increases proposed since I have been here. If we increase our own salaries how can we consistently refuse to increase others?

We are now, through Republican extravagance and misrule, confronted with the largest deficiency that the country has ever faced. It will have to be met, and now the Republicans propose to increase the tariff, in many instances upon the necessaries of life, and raise this huge fund. There should be no tariff on the necessaries of life, and if a tariff is placed on these necessaries it should be the lowest possible rate, so as to reduce the cost of living, while on the contrary I favor a high tariff, for revenue, on the luxuries of life.

I wish to quote from the report submitted by the minority members of the Committee on Ways and Means the following:

SCHEDULE G.

The treatment of the farmer by this bill is along the same lines as have characterized Republican methods in the past. He gets practically no relief, and the laborer and producer have greater burdens imposed upon them. The cost of living for the average man is increased; the advantage of wealth and power is also increased. Heavy taxes are laid on coffee, tea, and substitutes for coffee, which, with cocoa, butter, mustard, pepper, cinnamon, and all sorts of flavors for food, are declared to be luxuries. While figs, lemons, etc., are raised in price without hope of increasing the revenue, barley is reduced 15 cents and barley malt 20 cents, the reason for which it would be interesting to know. Every article of food the laborer must have to live comfortably is heavily taxed; even the salt on his table is not exempt. This schedule was evidently prepared by the same mind which has dominated this bill—a mind certainly not unfriendly to the great trusts.

As this bill places hides on the free list, to be consistent it should also remove the duty on leather, shoes, harness, and other manufactures of leather.

That the bill is a sectional one is shown by the failure of the majority of the committee to lift any burden whatever from the shoulders of the southern farmer. The grower of cotton must sell his product in the open markets of the world. In order, however, to benefit the manufacturer of cotton the Republican party makes him pay a heavy tax on every pound of it that is exported and comes back into the United States in the shape of manufactured goods. Thus, he sells in free-trade markets and buys in a protected market. Not only have these burdens not been lifted, but additional ones have been placed on him. By a lately discovered process, a fabric known as "mercerized fabrics" is now being made. This is a very fine article of cotton goods, looking very much like silk, and is largely worn. In order to further enrich the manufacturer and to further tax the masses of the people, a tax has been laid on these goods.

Cotton hose have fallen under their greedy gaze and the tax on them, already too much, has been greatly increased. Cotton goods are more generally used than any other class of goods by the masses of the American people, and every cent of duty laid on such fabrics is an additional tax on the people least able to pay it.

The tea tariff is a tax of 8 and 9 cents per pound on consumption and is in direct contradiction of that "free breakfast table," about the blessings of which we heard so much when raw sugar was put on the free list in the McKinley bill. If a free breakfast table was a desirable thing in 1890, and it undoubtedly was, it is an equally desirable thing now. This tea tax will probably bring into the Treasury something like $7,000,000 per annum, and it increases the cost of living

by the same amount. That sum, or twice or thrice that sum, could have been added to the revenues by reducing the exorbitant rates on woolen manufactures alone, and at the same time reducing the cost of living, which has increased to an alarming extent in the last few years. In paragraph 556 as to coffee we find another joker similar to the one as to petroleum. Ostensibly coffee is placed on the free list, but by reason of the proviso as to countervailing duties it really places a tariff on coffee equal to the export duty levied upon it by the exporting country from which it comes. For example: If Brazil levies an export duty of 8 or 10 cents per pound, then we must clap a tariff rate of 8 or 10 cents a pound on all coffee imported from Brazil, which arrangement really authorizes Brazil and other coffee-exporting countries to fix our tariff duties on coffee. This may be a delightful situation for the coffee-exporting countries and for our Treasury Department, but it will not bring joy to the heart of the American coffee consumer, who must pay both the export duty levied by the other countries and the import duty levied by our own Government.

Indeed, the whole maximum and minimum tariff scheme as set forth in the Payne bill enables foreign countries to force us to raise the rates of the Payne schedules 20 per cent, which would, after making ample allowance for all reductions in the Payne bill, increase our tariff rates on the average much above the rates of the Dingley law, a prospect which will bring sorrow and dismay to the great body of the people. We are most heartily in favor of such a maximum and minimum tariff as will enable our Government to negotiate tariff arrangements by making concessions to other governments by reducing the rates of the statute when such other countries will make equally valuable concessions to us; the maximum rates should be the rates of our statute, whatever they are, and the minimum a reasonable rate below our statutory rates; but as it stands the maximum and minimum tariff plan of the Payne bill is an open challenge to a trade war with every other nation on earth. It is seeking trade with a club or meat ax. We are opposed to such an unwise and unnecessary performance. In this connection it may be well to ponder thoroughly our relations with Cuba. Does any sane man suppose for one moment that the great commercial nations, our competitors for the world's trade, will concede that Cuba is one of our "dependencies?" It is a thing incredible. To ask that question is to answer it.

The tariff arrangement between us and the Philippine Islands has no proper place in a general tariff bill. The legitimate function of a general tariff bill is to set forth our trade relations with foreign nations; but foreign nations have absolutely nothing to do with our relations to the Philippines, which relations should be most carefully and prayerfully considered by us in a separate bill. There are some schedules and many items which we have been absolutely precluded from considering by the short space of time allowed for the examination of this voluminous bill and the preparation of this report. On them we pronounce no opinion and as to them we make no suggestion at this time; but our silence as to them is not to be construed into an indorsement, for the chances are that they are as objectionable as those which we have discussed in this report.

The bill is in many respects crude, indefinite, sectional, and prohibitive. It seems to us from our examination, which was necessarily hasty, that on the whole it increases the cost of living. For example, it will increase the price of hosiery about 30 per cent, and certainly nobody will claim that hosiery is a luxury in this day and generation. Many increases of the sort might be mentioned. In numerous instances the protection exceeds the entire labor cost of production. This can not be defended on any ground whatsoever, even by a standpatter. In all, the reductions both apparent and real fall far short of the substantial relief which the people were led to expect.

Every tariff bill which has been gotten up by the Republican party has greatly discriminated against the South. They have also discriminated against the farmer, the wage-earner, and the laboring man. This is unjust and should not be. [Applause on the Democratic side.]

We are face to face now with the Payne tariff bill that will soon become a law, whether the Democrats want it to or not, for it is purely a Republican measure, and they are greatly in the majority. It is like others of its origin, and is full of sectional protections and discriminations. I quote here again from Mr. CLARK:

In such joint work no man could have gotten into the bill or out of it all that he desired. I will go bond for the proposition that no mortal, reputable man, not even Mr. Chairman PAYNE, will stand up in the light of day and assert that this bill contains everything he desired or that it does not contain certain undesirable things. There was no danger of our outvoting them, for they had 12 members to our 6, our seventh Democratic member, Mr. Granger, of Rhode Island, being absent by reason of the sickness which proved fatal to him. But we might by mutual concessions have agreed on all the items, or at least a large part of them, for let it not be forgotten that the tariff of 1857 was passed by the consent of all parties and practically without opposition. Had we agreed in whole, or even in part, it would have greatly expedited the passage of the bill, thereby shortening the business suspense now pervading the land.

I do not believe that we should sit idly by and see the present tariff bill literally cut the throats of our southern industries, nor do I propose to be a party to any such disastrous policy. If there is to be protection for one section or for certain sections, it should be for all; there should be no unjust discrimination. The South, with all of its great possibilities and industries, should no longer be burdened with this unjust discrimination, and should no longer be made to bleed and suffer by forcing her farmers, laborers, and industries into competition with cheap and slave labor, and products of that labor, of foreign countries. This applies forcefully to lumber and cotton, of which there is much produced in my district. I do not believe that the present rate on lumber is an unreasonably protective one, nor do I think it should be reduced, for I am of the opinion that it is not more than a revenue rate. To take that rate off lumber means a calamity to the people of my section of Georgia unless there is a reduction in all articles which the people of that section are forced to use, as was contemplated by the Democratic platform. It will reduce the price of stumpage, and thus affect the selling price of timber, and injure every man who owns a foot of land with trees on it. It will almost paralyze the sawmill business, which is large, and gives employment and bread to thousands of people in my district. Besides, there are many towns in my district that are almost wholly kept up by sawmills located in them or near them. It would be a blow to those towns and to the farmers who furnish supplies to the mills, for what hurts one great industry hurts us all in that section. To remove the tariff from lumber would force the sawmill man to do what the farmer, under this bill, is going to be forced to do also; that is, to sell his product in a free market and buy in a highly protected market. [Applause.]

There is a lot of sea-island cotton raised in my section of Georgia, and its chief competitor is Egyptian cotton. I favor a tariff for revenue on cotton from foreign countries in order that our farmers will not be forced into competing with the cheap foreign labor and the slaves of the Nile. This would bring our cotton more in demand, in my opinion, and would insure better prices to our farmers for their product. The proposed Republican scheme, to force our farmers and sawmill men, whose interests are closely related, to sell their products in a free market and compel them to buy everything they use in the way of necessaries and supplies in a highly protected market, is the rankest kind of high-handed robbery, and I for one will not keep quiet and see any such crime perpetrated against the people whom I represent. I believe they are confidently looking to me to protect their every interest here, and, God being my helper, I shall not disappoint them. You take the people who are clamoring in Congress for free lumber and opposing a tax on foreign cotton and, as a usual thing, they have not a stick of timber or a boll of cotton in their districts. They are the same gentlemen, too, who, as a usual thing, are trying to keep a tariff upon cotton bagging, ties, farm implements, sawmill machinery, chemicals for making fertilizers, and upon all supplies and necessaries that our people are forced to buy. I am in favor of all these things being placed on the free list. It will mean the saving of thousands of dollars every year to our people and a great reduction in their daily living expenses. If all these necessaries and supplies were on the free list, then the people of my section would not demand a revenue upon products that compete with theirs. They demand that these necessaries and supplies shall be put on the free list or that their products be not discriminated against.

The tariff bill, then, is the tax bill. It is the levy of the tax out of which the revenues for the running of the Government are raised. The passage of this bill affects every hearthstone in the United States, and it should be made as light on the shoulders of the poor and the laboring classes as possible.

This is a hard, hard day for the laboring man. By way of digression, but germane to the discussion, I want to refer to the jail sentence that was imposed upon certain prominent labor leaders, who, standing by their convictions and standing up for the rights of millions of laboring men, dared to express themselves concerning the iniquities of an injunction case pending in a federal court, and without a trial by jury, in the discretion of the enraged judge, were adjudged in contempt of court and given jail sentences. I want to go on record as branding it as one of the grossest outrages of the age. It is simply another powerful argument why the use of the injunction should be abridged and why no man for contempt of court or any other charge should be deprived of his liberty or rights without a trial by jury. Very little is offered in this bill to the laboring man.

I have received many letters, telegrams, and petitions from prominent men, trade and commercial bodies in my district, among whom I might mention William H. Stillwell, of Savannah; E. F. Hartfelder, of Savannah; Garbutt & Donavan Manufacturing Company, of Lyons, Ga.; Harvey Granger, vice-president of the Savannah Board of Trade; W. W. Williamson, president of the Savannah Chamber of Commerce; F. D. Bloodworth, president Savannah Clearing Association; the Georgia and Florida Sawmill Association; and hundreds of others, urging that the present rate on lumber be left as it is; stating that "upward of 50,000 men protest earnestly against interfering with the present tariff rate on lumber; that the effect would be disastrous to employers and employed; and that the agitation has already been more hurtful than could be estimated;" and that "southern pine timber has been turpentined and will have to be sawmilled or go to waste, means a loss of millions if not worked up rapidly, and a great loss if present rate is interfered with;" and many more along the same line, indicating, as was stated in some of the letters and telegrams, that to dis-

turb the present rate "would be a calamity" to that section of the country.

I wish to read to you two editorials from the two leading newspapers of my section of Georgia.

This one I read now is from the Savannah Press, and is as follows:

WHERE IT IS UNJUST.

The Press can not blame the Democrats in the House, especially the Democrats from the South, in not submitting to the reductions placed by the Ways and Means Committee upon southern products.

Protection seems to be the settled system of the country, and as long as this is true a tariff bill should, in the words of Senator BACON, "distribute the benefits as well as the burdens of taxation throughout the country." If the principle of subsidy is to prevail, it is not fair to reduce the duties on southern products and increase the duties on northern products. This section has sustained a heavy burden of taxation a long time. It has received very little in return. Hundreds of millions of dollars float back into northern cities and States through the pension bill. Little of this comes South, so there are few rebates or drawbacks or take-offs this side of the Potomac. The first duty of a low tariff bill, in the eyes of a northern Congressman, is to cut down the bounties given to lumber and cotton and rice. Naturally this creates resentment and "brings on more talk."

The Press does not believe in the principle of protection. Although we think free trade is impractical, still we hold that a tariff bill ought to be framed for the purpose of raising revenue and not for the purpose of affording protection. That is the only excuse for a tax bill; any other theory is repugnant to good sense and sound principles. Where a system has prevailed for a long time, and duties have been piled up for years, it is hard on the interests which have grown up under them to cut down these bounties, and to discriminate against one section and in favor of another. Protection is a dangerous and an unsound stimulant. But human nature is the same, North and South, and it is just as natural for the lumbermen of Georgia to protest against discrimination as it is for the lumber camps of Michigan. We believe that protection in the end does an industry just as much harm as it does good, but if protection is to be continued for the benefit of one class of people, it ought not to be abandoned in the case of another class.

As a sample of the principle which has been employed in the Payne bill, it is said that New England mills which manufacture the finer fabrics are seeking to have the tariff on this grade of goods increased and at the same time favor a reduction on coarser cotton goods, which are manufactured principally by southern mills. A higher tariff on the finer cotton goods would give to the New England mills a monopoly, whereas a reduction in the present tariff on coarse cotton goods would force the southern mills to compete with foreign countries which have the advantage of cheaper machinery and cheaper labor.

This one is from the Savannah Morning News, and is as follows:

THE REDUCTION OF THE TARIFF ON LUMBER.

The Georgia and Florida Sawmill Association is determined to leave no means untried to have the present tariff on lumber retained. In our dispatches from Tifton yesterday an indication was given of its efforts to hold on to the protection which the lumber interest now has. The sawmill men have gone over the situation very carefully and they know to a fraction what effect the reduction of the lumber tariff provided for in the Payne bill would have on that interest, and they are satisfied that if the reduction is made there will be but little, if any, profit in manufactured lumber, particularly in the lumber that is manufactured here in the South.

If there were to be a reduction in the tariff schedules on all articles which enter into the cost of manufacturing lumber equal to that in the tariff on lumber the sawmill men would not have so much reason to complain, but there is to be no such reduction. The cost of manufacturing lumber will be as great in the event of the passage of the Payne bill as it is now. Hence the reduction of one-half in the protection that lumber now receives means that much reduction in the profits on lumber.

Sawmill men claim that under such conditions it would not be possible to manufacture lumber in the South at a profit. The Canadian competition would practically force every sawmill man to shut down his mill. That condition of affairs would bring hard times in this section of the South.

The National Forest Conservation League is contending that the proposed reduction of the lumber tariff would not hurt the sawmill interest; that the tariff remaining would be sufficient to keep out Canadian lumber. The league has in mind only lumber manufactured in the Northwest. In its sweeping statement it makes no distinction between the lumber of the South and that of the Northwest. It is, therefore, a misleading statement; and Congressmen should not permit it to influence them. They have so many things to think of, however, in connection with the pending tariff bill that it is difficult to get them to center their attention on any one interest.

It is noticeable that the Congressmen from this section of Georgia are alive to the importance of guarding against the threatened injury to the lumber interest. They have been supplied with the facts bearing upon that interest and can be depended upon to do all it is possible to do in its behalf.

I read these editorials to you to show you the sentiment of the people of my section of the country. I fully agree with both of these good editorials, and they are directly in line with my appeal for the advancement of the interest of that section of the country.

In a letter from Hon. F. C. Battey, of the firm of Hunter, Pierce & Battey, of Savannah, Ga., he says, in part:

If I am correctly informed by the exporters here, France is practically the only producer of naval stores that comes into competition with the American product, and I am now told that not a barrel of rosin or spirits is sold by us to France, on account of the fact that the tariff there on American naval stores is prohibitive. I am informed, on the other hand, that quite a large amount is shipped from France into this country, and that it is hurtful to our people.

Mr. Battey is substantially correct, as is shown by governmental statistics. The Hon. W. G. BRANTLEY, my colleague, has made a strong appeal along this line before the Ways and Means Committee, every word of which I heartily indorse. We should have a reasonable tariff rate for revenue on the importing of naval stores, certainly as long as France, our chief competitor, has a rate against our products, in order that our operators may live.

I have also received many letters, telegrams, and petitions from farmers and farmers' unions, urging me to stand for a revenue tariff on Egyptian cotton. I have just received a letter from Hon. A. L. Tippins, of Daisy, Tattnall County, Ga., along this line. He is one of the most progressive and business-like farmers of that county, and he has made some strong arguments why this tariff should be placed on Egyptian cotton, and the opinions of men like him are worth something.

In looking over the Statesboro News, of Statesboro, Ga., I find the following:

WILL ASK FOR DUTY ON EGYPTIAN COTTON.

A movement is on foot to ask Congress to embody in the new tariff bill an import duty on Egyptian cotton. A committee of south Georgia and Florida planters and business men will go to Washington and urge such a measure.

The present crop of sea-island cotton has been estimated at 94,000 bales. All of this, except about 10,000 bales, has been sold, and 90 per cent of this is used by American mills. In addition to this 25,000 bales of Egyptian cotton has been imported into this country from the farms of the pauper laborers in Egypt. This cotton sells at 17 cents, and drags our prices on sea islands down. It is argued that a tariff of 5 cents a pound on imported Egyptian cotton would protect our south Georgia product and raise prices to at least 25 cents per pound.

A new demand has been created for the product of our sea-island cotton belt in the manufacture of automobile tires. It is estimated that this industry alone uses 20,000 bales of sea-island cotton. With a duty on Egyptian cotton and the increased demand in the home markets, there is no reason why prices should not be raised.

The Chamber of Commerce of Statesboro is taking the initiative in this matter. President J. G. Blitch has taken the matter up with our Representatives in Congress, and he and others from there will accompany the delegation to Washington, where they will appear before the committee having this matter in charge. The fight started here will be supported from all sections of the sea-island cotton belt.

Along the same line I read an editorial from the Savannah Morning News:

Why are not the growers of sea-island cotton just as much entitled to protection as the manufacturers of sea-island cotton products? Can anybody give a good reason why the manufacturer and the operatives in his factories should be protected against the manufacturer and the cheap labor of Europe, and the sea-island cotton grower should not be protected against the farmer of Egypt and the cheap labor of that country?

It is a notorious fact that the growers of sea-island cotton have to compete with the growers of Egyptian cotton, and the competition is so fierce that the farmers growing sea-island cotton find it difficult to make a living because of the low price which their product brings, due largely to the free importation of Egyptian cotton.

If it were not for this Egyptian cotton the demand for sea-island cotton in the home market would be very much greater than it is. Of course the increased demand without any material increase in the supply would bring about an increase in the price.

The sea-island growers are going to make a determined effort to have a duty of at least 5 cents a pound placed on their product. They believe that justice is on their side, and that Congress will listen to them. Of course the manufacturers will offer a strong opposition, but that is to be expected. But if the manufacturers get protection, their argument against protection for the raw material ought not to have much weight.

The southern farmers are getting nothing practically out of the pending tariff bill. The framers of the bill appear to have overlooked their interests entirely. And their interests will continue to be overlooked unless they bustle for themselves. They may not believe in the principle of protection, but if protection is the policy of the Government they must have their share of it if they are to live and prosper. They can not prosper under a policy that makes them pay protection prices for all they buy, including labor, and sell their products on a free-trade basis.

Mr. R. W. Mattox, of Green Cove Springs, Fla., an expert on the subject, gives it as his opinion that 1 pound of No. 150 spool cotton thread manufactured from sea-island cotton is worth over $20. The farmer is forced to sell his raw product in an open market at from 18 to 22 cents per pound, and if he buys it back in thread he pays an enormous difference. The farmer gets very little for his cotton when he sells it, but he pays dearly for it when he buys it back in manufactured articles, and there is the flagrant injustice to our people.

In this connection, I wish to say that I have also received the following letter from Senator H. S. White, of Sylvania, Screven County, Ga.:

WHITE & LOVETT,
ATTORNEYS AND COUNSELORS AT LAW,
Sylvania, Ga., March 24, 1909.

Hon. CHARLES G. EDWARDS, M. C.,
Washington, D. C.

DEAR SIR: I herewith inclose you three petitions or requests for a reduction of the duty, now placed upon sugar. We think that you can do our country a great service in assisting in getting a reduction of the duty upon sugar. While some of your constituents are producers of sugar and would be somewhat benefited directly in the maintaining of the high duty upon the same, the great majority of them are only consumers, and would be greatly benefited by a reduction of the duty. Personally I think it would be to our interest also to have a reasonable duty placed upon the importation of cotton.

I submit these views for your consideration and hope you may agree with me.

With kindest regards, I am,
Yours, truly,

H. S. WHITE.

I am also in receipt of the following from Messrs. H. S. White and A. B. Lovett, of Sylvania, Ga., and W. M. Parker, Woodcliff, Screven County, Ga.:

The undersigned respectfully ask for the removal of the duty from raw and refined sugars, in the interest both of the $0,000,000 consumers of the country and the manufacturing industries, in which it is an important material. This tax amounts to 2 cents per pound on refined sugar, equivalent to an 80 per cent ad valorem duty.

We would submit that such an exorbitant tax is not justified by the conditions relating to the production or refining of sugar in this country. Leading sugar refiners have testified that they need no tariff protection against foreign refiners. The production of sugar in this country is very small in comparison with the annual consumption, and there is no good reason why all the people should be heavily taxed in the interest of one industry.

The relatively high price of sugar operates to prevent its more general use in the manufacture of preserved fruits of all kinds, and by adding to the cost of these articles limits their consumption. While this is the greatest fruit-growing country in the world, our exports of jams, jellies, etc., are comparatively small, as we can not compete in neutral markets with countries like Great Britain, which have the advantage of cheap sugar. The removal of the sugar tax would greatly increase domestic consumption of these articles, and would give us a much larger share of the export trade. In many cases the canners would be enabled to buy and preserve fruits that would otherwise be wasted for lack of a market.

We believe that this is a matter which should be decided by Congress in favor of the policy which will benefit the greater number of the people, and that the interests of the consumers should receive the consideration to which they are entitled. The tax on sugar is paid wholly by the consumers, and is an unnecessary burden on one of their principal articles of food. The repeal of this tax would therefore be an unquestioned advantage to the people of the entire country.

I beg also to submit a petition from many prominent citizens and business men of Savannah, Ga., which is as follows:

Hon. CHARLES G. EDWARDS,
Member of Congress, First District of Georgia:

We, the undersigned citizens, hereby vigorously protest against the imposition of any duty or tax on teas or coffees by Congress, and ask you to use your influence before the Ways and Means Committee and in Congress toward the defeat of any such measure.

C. E. Stanton, jr., E. M. Theus, J. H. Boldshaw, Jacob S. Collins, S. Lehwald, McGrath & Ransford, John R. Millings, J. C. Schwarz, J. A. Pogle, J. J. Gaudry, W. J. Farmer, A. Blumberg, R. H. Edenfield, H. H. Blake, F. A. Stoyall, W. Falk, John Lyons & Co., Harry T. Wilson, Edward N. Cartwright, Daniel A. Holland, Dr. Geo. W. Herriott, S. L. Gerst, A. Ehrlich & Bro., W. H. Murdock, A. A. Aveilhe, W. E. Dawson, G. P. Talbott, J. A. Wilson, J. A. Nelson, J. J. O'Neill, Harry Hirsh, W. G. Morrell, W. H. Bolland, R. A. Hicks.

These are only a few of the many appeals that are coming to me from the first district of Georgia. I know the conditions down there. I know something of the needs of those people; I sympathize with them, and I shall not turn a deaf ear to their appeals. [Applause.]

I hope I have made myself clear. I do not want to be misunderstood. There are always those who had a great deal rather misunderstand, or appear to misunderstand, one's position than to really understand it. There are those, as long as the devil continues his wicked influences and forces in this world, who had a great deal rather criticise and condemn than to approve and commend. They are the kind who tear down and destroy what other men build up.

I yield to no man in my loyalty to the Democratic party, and to the principles of Jeffersonian Democracy. I was born a Democrat and have walked and lived as one, and will advocate the principles of Democracy as long as I live. It is that principle of "equal rights to all and special privileges to none" that I have advocated here to-day. I have advocated equal rights to all sections, which I hope will be granted. I appeal to the House not to discriminate against the South and her industries in this bill. We have patiently borne all the burdens you have laid upon us for lo, these many years. How long, oh, how long, do you want us to submit to these unjust discriminations against our people? It is that simple justice that should be accorded to all for which I am pleading to-day. I, with my party, advocate a tariff for revenue only, and if you will put everything upon that basis, as was contemplated by the Denver platform, then we will be satisfied. There is no justice, however, in forcing us to buy everything we use in a highly protected market and to sell everything we produce in an open and unprotected market simply because it is in your power to force this upon the South.

It is my opinion that before this tariff fight is over you will see every Congressman who is loyal to his constituents taking the position of looking after their interest and trying to get all he can for his people. That is the platform upon which I was reelected to Congress, namely, "to do all I can and get all I can all the time for the first district of Georgia and its people." I have tried to live up to it and am going to keep it up until the people of my district tell me that I am wrong.

I conceive my first duty to be to my people and my district, and to that duty I shall be faithful to the last. I am answerable only to the people whom I represent for my stewardship here; I hold my commission from the governor of Georgia, through the will of the free and enlightened people of the first Georgia district, and I shall be true as long as I am here to their every interest. [Loud applause.]

Mr. GILLETT. Mr. Chairman, I do not intend to enter on a general discussion of the tariff bill. That is being done amply by the members of the Ways and Means Committee, and I want especially to express my admiration for the exhaustive and satisfying explanation of the bill given by the chairman [Mr. PAYNE]. His fullness of knowledge and reasonableness of tone and fairness in answering questions illuminated the bill and proved that, while it probably was not free from errors, its preparation had not lacked laborious and intelligent and high-minded application.

I think in general the bill well meets the expectation of the country, and while there are some amendments which I shall press and support, yet I think we shall be fortunate if, when it emerges from the various dangers which beset its thorny path, it is as satisfactory as when reported by our committee.

This committee which provides the revenue for the Government has no jurisdiction or responsibility for the expenses of the Government, a curious and unfortunate anomaly, but this bill has been prepared with reference to our probable expenditures, and its authors have found their greatest difficulty in providing revenues which shall prove sufficient. This it seems to me is not so much because our revenues now are small as because our expenditures are excessive and extravagant. The vital problem for us to solve is not so much how to raise revenue as it is to raise it in such a manner as to impose a check on needless appropriations. It is along that line I intend to speak.

One of the most marked and obvious developments of recent years has been the enlarged scope of the activities of the National Government, and the subject has been debated as incessantly as such an interesting phenomenon deserves, and I do not intend to add my comments to the general discussion. Though being by tendency a federalist, I see nothing disquieting or alarming in most of the new features of federal power. But there is one phase of the situation or trend which is seldom mentioned, but which, as a member of the Appropriations Committee, has attracted my attention and concern, and that is its effect on our national expenditures. I do not mean so much the expense of these new activities—though in some cases that is vast enough—but I mean more the constantly growing and unchecked and endless expense which results and will result from the new attitude of the people toward the National Treasury.

I doubt if there is any phase of the new federalism where the growth is more prodigious or to me so appalling as here. The people seem of late to be learning to look on the Federal Treasury as a vast reservoir from which they can draw endlessly without exhausting it, which will be kept full without any burden on them, and consequently each person's interest and constant endeavor seems to be to get for himself as large a share as possible of this free and gratuitous outflow.

Such a state of mind on the part of our constituents is dangerous in several ways. It is demoralizing in the same way that gambling is demoralizing to the individual, by inducing the belief that work and industry and self-sacrifice are superfluous, that wants can be gratified without effort, and that it is not honest exertion alone that is rewarded, but that there is an easy way by which the same reward will fall in your lap without struggle or self-denial; that there is a father of boundless wealth who can gratify all your wants without expense to you and that self-denial and economy are as superfluous as they are inconvenient.

Nothing is so fatal to industry and enterprise as such a feeling. It is most unfortunate for man or nation to learn to rely for success on anything except his own steady effort. Yet such a feeling is spreading all over the country. I suppose we Republicans are partly to blame for it because of the tariff doctrine which we have so zealously and successfully preached that the law can ruin industry; and the corollary has too often been drawn that law alone can also create prosperity; and hence has arisen a dependence on laws alone, and in time of trouble all turn at once to the lawmakers of the National Government for relief.

That I have always felt was the most dangerous feature of the protective doctrine—and no system is without its drawback—that it cultivates in the citizen a leaning on government and a lack of self-reliance which is harmful and dangerous.

And now the people seem to be learning to believe not only that federal laws make prosperity, but that they keep the Treasury full without expense to them, and that their special occupation is to decide how that Treasury can be emptied with most direct benefit to their locality. The very immensity of our country makes such a belief and habit dangerous. It is impossible for different sections to understand the comparative

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H. S. WHITE.

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of our country makes such a belief and such dangerous. It is impossible for different sections to understand the comparative

needs and claims of each other. Their knowledge of conditions is not accurate enough to give them a sound basis for judgment, and there is not enough mutual sympathy and acquaintance to make them fair minded in their decisions, so that there is a constant struggle of each to obtain all that it can; and this, of course, leads to combinations, mutual concessions, and shameless logrolling, all of which adds expense and outlay to the Nation.

The fact that our national taxation is largely indirect and its burden unfelt by the mass of the people increases this tendency and encourages the desire to enlarge the national activities and divert as far as possible burdens from the state and municipality to the Nation.

I remember an incident in the political history of my own State which illustrates the change in the popular feeling toward national expenditures. A prominent and popular candidate for the Republican nomination for the office of governor was defeated because as a member of the Forty-seventh Congress he had advocated their river and harbor bill of the large and extravagant and outrageous amount of $18,000,000. Recently a similar bill of $87,000,000 was greeted with universal acclaim and enthusiasm throughout the State, and I have no doubt the popularity of our Members of Congress would have been increased if it had been $100,000,000. So long as the Nation pays the bill, the State and the people concern themselves little about the amount of it. Their interest is only to appropriate as large a share as possible for themselves.

In local matters an era of extravagant expenditure is attended or followed by an era of increased taxes, and the relation between expenditure and taxation is so immediate and direct that the people feel it and recognize it, and a very wholesome check on extravagance is thereby constantly maintained.

But there is no such relation in our national finances because the taxes are not direct and the burden of them is largely unfelt, and so an administration can rush into expenses beyond its income without incurring that severe rebuke which would be such to follow if the people had to directly open their purses to make good the deficiency. The only check here is the impending disgrace of a bond issue. In England an administration whose expenditures exceeded its income by $20,000,000 would be thrown out of power as incompetent and extravagant, and yet we allow our expenses to exceed our income by $100,000,000 and the people, instead of being disturbed and rebuking us and demanding a stricter economy, are clamoring loudly for still larger outlays and are heedless of the deficit.

And now to remedy our impoverished condition this bill suggests an inheritance tax. I heartily favor the principle of such a tax. I know of none more easily paid and which involves less hardship or injustice. I was in the legislature of Massachusetts when such a tax was first adopted, and I favored it then and believe it can be broadened and increased there. But I do not think both State and Nation ought to cultivate the same field and extract taxes from the same source. There would be a rivalry in which ideas of fairness and justice would be apt to be ignored. I think that field of taxation ought to be left to the State, where, under the enlightening and socialistic tendencies of the age, expenses are largely increasing and new fields of expenditure are constantly opening and increased sources of revenue are indispensable. Moreover, an inheritance tax strikes so few that it is felt as little by the masses of the people as indirect taxes; and what the Nation needs to make it pay some heed to economy is a tax which the people will directly feel, which they will see results from large expenditures and can only be removed by retrenchment, and therefore they will pay some serious attention to questions of appropriations.

Now, all they ask is generous appropriations, the larger the better if they get a large share; and any critic is considered small and parsimonious. But if they felt in their pockets that they were paying the bills and that outgo must be balanced by income, I believe a healthier sentiment would grow up toward the National Treasury. I see no way of effecting that result except by having taxes which the masses of the people directly feel, although they are really no more burdensome to them, and which will increase or diminish, according to economy of administration.

Taxes on tea and coffee, it seems to me, would accomplish this end. They are purely revenue taxes, and their increase or decrease affects no industry here. They should be so heavy that it could not be shifted onto the middleman, but should bear directly on the people. They should be emergency taxes. When the Treasury was empty they should increase, and when it was full they should fade away. Then the people would have a direct interest in the condition of the Treasury. They would feel in their tenderest point, their pockets, the conduct of an administration or a party which allowed appropriations to exceed income, and would be very apt to punish and rebuke such conduct, and we here, their Representatives, instead of feeling as we do now, that the only road to popular favor is liberal appropriations and that a spirit of economy is foolish and out of date, would be obliged, if we wished to keep the confidence of our constituents, to plan our expenses so that they could be met without the imposition of unpopular taxes.

England acts on this principle. The bulk of her revenue is raised by permanent taxes which require no action by Parliament from year to year. But in order to adjust the income closely to expenses, certain taxes are voted only a year at a time, and the rate is raised or lowered according to the necessities of the year. For many years the only taxes so treated were the income tax and the tax on tea, but recently beer, tobacco, and spirits have been included in the same class. These are all taxes which the people feel at once, which they fret under and wish to be relieved of, and will only endure when satisfied of their necessity, and so the popularity of the administration is always concerned in their reduction, and there is a constant stimulus toward economy.

England needs such a stimulus less than we do because she has a tremendous influence for economy in the fact that no appropriation can be made except when recommended by the Crown, which means by the ministers, so that Parliament can reduce expenditures below the estimates, but can never increase them. This gives vast power to the ministry and is a prodigious buffer against extravagance.

We see too often in our appropriation bills illustrations of the danger pointed out by Lowell in his work on the government of England, that "expenditures directly caused by the irresponsible action of private members may originate in personal or local feeling, and then be adopted through heedless good nature or skillful logrolling." I think we should do well to borrow from the longer experience of England and have some purely revenue taxes which the people would directly and keenly feel, which should move up and down automatically with the condition of the Treasury, and which would act as a constant admonition to the administration and the party in power to be thrifty and economical.

I think it would be well if it became the theory of our laws that emergency revenue should be raised by taxes on articles of universal use which would be universally felt and universally unpopular; that in cases like the present, when expenditure is largely outrunning revenue they should be resorted to for the deficiency, and the party in power should be held responsible for the conditions.

So I believe there would be a much needed impetus to the practice of economy in appropriations and the present deplorable state of public opinion might change. I see no other means of checking the constantly increasing raids on the Treasury which the broadening exercise of federal power is developing, and which if continued will lead to national bankruptcy. [Loud applause.]

Mr. FULLER. Mr. Chairman, I had expected to discuss at some length the questions involved in the subject of tariff revision, as proposed in the bill now under consideration; but having listened to the debate as it has thus far progressed, it does not now occur to me that there is any real occasion for further discussion of the subject, or that there are any new ideas which I might possibly advance that would tend to enlighten the committee on the subject under discussion. It has been repeatedly said, in the course of this debate, that this is no time for an academic discussion of the tariff. In that opinion I concur. It seems to me, further, that this is no time for an extended discussion, during the time allotted for general debate, of the particular schedules of this bill. In my judgment, this debate might well have closed with the elaborate arguments and statements of the gentleman from New York [Mr. PAYNE], chairman of the Committee on Ways and Means, and of the gentleman from Missouri [Mr. CLARK], ranking Member of the minority on that committee. They left little to be said, pro or con, as to the bill under discussion. I say this without disparagement to any other gentleman who has discussed the measure, but certainly it seems to me now that the discussion ought to close and early action be taken on the bill.

The country waits for such action, and prosperity is halted until it can be definitely known under what conditions the business of the country is to be conducted. More important than any schedule or any rate of duty is that the matter should be definitely settled, and that every business interest in the country should know what to expect and to depend upon as to tariff duties and taxation. I only desire to say now that I am a Republican, and therefore a protectionist. I believe, as firmly as I believe anything, in the Republican doctrine of protection to American industries and to American labor; protection of

the one is necessarily a protection of the other. Under all the circumstances, I am for this bill as it is.

In my opinion the members of the Committee on Ways and Means have labored honestly and faithfully to bring into this House the best bill possible in the interests of all the people of this country. I would amend the bill and change it in many particulars if I could; so would every other Member of this House, only each one would amend it in different particulars, and no two would agree upon all the schedules of the bill; and where one would give more protection the other would give less or repeal the duty entirely. Every tariff bill calculated to raise revenue or to protect the industries of the country must necessarily be a compromise, and we must each give up something to the opinions and interests of the others, and each separate section of the country must waive something for the general good. On the whole, I doubt if, with all the amendments that could be offered or which might be adopted, a better bill than the one now presented could be formulated, or one more nearly favorable and just to all interests and to all sections of the country. Therefore I say I am for this bill as it is, and hope in the interests of all our people and for the great business interests of the entire country that it may be speedily passed and enacted into law. The business of the country waits and prosperity halts until final action is taken by this Congress. Therefore I hope the debate upon this bill may soon be brought to a close; that the bill, with such amendments as may seem necessary, may as soon as possible become the law of the land. I hope it may prove that the law when enacted will produce sufficient revenue for the needs of the Government, and that at the same time it may reasonably protect all American industries and give full employment to all American laboring men. Then, indeed, shall we reasonably expect a return of the great prosperity that has heretofore been the good fortune of this Nation, and which has made the progress and development of this country the wonder and admiration of the world.

Mr. JONES. Mr. Chairman, there are many of the features of the tariff measure now under consideration which do not meet the approval of a majority of the membership of this House. Some of them have been the objects of the severest condemnation by Members on both sides of this Chamber. Few, indeed, if any, have been generally commended. I shall not attempt any general analysis of this wonderfully constructed measure. What I shall say will be confined to one of its provisions, which, thus far in this debate, has strangely enough escaped attention; but which, owing to the vastness of the interests to be affected thereby, deserves, in my opinion, the most serious consideration. I refer to sections 23 and 24, which purport to admit free of duty all material, equipment, and fittings entering into the construction and repair of vessels built in America to be employed in our foreign trade, including the trade between the Atlantic and Pacific ports of the United States. These sections correspond in exact words with sections 12 and 13 of the Dingley Act, and are therefore intended to continue those sections of the present law in full force and effect.

It may be true, Mr. Chairman, that when these sections were written into the Dingley law it was believed by those responsible for this legislation it would result in reducing the cost of American-built vessels to be used in our foreign commerce to such an extent as to contribute largely to the revival and rehabilitation of our decadent ocean merchant marine. If so, great, indeed, must have been their disappointment, since the experience of twelve years has demonstrated it to have been a veritable snare and delusion.

But whatever the authors of the Dingley law believed or hoped would be the effect upon our shipping interests of these so-called "free-material" provisions, those interests have long since realized their utter ineffectiveness; and the reenactment now of sections 12 and 13 of that law can only carry despondency and gloom to the hearts of the men who, with indomitable energy and unfaltering courage, have for years striven against tremendous odds to avert the bankruptcy and ruin which long has threatened the great shipbuilding industries of the country and the utter and complete annihilation of the small remnant of that splendid ocean merchant marine, once alike the mainstay of our commercial supremacy and the glory of the Republic.

If, therefore, the reenactment of this legislation is to constitute the full measure of the relief hoped for by the shipping interest of this country at the hands of the party in power, and it seems that it is, then, indeed, may it well be written over the portals of this Republican Congress, so far as that interest is concerned, "Let those who would enter here abandon hope."

The chief if not the only reason no material is being imported by our shipbuilders and no ocean vessels being constructed in American shipyards out of tariff-free materials is that there is a strong string to this "free-material" provision of the law, not visible to the ordinary eye, in the shape of a very important proviso, which declares that vessels receiving the benefit of the act shall not engage in the highly remunerative and thoroughly protected coastwise trade of the United States for more than two months in any one year except upon the payment to the Government of the remitted duties. It is this apparently innocent little proviso in the Dingley Act which has mainly operated to prevent American shipbuilders from taking advantage of the "free-material" privilege, thus rendering inoperative and nugatory the entire section, inoperative because the experience of twelve years has abundantly demonstrated that the owners of American-built, American-owned, and American-manned ships will never consent to be perpetually barred from participating in the domestic trade of the country whose flag they fly in return for the privilege, which as a natural right should be theirs, of purchasing the material out of which their ships are constructed free of duty. Under the navigation laws of the United States the ship that touches at even two domestic ports, although virtually wholly engaged in foreign trade, is deemed to be, on that account, engaged in the coastwise trade. For instance, if an American-built vessel engaged regularly in our foreign commerce between the home port of Philadelphia and that of Liverpool, England, should touch at the port of New York on either its outward or its homeward voyage, it would be deemed to be also engaged in the coastwise trade, and if so engaged for sixty days in one year, and if the materials out of which it was constructed had been admitted free of duty, its owner would be compelled under this law to pay to the United States the duties which had been rebated.

The same would be true of the ports of Norfolk and Newport News, in my State, although those ports are in close proximity the one to the other. It is this unjust and burdensome, un-American, and unpatriotic restriction which has so effectually prevented the use of tariff-free material in American-built ships, and which will continue so to do so long as this law is in existence. It is because of this that I urge the Republican membership of this House not to stultify themselves by the reenactment of the twelfth section of the Dingley law. It will accomplish absolutely nothing for our shipping interests and it will deceive absolutely nobody. No good purpose can possibly be accomplished by reenacting a law which is a dead letter upon our statute books. The owners of one, and only one, American ship—the *Dirigo*, as I am informed, built by Arthur Sewall & Co., of Maine—have ever availed themselves of this absurd and preposterous, if not intentionally deceptive, "free-material" clause of the Dingley bill, and that vessel, I am also informed, has proven, as might have been anticipated, a complete financial failure.

But, Mr. Chairman, if what I have said about these two sections has not convinced every Doubting Thomas of their utter ineffectiveness and futility, I will add that several, at least, of the best informed of the high priests of Republicanism at the other end of this building are upon record as admitting the truth of my contention.

In a voluminous report from the Committee on Commerce at the first session of the Fifty-ninth Congress, submitted by Senator GALLINGER, in which the effect of this identical "free-material" privilege is considered, I find this sentence: "This free-material privilege has had no appreciable success in checking the decline of ocean shipbuilding in America." And this report goes even to the length of saying: "The truth is that tariff-free materials do not touch the root of the difficulty at all."

And yet it is by the reenactment and continuance upon the federal statute books of such Republican discredited legislation as this that that party now proposes to redeem its many solemn platform pledges to the people of the United States to restore the American merchant marine. It is such insincere, idiotic, and impotent legislation as this through which the pledge of the last national Republican platform "to advance the merchant-marine prestige of the country" is to be fulfilled, and this is the legislative means it proposes to employ to "encourage and build up the American merchant marine," which it is further declared, with brutal frankness, in the platform upon which Theodore Roosevelt was nominated, "has not for many years received from the Government of the United States adequate encouragement of any kind."

It was in 1897, Mr. Chairman, that this legislation was enacted, and yet, three years later, the platform upon which the late William McKinley was nominated had this to say on the subject of our merchant marine:

> Our present dependence upon foreign shipping for nine-tenths of our foreign carrying trade is a great loss to the industry of this country. It is also a serious danger to our trade, for its sudden withdrawal in the event of European war would seriously cripple our expanding foreign commerce. The national defense and naval efficiency of this

those delegates is but confirmatory of the undeniable fact that

agreements surrender our commercial independence, hamper

feel in their tenderest point, their pockets, the conduct of an administration or a party which allowed appropriations to as I believe anything, in the Republican doctrine of protection to American industries and to American labor; protection of American shipyards out of tariff-free materials is that there is a strong string to this "free-material" provision of the law, the event of European war would seriously cripple our expanding foreign commerce. The national defense and naval efficiency of this

country, moreover, supply a compelling reason for legislation which will enable us to recover our former place among the trade-carrying fleets of the world.

What stronger Republican testimony can be adduced to establish the insincerity of Republican professions on the subject of our merchant marine, and to convince the blindest adherent of that party, that it has not done and does not intend to do anything to restore our ocean shipping to its once proud position of preeminence upon the navigable waters of the globe.

It is not necessary, I think, that I attempt to depict the deplorable condition of the American shipping industry. It is admittedly the one great American industry which has received absolutely no protection, yet even no encouragement, at the hands of the party which boastfully proclaims itself the great party of protectionism. It not only has been afforded no protection, but, as I shall later on attempt to show, it has been delivered bound and helpless into the hands of the most grasping, rapacious, relentless, and powerful of all the great trusts that afflict humanity. Let me read to the House how this Gallinger report describes its condition. It says on page 4:

> The decline of our ocean shipping, our one unprotected industry, has ruined shipowners and shipbuilders alongshore from Eastport to Galveston and from San Diego to Puget Sound. It has impoverished and scattered our shipyard mechanics, the most skilled in the world. It has robbed the country of the hardy officers and seamen who should constitute our naval reserve; but it has done more than this—it has checked the normal growth of the export trade of the United States to four of the five other great continents. Therefore, there is not a wheat farm in the Dakotas, a cattle ranch in Texas, or a cotton plantation in Mississippi, Georgia, or the Carolinas where the loss of American shipping has not made itself felt in shrunken sales and opportunities for profit.

This, Mr. Chairman, according to very high Republican testimony, was the condition of the American merchant marine a little over three years ago. Was there ever a severer or a more accurate and truthful indictment framed against Republicanism than this? It is no exaggeration to say that the condition of our ocean merchant marine is infinitely worse to-day than when it was drawn. During the fiscal year ending June 30 last less than 10 per cent of our exports and imports were carried in American bottoms. Thus far in the current year the percentage has been even lower, and the tendency is steadily downward.

For sixty years prior to the civil war Democratic statesmanship directed the policies of our Government, and during all that period the growth and prosperity of the American merchant marine was the marvel of the maritime world. Under the wise legislation, just treatment and fostering care of the Democratic party, American vessels not only carried the great bulk of our foreign commerce, but a considerable proportion of the ocean commerce of the universe as well.

The first measure for ship protection was passed in the year 1789, it being embodied in the original tariff act of the First Congress. It provided that all goods imported in American vessels should pay lower rates of duties by 10 per cent than those imported in foreign ships, and it thus established the Democratic doctrine of discriminating duties. A little later in that Congress additional protection in the form of discriminating tonnage dues was given to American vessels. In 1794 the method of discriminating in favor of our ships was changed. Instead of a rebate of 10 per cent of duties on goods brought in American ships it was provided that 10 per cent be added on those imported in foreign ships. These acts gave an immediate impetus to the shipbuilding industry in the United States, and for many years thereafter American vessels carried more than 90 per cent of our foreign commerce, and their sails whitened the seas of every country on the globe.

To recite the various acts and changes of the succeeding forty or more years would require more time than is at my disposal as well as tax the patience of the House. It is sufficient to say that the underlying principle of the whole of this legislation was that the standard rates should be for goods "imported into the United States in ships or vessels of the United States." In the year 1825 our merchant vessels carried 92.4 per cent of all our exports and imports, and two years later they carried 94.3 per cent of our imports and 87.5 per cent of our exports. It was not until 1849 that Great Britain accepted the reciprocity provisions of an act passed by Congress in 1828, and even in that year 75 per cent of all our foreign trade was carried in American bottoms. Indeed, even as late as the beginning of the civil war our vessels were carrying 66 per cent of all our exports and imports. In the year 1855, 381 ships and barks and 126 brigs were launched in the United States to be employed in our foreign commerce. In the year 1908 there was not one. **The decade between 1850 and 1860 was truly the golden age of the American merchant marine. Surely this is a record of constructive statesmanship and high achievement of which the Democratic party may well be proud. What a contrast it presents to that of the Republican party during the almost half century that it has controlled the policies of this Republic!**

The least thoughtful consideration of the history of the American merchant marine, which I have so briefly outlined, can not but force every intelligent mind to the alarming conclusion that the last vestige of American vessels engaged in foreign commerce is in imminent danger of being swept from the seas, and that our ocean shipbuilding industries are seriously threatened with utter extinction.

Facing these alarming conditions, it may well be asked if the reenactment of the provisions of the Dingley law, to which I have called attention, is to constitute the full measure of that relief which the Republican party has promised the shipping interest in all of its recent national platforms, and which we have been assured over and over again by every Republican President, from Harrison down to the present administration, would be afforded if that party were continued in control of the Government.

Does this Republican Congress realize that but recently 2 of the only 7 American vessels which during last year were engaged in regular trans-Atlantic commerce have passed under a foreign flag? Two years ago there were 15 American steamships regularly crossing the Pacific. Now, we are told by the Commissioner of Navigation, there are only 6. And there is not a solitary steamship flying the Stars and Stripes on any route to Africa, Australia, or even to South America beyond the Caribbean Sea and the Isthmus of Panama. The withdrawal of considerably more than half of the American merchant fleet from the trans-Pacific trade within so short a period has an even more important bearing upon the commerce of this country than would at first appear. As the Hawaiian Islands are now possessions of the United States, all trade and commerce between them and ports of this country, under the navigation laws which have existed since 1817, is confined to vessels of the United States; so that if the time shall come when the Pacific Mail Company's ships are either withdrawn from their present route or pass under some foreign flag, neither of which contingencies is by any means improbable, it will be up to Congress either to establish a line of government owned and operated ships between San Francisco and Honolulu, or to repeal to this extent at least our coastwise laws.

If under such a condition of affairs neither of these courses should be adopted, the only means of communication, so far as passengers, at least, are concerned, between this country and Hawaii would be such as our ships of war might afford. Then, too, these five ships of the Pacific Mail Company are all manned by Chinese sailors, and in the event of any serious trouble with China it must be expected that they would quit their employment, in which event not one of them could be profitably operated. These ships, with the single exception of the *Minnesota*, to-day constitute our entire trans-Pacific merchant fleet, and when they vanish, what then, may I ask, is to become of the American trade with the Orient, of which we have heard so much in recent years upon this floor?

But, Mr. Chairman, to me the most serious aspect of this deplorable situation is the fact that we are practically without regular, direct, and certain means of communication with our sister Republics of South America, the enormous trade possibilities with which can not be overestimated. There is not, as I have said, a single line of American steamships engaged in this trade. Even the vessels of the foreign lines running out of New York to South American ports are so poorly equipped, of such slow speed, so infrequent, irregular, and uncertain in their voyages, that most of the passengers, much of the freight, and practically all of our mails for South America go by way of Liverpool and London, thus twice crossing the Atlantic Ocean. Such a serious handicap to our South American commerce as this means is beyond expression in mere words. It is simply an intolerable condition, the contemplation of which is saddening to every patriotic American heart. It is a burning shame and a reproach to the American people. It is a reflection upon the patriotism, as well as the statesmanship, of the Republican party.

It will be recalled by Members of this House that some of the delegates from this country to the Third Pan-American Congress, held in Rio de Janeiro in 1906, were compelled by force of circumstances to sail from New York direct to South America. As there was, and still is, no American line, they were obliged to go by a foreign line. In order to accommodate them, it became necessary to consume three weeks in scouring and cleaning the best ship by which they could secure passage before the voyage could be begun. The remainder of the delegates, fortunately for them, had gone by way of Europe, and it is scarcely necessary for me to add that all returned by that more expensive and most circuitous route. The experience of

these delegates is but confirmatory of the undeniable fact that nobody who can avoid doing so ever travels on the regular liners plying between New York and South American ports.

Mr. Chairman, the Republican panacea for these lamentable conditions, as embodied in sections 23 and 24 of the free list of this bill, when fully understood and realized, will, if I mistake not, arouse the just indignation of all honest and patriotic people against the party of false promises and broken pledges.

There are, Mr. Chairman, at least three remedial policies which Congress might pursue if it really were the desire of the Republican party to restore our ocean merchant marine to its former prestige. No one of them, however, I think, could alone accomplish this purpose; but, taken together, in my judgment, they would go a long way toward solving this admittedly difficult problem.

There are some people who insist there is but one way by which our ocean shipbuilding industries can be resuscitated. This class favors the adoption by Congress of a tremendously expensive, general, and comprehensive system of subsidization. There are others, too, who think that the true remedy lies in free ships. They hold that American citizens should be permitted to purchase ships wherever they can be bought cheapest, since, as is well known, ships not built in American yards can not now receive American registry and fly the Stars and Stripes. In this respect, at least, our navigation laws are unique.

I grant you that "subsidies," "subventions," or "bounties"—these being the terms indifferently applied, according to individual taste or fancy, to describe those payments out of the Public Treasury in aid of private enterprise, which are neither more nor less than direct gifts or gratuities—if sufficiently large, assuming that they will be applied with some judgment and discretion, would greatly stimulate our shipbuilding interests. I question whether free ships would accomplish as much, but I do not believe that either policy will ever be resorted to—certainly not in the near future. Those who think that free ships alone would restore our ocean merchant marine fail, I think, to take into account the great difference in the cost of operating American and foreign ships.

As a general if not invariable rule, the advocates of subsidies are opposed to free ships, and vice versa. They can no more unite in favor of the one or the other of these two propositions than water can mix with oil.

At any rate it is to be hoped that the old ship-subsidy proposition, which was before Congress for ten years or more in one form or another, will never again be brought forward. It was not only vicious in principle, but it would never have accomplished what was claimed for it by its advocates.

No one, I think, should fail to distinguish between ship subsidies paid in direct bounties out of the Public Treasury in aid of purely private enterprise and payments out of our postal funds for services actually rendered in carrying our ocean mails in American vessels. I am as heartily in favor of the latter as a legitimate means of extending our foreign commerce and aiding in the upbuilding of the American merchant marine as I am unalterably opposed to the former.

Mr. Chairman, the more study and thought I have given to this problem the more firmly am I convinced that a return to the time-honored Democratic policies of discriminating duties and discriminating tonnage taxes would be two long steps toward the restoration of our ocean merchant marine. If, in addition to the imposition of such discriminating duties and tonnage dues, as I have indicated, Congress will remove the indefensible duties upon all material which goes into the construction of a ship, especially those upon wire rope, plates, tees, angles, beams, and shapes, this country will, I firmly believe, witness such a revival in our shipping industries as has not been known for many long years.

The objections which are urged to the imposition of discriminating duties and discriminating tonnage dues by those who offer in their stead only gratuities and bounties to be paid directly out of the Public Treasury are that there are commercial conventions or agreements with certain foreign nations which stand in the way of this course and that, even were these obstacles to be overcome, conditions are so changed that the imposition of discriminating duties would not give to our vessels the same measure of protection which was afforded in the early days of the Republic.

It is true that there are quite a number, thirty-nine in all, of these conventions with Great Britain and other maritime countries which provide for reciprocity in the treatment of American and foreign vessels in their respective ports; but it is equally true that they all provide in terms for their abrogation upon one year's notice given by either party. If their modification can not be effected, then this notice should be given. These agreements surrender our commercial independence, hamper and fetter American enterprise; and they should be either modified or entirely abrogated at the earliest possible moment.

It is a melancholy fact that since our misnamed reciprocity policy was first inaugurated we have been steadily losing our foreign carrying trade. Indeed, the whole history of our reciprocity legislation proves that the United States have been steadily the losers, for genuine reciprocity can not exist where there are not mutual and equal concessions.

It would be an easy task to point out just where the United States have suffered by reason of their various so-called "reciprocity trade agreements" with Great Britain and other maritime countries. I shall content myself with citing one instance in which the advantage has been wholly on one side, and that side not our side. The act of Congress of June 19, 1886, exempts from tonnage taxes in American ports vessels coming from foreign ports in which American vessels are exempted from tonnage or light-house dues. Because of the small extent to which American vessels participate in our over-seas carrying trade there is more apparent than real reciprocity involved in the terms of this act. So far as it applies to Holland and the Netherlands there is absolutely no reciprocity involved, for ships from Holland and the Netherlands escape all tonnage taxes in this country, and none of our ships go to those countries. This is a fair illustration of the practical working of many of our idiotic so-called "reciprocity laws and treaties." The very bill we are now considering directs the President to take the necessary steps to abrogate one of our treaties. Will any intelligent man claim that this law should not be modified, if not repealed?

It is true, Mr. Chairman, that conditions are somewhat different now from what they were in the first part of the nineteenth century. We now have, what did not then exist, a large free list. But the dutiable list is still very large, and likely to remain so, and, besides, the percentage of the discriminating duties could and should be materially raised, if necessary, to meet these altered conditions. If 10 per cent would not now afford the amount of protection needed, it could be raised to 20 per cent, if necessary to do so. Our tonnage taxes are now, I believe, lower than those of any other maritime country, so that practically about all we are now doing in the foreign shipping business is to furnish wharf and dockage privileges for the accommodation of our foreign rivals, and light-houses, light-ships, and life-saving stations for their safety and protection. These dues, if raised to foreigners, would afford much relief to American shipping, as well as increase the public revenues.

The real reason—and it may as well be admitted because it is apparent to everybody—why the Republican party persistently and obstinately refuses to resort to these time-honored and obviously wise methods of reviving our ocean shipping is that the great, highly protected, and all-powerful United States Steel Corporation will not permit a trust-ridden Congress to give tariff-free material to American ocean shipbuilders. And, as everybody knows, all the trusts and other highly protected industries of the United States are opposed upon general principles to the lowering of duties upon importations in American bottoms. Under conditions such as these it is, I fear, too much to hope that any Republican Congress will ever adopt the legitimate, just, and effective measures which long experience, common sense, plain duty, fair dealing, and simple honesty all suggest.

Mr. Chairman, in view of the present attitude of the Republican party in regard to discriminating duties, it may not be amiss to recall to the memory of the Republicans of this body the significant fact that the national platform of 1896—that upon which William McKinley first became a candidate for the Presidency—declared in the clearest and most unequivocal terms in favor of "discriminating duties for the upbuilding of our merchant marine." Lest it be thought, in view of the subsequent declarations and history of the Republican party on this subject, that there must be some mistake about this, let me read the entire merchant-marine plank of this platform:

> We favor restoring the American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor, employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

Mr. Chairman, "commercial agreements" and "free lists" did not appear to present such obstacles in the way of discriminating duties in the year of our Lord 1896 as they did only one year later, when the Dingley tariff measure was framed, if the declarations of Republican platforms are to be seriously accepted. For let it not be forgotten that each and every one of these reciprocity agreements had been signed, ratified, and promulgated prior to the adoption of this solemn platform pledge. The last of them all, that with Japan, was promulgated as early

as March 21, 1895, and the Republicans who composed the convention which adopted this "discriminating-duty" declaration must therefore be presumed to have known of their existence. In view of this record it would seem to be pertinent to inquire when the Republicans who now regard our reciprocity conventions as insurmountable obstacles in the way of returning to the "American policy of discriminating duties" made this rather surprising discovery? My guess is that it was made when the steel trust and the other beneficiaries of a high-protective tariff informed the framers of the Dingley tariff bill that such a proposition would not for a moment be tolerated by them. Evidently the Republican view of party platforms is that they are like those of the railroads—good things to get in on, but not safe to stand on when once in.

The facts which I have presented bearing upon the decline of our foreign shipping interests are incontestable. The best-informed Republicans not only do not deny that their party is responsible for the present lamentable conditions, but they have been forced to admit it. Gen. Charles H. Grosvenor, for many years prior to the last Congress a distinguished Member of this House and chairman of the Committee on the Merchant Marine and Fisheries, declared in a letter, which has been printed as a public document, that the shrinkage of our ocean merchant marine to a third of what it had been in 1861—he might with truth have said to less than a sixth—was "a disgrace to the Republican party, the one great Republican failure, the one deepest blot on Republican administrations." In an eloquent panegyric upon the alleged achievements of the Republican party, delivered upon this floor a few weeks ago by the gentleman from New York [Mr. FASSETT], that gentleman said, speaking of our foreign shipping:

> This industry of carrying goods upon the high seas is the one American industry that has been sacrificed upon the altar of protection. I have no shame in facing it. I agree with the gentleman from Mississippi for once, and I agree with the gentleman from Missouri for once, that the protective tariff has slaughtered our American merchant deep-sea marine.

Mr. Chairman, the enemies of the Republican protective-tariff system have justly laid many sins at its doors; but it has been left to two of the most eminent members of that party—two of the ablest of the defenders of the system of legalized robbery—to paint it in its blackest and most repulsive colors.

It is undeniably true that the Republican party, at the behest of the steel trust and its allied interests, has sacrificed our foreign shipping upon the altar of protection, for whilst there are many flourishing shipyards in this country engaged exclusively in building and repairing vessels employed in our protected coastwise trade—that were, at least, prospering up to the beginning of the present fiscal year—there are only some ten that build ships for the ocean foreign-carrying trade. For years, owing to the handicaps under which they have labored, they have almost wholly ceased to build this character of merchant ships, and but for the naval construction which they have been able to secure they would all long since have been driven into bankruptcy. These great shipyards represent a capital of $50,000,000, and at the beginning of the current fiscal year were giving employment to 20,000 skilled mechanics and laborers. Seven of these yards are located upon the Atlantic seaboard and three on the Pacific coast. The great Newport News Shipbuilding and Dry Dock Company, the largest single shipbuilding concern on this continent, and the best equipped, if not the largest, on the globe, is located within the district which I have the honor to represent here. It has suffered in common with all the others, if not to the same extent as some of them. Nine months ago it had upon its pay rolls 5,700 men. To-day there are only about 3,800, whose salaries aggregate some thing over $40,000 per week. A few years ago this great industry employed nearly 8,000 men and paid out to them as much as $80,000 a week. This is what Republican policies have done for these great works—this illustrates how they have been "sacrificed on the altar of protection."

In all seriousness, I ask can Congress, can even the Republican party, afford to thus sacrifice a great industry like this. At the yards of this company 7 of the 16 battle ships which recently encircled the globe, and many of the splendid cruisers, and other vessels which constitute our well-nigh matchless navy, were constructed. Two of the 6 magnificent ships which constitute what still remains of the American merchant fleet in the Pacific, and the swiftest of all the greyhounds that plow the waters of that broad ocean, are the products of these mammoth works. It was here, too, that the *Delaware*, the largest battle ship afloat, was recently launched.

Can it be possible that this Congress can feel no pride in a great national industrial enterprise such as this? The shipbuilding and shipowning interests of America go hand in hand—the prosperity of the one must ever depend upon that of the other. [Applause on the Democratic side.]

Mr. McMORRAN. If the gentleman will allow me, I notice that he is interested in the building up of the merchant marine. There seem to be many difficulties existing to-day that are insurmountable by the American people. Has it ever occurred to the gentleman that we are building up an immense navy, and that at the present time we are short of the necessary auxiliaries for that navy? Would it not be well for the American Congress to appropriate money enough to build auxiliaries for the navy, and let the United States Government equip and fit them for the merchant marine, running to South America say, and to eastern ports as the demand might require? I suggest that in that way, inasmuch as private capital can not at the present time be induced to enter this business, inasmuch as the Government needs these auxiliaries and the men to equip them, it would be much cheaper for the Government of the United States to have the men and the auxiliary ships employed in the merchant marine, carrying whatever business might be secured, than it would be to build the necessary auxiliaries and maintain them lying at the docks and doing nothing.

Mr. JONES. Mr. Chairman, I believe that if the great disadvantages under which the ocean shipping interest of this country has so long labored were removed private capital could readily be induced to build American ships. I agree with the gentleman that we sadly need these auxiliaries; but I should hesitate long before giving my assent to having the Government enter upon the business of building merchant ships, when, by merely enacting the proper legislation—legislation which we do not enact simply because the all-powerful United States Steel Corporation insists that we shall not—our merchant marine would be relieved of the intolerable burdens now imposed upon it. Properly encouraged we would have that merchant marine which the gentleman and I both so much desire, a merchant marine which, in time of war, might be used as an auxiliary navy. Remove the fetters now imposed upon our ocean merchant marine and we will soon have American built and American-owned ships which, in an emergency, could be quickly converted into naval scouts and cruisers, transports and colliers.

Mr. McMORRAN. Will the gentleman kindly state what the fetters are which are now hampering the building up of our merchant marine?

Mr. JONES. That is exactly what I have already endeavored to do. I have stated that of all our American industries this one alone has been left unprotected, and I have endeavored to point out how and why this is. Republicans tell us, in effect, that it is not because they love the merchant marine less, but that they love the steel trust more. I am inclined to accept this view.

Our coastwise shipping, having a monopoly in our domestic trade, has heretofore prospered, although denied the privilege of tariff-free material. How much longer it will continue to do so, I can not say. The last fiscal year was a most prosperous one for that trade; but I am informed by the Commissioner of Navigation that during the last two or three months of the current fiscal year the falling off in the total tonnage built has been amazing, as compared with the corresponding period in the last fiscal year. I should like to see the tariff removed from material used in the vessels exclusively employed in our domestic trade; but since they are given, under our navigation laws, an absolute monopoly in that immense trade, they do not, of course, stand in the same need of tariff-free materials as do the ships engaged in the foreign trade, which compete on the open high seas with the merchant vessels of every maritime nation on the globe.

If I have not succeeded in convincing the House that the remedies I suggest for the resuscitation of our dying ocean merchant marine will accomplish what is claimed for them, I at least hope that I have been able to demonstrate that this bill, if enacted into law, will not give to it tariff-free material, and that its authors are not, or at least should not be, ignorant of this fact.

The shipping question is one in which the people in every State of the Union are deeply concerned—those who dwell in the interior as well as those whose abode is upon the seacoast. Mr. Jefferson said that agriculture, manufactures, commerce, and navigation constituted the four pillars of our prosperity. In the extent of our coast lines and the magnitude of our foreign commerce we are unsurpassed by any country on the globe. To build our own ships and to carry our foreign as we carry our domestic commerce is our bounden duty and our inalienable right. And yet, entitled by every natural advantage to take first place among the maritime nations of the earth, we have been content for nearly half a century to follow in

the wake of even the smallest and the weakest of our commercial rivals.

Mr. Chairman, if we would rehabilitate our rapidly decaying ocean merchant marine, if we would regain that commanding position upon the seas once ours, it is imperative that we adopt with the shortest possible delay some definite and well-considered, some consistent and sane policy, in regard to our foreign shipping. The unparalleled growth and prosperity of our domestic shipping is wholly due to the wise policy so firmly established by the navigation act of 1828, and I do not doubt that Congress can, if it will apply itself to the task with high and patriotic resolve, evolve a permanent system of encouragement and protection, sound in economy and wise in principle, such as will cause to flourish once again the most deserving as well as the most ancient of American industries. [Applause on the Democratic side.]

Mr. SCOTT. Mr. Chairman, in the very able and entertaining speech which he made in the House on the 24th of March the gentleman from Missouri [Mr. CLARK] used the following language:

> While I am making these preliminary statements, and I do not think I am wasting time in making them, I want to say a word about the Committee on Ways and Means. I say now that no 18 men—because there were only 18, Mr. Granger being sick with the disease which finally proved fatal to him—no 18 men, Democrats and Republicans both, in the history of this country ever did harder, more tedious, more fatiguing, or more honest work than the 18 members of the Ways and Means Committee did in these hearings.

And a little later he added:

> I am not complaining. We simply did our duty; but I have no doubt that it shortened all our lives. We not only worked like galley slaves while other people were taking their ease, but we tried to ascertain the truth.

There is nothing in this statement, Mr. Chairman, that is in the nature of news to those of us who have been here during the past winter and have been personal witnesses of the unwearying industry and faultless fidelity with which our honored colleagues of the Committee on Ways and Means have devoted their days and nights to their important and really stupendous task. We do not need any evidence either, other than our personal acquaintance with them, to convince us that any measure of legislation coming from their hands would be framed with no other thought than to deal justly by all the people and to promote the general welfare.

Nevertheless, I am glad that the distinguished leader of the minority took the opportunity to pay this deserved tribute to his colleagues on the Committee on Ways and Means because of the assurance it gives to the country that this bill has been considered honestly and in good faith. The gentleman from Missouri is not given to the distribution of empty and conventional compliments. He is not prone either to overlook an opportunity to make a point against a political opponent. This certificate of honest effort, coming from him, will therefore be taken at its par value throughout the country.

He will oppose the bill, of course; but he will do it, as I understand his speech, because he disagrees with the fundamental principle upon which the bill is constructed and not because he believes there is any sinister influence or any unpatriotic purpose behind its provisions. It is characteristic of the gentleman from Missouri, who always fights fair, to have made this distinction clear, and as one member of the majority, I wish to express my appreciation. [Applause.]

Mr. Chairman, looking at this measure from the standpoint of a protectionist, I find as little in it to condemn as my friend from Missouri, viewing it from the standpoint of one who holds to the doctrine that a tariff should be levied for revenue only, has found in it to commend. Taking it by and large, it seems to me it meets absolutely and in good faith every pledge of the Republican platform and the reasonable expectations of the country. In the main it is logical, consistent, and well balanced, and I am inclined to think we may well congratulate ourselves if it is finally written upon the statute books in as good shape as it comes from our committee.

Excellent, however, as the bill is in its main features, I am not among those who would be willing to vote for it as it stands without making at least an effort to change some of its provisions. I realize what a tremendous task it is to construct a tariff bill, and when I remember that 12 very able and wholly honest men have given their days and nights for long weeks and months to the study of the subjects embraced within this bill, and that its schedules represent their composite judgment, it is with a great deal of diffidence that I express dissent from any of these schedules.

And yet I remember that a tariff bill, to a greater extent, perhaps, than any other class of legislation, must of necessity be a series of compromises; that in balancing the claims of different sections of the country, with their varied and often conflicting interests, it is nearly impossible that absolute justice should be done in every case; and I think it is the duty of a Representative who believes that the views or interests of his constituents have not been sufficiently considered to enter his protest, and endeavor in every proper way to have such changes made as the facts may seem to warrant.

Believing this, and voicing, as I think I do, the sentiments of a large majority of the constituents that I have the honor to represent here, I wish to speak very briefly of some of the changes I would like to see made in this bill.

In the first place, I should like to see the provision for an inheritance tax stricken out. I have expressed this opinion not because I dissent from the proposition that inheritances should be taxed; on the contrary, I am in hearty accord with that doctrine. But it seems to me, in view of the fact that 33 or 34 States of the Union have already entered this field, that they have obtained thereby a sort of prescriptive right to it which ought not now to be invaded by the Federal Government. As evidence of the sentiment in one of these States, I send to the Clerk's desk and ask to have read a house concurrent resolution passed by the legislature of Kansas.

The Clerk read as follows:

House concurrent resolution 24.

RESERVATION OF INHERITANCE TAXES TO THE STATES.

Whereas the several States are now taxing inheritances with marked success and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by the legislature of the State of Kansas:

First. That the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That the legislature of the State of Kansas hereby respectfully requests and urges the several Senators and Representatives representing the State of Kansas in the Congress of the United States to support a properly drawn joint resolution when proposed for adoption by the two Houses of the Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes, and to reserve this source of revenue for the exclusive use and benefit of the several States.

I hereby certify that the above concurrent resolution originated in the house and passed that body February 20, 1909.

J. N. DOLLEY,
Speaker of the House.
W. T. BECK,
Chief Clerk of the House.

Passed the senate March 4, 1909.

W. J. FITZGERALD,
President of the Senate.
Z. E. WYANT,
Secretary of the Senate.

Approved March 5, 1909.

W. R. STUBBS, *Governor.*

Mr. SCOTT. Mr. Chairman, I shall seek an opportunity to vote against the inheritance-tax provision in this bill, not only out of deference to the sentiment expressed in the resolution that has just been read, but because that sentiment meets with the approval of my own judgment. It has been repeatedly stated in the course of the debate upon this clause that there are already some 33 or 34 States which tax inheritances. Obviously, therefore, if the Federal Government enters this field, it means either that the State must abandon this source of revenue or that we will have imposed upon the people a system of double taxation, which is always odious and usually unjust.

Mr. COX of Indiana. Will the gentleman yield for a question and explanation?

Mr. SCOTT. Yes.

Mr. COX of Indiana. Whether or not the system of double taxation, in a measure, does not obtain even in the States? For instance, the people are taxed all over the State for state purposes, and they are taxed in cities and towns not only for the benefit of the municipalities, but a tax is also imposed upon them for the benefit of the State.

Mr. SCOTT. That is true. Of course, under our system of government the people must support all of their governmental institutions, local, state, and federal. I referred to the fact only that the passage of this section in this bill would impose a double taxation upon the same sort of property, the same kind of transfers of property.

Mr. BARTLETT of Georgia. Will the gentleman yield for a question?

Mr. SCOTT. Yes.

Mr. BARTLETT of Georgia. I understood the gentleman to state that he is opposed to this provision. Now, the theory upon which the State taxes or any government taxes inheritance, is that the State by statute authorizes the transfer of property by deed, by will, or other conveyance. Now, the United States does not grant that power to a citizen of a State and is not a sovereign in that regard. Is not there a distinction to be drawn in that respect?

Mr. SCOTT. Mr. Chairman, I do not think there could be any objection to the imposition of this tax by the Federal Government except the one I mention, that the field has already been entered upon by state governments. We have heretofore in times past levied a tax upon the transfer of property, upon deeds and mortgages, and instruments of that character. I think there is no question but what the Federal Government has abundant right to levy such a tax.

Mr. BARTLETT of Georgia. There is the internal-revenue tax.

Mr. SCOTT. I only protest against the policy of it in view of the action of the several States.

Mr. Chairman, I should like also to have an opportunity—and I have no doubt I shall have, and I shall gladly avail myself of it—to vote to put lumber on the free list. This question has been considered at such length in the House in the course of this debate that I do not intend to weary the committee at this time with a protracted discussion of it. It seems to me, however, that if there is any one subject of taxation upon which the people have declared their opinion, it is in relation to the duty on lumber. It is true that in certain sections of the country, where the lumber industry is a dominant one, the sentiment doubtless is in favor of the duty, but in the rest of the country, comprising the great bulk of the population, the sentiment is as nearly unanimous in opposition to such a tariff as it ever has been on any one subject, and I believe myself that this sentiment is well founded.

I am not of the opinion that the removal of the duty on lumber would make any particular change in the retail price of that product. It has always seemed to me preposterous to charge up the recent great advance in lumber, an advance of 60 to 100 per cent, which has taken place in the last ten years, to a tariff of only $2 per thousand, which has remained the same throughout that entire period. Yet it does seem reasonably clear that the imposition of this tariff promotes speculation in stumpage, which has already gone to an extent that seems to me to be deplorable, and which is no doubt responsible more than any other one thing for the increase in the retail price of lumber; and if by striking down this tariff we can restrain in some degree this speculation, I think we will have done well. I should not feel very strongly against the moderate tariff carried in this bill on lumber if it were plain and straightforward, and meant nothing more than it said. But there is a limiting proviso, which seems to me to break the promise to the hope which the other schedule makes to the ear. The proviso I refer to is as follows:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

As I understand the situation which exists in Canada, the enactment of this proviso into law would mean practically the maintenance of the duties levied in the Dingley bill upon lumber, and I think this Congress would be justly criticised if it should enact a provision which in effect imposes the duty carried in the old bill while pretending to cut that duty in half.

I am of the opinion also that to remove the duty on lumber will tend to conserve our forests. That is another question upon which I do not care to enter at length. It would seem, however, to be clear to anyone that if we can extend the area of the territory from which we draw our supply of lumber the draft upon any particular part of that territory will be correspondingly reduced. If we can open the forests of Canada to the people of the United States, it is certain that the drain upon our own forests will be lessened.

I am of the opinion also that hides should be restored to the dutiable list as they are under the existing law. This is another question which has been debated at such great length that I shall not consume much time in discussing it. Let me say briefly that the argument appeals to me in this way: The removal of the duty would do one of two things, it would either reduce the price of hides or it would not reduce the price. That far at least I think I am safe. If it does not reduce the price of hides, then no good has been accomplished to any industry, and the Treasury of the United States has simply been mulcted by whatever tariff has heretofore been or would hereafter be collected from that source. If it does diminish the price on hides, it seems clear to me that the man who produces the hides will ultimately stand the loss.

There has been a great deal of question as to whether the advantage would go to the packers or not. It may not be known to all the members of this committee that all the great packing houses which have made Kansas City, U. S. A., famous, are on the Kansas side of the line and are in my district. I have not had an intimation from any man engaged in the packing industry that he had the remotest interest one way or the other in this question; and from that I infer either that the packers do not believe the removal of the duty would lessen the price or in any way damage their interests, or they believe that if the price were reduced they would be able to charge it back upon the farmers, to the stock growers from whom they obtain the hides as part of the cattle in the first instance. I believe, therefore, that it is to the interest of the great farming and stock-growing sections, which I have the honor to represent here, that the duty should remain as it is, and I do not think that the retention of this duty will inflict any appreciable damage upon any other industry.

I wish to have an opportunity also to vote to restore tea to the free list. It is my understanding of the doctrine of protection that its fundamental principle is to levy duties upon luxuries and upon articles coming into this country in competition with the products of our own fields or factories, and that it is not in accordance with the doctrine of protection to levy a duty upon a necessity of life that is not produced in our own country and does not come in competition with any of our products.

Mr. MANN. Will the gentleman yield to a question for information?

Mr. SCOTT. If I can give the gentleman any information, I will be glad to do so.

Mr. MANN. If any one here can give it, the gentleman from Kansas can, and my question is whether we are now engaged in trying to raise tea?

Mr. SCOTT. By the aid of the Government, extended at the rate of some $10,000 a year for the past ten or twelve years, it has been demonstrated on a plantation in South Carolina that tea can be grown in the United States. I can not in the time that I have left go into all the details, which seem to show that that industry will never attain to such proportions as in any considerable degree to supply the wants of our own people, but that fact seems to be clear.

Tea is grown on this plantation under the conditions which prevail there and with government assistance at a cost of about 40 or 50 cents per pound. And it has been stated that if the taste of the people of the United States could be cultivated for this tea, and if this tea could be advertised so that there would be a demand for it, it might be grown profitably. But it involves the use of labor at not to exceed 50 or 75 cents a day, and I do not believe that we should levy a tax upon all the people of the United States in order to build up an industry in our country which at its best estate can only pay such a wage as that. I realize, of course, that the committee in transferring tea to the dutiable list had the thought of revenue chiefly in mind, but it seems to me there is at least one other source of revenue which ought to be tapped before we levy this tribute upon the breakfast table or the tea table of the people of the United States. I am sure that an additional internal revenue tax upon beer would raise a larger revenue than the proposed tax upon tea, and one that would be less felt by the people of the United States.

Mr. MANN. At least felt less by the people of Kansas.

Mr. SCOTT. The gentleman is quite right in his suggestion that the people of Kansas will not worry about an added tax on beer.

During the Spanish war the tax upon beer was doubled, making the amount $2 a barrel instead of $1. Personally, I should be glad to see that tax restored. I realize that this bill is designed to raise revenue and not to regulate the liquor traffic, and yet if in raising revenue we incidentally regulated the liquor traffic to some extent I do not think the people of the country would have any complaint to make. But if it is not believed possible or feasible or just to impose an additional tax of $1 a barrel, let it be 50 cents, or let it be 25 cents even, for I venture to say that so inconsiderable an increase as 25 cents a barrel on beer, which certainly would not be felt by that industry, speaking of it now as other industries, from a merely commercial standpoint, would raise a far greater revenue than a tax of 8 cents a pound on tea.

There are a number of other changes which I should like to see made in this bill, but my time will not permit me to discuss them now. In a general way, let me say, I want to see this bill so framed as to lessen the cost of the necessaries of life wherever that can be done without reducing the wages of any American worker or depriving him of employment, and I believe that will be done.

But there is one provision in this bill to which I wish to direct my remarks chiefly, and to which I particularly invite the

attention of the members of the committee, and that is the provision placing zinc ore upon the dutiable list at the rate of 1 cent a pound for the zinc content.

Individually, I have no financial interest in any zinc smelter or in any zinc mine. The people of my State, however, have a very deep interest in the smelting industry. The people of my home county have a great interest in it. It may be in the nature of news to some of the members of this committee to learn that the State of Kansas produces more than one-half of all the metallic zinc that is produced in the United States—fully one-seventh of all the spelter that is produced in the world. One-half, or nearly one-half, of the zinc smelted in the State of Kansas is smelted in my home county, and as an evidence of the sentiment of the people there, as an evidence of the judgment which they have passed upon this proposed duty, I send to the Clerk's desk and will ask to have read a series of resolutions adopted at a mass meeting held a few days ago in my home town of Iola and sent to me by wire.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

IOLA, KANS., *March 19, 1909.*

CHARLES F. SCOTT,
House of Representatives, Washington, D. C.:

Resolutions by mass meeting:

Whereas the proposed tariff law purposes increasing the duty on zinc ore to 1 cent a pound for the contained zinc; and

Whereas the United States does not produce sufficient zinc-bearing ores to furnish the smelters of the country, and the importation of foreign ore has become a necessity; and

Whereas, while the importation of zinc-bearing ores has constantly increased, the average price of ore in this country has constantly and satisfactorily appreciated, and the importation of foreign ores has in no wise affected the home market for ores produced in the United States; and

Whereas, while the injury will be irreparable to southeastern Kansas and its business interests, it will carry no corresponding benefit to any other section of the United States; and

Whereas the proposed duty will be a serious blow to the smelting industry, grown in the past few years to one of the largest in Kansas, and the proposed duty will certainly result in the shutting down of many smelters and the consequent throwing out of employment of a large number of men; Therefore be it

Resolved by the business men of Iola, Gas City, and Laharpe in mass convention assembled, That we most earnestly protest against the proposed duty, and urge our Representative in Congress, Hon. CHARLES F. SCOTT, and the other Representatives and Senators from Kansas to use their influence and all honorable means to avert this threatened danger to one of the greatest manufacturing industries of the State of Kansas.

A. H. CAMPBELL, *Chairman.*

Mr. SCOTT. I have a similar set of resolutions from the Commercial Club of Pittsburg, Kans., and from the Commercial Club of Altoona, Kans., and from numerous other localities, but I will not burden the Record with them or take the time of the committee to read them. The interest we have in this matter is obvious.

I see, Mr. Chairman, that my time has expired. May I ask for ten minutes longer?

The CHAIRMAN. The gentleman may continue for ten minutes longer.

Mr. SCOTT. I sympathize deeply with the people of the mining sections of Kansas and Missouri in their demand for protection against the very cheaply produced ore of Mexico and of British Columbia. I believe that they are entitled to a reasonable degree of protection. But it does seem to me that, in placing a duty of 1 cent a pound upon the zinc content of foreign ore, while at the same time reducing the duty upon the finished product, the spelter, from a cent and a half to 1 cent a pound, the advocates of the interests of the mining section have overreached themselves, and if their wishes could be enacted into law their own purpose would be defeated.

What would it mean to have a duty of a cent a pound on Mexican zinc? That would advance the cost of Mexican ore until it would be equivalent, according to figures that have been given to me and which I believe to be reliable, to a price for the Joplin ore of $46.45 a ton.

At that price let us see what the foreign metal producers would be doing while the American ore producer was hiding behind his tariff wall. Ore can be shipped from the Mexican mines to the Belgian smelters at $5.50 a ton, $1 less than the freight rate from Mexico to Kansas. Spelter can be shipped from Belgium to Boston for 10 cents a hundred. It costs the Kansas manufacturer 2¾ cents to ship his product to the same market. What does this mean? It means that the Belgian smelter, paying $10.47 for the ore at the Mexican mines—and that is his standing offer—paying $5.50 a ton freight, paying $10 a ton to treat it, paying 10 cents a hundred freight back to the Boston market, and 1 cent a pound duty, can lay his spelter down in Boston, duty paid, for $4.92 a hundred. But the Kansas smelter, paying a corresponding price for ore, will find that it will cost him $5.75 a hundred pounds to lay his finished product down in Boston. That is to say, at a price of $46.45 a ton for Joplin ore, which it ought to bring if we levy a duty of a cent a pound on the Mexican ore, the Kansas smelter would suffer a loss of 83 cents on every hundred pounds of metal, or substantially $9 on every ton of ore that he treated. Obviously it would be impossible for him to continue his business.

It would follow, therefore, that the American markets for spelter, all of them east of the Ohio River, at least, would be taken away from the American producer of that article. Now 95 per cent of all the spelter consumed in the United States is consumed east of the Ohio River. Drive the Kansas smelter out of that territory, therefore, and you have made it impossible for him to do business; and when you have made it impossible for him to do business, you have also put out of business the miner in the Joplin and the Galena districts.

Mr. FOSTER of Vermont. Is not that his condition just now?

Mr. SCOTT. No; it is not his condition now.

Mr. FOSTER of Vermont. Are not three-fourths of the mills shut down, and were not they last fall?

Mr. SCOTT. Let me state to the gentleman, in answer to his question, that the production of zinc ore in the Joplin district fell off only 12½ per cent during the year from October, 1907, to October, 1908, as compared with the year preceding, which was a highly prosperous year, and I venture to say there were very few lines of industry in this country that have not suffered a greater loss than that.

So I do not think it is true that the Joplin miner is unable to do business now.

But, as I said in the beginning, I am perfectly willing that the Joplin miner should have a reasonable protection. I believe a duty of $2 a ton would give him a fair profit in his business, because, according to the figures which have been given to me and which I believe to be reliable, a duty of $2 a ton on Mexican ore would make the price practically $40 a ton for Joplin ore at the Joplin mines, and that is certainly a fair, if not a generous price. It is to be remembered that the American ore is already protected by a freight rate of $6.50 a ton as against $1 from the mines to the smelter. It is protected by its superior grade to the extent of $17 a ton, and it is protected by a duty on the lead contained in the zinc ore, and which can not be saved in smelting, equivalent to about a dollar a ton.

I believe, therefore, it would be vastly to the interest of both these industries if either one or both of two things should be done.

Let us have the duty on ore placed at a reasonable figure, and let us have the duty on spelter correspondingly increased. It is perfectly obvious that by placing the same duty on ore as on spelter you have made it impossible for the American producer of spelter to hold his own market. And if you take the spelter market away from the American producer you have also destroyed the market for American ore.

Furthermore, I do not believe that in raising the duty on ore and lowering it on spelter we are following the true protection doctrine. I do not believe that we are carrying out the philosophy of protection. The distinguished chairman of the Committee on Ways and Means, in his great speech presenting this bill to the House, stated the doctrine very accurately when he said:

The duty on the finished article must be higher than the duty on raw material from which it was made because it involves more labor. There is always to every tariff schedule, even a tariff schedule for revenue, a graduation of the duties from raw material up, according to the degree of manufacture.

Undoubtedly the logic of protection demands that we place a higher duty upon the finished product than upon the raw material from which that product is made. I think it can be demonstrated without question that a duty of $2, or $3 at the outside, would afford the Joplin miners ample protection; and if that can be done, perhaps the producer of spelter may be able to get along with the duty he now has. But if you are going to place a prohibitive duty on the ore you must not fail to put a prohibitive tariff upon the spelter also. I hope therefore that before this bill is enacted into law it will be more consistent and logical in this respect, so that both of these great industries may be afforded the protection to which their prominence and importance in the industrial life of our country entitles them. [Loud applause.]

Mr. PETERS. Mr. Chairman, the problem of the tariff is to provide from customs duties, in the most equitable manner Congress can devise, a certain amount of revenue. The public demand is for a genuine revision of the tariff downward. This demand the bill absolutely fails to meet. I intend to call the attention of the committee to certain defects in the bill and show

the alarming figures to which the expenses of our Government have increased and that the party responsible for them can not be relied on to raise from the people the burden of taxation. The bill, which lowers certain duties, raises others, and certain of the provisions and changes affect to such disadvantage our country's industries that they call insistently for an alteration of the present provisions of the measure.

FREE RAW MATERIALS—DEMOCRATIC DOCTRINE.

To the public demand for free raw materials, free coal, free iron, free hides, and free lumber, the committee has paid some heed, and, with the exception of the duty on soft coal and lumber, the duty on the latter of which is reduced, has placed on the free list these essentials of our manufactures. Though the bill is reported by the Republican majority, they can not claim the entire credit for this needed reform. The whole movement for a revision of the tariff, and particularly the movement for free raw materials, was forced from the Republicans by public sentiment. Public sentiment demanded for our industries the stimulus of free raw materials and refused to pay toll any longer to those who control our natural resources for the means of carrying on our manufactures. To the Democratic party must be given, and properly given, the credit for heeding this public sentiment and stimulating the interest and understanding of the public demands on this subject. Insistent and determined, Democratic platforms and Democratic orators have brought to the public the realization of the importance of the doctrine of free raw materials, and that public has by its demands forced from the reluctant Committee on Ways and Means the present concessions in the tariff bill. [Loud applause.]

The demand for free raw materials was first voiced and brought forward as an issue by a Democratic President, Mr. Cleveland; and William E. Russell, ex-governor of Massachusetts, said, in 1899, in a speech comparing the Democratic and Republican platforms, referring to the question of free raw material:

> Now, contrast that evasive platform with the declaration of Democracy upon the question. We do not hesitate to say, in answer to the demands of business interests and of the whole people, that we stand for free wool, for free coal to make more cheerful the fireside of the humblest home and to give our industries greater prosperity. Free iron we demand; free raw materials we demand, and cheaper necessaries of life. There is no evasion in the platform of the Democratic party.

LUMBER.

The duty on lumber, already cut by this bill, should, beyond question, be entirey removed. Lumber goes into every home and the duty places on every man who owns or rents a home an added cost. We are trying, at great expense, to preserve our fast-vanishing forests, and propose to expend vast sums in preserving them. The duty on lumber, even as it is left, places a premium on this destruction and hastens the day when we shall be dependent for our supply of lumber on other countries. The reduction made to the duty on lumber gives little benefit. About 90 per cent of the lumber shipped by rail goes through the planing mill before shipment, and still pays a tariff. The gentleman from New York [Mr. PAYNE], in announcing that he had no objection to a separate vote on the lumber paragraphs, said: "If the result is that lumber gets on the free list, don't blame me." The gentleman need have no fear of the country's blaming him for any addition to the free list.

HIDES.

The placing of hides on the free list is but following out the policy of the country from 1873 to 1897. A determined effort will be made, it is reported, to again place hides under the protection of a tariff. Since hides are a raw material entering into a product of universal use, the duty on them adds to the cost of living of everyone in our country, and handicaps by its exactions an industry furnishing employment to thousands of our people. The farmer has failed to benefit by this duty and its removal would cheapen for him the price of shoes.

MAXIMUM AND MINIMUM CLAUSE OPERATES AS A HARDSHIP.

The maximum and minimum clause provides that if any preferential duty shall be given by one foreign country to another the maximum rates shall operate automatically, as provided in section 3. This clause is worded most unfortunately for its object, and in its present shape will hold over our manufacturers a tremendous menace to their industries. When the knowledge of such a preferential rate reaches the United States officials, certain articles are automatically taken from the free list and placed under a 20 per cent ad valorem duty. This would apply not only to new articles placed on the free list, but to 68 articles already on the free list under the present law. The object of double tariff duties is to facilitate foreign commerce and protect in foreign markets the interest of our exports. Germany accomplishes this through treaties for a certain number of years, usually ten. France accomplishes it through the action of the legislature from year to year. The latter method is uncertain and is primarily actuated by a desire to retain the home markets to domestic manufacturers. The German method is directed more toward extending foreign trade. Mutual benefits, however, can be obtained in each case through negotiations, although the benefits are greater under the German management than under the French. The present bill applies an entirely different method. An illustration may serve to show the effect of this provision. If Germany should give to France a reduction on cotton laces imported from that country, then, by the terms of this bill, from 20 to 40 per cent added duties must be collected on nearly all goods imported into this country from Germany. But the fact that we can not afford to export cotton lace in any quantity to Germany, or that there are large industries in our country which derive their raw materials from Germany, makes no difference. The penalty falls not only on the German manufacturers, but on our own as well. It prevents their having the lowest duties for their raw materials. Should we offer to reduce to Germany duties on materials imported from her markets in return for reduced duties on our machinery and food, it would be an advantage for all concerned. This provision, however, throws away such a plan and by its very terms makes negotiations impossible.

Another illustration of the danger of the application of this clause is shown by its effect on iron pyrites. This substance is the basic raw material for sulphuric acid and is required by all the chemical manufacturers in this country. To cut off their industry from this raw material would create havoc with the entire chemical industry. Of the pyrites used in the United States, three-fourths come from Spain. Under the maximum and minimum clause, should Spain give any preference whatever to any other country on any article, the maximum duty of 20 per cent ad valorem immediately would go into effect automatically and the manufacturers of chemicals would find themselves face to face with such a duty on their raw material as would badly disorganize their industry. This condition applies to bismuth and citrate of lime as well. Great uncertainty is naturally caused by this provision, as no manufacturer can tell when this great blow may be struck at his trade. The provisions of this clause are a direct challenge to retaliation. They do not offer a premium for a lower rate, but a penalty, applied alike to the home consumer and the foreigner, should any concession be given a country from which we do not benefit. The application of this provision to such a country will automatically raise the rate fixed in the bill from 20 per cent to 40 per cent, and would put on goods now on the free list a tax of 20 per cent. Had this clause been intended as a deliberate device to nullify the reductions of the tariff, except as to our imports from England or some free-trade country, it could not have been better adapted to that end. Marvelously unfit for any purpose of advantage, this provision is rightly characterized as a rather clumsy humbug. [Applause.]

PRESENT BILL NOT A GENUINE REVISION.

This tariff bill is the result of a demand for revision of the tariff from all over the country. Since the tariff was first commenced, with one exception each revision has been upward, and the demand, growing more and more insistent, is now for a revision—not as in the past, in the interest of the manufacturers, but in the interest of the consumers. That the present bill fails to provide a genuine revision in the interest of the consumers, no one who studies its provisions can question, and as its working will be more and more understood there will be greater and greater criticism of the failure to really provide for a cheapening of the articles in use in everyday life.

The revenue collected from customs under the proposed bill, it is estimated, will be $11,666,748.25 greater than under the present law. The average rates of protection now are 44.16 per cent, and under the Payne bill they are not lowered, but are increased to 45.72 per cent. The new bill, in response to the public demands for lighter tariff burdens, proposes to collect from customs $11,666,748825 more duties, and to collect them on rates of protection increased, on the average, according to the government experts, 1.56 per cent over those of the Dingley bill, the burden of whose rates of protection the public has been justly complaining of.

REPUBLICAN PARTY RESPONSIBLE FOR INCREASED EXPENSES OF OUR GOVERNMENT.

It is argued by the committee and by the party in power that the revenues must be raised, and we see the enormous sums that must be provided to meet the appropriations of our Government. The money raised by a tariff comes from the pockets

of the consumers, from the people at large, and in forming a tariff it is not enough for the party in power to say that the revenues must be raised, it must show as well that they are wisely expended. Since it has controlled the Government continuously for over twelve years, the Republican party can not evade the responsibility for the enormous increase in its cost. It is proper, then, to examine the expenses of our Government during the past few years that the Republican party has been in control of the Presidency and both branches of the legislature, and see how the money, which has been drawn from the pockets of the people, has been expended.

It is instructive to examine in this connection the amount it is necessary to raise. I ask the attention of the committee to the enormous increases in our government expenses and to the burdens which the party in power is responsible for placing on the shoulders of the people. The enormous increases in the expenses of our Government which have taken place in the last few years must cause even the least thoughtful to pause.

The following table submitted by the Committee on Ways and Means shows the amount required to meet the expenditures for 1910, which aggregate the appalling sum of $1,044,014,298.23:

Total appropriations for 1910		$1,044,014,298.23
Deduct estimated sinking-fund appropriation	$60,000,000.00	
Deduct bank-note redemption (paid by banks)	30,000,000.00	
Deduct Panama Canal appropriation, to be provided by bonds	35,886,190.58	
		125,886,190.58
		918,128,107.65
Deduct 5 per cent estimated appropriations which are not usually expended		45,906,405.88
Amount for which revenue is to be provided		872,221,701.77
Estimated revenues, Report Secretary Treasury:		
From internal revenue	$250,000,000.00	
From miscellaneous revenue	62,000,000.00	
From postal revenue	223,340,712.00	
Estimated by committee from customs under proposed bill	305,255,173.00	
Internal revenue on legacies, etc.	20,000,000.00	
Internal revenue on cigarettes, increase	1,500,000.00	
		862,065,885.00
Deficit		10,155,816.77

DECREASING REVENUES AND INCREASING EXTRAVAGANCE.

The past year has shown a general business depression of marked severity, which has been intensified by the uncertainty created in the country by the knowledge that a general revision of the tariff was contemplated. The lessening of imports accompanying such depression has returned a constantly decreasing revenue. Despite all these factors suggesting prudence, and even in the face of the public demand for a downward revision of the tariff, the party in power has gone ahead and in place of endeavoring to economize has, in defiance of all good judgment, increased the annual appropriations over the preceding year by the sum of $35,616,754.67. After deducting the requirements of the sinking fund, the redemption of bank notes, and for various deficiencies, this year's drafts upon the Treasury are far in excess of the total amount estimated to be received in revenue. Even the enormous sum appropriated was $59,000,000 less than the amount asked of Congress by the executive departments, the heads of which were all appointed by the party in power. This ever-increasing deficit caused no halt in the appropriations.

Mr. Chairman, let us study what this enormous expenditure of money means, and let us understand how truly stupendous has been this increase in the national expenditures.

Until last year the expenses of our Government had only once reached the thousand million dollar mark. In the last year of the civil war, 1865, when the country was straining every energy to bring to an end that conflict, the expenditures reached the enormous total of $1,394,655,448, of which, however, the sum of $1,030,690,400 was paid for the maintenance of the army. This sum in itself was exceptional, as the appropriations during the other years of the civil war were much less. In 1862 the total appropriations were $777,870,062; in 1863, $729,878,066; and in 1864, $877,407,355.

The total expenditures of the Government during the years 1858 to 1861 were $305,149,822. From 1861 to 1865 they were $3,394,830,931.

From 1865 to 1869, the total expenditures were $1,621,652,538; from 1869 to 1873, $1,217,337,854; from 1873 to 1877, $1,191,735,968; from 1877 to 1881, $1,157,831,864; from 1881 to 1885, $1,201,014,662; from 1885 to 1889, $1,253,722,713; from 1889 to 1893, $1,655,241,809; from 1893 to 1897, $1,758,902,462; from 1897 to 1901, $2,444,141,683; and from 1901 to 1905, $2,679,452,799.

The war with Spain was conducted during the period from 1897 to 1901, which accounts, in a measure, for the enormous increase in expenses at that time.

ECONOMY AFTER THE CIVIL WAR—EXTRAVAGANCE AFTER THE SPANISH.

After the civil war the country practiced economy, and the expenses for the ensuing period were $1,773,178,393, or a reduction of 50 per cent from the expenses of the period during the civil war. The next four-year period witnessed a reduction of $404,000,000, or a reduction of expenditures during the four years ending 1873 of nearly 25 per cent. In recent years, however, our expenses show no such curtailment. The expenditures of the Government for the four years ending 1905 were $2,679,452,799, being nearly $235,000,000 in excess of the expenditures during the preceding four years, which had included the cost of the war with Spain.

The cost of the Government after the civil war showed a decrease of 50 per cent. After the Spanish war the cost of our Government showed an increase of about 10 per cent. The most startling figures, however, are presented by the last period of four years. During that time the expenditures have been:

Fiscal year 1906, $736,717,582; fiscal year 1907, $762,488,752; fiscal year 1908, $920,798,143, and the appropriations for fiscal year 1909, $1,008,804,894, a total of $3,428,809,371, which is $33,778,440 more than the expenses of the Government during the period of the civil war.

The enormous rate at which our expenses are increasing is due primarily to the extension of the National Government into fields which properly belong to the government of the States, and, in addition, to the enormous increase in the expenses incident to war, expenses of the army and navy, and for fortifications.

The Democratic party last controlled the Government in the period from 1894 to 1897, and it is most instructive in this connection to compare the expenses of that administration with the expenses of the administration which has just been concluded. The following statement gives the appropriations for the army and navy and for fortifications and the per capita appropriations for the four-year periods referred to.

Appropriations for the army, second Cleveland administration, fiscal years 1894–1897.

1894	$24,225,639.78
1895	23,592,884.68
1896	23,552,608.09
1897	23,278,402.73
Total	94,349,535.28
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	$1.35

Appropriations for the navy, second Cleveland adminstration, fiscal years 1894–1897.

1894	$22,104,061.38
1895	25,627,126.72
1896	29,416,245.31
1897	30,562,660.95
Total	107,410,094.36
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	$1.54

Appropriations for fortifications, second Cleveland administration, fiscal years 1894–1897.

1894	$2,210,055.00
1895	2,427,004.00
1896	1,904,557.50
1897	7,377,888.00
Total	13,919,504.50
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	$0.20

Appropriations for the army, navy, and fortifications, second Cleveland administration, fiscal years 1894–1897.

Army	$94,349,535.28
Navy	107,410,094.36
Fortifications	13,919,504.50
Total	215,679,134.14
Estimated average population for the four years	69,603,000
Appropriations per capita for the four-year period	$3.09

Appropriations for the army, second Roosevelt administration, fiscal years 1906–1909.

1906	$70,396,631.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
Total	316,230,627.08
Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	$3.66

Appropriations for the navy.

1906	$100,336,679.94
1907	102,091,670.27
1908	98,958,507.50
1909	122,662,485.47
Total	424,049,343.18
Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	$4.91

Appropriations for fortifications.

1906	$6,747,893.00
1907	5,053,993.00
1908	6,898,011.00
1909	9,317,145.00
Total	28,017,042.00
Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	$0.32

Appropriations for the army, navy, and fortifications, second Roosevelt administration, fiscal years 1906–1909.

Army	$316,230,627.08
Navy	424,049,343.18
Fortifications	28,017,042.00
Total	768,297,012.26
Estimated average population for the four years	86,271,579
Appropriations per capita for the four-year period	$8.90

In 1894 the appropriations for our army were $24,225,639.79. In 1910, the appropriations for the same object are $101,197,470.34. The navy, in 1904, had appropriated for its use $22,104,061.38. For this year the appropriations for the navy are $136,935,199. The appropriations for fortifications in 1904 were $2,210,055. For the year 1910 there is appropriated for that purpose $8,170,111. The alarming tendency of these figures must receive attention.

MILITARY EXPENSES OF THE UNITED STATES AND FOREIGN COUNTRIES.

The indirect system of taxation provided by the tariff fails to bring home to the people the realization of the increasing expenses of our Government. The estimated revenue, as shown by a foregoing table for the next year, is $862,065,885, and bearing in mind that we have appropriated this year for the army $101,197,470.34, and for the navy $136,935,199, it is instructive to compare these figures with the revenues and expenditures for like purposes of the greater European countries.

The total revenues of Great Britain, taken from the Statistical Abstract for the United Kingdom, No. 55, for 1908, show a revenue of $782,688,450. From this was made an appropriation for the army of $135,575,000, and for the navy of $155,705,000.

France, with revenues of $770,820,006, appropriated for her army $155,405,167.20, and for her navy $64,384,557, from the figures of the French budget, 1908.

Germany, with total receipts of $640,098,000, expended for her army $200,068,750, and for her navy $72,545,750, according to the Statistical Abstract for Foreign Countries, No. 34, 1908.

It is a well-understood fact that the above foreign countries are staggering under a burden of military expenses. The United States, with revenues about the same, collects from its people nearly as much for military purposes as these continental countries, and should the present reckless increase in appropriations for these purposes continue the United States will soon far outstrip them in military expenditures.

The bill under consideration, even with the estimated amount of an inheritance tax and the increase of $1,500,000 on the amount received from cigarettes, falls by over $10,000,000 to produce sufficient for the expenses of the Government for the next year. You see our expenses are increasing with alarming rapidity. The party in power has shown no tendency to check that increase; and should it continue, how are we to raise sufficient revenue to meet the Government's expenses? A party whose fundamental principle is "protection to American industries" can give only a secondary consideration to the arranging of schedules for revenue. It is admitted that more revenue would be produced in many instances if the rates had been placed sufficiently low to encourage imports and not as in this bill and its predecessor, so high as to shut off all importations, and that such a change would lessen the cost of living no one can question. The true aim of a tariff bill should be to produce the needed revenue with the least burden to the people. This bill shows alike a disregard of the possibilities of obtaining the greatest revenue and a total disregard of exempting from taxation the necessaries of life—unequitable distribution of taxation.

That this bill fails to fairly distribute the burdens of taxation no one can deny. By its provisions, great wealth fails to bear its just share of taxation and the proportion placed on the shoulders of the average man far exceeds his proper burden. The tax on lumber and on structural steel, which go into the construction of homes, add greatly to the cost of the latter. The taxes on such necessaries of wear as woolens and women's stockings mean an added charge to every household. The taxes on dairy products, on butter of 6 cents per pound; on cheese, 6 cents per pound; on milk, 2 cents per gallon; on farm products, beans, 45 cents per bushel; beets, 25 per cent ad valorem; peas, 2½ cents per pound; vegetables (cut), 40 per cent ad valorem; cabbages, 2 cents each; eggs, 5 cents a dozen; potatoes, 25 cents per bushel; tea, and what operates as a tax on coffee, and a tax on sugar. All this increases the burden of providing proper food. All these taxes add to the cost of living and take from the pockets of our working people a far too great amount of their hard-earned wages. They compel the average man to pay from his income an amount greater in all proportion to that collected by this bill from the receipts of those of wealth. Lesser duties would in many instances produce more revenue, free necessities of life would raise from the wage-earner an unjust burden, and an income tax and a stamp tax, if necessary, could supply any deficiency in revenue.

REFORM IN RULES OF HOUSE GIVES OPPORTUNITY.

The reform in the rules of the House recently accomplished opens for those in favor of amendments to this bill in the interest of the consumer an opportunity of great importance. Under the previous rules, we would have been unable by a record vote to express our views. The Democratic leader [Mr. CLARK], under the Fitzgerald amendments to the rules, will now be enabled to move to recommit the bill, with instructions based on Democratic policies and the pledges of our party.

Such instructions will, without doubt, contain amendments to place on the free list, amongst other articles, the whole iron and steel schedule, lumber (as pledged in our Denver platform), zinc ore, tea, coffee, soft coal, and to strike off the countervailing duty on petroleum and the differential on refined sugar.

BILL FAILS AS A GENUINE TARIFF REVISION.

A genuine tariff revision is demanded that will lessen the cost of living and be in the interest of the consumer. The present bill falls far short in substantial relief of what was expected by the public. The party in power, by its increase in the military activities of our Government and its interference with functions which belong primarily to the States, has increased our expenditures to an appalling degree. It is shown to lack the power to advise or practice retrenchment. Confronted with the ever-increasing demands its own policy has created, it proposes, in response to a demand for a revision of the tariff, a bill which raises from the people the largest taxes ever collected, and which lays on the average man an excessive amount of that burden. A proper revision in the consumers' interest can only be intrusted to a party pledged to economy and opposed alike to military display and the interference with the privileges of the States—the Democratic party. [Loud applause.]

Mr. WEISSE. If we would remove the 15 per cent duty on hides, we would give employment to American labor and American capital and make them into leather and leather goods and export the same, thereby producing $5 worth of finished product to every dollar's worth of hides on which a duty of 15 per cent is levied. This 15 per cent compels the foreigner to sell the hides in European markets, and tanners in Europe buy our extracts and tanning materials and tan them there.

I have endeavored to secure statistics from the Animal Industry Bureau, but they have not furnished any information that can be used in a reliable way. I have taken the census report of 1905 of manufacturers and compiled the figures that I herewith submit, which are about as near correct as can be obtained anywhere:

Dutiable hides used in 1905	$89,126,593
Large packer produced	44,206,107
Imported	14,949,628
Total	59,156,735

Leaving the kill for the farmer and small packer and butcher about $30,000,000, two-thirds of which, no doubt, is marketed through the butcher and small packer, and the sales of these hides are mostly controlled by the packers, leaving only about $10,000,000 worth to be sold direct by the farmer, which would not net him to the extent of seven to nine millions or about 10 per cent of the total dutiable hides used.

There were used by the tanners of leather, calfskins, kips, and other skins imported, according to the Commerce and Labor report, 1907, skins to the value of $49,814,518, free of duty, and there were used $6,426,614 worth of domestic skins of the same kind. With this amount of raw material we produced leather and leather goods to the grand total of about $700,000,000, and we exported leather and leather goods made of dutiable hides:

Exports of leather and leather goods, 1905.

Sole leather made from dutiable hides—rebate	$9,444,873.00
Total revenue from duty on hides, 1905	2,185,381.53
Total drawbacks	565,514.99
Net revenue	1,619,866.54
Free of duty.	
Patent leather	$166,320.00
Upper and split leather	15,057,791.00
Other leather	1,813,154.00
Boots and shoes	8,957,697.00
Harness and saddles	502,660.00
All leather goods	1,318,046.00
Total	26,915,668.00

Mr. DIEKEMA. Mr. Chairman, I desire, first of all, to congratulate the majority of the Ways and Means Committee upon having reported to us a tariff bill which the country has accepted as the fairest bill ever reported to the House, and I desire to thank the distinguished chairman of the committee for his illuminating speech, which must go down into history as one of the masterpieces of logic and as an encyclopedia of information gathered from many years of experience and closest study of the subject. Neither do I underestimate the power of the speech of the leader of the opposition, who first gathered flowers from every hillside and valley and then distributed them in bouquets to his committee associates on both sides of the Chamber, to the leading Members of the House, past and present, and to the statesmen, both living and dead, of every age and clime, until this Hall became redolent with the fragrant odors of buds and blossoms. What, if anything, his utterances lacked in logic and information was fully made up in rhetoric.

I like the Payne bill as a whole, because it has kept the faith handed down to us by the fathers from Abraham Lincoln to William Howard Taft. Its very title breathes hope, prosperity, and protection, for it reads as follows:

A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

I like the bill because it is broadly American and not sectional in its provisions. It knows no North, no South, no East, no West, but only our common country and the interests and industries of all the people of this great Republic of the West.

I like the maximum and minimum schedule provisions, operating automatically, for by means of these we offer to all peoples industrial peace in our trade relations with them, provided they are willing to give us a square deal, and we want no peace upon any other condition. The liberalized drawback provision will place the small exporter upon an equal footing with the large exporter and will stimulate our export trade.

Coming from Michigan, where our farmers are brought into close contact and competition with Canadian products, I am highly pleased with the agricultural schedule of the bill. Wool, wheat, beans, rye, corn, potatoes, hay, beets, as well as our dairy products, have been well protected.

The revision downward in over 100 paragraphs, embodying so great a number of leading articles of commerce, meets the reasonable expectation of the people, and the increase of rates upon some articles not now adequately protected and which we can produce, though criticised by the opposition, is a courageous adherence to the doctrine of protection and bodes well for the future prosperity of the country. Under the Payne bill the American wage scale can be maintained, the American laboring man's standard of living can be continued, all legitimate industry can prosper, and the American people can work out their God-given destiny under the folds of the Starry Flag, which everywhere symbolizes liberty, equality, and justice.

I regret exceedingly that the minority did not see fit to report a bill. They were present at all hearings, had the same time and facility to receive information as the majority, and if they had been possessed of the courage to report a bill, the country could then have passed deliberate judgment upon the comparative merits of the two bills. But, although the Democratic party is committed to a tariff for revenue only, the people inhabiting Democratic States wanted protection to their own industries, and therefore the safest political, although not the most patriotic and courageous course, probably, was to simply criticise the work of the majority and to continue a well-known and long-established destructive, instead of a constructive, policy.

The Payne bill is not perfect. No leaf or flower, no great work of art, nothing either in nature or created by the mind or hand of man is perfect. Above every masterpiece, whether ancient or modern, must be written the word "imperfect."

If opportunity offers, I would like to move an amendment to strike out the tax on tea and to substitute a stamp tax on conveyances, which I believe would bring a greater revenue, easily collected from those usually best able to pay, and would not be a constant burden upon the masses of our people. Not being able to produce tea ourselves, the tariff would be and remain a tax on the consumer and not an aid to the building up of a home industry.

Mr. BARTLETT of Georgia. Would not the gentleman prefer to see a tax on beer rather than on tea?

Mr. DIEKEMA. I would much prefer to see that.

Mr. BARTLETT of Georgia. Would not the gentleman like the bill better if it had a tax on beer instead of a tax on tea?

Mr. DIEKEMA. I would rather tax that beverage than tea.

I hope also to be able to offer an amendment to the plate-glass schedule which I believe will give adequate protection to the producer and will be more equitable to the consumer.

My principal object to-day, however, is to discuss briefly that schedule of the tariff bill which not only furnishes the greatest revenue to the National Government, but affords protection to the only domestic industry which the Republican party is specifically pledged to protect. The sugar schedule gives us from one-sixth to one-fifth of our total customs receipts. Under the protection it affords we now produce in continental United States nearly one-third the sugar we consume. If to this we add the crops of Porto Rico and Hawaii, which are admitted free of duty, we find that more than one-half the sugar we use is grown under the flag and is classed as domestic sugar. When the Dingley bill was passed our consumption was only two-thirds the present volume, while of the amount then used less than one-quarter was domestic sugar, even including receipts from Hawaii. To-day we produce at home three times as much sugar as we did in 1897. The value of our domestic sugar crop has now reached the enormous figure of $152,000,000.

It was with the hope that such a result might be attained that the Republican platform of 1896 pledged that party to the protection of the domestic sugar industry. It was with faith in the effectiveness of the principle of protection and due regard for the sacredness of the platform pledge on which they were elected that the leaders of the party incorporated the sugar schedule in the tariff law of 1897.

Knowing that, the citizens of this country, acting upon the pledge of 1896 embodied in the law of 1897, have invested nearly $100,000,000 in the beet-sugar industry, in addition to all that has been invested in the domestic cane sugar; and knowing further that the results obtained have justified the protective duty imposed, the Republican party in its platform of 1908 again adopted a plank guaranteeing protection to this industry. The President of the United States, in public and private utterance, recognizes the sacredness of this pledge. The Republican party, in full control of the legislative and executive departments of this Government, is bound by every moral obligation to keep inviolate the pledge it made to the sugar producers of the United States in the platforms of 1896 and 1908.

NEW OCCASIONS TEACH NEW DUTIES.

The Spanish war came the year after the enactment of the Dingley law. Its chief economic result was to bring us face to face with the solution of a new problem, viz, the control of tropical islands as colonies, Territories, and dependencies. These islands are agricultural, and their chief natural crop is sugar. We had just embarked on a new fiscal policy, under which legislation had been enacted to enable us "to produce on American soil all the sugar which the American people use." This would be largely beet sugar, the product of the Temperate Zone.

Between beet and cane sugar there is a necessary conflict. The one is grown in the Temperate Zone, the other in the torrid; the one is the product of intense cultivation, the other of extensive cultivation; the one is the crop of the small farmer, the other the crop of the great planter; the one is grown with high-priced labor, the other by semiservile labor; the one means a population of small freeholders, the other means absentee landlordism.

To harmonize these antagonistic interests has been one of the most difficult tasks devolving upon those statesmen who have been called upon to solve the colonial problem growing out of the war with Spain. What has been done?

Hawaii has been annexed, and the permanency of the relationship thus established has caused the sugar output of those islands to increase from 260,000 tons to 265,000 in ten years. All this sugar comes to us free of duty. Our tariff wall has been extended around Porto Rico, and her sugar crop has increased from 50,000 tons to 250,000 in seven years. All this sugar comes to us free of duty. The Philippines have been granted a 25 per cent concession in the sugar schedule, and the 75 per cent that is collected is returned to the insular treasury to relieve local taxation. It is now proposed to admit 300,000 tons Philippine sugar free of duty. Cuba has been granted a 20 per cent concession in the tariff, and her entire

form, it involves inequality which bears heavily on those whose in-

crop of about 1,250,000 tons is shipped to us each year. Such concessions to our tropical colonies, territories, and dependencies have naturally checked the development of the beet-sugar industry in the United States. Between 1898 and 1903, the year of the Cuban concession, 45 beet-sugar factories were built in this country, while since 1903 only 14 have been erected.

Owing, however, to the fact that more farmers are becoming interested in growing beets, the output of the factories has steadily increased until it is now 13 times as great as when the Dingley bill was passed. Our annual output of beet sugar is now equal to the entire consumption by all people living between the Mississippi River and the Pacific Ocean. Our farmers and laboring men now receive yearly over $40,000,000 in the production of the beet sugar made in this country. This is more than our laboring men would receive if we imported all our raw sugar and simply refined it here. Judged by the results obtained at home and in our colonies, territories, and dependencies, the sugar tariff policy adopted during the past ten years is fully justified. When the Dingley tariff law was passed in 1897 there were only 6 sugar factories in the United States. Now there are 65, annually manufacturing 440,000 tons. In my own State 16 beet-sugar factories have been erected, requiring an investment of from $16,000,000 to $18,000,000. These factories annually produce about 2,000,000 pounds of beet sugar. More than 30,000 farmers are engaged in raising the beets, for which they annually receive upward of $5,000,000. Our railroads annually receive a million dollars for carrying freights connected with this industry. Our factories use over 150,000 tons of coal and more than 50,000 tons of limestone. Besides this, I am informed that one chemical company annually pays to the Federal Government about $2,000,000 internal revenue on alcohol manufactured from molasses produced by 14 of our Michigan sugar factories.

Mr. CAMPBELL. Do the beet-sugar manufacturers produce the finished product, refined sugar, ready to place on the market?

Mr. DIEKEMA. Ready to place on the table, and no one can tell whether it is manufactured from beets or from cane. The differential protects the beet sugar, because it is refined sugar; but the proposed reduction of 5 cents is a cut of 40 per cent in the protection afforded, and while I believe the industry can stand this, yet the point has been reached where any further reduction would mean the absolute destruction of the beet-sugar industry in this country. We can stand nothing further. The average cost of producing sugar in Michigan is from 3.75 to 4 cents a pound. Add to this an average freight rate of one-half cent a pound and we have a total cost of 4.25 cents or more a pound. Withdraw your protection and you kill the industry.

If we can base our conclusion upon the success of the beet-sugar industry in Europe, the reports of the United States Department of Agriculture, and the progress already made in this country, there is not the slightest doubt but that under a protective tariff continental United States can produce all the sugar our people will consume. Such a plan was feasible in 1897. Under the changed conditions growing out of our war with Spain it is not now practicable. Due consideration must be given to certain insular sugar, as well as to our continental sugar.

The various concessions already granted to Hawaii, Porto Rico, Cuba, and the Philippines have reduced the average rate of duty collected on sugar entering the United States, so that if computed on the sugar originally intended by the framers of the Dingley bill to come in on the payment of full duty the present average rate is only two-thirds of the rate fixed in the act of 1897. In the calendar year 1907 there were only 355,000 tons full duty-paying sugar entering the United States. If we admit 300,000 tons duty free from the Philippines, and the increase in our other sources of supply simply takes care of the increased annual consumption, we shall not have any full duty-paying sugar entering our ports, and the maximum duty collected on raw sugar will be 80 per cent of the regular rate, this being the duty on Cuban sugar. The danger line has been reached. Neither the National Treasury nor the domestic industry can stand any more cuts in the sugar schedule. The concessions already made and those provided for in the present bill reduce our annual customs receipts, based upon our present consumption, more than $25,000,000. Every sugar-producing country in Europe, even though the wage rate is much less than ours, maintains a higher tariff on sugar than the full schedule fixed in the Payne bill or the Dingley bill. They know the value of the industry, and knowing it, protect it even against their own colonies. Under the fiscal system that has grown up since the war with Spain any reduction in the tariff on sugar will not only reduce our revenues and endanger our domestic sugar industry, but will work to the disadvantage of our island colonies, Territories, and dependencies.

What about the "ultimate consumer?" Are his interests being safeguarded by the sugar schedule of the Payne bill?

A reduction in our sugar tariff means the destruction of our domestic sugar industry. When once destroyed it can not be reestablished. Governmental pledges could not be stronger than those under which capital invested in the production of beet sugar. If these pledges are violated, and the $100,000,000 now invested in that business is sacrificed, capital will not again embark in the enterprise. Neither will it be possible to induce the farmer to again undertake the culture of beets.

The creation of such an industry requires years of education and millions of money. Once destroyed it can never be rebuilt. If destroyed, our people would be at the absolute mercy of the importer and foreign producer of sugar. Every European sugar-producing country has two prices for sugar; one for home consumption and the other the f. o. b. Hamburg price for export. The European pays from 2½ cents to 6 cents per pound more for his sugar than the export price. The European beet-sugar industry is under governmental control. Destroy the domestic sugar industry of the United States and the European consumer's price would be at once lowered, while the Hamburg export price would be raised. The citizens of Europe would get their sugar cheaper and the citizens of the United States would be obliged to pay whatever price the foreign producer might demand. Under existing conditions the people of the United States buy their sugar cheaper than do the people of any other civilized country, England and a few of her colonies excepted. The citizens of every country in continental Europe pay more for their sugar than do the citizens of the United States.

In 1896 under the Wilson bill the per capita consumption of sugar in the United States was 60.9 pounds. In 1908 it was 81.2 pounds, an increase of 33 per cent in twelve years. This certainly does not show that "the ultimate consumers" have been oppressed by the prices paid for sugar during the life of the Dingley bill.

The Wilson bill provided for an ad valorem tax of 40 per cent on sugar. In 1896, under the operation of this law, the average New York price of granulated sugar was $4.53 per 100 pounds. In 1906, the year chosen by the committee as a typical year upon which to base their calculations, the average New York price of the same grade of sugar was $4.514 per 100 pounds. It thus appears that our people are paying no more for their sugar than they did when we had a tariff for revenue only. Point, if you can, to any other necessity of life whose cost has not increased materially during the past ten years. One of the most effective agents in reducing the price of sugar to the ultimate consumer is our domestic sugar industry. Let us protect it and thereby redeem our twice-made promise to the American people. [Prolonged applause on the Republican side.]

Mr. HULL of Tennessee. Mr. Chairman, it is not my purpose at this time to discuss in detail the pending measure. I only desire to express in general terms my opinion of this bill as a whole, and then to offer a few remarks concerning another method of taxation that has been, and ought still to be, a fundamental feature of the Nation's revenue system—the income tax. Many years of a protective tariff, with the train of evils that always follow in its wake, gradually created so many abnormal, unnatural, and artificial conditions in the country's financial, commercial, and industrial affairs that the panic of 1907-8 came as a natural outgrowth thereof. During this period of trial and suffering, while the wail of distress and the constant cry for cheaper food, cheaper clothing, and cheaper shelter was loud and growing louder, our Republican friends became very much alarmed, and in the midst of which promised "unequivocally," in the event the people would once more continue them in power, to revise the tariff. As to the willingness or the fitness of the Republican party, after so long a period of unholy wedlock with protection, fostering its offspring—the trusts—in good faith to revise the tariff downward in the interest of the consumer, I am exceedingly skeptical. My misgivings are amply confirmed by the provisions of the measure now before the House. This bill discloses an effort on the part of the majority of the Ways and Means Committee to keep absolute faith with the protected interests and the trusts, and at the same time to offer a bare pretense of performing their party's promise. The result is that the bill is artfully drawn. Many of its provisions are so vague, uncertain, ambiguous, beclouded, and treacherous that no two impartial lawyers would agree in their construction. The spirit of greed and avarice permeates its every schedule. The footprints of every protected favorite may be found around the items in which each is respectively interested.

The consumer, as usual, has been purposely overlooked. Under the operation of this bill the cost of living must continue to increase, while the trust and the taxgatherer will continue to do business at the same old stand. With its "jokers," its countervailing duties, its maximum and minimum rates, its strange mixture of specific and ad valorem duties, its rebates and new method of appraisement, together with many other deceptively drawn features, peculiar as they are mysterious; the bill must carry despair to the great army of consumers as certainly as it will bring joy to the protected interests. The protection baron, like the highwayman, will continue to say to the American people, "Stand and deliver." There never will be honest tariff revision until the duty is intrusted to a Democratic Congress.

RULES OF TAXATION.

In the revision of the existing system of national taxation, among others, the following principles should be observed:

First. That all taxes are burdens upon the taxpayer, and can only be rightfully imposed to raise revenue to support the Government.

Second. That there should be a gradual reduction of the tariff to a revenue basis, keeping in view the constitutional purpose of raising a revenue by taxation, to wit, the support of the Federal Government in all its integrity and virility.

Third. In selecting the articles to be taxed luxuries should be chosen in preference to necessities, so far as consistent with the purposes of revenue.

Formerly the revenues kept pace with expenditures, but during recent years our administrative policies have been so extravagant as to cause the government expenditures to rise rapidly, to go up by leaps and bounds, so that our revenues have failed to increase proportionately. It is to be supposed, therefore, that Congress was convened in the present extra session for the twofold purpose of revising the tariff and providing additional revenue. I believe that if the present tariff schedules were revised downward to a revenue basis revenue ample to meet our expenditures would be afforded; but there are so many purely protective and prohibitively protective features in the bill now before the House as to render this impossible.

The result is that we find the majority of the Ways and Means Committee, in addition to raising the tariff on numerous articles of necessity while lowering it on but few, searching for new objects of taxation; and that search has been rewarded by the discovery, among other things, of tea, coffee, and inheritances. I am opposed to the first two.

TAXATION OF INHERITANCES.

Mr. Chairman, the principle involved in the imposition of inheritance taxes, however, is sound. The right to transmit property is not a natural one, but is more in the nature of a privilege granted the citizens by law. The citizen who amasses great wealth is protected in both his personal and property rights by the laws of the State and Federal Government while he is engaged in so doing. In return for such protection it would be but a mild condition imposed upon the transmission of swollen and other fortunes to lay a reasonable tax thereon. This taxing power is possessed alike by the States and the Federal Government. There is one question, however, that Congress should consider in connection with this proposed tax levy, and that is the fact that most of the States have been and are now utilizing this power of taxation. Thirty-six of the 46 States have inheritance tax laws imposing rates ranging from 5 to 20 per cent. Some of them derive much of their revenue from this source. The total amount of revenue thus derived by the States for the year 1905-6 was $10,035,751.71. It is reasonable to suppose that many of the States already levy a rate as high as public sentiment will support. I have only to suggest that the Federal Government should exercise care and caution in imposing this tax, particularly in time of peace, lest its action in so doing should oblige the States, under pressure of public sentiment, to abandon this source of revenue.

I should favor an income tax in lieu of this, or favor this tax in lieu of taxes on necessaries.

THE INCOME TAX.

I desire in this connection to direct the attention of the House to the best, the fairest, the most equitable system of taxation that has yet been devised—the taxation of incomes. Adam Smith, the father of political economy, laid down this rule of taxation:

> The subjects of every State ought to contribute toward the support of the Government as nearly as possible in proportion to their respective abilities—that is, in proportion to the revenue which they respectively enjoy under the protection of the State.

All authors of political economy of reputation are in accord with this doctrine. One of our standard text-books, of which Dr. Francis Wayland is the author, contains this language:

> Theoretically this is the most equitable of all taxes, since it touches men exactly according to their ability. But if the percentage is uniform, it involves inequality which bears heavily on those whose incomes are small. To relieve this, two measures are employed. The first is to exempt all incomes below a specified amount. The other is to establish two or three grades of income and make the percentage greater on the larger income.

Another standard text-book on this subject was written by Professor Thompson, and in which I find the following language:

> The fairest form of tax is the income tax. It makes everyone contribute to the wants of the state in proportion to the revenue he enjoys under its protection. While falling equally on all, it occasions no change in the distribution of capital or in the material direction of industry and has no influence on prices. No other is so cheaply assessed and collected. No other brings home to the people so forcibly the fact that it is to their interest to insist upon a wise economy of the national revenue.

One of our ablest law writers, whose works are known wherever judicial learning is admired, Judge Thomas M. Cooley, makes this statement in his noted work on taxation:

> Taking everything together, nothing can be more just as a principle of taxation than that every man should bear his share of the burdens of government in proportion to his wealth.

I have no disposition to tax wealth unnecessarily or unjustly, but I do believe that the wealth of the country should bear its just share of the burden of taxation and that it should not be permitted to shirk that duty. Anyone at all familiar with the legislative history of the Nation must admit that the chief burdens of government have long been borne by those least able to bear them, while accumulated wealth has enjoyed the protection and other blessings of the Government and thus far escaped most of its accompanying burdens.

In the consideration of the present tariff bill we hear little said on the Republican side about revenue or fair, equitable, and just taxation, or the reduction of taxes upon what we eat and wear, or relieving the consumer; but the controlling purpose of most Members on that side of the House seems to be to secure, at all hazards, a protective, and if possible, a prohibitively protective tariff rate upon the particular item or items in which the already protected interests, in their respective districts, are most directly concerned. Instead of a discussion of our system of national taxation upon a high plane of patriotic constructive statesmanship and along broad national lines, in which favoritism is condemned, and equal, fair, and just taxation for revenue purposes is the sole and guiding motive, we have seen this debate degenerate into a wild, unseemly, and mad scramble on the other side of the House to secure the highest degree of protection for their respective pets and favorites. Heretofore any suggestion from this side of the House that our system of taxation should be so adjusted as to require the aggregated wealth of the country to bear a fair share of the burden of taxation has usually met the disapproval of the other side upon the ground that such course would be socialistic, if not unconstitutional.

WHAT REPLY WILL CONGRESS MAKE?

In this connection I am reminded of the following statement of Hon. Wayne MacVeagh, Attorney-General in Garfield's Cabinet, and brother of the present Secretary of the Treasury, reported in the papers to have been recently sent to the chairman of the House Committee on Ways and Means, in which he asks this pertinent question:

> If new taxes must be imposed, why should the colossal incomes and the colossal accumulations of the possessors of what Mr. Carnegie himself calls "surplus" wealth continue to be exempted from proper taxation?

In this same letter he also suggests that many rich persons would rather pay taxes that would not interfere with their luxuries than witness heavier burdens imposed upon—

> those less fortunate brothers whose lives are passed in that increasing calculation of sorrow where hard toil sometimes provides, and sometimes fails to provide, sufficient daily bread.

I quite agree that this class of wealth would not and could not seriously object to the payment of reasonable taxes in order to give some relief to the man of moderate means from taxed food, taxed clothing, and taxed shelter. Acting upon this belief, I introduced during the Sixtieth Congress a bill to provide revenue for the Government by levying a tax of 2 per cent upon incomes of $4,000 and upward. On the first day of the present session I again introduced this measure (H. R. 110.)

In the event the Ways and Means Committee nor any member thereof should see fit to do so, it is my purpose at the proper time to offer this income-tax bill as an amendment to the revenue bill now pending before the House; and if the revenue bill should thus fail of amendment, I shall ask recognition of the Speaker for the purpose of moving to discharge the Ways and Means Committee from further consideration of House bill 110, and that the same be then considered by the House.

Mr. SHACKLEFORD. In that connection, I should like to ask the gentleman if he thinks there is any likelihood of his obtaining recognition for that purpose from this particular Speaker?

Mr. HULL of Tennessee. I would prefer not to commit myself upon that point until I shall have first sought recognition for this purpose, but it is sufficient to say that if the Speaker should refuse me, or any other Member who might seek it for a like purpose, recognition, then, under the rules of the House, it would be impossible for the House, during the present session, to express itself upon this measure or a similar one, either as an amendment to the pending bill or as a separate and independent measure.

This bill embraces the substantial features of the income-tax law of 1894, with some modifications. The provisions of the former law that were declared invalid by unanimous opinion of the Supreme Court of the United States were stricken out. A rate of 3 per cent is imposed upon the incomes of citizens residing abroad. The bill to which I refer is proposed as a permanent law and not to cease operation, by time limit, as did the last income-tax law. I offer and urge the passage of this measure with a full knowledge of the action of the Supreme Court in declaring invalid the chief features of the income-tax law of 1894. I do so for reasons that I shall now endeavor to offer. This was a decision by a bare majority of the members of that tribunal, the vote standing five justices against the law's validity and four in favor of the same, and one justice changed his opinion during one night and has never assigned any reason or excuse therefor. No decision of any court of last resort has been so universally condemned or its soundness so generally questioned as has this one. Its effect was to paralyze one of the strong arms of the taxing power of Congress.

STATEMENTS OF DISSENTING JUSTICES.

In the language of Mr. Justice Jackson in his able dissenting opinion:

> Considered in all its bearings, this decision is, in my judgment, the most disastrous blow ever struck at the constitutional power of Congress.

In the language of Mr. Justice White in his strong dissenting opinion:

> It reads into the Constitution the most flagrantly unjust, unequal, and wrongful system of taxation known to any civilized government. * * * It overthrows the settled construction of the Constitution, as applied in one hundred years of practice, sanctioned by the repeated and unanimous decisions of this court, and taught by every theoretical and philosophical writer on the Constitution who has expressed an opinion upon the subject.

In the language of Mr. Justice Brown:

> * * * As it implies a declaration that every income tax must be laid according to the rule of apportionment, the decision involves nothing less than a surrender of the taxing power to the moneyed class.

In the language of Mr. Justice Harlan in his memorable dissenting opinion:

> But the serious aspect of the present decision is that by a new interpretation of the Constitution it so ties the hands of the legislative branch of the Government that without an amendment of that instrument, or unless this court at some future time, should return to the old theory of the Constitution, Congress can not subject to taxation—however great the needs or pressing the necessities of the Government—either the invested personal property of the country, bonds, stocks, and investments of all kinds, or the income arising from the renting of real estate, or from the yield of personal property, except by the grossly unequal and unjust rule of apportionment among the States.

Mr. Chairman, the vigorous, not to say indignant, manner in which the four dissenting justices, in their unanswered and unanswerable opinions, controverted and resented the reasoning and conclusions of the majority of the court has excited the admiration and won the hearty approval of every true lover of constitutional government. These dissenting opinions contain a timely and solemn warning to Congress that one of its most vital powers under the Constitution is destroyed by this decision, and offer the hope that it may at some future time be reviewed and reversed.

Mr. Chairman, it is the plain duty of Congress to jealously guard and protect its rights, privileges, and prerogatives as one of the three great coordinate departments of the Government. But two methods are open by which to secure to Congress its taxing power lost under this decision, namely: An amendment to the Constitution, or a reversal by the Supreme Court of its former decision. The former expedient is impractical, if not entirely impossible at this time in this case. An amendment would require the affirmative action of two-thirds of both Houses of Congress and three-fourths of the States concurring. Statisticians have figured that 3 per cent of the people could prevent an amendment to the Constitution. The latter alternative of seeking a reversal is, therefore, the only feasible course now open to Congress.

To levy an income tax by the rule of apportionment would be so unjust, inequitable, and unfair to the different States as would render this method unfeasible. Twenty million dollars was levied by the Government under the rule of apportionment during the civil war, but the levy proved so harsh, unequal, and discriminating in its effect that much of same was never collected, and the portion collected was refunded to the States by Congress in 1891. This method of levying an income tax has been characterized by all persons as impractical and of no utility.

In speaking of the application of the rule of apportionment to incomes derived from real estate, the yield of personalty, and invested personalty, Mr. Justice Harlan said:

> No such apportionment can possibly be made without doing gross injustice to the many for the benefit of the favored few in particular States. Any attempt upon the part of Congress to apportion among the States, upon the basis simply of their population, taxation of personal property, or of incomes, would tend to arouse such indignation among the freemen of America that it would never be repeated. * * * Under that system, the people of a State containing 1,000,000 of inhabitants, who receive annually $20,000,000 of income from real and personal property, would pay not more than would be exacted from the people of another State having the same number of inhabitants, but who receive income from the same kind of property of only $5,000,000.

Mr. Chairman, the taxing power of Congress is broad and comprehensive, the Constitution imposing only three limitations upon it, to wit: No duties shall be levied upon exports from States; direct taxes shall be levied according to the rule of apportionment; duties, excises, and imposts must be uniform. The sole power and duty of levying and collecting taxes, and so forth, to defray the expenses of the Government is vested in Congress.

I insist that it is the imperative duty of Congress, when one of its important powers under the Constitution is questioned or destroyed by action of a coordinate branch of the Government, to invoke every remedy at its command for the restoration of that lost power.

That a fair, equitable, and comprehensive income-tax law can be devised so as to conform to the last decision of the Supreme Court I emphatically deny. Under that decision Congress is prohibited from taxing all incomes derived from the rents of real estate and invested personalty, thus leaving the burden almost entirely upon the incomes of trades, professions, and other incomes derived from personal exertion. In 1904 real property comprised more than sixty billions of our one hundred and ten billions of national wealth, while the value of personalty composed the bulk of the remainder. The folly and injustice of exempting from taxation incomes derived from this fabulous wealth and at the same time imposing a tax upon incomes derived mainly from personal exertion is apparent.

In the light of the conditions I have enumerated President Roosevelt repeatedly declared himself in favor of an income tax, and in his annual message of 1907 made the following statement:

> A graduated income tax of the proper type would be a desirable feature of federal taxation, and it is to be hoped that one may be devised which the Supreme Court will declare constitutional.

In a speech at Columbus, Ohio, August 20, 1907, President Taft used the following language:

> In times of great national need, however, an income tax would be of great assistance in furnishing means to carry on the Government, and it is not free from doubt how the Supreme Court, with changed membership, would view a new income tax under such conditions. The court was nearly evenly divided in the last case, and during the civil war great sums were collected by an income tax without judicial interference.

This observation of the President raises the inquiry, If an income tax is valid in time of war, why is it not also valid in time of peace?

In speaking upon this precise point, Justice Harlan said:

> Is it to be understood that the courts may annul an act of Congress imposing a tax on incomes whenever, in their judgment, such legislation is not demanded by any public emergency or pressing necessity? Is a tax on income permissible in a time of war, but unconstitutional in a time of peace? Is the judiciary to supervise the action of the legislative branch of the Government upon questions of public policy? Are they to override the will of the people, as expressed by their chosen servants, because, in their judgment, the particular means employed by Congress in execution of the powers conferred by the Constitution are not the best that could have been devised, or are not absolutely necessary to accomplish the objects for which the Government was established?

Mr. Chairman, while I do not offer the observation I am about to make as even persuasive authority in this connection, but only to emphasize the importance of the powers and duties of the legislative branch of any government, I would suggest that no court of last resort in any other country undertakes to veto or nullify a solemn enactment of the legislative branch. Since the revolution of 1688, no English court has ever asserted the right to set aside an act of Parliament.

DUTY OF CONGRESS.

I agree that Members of Congress are under oath to support the Constitution, and that it is the duty of the Supreme Court, under proper circumstances, to construe and expound that instrument; but I submit that where, in the judgment of Members of Congress, a palpably erroneous decision has been rendered

by the Supreme Court, stripping the coordinate legislative branch of the Government of one of its strong arms of power and duty—a decision overturning a line of decisions extending over a hundred years of the Nation's history, a decision violating the doctrine laid down by all text-book writers and commentators on the Constitution, a decision running counter to the fixed policies of every department of the Government as uniformly pursued for more than a century—I say, under these circumstances, every Member of Congress owes to himself and to the country the duty of exhausting every reasonable and legitimate means to secure a review by the court of the questions erroneously decided.

Courts are not always infallible, as this decision clearly demonstrates. Furthermore, courts have reversed themselves many times on many questions, and will doubtless continue to do so. Legislative and political thought is subject to more or less fluctuation. Likewise, judicial interpretation and construction is sometimes affected by new judicial philosophy and by new and changed conditions occurring in the social and economic world. The Supreme Court of the United States some years ago reversed itself in what is known as the "legal-tender case." This act of Congress was first held invalid, but later on two new members were added to that court, a rehearing of the case was had, with the result that the former decision was reversed and stands reversed until this day. It is entirely proper that Congress should pass another income-tax act, again raising the important questions deemed to have been erroneously decided by the Supreme Court heretofore, and by this course secure a rehearing upon these controverted questions. Justice Brown made the following statement, that would be pertinent here:

> Congress ought never to legislate in raising the revenues of the Government in fear that important laws like this shall encounter the veto of this court through a change in its opinion, or be crippled in great political crises by its inability to raise a revenue for immediate use.

I say it is a gross dereliction of duty for Congress to tamely and meekly acquiesce in the patent errors of the income-tax decision of 1894, and sit with folded and tied hands until all means of securing a rehearing have been first exhausted. Then, and not until then, should Congress finally abandon all hope of regaining this lost power and duty.

It is exceedingly important that these controverted questions should be settled right in time of peace, for, if our country should become involved in war with a great naval power, it is not impossible that our foreign commerce would be reduced to a minimum and little revenue would be derived from imports; in which event the proposed tax would be indispensable. However, the almost world-wide practice has made this a peace tax as well as a war tax.

England derives $150,000,000 annually from this tax. Three-fourths of this sum is collected "at the source;" that is, the employer retains and pays the tax direct to the Government, so that it does not pass through the hands of the taxpayer under this system of collection.

Mr. HUMPHREYS of Mississippi. Will the gentleman allow an interruption?

Mr. HULL of Tennessee. Certainly.

Mr. HUMPHREYS of Mississippi. Will the gentleman state what, under the English law, is the smallest income liable to an income tax?

Mr. HULL of Tennessee. Seven hundred and fifty dollars. I can not say but what under the income-tax system now in operation in England several new features have been introduced. In the first place, they have a graded system, under which certain rates are imposed upon incomes of certain amounts. Furthermore, they proceed to differentiate, as it is termed in the language of their law, and by that is meant a particular rate of taxation is imposed on "unearned" incomes; that is, incomes derived from invested personal property or from the rent of real estate; whereas a different and lower rate is imposed upon "earned" incomes; that is, incomes derived from personal exertion or labor.

The graded system is represented to have been adopted because public policy required the imposition of taxes upon very small salaries. In this country, under the laws of this character that were last in operation, the minimum income upon which tax was imposed was $4,000, so that the graded system did not become necessary and really would not have applied in the sense and with the efficacy that it does in connection with the English system, where small incomes are taxed.

Mr. CLARK of Missouri. Well, I would like to ask the gentleman a question right there. In the investigation of income tax, does it turn out that there are more graded income taxes, or flat rates?

Mr. HULL of Tennessee. In almost each instance, in so far as my investigation has extended, they usually have what is called "the graded system," ranging from about 1 per cent up to as high, usually, as 5 per cent, but sometimes as high as 10 per cent, imposed upon incomes of different amounts. But in some countries I observe that instead of imposing a per cent of taxes upon certain incomes they impose so much money as taxes upon certain categories of income.

Satisfactory income-tax systems are in operation in practically all the countries of the world, save the United States, France, and Russia. The popular legislative branch of France recently passed a graduated income-tax bill by an overwhelming vote, the estimated receipts from which will be $138,000,000 annually. Among other countries having an income-tax system long in successful operation might be mentioned Germany, Spain, Italy, Switzerland, Norway and Sweden, the Netherlands, Austria, Bavaria, and so on.

The income-tax systems of other countries differ. Some affect the whole income of the taxpayer, as in Prussia, while others are imposed only on such sources of income as are not reached by other taxes. In most foreign countries a minimum income is exempted for income-tax purposes. Outside of Great Britain, the amount of incomes so exempted usually ranges from $150 to $250.

Had I the time, I should be glad to offer a detailed statement relative to the income-tax systems of other countries, together with a showing as to their effect upon trade conditions, the distribution of wealth, the percentage of people affected thereby, and other effects of this system of taxation.

I do not deem it necessary at this time to enter upon an extended discussion of the constitutional phases of this question. I do wish to say, however, that since the Hylton case was decided by the Supreme Court of the United States in 1796, in which the court unanimously held that there were only two kinds of direct taxes, namely, poll taxes and taxes on land, it has not been seriously insisted that the taxation of incomes involved the principle of a direct tax until the Supreme Court so held in 1894. Prior to this time, there were five Supreme Court decisions to the contrary, rendered in each instance by a unanimous court. Many income-tax laws have been imposed since the beginning of the Government. The principle involved in this tax at one time has met the hearty approval of both the Democratic and Republican parties. This tax was levied by the Republican party after the war, as well as during the war, and its ultimate repeal was vigorously opposed by the ablest Republican statesmen of that time. I wish I now had the time in which to give a history of this system and its successful operation.

Hon. Hugh McCulloch, Secretary of the Treasury, in his able report on the state of the finances, strongly suggested the idea of retaining, at least, many features of this tax and removing instead the tax on articles of necessity. John Sherman, then a Senator from Ohio, speaking in opposition to the repeal of the income tax, among other things, said:

> A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation upon consumption, and not one cent on property and income, is intrinsically unjust. While the expenses of National Government are largely caused by the protection of property it is but right to cause property to contribute to its payment. It will not do to say that each person consumes in proportion to his means. That is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the rich does to the wages of the poor. As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

But by this time the beneficiaries of protection had secured a taste of its sweets and had also become powerfully influential with the Republican party, so that at their behest the income tax was repealed, while the tax on necessaries remained.

METHOD OF COLLECTION—OBJECTIONS ANSWERED.

I have not yet heard a logical reason offered in opposition to this method of taxation. The apologists of the rich, in their opposition to this legislation, offer as an excuse therefor that it causes the people of wealth to commit perjury, besides being offensively inquisitorial. Replying to the last objection, I challenge the closest comparison of the machinery prescribed for the collection of an income tax with the revenue and assessment laws of the different States and the present internal-revenue laws of the Government. In most of the States assessment blanks are presented to each taxpayer and he is required to make a detailed showing therein as to his property, and under oath. If he fails to list a promissory note or other like obligation, he is denied the assistance of the courts in its collection. Furthermore, in case he makes a false affidavit to his schedule or refuses to make affidavit, he is guilty of a misdemeanor, and upon trial and conviction thereof is subject to a fine and incarceration in the county jail or workhouse. In addition, most

States have revenue agents, back-tax attorneys, and so forth, whose privilege and duty it is to prosecute diligent search and scrutinize the business or property of a taxpayer, and by means of back assessments and court prosecutions see that no property subject to taxation escapes.

Anyone at all familiar with the methods of collecting our internal revenue knows that from the moment a citizen lands at one of our ports of entry and his baggage and other belongings are searched and scrutinized, that no dutiable articles may escape. In addition, different blank declarations must be filled out, subscribed, and sworn to. We see oath piled on oath before the customs officials relax their hold. And even with these precautions goods, wares, and merchandise subject to duties aggregating millions of dollars evade the eye of the customs official and are smuggled into this country. The same rigid methods govern the collection of taxes on whisky and other internal revenue. Mr. Chairman, our present internal-revenue facilities are amply sufficient for the collection of an income tax, barring the possible necessity for the appointment of a few additional deputy collectors. The experience of the Government in the collection of this tax shows that its cost was only 2 per cent, being less than the cost of collecting any other tax ever imposed.

WOULD IT MAKE LIARS OF THE RICH?

The astonishing objection to this tax is sometimes offered that its imposition would make liars and perjurers of the holders of great wealth subject to the same; that rather than contribute a small portion of their colossal incomes to the Government that protects them in their life, liberty, and property they would unhesitatingly commit perjury. I believe this is a slander upon even the idle holders of idle wealth and the possessors of colossal incomes, but if this shameful defense is true, then I say that every tax dodger should be rigorously subjected to the thumbscrews of the law. Persons who would dodge the payment of an income tax are doubtless already evading the payment of other taxes. They could not well emigrate to other countries without being there confronted by a similar income tax of perhaps a higher rate.

HOW THE RICH EVADE OTHER TAXES.

I recently noticed an interesting newspaper report of the personal assessment for taxation of many of the millionaires and other holders of immense fortunes in New York. John D. Rockefeller was down for $2,500,000 personal taxes; William Rockefeller, $300,000; Andrew Carnegie, $5,000,000; Mrs. Russell Sage, $5,000,000; John Jacob Astor, $200,000; Perry Belmont, $150,000; Cornelius N. Bliss, $100,000; the seven Vanderbilts, combined total, $2,900,000; Charles F. Murphy, $5,000; Jacob H. Schiff, $200,000; Joseph Pulitzer, $500,000; J. P. Morgan, $400,000; while George J. Gould, August Belmont, Hetty Green, William Waldorf Astor, and Richard Croker managed to escape without any assessment.

These assessments given in at paltry sums by the possessors of what might most properly be termed "swollen wealth," if true, reveal in a striking manner the insignificant sums contributed to the Government by those most able to pay. This showing presents the strongest argument in support of the taxation of incomes, because it would seem that this class of people consider themselves almost immune from any kind of taxation, in the light of their patent evasion of the tax laws of New York. It is manifest that no tax law enacted by the States or the Federal Government within recent years has effectively reached the holders of great wealth or the possessors of large incomes. It is an outrageous governmental policy that constantly protects this class of wealth and its owners without exacting reasonable taxes in return.

"TAX WEALTH, NOT POVERTY."

Mr. Chairman, for the Government to refuse to so levy taxes is equivalent to saying to the father that, in case of war, he is expected to give up his son, that he may shed his blood and, if necessary, surrender his life in defense of his country's flag, but that the man of great wealth shall not be required to contribute even $1 with which to defray the expense of that war. The world has never seen such colossal fortunes as we behold in the present age. Their owners are richly able to pay taxes. Why does the Government, founded as it was upon the doctrine of equality, persist in taxing every article of necessity which the poor widow must buy, while it permits citizens residing in other countries to hold property here of probably $100,000,000 in value on which the Government declines to levy even a single cent of tax? The proposed revenue bill presents the monstrous proposition of imposing the highest average tax rate known to the fiscal history of the country upon almost everything the American people eat and wear and otherwise consume, and at the same time virtually exempting the Carnegies, the Vanderbilts, the Astors, the Morgans, and the Rockefellers, with their aggregated billions of hoarded wealth. Public sentiment is becoming aroused. The American people are loudly, insistently demanding that this infamous system of class legislation shall cease, and unless this Congress regards their wishes they will soon compel compliance, even if they have to resort to a renovated Congress. [Loud applause.]

Mr. HAMER. Mr. Chairman, to have a good, old-fashioned grandmother, literally inclined, is one of the chief blessings vouchsafed by a thoughtful Providence to man.

I remember mine very distinctly. She was one of those kind, venerable old ladies, full of "wise saws and modern instances," with which she would often undertake to correct the sometimes noisy and always troublesome pranks of a robust youngster. One of her favorite couplets was supposed to be the true and exact description of a very circumspect small boy, and ran about as follows:

Speak when you're spoken to;
Do as you're bid;
Keep your mouth shut,
And you'll never be chid.

In the good old days back yonder that roundelay never arose above the dignity of a nursery rhyme, but I understand that the scope of its wise admonitions has been enlarged in recent years until it now applies to and includes all new Congressmen. And it is well. The brand-new Congressman, especially if he hails from the far West, is not supposed to impress this great body with the gravity of any situation. He does not carry enough weight to make a dent in the pavement on Pennsylvania avenue except in July and August, when the scorching rays of a sympathetic southern sun softens the asphalt up, and then, along about May or June, the "Iron Duke of American Politics," "by and with the advice and consent of the Senate," promptly adjourns Congress for the heated period, thus depriving him of that poor satisfaction. [Laughter and applause.]

But through the courtesy of the distinguished gentleman from New York, who is alike the sturdy father of this bill as well as the kind and indulgent parent of the youngsters of this Congress, possibly because I was a "good Indian" and complacently followed my file leader in the organization of this House and got duly "cussed" by a portion of my constituents therefor, but more probably on the theory that what little I may say can not possibly result in the defeat or serious mutilation of this bill at the present stage of its consideration, I have been allotted a little time to-day.

There is no legislation of more general and far-reaching importance to the people at large than that contemplated under the "metal schedule" of the present tariff bill. It directly affects the great mining industry of this country, which, with farming, is the real source and foundation of all our national wealth; and if prosperity is to remain and abide with us, these particular industries must be encouraged, reasonable profits maintained, and productivity increased. The history of the past gives fair warning that low prices for our farm products and our metals mean sympathetic stagnation in the store, the bank, the shop, the office, and the mill. If the miner can afford to pay the duty on the materials he consumes, including the productions of the farm, the farmer can certainly do so without great burden; and as every other line of profitable endeavor depends on mining and farming, I am unable to grasp the philosophy that permits dependents to seriously complain.

The incentive that lures the prospector from the pleasures of civilization and the comforts of home into the inhospitable but fascinating western hills is the possibility of sometime and somewhere discovering a "bonanza;" in other words, a productive, or, if you please, a paying mine. In the days prior to the so-called "crime of '73," such a mine was one that produced in paying quantities either of four metals—gold, silver, copper, or lead. Consequently, the hopeful and hardy miner went forth upon his quest feeling that he had four chances of success. And right diligently he worked, his tribe increased, and the treasure-laden stage coaches and gold-lined ships from California, Florence, Boise Basin, the Comstock, and Black Hills were the legitimate results.

In the early forties the available money supply of this country was less than $7.87 per capita. The market price of labor was paid, as well as measured, in the products of the farm. The "coon skin" was the recognized medium of exchange, and real, actual money, in sufficient quantities to carry on the hibernating commerce of the country, was unknown.

In 1849 California laid the first fruits of her wonderful treasure at the feet of the Republic. She produced that year nearly $50,000,000 in silver and gold, and the evolution of "God's chosen" from a community of horse traders into a nation whose commercial strides and industrial growth have been unprecedented in the world's history, first began.

In 1873 silver was demonetized, and the market price of that metal soon fell from $1.29 to 80 cents per ounce, thus eliminating silver as an incentive to further exploration, and reducing the prospector's possibility of discovering a paying mine in due proportion, for no one familiar with the subject will seriously contend that the "white metal" at the present market price can be profitably mined, except when found with its metallic affinity—lead. To-day the profitable mine is one that produces either gold, copper, or silver and lead combined, and, as a result, the incentive to further mining development in this country has been decreased from four to three, and I am here to hazard the prediction that if the present tariff on lead in ore and pigs is now reduced, the mining of lead and silver in the United States, from Canada to Mexico, will be destroyed; and by that act, having reduced the possibilities of success in this great industry again from three to two, you will have further discouraged the prospecting of our mountains, not for lead and silver alone, but for gold and copper also, with the result that you will have seriously crippled, if not entirely destroyed, a legitimate, honorable, and productive industry that has added more real, lasting, and intrinsic wealth to the Nation than any other known to man. For the opening up of mines in the industry, courage, and intelligence of mining men has done more to develop the larger part of our country than anything I know.

The trappers and hunters of the Hudson Bay Company, who first invaded the great Northwest, and the hardy and adventurous partisans who later followed in the great "Pathfinder's" train, were simply prospectors in disguise. They trapped and hunted beaver in the winter, only to procure a "grub stake" for prospecting in the spring. And thus the mines were first discovered and the trails leading to them "blazed." Then the railroads were constructed and the mills and smelters built. Then the farmer and stockman came; towns and cities, attracted by the splendid market for their products, made possible by the opening of the mines, sprang up on every hand; and the railroads and subsequent extensions have been busy ever since transporting the products of these mines to the Atlantic seaboard and returning laden with eastern merchandise and the products of New England spindles, mills, and factories. The balance of trade always has been, and now is, in your favor, for we of the West are not a manufacturing people. We are essentially producers of raw material, and as such are not competitors of yours. We do not compete with our own flesh and blood; our commercial rivals are to be found in Canada, in Mexico, and beyond the seas. But, my brethren, at the expense of being thought an alarmist, I am here to-day to prophesy that if by unwise, thoughtless, and selfish legislation you cripple and destroy our industries we will, in a few short years, develop into competitors, the cheapness and excellency of whose finished products will make you of the East regret your inconsiderate haste and narrow policy. Nature has, indeed, been prodigal in bestowing blessings on the West. The raw materials that go to make up the finished product are hard by ideal factory sites. We have timber, wood, iron, coal, and limestone in abundance, and more watts of electric energy now flowing uncurbed, unbridled, and useless to the sea than was ever dreamed of in your philosophy.

There is hardly a county in the State of Idaho that can not produce within her borders at the minimum of cost enough electric power—the cheapest known to man—to drive all the wheels and spindles of the largest manufacturing city in the Union. The labor necessary to man those wheels and spindles is now profitably employed within our smelters and our mines. It is true they receive good wages, better than those paid to the average factory hand, but the risks they take, the dangers they face, the hazards they run, and the additional cost of living is greater by far and fully justifies the increase. But once reduce the tariff on lead, lumber, wool, and sugar beets, which are our raw materials, below a just and fair margin of protection, which means that our labor must suffer an unfair and unjust reduction of wages, or seek employment in other and different lines, and you will wake up some bright, frosty morning and discover that the manufacturing center of the Union has moved west "between two suns."

And were it not that western patriotism is coextensive with the Republic; were it not that we are ever ready with voice and vote and arms and men, when necessary, to extend that patriotism over the East and South and North and every other spot on earth where Old Glory proudly floats, we might, with that selfish propriety that some of you are apparently ever ready to display, suppress this note of warning and permit you to legislate your factories from East to West; to make of New England an erstwhile golf links, where, in future years, some thrifty descendant of the "man who made coal oil famous," will alone be financially able to engage in the modern game of "shinney," while the great-grandsons of your captains of industry will be so reduced in pride and purse that they will gladly essay the rôle of "caddy," and for a much needed quarter of a dollar chase the rubber ball, which would simply mean that the legislative and political sins of the father will be visited on the children, "even unto the third and fourth generations." [Laughter and applause.]

While the mining of lead is not exclusively a western industry, it is substantially so, for we produce two-thirds of the entire output of the Nation in the Rocky Mountain West. Of the 350,000 tons of lead taken from the ground last year, one-third came from Colorado, Utah, Montana, and Nevada, one-third from the Mississippi Valley, and one-third from my own fair State of Idaho. The total of this vast quantity, together with the accompanying silver, aggregated in value $40,000,000. In extracting the ore containing these values, reducing the same to the form of concentrates, as we are compelled to do in the West, and the smelting of the same, some 25,000 workmen, the most skillful, reliable, and competent in the world, were employed. In the transportation of this vast tonnage from the mouth of the mine to the smelter for treatment another 25,000 were employed. The value of the gold and silver ores that are smelted on a lead basis probably represent another forty million and employs, probably, another 50,000 men, and upon the industry and fidelity of this grand army 500,000 women and children depend for shelter, clothing, and their daily bread. The myriads of towns and villages that have grown up around and because of these great mines and smelters are legion, and the tradesmen, mechanics, artisans, and farmers, whose decent comfort and modest prosperity rest on and abide with the present and future prosperity of this great industry, are so many as to defy accurate computation. During the year 1907 one canyon in a single county of the State of Idaho produced 111,697 tons of pig lead and 5,584,850 ounces of fine silver, the total value of which amounted to $15,555,315, and with that liberal, lavish hand for which the West is justly famous this almost prodigious sum was distributed as follows:

Forty-seven per cent, or $7,310,998, was the original cost of production at the mine; of this, $4,825,260 was paid for labor, the major part of which was expended by 6,000 toilers so employed for the necessaries and luxuries of life and for the acquisition and maintenance of their homes. The green fields of all the agricultural States, from the Mississippi River to the Pacific Ocean, were liberally drawn upon to supply their tables; the apparel for themselves and families, the furniture for their homes, and the countless other manufactured articles required by a well-paid and intelligent American industrial community were requisitioned from the manufacturing States on this side of the Mississippi.

Thirty-three per cent, or $5,133,254, was paid for transportation and smelting, which was again distributed by the railroads and smelters as wages to labor, and by the latter again expended for raiment, food, and other necessary supplies.

The remaining 20 per cent, or $3,111,063, represented the gross reward to the vast capital invested, amounting in round numbers to $25,000,000 in these mines, and if you deduct therefrom the annual interest charge and a reasonable amortization, you will agree with me that the net returns are indeed conspicuous for modesty in these days of corporate avariciousness and greed. [Applause.]

The most formidable competitor we have in the production of lead—because of accessibility, including cheapness of transportation to our markets, the abundance and low cost of labor, and the unusually large values of silver contents in the ore—is Mexico, our sister Republic on the south. I do not think it exaggeration to say that Mexico has within her borders the richest lead mines now operating in the world. The almost total absence of labor organizations, the infrequency of strikes or lockouts, the few wants and comforts demanded or expected by the peons, and the constantly increasing mining efficiency of the same, all combine to make hers the cheapest labor in the lead-producing field.

At the present time the lead mines of that country, owned and controlled by a single American corporation, are producing 3,000 tons per month or a production of 10,000 tons per annum in excess of our own.

The cost of mining everywhere naturally resolves itself into these principal factors: Mining, milling, freight, and smelting. And right here I desire to make a few comparisons which, in my judgment, show the ever-present danger of Mexican competition. I shall use Idaho prices in doing so, because of greater familiarity with conditions there, and a thorough investigation has convinced me that the fixed charges of mining in my own State are a fair average for the other States and Territories of the Rocky Mountain West.

The cost of production in the West is steadily increasing every year. The average profit-bearing life of a mine is small and

circumscribed. The "dead work" necessary in its first prospecting and development more than consumes the "output" of its early days, and the cost of production steadily increases in its later years because of the deep mining made necessary by working out the upper levels. The day when a lead-silver mine in this country paid from the grass roots down has long since passed into history, and the deep mining of the present necessarily requires more powerful, intricate, and expensive machinery, newer hoisting works, larger pumps; and the annual fixed charge for these items alone represents many thousands of additional capital.

The cost of smelting in the United States and Mexico is about the same, but a comparison of the difference in the cost of freight and the labor here and there is indeed startling.

I shall not presume on the intelligence of the House by quoting statistics to demonstrate that Mexican labor is to be procured at less wages than our own. It is sufficient to say that the wages paid American miners in this country is three times that paid in Mexico.

The freight rate from the Mexican mine to the smelter at Monterey is $3 per ton of ore, or $6 per ton of lead, and from Monterey to New York the freight rate is $4 per ton, making a total transportation cost of $10 per ton of lead in all. The rate from the Coeur d'Alenes, in Idaho, to the smelter is $10 per ton of ore, or $20 per ton of lead, and from the smelter to New York is $7 per ton additional, making a total freight charge of $27 per ton of lead.

Those Members of the House not familiar with mines and mining, because of dearth of time or lack of opportunity to investigate the facts, will no doubt be much surprised, and probably incredulous, when I say that lead can be, and is, sold for 2 cents per pound at the mouth of the Mexican mine, and even at that low price carries a profit, while in Idaho the actual cost of production is 4 cents per pound, not counting the interest on the million dollars that represents the average capital invested in a producing mine or amortization on the plant.

And in this connection I can not refrain from calling attention to a part of the testimony given before the Ways and Means Committee by Mr. C. E. Allen, of Utah, relative to the cost of production and the accruing profits on a ton of lead ore. I have spared no efforts to verify his figures, and after doing so I have arrived at the unalterable conclusion that they are a fair average for all the lead producing States of the West, including Idaho. Mr. Allen says:

In the year 1906, upon which I have based my figures, because those are more complete, we produced 125,342,836 pounds of lead, or 164.7 pounds of lead per ton of ore, and this contained 68,340 ounces of gold, or 0.089 ounces of gold per ton. This lead also carried with it 9,406,758 ounces of silver, or 12.27 ounces of silver per ton. That is 82 per cent of the silver produced in Utah came from lead ores. Between 26 and 27 per cent of the gold produced in the State came from the same source. The average value of the metals produced in lead ores in that year from this State were as follows: Lead, 3.7 cents per pound; gold, $20.67 per ounce; silver, 67 cents per ounce.

The value of the contents per ton was: Lead, $9.32; gold, $1.84; and silver, $8.22; making a total value of each ton of lead ore produced $19.38. It cost the miner to produce this ore as follows: Ten per cent deduction from the price of lead cost him $0.93, and 5 per cent deduction from the price of gold cost him $0.09 per ton; 5 per cent deduction from the price of silver cost him $0.41; average wagon and railway haul cost him $2.50 per ton; sampling, $0.50 a ton; smelting, $8 a ton; and mining, $3.50 a ton. Some of these figures are estimates of my own, but they are well within the facts and the sum total is conservative. The total cost, then, to the miner, was $15.93, and he received $79.38 per ton, which would leave an apparent profit of $3.45 per ton. From this should be taken at least 10 per cent for writing off the property. A mine is not like a farm—the longer you mine it the less you have. The longer a farm is worked the better it should be, and any careful business man will write off at least 10 per cent of his mine each year. * * * If we take off, then, the 10 per cent for amortization, as it is sometimes called, we have $3.10 per ton for each ton of ore mined in 1906, which comes to the miner. But during this year the price of lead was abnormally high—about a cent and a half higher than it has averaged during the last fifteen years. The price of lead to-day is 4.3 cents per pound. In 1906 it averaged 5.7. We can not expect, on the average, that lead will be much more than 4.3 per pound, even with the present tariff. If we take the difference between the price of lead in 1906 and the price of lead to-day it would reduce the profit per ton on the ore produced that year $2.25 per ton—$2.29, to be exact.

There is another thing: When this lead ore was produced the average value of silver was 67 cents an ounce. To-day it is 50 cents, or less. That represents a loss on each ton of ore of the same average value as we produced in 1906 of $2.69. * * * So that if these two reductions in the value of the tonnage produced in 1906, or a similar tonnage, should come at the same time it would more than wipe out all the profit that was made upon the 766,530 tons of lead ore produced in Utah in 1906. And under the conditions which now exist, and the relative value of labor in Mexico and Utah, the miners of Utah wish to ask this committee that the tariff on lead be not interfered with.

Which means that the average lead-silver mine of the West to-day, with lead at 4.3 cents per pound and silver at 50 cents per ounce, is being operated at a loss, if, indeed, in operation at all, for many of them, especially those of low-grade ores, are now shut down. And in this connection it is well to say that it ordinarily pays better to operate a mine at a small loss than to abandon work completely, for continued timbering is necessary, and continued pumping is required, else the lower workings of the mine will "cave" and fill with water, entailing more labor and expense in refitting it for work than would ordinarily result from a reasonable period of unprofitable mining, because of low prices.

Under these circumstances it would seem absurd to further contend that lead mining can be profitably prosecuted in this country without the continued aid and assistance of the present protective tariff. I am not unmindful of the fact that some able, honest, and conscientious Members of this body contend otherwise, but in doing so, I am inclined to the belief that they are misled by the exaggerated statements that come from those whose business would be greatly benefited by a reduction in the existing schedules.

For instance, we hear the allegation often made that our neighbors on the north, without protection, are enabled to successfully compete with lead produced in Mexico. I deny the allegation. There is considerable lead mined in British Columbia, but upon every pound there thus produced the Canadian government pays a bounty of three-fourths of a cent per pound, and, in addition, the Dominion laws provide for an ad valorem duty of 15 per cent upon all imports. This bounty, taken with the ad valorem duty on the present London price of lead, affords the Canadian producer a protection of approximately $1.35 per hundred pounds, or a very slight reduction, only 15 cents per hundred pounds under our present duty, which reduction is more than overbalanced by the increased expense of mining here.

It has been contended on the floor of this House that the American Smelting and Refining Company, the so-called "lead trust," and not the miner, is the real beneficiary of the existing tariff, because such tariff enables it to arbitrarily fix the price of lead to the consumer. I am at a loss to understand how anyone can adjust such conclusion to present existing facts. The American Smelting and Refining Company is one of the very big corporations of this country. Its capitalization reaches many millions, and I have no doubt contains enough water to float a battle ship. In recent years some of us have acquired the habit of shying at a large array of figures, because they are large; of ascribing to money, when collected in unusual sums, attributes it knows not of, and voluntarily conceding to men controlling these vast sums powers quite often impossible of accomplishment. Now, I have no doubt that in its original conception this great corporation aspired to be a "malefactor," but the great trouble has been that when it came to a showdown it could not play the part. It is the old, old story—"the spirit is willing, but the flesh is weak." If the trust is able to arbitrarily fix the price of its product, it occurs to me that the present moment is, or, in fact, any time during the last sixteen months, has been a mighty propitious time to fix it. As a matter of fact, it has been playing a losing game during most of that time and has been forced to dispose of its product on a continually falling market. At present it is selling lead at 4 cents a pound that actually cost it $4.10 to $4.50 per hundred.

A trust is not generally organized or conducted along eleemosynary or philanthropic lines. Sentiment and expediency are two words that are painfully and persistently absent from the trust's vocabulary. Its mission on earth is to make money, and it never misses an opportunity or slips a cog to put the price at the highest figure the traffic will bear. Under these circumstances I feel justified in calling on those gentlemen who are advocating a reduction on lead ore and pigs to further explain why, with lead selling at £13 10s. in London, which, including transportation and insurance, would make European lead cost $3.81 per hundred pounds in New York, duty free, or $5.31 per hundred with the present duty added, the trust should, if it controls the American market, be selling lead at a less price here. Why not maintain the price at $5.31 instead of $4 per hundred pounds? These conditions, now actually in existence, could not possibly obtain in a market controlled and dominated by a trust or combination.

No, Mr. Chairman, the "trust" can not fix, maintain, or control the price of lead, and I will tell you why.

It simply finds itself unable to control the American output, else they could and, I have no doubt, would. Of the 350,000 tons of lead produced in the United States last year, the so-called "trust" refined only 175,000 tons, or 50 per cent of the total production. Smelters absolutely independent of this great corporation refined the balance, and no sane man familiar with the inexorable laws of commerce and trade will seriously contend that the control of one-half of the supply of any given product carries with it the power or ability to absolutely fix the selling price. Even that remarkable document commonly known and designated as the "last Democratic platform" concedes that no corporation or combination can be finally and decisively branded as a "trust" unless it controls at least 50 per cent of a

product, and Democratic platforms of late years are generally given credit for being sufficiently radical in statement. [Applause.]

There are now operating in this country some 50 independent smelters and more are building every year, and if there is a controlling trust in this country to-day the best and most effective way to "clip its wings" is the wise encouragement of independent and competing producers. I, personally, know that a company was recently organized and financed in my State for the purpose of building an independent smelter. The capital, some $100,000, has already been subscribed, the site acquired, and the machinery and materials purchased and some months ago delivered on the ground. But in the last few days a letter has been received from the president of the company to the effect that work on this project has temporarily ceased, pending final action on the present tariff bill, and that the erection of the smelter will be permanently abandoned if the proposed reduction in the present lead schedule is finally accomplished.

The erection of that smelter would place another thriving town on the map of Idaho, and would add from 200 to 500 thrifty and intelligent workmen to the population of my State. But some will say that those men who have invested $100,000 in smelter equipment are "bluffing." They certainly will not let the same forever lay, unproductive and useless, rusting and rotting in the rain and sun. No; they will not. That equipment is located to-day within a short distance of the Canadian line. It will always be a welcome acquisition to the lead district of British Columbia and if, by injudicious legislation, you drive that smelter across the border, it will be one of many American-made smelters that will in future pour from its moulten mouth tons and tons of bounty, encourage British lead back into this, the greatest lead-consuming market in the world. It will be a part and parcel of a genuine, not an imaginary trust; a trust that will not only control the entire lead production of Canada, but of Mexico and of America as well.

It is an open secret among well-informed mining men that the so-called "lead trust" prefers the entire abolition of the existing tariff on lead, in ore as well as on pigs and bullion, and why? Simply because without a protective tariff it would soon be complete master of the lead-producing field; it would be enabled to do that which it has failed to accomplish to date, which is to close down and make valueless every lead-producing mine in the United States. Nonproductive lead mines are not desirable properties to hold, and the present owners of those properties would soon put them on the market at any price in the event that the much-desired object is accomplished. This would give the so-called "trust," with its $100,000,000 of capital and $14,000,000 ready surplus, the opportunity it has so long and persistently sought. It would purchase those dismantled mines at its leisure and at its own price, and being already the undisputed and absolute feudal lord of the Mexican lead fields, would soon be in possession of the original source of production, the one thing absolutely and essentially necessary to enable it to dictate and control prices to the consumer, with none to say it nay. Nor is it a sufficient answer to this allegation to say that when the price of lead again advanced the trust could not control production, because new and hitherto unknown ore bodies would be opened up, for valuable mines are by no means common, and no new lead deposits have been discovered in the United States in the past ten years.

And in this connection I desire to call attention to the fact that the bill now under consideration contains a provision which, unless eliminated, will defeat the protective feature of this legislation so far as the American lead miner is concerned.

Under the provisions of the reported bill, lead dross, including all dross containing lead, lead bullion, or base bullion, lead in pigs or bars, old refuse lead run into blocks or bars, and old scrap lead fit only to be remanufactured, lead in any form not specially provided for in sections 1 or 2 of this act, all of which formerly carried a duty of 2¼ cents per pound, is to hereafter carry a duty of but 1½ cents per pound, or the same rate as provided for lead-bearing ores.

As I have explained before, Mexican lead, after paying all fixed charges, including transportation, can be delivered on the New York market at 2¼ cents per pound, and at that price return a reasonable profit to the producer. If you add to this the proposed tariff of 1½ cents per pound, you will see that the Mexican lead can be sold in our markets at 4 cents per pound, with an attendant profit. And inasmuch as it actually costs 4 cents per pound to produce Idaho lead, without taking into account either interest on the money invested in the mine, amortization, or profit, it will be readily seen that this particular provision of the pending bill will inure to the benefit of foreign production and at the same time destroy our own.

Another reason advanced for lowering the existing schedule on ore and pig is the alleged difference of the prices paid for lead paint in this country as compared with Canada. One of the gentlemen who recently communicated with the Committee on Ways and Means and advocated a reduction on the present price of lead gave as his reason that lead paint that could be purchased in Canada for 4 cents per pound would cost the American consumer 6 cents. This statement, I am told by those who are in a position to know, is somewhat exaggerated, but for the purpose of illustration it is near enough.

I hold in my hand the photograph of one of the largest hotels in Washington City. It is a brick structure of 325 rooms. It has a frontage of 110 feet, a depth of 100 feet, and is 13 stories, or 175 feet high, and has an exposed surface of 7,000 square yards, which is covered with three coats of lead and oil. I recently wrote the owner of this vast structure, who, by the way, is an architect of high standing and skill, and asked him the exact number of pounds of white lead used in painting the building and the average life of three coats of such paint. Here is his answer:

The exterior finish of the building is brick, covered with three coats of the best paint procurable, which is lead and oil. In painting the building 6,600 pounds of ground white lead was used, the rough surface of the brick consuming twice the amount of material that would be required to paint an equal area of boards, and almost twice as much as will ever be required to repaint it. The estimated life of three coats of lead and oil on an exposed surface is ten years.

In a later conversation with him I said:

My dear sir, do you know that, according to the best free-trade authority we have, if you had built your hotel in Canada instead of in Washington you would have saved 2 cents upon every pound of white lead used in painting your building, and, according to your figures, it took 6,600 pounds to do the job?

And what, Mr. Chairman, do you think he said in reply?

Well, what of it? The alleged economy only amounts to $132 out of a total of a million dollars that it cost to build it. That $132 was my contribution to the lead miners of the Nation, who spend one-third of their lives in dangerous and exhausting labor underground. I do not begrudge it; it was my contribution to the general prosperity of the country, without which my hotel would never have been built.

One of many kind-hearted patriots, Mr. Chairman, whose only fault is that they can not help being Democrats, because they were born that way. [Laughter and applause.]

Now, I hold in my hand another and different picture. The neat and modest cottage of one of the toilers of the land. It contains six rooms and a commodious pantry, is built of lumber, and is 26 by 22 by 20 feet in size, and has an exposed area of 24 squares. It contains a toilet and bath and is connected with the city sewer. Its exterior is finished in three coats of lead and oil. It required just 120 pounds of lead to paint that house, and 18 pounds of lead pipe to plumb it, making a total of 138 pounds in all. I also had a talk with the owner of this house. I said:

My good man, do you know that had you built your home in Canada you would have saved $2.76 in painting and plumbing it?

He was silent, and, as I thought, dumfounded, but slowly taking a scratch pad from his pocket, he wrote and handed me this message:

Say, mister, I lived in that country for thirty years in a rented cottage and lost my voice singing "God save the King."

[Laughter.]

His answer was all sufficient.

Lead is an almost indestructible metal, and about the only way you can destroy it is by fire. If manufactured into pipe, it will last for centuries, and the average life of lead paint is ten years. The ordinary householder of this country consumes not to exceed 250 pounds of lead in paint and plumbing each generation, so his contribution to the lead trust—if there is a successful one, which I deny—amounts to less than 20 cents a year. That prices for lead are somewhat higher in this country than abroad I do not attempt to deny, but if there is a single human being beneath the flag to-day who objects to this just and fair recognition of the underground lead miners of the country, and the 500,000 women and children dependent upon them for their daily bread—I say if there is such a one, let him deny himself the pleasure of two 10-cent highballs during Lent and from this enforced economy pay the bill or expatriate himself to Mexico, where in the mountain fastness of his new-found home, he can drink pulque, spin his prayer wheel, or fall down before his new-found free trade idol, and none can say him nay. [Laughter and applause.]

During the four years under the Wilson bill, the average price of lead in New York was $3.27 per hundred pounds; the average price in London, $2.37. The London price of $2.37, plus the then existing tariff of 75 cents per hundred pounds, equals $3.12, or 15 cents per hundred less than the average selling price in New York at that time. So the American consumer paid for his lead the London price plus the duty and 15 cents per hundred. Now, let us compare these prices with those that prevailed during the next four years under the Dingley tariff, with a protective duty of $1.50 per hundred, or 1½ cents per pound. We

than to abandon work completely, for continued timbering is branded as a "trust" unless it controls at least 50 per cent of a

find the average New York price to have been $4.24; the average London price, $3.12. The London price of $3.12, plus the tariff of $1.50, equals $4.62 per hundred. In other words, the American consumer paid for his lead just 38 cents per hundred less than the London price with the duty added. And I pause to give some mathematical expert an opportunity to say that lead cost the consumer 97 cents per hundred pounds more under the Dingley law than it did under the Wilson law. That is true, my friends, and it is also true that every other article used by man is proportionately dearer now than then. But show me the altruistic patriot who is willing to accept for his particular product a lower price. The farmer does not want a lower price, neither does labor, and by "labor" I mean all the toilers of the Republic, whether employed in the factory, mill and mine, or on the farm. And so, when some strong-lunged Democrat bellows forth the glad tidings that lead costs the consumer more now than it did in 1897 [laughter], or some attenuated Republican rapidly passing into the age of the "lean and slippered pantaloon," which is the next thing to being a Populist [laughter], joins in the unpalled-for clamor, the Republican party, if it still possesses the grit of its founders, will answer:

We don't care a continental if lead does cost the consumer 97 cents a hundred pounds more than it did under the Wilson law, and the American people don't care. It is ninety-seven times easier to secure the 97 cents now than it was in 1897, and, anyway, that 97 cents represents the difference between the comfortable home, roast beef, and living wages of the American miner and the mud hovel, chili con carne, and silver peseta of the Mexican peon.

[Great applause.]

And if you need any other justification than your own good conscience, listen to these comfortable words:

In accordance with the promises of the platform on which I was elected, I shall call Congress into extra session to meet on the 15th day of March, in order that consideration may at once be given to a bill revising the Dingley Act. This should secure an adequate revenue and adjust the duties in such manner as to afford to labor and to all industries in this country, whether of the farm, mine, or factory, protection by tariff equal to the difference between the cost of production abroad and the cost of production here.

Which, Mr. Chairman, is an extract from the new dispensation, a plain, clear, logical, and truly great economic sermon by one of the profound men of this Nation, William Howard Taft. [Applause.]

There has been a wonderful change in the productions of the eastern part of the United States in recent years, and in consequence a decided and radical change in the attitude of her people toward government policies. Those who made the New England farm life in the days of Whittier's "Snowbound" have long since passed to their reward, and succeeding generations have either been lost in the city's crowd or moved on to the more fertile fields and better opportunities of the West. Unless the growing antipathy to farm life shall cease and the insane desire for city life be modified, the substantial abandonment of the New England farm will be complete in another generation. As a means of livelihood, the factory has already usurped the province of the land. The East has ceased to be a producer of raw materials and has become the chief manufacturing center of the United States. If that were the full achievement of her mighty ambition, all would be well. But it is not. She aspires to be the manufacturing center of the universe, and we all wish her godspeed in her laudable undertaking, provided she will not forget her weaker sisters of the West as she goes on her world-conquering mission.

But, like all her universal competitors in manufacturing, she demands cheaper "raw materials," and as a result we are presented the anomaly of New England, an integral part of our common country, occupying the same economic relation to another part of the same country—the West—as does old England to the Nation.

Now, quite a few of those old New England boys who abandoned the farm for the city years ago have been exceedingly industrious along certain lines. Some of them have developed into long-haired, profound, and erudite professors of political economy. Since leaving the "old homestead" they have never produced so much as a blade of grass, let alone a pound of lead ore, a sugar beet, or a fleece of wool. But they have conceived something which is of far more importance to the manufacturing East, especially if they succeed in getting Congress to adopt their point of view, and that is a new economic theory—a brand-new theory—which they have been pleased to christen with an ancient name—the same old euphonious expression that Grover Cleveland used to put us all out of business with in 1893—"tariff reform." Now, whatever else may be said of Mr. Cleveland, all fair-minded critics will concede him to have been an outspoken and an honest man. He frankly told the people that "tariff reform" meant to him a "tariff for revenue only." But under the new and later dispensation, it may mean anything under the sun between the limits of free trade and the revision of a single schedule. [Laughter.]

It may mean free lead to the lead-pipe manufacturers of New York, whose profits it would no doubt increase. But if you want to test their sincerity ask them if they will consent to the repeal of the tariff on their manufactured article. In reading the tariff hearings before the Ways and Means Committee one can not help being greatly impressed by the equanimity with which a certain manufacturer of lead cables advocates that the tariff on "lead ore, lead bars, pigs, granules, and other forms" be forthwith reduced and at the same time complacently demanding that the tariff be increased on his own manufactured articles.

The Hon. Will S. Douglas, of $3-shoe fame, was the Democratic candidate for governor of Massachusetts on a state platform favoring the removal of the existing duty on hides. Regardless of the fact that a state administration could have no more power to eliminate the duty on hides than a justice of the peace could have to reverse a decision of the Supreme Court, he was triumphantly elected. The history of that campaign is replete with assurances that "free hides" would mean more hours of work and better pay for the men employed in the shoe factories of Boston, but nowhere is it writ that Mr. Douglas at any time intimated that he would favor the removal of the existing duty on manufactured boots and shoes. [Applause.]

"Tariff reform" might mean free wool to the woolen manufacturer of the East, but when you ask them in return if they will consent to the importation of foreign manufactured woolens duty free you must read their answer in the stars, for that is as near as you will come to getting any satisfaction. [Laughter.]

The production of wool and mutton is an industry of very great importance to the people of my State, and in making this statement I want to impress upon this House that the industry is important to our people generally, and not alone to those who follow it as a regular vocation. There is a community of interest between the Idaho farmer and the Idaho sheepman that always has contributed to their mutual prosperity. The continued production of that clover better known as "alfalfa" is necessary in the arid portions of our country because of its wonderful fertilizing properties, and the progressive and successful farmer of to-day so rotates his crops that at least one-third of the total cultivated acreage is at all times planted to this hardy, soil-enriching plant. Always two, and quite often three, crops are each season taken from the fields, and were it not for the continued demand of the sheepmen for winter feed—for the Idaho sheepmen consume at least 50 per cent of the alfalfa produced—this wonderful yield would soon result in a congested and unprofitable market.

The high mountain ranges surrounding these alfalfa farms are peculiarly adapted to the sheep industry. On the diversified grasses, weeds, and verdure growing there the best mutton in the world is produced, as is evidenced by the ever-increasing demands for the Idaho product in the great live-stock markets on the Missouri River, as well as farther east, and solely because of the continued demand for our mutton and the top prices procured for the same, has the sheep industry, which represents an investment of almost $5,000,000, been able in recent years to exist and survive.

Since the enactment of the Dingley tariff law to the present time, the cost of wool production in the West has increased to such an extent that the present duty of 11 cents per pound has been completely absorbed, with the result that from the production of the wool alone, there is no net profit. The public range has been continually diminishing during all that time by reason of the ever-increasing settlement under the benign and favorable provisions of our public-land laws. Our mountain ranges have long since been included within the government forest reserves and, as a result, the pasture that was once free to the flocks and herds of the sheepmen, now cost them a fixed and permanent rental, and, to the extent thereof, becomes an additional charge upon their expense accounts. The average yearly charge for the privilege of ranging sheep upon these reservations is 7 cents per head for ninety days—an expense that was never anticipated nor thought of ten years ago. The wages of herders, the cost of shearing, the price of supplies—all necessary and legitimate expenses incident to his business—have increased at least 50 per cent since 1897. In that year the cost of running a herd of Idaho sheep, consisting of 1,700 head, the average size of a western flock, was $1,479 per year; to-day the actual cost of maintenance for a herd of the same size is $2,844. Thus it will be seen that the annual expense of carrying on this business, based upon the herd as a unit, has increased $1,365. The average fleece of an Idaho sheep weighs 7 pounds, and the wool, rating as first class, carries with it a protective-tariff duty of 11 cents per pound under the existing schedule, which amount to 77 cents per sheep, or a total of $1,309 for a herd of seventeen hundred.

As above stated, the increase in expense amounts to $1,365, so that it will be seen that the protection afforded by the present tariff is more than offset by the advance in the cost of production.

It may mean free sugar, or what is just the same, the unlimited admission into this country, duty free, of raw sugar from the Philippines. Such an arrangement would no doubt be acceptable to the manufacturers of chocolate and bonbons and the professional "taffy pullers," who ply their trade on the boardwalk at Atlantic City every summer. It would no doubt increase the profits of both; but the price, I venture to suggest, would be just the same—5 cents a handful—to the consumer. The beet-sugar factory has done more to develop the agricultural resources of Idaho than all other manufacturing industries combined. When the first factories were built in southern Idaho, farms were extensive in area, but quite circumscribed in price. To-day, with four factories in successful operation, the exact reverse is true. The farms are small in acreage, but the acres have increased many times in value. Those factories represent an investment of $4,850,000, and the stock is widely distributed in modest holdings among the people of the State, including the small farmers who grow beets. They employ 706 workmen, and the annual pay roll amounts to more than $425,000. They produced last year 52,423,500 pounds of refined sugar, valued at $2,359,107.50. From 20,080 acres of Idaho land planted to beets in 1908 was harvested 221,375 tons of sugar beets, or an average of 11¼ tons per acre, for which the farmers received $985,487.50, and the railroads $52,000 for transportation to the factories. The fertile soil of Idaho, with an abundance of water for irrigation and 291 days of saccharine-producing sunshine every year, makes her an ideal American sugar-beet-producing State.

But we can not compete with the Tropics—the more cheaply produced sugar of the Philippines. Our sugar farmers are Americans, not Asiatics. Our field laborers demand and are paid an average wage of $2 per day, as against the 25 cents per day received by the Filipino, and the ocean freight to this country on sugar is so insignificant, compared to the cost of production, that it is no offset to the cheaper labor of that distant land. Our average raw-sugar production per acre is, with intensive farming and perfect cultivation, 3,000 pounds, as against an equal number of pounds per acre produced over there with very indifferent farming and practically no cultivation.

The United States is paying out annually $100,000,000 for foreign sugar, there being that difference at present between the home supply and demand. If no unfavorable tariff legislation is enacted in the next ten years, the arid West will bring the supply fully up to the demand of our own people, and then we will not only have the sugar but the $100,000,000 also.

I am but voicing the sentiments of the people of my State in here protesting against the admission of Philippine sugar into our home markets duty free. Not that 300,000 pounds of free raw sugar will seriously interfere with the sugar-beet industry of the country at the present time, but because we believe that the precedent thus established is a dangerous one, and is intended and designed as an opening wedge for unlimited and unrestrained future importations from our dependencies, which would mean, if fully accomplished, the complete destruction of an industry so important and necessary to the development of the arid West.

The propose "tariff reform" may mean "free lumber," which would be a concession to a cult of so-called "political philosophers," but would not mean a dollar in the reduction of prices to the consumer.

The advocates of the reduction of the existing duty on lumber have, like kindred spirits contending for a reduction of duty on lead, used as their stock argument the old bogyman cry of "a trust." And there is just about as much evidence of a controlling trust in the one case as in the other.

There is an apparent disposition among certain gentlemen in and out of Congress to exhibit an overheated conscience in dealing with the revision of the tariff. They would have the world believe that their sole mission on earth is to prevent the "trust" from extorting the last possible farthing from the consumer, and this they propose to do by obliterating the tariff on American productions generally, but more particularly on raw materials. To all such I have to say that most intelligent people are fast arriving at the conclusion that you are all "four-flushers;" that you have become so hypnotized by "the interests" that you do not really want to destroy them at all; you just want to make people believe you do. And I want to take advantage of this opportunity to record a prophecy, and that is when the time is ripe for eliminating the trusts from the body politic—and I opine it is near at hand—you will receive a short epic in prose from the other end of Pennsylvania avenue that will point out with brevity and logic a mighty clever and effective way to go about it, and it will not be via the "tariff-reform" route either. And by that time, I suppose, you fellows who have been so insistent in getting into action in the wrong way will have discovered another and presumably a more effective hallucination, which, of course, will not do the job at all.

If I believed in the present existence of a lumber trust, or that the reduction of the present tariff on lumber would result in lowering the price of building material to the consumer, I would not only vote to reduce that tariff, but also to place lumber absolutely on the free list. There may be among retail dealers in the different towns and cities of the country some sort of a "gentlemen's agreement" that fixes the price to the local consumer. If that be true, it is the duty of the attorneys-general of the States in which that condition obtains to investigate and change it. The laws of almost all the States provide a remedy and point a way.

But when we consider that the most thorough investigation by that department of the Government particularly charged with the duty has failed to discover the existence of any such trust or combination; that the lumber industry is not confined to any one locality, but is, instead, widely distributed over 30 different States of the Union, and that some 30,000 different sawmills are engaged in the production of lumber; that the standing timber from which 40,000,000,000 feet of the manufactured article was produced last year is in the hands, not of a few, but of hundreds of thousands of individual holders, it is mighty hard to convince the fair, unprejudiced mind of the existence of such a trust.

That there has been a wonderful advance in the price of lumber we must all admit, but is it not also true that there has been a corresponding advance in almost every other commodity used by man, and that this advance is not confined to the United States, but is world-wide in its extent? So eminent an authority as the chairman of the Ways and Means Committee considers that the advance in lumber is not due to the tariff, "because," as he says, "it is a good many times the amount of the tariff." The strenuous activity of the bankers, who have been flooding the committee with telegraphic information to the effect that their loans to sawmills and lumbermen are in jeopardy, would seem to indicate that the lumber business generally is not in a very sound or flourishing condition. And I personally know, from letters received from my own State, that such is the situation there. If the mills are not making any money now, with a tariff of $2 per thousand on their product, what will they do if you cut that tariff in two and to that extent open their home market to foreign competition?

Mr. Chairman, when an industry that ranks first in the consumption of farm products, second in the employment of labor, and third in the volume of tonnage furnished the railroads and transportation lines, in the midst of surrounding prosperity, with more money on every hand than the people know what to do with, in the golden age of agriculture, at peace with all the world, and with neither pestilence, famine, nor war in all our skies can not make both ends meet, it is high time to look out for breakers. There is something radically wrong. The Ways and Means Committee, through its chairman, tells us it is due to the increased price of stumpage. Whatever the cause may be, the lumber business can not continue to be run at a loss, and present conditions will soon result in one of two things; Either the owner of timber lands will be compelled to accept a reduction in the price of stumpage or labor, which constitutes a larger element in the cost of production of lumber than in any other manufactured article, must accept a decided cut in wages.

The ownership of the timber lands of Idaho, except in rare instances, is widely distributed among the citizens of that State. There are some 6,831 individual owners and their average holdings are 160 acres each. One million ninety-two thousand nine hundred and sixty acres of timber have been acquired under the government "timber and stone act," and in many cases represents the entire real estate holdings of the owner and, in most cases, a lifetime of saving and toil. Is it fair that these little properties of the people should be brought into enforced competition with Canadian stumpage? As well might you, with equal justice, legislate to reduce $10, $20, or $30 per acre the value of the Illinois farmer's corn land or, in similar ratio, the ground that grows the North Dakota farmer's wheat.

It is no excuse to say that you are after the big fellow—not the little one. Mr. Weyerhaeuser, the lumber millionaire of Wisconsin, with his bank stock and other vested interests, ample for his present needs, can, with perfect equanimity, stand your onslaughts; but Ole Olson, with a modest timber claim as his sole reliance for fast advancing age, can not. [Applause.] The gentleman from Wisconsin does not need the income from his timber holdings now. They can stand until the forests of Canada are denuded, when stumpage will again advance in price. He may have passed to the "great beyond,"

but his descendants will reap the profits. But Ole Olson, of Idaho, with an 80 or 160 acre timber claim as the sole dependence of himself and faithful wife, can not. And as between the interests of Ole Olson and Frederick Weyerhaeuser it will not take me long to decide. [Great applause.]

During 1908 there was employed in the sawmills of my State 4,771 workmen, and in the surrounding timber probably as many more. Those who were then employed in and about the 224 mills operating there were paid an average of $2.60 per day, or a total of $2,616,429.15, and it is fair to presume that the "lumber jacks" received an almost equal sum. Nearly 50 per cent of the mill men own their own homes, and taken all in all they are a thrifty, sober, upright lot of citizens. I know if the mills receive reasonable protection from the Japanese and Hindoo produced lumber across the Canadian line, the American mill men, whose wages represent 70 per cent of the gross output of the mills, will be continued in employment at present wages. I know that permanent employment at good wages means continued growth and prosperity for Sandpoint and Coeur d'Alene and other beautiful little industrial cities, whose splendid growth and wonderful development has been the pride of all Idaho; I know that I promised them all during the campaign last fall that if they elected me to Congress there would be no revision of the tariff, so far as I was concerned, unless sufficient margin remained to maintain wages at their present high standard and afford ample and abundant protection for every article and commodity produced within the State of Idaho. And whatever the result may be, whether it eliminate me from further official life or not, I shall make that promise to my people good in casting my vote on the present tariff bill. [Applause.]

No, Mr. Chairman, we of the West are essentially producers of raw material and will be for some time to come. The agricultural development of the West has just begun—that of the East was finished sixty years ago by the grandfathers of the present generation. Until far more favorable conditions than now exist shall make the West a manufacturing people too, will we consent, nor would it be fair to ask us to consent, to the repeal of a tariff that protects our sole productions from the competition of the cheaper labor, cheaper transportation, and more favorable conditions that exist throughout the world. There was a time, not many years ago, when conditions were exactly reversed. Then New England and other of our eastern sister States were producers of raw materials, and we, of the Rocky Mountain West, produced hardly none. We mined our gold and trapped our furs, but neither industry was then, nor has ever been, in need of protection, while on the other hand, everything we then consumed carried in addition to an exorbitant cost of transportation, the additional burden of a tariff, placed thereon, not in our interest, but at the behest of the eastern producers. For your flour, bacon, hardware, woolens, powder, and guns we uncomplainingly paid a price which, if demanded farther east, would have caused a revolution.

We believed then, as we believe now, that to foster and protect each and every interest of this country, whether peculiar to East, West, North, or South, should be the common interest of us all; and upon that upright and correct economic principle we propose to stand.

The spindles and looms, the factories and mills are of no more importance to the dwellers on the Atlantic seaboard than the mined lead, the shorn fleece, the sawed lumber, and the sugar beet is to the producer of the western mountains and plains.

I, for one, am willing to try the experiment of tariff reform under certain conditions, but I prefer that it start way down east, where it originated, and come west by easy stages; and if, after a few years' trial back there, it does not result in substituting adversity for prosperity, we may try it on our wool, sugar beets, lead, and lumber with some degree of confidence and equanimity. [Laughter and applause.]

On the other hand, if tariff reform is to degenerate into a game of "I tickle you and you tickle me," I for one propose, so far as my vote is concerned, that Idaho shall have her share of the tickling. [Laughter and applause.]

Mr. STEPHENS of Texas. Mr. Chairman, under the leave given, I desire to have printed in the RECORD the resolutions adopted by the Cattle Raisers' Association of Texas, and also a letter by their representative, Judge Cowan.

The documents are as follows:

IMPORTANT RESOLUTIONS ADOPTED BY THE CATTLE RAISERS' ASSOCIATION OF TEXAS IN THIRTY-THIRD ANNUAL CONVENTION, ASSEMBLED IN FORT WORTH, TEX., MARCH 18, 1909, URGING THAT THE TARIFF ON HIDES AND CATTLE BE RETAINED AND THAT RECIPROCAL TRADES AGREEMENTS BE ESTABLISHED WITH FOREIGN COUNTRIES WHEREBY OUR SURPLUS OF CATTLE AND MEAT PRODUCTS WILL FIND A READY MARKET IN SUCH COUNTRIES.

Whereas a special session of Congress is now called to revise the tariff laws of the United States; and

Whereas the cattle raisers are vitally interested in the tariff on hides, because, as we believe, the 15 per cent duty on hides is equivalent to an average of $1 or more per head as an added value to grown cattle for the 14,000,000 hides produced in this country; and

Whereas to remove the duty on hides will bring the cattle raisers of the United States in direct competition with South America and Mexico, where cattle and hides are produced by cheap labor on cheap land; and

Whereas we recognize that it is an established fact that a tariff system will be continued which places a duty and an enhanced price on all articles which are manufactured and which we consume, including leather, shoes, and manufactured articles of leather; and

Whereas it would be an unjust discrimination to single out the stock raisers of this country and place their product upon the free list and in competition with the production of the world, yet compelling them to pay tariff prices on what they buy; and

Whereas so long as the tariff upon leather, shoes, and manufactured articles of leather is retained no benefit would accrue to the consuming public by placing hides upon the free list, but the effect would be to legislate out of the pockets of the stock raisers and farmers and into the pockets of the tanners, shoe manufacturers, and manufacturers of other leather products whatever of benefit is now received from the tariff on hides; and

Whereas the manufacturers and producers of leather, shoes, and manufactured articles of leather now enjoy the privilege of using imported hides for the purpose of manufacturing leather and the products of leather to be exported practically free of any duty, from which it follows that no considerable increased output of these articles will be occasioned by placing our hides upon the free list; and

Whereas there is a constantly increasing cost in the production of cattle and the business is carried on with small margin of profit; and

Whereas the prosperity of all the corn-belt and western range States is dependent upon the live-stock business and the producers of live stock are entitled to as full measure of benefit as other industries from tariff laws and to fair and equal treatment; and

Whereas erroneous and misleading statements have been made and widely circulated by the organizations of tanners and manufacturers of shoes and leather goods, in which it has been claimed, without any foundation whatever in fact, that the producers of cattle derive no benefit from the tariff on hides, which statements are based upon the assertion that the packers derive all of the benefit of the tariff on hides; and

Whereas of the total of 13,000,000 hides of cattle slaughtered the big packers slaughter only about 5,000,000 and the balance are slaughtered as extensively as the necessities of population and the production of cattle throughout the United States require; and in addition there are produced 1,000,000 fallen hides and 5,500,000 calf hides, of which the big packers slaughter only about 1,000,000, from all of which it is apparent that so far as the price of hides is affected by the tariff it must necessarily be an element in the value of the animal by whomsoever it is owned which must be reflected in the price to whomsoever sold; Now therefore be it

Resolved by the Cattle Raisers' Association of Texas (embracing in its membership cattle raisers from Texas, Oklahoma, New Mexico, Kansas, Colorado, Arizona, and many other Western States) in annual convention assembled at Fort Worth, on this March 16, 1909:

First. That we demand the retention of the duty on hides, expressing our willingness to place a reasonable minimum below the present duty, for the purpose of reciprocal trade agreements with foreign countries, if that system shall be adopted in the law to be enacted; or if a system shall impose above a reasonable tariff, a maximum duty for retaliatory purposes, then an appropriate maximum above the present 15 per cent duty.

Second. That we demand that the duty shall be made alike applicable on all hides of cattle and calves.

Third. We protest against the placing of hides on the free list as an unjust discrimination against the stock raisers and farmers as depriving them of the direct benefit to the farm and ranch in behalf of the interested manufacturers of leather, shoes, and leather articles.

Fourth. We hold that the fact that the tariff on hides increases their cost to the tanners and consequently the price to the purchasers, furnishes no basis or occasion for placing hides upon the free list, because the very system of laws in which it is proposed to place hides on the free list establishes a protective tariff system on practically every article which we purchase and consume, including leather and leather goods, with the expressed intention and for the express purpose of thereby increasing the price compared to what such articles could be purchased for in foreign countries were the duties thus imposed removed.

Fifth. We condemn as wholly erroneous and unfounded the repeated assertion made by tanners and manufacturers of shoes, circulated in the press and otherwise, that the tariff on hides is of no benefit to the stock raisers and the farmers. We concede to the manufacturers of leather and shoes the right to decide whether the tariff on their articles is a benefit to them, and we demand for the stock raisers and farmers of this country the right to themselves determine whether the tariff on hides benefits the producer, and we challenge their statements as entirely erroneous and as based upon nothing except an interested barefaced assertion.

Sixth. That a copy of these resolutions be forwarded to United States Senators and Members of Congress.

Resolved by the Cattle Raisers' Association of Texas, in annual convention assembled at Fort Worth, Tex., March 16, 1909. That we are in favor of the retention of the present import duty on cattle, with such reasonable adjustment and maximum and minimum schedules consistent with whatever tariff law is enacted as shall best subserve the interests of the cattle growers of the United States.

Whereas the surplus production of cattle and dressed beef can not find a ready and free market without opening to the products of this country the market of continental countries of Europe, Germany, and France; and

Whereas we do not export any cattle on the hoof or dressed beef to any continental country of Europe aside from Belgium; and

Whereas the great cattle-producing interests of the United States can only succeed in the fullest measure to which it is entitled by opening the markets of foreign countries to our surplus; Be it therefore

Resolved by the Cattle Raisers' Association of Texas, in annual convention assembled at Fort Worth, Tex., March 16, 1909. That we urge upon Congress the necessity of establishing such system of tariff laws as shall enable the Government of the United States to make reciprocal trade agreements whereby our surplus of cattle and meat products will find a ready market in such countries: Be it further

Resolved, That a copy of these resolutions be forwarded by the secretary of this association to the Members of Congress from the cattle-growing States, requesting their earnest support of such system of

tariff laws as shall best enable this country to secure the opening of such foreign markets to our cattle and dressed beef and other meat products.

AUSTIN, TEX., *March 25, 1909.*

Hon. JOHN H. STEPHENS,
Washington, D. C.

DEAR SIR: Judging from statements made by a representative of the shoe and leather organization at our convention, and before the Ways and Means Committee, and from circulars sent broadcast by the million, I believe that their advocates will contend in the debate on the tariff bill, as was contended on the meat-inspection-fee bill, which you will recall, that the cattle raisers are induced by the packers to advocate the retention of the duty on hides. This is entirely untrue. No representative of the packers ever communicated with any of the officers or executive committee of either the Cattle Raisers' Association of Texas or the American Live Stock Association upon the subject.

The packers are said to be extensively interested in the manufacture of leather, and, as you will observe by the statements of the tanners and shoemakers to the committee, they complain that the packers have gone into the leather business, and I have no doubt that is true as to some of them at least. If so, what they may lose, if anything, by putting hides on the free list on the one hand they will gain on the other, to the extent, at least, that they are in the leather business.

I assume that it is not unlikely that the fact that we stood with the packers in demanding, as most of our Texas delegation demanded, that the Government pay the inspection fees for live stock and meat inspection, that, therefore, we stand in with the packers as to hide duty. But in that case they were strongly advocating the same thing we were, while in this case they have not taken any stand and did not urge the matter before the committee. It would seem to me that, of course, they would be interested to a considerable extent to the retention of the duty—certainly if the contention of the leather and shoe men that they get the benefit has any foundation—unless that interest is counterbalanced by their interest in the leather business. Certainly all of the independent slaughterers ought to be interested, if the slaughterer gets the benefit, as they are not in the leather business, yet none of them have appeared.

We sent our briefs to the list of all slaughterers which we got from the Agricultural Department, with a letter requesting that they take action in the matter, but I have no information as to whether they did.

It is not unlikely it will be contended that because the packers and the live-stock raisers through the various associations have for three years or more jointly advocated in every way they could the extension of our foreign trade in dressed beef and live cattle, seeking an outlet on the continent of Europe where we do not sell any of either dressed beef or cattle, that the cattle raisers of the country and the packers stand in together. With respect to the opening of the markets to our products, our interests are precisely identical and our efforts have been made along the same lines, urging that reciprocal trade relations should be established that would give us access to European markets for these products, as we shall continue to urge.

These matters have been freely discussed in our conventions, and we have done all we could in that matter, acting in the same direction and for the same purpose, knowing that with Argentine gradually absorbing our trade in England, the only point of export, our foreign trade must be in the end seriously injured if we can not extend it to the continent of Europe. We are not fools enough to believe that we can sell them cattle if they can not dispose of the beef. Neither are we fools enough to believe that if by law the price of hides is reduced so that they do not get as much for them that they will not take off an equal or greater amount from the price of our cattle which they buy. We are in favor of the retention of the duty on hides because we know it to be to the interest of the cattle raisers, and they are all unanimous upon the subject, and this regardless of whether the packer may to some extent benefit by retention of the duty compared to what he would if it were taken off. I well remember wherein it was charged in a magazine article that because I advocated for the associations I represent that the Government pay the inspection fees that we were doing it for the packers' benefit. That did not deter me in the slightest, because I knew it was but an argument appealing to prejudice; so it is with respect to this matter. I know that the interest of the cattle raisers lies in the fact of retaining the duty on hides and cattle, whatever the tanners and shoemakers may think as to what benefit also goes to the packers. And I furthermore know that our interests and those of every exporter of beef, whether big packers or others—and there are many others—is identical, and we would be a set of blatant fools were we not anxious to secure the very widest distribution of our products, whether in form of beef or cattle on hoof, in order to give the opportunity at least for a better market at home.

Should the contention be made that because we act in union with the packers to secure a wider market for our products that our demand for the duty on hides is made in their behalf, I trust that it will not deter any sensible man from acting as the Texas delegation did in the meat-inspection fee bill—to demand the rights of the stockman, regardless of assertion that the stockmen are pulling the packers' chestnuts out of the fire.

You have been furnished with a statement showing that of the 14,000,000 hides other than calves annually produced they skin but 5,000,000; and if they keep the price high by virtue of the tariff, it is kept high alike for all others, and if every buyer knows that he can sell the hide for a good price, it stands to reason that the cattle raiser must benefit from that fact.

Forty-five per cent of the cattle sold on the Chicago market were sold to independent buyers and shipped to eastern points for slaughter. Of the total slaughter of near 13,000,000, the big packers slaughter 5,000,000. That they can largely dominate the market when there is a full supply nobody doubts; but often that condition does not exist, as is evidenced by the fact that we have had a good price for cattle for the most part for three years, except during the panic in the fall of 1907, when prices went down $1 per hundred, partly because hides declined about $4.

S. H. COWAN,
Attorney for Texas Cattle Raisers' Association.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, and had come to no resolution thereon.

SPEAKER PRO TEMPORE FOR THE EVENING SESSION.

The Speaker designated Mr. COLE as Speaker pro tempore for the evening session.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House, under its previous order, will stand in recess until 8 o'clock p. m.

AFTER THE RECESS.

The recess having expired, at 8 p. m. the House was called to order by Mr. COLE, Speaker pro tempore.

THE TARIFF.

Mr. OLMSTED. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

The CHAIRMAN. The Chair will recognize the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Chairman, I have listened with deep interest to the many able addresses upon this important subject of the tariff during the past three or four days, and I but follow the precedent established in not a few of these speeches, but with no less personal sincerity, I trust, in congratulating the Committee on Ways and Means for the excellent work and the conscientious discrimination that it has put upon this important measure. I believe also that not only the thanks of this body, but of the entire Nation, is due to those men who met here hour after hour, day after day, through many weeks last fall and laboriously worked through this great tangled mass of evidence which we have at present before us, and I can not let the opportunity pass without taking occasion to specially comment upon the labors of the chairman, the gentleman from New York [Mr. PAYNE], and the minority leader, the gentleman from Missouri [Mr. CLARK], on this side of the House, who, not only in their work on the committee, but also in their most exhaustive speeches on the floor of the House, have done so much to explain in detail the important provisions of this bill.

Though differing from many of the conclusions arrived at by the chairman of the committee, I must, nevertheless, accord to him my sincere convictions that he has sought in his work on the Ways and Means Committee to weed out some of the more glaring defects of the Dingley Act, both as they affect the revenue feature as well as protective policy. I trust, also, that I am not one of those who, looking for so-called "jokers" in the provisions of a party measure, believe that any deception was intended to be practiced in framing the provisions of this bill. I had far rather accept the explanation of the gentleman from Missouri [Mr. CLARK], who stated in his speech the other day that the greatest harm in framing such a bill comes generally from a lack of knowledge of the kind of business which was to be affected by the tariff schedules. This can be readily appreciated when it is considered that men who, though of wide and varied experience in matters of legislation, have nevertheless of necessity a very limited knowledge of many branches of manufacture, even the significance of the more or less technical terms used by the manufacturer being not very well understood. It is for this reason that the utmost care should be used in having a thorough understanding and anticipate as far as possible the actual operation of a law that shall attempt to deal with these subjects.

I think, indeed, the millenium in so far as tariff discussion is concerned is near at hand when we can find so near an agreement upon so many of the essential questions involved in this important subject as we have had presented to us during the past week. Do I go too far when I say that if we could really take our positions upon the one side or the other according to our own honest belief, there would be formed among the seats of Members a veritable checkerboard, so mixed up and alternating would be the gentlemen on either side of the House—to such an extent, indeed, that one would imagine that it had almost ceased to be a party question.

The recent convention of the advocates of the National Tariff Commission at Indianapolis, which I had the pleasure to attend, well illustrated how leading men of both parties can divest themselves of partisan prejudice in discussing the tariff question when not hampered in expressing their convictions by having to conform to some obsolete or overstrained planks of a po-

litical platform. Composed of many prominent business men and manufacturers of all political parties, it would have been a very difficult matter in listening to these discussions to have selected a Democrat from a Republican, men holding high positions in the public service expressing views that, had they been announced from the platform of a political convention, would have been denounced as a form of heresy. It is worthy of remark, however, that in all these able discussions, participated in by men some of whom now occupy seats in this House, as well as the Senate, there was but one common note sounded, and that was for tariff reform and more equitable methods of distributing the heavy burden of tariff taxation. It has, indeed, been a great misfortune, it seems to me, during the past two decades or more that the tariff issue has been made a political one at all, because it rests purely upon business relations and should have nothing whatever to do with politics.

I congratulate many of the Members of the other side of the House, also, in their coming to see the light of truth even at this late day; and it does honor to themselves and their constituents that no longer the slogan of the party, "Stand pat," will control their convictions or their votes. I believe that had it not been made a party question we would have been free long ago from many of the abuses that have crept in from behind this high-tariff wall of protection.

Before I undertake to more fully discuss the issues involved in this question of tariff I want to pay tribute and sound my note of praise to that great soldier, the hero of Gettysburg's bloody field, Gen. Winfield Scott Hancock, when, as a candidate for the Presidency of the United States, now nearly thirty years ago, he said that the tariff was a local issue. [Applause.]

Why, Mr. Chairman, he was not only figuratively but actually laughed out of court by the opposition in those days. You know at that time the party in power had the happy faculty of making fun of some of the most serious charges that were made against them, and from the time that the tariff was declared to be a local issue by General Hancock and ridiculed by Garfield's followers—and, by the way, before President Garfield died he had declared himself in favor of that tariff system that would eventually lead to free trade—from that time down to the present the people of this country from time to time have been refreshed and regaled by some of these party cries, such as "Let well enough alone," "Stand pat," "The foreigner pays the duty," and "The tariff should be revised only by its friends." Well, indeed, it would have been a huge and monumental joke if the friends of the tariff had come before this committee and sought to reform it along the lines which they would lay down. We would have had a tariff reform with a vengeance if all these interests, actuated by varying degrees of selfishness, the pronounced friends of the protective tariff, had been given unlimited opportunity to write out the schedules of this tariff bill. It has been owing to the more selfish desires of the "friends of the tariff" to revise it, and too often their success in doing so, that has led to much of the abuse in collecting and distributing huge sums of money for corrupting the ballot in past campaigns. This has had the double effect of not only bribing the voter, but of putting the successful candidates under obligations to those interests which contributed the money. No independent and conscientious work on behalf of the people can come from officials thus compromised. It has been a common charge, too often proved, that in national as well as state elections majorities have been secured by the use of huge corruption funds furnished by the beneficiaries of high tariff protection. So we have many reasons, gentlemen of the minority, to congratulate ourselves that we have, for the first time in the history of American tariff legislation—at least for thirty years—a divided House not based on party lines.

The gentleman from Indiana [Mr. CRUMPACKER], Republican though he is, so well expressed my own views that I not only wish to congratulate him upon his splendid argument but to take the liberty to quote some of it, for I feel that when I get through you will all agree with me, gentlemen of the minority, that it is in many respects pretty near the lines of good, sound democracy. The difference between us is more as to degree of protection needed than to the principle involved. Among other things the gentleman said in his speech of yesterday:

> There ought to be no unnecessary duties. Protective duties should not be unnecessarily high. When the Dingley law was enacted, the people of the United States felt little or no concern about monopoly or the suppression of competition on the part of great industrial combinations. The chief concern of the makers of that law was to fix protective duties high enough to take care of American industries under all conditions, with the view that in shutting out foreign competition healthy competition would be created at home. Since that time the problem of industrial combination has become a serious one in our affairs, and it is now as necessary to protect the people of this country against the imposition of trusts and monopolies at home as it is to protect legitimate industries from disastrous competition from abroad.

It is often charged that protective tariff creates trusts. Trusts are combinations growing out of the passion of avarice, and they are created to stifle competition and increase profits. Under this definition they are all bad and violate a wise public policy. When a trust becomes good, it is no longer a trust. All combinations are not trusts.

Now, here is the significant part of what he said:

> Trusts exist in free-trade countries as well as in countries that maintain protective tariff. The chief difference is that in the free-trade country there is no tariff behind which a combination can find shelter in increasing prices unjustly and imposing upon the people, while in a protection country, if the tariff is higher than is necessary to cover the difference in cost of production, combinations may degenerate into trusts and raise the prices clear to the top of the protection law with entire safety. This illustrates the importance of keeping the duties down to a reasonable protective basis.

Further referring to our wonderful efficiency and power of invention, the gentleman says:

> In addition to supplying our own markets with the products of the factory and the farm, we should seek markets abroad along the lines where our industries are capable of the greatest expansion. The natural resources of the United States in many lines are not excelled by any country in the world, and where machinery is a large factor in the production we are able to overcome the high price of labor and produce as cheaply as any foreign country. * * * The consuming capacity of the United States is such as to justify—more than that, to require—the employment of the greatest amount of machinery possible. No other country in the civilized world has anything like as large an exclusive market as the American producer has. Production here is carried on upon such an enormous scale with the use of powerful machinery that the high rate of wages is more than compensated for in the increased productive capacity that labor is given. At the town of Gary, in the State of Indiana, the United States Steel Corporation has recently completed a rolling mill that is capable of turning out 40,000 tons of rails or structural steel a month. The operation of that mill requires only four men.

It will be noted that Gary is the new town created by the United States Steel Corporation; and it is worthy of notice, according to the statement of Mr. CRUMPACKER, how little is left for the employment of labor when, as he states, the operation of such a huge mill requires only four men.

Quoting further, he says:

> Divided into shifts of eight hours each, it requires only 12 men to keep it running continuously. It is being operated day and night, week in and week out, month in and month out, upon the same type of steel, and there is a ready market in this country for every pound of steel produced at a good price. There is no such rolling mill in any other country of the civilized world. The immediate labor cost of rolling steel at the Gary mill does not exceed 20 cents a ton.

For which, by the way, I may observe that they are getting in the market for the product about $1.50 for each cent thus expended in that particular labor cost, according to this statement:

> No foreign country can establish and operate such a mill as that, because it does not have the market. A 5,000-ton order of steel rails or structural steel is a large order for an English rolling mill, and the change of model in rails and structural steel and the change of machinery from one order to another brings about loss of time at a serious cost; and while the wages paid laborers at the Gary mill are fully twice as high as they are in any other country, the labor cost of rolling in that mill is cheaper than in any mill in the world.

What the gentleman from Indiana [Mr. CRUMPACKER] has said of the efficiency of modern machinery and what he has told us of the extent of our home markets applies to almost every other line of manufacture in the United States. The necessity that formerly existed in this country to protect the manufacturers has largely disappeared, and a continuation of that policy as emphasized in the Payne bill is unjust, unfair, and burdensome to our people.

As an answer to the demand for tariff reform, we are told that our country has wonderfully prospered under the benign influence of high protection and that it has brought good wages to our workmen. That our country has made great advances within the past forty years I admit, but the same is true of free-trade England. With an extent of territory much larger than all of Europe, outside of Russia, with a variety and fertility of soil unequaled, with mines that hold almost every known mineral in abundance, and vast primeval forests of great value, our country has only awaited the toil of its people—the most progressive on earth—to take the lead in all fields of material development.

Our great rivers of the interior afford the means of the lowest cost of transportation to our agricultural and mineral products to the ocean points without breaking bulk, while the Great Lakes furnish a highway for the shipping tonnage greater than in any other territory of like extent in the world. It has been the boast of one great steel mill within my knowledge that it could produce steel rails from the iron ore taken the week before out of the mines a thousand miles distant. In like manner are transported at a minimum cost much of our grain, cotton, lumber, and coal.

If the panic of 1893 has been charged to the effects of the Wilson bill—though that law did not become operative for more than a year later—with far more truth can it be said that the high-tariff Dingley law could not prevent a panic. To my mind it has always been a great misfortune to the country that

in 1893 the usual cycle or period of time had again rolled around when conditions the world over were ripe for another serious business depression, as they have also been during the past eighteen months. Quick to take party advantage over such a misfortune falling under a Democratic administration, that party in the eyes of thousands of voters stood discredited in each succeeding campaign.

The beneficiaries under the high protective policy adroitly used the so-called Cleveland panic of 1893 as a terrible object lesson against Democratic success and tariff revision. And yet the present panic unfortunately lacks nothing of the distressing features of those times; the bread lines are as long in our cities; there are as many men out of employment; there is the same lack of business confidence; the failures throughout the country have been just as many and just as great. Can it be, after all, that we have been giving too much credit for our blessings to this false and fickle god of high protection?

When the Dingley bill was enacted into a law, it was claimed that home competition would answer all practical purposes for keeping prices down, but men were greedy then, as they are greedy now, and the fact of the matter is that the tariff was by that law placed so high upon our protected industries that no sooner were they entrenched behind this wall of protection from foreign competition than the forerunner of the modern trusts—gentlemen's agreements—was established. By means of such combinations the prices of the manufactured articles were gradually raised to a point just below what foreign goods of the same manufacture could be sold for in our markets. These concerns made large profits and declared big dividends. Coincident with the formation of these combinations, corporations with enormous capital stock, generally greatly watered, were formed. These stocks were listed and then, weighted down with an underlying load of bonds, were enabled, from the very large profits derived from the business, to pay satisfactory dividends. In a few years, enormous fortunes were made in these overprotected industries. Then came to their full development the trusts as we now recognize them, with a power and wealth far beyond the wildest dreams of the business world but a few years ago.

It is a fact too well known to be disputed that, in many instances, the comparatively great fortunes of only a dozen years ago have been since increased more than fourfold. I regret that I have not at hand any accurate information to prove my assertion, but I believe that I am within the bounds of truth when I express the belief that twenty years ago the percentage of those who owned half the entire wealth of the United States was four times greater than it is at the present time. Such a condition of affairs can not be healthy, and it is a complaint too often heard that such a policy has made the rich richer and the poor poorer. Why, then, continue for another term of years a system of taxation based on protective duties so high that these processes of concentration of wealth and power may continue to go on? Already the powers of the General Government are fully taxed by the heavy expenses to curb the powers of these great trusts. Shall we, then, continue to enrich them by overtaxing the great mass of consumers?

But it is not alone to our own territory that the power and scope of some of these trusts are limited, for they have already, so it would appear, becomes international in character. Shielded by the high protective tariff in their own country against outside competition, some of our manufacturers have been enabled to join world-wide trusts on the other side of the Atlantic.

I wish now to quote from the very interesting report of Mr. Charles M. Pepper, our own representative, the chosen agent of the Government of the United States, and to call your attention to his report upon the iron and steel industry in Germany, which was filed in the Department as late as month before last. Speaking of the syndication of the German iron and steel companies, Mr. Pepper said:

> In the general syndication of iron and steel companies there are some economic tendencies and counter tendencies the result of which can not be anticipated. While the syndicate stoutly upholds the system as applied to their customers, they did not take the same view as applied to themselves. This was shown in the unwillingness of the large glass furnace and rolling mills to be at the mercy of the coal syndicate when they met the situation by buying coal mines of their own.
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> In striving for the international markets, the German iron and steel manufacturers are quite willing to expand the system of syndication. At the present time there are international syndicates in several products. The German coal and coke syndicates have an arrangement with the Belgian coke syndicate by which French territory is divided between them, and occasionally the syndicate in one country will sell to the other coke for delivery in France. Some of the international syndicates are little more than price conventions, while others relate to the partition of the territory. The intangible but potent international rail syndicate counts in Germany as a leading member. It is understood that the rail syndicate includes the American, British, German, French, Belgian, and Spanish mills. Under it Germany has special privileges in the markets of Sweden, Norway, and Denmark. It also keeps out of the United States markets, while dividing with the mills of the United States and with Great Britain, France, and Belgium the South American territory.
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> The tube syndicate keeps it out of American territory in the sale of gas pipes, while under the rolled-wire syndicate a division of the territory is obtained. Under the tube syndicate a division of the territory is also obtained. Under the tube-syndicate arrangement the German works keep out of the French territory, in compensation for which the French leave Belgium, Switzerland, and Holland to Germany.
>
> While favoring the principle of international syndicates, the German manufacturer, as a rule, is not willing to join them unless assured that the German industry obtains its full share of present markets without prejudice to further development.

You remember, when you were schoolboys, of reading in Julius Cæsar's commentaries that "all Gaul is divided into three parts." I think that the modern successors of the ancient Gaul have gone very much further, because they have not only divided Gaul into three parts, but they have divided the commercial manufacturing business of the entire globe among them. [Applause on the Democratic side.] So I ask the question, in all candor and seriousness, of the other side of the House if, after all, some of these restrictive measures that we are trying to impose and provide for under this Payne tariff bill are going to meet the ends that are expected of them?

What has been accomplished in the international syndication of the iron and steel business is more than likely to follow in controlling the lumber trade, about which we have heard so many discussions during the past few days. I shall strongly favor and advocate putting lumber upon the free list, although I am not very hopeful of the promising effect we may get from it, because it is already known, as a matter of fact, that many big timber owners on this side of the line have already acquired vast holdings of timber on the Canadian side, and they are going to manifestly increase their holdings there the minute any free-lumber legislation is passed.

The same will be true in Mexico, to the south, because there also are immense timber tracts, some of which our own timber barons have already acquired. If they do that, Mr. Chairman, and control the situation in those countries as they do here, are they going to bring about any special competition in the prices at which we can get lumber? But I am willing to try the experiment, and I radically differ from some of the gentlemen, notably the gentleman from Michigan [Mr. FORDNEY] who, in his able speech of two hours the other day, extolled the protective tariff theory. In its praise he went beyond any limits I have ever before heard, and incidentally in the entire course of his speech scarcely referred at any time to the consumers—that vast army of men who are using lumber every day and attempting to build homes of their own. The same may be said of the speech of the gentleman from Washington [Mr. CUSHMAN], who likewise defended the tariff on lumber. He even went so far as to produce charts or diagrams and commenced a cross-examination and a joint debate with Members of his own party upon the relative merits, or shall I say demerits, of the protective duty on lumber over the protection accorded to the many and varied agricultural products of Nebraska. It was the old and familiar case of the "pot calling the kettle black" when he took the gentleman from Nebraska [Mr. KINKAID] to task for advocating free lumber. It was indeed an inspiring scene and presented an unusual opportunity for Members to get at the real unbiased opinion of what one Member of the opposition thought of the views of another when it came to asking protection for the products of his own particular locality. Figuratively speaking, in his threat, that if the tariff on lumber was taken off, its friends might retaliate upon members of his party who had brought it about by reducing the protection on their own favored interests, the gentleman from Washington [Mr. CUSHMAN] might well have said: "If you take our hand out of the consumer's right pocket, we will see that you are compelled to take your hand out of his left pocket." That is about the size of it. [Applause.]

Referring again to the merits of the tariff on lumber, although the gentleman from Michigan [Mr. FORDNEY], himself a large timber owner, stated, if I remember correctly, that there were about 26,000 saw and planing mills in the country, and that many of them might be seriously injured in their business or their profits greatly lessened if free trade on lumber was brought about, but he had little or nothing to say about the benefits that would accrue to ten times that number of men who desired to build homes every year in this broad country, and who have a just complaint if we should seek to place a tribute upon them for the exclusive and sole benefit of this comparatively small number of manufacturers in the lumber business. [Applause.] While he was frank enough to admit that if he could have the exclusive rights to a given business he would get as high a price as he could for all he sold, he was not successful in proving that, however natural this spirit

might be, it was right; and we are not representing our constituents in our different districts if we do not look after the smaller fellow, that his demands may be heard in shaping the provisions of this bill.

Mr. DIES. Will the gentleman allow me to ask him a question?

Mr. SHARP. Certainly.

Mr. DIES. If I understand the gentleman, he is in favor of placing lumber on the free list——

Mr. SHARP. I would do so.

Mr. DIES (continuing). For the purpose of building homes. If I understand the situation, it requires some window glass and some iron to fix the hinges, and would require some clothes for the backs of those who occupy these homes. Is the gentleman in favor of placing all these things on the free list?

Mr. SHARP. I am.

Mr. DIES. The whole business?

Mr. SHARP. I am in favor of the whole business. [Applause.] Perhaps there is no product concerning the tariff duties on which there has been a more earnest contention on the floor of this House than that of lumber. I may add with equal truth that no other schedule on the entire list covered by the Payne bill has so greatly interested the mass of the people. While admitting that it is a question upon which there are arguments more or less specious on both sides, yet I believe that if the relief is ever to come, not only for the consumer, but as an important aid in husbanding our forest reserves, the time for such a relief is now.

More than once in this discussion from the other side has been the question of the wisdom of appropriating large sums of money and enacting laws to reforest our barren lands in order to conserve our supplies for the future, when at the same time practically a premium is placed upon the destruction of our remaining supply of timber by imposing a protective duty upon it. The policy of more than one timber and lumber concern in this country in the past has been to preserve their own holdings as long as possible and buy from outsiders for their own use. The mere fact that such companies have in store a timber supply of their own, thus making them independent, causes them to get their outside supply at a lower cost. If this is good business for private concerns, is it not equally wise for our country when, before our timber supply is exhausted, we may be enabled to draw on the great reserves in Canada for our present needs? Surely the stumpage owners of this country can not justly complain at the removal of this duty when their holdings have increased in value on an average of more than 300 per cent in the past decade. I believe, too, that cheaper lumber will tend to greatly increase building operations, thus giving work to thousands of mechanics. It should greatly stimulate the real-estate business and more than ever make our country a people of home builders. While, as I have before stated, I must frankly confess that I am not so optimistic as to believe that these prices would be so materially lowered as some advocates of free lumber believe, because the big timber owners on this side of the line have already acquired large interests in the Canadian and Mexican forests, yet the moral effect of free lumber, aided by the importations from the smaller and independent timber holders in those countries, will prevent a further rise in lumber for many years to come.

What may be said in favor of modified duty on lumber may be repeated, in so far as applicable, in favor of free hides, from which so many articles of wearing apparel are manufactured. In this connection, and while discussing free raw materials, the gentleman from Alabama [Mr. UNDERWOOD] has correctly said that free raw material is in the nature of an additional protection to the manufacturer using such material. If, therefore, there is no compensatory reduction in the cost of the manufactured article to the consumer, the law would give but very little benefit from extending the free list. I believe this is the correct view to take, and I believe the duties now placed upon the articles manufactured from such free raw materials should be either correspondingly lowered or put upon the free list. What the overcharged consumer of this country needs most is low-priced building material, wearing apparel, and food products. I am emphatically in favor of any tariff legislation that shall bring about such results.

For this reason I believe the present bill is defective in trying to provide a revenue from duties levied on tea, coffee, sugar, fruits, and spices. Fortunately the voice of the people is being heard in protest against the imposition of this kind of tax, and it is my prediction that most, if not all, of these articles will be put on the free list before this measure becomes a law. Some of these food products, like spices, a daily necessity on the table of every family, have actually been taken from the free list in the Dingley law and put upon the protected in the Payne bill.

In the item of lemons, though of comparative insignificance, the protective duty has been increased by 25 per cent over that given by the Dingley Act. The principle involved in this additional amount of protection is typical of that often used in applying the protective theory—that of overtaxing the consumer that a home industry, by charging exorbitant prices to overcome natural obstacles, may be allowed to greatly thrive at his expense. It is known that for years past the California production of lemons has been only sufficient to supply about one-third of the demand—surely not a case of overproduction causing a losing business. The section of the country where these lemons are produced lies more than 2,500 miles away from the center of our population. In other words, a consignment of home-grown lemons, in order to reach the average consumer, must first travel this great distance by rail—indeed, in many cases where they reach the Atlantic seaboard they must be carried clear across the continent. Who pays the freight? Most certainly the consumers. Is it just that the people of this country who consume this fruit and outnumber the lemon growers as 1,000 to 1 should be so unjustly burdened in order that this industry shall so prosper? Would it not be far more just that only such a reasonable duty should be levied upon the imported fruit as to prevent it being brought into competition with the California product at the more interior points? Such a policy would permit the producer and the consumer to live and let live; it would allow home-grown fruit a fair degree of protection, at the same time affording reasonable competition in prices from the imported fruit. Surely, in the protection accorded this industry of lemon growing the American consumer, to indulge in the vernacular of the day, has been handed the biggest kind of a lemon of the most pronounced yellow hue. [Laughter and applause.]

Additional protection under the Payne bill to ladies' and children's gloves, amounting in some cases to an increase of fully 100 per cent, seems to me altogether wrong. It has been admitted on this floor by gentlemen on the other side of the House that in the way of making men's gloves we excel the world, and that to-day we manufacture nearly 90 per cent of all those used in this country. If this is true, it is difficult to see where the former duty in the Dingley Act, to say the least, was not sufficiently high to encourage and protect our home manufacturers of women's and children's gloves.

In advocating a substantial reduction in many of the duties imposed under the Payne bill—in other words, favoring a revision downward—I do not go and have never gone to the length of advocating free trade or, if you please, for the tariff for revenue only. I believe in a reasonable protective tariff in cases where home industries, until well established, need a protection against certain inequalities that may exist.

Mr. DIES. You say you want reasonable protection for your industries?

Mr. SHARP. I want protection for every industry until it is able to stand on its own feet. [Applause on the Republican side.]

Mr. DIES. I ask the gentleman not to forget the 5,000 boys who are rolling logs and stacking lumber down in my part of the country.

Mr. SHARP. I feel very much like the eloquent gentleman from Kentucky [Mr. JAMES], who said to-day in his speech that if we were to protect industries until they got to a point where they could stand on their own feet, still we do not feel like continuing that protection until they stood upon everybody else's feet. [Laughter.] I think the limitation is a wise one, for if there is anybody in this country so fortunate as not to have had some of those great protected industries standing upon his feet, I wish to congratulate him for his freedom. [Applause on the Democratic side.]

Inasmuch as it has been frequently claimed upon this floor within the past few days that good trusts will never raise the price beyond what is considered reasonable, I wish to take occasion, by way of illustration, to quote from a limited portion of the testimony of Mr. Gary before the Ways and Means Committee, to demonstrate how vague and uncertain is this standard of reasonable price:

Mr. CLARK. I understand you to say, and I know that Mr. Schwab said—of course I am not trying to play one against the other—that the railroads did not object to paying this price of $28 per ton?

Mr. GARY. This is true of him—or it is probably true of him—because he sells his rails to the railroad companies whose tracks go by his mills and who get large sums of money from him in the way of freight.

Mr. CLARK. What would the railroads out in that part of the country say to that proposition in Missouri? Do they really want to pay $28 per ton?

Mr. GARY. This is what they would say: If $28 per ton is a fair price, taking everything into account, we will pay it, and if not we will do better if we can.

Mr. CLARK. But they can not.

Mr. GARY. They can if they can satisfy us that $28 is too much on them. They can as far as our company is concerned.

Mr. CLARK. It would take a good deal of argumentation to do that, would it not?

Mr. GARY. Well, yes; of course. I have expressed my own opinion.

Mr. WEISSE. Did not Mr. Schwab say the railroads wanted a price of $28?

Mr. SHARP. So you see that the price has been placed at $28 a ton, and it has been kept there through thick and thin.

There has been much comment in the press of the country of late to the effect that, by the time the Senate got through with this bill, its own father could not recognize it. Let me express the hope, Mr. Chairman, that this House may so amend the defects in this bill as to get the credit for so doing before the country. Let us recognize the fact in time that, though the Government is very much in need of revenue, due in no small measure to past extravagances, yet there are better ways in which to provide this revenue than by taxing the necessaries of life. Since it is no longer denied that the consumer pays the tax, let us so frame the provisions of this bill that no unjust proportion of the burden of that tax shall rest upon his shoulders. [Applause.]

Mr. NYE. Mr. Chairman, I hardly hope to add anything of value to this prolonged discussion. We are in council here as representatives of a great people and a great Nation, and while I believe in the efficiency, power, and potency of political organization, to my mind it is gratifying that so little partisanship displays itself in this debate.

I shall offer my unpretentious counsels at this time for whatever they may be worth. I am not going into great detail on schedules. I am going to offer a few general observations in criticism of this bill, for now is the time for us to do it, if at all.

I share with many other gentlemen who have spoken on the question in my appreciation of the patient labors and the able services of the great committee which has reported this bill. Every Member of the House is indebted to their long service and their faithful service—to the entire membership of that committee both Republican and Democratic. It may be before we shall conclude this discussion that we shall be led to believe that this committee has gone further and deeper into the subject than we who may criticise it have had an opportunity to do. Every criticism that I make I make in perfect good feeling, by way of suggestion, simply for what it may be worth.

Not only do I appreciate the services of this committee, but for myself personally I sympathize with them. They have seen human selfishness in its worst form. They have seen the very tooth and claw of human selfishness. Men of fortune and power have pleaded before them for their particular interest or their particular industry. Sectionalism, locality, special interests, and selfishness in every form have piteously plead before that committee for months, until it is a wonder to me the committee does not doubt the virtue of the human family itself.

I am glad to say, and I can say it freely, that I stand here as an advocate of no particular interest, and certainly the enemy of no legitimate industry. I am from the West. I represent a people who feel disappointed at this bill. They believed, from the professions made and the party platform adopted, that the country would have a radical reduction of tariff duties in the interest, generally speaking, of the consumer; and they feel that this bill does not come up fully to their expectation. [Applause on the Democratic side.]

I may be verdant, but I believe that even in politics we should practice such a degree, at least, of honesty as may be compatible with this wicked world in which we live, and that we should act in good faith.

I said over and over again that I fully and thoroughly believed in the promises made in the platform of this great party of liberty, of protection to American industry and American labor, and I felt that the great standard bearer of that party, who has come to the office better equipped, perhaps, than any man in our Nation, meant every word that he said as to a thorough revision of the tariff. Not a revision that it requires hairsplitting and close reasoning to discern, but a revision which the people would recognize at once as one that would be beneficial to the interests of the entire country. I give the committee the full benefit of every doubt. I am warranted in presuming that they understand better the general effect of this bill than I do.

From the discussion in the case, if I were to find from the evidence, I should say there is some preponderance of evidence on the side of the proposition that the bill is an improvement upon the present law as it now stands; but I want it so that the layman, so that the common mechanic and the common workman and the small tradesman and the farmer will feel and know that this is what the great platform promised, and will welcome it as a thorough revision in the interests of all the people of this country. [Applause.]

The subject underlying a discussion of this question is one which pertains to the general welfare of the American people. Among the powers granted to Congress are those of laying duties and imposts, collecting revenue, paying the debts of the country, providing for the common defense, and the general welfare of the United States; and I take it that the judiciary branch of our Government, speaking from the highest tribunal, has approved and sanctioned import duties that are laid along the lines of protection to American industries, on the ground that they are for the general welfare of the American people. I might take as a text for my remarks the general welfare of the United States; not section, not selfish personal interest, but a discussion and a determination of the question by men who shall, at least for the moment, rise above those selfish considerations and those sectional and special interests which may be back of them, to the general welfare of all. We have a great country and a great people, and whatever I may say to-night, I want to leave the impression of optimism and the impression of faith in this splendid Republic of ours—the grandest under God's blue sky. With a vast population of eighty-five or ninety millions of people, energetic, enterprising, inventive, progressive; with a vast and mighty industrial and business machinery, complicated and delicate, such that you can not injure it in one part without communicating the injury to all parts; with a vast and mighty wealth; with the most efficient labor in the world, we deal with a great and mighty question.

If we multiply idleness, we multiply want and misery and wretchedness, but if we touch with friendly and wise hand the springs of American industry, multiply production and keep the American hand and the American brain at work, we will have solved the problem, it seems to me, for the hour, and solved it well.

Mr. Chairman, I am a protectionist, born in the Republican party, of abolition stock; I have been reared in the school of protection, and I want in connection with whatever observations I may make on this bill, to refer to some of the arguments, old indeed, in order that we may consider how far the conditions of to-day make them effective and vital now. We have always believed, and I guess almost everybody is coming to believe, that so far as an industry is an infant industry, it is wise statesmanship to protect it. For my part I am glad that a great statesman and patriot like Henry Clay has lived and left the impress of his great mind upon the industries of this country. [Applause.] It was urged in the days of academic discussion upon this great question by those who favored free trade, that we should allow perfect freedom of exchange of commodities between the nations of the earth in the interests of the consumer, and that we lost nothing by purchasing abroad, and that the duty levied would naturally be an added burden to the consumer.

Friends of protection answered that perhaps a burden would result temporarily, but that it was their belief that when the industry was started natural competition would spring up and in a short time the price would fall below even that which obtained before the tariff duties were laid; and time and again in the history of this country has this prophecy and this theory been verified. To-day, while I do not claim everything for the protective theory, and while I do not claim everything for any political party, I believe that the stupendous wealth, the vast and diversified industries of our country, its prosperous condition on the whole, and its general advancement, have been largely due to a wise policy of protection to American industries and American labor. [Applause on the Republican side.] It was the thought, however, that the creation and establishment of the industries would by the processes of competition result in general benefit to the American people, and to-day I say that none of us can afford to be blind to the fact that by reason of the evolution in commerce and trade and business in this country, the vast and mighty combinations and trusts, competition has been suspended and almost wholly throttled, so that we are dealing with an entirely different condition and with new factors in the great industrial problem. It matters not whether you call them combinations or trusts. I am not making any violent tirade against trusts and combinations.

I believe it to be a natural evolution; I believe that if combinations and trusts were just and wise and humane, and if they shall be properly controlled and regulated by wise legislation, they may prove, and I believe will ultimately, beneficial to the great American people. If you could combine all the wealth and all the industries of the world, perhaps, under one head, and that head should be wise and just and humane and kindly to all men, I doubt not it would be a boon to the human family. Millions of the hungry would find bread; millions who were cold would find shelter. The evils are not in the combinations which result from the evolution of our day. Their general tendency to multiply the power of production, eliminate waste,

and narrow the margin of profits are beneficial. The evil is the same old evil, the enemy that has stood since the morning of creation in the pathway of human progress—selfishness, greed, and absolute recklessness as to the rights and the welfare of our fellow-men. This is the reason, and for this reason during our stage of advancement, and on our plane of civilization, it is of all things most essential that legislation control and regulate these vast combinations and trusts.

Some tell us there is no combination in this industry and that industry and the other. The distinguished gentleman from Michigan [Mr. FORDNEY], whose able and instructive address furnished enlightenment to all of us—I know it did to me—grew quite excited for a moment, and the House seemed to be in danger of quite a conflict for a time.

Hot blood leaped to the cheeks of men for a moment, for in the progress of debate some one dared to intimate that possibly somewhere in the great lumber industry there might be an organized interest, a combination of some kind or a trust, and the gentleman from Michigan resented it very much. Well, there is a good deal of unconscious humor going on in the world anyhow. If it was not true, why get mad about it. If it was true, he would have played the game a little better not to have gotten mad about it. [Applause.] For in spite of all, the denial, as to a combination if you notice, was not so much of a denial as it was a challenge to prove that a trust did exist. [Applause.]

Ah, there the gentleman has us. We can not accept the challenge. I can not. It has baffled the Government itself to prove the gentlemen's agreement or combine or trust or whatever you please to call it. The little farmer out West building a granary or a barn or a house can not explain what the trouble is; he can not demonstrate that there is a combination. The humble mechanic in my city and in your city and in all the cities seeking to build a shelter above his wife and children can not explain how he is met by exorbitant prices, but he somehow feels that between the lofty pine tree that God planted centuries ago in the forests and the little batch of lumber brought to his door, there is something that has burdened him sorely, and he does not care whether you call it a combination or a trust or what you call it. He feels that he is oppressed and wronged.

We feel sometimes in my city that between the coal that sleeps in the mines in Pennsylvania and the coal delivered to our bins that there is something; we do not know what it is; we can not explain it. The cost at the mines is almost insignificant, but when it is brought to that man's door and to my own door in my city it is $8.75 or $9 a ton. We do not care whether you call it a combine or a trust; we do not care whether it is the retailer or the miner or who it is; we feel there is something wrong somewhere and we will not split hairs with anybody. If we had honesty in business, if we had good measurement and good weights and a sound dealing between man and man we would not have to rack our brains very much over this proposition of tariff. The great sugar trust, handling a commodity whose profits have reached colossal proportions, was not content with these profits, but entered the domain of crime, and now stands convicted of stealing outright from the Government of the United States in weights. I tell you, gentlemen, as a Republican, this great question of combines and trusts and dishonesty in business of to-day makes the mere matter of a little change, whether it protects or not, but dust in the balance compared with the question of sound and honest business principles. [Applause.] So I say that while the theory of protection to infant industries was correct, while it was in a sense creative, while it was the impoverishment of no other nation, but added to the sum total of the Nation's wealth, and while it has tended to produce our diversified industries and make us a country that is the wonder of the world in a half century's growth and development, still we must face the proposition that with the commercial and business conditions such as they are to-day it is not so much a question of a high tariff as it is a question of dealing with these other conditions.

I believe in protection. I shall stand for it, probably support this bill, but I believe we can make some changes in it which will be beneficial and which will make the bill as it ought to be, so that you and I and all of us can go home to our people and say, "We promised you bread, we have not given you a stone." The general welfare means everybody, and the general welfare means perhaps in the industrial world, first of all and the most important of all, the workingmen. Protection was advocated for the workingmen. I believe it was right, and I believe it is right to-day. I do not want to indulge in any cheap talk about labor. I believe that there is an idea at the bottom of this Government. It sprang from an idea. We have generally said that that idea is freedom. Perhaps that is correct, but if I were to attempt to be more specific I would say that it was founded upon the idea of the infinite possibilities of the individual man in America, high and low, rich and poor. Thank God the idea of this Government and of our fathers was that here in this country men could start at the very bottom round of the ladder and climb to the top—the development of the individual man—and I believe it. I believe this is the idea at the bottom of the American Nation. This is the general welfare of the American public. The same infinite power and infinite mind that clothes the grass of the field, that paints the lily and the rose, that lifts from the slimy ooze of the pond the immaculate lily that spreads its white hands to heaven, the same infinite God beckons man from the cabin, from the cottage, the wilderness, the shadows of oppression and bondage, up into the glorious liberty of the sons of man. [Applause.]

A nation of but one employment, of but one industry, is always a poor nation, always the slave of other nations; no matter what employment, if it be the most noble, perhaps agriculture, at the same time the mere producer of raw material for the improvement and manufacture of other nations, that nation will always be a slave. Not only that, but there will be a dead level of intelligence. The diversified employments of men, the mills and the factories where the inventive genius of men is quickened and thought is aroused and there is intellectual life and enterprise, that is the nation that will tower above the nation which produces raw material and lives to support other nations.

And while, as I say, I believe in this great policy of statesmanship in the past, and believe it a great factor in our immense growth and development, I still feel we must deal with present conditions and not unduly exaggerate the importance of merely protective duties. And even here again the workingman says, "Do I get this protection? Do I get the full benefit of this theory?" Sometimes truth is better felt than understood. It is not always the wise and prudent who discern the truth. Sometimes this marvelous thing we call "truth" is revealed unto babes, and it is not the arrogant and the learned, but it is the humblest, poorest, and it may be the most unlettered citizen of the land, who best understands it.

And these men tell us that because of commercial and business conditions there is not so much virtue in mere protection as there was twenty-five or fifty years ago. I am calling to the attention of you gentlemen the fact that you have got to go face to face to your people in your districts and in your regions and convince them that this law is a substantial improvement on the present law. [Applause on the Democratic side.]

The gentleman from Ohio [Mr. LONGWORTH] frankly and ingenuously admitted in his speech that he understood the declarations in our platform to mean a reduction downward and not upward, and so did all of us understand it. [Applause on the Democratic side.] So President Taft believed, and so he believes to-day. Are we getting it? Let us have a law that a wayfaring man, though a fool, may not err therein and may know that the promise was not a hollow pretense, but it was because we meant it.

As I said, I am not representing any particular industry. I come from a city that I think is a great city, the child of half a century, with about 300,000 population. Its two great arms of industry have been flour and lumber. If I were speaking to-day as some Members speak in this House, I would be contending here for a high tariff on lumber. But I believe the great masses of people in the country, and even in my own district, believe that where the profit of an industry has reached enormous proportions, such as lumber, it is a hollow mockery to talk about further protection to that commodity. [Applause.]

The bill is disappointing to these people. We may as well face it now as any time. We can remedy it. A few changes may place it where all men will admit that it is an improvement along the line of what the people want in this country. I know sometimes there is a weakness, and I may be accused of it—of pandering to what is called "popular clamor." I do not want to do this. But when a sentiment has grown in a series of years in a great country like this, reason teaches us that there is something at the bottom of it that is sustained by reason and common sense. This sentiment, expressed throughout the entire year of 1908, on the hustings and at every political meeting that I know anything about, sprang from that honest feeling of the American people which no sophistry, no finespun argument can do away with. Let us go at it and make the improvements that we ought to make in the bill. I notice the title of the bill is "A bill to provide revenue." Notice the order. "To provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." That theory is right—to suit and to fit the conditions of the day. It is that order: Revenue first.

Mr. DIES. I would like to ask the gentleman a question, if he has no objection.

Mr. NYE. Very well.

Mr. DIES. I understand the gentleman wants to place lumber upon the free list?

Mr. NYE. It is my belief——

Mr. DIES. The question is this: Does the gentleman think that a roller or lumber stacker at the mill, with everything from the hat on his head to the shoes on his feet protected by a high-protective tariff, should find his own lumber on the free list, or does the gentleman propose to put it on the free list?

Mr. NYE. I had not made any announcement particularly. Of course, the gentleman rightly infers the tendency of my statement.

Mr. DIES. I will await the gentleman's announcement.

Mr. NYE. My own judgment is that where the profits of an industry to the manufacturer are so enormous, if he can not afford out of the vast products of that labor to pay and pay generously every man and every hand that contributes to it, he must be a mean man. [Applause.]

Mr. DIES. Then, if I understand the gentleman, he would place the products of steel and iron, glass, sugar, lumber, and all the leading articles of this country on the free list, because they ought to be able to pay their employees? Is that the position of the gentleman?

Mr. NYE. Not exactly that; nor have I said so. My position generally is that where an industry has grown so powerful and its profits so enormous, it is idle to talk about protection for the benefit of the laboring man or for the general welfare. In this connection permit me, just by way of illustration and answer, giving my point on this proposition, to read two short paragraphs from the testimony of Mr. Carnegie in regard to the steel and iron industry. He said:

> Just as the Republic has won supremacy in steel and can to-day, even during this temporary world-wide depression, send it profitably to every free market in the world in successful competition with all other manufacturers, so is she to win this proud position in one field of industry after another, her enormous standardized home market being one of the chief elements of her conquering power. Many foreign luxuries will still be imported, but these should yield revenue paid by the rich consumer.

This is from his magazine article:

> The writer is confident that this prophecy will soon be fulfilled, for nothing can keep the Republic from speedily dwarfing all other nations industrially, if she only frowns upon great navies and increased armies and continues to tread the paths of peace, following the truly American policy of the fathers.

I am glad he puts in that last, so far as I am concerned. I rather enjoy it.

Mr. EDWARDS of Kentucky. Will the gentleman yield to a question?

Mr. NYE. Yes.

Mr. EDWARDS of Kentucky. You have stated that the two chief industries of your city are flour and lumber.

Mr. NYE. Yes; though lumber is not so much as it was.

Mr. EDWARDS of Kentucky. And you have indicated that you would favor free lumber. Now, I would like to ask you if you would favor free flour and free wheat?

Mr. NYE. No; I do not favor free wheat. [Laughter.]

Mr. DIES. How do you expect our fellows who stick for lumber to eat your wheat if you put lumber on the free list and do not put flour there?

Mr. NYE. Well, I am not aware that the flour industry is so profitable as the lumber industry, and a different rule entirely applies, because in the lumber industry you have a limited product, not an annual crop. In the flour industry it is to the interest of the American people to grind as much wheat, whether it be grown in this country, Canada, or any other country, and ship it in the shape of flour rather than wheat.

Mr. DIES. Our laborers in the mills have not a limited appetite, though they may have a limited pocket.

Mr. NYE. Oh, I am not sure that laborers would not be better off if they did have a more limited appetite.

Mr. ENGLEBRIGHT. Will the gentleman yield to me?

Mr. NYE. Yes.

Mr. ENGLEBRIGHT. I understand you come from the town of Minneapolis, a town of 300,000.

Mr. NYE. I am sorry to hear you call it a town. [Laughter and applause.]

Mr. ENGLEBRIGHT. Naturally a city of 300,000 represents a great deal of wealth. If I understand it, the business of that city has grown up through the lumber and the flour industries.

Mr. NYE. Very largely; I do not mean to say wholly.

Mr. ENGLEBRIGHT. Will the gentleman kindly explain which industry that city made its money out of?

Mr. NYE. It would only be a guess; much wealth has been made, no doubt, from both. I am glad of it. I like to see every industry prosper, and I would not do an injury to any industry. I have not stated in terms that I am for absolutely free lumber. I have said that I failed to see how men on this floor, having shown an industry with such great profits, with prices trebling and quadrupling almost in a decade, should clamor for this great protection. [Loud applause.]

Mr. EDWARDS of Kentucky. Will the gentleman yield?

Mr. NYE. Certainly.

Mr. EDWARDS of Kentucky. The gentleman does not mean to make the statement that the prices of lumber have trebled and quadrupled in the last decade?

Mr. LANGLEY. If he does, I wish he would state the basis of the assertion. Will the gentleman put the authority upon which he bases that statement in the RECORD?

Mr. NYE. Well, I can come pretty near to giving the best evidence of it. A little over ten years ago, repairing my house in Minneapolis, I paid $9 a thousand feet for lumber that was better than the lumber I paid $27 a thousand feet for two years ago this spring. [Loud applause.]

Mr. EDWARDS of Kentucky. Now, Mr. Chairman, if the gentleman will pardon me, I will state to him that the great flouring mills of his city have established branch mills down at Louisville, Ky., and that the people of my district who produce lumber and coal and buy their flour believe that his people are maintaining the greatest trust in this country, and that is the flour trust. I will say to him further that if he will send down into my country, I will give him a bond that he can buy ordinary lumber at less than 50 per cent advance on what it cost us fifteen years ago on cars at the mill. [Applause.] I put that statement against the gentleman's statement that lumber has trebled and quadrupled in a decade.

Mr. NYE. I am not familiar with the very recent prices of lumber, but I do know that I stated the facts in my own experience. Whether it was a local condition or not, I do not know. I do not think it was altogether. I think that if you go back to November, 1907, and take the ten years preceding, my statement will be fully verified by the history of the country.

Mr. SMITH of Michigan. Did not you purchase that lumber at $9 a thousand under a Democratic administration?

Mr. WEISSE. Twelve years ago you could buy the finest quartered oak at $30 to $45 a thousand, select. To-day you can not buy it for less than $150 a thousand—the same lumber. White, soft pine sold twelve years ago at $18 per thousand, for tanks, and you can not buy it to-day for less than $72 a thousand, and I have bought them both myself and paid the bills.

Mr. LANGLEY. And I would like to see it higher than that. I believe in high prices, including the wages of labor.

Mr. ENGLEBRIGHT. Would the gentleman like to make a contract for the purchase of lumber at those prices?

Mr. NYE. No; I am not making any contracts.

Mr. ENGLEBRIGHT. If the gentleman would like to make a contract at those prices, he can be accommodated.

Mr. WEISSE. You are not buying California lumber, but Wisconsin white pine and Wisconsin oak, that you can not raise in California.

Mr. HUGHES of West Virginia. You can buy, in West Virginia, for less than half that price, a good deal better oak than they ever had in Wisconsin. The figures which the gentleman gives have no foundation in the price lists.

The CHAIRMAN. The gentleman from Minnesota is entitled to the floor. [Laughter.]

Mr. NYE. I had begun to doubt the statement of the chairman, but I guess it is true. I am glad to have a little object lesson of sectionalism here.

Mr. WEISSE. It appears that the gentleman from West Virginia questions my statement. I can prove it to him and present the bills, if necessary.

Mr. HUGHES of West Virginia. I do not see why the gentleman desired to buy the lumber in Wisconsin when he could buy it for half the prices that he mentions in West Virginia. I know the gentleman can buy just as good white oak as they have any place for less than half the price mentioned, and he will have to show me the statements before I will believe them.

Mr. WEISSE. I will produce them for the gentleman's benefit, if necessary.

The CHAIRMAN. The gentleman from Minnesota [Mr. NYE] has the floor.

Mr. DIES. Before the gentleman leaves the lumber question——

Mr. NYE. I left the lumber question some time ago. [Laughter.]

Mr. DIES. I wanted to ask the gentleman if it is not a fact that you cut down your trees in Minnesota and saw them into lumber and sold them to us in a high-tariff market, and if what you want now is a free market in which to buy your lumber?

Mr. NYE. The men for whom I am speaking do not want that by any means. We have been cutting our forests; and since you have spoken of that I want to say that this argument about the necessity of high protection of lumber in order not to use the poorer lumber here in this country seems to me to be far from verified by the facts. I have observed for years the logs in the booms, and my observation has been that they have been cut pretty close. I do not believe they have left anything in the woods but the limbs for years. Yet the argument seems to be that if we do not have protection the lumberman is obliged to cut his poor lumber. That is, as I understand it. He is doing it now and has been for years.

Mr. SMITH of Michigan. Before the gentleman concludes his remarks, will he point out specifically just what changes he would like to have made in the bill, and why?

Mr. NYE. I prefer not to. The gentleman does not want to listen to me all night. [Laughter.]

Mr. SMITH of Michigan. No. I have enjoyed the gentleman's speech very much, but I should like something more specific. When the gentleman says he would like to have changes made, I should like to know what the changes are that he wants.

Mr. LANGLEY. Do you want high prices or low prices?

Mr. NYE. The changes, generally, that I would make are in the interest of the American consumer and a revision downward every time.

Mr. SMITH of Michigan. Now, will the gentleman point out the changes and how the result he desires is to be accomplished? I am asking this in all good faith.

Mr. NYE. I am aware of that.

Mr. SMITH of Michigan. I have heard a great deal about revising downward and taking care of the consumer and all that. Now, let us see how it can be done.

Mr. NYE. I stated at the outset that I was not going into details as to schedules.

Mr. BURNETT. Suppose you strike out all after the enacting clause?

Mr. SMITH of Michigan. And go back to the Dingley bill.

Mr. LANGLEY. Would not that bill be better than this one?

Mr. NYE. That is a close question. I am going to give this bill the benefit of the doubt, but I will admit it is a pretty close question after all. [Laughter.]

Mr. SIMS. Would it not be a good idea to put Michigan salt on the free list, as one amendment to the bill?

Mr. NYE. Now, Mr. Chairman, I see that the time I was expected to occupy has expired. I did not intend to any more than generalize as to this bill and to give my general views and observations as to what we should do. I have tried to divest the subject of all sectionalism and all partisanship and submit a few observations for what they are worth and such weight as they are entitled to.

The great industries of this country I would promote and foster, but back of that I would remember that this is a government of American homes, that this Nation may be likened to a tree; the trunk is the home, the roots may run down into the soil of self-denial and virtue; the three main branches may be the schoolhouse, the ballot box, and the church; the foliage, intelligence, patriotism, and religion; and the final fruit to the ideal patriot of this country will be peace, plenty, and prosperity. [Applause.]

But above all in this representative government, do not treat lightly or triflingly the sentiment which springs from the great common heart of America, and which may be proven to be wiser than the theories and arguments of men on this floor. Let us make the necessary and wise changes in this bill along the lines that I have indicated. Make it, first, a means of revenue; second, equalize the duties; third, encourage industries; and, fourth, such other provisions as are in this bill and incident to it.

That is my view. Let us do it. Let us make the bill as good as the title. Then we can go back and say to our people, "This is a law in the interest of American industries and American labor, and it is for the permanent welfare of all the people from ocean to ocean and from the Lakes to the Gulf." [Applause.]

Mr. SISSON. Mr. Chairman and gentlemen of the committee, I desire to congratulate the gentleman from Minnesota [Mr. NYE] upon his magnificent presentation of this question, and I also desire to thank him for the nonpartisan and nonsectional way in which he discussed this all-important question.

It is a coincidence that the first time I address this body I should follow the distinguished Member from that great State, and that while he was raised in one school of political thought, I, hailing from the other side of this great Union of States, was raised in a totally different school of thought, and yet the difference between the distinguished gentleman from Minnesota and myself, in the views we each entertain on this great question, is just about the difference between "tweedle dee" and "tweedle dum." [Laughter and applause.]

When the distinguished Member asserts that he believes in a tariff for protection I differ from him as widely as the Constitution warrants me in doing, and that is as widely as we are separated geographically. I maintain that there is not one line, word, or syllable even in our Federal Constitution, which we have all sworn to support, that warrants this Government in levying one dollar's tariff for protection, but the only authority given Congress to levy customs duty is for the purpose of raising revenue, and revenue alone. [Applause on the Democratic side.]

Whatever of incidental protection may come to our industries out of that, whatever benefits may accrue by virtue of that tariff, which, by the way, is a tax and a necessary evil and one of the incidents of government, I have no objection to; and I believe that all revenue ought to be raised so as to place the least possible burden upon the American consumer, and at the same time contribute as much protection to honest and legitimate American industries as is consistent with public good.

I therefore differ with the gentlemen when they cry for protection as a principle, and contend that it is a mere incident to the tariff and should not be the cause of any tariff.

I maintain with all the vigor of my soul that Mr. Walker was right when he said:

> Place your revenue, first, upon the luxuries of life, and if that does not raise enough revenue, then, second, upon the comforts of life, and if that does not raise enough revenue, then, in dire straits, the Government would be permitted to tax the necessities of life.

That is, I believe in taxing riches, and not poverty, to run this Government. [Applause on the Democratic side.]

Gentlemen of the House, when those on the other side of this Chamber assert with great vehemence and vigor that the present Dingley bill is a good tariff law and that this Dingley law brought about all of the prosperity which this country has enjoyed in the past decade, I desire to call the attention of the Members of this House to the fact that it is passing strange for such contention to be made by the party in power, for this same prosperity, during the same period of time, was with England and Germany and France and throughout the whole world.

Republicans claim everything, but surely they will not have the effrontery to attribute all this prosperity outside of the United States to the Dingley law.

In the contention that the Dingley law brought all our blessings for the last ten years, they lose sight also of another proposition that comes into this economic situation.

In 1896 there was in circulation only $22 per capita, and the Democratic party contended then that there would be universal good times if we would increase our per capita circulation.

That contention has been verified, for as soon as gold was discovered in Alaska and the new processes of extracting it from its ore were discovered, and our circulation began to increase, our prosperity increased, and in 1897 our per capita circulation reached $33 per capita. This increase, of course, caused a necessary rise in prices and this would have been true had there never been a Dingley tariff bill. In free-trade England they saw the same corresponding rise in prices.

But, gentlemen of the House, I will not inflict upon you any further academic discussion of this great question. I want to give you some facts, some concrete and startling facts and figures, which show conclusively that the Dingley law has robbed the great farming and unprotected consumers, who constitute the great bulk of our population, and poured untold millions into the pockets of trusts, combines, and protected American industries, and that it has not protected American labor. Then, if I show that the Dingley law is bad, it follows as the night the day that the Payne bill is worse and will make more havoc, cause more poverty, and foster more trusts and more illegal organizations of capital under the form of law, and extract more from the pockets of the already exhausted consumer.

Now, if this bill is a good bill, one of two propositions must be true. It must either raise a large revenue to be in proportion to the vast protection afforded under it, or it must protect with reasonable equality each and every man who labors under the folds of the American flag. If it does neither of these things, then the bill is bad.

If the amount of revenue is small in proportion to the protection furnished, or if the American laborer is not benefited in

each section of the Union alike, or is not protected at all, then the bill should fail of passage. If the difference which the American consumer pays for goods here in this market and what he could buy goods for in the foreign market goes into the National Treasury to defray the expenses of the Government economically administered, or if it goes into the pockets of American labor, burdensome as it is, the millions of patriotic consumers would not be heard complaining, nor would they complain if they knew that the American laborer got the difference with which to buy food, clothes, and the necessities of life and to educate his children.

This is exactly what the Republican party has told him has been happening. But in the last campaign they were compelled to change their tune.

A great deficit in the National Treasury stares our American people in the face, and that under the Dingley law. Poverty, want, and hunger, with their long and bony fingers, are claiming their victims by the thousands. "What shall we do to be saved?" Here is what you said:

> The Dingley bill does not raise enough revenue. It was good. It is bad now. Elect us again, and we will revise the tariff. We will give a great revision of the tariff downward.

The press teemed with it. It echoed from every stump almost upon which a Republican spoke last fall. You were compelled when before the people then to make the promise, and the gentleman from Minnesota [Mr. NYE], Republican as he is, and hard as it is for Republicans to remember anything that they say before the election, especially on the floor of Congress, has just stated—and it is the truth, and you Republicans know it—that you promised to give the American people a material reduction and a real revision of the tariff downward. [Applause on the Democratic side.]

The gentleman from Minnesota [Mr. NYE] is right. Many of you gentlemen would not be occupying your seats to-day in this body if you had not followed the leadership of Mr. Taft, and promised your people at home that you would not deceive them this time; that you had "hollered" wolf repeatedly before, but that this was the real thing now. [Applause and laughter on the Democratic side.]

But when you take into consideration the fact that the Dingley tariff bill did get a great amount of revenue, the question may be asked why it was that the Republican party in the last election was compelled before the American people to pledge themselves, as the gentleman from Minnesota [Mr. NYE] has just stated, to give the American people a material reduction and a real revision of the tariff? It was because there is too much protection under the Dingley bill, and you know it. [Applause on the Democratic side.]

And the American people are watching the Republican party to-day, and if you pass the Payne bill as it is now written you will find that the American people will say to you, "We have weighed you in the balance and you have been found wanting; you promised us that you would give that relief that we have asked, and you have denied it to us."

WOOLEN GOODS.

Mr. Chairman, the Dingley tariff bill, as I view this whole schedule, is an infinitely better bill than the Payne bill, and if this bill becomes operative, just as it is written, then, indeed, gentlemen of the committee, the charge might be made that the orthography of the gentleman's ancestors was bad, and he ought to have written in front of the bill, not P-a-y-n-e, but P-a-i-n, because that bill will destroy many of the chances of these Republicans to come back to this House. The P-a-i-n bill does not fulfill your pledge to the American people.

It is contended by the ultraprotectionists that under the Dingley tariff law the American laborer was protected.

I am going to demonstrate by these figures—and they are taken from the report of the manufactures of the United States in 1905—that that is not true. I am going to call attention to the most wicked schedule in this whole bill, that of woolen manufactures.

There was produced in the United States in 1905—and you may add about 10 per cent for the production in 1908, though for the purpose of this discussion I have taken the figures of 1905—there was produced in the United States in 1905, $767,210,990 worth of manufactures of wool. The exports were $1,786,240, leaving for home consumption $765,424,759.

Let us see what the margin of protection is under this schedule.

The average, or approximately the average, schedule under the Dingley bill was 90 per cent. Therefore, in order that you may ascertain what protection was offered to the American manufacturer of woolen goods, it is necessary to ascertain what the value of woolen goods would be in the foreign market on this basis of protection, and we find that the $767,210,990 worth of wool manufactured, if that margin of protection is correct, would have cost in the foreign market only $404,651,368.

Mr. COLE. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. COLE. In referring to the statistics from the governmental bureau, it indicates manufactures of wool, value of products, $380,000,000 and odd, instead of $767,000,000 and odd, as the gentleman gives. From what authority does the gentleman quote?

Mr. SISSON. The gentleman is quoting only one class of manufactures in this class, and I include the whole wool schedule.

I include in this all of the wool, except raw wool, that comes from the sheep's back, because you protect every particle of wool that comes into this country, whether scoured or washed or yarned, and in estimating the value I have not confined it particularly to the value of the yarn, but to the whole woolen schedule as it comes from the different sources. [Applause on the Democratic side.]

Mr. COLE. Mr. Chairman, do I understand the gentleman to say that that is the value of woolen manufactures, or the amount of wool consumed in the United States?

Mr. SISSON. It is the value of all the woolen manufactures, as I stated a moment ago, taking the wool that is imported into the United States, that is raised in the United States, and the total amount of all character of manufactures, and the protection is offered to the whole wool schedule and not alone to the items the gentleman has there.

Now, then, if you take these figures—and whether these figures are absolutely correct or not, they are approximately correct, and will illustrate the principle—it leaves you a margin of protection on woolen manufactures of $362,569,622.

Suppose, if you please, that the American laborer gets just twice the wages that the foreign laborer gets, and in this I shall estimate the wages in Germany and in England and in countries of that character. I find that the labor was only paid $135,069,063 to manufacture all of these woolen manufactures manufactured in the United States.

If we pay American labor twice what was paid foreign labor, it is fair that we should deduct from the margin of protection the difference in wage at home and abroad.

One-half of that wage is $67,534,000 and odd, and if you will take that from the margin of protection you will find that we have a margin of protection over and above what it costs to manufacture these goods in the foreign markets, provided your schedule is correct, of $295,023,091.17.

To state the proposition in another way: If the American consumer could buy his woolen goods in the open market, he would save each year $295,000,000.

Now, mark you, not one dollar of this goes into the Treasury of the United States to pay the expenses of this Government. No; not one penny. Every dollar of this goes into the pockets of the various woolen manufacturers. They are permitted, under this most infamous of all the tariff schedules, to rob the American consumer annually of something like $295,000,000.

How can the farmers, mechanics, carpenters, clerks, working girls, and all the army of poor that labor for a livelihood, longer bear the burden?

Why should they be compelled to longer pay this tribute to woolen manufacturers?

In the cold and freezing winter, you Republicans require the poor farmer, miner, and carpenter to pay twice as much for his woolen goods as he would have to pay in the open market. Is it right? Is it not simply robbery of one class, the poor, for the other, the rich?

I am not ashamed here and now, although you may denounce me as a demagogue, to come and plead the cause of the poor American consumer.

I am not afraid to be put down on the side of Jefferson and Jackson, and as long as I shall be a Member of this body I shall always be found doing battle for the man who toils.

Mr. HUMPHREYS of Mississippi. I would like to ask the gentleman. Does this $242,000,000 go into the Treasury of the United States?

Mr. SISSON. It does not. I will illustrate that in just a moment.

Now, let us see whether this is a revenue schedule or whether it is simply for the purpose of requiring the American consumer to continue to fill the capacious pocket of the greedy manufacturer, who gets twice as much for his goods as does the manufacturer abroad.

Every time we buy $1 worth of foreign goods we purchase $34 worth from our home manufacturers. That is, notwithstanding he is willing to sell at half what our home manufacturers are willing to sell at, he can only sell $1 to our $34.

Now, to answer my friend and colleague from Mississippi [Mr. HUMPHREYS].

Every time $1 is paid into the National Treasury under this woolen schedule from woolen imports, $14.40, clean, clear-cut profit over and above a legitimate foreign profit, over and above costs of American labor, and over and above freight charges across the Atlantic, goes into the pockets of the manufacturer of woolen goods. [Applause on the Democratic side.]

This does not end the tale of woe and robbery. They are not through skinning the American consumer yet on this wicked woolen schedule. They must lash the farmer's back some more.

If our wholesale merchant, as was well illustrated by my distinguished colleague from Arkansas [Mr. MACON] on this floor the other day, is compelled to calculate his profit upon the cost of the goods to him, and the retailer calculates the per cent of profit on cost to him, so when each, the wholesale merchant and the retail merchant, is compelled in this protected market on woolen goods to pay $2 for a wool hat instead of $1, and he wants to make 20 per cent, he calculates 20 per cent of $2 equals 40 cents—$2.40 is the price of the hat instead of $1.20. Then the retail merchant wants 10 per cent for carriage and 25 per cent profit for cash, and the $1 wool hat in the English wholesale market has grown so that when the hat reaches a Mississippi farmer the cost to him has advanced 324 per cent.

INDUSTRIAL SLAVERY.

This condition is rapidly bringing about a complete system of industrial slavery. It has been the boast of the Republican party that it is the party of freedom. It boasts that it struck the shackles from four millions of black limbs. But what are you doing now under your infamous scheme of protective tariff? You are binding and welding the shackles upon the limbs of millions of white American laborers.

Every jewel that sparkles to adorn the persons of the rich is the crystallization of the sweat from the brow of labor; every luxury and comfort which we enjoy is the product of some laborer's brawn. All the brick and mortar and marble that rises, a dream of beauty and grandeur on the face of this earth, is a mighty monument to the laboring man's patience and toil. All the mighty fortunes with which you Republicans corrupt the electorate of this country, you have wrung from the millions of laborers, toilers, and farmers. But your greed and selfishness is "like the scent of the bloodhound, when once he laps blood he never bolts the track," and my colleague from Kentucky [Mr. JAMES] was right this morning when he so eloquently said, "There has been no man on the other side of this Chamber who has ever plead the cause of the American consumer on the floor of this House." [Applause on the Democratic side.]

The reason is, these Republican manufacturers and trusts have for years been lapping the lifeblood of the American consumer, and they will never bolt the track. Like the bloodhound, anyone who tries to stand between them and their prey, they would destroy. They call him "demagogue;" they misrepresent him in a subsidized press; and it is an unequal contest, because they have erected so many engines of destruction to hurl him to political ruin.

But I want again to refer to this wicked woolen schedule. This bill in its title says that it is to raise revenue. This is a farce when we examine the small imports under this bill as compared to the American consumption. The Government does not, as I have shown, get a dollar from the home manufacturer. It gets its revenue on the import.

In 1907 the imports of woolen manufacturers was $22,047,740, and the duty paid was only $19,847,018. The value of the goods in the foreign market was $22,047,740, for which Americans paid, after they were imported, $41,894,758. That is to say, that while the Government got $19,847,018 in revenue, the American manufacturers got approximately $295,033,091 over and above what was a legitimate profit to the foreign manufacturer.

How can a Republican look an American in the face, especially if he is wearing a wool hat? If he can, it is the highest evidence that he has sinned against the Holy Ghost and is beyond redemption.

MEN'S CLOTHING.

I will not weary you with going over in detail the schedule on men's clothing at this late hour at night, but will simply call your attention to its wickedness.

In 1905 there was manufactured in the United States $355,796,571 worth of men's clothing. There were no exports, and, of course, all this clothing was consumed at home. The duty on men's clothing averages 82 per cent, and the margin of protection on the whole is $170,303,939. Now, if you allow twice as much for home labor as for foreign—and this is allowing too much—the foreign labor would get in wages to manufacture the whole American product one-half of $57,225,560, the American cost of labor, which would be $28,612,780, and deducting this, which is the estimated amount of wages paid in America more than in Europe to do the work, you get a net margin of protection to the American manufacturers of $141,691,152 on men's clothing.

This is what the American manufacturer can charge over and above the legitimate profit of the foreign manufacturer, allowing that the American pays twice as much for labor.

Is this tariff levied for revenue? Certainly not. We only imported $1,852,442, and the revenue obtained was $1,532,785. This protection is absolutely in the interest of the American manufacturer, and not in the interest of the United States Treasury.

Every patriotic American citizen, if he knew when he bought a hat or woolen shirt, or woolen garment of any kind, that he was paying $1.90 for it, and that 90 cents were going into the Treasury of his Government to pay the expenses of his Government he might not complain, because he would say that it is a necessary evil, and he is willing to be burdened as a patriot to pay the expenses of the Government; but when he is told that where the Government gets $1 of revenue from this source, from men's clothing, the manufacturer of clothing gets a clear profit of $82 [applause on the Democratic side] he becomes dissatisfied.

Now, I will not run through all of this line, but I want to give you what I think illustrates perfectly this situation.

Owing to the lateness of the hour I shall not weary you longer than is necessary to state these figures to you; and then I want Republicans, if they will dare, to go before the American people and explain these figures, and they were not gotten up by Democrats, but they were gotten up by men who surely will not misstate the facts.

Now, listen. In 1905, the total——

Mr. HEFLIN. The gentleman does not mean to leave the impression that Democrats would mislead the country or misstate the facts if they had gotten up these figures?

Mr. SISSON. I certainly do not, nor do I intend to say that they were not Republican officials; but I do think if there was a motive to do wrong about it the motive would be on the other side, and not with us.

Mr. CANDLER. The gentleman means to state that the figures which he quotes are obtained from governmental sources and officials of the Government?

Mr. SISSON. From the officials of the Government now.

Mr. JAMES. And in addition, I would suggest that while figures will not lie, liars will sometimes figure.

Mr. SISSON. That is true. The total amount of manufactures manufactured in the United States during 1905 was $14,478,836,647. Now, you may add about 10 per cent, I am informed, to that for the manufactures now. The margin of protection, at an average of 45 per cent—and the margin of protection under this bill is 46.50 per cent, I believe—but at 45 per cent, which is the average under the Dingley law, let us see what the margin of protection was. It was $4,493,334,770. The difference in labor cost, if labor cost twice as much as it cost abroad, would cause the American manufacturer to pay $1,231,169,699 more than the foreign manufacturer would pay, because the total amount paid in wages for all the manufactures in the United States was $2,462,339,398. Therefore you have a clean, clear-cut margin of protection upon all manufactures in the United States under the Dingley law, and it is higher under this bill, of $3,262,265,071, which is a margin of protection against the consumer.

In other words, to get it in dollars and cents so that you can understand it, let us state it this way: If the American manufacturer takes advantage of the protection that he has, and if the people of the United States had in cash in 1905 fourteen billion four hundred and seventy-eight million and odd dollars, and were to buy their goods in the open market, they would have left in their pockets $3,262,265,071, and under the present protection the manufacturer gets it all.

Now, it may be argued that the American manufacturer has not taken advantage of all this margin of protection. Then do angels grow in the form of men engaged in this industry and monsters in every other? No. A manufacturer, like any other man, will always get what he can for his product, and no Republican will deny it.

Then you find that American labor has received of the $14,000,000,000 worth of his own toil about one-seventh of what he has earned during the year.

Is there any fairness in a schedule like this?

On the contrary, gentleman of the committee, it is a monstrous proposition, and there is no wonder that there have been failures to the amount during the last eighteen months of over $650,000,000. [Applause on the Democratic side.]

Do you expect the American consumer to sit silently by without protest? He did not in Mr. Taft's campaign, because Mr. Taft was against the present protective tariff. And the Republicans who have been going up and down this land all these years singing the praises of Republicanism and the Dingley bill were compelled to admit at the last election that the Dingley law was bad, and said, "We pledge you that we will cure the defects in that and give you a material reduction." [Applause on the Democratic side.] Why? Because it meant the defeat of the Republican party if that was not done. But when they come before this House, what do we find? That they have revised it upward and not downward.

Now, gentlemen of the committee, I want to call your attention to one of the greatest evils, to my mind, that flows from the idea of protection. I have read as closely as I could, during the time I have had since I have had the hearings, the character of the questions asked and the answers given, and have noted the kind and character of men who went before the committee. I was astounded when I found that nearly every man that went before the committee with his facts and figures was a man having some selfish interest in this schedule, and that the Ways and Means Committee has given ear to that, and the sequence is that this bill is nothing more nor less than what these manufacturers wanted, because the Republican majority on that committee reported it exactly in accordance with the self-interests of these gentlemen as they went before the committee.

I come from a State where we only ask simple justice. We have not in my section of the State any interest that demands protection. In the southern portion of my State there have been some interests demanding protection on lumber. I told these gentlemen, when they came to see me, that I would not vote the protective tariff on any article, and they told me that if they did not get this protection it would destroy the lower grade of lumber, that they would be compelled to leave the timber in the woods, and I asked one of my friends what he would sell the lumber of this character for at his mill. He told me he would sell it at $7.50 to $8 a thousand. I told my friend, in the presence of several gentlemen, that I would take a hundred thousand feet of it, because I need it now to build some houses on a little farm that I own.

He says:

SISSON, I would like to sell you the lumber, but if I did, my name would be stricken from the retail dealers' association and my own market would be destroyed.

[Loud applause on the Democratic side.]

Yet, there was a controversy on this floor as to whether there was or was not a lumber trust.

Now, listen: There has only been one gentleman on the Republican side, so far as I have heard, who has admitted that there was such a thing as a trust, and that was the distinguished gentleman who preceded me. But when you come to hunt for one of the things you never find an office nor an officer. You find some sort of an agreement somewhere, and when the courts get after the trust and locate the right fellow, they do like they did down in Mississippi, they hide behind the constitutional protection and decline to give evidence against themselves. [Applause.] My colleague [Mr. BYRD] was right when he said there is an agreement; there is a trust, call it by name what name you please, with the Retail Lumber Dealers' Association, and whether the manufacturers are part of it or not, the American consumer is punished just as successfully as if they were. [Loud applause.]

When I tried to buy lumber, No. 2, to go over to Webb, Miss., where I wanted it, they told me they wanted $16 a car to take one car of lumber. If I get a mixed car for the purpose of building a little house, I am charged $18 for the same lumber at Webb, Miss. Is it fair? Is it right? Is it justice to the American consumer?

If we could just get a little competition, and the courts of the country, the federal courts, would be a little more active in fining these trusts, and the Republican party would be a little less active in levying contributions against them for campaign purposes, there would be some progress along the line of genuine reform. [Loud applause.]

I believe the Republicans, as a rule, are very good fellows, and you can not help but like many of them, but, I tell you, they are pretty shrewd fellows, you know. [Laughter.] When you begin to touch the great corporate interests of this country, you touch that which has been the mainspring of Republican success for the past thirty-odd years, because what they fail to do with coercion and threat they accomplish with corruption, campaign funds, evasions, and appealing to the federal courts, and have managed to accomplish the defeat of every honest reform that was ever advocated even by your own party. [Applause.]

Now, then, gentlemen of the committee, if this party now in power will carry out the pledges to the American people they will cut this schedule half in two. But I want to show you also the evil effect of this protection. Every industry is coming to Washington for protection. Mark what I tell you. Your protective idea is fostering socialism. If the large interests of the United States can come to the American Congress and get protection, then the laboring man wants to know why he can not get protection? We are confronted with the proposition that the American laborer is perhaps the only thing except "dividivi," "catgut," and matters of that kind upon the free list. You will find that American labor is put down in the same schedule. If you thought of American labor as you say that you do, why do you not enact into law some protection for him from the horde of foreign immigrants that come from these pauper countries year by year? [Applause.]

You know you are asking for the cheapest labor that you can get. I do not criticise a man because he hires a hand just as cheaply as he can. I see my friend from Georgia [Mr. EDWARDS] sitting in front of me. Do you not employ labor as cheaply as you can in Georgia?

Mr. LANGLEY. Will the gentleman allow me to interrupt him?

Mr. SISSON. Certainly.

Mr. LANGLEY. The gentleman seeks to criticise our party for not keeping out foreign laborers. Will he explain what the difference is between keeping out the laborers themselves and keeping out the products of pauper labor?

Mr. SISSON. The difference is this: That where one man is engaged in a manufacture of one particular article or line of articles there are thousands of consumers that are purchasing it.

Mr. LANGLEY. That is not an answer.

Mr. SISSON. Yes; it does answer your question, because if you are the friend of labor you want to give them the highest wages first, and then give some protection against the pauper labor of Europe. [Applause.]

Mr. LANGLEY. I am in favor of keeping both out.

Mr. SISSON. You are continually clamoring here that you are giving protection to American labor. You give the same protection to American labor that the bird of prey gives to the dove. You wring from the laborer every dollar that you can, in order that you may put it into the coffers of the already too rich institutions of this country.

Mr. LANGLEY. I believe the gentleman said he was in favor of free lumber.

Mr. SISSON. Yes; I am in favor of free lumber.

Mr. LANGLEY. I believe your contention is that the tariff is added to the price of the article, and therefore if you take the tariff off of the lumber, it takes that much off the price of the lumber, and therefore it takes that much out of the wages of the laborers who are employed in that industry. Now, how can the gentleman explain?

Mr. SISSON. In the first place, I do not know, if you were to take the $2 off of lumber, that it would materially reduce the price of lumber, because I believe that the lumber trust and the retail dealers' association may be able to control the price, anyway, but I am willing to try it and give them a tilt. Are you?

Mr. LANGLEY. I am not. I want lumber protected.

Mr. SISSON. Now, I want to show you that the great trouble with this party in power is not the fact that they have not had enough revenue. They have had more revenue to run this Government with than any other party had had in years; and when you look at the enormous expenses of running this Government, it is startling. If I can lay my hand on a memorandum I had here among my numerous papers, I will give you the figures.

I thought at first some of the Republicans around me had taken the paper. It is the first thing they have ever failed to take when it was in sight. [Laughter.] My friend LANGLEY comes from Kentucky, and he is pretty close to the border line. I suppose he has enough good genuine Democracy in him not to allow him to take everything. Now, I ask you to listen to these figures and carry them home. I do earnestly trust that my good Republican friend from Kentucky [Mr. LANGLEY] will lay these figures to his soul, and that he may ponder them this night, remembering that—

While the lamp holds out to burn,
The vilest sinner may return.

[Laughter.]

Mr. HEFLIN. In the confusion a moment ago, I understood the gentleman from Mississippi to say to the gentleman from Kentucky that he was willing to have all the hindrances removed from the sale of lumber, and to let the law of supply and

FUJI MICRO SAFETY

the whole American product one-half of $57,225,560, the Ameri- $650,000,000. [Applause on the Democratic side.]

plause.]

moved from the sale of lumber, and to let the law of supply and

demand regulate the price, and the gentleman from Kentucky [Mr. LANGLEY] said he was not.

Mr. LANGLEY. Mr. Chairman, in reply to my friend from Alabama, I have no hesitancy in saying that I am unwilling to have the present tariff removed from lumber. If my friend [Mr. SISSON] will give me the time, I want to say that the reason I am unwilling to have that tariff removed from lumber is that I believe in the American doctrine of protection to American industries and American labor, and I am glad to have this opportunity to say that. [Applause on the Republican side.]

I do not believe the duty on lumber ought to be reduced to $1. Instead of that, I should like to have it increased if I could.

A MEMBER. What about free hides?

Mr. LANGLEY. I am opposed to free trade in anything that we produce. I am in favor of protection to every American industry.

Mr. SISSON. I must decline to yield further. I like to be courteous, but time is very precious. Do you know I am somewhat amused to see how a Republican, when you get him into a tight hole on this proposition, wiggles, twists, and squirms. "Now you see him, and now you don't." It is the little three-shell game. Where is the ball? And when the American people try to find it, it always turns out that it is not there. [Laughter.]

Mr. LANGLEY. Will my friend yield to me just a moment? I will ask him, is he, as a Democrat, opposed to the principle of protection, and is he opposed to the protection of the lumber industry? There has been some question down in my section of Kentucky as to whether Democracy is in favor of protecting lumber or not. I am glad to have this opportunity to put the gentleman and his party on record on that question.

Mr. SISSON. I will go on record with all my heart by saying I am opposed to protection on anything.

Mr. LANGLEY. I am in favor of it on everything, and therefore I disagree with the gentleman. [Applause on the Republican side.]

Mr. RUCKER of Missouri. Will the gentleman permit me to ask a question of the gentleman from Kentucky?

Mr. SISSON. I will.

Mr. RUCKER of Missouri. The gentleman from Kentucky says that he is ardently in favor of protection. I would like to ask him if he is in favor of more tax on whisky and beer?

Mr. LANGLEY. I certainly am; and if I have the opportunity I will vote for a tax of $2 on beer and a higher tax on whisky, instead of any tax on tea and coffee. [Applause.]

Mr. SISSON. Now, gentlemen, I want to get back and show my good friend how much he and his party have been spending here lately. I know he and they do not want to hear it. You know I have heard the Republican party praise itself as being the only business party. They put their thumbs in their vest holes and look at us with a smooth and polite and suave manner, and say, "We are the business people of this country."

Let us see now what sort of people you have been in the past year. I always thought that a good business man was a man that would always spend the least amount of money and get the best results. I have thought that, when I employed a man to manage an industry for me and he ran the industry into the ground and left my treasury in a bad fix, it was bad management.

Mr. HUGHES of West Virginia. That is because you are a Democrat, and do not want to pay the laborer fair wages for his work. [Laughter.]

Mr. SISSON. My dear sir, you are not now discussing the proposition I am on. I am going to show you that you have been complaining that you did not have enough revenue. I am going to show you that in the last five years you have had more than has ever been collected in any five years during the history of the Government. Listen. The last five years of the Roosevelt administration cost this Government $2,950,000,000. The five years of Lincoln's administration cost this Government $2,604,000,000, and Lincoln fought the civil war; and the last year, 1865, the expenses were over $1,000,000,000.

Mr. ENGLEBRIGHT. Will the gentleman please give the expenses of the last year of Andrew Jackson's administration? [Laughter.]

Mr. SISSON. Yes, sir.

Mr. LANGLEY. Here they are.

Mr. SISSON. I am afraid to take Republican figures. [Laughter.] Here are the figures, and I want to say now that they are about one-fifth as much per capita as they were under the Roosevelt administration. [Applause on the Democratic side.]

Now, listen. The last five years of the Roosevelt administration, as I stated a moment ago, cost this Government $2,950,000,000, while the five years including McKinley's administration cost $2,253,000,000, or $697,000,000 more under the Roosevelt administration than it cost under Mr. McKinley, and McKinley fought the Spanish war.

Mr. HUGHES of West Virginia. If the gentleman will pardon me, that reminds me of the State in which I live, West Virginia. Under a Democratic administration the expenses of that State were about half of what they are at present, but under the Democratic administration we did not have any public institutions, we did not have any public schools, we had only four months term of schools, and now we have eight months. We have the best normal schools in the South, all under Republican administration.

Republicans spend money, but the people get value received.

Mr. SISSON. My dear friend, that may be true, but it must have come from the association of West Virginia in this House with national extravagance of the Republican party. [Laughter.] In my country we do not have that sort of Democrats, because we believe we run an economical government, and we do it, and get good results. I know these figures hurt, but they were made necessary by your party.

Now, then, gentlemen, I must be getting along, for I only want to detain the committee a moment or two longer. If I had not been interrupted you would have been relieved some time ago of this dissertation. I want to show you how you have increased the fixed expenses of running the Government and let you answer before the American people.

In 1880 the expenses of running the Government were $255,618,541.91. Ten years after that it had increased to $342,811,448.40.

That is an increase of about $87,000,000, just about in proportion with the increase of the population.

In 1890 the expenses were as I stated a moment ago. In 1900, $497,000,000, an increase of $154,000,000, and, mark you, the Spanish-American war was fought then.

But let us see how the last five years of Republicanism compares with that, a time of profound peace.

In 1908 what did we spend? Six hundred and ninety million eighteen thousand nine hundred and forty dollars and ten cents, or deducting excess of interest on bonds, more than three times as much as was spent twenty-eight years ago. The above does not include special appropriations, but only fixed expenses upon the Government. If you include all appropriations during the last two years of Roosevelt's administration, it runs up to over one billion annually. At that ratio where will you be the next five years? Is there any wonder that the bread line is on the increase? Is there any wonder that your Treasury is found wanting? Is there any wonder that there was a panic during the last two years? [Applause on the Democratic side.]

Mr. ANDRUS. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. ANDRUS. What year was that?

Mr. SISSON. In 1908.

Mr. ANDRUS. But the gentleman spoke of 1900 a few moments ago.

Mr. SISSON. I can not yield further, Mr. Chairman.

Mr. ANDRUS. My statement is this: That the gentleman stated the expenses of the Government for the year 1900 as six hundred and ninety-odd millions of dollars.

Mr. SISSON. No; $690,000,000 for 1908, including net ordinary disbursements and interest on public debt and premiums.

Mr. ANDRUS. That is, $64,000,000 in excess of what the reports state.

Mr. SISSON. Not if the statement I hold in my hand from the Secretary of the Treasury is correct.

Before I close, I want to call the attention of the committee to this amendment, which I want to offer to this bill if I am permitted, and it is this:

Amend by inserting after section 38 the following section, to be numbered 39:

"(a) That there shall be paid a tax of $2 on each deadly weapon manufactured and sold or stored in any warehouse, factory, storehouse, or any other place for sale within the United States, by whatever name such deadly weapon may be called.

"(b) That this act shall cover all pistols, dirk knives, bowie knives, sword canes, stilettos, brass knuckles, and all other instruments commonly known as 'deadly weapons.'

"(c) That there shall be prepared by, or under the direction of, the Secretary of the Treasury of the United States an adhesive internal-revenue stamp in the denomination of $2, to be placed upon all weapons taxed under this act, and when any of said weapons are sold or offered for sale by any manufacturer, corporation, person, or firm, the said manufacturer, corporation, person, or firm shall place a $2 revenue stamp, prepared under this act, upon all weapons covered by and included in this act, and said stamp shall be canceled by the manufacturer, corporation, person, or firm, and shall bear the date upon

which the stamp is placed upon the weapon, and the stamp shall also bear the initials of the corporation, manufacturer, person, or firm canceling the same.

"(d) Any manufacturer, corporation, person, or firm who shall fail or refuse to comply with this act by selling or offering for sale in any warehouse, factory, storehouse, or any other place, any of the weapons mentioned or included in this act, or intended to be included in this act, without first placing thereon a $2 revenue stamp shall be fined not more than $1,000, or imprisonment for not more than six months, or both, in the discretion of the court.

"(e) This act does not apply to any arms of any kind sold to the United States Government nor to any State for her state militia."

If given an opportunity, I will offer this amendment and ask that the duty be taken off of some of the necessities of life, for example, from agricultural implements, boots and shoes, or some other necessity of life.

This amendment would require the lawless to pay some of the taxes of running this Government. Pistols were made to kill men with, dirk knives were made for cowardly fiends, brass knuckles for a Bowery bully, and this tax of $2 would bring in considerable revenue from this class.

Now, Mr. Chairman, in conclusion let me say that the only thing we ask of this House, the only thing we ask of this Government, is to be treated fairly. Everything on earth that my people sell is sold in the open market. We raise more than $600,000,000 worth of raw cotton annually, and of that amount more than $400,000,000 is sold in the open market, for which gold is brought to our shores, and all of this protection that the manufacturers of the United States are getting is saddled as an extra burden upon my people.

May we not appeal to you to save us from the robbery of the cotton gambler and speculator? Decency demands it. Every State has a law against gambling. The gambler is an outlaw everywhere except in interstate commerce. Here he plies his nefarious business; here he fattens under the protection of the laws made by you.

Will you not help us drive the cotton gambler from the commerce of our great country? This we have the right to ask you to do, for the honor of our common country and for the protection of the cotton farmer of the South.

We furnish from the cotton fields of my section the raw material that makes possible a mighty industry in New England. Thousands of belching smokestacks blacken your skies to-day which would be cold and lifeless if we failed to make this crop of cotton and thousands of homes in New England would be desolate.

May we not ask you to come to our aid and assist us to exploit our cotton goods in every land?

While our crop is large, it is not half what the world needs and would buy if you will only give us a fair chance to go after business in the foreign markets of the world.

We do not ask to share in all the disbursements. We do not expect that. We have borne our portion of the pension roll and we have done it cheerfully, and, in addition to that, out of our poverty we have contributed to our own indigent soldiers, and, in addition to all that, we have taken care of an almost pauperized race. We have done that cheerfully.

I hail from a land whose bosom has been riven with the bolts of war, a land of sorrows, a land that has known many griefs; a land whose patriotism and devotion to principle and to this Union is pure after a test of fiery war and, what is still more, the crucible test of oppression and wrong. Out of it all the sunny South has emerged the fairest portion of this Union, true to her tradition of honesty and fair dealing. All she asks at the hands of this Government is fair treatment. She asks to be relieved at least of a portion of this burden which she has borne all these years. She has paid her portion of the pensions and has gotten nothing in return. But she has not complained. She has cared for her own beloved veterans at her own expense, in addition to caring for yours, and she will continue to cheerfully care for her own and she will not complain. She has built monuments to her own sacred dead at her own expense and has paid her portion of the tax to build monuments to the heroes of the Union, and she has not complained. No! On the contrary, when a common enemy shall assail us, she will cheerfully mingle her blood with yours in defense of the common country. Her sons will die as bravely and as cheerfully. Her daughters are as fair and can sing

My country, 'tis of thee,
Sweet land of liberty,

with as much melody and heart as can those of any section of this Union.

With this devotion to our common country, as great as yours and certainly more unselfish, because we have carried our part of the burden but have not gotten anything in return for it, may I not in the name, then, of my people beg of you to reduce the tariff burden?

We ask at your hands that you give us that sort of schedule that will enable the consumers of my section, who sell everything they sell in the open market, not to continue this burden of an average of 45 per cent on everything we buy. [Applause on the Democratic side.]

We ask this simple justice at your hands, and I thank God that the time has come when we can strike hands across this aisle and those of us who have come on since the strife can look at Old Glory and can love it as you do. We fought for it as you did, or my ancestors did. In the late war with Spain we rallied to the defense of the common flag. Any dishonor there is dishonor to me and to my people, and we are willing to go with you in defense of the country when it is assailed by a common enemy.

The only thing we appeal to you for is a little simple justice. [Applause on the Democratic side.]

Mr. FOCHT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. COLE, Speaker pro tempore, having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

ADJOURNMENT.

Then, on motion of Mr. OLMSTED (at 10 o'clock and 30 minutes p. m.), the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 5702) to supplement an act entitled "An act to promote the safety of employees and travelers upon railroads"—to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: A bill (H. R. 5703) increasing the pensions of those now receiving or entitled to pensions under the acts of Congress approved July 27, 1892, and June 27, 1902—to the Committee on Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 5704) to establish a fish-cultural station in the State of New Jersey—to the Committee on the Merchant Marine and Fisheries.

By Mr. CLARK of Missouri: A bill (H. R. 5705) providing for the purchase of a site and the erection of a public building at Fulton, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD: A bill (H. R. 5706) to create a commission to develop sources of revenue outside of taxation, through the utilization of the natural resources of the public domain—to the Committee on Ways and Means.

By Mr. LIVINGSTON: A bill (H. R. 5707) for the relief of the State of Georgia—to the Committee on War Claims.

By Mr. HAMMOND: A bill (H. R. 5708) to create in the Department of War a roll to be known as the "Volunteers' honor roll," and to authorize placing thereon, with half pay, certain persons who served in the United States Army, Navy, or Marine Corps during the civil war—to the Committee on Military Affairs.

By Mr. LIVINGSTON: A bill (H. R. 5709) establishing the Atlanta national military park—to the Committee on Military Affairs.

Also, a bill (H. R. 5710) to appropriate the sum of $605,756.51 to reimburse the State of Georgia for the use and occupation of the Western and Atlantic Railroad during the year 1865 by the military authorities of the United States, for moneys belonging to said State collected by said military authorities during said period and not heretofore repaid to said State, and for interest improperly collected from the management of said Western and Atlantic Railroad during the years 1866, 1867, and 1868—to the Committee on War Claims.

Also, a bill (H. R. 5711) to establish at Atlanta, Ga., a subtreasury—to the Committee on Ways and Means.

Also, a bill (H. R. 5712) to provide a site and erect a public building in Fairburn, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5713) to provide a site and erect a public building in Conyers, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5714) to provide a site and erect a public building in Jonesboro, Ga.—to the Committee on Public Buildings and Grounds.

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facturer, corporation, person, or firm, and shall bear the date upon

duce the tariff burden?

Also, a bill (H. R. 5715) to provide a site and erect a public building in Decatur, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5716) to provide a site and erect a public building in Douglasville, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5717) to provide a site and erect a public building in Covington, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5718) to provide a site and erect a public building in Monroe, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5719) to reimburse the State of Georgia money advanced in removal of the Creek and Cherokee Indians—to the Committee on War Claims.

By Mr. GRANT: A bill (H. R. 5720) to establish a fish hatchery in the Tenth Congressional District of North Carolina—to the Committee on the Merchant Marine and Fisheries.

By Mr. MAYS: A bill (H. R. 5878) to provide for the survey of St. Andrews Bay, Florida—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5879) to provide for the survey of Apalachicola Bay, Florida—to the Committee on Rivers and Harbors.

By Mr. BYRNS: A bill (H. R. 5880) fixing the salary of Members of Congress and Delegates—to the Committee on Appropriations.

By Mr. AMES: A bill (H. R. 5881) to regulate the business of insurance within the District of Columbia—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 5882) requiring any citizen of a foreign country who may apply for a copyright registration or for letters patent from the United States for an invention to pay to the United States for such copyright or patent the same amount of fees and be subject to the same laws, rules, and regulations relating to the registration of copyrights and the issuance of letters patent, and relating to the issuance and maintenance of copyrights and letters patent as the Government of such foreign country exacts by its laws and regulations from citizens of the United States in such cases—to the Committee on Patents.

By Mr. SHEPPARD: A joint resolution (H. J. Res. 41) to increase and popularize the use of cotton materials in the United States by directing the executive departments to purchase same in preference to foreign materials, and by requesting companies, firms, and individuals to make purchases with the same object in view—to the Committee on Agriculture.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 42) setting aside certain lands within the Mescalero Indian Reservation in New Mexico for the use of the Indians thereon, and providing for the sale of the residue of the lands therein for the benefit of said tribe of Indians—to the Committee on Indian Affairs.

By Mr. KINKEAD of New Jersey: Resolution (H. Res. 46) that the next State to be admitted to the Union shall be called Lincoln—to the Committee on the Territories.

By Mr. PRAY: Memorial of the legislature of Montana, praying for the improvement of the Missouri River, the Yellowstone River, and the Red River of the North—to the Committee on Rivers and Harbors.

Also, memorial of the legislature of Montana, recommending the establishment of a new division of the Railway Mail Service, to include the States of Oregon, Washington, Idaho, and Montana, and the Territory of Alaska, to be designated as Division No. 13—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the legislature of Montana, recommending the donation of 150,000 acres of public land to the state penitentiary of Montana, 150,000 acres in aid and on account of the state insane asylum, and 150,000 acres in aid and on account of the state orphan's home—to the Committee on the Public Lands.

Also, memorial of the legislature of Montana, praying for legislation providing for a reclassification of all the mineral lands of the State of Montana within the Northern Pacific land grant—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 5721) granting an increase of pension to John Rupert—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 5722) granting an increase of pension to Joseph M. Lightell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5723) granting an increase of pension to Ary R. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5724) granting an increase of pension to Sarah C. Hupp—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 5725) for the relief of the estate of Harris Barnes, deceased—to the Committee on War Claims.

By Mr. CARLIN: A bill (H. R. 5726) granting a pension to Frank A. Howell—to the Committee on Pensions.

Also, a bill (H. R. 5727) granting an increase of pension to Ernest G. Lee—to the Committee on Pensions.

By Mr. CRAVENS: A bill (H. R. 5728) for the relief of the estate of Dorothy Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5729) for the relief of the estate of Nancy W. Estes—to the Committee on War Claims.

By Mr. DE ARMOND: A bill (H. R. 5730) granting an increase of pension to John Webber—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 5731) granting an increase of pension to George K. Fairman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5732) granting a pension to Robert Wetmore Lee—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 5733) granting an increase of pension to George Hutson—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 5734) granting a pension to Leonard E. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5735) granting a pension to Alma C. Maxey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5736) granting a pension to Otto Gimm—to the Committee on Pensions.

Also, a bill (H. R. 5737) granting an increase of pension to Albert Steinhauser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5738) granting an increase of pension to William Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5739) granting an increase of pension to Henry H. Herring—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 5740) granting an increase of pension to George H. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5741) granting an increase of pension to Clarissa A. Welden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5742) granting an increase of pension to Antoinette A. Ripley—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 5743) granting a pension to Hugh Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5744) granting a pension to George Ihnath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5745) granting a pension to William Haley—to the Committee on Pensions.

Also, a bill (H. R. 5746) granting a pension to Mary Ann Farnley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5747) granting a pension to Maria Yorkston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5748) granting a pension to Marie Fraser—to the Committee on Pensions.

Also, a bill (H. R. 5749) granting a pension to Elizabeth Buhr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5750) granting a pension to Michael J. Tully—to the Committee on Pensions.

Also, a bill (H. R. 5751) granting a pension to Sweeting Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5752) granting an increase of pension to Eugene L. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5753) granting an increase of pension to James Emmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5754) granting an increase of pension to Lincoln W. Joscelyn—to the Committee on Pensions.

Also, a bill (H. R. 5755) granting an increase of pension to Frederick Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5756) granting an increase of pension to Whitfield H. Lance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5757) to remove the charge of desertion now existing on the records of the War Department against Charles Sansome—to the Committee on Military Affairs.

Also, a bill (H. R. 5758) to remove the charge of desertion now existing on the records of the Navy Department against Charles Berry—to the Committee on Naval Affairs.

By Mr. HULL of Iowa: A bill (H. R. 5759) granting a pension to Robert E. Brown—to the Committee on Pensions.

Also, a bill (H. R. 5760) granting an increase of pension to Madison C. Staves—to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 5761) to correct the military record of Robert S. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 5762) to correct the military record of Edward Johnston—to the Committee on Military Affairs.

Also, a bill (H. R. 5763) to correct the military record of L. Metze—to the Committee on Military Affairs.

By Mr. LAMB: A bill (H. R. 5764) for the relief of J. B. Chandler and D. B. Cox—to the Committee on Claims.

Also, a bill (H. R. 5765) for the relief of James T. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 5766) for the relief of William M. Mantlo—to the Committee on War Claims.

Also, a bill (H. R. 5767) granting a pension to Isidore Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5768) for the relief of J. N. Whittaker—to the Committee on Claims.

Also, a bill (H. R. 5769) for the relief of the personal representative of the estate of Alexander Myers, deceased—to the Committee on Claims.

Also, a bill (H. R. 5770) for the relief of the trustees of the Olive Branch Christian Church, of James City County, Va.—to the Committee on War Claims.

By Mr. LENROOT: A bill (H. R. 5771) granting an increase of pension to Benjamin S. Kipp—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 5772) for the relief of Charles L. Bradwell—to the Committee on War Claims.

Also, a bill (H. R. 5773) for the relief of Ambrose Chewing—to the Committee on War Claims.

Also, a bill (H. R. 5774) for the relief of Mrs. Susanna M. Clay—to the Committee on War Claims.

Also, a bill (H. R. 5775) for the relief of Joseph H. Davis—to the Committee on War Claims.

Also, a bill (H. R. 5776) for the relief of Elsas, May & Co.—to the Committee on War Claims.

Also, a bill (H. R. 5777) for the relief of Mrs. Emily Evans—to the Committee on War Claims.

Also, a bill (H. R. 5778) for the relief of William Ellis—to the Committee on War Claims.

Also, a bill (H. R. 5779) for the relief of Samuel I. Gustin—to the Committee on War Claims.

Also, a bill (H. R. 5780) for the relief of Edman Green—to the Committee on War Claims.

Also, a bill (H. R. 5781) for the relief of Jane Holbrook—to the Committee on War Claims.

Also, a bill (H. R. 5782) for the relief of George P. Howard—to the Committee on Claims.

Also, a bill (H. R. 5783) for the relief of W. R. Harris—to the Committee on Claims.

Also, a bill (H. R. 5784) for the relief of Joseph Lambert—to the Committee on War Claims.

Also, a bill (H. R. 5785) for the relief of George W. Symmes—to the Committee on Military Affairs.

Also, a bill (H. R. 5786) for relief of Walter Wadsworth—to the Committee on War Claims.

Also, a bill (H. R. 5787) for the relief of Andrew J. Wells—to the Committee on War Claims.

Also, a bill (H. R. 5788) for the relief of Micajah Rasbury—to the Committee on War Claims.

Also, a bill (H. R. 5789) for the relief of Honora Ryan—to the Committee on War Claims.

Also, a bill (H. R. 5790) for the relief of George T. Reeves—to the Committee on War Claims.

Also, a bill (H. R. 5791) for the relief of Mrs. Sarah E. Youngblood—to the Committee on War Claims.

Also, a bill (H. R. 5792) for the relief of Mark Miller—to the Committee on War Claims.

Also, a bill (H. R. 5793) for the relief of Mrs. S. B. Lawrence—to the Committee on War Claims.

Also, a bill (H. R. 5794) for the relief of James A. Kennedy—to the Committee on War Claims.

Also, a bill (H. R. 5795) for the relief of J. W. McConnell—to the Committee on War Claims.

Also, a bill (H. R. 5796) for the relief of Abijah Macy—to the Committee on Military Affairs.

Also, a bill (H. R. 5797) for the relief of the Christian Church of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 5798) for the relief of the legal representative of James Doyle—to the Committee on War Claims.

Also, a bill (H. R. 5799) for the relief of the Atlanta (Ga.) Female Institute—to the Committee on War Claims.

Also, a bill (H. R. 5800) for the relief of the Georgia Railroad and Banking Company—to the Committee on Claims.

Also, a bill (H. R. 5801) for the relief of Lucy Reese, administratrix of the estate of John N. Swift, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5802) for the relief of the St. Luke's Protestant Episcopal Church, of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 5803) for the relief of the legal representatives of Alexander L. Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5804) for the relief of the Masonic Hall Company, of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 5805) for the relief of N. C. Fears, administrator of the estate of W. S. Fears, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5806) for the relief of the heirs of Greenberry Backus, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5807) for the relief of the heirs of John C. Bowden, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5808) for the relief of the heirs of Seaborn J. Burk, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5809) for the relief of the heirs of Henry Bennett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5810) for the relief of the heirs of Benjamin F. Crowley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5811) for the relief of the heirs of Carr Cox—to the Committee on War Claims.

Also, a bill (H. R. 5812) for the relief of the heirs of Cornelius P. Cassin—to the Committee on War Claims.

Also, a bill (H. R. 5813) for the relief of the heirs of James Freeman—to the Committee on War Claims.

Also a bill (H. R. 5814) for the relief of the heirs of Lydia Golasby, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5815) for the relief of the heirs of Thomas and John Hollis—to the Committee on Claims.

Also, a bill (H. R. 5816) for the relief of the heirs of William H. Harvill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5817) for the relief of the heirs of Nancy Scroggins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5818) for the relief of the heirs of Blueford D. Smith—to the Committee on War Claims.

Also, a bill (H. R. 5819) for the relief of the heirs of Elizabeth Smith—to the Committee on Claims.

Also, a bill (H. R. 5820) for the relief of the heirs of William Sheppard—to the Committee on War Claims.

Also, a bill (H. R. 5821) for the relief of the heirs of William Wilmoth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5822) for the relief of the heirs of Robert Young Rodgers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5823) for the relief of heirs of C. E. Rosser, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5824) for the relief of the heirs of James Peck, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5825) for the relief of the heirs of A. K. Tribble, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5826) for the relief of the heirs of Larkin Nash, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5827) for the relief of the heirs of Gideon F. Mann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5828) for the relief of the heirs of Mrs. Ellen McAllister, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5829) for the relief of the heirs of Anderson Mayfield, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5830) for the relief of the heirs of William Markham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5831) for the relief of the heirs of Elisha Mashburn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5832) for the relief of the heirs of Thomas W. McArthor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5833) for the relief of the heirs of John M. King, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5834) for the relief of the heirs of William Kile, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5835) for the relief of the estate of Henry Banks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5836) for the relief of estate of Margaret Barge, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5837) for the relief of the estate of Samuel E. Bratton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5838) for the relief of the estate of James A. Gregory—to the Committee on War Claims.

Also, a bill (H. R. 5839) for the relief of the estate of John J. Hart—to the Committee on War Claims.

Also, a bill (H. R. 5840) for the relief of the estate of Solomon Landis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5841) for the relief of the estate of James A. Stewart—to the Committee on War Claims.

Also, a bill (H. R. 5842) for relief of estate of Willis Ramsey—to the Committee on War Claims.

Also, a bill (H. R. 5843) for the relief of the estate of John M. Nace, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5844) for the relief of the estate of Daniel B. Ladd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5845) to carry out the findings of the Court of Claims in the case of A. G. McDonald, administrator of Robert H. Green, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5846) to carry out the findings of the Court of Claims in the case of G. W. Aycock, administrator of the estate of Reddick Aycock—to the Committee on War Claims.

Also, a bill (H. R. 5847) to carry out the findings of the Court of Claims in the case of Leopold Bickart—to the Committee on War Claims.

Also, a bill (H. R. 5848) to amend records of the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 5849) to amend the records of the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 5850) to authorize the Secretary of the Treasury to pay the claim of Mrs. Mattie Stewart Glover and Mrs. Katherine Stewart Ruse, the heirs at law and only legal representatives of the late William Stewart, of Mobile, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 5851) for extra compensation to Capt. John Stewart—to the Committee on Claims.

By Mr. McHENRY: A bill (H. R. 5852) granting an increase of pension to Martha D. Bryson—to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 5853) granting a pension to Lafayette Higginbotham—to the Committee on Pensions.

By Mr. A. MITCHELL PALMER: A bill (H. R. 5854) granting an increase of pension to Charles Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5855) granting an increase of pension to David G. Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5856) granting an increase of pension to Emilius F. Kemmerer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5857) granting an increase of pension to H. Vandewater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5858) granting an increase of pension to Evan Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5859) granting an increase of pension to Jacob E. Dreibelbies—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5860) granting an increase of pension to Simeon Flory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5861) granting an increase of pension to Theodore Brodt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5862) granting an increase of pension to Jacob Hawk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5863) granting an increase of pension to William H. Nevil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5864) granting an increase of pension to Emanuel Kresge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5865) granting a restoration of pension to Henry Hoffner—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 5866) to correct the military record of John Lynch—to the Committee on Military Affairs.

By Mr. REID: A bill (H. R. 5867) for the relief of W. H. Hicks, administrator of the estate of John Diehl, deceased—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 5868) for the relief of Samuel B. Ried—to the Committee on War Claims.

Also, a bill (H. R. 5869) for the relief of W. W. Carey—to the Committee on Claims.

Also, a bill (H. R. 5870) for the relief of the heirs of Elias E. Blackburn, late marshal of the northern district of Florida—to the Committee on War Claims.

Also, a bill (H. R. 5871) to correct the record of William Henry Beehler, commodore, United States Navy, and to place him on the retired list, United States Navy, with the rank of rear-admiral—to the Committee on Naval Affairs.

By Mr. STERLING: A bill (H. R. 5872) granting an increase of pension to Joal F. Terry—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 5873) granting an increase of pension to Elliott C. Wager—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 5874) granting a pension to William L. Carlton—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 5875) granting an increase of pension to Matthew Corbitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5876) granting an increase of pension to John S. Clayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5877) granting an increase of pension to Samuel Baughman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of W. F. Piper, of Mansfield, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Ary R. Gardner—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petition of 84 citizens of Macon, Ga., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BOEHNE: Petition of H. G. Weber and other citizens, of Evansville, and Carl F. Weisbrod and other citizens, of Richmond, Ind., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Joseph H. Wood, of Hulls Cove, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of Coatsville Council, No. 421, Junior Order United American Mechanics, favoring an Asiatic exclusion law against all Asiatics other than merchants, travelers, and students—to the Committee on Foreign Affairs.

Also, petition of citizens of the Seventh Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CALDER: Petition of James E. Morris & Co., of New York, relative to the following from the New York Journal of Commerce: "Withdrawal from bonded warehouses, free of duty and taxes, of domestic articles subject to internal-revenue tax and foreign articles subject to customs duties which are used as ship's stores on the high seas by vessels clearing for foreign ports; also allowance of drawbacks on articles of domestic manufacture made in whole or in part from dutiable materials, when consumed as ship's stores on the high seas"—to the Committee on Ways and Means.

Also, petition of Lithographers' International Protective and Beneficial Association, favoring an adjustment or equalization of rates to bring the specific duty to a uniform ad valorem equalization to conform with amendments as submitted to the Ways and Means Committee—to the Committee on Ways and Means.

Also, petition of William J. Monaghan, of Brooklyn, N. Y., favoring an increase of duty on wall paper—to the Committee on Ways and Means.

Also, petition of Business Men's Association of Norwalk, Conn., against reduction of tariff on print paper—to the Committee on Ways and Means.

Also, petition of Edward & John Burke (Limited), of New York City, favoring provision in new tariff bill where duty is specific to allow drawback on the container when in whole or part of American manufacture—to the Committee on Ways and Means.

By Mr. COOK: Petition of employees of the Jarden Lithographing Company, favoring increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Workingmen's Protective Tariff League, of Philadelphia, Pa., indorsing the hosiery schedule of the Payne tariff bill—to the Committee on Ways and Means.

By Mr. CRAVENS: Petition of Coaldale Council, No. 22, Junior Order of United American Mechanics, favoring Asiatic exclusion law that shall be effective against all Asiatics save merchants, students, and travelers—to the Committee on Immigration and Naturalization.

By Mr. DAWSON: Petition of Sweetland Grange, Muscatine County, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. DODDS: Petition of citizens of the Seventh Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of retail dealers in manufactured tobacco of Elk Rapids, Mich., favoring a higher duty on manufactured tobacco—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of Chamber of Commerce of Watertown, N. Y., against reduction in the existing tariff on print paper—to the Committee on Ways and Means.

By Mr. ESCH: Petition of Minneapolis Chamber of Commerce, against reduction of duty on barley—to the Committee on Ways and Means.

By Mr. FLOYD of Arkansas: Paper to accompany bill for relief of John W. Hughes—to the Committee on Invalid Pensions.

By Mr. FOCHT: Petitions of citizens of Newport, Millerstown, Mount Union, Lewistown, and Saltillo, Pa., favoring repeal of duty on hides—to the Committee on Ways and Means.

By Mr. FORNES: Petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Seggerman Brothers, of New York City, against increase of tariff on chicory—to the Committee on Ways and Means.

Also, petition of C. H. Ronne, of Chicago, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Germania Importing Company, of New York, for maintenance of present rate of duty on paper at 25 per cent ad valorem—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of George Hudson—to the Committee on Invalid Pensions.

Also, petition of Max Lowenthal & Bro., of Rochester, N. Y., relative to the tariff on wool—to the Committee on Ways and Means.

Also, petition of Charles Gilbert Hawley, of Chicago, against proposed tariff on patents, etc., as set forth in section 41 of the Payne tariff bill—to the Committee on Ways and Means.

Also, petition of Hardwood Manufacturers' Association of the United States, against reduction on lumber and its products—to the Committee on Ways and Means.

By Mr. GALLAGHER: Petition of Chicago (Ill.) Lodge, No. 4, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

Also, petition of citizens of the Eighth Congressional District of Illinois, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of lithographic workmen, favoring an increased duty over the Dingley tariff on lithographic products—to the Committee on Ways and Means.

Also, petition of Pasteur Vaccine Company (Limited), against a duty on biological products—to the Committee on Ways and Means.

Also, petition of executive committee of Woman's Board of Missions of the Interior, of the Congregational denomination, of 16 States, against proposed increased tariff on hosiery, gloves, and linens in the Payne tariff bill—to the Committee on Ways and Means.

By Mr. HAMILTON: Petition of residents of the Fourth Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Chamber of Commerce of San Diego County, Cal., favoring a line of freight and passenger steamers touching at all principal ports on the Pacific coast and connecting at Panama with the Panama Railway—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of San Francisco and citizens of San Jose, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of John C. McCombs and others, for the bill granting badges to all soldiers of the civil and Spanish wars—to the Committee on Military Affairs.

Also, petition of citizens of the Seventh Iowa Congressional District, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Samuel O. Tungate, of Des Moines, Iowa, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of 211 citizens of Apollo, Big Run, Falls Creek, and Reynoldsville, all in the Twenty-seventh Congressional District of Pennsylvania, favoring repeal of duty on hides—to the Committee on Ways and Means.

Also, petition of American Plate Glass Manufacturers' Association, favoring an increase of duty on plate glass—to the Committee on Ways and Means.

By Mr. MANN: Petition of citizens of Chicago, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of the Second Congressional District of Illinois, against a tariff on tea and coffee—to the Committee on Ways and Means.

By Mr. OLCOTT: Petition of citizens of the Fifteenth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. PAYNE: Petition of Enterprise Grange, No. 597, Oak Corners, Ontario County, N. Y., favoring a general parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. PARSONS: Petition of citizens of the Thirteenth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of lithographic laborers of the Thirteenth Congressional District of New York, against reduction of the tariff on lithographic products—to the Committee on Ways and Means.

By Mr. PRAY: Petition of Symons Dry Goods Company and other business firms of Butte, Mont., against an amendment to the glove schedule proposed by the Glove Manufacturers' Association—to the Committee on Ways and Means.

Also, petition of John Neubert and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. REEDER: Petition of mine workers, for a tariff on crude oil—to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of J. C. Shepard and 40 others, of Genesee County, Mich., favoring amendment to the Constitution allowing women to vote—to the Committee on the Judiciary.

By Mr. SPARKMAN: Petition of Jacksonville (Fla.) Board of Trade, against reduction of duty on lumber—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of citizens of Mirage, Aspen, and Florence, all in the State of Colorado, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TAYLOR of Ohio: Petition of citizens of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of the Scheiffel Shoe Manufacturing Company and other petitioners, for removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Dunn, Tift & Co., and other citizens of Columbus, Ohio, against the glove schedule of the Payne bill—to the Committee on Ways and Means.

Also, petition of Fred Wright and other citizens of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of Columbus Lithographing Company, Walter G. Sulzer and other citizens of Columbus, and J. Luther Hughes and other citizens of Ohio, for a higher duty on all lithographic products—to the Committee on Ways and Means.

By Mr. WANGER: Petition of C. W. Lessig, sr., and 24 other residents of Pottstown, Montgomery County, Pa., for the removal of the duty on raw hides—to the Committee on Ways and Means.

Also, protest of American manufacturers of plate glass, against the reduction in rates of duty upon imports of plate glass—to the Committee on Ways and Means.

Also, resolutions adopted by the Cattle Raisers' Association of Texas in thirty-third annual convention assembled in Fort Worth, Tex., March 18, 1909, urging that the tariff on hides and cattle be retained and that reciprocal trade agreements be established with foreign countries, whereby our surplus of cattle and meat products will find a ready market in such countries—to the Committee on Ways and Means.

Also, protest of Mrs. Lewis T. Rhoads, of Mont Clare, Montgomery County, Pa., and 14 other residents of that locality, against the imposition of any duty or tax on teas or coffees by Congress—to the Committee on Ways and Means.

Also, resolutions adopted by the Pennsylvania Free Hide League, assembled at Harrisburg, Pa., March 23, 1909, requesting Congress to restore hides to the free list—to the Committee on Ways and Means.

By Mr. WILSON of Pennsylvania: Petition of G. E. Darby and 186 other residents of the Fifteenth Congressional District of Pennsylvania, for free hides—to the Committee on Ways and Means.

Also, petition of David R. Evans and 42 others, of Blossburg, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Lock Haven (Pa.) Lodge, No. 182, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

Also, petition of H. L. Berger and 22 others, of Muncy, Pa., for removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Local Union No. 929, United Mine Workers of America, of Oglesby, Ill., against decision of Judge Wright in relation to Samuel Gompers, Mitchell, and Morrison—to the Committee on the Judiciary.

Also, petition of Schwarzenbach Brewing Company, of Galeton, Pa., for removal of duty from Canadian barley—to the Committee on Ways and Means.

By Mr. WOOD of New Jersey: Petition of Mercer County local Socialist party, of Trenton, N. J., for abrogation of treaty with Russia—to the Committee on Foreign Affairs.

Also, petition of Trenton (N. J.) Lodge, No. 105, Benevolent and Protective Order of Elks, for a reserve in Wyoming for the American elk—to the Committee on the Public Lands.

Also, petition of citizens of Clinton, N. J., against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 30, 1909.*

The House met at 10 o'clock a. m., and was called to order by Mr. Browning, its Chief Clerk, who read the following letter:

I hereby designate Hon. JAMES B. PERKINS, of New York, as Speaker pro tempore.

J. G. CANNON, *Speaker.*

SPEAKER'S ROOM.

Mr. PERKINS assumed the chair as Speaker pro tempore and called the House to order.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, Mr. OLMSTED in the chair.

The CHAIRMAN. The Chair will state that the gentleman from Georgia [Mr. BARTLETT] expected to be heard this morning, but is unable to be present. The Chair will, for the convenience of Members, state he will recognize first the gentleman from Ohio [Mr. COX] for thirty minutes, then the gentleman from Georgia [Mr. HUGHES] for thirty minutes, then Mr. BATES, followed by Mr. VREELAND, of New York. The gentleman from Ohio [Mr. COX] is recognized for thirty minutes.

Mr. COX of Ohio. Mr. Chairman, in going into a discussion of this subject I speak as the representative of a district which not only produces but exports more manufactured goods than any district in America. The third Ohio district within its history, in the persons of Gen. Robert Schenck and Lewis D. Campbell, has twice supplied the chairman of the Ways and Means Committee, a distinction enjoyed by no other district; so that beyond commercial considerations it has always taken a keen interest in the affairs of the tariff. I believe it is entirely worthy of remark that this industrial center has not been a part of the attempted misrepresentations in the tariff hearings before the Committee on Ways and Means. I am sure that I speak entirely within the truth when I assert that not one manufacturer from this very important industrial scene has asked for a schedule or a set of schedules in his own behalf at the expense of the great American consumer. Our vast industrial concerns not only feel secure against foreign invasion, but, gentlemen, they stand ready to beat any foreign competitor upon his own soil if this Government will give them half a chance. The reason for this primarily is that we have reached an uncommon development in the manufacturing art, and inasmuch as it is fair to assume that newer industrial centers will in time attain this same status, then it is entirely proper that certain of our conditions as affected by the tariff should be cited as a warning to every industrial community in this country. I desire, therefore to ask the Clerk to read the following letter.

The Clerk read as follows:

THE DAVIS SEWING MACHINE COMPANY,
Dayton, Ohio, U. S. A., March 25, 1909.

Hon. JAMES M. COX,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your telegram, we beg leave to advise you that on account of Germany working under the most-favored-nation clause with other foreign countries, that country is in a better position to manufacture and ship sewing machines and bicycles into Russia, France, and the other continental countries at about one-half the tariff that is imposed upon the American products in this line.

If your honorable body could see its way clear to reduce the tariff on sewing machines and bicycles to about 20 per cent, instead of 45 per cent, we would then be in a position where our foreign trade could go to their countries and ask for a reduction on American-made products in this line. Otherwise, we are going to be compelled to give up our foreign business entirely or establish factories in Germany and Russia, and possibly France. If we do this, it will decrease our working force in this country over one-third, and eventually probably one-half, as we are making strenuous efforts to build up a large foreign trade, and if our Government is not going to stand back of us and help us to take care of it, by putting us in as good a position as Germany is in, we are going to be forced to do one of the above-mentioned things. We have been urgently solicited for the past five years by our customers in France and Germany to establish a factory in those countries, and we have had under consideration the building of a factory in Germany, but have lived in hopes that our Government would do something to relieve the situation; consequently, we have been waiting to see what would be done by the present administration. By building a factory in Germany we can reach the other countries on the same basis that our competitors are reaching them, and that would relieve the situation just that much.

The Singer Sewing Machine Company have established factories in Canada, England, Germany, and Russia, much to the detriment of the workingmen of this country, which would all have been obviated had we been doing business with the other countries as one of the most favored nations.

Thanking you for taking up this question with us, and hoping that you will be able to induce your co-Members to relieve this situation, we beg to remain,

Yours, very respectfully,

THE DAVIS SEWING MACHINE CO.,
F. T. HUFFMAN, *President.*

Mr. COX of Ohio. Gentlemen, that concern employs 3,000 skilled workmen. It turns out 600 sewing machines and 200 bicycles every day, and it is the largest independent sewing-machine factory in the world, and likewise the largest independent bicycle concern in the world. This factory has asked the Committee on Ways and Means to reduce the tariff on its finished products—sewing machines and bicycles—but the request has not been heeded. And now I ask, not in defiance, but in most respectful inquiry of the framers and the advocates of this bill, that they point out a single provision within it which will reach this very situation described in that letter, namely, that under the present intolerable conditions of the prohibitory tariff they will be compelled to establish factories abroad, and thus divide and disintegrate this large industrial concern in Ohio. You have in the construction of this bill abrogated the right to make trade agreements. The State Department has the inherent right under the Constitution to make treaties; but if a reciprocity treaty disturbs a single tariff schedule, then it must come to Congress. You have insisted that your minimum and your maximum arrangement would so regulate the industrial affairs as between this country and foreign countries as would well conserve our industrial institutions. I now ask you to show me wherein your maximum and minimum arrangement will provide for the very situation which is so eloquently pointed out by this large industrial concern from the Miami Valley, in Ohio.

If it fails in this, then is it not entirely fair to assume that it is absolutely impractical? Gentlemen, you from the districts of vested interests, which know nothing of the wide commerce of the world, will understand within a very few years that your maximum and minimum arrangement is not worth the paper that it is written on. [Applause on the Democratic side.] If it fails in this, it will fail generally, because in the large affairs of commerce this is bound to be a very common occurrence. You are going to find that in matters of world-wide industry there must be brought to the situation the human agency of negotiation and compromise. An "automatic," mechanical legislative device will not reach. And in this connection I want to read from another large concern in our part of the country—the Computing Scale Company, of Dayton—the following:

Our product is not greatly affected by an import tariff. I refer now to the finished product. It is, however, somewhat affected by import duty on raw material of several kinds, and with two exceptions this import duty cuts little figure, either one way or the other, in our product.

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The writer, who has personally conducted the extension of our trade into all foreign countries, has been forced to the conclusion that the high-tariff wall surrounding our own country has been considered a very important factor to be overcome by the officials whose duty it was to consider the acceptance of our goods in those countries. I think the same condition exists, in a great measure, with respect to many food products that are imported into foreign countries. This prejudice, however, we have not found to extend to the tradesmen generally; it might occasionally, but not to a sufficient amount to consider at all seriously.

That is to say, the fact that our country has the reputation in all countries abroad of being one of high protection, and in many instances a prohibitive tariff, creates, according to my observation, a prejudice against us, and where it is possible to do so prevents the introduction of American goods into those countries. It matters not so much the particular kind of goods, or the tariff having a bearing

on such particular kind of goods, but it is the general reputation of the high-tariff wall that appears to me to be in the minds of such officials in their effort to prevent the importation of American goods, as far as it is within their power to prevent it, into their country.

This concern, gentlemen, works close to 1,000 men, and by reason of their ingenuity and the concern having developed a high-class system of salesmanship, it has been introducing its wares in all parts of the world. These two plants are in the busiest industrial center on earth, covering acres of ground, and they represent vast sums in investment besides the welfare of thousands of human units in our industrial life.

And now I ask the gentlemen on that side of the Chamber what becomes of your protection to American capital and to American workmen? In working out the problem which has been disclosed by these two letters, we will find that the tariff question after all resolves itself into the simple plan described and advocated by Thomas Jefferson himself, that we should receive into our country upon the most advantageous terms possible the products which we need from abroad, and those foreign countries should give a like concession with respect to American products which have a market in those parts.

Now, approaching the tariff bill proper—and I can assure this House, which I presume is much wearied already by tariff debate, that I do not intend an academic discussion of this subject—let us briefly view the situation. In reading the tariff platforms of the Republican party from 1884 until 1904, twenty years, you do not find the word "revenue" forming a part of a party pledge, promise, or creed. The ringing note is protection. Now we find our Republican friends coming into this House and reporting a tariff scheme in which the dominant idea is revenue. We have only to read the speech of the gentleman from New York [Mr. PAYNE] himself to clearly see that the feature of revenue is dominant in his mind. In fact, gentlemen, after sitting here and listening to the speeches from the other side of the Chamber for many days, I have not yet heard one nursery yarn or rhyme about infant industries. [Applause on the Democratic side.] Here is what Chairman PAYNE has to say on revenue, and I believe it clearly indicates that we need the money badly:

The time has come to hunt for more revenue in a tariff bill.

Further along he says:

The question of revenue in this bill is a very serious matter.

Then, in discussing the glove schedule, the gentleman from New York said:

We need the revenue now.

Mr. JAMES. That is the reason they raised the tariff on gloves, I imagine?

Mr. COX of Ohio. Yes, sir. Is it any wonder, gentlemen, in the face of this declaration by the chairman of the Ways and Means Committee, that that wise old gentleman from the Northwest, "Jim" Hill, should say in the dispatches this morning in reply to a reportorial inquiry as to when we would have a recovery of industrial conditions—

One of the great things that hangs over the country is the enormous federal expenditure.

I inquire now, gentlemen, whether in this change of front from protection to revenue some unseemly happening has not intervened, some great emergency has not appeared? Explanation seems to be afforded by the circumstance of a deficiency of $150,000,000 in the present fiscal affairs of the Government; a continuity of wild finance which has gone on now for several years, and which has compelled the word "revenue" to become the ruling phrase in the language of the Republican party. For the four years ending 1908 our Government has spent $35,000,000 more than it cost to carry on the four years of civil war; and for the four years ending 1905, $235,000,000 more than in the previous four years, during which the Spanish war was fought. Is it any wonder, gentlemen, that in the face of this situation our friends have been driven beyond the method of collecting money by customs duties and internal revenue to another and a new form of federal revenue known as the "inheritance tax?"

This device in 33 States will bring about a double system of taxation. Let us inquire whether the gentlemen on the other side of the Chamber have come to it as an ethical measure or one of necessity. I believe that the words of the gentleman from New York [Mr. PAYNE] himself are sufficient:

We believe this the best method of collecting this amount of money—$20,000,000.

So when our Republican friends take the stump and insist that they have come to the inheritance-tax idea because it is ethical and right, the words of Chairman PAYNE himself will show that they adopt it under the stress of sheer necessity. Then we observe the chairman of the Ways and Means Committee making the monstrous statement that in making up an exhibit of the present financial affairs of the Government there is no necessity for counting the $60,000,000 charged off for the sinking fund as part of our current expenses. I submit to the Members of this House and to the American people whether this radical departure from common business form and prudence does not clearly index the state of the fiscal affairs of this Government. There is not a private enterprise on the face of the earth which could issue and sell its bonds without a sinking fund. I do not believe the Standard Oil Company could sell its bonds to American investors if a sinking fund were not provided.

Then the gentleman, in discussing the Panama Canal, stated:

It has been built for the ages, and the generations to come should pay for it.

If that be true, gentlemen—and I have no disposition to question that theory—then I ask how the gentleman from New York [Mr. PAYNE] justifies our present delinquency in meeting the bonds of past generations? About the same time I read in a New York paper a statement from another member of the Ways and Means Committee [Mr. BOUTELL], in which he says:

There is no necessity in computing our present expenses to take into account this $60,000,000. It is necessary to have a large interest-bearing debt to take care of the banking interests of the country.

I have no doubt that the bankers of our country will be both interested and surprised to know that they can only keep going forward by the Government going backward, and that their growth and development are contingent entirely upon the Government spending more than its income. Gentlemen, if the Government were a private enterprise and conducted its affairs with such radical disregard for the rules of common business sense, it would have been in the hands of a receiver long ago. [Laughter and applause.]

Before leaving the question of party platforms, I want to have just a word to say about the enunciation of 1884, because that is a circumstance of history that deserves to be written in letters of gold on the front of this Capitol; in that instance the Republican leaders in Congress kept a campaign pledge. It stated its purpose in these words:

We will revise the inequalities in the tariff and reduce the surplus.

Now, gentlemen, that solemn covenant was kept as between them and the American people; and they more than kept their promise; because no sooner were they in office than they not only reduced the surplus, but they wiped it out of existence. [Laughter and applause on the Democratic side.] Then there is another anecdote of history to which the gentleman from New York himself adverted. In the brief time allotted to the distinguished gentleman from New York, naturally a good many things were omitted. [Laughter.] He told you that "When we framed the McKinley bill we had a surplus, and it was unnecessary to put a tax upon sugar." I know that it is an inadvertence entirely which accounts for the failure of the gentleman to say to this House that this surplus was given to the Republicans by the Democratic administration of Grover Cleveland. [Applause.] By the way, it was the largest surplus in history.

Now, there are other propositions besides the tariff for revenue, upon which the parties have agreed by the Republicans changing front. A good many years ago that magnificent old statesman, the old Roman, Allen G. Thurman, of Ohio, made the statement that "the tariff is a tax," and his political opponents insisted that he was crazy. It was their contention that "the foreigner pays the tax." I ask whether it is not significant that this old worn-out, threadbare phrase has not been stalking about these floors for the last ten or twelve days? [Laughter and applause.] But we are all gratified that both parties have agreed that "the tariff is a tax," because the people can clearly understand that under the stupendous expenses of the Government it is they, by direct, indirect, and insidious taxes, who are paying the bills, and the matter of responsibility can be very clearly and distinctly placed. [Applause on the Democratic side.]

Leaving the feature of revenue and coming to that of revision, we find that the Republican declaration in behalf of this latter principle is also due to a remarkable change in affairs. For years our Republican friends adhered, without qualification or reserve, to the idea of protection, and as years went on they did not even advance logic in support of that attitude, the American people simply being advised that they meant to stand pat. Now, if we go into the meaning of this very polite expression and endeavor to ascertain from those who know something about the game we are told that the man who stands pat has the means within his hands to do as he pleases.

A MEMBER. Not always.

on account of Germany working under the most-favored-nation clause with other foreign countries, that country is in a better position to introduction of American goods into those countries.' It matters not so much the particular kind of goods, or the tariff having a bearing

Mr. COX of Ohio. If we further follow the thread of information, we are told that the man who continuously stands pat has something to do with the deal. [Laughter.] As the gentleman from Missouri [Mr. CLARK] said the other day, the Republican leaders and the Republican convention were so thoroughly alarmed by the state of public temper that they promised a revision, and that they clearly understand the exact feeling of the American people is evidenced by this excerpt from the report of the majority members of the Committee on Ways and Means:

In the formation of the bill the committee has had no easy task. There has been a popular demand, more or less widespread, for a general cutting of rates.

So, then, gentlemen, our Republican friends, on pretense, are for revision, and we will accept this bill as their conception of what tariff revision is; such a revision as conditions warrant and public opinion demands. If the bill fails in this requirement, then the Republicans may very properly be charged either with bad faith or incompetency, and the slogan can no longer be "The tariff must be revised by its friends," but it must be revised by the only party which, on promise and pretense, has always been for a revision downward. [Applause on the Democratic side.]

The Democracy under the present circumstances is the great political party of opposition; but in the present instance I sincerely hope that it will not be a party of obstruction, and there does not seem to be any indication of that spirit. I trust that by respectful and vigorous contention and debate, but not by filibuster, it will seek to procure the adoption of the following amendments:

First. Free coffee, without any countervailing duty.
Second. Free tea.
Third. Free boots and shoes, as well as free hides.
Fourth. Free lumber.
Fifth. The repeal of the preferential duty on refined sugar.
Sixth. The repeal of the countervailing duty on oil.
Seventh. A constitutional income tax.
Eighth. Free zinc.
Ninth. Such a reduction on woolen goods, blankets, and so forth, as will wipe out a prohibition of exports, thus supplying revenue and bringing the cost of clothing down to equitable prices.

If to these amendments could be joined schedules for the primary purpose of revenue, it could be so distributed as to accomplish three things:

First. Provide a sufficient differential in the labor cost at home and abroad.
Second. Wipe out prohibitory features.
Third. Apportion in an equitable way the burdens of taxation.

By so doing, gentlemen, we will have shown due, proper, and humane consideration for the great masses of the working people at home, who have neither the means nor the opportunity to come here and maintain a lobby, to give lavish banquets, or to maintain the expense of a systematic propaganda in their interest. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. I ask unanimous consent that the gentleman have fifteen minutes more.

The CHAIRMAN. The Chair will state that that is not necessary. Under the rule, a gentleman obtaining the floor is strictly entitled to an hour, but the Chair has been able to recognize gentlemen who stated that they desired a shorter time. The gentleman is recognized for fifteen minutes more.

Mr. COX of Ohio. If we fail, gentlemen, in our endeavors to accomplish these things, then I say that this scheme of finance and economics should be submitted to the American people at the earliest possible opportunity, and that it then be given a practical demonstration. The administration of President Taft will then have been regularly begun. There is a good measure of belief that his policies will be contrary to those of the Republican leaders. Public opinion in the future, based upon the results and operation of this bill, will either be confirmatory of that idea or it will be apparent that the administration, with Theodore Roosevelt far away in the fastnesses of Africa, has drifted back again to the old beaten paths of the Republican party. And the moment that becomes apparent the campaign preliminary to the Sixty-second Congress will have begun, and without formality. The gentlemen on the other side of the Chamber must not be surprised if it opens about the breakfast tables in millions of American homes, which will be the scene not only of discussion, but firm resolves as to the future.

In fact, you are apt to observe the strongest tempest that ever came from a teapot or a coffee pot. [Laughter.] I believe that the prevalent opinion in our part of the country is that our Nation will not take rank commensurate with its opportunities until we adopt a more practical way of making tariff measures; and yet we must all admit that every member of the present Committee on Ways and Means has won the everlasting gratitude of the American people. It has adduced information that is an invaluable contribution to the economic literature of the time, and yet who will deny that it is full of misinformation?

The gentleman from Missouri [Mr. CLARK] has pointed out some very humorous items of misrepresentation. In going through the hearings I have found a couple of very entertaining contributions to the history of the times myself. We find one iron man who admitted that he was worth $4,000,000. Mr. CLARK asked him how he made the money, and he said in the quiet pursuits of a farmer. [Laughter.] It would have been just as credible if he had stated that he had availed himself of the wonderful opportunities afforded by the free list of the Dingley bill, and that he had imported acorns, grown forests, and got rich in the lumber business. [Laughter and applause on the Democratic side.]

I want to call attention to another witness whose testimony has not been given on this floor. He appeared as the representative of the roller bearing companies. Notwithstanding the duty is now 30 per cent, this gentleman asked for 10 per cent more. On this subject he said:

The following list gives the prices at which the bearings are being sold in England and Germany and at which they are being sold in the United States, the article in each case being identically the same shape, size, weight, design, material used, and construction, and alike in every particular:

	England.	Germany.	United States.
Price of bearings	$1.44	$1.50	$2.25
Do	1.88	1.44	2.13
Do	1.62	1.68	2.49
Do	2.04	1.96	2.92
Do	3.84	3.84	5.76

He then made two remarkable statements: That if tariff conditions caused the slightest reduction in prices, his concern would go out of business; and, second, that if the import duty was not satisfactory he would cut the wages of his men—the same old bluff. If to the table this witness submits you add the present duty of 50 per cent on the foreign articles, you have these figures of selling prices on English, German, and American goods:

	England.	Germany.	United States.
Price of bearings	$2.16	$2.25	$2.25
Do	2.07	2.16	2.13
Do	2.43	2.52	2.49
Do	3.06	2.94	2.92
Do	5.76	5.76	5.76

Note how ingeniously it works out and how closely the American and foreign prices have been brought together. Now, for the truth. I have in my hand the prices at which a large automobile concern buys American and foreign ball bearings. Here are the figures on different sizes:

	American.	Foreign.
Price of bearings	$1.17	$1.90
Do	1.83	2.10
Do	2.20	3.60
Do	1.78	2.76
Do	3.70	6.80
Do	3.37	5.50

In the table which the witness presents there is worked out an average difference in selling price on each bearing of 12 cents. As a matter of fact, he is deriving from the authentic table made from the prices of the American manufacturer which I have quoted a differential in sale of almost $1 per bearing, or, to be exact, the difference between $3.11, the foreign average, and $2.26, the American average.

In this morning's Washington Post a gentleman calls attention to the fact that manufacturers of hosiery before the hearing, even though they live in the same city, could not agree within 50 per cent as to what they pay for labor in this industry.

Now, gentlemen, I ask you how you can account for these radical departures from the truth except upon the theory that

the prohibitory tariff inspires such a lust for gain and gold that these men come here and swear their souls down to the very gates of hell in order to gain a government license to rob the American people. [Applause on the Democratic side.]

But, after all, this testimony has served its purpose, because it shows the travesty of the present method of making a tariff bill. The point is this: Should men like Mr. CLARK and the gentleman from New York [Mr. PAYNE], with their talents for and training in statesmanship, be compelled to make of themselves a sort of combination public prosecutor and detective and put these capitalists through the sweating process in order to get the truth? The gentleman from Missouri [Mr. CLARK] has stated that the Members worked like galley slaves and doubtless shortened their lives in so doing, and this calls attention to a statement made by a United States Senator that at least three Senators shortened their lives because of the arduous duties imposed upon the Senate Committee on Finance when the Wilson-Gorman bill was in hearing.

Here is a more humane plan for tariff building and more practical. Let the Bureau of Statistics be enlarged in size, scope, and operation. Let it arbitrarily be made nonpartisan. Let it collect data, bearing on costs, wages, and all economic information to be derived in every part of the commercial world. Bulletins can be published much the same as the Department of Agriculture now operates; but it must be definitely understood that these bulletins will relate to facts and not conclusions. Then, and not until then, will we have the truth with reference to those conditions upon which a tariff bill must be based. The objections in Congress to a tariff commission seem to be that, like some commissions, it would be agitative, because it might be prone to deal in conclusions, which are always more or less a part of human prejudice. The bureau plan would perform all the functions and purposes of a tariff commission and not raise the objections. That President Roosevelt had in mind just such a plan as this is clearly shown by his message to Congress of March 25, 1908, when he suggested that experts and statisticians be put to work at once in collecting and putting together such information as could be procured all over the world, and which would be of interest in the making of a tariff law. These agencies were in operation less than a year. The Committee on Ways and Means is unanimous in its opinion that its work was invaluable. That being true, how infinitely more useful it could be operating as a permanent thing. Let us take as a concrete case the Davis Sewing Machine Company situation, whose letter has been read by the Clerk, and show how this plan would work out. The Ohio manufacturer would lodge his complaint, if that figure of speech be permitted, with the Committee on Ways and Means. That committee could then call upon the Bureau of Statistics for all information bearing on the case and, in fact, ascertain by negotiation what would be necessary to gain the desired end.

The whole matter could then be referred back to the Committee on Ways and Means for action. As a matter of fact, by the humane instrumentalities of negotiation more work could be done in two months than will accrue from a whole year's application of the maximum and minimum arrangement carried by this bill. The higher development of commerce must depend upon our working out the subtleties of trade, the science of commerce, the creating of trade relations between this and other countries.

The theory that a tariff law once enacted must not be touched for ten or twelve years is a form of fetich that does not do credit to the intelligence of the Nation. Nor does it seem right that a committee as important in relation to the vital interests of the people should, approximately speaking, have nothing to do but once in a decade. Its doors should always be open. If our business organism can not stand slight changes in tariff policy occasionally, such as the evolutions of time suggest, then we must be on very weak ground.

That the tariff conditions of the past and the present have not been conducive to world-wide trade is clearly shown by another statement of Chairman PAYNE, when, in the eloquent close of his address, he said in these words:

I believe this tariff bill will open up the ports of other countries.

Manifestly the ports of the world have not been open under present tariff conditions, and I believe there is grave doubt about the Payne bill being expansive in its trade tendencies. That America is not to-day exporting more than 3 per cent of what she manufactures is not due to a lack of individual enterprise, but to the restrictive elements of a prohibitory tariff.

In closing, I insist that from the view point of the great industrial centers of the Middle West, where our concerns sell their products all over the world, it is plain that every element combines for our supremacy. By geographical construction we extend from as far north as Moscow to the latitude south of Damascus and Sahara, with all the diversified climates common to that wide range of territory, attracting the strongest blood of the best nations of all the world, and working out that composite being, the ideal American. Joined to that we have the richest of necessary minerals and ample food products to feed the world; and lying midway between the Occident on the east and the Orient on the west, this commercial giant, this American Nation, needs only the fetters broken that it may conquer the markets of the world, and with that supremacy carry our great works of civilization. [Applause on the Democratic side.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. STERLING].

Mr. STERLING. Mr. Chairman, I have long thought that the duty on hides under the Dingley tariff was of great benefit to the American farmer. I entertained that opinion when this discussion began. I have listened with a great deal of diligence to all that has been said in support of that provision of the bill which puts hides on the free list to ascertain, if possible, whether or not there was any reason for this action of the committee. I listened to the gentleman from New York [Mr. PAYNE] on that question and to the gentleman from Indiana [Mr. CRUMPACKER] and to the gentleman from Massachusetts [Mr. GARDNER]. I have heard the suggestions of the gentleman from Wisconsin [Mr. WEISSE], who, as I understand it, is a tanner and who presumably knows a great deal about the hide business, and I submit that unto the present time I have not heard one single suggestion that justifies the action of the committee in taking hides off the dutiable list and admitting them into our markets free.

Mr. WEISSE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. STERLING. I will.

Mr. WEISSE. I will try to enlighten the gentleman on this matter if he will give me about five minutes' time, and take it out of our time.

Mr. STERLING. No; the gentleman can not take it out of my time.

Mr. WEISSE. I just wish to ask the gentleman a question. Does the gentleman believe in protecting American labor?

Mr. STERLING. I do believe in protecting American labor, and I will say to the gentleman this: That there is as great a per cent in the value of every cattle hide produced in the corn belt of this country as in almost any other manufactured article produced in the United States. [Applause.]

Mr. WEISSE. If the gentleman will allow me another question?

Mr. STERLING. Yes.

Mr. WEISSE. By taxing hides 15 per cent you keep the foreign hides out of the American market, out of the hands of the tanner and the shoe manufacturer, and you force those hides over to England, where they are tanned. This 15 per cent discriminates against the American tanner and the leather manufacturer. One dollar's worth of hide will produce $5 worth of leather, $1.50 of which goes to labor, $3 for other raw material. All of this is lost by this prohibitory tax of 15 per cent.

Mr. STERLING. That may be true, but the trouble with this bill is that it does not remedy that situation. The gentleman's proposition is that instead of the tanner losing the $5, he proposes to have the farmer lose it.

Mr. WEISSE. Oh, I beg the gentleman's pardon.

Mr. STERLING. That is what every Member that represents an agricultural district ought to stand against.

Mr. WEISSE. Mr. Chairman, I did not say that the tanner lost $5. The gentleman misconstrues my statement. I said the 15 per cent keeps out $5 worth of manufactured products which might be made in this country. Why not let the hides in free?

Mr. STERLING. Mr. Chairman, that is the purpose of the tariff on hides. It ought to keep out the foreign product to some extent. That is the purpose of every protective tariff. The gentleman's proposition is to open the flood gates and let in the cheaper hides from South America and other countries, and the American farmer is the man who must suffer. I realize that in taking this position I take the risk of being styled by the gentleman from New York [Mr. PAYNE] a "demagogue," according to his utterance when he made his address the other day; but I submit there was not a farmer, there was not a representative of the farmers before the Ways and Means Committee during all the time they had this bill under consideration. There was not anyone there to speak for the farmer; and if the Members on the floor of this House who represent agricultural districts do not speak for him and look after his interests—and there seem to be plenty here to look out for the interests of the tan-

ners and the packers and the shoemakers—then who will speak for the farmer?

Now, there has been some suggestion made here to the effect that the Dingley tariff bill has not worked successfully or satisfactorily in all instances. The gentleman from New York suggested that hides coming from South America did not come here in the raw form—they went to England, were tanned there, and came over here as manufactured leather, which went on the American market to the detriment of the American tanners. This bill does not cure that defect in the law. What have they done? They have not only taken the duty off hides, but they have practically taken the duty off leather, so that this bill will not remedy that situation. The hides will still go to Europe, although they may come into our ports free, and they will be tanned there just as they have been, and then they will come to the American market and come in free in the form of free leather, so that the situation will not be changed a particle. The way to remedy that situation, if it is a defect, is to raise the duty on leather, so that the hides will come here in the first instance and will not be tanned in Europe, but will come here in the form of raw hides, and give to the American tanner an opportunity to do the work and the American laborers the benefit of tanning the hides which we use in our markets.

Hides, however, from South America do not go to Europe to be tanned on account of the Dingley tariff so much as for another reason. Hides from the Argentine intended for the American market go first to Europe because the ships go that way, and they simply stop in transit, are tanned in Europe because of the cheaper labor there, and then continue to the American markets, the importers of these hides preferring to pay the American duty on tanned leather rather than on the raw hides. If we had American ships between the ports of South America and the ports of the United States, the hides and other exports from that country intended for the American market would come direct here. We are offered these two remedies for relief under the Dingley law—either raise the duty on leather or establish a line of American ships between our ports and South America.

Another gentleman suggests, and I think it was the gentleman from Wisconsin, that under the present method foreign hides come in free and are tanned and then sent out again and draw from the Treasury of the United States the tariff that they had already paid. Well, by that method we get some benefit. We get the benefit of having American labor tan the hides, and if we are not satisfied with that, this bill will not remedy it. Let us refuse to return the duty which these hides paid on entering our market, and keep it in the Treasury of the United States, and then increase, if necessary, the duty on leather; that will give the American tanner an equal chance with the tanners of other countries.

Another fault has been found with the Dingley bill that this bill does not remedy. It is said that the hides of cattle which go abroad, that are exported to foreign countries, must pay a duty when they return to the United States. I think that this is a mooted question. I think it has not been decided as to whether they should pay a duty or not; but if so, it is easy enough to remedy the Dingley bill by providing in this bill that when cattle go abroad and the hides are returned to our market that they may come in free. That would be a benefit to the exporters of American cattle. These gentlemen have tried to give solace to the American farmer by saying that when the tariff has been taken off hides he can buy his shoes and his harness cheaper than he could before; that this is his compensation for giving up the protection which he now has on the hides which he produces. It is a fundamental principle of protection that the man who produces the raw material is benefited by a duty on the article manufactured from that raw material.

A duty on boots and shoes is of benefit to the man who produces hides; a duty on leather is of benefit to the man who produces hides, and you say here, to compensate the farmer, that you have reduced the duty on shoes 40 per cent; that you have reduced it from 25 to 15 per cent. I say when you have done that you have hit the American farmer. You have reduced the duty on leather from 20 to 5 per cent, and when you do that you hit the American farmer. Then, again, you take the tariff off of hides entirely, so that he can not protect himself against the foreign importer of raw hides nor against the men who tan the hides in this country nor against the manufacturer of boots and shoes. You take the duty off boots and shoes to reduce the value of the products of the manufacturer. He presses down the price which he pays to the tanner. You take the duty off leather, and the tanner presses down the price which he pays to the producer of raw hides, and all along the line of this question of hides and leather and the manufacture of hides and leather the American farmer is receiving the worst of it. I submit that it is not a fair and equitable bill for him. Why, the gentleman from New York said the other day that the American farmer had prospered.

It is true that he has and he is prospering by reason of the protection to a large extent that he receives under the Dingley bill, but is he not entitled to a share of the prosperity which the country enjoys? Everybody has been prosperous. Almost every industry in the United States has done well in the last twelve years, and the farmer is not complaining, because he realizes the fact that he has enjoyed his due share of the prosperity. He is entitled to it; and I submit it is not right now that we, in undertaking to frame legislation that will help the industries of the country, single out the agricultural industry, the greatest of them all in all the land, and let it suffer and let the others prosper at its expense.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. STERLING. Yes.

Mr. COX of Indiana. I quite agree with the gentleman as to the injustice apparently done to the farmer along this line, but let me put this inquiry: Under section 29, what is known as the "drawback section" of the statute, which enables the manufacturers of this country under the drawback provision to get free materials with which to manufacture goods, provided he exports those goods, does not the gentleman believe that that is a discrimination in the interest of the foreign farmer against the interest of the home farmer, when the same manufacturer is compelled to buy the material out of which he manufactures the farmer's products, in a high protected market in this country?

Mr. STERLING. Well, now, I do not know that I understand the gentleman's question. I do say this: It has been suggested here by some of these gentlemen who seem to be very much concerned about maintaining free hides in this bill that hides have gone up since this bill was reported into the House. One gentleman suggested—intimated, at least—that it was this proposition to assault the raw hides industry of the country that causes this increase in the value of hides. It may be true that hides have gone up, but the reason of that is simply this, that the importer of hides is waiting until the flood gates are opened by this bill. The importer of hides is stacking them up now just outside the line. When this bill is passed these American hides will not be higher on the market than they are now. They will go down and down and down when that flood of foreign hides comes in, and the American farmer must inevitably suffer from it.

Mr. COX of Indiana. Will the gentleman yield for one more question?

Mr. STERLING. If the gentleman will be brief about it.

Mr. COX of Indiana. Is it a fact that calfskins went up when they were placed on the free list, instead of down?

Mr. STERLING. There may be two reasons for that. Now, I am agreeing that the gentleman from Wisconsin [Mr. WEISSE] was correct when he said that calfskins went up faster than cattle skins, and calfskins are on the free list. Why? In the first place, the value of the full-grown steer, the value of the full-grown dairy cow, determines the value of the calf, and calves are higher, of course, when the grown animal is worth more on the market. And then there is another reason why calfskins went up along with cattle skins, and that is this: That when cattle skins are high, when leather made from cattle skins is high, calfskins can be used economically in many places, and that produces a greater demand for calfskins. The tariff on cattle hides helps the farmer all along the line. It helps to make a market for all animal hides which the farmer produces.

It is not sufficient to justify this attack on the hide industry of this country to say that the cattle grower gets no benefit from the tariff on hides. Why is not the influence of a duty on hides the same as it is on any other American product? Hides are the finished product of the cattle grower; and if the duty on them hinders the foreign product from entering our markets, he is benefited to that degree. The benefits which he derives from this protection can be measured in the same way as the benefits of protection to any other article. It will not be denied that under the Dingley tariff bill the prices of hides have generally been better, steadier, and firmer than they were under free trade.

Here is a transaction which occurred some weeks ago at the Union Stock Yards at Chicago, which I think is conclusive of the fact that when cattle are sold on the hoof the hides are figured by the purchaser as a very important factor in the transaction. Among a carload of fat steers which reached the market was one that had been injured on the head and as a

live animal could not pass inspection. The steer was slaughtered and a post-mortem examination made, and the state veterinarian pronounced the meat good, and the animal was sold in the butchered state on the market, in the same market, too, in which the rest of the carload was sold. The following is the statement of the account:

CHICAGO LIVE STOCK EXCHANGE,
OFFICE OF THE SECRETARY,
Union Stock Yards, Chicago, Ill.

Statement of the disposition of one carcass of beef and its offal, pronounced fit for food by the state veterinarian of the State of Illinois at a post-mortem examination thereof held in the city of Chicago on October 23, 1908.

Owner, Lee L. S. Com. Co. Tag No. S.
Sold to M. C. Dea.

CREDIT.

By four quarters of beef, 765 pounds, at $6.50		$49.72
By butter stock, 38 pounds, at $8.55		3.25
Hide, 79 pounds, at $11.38		8.99
By head, tongue, etc		.60
		62.56

DEBIT.

To slaughtering, dressing, chilling, and delivering carcass	$0.97	
To feed and petty incidental expenses	1.18	
		2.15
Net proceeds		60.41

RADCLIFFE BROTHERS, *Dexter, Kans.*

This shows that the hide brought $8.99, nearly one-fifth as much as the four quarters brought and more than one-seventh of the entire value of the steer. How can it be said that the hide of this animal would not have figured as a very important element in his value if he had been sold on hoof? The farmer would have realized just as much for the hide of this animal if he had been sold alive as when butchered. He realized just as much from the hides of the other animals which he sold as he realized from this one.

The purpose of our forefathers in establishing protection to American industries was to create a market for the products of the American farm and garden by building up manufacturing industries. It was not thought necessary then to impose a tariff duty on agricultural products, and they were on the free list until 1861. A duty was imposed on them then as a war measure and, among other things produced on the farm, a duty was placed on hides. These duties on agricultural products at that time were considered purely for revenue purposes, and when the war was over this duty was taken off. The duty was taken off hides in 1871.

The protective policy accomplished its purpose. It built up great manufacturing industries throughout the United States, and the farmer received much benefit from this because of the fact that it furnished him a home market, although his products were on the free list. By and by the agriculturists of other countries discovered this splendid market and sought to steal it from the American farmer. The American farmer complained, and in 1890 the Republican party, in the McKinley tariff law, placed the duty on agricultural products.

The framers of the Dingley law acted on the same theory and attempted to protect the American farmer in his first right to the American market, by imposing a duty on nearly all agricultural products. The Dingley law placed a tariff duty on grains of all kind, and hay and fruit and the products of the dairy, and on poultry and on hides, and I wish to say that that is the reason the American farmer has prospered during the reign of the Dingley tariff, and you offer no excuse now for trying to strike down this prosperity by putting hides on the free list. There was never a time when the farmer needed protection more than he does now on this product. South America, with its cheap and fertile land, can produce cattle and hides cheaper than the American farmer can, and can produce them in immense quantities. The American farmer, with his high-priced land and high-priced labor, is bound to suffer from this unequal competition.

The gentleman from New York spoke very eloquently the other day in justification of the committee in reducing the duty on lumber from two to one dollar per thousand. He spoke so eloquently that I was convinced that the committee would be justified in placing lumber on the free list. He said it was in the interest of the millions who consumed lumber and against the few who owned it that the tariff be reduced on lumber. For the same reason he ought to favor the retention of the present duty on hides. I am for free lumber, because the millions use it and the very few own it. I am for protecting hides, because the millions produce them and the few tan them.

Mr. HUGHES of Georgia. Mr. Chairman, as a new Member from Georgia I feel it is my duty to express some views upon this great question of tariff. I am from the rank and file of the producers of this country; producers of actual wealth from the soil, who in the year 1908 created $8,000,000,000 of wealth, being $8 per capita for a population of 100,000,000 people of this great Union. This wealth was created by the plow and the hoe. I sincerely hope that in the end, in this House of Representatives, we shall realize this fact and have only one ambition, and let that ambition be to labor not for the trust, the combinations, and the mighty magnates of wealth, but for the good of our common country, so that the burden of taxation will fall equally upon all. [Applause on the Democratic side.] As I lift my voice in behalf of the yeomanry of the State of my birth, I declare that it is the magnificent cotton crop of the South which keeps intact our gold reserve, and upon this crop largely depends the financial prosperity of this great country. [Applause on the Democratic side.]

Georgia, the empire State of the South, which in recent years has multiplied her manufactures of various products to an extent unprecedented perhaps in the history of any other Commonwealth, is largely agricultural. She is the second cotton State and the first in the output of peaches.

Tariff revision and tariff reform, Mr. Chairman, are terms which, in the minds of some people seem to be synonymous; yet the results accomplished by the one and those achieved by the other may lie as far asunder as the poles. It is greatly to be desired that the work now undertaken by Congress may prove to be a reform as well as a revision, but I trust I shall be pardoned for entertaining very serious doubts on that point. Certainly a study of the provisions of the bill now before this House does not lead me to look upon it as a reformatory measure. Revisionary it is, without a doubt, but is it so in the right direction and in the proper measure? That is the question. I shall not enter upon an exhaustive analysis of its schedules.

There is, however, one feature of the pending bill to which I feel I can address myself without running the risk of becoming involved in abstruse argument, and that is the relation which tariff legislation bears to the interests of the farmer. The tariff has borne more oppressively on the farmer than upon any other class of the population of the United States. All of them have been framed with the greatest care for the interests of the manufacturer, who is guarded on every side by protection. The farmer has not had much consideration; on the contrary, the protection given to the manufacturer has had the effect of making and keeping prices on every article of domestic consumption so high that a most grievous burden has been placed thereby on the farmer's back.

AGRICULTURE'S CONTRIBUTION TO NATIONAL WEALTH.

The people of the United States are justly proud of this country's eminence as one of the great manufacturing nations of the world, and on every possible occasion we extol our greatness in this respect by pointing to the magnificent total of exports of our manufactured products. But in this glorification of the American manufacturers the still greater glory of the American farmer is almost lost sight of. And yet, Mr. Chairman, it is the farmer that has given this country the balance of trade for the last ten years. Let us keep this fact well in mind, for I fear greatly, sir, that with our rapidly growing population and the consequently expanding home consumption our exports of breadstuffs will necessarily diminish within the near future, if, indeed, this decrease has not already begun, for I note in the Monthly Summary of Commerce and Finance for December, 1908, that our exports of these commodities were in 1907 $214,639,465, and in 1908, $196,262,583, a difference of $18,376,882 on the wrong side of the ledger. This by way of parentheses. For the present the farmer is still the royal creator of national trade balances. The Agricultural Yearbook for 1907 gives the value of exports of farm products for that year as $1,054,405,416 out of a total of exports of $1,853,718,034.

The farm gave 56.9 per cent of all the exports; the factory but 41.1 per cent. In thinking of our exports, it is well to keep in mind what Secretary of Agriculture Wilson says in this Yearbook:

> The farm sustains the great export movement. If to the products that are fully agricultural are added those that are considerably so in combination with materials of other origin, and then are added the forest products and the commodities composed of them, the remnant of the exports is but 28½ per cent of the total value of the record for 1907.

The same authority tells us that the total value of farm products in the United States for 1907 was $7,412,000,000, and that in the nine years from 1899 to 1907 the estimated wealth produced by the farmers of the United States reached the fabulous sum of $53,000,000,000.

It is worth our while to regale ourselves with the contemplation of the wealth annually contributed to the Nation by the farmer.

The principal crops in 1907 footed up thus:

Corn	$1,336,901,000
Wheat	554,437,000
Oats	334,568,000
Rye	23,068,000
Barley	102,290,000
Buckwheat	9,975,000
Cotton	675,000,000
Hay	742,507,000
Tobacco	76,234,000
Potatoes	183,880,000
Flaxseed	24,713,000
Wool	78,263,165
Total	4,142,436,165

The farm dairy products in 1907 reached nearly $800,000,000; poultry and eggs more than $600,000,000; animals sold from farms and slaughtered on them about $1,270,000,000. The Yearbook epitomizes the exhibit in the sentence:

Enough is apparent to make it plain that the farmer of the United States is in a business that counts for national welfare by providing the wherewithal on a scale of magnificence that defies the imagination to comprehend.

NOT FAIR TO THE FARMERS.

One would think, Mr. Chairman, that so vast a factor in our national prosperity would receive at the hands of our law-making power at least the same consideration and protecting care that is bestowed upon the manufacturer. But it is not so. This Government has given to the railroad companies of the country hundreds of millions of dollars in public lands and in other gratuities to aid in the construction of the railways. The farmer does not complain of this; on the contrary, he has always given his cheerful consent and approval to this policy. But it seems rather incongruous, to say the least, to see the constant disinclination of Congress to appropriate a sum sufficient to build good country roads that would save the farmers of the country many millions every year by lessening the wear and tear upon their teams and rolling stock. A bond issue of $50,000,000—only one-seventh of what it is estimated the Panama Canal will cost—would suffice, added to the appropriation from States, counties, and other local authorities, to build a system of highways as fine as that which France now enjoys. If the farmer were not as modest as he is, he would demand it as his right, not plead for it as a favor. He has the votes to command it, and could, if he would, consign to dismal defeat any party that refused him what is justly his due. [Applause on the Democratic side.]

In the matter of tariffs, past, present, and proposed, the farmer fares no better. He must sell his surplus for export at prices fixed in free-trade markets, and he must pay for the things he buys for everyday use at prices fixed by the protected manufacturer or by the importer. I know it has been proclaimed with much ostentation that the present tariff bill gives him protection of 25 cents per bushel on wheat and corn, but that is a joke when it is seen that our imports of wheat last year amounted to $41,718, and those of corn to $153,734. There is proposed in the bill under consideration a reduction of 50 per cent in the duty on barley. Our imports of barley last year amounted to $64,702; our exports to $4,795,074. It does not require a violent excitation of gray matter to understand that this reduction will tend to increase materially the importation of barley and to depress the price of that product in the home market, to the great injury of the farmer. Who profits, Mr. Chairman? Why, the brewer, of course, who is the chief consumer of this cereal.

FREE HIDES NOT A BOON.

Hides have been put on the free list in the pending measure. Who pays the bill? Why, in a large measure, our friend the farmer, who under the present dispensation can get a little better price for his cattle and for the hides of the cattle slaughtered on the farm. Hides on the free list means for him less money for his cattle. But on all leather, manufactured or unmanufactured, a duty is imposed, and the farmer, while getting less money for his hides from which the leather is made, still has to pay a price increased by the duty for his shoes, his harness, his saddles, and all of the other leather articles he may require either for his work on the farm or for the use of himself and his wife and his children. Cotton is on the free list; but if all we hear about the cotton-cloth paragraphs is true, or only a portion of it, then, indeed, the farmer's wife will pay more for her calico apron and gingham gown than she is paying now. There has been manufactured of late a stuff called "mercerized silk." It is a cotton fabric with a silken sheen, and to the farmer's wife and daughters who can rarely afford a silk dress, it has been quite a boon in the way of "dress goods." Our tariff tinkers, however, are evidently afraid that even mercerized silk may awaken too strong a hankering after other finery in the minds of these good women, and so these wise men, with "Draconian sternness," have slapped a duty of 1 per cent per square yard on this article. [Applause on the Democratic side.] And when the farmer's wife and daughters go to town to do a little shopping and look upon mercerized silk, they will exclaim: "Vanity of vanities! Let us go back to plain calico and gingham." Thus, also, the new tariff makes no reduction in the duty on blankets or clothing, and the farmer will continue to pay the high prices he has been paying for everything he wears. In fact, if report be true, he may have to pay even a little more.

THAT LOVELY FREE LIST.

But now, Mr. Chairman, let us take a look at that free list. There is a thing of beauty and it must make the farmer's heart dance. There, first of all, we are struck with the fact that apatite can come in free. It is not spelled just the way we spell it in everyday life, but that may be a mistake of the printer. Is it not a good thing for the farmer to know when his natural appetite is gone he can import some free of duty? [Applause on the Democratic side.] Lo, and behold. There is balm of Gilead. Be still, thou aching heart. If balm of Gilead flow from no heavenly source, you can import it by the barrel and it will not cost you a cent of duty. [Laughter.] Oh, let us be joyful. Balm of Gilead, like salvation, is free. By the same token the farmer can have, duty free, cadmium and serium and cocculus-Indicus. He may not know what they are or what he would do with them, but there must be some comfort for him in knowing that he can get them, and free of duty at that. [Applause on the Democratic side.] Best of all, he can import free of duty diamonds and other precious stones. True, they must be rough or uncut, but what does that matter. Even though plenty of rough diamonds are found among the farmers themselves, he may want to add to the stock with a new variety. [Applause on the Democratic side.]

The generosity of the free list, sir, is unbounded, indeed. Ice is there. [Laughter.] The wisdom of our tariff tinkers has made provision for mild winters. If the ponds on the farm do not freeze up, all the farmer will have to do will be to give an order to a firm in Spitzbergen, Lapland, or Kamschatka and fill his ice house full to overflowing without having to pay a cent of duty. [Laughter.] That is glorious. No more shall his milk be served uncooled, and his wife can bring her ices on the table for dessert without stint. Kindling wood is on the free list. Just think of that. If he can not pick up enough on the farm, he can send to Canada, or Germany, or China, or any other old place and order his kindling wood by the shipload and not a cent of duty will he have to pay. [Applause on the Democratic side.]

When the Israelites wandered through the desert and the commissary department was completely out of a job, manna fell from the heavens. Lo! a miracle. Under the happy dispensation of the free list the farmer of the United States will not have to wait for a miracle, for manna is free and he can have all he wants without duty. [Laughter and applause.]

TRAGEDIES OF THE TARIFF.

The history of the tariff legislation is one continuous performance of tragedy, as far as the interests of agriculture are concerned. These have been given the cold shoulder right along. In the matter of agricultural implements the farmers are the sufferers. The duty on these, under the present tariff, is 20 per cent ad valorem. In the pending bill a reduction is made of 5 per cent, but I venture to predict that this will make but little difference in the prices the farmers will have to pay for their plows and their reapers, their harrows and their spades. They will continue to pay tribute to the manufacturer, who, by virtue of this excess of extortion over fair dealing, is enabled to sell his wares abroad at a price less than that which the American husbandman is compelled to pay. This is nothing short of an outrage, and the wonder is that American farmers have not risen in their wrath to drive from power a party which has not only ignored their interests, but seems to take special delight in adding to their already heavy burdens. [Applause on the Democratic side.] The enormous profits reaped by the manufacturer enable him to create a surplus capital for a period of dullness in trade, or for unforeseen disturbances. Not so with the farmer. He has to reckon constantly with the elements of nature. Beneficent as these may be for a while, there comes season after season when first one product of the field and then another is blighted; when disease falls upon his stock; when drought or flood, excessive heat or cold, play havoc with his harvest. Manfully he battles against all these adverse circumstances and complains but little.

The American farmer is the sturdiest of his kind. He shuns no toil nor trouble; he bears good fortune with composure and does not break down when ill luck falls to his share. He carries on the battle of life single handed, with native courage,

and rarely pleads for assistance. There is no class of our people that troubles Congress less with its affairs, and it would seem that all these facts, so well known that they call for no further declaration from me, would constitute a silent but none the less powerful plea for justice to his interests, which are so closely bound up with the welfare of all the people of the country. [Applause on the Democratic side.]

NO RELIEF FOR THE FARMER.

The minority report on this bill states correctly that the farmer gets practically no relief; on the contrary, heavier burdens are placed upon him. Oppressive taxes are laid upon tea and coffee, for though nominally the latter article is on the free list, yet the provisions coupled with its importation are such that there is a strong probability that we shall have to pay more for it hereafter than we are even paying now. Articles which every housewife uses in the kitchen the committee declares to be luxuries, and has taxed them as such in this bill. And think of it, my countrymen, while sugar, which the poorest man in the land uses every day, is taxed 61.39 per cent, automobiles, the toy of the wealthy, have to pay only 45 per cent. The cotton schedule, as I have already intimated, is a delusion and a snare; but one thing in it is perfectly understood, and that is that cotton socks and stockings and underwear are more heavily taxed than they are now. I care not, sir, whether the cotton mill is located north or south of Mason and Dixon's line, the protection given its product makes the consumer pay a price higher than otherwise would be the case. With the cotton mill close to the cotton field and with the reasonably cheap labor to be had in the South, the southern manufacturer of cotton goods could compete with all of the world on even terms at a very much lower tariff. [Applause on the Democratic side.]

The excessive protection is a burden on the farmer, North and South, who pays out of his pocket the extra profit to the manufacturer. If an import duty were put on cotton, it would not make a particle of difference to the southern cotton planter, for in this field he is supreme. A bulletin just issued by the Census Bureau on "Supply and distribution of cotton for the year ending August 31, 1908," tells us that the supply of cotton in the United States for that period was 13,350,707 running bales, while the imports were only 143,490, of which all but about 21,000 came from Egypt. The southern cotton planter needs no protection so far as the raw product is concerned, but he does need relief from the exactions caused by the high tariff duty on the manufactured articles, which enables the domestic manufacturer to keep up prices.

REAL TARIFF REFORM.

The cost of living in this country, Mr. Chairman, has increased beyond all reason in the last fifteen years, and upon no class of the population has this pressed with greater hardship than upon the farmer. It is directly traceable to the Dingley tariff, which we are now engaged in "revising;" and while giving due heed to all that has been proclaimed on the other side of the House to the effect that this is to be a revision downward and not upward, I am extremely skeptical on the subject, and I am still inclined to the belief that when this bill is finally put on the statute book the burden of the consumer will not have been lessened much, if at all. The expert of the Committee on Ways and Means, whose acuteness in the statistical field has been highly praised, has prepared a table which shows that the average ad valorem rate of the present bill is 1.56 per cent in excess of the average rate of the Dingley tariff. The protected interests—North and South, East and West—have made common cause and powerfully intrenched themselves against the effort of those who have to bear the brunt of this high cost of living; a cost out of all proportion to that higher standard of living which the natural resources of our magnificent country would make possible.

The tariff to-day, sir, is no longer representative of principle and policy for the benefit of the whole people, but is an unscientific conglomeration of rates that are the outcome of log-rolling and of the combination of interests that are brought together in a common effort to squeeze everything possible out of the consumer. Tariff reform under such conditions, sir, is an utter impossibility. You may as well expect his Satanic Majesty to become the teacher of a Sunday school as to look for a genuine tariff reform from such influences. [Applause on the Democratic side.] The so-called "revision" now being undertaken by Congress is nothing more than a concession to the indignant cry of the people for relief. They may not get it now, but it does not require much of a prophet to foresee that genuine tariff reform must come, and that it will come when the people, irrespective of party affiliations anywhere, make common cause and drive the money changers from the temple of American prosperity. [Applause on the Democratic side.]

When that time comes the American farmer will be in the forefront of the battle, and, whether he be in Georgia or in Massachusetts, in New Jersey or in Minnesota, whether he be a Democrat or a Republican, or by whatever name the party with which he has been accustomed to affiliate may be known, he will rally under the standard of fair dealing to all classes of the people, and he will have his share in the victory. And then there will be a real tariff reform. [Applause on the Democratic side.]

We should lift ourselves above all personal, sectional, or other ignoble consideration and look only to the good of our whole country.

In the words of Benjamin Harvey Hill, Georgia's great statesman—

Who saves his country saves himself, saves all things, and all things do bless him. Who lets his country die, lets all things die, dies himself ignobly, and all things dying curse him.

[Loud applause.]

Mr. BATES. Mr. Chairman, the gentleman from Ohio [Mr. Cox], on the other side of the Chamber, in his remarks to-day stated that there would never be an honest revision of the tariff until that duty was intrusted to the Democratic party. I hope he will not ask us to wait so long. This issue was pretty clearly defined before the people of this country at the election last fall, and the question on what lines the tariff shall be revised was settled then also. The Democratic party went before the country with, in many respects, an attractive platform. They promised many things. They said they were in favor of economy in administration. They charged as usual the misuse of patronage. They promised to wipe out all the trusts and bad corporations. They favored railroad regulation. They favored national guaranty of bank deposits. They were for an income tax. They were strong in their declaration on the subject of labor. They would even build up a merchant marine. They favored a large navy.

They favored the popular election of Senators. They favored a great scheme of waterways and improvement of our harbors, involving a bond issue of many millions of dollars. They favored the building of post-roads and the construction of good roads at the expense of the Federal Government. They favored the conservation of national resources. They, in fact, agreed with us on many important subjects, and on many others they inserted fairly good planks in their national platform.

THE REAL DIFFERENCE BETWEEN THE TWO PARTIES.

But on the subject of the tariff they differed radically from us. They declared that a reduction should be made in the schedules as might be necessary to restore the tariff to a revenue basis, and on that issue went before the country. The Republican party on that subject declared that—

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad.

On that issue the Republican party was indorsed at the polls by over a million and a half majority, the greatest popular majority save one ever given a national candidate in a contested presidential election.

THE PEOPLE DECIDED FOR PROTECTION.

The people, then, have passed on the question and have indorsed the principles of the proposed tariff bill, and we are here to register their decree. This view of the tariff question was also strongly and emphatically indorsed by President Roosevelt in that campaign, and also by our present President, Mr. Taft, who stood upon that plank of our platform and again and again insisted that the Republican doctrine of protection must be maintained. The object of this bill is to raise revenue, to encourage industries, and to equalize duties. It is intended to lighten burdens so far as possible of the people of our hard-laboring man, farmer, and toilers of every class.

When Abraham Lincoln came to Washington to take the oath of office in March, 1861, he said, in Pittsburg:

The tariff is a question of national housekeeping; it is to the Government what replenishing the meal tub is to the family.

That saying is as true to-day as when it fell from his lips. This tariff bill, Mr. Chairman, is not perfect. No tariff bill ever was nor ever will be. It is not entirely congruous; it is composite. It reminds me, or we in meeting here can be likened to those representatives of the States who met to frame the Federal Constitution. Every State had its own ideas. Every State had its own theories of national government; and for a time it looked as if they could never agree; but by yielding this and that they finally, under the wise advice of Benjamin Franklin, came to one mind and framed a document, by compromise and by yielding, which has been declared to be one of the greatest documents ever struck off by the hand of man. This tariff bill, when passed, will be the result of compromise and

will be the consensus of opinion of 46 States and 4 Territories. It affects them all. It relates to every interest, it touches every citizen. It is easy to criticise it; it is easy to carp and find fault; easy from a narrow view point to say that it does not meet the requirements of this or that person, locality, or interest.

But, Mr. Chairman, every day students of architecture visit the Cathedral of St. Paul and point out its seeming defects. They criticise its architecture; they point out how this or that in nave or transept or in its magnificent elevation might have been made differently; but in spite of their criticisms St. Paul's Cathedral at London stands to-day the noblest specimen of architecture in the world and a tribute to the genius of Sir Christopher Wren. And when it is borne in mind that the interests of all the States and Territories must be conserved in one document, I believe that there will be, on this side of the Chamber, a ready acquiescence, a ready yielding, to the greatest good for the greatest number in the framing and in the passage of this bill.

It is a revision downward, in response to popular will, and in accordance with the pledges in the Republican platform. Some of our friends on the other side declare that it is a revision upward. I think they overlook the statement made in the recapitulation, that the ad valorem percentages are based on dutiable values only. Why, if the free lists were included, which some do not take into consideration, the recapitulation would show a downward revision.

DUTIES ARE LARGELY LOWERED BY THIS BILL.

What does this bill do? It transfers many articles from the dutiable list to the free list. It puts coal on the free list; it puts iron ore, cotton-seed oil, and hides on the free list. It puts wood pulp on the free list. It leaves coffee on the free list and reduces the revenues on a large portion of the articles in the schedules. Of the 860 paragraphs of the Dingley law on which duties are assessed, only 30 have been raised, and more than 130 have been lowered.

Mr. SULZER. Mr. Chairman, will the gentleman be kind enough to explain to the House how coffee under the provisions of this bill is on the free list?

Mr. BATES. Well, I will say to the gentleman from New York it is on the free list by this bill as reported from the Ways and Means Committee by simply providing that it shall be. Of course there is a provision that any country imposing an export tax shall pay a similar tax to enter our ports. That provision is put in not to increase the revenue on coffee, but to reduce the price of coffee to the consumer in the belief that whatever the export tax, whether it is fifty-seven one-hundredths of a cent or seventy-three one-hundredths of a cent, or whether when added together the ad valorem of 20 per cent and other percentages given to the States or to the Republic of Brazil shall amount to even the 2.9 cents per pound, that they will allow it to be stricken off rather than lose the valuable markets of the United States.

Mr. SULZER. Mr. Chairman, coffee importers have testified that if the Payne bill should become a law in its present form it will put a tax of about 4 cents a pound on coffee coming from Brazil; and about 85 per cent of all the coffee imported into the United States comes from Brazil.

Mr. BATES. What is the gentleman's authority?

Mr. SULZER. Impartial coffee importers in New York City.

Mr. BATES. I think they have used their pencils too liberally. The distinguished gentleman from Georgia [Mr. BARTLETT] made a computation yesterday after examining the official figures, and informed me that the highest that could be charged would be 2.9 cents per pound. I think that is the highest figure that I have heard could be charged, even if three duties were all added together, the ad valorem and the two specific duties.

Mr. SULZER. So that after all if this bill should become a law in its present form there will be a tax on coffee.

Mr. BATES. There would until the Republic of Brazil arranged its export duty so as to be sure of a market here in this country, and it is believed by those who know most about the business that they would take it off rather than sacrifice their market to their neighbors in South America.

Mr. SULZER. But how can the Republic of Brazil take the export tax off coffee when that tax is pledged to pay the interest on the bonded indebtedness of Brazil?

Mr. BATES. They could find another source of revenue, the same as any country has to do occasionally.

Mr. SULZER. But the bondholders would not agree to that, and a bond is a contract.

Mr. BATES. That is their matter, not ours. Our country gives them their best market, and if other coffee-producing countries offer us coffee free of duty, the Republic of Brazil will find a way to retain our most valuable trade. We are showing our good faith in putting it on the free list and endeavoring to compel Brazil to strike off their export tax which they now collect, but which we really pay. If we can not compel them to do this, I favor leaving out that provision in the bill, as I do not favor a duty on coffee.

Mr. COX of Indiana. Do I understand the gentleman to say that all coal has been transferred to the free list?

Mr. BATES. There never was any duty on anthracite coal, and bituminous coal is placed on the free list, provided that the countries with whom we deal put no duty on our coal.

Mr. COX of Indiana. I call the gentleman's attention to section 424 of the bill, which puts a duty of 67 cents a ton upon bituminous coal as against countries that maintain an export duty upon it. That is true, is it not?

Mr. BATES. Quite right.

Mr. COX of Indiana. Can the gentleman inform us what countries shipping coal into the United States maintain an export duty on their coal?

Mr. BATES. I have no geographical list at hand. I think our main dealings will be with Canada and the British possessions north of us.

Mr. COX of Indiana. I will ask the gentleman whether or not the larger part of the coal shipped into this country does not come from the Dominion of Canada?

Mr. BATES. It certainly does. There is not very much shipped into this country. There is some shipped into New England from the Dominion of Canada.

Mr. COX of Indiana. If Canada maintains an export duty on coal, then under section 424 there would still be a duty of 67 cents a ton as against that coal, would there not?

Mr. BATES. Yes; that is true; but if they desire our coal, they can easily remit that duty on their exports.

WHAT GOVERNMENT COSTS.

Now, Mr. Chairman, I desire to say a word upon the revenues of the country. It costs something to administer government. It costs something to administer the government of a home, of a village, of a township, of a county, of a State, and of a nation. It costs at our present rate between seven hundred and eight hundred million dollars a year to administer the Government of the United States. We are justly proud of our army, our navy, of our postal service, of our rural free delivery. These all cost money. We take pride in our diplomatic and consular service; in the pensions that we pay to the survivors and their widows of the civil, Mexican, and Spanish wars; in the improvement of our waterways and harbors; in the building of public buildings; and in all the budgets of expense for which we vote upon this floor practically unanimously when the appropriation bills are brought in. Now we are asked to provide the means of paying the bills. Once in a decade the American Congress is required to provide the means of meeting the annual budgets for which we vote with such alacrity, and which we are all so anxious to swell from time to time during their passage in the House.

This money must come from somewhere. It does not grow on trees; it does not fall as heavenly manna. We exploded the greenback fallacy years ago, and it must be good money. We collect from miscellaneous sources—the sales of land, a trifle, a few millions; internal revenue, $130,000,000, not on necessities, but on luxuries such as liquor and tobacco—but the great bulk is collected at the custom-houses of this country.

For the past forty-five years we have maintained, and at almost every recurring presidential election the American people have indorsed, the theory of a protective tariff for the purpose of raising revenues and protecting the labor and industries of the United States.

Tariff upon productions from abroad checks foreign importations and insures good wages to the American markets, not only for manufactures and agricultural products, but for all that is raised in this land. The Democratic party has been concerned for years for what it terms the "consumer."

EVERY MAN A PRODUCER BEFORE HE CAN BE A CONSUMER.

The radical difference on this subject between the two parties is, and has been almost from the foundation of the Republic, that the Democratic party is concerned for the welfare of the "consumer" and the Republican party is concerned for the welfare of the producer, bearing in mind that every man is first a producer before he can be a consumer, and bearing in mind, also, that every man is a producer. Every worthy citizen is a producer and sells his labor or the product of labor before he can be a consumer. On these two theories the parties for a hundred years have contested almost every election as to which should gain the ascendency on the two sides of that proposition. The Republican party believes in looking to the

welfare of the purchasing power of our people, to their ability to produce and purchase.

I will read four or five lines from an editorial in the Washington Post the other morning as to this question:

> But how about the American workingman who may suffer a cut in wages in order to enable Europeans to enter this market? The protective principle should stand unimpaired, and it should not be based upon the nonsense that only "infant industries" should be protected. American industry, whether an infant or a giant, should receive the first consideration of Congress. Let the foreign industries and workmen wait until our own people are cared for. No foreign government sacrifices its own interests to those of the United States, but, on the contrary, many of them discriminate against this country. They have a right to do so, and it is the right of the United States to take a position where it can retaliate if necessary.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. BATES. Certainly.

Mr. JOHNSON of South Carolina. Does the gentleman indorse the proposition that the talk of protecting infant industries is nonsense?

Mr. BATES. Oh, no.

Mr. JOHNSON of South Carolina. The gentleman read something of that kind. I just wanted to ask who was responsible for that doctrine, and who first put it forward.

Mr. BATES. I do not think the gentleman from South Carolina understood me. I read:

> The protection principle should stand unimpaired, and it should not be based upon the nonsense that only infant industries should be protected. American industry, whether infant or giant, should receive the consideration of Congress.

Mr. JOHNSON of South Carolina. I just asked the gentleman if he indorsed the doctrine that it was "nonsense" to talk about protecting infant industry.

Mr BATES. I will tell the gentleman what I believe. I believe it is the part of wisdom to protect the interests of the American laboring man in every industry, whether that industry is large or small. I believe the farmer and wage-earner are entitled to our first consideration.

Mr. JOHNSON of South Carolina. The original doctrine of the advocates of protection was to protect infant industry.

Mr. BATES. And is to-day.

Mr. JOHNSON of South Carolina. And the promise was that when they got strong protection should be withdrawn and the people would get the benefit of the reduction.

Mr. BATES. Yes; and so they do. But you can not hurt one industry of a certain class without hurting all. The strength of a chain is its weakest link. The small industries would fail first and leave the large ones stronger than before, because home competition would be lessened.

Mr. JOHNSON of South Carolina. But they have changed their plea.

TARIFF MADE TIN PLATE AN AMERICAN INDUSTRY.

Mr. BATES. Not at all. If the gentleman will permit, I will give an illustration: In the old days, up to 1897, we bought all of our tin plate, practically, from abroad and paid a tariff duty of 1 cent per pound. This duty was not enough to induce capital or labor to go into the business in this country; not at the rates we pay labor here. Major McKinley said, "We will build an industry in this country." They said, "You can not do it." He said, "No; I can not do it with a tariff of 1 cent a pound, but if you will give me adequate protection it can be done." What resulted? They gave him in the McKinley bill a protection of 2.2 cents per pound, and the tin mills started.

A campaign of abuse, of misrepresentation, and vituperation ensued, and Major McKinley was defeated at the polls for Congress in Ohio because those who opposed him hired peddlers to go through his district charging more for dippers and pails and to say that they charged the extra price because of the protective tariff of the McKinley bill. Now, did they pay more on account of that? Why, at first, when the deception was on, they did, but afterwards the price of tin came down lower than before. It became an industry in this country that employs 17,000 people and pays out in wages $10,000,000 in cash annually, and has saved to the American people in the last ten years in the decreased price of the article $35,000,000. The tariff was reduced by the Dingley bill from 2.2 cents to 1.5 cents, and it is proposed in this bill to reduce it still more to 1.2 cents. There is a concrete example of building an industry in this country until it should become strong and have a market here, and now the tariff has been reduced and the cost of the article has been reduced and we are buying tinware cheaper than we have ever bought it in this country before we transferred the industry from that side of the Atlantic to this. It is all, however, a question of wages for labor. If the tariff had been taken off, we would either reduce the wage scale or close the mills.

Mr. KITCHIN. Will the gentleman permit a question?

Mr. BATES. Yes.

Mr. KITCHIN. Is not the price of tin plate reduced in other countries?

Mr. BATES. They still buy of England.

Mr. KITCHIN. Well, is it higher here than in other countries? Are we cheaper here than in other countries?

Mr. BATES. In 1890 we paid $5.15 a box for 108 pounds of tin plate. In 1897 it had gone down to $3.26 a box.

Mr. KITCHIN. The question is, Is it cheaper here than in other countries?

Mr. BATES. It most certainly is cheaper.

Mr. KITCHIN. Then why do you need any protection on it, if it is cheaper here than in any other country?

Mr. BATES. It is cheaper than we could have purchased it before we started the industry in this country. If we closed the tin mills in this country, we would be at the mercy of the foreign manufacturers and be compelled to pay the high price again.

Mr. KITCHIN. I know; but it is cheaper in other countries than it was then, too, is it not?

Mr. BATES. No, I think not; but what does it avail us to have something cheap over there if we can not get it cheap here?

Mr. KITCHIN. I just wanted to know if it was cheaper here than anywhere in the world. I do not see why you want protective tariff on it if that is so, and I do not see why the revenue-tariff men would want a tariff on it either.

EMPLOYS PEOPLE AND MAKES HOME MARKET.

Mr. BATES. We want a tariff just for the reason that I have given, because the McKinley law actually and literally created an industry in this country, and gave employment to nearly 17,000 people, an annual pay roll of $10,000,000, and a saving to the American people by reason of the reduction in price of the article of from thirty-five to forty million dollars in the last ten years.

Mr. KITCHIN. And the gentleman's idea is that a tariff by creating an industry and competition among different industries makes the prices cheaper and at the same time makes the labor wage high. Is that it?

Mr. BATES. Now, you have it right. That is the way it has operated in this country, and will operate for the benefit of all our people.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. BATES. Yes.

Mr. COX of Indiana. Whether or not the decrease in the price of tin plate in this country has been due to a decrease of the duty on tin plate?

Mr. BATES. No; I think not. The price reduced when the tariff was the highest.

Mr. COX of Indiana. What has it been due to, in the gentleman's opinion?

Mr. BATES. Competition among American manufacturers.

Mr. COX of Indiana. That has driven the price of it down?

Mr. BATES. It certainly has, and the improved methods of producing, which always come into play in America when the genius of Americans is employed in any particular industry.

Mr. COX of Indiana. Then the high duty has had nothing to do with maintaining the price of it?

Mr. BATES. Yes; it has. It had everything to do with building the industry, because the ruinous competition from abroad, with their cheap labor, prevented that industry from starting in this country.

Mr. COX of Indiana. Then, under a low duty on tin plate, as I understand the gentleman, it was impossible to build up an industry in this country to a certain point.

Mr. BATES. That is it exactly, unless we paid the low wages paid in England and Wales. We can, of course, compete with the whole world on equal terms if we cut down our wages to the starvation rate.

Mr. COX of Indiana. And when it reached a certain point, home competition has driven the prices down, and therefore the duty on tin plate to-day has nothing to do with keeping up the price of it in this country.

Mr. BATES. The price has not been kept up. I stated to the gentleman that the price fell.

Mr. COX of Indiana. And has nothing to do with driving the price of it down, so far as the consumers are concerned.

Mr. BATES. It has something to do with it still. The rate of duty proposed in this bill is not down to the old rate, although it is a very generous cut in the duty. Supposing we reduce the tariff to the old rate, or down to half a cent a pound, so that the cost of production here would not equal the difference in the cost of production abroad, what would result? They would commence shipping in tin plate from England and Wales again, and one of two things would ensue; we would either reduce

gives them their best market, and if other coffee-producing countries offer us coffee free of duty, the Republic of Brazil

which should gain the ascendency on the two sides of that proposition. The Republican party believes in looking to the

or close the mills.

and one of two things would ensue; we would either reduce

the price of wages of the workmen in our American mills or close the mills, one or the other. As soon as we had done that, then they having control of the market, up would go prices again to about $5.15 a box, which was the price for 108 pounds prior to the establishment of the industry in this country.

Mr. COX of Indiana. So, as I gather the force of the gentleman's argument, the necessity for the duty still upon tin plate serves a double purpose: first, to keep the industry up to a given or proper standard, and, second, tending to lower the price of tin plate to the consumers of that article in this country.

Mr. BATES. That is the way it operates.

Mr. COX of Indiana. That is the theory of the gentleman as I understand it.

Mr. BATES. It is not only the theory, but the way it works out in practice. That is the theory and the result in many industries in this country which by reason of a good high-protective tariff has transferred the industry from that side to this side of the Atlantic Ocean. The same is true of the silk industry and many others.

Mr. COX of Indiana. Has that rule prevailed in regard to the steel industry of this country?

Mr. BATES. It has.

Mr. COX of Indiana. Absolutely?

Mr. BATES. Steel rails sell to-day less than the original tariff duty. The duty certainly played an important part.

Mr. COX of Indiana. How does the gentleman account for the fact that steel-rail manufacturers can and do manufacture rails in this country and sell them to the foreigner cheaper than to Americans?

Mr. BATES. There is nothing strange about that, for the very reason a newspaper in the town, possibly, of the gentleman from Ohio will sell for $3 in the city and for $1 a year out on the rural routes; for the same reason that Woodward & Lothrop, here in Washington, will sell the year around at a profit and one week in the year have a bargain day, when they will sell for less than cost.

Mr. COX of Indiana. Does the gentleman mean to say that we should have bargain days and give the foreigner the benefit of those bargain days; does the gentleman mean that?

Mr. BATES. For the same reason that every country on the globe practices the same thing. England has an export price less than its home price.

Mr. COX of Indiana. That may be true, but two wrongs do not make a right.

ALL NATIONS SELL CHEAPER ABROAD.

Mr. BATES. It is the common practice in all nations. England, under a revenue tariff, does the same thing, so it clearly can not be charged to a protective tariff; and so does every other country; so does every industry. A commission examined into this matter most carefully only a few years ago. Take, for instance, the example of a mower and reaper company in Ohio. At the end of the season they may have 10,000 machines on hand of that year's pattern. One of two things must happen. They must either save those over for the next spring opening and close the mills, or else they must dispose of those machines somewhere on the market and the mill go on and manufacture the new pattern for the next spring. The cost of distribution in this country is very much higher than abroad—salaries of general agencies, salaries of selling agents; then there is a certain loss on notes and collections; also salaries of middlemen. Suppose they sell the whole lot abroad in one consignment and save the cost of distribution? Why, it would be acting the part of wisdom to sell them at cost, or 90 per cent of cost, and clean them out to get the money back and turn it into next spring's manufacture of the new pattern. [Applause on the Republican side.]

Mr. COX of Indiana. Does the gentleman think that that is still the only reason as to how the manufacturer can export and sell his manufactured commodities to foreign consumers cheaper than he can sell them here?

Mr. BATES. Oh, no; there is also the exploiting of new markets. That is always considered desirable.

Mr. COX of Indiana. Is it not also the gentleman's opinion, at least one element that enters into and makes them able to do that, is because for the export material the manufacturers of this country are substantially able to get free raw material under what is known as the "drawback provision," and that the manufacturers for home consumers are not able to get the free raw material?

Mr. BATES. That should enter in the computation, but selling abroad cheaper that at home is a practice common to all countries, so that it can not be brought in to inveigh against the principle of protection.

Mr. JOHNSON of South Carolina. The gentleman is a long ways from the tin-plate proposition.

Mr. BATES. We did, in answer to our friend from Ohio, get a little away from the tin plate. I will be glad to answer, if possible, the gentleman from South Carolina.

Mr. JOHNSON of South Carolina. I understood the gentleman to say that before we had tin-plate mills in this country we paid $5.85 a bundle.

Mr. BATES. A box of 108 pounds of plate.

Mr. JOHNSON of South Carolina. The gentleman is apprehensive that if the tin-plate mills of this country should be unfortunately closed down we would go back to the old price of $5.85, as I understand it.

Mr. BATES. I would not want to risk it.

Mr. JOHNSON of South Carolina. Then, I want to ask the gentleman this question: Are there any countries in the world that have no tin-plate mills?

Mr. BATES. A good many of them have not.

Mr. JOHNSON of South Carolina. Do they pay $5.85, or do they pay the English price plus the cost of transportation?

Mr. BATES. They are largely at the mercy of the English-Welsh manufacturers, just as we were before we started the industry here, although we are in the market now with the American product.

Mr. JOHNSON of South Carolina. I am asking you what they pay. Do they pay these enormous prices, or do they get the English price?

Mr. BATES. The whole world is our debtor, because we have established a competition with the English mills, which has brought down the price all around.

Mr. JOHNSON of South Carolina. We can sell it abroad?

Mr. BATES. We most certainly do. Why not sell it abroad? Our export trade, including tin, increases each year.

Mr. JOHNSON of South Carolina. Do we export any tin?

Mr. BATES. We both export and import tin, in spite of our duty of 1¼ cents per pound. We bought, I think, over $3,000,000 worth last year from abroad.

Mr. JOHNSON of South Carolina. How much do we export?

Mr. BATES. Just a moment, please. We derive a revenue from tin plate. The duty is not even a prohibitive tariff. Under the present law we derive a revenue of $1,800,000 on tin imported into this country. In the proposed bill, we would derive a revenue of about $1,500,000, although there is a cut from 1¼ to 1 1/16 cents a pound.

Mr. JOHNSON of South Carolina. The gentleman did not answer my question. I want to know if we export any tin plate? Are we selling tin plate to the countries that have no tin-plate mills?

Mr. BATES. We do. We exported in 1907 nearly a million dollars' worth, and last year nearly a million and a half. There is no prohibitive wall, either for export or import of tin.

Mr. JOHNSON of South Carolina. I would suggest to the gentleman that that tin plate that is imported is by the Standard Oil Company, and they get the duty back when they send it out.

Mr. BATES. Only on the drawback clause of the law. There is still much imported for general use.

AMERICAN LABOR BEST PAID.

Now, Mr. Chairman, I desire to say a word on the subject of wages. The distinguished gentleman from Missouri [Mr. CLARK] on the other side of this Chamber said to me a week or two ago, "Why are you people always harping about wages being higher in America than in foreign countries?" Why, Mr. Chairman, because it is true. We have known nothing of hard times in this country in the last eighteen months compared with the experiences of Europe, and especially England and Ireland. There is practiced tariff for revenue only, which is still invoked by the Democratic party. In Belfast, which is the center of the textile-fabric industry, they employ about 120,000 hands. The wages of men in those factories range from six to seven dollars per week; the wages of women from $3 to $4 per week. The wages of men and women performing the same labor in this country are from two to four times as much. In this industry in Belfast an average week's work is fifty-five hours. It is only by the closest economy, far lower than ever practiced in this country, that they even exist. I have looked up somewhat the wages of railway employees at home and abroad. The average wage paid railroad employees in France is $256 a year; in Great Britain, $302 a year; in Germany, $338; in the United States, $642. The average wage paid firemen in Great Britain is $300; in the United States the average is $765.

It is an error to assert that the cost of living is so much greater here than over there, if they live as well as we do. More than half the supplies of the United Kingdom are bought abroad, and mostly from the United States. In the city of Glas-

gow are 80,000 families living, each family in a single room. It is no wonder that advanced English thought of a Balfour or a Chamberlain says:

> It is not with our English trade. The most advanced of our commercial rivals are not only protectionists, but are going to remain so.

Joseph Chamberlain, in a signed statement in the London Telegraph, said:

> After a long period of success, the policy of unrestricted imports has now shown sign of failure. Our supremacy has been wrested from us. One by one, markets once profitable and expanding are closed to us by hostile tariffs. We have lost the power of bargaining for the removal of these barriers to our trade.

A gentleman on the other side was concerned the other day about the wool question and keeping the poor people warm and trying to keep off the dread tuberculosis. I received a circular pointing out the necessity of a reduction of the duty on manufactures of woolens and especially on carpets. Great heavens! Mr. Chairman, in what other country on the face of the globe does the laboring man have any carpets, or any parlor floor on which to put them, if he had carpets? Or in what other land on the face of the globe does the workingman have a Sunday coat, as pleaded for by the distinguished gentleman from Missouri, as well as a day coat, or any of the luxuries of life that are enjoyed by the great warp and woof of the people of the United States?

Mr. COX of Indiana. Right in that connection, will the gentleman yield for just one question?

Mr. BATES. Certainly.

Mr. COX of Indiana. As I gather the force of the gentleman's argument, he attributes one cause of the high wages in this country to the high protective tariff. Is that correct?

Mr. BATES. Yes; because it is absolutely true.

Mr. COX of Indiana. I listened very attentively while the gentleman read his comparative figures as to the cost of labor between the countries of France and England, and I heard him quote the difference to the effect that wages were higher in England than in France. Does the gentleman know the fact that France is a protection country?

Mr. BATES. Well, to a certain extent.

Mr. COX of Indiana. And England is also characterized as a free-trade country?

Mr. BATES. Yes. It practices the theory of a tariff for revenue only.

Mr. COX of Indiana. How does the gentleman account for the fact that wages are higher in a free-trade country than they are in a tariff-protected country, like France or Germany?

Mr. BATES. It is because in France they have not suffered from sharp competition abroad as they have in England. In this country it is due to the enterprise and thrift of the people, and the inventive power of the people, which I apprehend can never be met by any other people of any other nation or clime, no matter what conditions of trade are fixed by law.

Mr. COX of Indiana. Is not the gentleman inclined to the opinion that the high price of wages in this country is largely due to the ambition and initiative of the employee here having the ability to turn out a larger given quantity of product for his employer than his competitor working in European countries?

Mr. BATES. There seems to be no limit to the initiative and skill of the American people.

Mr. COX of Indiana. Will not the gentleman agree that the high price of wages in this country is largely due to that, independent of the protective tariff?

Mr. BATES. Not at all. We have always had initiative and industry, but when in the past we have lowered our tariffs the price of labor has gone down and many people were thrown out of employment.

Mr. COX of Indiana. Is not that what was contended by such stalwart men as James G. Blaine, John Sherman, and Horace Greeley?

Mr. BATES. I think not, for they were all protectionists from principle, and taught that doctrine as long as they lived. The inventive power and genius of the American people are unequaled and splendid, but they would be impaired and destroyed by an English revenue-tariff system and encouraged and incited by the protection of American industries and American labor. [Applause on the Republican side.]

THE FALLACY OF "CHEAP GOODS."

And now I desire to say a word on the fallacy of cheap goods: The idea that we might sell everything for a good price and buy everything cheap is most fascinating. What does it mean to buy in the cheapest market? It simply means that the American people are to buy their glass, earthen, and china ware, cottons, woolens, silks, linens, tools, machinery, hardware, cutlery, iron, steel, and, in fact, every manufactured article in Europe; that they shall cease entirely buying of home producers unless our manufacturers will sell these articles cheaper than they can be purchased from any other people of the earth.

It means that we will buy our food and farm products in Canada, the Argentine Republic, or wherever they can be bought at the lowest prices. It means that the purchasers of other countries shall buy where they can get goods the cheapest; hence the purchasers of the world would not come to the United States to buy their manufactured goods or farm products unless they can buy them cheaper here than in any other country. Instead, then, of selling there, we would be reduced to the necessity of selling cheap or not at all, excepting of course as we might produce a superior article or something that can not be obtained elsewhere. We could only become sellers by selling for a lower price than anyone else.

It means that the cost of production below the rest of the world must necessarily follow. It means the invoking of the law of the "survival of the fittest." It means that those industries that could not stand the struggle should perish. It means that capital, if there is any left from the ruin that would be wrought, must seek other investment or go into hiding and be unprofitable. It means that laborers thrown out of work must find employment in some other industries, but it means also that the other industries must always be those in which the commodities can be produced cheaper than elsewhere. It means that to enable us to sell in the best markets we must undersell all competitors. There would thus ensue an entire revolution in the methods and conduct of business here, and leveling down through every channel to the very lowest line of our competitors. Our habits of life would have to change; our wages cut down 50 per cent or more; our homes exchanged for hovels. This is what would necessarily flow in the wake of free or freer trade. All goods would be cheap, but how costly when measured by the degradation that would ensue.

It is a principle as old as the hills and everlasting as the unchanging law that when goods are cheapest men are poorest; and the most distressing experiences in this country or in all human history have been when everything was lowest and cheapest when measured in money, but highest and dearest when measured by labor. The best unit of value is what a day's labor will produce. It seems to me we have had full experience of cheap times in this country. Goods were cheap in this country from 1855 to 1860; yet the farmer could hardly raise enough money to pay his taxes. The wail of President Buchanan, in his message to Congress in 1857, states the case. He said:

> With unsurpassed plenty in all the production and all the elements of natural wealth, our manufacturers have suspended, our public works are retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers are thrown out of employment and reduced to want. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is in a deplorable condition.

Such a condition of affairs continued until the Morrill protection law of 1861 was enacted. When again the Democracy was intrusted with power, in 1892, 1893, 1894, and 1895, and struck down protective tariff laws, we had cheap goods again in this country. We had 3,000,000 laboring people out of employment, and had hunger and desolation everywhere all over this land. How like the words of his Democratic predecessor were the words of President Cleveland in his annual message to Congress in 1893, after a free-trade administration had been voted in. He said:

> With plenteous crops, with abundant promise of remunerative production and manufacture, with unusual invitation to safe investment, and with satisfactory assurance of business enterprise, suddenly financial fear and distrust have sprung upon every side, numerous moneyed institutions have suspended, surviving corporations and individuals are content to keep in hand all money they are usually anxious to loan. Loss and failure have involved every branch of business.

This was a little over a year after the people had elected an entire administration pledged to what the world knows as "free trade."

OUR HIGHER ORDER OF CIVILIZATION.

We have in this country a higher order of civilization than elsewhere. If, then, the consumers of the United States pay more for the necessaries and comforts of life than they would under a low-wage scale, they are simply contributing to the maintenance of that civilization, intelligence, comfort, happiness which makes the people of this country conspicuous among the nations of the world. Whether we pay more for the necessities of life than those in other countries or work for a lower wage is wholly immaterial. That is not the question. The real question is, Does it pay them to do it?

Tariff laws encourage men with money to open mines, build factories, establish industries, which could not exist were it not for the tariff laws which shield them from foreign com-

petition. This creates a demand for labor. A protective tariff, then, becomes a protection to opportunity. If the people are given opportunity for employment, they will fix their own wage rate. If these opportunities are destroyed, it is impossible to satisfy them. The wants of men are satisfied through the efforts of labor. The main arguments on the other side of this House seem to be based upon the narrow demands of man as an individual, with no reference whatever to his relation to society. It is the doctrine of individualism—the cold, cruel doctrine of the survival of the fittest. It is the doctrine of Richard Cobden, of John Stuart Mill, of David Ricardo, and the gentleman from Missouri [Mr. CLARK].

John Bright conceded a vital point in the controversy in 1886 when he admitted that the one way by which free competition can be met and home factories preserved is by a reduction of wages. This, then, is the only alternative. Reduce the tariff on competing products, admit free importations, and then only by reducing wages and degrading labor are our industries to be defended and carried on. The American market is worth more than twice as much to us as all the foreign markets combined, even if we could possess those foreign markets exclusively. What would it profit us to tear down our home market and gain the whole world of markets?

The tariff bill that would enable foreign goods to compete freely with our own products ought to be labeled "A bill to promote the welfare of the people of Leeds, Bristol, and other cities of England and the Continent at the expense of the laboring people of the United States."

When did we ever lower the duties in this country that hard times and a depleted Treasury and gold flowing out of the country did not ensue? When were the higher duties ever restored that general prosperity did not follow? When did the Democratic party ever assume power that they did not at once make an assault upon the protective features of the tariff laws?

I quote as high Democratic authority as the late Senator Gorman when I state that "the last and only complete Democratic victory gained in recent years was won because the candidate stated, 'We will not destroy any industry.'" And on that declaration the campaign of 1892 was waged in the East and Middle West rather than upon the dangerously worded Chicago platform in which protective tariff was assailed as unconstitutional, and which platform was soon evoked, and, as far as possible, formulated into organic law. Were industries destroyed? Ninety-two articles were transferred from the dutiable to the free list by the Wilson bill as it came from the Democratic Ways and Means Committee, or as it passed the House, among them wool, sugar, coal, iron, and lumber. The farmers were stripped of the protection afforded in the McKinley law; railroads went into the hands of receivers; banks closed their doors; the smoke of industry ceased to cloud the sky; 3,000,000 laboring people were thrown out of employment; gold left our shores with every ship; the looms and reels and spindles of Bradford and other cities of England and the Continent worked double forces night and day to supply our people with textile fabrics, while the workingmen of America languished, were being fed at soup houses, and begging for bread.

AMERICAN MARKET THE BEST MARKET.

We hear a great deal about the necessity for foreign trade, the desirability of conquering foreign markets, and I would not belittle that necessity nor deny that desirability; but let us never forget that the greatest market in the world, the most desirable, that most essential to our well-being and advance and to our independence, is the great, unequaled American home market. [Applause on the Republican side.] And let us not forget either that the policy which has furnished to us and preserved that market is the policy that plants the factory beside the farm; the policy that protects every home industry. [Applause on the Republican side.]

Our steadily increasing foreign trade for the past twelve years has been remarkable. It is desirable that it be extended further to dispose of our increase in surplus products. It can be extended by sensible trade arrangements with other countries by keeping our manufacturers accurately informed of trade conditions of the world, the state of foreign markets, by fostering and upbuilding an American merchant marine, by finishing the Isthmian Canal; but we must not endeavor to build up our foreign trade by sacrificing our home markets, because in seeking markets we want the best markets. The best markets are where the people can sell the most products at good prices and have the money paid for them after they have sold them, and that place is here in America, after practically forty years of protective-tariff ascendency. [Loud applause on the Republican side.]

Mr. VREELAND. Mr. Chairman, I do not take the floor this morning for the purpose of making general remarks upon the tariff. I propose to occupy the time which I shall take in discussing but one schedule only in the tariff bill. It is the schedule which relates to the countervailing duty upon crude and refined petroleum.

Mr. Chairman, I believe that there are many Members of the House who desire information and facts concerning this subject. There are perhaps Members of this body who from partisan considerations do not desire facts. They wish to appeal to public prejudice which exists throughout the country against perhaps the greatest of our corporations, the Standard Oil Company. For partisan reasons they may wish the country to understand that any provision in the tariff schedule which relates to petroleum must necessarily be made for the benefit of that great corporation.

But there are many other Members in this body, Mr. Chairman, that I believe desire to act intelligently and conscientiously in the making up of these tariff schedules. It is to those gentlemen that I wish to address my remarks. To many people in this country oil and the Standard Oil Company seem to be synonymous terms. There are many people who do not seem to understand that there are 500,000 American citizens bringing to the surface of the ground every day that the sun shines nearly one half a million dollars' worth of crude petroleum who have no more connection with the Standard Oil Company than the farmer has who raises wheat and sells a portion of it to the millers of the United States.

Now, Mr. Chairman, I wish first to have it clearly understood, except by those who do not want to understand, as to the interests that are asking to have this countervailing duty or some similar measure of protection retained in this bill. The first that I heard of retaining this clause in the bill was something like six or seven weeks ago, when I received a letter from the editor of a weekly paper in my congressional district, in the center of the oil region there, asking if there was any change likely to be made in the tariff schedules in the countervailing-duty clause.

I made inquiries, and found, in talking with some of the members of the Ways and Means Committee, that it was likely to be taken out. I informed the editor to that effect, and he published the answer in his paper.

Immediately there commenced to come in petitions from the oil people in my district; and I may say that I represent the only oil-producing district in the State of New York, although there are thousands of men throughout that State who are engaged in the oil business in the various productive fields. Four thousand oil wells are located in my district. I have received petitions from 11 towns, signed by nearly 500 men engaged directly in the production of oil, asking to have this countervailing duty preserved in the bill. I have received a resolution from the Board of Trade of Wellsville, the largest town in that oil-producing vicinity, and where there is an independent oil refinery located, also asking that this clause be retained in this bill. But those are local interests.

I say that is the first I heard the subject mentioned among oil men. The articles published in that little weekly paper in New York State—the Balwar Breeze—were taken up by other sections interested in the oil business. The Oil City papers, the Titusville papers, and finally the Pittsburg papers took it up, and one of the great Pittsburg dailies—the Dispatch—sent out its staff correspondents, interviewing the oil men and collecting information on the subject. The result of it all was that all of the oil producers of the United States are to-day coming before the Congress of the United States and are asking that their interests have some measure of protection put in this tariff bill, for reasons which I hope to make plain before I conclude my remarks.

Their action has been open and aboveboard. Out in the Oklahoma field, to-day the greatest single oil-producing field in the country, where 40,000 men in Kansas and Oklahoma alone are engaged as producers and refiners of oil, independent and outside of the Standard Oil Company, in that one field they have a great association of producers called the "Mid-Continent Producers' Association." The president of that association, Mr. N. V. V. Franchot, is a man who has been in the producing business all his life. His home is in my congressional district. He has large interests in the Oklahoma field. He came here and spent a week in this city, giving information to the members of the Ways and Means Committee, talking with any Member of Congress who would stop and talk with him upon the subject. He filed with the Ways and Means Committee the resolutions adopted by the Mid-Continent Producers' Association, which I shall insert in the RECORD as a part of my remarks.

Mr. Franchot, the president of that association, is a man of the highest business integrity and ability. There are something like 35 Members of this House who represent oil-producing districts. I think all the men from those districts will testify that they have received from the producers and the independent refiners, if they have any in their districts, similar requests to those that are put in by this great Mid-Continent Association.

Mr. Chairman, I desire to read another letter which I have received, representing the independent refiners of this country, the men who through all these years have been fighting with the Standard Oil Company for a foothold in the American markets, the men who have increased their output and their production during the last ten years more than 100 per cent.

John D. Archbold testified that in 1888 the Standard refined 95 per cent of the refined oil made in the United States. To-day there are more than 70 independent refineries, producing from 15 to 20 per cent of the refined petroleum in the United States. The letter which I received is from a man whose name is familiar to many of you. It is familiar to every man who has been connected with or interested in the oil business for the past forty years. It is from the Hon. Lewis Emery, jr., an independent refiner, whose home is in Bradford, Pa.

Mr. Emery was formerly a member of the Pennsylvania state senate. In the last gubernatorial campaign he was a candidate of the Democratic party and the independent Republicans in the State of Pennsylvania for governor of that great Commonwealth.

Senator Emery has been the most persistent and consistent enemy, the most bitter foe, of the Standard Oil Company that has existed in this United States for the last thirty years. Mr. Emery is the greatest individual refiner of oil outside of the Standard Oil Company in the United States. Senator Emery was one of the organizers of the Pure Oil Company, the greatest refining association outside of the Standard Oil Company of the United States, the only independent company that covers the great producing fields of the North—West Virginia, Ohio, and New York—with independent pipe lines, the only company that has an independent pipe line running to the seaboard, and, I may say, that company is extending its crude-oil lines into the fields of Illinois.

Mr. DIES. Will the gentleman yield for a question?

Mr. VREELAND. Yes.

Mr. DIES. I understood the gentleman to make some statement in reference to the production of the Standard Oil Company of refined oil.

Mr. VREELAND. I did.

Mr. DIES. What is the percentage of refined oil produced in this country by the Standard Oil Company?

Mr. VREELAND. I stated that in 1888, according to the testimony of Mr. Archbold, the Standard Oil Company refined 95 per cent. I stated that in the last ten years the production of the independent companies had been more than doubled, and to-day they refine 15 to 20 per cent.

Mr. DIES. I ask the gentleman if it is not a fact that the Standard Company now produces more than 85 per cent of all the refined oil?

Mr. VREELAND. I do not know the exact figures, but the production of the independent oil companies has increased rapidly. Four or five years ago the Standard was refining about 85 per cent, so that I think it is entirely correct to say to-day, or approximately correct to say, that the independent oil companies are refining 20 per cent of the crude oil produced in the United States.

Mr. DIES. I think the gentleman's figures are in error. I think the Standard Oil Company refines more than 85 per cent.

Mr. VREELAND. What the gentleman thinks and what I think is not of much importance, but where does the gentleman get his information?

Mr. DIES. From the reports of the industry.

Mr. VREELAND. Reports from where?

Mr. DIES. Reports made from one of the departments.

Mr. VREELAND. That report is the one I have just referred to. I have the book before me. It was printed in 1903, and the investigations were made in 1904 and 1905. I just stated that the reports at that time showed that the Standard refined about 85 per cent. During the five years intervening since that time the number of independent refineries has largely increased, and so I still contend that my figures are correct, and that to-day the independents are refining 20 per cent of the crude oil of the United States.

Now, Mr. Chairman, I desire to have read by the Clerk a letter which I received from Senator Emery, as a representative of the independent refining companies.

Mr. MARTIN of South Dakota. Will the gentleman yield right there for a question?

Mr. VREELAND. I will yield to the gentleman.

Mr. MARTIN of South Dakota. In this connection, can the gentleman inform us, approximately, what proportion of the crude petroleum is produced by the independent concerns?

Mr. VREELAND. I will reach that subject later, if the gentleman will permit me. I will say, however, that the Standard Company to-day produces about 11 per cent and the other producers of the United States about 89 per cent.

Mr. GAINES. Is not the gentleman incorrect in that statement? Does not the Standard Company produce 18 or 20 per cent and the independent companies about 80 per cent?

Mr. VREELAND. No; and I can explain why. As a man coming from an oil State, the gentleman from West Virginia knows that the production in a new territory is very large at first, but rapidly falls off; for instance, there are 14,000 wells in the State of West Virginia. Most of them are old, and the average production per well in the gentleman's State to-day is about 1½ barrels to the well. Then, as a man somewhat familiar with the oil business, the gentleman knows that unless a producer keeps up with the new fields and new production, his percentage of output rapidly drops off. There was a time, I will say to my friend, when the Standard Oil Company was producing nearly 30 per cent of the production of the United States.

But the Standard Oil Company has not gone into the great fields of Oklahoma and Kansas as a producer, nor has it gone as a producer into the Texas or Illinois fields to any extent, hence the Standard percentage of total output has rapidly dropped down until to-day the best figures obtainable are that they are not producing more than about one-tenth of the crude petroleum. I will now ask the Clerk to read the letter from Senator Emery.

The Clerk read as follows:

WASHINGTON, D. C., *March 29, 1909.*

Hon. EDWARD B. VREELAND,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I desire to call your attention to the necessity for a careful consideration by Congress of the proposed removal of the countervailing duty on petroleum and its products.

You, being a neighbor of mine and conversant with the oil business for the past thirty years, are aware of my position on the oil question in both a public and a business way. You know that I am a producer of oil in all of the fields of the United States and Mexico. You are also aware that I have for many years past owned and operated a large independent refinery at Bradford, Pa., near your home, and at other points, and that I planned and constructed for the independents the United States pipe line from West Virginia to the Atlantic coast, a distance of over 500 miles, and which is a successful competitor of the Standard Oil Company lines.

As a practical, independent oil man you are undoubtedly aware that the removal of the countervailing duty will not in any way affect the Standard Oil Company, but it will most seriously affect both the large and small producers of oil and the independent refiners of our country.

I have previously informed you of the refineries now in existence in Mexico and to whom they belong; also the general situation of the Mexican and Canadian oil fields. I will be glad to furnish you further substantial facts and reasons why a straight ad valorem duty on oil and its products should be placed in the new tariff schedule.

Very truly, yours,

LEWIS EMERY, Jr.

Mr. SIMS. Mr. Chairman, before the gentleman proceeds, I would suggest that the gentleman whose letter has just been read comes out and asks for a straight ad valorem duty rather than a countervailing duty.

Mr. VREELAND. Yes.

Mr. SIMS. I would like the gentleman to discuss that in connection with the present countervailing duty. I understand this bill is to be a protective bill, and is made up from a Republican protection standpoint, but as between the countervailing duty, on which the Government gets nothing, and a straight revenue duty or a protective duty, be it specific or ad valorem, it strikes me that the letter read suggests a proper solution of the trouble.

Mr. VREELAND. Mr. Chairman, the gentleman from Tennessee [Mr. SIMS] is entirely correct. I shall endeavor to show before I conclude my remarks the specific danger which the producers of oil fear in connection with the future business of that industry.

I shall endeavor to show that the present countervailing duty very likely within the next year or two would be entirely valueless as a protection to the oil producers of the United States, and I shall take that up at the proper time, in connection with the production of oil in Mexico. Now, let me inquire for a moment what this countervailing duty is. A few days ago I listened to a speech on the floor of this House, and I heard one or two gentlemen get up and state that in previous campaigns they had made the statement in their speeches that there was no duty levied on petroleum by the United States, and they were fearing they had not been stating the truth to their audiences

on that subject. The present countervailing duty that is in

was stricken out without debate. It went to the Senate. In

the Republican side.]

of the independent refining companies.

clause, which I shall insert in the RECORD as a part of my remarks.

fearing they had not been stating the truth to their audiences

on that subject. The present countervailing duty that is in force under the Dingley law provides that crude oil and its products, one of which is refined oil, shall come into the United States absolutely free, unless some other country shall put a tariff against American oil exported into that country, and then the same amount of duty which that country levied shall be automatically set in force as against the productions of oil from the country levying the duty against the American product.

Then I say the gentlemen were right in stating that there has been no duty on oil by the action of the law of the United States. Every oil-producing country on the globe to-day under the law as it stands can have absolute free entry of duty of their products into the United States of America, provided they give us free entry of our products into their markets. We are extending that principle largely in this tariff bill. We are providing the maximum and minimum tariff, so that we shall compel other countries to give to our products as favorable consideration as we give to the products of other countries. Why, to-day Russia can absolutely take down the barriers that exist against bringing her oil into our country if she sees fit to do so. All she has to do is for her administrative council to give ten days' notice that the duty against American oil going into Russia has been taken off, and immediately our markets become absolutely free to the producers of oil in Russia.

Mr. FLOYD of Arkansas. Mr. Chairman, I would like to ask the gentleman if any foreign country has ever taken off its duty on oil on account of this countervailing duty?

Mr. VREELAND. Mr. Chairman, I can say to the gentleman that a number of foreign countries have modified their duties against petroleum as the result of this countervailing duty that was put into the Dingley bill.

Some of the gentlemen in their speeches have called this clause a "joker." It seems to me that that is an unjust term to use in connection with it. That is a term well understood in legislative matters. It is understood to be some secret clause—that is, a clause having some secret meaning—which is put into legislation to produce effects not generally understood, and just opposite, perhaps, from that which appears on the face of it. Certainly, Mr. Chairman, in all the laws of the last twenty years this clause has been plain and open to any man who could read English. Its effect has been apparent on its face, and the policy of that countervailing duty we are to-day following up in the tariff bill we are to pass.

Mr. CARTER. Mr. Chairman, the gentleman states that this countervailing duty is a duty which is placed on imports commensurate with the duty placed by that country on similar goods imported from this country. Is that correct?

Mr. VREELAND. Let us take a specific case. We will take the case of Russia. Our law at present provides that Russian oil may come into the United States absolutely free unless Russia herself puts a tariff against American oil, and then in that event the same tariff which Russia puts against American oil shall be applied and collected at American ports as against Russian oil.

Mr. CARTER. Then this duty becomes a specific duty as to each separate country, and our duty on oil is commensurate with the duty which the other country exacts from our oil?

Mr. VREELAND. Yes. Let me take another concrete case. Canada admits crude petroleum free of duty; therefore crude petroleum from Canada would come in here free of duty.

Canada imposes a duty of 2 cents a gallon on refined oil; therefore we levy 2 cents a gallon on Canadian refined oil.

Mr. CARTER. Can the gentleman give us figures indicating the tariff on imported oil with the various countries under the present countervailing proposition in the Dingley law?

Mr. VREELAND. Yes; and I will insert them in the RECORD. I will give a brief history of the countervailing duty. Under the McKinley act, passed in 1890, there was no specific reference to crude or refined petroleum, but there was a duty of 20 per cent ad valorem levied under that bill under the clause which covered all other manufactured and unmanufactured articles not otherwise specified in the bill. Then we come to the Wilson bill, passed in 1894, by a Democratic Congress. The chairman of the Ways and Means Committee was that great Democrat, William L. Wilson. The other best-known name upon the Committee on Ways and Means of that Congress was William J. Bryan, of Nebraska. The Committee on Ways and Means which framed the Wilson bill brought in the following provision in relation to oil:

Provided, That if any petroleum is imported the product of any country which imposes a duty on petroleum exported to the United States there shall be levied and collected upon such imported petroleum the rate of duty existing prior to the passage of this act.

That was it as it came from the Ways and Means Committee which framed the Wilson bill. In the House the amendment was stricken out without debate. It went to the Senate. In the Senate, when this clause was reached, Senator Jones, of Arkansas, twice, I believe, chairman of the Democratic national committee when Mr. Bryan was candidate for President of the United States, rose and offered the countervailing clause which became a law in the Wilson bill, which provided that where countries levy duties against the United States on crude or refined petroleum there should be a retaliatory duty levied in the United States of a flat 40 per cent against such country.

When the Dingley bill was enacted in 1897 that clause was re-enacted, except that the flat rate of 40 per cent was changed to read as the present law reads, namely, that oil from other countries shall be free to enter the United States unless they levy a duty on our oil; then it shall be the rate of duty levied against us by that country. Now, I do not refer to this as criticising——

Mr. CAMPBELL. Right there, will the gentleman permit?

Mr. VREELAND. Certainly.

Mr. CAMPBELL. I have made an estimate of the rate paid under the Dingley law as compared with the 40 per cent imposed by the Wilson law, and I find that on the importation of oil into the United States, both crude and refined, they paid an average rate of 31.94 per cent as against 40 per cent under the Wilson law.

Mr. VREELAND. I thank the gentleman for the information. Now, I say I am not referring to the framers of the Wilson tariff bill in terms of criticism. On the contrary, I think it was a very wise and statesmanlike action. It has been of great value to American exporting interests. As a result of that clause put in the Wilson bill and in the Dingley bill we have secured modifications of the tariff against American products in a good many of the nations abroad.

Now, Mr. Chairman, I wish for a moment to refer to the oil business of the United States and the products of the oil business, and the men who dig down into the bowels of the earth and bring up the crude riches to the surface. There are nearly 600,000 barrels of crude petroleum produced in these United States every day in the year. We are the greatest petroleum-producing country in the world. Fifteen States of this Union produce crude petroleum.

The value of the crude oil brought to the surface is more than $150,000,000 per annum. The value of the refined is much more. Our exports of oil exceed $100,000,000 per annum. Two billions of dollars in gold have been brought to the United States from oil exports. Five hundred thousand men are engaged in the production of oil. This includes the men who drill and pump the wells and care for the oil, and who receive high wages. Tens of thousands of farmers have received bonuses for oil leases and are to-day receiving royalties dependent upon the sale and price of the oil. Great amounts are paid for timber and lumber. Many millions of dollars are paid for boilers and engines, pipes, casing, and tools. Millions of dollars are paid to railroads for freight. We produce much more oil than all the rest of the world, and of better quality.

Mr. DAVIS. For information, will the gentleman inform the House what is the present duty imposed by Russia against our American oils?

Mr. VREELAND. Russia at present imposes a duty against refined American oil at something like 16 or 18 cents. I will tell the gentleman exactly in a moment. Russia imposes a tax of 2.81 cents per gallon on crude and 16.89 cents against refined petroleum.

Mr. DAVIS. And under the present law that is the duty we impose against Russia?

Mr. VREELAND. That, under the present law, is what we impose against Russia.

Mr. DAVIS. Is not Russia our greatest competitor?

Mr. VREELAND. Russia is the greatest oil-producing country except the United States; but I shall take up the question of competition, and I expect to show that Russia is not and could not be a competitor in the markets of the United States.

The very fact that Russia has put on an absolutely prohibitory duty against the importation of refined petroleum from America shows that the Russian people know not only that they could not exploit our market, but that a prohibitory duty is necessary to prevent other nations from entering their market.

Mr. NORRIS. Will the gentleman yield right at that point?

Mr. VREELAND. Yes.

Mr. NORRIS. I wish the gentleman, either now or some time in his remarks, would give us a list of the countries producing petroleum, and the amount of it, if he can, that they produce, together with the tariff that each of the countries levies against our oil.

Mr. VREELAND. I might as well give the gentleman now the list of the duties which those countries that levy duties levy against us now.

Austria-Hungary, of which the State of Galicia is the oil-producing territory, levies a duty against outside oils of 4.96 cents per gallon on crude and 14.36 cents per gallon on refined petroleum. Roumania, another large oil-producing territory, levies a duty of 1.14 cents per gallon against crude and 2.84 cents per gallon against refined. The Dutch East Indies, Java, Sumatra, and Borneo levy a duty of 5.19 per cent ad valorem, a very small rate of duty on crude, and thirty-seven one-hundredths of 1 per cent against refined, a very light rate of duty from that country; therefore, a very light rate of duty prevails against that country, and for that reason, if the gentleman will study the table of importations of oil, he will find that the greater portion of the small amount imported into the United States has come from that country.

Mexico levies a duty of 4.86 per cent on crude and 13.27 on refined. Japan levies a duty of 20 per cent ad valorem on crude and 4.78 cents per gallon against refined.

I was speaking of the oil industry of the United States and the production of crude petroleum by the half million of our people who are engaged in that industry. I stated that there were 15 States interested in the production of crude oil. I will read the names of some of the States and the amount of their production.

To-day California has 14,000 wells. This oil sells on an average at about 75 cents; that is, crude oil, per barrel. Its production is about 120,000 barrels daily. The value of the oil produced in California amounts to $90,000 a day. The value of the oil produced in California per annum, and you must remember this is crude oil, oil just as it reaches the surface of the ground and before it has been refined, amounts to nearly $33,000,000 a year. Texas has 8,000 oil wells and is producing about 40,000 barrels of oil daily. A good deal of it is a low grade of oil that is sold for fuel. The average price is hard to determine, but it is at least 30 cents a barrel. That means that $12,000 a day comes into the State of Texas from crude petroleum. And I may say that it is the belief of oil men that there are still immense deposits of crude petroleum in Texas which will be developed when market conditions permit of their development.

Oklahoma and Kansas form the greatest productive field upon this continent to-day. They have 13,000 wells. The average price of the oil there is 0.42 cent. They produce 180,000 barrels of oil per day. The daily value is $75,600. Twenty-seven million five hundred thousand dollars every year is paid into the States of Oklahoma and Kansas for the crude petroleum produced in those States. Pennsylvania has 45,000 wells, but they only produce 25,000 barrels of oil, but it is of such high quality, and on account of the competition of independent refineries, that it sells at $1.78 per barrel for crude oil. The daily value of their oil is $45,000, amounting to more than $16,000,000 per annum. Ohio has 45,000 oil wells. They average 1 barrel a day. It has a daily production of 45,000 barrels. The daily value is $56,000. That is, more than $20,000,000 are paid out to the producers of crude oil in Ohio during the year. Indiana has 10,000 wells, with $8,000 daily income—nearly $3,000,000 per annum. West Virginia has 14,000 wells, $44,500 daily income from crude petroleum, and more than $16,000,000 paid into that State during the year for this single product. Illinois has come to be one of the greatest fields to-day in the Union. If the market conditions to-day would permit, the amount of crude petroleum developed in the fields of Illinois could be increased 50 per cent within twelve months, so men conversant with crude oil conditions there inform me. Illinois already has 18,000 wells. Their product sells at an average of 68 cents a barrel at the wells. It is producing 110,000 barrels a day, and the daily value of which is $75,000, or more than $27,000,000 in the pockets of the people of Illinois from that single production.

Mr. CANNON. Will the gentleman allow me to interrupt him, touching Illinois? This oil field is new, and has been four or five years in developing. My information is that all we know of is developed about one-third, about one-half of which is in the lower part of the district I have the honor to represent, and part of it in the district that my colleague [Mr. FOSTER] represents. My information from crude-petroleum men in the two fields is that there are, in round numbers, 3,200 farmers, owners of small tracts, and small shopkeepers, and others who are receiving royalties from these oil wells. I just wanted to add that to what the gentleman from New York has said.

Mr. VREELAND. I thank the gentleman for the information, and I will touch later upon who are interested in this great production of oil. Kentucky, Wyoming, Louisiana, Colorado, and Utah are also producers of oil. The total value of crude oil in the United States amounts to more than $150,000,000, and that is the value when it comes to the surface of the ground.

It is well known, Mr. Chairman, among men who are in touch with the oil business that if we had the market wherewith to dispose of petroleum that could be produced in the United States the whole output of petroleum in two years could be put up 50 per cent. Why, gentlemen who know tell me that in the great State of California alone if they had a market for their oil by the end of a year they could produce 250,000 barrels daily.

Now, gentlemen, I have already stated the interest which the Standard Oil Company has in the producing business in the United States. On the whole, it has the same interest that the millers have in the man who raises wheat, that the brewers have in the man who raises barley. They simply buy a portion of the product that this man produces. The Standard Oil Company is interested in buying oil as cheap as it can. I want to say here that the independent refineries in the United States, which have developed remarkably in the last ten years wherever they have entered the oil fields have increased the price the oil man received for his crude petroleum by from 6 to 20 cents a barrel.

Mr. HARDY. Will the gentleman allow me to ask him a question?

Mr. VREELAND. Yes.

Mr. HARDY. I just wanted to ask the gentleman if he knows of any law whereby Russia, Mexico, Canada, or any other country can prevent the Standard Oil from acquiring an interest and use their capital in an exploitation of refining oil in these foreign countries?

Mr. VREELAND. I know of no law, and that is precisely the course the Standard Oil is following. They are already to-day in possession of most of the oil production of Roumania. They had possession of most of the oil production of Japan, until last year they were virtually compelled by the Japanese Government to sell their interest to the Government that is now held by Japan as a monopoly.

Mr. HARDY. Do I understand you to take the position that the Standard Oil will in the end control the products of Mexico and other foreign countries?

Mr. VREELAND. Most certainly; that is my position.

Mr. KÜSTERMANN. On the matter of crude oil, let me read a few lines from the report of the Commissioner of Corporations.

Mr. VREELAND. I will state to the gentleman that I have the report of the commissioner.

Mr. KÜSTERMANN. It shows just exactly what the commissioner thinks of the situation, if you will allow me to read it.

Mr. VREELAND. I can not submit to interruption now for the purpose of reading an article, I will state to the gentleman, because I am taking too much time. If he will make a statement as to what it is, I will yield to him; but I am perfectly familiar with the publication. It is five years old, and I am talking about the present.

Mr. KÜSTERMANN. It is only two years old—1907 was the period of the great investigation.

Mr. VREELAND. That is when it was published; the report I have is 1906.

Mr. KÜSTERMANN. There were four volumes, and this one covers all the ground, if the gentleman will permit me to read it.

Mr. VREELAND. I hope the gentleman will read all the volumes diligently, and he will gather considerable information on the matter of crude petroleum.

Mr. COOPER of Wisconsin. Will the gentleman allow me to ask him a question?

Mr. VREELAND. Yes.

Mr. COOPER of Wisconsin. I understood the gentleman to speak a moment ago about the increase in the independent refiners?

Mr. VREELAND. Yes, sir.

Mr. COOPER of Wisconsin. Is the Prairie Island Gas Company an independent company?

Mr. VREELAND. No, sir.

Mr. COOPER of Wisconsin. It claims to be a competitor of the Standard Oil Company?

Mr. VREELAND. Oh, no.

Mr. COOPER of Wisconsin. It was always so understood. Why did it have that name?

Mr. VREELAND. It might have been the understanding of the gentleman from Wisconsin, but nobody in touch with the subject thought it was independent of the Standard Oil Company. It has been the policy of the Standard Oil Company frequently to appear under different names, and this is one of the cases.

All oil men have always understood that it belonged to the Standard Oil Company. I now yield to the gentleman from Oklahoma.

Mr. CARTER. I simply desire to ask if it is not a fact that several years ago a controversy arose over the desire of the Prairie Oil and Gas Company to lay a certain pipe line; that it developed in that controversy, and was not denied by the Prairie Oil and Gas Company, that this company was a subsidiary organization of the Standard Oil Company, and that was when Mr. Hitchcock was Secretary of the Interior, now four years ago? Is that not true?

Mr. VREELAND. Most assuredly. What I am saying to the gentleman from Wisconsin is that people who are connected with the business and who have been familiar with it have always known from the time that the Prairie Oil and Gas Company started to build its lines that it was a Standard interest. I never heard any other opinion expressed. But there is no question about the number of independent refineries. The gentleman will find in the same government report alluded to by the gentleman from Wisconsin [Mr. KÜSTERMANN] a statement of the names of the independent refineries existing at the time that this report was published, and since that time something like eight or ten additional independent refineries have been built.

Mr. ANTHONY. Did I understand the gentleman to say that the Standard Oil Company had increased the prices it paid for crude oil as the fields have developed?

Mr. VREELAND. The statement I made was that wherever the independents have gone in and covered a territory and bought oil they have invariably compelled the Standard Oil Company to increase its price from 6 to 20 cents per barrel.

Mr. ANTHONY. I want to say for the information of the gentleman from New York that the price of crude oil in Kansas has steadily declined since the inception of that field from $1.25 per barrel to 48 cents, and the policy of the Standard Oil Company has been to depress the price of crude oil until it is unprofitable for many wells to be operated.

Mr. VREELAND. That is only too true. I am personally aware——

Mr. ANTHONY. I do not understand the logic of the gentleman in trying to protect an industry which attempts to create a monopoly.

Mr. VREELAND. Oh, I am not desiring to protect it. I am taking the ground on this floor that the Standard Oil Company needs no protection from any law. Its interests are so vast, its hold upon the business is so great, that it does not need to come here and ask for protection. I am standing here to ask protection against the Standard Oil Company and against the very practices which the gentleman says they have pursued in Kansas and in Oklahoma. To-day the Standard Oil Company practically has no competition in that field. What is the result? The crude oil of that field is selling at 41 or 42 cents a barrel. Refiners who know the quality of the oil tell me that upon its merits it ought to sell and is fully entitled to sell for 60 or 70 cents a barrel. Why is it that the oil of Pennsylvania to-day is selling for $1.78 per barrel? It is not only on account of the quality of the oil, but it is because the independent refiners are covering that territory with their pipe lines and purchasing that oil in competition with the Standard. For that reason the price of their crude oil goes up to a reasonable figure.

Mr. JAMES. I should like to know from the gentleman which he thinks the independent producers of the country are in greater need of, protection from foreign competition or from the lawless methods of the Standard Oil Company?

Mr. VREELAND. Until the Mexican field develops, the American producer needs no protection from any spot on earth. There is no field across the ocean that can do the slightest damage to the American producers of oil.

Mr. JAMES. Is it not true that the Standard Oil Company sells oil across the sea, after paying the freight on it at 3 cents a gallon, cheaper than it sells it to American consumers?

Mr. VREELAND. If the gentleman will permit me, I will take up that question by itself, because it is a very important question, and I shall want to dwell upon it.

Mr. JAMES. I shall be glad to hear from the gentleman on that.

Mr. CLARK of Missouri. If it will not interrupt the gentleman, I should like to ask him one question.

Mr. VREELAND. Yes.

Mr. CLARK of Missouri. If this countervailing duty stays in this bill, then the high tariff of any other country not only goes onto our statute books as to the crude oil and refined oil, but also as to all products of petroleum, paraffin, and so forth, does it not?

Mr. VREELAND. I suppose it does, under the law.

Mr. CLARK of Missouri. That is what I wanted to know.

Mr. VREELAND. Petroleum itself is a product of crude oil. I have already alluded to the interests of the independent refineries. I want to say that Mr. Emery, the greatest independent refiner in the United States, is now in the city and would be glad to give such information as he possesses to any gentleman of this House who desires to seek him out.

I want to say another thing; Mr. Emery is entitled to additional credit for the position he takes in this matter, because he is a part owner of the greatest property in the State of Mexico. Mr. Emery owns a one-third interest in the fields where the monster oil well which came in last fall was produced, the well which took fire; a well which had an output estimated to be 150,000 barrels a day, unquestionably the greatest oil well discovered on the globe, not excepting the great oil wells of Russia.

Mr. HUBBARD of West Virginia. Will the gentleman yield?

Mr. VREELAND. Certainly.

Mr. HUBBARD of West Virginia. Will the gentleman state what has been the relations of Mr. Emery to the Standard Oil Company throughout its history?

Mr. VREELAND. That is well known. I have already stated that Mr. Emery has been a bitter enemy of the Standard Oil Company and fought that company all his life. I think as much as any man outside he has been instrumental in creating public sentiment and bringing about a law to prevent preferential rates on railroads by which the Standard Oil Company has had an advantage. Mr. Emery was in this city appealing to Congress on the subject of equality of rates to American shippers long before the Reagan bill was introduced in this body.

I want to say the interests of the independent refiners in this country have more than doubled within the last ten years; their pipe-line capacity has been more than doubled, and the men who refine the oil have produced more than double the amount of refined oil since the provision of the law passed by this body which requires that every shipper of goods of any description shipped over a railroad shall have the same terms as any other shipper under like circumstances. Since that law has been passed and has been enforced during the last administration, it is the opinion of the independent refiners that they will be able in the near future to still more expand the amount of oil which they will be able to refine.

Now, the oil business of the United States to-day, so far as it relates to the producers, is not in a favorable condition. We lack a market for the oil we produce; we need to seek markets wherever they can be found on the globe. At this moment nearly 100,000,000 barrels of crude oil are upon the surface of the earth, stored in tanks and pipe lines, waiting a demand for it from the markets of the United States and the world.

As I have stated, the daily production of the oil could be increased 50 per cent if the producers had markets in which to sell it. To-day in Oklahoma the Mid-Continent Association is seriously considering the question of a six-months shut down because they are flooding the market with more oil than can be disposed of. Forty-seven million gallons of Oklahoma oil is held in storage. It was expected some relief would be obtained in that territory by the so-called "independent pipe lines," two of which have been built from that field to the Gulf of Mexico.

But I may say that we find in practice these two independent pipe lines have outstandardized the Standard Company; that they have bought up enough production to fill their own lines and supply their own refineries, and have not given a particle of relief to oil producers.

Mr. PERKINS. Will the gentleman yield for a question?

Mr. VREELAND. Certainly.

Mr. PERKINS. Has not the excess of production of which the gentleman speaks been confined entirely to the low-grade oil? Is there any excess in the production of the high-grade oil?

Mr. VREELAND. Not in the highest grade of oil; that is, the Pennsylvania oil. Of course the Oklahoma oil is good oil, and while it does not produce as good a kind of refined petroleum as the Pennsylvania oil, still it produces an excellent quality of petroleum, but not so large a percentage to the barrel.

Mr. DAVIDSON. Will the gentleman yield to me for a question?

Mr. VREELAND. I will yield to the gentleman from Wisconsin.

Mr. DAVIDSON. I would like to have the gentleman express his opinion as to why the price of petroleum products has increased so much during the last few years, if there is this great overproduction of oil—for instance, gasoline and products of that kind?

Mr. VREELAND. The price of crude oil at wholesale has not increased greatly during the last few years. During the boom time, before the financial depression of 1907, refined petroleum, like everything else, advanced to some extent, but nothing to the extent that other products advanced. To-day, as I shall endeavor to show later, the refined oil is sold in the markets of the United States as cheap, quality for quality, as it is sold in any country on the globe.

I may add that on account of railroad discrimination the independent refiners were unable to ship their oils into Wisconsin until during the last year.

Mr. DAVIDSON. That applies to the refined oil, but how about the products like gasoline, for instance?

Mr. VREELAND. Gasoline has gone down.

Mr. DAVIDSON. Which has gone up to 27 or 28 cents?

Mr. VREELAND. Gasoline is cheaper; and if the gentleman has occasion to buy any for his automobile this summer, he will find that he can buy it for a low price.

Mr. DAVIDSON. But I will state that I am not in the habit of buying gasoline for automobiles, but I buy it for other purposes.

Mr. COOPER of Pennsylvania. I would like to ask the gentleman whether there is the same reason for having a duty on refined oil as there is on crude oil.

Mr. VREELAND. I will touch on that later. I want to say that if this tariff bill came up a year ago no oil producer in the United States would have cared a rap whether there was anything affecting oil in it or not. I want to say that for the past ten years no producer of crude oil has known or cared whether there was any tariff upon crude or refined petroleum.

Mr. McGUIRE of Oklahoma. Will the gentleman yield?

Mr. VREELAND. Yes.

Mr. McGUIRE of Oklahoma. Is the gentleman prepared to state from what countries we received the crude oil and how much, and from what countries we received the refined and finished product, and how much for a few years back?

Mr. VREELAND. I want to say that practically no oil has come in of any description to our markets. I do not think one-hundredth of 1 per cent of the oil has come in: It is a negligible quantity. A little oil has come in from the Dutch East Indies, where only thirty-seven one-hundredths of 1 per cent is levied as against us.

I may say in that connection that a considerable portion of the oil that has come in has been brought over in the empty tank steamers of the Standard Oil Company for some experimental purpose and mixed with our oil. They brought in something like eight or nine millions of barrels in the last two years from the Dutch East Indies, and for what purpose I do not know.

Mr. McGUIRE of Oklahoma. Was that crude or refined?

Mr. VREELAND. That was refined oil. Mr. Chairman, I have stated that during the past ten years, and until this present Mexican development, the producers of crude oil have not cared whether it was touched on in the tariff or not. My friend from Wisconsin [Mr. KÜSTERMANN] made a speech—the only one I have heard here this session which pretended to take up this subject seriously—in which he attempted to do more than to slur the subject, as was done in the report of the minority upon this bill.

The gentleman from Wisconsin [Mr. KÜSTERMANN] undertook to present some information. From what source he obtains it I do not know. He claims that it has been a great benefit to the American refiners of oil, and especially to the Standard Oil Company as being the largest refiner of oil, that this countervailing duty has prevailed against other countries during the last ten years. The gentleman from Wisconsin bases his whole case upon the importation of oil from Russia. He says that if it were not for this high tariff which the countervailing duty puts against Russian oil that Russian oil would be a large competitor in our fields. The gentleman makes it specific. He says if it were not for that countervailing duty against Russia the American consumer would have been able to buy refined oil for 3 or 4 cents per gallon cheaper than he has been able to do it.

Mr. KÜSTERMANN. Will the gentleman yield?

Mr. VREELAND. Yes.

Mr. KÜSTERMANN. I just wish to say that that information I got from the Commissioner of Corporations, who has gone very thoroughly for one whole year into the subject, and has arrived at the conclusion that on account of the countervailing duty the Standard Oil Company exacts 3 to 4 cents a gallon more out of our people than they ask for the same oil in European countries.

Mr. VREELAND. Where does the gentleman find that information? Is it printed?

Mr. KÜSTERMANN. Yes; it is printed.

Mr. VREELAND. I wish the gentleman would refer me to the page in the report where that statement is made.

Mr. KÜSTERMANN. I will be able to do that if the gentleman will give me some time.

Mr. VREELAND. Yes; I have a copy of the book here, and perhaps he could find it now.

Mr. GARRETT. I would suggest that the gentleman turn to page 427.

Mr. VREELAND. At any rate, I want to say that whether the statement is made by the gentleman from Wisconsin or by the Commissioner of Corporations, or by whoever it is made, it is a ridiculous statement, which I think I shall have no trouble in refuting. I want to here make the broad statement that the countervailing duty upon either crude or refined petroleum has not cost the American people one solitary mill during the last ten years. I want to make here the broad statement that if the countervailing duty as against Russia should be repealed to-day by Russia—not by us, because we levy no duty against Russia—that not a barrel of Russian refined oil could come into this country unless it was brought in in the tank steamers of the Standard Oil Company to mix with our oils.

Why, gentlemen, the very fact that Russia puts a prohibitive duty against our oil is in itself proof that they are afraid that our oil will enter their markets and sell in their markets. For what purpose is a tariff levied? A tariff is levied either for revenue purposes, in which case it must be a low tariff on oil, or else it is levied to keep other competitors out of the market of the country levying it. Why, we are all familiar with that. Then what is the meaning of the tariff that is levied against us by Russia? They put on an absolutely prohibitive tariff, a tariff amounting to 200 to 250 per cent. What does that show? It does not show the ability of Russian producers and refiners of oil to come into our markets here, but shows distinctly on the face of it that it is intended to keep us out of their markets.

Mr. RANDELL of Texas. The gentleman states the duty Russia placed upon this article is prohibitive. Then is not this countervailing duty a prohibitive duty when it applies to this market when it prohibits Russian oil coming in?

Mr. VREELAND. Most certainly.

Mr. RANDELL of Texas. Then does the gentleman think that is the proper thing, because Russia sees proper to prohibit the importation of oil, that the consumer in this country should have levied against his interest a prohibitive duty on oil against Russia or anyone else?

Mr. VREELAND. I am endeavoring to explain to the gentleman reasons which have actuated Russia in putting on a prohibitive duty. Can the gentleman imagine any other reason than that they are afraid other competitors of oil will come in and take their market? Is there any other?

Mr. RANDELL of Texas. They might have a reason that Americans suspect in this country, that it is an effort to turn over the people and local trade to the special interest so favored.

Mr. VREELAND. Oh, well, the gentleman is not throwing any light on the subject. He is merely fortifying himself for some future political campaign. Now, I want to say, Mr. Chairman, beyond the duty which Russia levies against us and which in itself shows that the Russian can not come into our market and compete with us—I want to say to the gentleman from Wisconsin that if to-morrow a shipload of Russian refined oil were landed at the port of New York and offered to the American people it could not be sold in our markets for two reasons: In the first place, the quality of it would not come up to the standards which our States call for; in the second place, our people would not accept and buy and use the quality of crude and refined oil which Russia produces.

Mr. KÜSTERMANN. But does not the gentleman believe that if Russia could have a market here she would improve upon the quality of her oil and adopt different methods of refining. At present they do not need it in their own country; they do not need it, but if they can get a market for it here they will refine their oil just the same as we are doing, if we will just give them a chance.

Mr. VREELAND. The Russian can not by any process change the quality of the oil which is pumped out of the ground in Russia.

Mr. NEEDHAM. I would suggest to the gentleman from New York that if Russia takes off her tariff she can have our market.

Mr. VREELAND. I am endeavoring to explain that so the gentleman will understand it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, could I move that the gentleman have an extension of time? I move that the gentleman have sufficient time to conclude his remarks.

The CHAIRMAN. The gentleman from Pennsylvania moves that the gentleman from New York may have sufficient time to conclude his remarks. Is there objection?

Mr. HARDY. Mr. Chairman, I have no objection to extending the time of the gentleman, but I desire to have this interesting argument somewhat elucidated on the other side, and I would like to have it understood that when the reply comes, we will be given the same kind of consideration. With that suggestion, I have no objection to the extension of the gentleman's time.

The CHAIRMAN. Of course the Chair can not make any promises.

Mr. HARDY. I just wish to make that statement now, because I hope to be able to reply somewhat to the argument of the gentleman.

The CHAIRMAN. The Chair hears no objection.

Mr. VREELAND. I do not expect to convince the gentleman from Wisconsin or to turn him away from his idols in this respect, nor am I able to convince myself that the gentleman from Wisconsin is seeking information on this subject.

I think it is proper for me to make this statement for this reason: Before the gentleman from Wisconsin delivered his speech upon this floor on this subject, he was informed that Mr. Emery, the greatest independent refiner in the United States, the man who knows from personal observation and experience of forty years about all these countries and about all of these subjects, a man who has been through the Russian oil fields personally, a man who to-day owns producing interests in Roumania, a man who owns a third of the great production in the great territory in Mexico, wanted to see the gentleman from Wisconsin [Mr. KÜSTERMANN] and talk with him upon this subject and endeavor to give him some information before he made his speech, and the gentleman from Wisconsin, as I am informed, declined to see him.

Mr. KÜSTERMANN. The gentleman has been wrongly informed. I would have been glad to see the gentleman, but at that time, when I was approached, I did not have the time to spend with him.

Mr. VREELAND. I was saying, Mr. Chairman, that Russian refined oil could find no place in American markets. The gentleman from Wisconsin (Mr. KÜSTERMANN) says that if they had our market, then they would produce a better quality of oil, but the gentleman does not seem to know that the quality of oil is determined, not by law, not by the producer, but by nature, which has been refining that oil down in the bowels of the earth through centuries of time.

They have in Russia one oil field, as the gentleman has truly stated, located on the Caspian Sea. It is a small territory at present, about 6 miles square. The crude oil produced is a little better in quality than that produced in Texas, but not very much better. It has almost an asphalt base. Now, they are not situated the way we are, with different grades, so that they can be blended and refined together and an average high quality produced. The only quality of oil produced in Russia is this low grade, a nearly asphalt base quality of oil.

And the gentleman would know, if he knew anything about the oil business, that no refiner, wherever he is located, could possibly take that oil and produce a high-grade oil from it. In the State of Pennsylvania we get 85 per cent of the highest grade of refined oil out of a barrel of crude. In Russia it takes five barrels of that heavy oil of theirs to make a poor quality of refined oil.

Let me examine again for a moment the question of the introducing of refined oil from Russia into the United States. This oil field of Russia, Baku, is on the Caspian Sea. The Caspian Sea is a closed sea, as we all know. Hence the refined oil of Russia has to be shipped thousands of miles before it finds a seaport, subject to all the waste, subject to the charges of a railroad company, over all these thousands of miles. Then it would have to be put into tank steamers and transported across the Atlantic. That would be much cheaper than rail transportation, but when they landed their oil upon our shores, as I have stated before, they could not sell a barrel of it to the American producer.

Mr. GARRETT. Will the gentleman permit a question?

Mr. VREELAND. Yes.

Mr. GARRETT. If that is the case, what good is this countervailing duty either for protection or revenue?

Mr. VREELAND. It is no good against Russia, as I am trying to tell the gentleman. We care nothing about the countervailing duty against Russia, and never have cared about it. I am dwelling upon this point of bringing in oil from Russia because the gentleman from Wisconsin [Mr. KÜSTERMANN], who has made the only speech upon the subject, bases his whole case upon the statement that had it not been for this countervailing duty the American consumer would have been able to buy his oil 3 or 4 cents a gallon cheaper by reason of importation of Russian oil.

Mr. GARRETT. What countries, then, compete with us?

Mr. VREELAND. No countries compete with us. If the gentleman will be patient, I will endeavor to show him the competition we are afraid of in the future. There has been no outside competition in the past with the American producer of oil in our markets.

Now, I want to repeat the statement I made a few moments ago. When you consider the quality of the oil produced oil is sold in America at wholesale rates as cheap as it is sold in any country on the globe. Why, the gentleman from Wisconsin makes a table of oil sold in the United States at wholesale rates and oil sold for export to foreign countries, and he finds in that table, which is true, that the oil sold for export is sold at a cheaper rate than the oil sold at wholesale in the United States. But what the gentleman does not seem to have comprehended yet is that "export oil" is a technical term used in the business, a term well understood among refiners. "Export oil" means a lower quality of oil. It means an oil that is made to meet the market conditions and the laws of other countries. It means that it is much inferior in quality to the oil sold in the United States.

Why, Mr. Emery, to whom I have so often referred, is a large exporter of oil, and has been for years, to the continent of Europe. He sends 60 or 70 per cent of his refined oils to Germany and to other foreign countries. He maintains his own tank steamers; he has his own distributing point in Germany. Mr. Emery can tell you that the water-white oil which the American consumer demands, and they will have nothing else, is sold at wholesale cheaper in the United States than it is sold in Germany. He sells it himself to anybody who wants it from a quarter to a half a cent a gallon cheaper in this country than he sells it abroad. Why, gentlemen, do you know that refined oil is sold in this country cheaper than water? Here in the lobby of this House there is spring water furnished to us by the 5-gallon can for 50 cents, or 10 cents a gallon. It does not have to be drilled for.

Nature sends it up to the surface. No money is lost in endeavoring to find it. All you have to do is to gather it up in a tank, ship it to Washington or to every American city, put it into bottles, and sell it. We pay 10 cents a gallon for that water, delivered here in the Capitol and delivered at every other place in the city of Washington, Philadelphia, New York, Chicago, or wherever it is sold. To-day, in the same city of Washington, the best quality of water-white oil can be bought in smaller quantities, less than 5 gallons, at 10 cents a gallon, and they will furnish it delivered to the housekeeper and allow him to keep the can until the oil is used.

I want to say to those gentlemen who speak of bringing Russian oil into this country that a better quality of oil by many degrees than that produced in Russia is sold in the markets of the United States at 4 cents a gallon.

Within the last three months carloads of oil shipped by the Oklahoma-Kansas Independent Refinery to the city of Detroit, Mich., were sold there at 4 cents per gallon, carload lots; a better quality of oil than any refiner can produce from the crude oil turned out in the Russian Empire. Yet gentlemen say that we are paying 3 or 4 cents a gallon on account of the countervailing duty.

Mr. PERKINS. Can the gentleman state what the refined oil, such as he speaks of, is sold for in Russia by the Russian company?

Mr. VREELAND. The same quality, I can not say. But I will state to the gentleman that out of a tank of oil the American refiners get 72 different grades of oil.

I want to say to the gentleman that any American refiner will say to him that if he produced a quality of refined oil such as is produced in Russia he would be glad to make it and sell it in the market at 3½ cents a gallon.

Mr. PERKINS. What does he sell it for in Russia?

Mr. VREELAND. I am not aware what it sells for in Russia. There may be gentlemen in the House who have traveled through Russia and Persia who may know; and if so, they will testify as to the kind of oil that is used there. It is smoky. It

smokes up the chimneys, has a red blaze, and the ceilings are smoked up by the oil. American consumers would not allow it to be used in their houses. It is only sold in Germany at a preferential duty as against the United States. It is only sold in their markets to mix with better oils coming from this country. I maintain, therefore, that the American oils used in Germany are sold in that country at no greater price than sold in the United States. Water-white oil, which can be bought in this country at 6 and 6½, is sold in Germany at 6½.

Refined oil can be sent by the independent producers of the United States, and by the Standard Oil as well, into Germany at much cheaper rates of cost of transportation than it can be sent into the interior of the United States. The Pure Oil Company has a pipe line, the only pipe line in the United States for shipping refined oil. It runs from Oil City and Bradford, Pa., to their refinery in Philadelphia. They can ship refined oil from these refineries at less than half a cent a gallon to the port of Philadelphia.

From there in tank steamers they send it across the Atlantic for less than a cent. Thus it can be landed in any seaport of Germany for 1½ cents a gallon.

Now, let us take shipments, for instance, into the State of Iowa from the same oil region. The railroad rates would be 40 cents per 100 pounds, or 16 gallons, which means a cost of 2½ cents a gallon, or 1 cent more than to Germany, in carload lots for oil sent into the State of Iowa. Still, as I say, quality for quality oil is sold cheaper here than it is anywhere else on the globe.

Mr. HARDY. I should like to get one proposition clear.

Mr. VREELAND. Yes.

Mr. HARDY. I wish to know whether the gentleman denies the fact that the same character of American oil is ever sold cheaper abroad than at home?

Mr. VREELAND. Oh, ever! The gentleman evidently wants to frame up his question to catch any isolated case, perhaps one in a million.

Mr. HARDY. I mean in large quantities.

Mr. VREELAND. I have already made the statement in terms so plain that the gentleman must have understood it that quality for quality oil is sold as cheaply in the United States at wholesale rates as anywhere in the world.

Mr. HARDY. Quality for quality, is not American oil sold cheaper abroad than it is here?

Mr. VREELAND. I can not do any better for the gentleman's information than to repeat what I have just said, that quality for quality oil is sold as cheaply at wholesale rates in the United States as it is anywhere in the world.

Now, the gentleman understands that the qualities of oil required abroad are very different from those in the United States. The consumers of oil in this country demand the very best refined oil. They want a fire test of at least 150 degrees. A man in this country does not want to take any chances in burning oil in lamps in his house. Now, the gentleman understands that abroad much lower tests are required. For instance, in Germany they have what is called the Abel fire test of refined oil, under which the oil sold in Germany has to stand a fire test of 110 degrees, as against 150 degrees that the American consumer requires for his oil. In France, where they do not produce oil, but where they have built up a large refining business by putting a tariff against refined oil and letting the crude oil come in free, the law requires a fire test of about 130 degrees; in Norway and Sweden, 120 degrees; and so on.

In all the countries of Europe the test required upon their oils is very much less than it is in the United States, and the consumers of oil there are satisfied with very much poorer qualities of oil than our market will take.

Now, I have come to the point of stating to this House why the producers of oil in this country desire to have some protection in this bill, a protection which they have not desired during the last ten years. I want to say, in brief, that it is because they not only believe, but they know, that within the next few years, if a market can be provided for it, a great oil field will be exploited in the adjoining country of Mexico. Now, this is not information and belief; these are direct facts. Men who keep in touch with the business, who know what is going on, who are obliged to know as a part of their business what takes place in other fields, all of them know that the Standard Oil Company can go into Mexico to-morrow with their great resources, their unrivaled organization, their unlimited capital, that they can put in a hundred strings of tools, and, in the opinion of oil men who know, at the end of a year they can have a production in Mexico of 150,000 to 200,000 barrels a day.

All of you, I suppose, as a matter of general information, read of the tremendous oil well that came in in Mexico last fall, the oil well that took fire. I want to have the Clerk read a little item taken from the Technical World, which describes it.

The Clerk read as follows:

BLAZE 1,800 FEET HIGH—AND ABOVE IT A COLUMN OF SMOKE ROSE TO 9,000 FEET.

The greatest oil fire in history is supposed to have been the fire which by a conservative estimate destroyed more than 5,000,000 barrels of oil last year in the San Geronimo field, near Tampico, Mexico.

The oil stratum was struck at a depth of 1,840 feet in a 6-inch cased well. The torrent of oil burst forth and was quickly followed by a blowout of gas, which opened a big orifice in the earth's surface, swallowing up the derrick and whole drilling outfit, including the engine and boiler. The gas and oil were ignited from the fire under the boiler and the great fire was in this manner started.

It burned for sixty-two days. The vortex or crater through which the oil poured was gradually enlarged until it was more than 500 feet wide. A rim of rocks and earth was formed around its outer edge resembling a volcano's crater. According to the Technical World, the blaze extended to a height of from 1,400 to 1,800 feet, and the column of black smoke rose above it to a height of about 9,000 feet. On top of the smoke rested a great white cloud of vapor, which was estimated to extend skyward to an additional height of 7,000 feet. The blaze could be seen 200 miles.

The great oil fire was extinguished by means of 6 centrifugal pumps, which were kept constantly busy for two weeks throwing mud and water into the crater. Heavy discharges of dynamite around the rim of the orifice also aided in the extinguishing work.

Shortly after the flames were put out, the oil burst forth again in greater volume than ever, and its output was estimated at 150,000 barrels a day. It has been a difficult problem to care for the oil. The Mexican Government sent several hundred soldiers to the scene to assist the owners of the well in building earthern reservoirs for temporary storage of the product. The oil overflowed these reservoirs, and large quantities escaped into the San Geronimo River and Lake Tamiahua.

Mr. VREELAND. These wells are not found singly. That is unquestionably the greatest oil well that has ever been discovered since the oil business was known, greater than the great oil wells of the Empire of Russia.

As I stated, Mr. Emery owns a third interest in this great field. To that extent his interests are not in favor of continuing any sort of duties on oil. But his interests in this country are greater; he is a great producer of oil and a great refiner of oil, and beyond that he is an American, and prefers to give his own country any benefit to which it is entitled.

I want to say that only the day before yesterday a report from this same field came to Mr. Emery from the men in charge there, with whom I am personally acquainted, stating that they had brought in another oil well, more than a mile and a half from his great monster, whose daily production is upward of 10,000 barrels a day.

I might say that he gave me the information that they have other wells drilled there, but shut in because they have no market for it, that they figure will produce upward of 20,000 barrels a day.

Now, then, oil is produced directly upon the seacoast of the Gulf of Mexico; it does not have to be piped; it is right there on the salt water, where it can be loaded, as crude or refined, into tank steamers or tank barges.

Why, the Standard Oil Company has to-day built and has in operation three refineries in the oil fields of Mexico. They have one at Veracruz, one at Mexico City, and one at Tampico. An English company has also finished a refinery there, with a capacity of more than 10,000 barrels a day. The refinery cost more than $1,000,000. Therefore there are known districts in Mexico to-day where oil is produced in large quantities.

There is another field 400 miles distant from the one to which I refer where this great oil well was struck, where they produced oil the last two years, wells 2 years old, producing to-day eight to ten hundred barrels a day. Any man who knows anything about the oil business knows what that means; oil wells in our country 2 years old, starting in with 100 barrels a day, to-day produce from 2 to 5 barrels a day.

Now, this is not a question of belief or information; it is a question of known facts, and anybody connected with the subject of oil knows that we are facing a great development of oil in the adjoining State of Mexico, right up close to the salt water. I have already stated that it has been the policy of the Standard Oil Company to enter and exploit every field, not only in this country, but all other countries. I state to-day that they are refining and producing oil in Roumania and in Mexico.

They occupied fields in Japan as producers and refiners until, something more than a year ago, the Japanese Government compelled them to sell out their interests, and the Japanese are to-day holding them as a government monopoly. They have gone into every field, and I say I have no hesitation in stating on this floor what the producers fear. The producers

and independent refineries to-day fear that the Standard Oil Company will go into Mexico, where it has three refineries, with their great organization of capital and equipment, and will build up a great oil producing and refining business; and that means that the producer in Oklahoma and Illinois, thousands of miles from the seacoast, will sell a barrel of oil less for every barrel produced and sold in the State of Mexico.

Mr. BURKE of Pennsylvania. Will the gentleman yield for a question?

Mr. VREELAND. I will yield to the gentleman from Pennsylvania.

Mr. BURKE of Pennsylvania. When the Democratic party last had control of the tariff legislation, and after they made a report to the House of Representatives in which they used this language—

> The American people, after the fullest and most thorough debate ever given to any people as to their fiscal policy—

reported to this House and enacted into law a provision taxing the imported petroleum at the rate of 40 per cent ad valorem; and is it not a fact that on that committee making that report were such men as William L. Wilson, of West Virginia; Benton McMillin, of Tennessee; Henry G. Turner, of Georgia; Alexander Montgomery, of Kentucky; William Bourke Cockran, of New York; Moses T. Stevens, of Massachusetts; William J. Bryan, of Nebraska; and William D. Bynum, of Indiana?

Mr. VREELAND. That is true.

Mr. GARRETT. I would like to ask the gentleman if it is not a fact that that provision was put on in the Senate and not in the House at all?

Mr. VREELAND. It was brought into the House by the Ways and Means Committee, of which Mr. Wilson was the chairman, but I do not care to go into that question. I am not claiming that they are entitled to criticism, but to be congratulated for affording protection to American interests.

Mr. HARDY. I would like to ask if I did not understand the gentleman a moment ago to say that there would have been none of this Russian oil and could have been none of these other oils, until you got the Mexican field into this, even without that tax?

Mr. VREELAND. Absolutely true; and I further stated that that clause had been of benefit to the American producers and refiners by securing us cheaper rates or no rates of duty in some markets abroad, although it had no effect with Russia.

Mr. HARDY. I understood the gentleman to say there would have been none imported here now?

Mr. VREELAND. No more than there has been.

Mr. HARDY. Then that law was useless and ineffective.

Mr. VREELAND. Not at all. Although they could not import here, I stated to the gentleman that it secured to American exporters of oil cheaper rates, lower rates, and in some countries no rates of duty by reason of the fact that it was in effect.

Mr. CLARK of Missouri. Mr. Chairman, if it will not interrupt the gentleman, I would like to ask him a question or two. There is no oil imported here, the gentleman says, except from Mexico.

Mr. VREELAND. There is no oil imported here from anywhere to amount to anything at present.

Mr. CLARK of Missouri. Does not the gentleman think it would be a straighter and squarer and fairer proposition, if you want protection on oil, to simply put an ad valorem duty on, so that everybody could understand it——

Mr. VREELAND. Unquestionably.

Mr. CLARK of Missouri (continuing). Than to do it by this indirect twist of the wrist, if the gentleman will excuse that expression?

Mr. VREELAND. Unquestionably. I want to say to the gentleman from Missouri that he is entirely right about it, and in concluding my remarks I intended to touch on that subject.

Then, I say, Mr. Chairman, that for the first time the American producer of oil fears an outside competitor, and that is the oil produced in Mexico just across our border. I need not spend any more time in telling of the advantages they would have if they opened up a great field of cheap oil in Mexico. This question arises: Suppose the Standard Oil Company and other great organizations do open up a great field in Mexico. Is it not undoubtedly true that their influence with the Mexican Government would be enough to secure a repeal of their countervailing duties as against American oil, so that we would be left, in that event, without any protection at the point, and the only point, where we fear competition? That is undoubtedly true; and I want to say to the gentleman from Missouri [Mr. CLARK] that we would infinitely prefer that in this bill should be put an ad valorem or a specific duty, an ad valorem duty, say, of 33⅓ per cent, which is almost 10 per cent less than that provided in the Wilson bill.

In my judgment, a countervailing duty within the next two years would be of no value whatever to the American producer of oil, because, in my judgment, the countervailing duty in Mexico will be taken off at the instigation of the Standard and these other great corporations that will exploit that field. I want to say that we would welcome such a change of this countervailing duty into a specific duty which would be of sufficient amount to afford reasonable protection as against those interests.

Now, Mr. Chairman, I have already occupied more time than I ought. The first and worst effects of the cheap oil that is bound to come in from the fields of Mexico would be felt by the producers of fuel oil in California, Louisiana, and Texas. Unquestionably, their market with railroads and with other great producing plants that use oil for fuel would be seriously curtailed. All that the oil producers and the independent refiners of the United States want of this Congress is to be considered fairly and upon their merits.

We do not want the Standard Oil Company and the American oil producers of the country to be treated as synonymous terms. We are just as distinct from the Standard Oil Company as the man who raises the wheat is from the miller who sells the flour, as is the man who raises the barley from the brewer who buys it for brewing. If any of you gentlemen want to swat the Standard Oil Company, do it. We will not stay your hand, but we want you to use some intelligence as well as some zeal in doing it. We want you to be sure that you do not swat the wrong party, and that is all we ask. You might as well say that you are going to hit a blow at the sugar trust by giving it the privilege of bringing in free raw sugar from Cuba, you might as well say that you are going to hit the maltsters and the brewers by allowing them to bring in free barley from Canada, as to say that you are going to hit the Standard Oil Company by allowing them to bring in crude oil from countries where it is cheaper than it is here.

Will the consumer get it any cheaper if it is produced down there in that Mexican field, where it is now coming out in such great volume? Not unless the Standard lowers it on account of competition with itself. Mr. Chairman, the 500,000 men who are engaged in producing oil in this country are enterprising and energetic American citizens. They have done their full share toward building up and enriching the American people. They have gone out and spent hundreds of millions of dollars in sinking shafts thousands of feet into the earth, sometimes in a fruitless search for oil. They have gone into the barren stretches of the Appalachian Range, where a crow could hardly live in flying over it, and they have brought out of the ground a golden stream of riches to add to the wealth of the American people. They have homes to maintain and children to educate. All they want in this bill is a fair consideration upon its merits. They want to be judged upon the facts of the case and not by the prejudice which may exist in people's minds. With this treatment, Mr. Chairman, the men who are engaged in this great industry will be content, and I want to say they will be content with nothing else. [Loud applause.]

Import duties levied on petroleum by countries producing petroleum.

[Reduced to American currency and American gallons.]

Country.	Crude, per gallon.	Refined, per gallon.
	Cents.	*Cents.*
Galicia (Austria)	4.967	14.36
Roumania	1.14	2.84
Burma (India)	1.66	1.66
Russia	2.816	16.895
Mexico	4.36	13.27
Canada	Free.	2.083
Java (Dutch Indies)	[a] 5.19	.37
Japan	[b] 20	4.785

[a] Per cent ad valorem.
[b] Per cent ad valorem plus 20 per cent for sundries.

Production by States.

OIL.

State.	Number of wells.	Average per well.	Price per barrel.	Average per day.	Value. Daily.	Value. Yearly.
		Barrels.		*Barrels.*		
California	14,000	8½	$0.75	120,000	$90,000	$32,850,000
Texas	8,000	5	.30	40,000	12,000	4,380,000
Oklahoma and Kansas	13,000	14	.42	180,000	75,600	27,594,000
Pennsylvania	45,000	3	1.78	23,000	41,000	16,247,000
Ohio	45,000	1	1.25	45,000	56,250	20,531,250
Indiana	10,000	2	1.02	8,000	8,160	2,978,400
West Virginia	14,000	12	1.78	25,000	44,500	16,242,500
New York	4,000	2	1.78	1,500	2,678	977,470
Illinois	18,000	6	.68	110,000	74,800	27,302,000
Kentucky	2,000	2	1.78	1,500	2,670	974,550
Wyoming	80		.40	900	360	131,400
Louisiana	800		.30	12,000	3,600	1,314,000
Colorado	300		1.00	1,500	1,500	547,500
Utah	50		1.00	600	600	219,000
Total				571,000	447,218	152,284,020

Production by countries.

	Barrels.
Production of Russia, per annum	54,000,000
Production of United States, per annum	208,000,000
Galicia (Austria-Hungary), per annum	5,707,000
Roumania, per annum	4,421,000
Dutch East Indies (Sumatra, Borneo), per annum	7,768,000
British India	4,177,000
Japan and all other countries	2,629,000

Mr. BURKE of Pennsylvania. For the information of the Members of the House, I wish to insert in the RECORD what I regard as a most valuable and illuminating document, entitled:

THE DANGER TO OIL PRODUCERS IN EVERY PETROLEUM FIELD IN THE UNITED STATES.

MEXICAN OIL FLOOD THREATENS—IF TARIFF REVISIONISTS TAKE OFF COUNTERVAILING DUTY PRODUCERS WILL SUFFER—J. A. GARTLAN'S WARNING—WILL NOT HIT STANDARD OIL, BUT WILL, HE SAYS, STRIKE TRI-STATE TERRITORY.

[From the Pittsburg (Pa) Dispatch, February 14, 1909. By A. R. Crum, staff correspondent.]

CHARLESTON, W. VA., *February 13.*

"If the tariff revisionists take off the countervailing duty on petroleum and its products the oil producers of Pennsylvania are going to suffer. Those of West Virginia, Ohio, New York, Indiana, Illinois, Kansas, Oklahoma, Texas, Louisiana, and California are in the same boat."

The above declaration was made by J. A. Gartlan, of Pittsburg, familiarly known as "Andy" to every old-timer in the oil country. Mr. Gartlan is one of the most widely known oil producers in the country and a brother of Senator Gartlan, of the West Virginia assembly. Then Mr. Gartlan continued:

"There is a flood of oil in Mexico, enough to fill the Rio Grande, ready to be poured into this country when that duty is repealed. It is dirty oil, but it is dangerous. Some people have been afraid of Russia, but it is a long way off and the freight is high. Mexico and Canada are different. Besides, Canada pays a bonus on every barrel of oil produced in the Dominion.

"STANDARD NOT ALARMED.

"If the men who are proposing the repeal of this countervailing duty imagine they are striking at the Standard Oil Company they are fooling themselves. The producer is the one who will suffer. Standard Oil can take care of itself, even to getting into Mexico, if necessary, and to giving the American producer less for his crude. That is where it will hurt the producer. He is the goat and will have to carry the burden.

"Pennsylvania and West Virginia producers will suffer less than those of Oklahoma, Texas, Louisiana, and California, but they will suffer enough. They have been pretty comfortable, if not on 'Easy street,' since the Standard Oil killed the speculative market and tried to get all the good-quality stuff, but if this repeal goes through their troubles are going to begin again. The price of oil will be less and the Pennsylvania producer, with his small wells, can't stand much reduction.

"Out in Oklahoma, where the producer has been living in hope of better conditions and better prices, he may as well quit. Mexico can drown him as effectively as he drowned his brother in Kansas. The Greasers have got the goods. They have a tariff of nearly $2 a barrel to protect them. We have the same protection against them as long as the countervailing duty is retained. But if that is repealed, they can flood us and at the same time defy us to retaliate."

GARTLAN CONSERVATIVE.

After careful investigation I find that Mr. Gartlan is conservative in his statements. The Mexican fields are of great extent and productiveness. The quality of oil is similar to that of the Gulf region in Texas, with the ever-present possibility of getting something better.

The area of known productive character is far greater than that of the Appalachian oil fields, including Pennsylvania and West Virginia. The wells are large; some of them are sensational, the famous burning well, for example, known in Mexico as the "Bos Bovas." They have others as large as 5,000 to 10,000 barrels a day.

The Mexican tariff on crude oil is 4.36 cents per gallon and on refined oil it is 13.27 cents per gallon. This is equal to $1.83 on the barrel of crude oil of 42 gallons and of $6.63 a barrel on refined. The tariff on refined has been so high that for years the Waters-Pierce Oil Company has refined all the oil for the Mexican market in that country. As that company is the representative of the Standard Oil Company in that field, it is not hard to see how that interest would escape the penalties of free trade in oil with Mexico. It might be expected soon to be in the business of exporting oil from Mexico to the United States.

NO DIRECT DUTY ON OIL.

There is no direct duty on oil imported into this country. The only protection the American producer has is the following clause in the Dingley law, copied out of its predecessor, the Wilson tariff law, except the change from 40 per cent ad valorem to parity:

"Petroleum and its products, free: *Provided, however*, That if there be imported into the United States crude petroleum or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by said country." (Title 33, par. 626, Dingley Act.)

The only change from the Wilson law was to make the countervailing duty equal to that imposed by the foreign country instead of the specific 40 per cent of the Wilson Act. Under this clause the American tariff on Mexican oil is $1.83 a barrel, though the option of free trade in oil is vested in the Mexican Government, not in our own. The same is true of the other petroleum-producing countries. Those and their duties are as follows:

Country.	Crude oil.	Refined oil.
	Cents.	*Cents.*
Austria (Gallicia)	4.967	14.36
Roumania	1.14	2.84
India (Burma)	1.66	1.66
Russia	2.81	16.895
Mexico	4.36	13.27
Canada	Free.	2.083
Java (Dutch Indies)	5.19	.37
Japan	(*)	4.785

* Twenty per cent ad valorem plus 20 per cent for sundries.

These figures are in gallons and the equivalent American currency.

THE THREAT OF MEXICO.

For the matter of the threat of Mexican competition, I have been able to get some authoritative information. Developments have proved the existence of petroleum over an area extending from the Rio Grande to the Isthmus of Tehuantepec. The geological range of favorable formation lies along the Gulf coast mainly, but passes to the Pacific coast through the States of Tobasco and Chiapas. It is from the State of Tobasco that the pepper comes that gives the tang to the famous sauce, and it is within the bounds of probability that this province may become a hot proposition as an oil field.

At present the principal developments are in the provinces of Tamaulipas and Veracruz. The principal fields are at Ebano, where eight wells, some of them 2 years old, produce an average of more than 1,000 barrels daily; near Tuxpan, where the burning monster has attracted attention; the Furbero field south of Tampico, with a pipe line to Tuxpan, 60 miles away; and the San Cristobal, the first love of the English company, Pearson & Son (Limited), which is seeking a supply of liquid fuel for the British navy, and has found it. In some way there is a connection between the Pearson concern and the Nigeria Asphalt Company, a subsidized British concessionary, operating in Africa.

GREAT ENGLISH CONCERN.

The Pearson company has obtained control of the Furbero field and the territory about Tuxpan, where the largest wells have been found, and is now neglecting its San Cristobal holdings, which aggregate about 1,000,000 acres. This concern has already invested $5,000,000 or more and has pipe lines and refineries. The production it has will yield about 15 per cent of distillate—that is, lamp oil—from the process of preparing the residue for fuel and asphalt. As the first purpose of the company is to make fuel for the British navy, the refined oil will be a mere by-product and all the more threatening to the American market. The concern seems to have unlimited capital, which is in accord with the supposition that it is backed by the British Government.

The burbero field was developed by the Oil Fields of Mexico Company, Percy Furber, president. There is good reason to believe this territory has been taken over by Pearson & Son (Limited), or at least that this concern has secured the right to take all production. The Pearson concern has built the pipe line from that field to Tuxpan.

FACTS ON MEXICAN FIELD.

The field in Tamaulipas is controlled by the Mexican Petroleum Company. This appears to be an American organization, possibly connected with the Standard Oil. It has been operating there for more than three years and has demonstrated the fact that Mexican wells have good staying qualities. It has wells that at two years after completion are making nearly 2,000 barrels a day. This company has a large acreage and is developing it in a leisurely manner. The oil it gets ranges from 16 to 19° Baumé, a gravity very similar to that of the Texas gushers.

In Mexico the geological formation is much the same as in Texas. The oil is found in two horizons, one in the Eocene, the other in the Miocene, geologically speaking. The wells about Tuxpan are mainly in the older formation and the oil is of higher gravity than that from the Eocene. This accords with observed conditions in other parts of the world. It is the approximate rule that the lighter oils are found in the older rocks, though, of course, the gravity varies in the same horizon in different localities. Mexico being no exception to this rule. The present fact is that the Republic to the south of us promises to exceed Russia in the importance of its oil production. And it is so near us that freight will afford no protection whatever.

In Coahuila, a province bordering on the Rio Grande, there are some very shallow wells producing oil on a paraffin base, according to the government geologist of Mexico. The wells are too small, however, to be considered in themselves. They are important only in indicating a possibility that somewhere near there may be deeper and larger wells to produce the same quality of oil. The big wells about Tampico and Tuxpan produce oil on an asphalt base, as do the wells of California and Texas. Those of the San Cristobal district have in addition about 4 per cent of sulphur that gives the refiners much trouble.

CANADA ALARMING OIL RIVAL—PRODUCERS FEARFUL OF DOMINION'S POSSIBILITIES IF DUTY IS REMOVED—HAS TWO ADVANTAGES—OIL AND GAS MEN, AND EVEN CONSUMERS, EQUALLY INTERESTED IN TARIFF ISSUE.

[From the Pittsburg (Pa.) Dispatch, February 15, 1909. By A. R. Crum, staff correspondent.]

PARKERSBURG, W. VA., *February 14.*

Some oil producers here who have been investigating Canada are more alarmed by its possibilities than by the Mexican developments. They inform me that the oil found in Alberta is of far higher grade than that of Mexico, and that the geological formation and signs are favorable through Assiniboia and Saskatchewan as far north as the province of Athabasca, if not farther.

Only a few wells have been drilled at Oil City, Alberta, but the extension of railroad facilities into the north country will encourage operations. It is within easy probability that a large production may be developed in that quarter within the next ten years, or in a much shorter period of time than the Dingley tariff has been in force. There is in that region a very large area of possible producing territory. In other words, the frequently predicted oil famine is not yet in sight. Many with whom I have had controversy on this point have passed to the "other side," and yet the oil fields are not all discovered.

CANADA'S ADVANTAGES.

Canada is particularly dangerous as a competitor because, first, it admits crude oil free; second, because the dominion government pays the producer 54 cents a barrel bonus on all oil produced in its territory. Its tariff of a little more than 2 cents a gallon on refined oil is the only protection America has under the countervailing duty. It is less than twice the amount of bonus paid by the Canadian government on crude oil.

Producers here have only taken a mild interest in the Mexican developments. They are a good way off and the information from them fragmentary at best. The description in yesterday's Dispatch was about the first authentic information the majority had of the new fields. It is one of the ways of oil producers, many of them, to deny all that does not suit them until they have been injured by it. In the days gone by it was the common thing for producers in one field to disparage the next development until the shrinkage in value of their own property woke them up. So there are some to-day who do not believe in Mexico or Canada.

DUTCH INDIES RIVAL.

Russia no longer has many terrors for the Eastern producer. The war with Japan settled that. Besides there is a strong impression that Standard Oil has some kind of agreement with the Russians about dividing the market. The principal competition from abroad, up to the present time, has been from the Dutch Indies, where a very low tariff on refined oil—thirty-seven hundredths of a cent a gallon—gives their products practically free entry into our ports. The public will readily recall the sensation over the importation of three cargoes of gasoline from the East Indies in the early part of 1905. That was followed by a reduction of price in this country that has prevailed ever since. That reduction was made possible by the flood of cheap oil that was then rising in the midcontinent field.

There can be little doubt that importation of gasoline in 1905 has been one of the causes of the continued low price of oil in Oklahoma. The oil of that region is rich in the naphthas, including gasoline. The same is true of the Texas product. The Mexican oil is not far behind either in this yield, so it will be a direct competitor, and a more dangerous one than the East Indies, Sumatra, and Java. At least this is the opinion of usually well-posted producers who are discussing the matter.

DOMINION'S COMPETITION.

From Canada the prospective competition is of somewhat different character. The oil of the Dominion will come into more direct competition with that of the eastern American fields, because it is of higher grade than that from the Gulf littoral. It is from older rocks, geologically speaking, where nature's refiner has been working for ages. The Mexican product, on the contrary, seems not far removed from volcanic influence, if we may judge from the most recent report from Dos Bocas, sent out by the Associated Press a few days ago. This well has certainly shown wonderful eruptive forces. But, on the other hand, Canada is not expected to ever have wells that will vomit oil, water, and sand to the amount of 150,000 barrels a day, as this Mexican monster is supposed to have done before the fire was got under control.

This matter of oil tariffs and new fields is the more important because there are now fully 85,000,000 barrels of oil stored above ground in this country, and the daily output of all fields reaches the enormous total of 500,000 barrels a day. The older producers, who remember the depression that existed when Bradford, Allegheny, and Cherrygrove had piled up a surplus of 40,000,000 barrels and made a temporary production of 80,000 barrels a day, will not cease to marvel that present conditions are as favorable as they are. But the oil industry has grown marvelously since Colonel Drake drilled his well on Oil Creek, nearly fifty years ago. There are now not less than 2,500,000 persons in this country alone who are entirely dependent upon the petroleum industry in its various branches for their livelihood.

UP TO PRODUCERS.

Oil is now produced in commercial quantities in 16 States of the Union—Pennsylvania, New York, West Virginia, Ohio, Indiana, Kentucky, Illinois, Kansas, Oklahoma, Louisiana, Texas, California, Utah, Colorado, and Wyoming. There are other fields yet to be developed in the United States before the end of the chapter. Moreover, there is such an intimate connection between the oil and natural-gas business that what injures one affects the other. The gas men are hardly less interested in this tariff question than the oil producers themselves. And the interest, in milder degree, extends to the gas consumers, though they may never have thought of it. There is even an aspect in which the coal men have an interest. Oil fuel is much used in the Gulf region and on the Pacific coast.

But it is the oil producers who are awakening to the danger they think threatens them. They argue that they should have a direct protection, but since this has been denied them, they assert it would be most unfair to remove the countervailing duty that merely demands from others what they demand of us. Such is the view of the leading men in the oil-producing business. They are not at all concerned about the Standard Oil Company, which is a comparatively small producer of oil, and which is amply able to take care of itself, they say, even to moving its base outside the United States, if that should seem to be desirable. Their concern is about themselves. Standard Oil has never been in the habit of doing business at a loss, and if the consumers' market can stand no extension, then the producers must stand for a reduction in the price of their commodity.

PETROLEUM AND THE TARIFF.

[Editorial from the Pittsburg (Pa.) Dispatch, February 15, 1909.]

Our correspondence of yesterday and to-day touching petroleum and the tariff is enlightening in several aspects. It embraces the first intelligent estimate to be published of the Mexican oil fields; it contains information about oil in Canada not previously generally known. The correspondent is well qualified to judge the sources of his information and the import of the news.

The arguments made by the oil producers for retention of the countervailing duties are logical. There is not much chance of repressing Standard Oil monopoly by free trade, for it can always resort to the expedient of depressing the price of crude oil to maintain its market without the loss of revenue. The producer, however, can not stand the reduction. In the Appalachian fields most of the wells are small; in those of the West the price is already very low.

It would seem that two of the chief competitors of Standard Oil—the Gulf Pipe Line and Refining Company and the Texas Company—are practically in the zone of danger from Mexican importations. They, too, will meet the brunt of competition with the Mexican concern in exports to Europe, since the bases on the Gulf coast are approximately the same. Moreover, these companies produce a large proportion of the oil they handle, and so have no "goat" on which to saddle the burden.

In any event the matter is of sufficient interest to attract the attention of the public and of Congress.

OIL TARIFF SUITS MEN HEREABOUT—PRODUCERS PROTEST AGAINST TINKERING WITH COUNTERVAILING PROVISO OF LAW—ITS REMOVAL UNFAIR—MEXICO AND CANADA WOULD INSTANTLY SEIZE CHANCE TO ENTER AMERICAN MARKET.

[From the Pittsburg (Pa.) Dispatch, February 16, 1909.]

Fearing a veritable deluge of Mexican and Canadian oil in event of the removal of the countervailing duties now in vogue, several of Pittsburg's big producers yesterday came out strongly in opposition to any tinkering with the present tariff on petroleum. One producer, however, took an opposite stand, declaring that we had nothing to fear so long as this country continues to produce the best oil in the world.

"A club over the independent producers" and a "bad move" were some of the expressions used to characterize any letting down of the barriers for free oil.

FAVOR THE TARIFF.

Wesley S. Guffey, of Guffey & Green, is a strong advocate of protection for oil. He said:

"I am in favor of a tariff on Mexican oil and on all other foreign oils, so long as it is reasonable. To allow Mexican and Canadian oil to run in here free would be a club over the independent producer. The white sand pool oil produced here is the best in the world; the people are satisfied with it and with prices."

"The removal of the countervailing duties would be a bad move," declared W. L. Mellon, president of Gulf Refining Company.

"Canada is just now producing an excellent grade of oil, some of it just as good as that of Pennsylvania. There is also some good petroleum in Mexico. In Texas thousands upon thousands of barrels of oil are used annually for fuel purposes. Should the duties be removed, the Mexican petroleum would be immediately entered in competition.

"WOULD BE SERIOUS MISTAKE.

"In view of this I predict that within a very few years Mexico will abolish the existing tariff for the sole purpose of getting into the American market. There is no question about it; tinkering with the present duties would be a serious mistake."

J. G. Jennings, of the Jennings Oil Company, refuses to consider the matter as of any serious consequence.

"Neither the Mexican nor Canadian oil is any good. Just so long as we continue to produce the finest goods in the world what have we to fear from the importation of any inferior stuff? Furthermore, I don't believe there is much danger of the existing tariff being removed."

Canada now admits crude oil free and places a tariff of slightly more than 2 cents on the refined goods. Producers are paid 58 cents a barrel bonus on all oil produced within Canadian territory.

THE TARIFF ON OIL.

[Editorial from the Pittsburg (Pa.) Dispatch, February 16, 1909.]

Several Pittsburg oil producers, who were interviewed yesterday, declared themselves against repeal of the countervailing duty on petroleum, unless, inferentially, there shall be imposed a direct duty in lieu thereof. Mr. W. L. Mellon, whose large oil interests in the Gulf and mid-continent regions especially qualifies him to speak by the card, says that Mexican oil is a present menace to the American producer. He adds that he expects the Mexican Government will soon repeal its duty in order to obtain entrance to our markets for its own producers.

Mr. Mellon has also given attention to the Canadian developments and regards them quite as important as indicated by the Dispatch correspondent. Some of the Canadian oil, he says, is hardly inferior to that of Pennsylvania. Apparently he would feel more at ease if there were a direct or specific duty on oil. The countervailing duty, at best, leaves the option of free trade in the hands of the foreigner, and there are signs that he will not be slow to use it to his own advantage.

While Mr. Wesley S. Guffey does not go as far as Mr. Mellon, he cordially indorses the view that a tariff is essential to the Pennsylvania producer and his brothers in other States. He, too, is in a position to have private knowledge of what is going on in other countries than our own. Naturally oil producers keep to themselves such information as long as they may, but now that the "cat is out of the bag," there is no use denying that there is oil, and plenty of it, both to the north and to the south of us.

TARIFF ON OIL—OKLAHOMA PRODUCERS AROUSED TO NECESSITY OF DEFENDING COUNTERVAILING DUTY.

[From the Pittsburg (Pa.) Dispatch, February 24, 1909. By A. F. Robertson.]

TULSA, OKLA., *February 23, 1909.*

Oklahoma oil men have waked up to the danger attending the passage of the bill repealing the countervailing duty on petroleum and are sending letters to the Oklahoma delegation in Congress protesting against the passage of the bill, and urging the Members to vote against it.

There had been some talk about the bill, but sentiment was aroused and crystallized some days ago when Sir Wheatman Pearson, of the firm of S. Pearson & Son (Limited), of London, dropped into Tulsa and talked about the Mexican oil fields and the promise of a great increase in production down there. He said that the present production of oil in Mexico was far in excess of the demand, in fact there is scarcely any demand at all for refined oil, and that he expected to ship the products of the refinery, which his firm is building, to England and other foreign countries. Then he added that if the duty on oil should be repealed America would be a fine market and give them a chance to compete in this country with the Standard Oil Company or anybody else.

The few remarks dropped by Sir Wheatman Pearson set the Oklahoma producers to thinking, and they have discovered that if the duty is repealed they will have to suffer great loss. Pearson said that oil could be produced in Mexico cheaper than in this country by reason of the fact that the rate of wage in Mexico is much less than in this country. Then he said that Mexican oil could be shipped to Galveston or New Orleans all the way by water, and thus the freight rate would be less than the cost of piping oil from Oklahoma to the Atlantic seaboard, which is now being done.

Oklahoma is the greatest oil-producing State in the Union. The total production for 1908 was in excess of 47,000,000 barrels. This in spite of inadequate pipe-line facilities and harassing regulations of the Interior Department, which still exercises jurisdiction over more than 10,000,000 acres of Indian lands and refuses to grant permits for pipe-line building unless the pipe lines will agree to conditions which are considered impossible. According to the best obtainable estimates the oil-bearing territory of Oklahoma has been barely touched. There are many pools with thousands of acres of proven land where not a drill has gone down during the year, because of the lack of pipe-line facilities. It is believed confidently that with the pipe lines necessary to handle the oil this State would produce in excess of 55,000,000 barrels of oil annually from lands already under lease and on which the lessees are paying annual rentals and advance royalties to the Indians.

Thus the danger to the Oklahoma oil producer from the introduction of a flood of cheap Mexican oil can be readily appreciated. Producers assert that it will not only result in the stoppage of all work in the field, but will cause them loss in a reduction of the price of their product, as oil can be produced more cheaply in Mexico than in this country, and the freight rate will not equalize the difference in cost. In other words, Pearson can produce oil in Mexico and ship it to this country and deliver it for less than the American producer can possibly do the same thing.

It is said by some of those who at first were inclined to look with favor on the passage of the bill that the present production of Mexico, outside of that taken by the railroads as fuel, would be insufficient to cause a disturbance of conditions in this country or to become much of a factor in the American markets. On this line Sir Wheatman Pearson said that the present production was but a drop in the bucket to what Mexico could produce if there was a market for the oil. He said that the firm of which he is a member had under lease several hundred thousand acres of land south and east of Mexico City with several wells on it, but that drilling operations had been suspended, because some of the land—most of it—is away from the railroad. But he said that the railroad could be very easily extended if there should be a market for it.

As it is, the production of oil in Mexico is increasing at an enormous rate every year. This, to the Oklahoma producer, is a real and positive menace.

And it is not only from Mexico that the Oklahoma oil producer looks for trouble in case the duty is repealed. The production of oil in Borneo increased more than 17,000,000 barrels last year, and is still increasing. Then there are the great fields in Russia and India, where labor can be had for almost nothing and the cost of production is much less than in this country. From all of these countries the oil could be brought to this country by water and sold in competition with American oil, which is handled by pipe lines in crude and all shipments on refined oil. It is asserted that this foreign oil can be shipped to this country and delivered in competition with American oil.

The annual meeting of the Mid-Continent Oil and Gas Producers' Association will be held shortly and definite action will be taken. The association maintains a large committee in Washington to look after legislation, and this committee will be instructed to fight the repeal of the duty with all of the weapons at its command, and not to let up till the proposition is defeated. This committee is composed of many of the largest producers of oil in this country.

AS TO THE OLD TARIFF.

[From Pittsburg (Pa.) Money, February 27, 1909.]

Some petitions are in circulation in the oil country north of Pittsburg, to be sent to Congress, asking that the tariff on petroleum be retained, and it is notable that the petitions are entirely outside the Standard Oil Company.

Standard Oil is used so much now for the making of political capital and prestige that it is time the whole matter was considered in a quiet and sane manner, and especially this question of the tariff protection. To remove the duties, it is claimed, would injure the monopoly of the big company, and there is no doubt of that; but what is to become of the independent producers when this has been done?

The real sufferer by an abolition of the oil duties will be the independent producers, and they produce by far the greatest amount of crude oil, in spite of the popular impression to the contrary.

This being the case, the oil industry as a whole must be considered in the matter, not any single company or any group of interests. The oil industry must stand or fall as a unit, but if changes should be made that would bring about the question of a survival of the fittest, there is little doubt as to what concerns would still continue in business.

The Pennsylvania, West Virginia, and eastern Ohio fields produce a superior grade of oil, but its quantity is now limited, while great floods of oil are produced in Mexico which would speedily wipe out existing conditions in this section were such a grave mistake made as removal of the oil duties. By tank steamers the seaboard cities would be supplied at a price that would make the drilling of wells here look like the wildest of wildcat investments.

The oil trade has been one of the few great industries that has gone on an even way during the past year and a half of stress. It has supported thousands and suffered no panic conditions. Then why injure the whole to achieve a fancied revenge on a part?

Mr. KITCHIN. Mr. Chairman, we listened yesterday with much interest to the excellent speech of the distinguished gentleman from Kentucky [Mr. JAMES]. I do not wish to appear as offering any criticism against that speech. I believe, however, that he unintentionally did a great injustice to the Republican members of the Ways and Means Committee. I, for one, as a Democrat, desire here to protest against any seeming unfairness on the part of any Democrat toward the Republican membership of that committee. After the gentleman from Kentucky had declared that the Republicans left upon the tariff list wire fencing, farming implements, and practically every article which the farmer must use in his farming operations, he then boldly asked "What have they done for the farmers?" In that question there is an imputation that the majority of this distinguished committee, after five months of arduous work, have brought no relief by this bill to the agricultural population of this country. To such imputation I object. In their behalf, I wish to acknowledge the debt of gratitude which the farmers of this land owe to the Republican membership of the committee. When the farmer scans the schedules, he will find that he has been abundantly taken care of. He will find that there have been placed upon the free list for his benefit rough diamonds, acorns, tapioca, kindling wood, English sparrows, and raw fiddlestrings. [Laughter.]

Such generosity of the committee must appeal to the grateful sense of every farmer. When he looks further he will be struck with sad disappointment to find that they have kept on the dutiable list red lemonade. [Laughter.] This, I am assured, was purely an oversight on the part of the distinguished chairman. [Laughter.] After giving him rough diamonds with which to decorate his family, and acorns with which to feed his pigs, and tapioca with which to have Sunday dessert, and English sparrows with which his children can play when they are young and which can be trained into song birds when they are grown, and raw fiddlestrings with which he can celebrate his day's work with cheaper fiddles, why in the world did they overlook the fact that the farmer and his children needed relief from the vendors of red lemonade at the town circus and the country fairs? [Laughter and applause.] Every man in this debate must be confronted with embarrassment. I confess that I am. We do not know whether we are playing our part according to the programme mapped out by the distinguished chairman of the committee, and his excellent lieutenant, the gentleman from Pennsylvania, or not. We do not know whether to take this discussion seriously or not.

I do not know whether they are going to let me play my part, and then when I get through laugh in their sleeves at my beating the wind and bagging the chaff. [Laughter.] But they permitted the distinguished minority leader to speak for three or four hours and many others on both sides to make extensive speeches, and as they handled this tariff discussion in a serious vein, I ought to do so. But before I vote on the bill I want the chairman of this committee and the gentleman from Pennsylvania [Mr. DALZELL] to inform this House exactly what they are going to allow to remain in it when the final vote comes; exactly what they put in there to logroll with the Senate on. [Laughter.] For instance, did they put free hides in it so that my friends, Mr. PERKINS of New York and Mr. ROBERTS of Massachusetts and others, can go back and tell their constituents that they have carried out their pledge; that they have done in the House all that they could; that they put hides on the free list, but that the Senate put it back to protect some Texas or western steer. [Applause.] What else has been put in the bill, and there must be many items, to please some Members or to give them an excuse to go back to their constituency? Are you really going to allow the tariff reduction on lumber to stay in or not? The country wants to know, and we have the right to know whether you are serious about this bill. What are you going to stand up for and what are you going to back down on when the Senate confronts you? [Applause on the Democratic side.]

And I want to say right here to some of my southern friends who are in favor of a tariff on lumber because it is a southern industry, do not be alarmed at all over this bill, as I shall show before I get through that the bill does not and can not reduce the tariff on lumber one penny. I believe that the chairman of the Ways and Means Committee thought that it did; but I will bet the last dollar that there is one man on that committee who knew that one provision which was ingeniously inserted would prevent even a penny's reduction of the tariff on lumber, and that is the distinguished gentleman from Michigan [Mr. FORDNEY]. [Laughter and applause.]

I shall confine my remarks, Mr. Chairman, to a discussion of the lumber question. I must confess that I approach it with some feeling of intimidation. I recall that the distinguished

Member from Michigan [Mr. FORDNEY], himself a lumberman and member of the committee, made this bold challenge at the hearings before the committee: "I can meet any man on earth on this question and flay him in a minute." While the gentleman covered a considerable territory, he evened up in the limited time with which he was going to thrash his opponent. [Laughter.] I wish to disclaim at once even the appearance of having the audacity to accept his challenge.

The Democratic platform declares in language that can mystify no man—

> We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that these articles be placed upon the free list.

Some of my Democratic colleagues seem to think, and have so declared, that that meant that the Democratic party was in favor of free trade in lumber only in the event that it was given the power to enact a bill embodying the whole scheme of a Democratic "tariff for revenue only;" in fact, sir, this has been boldly proclaimed to my people since the election. Whence comes this never-before-heard-of doctrine? Certainly the Democratic party never dreamed of such a position. It appears to me that this argument is made by the men who, unwilling to give reasons for supporting their party's platform, are hunting for pretexts to violate it. [Loud applause on the Democratic side.]

The inevitable logic of such a position is that if Republicans retain control of Congress so that a Democratic bill in toto can not be enacted, then the Democratic party is for a tariff on lumber. It further forces its proponents to the position that unless there is a Democratic reduction on all articles, there should be no reduction on any—not even on articles controlled by the trusts. Will my Democratic colleagues make this new doctrine apply to wood pulp and print paper? If it applies to lumber, it must also apply to wood pulp and print paper. What Democrat is bold enough in this House to declare that he will refuse to vote, if opportunity is presented, for free trade in wood pulp and print paper as a separate proposition? Was not every Democrat in this House during the last Congress eager and ready to vote for free trade in wood pulp? Reread your platform. In the same breath in which it demanded that wood pulp and print paper be placed upon the free list it demanded that lumber be placed there. How can the most evasive ingenuity, in the light of loyalty to his party's platform, explain his advocacy of the one and his opposition to the other? What argument on principle can a Democratic advocate of a tariff on lumber possibly make for free wood pulp that can not be made for free lumber, and what argument against free lumber will not apply with equal force against free wood pulp? An investigation will convince him that the tariff on wood pulp is more of a "tariff for revenue only" than the tariff on lumber. The Democratic party in the Denver platform declared no new policy. It simply stated a policy on this question that had been consistently and persistently pursued by it for thirty years in this House and in the Senate.

The Mills bill, which passed a Democratic House in 1888, had in it free trade in lumber. The Wilson-Gorman Act, which was passed by a Democratic Congress in 1894, had in it free trade in lumber. It has been asked why the Democratic party selected this article as one to be placed on the free list? There has not been presented in this House, nor ever enacted into law, a tariff bill, by either party in the last sixty years, that did not have upon the free list dozens of articles. While it is a general rule to tax all property for the support of government, both the state and federal governments have always considered that there are certain kinds of property or certain articles of prime necessity that ought never to be taxed for its support. In the States we except from the general rule church and school property and property of charitable institutions. In the Federal Government Congress has always made exception to the general rule by placing upon the free list certain articles. The Democratic party has felt in the past, and feels now, that lumber, which enters into the conduct of every citizen's life and touches him at every point, a product, a crop that was neither planted nor nurtured by the hand of man, but given to the people by the goodness of God, should never be taxed by tariff for revenue of the Government or for profit of the citizen. [Applause on the Democratic side.] The party knew that the man on the mountain side who built his hut, the frontiersman who built his cabin, the artisan who built his cottage had to use lumber. It knew that the farmer needed it for his house, his barns, his stables, his fences; it knew that the people far removed from the cities needed it to build schoolhouses in which to educate their children; they needed it to build church houses in which to worship the Almighty. The Democratic party resolved that it would never place the plundering hand of a tariff between any American citizen and the building of a home for his family or the erecting of a temple for his God. [Loud applause on the Democratic side.]

I remind the Republicans that James G. Blaine forty years ago on this floor declared that no tax should ever be placed on lumber—this prime necessity in man's life. My party has followed consistently and persistently the policy that, so far as tariff law is concerned, every encouragement should be given and no obstacle shall be placed in the way of any homeless man building a shelter for his wife and children. [Applause.]

As for me, unless my people otherwise instruct before my election, or unless modified by my nominating authority, the path plainly marked out by the national platform of my party is a sufficient guide for my legislative footsteps as a Representative of my people in this body. [Applause on the Democratic side.]

I have no quarrel to make with my colleagues who desire to tread another path. Some pledged their people during the campaign that they would stand for tariff on lumber. A few, perhaps, were so instructed by their nominating conventions. These, as Democrats, should stand by their pledge and follow their instructions. Many, I believe, on account of the pathetic prophecies of ruin and disaster by those of our fellow-citizens who are supposed to be benefited by this tariff, have been alarmed into the belief that the removal would strike a deadly blow at a southern industry. Some, I fear, have been unconsciously intimidated by the large lumber interests into an advocacy of this undemocratic measure. It is better for yourselves and your party and your country, my friends, to yield to that patriotic sense which, lifting the legislator's vision above his state or district lines, encompasses the whole people of this Nation. [Applause.] If surrender we must, on any question, I trust we may be found surrendering to the sense of the common good rather than to the demands of the special few. [Applause.]

I want to say here, before I proceed further, that, in my opinion, after the most careful and thorough investigation of this matter as it relates to our southern lumbermen, the retention or removal of this tariff will not affect a penny's worth a single lumber interest or a single foot of lumber in the South.

Candor forbids me to stop with that statement. While I am convinced that it will not injure the business of the southern lumbermen, let no man understand that I favor removal of the tariff on lumber on that account. According to the protection theory, the Dingley tariff enables the manufacturer to add to every thousand feet of lumber he sells from $2 on rough lumber to as high as $4 on lumber planed or dressed on four sides. In addition to the $2 on rough lumber, an extra 50 cents is given to each side that is dressed or planed. The tariff on each thousand feet cut in the United States, if the lumber protectionists are correct, averages $3 per thousand. We cut yearly 40,000,000,000 feet. If I am called upon as a Representative of the people to vote for a bill which by law forces the 90,000,000 of American freemen to pay to a few thousand lumbermen the tribute of $120,000,000 yearly, as an honest man and a patriot I could not vote for such a measure if every dollar of it went into my district. [Loud applause.]

I have a home industry to protect, whose friends seem to be few on this floor—an industry whose operations extend to every man's district, the great consumers' industry. [Applause.]

I am asked by my frightened lumber friends to vote for a law which, if their contention is correct, will enable them to tax by the tariff for their profit every man—banker, merchant, mechanic, farmer—in my district and elsewhere from $2 to $4 on every 1,000 feet of lumber he uses. I will never consent to place this burden upon the backs of my people or your people. [Applause.] Nor shall I ask for tariff reduction on an industry in your district and then appeal to you to give me protection on an industry in my district. [Applause.] Never can we prove our sincerity for real tariff reform, unless we can look beyond our own districts and touch elbows with the democracy of the Nation, here and elsewhere, in its fight against tariff robbery. [Loud applause on the Democratic side.]

If you begin protection on one, you will end protection on all industries. If it is right on one, it is right on all. If you are for protection for your home industry, you must be for protection on the other fellow's industry. If you are for protection from principle, then honesty demands that you be for protection on all industries. If you are for protection from selfishness, then, as a matter of policy, you must be for protection on every industry. You can not get the other fellow to help you by law force the people to pay tribute to your industry, unless you are willing to help him force the people to pay tribute to his industry. The scheme of robbing by law millions for the benefit of a few is one of harmonious cooperation. [Applause on the

Democratic side.] I beg to remind the Democrats of this House that a protective tariff is no better now than it was when the Tilden platform of 1876 denounced it "as a masterpiece of injustice, inequality, and false pretense." It is no better now than when the Cleveland platform of 1892 denounced it "as a fraud—a robbery of the great majority of the American people for the benefit of a few." It is no better now than when the Parker platform of 1904 denounced it "as a robbery of the many to enrich a few." [Applause.] And, my Democratic colleagues of North Carolina, it is no better now than when Ransom and Vance, Carolina's twin immortals, thundered at the other end of this Capitol against its iniquities. [Applause.] Both voted consistently for free trade in lumber.

When did the principle of protection become sound to the Democratic mind? Did it become right when the location of some of its beneficiaries was transferred across the Potomac? If protection is wrong, it is wrong south of the Mason and Dixon line, as well as north of it. [Loud applause on the Democratic side.] Let me say to our friends that I do not think this country is big enough for two protective-tariff parties. [Laughter and applause.] We need but one party in this country to use the taxing power of this great Government, to make the millions pay forced tribute to the few. [Applause.] We have a party that has made a triumphant success of legalized plunder for fifty years, and I am opposed to the Democratic party entering this field of competition with it. [Laughter and applause on the Democratic side.]

When you begin to vote for protection upon anything for your State or district, you should tell your people that the Democratic party has been wrong and the Republican party right all the time on the question of protection. You are putting into the blood of your own Democratic people Republican protection principles.

Mr. MILLER of Kansas. Will the gentleman yield to me for a question?

Mr. KITCHIN. Why, you are so bright and cheerful that I will yield to you.

Mr. MILLER of Kansas. I understand that you are not ashamed to tell your people the truth; are you?

Mr. KITCHIN. Not a bit. What kind of truth do you want me to tell them?

Mr. MILLER of Kansas. You say that you do not want to say that your party had been wrong all the time and the Republican party right all the time? [Laughter.]

Mr. KITCHIN. I shall, as I am doing here, continue to teach my people that your party is eternally wrong, though sometimes—by mistake, perhaps—some of you do right. [Laughter.]

I am confronted with the embarrassing fact that, after we have fought for free lumber for years, in season and out, and the righteousness of our cause has so appealed to the sense of right and justice of the country that many Republicans, here and elsewhere, including Mr. Roosevelt and Mr. Taft, are willing to admit that the Democratic party has been right all these years and the Republican party wrong, here come some of our scared Democratic colleagues and say to the Republicans, "Do not do it, boys; do not do it, because a number of us over here are dead beat on confessing that we have been all wrong and you have been all right." [Laughter.] I am not one of those Democrats who are willing to go out on the stump before the election and defend their party's position as right, and then after the election come here in this House and confess that it was wrong. [Applause.] Coming as I do from a large lumbering district, whatever may be the outcome of my vote, I shall solace myself with the reflection that I at least kept the faith with my party and my people, and shall not be forced to explain here or elsewhere why I broke that faith. [Loud applause on the Democratic side.]

If there is a Democrat in my State or elsewhere that is fooling himself into the belief that by our party embracing the doctrine of protection or by his vote for protection, though it be on his "home industry," he is going to keep within the folds of the Democratic party in North Carolina or the South or bring into its ranks the men who favor protection, then he should at once undeceive himself. A sensible protectionist will go to the party that has taught protection for fifty years and not to the party that has always opposed it. [Applause.]

Every man who desires special legislation for his special interest knows that his place is in the Republican party. [Applause on the Democratic side.] He will join the party that has made a success of robbing all the people for the benefit of the few. [Applause on the Democratic side.]

He will not come to us or stay with us, because he knows that this scheme of plundering the millions for the benefit of the few would be an experiment with the Democratic party. [Applause on the Democratic side.]

But some of my Democratic colleagues say that the Dingley tariff on lumber is not a protective tariff, but "a tariff for revenue only," and my Republican colleagues say that it is a tariff for protection to American industries and not a "tariff for revenue only." My friends, this reminds us of the man who had his fish trap with its mouth open at both ends, to catch them going and coming. To rally to its support the Republicans who hate a Democratic "tariff for revenue only," it is protection. To rally to its support the Democrats who hate Republican protection, it is a tariff for revenue only. [Laughter.] The men who are demanding it are demanding it not to get revenue with which to replenish a failing Treasury, but to get revenue to expand their already swollen pockets. [Applause on the Democratic side.]

Let us see about this revenue plea. No Democrat in this House can vote for the Dingley bill rate upon the ground that it is a Democratic "tariff for revenue only." What is the fact? For the $1,500,000 that go into the Treasury, according to the theory of those who are demanding it, $120,000,000 go into the pockets of the lumbermen. This is the amount, according to their contention, which the tariff alone exacts each year from the people for their benefit. What Democrat will be bold enough to contend that any tariff which, for every dollar that goes into the Treasury, puts ten into the pockets of its beneficiaries is a "tariff for revenue only?" You can not fool either the beneficiary or the victim of this tariff. The lumberman who asks for such legislation does not care whether you put it upon the ground of "protection for American industries" or on the ground of a "tariff for revenue only." And the consumer, the victim, cares not whether you rob him under the name of protection for protection's sake or under the name of a Democratic "tariff for revenue only." [Applause on the Democratic side.] Neither is interested in why, but only in how you vote. They say that this tariff is only 10 or 12 per cent ad valorem.

Such statements are misleading and made either from ignorance or with the purpose to mislead. The duty or tariff on lumber is specific and not ad valorem. It is $2 a thousand feet on rough sawed lumber, boards, deals, planks, and so forth. When planed or dressed an extra 50 cents is added for each side dressed, and 50 cents for tongue and grooving. The higher price the lumber the lower would be the duty, figured on an ad valorem basis. For lumber selling at $50 in the rough in the markets of the country from which exported the ad valorem duty would be 4 per cent. On rough lumber selling at $10 in the markets of the country of export the ad valorem duty is 20 per cent on the rough, and if planed on two sides, 30 per cent, on four sides, 40 per cent, and so on. Practically all the lumber imported into the United States is rough or undressed lumber. The ad valorem rate collected last year, on the basis of the specific duty, was 10.41 per cent. This simply shows that it was high-priced lumber. The average value of such lumber in the markets of the country from which exported was $19.20 per thousand.

It was the consensus of opinion of all the tariff advocates appearing before the Ways and Means Committee that no protection was needed on our high-grade lumber. There was not a dissent to this opinion. The chief apostle of lumber protection, the gentleman from Michigan [Mr. FORDNEY], admitted in his speech a few days ago that we needed no protection on the high grades; that we could compete in the markets of the world with any lumber from any country. It is insisted that only our low grades need protection. At the hearings it was testified by the tariff advocates that the lumber considered low grades and which would come into competition with Canadian lumber sold at the mills f. o. b. from $6 to $8. According to the protectionists, the value or price of our lumber here is enhanced to the extent of the tariff. On a thousand feet of rough lumber, now worth at the mills $8, $2 is tariff and $6 is lumber. The ad valorem duty would be 33⅓ per cent.

On the $6 lumber at the mills, $2 is tariff and $4 is lumber, the ad valorem duty being 50 per cent. If $10 and $12 at mills—and our North Carolina mills will average this on low grades—$2 is tariff and $8 and $10, respectively, is lumber, the ad valorem being, respectively, 25 per cent and 20 per cent. On this class of lumber, on which protection is demanded and which they now have, if the protectionists are correct, the present tariff is absolutely prohibitive, as none is shipped here. It is also prohibitive on dressed lumber, as comparatively none is imported, though 70 per cent of the lumber used in this country is dressed. How can any Democrat vote for the present prohibitive tariff on such lumber on the ground of a tariff "for revenue only?" [Applause on the Democratic side.]

The gentleman from Michigan [Mr. FORDNEY] in his speech the other day said that it is all low grade that comes into this

place the plundering hand of a few is one of harmonious cooperation. [Applause on the Democratic side.]

country under the present tariff, and all that we export is high grade. If the gentleman will examine the statistics, he will find that the very kind of lumber that we exported was exactly the same kind of lumber as most of the lumber imported from Canada. You will find, according to the valuation of the Treasury Department, that the price of the lumber that entered western New York, Detroit, Cleveland, and some other points was practically the same as that of the lumber we export.

It is argued that it is unfair to put only a 10 or 12 per cent ad valorem tariff—which is not true, as I have shown—on their product and so high a tariff on the products which compete with it, such as cement and structural iron or steel, which they say have 25 to 50 per cent. My friends, if you are going in only for the lumbermen's interest, you can not object to the high duty on cement and steel, but should rather favor it, as it is to the lumbermen's interest to have just as high a tariff as possible on them, because the greater the difference in price between lumber and its competing material the more lumber you will sell. If cement and structural steel are as low as lumber, we will construct cement and steel buildings; but if they are high, we will use lumber, thereby creating a greater demand for it.

Every time you begin to talk removal or reduction of tariff on lumber our southern lumbermen at once see ghosts from Canada, Mexico, and Australia stalking through the land. And my friend, Mr. FORDNEY, remembering the geographical situation, turns to our southern Members, and says: "You remove or reduce this tariff and Mexico will flood the South with lumber." My good friend from Michigan has a sawmill several hundred miles from Mexico, in Mississippi, and he is just scared to death that if we do what is right—that, if we Democrats vote according to our platform and policy—the bars will be let down and Mexico will just flood Mississippi and all our southern country with lumber. The child in the nursery is not more sure that the goblins will get him than the gentleman from Michigan and my Democratic colleagues are that Mexico, Australia, and Canada will get our southern lumbermen. [Laughter.] Let me calm your fears as to Mexico by assuring you that in the last fifteen years she has shipped into our country less than 1,000,000 feet. Why, Mr. Chairman, I have sawmills in my county, each of which cuts more than that in a month; and yet my friend FORDNEY and some of my colleagues are convulsed with fright at the imaginary spectacle of Mexico flooding us with lumber. [Laughter.] Less than 1,000,000 feet in the last fifteen years! Oh, but one man, a Southerner, too, testified before the Ways and Means Committee that under Mr. Cleveland's free-trade act Mexico flooded our southern country with lumber. Well, Mexico, during the three years of Mr. Cleveland's free trade in lumber, shipped into this country the stupendous amount of 6,000 feet, valued at $58. [Applause and laughter.] Let us analyze the Australian ghost. A scared editor of a southern lumber journal testified before the committee that not only Mexico, but Australia, was going to contribute to the lumber flood if the tariff is removed or reduced, and Brother FORDNEY agrees with him. Let me pacify your fears as to Australia.

In the last fifteen years she has not shipped a million feet into this country, and of the lumber for which protection is asked, under Cleveland's free trade in lumber, so far as I can ascertain from the statistics furnished me by the department, she shipped to the United States a little less than 1 foot. [Laughter.] The fact is, that instead of Mexico and Australia shipping lumber to us we have been, and are now, exporting to each of these countries much more than 100,000,000 feet yearly.

Let us see about Canada. Practically all lumber imported into the United States for the last fifty years came from that country. They are all afraid of Canada, but she was just a little too far off from the southern mills on the Gulf to flaunt her in their faces.

Mr. DIES. Mr. Chairman, if the gentleman thinks there will be no lumber imported into this country, how does he think there will be any relief to the consumer by placing lumber on the free list?

Mr. KITCHIN. I will gladly answer all questions, if my time may be extended; and I will show this House by the evidence of the tariff advocates themselves that, while it will not affect the South or any southern lumber, it will relax the grasp of the stumpage syndicates and lumber monopolists in the West from the throats of millions of our western people. The Democratic party in its platform promised this relief and I shall not contribute to a violation of its plain pledge. [Applause.] While I fear it will not directly help my people, I would be unworthy of my seat here if I were unwilling to help people who live out of my State. [Applause.] The gentleman lives in Texas.

Mr. DIES. Yes; and while the gentleman is on that subject I would like to know on what he is going to raise this $2,000,000 of revenue that are received from imports on lumber if the lumber is entered free. What would he lay that duty upon?

Mr. KITCHIN. We do not get $2,000,000 as revenue. That, however, is for the Republican party to say. But, let me say to my friend, if you good Democrats will study this question and come out and help convince, which you can do, the great lumber interests in the South and the East that this is as much of a bogus tariff on their product as the 15 cents a bushel on corn, 25 cents a bushel on wheat, and 20 cents a bushel on meal, and persuade them to throw their tremendous influence—an influence powerful enough to persuade Democratic Representatives to go squarely against their party's platform—with us in our fight for real tariff reform, you would help save your fellow-citizens of the South hundreds of millions of dollars which yearly is being filched from them by a protective tariff. [Loud applause on the Democratic side.] If we could show them by argument—or, failing in that, free trade in lumber would convince them by experience—that the tariff as to them is bogus, you would find them with all of their influence, their funds, their bankers, and Congressmen here helping the Democratic party to revise and reduce the tariff on sawmills, engines, boilers, leathers, belts, steel rails, and everything they use in their milling operations, and upon everything his labor must have for its daily necessities, and upon everything the farmer must buy in his farming operations. [Applause on the Democratic side.]

Mr. DIES. If I understand the gentleman, he is for free trade on everything down South, but let the other people have all of the protection that follows incidentally from a tariff on imports.

Mr. KITCHIN. I am not responsible for the gentleman's failure to understand my position. I have tried to make myself plain, that I do not advocate a thing as proper and right because it is "down South" and oppose the same thing as improper and wrong because it is not "down South." [Applause.] In the matter of legislation which affects a whole people, I want to look beyond my district, beyond my State. I want to look at 90,000,000 American people; and, sir, if the people of my district wish their Representative to vote for a measure which will take, not by labor, not for value received, but by the dry, naked law, millions of dollars from all the people and put it into the pockets of a very few of my people "down South," I would say to them that they ought to send here not me, not a Democrat, but a Republican from my district. [Applause.]

I wish to ask you, can you, as a Democrat, justify your position in advocating protection on lumber because it is your home industry? Does not the gentleman from Pennsylvania, in asking for a tariff upon the steel-trust articles, put it upon the ground that it is his home industry? Do not the Representatives from the woolen-trust districts come here and ask protection on woolen goods because it is their home industry? Does not every Member from the districts of the trusts put their demands upon the ground that it is their home industry? [Applause on the Democratic side.]

Mr. DIES. I am glad to answer the gentleman. I belong to a party that proposes to lay a tariff for revenues sufficient to support this Government, and since we must so collect our revenues to support the Government I am not that altruistic philosopher and statesman the gentleman is that I would leave the sawmill people and all the industries of the South without that incidental protection just because, perchance, I can not run riot and regulate the affairs up there. [Applause on the Republican side.]

Mr. KITCHIN. I want to say that that applause came from the Republican side and not one word of comfort or cheer from the Democratic side. [Applause on the Democratic side.] The gentleman states that he is in favor of the lumber tariff on the theory that it is a Democratic tariff for revenue only. Let me ask him who is going to be the judge of what is a Democratic tariff for revenue only—himself or the combined wisdom of the Democratic party in convention assembled and its record here and at the other end of the Capitol for the last thirty years? [Applause on the Democratic side.] Let me say to the gentleman and to the House that, while I do not know what it may do in the future, but, sir, since I have been an humble follower the Democratic party of this Nation in its convention has never yet written a platform too bad or put forth a candidate too dangerous to claim my allegiance and support. [Loud applause on the Democratic side.]

Mr. DIES. I will say I do not think I inflicted a very serious blow. I understand the gentleman to be a free trader, and I think I have the right to say I am a better Democrat than he is.

Mr. KITCHIN. Is the Democratic party a free-trade party?

Mr. DIES. I do not think so.

Mr. KITCHIN. I stand upon the Democratic platform now and in favor of free lumber. Has not the Democratic party been in favor of free trade in lumber for thirty years? Did it make the Democratic party a free-trade party when its great convention at Denver last summer wrote into its platform, "We demand the immediate repeal of the tariff on lumber?" [Applause on the Democratic side.] My friend, I want to say to you in all good humor, because I know your lumber friends have fooled or frightened you with their Mexican and Canadian ghost stories, and I am going to show——

Mr. DIES. If the gentleman pleases, I want to make this remark: There has never been a lumberman or a person interested in the lumber business who ever spoke a word or has written a letter to me. I simply think the gentleman's proposition is palpably and manifestly unfair.

Mr. KITCHIN. We Democrats have been through the country teaching the doctrine that this prime necessity of life, out of which are built the cabin, the cottage, the schoolhouse, the church house, ought not to be taxed by the Congress and should be, so far as our legislation here is concerned, as free from tariff burden as the air we breathe or the water we drink. [Applause.]

I can not believe that my good friend from Texas, or anyone, can now have any fear of Mexican or Australian lumber running the American producer from the field of competition. Now, if the patience of the House will permit, I will undertake to show that no lumber interests in the South need have any fear of injury from Canadian lumber.

Mr. DIES. I will say to the gentleman that I am informed by the sawmill people down in my country that to put lumber on the free list will not hurt their business. I am not a free trader, as the gentleman is. I believe in distributing this tax all over the country, and not taking it off one and putting it on another.

Mr. KITCHIN. I am glad it is admitted that the removal of the tariff will not affect the lumber interest of Texas. Will not the gentleman admit that I have shown him that the Democratic party and myself stand together on this question? If I am a free trader, the Democratic party is.

Mr. DIES. I understand that you claim that the Republican party is with you, too.

Mr. KITCHIN. I only claim the better part of that party. [Laughter.] I wish we could convince all of it that we are right, but we have only convinced about 40 of the patriots over there and their President and ex-President. [Applause on the Democratic side.]

Permit me now to return to the Canadian ghost, in the hope of allaying the fears of our southern lumber friends and colleagues. I will show later that the real, conscious beneficiaries of the tariff on lumber are the big syndicates of stumpage holders and the lumber producers of the Western States along the border and the Pacific coast States, and how they are and will continue, by means of the tariff, to hold in their relentless grasp millions of our fellow-citizens of the West, and will eventually embrace the South in their hold. The great timber fields of Canada, now being developed, lie in western Canada, in the Provinces of British Columbia, with some timber in Alberta and Saskatchewan, as the large timber fields with us lie in western United States, in the Pacific coast States. British Columbia can not compete in the markets of southern lumber. Instead of levying a tariff of from $2 to $4 upon importations, if we were to pay the lumberman of British Columbia a bonus of $5 or more a thousand, he could not ship lumber, on account of the prohibitive freight rates, to the markets of the North and East, in which the South, and especially the States of the Atlantic seaboard, market most of their lumber.

Eastern Canada, embracing the Provinces of Quebec, New Brunswick, and eastern Ontario, especially Quebec and eastern Ontario, is the only section of Canada that is within freight-rate distance of these markets, but on account of the scarcity of her timber supply and the high price of her lumber, it does not and can not compete with southern lumber. To appreciate the relative importance of Canadian lumber production as compared with that of the United States, I remind you that Canada, with all her Provinces combined, produces no more sawed lumber a year than does the State of Washington alone. If her total yearly production, retaining none for home consumption and none for her foreign trade, were to be put on our markets, it would increase our supply less than 10 per cent. This fact alone ought to quiet our fears. The cities of Chicago, Buffalo, and Detroit handle as much lumber each year as the total production of all Canada. The city of Chicago alone annually handles more than the total production of eastern Canada. The cities of Chicago and Detroit consume for their own use more lumber than all our importations from Canada. The State of Pennsylvania consumes yearly more lumber than the total annual output of all the mills of eastern Canada. Lumber is as scarce and as high in eastern Canada as it is in Maine and North Carolina. Louisiana, Mississippi, or North Carolina each produce more lumber than the Provinces of eastern Canada. Lumber to-day in Ottawa or Montreal is as high as it is in Boston and Philadelphia.

The gentleman from Connecticut [Mr. HILL], a distinguished member of the Ways and Means Committee, himself interested in the manufacture of lumber and a tariff advocate, stated during the hearings that—

> We can get [in New England] the southern pine cheaper from the South than we can get lumber from Canada.

And that—

> North Carolina pine is cheaper than Ottawa and Georgian Bay lumber in Canada.

It may surprise my colleagues to learn that the South is annually shipping pine lumber into eastern Canada. Mr. M. J. Scanlon testified that his mill in Louisiana was shipping each year large quantities of pine to Montreal and Ottawa, Canada. The American Lumberman, the organ of the lumbermen in the United States, and a strong protective-tariff journal, in an editorial of September 12, 1908, says:

> Lumbermen in the United States ship large quantities of lumber into Canada, the importations consisting largely of yellow pine and hard woods. Yellow-pine shipments are made from the Southern States as far east as Quebec, and as far west as Winnipeg. Hard woods of the United States are shipped to all points in Canada.

I will hereafter quote largely from this journal, because it is the organ of the lumbermen of the United States, whose editor for the last two months has been the busiest lumber-tariff advocate in the country. It is their own witness. No lumberman will dispute its authority or impeach its character.

After contending that the removal of the tariff on lumber would cause serious competition between British Columbia and the Pacific coast States in the markets of the latter, in an editorial of October 31, 1908, it says:

> In eastern Canada the provision for public bidding for licenses (to cut from crown or government lands, practically all the timber being owned by the government) will tend to so raise the price of timber to new operations as to lessen the competition in the United States from that territory. * * * But in the West the removal of the duty would seriously lessen the profit of the lumber business.

Further speaking of the effect of the removal of the tariff, on November 7, 1908, it says:

> Canada has been shipping to this country freely under the tariff, and probably all she would have shipped if there had been no tariff, unless lumber had been on the free list a long series of years.

And again:

> It seems doubtful if the removal of the duty would make any particular change in the rate of development of the Canadian industry. * * * Since Canadian lumber constitutes less than 3 per cent of our consumption, it is questioned if it would have any material effect on the prices.
>
> The greatest damage to American interests will be found on the Pacific coast.

And again, in an editorial of August 3, 1907:

> Inasmuch as Canada is selling to the United States a billion feet annually, and selling all that it can spare under active production from its domestic needs and foreign trade, the proposition does not look plausible that a removal of the duty would very materially, under present conditions here or there, increase the supply.

In this connection I wish to cite the opinion of Hon. Gifford Pinchot, Chief of the Forestry Service, whose recent advocacy of the tariff on lumber has been jubilantly and persistently paraded before us and the country by the lumber associations.

In his letter to the distinguished chairman of the committee [Mr. PAYNE] favoring tariff on lumber, he says:

> Most of the lumber we now import comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our own forests. It is not likely that under free lumber more than 5 per cent as much would come from Canada as we would cut at home.

And he, strange as it may seem for a tariff advocate, concludes that removal of the tariff would not affect the lumber interests in the United States. In the light of these facts and opinions of tariff advocates, how can any of our southern friends be scared into the belief that the removal of the tariff will strike disaster to a southern industry?

I wish to call attention to the testimony of the star witness from the South, Mr. H. H. Tift, of Tifton, Ga., whose companies, by the way, own 250,000 acres of timbered lands in Georgia and Florida. He was most fluent in his predictions of ruin of the lumber industry of the South and the country from low prices which would follow the removal of the tariff, until finally the chairman, in the midst of his statement, stopped him

Texas.

think I have the right to say I am a better Democrat than he is.

Detroit handle as much lumber each year as the total production of all Canada. The city of Chicago alone annually handles

low prices which would follow the removal of the tariff, until finally the chairman, in the midst of his statement, stopped him

and requested that he be sworn. After he was sworn, the chairman, squaring him in the face, asked:

> Do you not honestly believe that whether the tariff is kept on or not the price of lumber will go up further than it has gone up now, and if it is taken off in less than two years lumber will be higher than it is to-day?

He replied:

> I think possibly it would; yes, sir.

Being pressed for a direct answer, he replied:

> Why, yes.

In this connection I quote again from the Hon. Gifford Pinchot, the new convert to the lumber tariff. In a statement before the committee February 21, 1908, he says:

> I believe that with the rapid destruction of our forests the price of lumber will rapidly rise if tariff is removed.

And yet, knowing that on account of the yearly increasing scarcity of the timber supply prices of lumber will continue to rise, even if tariff is removed, the timber kings are demanding at the hands of the people's Representatives legislation which, they boldly assert, will enable them to force the people to pay even higher prices.

Will my frightened friends who are asking for protection be surprised to know that the United States are the largest exporters of lumber of any country in the world, and of the very kind of lumber on which protection is asked? We export to the markets of the world, in competition with Canada, more than three times as much as Canada exports to this country. Last year we exported more than a billion and a half feet of the very kind of lumber which we imported from Canada. The gentleman from Michigan has declared that our exports were high-grade lumber, while Canada's importations were cheap, low grades. I suggest to him that an investigation will show that most of the lumber imported from Canada was as high priced as most of the lumber we exported. The gentleman from Michigan, as well as Mr. Edward Hines, of Chicago, the largest lumber dealer in the world, the star witness and star lobbyist of the lumber-tariff advocates, declared that the great lumber-consuming districts, into which Canadian lumber is shipped, are the great States of the Middle West and western New York. This is true. Let me remind my southern colleagues that into these States and into the markets into which 80 per cent of Canadian importations go less than 5 per cent of the lumber of the southern Atlantic seaboard States—Virginia, North Carolina, South Carolina, and Georgia—is shipped. This fact alone should be sufficient to allay the fear that the removal of the tariff would bring disaster to the lumber interests of these States. Our lumbermen always take unnecessary fright at any suggestion of tariff removal or reduction, and the Canadian scarecrow is continually paraded before their eyes.

Not only the big syndicates of stumpage holders in the Northwest and on the Pacific coast, who are the beneficiaries of the lumber tariff, but the tariff barons of every protected industry, who hope to get the southern lumbermen and their immense influence committed to the whole scheme of tariff robbery, are continually painting for them pictures of ruin and destruction at the hands of the Canadian lumbermen. When the McKinley bill of 1890, which reduced the tariff on lumber 50 per cent, as is the apparent intention of the present bill, was being considered, the lumbermen rushed before the Ways and Means Committee, declaring that if any reduction was made Canada would flood our country, monopolize our markets, and drive into bankruptcy our lumber producers.

The McKinley bill, which cut the tariff on lumber one-half, was passed. The direful predictions of the lumbermen did not materialize, and instead of Canada flooding our country and monopolizing our markets, she shipped into the United States several million feet more lumber the three years following the McKinley bill than she did the three years preceding it. Again, in 1894, when the Wilson bill, removing the tariff from lumber, was under consideration, the protests of the lumbermen were stronger and their predictions more direful than ever. Tariff was removed, but Canadian lumbermen again failed to take possession of the American markets, either with the low grades or the high grades. The importations from Canada the year following the removal of the tariff was several million feet less than the year preceding it, and for the three years while the Wilson-Gorman Act was in force the importations from Canada and other countries were practically the same as during the three years of the life of the McKinley Act and the three years preceding that act.

I will add here that for the three years 1906 to 1908, inclusive, under the Dingley bill Canada exported to the United States 400,000,000 feet more than she did for the three years under the Wilson-Gorman Act. I further remind this House that forty years ago Canada was shipping more lumber into this country under the high tariff than she did under free trade in lumber, and practically as much as she is now shipping. The following table of statistics relative to the Canadian importations will be of interest and instruction:

	Feet.
Three years, 1871–1873 (inclusive), high tariff	2,259,027,000
Three years, 1888–1890 (inclusive), high tariff	1,917,244,000
Three years, 1891–1893 (inclusive), reduced tariff, McKinley Act	2,162,794,000
Three years, 1895–1897 (inclusive), free trade lumber, Cleveland Act	2,209,507,000
Three years, 1906–1908 (inclusive), high tariff, Dingley Act	2,663,552,000

We have tried high tariff, low tariff, free trade, and high tariff again in lumber, and at no time did Canada monopolize or flood our markets or destroy a single lumber industry in the United States. Neither did low tariff or free trade induce, nor did high tariff prevent, the influx into our markets of Canadian lumber. They continually tell us of the immense importations of Canadian lumber under Cleveland's free trade in lumber, and how the Canadian lumbermen took possession of our markets. The fact is that under Cleveland's free trade less than 3 per cent of the lumber consumed in the United States came from Canada; that is, out of every 100 feet of lumber which was sold in our country the Canadian lumbermen sold less than 3 feet and the American lumbermen more than 97 feet. And yet intelligent men went before the Ways and Means Committee in 1897 and again before the present committee and deliberately testified that under Cleveland's free trade in lumber Canada absolutely flooded our country and monopolized our markets and drove the American lumbermen from the field. As stated before, there was less lumber shipped into the United States under this bill than under the Dingley bill.

Mr. GRAHAM of Pennsylvania. The gentleman did not explain that they had not the money to buy it.

Mr. KITCHIN. Our mills cut over 30,000,000,000 feet each year during the life of the Wilson Act, and every foot of it was sold to somebody. Under your blessed Dingley Act millions of people had neither work nor money, not even the bankers, nor the trust companies, nor the railroads. [Loud applause on the Democratic side.]

Mr. JAMES. Right now I will state that there are bread lines of hungry men right within the shadow of this Capitol.

Mr. KITCHIN. Is the gentleman from Pittsburg?

Mr. GRAHAM of Pennsylvania. Yes, sir.

Mr. KITCHIN. I want to say to the gentleman, since he has given me an opportunity to do so, that in the city of Pittsburg there is not an industry that is not protected by the highest tariff upon the statute books; it has been protected above every other city in the United States. The city of Pittsburg is the very citadel of protection, and yet last year, under your Dingley bill, there were thousands of men that could not get work, though daily begging for it—thousands that were forced into the bread lines. I understand that your city appropriated about a quarter of a million of dollars to feed the hungry men of that city. [Applause on the Democratic side.]

Mr. GRAHAM of Pennsylvania. The gentleman is also aware that at the same time there were 750,000 in England alone out of work.

Mr. KITCHIN. I do not know anything about England. I am talking about Pittsburg. [Applause.]

Mr. GRAHAM of Pennsylvania. A great deal of business depression was caused by the specter of free trade held over the country. [Great laughter on the Democratic side.] It shut down one-half of our industries by the fear of free trade. [Renewed laughter on the Democratic side.]

Mr. KITCHIN. My friend, I find that in Reading, Pa., 12,000 men at this moment are idle and begging for work.

Mr. GRAHAM of Pennsylvania. Where did you get such figures?

Mr. KITCHIN. A clipping from a paper just handed me, and, I think, a Pennsylvania paper—perhaps a Pittsburg paper. [Laughter on the Democratic side.]

Mr. GRAHAM of Pennsylvania. I will venture to say that statement was quoted from some other paper; certainly not a Pittsburg publication. [Laughter on the Democratic side.]

Mr. KITCHIN. My friend speaks of 750,000 idle men in England last year. I know not the condition of the workingman there, but I do know that there were more than a million idle unemployed workmen in the sections of the protected industries of this country daily pleading for work to feed themselves and their hungry families. [Loud applause on the Democratic side.] I know, too, that in the South, which has little or no protection on her industries, of her 20,000,000 people not one was begging work or bread. [Loud applause on the Democratic side.]

In my county we have hosiery mills, cotton mills, damask mills, wood-pulp mills, and many other manufacturing enterprises and no man was walking the streets with a hungry mouth because he could not get work, as they did in Pittsburg and hundreds of other places throughout your section. [Applause on the Democratic side.]

Mr. GRAHAM of Pennsylvania. They will be if you get your free-trade items inserted in this bill as you would like to have them. [Great laughter on the Democratic side.] There will be plenty of them walking the streets, just like they were under Grover Cleveland's policy.

Mr. BURKE of Pennsylvania. Will the gentleman yield to me for a moment?

Mr. KITCHIN. Certainly.

Mr. BURKE of Pennsylvania. I do not suppose for a moment the gentleman wishes to leave the House under a false impression.

Mr. KITCHIN. Oh, no.

Mr. BURKE of Pennsylvania. The statement he made to the effect that the city of Pittsburg was compelled to appropriate $250,000 during the last year for the purpose of feeding idle and hungry men is absolutely misinformation.

Mr. KITCHIN. I will ask the gentleman if he did not see in the Pittsburg and other papers of the country at the time that such an appropriation was made by his city?

Mr. BURKE of Pennsylvania. I live in the very heart of the city, and I will say to you that the only time the city of Pittsburg, in one hundred and fifty years, ever was compelled to go into its treasury for the purpose of feeding those who were hungry was in the three years under the Wilson bill. [Loud applause on the Republican side.]

Mr. KITCHIN. We will see about that in a moment. The gentleman says that he lives in the city of Pittsburg, and that he did not see anybody begging bread or work. My friend, do you deny that the papers all over this country stated that your city did appropriate many thousands of dollars—I do not just now recall the amount—to feed the idle people in your city, or to give them work to enable them to feed themselves? I know you will not deny that. I know you are right when you say that you never saw in the city of Pittsburg men begging for bread and work. My friend, a man who comes to the United States Congress advocating special legislation for trusts and protected industries never sees that class of people. [Loud applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. I ask unanimous consent that the gentleman have leave to conclude his remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from North Carolina may have time to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE of Pennsylvania. Now, Mr. Chairman, will the gentleman yield? The "gentleman from Pennsylvania" did not state that he never saw people begging for bread. The "gentleman from Pennsylvania" stated that the city of Pittsburg had not done what the gentleman from North Carolina alleged it was necessary for it to do. The gentleman is also misinformed when he states that the paper from which he reads is a Pennsylvania paper.

Mr. KITCHIN. Nor did I say it was; I said, perhaps, a Pennsylvania or Pittsburg paper.

Mr. BURKE of Pennsylvania. The gentleman stated it was a Pennsylvania paper. The paper from which the gentleman quoted is not published in Pennsylvania and does not state a fact.

Mr. JAMES. If the gentleman from North Carolina will permit me, I should like to ask the gentleman from Pennsylvania a question.

Mr. BURKE of Pennsylvania. "The gentleman from Pennsylvania" wishes to state in reply to the gentleman from North Carolina that he does not come from the city of Pittsburg for the purpose of voting for special interests.

Mr. KITCHIN. Did not your city of Pittsburg in 1908 issue bonds for public improvements for the purpose of giving work to the thousands of unemployed?

Mr. BURKE of Pennsylvania. No; and the gentleman is no nearer the fact in that regard than he has been in many other statements he has made on the floor of this House during the last thirty minutes.

Mr. JAMES. I demand that the gentleman's remarks be taken down.

Mr. KITCHIN. Oh, no; let him go ahead.

Mr. BURKE of Pennsylvania. The gentleman's remarks are taken down, sir.

Mr. KITCHIN. I might suggest, if your seat is too hot for you, that you get a page to pour some ice water on it, but do not get excited. [Laughter and applause on the Democratic side.]

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Pennsylvania?

Mr. KITCHIN. I certainly do, with pleasure. While he is hot, I want him to run his heat. [Laughter.]

Mr. BURKE of Pennsylvania. Oh, no; "the gentleman from Pennsylvania" asks the extension of no generous courtesy so far as the reporting of his remarks is concerned. He is simply replying to a statement that he believes the gentleman from North Carolina did not fully comprehend the meaning of, when he stated that "the gentleman from Pennsylvania" had come to this body for the purpose of voting for special interests. And I say to you, Mr. Chairman, that the time never was when the aspersions that have been cast upon the people of Pennsylvania in the same irresponsible manner that has characterized the statement of the gentleman who has just spoken—the time never was when such aspersions were justified by the facts. [Applause on the Republican side.] I say, on behalf of the people of Pennsylvania and on behalf of every gentleman who sits upon our side of the House representing the people of that State and the Republican party that sent them here, that they are animated by the same high and lofty motives that I presume and hope animate the gentleman from North Carolina, who now occupies the floor. [Applause on the Republican side.]

Mr. KITCHIN. Oh, well, there is no doubt but that the gentleman from Pennsylvania is perfectly honest in it. I have a faint idea that he thinks the only people to be represented in this Congress are the people like the steel trust and the protected interests in Pittsburg and elsewhere. He is honest in this. His party has so taught him. He claims to be a patriot, and we all know he is a statesman. [Laughter.]

Mr. BURKE of Pennsylvania. Will the gentleman point to the time and place when I ever used, in this House or out of it, the words "steel trust," or mentioned it in any proceedings of this body, or took up the time of this House discussing any proposition, directly or indirectly, connected with the steel trust?

Mr. KITCHIN. Oh, no; they had rather some fellows would vote than talk, for the vote of some does more good than talking. [Laughter and applause on the Democratic side.] The theory of Republican protection is that we shall protect the big, the strong, the wealthy, and they in turn will, by the slow process of commercial percolation, let a few of the benefits drip down upon the people. [Applause on the Democratic side.] The gentleman from Pennsylvania is simply a product of the system. He thinks he is a patriot, and from his standpoint he is; and, as I said before, we all concede he is a statesman. Now, is not that concession sufficient to cool off any Pittsburg Republican? [Laughter and applause on the Democratic side.]

I will tell the gentleman what the trouble is with patriots like himself. The protected industries which he represents send up so much smoke that he always looks through darkened glasses. [Laughter.]

Mr. BURKE of Pennsylvania. I want to say to the gentleman that the chimneys in the city of Pittsburg never sent up as much smoke or caused as much darkness as has been caused by the remarks of the gentleman from North Carolina on the floor this afternoon. [Laughter on the Republican side.]

Mr. KITCHIN. I am willing to admit myself that that was a real bright, smart reply; but the trouble with the gentleman is that he gets off so few such bright sayings here. [Laughter.]

Mr. BURKE of Pennsylvania. I congratulate the gentleman on being able to recognize one when he sees it. [Laughter.]

Mr. KITCHIN. I believe my two friends from Pennsylvania are the only persons in this country that did not see in all the papers, and especially in the Pittsburg papers, daily accounts of the growing ranks of the unemployed in the city of Pittsburg and their hungered, distressed condition. I do not impeach the veracity of any man, but I do say that a denial of such conditions is a lamentable discredit to their memory. So alarming was the situation that, time and again, the city council met to devise ways to relieve the distress of the army of unemployed. The mayor of the city, in February, 1908, insisted that the city should issue over $2,000,000 of bonds in order to give work to its idle men. I quote from the Pittsburg Dispatch, a good Republican, Dingley tariff paper, of date February 1, 1908:

> The proposed bond issues to give work to the unemployed, proposed by Mayor George W. Guthrie, to the total of $2,184,000, were approved by the appropriation committee last night and will be presented to the finance committee early next week.

In an editorial of the same date it says:

> If the city makes contracts that call for the employment of, say, 20,000 men, * * * it will yield employment to that number of idle men.

under the Wilson-Gorman Act. I further remind this House

taken down, sir.

work or bread. [Loud applause on the Democratic side.]

20,000 men, . . . it will yield employment to that number of idle men.

On February 4, 1908, it says:

Because of the universal prevalence of sickness and poverty this winter it is necessary daily to refuse the pleadings of fathers and mothers who come to the association rooms to ask for milk for their sick children.

February 7, 1908, it quotes Comptroller Morrow as saying:

The men and their families are in dire need.

On February 8, 1908, we find in the Dispatch the following:

The ordinance to authorize a special bond issue of $220,000 in order to give work to the unemployed was passed by both branches (common council) * * *. Several other measures to aid the unemployed are in contemplation.

The bonds were issued and some of the idle men were thereby given employment.

From the Pittsburg Post of July 6, 1908, I read:

It is apparent that the $220,000 bond issue for improvements will not supply the demand for work, and councilmen are trying to devise means for further relief.

And further:

The poor farm at Moishelsea, as Director Shaw, of the charities department, stated, was rapidly becoming overcrowded, owing to present conditions.

When a family applies for help at the charities department, an inspector is sent to ascertain whether the case is worthy. If it is, the family is given a basket of provisions, consisting of flour, ham, and other simple articles of food. Many needy families are also being provided for in the north side branch, which was reestablished several days ago after having been merged with the department on this side of the river.

And again:

Benevolent institutions of all kinds are being sought out by Pittsburg poor. The Salvation Army, the Association for the Improvement of the Poor, and the Volunteers of America are doing all they can to relieve the distress, but they are unable to help all who apply.

In an editorial of same date the Post says:

More than 6000 idle workmen asked yesterday for blank applications, so that they might secure city jobs available under the emergency bond issue.

* * * * * * *

When the Post three weeks ago determined to tell the truth about the industrial conditions in this community and abandon the attempt to preserve silence and constantly to see a rosy hue, there was much remonstrance. It next began advising the adoption of quick measures to afford relief.

Mr. Chairman, I could fill the RECORD with such quotations from these and other papers from Pittsburg at the time. I do not blame the gentlemen of Pittsburg for not remembering such alarming conditions. They are fortunate in being able to eliminate from their memory all such distressing, torturing recollections. What was true of Pittsburg was true of many other cities throughout the country—and all under the glorious Dingley bill. [Applause on the Democratic side.]

Mr. GRAHAM of Pennsylvania. If the gentleman will permit me, I took exceptions to his remarks when he said that the statement that 12000 men were now out of employment in Reading was from a Pittsburg paper, because I try to read all the papers and I never saw anything of that kind.

Mr. KITCHIN. Does the gentleman mean to say that the Pittsburg papers tried to conceal that fact from the American people?

Mr. GRAHAM. No; they tried to tell the truth. [Laughter.]

Mr. KITCHIN. Look here; what do you gentlemen mean by coming here and affecting no recollection about this panic? [Laughter.]

Mr. JOHNSON of South Carolina. It is a hallucination; we have had prosperity all the time. [Laughter.]

Mr. KITCHIN. Do you not know that there has been such a panic and such a period of hard times for two years that the distressed condition of the people and the depleted condition of the Treasury forced the Republican party to promise in its platform revision of the tariff and repeal of the Dingley Act? [Applause on the Democratic side.]

Mr. GRAHAM of Pennsylvania. It was not from the effects of the Dingley bill, but it was the newspapers desiring free pulp and advertising the fact that they wanted a revision of the tariff. [Laughter on the Democratic side.] They did not say they wanted to favor themselves, but they wanted a tariff revision, and they made such a fuss about it throughout the country that it has created such a strong sentiment for such revision that both parties, in their platform, committed themselves to tariff revision, and the uncertainty has paralyzed the industries of this country to-day. [Laughter on the Democratic side.]

Mr. KITCHIN. You have got free wood pulp in the bill, and are you now going to ruin the country? [Laughter.]

Mr. GRAHAM of Pennsylvania. Not if the main features of this bill are retained.

Mr. KITCHIN. Do you mean to say that President Roosevelt and President Taft were seeking to ruin the country when they demanded free lumber? [Applause on the Democratic side.]

Mr. GRAHAM of Pennsylvania. I do not think Mr. Taft favored such a revision as gentlemen on that side say he did.

Mr. KITCHIN. Your party is pledged to revision. Mr. Taft, by his speeches throughout the country, is pledged to it. He was for revision downward, instead of upward. The gentleman from Pennsylvania understood it was upward, did he?

Mr. GRAHAM of Pennsylvania. No, sir.

Mr. KITCHIN. You are in favor of revising it downward, are you not?

Mr. GRAHAM of Pennsylvania. Yes; but not some of it. I am not in favor of wiping out the protection for American industries. [Laughter on the Democratic side.]

Mr. KITCHIN. The gentleman is in favor of revising it downward if it does not touch one of Pittsburg industries, but when it strikes one of them he is for revising upward. [Laughter.]

Mr. GRAHAM of Pennsylvania. For the simple reason that Pittsburg has all kinds of industries; they are not confined to steel alone.

Mr. KITCHIN. And every one of them protected by this bill and by the Dingley bill.

Mr. GRAHAM of Pennsylvania. Take the district that I represent, or represent in part, it has varied industries, and you can not touch any industry in America that you do not touch Pittsburg.

Mr. KITCHIN. I am glad the gentleman and my friend from Pennsylvania [Mr. BURKE] interrupted me, Mr. Chairman, because, although according to latest estimates there are about 90,000,000 people in this country, it is delightful to find that out of that number there are at least two who do not know that we have had a panic and hard times in this country for the last two years. [Applause and laughter.]

Mr. BURKE of Pennsylvania. Oh, the gentleman knows that I did not state that.

Mr. KITCHIN. I simply state that I am glad that my two friends from Pennsylvania did not know of the panic and the distressing times we have had, and I take this opportunity of congratulating them on being the two most fortunately blessed of all the millions of our people in not finding out that for the last two years, under your Dingley Act, we have had panics and hard times. [Laughter.]

Mr. LANGLEY. Mr. Chairman, before the gentleman proceeds further, I would like to ask if the removal of the tariff on lumber will not result in reducing the price of lumber, how will that removal aid the home builders, to whom the gentleman refers, to build cheaper homes?

Mr. KITCHIN. It is quite evident that the gentleman did not hear the first part of my talk. I said in the beginning, that while it would be a great blessing to millions of people in the West and Middle West, as I shall show later, it would not affect a single one of the southern mills, for the reason——

Mr. LANGLEY. Would it make lumber any cheaper?

Mr. KITCHIN. It will not make lumber in the South, especially on the Atlantic seaboard, any cheaper—I wish it would—or affect us in the South, because in the section of Canada that will compete with us; that is, where the freight rates would allow competition with the southern mills—even if Canada had the timber—lumber is just as scarce as it is in the South and just as high as it is in the markets to which we ship.

Mr. LANGLEY. Then the present duty on lumber is not protective, but a revenue duty, and therefore not un-Democratic, according to the gentleman's present party platform.

Mr. KITCHIN. It is neither a Democratic revenue duty, nor is it in accordance with the Democratic platform.

In the great West, in the great consuming States of Illinois, Indiana, Iowa, Minnesota, Wisconsin, and Nebraska, and all out in that western section, removal of the tariff will make lumber cheaper to the consumer and will take the hand of the timber monopolists from the necks of millions of our western people, and I shall show it before concluding. While you are on your feet let me ask you: Do you think it will make it any cheaper to the home builder in your section?

Mr. LANGLEY. I think if it results in increased importations it will necessarily.

Mr. KITCHIN. Answer my question.

Mr. LANGLEY. I think it will, and I think the tendency of it will be to injure the lumber industry in my section; and I do not hesitate to say that I am for my district and section before any other section. I am trying to look out for the best interests of my own district, assuming that the other fellows will do the same for theirs.

Mr. KITCHIN. You are like my friend here; you see nobody in your district except a few special interests that demand special privileges. [Applause on the Democratic side.] You do not see in your district—indeed, you shut your eyes to the fact—that you have thousands of farmers, mechanics, merchants, and business men who need lumber in the daily conduct of their business life; thousands of men who desire to own homes to shelter their wives and children——

Mr. LANGLEY. May I ask the gentleman a question?

Mr. KITCHIN. You do not see that there are thousands of farmers in your district who want to clear away their old log barns and put up better barns; you do not see the farmers in your district that have huts, who want to pull down those huts and build more comfortable homes; you do not see——

Mr. LANGLEY. I think I can see just about as far as the gentleman can.

Mr. KITCHIN. The trouble with you is you can not see over the shoulders of a protected interest or a trust to save your life, and you do not see the people in your district and State on the other side. [Applause.]

Mr. LANGLEY. Oh, yes; I do. I understand my district just as well as the gentleman does his. I believe in protection, and that is the reason I am contending for this duty. I think protection helps all of them.

Mr. KITCHIN. I am glad you candidly confess that you are in favor of the duty for protection's sake. What becomes of the plea of my Democratic colleagues that it is a Democratic tariff for revenue only? [Laughter.]

This is our difference: As between millions of homeless American citizens in this country who desire to build homes to shelter their families and a few thousand lumbermen who demand special legislation to increase their revenues, I take my stand with the millions of home builders, while you take yours with the protected few. [Applause on the Democratic side.]

Mr. MILLER of Kansas. Will the gentleman allow a question?

Mr. KITCHIN. Certainly.

Mr. MILLER of Kansas. I would like to have the gentleman explain to me how with free lumber the people in my section of the country in the Middle West can be affected?

Mr. KITCHIN. There is, of course, some timber in the western Provinces of Saskatchewan and Alberta, along the northwestern border, but the great timber fields of Canada lie in the Province of British Columbia, which borders the States of Washington and Idaho. The lumbermen of British Columbia can compete, if the tariff is removed, with the lumbermen of Washington, Idaho, Oregon, and California, the great lumber regions of the United States, and from which, if the tariff is maintained, all your western country must soon get its lumber. A study of the situation and reading of the hearings will convince you that the main fight for protection on lumber was by the lumbermen of the Pacific coast, in order to prevent competition with them on the part of the lumbermen of British Columbia and to enable the large syndicates of timber owners and lumbermen in these States to secure and maintain a monopoly of timber holdings and lumber production and its sale throughout the whole West. They fear, and so contend, that a removal of the tariff would permit British Columbia to compete with them in the markets on the Pacific coast and in your western territory. They are demanding that the tariff be retained in order to keep your people of Kansas and the people of the West from having the benefit of competition in lumber. To whatever sections or markets the lumbermen of Washington and Oregon can ship, the lumber of British Columbia can go.

Mr. MILLER of Kansas. Let me call the attention of the gentleman to the language he himself used in reference to the effect of the removal of the duty from lumber, so far as his own section of the country is concerned. He said that it would not be cheaper in the South, because of the freight rates. There are much lower freight rates by water from Canada to the extreme South than there are by railroads to the Central or Middle West.

Mr. KITCHIN. You are mistaken about the comparative freight rates between western Canada and the extreme South, and the freight rate to the Central or Middle West. Nor did I say that Canada could not compete with the South on account of freight rates. I said that eastern Canada, even if the freight rates permitted, could not compete with the lumber of the South, and especially the southern seaboard States, in the northern and eastern markets, because timber in eastern Canada was as scarce as it was in Maine or North Carolina, and lumber was as high there as in New York or New England; that she needed what she had for her own home consumption and her other necessary foreign trade. I said further that British Columbia, the great new field of Canadian timber, could not ship 3,000 miles across the continent to the North or East in competition with us, because the distance made freight rates prohibitive. I will say to the gentleman from Kansas that his State has not received a thousand feet of lumber from Canada or British Columbia in ten years on account of the prohibitive tariff rate.

Mr. MILLER of Kansas. We do not get much of it from Canada. In some respects I agree with the gentleman from North Carolina, and will vote with him to put lumber on the free list. [Applause.] I do it because I believe that it is going to very materially cheapen the price of lumber in the West. I want to call attention to the fact that the Republican party put the duty on lumber to protect the laborers of this country against the underpaid labor of Canada, and kept it on lumber as long as they believed it would do that.

But now, from investigation of the question, I am one of the members of the Republican party who believe that there is no longer any necessity for any duty for the purpose of protecting the labor of this country against the underpaid labor of Canada, because the price is very little different in Canada and the United States. For that reason I am going to vote to put lumber on the free list and give to our people whatever benefits may be derived from this action.

Mr. KITCHIN. I am glad you are one of the few Republican patriots. If we agree on this, there is no use in our getting red in the face with each other over the matter. [Laughter.] I congratulate the gentleman from Kansas that he is really Democratic in one spot—on free lumber. [Laughter.] But I will say he stands with his President on that question and against his party.

Mr. MILLER of Kansas. Mr. Chairman, the gentleman has no right to say that the "gentleman from Kansas" stands against his party on that question. How does your party stand? As a whole, I believe that this is one of the best tariff bills that was ever brought in.

Mr. KITCHIN. We do not know what kind of a bill we are voting on, and Mr. PAYNE and Mr. DALZELL have not taken us into their confidence. How do you know what kind of a bill you are going to vote on? You are just as innocent and ignorant as I am on the subject. Why, this bill is not the bill that you are going to vote for finally. Has the chairman [Mr. PAYNE] or his lieutenant [Mr. DALZELL] whispered to you exactly what they are going to allow you to vote for? Do you not know that the tariff bill that you have got to vote for will be a tariff bill, not made by the Representatives of the American people, but by four men, two of whom are here, and you and I know who they are, and two in the Senate, and we all know who they are. Their bill and not the Payne bill you are to swallow. They have put some things in this bill to please some of you western and Kansas Republicans, and they are going to take it out over in the Senate to satisfy the trusts. [Applause on the Democratic side.] So that you can go back to your people and say: "Well, now, we have done the best we could. We passed it in the House, but that 'doggoned' old Senate knocked it out." [Laughter.]

And then when your people ask you why you backed down you will reply: "Well, you know the business of the country was so unsettled it would not do to tamper with this tariff any longer, and so we had to back down and consent to it." [Laughter.] You know that is going to be the programme, and you know that Brother DALZELL and Brother PAYNE have not been able to look each other in the face without laughing since they brought this bill in here. [Laughter and applause on the Democratic side.] Now, I want to ask you, Will you vote for a rule to cut off amendments? I ask you to answer as a candid man. [Applause on the Democratic side.]

Mr. MILLER of Kansas. I will say to the gentleman——

Mr. KITCHIN. You and I are going to accomplish something for the American people if you will vote with me on the rule.

Mr. MILLER of Kansas. I will say to the gentleman that in advance——

Mr. KITCHIN. Answer right now; will you vote for a rule that will shut off amendments?

Mr. MILLER of Kansas. In advance of a rule I will not express an opinion as to what I will do upon it; but in answer to the gentleman——

Mr. KITCHIN. You see he has got a "dead cinch." He does not have to do any thinking at all. Somebody else will do that for him. [Laughter on the Democratic side.]

Mr. MILLER of Kansas. If you do not want me to answer your question, all right.

Mr. KITCHIN. Answer it "yes" or "no." Will you vote for a rule here to shut off amendments?

Mr. MILLER of Kansas. I will not. Does the gentleman understand that?

I want to ask the gentleman from North Carolina if he will vote with me for an amendment to this bill as reported here which will increase the tax on beer and take the duty off of tea? [Applause.]

Mr. KITCHIN. Yes; I will do it if your Republican machine here will give me the opportunity. [Applause.]

Mr. MILLER of Kansas. Well, I will vote with you gladly.

Mr. KITCHIN. Oh, I am mighty afraid your party is going to make you vote for this tax on tea. [Laughter.]

Mr. MILLER of Kansas. No, Mr. Chairman; no party will compel me to vote against my convictions upon a question of this kind. [Applause.]

Mr. KITCHIN. Oh, no; but you are going to say that they just kept talking about this tariff bill when the business of the country demanded its settlement, and that you would rather take what Senator ALDRICH handed out to you than stand up for your own people. [Applause on the Democratic side.]

Mr. MILLER of Kansas. On that proposition, I want to say to the gentleman from North Carolina that I am inclined, in legislative matters, to yield to the consensus of opinion of the party to which I belong, instead of adhering blindly to my own judgment upon a question of this character. [Applause on the Republican side.]

Mr. KITCHIN. My friend from Michigan [Mr. FORDNEY] became very excited the other day when they commenced talking about a lumber trust. He said there was no lumber trust now, and there never had been one; and, as good-tempered as he usually is, he apparently got angry when one even intimated it.

Well, if he is a lawyer and has followed for the last ten or fifteen years the courts in our country, he will find not only rumors of lumber trusts, but the actual trusts themselves. Why, in Toledo in 1907 a dozen or more lumbermen were indicted for being in a trust. They came right square up and pleaded guilty, and Judge Morris gave them six months' imprisonment.

Mr. FORDNEY. Did I, in a single sentence, defend the retail lumbermen? I said that I knew nothing about the retail business. I never was engaged in it, and know nothing about it. I am a manufacturer, and, so far as manufacturers were concerned, that was the only statement I made when I said there was no combination.

Mr. KITCHIN. You sell to the retailer?

Mr. FORDNEY. Oh, yes.

Mr. KITCHIN. Why, all you lumbermen admit there are retail lumber trusts most everywhere in the United States, and they could not exist a minute but for the cooperation of their masters, the lumbermen of the United States. [Applause on the Democratic side.]

Mr. FORDNEY. Will you point to a single sentence of mine in which I defended the retail lumber dealers of the country?

Mr. KITCHIN. No; but you deny that lumbermen ever had anything to do with a lumber trust. How long could the retail trust exist but for the sympathy and cooperation of the big lumber mills and associations?

Mr. FORDNEY. My dear friend, I beg pardon; but the wholesale dealers are in no way responsible for the action of the retailers.

Mr. KITCHIN. Let us see. If you search the records in the Toledo case, in which the retail lumbermen pleaded guilty, you will find that in mitigation of punishment they put up the plea that they were forced into a trust because you lumber manufacturers of the West were in a trust, and they had to do it in self-defense. [Laughter and applause on the Democratic side.]

Mr. FORDNEY. There is absolutely nothing in that.

Mr. MILLER of Kansas. Will the gentleman yield to me for another question? The gentleman has been very kind and considerate.

Mr. KITCHIN. If it is a short question and an easy one. [Laughter.]

Mr. MILLER of Kansas. It is both short and easy. I was frank enough to state my position on the subject of free lumber and increase of the duty on beer. Will the gentleman from North Carolina answer this: If your party in caucus should agree that lumber should not go upon the free list, would you still vote with me as against your party?

Mr. KITCHIN. There is no possibility of the Democratic caucus flying in the face of the Democratic platform.

Mr. MILLER of Kansas. Will the gentleman answer my question?

Mr. KITCHIN. If the Democratic caucus sought to bind me or compel me to vote against the platform of my party relating to free lumber or to anything else, I would not be bound by it; but, under the rules of the Democratic caucus, it permits every man to vote according to the platform or instructions of his nominating authority and the pledges made to his people before his election. Will your caucus protect you in doing this?

Mr. MILLER of Kansas. The gentleman has not answered my question.

Mr. KITCHIN. I have. I said absolutely I would vote for free lumber because it is in our platform and right, and a caucus could not bind me to vote otherwise. What will the gentleman do if his caucus seeks to bind him?

Mr. MILLER of Kansas. I will not vote for the bill as it is now.

Mr. KITCHIN. Well, then, the gentleman from Kansas and myself are certainly two good patriots of the House. [Laughter.] You will not go with your colleagues if they are wrong and I will not go with mine if they are wrong. [Laughter.]

Now to the gentleman from Michigan. If he will read the American Lumberman of July 13, 1907, the organ of the lumbermen, he will find that it records the fact that the North Carolina Pine Association, composed of mills of North Carolina, Virginia, and South Carolina, at its meeting in Columbia, S. C., on November 15, 1905, adopted a price list on pine lumber, and that at a meeting held later, in Norfolk, Va., it adopted another price list. Did the gentleman from Michigan read that?

Mr. FORDNEY. No.

Mr. KITCHIN. Did the gentleman ever hear of it?

Mr. FORDNEY. No.

Mr. KITCHIN. And yet the gentleman is a southern lumberman.

Mr. FORDNEY. I say there is no such thing in the Southwest or anywhere else in the United States, and I defy the gentleman to furnish the proof to the contrary.

Mr. KITCHIN. I have furnished the proof—the records in your own lumber journal.

Mr. FORDNEY. No, my friend; pardon me.

Mr. KITCHIN. How much more proof would you want than the journal, the organ of you lumbermen, which states that the association which met at Columbia, January 25, 1905, adopted a price list, and so forth? Is not that some evidence of a trust or price agreement?

Mr. FORDNEY. No; not the slightest in the world. The gentleman's statement may be correct as to what some journal may have said, and I would not dispute him. I do not see how that furnishes any proof, however. Let me ask the gentleman. There is the Textile World, a paper published in Boston, Mass., which quotes prices on wool. What has the wool grower in the State of Nevada to do with what is published in the Textile World in Boston? Nothing more than what you have referred to in the lumber journal. I do not deny that what the gentleman says he saw may be true, but I know nothing about it.

Mr. KITCHIN. But did the Textile World state that the woolen mills met and adopted a price list for their product? If so, to my mind, it would be evidence of a trust or price agreement among those woolen mills.

Although the gentleman is a Republican and a protectionist, I presume he still has a conscience left, and I appeal to that. [Laughter.] Now, then, if the gentleman saw it in the organ of the lumbermen that an association of mills met at Columbia, S. C., and at Norfolk, Va., and adopted a price list, would he not think that they had combined on certain prices which the consumer must pay? Would not the gentleman think that it was some evidence that they had entered into a price agreement?

Mr. FORDNEY. Let me answer that in my own way. The gentleman says that I, as a manufacturer in the South, was a party to that, does he?

Mr. KITCHIN. I did not say that he is a party to that; but the gentleman asked for evidence of a trust—that is, a price agreement among mill men—and I produced it.

Mr. FORDNEY. Did the gentleman not say that my firm was in the association?

Mr. KITCHIN. I do not know whether the gentleman's firm is in it or not.

Mr. FORDNEY. I know nothing about it, only that I am not a party to it and I deny that I have ever been.

Mr. KITCHIN. Oh, they did not let the gentleman in; they did not let him know what they did. He might be candid enough to give them away some time. [Laughter.]

Mr. FORDNEY. I deny that myself or my firm has anything to do with it. I know nothing about it. We have no connection with it whatever, and therefore I deny the correctness of the statement that my firm has anything to do with such an arrangement.

Mr. KITCHIN. I never charged that you or your firm were connected with it. I am going to take up a subject now that

the gentleman does know all about. Let us leave the question of the lumber trust. I believe I am going to convince the gentleman that there is a practical monopoly of the timber holdings in this country; that is, I will show to the gentleman and to the House that the great bulk of the standing timber supply of the United States is in the hands of a few people and syndicates; that less than one two-hundredths of 1 per cent of our population owns more than 70 per cent of the standing timber in our country. While I could call witness after witness and read page after page of evidence from tariff-removal sources, my proof shall come from tariff advocates only, and I am going to call the gentleman from Michigan as a witness before I am through.

Mr. FORDNEY. Well, I will testify honestly.

Mr. KITCHIN. I believe the gentleman will. One of the strongest tariff advocates, Mr. Chairman, in this country is Mr. R. L. McCormick. He is one of the big star witnesses that testified before your committee. He is secretary and treasurer of the timber company that has the biggest timber holdings of any company in the world.

Before this tariff agitation began, Mr. McCormick, on July 26, 1907, at Tacoma, Wash., before an association of western lumbermen, made a most thoughtful and elaborate address on the present and future timber supply. The statements in that speech as to the timber conditions are enough to alarm every patriotic citizen when he contemplates the situation which will in the future, even in this generation, confront our people. Of the 1,300,000,000,000 feet of standing timber in this country, according to his estimates, and 1,400,000,000,000 feet estimated by the department, he says that California has 200,000,000,000; Oregon, 400,000,000,000; and Washington, 200,000,000,000; Montana and Idaho, 100,000,000,000 feet. These five of the extreme West and Pacific coast States have practically three-fourths of the standing timber of the country. It is estimated that all the Southern States have only 200,000,000,000 feet of pine; many estimates are lower than that.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question? I just want to ask him about the figures that he read there for Washington.

Mr. KITCHIN. He estimates 200,000,000,000 feet of standing timber for Washington.

Mr. HUMPHREY of Washington. Why, I have pretty near twice that much in my own district alone.

Mr. KITCHIN. The gentleman is mistaken.

Mr. HUMPHREY of Washington. I repeat that there is that much standing timber in my district.

Mr. KITCHIN. Oh, you can not have anything like 400,000,000,000 feet in your district. If so, it would make the proportion of the standing timber in this country for the Pacific States much larger than has been estimated, and increase the seriousness of the timber situation.

Mr. HUMPHREY of Washington. I state that for the purposes of taxation there are over 400,000,000,000 feet of standing timber in my district.

Mr. KITCHIN. The company of the gentleman from whom I am quoting is the largest timber holder in the State of Washington, and he is in a position to know.

Mr. HUMPHREY of Washington. I do not know how much timber his company holds. I know how much is standing there.

Mr. KITCHIN. I will ask the gentleman to possess his soul in patience. I understand he says that he has 400,000,000,000 feet in his district.

Mr. HUMPHREY of Washington. Four hundred billion feet standing in my district now.

Mr. KITCHIN. I will enlighten the gentleman on this subject. The department estimates the standing timber in Washington at 193,000,000,000 feet. Mr. R. L. McCormick, whose company, as I stated, is the largest timber holder in your State, estimates 200,000,000,000 feet.

Mr. W. I. Stewart, a large lumberman of the West, in an address, in 1905, before the Washington Lumber Manufacturers' Association, estimated it, in 1905, at 193,000,000,000 feet. My friend Mr. BEALL of Texas informs me that the Pacific Lumber Trade Journal puts it at 196,000,000,000 feet. It is, therefore, in the light of these authorities, all tariff advocates, barely possible that the gentleman is slightly mistaken in his statement that his district alone has 400,000,000,000 feet of standing timber.

Mr. HUMPHREY of Washington. If the gentleman will yield for a minute, I will tell him.

Mr. KITCHIN. I will, with pleasure, in a moment. Let me now read from the interesting and instructive speech of Mr. McCormick:

> The trouble (increasing prices) lies not in the cost of manufacturing, but in the dwindling supplies of the timber.

And again:

> To-day the fields of standing timber are known to be narrowing to the Pacific coast. Within half a dozen to ten years the Pacific coast will be the only source of great supply. * * * The westward march of civilization has consumed the forests until to-day the Pacific coast has three-fourths of the timber of the United States.

Mr. Chairman, in the face of these alarming facts, it is not difficult to understand the great interest which Mr. McCormick and his big timber company, as well as the other big syndicates of the West, have in maintaining a tariff that, in prohibiting competition of western Canada, will give them in a few years absolute control of the timber supply of the country. But it is most difficult to conceive how some of my colleagues shall so far forget the interest of the whole country as to be willing to make themselves and the southern lumbermen the cat's paw for these large syndicates and timber monopolists, and to favor legislation the only result of which will add them in fastening tighter their chains around the people. [Applause on the Democratic side.]

I will again quote:

> The standing timber in the State of Washington alone is estimated at 200,000,000,000 feet. * * * Let manufacturing go on throughout the country at the rate it is now progressing, and the timber will increase so much in value at the end of twenty years that the remaining timber (in Washington) may be worth more than its present value to-day.
>
> * * * * * * *
>
> Within ten years (at the present rate of cutting) all standing timber east of the Rocky Mountains will be needed for local use.

In corroboration of this statement I call to witness every man on this floor who lives in the States east of the Rocky Mountains. Do we not see, day by day, in our States the "dwindling supply" of standing timber? Who owns these immense fields of standing timber in the West, which constitute three-fourths of our total supply? No tariff advocate will dispute the testimony of Mr. D. E. Skinner, certainly the gentleman from Washington will not. He was one of your tariff witnesses before the committee. He is a big lumberman of the West, member of the syndicate, and appeared in this city as chairman of a committee from the Pacific Coast Lumber Manufacturing Association. In a speech a few weeks ago at the New Willard banquet, so eloquently described by my friend Mr. JAMES yesterday, he declared that "90 per cent of the standing timber of the Pacific coast States was held by sawmill operators, corporate and individual"—a very few individual. According to the report of the department the five States of Washington, Montana, Idaho, Oregon, and California have only 1,973 mills. Practically all of these mills are owned by the big timber companies, several companies owning many mills each.

My friends, one man—Mr. Weyerhaeuser—according to the testimony of tariff advocates before the committee, in one timber deal in 1900 purchased, at 15 cents a thousand feet, 40,000,000,000 feet of standing timber on the Pacific coast—more than the total amount of pine timber in the two States of North Carolina and Virginia. It is now said to be worth $3 and over per thousand. It is estimated that the Weyerhaeuser timber companies own more than 200,000,000,000 feet of standing timber on the Pacific coast—as much as the total stand of pine in all of the Southern States.

Let me now call attention to the condition of the pine timber in the South. Mr. McCormick, in his address, estimated it at 200,000,000,000 feet. Mr. R. A. Long, in a paper read before the annual meeting of the Southern Lumber Manufacturing Association, himself a large lumberman, estimated it to be 157,000,000,000 feet. The Government's estimates put it at about 200,000,000,000 feet. Mr. Z. W. Whitehead, editor of a southern lumber journal, in his statement before the committee, estimated "not to exceed 250,000,000,000" feet. I will read again from Mr. McCormick:

> The southern pines are being destroyed with a rapidity that finds its parallel only in the case of the northern white pine.

And further:

> It is evident that within ten or fifteen years there will be a most serious shortage of southern pine.

At the present rate of cutting, in less than fifteen years all the pine timber of my State—and, according to the government estimates, in twenty years the pine-timber supply of the entire South—will be completely exhausted.

As in the West, so in the South, the timber holdings have gone into strong hands—into the hands of big companies and syndicates. It is estimated that over 70 per cent of the standing timber in the South is owned by nonresidents or corporations controlled by nonresident stockholders. The Weyerhaeusers, the Goodyears, and other western syndicates are fast invading the southern timber fields. In reading the evidence before the committee one will be struck with the number of

but, under the rules of the Democratic caucus, it permits every | connected with it. I am going to take up a subject now that

nonresident witnesses, each of whose companies, in addition to their western holdings, owns several hundred thousand acres of timbered lands in the South. I wish to quote again from the organ of the lumbermen, the American Lumberman, of date July 5, 1907:

About five years ago a change came in the yellow-pine business. Stumpage went up in price, since it had passed into strong hands.

[Applause on the Democratic side.]

Mill operators with large capital and extensive equipment began to control a large share of the product, and naturally asked profitable prices for it.

Again, on October 3, 1908, it says:

In the southern hard-wood and yellow-pine fields the small mills are practically eliminated.

What does this mean? Stumpage went up in price, after it got out of the hands of the people, the farmers, in the South, because it had gone into the hands of the big capitalists. Lumber went up in price because "strong hands," "operators with large capital," controlled its output. [Applause on the Democratic side.] As far back as 1888, the American consul at Ottawa, Mr. Hotchkiss, in his report, and the Agricultural Department in its report, warned the people that the standing timber in large bodies was going into the hands of large capitalists who would control the markets and the prices.

The Southern Lumberman, a lumber journal, published at Nashville, referring to the conservation bill, on November 28, 1908, declared that of the timber lands in this country to be conserved, the lumbermen owned 75 per cent to 80 per cent.

I remind my good friend from Michigan that this evidence to the effect that 75 per cent to 80 per cent of the timber in this country is in the hands of a few lumbermen is from a tariff advocate, an organ of the southern lumberman, of your Mississippi company.

Mr. FORDNEY. Do not put me in. [Laughter.]

Mr. KITCHIN. Is the gentleman any better than his fellow-lumbermen?

Mr. FORDNEY. Not any; but I insist that I do not belong to a lumber trust.

Mr. KITCHIN. I am not now referring to a lumber trust. I am showing the House and the country that the standing timber in this country is in the hands of an infinitely few of the people; or, in the language of the gentleman from Michigan, as I shall show later, "in strong hands," and not in the hands of the people, the farmers, as some of my colleagues seem to think. The farmers own less than 6 per cent of the standing timber in the United States. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. I will say to the gentleman that the Government owns more timber in my State than all the rest put together.

Mr. KITCHIN. The gentleman, I think, will find that he is mistaken. But this—the government ownership—is included in the estimate of timber in his State. Excluding the government lands, you will find that the big holders own more than 80 per cent of the remaining. Mr. Skinner, as before stated, put it at 90 per cent; that is, for the Pacific coast States, including Washington.

Mr. FORDNEY. I beg your pardon.

Mr. KITCHIN. Oh, yes. Some of the lumbermen of the West were mighty clever on this point in their testimony. They attempted to prove that they owned a very small per cent of the forest lands. They failed to explain that in the government estimates of forest lands are included cut-over lands and lands of small, stubby growth that never produced timber. In some sections, from 10,000 acres a thousand feet of merchantable timber could not be cut.

Mr. FORDNEY. Will the gentleman pardon me? A moment ago he spoke of the little mills being eliminated. Does he know that of the entire cut of lumber, 40,000,000,000 feet last year, 26,000,000,000 were cut by small sawmills, located in nearly every State of the Union?

Mr. KITCHIN. I do not know, nor does the gentleman know it, because it is not the fact. I am glad my attention is called to this. I am going to show him how mistaken he is. I have here the government report of November 18, 1908. It shows that there are 26,934 sawmills in this country, and that less than 8 per cent of them cut over 50 per cent of the 40,000,000,000 feet. [Applause on the Democratic side.]

Mr. FORDNEY. I beg the gentleman's pardon. There is a lumber journal which gives a very complete statement of the lumber cut in this country. That lumber journal——

Mr. KITCHIN. I would really rather take the department's figures.

Mr. FORDNEY. That lumber journal shows that out of the 28,000 to 30,000 sawmills of the country, 26,000,000,000 feet were cut last year, out of the 40,000,000,000, at the small sawmills.

Mr. KITCHIN. The gentleman must be mistaken about that lumber journal. I have here the American Lumberman, the biggest lumber journal in the country, and in its issue of February 27, 1909, its editor shows that 1,667 mills produce practically one-half of the total output of all the 26,934 mills in the country. Let me ask, What does the gentleman call a small mill?

Mr. FORDNEY. A small mill is any mill that will cut 10,000,000 feet per year or less.

Mr. KITCHIN. That is a pretty good sized mill in my country. Neither does the government report nor any lumber journal in this country class such mills as small mills.

Mr. FORDNEY. It would cut 12,000,000 a year, at the rate of 40,000 feet a day for three hundred working days in the year. A single-band sawmill is a small sawmill anywhere.

Mr. KITCHIN. Over half of the mills in this country cut each much less than a half million feet a year.

Mr. FORDNEY. That is what I am talking about.

Mr. KITCHIN. To show that the most of the total output is cut by the big mills, I call the gentleman's attention to the fact that, according to the government report and his lumber journal, over 15,000 of the 26,934 mills cut each, on an average, less than 1,000 feet a day. They do not cut for shipment, and their annual total cut is less than 10 per cent of the total output of the country. A farmer here and there has been wise enough to reserve a few acres of timbered land for plantation uses. These thousands of little mills are scattered about throughout the country on the farms and used to cut lumber for farm purposes and occasionally for the neighborhood supply.

Mr. FORDNEY. When a sawmill in your neighborhood goes to cutting lumber, there is no opportunity or occasion for shipping lumber in from any other mill. Let me ask you how many mills, on an average, cut 500,000 feet a year?

Mr. KITCHIN. There are over 15,000—to be accurate, 15,168—that cut less than 500,000 feet a year each, in feet less on an average than 1,000 feet per day, and the remaining of the 26,934 mills cut over that amount each. According to the report 4,820 cut each on an average of 750,000 feet; the remaining few cut the balance of the total output.

Mr. FORDNEY. Some over 15,000 out of the total in the country.

Mr. KITCHIN. These little mills, 15,168 in number, while greatly swelling the total number of sawmills in the country, all combined cut no more lumber annually than the 714 mills in the State of Washington.

Mr. FORDNEY. How about the 26,000,000,000 feet cut by these mills?

Mr. KITCHIN. That is only in the gentleman's imagination. They cut less than 4,000,000,000 feet. Now, let us return to the big stumpage owners. I have more proof to offer. From the Census Bulletin, No. 77, I read:

The increase (in stumpage value) is due, not so much to a present shortage in the supply of lumber material in the country as a whole, as to the fact that the available supply of log stumpage is rapidly being bought up and withdrawn from the market.

This had the sanction of the lumber organ, the American Lumberman, in its issue of July 6, 1907.

Mr. Tift, of Georgia, a tariff-advocate witness, testified that the timber of the country had gone into "strong hands," and gave this as one of the causes of the advance in the prices of stumpage and lumber. I ask the gentleman from Michigan if he does not believe this?

Mr. FORDNEY. I reply to the gentleman, I want to ask him——

Mr. KITCHIN. Do you not believe it to be true that the timber of this country has gone into "strong hands," and this accounts for the high prices in lumber? Just answer.

Mr. FORDNEY. I will not answer the question of the gentleman except in my own way.

Mr. KITCHIN. Well, go ahead.

Mr. FORDNEY. I will ask the gentleman what caused the price of cotton to go up from 5 to 12 cents per pound in the last fifteen years in the South?

Mr. KITCHIN. Cotton was more than 5 cents fifteen years ago, and it lacks 3 cents being as high as 12 cents now. But I am not going to be diverted.

I have produced authority after authority and witness after witness from the tariff advocates themselves in proof of the contention that the timber of our country is in the hands of a few big holding companies and syndicates. I am now going to offer a witness so good and an authority so high that no tariff advocate will dispute, not even the gentleman from Michigan. This witness, this authority, is no more and no less than the

distinguished gentleman himself. [Applause and laughter.] Before the Ways and Means Committee he made this statement:

On account of the depreciation of the forests of this country, which is rapid—and all men know that who know anything about the business—the *timber holdings in the country in the past ten years have gone into strong hands instead of small holdings*, and therefore a speculative value has been put upon it.

[Loud applause on the Democratic side.]

Mr. FORDNEY. Wait a minute. Have I made a statement——

Mr. KITCHIN. Do you doubt the weight and force of that eminent authority? [Laughter.]

Mr. FORDNEY. My friend, let me ask you——

Mr. KITCHIN. All right; certainly.

Mr. FORDNEY. Where have I made a statement to the contrary?

Mr. KITCHIN. I understood you the other day to stand here and say that our lumber was manufactured by thousands and thousands of mills, and that there was no such thing as a monopoly or a trust, and the people owned the timber.

Mr. FORDNEY. I so insist yet. [Laughter.]

Mr. KITCHIN. Well, my friend, if you insist on that, you impeach your own testimony, and I am not going to let you do that, for you are my witness. [Laughter and applause.] You can not impeach your own testimony, and I will not do it, because I believe you are telling the truth. [Laughter.]

Mr. FORDNEY. What I stated heretofore is that I did not appear before the Committee on Ways and Means as a witness.

Mr. KITCHIN. You are a member of the Committee on Ways and Means, and during the hearings, in your voluntary statements and in your leading questions of the witnesses for your side you made the best witness of them all.

Mr. FORDNEY. You do not impeach my testimony when you say that I was the best.

Mr. KITCHIN. Mr. Chairman, the evidence is sufficient to sweep any intelligent mind in spite of itself to the conviction that the timber of this country is in the control of a few big companies and syndicates. While we can not with assurance predict the events of the future, in the light of the present situation of our timber supply it seems that Mr. McCormick stated a fearful and an alarming truth when he declared that within a few years the whole country would have to look to the Pacific coast as the only source of supply. With the rapid exhaustion of our timber of the South, which at the present rate will hardly wait for another generation to become complete, unless inventive genius furnishes us a substitute, we must turn for our lumber across the continent to the timber syndicates and monopolists, whose already strong arm we are asked to strengthen by a continuance of the tariff. These men of the syndicates, so few in number and owning so vast an amount of the standing timber of the West, are the great beneficiaries of the tariff on lumber, and every man who votes for tariff on lumber is voting for the timber kings and syndicates of the West, and not for a southern industry. [Applause on the Democratic side.] Its maintenance will give them the power to fix the price of stumpage and control the production of lumber. The fight for tariff is in the interest of the big timber kings of the Pacific coast. The other lumbermen are duped into the fight by them and their immense influence. For years the tariff has been written for their benefit. Tom Reed, in a speech in this House advocating tariff, declared that the great beneficiaries of the tariff on lumber were the lumbermen of the Pacific coast. The report of the Republicans of the Ways and Means Committee in 1894 showed the same thing. The American Lumberman showed in its editorial of October 31, 1908, that the real beneficiaries of the tariff were the timber and lumbermen of the Pacific coast.

Logs and round timber are now and have been for more than thirty years on the free list. Before the passage of the Dingley Act hundreds of millions of feet of logs were annually shipped from the Provinces of Canada into this country to the sawmills in the West near the border. In a few months after the Dingley Act was passed the Provinces of Ontario and British Columbia, the competitors of the western lumbermen, enacted in retaliation laws prohibiting the exportation of logs. As long as the Weyerhaeusers, the Walkers, the Smiths, and other timber-holding groups can induce us to maintain the tariff, just so long will these Canadian Provinces maintain their retaliatory laws prohibiting log exportation and the big western syndicates maintain a monopoly of the timber supply of the West.

Mr. FORDNEY. May I ask you a question?

Mr. KITCHIN. Yes; certainly.

Mr. FORDNEY. According to your statement I infer that you are in favor of the proviso in paragraph 197, that will compel Canada to let us have logs—free raw material.

Mr. KITCHIN. I am coming to that proviso in a moment, and I am going to show you that it is the most miserable makeshift for a reduction of tariff that was ever inserted in a tariff bill, and you have been tickled to death every day since it was put there. You wrote it yourself. [Laughter.]

Mr. EDWARDS of Kentucky. May I ask the gentleman a question?

Mr. KITCHIN. Let me finish the subject of the exportations of logs and the effect of the tariff on it, and then I will gladly yield. Before the Dingley Act and the consequent prohibitive acts of the Canadian Provinces, the sawmill man of Oregon and Washington, if the big timber owners demanded exorbitant prices, could get his logs from British Columbia and ship to his mill in this country. And so with the sawmill man of Wisconsin, Minnesota, and Michigan; he could protect himself against unreasonable stumpage charges by buying logs in Ontario and shipping down through the Lakes to his mill.

But he must now pay the Weyerhaeusers, the Walkers, and other timber holders their own prices or get out of the business and permit them to monopolize the lumber production. The laws of Ontario and British Columbia forbidding exportation of logs are the direct result of the Dingley Act. Is not that true?

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. KITCHIN. Just one minute.

Mr. HUMPHREY of Washington. The gentleman's statement is not a fact. That has not been true all the time.

Mr. KITCHIN. Oh, it has been true since the Dingley bill.

Mr. HUMPHREY of Washington. No; it has not; not all the time.

Mr. KITCHIN. The gentleman is clearly in error. I have an authority on that, and it is my good friend Mr. FORDNEY, to show that you are just as much mistaken about that as you were about your 400,000,000,000 feet in your own district. [Laughter.]

Mr. HUMPHREY of Washington. I am not mistaken about it, either.

Mr. FORDNEY. Will the gentleman permit me to set him right? He is in a sense right in his statement.

Mr. HUMPHREY of Washington. It is only occasionally that this is correct; sometimes we buy logs and sometimes we do not.

Mr. FORDNEY. Will the gentleman permit me to state it correctly? When the Dingley bill became a law there was a proviso in that law that stated that if Canada put an export duty on logs, whatever that export duty amounted to should be added to the duty on rough lumber. Instead of putting an export duty on, Canada puts on an embargo, and does not permit logs to come into the United States at all except, temporarily, when they let some come in from Puget Sound when they have a surplus of logs. It is optional with certain government officers to put the embargo on at will or take it off.

Mr. HUMPHREY of Washington. They do it occasionally on Puget Sound.

Mr. KITCHIN. I will enlighten you, gentlemen. I can not enlighten the gentleman from Michigan, I fear, because he was right the other day and is wrong now. You have not had a million feet of logs shipped from British Columbia in years. The fact is that on all the crown or government lands, which constitute practically all the timber lands, they forbid any exportation of logs on account of the Dingley Act, but an individual who owns a little over there—and individual or private ownership constitutes less than 5 per cent of the timber lands—can ship the logs to this country. Such exportation amounts to little or nothing. My friend from Michigan [Mr. FORDNEY] stated before the Committee on Ways and Means:

When the duty was placed on lumber by the Dingley bill, then was when the embargo was put on logs in British Columbia.

Is not that true?

Mr. FORDNEY. I stated that a minute ago, and I repeat it now. Let me ask the gentleman, Is he in favor of bringing logs from Canada into our markets?

Mr. KITCHIN. Is not the gentleman in favor of it?

Mr. FORDNEY. Yes.

Mr. KITCHIN. So am I.

Mr. FORDNEY. Then put the proviso into the bill.

Mr. KITCHIN. Now, Mr. Chairman, I am going to get to the little "joker," the gentleman's proviso in the tariff bill.

Mr. FORDNEY. Do not call it a "joker." I have not made any "bones" about it. It is a straight out and out proviso.

Mr. EDWARDS of Kentucky. Will the gentleman answer my question now?

Mr. KITCHIN. Yes; but I prefer going on with a discussion

28,000 to 30,000 sawmills of the country, 26,000,000,000 feet

advocate will dispute, not even the gentleman from Michigan. This witness, this authority, is no more and no less than the

you are in favor of the proviso in paragraph 197, that will compel Canada to let us have logs—free raw material.

Mr. EDWARDS of Kentucky. Will the gentleman answer my question now?

Mr. KITCHIN. Yes; but I prefer going on with a discussion

of the proviso of the gentleman from Michigan. But go ahead with your question.

Mr. EDWARDS of Kentucky. I just wanted to ask the gentleman what good virgin forest was worth in his State?

Mr. KITCHIN. What does the gentleman mean—by the thousand?

Mr. EDWARDS of Kentucky. By the acre.

Mr. KITCHIN. We have not much virgin forest left, and it is not usual to sell by the acre. Pine timber is worth from $2.50 to $3 per thousand on the stump now. Of course, if it is right near a railroad it would be worth more, but that is about the average.

Mr. EDWARDS of Kentucky. The gentleman can give me approximately the price per acre.

Mr. KITCHIN. We do not sell it by the acre. A man goes over it and estimates it by the thousand feet, and pays so much for it by the thousand or in the lump tract.

Mr. EDWARDS of Kentucky. I will say that I have a proposition from North Carolina people to sell some acreage, and I wanted to know if they were asking too much.

Mr. KITCHIN. I will tell you that if you fool one of those North Carolina fellows that has got any pine timber standing there now, you are welcome to all the profit in it. [Laughter.] You fellows went down there ten or twenty years ago and fooled our farmers out of all the standing timber they had for a mere song; but they have a little patch here and there, and you are not going to fool them any more. [Laughter.] You better get a mighty good lawyer and a timber estimator when you go there. Another thing, you better get a good team, because you have got to ride a long ways in North Carolina before you find any farmers who have any standing timber to sell. [Laughter.]

Mr. EDWARDS of Kentucky. I thank the gentleman for that information.

Mr. KITCHIN. It is all owned by the large stumpage-syndicate holders. [Laughter.]

Mr. EDWARDS of Kentucky. I would like to know if the gentleman will furnish me the information as to what good pine framing lumber, 12 to 16 feet long, is worth in his country f. o. b. cars shipping point?

Mr. KITCHIN. Two by eight, for instance?

Mr. EDWARDS of Kentucky. Yes.

Mr. KITCHIN. That brings from $15 to $20; it depends upon the grade.

Mr. EDWARDS of Kentucky. Free on board cars at shipping point?

Mr. KITCHIN. Yes. The lowest grade of it, the cheapest grade, about $12.50 at the mill and anything from there to $20. If it is No. 1 heart stuff, it will bring $25.

Mr. EDWARDS of Kentucky. I am talking about ordinary pine framing.

Mr. KITCHIN. Oh, we do not have any ordinary stuff down there. [Laughter.]

Mr. EDWARDS of Kentucky. It is all extra fine, is it? I will just say to my friend that he has my friend from Kansas [Mr. MILLER] scared to death about the exhausting of these forests, and I was trying to find an investment for him down in his country in stumpage. I am sorry he could not give me the information.

Mr. KITCHIN. I will tell the gentleman where he could go and get some good investments if he had the money. I would suggest that he go to the State of my friend FORDNEY—Michigan. Mr. W. I. Stewart, a tariff advocate, in an address before a western lumber association in 1905 stated, and my friend from Michigan corroborated him in a statement before the committee that, "For every three years during the last thirty years white pine has made an average increase in value of 100 per cent."

Twenty years ago your white pine could be bought in that State for from $3 to $5. Mr. Stewart says it is now worth $15 to $20, and the gentleman from Michigan [Mr. FORDNEY] said it is now worth $25 on the stump. I tell you, you get into the syndicate; perhaps the gentleman is already in it [laughter]; but I advise any man who wants to make a good investment to get in, if he can, on the ground floor with Brother FORDNEY and his crowd. [Laughter and applause.]

Mr. FORDNEY. Oh, the gentleman pays me a great compliment.

Mr. KITCHIN. That is because I like you and you deserve it. [Laughter.] Now, I want to look square in your face, without pointing my finger [laughter], and, honor bright, did you not really trick the Ways and Means Committee—I do not mean it in an offensive way—when you inserted that little proviso in the bill? [Laughter.]

Mr. FORDNEY. No; not in the slightest. The proviso was explained fully to every member of the committee, and, in fact, some of the committee members helped me frame the proviso. I am not a lawyer. I know but little about that.

Mr. KITCHIN. I believe that if I were on that committee you could not have fooled me in putting it in. [Laughter.]

Mr. FORDNEY. But the gentleman is a free trader.

Mr. KITCHIN. If I was for a high protective tariff, I would have whispered to you with a wink, "FORDNEY, you are the smartest man I ever saw for getting that thing through the Ways and Means Committee, when they wanted to revise the tariff downward." [Laughter.] I ask you now, honor bright [laughter], if you believe, if this bill passes with that proviso in it, that the tariff rates will be reduced a penny on any lumber imported?

Mr. FORDNEY. It will not, unless Canada gives up her logs.

Mr. KITCHIN. I am not talking about Canada giving up her logs. Do you not know it is impossible for every one of the Canadian Provinces to repeal and revise their customs and policies relative to taxation and rebates on timber, pulp wood, and so forth, in order to meet that provision? Every one, as I shall show later, of the Provinces, and each subdivision of them, must comply; otherwise the reduction in the Payne bill has no application, even to those that do comply.

Mr. FORDNEY. No; it is not, because Canada always did give us her raw material until the Dingley bill became a law.

Mr. KITCHIN. The gentleman is mistaken, if he means to say that there was no export tax on logs, pulp wood, and no rebate on wood manufactured there, in some of the Provinces, even before the Dingley Act.

Mr. FORDNEY. I beg the gentleman's pardon. In one single year 400,000,000 feet of logs were towed from Canada into the State of Michigan.

Mr. KITCHIN. But at that time, before the Dingley bill, there was an export tax by some of the Provinces on logs, and some did not impose the tax; and there always has been an export tax or a rebate on pulp wood sold by the government—as it owned practically all the timbered lands—if manufactured in the Provinces.

Mr. FORDNEY. There never was—never has been—an export tax on logs in our history. [Applause on the Republican side.]

Mr. KITCHIN. Let me say to the gentleman he is mistaken about that. The hearings in 1890, 1897, and the recent hearings will show that he is in error.

Mr. FORDNEY. I think you are mistaken. There never has been an export tax on logs in my memory, at all events.

Mr. KITCHIN. You are mistaken about that. Quebec has always allowed a rebate; Ontario has an embargo now; but Quebec and Ontario allowed a rebate on pulp wood to the manufacturers there, and Ontario at one time and another prior to the Dingley Act imposed a small export tax on logs.

Mr. FORDNEY. I am talking about logs.

Mr. KITCHIN. But now to the gentleman's proviso. I want this House to know——

Mr. FORDNEY. I stated to the House the other day just what you are going to state now.

Mr. KITCHIN. No; you have not.

Mr. FORDNEY. I stated that that was——

Mr. KITCHIN. Do you think if this bill passes and becomes a law that it will reduce the tariff one penny? If so, you are the worst mistaken man in the world.

Mr. FORDNEY. I did not want it to and did not so intend it. [Laughter and applause on the Democratic side.]

Mr. KITCHIN. I told you you made the best witness against your own cause I ever saw. [Laughter.] The gentleman admits that he put it in there for the purpose and with the intention of not having a single foot of lumber under this bill ever reduced one penny, and it will not reduce it. [Loud applause on the Democratic side.]

Mr. FORDNEY. Unless Canada gives up to us her raw material.

Mr. KITCHIN. Canada—that is, each one of her many Provinces—has never given to us or any Nation raw material, in the way contemplated by that proviso.

Mr. FORDNEY. She never prevented it until the Dingley bill became a law.

Mr. KITCHIN. You really must not have understood your proviso. But I can not believe this. You knew what you were doing when you wrote it. Ontario and British Columbia never prohibited exportation of logs until the Dingley bill; but Ontario, at times before, and also Quebec, imposed a small export tax, which, under your proviso, would debar them and all other Provinces, and, consequently, our own people, from the benefit of the reduction under the Payne bill.

Mr. FORDNEY. If there is anything I do not understand, please tell me, and I will be happy to know it.

Mr. KITCHIN. Let me again enlighten you. You said it was never intended to reduce——

Mr. FORDNEY. Not unless she gives up her raw material.

Mr. KITCHIN. I want the House to know that this schedule, with the proviso, is simply a makeshift to deceive the American people, who want removal or reduction of the tariff on lumber, and at the same time to satisfy the lumber interests. [Applause on the Democratic side.]

Mr. FORDNEY. Have I attempted to deceive anybody?

Mr. KITCHIN. I do not say you have, but I do say you have been the smartest fellow that ever tackled the Ways and Means Committee. [Laughter.] You have got a provision in it that makes a pretense that you are giving to the American people some reduction in lumber when, at the same time, you acknowledge it is not actually going to do it.

Mr. FORDNEY. I have intended simply that the United States Government shall not give up one penny of our revenues on imports of lumber unless Canada gives up her free raw material. That is all there is to it.

Mr. KITCHIN. There is more to it, as I shall prove. There never has been a "joker" or proviso like this upon the statute books and there never has been a bill presented to this House containing one like it.

Mr. HARDY. Read the proviso.

Mr. KITCHIN. You talk about your not being a lawyer. There is not a Philadelphia lawyer who could have imposed upon any committee such an ingenious proviso as you did upon Chairman PAYNE, Mr. DALZELL, and the other members of the Ways and Means Committee whom you hypnotized into the belief that it was all right and the tariff on lumber would be reduced. Let me read it:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon or any discrimination against any forest product exported to the United States—

It does not say on logs, but on any forest product—wood pulp, cord wood, kindling wood——

A MEMBER. Toothpicks.

Mr. KITCHIN. Toothpicks or anything.

Or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all the forest products of such country, when imported into the United States, the duties prescribed in section 3 of this act.

That is, the present Dingley Act rate.

Mr. FORDNEY. She could not ship any of her products and get the benefit of the rates fixed in the new bill unless she gives us her raw material.

Mr. KITCHIN. I have not yet called attention to the beauty of your trick. [Laughter.]

Mr. FORDNEY. Do not call it a trick. [Laughter.]

Mr. KITCHIN. I commend you. I congratulate you. I think that is the smartest thing I ever saw in a bill in my life. [Laughter.]

Mr. FORDNEY. Simply wise.

Mr. KITCHIN. I call especial attention to the words of the proviso: "There shall be imposed upon all the forest products of such country," and so forth, the Dingley Act rate. You will notice that if any country, dependency, Province, or other subdivision of government—a county, city, or township—imposes any export tax, rebate, restriction in any way, then the Dingley rate and not the Payne reduction applies to all forest products exported from all sections of "such country," and not simply from the province, dependency, or subdivision imposing such tax, rebate, etc.

Not only does the Dingley rate apply to the "Province, dependency, or other subdivision of government" which imposes the tax or rebate, but to all other sections or Provinces of such country, although all the "Provinces," and so forth, but one fully comply with this provision.

The act of one little Province of Canada or one little subdivision of a Province, although every other section and Province or subdivision meets in toto the terms of the proviso, is sufficient to prevent reduction of the tariff on the forest products of Canada and all her Provinces.

Mr. FORDNEY. All of them.

Mr. KITCHIN. For years, perhaps fifty years or more, Quebec, one of the Provinces of Canada, a subdivision of the Canadian government, has either put an export tax on logs or pulp woods or allowed her own manufacturers a rebate on pulp wood manufactured in the Province. It is a part of the policy of her government. It does not hurt us. It does not hurt the outside world. But it is a policy that she has pursued for years and years, and she has got to repeal that before a single foot of lumber or timber can come in here under the Payne reduction, not only from Quebec, but from any of the Provinces or sections of Canada, though every other Province or section complies fully with the proviso. Ontario at times levied, before the Dingley bill, an export tax upon cord wood and logs.

In other words, Quebec, Ontario, British Columbia, Manitoba, Alberta, New Brunswick, and all her other Provinces—each Province has her separate government, like the different States of our Union—each must revoke her policy and repeal her forest-product laws before the Payne reduction applies. All may do so and meet every requirement of the proviso but one little Province, yet that one is sufficient to make the Dingley Act, the present tariff, apply to all Canada and her Provinces.

A little Province like Alberta or New Brunswick could grant a rebate or impose, to raise revenue, an export tax of 10 cents a cord of wood or a thousand feet of logs or a thousand shingles; this would keep out, under the Payne rate, all forest products of all Canada. I will ask the gentleman from Michigan if that is not true?

Mr. FORDNEY. Surely. That was so intended.

Mr. KITCHIN. A few moments ago, during a colloquy with the gentleman as to Canada levying an export tax on logs before the Dingley Act, I asked the librarian to send me Senator Allison's speech on the tariff in 1888. I now have it. In his speech made in the Senate October 8, 1888, on page 9289, you will find that he stated that prior to 1888 Canada had put an export tax on logs. She then had a tax of $1 per thousand feet—that is, some of her Provinces.

And in 1888, and before then, and in 1897 there was in some of the Provinces an export tax on logs, also on pulp wood, but when the Dingley bill put from $2 to $4 tariff on their lumber Ontario and British Columbia retaliated by passing the acts forbidding exportation of logs, as I previously stated.

Mr. FORDNEY. Will the gentleman permit me?

Mr. KITCHIN. Yes, sir.

Mr. FORDNEY. Perhaps the gentleman is correct that at times there was an export tax. The gentleman made a statement a minute ago that there was an export tax, too. Now, I think the gentleman is mistaken.

Mr. KITCHIN. No; I am not mistaken; but I am not going to let the gentleman turn me away from this provision.

Mr. FORDNEY. I think Senator Allison was mistaken. I never remember of a time when there was an export tax on logs coming in from Canada, because as long as I can remember, up to the time of the adoption of the Dingley bill, logs did come from Canada into the United States without an export tax.

Mr. KITCHIN. Are you willing to admit now, and give your judgment as a Representative of this House, that if this bill becomes a law with this provision in it, not a single American hand will feel the sensation of cheaper lumber from the Payne bill and not a single foot of lumber will come into this country from Canada except under the rates of the Dingley bill? Is not that your judgment?

Mr. FORDNEY. Let me answer.

Mr. KITCHIN. What is your judgment?

Mr. FORDNEY. My judgment is that if this bill becomes law with that proviso as it now is—which I hope it will, but fear it will not—Canada must give up her raw material.

Mr. KITCHIN. No; but this relates to any little Province in the Dominion——

Mr. FORDNEY (continuing). She must give up her raw material, or the present rate of duty on her forest products, as provided for in the Dingley bill, will apply. I have repeatedly stated that, and state it again. I can not make it any clearer.

Mr. KITCHIN. I understand that someone appeared before the Ways and Means Committee and persuaded them that this proviso was complying with the Republican platform, and the gentleman from Michigan, in his speech on Saturday here, made the statement that it was in accordance with the Republican platform, and read the Republican platform to prove his assertion.

Mr. FORDNEY. Providing for raw materials.

Mr. KITCHIN. If that is his construction of it, I am going to show him I know more about his own platform than he does.

Mr. FORDNEY. I think you would change your politics if you knew as much about our platform as I do. [Laughter.]

Mr. KITCHIN. One of the many reasons why I am not a Republican is because I know too much about them and their platforms. [Laughter.] However, I have never had any hard feelings toward my Republican friends.

Mr. FORDNEY. Not at all.

explained fully to every member of the committee, and, in fact, of the reduction under the Payne bill.

Mr. KITCHIN. I have known a great many good Republicans in my own State, and I am most grateful to many of them. When I first commenced the practice of law they were very kind to me, and if it had not been for the number of them on the criminal side of the docket my family and I would have had a hard time. [Great laughter.] I have reason to believe that many of them think very kindly of me, for I do not reckon there is a man in the country my age who has kept more Republicans out of the penitentiary than I have. [Great laughter and applause.]

Mr. FORDNEY. If anybody in your district doubts that you are a splendid fellow, have them call on me. [Great laughter.]

Mr. KITCHIN. My friend Mr. FORDNEY, in his speech a few days ago, justified that provision on the ground that it was in accordance with the maximum and minimum clause of the platform of his party. His platform does not sanction it. Now, let me read you the Republican platform:

The maximum is to be available to meet discriminations by foreign countries against American goods entering into those countries.

Will you be willing to change the proviso in harmony with your platform, making it effective only in event any discrimination is made against American goods entering their country? Such a provision will be all right, because there is not a Province of Canada that will discriminate against American goods entering there. None discriminates against us now. Our goods enter on the same terms of equality as the goods of Germany, France, and all other countries. If any of them should discriminate against our goods entering there, then your platform demands the operation of the maximum rate as to the Province so discriminating.

Mr. FORDNEY. Will the gentleman permit a question?

Mr. KITCHIN. Do you not believe you have been a good witness this evening? Now, did your platform justify that provision?

Mr. FORDNEY. I believe it does. If it does not, I would like to have it amended so that it should.

Let me ask you a question.

Mr. KITCHIN. Certainly.

Mr. FORDNEY. If Canada put an embargo upon her wheat and would not permit wheat to come into our country, would you be in favor of Canadian flour coming into our markets?

Mr. KITCHIN. I would if our flour was controlled by a flour trust and our people needed bread. [Applause.] The language of your proviso is broader, more extensive, and, I may say, more ingenious than the case you put.

Mr. FORDNEY. Can you give to me any language that could make it any stronger? As a good lawyer, which I give you credit of being, can you give me any stronger language by which it could be put into that proviso?

Mr. KITCHIN. No living man, in order to keep out that Canadian lumber under the Payne bill and bring it in under the Dingley bill, could express it any better. [Laughter and applause.] The Chief Justice of the Supreme Court could not express it better than you have expressed it to accomplish your purpose. To the gentlemen from Kansas and the gentlemen from Wisconsin, Minnesota, and other Republican Members who favor this bill with the idea of getting a reduction of the tariff on lumber, I want to say to them that never a penny reduction will they get as long as such a provision remains in the bill.

Mr. FORDNEY. Now, my friend, that decision, coming from you, convinces me that it is quite correct.

Mr. KITCHIN. Now, Mr. Chairman, I want to show you how our lumber friends took this Payne reduction at first and how afterwards they "caught on" to the proviso. Just as soon as the bill was reported the papers throughout the country—I will not say it is your plan, but you were conscious of it all the time and sat back tickled to death with it [laughter]—stated that you had reduced lumber one-half. The Associated Press sent out over the 10,000 wires that stretch the country the glad news to the millions of consumers that the Payne bill had reduced the tariff 50 per cent, had cut it one-half on lumber, and that they were going to get cheaper lumber, and you laughed. [Laughter.]

Mr. FORDNEY. You said you would not point your finger at me any more. [Laughter.]

Mr. KITCHIN. Well, then came telegrams from the lumbermen in my district, "Fight the reduction; it will ruin us." Then came telegrams to the other Congressmen from lumber districts saying, "The Payne bill is going to destroy the lumber business of the South."

My friend and colleague Mr. POU, in his speech the other day, which was printed in the RECORD this morning, said a lumberman in his district had written him that it would ruin him to cut the duty one-half. Then came the American Lumberman of March 20, with protest after protest from the lumbermen all over the United States in it. My friend from Michigan takes it, I think. It is full of protests. But its editor, after he had time to study it and think about it, virtually says to the lumbermen, "Boys, be still; you are not hurt." I will quote from the editorial:

But, after all, a careful examination of the bill shows that the Ways and Means Committee—

I call Brother MILLER's attention to the fact that you have got to examine this bill "carefully" [laughter]—

But, after all, a careful examination of the bill shows that the Ways and Means Committee did take a broader view of the matter and has a clearer conception of the situation.

[Laughter and applause on the Democratic side.]

You Minnesota Republicans, whose state platform demanded free lumber, and you Wisconsin Republicans, whose legislature instructed you to vote for free lumber, and you South Dakota Republicans, whose state convention declared for free lumber, and you Ohio Republicans, whose legislature memorialized you to vote for free lumber, do not be fooled by Brother FORDNEY's proviso; this "joker." [Laughter and applause.]

Mr. MILLER of Kansas. I do not know why the gentleman from North Carolina should insist that I give more careful consideration to this bill than I have already done. My cursory examination of it led me to believe that the gentleman from North Carolina was right about it. A more careful consideration might lead me to believe that he is wrong about it, and it probably would. [Laughter.]

Mr. KITCHIN. That is what I am afraid about. You have some provisions in it that are all right, but I am afraid after these protected beneficiaries and after the Senate gets through with you, all of you will give more "careful consideration" to it and will vote in the interest of the trusts and against the American people. [Applause on the Democratic side.]

Let me read further from the American Lumberman:

This is an important provision, and makes some amends for the reduction against which the lumbermen protested. There is hope in this provision.

[Laughter.]

They are satisfied with it, gentlemen. This journal insisted, however, that the Ways and Means Committee ought to have had the courage to come out and put on the $2 duty in the open, without hiding the protection in this proviso, as the lumbermen had come to the Ways and Means Committee and made a straightforward, open fight—that the Ways and Means Committee ought to have measured up to the responsibility of courage and put back the Dingley rate, and not obscure it in a provision like that.

Mr. FORDNEY. The Dingley bill does not give us the raw material.

Mr. KITCHIN. Brother FORDNEY, you have already admitted yourself and your case out of court. [Laughter.]

Mr. FORDNEY. Is not that right? Under the Dingley bill we do not get the raw material from Canada.

Mr. KITCHIN. You do not get it because of the Dingley bill, as I just told you a little while ago. British Columbia and Ontario, from which you formerly could secure logs, according to your own statement before the Ways and Means Committee, retaliated because of the Dingley bill and absolutely prohibited the exportation of logs to this country.

And that gives the stumpage holders in the great West an absolute monopoly, and they are determined that the tariff shall remain as it is, so as to make Ontario and British Columbia keep in force their retaliatory measures against exportation of logs. Remove the tariff and they will at once repeal these retaliatory acts, and the sawmill men and the men who wish to engage in the business will not be held up by the timber syndicates of the West.

Mr. FORDNEY. If we could get the raw material as we did under the Wilson bill, you would destroy the monopoly?

Mr. KITCHIN. Does the gentleman know Mr. Goodyear?

Mr. FORDNEY. Yes.

Mr. KITCHIN. He is a big lumberman, whose companies own hundreds of thousands of acres of timber lands in the West and in the South, and is a tariff advocate. He is president, I believe, of the largest lumber company in the South. In 1897 he appeared before the Ways and Means Committee in favor of the rate under the Dingley tariff bill. He declared in his testimony that any duty that would keep logs from being exported from Canada to this country would destroy many sawmills along the border in this country and throw thousands of men out of employment.

After the Dingley bill was passed exportation of logs was prohibited, and it did throw thousands of laboring men out of

employment and destroyed many of your mills; and your American laborers, in order to get better prices, went to Canada and were employed by the lumber mills there. By the way, that fact itself knocks up all the lumbermen's plea about oriental cheap labor in Canada. Why, the Southern Lumberman stated in December, 1908, that American laborers that had been working at the sawmills of Michigan, Minnesota, and Wisconsin had gone to Ontario. They went there because they could get better wages than your people in the Northwest that owned an absolute monopoly of the stumpage would pay them.

Mr. FORDNEY. That is a sad mistake.

Mr. KITCHIN. I am not taking this from any free-trade lumber advocate now.

Mr. FORDNEY. Where does the gentleman get his information that Canadian wages are higher in the sawmills than in the United States?

Mr. KITCHIN. The gentleman takes the Southern Lumberman, published in Nashville, Tenn., an organ of the lumbermen, but he does not read it.

Mr. FORDNEY. It is a Democratic paper.

Mr. KITCHIN. I do not know its politics. I do know it is one of the strongest and hottest tariff advocates in this country. I will read from the issue of December 5, 1908.

Mr. FORDNEY. Who is this by?

Mr. KITCHIN. The editor of the lumber journal.

Mr. FORDNEY. Who is the gentleman making the statement?

Mr. KITCHIN. Let me read:

In Ontario and one or two other central Provinces the difference in wages—,

Between them and the United States—

seems to be slight. Most of the labor employed there is American labor, which has gone over to Canada during the past six or eight years, as lumber operations have decreased on our side of the line in the Lake States.

[Applause on the Democratic side.]

Mr. FORDNEY. Is that an editorial?

Mr. KITCHIN. Yes.

Mr. FORDNEY. I put my opinion against it, and I do not think there is 1 per cent——

Mr. KITCHIN. Will the gentleman put his opinion against that of Mr. Pinchot, a tariff advocate?

Mr. FORDNEY. On what subject?

Mr. KITCHIN. Comparative cost of labor here and in Canada.

Mr. FORDNEY. As to American labor employed in Canadian mills?

Mr. KITCHIN. American labor here and Canadian labor there. I am going to show you tariff advocates that labor in Canada is as high as here. It is said that Mr. Pinchot was a strong advocate for the removal of the tariff on lumber until the big banquet at the New Willard, which he did not attend, but which all the lumber friends did. Then he wrote a letter to Mr. PAYNE on March 12, just before we returned here in extra session. In that letter he says:

The average cost of logging and the manufacture of lumber is probably as great in Canada as it is in the United States.

[Applause on the Democratic side.]

Did the gentleman from Michigan read that letter?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Well, he said that, did he not?

Mr. FORDNEY. I want to ask the gentleman where he has anything to show that Mr. Pinchot ever favored free trade in lumber.

Mr. KITCHIN. The point is not whether he ever favored free trade in lumber or not, but what did he say about the difference between American and Canadian labor wages. [Laughter.]

Mr. FORDNEY. The gentleman does not understand me. Has he anything where Mr. Pinchot ever went on record asking for free trade on lumber?

Mr. KITCHIN. I understood, and every man on the Ways and Means Committee understood——

Mr. FORDNEY. Oh, no. I am one of that committee, and I never understood.

Mr. KITCHIN (continuing). Except the gentleman from Michigan, and now, honor bright, again [laughter], in his first testimony did he not leave the impression on everybody except the gentleman from Michigan that he was in favor of free trade on lumber?

Mr. FORDNEY. Never in his life. He never uttered a word to that effect in my presence.

Mr. KITCHIN. Well, then, I will say that every other man in the United States who had been keeping up with him supposed he was at one time in favor of free trade in lumber; but when he wrote the letter from which I quoted he was a tariff advocate.

Mr. FORDNEY. Had been supposed to be, yes; but ask any member of that committee who is present here if he ever stated that to them.

Mr. KITCHIN. If the gentleman is right, that makes his statement so much the stronger. Here is a distinguished man, as the gentleman claims, and a lifelong advocate of a tariff on lumber, who admits that labor is as high in Canada as over here.

Mr. CLARK of Missouri. Will the gentleman yield for a moment?

Mr. KITCHIN. Certainly.

Mr. CLARK of Missouri. If the gentleman from North Carolina will yield, Mr. Gifford Pinchot, I will state, did more to build up the sentiment in favor of free lumber than any other man on the American Continent, and he educated President Roosevelt into sending in those messages here in favor of free lumber to conserve the American forests. [Applause.] And he helped convert me.

Mr. FORDNEY. Will the gentleman permit? Where did you get that information?

Mr. CLARK of Missouri. I got it up here in my head. [Laughter.]

Mr. FORDNEY. How did it get there?

Mr. CLARK of Missouri. Because he was everlastingly bellowing around here for free lumber to preserve the forests. [Laughter and applause.] In that very same speech of Mr. McCormick's, that I read that very same night it was delivered, Mr. McCormick was wedged between Mr. Pinchot, on the one hand, and Mr. Roosevelt, on the other, and all three of them made speeches in favor of free trade in lumber to conserve the American forests.

Mr. FORDNEY. I beg to differ with the gentleman. I think he is mistaken.

Mr. KITCHIN. The point I make is this: These lumber-tariff advocates have scared our lumbermen and some of our friends here from the South to death about this "cheap, pauperized oriental" labor in Canada. I have received hundreds of letters and resolutions from chambers of commerce and lumbermen and lumber associations all through the South protesting against any change in this tariff schedule, because, they claim, it would force them to compete with "pauperized, oriental" labor in Canada. I want to say that this deception has been practiced by tariff advocates for years on the American people in respect to this lumber question. In 1890, during the hearings under the McKinley bill, which reduced the tariff on lumber 50 per cent, as the Payne bill proposes—and that did not have this proviso in it—lumbermen from the West, from the gentleman's State, Michigan, came here and protested against any change in the lumber schedule.

They got up just like they do now and spoke about this cheap oriental pauperized labor, declaring that Canada was only paying 50 per cent of what we were paying here, until finally a good, straight fellow from the gentleman's own town, Mr. Loveland, got up, after one or two witnesses before the committee had pointed to him as one who knew all about the condition of labor in Canada. He said that gentlemen were mistaken about the difference in the cost of labor over there and here, and further said:

It costs a little more to lumber in Canada than it does here.

He showed, too, that our labor was much more efficient.

Mr. FORDNEY. Now, will the gentleman pardon me?

Mr. KITCHIN. Yes.

Mr. FORDNEY. There is no doubt about that. Right now it costs twice as much to put a thousand feet of logs onto the market in Canada and convert it into lumber as it does in the State of Mississippi, but that is not due to the difference in the cost of labor altogether.

Mr. KITCHIN. That is a most valuable admission, coming from the high priest of lumber protective tariff.

Mr. FORDNEY. Oh, pardon me; but I want to do the gentleman justice and do justice to my friend Loveland. In Canada the country is very rough, and the timber on the front is all cut off, and they must go back to the head of the streams, in the rough countries, where it is expensive to get supplies and build roads and such like; and those are the things that enter into the cost of getting out the timber.

Mr. KITCHIN. But let us turn to the hearing on the Dingley bill in 1897. They came again before the Ways and Means Committee and asked for the Dingley tariff rate, which was finally given, to protect them from the "cheap pauperized labor" of Canada; and again we find some straight, square lumber-tariff advocates knocking out the cry of cheap Canadian labor.

Let me read from a memorial filed by some lumber manufacturers in the State of Maine, all tariff advocates, before the committee:

The cost of getting supplies and labor on the Maine side of the river will average about 25 per cent greater than on the Canadian side. The difference in expense is largely in the cost of getting supplies to the lumber camps on the Maine side.

At the recent hearings before the Ways and Means Committee it was testified by men who employed labor, both here and in Canada, that labor, if anything, was a little higher in British Columbia; and this is the Canadian Province in which my friends, Mr. HUMPHREY and Mr. CUSHMAN, of Washington, have held up this oriental, Japanese, Chinese, and Hindoo pauperized-labor bugaboo.

Mr. FORDNEY. Pardon me, that statement comes from Mr. Lynch and Mr. Rogers, who are manufacturing in British Columbia, advocating free trade, because they want to get their lumber into the West and North Dakota.

Mr. KITCHIN. I am going to read from one of the strongest tariff advocates from the State of Washington, who said the same thing. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. Will the gentleman permit me a question?

Mr. KITCHIN. Just a question.

Mr. HUMPHREY of Washington. Just a question. I am going to ask the gentleman this: The gentleman does not contend that on the Pacific coast and in British Columbia that no oriental labor is used?

Mr. KITCHIN. No; I do not. I have seen the pretty pictures produced in the hearings and printed here that show some 200 Orientals. I say this: You work on the Pacific coast in the United States 2,000 or more Orientals in your sawmills. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. No; I emphatically deny that is true. There are 41 Orientals working in all the shingle mills in the State of Washington.

Mr. KITCHIN. I am not talking about shingle mills. I am talking about lumber mills.

Mr. HUMPHREY of Washington. There are less than 1,500 out of 110,000. Now, I want the gentleman to be fair——

Mr. KITCHIN. You will find on page 3170 a memorial from your Pacific coast lumbermen admitting that they employ about 2,000 Orientals in their mills; that is, they say they do not exceed that number.

Mr. HUMPHREY of Washington. To exceed that.

Mr. KITCHIN. They say that Japanese are employed in the sawmills to some extent in Washington. In order to hoodwink, in order to stir up prejudices of the American people against the Canadian lumberman, they had photographs made of Orientals working in the mills of British Columbia and put them on exhibition here. They had an energetic kodaker to go through the country in British Columbia, and he found about 150 or 200 Orientals working at the different mills there, and they have had these pictures printed in the Hearings and have scattered them broadcast throughout the country, as if all the laborers there were Orientals. Yet that same kodaker could go to the 2,000 Orientals working at the mills in the States of Washington, Oregon, and California and get enough pictures to fill this book. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. I explained the other day how these photographs happened to be taken. They were taken at my request——

Mr. KITCHIN. You were very careful not to take pictures of the Hindoos and Japanese at work in the Washington sawmills. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. For the very good reason that there is not one Hindoo in the State of Washington working in a sawmill.

Mr. KITCHIN. How about Japanese and Chinese? This memorial of your Washington Lumber Association admitted that you did work about 2,000 Orientals in your mills.

Mr. HUMPHREY of Washington. Not Hindoos.

Mr. KITCHIN. But Orientals?

Mr. HUMPHREY of Washington. The gentleman does not know what he is talking about when he makes that statement.

Mr. KITCHIN. Does not the gentleman know that Japanese and Chinese get less for their labor than Hindoos? Does not the gentleman know that?

Mr. HUMPHREY of Washington. No; I do not. I know they all get their work in British Columbia. They do not work for us.

Mr. KITCHIN. I have here the testimony of a tariff advocate that appeared before the Ways and Means Committee on this labor question, who lives in the State of Washington. He said in his testimony that he had come 3,000 miles here to testify before the committee to urge that the tariff on lumber be retained.

Does the gentleman from Washington know a gentleman by the name of F. H. Lamb, of Hoquiam, Wash.? Here is what he says. Remember, the other tariff advocates that preceded him, in order to prejudice the committee and stir up some of the southern Members on that committee against oriental cheap labor, testified as to the great difference in the cost of labor over there. This gentleman, differing from the others, says:

The question of wages as an item of logging cost has been gone into very fully, but I simply wish to state, in my opinion, the difference in cost of wages between British Columbia and Washington is very small.

And then he proceeds to show that there is no difference. He is a practical lumberman, owning large tracts of timber and engaged in the timber or logging business.

Mr. HUMPHREY of Washington. That is in the logging camps. They are not permitted to use Orientals in logging camps.

Mr. KITCHIN. Now, gentlemen, I make the bold assertion that there are more Orientals working on the Pacific coast in sawmills than there are in British Columbia. [Applause on the Democratic side.] The prejudice against Japanese is so strong in British Columbia that years ago they passed a law prohibiting a Japanese or Oriental from even working in the logging woods.

Mr. HUMPHREY of Washington. I challenge the gentleman's statement and I challenge him to furnish any evidence to substantiate the statement he has made, because he is mistaken about it. He has reference to the employment of Orientals in the mills in the State of Washington.

Mr. KITCHIN. In British Columbia, in the logging woods.

Mr. HUMPHREY of Washington. They do not employ them in the logging woods in British Columbia, because they are prohibited from doing so by law.

Mr. KITCHIN. That is the point I am making. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. But not true as to the mills.

Mr. KITCHIN. I am trying to show to this House that there are more Orientals working in mills in Washington and on the Pacific coast than there are in British Columbia. The evidence before the committee proves it. And as further evidence, I show you that there is more prejudice against the Japanese and Orientals in British Columbia than there is in Washington. They forbid them working in the logging woods, but you let them do it in Washington.

Mr. HUMPHREY of Washington. Yes; but we do not employ them.

Mr. KITCHIN. You let them work there for nothing, then. We talk about admitting or excluding Japanese from our shores. Yet British Columbia is ahead of us. Two years ago a treaty between British Columbia or Canada and Japan was ratified, by which only 400 Japanese can leave Japan for British Columbia a year. Have we got anything like that? That shows the prejudice against them. Another thing, they tax every Chinaman $500 a head for even putting his foot upon British Columbia soil.

Mr. HUMPHREY of Washington. And over a thousand of them came in last year and paid their $500 apiece, too.

Mr. KITCHIN. To do what?

Mr. HUMPHREY of Washington. To work in the lumber mills and shingle mills.

Mr. KITCHIN. Wages must be mighty high there if a poor, miserable Chinaman is willing to pay $500 for the privilege of working in their mills. [Loud applause on the Democratic side.]

Mr. HUMPHREY of Washington. Now, will the gentleman just permit the one more question upon that proposition? I know the gentleman, and I know he does not wish to misrepresent my State. In the city of Seattle, where we employ over 4,000 men in the lumber mills and shingle mills, there is not a single Oriental among the 4,000.

Mr. KITCHIN. There is testimony that there are dozens and dozens of mills in British Columbia that never had an Oriental working in them, and your photographer went around through the mountains and valleys of British Columbia seeking, with a little kodak, the sight of a Jap or Chinaman or Hindoo, or wherever they could catch one at a mill, he snapped him and put him in this report here. [Laughter.]

Well, I admired the art and ingenuity of his pictures, but I did not intend to permit this House or the country to be deceived in the matter, and I am prepared to show by your own Washington lumbermen that you have more Orientals in your mills in Washington and on the Pacific coast than they have in British Columbia. [Applause.]

Mr. HUMPHREY of Washington. If the gentleman will allow me, I will state that the photographer did not visit all the mills that employed Orientals.

Mr. KITCHIN. How many did he find?

Mr. HUMPHREY of Washington. He visited 13 mills.

Mr. KITCHIN. Now, did not the fellow really visit all the sawmills where you thought, or he thought, he could find any Japanese, Hindoos, or Chinese? This would have been the proper thing and more prejudice could have been stirred up.

Mr. HUMPHREY of Washington. Not at all.

Mr. KITCHIN. Oh, if he could have found any more, I rather think he would have done so and brought more of the pretty pictures here, and the hearings would have been full of them.

I do not believe that these gentlemen will further insist that labor is higher here than in Canada.

Mr. HUMPHREY of Washington. Yes; if it is addressed to me, I will say that, so far as the white labor is concerned, there is practically no difference. I try to be fair in this matter. So far as oriental labor is concerned, it is less efficient, but at the same time it costs less to produce a thousand shingles by oriental than it does by white labor.

Mr. KITCHIN. The gentleman has in his head shingle mills. We are discussing sawmills. I could stand here all night and show the errors of the tariff advocates on this question. There have been more misinformation and more fallacies scattered among the lumbermen of the South and in this country on this question than on any other question that was ever presented to the people of this country. But I wish to refer briefly to a statement made by Mr. Hines and also by my friend Mr. FORDNEY. Mr. Hines, I believe, from the way the committee conducted itself toward him, was considered the best tariff witness that appeared before it. Both he, in his testimony, and Mr. FORDNEY, in his speech the other day, in order to show the great advantage that these Canadians had over our lumbermen, said that Buffalo, Detroit, Huron, Saginaw, Chicago, Cleveland, and Toledo are the cities that distribute lumber to the great consuming lumber States.

They say that now, under the present tariff law, the Canadians can get their lumber into these cities with a freight of from $1.25 to $2 per thousand feet; that it would average a dollar and seventy-five, whereas our southern mills have to pay $11 per thousand freight, and the mills even in Wisconsin paid $7 to get lumber into these districts or cities. Let us analyze the proposition. They either overprove their case or we in the South have nothing to fear from that quarter in case the tariff is removed. According to them, Canada gets her lumber into these distributing districts at a freight rate of $1.75, and our people from my section, the South, have to pay $11 freight. Add to the $1.75 freight which Canada pays the $2 tariff, making $3.75, which it costs, tariff and freight, the Canadian to put his lumber into these markets. The southern mill pays $11 freight alone.

This leaves in the southern freight rate alone a margin of $7.25 per thousand feet for the Canadian, after paying tariff and freight, over the southern lumberman, provided these chief apostles of protection are correct. He also has a margin of $3.25 over his lake-states competitors. Now, I want to put it to your intelligence: With this margin to the Canadian of $7.25 a thousand over the southern lumberman and $3.25 over the Wisconsin or lake-states lumberman, why does he not flood the country and drive the southern and Wisconsin lumberman from these markets even under the present tariff? Why has he not done so already? The failure of the Canadian to do so proves one of two things—either that my friend FORDNEY and my friend Hines widely overstepped the mark or that Canada has not the timber to compete with us. They made out too good a case.

Some of my colleagues of the South argue that this bill gives a high tariff to the woolen, the steel, the glass, the earthenware, the clothing, and agricultural-implement industries, and that it is unjust and unfair not to give to the lumber industry a protective tariff, and hence they justify their vote for protection on lumber; but they are willing to vote for a removal of the lumber tariff if the tariff is reduced or removed on the other industries. This argument will not stand the test of a moment's reflection. In the first place, the lumbermen themselves, according to their own testimony before the committee, are in favor of a high tariff on all these industries. They recognize the inevitable logic that to be a protectionist on one you must be a protectionist on all. If it be true that a removal or reduction of the lumber tariff will destroy or injure the lumber industry of the South, of which my colleagues are so fearful, how would a removal or reduction of the tariff on the other industries mentioned lessen the ruin and disaster to the lumber industry of the South? Would not the reason still be just as strong for the tariff on lumber to save the industry, whether the tariff should be removed or reduced on the other industries? Would not the tariff on lumber, if true now, be still a "Democratic tariff for revenue only," whether the tariff is reduced or removed on the other industries? Would not my colleagues have the same argument then as now? But they state the proposition from the view point of Republican protection to the few manufacturers. Let us state the proposition as it is from the view point of Democratic protection to the millions of consumers—the merchant, the mechanic, the farmer.

He is robbed by the steel manufacturer, by the glass manufacturer, by the woolen manufacturer, by the shoe manufacturer, by the hat manufacturer, by the agricultural-implement manufacturer, by this protective tariff, and now his Representatives in Congress say that it is only fair and just to him that he be further robbed by the lumber manufacturer. This argument announces a new doctrine in the Democratic creed—"Equal robbery by all, no relief from any."

Mr. Chairman, I have attempted to show that the narrowing supply of the timber in this country is under the control of a few big syndicates or, as my tariff friends say, "in strong hands;" that they are the real beneficiaries of the tariff on lumber; that a removal of the tariff would loosen their grip from the throats of millions of our fellow-citizens of the West; that the plea of "cheap" "oriental" "pauperized" labor of Canada is a delusion—that labor is as high there as here; that a removal or reduction of the tariff would not affect the lumber interests of the South.

If, however, I am mistaken in its effect on the lumber interests of the South and its removal or reduction would give to the people of my State and the South cheaper lumber, I will recall with consolation the language of North Carolina's great commoner, the late Senator Vance, in his famous tariff speech in the Senate:

Free lumber, like free salt, will be a blessing to the poor.

Apologizing for consuming so much of its time, I thank the House for its patience. [Prolonged applause on the Democratic side.]

Mr. PARKER. Mr. Chairman, we may well be glad that we have had this general debate, by which Members of the House have learned each other's needs, and that all have their share in the American system, whereby every American gives a preference to what comes from the American farm, forest, mine, and mill. North and South, East and West should have learned that it is no question of sectional advantage, but of the general benefit that flows from dealing with each other. It is no mere question of prices, nor is it one only of wages. It is not merely a money question, of profits or home markets, nor only a social question of the building up of communities, nor only a political question of creating a state of national independence for peace and war, nor is it only a national question of uniting every employment and every locality by mutual interests and mutual dealing. It is also a far greater question; that is, of the encouragement and organization of the productive forces of the Nation—the education of hand and mind in that progress in the mechanic arts, that industrial development, that mastery of man over matter, that dominance of the powers of nature, which is the distinctive mark of modern civilization and which seems in every decade to revolutionize the lives and work of those nations who are wise enough to take part in that march.

We are learning by this debate that industry is national, that the farm, the forest, the mine, and the mill can not be separated, but must be considered together; that we must not think only of ourselves, but of each other. We must encourage agriculture and the products of the soil. America would not be content to be dependent on other countries for her food, as England is now. We must encourage and regulate the forest and the mine, so as at once to use and also to preserve and develop their resources. This is no easy task, and the question of lumbering and the destruction of forests is great and difficult. We must go forward in the mechanic arts. China teaches us that to stand still is to go backward.

Protection is no mere question of prices, though the greatly reduced duties of the Payne bill assure us that protected industries have usually greatly lowered prices. A country town that gives land for a mill expects other benefits than low prices. The fathers of the Constitution were farmers, and they expected no cheaper prices, but dearer, when they passed the first protective tariff for the encouragement of manufactures.

If the tariff in some cases makes higher prices, the tariff is a tax, but every class can well afford to pay that tax. The farmer can well afford to pay to bring the mill into his own native land and near to himself so that he may sell his crop without loss of price in the profits of jobbers and exporters and in foreign freights. He can then market bulky crops like hay, and perish-

able crops like fruits, vegetables, and milk, and thus bring into use different soils, preserve fertility, and diversify agriculture. His own nation will buy of him all that they need every year, while other countries only buy when their own crops are short. In foreign trade we already have great rivals in wheat, and Egypt teaches us not to be too confident of our monopoly of cotton. The American farmer should find his hope and strength in the ever-expanding home market created by protected industry.

But the farmer gets still greater good from the building up of communities. Manufacture and business demand and create facilities in which he shares—roads, railroads, stores, towns, schools, libraries, churches, telegraphs, trolleys, newspapers—and in all these the farmer's growing family find education and employment according to their several bent and ability. Thereby the nation becomes strong in that productive power which is its real wealth. Each occupation helps the other. It is the American machine shop that puts the sewing machine in every farmer's house and the reaper in his fields.

Free traders say that the country would lay by more money if it would only do what is most profitable for the time, but the fall of the Spanish Empire proved that mere accumulated wealth may be weakness instead of strength. It is not weight that makes the man, but balanced and vigorous muscles. It is not bonds and stocks and the profits of trade that make the nation, but the power to produce in greatest quantity everything that is needed for peace or war. It matters little whether a particular industry at any time be profitable or not, for it is only by pursuing that employment that we learn to make it profitable. Every industry is an infant compared to that of the next decade. In the last forty years at least five new methods for making steel have followed each other. Protected farming has introduced to our farms the fruits of the Tropics and the Orient. Electric power is new to this generation, and American devices and machinery are now chaining the waterfall to the trolleys and mill wheels of the distant town. The fathers of our country would have looked aghast at the steamship and the railroad of fifty years ago, and the citizen of that time would look with equal awe at the telephone, the phonograph, the auto, and the fiery hissing of the electric rail. We should protect our industries whether they pay or not in order to keep our people in every productive employment wherein they may learn to do better. Consider the fact that mechanical progress is what makes modern civilization. The ancients had law, literature, religion, empire, but modern civilization began when the compass opened the New World, when gunpowder broke down the robber castle and opened the highways to the nation, when the printing press made learning common to all, and when the gearing of the Saxon water mill began to make the forces of nature do the work of man.

What matter, then, if work pay, for power to produce is our "common wealth." Physicians tell us that one-seventh of the human body is wasted and replaced in every year. Figures seem to show that in the live and active nation the same is true of the property of a nation. It is the power to produce, the power to replace and to grow, which is our "common wealth," the res publica; and it is this productive power which the Republican party, as the party of the Commonwealth, has known how to foster and maintain.

There is a moral to all this. The productive energy of the farmer, the woodman, the stock raiser, the miner, and the mill, as well as of the humblest workmen and hands in their employ, is equally deserving of protection. We must be careful, it is true, that we do not confuse production with waste of natural resources. But away with the idea that a man should not be encouraged because what he makes is the raw material for some other man, or that an industry should not be protected because its products can be bought cheaper abroad. It is the work that is valuable for itself, and not its product. It is the education and progress of our people in every branch of human productive energy which we must look to. If the tariff be sometimes a tax, it is a school tax for our training in every branch of handicraft and of productive employment.

Let us look only to the question stated by our last platform, whether the duty is sufficient to enable any work to be carried on with such reasonable profit and fair wage as shall induce Americans to go on with that work. The reward is in doing the work. That work itself is the wage and the wealth of the worker and of the Nation.

Let us come together and agree, so as to modify, but only in order to perfect, the great American system of protection, to which we owe prosperity and progress. Let us avoid all narrowness and see that good goes to all who do good work.

To do good to the least of these our brethren is to do good to ourselves. Each member that is at work helps the whole body politic. To exercise the arm sends life-giving streams into the whole body. Let us keep our people at useful work, so that "the whole body fitly joined together and compacted by that which every joint supplieth, according to the effectual working in the measure of every part, maketh increase of the body unto the edifying of itself in love."

My city is one of mills, with thousands of different industries and fifty or sixty thousand workmen. I am working for them with all the energy that I possess, but I would not ask protection for a single one if I did not believe that the energies which they display work for the good of the Nation.

Mr. Chairman, I believe in a protective tariff; not because it gives any man wealth, but because it teaches the whole Nation to recognize that national wealth lies in the organization and protection of all our work, so that it is done better from day to day; so that our people are learning by the only effectual schooling, which is that of doing things; and so as to create that independence in peace and in war that has made us the greatest Nation of the world; where the arteries of commerce reach on iron rails from sea to sea; where the nerve currents speed over the wires of the telegraph with the rapidity of lightning; where the pulsating hearts of our steam engines give giant power that we can control, manage, and distribute to each worker; and where American invention finds full play and scope. It is a system whose end is not to lay by wealth, but to create that which is of so much more importance than wealth—strength and productive power.

It is nearly a century ago that Frederick List, afterwards the father of German protection, laid down in this country the fundamental doctrine that a nation's well-being lies in its productive power. Without it all the wealth of England fills its poorhouses and streets with the unemployed. With it each man, by work, is better day by day, and it can only be had if we, like the great fathers of the doctrine of protection, recognize that every form of production throughout this broad land is equally worthy of being considered, encouraged, and preferred in all our dealings, binding us together as one Nation in heart, as we are one in interest. [Applause.]

Mr. RICHARDSON. Mr. Chairman, the real issue presented by this tariff bill is, Shall the policy of protection for protection's sake, for the benefit of special and favored home industries, be continued in our country? In its last and true analysis the Republican party in this bill and every tariff law enacted by that party has stood for and stands now for this doctrine. If a duty for protection of a home industry incidentally or otherwise produces revenue the Republican theory is that the imposition of such a duty was not for revenue, but it was to prohibit foreign competition with a particular home industry. The Democratic party contends that every tariff duty imposed should primarily be for revenue, giving such incidental protection between the actual and honest cost of labor at home and abroad. That is the issue on the floor of this House now between the Republican and Democratic parties.

The Republican party carried most reluctantly in its last platform a plank that recommended such a revision of the tariff as would cover the difference in the cost of labor at home and abroad and at the same time give American industries a fair profit. It will be readily remembered in all of the previous platforms of the Republican party about the tariff the contention was that the measure of protection should always at least equal the difference in the cost of production at home and abroad. The cry heretofore had been, "The wages of our laborers must be protected against the pauper labor of Europe." The false pretense about the protection of our labor by a tariff, covering the difference of the cost of production at home and abroad, had become well known to the public, and so at Chicago the men who stand for protection for protection's sake adroitly added the comprehensive and significant words "together with a reasonable profit to our American industries."

I merely mention this in order that the searchlight can properly be turned on this bill. The gentleman from Ohio [Mr. LONGWORTH], with most commendable frankness, said in his remarks on the bill on the 27th:

> I am aware that many of my Republican brethren say that there was no promise given, either expressly or implied, in the Republican platform or during the campaign for a downward revision. I do not so interpret it.

Does anyone contend that the public clamor for the revision of this tariff meant that duties must be increased? Do we not find in that expression from a prominent Republican—a member of the Ways and Means Committee—ample justification for a well-founded suspicion that the Republican party, through its stand-pat leaders, according to its habits and convictions, is again, through the Payne bill, taking care of the special interests against the interest of the consumers?

It seems to me that there ought not to be any illusion about this proposed tariff legislation. There never has been a Republican tariff bill framed in the interest of the consumer, nor one that did him partial justice, and such a bill will never be framed and made a law until the Republican party is chastened by a deserved and wholesome defeat. The protected interests will substantially get what they want, as is demonstrated by this bill. We have but to revert to the very recent declarations of the leading standpatters on the floor of the House, of their unchanged and unchangeable faith in the sacredness of every schedule of the Dingley tariff, to teach how futile it is for us to expect or hope for any relief to the great body of consumers in this bill. Why, then, should we be misled in the plain and simple analysis as to what this bill means?

The Republican party, in the every opportunity of its history, has uniformly increased the duties of every tariff bill it has framed over its predecessor since soon after the close of the civil war. The country knows how reluctantly and unwillingly the Republican party has been forced by public demand to make this effort to revise the present tariff law, and revise it downward in the interest of the consumers. Will it be done, and has it been done in this bill? It is manifest by the full scope of this bill that the Republican party on the matter of a fair revision of existing duties "convinced against its will, will be of the same opinion still." This bill tells its tale. There are many striking and suggestive features presented in the discussion of this bill. The distinguished chairman of the Ways and Means Committee, the gentleman from New York [Mr. PAYNE], said, in the opening of his speech, that when the Dingley law was enacted the Republican party was looking for revenue. Has it been found? Has it met the demands of the country for revenue? The chairman further said that the Dingley law had proved to be a "boon." In what way? Under its shelter and protection and during its history the imperial power of wealth has been fostered and multiplied under the baneful greed of the monopolies this law created. Within the life of this law the wealth of the country has been more rapidly concentrated in the hands of the few than any other equal period of the history of our country. Quite two-thirds of the mighty trusts of this country were born and nurtured by this law. Does the able chairman of the Ways and Means Committee accept such a condition as a "boon" to the 90,000,000 of people of our country. During the continuance of this law which the Republicans so lustily declare to be the alpha and omega of our national prosperity, that brings the sunshine and the rain, the country has been stricken with a commercial panic equaled not by more than one in the history of our country, and from which the whole country to-day is suffering.

We have been taught and believe that cheap food is the greatest boon to mankind. It makes happy, contented, honest, industrious, and Christian citizens, and is the bulwark of patriotism. Yet, during the life of this Dingley law, that the distinguished chairman declares to have been "a boon" to all, the cost of living, as our common experience teaches us, has far exceeded any period of our national life. The last bulletin of the Labor Bureau, under the caption of "Annual Per Capita Cost of the Necessaries of Daily Consumption," says the cost rose from 74.31 in 1896 to 107.26 in 1906. Coal which cost $3.50 in 1896 cost $4.50 in 1906. Rents have gone up in same proportion to food. The last government bulletin on wages covers an investigation of 4,000 establishments, employing 334,000 persons engaged in manufacturing and mechanical industries. This bulletin shows that in 1906 the weekly wages of the 334,000 were 19 per cent higher than in 1896, while the cost of all the necessaries of life was 35 per cent higher. This comparison was made in industries where the forces that raise wages act more freely and successfully than in any other line; and yet from 1900 to 1904 this country increased its wealth about twenty billions of dollars. Is such a condition, I ask, a "boon?" Can any class of people be content when wages are by niggardly economy only sufficient to meet expenses? The humblest man wants more than that. He wants to lay by something for a rainy day. The demand of the hour is that the policy set forth in this bill of taxing the people to enable manufacturers to suppress foreign competition shall no longer be tolerated.

Every thoughtful man realizes that it is a most difficult work to frame the schedules of a tariff bill. We are advised by the chairman of the Committee on Appropriations that at the end of this fiscal year the expenses of the Government will exceed the revenue collected by not less than $150,000,000.

It matters not how many excuses the Republicans may put up, the fact stands out in bold relief that the Dingley bill, enacted by the Republican party, has signally failed to collect enough revenue to meet the expenses of the Government, administered and run by the Republican party. This fact is admitted. No denial can be made. The bulk of our revenue to meet the expenses of the Government must come from customs duties imposed on foreign imports. If free trade were resorted to, we could collect no revenue from imports, because all would be free, but would have to look to domestic and internal taxes for revenue. Against such a policy the people would certainly revolt. Equally is it true that when the duty imposed is so high that foreign imports will not come in the Government will not realize any revenue on such a duty.

The total appropriation for the year 1910 will amount to $1,044,014,298.23. The report of the Ways and Means Committee shows that after making all possible deductions the amount for which revenue is to be provided is $872,221,501.77, and that the customs under the Payne bill, it is calculated, will amount to $305,225,175, which, together with other sources of revenue, will leave a deficit of $10,155,816.77. The committee, manifesting but little faith or confidence in its estimates, has provided for an emergency fund by the issue of $250,000,000 of government certificates to meet the necessary expenses of running the Government. It is generally accepted in financial circles when any municipal government, state, or nation issues any kind of evidences of indebtedness to meet its running expenses, and in time of peace, that its financial interests and affairs are being badly managed. This is the condition that we confront now, and the relief sought is to be found, as we are advised by Republicans, in the Payne bill.

Of course, no suggestion of the curtailment of government extravagance is made in the report of the Ways and Means Committee. It is perfectly plain that the failure to collect revenue sufficient under the Dingley law is because the rates imposed on imports were prohibitive and yielded no revenue for the Government. Then, to get revenue, these rates should be reduced to such a point as would allow foreigners to ship similar articles into our country and create competition, which would yield a revenue to the Government and cause the article to be sold cheaper to the purchaser or consumer. It seems to me that a fair and equitable adjustment of such duties would be to divide the dutiable articles into three parts—luxuries, comforts, and necessaries—and rate them by placing the highest duties, not prohibitive, on luxuries, a lighter or smaller duty on comforts, and put on the free list or impose a light nominal tax on necessaries. Let every duty be imposed with a view to raise revenue. It would not, it seems to me, Mr. Chairman, be a difficult task to differentiate between what is a luxury, a comfort, and a necessity. The wealthy indulge in the luxuries of the land; the great middle class of our people, consisting of all the vocations of life, are the purchasers of comforts; and those of our people, consisting of not less than 15,000,000, whose annual income is between three hundred and five hundred dollars, use and purchase the commodities designated "necessaries." I am not averse, Mr. Chairman, on principle, to every article paying some revenue, but it should be distributed according to ability to pay. Under such a list how does this bill show up?

Our minority leader, the gentleman from Missouri [Mr. CLARK], has with prophetic vision admonished the chairman of the Ways and Means Committee that he will not recognize "his hantling" when it returns from the Senate. We see from the report of the daily city press that the wise men of that great body have already prepared a full substitute.

It is undoubtedly true that one of the most important features of the Payne bill is the minimum and maximum rates. This bill directly reverses the operation of these rates from the Dingley law. These rates will doubtless be eliminated by the wise men at the other end of the Capitol. The country has a memory long enough to recall the fact that the Dingley bill named the maximum rate as the protective rate, with the understanding that it was 20 per cent higher than necessary, in order to secure protection. This 20 per cent was intended to be a margin on which to trade with other countries that placed a prohibitive tax on exports to our country or did not treat us as fair as it did more favored foreign governments. We recall the fact that President McKinley invoked the maximum rate in several treaties for trade purposes on an equitable basis of reciprocity, which was submitted to the Senate, every one of which was pigeonholed and never ratified by that body. The fact is that the Republicans found out that they could work the "maximum rate" at home better than they could on foreigners, hence the wrong and injury that was wrought by the prohibitive rates on the consumers and the creation of special interests that has destroyed the original conception of protection of home industries. In this bill the maximum rates are to be used as a club to force other nations to make such rates in our behalf as we may see proper to direct. This means that we expect other nations to change their whole policy and plan

of tariff adjustments at our direction. Who can reasonably expect this to be done?

I shall undertake to refer to but a few of the schedules of this bill. It is conceded that the average duties under the Payne bill are higher than under the Dingley bill, yet nearly every Republican who has spoken on the floor of the House during this discussion declared that this bill strictly and literally follows the plank of the Chicago platform on the subject of the revision of the tariff and also the declarations of President Taft. If the Chicago platform utterances meant, as the gentleman from Ohio [Mr. LONGWORTH] declared that many of his Republican brethren contended, that a revision upward was authorized, then the Payne bill is a full compliance; if downward, then the bill is a travesty and public sentiment scoffed and derided. President Taft, in his every utterance, has declared for an honest revision and a removal of the oppressive tax burdens imposed upon the consumers. I do not believe that President Taft will uphold such a bill as this.

As Democrats, we not only differ with the theory of taxation followed by the Payne bill, but we differ most earnestly in the details of the bill. It is in these details that the enormities of the provisions of the bill are best disclosed. It must be apparent to everyone that the same amount of tax may be placed on two articles of the same schedule, and the one will be prohibitive and the other a revenue bearer. Iron ore, coal, lumber, and hides are among the leading items of the bill, yet there are many others that are watched with interest by the public the duties on which are cunningly increased by this bill. The clamor raised from all directions of the country in opposition has given fright to the Republican leaders.

Surely the chairman of the Ways and Means Committee is mistaken when he says that the Dingley bill was more severely criticised during its passage than has been this bill. An overwhelming number of the true, noble, and good women of our Republic are denouncing the provisions of the Payne bill, because women are required "to pay more" on gloves and stockings. The chairman of the Ways and Means Committee has certainly lived long enough to have learned by this time that any dictation about a woman's apparel is a dangerous trespass, and an invasion of her exclusive rights. In utter recklessness and disastrous temerity the gentleman from New York [Mr. PAYNE] said, in explanation of the remarkable and unjust increase on women's hosiery and gloves:

> Women could get along without the kid gloves, or fewer pairs of them, use silk gloves and cotton gloves, and all that sort of thing. They could keep their hands warm, although they could not cover their pride.

The indignant women of this country are asking, What did he mean when he said: "And all that sort of thing?"

I can not say that I like the Republican party for the enemies that the chairman of the Ways and Means Committee has made in this instance for his party, because the enemies so made are entirely correct in their complaints and are entitled to the relief demanded. The Republican party has in this made a different class of enemies from what it has ever encountered before. Perish the thought that barley, the chief ingredient of beer, has its tariff tax reduced 50 per cent in the Payne bill, thereby playing into the hands of the beer makers, while the most usual and favorite woman's glove is increased from the present rate in the Dingley bill, 58.13 per cent ad valorem, to 122.86 per cent ad valorem. The tax on beer remains unchanged. Will any woman patiently submit to such an outrage when the rate on men's gloves remains practically the same?

The enemy, which the patriotic women of the country have so bravely met and fought as the destroyer of peace in our American homes—beer and alcohol—has been petted and fawned upon by the Payne bill by not making a "raise," while the women are required to pay a heavy increase on every necessary article of their apparel worn either for comfort or ornament, thereby causing them to pay more than their fair share of taxation. Instead of reducing the rate of the Dingley law on hosiery, this bill makes an average increase of 17 per cent on stockings and socks, and on those more commonly in use among the masses of the people the increase is from 20 to 30 per cent, and yet we are told that the Payne bill is a revision downward. We find an increased tax on combs, garters, soaps, dress goods, stockings, and socks. Certainly stockings, garters, and soap should be classed among the "necessaries" of life. I give the extraordinary glove schedule, also schedule on hosiery.

The glove schedule is found in paragraphs 450, 451, and 452, as follows:

> Gloves made wholly or part of leather, whether wholly or partly manufactured, shall pay a duty at the following rates, namely: On gloves not exceeding 14 inches in length, $4 a dozen pairs, and 35 cents a dozen pairs in addition for each inch or major portion thereof in excess of 14 inches; the length in each case being the extreme length of the glove when stretched to full length.
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> In addition to the foregoing rates there shall be paid the following cumulative duties: On all gloves wholly or in part leather; on gloves lined with cotton, silk, woolen, or other textile fabric, $1 a dozen pairs; on gloves lined with fur and skin, $2.50 a dozen pairs; on pique or prix seam gloves, 40 cents a dozen pairs; on hand-sewn gloves, $1 a dozen pairs; on gloves having "crow's feet" stitched, sewn or silked on the backs thereof, or having points stitched, sewn, embroidered or silked on the backs thereof, each point being produced with more than a single row or line of stitching, sewing, embroidery, or silking, whether the same be continuous or otherwise, 40 cents a dozen pairs.
>
> Glove tranks with or without the usual accompanying pieces, shall pay 75 per cent of the duty provided for the gloves for the fabrication of which they are suitable.

SHOWS ENORMOUS INCREASE.

This is a part only of the way the glove schedule reads, but to be understood in comparison with the rates in the present Dingley law, the glove schedule can only be understood when set forth in rates of duty a dozen pairs, as follows:

	Present law.	Payne bill.
Ladies' or children's gloves; schmaschen glace finish; not over 14 inches long:		
Unlined	$1.75	$4.00
Unlined, pique or prix seams	2.15	4.40
Unlined, pique seams or prix, with more than 3 strands	2.55	4.80
Lined	2.75	5.75
Between 14 and 17 inches long, unlined	2.25	4.70
Over 17 inches long:		
Unlined	2.75	5.40
Lined	3.75	7.15
Lined, pique or prix seam	4.15	7.55

This comparison might be carried out thirteen times this length so as to show the difference in the present and proposed duty on lamb or sheep gloves, glace finish, goat kid, and other classes of gloves mentioned in the three short glove paragraphs quoted above from the Payne bill. The comparison is given only for the schmaschen gloves, for the purpose of illustrating the prohibitive rates that have been imposed upon women's gloves.

EQUAL TO DUTY OF 132 PER CENT!

At a duty of $1.75 a dozen, which unlined schmaschen gloves not over 14 inches in length now pay, the equivalent ad valorem rate of duty is 58.13 per cent, but the proposed duty of $4 a dozen on this class is equivalent to an ad valorem duty of 132.86 per cent. The average value of these schmaschen gloves, unlined, not over 14 inches long, is $3.01 a dozen, and the proposed duty would be $4 per dozen. The present duty in an unlined sheep or lamb glove, glace finish, is $2.50 a dozen pairs, their average value is $4.42 a dozen pairs, and the duty proposed for them by the Payne bill is $4 a dozen pairs, or an equivalent of 90.56 per cent ad valorem. This same glove, when pique or prix seamed or stitched or embroidered, is worth $4.95 a dozen, but the duty on it is increased from the present rate of $2.00 to $4.40 a dozen, an equivalent of 89.21 per cent ad valorem. The same glove, if stitched or embroidered with more than three strands or cords, would be worth $5.83 a dozen pairs on the average, but the duty, which is now $3.30, would then be $4.80, or practically 82 per cent ad valorem.

The increased duties on stockings and half hose is found in paragraph 326, of Schedule I, which deals with cotton manufactures, and may be shown in comparison with the present Dingley rates as follows:

"Stockings, hose, and half hose, made on knitting machines or frames, or knit by hand, including such as are commercially known as clocked stockings, hose or half hose, finished or unfinished:

"Valued at not more than $1 a dozen pairs—

Present law, 50 cents per dozen and 15 per cent.

Payne bill, 70 cents a dozen and 15 per cent.

Valued at more than $1 and not more than $1.50 a dozen pairs: Present law, 60 cents a dozen and 15 per cent; Payne bill, 85 cents a dozen and 15 per cent.

Valued at $1.50 but not more than $2 a dozen pairs: Present law, 70 cents a dozen and 15 per cent; Payne bill, $1 a dozen and 15 per cent.

Valued at more than $2 but not more than $3 a dozen pairs: Present law, $1.20 and 15 per cent; Payne bill, $1.50 and 15 per cent.

HOW PRICES ARE INCREASED.

In other words, there is a proposed increase of 20 cents a dozen pairs on those valued at not more than $1 a dozen pairs, a proposed increase of 25 cents a dozen on those worth between $1 and $1.50 a dozen pairs, an increase of 30 cents a dozen on hosiery worth between $1.50 and $2 a dozen pairs, and an increase of 30 cents a dozen on those worth between $2 and $3 a dozen pairs. Stated another way, the duty on all cotton stockings and socks is increased from the present equivalent ad valorem of 60.03 per cent to an average equivalent ad valorem of 77.76 per cent.

The duty on stockings and socks valued at not more than $1 a dozen pairs is equivalent to an ad valorem of 68.39 per cent under the Dingley law. But on this grade alone the Payne bill proposes an increase that would raise the equivalent ad valorem to 89.75 per cent. On the stockings and socks worth between $1.50 and $1 a dozen pairs it proposes to raise the equivalent ad valorem from 58.17 per cent to 76.10 per cent, on the stockings and socks worth between $1.50 and $2 a dozen pairs to raise the equivalent ad valorem from 51.25 per cent to 66.75 per cent, and on those worth from $2.50 to $3 a dozen pairs to raise it from an equivalent of 59.78 per cent to 70.98 per cent under the proposed bill.

In 1906, the last normal year, upon which the tariff tinkerers base their estimates of revenue under the Payne bill, there were 2,501,678 dozen pairs of stockings and socks worth not more than $1 a dozen pairs, 1,052,835,835 dozen pairs worth from $1.50 to $1 a dozen pairs, 965,348 dozen pairs worth from $1.50 to $2 a dozen pairs, and 107,541 dozen pairs worth from $2 to $2.50 a dozen pairs imported. The total revenue in 1906 from cotton knit stockings and socks was $3,675,829, and on this basis the Payne tariff makers calculate that the duty to be paid on the proposed raised rates in 1910 would be $4,761,240.

This Payne bill has not only provoked the anger of the women of the country, but in its mad, eager search for revenue that would help maintain the exorbitant duties now existing in behalf of the favored interests it has aimed a blow at the joy and happiness of the children of the country. It would take away, by a prohibitive tax, the toy that fills the hearts of the children of the country with joy on Christmas morn. A toy can hardly be declared a "luxury," yet the Payne bill imposes an aggravated prohibitive duty on certain toys in common use. Experts in several of the foreign buying departments of the toy stores of our large cities have said that under paragraph 427 of the Payne bill that a "toy horse," sold at retail price of $1, will be taxed $30, the same rate for a thoroughbred racer or hackney. So it is that dolls' clothes and ornaments will be taxed the same as clothes and ornaments for American women. This is the section:

> Dolls, doll heads, and toys, 35 per cent ad valorem, provided that toys made in imitation or in miniature of, or bearing the same name as articles that are provided for in the dutiable list of this section by individual or class designation, shall pay the same rate of duty as such articles, but in no case shall any toys pay less than the rate of duty imposed upon the miscellaneous manufactures of the material of which such toys are wholly or in chief value composed.

By referring to paragraph 224 it will be seen that horses and mules valued at $150 or less per head must pay $30 tax.

The appraiser will certainly, in construing the above paragraph, say that the toy horse is "made in imitation" or "in miniature" of the real live horse.

I desire now, Mr. Chairman, to briefly call the attention of the committee to the cotton-goods schedule of this bill, especially to paragraphs 318 and 321. If I construe these paragraphs correctly, then I can better understand the earnest and emphatic assertion made by a distinguished Republican Senator a few days since in the Senate, that the interests of the consumers of the country were crucified by the Payne bill to help and aid New England.

It begins, Mr. Chairman, to dawn on some of us that the trend of the Payne bill is chiefly in the interest of New England when certain "raw materials" are put on the free list, and the finished products of the same raw material are protected with a high duty. I say, Mr. Chairman, that the wonderful growth of the South in its mineral, agricultural, and other interests in the past few years, and the splendid future that beckons us forward, has caused the thoughtful, enterprising, broad-minded people of the South to sit up and take notice of the provisions of this tariff bill more than they ever did before. We of the South are not for the protection that the Republican party stands for, neither do we stand for free trade. I believe that I correctly represent the consensus of public sentiment of the South when I say, casting aside all sophistries, the people of the South stand for an honest and fair tariff bill, free from the selfish purpose of sectional discrimination. We earnestly favor the general policy under which a tariff bill should be made of keeping the necessaries of life subject to the lowest possible dues in order that the masses of the people may live as well as possible for the lowest possible cost. We believe that the whole social fabric of our Government is based on that policy. We are rapidly "catching on" to the idea that New England wants all the "raw material" necessary in her business of accumulating wealth to be placed on the free list, and for the finished product which New England sells to be amply protected. For nearly one hundred years the South emptied its wealth into the lap of New England. Conditions have changed and the South by its factories, its mines and furnaces, and improved agricultural methods, is seeking to reap in wealth the benefit of its own marvelous resources. We know that New England contends that our coal, when sent to her for use in her factories is raw material, and should be placed on the free list, but her finished products resulting from the consumption of that coal should be protected with a high duty.

Between Wheeling, W. Va., and Birmingham, Ala., lies an area of coal five times greater than Great Britain had before a pick was ever stuck into it. Great Britain has an annual output of something more than 300,000,000 tons, while the Southern States produced in 1907, according to statistics compiled by the United States Geological Survey, a total of 101,870,429 tons. This was over one-half of the coal production of the balance of the United States. This merely indicates to what an extent the coal-mining industry in the Southern States has been developed in the last few years. Is it not right for us to say that the coal and the iron ore are our raw material as nature located it in the bowels of the earth, and when it is dug up or mined by human labor and put on the market for sale it becomes our finished product? The tree standing in the forest is raw material. When cut down and sawed up into lumber it becomes a finished product. I could not make mention of the wealth resources of the South without referring to cotton, the great staple of the South, in the growth of which eight States of the South, consisting of twelve hundred and four counties, have a monopoly, not given by the prohibitive rates of a tariff bill or any other human law, but given to us by the bountiful hand of nature. Nearly all the countries of the world have more or less iron ore and coal, but none can raise cotton equal to these Southern States. Untold millions have been expended in foreign lands to compete with the South in the production of cotton, with the result that the South furnishes 80 per cent of the cotton used to clothe the world, and the 20 per cent raised in foreign countries is practically useless unless mixed with our superior quality of cotton. Our farmers are demonstrating in the last few years that they are alive and waking up to our priceless advantages.

The day is not far distant in the South when the cotton crop of the South will be the farmer's "surplus" crop, and he can keep it under shelter until the middleman gives him the fair and reasonable price that he asks. When that day comes to us, the South will be the richest section of the American Union. The production of cotton increased 53 per cent from 1896 to 1908, and the value of the crop 133 per cent. The South, Mr. Chairman, has her feet solidly planted on the safe foundation of her agriculture and her minerals. I am, sir, proud to know this; proud not because my native section is outstripping other sections of the Union, for I am glad to say that no unmanly sentiment of a sectional feeling dwells in my heart. To the South, with its traditions and splendid history, I am a loyal son. With her people I shared the cruel wrongs of the evil days of reconstruction, when we earnestly implored Almighty God to spare us from the vindictive "wrath of our fellow-man." Standing in the midst of the wreck and ruin of their own homes, without sufficient shelter or food, it was these southern people that resisted with unsurpassed courage the insidious advances of amalgamation with an inferior race, and preserved and maintained the purity of the Caucasian blood, and the proud heritage of her ancestors. Is it anything strange, then, that I should rejoice when I see the South rising like the bright morning sun over the horizon of national growth and commerce, growing richer and stronger every day? In my humble way I have often said to the people of my State and district that it was not through the instrumentality of partisan politics, but by the wealth of our undeveloped natural resources, which carries with it power, that the South would be elevated to the position it deserves to hold in the councils of the Nation, and finally the control of national affairs.

But let us examine briefly the cotton schedules. It appears, Mr. Chairman, that if the provisions of sections 318 and 321 of the Payne bill are enacted that the essential principles of the original cotton schedules in the Dingley tariff bill will be overturned, not by making the revision downward, but by increasing the duties and thereby curtailing revenue. It is estimated that if the provisions in these two paragraphs go into effect it will result in an increase of 50 per cent in the duty collected on cotton cloths, followed necessarily by a corresponding rise in the cost in domestic goods that are now relatively high in cost. The trouble comes by altering in paragraph 318 the usual means of determining the duty, which I will endeavor to point out. I send to the desk and ask the Clerk to read the interview of Frederick B. Shipley, of the committee on publicity, of New York:

> While the cotton-goods schedules in the proposed law apparently provide for the same duties as the Dingley law, these provisions are largely nullified and the duty increased by paragraph 318, which alters the usual means of determining the duty.
>
> In the present law the duty has been fixed largely by the number of threads per square inch. Paragraph 318 provides not only that each thread shall be counted, but that "each ply of two or more ply threads shall be counted as a thread." As most cotton goods imported contain threads which are of two or more ply, the effect of this will be to remove most cloths from the low-duty schedules and place them in the high-duty schedules. Thus goods now paying 2½ cents per square yard will pay frequently 4½ cents per square yard. The operation of this will be that many goods imported, such as English reps and jacquards will pay about 52 per cent of their value, instead of 31 per cent as at present.
>
> In addition to this, paragraph 321 provides that all cotton cloth mercerized or "subjected to any similar process" shall be subject to an extra duty of 1 cent per square yard on the cloths before mentioned. This will operate to bring the total duty up to about 66 per cent of their value.
>
> The phrase "mercerized or subject to any similar process" will doubtless be construed to mean any sort of luster, and as almost all cotton goods imported have some luster, this means that practically all cotton cloths will not only have to pay the advances before mentioned, but will be subject to an additional tax of 1 cent per square yard.
>
> In fully 75 per cent of the cotton goods imported, this tariff will therefore be prohibitive and will not operate to increase the revenue.
>
> These provisions have been artfully designed, not by statesmen who are trying to protect American industry, but by cotton-goods experts who are adroitly trying to prevent any importations of cotton goods.
>
> If the bill is allowed to become a law, it will not only close up the majority of the importing houses, but it will work untold hardship on all classes of dry goods merchants by removing from the popular-price

classes many cloths that are now retailed for 10, 25, and 35 cents. It will work special hardship on cotton-goods converters, leaving them at the mercy of a few cotton-goods mills, who will be able to repeat their action of two years ago, when they arbitrarily raised the prices to an unlimited and unwarranted extent.

The extra duty on mercerization is totally unjustifiable, since foreign cloths are already taxed the ad valorem rate on the cost of mercerization. In view of the fact that every mercerizer in America to-day is totally unable to take care of the business which he has in hand, there is no reason to charge an extra duty on mercerization.

Another "joker" in the proposed law is the provision that determines the number of threads to the square inch in that "each filament of cotton" shall be counted as a thread. A "filament" is an elusive term, and may easily be construed to mean a section of a fiber, which would make even the cheapest cloth count more than the finest cloths made, and therefore impose the highest duty even on the lowest cloths.

The pretended justification of the bill on the ground of protecting American labor is absurd, for the reason that the average duty is twice as great as the total percentage of wages, much less any difference between foreign and American cost of labor. On most American cloths for which American manufacturers are equipped they are amply able to compete with foreign manufacturers in neutral markets.

The object of this law is, therefore, to create the same conditions in the cotton-goods industry as exists in the steel and other industries, which enables American manufacturers to sell goods in America at a higher price than the same goods may be obtained for abroad.

I also send to the Clerk to have read the letter of H. F. Lippitt and James R. MacColl, prepared in the interest of the Arkwright Club, of Boston, Mass., that caused these changes to be made. This letter was presented to the Ways and Means Committee after the public hearings closed and appears in volume 52 of the tariff hearings, March 1, 1909 (appendix), page 1772.

The Arkwright Club, Boston, Mass., recommends new classification for cotton cloth and asks that there be no reduction of duty.

PROVIDENCE, R. I., *January 15, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives, Washington, D. C.

DEAR SIR: The undersigned, representing the committee on the cotton-cloth schedule in the proposed revision of the tariff appointed by the Arkwright Club, of Boston, which club represents in its membership about three-fourths of the cotton spindles of New England, respectfully requests that paragraphs 310 and 313 of the present tariff shall be revised to read as follows:

"310. The term 'cotton cloth,' or 'cloth,' wherever used in the paragraphs of this schedule, unless otherwise specifically provided, shall be held to include all woven fabrics of cotton in the piece or cut in lengths, whether figured, fancy, or plain, the threads of which can be counted by unraveling or other practical means, and shall not include any article, finished or unfinished, made from cotton cloth.

"The terms 'bleached,' 'dyed,' 'colored,' 'stained,' 'painted,' 'printed,' or 'mercerized,' wherever used in the paragraphs of this schedule, shall be held to include all cotton cloth having bleached, dyed, colored, stained, painted, printed, or mercerized thread' threads, yarn, or yarns in any part of the fabric; and all fabrics which have, wholly or in part, prior, during, or subsequent to fabrication, been bleached, dyed, colored, stained, painted, printed, or mercerized.

"The term thread or threads as used in the paragraphs of this schedule with reference to cotton cloth, shall be held to include all filaments of cotton, whether known as threads or yarns or by any other name, whether in the warp or filling or otherwise. In determining the count of threads to the square inch in cotton cloth, all threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted, and each ply of two or more ply thread shall be counted as a thread. In the ascertainment, in the particulars of measurement, weight, and value, upon which duties, cumulative or other, imposed upon cotton cloth are hereby made to depend, the entire fabric shall be included.

"If the count of threads varies in different parts of the fabric, a full repeat of the pattern or design or varying weaves shall be counted, and the average count thereof shall be taken to be the count of the threads to the square inch.

"313. Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving to form a figure, whether known as lappets or otherwise, and whether unbleached, bleached, dyed, colored, stained, painted, printed, or mercerized, shall pay, in addition to the duty herein provided for other cotton cloth of the same description or condition, weight, count of threads to the square inch, and value, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard.

"Cotton cloth mercerized or subjected to any other similar process shall pay 1 cent per square yard additional cumulative duty to that herein imposed upon such cotton cloth were the same not mercerized or subjected to any similar process."

* * * * * * * * *

It is manifest that the provisions are technical, and it appears that the gentleman who drafted the bill did not realize that the duties imposed were prohibitive. Cotton goods statistics show that American mills do not need any protection on the goods they are equipped to produce. In neutral markets they have been so well able to compete that their exports have rapidly grown, and in 1906 equaled $32,944,033. The best illustration that can be given that these "minor" changes, as they are denominated by the Arkwright Club, of Boston, are unnecessary, is shown by the fact that the Dartmouth Manufacturing Company paid 66 per cent last year and on February 24 last an extra dividend of 100 per cent. This mill makes precisely the class of goods which these paragraphs in the Payne bill are designed to prohibit.

American mills do not sell their products on an ordinary profit basis, but fix their prices just below those at which similar goods can be imported. The net result of these paragraphs will greatly reduce revenues by prohibiting importation; to permit a few New England mills to manipulate prices at will and to repeat their action of 1907 when they arbitrarily raised prices more than 50 per cent, although there was no corresponding increase in cost of production. It will drive many importing houses out of business, and work a hardship on 2,800 American retail merchants, and add an additional burden to the whole American people by increasing the cost of a primary necessity of life.

It will not be forgotten that the letter of the Arkwright Club was presented to the Ways and Means Committee after the public hearing had closed, which letter was preceded by the following statement:

The Arkwright Club, Boston, Mass., recommends new classification for cotton cloth and asks that there be no reduction of duty.

The country in the past few years by reason of the prevailing interest in the railroad rate legislation has been made familiar with the facility and dexterity by which a freight rate can be increased by the magic device of "classification." Classification opens a wide and broad field for technical construction. "Classification" of railroad rates or tariff duties with a view of holding the charges as they then exist, suggested by an interested party, deserves the closest scrutiny for the protection of the public interest. It was understood up to the time of the closing of the hearings of the Ways and Means Committee that there would be no changes in the cotton-goods schedule of the Dingley law.

The Arkwright Club represents quite three-fourths of the cotton spindles of New England. The statistics show that in 1907, a panic year, the Fall River Mills' dividends amounted to 25½ per cent, and those in New Bedford to 22.2 per cent. Should any law be enacted to increase such profits and thereby increase the tax burdens of the people who necessarily use cotton goods?

In order to show that the Ways and Means Committee followed the suggestions made by that Arkwright Club and the effect of the new "classification," I quote in full the two paragraphs of the Payne bill, 318 and 321:

318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut into lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practical means. The term "thread or threads," as used in the paragraphs of this schedule with reference to cotton cloth, shall be held to include all filaments of cotton, whether known as threads or yarns, or by any other name. In determining the count of threads to the square inch in cotton cloth, all the threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted, and each ply of two or more ply thread shall be counted as a thread. In the ascertainment of all the particulars, including weight and value, upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included. The terms dyed, colored, stained, mercerized, lustered, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any dyed, colored, stained, mercerized, lustered, painted, or printed thread or threads in any part of the fabric, and the term bleached, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth not included in the provisions for cotton cloth dyed, colored, stained, mercerized, lustered, painted, or printed, which has been subjected to a bleaching process, or has any bleached thread or threads in any part of the fabric.

321. In addition to the duty or duties imposed upon cotton cloth by the various provisions of this section, there shall be paid the following cumulative duties, the intent of this paragraph being to add such duty or duties to those to which the cotton cloth would be liable if the provisions of this paragraph did not exist, namely: On all cotton cloth in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard; on all cotton cloth, mercerized or subjected to any similar process, 1 cent per square yard.

I have said in these remarks to the committee that the classification suggested by the Arkwright Club, of Boston, will greatly reduce the revenues of the Government by prohibiting importation, which means a large increase to the consumer of the price of a large percentage of cotton cloths used by the people.

In connection with this I give the telegram sent me by Mr. Shipley, who has full knowledge of such matters:

NEW YORK, *March 31, 1909.*

Hon. WILLIAM RICHARDSON,
Hotel Normandie, Washington, D. C.:

Lines 16 to 20, paragraph 318, make one thread count as two or more and threw majority, if not all, cotton cloths from classification under paragraphs 312, 313, 314, 315, and 316 to classification under paragraph 317. Line 23, paragraph 321, imposes additional average 10 per cent on mercerized cloths, and words "similar process" constitute "joker," to include majority imported cloths. Absurd, because all American mercerizing mills booked months ahead and refusing business; southern mills absolutely unaffected. Their staple goods already undersell world. Beneficiaries solely few already enormously prosperous New England mills.

FREDERICK B. SHIPLEY,
For Publicity Committee.

This is a matter of such importance to the Government in the matter of revenue, and to the consumers of the country, that I print paragraph 317 and extracts from paragraphs 318 and 321 of the Payne bill, referred to by Mr. Shipley, in order that the country can be informed whether the representatives of the Arkwright Club, of Boston, were honest and sincere when the representation was made that the classification proposed would not alter existing duties. One of the chief stumbling blocks in framing a tariff bill seems to be that the Ways and Means Committee in their hearings rarely have other witnesses than those interested individually in the particular subject-matter under investigation.

It will be seen from the following extract from paragraph 318 of the Payne bill that one thread counts as two or more and throws a majority, if not all, cloths from classification under paragraphs 312, 313, 314, 315, and 316 to classification under paragraph 317. The extract is as follows:

In determining the count of threads to the square inch in cotton cloth all the threads, whether ordinary or other than ordinary and whether clipped or unclipped, shall be counted, and each ply of two or more ply thread shall be counted as a thread.

Paragraph 317 is as follows:

Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding 300 threads to the square inch, counting the warp and filling, and not exceeding 2 square yards to the pound, 4 cents per square yard; exceeding 2 and not exceeding 3 square yards to the pound, 4½ cents per square yard; exceeding 3 and not exceeding 4 square yards to the pound, 5 cents per square yard; exceeding 4 square yards to the pound, 5½ cents per square yard; if bleached and not exceeding 2 square yards to the pound, 5 cents per square yard; exceeding 2 and not exceeding 3 square yards to the pound, 5½ cents per square yard; exceeding 3 and not exceeding 4 square yards to the pound, 6 cents per square yard; exceeding 4 square yards to the pound, 6½ cents per square yard; if dyed, colored, stained, painted, or printed, and not exceeding 3 square yards to the pound, 6½ cents per square yard; exceeding 3 square yards to the pound, 8 cents per square yard: *Provided*, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over 14 cents per square yard; bleached, valued at over 16 cents per square yard; and dyed, colored, stained, painted, or printed, valued at over 20 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent ad valorem.

Line 23 of paragraph 321, which reads as follows—

On all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard—

imposes an additional average 10 per cent on mercerized cloths, and the words "similar process" is a "joker" to include a majority of imported cloths.

I desire now, Mr. Chairman, to present briefly my views on the subject of free hides. I have read with pleasure and information the views of ex-Governor W. L. Douglas in his remarkable campaign for governor of Massachusetts, when the question of free hides and leather were ably presented. I know that Democrats and Republicans are divided on this important question. The responsibility of framing and passing this Payne bill is on the Republicans, not the Democrats, and the country looks to the Republicans for a tariff bill that places the very smallest possible duty on the things like food and clothing that the poor people of our country are bound to have. That was the message sent by the people to the Republican party in the last election. I fear, Mr. Chairman, that our leading Democrats did not realize in the last presidential campaign what a vital question the tariff was and how vulnerable the Republican party was in its unfair and discriminating distribution of the tax burdens of the Government. It ought to have been made the sole and paramount issue in our last Democratic platform.

Now, as to free hides: I have not heard an advocate during this discussion of retaining the tariff on hides as it is now deny that the production of cattle in our country has not kept pace with the largely increased demand for and consumption of leather. That means that on account of the insufficiency of our domestic supply we have to use imported hides, and that brings about higher priced hides and higher priced shoes.

Governor Douglas, a well-informed shoe manufacturer, states that the present tariff on hides and soles of shoes causes the people of this country to pay $30,000,000 a year more for shoes than they ought to pay. Mr. Blaine said, in a letter to Mr. McKinley when the tax on hides was proposed, that it would add 5 to 8 per cent to the price of every shoe that the farmer bought. How many working girls are there in our country with a scanty fixed weekly wage who make a careful study of every cent of additional expenditure? Every cent counts with a large class of our people. It is conservatively estimated that in the last few years there has been an advance in the price of shoes of not less than 20 per cent. What does that mean to many families? It means that quite one-fourth of the absolutely necessary expenses of the family goes for shoes. It is generally admitted that the beef trust is the beneficiary of the hide tax. There is no question of protecting our labor against foreign labor that enters into this 15 per cent tax on hides. In the fleshing houses it has been demonstrated that our laborers, with their usual activity and intelligence, working with the same kind of a machine, will clean and prepare double as many skins as foreign laborers can with the same machine. The Government realizes on this tariff on hides about $2,000,000 annually, but the real question in such a tariff is its corresponding benefit. It seems that this tariff on hides has deprived a great many people of employment in the United States, because with a 15 per cent duty on sole leather and not on any other kind of leather the American shoemaker prepares the uppers and sends the shoes abroad to have the soles put on them, thus avoiding the 15 per cent tax on sole leather.

It is estimated that if we put hides and sole leather on the free list that this sending of the uppers of shoes abroad to have soles put on them will stop, and we will save our people quite $22,000,000. I do not, with the lights before me, hesitate to say that I am greatly disposed to vote for free hides and free leather.

I have endeavored, in pointing out in detail the duties imposed on certain articles in the Payne bill, to show that the revision of the tariff is not downward, as demanded by the people. Much has been justly said in condemnation of the "countervailing" duties on coffee and petroleum. It now appears that the Republicans will be driven to the abandonment of the countervailing tax on coffee, which tax would certainly result in the American consumer of coffee paying both the tariff imposed by Brazil and that imposed by our Government. Brazil practically, in the matter of coffee, occupies the same relative position to the world that the southern cotton belt does to the world's cotton supply. Brazil will not yield to our dictation as to the duty she will impose for the chief product that brings her wealth and the support of her Government. The tax on tea places an intolerable burden upon one of the most common necessaries of life. I predict we will find tea on the free list when this bill comes back from the Senate. The prevailing public sentiment throughout the country recognizes that it is a very good thing to give our home industries such fair and reasonable duties as will enable them to meet foreign competition. To extend and enlarge our foreign markets is commendable; to raise sufficient revenue to meet the expenses of the Government enlists the hearty cooperation of every patriotic and public-spirited citizen, but more than all these combined, the demand is that relief from unnecessary and unjust tax burdens must be guaranteed by the next tariff law to the consumers who have patiently borne for many years more than their share of the expenses of our Government.

The country will at least understand from this Payne bill why it was such a task to drive the Republican party into a revision of the tariff. They knew what enormities and outrages were being perpetrated by the power of taxation under the Dingley law on the masses of the people in the interests of the strong and the rich, and they shrank from exposing them. They must answer in the congressional elections next year, and the reply will be a Democratic House of Representatives, because this Payne bill increases the average of the duties of which the public complained so loudly, imposed by the existing tariff law.

The tariff, by the actions of the Republicans in the Senate and House in connection with the Payne bill, is removed from the pale of economic questions and made preeminently and acutely a political question, in which the local interests will have a powerful influence. The Republican party is in the agonies of a painful premature travail. They are not prepared for a revision of the tariff and did not realize the trouble before them. A wild, mad rush comes from all the home industries, large and small, protesting against the slightest reduction of the duties that have filled their pockets with money taken from the people for many years past, everyone demanding that the "other fellow" suffer the reduction. Kansas comes up, with a broad and benignant smile on her face, and earnestly demands that lumber be placed on the free list, and, with her hand up to her ear, whispers "Must let the 15 per cent tariff stay on hides." Then there is the grand old State of Maine. Why, she wants cotton-seed oil of the South to be on the free list and demands a high tariff on wood pulp. Ohio wants an additional protection on tin plate, regardless of the fact that the Standard Oil Company buys all its tin plate abroad and receives 99 per cent drawback on every tin can of oil shipped abroad. Yet Ohio is downright earnest in demanding free lumber.

Massachusetts wants free hides, but says it is "simply horrid" to think about free leather and shoes. The New England States all with one accord and voice demand that "raw material" be put on the free list, especially coal and iron ore. And the South comes up and makes a pungent inquiry: How is that? You stand for a high tax on the wool as it exists on the sheep's back and every phase of wool and woolen cloth to the ultimate finished product. Nothing is said about free raw material in

connection with wool. Many of the Republicans are trembling in their boots as to what explanations they will give to their constituents. They know their "caucus rule" is powerful, but the "pocket interests" of their constituents are much stronger and more important than the caucus. We hear much about the growth of protection sentiment in the South. Great impetus has been given to this opinion by the generous and sincere manner in which Mr. Taft was welcomed in the State of Georgia and other Southern States. Those greetings were unselfish and sincere and were accepted in the same spirit by Mr. Taft. I admit with pride that the people of the South were patriotically inspired with a hope and a faith never before justified by any other Republican President when Mr. Taft, at the banquet given to him by the people of the city of Atlanta, Ga., said:

I realize therefore that expressions of sympathy with the South and an earnest desire to bring it closer into the Central Government in thought and action and feeling, will have comparatively little weight unless this expression is accompanied by such appointments in the South as will prove this sympathy to be real and substantial. The difficulty in making such selections in a part of the country where the sensibilities of the people are different from those of one's own section, where conditions of society differ so radically, and where there are no accredited representatives selected by the people of the same party as the administration is very great, indeed. It is a question of evidence, and of evidence hard to get, and when secured, hard to weigh, because it is only judgment and estimate and generally not a mere statement of a concrete fact.

All I can say with reference to the future policy of the administration in the South on this subject is that I expect to spare no effort to find out the facts in respect to the character of the proposed appointees, and, so far as in me lies, to select those whose character and reputation and standing in the community commend them to their fellow-citizens as persons qualified and able to discharge their duties well, and whose presence in important positions will remove, if any such thing exists, the sense of alienism in the Government which they represent.

Such sentiments expressed by Mr. Taft, who has, since the Atlanta banquet, been inducted into the highest and most powerful office in the world, stimulated the South with the firm conviction that President Taft's administration would be uninfluenced by sectionalism, and that the South would be treated justly and fairly like other sections of the Union, and would no longer be considered "the enemies' country." That is all we ask, and that we believe we will get from President Taft. In all things looking to the welfare and good of our common country, the people of the South stand ready and willing, from an unselfish standpoint, to support and uphold the administration. We know the difficult task that President Taft has undertaken when he confronts and meets the "sensibilities" of the people of the South, so different from his own section. In the South he will meet "conditions of society" which differ radically with our northern brethren.

It is true, as was said by President Taft in some of his speeches in the South after the presidential election, that the South clings to its "traditions" both family and local. In the States of the South it is a common everyday matter to hear the humblest of our native citizens claim with great pride that their fathers and mothers came from one of the great southern colonial States.

Loyalty to such "traditions," like the love for one's home, makes the truest and bravest patriots of the section that cherishes them.

The President realizes, as every thoughtful and unbiased student of our history realizes, that from the days of our colonies down to this good day, midst the triumphs and shadows of our Republic, in war and peace, there has existed, and exists to-day, and will continue to exist, distinct types of people with different thoughts, tastes, and sentiments in the New England and Southern States, both representing the best ideals of citizenship. It is a grave mistake for anyone to think that the visit of the President to the South, soon after the election, was to proselyte Democrats into Republicans. It is equally a mistake for anyone to believe that the cordial, sincere, and generous hospitality extended by the people of the South to Mr. Taft indicated on their part any less fealty to Democratic principles. The native people of the South are almost as a unit attached to, and believe in, the Democracy of their fathers. They yearn to-day to see the party, to which they owe so much, return to its time-honored principles. It is true that there was restlessness, discontent, and dissatisfaction in many of the strongest Democratic sections of the South in the late national election, but this can not be truthfully charged to any disposition to surrender their allegiance to their party. But it meant simply an expression of disapproval of the action of their own party and an earnest warning against its repetition.

I do not hesitate to say that our people realize the difficulties that lie in the President's effort to handle the "southern question." With open hearts and willing hands, along the lines the President has so frankly indicated, the people of the South will aid and help him to their best ability.

I ask: Would not it be the basest ingratitude for the people of the South not to honor and respect the President and his administration if he renders us the inestimable favor, as we are advised and believe he will do, of abolishing the disreputable "referee system" in operation in some of our Southern States? The Montgomery Advertiser, one of the leading and most influential daily papers of Alabama, in a recent issue, said this:

If Mr. Taft does abolish the referee system, he will break up one of the most prolific sources of political scandal in the South. A few men under the plan at present in vogue have the absolute power of filling every federal office in a Democratic State which has no Republican Representatives in Congress. The proposition of allowing a man's standing with his neighbors to count for something is a great improvement on the plan of fixing up jobs for men who can help to carry delegations to national conventions for particular candidates.

I believe that President Taft realizes that no proud, intelligent people could cordially cooperate with any administration that would maintain the tyrannical, irresponsible, corruptive referee system that has made every cotton-growing State of the South a veritable political satrapy. Our people are not asking to control Republican patronage or fill offices under a Republican administration, but we do ask that the political referee system, with its intrigue and scandals, be removed from our midst. [Loud applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly Mr. GREENE having taken the chair as Speaker pro tempore, Mr. CALDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had directed him to report that it had come to no resolution thereon.

Mr. PAYNE. Mr. Speaker, I think under the rule all the Chair has to do is to declare a recess until 8 o'clock.

The SPEAKER pro tempore (Mr. GREENE). Under the rule, the Chair now declares the House in recess until 8 o'clock.

Accordingly (at 6 o'clock) the House took a recess until 8 o'clock p. m.

AFTER RECESS.

The recess having expired, the House was called to order at 8 o'clock p. m. by the Speaker pro tempore [Mr. GREENE].

THE TARIFF.

Mr. OLMSTED. Mr. Speaker, I move that the House do now resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

The CHAIRMAN. The gentleman from Mississippi [Mr. BYRD] is entitled to be recognized if he desires. Does the gentleman desire to be recognized at this time?

Mr. BYRD. Mr. Chairman, I yielded to Mr. SULZER thirty minutes of my time, and I would like to retain——

The CHAIRMAN. The gentleman can not yield time unless it comes out of his hour.

Mr. BYRD. Then just excuse me for a moment.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] is recognized for twenty minutes.

Mr. BORLAND. Mr. Chairman, I understand I am recognized?

The CHAIRMAN. For twenty minutes.

Mr. BORLAND. Mr. Chairman, I feel that I can approach the pending legislation with as little bias from personal or local interest as any Member on the floor. I come from a district with scarcely a protected industry in it or within the sphere of its influence. It is a district distinctly American, bound by every tie to American progress, yet having no ax to grind, no selfish interest to serve, no privileges to protect. With hardly an exception, everyone in that district, of whatever political faith, is in favor of tariff revision. There is scarcely a standpatter to be found. Our Republican friends vied with the Democrats in explaining that tariff revision meant revision downward, toward a revenue basis.

I have heard some speeches from the other side of the House which gave the impression that there was no need, from their standpoint, for any revision at all. When we hear some of those speeches, we are astonished to think that we are here in an extraordinary session, or are attempting to revise the tariff.

But out in my district, there was no doubt about the matter. We had been told that the time for a revision had long since come and that revision meant revision downward.

Our city has grown great in a single generation as an export market for what is termined "raw materials" and those primal products of the soil, grain and live stock. It lies on the boundary of the rich States of Missouri and Kansas, in the very heart of the Missouri River Valley.

The Missouri Valley is the great producing region of the United States. In a belt of 100 miles on either side of the Missouri River and west of the Mississippi River, are found the centers of production of cattle, horses and mules, sheep and hogs, wheat, corn, oats, and farm products of all kinds; gold, silver, lead, and zinc. Seventy-five per cent, we are told, of the Nation's exports consist of raw materials, the products of the western farms, forests, and mines.

It is this enormous export of raw material which brings the golden stream of national wealth and turns the balance of trade in our favor. With the money that is brought in, which enters into every channel of trade, we build our railroads and our factories, we feed and clothe our people, and we grow steadily in national wealth.

It takes manufactures to make a great country, but it takes, also, the production of raw materials, and every argument which has been advanced on the other side in favor of a protective tariff, in favor of building up manufactures, has been based upon the idea that the raw material was here to be sent abroad, either in its raw state or in the manufactured state.

The great production of raw materials in this country is the broad base of the pyramid of national prosperity. As long as we produce a surplus for export, the balance of international trade must be in our favor. Our only interest in this tariff legislation is that the American producer and the American consumer may be fairly treated and that no heavier burdens be laid upon them than is necessary to produce the national revenues. This is the true interest of every district and every section of the United States, except so far as it is biased by local conditions or narrow views of local interest.

We know full well that there is no such thing as a home market for products of which we raise a surplus. Every bushel of wheat in the United States and every head of beef cattle, wherever produced or sold, must be valued on the prices prevailing on the Liverpool market, in competition with the products of Australia, of South America, of Russia, of India, of South Africa, and of every great agricultural area of the world. When a nation produces a surplus of any commodity, that surplus has no value until it has reached the seacoast, where it may enter into the commerce of the world, and its ultimate value is based upon the price at the greatest central market under the strongest competition.

We must live and do business and buy goods and maintain the American market and the American wages out of the net returns of what we can sell abroad, less the cost of putting it there.

The overwhelming national issue in this country is transportation, quick transportation, cheap transportation, and abundant facilities for all shippers, large and small. We have not yet begun to solve this great problem. We in the West are ready to vote for a revenue tariff adequate to the needs of the Government on the most liberal scale in order that a big, broad policy of national development may be inaugurated. We look to see the improvement of our great waterways, running for a thousand miles into the interior of this great producing region. We look for a realization of this as the great national problem of the immediate future.

The almost universal demand for a revision of the Dingley tariff is easily explained. In my own district, especially, there was a singular unanimity of view by men of all parties on this subject.

We saw that some schedules were so high that they were practically prohibitive, producing no revenue to the Government.

We saw that the duties created an artificial price for goods that fostered the growth of trusts and monopolies.

We saw that they laid heavy burdens upon the wage-earners and increased the average cost of living 40 per cent during the life of the Dingley law.

We saw that the great army of consumers who live upon fixed incomes—widows, orphans, preachers, teachers, mail carriers, clerks, bookkeepers, salesmen, and wage-earners generally—had the purchasing power of their dollar cut in two, while skilled and unskilled labor advanced in a very much less degree in value, and in many lines actually decreased.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. BORLAND. Certainly.

Mr. MADDEN. Will the gentleman be kind enough to tell the committee in what cases the wages of the skilled mechanics decreased—in what branches of industry?

Mr. BORLAND. I had shown to me within the last three days, by Judge RUCKER——

Mr. MADDEN. Who is Judge RUCKER?

Mr. BORLAND. A Member from Missouri. He showed me a statement of the number of people employed in factories in the United States from 1897 to 1907, in which, in some cases, the per capita wage had gone down. That indicated very clearly to my mind that the wages of some classes of factory operatives had decreased in those ten years. In some of these schedules there was an increase of certain operatives, and that is the reason I spoke of it; but the larger number of operatives were at a lower price, which brought down the average.

For illustration, you will find that in the manufacture of rubber belting and hose, as shown on page 126 of the Statistical Abstract of the United States of 1907, published by the Department of Commerce and Labor, that in 1900 the number of wage-earners employed was 1,771, and the total wages paid was $918,191, or an annual average income by each employee of $518.40. In 1905 the number of wage-earners employed was 3,698, and the total wages paid was $1,804,992, or an average income of $488.09. This made a decrease in the average wages in that line of $30.31 during those five years. That they were prosperous years for the manufacturers is shown by the fact that the total output increased from $6,169,044 in 1900 to $14,954,186 in 1905, or more than double.

Mr. MADDEN. Does not the gentleman know, as a matter of fact, that the rate of wages for all classes of mechanics has increased over 40 per cent in the last ten years?

Mr. BORLAND. That is not my information. If the gentleman has any figures on that, I will be glad to have him put them in.

Mr. HEFLIN. Mr. Chairman, if the gentleman from Missouri will permit, I would suggest that if the gentleman from Illinois [Mr. MADDEN], who has just interrupted the gentleman from Missouri, knows as little about these wages as he does about the gentleman who has served with him in Congress for twelve years [Mr. RUCKER], he must know very little. [Laughter and applause on the Democratic side.]

Mr. BORLAND. I think the gentleman possibly will know little about me, also.

Mr. MADDEN. I did not know that the gentleman from Missouri [Mr. RUCKER] was a judge, and that perhaps accounts for the confusion in my mind. Will the gentleman yield for one more question?

Mr. BORLAND. Yes.

The CHAIRMAN. The Chair will suggest that the gentleman from Missouri is speaking on very limited time.

Mr. MADDEN. I will not interrupt the gentleman any more. Will the gentleman tell the House now how it can be possible for the value of commodities to be low when the rate of wages is high? Will the gentleman tell how you can have a cheap cost of living when you have a high rate of wages?

Mr. BORLAND. I hope to satisfy the gentleman on that point.

To resume, Mr. Chairman, we saw that the farmer was selling his products in a competitive market and buying his goods in a protected market.

We saw that the Federal Treasury was facing a deficit and that the revenues were wholly inadequate to the present needs of the Government, a condition which placed an effectual veto upon great projects of national development, such as the improvement of the waterways and the reclamation of arid lands.

A most express promise was made that tariff revision meant an honest effort to correct all or most of these abuses.

The most serious criticism of the pending bill is that it is a manufacturers' measure exclusively. This is the sum and net result of all the complaints and criticisms that have been made. The rights of the producers of raw material have in nearly every instance been sacrificed, and the rights of the consumers have been ignored. The public demand for a revision of the tariff gained headway mainly because of two conditions. One was that the Dingley tariff, since 1897, had caused an advance in the cost of living an average of 40 per cent with no corresponding advance in wages. The other condition was that the Federal Government was facing a deficit and that the receipts from the Dingley tariff law were insufficient to meet the national expenditure.

The most partisan advocates of the pending bill have not yet contended that it will in any substantial measure reduce the cost of living. They have confessed also that it will not provide sufficient revenue to meet the present needs of the Govern-

ment. This confession appears in the fact that they have made up the shortcomings of the bill in this direction, first, by providing for an inheritance tax; second, by a new and strictly revenue tax upon tea; and, third, by a provision for the further issuance of bonds.

If the inheritance tax be stricken out and if the tax upon tea be stricken out, how far then will the bill fall short of producing the revenue for the present needs of the Government, and how far then must we go down into our pockets on the bond issue?

I do not now refer to the provision for the issuance of bonds to the amount of $40,000,000 to restore to the Treasury sums advanced to acquire the Panama Canal. This may be justified by a permanent investment, which should not be made out of current revenues. I refer more particularly to the power given in the bill to issue certificates of indebtedness of the Treasury to the amount of $250,000,000. This is precisely the attitude of a business man who has to borrow money at the bank, not to pay for goods in stock, but to meet the running expenses of the establishment.

Many of those who have honestly favored a protective tariff in the past have done so upon the grounds that it either aided the American producer of raw materials by furnishing a home market for his products, or that it raised the price of American labor to the American standard of living. The gentleman from Washington [Mr. CUSHMAN] yesterday made a most eloquent talk, in which he declared himself a protectionist from principle, and he said, as nearly as I can recollect, that he believed that protection furnished a home market for the American producer and that it raised the wages of the American laboring man. The laboring man has learned now, in spite of all the time his name has been taken in vain, that the protective tariff does not protect him. [Applause on the Democratic side.] If it secured to the wage-earner a fair and liberal return for his labor, it is clear that the wage-earners in the protected districts who have had advantage of the exorbitant Dingley tariff for twelve years should be the most prosperous, contented, and home-owning set of laboring men in the civilized world.

The relentless logic of facts has swept away this idea. In October, 1907, a panic swept over the manufacturing districts in the midst of an era of abundance and prosperity. Within thirty days after that panic a hoarse cry of rage went up from the throats of 60,000 starving workingmen of Pittsburg and 60,000 more were mobbing the city hall in Philadelphia and 25,000 were threatening the destruction of the mills in Wheeling. What had become of the high wages that were supposed to have been paid these favored employees of protected industries if thirty days of closing of the mills would bring them to the point of starvation and anarchy? The real truth is that so large a proportion is taken from the workingman's wages to pay for the necessities of life under the Dingley tariff that his wages are in fact 50 per cent of what they appear to be on the pay rolls. Does the pending bill secure to the wage-earner in any way a promise of a change in the present situation?

Now, let us come to the American producer, the backbone of American prosperity. For the first time, I believe, the advocates of the protective tariff have come out boldly for free raw material. It even has been announced by the committee which framed this bill as a general doctrine. In other words, the producer of raw material must take his chances in unrestricted competition with the world, while he is by law compelled to pay protective prices on the manufactured goods which he buys, even when made out of his own material.

Iron ore, hides, and coal are put on the free list, while steel, shoes, woolen and cotton goods are still protected practically to the point of a prohibition of foreign importation. As if to add further emphasis to the subservient position of the producer of raw materials, a radical change has been made in the drawback section of the tariff bill, known as "section 29." Under the Dingley law this section provides that an American manufacturer might import foreign raw material, paying the duty thereon, and that on the export by him of the finished product made from such raw material he should be entitled to a drawback from the Treasury of 99 per cent of the duty which he had paid on the raw material. This section was intended to place the American manufacturer on an equality with foreign manufacturers so far as regarded the export trade. It readily will be seen that it was a liberal provision in favor of the American manufacturer, because its plain purpose was to enable him to sell American manufactured goods abroad cheaper than they were sold at home. Of course nobody could complain of this splendid arrangement except that much-despised individual, the American consumer.

But the proposed Payne law not only picks the pockets of the American consumers, but it sandbags the American producers. In the Payne bill the section is so changed that the American manufacturer may import foreign raw materials, paying the duty thereon, and then, if at any time within three years he exports a finished product of similar quality and value, whether made from the foreign raw material or domestic raw material, he is entitled to draw back from the Treasury 99 per cent of the tariff paid on the imported material. In other words, if there is any tariff protection left on American raw materials, the American manufacturer is provided an easy way to avoid it by buying his raw material abroad until he has forced the American producer down to the lowest possible foreign price and then buy domestic raw material. Upon the export by the manufacturer of any of this finished product he is entitled to his drawback of 99 per cent on an equivalent amount of raw material. Unless, therefore, the American producer could afford—which he can not—to hold his raw material for three years, the manufacturer can dictate to him the price based on the lowest foreign price. Thus, the American producer of raw materials is denied any possible benefit from the increase of the export business in manufactured goods. In fact, the greater the volume of export business, the more helpless is the position of the producer.

It is worthy of attention in this connection that the words "raw material" are purely a relative term. What is the finished product of one man is the raw material of another. So that this provision is not aimed solely at the farmer, the stock raiser, and the miner, as was perhaps intended by the committee which framed the bill, but it affects a large number of small manufacturers whose finished products enter as a raw material in other lines of goods.

I have stated the most favorable construction of section 29, the construction which has been placed upon it by the committee which prepared the bill. Other meanings have been construed from it which are even more disastrous. It is said by some that the section will bear the construction that an American manufacturer who has imported no foreign material can, nevertheless, upon exporting a given quantity of his finished product, claim a bounty from the Treasury equal to 99 per cent of the tariff on an equivalent value of raw material. Let me quote this section by reading it from the bill, so that you may judge for yourself:

SEC. 29. On the exportation of articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, or where domestic materials are used, to the duties paid on the equivalent of imported materials, less the legal deduction of 1 per cent: *Provided*, That the exportation shall be made within three years after the importation of the foreign material used or checked against.

And now a word in the interest of the consumer.

Probably even the most sanguine friends of revision are disappointed with this bill. It still contains many prohibitive schedules that produce no revenue. Necessities of life have not been reduced in any substantial degree, and in some cases actually have been advanced. Gloves, especially ladies' gloves, may be classed by some of our Republican friends as luxuries. They certainly will be luxuries when this bill passes. But no public man since the days of Jerry Simpson has maintained that stockings are a luxury. [Laughter and applause.] And no man with a heart in his breast will contend that warm woolen clothing is a luxury.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. Mr. Chairman, as the gentleman has been interrupted, I ask unanimous consent that his time may be extended five minutes.

The CHAIRMAN. If there is no objection, the gentleman will be recognized for five minutes.

Mr. BORLAND. Mr. Chairman, among the mass of letters of protest against the inequalities and injustices of the Payne bill received from my district, I may be permitted to refer to two, because they are typical and bear upon these two items. One is from a wholesale dry-goods merchant and the other is from a retail dry-goods merchant. Both are well-informed and successful business men, and know whereof they speak. The letter from the wholesale dry-goods merchant is as follows:

KANSAS CITY, MO., *March 23, 1909.*

Hon. WILLIAM P. BORLAND, *Washington, D. C.*

DEAR SIR: We desire to call your attention to a few items in the proposed new tariff which we feel, if made effective, would be detrimental to the interests of both merchants and consumers.

These are the items of hosiery and ladies' short kid gloves.

It occurs to us that on both of these items the duty should be left just as it is. On the hosiery, the American manufacturers are able to compete very nicely with the foreign manufacturers, and we feel that no further advance is necessary or desirable.

On the ladies' short kid gloves, which are and will be an item of import, will say that if the new tariff is made effective it forces the consumer to pay a price for the gloves for which she does not get value received. At the present prices the values certainly are poor enough, and even on the better grade of these short gloves the domestic manufacturer has not been able to compete, and we do not believe that the new proposed duty will be of much benefit to the domestic manufacturer, but will be a great disadvantage to both the dealer and the consumer.

We respectfully request that you use your influence against the change.

Very truly, yours,

MAXWELL-MCCLURE-FITTS D. G. CO.,
ROBT. M. MAXWELL.

The retail merchant is one whose opinion is especially valuable, because he is in immediate contact with the consumer and makes it his business to know the needs of the average buyer. He not only has to consider all the difficulties spoken of by the jobber, but he must be able to hold his own in competition with the department stores and the larger retail establishments. He must understand correctly what class of goods his customers can and will buy. This comes as near being the true voice of the consumer as is possible to get before this House. The letter of the retail dry goods merchant follows:

Home 'Phone 1612 East.

(I. M. MOATS, dry goods, notions, millinery, gents' furnishings and shoes, 2516 East Fifteenth Street.)

KANSAS CITY, MO., *March 25, 1909.*

Hon. W. P. BORLAND.

DEAR SIR: I see in new tariff bill, in interest of domestic manufacturer, the Ways and Means Committee of the House of Representatives has incorporated in the tariff bill largely increased rates upon cotton hosiery and women's leather gloves.

To add 20 per cent more to the tax of 60 per cent already levied would, in my judgment, be an injustice and an outrage. In the year 1908, as you know, there was imported in hosiery to this country $6,645,570. For the same period of time our domestic manufacturer put out an amount between $50,000,000 and $60,000,000. The rate suggested on gloves is an increase over the present rate of 128 to 150 per cent for schmachen, 60 to 174 per cent for lamb, and 33 to 102 per cent for kid, which is in direct opposition to the wishes of the people of the country.

I wish to protest against any such legislation. I trust you will give this your most earnest consideration.

Yours truly, I. M. MOATS.

Let me also call your attention to the following letter:

NEW YORK, *March 29, 1909.*

Hon. WILLIAM P. BORLAND,
Washington, D. C.

DEAR SIR: The undersigned, a committee representing 70 wholesale dry goods houses, respectfully ask your attention to the inclosed press clippings showing that the effect of the "joker" paragraphs, 318 and 321, of the cotton-goods schedule of the Payne tariff bill would greatly raise duties, and frequently double them, and more.

As the provisions are technical, it is certain that the gentlemen who drafted the bill did not realize that these provisions were prohibitive.

Our special committee of experts is at your disposal to demonstrate this raise.

Cotton-goods statistics show that American mills do not need any protection on the goods they are equipped to produce. In neutral markets they have so well been able to compete that their exports have rapidly grown, and in 1906 equalled $52,944,633.

The average dividends of the principal Fall River mills affected were, in 1907, a panic year, 25¼ per cent; in New Bedford, 25.2 per cent. A prominent illustration is the Dartmouth Manufacturing Company, which paid 66 per cent last year, and on February 24 last an extra dividend of 100 per cent. This bill makes precisely the class of goods which these paragraphs are designed to prohibit. All of these dividends are in addition to enormous salaries paid to officers.

American mills do not sell their products on an ordinary profit basis, but adroitly fix their prices just below those at which similar goods can be imported.

The net result of these paragraphs, if permitted to become law, will be to greatly reduce revenues by prohibiting importation; to permit a few New England mills to manipulate prices at will and to repeat their action of 1907, when they arbitrarily raised prices more than 50 per cent, although there was no corresponding increase in cost of production. It will drive many importing houses out of business and work a hardship on 28,000 American retail merchants and add an additional burden to the whole American people by increasing the cost of a primary necessity of life.

No question of politics is involved. The whole people are united in the conviction that the tariff should be reduced rather than raised.

President Taft said, on December 16 last: "I believe that the way to stamp out trusts and monopolies is to avoid excessive rates, which tempt monopolies."

An average tariff of 20 per cent on cotton fabrics is ample to protect American manufacturers from any possible difference in cost of production, and its only effect would be to compel them to run their mills on a fair capitalization and charge reasonable profits.

Respectfully submitted.

F. B. SHIPLEY,
Chairman Committee on Publicity.

49 LEONARD STREET.

It would not be profitable for me to discuss with our friends who are in the majority in this House the doctrine of the protective tariff. Whether it be illogical, whether it be unsound, whether it fosters an unnatural and abnormal growth that reacts upon the commercial body the American people will be the judge. You gentlemen on the other side have borne abundant testimony to its debauching effect upon American business men by teaching them to rush here for protection, even prohibitive duties, on their own businesses on the plea that some other person from whom they must buy materials is enjoying governmental favor, in which clamor of selfish interests the rights of the consumer and the welfare of the Nation are entirely lost sight of.

I will only say that we Democrats believe that the true function of a tariff is to raise revenue; that if it does not do that, it is morally wrong and politically unsound. [Applause.] We are opposed to a prohibitive tariff. We are opposed to a tariff on goods sold abroad cheaper than they are sold at home. We are opposed to all countervailing duties. We are opposed to duties to afford one manufacturer protection against another protected manufacturer. We believe that a revenue tariff is simple, safe, and entirely adequate. We believe that it could be adjusted on a limited number of articles so that it would distribute itself fairly, could be calculated with certainty, and could be raised or lowered as the needs of the revenues required without disaster to the entire delicate machinery of commerce. We regret and deplore the feverish anxiety which pervades every line of business whenever the tariff needs revising. We believe that it all could be avoided and business men made more secure by a sound and scientific system of revenue tariff.

No loyal American will vote to injure in the slightest degree any legitimate American industry. No loyal American, no man who has the most elementary knowledge of the tremendous possibilities of the inland regions of our country, will vote to tie the hands of the Government by refusing to provide adequate and even liberal revenue; but when we are asked, as we are asked in the pending bill, to vote for a prohibitive tariff, to vote for a bill which has not yet justified itself as being able to meet the present needs of the Government, to vote for a measure framed in the interests of a class and by a system of log rolling between special interests, we have a right to feel that not only has the consumer been ignored and abused, but that the producer and the Nation itself, with all of its growing responsibilities, have been led in bondage to a comparatively small group of protected manufactures. This bill is not offered as a liberal or even adequate revenue measure. The framers of the bill themselves do not claim that as a revenue producer it will come within $60,000,000 of even the present needs of the Government. They hope to make up the admitted deficit by the growth of business in subsequent years. I can not but believe that the entire scope and spirit of the pending bill will be a profound disappointment to the American people. [Applause on the Democratic side.]

Mr. LOWDEN. Mr. Chairman, I do not mean at this time to enter upon a discussion of the schedules contained in the Payne bill. I intend to confine myself in what I shall have to say tonight to the provisions looking to reciprocal agreements with foreign nations in the matter of trade; for it has been, I take it, the settled policy of the Republican party since, at least, the McKinley bill was framed, to incorporate into any revenue measure some provision or provisions intended to enable us to enlarge our markets abroad.

In the Dingley law there were two provisions; the first is known as section 3, which provided in effect that certain articles, limited in number and therein mentioned, should be received as imports into this country at reduced rates, in consideration of equivalent reciprocal concessions made by foreign nations.

According to the terms of that section a minimum duty considerably lower than the general duty was provided for upon argols, brandies, spirits, champagne and other wines, vermuth, paintings and statuary. The President was authorized to enter into negotiations with foreign governments producing these articles and to make reciprocal agreements with such governments whenever, in his judgment, such foreign governments were willing to make concessions in favor of American products which were equivalent to the concessions which such foreign governments would receive by the reduction provided for of the duties upon such articles.

There also was a section in that law (section 4) which provided for reciprocal treaties, and which required of course the ratification of the Senate. It was proved in practice after that law went into effect that this section, providing for reciprocy treaties, was practically of no effect, because of the difficulty if not impossibility of securing the ratification of such treaties by the Senate. This left as the only practical measure, section 3, before referred to. That section, limited though it was as to the items which it covered, has enabled us to extend our markets very considerably, and in more than one crisis of American trade, has enabled us to avert disaster. I recall to the gentlemen of this committee that only two years ago everyone was much aroused because of the threat of Germany to put her maximum duties into effect as against American products. This would have borne especially hard upon the agricultural and livestock interests of the country. Section 3, with the few articles named therein, such as brandies, wines, statuary and paintings,

was a very slender basis for negotiations. And yet, the President was able by this means alone to secure the continuance of the minimum duties which Germany had in force. It gave the executive department of the government an opportunity to negotiate, and the mere opportunity to negotiate is in itself worth much, whether as between nations or individuals. Arbitrary and unreasonable contentions are likely to yield the moment the parties to a controversy enter into a discussion of their differences.

And when the time came to frame this bill, it was generally recognized that there must be an extension of the principle of negotiation. In our convention at Chicago it was specifically pledged that we would adopt a system of maximum and minimum tariffs to accomplish this purpose. And the reason was plain, because in international commerce you must take into account the methods that obtain in other nations with reference to this matter, and practically every nation of the Old World, except Great Britain, had adopted a system, either of general and conventional tariffs or general and minimum tariffs.

Mr. GARRETT. Mr. Chairman, is it agreeable to the gentleman to submit to an interruption there?

Mr. LOWDEN. Certainly.

Mr. GARRETT. The gentleman has just stated that all the European nations of importance have adopted——

Mr. LOWDEN. Except Great Britain.

Mr. GARRETT. Except Great Britain, have adopted a maximum and minimum tariff.

Mr. LOWDEN. Yes; in one form or another.

Mr. GARRETT. What amounts to that.

Mr. LOWDEN. Yes.

Mr. GARRETT. Now, of course, the gentleman I am sure, does not make that statement without knowing. I have been informed, however, that only France and Germany had the maximum and minimum tariffs.

Mr. LOWDEN. No; all the great continental powers have either a general and conventional or a general and minimum system, which we refer to in a general and sometimes loose way as maximum and minimum systems.

Mr. GARRETT. It amounts to the same thing in practice.

Mr. LOWDEN. I shall proceed later to point out some differences.

Mr. GARRETT. Now, I want to ask the gentleman where the ordinary man can find something about that, aside from what we can learn from the gentleman's speech. Is there anything in this library about that?

Mr. LOWDEN. The best information that I have been able to gain has been from Mr. N. I. Stone, the tariff expert in the Department of Commerce and Labor, who was one of the three commissioners appointed by President Roosevelt at the time of this threatened application of Germany's general tariff—one of the three commissioners who went to Germany to negotiate an agreement which would relieve us from that peril.

Mr. GARRETT. I wish we could get into the Record somewhere a full statement of this maximum and minimum tariff and general conventional tariff, so that we could all have access to it.

Mr. LOWDEN. I believe I have a right under a general order to extend my remarks in the RECORD; and I will be very glad at some place or other to make reference to such things as have at least assisted me.

Now, Mr. Chairman, it becomes necessary to ascertain, if we are to adopt these new principles into our law, just what the practice and methods are in these various countries which confessedly have brought us to the adoption of that policy.

In France, for the purposes of illustration, they have two tariffs—a general tariff and what they call a minimum tariff on most articles. On some articles, however, they have but a general tariff, and in negotiating agreements with other nations they are at liberty, where they have but a general tariff, to make any rates they may see fit with reference to such articles; on all other articles any rates they may see fit to impose down to the point of the minimum duty, but they are not by these agreements permitted to go below that.

In Germany they have what is known as a general and conventional tariff. In the first instance they enact a law with one set of rates, and every departure from that set of rates is made by a treaty or agreement with some other power, and therefore when we speak of their minimum rates of duty we mean only such rates as they have conceded to other nations in treaties and agreements that they have made with them. But under Europe's construction of the favored-nation clause, whenever one power makes by convention or treaty one set of rates with some other power it must extend those rates to every other nation with which they have a treaty containing the most-favored-nation clause. This, as the gentleman will understand, is not the rule of international law which obtains in this country in its diplomatic relations with the rest of the world.

Nearly all other European countries, with the exception of France, have come to the German system of general and conventional tariffs. It follows, therefore, that a nation that does not negotiate with these nations has no one to look after its peculiar interests.

Let me illustrate. Austria-Hungary has a conventional system—that is, it has a general tariff and a conventional tariff. A few years ago the United States exported to Austria-Hungary in one year very nearly $2,000,000 worth of cotton-seed oil. Austria-Hungary raised the duty on the import of cotton-seed oil to a prohibitive rate. There was no other nation but ours exporting cotton-seed oil to Austria-Hungary to any extent, and it followed that there was no one interested in having a lower duty by convention in the tariff schedules of Austria-Hungary, with the result that our export of that article was reduced the very next year after the new tariff went into effect to less than $50,000—reduced from almost two million to less than fifty thousand dollars.

Another illustration. The gentleman from Ohio, Mr. Cox, discussed the duties on sewing machines to-day and pointed out that we are the principal manufacturers of that article, and that we have great difficulty in finding an adequate foreign market for our surplus output. He thought, if the newspapers reported him correctly, for I did not have the pleasure of hearing him, that this was due in some way to our high schedules. I do not agree with him in this respect. The foreign commerce of the other nations of the world, leaving Great Britain out of account, is largely controlled by conventional tariffs made by them. In Germany, for instance, the general tariff places a duty of 35 marks upon sewing machines and knitting machines. This duty is contained in a single paragraph, and the two kinds of machines are treated as of exactly the same class. It appears, however, that Belgium is a large manufacturer of knitting machines, but not of sewing machines. That country negotiated a trade agreement with Germany by which the duty upon knitting machines was lowered from 35 marks to 12 marks. America, being the country principally interested in the export of sewing machines, and not in a position where it can negotiate generally with reference to the tariff, is obliged, of course, to pay the full duty upon every machine it sends into that country. While, therefore, upon the face of it we enjoy the minimum duty in force in that country upon sewing machines, we are suffering from practically a prohibitive duty upon that article. Lower duties generally would have helped the situation but little.

The result would have been the same, because with lower as with higher duties, we could have no agreement with Germany, making concessions on our part, except as to the very few articles enumerated in section 3. At the risk of repetition, I want to say that the balance of the world seeks in every way to restrict foreign trade, except with such countries as through negotiations grant concessions in return for favors they would have. We might as well recognize the fact now, that whether right or wrong, that is the world's way to foreign markets. And if we would compete with other nations in the markets of the world, we, too, must place ourselves in a position where we can treat with foreign nations. Now, then, it is perfectly apparent from what I say that there has been no discrimination in those cases, and if this bill as framed becomes a law there will be no discrimination within the meaning of this law, because Germany gives us the lowest rate on sewing machines, and Austria-Hungary gives us the lowest rate upon cotton-seed oil, and the only way in the world to reduce the minimum duties upon exports in which we are interested is by some method of negotiation conducted by this Government with the Government of these foreign countries. In other words, no automatic provision that we create here can answer that purpose.

Not only is that true, but this other thing is true as well. It is possible for foreign countries to come within the letter of the law, so far as the schedules are concerned, and yet by other regulations, sanitary or what not, actually impose a burden upon American exporters which can not be met in comparison with the advantages that the other countries have. To illustrate, Germany admits meat products in carcasses, but provides that the viscera of the beef animal must be within the carcass and must reach her ports intact. We compete with the countries of Europe in this product. Those nations, just across the line from the German boundaries, of course can meet this qualification, but any one knows that if we choose to send beef carcasses to the German ports with the viscera attached, those carcasses will be ruined before they reach there. This is an instance where, I care not how perfectly or how carefully you prepare an automatic provision of this kind, we will get the worst of it unless we are willing to have somebody representing this Government sit down with somebody representing the foreign country and make a sensible agreement, which will not discriminate in fact, no matter how fair the tariff may appear upon the face of their schedules.

Another illustration along the same line: Germany also demands that our cured pork meats shall have been microscopically inspected for trichina by the United States Government before it will be permitted to enter. Nevertheless, such United States inspection is ignored and every piece must be subjected to a further microscopical inspection in Germany at considerable expense to the importer. No one can justify this regulation. If Germany is unwilling to rely upon our government inspection, why require it? What other purpose in the world has she in mind but to discourage and reduce our exports of pork? And how, possibly, can these vexatious charges be removed except by negotiation?

We export vast quantities of wheat. Some of the continental countries place a considerably higher duty upon wheat than upon flour. And whereas formerly American flour found its way to the principal ports of Europe, foreign markets are being rapidly closed against this product of American manufacture. In this connection we must not forget that we have no power under the Constitution to levy a duty upon exports, and, therefore, can only guard our right to manufacture our own raw products into the finished article by negotiations with foreign countries. It may be that even by negotiations we would not succeed in all cases. But at any rate we ought to have an opportunity to try. By manufacturing our wheat into flour we would not only give employment to many men, but we would save to our own country the bran, an important by-product, and one which the great live-stock interests of the country can ill afford to lose.

The difficulty of providing by law against an unjust discrimination by another government is perfectly illustrated by reference to the timber schedule. The Dingley law placed saw logs upon the free list. It went on to provide that if any country should place an export duty upon saw logs, the same duty should be collected upon importations of saw logs from that country. This was in anticipation that Canada might impose such a duty. What did Canada do? It was pointed out by the gentleman from Michigan [Mr. FORDNEY] that most of the timber in Canada is owned by the government, and title to this timber can only be acquired under crown leases. The Canadian government did not levy an export duty upon saw logs, but, as I understand it, provided in its leases that timber cut upon these lands must be manufactured in Canada. That country, therefore, in effect, prohibited the export of saw logs and absolutely defeated the purpose of the provision in the Dingley law. That law also provided that if any country should impose an export duty on pulp wood exported to the United States, the amount of such export duty should be added as an additional duty to the duties imposed upon wood pulp when imported from such country. Canada did not impose an export duty upon pulp wood, but some provinces imposed a crown-land charge of 65 cents per cord upon pulp wood, with the provision that if such pulp wood should be used in Canadian manufactures 25 cents per cord of such charge should be rebated to the man who cut the wood. Here are two concessions which we made to Canada—one, that we would levy no duty on her saw logs; the other, that we would levy no duty upon pulp wood, provided she would levy no export duty upon either of those articles. The very consideration for which we granted these concessions to Canada, therefore, in large part failed. If, on the other hand, we could have employed the principle of negotiation, within certain and well-devised limits, we could have met successfully the evasion practiced by Canada.

The provision drawn in this bill with reference to lumber to meet this situation is so broad that it might operate to a very great disadvantage to America, as already shown during the debate already had here upon this portion of the bill. The gentleman from Michigan, with a frankness characteristic of him, confessed that it was an exceedingly difficult thing to so frame this provision as to accomplish its purpose and yet not go way beyond the evils it was intended to cure. In other words, it is very difficult to make a proposition now to another with conditions attached, with no agreement on the part of the other, which will be as desirable from the first party's standpoint ten years from now as an agreement between the parties by virtue of which both parties are bound to do something.

Mr. SCOTT. Will the gentleman permit an interruption?

Mr. LOWDEN. Certainly.

Mr. SCOTT. Does the gentleman think the objection he suggests would be met by inserting in this provision a clause to the effect that "other governmental regulations" which imposed a restriction upon our commerce might be taken into consideration as well as imposts or taxes?

Mr. LOWDEN. "Other governmental regulations" will cover but one kind of discrimination; that is the kind of discrimination aimed directly and in terms at some American product. This kind is seldom employed. The usual method is to make a regulation which upon its face applies to all countries, but which in fact is aimed principally against some American product. Of course these words would not at all meet the other objection first pointed out, namely, that though upon the face of their tariff schedules they make no discrimination against us, it is simply because there is no minimum duty on particular articles. In other words, we are the principal manufacturers of sewing machines which go into Germany. The other great nations, therefore, are not interested so much in negotiating a minimum duty with Germany upon this article as upon others, and we, because of our policy, are not in a position where we can negotiate at all. It follows that the general duty upon this article is also the minimum duty, and while we are discriminated against in fact, it is that kind of a discrimination which can only be removed by negotiation. We must be able to say to Germany, "You must give us something further in the way of concession than appears upon the face of your schedules if you wish to enter our great markets." In other words—and I will be as brief as I can upon this point—making up their minimum duties as they do in those countries by treaties or conventions of one kind or another, their minimum duties are simply such as have been extorted from them by these other nations, and it is not reasonable to expect that such other nations will be particularly interested in the articles of which we are the principal exporters. And they are very clever and adroit. They have a great many talented experts employed in these several governments, and they are able to contrive their tariff schedules so as in fact to discriminate against everything of which we are the principal producer if they wish to, and we can only get a fair deal in these markets by negotiation and by giving the executive department of the government something with which to negotiate. Do I make myself clear?

Mr. SCOTT. Mr. Chairman, the gentleman always makes himself clear. I had recognized, as all of us had who have given any attention to this matter, the strength of the point he has made in regard to the sanitary regulations imposed by Germany, particularly on our meat products, and it had seemed to me that the situation as to them might possibly be met by the insertion of the words I read in this provision.

Mr. LOWDEN. I have prepared an amendment which covers that point and also goes further. It contains a provision that if the President of the United States finds that some country by any of these methods is practically barring some of our exports to that country, he can insist, if he sees fit, upon our right treatment with reference to such exports before he grants that country the benefit of our minimum duties.

Mr. SULZER. Will the gentleman yield?

Mr. LOWDEN. Certainly.

Mr. SULZER. Does the gentleman indulge the hope that he will get an opportunity to offer such an amendment as he describes?

Mr. LOWDEN. I hope so.

Mr. SULZER. Well, I certainly do, too, but I am very much in doubt about it.

Mr. LOWDEN. Well, I have that hope.

Mr. SCOTT. If the gentleman from Illinois will permit, I will say to the gentleman from New York that Mr. Payne in presenting this bill expressly stated that the committee had no particular pride of authorship in this particular provision and would gladly receive suggestions of amendment from any gentleman in the House.

Mr. SULZER. Will you vote against any rule that will shut out that amendment?

Mr. SCOTT. That is not the question we are discussing now.

Mr. LOWDEN. In view of the fact that my time is limited, I do not think the gentleman should take part of it in the discussion of a rule.

Mr. STERLING. I would like the gentleman to read the proposed amendment now, if it will not take too much of the gentleman's time.

Mr. LOWDEN. I shall be glad to comply with the gentleman's request. The amendment proposes to strike out the last paragraph of section 4 of the bill and substitute therefor the following:

Whenever on or after sixty days from the passage of this act it shall appear to the satisfaction of the President that any country, province, dependency, or colony is discriminating against any article exported from the United States, or any territory belonging thereto, the growth or product in whole or in part of the soil or industry of the United States, or any territory belonging thereto, through the operation of duties, imposts, excises, taxes, or other restrictive measures; or that any country, province, dependency, or colony is, in effect, unfairly excluding, by any means, any article of commerce exported from the United States, or any territory belonging thereto, he shall

have the power and it shall be his duty to suspend, by proclamation to that effect, the imposition and collection of the rate of duties provided for in sections one and two of this act, on such articles so exported to the United States from such country, province, dependency, or colony, and in such case and during such suspension there shall be levied, collected, and paid upon such articles so imported into the United States, or any territory belonging thereto, the growth or product of the soil or industry of such country, province, dependency, or colony maintaining such restrictions, the rates of duty prescribed in section three of this act. *Provided, however*, That these provisions for additional duties shall not apply to the cases where the preferential duties to other countries are those which are given by a province, dependency, or colony to the mother country only.

Section 3, referred to. In the Payne bill, enumerates the maximum duties. I have no doubt but that this amendment can be improved; but something like it must be adopted, in my judgment, if we are going really to make this maximum and minimum tariff of ours accomplish what is intended. I would rather see section 3 of the Dingley law incorporated in the Payne bill and greatly enlarged. If I had my way about it, instead of authorizing the President to make concessions upon the limited number of articles therein named, such as argols, wines, brandies, statuary, and paintings, I would include in that section all of the schedules upon which we have provided a maximum and minimum tariff. I would place all of these minimum duties in the hands of the President with authority to employ them in negotiation with foreign countries for concessions in favor of American products. In my judgment, this would be a more practical and effective way of obtaining real reciprocity with foreign nations. I realize, however, that this would be a wide departure from the bill as reported, and for that reason, if for no other, it may be considered impracticable. I would, therefore, be satisfied with an amendment along the lines of the one I have just submitted. Some power must be placed in the hands of the executive department of this Government to negotiate to the end that we may get a fair return for the concessions which we propose to make by virtue of our minimum duties.

The Payne bill contains but one method by which reciprocal concessions can be granted or gained by this country in its relations with any other country. That method is to apply higher rates of duty upon imports of most of the articles upon the dutiable list, to those countries which do not within sixty days after the enactment of this bill into law, grant to the United States in return their minimum duties. There is no possible way under this bill by which any duty of a foreign government, no matter how high it is, and no matter though it be aimed directly against this country, can be complained of in any way, provided only such foreign country does not grant a lower rate of duty upon such article to some other country than ourselves. There is no way under this bill by which we can prevent any foreign country from imposing vexatious and injurious, sanitary, or other domestic regulations, which, in effect, amount to a prohibitive discrimination as against the products of this country compared with like products of other countries. In either of these cases such foreign country would receive the full benefits of our minimum schedules and we would receive nothing in return. When this bill becomes a law, unless section four of the bill be changed, we will have set in motion the experts of almost every foreign country to devise means and methods by which their countries may, by domestic regulations, put a handicap upon all our exports, and we shall be powerless to prevent. And when we complain and threaten to impose our maximum rates upon their exports they can point to this provision of the law and we must be content.

The Payne bill seeks to create a mechanism which shall automatically take the place of negotiation. Negotiation with the human element left out inevitably will fail of results. The most perfect law can not dispense with human agencies in fixing relations between this country and the other countries of the world. This is often called, and with reason, a material age. The marvelous machinery of peace and war startle the world. It is true, though, that in the midst of the material triumphs of man's genius there is still need for man. The life of the last tariff bill was twelve years. It is to be hoped that the one we are framing now will endure at least as long. No automatic device can be devised by the wisest men to-day which will be able to secure for us our rights in foreign markets a decade off without the intervention of man. We can not meet successfully by a fixed and rigid law a competition with the world, where clever and resourceful men play a part.

Negotiation resulting in trade agreements is the very purpose of any dual system of tariff. Under this bill without amendment we can hope for no new market, and we will do well to retain that which we already have.

We must, through reciprocal agreements, extend our market for many of our most important manufactures. For want of these agreements some of these industries are now planning plants in other countries of the world to supply the foreign demand. This means a great loss to American labor and American industry.

Mr. GARRETT. Let me ask the gentleman a question, if I may.

Mr. LOWDEN. Certainly.

Mr. GARRETT. Does not this maximum feature of this bill throw the revenue feature of that tariff law into the realm of speculation?

Mr. LOWDEN. No; I do not think so, practically, for this reason: When this law goes into effect, if it does go into effect, Great Britain, of course, at once will have the benefit of our lowest duties on every article of theirs which enters our ports. The other countries of Europe, Germany, and France, and the other continental countries, can not afford to give up this great market to Great Britain, and which it would have to do if it did not come to reasonable terms with reference to what they were going to do reciprocally. In other words, I do not believe for a moment that those countries would permit Great Britain to come in here and have the tremendous advantage which she would have by virtue of her enjoying lower duties as compared with the rest of Europe. I recognize very well that this is a very pertinent question, and I have given it the best consideration that I could, and have reached, as a practical question, that conclusion upon it.

Mr. GARRETT. The minimum feature of this bill is constructed upon the principle of the difference in the cost of production at home and abroad, and a reasonable profit to American industries, as I understand. The minimum feature is that. The protection and the revenue promise in your platform is in the minimum feature of the bill?

Mr. LOWDEN. Yes.

Mr. GARRETT. The maximum feature is merely a trade war feature?

Mr. LOWDEN. I would prefer the phrase "the trade feature" in analogy to what the countries of Europe are doing, and coming as a necessity because of that, as it seems to me. In other words, when we adopt the principle of the maximum and minimum tariff, unless we are prepared to meet the situation which their development of those things has created——

Mr. GARRETT. The gentleman understands that I did not suggest that it puts the protection into the realm of speculation. I did not suggest that as to the maximum feature. I merely stated that it does put the revenue into the realm of uncertainty.

Mr. LOWDEN. Yes, except, as I say, I think practically before the sixty days had expired every nation of Europe would have come to some terms with us, and much better terms with us than they would in the absence of that provision, and therefore receive the benefit of our minimum duties.

Mr. GARRETT. Now, upon that point, is the gentleman advised of the situation of foreign governments sufficiently to state that they can under their agreements do that within sixty days?

Mr. LOWDEN. Oh, they have no agreement whatsoever that would prevent them doing it, because of their construction of the "favored nation" clause in treaties. For instance, under the system which obtains in Germany, we will say, because I think Germany has developed this idea to a higher state of perfection than any other continental country, suppose they gave us a lower duty upon our meat exports, if you please. That would simply go into effect with every other country with which they had a treaty ipso facto. That is their construction. That makes the minimum tariff.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. If the gentleman can be granted half a minute, I would like to make a statement. The gentleman said that the maximum and minimum feature here was based substantially on the practice of foreign nations. I wish to say that if he will examine the maximum and minimum of the countries of Europe he will find that the difference between the maximum and minimum is far, far beyond what the maximum and minimum is in this country.

Mr. LOWDEN. I want to say in answer to the gentleman that that is particularly true in the new tariff that France is framing now, and for that reason I am of the opinion that the difference between the maximum and minimum in our schedules, we will find, is less than it should be.

I hope that means will be found to lower the minimum duties proposed in this bill upon several important items, to the end that the differences between the maximum and minimum tariff may be greater.

Mr. STERLING. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for ten minutes.

The CHAIRMAN. It may prevent some other gentleman

from being heard this evening. However, if there is no objection the gentleman may proceed.

Mr. LOWDEN. I greatly appreciate this courtesy, and I will be as brief as possible. I want to call attention to this: The greatest industry of the Mississippi Valley is the meat production of that section of the country. We have been trying in every way we could to get our beef animals into Germany and the other continental markets on the hoof just as we do in Great Britain. And if we could accomplish this, and it can only be done, in my judgment, through this method that I have outlined, we would be doing the greatest service to one of the great industries of this country that could be accomplished. Now, I happen to know, as well as one can know such a thing, that when Germany believed we were going to have a reciprocity agreement with her she was already considering, with the probabilities altogether in our favor, the construction of abattoirs and a complete equipment for receiving, just as Great Britain does, our live stock on the hoof.

It is estimated by excellent authorities, Mr. Chairman, that the price of the best live beef cattle in the great markets of the West is a dollar and fifty cents greater per hundredweight because of the presence in those markets of independent buyers who purchase for export upon the hoof to Great Britain. I do not know whether this estimate is accurate or not, but anyone who reads the reports of sales in any of those markets knows that this competition materially increases the value of all the cattle produced in this country.

The country is much interested at the present time in the conservation of our natural resources. Anyone who knows anything about agriculture knows that any policy which will encourage the raising and feeding of cattle upon our farms, means the conservation of our soil for generations yet unborn. The Mississippi Valley must furnish a large part of the world's supply of food. But the Mississippi Valley will go the way of the world and be dotted with abandoned farms, if our policies are such as to make the sale of hay and oats and corn more profitable than the natural finished product of the farm in the form of the production of meat.

This bill is based upon the Republican doctrine of protection to American industries. No protective tariff measure is perfect that does not consider the markets abroad for our ever increasing surplus. To increase these markets we must aim, so far as possible, to trade with those nations which trade with us. This policy can be advanced only by reciprocal trade arrangements, and reciprocal trade arrangements are not automatic, even though our law declares they should be such. Reciprocal trade agreements are possible only if somebody be authorized to negotiate them. They will not make themselves.

McKinley said in his Buffalo speech:

> What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and productions, and thereby make a greater demand for home labor.

But how shall we "buy wherever buying will enlarge our sales and productions," except by trade agreements in which we grant concessions to those who favor us. Can we afford to say to the nations of the world, "Withhold from us lower duties upon the things which we principally produce, put into effect all the sanitary regulations you please aimed at the products of our factory and farm; it will hurt you not, and provided only you give to us the lowest duties you extend to other nations, even though such lowest duties do not apply to a single one of America's leading products, your exports will be received and paid for by us upon the same terms we extend to that nation which receives American products upon the best and most favorable and most generous terms?" And yet, that is what we shall do unless we authorize some one to enter into negotiations with foreign countries, empowered to exact reciprocal concessions in good faith if these countries would enter our great markets upon equal terms with our best friends.

I submit, Mr. Chairman, that unless we amend section 4 of the Payne bill we will have adopted the dual tariff system with the vitalizing element entirely left out.

I will not trespass further upon your time, and thank you very much. [Loud applause on the Republican side.]

Mr. BYRD. Mr. Chairman, I will not begin my remarks in the manner I had intended since hearing the splendid speech of the gentleman from Illinois [Mr. LOWDEN]. I can not see how the gentleman or any of you Republicans can consistently advocate the extension of our foreign markets, since you have, for forty years, in justification of protection, preached American markets for American products alone. By this wall, built from the stones of avarice, you have barred to our commerce the doors of the richest markets of the world and sent to the bottom of the sea a merchant marine that once was the glory of the Nation. Your half-hearted contentions in this regard, coming at this late hour, are a travesty upon truth—*not in keeping with the righteousness of your past lives.* [Applause.]

The maximum and minimum provisions of this bill are a fraud upon the Nation, and reflect but little credit on the intelligence of the committee that framed them. Having already erected a tariff wall so high against all nations as to completely paralyze the foreign commerce of the country, it is now proposed to coerce them by erecting this wall 20 per cent higher. You say to the foreigner that unless he gives us the most favored-trade benefits of his country you will make him pay 20 per cent more than other nations to get into this market. He is now taxed out, but you propose to bring him in by increasing the tax. Such reasoning is not creditable to the brains of a donkey. [Applause.]

I am in full accord with my friend Mr. LOWDEN, that if protection is to be saddled upon us for another decade, the Executive or some authority should have the power, by reciprocity treaties or otherwise, to relax its death-dealing effect on our foreign commerce which is so much needed for the consumption of our ever-increasing surplus. For this principle stood Mr. Blaine, Mr. McKinley, and all great Republicans, who are now dead. Their great brains were broad enough to look beyond the range of their own dingy workshops and smoky villages and compass the rights of all the people in all the sections. [Applause.]

There was a time when our foreign commerce, measured by the wealth of the Nation at that time, was greatly in excess of what it is to-day. The Stars and Stripes floated at the masthead of our merchant ships in every port and upon every sea. This was when a Democratic tariff was the fiscal law of the land, when Robert J. Walker, our greatest Secretary of the Treasury, controlled the Nation's finances. It is true we have merchant ships to-day, but, like a herd of lazy swine hanging around its master's crib, they are hovering about our coast catching the rich crumbs falling from the table of protection. They are made and controlled by the shipbuilders and shipping trusts and are protected by the outrageous laws that no foreign ship can engage in our coastwise trade and no American citizen can fly the American flag at the head of any vessel not constructed by the trust. Thus it is that we find our foreign commerce destroyed and our whole shipping industry crippled by the unwise and indefensible policy of protection.

To my Republican friends let me say that I like many of you. You are the jolliest and most affable set of mercenary fellows that it has ever been my pleasure to know; and if you were as honest as you are gentle-hearted, you would take the wholesome advice of my friend Mr. LOWDEN and insert a provision in this bill authorizing the President to suspend the provision of the outrageous 46 per cent tax against every prospective foreign market we have. Give him the right to grant the millions of South America and the Orient the same tariff concessions and benefits granted them by European nations. I know that many of the Republican members of the Ways and Means Committee pose before the world as great men, and this doubtless may be true; but in framing this bill they must have had a slight attack of paresis.

By what process of reasoning can you justify levying the same tariff rate against the unskilled, half-witted hybrid of South America as you do against the skilled artisan of Europe? One has been educated in all the arts of European mechanism, while the other is so untutored as to be unable to make a decent-looking plow stock. There may be some sense in saying that the lace maker of Germany shall not compete with us, but there is none in extending this embargo against the half-blood pigmies of Peru. Can any of you explain such an idiotic policy as this? Do you not know, and does the world not know, that our industries need no protection against South America, the Orient, Africa, or the South Sea Islands? In that sphere alone is to be found over a billion people just coming into the light of civilization, and who are to-day the greatest consumers of European products. European nations have waged bloody wars, are building powerful navies, and the blood of Russia still stains the walls of Port Arthur, shed in the fiercest contest of the century, in order that she might maintain her commercial prestige in the Orient.

While other nations are exhausting their vital energies to secure these rich markets, we, who have everything to sell and nothing to buy, at the behest of unrequited greed, are in the act of striking a crushing blow to our own commercial prestige. Europe will ridicule the idiocy of our statesmanship and wax powerful and strong by dumping into her own coffers that immeasurable wealth that should be ours. [Applause.]

Mr. Chairman, many of us believed that when this bill was brought into the House it would contain provisions liberalizing

our trade policies with other nations that offered such inexhaustibly rich markets for the consumption of our southern cotton. But we are sadly disappointed in this. Even the paltry provisions in the former tariff bills providing for partial tariff concessions for commercial benefits have all been left out of this measure. It seems that the only thought that inspired the Ways and Means Committee was for the enrichment of New England at the expense of other sections. Our foreign markets were forgotten, the rights of the laboring man were outraged, the farmers were ignored, and 80,000,000 of consumers robbed. This is the spirit in which the schedules of this bill were written. The trusts dictated; the Ways and Means Committee wrote.

In our commerce with all South America and all Asia, the balance of trade has been increasing against the United States since the Republican party came in power. In 1866, with all Asia, it was against us only $14,700,975, while in 1907 it was $119,771,762. In 1866, with all South America, it was against us only $14,420,550, while in 1907 it was $78,008,963. In both, the annual balance amounts to more than $200,000,000. This enormous sum, which is annually increasing, must be settled with our gold and silver, when it ought to be with cotton goods. Almost the entire trade of these two hemispheres should be ours by virtue of our natural and political advantages, and would be but for the hidebound statesmanship of the party in power.

While we have been gradually losing the riches of the trade of these two great sections of the world, England and Germany have been busily engaged appropriating these markets to themselves. While the annual balance of trade has been steadily increasing against us, it has been growing rapidly in favor of these nations, until it now amounts to hundreds of millions of dollars. This fact illustrates the difference in the puny statesmanship of the Republican party and that of Gladstone and Bismarck. They both believed that their respective countries had an interest in every market of every nation, and to this end they shaped their policies. They were adding empires to their trade zone while we were warring over tariff schedules to protect hides and peanuts. Would to God that there could be born in this country a Gladstone!

My Republican friends, I believe in a tariff for revenue only, so adjusted as to bear lightly upon the necessaries of life, and so arranged as to give us equal trade opportunities with all the nations of the world; but you believe in a tariff for the sole purpose of robbery, so adjusted as to bear lightly upon the trusts and impoverish the consumer, and so arranged as to herd the American people within the narrow walls of the Nation, in order to facilitate your opportunities to more effectually rob them. Your whole political philosophy is contained in one word—"greed." Professing to be the followers of Henry Clay, your debauchery of his pet principle is enough to make his spirit weep. He stood for aid to our industries while struggling in infancy and poverty; you stand for subsidies to giant corporations strong enough to throttle the Nation. He never dreamed that the ideal of his greatness would ever be prostituted into an incubator for the propagation of trusts, nor that the descendants of the great people he loved so well would have to pluck such bitter fruit from the tree he planted.

In 1906 we exported $83,000,000 of cotton goods, England $483,000,000, and Germany about $97,000,000. Eighty per cent of the cotton from which these goods were made by England and Germany was grown in the United States and exported as raw material.

In 1850, England, with 60,000,000 people, consumed less than 1,000,000 bales of American cotton. In 1908 she took practically one-third of our entire cotton crop of 13,600,000 bales, when she now has only 43,000,000 people. Now, why is this true? It is simply because fifty years ago she abandoned the very policy that is now isolating us from the world and opened her doors to the commerce of all nations, and to-day there is not a seaport in which her commercial flag can not be seen. As I once before stated on this floor, she sold, in 1906, 25,000,000 yards of cotton goods to our next-door neighbor, Mexico, while we sold only 2,500,000 yards. The cotton from which she made these goods was purchased in Galveston, carried 4,000 miles across the sea, manufactured into fabrics, brought back, and bartered off for the rich raw materials of our southern republics. While England was doing this, our cotton factories, the smoke from which could almost be seen from the Mexican border, were going into bankruptcy by the hundreds. I do not know of any manufacturing enterprise in the South that has suffered more during the recent panic than have the cotton factories. While English and German mills were running day and night to fill their orders in foreign countries we had $30,000,000 of that class of goods produced in this country for which we could not find a market.

Mr. MADDEN. Why did you not change the class of goods?

Mr. BYRD. Being barred from the markets, we had no knowledge of the class wanted. [Applause.]

Mr. MADDEN. I would like to ask the gentleman a question. You say your people manufactured more cotton goods than there was a market for. You did not have knowledge enough to make the kind that could be marketed. Do you wonder that you failed?

Mr. BYRD. Yes; I do. We should be provided with a foreign market, since we have none at home. On this floor five years ago I made a speech advocating the policy of sending agents abroad to find out the exact kind of cloth that suited the foreign market in every quarter of the globe; and, if I mistake not, the gentleman from Illinois [Mr. MADDEN] was one of the Members who voted against the proposition. However, we got the measure through; and it has proved to be of incalculable benefit to the cotton industry of the South. I have two reports from these special agents, a part of which I intend to print in my remarks, that show the marvelous opportunity for the extension of our cotton trade in India, China, South America, and other parts of the globe. Sending special agents abroad has now become a fixed policy of the Government, but their efforts must be supplemented by a liberal foreign-trade policy before much good will come.

Mr. HILL. Mr. Chairman, I would like to ask the gentleman a question for information, not with any idea of political feeling or anything of that kind. I have understood that generally cotton factories down through from Washington, say, to New Orleans, show every evidence of prosperity and, as I understand it, have generally for the past ten years declared very large dividends, much larger than in New England. How does that difference exist in Texas from what is true of Georgia and North Carolina?

Mr. BYRD. I can not understand, unless it is because they do not manufacture the kind of goods protected by the graft under the schedules of this bill. [Laughter.] Just such men as the gentleman and his committee fix the schedule so as to rob the people on what they make, and let the kind we make go to hides, if you will excuse the expression. [Laughter.]

Mr. CANDLER. As a matter of fact, the cotton mills in Mississippi have not declared a dividend.

Mr. BYRD. Of course not; many of them have been shut down for two years, and for some receivers have been appointed.

Mr. HILL. Oh, I refer to the time from 1900 to 1907.

Mr. BYRD. They never made much at any time. Would make the goods, but could not sell them. They had no market at home and those of the world were closed against them.

Mr. WEISSE. What about the tax on hides?

Mr. BYRD. Do not speak of hides now. Will refer to that later.

I will here insert in the RECORD a few extracts from the reports of these special agents, which I think ought to be a thorn to prick your contracted souls. Mr. Whitham, in his report filed in 1907, says, in reference to England and her cotton industry:

A territory measuring 121,000 square miles, which is less than the area of New Mexico, and supporting 43,050,000 people, is our greatest competitor for the cotton-goods markets of the nonmanufacturing world. Such is the United Kingdom of Great Britain and Ireland. The foreign trade of the Kingdom for 1905 and 1906 shows the following remarkable aggregate:

	1905.	1906.
Imports	$2,719,679,426	$2,958,289,385
Exports	1,983,568,498	2,241,888,600

Of the enormous value of exports in 1905, $1,210,000,000 was made up of manufactures. The American cotton trade hardly comprehends the fact that cotton manufactures form more than one-third of this vast outgo of manufactured articles. In truth the most important trade in the world, as well as the largest, is that of cotton and cotton products, and there is not a doubt that if the makers and distributors of cotton goods in this country had even a fairly accurate conception of the large extent of this foreign trade they would take the necessary steps to secure a fair share of it.

EXPANDING AMERICAN EXPORT TRADE.

The mill man or merchant whose horizon is contracted will doubtless think that the present period of great demand and satisfactory prosperity in the American home trade is an unpropitious time to bother about trade abroad, seeing that we can not for the present easily supply our home requirements. Taking a view of the barometric record of our industry covering a decade or so, the close observer can arrive at no other conclusion than that such an attitude is shortsighted. We rank low as exporters of cotton goods when compared with five or six of our competitors and leaders; therefore we can not claim to have much knowledge of the general conditions of the business outside of our own country. In any search we make for success in this stimulation of

export growth we can only be guided by the lamp of experience, and where we have none of our own we must perforce borrow our neighbor's light. It is certain that the existing and hitherto unheard-of prosperity which the cotton trade is indisputably enjoying will not last forever, and when the next period of depression arrives we shall be anxious for substantial foreign connections. It is but common prudence that we should take every possible measure to forestall adversity.

Americans have an undesirable reputation abroad as "dumpers" of surplus stocks whenever their warehouses are overflowing. This is unfortunately a handicap when permanent connections are sought. No amount of academic discussion will sell our goods in new markets, nor enable us to compete successfully with rivals. We must first determine the degree of our competitive efficiency, and if we fail short in any particular look for a remedy to correct the fault. Examining the latest statistics available, those for the calendar year 1906 uncover a comparison not a little disquieting.

COMPARISON OF BRITISH AND AMERICAN EXPORTS.

Great Britain exports every year over 6,000,000,000 yards of cotton cloth, or more than our American mills produce. Nor does a comparison of values afford us any greater cause for self-congratulation. During the calendar year 1906 Great Britain exported cotton manufactures to the value of $484,000,000. The United States during the same period sent out only $435,000,000 worth. In that year our trade decreased over $13,000,000, while English trade increased $37,000,000.

Again he says:

England sends to India over 2,500,000,000 yards of cloth a year, as against less than 1,000,000,000 yards to all other oriental countries combined. Many statesmen and leaders of public opinion and thought in England predict that sooner or later a commercial empire union will be established between the United Kingdom and her colonies and dependencies, and with it a tariff barrier against the products of the United States and those of every other foreign cotton manufacturing country. Therefore this is the time for United States manufacturers to establish a foreign market for their goods which will not be easily shaken from its foundation.

IMPORTS OF LATIN AMERICA.

Coming nearer home, and comparing the British sales to the republics to the south of us on this hemisphere and the islands of the West Indies with our shipments to those countries, it is found that 1906 witnessed a greater trade in cotton goods between those countries and Great Britain than the total American shipments to the entire world. The official records show that cotton cloth shipped by England to the countries south of the United States in 1906 amounted to 755,000,000 yards, while American shipments during this period to the same countries were 136,000,000 yards. The total United States exports of cotton goods in 1906 were 511,000,000 yards.

Looking further, Mexico, connected with the States by adequate and excellent railroad and steamship facilities, took 25,500,000 yards from England during 1906, and only 2,500,000 yards from the United States. Cuba, which has given us a substantial tariff preference, bought from this country in 1906 only 16,000,000 yards, taking during the same period nearly 59,000,000 yards from Great Britain.

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GROWTH OF COLNE AND NELSON.

Colne, with 25,000 population, and Nelson are two Lancashire towns which have grown amazingly in the last two decades. Forty years ago Nelson, or Marsden, as it was then named, was little more than a crossroads settlement. Now it is a municipality of no mean importance, with a population of 38,000, and one of the most aggressively industrial towns in the textile manufacturing districts. Nelson has no parallel in either Lancashire or Yorkshire in so far as its almost maglev progress goes. Instead of a handful of people eking out an uncertain living, there has been built up an industrial community working under conditions which continue to command the admiration of every student of industrial evolution in the United Kingdom. The increase, indeed its very existence, is due to the growth of weaving sheds and "loom and power" establishments. Here is the center of England's colored-goods industry, and this branch of the trade also has a recognized standard list for weaving colored goods, differing from the list for gray and fancy fabrics provided for in the uniform list, so called.

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AMAZING GROWTH OF LANCASHIRE'S COTTON INDUSTRY.

The recent erection of new cotton mills in Lancashire has been without parallel in industrial history. In order to emphasize the marvelous extension in the productive capacity of the Lancashire zone, it may be pointed out that the number of spinning spindles added within the past three or four years in the district of which Manchester is the distributing center and Liverpool the cotton-buying headquarters exceeds 10,000,000, with approximately enough new looms to take the increased yarn output. This development is all the more astounding when it can be truthfully said that this English growth is greater than the total number of spindles operated in either Germany, India, Russia, France, or any other country in the world except the United States, and that the total spindleage of our Southern States does not reach the growth in Lancashire since 1900. And no end seems to be in sight, for new mills are projected almost every week. Some halt in the movement is evident, but this is only due to the fact that cotton-machinery makers have their output sold so far ahead that it is impossible to obtain deliveries for new mills for a year or more to come. Nor have other manufacturing countries been at a standstill. Continental Europe and Japan and India have been abnormally active in mill building. All this should be looked upon with satisfaction, by the American cotton grower at least, for it is reasonably certain that the demand for some years to come will be such as to insure him a fair return for his crop. It is estimated that when all the new spindles in England are turning they will consume some 700,000 additional bales of cotton annually. Comparisons are generally illuminating. While England has added 10,000,000 spindles in a few years, it is learned from an American publication that the gain in the United States in spindleage from 1904 to the end of 1906 was only 2,022,981; in this number it is inferred that twister spindles were included, and these are nonproducers.

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INCREASED COTTON SUPPLY NEEDED TO MEET DEMAND.

It has been estimated that prior to the present unprecedented boom in British cotton-mill building the normal increase in the world's consumption of cotton was approximately 400,000 bales annually. If we add to this even a part of the abnormally increased British and other requirements, we get at least 1,500,000 more bales needed each crop

year than the spindles could previously consume. Counting for each acre planted to cotton an acre utilized in crop rotation, growing feed for stock and work animals, as well as vegetables and corn for the farm hands, and not forgetting the proportion of land in each considerable tract unsuitable from one reason or another for cotton growing, this means that somewhere, either in the American cotton belt or elsewhere, an increased domain of 6,500,000 acres will have to be brought under the sway of "King Cotton."

The rapid increase in the number of new spinning spindles installed in Lancashire has been emphasized, but the growth of the weaving branch of the industry must not be overlooked. Developments therein have about kept pace with the growth in spinning. Without giving the details of the total number of new looms started within the two years just ended, it may be said that in that period the East Lancashire weaving centers made the following additions: Blackburn, 9,260 looms; Colne, 3,500; Nelson, 2,500; Preston, 4,500; and Burnley, 6,600.

I want to call your attention to an excerpt from the report filed in 1908 by Mr. W. A. Graham Clark, one of these special cotton agents, as to the cotton-manufacturing industry of Germany. He says:

Raw cotton is the largest single import of Germany, and manufactured cotton the largest export. In 1907 the imports of raw cotton amounted to 933,938,168 pounds, valued at $113,391,530, and the exports of cotton manufactures amounted to 151,916,167 pounds, valued at $97,002,136. The average value of the cotton imported was 12.14 cents per pound, and the average value of the manufactured product was 63.84 cents per pound.

It will be seen by these startling figures that Germany gets five times as much for our cotton as she pays for it; and if this statement is true with Germany, it is quite likely true with all nations that import it. In 1907 we exported raw cotton to the extent of $450,000,000; and, according to this statement of Mr. Clark, it was manufactured into finished fabrics worth $2,250,000,000, giving a profit to the foreigners of $1,800,000,000. What an appalling loss to the Nation. This vast sum would construct six Panama Canals, pay the national debt, and, if converted into a chain of silver dollars, it would be more than 28,000 miles long. It would require 1,800 freight cars and 90 locomotives to move it. Also, it would give employment to 5,000,000 laborers to manufacture this cotton at home.

But suppose Mr. Clark is too high in the profits made by the German manufacturers by one-half. Then we have a stream of gold amounting to $900,000,000 annually flowing from this country to swell the riches of the foreigner. Now, why is this true? Is it because we can not make cotton goods here in the same manner they are made in England and Germany? Nay, not so. The same report shows that we have every facility for competing with the world in this regard. Is it because we have no money with which to build cotton factories? Not so. Hundreds of millions of our surplus capital is annually seeking doubtful investments in railroad and mineral enterprises in the Philippines, South America, and other places where it is liable to be lost in the vortex of a revolution at any time. Why, then, does not this capital seek investments in cotton factories? The inevitable answer is that we are now making a sufficiency for our home consumption and have no markets in which to sell more. We have supinely submitted to the destruction of our foreign markets in order to foster a few hothouse industries along the New England coast. For forty years we have been sowing to the wind and are now reaping the whirlwind. [Applause.]

But, Mr. Chairman, your statesmen pretend to claim that we can have high protection and liberal foreign markets at the same time. This can not be. The two propositions are totally inconsistent. We have been driven out of the South American and Asiatic markets by England, because she has thrown her doors wide open to their commerce. She stands willing and ready at all times to exchange her manufactured products for the rich raw material, without exacting one penny of tribute. We say to the same people that if you bring your products to exchange for ours, you must first pay from 50 to 150 per cent of their value to get them into this country. You must pay us 15 per cent on your hides, 30 per cent on your tea, and more than 50 per cent on your wool; $30 each on your horses, $3 each on your cattle, and so on; and the result is that England gets the trade and we get left. We first rob them, then seek their trade afterwards.

A nation can no more thrive and prosper by living unto itself than can an individual. We can not prosper by being shut up in a shell robbing each other. We are like fish in a pond. You are the big fish and we are the minnows. You are swallowing us at the rate of a "sucker" a moment. Some day when you have embelled all of us, you will begin on each other, and the climax will come by trying to swallow yourselves. [Applause.]

You people of New England never earned but a few honest dollars in your lives. You scarcely emerge from your swaddling clothes before you come to Congress and beg for the right to rob the American people. Your dishonesty is proverbial throughout the Nation. The West grows corn, the South cotton, New England rocks, weeds, and grafters. [Applause.]

and night to fill their orders in foreign countries we had

knowledge of the general conditions of the business outside of our own country. In any search we make for success in this stimulation of

sumption of cotton was approximately 400,000 bales annually. If we add to this even a part of the abnormally increased British and other requirements, we get at least 1,500,000 more bales needed each crop

throughout the Nation. The West grows corn, the South cotton, New England rocks, weeds, and grafters. [Applause.]

I want to say to you, my Republican friends, that if you insist upon the policy outlined in this bill, what need will we have for the Panama Canal? The commerce of every country to which it leads is rapidly passing from us, as I have shown you, and before its completion we will have been entirely driven out of these markets by England, Germany, and other European countries. The construction of this great interoceanic waterway is wholly inconsistent with the doctrine of protection. Many of us believed that when the Nation entered upon this stupendous enterprise it was to be the beginning of the end of protective policies. Let me here warn you that you might as well cast the $300,000,000 necessary for its completion into the bottom of the sea as to build it, if the policy outlined in the Payne bill is to become a fixed policy of the Nation. If this bill is passed, we should give back the territory stolen from Colombia, lose the vast amount we have already expended, and abandon the whole enterprise. The only purpose it will subserve will be to furnish our European rivals with a more direct route to the markets of the Pacific Ocean. We have practically no markets now in any of the countries to which it leads, will have less when it is completed, and if we had the commerce we have no merchant ships in which to send our products abroad. It is anomalous, indeed, that a Republican can not be found with a mind broad enough to conceive the truth of this proposition. You are too busily engaged grabbing the pelf from the present to look for the riches of the future. Your vision is too narrow to look beyond the curves of the dollar mark within your present grasp. May the Lord forgive you, for these evils have destroyed the last tinge of virtue in your souls.

Sirs, you boast of your superior worth, your superb courage, and your transcendent intelligence; yet you are as cowardly as the fawning ape when it comes to trade competition with the most degenerate class of the human race. If you were to start a toothpick factory, you would run to Washington and ask protection, not only against the competition of the skilled labor of Europe, but also against the breech-clothed natives of the Sandwich Islands. We have heard you invoke the wrath of Heaven upon the paternalistic theories of the socialist and Populist, and yet you well know that the wildest theory ever advanced by either is not comparable to the doctrine of protection when it comes to avaricious paternalism. You depend on the Government for everything; believe its chief end is to subsidize the Republican party; and to this end you have squandered every dollar in the Treasury, and are now begging for the renewal of your license to rob the private citizen of the few dollars escaping your larceny of the past.

But will there ever come a change? What can be gained by any such contracted statesmanship as now controls the Nation? Will this abortive clause, known as the "maximum and minimum tariff," bring back a single market we have lost? Will it not tend to alienate them more than ever before? As before stated, the balance of trade against us is rapidly increasing in two of the great hemispheres of the world. They sell us millions of dollars' worth of raw products, such as coffee, tea, hides, rubber, and other products that are indispensable. They know that we are bound to have them. They force us to pay them with gold, and do not in return grant us any privileges. This is because we have never treated them in a spirit of commercial fairness.

We have taxed them as we would our most powerful commercial enemies of Europe. Every tariff and other obstruction between the United States and these countries should be abolished at once. Our navigation laws should be repealed, so as to drive our ships away from the native coasts and engage, like other nations, in the growing trade of the world. Of course we will admit that protection is a good thing for those who make only the things consumed at home. The man who makes just enough cook stoves to supply the domestic market and can get 75 per cent protection can then add every cent of it as an extra profit, and will soon become a millionaire. But one producing three times as much cotton as he consumes, and who must look to an unprotected foreign market to buy it, can not hope for anything but poverty and ruin to overshadow him so long as the consumer of his product is outlawed from our market. If he is forced to sell in competition with the world, then he ought to be allowed to purchase in the same markets in which he is compelled to sell. The Mississippi farmer who makes two bales of cotton may ship one of them to his commission merchant in Liverpool with instructions to sell and invest the proceeds in the necessaries of life, such as hats, hosiery, woolen clothing, and other essentials to his farm life; but when the goods are purchased and shipped back to Mobile, and when the farmer goes to get them, it will take the other bale to pay them out of the custom-house. [Applause.] This is protection. Is this just? Is it right? Can the great cotton industry of the South, under such conditions, ever be otherwise than poor?

But you say that this farmer need not go to England to make his purchase, that protection provides him a market at home. This is true, but when he goes into the local market he can only buy as much with both bales as he can with one in England. When he spends one in England, the other he contributes as a tax to the support of the Government, but when he spends one here he must give the other to the trusts or manufacturer as tariff profit. It is all the same to him—he is robbed in either instance. It is only the difference in being held up by the minions of the law or by the highwaymen of New England.

Mr. Chairman, I am one of those who believe that God made the luxuries of the world for mankind in common—that He made the West to grow corn, Cuba to grow sugar, South America to grow tea and other products needed for the well-being of His creatures, and I further believe that it was a part of the same divine conception that gave us the great Gulf of Mexico, the Mississippi with her tributaries threading our great inland basin, intending for the same to be used for the interchange and exchange of those products so essential to the life of man. He never intended that bread should be burned for fuel in one part of the globe while people starved in another. Every unnecessary obstruction imposed by man to prevent the freedom of commerce among nations is not only wrong in principle, but is a crime against the Almighty. [Applause.]

Mr. Chairman, for these and many other reasons, I believe the Dingley law is responsible for the fearful panic that overtook the Nation in 1907. It has practically destroyed the markets for our surplus manufactured products. It is the cause of nine-tenths of the trusts that now infest the country and facilitated the concentration of the wealth in a few hands to a greater extent than hitherto has been known.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. BYRD. Yes, sir.

Mr. MADDEN. Will you be kind enough to illustrate the difference in the kind of prosperity that existed in this country under the Wilson law and under the Dingley bill?

Mr. BYRD. Yes; the prosperity claimed under the Dingley bill was such as was enjoyed by every country in the world. Europe, Germany, and even Canada were prosperous to no less degree than ourselves, and it can not be contended that this was produced by the Dingley tariff.

Mr. MADDEN. What about the Wilson bill period?

Mr. BYRD. Under the Harrison administration that just preceded its passage, you had control of the Government and unloaded a horrible panic upon us. [Applause.]

LUMBER AND THE TRUSTS.

Mr. Chairman, the lumber schedule of the bill is as misleading as many others. While on a certain class of rough lumber the tax has been reduced one-half, yet on some of the other grades it has been increased, and, on the whole, it would take a mathematician to tell whether there has been any real reduction.

Also, I desire to say that if there is any one paragraph of the bill in which I am personally interested, it is that of lumber, and if southern timber would be increased in the manner asserted by some upon this floor, it would add many dollars to my small estate; but private interests should not be considered in deliberating on this great question. Others may stand on this floor and advocate the advancement of their individual interests, but I would not dare to do so, and I think that any one who would is a dangerous factor in this body. You seem to think that to legislate to fill your own private coffers should be the chief aim of your statesmanship. This was not always true with the Members that represented your section. It is said that John Quincy Adams, before entering this body, sold his stocks and bonds of every kind that might be affected by legislation here; but you boldly proclaim the passage of laws intended for no other purpose than to enhance the value of your holdings in some trust or corporation. You have become so debauched by long indulgence in public plunder for private gain that you will dare to do with impunity that which made your boldest ancestors blush. [Applause.]

I am a Democrat, and believe in equal rights and equal opportunities to all men; that protection is wrong in principle, whether it be for the industries of New England or those of Mississippi. Our party has declared against the principle in every platform since the war, and no Democrat, in my opinion, can justify his disloyalty to the principle upon the theory that it benefits a certain class in his own section. I have many political and personal friends engaged in the manufacture of lumber, and for whom I would do any consistent thing to enhance their prosperity, but I can not breach the ancient doctrine of my party by voting away its most sacred doctrine.

Lumber is just as essential to the American life as food. It constitutes the cradle in which the new-born babe is rocked,

shelters him through the chilling storms of life, and protects his body from the worms after death. "It is in the humble country home," said the immortal Grady, "that the ark of the covenant of American liberty is to be found." The modest home, whether on the farm or in the city, is the place where American character is formed. Degrade or pauperize it and you destroy the Republic. [Applause.]

All the tax of this schedule falls upon the poor. It is admitted that only the cheaper grades of lumber, principally sawed from the tree tops, will be affected by this $2 duty. The better grades, used by the rich, have a world-wide market and fear no competition. Those contending for the lumber tax say that a $2 duty on lumber means only about 11 per cent, one of the lowest rates in the bill. They also tell you that lumber sought to be protected sells at the mill at from $6 to $8 per thousand. Now, there is not a schoolboy in this city 14 years old who does not know that this $2 rate amounts to from 20 to 33⅓ per cent. This is self-evident, and needs only to be stated.

Mr. Chairman, in the light of this, do you not think that it would be little less than tyranny for this body to vote a tax of that kind on the homes of the poor, while by the same act you exempt the palaces of the rich?

The price of lumber is now so high that the poor are unable to build homes. One-half of those already built are practically owned by the building and loan associations, who advanced the means to pay the lumber graft. Thousands of carpenters are now out of employment because building material has appreciated in price beyond the reach of the people. They have ceased to build. Farmers need barns and fences, but lumber is so high that they would lose their farm were they to purchase much. Let others do as they will, but as for me, I would rather hand back my commission to those who gave it than stand for such a proposition. [Applause.] Here let me read you some figures from Bulletin 75 of the Bureau of Labor, issued in March, 1908, showing the increase in the wholesale price of certain grades of lumber under the $2 schedule in the Dingley bill from 1898 to 1907.

INCREASE IN THE PRICES OF LUMBER FROM 1898 TO 1907.

Hemlock from $10.75 to $22.50 per thousand.
Maple from $24 to $34 per thousand.
White oak from $32 to $65 per thousand.
Yellow pine from $15.50 to $31 per thousand.
Poplar from $29 to $65 per thousand.
Shingles from $2.35 to $4.35 per thousand.
Spruce from $11.50 to $28 per thousand.

We are not at all surprised to know that the lumber manufacturers are overstocked with their product. They will always be in this condition unless there is a material reduction in their prices. The difference in the construction of a house, even in the yellow-pine belt of the South, out of stone and out of lumber is so small that the people will soon go to the earth instead of the forest for material for their homes.

The price of timber, as well as that of lumber, and the expense of manufacturing it, must be reduced or the present panic will long continue in the lumber districts. They waxed so strong under the hot-house system of protection provided in the Dingley law that they have outgrown the well-being of their own prosperity.

Just here, let me say to those interested in the lumber in the yellow-pine district of the South that this duty is not intended for their benefit—that they are being used merely as a cat's paw to draw the chestnuts out of the fire. Under this bill, logs are placed on the free list, just as in the Dingley bill, but with an additional provision to punish Canada, should she insist upon an export duty on logs exported. Now, what is the difference in the competition resulting from cheap lumber sawed from free Canadian logs in America and from that resulting from lumber sawed from the same class of logs in Canada? A distinguished advocate of the $2 tax on cheap lumber says the duty would extend the trade zone for the southern product much farther north and west; that if the $2 duty is taken off Canadian lumber can be shipped farther south in competition with southern lumber. This may all be true, but I would like for him, or some one else, to explain how free lumber, sawed in Canada, can reach farther into the southern lumber zone than that sawed from free logs from Canada. Can not anyone, though a fool, see the job intended for the southern lumber manufacturer by this provision? Yet, notwithstanding this, many of our southern pine-lumber manufacturers are importuning their Members to assist those interested in the lumber districts bordering on Canada in the consummation of this cold-blooded fraud upon them.

The freight on lumber from the lower Mississippi district to the Canadian line is $12 per thousand, while the same lumber can be landed on the wharf at Chicago by the Canadian manufacturer at not exceeding $3 per thousand, often asserted in this debate. If this be true, and no doubt it is, how can those interested in sawing the tree tops of the South hope to get any benefit out of this iniquitous tax? Could not the Canadian manufacturer pay all the tax and land his product in every city north of the Ohio River before the southern lumberman could reach the Ohio River? Would not his part of the tax go into the coffers of the railroads, while the manufacturers in the lumber districts bordering Canada would make millions manufacturing free logs from Canada, as well as from their own stumpage? If the real truth was known, the great interest manifested by the mill owners of the South for the retention of this duty has been generated by those men and corporations owning large bodies of timber, not only in the South, but also along the Canadian border; and while they know it will not add a dime to their earnings in the South, it will enrich them many millions from their timber holdings in the North. No one in the South ever heard of protection being of any benefit to the industry in that section until all the timber was "gobbled" up largely by the same parties who own all of it elsewhere. It has been repeatedly stated on this floor that a few corporations and individuals own 80 per cent of the standing timber of the United States, which now amounts to 400,000,000,000 feet; and since we are cutting this at the rate of 40,000,000,000 feet a year, it will only take ten years to exhaust the whole supply.

More than this, Canada annually imports from this country lumber and the manufactures thereof to the amount of about $6,000,000, and nine-tenths of all the raw lumber comes from the yellow-pine and hard-wood districts of the country south of the Ohio River. The annual exportation of southern yellow pine has more than doubled within the last decade. England takes 22 per cent of the total exports, Germany about 11 per cent, and Canada takes about 9 or 10 per cent; Canada being the third in the list of importers of southern yellow pine as well as southern hard wood. This is made possible by reason of the fact that eastern Canada does not produce any timber that will compete with our best southern product. The only pine she has that will answer for purposes requiring strength and durability of material is to be found in British Columbia, and the overland freight rate thereon to the eastern Provinces of Canada is so high that the southern product, having the benefit of a water rate, can be placed in all that part of Canada reached by the Great Lakes, the St. Lawrence and its tributaries for less cost. The importation of the southern product into Canada in this manner has increased so rapidly that the lumber manufacturers of British Columbia are now importuning the Dominion government to tax the southern lumber out.

A petition for this purpose is now pending for consideration before the Canadian government. Should the Dominion government pass such a law, who would be hurt by the act? Would it be those interested in the lumber business along the Canadian border who produce the same kind of lumber that is produced in Canada? Would not it immediately destroy one of the best export markets for the southern product? But it is contended that Canada will not do this. In reply, we say that she has passed such laws. Only recently she enacted what is called the "antidumping statute" to prevent the sale of products cheaper there than here by the American manufacturers.

For this reason alone, Mr. Chairman, I think the manufacturer of the yellow pine in the South has much more to gain by an open Canadian market than by the imposition of the $2 duty against the Canadian product, even though some temporary benefit might result in the sale of a low grade of the southern manufactured product.

But let us look at another phase of the question. One would think from the amount of lobbying and speechmaking experienced in this House that Canada produced lumber enough to supply the world, and that she could cut 1,000 feet while we are cutting one. Upon examination of Consular Report No. 4, on the Canadian trade, I find that in 1901 the total value of the lumber and the manufactures thereof in the Dominion of Canada was $80,341,204, and that this increased to the value of $112,494,072 in 1906, during the same period. The increase for the same period in the output of American lumber was from $390,487,873 to the sum of over $666,641,367. Deduct from the above Canadian figures the manufactures of lumber and compare the result with that of America and you will find that her total lumber production is less than 15 per cent of ours. Now, we consumed 40,000,000,000 feet of domestic lumber and imported from Canada less than 1,000,000,000 feet, or less than 2 per cent of our total domestic consumption. A little bulletin

issued by the Census Bureau, "Forest Products, No. 2," contains the following, which I will here insert in the RECORD:

Number of mills reporting and quantity and value of lumber, lath, and shingles produced in the United States: 1909 and 1904 to 1907.

Year.	Number of mills reporting.	Lumber.		Lath.		Shingles.	
		Quantity (M feet b. m.).	Value.	Quantity (thousands).	Value.	Quantity (thousands).	Value.
1907...	28,880	40,256,154,000	$666,641,367	3,663,602	$10,342,703	11,824,475,000	$30,111,337
1906...	22,[illegible]	40,[illegible]	621,[illegible]	3,812,[illegible]	11,490,370	11,858,[illegible]	24,184,555
1905...	11,6[illegible]	[illegible]	445,[illegible]	3,111,657	7,777,890	15,349,000	28,380,682
1904...	19,127,[illegible]	[illegible]	435,[illegible]	2,647,847	5,445,908	24,547,477	24,009,610
1900...	31,823,[illegible]	[illegible]	320,489,[illegible]	2,523,958	4,668,900	12,102,017	18,869,705

The most striking feature of the statistics for 1907 is that they show the largest lumber production ever recorded in the United States—40,256,154,000 feet—having a value of $666,641,367 at the place of production. In addition there were produced 3,663,602,000 lath, having a value of $10,342,705, and 11,824,475,000 shingles, having a value of $30,111,337, which bring the total reported value of the lumber, lath, and shingle production in 1907 up to $707,095,409. If it were possible to secure absolutely complete statistics of the production of lumber, lath, and shingles, it is probable that the total value of the output in 1907 would have approached $750,000,000, a much larger figure than that indicated for any previous year.

In the light of these figures, does it not appear that we are unnecessarily alarmed, and does it not also appear like an act of commercial cowardice on our part to insist on protection from a mere pigmy of competition? Yea, does it not look as though the American eagle is seeking aid to ward off the blows of a tomtit? [Applause.]

But some one will say that, with the duty off, there will be much more manufacturing in Canada and much more imported than now. This can not be true, for she now has an exhaustless market in Great Britain, with which she has preferential trade relations and in which she can receive the very highest prices for all that she now manufactures and all she can ever hope to manufacture from her fast depleting forests. The total production of her mills at this time is not sufficient to supply her home market, the market with the mother country, and leave any substantial balance to be exported elsewhere.

Again, we are told that lumber can be produced cheaper in Canada than in America. This contention is equally as fallacious as the other arguments in favor of the lumber tariff. In a report to the Senate by the Commissioner of Labor, made May 5, 1907, we find that the labor cost of manufacture of 1,000 feet of white-pine lumber in the United States is 91 cents, while in Canada it is $1.23. Also, that the average production per man per day in the United States is 1,874 feet, while in Canada it is 1,143 feet. In proof of this, let me read the following table, copied from the said report:

Average production per man per day in 5 lumber-sawing establishments in the United States and 5 in Canada, 1896.

Establishment number.	In mill.	In mill and yard.
IN THE UNITED STATES.	*Feet.*	*Feet.*
1	3,767	2,132
2	3,500	1,808
3	3,214	1,857
4	2,841	1,623
5	3,882	1,917
Average	3,508	1,874
IN CANADA.		
6	1,992	1,063
8	2,610	1,550
9	1,603	1,037
10	2,296	1,387
	2,435	1,248
Average	1,927	1,143

Further, he says the cost of transmitting 1,000 feet of logs from the standing timber to the boom at mill is $4.27½ in the United States, and in Canada it is $5.57. Here let me read you a few extracts from that report:

Mr. Sheridan ascertained in his investigations, taking his facts from the memorandum books of American and Canadian lumbering firms, that the cost of 1,000 feet of logs from the standing timber to the boom at the mill, is in the United States $4.27½, and in Canada $5.57½. These figures, he informs me, are derived from 5 establishments in the United States and 4 establishments in Canada, covering, entirely or in part for each establishment, the years from 1892 to 1896, inclusive.

He further states:

These characteristics show the mountainous nature of the country, and make the building of logging railroads and well-equipped ice roads in the Ottawa district of Canada on the American plan quite impossible. The inaccessibility of the timber district investigated makes it necessary to ship supplies and provisions for full operations during the previous winter, as they can not be transported by team after the rivers and streams thaw. The distance from the location of mills to the point of logging operation varies from 150 to 300 miles.

But another lumber orator has said that the oriental and other cheap labor used in the Canadian mills make it impossible for the American lumberman to compete with their products. But to refute this, let me read you extracts from a letter written by the secretary of the British Columbia Lumbermen's Association on December 17, 1908:

In the mountain district of British Columbia we have 65 sawmills with a ten-hour capacity of 3,300,000 feet, which is 60 per cent of the entire producing capacity of the mills of this Province. When in full operation these mills employ in the aggregate about 4,000 men, including those at the sawmills, planing mills and yard work. From my personal knowledge I can state that less than 400 Orientals were employed this season by the mills in the district. The above does not include any men employed in bush work, and I estimate that when the camps are in full operation taking out logs for the supply of all our plants that over 6,000 additional men would be employed in bush work. It would be safe to say that in good times the lumber industry of our district employs in both mills and camps in the busy season 8,000 men. Thus the percentage of oriental labor is in good times only 5 per cent. As you are probably aware, oriental labor is not used in woods work, with the exception, possibly, of an occasional Chinese cook.

With regard to your question as to the relative wages paid in this district as compared to those in effect in the interior districts of Washington, Idaho, and Montana, would say that it is generally understood here that our schedule is higher in the average than in the country to the south.

You are probably aware that in British Columbia public sentiment is strongly against oriental labor of any kind, and for your information I would say that the Dominion government is making a determined effort to prevent any more Hindoos coming into the country and is endeavoring to effect an arrangement whereby those now in our Province should be sent to Honduras. With reference to the Chinese immigration, would say that there has been in force for some time a head tax of $500 on every Chinaman coming into the country, and this is practically prohibitive, as the returns for the past few years demonstrate. Last year an arrangement known as the "Lemieux treaty" was effected with the Japanese Government, which provides that not more than 400 Japanese coolies shall be allowed to leave their native country for Canada in any one year. It is very unlikely that the number of Orientals employed by the interior mills will, therefore, be increased in the future. In fact, indications are that a lesser number will be available for the manufacturers of this district.

The gentleman from North Carolina [Mr. KITCHIN], in his brilliant speech on this subject to-day, clearly showed that more than 12,000 Orientals were employed in the American sawmills on the Pacific coast. How does this appear in the light of what I have just read about labor conditions in western Canada?

Also, our consul at Vancouver, Mr. Dudley, in a recent communication to the Department of Commerce and Labor, in speaking of the labor question of the lumber districts of British Columbia, says:

The arrangement made with the provincial government is that only white labor shall be employed, unless it can be shown to the satisfaction of the government that such labor can not be found at reasonable wages. This will undoubtedly cause a large influx of people from the United States.

Again, every grant made for taking timber from the public domain in Canada contains an express stipulation that no Chinaman or other Oriental shall be employed in cutting the timber so granted. So much for the labor question.

But there is another equally fallacious argument asserted by the advocates of a high lumber tax, and that is that the stumpage costs the mill owner much more in the United States than in Canada. This may be true to some extent where the timber has been purchased recently in the United States; but in my section 75 per cent of the present mill supply was purchased many years ago, at a cost of from 50 cents to $5 per acre. It is largely owned by nonresident corporations and now worth from $15 to $25 per acre. This land will cut from 6,000 to 10,000 feet per acre, and after the lumber is removed the land itself is worth from $5 to $10 per acre. It has been more than once proven in this debate that in the State of Washington the stumpage cost did not exceed 15 cents per thousand on thousands of acres. Hence I can truthfully assert that the timber has not cost 75 per cent of the present owners, counting interest and taxes, exceeding $1 per thousand.

I would not be understood as censuring anyone for purchasing this valuable property at a low price, for they had a perfect right to do this. Nor would I have anyone to believe that the development of the great yellow-pine country has not been a great blessing. The sawmill and those interested in the yellow-pine land have added many millions of wealth to the State of Mississippi, and no one desires to see them prosper more than I; and so long as they are willing to deal justly with the great consuming masses I am willing to encourage them in every legitimate way possible; but they have made millions out of the consumer within the last decade, have grown so strong and powerful that they now boast of their ability to sell the greater part of their product in competition with the world, with or without tariff protection, yet they are unwilling in the midst of the existing panic to cut the price of any part of their product. Like greedy Shylocks, they are trying to pluck the pound of flesh nearest the heart of the American people by the aid of an unrighteous governmental bounty. But what assurance have they that a retention of the tariff would shield them from the hardships of the present business depression? Did not this misfortune overtake them under the same duty for which they are now contending and at a time, too, when there was no talk of tariff reduction? If the panic overtook them two years ago with the duty, what profit can they expect from its further retention? If it did not save in the past, it will not protect in the future.

Mr. Chairman, you might as well shake a red flag in the face of a western bull as to speak of the existence of a lumber trust in the presence of the lumber-tax grafters. Their displeasure is evidence of guilt. I know not what may and may not exist elsewhere, but I do know, and so charge, that in my section there is a retail lumber dealers' association, society or trust—I do not know what you may call it—and there is a concerted understanding among the members thereof that they are to have the exclusive right to sell to the consumer; and that if the manufacturer undertakes to infringe on this trust prerogative, then his mill will be boycotted by the association.

Less than ten days ago two gentlemen of the highest integrity, whose veracity I would not question anywhere or under any circumstances—one engaged in the manufacture of lumber in the State of Mississippi and the other a high official of the Mississippi Lumber Manufacturers' Association—stated to me and others that such an association did exist among the retailers; that they did boycott any mill that sold directly to the consumer, if they had knowledge of it, and that the lumber manufacturers of that section, especially the smaller ones, would not for this reason sell to the consumer at all. Their word is sufficient for me. I know them; and if all the tariff pirates this side of purgatory were to swear otherwise, I would still believe my friends. [Applause.]

More than this, Mr. Chairman, every manufacturer of lumber that has lobbied about this Capitol will tell you that they have been compelled to reduce the price of lumber from $8 to $4 per thousand as a result of this panic. Yet those who have purchased it from the retailers have not been able to realize any reduction in prices. Not only has the price of lumber not been reduced to the consumer in my section, but the same is true in every lumber center of the country, except such difference as may have been caused by the difference in freight rates. In proof of this call to the stand the 10,000,000 of people who have purchased it within the last two years. [Applause.]

Mr. CANDLER. Did the gentleman feel the effect of the trusts when he built a house for himself?

Mr. BYRD. Yes. I was robbed on a small house costing only a few thousand dollars.

Mr. Chairman, there is another peculiar thing about these poor little lumber manufacturers and dealers. In my section, when the panic struck them, three-fourths of them discharged all their laborers, turned them out to starve, sent them back to the farms and other employments. Yet, during the entire panic, as before stated, no one ever observed any reduction in the price of their product.

The manufacturers say this was true on account of the retailers, and the retailers unloaded it upon the manufacturers. I do not know which was to blame, but I do know that they starved their laborers and still robbed the people. [Applause.] To unload this evil on the retailers by the manufacturers is altogether inexcusable, for the latter can at any time put the retailers out of business by simply refusing to patronize them—by establishing lumber yards and selling directly to the consumers themselves. But more about the lumber trust in Mississippi. At the 1906 session of the Mississippi legislature, after an investigation, a resolution was adopted directing the attorney-general of the State to institute legal proceedings under the criminal statutes of the State against the lumber trust. Proceedings were instituted against the Mississippi-Louisiana Retail Lumber Dealers' Association, which is now pending in the supreme court. A recent issue of the Jackson Daily News says:

It is expected that some time during the present month Special Justice W. R. Harper will prepare the opinion of the court in the case of the State v. The Mississippi-Louisiana Retail Lumber Dealers' Association, better known as the "antitrust lumber case."

Also, it has been our understanding that the facts collected by the state agent were forwarded to the federal authorities for prosecution under the Sherman antitrust law. But this was the last ever heard of the prosecution. The papers were pigeonholed in the Department of Justice. I can not state whether there was ever an attempt at an investigation by the federal authorities, nor have we ever seen any reason given for this silence, except that contained in an article appearing in the Washington Post on June 24, 1907, having been first sent from this city by a correspondent of the New York World. It is too long for me to attempt to now read, but will insert it in the RECORD. Do not forget to peruse it, for it is a vigorous disclosure of a villainous scheme to shield the trusts for selfish political advantages in nominating the last Republican President—

A Washington special to the World says:

"In offering the internal-revenue commissionership appointment to Pearl Wight, the ship's chandler of New Orleans, President Roosevelt laid the foundation for a very fine politico-financial bargain—fine for himself in a political sense and fine for Wight in a business way. The President will get the delegates from Louisiana and Mississippi as the outcome of the arrangement. Wight's friends and business associates will get nice, large, juicy contracts and orders for Isthmian Canal supplies, and always have a friend at court to look after their interests in the event any inspector person, either in Louisiana or Mississippi, or on the Isthmus, undertake any hypercritical work. * * *."

The ship chandlery firm of Woodward, Wight & Co., on Canal street, New Orleans, has had hundreds of contracts and orders for the Panama Canal supplies from the Canal Commission, the Light-House Board, the mint, and the post-office. Woodward, the postmaster of New Orleans, was a member of the firm when he went into office. His name is still used as a part of the firm designation. That, however, is by special arrangement with Wight, who is his brother-in-law.

The Camp & Hinton Company, from which Mr. Wight has said he is retiring, has had many orders and some business contracts to furnish lumber for the Isthmus, one granted less than a month ago, amounting to $184,000.

The Panama Lumber and Trading Company, another corporation in which Mr. Wight has an interest, was also in the business of supplying lumber to the canal. The same is true of the F. B. Williams Cypress Company, which is known as the F. B. Williams Lumber Company. The H. M. Elliott Company, another concern in which Wight has an interest, is reported in the New Orleans city directory as being a forwarding agent. All are deeply interested in government contracts and orders to the extent of millions of dollars.

The Camp & Hinton Company, the H. M. Elliott Lumber Company, and the Panama Trading and Lumber Company have offices in suite No. 1016, Hibernia Bank Building. The F. B. Williams Company is located at Patterson, La., the home of Williams, the colleague of Wight in the refereeing business.

A number of the employees of Woodward, Wight & Co. are used to fill in as members of the companies mentioned as having their community of interest home in the Hibernia building, and Williams & Wight are interested in each of them, or were until a short time ago. H. M. Elliott, head of the Elliott Company, is a bookkeeper for the Hinton Company, from which Mr. Wight has said he has withdrawn. R. E. Weems, secretary-treasurer of the Hinton Company, is an employee of the ship-chandlery firm.

Woodward, Wight & Co., as a firm, appeared to be the parent concern for a number of corporations that are engaged in the very profitable business of furnishing supplies to the Government. Pearl Wight has been their man, so far as straightening out the Washington end of the trouble is concerned. About two years ago the Williams concern had trouble with a lot of cypress ties it sent to the Canal Zone. The inspectors there held them up. It required considerable of Wight's time to straighten it out, but it was straightened out and the Government used the ties.

This combination is not advertised from the house tops of New Orleans, but members of the Lumbermen's Exchange, in that city, talk about it and guess that it is a good thing to be in politics and the lumber business at the same time. Some of them get contracts, but the good ones go to the members of the combination.

When bids for the contract let a short time ago were opened it was found that the Camp & Hinton Company had submitted the lowest formal bid. The gossip in New Orleans in the trade was that a tip had gone out that the commission was going to insist upon the letter of the specification for sizes. Then the wonder was as to whether the company from which Wight said he is withdrawing got advice on the subject that enabled it to make its precisely correct bid the lowest. Of course that was merely speculation among the lumbermen who did not get in on the good thing.

The political enemies of Wight and Williams believe that they are the central figures in many of the companies up State, and that they are using the political power placed in their hands by the administration to further their financial interests. They believe that while Wight, Williams, and the rest of the "lily-white" organization stand on the front gallery (New Orleans idiom for veranda) proclaiming their support of the President and his policy, their employees are in the back office plotting the combinations in restraint of trade, commonly called "trusts."

There is a combination among the lumbermen of Louisiana and Mississippi which, in the opinion of the committee of the legislature of Mississippi, constitutes a violation of the antitrust statute. The question as to whether it does has been presented to the Department of Justice. The papers and facts are all contained in a neat presentation of the subject, but they are in a pigeonhole, accumulating dust. Attorney-General Bonaparte is too busy making speeches on civil-service reform, the impertinence of the newspapers, and writing funny dissertations on "What is whisky?" to consider the question as to whether the combination is or is not in restraint of trade.

Before the Mississippi legislature ordered an investigation, the combination of the lumbermen of the two States which constitute the internal-revenue district of New Orleans was called the "Louisiana and the Mississippi Lumber Association." It has been changed since then, and is now the Southeastern Lumber Association. Wight and Williams were prominent in it. C. W. Robinson, of the C. W. Robinson Company, was the chief figure in the Mississippi end of the association.

The legislature of Mississippi early in 1906 directed a committee to inquire into the operations of the association. That body found that the members of the association divided the two States into districts, a big lumber company in each district being made the master of its

territory. It was authorized and directed to enter into contracts

NEY will come to South Dakota we will show him a full grown lumber

territory. It was authorized and directed to enter into contracts with the sawmill men in its territory, providing that the sawmill men could sell their whole product to the lumber company with which the contract was made. Not a stick of lumber was to be sold to an individual without the consent of the lumber company. * * *

When these facts were gathered by the committee they were sent to Attorney-General Moody, who in turn sent them to the federal attorney for the district of Mississippi, with instructions to proceed against the association which had brought about such a condition of affairs.

Until Mr. Bonaparte became Attorney-General the Mississippi people believed that there would be action. They had no faith in him, and they have not been greatly surprised, but have been keenly disappointed, because he has not caused action to be taken.

As soon as the announcement was made that the matter had been referred to the Department of Justice Mr. Robinson began writing articles denouncing the railroads and upholding all the policies of President Roosevelt. He became a devoted follower of the strenuous one. Robinson came here two or three times, and since that time nothing has been done.

I will not undertake to vouch for the truth of all contained in this article, but, in my judgment, much of it is true. It was published in two of the leading newspapers of the Nation and never publicly denied.

In further proof of the fact that a lumber trust does exist, not only in Mississippi, but elsewhere, and that they have existed for some time for the sole purpose of robbing the consumers of the Nation, I will here ask my colleague [Mr. HUMPHREYS], who can see better by this light than I, to read the following letters:

ILLINOIS LUMBER DEALERS' ASSOCIATION,
Chicago, March 21, 1909.

Organized June 12, 1890. Secretary's office, 333 Manhattan Building, 315 Dearborn street, Chicago, Ill. Cooperative arrangements with all neighboring state organizations. Our members save from 50 to 61 per cent on their insurance. Telephone, Harrison 2079.

Officers: President, Charles A. Glore, Centralia; vice-president, W. T. Boston, Yorkville; secretary-treasurer, G. W. Hotchkiss, Chicago.

Directors: T. J. Birmingham, Galena; E. E. Hunter, Chillicothe; S. McFeeley, Streator; J. T. McGrath, Polo; W. H. Hunter, La Salle; E. W. Peters, Mount Vernon.

R. M. FRY LUMBER COMPANY,
St. Louis, Mo.

GENTLEMEN: I greatly regret to receive complaint of the shipment by you to William Zisch, a consumer at Rockford, Ill., unloaded by Abner Jackson, contractor, neither of them being lumber dealers and not recognized as entitled to wholesale purchase under association ethics, being cars S. L. & S. W., No. 4980; S. L. & S. W., No. 17518; C., B. & Q., No. 9344; I. C., No. 36767; G. W., No. 72832; S. L. & S. W., No. 4284.

Of course, we do not dispute your legal right to sell and ship at your pleasure, but it is pretty generally conceded by manufacturers and wholesalers that it is contrary to good business ethics to encourage a consumer to give a black eye to the trade of a local dealer.

I am in receipt of request from between 8,000 and 10,000 retailers to inform them of cases of this kind, but prefer before doing so to inquire as to your policy in this regard, realizing that occasions do arise when such shipments may be excusable, and perhaps this may be one of them.

I should be glad to hear from you by return mail.

Very truly, yours,

GEO. W. HOTCHKISS, *Secretary.*

THE MISSISSIPPI VALLEY LUMBERMAN,
Minneapolis, Minn., October 8, 1908.

Platt R. Walker, editor. James C. Walker, secretary. Published every Friday by the Lumberman Publishing Company, 1007-1011 Lumber Exchange. Both phones 1000. Published in the interest of the lumber industry of the Mississippi Valley and Pacific coast. Established, 1876. Subscription, $2.50 a year. Advertising rates quoted on application.

GENTLEMEN: A number of our correspondents among the manufacturers have asked us for a list of these jobbers, wholesalers, and commission men who sell to the so-called "mail-order houses," such as the Chicago House Wrecking Company, E. N. Roberts-Gordon Yan Tine Company, and others engaged in like business. Of course we have a good deal of information along that line, but do not think it would be fair to make up such a list as is asked for without giving you an opportunity to say whether or not it is your policy to sell such trade, whether you have done so in the past, and if so, whether or not it is your intention to continue.

We desire to furnish this list at the earliest possible date, and would therefore appreciate the courtesy of a prompt reply, stating your position fully.

It is our intention to furnish the manufacturers a complete list of those to whom this letter is addressed and a supplemental list of all those who reply, indicating the nature of the response. If we should not hear from you, we shall feel justified in concluding that you are indifferent in the matter, and the manufacturer will be left to assume either that you are looking for that sort of trade or that you do not care to go on record.

Yours, truly,

MISSISSIPPI VALLEY LUMBERMAN,
PLATT R. WALKER, *Editor.*

FLANDREAU INDEPENDENT LUMBER COMPANY,
Flandreau, S. Dak., March 27, 1909.

Dealers in lumber, sash, doors, and lime, plaster, and cement. O. E. Book, manager.

Representative BYRD,
Washington, D. C.

DEAR SIR: I have read with much interest your speech on the lumber trust; also Representative FORDNEY's answer. Now, if Mr. FORDNEY will come to South Dakota we will show him a full grown lumber trust in full action. I commenced working for the old trust yards about twenty years ago and worked for them most of the time until four years ago. They got so rotten that I could not stand it. During that time they bucked out independent dealers by selling lumber at cost and less. In times of peace, after the independent man was gotten rid of, they would make us agents get together and pool our sales, divide territory, and do everything possible to deceive the people and control prices.

Three years ago we started an independent company in Flandreau, S. Dak. They at once notified us to stop business and have been selling lumber at cost ever since. They have run boycotts on us and stooped to every low means to buck us out. People are howling about the oil trust, but the lumber trust is doing far more damage to our country.

If the United States wants any proof of what I have stated, I can produce it and call names of the lumber companies.

Yours, very respectfully,

(Signed) O. E. BOOK, *Manager.*

From another wholesale lumber dealer in a certain western city I have just received a communication—whose name I am not at liberty to publish, for the reason, as assigned by him, "that public knowledge of this communication will bring disaster to my business." And still they say there is no lumber trust. [Applause.]

Mr. Chairman, all these facts may not be potent enough to convince my friend, Mr. FORDNEY, that there are unlawful combinations in the South and elsewhere, dictating the price to be paid for lumber by the consumer, but I dare say that there are 20,000,000 of people who are willing to stand by me in this contention, who know the fruit is bitter because they have tasted it.

In concluding my remarks in this regard, let me say that I shall vote against any tax, whether it be for revenue or otherwise, that tends to foster a trust. Nineteen-twentieths of all the trusts now existing live by virtue of protection, and I shall never vote for any measure to sustain a set of thieves and vandals who band themselves together, whether it be under the name of an association, trust, or other organization for the purpose of pillaging the American people. All such would be no less thieves were they to enter an humble home under the cover of darkness and filch the pockets of the sleeping owners. [Applause.]

Leaving the lumber question, let me say that the most fraudulent argument made in behalf of the protective schedules of this bill is the oft-repeated falsehood that it is for the benefit of labor. Has not this same plea been made for forty years? And yet in the most highly protected districts is to be found the greater amount of pauperism; and is it not a fact that the best-living and the best-paid laborers are those employed by non-protected industries, such as railroads, contractors, construction companies, and others? You can not deny that in the coal and iron districts, having the very highest protection, the laborers are unable to finance a strike for thirty days; that in the recent panic thousands of them discharged from labor moved in bread lines throughout the country. Some Republican said a few days ago that many of the laborers in his district owned their homes. Why should they not? Have not they and their ancestors been laboring for forty years? And why is it strange that they should just now be blessed with a humble home? I can show you thousands of negroes in the South, born in slavery, who now own plantations. In this great country, in which nature has showered her most precious gifts upon man and in which there are thousands of acres of unappropriated land, every man should own a home. Not to have it is evidence either of overwhelming misfortune, indolence, extravagance, or unlimited robbery of his earnings by you cruel and inhuman tariff barons.

Mr. Chairman, the tariff is a tax levied upon the American consumer. This truth is too well known to need demonstration. If not a tax to be levied by the manufacturer upon the consumer, then why all this contention for rates much higher than is necessary to keep out foreign competition, or why should there be any duty at all levied on such articles as agricultural implements? They are not imported except in trivial quantities.

There is no fact more manifest than that the American consumer pays the full amount of the duty levied on every domestic article, as well as upon every foreign article imported. The cost of production in a foreign country plus the duty and expense of transportation fixes the price of the imported article to the consumer, and this at once becomes the price of the domestic product of like kind to the consumer.

Never before was the truth of this proposition so well understood as now. It is directly demonstrated to the consumer in every purchase he makes of anything, from a toy to a steam engine. In verification of this truth let me here submit a table showing the advance of price under the 45 per cent average duty of the Dingley law, as set out in Bulletin 75 of the Bureau of Labor, issued March, 1908:

	1896.	1907.
Bacon, per pound	$0.04	$0.12½
Salt beef, per barrel	12.50	22.00
Blankets, per pound	.54	.80
Brogan shoes, per pair	.90	1.50
Women's shoes, per pair	.75	1.05
Cotton drilling, per pound	.04½	.08½
Men's hosiery, per dozen	.62½	.97½
Leather, per pound	.16	.27
Sheeting, per yard	.05	.12
Woolen dress goods, per yard	.11	.32
Coal, per ton	2.10	4.50
Axes, each	.37	.68
Barbed wire, per 100 pounds	1.65	4.13
Nails, per 100 pounds	1.15	2.00
Yellow pine lumber, per M feet	15.00	31.00
Window glass, per 50 square feet	1.21	3.82
Bedroom sets, per set	8.75	14.50

Also, in speaking along this line, Mr. Franklin Pierce, in his recent valuable book on The Tariff and the Trusts, says:

> There has scarcely been a case since 1864 where the domestic product was protected that the amount of the duty imposed * * * was not actually more than the whole labor cost * * *.

Again, he says:

> Every particle of clothing on your body, from the boots on your feet to the hat upon your head, without one single exception, costs you from 50 to 150 per cent more than it would without the tariff. The trust sits by your fire and your table, taxes every piece of glass, cutlery, and pottery in your house; makes you pay tribute upon every piece of wool, cotton, and furniture in your home, and robs you steadily day in and day out by its excessive prices. Remember that this increased price does not go to sustain the Government. More than nineteen-twentieths of it goes at last into the treasury of the trust.

Also, along this line, I would like to read an extract from The Progressive Farmer:

> Here are the two great evils which it is almost impossible to prevent creeping into any tariff policy:
>
> 1. The tariff tax, being collected without the consumer's knowledge, is allowed to become excessive and extravagance in government results. "Does anyone believe," as the writer wisely asks, "that one pension bill would ever have reached $50,000,000, much less $160,000,000, if the money had to be collected by direct levies through sheriffs and tax collectors?"
>
> 2. The farmer and the laborer not being there to speak for themselves, the tariff burden falls with grievous heaviness upon the poor man, taxes being imposed upon the necessities rather than the luxuries of life. Poor and rich alike must eat three meals a day, must wear one suit or one dress at a time, and by a tax levied on the common food and clothing of man, a poor farmer or tenant worth $1,000 may pay about as much tax as a man worth a hundred thousand.
>
> These evils, moreover, are not only possible; they are actual. A trip to Europe is all one needs to demonstrate this. In London you can buy a suit of clothes for $12 that would cost you thirty at home; you can buy a pair of gloves for $1 that would cost you $2 here; your field glasses that cost you $12 in New York are offered you in Paris for $3; and so on and so on.

There is another manner by which it may be demonstrated beyond a reasonable doubt that the entire tariff tax is levied directly upon the American consumer, and that is that our manufacturers have long been selling their products in foreign countries at from 20 per cent to in some instances 65 per cent cheaper than to the home consumer. The record is full of proof to this effect, extending entirely through the period of the Dingley law. In an agricultural paper of recent date we clipped the following, showing the difference between the prices here and abroad on certain agricultural implements:

> For the Chieftain hay tedder, the Americans pay $59, the foreigner pays $35.40, and in like proportions for all like things.
>
> On plows of all kinds the discount to the foreign buyer is 25 per cent.
>
> On all other horse rakes, hay tedders, and potato diggers, 40 per cent.
>
> On garden rakes the discount to the buyer is 70 and 5.
>
> On cast-steel garden rakes it is 70 per cent.

Some years ago some Member of this House is reported by the New York World as sending a telegram to a well-known protected manufacturer of New York, asking him if it were true that he sold his products in a foreign country cheaper than at home. Within twenty minutes he received this reply:

> Of course we sell cheaper to foreigners than to Americans. What is protection for?

In this brief telegram the whole story of the thievery of protection is told. If it is not intended for the robbery of the American consumer, why should anyone desire it? Is it not high time for us to call a halt, and consider for a moment the enormity of the wrong being perpetrated upon the millions of American consumers by the passage of this bill? Have they not for many years been robbed, in season and out of season, by the protected ghouls and heartless trusts under the Dingley law?

Indeed, it seems that the mental conception of you Republicans, and especially those framing this bill, is too narrow to compass all the rights of all the people. You have been besieged by hundreds of lobbyists, moving like an army of scavengers upon this Capitol, since it was announced that there would be a new tariff bill. And each of them came with the avowed purpose to more fully enthrone his right to inflict a heartless tax upon the American consumer. The lumber people, the steel people, the hat people, the shoe people, the hide people, and every other protected class down to the puny peanut grafters have been here, but we have been unable to find a single lobbyist from the great consuming masses. It seems they have been accorded no hearings, and, judging from this bill, their rights have received no consideration. You have offered them the same "sop" that you have been dishing out for forty years. The farmer is told that he will have a duty on corn, which will do him about as much good as if you were to tax spring water, for the one is about as abundant in this country as the other. And the same old trick is to be played upon the American laborer. He is again told that his brawn and muscle is not to be protected against the one and one-quarter million paupers coming annually into this country to compete for his job, and that the only protection he is entitled to is such crumbs as may fall from the table of some protected Dives. This bill is an outrage upon the rights of every farmer, every laborer, and every poor man, and every consumer in this Republic. Its every line is but another link in the cruel chain with which they have so long been manacled by the trust. Why should their hard earnings be taken to fill the coffers of the favored few? They are not allowed to perform even in the chorus of this thieving drama.

Mr. Chairman, there are some other schedules of this bill that I desire to speak of. Ninety per cent is levied on "shirts and drawers, pants, vests, union suits, combination suits, tights, sweaters, corset covers, and all underwear of every decription;" a tax of 80 per cent is levied on "stockings, hose, and half hose;" a tax of 60 per cent is levied on "women's and children's dress goods;" 90 per cent on "clothing, ready-made, and articles of wearing apparel of every description, wool hats," and so forth. Also, I find that diamonds in the rough are on the free list; automobiles are taxed only 45 per cent; champagne is taxed about 25 per cent. If I were commissioned to write a tariff bill I would put 500 per cent on diamonds and jewels of every kind, autos, silks, laces, furs, and every other luxury of the rich, and place all of the foregoing necessaries of life on the free list. What do the rich care for the price of anything? Rockefeller and Morgan would as soon pay $500 for a diamond as $100. A dollar saved to the poor will do more good than a thousand saved to them. The poor man counts his coppers; they look after their millions.

But I want to be fair with you Republicans. You did attempt to do a little something for the American consumer when you reduced the tax on refined sugar the infinitesimal fraction of one-ninety-sixth of 100 per cent. This is a very generous concession, indeed. By it the poor are enabled to save 4 cents per annum, or $1 in twenty-five years. We thank you, my beloved friends, for your liberal generosity.

Now, sirs, in the face of the foregoing, how can you have the gall to face the American people and ask them for their votes in the next election? How can you face the poor farmers and shop girls of America, whose wearing apparel and whose gloves you have taxed more than 60 per cent, while you have practically put the luxuries of the rich on the free list? How are you going to face the 10,000,000 of little children who are at this very hour in which I am talking down on their knees lisping their little prayers, "Now I lay me down to sleep," robed in nightshirts and union suits upon which you have placed a tax of 90 per cent? If they understood the full measure of your depravity, they would add one more sentence to that world-famous prayer and ask their Maker to forgive your guilty souls. [Applause.] And, too, how can you face Santa Claus when next Christmas comes? You propose to tax him out of the United States. [Laughter.] The Teddy bears, learning of the infamy of this measure, are following their master to the wilds of Africa, and poor little Billy Possum is curling his tail and "hiking" out to the swamps of Georgia. [Laughter.]

And what are you going to say to the laboring man? You have protected every industry you have by an average of 46 per cent tax, while you give him nothing. The only asset he has is his brawn and muscle. You have provided yourselves against competition and left him to compete with the world. He must shed his sweat and blood in competition with the million and a quarter alien paupers who annually land upon our shores.

Now, if you have one scintilla of honesty in your hearts, and want to do something that will prove a benediction to the labor-

ing man and a blessing to the country, and that will also raise revenue for your depleted Treasury, vote with me to place a head tax of $100 on every foreigner coming into this country. Do this, and the Lord may forgive you for the falsehoods you have told the laborer. Do this, and the people from one end of the Nation to the other will call you blessed. [Applause.]

My able colleague [Mr. SISSON] was perfectly right when he said on last night that this average 46 per cent duty levied on the products consumed in the Nation would bring enough to pay the $280,000,000 received by the Government, to pay the entire wages paid all the industrial laborers, and leave quite three billions tax profit or tax graft in the hands of the manufacturers and trusts. This means that the taxes levied by this bill amounts to more than $30 per capita on the 90,000,000 American people. To more fully illustrate, let me say that in 1908 we made agricultural implements, valued in round numbers at $123,000,000; we exported $24,000,000, leaving for home consumption $99,000,000. Adding the 20 per cent tax levied for the benefit of the trusts and the Government, jointly, we find that the trusts got $12,000,000, while the Government, according to the Treasury report, received only $8,905. In other words, on agricultural implements alone the American people have been taxed for the benefit of the trusts $12,000,000, and for the benefit of the Government only $8,905. This demonstrates the iniquity of protection in a nutshell, and makes it so plain that a wayfaring man, though a fool, ought to see it.

In the sequel of the story as shown by these figures, is to be found the explanation for the millionaires of New England and the paupers of the South. This is why New England is rich and the South is poor.

Mr. HILL. How do you know we are rich?

Mr. BYRD. If you are not, you ought to be, for by this method you have robbed the South of everything she has made in forty years. [Applause.]

But I do not think it will always be thus. There is a limit to debauchery of every kind. I do not think that you will ever get together monkeys sufficient to bridge the stream again. In the Roosevelt election you bought your way in outright; in the Taft election you not only had to spend millions of dollars in the purchase of votes, but you deceived the people by promising them relief from this iniquitous tax. With the unction of a saint you told the people that this burden would be lifted from their shoulders—you promised them bread, but you are about to give them a stone. [Applause.]

All of this 46 per cent tax will be levied against the consumer. The act itself gives you the right to levy it, and you will most assuredly do so. There is not a member of your party that will not take everything in sight. You might as well turn a mastiff into a meat house and bid him not to eat as to trust a Republican where there is anything to appropriate, and expect him not to take it. The only proof needful of your guilt is to establish your opportunity. [Applause.]

Mr. HILL. Why does the gentleman point to me? [Laughter.]

Mr. BYRD. Because you are the best-looking man in the House. [Laughter.]

Mr. HILL. I want to say to the gentleman that I did not know whether he was talking to me or to the gentleman from Missouri [Mr. DE ARMOND]. So far as I am concerned, his argument is wasted, because I believe in free lumber and have for the last ten years. I would be glad for him to address his lumber remarks to some of his colleagues over on his side. They need to be corrected.

Mr. BYRD. Well, if they are wrong, their long association with you has ruined them. [Applause.]

Mr. WEISSE. Will the gentleman yield for a question?

Mr. BYRD. I will.

Mr. WEISSE. The gentleman has not talked of hides yet, and I would like to have him express his opinion as to the duty on hides.

Mr. BYRD. How much time have I remaining?

The CHAIRMAN. Six minutes.

Mr. BYRD. For the gratification of my anxious friend, let me say that I am in favor of reducing the tax on any and everything that will cheapen the cost of living. The committee has placed hides on the free list. Under the Dingley law they were taxed 15 per cent. Leather is taxed 15 or 20 per cent. Shoes, harness, and all kinds of leather products are taxed from 15 to 20 per cent. Buy a pair of shoes to-day, and they first make you pay 15 per cent tax to the man who sold the hide, then 15 or 20 per cent to the man who tanned the leather, and then 15 or 20 per cent to the man who made the shoes. Hence, you will find that fully 50 per cent of the cost of your shoes is represented in tax profits.

The gentleman himself is the best authority on hides in the House, and he says that 80 per cent of all the American hides are sold by the beef trust and that only 20 per cent comes directly from the farmers. He says also that the average beef-trust hides sell for $8 to $12 each, while the southern farmer's hides sell only for $1.50 to $2 each. A few days ago I had a letter from a certain party down South insisting that I stand by protection for hides. He knew not what he said. He will kill his little beef once a year, take its hide to town and sell it for $2.50, and perhaps will get 20 or 30 cents more for it on account of the duty; but when he goes into a store, buys him a saddle, a set of harness for his ponies, shoes for himself, his wife, and five children, and a grip to enable his good wife to visit her mother, he will at once realize that while he is making 30 cents out of the tax on his hide, he is at the same time losing $20 on account of the said duty. You know that you levied this tax, as well as that of 4 cents per pound on bacon and hams, for no other purpose than for the benefit of the beef trust. You were only paying your debts for the pelf they gave you with which to buy the last election. In the name of human reason, why do we need any tax on the meat products of this country? We produce enough for home consumption and to feed half the world besides. It can be for no other purpose than to enable the half dozen meat packers to shelter themselves behind this unjust and tyrannical tax and proceed with their work of destroying the very life of the Nation. For ten years the meat trust has fixed the price of every mouthful of food consumed by the 90,000,000 people, and now you propose to continue this infamous outrage. Let others do as they will, but not while my heart throbs will I ever vote to withhold food from the starving children, thousands of whom are now haunted by the pangs of hunger. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RODENBERG. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for ten minutes.

Mr. CANDLER. Let the gentleman have ten minutes.

The CHAIRMAN. The Chair will state that it is for the committee to decide. The Chair will state that the time was all parceled out, and one hour and thirty minutes has been used on the Democratic side and thirty minutes on the Republican side. The Chair will, however, put the question. The gentleman from Mississippi asks unanimous consent to extend his time for——

Mr. BYRD. Five minutes.

The CHAIRMAN. Five minutes. Is there objection?

There was no objection.

Mr. BYRD. In conclusion, let me say to those of you who dared to face the wrath of the incorrigible Speaker and assert your independence in the organization of this House that it is wholly within your power to control the destiny of this bill. If you want to amend it, as many of you pretend, "stand pat," and we will furnish you with Democrats enough to scrutinize every schedule. For the sake of humanity and the oath you took, let me conjure you not to sell out the rights of the people for a trifle. I know that you have already been approached with overtures of reconciliation. Offers have been made and will continue to be made to amend the schedules in which you are personally interested in order to secure your votes; but do you propose to force this monstrosity upon the American people in order to secure a little local benefit?

Are you going to sacrifice the great principle involved here to secure a little tariff graft on a few private interests? Open your eyes for one time in your lives and look beyond your own selfish greed to the rights of the whole people. This is a crisis in American history, and the schedules of this bill affect every individual composing our population of more than 90,000,000. If passed, it will sit as a tyrant by the fireside of the farmer, dividing his hard earnings with the trusts. It will measure the bread being eaten by the poor in every section, number the garments worn by every poor child in the land, and will drive thousands of our poor working girls to the verge of desperation, where, in order to live, they must embark upon that sea that leads to death. At one time I thought you insurgents would be punished by the full measure of the Speaker's wrath, but you have it within your power to dictate honors for yourselves. If my genial friend, Mr. COOPER of Wisconsin, desires to be chairman of the Ways and Means Committee, I am quite sure that he can with much hope ask for the same, and as to my other friend, Mr. GARDNER of Massachusetts, if he wishes, I believe the President will cheerfully send him as ambassador to Russia, for I think you all have concluded that his presence is more preferable beyond the sea than here. [Applause.] If this bill passes in its present iniquitous form, the country will hold you responsible. You are the commanders of the entire situation. No gag rule will ever pass this House if those of you displeased with this measure will stand by the minority.

I know that honors and benefits can be received from your rulers by surrendering principle, but let me teach you a lesson that was never taught you before, and that is that there are considerations in this life that rise above glittering gold or fleeting honors. To be just in the arbitrament of right between man and man; to deal out exact justice to all and special privileges to none; to stand as a bulwark and shield the poor from the encroachments of the rich; to do unto others as you would have them to do unto you, is the greatest reward that can crown the life of anyone. This is strange philosophy to many of you, but it is nevertheless true, and stands approved by Him who wrote upon the tablet of stone "Thou shalt not steal." [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD. [Loud applause.]

The CHAIRMAN. Without objection, the request of the gentleman is granted.

There was no objection.

Mr. MCKINLAY of California. Mr. Chairman, I did not expect to take part in the debate on the bill now before the House for consideration; but as the discussion has gone on and the various view points from which Members look upon the proposed tariff bill have been submitted for consideration, it has become apparent that there is still the same old issue between the propositions of a tariff for protection on the one hand and tariff for revenue on the other. But on the Republican side there seems to be a tacit agreement that the measure of protection contained shall be the difference in the cost of production in the foreign country and our own when foreign goods are brought into the American market to be sold in competition with home manufactures. But I have noticed throughout the discussion, when reference has been made to those nations which might compete in the American market with home industries, reference has always been made to European countries, with now and then an allusion to Canada when the lumber and timber schedules are mentioned. This is natural, for throughout all the tariff discussions that have taken place in the American Congress since the formation of the Union, when various tariff bills have been under consideration, American statesmen have been compelled to consider only European competition, and when European cost of production could be ascertained and reasonably well gauged, a certain basis has always been indicated which should determine the measure of protection on American products.

But since the last tariff bill—the Dingley bill—was framed and passed new elements of competition have developed, and those elements are now rapidly becoming a controlling factor in the cost of production throughout the world. I allude to the fact that the great oriental countries, which throughout the history of the world, up to a few years ago, have been considered consuming countries from the standpoint of manufactures, are now becoming themselves, at a tremendously rapid pace, manufacturers, producers, exporters, and competitors, not only for their own consumption, but for the markets of the world, which markets include the American market, as well as the European.

The United States has been able since the universal use of machinery in manufactories has come into play to successfully compete with Europe. We have been able to do this and still pay double and treble the wages Europe has paid, and in some instances produce the article cheaper than it could be produced in any European country. We have been able to do this; first, because we have had the raw material at our doors, and, again, our country has developed very rapidly in the accumulation of wealth with which to capitalize every form of industry; but principally our universal system of education has developed keener intelligence in our working classes, and the inventive genius of the American mechanic, sharpened and stimulated by education, has invented machinery of highest efficiency and of the greatest labor-saving capacity. And supplementing these agencies, our enterprising business men and captains of industry have had the intelligence and the nerve to enable them to discard obsolete machinery and constantly reequip their industrial plants with the latest labor-saving devices, and thus through the efficiency of abundant capital, labor-saving machinery, inventive genius, and the natural intelligence of our American mechanics, we have been able to overcome the great differences in wages prevailing in Europe as against the United States. [Applause on the Republican side.]

Europe, on the other hand, has been slow to change her methods of manufacture and production. As a rule, they have clung to obsolete machinery and to old-fashioned business methods, and consequently we have been able as a manufacturing nation to hold our home markets against European competitors and also in many cases, particularly within the last ten years, successfully compete in other countries for a share of foreign business. If these conditions should continue and no new elements of competition enter into the equation, I believe we might, with safety, concede a great deal to our Democratic friends as to the advisability of enacting a tariff-for-revenue-only measure.

But the conditions I have indicated will not continue; they are at end already. The competition of Europe need no longer be feared by the United States; a new industrial rivalry is forcing itself into the arena of the world's affairs. And that rivalry is of the Orient. I do not mean by that Japan alone, although Japan is the leader of the oriental countries, but I mean the oriental countries combined. For six thousand years the greatest of oriental nations have been bound up in the shackles of class prejudice and extreme conservatism. They have not cared to mix in the general affairs of the world; they have asked only that their isolation and conservatism be respected. But within the last fifteen years all this has changed. World-wide movements of trade and commerce and of international agreement and disagreement have resulted in opening the Orient to the free play of all the influences and agencies of twentieth-century civilization and progress; and now we find in the countries surrounding the Pacific Ocean competitors in production and manufacture, as well as consumers of the products which we are anxious to dispose of in order to maintain in continued operation our home industries.

There are 800,000,000 of people in the lands bordering the Pacific Ocean, not considering the United States, and of these 800,000,000 of people, two-thirds at least are laborers. In China there are 432,000,000 of people, according to the latest report. Three millions of these belong to the well-to-do class and the balance are workers. In Japan there are 30,000,000 of people, not counting the inhabitants of Formosa, which island contains 3,000,000 more. And of this great total of the inhabitants of Japan, 46,000,000 depend on labor. In India there are 200,000,000, and scattered through the islands of the sea and South America there are peoples who will make up the sum total of 800,000,000.

Now, the point I wish to make is this: When these hundreds of millions of the peoples of China, Japan, Korea, and India begin to use up-to-date machinery under the management of skillful men, imported from every industrial center of the world, assisted by capital furnished at the lowest possible rates of interest by the government itself, begin to manufacture cotton goods, woolen goods, steel and iron products, wooden products of a hundred different kinds, leather goods, and numerous other varieties of manufactures, will we sell our manufactures in their country or will they sell the products of their mills and factories in ours? I contend, Mr. Chairman, that a careful study of the conditions which I have briefly indicated, which are rapidly developing in the countries bordering on the Pacific, will demonstrate that there never was a time in the history of the United States when the principle of protection should be more carefully guarded than in the present hour. [Applause.]

For a moment consider the conditions in Japan, the great leader of the oriental peoples, and I will not speak of the splendid ability she has displayed in the conduct of her wars with China and Russia, but in the marvelous progress she is making in establishing an industrial system that within a decade will market its products in every country of the earth. I have had the advantage of some travel in the Orient, and for a good many years I have been studying oriental conditions, particularly those of Japan and China, and I believe the facts which I now desire to submit to the House, if estimated at their proper value, will have something to do with determining the schedules of duties which will be imposed in the tariff bill now under consideration.

In the first place, I want to point out that our trade with China, Japan, Korea, Manchuria, and the islands of the coast of Asia is diminishing and not increasing, and this is owing to the fact that already the competition of Japan in almost every line of manufacture is displacing American products.

I was in Tokyo in 1905 at the time of the period of suspension of hostilities between Japan and Russia. It was after the great battles had been fought on the plains of Manchuria and it was while the President of the United States was endeavoring to bring the opposing nations together in a treaty of peace. It was my good fortune on two different occasions to have an interview with Marquis Ito, who is called the "Gladstone of

House, and he says that 80 per cent of all the American hides

with this measure will stand by the minority.

Japan," and who at that time was the chief adviser of the Emperor and leader of the council of elders, and who was and is, without doubt, the greatest constructive statesman of the Empire. Marquis Ito is now the viceroy of Korea, although he is an aged man, being at least 75 years of age; because of his great ability he has been intrusted with the duty of firmly establishing Japanese influence and power in Korea. On the two occasions upon which I had the honor of talking with Marquis Ito the subject of the exclusion of Japanese laborers from the Pacific coast was brought up. The Marquis, knowing I was from California and the only member of the Taft party from that State, and, in fact, from the entire Pacific slope, inquired of me why Californians were opposed to Japanese laborers going to that State. He said to me, in substance, as I recall the conversation, that he thought Japanese laborers would be a great boon to California; in fact, he said he could not understand why the United States as a nation would not welcome millions of such laborers as Japan had to send to another country. He said the Japanese laborer was sober, docile, expert, and faithful, and, he said, taking everything into consideration, he believed they were as good laborers as could be found in the world. And he asked me this question:

Why not take the Japanese laborer to man your cotton mills, your woolen mills, your boot and shoe factories, and your many other agencies that require the use of labor? And thus, with your up-to-date machinery, and your expertness in using capital in large sums, and with the cheap labor that would come with the employment of Japanese workmen, you might be able to produce so cheaply the articles required in the world's markets that you could undersell all other countries.

"But," I asked him, "how about the American laborer?" I told him that in our country, though political parties might differ on matters of expediency and policy, nevertheless there was a unanimity of opinion that the standard of the living and the opportunity of the American workingman must be maintained as high as possible, even though we were compelled to close our doors to such labor as he described; that with us, despite our eagerness to accumulate wealth, we still estimated the American citizen of more value than the American dollar. The marquis replied that there was no need for controversy between Japan and the United States over the admission of Japanese laborers, because, he said, it was Japan's policy to keep her laborers at home and employ them at home; that the Government of Japan did not want her laborers to go to any other country and furnish cheap labor to that country, because Japan herself was then laying the foundation of a great industrial system which, it was hoped, in a few years would give employment to substantially all the laborers of the Empire.

I remember well the conclusion of our second interview. He said, speaking of the conclusion of the war:

When we get back these million men from the armies in Manchuria and the ships on the sea, we are going to train them in industrial and productive employment of every kind. We are going to send our bright young men into the world to learn every trade and craft and every kind of business system, and some day we will be able to make goods and products so cheap that you people of America will buy them from us, and so we prefer to keep our labor at home.

And I apprehend he said the going of Japanese laborers to America will never cause any serious difficulty between the two countries.

Since then I have closely watched the rapid development of Japan and her increasing influence over China, Korea, and Manchuria, and I find that the words of the marquis have been more than made good. Any student of oriental trade and industrial conditions will tell you that mills and factories of every description are being established in Japan, China, Korea, and Manchuria, and these industrial enterprises are being established under the most favorable conditions. Japan has the most paternal government of any country in the world, and in every possible way the Government is assisting in the promotion of every form of manufacture, trade, and commerce.

In the first place, any company of reputation formed in Japan, if it can give a reasonable guaranty of good faith, can obtain governmental assistance in the starting of its enterprise. The land, probably, upon which the factory is to be built will be donated by the Government. Capital is loaned by the Government, directly or indirectly, at as low as 2 per cent interest, with a long time for payment. Then, when a factory is ready for the machinery, the Japanese business promoter, whether it be a company or an individual, purchases the very latest labor-saving devices and equips his plant with that kind of machinery. As I said before, the United States has an advantage over Europe in the kinds of machinery used and in our business methods. We use the latest and best machinery, and, though we pay higher wages than European countries, we sometimes produce at a lower cost of the product than is attained by them, by reason of the effectiveness of better machinery and better comprehension of business methods.

But this advantage is not on our side when we encounter Japan, because their mills and factories are being equipped with the very latest machinery the world can supply. And they even have the advantage over the American promoter in the buying of that machinery, as they can generally equip their factory for one-half the cost of equipping the same kind of a plant in the United States. It is done in this way: Their want of patent laws permits Japanese promoters and manufacturers to copy any kind of machinery. In equipping a plant in the United States, the promoter always buys the latest models of machinery, but he has to buy all the machines his factory requires at the market price. Now, we will say a certain machine that is sold for $200 is to be used, and maybe the factory will require 50 such machines. The promoter must pay $200 apiece for each of the fifty. Now, perhaps that machine could be constructed for $50 or $75; that would be the cost of the material and labor for that piece of machinery; but the American purchaser must pay $200 just the same, because three or four pieces of that machine are patented, and a great part of the purchase price goes to pay royalties to the patentees.

And so in the United States or Europe the capitalization of a factory is largely based on the market price of the machinery. But the Japanese promoter gets around our patent laws. He sends over and buys one of our machines, takes it to pieces, and has a hundred more built just like it for probably one-quarter of the cost, and so puts machinery in his plant at much less the cost of his American or European competitor.

Then, when the industry is ready for operation, he begins to hire his labor; and what wage scale does he pay? Laborers in factories in Japan, adult men and women, labor for ten hours for from 12 to 15 cents a day in American money. Common mechanics receive 20 cents a day; good mechanics 30 cents; and the highest skilled artisans of Japan, men whose hands can furnish the most delicate surgical instruments, watches, or astronomical instruments, receive 50 cents a day in American money. And remember, the supply of labor at these prices is absolutely unlimited.

Then, when the plant is ready for operation, subsidized ships go out into the world and raw material is purchased at the world's price. It is brought to Japan in subsidized ships and is manufactured in the subsidized factories of Japan; goes out in subsidized ships as completed product, and is distributed at the world's markets.

Now, these conditions which I have indicated are so rapidly developing in Japan are developing in every country of the Orient, and the elements entering into the cost of manufactures in which those countries engage are so rapidly lowering the cost of production that values are being unsettled on every side; and this readjustment of the cost of production is throwing all Europe into the realm of speculation as to what the outcome of this struggle for the control of the world's markets will be. The Congress of the United States should not be blind to these facts and to these conditions. I have a few extracts taken from our consular reports pertaining to Japan, China, and Korea which I hope I will be permitted to incorporate in my remarks.

For instance, a careful study of the latest consular reports will show that the United States is sending to Japan less of manufactured products each month, and this rule applies to the imports into Japan from all the countries of Europe. The nature of the imports into Japan clearly indicates the growth of their industrial system. In order to carry on the great scheme which has for its object the manufacturing and industrial supremacy of Japan throughout the Orient in harmony with her industrial policy, it has been necessary for Japan to establish a merchant marine. Along this line she has been eminently successful. The report of trade conditions in Japan and Korea by Raymond F. Crist, special agent of the Department of Commerce and Labor in relation to the increase of the Japanese marine says, on page 14:

With the increase of the foreign trade of Japan there has been a corresponding growth of its merchant marine through the purchase of ships abroad and the development of shipbuilding at home by favorable laws and bounties for ships constructed along certain lines. The present development of shipbuilding is the result of governmental aid, as shown by the rapid growth since 1896, when the shipbuilding-encouragement law and the navigation-encouragement law were enacted. In 1895 the merchant marine of Japan consisted of 827 steamships of 341,000 tons and 702 sailing vessels of 44,794 tons. At the close of 1903 there were 1,570 steamships of 657,000 tons and 3,934 sailing vessels of 320,000 tons. The tonnage of the steamships had nearly doubled and the sailing craft had increased over sevenfold between the years 1896 and 1903. During the recent war with Russia steamers aggregating 177,000 tons were purchased abroad and 27,000 tonnage was built in the Japanese shipyards, while the war losses aggregated 71,000 tons, netting an increase of 103,000 tons and raising the steamship tonnage to 790,000 tons at the beginning of 1905. Government encouragement has also resulted in the establishment of over 200 shipyards and 35 docks, and with this equipment there can be constructed merchant ships of upward of 6,000 tons and the largest men-of-war.

There are now vessels of regularly established lines plying between Japanese ports and Europe, America, Australia, Bombay, and Chinese,

Korean, and Philippine ports, all of which receive liberal subsidies from the Government. The subsidy rate is based on a speed of 10 knots per hour and for steamers of not less than 1,000 tons at 12½ cents per thousand miles, increasing with the increase of tonnage and cargo.

[Extract from report of Pacific coast chambers of commerce committee. By E. G. Babbitt, United States vice-consul in charge, Yokohama.]

SHIP SUBSIDIES.

Japan believes in subsidizing the building and operation of ships. That this has had a great influence upon the upbuilding of her merchant marine is unquestioned. Though a poor nation, she has continued to increase her appropriations for the encouragement of shipping. Her budget for 1908-9 carried the greatest amount ever appropriated by her, amounting to 12,390,695 yen, as follows:

	Yen.
Encouragement of navigation	3,483,955
Encouragement of shipbuilding	1,995,440
Subsidy to European route	2,673,895
Subsidy to San Francisco route	1,013,880
Subsidy to Seattle route	654,030
Subsidy to Australian line	425,782
Subsidy to far eastern service	530,000
Subsidy to inland Chinese navigation	800,000
Training of mariners	5,000
Lifeboat work	20,000
For calling at Korean and north China ports	50,000
Coastlips service	251,000
Ogasawara (Bonin Island) service	15,600
Islands in Kagoshima	22,800
Oki Island	5,400
Hokkaido coasting service	180,553
Iden Island service	7,560
Taiwan service	140,000
Okinawa (Loochoo Island) service	5,400
Okinawa remote islands	9,000
Total	12,390,695

There is every indication that the subsidies paid to ships plying between Japan and America and Europe will be continued after the expiration of the present law in 1911.

Japan seems to be as far advanced as any of the great commercial nations in the establishment of beacon or coast lights and life-saving stations.

POSTAL SYSTEM.

In 1871 a postal system modeled on western mail service was adopted in Japan. It is wholly under the charge of the Government and is coextensive with the Empire. There is a parcels-post service, which had its inception in 1892, and which has rapidly developed until it now handles upward of 15,000,000 parcels annually, and has proved of great service to the merchant classes and of economic worth to the masses. Japan maintains in China and Korea quite a large number of post-offices. Postal matter is divided into five classes, as follows: First class, letters; second class, postal cards; third class, periodicals issued not less than once a month; fourth class, books and printed matter; fifth class, seeds of agricultural products. There is an express delivery, poste restante, delivery certificate, registration, value-declared mail, collection of trade charges, collection of cash, franc post. Other foreign mail includes a foreign parcels post. There is a system of both domestic and foreign postal money orders, and postal savings banks. Under the department of communications are the foreign and domestic telegraphs and the telephone.

In fact, the rapid development of the merchant marine of Japan has furnished more ships than cargoes, and Japan is now eagerly looking for new sources of business in order to employ her ships until her manufacturing and producing agencies increase their output to supply cargoes for the idle vessels. In this connection I want to say that the United States, up till a few months ago, controlled a very considerable market in Australia. our trade with Australia amounting to a little over $30,000,000 a year. We were exporting about twenty millions to Australia and importing about ten millions. This trade was carried by the Oceanic Line of steamships. The line consisted of three first-class vessels, built according to the specifications of the Government of the United States and manned by American sailors and officers, and these three vessels made 13 trips a year to Australia direct, stopping at some of the southern Pacific islands on the route. The line never paid running expenses, the course to Australia being over 7,000 miles, the speed required being 16 knots an hour, and the peculiar conditions requiring all white crews. But, nevertheless, the Oceanic Company struggled on, in the hope that the Government of the United States would increase the subsidy for mail carrying over that route from $2 a mile, outward voyage, to four. Two or three attempts have been made since I have been in Congress to pass such a measure, and all have failed. The Oceanic Steamship Line has been discontinued, and we are rapidly losing our trade with Australia, and it will be a matter of only a few years until our manufactured products will be unknown in the Australian markets. There seems to be only one hope of relief in this line, and this is that Japan will use some of her great ocean liners in the establishment of a Japanese steamship line from San Francisco to Australia. But it would seem more likely that Japan would endeavor to herself absorb the Australian market lost by the stupidity of the Congress of the United States in failing to give necessary assistance to the Oceanic Company to keep open that great ocean highway of American commerce between the United States and Australia.

In the development of the Japanese industrial system, the Government gives assistance to every form of enterprise in various ways. Quoting again from Mr. Crist's report in regard to manufacturing, he says, on page 16:

MANUFACTURING.

INDUSTRIES ENCOURAGED AND FOSTERED.

The evident aim of the Government is to place Japanese manufactures on an independent footing. That this object has long been entertained is shown by the persistent effort made during the reign of the present Emperor to develop the manufactures which now flourish throughout the Empire. The manufacture of almost every commodity now made in Japan was begun under Government supervision and expense.

EFFECT OF MODERN METHODS.

This renaissance of Japanese manufacturing has had a correspondingly powerful influence both upon the quantity and character of the imports of the Empire. Great changes are observable in the kinds of articles demanded during the past fifteen years. Goods that were essential to the well-being of the natives in 1890 and were among its leading imports are no longer purchased abroad, but instead are manufactured in such quantities that the surplus is exported to other parts of the world, and in many instances to the countries from which they were previously purchased. Thus, instead of occupying the position of a buyer of her necessaries from other countries, Japan has entered the ranks as a competitor for a share in the world's markets.

GOVERNMENT INITIATIVE.

Before the restoration the industries of Japan consisted mainly of the manufacture of porcelain, raw silk, lacquered silk ware, hemp and cotton fabrics, copper ware, paper, wood and bamboo wares, matting, sake, and soy. Upon the establishment of the present Government a systematic effort was made to stimulate the adoption of modern methods and to introduce machinery where it would create a greater output and perfection of product. Model factories and plants were installed by the Government in many industrial branches, such as for the manufacture of cotton, silk, and woolens, cement making, shipbuilding, various iron-working plants, glass, brick, match, and paper factories. The result was felt in an earnest study by the people of the methods used by western nations, and the early supplanting of more primitive methods, causing an immense increase in the manufactures of the nation.

In 1890 the exports of manufactured commodities embraced most of the articles whose initial manufacture was undertaken by the Government in the model factories established but twenty years previously. The value of the exports of manufactured articles was $19,382,000 out of a total export of $42,500,000. In 1900 exports of manufactures had increased to over $28,000,000. In 1904 a further increase was recorded in the unprecedented export of over $120,000,000 of manufactured articles out of a total export trade of $159,000,000. This amount represented a vast expansion in variety of manufactures as well as in value. From the greatly broadened sphere of the post-restoration period the field of manufactures had further expanded, until in 1904 it may be safely asserted it embraced nearly all lines.

STATE AID TO PRIVATE ENTERPRISES.

In addition to the establishment of model factories, the Government purchased abroad complete equipment for spinning and weaving mills and turned it over to individuals desiring to enter upon those lines of manufacture, with the privilege of using the machinery and paying for it on a long-time and small installment basis. On the other hand, to those who were desirous of initiating a new system of manufacture, but were deficient in capital, the Government loaned the necessary funds. Others were granted financial assistance by the State for terms sufficiently long to place them on a sound financial and industrial basis. In many instances within the short period of ten years the factories had been turned over to individual enterprise, and state aid was no longer required.

OPERATIVES AND WAGES.

Between 8,500 and 9,000 bales of cotton yarns were made in 1904 by the Settsu Cotton Spinning Mill, located at Osaka, ranging from 10's to 20's, about two-thirds of these being 16's. These yarns are all made for export to China, Korea, India, other Asiatic countries, and the Philippine Islands. The bales are of 420 pounds net weight of cotton. The company is capitalized at $750,000, of which $700,000 is fully paid up. Upon this capitalization an officer of the company stated that for the past six months they had declared a dividend at the rate of 50 per cent per annum. An accumulated reserve fund of $1,000,000 is annually being added to. There are seven mills, with about 7,000 operatives. The average daily wage is about 27 sen, or between 13 and 14 cents in American currency. As the operatives can live at about 20 sen per day the compensation is not so low as to be uninviting, and many are willing to serve at that rate. The company has separate boarding and lodging houses for male and female unmarried employees, where they live at a daily charge of 7 sen, although the actual expense is 10 sen daily to the company. That this philanthropy is not unusual is shown in the bonuses annually given to employees and other features of industrial enterprises looking to the betterment of their condition.

[Extract from report of committee on commercial relations of chambers of commerce of cities of Pacific coast.]

Following the restoration, manufacturing in Japan underwent a change by reason of the introduction of labor-saving machines. The Government then made a systematic effort to encourage their use and established model factories for that purpose. Machinery was thus introduced into the handling of raw silk, the spinning of cotton and silk, the manufacture of matches, cement, the brewing of beer, the building of ships, and, finally, into the mining of coal and copper, the refining of sugar, the making of gas and coke, and a long list of other articles. From small beginnings these industries have grown until in 1906 there were:

	Yen.
38 cotton-spinning industry companies, with a total capital of	38,413,000
54 mining and metallurgical companies, with a total capital of	23,146,000
89 electric-lamp companies, with a total capital of	27,976,000
16 shipbuilding companies, with a total capital of	11,752,000
32 coal-mining companies, with a total capital of	11,081,000
8 sugar-refining companies, with a total capital of	7,416,000

The above list may be greatly extended by referring to the Japan Yearbook of 1908-9.

United States Vice-Consul-General Babbitt, in his special report to the committee, gives the following information: "The industries of

better comprehension of business methods.

There are now vessels of regularly established lines plying between Japanese ports and Europe, America, Australia, Bombay, and Chinese,

In the development of the Japanese industrial system, the committee, gives the following information: "The industries of

Japan have grown rapidly since the war with Russia, 383,106,800 yen having been invested in new plants, and 130,587,000 yen representing enlargements of old plants, or a total of 513,693,800 yen.

For years Japan has systematically investigated and encouraged foreign trade. For some time past she has sent abroad some of her brightest young men to study and report upon trade and commerce, and also to obtain practical training, either at commercial establishments or in factories. A larger percentage of these young men were sent to the United States than to any other nation. Since this system was inaugurated young men have also been sent to Mexico, Germany, England, France, China, British India, Belgium, Russia, Siberia, Australia, Canada, Peru, Straits Settlements, Java, Switzerland, and the Philippines, and they have carried back to Japan a wonderful amount of information and practical knowledge, much of which has been adopted into the industrial life of the Empire. Japan has established numerous commercial sample museums, not only at home, but abroad. Some of these abroad are in Vladivostok, Odessa, Bombay, Singapore, Mexico, Constantinople, and the various ports of China. Also, she has established experimental schools for the production of commercial commodities.

TARIFF SYSTEM.

Japan has a comprehensive tariff system. It is divided into three main classes: Dutiable goods, nondutiable goods, and prohibitive goods. For dutiable goods the tariff ranges from 5 to 40 per cent ad valorem. The tariff upon tobacco and alcohol is practically a prohibitive one.

Business points to a great future for Japan in manufacturing. The Government encourages new enterprises of this character, and conditions are exceptionally favorable for their ultimate success. There appears to be an inexhaustible amount of water power readily convertible into electrical energy. Some of this power is already utilized and much more is under way and in contemplation. One thing, we were advised, stood in the way of the utilization of the great water power of Japan—the use of water by the farmers for irrigation. But we were also informed that before the water reached the lands of the farmer its fall out of the mountains was sufficient to generate all the power necessary, and that the objections of the farmer would be overcome by demonstrating that the use of the water for power purposes would in no way affect its use for the purposes of irrigation.

There is also an almost limitless supply of labor in Japan which seems able to turn its hand to any vocations and master the details of new methods and machinery in a short space of time. Through the ages they have used their hands in the making of fine fabrics and in the arts. At the time of the restoration there were dozens of different kinds of silks; hemp and cotton were woven into cloths and nets; fine porcelains were made; and the making of copper and lacquer ware was an art. The Japanese, as a people, have learned to use their hands.

TRADE.

Japan has made great progress in her foreign trade since 1898. In 1898 she exported a little over $1,000,000 worth of tea, while in 1907 her exportations were over $6,000,000. In 1899 she exported $2,000,000 worth of silk fabrics, yarns, and materials, while in 1907 she exported $80,000,000 worth. In 1899 the amount of coarse and refined copper which Japan exported is hardly worth mentioning. According to the latest statistics she is now exporting copper to the value of nearly $15,000,000. Her total export trade in 1907 amounting to $216,000,000.

The United States is the principal purchaser of Japan's exports, the trade with the United States being 39 per cent of Japan's export commerce. China is Japan's second best customer, and England ranks third. The following table will give a comprehensive idea of the manner in which Japan's foreign trade is developing:

	1898.	1907.
	Yen.	Yen.
Imports from—		
Great Britain	71,552,065	116,192,437
United States	62,672,857	80,075,068
France	8,087,470	6,807,407
Germany	29,196,142	47,020,094
Exports from Japan to—		
Great Britain	10,251,084	22,207,763
United States	56,354,136	130,828,815
France	19,125,494	42,523,326
Germany	3,607,739	11,172,740

These extracts from the reports of Mr. Crist will show the methods employed by the Government of Japan to develop the industries at home, and I would recommend the study of these reports, particularly to our friends from the South who are interested in obtaining foreign markets for the products of their cotton mills. Again, turning from Japan to China, I desire to call attention of gentlemen to the fact that our trade with China is diminishing rapidly, particularly in manufactures, because of Japanese competition. In 1905 our exports to China from the United States proper and Hawaii amounted to $56,149,917. In 1906 our exports were $35,548,967; in 1907 they had fallen to $29,153,746. What is the cause of this remarkable decline in our exports to China? It is the fact that China as well as Japan is becoming a manufacturer and producer and is entering into competition with Europe and the United States for the world's business, and China is first endeavoring to supply her own markets with her own factories, and when she does purchase from an outside country she gives preference to Japan as against the United States and Europe. I will insert in my remarks a number of extracts taken from Consular Reports, annual series, No. 29, China and Hongkong, trade for the year 1907, as indicating the great variety and the wide diversity of manufactures being exported from Japan to China, and I wish to particularly call attention of gentlemen from the South to the report on the cotton business of Japan and their exports to China.

The rivalry between the United States, Japan, and Great Britain for the supply of cigarettes is quite keen, the sales from each country for the four preceding years being as follows:

Years.	United States.	Japan.	Great Britain.
1904	$663,305	$726,574	$265,713
1905	1,008,654	699,217	697,824
1906	2,558,142	287,374	1,349,354
1907	1,065,334	524,002	934,302

SALE OF AMERICAN BOOTS AND SHOES—CLOCKS—GINSENG.

There has been a gradual growth in the receipts of American boots and shoes, leather, and other materials, the sales rising from $4,324 in 1904 to $18,452 in 1907.

The comparison of values and quantities from the United States and those of other countries will show the high grade of American import. For example, 9,646 pairs of shoes from Europe were valued at $10,245; about 34,300 pairs from Japan at $39,810, as compared with somewhat less than 8,000 pairs from America valued at $18,452. The inference is, and this is borne out by investigation, that it is the foreigner in China, not the Chinese, who is the buyer of the American shoe. An intelligent effort to supply Chinese shoes to China would seem more certain of a liberal reward than any branch of manufacturing industry.

In the supply of clocks and watches Japan leads, with sales in 1907 amounting to $244,259, against $282,614 in 1906, while the sales from the United States amounted in value for these two years to $49,714 and $46,000, respectively. It would seem that the American manufacturer should make a better showing in this market, which could be done by the production of cheap clocks and watches suitable to the low price which the Chinese are prepared to pay.

The receipts of ginseng in 1907 amounted to 343,243 pounds, of which 153,475 pounds came from Hongkong, 119,361 pounds from Japan, 50,939 pounds from Korea, 157 pounds from India, 88 pounds from Macao, 66 pounds from the United States, and the remainder, 77 pounds, from Russia and Straits Settlements. The amount credited to Hongkong probably came originally from the United States.

HOUSEHOLD STORES—WINES AND MILK—DYES.

The importation of household stores is another line in which America caters almost exclusively to the foreign demand. The total imports in 1907 were valued at $5,443,137, of which the United States is credited with $1,425,170, the closest competitor being Japan, with about one-third this amount.

In the trade of wine, beer, and spirits the United States does not rank very high, notwithstanding the excellence of the American malt liquors introduced into this market from America. The proximity of Japan and the cheapness of the beer produced there makes that country the leading importer.

The hardware trade in China is worthy of American attention. During 1907 the sales from the United States amounted to $98,770, out of a total of $790,000, while those from Japan amounted to $144,000. In regard to furniture, in which the United States should lead, an examination proves disappointing. The total imports into China in 1907 were valued at $758,400, of which the United States furnished $29,500, Great Britain $202,200, and Japan $277,000.

And again, on page 17 of Consular Report No. 29, we find what China exports in the way of cottons and cotton yarns:

WHAT CHINA EXPORTS.

In 1907 China exported 131,411,315 pounds of raw cotton, against 102,349,086 pounds in 1906. This cotton largely goes to Japanese mills, where it is manufactured into cloth to be sent back to compete with the foreign and Chinese woven article.

Turning from China to Korea, we find that country now passing completely under the domination and control of Japan. Korea contains 82,000 square miles, a great portion of which is fertile agricultural land. The climate is mild and agreeable. It is a land peculiarly capable of agricultural development. In Korea there are ten millions of people, and last year their trade approximated $13,500,000, and this trade was principally in cotton and cotton manufactures. But of this $13,500,000 the United States secured but a little over $1,000,000, and $10,195,000 came from Japan.

Of course, in the short limits of time accorded me, I can do no more than merely sketch the outline of the proposition I desire to emphasize. But the open door of the Orient, while it may be alluring as a doctrine to theorists and dreamers, is not proving to be of much benefit to the United States. Our country, as a whole—I mean by that our Government, our manufacturers, our exporters, and our commercial men—must quickly grasp the significance of our diminishing prestige in the Orient or valuable markets will be closed to us forever. And the time is rapidly approaching when the United States must depend upon markets outside of the United States proper for the sale of goods in order that our mills and factories shall continue in operation. We have developed as a Nation the most stupendous industrial system upon this earth. It has far eclipsed dreams of the most sanguine statesmen of twenty years ago, and in the last twelve years our national wealth has nearly doubled. Our industrial system has increased one-third, and last year our shops and mills and factories and forges turned out nearly $15,000,000,000 of manufactured products. This stupendous sum total of manufactures has given work and wages to over

7,000,000 of employees of various kinds, and to-day over 30,000,000 of souls depend upon the industrial system of the United States for existence. It is the one great factor of American well-being that should be most carefully considered in the framing of the present tariff bill. Gentlemen on the other side continually harp about the welfare of the ultimate consumer, but they should bear in mind that in the United States the consumer is also a producer, that the 35,000,000 of people depending on our industrial system for the necessaries of life are ultimate consumers, and no law can be devised that can separate the consumers and the producers of the United States because they are one, and the tariff law which is framed to give the greatest advantage to the producer at the same time takes care of the consumer.

You ask me, perhaps, why I have brought to the attention of this House the conditions of trade and commerce in the Orient and the diminishing prestige of the United States, or the fact that the United States is not acquiring the prestige she should in those great markets. It is easy sometimes to point out an evil, while at the same time it is hard to suggest a remedy; but if I may be permitted to suggest, I might say that next to the passage of a protective tariff bill should come the passage of a ship-encouragement and navigation-encouragement bill, to borrow the Japanese term, which would open the ocean highways to American merchant vessels. [Applause.] We should restore by reasonable legislation the Oceanic Steamship Line to its course from San Francisco to Australia; we should establish lines from Seattle and other Puget Sound ports to countries of the Orient, and particularly to the Philippines, and connect San Francisco with every land of Asia; and above all, as quickly as possible, the United States should be connected with every prominent port of South America, both on the eastern and western side. I sincerely hope that more careful study of the needs and necessaries of American producers and manufacturers for foreign markets may cause Congress, when it meets in regular session next winter, to pass measures for the restoration of the encroached merchant marine. This subject should be in a spirit of fairness and conciliation, so that some legislation may be passed that will carry out the designs of Presidents Cleveland, McKinley, Roosevelt, and Taft. [Applause.]

Before I conclude, I desire to say a word in regard to a feature of the Payne bill which has not yet been discussed very fully, and that is in regard to the Philippine Islands, that part of the bill which applies to the Philippines. According to the latest reports I have been able to obtain, the trade of the Philippines amounted to nearly $60,000,000—thirty-three or four millions of exports and about twenty-six millions of imports to the Philippines.

In 1904 the imports into the Philippines amounted to $35,000,000, but since the cessation of hostilities and the withdrawal of a great portion of the army from the Philippines their imports have been less. Last year, I understand, they amounted to about $26,000,000. Of this the United States secured only four and a half millions. Now, I submit that since we maintain sovereignty over those islands and are engaged in the great work of extending our civilization and form of government over those people, we should give them the same trade privileges we accord to any other Territory or dependency of the United States.

The Philippine Islands, in my judgment, if accorded the same privileges as other parts of the United States, will soon become a most valuable market for the products of the mills and factories of the United States. The Philippine group of islands contains upward of 115,000 square miles and are inhabited by 8,000,000 of people, divided into 65 different tribes and portions of tribes. Conditions in the Philippines for many years prior to the American occupation were unfavorable to the development of agriculture and industrial progress. Revolutions against the authority of Spain occurred continually; these revolutions finally terminated, as everyone knows, in American occupation. Since the occupation of the Philippines by the United States and the establishment of a universal and, we believe, a permanent form of government, a change is taking place for the better. Ladroonism has been almost entirely stamped out and piracy extirpated, and the peaceful people of the islands, under the powerful government of the Philippine Commission, backed by the strength of the American Republic, are at last forgetting their old fears and troubles and are turning their attentions toward the development of the natural resources of their wonderfully rich country. The natural products of the Philippine Islands, in the main, will never come in competition with the products of the United States. It is true, tobacco and sugar may be produced in large amount, but, nevertheless, extensive production of tobacco and sugar can not be carried on unless a different kind of labor is imported there than now occupies the labor field.

When the Philippines came under the control of the United States the provisions of the Chinese-exclusion law were extended over the archipelago, a result of American supremacy, and thus it became impossible for companies to be formed for the purpose of taking up the lands in extensive tracts and cultivating them with imported Chinese labor. The natives themselves will never in any great degree perform the arduous and exhausting labor of cane cultivation. Therefore, I believe that if the Chinese laborers are excluded permanently from the islands cane culture will gradually disappear and the rich lands of the sugar districts be planted to hemp or rice or other products that require less labor than the culture of sugar cane.

I believe that the provision of the Payne bill, which admits 300,000 tons of Philippine sugar to the United States free of duty, is a wise provision. The records show that the highest point in quantity of raw sugar ever produced in the Philippines for export amounted to only about 360,000 tons, and of this quantity the Philippine exporter, after supplying a certain demand which he had in Hongkong and Japan, had little left to ship to the United States. I believe the fears of the sugar producers of the United States are groundless, and so long as the United States is compelled to import in the neighborhood of a million tons of sugar annually we can with safety indorse this schedule of the Payne bill.

In regard to tobacco, the conditions are substantially the same. The Philippine product will never seriously compete in American markets with the American tobacco producer, as the Philippine tobacco is coarse and rank in quality and would never be extensively used by American consumers. In fact, it has been stated to me by experts in tobacco that the provision of the Payne bill in regard to tobacco which might be imported from the Philippines would really stimulate the American tobacco industry, as the necessity of purchasing in the United States a finer grade of tobacco for cigar wrappers would be developed under the operations of this bill, which provides that American products may go to the Philippines free of duty, providing Philippine products are admitted to the United States on the same terms.

The Philippine Islands are not now and probably will not be for many years producing sufficient rice for home consumption, and so the fears of competition with Louisiana rice would seem to be unfounded. Hemp and copra products, which are an important part of Philippine production, of course can never encounter any competition in the United States. As the great mass of people of the Philippine Islands gradually arise in the scale of education and better living, and turn from the old predatory and often haphazard way of living which has prevailed for so many years because of their revolutions and wars, their pests and famines, and become more settled in their life and occupations, they will gradually consume more of the products of the manufacturing countries like the United States. They are as a people ambitious and eager to learn and are anxious to advance in the scale of civilization, but, so far as I have been able to observe, they are of a softer nature than the hardy people of China and Japan. And, therefore, I believe their development will be along lines of production that will not require arduous labor, but still they will rapidly rise if the present conditions are continued, and their capacity to consume manufactured products will increase enormously. One of the greatest experts on Philippine affairs in the United States, a man who has traveled extensively in the islands, informed me but a few days ago that he was satisfied that within ten years, if the Philippine Islands were given the same privileges as Porto Rico and the Hawaiian Islands, they would be the consumers of a hundred millions of dollars of manufactured products annually.

If the Payne bill is made the law of the land, it should secure to the American manufacturer the trade of the Philippine Islands. And, thus, the market of the Philippine Islands, under the provision of this bill, should become a part of the great home market of the United States.

There is another feature, too, which I must mention in regard to the acquirement and preservation of home markets, and that is the so-called "Asiatic labor situation on the Pacific coast." Before concluding my remarks, I want to point out to manufacturers of the East and South that Asiatic laborers only purchase Asiatic products, and if the extensive plains and orchards and ranches and timber tracts of the Pacific coast are filled with Asiatic laborers, whether Chinese, Japanese, or Hindoos, there will be a tremendous loss to the manufacturers of the East. It was learned in California many years ago, when the Chinese-exclusion law was being agitated, that of every dollar earned by an Asiatic on the Pacific coast 80 cents was sent to

Asia on the first of each month, and these conditions prevail to-day and will still continue to prevail. And, therefore, in the struggle that the States of the Pacific coast are making for the preservation of the coast from the invasion of Asiatic laborers, we are, after all, making a struggle to increase the markets for the products of the manufacturers of the East. If the various avenues of employment of the Pacific coast are filled with white laborers and paid white men's wages, it will furnish ten times the market for eastern manufacturers than if the same avenues of employment should be controlled by Asiatic laborers. And, therefore, I believe that when this question is understood by the people of the East as it is understood by the people of the Pacific coast there will be little trouble in passing the necessary laws to preserve the Pacific coast a white man's country and a white man's market. [Applause.]

Concluding, then, let me say that I believe that this present bill should preserve strictly the protective principle in favor of American labor and American industries. Already the products of the factories of Japan are beginning to invade the markets of the United States upon the western side. We have had already consignments of cotton goods and boots and shoes of the cheaper quality, all kinds of brushes, many kinds of cutlery, and even schoolbooks, manufactured in Japan for American consumption. Already oriental manufactures are beginning to trickle through the protection dike; and if the stream is not stopped, the inundation will surely follow.

Again, I believe a study of the industrial conditions in Asia and the probable effect of the extension of the industrial systems of Japan and China will lead every patriotic American Congressman or Senator to the conclusion that it is absolutely necessary to as quickly as possible pass navigation-encouragement and shipbuilding-encouragement laws, so that we may begin again to secure our share of ocean traffic, and in doing so open and keep open markets for American products. The Philippine Islands should be given every consideration, so as to be brought in as close commercial and trade relations as possible to the United States proper. They are the richest possessions of the American Republic, and if treated with reasonable consideration will some day, in trade and commerce, repay the United States a thousandfold for all their acquirement has cost. We must remember that Seward was laughed at by the statesmen of the American Nation, and by the world as well, when he purchased Alaska for $7,200,000 in 1867; but Alaska is now repaying her purchase price to the United States seven times every year; and so it will be in the Philippine Islands as time goes on and that wonderfully fertile archipelago is brought into the proper relations with the Republic.

Fortunately, we have in the seat of executive authority the man best qualified in all the Nation to give advice and to point the way to the acquirement of American prestige and of American markets in the nations of Asia. [Applause.] No statesman of all the world could more accurately indicate the necessary legislation for securing the proper political relations with the Philippines than President Taft.

No man knows better how to approach the statesmen of Japan or China in the adjustment of international affairs between their country and ours than does President Taft, and so far as California is concerned, I believe I voice the sentiment of the entire State when I say that in the settlement of the intricate and troublesome question of Japanese and other Asiatic labor immigration, that we are satisfied as a people and as a State that he will so handle the situation as to preserve peace with Japan, retain that country's friendship, and at the same time guard against the coming of Asiatic laborers.

In the passage of this bill it is necessary that reason and conciliation shall prevail. As our country goes on and our civilization grows more intricate and our industrial and commercial systems more complex, new questions will constantly arise and old questions will reappear, and statesmen will take opposing sides and bitter controversies will result, but we must remember the science of legislation is imperfect, and administration must always have its faults, but the patriotism, the genius of government, and the honesty of purpose inherent in 90,000,000 American citizens will overcome difficulties as they arise, solve problems as they appear, resist encroachments of any power that transgresses national authority, and still when all is done the vast reservoir of American patriotism will remain undiminished and the mighty depths of America's devotion to liberty and higher civilization remain unsolved. [Loud applause.]

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. GREENE having taken the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

The SPEAKER pro tempore. Now (at 10.30 o'clock p. m), in accordance with previous order, the House stands adjourned until 10 o'clock to-morrow morning.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSTER of Illinois: A bill (H. R. 5883) to apply a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining, and to regulate the expenditure thereof—to the Committee on Mines and Mining.

By Mr. AUSTIN: A bill (H. R. 5884) to pension the National Guards of East Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5885) for the relief of Spanish-American war soldiers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5886) for the benefit of federal soldiers and state militiamen who were confined in confederate military prisons during the civil war of 1861 to 1865—to the Committee on War Claims.

By Mr. HENRY of Texas: A bill (H. R. 5887) to prohibit dealing in future contracts on agricultural products by forbidding the use of mail and interstate-commerce facilities, and to prevent sending fictitious prices made on exchanges—to the Committee on Agriculture.

By Mr. GRAHAM of Illinois: A bill (H. R. 5888) granting pensions to teamsters of the war of the rebellion and Indian wars, from 1861 to 1865, inclusive—to the Committee on Invalid Pensions.

By Mr. MADISON: A bill (H. R. 6035) relating to injunctions and restraining orders—to the Committee on the Judiciary.

By Mr. DAWSON: A bill (H. R. 6036) to repeal certain provisions of the act of June 13, 1898, and the act of April 12, 1902, and for other purposes—to the Committee on Ways and Means.

By Mr. HOUSTON: A bill (H. R. 6037) to establish a fish-cultural station in the county of Lincoln, in the State of Tennessee—to the Committee on the Merchant Marine and Fisheries.

By Mr. SIMMONS: A bill (H. R. 6038) for the erection of a public building at North Tonawanda, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. WEISSE: Resolution (H. Res. 47) increasing compensation of I. H. McMichael, chief page on Democratic side of House of Representatives—to the Committee on Accounts.

By Mr. TIRRELL: Resolution (H. Res. 48) relative to pay of the assistant clerk to the Committee on Interstate and Foreign Commerce—to the Committee on Accounts.

By Mr. HAMMOND: Memorial of the legislature of Minnesota against reduction of duty on barley—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AMES: A bill (H. R. 5889) granting an increase of pension to Phineas P Trowbridge—to the Committee on Invalid pensions.

Also, a bill (H. R. 5890) granting an increase of pension to Lewis Zaney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5891) granting an increase of pension to Fannie L. Edgerton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5892) granting an increase of pension to William J. Bastian—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5893) granting an increase of pension to William H. Courser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5894) granting an increase of pension to Mary F. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5895) granting an increase of pension to Walter H. Farwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5896) granting an increase of pension to John W. McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5897) granting an increase of pension to James W. Grayson—to the Committee on Pensions.

Also, a bill (H. R. 5898) granting an increase of pension to Marcus M. Bancroft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5899) granting an increase of pension to Mary Eaton Livingston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5900) granting an increase of pension to David Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5901) granting an increase of pension to Zelotes L. Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5902) granting an increase of pension to William D. Lamb—to the Committee on Pensions.

Also, a bill (H. R. 5903) granting an increase of pension to Patrick Deverix—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5904) granting an increase of pension to Ezekiel R. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5905) granting an increase of pension to William Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5906) granting an increase of pension to Emma Thurston—to the Committee on Pensions.

Also, a bill (H. R. 5907) granting an increase of pension to Dennis Sullivan—to the Committee on Pensions.

Also, a bill (H. R. 5908) granting an increase of pension to Levi J. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5909) granting an increase of pension to Frank W. Buxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5910) granting an increase of pension to Winslow Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5911) granting an increase of pension to Alden Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5912) granting an increase of pension to Kate T. Dimon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5913) granting an increase of pension to Josiah B. Kinsman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5914) granting an increase of pension to Fannie S. Livers—to the Committee on Pensions.

Also, a bill (H. R. 5915) granting an increase of pension to William I. Bastian—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5916) granting a pension to Charles J. Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5917) granting a pension to Marcelia E. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5918) granting a pension to Frank Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5919) granting a pension to Eleanor Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5920) granting a pension to James E. McKenna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5921) granting a pension to Inez M. Brigham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5922) granting a pension to George S. Kittredge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5923) granting a pension to John Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5924) granting a pension to Martin Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5925) granting a pension to James Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5926) granting a pension to William Fairbrother—to the Committee on Pensions.

Also, a bill (H. R. 5927) granting a pension to Michael Lanergan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5928) granting a pension to Thomas H. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5929) granting a pension to Frank Maguire—to the Committee on Pensions.

Also, a bill (H. R. 5930) granting a pension to Dennis H. Finn—to the Committee on Pensions.

Also, a bill (H. R. 5931) granting a pension to Inez M. Brigham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5932) granting a pension to John Collins—to the Committee on Pensions.

Also, a bill (H. R. 5933) for the relief of Henry C. Bliss—to the Committee on Military Affairs.

Also, a bill (H. R. 5934) for the relief of Hercules Vancourt—to the Committee on Military Affairs.

Also, a bill (H. R. 5935) for the relief of Patrick McGarry—to the Committee on Military Affairs.

Also, a bill (H. R. 5936) for the relief of Orlando Lawrence—to the Committee on Military Affairs.

Also, a bill (H. R. 5937) for the relief of Daniel Walsh—to the Committee on Military Affairs.

Also, a bill (H. R. 5938) for the relief of Matthew Hogan—to the Committee on Military Affairs.

Also, a bill (H. R. 5939) for the relief of Charles Bates—to the Committee on Military Affairs.

Also, a bill (H. R. 5940) for the relief of Michael H. Farrell—to the Committee on Claims.

Also, a bill (H. R. 5941) for the relief of Charles M. Pelrce—to the Committee on Claims.

Also, a bill (H. R. 5942) for the relief of the estate of Mark S. Gorrill—to the Committee on Claims.

Also, a bill (H. R. 5943) to correct the military record of Edward McLaughlin—to the Committee on Military Affairs.

Also, a bill (H. R. 5944) to correct the military record of Orlando Lawrence—to the Committee on Military Affairs.

Also, a bill (H. R. 5945) to correct the military record of Alonzo Vining—to the Committee on Military Affairs.

Also, a bill (H. R. 5946) to remove charge of desertion against Lawrence Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 5947) in the interest of Gilbert P. Cotton—to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 5948) granting an increase of pension to Theodore F. McKinney—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 5949) granting an increase of pension to James Smiddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5950) granting an increase of pension to Charles Davis, alias Charles Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5951) granting an increase of pension to Elijah Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5952) granting a pension to Lucy Artis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5953) for the relief of Calvin L. Childress—to the Committee on War Claims.

Also, a bill (H. R. 5954) for the relief of Wilson L. Lowery—to the Committee on War Claims.

Also, a bill (H. R. 5955) granting an increase of pension to George Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5956) granting an increase of pension to Elisha Disney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5957) granting an increase of pension to William M. Freels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5958) granting an increase of pension to Alfred S. Risden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5959) to remove the charge of desertion against George W. Chambers—to the Committee on Military Affairs.

Also, a bill (H. R. 5960) to remove the charge of desertion standing against William A. Morgan—to the Committee on Military Affairs.

Also, a bill (H. R. 5961) to do justice to the survivors of the shipwreck of the *Sultana*—to the Committee on Military Affairs.

Also, a bill (H. R. 5962) to do justice to the Home Guards of Scott County, Tenn., and to grant honorable discharges and pensions under existing pension laws—to the Committee on War Claims.

By Mr. BARCLAY: A bill (H. R. 5963) granting an increase of pension to Richmond Nichols—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 5964) granting an increase of pension to Samuel R. Shivley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5965) granting a pension to Josiah T. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5966) granting an increase of pension to Joseph D. Armstrong—to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 5967) for the relief of heirs of Samuel Dunagan, deceased—to the Committee on War Claims.

By Mr. CRUMPACKER: A bill (H. R. 5968) to pay Thomas P. Morgan, jr., amount found due him by Court of Claims—to the Committee on Claims.

By Mr. FOSTER of Illinois: A bill (H. R. 5969) granting an increase of pension to George R. McColpin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5970) granting an increase of pension to Henry Kirchner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5971) granting an increase of pension to George Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5972) granting an increase of pension to John Stark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5973) granting an increase of pension to Joshua Hatcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5974) granting an increase of pension to Henry Ginnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5975) granting an increase of pension to Hector G. Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5976) granting an increase of pension to Francis Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5977) granting an increase of pension to Henry C. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5978) granting an increase of pension to John Able—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5979) granting an increase of pension to John Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5980) granting an increase of pension to Mary F. Shank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5981) granting an increase of pension to Cyrus B. Hampton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5982) granting an increase of pension to Abijah Highsmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5983) granting an increase of pension to Schuyler Carlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5984) granting an increase of pension to Lewis Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5985) granting an increase of pension to Joseph Mahaffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5986) granting an increase of pension to David Roney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5987) granting an increase of pension to John A. Schmahl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5988) granting an increase of pension to Robert T. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5989) granting an increase of pension to Silas Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5990) granting an increase of pension to Samuel E. Tuttle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5991) granting an increase of pension to August Petit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5992) granting an increase of pension to Lydia Nesbit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5993) granting an increase of pension to John N. Ungles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5994) granting an increase of pension to William L. V. Kite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5995) granting an increase of pension to Henry Willard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5996) granting an increase of pension to William O. McCoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5997) granting a pension to William McReynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5998) granting a pension to A. H. Pettibone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5999) granting a pension to Oscar Sweeten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6000) granting a pension to John B. Carmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6001) granting a pension to Margaret A. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6002) granting a pension to Mariah Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6003) granting a pension to Boaz Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6004) granting a pension to F. M. Reddick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6005) granting a pension to F. M. Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6006) granting a pension to Viola Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6007) granting a pension to Clifford Sweeten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6008) granting a pension to Garet Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6009) granting pensions to Ansby D. McCoy, William V. McCoy, Charles McCoy, and Martha B. McCoy—to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 6010) granting an increase of pension to Michael Walsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6011) to pay Charles T. Bouillon certain arrearages of pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6012) authorizing the Secretary of War to place the name of Joseph E. Ritcherdson on the rolls of Company C, One hundred and twenty-second Regiment Illinois Volunteer infantry, and issue him an honorable discharge—to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 6013) granting an increase of pension to John Keffer—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 6014) granting an increase of pension to Juliette Harrington—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 6015) for the relief of Andrew Crowl, of Oneida, Carroll County, Ohio—to the Committee on War Claims.

Also, a bill (H. R. 6016) granting an increase of pension to James Creighton—to the Committee on Pensions.

By Mr. KELIHER: A bill (H. R. 6017) granting a pension to Arthur T. Whipple—to the Committee on Invalid Pensions.

By Mr. KRONMILLER: A bill (H. R. 6018) granting an increase of pension to William Cummings—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 6019) granting a pension to Margaret C. Fury—to the Committee on Pensions.

By Mr. LOWDEN: A bill (H. R. 6020) granting an increase of pension to Henry A. Cook—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 6021) granting a pension to Hattie V. Tall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6022) granting an increase of pension to Joseph F. Friend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6023) granting an increase of pension to Michael Englebright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6024) granting an increase of pension to William S. Ely—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 6025) granting an increase of pension to Jesse F. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6026) granting an increase of pension to James Brenhard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6027) granting an increase of pension to John Boyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6028) granting an increase of pension to Marion Vandiver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6029) granting an increase of pension to H. D. Early—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6030) granting an increase of pension to Conrad Schnette—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6031) granting a pension to G. S. Jenkins—to the Committee on Pensions.

Also, a bill (H. R. 6032) to provide for the issuance of medals of honor to Jesse F. Snow and other volunteer soldiers of the civil war—to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 6033) granting an increase of pension to Ruth A. Quien—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 6034) granting an increase of pension to Daniel Fry—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Paper to accompany bill for relief of Theodore S. McKinney—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Ary R. Gardner—to the Committee on Invalid Pensions.

Also, petition of Daniel W. Babcock and B. J. Sower, of Mound, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. DOUGLAS: Petition of woolgrowers of Amesville, Ohio, against any reduction of the tariff on wool—to the Committee on Ways and Means.

By Mr. FISH: Petition of citizens of Hudson, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Hudson, N. Y., against a duty on tea, coffee, cocoa, and spices—to the Committee on Ways and Means.

By Mr. FULLER: Petition of W. F. Matthews, favoring reduction of duty on raw sugars—to the Committee on Ways and Means.

Also, petition of Louise Pettinger and others, of Peru, Ill., against proposed increase of the tariff on hosiery—to the Committee on Ways and Means.

Also, petition of C. R. Randesker, of Duraud, Ill., against proposed increase of tariff on hosiery—to the Committee on Ways and Means.

Also, petition of Union Furniture Company, of Rockford, Ill., concerning tariff and plate glass—to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of F. W. Dingersen and Rudolph H. Marburger, of Mount Olive, Ill., for an Asiatic

exclusion law, effective as against all Asiatics save merchants, students, and travelers—to the Committee on Ways and Means.

Also, petition of Sangamon-Menard Dental Society, favoring bill relative to army and navy dental surgeons—to the Committee on Military Affairs.

Also, petition of Benevolent and Protective Order of Elks, of Litchfield, Ill., in favor of elk reserve in Wyoming—to the Committee on the Public Lands.

Also, petition of Chicago Clearing House Association, asking for revision of the banking laws—to the Committee on Banking and Currency.

By Mr. HAUGEN: Petition of citizens of the Fourth Congressional District of Iowa, against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of the Fourth Congressional District of Iowa, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of San Jose, Cal., protesting against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HITCHCOCK: Petition of citizens of Nebraska, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Papers to accompany House bill granting an increase of pension to James Creeghton—to the Committee on Pensions.

Also, petition of citizens of Hendrysburg, Ohio, praying for passage of Sherwood bill—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Andrew Crowl—to the Committee on Military Affairs.

By Mr. HOWELL of New Jersey: Petition of citizens of the Third Congressional District of New Jersey, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. KRONMILLER: Petition of Merchants and Manufacturers' Association of Baltimore, relative to empowering the President of the United States to negotiate reciprocal relations with the Dominion of Canada, in connection with the revision of the tariff—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William Cummings—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Petition of residents of York County, Pa., against removal or reduction of the duty on Philippine tobacco—to the Committee on Ways and Means.

Also, petition of Pennsylvania Free Hide League, for free hides—to the Committee on Ways and Means.

Also, petition of Lumberman's Exchange of Philadelphia, against a reduction of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of Hydrofluoric Manufacturing Company, York, Pa., against a duty on fluor spar—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of Northwestern Granite Manufacturers' Association, of St. Cloud, Minn., against reduction of tariff on manufactured granite—to the Committee on Ways and Means.

Also, petition of directors of Chamber of Commerce of Minneapolis, Minn., against reduction of tariff on barley—to the Committee on Ways and Means.

Also, resolution by the house of representatives of the State of Minnesota, against the removal of the tariff on barley—to the Committee on Ways and Means.

Also, petition of Northwestern Shoe and Leather Association, requesting the creation of a tariff commission—to the Committee on Ways and Means.

Also, petition of Northwestern Shoe and Leather Association, against reduction of duty on shoes—to the Committee on Ways and Means.

Also, petition of Northwestern Shoe and Leather Association, requesting removal of tariff on hides—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of John Kissel, of Brooklyn, N. Y., for removal of duty on Canadian barley—to the Committee on Ways and Means.

Also, petition of the Roessler & Hasslacher Chemical Company, of New York, for a rate of 25 per cent ad valorem on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, for a duty of 2½ cents per pound on casein—to the Committee on Ways and Means.

Also, petition of Manhattan Shoe Company, of New York, favoring free hides—to the Committee on Ways and Means.

Also, petition of the Paul Taylor Brown Company, against an increase of duty on canned fruits having sugar added—to the Committee on Ways and Means.

Also, petition of Schifflisticker Union, No. 12768, of New York, favoring increase of duty on embroidery—to the Committee on Ways and Means.

Also, petition of Leggermann Brothers, against increase of duty on chicory—to the Committee on Ways and Means.

Also, petition of Felix Solomon & Co., against reduction of duty on print paper—to the Committee on Ways and Means.

Also, petition of Edward and John Burke, of New York, for specific duty on malt liquors—to the Committee on Ways and Means.

Also, petition of Jed Frye & Co., for reduction of duty on fish—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, of New York, for a duty of 2½ cents per pound on casein—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, of New York, against reduction of tariff on spirit varnishes—to the Committee on Ways and Means.

Also, petition of E. C. Kropp Company, for a duty on post cards—to the Committee on Ways and Means.

Also, petitions of Knickerbocker Chocolate Company and F. Bechoff, of New York, favoring cocoa and chocolate on the free list—to the Committee on Ways and Means.

Also, petitions of Hampden Watch Company, of Canton, Ohio; Roy Watch Company, of New York; and Dubois Watch Company, of Brooklyn, N. Y., favoring an increase of duty on watches—to the Committee on Ways and Means.

Also, petition of S. M. Flickinger Company, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, against a duty on expressed oils—to the Committee on Ways and Means.

Also, petition of New England Dry Goods Association, against proposed increase in the tariff on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, for 5 cents per pound on all foreign coffee, and sugar and coffee be left in statu quo—to the Committee on Ways and Means.

Also, petition of Pittsburg Marble Mosaic Company, against proposed increase of duty on Keene's cement—to the Committee on Ways and Means.

Also, petition of Germania Importing Company, against increase of duty on certain kinds of paper—to the Committee on Ways and Means.

Also, petition of National Liberal Immigration League, favoring action to secure reciprocity of missionary rights with Russia—to the Committee on Foreign Affairs.

Also, petition of C. G. Robertson, of Baltimore, Md., for placing alumina or refined bauxite on the free list—to the Committee on Ways and Means.

Also, petition of National Association of Retail Grocers, of Boston, for no further reduction of duty on sugar—to the Committee on Ways and Means.

Also, petitions of many business firms in many States, favoring reduction of duty on many items of food necessities in the United States—to the Committee on Ways and Means.

By Mr. McHENRY: Petition of citizens of Sixteenth Congressional District of Pennsylvania, opposing tax on tea or coffee—to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Petition of citizens and business firms of Bigstone, S. Dak., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Holdrege, Nebr., against parcels-post and postal savings bank legislation—to the Committee on the Post-Office and Post-Roads.

Also, petition of surviving veterans of the civil war residing at Clay Center, Nebr., favoring the dollar-a-day bill—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: Paper to accompany bill for relief of Henry C. Denny—to the Committee on Invalid Pensions.

By Mr. HENRY W. PALMER: Petition of Frey Brothers and 20 others, of Wilkes-Barre, Pa., against a duty on hides—to the Committee on Ways and Means.

By Mr. POINDEXTER: Petition of wheat growers of Douglas County, Wash., in favor of placing jute bagging on the free list—to the Committee on Ways and Means.

By Mr. REEDER: Petition of Cattle Raisers' Association of Texas, against reduction of duty on hides—to the Committee on Ways and Means.

By Mr. SPERRY: Petition of citizens of Connecticut, against any tax on tea or coffee—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Chamber of Commerce of New York, favoring present basis of value of merchandise on which ad valorem rates of duties are levied—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of E. G. Bloomgreen and 1,150 others, residents of the Twenty-eighth Congressional District of Pennsylvania, for free hides—to the Committee on Ways and Means.

By Mr. WEISSE: Joint resolution of legislature of Wisconsin, requesting repair of government levee at Portage, Wis.—to the Committee on Levees and Improvements of the Mississippi River.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 31, 1909.*

The House was called to order at 10 o'clock a. m. by Mr. Alexander McDowell, Clerk of the House, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 31, 1909.

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, as Speaker pro tempore.

J. G. CANNON, *Speaker.*

Mr DALZELL assumed the chair as Speaker pro tempore.

Prayer by the Chaplain, Rev. Henry N. Cooden, D. D.

The Journal of yesterday's proceedings was read and approved.

THE TARIFF.

Mr. GAINES. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

Mr. MORGAN of Missouri. Mr. Chairman, it has not been my intention to take any part in the discussion of the bill now before the House, but there are some matters which have been presented that possibly could be made a little clearer regarding that part of the bill providing for 1 cent a pound duty on the zinc contents on zinc-bearing ores. This matter was fully considered by the Committee on Ways and Means in the tariff hearings. The zinc miners and those interested in the zinc-mining business contending for a duty of 1½ cents on the zinc contents on a pound of zinc ore appeared in person, testified, and were submitted to a rigid cross-examination by the members of the Ways and Means Committee. There was some difference in the testimony given on the part of the miners, those who were contending for the tariff, and on the part of the zinc smelter companies, who were opposed to the tariff on zinc ores and who insisted that they should be brought in free.

In the first place, let us consider the testimony of the miners in regard to the cost of production of zinc ores in Mexico and in this country, for this is the only question to be considered in deciding this matter.

I call attention to the testimony of S. Duffield Mitchell; that of Axel O. Ihlsing, who appeared in person before the Committee on Ways and Means and submitted to a rigid examination, as appears on pages 2550, 2560, and 2597 of Schedule C, part 2, of the tariff hearings; also from the brief of Mr. G. P. Maury, as found on page 2639 of same book, and other testimony not yet printed, including that of W. R. Caulkins, C. T. Orr, president of the Zinc Ore Tariff Club, and B. M. Robinson, all actively engaged in zinc mining in the Joplin district, and well informed as to mining conditions in this country and in Mexico. They are men of highest standing, and their reliability as to any statements made by them would be accepted without question where they are known.

I have made and will print in tabulated form their testimony as to the cost of mining in Mexico and compare it with the cost of mining in this country. The following is the substance of their testimony:

Without duty.

Of Mexican ores, without duty:	
Cost of mining, picking, hauling, and loading in cars, 1 ton of Mexican 40 per cent ore ... average	$4.61
Freight from mine to Kansas smelters ... do	6.95
To equal 1 ton of Joplin 60 per cent ore	11.86
Cost of 1½ tons of Mexican ore, delivered to points in Kansas, without duty imposed	17.79
With duty of 1 cent per pound imposed.	
Of Mexican ores, duty imposed:	
Cost of 1 ton of ore (40 per cent)	$4.91
Freight from mine to smelters	6.95
Duty of 1 cent per pound on metallic contents	8.00
To equal 1 ton of Joplin 60 per cent ore	19.86
Cost of 1½ tons of Mexican ore, delivered to points in Kansas, after duty of 1 cent is paid	29.79
Cost to produce and deliver to smelter 1 ton Joplin ore	37.29
Cost of 1½ tons Mexican ore (duty paid) at smelter	29.79
Difference in favor of Mexico after 1 cent duty is paid	7.50
With duty of 1.5 cents per pound imposed.	
Of Mexican ores, duty of 1½ cents imposed:	
Cost of 1 ton of 40 per cent ore	$4.91
Freight to smelters in Kansas	6.95
Duty of 1½ cents per pound	12.00
To equal 1 ton of Joplin 60 per cent ore	23.86
Cost of 1½ tons of Mexican ore, delivered to Kansas smelters, after a duty of 1½ cents is paid	35.80
Cost of 1 tone of Joplin ore at smelters	37.29
Difference in favor of Mexico after 1½ cents duty is paid	1.49

From the foregoing testimony by the miners 1½ cents per pound duty on the zinc contents of Mexican zinc-bearings ores would be less than the difference between the cost of production abroad and at home.

I desire next to call attention to the official report, in the Monthly Consular and Trade Reports for the month of January, 1909, Department of Commerce and Labor, by Louis A. Martin, American consul in the State of Chihuahua, Republic of Mexico. The facts stated in this report are corroborated by the American consuls in the States of Coahuila and Nuevo Leon, which show a cost production substantially the same. I will print a tabulated statement thereof. Consul Martin says:

The question of cost of production of zinc ores presents many complications from the fact that the ores occur with more valuable ores.

(1) At Picachos the case is simple, for zinc ore alone is produced, and practically all the cost is that of labor. The total cost—mining and hauling to points in Kansas—should not exceed $12.22 American currency (which is the unit used throughout this report) per ton.

(2) From the mine near San Ysidro, where mining cost is very low, where 45 per cent zinc is produced from zinc concentrates, the total cost of mining, handling, freightage, etc., to points in Kansas should not exceed more than $13.57 per ton.

(3) In Santa Eulalia the cost of production is also very low, and the total laid down at points in Kansas should not exceed $9.75 per ton.

We see from this the average of the three is $11.88 per ton.

The following table shows cost of delivering to smelters a ton of zinc ore taken from each of the three foregoing States:

With 1 cent per pound duty imposed.

(1) Picachos, 1 cent per pound duty imposed:	
Cost 1 ton ore (40 per cent) delivered to Kansas points	$12.32
Add 1 cent per pound duty	8.00
To equal 1 ton of Joplin 60 per cent ore	20.32
Total cost to smelter, after 1-cent duty is paid, of 1½ tons of Picachos ore	30.48
With 1.5 cents per pound duty imposed.	
If 1½-cent duty is imposed:	
Cost 1 ton of ore	$12.32
Duty of 1½ cents per pound	12.00
To equal 1 ton of Joplin 60 per cent ore	24.32
Total cost of 1½ tons of Picachos ore, paying 1½ cents duty, delivered to smelters in Kansas	36.48
With 1 cent per pound duty imposed.	
(2) *a.* San Ysidro, duty of 1 cent imposed:	
One ton 40 per cent ore delivered to Kansas points	$13.57
Duty of 1 cent per pound	8.00
To equal 1 ton of Joplin 60 per cent ore	21.57
Total cost delivered to points in Kansas of 1½ tons of San Ysidro ore after 1 cent duty is imposed	31.35

With 1.5 cents per pound duty imposed.

b. San Ysidro, duty of 1½ cents imposed:	
One ton 40 per cent ore delivered to Kansas points	$13.57
Duty of 1½ cents per pound	12.00
To equal 1 ton of Joplin 60 per cent ore	25.57
Total cost delivered to Kansas points of 1½ tons of San Ysidro ore, duty of 1½ cents imposed	38.35
With 1 cent per pound duty imposed.	
(3) *a.* Santa Eulalia, duty of 1 cent imposed:	
One ton 40 per cent ore delivered to Kansas points	$9.75
Duty of 1 cent per pound	8.00
To equal 1 ton of Joplin 60 per cent ore	17.75
Total cost delivered to Kansas points of 1½ tons of Santa Eulalia ore, duty of 1 cent imposed	25.62
With 1.5 cents per pound duty imposed.	
b. Santa Eulalia, duty of 1½ cents imposed:	
One ton of 40 per cent ore delivered to Kansas points	$9.75
Duty of 1½ cents per pound	12.00
To equal 1 ton of Joplin 60 per cent ore	21.75
Total cost delivered to points in Kansas of 1½ tons Santa Eulalia ore, duty of 1½ cents imposed	32.62
Average cost of these three, if 60 per cent ore, the same as Joplin ore, delivered to points in Kansas:	
Paying 1 cent per pound duty on metallic contents	29.45
Paying 1½ cents duty, metallic content	35.81

I read in regard to this question of cost of production from the report of the Department of Commerce and Labor, Bureau of Statistics, entitled "Imports of Merchandise into the United States," page 252. There can be no dispute about the facts herein contained; they are not taken from the testimony of the zinc-ore miners nor from the briefs of spelter men. They are from the disinterested official reports, accepted as authority everywhere.

This report shows that during the year 1908 there were imported from Mexico alone to this country a total of 55,404 tons of zinc ore and calamine, at the average cost in Mexico of $10.78 per ton of 2,000 pounds.

I submit the following table, compiled from this official report:

Imported from Mexico in 1908.

	Tons.	Value.
In calamine (free)	43,779	$664,671
In ore (dutiable)	11,625	148,786
Total *	55,404	678,786

* 2,240 pounds to the ton.

Average value per ton (2,240 pounds)	$12.24
Average value per ton (2,000 pounds)	10.78
Without duty.	
From the above average:	
Cost of 1 ton Mexican 40 per cent ore	$10.78
Freight from border to smelters	3.85
To equal 1 ton of Joplin 60 per cent ore	14.63
Cost of 1½ tons of Mexican ore delivered to points in Kansas without duty	21.95
With duty of 1 cent per pound imposed.	
With duty of 1 cent imposed:	
Cost of ton of 40 per cent ore	$10.78
Freight to smelters from border	3.85
Duty of 1 cent on metallic contents	8.00
To equal 1 ton of Joplin 60 per cent ore	22.63
Cost of 1½ tons of Mexican ore delivered to Kansas smelters after a duty of 1 cent is paid	33.94
1 ton Joplin ore delivered at smelters	37.29
1½ tons Mexican ore at smelters (1 cent duty)	33.94
Difference after duty of 1 cent is paid in favor of Mexico	3.35

This valuation is one, I think, that should be conclusive in regard to this matter, as the opportunity of the Government to ascertain the values is better than from any other source. The appraisements of these ores are made upon their true value in Mexico. The board of appraisers ascertain the true value of the ores. They are sworn officers of the United States, and are subject to punishment for misconduct in office and for making false or incorrect reports.

It is pretty nearly conceded on all sides that the cost of the Joplin ore amounts to about $37.29. That estimate is taken from the valuation of the cost of production of a group of mines. Take six mines of Joplin that are about the average mine and the cost of production is $37.29. In this connection I refer to a pamphlet by Mr. Otto Ruhl, page 8. Mr. Ruhl is recognized throughout the country as a reliable authority in zinc and lead mining. There has been no testimony to contradict these figures as to the cost of production of Joplin ores, so they are substantially admitted and I have used them in all my comparisons of the cost of production. [Applause.]

I call attention to the remarks of my friend from Kansas [Mr. SCOTT], who presented figures which I presume were obtained from the spelter people, as they are located in his district and he would naturally obtain his figures from them, to which there is no objection.

He figures that the cost of Mexican ore delivered at Joplin, with 1 cent a pound duty, would amount to $46.45. If those figures were obtained from Mr. Cockerill, I want to call attention to a letter written by Mr. A. B. Cockerill, a leading manufacturer of spelter and buyer of zinc ore, and published in the tariff hearings, Schedule C, page 2591. This letter was written to my distinguished friend, a member of the Ways and Means Committee and the leader on the Democratic side of the House [Mr. CLARK of Missouri], for whom I entertain the highest respect in the world. The letter is dated November 27, 1908, at Nevada, Mo., and in it, among other things, Mr. Cockerill says:

The duty they are asking, 1 cent a pound, means $20 per ton, which is more than the average price that we have paid for the Mexican ore f. o. b. our works that has been shipped during the past three years.

According to this statement, the cost of 1 ton of Mexican 40 per cent ore, delivered to smelters in Kansas, would be less than $20, which, if 60 per cent ore, would be less than $30, as against the cost of the same amount of Joplin ore of $37.29. Coming from such a source, this ought to be accepted by the smelter companies. My friend from Kansas [Mr. SCOTT] is very much alarmed for fear that the Belgium smelter companies will go to Mexico and buy ore, the contention of the smelter men being that these Mexican ores, while they cost them about $20, the Belgian companies could go into Mexico and buy cheaper. My friend says that the Belgian smelters are paying $10.47 for the ore at the Mexican mines, and that "this is his standing offer."

Now, I undertake to say that if the Belgians can buy these Mexican ores for $10.47, that the American smelter men can buy them at least as cheaply. I am well acquainted with Mr. Cockrell, and I do not believe that any buyer can get any advantage over him in the market of Mexico. He is a shrewd, intelligent business man, a man who has the confidence of the financial world, and he can buy ores as cheaply as any other person on earth.

Now, if the Belgians can buy those ores for $10.47, then surely he can buy them at the same price. He gives the cost of transportation at $5.50 to Belgium, and we admit that the cost of transportation on the average is about $6.50 to smelters, although from the borders of Mexico all the southwestern railroad companies have made a joint rate of $3.85 to the smelters.

I believe that the Committee on Ways and Means have ascertained fully and correctly the cost of the product of Mexican ore, and they certainly have ascertained the cost of American ore.

As I have shown by those facts, 1 cent a pound does not make up the difference when delivered at our smelters. A cent and a half would just about cover the difference, taking their own figures for the same.

There is only one other question to be discussed in this matter and that is the ability of the mines of this country to produce sufficient zinc ore for the consumption of spelter in this country. The spelter people make the statement that we are unable to produce sufficient ore to meet the demands. They admit that until 1905, when Mexican ores were first brought into this country, our product of ores was ample; that we met every demand; that we had to shut down our mines in order to get rid of the surplus which we had on hand; that we often shipped ores abroad in order to get rid of the surplus, and that in nearly every year we have shipped more zinc ores abroad than we have brought in.

It is true that in the product of spelter from 1905, compared with the product of zinc ores in this country, there has been a greater increase in per cent in the product of spelter. That is easily accounted for. It was in 1905 that they quit buying the ore in our district and went to Mexico to buy their ores, and the only reason they did so was in order to get them cheaper. It was not because we did not produce a sufficient amount.

Take the year ending June 30, 1908. The Chief of the Bureau of Manufactures, in a letter submitting his report for the year, gives the total importations of zinc ore into this country as valued at $731,114, while our exports in the form of zinc ore reached a value of $803,060. And up to this date we have a surplus of ores in our district, and the Joplin papers of last week will substantiate it. I am not quoting merely a newspaper article, but the report of the lead and zinc market and the product of lead and zinc as printed in the News-Herald and Joplin Globe, com-

plied every week by a mining expert who is authority throughout the United States—in New York City and everywhere else. This report is taken as authority in all the mining, commercial, and business journals throughout the country. According to his report, there has been a surplus of zinc ore on hand right along, and there is a surplus to-day.

Mr. SCOTT. Will the gentleman permit an interruption?

Mr. MORGAN of Missouri. Certainly.

Mr. SCOTT. The gentleman has just stated that the smelters began buying Mexican ore in considerable quantity in 1905. Is it not true that the average prices of ore in the Joplin district were higher during 1905 and 1906 and 1907 than any preceding similar period?

Mr. MORGAN of Missouri. Everything was higher. There was more spelter consumed in the United States, the uses of spelter were multiplied, and the demand increased. The price of ore increased at the same time the cost of the production of zinc ore increased in Joplin on account of deeper mining.

One word as to the per cent of metallic zinc contained in Mexican ore. They have been usually considered as 40 per cent ores. I have obtained from the surveyor of customs, Kansas City, Mo., a statement of the result of all the assays for the month of January of this year, amounting to over 300, and the average is about 46 per cent. It is conceded that the Joplin ores average about 60 per cent, rather below than above that figure. So that it is entirely fair to consider Mexican ores as 40 and Joplin ores as 60 per cent.

The ability of this country to produce sufficient ores to supply the demand for all the spelter consumed in this country can not be doubted after an examination of the question. Ever since the zinc industries were established in this country our mines have produced all the ore required for this purpose, and the output of the mines has kept step with the increasing use of zinc. During all the years we have mined zinc ores in the Joplin district we have kept in sight a surplus of ores in the bins; and time and again, to my personal knowledge, we have voluntarily shut down our mines for a short period, for the sole purpose of reducing our surplus. It is not true, as stated on this floor, that the zinc smelter companies have been compelled to go to Mexico because the mines of the United States have not been able to supply the consumption of the country. They went to Mexico to avail themselves of cheaper labor and cheaper ores. In this connection let me call attention to the fact that there are over 20 States in the Union now producing zinc ore. This is the list, and the tons of primary spelter, apportioned according to the ore produced, taken from a bulletin of the United States Geological Survey, Department of the Interior, entitled "The Production of Spelter in the United States in 1908:"

Arizona	152
Arkansas	2,002
California	27
Colorado	24,855
Idaho	581
Illinois	298
Iowa	316
Kansas	8,628
Kentucky	341
Missouri	123,655
Montana	600
Nevada	398
New Jersey	6,926
New Mexico	134
Oklahoma	2,235
Tennessee	341
Utah	287
Virginia	940
Wisconsin	17,538

In many of these States the zinc-mining industry is in its infancy, and it is a fact, as shown by government reports, that many of these, notably Wisconsin, Oklahoma, Tennessee, and Iowa, during last year largely increased their output over the preceding year. In some instances this increase was more than 100 per cent. In the Joplin district the output can be largely increased, without the development of a new mine, by running at full shift those now being operated and starting up those now closed down, because the buyers have gone to Mexico for their purchases.

With the encouragement, by a duty equal to the difference between the cost of labor at home and abroad, no one can doubt for a moment the capacity of the mines in this country to produce all the zinc that can be consumed in this country.

We do not seek an unusual or prohibitory tariff, and only ask such a duty as shall equal the difference in the wages paid to American miners and the lower wages paid to Mexican miners. [Loud applause.]

Mr. BRANTLEY. Mr. Chairman, President Taft in his inaugural address a few days ago said:

> In the making of a tariff bill the prime motive is taxation and the securing thereby of revenue.

All Democrats, it seems to me, can stand on this declaration, for it is the true Democratic theory of tariff legislation. It has no resemblance to the often announced and universally practiced Republican doctrine that the primary purpose of a tariff is protection and that the securing of revenue is but an incident.

Congress is convened in extraordinary session to revise the existing tariff laws, in order primarily, as declared by the President, that more revenue may be provided for the Government. The deficit in our revenues for the present fiscal year is variously estimated at from $100,000,000 to $150,000,000. The bill that is now before us is the joint work of 12 Members of this House, to wit, the Republican members of the Committee on Ways and Means. They did their work in secret, excluding the Democratic members of the committee from all their deliberations.

This seclusion and secrecy carries on its face the stamp of insincerity, so far as any claim that the purpose of the bill is to provide sufficient revenue for the Government is concerned. If revenue had been the object of the bill, the majority members of the committee would have welcomed all the aid and assistance that could have been furnished them.

THE PURPOSE AND EFFECT OF THE BILL.

That the primary and controlling purpose of the taxation levied by the bill is not revenue, as President Taft declared it should be, but is the maintenance of the true Republican theory of protection, regardless of the necessities of the Government for revenue, is shown not only by the secrecy in which the bill was framed, but by the committee's own estimate of the effect of the bill.

I learn from the "estimated revenues" to be derived from the bill, as prepared under the direction of the majority members of the committee, that while there have been some reductions made from the present Dingley rates, there have also been some increases made, and that summing up these increases and decreases, it appears that while the average ad valorem rate under the Dingley law is 44.16 per cent, the average rate of ad valorem taxation, should the pending bill become a law, will be 45.72 per cent, or, in other words, so far from revising the tariff downward, it has been revised upward to the extent of 1.56 per cent. I learn also that the net result of the secret labors of the majority members of the committee to provide the revenue so sorely needed by the Government has been, according to their own estimate, an increase of revenue from tariff taxation under the pending bill of only $11,666,748.25. They estimate that in addition to these figures the Government will derive from their crude, if not impossible, attempt at an inheritance tax the sum of $20,000,000, and from an increased revenue charge against cigarettes the sum of $1,500,000. To sum up, their estimate of the increased revenues from all sources that the Government will have under the pending bill is only $33,166,748.25, and when we bear in mind the deficit of from $100,000,000 to $150,000,000 in revenues that has to be met, the sham and pretense of any claim that the bill was designed to increase the revenues of the Government is made apparent. It is no wonder when these figures were before him that our genial friend from New York [Mr. PAYNE] consumed nine hours' time in explaining how his tariff bill revised the tariff downward so as to supply the Government with needed revenues. If he had been given nine and nineteen hours more of time, he could not have demonstrated his "explanation."

The majority of the Ways and Means Committee, being unwilling to demand that the great protected interests of the country should abate sufficient of the exactions they are wringing from the American people under tariff taxation, in order to relieve the Government, and realizing that the necessities of Government are urgent, have undertaken in this bill to meet these necessities by resorting to a loan. This bill proposes to amend the act of 1898, which was "An act providing ways and means to meet war expenditures and for other purposes," by increasing the loan therein authorized to be made from one hundred to two hundred and fifty million dollars. It further proposes a bond issue of $40,000,000, to reimburse the Treasury for the payment made for the property of the New Panama Canal Company under the act of 1902. The situation, briefly stated, is, that the Republican party, as the result of wild and reckless extravagance, having produced an enormous deficit in the revenues of the Government, prefers, rather than reduce the tariff and thereby increase the revenues as well as reduce taxation, to increase the indebtedness of the Government and the burdens of the people, and actually to do this in a time of profound peace under a power and authority given in part to meet war expenditures. The statement of the facts is sufficient condemnation of Republican policies, and I submit the statement without further comment.

I venture to assert that every business enterprise, save the Government of the United States when in charge of the Republican party, when confronted with the fact that its outgo was exceeding its income would reduce its outgo. It would institute economy and reform. The practice of economy now—a just and proper economy—would soon wipe out the deficit in the revenues of the Government, but the majority members of the Ways and Means Committee, realizing and knowing that economy is foreign to the policies and purposes of their party, have undertaken to provide for a continuation of the riotous extravagance that has existed by arranging in the bill for the Government to borrow the money with which to continue it.

EXPENDITURES FOR WAR.

The enormous expenditures of our Government, aggregating now more than $1,000,000,000 per year, while fearful to contemplate, could be endured with some equanimity if they were made for wise and beneficent purposes and were economically expended.

I shall not weary you with a recapitulation of the various expenditures of the Government. I call attention to but one, but at the same time to one that represents more than two-thirds of the total expenditures, and that one is war. It has been less than a year ago that the Republican chairman of the Committee on Appropriations [Mr. TAWNEY] directed the attention of the country to the startling fact that this Government was expending 67.5 per cent of its income on wars, past and future. It was to his credit that he made his speech, although without avail, for the purpose of urging retrenchment and reform upon his party. It is difficult to grasp the fact that this Government, designed by its founders to teach the world the ways and arts of peace, is expending a greater per cent of its revenues in preparation for war and for wars past than any country in the world. England expends for these purposes but 42.5 per cent of her revenues; France, but 32.2 per cent; and Germany, but 42.9 per cent; while our Government expends 67.5 per cent. We are not only expending a greater percentage of our revenues for these purposes, but we are actually expending more money than any country in the world.

During last year, for wars past and future, we expended in round figures $85,000,000 more than England, $136,000,000 more than Germany, and $153,000,000 more than France.

The most distressing feature of these expenditures is yet to be stated, and that is that for our enormous expenditures for war purposes we get no adequate return. We maintained last year an army of but 52,000 men and a navy of but 42,000, while last year England had an army of 204,300 men and a navy of 129,000; Germany had an army of 600,000 men and a navy of 129,000 men; France had an army of 550,000 men and a navy of 56,285 men. In order to maintain last year our army of 52,000 and our navy of 42,000 and to carry on our preparations for war, we actually expended nearly $3,000,000 more than France expended for these purposes, supporting an army of 550,000 men and a navy of 56,285 men. These figures carry their own commentary. Where does our money go? Who can answer?

WASTEFUL EXTRAVAGANCE.

As further illustrating the wasteful extravagance that has brought about the present deficit in the Treasury, some other figures are equally interesting. It appears that during the past four years—four years of profound peace both at home and abroad—the expenses of our Government for all purposes aggregated nearly $34,000,000 more than did the expenditures during the four years of the civil war.

It also appears, as showing the rapidity with which our expenditures have grown, that during the four years following the civil war the expenses of the Government decreased 50 per cent, while during the four years following the Spanish-American war they increased 10 per cent. Is it any wonder that now, in a time of profound peace, we have reached the period of a bond issue with which to meet the ordinary expenditures of the Government? The more important question, however, is where will this extravagance end?

PROTECTION MAD.

The fundamental trouble with the Republican party, and the one that paralyzes its efforts now to stop the growing breach between the revenues and expenditures, is protection. The party has gone protection mad, and is working in a circle. There is no remedy except to break away from the circle and remove some of the protection that exists. The Government under the control of the Republican party, instead of using its power to decrease the cost of its necessary supplies, continues to use its power to increase this cost. One thing being increased, another thing has to be, and then when the circle has been completed there is nothing left to be done, except to start around again and still further increase the cost of everything. How much longer can the country stand it? The cost of living and the cost of doing business have grown until the breaking point has almost been reached. The condition of the Government typifies the condition of the country, and yet with this condition confronting us, and when all the signs of the times call for heroic, courageous, and patriotic action, the Republican party proposes as its remedy another bond issue. The country may be satisfied with this, but I doubt it. It is not what the Republican party promised last fall, nor is it what the country has demanded and needs, nor what the Government must have if its stability is to be assured.

TARIFF TAXATION.

I shall not undertake any general analysis of the pending bill. It is sufficient for me to measure it by what its proponents say it will do, and measured in that way it must stand condemned. I have no purpose, either, even, though I had the capacity, to enter upon any learned and scientific discussion of tariff taxation. The discussion of the tariff has, at recurring intervals, been going on in our country for many generations, and all that could be said on either side, or any side of the questions it presents, has been said so often that I could not hope to do more than repeat what has already been better said should I enter the discussion. There are a few things, however, that I want to say, even at the expense of repetition, because they express in part the views I hold on this question, and they likewise express what I believe to be the true Democratic view.

From the foundation of our Government until now tariff taxation has been practiced as a legitimate and proper means of supplying the Government with revenue. So far as I know, we have never been without a tariff, and it is therefore idle to talk about free trade, which has never been and in all human probability never will be more than an unexploited theory. In my judgment every tariff tax that is levied, be its purpose ever so strictly limited to revenue, is in its nature protective, if the tax itself be not actually protective.

Mr. STANLEY. I interrupt the gentleman from Georgia with hesitation, because I do not like to interfere with the continuity of his handsome address which he is delivering and which I am very much interested in, but I would like to ask him a question.

Mr. BRANTLEY. I will yield to the gentleman.

Mr. STANLEY. I want to ask the gentleman if, in drawing a distinction between free trade and revenue tariff, he considers the collection of tariff duties or import duties upon noncompetitive articles is in any way inconsistent with free trade?

Mr. BRANTLEY. Well, I should have to go into the specific articles which the gentleman has in mind before I could intelligently answer the question whether or not it is a practical question, but my idea as to the tariff, if the gentleman will be patient, will be developed and further illustrated as I proceed.

To illustrate, if a foreign article can be brought into this country under free trade and sold for $1, a tariff tax of 5 per cent on it would make its price here $1.05, and would mean that the domestic manufacturer of this article would receive $1.05 also, or, in other words, be protected to the extent of 5 per cent. In like manner, if the tariff tax is placed at 25 per cent or 50 per cent or more, the domestic manufacturer has that much greater protection. In the early days of our Republic and later it was generally recognized that the control of interstate and foreign commerce having been taken from the States and lodged in the General Government, it was the duty of this Government to foster and protect such commerce in all proper and constitutional ways; and the Government at that time undoubtedly did this through the power of taxation as well as otherwise. Jefferson said:

> When a nation imposes a high duty on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs.

The protection of that day, however, was an entirely different thing from the protection of to-day. American manufacturing was then in its infancy, if not unborn; to-day it dominates the commerce of the world. I can find no argument with which to justify a system of taxation that enables an American manufacturer to sell his products abroad for less money than he sells them at home, nor can I find any justification for a system that is perpetuated, not to develop "infant industries," but to fill the coffers of trusts and monopolies and to increase their power and control over the commerce of the country. Least of all can I justify a system that has been perverted from that of legitimate protection against foreign commerce into a sectional system that enriches one section of our country against another, and unjustly discriminates between the people and the classes of our common country. It is not my purpose, however, to depict or describe the evils, the iniquities, and the injustices

of our present protective tariff system. They are so pronounced and so well known that, responding to the popular demand of the majority of the American people, the Republican party was pledged at the last election to remedy and remove them. The people must say whether or not that pledge has been kept in the pending bill.

The point I wish to make is that, it having been recognized from the beginning of our Government that every tariff tax involves and carries protection, it was ever the practice until Republicanism reached its full growth to lay all tariff taxes so that the burdens and the benefits resulting therefrom would be evenly and equitably distributed. The Democratic demand to-day is that they be so laid, having in view always as the primary purpose the protection of the revenues of the Government. The complaint of the country, as I read it, is not against a system of taxation that involves a measure of protection, but is against the abuse of that system.

RAW MATERIAL.

Under a tax system controlled by the rule of equality of burden and benefit there is no place for the doctrine of free raw material. A prohibitory rate is no more fatal to the revenues than is the free list. It is utterly impossible for any man to give an intelligible definite meaning to the term "raw material," for ever and always what is one man's raw material is another man's finished product. The same capital, the same labor, the same energy, and the same intelligence necessary to produce what this bill calls a "finished product" is necessary to produce what it calls "raw material." It is manifest that the doctrine of free raw material can be justified only by the free trader or the protectionist, for it can find no place in the creed of a man who believes in a tariff for revenue.

The truth is that free raw material is the rankest form of protection, and the effect of it as introduced into this bill is to grant double protection to the manufacturer, for with a high protective duty on his manufactured product he is enabled to sell in the highest market of the world, and with free raw material he is further enabled to buy his supplies in the cheapest market in the world, and thus he is protected at both ends of his business. The inequality and injustice of the free raw material idea is shown, among other things, by the fact that the manufacturer or producer of the so-called "raw material" is compelled to sell at free-trade prices, while the man who buys it from him is permitted to resell it at protected prices; but more than that, the manufacturer or producer of raw material carries the burden of taxation when he buys back his own product, while the man to whom he sells and from whom he in turn buys escapes taxation altogether.

The pending bill makes some reduction in iron and steel, but is not this reduction more than offset by putting iron ore and coal on the free list? In the leather schedule there are some decreases and some increases, but as an offset to the decreases, hides are placed on the free list. I have never grasped the logic of the argument that free raw material benefited the consumer. In truth, I never knew that the makers of Republican tariff bills had any interest in the consumer. Theoretically the manufacturer clamors for protection in order to fix the selling price of his product, and this price is fixed by the amount of protection given him. This being true, an increased cost to him of his raw material does not enhance the selling price of his finished product, for the price has already gone the limit afforded by his protection; nor does free raw material, on the other hand, reduce the selling price of his finished product, which price is always fixed by the tariff on the finished product.

SCRAMBLE FOR "PIE."

If we could to-day be permitted to frame a tariff law based upon an equal distribution of burdens and benefits, we could easily take care of all the legitimate expenses of the Government, and not unduly burden any one with taxation. The pending bill, however, in keeping with all Republican tariff bills, is framed on no fixed principle. The idea of revenue for the Government is foreign to it, and the idea of a just and equal distribution of burdens is not in it. Being framed solely on the theory of protection, not of all the country and of all classes, but of sections and classes and individuals, as against other sections and other classes and individuals, it presents when opened for discussion simply a scramble to "get in." Everybody wants a piece of the "pie." The prevailing idea among individual Members, or at least of very many of them, is to take care of their immediate constituency by securing a tax on all that their constituency has to sell and securing as far as possible a removal of the tax on what their constituency has to buy. This is exemplified in the demand from the same source for a duty on shoes and for free hides, and again in the demand from the same source for a duty on hides and for free lumber, and in many other instances that might be named. This is Republicanism, but it is not Democracy; nor do I believe it is true Americanism.

DISCRIMINATION AGAINST SOUTH.

This bill is full of discriminations against that section of the country that I have the honor in part to represent. All that I ask for my section is justice. Cotton is on the free list; the rate on lumber is cut from $2 to $1; cotton-seed oil is taken from the dutiable and placed on the free list; cotton bagging has an ad valorem rate of 11.13 per cent; cotton ties an ad valorem rate of 20.76 per cent; spirits of turpentine and rosin on the free list; and it is charged now that the changes in the schedule of cotton manufactures that have been made have been so arranged as to strike a blow at the cotton factories of the South. I have not been surprised at this, because as I have read the hearings before the Ways and Means Committee I have seen that whenever a delegation from anywhere in the South appeared to ask for recognition and fair treatment in the bill the invariable questions propounded to them were: "Do you believe in protection?" "Did you vote the Republican ticket?" If it had been the purpose or intention to frame a bill that would raise the needed revenue for the Government, these questions would never have been asked, but, on the contrary, the inquiries would have been directed toward ascertaining whether or not the delegation presented an article that was a legitimate subject for taxation. If the consumers of the South must bear their proportion of all the burdens of taxation, is there any just argument against the producers among them receiving their share of the benefits that inevitably and necessarily accompany any system of tariff taxation? Must each and every section of this great country support the Republican electoral ticket before the Republican party when in power will recognize it as a part of the American Union? [Applause on the Democratic side.]

The Republican party has accomplished some good things and more bad ones, but it can never take a place in the history of the country as a great national party until it ceases to practice sectionalism against the South.

SEA-ISLAND COTTON.

I said a moment ago that cotton was on the free list in the pending bill. This directly affects the people I represent. Beginning with the first tariff law ever enacted by Congress and continuing through a period of seventy-five or eighty years, there was a tax of 3 cents a pound on unmanufactured cotton. There was imported into this country, free of duty, during the calendar year ending August 31, 1908, 71,744,992 pounds of cotton, mostly Egyptian.

A duty no higher than the old rate of 3 cents a pound on this cotton would have realized $2,152,349 of revenue for the Government, a sum many times in excess of the revenue realized from cotton bagging and ties. Why is it not fair and just both to the cotton planters of the South and to the Government to put cotton bagging and ties on the free list and raw cotton on the dutiable list? It is neither un-Democratic nor un-Republican to put a duty on cotton, as the history of tariff legislation shows. Why should the growers of sea-island cotton in the South be compelled to sell to the New England spool-thread manufacturers their cotton at free-trade prices and then be compelled to buy the spool thread made from their cotton with a tax of 49.23 per cent on it? [Applause.] Why should they be compelled in the same way to buy handkerchiefs with a duty of 58.65 per cent on them and to buy other cotton goods at increased prices of from 30 to 40 per cent? The quantity of Egyptian cotton imported into this country last year, amounting to 143,490 bales of 500 pounds each, was less than the importations of the previous year. As against the importations for last year the total yield or production of sea-island cotton in the South was 86,895 bales of 400 pounds each. The Yanovitch grade of the imported cotton competes directly with the fancy and extra choice grades of sea-island cotton, and a comparison of the price lists of the American and the imported cotton will show that they sell for about the same. It is fully believed by those conversant with the business that a fair revenue duty on Egyptian cotton would enable the American spinner to fix the price of American cotton, instead of the British spinner, who now fixes it. It is also difficult to understand the theory of a tariff that provides a duty on raw wool and refuses a duty on raw cotton. Why is not one as legitimate an article for taxation as the other? If the Republicans' claim that their policy is to protect the home market for home production has any basis of sincerity, what is the objection to giving American sea-island cotton a home market, instead of forcing it away by displacing it with foreign importations? Of the total yield of 86,895 bales of this cotton last year, 32,383 bales were exported in order to make way for Egyptian Yanovitch cotton.

LUMBER.

There is another commodity in which the people I represent, or many of them, are largely interested, and that is lumber. The lumber industry is one of the largest of all industries in my section of the South, and possibly involves and affects more people than any other. The price of lumber affects the price of land, and thus interests the farmer. The railroads get their greatest tonnage from lumber, and laborers, merchants, bankers, manufacturers, and, indeed, nearly every class of our citizenship has an interest directly or indirectly in lumber. I apprehend that some of my friends on this side, and some on the other side, will urge, as some of them have already done, that lumber should go on the free list. It will be found in the main, however, that those of our citizens who are most clamorous for free lumber are those who have lumber to buy and not to sell. I can not consent that any tariff bill, or any schedule in it, should be framed on this basis. It might be that if I had the framing of an entire and complete tariff bill I would be willing to put a very small duty on lumber, or, possibly, to put it on the free list, although believing in a tariff for revenue the free list should be small, and I do not believe in putting many things on it that are legitimately and properly subject to taxation, so long as the Government is in need of revenue. I would only make such reductions in the lumber schedule, however, because I had previously reduced the schedules that included the articles with which lumber competes, and had also reduced the schedules that included the articles the lumberman is compelled to buy in order to carry on his business. The rate of $1 on lumber that the pending bill carries is stated by the framers of the bill to be an ad valorem rate of 6.47 per cent. I could not justify myself in favoring this low rate for lumber when I see that this bill carries rates of 29.88 per cent on steel band saws, 20 per cent on circular saws, 25 per cent on mill saws, 57.39 per cent on bolts, 32 to 64 per cent on chains, 40 per cent on files, 45 per cent on axles, 22.58 per cent on hammers and sledges, 29.09 per cent on boiler tubes, 35 per cent on harness, 28 per cent on whips, and so on through the entire list of articles necessary to the mill man.

Neither could I justify it when I also see that this bill carries a rate of from 30 to 69 per cent on marble, 22.77 per cent to 50 per cent on granite, 20 per cent on slate, 20 to 25.20 per cent on cement, 25 to 35 per cent on brick, 37 per cent to 45 per cent on tiles. Some of these articles are as much natural resources as lumber, and all of them are to some extent used for the same purposes as lumber. The doctrine of equality of burden and benefit, in which I believe, will not permit me to favor the discrimination that this bill makes against lumber. The old Dingley rate of $2 amounts to an ad valorem rate of only about 11 per cent, and if I have the opportunity to do so, I shall vote to restore that rate.

I freely concede the wisdom as well as the force of the argument that every nation should conserve its natural resources and should not stimulate their destruction and exhaustion through the means of artificially advanced prices, but in the case of lumber I am fully persuaded, as the result of my own observation, that whether the rate of $1 be increased to $2 or not, the rate will have no effect on the forests in my section, for, in the first place, the mills are there and must be operated. They will continue the work of cutting lumber, with the difference if the $2 rate be not restored that they will work up only the large or dimension stuff, leaving a large part of the tree to go to waste, thereby increasing the danger from forest fires.

In the next place, and whether the first proposition be sound or not, the turpentine man in my section precedes the mill man, and when he gets through boxing, chipping, and scraping a tree that tree is marked for destruction, even though it be never touched by a saw. In this connection the Chief of the Bureau of Forestry, the bureau that is charged with the conservation of our forests, has announced, after an exhaustive consideration of the question, that in his opinion the conservation of our forests is not involved in the $2 rate on lumber. We may therefore safely conclude that that question is not now before us.

It can not be safely contended by those who want free lumber that the present $2 rate on lumber is a prohibitory duty, for it appears to be a revenue duty. In the table of "estimated revenues," prepared by the committee, the figures show that there was realized for the Government last year on the lumber paying the $2 rate the sum of $1,773,933.30, and the estimate is made that the reduction of the rate to $1 will reduce the revenue to the sum of $886,966.55. I submit that a tariff rate producing nearly $2,000,000 per year is not a prohibitory, but is a revenue rate. As showing, too, that under the present rates on lumber importations have grown from year to year, I call attention to the fact that the total revenue from all lumber in 1898, the first year of the Dingley law, was only $707,722.27, while in 1908, ten years later, this revenue amounted to $2,220,326.24.

NAVAL STORES.

Closely allied to the lumber interests in my section is the naval-stores interest, or the manufacture of resin and spirits of turpentine from the gum of the yellow-pine tree. There is invested in this industry probably $50,000,000, covering some eight States of the South. The output approximates $30,000,000 a year. Ordinarily this output, which is sold over the world, is independent of tariff taxation, but it appears just now that France is developing quite a trade in this country in a rosin product of its own. Up to the last year the importations of French rosin did not amount to anything, but there came in last year some 40,000 barrels of rosin, mostly from France, of the total value of $264,100, and the indications are for very much larger importations this year. The whole story is not told, however, by the mere statement of the importations, for more important than these importations is the fact that France levies a duty on American rosins that is prohibitory, and consequently while French rosin has free access to American markets, the French markets are closed to American rosin. The rate in France is 10 francs per 100 kilograms, which is prohibitory. There is a double reason for this Government imposing a revenue duty on French rosin. The first reason is that the Government can derive a substantial revenue by doing so, and the other reason is that in this way the discrimination now existing in favor of French producers can be removed.

Under section 548 of the Dingley law, the Treasury Department has held that French rosins are undutiable. It is not clear to my mind that this holding is correct, because rosin is not a "resin gum" or a gum; it is not in a crude state, and it has been advanced in value and condition as the result of distillation and straining. I note in the pending bill that the language of section 548 on this subject has been substantially changed, as appears in section 552 of the pending bill. The language used is too technical and complicated and too much a matter of construction for me to be certain as to its meaning. It may be that the pending bill is designed to place a duty on French rosins. I hope this is true, and if it is not, I shall welcome an opportunity to offer an amendment that will clearly impose such duty. I note that the pending bill does specifically impose a 20 per cent ad valorem duty on violin rosin. The reason for singling out violin rosin for a duty while leaving soap rosin on the free list has not been stated, so far as I am advised.

THE SPECIAL INTERESTS.

It is impossible for me, in the limited time at my disposal, to go further into a consideration of the particular schedules of the bill. I have said enough to make clear not only my general objections to the bill, but also my views generally as to tariff taxation. I regard it as unfortunate that this bill could not have been framed with all interests and all sections of the country represented in the framing. The chief vice of the bill is that only the special interests and the favorites of the present system have had a hand in its framing.

The revision downward that has been made consists largely in placing so-called "raw material" on the free list, which is a concession, not to the consumer, but to the manufacturer, and even with this free list, the average ad valorem rate is higher than it was before. When to this fact is added the possible and probably intended increase of this average rate that will flow from the countervailing duties provided for, and from the application of the maximum and minimum rate provisions of the bill, it will likely be found, should the bill ever become a law, that it contains the highest schedules and provides for the greatest discriminations of all tariff taxation that has ever been enacted by the Congress.

THE FAILURE OF THE REPUBLICAN PARTY.

Viewing the bill in this way, it seems to me that a further criticism of the Republican majority should be made, and that is, that if this bill is the best revision and reform of the tariff that is to be proposed, this extra session of Congress should never have been convened, for to begin with the bill admittedly will not supply the Government with the needed revenue. Industry and capital were prepared to suffer the depression in business necessarily resulting from the pendency of tariff legislation, because of the promise that great reward in the way of freedom of business activity and in increased opportunities for industry would follow as the result of such temporary depression, and because of the promise that the needs and necessities of the Government would be taken care of. These promises have not been kept and the reward is not forthcoming, either to the Government or the people, and the result of the extra session, if this bill is to be its only product, will be not only a depleted Treasury, but an added burden and oppression of business pend-

same source for a duty on hides and for free lumber, and in

86,895 bales of this cotton last year, 32,383 bales were exported in order to make way for Egyptian Yanovitch cotton.

importations have grown from year to year, I call attention to the fact that the total revenue from all lumber in 1898, the first

ing its enactment for which there is no compensation. I may be wrong, but I believe a day of reckoning for the Republican party will surely come for the deception now being practiced upon the American people. That day of reckoning will take into account, not only the deception of to-day, but will include the extravagance and misrule that has made this deception necessary. The way to reduce taxation, the way to supply the Government with revenue, the way to free the country from the shackles of the "special interests," the way to wipe out extravagance and restore economy and honesty in the affairs of the Government is not through the efforts of 12 Republican Members of this House sitting behind closed doors, but is through the action of the American people arising in their majesty and marching beneath the Democratic banners of "equal rights to all and special privileges to none" and "an honest Government, economically administered," to the triumphant overthrow of the Republican party. [Applause.]

Mr. DOUGLAS. Mr. Chairman, for the brief time during which I shall occupy the attention of the committee it is my purpose to confine my remarks principally to the provisions of the bill under consideration relating to the countervailing duty on coffee, and I shall hope to show that the provision of this bill concerning coffee must necessarily fail of the purpose for which it was designed, and that if it should become a law, instead of reducing it would probably raise the price of coffee to the consumer in this country.

The provision is as follows, and is found on page 132 of the bill, as printed in the document before me:

532. Coffee: *Provided*, That if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

I wish to refer to the declaration made by the chairman of the Committee on Ways and Means [Mr. PAYNE] when he elaborately explained the provisions of this bill. I believe that this provision will utterly fail of the object that the committee had in view when it was incorporated into this measure; and if it can be shown that the object of the framers of this bill can not be attained by this provision, to wit, the addition of export duty on coffee from Brazil, but that the provision will simply add an import tax in this country equal to the export tax in Brazil, then I submit that this provision should be abandoned.

The gentleman from New York [Mr. PAYNE], in his remarks concerning this provision of the bill which are now before me, made the following statement:

We do not rely on getting a dollar of revenue on Brazilian coffee, as any other coffee under this paragraph. We expect that every duty will be taken off.

In other words, it was not the object of the Committee on Ways and Means to levy for the purposes of revenue a tax on coffee imported into this country. I do not believe that that proposition would meet with the approval of any man, or at any rate with but very few men, upon either side of this Chamber. So if it can be shown, as I believe it can be shown very clearly, that it is absolutely impossible for the export duty which is now imposed on coffee to be taken off by the countries from which it comes, then it must, I submit, necessarily follow that this countervailing duty upon coffee must be abandoned. I want to say here that I believe it has been and is the policy, not only of the Republican party, but of all patriotic men of the country and of this Chamber, not to place a duty, or at least not to increase in this bill any duty upon the necessities of life which are used by the working classes of the country.

I now desire to call attention to certain facts with reference to our coffee importation. Of course the amount of coffee produced in the world varies greatly, as does the corn or wheat or any other crop, from year to year; but one year with another 15,000,000 bags of coffee have been a fair average crop, 15,000,000 bags, of about 60 kilos, or 130 pounds, to the bag. Of these 15,000,000 bags of coffee Brazil has and does raise in the neighborhood of 12,000,000 bags.

Much the greater part, from 70 to 75 per cent, of all the coffee in the world is raised by and in Brazil. Moreover, it is but a comparatively small part of the Republic of Brazil where coffee is raised at all. That part, especially of the State or Province of São Paulo, known as the "terra roxa" or "red lands," is especially adapted to coffee, and the greater part of this soil so adapted to the raising of coffee lies in the State of São Paulo, where some 70 per cent of all "Rio" coffee is raised.

As is known to all of us, in 1891 Brazil adopted a federal constitution. About twenty confederated States constitute the Republic of Brazil. I desire to call attention to one item of that constitution. Under this constitution it is not the Republic of Brazil, but the individual States which are given the right to tax exports of all sorts. I have here a translation of the constitution, in this volume which has been kindly furnished to me by Mr. Barrett, of the Bureau of the American Republics. Article IX provides:

The States alone are competent to decree taxes; first, on the exportations of merchandise produced in their own States.

In other words, the Republic of Brazil has no power—not only does not, but has no power whatever—to impose an export tax upon coffee, and does not do so and never has attempted to do so. The district or State of São Paulo does levy an export duty upon coffee raised in her own boundaries. Coffee is about the only crop raised, and this duty is substantially the only means of raising revenue which that State possesses. It is a new State. It is involving itself more or less in expenditures for internal improvements. It is inviting and receiving great immigration both from Germany and Italy. The consequence is that the State must have revenue, and this export duty on coffee is substantially the only source of revenue that the State has at her command.

A duty of 9 per cent ad valorem is levied upon the first nine and one-half million bags of coffee produced in the State of São Paulo, and that duty rises with the increase of production and exportation to 20 per cent ad valorem. Upon this duty, this export tax, the State of São Paulo has laid a mortgage of $75,000,000. In order to raise the money for internal improvements and for other purposes, the State of São Paulo has borrowed in the money markets of the world £15,000,000, amounting in round numbers to $75,000,000. About two and a half million pounds, or in the neighborhood of $15,000,000 worth of these bonds, have been or are being sold by a New York bank to citizens of this country, and are now held in America. As I have said, this export coffee duty in the State of São Paulo is, in effect mortgaged or pledged as security for this loan of $75,000,000; and consequently it is absolutely impossible, first, for the Republic of Brazil, and, second, for the State of São Paulo, which levies this export tax, to get rid of the export duty which she has levied. Hence the object of this provision in this bill can not be attained.

Mr. ALEXANDER of Missouri. Mr. Chairman, I would like to ask the gentleman how long those bonds run that are secured by this coffee.

Mr. DOUGLAS. I am not now certain as to the exact length of time, but my impression is——

Mr. LARRINAGA. If the gentleman will permit, I will say, ten years.

Mr. DOUGLAS. That was my impression. I saw the original circular issued by the bank in New York for the exploitation of these bonds, and my recollection is it was ten years, but I think, if the distinguished Commissioner from Porto Rico [Mr. LARRINAGA] will permit me to suggest, some of the bonds run for five years, some for ten, and some for fifteen.

Mr. LARRINAGA. The gentleman is correct.

Mr. DOUGLAS. Making the average time ten years.

Mr. GARRETT. What duty is laid on coffee exportation by the State of São Paulo?

Mr. DOUGLAS. The duty on the first 9,000,000 bags, as I recall the figures—and I give them substantially from recollection—is 9 per cent ad valorem. That duty rises. I do not recollect exactly in what ratio, but when the number of bags exported amounts to 10,000,000 bags then the duty rises, I think, to 20 per cent.

Mr. GARRETT. May I ask the gentleman if in his opinion this bill should become a law as it is drafted, and under the language of this proviso exportations come from São Paulo here, if São Paulo undertakes to levy an export duty and all the other Provinces or States of the Republic should repeal their export duties, would we still have to collect on them all?

Mr. DOUGLAS. We would. Each State, as I have read from the constitution, has authority to levy its own duty upon the exports from that State.

Mr. GARRETT. And under this proviso we would levy it against the Republic as a whole—we would hold the entire Republic responsible for the action of one State?

Mr. DOUGLAS. Why, certainly, we would levy against the Republic a countervailing duty of an equal amount upon coffee that is exported into this country from São Paulo, and that being a part of Brazil, we would levy, in effect, a tax against Brazil. The Province of São Paulo, as I said a moment ago, raises between 70 and 80 per cent of all the coffee that is raised in Brazil, and consequently by far the greater part of the coffee which is imported into this country from Brazil comes from the States of São Paulo and is subject to this duty.

Mr. YOUNG of Michigan. Mr. Chairman, will the gentleman permit a question?

Mr. DOUGLAS. I will.

Mr. YOUNG of Michigan. I would like to ask the gentleman this: Under the terms of this bill, as you understand it, if coffee

was imported from some State in Brazil that levied no export tax, would we still have to levy this import tax upon the exports of that State the same as we would from São Paulo?

Mr. DOUGLAS. I think not, obviously. Let me recall to the attention of the gentleman the language of the provision of item 533 of the Payne bill, which is as follows:

533. Coffee: *Provided*, That if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatever, directly or indirectly, on coffee exported to the United States a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

That, I think, is a substantial answer to the gentleman's question. If the coffee pays no duty abroad it pays none here. Now, Mr. Chairman, may I ask, did the Chair limit my time?

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. DOUGLAS. I would be delighted to answer any questions, but I desire to finish as nearly as I can within my time what I have to say; and while I do not want to appear in the slightest degree discourteous, and would be glad to answer any questions that gentlemen may have to propound, if I could have more time——

Mr. KENDALL. I desire to ask the gentleman a question. I understand the view of the gentleman from Ohio is that the import duty of the United States would only apply to exports from São Paulo.

Mr. DOUGLAS. It would apply to duties levied by any State in the Republic of Brazil, but substantially 70 per cent of the coffee that comes into this country from Brazil is shipped from Santos, which is the seaport of the State of São Paulo. Now, I notice in the Washington Post of this morning an intimation that a large amount of coffee had been stored in New York in anticipation of this tax. I do not believe that that is true; but the following is true, and may have led to that misunderstanding or misapprehension: In addition to the mortgage which is laid upon, or pledge made of, this export tax upon coffee by the State of São Paulo to secure its bonds, the State of São Paulo has also taken into its own hands, under an arrangement with the growers, about 7,000,000 bags of coffee in order to a certain extent to maintain the price upon it, and that specific coffee is included in the pledge and is now stored in London, Germany, New York, and perhaps elsewhere, and this may have led to the story or to the report that coffee is being stored in New York against the countervailing duty which this bill may put upon it.

Now, I trust that I have already said enough to show clearly that it is impossible, no matter how much they may wish to do so, for the State of São Paulo or the Republic of Brazil to abolish this duty upon coffee. It is impossible for either the State or Nation to do it. This tax is, moreover, substantially the only source of revenue of the State of São Paulo, and, furthermore, as I have said, that duty is absolutely pledged to the holders of $75,000,000 worth of bonds for their security. Consequently we are face to face with this condition: This proposed countervailing duty, in the language of the distinguished chairman of the Committee on Ways and Means, is not levied or proposed for revenue at all, but simply in order to compel countries from which we receive coffee to take their export duty off of it; and since it is impossible for this duty to be taken off, I submit that this provision of the bill ought to be abandoned and stricken out, either on motion of the committee or by the House.

Mr. LARRINAGA. Will the gentleman permit me? The gentleman has stated the facts very accurately. He is very well informed on the matter. Brazil produces from 70 to 80 per cent, or at least I make the affirmation, of all the coffee consumed in the world, and 75 per cent of the coffee consumed in the United States. If, after you pass this tariff bill without that proviso, Brazil chooses to put any specific tax on the exports of this coffee, say $3 per bag, as they are contemplating, or $4 or $5 per bag, who is going to pay that tax? From whom are you going to buy coffee? From São Paulo, Minas Geraes, and Rio Grande do Sul?

Mr. DOUGLAS. For myself, I answer that I will buy my coffee from the island of Porto Rico, which the gentleman so ably represents, just as I have done since I had the pleasure of drinking it in his country.

Mr. LARRINAGA. I thank the gentleman, but I hope the gentleman will answer my question.

Mr. DOUGLAS. I would be glad to answer the question of the Commissioner from Porto Rico if I were able to do so. I take it to be perfectly obvious that if the State of São Paulo—not the Republic of Brazil, because the Republic of Brazil under her constitution has absolutely no power to lay a tax on exports—but if the State would increase the export duty and this provision of the bill were left out of it—in other words, if coffee were imported into this country free—I suppose, as now, the people of our country would have to pay so much more for their coffee. But I do object to our doubling any tax that any State of Brazil chooses to put as an export duty upon coffee.

With reference to the amount of this export tax, it was stated here the other day on the floor that it amounts to forty-seven one-hundredths of a cent per pound. I do not believe that any calculation based on the price of coffee at the port of Santos will justify an estimate so low as that. I believe the export duty per pound on coffee at Santos, under the present regulations in São Paulo, will amount upon the average to nearer 1 cent—at least to eighty one-hundredths of a cent per pound. So that if this provision of the proposed tariff bill is kept in it, it means a duty of substantially 2 cents a pound on coffee brought into this country from the largest coffee-producing State in the world.

Now, one more remark in that connection. I do not think it is fair for us, under all the circumstances, even if we had the power to reach Brazil, to make any such provision. Brazil is one of the greatest markets for the flour of America in all the world. In that market we come into direct competition with the flour of the Argentine Republic, and Brazil has, in consideration of the fact that we are her largest purchaser of both cocoa and coffee, given us a reduction of 20 per cent upon her import duty on flour as against her neighbor, Argentina; so that to-day America enjoys that advantage under the laws of Brazil, and this should be considered, even were this provision intended as a measure of trade hostility to the Republic of Brazil, which I know it is not.

But, Mr. Chairman, I base my objection and hostility to this provision of the Payne bill upon the broad ground that the provision, if it should become law, would inevitably, as I believe, increase the price of coffee to the consumers in our country, and to that I am unalterably opposed. Other provisions of this bill provide for import duty upon chicory, chicory root, dandelion root, and other substitutes or adulterants for coffee amounting to 4 or 5 cents a pound, enough to substantially prohibit the importation of these substitutes for coffee into the country at all. As now advised, I do not disapprove of these high duties on cheap foreign products used by our coffee grinders to adulterate the cheaper grades of coffee.

I am not advocating the adulteration of coffee, or cheapening it below what it really ought to sell for as pure coffee. But a large part of the coffee consumed in this country by the working people is coffee already ground. To this they are accustomed, and if much of it is adulterated with chicory the flavor is not unpleasant, and, as I understand it, is not unwholesome. The result is that if we increase the value of chicory, and by this provision, which I have criticised, increase by in the neighborhood of 2 cents a pound the duty on green coffee as it comes into this country, then it seems to me inevitable that the wage-worker will be called upon by the coffee dealer to pay a higher price for his coffee.

I have no disposition to say anything which will look like a mere appeal to the workingmen of my district, or which may sound like demagogy; but I do believe that this Government of ours can raise a sufficient revenue to meet its wants without levying any duty which will in any way increase the cost of the necessities of the poor. I believe that this great tariff bill does, as a whole, meet the just expectations of the patriotic people of America. I believe that it fairly accomplishes the purpose of the Republican party as declared in its platform. I believe, and certainly I most earnestly hope, that when enacted into a law it will bring and maintain prosperity and happiness among all classes of our people. It is in no spirit of hostility or carping criticism that I have called attention especially to the provision it contains relating to coffee, but I most sincerely hope that upon further consideration this provision will be stricken out. [Applause.]

Mr. ROTHERMEL. Mr. Chairman, I have no desire to consume a great deal of the time of the committee, nor discuss the provisions of the bill under consideration at any length. I merely wish to call attention to some matters which incidentally arise under the discussion of this bill.

The question as to whether pulp wood and print paper, manila and fiber, should be placed on the free list aroused more interest during the second session of the Sixtieth Congress than any other question.

The newspapers all over the country were clamoring to have the duty removed. The discussion of the question in the House

tax exports of all sorts. I have here a translation of the con-

Mr. YOUNG of Michigan. I would like to ask the gentleman this: Under the terms of this bill, as you understand it, if coffee

was of daily occurrence, until finally it resulted in the selection of a special committee to investigate the so-called "paper trust."

It is more particularly to the proceedings before this committee and what took place afterwards that I desire to call the committee's attention as an example of how the consumer can be dealt with if the laws are ineffectual.

On May 16, 1908, G. H. P. Gould appeared before the Mann special committee and testified, among other things, as follows:

By the chairman (Mr. MANN):

Mr. GOULD, do you know of any agreement or understanding of any kind among the paper manufacturers or the selling agents to put a fixed or concerted price upon paper or to restrict the output?

Mr. GOULD. No, sir; there is none whatever; not to my knowledge. (Hearings p. 1914.)

In spite of his testimony before the committee on May 16, on June 19, 1908, as a corporation the Gould Paper Company, the corporation of which Gould is president, pleaded guilty to the continued charge: the regulation of price and output in restraint of trade for a period beginning September, 1906.

May 18, 1908, Dan T. Waller appeared before the Mann committee and defined his position as follows:

The CHAIRMAN. What is your position with the International Paper Company?

Mr. WALLER. I am second vice-president and manager of the department of sales.

The CHAIRMAN. Are you prepared to make a statement?

Mr. WALLER. Yes, sir.

Among other things, Mr. Waller, on page 1169 of the hearings, in answer to a question by the chairman, testified as follows:

Mr. WALLER. Mr. Norris also suggests (vol. 6, p. 316) that the International Paper Bag Company, through the medium of the Continental Paper Bag Company, participated in the Parks pool. The International Paper Company never received, directly or indirectly, any amount of cash or credit to offset the curtailment of product by reason of participation in any pooling arrangement. That would apply to any grade of paper.

Yet in spite of this statement before the committee on May 18, on June 19, 1908, Waller's company's exclusive selling agent, the Continental Paper Bag Company, pleaded guilty to the charges preferred, and the indictment shows that the association voted (see folio 55 of indictment) to send its uniform price list to Mr. Sparks, of the Union Bag and Paper Company, and "one to Mr. Waller, of the International Paper Company, for their guidance."

Various officers operating western fiber and manila mills appeared before the same committee and testified they knew of no arrangements for restricting output or fixing prices. Yet they met, they agreed to, and did close their mills, in defiance of law and disregard of the prohibition of the United States court dated June 18, 1906.

My attention was called to the fact that a number of officials of the various paper companies in the country appeared before the Mann committee and testified that there was no agreement or combination in restraint of trade, regulating price and limiting output of fiber and manila paper, and so forth.

These statements startled me, because I was quite confident that there was an unlawful combination of some kind. I subsequently noticed in the newspapers that some of the companies either had pleaded guilty or were convicted in the federal courts in New York City on the charge of having formed an unlawful combination in restraint of trade, and so forth.

To confirm the information I had on this subject, I wired to Hon. Henry A. Wise, assistant United States attorney at New York City, and asked him whether the Gould Paper Company and the Continental Paper Bag Company had been convicted or pleaded guilty to the aforesaid charge on June 19, 1908. The following is his reply:

NEW YORK, *March 30, 1909—5.25 p. m.*

Hon. JOHN H. ROTHERMEL,
House of Representatives, Washington, D. C.:

Gould Paper Company and Continental Paper Bag Company both pleaded guilty June 19, 1908, to indictment charging them with unlawful combination in restraint of trade by regulating price and limiting output of fiber and manila paper during period beginning September, 1906; each sentenced to pay fine of $2,000, and fine was paid. They were indicted together with 23 other manufacturers, the total fine being $50,000.

HENRY A. WISE,
Assistant United States Attorney.

It will be remembered that the American Newspaper Publishers' Association applied to Congress for relief, but it was thought at the time the courts would provide a complete and adequate remedy.

Let us see how the courts succeeded in remedying the evil. Some time prior to June, 1906, there was an action brought by the Government against the General Paper Company and 23 other companies, charging them with having entered into an agreement, combination, and conspiracy to control their manufactured product (a) by fixing a uniform price for its sale, (b) by specifying the persons to whom it should be sold, and (c) by determining in what territory it should be disposed of. This case resulted, June 18, 1906, in an order of the United States court as follows:

That you, the said Itasca Paper Company, Hennepin Paper Company, Wolf River Paper and Fiber Company, Atlas Paper Company, Kimberly & Clark Company, Riverside Fibre and Paper Company, Wausau Paper Mills Company, Centralia Pulp and Water-Power Company, Combined Locks Paper Company, Indis Paper and Pulp Company, Grand Rapids Pulp and Paper Company, Menasha Paper Company, the C. W. Howard Company, the Nekoosa Paper Company, the Falls Manufacturing Company, Flambeau Paper Company, the John Edwards Manufacturing Company, the Wisconsin River Paper and Pulp Company, Tomahawk Pulp and Paper Company, Northwest Paper Company, Consolidated Water Power and Paper Company, the Petoskey Fibre Paper Company, and Rhinelander Paper Company, and each of you, your officers, agents, servants, and employees, are hereby jointly and severally restrained and enjoined from continuing the agreements made between each of you and the said General Paper Company, and all agreements heretofore made whereby the said General Company was and is constituted the sales agent of any and all news print, manila, fiber, and other papers, and all contracts and agreements and understandings by which the said General Paper Company was and is so constituted the selling agent of you and each of you, are declared to be unlawful and are hereby canceled and annulled, and you and each of you are hereby restrained and enjoined from making, executing, or carrying out any such contract, agreement, or understanding in the future, and from authorizing the said General Paper Company to sell, fix the price of and terms of sale of the products of, or to control or regulate the output of each of your mills and manufactories, or to dictate and determine the persons, corporations or newspapers to which it shall be sold, or the States into which the same shall be shipped and sold.

Mr. TIRRELL. Mr. Chairman, will the gentleman inform me as to when that is dated?

Mr. ROTHERMEL. The date is June 18, 1906.

Mr. TIRRELL. And that applied to the Western Association, did it not?

Mr. ROTHERMEL. It applied to all these 25 companies that I have named, and which I have taken from the caption of the case.

Mr. TIRRELL. Is there any evidence that the gentleman has that the paper and pulp manufacturing companies of the eastern section of the country, including the International Paper Company, and all the other pulp and paper manufacturing companies of New England and the Middle States, or anywhere east of the Rocky Mountains, except the General Paper Company, which is located in a western State, were in any combination or have been in any combination to control prices among themselves?

Mr. ROTHERMEL. I do not know, except that there was a combination which was restrained by the United States court on June 18, 1906, and which was composed of the companies that I have named. I am informed that one of the companies is or was located in the Twenty-sixth Congressional District of Pennsylvania.

Mr. TIRRELL. But you do not know where they are located, and whether they are in the eastern or western section of the country?

Mr. ROTHERMEL. I can not tell you exactly. I took the names from the records as I found them.

Notwithstanding the fact that the United States courts had dissolved the General Paper Company in May, 1906, and restrained 23 other companies in June of the same year from carrying out their unlawful combinations and agreements, the Gould Paper Company, the International Paper Company, and 23 others entered into an unlawful agreement September, 1907.

It is strange that 25 of these companies should enter into an agreement so soon after the decisions just referred to, and take the chances of being fined under the criminal statutes of the Government.

As I said before, they each paid a fine of $2,000, or $50,000 in the aggregate. But let us see what transpired while this agreement was in force.

If I am correctly informed, 25 paper companies, acting jointly in the Fiber and Manila Association, added $16 per ton to the price of fiber and manila paper on an annual output of 200,000 tons, which resulted in imposing an additional $2,000,000 annually on the consumers by the combination.

Under the above statement of facts it would seem that a fine of $50,000 is inadequate and ineffectual. As long as millions can be made by breaking the laws and the only penalty is a fine reckoned in thousands, it will result not only in placing a premium on wrongdoing, but will also be considered a good investment on the part of the lawbreaker.

This bill has been so thoroughly discussed that I feel as though I could add nothing of importance to what has already been said.

If I had the power to decide the matter I would be more drastic in tariff reduction as to pulp wood, and so forth, than the provisions of the pending bill call for. I think the men engaged in that business have conducted it in such a manner lately that it comes with bad grace on their part to ask for any protection whatever.

As to this matter of the alleged falsifying before the Mann committee, I wish to reiterate, in conclusion.

May 16 and 18, 1908, the officials testified there was no agreement or combination to control prices, and so forth. June 19 the 25 companies pleaded guilty.

Did the officials know they were misrepresenting facts when they testified. May 16 and 18, that there was no such agreement?

In connection with the other facts the following telegrams between the assistant United States attorney for New York and myself may be of interest:

WASHINGTON, D. C., *March 30, 1909.*

Hon. HENRY A. WISE,
Assistant United States Attorney, New York City:

Do you know whether the Gould Company had been apprised of the fact, prior to May 16, 1908, that there would be an indictment laid before the grand jury?

JOHN H. ROTHERMEL.

The following is the reply, which I will ask the Clerk to read:

NEW YORK, *March 30.*

Hon. JOHN H. ROTHERMEL,
House of Representatives, Washington, D. C.:

Do not know that Gould Company had been apprised of the fact prior to May 16, 1908, that indictment would be laid before grand jury; they undoubtedly knew that the matter was receiving serious consideration by the grand jury prior to that date.

HENRY A. WISE,
Assistant United States Attorney.

That some of these witnesses seem to have had full knowledge of the unlawful agreement when they testified that no such combination existed calls for further investigation. [Applause.]

Mr. LOVERING. Mr. Chairman, the unexpected has not happened. The Ways and Means Committee have not wrought a miracle; they have not produced a bill which is satisfactory to everybody; but they have kept faith with the pledges of the Republican party, and after months of laborious work they have brought in a bill which, to my mind, comes nearer to being a satisfactory revenue and protective measure than any tariff bill ever presented to Congress, and I intend to support it, with such amendments as the committee itself may accept or propose.

The work of making a tariff is constantly growing more and more complex and difficult. This is especially so where specific duties are laid, because there are continually new industrial products coming into the market from all parts of the world, involving changes in processes of manufacture and the production of new articles or commodities. For instance, in almost every department of manufacture there are novelties in design and construction which were unknown twelve years ago, when the Dingley bill was enacted, due to the application of science and new discoveries, and it is reasonable to expect that this state of things will continue and the future will be as fruitful as the past. For this reason it is almost impossible to lay down a line of specific rates that will provide an undeviating and equitable protection.

All such new or unforeseen products are relegated to the remainder, or basket, clause, which may or may not afford adequate protection.

It is noticeable in the speeches that have been made in the House and in the discussion of the subject in the press of the country that we hear less and less of the purely economic theories. The country has come to treat it more and more as a business proposition and to pay less heed to the academicians.

The leader of the minority in this House, for whom I have the highest regard, characterized some of the Members of this House as being free traders in spots, and he practically admits that he is a protectionist in streaks. I recall that famous remark of his made some time ago that he "would like to see the custom-houses of the country razed to the ground from turret to foundation stone"—and I wondered, as I listened to him the other day and heard him expound the theory of the revenue tariff, what sort of machinery he expected to employ to collect the revenue of the country for which he seemed so anxious. Perhaps he would have the business done by curbstone brokers. Mr. Chairman, I do not propose to occupy much of the time of this committee, because I do not believe it is possible to cover all the items in these schedules if we were to sit here for six months.

The chairman of the Committee on Ways and Means did in a masterly manner present the salient features of all of the schedules; whether we agreed with him or not, we must certainly admit that he gave good reasons for every step that was taken in making the bill.

Passing over the schedules of the bill, I wish to occupy a few moments of the attention of the House in discussing section 29 of the administrative section of the bill, known as the "customs law."

The assertion has been made that the general demand for revision of the tariff, which has inspired the Payne bill, originated chiefly from a movement initiated in the West that had for its object the negotiation of treaties of reciprocity with those European countries which were preparing to assess prohibitory duties on our staple agricultural products. Conceding that one of the principal objects of the Payne bill is to open up new markets or increased markets for our staple articles of export, the section which liberalizes the present law granting a drawback of the duties paid on materials entering into the manufacture of exported articles will prove of the greatest possible assistance in accomplishing that object.

Judging from the comments which have been made from time to time on that feature of the bill—some of them, I regret to state, unfriendly—I have been forced to the conclusion that the underlying principle of our drawback system is not clearly comprehended by the Members of this House.

The principle which has found expression in every tariff law enacted by the United States, and which has been incorporated in the laws of all civilized nations taxing foreign and domestic merchandise, contemplates that no tax or duty shall be collected, or, if collected, retained in the Treasury, provided the articles subject to a tax or duty are exported.

If you will examine our internal-revenue law, taxing whisky, tobacco and its products, oleomargarine, playing cards, and beer, you will find that they all provide for the exportation of such articles without the payment of tax. In other words, the tax does not apply when domestic articles subject to internal-revenue tax are intended for shipment to foreign markets.

Our customs laws have invariably treated foreign merchandise in precisely the same way. The importer is allowed the privilege of paying the duty on arrival of his goods, or of storing them in bonded warehouses under government control without payment of duty. If he sells these goods for consumption in domestic markets, he pays the duty on withdrawal from such warehouses. If the goods are sold for export, in competition with like domestic goods, he is permitted to withdraw them without the payment of duty. There are various other methods of applying the bonded-warehouse system which, I believe, are unknown to many of the Members of the House. Take for illustration the transportation to the seaboard across American territory of Canadian products destined for shipment to Europe. When the cars reach the frontier a bond is given by the shipper or railroad agent, under the terms of which the duty is waived, provided proofs are filed within a reasonable time showing the exportation of such products from an American seaport. Another application of the system is the law under which a manufacturer may set aside a factory to be used exclusively in manufacturing for the export trade, and into which he may convey foreign or domestic materials free of duty or tax. Then we have the law relating to the smelting of metals in bond, which is applied chiefly, if not wholly, by the smelters of lead ore. This law, which is repeated in the bill under consideration, provides, in effect, that after the ore has been assayed a quantity of refined metal, equal to the quantity of refined metal determined by such assay, less the allowance for waste in smelting, may be set aside in a bonded warehouse under government custody.

The imported lead ore is then released to the smelter without the payment of duty. The refined metal so set aside in the bonded warehouse, which may or may not be of domestic origin, can be withdrawn for domestic consumption on payment of duty, or it may be exported without payment of duty. It is worthy of note that this law made its first appearance in the McKinley tariff law, was repeated in the Wilson and Dingley tariff laws, and constitutes the twenty-eighth section of the Payne bill.

So far as I am aware, no intelligent man has ever questioned the wisdom of our bonded warehouse system, and, frankly, I can not understand why the drawback law, which is merely an extension of the principle of the bonded-warehouse system to domestic manufacturers, should bring forth such hostile criticism. In the discussion of this question the fact is entirely overlooked that we are powerless to protect the product of domestic labor against the free competition of foreign labor in neutral markets. If a manufacturer in England, where all ma-

terials are free, and an American manufacturer are competing in South American markets, it is self-evident that the American manufacturer will fail to secure the orders if his materials are subject to duty and we refuse to refund these duties when the manufactured articles are exported.

In all such cases it may be safely alleged that the advantage is all on the side of foreign labor. Whereas, if we place no obstacle in the way of recovering drawbacks, the orders received and the employment given thereby to domestic labor are just that much in excess of what it would be if refused to remit the duties on the exportation of the manufactured articles.

The purpose of the drawback section in the Payne bill is merely to remedy certain defects which it has been found by practical experience tend to limit its usefulness. If the principle for which we are contending, regardless of our views on the broad questions of free trade and protection, is admitted to be sound, and it is further admitted that the present drawback law is limited in its scope, then the question resolves itself into one of mere administration.

The amended section in the Payne bill has been indorsed by the experts of the Treasury Department. They have expressed themselves as being fully able to successfully cope with all the problems in administration which it presents; and I am confident that when the relation which a liberal drawback law bears to a tariff for revenue, as well as a protective tariff, is clearly understood, all opposition will cease.

Mr. Chairman, I regret that the gentleman from Alabama [Mr. UNDERWOOD] is not present at this moment, for I recall, and desire, to refer to a statement made by him when he was told that there were $12,000,000 worth of shoes exported last year. He denied that any of this ever came to the laborers or the workingmen of this country, and was insistent upon it. He said that it all stopped in the pockets of the manufacturers of this country as so much added profit, and did not reach the laboring man. Now, this is what actually happened: Twelve million dollars' worth of shoes were made, exported from this country, and the workmen of this country received the pay therefor. In fact, all of that money, even the profits of the manufacturer, eventually found its way into the pockets of the working people. It does not raise their wages, perhaps, as the gentleman from Alabama [Mr. UNDERWOOD] said; it may not have changed the wages of a single man, for, as he says, these were governed by the labor unions. But it gave that much employment to that many more operatives. As to the profits, all money reckoned as profits, to my mind, sooner or later goes into the hands of the laboring man. Only the miser hoards his money; all the rest of the money sooner or later goes to the laborer and producer, otherwise he does not get anything for it.

When a man builds himself a house the cost of it goes to the laborer; if he builds a railroad and operates it, the money goes to the laborer. Even if he buys diamonds to adorn his person or buys jewels of any kind to minister to his vanity, the value of all these treasures sooner or later goes to the workingman. This idea of connecting property and money is more or less fallacious. Money does its work and then goes on and does other work, and finally brings up in the hands of the laboring man, in my judgment. I remember some time ago I was in the Tower of London, looking at the Crown jewels of the realm. There were two or three women looking at them at the same time. One of them said, "What a shame it is that these jewels are all kept here when there are so many poor people in the world." I could not resist the temptation to speak to her and to say: "Madam, what would you have done with these jewels?" "Why," she said, "I would have them sold and the money distributed to the poor." "Who would buy them?" I said. "Well, some rich people." "And what would you have them do with them when they got them?" "Well," she said, "I never thought of that;" and she made up her mind that after all the jewels were best off right where they were. I overheard her a little later say: "The young fellow," that was when I was a young man, "thinks he is smart; but he is right, all the same."

I do not believe there is a man in this House who has given the matter of our customs-drawback system any thought or study but will see the justice of liberalizing the law to the utmost extent it is possible without defrauding the revenues. I care not whether he be a Republican or a Democrat; whether he be in favor of a tariff for protection or a tariff for revenue alone, he must acknowledge the righteousness of the demand for such legislation. We must have a share of the foreign trade, and to be able to compete with the foreign manufacturer in the markets of the world we must be placed as nearly as possible on an equality with him. A liberal and workable drawback law affords the best and most practicable means of accomplishing this.

Mr. Chairman, I propose to support this bill. I wish the debate might be cut short and that we might get down to the passage of it. [Applause on the Republican side.]

DRAWBACK LAW AMENDMENT.

STATEMENT OF HON. WILLIAM C. LOVERING, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS, BEFORE THE COMMITTEE ON WAYS AND MEANS, WASHINGTON, D. C., DECEMBER 4, 1908.

Mr. LOVERING. The few moments that I shall occupy of your attention will be devoted to section 30 of the Dingley Act, namely, "the drawback act."

One of the objects of the law authorizing the payment of a drawback on exported articles of domestic manufacture, made in whole or in part of imported dutiable materials, is to grant the same freedom from customs duties that our tariff laws have extended to the producers of foreign merchandise through the bonded warehouse system since our Government was founded.

All civilized nations have adopted the plan of allowing goods to be imported without the payment of duty, provided that such goods are deposited in a warehouse under the control and custody of government officials. If withdrawn for sale in domestic markets the duty must be paid. If withdrawn for export no duty is paid.

We adopted this system immediately after gaining our independence, and, in fact, I believe the practice of bonding imported goods in lieu of demanding duties was in vogue when this country was a colony of Great Britain.

At the present time, at all our great seaports, imported merchandise, the product of foreign labor, is stored in bonded warehouse under government custody and is daily offered for sale on the floors of our commercial exchanges on a duty-free basis, for export in competition with like domestic goods. It frequently happens that the like domestic articles are manufactured in whole or in part from imported materials, the duties paid on which, if not returned to the American manufacturer in the form of a drawback when exported, would make it impossible for him to compete with the foreign duty-free goods in the bonded warehouses. Accordingly, it may be safely asserted that whether tariff duties are levied solely for the protection of domestic industries or for revenue purposes, or for both, a workable drawback law is an indispensable feature of any kind of a tariff act.

From time to time certain selfish interests have advocated the withdrawal of the drawback privilege from the particular materials or articles which they are engaged in producing, entirely overlooking the fact that protection from foreign competition extends only to the home market and that it always has been the policy of the Government to grant, as far as possible, free materials for the export trade.

The wisdom of the law providing for a drawback of duties paid on imported materials used in the manufacture of exported articles has been amply justified by its operation. Many products of our farms and factories are now being exported in large quantities, which could not be sold in neutral markets if it were not for the drawbacks secured on a part of the materials used in their manufacture. The benefit to our export trade resulting from the drawback system can not be precisely ascertained, but it is certain that it has made possible the annual exportation of articles valued at many millions of dollars.

While the present drawback law and the regulations issued under it have been highly advantageous to our export trade, it has been found in practical experience to have certain defects which tend to limit its usefulness, and it is simply my purpose in addressing you to bring to your attention some facts showing that the several amendments of that law proposed by exporting interests would be of great benefit to our foreign trade.

These proposed amendments have been the subject of several extended hearings before this committee, constituting a record of some 200 pages, including copies of the bills, all of which are available for your investigation and guidance when this branch of the tariff subject is under consideration.

I regret that there are only four members sitting here, of the present committee, who were members of the committee at the time of the last hearings upon this subject, and only three members are now present of the committee who were on the committee at the hearings in 1902 and 1903; but copies have been kept of those hearings, and I am informed that they are accessible for the use of this committee, and I hope they may be filed with the committee.

The CHAIRMAN. These hearings are all printed.

Mr. LOVERING. They are all printed. I do not know whether it would be important to reprint them; that depends on how many copies are left.

The CHAIRMAN. Doubtless the members of the committee will make themselves familiar with those other hearings.

Mr. LOVERING. Briefly summarized, these proposed amendments are:

First. Provision for the allowance of drawback on articles of domestic manufacture, made in whole or in part from imported duty-paid materials used in the construction and equipment of vessels built for foreign account and ownership and for the foreign trade. It has been ruled by the Treasury Department that the present law can not be so construed as to authorize the payment of drawback under such conditions. On page 192 of the printed hearings will be found the testimony of Mr. Edwin A. Cramp, in which he included the following decision of the Treasury Department to show the urgent necessity for the amendment desired by the shipbuilding industry:

"TREASURY DEPARTMENT, July 7, 1899.

"GENTLEMEN: Replying to your inquiry of the 3d instant, whether drawback under section 30 of the act of July 24, 1897, will be allowed on boiler tubes manufactured by the Shelby Steel Tube Company, of Cleveland, Ohio, from imported Swedish billets and intended to be used in the construction of boilers for two Russian battle ships, now being built by Messrs. Cramp & Sons Company, of Philadelphia, I have to inform you that no drawback of duties under section 30 of the act of July 24, 1897, can be allowed on the boiler tubes in question, as the use thereof in the construction of the boilers for the battle ships referred to can not be considered an exportation within the meaning of section 30."

Mr. Cramp then called attention to section 12 of the Dingley Act, which provides for the importation, free of duty, of all material and articles necessary in the construction of vessels built in the United States for foreign account and ownership and for the foreign trade, on which he comments as follows:

"Under this law foreign manufacturers who either pay no duty on their materials, or who receive a drawback on the exportation of their

goods to the United States, can sell to American shipbuilders absolutely free of duty, while domestic manufacturers employing American labor, who are compelled to import materials from abroad, are denied a refund of the duties thereon when their goods are sold and used for a similar purpose.

"This is a serious discrimination against American labor, American manufacturers, and American shipbuilders, and should receive immediate consideration by Congress."

Mr. Cramp then gave a partial list of some of the more important articles which could be manufactured as cheaply in this country from imported materials and used by American manufacturers, provided a drawback was allowed, which included steel plates, engines, boilers, wire cable and rigging, bolts and nuts, windlasses, lead pipe and various kinds of machinery.

Second. Amendment of the present law so as to provide for the allowance of drawback when the manufacturer is unable to positively identify the actual material used. Under existing law and the regulations of the Treasury Department, manufacturers are required to swear that certain specified imported materials were used in certain specified exported articles. The conditions in our factories which this amendment to the law is proposed to meet are described on page 192 of the printed hearings, as follows:

"The imported and domestic materials are used in manufacturing processes at the same time. The labor and expense involved in keeping these materials separate and tracing them through all the various operations, so as to be able to state under oath that they form the whole or a certain percentage of the finished articles which are to be exported, is frequently so great as to discourage the attempt to secure foreign orders. The manufacturer can swear that the foreign material was used in making a certain lot of goods; he can swear that the articles to be exported were a part of that particular lot of goods; but he can not swear that the exported articles on which he desires to collect drawback were manufactured either in whole or in part from imported material. The finished articles in his warerooms all look alike; the articles made from domestic materials are worth as much as the articles made from foreign materials, but he is unable to tell one from the other. The articles which he exports may or may not contain the imported materials. In all cases he only asks that the Government will assume that the imported materials are in the exported articles, and in lieu of the present oath of identification permit him and his foreman to swear that the actual materials in the exported articles are equal in kind, quality, and productive, effective, or mechanical value to the imported duty-paid materials on which his claim for drawback is based."

I am confident that careful investigation of the reasons set forth in the printed hearings for this amendment will convince you that it may be safely enacted without increasing the danger from fraud on the revenue.

Third. Provision for the withdrawal from bonded warehouse free of tax and duty of domestic articles subject to internal-revenue tax and foreign articles subject to customs duties, which are used as ship's stores on the high seas by vessels clearing for foreign ports. Also the allowance of drawback on articles of domestic manufacture made in whole or in part from dutiable materials when consumed as ship's stores on the high seas. I am informed on reliable authority that Spain and the United States are the only civilized countries which refuse to treat as exports articles sold as ship's stores to vessels clearing for foreign ports.

Absolutely nothing can be gained by refusing to exempt such goods from taxation, for the reason that foreign vessels trading with the United States invariably purchase sufficient stores to last over the return voyage until a port is reached where the bonded-warehouse laws permit withdrawals for ships' use free of duty or tax.

It is asserted that at the present time domestic products subject to internal-revenue tax are exported to foreign countries free of tax, there placed in bonded warehouses and withdrawn from time to time free of duty for use on vessels trading with the United States. Since our Government is powerless to derive a revenue from goods consumed in that way, is there any reason why we should decline to permit our own merchants to transact the business?

The enactment of this amendment will create a new business for American merchants and warehousemen in all our seaport cities from Seattle, Wash., to Portland, Me., with consequent advantage to American labor and without injury to a single domestic interest.

Fourth. Provision for the allowance of drawback on domestic tax-paid alcohol when exported as a constituent part of medicine, perfumery, flavoring extracts, etc.

Our internal-revenue laws make no provision for the payment of a drawback of the internal-revenue tax paid on alcohol used in the manufacture of exported articles. Since, however, the present customs-drawback law allows a drawback of the duties paid on all imported materials used in the manufacture of the exported articles, a number of manufacturers on the Atlantic seaboard have for several years imported alcohol from Germany and collected a drawback when used as a constituent part of the exported article.

If we can safely allow a drawback on foreign alcohol, on which the customs duty is $1.75 per proof gallon, it is absolutely clear that no more difficulty would be experienced in allowing a drawback on domestic alcohol, on which the internal-revenue tax is $1.10 per proof gallon, so that the administrative difficulties need not be discussed. Neither shall I do more than refer to the absurd policy of allowing a drawback on alcohol made by foreign distillers, while refusing to extend a similar privilege to our own distillers.

The quantity of foreign alcohol imported during the past fiscal year to be used in the production of articles intended for exportation is said to be in excess of 250,000 proof gallons.

Fifth. Repeal of that clause in the drawback law (sec. 30 of the Dingley Act) which provides for the retention of 1 per cent of the amount of drawback payable.

Perhaps the strongest reason which can be urged in favor of the repeal of that clause is that it would place American manufacturers on an equal footing with foreign manufacturers in the administration of that part of our tariff system relating to the export trade. As previously stated, we permit the withdrawal of foreign merchandise from bonded warehouses for export absolutely free of duty, and I believe it has been repeatedly shown that the cost of maintaining a bureau in the various custom-houses to perform the clerical work incident to the exportation of such goods is far in excess of the cost of supervising the exportation of a like quantity of articles of domestic manufacture on which drawback is claimed. It is submitted that we should accord to our own manufacturers identical privileges with those granted foreign manufacturers.

In conclusion, I would respectfully refer this committee to the remarks on this subject by the late President McKinley, the author of the present drawback law, in reporting the tariff act of October 1, 1890, to the House. (See CONGRESSIONAL RECORD, p. 4247.) Mr. McKinley's concluding words on this branch of the subject at that time were:

"It completely, if the provision be adopted, disposes of what has sometimes seemed to be an almost unanswerable argument that has been presented by our friends on the other side, that if we only had free raw material we could go out and capture the markets of the world. We give them now within 1 per cent of free raw material, and invite them to go out and capture the markets of the world."

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. SIMS. Mr. Chairman, I wish to make an inquiry. What time has the gentleman from Illinois?

The CHAIRMAN. The gentleman is entitled, under the rule, to one hour.

Mr. SIMS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be permitted to conclude his remarks. He is to speak on a subject-matter in which we are all very much interested, and perhaps there will be only one speech made on it from the special committee of which the gentleman is chairman.

Mr. MANN. Mr. Chairman, I hope the gentleman will not make that request. If at the end of an hour's time either the House or myself desire a little further time, it can be disposed of then. I do not think that anyone in the future ought to be granted any great extension of time, and I do not desire to accept it.

Mr. SIMS. I am sure the gentleman would take no undue advantage of the privilege.

Mr. MANN. I had rather talk against time, knowing that I must get through at some time.

The CHAIRMAN. The gentleman from Illinois will proceed.

Mr. MANN. Mr. Chairman, I do not rise for the purpose of entering into a general discussion of the tariff question, or for the purpose of discussing generally the tariff bill now pending. I rise only for the purpose of discussing in a limited manner those portions of the bill which relate to the tariff on wood pulp and print paper.

Mr. Chairman, the House will recall the fact that a year ago there was considerable agitation in regard to the price of print paper. The price of that paper had then been very considerably increased in the course of a year or six months, and even in the course of three months. In accordance with a wise resolution introduced by the distinguished Speaker of the House, a special committee was appointed in the House last April for the purpose of making an investigation of the subject of wood pulp and paper, including both the methods of production and cost thereof, the price at which it could be profitably sold, and various other questions in regard to the subject, including the provisions of the tariff relating thereto.

I was appointed chairman of that committee, the other members of the committee being the gentleman from Kansas [Mr. MILLER], the gentleman from Wisconsin [Mr. STAFFORD], the gentleman from Tennessee [Mr. SIMS], now Members of this Congress, and also Mr. Bannon of Ohio and Mr. Ryan of New York, who were Members of the last Congress. That committee endeavored to make a somewhat exhaustive study of the subject. It took thousands of pages of testimony; it gave exhaustive hearings to the consumers of print paper as well as to the purchasers and manufacturers. It went into the forests, both of this country and Canada. It studied the subject of the materials from which paper can be made and the character of the woods which can be used in the making of different kinds of wood pulp. It studied the timber supply which can be drawn upon for pulp wood. It studied the methods of using the refuse of lumbering operations, both in the forests and at the sawmills, for the production of wood pulp. It invited and received suggestions and information from many varieties of interests. It obtained all the information which it could in the time at its disposal and with its limitations as to understanding.

Last spring, before the final adjournment of the first session of the last Congress, this special committee made a preliminary report to the House, in which it then declined to make any recommendation in regard to the tariff upon wood pulp and print paper, except that it did not recommend a repeal of the tariff upon those articles. Since that time it has, during the closing days of the last session of Congress, made its final report, making a recommendation for a reduction under certain terms and conditions of the tariff on ground wood and cheap print paper, and the recommendations of the special committee are incorporated in the Payne tariff bill now pending before us.

Some of the manufacturers have charged in the last few days that the committee, in making its final recommendation for a lowering of the tariff, were influenced by the demand of what they term "yellow journalism." While I do not intend in these remarks to defend the actions of the committee or the good faith of its members, which I think require no defense, it seems to me proper to say to the House that last spring, when it made its preliminary report recommending that no change be made in the tariff at that time, or until the committee could proceed further in its investigaton, it made such recommendation at a time just preceding a hot political campaign; at a time when the newspapers of the country seemed to be somewhat excited in regard to the subject and were urging in their news and editorial columns a reduction in the tariff; at a time when it was urged upon the committee by some of the newspapers of the country and their owners and publishers that a reduction or repeal of the tariff on news print paper would then result in inestimable benefit to the Republican party, to which a majority of the members of the committee belonged; and yet, the committee, in the face of the impending campaign, in the face of suggested political partisan benefit, then declined to be influenced by the newspaper clamor in favor of a reduction or repeal of the tariff until its investigations had proceeded further and its information was sufficient upon which to base a just and sound judgment.

On the other hand, in its final report, submitted a few weeks ago to the House, the committee declined to be influenced unduly by the manufacturers. Whatever may be considered in regard to the report of the committee, I believe it is just for me to say that not only myself, but the other members of that committee, in making its reports, acted according to what we believed to be right, uninfluenced by the newspaper clamor on the one hand or by the demand of the manufacturers on the other. Whether the recommendations in the report are right or wrong, the committee did what it had promised to do—that is, to make a report according to the light which it received according to its best judgment, and that report it has submitted to the House for its action.

Now, Mr. Chairman, it is not for the purpose of defending the report of the committee that I rise here to-day. The subject of manufacturing paper from wood is so interesting, or at least proved so interesting to the committee, that it seemed to me that in order for the House to better understand the subject it might be desirable, in a few moments and in a very crude manner, to endeavor to explain to the House something in regard to the manner by which trees are changed into the paper which we use in our newspapers, in our books, and in various other ways.

The manufacture of wood into paper has long been known, but the cheap news-print paper of to-day——

Mr. DOUGLAS. Will the gentleman from Illinois pardon me if I ask him a question? He has intimated that he does not propose to defend the report of the committee; in other words, I take it that he does not intend to defend the recommendations of the report which has been embodied in this bill. Does the gentleman propose to dwell at all upon that?

Mr. MANN. If the gentleman from Ohio will listen to my remarks, he will find that I stand by the recommendations which the special committee made.

Mr. DOUGLAS. I will wait, then.

Mr. NYE. Will the gentleman from Illinois allow a suggestion?

Mr. MANN. If the gentleman will make it very brief.

Mr. NYE. My suggestion is that the gentleman from Illinois proceed without any interruption and give us this lesson and these observations, and I think we will get much more benefit from them than if we interrupt him.

Mr. MANN. I do not object to interruptions, Mr. Chairman, although, unless something pertinent comes up, I would prefer, for a time, at least, to proceed without interruption, as I am trying to talk against time.

The cost of production and the selling price of paper have been very greatly reduced during the last twenty years. It was not very many years ago that the cheap method of producing paper from wood was discovered. For many years, however, people had been able to turn wood into pulp by the use of chemicals.

There are three kinds of wood pulp known in this country. Two of these are chemical pulps and one is what is known as mechanical pulp. The chemical pulps are usually called "sulphite fiber" and "soda fiber," or "pulp." The mechanical pulp is referred to as "ground wood pulp." The chemical pulps have been known and used for many years. The sulphite pulp is made from wood by the use of sulphurous acid, and the soda pulp is made from wood by the use of caustic soda. But these processes are too expensive for the production of the cheap news print paper, such as is ordinarily used in our newspapers. A percentage of the sulphite pulp is used in the manufacture of cheap news print paper, is used largely in the manufacture of manila and fiber papers, and in various other classes of specialties, and so forth. The soda fiber is largely used in the manufacture of book papers. But the cheapness of the news print paper of to-day is dependent upon the mechanical pulp. The method of producing mechanical pulp is by the grinding of wood.

The process of grinding wood is not a difficult one to understand, though it can not be fully appreciated without inspection. But every boy who was raised on a farm, and who has been required to turn the grindstone, can easily have a fair realization of the methods employed for grinding wood by a mere description of the process. I hold in my hand here a piece of wood, such as goes into the grinders. This is a piece of spruce, with the bark on, 2 feet long. This piece is 6 inches in diameter, 104 years old. It is black spruce and is a fair sample of the wood used by the Wisconsin paper mills. In order to prepare it for grinding, it goes through a process which is called "rossing," taking off the bark and leaving the stick of wood clean. I hold here a piece of rossed wood ready for the grinder. It is of the same length and about the same size of the other piece. Both pieces of wood were taken by me from the ground wood mill. The grinding process consists of pushing the wood up lengthwise of the 2 feet so that the side of the stick of wood is pressed against a wide grindstone. The wood is held tight against the grindstone in an iron frame that holds it in place and is pushed against the stone by hydraulic pressure. The grindstone revolves rapidly, water being turned on to prevent undue heat from friction, and the wood or the particles of wood are torn off by the stone. If the end of the stick were pressed against the stone, it would grind off the fiber in the wood and produce a ground wood like flour and of no value in paper making.

But as wood consists largely of cellulose fiber that extends up and down in the tree, when you press the side of the stick against the stone the tendency is to tear off the fiber, and the resultant ground wood is not like flour produced by grinding between two stones into fine particles. Though the ground wood pulp as you handle it looks and feels fine, one can easily distinguish the fibrous particles in it, which have a length and not much thickness. Of course any kind of wood may be ground into pulp, but the resultant pulp can usually not be used in the production of printing paper. Practically the only kind of wood which is used to-day for the production of ground wood pulp is spruce timber, with some admixture of balsam fir and small quantities of some other trees.

The power for turning the grindstone, as well as the hydraulic power for pressing the wood against the stone, both come from water power. No mill can afford to make ground wood by the use of power produced by coal; nor, as a rule, can a mill afford to make ground wood with the aid of water power where the water power is of great value. And undoubtedly, in the course of time and with the increase in population, many of the ground-wood mills which are now in existence will find it is more economical for them to dismantle the mill, at present paper prices, if necessary, and sell their water power direct, either for use for other purposes at the plant or for transmission by electricity. And if the average ground-wood mill to-day could sell its water power for $40 or $50 per horsepower per annum it could not afford to make ground wood with its power at present prices. And if the ground-wood mill of to-day should charge against the cost of production of its ground-wood pulp the value of its water power at the price of $40 or $50 a horsepower per annum, it would make ground wood worth in the market 50 to 100 per cent more than the selling price now is. Or, if the ground-wood mill should charge against its cost of production even $10 or $15 per annum per horsepower, it would greatly increase the present estimated cost of production.

It takes about 75 to 100 horsepower a full day to convert wood, such as the sticks which I have shown you, into 1 ton of ground wood.

I think it is safe to assert that the only kind of timber which can be converted in large quantities into ground wood for the manufacture of cheap print paper is spruce. That has the quality when made into paper of making a good paper to print on. And while some other kinds of wood are mixed in with the spruce, yet up to date no other kind of timber has been found which can take the place of spruce for the production of ground wood.

Our special committee has recommended that the Forest Service make investigation as to the possibility of using other kinds of wood for the production of ground wood, either by the present or by different processes, which can be manufactured into cheap print paper.

Mr. LOVERING. Mr. Chairman, will the gentleman kindly tell us how nearly the billet is used up?

Mr. MANN. It is ground up completely. While in the mills they aim to put into the ground-wood mill a piece of wood about this size—6 inches or so in diameter, or maybe somewhat larger, though usually the large wood is split—yet a great deal of the wood that is used, especially in the Western States, is about the size of the stick which I now show you—say, 3 inches in diameter. It may be interesting to know that this stick, which I picked up in one of the ground-wood mills, is a piece of black spruce, 3 inches in diameter, about 75 years old. One of the other pieces which I showed you was 104 years old, 6 inches in diameter; one was 83 years old, about 6 inches in diameter. I have here a sample of the wood as it comes from the grinders. It is somewhat like mush—a little thick, wet, and as it first comes from the grinders heated from the friction of grinding.

Mr. WILSON of Pennsylvania. The gentleman speaks of the ages of those pieces of wood. Has he a reference to the age of the tree from which they are cut or the length of time they have been cut?

Mr. MANN. I have reference to the age of the stick of wood. It may be a limb, for aught I know. It may be the top of the tree. It is the age of that piece of the tree.

Mr. WILSON of Pennsylvania. The length of time it took to grow.

Mr. MANN. Yes. It has not been cut for one hundred and four years.

Mr. MALBY. Will the gentleman mind if I make a suggestion about the age of the wood? When he refers to the age of the block of wood which he has, will he kindly state where they were cut and the kind of ground on which they were found?

Mr. MANN. I will take up the subject of the age of trees later on. The ground wood is run through screening machines, which takes out all of the coarse material. I show you here some samples of screening. These screenings are the larger pieces of wood which have been torn off. They are made into coarse wrapping paper. The screening leaves nothing but the fine pulp. The pulp goes through a good many different processes in order to get it perfectly clear of extraneous matter and to get it in proper shape for use in the paper making, and, I assume, though such testimony has not been stated before us, partly for the purpose of getting the fiber straightened out.

There is no other process known for the production of paper-making material which begins to compete with the ground-wood process in cheapness, where the water power itself is cheap and can not be profitably used for other purposes.

Ground wood, however, will not by itself make print paper. The process of grinding, while it leaves some length in the fiber, does not leave the fiber long enough to bind the other particles into paper strong enough for printing. I show you here a piece of paper made from ground wood. It it full of small holes, not strong enough to be of any value.

Wood, as you know, is composed of cellulose fiber or tissue and other particles between the cellulose fiber called "inter-cellular matter." However, wood has both the cellulose cells and also cells that are of a nature pithy, as well as other particles in between the cellulose. When the tree is dead and the water evaporated and the living protoplasm that was in the tree cells has died and dried up, what is left is mainly cellulose fiber, pith cells, the dried protoplasmic matter, salts which have been excreted by the living protoplasm, and various other particles which are not necessary to enumerate.

Now, by the aid of chemicals wood can be reduced to a fibrous pulp by eating out with the chemicals the particles which lie between the cellulose fiber. Sulphite and soda fiber therefore are much stronger when matted into the form of paper than ground wood is, and in order to use the ground wood in the manufacture of paper it is necessary to mix with it a certain percentage of the mechanical pulp. Sulphite fiber is used for mixing with ground wood to produce news print paper. Soda fiber is used in the making of higher grades of paper, though usually without much mixture of ground wood, but often used with a mixture of a higher grade of pulp, such as rag pulp, and so forth.

In the manufacture of news print paper it is usual to use about 80 per cent of ground wood, 25 per cent of sulphite, and in the neighborhood of 5 per cent of other materials, such as clay, coloring, wrappers, and so forth, making a total of about 110 per cent, and allowing for a shrinkage of from 5 per cent to 10 per cent.

Sulphite fiber is made generally from spruce wood and hemlock wood. Spruce wood is preferred where it is of equal price, and makes a slightly better quality of sulphite. Spruce is generally used in the East. Hemlock is used almost entirely in the large mills of Wisconsin, where the hemlock grows in considerable quantities and spruce has to be imported for the use of the ground-wood mills.

In making the sulphite fiber the wood after being rossed is reduced to chips by running it through a chipping machine, which cuts it into small chips, a half or three-quarters of an inch in length, such as I hold before you in my hands. The chipped wood is put into a huge closed boiler-like affair, called a "digester," into which sulphurous acid is turned and the whole subjected to the heat and pressure of superheated steam. The cooking lasts different lengths of time, according to some different processes, but usually from eight to twelve hours, though when a higher grade of sulphite is produced the cooking is slower and lasts longer. In the cooking the acid makes its way up along each side of the cellulose fiber or tissue from the point where the tissue is exposed on the outside and eats out the matter which lies between the cellulose fibers. The acid will not make its way through the side of a piece of wood with any degree of rapidity, but enters at the end of the cellulose fiber and follows it up.

A cord of rough spruce wood loses on the average in the neighborhood of 10 to 25 per cent in rossing, and a cord of rossed spruce wood will make from 1,000 to 1,200 pounds of sulphite fiber, and something over 2,000 pounds of ground wood.

What I particularly wish to impress upon the Members here is this fact: The process of turning wood into pulp by the ground wood method is cheaper per cord of original wood than is the sulphite or soda method, while the product is about twice as great. In other words, it costs much less to convert a cord of spruce wood into 2,000 pounds of ground wood than into 1,000 pounds of sulphite fiber, and sulphite is produced cheaper and in larger quantities than the soda fiber.

This is the very essence of the cheap print paper proposition. If the use of ground wood should be abolished, the cost of production of the cheapest grades of print paper would be fully twice as much as it now is or even more. The whole theory of cheap newspapers, therefore, depends upon the production and the cheapness of ground wood.

I see my time is passing rapidly, so that I must hurry along. That brings me to a discussion of the spruce wood supply. It may be possible that some one may discover a method by which we may successfully produce ground wood from some other kind of tree than spruce, but up to the present time no one has made such a discovery so far as it relates to print paper. We can use hemlock and some other kinds of wood for making sulphite fiber. We can use almost any kind of wood for making soda fiber, but the soda fiber is far more expensive than ground wood and is out of the question for making cheap print paper. To-day the cheapness of the news print paper is dependent absolutely upon a plentiful supply of spruce wood. It is likely that that condition will prevail while we are living. The quantity of spruce used in the United States for the manufacture of paper is considerable. The figures for 1908 have not yet been fully compiled, but I have the figures for 1907 complete.

The total quantity of spruce used in the United States in the pulp and paper mills for manufacturing into pulp and paper in the year 1907 was 2,700,000 cords. If you should figure that upon the basis of a production of 5 cords to the acre, which probably will overrun what is actually produced, it would require the cutting of 1,280 square miles per year of our spruce to furnish the quantity of spruce converted into paper in the United States. Those figures include the quantity imported. The total consumption of spruce for paper making is now about 2,700,000 cords, over one-third of which is imported from Canada and mainly comes from the Province of Quebec.

Our committee made probably as exhaustive a study of the supply of spruce wood in the United States and Canada as has ever been made, and we received the aid and assistance of expert foresters both in this country and Canada.

I think no one knows or can at all accurately estimate the amount of standing spruce in the forest, either in this country or in Canada. We have, however, a very fair estimate of the quantity of spruce in the eastern portion of the United States. Maine, New Hampshire, Vermont, and New York are the States principally having spruce forests in the East, and Minnesota in the Middle West. It is estimated by the Forest Service that there are 15,000,000 acres of spruce forest east of the Rocky Mountains, containing about 35,000,000,000 feet board measure of timber. Thirty-five billion feet would amount to 70,000,000 cords. Maine has by far the largest spruce forest, having 10,000,000 acres of spruce, upon which there is estimated about 21,000,000,000 feet board measure. In New Hampshire they

is made from wood by the use of sulphurous acid, and the soda pulp is made from wood by the use of caustic soda. But these processes are too expensive for the production of the cheap news kinds of wood for the production of ground wood, either by the present or by different processes, which can be manufactured into cheap print paper.

estimate 1,200,000 acres, or 5,000,000,000 feet. In Vermont they estimate a billion and a half. The estimates as to these States are believed to be fairly accurate.

The total consumption of domestic spruce in eastern United States in 1907 was 1,300,000,000 feet in lumber, 900,000,000 feet in pulp wood, equal to 1,775,000 cords, a total of 2,200,000,000 feet, equal to 4,400,000 cords.

The total consumption of spruce in United States, 1907, including imports, was 1,300,000,000 feet in lumber, 1,320,000,000 feet equal to 2,700,000 cords pulp wood; total consumption, 2,620,000,000 feet, equal to 5,240,000 cords.

On the basis of 35,000,000,000 feet standing in the forest, at this rate of consumption it would last thirteen years.

But the Forest Service estimates 1,000,000,000 feet standing spruce in Minnesota, equal to 2,000,000 cords.

Mr. Backus, of the new company at International Falls, states that after making cruise, they estimate 11,179,500 cords of spruce in Minnesota, in the Rainy River Basin, and states that there are 10,000,000 acres in northern Minnesota largely covered with spruce. The Forest Service estimate is probably a mere bagatelle compared with the actual spruce standing in Minnesota.

While the consumption of domestic spruce in the mills in Maine would not of itself exhaust the supply of spruce in that State short of thirty years or so, yet if spruce continues to be manufactured into lumber and the pulp and paper mills of the United States continue to use spruce pulp wood to the degree which it is now used in the production of paper, the present supply of spruce timber east of the Rocky Mountains at the present rate of production and consumption would not last many years, probably not over fifteen or twenty years at the outside.

Most of the wood that is used in the neighborhood near Washington for the production of pulp, such as in Pennsylvania, West Virginia, Maryland, Virginia, and so forth, is used in the production of fiber which can be produced from most of the hard woods, as well as many of the conifers or soft woods. There is one ground-wood mill over at Harpers Ferry, which, I believe, has a capacity of 20 tons of ground wood a day, but the other mills in this section of the country are generally sulphite and soda mills.

One of the most interesting mills is the new one in North Carolina, where they can produce about 100 tons of sulphite and 125 tons of soda fiber per day. Nearly all of the ordinary woods which do not have tannic acid or tannin in them can be used in the soda process, but the chestnut oak and chestnut tree and other trees with tannin can not be used by that process, but at the North Carolina mill they have a method of extracting the tannin from the chestnut and they use the refuse wood for the production of soda fiber.

There seems no occasion to fear any shortage of wood supply so far as the soda process is concerned.

Mr. SWASEY. Will the gentleman allow me to ask him a question for information? In all your examination and investigation of the pulp-wood industry did you take into consideration the amount used of other kinds of wood than spruce—say hemlock, ash, basswood, fir, and poplar?

Mr. MANN. Certainly.

Mr. SWASEY. And can you give the amount of each that was used for any given period?

Mr. MANN. The amount of spruce used for pulp wood in 1907 was 2,700,000 cords. The amount of hemlock, used exclusively for sulphite, was 576,000 cords; poplar, used in the main for soda, 371,000 cords; pine, the same way, used mainly for soda, some ground wood, 78,000 cords; cottonwood, 66,000 cords; balsam, which is used with the spruce in grinding, 43,000 cords; all other kinds of wood, 125,000 cords.

Mr. SWASEY. You mean by "balsam" what we term "fir?"

Mr. MANN. Balsam fir. I do not know what you term it.

In the above estimate of the spruce forests I have not taken into consideration the spruce on the Rocky Mountains or west thereof, nor the spruce forests of Alaska, which are immense.

That brings me to the question as to the age of our forests and the time for reproduction. We have limited spruce forests. If we start upon the theory which, whether right or wrong, it seems to me must govern us to-day—that our cheap paper is dependent upon ground wood made by the aid of cheap water power, and that ground wood is made to-day practically only from spruce wood, and, so far as we know, can only be made successfully from spruce wood—then, if we are to have cheap paper in the future, the question is, Where shall the spruce wood come from? It is perfectly plain that, outside of Maine, there is not sufficient spruce wood anywhere in the world to supply the mills of the States in which they are located, unless it be on the Pacific coast. New York can not supply her mills. New Hampshire can not supply her mills with spruce, and Vermont can not supply hers. Maine even imports a considerable quantity of spruce wood from Canada, although having a large amount which is standing in the forests in that State.

Now, we had some testimony before our committee to the effect that a spruce forest could be reproduced in fifteen, twenty, or thirty years' time. One very eminent authority, who represents a large company in its forest operations, insisted to us that you could plant a spruce forest out of young seedlings to-day and commence to cut it for pulp wood in fifteen years' time. It may be true. I do not undertake to say. No one has yet done it. What possibilities there may be as to imagination or as to facts about those things it is difficult to tell. It is quite certain, however, that by natural reproduction forests can not be reproduced in such a length of time. It is true that you can cut in a spruce forest to-day down to 10 inches in diameter, waist-high, and go through the same forest in five, ten, fifteen, twenty, or thirty years and cut out a certain amount of timber of the same size, which has increased in growth a small amount since you cut before. But what is the real length of time it takes under natural conditions for a spruce forest to reproduce itself?

Mr. Pinchot, the Forester, testified to us that, in his opinion, a spruce forest, newly planted, in order to acquire a diameter of 10 inches would require from seventy-five to one hundred years.

I should say myself that under average forest condition to furnish a forest of trees 10 inches in diameter in a hundred years would be doing it exceptionally quickly. It is true that in a planted forest where the young trees are all put in at once, many of the trees could be cut out long before that at smaller size in order to give the remaining trees an opportunity for growth. We obtained reports of Norway spruce trees which had grown from 12 to 24 inches in diameter in the course of from thirty to forty years, but these were usually grown thinly upon rich ground and not under normal forest conditions. By entering upon a policy of forest conservation and by planting new spruce forests by the General Government and by state governments, by exempting young forests from taxation until the trees are cut off, by organizing state or government fire protection, our country could probably provide sufficient spruce in the future to fairly well take care of the supply for ground wood, but it would be at a cost considerably greater even than the high prices which have been paid for spruce pulp wood during the past year or two. If our spruce forests east of the Rocky Mountains are inadequate to furnish spruce timber enough for the present lumbering and paper produced from spruce, where shall we obtain our future supply of spruce?

I would not undertake to say that if no spruce could be imported, all the spruce forests in this country would disappear in the course of fifteen or twenty years, because as the forests began to disappear and spruce timber became scarce its price would be enhanced and the amount of its consumption would be decreased.

What I say concerning our supply of spruce in this country I say with considerable hesitation. I am perfectly well aware, and the special committee was well aware, in making its final report, that on the other side of the Canadian line there are many people who will seize upon any expression which is made in this House and to this Congress to the effect that we are somewhat dependent upon Canada for our spruce supply, in order to urge the propaganda which has been carried on on the other side of the Canadian line, that the Canadians should manufacture all of their own pulp wood into pulp and paper over there and should prohibit its export to this country. But I recognize the fact as perfectly patent, that unless the Government itself shall undertake the raising of spruce forests, the planting of spruce trees, the conservation of the forests which it now owns, and the purchase and operation of other forests as a governmental function, the supply of spruce in our country, with all its natural reproduction and with all the aid of artificial reproduction received from the hands of private persons or corporations, is not sufficient to supply us with sufficient spruce in the near future and not sufficient to supply us at all in the little further future.

Mr. WANGER. How small diameter of spruce trees can be utilized in the manufacture?

Mr. MANN. The practice usually is to contract for spruce delivered at the mills not less than 4 inches in diameter. However, the people at the mills have been so anxious to get spruce that they have not drawn the line. There is a stick I picked up at one of the paper mills which we visited in the West, not exceptionally small, as compared with many other pieces we saw, which has been referred to by some of the gentlemen as a

lock wood. Spruce wood is preferred where it is of equal price, and makes a slightly better quality of sulphite. Spruce is gen-

10,000,000 acres of spruce, upon which there is estimated about 21,000,000,000 feet board measure. In New Hampshire they

"baseball bat." It is about 2 to 2½ inches in diameter. After it is rossed, it is practically as good for pulp making as any other stick, but of course a cord of this size of wood loses much more in being rossed than does a cord of larger wood.

Mr. WANGER. Would it not be practicable in cutting the spruce forests that there might be a large number of small trees cut out from time to time?

Mr. MANN. I suppose there might be.

Mr. SWASEY. Mr. Chairman, have you obtained the amount of Canadian pulp wood that was imported in any given time?

Mr. MANN. In 1907 about 900,000 cords of spruce were imported from Canada. That is approximately all that was imported. For the last year I think it is about 1,000,000 cords that were imported.

Mr. PARSONS. Will the gentleman yield to me for a question?

Mr. MANN. Certainly.

Mr. PARSONS. Why is it necessary to wait until the forests are 10 inches in diameter before they are used for this purpose, if they use smaller sizes now?

Mr. MANN. Well, it is not necessary, and it is not a fact that they do. Some people testified before us that they cut nothing in the forests below 14 inches. But that is not the fact, no matter who testified to it.

There are several different kinds of spruce. The Norway spruce is not native to this country and is the most rapid grower, and plantations of Norway spruce have been put out in different parts of the country, which have done exceedingly well. The most usual spruce in the eastern portion of the country is red spruce, usually called white spruce. The spruce forests of Quebec are generally of the same kind of spruce. In Minnesota and Ontario most of the spruce is black spruce. There is a very great difference in the rapidity of growth of the two, as well as the size which the trees attain. The red or white spruce attains large size. It sometimes becomes an immense tree in course of time. Black spruce never gets to be a very large tree. It grows mainly in ground that is either wet or cold or close to swampy ground. Much of it grows in or adjoining what is called the "muskeg" in Minnesota and Ontario. Muskeg is ground with little or no tree growth upon it, where moss has grown up again and again on top of itself, and where the soil is too far down for trees to obtain root or the water stands too high for trees to do well.

Our committee made quite a study of the age of forest trees, and especially of spruce. The Forest Service has also made a considerable investigation of the same subject. The committee collected a great number of cross sections of spruce 1 and 2 inches in diameter, cut off from the log of the tree. Many of our samples or cross sections were collected directly at the pulp mills, where the logs had come in the form of pulp wood. A portion of them were furnished to us by the paper companies.

I have here on the table a number of these cross sections which speak for themselves, by observation, louder than anyone can talk for them. They are not like the ladies. It is impossible for them to conceal their age by any artificial or other means. Here is a sample of balsam fir, 6.7 inches in diameter, 49 years old. It came from the northern shore of the St. Lawrence River and was furnished to me, as were a number of other samples, at my request, by Mr. Barratt, president of the Union Bag and Paper Company, who has been very courteous to our committee in furnishing information. Here is a white spruce, 7.45 inches in diameter; age, 75 years. It came from the Watab mill in Minnesota. Here is a white spruce from Assumption and Black River district, Quebec, 8.4 inches in diameter, with an age of 188 years. Here is a white spruce from the St. Maurice River Valley, Quebec, 9.2 inches in diameter; age, 70 years. Here is another white spruce from the southern shore of the St. Lawrence River, 10.5 inches in diameter; age, 134 years. Here is a white spruce from the St. Maurice River Valley; diameter, 10.7 inches; age, 174 years. Here is a white spruce from the Adirondacks, 12.7 inches in diameter; age, 154 years. Here is the largest sample which I have, with a diameter of 16 inches, and with an age of 95 years. It is a white spruce from the St. Maurice River Valley, and makes a very fair saw log. Here is another balsam from the southern shore of the St. Lawrence River, with a diameter of 8.6 inches and an age of 52 years. Here is a hemlock from the Adirondacks, with a diameter of 10.7 inches and an age of 145 years. Here is a white spruce cut off from one of the pulp-wood sticks of the Northwest Paper Company, Minnesota, with a diameter of 9.9 inches and an age of 101 years. Here is a sample of a white spruce which has made better growth than any other which we have collected. It came from the Northwest Paper Company, Minnesota, has a diameter of 11.1 inches, and is only 41 years old. Here is what is stated to be a black spruce, though I think it is a white

spruce, from the northern shore of the St. Lawrence River, with an age of 84 years and a diameter of 8.4 inches.

These samples which I have I think are fairly expressive of the age of spruce trees in the eastern portion of the United States and Canada under ordinary forest conditions. They were not selected because of exceptional age or lack of size. These samples, which I have already called your attention to, do not indicate that spruce can be reproduced in a very few years, but I propose now to call your attention to some other samples, which are also fairly expressive of conditions of other kinds of trees. I have here in my hands a black spruce from the St. Maurice River Valley, with a diameter of 5.2 inches and an age of 79 years. Here is a black spruce from the Watab Mill, Minnesota, with a diameter of 3.58 inches, and it is 92 years old. Here is another black spruce from the Watab Mill, Minnesota, with a diameter of 5 inches and an age of 101 years. Here is a rapid-growing black spruce from one of the Minnesota mills. It is 3.35 inches in diameter. It is only 38 years old. Here is a black spruce sample from the Northwest Paper Company that is 3.7 inches in diameter, with an age of 79 years.

From curiosity and for information on our trip through Minnesota I cut some black spruce alongside the railroad track, adjoining or on the edge of the Muskeg. The trees which I cut were of fairly average size with those around them. The sample which I hold in my hand is a black spruce. It has a diameter of 2.48 inches and is 113 years old. Here is a sample cut under the same conditions, 1.15 inches in diameter, with an age of 49 years; and here is one that is three-fourths of an inch in diameter and has an age of 39 years.

Mr. MCGUIRE of Oklahoma. May I ask the gentleman how the age is determined?

Mr. MANN. It is determined by the annular or yearly rings. The age and diameter of these specimens were determined for me by the Forest Service.

Mr. MARTIN of South Dakota. Will the gentleman state whether where the trees differ considerably in age they have been produced in the same locality or are from different localities?

Mr. MANN. Those samples are practically all produced from the St. Maurice River Valley in Quebec, part from the St. Lawrence basin and part from the Adirondacks, all of about equal rapidity of growth under about equally favorable conditions. I presume that spruce grows a little more rapidly in Maine than it does in almost any other portion of the country.

Mr. SWASEY. I would like to ask the gentleman if he visited the spruce forests in Canada?

Mr. MANN. I did.

Mr. SWASEY. So as to know what the character of the growth was as compared with Maine or New Hampshire spruce?

Mr. MANN. We visited the spruce forests of Canada, but not those of Maine, much to my regret.

Mr. HUMPHREY of Washington. Will the gentleman state whether your committee made any investigation of the spruce of the Pacific coast?

Mr. MANN. We obtained all the information we could get.

Mr. HUMPHREY of Washington. I did not know whether you made any investigation of the spruce of the Pacific coast or not. Of course, it grows very much larger there than any of those samples which you have.

Mr. MANN. The spruce on the Pacific coast grows large, and there is a considerable quantity of it. So far as pulp and paper making are concerned, I think it is fair to say that, as a general thing, the spruce on the Pacific coast is more valuable for making into lumber than it is for making into paper. Spruce lumber, as a general thing, is worth more per thousand feet than two cords of pulp wood, and it takes about a thousand feet to make two cords of pulp wood.

Mr. STEENERSON. What part of the tree are these samples cut from?

Mr. MANN. What difference does that make?

Mr. STEENERSON. It makes a difference in the size.

Mr. MANN. If the gentleman will think about that he will see that it makes no difference. I do not know what part of the tree these came from; it may be they came from the top; but it took one hundred and one years for this sample to grow, whether it came from the top or the bottom. But if the gentleman wants to know what it is at the base, I will give him, for his benefit, samples showing how rapidly some of the Minnesota spruce grows. I know what part of the tree this comes from because I cut it myself. I did not select unusually small trees in making the cut, but I took an average that was in the forest where I cut the trees. I call it a forest, though, perhaps, that term is hardly fair, but here is one 2.48 inches in diameter, and the age is 113 years. That is of Minnesota black spruce. Here is one 1.15 inches in diameter, and the age is 49

there is not sufficient spruce wood anywhere in the world to supply the mills of the States in which they are located, unless

up at one of the paper mills which we visited in the West, not exceptionally small, as compared with many other pieces we saw, which has been referred to by some of the gentlemen as a

came from the Northwest Paper Company, Minnesota, has a diameter of 11.1 inches, and is only 41 years old. Here is what is stated to be a black spruce, though I think it is a white

perhaps, that term is hardly fair, but here is one 2.48 inches in diameter, and the age is 113 years. That is of Minnesota black spruce. Here is one 1.15 inches in diameter, and the age is 49

years. Here is one nine-tenths inch in diameter, and the age is 33 years. These came from the butt of the tree. I may say about waist high or a little less, not from the top of them, but they would be just as old if grown at the top. [Laughter.]

Mr. STEENERSON. They would not be as big, would they? Does the gentleman know whether trees out there taper toward the top, or are they as big at the top as at the bottom? [Laughter.] The trees I have seen in Minnesota usually taper as you go up, and you get a larger cross section from the butt.

Mr. MANN. I have no doubt you could get a larger cross section at the butt, but it is the age, whether at the top or the bottom, that we are talking about. It shows the age, whether you take the cross section from the bottom or the top. As a matter of fact, the forest trees grown in the forest where the shade is dense below, as a rule, grow straight up and are of very small diameter. If there is a heavy forest the tree grows up, and spruce is a tree that will stand a great deal of shade. It may remain for many years small in size; and if in a dense forest, it will stay so until the trees round about it are cut, or it may struggle up with a very small diameter until it can put its head up and receive the sunshine. Gentlemen visiting forests will always notice that the boughs are at the top, where sun and light can reach them. When the tree has grown under forest conditions as tall as such trees usually grow, it commences to enlarge in circumference.

Now, Mr. Chairman, I do not expect or desire or propose to detain the House at very great length. I have a number of other samples here, both of woods, of pulps, and of papers, which I had hoped to be able to reach, but having considered the question as to how the cheap paper is made and the supply of the wood, I wish to take up for a few moments the question of the cost of the manufacture in this country and in Canada.

Mr. SIMS. I wish the gentleman would give a succinct statement as to the supply of wood in Canada, if he will.

Mr. MANN. The gentleman from Tennessee who served on the committee with me, with great pleasure to me and great benefit to the country, but who did not have the pleasure of undertaking the arduous labor of visiting Canada with the rest of the committee, has asked a question which no one can answer.

No one knows what the supply of spruce wood in Canada is. As far as it can be estimated, it is very likely that in place of the 70,000,000 cords now standing in the forests east of the Mississippi, the spruce forests, that Canada has nearly a billion cords of spruce standing in her forests. Ontario claims to have close to a half a billion cords in her forests, but no one knows. We know something about our spruce forests and our forests here, but we know very little. We know less as to the Canadian forests, but with all due respect and humility, I am inclined to think that our committee after our study of the subject had a better idea of the spruce forests in Canada than anyone else across the Canadian line had up to that time, and yet the committee knows very little. I know they have large spruce forests, but gentlemen will remember that these virgin forests increase not at all in value from year to year except as the price of stumpage may go up.

It is possible that the estimate that I have given of the spruce forests in Canada is exaggerated. There are undoubtedly large amounts of spruce in both eastern and western Canada, but many of the estimates which have been made as to the spruce forests in particular localities we found upon more careful examination were quite unreliable.

A forest, as it stands now in its natural state, which never has been touched, does not increase any in value by reason of the increase in the amount of timber upon it, so that except for the increase in the value of the stumpage a forest which stands in its virgin state is of no benefit to the person who owns it to be retained in that condition, and the only way of properly utilizing the forest resources, either of this country or Canada, is to utilize the mature timber and conserve the young, growing timber, because in the virgin state of the forest it does not add anything to the amount of board feet upon it in the course of years. It has reached its condition of highest production long before we see it, and, while young trees may grow up and grow in size, old trees fall down and disappear. So much for that.

Mr. GARDNER of New Jersey. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARDNER of New Jersey. Is it not just from out those conditions that you get those old trees of small growth, of the same variety, that they are growing in these old forests, shaded and growing under difficulties? In a word, is there any value to the samples unless we know the conditions under which they have grown, to wit, whether they are from the original forests of the conditions described or one that has been cut through and thinned, or second growth?

Mr. MANN. I really can not see the pertinency of the point, although we know where these samples were obtained.

Mr. GARDNER of New Jersey. Did they come from an original forest?

Mr. MANN. They came from a forest under present normal conditions. Part of them came from original forests and part from forests which have been once cut over. The black spruce came, as a rule, from the virgin black spruce forest.

Mr. GARDNER of New Jersey. Does the gentleman or does he not find a difference in the size of a given number of years' growth in those taken from a virgin forest and those which come from a forest that has been cut over?

Mr. MANN. If you cut a forest over to-day, cutting the trees down to 10 inches in diameter, the trees which are left, under normal conditions, will grow quite rapidly for the course of a few years, if that is what the gentleman is driving at; but that is because they are not in full productive capacity at the time.

Mr. GARDNER of New Jersey. I do not want to take the gentleman's time, but I know in other woods, growing thickly, that a tree of 18 inches in diameter may be no older than one of 3 inches in diameter, because the one that gets the start shades the other, and when you take a sample and count the rings of growth and the size of the tree it is absolutely of no value to the forester unless he knows the conditions under which that tree grew. If it is out of an original forest, that is one thing; a forest that has been thinned, that is another thing, and second growth is another thing.

Mr. MANN. I have no doubt the gentleman knows about forests. I have been in them considerably and know something about them myself. I have some samples here of a forest of young growth. A gentleman testified before our committee that their company owned some forests which had been cut over about ten years ago, and that in ten years more time they could use them for pulp wood. In other words, he stated that young forests could produce pulp wood in twenty years' time from the starting.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent to proceed for twenty minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, we visited that mill, and I asked to see this forest.

Mr. WILSON of Pennsylvania. Will the gentleman yield?

Mr. MANN. No; not now.

Mr. WILSON of Pennsylvania. I would like to get some information.

Mr. MANN. I want to make a statement, and I hope the gentleman will not interrupt it, and I will yield then. I asked to go into that forest which they said was cut off ten years ago and that would be good for pulp wood in ten years more. The gentlemen were very courteous and kind to us, and took us to and through the forest with their forester. I stated I was inclined to think that those trees were more than ten years old, and having fortified myself with an ax we proceeded to cut down some of the trees. I have one, a yellow birch, cut at Lannigan Run, Johnsonburg, Pa., which is 3.1 inches in diameter and 22 years old. Here is a beech, cut in the same forest, 2.6 inches in diameter and 34 years old. Here is a sugar maple, cut in the same forest, 2.4 inches in diameter and 23 years old. Here is a hemlock 1.8 inches in diameter, cut at the same place, and 20 years old.

When we discovered the age of these trees cut on the ground, the gentlemen we were with made further inquiry concerning the time when the original forest had been cut off, and ascertained that it was cut over about twenty-one or twenty-two years ago. They had purchased the land since that time and in the last few years, which accounted for their not knowing the date. This was a thick second-growth forest, with the trees of small diameter after reaching the age of over 20 years. And instead of being able to use this wood for pulp wood in ten years' more time, it will take several times that, and even then it probably would not be profitable to cut.

At this same place, in walking through some of the original forest where the big trees were still standing, I asked one of the officials of the company, who was their judge of forests, how old he thought a little sugar maple was which reached some distance up in the air under the shade of the big trees around it, and he estimated the tree to be 15 or 20 years of age.

We cut it down. I have a sample of it here. It is 4.4 inches in diameter, waist high, and 84 years of age. Of course it did not grow under good conditions. The sugar maple stands a great deal of shade, and this tree had grown up under the shade of the big trees around it, but after all those big trees were not very thick. These last samples that I spoke of, coming from Pennsylvania, are of characters of wood which are only used in the production of soda fiber, except the hemlock, which is used for sulphite fiber.

Mr. WILSON of Pennsylvania. Will the gentleman yield now?

Mr. MANN. Certainly.

Mr. WILSON of Pennsylvania. The information I would like to have is as to whether these spruce samples, which the gentleman has presented here, are taken from that class of territory from which by a reforestation our supply of spruce must come in the future?

Mr. MANN. Yes; it is.

Mr. WILSON of Pennsylvania. They would be a fair sample, whether rapid or slow growth, of the timber necessary for our future supply of spruce.

Mr. MANN. I may say to the gentleman we have a few samples here on the floor and we have examined a great number of samples which are distributed through the forestry department of the Government now. In addition to that we have the information that has been obtained through the Forest Service and an actual examination on the ground of thousands of trees in many places of the United States, and the samples which I produced here to-day are a fair illustration of the actual growth as shown by all the samples and all the information which has been collected, with the actual experience of the men in the field. I have never yet found, I will say, in talking to a pulp and paper manufacturer concerning the age of the trees which he was using, one who had given consideration to the subject. They were proceeding upon the theory, so far as they were concerned, that wood would come to them like manna from the heavens. But we have studied the subject in this light and the samples we present, I say to the gentleman from Pennsylvania, are fair illustrations of the actual growth under actual conditions in the forests.

Mr. WILSON of Pennsylvania. That is what I wanted to get.

Mr. MANN. Now, as to the cost of production——

Mr. SWASEY. I do not like to take up the gentleman's time, and I would like to have him conclude if it takes all the afternoon——

Mr. MANN. I know, but I do not think it is fair to the others, and I am not willing to do it.

Mr. SWASEY. Let the others suffer.

Mr. MANN. I never have gone on that principle.

Mr. SWASEY. We enjoy this very much, and it is instructive. What I want to know is, Have you considered the growth of poplar and hemlock and fir in your calculations?

Mr. MANN. Oh, certainly.

Mr. SWASEY. And have you ascertained how long or old a poplar tree would be to be employed for pulp wood; that is, 8 inches, say, at the ground?

Mr. MANN. I may say to the gentleman that quaking aspen, called "poplar," is not used to any extent in the ground-wood process. It is used in the soda process. There is no doubt we can furnish all the trees and all the pulp wood that is necessary in the United States for the manufacture of soda fiber, whether it be poplar or whether it be other kinds of trees, whether hard or soft. The poplar trees does not grow very rapidly except when young; the cottonwood tree does grow very rapidly. The quaking aspen or poplar grows all over the mountains of the West, of small size, and never gets very large. It never grows very large as a rule in the mountains. As you go far north it grows large, and as you get up toward Hudson Bay the poplar becomes a majestic tree.

Some fairly large aspen or poplar trees are found in New Hampshire and Maine, but as a rule the tree does not grow to very large size even there, and it is generally of a smaller size in any place south of there.

Mr. SWASEY. I would like to ask the gentleman, Mr. Chairman, if when the discovery was made poplar was not the wood that was exclusively used, and whether or not it is the fiber that is used now everywhere for the best quality of paper?

Mr. MANN. It is used for soda pulp, as I said to the gentleman. I do not think they make a great deal of soda fiber in the gentleman's State, compared with some other places.

We had an investigation made of the actual labor cost, the wages paid, and the cost of production in this country and in Canada, and, I may say, in some other countries, by experts in the Department of Labor, under our direction and under the direction of Mr. Neill, the Commissioner of Labor. In addition to that we sent out a schedule to all the pulp and paper manufacturers in the United States, asking them for certain information, which was tabulated, and from which we were able to compare their reports with the reports we had received from the Department of Labor. I may say to my distinguished friend from Maine [Mr. SWASEY], who naturally and properly takes a great interest in this subject, that we received rather complete information from the schedules we sent out through the country from every State except Maine and New Hampshire.

The schedules which we sent to the manufacturers would show in each schedule the cost of production, the value of the product, and the selling price. It would thereby disclose the profits which were made, and whether that business for the year had been profitable or not. These schedules were confidential. They were never disclosed even to the committee. They were turned over to an expert, under confidence, in the Census Office, for tabulation. But the great mills in Maine and New Hampshire never responded to our schedules or to our repeated requests. I threatened several times to send the Sergeant-at-Arms after them, after having obtained, if I could, an order from the House, but I was so busy during the last session, and there were so many things brought up, that we did not do it. Why did not the Great Northern Company, the Berlin mills, and the W. H. Parsons Company return our schedules to us for tabulation, which would show the profits that they were making out of Maine pulp wood? I will tell the gentleman why.

Mr. SWASEY. Now, I want to ask the gentleman right there if you did not have Mr. Brown before your committee, a gentleman who is the proprietor of all the Berlin pulp mills, and examine him and cross-examine him?

Mr. MANN. Yes, sir; and we could extract no information from him upon the subject, because he said he did not come prepared to answer those questions. We did not get a particle of information from him as to what it cost him, or as to the profits in his mills.

Mr. COLE. Will the gentleman yield?

Mr. MANN. For a very short question. I have only ten minutes more.

Mr. COLE. I was going to say two minutes ago——

Mr. MANN. I will not yield for a statement.

Mr. COLE. Just one statement.

Mr. MANN. For a question, but not for a statement.

Mr. SWASEY. I will say for the information——

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] declines to yield.

Mr. MANN. I would have no objection, but time can not run forever.

Mr. STANLEY. Mr. Chairman; I wish to make a request.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. STANLEY. Will the gentleman from Illinois kindly yield to me to make a request? I want to request that he have more time.

Mr. MANN. And that I shall object to. I do not wish to be selfish. I do not desire to take the time of the committee when the Chairman has so many gentlemen on his list who wish to be recognized to discuss other questions in the tariff bill.

Mr. DOUGLAS. I think the committee has some rights in the matter.

Mr. MANN. While it would be a pleasure to me to continue the discussion all the afternoon, and might be to a few gentlemen, I know how those would feel who wish to follow me on the floor, and they have my consideration.

Now, if the gentlemen will pardon me, I will say that we had investigations made in 15 eastern paper mills, in 3 western paper mills, and in several Canadian paper mills—these mills having been run for a number of years—making comparisons from 1895 to 1907. The Booth mill at Ottawa, Ontario, is a fair sample of a modern, up-to-date Canadian paper mill. It probably could make paper as cheap or cheaper than any other mill in Canada. In the paper mills which we have examined we took several—three—fair samples of Wisconsin mills. We examined 17 eastern ground-wood mills and 15 paper mills.

It has been asserted that the labor cost is much greater in the United States than in Canada. I have not time to go into that subject very extensively. In my opinion, from the reports which are made to us, both as to the daily wage and the cost of production, I am prepared to say that the daily wage paid in the Canadian mills is about the same as paid in the American mill. I am inclined to think that the daily wage on an average is somewhat less in the Canadian mills than in the American

mills. On the other hand, the labor cost of production of ground wood and sulphite paper generally is more in Canada than in the United States. While, on the whole, the daily wage on an average may be slightly less in Canada, the efficiency is considerably less in Canada. Many of the skilled workmen in the paper mills of Canada are brought from the United States. On an average the daily wage in the Canadian mills is higher than in the United States. In the eastern mills it is higher than the western, and in the Canadian it is higher than in the eastern mills.

Mr. PARSONS. Will the gentleman yield to a question there?

Mr. MANN. No; I would like to make a statement; I have not time to yield. I hope the gentleman will understand.

From the examination which we made through our labor-bureau experts, of the cost of production in various of the pulp and paper mills comprising mills which produce about one-half of the news print paper in the United States, and which mills are probably fair examples of all of the mills, except those recently constructed, we find the following figures, giving the average labor cost for each ton of paper produced:

News print paper 1907.

(The numbering of the mills is not the same in the different tables.)

	Average amount of wages paid in producing 1 ton of news print paper (from first work in forest).					
	Wages in forest operation.		Wages in ground-wood mill.	Wages in sulphite mill.	Wages in paper mill.	Total wages, per ton.
	For ground wood.	For sulphite.				
1	$1.97	$1.01	$1.69	$1.69	$3.58	$11.[illegible]
2	2.29	1.71	2.27	1.35	4.37	14.[illegible]
3	2.77	1.27	2.86	1.62	4.46	13.[illegible]
4	3.45	1.30	2.46	1.17	4.09	12.[illegible]
5	4.13	1.[illegible]	2.51	1.25	4.09	14.09
6	3.49	1.79	2.38	1.24	3.45	14.37
7	3.16	1.67	2.99	1.62	3.46	14.[illegible]
8	3.33	1.15	2.80	1.90	4.02	15.[illegible]
9	4.09	2.22	3.22	1.73	5.44	17.02
10	2.89	1.14	3.00	1.49	3.87	12.[illegible]
11	2.50	1.08	2.08	1.89	4.40	12.[illegible]
12	2.46	1.08	2.02	1.79	3.36	11.[illegible]
13	2.81	2.05	2.92	1.58	5.[illegible]	16.[illegible]
14	3.49	1.41	2.38	1.70	5.46	14.[illegible]
15	3.29	1.[illegible]	2.80	1.63	4.12	14.67
16	3.58	1.[illegible]	2.49	1.62	4.21	15.42
17	4.19	2.18	3.25	1.56	5.05	16.[illegible]
18	3.38	1.[illegible]	2.49	1.29	5.41	14.[illegible]
Average 10 eastern mills	3.55	1.48	2.50	1.48	4.54	13.[illegible]
Average 3 western mills	2.47	1.[illegible]	2.18	1.66	3.68	11.71
Average 18 mills	3.41	1.66	2.47	1.50	4.46	12.[illegible]

The following table shows the labor cost for each ton of ground wood produced:

Ground-wood pulp, 1907.

	Average amount of wages paid in producing 1 ton of ground-wood pulp (from first work in forest).		
	In forest operation.	In ground-wood mill.	Total wages, per ton.
1	$3.83	$2.65	$6.48
2	3.05	2.49	5.54
3	3.26	3.29	6.55
4	5.14	2.86	8.00
5	3.57	3.43	7.00
6	3.11	2.04	5.15
7	2.70	2.26	4.96
8	4.80	3.65	8.45
9	3.93	3.39	7.32
10	4.19	2.88	7.07
11	4.30	2.88	7.18
12	3.15	3.07	6.22
13	4.04	2.98	7.02
14	4.04	2.76	6.80
15	4.01	2.60	6.61
16	3.83	3.41	7.24
17	4.80	4.17	8.97
18	3.33	3.51	6.84
19	4.68	3.92	8.60
20	4.85	3.79	8.64
Average 17 eastern mills	4.17	3.05	7.22
Average 3 western mills	2.87	2.57	5.44
Average 20 mills	4.018	2.996	7.014

The following table shows the labor cost for each ton of sulphite fiber produced:

Sulphite fiber.

1900.

	Average wages paid in producing 1 ton of sulphite fiber (from first work in forest).		
	In forest operation.	In sulphite mill.	Total wages, per ton.
1	$4.13	$4.65	$8.78
2	4.65	4.63	9.28
3	4.46	5.01	9.47
4	4.61	5.35	9.96
5	5.49	4.58	10.07
6	4.82	5.63	10.45
7	5.35	5.37	10.72

1905.

1	$5.64	$1.84	$10.50
2	6.39	6.74	12.09
3	5.84	5.73	11.67
4	6.48	6.29	12.77
5	7.42	5.14	12.56
6	4.29	4.91	9.17
7	7.76	6.16	13.92

1907.

1	$6.56	$6.00	$12.[illegible]
2	7.39	5.75	13.[illegible]
3	5.96	5.46	11.[illegible]
4	7.32	6.68	14.00
5	8.19	5.12	13.31
6	6.15	6.55	12.70
7	8.97	7.81	16.78
Average 7 mills	7.071	6.184	13.25

If we assume, for the purpose of comparison, that the mills use 80 per cent of ground wood and 25 per cent of sulphite in producing news print paper, we get the following comparison of cost, referring by the eastern and western mills to the statement just cited:

Labor cost per ton of news paper from rough wood to the paper.

LABOR IN GROUND-WOOD MILL.

15 eastern mills	$2.50
3 western mills	2.18
Average, 18 mills	2.47
Booth mill	2.61
St. Regis mill	2.06
International Paper Company's mills	2.30

LABOR IN SULPHITE MILL.

15 eastern mills	1.48
3 western mills	1.66
Average, 18 mills	1.50
St. Regis mill	.83
International Paper Company's mills	1.31
Booth mill	1.85

LABOR IN PAPER MILL.

15 eastern mills	$4.54
3 western mills	3.68
Average, 18 United States mills	4.46
St. Regis mill	4.00
International Paper Company's mills	4.72
Booth mill	4.57

TOTAL LABOR COST, AS SHOWN ABOVE, FROM THE ROUGH WOOD TO THE PAPER.

15 eastern mills	8.52
3 western mills	7.32
18 United States mills	8.43
St. Regis mill	6.89
International Paper Company's mills	8.33
Booth mill	9.05

The committee obtained and have published wages paid by occupations in pulp and paper mills, both in the eastern and western mills of the United States and in Canadian mills. From that statement I take the following figures, which I call to your attention.

Wages, 1907, covering 15 eastern, 3 western, and 3 Canadian news print mills; 17 eastern, 3 western, and 3 Canadian ground-wood mills; 7 United States and 2 Canadian sulphite mills.

Occupation.	Eastern.	Western.	Canadian.
Head beaterman	$2.56	$2.84	$1.50 to $2.46
Beaterman	1.77	1.77	1.75 to 1.01
Machine tender	3.57	3.20	4.25 to 3.52
Back tender	2.24	2.25	3.00 to 2.46
Third hand	1.79	1.64	2.00 to 1.75
Fourth hand	1.74	1.35	1.75 to 1.46
Head finisher	2.48	2.10	2.20 to 2.00
Finisher	1.76	1.74	2.00 to 1.40
Head grinderman	1.99	1.95	2.56 to 2.50
Grinderman	1.77	1.78	2.40 to 1.80
Screen man	1.72	1.23	2.16 to 1.25
Head pressman	2.05	1.97	2.00
Pressman	1.72	1.64	2.16 to 1.20
Roll tender	3.19	2.00	3.00 to 2.20
Couch	2.51	2.50	3.00
Couch helper	1.70	1.65	1.86 to 1.00
Head patman	1.81	1.65	1.74 to 1.82
Wood handlers, piling wood	1.53	1.02	1.08 to 1.02
In wood room, sawyers	1.76	1.84	2.42 to 1.70
Jackers	1.71	1.72	1.75 to 1.35
Chipper	1.74	1.82	1.65 to 1.54

I have given you a statement of the wage cost per ton of ground wood, per ton of sulphite, and per ton of paper in certain mills. I have already stated to you the wage cost in the three named mills per ton of paper, but this following statement is cost per ton of product in each of those mills:

Wage cost per ton, 1907.

GROUND WOOD MILL.

Eastern mills	$3.05
Western mills	2.57
Average, 29 United States mills	3.00
St. Regis mill	2.06
International Paper Company mills	2.87
Booth mill	3.29

SULPHITE MILL.

Eastern mills	6.17
Western mills	6.55
Average, 7 mills	6.184
St. Regis mill	5.32
International Paper Company mills	5.25
Booth sulphite mill	7.41

PAPER MILL.

Eastern mills	4.54
Western mills	3.68
Average, 18 mills	4.46
St. Regis mill	4.00
International Paper Company mills	4.72
Booth paper mill	4.57

We obtained figures showing the cost of production in various mills, and I give to you a comparison between the International Paper Company mills, the St. Regis mills, and the Booth mills, as follows:

Cost of production.

GROUND WOOD PER TON.

International Paper Company	$14.41
St. Regis	14.89
Booth	11.37

SULPHITE PER TON.

International Paper Company	31.28
St. Regis	30.10
Booth	29.86

NEWS PRINT PAPER PER TON.

International Paper Company	$33.42 or 32.57
International Paper Company, Hudson River mill	28.93
Gould Paper Company	29.57
St. Regis	31.92
Remington group	31.89
Penobscot	32.27
Lisbon Falls	33.05
Booth	34.11

Mr. Chairman, I ask for ten minutes more.

The CHAIRMAN. Without objection, the request will be granted. The Chair hears no objection.

Mr. MANN. Let me give you a comparison of the cost of production per ton of news print paper between the International Paper Company mills and the Booth mills, as both have reported to our committee:

Cost of production per ton of news paper by International Paper Company and Booth compared.

International Paper Company, for news	$33.42
Average, all kinds	32.57
Booth, for news	34.11

Mr. Hastings, in a letter to the Ways and Means Committee, calls attention to the fact that in giving his statement of cost per ton of paper Booth charges more for the ground wood and sulphite entering into a ton than would appear proper from the cost of production of sulphite and ground wood as returned by him. In this respect Mr. Hastings is correct. Mr. Hastings then compares his corrected cost of production to Booth with that returned by the International Paper Company to the committee. But the same objection can be made to the cost of production of the International Paper Company. Both the Booth mill and the International Paper Company purchased ground wood and sulphite in the market and paid therefor considerably more than the cost of production to them of that which they produced. Of course, in making returns to the committee of the actual average cost of production of paper they charged against that cost the actual amount paid by them for the ground wood and sulphite purchased.

Probably the fairest way of making a comparison as to cost of production in Canada and the United States would be to compare the cost of production in the Booth mills with the cost in the International Paper Company mills, based upon the use of ground wood and sulphite manufactured by the companies directly, without any purchases and excluding cost of repairs.

The International Paper Company used 79 per cent of ground wood and 23 per cent of sulphite. This would make a ton of paper to the International Paper Company cost:

For ground wood	$11.38
Sulphite	7.22
Other materials and cost of conversion	10.08
Total actual cost per ton	29.28

Booth used 76.5 per cent of ground wood and 30.2 per cent of sulphite. His ground wood cost him per ton $11.37, and his sulphite $29.86. This would make his cost per ton of paper:

For ground wood	$8.70
Sulphite	9.02
Other materials and cost of conversion, not including selling cost	11.82
Total actual cost of production per ton	29.54

Or, if the computation should be made upon the basis of using 80 per cent of ground wood and 25 per cent of sulphite of own production, without including repair cost or selling cost, the figures would be:

International Paper Company:	
Ground wood	$11.53
Sulphite	7.84
Other materials and cost of conversion, not including repairs or selling	10.68
Total	30.05
Booth:	
Ground wood	9.10
Sulphite	7.46
Other materials and cost of conversion, not including repairs or selling	11.82
Total cost per ton	28.38

Mr. Hastings states the freight rate from the Booth mill per ton of paper to New York City is $3.90.

It should be noted that the International Paper Company charged $2.24 per ton in the paper mill for fuel, while Booth charges $1.57. Coal costs Booth much more than it does the International Paper Company, and the reason that Booth charges less is because for a time during the year he used sawdust for fuel. This can not be done by the ordinary mill, and in computing the comparative cost in Canadian and American mills it must be conceded that fuel will cost the Canadian mill considerably more than the American mill on the average.

In its statement of cost per ton of paper the International Company charges $1.76 per ton of paper for mill repairs. In Booth's statement he charges 57 cents per ton.

Mr. David S. Cowles testified before the select committee while he was president of the American Paper and Pulp Association:

It is a fact that Canadian labor has gotten on a par now with labor in the United States. If anything, I should say that labor is higher in Canada than it is in the United States. * * * I mean skilled labor and cheap labor both. That was not formerly so, but it is so today. That is my own experience and my own observation.

Mr. Cowles ought to know, for, while his companies own large quantities of spruce forests in the United States, he testified that they imported practically all of their pulp wood from Canada.

The average cost of production per ton of paper, not including depreciation or interest, at the St. Regis mill from March, 1907, to February, 1908, inclusive, was $32.03 per ton; while at the Booth mill, from December 1, 1907, to November 30, 1908, the same average was $34.11. The cost of production at the Booth mill varied from month to month, the greatest variation being between $31.52 for the month of June, 1908, to $39.03 for the month of March, 1908. At the St. Regis mill the greatest variation was between $29.62 for the month of October, 1907, to $34.13 for the month of February, 1908.

Mr. Hastings, in his letter to the Ways and Means Committee, undertakes to show that the Booth mills could afford to sell their product for $5 a ton over the unit cost of production to them, assuming that they made all of their own ground wood and sulphite and purchased none. If the same rule should be applied to the International Paper Company, they should add $5 to the cost of production of paper in their mills on the assumption of the manufacture of all ground wood and sulphite, making a total cost per ton, as I have shown, of $29.28; with $5 added, makes $34.28. Mr. Hastings's argument would tend to show that the International Company should sell all their paper on the basis of $34.28 f. o. b. cars at the mills. I do not indorse the statement or the figures or the basis of sale or profit, and I am sure that the International Paper Company will appreciate the absurdity of the argument and statements made by Mr. Hastings, as president of the American Paper and Pulp Association, in this particular matter when his reasoning is applied to their goods.

If Mr. Hastings were correct in his argument, no Canadian mill could afford to compete in the markets of the United States with the International Paper Company, and it should be noted that the cost of production at the Booth and International mills does not include interest, depreciation, cost of selling, and various other items of that character in connection with indebtedness, administration, and sale of product.

Just a few words on the cost of Canadian pulp wood.

COST OF PULP WOOD.

The Booth mills at Ottawa, Canada, paid $8 per rough cord for pulp wood in log lengths at the mill during 1908. As shown by the returns to the special committee from the pulp and paper manufacturers using 1,677,000 cords of pulp wood for 1907, the average price per cord was $7.76. In Maine, seven establishments, using 125,000 cords, reported the average price as $6.81; in New Hampshire, eight establishments reported the average price as $7.89; while some of the large mills, like the Great Northern Company, W. H. Parsons & Co., and the Berlin Mills Company, refused to make out the schedules for the committee, yet the other companies reporting in Maine and New Hampshire show that the price paid for pulp wood in those States was not high. When the Wisconsin mills in 1907 purchased 50,000 cords of spruce pulp wood in Quebec they paid $6.50 per cord f. o. b. cars there. The Wisconsin mills paid $6.50 f. o. b. cars in Quebec early in the year 1907 before the scare about wood commenced, while the average price paid in Maine during that year was $6.81 at the mill.

Certainly $6.50 per cord in Quebec on cars at the shipping point is not a lower price than $6.81 in Maine delivered at the mill.

Most of the pulp-wood forests in Canada are on public lands. These public lands are owned in Ontario and Quebec and some of the other Provinces by the provincial government and are called "crown lands." In the Provinces east of Ontario large quantities of the crown-land forests have been sold and are owned by American pulp and paper manufacturers under certain conditions. In order to obtain the rights which such sales give the purchasers must pay down a certain amount at the time of sale. Then they have the right to cut the pulp wood under certain restrictions, paying a stumpage charge or so much per cord or thousand feet. This stumpage charge, under existing contracts and regulations, amounts to 65 cents per cord. If the pulp wood be exported, the full stumpage charge is required. If the pulp wood be consumed within the Dominion of Canada, a rebate of 25 cents per cord is allowed. The agreement for the existing rates of stumpage charge on such crown lands will soon expire. We believe it is the present fixed policy of the Quebec Province, where most of the pulp wood now comes from, to increase the stumpage charge very materially upon the expiration of the present agreement or regulation, which expires next year or in 1911, and it is very likely that if no change were made in our tariff provisions that the differential in favor of Canadian manufacturers would be considerably increased. If that should happen by reason of our keeping our tariff basis as at present, it would very seriously handicap, if not destroy, those pulp and paper mills now dependent upon Canadian supply. On the other hand, if the recommendations of the special committee become effective, the discrimination as to Canadian pulp wood against American mills will cease, and when the stumpage rates are increased by the Quebec government it is probable that the Canadian mills will pay as much or more for pulp wood than any of the American mills now pay, and that the price of pulp wood, both in Canada and the United States, will be considerably enhanced.

Mr. Chairman, I had hoped to say a word or two in regard to the manufacture of paper from cornstalks, as that seems to be a popular subject in the press and in ordinary conversation and discussion. It is perfectly practicable to make paper from cornstalks. In my opinion it is to-day commercially impossible to make it profitably. It is certain that it can not be made in competition with cheap print paper manufactured mainly from ground spruce wood. One cord of green spruce wood weighs about 2 tons. One ton of cornstalks will occupy the space of several cords. A pulp and paper mill is constructed upon some magnitude. It is not possible to supply it with material by simply hauling in that material on wagons from closely adjacent territory. The material must either be brought in by water or by rail, and when it comes to assembling material the space which is to be occupied on the cars has much to do with the cost of transportation. Up to date it is not found safe to bale cornstalks, because they heat and mould. From a cord of spruce wood we get about 2,000 pounds of ground wood. From a ton of cornstalks, occupying several cords in space, we get 850 pounds of a sort of pulp, most of which is pith, and which so far can not be utilized in the manufacture of paper. From a ton of cornstalks we get, by the soda process, from 250 to 300 pounds of good soda fiber, which makes good paper; but the process is much too expensive to be a commercial success. The manufacture of pulp and paper from cornstalks as an experiment has been carried on for many years from time to time, but I have no hesitation in stating that cornstalk paper can never be used to replace the present spruce-wood cheap print paper so largely used by the newspapers.

Mr. Chairman, I have now occupied an hour and a half of the time of the House, and although various gentlemen have been kind enough to urge me to proceed, and although from the long investigation which I have carried on it would be very easy for me to continue giving information which might prove of interest to the House, yet I feel, in justice to others who desire to debate other questions which are in controversy in this House, that I ought not to continue longer; and I have therefore resisted the offer of various gentlemen to secure me unlimited time to speak.

Mr. Chairman, I can only say, in conclusion, that in the belief of the special committee, and certainly in my own belief, the proposition which we recommended in our report, and which has been incorporated in the Payne tariff bill now before us, will not injure a single pulp or paper mill in the United States run with a proper business management. It will not transfer the paper-making industry to Canada. It offers to treat Canada fairly; it offers to give the Canadian forests an opportunity for being used by the American manufacturer under fair conditions, and to give to the Canadian manufacturer a better market for his pulp and paper product.

But the country will constantly require an additional production of pulp and paper. Two or three years ago the pulp and paper mills of the United States were pressed to their utmost capacity, and even then were not making large profits. Under the proposition which is incorporated now in the tariff bill we offer to exchange with Canada a freer market for her pulp and paper products for a freer and fuller opportunity of securing from her the raw material with which to maintain our own pulp and paper mills.

Mr. Chairman, the time will never come when it is possible to manufacture either pulp or paper as cheaply in Canada as it can now be made in the United States in a modern, up-to-date mill, advantageously located. The cost of installation of a new paper and pulp mill in Canada is now, and probably always will be, greater in Canada than it is in most portions of the United States. It is not impossible that as time goes on and the water-powers of this country become too valuable to be used in grinding wood into pulp, a considerable share of ground wood pulp making may be transferred to the remoter regions of Canada. That may be an evolution which is possible and probable. It would come whether the tariff law be changed or not.

But, after all, it is well for us to remember that the great newspapers of the country, as well as the small ones, deserve some consideration. They can not well make slight increases in the selling prices of their product. It is in the interest of all of our people if we can, without injury to our manufacturing establishments, maintain a cheap cost and selling price for that product more universally consumed and used by our people than any other product of the land, which is cheap print paper.

As I stated in the report which I submitted to the House, I believe the suggestions which we have made and which are in the bill now pending before us, are fair to the manufacturer, fair to the consumer, fair to the mills of the United States, fair to the mills of Canada, fair to the timber owners of the United States, and fair to the timber owners of Canada. The conclusion we reached was reached with an honest desire to do that which is right between man and man, and I hope and trust that the provision which the Ways and Means Committee incorporated upon our recommendation in the present bill shall stay in the bill until it becomes a law. [Continued applause.]

Mr. SULZER. Mr. Chairman, in discussing the Payne tariff tax bill now under consideration, I meet the subject impartially, with an open mind, and without political prejudice. What I shall say on the subject is based on much study, careful observation, and sincere conviction. I have no ax to grind, no corporate taskmasters to serve. I represent no interests on the floor of the House of Representatives but the people's interests. I am for the greatest good to the greatest number; I speak for the plain people of the land, for the wage-earners, for the producers, and for the consumers of our country. These good people have no lobby here, but they are sorely in need, it seems to me, at this critical time, of friends and advocates in Congress. They are the people who pay the taxes, and they have some rights in my opinion, that the Congress should protect and safeguard in framing the tax laws of the country.

The honest folk of my district ask for no special legislation; they seek no governmental aid; they invoke the infliction of no tyrannical tax at the expense of all the other people of the land. They demand equal rights to all and the same opportunities for all. They insist on impartial justice to all the people in every section of the country in all national legislation, especially when it comes to that most important of all lawmaking—tariff taxation.

Sir, I am proud of my constituency. I shall always fight for their rights. I glory in the fact that the people of the district I have the honor to represent on the floor of the Congress of the United States believe in equal rights to all and special privileges to none. I stand on that platform, and in Congress or out of Congress I shall always strive to do my best to live up to that fundamental principle, which, in my opinion, is the abiding hope of America; and always was, and I trust ever will be, the star of inspiration of the greatest and the grandest people recorded in all the glorious annals of time. [Applause.]

Mr. Chairman, the Ways and Means Committee has been in session for many months endeavoring to frame a new tariff tax law. Its members, we are told, have labored most industriously, but what have they brought forth? Like the mountain in the fable, it seems to me, the Ways and Means Committee has labored and brought forth a mouse in the shape of the Payne bill—a miserable makeshift and the merest apology for real tariff reform. There is not a line in the Payne tax bill that will give relief to the overburdened taxpayers of the country. There is not a schedule in all the voluminous measure that will give hope for a reduction of taxes on the necessaries of life to the oppressed consumers of the land. It is true, however, that here and there a slight reduction is made in the tariff taxes on certain trust-made articles, but wherever a reduction has been made in any schedule the tax is left sufficiently high to afford ample protection to the special interests, and in most cases the tax is still prohibitive. So that the Government will receive no more revenue by reason of the fact that certain schedules in the present law have been slightly reduced in the Payne bill.

As a matter of fact, the Payne bill imposes additional taxes on the necessaries of life to a greater extent than any tariff bill ever submitted to Congress. I have made a careful comparison between the schedules of the Dingley law, now on the statute books, and the Payne bill, now under consideration, and in my opinion the present tax law, bad as we know it to be, is much better for the people of the country, take it all in all, than the bill now before the House would be if it were enacted into law in its present shape. In the face of the contrast no friend of the people can consistently support this measure. Its injustice to the consumers of the land will be its own undoing. There is no agitator so successful as injustice, and the bill now under consideration is the most unjust and the most vicious tax bill in all our history, and if it become a law just as it is, the people all over the country would promptly demand its repeal. [Applause on the Democratic side.]

Sir, the debate thus far in this House on the Payne tax bill has impressed me with the farsighted wisdom of the observation of a former Democratic candidate for the Presidency—that the tariff is a local issue. This is essentially true so far as the selfish beneficiaries of the tariff are concerned. But in a larger sense this is not so, for the reason that in the last analysis the tariff affects all the people, and the people in the end pay all the tariff taxes, regardless of the profits and the advantages to the beneficiaries.

After all, tariff taxation is largely a question of whose ox is gored. What a spectacle is witnessed here in the construction of this tariff bill! From one end of the country to the other we hear the insistent demand of the selfish beneficiaries of protection clamoring for more protection. They are never satisfied. Like the horse leech, they never get enough. If the greedy beneficiaries of the protective tariff could have their way the tariff taxes would be practically prohibitive, and the Government then would derive little, if any, revenue from tariff taxation. We can make the tariff rates so high that there will be no importations, and then no revenue will flow into the Treasury of the Government. That seems to be the policy to-day of the Republican leaders in the House, so far, at least, as many schedules in the Payne bill are concerned.

Mr. Chairman, we know to-day, beyond all contention, that the tariff is a tax; and, beyond all dispute, that the consumers pay the taxes. The most hidebound standpatter dare not now dispute this proposition. Ultimately all the burdens of protective taxation fall upon the consumers of the country. Protection for protection's sake is a system of indirect taxation which robs the many for the benefit of the few—a policy which levies tribute on the masses for the classes. No party that stands for the best interests of all the people can support it, especially where it fosters trusts, shelters monopolies, and saddles the great burdens of government on the farmer, and the toiler, and the wage-earner of the country. Protection for protection is robbery—undemocratic, un-American, unconstitutional, and absolutely indefensible. [Applause on the Democratic side.]

The Republicans told us last fall that they would revise the tariff schedules of the Dingley law downward; that they would reduce the tariff taxes; but the Payne bill does not do it. On the contrary it increases taxation and is a revision upward. The Payne bill demonstrates the hollowness of Republican promises when it comes to tariff-tax reductions on the necessaries of life.

The people of the country were promised by the Republicans in the last campaign that if they were returned to the control of the Government they would revise the tariff taxes in a spirit of justice to all; that they would reduce the tariff taxes on the necessaries of life in order to lighten the burdens of the consumers and cheapen the cost of living; but the Republicans in this House have not done so. On the contrary the Payne bill increases the taxes on the necessaries of life all along the line, and is worse in many respects than the present Dingley law. Most of the schedules in the Payne bill are higher than the schedules in the Dingley law.

I assert without fear of successful contradiction that the Payne bill in its present shape will grant no relief to the overburdened taxpayers of the country—and no hope to the oppressed consumers of the land. It is the highest tax measure on the necessaries of life ever submitted to Congress. If I thought for one moment that the Payne bill in its present shape could become a law I would despair of ever getting relief for the ninety millions of consumers of our country; but I know from long experience in the House of Representatives that there is no more chance for the bill under consideration to become a law in its present shape than there is for the stalwart chairman of the Ways and Means Committee to be translated to another world like Elijah of old. [Laughter and applause.]

The truth of the matter is that sooner or later the Payne bill will pass the House in some shape; it will then go to the Senate; it will be debated and amended there for a month or more; it will then be passed by the Senate; and when it comes back from the Senate the Republican leaders in the House will not be able to recognize it. Then it will go to conference, and the conferees of the two Houses will finally write the tariff taxes the people must pay; and the bill will then be passed and sent to the President under the whip of the party caucus, and, by the spur of a special rule, with practically a solid Republican party vote.

That is the way the next tax law will be made. The Senate Finance Committee is holding meetings and writing a new bill now. A few select Republican Senators, with the aid of eminent trust lawyers, are busy at present preparing an entirely new bill, and it will be ready to be substituted in the Senate for the House bill just as soon as the House bill gets to the Senate. What the bill will be like when it ultimately goes to the President for his approval or disapproval is beyond the prophetic wisdom of the finite mind. But, good or bad, when it is finally written on the statute books, it will be a Republican law, and the people will hold the Republican party responsible for its enactment.

Mr. Chairman, I am absolutely opposed to the Payne tariff tax bill. It is an imposition on the people. It is a mockery and a sham. It is legalized robbery. It is the highest protection measure ever introduced in Congress. It increases the taxes on every necessary of life. It saddles additional burdens on the oppressed taxpayers of the land beyond the calculation of the human intellect. It is against the people and for the trusts and in the interests of the monopolies. It protects idle wealth, and heaps high the burdens of Government on the poor man's

breakfast table. It discriminates against the many for the benefit of the few, and violates every principle of equality, and of justice, and of democracy. It is a revision of the tariff taxes upward and not downward. It repudiates the platform of the Republican party. It scorns the promises and laughs at the professions made by President Taft to the people in the last campaign. It is a protection measure from end to end. It is for the trusts, and the trusts are for it. No monopoly in the country is opposed to it. No standpatter repudiates it. The measure is quite satisfactory to every interest but the interest of the plain people who must pay all the taxes in the long run. It is a bill to tax poverty and not wealth, and if it ever becomes a law in its present shape it will be the saddest disappointment of the century to the American people. The people have asked for bread; the Republicans now give them a stone.

Mr. Chairman, I was in great hopes that the Payne bill would meet the anxious expectations of the taxpayers of our country. I had indulged the hallucination that the Republican leaders in Congress would rise to the occasion, keep their promises, and give the people of the country a genuine revenue reform law that would do substantial justice to the consumers, to the wage-earners, and to all interests concerned. I expected to see idle wealth, as well as honest toil, compelled to pay its just share of the burdens of government. To-day idle wealth practically escapes taxation, and it receives more governmental protection than any other single thing in all the land. At present idle wealth contributes practically nothing to the support of the Government, while honest toil contributes far more than its just share. [Applause.]

The Payne bill is unjust in its discrimination against the toilers; it is unfair in its impositions on the producers; and it is unconscionable in its tyranny to the consumers of the country.

After making a most careful comparison of the schedules contained in the iniquitous measure now before the House, known as the "Payne bill," with those on the statute book, known as the "Dingley law," I say, and I defy successful contradiction, that so far as the consumers and the taxpayers of the land are concerned this Payne bill is infinitely worse, and a great deal more detrimental, than the present Dingley law. In other words, the Payne measure increases the taxes on the necessaries of life all along the line, and I am unalterably opposed to putting any more burdens on the poor man's breakfast table. If additional revenues are necessary to promote the general welfare of the Government I want to raise, in so far as possible, these additional revenues by taxing idle wealth and not honest poverty. Let us make wealth as well as toil pay its just share of the expenses of the Government. We must tax wealth and not poverty. We should legislate for all the people and not for the greedy few. [Applause on the Democratic side.]

Sir, it was with much satisfaction that I listened last year to the promises of the Republicans that they would frame a new tariff tax bill to materially reduce the burdens of the ordinary householder, but they have not done so, and I confess I am greatly disappointed. The Payne bill is a shallow pretense. I had indulged the hope that these reductions would be accomplished by writing in the bill a provision for a graduated income tax and a graduated inheritance tax. I am in favor of this kind of a tax. There is no doubt in my mind that such a tax can be enacted into law along constitutional lines and to meet the decisions of the United States Supreme Court. A graduated income tax is the fairest and most equitable tax in all the world, and nearly every civilized country on earth derives most of its revenue from a system of taxation on incomes. [Applause on the Democratic side.]

Mr. Chairman, the Payne bill is a bill for class taxation in the most inequitable form. "There is no tyranny," says Goldwin Smith, in his Study of History, "so constant, so searching, so hopeless; no tyranny which so surely makes the people its victims, as class taxation." The Payne bill is class taxation run mad. It is against the many, and all for the few. It is the most vicious tax bill ever considered in America. I can not bring myself to believe that the Payne tax bill can possibly pass Congress in its present shape. Comparing it with the tariff tax bills of the past, I have no hesitancy in saying that the Payne bill is the worst tax measure ever submitted to Congress; and if it became a law in its present form, it would inflict irreparable injury to most of our industries, paralyze our commerce, exterminate our export trade, compel us to issue bonds in time of peace to raise revenue for the support of the Government, and saddle on the poor man's breakfast table burdens beyond the comprehension of the ordinary intellect. It would start no new industries, create no additional revenue, furnish no avenues for greater employment of labor. All that can be claimed for it is that it will make the selfish beneficiaries of the protective-tariff system a little richer at the expense of all the consumers of the land.

Sir, I trust the bill will be materially amended before it becomes a law. I have a number of important amendments I desire to offer, and I am confident if I am allowed to offer them they will be adopted. The question is, however, whether the members of the minority in this House will be permitted by the Speaker to submit amendments to perfect the bill. We are entitled to that right. I would like to know now if we shall have that right? I pause for an answer from some Member authorized to speak for the Republican leaders in this House. No one answers; and I am bound to assume that the Republican leaders will deny the Democrats the right to offer amendments to the Payne tax bill. What a farce it all is, when we consider the framing and the making of the tax laws for the people! [Applause on the Democratic side.]

Mr. Chairman, the Payne tax bill will not curb the plunder of a single trust. It will not destroy monopoly. It will not add a dollar to the public revenue, and more revenue the Government must have. We have a deficit now in the ordinary current expenses of the Government of about $90,000,000. The appropriations for the next fiscal year are over a billion dollars. It is evident that the gentlemen who framed this Payne bill appreciated the danger that it would not produce sufficient revenue for the expenses of the Government, because they cleverly provided for the sale of $40,000,000 more of Panama bonds, and authorized the issue of $250,000,000 of interest-bearing Treasury certificates. Think of that in time of peace! [Applause.]

The framers of the Payne bill were shrewd enough in the interest of the few to provide for forced loans to defray the current disbursements of the Government rather than to lessen the burdens of the consumers by reducing prohibitive duties and thereby making the bill a sufficient revenue producer to defray the expenses of the Government.

Sir, the Payne bill is not a revenue measure. It is a protection bill pure and simple, and the highest tax bill ever submitted to the American Congress. It will not open the ports of the world for an increased sale of our products; it will not raise more revenue; it will not help us get our share of the trade of the Orient or of Central and South America. As Mr. Blaine said on a similar occasion about another tariff bill, there is not a line in it that will open the markets of the world for another bushel of American wheat or another barrel of American pork. [Applause.]

The change of method in the Payne bill in arriving at values of consigned goods will, according to importers, increase the tax duty from 20 per cent to 40 per cent. The average ad valorem duty upon all dutiable imports will not be decreased, and the most oppressive schedules will be continued to burden the people for years to come. Take it all in all the Payne bill is the most idiotic attempt of the century to reform the revenue system of the Government, and accentuates more clearly than talk how the moral cancer of protection has interwoven itself in every fiber of the body politic. The consumers of our country are as heavily burdened at present by protection as the people of France were oppressed by taxation before the revolution, and the only hope of relief lies in the downfall of the Republican party. [Applause on the Democratic side.]

Nearly all of the tax duties proposed to be levied on the consumers of the country by the Payne tariff bill are simply in the nature of a surrender of the taxing power of the people to favored special interests which the Government clothes with power to levy tribute on the great body of our consumers. To illustrate: We will import under the Payne tax bill probably about $500,000,000 worth of highly protected products which will pay an average ad valorem rate of duty of at least 40 per cent, while the domestic producer, by reason of the prohibitive or restrictive duties of the bill, through the agency of the trusts, will raise to the duty line the selling price of more than $10,000,000,000 worth of like domestic products to the consumers of this country. In other words, if the Payne tax bill should be enacted into law in its present shape, it will not only impose high duties upon $500,000,000 of imports, but in practical effect will permit a few thousand manufacturers in the United States to make 90,000,000 consumers pay them a tribute of $4,000,000,000 in the enhanced price of their goods. France exempted her nobles in the eighteenth century from taxation, while the peasants and the middle classes defrayed the expenses of government. The Republicans go further, and delegate to a few thousand manufacturers the exclusive privilege of practically taxing for their own benefit every consumer in our land. What an injustice! What an

outrage! How long will the people submit to the iniquity? [Applause.]

Mr. Chairman, one of the most important questions before the American people is honest tariff reform along the lines of a material reduction of the taxes on the necessaries of life, in order to cheapen the cost of living, and to make wealth as well as toil pay its just share of the burdens of government. I am in favor of a fair, a just, and an equitable revenue system that will support the Government, wisely and economically administered, with equal justice to all and favoritism to none, having a jealous care for our farmers and our toilers. I believe in taxing the luxuries of life and exempting the necessaries of life in so far as possible; and to this end, as I have said, I favor a graduated income tax along lines that will obviate any constitutional objection.

Sir, I am in favor of genuine tariff reform in the interests of the consumers of the country and for the benefit of the wage-earners of the land. I am in favor of reducing the tariff taxes on the necessaries of life, and wherever they foster trusts or shelter monopolies. I would tax wealth more and toil less. I would reduce the tariff-taxes on all goods, wares, and merchandise manufactured in this country and sold cheaper abroad than at home. I would revise the Dingley tariff schedules in a business way in the interests of all the people. The Payne bill violates every principle of democracy. It is the highest protection measure ever attempted to be written on our statute books. It is a bill for protection, for the sake of protection, and not for the sake of revenue. The Payne bill violates the cardinal principle of Jefferson, "Equal rights to all and special privileges to none."

If the Payne bill becomes a law in its present shape it will burden beyond the calculation of the human intellect for years to come the struggling people of our country. During the past ten years the cost of living has increased nearly 50 per cent. The Payne bill will increase the cost of living about 25 per cent more. It taxes every necessary of life from the cradle to the grave. It is a bill to foster monopoly; to make a few rich men a little more prosperous. It will create more trusts. It will take from those least able to pay and give it to those most able to pay. It robs the many for the benefit of the few, and does it all under the cloak of law. It is replete with legal trickery, full of concealed jokers, ambiguous in phraseology, and nearly every schedule contains a subtle discrimination incomprehensible to the ordinary mind.

I am opposed to these unjust discriminations. They must cease. Wealth as well as brawn must be taxed, and pay its just share of the burdens of the Government. I am in favor of true reform in tariff taxation—a revision that will do substantial justice to all interests concerned and not rob the many for the benefit of the few and saddle all the burdens of government on the poor man's back.

The selfishness of the beneficiaries of the protected industries of the country who have waxed fat during the past quarter of a century through the unjust discriminations of Republican tariff policies was never better illustrated than in the Payne bill. Reading the bill in the light of these unjust exactions one is forcibly reminded of Goldsmith's line—"laws grind the poor and rich men rule the law." [Applause.]

Mr. Chairman, for more than ten years the increasing cost of living, mounting higher and higher each succeeding year, has been the most immediate, the most pressing, and the most universally observed fact about economic conditions in this country. During all this period, while the cost of the necessaries of life has been growing more and more oppressive, the promise has been held out by the Republicans that when the country got around to tariff revision something would be done to remedy these conditions. And what is the result? The mockery of the Payne bill—to make matters worse instead of better. The people are tired of being humbugged. They have lost confidence in the willingness of invested capital to divide up on an equitable basis with productive labor. Sad experience has taught them better. The tremendous development of the great trusts; the annual multiplication of multimillionaires; the heaping up of what Mr. Roosevelt so aptly called "swollen fortunes;" the systematic overcapitalization of all kinds of enterprises; the consolidation of management and the centralization of ownership; the advancing of prices, in too many cases out of all reason, of the necessaries of life—all these things have caused a widespread distrust of the long-heralded philanthropic spirit of the greedy beneficiaries of protection.

Sir, I warn the makers of the Payne tariff-tax bill against the dangers of further unduly imposing on the patience and the credulity and the confidence of the American people. It is a fact which can not be successfully denied that the plain people of the country are greatly dissatisfied with present conditions, and with existing tariff-tax laws. They have been hopelessly demanding relief for years. They are anxiously seeking to escape the tyranny of the selfish beneficiaries of Republican protection. Staggering as they are under the burdens of class taxation, they are greatly disappointed with the provisions of the Payne tax bill. The Members of the House are now hearing from their constituents in no uncertain tones. The Payne bill is the merest pretense. The protests against it are coming in fast and furious from the corn lands of the West, from the cotton fields of the South, from the miners of the Intermountain States, from the people on the Pacific slope, and from the taxpayers and the consumers generally from one end of the country to the other, all crying out against the iniquities of the Payne bill, in which nearly every schedule is written for the few selfish beneficiaries and against the general welfare of all the people.

What would the people of the country say if the Democrats had proposed such an iniquitous measure of class legislation? And what will the people do with the Republican party that has promised so much relief, and now proposes to grant practically nothing, but on the contrary is striving to make the burdens of the people greater and heavier than they ever were before? As I have said, I do not believe the Payne tariff-tax bill can be enacted into law in its present shape. I hope for better things ere this session of Congress adjourns; but if it were, it would be the tax crime of all the ages, and would doom the Republican party in the next campaign to the most signal defeat in all our history, and bring about a Democratic Congress and a few years hence elect a Democratic President. [Applause on the Democratic side.]

Mr. Chairman, the Republicans in season and out of season have boasted for years of the beneficent effects of the Dingley tax law, which is now the existing revenue tax statute, and which the Payne bill is intended to repeal and supersede. I have never been able to appreciate the beneficence of the Dingley law. I was a Member of Congress when it passed, and I am glad to say I voted against it. It is a protection measure from beginning to end, and the highest protection measure ever considered by Congress, with the exception of the Payne tariff bill which we are now discussing. It has created more trusts and fostered more monopolies than any other agency in all the country. I deny the claim of the Republicans that the Dingley law brought prosperity to the people. The record of events proves the contrary. The Dingley law has benefited no one save the greedy beneficiaries of high protection. It has increased the cost of living nearly 50 per cent and saddled the burdens of government on those least able to pay. For more than a year after its enactment it paralyzed industrial America, threw men out of employment, and failed to produce enough revenue to administer the affairs of the Government. The so-called prosperity the country enjoyed from 1899 to 1908 was due to the Spanish-American war, and to the increase in the volume of the currency, and not to the Dingley law; and the Democrats in Congress are entitled to much of the credit of enlarging the volume of currency and for precipitating the Spanish-American war and bringing about the liberation and the freedom of Cuba. The record of Congress proves it conclusively. It can not be successfully denied. [Applause on the Democratic side.]

Sir, it can not be claimed by anyone familiar with the facts that the country is now enjoying unparalleled prosperity, and the Dingley law is still on the statute books. We are just emerging from the shock of one of the greatest panics the country has ever experienced; a financial crisis which shook the very foundations of industrial America; that caused a shrinkage of values of nearly 40 per cent; that threw 5,000,000 toilers out of employment; that closed half the factories in the country; a financial convulsion caused by the incompetency of Republican administration; and that started free bread lines and opened free soup houses in every large city in the country. The Republicans are responsible for the recent hard times; for the present financial depression; for the millions of honest workingmen now tramping the country seeking employment; for the uncertainty and the stagnation of business; for the woe, and the want, and the misery, and the poverty that stalk the land; for the free bread lines and free soup houses; for the clouds that have darkened the home of nearly every family in the Republic with sadness and destitution. [Applause on the Democratic side.]

I ask the friends of the Dingley law if it is responsible for these conditions? There are now, I am reliably informed, over 200,000 working people out of employment in the city of New York; and, according to the testimony of John Mitchell, over 5,000,000 of toilers are out of employment in the United States;

and in the face of this tremendous indictment of misrule and incompetency of the party in power I would like to know what has become of the boasted prosperity of the Republicans, and the beneficent advantages of the policy of protection? Wonderful prosperity, indeed, when millions of honest workingmen are tramping the country from one end of it to the other seeking employment to earn an honest livelihood for themselves and their families! If that is the kind of prosperity the Dingley law has given America, what shall we expect from the Payne tariff tax bill if it should become a law in its present shape—a bill which in every line and in every feature and in every schedule is infinitely worse than the Dingley law?

Mr. Chairman, it is my opinion, based on careful study and long observation, that all raw material essential to our industries and to our manufacturers should be admitted free, to enable this country to compete successfully with the manufacturers of the world. I believe that all raw material imported into the United States should come in free and be on the free list. I know it will aid the manufacturer and benefit the wage-earner. It follows like the night the day that the more free raw material, the more will be imported; the more that is imported, the more will be manufactured; the more manufactured, the more mills and the more factories; the more factories and the more mills, the more men will be employed; the more men employed, the more wages will be paid, and the more wages paid the happier the hearthside, the more prosperous the wage-earner, and the more contented the family.

Sir, I want to reduce as much as possible the taxes on all agricultural implements in the interest of our trust-burdened farmers. Nearly all agricultural implements are sold by the American manufacturers cheaper abroad than at home. I favor putting lumber on the free list to lessen the cost of building American homes, and to conserve for future generations our natural forests. I demand that coal be placed on the free list so that the coal trust shall have some competition and no longer be able to oppress the poor. I am in favor of putting hides, boots and shoes, and iron and steel on the free list. These things need no protection, and putting them on the free list will materially reduce their cost to the American consumer. I am in favor of placing on the free list, or reducing to a very large extent, the taxes on all kinds of gloves, hosiery, underwear, and clothes, and all cotton goods and woolen goods. All these wares are essential necessaries of life and they should be on the free list, or the tax on them should be very materially reduced. [Applause on the Democratic side.]

In the schedule devoted to cotton goods and yarns there has been no material decrease in tax duties; but there has been an increase of duty on mercerized fabrics, and an increase of duty on gloves and hosiery so great as to amount to almost a prohibition of imports. The cruel wool and woolen schedules of the existing law remain unchanged except as to a slight reduction in carpet wools. Those high taxes on woolen goods of every description continue on an average of from 100 to 200 per cent; and window glass, now made in this country more cheaply than anywhere else in the world by the use of recently patented machinery controlled by a trust, remains still protected by duties of from 80 per cent to 200 per cent. It is a crime against the poor to tax so high these necessaries of life.

Mr. Chairman, I am in favor of a free breakfast table. [Applause on the Democratic side.] I shall fight to the last to put tea and coffee back on the free list. It is an outrage to put a tax, as the Payne bill does, of 8 cents a pound on tea and 3 or 4 cents a pound on coffee. These taxes are only imposed in time of war. The poor people of the country will never submit to the extortion in time of peace in order to benefit a few monopolistic tea and coffee importers in the city of New York, who will make millions of dollars by the imposition. [Applause.]

Sir, if we are true to the best interests of the consumers of the country we will place tea, and coffee, and cocoa, and sugar, and spices, and syrups, and molasses, and rice, and all meats, and all breadstuffs, and all mineral waters, and fruits of every description, especially lemons, grapes, oranges, bananas, and pineapples, on the free list, or materially reduce the taxes on them. It is a crime against humanity to raise the taxes for the running expenses of the Government on these necessaries of the people. They should be free of customs taxes. They should be made as cheap as possible to all the people. I am especially opposed to the increased tariff taxes of the Payne bill on lemons, pineapples, and grapes. The adoption of the schedules on these articles without amendment would work hardship upon the consumers at large while diminishing the revenue of the Government. It is erroneous to class fruit of this description as luxuries. Thousands of persons eat fruit daily, and have come to regard it as one of the necessaries of life. Medical authorities agree that the vast increase in the consumption of fruit in recent years has greatly improved the public health. If the tariff duties be raised so high as to exclude the fruit products of foreign countries, an increase in the price of domestic-grown fruit will naturally follow, and many people will be deprived of a wholesome article of food to their discomfort and the detriment of the public health. I shall make every effort to amend the fruit schedules, and the bread and meat schedules, and the tea and coffee and sugar schedules, and the cotton goods and woolen goods schedules, and the breakfast-table schedules of the Payne bill all along the line, so as to protect the rights of the public.

Mr. Chairman, the Payne tariff-tax bill is not only class-tax legislation of the worst kind, but it is sectional-tax legislation in the most iniquitous form. It lays the whole country under tribute to the manufacturers of New England. The framers of the bill have taken special care of the interests of the highly protected manufacturers of the New England States and of the State of Pennsylvania; they have looked after special protected interests here and there in a few other places; but take the bill all in all it does very little for the people of the country generally; very little for the people in the Southland; very little for the people in the corn lands of the Mississippi valley; very little for the people on the Pacific coast. In these sections are the great producing people of the country; they have interests to protect, too; they sell all they raise in the cheapest markets of the world, and in competition with all the producers of the earth; and everything they are compelled to buy they must buy here in the dearest market in the world. [Applause on the Democratic side.]

The South raises cotton, and the cotton is shipped to the manufacturers in New England, where the raw material is made into cotton fabrics, and sold to the people of the South at a profit of from 100 to 200 per cent. Is it any wonder the South is poor? Will it never learn? The people in the corn lands of the great West sell their wheat in competition with all the world, and everything they buy they must purchase in the most highly protected and the dearest market on the earth. Will they never heed the lesson? Cotton-goods statistics show that American cotton mills do not need any protection on the goods they are equipped to produce. In neutral markets they have so well been able to compete that their exports have rapidly grown, and in 1906 equaled $52,944,033. These mills make precisely the class of goods which the Payne bill is designed to prohibit from importation. American mills do not sell their products on an ordinary profit basis, but adroitly fix their prices just below those at which similar goods can be imported.

So, sir, the net result, if the Payne bill is permitted to become law, will be to greatly reduce revenues by prohibiting importation, and to permit a few New England mills to manipulate prices at will, and to repeat their action of 1907, when they arbitrarily raised prices more than 50 per cent, although there was no corresponding increase in wages or in the cost of production. The Payne bill will drive many importing houses in cotton goods out of business; work a hardship on 28,000 American retail cotton-goods merchants, and add an additional burden to the whole American people by increasing the cost of one of the chief necessaries of life. The people are united in the conviction that the tariff taxes on cotton and woolen goods of all kinds should be reduced rather than raised.

President Taft said on December 16 last: "I believe that the way to stamp out trusts and monopolies is to avoid excessive rates which tempt monopolies." The Payne bill flies in the face of this statement. An average tariff of 20 per cent on cotton fabrics is ample to protect American manufacturers from any possible difference in cost of production; and if the tax were so reduced its only effect would be to compel them to run their mills on a fair capitalization and charge reasonable profits to the consumers.

Mr. Chairman, I hold in my hand the last and the best speech of William McKinley, delivered at the Pan-American Exposition in Buffalo on September 5, 1901. In that remarkable address, with a farsightedness most prophetic in the light of present conditions, President McKinley said:

"The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not. If, perchance, some of our tariffs are no longer needed for a revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad? Then, too, we have inadequate steamship service. New lines of steamers have already been put in commission between the Pacific ports of the United States and those on the western coast of Mexico and Central and South America. These should be followed up with direct steamship lines between

the eastern coast of the United States and South American ports. One of the needs of the times is direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense; they will be messengers of peace and amity wherever they go."

Mr. Chairman, I concur in these eloquent words of the martyred President—words that have done much to open the eyes of the American people to the selfishness of protection and to the iniquities of our shortsighted policy concerning our foreign commerce and our deep-sea carrying trade. For years I have been advocating freer and more intimate trade relations with Canada on our north, and with Mexico, Central and South America on our south; but the members of Mr. McKinley's party in this House have turned to my entreaties a deaf ear. For years I have had pending in the Congress a bill to restore our merchant marine by a graduated system of tonnage taxes against foreign-built ships and in favor of American-built ships, but the Republican leaders in Congress would never allow the bill to be considered.

Sir, there is not a line in the Payne bill to restore the American merchant marine; and increase our revenue by taxing the carrying capacity of foreign-built ships in our deep-sea trade; and it is a matter of much regret that the few Republicans in Congress who control its affairs and dictate legislation seek to remedy the situation by ship subsidies, and hence earnestly favor a ship-subsidy bill, which is another phase of protection, but no remedy at all, only a mere temporary makeshift to rob the many for the benefit of the few by taking money out of the pockets of the taxpayers generally and giving it to a few favored individuals. I am opposed to this subsidy policy. It never has succeeded and it never will succeed in accomplishing the purpose desired. All history proves it conclusively. Wherever and whenever it has been tried it has failed. Ship subsidies are subversive of the eternal principles of justice and equality and in violation of the spirit of our institutions. The taxpayers of our country, burdened now almost beyond endurance, are opposed to ship protection in the guise of ship subsides. They are opposed to any more graft bills. They say no private business interests should be aided by direct grants from the Treasury. They declare Congress has no power to subsidize any trade or any calling or any business, on land or sea, at the expense of the taxpayers of our country.

Mr. Chairman, I urged the Ways and Means Committee when it was making up the Payne tariff tax bill to do something for the restoration of our shipbuilding industry; to do something to recover our deep-sea trade along the lines of a graduated system of tonnage taxes on foreign ships, but I am sorry to say the committee has done absolutely nothing for these important industries.

Sir, I am in favor of immediate action by Congress for the resumption of the shipping policy which prevailed under the first five Presidents of the Republic, and which brought forth and maintained the best merchant marine on the ocean without the cost of a cent to the American people. I denounce the Republican party for its willful neglect of our shipping in the foreign trade, having done nothing whatever for its revival since the civil war, except to connive at the passage of vicious subsidy bills, utterly useless for the object in view, and really in the interest of foreign nations. I am willing to go as far as any man in this country to legislate for the restoration of the American merchant marine to all its former glory and to secure for the American people their just share of the over-seas carrying trade of the world. I know, and every man who has investigated this subject knows, that our loss of deep-sea commerce is due entirely to the iniquitous legislation and shortsighted policies of the Republicans in the National Legislature. If the American Congress would legislate intelligently regarding this subject, we could restore our merchant marine, increase our revenues, and secure nine-tenths of all our commerce on the high seas, exports and imports, without a ship subsidy and without taking a single dollar from the pockets of the taxpayers to give bounties to favored shipowners.

This whole subject is a very simple matter when reduced to an intelligent business proposition. We do not need to take a dollar out of the Treasury of the United States to revive our shipbuilding industries or restore our merchant marine. All we need to do is to legislate intelligently, repeal the restrictive laws against our deep-sea shipping now on our statute books, put in their place laws similar to the navigation laws that were enacted by the early statesmen of the country—laws that built up our merchant marine in those historic days—laws that placed our flag on the high seas and gave us nine-tenths of our entire over-seas carrying trade, and we would do it if it were not for the greed and the selfishness of the shipping trust. [Applause on the Democratic side.]

Mr. Chairman, the Republicans contend, when we demand an equitable revision of unjust tariff-tax discriminations, that they are all in the interest of labor; that this exorbitant protection is for the benefit of the wage-earner; but every intelligent man in the country knows the absurdity of the proposition. Labor comes in free from every country on earth except China and Japan, and successfully competes here with the skilled labor of the world. Labor receives no protection. Tariff taxation has nothing to do with the price of labor. Capital is not charitable. Capital is selfish. Capital buys labor, like everything else, as cheaply as it can. Wages are regulated by the inexorable law of supply and demand. Whenever you find two employers looking for one workman, wages will be high, and whenever you find two workmen looking for one employer wages will be low. When the demand is greater than the supply wages go up, and when the supply is greater than the demand wages go down. Tariff taxes have little or nothing to do with the price of labor. In all prosperous communities labor is sought and not turned aside.

Sir, I am now, always have been, and always will be, the friend of the American workingman; my record for fifteen years in this House testifies to the fact. The American wage-earner is the greatest producer of real wealth in all our country. He is the best artisan and the best mechanic on earth. Of course, he gets more wages than the foreign workman. And he should, because he can do more work and better work and in less time than the foreigner, and it costs the American workman at least twice as much to live here as it does the foreign workman to live in other countries. On an average during the past ten years the cost of living in the United States has increased 49 per cent, and wages have remained, with few exceptions, about the same. The American wage-earner pays from twice to twenty times as much for the necessaries of life as the foreign wage-earner. In the end he can not save much. If the American workman is a little better off than the foreign workman he has no one to thank but himself, no agency to praise but his own ability, and no man to rely on for his improved condition but his loyal brothers in the trades unions of the country, which have done more than all other things combined to promote his progress, protect his interests, and benefit his welfare. [Applause.]

Let the toilers of the land who earn their bread in the sweat of their face ponder on these facts. They can not be successfully controverted. They are as true as the polar star and as fixed as the granite hills. The Republican doctrine that protection to American industries benefits the toilers is all moonshine. If that were its object, the selfish beneficiaries of protection would whistle it down the wind, and as a political policy it would soon be abandoned and disappear forever. [Long and loud applause on the Democratic side.]

Mr. MONDELL. Mr. Chairman, at the very outset of my remarks, I desire to express my appreciation of the painstaking effort which the majority of the committee has expended in the preparation of this bill. I think I have some slight conception of the magnitude of the labor involved, and I firmly believe that the members of the committee entered upon the task, pursued, and completed it with the conscientious purpose of preparing a bill that would be fair and equitable as between the producer and consumer and afford adequate revenues to the Government.

As to just how far this product of the committee's earnest and faithful labors realizes the ends sought, there is and will be a wide diversity of opinion, even among those who agree with the general policy of the bill. In many important respects, in my opinion, the bill meets the reasonable expectations of those who believe that changed conditions demand a change in many tariff schedules. From my view point, however, the bill contains a number of changes from the present law which are not justifiable, either from the standpoint of well-balanced protection or of a proper regard for the revenue-producing features of a tariff bill.

WOOLS AND HIDES.

I do not hope or expect in the time allotted me to refer to all of the features of the bill of which I do not fully approve. I shall content myself with briefly mentioning a few items, and more fully discussing one which particularly affects the people whom I represent. The committee did well in retaining the present duty on wools of the first and second class. They would have done better had they retained the duty on wools of the third class, as in the present law, and, in my opinion, a great

mistake was made in reducing the duty on tops and waste, and I hope that this mistake may be corrected before the bill becomes a law.

In my opinion, the reductions made in the duties on leather and manufactures of leather, while considerable, were not sufficient to justify the placing of hides on the free list, and as a protectionist, favorable to a duty on leather and the manufactures of leather, I also favor a reasonable duty on hides and hope to see the duty restored. The claim that a duty on hides is not helpful to the farmer is altogether fallacious. It is one of the few items in the tariff schedules which directly benefits the farmer.

CONSTRUE COAL AND SUGAR.

I am opposed to the provision of the bill which allows the free importation into the United States of a large amount of Philippine tobacco and cigars and 300,000 tons of sugar annually. In my opinion the provision is not in harmony with the policy of the bill, viewed either from a protectionist or revenue standpoint. Neither is it warranted by any proper consideration of our duty to the Philippine people or our own citizens.

It is in the nature of a special privilege, out of harmony with any proper tariff policy, and if it is enacted into law it will, in my opinion, prove a source of embarrassment and regret to those who have advocated it, both here and in the islands.

In this provision we surrender the principle of an equitable tariff law, and the islands a large amount of revenue, and all for the benefit of a few planters who already have all the advantage in our market they can reasonably demand.

Concerning these items will, I have no doubt, be fully discussed by others. I shall confine my remarks to the duty on coal, and for the purpose of this discussion I will assume that coal will go to the free list under the reciprocity arrangement proposed.

COAL—WHY CANADA WILL RECIPROCATE.

I have heard it suggested that possibly Canada will not accept the reciprocity conditions, remove her duty on coal, and thus secure the benefit of our free market. I assume, however, that the committee has not deliberately done a vain thing and provided for reciprocal relations doubtful of realization. It is true that Canada now secures a very considerable revenue from coal imported from the United States. This revenue, on an importation of 6,851,700 tons, amounted to approximately $6,700,000 in 1908, but the powerful influences that would be benefited by reciprocity in coal will undoubtedly be able to overcome the objections to the loss of this revenue. This is made more certain by the change which the committee made in the tariff, whereby Canada is to pay the same rate as lump coal, to wit, 67 cents a ton, instead of 15 cents as under the present law. This change will so greatly affect certain large consumers, notably great railway lines, as to throw the strength of its influence in favor of a reciprocity arrangement.

In the administration of the law the Treasury officials collect the low rate of 15 cents per ton on the estimated amount of coal in all shipments. This practice, together with the straight slack shipments, if any there be, has the effect of greatly lowering the rate of duty, so that the average rate of duty collected during the last fiscal year on bituminous coal was 48.4 cents, but a trifle less than 48 cents per ton. This is equivalent to an ad valorem duty of about 16 per cent. The Payne bill fixes the duty at 67 cents a ton straight.

COAL ON FREE LIST.

In the consideration of a tariff bill from a Republican or even from a revenue with incidental protection standpoint, the taking of an article from the dutiable list and its transfer to the free list is only justified by certain definite considerations, and, judged by any of these, the placing of coal on the free list under present conditions in the United States and Canada is not justifiable.

These considerations are:

First. That the article does not require protection and that the revenue derived from it is not needed.

The coal industry of certain important portions of the United States does need protection, as I shall endeavor to show, and the present revenue of nearly a million dollars per annum would come in very handy in these days of deficient revenue.

Second. That the duty results in an increase of the cost of the article protected to all or a considerable portion of our people without equivalent or corresponding benefits.

The tariff on coal does not increase the cost to consumers, and I think I can show that free coal will not result in reducing the price of coal to any considerable portion of our people; that whatever benefits there may be in this direction will be altogether temporary and affect but a small fraction of our population. On the other hand, free coal will result in great injury to our industries in a very considerable and growing portion of our country and loss of employment and reduction of wages to a large number of American workingmen.

Third. That the placing of the article in question on the free list is a necessary and logical corollary to a general and equivalent reduction of tariff on manufactured products of which it is a considerable element of cost.

That the placing of coal on the free list was not justifiable by reason of any change in other schedules is clearly evident from an examination of the bill.

Fourth. That the placing of the article on the free list would have the effect of largely increasing the commerce of the country through an enlarged export trade in the article.

I expect to be able to show that free coal will not increase our coal exports to any appreciable extent, but, on the contrary, will decrease our total coal production. Coal has always been on the dutiable list under all kinds of tariff policy, and the duty has ranged from $1.75 per ton in the tariff of 1843 to 40 cents a ton in the Wilson bill.

IMPORTS MOSTLY FROM CANADA.

In the discussion of this question it should be remembered that our importation of coal from other parts of the world than Canada is a negligible quantity, and that with free coal the importations into the United States from all coal countries except Canada would continue to be practically infinitesimal. In the year 1907 we produced in the United States 252,[illegible] long tons of bituminous coal. We imported 1,659,376 long tons of bituminous coal, of which amount 1,297,576 tons, or three-fourths, came from Canada. Our entire importation of bituminous coal from other countries than Canada in 1907 amounted to less than 400,000 tons, or about one-seventh of 1 per cent of our consumption.

By no possibility can importations of bituminous coal into the United States other than from Canada be greatly increased by free coal. Ordinarily bituminous coal is cheaper at any one of our Atlantic or Gulf seaports than in any foreign exporting country other than Canada, and therefore whatever importations there might be would be trifling, sporadic, incidental, and utterly inconsequential in the matter of price fixing.

IMPORTS AND PRICES.

We should, once for all, rid ourselves of the idea, if we have any such idea, that a duty on coal increases the price of coal generally throughout the country in the slightest degree. Wild flying claims may be made in this regard as to those distant regions which might be reached by Canadian coal, no one who has any sort of knowledge of the subject will for a moment contend that the duty on coal increases the cost of that article to American citizens generally by even a fraction of a cent a ton.

Coal is quite generally distributed throughout our country, it is produced in 31 States, and it has never been seriously contended by anyone who understands the coal situation that there is any combination in the bituminous coal trade to manipulate prices. On the contrary, there is no industry in the country in which competition is so keen.

It is true that in some interior portions of the country coal is quite high, but this is due almost invariably to high transportation charges, over which the operators have no control. The average price at the mines, according to government reports, is always low, running from $1.20 to $1.24 per ton.

The foreign importation of but little more than one-half of 1 per cent of our entire consumption can not, in the nature of things, have any appreciable effect on the price to the consumer, nor could free coal, by any possibility, reduce in the slightest degree the price of coal over the country at large.

Australian coal might come to Pacific coast ports in slightly increased quantities, but owing to the cheap oil there would not have any effect on the price of fuel, as practically all the Australian coal shipped there is for the use of vessels, mostly foreign bottoms. Therefore the whole question of free coal is a question of Canadian coal, and free coal could by no possibility affect the price of coal at any point that would not be reached by Canadian coal.

Assuming for the moment, for the sake of the argument, that free Canadian coal might slightly reduce the price of coal at ports and points which Canadian coals could reach under free trade, the only territory in the entire Union that, on the basis of this argument, could be thus affected by free coal would be New England; any such effect as to the Puget Sound country and the Rocky Mountain States could only occur at the expense of their own coal industries. The inevitable logic of the situation is, therefore, that, admitting all that New England may claim of benefits to come at the expense of the Virginias and Pennsylvania, she stands alone as the only possible beneficiary

through cheaper coal, brought about at the sacrifice of the industries of her sister States. Any such reduction, if it occurred, would not amount to more than, perhaps, 10 cents a ton at the port of Boston.

Mr. HOWLAND. Will the gentleman yield for a question?

Mr. MONDELL. I do.

Mr. HOWLAND. I am interested to know just how the gentleman arrived at the 10 cents per ton, which he says the port of Boston would get it cheaper?

Mr. MONDELL. Take the duty off of coal and the Nova Scotia operator has an advantage of from 60 to 80 cents a ton, comparative economic value considered, and an advantage of about 1.25 cents a ton in actual cost per ton. The average profit of bituminous coal operators in this country is probably not over 15 cents a ton. That is admitted everywhere and by everybody.

Ten cents on an average, and 15 cents as the limit, will drive American coal from any market. The Nova Scotia operator has, I have shown, a leverage of about 70 cents a ton, duty free, on the basis of economic value. He can drop 20, 25, or 30 cents today and restore his rate to-morrow, and the American operator is out of the market, and if he dares to start a cargo for the market, down goes the rate just enough to make it a losing venture; and I say that while no Boston purchaser will get his coal on an average or in the long run any cheaper, no American coal will go to the port of Boston under free trade, because the leverage in the hands of the Nova Scotia operators makes it possible to outbid any man who starts a cargo of coal for that port, and of course the Nova Scotia operators will use that advantage.

Mr. SWASEY. Will the gentleman yield for a question?

Mr. MONDELL. I will be glad to.

Mr. SWASEY. I want to inquire if you have taken into consideration the fact that transferring the coal trade to the Provinces of New Brunswick or Nova Scotia will militate against the coastwise traffic of our country, so far as the carrying trade is concerned?

Mr. MONDELL. Certainly. If you lose 6,000,000 tons of coal at the port of Boston, which has come heretofore from Hampton Roads, Philadelphia, and New York, you lose 6,000,000 tons of tonnage for American shipping, which has none too much at the present time.

Mr. SWASEY. Transferring it to foreign bottoms.

Mr. MONDELL. American coal must all be carried to the port of Boston in American bottoms, but coal from Nova Scotia can be carried by any tramp that comes along. And yet gentlemen who call themselves protectionists favor this sort of a proposition.

BENEFITS, IF ANY, AT EXPENSE OF OTHER STATES.

I deny that reciprocity in coal would give New England cheaper coal on the average or in the long run, but if it should reduce the price a few cents per ton, it must be by having American products driven from her markets by a foreign product. Is New England prepared to advocate such a policy? Is she prepared to profit at the expense of the Virginias and Montana, Washington, Wyoming, Utah, and Colorado?

Shall a protectionist appeal in vain to New England on behalf of protection? There she stands, rock ribbed, sound, rich, prosperous, and so she will remain so long, and so long only, as the policy of protection shall prevail in the land. Her countless mills and factories are splendid monuments to the genius and industry of her people, but no less are they monuments to the protective policy of the Republican party.

Does New England desire to have it said of her that her adherence to the fiscal policy that has made her rich has destroyed the spirit of fair play and of devotion to all the Union which made her famous? Is she willing to amass wealth, increase her dividends, and enlarge her factories at the expense of the crippled and shattered industries of her sister States? Do her Representatives hope that industries thus maintained and expanded can long endure when the policy of protection which has made her prosperity possible depends for its very existence upon the continued faith of the American people that it is maintained in a spirit of equity and justice to all sections of our common country?

Outside of New England, with the exceptions I have mentioned, the wildest flight of the imagination can conjure no hope of cheaper fuel to any American citizen by free coal. Think of it! We are surrendering a million of revenue, threatening industries with extinction and American workingmen with loss of employment, and nowhere in all the vast area of the States will there be any appreciable reduction in the price of coal to the consumer. Then, tell me why anyone anywhere should favor this proposition. I will tell you why some favor it.

WHY SOME FAVOR IT.

Certain great interests favor this reciprocity arrangement because it would mean an additional profit of millions of dollars to them. They are the great coal operators of western Pennsylvania and Ohio, who now enjoy a monopoly of the Ontario markets.

None of these gentlemen took the trouble to appear before the Committee on Ways and Means. They did, however, file a number of letters and statements, rather brief and to the point, and to the effect that they supplied the Canadian market from Montreal to Winnipeg; that they shipped annually nearly 7,000,000 tons of American coal into that market, and that they desired to have the committee so arrange matters as to relieve them of the necessity of paying the Canadian duty of 53 cents a ton on their shipments.

These gentlemen made no claim of a desire to furnish cheaper coal to any American citizen. They simply expressed the desire to pocket the three and a half million dollars they annually pay the Canadian government as duty.

They did make some claim of a possible increase of markets in Canada through reciprocity arrangements, but in the main their plea was for a better price for their coal, which would be obtained by relieving them of the payment of the Canadian duty.

Any considerable increase in the Canadian market is impossible. Last year these operators furnished not only practically all the coal from Montreal to Winnipeg, but they supplied 1,435,940 tons to Quebec, or over 41 per cent of the entire consumption. Assuming that under free-trade relations they may be able to drive the Canadian operators entirely from the Quebec market, which is impossible, it would only add 2,000,000 tons to our trade, and this is the limit of the possibility of increased trade which could be secured at the expense of the probable loss of the Boston trade of 6,000,000 tons annually, and the trade in the Northwestern and coast States of at least four or five million tons.

Assuming, for the sake of the argument, that these American exporters would sell coal cheaper in Canada under free-trade conditions, which is a rather violent assumption, the effect would simply be to stimulate the Canadian manufacturers in their competition with American manufacturers. From that view point this is a proposition to give cheaper American coal to five or six thousand Canadian manufacturing establishments to aid them in their competition against New England's manufacturing establishments, while risking the loss of the coal trade of the 35,000 manufacturing institutions in New England.

If these operators of Pennsylvania and Ohio could secure these additional millions in revenue without loss to other American industries, I should certainly interpose no objection, but unfortunately this arrangement, which would be so pleasing to them, would result in the closing down of mines in Washington and a vast reduction of output and wages in Montana and Wyoming. While they would be reaping a largely increased profit, western operators would be put out of business by Canadian competition, and the operators of Virginia would be engaged in a desperate struggle to maintain their New England markets.

ONTARIO'S MARKETS SECURE.

The markets of all Canada in that vast sweep of territory from Montreal to Winnipeg are now as safely American coal territory as any part of the States. The 1,100 miles from Nova Scotia to Montreal, as against less than half that distance from the Pennsylvania coal fields, and the distance of 750 miles from the Lethbridge fields by rail to Winnipeg, as against 425 miles from Port Arthur to Winnipeg, in addition to the cheap water haul from the Lake coal ports, assures the supremacy of the American coal trade between those two points. All of the intervening territory, including the rich, populous, and growing regions of lower Ontario are as secure to the American coal operators without any change of tariff as is any portion of the States.

And yet it is the proposition to give some of the operators of Ohio and Pennsylvania a bounty of the amount of the Canadian duty they now pay that is largely responsible for the reciprocity provision in this bill.

Gentlemen of Pennsylvania and Ohio, you have long stood for a protective tariff, generally consistently. All of your industries have been amply protected, and by reason of that protection have flourished marvelously. The men from the States west of you who have had but little direct benefit from protection have stood by you nobly in the protection of your iron, your wool, your glass, your crockery, and other industries. I can not believe you have reached a point where you are willing, not in the interest of any considerable increase of employment for your people, not in the interest of a cheaper article for the use of your people, but for the purpose of giving an ab-

normal profit to a few of your citizens, to smite the industries and to throw out of employment the citizens of sister States which have stood by you in upholding the policy which has enabled you to develop your marvelous resources to a vast extent and with wonderful profit.

WHERE THE SHOE PINCHES.

Having discussed the basis of the demand for free trade in coal with Canada, let me take up the question of the effect of such a programme on the region which will be materially and disastrously affected. If New England secures cheaper coal through this arrangement, it can only be done by throwing American miners out of employment or reducing their wages. The present price of coal at Boston is fixed, not by the duty, not by the competition of foreign coals, but by the keen competition of American coals. It costs all the way from $2 to $2.50 a ton to transport Virginia and Pennsylvania bituminous coal to Boston. Add to that the low price of $1.25 a ton at the mines and you have a rock bottom cost of from $3.25 to $3.75, which represents about what Boston pays for her coal. Any reduction below these figures means the loss of business to the American mines or a reduction of the wages paid American labor.

The Nova Scotia operator has the best of the situation in the Boston market, by reason of a freight rate from $1 to $1.25 per ton less than that paid by his American competitor. Assuming that some of his coal is not as good as the best American coal and that it has an average economic value of 50 cents a ton less that American coal, the Nova Scotia operator still has an advantage in the Boston market of from 50 to 75 cents a ton. As the average duty as collected is not 67 cents, but about 50 cents, the Nova Scotia operator has an even break or better under the present tariff.

As the prices which I have quoted on American coal leaves practically no margin to the operator, or at the most only 10 or 15 cents a ton, the Canadian need only reduce his coal by that amount in order to drive the American out of the market. The only alternative is a reduction of wages.

In the hearings before the committee, Mr. McCullough, of Philadelphia, an operator in the Boston trade, in answer to a question from Mr. FORDNEY as to whether the American operators would, under these circumstances, surrender the New England field, said:

> We would not give up without considerable of a struggle—we are paying [illegible] wages. Wages would be the first thing to [illegible] we would have to [illegible] on lower prices. We would [illegible] that they would have to work for less money.
>
> Mr. FORDNEY. Lower wages would be the first to resolve the reduction?
>
> Mr. McCULLOUGH. Yes; most first. Capital must have [illegible] capital is getting very little now. It is down to [illegible]

Does New England insist on jeopardizing the industries, and the wages of the miners, of other States in the elusive hope that she may get coal for 10 or 15 cents less a ton than at present?

THE WESTERN FIELD.

Turning now from the situation east of the Great Lakes, let us see what reciprocity in coal would do to the labor and industries of the Rocky Mountain and northern coast States.

In this region the advantage is all with the Canadian producer. He has on an average a better seam which he mines at a lower cost per ton than his neighbor on the American side of the line. His haul is shorter and his freight rate lower to important American markets than those of his American competitor, and in the face of the present tariff he is securing more and more of the western market. This fact is graphically shown by the following statement of importations of duty-paid coal from Lethbridge and Crows Nest Pass, in Canada, into the collection district of Montana and Idaho, which includes eastern Washington:

	Tons.
1904	159,488
1905	174,541
1906	278,466
1907	272,522
1908	410,126

These figures show that the importation has almost doubled in the past year, and has been steadily growing for years past.

THE CANADIAN MINES.

The principal Canadian mines in this region are in two groups. First, the mines in the southern part of Vancouver Island, adjacent to Puget Sound; second, the Crows Nest Pass, and the Lethbridge fields in British Columbia and Alberta, directly north of the western extremity of Montana.

Coming in direct competition with these Canadian fields are the fields of western Washington and Oregon, competing with the Vancouver and Crows Nest Pass coal, and the fields of Montana and Wyoming, and to a lesser extent those of Utah, in direct competition with the coal of Crows Nest Pass and Lethbridge.

Looking first to the western field, we find the State of Washington with an output of 3,680,532 in 1907 and with an industry employing 5,945 men in competition with the coal from Vancouver, which is laid down with a freight rate of only 75 cents a ton to Puget Sound points, a rate as low or lower than the lowest from any of the Washington mines to the same points.

Coal from the Crows Nest Pass field reaches Spokane, in eastern Washington, at a rate of $2.25 per ton, while the freight rate from Roslyn, in Washington, to Spokane is $2.50 per ton, and from the fields west of the Cascades $3 per ton.

Mr. F. A. Hill, of Seattle, Wash., a civil engineer, and perhaps the best posted man on conditions in the western fields, in a statement filed with the Ways and Means Committee, estimates the cost of mining coal in British Columbia at from $1.40 to $1.80 per ton, in Alberta at from $1.10 to $1.30 per ton, and the cost in Washington from $2 to $2.30 per ton.

From a careful analysis of the detailed statement of wages and other cost which Mr. Hill presented, and which I have compared with information secured from the Department of Commerce and Labor, I believe Mr. Hill's figures are approximately correct, and they show that, taking into consideration the cost of mining and of transportation, the Vancouver coal can be laid down at Puget Sound points at from 50 to 80 cents per ton less than Washington coal. In fact, there is that advantage to the Canadian operator in the cost of production alone, in addition to an advantage in transportation rates to certain points.

When the Washington operator leaves Puget Sound for his own Pacific coast ports and those of Oregon and California he finds another handicap, for the Canadian shipper from Vancouver can utilize every tramp steamer that comes his way, while the Washington operator, compelled under our navigation laws to ship only in American bottoms, must pay a much higher freight rate.

EASTERN WASHINGTON.

The Washington operator lays down his coal at Spokane, in his own State, at a cost, for mining and transportation, of from $4.50 to $5 per ton, as against a cost of from $3.75 to $4.05 for the Canadian operator from Crows Nest Pass or Lethbridge, a difference in favor of the Canadian operator of from 75 to 95 cents a ton. As the tariff is only 67 cents a ton, and, owing to the reduction for slack, averages still less, it is clear that the Washington operator has the hardest kind of a struggle to maintain himself at the present time in his own State. The Canadian already largely monopolizes the Spokane field, and there can be no question but that under free trade with Canada the smaller mines in Washington would be compelled to close, as would probably all of the mines owned by independent operators unless the miners would agree to accept a radical reduction in pay. Surely the Republican party does not want to be responsible for bringing about such a calamitous condition.

Both Oregon and Washington have considerable coal areas yet undeveloped; but under the policy which is proposed this development would be impossible, and in a short time the people of the State and surrounding territory would be entirely at the mercy of Canadian operators.

THE BASIC OF RECIPROCITY.

Let us now consider for a moment the situation in that great stretch of territory extending from the Rocky Mountains to Lake Superior, and first I want to talk for a moment with my friends from Minnesota and the Dakotas, who, without having carefully considered the situation, may imagine that free trade in coal with Canada would give them cheaper coal. If this curious error had any foundation in fact, it might not be out of the way to suggest that if reciprocity is a good thing, it ought to be extended somewhat, and should apply to wheat and barley, and other agricultural products, on which, under this bill, they enjoy much higher protection, on an ad valorem basis, than the duty on coal, while I understand that they are expecting to ask still more.

If they need it, I hope they will get it; but while they are getting it, it occurs to me that as protectionists they ought to be consistent. We use much more flour in the Rocky Mountain country than we produce, and most of it comes from Dakota and Minnesota wheat. Canada is a great wheat country. Why not give us the benefit of reciprocal relations in wheat, barley, and other farm products if reciprocity is a good and desirable thing?

Mr. GRONNA. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. GRONNA. Is it not true that the manufacturer now can obtain free wheat from Canada?

Mr. MONDELL. Well, I do not know about the manufacturer, but I know that the gentleman stands for a duty on wheat, and I stand with him.

Mr. GRONNA. I am glad of that.

Mr. MONDELL. The fact is that if our brethren of Minnesota and the Dakotas should forget to be consistent as protectionists and seek only their own selfish interests, they should still stand unitedly against this reciprocity arrangement, because by no possibility can it be helpful to them in reducing the price of coal in their States by a single penny, while in the long run it would lead to their complete undoing.

I have already called attention to the fact that no Nova Scotia coal can get far west of Montreal. Neither can coal from the Canadian Rockies reach the Dakotas, much less Minnesota, with a freight haul of less than from 600 to 1,000 miles, while a haul of from 300 to 400 miles would carry coal from the northern Wyoming and southern Montana fields into any part of the Dakotas and to the Minnesota line.

At present these States obtain their coal from Iowa and Illinois, and from Ohio and Pennsylvania through the Lake ports. Free coal can not make any of this coal cheaper. Its price is fixed by the cost of production and keenest competition. Free coal can by no possibility change the situation.

As these Northwestern States develop and increase in population, as railroads are extended through the Montana and Wyoming fields, their additional coal supply must come from these States. It is to their interest to see to it that the coal industries of these States are developed, so that as the increase in demand comes we shall not have the coal famines of a few years since. The coal fields of these States can not be properly and adequately developed if a large portion of their natural market along the Canadian border, in Montana, Idaho, and Washington, is to be given over to the Canadian coal producer.

DEVELOP HOME INDUSTRIES.

North Dakota has within her borders one of the most extensive fields of lignite coal in the world. While much of this coal is of too low grade to stand shipment long distances, much of it will eventually be mined profitably. No coal produces better results in a gas-producer engine, and manufactured into briquets it makes an ideal fuel. The supply of this coal is inexhaustible, and surely North Dakota will not fail to demand proper protection for this most magnificent mineral resource while she is insisting upon protection for her agricultural resources.

THE WYOMING AND MONTANA SITUATION.

In 1907 Montana produced 2,016,857 tons of coal, most of which was consumed within the State and in North Dakota. In the same year Wyoming produced 6,252,990 tons of coal, of which amount nearly half was shipped to Montana, Idaho, and Washington, where it came into competition with Canadian coal, the remainder being consumed in the State and in Nebraska and South Dakota.

The coal operators of these two States, like those of Washington, have a constant struggle to maintain their markets at all points within 200 to 300 miles of the Canadian border, and with the removal of the duty they would lose practically all of their markets within that distance of the international boundary in eastern Washington, northern Idaho, and Montana.

The cause for this is not far to seek. The Crows Nest Pass and the Lethbridge fields in Canada lie within from 50 to 100 miles of the international boundary. The great distributing and consuming centers for coal in that region are Spokane, Butte, Helena, and Great Falls. The freight rate, as I have before stated, from the Crows Nest Pass field to Spokane is $2.25 per ton, from the Alberta field a little higher, while the rate from the Wyoming fields is nearly $2 a ton higher, and yet our people have been endeavoring to do some business in that territory.

Against a rate on Lethbridge coal of $2.50 to Great Falls, Mont., the Wyoming coal must pay a rate that is generally prohibitive, and no American coal, except that mined in the immediate vicinity, can compete with the Canadian product, duty paid.

In the great markets of Butte and Anaconda, in Montana, some of the Montana and Wyoming lignite coals have a slight advantage in freight rates over the Canadian coal, but the coal from Kemmerer and Rock Springs, Wyo., which is the only American coal that can compete at all successfully with the Canadian coal in these markets, on the basis of quality, pays a freight rate of $4 per ton as against $3 to $3.75 for Canadian coal.

Along the line of the Great Northern Railway for 500 miles, in Montana and Idaho, the Canadian coal has all the best of it, and, duty paid, monopolizes the market almost as completely as American coal monopolizes the market in Ontario.

DIFFERENCE IN WAGES.

In the States of Montana and Wyoming are paid the highest wages received by coal miners anywhere in the United States. All operations in and around the mines are on an eight-hour basis, while in Canada the outside wage scale is based on a ten-hour day.

The following is a statement, compiled for me by the Bureau of Labor, giving a comparison of the wages in and about coal mines in western Canada and in Montana in 1907. This table shows that the rate of wages in Montana is from 25 to 40 per cent above that of Canada:

For example outside teamsters receive 37½ cents an hour in Montana and 26 cents an hour in Canada. A box-car shoveler receives $3 for eight hours work in Wyoming and Montana while in Canada the same class of labor receives $2.62½ for a ten-hour day.

Inside drivers in Montana receive $3.60 and in Canada $2.75 for eight hours work. Rope riders receive $3.40 a day in Montana and $2.75 in Canada. The difference in the pay of miners is quite as great, if not greater.

From a comparison of these wage scales it is very evident that coal mined by men receiving these American wage rates can not compete, without protection, with the coal mined on the Canadian scale. And when we take into consideration the fact that the Canadian operator has as low, and in many instances a much lower freight rate to common markets it is very evident that without protection the American operator must go out of business.

There is another feature of the situation which warrants the retention of a duty against Canadian coal in this field, and that is the fact that some of the Canadian coal, notably the Crows Nest Pass coal, is of such a quality that it would readily command a higher price than much of the American coal in open competition. American consumers would pay just as much for Canadian coal as they do to-day if the duty was removed; there would be no necessity compelling a reduction of the price. In this respect the Canadian operators in the western field would be in exactly the same position as the American operators in the Ontario fields. The operators would pocket the amount of the duty; the people would pay the same price for their coal.

THE LESSON OF EXPERIENCE.

Mr. SLEMP. I would like the gentleman to state the effect of the Wilson tariff bill on the production in Washington and Montana.

Mr. MONDELL. I will be glad to do that, because it illustrates just what would happen in Boston when the leverage is given the foreign operator.

Under the McKinley bill there was a duty on coal of 75 cents a ton, which under the Wilson bill was reduced to 40 cents. It was, of course, better than no duty at all, but it was not high enough to afford adequate protection, the result being that the Canadian operators temporarily reduced their price just enough to secure the market, and then gradually raised it to a point as high or higher than it had been before. Any attempt on the part of the American operators to regain the market was met by a temporary reduction, until the American operators, realizing that the Canadian operators had the leverage and could and would use it to put them out of business, made no further attempt to secure the markets they had lost until after the passage of the Dingley bill.

THE NATION'S COAL LANDS.

It seems never to have occurred to the Ways and Means Committee that while they were laying plans to expose our northwestern frontier to Canadian competition in coal, a coordinate branch of the Government, to wit, the Interior Department, was making a reclassification of the Government's coal lands in the Northwest, with a view of securing an increased price for them.

Mr. TAYLOR of Colorado. If the gentleman will permit, I call the gentleman's attention to the fact that in Colorado they have increased the price of a very large tract from $10 to $50 an acre.

Mr. MONDELL. That is true, and they have increased some in the State of Utah as high as from $20 to $90.

The Federal Government owns at least 20,000,000 acres of land in Wyoming, Montana, and Idaho, containing coal of good quality, and at least as much more containing coal of lower grades, the value of all of which will be directly and seriously affected by free Canadian coal; and, curiously enough, the executive departments are endeavoring to boost the price on these lands, while a portion of the legislative branch propose to make them practically worthless by Canadian competition with their products.

Then, there are the great Alaska coal fields, which seem to have been entirely lost sight of in this connection. These American fields, covering vast areas, practically all still owned by the Government, contain the only large bodies of coal in American territory on the Pacific fit for naval purposes. These

Alaska coal fields are over a thousand miles farther from our Pacific coast ports than are the Canadian Vancouver coals. They are farther from tidewater and much more difficult of access; wages are much higher than in the Vancouver field. The coal must be transported in American bottoms at a higher cost.

Mr. HUMPHREY of Washington. Will the gentleman allow me an interruption?

Mr. MONDELL. I will be glad to do so.

Mr. HUMPHREY of Washington. Before you leave the coal of Alaska, I wish to call the gentleman's attention to the fact that British Columbia already, under the present law, is sending coal into Alaska.

Mr. MONDELL. It is a national shame that we imported last year 67,000 tons of coal into Alaska, and if the duty is removed our great fields there will not be developed.

Mr. PARSONS. Will the gentleman yield?

Mr. MONDELL. I will be glad to do so.

Mr. PARSONS. Before the gentleman leaves the matter of the Alaskan coal, will he inform us if there are any figures that show the cost of mining the coal in Alaska?

Mr. MONDELL. The gentleman is himself somewhat familiar with that situation, and he knows that so far they have not been able, owing to conditions with which he is acquainted, to mine any considerable quantity of coal. But we know that wages there now are higher than in the State of Washington, much higher than Vancouver. And after the expenditure of millions of money to build the railroads to the mines, and it will cost many millions (there is no railroad to any of the mines yet), and after the expenditure of at least half a million of dollars to open any one of the mines, the probability is that the wage rate will be higher than the wage rate of Washington. But they do have a coal that probably can ultimately be mined at about the cost of mining coal in the State of Washington.

Mr. PARSONS. Have any of those people interested in coal lands in Alaska been before the Ways and Means Committee against this proposition?

Mr. MONDELL. I think not. In correspondence with one of them, he expressed surprise that it was necessary for any American citizen to appear before a Republican Ways and Means Committee in favor of the retention of duty on an article on which duty had been maintained from the foundation of the Government under free trade, tariff for revenue only, and tariff for protection alike; an article on which our friends, the Democrats, had a duty very nearly as high, or practically as high in its operation, as the present duty. He said that it was not possible that a Ways and Means Committee composed of Republicans would think of lowering the duty on such an article when it would mean the destruction of American industry. It would drive the American producer out of the market. It would not give anybody cheaper coal, and it will take from an already depleted Treasury an income of $1,000,000 a year.

Mr. HUMPHREY of Washington. Will the gentleman yield to me for a statement?

Mr. MONDELL. I will be glad to.

Mr. HUMPHREY of Washington. In reply to the question asked by the gentleman from New York [Mr. PARSONS], I desire to say that the Delegate from Alaska stated only a few days ago that the free coal would be one of the greatest handicaps to the coal fields of Alaska that had ever happened. He looked upon it as a calamity.

Mr. MONDELL. They never will develop them under free coal. They can not develop them because, I am told, it will cost at least $3,000,000 to build the first railroad and $500,000 to put in the first coal plant on any considerable scale, and then there is the transportation of 1,000 miles in an American bottom before they can reach a point reached by the Canadians on a haul of 100 miles.

Mr. LINDBERGH. Will the gentleman stand for a tariff higher than the duty on American goods from this country and the Canadian?

Mr. MONDELL. I stand for a tariff that will enable the American miner working at American wages to produce coal and supply it to American citizens engaged in American industries. [Applause.]

Mr. LINDBERGH. Irrespective of any difficulties of mining?

Mr. MONDELL. There are no such natural difficulties as will raise the price of coal to an exorbitant price or where the American does not generally buy it cheaper than any man on earth.

Mr. LINDBERGH. That is what I wanted to get at.

Mr. MONDELL. If there were conditions where over a considerable territory this would work great hardships to American citizens, it ought to be seriously considered; but the gentleman's constituents can not, I think he knows, ever obtain coal by a thousandth part of a mill on a million tons cheaper by free coal.

Mr. LINDBERGH. I merely inquired for information.

Mr. MONDELL. It is utterly impossible to increase competition in coal in your territory by free coal, because the coal from Canada can not get westward of Montreal. Now we supply over 41 per cent of the coal which goes as far east as Quebec. No coal from Canadian mines west of you can reach your territory at a price which people can afford to pay. So that it is just a question whether this Republican Congress will deliberately take a million dollars per annum from the Treasury for no purpose other than to give a lot of exporters down here in the Lake region an abnormal profit on their shipments into a market which they now absolutely control. That is the milk in the coconut; that is the African in this wood-pile, in my opinion.

It is of the utmost importance to the country that these Alaska fields be developed. Without them an American fleet in the Pacific might be seriously handicapped.

How can we hope to have these fields developed, how can the capital be obtained for their development, for railroads to bring the coal to tide water, if, in addition to all the other serious handicaps from which they suffer, they must compete with the shorter haul, lower freight rates, and lower wages of the Vancouver field?

The Government owns most of the coal. The navy needs it. Shall we leave the brave men attempting to develop American industries under these adverse conditions at the mercy of such competition unprotected, and still proclaim ourselves the advocates of protection to American industries?

THE INDUSTRIES AFFECTED.

Last year the States of Washington and Montana mined approximately 5,750,000 tons of coal. Add to this 3,250,000 tons as the estimated proportion of the Wyoming coal that went north, and we have 9,000,000 tons of annual coal production, giving employment directly to 20,000 to 25,000 men, besides many more indirectly, threatened most seriously. And all in order that some operators in Ohio and Pennsylvania, who are already making good profits, may make better profits, and in order that a few people in New England may indulge their fancy for what they are pleased to call "free raw materials."

Mr. McGUIRE of Oklahoma. Before the gentleman goes from that, will he make quite clear one proposition? What mine or what mines is it that now furnish Boston and vicinity?

Mr. MONDELL. Boston handles 6,000,000 tons of coal annually, approximately. Of that 6,000,000, a little over half a million is imported from Nova Scotia, or one-twelfth of the entire supply.

Mr. McGUIRE of Oklahoma. At this time?

Mr. MONDELL. Now.

Mr. McGUIRE of Oklahoma. Then, with free coal, your position is that Nova Scotia would furnish Massachusetts or a large portion of Massachusetts?

Mr. MONDELL. Not all of Massachusetts; but Boston.

Mr. McGUIRE of Oklahoma. Boston, then, we will say. What American mines would suffer that loss?

Mr. MONDELL. The West Virginia mines and the eastern Pennsylvania mines now supply that coal.

Mr. McGUIRE of Oklahoma. In what way would the loss be compensated to those mines?

Mr. MONDELL. It would not be compensated. The gentleman from western Pennsylvania who will gain more or less by this provision did attempt to get the gentlemen of eastern Pennsylvania to believe that, in some mysterious and curious way, they would be partly compensated; but that is utterly impossible, because, as I said a moment ago, if we go clear to Quebec and supply all the markets of Quebec, we will only have an additional market of 2,000,000 tons per annum.

INDUSTRIES OF OTHER STATES AFFECTED.

While the operators of the Northwest, like those of Virginia, would not give up their markets to Canada without a struggle, yet they realize that eventually, under free trade, Canada would secure more and more of their northern markets. Naturally, under these circumstances, they would look for markets in other directions, and particularly to the South and East, and endeavor to secure more of those now controlled by the coal operators of Colorado, Kansas, Iowa, and Missouri. The country is all downhill from the Rocky Mountains to the Missouri, and the railroads can haul cheaply mighty trains of coal.

Mr. MARTIN of South Dakota. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. MARTIN of South Dakota. What market besides that of the extreme East, in the neighborhood of Boston, and the mar-

ket supplied by the Washington mines would be affected by free coal?

Mr. MONDELL. Free coal is a Canadian question. If we had free coal, no other markets than those within a reaching distance of Canada, except possibly in a limited degree San Francisco, would be affected, because coal is always cheaper in all our other Atlantic ports and the Gulf ports than in foreign ports of export. It is cheaper at Mobile than at Cardiff, as cheap at New Orleans as at any British port except Hull, where an inferior coal sells for a few cents a ton cheaper; but add the lowest conceivable ocean rate and coal is still cheaper under any normal conditions at any of our great Atlantic and Gulf ports than it can be sold from abroad.

Mr. MARTIN of South Dakota. Would free coal affect any of the mines except Wyoming, Colorado, and Montana?

Mr. MONDELL. I have been trying to explain that Canada would get all of the markets for 300 miles south of the international boundary, and that we would lose a large portion of the market now supplied by the mines of Washington, Montana, and Wyoming in the States of Washington, Idaho, and Montana.

Mr. MARTIN of South Dakota. I thought the gentleman said that no part of North Dakota would be affected by free Canadian coal.

Mr. MONDELL. I said "no part of North Dakota." I have not said anything different.

Mr. MARTIN of South Dakota. Then, if Canadian coal should reach that market, it would not affect the price.

Mr. MONDELL. Did I say that it would reach North Dakota? I did not intend to. No Canadian coal can reach North Dakota; the haul is too long.

Mr. MARTIN of South Dakota. The gentleman said "North Dakota."

Mr. MONDELL. I did not mean to say so. I thank the gentleman for correcting me if I did.

Mr. MARTIN of South Dakota. Within a line, say, of 300 miles south of the Canadian line and west of the North Dakota line, I understand the coal market would be affected by free coal?

Mr. MONDELL. We would undoubtedly lose much of that market and the people in that district would not, in the long run, get any cheaper coal. The Canadian would have a leverage of 67 cents a ton above what he now has, and he would use that to drive us from the market. He could probably drive American coal from the market by a temporary reduction of not to exceed 20 cents a ton, and then he could keep American coal from the market by being able to drop the price, without getting below the profit line, whenever we attempted to regain it.

I am informed that the Great Northern Railroad—Mr. James Hill's road—owns the two lines of railroad running to the Lethbridge and Crows Nest coal fields. I am also informed that the same interests own the Crows Nest Pass mines, and I estimate that free coal means at least an additional value of $15,000,000 to the railroad and Crows Nest Pass mines.

I am informed, on what I consider reliable authority, that the Crows Nest Pass mines made a profit last year of 40 cents per ton on their entire output. If they could do this and pay our duty, what a bonanza they would have with free trade and the control of our markets in that region.

I imagine that the stock of Mr. Hill's two railroads and of his great coal fields will immediately soar when there is any assurance that this bill, with its present reciprocity provision, shall become a law.

Now, in conclusion, I want to say——

Mr. MARTIN of South Dakota. If the gentleman will pardon me, I was unable to see how the American miner would be injured, providing the price of American coal is not reduced.

Mr. MONDELL. If the market is taken away, so that he has no coal to mine, and loses his occupation, is not that a loss to the miner? If the owner of the mine loses the market, he has to close his mine. It can not be denied that is a loss. I say again, that with the present duty of 67 cents a ton the Canadian operator now has the market within 100 miles of the line. We do not get there at all. If you take off the duty, the Canadian comes down at least 200 miles farther, takes from us our market for several millions of tons, and he gets it, not by giving coal cheaper continuously, but by temporarily reducing the price, and holds it by virtue of the fact that his labor cost is less than ours, and so he has a margin of profit which he can work on whenever necessary to keep the American operator out.

Western operators can not hope to secure enlarged markets by a lowering of the price. The price is already as low in that region as is consistent with any kind of a fair profit, but persistent drumming, the natural inclination of the consumer to try a new article, real or fancied superiority of the product for certain purposes, would inevitably secure some of the markets now in possession of the Kansas, the Colorado, the Iowa, and the Missouri operators, and they would then realize the folly of surrendering American markets to foreign producers.

WHAT IS INVOLVED.

Mr. Chairman, more is involved in this question, much more, than the granting of the selfish demand of a little handful of manufacturers in New England, already grown rich under protection, for an opportunity to attempt to sweat a few dollars out of American coal producers, serious and sorrowful as that spectacle is. There is more involved than the adding of millions to the profits of a few American exporters of coal and of a great railway magnate who is said to own much of the Crows Nest Pass field in Canada.

The real question involved is whether the Republican party shall deliberately, and with malice aforethought, urge a reciprocity arrangement, which Canada has not sought, with the full knowledge that such action will seriously cripple one of the leading industries of three or four of the States of the Union.

This is, so far as I can recollect, the first time that the Republican party has seriously considered ignoring the reasonable claims of large sections of the country. And for what purpose? Not to make a necessary article cheaper to the great body of the American people. No one outside of a lunatic asylum or an institution for the feeble-minded would seriously claim that the proposed legislation would have any such effect. Neither is it for the purpose of increasing the trade and commerce of the country; but, if we judge from the evidence presented at the hearings on the plea of certain Pennsylvania operators for a free Canadian field and that the Grand Trunk and Canadian Pacific railways ought not to be compelled to pay a Canadian duty on American coal, which they must have; and then there were the two gentlemen of Maine and Boston, who, having grown rich in the pulp and paper business under liberal protection, informed the committee of their desire to grow richer by depriving others of protection.

We heard nothing about Canadian reciprocity in coal in the West in years past; but that was before certain American lines of railway were built into Canadian coal fields and certain great railway interests came to control Canadian coal mines.

THE COMMITTEE'S EARNEST EFFORTS.

Mr. Chairman, as I said at the beginning of my remarks, I appreciate the faithful labors of the committee that framed this bill. The members of that committee, particularly the chairman, are well versed in tariff matters, and they did their utmost to bring out a bill that would deal fairly with all sections. But the tariff is a big subject. This is a big country. It is not possible that the members of the committee could understand the conditions in all parts of the country. In this matter of reciprocity in coal they have been, in my opinion, grievously misled by very plausible arguments with regard to the situation in our portion of the country and lack of full knowledge or opportunity to know or learn of the situation elsewhere.

I have endeavored to state the situation fairly—without exaggeration, without bias. I believe had the committee known the situation as I have endeavored to outline it, they would not have considered a reciprocity arrangement for a moment. Now that I have presented the question, I hope that the committee will study it thoroughly; that they will see that the House has an opportunity to vote upon it—or, what would be better still, present a committee amendment restoring the present duty on coal. Such an amendment ought to command a unanimous vote from Republicans, because in line with Republican doctrine and practice; from Democrats, because it is a revenue measure which does not impose any burden on the American people and is in line with their action in the Wilson bill.

The American coal miner constitutes a hardy, industrious, patriotic class of our citizens. He receives much better wages on the average than is paid to those engaged in the same industry elsewhere, but his wage while high, compared with that of other countries and higher than that of Canada, is none too high, and it should be our aim to establish conditions that will make it possible to increase rather than decrease the wages he receives.

His labor is hard and wearing on both mind and body. He goes to his labors every day in his life confronted with greater danger of loss of life or injury than confronts the average soldier in time of war. He says "Good-by" to his wife and babies every morning, realizing that death in a horrible form may claim him before the day is done. He produces an article

bridge.

gentleman stands for a duty on wheat, and I stand with him.

In the States of Montana and Wyoming are paid the highest wages received by coal miners anywhere in the United States. All operations in and around the mines are on an eight-hour

American fields, covering vast areas, practically all still owned by the Government, contain the only large bodies of coal in American territory on the Pacific fit for naval purposes. These

that is absolutely necessary to modern life. Surely, such a man is entitled to every consideration. The Republican party, that has always stood for protection to American labor, can not afford to take any action which, by any possibility, can jeopardize either the wage rate or the employment of the American miner.

Some have claimed that coal should go on the free list because it is a raw material. Can that article be called a raw material 80 or 90 per cent of the value of which represents human toil? Can an article be properly classed as a raw material the production of which exacts annually a toll of thousands of human lives, and which annually makes thousands of cripples in spite of our most earnest efforts to protect the lives and limbs of those engaged in the industry? Can that article be called a raw material the production of which compels men to face death in its most awful forms and yearly increases by thousands the widows and orphans in the land?

It is a finished product, the finished product of arduous toil, privation, and suffering, and it is our duty to so legislate as to afford the greatest possible protection in every way to those engaged in its production. This can be best accomplished in this legislation by retaining the present duty. [Applause on the Republican side.]

Mr. PUJO. Mr. Chairman, I realize that the membership of this House must be tired of the debate which has engaged their attention for so many days, and were it not that the interests of the people of the district that I have the honor to represent, and the interests of the people of the State that I in part represent, are so vitally affected, I would content myself with voting my convictions without giving expression to my views.

In the time allotted to me I hope to direct your attention to two or three features of the bill under discussion, so far as they primarily affect certain industries of my district, and, secondarily, similar interests throughout the country.

In a spirit of fairness to the membership of this House, and in order that my position may be thoroughly understood, I want to say in advance that I am not a free trader. And I want to say further that I believe that a tariff should be levied upon imports which will not only produce a revenue sufficient to defray the expenses of the Government and provide means for its proper internal development, but also, that due regard should be paid to the equities of citizens of the United States.

I am not unmindful of the strength of the argument that it is the duty of a Representative of the people to legislate in favor of the consumer and not in favor of the producer. Yet when the touchstone of common sense is applied to this proposition, it leads to a conclusion diametrically opposed to the soundness and logic of such a position and would, in the very nature of things, destroy the object sought to be accomplished.

It must be borne in mind that if conditions are made so onerous that a commodity or necessity of life can only be produced at a loss its production will cease and the consumer will not have it to consume.

Mr. Chairman, many have addressed this House in advocacy of free lumber. Some have advocated the justice of the present duty, the duty carried in the bill under consideration, but I am in favor of the rates fixed in the Dingley bill. A year or so ago I received a communication from the Chamber of Commerce of Saginaw, I think, requesting me to stand for free lumber. I have not the communication before me, neither have I my answer thereto. But according to my recollection my reply was, that when our Southland was denuded of lumber, as in Michigan and other Northern and Northwestern States, I might consider the argument for placing lumber upon the free list.

Such is my attitude to-day.

The State of Louisiana manufactures more yellow-pine lumber than any other State in the Union.

It converts more cypress into lumber than any other of the United States.

It is second in production in the manufacture of sawed lumber in the United States.

The district that I have the honor to represent upon this floor is the largest yellow-pine district in the United States. The assessment of timber lands in the State of Louisiana for the purpose of taxation for the year 1908, on an approximate 50 per cent basis, was nearly $80,000,000. The assessment for the same purpose in my district, upon the same basis, exceeded $32,000,000. Thus it will be seen that the State of Louisiana in taxable values in timber alone, upon the basis mentioned by me, has $160,000,000 worth therein, and my district sixty-four million.

Mr. Chairman, for the purpose of this discussion, I assume the following facts as established, round numbers only being given:

Sawmills reporting in the United States	28,850
Quantity of lumber manufactured	40,236,151,000
Value	$566,641,367
Laths	3,653,602,000
Value	$10,342,705
Shingles	11,824,475,000
Value	$36,111,337
Aggregating a reported value of lumber, laths, and shingles for 1907	$707,095,409

Further, going into details on this subject, in so far as the State of Louisiana is concerned, of the totals above given we have from that State 531 sawmills reporting, producing 2,972,119,000 feet, of a total value of $48,638,256, of which 2,345,912 feet was of yellow pine, of the value of $34,102,824.

The next principal item of lumber manufacture was cypress, aggregating 509,665,000 feet, of the total value of $11,734,044.

The output of hard woods in that State was 116,542,000 feet, of the value of $2,501,318.

The Bulletin of Forest Products, No. 2, compiled in cooperation with the Department of Agriculture, by Gifford Pinchot, United States Forester, issued November 18, 1908, from which the foregoing figures have been taken and to which further reference will be made, shows the average value of yellow-pine lumber, in an manufactured state at the mill ready for shipment, per 1,000 feet board measure, in Louisiana, to be $14.67, and the average value of the same grade of lumber throughout the United States $14.02.

The cost of production varies in different States owing to what we might term the "lay of the land." Where logging is done in a mountainous country, the cost of bringing the timber to the mills is much more than in the South, where the land is level and log railways can be more cheaply constructed. The cost of production of lumber in Louisiana ready for shipment approximates $11. So it is obvious that the profit is very small, the actual value, as before stated, averaging in the year 1907 $14.67.

As a matter of fact, in the year 1908 several of the large sawmills in my district were compelled to suspend operations, throwing hundreds of employees out of work. They were unable to dispose of the product at a profit, and the results of operations would have been to use up their stumpage and carry on business at a loss.

Mr. Chairman, it has been stated in the forceful argument of my colleague from Michigan [Mr. FORDNEY] that there are employed in the sawmills in the timber industry of the United States some 800,000 men, and that directly dependent upon this industry are some 2,500,000 people. In the State of Louisiana, in the sawmills alone, by reference to Table 2 of Bulletin 77, from the Census of Manufactures, 1905, Lumber and Timber Products, we find the following aggregates given under "Wage-earners and wages:" "Average number, 26,353, and wages, $12,129,065."

And referring to Table 6, same bulletin, in the logging camps, men from 16 years and over, the average number was 8,498; wages paid, $3,965,588. I have not the exact figures for the employees engaged in the production of lumber from the felling of the tree to its shipment from the mill for the year 1907, yet it is fair to assume that they have increased 20 per cent over 1905, showing for my own State, say, 41,821, receiving an approximate wage of $19,313,583.

During the course of the debate as to whether lumber should retain the present duty, or be reduced 50 per cent, or placed upon the free list, inquiry has been made as to where the loss would fall: I am strongly persuaded, Mr. Chairman, that the principal portion of the loss would be imposed upon labor. I am not alone in this opinion, because I have been requested by hundreds and hundreds of laborers in my district, by petition, filed with the Committee on Ways and Means, to vote against a reduction in the duty upon lumber, as they believed it would be followed by a corresponding reduction in wages.

The average wage rate in Louisiana is $2 per day.

The average wage rate in my district is $2 per day.

Should lumber be placed upon the free list, I believe that it would result in a reduction of wages to a point at least 20 per cent lower than the present level, resulting in a loss to labor in my State of nearly $3,500,000; and should the duty be reduced 50 per cent, just half that amount—$1,750,000—40 per cent of which would be borne by the employees in my district.

Mr. Chairman, I believe that the attempted reduction of the tariff on lumber will be violative of all principles of justice and equity to the laborer, to the manufacturer, and to the man who

uses the commodity last—the consumer. Should this bill be enacted into law, its operation upon the sawmill man will be, in part, as follows: His lumber and shingles will be upon the free list, and nearly everything he has to buy is protected, to wit:

A tariff picture of the sawmill man; what he buys on the high end of the tariff list; what he sells on the free list.

Name of article.	Rate of tariff.
What he sells:	
Lumber	On the free list.
Shingles	Do.
What he buys:	
Engines (stationary)	30 per cent.
Engines (locomotive)	Do.
Boilers	Do.
Machinery in general, not otherwise specified	Do.
Saws—	
Circular	25 per cent tariff.
Crosscut	6 cents per foot.
Drag	8 cents per foot.
Hand	30 per cent tariff.
Mill	10 cents per foot.
Pit	8 cents per foot.
Steel band	10 cents per pound and 20 per cent.
All not specifically mentioned	30 per cent.
Belting—	
Rubber	45 per cent.
Cotton or other fiber	Do.
Leather belts, ready for use	35 per cent.
Leather, for belts not ready for use	20 per cent.
Axes	45 per cent.
Hatchets	Do.
Chains—	
Log	1¼ cents per pound.
Small	1¾ cents per pound.
Iron or steel wire cables	1 cent per pound.
Rope, hemp	2 cents per pound.
Locomotives, forgings for	35 per cent.
Steel railway rails	
Piping, wrought iron or steel	Do.
Oil, lubricating (*)	
Harness for horses	45 per cent.
Horseshoes	1 cent per pound.
Horseshoe nails	2½ cents per pound.
Horses	20 per cent ad valorem.
Mules	Do.
Hay	$4 per ton.

Mr. HOWLAND. Will the gentleman yield for a question?

Mr. PUJO. Certainly.

Mr. HOWLAND. I understand you insist on protection. Against whom do you desire to be protected?

Mr. PUJO. I am insisting upon a duty against the lumber from Canada, where labor is cheaper, and because it is cheaper the people of the North who have grown rich, and whose forests are now denuded, are actuated by selfish motives and desire the timber of the South placed in competition with free Canadian lumber, so that they may buy the Canadian lumber cheaper than they can buy the lumber of the South.

Mr. HOWLAND. Is not the gentleman aware that he is shipping his longleaf yellow pine into Canada to-day, and that they produce none there, and that it is not a competing product?

Mr. PUJO. I am perfectly aware that we can ship into Canada about 20 per cent of our product, the highest grade, because we can ship that anywhere in the world. We are shipping such grade to Hamburg and Havre and other foreign ports.

Mr. HOWLAND. In competition with the lumber of foreign countries?

Mr. PUJO. Yes; but the gentleman does not seem to understand that at least 60 per cent of our product goes into common stock, which we ship into Indiana, Illinois, Connecticut, and even Michigan, where they used to get it from the Saginaw Valley. Now they want to buy it from Canada, because they have no more timber and they do not want to buy it from the South. They want to save that extra dollar or two a thousand if they can.

Mr. HOWLAND. There is no longleaf yellow pine in Canada, is there?

Mr. PUJO. No; but there is plenty of timber that will come in competition with at least 60 per cent of our product. Now, further in this connection, the placing of lumber upon the free list will reduce our market zone. We can not reach the territory that we are reaching to-day with lumber from the South, but on the contrary we will be placed in competition with the accumulated common stock coming from the adjacent territory, and within a radius of probably 300 miles from the Canadian border we shall not be able to sell our lumber.

Mr. HINSHAW. It has been frequently said that free lumber would not give us any benefit in Nebraska. Do you ship your lumber into Nebraska, and would the Canadian lumber come in competition with yours there?

Mr. PUJO. I am not exactly familiar with the extent of our lumber trade in the western markets, but I do say this, that we buy your Nebraskan hay upon which you have a duty of $4 a ton. You are not in favor of free lumber, are you?

Mr. HINSHAW. Yes. We sell our hay at $4 a ton, notwithstanding the duty.

Mr. PUJO. I understand; but if we had no duty on hay we might be able to get it at $2 a ton for the mules and horses that we have to use in logging operations in our State.

Mr. STANLEY. Mr. Chairman, my good Democratic friend and brother does not mean to argue on the floor of this House that a duty of $4 a ton on hay materially affects its price in this country?

Mr. PUJO. Well, I do. I think if you do not have a duty on hay that hay could be produced in Brazil and shipped here and destroy the hay market to the same extent as if it had been saturated with oil and set on fire.

I will state to my good friend from Kentucky [Mr. STANLEY] that, in my honest judgment, if we did not have a 20 per cent ad valorem duty on mules, that we need in our logging and sugar operations, mules could be raised in Brazil, the finest stock and crop-growing country in the world, and we would be able to buy mules that we now pay $200 apiece for in Kentucky and Missouri for a much lower price. But we do not believe in that doctrine in the State of Louisiana. [Applause.] I want to be perfectly consistent. The State of Louisiana is rich in her natural productions, and her Representatives you find, as a rule, consistent. They not only want a duty upon that which is produced in Louisiana, but they are willing to vote a reasonable duty upon that which is produced in other States. [Applause.]

I feel that I represent the interests of my people by taking such a position. I do not consider it the duty of a Representative to come here and argue that you should take care of that which is in his district and protect it by a tax, whether for revenue or protection, and then vote everything else in everybody else's district free.

I am amazed and astounded that a Representative, for instance, from a prairie State, where, perhaps, cattle are raised in large numbers, does not want hides upon the free list, but, forsooth, wants lumber upon the free list. Louisiana will vote with the Representatives from Missouri and Kentucky for a duty on mules, will vote with the Representative from Texas for a duty on hides, and with the Representative from Kansas for a duty on his hay or corn. Every industry which can be destroyed by a removal of duty, even if a fair measure of protection results, I will stand here and vote for.

I do not understand how a Representative from the South, when his own section will be injured most by the removal of the duty upon lumber—Louisiana, Texas, Mississippi, Alabama, Georgia, and North Carolina, and South Carolina—I do not understand, Mr. Chairman, how it is that a man sent here to represent the interests of his country could for one moment listen to the seductive arguments of those who have interests in the Dominion of Canada, and vote for a bill which will injure a great industry in the South, and particularly in the States of Louisiana, Texas, Mississippi, Alabama, Georgia, and the Carolinas.

Mr. LANGLEY. I hope the gentleman will add Kentucky to that list of States.

Mr. PUJO. And Kentucky, at the suggestion of the gentleman.

Mr. LARRINAGA. Is it not true that Porto Rico buys millions of pockets of rice from you every year, and is willing to pay 100 per cent of the cost of production?

Mr. PUJO. The gentleman does not object to the protection?

Mr. LARRINAGA. I do not; but is the gentleman ready to vote for protection upon coffee?

Mr. PUJO. We sold you last year over $4,000,000 worth of rice, and we gave you good rice, and you gave us good money, gold value. Now, with reference to the question of the duty upon coffee, personally I would have no objection to that.

Mr. LARRINAGA. I mean as a Member of Congress?

Mr. PUJO. I am speaking as a Member of Congress. And I would say, as a Member of Congress, frankly to you that I have not gone into a study of that question. I have not examined it thoroughly. I am not trying to evade a direct answer, because I always try to answer every question fairly and justly. If the tax on coffee of 4 cents or 5 cents or 8 cents is correct, and you can demonstrate it, or anybody else can demonstrate it, I would vote for it with pleasure, but I would have to hear argument upon that fact first, because I have not given any attention to the subject.

In this connection I want to emphasize the fact, as was stated by my colleague from Michigan [Mr. FORDNEY], that the

ad valorem duty on lumber is the lowest upon the schedule. The actual value, as shown by the table above referred to, per thousand feet, board measure, is $14.02, giving a tariff rate under the present schedule of about 14.22 per cent ad valorem, and should the duty be split in two, the rate will be reduced to 7.11 per cent.

Mr. Chairman, I believe the present duty on wood and its manufactures to be a revenue-producing one, for, in 1907, the revenue from that source exceeded some $3,700,000, and on lumber $1,600,000. Hence, a Democrat who believes in a tariff for revenue only ought to find no embarrassment in voting for the maintenance of the Dingley schedules on lumber.

But independently of that fact, I am in favor of a fair duty upon every article imported into the United States which may be produced here, provided that such rates shall not be prohibitive. In other words, I believe in a duty equal to the difference between the cost of production plus transportation. Now, I am perfectly aware that some of my colleagues on this side of the House will assert that it is not the function of the Government to guarantee a profit to anyone who may be engaged in an enterprise. That is perfectly true; but I consider this a misstatement of the case. I believe it to be the duty of the Government, when the question of the welfare of its citizens is to be weighed in the balance with those of other countries, that there should be no discrimination against our own citizens. So my views on the question of the imposition of a tariff tax are that the representatives of the people owe it to them to so legislate that no citizens of a foreign country shall be permitted to offer for sale in this country any competitive article under conditions more favorable than is enjoyed by an American citizen. It has been my intention to be entirely frank with my colleagues upon this question.

The views I express to-day I have entertained for many years, as is well known to the people of my State and district. Louisiana is a State great in the production of raw material. She leads in cane sugar; in the output of yellow pine; is second in the United States in timber production; and is a large producer of cotton. She produces practically half of the rice in the United States; one-third of the sulphur of the world; and her people do not subscribe to the doctrine that the raw material must be free and the finished product protected.

PHILIPPINE TARIFF.

There is another feature of this bill that I desire to call the attention of the House to, and that is to section 5, relating to trade with the Philippine Islands. Under the provisions of this section, sugar not exceeding 300,000 tons, tobacco not exceeding 300,000 pounds, and cigars not exceeding 3,000,000 shall all be admitted free of duty. All other articles of commerce, wholly the growth and product of the Philippine Islands, are to come in free of duty; likewise exports from the United States.

Mr. Chairman, under the present laws, a Filipino enjoys rights withheld from citizens of the United States. The duty upon articles imported from foreign countries into the Philippines is much lower than upon the same articles imported from foreign countries into the United States.

On the 10th of January, 1906, the Philippine tariff bill, establishing free trade between the islands and this country, upon everything the product and growth of the islands, with the exception of sugar and tobacco, upon which a reduction of 25 per cent was allowed, was before the House for consideration. It is known to all of you that the principal productions of the Philippine Islands are sugar, tobacco, and rice. The rice production in the United States for 1907 was some 843,210,000 pounds, representing an aggregate value, in round numbers, of $16,000,000. Ninety-eight per cent of this production was in southwest Louisiana and in southeast Texas.

Acreage, production, and value of rice in the United States in 1907, by States.

State.	Acreage.	Average yield per acre.	Production.	Average farm price Dec. 1.	Farm value Dec. 1.
	Acres.	*Bushels.*	*Bushels.*	*Cents.*	*Dollars.*
North Carolina	1,000	22.0	22,000	91.0	21,000
South Carolina	10,100	27.0	300,000	107.0	332,000
Georgia	2,400	34.0	81,000	105.0	85,000
Florida	2,300	30.0	69,000	110.0	76,000
Alabama	1,400	25.0	35,000	95.0	33,000
Mississippi	1,100	22.0	24,000	90.0	22,000
Louisiana	210,000	28.0	5,680,000	85.0	7,378,000
Texas	284,000	32.0	9,088,000	85.0	7,725,000
Arkansas	6,000	37.0	222,000	85.0	189,000
United States	627,300	29.9	18,738,000	85.8	16,681,000

It costs to produce rice under the system in vogue in our section, irrigation, about 2.4 cents per pound. There is no wage scale in the Philippine Islands, all members of the family assisting in the culture of that crop. The production of rice in the islands approximates some 800,000,000 pounds and the consumption about 1,300,000,000. Rice is imported into that country from the French and Spanish colonies and from Japan, British East Indies, Dutch East Indies, and Siam. Rice is delivered from these countries to the Philippine Islands at a cost of, approximately, 1.3 cents, including transportation charges and the duty thereon. It is sold in the open market, through brokers, at 1.9 cents per pound; or, in other words, to be perfectly safe, it is carried into the Philippine Islands from the surrounding countries, the duty paid, transportation charges paid, the profits of the middleman paid, and the profits of the retailer paid, at less than 2 cents a pound. Transportation charges from Philippine Islands to the United States averages about $5.25 a long ton, or equal to about one-fourth of a cent a pound.

In a debate upon this very matter two years ago I propounded in substance to the House the following question:

Why could not rice, which is wholly the growth and product of the Philippine Islands, be shipped to the United States and sold at a profit for less than it costs to produce it here, and the Filipino buy rice necessary for his consumption from the surrounding country?

And although the reply was that the fears of the rice people of the United States were entirely groundless, yet the chairman of the Ways and Means Committee, realizing that it would be possible, if free trade were established between the Philippines and the United States, for rice to be imported here to the destruction of the industry in the South, consented that the bill be amended and that it be placed in the same category with sugar and tobacco. When the bill left the House, the amendment offered by me was incorporated in it.

Mr. Chairman, I want to say in this connection that the Rice Association of America, composed of practically all those engaged in the production of rice in its various stages, made known their fears to Brig. Gen. Clarence A. Edwards, Chief of the Bureau of Insular Affairs, and subsequently to the Secretary of War, Mr. Dickinson, and after a full and fair consideration of this question, the Department stated that any reasonable amendment would be satisfactory.

It is but fair to say that those gentlemen believe that the fears of those engaged in rice culture in the United States are without foundation in fact. They are of the opinion, as the Philippines do not produce as much as they consume, that there is absolutely no danger of the exportation of rice from that country to this; but, Mr. Chairman, the rice growers of the United States are apprehensive that, with improved methods of rice production, the Philippines will soon not only produce enough for home consumption, but enough to destroy an industry upon which the prosperity of so many people of our country are dependent. Figures furnished by the Bureau of Statistics show that the increase in the production in the Philippines is phenomenal. In 1905 it was necessary to import 625,000,000 pounds for consumption. Last year they imported only 280,000,000 pounds. It is entirely within the bounds of probability that within the next few years the Philippine Islands will not only produce all that they consume, but will produce rice for exportation.

But aside from that fact, under the terms of the present bill, what is to prevent the Philippines from buying the inferior grades of rice for home consumption and exporting their better grades to the United States, where they can sell it at a much larger profit? The production of rice in the United States is about equal to the consumption—about 6 pounds per capita. The shipment from the Philippines of a few thousand bags of rice would absolutely break the market at any time and ruin those engaged in that industry.

I want to reiterate in substance what was said by me some two years ago upon this floor, that I question the wisdom and statesmanship which will select great agricultural interests of the United States, such as sugar, tobacco, and rice, and impose upon them a greater burden for the maintenance of our dependencies than is imposed upon other people engaged in the production of other commodities and necessities of life. It is not just, it is not fair, that these interests should be singled out. It is not fair to the American people. The Philippine experiment is a costly one. If their government is not self-supporting, the bill should be paid out of the common Treasury, and the burden should not be shouldered upon any particular class. Take sugar: I understand that there are not more than 100,000 tons produced in the islands. They are granted the right to send free, without the payment of any duty, up to 300,000 tons. This is free trade with the islands. The Ways and Means Committee should have been just before being generous. I venture the

assertion that if the islands were heavy producers of manufactured goods, there would not have been such eagerness to give them the benefit of free trade. Be that as it may, as the representative of the largest rice-producing district in the United States, after conference with those interested in the industry, I hope the bill will be amended so as to prevent its destruction.

INHERITANCE TAX.

There are two other features of this bill that I consider of great importance—the inheritance tax and the income tax. I am not entirely persuaded that the inheritance tax, as provided for in the measure, will stand judicial scrutiny. Whilst, of course, an inheritance tax has always been construed not as a tax upon property, but as a tax upon the right of succession, yet strong argument could be urged that it is as much a tax upon real estate, constituting the principal asset of the inheritance, as it was held in the income-tax cases that a tax upon rents was a direct tax, and could only be levied by apportionment among the several States. Conceding for a moment the constitutionality of this measure, the policy of its adoption is of doubtful wisdom. My recollection is that there are 36 States of the Union imposing an inheritance tax.

The effect of the adoption of this measure would be the imposition of a double tax upon the right of inheritance by bequest or by the operation of law. In my own State our constitutional provision is, in substance, that property transmitted by inheritance or by will which has not borne its just measure of taxation shall pay an inheritance tax to go to public schools, subject to an exemption of $10,000 to direct ascendants and descendants. The measure under discussion provides for a tax upon all inheritances exceeding $500. It is my firm belief that a large per cent of the tax contemplated under this provision would be collected from people of moderate means, whose estates would not exceed $5,000 or $10,000, and I do not believe that it is a wise policy to impose taxes which would be borne principally by one class of people. However, it seems these days that the function of government is to devise new methods of taking away from the people that which they have worked for instead of making their burdens as light as possible.

INCOME TAX.

The income-tax feature is entirely upon a different basis. The power lodged by the Constitution in Congress to levy taxes for the purpose of raising revenue has been held to authorize the imposition of an income tax. The power to tax being vested in Congress, any species of property can be taxed in such manner as may be deemed wise by it, unless some other way is pointed out by the Constitution. Congress is limited in its method of taxation only as to taxation of real estate, in which event it must be apportioned among the States. But Congress may lawfully select any other species of property and declare that the income derived therefrom shall be taxed.

There is but little force in the argument that an income tax is objectionable because of its inquisitorial character and of the premium for perjury offered thereby. In every State in the Union, when one renders his property for the purpose of taxation, he is required by the statute to describe same, to fix its value, and to make oath thereto, and that he has rendered everything of which he is the owner. So requiring one to declare his income would not introduce any new feature in the taxing system of the United States.

Mr. Chairman, further defining my position upon one branch of my argument, the lumber schedule, I desire to say that I want my course to be entirely consistent, in so far as I am given the ability to so maintain it, and, with that end in view, I intend to vote for a duty on lumber should the opportunity be presented.

If the present rate of duty can not be maintained, I would prefer that imposed in the present bill, rather than have lumber go upon the free list.

Mr. Chairman, in behalf of 35,000 wage-earners in the State of Louisiana; in behalf of the eight hundred thousand in the United States engaged in the manufacture of lumber; in behalf of the two and one-half million people dependent upon the continuance of this great industry; in behalf of the thriving communities which have been built up because of the development and activity in those lines; in behalf of the people who have loaned their money for the construction of the great sawmills and the development of the industry and the upbuilding of towns; and lastly, in behalf of the consumer who will have nothing to consume if you destroy the origin of production, I express the hope that the existing rates upon lumber will be reincorporated in this measure before it leaves Congress and becomes the law of the land. [Applause.]

Mr. GRIEST. Mr. Chairman, I want to discuss for a very short time that part of section 5 of the pending tariff bill which provides for the free importation into this country of a limited amount of Philippine tobacco.

This is not the time for me to enter minutely into the merits of the Pennsylvania tobacco farmers' contention, from their standpoint, that section 5 of this proposed tariff law is discriminatory, unjust, and uncalled for, and I shall not, therefore, worry you with facts and figures to show what a great industry my constituents and their forefathers have builded in southeastern Pennsylvania, in the greatest agricultural county in the Union. All of that is a twice-told tale, and its repetition here is unnecessary.

The claims of the cigar-tobacco farmers of Pennsylvania and elsewhere were ably set forth in 1906, pending the passage of the Philippine revenue measure. After full and exhaustive discussion and deliberation, both in this House and in the Senate, the Fifty-ninth Congress decided against the free importation of any Philippine tobacco into this country. To quote the language of President Taft:

> We may properly assume that after one Congress has announced a policy, upon the faith of which a whole people has for some years acted and counted, good conscience would restrain subsequent Congresses from lightly changing it.

Now, what has transpired since then to justify the Sixty-first Congress in taking from the statute books what the Fifty-ninth and preceding Congresses placed thereon?

So far as the testimony at the hearings shows nothing has transpired to warrant this contemplated change in the policy of the United States Government. I have here in my possession the official publication of the hearings of the Ways and Means Committee on tobacco and manufactures of tobacco—Schedule F of this bill. Not a single witness advocated what the committee has recommended. There is not a line nor a word in all of this published report of testimony in advocacy of the admission of any Philippine tobacco free, or, for that matter, of any other kind of tobacco. And yet, in other paragraphs of this bill and other schedules, both the chairman of the Ways and Means Committee and the leader of the minority in their debates in this House have maintained their respective positions by quoting copiously from the testimony submitted at the hearings before the Ways and Means Committee. But in the tobacco schedule, wherein the people of my county are vitally interested, because it grows more tobacco and because its agricultural product is greater than the agricultural product of any other single county on the American Continent, the testimony taken, so far as the published record shows, has been totally ignored; and an entering wedge for oriental competition, with cheap land and poorly paid labor back of it, is driven into an agricultural industry, which during the last fiscal year passed through this Government's revenue office at Lancaster, Pa., more than 837,000,000 cigars, almost one-eighth of the product of this whole Nation, and for the privilege of so doing paid into Uncle Sam's coffers over $2,000,000. This provision of the bill, it seems, not only threatens with injury the farmer of the Pennsylvania tobacco fields, but it may in time, with ever-recurring agitation, deprive this Government of a revenue that has been sure and steadfast these many years.

Three or four years ago, when the question of admitting tobacco free from the Philippines was being discussed in Congress, it was contended by those who favored free entry of products of the Philippines that the growth and prosperity of the Philippines depended on the establishment of free-trade relations with the United States. Notwithstanding that contention this Government adhered to what has heretofore been its settled policy, under Republican rule, of protection to the American workingman and the American farmer. What has been the result? Have the Philippines retrograded? Not in the least. Although busy with the task of self-government, they have advanced during the last three years commercially, industrially, and educationally. Their growth and improvement are matters of record, statistical and otherwise, and are convincingly evidenced by the report made just one year ago by William H. Taft, then Secretary of War, to the President, in which he spoke no doubt very moderately, by reason of his own eminent part in obtaining so satisfactory a result, that "the changes made and the progress made under the circumstances are most gratifying."

Another argument produced three years ago by the promoters of free trade with the Philippines was that the Philippines had necessarily lost their Spanish market for tobacco; that the United States, being responsible for that loss, should extend free trade to the islands in order to balance the account.

Tables, which I have compiled from government statistics, showing the exportation of tobacco from the Philippines for the fiscal years 1899 to 1908, inclusive, evidence a continued development of the export trade. In 1900, the first complete fiscal year, the Philippines exported 14,010,356 pounds; in 1907,

29,910,788 pounds; and in 1908, 23,184,814 pounds. These figures indicate increased exportations under American supervision and a tariff. In 1906 Spain purchased 9,102,792 pounds of Philippine leaf tobacco, valued at $487,492. During the past three fiscal years the Spanish purchases have amounted approximately to $1,000,000 annually. The Spanish market does not seem to have been lost, and thus another argument in favor of free entry goes glimmering.

Exports of tobacco from the Philippine Islands to the countries mentioned during the fiscal years 1899–1908.

LEAF TOBACCO EXPORTED.

Exported to—	1899.[a]		1900.		1901.		1902.		1903.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
United States			110	$7					244,377	$42,293
Hongkong			1,774	402	15,075	$2,060	16,326	$2,185	6,358	1,121
United Kingdom	664,466	$86,461	1,571,115	72,581	2,251	269	201,170	7,237	209,731	15,024
Germany	248,000	26,800			36,134	4,823	11,569	2,065	18,000	2,240
France			48,051	14,011	1,494	168	2,289	364	33,816	1,106
Spain	6,013,252	548,886	9,102,792	487,492	14,572,901	796,418	16,665,245	609,714	14,921,665	521,669
Austria Hungary			1,948,980	157,021	3,378,178	196,601	3,283,677	83,108	3,284,877	138,107
China	1,849,861	196,188	136,882	14,055	8,863	1,128	6,525	1,585	2,200	374
Japan			1,650	102	75	15	12,060	1,161	6,116	1,346
Egypt			777,371	23,894					3,284	135
East Indies	67,717	6,552	598,735	46,769	88,351	16,192	291,476	29,110	408,617	37,916
Australasia	2,318,476	242,489	1,000	145	10,999	3,275	2,816	919	16,459	2,738
Other countries			72,364	3,204	12,870	1,290	241,735	53,151	1,670,720	113,426
Total	11,430,112	861,010	14,010,356	817,840	17,929,190	993,589	21,944,615	784,283	20,690,168	992,870

Exported to—	1904.		1905.		1906.		1907.		1908.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
United States	211	$35			107,602	$6,143				
Hongkong	8,310	1,078	136,461	$11,725	104,470	8,864	264,904	$26,600	352,347	$35,348
United Kingdom	10,819	1,681	21,950	6,285	221,712	12,000	204,600	10,849	22,483	1,33
Germany	50,002	4,286	5,731	800	41,268	1,968	88,144	10,250	4,437	438
France	225,277	26,472	372,157	16,810	260,054	22,404	1,148,051	93,759	1,097,374	101,177
Spain	13,073,021	646,405	13,435,065	820,235	12,153,261	838,004	16,871,202	1,029,848	14,488,673	909,683
Austria Hungary	2,425,488	225,145	473,340	29,711	4,471,841	357,006	3,584,414	322,516	4,853,367	399,186
China	1,688	125	14,642	1,382	18,245	1,211	140,461	5,869	550,924	41,245
Japan	4,097	683	30,799	3,601	59,460	6,035	22,297	3,133	55,027	7,359
Egypt			320,749	18,708						
East Indies	317,329	31,140	305,228	27,378	246,575	23,991	229,068	15,033	57,180	8,676
Australasia	21,014	1,289	17,773	2,110	26,546	4,669	7,041	1,899	11,046	2,212
Other countries	1,367,484	78,619	1,140,294	55,753	3,174,117	175,583	8,108,488	423,566	1,334,967	59,973
Total	19,044,290	1,021,949	16,276,266	1,095,404	21,358,892	1,468,573	29,910,788	1,957,488	23,184,814	1,581,421

VALUE OF CIGARS EXPORTED.

Exported to—	1899.[a]	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	1908.
United States	$7,002	$1,885	$5,027	$8,359	$8,805	$1,735	$6,780	$23,495	$26,067	$21,781
Hongkong		206,283	336,111	350,140	352,095	370,154	393,[illegible]	285,208	309,145	386,971
United Kingdom	358,111	225,062	220,300	624,445	158,011	85,112	94,189	84,159	100,969	[illegible]
Germany	583	30,226	43,421	27,485	28,994	13,667	6,446	20,590	17,473	25,009
France	14,781	31,620	35,303	31,140	29,263	25,374	19,028	27,047	25,067	31,246
Spain	14,128	42,578	13,991	2,019	1,463	2,691	11,700	24,984	24,129	23,082
Austria Hungary		7,068	12,111	4,899	3,776	3,017	5,417	4,700	9,775	5,292
China	475,122	222,290	63,078	60,594	58,561	98,259	113,921	107,250	121,592	79,022
Japan	61,729	11,546	10,290	24,068	5,809	17,369	7,407	6,704	58,151	48,755
Egypt	11,092	2,111	1,813	887	2,443	2,038	728	429	456	1,244
East Indies	59,548	228,771	159,111	195,048	184,995	198,072	172,576	128,211	162,137	295,887
Australasia	89,921	131,839	341,899	227,268	88,390	90,328	93,327	116,647	122,949	102,901
Other countries	1,448	58,504	44,645	77,210	54,945	50,519	46,828	73,066	74,504	72,654
Total	1,294,701	1,188,164	1,250,175	1,666,732	947,504	968,820	971,177	904,250	1,051,621	1,084,196

VALUE OF CIGARETTES EXPORTED.

Exported to—	1899.[a]	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	1908.
United States				$56	$8	$87	$30	$88	$116	$380
Hongkong		$115	$1,440	5,341	9,067	8,001	11,280	11,528	35,388	10,684
United Kingdom		150	15	98	41	171	219	46	314	141
Germany			5,005	214	109	110		73	62	15
France		375		120		143	851	89	155	54
Spain		887		250	490	201	246	343	282	330
China	$325	178	892	576	1,296	1,750	1,609	3,109	62,493	12,226
Japan		48	147	150	627	169	32	60	26	681
East Indies			249	5,990	1,361	1,528	1,017	1,064	4,088	2,319
Australasia		159		130	215	46	392	64	277	171
Other countries				334	6,776	242	716	287	157	10,292
Total	325	1,808	11,002	9,965	20,640	12,526	16,401	16,801	104,268	38,343

VALUE OF ALL OTHER MANUFACTURED TOBACCO EXPORTED.

Exported to—	1899.[a]	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	1908.
United States								$1,367		
Hongkong		$5,508	$1,832	$230	$181	$131	$405	1,008	$462	$294
United Kingdom	$10,854	12,753	407	700	5,023	400	32		175	783
France		57	200	240	600	1,670	500	150	500	[illegible]
Spain	12,191	21,365		36,944	1,562	1,247	2,582	3,364	4,150	2,953
Austria Hungary		2,900			25					
China	79,047	77,008	12	118	44	301	223	241	170	190
Japan	30	375		11	5	42				2
Egypt				9		3	3	3	7	
East Indies	5,601	13,180	160	667	6	89	20	432	82	53
Australasia	2,593	9,142		3						48
Other countries	288			1,200	3,480	5,508	2,323	3,616	10,431	5,591
Total	112,617	174,123	2,941	40,127	10,945	9,883	6,088	10,181	15,817	10,382

[a] From August 20, 1898, to June 30, 1899, inclusive.

Mr. GRIGGS. Mr. Chairman, I want to discuss for a very short time that part of section 5 of the pending tariff bill which should have been just before being generous. I venture the

Stems and trimmings.[a]

Exported to—	1905.		1906.		1907.		1908.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
Belgium	1,230	$65						
Switzerland			686	$85			2,410	$200
Hongkong	620	55	374	50				
Total	1,850	120	1,060	85			2,410	200

[a] Not included in the above figures.

Tobacco exports—unmanufactured, cigars, and all other manufactured—from the Philippine Islands for the calendar years 1899–1908.

TOBACCO, AND MANUFACTURES OF.

Calendar year.	Unmanufactured.		Manufactures of— Cigars.		Manufactures of— All other.
	Pounds.	Value.	Thousand.	Value.	Value.
1899	11,030,310	$778,841	106,682	$945,699	$208,713
1900	22,028,546	1,023,360	166,570	1,128,417	68,915
1901	17,391,555	749,485	234,320	1,882,440	31,097
1902	20,196,283	955,106	117,872	988,248	18,940
1903	16,249,094	954,289	118,147	961,555	31,281
1904	18,030,612	889,519	105,124	1,003,895	23,299
1905	16,837,747	1,095,412	95,699	882,241	21,759
1906	26,685,768	1,767,995	108,695	1,004,067	71,622
1907	23,589,057	1,577,074	114,695	1,063,882	83,973
1908	21,091,439	1,446,291	106,830	959,799	53,900

[a] Eleven months ending November, 1908.

After three years the predicted financial distress has not materialized. The Philippine government has had sufficient revenue for its support, and the statement of accounts shows an excess of receipts over disbursements for the fiscal years 1906, 1907, and 1908, as stated on the table herewith submitted.

Insular revenues and disbursements, Philippine Islands.

UNITED STATES CURRENCY.

	Fiscal year 1904.	Fiscal year 1905.	Fiscal year 1906.	Fiscal year 1907.	Fiscal year 1908.	Total.
Customs revenues	$7,952,675.65	$7,692,193.37	$7,002,350.73	$7,479,296.61	$7,746 833.79	$37,875,329.15
Customs revenues collected in United States	692,901.86	548,299.64	417,476.20	316,987.03	309,028.01	2,684,693.74
Postal revenues	133,784.72	136,570.80	242,111.53	325,790.41	378,028.04	1,216,335.55
Internal revenues[a]		1,437,808.52	2,595,395.93	2,681,574.02	2,458,916.94	9,173,691.41
All other revenues	956,878.35	1,714,493.04	1,240,730.49	411,450.01	432,463.70	4,756,014.59
Total revenues	9,676,243.58	11,749,495.37	11,498,067.16	11,738,050.68	11,277,234.48	55,706,190.27
Total disbursements	11,962,032.05	12,248,857.33	10,116,779.12	9,802,216.32	11,221,885.15	54,351,769.17
Excess receipts over disbursements	[b] 2,285,808.47	[b] 499,361.96	1,321,288.04	2,935,834.16	55,464.33	727,401.10

[a] The internal-revenue law became effective August 1, 1904.

[b] Excess disbursements over receipts.

But, while the Philippine revenues at present seem to be sufficient, will they continue to be if this bill becomes the law? There is very grave doubt about that. The indications are that this provision would prove to be a double-edged sword, paring down impartially both the revenues of our island wards and our own Treasury receipts.

The Philippine government has been benefited by the tariff rate under the terms of the act approved March 8, 1902, which, in section 2, contains the proviso that upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 75 per cent of the rates of duty aforesaid, which rates of duty are the regular commercial duties under the existing tariff law. Section 4 of the act provides:

> That the duties and taxes collected in the Philippine Archipelago in pursuance of this act, and all duties and taxes collected in the United States upon articles coming from the Philippine Archipelago and upon foreign vessels coming therefrom, shall not be covered into the general fund of the Treasury of the United States, but shall be held as a separate fund and paid into the treasury of the Philippine Islands, to be used and expended for the government and benefit of said islands.

By reference to the table of statistics, which I will ask to make a part of my remarks, it will be noted that the total amount of commercial revenues collected in the United States and remitted to the credit of the Philippine insular government was $1,226,436.35 for the five fiscal years ended June 30, 1908.

To alter these conditions will undoubtedly create a deficiency and necessitate an appropriation by Congress for the relief of the insular government. I believe it to be a fact that the adoption of the free-trade provision in the Payne bill will so seriously affect the Philippine revenues as to cause a reduction of approximately $2,000,000 per annum in their income. It is therefore a grave question whether the Payne bill will not prove to be a boomerang to the Philippines as well as a detriment to our own people, so far as this particular provision of it is concerned.

If this be true, and the inauguration of the proposed policy between the United States and the Philippines causes a reduction of at least $2,000,000 annually in the revenues of the insular government, an imposition of additional internal-revenue duties upon the industries and merchandise of the Philippines must surely follow.

Then, if sufficient revenues can not be raised in the Philippines, the United States Government must go to their rescue. Under those circumstances, would it not be better to extend the aid to them in the first instance, so that the burden of it may be borne by the whole people of the United States and not alone by the tillers of the soil in my section of the country and in some other sections?

We can not escape, and are not seeking to escape, from the duties and responsibilities which Dewey's great victory at Manila Bay eventually devolved upon us; but in the exercise of a conscientious care and guardianship over these children of the Orient, let us not forget for a moment the welfare and well-being of our own people, whose skill, thrift, and industry have made of these United States a veritable garden of peace and prosperity. Let us do exact justice to these islanders of the Pacific so long as we do not a particle of injustice to the American people. If this section of the bill stands, I do not believe that justice or the principles of a square deal will have prevailed.

Before concluding these remarks I want to refer once more to Secretary Taft's report, after his last return from the Philippines, to the President, on January 23, 1908. There is no question that the tobacco farmers of Pennsylvania regard the Payne bill as it now stands as harmful. They see in section 5

a chronic and constant irritant, and they fear its effect. Being responsible for this fear, the Payne bill is, by reason thereof, not in harmony with the advice and recommendation of the gentleman who is now President of the United States, who in the report cited above, on page 79, recommended that the free entry of Philippine products into the United States be allowed only "with such reasonable limitations as may remove all fear of interference with the tobacco and sugar interests of the United States."

The limitations in the Payne bill have not, as advised, removed fear. These provisions have, on the contrary, implanted fear. Nor are they in conformity with the ideas of the late William McKinley.

Under his beneficent initiative has been guaranteed by this Government to 7,000,000 people on 300 islands on the far Pacific the right of life, liberty, and property. To the great glory of this Republic that guarantee has been maintained. We have made good. But I am satisfied that it was not the intention of that great disciple of American protection that, in maintaining this guarantee, in making good, we should restrict one whit the opportunity of our own people to peacefully and prosperously pursue the avocations to which they have been devoted for generations. It was not his intention, nor is it the wish of the American people, simply because Old Glory floats over the Philippines, for their own good, for their own advancement, for their own education in the science of self-government, that their property and prosperity should be held inviolate at the expense of the property and prosperity of our own industrious and enlightened tillers of the soil. It is in contravention of the McKinley idea that my constituents fear the free-entry provision in section 5 of the pending bill is leading, and it is for that reason and by their direction that I ask the elimination or the modification of that particular provision before the bill becomes the law of the land. [Applause on the Republican side.]

Mr. LARRINAGA. Mr. Chairman, if anybody was fully sincere in expressing a sentiment of diffidence in rising to speak on the floor of this House, surely it is the Commissioner from Porto Rico at this very moment. Everybody on the floor of this House knows that it is only due to the courtesy of the Committee on Rules, to the courtesy of the gentleman from Pennsylvania, but not by any law of Congress, that the Commissioner from Porto Rico is allowed the privilege of the floor. It is therefore with very great hesitancy and the greatest of embarrassment that I rise to make a few remarks on this very important matter of the tariff and on the framing of one of the most important laws for this the greatest Nation in the world; and I beg the kindness of the House to overlook the insignificance of the person and look only to the importance of the subject, which means life or death for my people and $50,000,000, more or less, for your Treasury.

I wish to be fully honest and say that I only rise here from a sense of duty, because I owe it to my people, as they expect from me that, having this right that you have been kind enough to grant to me, I should stand on the floor of this House and ask for justice and present their case before you.

But I must also confess that I have very little hope of my people obtaining justice on this proposition of protecting the main staple. Great are the odds against it, Mr. Chairman. There is that combine of the coffee dealers on Front street and lower Wall street called the "National," that have been flooding the country with their literature, and who have for nearly forty years been telling the voters of this country that the "poor man's breakfast table" should not be taxed. Mr. Chairman, they have themselves been taxing the poor man's breakfast table from about eighty to one hundred millions a year. They are opposing the tax and allowing the Brazilian Government to tax the poor man's breakfast table to the amount of eight millions every year.

Before I take up the two arguments that the coffee advocates offer against the duty on coffee, before I prove to the gentleman from Louisiana and to every Member of this House that the duty on coffee is the most fair and the lightest tax you can put on the American people, I am going to take up a proposition that came before this House this morning, and which was on the same lines as an article in the Washington Post of this date, under the caption, "To kill the coffee tax."

The article was to the effect that the countervailing duty contained in the proviso of item 533 of the second section of the tariff bill proposed can not be sustained. Take away that proviso from the bill, and a year from now those forty to fifty million dollars that you do not wish to get for your Treasury will be going down to Brazil. I will prove that to any intelligent man who will listen to my argument. It is claimed that the Brazilian Government can not take off the duty, because the proceeds are attached to the payment of the loan, and that therefore the countervailing duty under this proviso is going to be a double tax on the consumer. Whether Brazil is or is not going to take off the duty, I do not know.

It is true that the export duty is attached to the valorization loan. The gentleman from Ohio, who has studied this proposition, very clearly stated the case. They have made a loan of $75,000,000 to buy the 7,000,000 surplus bags of coffee which the crop of 1906 to 1907 produced and could not be sold, could not be put into the market, without producing a slump in it. The Brazilian Government bought this 7,000,000 bags with the $75,000,000 and gave the coffee as a collateral to the money lenders. That coffee is to-day distributed amongst different markets. There are 1,700,000 bags in New York City, other quantities in Rotterdam, London, Havre, and some in Canada; these make up the total of the 7,000,000 bags. Right after you pass this bill without that proviso the Brazilian Government is going to put a tax of $2 or $3 or $5 on every bag, and you will not be able to avoid it. They are going to make the American Nation pay for them this duty that you do not want to impose on coffee for you. If you do not protect that million people that you took into the Nation, you must at least protect your own people.

That countervailing duty is not going to be of any help to us. One or one and a half cents will be of no help to us. Brazilian coffee in the American market, as a rule, sells 5 to 6 cents less than Porto Rico coffee. Anything less than 5 cents duty will be entirely useless for us.

Yes, Mr. Chairman, you are buying rice which is protected 166 per cent. We have expended $4,000,000 every year to feed the poor man that raises the coffee. We could buy that rice for 2 cents a pound from Japan and the East Indies, and we are paying to Louisiana and Texas 4 cents and a fraction for it. We could go to Japan or to East India and buy it for 2 cents, and put the other 2 cents into our treasury. That would be money saved from our taxes, but we are not doing it. We will if you drive us to it.

The gentleman from Louisiana [Mr. PRAJO] says he would vote for the duty on coffee if I would prove it to be a fair one. I will prove it to any intelligent man on the floor of this House. The per capita consumption of coffee was 10½ pounds last year, and a 5-cent duty represents 52½ cents tax for the poor man's breakfast table. Coffee is the smallest item in the breakfast table of the poor man.

He spends dollars and dollars for wheat, dollars and dollars for beef, dollars for sugar, dollars for butter, and everything else he consumes on his breakfast table, and he is taxed on every one of those articles to amounts that run up into the dollars, whereas the tax on coffee is only 52½ cents a year. If he is going to pay the tax at all, which I doubt very much. I doubt it, Mr. Chairman, first, because the grocers' convention in Philadelphia only a few weeks ago declared that they were bound to fight this duty, because it would fall on the grocers, and that it would never be paid by the consumer.

In 1873 when you took your tax off of coffee; when you put coffee on the free list, Brazil put a tax on it that you have been paying to this very day. The poor man in America never had a sip of free coffee; never in his life; and if you take off that proviso he is going to pay that duty that you do not want to put on. From 1873 you have been paying it. After you took the duty off and coffee was low in the markets of the world, the average retail price was 25 cents per pound. You took off your duty.

From 1886 to 1896, a period of ten years, the price of coffee all over the world went up to more than double the previous price. Brazilian coffee that sold in New York for 5 or 6 cents a pound before that sold for 16 cents in the green; but the average price of your coffee at the grocer's store kept at 25 cents a pound.

What does that mean, Mr. Chairman? It means that the margin is so tremendous that it is large enough to cover a large profit under any duty that you might put on. I am speaking to you from statistics. You can verify every figure I am bringing here. For the last ten years coffee has gone down again except in these last few days and weeks, on account of this tariff movement, when it has gone up to 7 or 8 cents; but coffee for the last ten years has been selling at 5 and 6 cents a pound, but your retail price has always kept at an average of 25 cents for every pound of coffee you consume. Whether the price went up or down in the markets of the world, the average retail price was always 25 cents a pound.

And I will tell you, Mr. Chairman, that those coffee dealers who are taxing the poor man's breakfast table to the extent of seventy or eighty million dollars of undue profits over and above any reasonable profit will go right on collecting 25 cents as an average for every pound of coffee whether you put on that duty or

* From August 20, 1898, to June 30, 1899, inclusive.

not, and they will keep talking about "the poor man's breakfast table."

Mr. Chairman, there was never a greater fake than this tune of the "free coffee," unless it is its twin brother, "the poor man's breakfast table." This last is a little greater fake, because there is nothing free on the poor man's breakfast table, not even coffee, as I have demonstrated to you, because coffee has been taxed for the last thirty-six years for the benefit of the Brazilian treasury. If you wish to learn how big a fake this free breakfast table is, read this article of the Washington Post of the year 1905:

[From the Washington Post, 1905.]

The recent suggestion of a tariff tax on coffees, probably put out as a feeler, is responsible for the resurrection and reintroduction of the once familiar but never appropriate phrase at the head of this article. It was never appropriate; it was always a sarcastic sneer, rather than a statement of fact, because the memory of the most aged citizen runneth not to the time when a free breakfast table, a breakfast table untaxed as to itself, its equipment, and the food and drink it bore, could be found in any American home.

At that time, under the tariff of 1897, what could be more preposterously absurd than the notion that a tax on coffee would be a decree of banishment for that alleged boon?

The truth is, you go to the breakfast table clad in taxed garments, wearing no single article that is not taxed in the tariff.

You sit in a chair that is taxed as to all various materials that enter into it, and taxed as a whole; the table itself is similarly taxed, and we can think of no article on it that is free. Your tablecloth, your napkins, and your napkin rings are all in the tariff schedules. Your fish or meat, your vegetables and fruit, your bread, your butter, your rolls, your griddle cakes, your sugar and sirup, your salt, vinegar, pepper, mustard, olive oil, and all other condiments show up in the list of things taxed. So it is with your china and other crockery, and your knives, forks, and spoons.

And your coffee is free only as to the raw bean. It is roasted over a taxed fire and in a taxed roaster, is stored in taxed receptacles, and transported by taxed horses in taxed wagons; then, retailed, it goes out in paper bags, to be deposited in other taxed vessels. Having been ground in a taxed mill, your cook prepares it for the table by using a taxed coffee pot. If you use cream in your "free" coffee, you must use taxed cream; if you use sugar in it, you must use taxed sugar.

This is the "free breakfast table" whose exit will come if a duty is imposed on the raw coffee bean.

This free breakfast table is one of the coffee dealer's arguments. The other argument produced by them is that Congress, by putting a tax on coffee, is going to lend itself to a big job of $77,000,000. They call it a "joker." This is the cheap word now used as a substitute for arguments that can not be offered.

They knew they were not telling the truth. They knew it was not so. They know in these last four months it has been made clear that it was a baseless argument and without any foundation. They claim that these speculators in New York would rush into the New York markets all the surplus. First, they spoke of 13,000,000 bags, but of course that was absurd. They had to come down to the true figure, and the true figure is 7,000,000 bags surplus valorized coffee held as collateral for the loan, one-seventh part of which only is held by the New York bankers. That this is absurd and the job can not be carried out is evidenced from the fact that they have had four months to bring that stuff in, waiting for the tariff to be put on, and making a profit of several million dollars. Why have they not brought the coffee in before this? The opportunity has been very favorable to them. Coffee is free in New York? There is no risk whatever in bringing coffee to New York. They might just as well have the stock of coffee in New York as in Europe? Europe is only one week from here? Why do they not bring it in? They have had plenty of opportunity before the law goes into effect to bring it in.

They will never bring it in. It would be useless to do it. They are forbidden to throw it into the market by the Brazilian Government's compact. The bankers are holding it as collateral, with a proviso that they should not send it into the market for consumption at any greater rate than 500,000 bags the first year, 600,000 bags the next year, and so on for a period of ten years. If the Brazilian Government was to change its mind and modify the compact and allow them to throw the coffee on the market, what would be the result? It would be that the price of coffee would immediately go down, and Brazil would be defeating its own scheme, the valorization scheme. The Brazilian Government has gone into that compact to sustain the price of coffee, and if the scheme fails they would be responsible to the bondholders of the loan for the full amount of $75,000,000, and expenses and interests thereon. It is true, as the gentleman from Ohio [Mr. DOUGLAS] said, that there were only three independent States at first that started the combination, but we all know that finally the Brazilian Government has given its assent and has guaranteed the capital and the interest on this $75,000,000. So that not a pound of that coffee can be brought into the New York market. It will never be brought there. There never was a better opportunity to put a duty on the article.

Mr. Chairman, there is no such a thing as the seventy-seven million dollar joker. Nobody could do it; they have not the coffee; and, I tell you, in the month of July the stock of coffee as compared with that of every previous year will be a good deal smaller.

They have not even tried the scheme, because it can not be done; and if they did, I repeat, the Brazilian Government would have stultified itself by defeating its own plan, and, besides, losing its money.

Here are the figures which show the stock of coffee, or what is called the "visible stock" of coffee in the market: In 1908, there were 3,800,000 bags; in 1907, there were 3,982,000 bags; in 1906, there were 4,124,000 bags.

So, Mr. Chairman, the whole argument falls to the ground. And so, also, the argument of the poor man's breakfast table, which has no foundation at all. They speak of the poor man's breakfast table. What does the poor man in the colonies do who gets 30 cents, 20 cents, and 15 cents a day and lives on protected rice? We are willing to pay for protection on rice.

The Porto Rican laborer lives also on dried fish from New England, and is willing to pay for protected salt fish from New England. But why should the man in Porto Rico who lives on rice and salt fish not have also protected what he produces? Why should the tariff in Porto Rico be a machine to turn out Louisiana and Front street, New York, millionaires at one end and Porto Rico paupers at the other end? Is this what we were brought into the Union for? Are these the promises that General Miles made us when he landed in our country? Is this what we have been expecting from this Congress during these long ten years of patient waiting? Mr. Chairman, the Foraker Act that gave us the Dingley bill, and that gave us one of the most tyrannical governments that was ever invented, was given to us only temporarily, but it has lasted long enough.

Not one single line have we been allowed to move, even within the narrow limits of that act; in not one line have we been permitted to improve our political or economic conditions, for here we are to-day begging Congress to be square, to give us a square deal, to do justice to our people, to protect our staple as you protect your own. And whose is the fault? It is the fault of that executive council, those six men men that you sent there to make our laws, to vote our taxes, to collect our money, and to spend it through the employees that they appoint; they have always opposed the measure voted by the lower house to help our coffee planter. If we had not that executive council, if we had been able to pass in the upper house the laws that we had voted in the lower house right after we lost our market, we would not be here to-day begging for a scrap of protection. There was a cyclone that destroyed in part our plantations, but that is nothing in Porto Rico, for every fifteen or twenty years we have a cyclone and our people come to the rescue and help those who have suffered. When the Americans arrived in Porto Rico there were yet some thousands of dollars left from the previous cyclone fund which had found no employment.

If we had been allowed to make a loan of five millions for an agricultural bank to allow those poor people to get a little money for which they were paying 12, 18, and 20 per cent interest, and give them that money on long terms and small interest, they would have gone and rebuilt their little homes, their factories; they would have been able to take away the fallen shade trees from on top of the coffee trees; and they would have been able to go ahead. But that executive council would not allow it. Did they want the Porto Rican to perish? I do not believe it. Then there came another law from the lower house, condoning the taxes to the little farmers, whose property was sold day after day by the treasurer, even up to a few months ago, and that has been going on for nine years—little farms sold to pay five and six and seven and ten dollars because they would not allow us to condone those taxes and let the other part of the island, which did not suffer—is now rather prosperous—pay the taxes and help those small farmers.

Mr. WEBB. May I ask the gentleman a question?

Mr. LARRINAGA. Certainly.

Mr. WEBB. I understand your legislature down there has refused to make any appropriations whatever to public officers in the future. What effect is that going to have on the government?

Mr. LARRINAGA. I do not know what effect it will have. The lower house had already voted, had compromised, and was willing to vote the budget, but all of a sudden the upper house closed, and they said the session was ended. They deny this now, but this is the truth. The proof of our sincerity is that even now the commission from the lower house is willing to compromise, but they will not. They will not yield one line. They say that Congress will support them; that Congress will give them the power to prepare the yearly budget independent

Porto Rico to misery. We will go back to the days of 1899 and

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of the lower house. They have taken from the people the last remnant of their rights. The lower house wanted to pass some laws for the municipalities, within the Foraker Act, and the upper house refused. The governor had recommended economy and the lower house had made some economy in the budget, just the same as the President has recommended this Congress to make economies in the budget. I hope the President, who is a man with fair ideas of justice, will see that nothing comes out of it, and that they get together, make an honorable compromise, and that everything goes on in harmony. We have great confidence in the President.

Mr. WEBB. May I ask the gentleman another question? Why is it that Porto Ricans can not raise coffee in competition with Brazil? I wish the gentleman would state that to the House. Is it because of the difference in the cost of labor and the cost of living?

Mr. LARRINAGA. I will tell the gentleman. Coffee is produced in Brazil on large, high table-lands without any shade at all, raised by cheap labor of Italian immigrants. Italian families have gone there with all the members of their families, and they all work on the coffee plantations. Work on coffee plantations is not hard, and in Porto Rico women are largely employed for picking the berry. In Brazil they get very small wages, in Brazilian money, which is very much depreciated. Those families are very thrifty and economical and they pay them with a few cents. Then they bring their coffee and they get American dollars in New York for it. There is the difference in the cost of production to some extent. Then again, coffee in Porto Rico is produced like coffee in Arabia (in Mocha), up in the high mountains. It has to be shaded from the sun, and the berries are picked one by one, taken from the tree, and then crushed and then washed and then put out to dry, while the Brazilian coffee, on account of the manner in which it is cultivated, on account of the advantage of having at high elevations large table-lands, requires no shade, and the coffee is allowed to dry on the tree, which means a great saving of labor.

The berry is taken from the tree by the handful, a large part of it falling to the ground, and then it is gathered, so to speak, by the shovelful, while we gather it bean by bean. That would also make a difference in the quality. They produce a different quality of coffee and they raise it very much cheaper than we do.

Mr. WEBB. One more question. What was your situation with reference to coffee before the United States took over Porto Rico?

Mr. LARRINAGA. Oh, it was in a most prosperous condition. We used to export 60,000,000 pounds of coffee, worth $16,000,000, as against about 35,000,000 pounds now, worth about four or five millions only.

Mr. WEBB. Where did you export that?

Mr. LARRINAGA. We sent it to Cuba mostly; to Spain, Italy, and France, with whom Spain had made favorable treaties for us.

Mr. WEBB. Did not you then and there come in competition with the Brazilian coffee also?

Mr. LARRINAGA. Yes, sir.

Mr. WEBB. Did not your coffee come in competition with the Brazilian coffee, and you say it was profitable to compete with Brazil in those days?

Mr. LARRINAGA. We send our coffee to Europe and to Cuba, where it is sold at a much higher price than Brazilian coffee on account of its superior quality. We can compete favorably in every market with Brazilian coffee except in the American market. We can compete in Spain, in France, Italy, and Germany, or Cuba, because their coffee is what is called "strong" coffee. It abounds in caffetannic acid, and those people prefer a mild coffee, such as Colombia, Guatemala, Porto Rico, Mocha, Java, and so forth, that are called "mild" coffees. Our trouble at present is the high duty they charge us on account of the retaliatory duties they put against the Dingley tariff.

Mr. WEBB. Has there been any deterioration in the markets of the world since the United States took over Porto Rico?

Mr. LARRINAGA. Yes; there was right after the American occupation of the island, although lately prices have improved some.

Mr. WEBB. Why has that been?

Mr. LARRINAGA. That descent came from the great crops of Brazil. Previous to 1906 the price of coffee, as I was telling you before, was very good; but after the large crop of Brazil they went on planting in such large quantities in Brazil that the price fell down. The crop of Brazil amounted in 1906 to 20,000,000 bags, and that was what obliged the Brazilian Government to withdraw from the market 7,000,000 bags and make this valorization plan—to keep that surplus back from the market and pay the planters with the money loaned, $75,000,000, giving them the coffee as collateral.

Mr. WEBB. The question I want to ask is this, Whether or not in the last few years the demand for your coffee in Spain and other foreign countries has fallen off so as to make the demand so slight that you now have not a sufficient price for your coffee to justify you in raising it?

Mr. LARRINAGA. There was a descent in the price of coffee, but lately it has been rising some. Now, our trouble in Europe is that we have to pay 12, 12½, and 13 cents duty on every pound of coffee, so we have to sell for about 30 cents a pound green coffee, and yet we make a very little profit when the price is high.

Mr. WEBB. Have those duties been raised in recent years?

Mr. LARRINAGA. They have been greatly increased on account of your Dingley tariff. That is what we complain of. Our organic act made no provision for the loss of our markets by coming into the United States.

Mr. WEBB. Now we are getting at the meat of the question. One more question. You raise a higher grade of coffee than Brazil?

Mr. LARRINAGA. We hold that our coffee is the best, as it is proven by the fact that the coffee-drinking nations of the world, Italy, Spain, France, and Austria-Hungary, pay for our coffee a higher price than they would for Brazilian.

Mr. STANLEY. Mr. Chairman, does the gentleman yield?

Mr. LARRINAGA. Certainly.

Mr. STANLEY. Before Porto Rico became a part in a way of the United States, what trade relations had she with Spain? Did she charge a duty on your coffee?

Mr. LARRINAGA. No, sir. Some ten years before the American occupation Spain gave us free trade, deducting every year one-tenth; so that during the last few years the duty was insignificant, and in the last year we had free trade, because all the duty had been taken off. And we had the market of Cuba also, which, being a province of Spain, had to take our coffee free.

Mr. PARSONS. If the gentleman will permit, what is the duty that the coffee growers of Porto Rico would like to have imposed by this Government?

Mr. LARRINAGA. Anything less than 5 cents, or at least 4 cents, a pound will not do any good to Porto Rican producers, in the American markets.

Mr. PARSONS. How much coffee can Porto Rico produce?

Mr. LARRINAGA. There is no limit to that. We produced 60,000,000 pounds, but we could grow so rapidly that I believe we can reach 200,000,000 pounds if we were helped a little bit.

Mr. PARSONS. Two hundred million pounds would be only 20 per cent of the importations of coffee now into the United States?

Mr. LARRINAGA. Just about; yes. It would be 22 per cent. But there are the Hawaiian Islands that are a part of your territory, where the production of coffee is just as good as in Porto Rico.

Mr. PARSONS. How much do the Hawaiian Islands produce now?

Mr. LARRINAGA. Oh, well, they have gone down and down. The Philippine coffee production is dead. The Hawaiian coffee is dying, and the Porto Rico production is pretty sick. I will tell you. [Applause.]

Mr. PARSONS. As a matter of fact, has not the coffee produced in Porto Rico revived a little in the last few years?

Mr. LARRINAGA. Yes; the prices in the markets of the world have risen a little bit.

As I was about to tell the gentleman when we were speaking of the different markets that we had, Cuba was one of our best markets, and to-day is the best market, on account of that 20 per cent that your treaty with Cuba gave us. Cuba will take in this year about 60 per cent of our production.

Mr. Chairman, this proviso in article 533 has been called by many gentlemen on this floor a "joker." I want to know what those gentlemen will call this. It is a resolution of the other House, asking the Secretary of State to send all the information regarding the proposition to make roasted coffee in the United States an article of national production. We know what this means. It means that they want to bring the large coffee crops of Brazil to New York. The coffee dealers wish to flood Cuba and take away our last hope. They have sent a child with a piece of bread going through the streets, and they want to "hold him up," to use the American expression, and take it from him.

Those coffee dealers in New York, if Congress declares that roasted coffee going to Cuba from the United States is an article of national production, will send half of the island of

Porto Rico to misery. We will go back to the days of 1899 and 1900, when, for the first time in history, the Porto Ricans had to migrate from their country. They went across this continent to the Hawaiian Islands. Five thousand of them are there to-day, slaves on the sugar plantations. I heard in the Committee on Territories the governor of Hawaii say that each emigrant would be allowed in future an acre of land. Sometimes, I suppose, it will be good land, and sometimes bare rock. Now, can anybody tell me what can a man plant in an acre of land that will support a family?

Mr. JAMES. Will the gentleman permit a question? What is the export duty on coffee now from Brazil to the United States?

Mr. LARRINAGA. Nine per cent ad valorem, and from this year an additional 5 francs per bag.

Mr. JAMES. How much is that?

Mr. LARRINAGA. About 1½ cents per pound; but if the export exceeds 9,000,000 an additional 20 per cent ad valorem, or 2⅝ cents per pound in all.

Now, Mr. Chairman, I wish to tell the House once more that proviso will not help Porto Rico, but if you strike it out, next year you will be sending $40,000,000 to the Government of Brazil to help in the development of that magnificent country. You gentlemen here have no idea what a country Brazil is.

They have intelligent men there who study their problems—scientific men, good people. Brazil will make the law in coffees for all the world. You will have to buy their coffee at any price they choose. You can not get it from anybody else. If next year they put $5 on every bag of coffee, you will have to pay it; your poor men will have to pay this forty or fifty millions. No doubt of it. You can not get coffee from any other country.

The gentleman from Ohio was very witty and found a very pretty way of evading my question. "Where are you going to get your coffee from next year?" I asked him. "I will get mine from Porto Rico. I have tried it and it is most excellent," he answered. That did great honor to his brilliant wit but no justice to my question at all. [Laughter and applause.] I will explain to you my reasons why he could not answer it, and he is very well posted in this matter. The reason is this: Coffee comes from a tree, like apples. It takes six, seven, or eight years to become a full-bearing tree. Therefore, as you are getting three-fourths, or 75 per cent, of your coffee from Brazil, and the other 25 per cent you are getting from all the other countries that produce mild coffee, you will have to buy your coffee from Brazil at any price, and your poor classes are going to pay for your error. You can not plant coffee like sugar, wheat, or potatoes and get a crop the next year. So that Brazil, which furnishes 80 per cent of the whole consumption of the world, is bound to furnish your coffee.

There is a very interesting point with coffee in the United States. I wish to say something about blending.

Blending is the masquerading for fancy coffees for which you pay generally from 25 to 30 and 40 cents per pound. The coffee that comes from Mocha and Java—about 2 per cent of your whole consumption—is supposed to be used for blending. I want to read you a letter on the subject.

I could read to you for hours on this very interesting subject, but I will only read you a letter from one of the highest authorities on the matter, Daniel K. Young, which was published in the Tea and Coffee Journal of January last:

Mr. D. K. YOUNG, *Philadelphia, Pa.*

MY DEAR SIR: Noting your articles on blending in the Tea and Coffee Trade Journal, we would like to ask you what your opinion is as to the minimum amount of certain coffees that would effect a blend in which it was placed. For instance, what is the smallest percentage of Padang that, in your opinion, would noticeably affect a blend of Bogota, Guatemala, and Padang so that a statement could be properly made that there was Java in this blend? In a blend of Maracaibo, Bourbon, and Padang, what would be the smallest percentage of Padang necessary to produce any effect on the other coffees so that the statement could be properly made that there was Java in the blend? These questions have been asked us by dealers, and we, of course, have our own opinion. We have said positively, as our opinion, that where only 1 ounce to the pound of Java is used that it would be incorrect to call the coffee blended Maracaibo, Bourbon, and Java. If you have no objections, we should be very glad to know your opinion.

Very truly, yours, ———— ————.

To this letter Mr. Young replied as follows:

DEAR SIR: Your favor of the 16th instant has my attention and brings up once more the old question, which is as old as the capitalist system—that is, How far can a business man practice deception and still maintain the standard of honesty set up by the mercantile world? Under a cooperative republic, where goods are produced for use instead of for sale, a blend would contain on the label the proportion of each kind of coffee composing the blend. The Woolson Spice Company on their Lion Coffee used to make the statement that each package contained Mocha and Java. There probably was a bean or two of each kind, and this is the general standard of morality in the mercantile world. The writer was the cause of having this statement stricken off their labels in the State of New York by calling the attention of the pure-food department of New York State to the matter, and we understand that later it was dropped from all their labels. So long as we conduct mercantile business on the present lines some coffee people will consider they have the right to use the words "Java blend" if there are a few beans of Java in the blend. This appears to be a matter of individual conscience and moral elasticity, and under these circumstances I do not feel competent to gauge the average commercial conscience.

Your, very truly,

DANIEL K. YOUNG.

The writer was the cause of having this stricken out of the labels in the State of New York by calling it to the attention of the pure-food department.

God bless that department! It has done more for the health of America and the coffee of Porto Rico than you gentlemen are going to do. [Applause.]

(Reading)—

By calling attention of the pure-food department of New York State to the matter, and in the understanding of the writer, it was dropped from all their labels.

Mr. Chairman, there were millions of labels burned in New York City after the pure-food law was enforced. On this coffee proposition alone there have been hundreds of thousands of cans scraped. I have two here, and I can show them—one the old one, with the name scraped; the other, the new one, with the new label substituted.

This appears to be a matter of individual conscience and moral elasticity, and, under the circumstances, I do not feel competent to gauge the average commercial conscience. [Laughter.]

There are some other opinions that are stronger. Gentlemen, this is the most fair and impartial publication on tea and coffee that I know of. I am not advertising for this man, but he is impartial. The other day he was attacked by a coffee dealer because he gave out some news concerning the Committee on Ways and Means, whether it was inclined to the duty or whether it was not. Why, they jumped on him, and if I had time I would show you what a gentleman in the trade said of you. Here is an article, "The art of blending coffees." In this article the writer discusses what he calls "the crime of the coffee trade," otherwise the "Java coffee blend masquerade."

Now, gentlemen, I do not want to read you all that I could on the subject, but I recommend you to read Dr. August E. Gans's pamphlet on the subject. You will be really amused. Not only is your poor man paying a tax of $8,000,000 a year to Brazil, but you are bleeding your country to the extent of seventy or eighty millions of dollars. You buy from Brazil india rubber, hides, and 60 per cent of their coffee. You are sending them hard cash, with which they buy merchandise from Germany and France. That is what you are doing every time you neglect to bring Brazil to terms. Take away that countervailing proposition and you will see the result.

I have nothing to thank the Committee on Ways and Means for in the name of my constituents, but I give you this advice: Take away that provision and a few years from now you may send your Monroe doctrine to the Smithsonian Institution to be kept there as a curiosity. [Laughter.]

Now, Mr. Chairman, I do not mean to be hard on these Brazilian people. They are bright people. They are a hospitable people, very progressive, very pro-American. They have a great sympathy for America. When I was a member of the American delegation which went there with Secretary Root, there was nothing that they would not do to please us. I have studied conditions there. I went into the Province of São Paulo to study the coffee proposition in all its details. I tell you they are wonderful people. They deserve to grow and prosper. The Brazilian ambassador here, Mr. Nabuco, is one of the most brilliant diplomats I have ever met. I am glad to see Brazil prosperous, but I tell you they do not need your protection which you have been so lavishly according to them for thirty-six years. They are powerful enough and enterprising enough and rich enough to go ahead and be second only to the United States on the western continent. They are building now the four greatest battle ships that the world has seen.

I wish them all kinds of prosperity—they deserve it; but Congress, when it provided for the government of Porto Rico, did her a great injustice in not providing for the protection of her economic conditions. We are struggling to go ahead. We received you Americans with open arms. We love this country, because I and many of this generation of Porto Ricans, who were most of them educated in this country, went back and told our countrymen all about America. We taught our people to love you and your institutions. And what have we found at your hands? I know that Congress does not mean to be unjust; but there it is, all the same. We are neglected, and in a jesting way we are called "the forgotten island," and nothing more true than that was ever said. You are too big a country; you are too large and magnificent a country.

Your Congress can not devote time enough to turn and look on us. That is our misfortune. But we are suffering just the

same and you gentlemen who have written in your great book

the abominations tariff of that year, much higher than the Clay

erniment to withdraw from the market 7,000,000 bags and make

article of national production, will send half of the island of

their labels in the State of New York by calling the attention of the pure-food department of New York State to the matter, and we under-

Your Congress can not devote time enough to turn and look on us. That is our misfortune. But we are suffering just the

same, and you gentlemen who have written in your great book that every man is endowed by the Creator with certain inalienable rights—that among them are life, liberty, and the pursuit of happiness—you can not go back on those principles and leave us in the hands of those autocrats of the executive council of Porto Rico who are trying every day to crush us down; you can not leave us in the hands of those plutocrats of lower Wall street and Front street in New York; you can not leave us in the hands of those greedy men who are trying to take the last crumb of bread from a small and suffering people—the Porto Ricans. [Prolonged applause.]

Mr. THOMAS of North Carolina. Mr. Chairman, I deem it my duty to my party, my State, my district, and to myself to submit some remarks upon the pending tariff bill.

I do not desire, nor do I deem it necessary in this debate, to enter upon any academic or theoretical discussion of the tariff. In a speech I made in the House of Representatives February 8, 1908, upon the subject of tariff revision, and two other speeches in Congress, in 1905 and 1906, upon the subject of reciprocity with foreign nations, I have clearly outlined my views upon this great question which has been a subject of debate from the very beginning of the Government, from the first, or the Hamilton bill, in 1789, up to the time of the consideration of this bill. In my former speeches I discussed fully the subject of tariff revision and the extension of our trade in foreign markets by means of reciprocal trade agreements with other countries. It is unnecessary to repeat what I have heretofore said in those speeches. Since the introduction of the Payne bill I have availed myself of every opportunity to become informed as to its schedules and upon the general subject of the tariff by reference to every available piece of literature and such standard authorities as those mentioned in the beginning of this debate by the distinguished gentleman from Missouri [Mr. CLARK]. In addition to the list of authorities named by him, including the History of the Tariff, by Professor Taussig; State Papers and Speeches on the Tariff, by the same author; the Tariff and Trusts, by Franklin Pierce; and the Sectional Struggle, by Cicero W. Harris, I have read with much profit the chapters in Perry's Political Economy upon our "Foreign trade" and "United States tariffs."

My study of the tariff question shows me that the raising of revenue by tariff taxation is now, and has been always, a subject not only of the greatest controversy in the history of the country, leading in Calhoun's day and time to the announcement of the doctrine of nullification, leading also to inconsistencies in such statesmen as Calhoun and Webster, but it has also been from the foundation of the Government a subject of compromise and adjustment of the tariff schedules. There are only two ways of raising revenue under our Constitution—direct taxes, such as upon land, personal property, and polls, which must be levied in proportion to the population of the respective States; or indirect taxes, by means of duties, imposts, and excises, which form of taxes includes duties upon articles imported to this country from foreign countries; internal revenue taxes, such as those upon whisky and tobacco; and stamp taxes, such as were levied during the war with Spain. Under our Constitution no tax or duty can be laid upon articles exported.

Under the grant of powers in the Constitution to "regulate commerce with foreign nations and among the several States," and "to lay and collect taxes, duties, imposts, and excises," authority is given to Congress to enact tariff laws.

We have had, first, the Hamilton tariff in 1789, which imposed an average ad valorem rate of duty upon imports of about 8 per cent.

Second. The Calhoun tariff in 1816, which imposed an average ad valorem rate of duty upon imports of about 25 per cent.

Third. The Clay tariff of 1824, which imposed an average ad valorem rate of duty upon imports of about 33 per cent.

Fourth. The abominations tariff of 1828, which imposed an average ad valorem rate of duty upon imports of about 37 per cent.

It is a curious fact that Calhoun was for the tariff of 1816, under the erroneous impression that inasmuch as the bill contained protective features as to cotton manufactures, a domestic market for cotton would be created, in connection with the foreign market, which would raise the price of raw cotton to the southern farmer. He acted accordingly, though he found reason afterwards for altering his opinion in that regard. It is a further curious fact that Daniel Webster and New England strenuously opposed the Calhoun tariff, while Calhoun and South Carolina strenuously supported it.

It is a further curious fact that Webster afterwards continued to oppose the tariff, and spoke in 1824, in opposition to Henry Clay, against the Clay tariff of 1824; but in 1828 he supported the abominations tariff of that year, much higher than the Clay tariff.

Fifth. The fifth tariff in the history of the country was the compromise tariff of 1833. Perry's Political Economy says that Clay and Calhoun were not then on speaking terms, but the latter was consulted through a third party, and agreed to regard the former's plan as a satisfactory arrangement of the tariff controversy, and both spoke and voted for the bill, which passed just in time to prevent the impending collision between South Carolina and the General Government. Webster opposed the bill as a practical abandonment of protection, both by a series of resolutions and also by argument and vote.

The compromise tariff of 1833 was called the "horizontal tariff," providing for a gradual reduction of duties over 20 per cent for ten years, from 1832 to 1842.

Sixth. The Whig tariff of 1842, providing an average ad valorem duty upon imports of about 23 per cent, was the sixth tariff bill framed.

Seventh. The Walker tariff of 1846, providing for an average ad valorem rate of duty on imports of about 18 per cent, succeeded the Whig tariff of 1842.

Eighth. The Morrill tariff of 1861, known as the "war tariff," providing an average ad valorem rate of duty on imports of about 48 per cent, succeeded the Walker tariff.

Ninth. The Morrill tariff has been succeeded by the tariff of 1883, in which no consistent policy was followed, and the McKinley, Wilson, and Dingley laws.

I have stated fully the various tariff acts of the Government in order to show the different rates; and also different views in regard to the levying and collecting of duties upon imports under tariff laws. The difference between the two parties is now, and has always been, that the Republican party stands for a purely protective system. The Democratic party stands for a tariff which will produce such revenue as is necessary for the needs of the Government economically administered. It believes also with Robert J. Walker, whose views upon the tariff are the clearest I have read that—

Duties should be so imposed as to operate as equally as possible throughout the Nation, discriminating neither for nor against any class or section.

He said:

Equal rates and profits, so far as laws are made, best conform to the principles upon which the Constitution was founded and with an undeviating regard for which all its functions should be exercised, looking to the whole country and not to class or section.

Walker believed in levying a tariff highest upon luxuries, and lowest upon the necessaries of life. He also believed if a tariff was levied there should be equal distribution of the benefits, if the tariff be considered a benefit, or an equal distribution of the burdens considering the tariff as a tax.

I do not believe in a purely protective system, but I do agree with Robert J. Walker, a great Democrat and author of the greatest Democratic tariff law.

In my speech of February 8, 1908, as well as in my former speeches favoring revision of the tariff and opposing monopolies and trusts, I declared that—

The Democratic party stands for a revision and reduction of the tariff known as the "Dingley law," now the highest in the history of the Government.

The Democratic party does not stand for free trade. The system of tariff taxation has existed ever since the beginning of the Government. But it does stand against monopoly, against a purely protective system.

Forced by popular clamor, especially in the great States of the Northwest and some of the New England States, to advocate in its platform tariff revision and to abandon the "standpat" policy of the majority of its leaders, the Republican party has now attempted in the Payne bill to revise the Dingley law, enacted in 1897, twelve years ago.

A wonderful change of sentiment has come over the Republican party, which, prior to the campaign of 1908, declared that the Dingley law was conducive to the happiness and prosperity of the American people. Besides the clamor from Republican sources for a revision of the tariff and the absolute necessity of doing something by Republican action to satisfy the demand for a revision, the Republican party is confronted with an alarming deficit in the Treasury. Appropriations have increased until we have a billion-dollar session of Congress.

In a recent article in the North American Review, giving the estimates of the Secretary of the Treasury, it is said it is an assured fact that the revenue for the current fiscal year will be at least $120,000,000 less than the necessary expenditures. The deficiency estimated in the Treasury for the fiscal year ending June 30, 1910, is over $143,000,000. It is con-

tended that the best that can be done is to readjust duties in the tariff schedules so as to correct inequalities. This certainly should be done, but the American people expect more than this. They expect besides a readjustment of inequalities in the tariff schedules, in view of Republican promises, a revision downward and not upward, in a manner just to all classes and sections.

In the present and pending Payne bill the Republican party has increased the average ad valorem rate of duty on imports from 44.16 per cent under the Dingley law to 45.72 per cent under the Payne bill. The reductions in many instances are more pretended than real.

My distinguished colleague from North Carolina [Mr. POU], who is a member of the Committee on Ways and Means, in a very clear and accurate manner, showed fully these pretended reductions, which all along the line are more in the interest of certain manufacturers and protected interests of the country than in the interest of the consumers. Furthermore, the reductions are in many instances sectional, and strike a blow at North Carolina and the South. In the steel and iron schedule the average ad valorem rate under the Dingley law is 36.96 per cent. The Payne bill reduces this rate to 36.15 per cent; that is to say, less than 1 per cent. The duty on steel rails is reduced from $7.84 to $3.92 per ton, but both duties are practically prohibitory. The duty on shoes has been reduced slightly, but the shoe manufacturer of New England is given the benefit of reductions on leather, while hides are absolutely placed on the free list. The manufacturers of New England must be protected, if need be, at the expense of the cattle raisers of the South, including the State of North Carolina, and of the Western States.

The duties on wool and woolen goods in the woolen schedules, which have usually been written by Mr. Whitman and other manufacturers, have been reduced from the present average ad valorem rate of 60.02 per cent to 59.40 per cent, an infinitesimal reduction. This woolen Schedule K increases the price of wearing apparel of all kinds. Blankets are dutiable, as under the old law. The average ad valorem duty on women's and children's gloves has been increased from 51.88 per cent to 72.65 per cent. I have received letters from constituents protesting against the proposed tariff upon hosiery and women's gloves, stating that they considered the proposed increase unjust, and that it vitally affects the mutual interests both of the consumers and the merchant. A storm of protest against these increases is being heard from the women. The reductions in many schedules are unjustly discriminatory, in that some industries have been made an especial target for reduction, while others have been protected to the fullest extent. In North Carolina, for instance, a reduction is made upon mica and lumber. This is an unjust discrimination. As my colleague [Mr. POU] declared in his well-considered speech, if the manufacturers of earthenware and glassware are entitled to an average ad valorem duty of 52.13 per cent, which is an actual increase, by what reason do you feel justified in reducing the rate on rough lumber one half?

He said upon this subject:

The chemical schedule is protected to the extent of 28 per cent. Tobacco and the manufactures thereof are protected by an average ad valorem of 104 per cent. Agricultural products and provisions are protected by an average equivalent ad valorem of 59.08 per cent. The manufacturers of spirits, wines, and other beverages are protected by an average equivalent ad valorem of 74.92 per cent, increased from 71.18 per cent. Cotton manufacturers are protected by an ad valorem of 50.27 per cent. I challenge the majority of the committee to name a single individual who has received such scant consideration as the lumber manufacturers of this Nation.

Upon what evidence the committee based its action I do not know, but I do know that throughout the length and breadth of the country, with singular unanimity a plea has come up to this committee from lumber manufacturers asking that the old rates of duty be permitted to stand. I charge that this is an injustice to these people. If you are going to have a tariff at all, they are entitled to exactly the same consideration as any other class of manufacturers of this Nation.

I know that because southern Democrats are standing for a square deal, fair treatment, and equal and exact justice on lumber, in a Republican revision of a Republican tariff law, they are charged with inconsistency. I have no fear upon this point, either personal or political, in North Carolina. The lumber industry in North Carolina is interwoven with the welfare of all classes—farmers, merchants, and laborers. In my last campaign, in which the question of the lumber tariff was fully discussed, I had no demand from any source for a repeal of the existing tariff, nor have I had any such demand since. I have had numerous demands from my constituents and the South against the repeal of the existing tariff. Those of us who oppose the repeal of the existing tariff are of the opinion that the present duty on lumber is not prohibitory, but is upon a revenue basis. It can not be safely contended by those who advocate placing lumber on the free list that the present rate is prohibitory. In a table of estimated revenues prepared by the Ways and Means Committee, the figures show that there was paid the Government last year on lumber, paying the $2 rate, the sum of $1,773,933.30, and the estimate is made that the reduction of the rate to $1 will reduce the revenue to the sum of $886,966.55. It is very clear that a tariff rate producing nearly $2,000,000 per year is not prohibitory, but is a revenue rate.

Importations of lumber have grown from year to year, for it appears from the statistics that the total revenue from all lumber in 1898, the first year of the Dingley law, was only $707,722.27, while in 1908, ten years later, this revenue amounted to $2,230,326.24. We are further of the opinion that the ultimate consumer would not be benefited by a repeal of the tariff. The benefit, if any, while it is hard to tell where it will go, would most likely go to the owners of Canadian stumpage or to the retail lumber dealers. The farmers, who still hold a large percentage of the stumpage in the South, would lose the increased value of their stumpage.

We do not believe that a reduction of the tariff on lumber would tend to conserve the forests. Under the existing tariff the tops of the trees and every part of the tree can be utilized, which otherwise would be allowed to waste in the woods. As a further statement of the views of my people upon this particular question, I wish to call attention to the resolutions of the Newbern Chamber of Commerce, in my district, and the resolutions of the Chamber of Commerce, Wilmington, N. C. These documents give the arguments and the point of view of my constituents, to whom I have ever been loyal, upon this lumber question:

CHAMBER OF COMMERCE,
Newbern, N. C.

Whereas lumber and forest products throughout this State and throughout the South furnish the basis of credit and sinews of war for many other lines of commerce and trade; and

Whereas we are advised that the Congress of the United States is to-day considering the repeal of the present tariff on lumber, and as such action would mean serious embarrassment to southern mills producing medium and low grade stocks, for the reason that with the tariff removed Canada would supply American markets, first, on account of the advantage she would have over the mills in the South through lower freight rates to all eastern and Lake state ports, and, secondly, because of the low price of stumpage in that country and the difference in the scale of wages in Canada and the United States; and

Whereas the present duty amounts only to an ad valorem tax of 12 per cent, as compared with 40 per cent on all commodities entering into competition with lumber: Therefore be it

Resolved by the Chamber of Commerce of the city of Newbern, N. C. (in special session), That as an organization designed to aid capital in finding remunerative investments in our midst, regular employment, and a general expansion of our trade and commerce, we here and now register our protest against any repeal or reduction in the present tariff on lumber and call upon our Senators and Representatives in Congress to exercise their best efforts to protect our people and section against such an injustice and discrimination as the repeal of the tariff on lumber would work and prevent such legislation at all hazards.

Resolved further, That the president and secretary of the organization be, and they are hereby, instructed to send a copy of these resolutions to our Senators and Representatives in Congress from North Carolina and other Southern States.

THE WILMINGTON CHAMBER OF COMMERCE,
Wilmington, N. C., February 4, 1909.

TARIFF SCHEDULE.

In view of the approaching revision of the tariff, and disclaiming any purpose to consider partisan political questions, it is within the legitimate province of commercial organizations to consider changes in the law which affect commercial interests. Both of the present political parties of the country and all the political parties of the past have adhered to the policy of laying a duty on imports as a revenue measure, and it is therefore the settled policy of this country, by whatever political party administered, to raise a large part of the revenue through tax on imports. The present exigencies of the revenues do not permit of a reduction of income from customs source, unless some other form of taxation, either direct or excise, is laid, and for this the public mind is not prepared. Under such a situation it is obvious that the proposed revision of the tariff will be more nominal than real; but, notwithstanding, there is a strong intimation from authoritative sources that the duty on lumber will be entirely removed, and inasmuch as the South produces one-half of the lumber supply of the country, and as the duty on lumber is now only $2 per thousand, or about 12 per cent ad valorem, and is in fact as well as in theory a revenue tariff, it would be essentially inequitable to remove the tariff on lumber while leaving undisturbed practically all other schedules. The situation can be analyzed as follows:

First. The need for revenue does not warrant the placing on the free list of revenue-producing articles unless some other form of taxation is to be substituted, which public sentiment is against.

Second. The duty on lumber being only about 12 per cent, and being in fact on a revenue basis, there is no justification for disturbing this schedule on the ground of excessive rate. While the duty on lumber is only 12 per cent, the duty on articles that enter largely into the construction of sawmill plants, such as iron and steel, cement, and building stone, are 40 per cent, 32 per cent, and 45 per cent, respectively, and there is no likelihood that these schedules will be materially reduced, or reduced at all. Moreover, while the average duty on iron and steel is 40 per cent, the duty on such articles as saws and the like are as great as from 65 per cent to 75 per cent, so that to cut these schedules half in two would still leave a rate on these articles of 300 per cent above the rate on lumber.

Third. The markets for southern lumber, and especially the low grades such as are produced from the shortleaf pine, are principally in the Northern States, which, being remote, subject shipments to a high

freight rate, and to remove the duty from lumber would, because of the proximity of Canada to these northern markets, introduce ruinous competition with southern mills.

Fourth. To remove the duty from lumber would force southern mills to the manufacture of higher grades of goods, thus at once rapidly depleting the longleaf timber supply and leaving unutilized the cheaper grades, which, unless used promptly, would in many cases mean a total loss of this property.

Fifth. There is, perhaps, no article in the tariff schedules which touches so numerous an interest as that of lumber. Every farm in the cotton belt of the Atlantic States and of the Gulf is directly affected. This view of the matter is distinguished from the character of ownership in such schedules as steel, ore, coal, etc., in which interests are largely concentrated; and where the disturbance of a condition affects so large an area and so numerous interests the public well-being forbids the dislocation, unless a serious evil is to be remedied thereby.

In consideration of the foregoing statement of facts and conditions, it is—

Resolved by the Wilmington Chamber of Commerce:

First. That, in view of the preamble herein set out, there is no justification for removing or changing the present duty on lumber.

Second. That a copy of this resolution be forwarded to our Senators and Representatives in Congress, with the request that they use their influence to defeat any change in the lumber rate.

Third. That we believe that in making this request of our Senators and Representatives we are asking nothing that they can not conscientiously grant, and, in granting, render a service alike to the public revenues and legitimate industry.

I also call attention in this connection to certain paragraphs of a letter from Mr. Pinchot, Chief of the United States Bureau of Forestry, the highest authority upon the subject of forestry in this country and perhaps in the world:

[Extract from letter of Gifford Pinchot, Chief of United States Forestry Bureau.]

WASHINGTON, D. C., *March 12, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives.

DEAR MR. PAYNE: To avoid any chance of misunderstanding, I take the liberty of stating my views upon the tariff on lumber in more connected fashion than it was possible to do at the hearing before the Committee on Ways and Means on February 24. At the outset I want to make it clear that the Forest Service has never advocated either the reduction or the abolition of the present duties upon lumber and shingles. On the contrary, we have been at some pains to avoid taking any position one way or the other until we could complete a satisfactory investigation of the subject. I say this because many believe that the Forest Service has declared in favor of the removal of the duty upon forest products as a means of conserving our forests. The service has made no such declaration.

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes, either to reduce the price to the consumer or to preserve our forests. In my judgment, it would accomplish neither.

Free lumber would not materially reduce the price to the consumer.

* * * * * * *

Stumpage prices are at present somewhat lower in Canada than in the United States. The taxation of Canadian timber land is better adjusted to the conditions under which timber must be cut than it is with us, but the average costs of logging and manufacture are probably as great there as here. *If the duty were removed, the effect of these factors would be to increase the value of Canadian stumpage, and to some extent the profits of the Canadian manufacturer and the American retailer. There would remain little if any benefit to the ultimate consumer of lumber in the United States.*

The fundamental question at issue is the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of the same opinion, I should favor the removal of the tariff. But I am unable to see how free lumber will promote forestry.

There is only one way to save our forests; that is, to see that they are kept at work growing new crops of timber as the old are cut away.

Mr. Chairman, my speech in Congress on February 7, 1908, shows that the value of the lumber cut in 1906 at the North Carolina mills was about $20,000,000. One-half of the total manufactures of lumber comes from the South. Large investments have been made in mills in the South and many laborers are employed therein. There are between sixteen and seventeen hundred sawmills in North Carolina, and a large majority of them are small mills. There are about 30,000 sawmills in the United States, and of that great number the South has a large proportion. Nothing should be needlessly done to affect this industry of my State and the South.

The lumber tariff is now upon a revenue basis; the ultimate consumer would not be benefited. We are framing a tariff by a Republican Congress; a general measure, in which is included highly protective or prohibitory duties upon other articles in the same general classification as lumber, such as iron, steel, cement, saws, files, belting, and all other machinery entering into its manufacture. To reduce the tariff upon lumber and not upon these other articles is an unjust discrimination, and is not the true purpose, spirit, and meaning of any platform declaration. For these reasons I shall vote for the existing tariff on lumber, if given that opportunity on a separate amendment.

Finally, Mr. Chairman, the Payne bill, in my judgment, is a sham and in the interest of certain classes of the people and certain manufacturers and not in the interest of other manufacturers or the great consuming masses. It pretends to tax luxuries, but it also taxes at a high rate the necessaries of life, such as tea and coffee, woolen clothes, hosiery, gloves, and many other articles.

If it is the purpose to raise revenue from the wealth of the country, in my opinion, it is better to raise it by an income tax framed in a way to meet the requirements of the Constitution, and collect that tax from the citizens of the Republic while living rather than transfer the burden to their children by an inheritance tax, which would be a double tax in the States also imposing it. The Payne bill provides for bonds in time of peace. Let us reduce expenses and not issue bonds. I am unreservedly and strongly opposed and always have been to the maximum and minimum tariff features of this bill. I have time and time again upon the floor of this House appealed for reciprocity with foreign countries to give our farmers and manufacturers new and wider markets for the products of the farm and the mill. Reciprocity with foreign countries by mutual agreement and concessions was approved by Thomas Jefferson; it was also voiced by William McKinley in his last great speech at Buffalo before he was stricken down by an assassin's bullet. Reciprocity means mutual concession and agreement. A maximum and minimum tariff means retaliation and commercial war. Upon this subject in his Buffalo speech Mr. McKinley said:

> The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. A policy of good will and friendly trade relations will prevent repraisals. Reciprocity treaties are in harmony with the spirit of the times. Measures of retaliation are not.

Under this bill, which professes to be a revision of the tariff downward, in the event that Germany, for instance, declines to grant to the United States the treatment accorded by her to the most-favored nation, the effect will be to place a duty of 20 per cent upon articles on the free list of the Payne bill and increase the duty on articles in the minimum section of the Payne bill. Take potash salts, for instance, which are now admitted into the United States from Germany free of duty.

Under the maximum tariff, unless Germany gives us the most-favored-nation treatment, this article, which is largely used in the manufacture of fertilizers, would be taxed with a duty of 20 per cent, thereby materially increasing the price of fertilizers to the southern farmer. In case France, Germany, and other countries decline to accord to the United States the most-favored-nation treatment, and in case the maximum tariff goes into effect, we will have a tariff rate of duty upon all articles far beyond any previous tariff ever levied in the history of the Government, and our markets for products of the soil and factories of the United States would be still further restricted.

I believe the practical working of the maximum tariff would be most disastrous, both to the consumers and industries of the country. Unless amended in many particulars, the Payne bill is unjust, sectional, and discriminates in favor of one class and one section against other classes and other sections of the country. It should be amended and perfected before it will receive, I confidently believe, even the support of the Republican side of the House of Representatives.

Your boasted constructive statesmanship must frame a more satisfactory bill than the Payne bill, or the avenging wrath of the people of the United States, both manufacturers and consumers, will be manifest, and the votes when counted at the fall election of 1910 will show that they have chosen a Democratic House of Representatives. [Applause.]

Mr. WATKINS. Mr. Chairman, in considering this bill it is proper to lay down a few elementary principles:

The tariff is primarily a tax. It incidentally affords protection. This idea has of recent years been perverted so as to make the primary object protection, even in some instances to the exclusion of revenue. The Democratic idea is that the tariff should be so adjusted as to produce the greatest amount of revenue with the least amount of protection.

The present tariff bill is so framed that manufacturing enterprises, as a rule, are protected, and raw materials are deprived of all protection. This will result in the manufacturers obtaining their raw material free and cause the producers of raw materials to contribute to the wealth of the manufacturers, without any compensatory benefits. This is an inequality which amounts to an injustice and should be remedied.

It is practically impossible to go into details in discussing a bill of this magnitude.

It is important that each Member present his views upon those articles in the schedules in which his constituents are interested and with which he is presumed to be familiar.

The Democratic idea being that the tariff should be levied for the purpose of raising a revenue to support the Government, it becomes our duty to carefully consider the articles in the various schedules of the bill and select those articles which are revenue producers and which afford the least possible protection—those articles which produce the greatest good to the greatest number, with the least possible injury.

Louisiana produces the second largest amount of lumber of any State in the Union, and the largest amount of yellow-pine lumber of any State.

It is my opinion that the congressional district which I have the honor to represent produces more than any other district. From the city of Shreveport alone there is shipped about $16,000,000 worth of lumber a year. This is greater in value than the 250,000 bales of cotton shipped from that point, or the vast cargoes of petroleum produced and handled there.

From the entire district I have not received a single protest against the tariff duty on lumber, although the people believe in a tariff for revenue only.

The tariff bill which we are discussing reduces the duty on lumber one-half.

It is important for us to examine carefully into the question whether this tariff on lumber is a revenue tariff or whether it is a protective tariff.

If it is a protective tariff I can not, as a consistent Democrat, advocate it. On the other hand, if this tariff produces a revenue and only incidentally affords protection, then, as a consistent Democrat, it is my duty to vote for it.

The Democratic leader, the Hon. CHAMP CLARK, said in his speech on the 24th instant:

> I want to say to my southern friends here who are interested in yellow pine, that the tariff on lumber never raised the price of yellow-pine lumber one single cent since the world began. It would not lower it now to take it off. You are shipping it into Canada this very minute.

In the same speech he also stated:

> We have got to raise about $300,000,000 out of this bill whether we want to or not. So a man would be unwise to be jabbering about free trade under those conditions.

While Mr. CLARK does not agree with Hon. Gifford Pinchot about the tariff on lumber protecting the forests, he does agree with him that the present tariff on lumber does not regulate the price of lumber.

Ordinarily to make the tariff protective it should be so high as to retard the importation of an article. When such a duty is imposed that an article which bears the duty still competes successfully in the open market, it can not be considered in the true sense a protective duty. This is the case with the yellow-pine industry.

No yellow pine is imported from other countries into this, because they do not grow yellow-pine lumber. But if Canada did grow yellow pine, she could not regulate the price of our lumber, because we produce in the United States forty times as much of the lumber which is consumed by us as Canada does. It is self-evident that one-fortieth is not going to regulate the price of thirty-nine fortieths. Besides, $1 per thousand on lumber is not 6 per cent, and if it takes 45 per cent duty on other manufactured articles to afford a protection for them it is not reasonable to suppose that 6 per cent will increase the price of lumber. If Canada wants to sell her lumber in our markets, she will not be deterred from doing so on account of a 6 per cent duty. The estimates as to the amount raised by the present tariff on lumber are not uniform, but it is said to approximate $3,000,000.

The question for us to decide is whether we will continue to collect this $3,000,000 revenue from foreigners for the purpose of assisting us in running our Government or shall we collect this amount from our own people in some other way?

In the heat of this discussion much opprobrium has been heaped upon the lumbermen of this country. This is caused largely from the fact that a few years ago much of our forests was bought by speculators for insignificant prices and fortunes were made out of them. But that time has passed. With the present price of stumpage three and four dollars a thousand, there is no longer any speculation in buying timber to be manufactured into lumber at the present price of lumber, counting the cost to manufacture it and to transport it to market. While the lumbermen have laid themselves liable to criticism in many instances, still there are many good results arising from their advent into the southern country. If it had not been for them, the forests of timber would have remained as idle capital. It was converted by them into a merchantable commodity. Mills were erected, trams were run out into the forests, railroads were constructed, men were employed at remunerative prices, taxes were levied upon the properties, farm products were consumed, and an era of prosperity was inaugurated.

This continued until the time of the financial crisis in 1907. Since then the mills are reported to have lost money on account of the changed conditions, and particularly for the want of a market for their product. The mill men have their investments tied up in their plants, their machinery, teams, cars, tracts, timber, houses, and so forth, and they could not move away or go into other business. If the lumber manufacturers had been formed into a trust, they could have all shut down for a specified time or have cut a limited amount of lumber and held it for a remunerative price.

In the hearing before the Ways and Means Committee, in the discussions before the House of Representatives, and by the investigations made on the part of the Government it is shown that the lumber manufacturers are not organized into a trust. My opposition is so fixed against those trusts which are formed in restraint of trade that I would prefer to lose the $3,000,000 collected from the duty on lumber rather than vote for a measure which would incidentally protect a trust, and if I do vote for the tariff proposed in this bill, it will be with the understanding that the lumber manufacturers are not organized into a trust.

There is a strong belief that the retailers of lumber are organized into a trust, and that they fix the price which they pay the mill men as well as the selling price; but they are not the ones who are primarily protected by the tariff. As the tariff on lumber produces a revenue and does not fix the price, I see no reason why a Democrat who is in favor of a tariff for revenue can not vote for the proposed tariff on lumber.

No Member of this House is stronger for a tariff on raw sugar than the minority leader; because the sugar duty is an ideal revenue producer, although it incidentally carries protection with it.

The tariff on raw sugar produces a revenue of $60,000,000 a year, and this revenue is indispensable at this time. It is collected from a people who can well afford to pay it, as those countries which produce this sugar on which the duty is paid can make it much cheaper than we can on account of the low wages paid their laborers. The sugar upon which this duty is paid is sold over every part of the country, and the burden falls equally upon all the people.

There are consumed in the United States annually about 3,000,000 tons of sugar. Of this amount 656,627 tons are raised in the United States, of which home product 375,410 tons are made from beets, 10,000 tons maple, 6,249 from foreign molasses, and 365,000 tons from sugar cane. Most of this sugar-cane product is raised in Louisiana. It is largely on account of this industry that Louisiana is so prosperous. If she should be deprived of this industry, the value of her lands would go down, taxes would dwindle, the levees which protect the Mississippi would be neglected, and not only the State, but the entire Nation would be affected.

This statement which is made in reference to raw sugar in no way applies to the differential or duty on refined sugar. The refineries are able to take care of themselves and can survive without any protection and, having formed themselves into a trust, do not deserve to be protected.

If a duty were placed on iron ore, hides, cotton, and other raw material, the tariff on manufactured articles could be reduced and the same revenue be raised. But it is the manufacturers of New England who are to receive the benefits at the expense of all the rest of the country.

With the inequalities and injustice of this tariff bill, taken as a whole, I do not see how any self-respecting citizen can approve of it, and very few do. The gross injustice of the measure, as a whole, has been made so clear by those who have preceded me that it is unnecessary for me to consume the time of the House by reiterating them.

As a whole, I am unalterably opposed to the bill, while I approve of those few items in it which are intended in an equitable and just way to raise the revenue which is indispensable for the purpose of running the Government.

I take occasion here to state that long-staple cotton is being brought into this country in considerable quantities. This cotton is raised in the South, but at present in very limited quantities. A tariff on this cotton will not only produce a revenue, but incidentally serve to protect this infant industry. As stated, a tariff on hides and iron ore would help the South, and if a proportionate part of the tariff should be taken off of the manufactured articles there would be no loss of revenue to the Government and no injury to the consumer. A failure to do this is a manifest injustice to the South.

The duty is taken off of coal; but that is all right. The duty remains on bagging and ties, which the cotton planter has to pay. The duty on cotton-seed oil is taken off. Vast oil fields are being developed in the South, and all except the countervailing duty is left off of petroleum. No one complains of this, because of the iniquities of the Standard Oil trust.

The cotton goods manufactured in the South are of the coarser kind, and the duty has been reduced on these. We do

not complain of this, because the poorer class of people use most of these coarser goods, and we are willing to lose the revenue to help the poor.

There are vast quantities of salt produced in the South; still I insist the duty should be taken off of salt. The people of the South are always ready to help the poor, and are not like some people whose hearts bleed for them, but whose pocketbooks never do.

Recently in this House there was an effort to so revise the penal code as to eliminate the odious reconstruction clause; but we were met with insurmountable objections. I made an effort to have the penal law so modified as to avoid a conflict between the state and federal courts, but to no avail. These laws remain on the statute books to create constant friction between the employer and the employee. Now we are confronted with the same old plague in the form of a bill which has been introduced in this House providing that representation be reduced in the Southern States. All this in spite of the fact that the great and good President of these United States says that he is going to see that the South is fairly treated and that he will do everything in his power to cement the two sections of this great country of ours.

Why should the South be longer discriminated against?

The sword of R. E. Lee is sheathed forever. The peaceful soul of Stonewall Jackson has taken its immortal flight. The fiery spirit of Jefferson Davis has gone to its long, long home. His name has been rebuscribed on the monumental arch of Cabin John Bridge. Captain Lee has served as the bodyguard to the President of the United States. The North and the South stood side by side in the Spanish-American war. The southern "hero of the *Merrimac*" represents the Nation in this Hall to-day. I stood beside the funeral bier of "Little Joe Wheeler," and when the casket containing his remains was consigned to the tomb in Arlington Cemetery and the national salute was fired I said in my heart that all sectional animosities are buried with this hero of the South and this hero of the Nation.

Thank God if sectional animosities are not buried and sectional lines are not obliterated the South is on a solid foundation, and in spite of sectional statutes she is pressing forward in industrial pursuits and to-day has a happy and contented people.

For many years after she had been devastated by the ravages of the cruel war a great cloud hung over her like a pall of darkness; but after this had passed and she had come to her own she has prospered as no land under the sun has ever prospered before. Within thirty years her property values have increased twelve and one-half billion dollars, or 167 per cent; capital in manufactures, nearly $2,000,000,000, or 716 per cent. The manufacture of her own cotton has increased 875 per cent; pig iron, 767 per cent; lumber products, 836 per cent. Farm products have increased in value over one and one-half billion dollars, or 240 per cent. The value of her mineral products has increased nearly 2,000 per cent. Forty-seven thousand miles have been added to her railroads, equal to over 220 per cent. Her exports have increased nearly 150 per cent. Her bank deposits have increased about 700 per cent. Expenditures for common schools have increased from less than ten million to thirty-eight million dollars, or 285 per cent; and this money is collected from all classes of people and is spent for the education of all classes, without distinction or discrimination. Within this period $175,000,000 have been spent in common schools for the negroes by the people of the South. The two races there understand one another, and if let alone will work out their own destiny in their own way. Woe be unto the man who throws a firebrand in among them. Should the test of supremacy between the races come, such anathemas will be hurled against him that he will cry for the rocks and hills to crush him into oblivion. [Applause.]

Mr. O'CONNELL. Mr. Chairman, from the time of the passing of the Dingley bill in 1897 there has been a well-defined and widespread opinion in this country that radical changes should be made in the bill. This opinion emphasized itself as the years rolled by, and reached a very acute stage a year ago. From all parts of the country insistent demands were made that the tariff should be revised. The Republican party, loath to admit that any of its works could be imperfect, was finally driven by the volume of the outcry to pledge itself in its last national platform to revise the tariff. It was generally accepted that this revision would be a revision downward. Those who framed the Republican platform, it is true, worded it so cleverly that they have been able to excuse their present effort to raise prices by proclaiming that the revision which they promised was a revision upward as well as downward. Fair play, however, to the American people, justice to those to whom they appealed for support, and party honor should convince them that such an attempt to fool the American people will fail of its purpose and bring disaster upon the heads of those who attempt it. [Applause.]

The Democratic party pledged itself to reform and revision, and their revision would have been downward. The country, for various reasons, accepted the Republican party and calls upon it to-day to make good its pledges made before the election. The Nation insists upon a change in the present tariff rates that will be an actual revision. Revision in the minds of the plain people of this country means a cutting of the prices and, carrying the proposition further, it means lowering the prices of the necessaries of life.

The people have been burdened during the last fifteen years with prices that have been continually soaring upward. The cost of living has increased, with no seeming hope of ever stopping. The necessities of the home have become more costly each succeeding year. Wages have not increased, and hence the burden of living grows heavier each year.

The framers of this Payne tariff bill had a serious proposition confronting them when they met to consider it. Any bill that has in it 14 large schedules, including over 4,000 items, is, of course, a proposition which can not be treated lightly and must necessarily be imperfect.

However, it seems that the most important features to which the members of the committee should have first addressed themselves were those things which are the common necessities of life. Some effort should have been made to reduce the cost of clothing, both cotton and woolen, but we find that the Payne bill will maintain the present high prices of clothing which all must wear. There has been absolutely no change in the clothing schedule. Is it not fair to ask at this point whether the Republican party is in earnest in its effort to revise the tariff for the benefit of the masses, or, if they are going to revise it, for whose good is it to be revised?

But clothing alone does not present the most important feature. It must bring dismay to the ultimate consumer, the toiling workman, the head of a family, and to the Nation at large that an increase will be made to the already exorbitant prices of food, for we find the foods used by the people of this land heavily taxed under the new schedule.

Here is revision with a vengeance, but revision upward. Coffee, cocoa, tea, butter, eggs, lemons, pepper, all have gone upward. Tariff for revenue is one thing, but tariff for plunder is another. Protection has been guilty of many dishonesties which imposed on the poor people the burden of taxation, but what in the name of reason can be urged for the imposition of a tax on coffee, tea, cocoa, and spices? There are no coffee, tea, or cocoa plantations which will be forced into bankruptcy if these three articles are let in free. No doctrine of protection can be invoked to fool the American workman to excuse a tax on these commodities. These articles of food are used by every individual of the United States and they should be within the reach of everyone.

Take cocoa, for instance. For over thirty years this has been on the free list, and it has become one of the necessaries of life which can not be produced in this country. Many millions of dollars have been invested in this business and many thousands of men and women are employed. The raw product becomes an important article of food for the American laborer and brings a good return for American capital on American soil. Over 80,000,000 pounds are imported annually. It is used by a large proportion of our people, and more particularly by the working classes. This bill places a duty of 4 cents a pound on it, and it is expected to raise over $3,000,000 revenue. To-day cocoa costs the importer about 10 cents per pound. Hereafter it will cost him about 14 cents per pound, and he, like the other importers, will have to add a profit on account of the investment in payment of the duty. The wholesaler and retailer in turn have to get a profit for a like reason, and by the time the consumer gets his cocoa the $3,000,000 will have swelled to $6,000,000, which additional expense must be borne by those who drink a cup of cocoa.

Now, this is a most serious blunder, as cocoa is generally recognized as one of the most wholesome and nutritious of foods used in this country. Ninety-five per cent of it is assimilated into the system, and it ranks as of the highest value to the human system as a food. The poor man can make a meal on a few crackers and 10 cents' worth of cocoa. Its use has been on the increase, and the tendency is to make it more generally used because of its nutritive value. Not only cocoa, but chocolate and other products of this class will be more costly and all out of reach of those who most need them if this duty is continued in the bill.

Moreover, crude cocoa is the basic raw material and the sole foundation of the great chocolate industries in this country,

particularly in Massachusetts. The proposed duty will bring disaster on these industries and throw great numbers of laborers out of employment. Is this the way that the Republican party is to restore prosperity to the anxious business interests and idle workmen of this country? [Applause.]

Again, this bill raises powdered chocolate from 5 cents to 9 cents per pound, and cocoa butter, of which nearly three and a half million pounds were imported last year, is raised from 3½ cents to 5½ cents per pound. Olive oil, which is used by many of the poorer classes as an article of food, has been taken from the free list simply because the oil now imported free was sometimes used as an article of food. Oh, what a dismal failure on the part of the framers of this bill to help the poor!

Coffee has become the great American breakfast drink. It is on the table of the rich and the poor. A breakfast without it is incomplete to most Americans; in fact, to many it is the basis of the breakfast. To increase the price of this breakfast is certainly an iniquitous proposition, yet the Payne bill brazenly strikes at this item and imposes this burden with unblushing impudence. It attempts to do this in an insidious, underhanded, and unworthy manner. Whilst ostensibly putting coffee on the free list, it nevertheless very adroitly arranges the schedules so that coffee will bear a big burden. This is done in the provision which says that any countries where there is any tax, direct or indirect, upon exported coffee, a similar duty shall be levied here on any coffee imported from such country. Five-sixths of the coffee imported into the United States comes from Brazil, and there the "valorization plan" of the Brazilian Government, which gives it a monopoly on the coffee bean, enables Brazil to control the prices and output to suit itself. The result is the imposition of another duty upon the "breakfast table." It will be within the power of the administration to levy a tax on Brazilian coffee at such a rate as may be determined as a fair equivalent to the revenue derived by Brazil from her monopoly. It is generally estimated that the increase in coffee will be equivalent to 65 per cent. This countervailing duty will benefit none but the dealer in coffee. The duty will be evaded by the enormous supply of coffee already in the United States or ready to be shipped in just as soon as it is definitely settled that the Payne bill will become a law. This attempt to swell the revenues by this proposed tax will be condemned by an incensed, wronged, and outraged citizenship. [Applause.]

The provision for a duty on coffee applicable on importations from those countries which exact an export tax is a sham and delusion, is an expedient for piling great profits into the pockets of the coffee syndicate, which has already accumulated tens of thousands of pounds of Brazilian coffee in the United States storehouses, and ready to rush in millions more before the duty can become operative. Every man, woman, and child, as they drink coffee after this bill becomes effective, may say, in truth, as they raise the cup to their mouth, they are paying unwilling tribute to the Republican party, and with each cupful there will arise the memory of the monumental deceit practiced by the Republican party leaders in 1908 when they pledged themselves to revise the tariff, and, instead, increased the burdens of the people. [Applause.]

But to show that the tax on coffee and cocoa is not a mere incident, the framers of this iniquitous proposition carry their malign purpose to tea—

The cup which cheers but does not inebriate.

That it is intended that this tax shall be borne by the poor conclusively stands out in the schedule on tea. In this instance the tax is 8 cents per pound, whereas to-day it comes in free. In most of the schedules the Payne bill provides that an ad valorem tax shall be imposed. This means that a certain per cent of the value of the article shall be taxed, but in the tea schedule it is proposed that 8 cents per pound shall be assessed regardless of the price. This means that when the workingman buys tea, which costs 16 cents in China, he is obliged to pay a tariff of 50 per cent, while the rich man, who can afford to buy more expensive teas, costing, say, 80 cents per pound in China, pays only 10 per cent of the tax. Worked out in another way, it is seen that when the workingman spends 80 cents for tea for his family he receives only 40 cents worth of tea and contributes the other 40 cents toward the cost of Republican government, which in this case means Republican extravagance. When the rich man spends 88 cents for tea he gets 80 cents worth of tea and pays the Government only 8 cents.

Is this the equality which is heralded as coming from this mighty effort on the part of the Republican party to equalize the duties? Does it not rather preserve all the discriminations of the Dingley bill, which operated against the poor in favor of the rich? In fact, does it not increase them with respect to the necessaries of life?

The specter of the Boston tea party, which haunted the ministry of George III and which sowed the seeds of the American Revolution, may once again come to life. In those days Boston voiced the protest of the American colonies, when on the occasion of the "Boston tea party" our forefathers tipped 340 chests of tea into Boston Harbor in their anger at the proposal to tax tea. The men and women of Boston are as angry, and their protest is just as emphatic, against this proposed tax on tea in 1909 as they were in 1773, and SERENO PAYNE and the Republican party will meet a fate like that of George III and the British ministry. The Payne bill will be short lived, and the domination of its heartless, thoughtless, and inconsiderate framers will be replaced by others, who will have regard for the happiness and welfare of the American home. [Applause.]

Great Britain lost her fairest jewel when the American colonies protested against the unjust, unfair taxes imposed upon them, and that which caused their greatest protest was the tax on tea. Boston showed the way to the American colonies to shake off the shackles of those who would impose unjust taxes. Let me say to the Republican party that Boston, rising in protest against this unjust imposition, which burdens the poor in favor of the rich, will once more show the people of this country the way to punish those who would impose such taxation. She raises her voice to-day in solemn protest against any measure that would tax tea, coffee, cocoa, spices, gloves, and hosiery, while at the same time that measure would permit the great trusts to wax fat on moneys taken from the pockets of the poor. [Applause.]

Ours is supposed to be a Nation where all stand equal before the law. The lawmaker who forgets this principle, or the party that makes invidious discriminations, is sure to receive the just punishment which an indignant people are certain to impose. Remember Boston and remember the tea party of 1773, and if you pass this bill, take my prophecy with it that you go out of power. [Applause on the Democratic side.]

The Payne bill is a blow at the American home, the American breakfast table, the American woman. The American woman has never yet appealed to her husband, father, brother, or son for relief but that her appeal has been quickly heeded.

The American woman protests against your effort to build up a mighty glove trust at her expense; she is indignant at your proposal to impose heavy taxes for the benefit of the hosiery trust; and she bitterly resents the taxes, the burden of which she will have to bear, which you would oblige her to pay each day as she sips her cup of tea. [Applause.]

She is the greatest power for good in this Nation. She never makes a mistake; she seldom appeals; but when her sense of civic righteousness is offended those who are guilty will find the avenging spirit of woman speaking in the ballot box and driving from power those who are forgetful of her and her right. She works quietly for the uplifting of the Republic in her humble home, but effectively.

"The hand that rocks the cradle rules the world," and the woman who prepares the breakfast sends forth the man who is to cast the ballot. Her injunction to him on election day will be to send into power men who will think of her, men who will regard her rights, and men who will try to make her home life less of a burden and more of a delight. [Loud applause.]

Mr. KÜSTERMANN. For the information of the Members of the House, I wish to insert in the RECORD what I regard as a most valuable and illuminating document:

[From the Chicago Tribune.]

GREAT OIL TRUST AIDED BY "JOKER"—COUNTERVAILING CLAUSE IN THE PAYNE BILL REALLY WEAPON AGAINST INDEPENDENTS WHO SUPPORT IT—STANDARD AT OLD TRICK—RUSSIAN PRODUCT, AT WHICH THE MEASURE IS AIMED, WILL NOT TOUCH WESTERN FIELDS BECAUSE OF RATES.

[By Raymond.]

WASHINGTON, D. C., *March 27, 1909.*

One of the most perplexing questions in connection with the passage of a new tariff law is just how to treat the Standard Oil Company and its products. For a long time the people thought petroleum was on the free list. It was there nominally and still remains on that favored catalogue in the present law.

There was a "joker" in the Dingley law, however, which few people understood, and this same joker reappears in the Payne bill, only now it is sustained by some of the people who are rivals of the Standard Oil. Petroleum is on the free list, provided it comes from some country which does not impose a duty on American oil.

It so happened that until recently the only serious competition the Standard Oil Company had to fear was the product of the great oil fields of Russia. That country has a protective system, and so the effect of the "joker" in the present law was to put a tariff on crude petroleum and all of its products. The result was that, although Russia could send its oil to England or to Canada or to the Orient and compete more or less successfully with the great American trust, not a gallon of the oil could come into this country, because the duty under the little "joker" attached to the free list was practically prohibitory.

INDEPENDENTS URGE "JOKER."

Sentiment in this country is such, on the whole, that this "joker" could not possibly be reenacted into a law if it were not that some of the independent refiners think it might be necessary to protect them

should convince them that such an attempt to fool the American foundation of the great chocolate industries in this country,

from competition from Mexico, where oil is beginning to be produced in considerable quantities. It is probable that after a while Mexican oil might be a competitor for the products of the fields of our southwestern section near the Mexican border, but, so far as the rest of the country is concerned, the competition of Mexican oil need never be feared, because of the long railroad haul involved.

On the other hand, those people who have been taught to believe that the Standard Oil Company is the sum and substance of all that is wicked in the way of corporation villainy want to have oil put on the free list. The Treasury experts say that if this is done Russian oil can be sold down in New York, Boston, Philadelphia, Baltimore, Charleston, Savannah, Mobile, New Orleans, and the intervening coast cities at prices which will compel the Standard Oil Company to meet this competition.

It is possible that this Russian oil may find its way by water into the Great Lakes country, but the most that is expected is to curb the power of the great trust by establishing a new scale of prices in the lake-water country.

VREELAND FATHER OF "JOKER."

As a matter of course, the Standard Oil people will fight this proposition, and for once at least they and the independent refiners will seek together although the chances are that Russian oil never would invade the field of the independents, whose energies are confined largely to the far interior and to the extreme southwest.

It is a significant fact that the Ways and Means Committee had voted to leave out the Standard Oil "joker," but were persuaded to put it back through the efforts of Mr. VREELAND, a New York Representative.

Discussion over the Standard Oil situation, so far as the tariff is concerned, has brought out the interesting fact that since the rebate suits at Chicago and elsewhere the big trust has been developing new capital. It went out at Chicago to the extent that it did not have to pay a big fine, but the system received a terrible shock, and the efforts of its lawyers and officers have been directed to adopt a policy which is not directly prohibited by law, although it is just as much adverse to the interests of the people.

STANDARD LOSING IN WEST.

Certain independent refiners have furnished me with information going to show that, while an immediate return to the system of rebating may not result from the breakdown of the government prosecutions, the great trust has taken alarm at the activity of the independent competition and is taking new steps to break it up.

Not so long ago the Standard Oil Company furnished 90 per cent of the oil consumed in Kansas and the same proportion in Iowa. As a result of recent agitation the reports of the state inspectors show that the system now furnishes only 60 per cent in Kansas and 65 per cent in Iowa. In other States where exact statistics are not available there is evidence of increasing competition which is progressing to such a point that the trust is beginning to feel it seriously.

Everybody knows, or should know, that the Standard Oil Company depends for its success in a large measure upon certain preferences it receives from the railroads. It used to be given rebates which were so systematically arranged that the independent refiner or producer or distributer could not compete. The activity of the Government, culminating in the big Lardin fine, has generally put a stop to the rebating arrangements, although they are likely to be renewed some day unless Congress takes prompt action to remedy the construction put on the law by the courts.

OLD TRICK SUPPLANTS REBATES.

Barred from rebating, the big trust has resorted to another scheme which is not new, but which is being developed to extraordinary proportions, according to a report sent in to me. Instead of direct discrimination, the railroads have been forced by the Standard Oil to resort to the old trick of increasing the rate on petroleum and all its products in every case where the Standard has its own pipe line and takes care of its own oil. When territory outside of the pipe line district is reached, lower rates are put into effect, so that the Standard is not hurt by the operation.

The big trust therefore is not compelled to make any long hauls under the high rate, while the independents are subjected to a freight tariff which, in many cases, absolutely destroys their power to compete and limits them frequently to a small territory. For instance, the transcontinental, southwestern, and southeastern rates on oil have been advanced on an average of 10 per cent.

The official classification committee is seeking to increase the constructive weight of oil in such a way as to advance the net rate about 10 per cent. The southern classification committee recently has increased the carload rate, which was made effective on the 20th day of this month, so as to take oil out of the sixth and put it into the fifth class.

TRUST FORCES RAILROAD AID.

There is said to be activity on the part of the railroads which is all in the direction of benefit to the Standard Oil Company. That this advance in rate on oil in the pipe-line territory is one result of pressure by the Standard Oil Company can scarcely be doubted, in view of the well known relations which that big trust bears to the railroads, there being scarcely a large trunk line in the country which is free from the Standard Oil influence in its directorate, or indirectly through the banks, trust companies and similar subsidiary corporations which are all part of the great system.

It is in this way that the trust is trying to crush out all independent refiners, or at least to limit their activity to extremely small fields. If the trust can keep out Russian oil along the Atlantic seaboard, it will be in a position to make enough money in that section to recoup it for some of the competitive losses in the interior.

ATLANTIC COAST WOULD GAIN.

New England people were anxious to have bituminous coal put on the free list, so they could get the benefit of the Nova Scotia product, but they would make many times as much if Russian oil were laid down in Boston free of duty and the Standard Oil Company compelled to meet the competition. The same thing is true on the southern Atlantic seaboard.

That is really all the proviso in the Payne bill is or purports to be. It is a dishonest method of proposing a tariff on crude petroleum and all its products. If the independent oil fields need protection, it should be given them honestly and above board and not through the medium of a deceptive proviso which enables the dishonest politicians on the stump to say that petroleum is on the free list, whereas in point of fact the importation of oil of that kind into this country is practically prohibited.

When the independent refiners and producers learn the extent to which the Standard Oil Company is enveloping them in a network of hostile freight rates through its control of the great railway systems they will have something more to think of than the infant competition of Mexico or the more desirable rivalry of Russia, which would never affect the independent field at all.

ALL COMPETITORS IN DANGER.

Standard Oil is slowly but surely putting up the freight rates wherever it will hurt the independents and putting them down wherever the Standard Oil itself is the only shipper. The result of this process, if continued with the ingenuity of which the agents of the trust are capable, must necessarily be to kill off a great deal of competition which has grown so rapidly of late.

The railroads are forced to take this action just as they were forced to give rebates. The independent producers and refiners really are their best customers, because they do not control the extensive pipe lines and of course must depend upon the railroad transportation almost everywhere. The financial power of the big trust, however, is so great that it is able to substitute a system of discriminating unequal freight rates for the old rebate system, which has come to be considered dangerous since the law was amended in such a way as to provide an imprisonment penalty for future violations.

The CHAIRMAN. The hour of 6 o'clock having arrived, the committee will rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HULL of Iowa, by unanimous consent, was given leave to withdraw papers in the case of John N. Wiley, Sixtieth Congress, no adverse report being made thereon.

TRUSTEE NATIONAL TRAINING SCHOOL FOR BOYS.

The SPEAKER announced the appointment of Hon. JOHN A. STERLING, of Illinois, to be consulting trustee on the part of the House of Representatives for the National Training School for Boys, in the District of Columbia.

DESIGNATION OF SPEAKER PRO TEMPORE.

The SPEAKER announced the designation of Mr. REYNOLDS as Speaker pro tempore for the evening session.

RECESS.

The hour of 6 o'clock p. m. having arrived, the House, under its previous order, took a recess until 8 o'clock p. m.

AFTER THE RECESS.

The recess having expired at 8 o'clock p. m., the House was called to order by Mr. REYNOLDS, Speaker pro tempore.

Mr. OLMSTED. Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. LATTA. Mr. Chairman, being a new Member, it is with somewhat of embarrassment that I rise to address the committee. I also appreciate the fact that this committee has listened to statistics and to figures until they have become wearisome, but the bill under consideration is of such vast importance to the farmers of this great agricultural Nation, who are at the same time our largest class of consumers as well as producers, that I feel my duty to this great class warrants me in addressing you in their behalf. I presume that I stand nearer to the farmers of the Middle West and Northwest than any other man on this floor, for farming has been and is the business of my life. I have followed the plow from sunrise to sunset many a day. In fact there is no work incident to farm life with which I am not familiar from actual experience with that work on the farm. It is because of these facts and experiences of my life that I feel that I know something of the needs of this great class in our industrial life.

The farmer apparently has no one to plead his cause on the other side of this House, if I may judge from the speeches of the distinguished gentlemen to whom I have listened. Their arguments have so constantly kept in the forefront the interests of the manufacturers and the trusts that one might be led to believe that they had forgotten that there was a great agricultural population in this country that is in a very large degree the very foundation of our national greatness and our national prosperity. Panics which result from the unsafe and unjust speculative policies of Wall street financiers have fallen heavily upon the farmer; excessive taxation as a result of Republican extravagance and Republican policies has been a heavy burden upon him; but notwithstanding these panics and these unjust burdens, he has steadily pushed forward. He has settled and developed the great West and Northwest. He has made this

country the granary of the world. It has been his industry and the fruit of his labor that has saved the country in periods of depression for which he was in nowise responsible. Yes, he has done all this and borne all these burdens because he was told that these policies were necessary for the development of the manufacturing interests of his country.

But what has been the result of these policies? To-day those so-called "infant industries" have become strongly organized and all-powerful trusts that levy tribute upon the industry of the farmer. They have become vast business organizations that have banished the last semblance of competition, and which by their unlimited control of the necessaries of life have found it possible to defy the law of supply and demand. They have substituted for the price that would result from the natural working of this law of supply and demand a monopoly price which is no less than "all the traffic will stand."

Gentlemen of the committee, it is under conditions such as these that our present industrial condition has come upon us. This policy of legislation in the interest of the few rather than the many is, in my opinion, responsible for the many thousands of men who are to-day out of employment, for the closed factories, and for the industries running on half time. I believe that the first step toward the return to better business conditions is to consider the just rights and interests of this great producing class to whom I have referred. I ask for the farmer a little encouragement in the way of legislation. He has fought his battles single handed and alone, and, gentlemen, I believe the time is at hand when he is entitled to your consideration. Rarely have the farmers asked for legislation, and more rarely have their interests been given the careful consideration to which they are entitled. Prosperity for the farmer means fires in the furnaces that have been shut down. It means the reopening of factories that have been idle. It means that railroad companies will not complain of thousands of cars that are not in use. It means that locomotives will be in demand to haul train loads of manufactured goods to the consumer and the products of the farm to the market. It means the employment of labor in supplying the increased demand for commodities on the part of this large body of consumers.

I come from a State in which the greatest industry is agriculture. We have no great manufacturing interests, such as are to be found in the Eastern and New England States. We have no forests from which we can cut merchantable lumber. But, gentlemen of the committee, we are consumers of the output of these factories and mills in no small degree. We have done much in the way of developing a great State, and the future is bright with prospects of further growth and development. We need the output of the factory and the sawmill, and we want to exchange for these commodities our grain and our stock. All that we ask is that in the framing of this tariff bill the needs and interests of our State be carefully considered and then treated justly. We do not wish to prosper at the expense of the interests of any section of this great Nation; but neither do we think it just to have tribute levied upon us that trusts and combines may grow fat and arrogant. The just burdens of government we are willing to assume, but a tax that finds its way into the treasury of a protected industry rather than into the Treasury of the United States Government we denounce as subversive of individual rights and contrary to the spirit and letter of the Constitution of the United States. We brand it as legislation in the interest of a favored class.

The people of my district and of my State believe that a duty on lumber is unjustifiable from every view point. It is an unjust tax upon the farmer, the laborer, in fact, upon all the home builders and home makers of our country. On the other hand, it is causing the depletion and destruction of our natural forests to an extent that is endangering the climatic conditions of many sections. If there are any classes of people who should receive encouragement from the Government, they are the laborer who desires to build a home for his family and the farmer who is desirous of improving his farm by erecting the buildings so essential to successful farming and stock raising; yet the tariff bill, as presented by the Committee on Ways and Means, strikes a direct blow at these classes.

I can speak from a personal experience of the hardships and struggles that are encountered in the development and improvement of a farm. I well remember when, nearly fifty years ago, I went to Nebraska, then a Territory, as one of the early pioneers. The home was a sod house and the roof was covered with dirt; the floor was mother earth. Such were the houses in which the pioneers lived for many years, as no lumber could be obtained. It was in these humble homes that they cared for their families, watched for the Indians, and often had to defend themselves from attack. These were the days before the railroad had crossed the Missouri and when the nearest post-office was 50 miles to the eastward. These were the days when we left the brave little wife and mother to the protection of a kind Providence as we went to that distant post-office to get the message of love and encouragement from dear ones in the States farther east. We went knowing full well that the none too friendly Indians were lurking near.

But the pioneer went to work. A little patch of ground was broken and some corn and vegetables were planted. The question of a duty on hides did not worry him at that time, as both himself and wife as well as the children went barefoot. The necessities of life were barely supplied and luxuries were never thought of. But one aim was ever foremost, and that was the building of a home and the founding of a great Commonwealth that would one day, as a State, have its star placed in that field of blue in our national banner, side by side with the older States that fought for our independence.

And I want to say to you, gentlemen, that those pioneers succeeded. There were hardships, but there was also endurance. There were discouragements, but there was also determination. What is true of Nebraska as regards this early history is true of all the sister States of the West and Northwest. The same trials were encountered, but the same courage and determination made possible the building of these great Commonwealths. We have been able to do much, but the burden has been heavy. We want to further improve our farms, and we have many who must build homes on newly acquired lands in the western part of our State. The Payne tariff bill in its schedules provides for a protective duty on lumber, and this is practically prohibitive of the importation of any form of lumber that is not wholly in the rough. And this, gentlemen, notwithstanding the fact that the price of lumber has increased anywhere from 75 to 100 per cent in the last ten or fifteen years, notwithstanding the fact that lumbermen and the Department of Agriculture tell us that our forests are nearly exhausted. This duty is placed on lumber in the face of the fact that all the evidence points to a lumber trust or agreement which determines the price of lumber at its own behest and places that price as high as the market will stand.

In behalf of the farmers and home builders of Nebraska—yes, of the Middle West and Northwest—I insist that lumber be placed on the free list. The schedule as it stands compels the consumers of lumber to pay tribute to the lumbermen who have already accumulated colossal fortunes through the monopoly that the Dingley tariff has made possible. The proposed duty on lumber is not a revenue producer, but a monopoly and trust producer. Furthermore, it practically places a premium on the destruction of our forests, which it is the policy of the Department of Agriculture to conserve.

At the present rate of the consumption of lumber, with the natural and wanton destruction of our timber lands, in forty years we will not have a stick of timber large enough to make a hoop pole. Do we stop to consider how long it takes to grow a crop of timber like our natural forests? I am told that it has taken two thousand years for the forests of Washington and Oregon to attain their present development. A gentleman from Oregon told me a few days since of his having been present when one of these great trees was felled. The tree was sound to the butt. He took the trouble to estimate the age of the tree and found that there were twenty-seven hundred rings distinctly shown, which would indicate that the tree was twenty-seven hundred years old. Nations will rise and fall before such another tree would mature. Of course it is not necessary that trees grow to such size to be valuable for lumber, but such are many of the grand old forests that are being ruthlessly destroyed. Sentinels of the hoary past are they, but being sacrificed to the greed of man in an age of commercialism. But while so long a time is not necessary for the development of timber lands, still we may safely count on from seventy-five to one hundred years as necessary to grow timber large enough to be of value for commercial purposes.

But this is not the only point to be considered. Our present policies do not leave these cut-over timber lands to be retimbered. These lands in Wisconsin and Minnesota are considered too valuable for agricultural purposes to be allowed to remain idle long enough to grow another crop of timber, and the same is true of the lands in Washington and Oregon where the conditions will permit.

Three years ago I was at Bayfield, Wis., on Lake Superior, and while there I received an object lesson which convinced me of the necessity of conserving our natural timber, and which also strongly brought before me the fact of the waste of our resources by converting young timber into lumber. A large sawmill at that place turns out a quarter of a million feet of lumber every twenty-four hours, and I have seen that mill run for a day at a time when the logs that were sawed were only from 4 to 8 inches in diameter. From the view point of conserving our national resources, it is sheer waste to enact a law that

prohibited.

developed the great West and Northwest. He has made this

Missouri and when the nearest post-office was 50 miles to the east-

our national resources, it is sheer waste to enact a law that

makes profitable the cutting of such young timber. The duty on lumber not only encourages such destruction of young timber, it really makes it a necessity, to say nothing of the folly of an economic policy that is so shortsighted. I do not care to enter into the different items of the lumber schedules. I ask that in the interest of 2,000,000 farmers of the West and Northwest, who are entitled to this consideration, as a matter of justice to them, to the wage-earner, to the mechanic, to the professional man, this committee put lumber on the free list. The home builders of our country demand it, and they are entitled to this action.

There are those who claim that the removal of the duty on lumber will not lower the price to the consumer, as the Retail Dealers' Association will be able to control the market even then. To such critics I say that if the administration does its duty, which I have reason to believe it will, we have laws under which combinations in restraint of trade may be dissolved and under which those guilty of forming the combination may be punished.

But not only in the lumber schedule is there an attempt to extort unjust tribute from the farmer by the bill which has been brought before the House. The same conditions are apparent in the duties on steel and iron. For the past eleven years there has been a tariff wall around iron and steel that was almost prohibitory. In 1908 the amount of iron and steel shipped into the United States from all foreign countries was but $27,607,000 worth. In the same year we exported $183,982,000 worth. With such a showing it is hard to see just why there is any need of protection. If the iron and steel business is able to compete in the foreign markets of the world as successfully as these figures seem to indicate, the average man would be justified in believing that this infant industry had gotten beyond the stage when it needed nourishment at the hands of the tariff makers.

But the wisdom of the Committee on Ways and Means is manifest when we read a little further and find that, in the interest of the consumer, in the interest of the farmer, they have placed iron ore on the free list. Who buys iron ore? It is not the farmer or the wage-earner. They have no use for this commodity; it is altogether out of the list of their purchases. Furthermore, it is interesting to note that the cost of the ore is so small a part of the final cost of the manufactured article that the farmer buys that the gain which accrues from this concession will never get further than the dealers in pig iron or the manufacturers of steel.

Again, you reduce the duty on steel rails one-half. This helps the railroads, and perhaps a little of the benefit may leak through to the farmer. But the farmer does not buy steel rails, and yet, apart from the use that is made of steel by the railroads and for steel structural work, the farmer is the greatest consumer of iron and steel in the world. In the form of nails and fence wire and bolts and rivets and farm machinery the farmer uses 60 per cent of all the steel wire that is manufactured. And what relief does he get? I will tell you. The Payne bill says, on page 30, paragraphs 133 and 134, that—

All the wire, rods, rivets, fence and other steel-wire rods, whether round or oval, flat or square, or in any other shape, and nail rods, in coils or otherwise valued at 4 cents a pound or less, $8 per ton duty; and if valued over 4 cents per pound, $15 per ton duty: *Provided*, That all round iron or steel rods smaller than No. 6 wire gauge shall be classed and dutiable as wire.

Here is where the joker comes in. Paragraph 134 reads as follows:

Round iron and steel wire not smaller than No. 13 wire gauge, $20 per ton duty.

Now every rod of barb wire that we use to fence our farms is made of No. 13 wire gauge; and all of the woven-wire fence we use is made of No. 13 and larger, down to No. 9 wire gauge, on which the duty will be $20 per ton.

Smaller than No. 13 wire gauge and not smaller than No. 16 gauge, $25 per ton; smaller than 16 gauge, $30 per ton. *Provided*, That all the foregoing valued at more than 4 cents per pound shall pay a duty at the rate of 40 per cent ad valorem.

The farmer, for the purpose of fencing his farm and for use in the baling of hay, uses 60 per cent of all the wire that is manufactured, and I ask you gentlemen, inasmuch as he is so large a consumer of this commodity, has he not a right to demand that his interests be considered in the matter of this schedule? We are not asking that wire be placed on the free list, but we do believe that in justice to the farmers they are entitled to have the duty on wire placed as low as the duty on steel rails. The machinery to roll steel rails is much heavier and much more expensive than the machinery used to roll wire, and we can see no just reason why this reduction be not granted.

You gentlemen of the East may not use much wire in fencing your farms, and as a result, perhaps, do not realize how important a matter this is to the farmers of the Middle West and the Northwest. Our farms are large and the matter of fencing, so as to make possible diversified farming and stock raising, is an item of expense with us that must always be considered. I am acquainted with a gentleman who has at least 12 miles of woven-wire fencing and some 20 miles of barb-wire fence of four double strands on his farm. While this may be more fencing than is used by the average farmer, still I know of many who use nearly as much, and on all farms it is one of the big items of expenditure. We ask that in the framing of this bill the farmers be given relief from the extortion that has been possible under the duties as levied in the Dingley bill, and which are little improved in the Payne bill, should it become a law with its present rates on wire. The duty as it stands now is prohibitive, and as a result the Government is not receiving any revenue from this schedule, but the farmer is being robbed for the benefit of the steel trust. The protection on iron and steel has made it possible for more men to become millionaires in Pennsylvania during the past twenty years than in all the rest of the world combined.

What better or more authoritative statement of the justice of this demand could we secure than the testimony of Andrew Carnegie, the founder of the steel and iron trust? His statement, in effect, is that the iron and steel industries are no longer infant industries, and that they do not need protection. Why, then, levy a tax on wire of from ten to thirty dollars a ton? The only conclusion that I am able to reach is that the committee, if they intended to be fair, used very poor judgment in this matter.

But there is another schedule in this bill against which I desire to remonstrate, and that is the proposed tax on tea and coffee. It was the tax on tea that drove our forefathers to rebel against King George III. The people of our country are too loyal and too patriotic for such extreme resistance to this unjust measure which is proposed, but they have a method that will be even more effective in securing their rights, and that is the overthrow of the Republican majority at the ballot box. The only luxury that comes to many a poor man's table is his morning cup of coffee. It is found on the table of nearly every American home, and may well be placed in the list of necessities rather than classed as a luxury. Has this Government gotten into such financial condition as a result of Republican extravagance that it must take from the poor man's table? Is it a fact that our Treasury is so badly in need of funds that the hand of the taxgatherer must take from the breakfast table? Let me repeat that the Republican majority will hear from the people with no uncertain voice when they speak through the ballot box, should their just rights be thus ignored.

I receive in nearly every mail, as no doubt does every other Member of this House, petitions asking that I vote against this proposed tax on tea and coffee. Gentlemen, we are the representatives of the whole people as well as of the Government. We have an obligation which we owe to the rank and file of our people as well as to some few favored industries; and I want to state that I believe the obligation to the former is by far the more sacred; for our country's welfare depends upon the happiness of the great mass of the common people, those people whom, as Lincoln says, "God loves, because he made so many of them." Let this committee do justice to all alike; to the wage-earner as well as to the employer of labor; to the mechanic as well as to the professional man; to the great body of producers of this Nation—the men that raise the wheat and the corn, the beef and the pork; the men that feed not only the nearly ninety millions of people in our country, but who with their surplus help to feed the people of the entire world and thus make possible the golden stream of wealth that is poured into our country by foreign peoples.

The originators of this bill have done one glorious thing in the interests of the consumers of the country. They have reduced the duty on sugar five one-hundredths of 1 per cent. Marvelous concession to the interests of the many! Mr. Spreckels says that sugar does not need any protection; and if it was the revenue that was wanted when this great reduction was proposed, why was it not made worth while? It is a matter of common knowledge that the duty on sugar is twice as high as it should be. Why did you lower it but five one-hundredths of 1 per cent? Was there a fear that a further reduction would be unsatisfactory to sugar refineries, and might therefore interfere with contributions for future campaigns? Here is a commodity that is a necessity in every home. Why did you not give the consumer the benefit of a further reduction on this necessity?

Again, why was the duty on cotton hosiery raised 30 cents per dozen pairs? Certainly this item was not considered a luxury, and therefore a commodity on which you were justified in raising the tax. Was this increase of duty made so as to shut out all competition, and thus give a monopoly to some local manufacturing enterprise? Why was the duty on ladies' gloves advanced 100 per cent? Was this advance made in order that it might

bring about competition, and thus afford some relief to the purchasers of this so-called "luxury," which, in fact, has become almost a necessity? Or was the advance made so as to shut off all competition in the manufacture of this article, thereby giving a glove manufactory of Fulton County, N. Y., a monopoly of the business? These are pertinent questions. They are questions that the people of the country are asking, and for which they will demand a satisfactory answer.

Why was the duty on barley reduced from 30 cents a bushel to 15 cents a bushel, and malt from 45 cents to 25 cents per bushel? Barley is one of the staple crops of our farmers, and the production amounts to 150,000,000 bushels annually. Is this another case in which the farmer's interest has been sacrificed rather than to run the chance of a sacrifice to the party in the matter of campaign contributions? [Loud applause on the Democratic side.]

The farmer must sell his products in the open markets of the world. The prices of his corn and wheat and oats are governed by the daily Liverpool market. The price of his beef is governed by the daily report of the price of beef in London. He receives the Liverpool and London quotations, less the cost of transportation to those markets. When it comes to the matter of purchasing machinery and other supplies for his farm and his home, he is compelled to buy in the dearest market of the world; a market protected by a high-tariff wall. He is compelled to do this because of a prohibitory tariff law, which shuts off all foreign competition and fosters monopoly at home. Briefly, then, the situation may be summed up by saying that the farmer must sell his product in competition with the market of the world, and buy what he consumes in an artificial market, which is stimulated by laws favoring protected industries.

The laborer is told that this bill, as well as the present law, is for the purpose of securing to him higher wages. But as has already been said in this debate, by Mr. MACON, of Arkansas:

The term "labor" would never have been heard of in connection with this bill but for the fact that labor has a vote.

If the profits that accrue as a result of prohibitory tariffs were shared with the laborer, or if there were some provision whereby the laborer might come into possession of them, then there might be some justification for high protection so far as he is concerned. But, on the contrary, every cent of this profit goes into the hands of the manufacturer, and then he buys his labor in the open, unprotected labor market, which must compete with the labor of the world. He secures his labor at a price which is determined by the operation of the law of supply and demand as applied to labor. What I have said of the farmer is equally true of the laborer. The commodity that the laborer has to sell is his labor, and this he must sell in the market of the world; but when he comes to buy the necessities of life for his home, he must buy in a protected market—the highest market in the world.

If this policy of a high-prohibitory tariff were in reality in the interest of labor, would not prohibitory tariff on the importation of labor give to the laborer some of the same direct benefits that the protected manufacturer receives? This would surely increase the demand, while the supply would remain comparatively constant. I have looked in vain through the hearings before the Committee on Ways and Means to find where any protected industry asked that any tariff or other restriction be placed upon the importation of labor.

Mr. Chairman and gentlemen of the committee, this Government is founded upon the principle of equal rights to all and special privileges to none. It is a people's government, and the interests of all the people are paramount to the interests of a class. In the words that our martyred President made immortal by using them in his Gettysburg address, we ask for no more, and no less, than "a government of the people, by the people, and for the people," a government in which the just rights and needs of the humblest citizen shall receive the same care and consideration as the rights and needs of one whom wealth and influence has placed in a more commanding position in life.

Mr. HAUGEN. Mr. Chairman, as has often been said in the discussion of this bill, we are a producing Nation. As shown by statistics, we produce not only enough to supply the wants of our 90,000,000 people, but at the end of every year, when the accounts with the various nations are closed, we find a handsome balance of trade of about five hundred million in our favor. It has averaged $519,000,000 under the present tariff law. In other words, we sell more than we buy, and are annually adding millions of dollars to our national wealth by reason of this large balance of trade in our favor. This, together with the productiveness of our country, the skill and genius, the intelligence and industry of our people, has made this Nation not only the wealthiest but the greatest agricultural, industrial, and commercial Nation of the world. By leaps and bounds we have advanced along the lines of accumulation of wealth, until to-day we hold more than one-quarter of the wealth of the world. Through this protective-tariff system we have furnished lucrative employment to our wage-earners, and an opportunity for progress, prosperity, and happiness to all our people.

Certainly with such achievements we all take a just and pardonable pride in our Nation's growth and greatness; and in the fact that we are living in an age of such marvelous expansion and are moving forward at such a mighty pace, and of the further fact that we rank among the most practical, intelligent, and successful people on earth; that we are among those who enjoy the lowest percentage of illiteracy.

Indeed, we are proud of our schools, temples of religion, and the morality and industry of our people; that much of the time every energy is employed; that progress and prosperity are in evidence everywhere. Though at times there may be a temporary halt in our progress, it must be conceded that we are the most prosperous and happy people on earth; and it is every man's duty, no matter what his creed, political affiliation, or occupation may be, to strive to benefit his country, to protect the weak, to relieve the distressed, to uplift humanity, to promote civilization, progress, prosperity, and happiness; and all should give thoughtful and careful consideration in securing full benefit for our national resources, those developed mechanical appliances, the skill and genius of American labor, to see to it that no interest, individual, or concern is discriminated against or imposed on; that each and all are given adequate protection against any invasion of our markets by the products of foreign cheap and pauper labor, as well as against unscrupulous interests, corporations, or individuals that may compel anybody to pay an involuntary tribute, in order that we may have the fullest development of all worthy and legitimate enterprises.

But, if we are among the greatest and grandest nations of the world, how are we to maintain this position? First, we must have industrious, intelligent, loyal, patriotic, God-fearing, liberty-loving, and law-abiding people, men and women of integrity, character, and standing, both in public and private life. Next, we must have just laws and an honest and intelligent administration of these just laws—a Roosevelt and Taft-like administration of laws.

We must have laws that will give effective results, dealing with all questions judiciously and in a broad and comprehensive manner, with intelligence and in a spirit of justness and fairness to all concerned. We all deprecate any and all efforts to destroy and confiscate property, to deprive any individual, corporation, or enterprise of a single dollar or right honestly acquired. We want laws, then, to protect property and the rights of all people—conservative, conscientious, and sound legislation, legislation not to confiscate property or to meet the demands of those who have no respect for property rights.

To begin with, then, we want laws to meet the demands of those who believe in justness, in fairness, stability, dignity, peace, law, and order; who believe in maintaining this grand and glorious Government of ours, its splendid and magnificent institutions, the progress, prosperity, and happiness of this country; who believe in proceeding in a dignified manner, to promote progress, intelligence, morality, commerce, agriculture, science, art, advancement, advantages, blessings, happiness, comfort, convenience, and prosperity of all the people, to all communities, and all worthy and legitimate enterprises. Laws giving equal rights to all so far as possible and as is provided for in our Constitution.

Our obligation is, and the proposed legislation offers an opportunity to redeem our obligation and platform pledges, to give the American wage-earners, manufacturers, and producers of farm products, in fact every worthy and legitimate enterprise, a square deal; to justly, conscientiously, and promptly revise our tariff laws in the interest of all the people. As I understand the situation, the revision should be downward, but not to such an extent as to leave any worthy and legitimate enterprises, wage-earners, and producers unprotected against the invasion of our markets, the greatest markets of the world, by foreign competitors. The object of this bill, then, should not be to strangle, injure, or to discriminate against any one industry and in favor of the other. The object is not to open our markets to other countries and thus deprive our own citizens of them, and certainly not without compelling foreigners to pay into our Treasury at least the difference in the cost of production there and here, thus not only providing for revenue, but also to give protection to American capital and labor. I take it, then, every Republican loyal to his party platform and pledges approaches this legislation with that end in view. That is, whatever tariff legislation is enacted for the fostering of this Government, protection must be honestly, faithfully, and effectively applied, so as to protect, to build up, and strengthen every worthy and legitimate industry of this land and to lift our wage-earners to the highest level of profitable employment.

is an item of expense with us that must always be considered. 100 per cent? Was this advance made in order that it might

lation of wealth, until to-day we hold more than one-quarter of our wage-earners to the highest level of profitable employment.

Mr. Chairman, in view of the fact that my time is limited, and as I have a number of subjects which I wish to discuss, I will ask that I be not interrupted, as I wish to discuss them consecutively.

What industry is of the greatest importance? Of all our industries, agriculture is, of course, foremost in magnitude and importance. In fact, all wealth and prosperity springs from the soil. Experience teaches us that when agriculture is dull no prosperity to other industries is possible. Prosperity, then, depends upon the prosperity of the tillers of the soil.

The American farmer, then, is entitled to consideration; and there can be no justice in placing him on the level or in competition with the poorly paid labor of Europe, with the cheap labor of Egypt and India, thus depriving his product of his home market, which is the greatest market in the world.

Gentlemen, there is no reason why the tillers of the soil should, as is provided in this bill in some instances, be put on an equal footing with the cheapest human labor all over the Old World or that the earth affords. If the proposed bill becomes a law, American cattle raisers would be put on a level with the cattle raisers of South America, old Mexico, and other countries in marketing their hides; the Iowa farmer would be compelled to buy American shoes protected by a tariff of 15 per cent, or from 5 to 30 per cent on shoe leather; harnesses protected by a 35 per cent tariff, and gloves protected by a tariff of from 35 to 594 per cent, or from $4 to $7.55 per dozen. In looking over the bill I find that the duty is increased on one kind of gloves from $1.75 to $4; on another kind, from $4.45 to $7.55 per dozen; on another kind, where the average value of the imported glove is 93 cents per dozen, the proposed bill increases the duty to $5.94 per dozen, or to 594 per cent.

On imported gloves made from lamb or sheep glace finish, unlined pique or prix seam or stitched or embroidered, the average price of which is $4.93, the duty is $2.90, or a total of $7.83, which, with other expenses, costs the importer $7.93. I hold in my hand one pair of this class of gloves manufactured in America and sold by Skogloff & Carlson, 271 Madison street, Chicago. The price to the dealer on this glove is $7.50 per dozen, which is 43 cents less than the cost of the imported glove, duty and expense included. Yet the bill proposes to raise the duty to $4.40 per dozen. If you already have an excessive duty of 43 cents per dozen, why increase it $1.50? It is hardly fair to increase the duty on the finished product of the hide and compel the cattle raiser to sell the hide in competition with Mexican hides.

In Iowa cattle are raised on $50 to $150 per acre land; in Mexico grazing land is as low as 20 cents per acre. Labor in Iowa is from $25 to $35 per month, while Mexican labor is from $4 to $12. The cattle in Iowa must be housed and fed about half of the year; cattle in old Mexico run at large all the year, and no hay, barn, or shelter is needed.

But you say free hides would be of no consequence to the cattle raisers. Your contention is that the packers take off 80 per cent of the hides weighing over 25 pounds and the farmer only 20 per cent.

Therefore the packers get 80 per cent of the benefit of the tariff on these hides. If so, and if any benefit is had by reason of this protective tariff, you must admit that the farmer gets at least 20 per cent of the benefit of the 15 per cent duty now on hides. Therefore, if a cattle raiser sells a hide weighing 60 pounds for 11½ cents per pound, 1½ cents per pound, or a total of 90 cents, represents the 15 per cent protective duty. But some go so far as to say that the farmer gets no benefit at all; that the price of hides does not affect the price of the animal. To that statement I take exception. In Iowa we consider the hide the "fifth quarter" of the animal, and, by the way, in many instances it is the most valuable quarter.

I hold in my hand a statement of an account of sale of a steer condemned and sent to the pen on account of the steer having a lump on his jaw. The State of Illinois slaughtered him, and on post-mortem examination it was found that the meat was fit for food, and it was sold, as is shown by this statement:

CHICAGO LIVE STOCK EXCHANGE,
OFFICE OF THE SECRETARY,
Union Stock Yards, Chicago, Ill.

Statement of the disposition of one carcass of beef and its offal, pronounced fit for food by the state veterinarian of the State of Illinois at a post-mortem examination thereof held in the city of Chicago on December 11, 1908:

Owner, Lee Live Stock Commission Company. Tag No. 995
Sold to M. O'Dea.

CREDIT.

By four quarters of beef, 434 pounds, at $3.75	$16.27
By butter stock, 7 pounds, at $7.82	.55
By hide, 54 pounds, at $10.50	5.67
By head, tongue, etc	.60
	23.09

DEBIT.

To slaughtering, dressing, chilling, and delivering carcass	$0.97	
To feed and petty incidental expenses	1.04	
		$2.01
Net proceeds		21.08

G. N. HAUGEN, *Kensett, Iowa.*

You will see that the four quarters average $4.07, the hide $5.67, or $1.60 more than the average price of the quarters. Certainly in this case I, and not the packer, got the benefit of the protection on hides, and certainly every farmer gets the benefit of the hide, at least, on every steer slaughtered, the same as I did in this case.

How about the cattle sold to the packers? Of all the absurd statements made on this floor or elsewhere, the statements that the packers and not the cattle raisers received the benefit which the tariff added to the price of hides is the most ridiculous and unfounded statement ever made. Packers are not chumps or a lot of ignoramuses, impractical, and incapacitated business men. They are among the shrewdest and most capable business men we have; and in buying cattle, or whatever it may be, the value of the offal is taken into consideration as much as the price of the beef. The head, the tongue, the butter stock—yes, even the price of blood—the hoof, the horn, in fact, everything that can be sold, if not for more than 1 cent, is taken into consideration; and they certainly do not overlook the hides, the most valuable part of the steer. When the price of hides goes down $2, down goes the price of the steer $2, just as sure as the sun goes down.

If you take the duty off hides, and if by so doing the price of hides goes down 15 per cent, just as sure as two and two make four, the price of cattle will go down accordingly. The distinguished gentleman from Wisconsin [Mr. WEISSE], who knows more about hides and prices of hides than any man I know of, tells me that hides are now selling at the tannery from 9½ to 18 cents per pound, according to condition and quality. The hide from a 1,500-pound steer will weigh about 80 pounds; and if it is properly taken off, and in good condition, it will sell at the tannery at the top price, or 18 cents per pound, or $12.40.

If the 15 per cent duty is taken off hides and if the reduction of duty affects the price of hides to that extent, that hide would be worth only about $10.60. If this be true, the price of the steer will be reduced in the same proportion, and the cattle raiser will have to content himself with $1.80 less for every steer of that grade and size he may have to sell.

Gentlemen, we must be consistent. Only a few years ago it was contended that the ante and post mortem examinations provided for some years ago would prove a hardship to the cattle raisers; that the terrible expense of less than 5 cents per head would result in a reduction of the price of cattle. Then, the expense of 5 cents per head—the reduction in price caused by such an expense—would ruin the cattle industry of the United States; now a reduction of $1.80 is not to affect it.

Gentlemen, the packers are no more generous than they were then. They are as greedy and unscrupulous now as they were then; and rest assured that when the price of hides goes down the price of the steer will go down with it. But you say under the present law and rulings of the department that the duty applies only to hides weighing over 25 pounds; and that hides and calfskins weighing less are admitted free; and that this operates in favor of the packers; that the packers take off the heavy hides; and that the cattle raiser and the butcher the lighter hides and principally the calfskins, as the veal carcasses are shipped with the hide on. That is true, and there is no use denying that legislation and the rulings of the department have discriminated against the butchers and the cattle raisers. But the fact that a rank injustice has been committed in the past is no reason why we should repeat it now. Why not apply the duty to all hides and skins? To the hides weighing less than 25 pounds, or those mostly taken off by cattle raisers and the butchers? Protection on hides does not mean protection to the packing trust; it means protection to all. Then why not put a duty on all hides and skins and give protection to those who need it and may be benefited by it, and not give it to the packing trust or those who least need it, or those who practically need no protective tariff? The packers take the hides off the fat cattle; the fatter the steer the better the hide.

This hide has practicaly no competition, as we are about the only corn-producing Nation and about the only Nation that has the corn and feeds and finishes the steer. If so, there are no hides of this grade imported or offered at our ports of entry. Hence, it is the hide from the poor or grass-fed steer that needs the protection and comes in competition with the hides offered by Mexico, South America, and other countries; and I take it that if an opportunity is given to amend this bill the friends of the packers will be generous enough to include the hides

weighing less than 25 pounds as well as the so-called "packer's hides," and will heed the suggestion offered by the distinguished gentleman from New York, chairman of the committee, to the gentleman from Kentucky, that if he had to live in the woods he better climb a tree, look out beyond the woods, and take into consideration the interest of all. And I trust that Congress will climb up and look over the hilltops, where the cattle feed and thrive; where barley and wheat grow. Indeed, in Iowa we would be pleased to have you consider our interests with those of others. We ask for no special legislation, but we do ask for a square deal.

It is hardly fair to cut the duty in two on Iowa barley when the only ones to be benefited are the brewers, and to compel the Iowa farmer to pay a tax on every pound of coffee or tea. It is hardly fair to take the duty off of wheat, as is proposed in the "joker" in section 29, and leave the tariff on lumber exactly where it was, as is proposed by the "joker" in Schedule D, paragraph 197, and to compel him to pay a duty on lumber which he has to buy with which to build a house for his family, barns and sheds for his stock, grain, and hay. It is hardly fair to retain a duty of 40 per cent on the inferior quality of wire he is compelled to buy and let in wheat, an article which he produces, free of duty. Mr. Chairman, I want to say a word about free wheat. Section 29 of the Payne bill reads:

On the exportation of articles manufactured, or produced, in the United States either in whole or in part of imported materials, or from domestic materials, of equal quantity and productive manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used.

So far the section applies to articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials, but it does not stop there. It goes further, and here is where the "joker" comes in. It adds:

Or where domestic materials are used, to the duties paid on the equivalent of imported materials, less the legal deduction of 1 per cent.

The proviso provides that the exportation shall be made within three years after the importation of the foreign material used or checked against. This simply means, and I understand the Assistant Secretary of the Treasury so holds, that any domestic wheat manufactured into flour may be exported from any port in the United States in any quantity and may be checked against any wheat imported, no matter where it may be shipped to or from. In other words, 1 bushel of domestic wheat exported, or rather the manufactured product thereof, may serve as an offset to 1 bushel imported. For instance, a Minneapolis miller may buy wheat in Canada, where wheat can be bought at 10 cents per bushel less than in the United States and where freight rates are identically the same. This I know to be a fact. Last September I went to Canada to investigate the prices paid, not only for wheat, but for cereals of the farm, implements, merchandise, and, to ascertain prices in general. I found that self-binders such as we buy and pay $125 for in Iowa sold in Canada for $175. A larger cut, such as we pay $135 for, sold there for $185. Thrashing machines, which we pay from $2,300 to $3,000 for, were from $4,000 to $5,000 in Canada, and so all along the line. It is true that binders, thrashing machines, and other implements manufactured and sold in Canada sell at lower prices, but they are Canadian make and are of a much inferior quality and are not generally being bought. As to the price of wheat, I found that the price varied from 8½ to 18 cents per bushel less than the price of wheat on the American side, according to the distance from market. In the towns along the line where the elevators may be less than 100 rods apart, the freight rate to Minneapolis exactly the same, the price paid on the Canadian side for the same quality of wheat was from 8½ to 10 cents per bushel less than on the American side.

The proviso makes it possible for the Minneapolis miller to buy his wheat in Canada f. o. b. Minneapolis at, say, 10 cents per bushel less than he can buy it in the United States. The quality is the same. He may grind it and sell it. He can in turn buy the same number of bushels on the Pacific coast or the South, where the wheat growers are at a disadvantage in freight rates on account of the distance from the mills and consumers, and where wheat generally sells for about 20 cents per bushel less, and where wheat and flour have to be exported. (The Daily Ledger, of Tacoma, Wash., March 18, 1909, quoted the price of wheat at Tacoma as follows: "Club," $1.05; Red, $1; New York No. 2 Red, $1.23; Duluth No. 1 Northern, $1.24.) He may buy, grind, and export this wheat and check it against the wheat imported from Canada, which entitles him to the drawback, or the duty paid on the imported wheat, less the legal deduction of 1 per cent. He need not even buy, grind, or export the wheat. The proviso provides—and here is where the "joker" again comes in—that the drawback shall be paid to the manufacturer, producer, or exporter, to the agent of either, or to the person to whom such manufacturer, producer, exporter, or agent shall in writing order such drawback paid. All that he needs, then, is a written order from the manufacturer, producer, or exporter on the Pacific coast or South where wheat is being exported from ordering the drawback to be paid to him. Thus the $146,000,000 of wheat and breadstuff that is now being annually exported can be checked against the same amount imported. The producer, the manufacturer, or exporter on the Pacific coast is only too glad to accommodate his Minneapolis friend in this. It is nothing to him; he is an exporter and not an importer and is not entitled to any drawback.

What are the advantages to the miller or operator? What will be the results as to wheat prices in the United States? A Minneapolis miller buys in the United States 1,000,000 bushels, at $1 per bushel, or $1,000,000 f. o. b. Minneapolis. Here he grinds it, exports, and sells it; his net profit is 1 per cent, or $10,000. He gets $1,010,000, and it gives him a net profit of $10,000. Another miller buys a million bushels of wheat in Canada, at 90 cents, or $900,000 f. o. b. Minneapolis. He pays 25 cents duty, or $250,000, a total of $1,150,000. He grinds it and sells it in Minneapolis at a profit; but say that he realizes only $1 per bushel, the market price. He gets $1,000,000. He is now out $150,000. He goes to the Pacific coast or the South, where wheat sells at 20 cents less than in Minneapolis. He buys there a million bushels at 80 cents, or $800,000. This million bushels will produce as much and equally as good flour as that which was ground in Minneapolis, and exported. The grinding, the transportation, and other expenses of exporting the same are no more. In fact, they are less, but say they are the same. He gets exactly the same for the manufactured product from the million bushels purchased in California as the miller did for the manufactured product of the million bushels purchased in the United States, ground and exported, which was $1,010,000, and he has only $950,000. His profit is $60,000; besides, he gets $250,000 drawback less the legal deduction of 1 per cent. The difference is, the Minneapolis miller, who buys American wheat and exports the product thereof, gets a profit of $10,000, while the other gets over $300,000.

The Pacific coast and the South produce a large amount of wheat in excess of their consumption. On account of the high freight rates to the milling centers wheat necessarily goes to foreign countries.

Through this operation the $146,000,000 worth of wheat and breadstuffs now exported can be checked against an equal amount imported from other countries. It is an endless chain. The more that is shipped in the more will be shipped out, so it practically means free trade in wheat.

With such an arrangement does anybody doubt but that the price of American wheat will have to come down to the Canadian price, especially the wheat grown in the Western States, such as the Dakotas, Iowa, Kansas, Nebraska, Minnesota, Wisconsin, and Illinois?

Much has been said about the American farmer not sharing in the benefits received from this protective tariff. Be that as it may, personally, I believe that the farmer has shared in the benefits that have come from this great protective-tariff system. If not directly, at least indirectly. Through this great protective-tariff system which has brought about such substantial and marvelous results, we have built up great industries, until to-day we produce annually not only seven and three-fourths billion dollars' worth of agricultural products, but upward of $20,000,000,000 of manufactured products.

This has given employment to millions of wage-earners, and billions have been paid in wages under this protective-tariff system that would not have been paid had it not been for the encouragement given home industries. Under this protective-tariff system the wage-earner has been paid better wages than any wage-earner on earth, thus bringing the consumer of farm products closer and closer to the farm, not only saving the transportation charges to other countries, but furnishing our farmers consumers with greater purchasing powers and enabling them to sell not only at higher prices, but more of it, until to-day the American consumers are buying and consuming nearly everything, or more than six-sevenths of what the farmers produce. The Secretary of Agriculture's report shows that the total value of all farm products for 1908 amounted to $7,778,000,000, and that the exports of the same amounted to about one billion, and the time is not far distant when we shall have to import farm products in place of exporting them. When the time comes, in place of deducting the cost of trans-

portation, cartage, commission, and so forth, to Europe, or wherever the products are now being sold, it will have to be added. So if the price abroad is $1 per bushel for wheat; if the transportation and other expenses is 10 cents per bushel, in place of deducting the 10 cents the 10 cents will have to be added, together with 25 cents duty, making the price $1.35 per bushel in place of 90 cents.'

How many years will it take to bring about such conditions? Under Republican rule, and when the American people are employed and well paid, we consume annually per capita about 7 bushels of wheat for bread and seed. In 1906, 7.07 bushels; and in 1907, 6.86 bushels of wheat and flour per capita was retained for our own consumption; and it is safe to say that 7 bushels per capita is consumed for bread and seed.

From 1880 to 1906 our wheat crop averaged 522,000,000 bushels. Twice only, in 1902 and 1907, did we exceed the 700,000,000 mark. I believe it is fair to assume that our wheat crop will not exceed 700,000,000 bushels annually for many years to come. If 7 bushels is consumed per capita, then only 100,000,000 people are required to consume the total product. Our population increases about 21 per cent every ten years. We now have upward of 90,000,000 people. Add to that 20 per cent and you have 108,000,000, which is 8,000,000 more than is required. If the production of wheat does not exceed 700,000,000 and the per capita consumption remains the same, at that rate, in ten years we will have to import 56,000,000 bushels of wheat instead of now exporting $146,000,000 worth, and certainly by that time the farmer will get some benefit from the protective tariff.

But you say that with increasing population will come increase in total production; but statistics show that the production of wheat is not increasing to any great extent. The production of wheat in the United States in 1902 was 748,462,018 bushels; in 1907, 735,260,970 bushels. The Secretary of Agriculture in his report estimated the wheat crop for 1908 at 660,000,000 bushels, or 1.5 above the five years' average of production, and 23.3 above the average in total value. Go back, if you will, to 1883. According to the Statistical Abstract of the United States prepared by the Department of Commerce and Labor we then grew 504,185,470 bushels. The Secretary of Agriculture says that we grew 660,000,000 in 1908, an increase of only 156,185,470 bushels, or an increase of about 30 per cent in the yield of wheat in twenty-five years.

It must be remembered also that during these twenty-five years most of the new lands of the West were brought under the plow. For instance, the two Dakotas only produced 16,128,000 bushels in 1883, while in 1907, they produced 87,610,000, an increase of 71,500,000, which in itself accounts for nearly one-half of the increase in wheat during the past twenty-five years. We have not now what was formerly supposed to be an unlimited public domain; in fact, there is very little virgin soil that may be turned into productive wheat fields. There are some arid lands to be reclaimed, and some lands to be drained, but this area is small and hardly worth mentioning.

Let us see what has been the increase in our population during this same period. In 1883 the population of the United States was 52,000,495. In 1908 it was about 87,500,000, an increase of about 35,000,000, or nearly 70 per cent. Considering, therefore, the small increase in the production of wheat under these conditions as compared with the increase of population during the last twenty-five years, it seems to me it should be clear to everybody that the increase in the wheat yield in the future can not possibly keep pace with the increased demand for bread.

But you say that intensive farming, new and improved methods, scientific and intelligent farming, care in the selection of seeds, a study of the soils, diversification, rotation and cultivation of crops so that land will not wear out by successive years of cropping, the cultivation of leguminous plants, intelligent fertilizing, extermination of weeds; in short, labor intelligently applied, will largely increase the producton of wheat and other farm products. But these methods of farming are not new. For years we have been spending millions of dollars in supporting agriculture colleges, experiment stations, farmers' institutes, and the Department of Agriculture. We have employed the greatest scientists in the world, and I yield to nobody in commending them and the Department of Agriculture for the very excellent and effective work that has been done, but notwithstanding, the average yield per acre of crops has not increased. The average yield of rye per acre in the United States has varied from 10.1, the lowest, in 1887, to 15.9 in 1878, and to 17 bushels in 1902, the highest of any year. The average yield of barley per acre was 27.9 in 1869. The lowest was 19.4 in 1894, and the highest was 29 bushels in 1902, but it dropped again to 23.8 in 1907. The average yield per acre of corn in 1872 was 30.08, the highest average in any year in the history of the country. It dropped to 16.07 in 1901, and in 1907 the average yield was only 25.09 bushels. The average yield of oats in 1869 was 30.5, and in 1871 it was 30.6. It dropped to 19.8 in 1890, and in 1907 was 23.7. The highest average reached was in 1902, when it was 34.5.

The average yield of wheat was 15.03 bushels per acre in 1891, and only 14 bushels in 1907. From 1867 to 1907 it ranged from 11.06 to 15.05. And yet during all of this time the people have known that improved methods would increase the yield.

As before stated, intensive farming, fertilizing, drainage, rotation of crops, cultivation of leguminous plants, the careful selection of seeds, and so forth, are not new to the American farmer. Notwithstanding the fact that we have had this information on intensive farming, the farmers farmed their land better and exercised more care in the selection of seed forty years ago than they do to-day. I remember, forty years ago, the great care that was then exercised in the selection of seed, the rotation of crops, keeping down of weeds, and the planting and cultivation of crops. The seed had to be planted at a certain time, and just so. The corn fields were not only gone over with a cultivator such as we now have, but the fields were hoed; the weeds were pulled by hand; the ground was carefully prepared for the sowing of crops; the wheat was cut, bound, and stacked with greater care than now. In fact, labor was as intelligently applied then as now. So, for forty years the farmer has been lectured and preached to. Nearly every agricultural college and farmers' institute in the country have been, and are teaching improved methods of farming, and still the so-called "bad farming," "soil exhaustion," and "skimming the cream off the land" by single cropping goes on, and the average yield of wheat per acre in the United States in 1907 was only 14 bushels, and for the last ten years only 13.88 bushels. So, there has been no increase in yield of crops, nor is there likely to be any increase for many years to come. But you say that the fields of the United Kingdom, which have been tilled for one thousand years, yield an average of 32 bushels of wheat per acre. Germany produces an average of 27.06 bushels of wheat per acre. The average wheat yield in the Netherlands is 34.18; ours is only 14. The Netherlands produces, on an average, 53.01 bushels of oats per acre, while we produced only 23.07 bushels of oats in 1907, or an average of less than 30 bushels per acre for the preceding ten years. The Netherlands produces 232 bushels of potatoes per acre; we, 95.4.

We might go further, but this is sufficient to show the difference in yield. The question, then, is What makes the difference? The United Kingdom has an area of 121,371 square miles, with a population in 1906 of 43,221,000, or 356.11 people per square mile. The German Empire has an area of 208,830 square miles, with a population in 1905 of 60,470,000, or 289.60 people per square mile. The Netherlands has an area of 12,563 square miles, or about two and one-half times the size of my congressional district, or less than 350 congressional townships, with a population of 5,592,000, or 445.12 people to the square mile. Denmark has an area of 15,360 square miles, less than one-third of the land area of Iowa, with 2,605,268 population, or 167 people to the square mile, with more than 350,000 people more than in Iowa, only 80 per cent of that area being productive; yet in 1906 she exported over $80,000,000 worth of her home products of provisions and eggs.

Now, compare those countries with the United States, with an area of 3,624,122 square miles, population in 1907 of 84,216,000, or 23.22 people only per square mile, and you will readily see where the difference of production comes in. It is not that we have not the soil, climate, scientific and practical knowledge, or that the yield can not be increased. Everybody knows that our soil is as productive, and even more so, than the soil of the countries mentioned. Everybody knows that our soil can be made to produce as much, if not more, than the soil of the countries mentioned. Everybody knows that our people know as much, and even more, about farming than anybody else. If not, all we would have to do would be to go there and learn; but we do not do that; to the contrary, they come here to learn from us.

Now, then, where is the trouble? The conditions are different, and the whole trouble is in our labor problem. Our population is only 23.22 per square mile. The population of the countries referred to range from 167 to 445 people to the square mile. Our country is sparsely settled; they are densely populated; here labor is high, scarce, and hard to get; there labor is cheap, plenty, and easy to get. There farm products sell high. They can get and can afford to hire labor and better farm their lands. They make money by so doing, but the difference is, we can not get the labor, nor would it pay to hire labor at the present prices if we could get it. Here the opportunities

are many, and a man who has robust health and a will to work his way honestly and bravely, if he practices economy and industry and exercises good judgment, will soon own a farm of his own and become an employer in place of an employee. Here the people take to the cities; hence our farms are abandoned, and labor is hard to get at any price. While we hear much nowadays about the many people being out of employment, yet the farmers are short of help. Here is a letter just received which explains the situation. A farmer in my district, who cultivates 360 acres, writes me:

> I have sent in an application to the Department of Commerce and Labor, and I have referred them to you. * * * I am trying to get a hired man through the department. Farmers here can not get any help, etc.

This is probably not what it should be, but we must deal with conditions as we find them. And one thing is certain: If you expect to improve farming so as to increase the yield of wheat and other crops, we must look after the American boy as well as the soil and improved methods of farming. The American boy to-day is not contented to live on the farm and to enjoy the independence and the luxuries this life affords. He is not contented with farm life, which is so conducive to good health and happiness, where patriotism, loyalty, morality, and virtue prevail; where he may enjoy a greater degree of blessings, true happiness, independence, advantages, and general contentment than they do, or can do, in the cities, where difficulties and temptations, so hard to overcome, are encountered. Farm life is not fully appreciated by the American boy. I need not point out the many advantages that farm life affords over that of city life. It is enough to say that city life in a large majority of cases means not only crowded quarters, but privations in many respects, while farm life affords mansions, with abundance of room, air, and sunshine. The railroads and telegraphs, rural free-delivery service, telephone, improvements of roads, and so forth, have brought the people on the farms nearer and in closer communication with the towns and cities, and gives them practically the benefit of whatever advantages there may be in the cities.

So if you expect to advance agriculture, an industry that has furnished from 60 to 80 per cent of our exports and which has largely made the country what it is, we must give more attention to the American boy in order that he may take a greater interest in the farm and enjoy the blessings, advantages, happiness, comfort, and conveniences it affords; and that he may contribute to this Nation's growth and greatness, dignity, stability, and prosperity, as has his forefathers, those who have transformed these forests, prairies, and deserts into a garden of roses, and into these productive fields, producing bread, not only to feed our own 90,000,000 people, but capable of almost feeding the people of the world. We must teach him the beauty of nature as well as that of art; teach him to work as well as to read; teach him farming as well as law; teach him that the tilling of the soil is as honorable and dignified as any other occupation, profession, or trade. By all means teach him to work; to become self-reliant and self-supporting. Of all the contemptible things idleness is the worst. It is degrading, degenerating, unbecoming, and leads to sin, vice, and destruction. Deplorable as it is, nevertheless it is true—idleness predominates and ruins too many lives. Look at the millions of idle, hungry, ragged, and poor—sponging, begging, drinking, gambling, stealing, rather than to work.

Teach him that work is not a hardship or a curse, but to the contrary that it is a blessing provided by the All Wise Providence for man's development, happiness, and prosperity; and that without work, care, disappointments, and privations in life we would have less great and grand men. If he will look into the life and character of our great and grand men, the so-called "shining lights," men of wealth and worth, men of eminence, prominence, power, and influence, he will find that a large number of them began early in life some useful employment, many of them poor orphan boys, without money, compelled to work for subsistence, to work their way through school, early in life shouldering heavy burdens, assuming responsibilities, contending with sharp and keen competition and opposition, thus developing their powers in the field of employment, gradually going onward and upward.

Teach him that there is pleasure, enjoyment, satisfaction, honor, and dignity in toil, be it by the head or hand; and that all labor that is honest is honorable and dignified; but that of all employment which requires manual labor farm life is the most independent and conducive to good health. If you will impress this strongly upon the mind of every American boy and girl, you will have no trouble in promoting agricultural interests; in increasing the yield of wheat, and, in fact, everything that grows on the farm. You will then have solved the labor problem on the farm. You will have not only more people devoting their energies in this direction, but more efficient service, and better results than we now have.

But until you do interest the young people more in farming, and make it possible to secure farm labor, the Dakota farmer—who has got accustomed to the 5-mule team, the gang plow, the 28-foot drill, 60-foot harrow, farming a section of land by hiring one or two men—is not going to turn to expensive improved methods of farming. He is not going to return to the 2-horse team, the single plow, the small seeder, or planting the crops by hand, even though this method may produce twice the number of bushels to the acre; in short, until you solve the labor problem there will be practically no increase in the yield.

I repeat what I have said, that the production of wheat is not likely to exceed the seven hundred million mark for many years to come.

As a general thing every farmer is doing the best that can be done, and there is no use talking about impossibilities, and especially when it is impracticable to do so. Suppose you apply intensive farming and double the yield, it would require the same labor to farm one-quarter or one-third of the land now farmed. The total yield would not increase; to the contrary, it would decrease. The farmer knows as much about farming or his business as any business man or anybody else knows about their business. He know that intensive farming means expensive farming; he knows the character of the labor that can be had, as well as the cost. He knows better than anybody what crop to grow and how to grow it and what method to apply. He knows how to make money just as well as anybody else. He knows that if it were possible to double the yield of all the lands that the increase of production would mean an increase of expense and possible overproduction, and overproduction means low prices.

Low prices mean less profits and sometimes a loss. He had his experience with the rest under Cleveland's administration. He knows that under Cleveland's administration, when our people were out of employment and when they annually consumed only about 3 bushels of wheat per capita, that wheat and everything that grows on the farm went down to practically nothing; oats, corn, and barley selling from 10 to 15 cents; wheat, from 20 to 50 cents; horses, $40; cows, $10; eggs, butter, wool, and everything else in the same proportion. So he is not for starvation wages to labor, or for overproduction. He is not a free trader, but he reserves the right and insists on a square deal; that is, if the manufacturers and laborers are to be protected, he believes and insists upon his share of protection; and it is clear to him, as it is to everybody else, that if we have reached the point where we are about to import farm products in place of exporting them, a protective tariff on the same means much to the producer.

Iowa land is now producing more wheat to the acre than it has in a number of years, while the yield of oats, one of its principal crops, is decreasing; so in all probability the Iowa farmer will return to wheat growing, and naturally he insists upon a protective tariff on wheat. What is true as to wheat is true in many other respects, but time will not permit me to go into details.

Gentlemen, the farmers are not nor have not been here clamoring for special or favored legislation. They have remained in their homes, occasionally writing a letter, but in the main depending upon you and me to give not only to them, but to everybody, a square deal, and it is up to every Member of Congress to climb, as suggested by the distinguished chairman, up where we may see and conscientiously consider the best interests of every American industry, great or small, American labor and capital, to focus our thought on the tillers of the soil, as well as the manufacturers of beer and other products. [Applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. HAUGEN. Mr. Chairman, inasmuch as time will not permit me to further discuss this and other subjects I would like to discuss, I will avail myself of the privilege of extending my remarks in the RECORD.

The American farmer is doing well and is not complaining. If you will look over Secretary Wilson's report for 1908, you will find that farm products for 1908 are valued at $7,778,000,000. You will find that the 6,000,000 families engaged in agriculture produced 2,643,000,000 bushels of corn, valued at $1,615,000,000, an increase in value of $600,000,000, which the Secretary says is an amount equal to the gold in the Treasury of this rich Nation. He says that its total value is equal to cotton, hay, and wheat combined. Next comes cotton; next hay, 68,000,000 tons, valued at $621,000,000; next 660,000,000 bushels of wheat, valued at $620,000,000, which is $66,000,000 in excess of any year,

or 1.5 per cent above the five years' average in production and 23.3 per cent above the average in total value. Next comes oats, 789,000,000 bushels, valued at $321,000,000; barley, 167,000,000 bushels, valued at $96,000,000; rye, 30,000,000 bushels, valued $22,000,000; rice, 23,000,000 bushels, worth $18,000,000; total quantity of cereals, 4,325,000,000 bushels, valued at $2,694,000,000, which is more than $300,000,000 above that of last year.

Next comes potatoes, 275,000,000 bushels, valued at $190,000,000; the tonnage of sugar beets increased this year 44.7 per cent, and the value, $21,500,000, by 43.7 per cent. The productive value of sugar cane, molasses and sirup for 1908 is estimated to be about $34,000,000. Beet-sugar production for 1908 reached 500,000 short tons, which at the factory was valued at $45,000,000. The total production of sugar is about 900,000 short tons, valued at $75,000,000. The grand total value of refined sugar was $94,000,000. Tobacco is valued at $70,000,000; hops, 39,000,000 pounds, valued at $4,000,000; all farm products equal to $5,000,000,000.

And here is the most interesting story of all. On page 13 the Secretary says:

It is a striking fact that the farm products of the dairy cow are getting closer and closer to $800,000,000, and that the eggs and poultry produced on the farm are worth as much as the cotton crop, seed included, or the hay crop, or the wheat crop.

He goes on to say that the advance in value is not due solely to increase in number of cows and poultry, but to advance in price. He quotes Elgin butter at 19.66 cents in 1899 and 28.5 cents in 1907, and 27.16 cents in 1908, etc.

I take it that legislation had something to do with this; that when the counterfeit business was stamped out and oleo had to be sold on its merits it had something to do with the advance in price of butter, but advances have been all along the line and prices satisfactory in general.

To the above is added nearly $3,000,000,000 worth of animals sold and slaughtered and animal products at the farms, making a grand total of about seven and three-quarter billion of dollars. As to exports and imports, the Secretary's report shows that one billion and seventeen million worth of domestic agricultural products were exported in 1908, which was only $37,000,000 less than in the year 1907. The falling off in exports in 1908 was largely due to cotton, which decreased $43,000,000. Exports of grain increased $31,000,000. The Secretary states that the export of cotton was $458,000,000; grain and grain products, $215,000,000. Packing-house products, $196,000,000. From a grand total of exports of farm products in 1908, of $1,017,000,000, deduct ten million on account of foreign products, and we have a balance of $1,007,000,000. Imports of farm products being $540,000,000, we have a balance of trade in our favor of $467,000,000. This showing justifies the statement that the farmers are doing fairly well. Give him a chance. Leave him alone and he will continue to prosper. He is exporting about one-eighth of his product now, and probably not getting as much out of this protective tariff as some, but the time is near at hand when farm products will have to be imported. If we export one-eighth of our farm products and the increase of population is one-seventh, we will have to import instead of export farm products. If so, and if we leave the duty on, the farmer will certainly share in the benefits.

Representing an agricultural district, as I do, I do not feel that I could remain silent without offering some protest against the discrimination and injustice of this bill. My contention is that if there is to be a high duty on shoes, gloves, harness, saddlery, leather and the products of leather, and that which the cattle raiser buys, there should also be a duty on the hides which the cattle raisers have to sell; and I know of no reason why we should double the duty on gloves and leave a high duty on shoes, leather, harness, and saddlery and put hides on the free list.

Now, a word as to tea, coffee, and lumber. Section 533 of the proposed bill reads:

Coffee: *Provided*, That if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

We imported in 1908, 890,624,635 pounds of coffee, at an average price of 7.7 cents per pound, or a total value of $67,686,731.25. Practically all of it was imported from Brazil. It is argued by some that the countervailing, or retaliatory, duty proposed in this bill will not impose a duty on coffee and that Brazil will repeal her laws imposing an export tax and surtax on her coffee, and that in that case there would be no tariff on coffee. But that position is not well taken when you stop to consider that the export tax and the surtax on her coffee is practically her only source of revenue and on what her bonds and credit are based. During the ten months ending October, 1908, her total exports amounted to $165,485,972, as compared with $227,681,344 in the corresponding period of the preceding year. The item of coffee alone amounted to $87,200,068 in the ten months in 1908 and $118,628,952 in the preceding year, which goes to show that coffee makes up more than 50 per cent of her exports. On December 8, 1908, the Brazilian Senate passed an act authorizing the State of São Paulo to contract a loan of £15,000,000 with the indorsement of the union; and by a decree of the President the contract was signed and the loan guaranteed by the union. Paragraph 8 reads:

The product of the 5 francs surtax on every bag of coffee exported shall be deposited every week in an establishment to be indicated by the Federal Government and shall be destined for the service of the said loan, and on no condition whatsoever shall it be used for any other purpose.

Paragraph D provides:

If at any time the State of São Paulo deems it advisable to reduce the export tax on coffee, such reduction shall not apply to the 5 francs surtax, which shall remain unaltered.

So, even if Brazil should want to change her system of taxation, it can not be done without repudiating her contract, and there is no question about it. The export tax and surtax of Brazil on coffee shipped from there can not be removed, and the countervailing duty proposed in the bill will unquestionably impose a duty on coffee brought to this country.

If that is true, and if we have no coffee or tea industry in this country, if a tariff is put on either, it must be put on for revenue only. What is true as to tea and coffee is practically true as to lumber, unless there has been gross misrepresentation as to the present condition of our forests. The contention has been that our forests are practically exhausted, and on that account a national calamity has been predicted. We expend millions and millions every year for the conservation of our forests—to reforest the denuded forest lands. Only a few days ago we passed a bill, an entering wedge to a scheme which may involve an outlay of hundreds of millions of dollars in purchasing cut-over lands and lands that nobody wants. It was claimed that that was for conserving our forests.

If conditions are as pictured by those who are supposed to know, such as Mr. Pinchot, our National Forester, the national conservation commission, and others, we have no lumber industry in this country. If so, the duty on lumber must be for revenue only.

Therefore there can be no reasonable excuse for taxing these necessities except for revenue; and if they are taxed for revenue only, the luxuries of life should also be taxed; or, better still, they should be taxed first. If you tax these items, you should tax beer, and especially if you cut the duty on barley in two to accommodate the brewer. If the manufacturer is entitled to a protective tariff on the products of the mill, the farmer is entitled to a protection on the products of his farm.

If the object is to reduce the tariff with a view to lowering the cost of living, to give the consumer the so-called "free breakfast table," to enable him to buy what he buys for a less price than he is now doing, very well; that can be done as was done in the case of the Wilson-Gorman bill, or by free trade.

Indeed, the consumer is entitled to just as much consideration as the producer. There is no use denying the fact that living comes high with present high prices. There is no use denying that with free trade we would have cheap living and low prices, but with cheap living and low prices we would have cheaply paid labor. Cheaply paid labor means starvation and ruination. We had low prices during Cleveland's administration, but wages were low, and the American wage-earner was out of employment and had nothing to buy with, and had to go hungry, even though the prices were low. As a result the American people had to get along with less things to wear and less things to eat than they do now. If you will look over the Statistical Abstract you will find that the estimated consumption per capita of raw cotton from 1893 to 1897 was from 16.45 to 22.75 pounds, and for the years 1904, 1905, 1906, and 1907 it was from 25.28 to 33.07 pounds per capita. Wheat and wheat flour, then, from 3.44 to 4.89 bushels per capita; now, from 6.15 to 7.07 bushels per capita. Corn, then, as low as 17.18 bushels per capita; now, from 26.74 to 33.11 bushels per capita. Sugar, then, from 62.05 to 66.07; now, 70.15 to 77.15 pounds per capita. Coffee, then, from 8.11 to 9.33; now, 9.91 to 12.17 pounds per capita.

In these years prices were only about one-half—in many instances much less than one-half—and, as a result, our factories were in the hands of receivers; our industries were on the verge of helpless bankruptcy and disaster. A large number of people were out of employment and many in want, solely on account of the vicious provisions of the Wilson-Gorman free-trade bill, and, of course, our farmers were without a market for their

products. That bill was but one step in the direction of free trade, yet it brought poverty and idleness to our people and an industrial stagnation to this whole land. It went further than that. It brought about a deficit in our Treasury, as well as a steady decrease in the earnings of labor and land. As work at home diminished, the ranks of the unemployed increased, prices of agricultural products fell, and business was demoralized on every hand. When we look back to the dark and direful days from 1893 to 1897, I take it that nobody wants such conditions to recur. I take it that protection and prosperity is preferred. But protection does not imply that all of the present duties should be retained, and wherever the present duties are found to be excessive, by all means they should be reduced.

Gentlemen, if we are to legislate so as to protect all, to insure living wages to the wage-earner and to give living wages and profits to the manufacturers, we must make it possible for the American farmer to sell what he produces at prices that will enable him to buy the manufactured products at increased prices on account of higher prices paid for labor. In other words, if one is given protection, all must be treated alike, and nobody should be discriminated for or against. All Republicans stand united in believing in that great and cardinal principle, a principle the Republican party has battled and fought for since its inception. Republicans stand united for a protective tariff to all worthy and legitimate industries, and denounce free trade as advocated by our Democratic friends. We believe in the upbuilding, encouragement, advancement of American industries, and a tariff that will benefit labor and result in the common good of all our people. While we do not contend that a perfect bill can be drawn or agreed upon, we all fully appreciate that the many varied interests will have to be harmonized; and necessarily this bill, like all previous tariff bills, will be a compromise measure, and the policy now, as in the past, will be to give and take and make the best law possible. But we do contend that with the changed conditions the present law can be improved. While our efforts should be to revise the tariff downward, yet in every instance we should see to it that the principle of protection is adhered to. But protection to American industries means protection to worthy and legitimate industries; it does not mean protection to fraud, deception, monopoly, and combinations in restraint of trade. Tariff revision downward does not mean adding to the present duties, directly or by countervailing duties, or to retain excessive duties.

It does not mean a countervailing duty on petroleum and its products, or to impose a tax of 19.2 cents per gallon at American ports against oil imported from Russia, in order that the Standard Oil Company may continue to sell its oil in the United States at 2 or 3 cents more per gallon than in Europe and other parts of the world. Judging from the dividends paid by this trust, dividends ranging from 40 to 48 per cent on stock, much of which contains water, I take it that this trust is doing fairly well and can get along without the countervailing duty provided for in this bill.

In view of the discrimination which is so manifest in this bill, if a rule is brought in cutting off all amendments to the bill, or a rule that will not permit a vote on the items referred to, or put tea, coffee, and lumber on the free list, reduce the proposed duty on gloves, hosiery, petroleum and its products, wire, billets and rods, and refined sugar, and restore a reasonable duty on hides, wheat, and barley, and increase the tax on beer; seeing it as I do, unless the special rule to be brought in provides for a separate vote on at least a majority of these items, I can not conscientiously vote for such a rule. I trust that the Committee on Ways and Means and the Committee on Rules will not consider the suggestion for a separate vote on a dozen items unreasonable, when, under the Constitution and the practice of every other legislative body in this land, every Member would be entitled to a separate vote on every one of the 4,000 items in the bill. It seems reasonable that even under the rules of this House its Members should be allowed to record their judgment on at least a dozen items out of 4,000; and that if nine members of a committee are allowed to fix the rate on 3,988 items, that the balance of the 380 Members of this House ought to be allowed to participate in fixing the duty on at least 12 out of the 4,000 items.

Mr. RUCKER of Colorado. Mr. Chairman, my apology for appearing before this body at the infancy of my membership is not that I have been coerced to do so by this side of the House. Inasmuch, however, as the law now to be enacted will likely remain upon the statute books long after it will have been forgotten that I was ever here, and in view of the further fact that unless my views are now presented an opportunity will never come to give them expression again, I have concluded to cut in right here, for, judging from the number of speeches already made and to be made, my constituents, who are vitally interested in this measure, may consistently send out a search warrant to find out where I am.

I come from a State where we produce nearly everything that is denominated "raw material" and concerning which most of the contentions arise. Colorado is the greatest gold and silver producer in the Union. It has its iron, lead, zinc, coal, wool, hides, and oil, and if given equal rights under federal legislation, in my opinion, will within a few years exceed all other States in the production of each. I will not undertake to tell its many other resources. We are vitally interested that our State should grow apace with all other great Commonwealths of the Union as respects immigration; and you who represent the States to the north and east and south of us must look to your laurels if you expect to keep pace with us in increased population during the next decade.

I will give you one bare illustration. Colorado is nearly eight times the area of Switzerland, and Switzerland is about as thickly settled a region, mountains and plains considered, as can be taken for comparison. There is nearly three times as much land susceptible of cultivation in Colorado as there is in Switzerland, and yet Switzerland supports 200 or more persons to the square mile, and Colorado has not to exceed eight. With her vast undeveloped resources and unoccupied area, one need not make claim to any special gift of prophecy when he says that within the next thirty years Colorado will be the banner State of the Union, both in wealth and population. [Applause.]

While it may be true, as our leader, the distinguished gentleman from Missouri [Mr. CLARK], says, that there is a decrease of babies in this country, I must say that that can only be so in spots. It may apply to Missouri, but it does not, so far as my observation goes, apply to Colorado. And yet we do not expect to wholly populate our State, as it should be, from that natural resource alone, and we are not begging for help along those lines, but we bid you welcome with your own wives. [Laughter.]

I will say nothing here about her grand mountains that tower the crest of the continent, nor refer to her turquoise, cloudless skies, eclipsing those of renowned Italy; her bracing air; perpetual sunshine; health resorts; healing waters; rampant rivers, a boon to the agriculturist; her independence of direct precipitation for bountiful crops; her gurgling rivulets, conducting to the sea, ever a source of joy to the eye, as well as to the ear. [Applause.]

Nor will I dwell on her political magnificence, her economical administration of public affairs, her law-abiding citizens, her world-wide famed most beautiful cities, managed and controlled by municipal officers of that rank and distinction in ability and honesty that forbids criticism from the most exacting.

If, however, I were challenged to point out wherein she is most progressive, it would be that years ago we gave equal rights of suffrage. [Applause.] We have adopted what seemed to be the scheme of the Almighty in giving woman her proper place in the affairs of the world. [Applause.] Eve was not taken from the head of Adam, nor was she taken from his feet. The head was in no degree lessened in its strength to deal with the great affairs that men were destined for, nor was it symbolized that woman should be buffeted along with the foot, but she was taken from the rib, symbolizing that in all the walks of life she should be the companion of man, his comfort and his equal, in a position where each could lean upon the other whenever need might come. And, Mr. Chairman, in extending suffrage to women we have purified politics. While our elections hitherto had been characterized by ruffianism and drunkenness and brawls, equal suffrage has made of elections a day near approaching the Sabbath added to the calendar.

Before going further I take pleasure in referring to the remarks made by the gentleman from Michigan [Mr. FORDNEY], in his magnificent and intellectual effort upon this bill, to my predecessor. The gentleman was profuse in his compliments of Mr. Bonynge; he was not extravagant. During my canvass against my friend Bonynge I was more profuse, though not extravagant, because whatever may be said of my friend's virtues, his integrity and ability can not border upon extravagant lines. We have been friends for a quarter of a century. Ours was a friendly contest. And here I may say I have not hitherto had any curiosity to know how he voted in the committee of which he was an honored member and from which this bill emanates.

I say I was not inquisitive concerning his attitude, because I did not believe he would ever run for Congress again in my district. Now, I do not mean to say that I thought he would not run because I should, nor do I mean to say that I shall be a candidate again, though I assume from what the distinguished gentleman from Michigan said that Mr. Bonynge voted for all the features of this bill, and if that is so, perhaps I should, before finishing, point out wherein I think he has made a mis-

take so far as some of the interests of his former, and my present, constituents are concerned. I should doubtless compliment him for having supported certain measures presented in the bill. I should likely point out also wherein my friend did not go with his party, and also give some reasons why he was defeated. I could only properly do this, because the gentleman from Michigan has served notice on me that I must beware how I vote upon the pending measure.

First, I want to say that my friend Bonynge was not entirely en rapport with me upon the question of woman suffrage. He opposed it with all his might and magical power. His party was in favor of free sugar. I was opposed to free sugar. He opposed his party then, but was rebaptized after he got in the committee, and helped to bring forth a measure destructive of this home industry. I opposed free sugar because we had an infant industry in the growing of sugar beets and 16 factories built and operated on the premises of the Republican party that there would remain a protection. Furthermore, it was believed that if elected he would be in favor of increased duties upon articles of consumption that our people were vitally interested in having put on the free list. If Mr. Bonynge had made clear to the voters that if elected he would vote as it is now indicated by the gentleman from Michigan that he did vote in committee—for increased duties upon ladies' hosiery, ladies' gloves, and children's toys, taking the duty off of hides, placing a duty upon lumber, upon petroleum, placing a duty upon numerous other articles in diametrical opposition to the interests of our State—then, instead of my getting over 21,000 Republican votes in my district and defeating him over 3,000, the election would have gone by default in my favor without any effort having been made by that glorious band of women suffragists, the ballots of the middle classes, the labor vote, and the colored vote of our State. [Applause.]

In this connection, I am going to say something by way of compliment to the Republican voters of my district. Mr. Bonynge and I were invited to make a nonpolitical speech at a country fair after we were both nominated, though the actual campaign had not begun. A gentleman who had been sometimes in, but was at that moment out of, the insane asylum congratulated Mr. Bonynge upon his nomination and assured him of his election. Mr. Bonynge said to him:

I thank you very much for your words of encouragement, but wish you would tell me why you think I am going to be elected. Here is my friend RUCKER, who stands pretty strong in this district, and he, as well as I, would like to know, because I might induce him to withdraw if he stands no chance.

Well—

His friend said to him—

I know you will be elected, because I can promise you the vote of every feeble-minded adult in the district.

[Laughter.]

To the surprise, however, of many people, there were not so many feeble-minded voters, after all, in the Republican party in that district, as was shown by 21,000 Republicans voting to uphold the Democratic principles.

The tariff question was discussed a great deal out in Colorado; the people were very much interested in all its phases. It was believed, and the vote shows, that the Republican party did not intend to revise the tariff downward as long as the protected interests of the country would be better served by its being revised upward or let alone. And this bill, coming as it does from the Republican party, is a justification of the verdict rendered by our State, and, besides, a bitter disappointment to the Nation.

I do not believe there is a man upon the opposite side of this Chamber who has the temerity to proclaim that had the people known that the special trusts' interests were to be protected as they are protected by this bill the greatest statesman who has lived since the last breath left the body of Jefferson, the father of Democracy, would not now be the Chief Magistrate of this Nation.

I do not propose to enter into any quarrel upon this floor. Everyone is entitled to his honest opinion. I must have more proof than I now possess before I shall conclude that any Member is actuated by other motive than that of promoting the general good. If he is in error, I assume that it is from a lack of knowledge incident to a lack of industry in the examination of the tariff question.

In the main, I quite agree with our splendid leader from Missouri [Mr. CLARK] and with the gentleman from Alabama [Mr. UNDERWOOD], and I may say, in general, with all of the distinguished Members from our side regarding the academic theory of a tariff, but the great trouble, it seems to me, is that the minority always, and sometimes the majority, suffer when it comes to the enactment of laws particularly applied to their local conditions. I fully agree with the minority side that a duty ought to be placed upon everything imported into this country in a relative degree for the purpose of revenue only, and I believe with the majority, that so far as it can be made possible, an industry in our country, where a duty is essential to its existence, ought to be protected.

I have found extremely good arguments upon both sides of this Chamber in favor of a duty upon all the productions of the Middle West, and especially those of my own State. However, I wish to call attention to one item in the schedule that has been placed upon the free list, upon which, so far as I have been able to hear, there has been no comment whatever, and that is silver. You are aware of the fact that the Government is now purchasing silver and making a profit upon that purchase, discriminating against the American producer.

I have told you that Colorado is the greatest producer of silver of any State in the Union, and this notwithstanding it has gone to the lowest price ever known in the history of the Republic. Many of you, however, are aware of the fact that the views of public men, financiers, monometallists, and bimetallists have undergone a wonderful change in the last sixteen years. You know now, and if you do not know you will soon learn, that this whole tariff scheme and the ideas now prevailing respecting it may undergo a change amounting to a revolution in the not far-distant future. It is demonstrated beyond a contention that the Orient, during this suspension of the rights of silver with gold, have, with their initiative capacity, been able to build up and equip factories equal to, if not superior to, those now in use in this country; that the falling off of exports to the Orient is but the premonition of what is to follow.

In other words, when these countries, though nominally doing business upon a gold basis, but actually doing business upon a silver basis, paying the lowest wage with the lowest price in silver, buying her raw products with that low silver and selling to Europe, as well as to this country, their manufactured goods upon a gold basis, what, I ask you, will it mean in the matter of exchange, they having the advantage of us from 30 to 50 per cent?

It is true, Mr. Chairman, that cobwebs line the shafts upon many of our silver mines. Bats and owls inhabit our shaft houses. Our smelter chimneys no longer give forth smoke. Our furnaces are cold. Thousands of mines are idle, yet our great productions agricultural, as well as of gold and silver and other metal productions, made it possible that the panic of 1907, but for the telegraph wires, would not have been known to exist. So varied and so great were our resources that the blow was parried.

I am not even the son of a prophet, but I wish to serve notice upon you, who represent the large manufacturing interests of the Atlantic seaboard, that you will ere long make a greater cry, and I hope it will be heard farther, than we in the past have made in behalf of the silver cause. When the time arrives that the Orient shall cut you out from European markets, as well as cut you out entirely from its own markets, a petition will go up to the body then sitting in these seats to which our petition years ago for the retention of silver as a money metal will be incomparable.

As a starter in this direction and in order to keep the water out of the shafts, prevent the drifts under them caving in, entailing as they will untold expenses, brush away the cobwebs, drive out the bats and owls, give employment to thousands of men, better feed and clothe thousands of women and children, by doing something for silver. The miners are already unmercifully punished through discrimination against them by increased duties upon everything they wear, on all their tools and implements, as well as the explosives used in mining.

Now, for a moment, let us go to the interests of the farmer. More than half of the population of this country uses petroleum as against electric and gas lights. They expected a reduction by this Congress commensurate with their needs. In this so far they have been disappointed, but on the other hand legislation is proposed to augment the commercial power of the greatest monopoly the world has ever known. How the dominant party can escape from what I believe to be the just criticism that it is legislation in the interests of a campaign contributor, and for that reason alone, I can not see. Much has been said on the floor of this House in defense of the protective idea and in defense of the large corporations, upon the theory that their existence was necessary, because of the increased employment given to labor.

And this, regardless of the fact that many of these corporations control more than 50 per cent of the products of their special industry. We on this side especially notice that our friends on the other side will not acknowledge that there is such a combination as crushes to death every new and independent enterprise. They on their side are apparently afraid of the declaration made in our platform of the distinction between a healthy competitive combination and a pernicious trust.

I have looked over the several schedules with great care to discover how we farmers are remembered by the committee. It did not remember us in fixing the bill regarding petroleum. It remembered us in a reasonable degree in the tariff upon wood. But in that much greater production, hides, we were entirely forgotten.

I have listened to the arguments made by the distinguished men, and among them the honorable chairman of the committee, Mr. PAYNE, and yet I am not convinced that the hide does not add value to the animal sold. For the last thirty years I have been a breeder and raiser of live stock, and there never occurred in my dealings as a seller of an animal the question of price, as far as the hide was concerned, except in the sale of a steer, and then the price of the hide was always a part of the value of the animal. No amount of argument will convince breeders of cattle that the hide is not valuable. Therefore I must agree with the committee and vote for the duty upon hides imported into this country.

Without exception everything the farmer uses, either in the building of his house, his fences, his farming machinery, or his implements, are taxed to the prohibitive point. Nothing upon his table, except what is raised upon the farm, escapes the taxation, and a monstrous proposition is made in this bill that he should discard tea and coffee and substitute beer or other intoxicants.

The present Chief Executive, at Topeka, Kans., last fall during the campaign was wont to elaborate on how protection benefited the farmers. He referred to estimates of how many mules had been raised in the country, horses, cattle, sheep, hogs, even the agricultural productions of the farmer, such as wheat, oats, barley, rye, corn, potatoes, beans, peas, and so forth. In my canvass I sought in my feeble way to answer that speech, and to do so I carefully looked into the tariff schedules of the Dingley bill. I found to his credit that all of these productions had been protected under this law. But I also found, upon investigation, that no foreign country entered into the competition with the American product. In other words, I found that we had supplied our own country and made large exports across the water in live stock and farm products.

And many of the speeches were made during that campaign by our Republican friends on the same lines. Our farmer friends were misled, I may say, purposely deceived, respecting the Republican idea of protection. I am willing now to go down upon record as saying that so far as the farmer vote is concerned the Republican party came into power upon false representation.

What a wonderful disappointment this bill has brought to the mothers of those babies that our leader, Mr. CLARK, referred to. Did he mean that he was not in sympathy with the bill wherein the toys and baby clothes were taxed beyond our means? For under the proposed law there is no inducement for importation of the playthings of children, and it follows in natural sequence that a premium is put upon the raising of fewer babies.

Now, apropos of this subject, may we not go logically to the duties on gloves and hosiery. As I view it, this is one of the most glaring iniquities of this bill, a provision so monstrous and heinous that it has aroused a strong protest from all America's womankind. It seems to me that a tax upon the gloves of our women and children is indefensible. I have it on the authority of an expert in these matters that by the schedules of the Payne bill the price of all imported gloves will be raised 25 cents per pair. This seemingly small sum becomes in the aggregate a frightful burden on every family man in the Nation, and I contend, sir, that such an increased tax has no shadow of justification. There will be not even any material benefit, since the family revenue, already strained to the utmost by the greatly increased cost of living, will not bear this additional weight, and the result will be a decreased consumption and falling off in imports. Remember that only one-third of the gloves used by our women folks are produced in the United States.

Among the many telegrams I have received from my State protesting against this provision of the bill is the one from Mrs. Sarah S. Platt Decker, ex-president of the American Federation of Women's Clubs, the lady renowned for her beautiful personality and intellectual achievements, one whose name is known to every patriotic woman in America. The telegram is as follows:

DENVER, COLO., *March 29, 1909.*

Congressman A. W. RUCKER,
Washington, D. C.:

Gloves and stockings are not a luxury, but a necessity for the health and protection as well as for civilization. Do not increase already heavy tax upon the family income and thereby bring about the inevitable result of relegating America to the rank of the barefoot nations.

SARAH S. PLATT DECKER.

Another is from Mrs. Katherine M. Cook and Mrs. Alma V. Lafferty, the superintendent of public instruction for the State of Colorado, the highest office in the gift of the Commonwealth to a woman, and the latter a member of the legislature, the only woman legislator in the United States. Their telegram is as follows:

DENVER, COLO., *March 29, 1909.*

Congressman A. W. RUCKER,
Washington, D. C.:

We feel sure that the women of Colorado are unanimous in their disapproval of the imposition of a tax on gloves and stockings, and with one accord approve your attitude in using your influence for the defeat of such a tax. This opinion has the unqualified sanction of all of the women in our State.

KATHERINE M. COOK.
ALMA V. LAFFERTY.

Also one from the county superintendent of public instruction, the lady orator and leader, second to none, and also the president of the Jane Jefferson Club of Colorado, which is as follows:

DENVER, COLO., *March 30, 1909.*

Hon. A. W. RUCKER,
House of Representatives, Washington, D. C.:

The Jane Jefferson Club of Colorado denounces tax on gloves, stockings, and other necessary articles. Democrats believe in a low tariff; women voters protest against this reduction upward of the tariff.

MARY C. BRADFORD.

Mr. Chairman, in the name of both justice and chivalric sentiment, which distinguishes Americans, I stand here and plead that this inequitable schedule be rescinded and the duty on gloves be allowed to remain as it is.

Sir, it is as true to-day as ever "that the hand that rocks the cradle rules the world." Fair woman's beauteous hand, the theme of poets, the darling subject of the world's greatest painters and sculptors, needs protection fully as much as the sordid home manufacturer, who wishes to put his own inferior wares on the market by driving out the finer products of the old world. Sir, in this great land of ours, every woman, from the kitchen maid to the wife of a millionaire, from the factory girl to the society queen, considers herself incompletely attired until her hands are covered. The poorest lass in the country or town will buy a pair of gloves, even if their cost be only 50 cents. Is this great Congress going to compel her to pay from her scanty earnings half as much again for this essential part of her costume?

The woman of average means is now the possessor of two pairs of gloves—one for common every-day wear, the other for dress. Enact this schedule and she will be able to purchase only one pair. Is this fair or right? We gaze with unfeigned rapture on the lily-white hands and tapering fingers of our wives, daughters, and sweethearts. How can the daughter of Eve keep this precious and adorable portion of her body in good condition so that it will continue to compel the adoration of the sterner sex, if she be deprived of the consolation and protection of the glove? Tradition says that when Antony met Cleopatra she ungloved her hand, and it says that its velvety touch had more force with the iron warrior than the pleadings and threats of the most stalwart men. And what man, sir, is brave enough to stand on this floor and vote to deprive lovely woman of the pleasure she derives by dressing her tiny feet in the sanctuary of her boudoir? Without a selfish thought and with no commercial interest to defend, I rise here and now seriously and emphatically to plead that this solar-plexus blow of injustice be not delivered. I plead for the hand of woman, that angelic part of her that rocks the cradle, extends the cup of water to the wounded soldier, and fans the brow of the fever-racked invalid.

In the names of the millions of good and sweet and true American women, I beg of you to vote down this oppressive tax.

So far as the duty on lead and zinc goes, whilst I am personally satisfied that the smelter trust gets the largest benefits, yet I realize the poor miner receives some benefit, and therefore I am personally inclined to vote for that feature of the bill.

I wish in this connection, in passing, to only refer in a few words to the proposition in the bill to fix upon the country an inheritance tax. I believe there are some 33 States in this Union on whose statute books are laws for the collection of a tax upon inheritance. Among them is my own State. It has proved to be a great revenue maker, and our legislature, now in session, has increased the tax so as to make it a still larger producer. It has just passed by unanimous vote a protest against this proposed federal tax, and I read you a telegram just received from the president of the senate and the speaker of the house:

DENVER, COLO., *March 30, 1909.*

Hon. A. W. RUCKER,
House of Representatives, Washington, D. C.:

Both branches of the seventeenth general assembly of the Colorado legislature unanimously adopt resolutions protesting against Government collecting inheritance tax as against States; memorial follows by mail.

H. L. LUBERS, *Speaker.*
By T. M. HOWELL.
S. K. FITZGARRALD,
President of Senate.

I realize that we Democrats, for the honor of the Nation,

duty ought to be placed upon everything imported into this

of the declaration made in our platform of the distinction between a healthy competitive combination and a pernicious trust.

Another is from Mrs. Katherine M. Cook and Mrs. Alma V. Lafferty, the superintendent of public instruction for the State

By T. M. HOWELL,
S. R. FITZGERALD,
President of Senate.

I realize that we Democrats, for the honor of the Nation, must come to the rescue and help wipe out the present and immediately prospective deficit. I believe that if the duties on imported articles, mentioned in the schedules, were so arranged that the Atlantic seaboard would not be especially favored, to the exclusion of the interest of the West and Middle West, an income-tax law enacted, together with the stamp tax, with which latter as you will remember the debt of the Spanish-American war was largely paid, this could be done. The burden of taxation under the stamp-tax law was shouldered by those who had a bank account, and what are known as the "common people" and "poor people" of the land were to such an extent favored as they were entitled to be.

In conclusion, in the brief time I am allowed, I wish to call your attention to a subject as new to you as it will be uninteresting. And, in approaching it, I must recur again to the compliments paid by the gentleman from Michigan [Mr. FORDNEY] to my predecessor, Mr. BONYNGE. There is one great industry in one of the counties of my district, a mine producing what is known as "fuller's earth," and I do not find in examination of the testimony in the hearings before the committee, when the subject of this tax was before that honorable body, that my friend from Colorado made any effort to protect that youngest industry of our Commonwealth.

The Republicans pride themselves upon being the sole protectors of American products, yet here is what promises to be one of the great industries of the country entirely overlooked.

I know that nine-tenths of you do not know what fuller's earth is; but when you have a carbuncle on your neck or any other result from impurities of blood, the first thing you do is to go to your druggist and ask for antiphlogistine. This is fuller's earth. But its main use in this country is in the refinement and clarifying of lards and oils, in the manufacturing of soap, refinement of cotton-seed oil, and it has also some use in the refining of mineral oil. It is also used in connection with the lumber industry.

Fuller's earth has been discovered only since 1893, and up to the present time is found only in America in Florida, Arkansas, Georgia, South Carolina, Texas, Alabama, California, and Colorado. Before its discovery in the United States the only source of supply was England, which now has the monopoly of the trade. By far the largest mine, and one nearest the largest packing houses, where its consumption is the largest, is found in my district, a small town called Akron.

The Englishman not only has the monopoly, but he has a secret process for its manufacture. I read from a report, dated November 19, 1908, made by our consul in England, as follows:

Deposits of fuller's earth exist chiefly at Bath, Nottinghamshire, and Maxton, in Scotland, in addition to the deposits in the London district, the proprietors of the latter refusing to give any details.

The consul for Bristol was applied to for any information he might be able to obtain as to the deposits in Bath. He made a special journey to that city for the purpose of learning the methods of working the deposits there, but the proprietor of the principal works stated that his method was a secret process, known only to himself, and absolutely refused to give any further information regarding his process, which, he stated, he himself attended to in a private laboratory, to which no one but himself ever had admittance.

The fuller's earth industry is practically controlled by a combine, which strictly preserves the methods of preparation of the earth, the final process being known to only one or two persons, from whom no information can be obtained.

It is brought into this country under the false pretense that it is unwrought, mostly as ballast, and at the minimum rate of $1 a ton. As such, the product has gone through nearly all of the stages approximating what is known as "wrought" so that the American labor has but very little to do toward making it what is known as "wrought" or "finished" product. The maximum rate is $3 per ton upon what is known as "finished" or "wrought" product. In 1907 three-fifths of the entire importation came in under the lowest duty, to wit, $1 per ton.

The result of this favoritism to our English cousins has been to close nearly every mine in the United States, and, so far as I am now informed, the one in our State is the only one being operated. The owners of this mine have spent nearly a hundred thousand dollars for its equipment, and have been selling for the last two years their product at a loss, hoping that Congress would do something in the matter of placing such a duty upon the foreign product as to ultimately bring them into competition. They could employ 500 men. They are now employing only 20.

It is inconceivable, and yet it is true, that even after only one side has been heard, these facts and many others having been presented to the committee in favor of the American producer, no one appearing upon the other side, the American producer was left by this bill just where he was under the Dingley bill. Effort was made to at least cause this foreign exporter to be made to pay the maximum duty, and this was denied by the committee, and the result now is that this valuable industry is practically shut out from the American market in favor of the English combine.

What the American producer needs, if infant industries are to be cared for at all, is the duty upon this import of not less than $7 per ton upon the unwrought material, and at the selling price and the growing demand for the article it can be demonstrated that the American manufacturer can be protected and at the same time the commodity can be made a revenue producer. Mr. Chairman, I will, at the proper time and when I have a greater opportunity to discuss this matter, ask for an amendment to this item in the schedule, hoping I can convince the majority of the Members of this House to join with me in the protection of the American miner, without injury to the consumer, and providing at the same time at least all of the present revenue from that source.

Finally, I wish to pay tribute to my old Colorado friend, Major Sylvester, chief of police of this District, when he forbade a man decorating his place on Inauguration Day from adding to the words, "One flag and one country," "one party," because the time has not yet arrived when we can say "one party;" though I think if the representatives of the interests on the Atlantic seaboard will remember what I have said about the West and the Middle West they may conclude that, after all, we should have emblazoned upon our standard "The United States against the world." Your lands from year to year are being impoverished. Ours are in the maidenhood of production. Your children and our children are intermarrying. Day by day we are getting closer to each other, commercially and socially. Our destiny depends upon a close relation. When you have met us halfway you can truly say, "One flag and one country," and before many years I hope that we may add, "and one party." [Loud applause.]

Mr. EDWARDS of Kentucky. Mr. Chairman, I have no criticism to offer on the motives or the ability of the great Committee on Ways and Means or its distinguished chairman. On the contrary, I believe this committee, with its experienced chairman, to be the most competent and best qualified body of men to formulate a tariff bill in the United States to-day, and I am not in favor of turning that important duty over to a tariff commission, even if it were possible under the Constitution to do so. But, Mr. Chairman, all legislation is more or less the result of concession and compromise, and I am not surprised that all the members of this committee do not agree on all the items in all the schedules in this bill. And I think the gentlemen of the committee were not surprised when they learned that all the Members of this body did not agree with their bill in every detail.

Mr. Chairman, in my devotion to the principles of protection to American industries and American labor, it might be that I would go as far as the gentleman from Missouri [Mr. CLARK] stated that the gentleman from Michigan [Mr. FORDNEY] would go, namely, "not to admit any goods into this country from foreign countries which this country can produce," but that, of course, would take a prohibitive tariff and would produce no revenue. Consequently, since we must raise several hundred million dollars revenue by taxing imports, I am in favor of placing the tariff for raising such revenue upon the items and in the amounts that will afford the greatest measure of protection to the greatest number of American laborers engaged in the industries which need that protection most in order to enable them to pay American wages to American laborers and compete with the foreigners.

The minority leader [Mr. CLARK], while discussing this bill, criticised some gentlemen who came before the Ways and Means Committee because they called their attention to the last national Republican platform, and while I agree with him that the committee desired technical information and not a mere declaration of principles, yet the people usually know what they want, and the last message we received from them declared in no uncertain terms against free lumber. By the aid of the last national Democratic platform, with its ringing declaration for free lumber, we succeeded in increasing the Republican majority in my district from 18,000 in 1904 to 22,600 in 1908. So you see we believe that party platforms mean something.

Mr. Chairman, many people, including some Members of Congress, who have been earnest in advocating a reduction of the small tariff on lumber, and those who have demanded free trade in lumber have done so upon two main propositions; first, that the manufacturers of lumber were in a trust or combination in restraint of trade and were charging exorbitant prices, and, second, that free lumber would preserve our forests. It seems that neither of these contentions is correct. I have read the hearings carefully and think it is clearly shown that there is not and never has been a lumber manufacturers' trust or combination in restraint of trade, and if any such thing does exist it is among the jobbers or wholesale dealers in certain kinds of lumber in certain retail territory.

Mr. Chairman, I would be the last man to vote a tariff protection or any other sort of protection to an unlawful or unjust combination in restraint of trade. I am somewhat acquainted with the business of manufacturing lumber throughout this country, and especially in my own State, and I am certain that they have no combination which controls prices; therefore I do not think that any gentleman can justify his vote for a reduction of the tariff on lumber upon the theory that he is voting against a trust. One of the most amusing things to a person who is familiar with the difficulties surrounding the ordinary sawmill man and his business is the widespread impression which seems to prevail upon this floor among the Members from the cities and from the agricultural districts that all sawmill men are millionaires. Why, let me tell you a true story of an incident which took place up in a certain lumber district back in the nineties, when we had free trade in lumber under the Wilson law. One of the boys who worked in a mill was indicted for some minor offense and fined $25. He wanted to give bond for the amount, due in ninety days, and offered his employer as surety, who stated under oath that he owned several hundred acres of timbered land, besides his little farm and live stock, and the judge of the court was about to accept the bond, when the man also stated that he owned a sawmill. The judge refused to accept the bond, and stated that if he was not already insolvent he would be before the ninety days expired.

Mr. Chairman, the lumber districts, while depending largely on the farmer for a market for lumber, are also the best customers the farmer has. In my State we sell a great deal of lumber for tobacco barns and tobacco hogsheads, and when the farmer is prosperous he buys lumber, and when our lumber people prosper they buy and consume more of the farmer's products. I ask my farmer friend when he ever received such high prices, upon the whole, for everything produced upon the farm? I ask him if he would have the wages for his best customer reduced, force him out of the lumber woods onto the farm, and make out of him a competitor? Gentlemen are unreasonable in their complaint about high prices of lumber. If you take for a basis the big, broad, clear white-pine board it may seem high, but that is not the kind of lumber mills can now produce or the kind that is demanded or consumed, except in a very limited amount. Here is the kind of lumber made and used. I hold in my hand an inquiry for lumber, with actual prices offered, mailed by a firm in Cincinnati, Ohio, on March 24, 1909, which I will read:

Please advise if you could furnish one car 2 by 4 by 10, No. 1 rough yellow pine at $15.50 f. o. b. Cincinnati, subject to a commission to us of $5 per car.

Now, you remember, those of you who were present, when I asked my able and adroit friend from North Carolina what lumber was worth f. o. b. cars at the mill in his State, I stated ordinary pine framing, and he said it was worth from $15 to $20, and yet you see here is a bona fide offer or inquiry from the city of Cincinnati, which gets most of its lumber from the South, offering only $15.50 f. o. b. Cincinnati, and after you pay the freight from North Carolina and pay this commission and take off 2 per cent for cash you would have about $7 per thousand left.

Mr. GARRETT. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Kentucky yield?

Mr. EDWARDS of Kentucky. I yield for a question.

Mr. GARRETT. Do I understand the gentleman is a lumber dealer?

Mr. EDWARDS of Kentucky. No, sir. I have manufactured some lumber and sold it in the past. I have some lumber now. I overheard some gentleman ask that question. I may say right here, Mr. Chairman——

Mr. HEFLIN. The gentleman overheard my remark to the gentleman from Tennessee. Did I understand the gentleman to say he is interested now in the lumber industry?

Mr. EDWARDS of Kentucky. Yes.

Mr. HEFLIN. A tariff on lumber would benefit you personally?

Mr. EDWARDS of Kentucky. If it would benefit the lumber industry, which I contend it will, it would.

Mr. HEFLIN. Does the gentleman think he ought to vote on this proposition in this House?

Mr. EDWARDS of Kentucky. Mr. Chairman, if there is a man in this House representing a great congressional district in the United States to-day who has no personal interest that this bill might affect one way or the other, I would like to have him stand up and give his name.

Mr. HEFLIN. I will state——

Mr. MACON. Here is one who does not know of any protected interest that he has in it.

Mr. HEFLIN. It does not affect me personally, of course, but some of my constituents are interested in lumber, and I want to say——

The CHAIRMAN. Does the gentleman from Kentucky yield?

Mr. EDWARDS of Kentucky. I do not yield for a speech.

Mr. HEFLIN. It will not take a minute to state to the gentleman——

The CHAIRMAN. The gentleman declines to yield.

Mr. EDWARDS of Kentucky. A gentleman who represents a district here who is not sufficiently identified with the interests of his district or of this country that the passage of this tariff bill might affect him in any way is, in my opinion, merely a politician and is not a citizen who makes his living in any other kind of business like most of the Representatives here do——

Mr. MACON. Mr. Chairman, will the gentleman yield for a question just there?

Mr. EDWARDS of Kentucky. Just for a question.

Mr. MACON. Just for a statement. I know of no interest of mine that this bill will affect. I tried to make a living practicing law and farming before I came here, and I submit that if this bill protects or specially favors either of those callings or professions I do not know it.

Mr. EDWARDS of Kentucky. Mr. Chairman, I can not yield for a speech.

Now, my free-lumber friend, how long do you think it would take you to go out in the yellow-pine districts of the South and buy stumpage at the prices you have been taught to believe stumpage is bringing, cut it into lumber, and by so doing convert yourself into a millionaire lumberman? Why, you have been told, and correctly so, that this lumber would weigh, green, 4,000 pounds to the 1,000 feet, and the freight rate from the South to Cincinnati is at least 20 cents per 100 pounds, or $8 per 1,000 feet on this kind of lumber. So in this case, after you pay commission and stand a cash discount, your lumber will bring you less than $7 per thousand feet f. o. b. shipping point. I want the attention of those in favor of free lumber, and of the chairman of this committee, who think a reduction of the tariff on lumber imperative in order to check the advance on stumpage. I hold in my hand a proposition to sell 10,000 acres of selected virgin timber in the States of Georgia and South Carolina, and which is estimated to cut 6,100 feet per acre of yellow-pine and hard-wood lumber, besides the railroad ties, telegraph and telephone poles, pulp wood, and other kinds of timber. They estimate this land to be worth $2 per acre after all the merchantable timber is removed, and the price asked for the timber and land is only $7.50 per acre in fee. Now, about how long would gentlemen who vote for free lumber for the purpose of preventing the advance of the prices of stumpage have the holders wait for a market?

Mr. Chairman, I shall not enter into an academic discussion of the importance of conserving all our great natural resources, and especially our forests, the destruction of which would deprive future generations of their great benefits and blessings in the many uses made of their products, and leave our great mountains and slopes, which they now protect, to wash down and dam up our rivers, destroy their untold water power, and render worthless their fertile valleys by inundation.

Mr. Chairman, there is a great deal of difference in taking the matured and fairly well-matured trees out of a forest and in absolutely destroying or denuding a forest. Down in Kentucky we are practicing the first and sensible method. This timber has been saved for many generations already, and the owners feel like it is real property, since they and their ancestors have been holding and paying taxes on it, waiting for a market for more than a century and a quarter, or ever since Daniel Boone and George Rogers Clark discovered that there was a better country beyond the Cumberland Gap. Here I will insert a short opinion of the leading forester of the country, showing that free lumber would not conserve the forests.

Gifford Pinchot, Chief of the United States Forest Service, in a communication to the Ways and Means Committee of the House of Representatives, says:

"If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my opinion it would accomplish neither.

"Free lumber would not materially reduce the price to the consumer. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our forests. It it not likely that under free lumber more than 5 per cent as much would come from Canada as we would cut at home. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Imports from Canada would not be enough to limit the cutting of our own forests or to reduce the price of lumber in any important degree.

"The fundamental question at issue in the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of

exporter to be made to pay the maximum duty, and this was

the same opinion, I should favor the removal of the tariff. But I am unable to see how free lumber will promote forestry.

"There is only one way to save our forests: That is to see that they are kept at work growing new crops of timber as the old are cut away."

Mr. Chairman, it has been stated during this debate that if we did not get pulp wood free from Canada our paper mills would have to shut down, and when I suggested that the paper mills go south, where thousands of cords of pulp wood was going to waste annually, I was met with the statement that there was no pulp wood in the South. Why, Mr. Chairman, many of the States south of the Ohio River are full of pulp wood, such as spruce, basswood, poplar, and buckeye. Back under Democratic free trade, when southern pine was so cheap, hemlock was often deadened in order to clear up the land for farming purposes and left on the ground to rot. Only a few years ago hemlock came into the market for lumber, which gave it some little value in the tree, but the tops have gone to waste in the woods, and the slabs from saw logs have been burned at the mills in order to get them out of the way. In this connection I desire to quote from a letter dated March 25, 1909, and addressed to me, as follows:

Referring to the matter of placing wood pulp on the free list and the reduction of duty on lumber, wish to call your attention to the fact that we are buying and expect to ship from your district in Kentucky this year something like 10,000 cords of pulp wood.

This wood is gathered principally from tops of trees after sawmilling. This will mean something like $50,000 of cash money put into the hands of the laboring people of your district, where they need both money and work.

If ground wood pulp is put on the free list, we will not be able to ship wood from this territory, and the people in our mountain sections will have to suffer.

Mr. Chairman, it is not necessary for me to dwell upon the resources of the South or its abundance of raw material. Why, sir, in my own State we have 16,000 square miles of coal, many mountains carrying two to five distinct and valuable veins, and it has been estimated that if this coal was distributed over the State there would be enough to cover its entire surface with a 3-foot seam. Many of our mountains are filled with iron ore and covered with virgin forests. Yet, owing to a lack of railroad facilities and delay in improving our rivers, we are unable to deliver these raw materials to the Great Lake centers and compete with Canada, even at the same rate of wages.

While discussing this bill the other day, the gentleman from Missouri, [Mr. CLARK] stated that he was for free lumber in the interest of the home builders of this country, and delivered a most pathetic lecture on the blessings which come to society by reason of the people owning their own homes. I agree with my distinguished friend that every American citizen should own his home, but we differ in the policy which should be adopted for the purpose of making this possible. People do not build homes when materials are cheap, for when material, which is the product of labor, is cheap, labor is also cheap, or not employed at all, and can not buy or build a home, no matter how cheap it may be.

Then, before gentlemen decree that the men who labor in the woods and at the sawmills should work cheaper so other people may have cheaper homes, would it not be well to examine the homes and conditions of the 800,000 men who labor in the production of lumber? I speak for the men who work in and about the 26,000 small sawmills in this country and the men who own the stumpage in limited quantities and who supply these small mills.

I speak for the men who furnish the timber and the men who perform the labor in producing more than three-fifths of all the 40,000,000,000 feet of lumber produced in this country. They have no lobby. They have no trust. They are not organized to fight for their interests. They have no money to pay the expense of a lobby. If you take the tariff off of lumber and it makes it cheap for the home builder, the millionaire mill operator and the millionaire owner of stumpage can wait until the demand brings back the price; but the half million men who labor in the small mills must work; his hours are from sun to sun, and from the very nature of his business he is often compelled to live in shacks and huts. Would you reduce his wages in order that others more fortunate than he might have cheaper homes?

Now, in conclusion: Much has been said in the hearings on this bill and in these debates about the consumer. When I speak for the lumber industry and for the coal industry, I am pleading for fair consideration of the millions who labor in these industries. They are the consumers and buy everything that they consume. They are the farmer's best customers. If you put coal on the free list and reduce the tariff on rough lumber from $2 per thousand to $1 per thousand, as proposed in this bill, and the farmers and manufacturers get their lumber and coal from Canada, they will destroy their best markets. If these reductions will not bring coal and lumber from Canada, then it will do no harm to leave them as they are in the present law.

Much has been said in these debates about sectionalism. Mr. Chairman, in my opinion the only way to prevent a sectional law is to give full and fair consideration to every section and just protection to every industry. If the theory of protection is sound, its benefits can not long be confined to the immediate locality in which the protected industry is situated, but will, by giving employment to labor, furnish a demand for the products of other sections. The coal miner buys his provisions from the farmer and his wearing apparel and house furnishings from the manufacturer, but has no quarrel with either. Because, in turn, they buy his coal, and while he lives in one section and they in another, each is dependent upon the other. The coal miner is making no unreasonable demand, but when gentlemen on this floor make earnest appeals for cheaper fuel for the American fireside, they should not forget the man who digs the coal. I would not, in any way, check the prosperity of the farmer, or in the least add to his burdens, for he is the salt of the earth. But his prosperity depends upon the prosperity and employment of labor, and not among the least of these are the coal miners. I have been a farmer many years of my life. I never owned a coal mine, but my sympathy goes out for the man who lives in an humble cottage of two or three rooms, and who takes his dinner pail in one hand, his coal pick in the other, and, after kissing his wife and children good-by, goes into the bowels of the earth to dig coal that they may be fed and clothed and educated—often in mud and water, sometimes encountering the falling slate and deadly gases from which he never returns.

Mr. Chairman, if this be sectional, then I plead guilty of sectionalism. If this be in the interest of the producer and not of the consumer, then I am guilty of that.

Mr. Chairman, believing that what is best for the whole country will in the end be best for every community and our individual homes, I shall bow in submission to the decision of the majority on these questions. And when every man has had his say and this bill is put upon its passage, I shall accord to all gentlemen that same degree of patriotism and honesty of purpose which I claim for myself, although he may differ from me. I shall not doubt that he, too, is performing his duty as God has given him the light to see it. I thank you. [Loud applause.]

Mr. A. MITCHELL PALMER. Mr. Chairman, I trust I am not violating what the distinguished Speaker of the House is fond of calling the "proprieties of the occasion" by injecting into the debate this evening the views of a man who has seen only two weeks' service in the House. It may well be, however, that, although lacking in the large experience which is the valuable asset of the older Members of the House, a new man may look upon questions such as now confront this committee out of eyes that have no astigmatism by reason of congressional custom or precedent and, coming as he does fresh from the country, may speak from the view point of the great body of the people outside of this House.

I shall not hope, Mr. Chairman, within the narrow limits of the time which has been allotted to me in this discussion to-night, and especially when handicapped by the natural nervousness which is the necessary attribute of a maiden speech, to add anything to the learning of the great subject which is now engaging the time of this House and is receiving the unprecedented interest and attention of the American people. I do not pose as a tariff expert, with any peculiar knowledge or satisfying information about any particular schedule in this bill, nor shall I attempt to do that which the leaders of both sides of the House have pronounced to be utterly useless at this day—engage in any academic discussion of the tariff problem.

I shall not admit, however, that my purpose in making this speech is in any degree akin to the reason which impelled the oratory of that historic personage who once represented a district upon the floor of this House within whose bounds was included the famous county of Buncombe, for whose people and to whom he spoke from the floor of the House, for there are some things in this bill which a wayfaring man, though a Republican, must find to condemn. [Applause on the Democratic side.] And there are many features of it which even a new man, with all the innocence and ignorance which are usually attributed to him by Members older in service, may find to warrant criticism. Now, as I have said, I do not propose to enter into any detailed discussion of the measure.

Although entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States," this proposed legislation is performing the same function which in smaller departments of government is performed by the assessor,

It proposes to fix the basis upon which the people shall pay the taxes necessary to support the Government, and which the Republican party profess to believe necessary to encourage the industries of the country.

And the feature of the entire tariff discussion which was as prominent in the hearings before the Ways and Means Committee as it is conspicuous in the bill which is the result of their labors is that the taxpayer, out of whose pockets all the revenue provided for in this bill must ultimately come, has been unheard and apparently unrepresented.

We are said to be a producing people, and I may add that, judging from the quantities of briefs, pamphlets, circulars, letters, and telegrams from the producing class of the country that have fallen about the heads of Congressmen, thick as leaves in Vallambrosa, we are a greedy people also. The air is heavy with the demands of the industries which need encouragement; with the wails of interests which demand protection; the Capital City is filled with the lobbies of giant industrial combinations whose right to enormous profits, so long enjoyed under similar laws, they have come to think so vested as to be immune from legislative disturbance, while the interest which needs protection most suffers from the want of organization, and seems to have few friends at court—the great, consuming public, the real and final victim of the taxing power exercised in this bill.

So far as my observation goes, no tariff bill that was ever framed has trampled so ruthlessly upon the rights of the ultimate taxpayer as does the present measure; never before has even the Republican party been so regardless of the cost which the practice of the protection theory brings home to the poorer people; never before have so many of the necessaries of life been taxed so heavily for the encouragement and assistance of the great industrial concerns which control the manufacture and production of those necessaries.

The minority leader in his speech last week referred to the fact that now that the chairman of the Ways and Means Committee has his name linked to a tariff bill, he has taken a permanent place in history. It is extremely probable that after his bill has taken its constitutional trip to the other Chamber of this Congress, his name will be only a small portion of the hyphenated title of the bill and his conception of a tariff law will have been relegated to the realms of ancient history; but even if they do engraft upon its name that of a distinguished statesman who will have much to do with its reconstruction, the chairman of the Ways and Means Committee will have the satisfaction of knowing that the people of America will always look upon it as the Payne bill, for when the distinguished and disinterested friends of the poor who do business at the other end of the Capitol get through with this bill the "pain" that will be inflicted upon the taxpayer will forever embalm the chairman's name in glory.

My own feeling is that from a purely political standpoint no Democrat ought to complain about this bill. The darkest hour is just before dawn. The greatest reforms grow out of the worst abuses of power. The more heavily you burden the people with this law the sooner it will be repealed.

For every necessary of life that you tax more heavily you open a thousand political meetings in the interest of the Democratic cause.

You turn the breakfast table of every working-man in America into a "talkfest" of condemnation of your indirect tax on coffee; you make every tuberculosis camp in the country a standing monument to the inconsiderate folly of increasing the cost of woolen blankets and woolen clothing; you cause the humble cottage of every American laborer to preach its mute sermon against the iniquities of the home-destroying policy which puts an increase on the price of lumber for the benefit of the great stumpage combine of the Northwest; and you convert every ladies' afternoon tea into an indignation meeting against your tax upon woman's favorite beverage until you will find that the definition of that function of society given by the great judge of human nature, Oliver Wendell Holmes, of "Giggle, gabble, gobble, git," will no longer adequately describe the serious discussions of the women of America in countless revivals of the spirit of the historic Boston tea party.

I am on my feet to-night for the purpose of referring to only a few features of the tariff discussion. Some inquiry has been made from the other side of the House as to the intention of the minority with respect to bringing in a bill of its own, either by way of a motion to recommit with instructions, or otherwise.

THE DEMOCRATIC POSITION.

And I want to say that I, for one, speaking as a new man who has come but recently from the ranks of the people into this House, would be extremely glad to see the Democratic criticisms of this measure shaped into a concrete Democratic bill [applause on the Democratic side], so that the American people may have ample and satisfactory evidence of the fact which we argued throughout the country last fall, that the only proper party with which to intrust the downward revision of the tariff is that party which for fifty years and more has been the consistent advocate of lower tariff taxes. And I believe that such a measure could be framed as would meet the almost unanimous approval and receive the practically unanimous support of the Democratic membership of this House; for let me say to our friends on the other side that, whatever impression you may have to the contrary, you will find that upon the question of tariff reform the Democratic party will line up with a solidity of front which will make the Republican phalanx look like the broken column of a political marching club on a stormy inauguration day. [Laughter and applause.]

It is an open secret here in Washington that the only reason the country is being entertained with the voluminous reading matter which is ground out here from day to day is because the Republican membership of this House are unable to agree sufficiently to cut off the debate and get to a decisive vote upon the tariff question. It is perfectly consistent with the theory of protection that there should be discord and lack of harmony, disunion and trouble, in the framing of a protective measure. The Democratic theory admits of uniting its followers more closely. It is the difference between policy and principle. Protection from its very nature appeals to the cupidity in men's minds. It encourages greed and is an open invitation to the methods of the logroller and the trader. Consequently the Republican party, though pledged to the revision of the tariff, and with the country understanding that that revision was to be downward, finds itself here to-day in this position—that every man upon the Republican side of the Chamber is willing to carry out that pledge provided the industries in his own district shall not suffer. [Applause.]

Every Republican Member wants revision downward in every other man's district except his own; and as a consequence you have so many factions on that side of the aisle upon this tariff question that even the big pacificator at the other end of the Avenue would find the state dining room of the White House too small to accommodate them all at a peace dinner, and he would not be compelled to call upon any warring Democrats to fill his table at that dinner, but would find, I think, that the police force of Washington would be inadequate to settle the disturbance that would follow upon his effort to get them to agree. [Laughter and applause.] On the other hand, gentlemen, the Democratic theory of levying a tariff tax admits of no favoritism, calls for the protection of no special interest, for it eliminates the protection element and lays the burden of taxation equally upon all classes of people. Its idea of framing a measure for revenue, the only purpose for which the taxing power should ever be exercised, does not encourage the thought of providing for one home industry as against another.

Under such a plan there would be no discord between sections if the tariff-reform principle of the party was followed with an eye single to the interests of the consumer who lives in every district; and I say to you that it is coming to be recognized upon this side of the Chamber more and more every day that the fact that a man who has been elected upon the Democratic platform represents a district in which there are large protected interests does not give him the right to leave his party upon the tariff question. [Loud applause on the Democratic side.] That fact will never give to any true Democrat, I say, that privilege; and if this debate continues very much longer the sentiment upon that proposition will be unanimous on this side of the aisle [applause], for we, at least, shall steadfastly refuse to ignore the demands of the people for lower tariff taxation, universally expressed and promised by both parties. My Democratic colleagues, we were elected to Congress upon the Democratic platform because the people believed in the principles for which we stood, and we would be unfaithful to our trust and untrue to our constituents if we construed our election into a mandate to provide for the protected interests of our districts.

If you will pardon a personal reference, I might say that I represent in this House a district in the great industrial State of Pennsylvania, which has within it large protected interests, which in their magnitude compare very favorable with those of any other district represented in this House. Within the four counties of my district is the great Pennsylvania slate belt, where 85 per cent of the slate used in America is mined, manufactured, and produced. We have enormous interests in the manufacture and production of cement. We have one mill alone which is large enough to have recently taken a single order for a million barrels of that product; and within my district also are the works of the great Bethlehem Steel Company, with

10,000 voting employees, even in these Republican times. I know, and I realize perfectly, that the prosperity of these industrial concerns is important to my people. I understand that their success means something for us; but I assumed, and they assumed, that so far as the principle of a protective tariff was necessary for their benefit, the Republican candidate was running in their interest, and the people of my district repudiated him by a large majority. [Loud applause on the Democratic side.]

Therefore, despite the fact that those interests are of such tremendous magnitude in my own district, I say that I should be not only unfaithful to my party but untrue to my constituents if I refused in this House to follow the Democratic lead for a reduction in the tariff taxes in the interest of the great consuming masses as against the interest of the great producing classes. [Loud applause.] And I make this assertion with the greater readiness because I believe that the interests of the laboring masses in all the industries to which I have referred are safer in the hands of Democratic control of the Government under Democratic policies of honest taxation for government economically administered than under the Republican policy of levying taxes from the toiling masses for the benefit of a privileged few.

THE INHERITANCE TAX.

A tariff bill can be framed which will provide sufficient revenue for the Government, if economically administered, without adding to the burdens of the poor. And if the duty on imports is insufficient for that purpose, I, for one, am perfectly ready to support an inheritance tax, and I should be ready, in addition, to support a graduated income tax. It would not be inconsistent to have both in the same revenue bill, nor would it be double taxation. The one is a tax on the earnings of a man during his life, the other upon his estate after death.

In the one case the tax gatherer lays his hand upon income, in the other upon principal; both are easy taxes to pay. The income tax is largest when a man is most prosperous and can best afford to pay it, while the inheritance tax is paid either by the decedent, after his need for money has passed, or by the heir before he comes into the possession of it. In either case it is as easy to pay as any tax can be.

Many Members have insisted that the inheritance tax is subject to the objection that it amounts to double taxation, which is odious to American institutions, because 33 of the States already levy that tax. They forget that practically every species of taxable property is now assessed for many different purposes and by different divisions of government. The real estate of the farmer is taxed by the township as well as by the county, while the State taxes the mortgage against it; and the mortgage tax, though levied upon the holder of the mortgage, is, in the last analysis, always paid by the owner of the property. The man who converts his earnings into personal property should be treated no differently from the farmer who puts his into a home, where he and his family may live. And if it is right that the farm and every other species of real estate shall be subject to taxation for government purposes by the county as well as by the township, why is it not also right that the property of the heir should be taxed not only by the State, but by the Federal Government as well? And how does the latter any more offend against the principle of single taxation than does the former?

It seems to me, however, that the strongest argument in favor of both the inheritance tax and the income tax can be drawn from the proposition, which must be admitted on all sides, that, in the vast majority of cases, it will afford to the Government a means of recovering, for the purposes of operating the Government, a portion of the wealth which the same Government has allowed the possessor to acquire by reason of the favoritism legalized in the protective-tariff enactments upon our statute books.

GLASS.

One of the most glaring instances of the disregard of the framers of the Payne bill for the rights of the consumers is apparent in the glass schedule. I refer particularly to the window-glass and plate-glass schedules contained in paragraphs 97 and 100.

If the campaign pledges of the Republican party are to be carried out—that is, the manufacturer protected to the extent of the difference in cost of production of articles manufactured in this country over the cost of production abroad, but the consumer also protected against the robberies of the great trusts—then these two paragraphs amount to a parody on that platform promise.

It costs but little more to produce glass in America than in Europe. American machine-made window glass probably costs less. Plate glass may possibly cost 3 to 4 cents per square foot more to make in this country than in Europe, although in the best American factories it probably costs no more.

On window glass the Payne bill makes no reduction on small sizes, and on the large sizes the reduction is a mere pittance. As an illustration, the duty on size 30 by 48 is "reduced one-eighth of 1 cent per pound (less than 3 per cent), leaving still a protection considerably in excess of 100 per cent. At the "reduction," the duty on the above-named size (30 by 48) figures just $3 for a 50-foot box of double-thick glass such as is ordinarily used for windows. The American manufacturers are selling this same size glass to-day for $2.40; that is, they are selling the American-made glass for 51 cents less than the duty alone on the imported article.

On plate glass the Payne bill reduces rates on large sizes and advances them on small sizes. Practically nothing is imported in large sizes. Nearly all the importations are in the small sizes, on which the duty is advanced 25 per cent by the Payne bill. During the greater part of the year 1908 the American factories sold stock sheets plate glass in the grade used for stores, dwellings, and so forth, at a range of prices which for a plate 30 by 48 inches in size was 22½ cents per square foot. The Payne bill on this size preserves the Dingley rate of 22½ cents per square foot—that is, the duty alone on the imported article is as much as the selling price of the American article.

The cost of production in this country is not in excess of 18 cents per square foot; in Europe, not less than 14½ cents per square foot. In the example which I have given where the rate of duty of 22½ cents per square foot is left undisturbed, it is from six to seven times the difference in the cost of production. In the smaller sizes the Payne bill increases the duties 25 per cent.

It is plain that if the rates on glass proposed in the Payne bill are cut to one-third, the American manufacturer will still have considerable leeway beyond the needs of fair and square protection.

It is obvious that no revenue can be procured if importations are made prohibitive.

LUMBER.

It has been urged by many Members that the reduction of the tariff on lumber would result in no benefit to the consumer, but an added profit would thereby go into the pockets of the manufacturer and middleman. One thing is certain, if the tariff remains no benefit will accrue to the consumer. Why not give him the benefit of the doubt and afford him an opportunity, so far as legislation can do it, of at least trying for his share in the reduced cost to the lumberman? But, unless we again cast doubt upon the settled proposition that the consumer pays the tax, it must be true that the burden of the lumber tariff will fall upon the home builders of the country. Every dollar of reduced tariff tax is equivalent to a reduction of the freight rate on lumber to that extent, and every reduction of freight rate means that lumber can be carried that much farther into the consuming market, where it can compete with lumber from other sections. A wider field for competition will thus be created. Competition always results in lower prices, for the lumbermen, like all other dealers in merchantable articles, desire to sell their goods. Consequently a wider section of the country will have the benefit of competitive prices for this most necessary commodity.

But, despite the demand for cheaper lumber, the bill has been ingeniously framed to make the people believe they will get that, though in reality we shall have a continuance of the high prices prevailing under the Dingley law. This feat of riding both ends of public sentiment at once is accomplished in the Payne bill by means of what we now have a right to call the "Fordney proviso." Let us see how this will work out in practice.

The forest lands of Canada may be divided into three classes as to ownership:

First. Those belonging to the federal or Dominion government.

Second. Those belonging to the various provincial governments.

Third. Those held in private ownership.

In the eastern Provinces a very considerable amount of timber land is in private ownership; in the west, not so much, possibly not to exceed 10 per cent in the Province of British Columbia, which Province contains within its limits the bulk of the commercial lumber timber now standing in Canada. The eastern forests are more largely suitable for pulp wood than for lumber, though there are still in Ontario and Quebec large areas of excellent pine timber, much of it so situated as to be naturally tributary to the American markets.

The timber lands belonging to the Dominion government are situated in the Provinces of Alberta and Saskatchewan, where all the public domain was originally vested in the Dominion government. The federal government also owns a limited amount of timber land in the Province of British Columbia, which was ceded to it by that Province. In Ontario, Quebec, and the maritime Provinces the federal government owns no public lands, timber or otherwise. Very little of the Dominion timber is so located as to be tributary to American markets.

The Dominion disposes of its timber by means of licenses to remove the timber from certain areas. The government fixes an upset price, and then the berths, as they are called, are awarded to the highest bidder. The licensee binds himself to pay, in addition to the original purchase price, an additional annual rental of $5 per square mile, also a fixed royalty on the various products of the forest as they are made, the royalty being 50 cents per thousand feet on lumber.

The provincial timber regulations are similar, but in the Province of British Columbia there is no original bidding; the licensee simply stakes and surveys the land he wishes to exploit, and then pays an annual rental of $140 per square mile on the coast timber and $115 per square mile on mountain timber. He also pays a royalty on the product, which on lumber is 50 or 60 cents per thousand feet.

The Dominion and Ontario leases are practically perpetual, the law providing that they shall be renewed each year upon the payment of the prescribed rentals and royalties. The British Columbia licenses run for sixteen years on payment of the annual fees. In this Province there are also special leases running for twenty-one years. These are the general regulations; there are some exceptions, which need not be discussed. British Columbia has now stopped issuing leases or licenses, planning to hold the remaining forests in reserve indefinitely. A purchaser of timber in British Columbia now must buy out some present holder, paying anywhere from 25 cents to $2 per thousand on the estimated stumpage and assuming the annual and royalty charges.

The Dominion government provides in the licenses that timber removed from the public land must be manufactured in Canada. The Ontario licenses have a similar provision. Quebec imposes a tax on unmanufactured timber exported from government land. British Columbia requires all logs cut on government lands west of the Cascade Mountains to be manufactured within the Province. There is no such prohibition on logs east of the Cascades.

Prior to the passage of the Dingley Act none of these restrictions or taxes existed. It is not at all likely that the Provinces will now remove them, and if we desire to benefit our consumers by securing for them cheaper lumber we must simply ignore these land regulations providing merely retaliatory rates against regular export tariff, which Canada does not at present levy on any form of forest product. None of these restrictions applies to private timber land.

Turning now to the proviso in paragraph 197 of the Payne bill, it will be seen that, unless it is greatly amended, there is no possibility whatever of the minimum rates being levied on forest products imported from Canada.

Section 197, after fixing the tariff rates on lumber, contains the now famous proviso, the author of which is admitted to be the distinguished gentleman from Michigan [Mr. FORDNEY], the most consistent advocate of a high tariff on lumber in the House, and himself a lumberman with large interests. Its authorship is a sufficient indication of its purpose. The proviso is in the following language:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

Even admitting that this Congress ought to thus attempt to legislate for the various Provinces of Canada, and granting that these Provinces would see the advantage of changing their laws to get the benefit of free trade, or lower tariff, with the United States, it will be seen at a glance that it would take years in the ordinary course of legislative procedure for all the Provinces to change these laws; and meanwhile the people of this country would continue to suffer from the ruinous prices of lumber and the lack of proper competition in that commodity, which have been the necessary and certain results of the Dingley law.

PINCHOT'S CHANGED VIEWS.

Now, another thing, Mr. Chairman, which I desire to say to-night has reference to a distinguished public servant whose name has figured much in the debates in this House during the last week or ten days. He has been referred to here to-night as the great apostle of the conservation of American forests and the great advocate at this time of free lumber as one of the methods for conserving our American forests. I refer of course to the Hon. Gifford Pinchot.

A MEMBER. His name is pronounced "Pincho."

Mr. A. MITCHELL PALMER. I beg your pardon. Mr. Pinchot is a constituent of mine, and up there we have Americanized him. We call him Pinchot, though I notice down here they call him "Pincho." It is not in his name alone that he has worked a metamorphosis since coming to Washington.

Mr. MARTIN of Colorado. I wish you would keep him at home. [Laughter.]

Mr. A. MITCHELL PALMER. Mr. Pinchot lives in Pike County, Pa., a large part of every year, and I feel that the biography of this distinguished constituent of mine, which is being written here day after day in the RECORD of this House, would hardly be complete if it did not contain a short chapter by his own Representative. [Applause on the Democratic side.]

Mr. Pinchot lives in Milford, and in that little town there is established a school which is known all over the country, the Yale Summer School of Forestry. It has its buildings upon Mr. Pinchot's property, a gift of him and his family, and it uses the vast estates of Mr. Pinchot in that neighborhood for the purpose of investigation for the benefit of its students. I do not mean to say to you here to-night that Mr. Pinchot himself has ever stated to those students in any lecture delivered before them, and he has delivered many, that he believes——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. We have been extending the time of gentlemen here to-day——

The CHAIRMAN. No gentleman's time has been extended to-night. Gentlemen are really speaking on honor to-night.

Mr. HEFLIN. I ask unanimous consent that he have five minutes.

Mr. MARTIN of Colorado. I join him in that request.

The CHAIRMAN. The Chair desires to state that the time this evening has been fully spoken for.

Mr. A. MITCHELL PALMER. Excuse me, Mr. Chairman. You have been so good to give me the time I have consumed that I am willing to stop now.

The CHAIRMAN. The Chair will state that he ran two minutes over the time.

Mr. HEFLIN. I suggest that the clock could be turned back to-night as well as last night, and that the gentleman have five minutes.

The CHAIRMAN. If it is insisted on, the Chair will recognize the gentleman. It may prevent somebody else being heard.

Mr. HEFLIN. Only five minutes.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. A. MITCHELL PALMER. This summer school of forestry, which had been in operation there for several years, has upon its faculty members of the faculty of Yale University and Mr. Pinchot. While I am not prepared here to-night to lay my finger upon any statement of Mr. Pinchot, I will say this from my personal observation of that school, which I may call his school, the school of which he is the patron saint, and from my personal contact with the students and graduates of that school, that they have not yet sent out a graduate who, whatever his political affiliations may be upon other questions, is not also an advocate of free lumber. [Applause on the Democratic side.]

I wish it to be thoroughly understood that nothing that I have said, or shall say, is intended as any reflection upon the integrity and ability of the distinguished head of the Forestry Bureau, for whom I have only the highest respect and for whose magnificent efforts in the direction of conserving our national resources I can feel only the deepest sense of gratitude, speaking as an American citizen, interested, as we all are, in preserving for our children and for our children's children the wealth which nature has endowed the country in which we live.

Mr. Pinchot has educated not only the students of his school, to whom I have referred, but the entire country into the belief that the time has come when stringent measures should be taken for the preservation of our forests, and by as much as his efforts along that line have been laudable, by just so much, it appears to me, to be worthy of criticism that he should now change his own view and advocate a practice which he has

taught the people to believe would be harmful to the very interest which he has heretofore almost personified.

As bearing upon the influence with which this latest position of Mr. Pinchot should carry, I desire to quote from a letter of a skilled forestry engineer, Mr. Thomas P. Ivy, of New Hampshire, who, as the graduate of a school of forestry, speaks the sentiments of the men whom Mr. Pinchot has been more influential than any other in educating along these lines. He says:

I can not regard Mr. Pinchot as an unprejudiced authority. His religious to the lumberman seem too close and intimate to accept him as a witness for the other side. In what I shall relate that leads me to this belief I want to disclaim any intentions of imputing improper motives to Mr. Pinchot. So far as I know, no man in public life today has higher motives. My concern is wholly with the propriety of his conduct and the soundness of his judgment.

Some three years ago the lumbermen, or rather certain lumbermen, raised a fund of $150,000 and presented it to Mr. Pinchot with which to found a chair of lumbering in Mr. Pinchot's forest school at Yale. The question is whether those lumbermen would have done this if Mr. Pinchot had not been United States Forester and had the selling of the stumpage from nearly 500,000,000 acres of government-timber land. What fees do the subscribers to the fund said to the writer probably represent and stands for the motives of the others.

This lumberman said he subscribed for the fund with the view of gaining the good will of Mr. Pinchot and of having him as a friend at court. Suppose the Secretary of the Navy had accepted $150,000 as a gift from ship yards, or suppose the Secretary of the Treasury had accepted $150,000 as a gift from New York bankers, in what light would such conduct be looked at? I fail to see any distinction between those two cases and that of the lumberman.

Again some three years ago both Houses of Congress passed a resolution ordering an investigation of the so-called "lumber trust." The investigation was extensively undertaken, but so far as I know no report has ever been made. I happen to know about some of the men who were assigned to this investigation, and I am frank to say I do not think that I could have discovered a diamond mine after the glittering diamonds had been pointed out to them. The investigation was a farce, and so far as I have been able to find out, was virtually suppressed by some strong power within the late administration.

Thirdly, it has been openly stated in the public press that Mr. Pinchot, in combination with leading lumbermen like Blodgett, Long, and Weyerhauser, was forming a lumber corporation of $500,000,000 capital stock to take over a very large portion of the timber land of the country. As stated in the press at the time the Government was to countenance this apparent trust on condition that the trust permitted their timber lands to be placed under forest management and lumbered on the forestry principles which Mr. Pinchot should prescribe. If this statement in the public press is not true, so far as I have observed, it has never been denied.

Taking all these facts and circumstances together, it appears to me that Mr. Pinchot's testimony as to the effect of the removal of the tariff on lumber should have no more weight than a lumberman's testimony.

I desired to refer to the Summer School of Forestry at Milford and its teachings simply for the purpose of forcing home this argument, now that Mr. Pinchot has come before the Ways and Means Committee with an argument against free lumber as a controlling reason for the preservation of our American forests, that there ought to be placed against his words now, when he becomes the advocate of the lumber interests in this proposed legislation, the actions of the man when in the capacity of an educator of our youth he has been sending throughout the length and breadth of the land young men taught in his own school to preach the contrary doctrine. [Applause on the Democratic side.]

Mr. HUBBARD of West Virginia. Mr. Chairman, the purposes of the bill under consideration, as they are specified in its title, are, first, to provide revenue; second, to equalize duties; and, third, to encourage the industries of the United States.

The tariff legislation of this country began almost as soon as the Nation began. On the 4th day of July, 1776, the political independence of this country was declared. As soon as the "more perfect union" was formed, the first Congress of that Union enacted as its first statute one which prescribed the form of oath to be taken by the Members of Congress and others.

After the Congress had prescribed that oath, and after its Members had taken that oath upon themselves to support the Constitution, that Congress, in fulfillment of the obligation it had just taken upon itself, enacted as the second act of that Congress, on the 4th of July, 1789, an act which declared the commercial and economic independence of this country; for the preamble to that act declared the necessity of levying duties on imports; first, for the support of the Government; second, for the discharge of the debts of the United States; and third, for the encouragement and protection of manufactures.

After the lapse of more than a century we are true to that faith of the fathers.

The bill now under consideration has been framed by the ability, industry, judgment, and patriotism of the great Committee on Ways and Means of this House. Especially is that committee to be commended for its sincere and, I believe, largely successful efforts to devise methods of preventing such frauds and undervaluations as in the past have somewhat sapped the strength of the existing law.

I am talking now of the whole membership of the committee, because, differ as they might as to what the law ought to provide, there has been every indication that on both sides of the committee table there was an earnest purpose that whatever the law might provide its provisions should be honestly and thoroughly administered and executed.

Perhaps every Member here desires some change in the bill. For one, I hope to see it made more protective in several features. When it shall be so amended by a Republican Congress, an American Congress, and certified by the signatures of Mr. SHERMAN and Mr. CANNON and vivified by the approval of William H. Taft, it will complete a cycle of one hundred and twenty years within which has ripened the fruit of that devotion to the rights and interests of our country which blossomed in that first tariff bill, a bill verified by the names of Adams and Muhlenberg, and into which the breath of life was breathed by the word of George Washington. Infolded in the close embrace of that bill of long ago was our material greatness of to-day.

Of earth's first clay they did the last man knead,
And there of the last harvest sowed the seed.
And the first morning of creation wrote
What the last dawn of reckoning shall read.

That instant declaration by the First Congress of the powers and purposes of this country was made in its behalf by men a large number of whom had aided in framing the Constitution and all of whom were filled with the spirit that brought it into being.

No wonder that the idea of protection thus born has at last prevailed over all the opposition that at times has beaten it back, until now it has become the settled policy of this country, sustained by its Presidents, its courts, its Congresses, and by the great body of the people, until now some who enter this discussion from the other side take occasion for themselves and their fellows to disavow free trade; and occasionally comes one who boldly declares for protection, not merely for protection of the industries of his own district, but, as was done to-day by a Member on the other side, for protection of the industries of all this great country.

No wonder, Mr. Chairman, that when question is made of the unity and solidity of the Democratic party, and it was deemed necessary on the other side to call a witness to prove that fact, the only gentleman whom it was safe to put on the stand was the gentleman from Pennsylvania who has just preceded me [Mr. A. MITCHELL PALMER], a witness whose knowledge of the history of the Democratic party in this House, according to his own statement, extends back for two weeks. He wants "a concrete Democratic bill" introduced, for which the other side may vote, on a motion to recommit with instructions, and gives assurance of Democratic unity and solidity of front in support of such a bill. If he had remembered for two years back, instead of two weeks, he would hardly have had occasion to felicitate himself on the unity and solidity of that party, as manifested, for instance, with respect to the Vreeland currency bill.

There is nothing new in that part of the rules we adopted the other day under which a bill may be moved by the minority, as a substitute for this bill, by means of a motion to recommit with instructions, when this side shall bring the bill to a vote.

In the last Congress, when the Vreeland currency bill was under consideration, a rule was brought in permitting the minority to offer as a substitute and have a record vote on a bill which long before had been introduced by the then leader of the minority; but that bill was not offered as a substitute by its patron or by any gentleman on that side of the House.

In order that an opportunity might not be lost to our friends on the other side to display their unity and their solidity, a Member on this side moved as a substitute for that Vreeland bill, the bill which had been prepared and introduced in this House by the then leader of the minority, and which had been understood to express the solid and united thought of the minority on the important questions involved, and which William Jennings Bryan had extolled as the best bill before the House. Those who were here at that time, and indeed I had supposed everybody in this country, remember the way in which that unity and solidity was then displayed. When the roll was called, at the instance of the Republican who had presented that bill as an amendment, 4 or 5 gentlemen on the other side of the House voted "aye," and 50 or 60 on the other side of the House voted "no," the great body of the gentlemen over there voting on the measure prepared by their own leader, voting "present," and the laughter by that time was so great that I never did hear how the author of that bill himself voted upon it. [Applause on the Republican side.]

Gentlemen on the other side do not fully answer the questions presented by the bill now under consideration when they say that they are for a tariff for revenue. If in power they might pass a bill for a revenue tariff. Still that would not answer the question now presented. The question would remain for them, "How much revenue, what part of the total revenue to be raised, should be raised by such a bill?"

Of the sources of revenue now drawn upon, the two principal ones, of course, are internal revenue and customs revenue. Any substantial addition to the revenue must come from one of these sources or from some new source not yet drawn upon. This bill seeks a new source in an inheritance tax.

For myself I believe that the ordinary sources of revenue upon which the United States has been accustomed to draw are sufficient for its needs, and that recourse should not be had to new sources until the old have proven insufficient. Almost all the questions presented by this bill are those of schedules and rates and amounts and degrees and methods, but there is one new proposition in this bill, to establish an inheritance tax seemingly as part of a permanent scheme of finance, and so presented it raises a question of principle.

Unless that part of the bill is merely formal, unless it is made merely to serve the turn of a moment, the lack of discussion of it upon the part of the committee which reported it is somewhat remarkable. The gentleman from New York, the chairman of the committee, made a statement with respect to it, claiming that it was needed in order to provide $20,000,000 of revenue, and saying that it was modeled after the New York inheritance-tax law, which he regarded as the best in existence. The leader of the minority said that in the time at his disposal he had not reached any conclusion with respect to that part of the bill. As far as I know, no other member of the committee has alluded to it.

It is my design to discuss the nature of this tax, the reasons which may be assigned for its establishment, the arguments for and against it, and the question whether, if it be a desirable tax, it should be imposed by the United States or by the States, or by the federal and also by the state governments.

This tax was employed by the Romans, is now in use in substantially all European countries and in three-fourths of the States of the Union. It is in force in its progressive form in England, the home of conservatism, and in Australia and New Zealand, the homes of experiment. It has come into the legislation of our country by way of the English death duties, which consisted, first, of a legacy tax and later of a probate tax on the mass of the estate, and last of a tax on the succession of real estate.

In times of war or great emergency the United States Government has resorted temporarily to this tax, but until a very recent date no one has ever seriously contended that it ought to be looked to as a permanent source of federal revenue. A legacy tax was enacted in 1797 and repealed in 1802; another in 1862 and repealed part in 1870 and the remainder in 1872. A like tax was a feature of the Wilson bill of 1894, for the income thereby made taxable was expressed to include money which might come by way of legacy or distributive share. A legacy tax was imposed during the Spanish-American war and shortly thereafter was repealed.

A tax of this nature was enacted in Pennsylvania in 1826. During the next seventy years such a tax seemed to meet with little favor among the several States. Some of the States that adopted it soon repealed it, until in 1892 there were but nine States of the Union in which such a tax was imposed, and in them it was imposed only upon the passing of personal property. But beginning at about that time the development in this country of a tax of that nature has been most remarkable. It began as a small rate on personal property, passing to collaterals, a rate that was uniform and proportional. Gradually that small initial rate has been increased; it has been applied to realty as well as personalty; it has been exacted from the shares of direct as well as collateral heirs; and, at least as applied to collateral heirs, it has in many cases been made progressive instead of uniform and proportional. In the different States sometimes this development has been along but one of these lines, oftener along more than one, and sometimes along all of them.

Many States have adjusted their systems of finance so as to reckon on this tax. From an insignificant item it has grown in some of them so as to furnish 10 per cent of their revenue, or even more.

That development has been of a practical sort, and not along theoretical lines; has been somewhat haphazard, and by no means logical, but has proceeded step by step at the suggestion of local needs and perhaps of individual whims.

When we face a phenomenon like this it is natural to investigate its nature, its causes, and the laws which govern it; to try to find a logical basis, a reason and theory, which will account for its existence and serve to classify its manifestations, and to reduce its future development and operation to rule.

As a matter of fact this tax has come about naturally and easily. Wherever it may be found its existence may be accounted for because the tax is needed, is not easily evaded, but is easily collected and easily paid, and on the whole seems just.

But now that it is definitely proposed as a permanent source of federal revenue, the time has come perhaps when this tax must be brought to book, must be tested by constitutions and by economical considerations.

This tax on inheritances is not a tax on property, but on the transmission of property. It has sometimes been regarded as an amendment of the laws of wills and of descents.

Has a man the natural right to hold as his own the property which he has acquired? That is undoubted. But, further, has he the natural right to extend his ownership of that property after his death, to project his power over it beyond his life? Such I understand to be the claim of one gentleman who occupied the floor to-day. Some authorities have been disposed to concede this, but the better and now the ruling opinion is that there is no natural right, that the right to devise and bequeath property, the right to take it by descent or distribution, are not rights created by nature, but rights arising only out of the will of the State manifested by affirmative legislation or otherwise.

Now, this is not a mere academic question. The answer to it will be found to bear on another and a very practical question; that is, whether such a tax is in itself justifiable and desirable, and if that be so, upon the further question, what government in this country should impose and collect such taxes?

Even those who claim that the right to bequeath and the right to inherit are natural rights admit that these rights may be taken away by the State at its will, thus making these rights contingent on the failure of the State to interfere. So those who assert that these are natural rights and those who deny that proposition meet on the common ground of the States' indefeasible control.

If the State may withhold all the property of a decedent, it may withhold any part of it. He who takes under the State's legislation must take, and can only rightfully take, under the conditions the State may impose.

This sort of a tax, therefore, being a tax on the devolution of property, and one which government has a right to impose, what is to be said for and against its employment?

In the first place, the fact of the general installation of this tax in the States of the Union, the increasing revenues which come from it, the comparative absence of complaint with respect to it, demonstrate its usefulness.

In the next place, the property subject to this tax is easily ascertained and the tax is easily assessed. Real estate which is subject to it is described on the public records. Personalty which is subject to it ought to be upon the assessment books, but if not there must pass through the probate courts and be described upon their records. It was with some surprise that I heard a statement on this floor the other day that in one State of this Union personal property may pass and be distributed under certain circumstances otherwise than through a personal representative of the deceased owner. Possibly that method may have answered the purpose, but in principle it must be regarded as illogical and in practice as impolitic and unsafe.

The facts that make this tax easy of ascertainment and assessment make it easy of collection. "It is as hard to tax and to please as to love and be wise." But when we look at this tax from the point of view of the one who must pay it we see that it is a tax which it is comparatively easy to pay. It is paid only at a time when one is receiving an accession to his fortune without any effort of his own, something which he has not earned, something to which he has no right. If his gain is somewhat lessened, it is still a gain, and if he expected more, the disappointment of a hope does not hurt like the destruction of a reality.

Such a tax does not tend to deter private enterprises. No tax interferes less with protective or industrial agencies.

The estate which is taxed has been created mainly under the favor of local conditions and circumstances. I do not mean merely that the fortune was gathered because it was protected by the police or safeguarded by the laws. What was done for it in that way may be considered somewhat as consideration for the ordinary taxes which it paid or ought to have paid as property. I mean now that such a fortune usually has grown by the use of the opportunities afforded by the State, by the development of communities. No matter what the shrewdness or the energy of a man, he can not gather a fortune by himself or elsewhere than under a government of law and in a prosperous society. As the fortune in large measure is due to these circumstances it is just that in some measure that fortune, when all the natural rights of its owner have been subserved,

guarded, and protected, should in some measure contribute to the continued welfare of that government and that society which contributed to its existence.

Then, again, a tax of this sort has been justified as a "back tax," upon the theory that the property with reference to which it is to be assessed has not during the lifetime of the owner, especially if that property be personalty, contributed its fair share of taxes. The vice of that argument is that the same inheritance tax would be levied with respect to property of one man who had carefully paid all the just demands of the State upon it, as upon the fortune of another who had employed every device to escape his just share of taxes.

Then, again, there is the argument of which we have heard somewhat recently that such a tax may and ought to be employed to reduce swollen fortunes. In the first place, the same answer just given to the argument in favor of it as a back tax applies here, and indeed it is sometimes suggested in the very appeals for the use of the tax to regulate fortunes. That answer again is that some large fortunes were accumulated honestly, and some dishonestly; that "we must discriminate sharply between fortunes well won and fortunes ill won;" that the former ought to be protected in full and that only the latter should be controlled by the Government. Yet the imposition of the inheritance tax for such a purpose would fall alike upon the just and the unjust.

Such a tax to be available for the purpose last suggested would have to be far higher than any which has yet been made in any legislation. It would have to be at a rate so high as to lose the semblance of a tax. At best it would deal only with effects and not with causes; would touch merely the symptoms and not the root of the disease.

On the other hand, there is force in the suggestion that such a tax would be levied necessarily under the authority of the many, and paid by the few, and that in every case where the tax is not felt by those who impose it there would be danger of excess and injustice. That objection, however, applies in large measure to every tax that is imposed in a free country whose government rests on popular suffrage. It is true of the ordinary property tax, that the greater part of it is paid by comparatively few, while it is imposed by the will of the many. But the final answer to this argument which must be made in every free country is that which was given by the Supreme Court of the United States when it said that—

> Such an argument involves in its ultimate aspect the mere assertion that free and representative government is a failure, and that the grossest abuses of power are foreshadowed unless the courts usurp a purely legislative function. If a case should ever arise where an arbitrary and confiscatory exaction is imposed bearing the guise of a progressive or any other form of tax, it will be time enough to consider whether the judicial power can afford a remedy by applying inherent and fundamental principles for the protection of the individual, even though there be no express authority in the Constitution to do so.

That court has decided other cases by applying just such principles, notably that in which it held invalid a municipal tax for a contribution to a private manufacturing establishment.

In the case with reference to the inheritance tax just referred to, the case of Knowlton v. Moore (178 U. S., 41), Mr. Justice White, in a most elaborate opinion, discussed the philosophy, history, abstract justice, and legal validity of the inheritance tax.

There is enough in the reasons which have been stated to persuade me that this tax is convenient, wise, and right.

Now, ought this tax, if imposed at all, to be imposed by the United States, or by the several States, or by both the United States and the States?

Substantially all the reasons that have been urged why the tax should be imposed at all are in their nature reasons why it should be imposed by the States.

In the early cases in which the question of an inheritance tax came before the United States Supreme Court, it was whether such a tax was in violation of state constitutions—that is, the question was whether the State had a right to impose such a tax. In some of those cases the right was asserted on the ground that the entire right in any individual to take the property of a decedent was based upon the laws of the State, which might withhold it entirely or might grant it upon any condition it pleased. These decisions would warrant the argument not merely that the tax ought to go to the State rather than the United States, but that no power except the State would have the right to impose it; that as the inheritance or the will did not depend upon the law of the United States it could impose no condition upon the transfer of the property. That argument in the later case of Knowlton v. Moore was pressed upon the Supreme Court of the United States, and the earlier decisions were cited. The court gave the question most serious and thorough consideration, and in that case, which questioned the right of the United States to impose such a tax, vindicated that right.

Yielding to that view, it still remains that the right of the State is primary and superior to the United States, and indeed it has been held that the tax imposed by a State is collectible from a legacy to the United States.

The earlier legislation which imposed a legacy tax on the occasion of the Spanish-American war seemed to recognize that superior claim on the part of the State by calculating the federal tax only on the residue of the legacy after the State tax thereon had been collected. The bill now under consideration by the House does not do this. It asserts the right to impose the tax on the full legacy, although it may have been decreased by the payment of a state tax. For example, under the law of West Virginia a tax of 15 per cent can be imposed upon a legacy or distribution of one-half million dollars to one who is a distant collateral relative or a stranger to the decedent. In a similar case this Payne bill, as I understand it, would impose a tax of 5 per cent. That 5 per cent would be calculated upon the full amount of that legacy, although only 85 per cent of it would be due the legatee after the deduction of the state tax.

Theoretical students of taxation and practical administrators have for years past concurred in the conclusion that the sources of revenue of distinct governments ought to be separate; that as far as possible the United States, the States, and the local subdivisions of the States should look to different subjects of taxation for their revenues. In recent years much progress has been made in that direction. It has been the aim of enlightened States to assign different subjects to different taxing powers, as, for instance, by leaving real property wholly for the benefit of the counties and municipalities, leaving corporations to the States and local public-service monopolies to the municipalities. The imposition of a property tax by the State has been the cause of great inequality and dissatisfaction. Some of the greatest States in the Union no longer impose a property tax for state purposes. This is true of New York and, I believe, of Ohio. My own State of West Virginia has made marked and considerable progress in the same direction.

The giving up of the property tax for state purposes is only possible, however, by resorting to other and different sources of revenue. Among these sources, as I have already said, is that of the inheritance tax. In West Virginia the proceeds of that tax five years ago were trifling, but it now constitutes nearly 5 per cent of the total state revenue, and in the next fiscal year will be nearly 6 per cent of that revenue. The state systems of taxation have, though slowly and with difficulty, been readjusted to meet this changed state of affairs.

With respect to the subject-matter of this tax, it is true, as has been said, that the State keeps a record of this property, places a value on it, governs and controls it during the lifetime of its possessor, and at his death distributes that property through its laws to those who under those laws are entitled to take it. Whether the inheritance tax be considered in the light of compensation for this service rendered by the State, or whatever theory may be assigned in its justification, we see that the State may fairly claim the benefit of that tax.

The State is already in the possession and active employment of the machinery necessary for its imposition.

If it is left to the several States, they may take into consideration the differing local conditions and interests which may affect those States differently as to the propriety of the tax, its amount, and the method of its collection.

There is only one state of affairs in which with any propriety this tax might be assigned to the United States, and that is in case it should be employed for the purpose which has already been alluded to, of confiscating what may be supposed to be the excess of all fortunes honestly or dishonestly acquired beyond a certain amount to be specified by law.

A tax of that sort, if indeed it can be called a tax, would require the exercise of all the inquisitorial powers which have ever been employed for the collection of taxes, and hold out the greatest inducements for the evasion of taxes so imposed. In the exercise of powers such as these, for purposes such as these, no State could hope to supply machinery to compete with that which the United States might provide and employ.

Most of the States need the contribution to their revenues which is afforded by this inheritance tax. If it were taken from them most of them would find nowhere to turn to replace it, except by imposing the general taxes upon property, especially upon land, which, or at least part of it, is holden by the great body of the people, and has always been paying more than its fair share of taxes. On the other hand the United States does not need these taxes. It is true that this strong and distinguished Committee on Ways and Means of the House has practically declared that $20,000,000 will be needed in addition to the customs revenues under the proposed bill, but that apprehended need is in part due to the action of the committee itself. It has drawn this bill with the purpose of surrendering a large amount of duties which ought to be retained or be replaced by an equal amount raised in the same way. Whether the membership of this House believe that this bill ought to be drawn for the purpose of raising revenue, or for the purpose of affording protection to American industries, or for both, it seems to me that we ought to agree that now, in the absence of war, in the absence of any exigent emergency, there is no occasion either for abating the customs revenue or abating protection to any industry, or for the United States to go foraging in a field of taxation for which it has done nothing, but which has been brought into cultivation and fruitfulness by the labor and the pains of the several States.

The unwisdom of depriving the States of revenues which have been thus developed by them has impressed some of those who were earliest in the field in favor of the adoption of this tax by the United States. The gentleman from New York [Mr. PERKINS], who has introduced several bills providing for such a tax, and after thorough investigation has discussed the general subject with great ability and clearness, in the bill introduced by him during the present Congress provides that anyone subject to the United States inheritance tax who has paid a like tax to his State may have credit on his tax due the United States for the amount paid by him to the State, provided it be not more than one-half the amount of his federal tax. This provision would increase rather than lessen the objection to the taxation of the same subject by two different authorities. It might also raise a question of some importance, in view of the provision of the United States Constitution which would be applicable.

An inheritance tax is not a direct tax, but is a duty or excise. Therefore, if levied by the United States, it must be levied in accordance with the United States Constitution, Article I, section 8, which requires that—

> all duties, imposts, and excises shall be uniform throughout the United States.

The word "uniform" in this section is not to be given the interpretation usually given under state constitutions, which would make the tax operate upon every person alike, but simply means that the tax shall operate uniformly throughout the United States. It seems doubtful whether a tax would operate uniformly throughout the United States, some of which States have inheritance taxes and some of which have not. Among the States which have inheritance taxes the rates, exemptions, and subjects of taxation differ very widely. The operation and results of the United States tax would be modified in each State by its peculiar requirements as to the inheritance tax, and would be only left to operate to their full extent in those States which might have no such tax.

The subject of taxation is one with respect to which the Government of the United States and the governments of the several States ought to cooperate. Each, while having for its principal object the raising of its own revenue, should so far as possible respect the interests and methods of the other. If there ought to be comity among the States with respect to this important subject, much more important is it that there should be comity between the United States and the several States.

I do not mean that the federal and state governments should cooperate in the extent of sharing the proceeds of a particular kind of taxation, but rather that they should cooperate in assigning to each those subjects of taxation which seem particularly needful or appropriate to it and with which it is particularly qualified to deal by reason of the nature of the property to be taxed, the familiarity of its officers and people with particular subjects and methods of taxation, and the comparative ease with which such taxes might be assessed and collected.

It has been suggested by some, and among them the distinguished chairman of the Ways and Means Committee, that inheritance taxes might well be imposed both by the federal and the state governments; that such taxes are not onerous; and that the two systems might continue side by side. It seems clear to me that if this tax were definitely established by the Federal Government as part of its permanent system of revenue the inheritance taxes imposed by the different States would gradually and of necessity disappear. Every one may determine for himself the probability of this if he will consider whether in case the United States now had an inheritance tax and the States had none the latter would be at all inclined to adopt that system of taxation. No one, I think, could imagine that being done. The same reasons that would operate instantly to prevent the adoption of such a system by a State if the United States already had it will operate gradually to weaken and destroy those taxes in the different States if the United States should now adopt the system.

It is clear to me that a fair regard for accepted canons of taxation, comity toward the several States, and the needs of the States on the one hand, a fair consideration of the additional revenues which may be provided for the United States by imports, and especially a consistent adherence to the doctrine of protection, call on this House to eliminate from this bill these provisions which would in effect nullify the existing legislation of the States relating to inheritance taxes by imposing like taxes under the laws of the United States. [Applause.]

Mr. CRAIG. Mr. Chairman, I have heard one Republican after another begin his argument upon this bill with fulsome compliments to the chairman and Republican members of the Ways and Means Committee for their excellent work in preparing the bill, and then I have seen the same men devote the remainder of their time and all their energies to arguments against certain features of the bill.

I have no compliments to pay to the committee, unless it be a compliment to say that its Republican members have surpassed even the framers of our present tariff law in the completeness with which they have provided for the filling of the coffers of the rich from the pockets of the poor.

That the committee has worked hard I grant, but judging the work by the results now before us, I should say that their endeavors have been directed more to further protection for the already highly protected classes than toward relieving the people of prevailing high prices for the necessaries of life or toward the replenishing of our depleted Treasury.

Like many other Members upon this floor, I represent a district which is growing daily in manufacturing interests; and the welfare of my constituents engaged in that class of business is of very deep concern to me.

In that district are rich iron ore mines and lands rich in ore yet to be developed; pig iron is made to a rather large extent, there being three furnaces located in the iron district of my district; coal and limestone are produced in large quantities near the iron ore; the quarrying of marble is, what might properly be termed, an infant industry in Talladega County, where there are two quarries open, and others being located. Next to the Carrara marble of Italy, I dare say that that quarried in my district is the most beautiful and expensive in the world. The cutting of timber and the making of lumber, both rough and finished, are flourishing industries in my district, although by far the greater portion of the valuable timber has long since been cut. The spinning of cotton yarn and the making of cotton cloth of certain kinds is also quite an industry with my people; and, of course, we have the cotton-seed oil industry fully developed, as it is an industry confined wholly to the South.

Representing a district so largely interested in manufacturing, I have naturally received numberless communications insisting that I stand for a high duty on many articles, while, on the other hand, I am urged by the consumers of my district, a large number of whom are farmers and business men of small means, to stand for a general reduction in the tariff schedules and strict economy in the administration of the Government, that their living expenses and taxes may be reduced. My position on this question was made plain last fall in the campaign, and I will not take the time of the House in an academic discussion of this question further than, very briefly, to state my views generally; after that I shall devote my remarks to the bill now before the House and known as the "Payne bill."

I believe, first, that the affairs of the Government should be administered as economically as possible, in order that the burdens of the people through taxation shall be light; but the Government must have money, and large amounts of it, no matter how economical its administration may be, and so the duty falls upon Congress to raise the money necessary for governmental expenses. In raising the revenue by taxing imports, commonly known as "levying a tariff," care should be exercised to place the tax so that it will be borne as nearly as possible in equal proportions by each citizen according to his wealth, so that we may approach as nearly as possible to that system of direct taxation which taxes the property rather than the citizen himself. This can best be done by taxing lightly the articles imported for the use of the poor and taxing more heavily those articles which are luxuries and are used by persons of wealth. Whenever possible to raise the necessary revenue without taxing the necessaries of life, they should be placed upon the free list; and, in fact, the lawmakers, in my judgment, should always endeavor to provide revenue by taxation of the luxuries of life and of those things used only by persons owning property before levying a tax on the necessaries of life at all. The reason is obvious. The laborer needs his bread and meat, his sugar, his coffee, and his other articles of food just as much as the

man of wealth, and of the prime necessities of life he will probably use as much as his rich neighbor. Clearly, then, it would not be just to tax such articles whenever it can be avoided, because the tax which would be easily paid by the rich might fall with crushing force upon the shoulders of the poor.

It is different, however, with articles which are not necessaries, but can be used or not, according to the tastes of the particular individual. That a man who can afford to enjoy that which is not a necessity of life is generally able to pay a tariff on the article enjoyed is a safe rule to follow.

These ideas, as a matter of course, do not contemplate any protection for the manufacturer, and it is my firm belief that he should not have any protection or favors from the Government which are not granted alike to every other class of citizens. [Applause on the Democratic side.] Of course some protection naturally results from the levying of even a very small and equitably arranged tariff, but such protection is incidental and can not be avoided.

In the next place, the tariff should be levied so that it will induce importations rather than exclude them, for the reason that if we are to raise our revenue by taxing imports, then, as a matter of common sense, we must not put the import tax so high as to prohibit importations or we will have no imports to tax, and therefore no revenue. These views, when expressed more concisely, mean simply that I am in favor of a revenue tariff, and a tariff for the purpose of raising revenue only.

Having thus expressed my views, it is perhaps unnecessary for me to say that the bill now before the House shall have my sincere and constant opposition. I shall not in the limited time allotted me attempt to discuss any of the schedules, except in a general way, and those only that affect my district.

In the first place, I think the makers of pig iron are too highly protected. Undoubtedly pig iron is a proper article upon which to raise revenue, but very little revenue will ever be raised for the Government upon imports of that article so long as the rate of duty remains at $2.50 per ton, the amount fixed in the bill. Manifestly, if pig iron from foreign countries can not compete here with that of domestic manufacture, then none will be brought into our ports except upon very rare occasions. Now, let us see whether it is possible for pig iron from other countries to compete with the furnaces here. England and Germany are the principal makers of iron outside of our own country. It is admitted that labor is cheaper in Germany than in England, so if any country can compete with us it would be Germany.

The Committee on Ways and Means examined, as witnesses, two very prominent men in the steel and iron business in the United States. They were Messrs. Gary, of the United States Steel Company, and Schwab, of the Bethlehem Steel Works. They were questioned particularly as to the cost of production of pig iron. Neither of them in their examination placed the cost of pig iron above $14.50 per ton, and that after allowing for the depreciation of the ore land, profits on hauling, profits on coke, and on every other conceivable thing. Some time ago the Department of Commerce and Labor sent Mr. George M. Pepper to Germany to study the iron and steel business and, among other things, to report upon the cost of the production of pig iron in Germany. He went to the two best districts in Germany, the Luxemburg district and the Dortmund district, and spent considerable time and labor in the study of conditions.

I gather from his report, and in this I am in accord with the distinguished chairman of the Ways and Means Committee, that the average cost of the production of a ton of pig iron in Germany is about $14. Mr. Gary says in his testimony that the freight on pig iron from Germany to New York is $2.85 per ton. The duty provided in this bill is $2.50 per ton, making a total of $19.35 that it costs to produce a ton of pig iron in Germany and lay it down in this country. In addition to this, the iron manufacturers of this country are allowed iron ore free of duty in the Payne bill. Now, the present duty on iron ore is 40 cents per ton. Ordinarily it takes 2 tons of iron ore to make a ton of pig iron, so that if this bill becomes a law iron ore will be obtainable from Cuba and other competitive markets in competition with American ore at 40 cents per ton cheaper than it can now be had. It does not take a scholar or a mathematician to see that by putting iron ore on the free list the pig-iron manufacturer is given an additional protection of 80 cents per ton of iron. Adding this to the amount of freight and duty on foreign iron, we have a total of $6.15. The difference in the original cost of production at home and abroad being about 50 cents per ton, we have as the actual protection on every ton of pig iron made in this country $5.65, or practically 39 per cent.

Speaking only from the point of view of the man who wishes to use the article as one upon which to raise revenue, I must say that it is absurd to expect any considerable amount of imports with a tariff of 39 per cent on actual cost of production staring the importer in the face. Speaking from the point of view of the consumer, I say it is fundamentally wrong to allow the producer of this commodity, which is so largely consumed by the masses in the finished product of steel and iron, so much protection as to effectually shut out foreign competition and enable the manufacturer to charge for his product 39 per cent more than it is worth.

If an opportunity is given to offer amendments to this bill, I shall certainly propose an amendment which will reduce the tariff on pig iron to a reasonable revenue basis.

As to the question of the tariff on lumber, I have only to say that I stand with my party in its declaration that lumber should be upon the free list. A good deal has been said here in advocacy of a tariff on lumber, and I regret that some of my Democratic colleagues have expressed themselves as favoring such a tax. I disagree with them. To me the pledges made in a party platform are binding. I was elected on a platform declaring for free lumber. Nothing qualifying that declaration is contained in the Denver platform, and nothing qualifying it was said by me during the campaign.

The people of my district indorsed that platform when they gave me a majority of 2 to 1 over my Republican opponent and his platform. It is therefore the mandate of my people, as well as that of my party, that I vote to put lumber on the free list, and if the opportunity is given me I shall surely do so. [Applause on the Democratic side.] But, aside from party policy, I could not and would not vote for the lumber schedule contained in the bill before us. It is a fraud. It apparently reduces the duty on rough lumber, but, like many other things done by the Republican party, it has concealed within it a "joker." The proviso in paragraph 197, imposing an enormous countervailing duty on forest products, will effectually prohibit the shipment of any lumber from Canada to the United States; and it is admitted that Canada is the only country that can even dare to compete with the American lumberman. This proviso was put into the bill with malice aforethought and with the intention, on the part of the author, to nullify as far as possible the seeming reduction on rough lumber. This is only one of the many deceptions and pitfalls contained in the Payne bill. [Applause on the Democratic side.] But I will not say more on this subject, as it has been magnificently handled by the gentleman from North Carolina [Mr. KITCHIN], whose splendid speech yesterday is convincing to the mind of any reasonable man that lumber should be upon the free list. [Applause on the Democratic side.]

I believe that we should have lumber untaxed, first, because it is a necessity to every man who wishes to provide a home for his family; next, because I believe that by putting it upon the free list we will obtain the use of foreign lumber and thereby postpone, for a time at least, the complete destruction of our forests, which, it seems, can not be prevented by any other method.

It was heralded to the country that the Payne bill put coffee on the free list. That was another delusion, a snare, placed in the bill to please the popular fancy, while the members of the Ways and Means Committee could laugh at the innocent American people who were supposed to believe them. But in this, as in many other things, an active minority has shown up the duplicity of Republican dealing, and we find that, instead of coffee being free of duty, the countervailing duty will force the consumer to pay largely more for his coffee than ever before. Already coffee has advanced in price in anticipation of the raise in the tariff. This whole system of protection and deception is wrong and rotten from branch to root, and one of the most convincing evidences of that fact is that the Commissioner from Porto Rico [Mr. LARRINAGA] has been forced to come and beg for a crumb from your table of protection in order to keep alive the main industry of his country. You heard him say to-day that before his country was absorbed by this one they had a flourishing trade in coffee with Europe, but that as soon as we took possession and our tariff rates became applicable to the island of Porto Rico every country in Europe, except Sweden, where the people are not coffee drinkers, retaliated by placing a high tariff on coffee, which ruined the Porto Rican industry.

The same is true of Hawaii; and it is said that the industry is dying in Hawaii and is very sick in Porto Rico, all on account of retaliating duties against them, caused by our selfish exorbitant tariff rates. [Applause on the Democratic side.] And so this good man from Porto Rico is forced to ask Congress to place a prohibitive duty on coffee in order to overcome competition from Brazil. This is but an indication of whither we are drifting. It is madness for us to think that we can shut out the whole world from our markets by a tariff wall so

high that none may climb over, and still expect to enjoy for our country the markets of the same countries which we have excluded from America. [Applause on the Democratic side.]

As usual, a bid has been made by the Republicans for the vote of the farmer. One of the largest apparent increases in protection contained in the bill is in agricultural products and provisions. The total increase is 6.27 per cent; but, as usual, our friends of protective persuasion laugh in their sleeves as they realize that in truth and in fact this means a greater burden to the farmer, and that they are taking from him with one hand while they smilingly pretend to give to him with the other. Protection to the farmer has always been a thing supposed but not real; and this bill is an insult to his intelligence.

You have not protected even one of his products beyond what it is now protected; but you have raised the rate on cocoa, chocolate, and lemons, and put them all in the farming schedule, so that the total increase would be more and he would be misled and deceived into the belief that he was, in some mysterious way, benefited by this bill. You have placed his cotton and his hides on the free list, while you tax him heavily for his bagging and ties, his harness and his shoes, thus delivering him, lock, stock, and barrel, into the hands of the manufacturer. [Applause on the Democratic side.]

Mr. Chairman, speaking for the cotton farmer of my district, the largest class of my constituents, I wish to say that they are not asking for a tariff on cotton to protect them against foreign cotton. It is true that Russia taxes our cotton $25 per bale, and, according to the argument of the Standard Oil used to procure its outrageous protection on oil, we ought to have a countervailing duty equal to that levied against our cotton by that country. But we do not believe that the argument of the Standard Oil is sound, and we of the South, who raise two-thirds of all of the cotton of the world, are willing that our product should go upon the free list, provided you deal fairly with us. We do not ask for your tariff protection; but we do say that when we compete with the world single-handed and alone, then, in the name of all that is just and right, it is your duty to give us cotton bagging and cotton ties free of duty, that we may cease to pay tribute in millions to the steel trust that makes the ties and to the manufacturer who makes the bagging. [Loud applause on the Democratic side.]

There is another kind of protection the cotton farmer asks you to give him. You know what it is, because we have told you time and again of it and intend to keep on telling you until we get it. It is protection from the cotton-exchange gamblers that we have begged this Congress to give the cotton farmer. I have spoken on previous occasions in this House on this same subject, and now I come to you with the proposition that if you will incorporate into this bill a provision to stop the gambling in cotton futures; if you will protect the farmer from the parasite in Wall street and in the exchanges of Liverpool and New Orleans, who impoverish him by selling every year ten times as much fictitious cotton as the real crop of the whole United States amounts to; if you will assure to him a fair market, free from speculation, and give to him what is justly his, namely, cotton bagging and ties free of duty, we of the South will fight our own commercial battles without the aid of a protective tariff. [Applause.]

This is a sectional bill, Mr. Chairman, and the sections most favored are New England and the East. There the cotton goods are principally made; there the gloves and shoes, the hosiery and underwear, the clothes that we wear, and many necessities of life are made.

The Republican party promised the people last fall that if their party were kept in power the tariff should be reduced, but that promise was easily forgotten when the manufacturers of New England and New York cried out for a chance to further rob those same people under the guise of a protective tariff. As a consequence we find that woolen goods cost as much as they ever did; but worse than that, cotton goods and gloves are to cost vastly more by the time the Republican party gets through raising the tariff, after promising to lower it.

To illustrate the cotton-goods schedule and its iniquities, and to show how this bill is drawn in favor of the rich and against the poor, I call your attention to the fact that the common grades of hosiery, such as the ordinary man buys for his wife and children, have been raised fully 20 per cent. Such hosiery is made principally in New England, and is manufactured out of the medium grades of yarn. Now, these makers of hosiery are given, not only an increase of 20 per cent in the tax which they shall be authorized to collect from the people, but they are actually allowed to prey upon the manufacturer of yarn to the extent of $28,454.78. In other words, this bill gives them 20 per cent additional tariff protection, and forces the manufacturer of yarn to sell his material to them cheaper by reducing the tariff on yarn. This gives the hosiery man protection at both ends of the line and enables him to plunder the American people accordingly.

It is not a difficult matter to see why this is done. It is done because medium yarns are manufactured principally in the South, while hosiery is manufactured principally in New England and the North. New England used to make practically all of the yarn made in this country, and so long as that continued the tariff was high; but of late years that industry has drifted South. From 1900 to 1905 there was a decrease of more than 57,000,000 pounds in the production by Massachusetts of medium yarns, which are woven into the print-cloth products of Fall River; and Rhode Island contributed a loss of more than 12,000,000 pounds; but in the South the increase was enormous. In 1900 the South produced less than 26 per cent of the total amount of medium yarns. In 1905 it produced more than 41 per cent. Figuring at this rate, the South now produces 53 per cent. And so we see the protection on yarn lessened, while the protection on hosiery is increased. [Applause on the Democratic side.]

The Republican party has said for two years in this House, I know of my own personal knowledge, and, I presume, from time immemorial, that the tariff was to protect the workingman and his labor.

Now, there were 63,725 people in this country last year making yarn; yet this Republican party comes along and says that they do not need any protection, do not need as much as they have, and takes away some from them, giving it to the man who is making print goods, underwear, hosiery, and so forth, regardless of the result to the yarnmen employed in this business.

The man who has been accustomed to buy stockings and socks at 25 cents per pair may now have the privilege, thanks to the Republican party, of paying 20 per cent more. The silk stockings worn by the rich women and the ballet dancer seem to be immune from attack by the Republicans, but the cotton stockings of the wife of the ordinary citizen must bear the burden of taxation for the United States Government. [Applause.] I have received a letter on this subject, which I will read here to show that the merchants of the country think as I do about this hosiery schedule:

I am writing you in reference to the tariff. I notice from the Ways and Means Committee of the House of Representatives that they have incorporated in the proposed tariff bill, in the interests of domestic manufacturers, largely increased rates on cotton hosiery and women's leather gloves. This is going to be a great hardship on the masses, as already, as I understand it, we have a 60 per cent duty on hosiery, and the proposed increase makes it 80 per cent. This will bar the successful selling in the future of any 25-cent hosiery, and will give an opportunity to the domestic manufacturer to put a very much inferior hose upon the people to what they are now receiving. The present rate is high enough to pay liberal wages to the operatives and a generous profit to the manufacturer, as shown by the latest government census.

I would urge upon you to avoid this raise for the interests of our people in this section, who are great users of popular-priced hosiery.

As to gloves, there are very few women's leather gloves manufactured in this country. Most of the gloves manufactured here are for men only. At present, gloves not over 14 inches are taxed according to length. In schmaschen, $1.75 to $2.75 per dozen; in lamb suede, $2.50 to $3.50; in lamb glacé, $2.50 to $4.50; and in kid, $3 to $4.75 per dozen; while under the new code the rates are uniform, ranging from $4 to $9.60 per dozen, according to length. Manifestly these rates are prohibitory and intended to be so. Congress should unquestionably consider the consumers as well as the manufacturers, and I would urge upon you to do what you can to defeat this proposed increase.

And I want to say right here that the man who wrote that letter is at the head of a large department store; his business ability and his integrity are above question.

The only excuse for this high-handed proceeding of the Ways and Means Committee is given in the following very few words of the chairman of that committee on this floor in his speech on this bill on March 22. He said:

STOCKINGS.

Then, there is an increase of duty on stockings that are shaped on a machine to the conformation of the foot. We did it after hearing a good deal of evidence and after carefully considering it, and came to the conclusion that if we wished to continue the manufacture of our own ladies' hose we must give an additional protection to our manufacturers. So we increased this duty. I understand the ladies are forming an organization. I hope no Member of the House will be intimidated by any such organization. I hope they will be able to make their peace at home and abroad when this question is under discussion. I am sure they will if they will carefully study the evidence and present the arguments from the facts presented to the committee.

As against the statement of the chairman of the committee that additional protection was necessary in order that the ladies' hose might continue to be manufactured in this country, I place the statement of the New England Dry Goods Association, which I have received by mail and which convinces me that these hosiery manufacturers need no protection; for

whenever you can get any considerable number of New England people to say that New England industry has protection enough and over, then I take it that no living man will doubt it, for they are as nearly "protection mad" in that part of the country of which Boston is the hub as men can well be. [Laughter and applause.] The communication concerns itself with both hosiery and gloves; but I will not read the part pertaining to gloves, as it is not being particularly discussed by me:

A PROTEST AGAINST THE PROPOSED INCREASE IN THE TARIFF ON HOSIERY AND GLOVES.

The New England Dry Goods Association is a representative body of business men, over 500 in number, engaged in selling dry goods in retail and wholesale stores throughout New England. In every community a dry goods store is well known, and the dealer, in serving a large clientage feels the pulse of the trade and learns the temper of the customers regarding the goods they buy. This experience enables them to know positively whether or not the public are satisfied with the goods and with the prices they have to pay.

The tariff has a most important influence both on the nature of the goods and their prices, and is therefore a matter of vital interest, both to us as dealers and to our customers.

We believe that our experience enables us to form not only an intelligent opinion on that portion of the tariff relating to the merchandise we sell, but an unselfish one as well, for the following reason: We are essentially distributers of goods either in a retail or wholesale capacity and get a profit on the merchandise whatever the price, whether it is increased or diminished by a greater or lesser tariff.

We believe that in general the Dingley tariff now in force is high enough to afford ample protection to manufacturers and a generous scale of wages to their employees; that any further increase in the rates would, first, exclude or greatly lessen the importation of merchandise that is now coming from abroad. Second, the exclusion of such goods would deprive customers of merchandise they want, would force them to take inferior American substitutes which they do not want, would deprive the Government of necessary revenue, would eliminate competition with the foreigner which is beneficial to the American manufacturer. Third, the importation of a fair amount of superior foreign goods—and they would not be imported unless they were superior at the price—forms a constant object lesson to the less experienced American manufacturer.

The presence of imported goods has been a great stimulus and is, in a large measure, responsible for the vast improvement in domestic manufactures. To eliminate or lessen this beneficial influence would be a detriment to the manufacturers themselves, and would increase the cost of living for the masses, which is quite high enough to-day. It would tend to create a monopoly in some branches of manufacturing, bringing in its train all the baneful abuses characteristic of monopolies, which are too numerous to mention. This tendency toward monopoly is well manifested by the petition of certain groups of manufacturers who, though their industries are amply protected by the present tariff, are asking for a still higher schedule, and whose action in so doing springs either from greed or fear that the existing rate may be lowered unless they ask for an increase. The manufacturers of hosiery and gloves may be taken to illustrate the above contention.

HOSIERY.

Some manufacturers of fashioned hosiery have petitioned for a general increase of 20 per cent over the present schedule. On page 4750 of the tariff hearings they state as follows: "A careful census of the hosiery mills of this country shows the desperate condition of this craft: almost without exception a week not exceeding four days is prevailing and in many cases three days a week is the true state of affairs. You therefore can readily understand the serious necessities of the industry, due entirely to the low cost of labor and materials in Germany, the keenest competitor for American cotton-hosiery trade."

This statement is positively at variance with the facts, as the majority of hosiery mills throughout New England and, indeed, the great majority of well-known hosiery mills of the country, are working full time and with a full complement of help. Every industry has been affected by the recent depression, but to ascribe dullness in the hosiery trade to insufficient protection is an evidence either of an attempt to deceive by taking advantage of a temporary calamity to prove a general condition, or it is a manifestation of inexcusable weakness that deserves the contempt and opposition of every fair-minded citizen in the land.

Although the Dingley tariff today gives the American manufacturers an advantage of about 65 per cent over the foreigner, yet their committee asks for an increase of between 15 and 20 per cent more, and justifies their position by making various assertions regarding this higher 20 per cent rate to give them the profit to which they are entitled. In other words, they want Congress to enable them to tax the American people 20 per cent for their hosiery to equalize the differential between the cost of manufacturing abroad and the cost of manufacturing in this country, or else they must "reduce wages," to use their own words. Can they explain why, in the face of such conditions, the production of hosiery in the United States between 1900 and 1905 increased 60 per cent, according to the official report of the Government Census Bulletin 74. The amount of men's half hose manufactured in 1900 was $11,051,244. In five years this increased 58 per cent, to $17,438,914. Ladies', children's, and infants' hosiery, in 1900, amounted to $16,205,372; in 1905, to $26,152,045, showing an increase of 61 per cent. In the words of Mr. Edward Stanwood, the government expert, "the product reached the prodigious number of 530,232,756 pairs in 1905."

To such figures as these substantiate the assertion that the hosiery business is in a desperate condition? Does it seem plausible that an industry would thrive and increase at such a rate unless it is profitable to those engaged in it? Unfortunately, the census can furnish no later figures than 1905; but were the report of the banner years 1906 and 1907 available, when no manufacturer in the country could meet the demands made upon him, we are confident that the figures would prove even more conclusively the marvelous growth of this already highly protected industry, and the futility of asking more aid from the American people in the shape of an extra tax of 20 per cent.

How have the imports of hosiery increased during this period from 1900 while the country was increasing in population? In 1890 the imports of foreign hosiery from Germany, which constitute practically 95 per cent of all that is shipped to this country, amounted to $6,604,835; in 1900, $4,016,435; in 1905, $6,645,576.

These figures are from the official consular report. During twenty years there has been scarcely any increase in the amount of hosiery imported, while the growth of the domestic output has advanced at the rate of over 60 per cent. According to the government census, the percentage of foreign hosiery used in America amounted to 5.4 per cent of the total hosiery sold, and in 1905 it had decreased to 5.1 per cent.

We believe the American manufacturers need have little concern regarding the wages they must pay their operatives. The prosperity of their industry and the little competition they get from abroad, as shown by figures we cited, proves their capacity to pay good wages and derive a fair profit themselves. It may be safely left to the trades unions to secure good wages for the operatives, as they are not at all backward in this respect. We believe that if a census were taken of the hosiery mills that a large number—in fact, the majority—are entirely satisfied with the present tariff, and that the petition now before the Ways and Means Committee is the work of a few who are specially interested.

The official government figures prove that the American manufacturers are getting control of the entire domestic hosiery market, and the rapidity of their growth constitutes indisputable evidence that the tariff which favors them is more than ample.

We notice a very marked increase in the amount of domestic-fashioned hosiery used, which is particularly in competition with German goods. The improvement in the American product is in a large part due to this very competition, which is both stimulating and instructive. It is a satisfaction to us to know that for the past eighteen years, while the output of American manufacturers has increased from $19,162,206 to over $50,000,000, as estimated by the manufacturers themselves, the importation of foreign hosiery has varied but little from year to year and scarcely increased at all. Speaking for ourselves and our customers, we are positively opposed to any further advance in the tariff rates on hosiery.

Respectfully,

THE NEW ENGLAND DRY GOODS ASSOCIATION.

P. S.—This petition was prepared by a representative tariff committee and read at a meeting of the association on March 16, when 295 members were present. It was unanimously adopted.

J. C. B. SMITH, *President*.

55 BEDFORD STREET, *Boston, Mass.*

Another industry of the South which seems to have incurred the displeasure of the Ways and Means Committee is the cotton-seed oil industry. How it ever happened to have any protection at all is a mystery to me, but it did have some protection under the Dingley Act. It will have none whatever under the Payne bill. The oil used to lubricate the machinery that runs the mill is protected as highly as ever, because it is produced by the Standard Oil Company. The tax on the machinery, the tax on the bagging and ties used on the linters, all are taxed as heavily as ever and all are used in the production of cotton-seed oil, which itself must have no tax to protect it. Why this discrimination? Why make fish of one class of producers and fowl of another? It is only another evidence of the fact that the protective policy is born of greed and fed upon discrimination, chicanery, and unfairness. [Applause on the Democratic side.]

The fact that an increase in tariff on a given article reduces the revenue of the Government instead of increasing it is strikingly shown in this bill. Although the average rate of increase in the whole bill is 1.56 per cent, the revenue to be derived is so inadequate that $20,000,000 will have to be raised by an inheritance tax, and a bond issue of $250,000,000 is authorized by the bill. As concrete examples of the folly of raising revenue by levying exorbitant tariff rates, I mention Schedules E, J, and N.

In Schedule E—sugar, molasses, and manufactures of—the duty is increased twenty-six one-hundredths per cent, while the estimated revenue is reduced $509,197.73.

In Schedule J—flax, hemp, jute, and manufactures of—the duty is increased sixty one-hundredths per cent, while the estimated revenue from the schedule is reduced $186,051.81.

In Schedule N—sundries—the duty is increased 3.99 per cent, while the estimated revenue from the schedule is reduced $2,169,169.73. This is an unanswerable argument against excessive tariff rates.

In spite of this, however, the Republican party is so anxious to break its promise to the people, and so solicitous for the welfare of the already protected interests, that it has actually raised every schedule in the tariff law except five, as is shown by the following table, which I will read:

	Payne bill.	Dingley bill.	Reduction.	Increase.
	Per ct.	*Per ct.*	*Per ct.*	*Per ct.*
A. Chemicals, oils, and paints	28.48	28.82	0.34	
B. Earthenware and glassware	52.13	51.81		0.32
C. Metals, and manufactures of	36.15	36.56	.81	
D. Wood, and manufactures of	10.42	16.03	5.61	
E. Sugar, molasses, and manufactures of	61.39	61.13		.26
F. Tobacco, and manufactures of	104.31	104.41	.10	
G. Agricultural products and provisions	39.66	33.39		6.27
H. Spirits, wines, and other beverages	74.92	71.18		3.74
I. Cotton manufactures	50.27	46.29		3.98
J. Flax, hemp, jute, and manufactures of	45.98	45.38		.60
K. Wool, and manufactures of	59.49	60.02	.62	
L. Silk and silk goods	54.17	53.24		.93
M. Pulp, papers, and books	25.35	21.34		4.01
N. Sundries	26.26	22.27		3.99
Total average	45.72	44.16		1.56

The gentleman from Ohio [Mr. LONGWORTH] the other day said that he would like to see a Democratic bill on the tariff, just to see what it would look like. I say to you, gentlemen, to-night, throw down the bars upon the offering of amendments to this bill and we will get enough men from your side to show you what a Democratic tariff bill looks like. [Applause on the Democratic side.] But you will not allow us to offer amendments. You have the power, by reason of your numbers, and you are going to force the House to take this bill, with only such amendments as the committee sees fit to offer. The servility of the members of the Republican party in this House in allowing themselves to be run over and bossed by the Republican leaders, who, in turn, are themselves run over and bossed by the trusts, is but the natural outcome of a policy which educates men to look to the Government for subsidies and protection instead of relying upon their own energy and manhood.

The gentleman from Ohio [Mr. LONGWORTH] also said on this floor last week in discussing this measure that the Republican party, in this bill, was keeping faith with the American people, and that it was now "here to deliver the goods."

So many varying and conflicting statements have been made here by Members of his party as to the ultimate effect of this bill that it is a difficult matter, from their statements, to say just what "the goods" are to which the gentleman from Ohio alludes. But when we look at the bill itself the difficulty no longer exists, for there we see what the goods are, and to whom they are to be delivered. We see that protection has been delivered to the manufacturers from both ends of the line; and where protection worth millions was not enough, the Treasury itself must suffer for their benefit. We see that to them has been delivered from the Treasury $344,511.98 in free iron ore; $842,113.89 in free coal; $3,284,521.01 in free hides; and $28,454.78 in reductions on cotton yarn; while millions have been delivered out of the earnings of the people through the increase in rates on socks, stockings, cotton goods, soap, earthenware and glassware, manufactures of sugar and molasses, silk goods, pulp, paper, books, and numerous other articles.

The "goods delivered" to the people are higher prices for clothes, coffee, tea, soap, pepper, spices, cocoa and chocolate, hosiery, gloves, books and paper, articles made of sugar and molasses, articles made from hemp, jute, and flax, lemons, perfumery, and practically everything else that a human being could possibly want. [Applause on the Democratic side.]

The "goods delivered" to the Standard Oil Company are the same outrageous countervailing duty of 100 per cent to 250 per cent, which has made it the most gigantic trust of all times, and has placed in the hands of a few men enough money to create a panic in the country whenever it suits them to withhold it from the channels of trade. [Applause on the Democratic side.]

The "goods delivered" to the brewers and distillers are immunity from any higher revenue tax on whisky and beer, while the raise in tea and coffee is enormous. [Applause on the Democratic side.]

There are 14 schedules in the tariff bill; 9 of them have been raised, while but 5 of them have been lowered. The total raise in this bill over and above the rates of the Dingley bill amounts to 1.56 per cent; this in the face of the fact that every Republican orator in the country was telling the people during the campaign last summer that their party intended to reduce the tariff. But they contend they have put many things on the free list, and so they have.

That free list is wonderfully and fearfully made, and will, no doubt, be a great consolation to the misguided American citizen who voted the Republican ticket last fall upon the idea that by so doing he would help to reduce his living expenses. If, after this bill becomes a law, he becomes worried because his socks cost him 20 per cent more than they used to, he can console himself with the thought that arsenic is on the free list. If he takes enough of the latter, the lack of the former will be immaterial.

He need not worry because lemons are taxed out of all reason, for on the free list are ipecac and nux vomica, either one of which will effectually kill an appetite for lemons, or anything else. [Laughter and applause.]

His coffee will cost him more than it does now, but he will rejoice to find that asafetida is on the free list. [Laughter and applause.]

Lead pencils for the school children will be higher, but why worry about that when no tax is required on balm of Gilead?

Ladies' gloves will cost more, but leeches can be imported free, if any should be needed to supply the place of those who manufacture the gloves.

Tea and cocoa will be almost prohibitive in price, but manna, which has been free since the day when the children of Israel wandered in the wilderness, is still on the free list, thanks to a generous Republican party. [Applause on the Democratic side.]

Fret not, dear people, because soap is going to cost 5 cents per pound more than it does now, for on the free list are ashes and lye, which the Republican party seems to think are good enough for the poor man's toilet.

Perfumery and cologne are raised in price, but rags are still upon the free list. A few years more of so-called "Republican prosperity," such as we have had for the past two years, and rags will be the most prominent article in the wardrobe of all but the protected classes and their satellites. [Applause on the Democratic side.]

If woolen and cotton goods are still sky high, that is nothing, for kindling wood is on the free list; and if any voter wants tea for breakfast and can not have it because of the exorbitant tax levied by this bill, he may turn to the free list and find there, to his unutterable joy, that tobacco stems and seaweeds have been magnanimously freed of import taxes by the great Republican party. [Applause on the Democratic side.]

Mr. Chairman, that this bill will enrich the wealthy at the expense of the poor no sane man can doubt, and it seems to me that the one idea kept steadily in view by the Ways and Means Committee in framing this bill was that—

To him that hath shall be given, and from him that hath not shall be taken away even that which he seemeth to have.

[Great applause on the Democratic side.]

Mr. GUERNSEY. Mr. Chairman, the importance of the disposal of the tariff legislation under consideration by the passage of the bill presented by the Ways and Means Committee in its present form, or as it may be deemed best to change it, can hardly be overstated. It is important because the industries of a great Nation are standing and waiting for the decision of Congress.

Only recently an official high in this Government stated to me that it was a conservative estimate that the production of the country was being curtailed to the extent of $20,000,000 per day, and would continue to be curtailed to that extent until the tariff question was settled.

After listening for two days to the exhaustive statements of the chairman of the Ways and Means Committee [Mr. PAYNE] on the nature and provisions of this bill, and followed by what the minority leader [Mr. CLARK] said about it, I am convinced that the pending tariff bill is a Republican measure; that it is built along the lines of protection and within the promises of the Republican national platform, with a few exceptions, notably, the pulp, paper, and lumber industries, against which schedules I feel it is my duty to make a most vigorous protest, although the measure as a whole has, and will have, my support.

There are rates in the woolen schedule that I believe should be adjusted, as they affect disadvantageously a great industry in this country, on which I hope to speak later.

The most notable departure from the principles of protection as laid down in the Republican platform are in the pulp, paper, and lumber schedules. These appear to me to approach nearer to the declarations in the Democratic platform, for the reason that when the Democratic platform was written the Democratic party, having no use for that part and parcel of the original thirteen States of this Union—now the State of Maine—that had been handing out Republican majorities to presidential candidates for the past half a century, struck at her leading industries—pulp, paper, and lumber—and declared that these especially and above all others should be free listed.

Maine, while not the leading, is one of the leading pulp and paper States in this Union. It is estimated that there are $50,000,000 of capital invested in plants within the State. The industry was started in Maine as early as 1731 by Samuel Waldo, a Boston merchant, who contracted to build a paper mill on the Presumcook River at Falmouth, and about the same time a paper mill was built at Stroudwater, also in Falmouth.

Through various stages the industry has progressed to its present importance, developing the water powers of the State and manufacturing into a finished product a portion of the enormous annual production of Maine's forests, which raw material was formerly almost wholly shipped beyond the borders of the State to be made into a finished product elsewhere.

More impressive and more important than the capital invested or the great plants constructed are the towns that have been built up and the villages created by the paper makers. All around the great plants the paper makers have built their homes—the homes of an industrious and contented people—and it is in their behalf more than any other interest that I want to

make my appeal to you, as it was to them that you made your appeal in November.

The promoters of pulp and paper plants have in many instances sought out undeveloped water powers back in the forests as desirable points for the establishment of plants. The paper makers have followed the plants and invested their all in many cases by building their homes in these single-industry places.

Along with the building of these homes have been built churches and schoolhouses. The small trader has opened his store; the money of the small investor and the accumulated savings of the many in the savings banks have been loaned out to the home builders and the traders in these paper towns, all in full confidence that the great Republican party would not turn its back in a day or a night on an industry that has grown up under its protection, causing it to be curtailed and perhaps suspended, resulting in the home being rendered valueless and the investment being sealed.

The loss will not stop there, but it will reach out to the farmer in the surrounding country who has found a market for the products of his garden, his field, and his wood lot. Let Congress be careful how it lays its heavy hand on these industries, laying them open to foreign competition, for that same hand will rest far heavier on the home builder and all those that go with him and follow in his trail.

Let not Congress drive the paper makers into Canada and render valueless the homes that they have built in the United States, for if the proposed change in the pulp and paper schedules accomplishes anything or anywhere near what is predicted for it, it will of necessity transfer a great portion of the paper-making business from the United States to Canada.

Already American investors of large means have accumulated vast territories of timber lands within Canada's domains, and are only waiting favorable opportunity to construct pulp and paper plants upon them for the purpose of supplying the American market, which will at once strike a heavy, if not a fatal, blow to American industries in this same line and destroy the investments of the home builders of the United States.

Let us not forget that one home builder here is worth to us what ten would be in Canada, for here they build up communities and contribute in taxes, and by their personal presence aid in the support and maintenance of the Government.

I have seen in recent years a prospective city spring into existence in the wilderness of northern Maine, composed of these same home-building paper makers. Where but a few years ago there was but a single farmhouse located by a lonely stream, now there is a prosperous community of several thousand people and vast development of water power.

At Rumford Falls like results, only perhaps more extensive, long ago took place. Like communities are springing into existence and activity in several other places in the State of Maine.

It is in the development of the water powers and the manufacture of the raw products of the forest that the future of the State lies. While the State was settled early, development has not been as rapid as in some other sections of the country.

In the northwesterly portion of the State there lies an empire within itself and an unbroken wilderness containing enormous natural resources in undeveloped water power and forests, whose annual production is far in excess of the amount being utilized at the present time. Great quantities of wood products go to waste annually through rot, blow downs, and fire, the true development and conservation of which territory is almost entirely dependent upon the advent of the paper makers, the development of the water powers, the manufacture of the products of the forest, and the building up of communities, which will result in the building of railroads and the development of the territory and the resulting development of the State generally.

As the gentleman from Illinois [Mr. MANN] in his remarks stated that there was a lack of information about the industry in Maine, I will submit the following: According to the latest official records of Maine—those of 1906, relating to the pulp and paper industry—there were within the State 38 different establishments. Ground wood pulp was made at 20, sulphite pulp at 13, and soda pulp at 5. Paper was made at 19 of the establishments, pulp boards at 3, and leather boards at 3.

Paper in its different forms was made at 31 of these different establishments, and the daily output of these 31 mills was 1,940,000 pounds of ground wood pulp, 1,424,000 pounds of sulphite pulp, and 580,000 pounds of soda pulp, a total of 3,918,000 pounds.

There were 25 establishments or 28 mills where paper in its various grades was manufactured, including paper boards and leather boards. The classification of the daily output of the 28 mills was—

	Pounds.
News paper	1,430,000
Manila paper	294,000
Book paper	270,000
News and manila paper	318,000
Book and white paper	164,000
News and bag paper	100,000
Manila and writing paper	70,000
Manila, wrapping, and bag paper	54,000
Manila, book paper, coating, and envelope paper	280,000
Wrapping and miscellaneous paper	38,000
Pulp board	97,000
Leather board	13,000
Making a daily total of	3,128,000

The same census shows that, in round numbers, 334,000,000 feet of spruce was used in the mills, of which 20,000,000 feet was Canadian spruce; that of the Maine spruce used 32,000,000 feet was edgings; that in the mills 8,606 people were employed, receiving $4,820,268 per year; that a total value of the annual product of the industry was $34,617,666.

Undoubtedly those that were indirectly employed in connection with the industry, as men in the woods, and so forth, would bring the total number employed up to nearly, if not quite, 15,000 people, while the total number dependent on the industry conservatively estimated is not less than 60,000 people.

Since the census of 1906 pulp and paper mills have been enlarged and new ones constructed, so that the amount of the men, labor, wages, and output of the mills is considerably in excess of the amount indicated in the state census of 1906, which clearly illustrates the extent and the vast importance of this industry in the State of Maine.

Under the Dingley tariff law, which was the result, in a measure, of years of experience and careful observation by that distinguished citizen of Maine, the late Nelson Dingley, the industry has progressed by steady strides, and, while adequately protected, yet it has never produced excessive profits to the investors. In many instances the entire earnings have gone into the development of the plants, with resulting benefit to the State, rather than being distributed in dividends. In view of these conditions I firmly believe that it is in the best interests of all that the schedule of the Dingley tariff act should be reenacted in this measure.

I am well aware that the great cry that has gone up all over this country in favor of the conservation of the forests has had much to do with the demand for a lowering of tariff rates. If the tariff rates result in the closing of our mills and the landowner and the farmer lose the market for his timber and his wood, our forests will increase in some localities, while in others they would not.

Good prices for lumber products make the landowner more careful of the manner in which his land is cut. Forty years ago, when prices were low, there was needless waste in the operation of timber land. To-day the landowner, as a rule, throws every safeguard possible around the method of cutting his land. The paper companies cut in a manner that will insure the continued reproduction by their forests. The farmer and the small timber-land owner look upon his wood lot and his tract as he does upon his bank account.

The Chief Forester of the United States, Hon. Gifford Pinchot, in a recent communication to Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee, declared that he did not believe that the removal of the present duty would in any way tend to conserve the forests.

As bearing upon this same proposition, I ask leave to have inserted in the RECORD, in connection with my remarks, a communication from the Hon. Edgar E. Ring, forest commissioner of Maine, to myself, under date of March 15, 1909—as I believe this statement to be of the greatest importance—as there is no more careful, conscientious public official in our State or this country than Mr. Ring, who has given long and careful study to forestry questions, and his communication, for that reason, I believe, is entitled to great weight.

STATE OF MAINE,
OFFICE OF LAND AGENT AND FOREST COMMISSIONER,
Augusta, March 15, 1909.

Hon. FRANK E. GUERNSEY,
Washington, D. C.

DEAR SIR: The statements which are being made in the public press to the effect that the removal of the duty on pulp and paper would be of great benefit to the forests of Maine, if true, must mean the abandonment of the pulp and paper industry of this State. I feel it my duty as forest commissioner to say that I am not in accord with those sentiments.

Since the advent of the pulp and paper industry in Maine, covering a period of less than twenty years, the system of handling our forest lands has been completely revolutionized. Prior to ten years ago in

cutting logs in the woods, it has been demonstrated by actual tests and measurements that only from 60 to 65 per cent of the volume of the lumber trees actually cut was saved and utilized for lumber purposes, while since that period on account of the paper industry it has been demonstrated by later measurements and experiments that from 80 to 85 per cent of the volume of the lumber trees is actually utilized, and what is of far greater importance is the fact that crooked, seamy, and defective trees, as well as all of the undersized trees formerly cut and destroyed in swamping roads and in making yards and landings are now all utilized.

Prior to the advent of the paper business forest lands were valued only for what they would produce in what was commonly known as "saw logs," and in consequence the low or damp lands as well as the semibarren lands, together with large areas composing the wooded acreage included in farm lands, were practically worthless. As a result of the paper industry very many thousands of acres in both the settled as well as the unsettled portions of the State now have large intrinsic value. Under the former conditions, with these lands regarded as worthless, little or no care was exercised in preventing them from being burned or destroyed, there being no public sentiment in favor of fire protection or conservation. It is well known that the value of this class of lumber is naturally much less, comparatively, per thousand feet than the larger and maturer lumber of the deep forests, yet, as stated, under present conditions it is valuable; but should the duty be removed and the low-priced virgin lumber of Canada be offered in competition, it would again render these lands comparatively worthless until after a long series of years—so long, in fact, that it would be very difficult or impossible to obtain sufficient financial aid to save these lands from destruction by fire.

Under present conditions sentiment in this State is rapidly growing in favor of fire protection and conservation, as demonstrated by the fact that a bill about to become a law in this State provides for $60,000 per annum for the purpose of fire protection alone, and the widest code of fire laws that the State has been able to compile from the experience not only of itself, but of all of the other lumber States and Canadian provinces, as far as the facts could be learned, have been enacted, and public sentiment demands their full enforcement.

Furthermore, it must be borne in mind that while the pulp and paper plants of the State of Maine are actually obtaining a considerable quantity of lumber from the provinces of Canada, one of the main objects in so doing is to conserve our own forest products, as demonstrated by the fact that fully one-half of the whole territory of Maine has never as yet produced one single log for pulp and paper production. I refer to the St. John River drainage, where the same wanton system of lumbering, although possibly in a somewhat lesser degree, is being followed as was followed through the long period from 1860 to 1900. Were this territory fully developed for lumbering by means of proper railroad connections or water facilities, it is safe to assert that, conservatively managed, as the paper companies are endeavoring to do to-day with the best knowledge obtainable, it would supply the entire demand for all the mills now located in Maine indefinitely. With the advantage of the present protective duty, public sentiment will undoubtedly continue to grow, and the widest methods that our scientists can produce will be adopted for the increase in production, as well as preservation of our forest areas; while, on the other hand, should we at this critical state get a complete setback on account of these duties being removed, I fear, and fear greatly, that interest but recently awakened for forest conservation would shortly die out, financial aid from the State for fire protection would be withdrawn, the carelessness and indifference of former years would be resumed, disastrous forest fires would follow, and the State greatly injured instead of benefited.

In conclusion, I wish to state, and to make it as emphatic as possible, that the removal of duty upon the pulp and paper products, so far as Maine is concerned, would work a great injury and no possible benefit. In this opinion I am borne out by the sentiment of men who, like myself, have been making a study for many years of the actual forest conditions of the State of Maine.

Yours, very truly,
EDGAR E. RING,
Forest Commissioner.

At the present time the great and the absorbing question is the proper protection and conservation of our forests for our own good and the generations yet to come, and I hope the public opinion, as now directed, will continue; yet I can recall that within a decade the correspondents, magazine writers, and special writers throughout the East were writing columns for publication on the abandoned farms of New England, and that the country was returning to a wilderness, and state officials, in the different New England States, had under consideration various plans for the resettlement of these farms.

What was taking place was that nature, aided by conditions—depression in agricultural pursuits—was reforesting the country. Later it was discovered that the old farms were covered with more timber than anyone had suspected; that they had, in fact, been growing timber rapidly and were very valuable instead of worthless.

I can take any man in my presence onto farms in Maine where there were good mowing fields twenty and twenty-five years ago that are now covered with forests containing standing trees fit to cut.

If we curtail the production of our mills we shall undoubtedly preserve and gradually increase our forests. Of this I have no doubt; and if the time has arrived for us to do it, let it be done.

What I have said relative to the pulp and paper industry in an equal degree applies to the free importation of manufactured lumber, which is advocated by many. If free lumber has any effect, it will sharpen competition with our sawmills and probably close up many.

While I have dwelt very largely in my remarks on the pulp and paper industry from a Maine standpoint, yet what I have said I believe will apply to the industry in the country generally. I listened with a great deal of interest to the gentleman from Illinois, Mr. MANN, chairman of the Special Committee on the Investigation of the Pulp and Paper Industry of this country, as it showed exhaustive and most careful consideration, and while the gentleman in his general conclusions at the closing of his remarks declared that he did not believe that the changes in the tariff schedules, as made by the pending measure and based upon the report of his committee, would injuriously affect the paper industry in this country or transfer the paper industry or any great portion of it across the border, yet he did declare that eventually he believed the manufacture of ground wood pulp would be transferred to the backwoods of Canada.

What assurance can the gentleman from Illinois give that if the manufacture of ground wood pulp, which is made free under this bill, is transferred to the backwoods of the great country north of us, that the paper industry and the paper makers of the United States will not be obliged to follow?

What assurance has the gentleman from Illinois that it would be profitable to transport heavy and bulky ground wood pulp, which contains, it is stated, at least 40 per cent of water, from 500 to 1,000 miles from the northern woods of Canada to our paper mills here, in order that it may be manufactured into paper in the United States?

I believe that to be contrary to general experience. Industries are apt to seek the source of their supply of raw material when possible. I believe if the ground wood pulp industry eventually goes to Canada, as the gentleman from Illinois confesses it may, that it will be followed by the paper maker.

In conclusion, let me say that I believe the Dingley tariff schedules relating to these industries should be continued or reenacted in the present measure. This should be done in justice to the home builders in the paper-making towns, in justice to the leading industry of Maine. [Applause on the Republican side.]

Mr. MORGAN of Oklahoma. Mr. Chairman, when the discussion of this bill (H. R. 1438) first began I did not intend to participate therein. It is more appropriate that this debate should be conducted by those who have had long service in this House, who have had wide experience in national legislation, and who by exhaustive study have acquired a thorough knowledge of the subject of the tariff.

The people of my district, in common with all the 90,000,000 of people of the United States, are interested in every provision contained in this bill.

But there is one provision in which my people are especially interested. They are interested in the duty upon gypsum and its products.

In at least three-fourths of the counties of my district gypsum is found in vast quantities. Many thousand dollars have been invested in the mining and manufacturing of gypsum. Employment is given to a large number of men. The industry is capable of indefinite development in the future. Prior to 1897 gypsum was on the free list. The Dingley law, enacted in 1897, placed a duty of 50 cents per ton on plaster rock or crude gypsum and a duty of $2.25 per ton upon calcined or ground gypsum.

The Payne bill, now under discussion, places a duty of 40 cents per ton on crude gypsum and $1.75 cents per ton on ground or calcined gypsum. This is a reduction of 20 per cent upon crude gypsum and over 21 per cent upon ground or calcined gypsum.

In the hearings before the Ways and Means Committee a large amount of evidence was presented relative to the tariff upon gypsum and its products. This evidence will be found on pages 616 to 621 and 634 to 694 (Schedule B—Earth, earthenware, and glassware). The evidence presented at these hearings clearly demonstrates to my mind that there should be no reduction in the duty on either crude or calcined gypsum.

RAW MATERIAL INEXHAUSTIBLE.

In seeking an appropriate article upon which to levy a protective tariff one of the first requirements is that we should have the raw material in such quantities as will enable us to manufacture the article in quantities sufficient to supply the home demand. Gypsum meets this requirement fully. We have the raw material in every section of our country in absolutely inexhaustible quantities.

Gypsum is found in New York, Virginia, Ohio, Michigan, Iowa, Kansas, Arkansas, Oklahoma, Texas, North Dakota, South Dakota, Wyoming, Montana, Utah, Nevada, Oregon, New Mexico, Arizona, Colorado, and California. We can supply not only our own country, but we can supply the world.

The Second Congressional District of Oklahoma, which I have the honor to represent in this House, has sufficient gypsum of

the very best quality to supply the United States for an indefinite time. Charles N. Gould, who is now the state geologist of Oklahoma, in an article in Mining Science, December 12, 1907, on page 542, says:

The gypsum area, of which the Oklahoma beds form a part, is the largest in the United States. The area extends practically uninterruptedly from southern Nebraska across Kansas, Oklahoma, and Texas, nearly to the Pecos River. It is not to be understood that the line of outcrops is entirely continuous, but that throughout this entire distance the rocks are more or less impregnated with gypsum. Over a considerable part of this area, however, the outcrops are continuous, and one may travel 200 miles or more and not once be out of sight of heavy gypsum ledges. The line of outcrops from southern Nebraska to west-central Texas is approximately 600 miles long. The width of the area containing gypsum varies from a few miles to more than 100 miles. Oklahoma is in the center of the region and the most extensive deposits are in that State. The amount of gypsum in Oklahoma is practically inexhaustible. With perhaps two exceptions, every county west of the main line of the Rock Island Railroad contains enough material to supply the United States with cement and plaster for an indefinite length of time.

Since the tariff was placed upon gypsum seven gypsum mills have been established in the Second Congressional District of Oklahoma.

GYPSUM AN "INFANT" INDUSTRY.

A protective tariff may most appropriately be placed upon an article or product which is still in its first or primary stage of development.

The mining and manufacturing of gypsum and its products, being in the first stage of development, is an "infant" industry, and as such demands the amount of protection that will insure its proper development. In these days we hear little about our "infant" industries except what is said in a spirit of derision from the opponents of protection. Nevertheless we still have "infant" industries. New discoveries in science, new inventions in machinery, more accurate investigation of our natural resources, progress in mining, manufacturing, agriculture, commerce, and in every other line of human activity are constantly opening additional opportunities for the founding of new American industries. We must not overlook these new opportunities. Upon the founding, development, and perfecting of new industries depend the future industrial supremacy of our country.

In every section of our great country there are vast undeveloped natural resources. We lead the world in manufacturing, but we have not yet attained the limit of our development. We must keep in mind every opportunity to found a new industry. Every new industry should be given ample protection to insure its proper development. The manufacture of gypsum and its products is an industry that is still in its infancy. It is practically but twelve years old. It is capable of almost indefinite development. It is not a local or sectional industry. The benefits and blessings of its development will come to every section of our country. I believe it is unwise to reduce the tariff upon gypsum. By so doing you encourage the importation of foreign gypsum and to that extent retard the development of the industries at home.

PROTECTION STIMULATES PRODUCTION.

Republicans have always contended that the policy of protection has been one of the prime factors in our unparalleled industrial development. We have maintained that protection encourages and stimulates the development of all our natural resources.

The result of the duty of 50 cents per ton upon crude gypsum, as provided in the Dingley law in 1897, demonstrates the truth of the contention of the Republican party. The annual production of gypsum in the United States in 1897 was 288,982 tons. Behold, ten years later, in 1907, the annual output of gypsum in the United States was 1,751,748 tons. Under a tariff of 50 cents per ton upon crude gypsum the annual output has increased 500 per cent. In these ten years about 40 new mills have been established for the manufacture of wall plaster and other products of native gypsum. The amount of capital invested in this industry has increased from comparatively nothing to about $20,000,000. The industry now gives employment to about 6,000 men, giving support to about 25,000 people.

REDUCTION OF PRICE.

The Republican party has always maintained that a duty upon an article or product which is capable of being produced in this country in quantities sufficient to supply the home demand will not cause an increase in the price of the article, but that home competition, the development of manufacturing plants, improvement in machinery, the acquirement of greater skill among our mechanics and artisans, will, within a reasonable time, cause a great reduction in the price of the article so protected.

On the other hand, it has been maintained by our Democratic friends that a duty placed upon an article which is produced in this country will raise the price of the article or product equal to the per cent of the duty. They insist, therefore, that a protective tariff is a tax upon the consumer.

The history of the duty placed upon gypsum and its products by the Dingley bill of 1897 vindicates the position taken by the Republicans and disproves the theory of our Democratic friends. The evidence before the Committee on Ways and Means shows beyond question that since the tariff of 50 cents per ton was placed upon crude gypsum there has been an actual reduction in the price of the products of gypsum of at least 33⅓ per cent. It may be true that a duty placed upon an article which is not produced in this country to any great extent does raise the price of the article equal to the amount of the duty. In other words, a duty of 5 cents a pound upon tea would probably raise the price of tea in this country to an amount equal to that duty, but the industrial history of the United States demonstrates beyond the peradventure of a doubt that our policy of protection, instead of increasing the price of manufactured products, as claimed by our Democratic friends, has, on the other hand, greatly decreased these prices.

THE BENEFITS OF PROTECTION.

The Republican party has always maintained that a protective tariff was not class legislation; that it was not for the benefit of the manufacturers; but that it serves the double purpose of bringing to the Government the necessary revenues and, in addition thereto, scatters its blessings to every section of the country and to the people in every occupation and calling.

Our Democratic friends, however, continue to repeat that a protective tariff is class legislation; that the manufacturers alone are benefited, and that the people—the consumers—under a system of protection are taxed for the benefit of the manufacturers. That the Republicans are right in their contention has been demonstrated over and over again in the history of our country.

But the tariff placed upon gypsum and its products by the Dingley bill has demonstrated again that a protective tariff does not tax the consumer for the benefit of the manufacturer, but that the benefits and blessings of protection flow to all classes of our people.

The chief product manufactured from gypsum is common wall plaster. Since the tariff was placed upon gypsum, as I have heretofore pointed out, there has been a reduction of at least 33⅓ per cent in the price of this article. The benefits of the tariff upon gypsum did not, therefore, go to the corporations and individuals engaged in the mining and manufacture of gypsum products, but to the masses of the people who are enabled to purchase plaster for their dwellings for one-third less than they could prior to the time a protective tariff was first placed upon gypsum.

WHY THE REDUCTION?

I can not understand upon what theory the Ways and Means Committee decided to make a reduction of 20 per cent upon the tariff upon crude gypsum and of about 21 per cent upon the tariff upon ground or calcined gypsum. The reduction could not have been made with a view to increasing the revenue. The revenue from the tariff upon gypsum in 1907 under the Dingley bill was about $195,000. Under the present law the tariff on gypsum has been a good revenue producer. I have read carefully the evidence presented to the Committee on Ways and Means, and there were certainly no facts presented which showed that a reduction in the tariff on gypsum would result in a larger revenue to the Government.

The evidence showed that under a duty of 50 cents per ton on crude gypsum, there was imported into the United States from Nova Scotia, Cape Breton, and New Brunswick, Canada, in 1907, 393,000 tons of gypsum. In 1897 there was only 161,201 tons imported. Under the tariff of 50 cents per ton, the imports for 1907 were more than double the imports of 1897. It was further shown that the men engaged in the manufacture of imported gypsum have in the meantime, under this tariff of 50 cents per ton, largely enlarged their mills and greatly increased their business. The manufacturers of the imported article have been able to prosper under the present tariff. The manufacturers of domestic gypsum appeared before the committee and, to my mind, presented strong arguments in favor of an increase in the duty from 50 cents per ton to $1 per ton. They prayed for an increase of the duty on gypsum, but you give them a reduction. In my judgment, the duty on crude gypsum and calcined gypsum should have been increased rather than decreased.

I believe in protection. But I believe the reduction should be made in those duties upon articles which do not need the protection which they now have. I believe that the manufacture of gypsum and its products is capable of large development and growth in the future. We should give this industry encouragement. One of the products manufactured from gypsum is what is known as "Keene's cement."

The committee wisely, as I believe, increased the duty on Keene's cement from 20 per cent ad valorem to 35 per cent ad valorem. Keene's cement is imported into this country from Europe. At present there are but two mills manufacturing Keene's cement in the United States. One of these mills is located at Medicine Lodge, on the southern border of Kansas; the other is located at Acme, on the northern border of Texas. Between these two points lie the great gypsum beds of Oklahoma.

The gypsum in this district is of the best quality, and from it may be manufactured Keene's cement. From Keene's cement is made the hardest wall plaster now in use. The evidence before the Committee on Ways and Means showed that the plaster used in the Senate and the House Office Buildings and in the subway connecting these buildings with the Capitol is made with Keene's cement. The evidence further showed that Keene's cement is used largely in the manufacture of artificial marble, which competes in this country with natural marble. I believe that gypsum and its products will some day be used not only for finishing the interior of buildings, but as the main material in the construction of all kinds of buildings. In view of the inexhaustible quantity of gypsum in every section of the United States, I believe proper encouragement should be given to the development of this industry. If proper encouragement shall be given to this industry, it is not beyond the possibilities that the time will come when all classes of people throughout the West will live in houses built of marble manufactured from Oklahoma gypsum. [Loud applause on the Republican side.]

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. REYNOLDS having taken the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

ADJOURNMENT.

The SPEAKER pro tempore. The hour of 10.30 p. m. having arrived, the House, under the order heretofore adopted, stands adjourned until to-morrow morning at 10 o'clock.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HAMLIN: A bill (H. R. 6039) establishing the Wilson Creek national military park—to the Committee on Military Affairs.

By Mr. NICHOLLS: A bill (H. R. 6040) to establish in the Department of the Interior a Bureau of Mines—to the Committee on Mines and Mining.

By Mr. FOSTER of Vermont: A bill (H. R. 6041) to extend immediate transportation privileges to the subport of Swanton, in the customs collection district of Vermont, and defining the limits of said subport—to the Committee on Ways and Means.

By Mr. CAMERON: A bill (H. R. 6042) to authorize the Secretary of the Interior to construct a bridge across the Little Colorado River, abutting on the Navajo Indian Reservation, in the Territory of Arizona, and for other purposes—to the Committee on Indian Affairs.

By Mr. CREAGER: A bill (H. R. 6043) for the relief of registers and former registers of the United States land offices—to the Committee on Claims.

Also, a bill (H. R. 6044) authorizing the Secretary of the Interior to refund certain moneys, and for other purposes—to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 6045) granting a pension to Cecelia Cox—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 6046) granting a pension to Alvin H. Brown—to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 6047) granting a pension to Joseph Fadell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6048) granting an increase of pension to Charles S. Armstrong—to the Committee on Invalid Pensions.

By Mr. BOUTELL: A bill (H. R. 6049) granting a pension to Isador Strumpf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6050) granting a pension to Ida E. Gibbs—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 6051) granting an increase of pension to William A. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6052) granting an increase of pension to John Conzet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6053) granting an increase of pension to William O. Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6054) granting an increase of pension to Jesse Emely—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 6055) granting an increase of pension to James A. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6056) granting an increase of pension to Louis Frick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6057) granting an increase of pension to John W. Leathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6058) granting an increase of pension to Jacob J. Staiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6059) for the relief of Andrew Yewell—to the Committee on Claims.

By Mr. CREAGER: A bill (H. R. 6060) granting an increase of pension to Willis J. Gambel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6061) granting an increase of pension to Thomas J. Bolt—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 6062) granting a pension to Riley Liston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6063) granting a pension to Sarah P. Dobbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6064) granting an increase of pension to Jasper N. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6065) granting an increase of pension to William H. Rodenbeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6066) granting an increase of pension to Allen Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6067) granting an increase of pension to Valentine T. Vest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6068) granting an increase of pension to Absalom Maze—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6069) granting an increase of pension to B. F. Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6070) granting an increase of pension to John Dunlap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6071) granting an increase of pension to William H. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6072) granting an increase of pension to James W. Defore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6073) granting an increase of pension to Moses M. Fulk—to the Committee on Invalid Pensions.

By Mr. DIEKEMA: A bill (H. R. 6074) for the relief of William Leech—to the Committee on Claims.

By Mr. GRIEST: A bill (H. R. 6075) for the relief of Amos Hershey—to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 6076) granting an increase of pension to Luther King—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 6077) for the relief of Jacob Dillon—to the Committee on War Claims.

Also, a bill (H. R. 6078) for the relief of the heirs of Robert Fullerton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6079) for the relief of the legal heirs of John G. Burrus, deceased—to the Committee on War Claims.

By Mr. LOUD: A bill (H. R. 6080) granting a pension to John P. Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6081) granting a pension to Stephen Ryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6082) granting an increase of pension to Stephen H. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6083) granting an increase of pension to John Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6084) granting an increase of pension to Otto Feyerabend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6085) granting an increase of pension to George W. Rowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6086) granting an increase of pension to Roswell B. Gotham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6087) granting an increase of pension to John Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6088) granting an increase of pension to Richard C. Swainston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6089) granting an increase of pension to John Baker—to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 6090) granting a pension to Archibald Van Deren—to the Committee on Pensions.

By Mr. MADISON: A bill (H. R. 6091) granting an increase of pension to John W. Edwards—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 6092) granting a pension to Henry T. Lord—to the Committee on Pensions.

By Mr. REEDER: A bill (H. R. 6093) granting an increase of pension to John S. Huddleston—to the Committee on Invalid Pensions.

By Mr. TENER: A bill (H. R. 6094) granting an increase of pension to Philip S. Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6095) granting an increase of pension to John H. D. McGill, alias Harry Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6096) granting an increase of pension to Abia Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6097) granting an increase of pension to Joseph Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6098) granting an increase of pension to William A. Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6099) granting an increase of pension to Joseph M. Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6100) granting an increase of pension to George R. Murray—to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 6101) to remove charge of desertion against Adam B. Ackerman—to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 6102) for the relief of the heirs of Jenkins and Havens—to the Committee on War Claims.

By Mr. VREELAND: A bill (H. R. 6103) granting a pension to Lucien B. Scott—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petition of Dietger Sale Lithograph Company and others, of Buffalo, N. Y., favoring high tariff duties on lithographic products—to the Committee on Ways and Means.

Also, petition of Andrew J. Snow and other citizens of Buffalo, N. Y., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of Highland Grange, of Defiance County, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of importers and jobbers of tea in the city of Boston, against a tax on tea in time of peace—to the Committee on Ways and Means.

Also, petition of Ayersville Arbor, No. 507, of Defiance County, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ASHBROOK: Paper to accompany bill for relief of Alvin H. Brown—to the Committee on Pensions.

By Mr. BARCLAY: Petition of citizens of the Twenty-first Congressional District of Pennsylvania, for free hides—to the Committee on Ways and Means.

By Mr. BOWERS: Paper to accompany bill for relief of estate of Harris Barnes—to the Committee on War Claims.

By Mr. BURLEIGH: Petition of Lewis Leland, of Salisbury Cove, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CALDER: Petition of Martin L. Bodkin, M. D., favoring reduction of duty on Guinness stout—to the Committee on Ways and Means.

Also, petition of Charles A. Scheren Company, of New York, favoring free hides—to the Committee on Ways and Means.

Also, petition of Jed. Frye & Co., of New York, favoring reduction of duty on fish—to the Committee on Ways and Means.

Also, petition of C. G. Robertson, of Baltimore, favoring reduction of duty on aluminum—to the Committee on Ways and Means.

Also, petition of Arthur Benson, of Brooklyn, N. Y., against a duty on tea—to the Committee on Ways and Means.

Also, petition of Edward G. Neill, favoring increase of duty on lithographic products—to the Committee on Ways and Means.

By Mr. COCKS of New York: Petition of citizens of the First Congressional District of New York, opposing tax on tea and coffee—to the Committee on Ways and Means.

By Mr. COOK: Petition of importers and jobbers of tea in the city of Boston, against a duty on tea—to the Committee on Ways and Means.

Also, petition of employees of the Linwood Manufacturing Company, of Philadelphia, Pa., favoring proposed tariff in Payne bill on hosiery—to the Committee on Ways and Means.

By Mr. DENBY: Petition of citizens of the First Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of tea importers and jobbers of Boston, against a duty on tea—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-seventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: Petition of San Francisco Chamber of Commerce, favoring free trade with the Philippine Islands—to the Committee on Ways and Means.

Also, petition of F. N. Spencer and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FOELKER: Petition of citizens of the Third Congressional District of New York, against a duty on fea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Petition of American League of Civic Improvement, for legislation concerning the proposed improvement of the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Rockford (Ill.) Cabinet Company, for reduction of duty on small-sized mirrors—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Levant & Sons, of Lancaster, Pa., for reduction of the duty on bulbs or placing same on the free list—to the Committee on Ways and Means.

Also, a petition of Ulrich & Donaldson, against reduction of the duty on silk—to the Committee on Ways and Means.

Also, petition of Ideal Cocoa and Chocolate Company, of Lititz, Pa., against the proposed duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of H. H. Linger, favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. KINKEAD of New Jersey: Petition of citizens of the Ninth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of citizens of Long Prairie, Minn., favoring reduction of the tariff on sugar—to the Committee on Ways and Means.

By Mr. LOUD: Paper to accompany bill for relief of George W. Rowley, Roswell B. Gotham, John Robinson, John Baker, Richard C. Swainston, Otto Feyerabend, John Jones, Stephen Wheeler, John P. Day, and Stephen Ryan—to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: Petition of citizens of First Congressional District of Nebraska, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. NICHOLLS: Petition of business men of Scranton, Pa., favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. OLDFIELD: Petition of R. D. Mays and others, for government aid in removing sand bars from Indian Bay stream at the old port of Indian Bay—to the Committee on Rivers and Harbors.

By Mr. HENRY W. PALMER: Petition of R. Thethaway and others, of Wilkes-Barre, for increase of duty on lithographic products—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of Mrs. C. Emma Warfield and 88 others, of East Providence, R. I., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of B. H. Gladding Dry Goods Company, of Providence, R. I., against any increase of the present duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Newport (R. I.) Lodge, No. 104, Benevolent and Protective Order of Elks, favoring the preservation of the American elk—to the Committee on the Public Lands.

Also, petition of Newport (R. I.) Paper and Grocery Company, favoring repeal of duty on raw and refined sugars—to the Committee on Way and Means.

Also, petition of Merchant Tailors' National Exchange, against reduction of duty on clothing merchandise—to the Committee on Ways and Means.

Also, petition of public library of Providence, R. I., against a duty on imported books and printed matter—to the Committee on Ways and Means.

By Mr. SPERRY: Petition of citizens of the Second Congressional District of Connecticut, asking for the removal of the duty on sugar—to the Committee on Ways and Means.

Also, petition of citizens of the Second Congressional District of Connecticut, protesting against any duty on tea and coffee—to the Comittee on Ways and Means.

Also, petition of the Business Men's Association of Danbury, Conn., protesting against the duty on tea, coffee, and spices—to the Committee on Ways and Means.

By Mr. TAYLOR of Ohio: Petition of Thomas Evans and many other citizens of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. VREELAND: Petition of oil producers of Allegany, N. Y., favoring retention of duty on crude oil—to the Committee on Ways and Means.

By Mr. WANGER: Petition of Mr. M. W. Miller and 18 other residents of Lederach, Montgomery County, Pa., against the imposition of any duty on teas or coffees—to the Committee on Ways and Means.

Also, resolutions adopted March 23, 1909, by the importers and jobbers of tea in the city of Boston, Mass., protesting against a tax on tea in time of peace—to the Committee on Ways and Means.

By Mr. WEBB: Petition of H. A. Whittington and other citizens of Madison and Yancey counties, N. C., favoring a specific duty of at least 6 cents per pound on mica—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of citizens of the Twenty-eighth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of George R. Johnson and 46 other residents of Kellettville, Forest County, Pa., for free hides—to the Committee on Ways and Means.

Also, petition of A. H. Hussey and 23 others, of Medix Run, Elk County, Pa., for free hides—to the Committee on Ways and Means.

By Mr. WOODS of Iowa: Petition of citizens of the Tenth Congressional District of Iowa, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of the Tenth Congressional District of Iowa, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. YOUNG of New York: Petition of citizens of the Fifth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

THURSDAY, *April 1, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Journal of the proceedings of Monday last was read and approved.

The VICE-PRESIDENT. The Journal stands approved.

PETITION AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Indian River Grange, No. 19, Patrons of Husbandry, of Antwerp, N. Y., praying for the passage of the so-called "rural parcels-post" bill, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Roy Watch Case Company, of New York City, N. Y., praying for the adoption of section 189 of the proposed tariff bill requiring the stamping of the name of the maker and place of origin on movements or cases of watches, which was referred to the Committee on Finance.

He also presented memorials of Local Lodge No. 51, of Niagara Falls; of Local Lodges Nos. 4 and 6, of Watertown and St. Regis; of Local Lodge No. 4, of Deferiet, in the State of New York; of Local Lodge No. 9, of Rumford, Me.; of Local Lodge No. 12, of Fitchburg, Mass., and of Local Lodge No. 5, of Bellows Falls, Vt., all of the International Brotherhood of Paper Makers, remonstrating against the proposed reduction of the duty on print paper, which were referred to the Committee on Finance.

Mr. SCOTT presented a petition of sundry citizens of Independence, W. Va., praying for the repeal of the duty on raw and refined sugar, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of the United States, praying for the enactment of legislation providing for the erection of a suitable memorial to the memory of James Ramsey, to be placed in Statuary Hall, which was referred to the Committee on the Library.

Mr. HEYBURN presented a petition of sundry citizens of Idaho Falls, Idaho, praying for the repeal of the duty on hides, which was referred to the Committee on Finance.

He also presented an affidavit to accompany the bill (S. 44) granting an increase of pension to Alexander Rowe, which was referred to the Committee on Pensions.

Mr. SMOOT. I present a memorial adopted at a conference held in Salt Lake City, Utah, March 22-23, 1909, of the lead-ore producers of Idaho, Utah, Colorado, and Nevada, relative to the proposed reduction of the import duties on lead in ores and lead in pigs, bars, and base bullion, as fixed by the Dingley law. I ask that the memorial be printed in the RECORD, without the exhibits, and referred to the Committee on Finance.

There being no objection, the memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, without the exhibits, as follows:

Memorial from conference of lead-ore producers of Idaho, Utah, Colorado, and Nevada to the Sixty-first Congress of the United States, special session.

To the Senate and the House of Representatives:

At a conference held in Salt Lake City, Utah, on March 22-23, 1909, of the lead producers of the States of Idaho, Utah, Colorado, and Nevada, representing more than 61 per cent of the entire lead production of the United States, it was unanimously voted and resolved that the following statements be set forth in a memorial to Congress as reasons why the import duties on lead in ores and on lead in pigs, bars, and base bullion, as fixed by the Dingley law, should not be reduced:

We rely on the pledges made during the last national campaign by the party in power to maintain a tariff on all American products sufficient to make up for the difference between the cost of production in this country and the cost of production in competing countries, and to yield a reasonable return on investments.

A reduction in the tariff on lead would seriously cripple, if not entirely destroy the lead-mining industry of the States of Idaho, Utah, Colorado, and Nevada. The Dingley Act has encouraged the expenditure of large amounts of capital in searching for and developing deposits of lead ores and in building expensive plants for treating them. Thousands of men have been employed in prospecting for, developing, mining, shipping, and treating lead ores. The mining of low-grade deposits has been greatly stimulated by the Dingley law.

A blow dealt to the lead-mining industry would not be confined to that industry alone. Lead mining, like manufacturing, usually requires a large plant; large sums are spent for coal, timber, machinery, tools, explosives, agricultural products, and freight. The producers and their employees would therefore not alone be affected, but the coal miner, the manufacturer of machinery, tools, and explosives, and their employees; the farmer would lose one of his best markets; and many thousands of railroad employees would be idle, if the lead industry be destroyed.

The successful and economic recovery of gold and silver from siliceous ores must be brought about by smelting with lead ores. Without them the smelting cost of siliceous ores would be so great as to prevent the mining of low-grade deposits and the output of gold would be diminished.

Prospecting for lead ores in the West has gone hand in hand with prospecting for the more precious metals. To discourage one is to retard the other.

The United States outranks all other nations in the tonnage of lead consumed annually and in the tonnage produced. In 1907 the consumption was 35.6 per cent of the total for the world and the production was 33.3 per cent of the total for the world. The consumption of lead in the United States has nearly doubled since the enactment of the Dingley tariff law.

Between the first discovery of lead deposits and the marketing of the refined metal, a long series of complex operations intervene, many of which may properly be classed as manufacturing processes. (See Appendix A.)

Deposits of pay ore are found only as a result of long, patient search; their existence can not be ascertained in advance by any known scientific methods. The developing of mines, even with the aid of unlimited capital, can not be hurried beyond certain limits. At its best, this work is expensive, tedious, and trying. We submit that prospecting and developing, even when fruitless and disappointing, are proper charges against the cost of producing lead. Many concerns while doing development work have taken out such high grade ores as have been encountered and have sent them to market, the proceeds being used toward defraying the cost of development. In only a few properties, however, has enough development work been done to make mining operations profitable. According to census statistics for the year 1902, the only year for which complete statistics are available, there were only 29 dividend-paying argentiferous-lead mines in the United States, or less than 7 per cent out of the 447 mines that marketed any product that year. (See Appendix E, p. 542, Tables 48 and 49.) It is significant that these dividend-paying mines had a large tonnage, indicating extensive development, the average output of each of these mines for the year being some 38,000 tons of low-grade milling ores. The owners of the nondividend-paying properties believe, of course, that when sufficient development work has been done their mines will be able to produce lead cheaply and economically, otherwise they would not keep on spending money without immediate return. It is to be noted that mining methods are constantly improving, but that of the total expenditure more than 60 per cent is for labor.

The argentiferous lead deposits of this country are generally low grade, the quantity of lead recovered for the year 1902 indicating an average content of 7.9 per cent, or 158 pounds of lead per ton of ore. The remaining portion of the ore gangue is worthless rock, which must be gotten rid of, the bulk of it by concentrating in water, the rest by the more expensive process of smelting. The profitable handling of low-grade lead ores can not be done on a cheap scale; on the contrary, it calls for the investment of large sums of money before any return is had.

The claim is sometimes made by persons opposed to the tariff on lead that wages in the mining districts of the West are maintained at a wastefully high level. But we submit that mining work calls for

skilled experienced men and that in comparison with the wages paid

Piercefield; and of the Chamber of Commerce of Watertown,

A bill (S. 1026) to extend the special leave privileges author-

A bill (S. 1065) granting an increase of pension to Lewis T. Pen-

on lithographic products—to the Committee on Ways and Means.

By Mr. COCKS of New York: Petition of citizens of the City of New York, praying for an increase in the duty on lithographic products—to the Committee on Ways and Means.

By Mr. DUPREE, from the public library of Providence, R. I., against a duty on imported books and printed matter—to the Committee on Ways and Means.

Ramsey, to be placed in Statuary Hall, which was referred to the Committee on the Library.

The claim is sometimes made by persons opposed to the tariff on lead that wages in the mining districts of the West are maintained at a wastefully high level. But we submit that mining work calls for

skilled, experienced men, and that in comparison with the wages paid other classes of skilled labor throughout the country the rate is not too high. The mine owners pay the existing scale, because they are compelled to do so in order to obtain competent service.

If the tariff on lead should be reduced, we should be compelled to meet competition from Mexico or to abandon the industry of lead mining. As more than 60 per cent of the cost of producing lead from a fully developed mine is represented by wages of miners, our competing with Mexico depends entirely upon the question as to whether our wage-earners will work for the same wages and live under the same conditions as do the miners of Mexico. Our miners receive an average of $3 to $4 for eight hours' work; the Mexican miner receives 26 cents to 78 cents gold for ten to twelve hours' work. That our American miners can not compete with Mexicans in the matter of wages is obvious.

This conference insists primarily on protection for the American lead miner. But a tariff which, even though protecting lead in ores, permits bullion and the products manufactured from lead to come from Mexico and other countries where it is mined and smelted by cheap labor and to undersell American products will cripple the American lead-mining industry as effectually as would a reduction of the tariff on ores.

We therefore respectfully, but strongly, ask for such a differential of duty on pig lead, etc., above the duty on lead in ores, and for such further differential on refined lead as will preserve the industry.

Respectfully submitted.

HARRY L. DAY, *President,*
GEO. W. RITER, *Secretary.*
Conference of Lead Ore Producers,
Idaho, Utah, Colorado, and Nevada.

Mr. GAMBLE presented a memorial of the Commercial Club of Aberdeen, S. Dak., remonstrating against any reduction of the duty on barley, which was referred to the Committee on Finance.

Mr. ALDRICH. I present a resolution of the legislature of Rhode Island, relative to the taxation of inheritances for federal purposes. I ask that the resolution be printed in the RECORD, without reading, and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January session, A. D. 1909.

Resolution requesting the Senators and Representatives in Congress from Rhode Island to oppose the taxation of inheritances for federal purposes:

Whereas the several States are now taxing inheritances with marked success and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by the legislature of the State of Rhode Island:

First. That the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That the legislature of the State of Rhode Island hereby respectfully requests and urges the several Senators and Representatives representing the State of Rhode Island in the Congress of the United States to support a properly drawn joint resolution, when proposed for adoption by the two Houses of Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes and to reserve this source of revenue for the exclusive use and benefit of the several States; and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives in Congress from Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, March 24, 1909.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly of the State of Rhode Island on the 24th day of March, A. D. 1909.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid the date first above written.

[SEAL.] CHARLES P. BENNETT,
Secretary of State.

Mr. JONES presented a memorial of sundry citizens of Seattle, Wash., remonstrating against the imposition of a duty on tea and coffee, which was referred to the Committee on Finance.

Mr. FLINT presented a petition of the employees of the Schmidt Lithograph Company, of San Francisco, Cal., praying for an increase in the duty on lithographic products, which was referred to the Committee on Finance.

Mr. DEPEW presented petitions of sundry citizens of New York City and Buffalo, in the State of New York, praying for an increase in the duty on lithographic products, which were referred to the Committee on Finance.

He also presented a petition of Local Grange No. 1002, Patrons of Husbandry, of Bullville, N. Y., praying that a duty of 4 cents per gallon be placed on all milk imported from Canada and other foreign countries, which was referred to the Committee on Finance.

He also presented a memorial of the National Association of Box Manufacturers, remonstrating against the repeal or any reduction of the duty on lumber, which was referred to the Committee on Finance.

He also presented memorials of Local Union No. 11, Pulp, Sulphite, and Paper Mill Workers, of Morrisonville; of Local Union No. 65, International Brotherhood of Paper Makers, of Piercefield; and of the Chamber of Commerce of Watertown, all in the State of New York, remonstrating against any reduction being made in the duty on print paper, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Castile, Fillmore, Peekskill, Clyde, Arlington, Normansville, Moravia, Hillsdale, and Chemung, all in the State of New York, praying for the passage for the so-called "rural parcels-post" bill, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Quarterly Meeting of the Society of Friends of Baltimore, Md., praying for the enactment of legislation changing the date of the inauguration of the President of the United States from March 4 to the last Wednesday in April or the first Wednesday in May, which was referred to the Committee on Privileges and Elections.

Mr. LODGE presented petitions of sundry citizens of Newburyport, Boston, Allston, Dorchester, Winthrop, Somerville, Roxbury, Jamaica Plain, Cambridge, Ballardvale, Springfield, Newton, Watertown, Haverhill, Lynn, Winchester, Lexington, Lawrence, Worcester, Brockton, Quincy, Charlestown, South Framingham, Malden, Pittsfield, Bridgewater, East Washington, South Boston, Salem, Brookline, Milford, Woburn, Everett, and Fall River, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were referred to the Committee on Finance.

Mr. NELSON presented sundry affidavits to accompany the bill (S. 630) granting an increase of pension to Henry F. Sanford, which were referred to the Committee on Pensions.

Mr. ROOT presented a petition of Local Lodge, No. 852, Benevolent and Protective Order of Elks, of Binghamton, N. Y., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of sundry citizens of New York City, Brooklyn, and Buffalo, all in the State of New York, praying for an increase in the duty on lithographic products, which were referred to the Committee on Finance.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 13, submitted by the Senator from Minnesota [Mr. CLAPP], to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Senate resolution 13.

Resolved, That the Committee on Indian Affairs be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

The amendment was, in line 1, after the words "Indian Affairs," to insert the words "or any subcommittee thereof."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. GALLINGER:

A bill (S. 1017) to reorganize and increase the efficiency of the Hospital Corps of the United States Navy, and regulate its pay; to the Committee on Naval Affairs.

By Mr. WARREN:

A bill (S. 1018) to increase the efficiency of the Army of the United States;

A bill (S. 1019) providing for the acceptance of a donation of certain land situated at the Palisades, in the State of New Jersey;

A bill (S. 1020) to provide for the retirement of certain officers on the active list of the Regular Army who have been passed over in promotion by officers junior to them in length of commission service;

A bill (S. 1021) to appoint James B. Ferguson a first lieutenant in the Medical Corps of the Army, and place him on the retired list (with accompanying paper);

A bill (S. 1022) to provide for raising a Volunteer Army of the United States in time of actual or threatened war;

A bill (S. 1023) to increase the efficiency of the veterinary service of the army;

A bill (S. 1024) authorizing extra officers for the army;

A bill (S. 1025) to authorize commissions to issue in the cases of officers of the army retired with increased rank;

A bill (S. 1026) to extend the special leave privileges authorized for officers of the Military Academy by section 1330, Revised Statutes, to certain instructors and student officers at service schools;

A bill (S. 1027) for the reimbursement of certain sums of money to certain enlisted men of the Philippine Scouts; and

A bill (S. 1028) to appoint Warren C. Beach a captain in the army and place him on the retired list; to the Committee on Military Affairs.

A bill (S. 1029) for the relief of Clarence D. Houck;

A bill (S. 1030) for the relief of Aaron H. Appel;

A bill (S. 1031) for the relief of Jaji Bin Ydris;

A bill (S. 1032) for the relief of John W. Heavey;

A bill (S. 1033) for the relief of Herman Glafcke;

A bill (S. 1034) for the relief of James I. Patten;

A bill (S. 1035) authorizing and directing the Secretary of State to examine and settle the claim of the Wales Island Packing Company; and

A bill (S. 1036) for the relief of Henry Altman; to the Committee on Claims.

A bill (S. 1037) for the relief of Isaac Fieldhouse; and

A bill (S. 1038) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; to the Committee on Indian Depredations.

A bill (S. 1039) to establish a fish-culture station in the State of Wyoming; to the Committee on Fisheries.

A bill (S. 1040) granting an increase of pension to Arthur Mahar; to the Committee on Pensions.

By Mr. DICK:

A bill (S. 1041) providing for the establishment of a Bureau of Mines in the Department of the Interior; to the Committee on Mines and Mining.

A bill (S. 1042) to reorganize and enlist the members of the United States Naval Academy Band; to the Committee on Naval Affairs.

A bill (S. 1043) providing for the appointment of an additional district judge in and for the northern judicial district of the State of Ohio; to the Committee on the Judiciary.

By Mr. SCOTT:

A bill (S. 1044) granting an increase of pension to Arthur E. Edwards (with accompanying papers);

A bill (S. 1045) granting an increase of pension to William Smith (with accompanying papers);

A bill (S. 1046) granting an increase of pension to Francis A. Mastin (with accompanying papers);

A bill (S. 1047) granting an increase of pension to Algernon Luce (with accompanying papers);

A bill (S. 1048) granting an increase of pension to Henry G. Pickins (with accompanying papers);

A bill (S. 1049) granting an increase of pension to George W. Board (with accompanying papers); and

A bill (S. 1050) granting an increase of pension to Andrew J. Board; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 1051) to authorize the President to place Ensign John Tracey Edson on the retired list of the navy with the rank of lieutenant; to the Committee on Naval Affairs.

By Mr. DU PONT:

A bill (S. 1052) granting a pension to Margaret Bond; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 1053) for permanent consular improvement and commercial enlargement; to the Committee on Foreign Relations.

A bill (S. 1054) to remove the charge of desertion from the military record of Thomas Watts; and

A bill (S. 1055) authorizing the Secretary of War to place the name of Joseph F. Ritcherdson on the rolls of Company C, One hundred and twenty-second Illinois Volunteer Infantry, and issue him an honorable discharge; to the Committee on Military Affairs.

A bill (S. 1056) for the relief of Benjamin Hyde;

A bill (S. 1057) for the relief of William Leech;

A bill (S. 1058) for the relief of Mary C. Mayers; and

A bill (S. 1059) for the relief of the heirs of Joseph Menefee, deceased; to the Committee on Claims.

A bill (S. 1060) granting a pension to James M. Williams;

A bill (S. 1061) granting an increase of pension to James H. Weatherby;

A bill (S. 1062) granting a pension to Francis M. Walker;

A bill (S. 1063) granting an increase of pension to Jacob Taylor;

A bill (S. 1064) granting an increase of pension to Arnold Rodgers;

A bill (S. 1065) granting an increase of pension to Lewis T. Penwell;

A bill (S. 1066) granting an increase of pension to Andrew J. Nighswonger;

A bill (S. 1067) granting an increase of pension to Abner Moore;

A bill (S. 1068) granting an increase of pension to Phillip L. Moore;

A bill (S. 1069) granting an increase of pension to William A. McMillan;

A bill (S. 1070) granting an increase of pension to Albert McKee;

A bill (S. 1071) granting an increase of pension to Lewis Jones;

A bill (S. 1072) granting a pension to Harriet Kitchell;

A bill (S. 1073) granting an increase of pension to John Kinnee;

A bill (S. 1074) granting a pension to Charles C. Leach;

A bill (S. 1075) granting an increase of pension to Orville T. Lee;

A bill (S. 1076) granting an increase of pension to Robert H. Maricle;

A bill (S. 1077) granting an increase of pension to William Murdock;

A bill (S. 1078) granting an increase of pension to George W. Means;

A bill (S. 1079) granting an increase of pension to Aaron M. Elliott;

A bill (S. 1080) granting an increase of pension to J. J. Funkhouser;

A bill (S. 1081) granting an increase of pension to Norman H. Holt;

A bill (S. 1082) granting a pension to Oliver Lyman Hunting;

A bill (S. 1083) granting an increase of pension to Ephriam L. Herriott; and

A bill (S. 1084) granting an increase of pension to Stephen A. Johnson; to the Committee on Pensions.

By Mr. BACON:

(By request) A bill (S. 1085) to regulate commutation for good conduct for United States prisoners; to the Committee on the Judiciary.

A bill (S. 1086) to place on the citizenship roll of the Cherokee Nation of Indians the names of Emily C. Howell and her children and the children of Catherine E. Howell; and

A bill (S. 1087) to place on the citizenship roll of the Cherokee Nation Letitia F. Colding, Letitia L. Randolph, and Charles Colding Lawrence; to the Committee on Indian Affairs.

By Mr. GORE:

A bill (S. 1088) to provide for the erection of a public building at Ada, Okla.; to the Committee on Public Buildings and Grounds.

A bill (S. 1089) granting an increase of pension to Milton Clapham (with accompanying papers); and

A bill (S. 1090) granting an increase of pension to George W. Ray; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 1091) for the relief of the legal representatives of Spear & Lang, deceased (with accompanying papers); to the Committee on Claims.

A bill (S. 1092) granting an increase of pension to Charles J. Rhoades; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 1093) granting an increase of pension to Orlando Willsey (with accompanying papers); and

A bill (S. 1094) granting an increase of pension to Rose W. Pease (with accompanying paper); to the Committee on Pensions.

By Mr. PILES:

A bill (S. 1095) for the relief of the estate of William O'Donnell, deceased;

A bill (S. 1096) for the relief of the estate of Joseph Brannon, deceased; and

A bill (S. 1097) for the relief of Simon M. Preston; to the Committee on Claims.

A bill (S. 1098) granting an increase of pension to William C. Bishop;

A bill (S. 1099) granting an increase of pension to Edward Shattuck (with accompanying papers); and

A bill (S. 1100) granting an increase of pension to Ann E. Gridley (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 1101) for the relief of Robert Frost; to the Committee on Claims.

A bill (S. 1102) granting an increase of pension to James

A bill (S. 1142) granting an increase of pension to George F.

A bill (S. 1191) granting an increase of pension to James M.

STATISTICS RELATING TO SUGAR.

Sulphite, and Paper Mill Workers, of Morrisonville; of Local Union No. 65, International Brotherhood of Paper Makers, of

A bill (S. 1024) authorizing extra officers for the army;

A bill (S. 1025) to authorize commissions to issue in the cases of officers of the army retired with increased rank;

Taylor;

A bill (S. 1064) granting an increase of pension to Arnold Rodgers;

By Mr. JONES:

A bill (S. 1101) for the relief of Robert Frost; to the Committee on Claims.

A bill (S. 1102) granting an increase of pension to James Douglas; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 1103) to provide for the purchase of a site and the erection of a public building thereon at Redfield, in the State of South Dakota; to the Committee on Public Buildings and Grounds.

By Mr. BORAH:

A bill (S. 1104) providing for the granting of additional lands to the State of Idaho for the purpose of aiding in the construction of the state capitol and the procuring of the grounds and accommodations necessary and incident thereto; to the Committee on Public Lands.

By Mr. TAYLOR:

A bill (S. 1105) for the relief of the legal representatives of William H. Miller, deceased;

A bill (S. 1106) for the relief of F. M. Yarbraugh;

A bill (S. 1107) for the relief of George L. Whitmore; and

A bill (S. 1108) for the relief of Jesse Walling; to the Committee on Claims.

A bill (S. 1109) granting an increase of pension to Alex B. Tadlock;

A bill (S. 1110) granting a pension to Edward Goins; and

A bill (S. 1111) granting an increase of pension to Hugh Hubbs; to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 1112) for the relief of Julia D. Harris, administratrix of the estate of Stephen Daggett, deceased;

A bill (S. 1113) for the relief of the estate of J. M. Fortenberry, deceased;

A bill (S. 1114) for the relief of the estate of Capt. John Belino, deceased;

A bill (S. 1115) for the relief of Louis T. Barnes;

A bill (S. 1116) for the relief of Louis T. Barnes;

A bill (S. 1117) for the relief of the estate of R. C. Bumpass, deceased; and

A bill (S. 1118) for the relief of the estate of Phereby R. Sheppard, deceased; to the Committee on Claims.

By Mr. CLAY:

A bill (S. 1119) to authorize the appointment of Frank de I. Carrington as major of infantry in the United States Army; to the Committee on Military Affairs.

A bill (S. 1120) to authorize the building of a dam across the Savannah River at or near the mouth of Stevens Creek, between the counties of Edgefield, S. C., and Columbia, Ga.; to the Committee on Commerce.

A bill (S. 1121) for the relief of the estate of Elijah Lumpkin, deceased;

A bill (S. 1122) for the relief of James I. Fountain;

A bill (S. 1123) for the relief of Mrs. Laura Barrett;

A bill (S. 1124) for the relief of the estate of Clark Townsend, deceased;

A bill (S. 1125) for the relief of Theodore L. Mitchell;

A bill (S. 1126) for the relief of B. C. Thompson, of Lyons, Toombs County, Ga., for removing obstructions from the Oconee River, making it navigable;

A bill (S. 1127) for the relief of the estate of John Lynch, deceased; and

A bill (S. 1128) for the relief of Mrs. V. E. Sykes; to the Committee on Claims.

By Mr. HEYBURN:

A bill (S. 1129) for the relief of Frank B. Crosthwaite; to the Committee on Claims.

A bill (S. 1130) for preventing the manufacture, sale, or transportation of adulterated or mislabeled paint, turpentine, or linseed oil; to the Committee on Manufactures.

By Mr. NELSON:

A bill (S. 1131) granting an increase of pension to Henry K. Carson; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 1132) granting an increase of pension to S. B. Lightcap;

A bill (S. 1133) granting an increase of pension to John S. Cooper;

A bill (S. 1134) granting an increase of pension to William G. Brooks;

A bill (S. 1135) granting an increase of pension to Thomas V. Coddington;

A bill (S. 1136) granting a pension to Emily C. Thompson;

A bill (S. 1137) granting a pension to Emily Norman;

A bill (S. 1138) granting a pension to Betsey L. Emmerson;

A bill (S. 1139) granting a pension to Rhoda C. Freeman;

A bill (S. 1140) granting a pension to Maria C. Haney;

A bill (S. 1141) granting an increase of pension to William Hoover;

A bill (S. 1142) granting an increase of pension to George F. Heustis;

A bill (S. 1143) granting a pension to Josephine K. Woodson;

A bill (S. 1144) granting an increase of pension to James H. Cortner;

A bill (S. 1145) granting an increase of pension to Elisha W. Bullock;

A bill (S. 1146) granting an increase of pension to Thomas McDonald;

A bill (S. 1147) granting an increase of pension to Lottie Baughman;

A bill (S. 1148) granting an increase of pension to Amos B. Ferguson;

A bill (S. 1149) granting a pension to C. E. Jones;

A bill (S. 1150) granting a pension to Martha A. Plemmer;

A bill (S. 1151) granting a pension to Caroline O. Peck;

A bill (S. 1152) granting an increase of pension to Wesley Blackman;

A bill (S. 1153) granting a pension to Lillia M. Bell;

A bill (S. 1154) granting an increase of pension to Martin Feeney;

A bill (S. 1155) granting an increase of pension to James M. Hallett;

A bill (S. 1156) granting an increase of pension to Nathan Warren;

A bill (S. 1157) granting a pension to Catherine A. S. Davis;

A bill (S. 1158) granting an increase of pension to W. H. Runkle;

A bill (S. 1159) granting a pension to Minnie D. Dobbins;

A bill (S. 1160) granting an increase of pension to Jacob F. Deueller;

A bill (S. 1161) granting an increase of pension to Lucien H. Mears;

A bill (S. 1162) granting an increase of pension to Andrew McMains;

A bill (S. 1163) granting an increase of pension to Albert Newberry;

A bill (S. 1164) granting an increase of pension to William H. Houghtlin;

A bill (S. 1165) granting an increase of pension to Anthony J. Sansoni;

A bill (S. 1166) granting an increase of pension to Michael Stagg;

A bill (S. 1167) granting an increase of pension to Robert Hassey;

A bill (S. 1168) granting an increase of pension to Ashbell G. F. Janes;

A bill (S. 1169) granting an increase of pension to David Detty;

A bill (S. 1170) granting a pension to Sarah McCracken;

A bill (S. 1171) granting an increase of pension to Emery Hughes;

A bill (S. 1172) granting an increase of pension to John L. Russell;

A bill (S. 1173) granting an increase of pension to William Buck;

A bill (S. 1174) granting a pension to Louisa Thavis;

A bill (S. 1175) granting an increase of pension to Edwin Snyder;

A bill (S. 1176) granting an increase of pension to Noah W. Wynn;

A bill (S. 1177) granting an increase of pension to Josephus Utt;

A bill (S. 1178) granting an increase of pension to Thomas B. Roark;

A bill (S. 1179) granting a pension to Mercy E. Baker;

A bill (S. 1180) granting a pension to Betty Elenora;

A bill (S. 1181) granting an increase of pension to John D. C. Harriman;

A bill (S. 1182) granting a pension to Grace Wilkinson;

A bill (S. 1183) granting an increase of pension to Francis Carpenter;

A bill (S. 1184) granting an increase of pension to William H. Turner;

A bill (S. 1185) granting an increase of pension to William S. Canatsey;

A bill (S. 1186) granting an increase of pension to John Scott;

A bill (S. 1187) granting an increase of pension to H. H. Frampton;

A bill (S. 1188) granting an increase of pension to William C. Black;

A bill (S. 1189) granting a pension to Mary A. Watkins;

A bill (S. 1190) granting an increase of pension to William L. Allison;

A bill (S. 1191) granting an increase of pension to James M. Nicholas;

A bill (S. 1192) granting an increase of pension to J. W. Hilton;

A bill (S. 1193) granting an increase of pension to Wyatt C. Crawford;

A bill (S. 1194) granting an increase of pension to Louisa St. Clair Crall;

A bill (S. 1195) granting an increase of pension to Charles B. Fessenden;

A bill (S. 1196) granting a pension to Eunice Inman;

A bill (S. 1197) granting an increase of pension to Jonathan R. Blair;

A bill (S. 1198) granting an increase of pension to Robert Hilliard;

A bill (S. 1199) granting a pension to Frances L. Haha;

A bill (S. 1200) granting an increase of pension to James W. Wilcoxson;

A bill (S. 1201) granting an increase of pension to William Smith;

A bill (S. 1202) granting an increase of pension to Elijah F. Smith (with accompanying papers);

A bill (S. 1203) granting an increase of pension to Levi J. Smith (with accompanying paper);

A bill (S. 1204) granting an increase of pension to Russell C. Harris;

A bill (S. 1205) granting an increase of pension to John H. Burk (with accompanying papers);

A bill (S. 1206) granting an increase of pension to George W. Wylder (with accompanying papers);

A bill (S. 1207) granting an increase of pension to Charles H. Pennybaker (with accompanying papers);

A bill (S. 1208) granting an increase of pension to Isabella B. Hinton (with accompanying paper);

A bill (S. 1209) granting an increase of pension to Henry W. Crow (with accompanying paper);

A bill (S. 1210) granting an increase of pension to Daniel B. Elkins (with accompanying papers);

A bill (S. 1211) granting an increase of pension to Edward C. Smith; and

A bill (S. 1212) granting an increase of pension to Hubbard D. Carr; to the Committee on Pensions.

By Mr. WARREN:

A joint resolution (S. J. R. 11) providing for additional lands for Wyoming under the provisions of the Carey Act; to the Committee on Public Lands;

A joint resolution (S. J. R. 12) adjusting the status of certain officers of the army as to their period of service required by the act of Congress approved June 30, 1882, to entitle an army officer to retirement on his own application; and

A joint resolution (S. J. R. 13) providing for the issue of certain campaign badges; to the Committee on Military Affairs.

By Mr. CULLOM:

A joint resolution (S. J. R. 14) for the relief of the firm of Fearon, Daniel & Co., of New York and Shanghai; to the Committee on Foreign Relations.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS.

Mr. WARREN submitted the following resolution (S. Res. 17), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 17.

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee and to have the same printed for its use; that the committee may sit during the sessions or recesses of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

CONVEYANCE FOR USE OF THE VICE-PRESIDENT.

Mr. SCOTT submitted the following resolution (S. Res. 18), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 18.

Whereas the heads of the various governmental departments, and in most cases their assistants, in the city of Washington, and the Commissioners of the District of Columbia have at their disposal carriages or automobiles for business and social use, paid for out of the funds of the United States;

Whereas the Vice-President of the United States, filling an office of more dignity and honor than any above mentioned, is not so provided;

Resolved, That a sufficient sum be set aside from the contingent fund of the Senate to purchase for the Vice-President of the United States a carriage or automobile for his business and social uses, and to provide for the maintenance thereof.

STATISTICS RELATING TO SUGAR.

Mr. CLAY submitted the following resolution (S. Res. 19), which was considered by unanimous consent and agreed to:

Senate resolution 19.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate—

(1) The amount of sugar consumed by the people of the United States for the fiscal year ending June 30, 1908.

(2) The amount of sugar coming into the United States for the same period of time; also, the names of the countries exporting sugar into the United States for the fiscal year ending June 30, 1908, and the amount of sugar, in tons, by each country.

(3) The amount of sugar, in tons, produced by Cuba, Porto Rico, Hawaii, and the Philippine Islands for the fiscal year ending June 30, 1908; also, the amount of beet sugar produced in the United States and consumed by the people of the United States for the same period of time; also, the amount of cane sugar produced and consumed for the same period of time.

He is also directed to inform the Senate what progress has been made in the United States in the production of beet sugar for the last five years.

(4) He is also directed to inform the Senate the average market value of granulated refined sugar in London and New York and Hamburg during the same period of time; also, the amount of revenue produced annually by the importation of sugar and cost per hundred pounds for refining sugar by the sugar refineries of the United States.

(5) He is also directed to inform the Senate what suits are pending in the United States courts by the Government against the sugar trust or any branch thereof, and the nature of such suits.

BUSINESS OF THE SESSION.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from Monday, which the Secretary will read.

The Secretary read Senate resolution No. 12, submitted by Mr. HALE on Monday last, as modified, as follows:

Senate resolution 12.

Resolved, That until otherwise ordered no legislative business, except the consideration of the census bill and the routine morning business, shall be transacted at the sessions of the Senate.

Mr. HEYBURN. Mr. President, I desire that an exception shall be made in favor of the report of the Joint Committee on the Revision of the Laws of the United States. That committee can very properly take advantage of what is rather a lack of business on the part of this body to prepare and present for consideration the judiciary title, which is nearly ready now for presentation, and which within a few days will doubtless be ready.

If the joint committee of the two Houses is ready to report, I do not think that report should be delayed because of the consideration of what is known as the "tariff bill." I think that the revision of the laws of the United States, and especially of that title, is of more importance to the country than the revision of the tariff laws of the country, and I say that after having given the question very considerable thought and attention.

We have undertaken to revise the tariff laws of the country pursuant to what may be, perhaps, called "a demand of the people," at least of some of the people. It was supposed, prior to the last national campaign, that certain schedules of the tariff could be revised to the advantage and benefit of the business interests of the country. At first the objection was directed to a very limited number of the schedules that comprise the tariff, but in the overzeal of the national conventions of the two great parties a very broad and sweeping declaration was made, and Congress seems to be trying to live up to that more or less responsible or irresponsible declaration.

I have no hesitation at all in urging upon Congress that other matters of equal or greater importance shall be considered at this extraordinary session of the Congress, perhaps, because I do not share in the belief that seems to be abroad that the revision of the tariff is of such paramount importance that the world shall stand still while the committees are considering it preparatory to its presentation upon the floor. They started out with the idea of revising three or four schedules. In looking over the work so far as it has progressed, it seems to me that they have, like the small boy in the orchard, bitten nearly all the apples under the tree and on it. So it does not appeal to me as of such overwhelming importance that 80 per cent of this body should stand still here in idleness while the remaining portion of it is considering this question in committee.

I was somewhat impressed by the suggestions that were made at the last session of this body by the Senator from West Virginia [Mr. ELKINS]. We do not know what is being done; the country does not know what is being done; but I am one of those possessed of confidence in the ability and the wisdom of the committee considering this question. I have confidence that when that bill comes into this body it will perhaps reflect more nearly the responsible sentiment of the country prior to the last national campaign than the sentiment, then I think I might be justified in saying there was some stampede, which resulted in a

wholesale declaration that seems now to be in possession of both Houses of Congress, that we must revise everything for the purpose of making a showing. I have no sympathy whatever with that condition of affairs. It is resulting in a disturbance of the business conditions of the country to some extent, but that is no justification for either hasty or unwise action on the part of Congress.

The revision of the laws of the United States is as important a question as Congress has been, or will be, called upon to consider at this or any other session. Your committee has been industriously engaged in preparing that work for the consideration of Congress. A vast amount of work has been completed. One of the titles has been enacted into law. The committee is ready and willing to perform the work, but I can see nothing to be gained by the performance of the work by the committee if it is not to be considered by Congress.

I therefore ask that an exception be made in favor of that very important work, in order that the committee may be justified in pursuing its work and reporting it to this body, that it may be upon the calendar for action at any time when the condition of public business may enable us to take it up for consideration.

I can see no good reason in the fact that as one of the great committees of this body is engaged upon their work why the rest of us should stand waiting at the door for an opportunity to perform the public service which is as much a part of our duty and as high a duty as that which rests upon the great committee now considering the tariff question.

I therefore ask that an exception be made in favor of the Joint Committee on the Revision of the Laws of the United States.

Mr. HALE. Mr. President, the resolution before the Senate limiting the business of this session mainly to the consideration of the tariff bill is in the line of the suggestion of the President in the message which he sent to Congress. Under that general programme the tariff business and the census bill, which should go into operation at once and has passed the House, would practically be the only subjects considered by the Senate.

There are several committees of the Senate that have been faithfully at work on bills referred to them, and there has been a desire expressed that the business of such committees shall be taken up and considered by the Senate. The Senator from Idaho is one of the Senators, and he represents an important and laborious committee. It is his desire that an exception be made and that his committee shall report a most important bill and the Senate proceed to its consideration while the tariff investigation is going on. As I have said, there are other committees and there are other joint committees that desire it.

It is not, Mr. President, for me in this situation to pick and choose and to say that I will agree that certain committees shall come in and other committees shall be kept out. If the Senate feels, as the Senator from Idaho does feel, as he has forcibly expressed it, that the business of his committee is more important than tariff revision, and if other committees feel that way, then it is easy for the Senator to move that to the exceptions contained in the resolution which is before the Senate and which I have drawn there shall be added the consideration of his bill; and other Senators may move that their bills shall be considered; and then it will be for the Senate to settle it.

I think the Senator should not object and I do not understand that he does object to this last suggestion. I do not think he should appeal to me to make an exception of one committee and reject another committee.

Mr. ALDRICH. Will the Senator from Maine permit me to ask him a question?

Mr. HALE. Certainly.

Mr. ALDRICH. As I understand the resolution, it is simply a resolution expressive of the sense of the Senate. If the Senate at a subsequent day should decide that it was necessary or important to proceed to the consideration of any business, the Senate itself by a majority vote would set this order aside.

Mr. HALE. The language of the resolution is "until otherwise ordered," so that at any time the Senate can order otherwise and change the effect and scope of the resolution.

Mr. BACON. I think both the Senator from Maine and the Senator from Rhode Island are correct in the construction of the language, but I wish to call the attention of the Senator from Maine to the fact that if that is the purpose of the resolution it defeats one of the purposes which he indicated to the Senate on Monday which moved him to offer the resolution, that Senators have large engagements elsewhere and that the purpose in framing the resolution was in some degree with reference to relieving Senators from the necessity of attendance. If it be true that under the resolution at any time any Senator can move to take up any legislative business and proceed with it, of course the necessity for the attendance of Senators at all times will be equally as urgent and as imperative as if the resolution were not adopted.

Mr. HALE. In that case, if any Senator should seek to modify and extend the scope of the resolution, he would have to give notice and it would go over for a day. The Senate could then decide whether or not to modify it. But in the present condition it was felt that it was wise to bring this matter before the Senate and let the Senate settle for itself whether it will go into general business. The resolution simply gives that expression to the feeling of the Senate, and it would not, I should say——

Mr. BACON. As I understand the Senator, then, his construction of the language is that it would be necessary to have a motion made to modify the order, and the motion would have to go over. The Senator, then, does not wish it to be understood that any Senator can move to take up any particular piece of legislation?

Mr. HALE. He can move to modify this order, to otherwise order.

Mr. BACON. It would be necessary to modify the order. If that is the construction, of course I misunderstood the Senator.

Mr. HALE. It would practically make a new order.

Mr. BACON. I misunderstood the Senator.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Texas?

Mr. HALE. Certainly.

Mr. CULBERSON. If the purpose of the resolution is to postpone the consideration of any other business except the census bill until the tariff bill comes from the House, why not say so in the resolution itself and not leave the matter open to a motion from time to time, which may be considered the same day it is offered unless somebody objects? If the resolution is to be adopted, and the proposition is to adopt it, because it is not desired to consider anything except the census bill until the tariff bill comes from the House, why not amend the resolution so as to read:

Resolved, That until the tariff bill is received from the House no legislative business, except the consideration of the census bill and the routine morning business, shall be transacted at the sessions of the Senate.

I do not say that thus modified I would support it, because there is an important resolution pending on the desk of Senators this morning which would be excluded from consideration if the resolution were adopted, modified as I have suggested.

Mr. BACON. With the permission of the Senator from Texas, I desire to say that I do not understand that legislative business includes a concurrent resolution or a Senate resolution. "Legislative business" means business in the enactment of laws. Neither a concurrent resolution nor a Senate resolution is the enactment of a law, and it is not, strictly speaking, legislative business.

Mr. HALE. I do not think that this exclusion would cut out a Senate resolution in relation to the order of business.

Mr. BACON. Or a concurrent resolution——

Mr. HALE. Or a concurrent resolution.

Mr. BACON (continuing). Which related simply to the action of the two Houses.

Mr. HALE. No; I do not think so.

Mr. BACON. That is all right.

Mr. CULBERSON. With that understanding, Mr. President, I withdraw what I said about the resolution of the Senator from Georgia [Mr. BACON], although I believe that within the meaning of the rule a resolution adopted by the Senate, either a Senate resolution or a concurrent resolution, is legislation.

Mr. HALE. A resolution relating to the order of business is not legislation.

Mr. BACON. I think the Senator is too narrow in his definition. If any concurrent resolution or any Senate resolution is outside of the class known as "legislative business"——

Mr. HALE. I am certainly willing to modify the resolution to that extent.

Mr. BACON. I do not ask the Senator to modify it in that respect, but I do say that a proper construction of it ought to be understood; it ought to be understood that legislative business means business in the enactment of a law and does not refer to a concurrent resolution or to a Senate resolution, which is not the enactment of a law.

Mr. HALE. Of course, Mr. President, you can say that no business other than executive business shall be transacted; but that would cut off certain business, not legislative, but arranging and providing for the order of business, that I do not think ought to be cut off. I could have made the resolution a great deal more drastic and made no exceptions. I tried to frame it so

that it would be adapted to the real uses without going into legislative proceedings. I have no pride of opinion about the language of the resolution. As I said before, it is not for me to say what it shall be. Any Senator can move to amend the resolution.

Mr. BACON. I should like to ask the Senator from Maine if he does not recognize that legislation means the enactment of law, but does not refer to any action short of the enactment of law?

Mr. HALE. I am willing that the interpretation of that should be left to the future, to the good sense and judgment and legal knowledge of Senators. I think questions might arise as to what should be considered as legislative business. I have a very clear idea in my mind about that, but I can not define it so that it will cover everything that the Senator from Georgia or any other Senator may have in mind. I think it is safe to leave it in that way.

Mr. BACON. It is not necessary to define what is in anyone's mind. It is simply necessary to recognize that which is a plain construction of language, known to be such by all authorities, whether court or literary, and that is, that legislation means the enactment of law, and that a concurrent resolution does not enact law and can not enact law; nor can a Senate resolution enact law.

Mr. HALE. I think that some concurrent resolutions are legislative in their operation.

Mr. BACON. Will the Senator kindly give an instance?

Mr. HALE. No; I can not just now.

Mr. BACON. I think the Senator will find it pretty hard to suggest one.

Mr. HALE. No; I think there are plenty of them.

Mr. BACON. If such were the case, a concurrent resolution would necessarily require the signature of the President. It is because of the fact that it is not law, although the action of the two Houses, that does not require the approval of the President.

Mr. TALIAFERRO. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Florida?

Mr. HALE. Certainly.

Mr. TALIAFERRO. I should like to ask the Senator from Maine if it is the purpose of the resolution to confine the legislative business of the Senate to the census bill and the tariff, why he has incorporated the words "until otherwise ordered?"

Mr. HALE. For the very reason that I did not want Senators to say that we were making an iron rule to-day that we might, under conditions arising hereafter, not be able to change.

Mr. TALIAFERRO. Is that language necessary in order for the Senate to change the order at any time it may see fit to do so?

Mr. HALE. No; I do not suppose it is. I suppose the Senate at any time can do that; but it was in rather a liberalizing way that I put in the words "until otherwise ordered." It is a phrase that is frequently used in resolutions to recognize the right of the body afterwards, if it chooses, to repeal the resolution or rescind it or do whatever may be its will and pleasure at the time being. I am not in any way set about it. I repeat, I put those words in to liberalize the resolution. If the Senator wants to, I am willing to strike those words out.

Mr. TALIAFERRO. I shall move to strike them out. I have matters of legislation that I wish to present to the Senate as soon as I can get them before the Senate. I am willing to live up in good faith to the proposition embodied in the resolution that the legislative work of the Senate shall be confined to the two subjects, but it seems to me that the language "until otherwise ordered" is an invitation to some Senators at a later date in the session to propose legislation in which they may be interested, although other Senators may not be prepared to present matters of legislation to the Senate in which they are interested. If we are to have the policy of no legislation except the tariff and the census, I want it definitely decided by the Senate that that will be its policy.

Mr. HALE. I will ask that the words "until otherwise ordered" be stricken from the resolution. I am entirely willing to do that.

Mr. HEYBURN. Mr. President, that makes the resolution much more drastic.

Mr. HALE. I have said that already.

Mr. HEYBURN. I should like to say, while the Senator from Maine has the floor, that I think the resolution as we have it printed on our desks differs somewhat from the suggestion that the Senator made at the time it was introduced. At that time I understood that it precluded the report of standing committees. Am I correct in that?

Mr. HALE. No, Mr. President; it does not in terms forbid such reports, but it forbids any action upon any report.

Mr. HEYBURN. My question was whether, as originally suggested by the Senator from Maine, it did not expressly preclude the making of reports from standing committees?

Mr. HALE. Quite likely. If the Senator will move to strike out those words, let the Senate pass upon it.

Mr. BACON. I would suggest to the Senator that he include in his resolution the words "upon one day's notice to the Senate," because otherwise the purpose of the resolution might be defeated. Of course, business might be transacted by unanimous consent.

Mr. HALE. That is not necessary. Under the rule of course anything can go over.

Mr. BACON. If nobody objects, it can be considered the day it is presented.

Mr. HALE. Mr. President, I suggest that the Senator from Florida [Mr. TALIAFERRO] move to strike out the words he mentioned, and let the Senate pass upon the motion.

Mr. TALIAFERRO. The Senator from Maine makes the motion, Mr. President.

Mr. HALE. No; let the Senator from Florida make the motion.

Mr. TALIAFERRO. I do not want to make the motion here to be voted down. I understood the Senator from Maine to accept the suggestion.

Mr. HALE. There was objection made to that. I do not wish to take the responsibility of settling this matter; it is for the whole Senate. If the Senator wants those words stricken out, let him move to strike them out, and let the Senate settle it.

Mr. TALIAFERRO. Well, Mr. President, I move to strike out the words——

Mr. HALE. "Until otherwise ordered."

Mr. TALIAFERRO. The words "until otherwise ordered." I wish to say in that connection that, in my judgment, the adoption of the resolution will not prevent the Senate at any time from rescinding it and proceeding to the consideration of other business if it sees fit to do so. I regard the language "until otherwise ordered" as an invitation to bring in proposed legislation here at any time during the session, while the Members of the Senate who are proposing in good faith to live up to the spirit of the resolution and confine the business of the session to the census and to the tariff will not be prepared with such legislation as they may desire to present. I would propose that the Senate take one of two stands—that it confine itself to the legislation referred to in the resolution or open the doors to legislation generally.

Mr. McCUMBER. Mr. President, I think we all understand that the resolution is presented in good faith, and that, if agreed to, aside from the census and the tariff, nothing else will be taken up. But I do not think that we ought to go so far as to say that, under no exigency, should anything be considered, even though it would be absolutely proper to do so.

Mr. TALIAFERRO. Mr. President——

Mr. McCUMBER. Just a moment. If we strike out the words "until otherwise ordered," we tie our hands and publish that fact, so that Senators can be sure that nothing else can possibly come up. I do not think that we ought to put ourselves in that position. I believe that the resolution as it now stands will sufficiently protect the purpose for which it is intended, namely, that no other legislation shall be considered except on the subjects I have mentioned, unless some exigency arises which makes it absolutely necessary that we should change that rule.

Mr. TALIAFERRO. Mr. President, I am entirely willing that the suggestion of the Senator shall be incorporated in the resolution, so as to provide for the case of an exigency; but I maintain that the Senate can not adopt a rule or an order of business to-day that it can not change at any other date, if it sees fit to do so. I regard the language of the resolution as an invitation to Senators, at an unexpected moment perhaps, to bring in here proposed legislation when other Senators are not prepared to consider it, or prepared to present proposed legislation that is quite as important to them as proposed legislation of other Senators may be to them. So far as I am concerned, I want the people of my section and my State who are urging me to introduce legislation here to know that the policy of the Senate is to consider no legislation except the tariff and census bills. I repeat that I am willing that the suggestion of the Senator from North Dakota shall be incorporated in the resolution, and that cases of emergency or exigency shall be provided for. But the present language, I say again, I regard as an invitation to Senators to come in here and undertake to set aside this order of business whenever they may have legislation that they especially wish to get through.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Florida yield to the Senator from Michigan?

Mr. TALIAFERRO. I yield the floor.

can move to take up any legislative business and proceed with it.

ought to be cut on. I could have made the resolution a great deal more drastic and made no exceptions. I tried to frame it so

I understood that it precluded the report of standing committees. Am I correct in that?

Mr. HALE. No, Mr. President; it does not in terms forbid such reports, but it forbids any action upon any report.

may have legislation that they especially wish to get through.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Florida yield to the Senator from Michigan?

Mr. TALIAFERRO. I yield the floor.

The VICE-PRESIDENT. The Senator from Michigan is recognized in his own right.

Mr. SMITH of Michigan. I would like to ask the Senator from Florida whether he believes that striking out these words will facilitate the early report of the Committee on Finance?

Mr. TALIAFERRO. As to that I refer the Senator from Michigan to the members of the Finance Committee, who have the proposed tariff legislation in charge.

Mr. SMITH of Michigan. Mr. President, striking out these words will practically leave the Senate in vacation, although Senators are here and ready to respond to any demand of a public character that may be made upon their time. The striking out of these words practically puts us in vacation. While that may be agreeable to the constituents of the Senator from Florida, I do not believe it would be agreeable to the people of my State, especially while the House of Representatives is in session and ready to transact other public business if necessary. I certainly object to striking out those words.

Mr. BAILEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield to the Senator from Texas?

Mr. SMITH of Michigan. Certainly.

Mr. BAILEY. The Senator from Michigan rather surprises me when he states that he is not at all occupied. We need more hours in the day and we would need more days in the week than we have at present for any Senator in this body to thoroughly familiarize himself with the tariff question in its various phases and even to examine documents that come to us in almost every day's mail. I assume—I may be mistaken, but I assume—that every Senator is striving to qualify himself for that discussion, even though he may not happen to be a member of the committee having the bill in charge, and if Senators are attempting to prepare themselves to participate in that debate, the Senate is not in vacation and Senators are not idle.

Mr. SMITH of Michigan. Mr. President, I hope the Senator from Texas did not understand me to say that we were not fully occupied.

Mr. BAILEY. I never knew a man to be occupied fully in vacation.

Mr. SMITH of Michigan. Well, the Senate may be in vacation if the amendment of the Senator from Florida is adopted, and not able to respond to the demands that may be made upon it. I do not wish to see the Senate put in that attitude. It seems to me that if Senators are to be kept here, they should be ready to respond to any legislative demand, and that to foreclose our right by resolution is not wise.

Mr. BAILEY. Mr. President, evidently I misunderstood the Senator. I understood him to say he was here in vacation, ready—as he ought to be ready—to respond to any demand. I construed that to mean that all Senators were, if I may borrow a parliamentary expression, "at rest," pending the consideration of the tariff bill by the committee. That has not been my experience, either in this particular bill or heretofore in tariff legislation.

My experience has been that the Members of the House, of which I then had the honor to be a Member, were thoroughly and completely occupied in trying to familiarize themselves with its details. I undertake to say that the Senator from Michigan [Mr. SMITH], who is familiar with the sugar schedule, could inform some of the Senators who are not, how much time it would taken to master that schedule. I venture to say that a Senator, without previous experience with respect to tariff legislation, without previous knowledge of sugar in its various legislative and refining processes, who attempts to familiarize himself with it, would not have much vacation between this and the time I am told that the majority intend to report the bill.

Mr. SMITH of Michigan. Mr. President, I had no thought or intention of saying that Senators were in vacation. I said that the Senate would be in vacation, and that that would be the effect of the adoption of the amendment of the Senator from Florida [Mr. TALIAFERRO]. I insist upon that view, and I think that it is very unwise for the Senate to put itself in that attitude. Senators are here, and undoubtedly are working. The question suggested by the Senator from Texas [Mr. BAILEY] can not be grasped in a day; it does require time. Senators are giving that time, but why should we put ourselves in the attitude before the country of suspending all legislative work when there may be important work to do?

Mr. BAILEY. The Senator again falls into the error of expression that misled me a moment ago. He again suggests that the Senate would suspend all work. Of course, the Senator makes a distinction between the Senate and Senators, and in that view there may be some excuse for that statement. I misunderstood the Senator, and, of course, what I said under his explanation might not be relevant, but he falls right back into that same carelessness of speech, and again declares that, although there is work to do, we are doing no work.

Mr. RAYNER. Mr. President, I should like to ask the Senator from Maine [Mr. HALE] whether the adoption of this resolution will eliminate the resolution of the senior Senator from Georgia [Mr. BACON] that was offered on Monday, and which a number of Senators propose to discuss if they have an opportunity?

Mr. HALE. I think the Senator must have just come into the Chamber. I had stated already in answer to an inquiry that the resolution of the Senator from Georgia is not eliminated from consideration. That resolution is upon the order of business, and is not shut out, but immediately when this resolution is disposed of will come up for discussion.

Mr. TALIAFERRO. Mr. President, I understood when the Senator from Maine [Mr. HALE] first offered his resolution that it was intimated that the resolution came somewhat in accordance with the suggestion of the President of the United States. As I recall, the President, in his message, recommended that Congress should confine itself to the consideration of the tariff, and I thought that the resolution of the Senator from Maine was introduced largely to effectuate that suggestion of the President. Now, it appears that the Senator from Michigan [Mr. SMITH] believes that if these words are left in the resolution—the very purpose to accomplish which the Senator from Maine says the resolution was introduced—will be defeated, because the Senator from Michigan suggests that if these words are eliminated the Senate will be in vacation, the exact condition that I thought the Senator from Maine desired to bring about when he introduced the resolution confining the business of the Senate to the tariff and to the census bill, the census bill coming in because it is a necessary bill to be considered in view of the veto of the late President—so that either the Senator from Maine will not accomplish his purpose if this resolution stands as it is, or the Senator from Michigan is altogether mistaken in the purpose and scope of the resolution.

Mr. RAYNER. I should like to ask the Senator from Florida, Does it make a particle of difference, practically, whether these words are in the resolution or not?

Mr. TALIAFERRO. Only, Mr. President, in the sense that I regard the words as an invitation for Senators to bring in proposed legislation. I do not think we ought to pass a resolution here providing that there shall be no legislation, coupled with an invitation for Senators to introduce and to bring into this Chamber proposed legislation.

Mr. HEYBURN. Mr. President, I seem to have precipitated more of a discussion than I anticipated.

Mr. HALE. And the Senator is sorry.

Mr. HEYBURN. I can not agree with the Senator from Maine that I am sorry, for we have gathered some wisdom from the suggestions and gained some intimation of the minds of Senators in regard to the effect of the resolution. I would oppose the amendment offered by the senior Senator from Florida [Mr. TALIAFERRO], because I think we should not entirely disarm ourselves. The resolution is much more acceptable, in my judgment, than it was when introduced the other day. At that time it provided that no standing committee should report, and the reason was given that we desired to have no calendar. The resolution this morning does not contain that prohibition and committees may report, because that is a part of the routine morning business. Of course, no steps that we may take to-day can prevent any Senator from moving to take up anything that is on the calendar, so the change made in the resolution since it was introduced answers most of my objections, and I am willing to waive the rest. I have made no proposition to amend the resolution.

Mr. HALE and others. Question.

The VICE-PRESIDENT. The Secretary will state the amendment to the resolution offered by the Senator from Florida [Mr. TALIAFERRO].

The SECRETARY. In the first line of the resolution, after the word "That," it is proposed to strike out the words "until otherwise ordered;" so that, if amended, the resolution will read:

Resolved, That no legislative business except the consideration of the census bill and routine morning business shall be transacted at the sessions of the Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the resolution.

The amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the resolution.

The resolution was agreed to.

HEARINGS BEFORE THE COMMITTEE ON FINANCE.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from Monday last, which will be read.

The Secretary read the resolution submitted by Mr. BACON on Monday, March 29, 1909, as follows:

Senate resolution 14.

Resolved, That in the opinion of the Senate all hearings by the Finance Committee of the Senate, or by the majority of said committee, for the purpose of examining witnesses or of hearing the statements or information from them to aid in the framing of the tariff bill or amendments thereto should be open to all the members of the Finance Committee, in order that any member of said Finance Committee may have the opportunity to question or cross-examine said witnesses or parties.

Mr. BACON and Mr. ALDRICH addressed the Chair.

The VICE-PRESIDENT. The Senator from Georgia [Mr. BACON], the introducer of the resolution, is recognized.

Mr. BACON. Mr. President, for reasons which possibly may suggest themselves without my mentioning them, I am not in a condition to discuss this resolution at length this morning, but there are other Senators who desire to be heard, and I hope they may now have the opportunity to do so. I understand the Senator from Maryland [Mr. RAYNER] and some others desire to address the Senate on the resolution.

Mr. ALDRICH. Mr. President, the Republican majority of Congress will be properly held responsible to the people of the country for the character of the tariff legislation which is to be enacted at this session, and they also will be responsible, in my judgment, to an equal if not a greater extent for any failure to act promptly upon this important subject. The business of the entire country is suffering from uncertainty as to what our action shall be.

Upon the tariff question the two great parties in the country are divided by a line of cleavage which is definite. There are exceptions on both sides of this Chamber, perhaps, to this rule. In a government of parties the responsibility of the party in power for legislation can not be evaded or avoided; and there is no disposition, so far as I know, on the part of any representative of the Republican party in this Chamber to avoid or evade this responsibility.

For fifty years in this country questions affecting the tariff and the preparation of tariff bills have been properly left to the representatives of the party in power. I have recollection and personal knowledge with reference to the preparation and discussion and disposition of eight different tariff bills—four Democratic and four Republican; I might, perhaps, say five Democratic measures, for there were two Morrison bills, so called, one Wood bill, one Mills bill, and one Wilson bill—Wilson-Gorman bill, as the Senator from Maine [Mr. HALE] suggests. We had Republican legislation in 1883, in 1888, in 1890, and in 1897. In the preparation of each of those bills on the part of the committee of the House of Representatives the work was done by the majority members of the Committee on Ways and Means without the assent or approval or without conference with the Republican members of the committee in the case of Democratic measures, and without conference with the Democratic members in the case of Republican bills.

When the House bills reached this body a similar course was pursued here. The amendments to be recommended by the Finance Committee in each case were agreed to or prepared by majority members of that committee, without conference with the minority members. They were usually prepared by a subcommittee of the majority, who reported to their associates, then to the full committee, and afterwards to the Senate. It will be evident, upon the merest examination, that this course is absolutely necessary in a country which has a government by parties. A similar course is followed in every country of the world that has a representative government by parties.

I could, perhaps, interest the Senate by recalling the experience in this body as to some of these various bills. I think but three of the Democratic bills reached the Senate. The experience of the Senate with one of them is fresh in the minds of the country.

I refer now to the bill which is called the "Wilson-Gorman bill" of 1894. It was prepared in the House of Representatives by the Democratic members of the Ways and Means Committee, of which Mr. Wilson was then the chairman. It was prepared—and I say this deliberately—after conference with the large importing interests of the country and with the people who believed in a tariff for revenue only, and who were very anxious or desirous to break down the protective system, which has been the great underlying principle of the Republican party from its inception. It was prepared in consultation with the men who believed with Mr. Wilson in the doctrine of a tariff for revenue only. It came to this body and was sent to the Committee on Finance, of which I was then a member. That committee was presided over by the distinguished Senator from Indiana, Mr. Voorhees. It had as its members some of the most brilliant men that have ever sat in this Chamber. On the Democratic side, in addition to the chairman, it had the late Senator Harris, from Tennessee; the late Senator Vest, from Missouri; the late Senator Vance, from North Carolina; and the late Senator Jones, from Arkansas.

The Wilson bill was received in the Senate and was referred by the majority members of that committee to a subcommittee, consisting, as I remember, of Senator Harris, of Senator Vest, of Senator Vance, and of Senator Jones of Arkansas. The subcommittee reported to the majority of the committee a substitute to the Wilson bill which was not satisfactory to some Democratic Senators. Afterwards another and a new committee was appointed, and it finally reported to the Senate the bill with certain amendments, changing many of its essential features. At that time at no point in the consideration of the bill was any Republican ever asked his opinion as to what should be done, and there was no meeting of the majority of that committee at which it was suggested that any Republican should be present, and no Republican was ever called into conference.

I will confess that for myself I should have as soon thought of going to Mr. Voorhees and insisting that I should be invited to his house to dinner as that I should have insisted that I had a right to go before the members of the committee and hear the statements of the men whom I knew were before the members of that committee every day.

Now the purpose——

Mr. DANIEL. Will the Senator from Rhode Island permit me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. DANIEL. Is there anything private in the hearings of the Republican side of the committee?

Mr. ALDRICH. I beg the Senator's pardon.

Mr. DANIEL. Are there private conversations recited in the testimony delivered before the members of the committee, or is it public testimony, to be spread before the country?

Mr. ALDRICH. Is the Senator talking now about the present time, or about the——

Mr. DANIEL. The present time.

Mr. ALDRICH. I am trying to call the attention of the Senate to the practices of the past.

Mr. DANIEL. I understand. For gentlemen to go off and confer is a privilege which is permissible in every country in the world.

Mr. ALDRICH. These gentlemen were having private conversations, if you please, for the purpose of eliciting information as to the character of the bill they were preparing to present to this body, as they had a perfect right to do. It is a recognized right in tariff legislation, and has been for a half a century, and it will be, in my judgment, until the end of time.

Mr. DANIEL. I did not have the pleasure of being here last Monday, when this matter was discussed, and what I want to know is whether or not the present meetings of Republicans, who are taking testimony——

Mr. ALDRICH. The Senator has been misinformed.

Mr. DANIEL. I have not stated my question.

Mr. ALDRICH. Very well.

Mr. DANIEL. Is or is not the testimony being taken before the Republican Members sitting to hear testimony of a public nature? I understood it was to be published, and therefore I presume that if it is to be published it is of a public nature.

Mr. ALDRICH. If the Senator will bear with me——

Mr. DANIEL. Certainly. I merely wanted information on that subject.

Mr. ALDRICH. I will answer the question fully.

Mr. DANIEL. Certainly.

Mr. ALDRICH. I have stated that in the consideration of every tariff bill for fifty years this course has been uniformly followed, for reasons which I think must be obvious to every Member of this body.

Now, let us see what has been done in the present case. We are all extremely anxious, I take it, that this question shall be disposed of as early as possible. As soon as there was reported in the House the bill now known as the "Payne bill," I called the attention of the Senator from Virginia [Mr. DANIEL], who is the senior member of the minority of the Finance Committee, to the fact that I thought the Republican members of the committee should take up and consider possible amendments to the existing law or to the bill which was reported in the House of Representatives.

As soon as the Committee on Finance was appointed, I think within an hour of that time, I called a meeting of the full committee. I then stated to the committee that it was the purpose of the Republican members, acting as Members of the Senate and also as individual members of the committee, to secure all the information which they could with reference to the changes which might be suggested or the character of the changes which they thought were important to be made to the bill. I stated that we had asked the Secretary of the Treasury to detail to assist us—stating at the same time that the minority members were entitled to the same privileges—certain members of the Board of General Appraisers at New York. These members of the Board of General Appraisers are now here—the chairman of the board, Mr. De Vries; General Sharretts, and Mr. Fischer. Two of those men are Democrats, well known to most of the Members of this body.

We also asked the Secretary of the Treasury to have detailed for consultation with the members of the committee such of the customs officers at New York—the examiners there, who have had more to do with the actual administration of the office than any other men in the United States—as we might desire.

I stated further to the full committee that we would receive, and gladly receive, arguments and briefs and statements, written and oral, from anyone who felt that a change ought to be made in the schedules or who felt aggrieved at any of the provisions of the present law or of the House bill.

I stated to them further that it was our purpose to have all correspondence, briefs, and arguments classified according to paragraphs, and that the entire mass of statements and arguments, including my own personal correspondence, would always be at their disposition and open to their examination.

I stated further that any important statements made to us by the experts whom we should examine for our own information would be taken down and submitted, if they so desired, to the minority members of the committee for their information.

In this particular case every Republican member of the committee has been considering the question of proper amendments to be made to the law. Heretofore, in every case, I think, without exception, certainly within my recollection, a subcommittee of the majority members has been appointed. The act of 1897 was referred to a subcommittee, consisting of the late Senator Allison, the late Senator Platt, of Connecticut, and the late Senator Wolcott and myself. Not only did that committee proceed to consider this matter without reference to the minority members of the committee, but they considered it without reference to their associates in the majority of the committee, and their recommendations were not known to their associates until they were completed and ready to be submitted to the Senate.

But in this case I thought it was desirable in the interest of fairness—fairness to our Republican associates in the Senate, fairness to the minority of the committee—that we should together consider these questions so far, and that the record should be open to the minority members of the committee as well as to the majority. That course has never before been followed, I feel sure.

Now, as I have said, we notified the minority of the committee fully as to our purpose. Later on, within a few days, a member of the minority came to me and said, "We should like to have some experts of our own; we should like to have some assigned to us." I said, "Certainly; you are entitled under the usual practice of the Senate and of committees, as you are entitled by the order of the Senate, to have such experts as you please, and if you will only make the suggestion as to whom you want as experts, or whom you wish to employ, I shall be only too glad, so far as I am concerned as chairman of the Committee on Finance, to extend you that privilege."

What has happened? The minority members of the committee have been examining people whom they selected themselves—experts; experts of the Treasury Department and experts with knowledge of particular provisions in the law—examining them as the basis of information for the report which they propose later on to submit to the full committee and afterwards to the Senate.

Now, suggestions were made—based upon misinformation, perhaps—that we were giving hearings, which were in the nature, or should have been in the nature, of public hearings, to a large number of people. My colleague on the committee on Monday spoke of 20 or 30 people who were in the committee room on that day. I intend to be perfectly frank with the Senate and to state exactly why they were there. We had been considering the metal schedule, which every man in the Senate who is at all familiar with tariff matters knows is a very complicated one. The relation between rates, commencing with iron ore and pig iron and running through all the various manufactures of iron and steel, is an extremely complex affair.

I venture to say that unless a Senator is familiar with the rates in the metal schedule he could not, whatever might be the extent of his intelligence, make himself familiar with them in a month. It is the most difficult, or one of the most difficult, schedules in the whole bill.

I suggested to my Republican associates that in the consideration of that schedule by ourselves it was extremely important for us to have present experts who were qualified as to the relative rates in the entire schedule; that we would thus save a great deal of our time and get information which we probably could not get in any other way. So we had present the three members of the Board of General Appraisers, to whom I have alluded; we had present the examiners of the metal imports in the New York Custom-House, I think five or six in number.

In addition to that, an invitation was extended by members of the committee to some of the steel producers to send to us their best experts, with knowledge of the cost of the production here and abroad of the various articles named in the schedule and of their relation one to the other. We invited them to make suggestions as to what reductions could be made, what changes could be effected in order to make the rates in the schedule symmetrical, taking into consideration the possibility of free iron ore. That is the entire truth about that hearing.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. ALDRICH. Certainly.

Mr. BACON. Will the Senator permit me to read in this connection exactly what the Senator from Maine said?

Mr. ALDRICH. It is not important, because I am stating what the facts were, and I have no doubt it is what the Senator from Maine would have said if he had gone into a full statement of the matter.

Mr. BACON. The Senator from Maine distinctly said there were 30 or 40 disaffected or dissatisfied Pennsylvanians before the committee.

Mr. ALDRICH. The Senator from Maine——

Mr. HALE. Yes; I remember.

Mr. BACON. I read the words from the RECORD.

Mr. HALE. I had just come from the committee, and I wanted to get back to work and I put the matter pretty strongly. I suppose at some one time, with all the experts that the Senator from Rhode Island has explained were there, there were in the room twenty-odd people. They were not all disaffected Pennsylvanians, but the experts whom the committee summoned were not all satisfied and were not all agreed. One took one side of the schedule and another took another, and I was justified in saying there were disaffected Pennsylvanians. But I put it altogether too strongly in saying they were all. I think, perhaps, there were six or eight——

Mr. BACON. Disaffected and dissatisfied Pennsylvanians, the Senator said.

Mr. HALE. Some of them were dissatisfied. Some of them thought we ought to go further than we intended to go.

Mr. BACON. I think, in justice to the Senator, I ought to read the sentence and not quote it fragmentarily.

Mr. HALE. I put it too strongly.

Mr. BACON. The sentence the Senator uttered is as follows:

> My own excuse for not having the resolution in better form is that I am so occupied with the Committee on Finance, having just left the committee room, where there are some thirty or forty disaffected or dissatisfied Pennsylvanians, that I have not had time to consider the form of anything that I write. I am not able to write decent letters.

Mr. HALE. The last part is probably exaggerated.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Pennsylvania?

Mr. ALDRICH. Certainly.

Mr. PENROSE. I think it only fair to state that almost everybody there was by special invitation of the chairman of the committee or some member of the committee.

Mr. ALDRICH. Everybody.

Mr. HALE. Everybody.

Mr. PENROSE. There was no one there to make a statement unless called on. I think it was generally conceded that the iron and steel people impressed the committee as being more liberal in a tariff revision downward than almost any other class of people interested in the tariff bill.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. Certainly.

Mr. CULBERSON. In connection with the explanation of the Senator from Pennsylvania, I ask the Senator from Rhode Island if the witnesses, the 30 or 40 to whom reference has been made, were subpenaed by the authority of the Senate and their expenses paid by the Government of the United States?

Mr. ALDRICH. I hardly think the Senator from Texas can ask that question seriously.

Mr. CULBERSON. I do.

Mr. ALDRICH. In view of what I said, I hardly think he can ask it seriously.

Mr. CULBERSON. Probably I did not catch what the Senator said.

Mr. ALDRICH. Probably not.

Mr. CULBERSON. I should like to know now, for it may turn on that point, whether they were summoned here by the authority of the Senate, and whether their expenses and mileage and their per diem, or whatever it was, were paid by the Government of the United States. I should like to know myself, and I speak only for myself in this particular.

Mr. ALDRICH. Certainly not. The committee was not acting officially in this matter. Certain members of the committee asked these gentlemen to come to us as experts. They were not summoned by subpoena. Their expenses are not to be paid by the Government. They were in no sense official witnesses. They were, in fact, in no sense witnesses. They came simply to furnish the members of the committee who were there information upon which they could report to the Senate a properly classified and regulated schedule in regard to iron and steel. That is the whole story. They were there for no other purpose.

Mr. STONE. I should like to ask the Senator from Rhode Island a question. Were these hearings all taken down in shorthand?

Mr. ALDRICH. There were no hearings. The Senator——

Mr. STONE. I refer to the statements that were made by gentlemen who came before you.

Mr. ALDRICH. The gentlemen came before the members of the committee to furnish information. If we thought the information valuable, it was taken down, and will be written out, and will be submitted, if the minority of the committee desire them.

Mr. STONE. I so understood the Senator.

Mr. ALDRICH. Yes.

Mr. STONE. Now, I desire to ask the Senator, if they are valuable to the members of the committee in studying and trying to understand the different schedules in the framing of this bill, why ought they not to be printed and let all Senators have the benefit of them in their investigations?

Mr. ALDRICH. I should say that if the minority of the committee think any of the questions and answers are of sufficient value to themselves and other Members of the Senate, there will be no hesitancy on the part of the majority of the committee in consenting to their publication.

Mr. STONE. It seems perfectly obvious to me that if they are of value to the majority members of the committee, they would be of equal value to Senators generally.

Mr. BACON. I should like to suggest that among Senators who do not agree entirely with the Senator from Rhode Island as to the character of the bill which should be enacted, there might be a very wide difference of opinion as to what was valuable and what was not valuable. That is exactly the point. The Democratic Senators are not permitted to be there to bring out from those people who are here for the purpose of giving information things which they consider to be valuable.

Mr. ALDRICH. The Democratic Senators are not there, and there is no propriety in their being there.

Mr. BACON. That is the question.

Mr. ALDRICH. The minority of the committee are holding meetings of their own. We do not ask who comes before them. We do not ask to go before them and cross-examine their witnesses. I am seeing personally probably 100 men a day, so far as I have time, my time being taken up with this matter eighteen hours out of the twenty-four. Does the Senator from Georgia think I ought to look him up every time a man comes to me for a conversation, in order that he may cross-examine the man to find out whether he thinks the information is valuable?

Mr. BACON. The Senator from Rhode Island asks me a question, and I presume he wants me to answer it.

Mr. ALDRICH. I should like to have it answered in a brief manner. I do not want to make a suggestion to the Senator from Georgia that will involve a speech.

Mr. BACON. No; I will not put in a speech. I simply desire to say this to the Senator: I could not discuss it at length, even if I desired to do so. I am not a member of the committee, and I have made no complaint that I have not been permitted to hear the testimony. My contention is that the majority members of the Committee on Finance practically determine whether or not there shall be a hearing. They have determined that there shall be no hearing.

Mr. ALDRICH. No public hearing.

Mr. BACON. They have had a hearing by the committee and have excluded the Democratic members from participation in it.

Mr. ALDRICH. The Senator from Georgia is neither brief nor informed in that statement. No such condition has arisen, and no such condition is likely to arise. The committee announced publicly and privately that they would not give any public hearings. There have been none. There have been no hearings of any kind technically by any members of that committee. I have had conversations, and various other members of the committee have had conversations, for the purpose of eliciting information that would help us in the great work which has been devolved upon the members of that committee. If we should undertake to follow the suggestions of the Senator from Georgia, we could not pass a tariff bill for the next three years. Let us see what has happened.

Mr. DANIEL. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Virginia?

Mr. ALDRICH. Not just for the moment. I will yield to the Senator later.

The Committee on Ways and Means of the House had public hearings extending for weeks.

Mr. LODGE. Months.

Mr. ALDRICH. Months. I accept the suggestion—months.

Mr. CULLOM. And they have all been printed.

Mr. ALDRICH. They have taken nine volumes of testimony on this subject. No Member of this body can read that testimony in a month, or less than a month, and understand it. I venture to say there is no Member of this body sitting upon the other side of the Chamber who has read any of it, or more than a very small portion of it.

Mr. BAILEY. The Senator had better be a little careful when he includes all.

Mr. ALDRICH. I will except the Senator from Texas. But outside of the Senator from Texas——

Mr. BAILEY. I want to say I have not read all of it, and I have no idea of attempting it.

Mr. ALDRICH. I think that is true.

Mr. BAILEY. But when the Senator says they have not read any of it——

Mr. ALDRICH. They have probably read parts of it.

Mr. TALIAFERRO. Mr. President——

Mr. ALDRICH. I can not yield.

Mr. TALIAFERRO. I think the Senator should yield after having made that statement.

Mr. ALDRICH. I except the Senator from Florida, if he desires to be excepted.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oklahoma?

Mr. ALDRICH. No; I can not at present; I will yield later on. As I had stated before, this testimony has been taken. There are more briefs and arguments and printed statements received by the committee every day than they can possibly read or any other Member of this body can read and digest. I am receiving every day more statements and letters on this subject than I could read in twenty-four hours; and I imagine every other Member of the Senate is in the same position. What good purpose would result if the Senator from Georgia should undertake to cross-examine all these people? How soon does he think he could arrive at a conclusion as to what he ought to do as an individual Senator in the disposition of this bill?

Gentlemen, the suggestion that all the precedents in reference to this matter should be disregarded and that the members of the minority should be present for purposes of cross-examination at every conversation held by the majority of the committee with the people who are supposed to have, or do have, information is absurd. It means, gentlemen, if you propose to do it, the indefinite postponement of any legislation, and you know that as well as I do.

The minority of the committee are already investigating the subject as they should do, as it is their duty to do, their duty to their associates, their duty to the Senate, their duty to the country. We are in favor of giving them—I am speaking now for the majority of the committee—every possible facility to examine the information which we are securing, the information that is contained in the briefs and in the letters, which are open to their examination every day. We have an experienced and

to discuss theories. I shall be ready, and my associates in that

your views to suit us, or we ours to suit you. We are here to

capable man classifying those letters. I hope that later on we will have an abstract of all of those arguments, those that were made before the House committee as well as those that are presented to our committee, and that abstract, as well as the documents themselves, will be open to the examination always of the minority of the committee.

I have not yet heard from any minority member of the committee that he is dissatisfied with what is being done. If he is, he is dissatisfied without reason. There has never been, as I have stated, in the history of this country a consideration by the majority members of the committee upon the question of the tariff that was so liberal or so open to the members of the minority as the one that is now going on.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Wisconsin?

Mr. ALDRICH. Certainly.

Mr. LA FOLLETTE. I have a document here which purports to be a compilation of Senate and House reports on different tariff bills. I opened it at the report upon the tariff bill of 1888, the Mills tariff bill, a report made by the Senator from Rhode Island to the Senate, and I want to read just three or four lines from that report. I have no doubt the Senator can explain the apparent inconsistency between what I find in this report and the statement which he is making to-day. I read from page 88 of this document:

> The House bill (H. R. 9051) under consideration was received by your committee July 25, and was immediately referred to the following subcommittee: Messrs. Allison of Iowa, chairman; ALDRICH of Rhode Island, Jones of Nevada, Hiscock of New York, Beck, of Kentucky, Harris of Tennessee, and Voorhees of Indiana, who reported the same back September 25 to the full committee, with an amendment in the nature of a substitute, which was adopted by the full committee and reported to the Senate this day by Mr. Allison.

It does not appear from that, of course, whether the minority members were present all the time while the substitute bill was being prepared.

Mr. ALDRICH. I am glad the Senator from Wisconsin called my attention to that incident.

Mr. LA FOLLETTE. It might be subject to that interpretation, and I should like to have the Senator from Rhode Island make such explanation as his recollection may enable him to do.

Mr. ALDRICH. The fact is this: The majority members of that committee prepared a substitute. The members of the minority were never present at any of the meetings which took place, either in the examination of facts or at any other meeting. They were never present. They were present when the committee considered——

Mr. LA FOLLETTE. If I may interrupt the Senator——

Mr. ALDRICH. If the Senator will excuse me until I finish the sentence. (Continuing.) They were present when the administrative features of the act were considered. They were present and rendered very valuable assistance to us in the construction of the administrative features of the bill which is now the law of the land.

It is the intention of our committee, when we take up the consideration of the administrative features of the House bill, which are quite as important, if not more important, than the question of rates, to have them considered by the full committee; and I have already advised the members of the minority that the administrative features would be considered by the full committee with a view of trying to agree, if possible, to amendments to the present customs law which will make its administration more efficient.

Mr. LA FOLLETTE. I wish to ask the Senator from Rhode Island if there were not public hearings at that time, between the 25th of July and the 25th of September, at which the minority were present?

Mr. ALDRICH. There were certain hearings.

Mr. LA FOLLETTE. I have not been able to find the volumes, but it is my recollection that there were hearings.

Mr. ALDRICH. There were a few hearings at which the minority of the committee were present, but not those relating to the construction of a bill as to rates.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Kansas?

Mr. ALDRICH. Certainly.

Mr. CURTIS. As I understand the reading of the report by the Senator from Wisconsin, it refers to a time after the House bill reached the Senate and was considered by the committee by reference. As I understand the situation to-day, the majority members of the Senate committee are considering a proposition that has not yet reached the Senate from the House.

Mr. ALDRICH. That is right. That of course is the difference. If the Senator from Wisconsin will look at that report, and examine it further, he will find that the majority of the committee reported one bill. The minority of the committee dissented. They dissented after the majority bill was presented to them, and they made a most elaborate minority report, a part objecting to one provision of the bill and a part to another.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield further to the Senator from Wisconsin?

Mr. ALDRICH. Certainly.

Mr. LA FOLLETTE. Does the Senator mean by that statement to cover the framing of the bill in the House as well as in the Senate or to cover the proceedings which lead up to the framing of the bill?

Mr. ALDRICH. I am not talking about the proceedings of the House. The House of Representatives, being charged by the Constitution with the preparation of these bills originally, the Ways and Means Committee of the House of Representatives have always, I think, without exception, had a certain amount of public hearings preceding the action upon the bill. That was done in 1897.

Mr. LA FOLLETTE. Those were the hearings upon which the bill was based.

Mr. ALDRICH. I beg the Senator's pardon. That is not correct.

Mr. LA FOLLETTE. I will say to the Senator——

Mr. ALDRICH. Take the case of 1897, for instance. The Committee on Ways and Means, of which Mr. Dingley was chairman, had a certain amount of public hearings. After these public hearings were concluded, and that is precisely the course that was followed in the bill now before the House, the Republican members of the committee met. They had meetings at the Hotel Cochran. I do not know whether there is anyone here who is at all familiar with the facts in that case. Perhaps the Senator from Michigan [Mr. BURROWS] was a member. They met at the Hotel Cochran for months, inviting people who they thought had information, from every quarter of the country, for the purpose of enabling them to properly prepare a bill, which afterwards they presented to the House as the Dingley bill. That course has been uniformly followed so far as my recollection goes, in the preparation of tariff bills in the House of Representatives.

Mr. LA FOLLETTE. I wish to say that that course was not followed in preparing the McKinley bill.

Mr. ALDRICH. I know something about the McKinley bill. I realize the fact that the Senator from Wisconsin was a member of the committee.

Mr. LA FOLLETTE. I mean to say that there were no secret hearings held after the public hearings and before the bill was reported.

Mr. ALDRICH. I know perhaps as much as the Senator from Wisconsin about the preparation of the McKinley bill, although he was a Member of the House committee. To my personal knowledge—and I have no doubt that was true of a good many other members of the majority of the Ways and Means Committee, I do not know of course whether it was true of the Senator from Wisconsin or not—Mr. McKinley spent weeks and months conferring with people as to the facts and the conditions which should control his action in the preparation of that bill. He saw people from all over the United States; he conferred with them frequently, and with everybody who had suggestions to make, just as the members of our committee are now doing.

I have some knowledge of the preparation of tariff bills in both Houses in the last twenty-seven years. I have been a looker-on, if not a participant, in all of them.

Mr. President, we have heard two classes of people, if you want to dignify the conversations which we have with individuals in this work of preparation as "hearings." We are listening, if you please, to two classes of people at the present moment. We are listening to people whom we have asked to come to us as experts, with a view of furnishing us with information and knowledge which will enable us to prepare the various paragraphs with an equitable relation to each other. We have been listening, beyond that, to any Senator, Republican or Democrat, who comes to us, either alone or with a constituent, with a view of presenting to us briefly the feelings of his constituents or himself upon any particular subject.

This course will be pursued to the end, and I shall be very glad to see any of the Democratic Senators, and I am sure all the majority members of the committee will be equally glad to see them, if they have any suggestions to make to us as to the facts, not as to theories, because in the brief time we have to discuss the bill and prepare our amendments we have not time

to discuss theories. I shall be ready, and my associates in that committee and my associates on this floor on this side of the Chamber will be ready, to take up the question of policy, of theory, and discuss it to the satisfaction of the Senator from Georgia or anybody else who wants to hear us explain our views later. We shall be ready to give the reasons for the faith that is in us.

Mr. BACON. Mr. President, I should like to ask the Senator if it is not true that some of the reasons for the faith the Senator says he will be ready to defend will not be found in statements which are now being made to him and to his associates?

Mr. ALDRICH. None whatever, except as to inexorable facts, and those facts will be at the Senator's disposition as well as ours.

Mr. BACON. No; the facts are not at the disposition of Senators on this side of the Chamber.

Mr. ALDRICH. They will be at their disposition if they wish.

Mr. BACON. If the Senator will pardon me a moment, there are two reasons why the Senator's statement is not accurate. The statement is made, in the first place, that only such parts of the information that is now being gathered as Senators on that side of the Chamber think important are being taken down. That is one reason. Another reason——

Mr. ALDRICH. Who is to judge of the question as to what is important?

Mr. BACON. That is exactly the point I am coming to.

Mr. ALDRICH. Does the Senator from Georgia desire to constitute himself a censor, to say what shall be taken down and what is not important?

Mr. BACON. Not by any means.

Mr. ALDRICH. Is he not willing to trust the Democratic members of the committee?

Mr. BACON. If the Senator will hear my inquiry——

Mr. ALDRICH. He is not willing to trust them?

Mr. BACON. What is valuable is a matter of——

Mr. CLAY (in his seat). He says "you are not willing to trust the Democratic members of the committee."

Mr. BACON. I did not say anything of the kind, of course; everybody knows that I did not; but I am obliged to my colleague for calling my attention to it.

When certain members of the committee get together and have before them parties who are interested upon the same side of the question, the question, of course, as to what is valuable, the question of value from their standpoint, and only the things which are valuable from their standpoint, according to their own statement, are the things which are put down, and which Senators will subsequently have the opportunity to examine. It is only the things which are valuable from their standpoint that are brought out at all. We have the exclusion of the Democrats from the opportunity to bring out a full statement from these witnesses or persons giving information, and it is important that both sides should be represented upon what is, in fact, if not in technical theory, a hearing by all the committee, and the only hearing which they will permit, because they will not permit a general hearing, and then proceed themselves to have a hearing.

Mr. ALDRICH. I have either been very stupid myself in making my statement or else the Senator from Georgia is dull of apprehension this morning.

Mr. BACON. I will concede that to the Senator.

Mr. ALDRICH. There have been no hearings. We have asked certain gentlemen to be present with us for the purpose of eliciting facts from them as to various things which go into the formation of our judgment upon the amendments to be submitted.

Mr. NEWLANDS. Mr. President——

Mr. ALDRICH. I can not yield just now. The members of the minority of that committee are doing the same thing. I have made no suggestion to those Senators that we ought to be present to cross-examine the gentlemen they think are important to be heard for their own purposes. I shall make no such suggestion. On the contrary, I say that the important facts that we have elicited have been taken down by a stenographer.

Mr. DANIEL. May I ask the Senator a question? What is the objection to Democrats being present and hearing a recital of those important facts?

Mr. ALDRICH. Because the responsibility is upon us, and we desire to pass a tariff bill in this year of our Lord.

Mr. DANIEL. You can make up your tariff bill when you please. You have all time for it.

Mr. ALDRICH. No.

Mr. DANIEL. What is the objection to Democrats hearing facts submitted to you as public servants? You do not change your views to suit us, or we ours to suit you. We are here to serve the public, and with the same responsibility. What right have you to take the public money of this country and use it for your own private conversation with invited witnesses, denying to us the same opportunity which you exact for yourselves?

Mr. ALDRICH. We have the same right that you have; no more and no less.

Mr. DANIEL. What right have you to exclude us from a public hearing, from a public proceeding of this kind?

Mr. ALDRICH. We have no public hearings.

Mr. DANIEL. How do you expect to publish them at public expense if they are not public hearings?

Mr. ALDRICH. They are not public hearings at all.

Mr. DANIEL. How do you expect to publish them at public expense and then retail them to us with no opportunity to hear or to cross-examine, if they are not public hearings of public concern? Where do you get the right to publish them?

Mr. ALDRICH. We do not insist that they shall be published.

Mr. DANIEL. You stated that they were all to be published, and that we could read them at our convenience.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. DANIEL. Is it a private snap for a tariff to be framed in a corner, without the opportunity of the chosen Representatives of the States and the people to hear those who testify and to judge of the merits and integrity of their testimony?

Mr. ALDRICH. Mr. President, the Senator from Virginia, who I know does not want to misstate the facts——

Mr. DANIEL. I want to know the facts; that is all I want to know, so that I may be sure other people are not misstating them.

Mr. ALDRICH. I think I have stated them very fairly and very clearly.

Mr. DANIEL. No doubt you do, but I might differ with you.

Mr. ALDRICH. You could not differ with me as to facts.

Mr. DANIEL. I might differ as to facts very much. Most of the differences in this world are on facts.

Mr. ALDRICH. There can not be differences in this case.

Mr. DANIEL. You are the only person who can speak of it. You and your associates are the only ones who know what the case is.

Mr. ALDRICH. My associates know as well as I. I have already stated two or three times that this conversation or information is not a public hearing. They have never been so treated.

Mr. DANIEL. May I ask the Senator who takes them down?

Mr. ALDRICH. A stenographer connected with the Board of General Appraisers in New York.

Mr. DANIEL. Is he a public stenographer?

Mr. ALDRICH. No. He is a government employee.

Mr. DANIEL. These are only private hearings, with a public stenographer to take them down?

Mr. ALDRICH. I have already stated that, at the request of the Secretary of the Treasury or the request of the President——

Mr. DANIEL. I see.

Mr. ALDRICH (continuing). The Secretary of the Treasury detailed these people to attend the meetings of the committee, just the same as another expert in the Treasury Department is attending the meetings of the minority of the committee. I do not know whether the Senator from Virginia has ever been present at any of these meetings.

Mr. DANIEL. I would not for a moment have anything to do with any arrangement which did not belong to every other Senator.

Mr. MONEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. ALDRICH. Certainly.

Mr. MONEY. I wish to say that the Senator from Rhode Island is perhaps in error as to the use that is being made of the expert by the minority.

Mr. ALDRICH. I do not know what use is being made of him. I have no idea. I do not think it is any of my business to know. I have no doubt they are making good use of him.

Mr. MONEY. I want to say to the Senate, if the Senator does not care to hear, that we have two experts, one loaned to us by the Secretary of the Treasury, and another man who is accustomed to this sort of business. They have not been asked any questions whatever by any member of the minority as to the value or as to the course of action upon any industry in the United States. They are simply there as accountants to arrange certain schedules so that the minority of the committee can see by glancing at them, without the labor of wading through several thousand items in the different schedules, what

is the proper material to be taxed and what is not, with a view

Mr. ALDRICH. Does the Senator think the committee ought

members of the Senate committee are considering a proposition that has not yet reached the Senate from the House.

facts, not as to theories, because in the brief time we have to discuss the bill and prepare our amendments we have not time

Mr. DANIEL. What is the objection to Democrats hearing facts submitted to you as public servants? You do not change

can see by glancing at them, without the labor of wading through several thousand items in the different schedules, what

is the proper material to be taxed and what is not, with a view of ascertaining what will bear revenue and what would be prohibitive. That is all. They are simply arranging schedules, and they are not interrogated by anybody or volunteering any information to anybody. They are strictly accountants; and we have no stenographer as yet.

Mr. NEWLANDS. I wish to inquire of the Senator from Rhode Island whether it is the intention of the Committee on Finance, or of the majority of that committee, to hold public hearings in which the information now being obtained by a section of that committee, without the sanction or authority of the Senate, will be presented to the entire committee, and through them to the Senate?

Mr. ALDRICH. As I am from New England, a Yankee, perhaps I can answer the Senator's question by asking him one. Has the Senator read the testimony of the public hearings that was taken by the Ways and Means Committee?

Mr. NEWLANDS. I have not. I have read parts of it.

Mr. ALDRICH. Does the Senator think that any information would be elicited at a public hearing in the Senate that was not elicited in the House?

Mr. NEWLANDS. I do not know. I am simply asking the Senator whether he intends to have any public hearings or any hearings whatever in which the minority members of the committee will participate. I am simply asking for information, and not indulging at present in any criticism.

Mr. ALDRICH. It is not the purpose, so far as I know, of the committee to have any public hearings. There has been no indication of any such intention or desire manifested by anybody or by the committee up to this moment.

Mr. NEWLANDS. Then I understand, Mr. President—and I should like the correction of the Senator from Rhode Island if I am mistaken—all the information that is to be obtained through the action of a section of the committee upon this matter is to be the property of that section alone, and that only such portions of it as they deem proper shall be printed and presented to the minority members of the committee or to the entire committee, and through the committee to the Members of the Senate; that no opportunity for cross-examination is to be given to the minority members of the committee, and that the only information available to the Members of the Senate is that filtered through a section of the committee, acting without the authority of the Senate, and acting only in a private capacity.

Mr. RAYNER. Mr. President, has the Senator from Rhode Island finished?

Mr. ALDRICH. I am willing to yield for a question.

Mr. RAYNER. I thought the Senator had yielded, and that he had finished.

Mr. ALDRICH. I want to make a motion, before yielding the floor, to refer the resolution to the Committee on Finance.

Mr. BAILEY. The Senator from Maryland, I understand, desires to address himself to the resolution.

Mr. DANIEL. I want to ask a few questions while the Senator from Rhode Island is on the floor.

Mr. ALDRICH. I will simply make the motion. I move, while I have the floor, to refer the resolution to the Committee on Finance.

In answer to the suggestion made by the Senator from Nevada [Mr. NEWLANDS], if I have not already explained that matter to the satisfaction of the Senator, I am sure I can not.

The VICE-PRESIDENT. The Chair recognizes the Senator from Maryland.

Mr. RAYNER. Mr. President, I hope the Senator from Rhode Island, in the few observations that I shall address to the Senate, will consider that I do it with great deference and respect to him and every member of the committee, because I know how faithful and loyal he has been to the great trust that has been committed to him. I take for granted the truth of every statement the Senator has made upon this floor, and taking it for granted, I think it exemplifies about the worst practice that has ever arisen before a parliamentary body.

It does not make any difference, Mr. President, whether these hearings are private hearings or whether they are public hearings so far as the proposition is involved that I am about to discuss. We are not arguing the proposition whether or not this committee has a right to formulate a bill without the concurrence of the minority. I admit that proposition. We are not discussing the proposition whether anyone has a right in any informal conversation he may hold with the chairman of the committee or with any member of the committee, to discuss the tariff. That is not the proposition.

Mr. ALDRICH. Will the Senator allow me to ask a question?

Mr. RAYNER. Certainly.

Mr. ALDRICH. Does the Senator think the committee ought to be precluded from obtaining information as to the work which they have in hand?

Mr. RAYNER. I think, Mr. President, that you have no right whatever, and I propose to show the Senate, if I can, to exclude the members of the minority from all attendance upon meetings at which witnesses appear before the committee to give you any information in reference to the measure that is before you.

Mr. ALDRICH. Will the Senator allow me just a moment?

Mr. RAYNER. I will yield to any interruption in a moment, but not now, at the beginning, because I want to state what is, I think, a very important proposition. I think it is one of the most important propositions of legislative practice that has been before the body.

Here is the colloquy, which the Senator from Georgia [Mr. BACON] did not conclude, that took place between the Senator from Maine and the Senator from Georgia:

Mr. BACON. Do I understand the Senator from Maine to say that the Senate Finance Committee is now having sessions?

Mr. HALE. Now. That committee has been in session early and late, with the exception of the Democratic Senators. Through an arrangement such as has always been made, it is a subcommittee, consisting of the Senators who happen to sit on this side of the aisle.

* * * * * * *

Mr. BACON. I understand it is usual, when subcommittees are appointed, that both sides of the Chamber shall be represented on a subcommittee.

Mr. HALE. Not in a proceeding of the Senate on the tariff.

Mr. President, I desire to enter my earnest protest, and I do it, I say again, with the utmost deference and respect, against this method of proceeding. I do this not as a partisan, but because I think a grievous error has been committed which might possibly be changed if the attention of the committee is emphatically directed to it. I have the highest regard for the chairman of the committee and for its members, and I do not for a moment believe that they have any improper motive in view, and therefore they ought not to leave the country under an impression that they have. It is said that they are following precedents. That is what the Senator from Rhode Island said to-day. I do not know of any such precedents, but if there are any they had better be once and forever set aside and rejected. Let us look at this for a moment. The majority of the committee will formulate a bill without calling the minority into consultation. This policy, however, is unobjectionable when compared with the practice that has been adopted of giving hearings and examining witnesses without permitting the minority to be present to hear what the witnesses have to say or affording them the slightest opportunity of cross-examination.

I want to say that I disagree with the Senator from Rhode Island, however, in the statement that he has made about precedents in other legislative bodies, because I have looked up precedents. I do not believe that such a method prevails in any parliamentary assemblage in any civilized country upon the globe. We might as well have no representative of the minority upon the committee at all. What purposes does the minority subserve, I ask of the Senator from Rhode Island, what functions does it exercise, if it can not even be accorded the privilege of listening to the testimony that is adduced before the committee? When committees are hereafter appointed, what is the use of putting any member of the minority on the committees at all?

The President whose term has just expired was accustomed to say that the trouble with our side was that we were all academic. I never fully appreciated the meaning of that word. I now realize what he meant. An academy was formerly an Athenian grove belonging to a person named Academus, where Plato and his followers held their philosophical conferences. Back to our groves, Mr. President! Let the Senator from Florida [Mr. TALIAFERRO], who is supposed to be on the committee, retire to the groves of Florida; and the Senator from Mississippi [Mr. MONEY], who is supposed to be on the committee, and who is also a metaphysician and a philosopher, retire to his plantations in Mississippi; and the Senator from West Virginia [Mr. ELKINS], whom we all know to be a great tariff reformer, retire to his coal mines and in his reveries and meditations figure out how his New England brethren have impoverished him by getting all his raw materials for nothing. This is the irony of fate that Massachusetts should take the Senator's manufactured products and call them raw materials.

Thirty Pennsylvanians appeared before the committee, says the Senator from Maine. We have learned this morning the object of their mission. The Senator from Rhode Island says they were dissatisfied.

Mr. ALDRICH. No; not dissatisfied.

Mr. RAYNER. Or they were giving information which would enable the committee to perfect the schedules of the bill. The

Senator from Pennsylvania [Mr. PENROSE] says they were not dissatisfied, but the minority does not know whether they were satisfied or whether they were not satisfied. The minority is not entitled to know. They are too inquisitive. They have too much curiosity. They are not entitled to know what this unselfish and patriotic band from Pennsylvania wanted on their mysterious mission.

Did Pennsylvania also want some of the possessions and belongings and raw material of the Senator from West Virginia? [Laughter.] I appeal to you, Senators, with all respect and deference, that when you are dividing the spoils, at least be fair to one another. On behalf of the Senator from West Virginia, I beg of you to give him back his raw materials. He has stood with you upon many a field of battle, and, although I am not gifted with any prophetic vision, I predict that when the hour of consummation comes the dulcet strains of the Senator from West Virginia will be silenced and that his protesting voice will not be heard within this Hall against a single schedule in the bill.

We of the minority are in a different situation. We are in the camp of the vanquished, and, so far as I am concerned, I would rather be in the camp of the vanquished in possession of my birthright than in the camp of the victor in possession of the spoils.

After hearing the Senator from Rhode Island this morning, on his statement I say that you can not accomplish the perfection of this bill through the processes which you have adopted. It is a star-chamber process. You tell me that you bring witnesses into your committee room; you examine those witnesses for the purpose of perfecting the bill, and that you exclude the minority from the hearings; so that the minority has no right to listen to what the witnesses are saying or to cross-examine them upon any testimony that they may give.

Mr. ALDRICH. Mr. President, will the Senator from Maryland allow me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. RAYNER. Yes, sir.

Mr. ALDRICH. Does the Senator from Maryland think that the minority members of the Finance Committee ought to have hearings to elicit information; and if so, does he think that the Republicans ought to be present and to cross-examine their experts and witnesses?

Mr. RAYNER. I do not think that the minority ought to hold any official meetings for the examination of witnesses.

Mr. ALDRICH. The majority of the committee is not holding any official meetings——

Mr. RAYNER. Let me answer the Senator. I do not believe in the division of committees when witnesses are before the committees. Now, understand me. I am referring to no other branch of this inquiry. When witnesses are there giving information upon which a tariff bill is to be framed, every member of that committee has a right to be present.

Mr. ALDRICH. Mr. President——

Mr. RAYNER. Let me proceed a moment and see whether I can not satisfy the Senator of that proposition as a well-established precedent of parliamentary law. I say, Mr. President, that every other process is a star-chamber process, such as was employed by James I and Charles I, to stem the progress of civil and religious liberty. It is too late in this Republic now to employ it to stem the progress of commercial freedom. I contend that you have no right by any rule of parliamentary procedure to take witnesses into the committee room and not permit the Democratic minority to question them. The committees of this body are not grand juries.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. RAYNER. I do.

Mr. ALDRICH. The Senator from Maryland understands very well that none of the meetings now being held are meetings of the committee. They have no official status. Does the Senator think that I have a right personally, as a Senator of the United States, to talk with any man that I think has some information upon this subject without the presence of a Democratic Senator?

Mr. RAYNER. If the man will talk to you; yes.

Mr. ALDRICH. Can I talk to him?

Mr. RAYNER. That is quite a different thing. The Senator from Rhode Island is the chairman of the Committee on Finance. As to talking to a man informally, I have often questioned that right. I have often questioned the right of a lobby approaching different members of a committee. I do not think a committeeman has any greater right to obtain official information that his committee is entitled to than a judge sitting upon a bench has a right to talk about a case which is before him to counsel engaged in it. That is a question of propriety between the Senator from Rhode Island and the man who is addressing him.

I have no doubt that practice is followed, but that is not the question here. Let us make a very plain distinction. I know it to be a fact that gentlemen are coming before the majority members of the committee and giving them information upon which they propose to change the schedules of the House tariff bill. I say that the minority members are entitled to that information; and I say that they are entitled to cross-examine the witnesses that appear, so that they can adopt such arguments in this body as may seem proper to them when a bill is presented to the Senate.

Mr. ALDRICH. I should like to interrupt the Senator for a moment.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. RAYNER. I do.

Mr. ALDRICH. I understand the Senator from Maryland to concede that as a Senator I have a right to have a conversation which I think may elicit information without the presence of a Democratic Senator to cross-examine the witness.

Mr. RAYNER. The Senator has a right to have a conversation about anything he wants to.

Mr. ALDRICH. Of course he has, and if I have that right, the eight or nine members of the committee have the same right.

Mr. RAYNER. There is where the Senator makes a terrible mistake. The eight or nine members of that committee are not individuals; in this regard the eight or nine members of that committee, as I shall show if the Senator will let me proceed, represent the Senate of the United States in an official capacity, and they have no right to do what the Senate would not dare do if a resolution was offered in this body asking the Senate to exclude the minority from the official meetings of the Finance Committee. Now, if the Senator will allow me to proceed, I can make this point clear in the few moments which I shall devote to this discussion.

I say the Committee on Finance is not a grand jury. They are organized for the purpose of hearing both sides; and if you will not hear both sides, let us at least hear your side.

The American consumer is the victim of this practice. You are practically depriving him of his rights without due process of law, because you are preventing the Democratic side, that represents him, from presenting his case and cross-examining the witnesses against him. Every witness who goes into the committee room, it is safe to say, is against the American consumer. Now, in his name, and in the name of his plundered home, I plead with you to abandon a process that ought not to obtain among any people that pretend to be honest or under any form of government that professes to be free. If there is a precedent—and the Senator from Rhode Island says there is—trample upon it, so that it can never again show its hateful front among the institutions of the country. No language is too strong upon this point. You might as well by a resolution provide that the minority in this Senate shall not participate in its discussions and debates.

It is precisely the same thing that you are doing, because the committees are the Senate, and when the Senate delegates to its committees the powers that are assigned to them no majority of the committee has the right to override the paramount power of the body that appointed them. Why not call in your minority members? They can not interfere with you. In all the tonnage of the tariff they can not reduce the duty a single farthing upon a feather if it does not meet with the approval of the majority. What they can do, however, is when the time arrives bring to the bar of public opinion the privileged witnesses who in this hour of high protection are demanding still higher duties upon the products of monopoly. What is the minority of the committee for? To be silenced and suppressed? Minorities have certain rights that it lies not within the power of a majority to deprive them of. I maintain it as an unanswerable proposition that they have the right to be present at every official meeting of the committee when hearings are had and testimony is taken. How can we participate in a verdict unless we are confronted with the witnesses against us through our representatives upon the committee? The accused in a criminal prosecution is entitled to this constitutional privilege, and it is a revolutionary proposition—and I care not how many precedents there are for it, because the precedents themselves are revolutionary—that minority members shall be deprived of an inherent right that they possess, a proposition which if carried to its logical con-

clusion in this body would eventually result in the sacrifice of freedom and the overthrow of our institutions.

Minority rights with us were born with our earliest traditions; they are interwoven with every clause and article of the organic law under which we live, and are daily recognized in that incomparable arrangement of a great central system around which sovereign States with reserved minority rights revolve in regular and obedient rotation. If the Finance Committee persists in this course, it is not only depriving five sovereign States of their representatives upon this committee, but through them is withholding information to which every Member on this floor is entitled to have access. There is no such thing as a private hearing before any part of a committee of this body. I repudiate such an arbitrary and tyrannical doctrine. We do not ask the committee to give hearings, but when hearings are given, let the hearings be heard. The enactment of a tariff bill, I submit to the Senator from Rhode Island, is not a deed that is to be performed in darkness. It must be done in the meridian light of day. You may bring forth the most beneficent measure that was ever passed by an American Congress, but if it is done in secret and seclusion it will be condemned, even by the constituency which you represent. I do not now propose to enter upon any discussion of the tariff. I have for years studied this subject and devoted my time to an examination of the schedules, and when they come before us I may perhaps have an academic observation to make upon them.

I am sorry and always have been that it is a party question. It ought to be taken out of the realm of politics, where it could receive impartial and unprejudiced consideration. I must confess that when the Republican party declared for a revision of the tariff I never expected anything from such a declaration, and my expectations have been fully realized. I have always taken an advanced position upon this subject. I am not a protectionist in my own State and a free trader in everybody's else State. If I had a hand in framing a tariff bill, my first point of attack would be to strike down the unlawful combinations that for nearly a half century have been gathering their iniquitous toll at the ports of entry of this Republic.

It may be far distant, but I believe the day will come when the people will demand that this Government must dissolve its partnership with monopoly, which long since has expired by every constitutional limitation, and that they will no longer supply the profits to the firm. As it is we all realize that the majority will pass a measure that is in accordance with their views and carries out the policies of their constituents. One thing I predict, however, and that is this: The committee of the House did not give to its Democratic Members the opportunity to examine this bill before it was reported. It is doubtful now whether any amendments will be allowed in the House.

The Senate committee does not propose to give the minority members a proper opportunity to examine the bill before it is reported. Now, if besides this and on top of all this, the Senate committee will not even allow the minority to be present at the sittings to hear the testimony of the witnesses and have an opportunity to interrogate them, then the country will not accept this legislation as a final adjustment of this great question. They will reopen it again and again, and the business interests of this land will be kept in a constant state of agitation and suspense.

It may be a temporary triumph, monopoly may gloat over its victory, it may persist in oppressing the people, it may continue for some time to gather its unhallowed profits at the home and fireside of the American consumer, it may riot at its feast, but I predict that the day will come, when the revelry is at its height, that in the very "banquet of its triumph the warning will blaze upon the wall and the diadem will fall from the brow of the idolators." [Applause in the galleries.]

The PRESIDING OFFICER. The Chair admonishes occupants of the galleries that applause is not permitted, under the rules of the Senate.

Mr. ALDRICH. Mr. President, I have been in public life long enough to have heard frequently prophesies of the character which have just fallen from the lips of the Senator from Maryland. I have heard the protective system destroyed in words at every session of every Congress for thirty years, but there never has been a time in the history of this country when that policy was so fully approved by the American people as it is at this moment.

The Senator from Maryland, if he had the disposition, as I am sure he has the ability, to construct a tariff bill along the lines of his own theories, could not get 10 votes on his side of the Chamber for his proposition. This great American policy is so strong in every section of the country from one end to the other, from Maine to Texas, that it can not be overthrown by declamation. The hearts and the interests of the American people are wedded to the wise policy of protection.

Years ago there were Senators of great ability sitting upon the other side of the Chamber who believed in the policy of free trade or a tariff for revenue only. I could recite names that are known in American history of men who believed in the policy of free trade or a revenue tariff. Where are they to-day? Who have taken their places in this body? The Senator from Maryland, possibly. But where is another man sitting upon that side of this Chamber who is willing to stand up and in its length and breadth defend the policy of free trade, or that of a tariff for revenue only, which means the same thing?

Mr. RAYNER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Maryland?

Mr. ALDRICH. Certainly.

Mr. RAYNER. Does the Senator say a tariff for revenue is the same thing as free trade? It is the first time I have heard that suggestion.

Mr. ALDRICH. Absolutely.

Mr. RAYNER. If you have free trade, how can you have a tariff for revenue?

Mr. ALDRICH. A tariff for revenue only excludes all idea or possibility of protection, as Robert J. Walker demonstrated. A tariff made solely to secure the greatest amount of importations destroys domestic production, and its last analysis is free trade.

Mr. RAYNER. How is it possible to have free trade and have a tariff at the same time? That is what I want to know.

Mr. ALDRICH. I do not intend to discuss this question now. I shall be glad to discuss it with the Senator when the bill reaches the Senate. What I was calling attention to was that the doctrine of the Democratic fathers had disappeared and that it has no longer any advocates here or elsewhere. It is true you have some Senators in favor of reducing the duties at other places and on other articles than those which are grown or produced in their own States, but the Senators who are for free trade from one end to the other of the tariff bill no longer exist, unless I make an honorable exception in the case of the Senator from Maryland.

Mr. RAYNER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Maryland?

Mr. ALDRICH. Certainly.

Mr. RAYNER. The Senator ought not to say that. I have never been in favor of free trade; I have always been in favor of a tariff for revenue, but I have never been and never will be in favor of a prohibitive tariff to support the monopolies of this country that are plundering the American people. That is about as short as I can put it.

Mr. ALDRICH. I suppose the Senator from Maryland will agree that in the statement which he has made here to-day he does not represent the sentiment of all the people of Maryland?

Mr. RAYNER. Not the Republicans; no.

Mr. ALDRICH. And some Democrats?

Mr. RAYNER. There are very few of them, perhaps, whom I do not represent.

Mr. ALDRICH. Then they must have disappeared recently, because it is not many years ago that I heard the voice of a Senator from Maryland, who then dictated the policy of his party upon this subject, expressing opinions quite unlike those expressed by the Senator from Maryland to-day.

Mr. RAYNER. I want to say to the Senator from Rhode Island that I differed essentially from the lamented Senator from Maryland of whom he speaks.

Mr. ALDRICH. That is evident from the Senator's expressions, but I can not believe that the protectionists of Maryland have all disappeared even in the ranks of the Democratic party.

The interests of the State of Maryland in the tariff are as great, almost, as those of any other State in the Union, and I think that the progressive men of Maryland, even in the Democratic party, do not subscribe to the doctrine which the Senator from Maryland seeks to revive to-day. I suggest to him that it is too late to do this. The American people have pronounced upon that subject by the greatest majority ever given to a successful party. Their adhesion will be given to this great national policy every time the question is submitted to them for consideration; and, in my judgment, the Senators on the other side of the Chamber are as fully convinced of that as I am. The time will never again come, gentlemen, when the doctrine of the old Democratic party in this respect will have the approval of the American people. You might as well make up your minds to join in the procession which is moving on.

approaching different members of a committee. I do not think a committeeman has any greater right to obtain official information than other members of a committee. I do not think minority members shall be deprived of an inherent right that they possess, a proposition which if carried to its logical con-

The interests of Tennessee, Georgia, North Carolina, Louisiana, and some other States that I might mention, and the interests of their people are wedded to the doctrine of protection. You might as well be frank enough to admit it now and here.

I do not intend, so far as I am concerned—and in this I think I voice the views of my associates on the Finance Committee—to let speeches such as that to which we have just listened deter me from being just to every interest in every Southern State. I am a protectionist because I believe in protection as a part of a great national policy, and no interest entitled to protection in any State, whether North or South, East or West, shall be injured so far as my voice or vote is concerned either in committee or in this Chamber. I am sure that the advocates of this great protective policy intend to be just to every section of this country and to every interest in this country, and I am grateful in one sense to the Senator from Maryland for having raised the question in this form.

I am quite certain that he will have very few, if any, followers upon his side of the Chamber in his tirade against protection. The day has passed when the doctrines and the policy which might have been applicable to the needs of this country a century ago can be revived and applied to modern conditions. So, I repeat, you might as well accept the inevitable. It is coming, Senators, and why not admit it, and join with us in trying to legislate in a way sure to redound to the benefit of the entire people of the United States?

Mr. BAILEY. Mr. President, I do not intend at this time to be drawn from the matter at hand into a general discussion of the tariff question. I will, however, stop long enough to say that while the Senator from Rhode Island [Mr. ALDRICH] speaks with full authority for his side, I deny that he holds any commission to speak for this side.

Mr. ALDRICH. I do not claim to do so.

Mr. BAILEY. The Senator from Rhode Island is mistaken when he says that the Democratic party as at present represented in the Senate has abandoned the ancient and traditional doctrine of Democracy. I believe we stand as steadfastly to-day in favor of levying taxes for the purpose of revenue to support the Government as our fathers did, and I think the Senator from Rhode Island will find when that question is clearly presented to the Senate that the Democratic party will present a practically united front.

The Senator from Rhode Island has had long experience both in the discussion and in the framing of tariff measures, and he knows how often it happens that local interests appeal to a Senator and appeal successfully; but it is not always the local interests which control him. When the Senator says that it will be found during the consideration of the tariff bill that Senators from Southern States or Senators representing Democratic constituencies are in favor of protection for the articles which their States produce, he does not fairly state the question. If we were making a tariff bill along the lines of purely revenue duties, I would be in favor of applying those revenue duties fairly and impartially to all sections and to all commodities. But when we are denied the power of framing a bill according to our principles, and are presented with a bill framed according to the principles of our adversaries, we demand that they shall do when they have the power precisely as we would have done if we had the power, and shall so frame their bill as to operate equally and fairly in all sections and upon all commodities. It is not an abandonment of the principles of the Democratic party for a Senator to insist that the same principles which apply to other constituencies shall likewise be applied to his.

I want to bear witness in this high place that when the Senator from Rhode Island declares himself a protectionist in all States he is entitled to that eulogy. He is a protectionist, but I have never found him a sectionalist, and I believe he will apply his doctrine to all sections and to all commodities; but he must not reproach us with having abandoned our convictions because, unable to apply our principles to this bill, we insist that the protectionist principles to be applied shall be fairly and impartially applied. To say that these principles shall be applied without discrimination does not signify that we are in favor of applying them. We only contend that when a principle is to be applied it shall be applied fairly and impartially; in other words, whatever the principle may be upon which you frame a tariff measure, it should bear equally on all sections and on all articles. If it be a blessing, then all sections should equally share it; if it be a burden, then all sections should equally bear it. It does not compromise our principles for us to demand that you shall apply your principles impartially and fairly.

But, Mr. President, I did not rise to discuss the tariff question. I rose merely to say a word about the matter under consideration; and I want to be frank in this case, as I always try to be in every case. I want to say that if the Democrats had a majority on the Finance Committee we would hold conferences and we would not allow the Republicans to attend them. We would frame this tariff bill to suit ourselves. We would work out each detail and each schedule and bring it in and lay it down on the table and tell the Republican Members that they could look at it, but could not touch it, just as they are going to do with us. Still, I do not believe that the majority of the committee ought to hold ex parte hearings, and I therefore cordially agree with the resolution of the Senator from Georgia [Mr. BACON]. If there are to be hearings, and those hearings are to be printed, then they ought to be open; they ought not only to be accessible to all who seek a hearing, but they ought to be held under circumstances which develop the entire truth and which will present to the American people both sides of the question.

For my part, I would utter no complaint if those hearings are not to be printed, but what I complain about is this, that the committee, or the majority of the committee, performing the work of the committee, call witnesses before it, have them state their views of certain schedules, advance their argument in favor of certain rates, print them, and present them to the country as an argument of the whole case.

I understood the Senator from Rhode Island to say, and he sought to excuse that course of conduct by the statement that every Senator would have access to those documents. Access to an ex parte statement is not sufficient; and in that respect the Senator from Maryland [Mr. RAYNER] is entirely correct. But I have no fear that the Republic will perish because the party charged with the perfection of bills like this perfects them in their own way and in accordance with their own professions before the public.

I only want to say here now, that if hearings are to be had and the statements of witnesses are to be printed as public documents, then the sessions of the committee ought to be open and all the members of the committee ought to be present, so as not only to develop the truth, but the whole truth, and nothing but the truth.

Mr. ALDRICH. I hope that my friend the Senator from Texas will agree with me that there never has been any disposition in the Committee on Finance, on the part of the chairman or the majority members of the committee, not to accord the minority members of the committee every right to which they believed they were entitled. I have suggested that the resolution go to the Committee on Finance. I take it that the gentlemen sitting upon the other side of the Chamber are willing to trust their interests to their representatives upon that committee. I will call a meeting of the committee, and I have no doubt whatever but that we can satisfy the members of the minority that we are not proceeding and do not intend to proceed in violation of any of their rights in connection with the matter of the revision of the tariff. I do not think there will be any difficulty; I am sure there will be no difficulty between the Senator from Virginia and myself as to the nature of the proceedings which are to be had before the committee, and I hope that the resolution will go to the committee and if there are any differences between the majority and the minority as to these matters they can be settled there.

Mr. BAILEY. Mr. President, without volunteering to state what happened in committee, I wish to say upon my own responsibility and for myself that I consented without a protest that the majority of the committee should hold these sessions; and I do not lift my voice in protest here and now against the sessions. The committee can take its own time to work out the details of the tariff legislation; to arrange the schedules of the bill. But what I protest against and what I feel I have a right to protest against is that the committee should hold hearings, call witnesses or permit witnesses to appear and make statements, either under oath or upon their own responsibility as American citizens, and have those statements printed and either used here in debate or scattered broadcast among the people as a fair statement of the case. To that procedure I most strenuously object, but except as to that I offer no objection.

Mr. ALDRICH. The committee——

Mr. BACON. The Senator will pardon me for a moment.

The VICE-PRESIDENT. Does the Senator from Texas yield?

Mr. BAILEY. I yield to the Senator from Georgia.

Mr. BACON. In connection with the objection presented by the Senator is the important fact that while doing that, the majority of the committee, which has entire control of the matter, prohibits general hearings by the committee, and takes it to itself to the exclusion of the Democratic members.

EXECUTIVE SESSION.

KENTUCKY.

the other, from Maine to Texas, that it can not be overthrown

provoke of the American people. You might as well make up your minds to join in the procession which is moving on.

But, Mr. President, I did not rise to discuss the tariff question. I rose merely to say a word about the matter under con-

ter, prohibits general hearings by the committee, and takes it to itself to the exclusion of the Democratic members.

Mr. BAILEY. I would not care about that, provided only that they use those hearings for their own particular information and do not attempt to impose them upon the public.

If the Senator from Rhode Island chooses to call a company of manufacturers to his home and discuss with them the schedules of the tariff bill, I make no objection. If the Senator from California [Mr. FLINT], who is a new and distinguished member of the committee, chooses to invite a company to his house to partake of the delicious fruit with which his constituents supply him from time to time, I make no objection. A Senator has a perfect right to obtain his information in his own way. But you have no right to organize there as a part of the committee, call witnesses, permit hearings, reduce what they say to writing, and then print it for the use of the American people as a fair statement of the case, when it is only an ex parte statement.

Mr. President, it would be an obvious waste of time for the full committee to attempt an agreement upon a tariff bill. What a spectacle it would present for the Senate to send the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Georgia [Mr. BACON] into a committee room to agree upon tariff schedules. The Senator from Rhode Island would say at the beginning "every schedule must be framed upon the principle of protection;" and the Senator from Georgia would reply that "every schedule must be framed upon the principle of a tariff for revenue only." Thus this difference of principle in the very beginning of their deliberations would prevent any result at all. They could never agree upon a single schedule, because they could never agree upon the principle which should regulate the adjustment of all schedules.

Upon the other hand, if the Democrats were in power the Senator from Georgia and I might honestly differ as to whether a particular duty was the best; he might think one rate would raise the highest revenue with the least burden on the people, and I might think a different rate. But after all that would be a mere difference over a question of fact. The Senator from Georgia and I, under a fair exchange of views and information, might finally remove that difference, or if we could not remove it we could compromise it. And so the Senators on the other side of the Chamber, at perfect agreement that the bill shall be framed upon protection lines, might still differ as to the extent of the protection required for any particular industry. One might think a given rate too high; another might think a given rate too low. By conference among themselves, and by a full and free interchange of views, they might remove those differences of opinion, or they might compromise them. Men can easily compromise differences of opinion as to matters of fact, though they can not compromise differences on questions of principle; and just as, if the Senator from Georgia and I were charged with the duty of preparing a tariff bill, I would want to go with him beyond the presence and vexation of these Republicans, and adjust its details; just so am I willing that the Republicans shall go beyond our vexatious presence. They can bring there any experts they please; they can get any information which they desire for their own guidance; but they must not print that information as a means of enlightening the country, because it is an ex parte presentation of the case and very much more apt to mislead than to enlighten the people who read it.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from California?

Mr. BAILEY. Certainly.

Mr. FLINT. I understand that is just exactly what the committee has done, with this exception, that the testimony may be printed, provided the minority desire it to be printed.

Mr. BAILEY. Then I can see no objection to the resolution of the Senator from Georgia, which simply runs to the fact that if they are to have hearings they shall be open and public. No man ought to be permitted to state to that committee what he is not willing to state publicly. I heard a very amusing story of a conversation that occurred in the elevator the other day.

A number of these "dissatisfied and disaffected Pennsylvanians" were going down, and one turned to the other and said, "This is so much better than it was in the House. There is nobody here to bother us with cross-questioning." I understand when a man is trying to get more from the pockets of the people than he is fairly entitled to take, a cross-examination always bothers him; and that kind of a man, if he is to be heard at all, ought to be heard in public. If, however, a Senator chooses to hear him, lending such credence to him as his manner, intelligence, and interest will suggest, that is for each Senator to determine for himself.

I desire to say, besides, that at this particular juncture I should be less inclined to criticise even these hearings, because the Republican majority really have no bill before them as yet. The bill has not passed the House. But everybody understands, including the Members of the House, that the bill will be made in the Senate, and I understand that the Senator from Rhode Island will be chiefly instrumental in making it. If his own associates choose to let him exercise that power, it is for us to complain against his party rather than against him, and that is what I shall do. I do not expect the bill to be a good one. If it is an improvement on the present law, I will be surprised. That there is to be some small advance toward relieving want and taxing wealth is manifested by the inheritance-tax provision; and yet I can not exactly comprehend how the Supreme Court could decide that a tax levied on an income derived from the rent of land was a tax on the land itself and still hold that an inheritance tax levied on the descent of land is not likewise and for a stronger reason a tax on the land itself.

But I shall have something more to say on that subject when the bill comes before the Senate, for unless I am persuaded against it by my colleagues over here, to whose judgment I would readily defer, I intend to offer an income-tax provision as a substitute for the inheritance-tax provision.

There are but one or two States that now have an income tax, while there are more than 30 States that have inheritance taxes, and therefore an income tax would interfere much less with the established policy of the several States. And beyond all of that I would prefer to tax the living rich than to tax the dead who were only moderately well-to-do. But we will reserve that for its proper occasion, and I conclude with the statement that while I cordially indorse the doctrine of the resolution offered by the Senator from Georgia [Mr. BACON], that if there are hearings and if the testimony and the statements are to be printed, they ought to be open and public and ought to be attended by all the members of the committee, I make no complaint that the majority are going to frame in their own way a bill for which they must stand responsible at the bar of an enlightened public opinion.

Mr. DANIEL. Mr. President, I have no idea of making a tariff speech. I do not think the tariff has anything whatever to do with this subject. Its only connection with it is incidental, that in the consideration of the tariff a question of parliamentary law and of senatorial conduct arises. It would be the same if it were a currency bill or any other sort of measure.

The distinguished Senator from Rhode Island [Mr. ALDRICH] has satisfied himself so completely that his views of the tariff are all right that he can not be animated by any prejudice or any desire to punish anybody who does not agree with him. The Senate is two-thirds on his side. The country, so far as the recent elections have disclosed, is also upon that side. If there ever was a time when fairness, equity, and justice appeal to the other side to be conscientious and to have a square deal, they can better afford it now, if it is a question of what a man can afford, than at any other time.

This is simply a question of parliamentary law and procedure. The solution of the question does not depend upon any erudite investigation, but upon the facts in the case, and a few simple facts will determine whether or not the procedure adopted is legitimate and proper or otherwise.

I am not sure I understand the facts. There has been here no clear, explicit, full statement of them; and before I make any further remarks I will state them as I have caught them from the various sources, and will ask the distinguished Senator from Rhode Island to correct me if I am mistaken. [A pause.]

Mr. President, I have just been very agreeably interrupted by the chairman of the Finance Committee, who suggested to me that he thinks he sees an opportunity by which our present differences can be readily adjusted. I am always in favor of peace, Mr. President, and would get into a fight in order to get peace rather than not to have it, but I decline this opportunity to get into one. I do not care to illuminate either the Senate or the country at this moment on the tariff, and neither do I think I can expound parliamentary law any better than the Senator from Rhode Island when he puts his mind on the legitimate boundaries and limitations of parliamentary procedure. So I will stop.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island [Mr. ALDRICH] to refer the resolution to the Committee on Finance.

The motion was agreed to.

ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 3 o'clock and 17 minutes p. m.) the Senate adjourned until Monday, April 5, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 1, 1909.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieutenant of Engineers Eugene Prescott Webber to be a senior engineer in the Revenue-Cutter Service of the United States, to rank as such from March 29, 1909, in place of Captain of Engineers Horace Capron Whitworth, retired.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

George H. Moses, of New Hampshire, to be envoy extraordinary and minister plenipotentiary of the United States of America to Greece and Montenegro, vice Richmond Pearson.

UNITED STATES DISTRICT JUDGE.

Learned Hand, of New York, to be United States district judge, southern district of New York. (Additional judge, provided for by the act of Congress approved March 2, 1909.)

UNITED STATES MARSHAL.

Harvey P. Sullivan, of Alaska, to be United States marshal, third division, district of Alaska, commencing July 1, 1909, under the provisions of the act of Congress approved March 3, 1909 (Public, No. 322).

ASSISTANT ATTORNEY-GENERAL.

Oscar Lawler, of California, to be Assistant Attorney-General of the United States (assigned to the Department of the Interior), vice George W. Woodruff, resigned.

APPOINTMENT IN THE ARMY.

J. Randolph Peyton, of Florida, late a cadet at the Military Academy at West Point, for appointment as second lieutenant of infantry in the army, with the view of placing him upon the retired list with the pay of a retired second lieutenant of infantry.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Prentiss P. Bassett.
Lawrence P. Treadwell, and
William H. Teaz.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Prentiss P. Bassett.
Lawrence P. Treadwell, and
William H. Teaz.

Second Lieut. William L. Burchfield to be a first lieutenant in the United States Marine Corps to fill a vacancy made on September 28, 1908, by the appointment of First Lieut. Logan Tucker as an assistant quartermaster, and to take rank from July 16, 1907, the date of the expiration of his one year's loss of numbers on account of his failure to qualify for promotion and suspension therefrom.

POSTMASTERS.

DELAWARE.

Delaware Clark to be postmaster at Newark, Del., in place of John K. Chambers, resigned.

ILLINOIS.

Eugene A. Foster to be postmaster at Bradford, Ill., in place of Eugene A. Foster. Incumbent's commission expired February 23, 1909.

George F. Tscharner to be postmaster at Okawville, Ill. Office became presidential April 1, 1909.

INDIANA.

George Clevenger to be postmaster at Parker, Ind., in place of James O. Murray. Incumbent's commission expired December 12, 1908.

Henry L. Connelly to be postmaster at Rosedale, Ind. Office became presidential January 1, 1909.

KENTUCKY.

Rezin B. Boulden to be postmaster at Millersburg, Ky., in place of Rezin B. Boulden. Incumbent's commission expired February 23, 1909.

MASSACHUSETTS.

Jesse W. Crowell to be postmaster at South Yarmouth, Mass. Office became presidential April 1, 1909.

MICHIGAN.

Arba N. Moulton to be postmaster at Decatur, Mich., in place of William H. White. Incumbent's commission expired April 9, 1908.

MINNESOTA.

George E. Kirkpatrick to be postmaster at Rushford, Minn., in place of George E. Kirkpatrick. Incumbent's commission expired February 13, 1909.

MISSOURI.

Abner Barrow to be postmaster at Greenville, Mo. Office became presidential January 1, 1908.

Frank A. Stroup to be postmaster at Novinger, Mo., in place of Guersant P. Herriott, resigned.

Alonzo Turner to be postmaster at Billings, Mo., in place of William C. Gardner. Incumbent's commission expired January 27, 1908.

NEBRASKA.

George A. Blackstone to be postmaster at Craig, Nebr. Office became presidential January 1, 1909.

Andrew Richmond to be postmaster at Orleans, Nebr., in place of Andrew Richmond. Incumbent's commission expired June 12, 1906.

NEW JERSEY.

Palmer H. Charlock to be postmaster at Elizabeth, N. J., in place of Palmer H. Charlock. Incumbent's commission expired February 27, 1909.

NEW YORK.

Edward E. Boynton to be postmaster at Livonia, N. Y., in place of Clarence M. Alvord. Incumbent's commission expired April 27, 1908.

Charles H. Griffin to be postmaster at Oakfield, N. Y., in place of Charles H. Griffin. Incumbent's commission expired February 2, 1908.

George E. Marcellus to be postmaster at Le Roy, N. Y., in place of George E. Marcellus. Incumbent's commission expired December 17, 1907.

OKLAHOMA.

Charles C. Archer to be postmaster at Antlers, Okla. Office became presidential January 1, 1907.

Paul Gilbert to be postmaster at Fort Cobb, Okla., in place of Henry Amey, resigned.

A. H. Holland to be postmaster at Cushing, Okla., in place of Jacob Puckett. Incumbent's commission expired April 8, 1908.

Charles B. Ramsey to be postmaster at Davis, Okla., in place of Charles B. Ramsey. Incumbent's commission expired February 12, 1907.

Howard E. Wallace to be postmaster at Spiro, Okla. Office became presidential January 1, 1909.

SOUTH DAKOTA.

Lyman J. Bates to be postmaster at Lake Preston, S. Dak., in place of Lyman J. Bates. Incumbent's commission expired December 8, 1907.

Alexander B. Coutts to be postmaster at Hudson, S. Dak. Office became presidential January 1, 1909.

Amos H. Davis to be postmaster at Parkston, S. Dak., in place of Gottlieb Meisenhoelder. Incumbent's commission expired March 3, 1909.

Allie Lee to be postmaster at Ashton, S. Dak. Office became presidential January 1, 1909.

Sherman F. Lucas to be postmaster at Bonesteel, S. Dak., in place of Sherman F. Lucas. Incumbent's commission expired February 13, 1909.

James P. Turner to be postmaster at Faulkton, S. Dak., in place of Eva M. Young. Incumbent's commission expired November 17, 1907.

Joshua F. Wood to be postmaster at Doland, S. Dak. Office became presidential January 1, 1909.

TEXAS.

Maurice C. Kelly to be postmaster at Lockhart, Tex., in place of Nora H. Kelly. Incumbent's commission expired March 2, 1909.

WASHINGTON.

Guy C. Crow to be postmaster at White Salmon, Wash. Office became presidential April 1, 1909.

Leonard S. Pendleton to be postmaster at Port Orchard, Wash. Office became presidential April 1, 1909.

WISCONSIN.

Frank L. Davis to be postmaster at Camp Douglas, Wis. Office became presidential April 1, 1908.

Jonathan Wiggins to be postmaster at North Freedom, Wis. Office became presidential January 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 1, 1909.

AMBASSADOR.

John G. A. Leishman to be ambassador extraordinary and plenipotentiary to Italy.

MINISTERS.

Henry Clay Ide to be envoy extraordinary and minister plenipotentiary to Spain.

Charles H. Sherrill to be envoy extraordinary and minister plenipotentiary to the Argentine Republic.

SOLICITOR-GENERAL OF THE UNITED STATES.

Lloyd W. Bowers to be Solicitor-General of the United States.

UNITED STATES ATTORNEYS.

Edward E. Wagner to be United States attorney for the district of South Dakota.

Charles W. Miller to be United States attorney for the district of Indiana.

George B. Curtiss to be United States attorney for the northern district of New York.

Henry A. Wise to be United States attorney for the southern district of New York.

APPOINTMENT IN THE ARMY.

J. Randolph Peyton to be second lieutenant.

PROMOTIONS IN THE NAVY.

Commander Richard T. Mulligan to be a captain.

Lieut. Commander William H. G. Bullard to be a commander.

Ensign Darrell P. Wickersham to be a lieutenant (junior grade).

Lieut. (Junior Grade) Darrell P. Wickersham to be a lieutenant.

POSTMASTERS.

ALABAMA.

Newman H. Freeman, at Haleyville, Ala.

HAWAII.

George Desha, at Hilo, Hawaii.

John N. S. Williams, at Kahului, Hawaii.

IOWA.

J. W. Jarnagin, at Cedar Falls, Iowa.

KANSAS.

Robert H. Montgomery, at Oswego, Kans.

MARYLAND.

William P. Miller, at Forest Glen, Md.

MISSISSIPPI.

Henry L. Rhodes, at Ackerman, Miss.

MISSOURI.

Alexander T. Boothe, at Pierce City, Mo.

Robert A. Booth, at Buffalo, Mo.

NEBRASKA.

Lon Cone, at McCook, Nebr.

NEW YORK.

Herbert B. Eaton, at Youngstown, N. Y.

Archibald K. Fowler, at Caledonia, N. Y.

Frederick S. Welch, at Allegany, N. Y.

PENNSYLVANIA.

James E. Johnston, at Barnesboro, Pa.

Joseph A. McClaran, at Saltsburg, Pa.

VIRGINIA.

Albert A. Evans, at Mount Jackson, Va.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 1, 1909.*

The House was called to order at 10 o'clock by W. J. Browning, Chief Clerk of the House, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
April 1, 1909.

I hereby designate the Hon. JOHN DALZELL as Speaker pro tempore.
J. G. CANNON.

Mr. DALZELL assumed the chair as Speaker pro tempore.

Prayer was offered by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. CANTRILL. Mr. Chairman, as a new Member of this House I am loath to participate in this debate. The great injustice perpetrated upon my district and upon my State under this bill demands that I should at least enter my solemn protest against its passage, in justice to the people whom I shall endeavor to represent; therefore I ask the indulgence of the committee for a few minutes.

Kentucky produces one-half of the tobacco grown in the United States, and I think I can safely say more than three-fourths of the hemp. My district, the seventh Kentucky, is the largest producer of white Burley tobacco in the world and the largest producer of hemp in the United States, with one possible exception, and that in Kentucky. The law to-day, so far as white Burley tobacco is concerned, has a tendency to decrease the price of leaf tobacco and the further effect of forcing the growers of tobacco under the domination of one of the most heartless trusts of this country.

As to hemp, this bill offers no protection, as it permits the greatest competitor of hemp—India jute—into this country duty free.

The tobacco growers of Kentucky and of the Nation need protection, if any class of producers need it, because they are the prey of a great trust.

The hemp growers need protection if any industry needs protection, because what was once a great industry has been demoralized and almost annihilated by the importation of a competing fiber grown by oriental labor.

The tariff of $20 per ton on hemp is not protection; it is but a blind, for the simple reason that but little hemp is imported. A revenue tariff on jute, the cheap substitute for hemp, is the only hope for a revival of an industry now completely paralyzed, if price is to be made by legislation. The fairly profitable quotation on hemp is due to the fact that production is practically nothing, compared with the possibilities of production in the blue-grass region of Kentucky. There can be no development of the hemp industry in this country without a tariff is levied upon jute or some new avenue opened for its consumption. In the face of these facts, in spite of the fact that I am the largest hemp producer in my county, being an active farmer and considering farming the noblest avocation in the Nation, I do not ask for a duty on jute, except a very reasonable duty for revenue only. [Applause on the Democratic side.]

As a Democrat, I have professed to follow the doctrine of the greatest good to the greatest number. If the cotton growers of the South, the farmers of the great West, the manufacturers of the North and East must have cheap burlap and cordage, then, upon the doctrine as set out above, there can be no demand for a tax that prohibitively protects the hemp industry in my district in Kentucky. Yet I have heard great discussion in this House upon the zinc schedule, which, judging from the discussion, only affects one district in Missouri.

Coming from a district that sent Clay, Beck, Blackburn, the Breckinridges, and Settle to the National Congress, I can only hope as a young man that no action of mine shall bring discredit upon my people. I can never hope to measure up to their achievements, but I can try to be loyal to their teachings. Equal taxation of all the people, with favoritism toward none; a loyal support of the Union and a faithful adherence to the principle that the citizen should be proud of the opportunity

to contribute to the support of our country, rather than for the Government to be paternal protector of the citizen. [Applause.]

Mr. Chairman, as a farmer and grower of hemp I am of the opinion that by organizing the hemp growers of Kentucky for the purpose of demanding a better price for their product, and for the intelligent study of new methods of cultivation and handling, that much more can be accomplished for the hemp producer than by protective taxation of a competing product.

A few years ago the Department of Agriculture sent experts into my district to report upon hemp soils and hemp culture. Some experiments were made in my immediate neighborhood in which I was greatly interested. So far as I have been able to learn, no report of this work has ever been made by the Agricultural Department; yet I indulge the hope that this information will be given out to our farmers in the near future. In my own judgment the possibilities of the industry are immense, and, backed by scientific knowledge of culture and handling, new and profitable channels of commerce will be at hand.

Kentucky has been sorely afflicted by legislation, both state and national. This bill affords no relief to our tobacco and hemp industries. If there be merit in the idea of protection, and I do not believe there is, this bill denies to eastern Kentucky, one of the richest timber and coal sections in the world, that protection.

Denying help to the great agricultural products of the State, yet it imposes heavy taxation upon nearly all things entering into that production.

I submit to this committee that such a plan is unjust and unfair. In addition to national legislation that is oppressive to Kentucky, I call attention to state legislation in different parts of the Union that severely cripples our leading industries. Kentucky has over $200,000,000 invested in distilling and brewing interests. The tendency of state legislation is to wipe out this great value, and at the same time decrease the revenue of the National Government by millions of dollars each year.

Kentucky had millions of dollars invested in thoroughbred horses, and yet state legislation has practically wiped out this great value, and I assert what I believe to be true, that in no State have the morals of the people improved on account of such legislation, but the direct result in Kentucky has been the loss of millions of money to the horse breeders and farmers of Kentucky. Under these conditions I respectfully submit to this committee that this bill only adds to the burdens of Kentucky—already sorely oppressed. [Applause on the Democratic side.]

Our only hope in Kentucky for the farmer has been organization and cooperation in the selling of our products. Bankruptcy would have been our portion but for this principle, promulgated into our State by the American Society of Equity, an organization principally teaching and educating our farmers to take advantage of their own power in securing profitable prices for the products of the farm.

Organization and cooperation are the leading ideas of the twentieth century, and no hope can exist for any branch of business which does not adhere to this idea.

Organization is the first great step in any battle in industry, politics, and all other lines of human activity. As has been said by a great philosopher, "Self-activity is the indispensable condition of improvement," and no industry and no party can hope for permanent success without thorough organization as a starting point.

The success of the Republican party in the Nation is due to its resourcefulness in organizing its members.

The victory scored by Speaker CANNON in this Congress was due in large measure to his ability as an organizer.

As a member of the minority side, of course I do not rejoice in his victory, but I do take my hat off to him as the chief exemplar of the power of organization.

As a matter of sincere conviction opposed to the political policies of the Speaker of this House, yet, as a Democrat, I do not indorse the campaign of personal abuse and criticism against him. Personal abuse of a political opponent never makes friends for the person indulging in it, and, in my humble opinion, the Democratic party must to win success—which I know it deserves and believe it will win—must upon a high plane go before the American people upon the merits of their policies and not upon the platform of abuse for their political opponents. [Applause.]

Some years ago the people of California had a foolish notion that they possessed the greatest race mare in the world, by the name of Molly McCarty. This idea was spurned by the people of Kentucky. In my district lived old Adam Harper, who was the proud owner of the greatest race horse in history—the noble Ten Broeck. So a 4-mile race was arranged, as Adam Harper expressed it, a race from "eend to eend." Of course, the Kentucky horse won in a race that was one of the great historical events of the last century. As a performer, "a stayer," and a thoroughbred, "Uncle Joe" is the Ten Broeck of American politics. [Laughter and applause.] When by organization and thorough preparation the track is made in a little better condition than at present, by the Democrats of the South in this Congress standing side by side and dividing honors with the great States like Indiana and Ohio, and other States North and West that made such Democratic gains in the last election, we can land the Hon. CHAMP CLARK in the Speaker's chair next time and the White House after that. [Applause on the Democratic side.]

The kindly expression on his face is good for a million votes when he faces all of the people, and his brain and ability are good for the other millions necessary to give him the victory. [Applause on the Democratic side.] There are two States which are now close politically which he would take from the doubtful list—Kentucky and Missouri—one the State of his birth, the other his adopted State. His power as an organizer in this Congress will be such as to lead us to battle prepared, organized; fortified by the justice of our cause militant, for the defense of the masses. The Democracy will control the Government and use it for the welfare of all the people.

No victories can be won in the next Congress by brooding over our Democratic misfortunes in this Congress.

The actual knowledge of conditions, the burial of petty differences, the equal distribution of honors to all sections, and other matters necessary to success, which can only be accomplished by organization, will change us from a minority to a majority party in the Nation.

This tariff bill itself is a wonderful exposition of the power of organization.

Every item protected has behind it some powerful organized interest—the great masses of the people not having organization must under this bill pay the penalty for their want of organization. [Applause on the Democratic side.]

The greatest objection to this bill is its sectional distribution of the benefits it produces.

The spirit of the Nation is to be done with all sectional ideas. Our new President in the recent campaign laid great stress upon this principle, and I do not doubt his sincerity. And to accord to his teachings and the spirit of all citizens everywhere I ask a bill at the hands of the majority for all sections of our great country.

The chairman of the Ways and Means Committee in his opening remarks made a statement which impressed me forcibly. The effect of it was that there was too much demagogism in the discussion of public questions with the farmers of our country. I heartily agree with him. It is an accepted fact that the true prosperity of this country rests upon agriculture as the foundation stone of our national structure. For a truly prosperous nation our farmers must secure profitable prices for their products.

The farmer is under no legal or moral obligation to feed the world at an unprofitable price, and I state here, as I stated in my district when seeking a seat upon the floor of this House, that low prices for farm products are due in nearly all instances to the failure of the farmers to use their own power and intelligence in the sale and distribution of their products. Intelligent distribution is a prime factor of price, and without organization there can be no intelligent distribution. The organization of the farmers of this Nation means more for their prosperity and the Nation's welfare than all of the tariff bills that can be devised. Tariff legislation upon a protective theory means exorbitant prices to the consumer. Prices based upon sound reasons of organization means an equitable price to the producer and to the consumer, and every man ought to be willing to pay an equitable price for what he consumes, and every man, in justice to himself and his family, should demand an equitable price for what he produces—no matter what be the product. [Applause on the Democratic side.]

In the past it has been a common expression that the farmer could not be organized. In Kentucky this statement has been disproved. To the chief crop of Kentucky—tobacco—the principle of organizing the producers has been applied, and directly due to this effort nearly $100,000,000 have been distributed to our farmers upon this one product in the last three years. The grower of tobacco in Kentucky during the last three years has received double the price for his tobacco which he received prior to organization.

What is true of tobacco can be true of all other farm products.

The farmers of this Nation should, in my humble opinion, undertake to better their condition, first, by effective organiza-

tion to secure equitable prices for their products and, secondly, by directing their power against legislation which hinders them from securing articles which they consume at an equitable price.

"The gods help those that help themselves."

Speaking for the farmers of my district—comprising a great part of the blue-grass region of Kentucky—I ask no special privilege at the hands of the Government, but I earnestly protest against an imposition of taxes against us for the interest of one of the greatest trusts in this country.

Under the present law the tobacco grower is largely restricted in his sale of tobacco in the hand by the imposition of a tax amounting to 6 cents per pound. I ask, as a matter of justice, the removal of this tax on tobacco in the hand.

The failure to do justice can not be excused with the answer that the Government needs the revenue. The payment in taxes by the citizen to the support of his country should be cheerfully made, but under our form of government no tax should be levied where one portion of it goes to the National Treasury and the other portion to the treasuries of protected interests.

It should be a matter of national pride with the American citizen to contribute to the needs of his Government, but a protective-tariff system breeds the idea that the citizen should get all from the Government. One motive is patriotic, the other selfish; one strengthens the Republic, and the other weakens it.

As for myself, though I would have preferred to have seen developed inland waterways, constructed a system of interstate roads, and other internal improvements, rather than the outlay of almost countless millions in the Panama Canal, still, since our country has begun the work, I will cheerfully vote whatever is needed to finish the work, because there must be no such word as failure where Uncle Sam is boss. Patriotism must not be measured by dollars and cents, and Columbia must show the world that no obstacle can challenge her title as the Queen of all the Nations.

But in the collection of revenues to complete this great work, to maintain the other needs of the Nation, I submit that it is fair to lay the burden of taxation equally upon the shoulders of all the people of all sections. I listened with great pleasure the other day to a tribute paid his native State by the gentleman from Ohio. As I pointed out in the beginning of my remarks, Kentucky suffers more from adverse legislation than any State in the Union. Although in the last year or two much has been written to detract from the fair name of Kentucky, yet I assert here that much exaggeration and misrepresentation has gone before the Nation. In our tobacco war in Kentucky many things have occurred which our people do not indorse; but in Kentucky there is in the minds of our people no difference in principle between the "night rider" and the trust which robs men and women and makes slaves of children in the tobacco patch. The negro in bondage was never more of a slave than the grower of tobacco under the old régime, when the trust set the price. In principle there is no difference between the trust which plunders and the "night rider" who plunders. Both are criminals and should suffer the fullest penalty of the law. [Applause on the Democratic side.] Child labor means child slavery, and I am forever and eternally against the damnable practice of child labor, whether it be in the tobacco patch of Kentucky or the sweat shops of our cities. As does organized labor in the city, so does the organized farmer in the country transfer the child from shop and field to home and school—the hope in the future for our glorious Republic.

Kentucky in the past has contributed her full quota to the glorious history of our country.

Could the members of the Ways and Means Committee have been in Kentucky on Lincoln Day and had they seen the confederate soldiers who wore the gray join the throng who wore the blue, in honor of the great emancipator, and grasped the idea of a united country wherein sectionalism is a dead issue, such a tariff bill as this would have been impossible. As Kentucky gave Abraham Lincoln to the North, so she also gave Jefferson Davis to the South. The Nation has justly built a memorial upon Kentucky soil to one, and I hope that it will be generous enough to build a memorial to the other. As Kentucky furnished the Presidents for both North and South in the great civil war, since that strife is ended and all sections support with true American loyalty the Stars and Stripes, I ask this Congress, representing all sections of our great Nation—North, South, East, and West—to grant a square deal to Kentucky and to her people and her products.

I am profoundly grateful to the Chairman for this opportunity to address the committee. [Loud applause.]

Mr. GAINES. Mr. Chairman, the gentleman from Missouri, the distinguished leader of the minority on this floor [Mr. CLARK], did me the courtesy the other day to refer to me as being next to the gentleman from Michigan [Mr. FORDNEY], the highest protectionist on the Ways and Means Committee. Without challenging any comparison in that or any other respect, I wish to avow my unshaken devotion to the policy of protection, and I do it because some of our friends on the other side of this Chamber have assumed to see in this revision of the tariff some abandonment by the Republican party of its protective policy.

It is, Mr. Chairman, no such thing. Even if the Dingley law had been perfect in all respects when it was framed—a thing that no tariff law can by any possibility be—even if no new conditions at home had required its amendment, yet there were conditions outside the country, conditions not existing in America, which would have required us to enter upon a revision of the tariff at this time.

Our Democratic friends take great pleasure in referring to the fact that even under the Republican party and under a high-protective law the country has witnessed a panic. However, every member of the Ways and Means Committee discovered very soon after we had begun our hearings last fall that the depression, which was world-wide, was less severe in this country than anywhere else in the commercial world, and that the conditions which precipitated it not only did not originate in America, and not only were not in any sense due to the Dingley tariff act, but that, originating elsewhere, the Dingley tariff law delayed the beginning of the depression in America and mitigated the severity of its operation in this country.

The work of the Ways and Means Committee did not begin last fall. Under the leadership of the chairman of that committee, the leader of the majority side in this House [Mr. PAYNE], the experts of the Government and the clerks of the committee had for a long period been at work procuring data from which the committee might prepare a draft of a bill, and to assist the committee in examining the evidence of interested witnesses. After all, the best witness for a Ways and Means Committee in framing a tariff bill is the book of statistics. The record of the importations into this country for fifteen years, including and prior to the fiscal year 1907, disclosed the fact that unbroken and unrivaled prosperity had attended the business of this country for ten years, and until our home market was unduly invaded by foreign importations. For the convenience of the committee a record of the importations for the year 1907 has been appended to each schedule in a large volume prepared for our use, and with which the Members of the House are familiar, called "Notes on Tariff Revision."

We soon found that the year 1907 would not serve our purpose as a guide to the amounts of importations which a given rate permitted, but that the importations for that year were largely in excess of normal importations under the Dingley law. While the importations for the twelve months preceding October, 1906, were the largest which had ever been made up to that time, they were exceeded by the importations of foreign merchandise for the twelve months preceding October, 1907, the panic month, by over $225,000,000. The fact was too plain to be overlooked by any person except those who for any reason hold a brief against the Dingley law that the depression had begun in Europe more than a year before its effects were felt in the United States; that the manufacturers of other countries, finding their usual markets less capable of taking their products, were dumping the surplus thus left on their hands on the American market. Whether, if we could have known these conditions in time, and whether, if knowing them, we could have conserved more of our capital at home, the panic might not have been averted from this country, offers an interesting field of speculation. I repeat that while our importations for 1906 were much larger than they had ever before been, those for the twelve months immediately preceding the panic exceeded them by the tremendous sum of over two hundred and twenty-five millions.

But the doctrine of protection is not so much a doctrine, after all, as the application of sound common sense and business principles to existing conditions. New conditions require to be met. One of these conditions was domestic and the other foreign. Given unrestricted competition and the American rule of protection is absolutely correct. With free competition, whenever we can produce in this country any article in sufficient quantities to supply our demand, home competition will in every instance reduce the price of products to the purchaser to what the price ought to be, namely, the normal American price, paying to labor the American standard of wages, and giving to capital the inducement of those rewards which are natural and normal in a country with our resources and population.

But a new condition has arisen, which compels the attention of public men. With the growth of rapid and cheap transporta-

tion, and particularly with the growth of still more rapid and still cheaper communication, it has become possible for a single man or a single company, with sufficient capital and sufficient ability, to transact business more expeditiously and more safely, from every commercial standpoint, over a radius of a thousand miles to-day than it was possible to do a quarter of a century ago over a radius of a hundred miles. The inevitable result has been the tendency of a limited number of large concerns to acquire control of a large proportion of certain lines of business in many sections of the country, and in some instances throughout the whole country. The temptation is coequal with the opportunity for these concerns to attempt, by selling arrangements, price agreements, and other devices, to eliminate the operation of the law of competition.

This is the new domestic condition which the protectionist must meet. The protectionist must meet it for the sake of his own argument. He must meet it for the sake of the country, because there is no one else who can meet it; because if the economic conditions were to be abandoned to the gentlemen on the other side of this Chamber, the representatives of the Democratic party, the people of the country, in their distress, would at once be so anxious for relief that consideration of the problem we are now endeavoring to solve would be postponed for at least another decade. The effort of the Ways and Means Committee, therefore, has been so to adjust the tariff law as to preserve the American market for the American producer and the American workingman; but, at the same time, so that when there seems to be insufficient competition at home, if any persons undertake by combination unduly to advance prices, they will be subjected to foreign competition. We have not, however, sought to avail ourselves of foreign competition as a remedy, but rather of a fear of it as a preventive.

This apprehension that undue prices might be charged in combinations has finally found expression in the demand for relief to the consumer. The demand, however, has not come from those persons whom the gentleman from Illinois [Mr. BOUTELL] has denominated "the ultimate consumer;" it has rather been made in the name of the ultimate consumer by the manufacturing consumer in his own interest. During the hearings before the Ways and Means Committee I several times complained that the manufacturing consumer should seek his relief in his own name. This was not because I had any lack of sympathy for the manufacturing consumer in any case where he was entitled to it, nor because I had the slightest objection when the manufacturer stated his own case from his own point of view. I merely took the position that every man who appears before the Ways and Means Committee should disclose the interest which he represents; and that if he represents himself he should not put himself on record as representing a fictitious client whom he deems to be more popular.

A single example will illustrate the apprehension of many of the manufacturing consumers of the country. The United States Steel Corporation is supposed to be the producer of so large a proportion of the steel of the country as to dominate the price of steel at many stages of its manufacture. That corporation does not confine itself to the primary process of steel manufacture, but in many instances goes on to the finished product. For instance, the Steel Corporation not only manufactures steel billets, but from some of those billets it manufactures wire, and it also manufactures wire fencing. The independent manufacturer of wire fencing finds himself therefore buying his raw material in a market which he at least thinks is controlled by his competitor. He is therefore constantly in apprehension that that competitor may charge so much for billets that there will be no profit left for either the Steel Corporation or the independent wire-fence man in the manufacture of wire fences, but that the Steel Corporation will absorb it all in the price of billets. Up to the present time this would seem to be merely a misapprehension rather than a realization, for there never were so many independent manufacturers of steel and iron products; there never were so many specialties in metal manufactures and persons engaged in them, and profitably engaged in them, as there are to-day. However, these independent manufacturers fear their elimination, and the American public to a large degree shares their apprehension.

In making this bill the committee has had no desire to transfer the manufacture of steel billets to the capital and labor of Europe; but we have desire to quiet the apprehension of the American manufacturer whose raw material is the billet, and assure him, if possible, that it shall not be in the power of anybody to eliminate him from the business world.

Your committee, therefore, was confronted with what I conceive to be the most difficult problem that ever confronted a Republican Ways and Means Committee in a revision of the tariff. We are required to raise more revenue, we are required to preserve the protective principle, but the most difficult part of our duty is this: That the sentiment of the country and the sentiment of the Republican party requires us to make a nicer adjustment of the schedules in this bill than has ever been before made. The country requires that if there be in any of our schedules, either because a mistake was made in their original adjustment or because changed conditions by lapse of time produced it, more than enough to protect; if there be in any schedule, in addition to protection, any additional amount of duty behind which persons may combine unduly to enhance prices, then that the Republican party lop off that excess; and that we have undertaken to do in this bill. It is required of us by the country that an attempt be made to make an exceedingly nice adjustment, not so that foreign competition might come into the country, but so that the fear of foreign competition might prevent any attempt even unduly to enhance prices.

Mr. HARDWICK. Will the gentleman yield for a question?

Mr. GAINES. Certainly.

Mr. HARDWICK. Does the gentleman from West Virginia think we have lopped off enough of the duty on refined sugar to affect the sugar trust?

Mr. GAINES. "The gentleman from West Virginia" thinks that we have lopped off all the excess duty on refined sugar that could safely be taken off without threatening the American beet-sugar industry, which the Republican party determines to foster in this country, if it can. [Applause on the Republican side.] The difference between the gentleman from Georgia [Mr. HARDWICK] and "the gentleman from West Virginia" is this: The gentleman from Georgia looks always with suspicion upon the effort to develop any great American industry here by the policy of protection, and "the gentleman from West Virginia" looks without suspicion upon that attempt.

Mr. HARDWICK. If the gentleman will pardon me, does the gentleman regard a duty on refined sugar as a revenue producer, or as anything else except a purely prohibitive duty, when it raises only $84,000 a year, and when behind it a great combination is formed that charges the people of this country an excessive price for refined sugar? Does the gentleman think that a reduction of 5 cents on a hundred pounds in that duty is a compliance with the pledge of the Republican party in the last national campaign platform to lop off the excess to which the gentleman has just referred?

Mr. GAINES. I will answer the gentleman with great frankness. When a committee meets to consider such a question there are divergent views as to the methods of reaching a desired result. I have not the time this morning, or at least it does not suit my purpose now, to attempt to go into all the mathematical intricacies necessary to be entered into to determine what a just differential would be to cover the difference between the protection to the beet-sugar and the refined-sugar industry of this country. In fact, I could not do it without special preparation, and, while there were divergent views, I will tell the gentleman from Georgia that the effort of the committee was to do precisely the thing he refers to, but we did not propose in doing it to go so far as to transfer the refining of sugar for this market to other countries, nor did we intend to go so far as to cripple the beet-sugar industries of the country. I have no doubt the gentleman from Georgia would have gone the entire distance. I have no doubt the gentleman from Georgia would have willingly seen the great beet-sugar industry of this country sacrificed, but not so the Republican party to which I belong. [Applause on the Republican side.] If the other gentlemen about to interrupt me will pardon me, in further answer I will remind the gentleman of this, that when his revenue duty—the duty under the Wilson bill—on sugar in this country was in force, sugar cost the consumers of the country more than it costs them to-day under the arrangement of the Republican party that fosters this great beet-sugar industry of the country.

Mr. MARTIN of South Dakota. Mr. Chairman, I would like to ask the gentleman whether his investigations upon this general subject lead him to think that the beet-sugar industry in this country is actually getting the benefit of this protection, or have those investigations led him to conclude that the beet-sugar industries may not be operating independently of the so-called "sugar trust."

Mr. GAINES. My investigations, and I think any other person who investigates it will arrive at the same conclusion, lead me to this result, that the beet-sugar industry is largely independent, and that in any event, if you were to remove the fostering care of protection the beet-sugar industry of this country

would go to pieces at once. It undoubtedly is true that the beet-sugar people can not continue to manufacture sugar in this country unless the policy of the Republican party is continued with reference to that product.

Mr. MARTIN of South Dakota. Mr. Chairman, I may say that I agree entirely with the gentleman as to the necessity of a measure of protection in building up the beet-sugar industry, and that that is a very important public question. At the same time I wanted the opinion of the gentleman—and I think he has in part expressed it—as to whether in fact in working out the problem up to date the so-called "sugar trust" has not in large part dictated the price and policy of our beet-sugar producers. I was led to believe that from information received incidently from one of our Members from the State of Michigan, who ought to be pretty well posted on this subject.

Mr. GAINES. Mr. Chairman, my answer to the gentleman is twofold. In the first place, I do not think that the so-called "sugar trust" dominates the beet-sugar industry of the country. But I will say further to the gentleman that his question suggests a very interesting and difficult problem. Suppose it did. The question would then come up to the people of this country whether, in order to punish the business methods of persons engaged in the production of sugar, they will abandon the effort to make sugar in this country as far as possible. I do not hesitate to say that, so far as I am concerned, being as hostile to what are known as "trusts" in all their unlawful operations as any other gentleman on this floor, I yet would not send the business of the country out of the country, even if it were under the control of a trust; and it might just as well be repeated here, that it may be known to as many persons as possible, that this country is the least trust-ridden country in the world. The other countries of the world have trusts more than we have. They may not have such big ones; they can not have anything of any kind as big in a small country as in a country the size of this; but it ought to be known—and our Republican speakers have made very little of this fact in the great debates they have held with our Democratic friends—it ought to be known that, whereas our Government does whatever it can to destroy trusts or prevent their formation, almost all the other commercial countries of the world foster and aid the formation of manufacturing and selling combinations, and I shall now——

Mr. NORRIS. Will the gentleman yield?

Mr. GAINES. In a moment I will yield with pleasure to the gentleman from Nebraska. I shall insert in my speech, with the permission of the committee, an extract from one of the Belgian Government documents in which their officer in charge of that sort of thing—his title I do not now remember; it is in a foreign language, anyway—but the officer in charge of such matters reported that he regretted that the arrangement to maintain the selling price in pottery had by the selfishness of some parties to the agreement been terminated, but it had two or three years before been restored, and he trusted it would be now perpetual. Governmental documents in foreign countries show that those countries foster selling agreements and things known as "trusts" that we are so hostile to in this country. So that if the Republican party could drive out of existence the trusts—for instance, the sugar-refining trust—when such combinations attempt to control the American price; if we could so arrange our bill as to drive the sugar-producing business out of America, we would not drive it out of a trust. We would drive out a trust, which we may to some extent regulate by our law, into the hands of a foreign trust over which we will have no control whatever. [Applause on the Republican side.] Now, I yield with pleasure to the gentleman from Nebraska.

Mr. NORRIS. The gentleman has already answered one suggestion that I wanted to make. I wanted to add this one: It seems to me that the proposition is not so much who owns the beet-sugar factories, as whether they could exist and thus supply a market for the farmers' beets and employment for their employees if the tariff did not exist.

Mr. GAINES. I think the gentleman from Nebraska is exactly right. Whatever may be said about any relations between the beet-sugar people and the great sugar trust, this much is very certain: The people who do the work in America at American wages for the beet-sugar factories belong to no trust. The farmers in Michigan, Colorado, in the State of Nebraska, and in California, and in many other sections of the United States are not engaged in any trust and are entitled to the protection of the Republican party, and they will receive it. [Applause on the Republican side.]

Mr. MARTIN of South Dakota. Will the gentleman yield for a moment?

Mr. GAINES. I will.

Mr. MARTIN of South Dakota. I do not want to be misunderstood. I agree entirely with the views of the gentleman that we must not as Republicans abandon the protective principle on any important industry we may have, because unlawful combinations may take advantage of independent producers in those lines; but I think, in this connection, it ought to be suggested that important questions for Congress and for the Republican party, growing out of such combinations and methods, will require our attention later on.

Mr. GAINES. I agree entirely with the gentleman, and I will say to him and to the Members of the House that your committee was at every point constantly on the alert. I speak now of the subcommittee of the Ways and Means Committee, composed of all the Republican members of the committee, and composed of nobody else.

We were watching that point at every stage and in every instance with reference to all the business of the country. In every stage and in every instance, with reference to all the business of the country, we took the greatest care, first, to lop off any excess protection if we found it, and, second, to be very sure that we did not destroy the protection to the industry and drive it to a foreign country.

Mr. HARDWICK. I suppose the gentleman means to imply that the subcommittee of the Ways and Means Committee, composed entirely of Republican members of that committee, found, as a matter of fact, that there was only 5 cents on a hundred pounds of this excess duty on refined sugar? Does the gentleman mean to state that?

Mr. GAINES. The gentleman from Georgia will understand this. Perhaps no person can say whether there is or not. I should be personally inclined to think that there is a little more than that of differential. But the gentleman will understand that we can not put the tariff down on one kind of sugar and up on another. We might, of course, enact that sugar made from cane should come in at one rate of duty, and sugar made from beets at another; but anybody could see, of course, the absurdity of such a proposition.

Mr. HARDWICK. One more proposition, and I will not bother the gentleman further. The duty on raw sugar protects the beet sugar, of which the gentleman is so solicitous, and the duty on refined sugar protects the trust.

Mr. GAINES. The gentleman makes a mistake in this way: It is not as easy as he evidently thinks to calculate the amount of the differential. There is a waste on the amount of raw sugar brought in. There are a number of these things, and it is one of the most complicated questions possible. The gentleman may satisfy himself by a cursory examination sufficiently to make a stump speech in the campaign and call the Republican party the friend of the trusts, but after all it is very difficult to determine just what the amount is.

Mr. LOUD. Does not the gentleman from Georgia forget that every beet-sugar factory is a refiner of sugar?

Mr. NORRIS. That is what I wanted to suggest.

Mr. GAINES. Our friends on the other side forget everything except that they want to make a point against the Republican party. [Applause on the Republican side.] I may say that as long as the position which our friends take has so familiar a sound to us, and has in actual practice during former political contests been fraught with so little danger to us, we welcome the old line of Democratic argument and hope that it will be continued. I have heard the argument before, and I think the gentleman from Kentucky [Mr. CANTRILL], who spoke this morning, placed Mr. Bryan again in nomination for the Presidency. There is nothing new, we are told, under the sun, and Democratic arguments and Democratic candidates are about the stalest things we are acquainted with even in that arrangement of the universe. [Applause on the Republican side.]

Mr. BOOHER. Will the gentleman permit me to ask him a question?

Mr. GAINES. Yes.

Mr. BOOHER. Mr. Bryan has proved a very expensive candidate for the Republicans when it came to raising campaign funds, has he not?

Mr. GAINES. Now, my answer to that, Mr. Chairman, will be this: If the gentleman and his associates upon that side think Mr. Bryan has cost us any more than he has cost them, they are certainly entitled to their belief, and we will welcome a renewal of the contest. [Applause on the Republican side.]

Mr. HARDWICK. Then, Mr. Bryan has been a costly proposition all around.

Mr. GAINES. If I understood the gentleman from Georgia, I thoroughly agree with him.

However, even if no such alarm had been felt, even if changed modern conditions had not admonished protectionists that a nicer adjustment of schedules than ever was now demanded, even if the Dingley law had been what no human law can be, perfect in every respect, so far as our domestic situation is concerned, conditions outside of our own country would have compelled a revision of the tariff. It has been a settled policy of this country to treat all nations alike. Under the leadership of the Republican party the American Government has deemed that its first duty was to its own people. Protectionists think that the peace and security which our comparatively isolated position gives, that the extent and fertility of our soil, the unrivaled richness and diversity of our resources, our free government, and the average superiority of our people make it possible for the people of this country to enjoy a greater degree of average prosperity than the people of any other country can possibly have.

The English, the Germans, the French, to institute no odious comparison, have not our land; the Russians do not enjoy our institutions, our Constitution, and our laws. The Chinese, unsurpassed in energy and commercial honor, have not our western conception of progress. And the protectionist has believed that it was the first duty of the American Government to preserve these advantages for the people of America. We have known that this could not be done under modern conditions of cheap transportation if our own people were subjected to the competition of all the less fortunate people of the earth. The American laboring man can not compete in a free market with the Englishman, receiving one-half his wages; with the French and Germans, receiving one-third his wages; with the Belgians, receiving one-fourth his wages; or with the Asiatics, receiving a still lesser fraction of the American wage. For the American laboring man to compete with the foreigner he must do three things: He must accept the foreigner's reduced wages, he must adopt the foreigner's low standard of living, and, in the main, longer hours of labor. He and the Republican party are not willing that he should do any of these things. The gentleman from Alabama [Mr. UNDERWOOD] repeated the old and specious argument that because of immigration American labor is subjected to the competition of foreigners. If the gentleman from Alabama thinks that the American laboring man suffers from the competition of a limited number of foreigners who come to this country to labor at American wages and spend their earnings in this country, how can he continue to advocate the theory which would subject the American laboring man to the competition of the hundreds of millions of Europeans and Asiatics who work at smaller wages and spend their earnings in foreign countries?

But while the Republican party has not hesitated to secure in the largest possible manner the natural advantages of America for the people in America, it has never undertaken to discriminate for any country but our own. Of late years, however, foreign countries, with the exception of England, have undertaken to secure for their people not only their home markets by a protective tariff, but to use a discriminative right in their markets as a club to compel other nations to give their people special privileges. The device they have adopted is that known under the name of a "dual tariff." Under the operations of these dual tariffs this remarkable and intolerable situation has resulted: The American market is the most valuable to these nations of any market except their own. Yet under the operation of these tariffs we find the products of other nations admitted under more advantageous rates than our own. If the Republicans believed, as our opponents profess to believe, that the tariff is a tax which the consumer pays, nothing would be necessary but to let the foreign consumer continue to pay it. But the Republican party has observed in such cases that the tariff is a tax which the importer must pay or stay out of the market. Germany has a general and conventional tariff. This means that she has a second tariff, so to speak, which can be substituted for the general tariff in cases where nations will permit Germany by convention or treaty to enter its markets upon terms which Germany deems especially advantageous to her citizens. And the rates, as I understand it, of this conventional tariff are determined by the treaty. France has a general and a minimum tariff. The rates are fixed by law, but which shall be applied is also to be determined by negotiation. We can not adopt these devices exactly as they have been adopted by European countries. The fact that it would amount to transferring the power of levying duties from Congress to the treaty-making power is sufficient to show that we can not, even if we wished, adopt any foreign plan in its entirety. Obviously, we can not sit silent and see every other nation favored before our own in the markets of other countries.

The American position with reference to customs duties and foreign markets is unique. The manufacturers of every other country looking to America for trade see a market in which wages are higher than in their own and the purchasing power of the people for that reason correspondingly great. The American manufacturer looking abroad for trade sees the situation exactly reversed. The manufacturer in this country, where wages are higher, sees wherever he looks a market where wages are less than in his own country and where the purchasing power is correspondingly smaller. We must be, therefore, at a disadvantage, except in so far as the American manufacturer, by superior ingenuity and science and by a greater outlay of capital than his foreign competitor, can so reduce his cost as to have some chance in a market where labor costs his competitor less than he has to pay, and where the purchasing power of the people for that very reason renders the market less promising.

But this situation does give us one point of advantage. As long as we are fair ourselves, as long as we treat all other nations without any discrimination, the value of our market renders it wholly unnecessary that we should permit any other nation on earth to discriminate against us.

Because of these conditions it was necessary to have a revision of the tariff law at this time in order to put into force a maximum and minimum tariff. Our maximum and minimum tariff is not a conventional tariff. It does not depend upon the treaty-making power, though we may yet determine to make it depend on executive proclamation of the fact. Whenever any nation treats the people of the United States the same as it treats the people of other countries, by that very fact, under the provisions of the Payne bill, it is entitled to the minimum tariff; and, on the other hand, when any other nation does not treat the people of the United States in the matter of importations of our products into their country as well as it treats the people of any other nation on earth, it will by its own act of discrimination induce and receive the punishment of our maximum tariff. The French maximum tariff is, with exceptions, of course, generally 50 per cent higher than the minimum. We have not made the provisions of our maximum tariff as drastic as the proposed new French tariff. As a general proposition our maximum tariff is 20 per cent higher than our minimum or general tariff, except in the earthenware schedule, where it is 25 per cent higher, and in the wine and spirit schedule, where it is 40 per cent higher.

Mr. GARRETT. Will the gentleman allow me to ask him a question?

Mr. GAINES. Certainly.

Mr. GARRETT. It was suggested the other night in the course of discussion of this very interesting matter by the gentleman from Illinois [Mr. LOWDEN] that this bill was defective in reaching the exact condition desired, because of the fact that it does make no provision for executive action; that because of certain sanitary regulations of foreign governments as to products coming from this country into their own it would be necessary. For instance, in the matter of meats——

Mr. GAINES. I understand the point that the gentleman refers to. I can understand how they can discriminate against us without any unfriendly tariff arrangement. They may say that our meat is defective, deleterious, and injurious to the health of their people, and require the exclusion of American meat products. I agree with the gentleman in that. I think, however, that the language of the bill is sufficient to cover that. Of course we all recognize that all countries have a right to make their own police regulations on such matters, and we would have no right to complain of that. But I think the language of the law will reach the case where, under a mere pretext of taking care of the public health, they do actually discriminate in order to let in the products of some other country instead of our own. But I say also to the gentleman from Tennessee that I have no doubt that there will be discovered in the course of time a great many points where this proposition of a minimum and maximum tariff should be further extended. I am even inclined to think sometimes that the international game of tariffs is one in which the replies will have to be swifter and more frequent in the future than has been necessary heretofore.

It is a new proposition. Your committee has not sought to do everything that possibly can be done. Your committee has sought to meet the conditions as they are seen to-day, and I believe that the proposition of dual tariffs will continue in this country; that our minimum and maximum proposition, or some modification of it, similar to it, will exist in this country and be strengthened until we drive foreign countries out of their habit of discriminating against the people of America; and then we shall no longer need such devices.

It has been said that the Dingley law had to be revised be-

Mr. GAINES. I will.

[I thoroughly agree with him.

own in the markets of other countries.

cause there was need of more revision has been very much exaggerated. I wish to call the attention of the committee to the actual state of the Treasury of the United States. What we have heard asserted time and again on the floor of this House is a mistake. What the newspapers of the country have said about it for months was not accurate; and while I know that figures of this sort are inclined to be tedious, I ask the attention of the committee while I address myself to what the actual state of the Treasury is to-day.

On the 30th of March, which was day before yesterday, there was an available cash balance in the Treasury of $133,000,000. That statement is correct. It needs, however, to be understood. We find another item on that page of $69,000,000—practically $70,000,000—disbursing officers' balances. Disbursing officers' balances are subtracted from the general amount of money in the Treasury in order to arrive at the available cash balance.

But while that is proper bookkeeping, the fact is that those disbursing officers' balances are sums of money put to the credit of the disbursing officers throughout the country—as, for instance, United States marshals—for the purpose of meeting current government bills. There is always something over $10,000,000 of that balance unexpended. It is an impossibility to tell what the unexpended amount of the balance in the Treasury is; but whatever the amount is, the available cash balance in the Treasury is to be increased by that sum.

Now, I wrote to the Panama Canal Commission the other day and asked for a statement of the amount which has already been expended on account of the Panama Canal and the amount to which the Treasury of the United States has been reimbursed by the sale of bonds on account of the Panama Canal. Up to the end of last year—December 31—the canal has cost, in round numbers, $149,000,000. It was a little more, but about that, in round numbers. This includes the $40,000,000 paid to the New Panama Canal Company and $10,000,000 paid to the Republic of Panama for its canal rights. The amount of bonds sold on account of the canal is $84,000,000. The amount expended up to the first of the year was $149,000,000. The commission estimates the average expenditures since that time as $2,750,000 per month. Adding, for January, February, and March, $8,250,000 to $149,000,000 plus will give $157,500,000. But the Treasury has been reimbursed to the extent of $84,000,000 on account of that. Subtracting that, we have a balance of $72,965,000 which the Panama Canal expenditure owes the Treasury. Adding that to the $133,000,000, we had an available cash balance in the Treasury, over and above anything still left in the disbursing officers' balances, of $206,195,000 on day before yesterday.

Mr. JAMES. Will the gentleman yield for a question?

Mr. GAINES. Certainly.

Mr. JAMES. In view of your statement as to the condition of the Treasury, how do you account for the statement of the President in his message to Congress that by the 1st of July there will be a deficit in the Treasury of $100,000,000?

Mr. GAINES. I will say to the gentleman from Kentucky that I do not know that the President made just that statement, but my information is that he did, and I am inclined to think that the question of the gentleman from Kentucky is based on a correct understanding of the President's statement. But no matter where that statement came from, it is based upon a mistake, and the only reason why I challenge the attention of the committee to these dry figures to-day is because it is absolutely demonstrable, in my opinion, that the whole country has been mistaken about the state of the Treasury.

Mr. McCALL. Will my colleague yield?

Mr. GAINES. With pleasure.

Mr. McCALL. I think the statement of the President was that there would be that deficit in this year's expenditures. He did not say that there would be a $100,000,000 deficit in the Treasury.

Mr. GAINES. If the gentleman from Kentucky will give his attention, the gentleman from Massachusetts is, of course, right in saying that the President did not say there would be any deficit in the Treasury. But what I understood the gentleman from Kentucky to be addressing himself to was that the President had said there would be an excess of expenditures over receipts for the fiscal year of $100,000,000 at the rate we were going.

I understood that to be what he had said the President had stated. I am glad that the gentleman from Massachusetts has called attention to that, because the opinion of the country has been wrong. The country has been misinformed and misled because of the loose use of the word "deficit." Most people think that a "deficit," when spoken of in connection with the Treasury, means that the Government owes amounts which there is not money in the Treasury to pay. That is not the condition. We are $206,000,000 away from that condition.

Even before we have reimbursed the Treasury Department for expenditures on account of the Panama Canal we are $133,000,000 away from any such condition, and, in addition to that, we have whatever the remainder of the disbursing officers' balances happens to be. And, of course, everybody must understand that I mean this sum in the Treasury over and above one hundred and fifty millions of gold reserve in the Division of Redemption.

Mr. JAMES. Will the gentleman yield for a question?

Mr. GAINES. Certainly.

Mr. JAMES. I desire to read the language of the President in his message to Congress. It is as follows:

> More than this, the present tariff act, with the other sources of government revenue, does not furnish income enough to pay the authorized expenditures. By July 1 next the excess of expenses over receipts for the current fiscal year will equal $100,000,000.

Mr. GAINES. If the gentleman from Kentucky will permit me, there is no deficit. But I want, if we can, to get on some basis that we can understand. I want to make the frankest assertion that the very reason for making this part of my speech is because I insist that almost everybody has made a mistake as to the condition of the Treasury.

Mr. JAMES. I thought the gentleman was contending that the Dingley Act was producing revenue enough to run the Government, and I want to call his attention to this statement, showing that it could not be borne out.

Mr. GAINES. And I am attempting to maintain that proposition, and I propose to demonstrate it. And if the gentleman from Kentucky will rely on his own judgment, and take the trouble to inform that most excellent judgment, and not content himself by falling back on what the President or anybody else thinks but go to the bottom of the matter, he will see that I am right, and the general conception of other people happens once to be wrong.

Mr. CLAYTON. Will the gentleman from West Virginia yield to me for a question?

Mr. GAINES. Certainly.

Mr. CLAYTON. I understand the gentleman to say that at the end of the current fiscal year the Treasury will not be face to face with a deficit, but that there will be a surplus in the Treasury. I would ask the gentleman how he can reconcile his statement with the statement made very recently by the chairman of the Committee on Appropriations [Mr. TAWNEY], who said that the Treasury at the end of the fiscal year would face a deficit—I believe he said of $150,000,000. I desire to interpose the statement and judgment of the chairman of the great Appropriations Committee against the statement and argument of my distinguished friend from West Virginia.

Mr. GAINES. Mr. Chairman, the gentleman from Kentucky thought to embarrass me by asking whether the President of the United States did not say so and so.

Mr. JAMES. I did not mean to embarrass the gentleman, but I wanted to enlighten the gentleman by a statement of what the President said.

Mr. GAINES. The statements of the President of the United States are always enlightening, and are especially qualified to enlighten the gentleman from Kentucky. Now, the other distinguished gentleman, the gentleman from Alabama [Mr. CLAYTON], undertakes to get me into a debate with the chairman of the Appropriations Committee. I decline to be put in the attitude of disputing anybody. I am giving certain conclusions based upon official figures, which conclusions the intelligence of this House can dispute if the figures happen not to be correct. There is no difficulty about it. It is simply a question of looking at the figures. Either I am right, or I am wrong. It needs no authority to prove the facts for the figures will do it themselves; and then it is a question, not of authority, but simply of an accurate view of the situation.

Mr. FOWLER. Will the gentleman yield?

Mr. GAINES. With pleasure.

Mr. FOWLER. Both the chairman of the Appropriations Committee and the President agree, not as to the amount, but as to the fact of a deficit in reference to the year's income and expenditures, and not to the state of the Treasury. [Applause.]

Mr. JAMES. If the gentleman will permit me, in view of the statement of the gentleman from New Jersey, I would like for the gentleman from West Virginia to explain why it is, if there is money enough in the Treasury, your bill provides for the issuing of $250,000,000 of bonds?

Mr. GAINES. Well, Mr. Chairman, our bill provides for more revenue. There is nothing inconsistent in that, because the bill is for the future, and the revenues of the country grow every year and the expenditures of the country get larger. I will ask the gentleman from Kentucky if he does not think it wise for the Government to have a provision for an emergency? If we should not look to the future?

Mr. JAMES. I will say, in reply, that I do not believe it is wise for a government to issue bonds and certificates bearing interest at 3 per cent. when, according to your contention, there is money in the Treasury.

Mr. GAINES. If the Government should issue certificates at an interest of 3 per cent, or otherwise, when there is no need to do it, it would, of course, be unwise. I am attempting to show that there is no need to use it, and at the same time I think there should be a provision for an emergency. We can not always prophesy the future correctly. The gentleman's party never does get it right. Does he think we should never be mistaken? [Laughter.]

Mr. SULZER. Will the gentleman yield?

Mr. GAINES. Yes.

Mr. SULZER. What I am trying to understand is this: If the present law is producing all of the revenues necessary to administer the affairs of the Government, then why pass a new law to raise more revenue by increasing the taxes of the people?

Mr. GAINES. Is the gentleman opposed to the maximum and minimum tariff?

Mr. SULZER. I am not opposed to a maximum and minimum tariff, provided the people pay the minimum.

Mr. GAINES. Well, then, the gentleman is in favor of having a dual tariff, and in meeting the situation abroad, is he?

Mr. SULZER. I have no objection to the provision in the bill regarding a maximum and minimum tariff, but I do object to the provisions of the bill which increase the taxes on the necessaries of life.

Mr. GAINES. But this bill does not do that, and the gentleman from New York, if he had read the bill carefully and had paid any attention to the provisions of it, would not gain that conclusion.

Mr. SULZER. Does not the bill tax tea?

Mr. GAINES. Oh, well, I do not think that tea needs to be taxed. My present argument would tend to show that it need not be. And I think if the gentleman will possess his soul in patience, he and I may agree on that proposition before the bill gets out of the House.

Mr. SULZER. I hope so. Tea should remain on the free list.

Mr. GAINES. Now, Mr. Chairman, I want to say to the gentlemen on the other side that I will be glad to yield, if I have time, if they will only confine their questions to what I am talking about. I propose to get back, however, to the state of the Treasury, if these gentlemen will permit me. I say there is in the Treasury one hundred and thirty-three millions and over, without reference to the disbursing officer's balances, and without reference to seventy-three millions which the Panama Canal construction owes the Treasury of the United States. I want to explain to the House how this misconception as to the state of the Treasury has occurred. The daily Treasury statement gives the actual condition as it is, except that it does not explain how much is due the Treasury on account of Panama Canal construction; but it does, with that exception, give the state of the Treasury as it is, and shows the amount of cash balance and the amount of the disbursing officers' balances, and so on. The second page of "Receipts and expenditures, redemptions," and so forth, is so made up as to mislead, unintentionally, of course, for if there had been any intention to mislead the people of the country they would have been lulled into security instead of being unnecessarily alarmed. Anybody who will take this statement and look at it will see that the sums of current expenditure and current receipts are here set out. The expenses on account of the Panama Canal go into the current expenditures, but for some remarkable reason the receipts on account of the sale of Panama Canal bonds do not appear as current receipts. I repeat it, in the statement of current expenditures there is included every penny used on the Panama Canal, but for some reason in the statement of current receipts there is not included a single cent received from the sale of Panama Canal bonds.

The excess of receipts over expenditures for so much of this fiscal year is set down as $90,000,000. There have been expenditures for this fiscal year up to the 1st of January on the Panama Canal $14,774,000. The commission estimates the monthly expenditure as $2,750,000 for January, February, and, I take it, also for the month of March. Adding to the sum of $14,774,000, the canal expenditures up to December, and the sum of $8,250,000, estimated expenditures, we see we have the sum of over twenty-three million on account of the Panama Canal included in this excess of expenditures over receipts; and taking that away from ninety millions it gives us sixty-seven millions. Now, looking at that statement as it stands, without this explanation, it would appear that we have been running behind an average of ten millions a month for the present fiscal year. As a matter of fact we have been running behind $6,250,000 on the average. Well, running behind in excess of expenditures over receipts $6,250,000 is bad enough, but let me show you a brighter side of the picture. After all, anyone who will take our Book of Statistics, anybody who will examine the importations into the country each year, will find that the great revenue raiser of the country is prosperity, and anybody who will examine this Treasury statement will see that prosperity is returning in the country and will soon be up, if it is not so already to-day, to its old standard. The amount of excess of expenditures over receipts for this month is $3,765,000.

Mr. PAYNE. Does that include the statement for yesterday?

Mr. GAINES. It does not include the statement for yesterday, which I have not had time this morning to secure.

Mr. PAYNE. Then it is $3,111,000. There was a surplus yesterday of over $500,000.

Mr. GAINES. I thank the gentleman from New York. Right there, then, I want to notify the country that for the last three days the receipts have exceeded largely the expenditures of the Government. We have got back already. To-day we are back to the time when the Dingley law is again raising more every month than the expenditures of the Government. [Applause on the Republican side.] But the total for the month of March is $3,111,000. There is to be deducted from that $2,750,000, expended on account of Panama Canal construction. And you will find that the excess of expenditures over receipts for this calendar year and this current month of March has been going down all the time, until we have now passed the point and turned the other way. The excess of expenditures over the receipts for this current month of March amounts to much less than $1,000,000 instead of $10,000,000.

Mr. PAYNE. Three hundred and sixty thousand dollars.

Mr. GAINES. Three hundred and sixty thousand dollars the difference is. I had forgotten for the moment the new figures, but made my subtraction as of day before yesterday. And if gentlemen here will pardon me a moment more on this subject, at the rate that we ran behind for March we could go along for more than five years before the available cash balance of the Government would be reduced to $50,000,000; and if you add to it the amount the Treasury ought to be reimbursed on account of expenditures for the Panama Canal, we could run for ten years without putting a strain upon the amount of $50,000,000, which is considered as a safe working balance for the country. [Applause on the Republican side.] I will now yield to the gentleman from Iowa [Mr. DAWSON].

Mr. DAWSON. In confirmation of what the gentleman has just said, I want to call his attention to the fact that the Treasury receipts for the month of March this year exceeded the Treasury receipts for the month of March last year by $9,000,000, showing clearly that the tide of good business has already set in, and if this rate of increase continues during the next twelve months our income will be $100,000,000 more than we have had for the past twelve months.

Mr. GAINES. The gentleman is absolutely correct, and I would be very glad if the information on these matters would spread itself to the other side of the Chamber. I am talking about matters which are matters of record. I am talking about figures which are official, and if gentlemen who have asked me on the other side whether I disagree with the message of the President, whether I disagree with the distinguished chairman of the Committee on Appropriations of this House, being, as they are, such able gentlemen themselves, would follow these figures, I should be glad to have them contradict what I am saying if it be not true. The truth is that all agitation about the failure of the Dingley law to produce revenue has been an absurdity from start to finish. It is impossible from the nature of things to have the receipts of the Government absolutely square with the expenditures of the Government for any given year. It is impossible because, in the first place, nobody can by any possibility tell just what the receipts will be, and in the next place nobody can by any possibility tell exactly what the expenditures will be. Every year our Government incurs ex-

because of the loose use of the word "deficit." Most people | issuing of $250,000,000 of bonds?

penses which nobody could have dreamed of—three or four million dollars a few years ago on account of the San Francisco disaster. I but mention that as an illustration to show you how utterly impossible it is to have any very accurate notion of what the expenditures of the Government will be. It is equally impossible to tell what the revenues, the receipts of the Government, will be.

Now, a good tariff law, a good revenue-raising law, is one that will do exactly what the Dingley law has done—some years raise more revenue than needed, and some years raise less revenue than needed for current expenses, but always keeping a safe, satisfactory amount in the Treasury of the United States. [Applause on the Republican side.]

I tried to make this same point, for it was applicable then, on the 15th day of February, 1905. At that session of Congress everybody will remember that every time a member of the Appropriations Committee talked about expending anything the gentleman from Maine, the distinguished gentleman then a Representative in this House, Mr. Littlefield, kept asking what we were going to do with reference to the state of the Treasury, asserting that we were running behind all the time. The available cash balance in the Treasury then was $141,000,000. Whenever the Treasury, under the Republican party, gets down to $140,000,000—between that and $150,000,000—I have observed that a cry of alarm goes up all over the country. The administration, the tendency to spend money, everything begins to be a subject of criticism from the Democratic side. Then, unfortunately, that alarm spread to the Republicans and alarmed the country, while we sit quiet and do not sufficiently answer their criticism.

I called attention in that speech in 1905 to this remarkable fact, that while the Democratic party was criticising us because we did not have then, with $140,000,000 in the Treasury, enough revenue, and was criticising us with such vigor that some Republicans, even so able as the one I have mentioned, were alarmed, there was actually more money in the Treasury of the United States than there was in 1888, when Grover Cleveland alarmed the country, because he said that under the iniquitous tariff laws of the Republican party we were piling up a dangerous surplus in the Treasury. When Grover Cleveland alarmed the country because the tariff policy of the Republican party was piling up a dangerous surplus we had $3,000,000 less in the Treasury of the United States than there is in the Treasury of the United States to-day. [Applause on the Republican side.]

Mr. COX of Ohio. Will the gentleman yield?

Mr. GAINES. I am sure that the gentleman will pardon me for a moment and not interrupt so able a man as Mr. Cleveland, who happens to be talking at this moment. Mr. Cleveland, in his letter of acceptance, said:

> In these circumstances, and in view of this necessary effect of the operation of our plan for raising revenue, the absolute duty of limiting the rate of tariff charges to the necessities of a frugal and economical administration of the Government seems to be perfectly plain.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUBBARD of West Virginia. Mr. Chairman, I ask unanimous consent that my colleague be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from West Virginia [Mr. HUBBARD] asks unanimous consent that his colleague may be permitted to conclude his remarks. Is there objection?

There was no objection.

Mr. GAINES. Mr. Chairman, I thank my colleague and the committee for this courtesy, and I shall endeavor not to trespass too much upon the patience of the House.

Mr. Cleveland said:

> We are annually collecting at our custom-houses and by means of our internal-revenue taxation many millions in excess of all legitimate public needs. As a consequence, there now remains in the National Treasury a surplus of more than $130,000,000.

And the whole Democracy of the country went wild, and the timid Republicans got alarmed, and yet, Mr. Chairman, there was in the Treasury of the United States on day before yesterday an available cash balance of $133,000,000 and more—over $3,000,000 above the amount that Mr. Cleveland said was loading the people with burdensome taxation and taking money away from the channels of trade. [Applause on the Republican side.]

Mr. COX of Ohio. The gentleman says that Mr. Cleveland's reference to the surplus was a note of alarm when he spoke about the necessity of its being reduced. Will the gentleman deny that in the Republican platform of 1888 you pledged yourselves to reduce the surplus, and that you not only did reduce it, but you wiped it out of existence when you came into office?

Mr. GAINES. The gentleman's question comprises several. Whether I can answer them all in a breath I do not know. I will not deny that the Republican party did undertake at the next general election following Mr. Cleveland's presidential message of 1888 to revise the tariff. The reduction of the revenue was the reason for entering upon the construction of the McKinley tariff law. I do not agree that we reduced the revenues so as to wipe out the surplus. What wiped it out was the fact that the gentleman's party came into power in 1892. There is no use for the gentleman to reply to me that it was wiped out before his party had time to legislate. It does not need any affirmative action on the part of his party to alarm the people of this country. All that needs to be known is that the Democratic party has returned to power, pledged to its economic nonsense, incapable, as the people have found it to be, and energy, enterprise, confidence, and prosperity vanish from the country. I said a moment ago that prosperity was the great revenue raiser, and the country, by that same token, always needs revenue when the Democratic party is in power. [Applause on the Republican side.]

Mr. HARDWICK. I suppose the gentleman will trace the panic of 1906 to similar causes? The Democratic party was not in power then.

Mr. GAINES. On the contrary, if the gentleman will permit me, Mr. Chairman, there is something very remarkable about the panic month of 1907. The best witness before a Ways and Means Committee, as I said before, is the Book of Statistics. Witnesses may tell you this and tell you that. Even when they think they are treating you with the greatest candor they are frequently wrong, but the Book of Statistics, which shows exactly what is admitted under a certain rate, how much revenue is raised under given conditions, how the revenues, under the same rates, vary from year to year, is the best witness that the Ways and Means Committee can have in framing a tariff law. We soon found in the book called "Notes on Revision," which was arranged for us and which had appended to it the importations for 1907, that the importations for that year were likely to mislead us. The facts were that the year 1907 could not be taken as a normal and natural year. The importations had been largely in excess of what they had ever been before. I took the trouble the other day to add the importations for the twelve months preceding October, 1906, and found they were the largest the country had ever had; and yet, notwithstanding that fact, the importations for the twelve months immediately prior to October, 1907, exceeded those of the twelve months preceding October, 1906, by more than the tremendous sum of $225,000,000.

So it would seem that the lesson from that panic is this: That depression began in the rest of the world more than fifteen months before we had it in this country. The rest of the world did not understand what had struck them. Their producers began to ship their surplus to this country, and when their market failed, of course, they were compelled to seek other markets; and instead of limiting their production they attempted to decrease their cost by increasing their output, and soon flooded this country with their products. It is, as I have stated before, a very interesting question for speculation, whether we could not have escaped the panic if there had not been dumped into this country that additional $225,000,000 of foreign goods over and above the unusual importations for the previous twelve months beginning with October, 1906.

Mr. STANLEY rose.

Mr. GAINES. But while that is remarkable—if the gentleman will permit me for a moment, I will still further continue my answer to the gentleman from Georgia—there is another fact, remarkable and unequaled in American politics, never known to happen until the last campaign. For once a political party had suffered a depression and the people did not repudiate it at the polls.

But, notwithstanding that fact, the people of this country were not willing to risk the moribund Democratic party. [Loud applause on the Republican side.] There is scarcely anything supposable to a bright imagination that we could do which would so reduce the confidence of the American people in us as to induce them to put their confidence in your party. [Laughter and applause on the Republican side.]

The Republican party may have had a panic once, but the people of this country did not want to turn their business over to the excellent gentlemen on that side of the Chamber, worthy Representatives of those disorganized citizens of this country known by the various names of "free traders," "revenue-tariff men," "tariff reformers," "incidental protectionists," "sectionalists," "free silverites," and "Populists;" but they preferred to trust the Republican party in spite of the objection

to which you have referred. [Loud applause on the Republican side.] I yield to the gentleman from Ohio.

Mr. LONGWORTH. May I also call the gentleman's attention to the fact that the year 1908 produced in revenues from customs receipts and internal revenue a larger revenue than had ever been produced in history, except only 1907?

Mr. GAINES. What my colleague says is true. I now yield to the gentleman from Kentucky, who started to rise.

Mr. STANLEY. The gentleman's explanation of the late panic is ingenious and interesting. Does the gentleman, however, deny, or is he not aware, that these world-wide conditions, which he claims produced the panic of 1907, existed in a greater measure and to a greater extent in the panic of 1893 and 1894, to which he has referred?

Mr. GAINES. Well, Mr. Chairman, that is one of those things which every gentleman will have his own view about. One may state it in one way and another may state it in another. What is the use, however, of our comparing them now? The American people have made the comparison of the two parties from the facts, and the American people have indorsed us, in spite of what occurred, and repudiated you because of what has occurred, and that is the whole story. [Laughter and applause.]

Mr. STANLEY. It is not an answer to my argument to furnish me with a lecture on election returns.

Mr. GAINES. It is an answer to what you said. There was no argument. [Laughter on the Republican side.]

Mr. STANLEY. I wish to ask the gentleman this question.

Mr. GAINES. With pleasure.

Mr. STANLEY. Is the gentleman aware of any reason which would prevent the conditions which he mentions as producing the last panic from operating in the previous panic to which he refers?

Mr. GAINES. Will the gentleman kindly restate his question? I do not understand it.

Mr. STANLEY. The gentleman has stated that the last panic was produced by the reflex action, you might say, of a depression that was world-wide.

Mr. GAINES. Yes; and I have given the figures which prove it, and I stated the place where anybody else could see the same figures.

Mr. STANLEY. Now, does the gentleman know of any reason why that same world-wide depression, or the same causes that they described, could not operate ten or twelve years ago?

Mr. DALZELL. They did not exist then.

Mr. GAINES. They did not operate. The Democratic party operated about that time. [Laughter on the Republican side.] And I will state to the gentleman that that particular condition has not operated since. [Applause on the Republican side.]

Mr. STANLEY. I am sure the gentleman will not deny, however, that a greater world-wide depression existed in 1893–94 than existed during the late panic, and that it existed prior to the panic in the United States.

Mr. GAINES. Mr. Chairman, I do not know. It was not my purpose to compare the two panics. That much of my speech was brought into it by some of my good friends on the other side, but I will say this to the gentleman from Kentucky: There is no use to talk about these things. They are both past. It is ancient history to talk about the Cleveland administration, and I do not like to do it. As I have sometimes said in the campaigns at home, it seems a remarkable thing with reference to my friends on the other side of the political fence that there is no part of any speech that I ever make that my Democratic friends seem to object to except one. They let me eulogize my own party as I please, and they do not seem to be annoyed. I may refer as frequently as I please and in the most glowing terms I can command to the splendid success of the Republican party.

I can refer to the fact that the American people have with great unanimity indorsed it, and have with equal unanimity at the same time expressed their lack of confidence in the Democratic party, and they do not get angry; but whenever I mention the only time in fifty years that they ever beat us they get angry, and they say, "There you go, talking about that old Cleveland administration again." [Laughter.] Now, I submit that I did not bring this thing in, and I undertake to dismiss this topic, if I may, and go on to my speech with this remark: The gentleman from Pennsylvania [Mr. DALZELL], my colleague upon the committee and my good friend, said the last word upon this subject before the last election. This Republican panic has been cured by us; but, as he said, the Democratic panic came in with the Democratic party, stayed with the Democratic party, and went out with the Democratic party. [Applause on the Republican side.]

Mr. HOBSON. Will the gentleman yield?

Mr. GAINES. I yield to the gentleman.

Mr. HOBSON. The purpose of my question is not to have the gentleman wander from his important subject, but to get him back to it.

Mr. GAINES. I will be willing to do as much for the gentleman from Alabama sometime. [Laughter.]

Mr. HOBSON. I wish to state that my purpose here is to call attention to the comparative financial conditions in 1888 and 1908, referred to by the gentleman, and simply to prevent a misunderstanding about the relative conditions. This I do because I have taken pains lately to try to investigate the question of national expenditures by the use of a series of curves; not merely the curves that would indicate the total expenditures, but the expenditures per capita.

Mr. GAINES. I am not sure whether I shall be able to get onto the gentleman's curves or not. [Laughter.]

Mr. HOBSON. These curves indicate an alarming increase in declivity of the rate of expenditures per capita. Now, when the gentleman refers to the cash balance in the Treasury to-day as being something like $137,000,000, as I understand, and in 1888 to have been nearly the same, I would call his attention to the fact that the total expenditures in 1888 amounted to a little less than $260,000,000, while the total expenditures in 1908, and I refer here to ordinary expenditures, amounted to about $660,000,000.

So that at the rate to-day at which we are progressing the cash balance would be spent three times as quickly as in 1888, and therefore we must not assume that what was a safe balance in 1888 would be a safe balance to-day.

Mr. GAINES. I do not know whether a working balance of $50,000,000 is a safe working balance or not. In 1905, for the purpose of discussing this subject of the state of the Treasury, I put the question to the Treasury officials, to the man who makes up this statement, and was told by him that a safe working balance was $50,000,000 three years ago, and that there was no occasion for alarm until the working balance got down below that point; but if gentlemen will understand, we have $133,000,000 in the Treasury, and in addition to that, some unexpended balance of the disbursing officers, and enough due from the Panama Canal to increase it to $206,000,000, and to-day and yesterday and day before yesterday we ran ahead—receipts exceeded expenditures—and are increasing the available cash balance in the Treasury of the country.

Now, the gentleman says it will take more in the future. Of course it will. That brings us to the interesting question which I had intended to dwell upon in this very order in my speech.

We estimate the sum of money necessary to run the Government for ten years, and I shall not go into the details of that estimate, because I am already taking too much time and I will try to hurry along. But when we come to estimate the receipts from our bill for 1910 and add them together, and compare the estimated receipts and estimated expenditures, I confess that we estimate a deficit of about $10,000,000.

Now, then, our estimate of what this bill will bring in shows that it should bring in, according to the importations of 1906 customs, $305,000,000. It might be worth while to the membership of the House to explain how such an estimate is made. I confess I had no information as to how such estimates were made, and I approached the consideration of the question with a great deal of interest, and when I got my informaiton I was very much disappointed.

The estimates are made this way: A given year, assumed to be normal, is taken, and by common consent we took the year 1906 to base our estimate upon. The amount of importations was taken for that year, and the revenue was estimated upon that basis; that is to say, the revenue which the new law would have produced if it had been in force that year, taking all the importations for 1906 and applying to them the provisions contained in the bill as presented by the committee. Now, obviously such an estimate, while it is the only one you can make, the one that must be used, can not by any possibility be very accurate. Nobody can tell what the importations are going to be. We know they will be much larger every succeeding year, because the experience of the country shows that under a given revenue law, rates remaining the same, there is an annual increase of the revenue of the country of somewhere from twenty-eight to over thirty million dollars a year. How much more than the $305,000,000 we have estimated we do not know.

The estimate is unsatisfactory, but nobody felt at liberty to guess what the increase of importation would be, and therefore the estimates as they are were given to the House. Unsatisfactory as the estimate may be, it is of course more nearly satisfactory than a guess.

Mr. CLARK of Missouri. Will the gentleman yield for a question?

Mr. GAINES. With pleasure.

Mr. CLARK of Missouri. In taking up the estimate of revenue it seems to me that the gentleman has left out one factor, and that is the prosperity of the country. It seems to me that if the country turns out, as everybody hopes it will, to be prosperous, then you will get more revenue than estimated. But if it should turn out to be bad times, the revenue will sink below the estimate, and no man can tell any more accurately than the gentleman has stated, if you take that factor into consideration.

Mr. GAINES. Except, if the gentleman will permit me, I think he is mistaken in this. It is almost certain from the very growth of the country that in any event the figures would exceed the estimate, for it would be a tremendous condition of depression which so reduced for 1910 the importations that the amount of money received then should be less than would have been received on the basis of the importation of 1906. Of course that is possible, but it is in the highest degree improbable, as I think the gentleman from Missouri [Mr. CLARK] will agree with me.

Mr. LONGWORTH. If the gentleman will permit, that estimate does not take into consideration, either, the normal average increase that took place during, say, the first ten years of the Dingley bill.

Mr. GAINES. That is entirely correct and is the point that I was endeavoring to make; that the natural normal increase is almost sure to make the amount of the revenues received under this bill larger for the year 1910 than would have been received on the importations of 1906, as the rates contained in our bill——

Mr. LONGWORTH. Will the gentleman yield further?

Mr. GAINES. Yes; with pleasure.

Mr. LONGWORTH. Merely to call attention to the fact that for the years 1898 up to and including 1907, the average increase of receipts under the Dingley law was $28,000,000 a year.

Mr. GAINES. That is correct; and of course the receipts from other sources and customs taxes also largely increase each year. As I remember it, it amounts to more. The gentleman can perhaps tell me. I understand he has the figures of the average annual increase of our revenues under the Dingley law.

Mr. LONGWORTH. The figures I have given include everything except that from postal receipts.

Mr. GAINES. And the average annual increase was $28,000,000 from all sources?

Mr. LONGWORTH. Yes; except postal receipts.

Mr. WEISSE. Will the gentleman yield?

Mr. GAINES. Yes.

Mr. WEISSE. Can the gentleman tell me how much of those revenues were made on the coinage of silver during the last ten or twelve years? I have been trying to get at it, and I am unable to get it. I think it is about $100,000,000. Is that correct? Statistical abstract gives profit on coinage, 1898 to 1907, $75,063,788, omitting 1908.

Mr. GAINES. Made on the coinage of silver?

Mr. WEISSE. Yes.

Mr. GAINES. If it is correct, I do not know the facts.

Mr. LONGWORTH. If the gentleman will yield—as I remember the figures, the total miscellaneous receipts from all sources did not exceed $60,000,000.

Mr. GAINES. The total miscellaneous receipts have not ever reached $60,000,000, but I do not know whether any profit the gentleman refers to, if there is any, is included in miscellaneous receipts or not. I do not know where they would be credited in the Treasury bookkeeping.

Mr. FOWLER. I think the amount is about $15,000,000 on the seigniorage, to which the gentleman refers.

Mr. WEISSE. What I refer to is the silver bullion which the Government buys and coins into silver coins. It is about one hundred million or more, according to the reports from the Secretary of the Treasury. I can not get the exact figures.

Mr. GAINES. Does the gentleman mean to say that the profit has been $100,000,000 in silver coinage in the last ten years?

Mr. WEISSE. In the last twelve years, as near as I can tell, that they paid for silver and the amount of money they coined. As I understand it, the Treasury can go out and buy silver bullion and coin it into minor coins, 10 and 25 and 50 cent pieces, and pay it out, and every time they do that they make a profit of 100 per cent.

Mr. GAINES. I am very sure the gentleman must be wrong.

Mr. WEISSE. If I am wrong, I hope the gentleman will explain it for my information.

Mr. GAINES. I do not know anything about what we have made from coinage. I think the gentleman is trying financially to lift himself over the fence by his bootstraps.

Mr. HILL. Mr. Chairman, if the gentleman will permit, the entire amount of subsidiary coinage is only about $25,000,000, so of course the gentleman's statement must be incorrect; but while I have not given the study to the question that the gentleman who is now speaking has, I think in the comparison he made a while ago, although I may be mistaken, that the $130,000,000 of surplus funds in the Treasury under Mr. Cleveland did not include the redemption fund. I think it was not segregated at that time and set apart; but whether it did or not, it has been increased out of the revenues of the Dingley tariff by $50,000,000, whether any of it was segregated at that time; so that would be far and away beyond any seigniorage which may be covered by the remarks of the gentleman.

Mr. GAINES. Even if the gentleman is right the Dingley law would yet have brought in more than the current expenses of the Government, and the gentleman must remember, and all gentlemen must remember, that there were in addition to the actual expenses of the Spanish-American war incidental expenses entailed upon the Government, as the gentleman from New York [Mr. PAYNE] so ably called attention to the other day, that had to be paid out of the revenues raised by the Dingley tariff law.

I do not wish to go back to that question, which I thought we had passed, but there can be no doubt, if gentlemen will examine the figures, that the Dingley law has been an absolutely satisfactory revenue-raiser for the country. [Applause on the Republican side.] That admits of no doubt.

Mr. WEISSE. Will the gentleman allow me a question? The gentleman from Connecticut [Mr. HILL] questioned the statement I made. I would merely ask him to get the facts and figures from the Secretary of the Treasury——

Mr. GAINES. Mr. Chairman, I shall insist that my time be not further taken in this manner. I am very glad to yield to gentlemen for questions; I have even been quite patient with them, it seems to me; and I have yielded for a statement of fact. But for a statement of wild suspicion, such as has been indulged in by the gentleman from Wisconsin, I do not want to yield. I want gentlemen to know what they are talking about when they make statements of fact, and the gentleman from Wisconsin says he does not know. He fancies something and would like to have information.

I told the gentleman I have not the information. He says he does not have it. He certainly, therefore, does not want to put in my speech everything he does not know. There must be some limit. I am not going to yield to any more statements of what the gentleman says he does not know.

The CHAIRMAN. Does the gentleman from West Virginia yield to the gentleman from Wisconsin?

Mr. GAINES. Well—I yield to the gentleman from Wisconsin.

Mr. WEISSE. Mr. Chairman, I stated in regard to the facts as I understand them, and the gentleman from Connecticut [Mr. HILL] questioned the statement. I asked him to furnish a statement from the Treasury. Now, I hope I have not done anything wrong by asking the question; if so, I ask the gentleman's pardon.

Mr. GAINES. Why does not the gentleman furnish a statement from the Treasury in his own time and not stop me to challenge the gentleman from Connecticut to disprove something which the gentleman from Wisconsin says he does not know? We are going into a wide latitude of discussion here, indeed.

Mr. EDWARDS of Georgia. Will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman from West Virginia yield?

Mr. GAINES. Certainly.

Mr. EDWARDS of Georgia. Did I understand the gentleman to state a while ago what the estimate was for the running expenses of the Government for 1910?

Mr. GAINES. I did not state the amount.

Mr. EDWARDS of Georgia. What is the estimate?

Mr. GAINES. The amount is $874,000,000——

Mr. EDWARDS of Georgia. Thank you.

Mr. GAINES (continuing). Estimated to be necessary to be raised for the expenses of 1910, and estimating $305,000,000 as the amount to be raised by this bill from customs, $20,000,000 from the inheritance tax, and then adopting the estimates of the Secretary of the Treasury as to internal revenue and other sources of income, we reach the sum of $10,000,000 less than the estimated expenditure for 1910. And I was about to show that the revenues, notwithstanding the estimates, would be very much

in excess of the amount of money necessary to run the Government for the year 1910, and I was proceeding to show it in this way. The average annual increase was $28,000,000 in our revenues——

Mr. HOBSON. Will the gentleman allow me there——

Mr. GAINES (continuing). That is one way of looking at it—if the gentleman will pardon me until I complete the statement. Another way is this: The estimate of $305,000,000 is necessarily wrong, though it is the best sort of estimate possible to be made, and is made after the method which is always employed in such cases. It is bound to be wrong for this reason: This proposed bill, for instance, reduces the tariff on rough lumber by dividing it in two, by changing it from $2 to $1 a thousand.

Now, because of the increase of the country—I am but giving an illustration—because of the increase of the country which will necessarily come, and because also of the reduction in the duty, there will be an increased importation of rough lumber; but no account is taken of that in the estimates. The estimate of revenue under the new law at the $1 rate is that it will produce for 1910 half as much as was produced under the old law at the $2 rate in 1906. Well, everybody knows that that can not be true. I am not criticising the estimate; merely explaining it. It is the only sort of estimate that can be made, and with such an estimate the House will have to content itself, for it is better than no estimate at all, and while unsatisfactory, is much more nearly satisfactory than any guess which anybody could make.

Mr. HOBSON rose.

Mr. GAINES. Now, if the gentleman will permit me, I will yield a little bit, but I am yielding so much that it breaks up the continuity of what I am saying and makes my remarks tedious to the committee.

Mr. HOBSON. Just at that point.

Mr. GAINES. Certainly.

Mr. HOBSON. The gentleman has reiterated, and it has been confirmed by the gentleman from Ohio [Mr. LONGWORTH], in figures pertaining to the increase in revenues per year as shown by the customs-house receipts due to the Dingley bill——

Mr. GAINES. Mr. Chairman, I trust that the matter and the gentleman from Alabama may proceed a little more rapidly, as——

Mr. HOBSON. Since this Dingley bill went into operation in 1900, and it was in full operation in 1900, down to the end of 1908——

Mr. GAINES. Everybody knows that.

Mr. HOBSON (continuing). The average increase in customs receipts has been about six and one-half millions of dollars.

Mr. GAINES. Whatever the correct addition is, I have no doubt the gentleman can make it.

Mr. HOBSON. And I can give the gentleman the years, if he wishes them.

Mr. GAINES. The amount of revenue that has been received speaks for itself, and the state of the Treasury speaks for itself, and I shall not go back to that part of the discussion. Unfortunately——

Mr. HOBSON. The gentleman must admit——

Mr. GAINES. Mr. Chairman, in order that I can hold the attention which Members are giving me, I must either have succinct and brief statements that bear upon what I am saying, or I must decline to yield.

Mr. HOBSON. I should be delighted to give the gentleman a succinct statement.

Mr. GAINES. I know those figures.

Mr. HOBSON. It has a vital bearing upon the gentleman's whole subject.

Mr. GAINES. Mr. Chairman, really, if the gentleman is not going to force me to take my seat——

The CHAIRMAN. The gentleman from West Virginia declines to yield.

Mr. HOBSON. Only half a minute, and it is vital.

Mr. GAINES. I will yield to the gentleman, but I insist that he reach his question or the end of his statement.

Mr. HOBSON. If the gentleman will give me time, I will say that for the years 1900 and 1901 the increase of revenue from the Dingley bill was about $5,000,000; 1901 to 1902, about $16,000,000——

Mr. GAINES. I will yield the gentleman the right to print in my speech. I can not yield for those figures. I know they are correct, but I do not want to wait to hear them. I dislike, Mr. Chairman, very much not to yield, but I am either compelled not to yield or else to take my seat.

Neither have I any doubt that the estimate of $20,000,000 annually from the inheritance tax is an underestimate. The State of New York does not tax inheritance as heavily as is proposed in this bill. Yet the State of New York receives more than $5,000,000 annually from her inheritance tax. Five or ten millions increase over the estimate from this source can reasonably be expected.

Your committee was aware that many persons thought that the inheritance tax should be left to the States, and that the General Government should seek other sources of revenue. This matter, however, has received a great deal of consideration. It is one of the policies repeatedly recommended by President Roosevelt, and it is the only specific recommendation to the committee which President Taft has made. I for one was not willing, and am not willing, to refuse to accede to such a suggestion on the part of President Taft. The tax is one which is easy to collect and easy to pay. The person who pays it merely receives a little less than he would have otherwise received because of the death of another. In the direct line inheritances under $5,000 are not taxed, the theory of the committee being that in such cases those who receive it—for instance, the wife and children—have by their labor aided in its accumulation. In the case of collateral inheritances neither grief nor the 5 per cent diminution in what he receives would seem to entitle the financial beneficiary of the death of a distant relative to any particular sympathy.

Unfortunately, tariff revision always proceeds in this country in the face of some overwhelming sentiment. It is useless to deny that your committee proceeded in its investigations in the preparation of this bill under the important influence of the public expression for tariff revision downward, except in those cases where it could be shown specifically and conclusively that there ought to be a revision upward. We can not deny this when we remember how many expressions were made during the campaign to the effect that if any of the schedules were found to be so high that in addition to protection there was a temptation on the part of producers to combine to maintain unreasonably high prices, such excess should be lopped off.

Even so late as last November, when the election was over and your committee was sitting day and night to inform itself of the facts so as to prepare a bill for the consideration of the House, the press of the country teemed with suspicions that your committee did not intend "honestly" to proceed to a revision of the tariff in accordance with party pledges. And in some instances threats were published broadcast throughout the country, purporting to come from high sources, of some sort of discipline in case your committee and Congress did not proceed "honestly" to revise the tariff. The popular demand in the presence of which your committee worked was in the name of the consumer—presumably the "ultimate consumer" of the gentleman from Illinois [Mr. BOUTELL] and my own "retail purchaser."

At the risk of returning to a more academic discussion than has been generally indulged in in this debate, I propose to consider briefly the relation of the tariff to the retail purchaser. I assert that there is very little relation between the tariff and the cost price to the people of the country where they purchase their supplies for their own use. As to the manufacturer, this is not true; but as to the retail purchaser, it is true that there is very little relation between the tariff and his price, except that his price frequently is reduced by a protective tariff. I know that this proposition will be scornfully denied by many people, but I do not fear its successful denial by anybody who will submit himself to the labor necessary to a real understanding of the problem. Of course, the man who is intellectually bright and at the same time intellectually lazy can always satisfy himself that this statement is not true. An examination into the cost of production, the cost of distribution, the number of persons, firms, and corporations through whose hands articles must pass between the time they are sold by the original producer and the time they are bought by the retail purchaser, takes time, industry, and energy. The theorist, the man whom I have already described as intellectually bright but intellectually lazy, will never subject himself to the labor that a real investigation requires. He prefers to supply a theory out of his own head—and this is an enjoyable pastime for him—and hold that theory against the facts, rather than laboriously to go to work and dig out the facts and out of these facts extract the truth.

Somebody, some years ago, at a farmers' alliance meeting, set out on the right track to determine the cause of high prices to the retail purchaser. I am not defending that old movement or advising any return to the prejudice it engendered against the middleman. The middleman may be, and I believe he is, a necessary part of the machinery of distribution. But the fact yet remains that he is in almost every instance the occasion of the largest part of the price which the retail purchaser pays when he goes to the store. I am not contending that he should be eliminated. I am even inclined to think that he can not by any

possibility be eliminated. But I am now asserting and attempting to maintain and defend the proposition that no man will ever correctly understand the question of price as long as he permits theorists and political economists to make him believe that the manufacturer or producer in any line of business is the cause of high prices. If high prices can ever be eliminated, and that I doubt, it certainly can not be done until we first find the cause of high prices; at least, it can not be done as long as we think we know the cause of it, and place the blame, if there be blame, upon the wrong person or set of persons. These assertions I propose now to illustrate by some examples.

My district is a large producer of bituminous coal. It is a rare thing that the person or corporation which mines coal sells to the retail purchaser. I do not speak of anthracite, because I do not know the facts. I assert that it is practically impossible in any instance to add to the price of coal f. o. b. cars at the mines the railroad freight rate, the wholesale commission of 10 cents per ton, and all unloading and drayage charges and come within the $1.50 of the price which the retail user of soft coal pays in this country. It is generally true that large manufacturing consumers buying direct from the mines get their coal loaded with less commission than that last price. I am talking about the retail purchaser who buys from the local coal yards in his neighborhood.

New River and Pocahontas coals are worth to-day and can be procured, in practically any quantity, for $1 a short ton in my district and that of my colleague [Mr. HUGHES]. The freight rate to Chicago is $2.05. The dealers in that city advertise the coal and sell it to the retail purchaser for $4.05, an advance of $1, or over 100 per cent on the cost at the mines, notwithstanding the fact that the producer in the first instance is not making 10 cents per ton profit on that coal. In fact, the best accountants inform me that when all charges are taken into consideration, not only the daily mine cost per ton, but interest, taxes, insurance, depreciation, amortization of the plant, and all overhead charges, the profit is at every mine a negligible quantity, and sometimes there is an actual loss instead of any profit whatever at the prevailing prices. The dealers in Chicago advertise to sell run-of-mine coal at the price named, to wit, an advance of 100 per cent to cover the cost of delivery. But as a matter of fact he does not do it. What happens is this: Because of the public's preference for lump coal and the consequent high price for lump, he takes out of the run-of-mine coal the greater part of the lump coal, thereby perpetrating a fraud upon the retail purchaser and depreciating the reputation of the producer of the coal whose profit was less than 10 cents per ton. The average cost of delivering coal in Chicago, after it reaches Chicago, is less than 50 cents, and the average net profit made out of the small purchaser, to wit, the ultimate consumer living in the district of my colleague on the committee [Mr. ROUTZELL], is from $1.25 to $1.50, or a net profit of from 125 per cent to 150 per cent on the total cost of the coal charged by the man who invested the capital, bought the machinery, managed the plant, and paid the miners, the day laborers, the bookkeepers, and all other costs about a coal mine. Yet the ultimate consumer naturally complains, and his neighbor, the man with the coal yard, tells him that the reason he pays such a high price is because of the exorbitant demands of the soft-coal trust. The dealer himself knows that there is no soft-coal trust, and that the very coal the price of which is maintained by the local dealers' trust came to him in furious competition in cars which passed under the tipples of the neighboring Illinois coal fields, or else through the competing regions of Indiana and Ohio. This is the condition in the great market of Chicago. Going farther west, where competing mines are not so near, and in towns where there are fewer retail purchasers, the average retail price is nearer 200 per cent of the producer's price and sometimes more than 250 per cent of the producer's price.

We are asked to take the tariff off lumber in order that the poor man who wants to build a home may have cheaper lumber. The man who builds a home does not buy lumber, as a rule. He enters into a contract with a builder who buys lumber from the man who has a lumber yard, and he in turn buys lumber from the mill. The home builder's price is set by the contractor and the man with the lumber yard. It is not made by the mill owner. There appeared before our committee a gentleman from one of the Dakotas who was disturbed about the consumer. It turns out upon better information that the gentleman was not a consumer, nor interested in giving the consumer cheaper lumber, but was a retail lumberman of large accumulation, using all his skill and all his business capacity to keep the price of lumber up to the people in the towns where he had his lumber yards. It appeared in some towns he had an absolute monopoly of the retail trade, and in others he had such a large proportion of the trade as to dominate the price situation. It also appeared that after the slump in the price of lumber this self-styled "friend" of the consumer purchased lumber at a reduction of $6 per thousand feet below the price he had been paying and that he did not thereafter reduce his price to the consumer a single penny. Though I am a friend of the tariff on lumber, I am not now arguing that question. I am undertaking to demonstrate from actual occurrences that what the home builder in the Dakotas has been suffering from is not the tariff, not the $2 per thousand duty on rough lumber, not the protected manufacturer of lumber, not any lumber trust fostered or even existing under protection, but the rapacity of the little retail lumber trusts in his own neighborhood who, exacting an exorbitant price from their neighbors, with a guilty conscience seek to transfer the public odium for their own rapacity to an imaginary bigger trust which does not exist, over to the protected manufacturer of lumber, who is bending all his energies to get all the lumber he can into the market and at competitive market prices.

Now, let us take something else. Our attention was called to the question of barbers' shears. If there is any part of our people entitled to be classed among the plain people that the Democrats talk so much about, I take it it would be the barbers of the country.

Mr. HITCHCOCK. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from West Virginia yield to the gentleman from Nebraska?

Mr. GAINES. Mr. Chairman, I hope the gentleman will not cut me off when I am talking about barbers. If he will wait a moment, I may yield, but I can not yield now. Now, I repeat, if there is any part of our population who have a right to be classed among the plain people, in whose name so many fantastic arguments are made, I take it to be the barbers of the country. Certainly any system is wrong which permits a heartless trust to fatten at the expense of the barbers. The mere suggestion is enough to enable the lazy theorist to become pathetic, if not eloquent, in opposition to the tariff on barbers' shears. Certainly the barber ought to be permitted to buy his scissors without paying tribute to the lordly trusts. The German manufacturer sends them over at $1.95 per dozen; the importer pays the duty and sells them to the jobber for $3.50 per dozen; and the jobber maintains his store and his organization and pays the expenses of his drummers on the road and sells them to the retail man; and the barber, when he goes to the store, pays from $1 to $1.25 per pair, 50 per cent of the cost of the whole dozen—tariff added—as they came from the manufacturer. Of course, the college professor and Democratic statesman with natural ability and intellectual laziness do not want to consume their time descending into details about so commonplace a matter as the scissors which the barber uses. It is easier to state that a tariff is a tax, to assert in the next place that it is a tax which the consumer pays, to imagine as the next step in his argument a scissors trust, and then throw in a little pathos and eloquence about the barber and reach the conclusion that what the barber needs is a downward revision of the tariff. In almost every instance the truth is that what the propounder of the theory needs is a plausible process of reasoning sufficient for his own purpose, without subjecting himself to a sufficient amount of study and labor to become acquainted with the facts.

We are gravely told by the shoe men that if hides are reduced it will reduce the price of shoes. An examination shows that even considering that the price of domestic leather is increased by the whole amount of the tariff on similarly imported leather, the increase of cost can not amount to more than 3 or 4 cents in the shoe. The average man in this country buys some shoes during the year for which he pays $5. A year or two ago we abolished the internal revenue on denatured alcohol used in the arts. It may not be generally known that alcohol is used in the manufacture of hats, but the fact is that this change in our revenue laws decreased the cost of the manufacture of a hat nearly 5 cents. Since that the retail purchaser pays just what he did before for a hat. Yet the shoe man, pretending to talk for the retail purchaser, when, as a matter of fact, he talks in his own interest as a manufacturing consumer, would have us believe that the small difference in the cost of manufacturing shoes would amount by some peculiar logic to from 25 to 50 cents per pair.

I talked to a large manufacturer of cotton cloth whose factory is situated in the South, and asked him to describe his product, so that I might go to a store and buy some of it, comparing for myself the factory cost and tariff and the price paid by the retail purchaser. He told me that was unnecessary, because he could show it to me at that moment. He drew out of his pocket his handkerchief, which was made out of cotton

cloth which he had himself manufactured. It happened to be precisely, so far as he or I could tell, like my own handkerchief, which I had bought supposing it was linen and paying the price which a linen handkerchief commands. When I asked him whether my handkerchief was cotton or linen he said he did not know, and that even the bleacher, who probably would know, would yet not rely upon his own judgment if he were buying linen rather than cotton, but would subject the material to the chemical test. The tariff on the cotton out of which his handkerchief and mine were made is 1½ cents per yard. A yard will make four handkerchiefs of the size most manufacturers and professional men buy. Of the smaller and cheaper sizes, a yard will, of course, make more.

But on the material in the larger handkerchief the tariff is five-sixteenths of a cent; this is to the manufacturer of the cotton in the "gray" or "brown," as the language of the trade is. Now witness its progress to the ultimate consumer: The manufacturer sells to the bleacher, who sells to the jobber, who sells to the handkerchief manufacturer, who sells to a jobber, who sells to the retail man, who sells to the retail purchaser. Even assuming that the manufacturer would absorb the entire amount of the tariff, that competition did not make him let go of any of it—and I do not believe any person who has looked into the facts believes that the manufacturer can absorb it all—how much, even then, of that one-third of a cent would come to the retail purchaser, even if the whole tariff were removed?

Obviously, none of it at all. Goods are sold in the retail store in round prices, but I do not believe any of the reduction would reach even the retail-store man. The bleacher handles thousands of yards where the retail man handles one, and the bleacher first gets hold of the article before the retail man has any chance whatever to take care of his interest in the matter. The retail man's interest in the revision of the tariff is comparatively small and the bleacher's interest comparatively great. The bleacher has the first opportunity, and he has the greatest skill in taking care of himself. The same thing is true of the first jobber, of the manufacturer, and the next jobber. The fact is that the cost to the retail storekeeper is not affected by the less than one-third of a cent tariff on similarly imported material. He is very little affected by the first, or manufacturer's, price for the article. The book of statistics shows that for the last ten years the average value per yard of similar imported cotton cloth amounted to about 6 cents per yard. One-fourth of this, the amount on a handkerchief, would amount to 1½ cents. One retail purchaser buys the handkerchief at a fashionable place under a linen name and pays 50 cents for it. The retail purchaser who has more judgment and is not a slave to fashion pays at a less fashionable place 25 cents for the handkerchief.

Nine-tenths of his price is made up of middlemen's profits, the transportation from the southern cotton mills to the northern bleacher, from the northern bleacher to the wholesale man, from him to the handkerchief manufacturer, from the manufacturer to the second wholesale man, and from him to the retail man. When I bought my handkerchief it had gone from North Carolina to Massachusetts, from Massachusetts to Connecticut, from Connecticut to New York, and from New York to Charleston, W. Va. At Charleston, W. Va., I found it at the most fashionable haberdasher's in town and proudly carried it away as a linen handkerchief. The tariff had nothing to do with the price. The price was made up of my own folly, the middlemen's profits and expenses, and transportation charges.

The truth is that the old assertion, now temporarily unfashionable, sneered at by the theorist who is bright enough to make an attack and too lazy to make an investigation, that the tariff in the long run reduces the price to the consumer, and that as a matter of fact the retail purchaser gets his supplies cheaper, is a fact. The theorists say that supply and demand regulate prices, and if therefore you let in the foreign supply you will reduce the price. This is so simple that he insists that it is conclusive, and he refuses to subject himself to a study of the problem and his theory to the risk of any further examination. The important question is to what extent supply and demand is affected as a matter of fact by the tariff. The theorist wishes to take it as if it were a question of foreign supply and American demand. The question is really one of world supply and world demand.

So, as in the case of cotton cloth, it is undoubtedly true that a tariff may be levied which brings the business to this country. A tariff may be levied which stimulates such establishments as the one at Charlotte, N. C., and in hundreds of places all over this country, North and South, without there being a penny of tax to the consumer.

Of course, Mr. Chairman, it is easy for the theorist, the man who is intellectually bright but intellectually lazy, to deny that fact. "Can you tax people wealthy? Can you put on a tax which is not a burden to the people?" If he is that sort of a man, whom I have described as intellectually bright but intellectually lazy, he can always say that the tariff is a tax, and that every intelligent man must know that it is a tax which the consumer pays. Well, Mr. Chairman, the truth is the man who will take the trouble to inform himself, the man who will quit undertaking to spin a theory out of his head, and from that theory to predicate the facts, the man who will subject himself to the labor and investigation necessary to know the truth, knows that in the cotton business of the country it is possible, and as a general proposition it is possible, to levy a tariff which shall stimulate manufacturing in this country, give us American wages, give our farmers an American market, give us prosperity throughout the land and yet not increase the price to the people of the country when they go to the stores. [Applause on the Republican side.]

It is the profit of all the middlemen, it is all the transportation, it is the work done on the thing and not the tariff paid upon similar imported articles at the custom-house which makes the price paid by the retail man. [Applause on the Republican side.]

Mr. SCOTT. Will the gentleman yield?

Mr. GAINES. Certainly.

Mr. SCOTT. The use which the gentleman has made of cotton to illustrate his important and interesting point reminds me of a statement which I have heard in connection with the cotton schedule in the Payne bill, concerning which I would like to ask the gentleman a question. I have heard it stated that by means of a difference in the classification rather than by a change of rates the actual duties levied upon the coarser and cheaper cotton cloths have been materially increased. I would like to ask the gentleman if that is true?

Mr. GAINES. Mr. Chairman, the statement is not correct. The fact is, that by placing a protective tariff on cotton we manufacture cheap grades of cotton in this country as cheaply as they do anywhere else in the world. We sell the cheap grades of cotton in this country as cheap as they are sold anywhere else. The truth is—and I shall go into this later, but not in this speech—it is absolutely demonstrable that Mr. Carnegie told at least one truth in that article of his in the Century Magazine.

Very much the largest portion of the national taxes raised in this country are raised upon luxuries. It is on champagne, laces, and the like, which pay the bulk of the revenue. When it comes to cotton, it is the higher-priced cotton, the kind that goes into the so-called "linen handkerchiefs," that pays the tax, and the plain people of the country that they talk so much about, those that buy the cheap goods, get them in America as cheap as they get them anywhere else in the world.

Mr. HARDWICK. Will the gentleman yield to me for a question?

Mr. GAINES. Certainly.

Mr. HARDWICK. If the gentleman is right about that, why did they increase the duty on the cheaper grades of stockings?

Mr. GAINES. For the purpose of protection, pure and simple, and in order to bring it about, for we know it should be done, that they shall be made in this country. The proportion of stockings imported into the country shows that that industry is not protected, that the rates are not protective. It is not a question of theory; it is absolutely demonstrable. There is no doubt that there was not protection in this line of manufacture, and we would have been recreant to the American people who indorsed the Republican platform if we had not given consideration to the cost of production in foreign countries and in America in that line of manufacture. We but obeyed the mandate of the people who elected us to office.

Mr. HARDWICK. I want to suggest to the gentleman that the point we were discussing when I propounded the inquiry was that this bill had not added any tax to the poor people at all, and I pointed out a specific instance in which it had levied a heavier tax.

Mr. GAINES. I am denying the proposition. The gentleman is not correct. What I was discussing when he interrupted me was that I was asserting that the cheaper grades of things, illustrated by cheap cotton, are made in this country and sold cheaper than anywhere else in the world. Does the gentleman, being a representative of the South, deny that we are making and selling as cheaply as anybody else the cheap grades of cotton cloth that are made in his State?

Mr. HARDWICK. Yes; we charge more for cotton goods in this country than they charge in England or in Germany.

Mr. GAINES. The gentleman must know that our sales of cheap cotton goods in the Orient—in competitive markets—had

lute monopoly of the retail trade, and in others he had such a | his pocket his handkerchief, which was made out of cotton

ho is intellectually bright but intellectually lazy, to deny that | cheap cotton goods in the Orient—in competitive markets—had

been increasing, until Japanese cheaper labor began to take that trade away from us.

It was agreed some years ago to test the question between the two great parties by the effect of a tariff on the production and price of tin plate in this country. Tin plate, it was said, was an exotic in this country. Making tin plate in this country was said to be like growing bananas under glass at Boston, and protection which would enable people to make tin plate in this country was similar in kind to protection to enable growing of tropical fruits under glass in the New England States. Two propositions were asserted—first, that we could not do it, and, second, that the people of America would be taxed to put money into the pockets of a few manufacturers even if we could do it. Neither of these assertions were anywhere near the truth. Although all the zeal and eloquence of the Democratic party was expended on these propositions—that the tariff was a tax which the consumer pays, and that you can not give things more cheaply to the people by taxing them—yet the facts are that the year before we passed the tariff on tin plate it was selling in America for $5.15 per box of 108 pounds. The average price since the McKinley law went into effect in this country has been $4.12 per box. This happens to be a difference of $1.03 per box. In other words, to find the price which tin plate has cost in this country since the McKinley tariff tax was passed, it is only necessary to subtract over 20 per cent of the price of tin plate before its manufacture in this country was protected; or, to find the former untaxed price, add 25 per cent of the taxed price.

We have given back to the people who buy tin plate one-fifth of what it cost them——

Mr. COX of Indiana. Mr. Chairman——

Mr. GAINES. If the gentleman will permit me to go on for a moment. We have stimulated the manufacture in this country. The year after we put a tariff on tin plate we produced 500 tons of it. Last year we produced 500,000 tons in round numbers. We vastly increased the amount paid in wages; we have paid American wages to all the people employed in this industry. And we have done what else? We have reduced, as I say, the price; and here is where our theorectical gentlemen make the mistake, here is where those gentlemen who are intellectually bright and intellectually lazy fall down, here is where their failure is: They say we should buy in the cheapest market, and that seems reasonable; but it can not be known which is the cheapest market, as John Stuart Mill admits, until experiment has shown. They say that prices are regulated by supply and demand, and so they are, but the mistake they make is that the question is one of the world's supply and the world's demand, and they want you to consider it as if it were a question of American supply and the world's demand.

When we began to manufacture tin plate in this country, that proportion of the world's tin plate which formerly came here had to go somewhere else in the world, to turn back on itself, so to speak, for a market.

Before the passage of the McKinley law we produced no tin plate. The next year we produced only 595 tons. In 1907 we produced 495,000 tons—practically half a million tons. A ton of tin plate will supply the cans, kitchen utensils, and what not of a good many users of tin plate. The truth is that not only the American people, but all the people of the world get their tin plate more cheaply because America became a producer as well as a consumer of tin plate. To the extent our demand for foreign tin plate was withdrawn, the Welsh tin plate was compelled to compete more fiercely in the rest of the world's markets. Prices the tin-plate people had theretofore maintained could be maintained no longer; the users of tin plate, to wit, the plain people again, not only in America but in the world, have paid less for their tin plate because the Republican party put on a tax that every theorist knows must of necessity always raise the price.

A great deal has been said in the last few days about the tariff on paper. A witness before the Ways and Means Committee purchased from a news stand at the New Willard Hotel a current novel of the kind which sells in a bookstore in a small town for $1.25, and which cost in Washington, where there is more competition, $1.18. Assuming that the price of the paper contained in the book was increased by the whole amount of the tariff which would be paid on similar paper if imported, the total increase in cost by reason of the tariff would be less than 1 cent. Obviously, the reduction of the tariff would not result in any difference whatever in the price charged the retail purchaser of the book. Assuming that a country newspaper of 4 pages is issued 52 times a year to 1,000 subscribers, and assuming—though that is not the truth—that the price of the whole year's supply of paper is increased by the amount of the tariff on similar imported paper, the increase of cost would be somewhere between ten and fifteen dollars.

Plainly, none of this would go to the subscriber. Even if the removal of the tariff would result in a saving of $10 to such country newspaper, the whole saving would go, in all probability, to the middleman who sells to country newspapers the print paper partially printed with what is known as "patent outside."

Your committee could multiply examples of this sort by the score. In going over the Dingley law with a compiled record of importations, and with duties where specific translated into the equivalent ad valorem, we came across, among hundreds of like instances, the subject of "vanillin." Theoretically, this is the synthetically manufactured extract of vanilla. Somebody found out that the oil of cloves was richer in the extract of vanilla than the vanilla bean, and that, by the use of an acid as an agent, the vanilla flavoring could be commercially manufactured from the oil of cloves. When the Dingley bill was passed a tariff of 80 cents an ounce was put upon vanillin. When the book was compiled for the use of the committee it was found that the price of vanillin was such that this specific duty of 80 cents an ounce amounted to an equivalent duty of 320 per cent. Here was a fruitful theme for the declamation and denunciation of free-trade theorists. This stuff is the source of vanilla extract. In every home throughout the country they use it, and every little ice-cream man must buy it in quantities. Here was a case where all the people were taxed by an iniquitous Republican tariff law to enrich the pockets of a very few people.

I do not know whether there is a vanilla trust, but the eloquent imaginations of these theorists can always supply so useful an institution for their purpose of invective. Three hundred and twenty per cent—three and one-fifth times its value—was the tax the people were paying to a wealthy few! It might not be much, these theorists would say, that every family contributes, but it is by the millions of such little taxes that the protected robber barons steal their funds from the public indirectly, thus deceiving the people and robbing them at the same time. It is easy to imagine, or, rather, to remember, their denunciations of the folly of the men who say that the people would get their vanilla extract cheaper by taxing it. Theoretically this seems complete and unanswerable. But what is the fact? When this tariff of 80 cents an ounce was placed in the Dingley law on vanillin none of it was made in America. The people who made it in Europe were limited in number, and they were men of first-class intelligence. Combinations are more frequent in Europe than they are in America. This is because they originated there and not here, and because the governments favor them there, while our Government bends every energy to their destruction and prevention. Without a tariff the manufacturers of an article, hazardous until its success was demonstrated, could have been prevented by this foreign combination, which could have afforded to lower its price, and would have lowered its price until it had wrecked the incipient American attempt to invade this field of manufacture. But the tariff protected the new American venture, and the result is that the imported price of vanillin from 1897 to 1907 dropped from $5 an ounce to 25 cents an ounce. I admit the plausibility of the argument that you can not tax the people rich, but the fact is that in this instance the tax reduced the price to the consumer 20 times, or 2,000 per cent. Incidentally, this shows the absurdity—if absurdity be a strong enough word—of arguments based upon percentages. The tariff tax of 80 cents an ounce when placed on vanillin at $5 an ounce was an equivalent ad valorem duty of 16 per cent.

By the cheapening of the product the equivalent ad valorem duty had been multiplied 20 times, so that in 1907, when vanillin was worth 25 cents, the small specific duty had risen to an equivalent ad valorem duty of 320 per cent. It has been said time and again that figures will not lie. I have come to the conclusion that no man is honest enough to trust himself to argue from percentages. The tariff may be a tax and the equivalent ad valorem may be and is 320 per cent; the truth is that the operation of the American manufacture under that tariff cut the price of vanillin to the American public into 20 parts, and 19 of them were handed back to the consumer. [Applause on the Republican side.]

Mr. ADAIR. Will the gentleman yield?

Mr. GAINES. I will yield in a moment. I had just remarked that while figures will not lie, I wished to warn gentlemen on the Democratic side that they should not trust themselves to percentages ever. It is the dangerous argument which your side makes. It is bound to mislead you, even though you do not intend to mislead others.

Mr. ADAIR. I do not want to break into the gentleman's line of argument, but before he concludes his remarks I would

like for him to give us his opinion as to the effect of the drawback system upon manufacturers of tin plate.

Mr. GAINES. Well, I do not want to go into that at any length. But my opinion is that a liberal extension of the drawback provision would be good. Doubtless there are people who will oppose that feature of the bill, and who yet will say that but for protection we could go out and capture the world's markets. I am in favor of extending the drawback provision, so that we can see to what extent we could pay American rates of wages and go into the foreign markets and compete for trade. I am perfectly satisfied in my mind on this subject: Whenever we can manufacture in America for foreign markets, paying American wages, increasing the American market for American products and labor, no injustice will be done to our own people. I do not think the drawback provision does our own people any injustice whatever.

Mr. ADAIR. Will the gentleman now yield to me?

Mr. GAINES. I yield to the gentleman.

Mr. ADAIR. In my district we have a tin-plate mill employing between two and three thousand men. Last year, from the 25th of July until the close of the year, the mill was shut down and these men were out of employment. At the same time the Standard Oil Company was purchasing its tin plate for export trade in Wales and drawing back, as a matter of course, 99 per cent of the tariff paid. These men were objecting and do object to the Standard Oil Company buying their tin plate abroad and not buying it at home, in order that it may be manufactured by our manufacturers and our laborers may be furnished with employment.

Mr. GAINES. Exactly. I understand that situation. I agree with those tin-plate people this far: That I would like to see the tin plate made in this country; but after all, when it comes to the question of whether we shall have the Standard Oil Company or anybody else doing a portion of its manufacturing here or doing that same portion of it abroad, I want it done here; and if we charge and keep the full amount of the tariff on the tin which enters into the tin can used for the export trade, then the inevitable result will be—and there is no doubt of it—that that much of manufacturing now done here will be done abroad.

As to the details of the provision, whether they are wisely worked out or not I am not prepared to say, but I insist that it is not a partisan question, but is one that is very difficult. So far as I am concerned, I hope every Member of the House will give that drawback provision his closest scrutiny. I voted for it in the committee and will vote for it now; but I went through two or three phases of opinion on the subject before I reached a conclusion. I believe the entire committee ought to give it the closest scrutiny. It is a mere business proposition, and whether we are free traders or protectionists we want that provision right, and we must give it our best consideration. I am satisfied there ought to be some extension of the drawback proposition.

Mr. COX of Indiana. Will the gentleman yield to me right in that connection?

Mr. GAINES. I yield to the gentleman.

Mr. COX of Indiana. I thoroughly agree with the gentleman in the statement that the committee ought to give this drawback provision its most careful and considerate attention. When the duty of 1½ cents was put on tin plate in the Dingley bill, that was done for a twofold purpose, was it not? First, the raising of revenue; and second, to build up the industry in this country?

Mr. GAINES. Of course we wanted revenue, and it produced revenue; but it was protective also.

Mr. COX of Indiana. Was not the purpose of it a double purpose, as I have announced in my question, of raising revenue and the building up of the tin-plate industry?

Mr. GAINES. The protective idea prevailed, and the tariff was put high enough so that it would give adequate protection. I am a protectionist. I can understand gentlemen who believe in a revenue tariff, but they ought to be willing to stand or fall by their theory. They should not seek protection for the interests of their own districts under the fallacious plea that it is only a revenue duty. A tariff adequate to protect is a protective tariff.

Mr. COX of Indiana. Can the gentleman tell the committee how large a revenue was paid to the Government during the length of time the provision put tin plate in the law?

Mr. GAINES. I would have to go and examine the statistics to find out.

Mr. COX of Indiana. As a matter of fact, was not $20,000,000 the approximate amount, and about eighteen of the twenty millions was paid back in the way of drawbacks?

Mr. GAINES. My only reason for not answering is because I do not know. When the gentleman asks me if certain figures like that are not true, I take it for granted that his own investigation has been sufficient to assure him that they are.

Mr. COX of Indiana. I am only putting it as an approximation.

Mr. GAINES. And assuming that the gentleman knows his figures to be true, I am inclined to admit their truth, without knowing on my own account. But I wish to ask the gentleman this. Would he cut out the drawback provision?

Mr. COX of Indiana. Absolutely.

Mr. GAINES. I would not. That is where we are at issue.

Mr. COX of Indiana. Under all conditions.

Mr. GAINES. Would you cut off the duty? Are you in favor of protection to tin plate?

Mr. COX of Indiana. Absolutely not, because I do not believe it has anything to do with keeping up an industry; nor do I believe it has anything at all to do with keeping up the price of labor in this country.

Mr. GAINES. What is the gentleman's objection to the drawback, if he would not give the industry protection?

Mr. COX of Indiana. My objection to the drawback——

Mr. GAINES. Oh, Mr. Chairman, I withdraw the question. Is not the fact this——

Mr. COX of Indiana. I should like to answer it.

Mr. GAINES. Is not the fact this, that the gentleman does believe in protection, and wants an excuse under some other name to vote for it?

Mr. COX of Indiana. I beg the gentleman's pardon. I do not believe in protection at all. Conditions must change in this country before I will ever believe in it.

Mr. GAINES. What sort of a rate would you vote for on tin plate?

Mr. COX of Indiana. I would not vote for any rate unless it be a rate solely for the purpose of raising revenue.

Mr. GAINES. Would you put tin plate on the free list?

Mr. COX of Indiana. If necessary, yes; or if it became necessary for the purpose of raising revenue, I would put a revenue duty upon it.

Mr. GAINES. Certainly, but you would not put such a duty as would practically exclude foreign tin plate for American use? You would put a duty on foreign tin plate that would let it in, so as to raise revenue?

Mr. COX of Indiana. Sure.

Mr. GAINES. Is that the position of the Democratic party?

Mr. COX of Indiana. I do not know. I am only speaking for myself.

Mr. GAINES. Who does know? What I am debating with?

Mr. COX of Indiana. Probably with yourself. I do not know about that.

Mr. GAINES. Who does know what the position of the Democratic party is?

Mr. COX of Indiana. You will have to decide that for yourself. [Laughter.]

Mr. GAINES. It would be a piece of wonderful presumption on my part to attempt to settle for myself what no other man on earth has ever been able to settle for himself. [Laughter.]

Mr. COX of Indiana. Apparently the gentleman had it already settled this morning.

Mr. GAINES. Now I have occupied the time of the committee too long——

Mr. ANDERSON. Does the gentleman from West Virginia know how many factories there are in this country employing laborers on lace and embroidery?

Mr. GAINES. I do not remember now.

Mr. ANDERSON. The gentleman stated a few minutes ago that laces were a luxury. Am I to understand that the wife of a laboring man or the children of laboring men are to wear plain clothes, and not have their clothes trimmed with laces of any kind?

Mr. GAINES. Now I will answer that question. We do not say that the wife of a laboring man should have no lace on her clothes. We want to continue the policy of protection so that she may have more lace than she otherwise would have. [Applause on the Republican side.]

Mr. ANDERSON. You have failed to answer the question as regards the number of factories that your high-protective tariff on laces and embroidery has brought to this country. There are not a thousand men and women employed in this country on embroidery.

Mr. GAINES. The gentleman is asking a question and he has indicated his point. Now, I wish to proceed with my own speech if gentlemen will permit me. If they will not permit me—I do not want to be discourteous enough to refuse—I shall simply have to sit down and abandon the effort to conclude my speech.

time to perfect such an arrangement, and considerable time to

mountains to reforest themselves. People will grow trees, as

assuming—though that is not the truth—that the price of the whole year's supply of paper is increased by the amount of

Mr. ADAIR. I do not want to break into the gentleman's line of argument, but before he concludes his remarks I would do not know. When the gentleman asks me if certain figures

speech.

Mr. ANDERSON. I want to ask the gentleman——

The CHAIRMAN. Does the gentleman from West Virginia yield?

Mr. GAINES. I do not.

The CHAIRMAN. The gentleman declines to yield.

Mr. ANDERSON. Just half a minute.

Mr. GAINES. No; I decline to yield. There is a limit to good nature.

Mr. CLARK of Missouri. I should like to ask the gentleman one question.

The CHAIRMAN. Does the gentleman from West Virginia yield to the gentleman from Missouri?

Mr. GAINES. Certainly.

Mr. CLARK of Missouri. A question solely for information, and that is whether section 29 can not be fairly construed into meaning that even where a manufacturer does not import any foreign material he can manufacture American material and ship it abroad and go to the Treasury and get a bounty equal to 99 per cent of the drawback he would have got if he had used foreign materials?

Mr. GAINES. Mr. Chairman, I think not. And surely if it can be so construed I want to vote for its amendment. I think it can not be open to that grave objection. If it is, I am opposed to language that would permit such a construction.

Mr. Carnegie, in his now celebrated article favoring revision of the tariff, relates a conversation in 1888 between Mr. Blaine, Mr. Chamberlain, the English statesman, and Sir Charles Tennant, then head of the steel-rail manufacturing business in England. According to Mr. Carnegie this English statesman admitted at that time, when steel rails were selling in this country for $30 per ton, that price, which he thought a low one, was due to our tariff; and that if we had not put a protective tariff on steel rails he and his associates in England would have been able to maintain up to that time their old price of $100 a ton. The world knows that the addition of the American steel-rail supply, due to the protective-tariff policy of the Republican party, has vastly cheapened the world's price of steel rails. And if Mr. Carnegie tells the truth it necessarily follows that but for protection the steel-rail interests of England and the continent of Europe would have levied hundreds of millions of dollars on the great American railroad development which took place in this country prior to 1888.

Mr. Carnegie relates that in the same conversation reference was made to John Stuart Mill's declaration already referred to, that his theoretical system of economics, based upon the fundamental declaration that the people should buy in the cheapest market, was subject to be complicated by another consideration, to wit, that it could not be known except by experiment what market would eventually be the cheapest. This whole controversy might some day be solved if we could get the American disciples of the Cobden school to think over the tremendous importance of that exception, and then to remember that they fail to apply the logic of their own reasoning from the law of supply and demand when they fail to comprehend that the question is one of the world's supply and the world's demand; and that American protection by increasing the world's supply may and, as a rule, does decrease the world's cost.

The evidence before the Ways and Means Committee shows that labor is paid in this country from two to four times as much as similar labor is paid in England and from six to fifteen times as much as similar labor is paid in Asiatic countries. But it is argued that as a matter of fact the wage cost to the American manufacturer is not greater than the wage cost in the foreign factory. This is only apparently true in any case. In small factories it is not only not true, but it has not even the appearance of truth. The assertion that it is so is a bald assertion, based upon no evidence whatever, and which the slightest examination would induce any conscientious man to refrain from making. In the case of certain lines, however, of production particularly adapted to the employment of huge plants, the assertion has the appearance of truth. Comparisons can be made between steel mills in America and steel mills in England which seem to bear out the assertion.

A comparison of a day's mill cost in some English plants with a day's mill cost in some American plants shows that the wages paid to labor per ton of product are not much greater in this country than abroad. Thereupon the theorist, the man who is intellectually bright and intellectually lazy, the man who wishes to instruct others without subjecting himself to the labor necessary to understand the truth, argues that the laboring man in America is not paid any more than the laboring man abroad, and that there is no necessity for protection to the American steel mills. But let us see what the fact is. The average steel mill abroad costs $500,000; the average steel mill in America costs over $2,500,000; and interest, taxes, insurance, and depreciation are very much greater in the American mill because of the additional expenditure of $2,000,000 upon the American mill. The theoretical life of such a plant is said to be twenty years. The fact is that the actual life of such a plant is not one-half of twenty years. The truth is that the very process of steel manufacture, which so expensive a mill is designed to employ, does not last twenty years. It is not on an average ten years from the time a process of steel manufacture is developed to the point of general commercial practicability until it has begun to be superseded by some new process. It is a matter of common knowledge to all that in the last few years the "open hearth" has superseded the "Bessemer" process. In his testimony before the Ways and Means Committee Mr. Schwab named five or six years as the time when it would be necessary to turn from the open-hearth process to the electrical production process. Already the manufacturer of steel is beginning by necessity to introduce into a large proportion of his output some of the alloys whose particular commercial use is but a year or two old.

The railroads and the traveling public demand a steel rail with a small alloy of vanadium. The users of many tools require an alloy of tungsten. These and the other alloys, which I shall not stop to name or describe, can only be produced from the ores by the use of a degree of heat impracticable of procurement except through the aid of an electro-metallurgical furnace. It might almost be said that the day of the electrical manufacture is already upon the steel industry of the country, and that the steel manufacturer must be prepared to engage in the production of these alloys or buy them from others engaged in that method of manufacture.

When, therefore, one goes deep enough into the question of the cost of steel manufacture to appreciate the tremendous increased capital cost to which the American steel producers have subjected themselves in order, even with protection, to continue to pay American wages and still produce their product in this country, the argument that in the steel business the labor cost per ton is not greater here than abroad evaporates into thin air like every other argument of the theorist and political economist when submitted to the light of the laborious facts.

I propose now to examine as comprehensively as I can, without trespassing to an unwarrantable degree upon the time of the committee, several of the schedules which are the subject of most dispute in this House. New England and the Northeast has been clamoring for some years for a removal of the tariff on coal. They have now been joined in that demand by the coal producers themselves of Pennsylvania, Ohio, Indiana, and Michigan. West Virginia and Virginia do not like it, and in that respect they agree with the people of Wyoming and the State of Washington. It is to be admitted that in the case of a bulky product like coal the coal operator has a geographical protection which the producer of any product more valuable in proportion to its bulk does not have.

To look at it from the standpoint of the other man, the producer of the bulky product who lives at a great distance from the source of supply is compelled to pay a transportation charge very large in proportion to the value of the article itself. For instance, the rate from my district to seaboard on coal is $1.40; the ocean freight rate from Newport News to Boston will average 50 cents. The coal itself is worth at the mine $1 per ton. The freight and handling charges will therefore amount to 200 per cent of the cost of the coal at the point of its production. And $1,000 worth of coal will pay $2,000 freight and handling charges. These are round figures, of course, but are enough to illustrate the fact. In the case of $1,000 worth of knives, let us say, shipped from New England to West Virginia, there will of course be no such enormous transportation charges. The coal operators of the Pittsburg region in Pennsylvania, of Ohio, of Indiana, and Illinois are of the opinion that if they secured the free entry of coal into Canada in return for the removal of our duty on coal they will secure a largely increased market in that portion of Canada which runs down into our country as far as Detroit. Personally, these arguments do not convince me. No man who knows the facts will say that the price of soft coal at the mines is higher than it ought to be. American soft coal is produced in this country in sufficient quantities to supply our entire demand. And experience has shown that supply keeps pace with the increased demand. Of course such an arrangement, while permitting some invasion of Canadian coal in New England, will also relieve the market situation for American coal in that portion of Canada near the Great Lakes. I am aware also that protection in Canada has worked as it has in the United States, and the Canadian market is every year growing much more valuable.

For my own part I am inclined to believe that the revenue derived by Canada from coal is so important that she will not be inclined to give it up. In any event, it will take considerable

time to perfect such an arrangement, and considerable time to increase materially the capacity of the Nova Scotia mining district. We are told that Canada will want several concessions before she will grant reciprocal free coal. I frankly confess the more extravagant her demands are the better I shall be satisfied. The fact is, however, that every member of the committee who voted for this arrangement hopes that Canada will at no distant date agree to reciprocal free coal; and every member who voted against it hopes that she never will.

For the last few years the Nova Scotia coal people have been securing entry for their coal under the provision which permits slack coal to be imported at 15 cents per ton. This has been a great fraud upon our revenues and an injustice to the American producer. I have been compelled so far to content myself with the reflection that during the years necessary to bring about such an arrangement with Canada, if it ever is brought about, and the two or three years thereafter necessary for the development of an additional supply of Nova Scotia coal, the coal producing interests of the country are better protected than they have ever been. For the immediate future any considerable increase of exportation from Nova Scotia to New England would so raise the price of coal in Nova Scotia that there would be no advantage in further extending the American trade.

The agitation for free hides, while not meeting my ideas as a protectionist, differs in one respect from the demand for free coal and free lumber. There is no protection now on hides weighing less than 25 pounds. Of the kind which has a duty of 15 per cent ad valorem under the Dingley law, we do not produce enough to supply the American demand.

In addition, it is claimed that the packers of the country, having control of a bulk of the hides produced in the country, are extending their operations into the field of tanners of leather. The objection to the tariff on hides which moved your committee was, therefore, twofold: First, that we do not produce a sufficient number of hides to supply our demand; and, second, that the packing houses known by the name of the "beef trust" or the "big four" are in a position to absorb to themselves the greater part of the profit, if not all of it; to withhold any benefit from the farmer, and to threaten the existence of the independent tanning industry of the country, and in this way unduly to advance the price of leather to the manufacturing concerns of the country which use it. These arguments, while not sufficient to satisfy my mind that all the tariff should be taken off hides, did satisfy the judgment of a large majority of the committee.

The agitation for the removal of the tariff on lumber took a peculiar shape and possibly was more persistent and spectacular than any other phase of that agitation. We were told by President Roosevelt that it was necessary to take the tariff off of forest products in order to conserve our forests and to protect our waterways. The authority of the Forestry Division of the Government was cited everywhere, with what truth I do not know, for these propositions. I never did believe either proposition to be accurate; and I shall append to my remarks, with the permission of the committee, a letter of Mr. Pinchot, embodying substantially what he said before the Ways and Means Committee when summoned before that committee to give evidence, showing that he now, at least, agrees with the proposition that I have always contended, that the removal of the tariff on lumber will not conserve the American forests.

I live in a State which has vast timber supplies, and which has many and important lumber operations. West Virginia was once as well timbered, perhaps, as any part of the world. It is true that great quantities of her timber have been destroyed. But the lumber mills have not used 1 per cent of the timber which has been destroyed in West Virginia. The pioneers and farmers of West Virginia destroyed the great bulk of its timber, deliberately and intentionally, by deadening the trees, in order that they might let in the sunlight and raise crops for the support of themselves and families. This destruction of timber, lamentable as it may seem from one point of view, was a necessary preliminary to the settlement of the land, to the introduction of a population, to the building of homes, to the cultivation of farms, to the building of roads, towns, churches, and, in short, to the very existence of the splendid civilization which West Virginia can now boast, and which has supplanted the poetical, but uninhabitable, primeval forest. The people of West Virginia destroyed timber, as people always will, until it became valuable enough to be worth preserving. Formerly reckless handling of timber was the rule, because it was the only kind of timbering which would pay. Now a careful handling of timber is the rule, because it now pays to handle the timber carefully. The idea that cheapening timber in this country will preserve it is pure folly. The same considerations apply to reforestation and to the problem of permitting the mountains to reforest themselves. People will grow trees, as they will anything else, when it pays to grow them, and not otherwise. And when the owner of timber land is cutting over it, whether he will or will not cut a small tree depends upon whether the natural increase of that tree if left to grow will be worth more to him than the amount which could be received from cutting it at that time.

The value of the tariff to the lumber producer has been its tendency to maintain the price on low-grade lumber, and for that reason the tariff has been valuable in conserving the forests. Preserving the American market for American low grades leads to the realization of a larger amount of lumber from a given tract, and in addition leads to cleaner logging and lessens the destructiveness of forest fires. The agitation for the removal of the tariff on lumber has, in my opinion, been more persistent than intelligent.

I do not believe that the reduction of the tariff on rough lumber will benefit any consumer. When it came to the time for the advocates of free lumber to appear before the committee, the persons who appeared were either dealers who wished an opportunity to make a bigger profit for themselves, or those who wished to exploit their holdings of Canadian timber lands. It must be apparent, after all, to everyone who will give the matter thorough and unbiased consideration that the timber supply of the North American Continent is an entirety; that the imaginary line which divides the United States from Canada does not interrupt the continuity of the timber supply; and that if there is wisdom in the proposition of forest preserves, it may be good policy on the part of the people of the United States to hold the Canadian supply in reserve. I believe, however, that the friends of the tariff on lumber have been able to preserve a sufficient amount of tariff to prevent serious interference with the lumber industry of the United States, and in this opinion I have been fortified by the opinion of the gentleman from Michigan [Mr. FORDNEY].

There was no provision of the Dingley law on account of which the Republican party was more bitterly or more falsely assailed than the countervailing duty on petroleum. The petroleum provision is that oil from any country which admits American oil free shall be admitted free into the markets of this country; and that if any country charges a tariff upon American oil the same tariff shall be charged upon the oil of that country seeking admission here.

The proposition to treat other people as they treat us would seem to be one that should commend itself to American judgment and American patriotism. The disposition to call the Republican party names found expression, however, in the charge that this was a "joker," put in the law for the purpose of benefiting the Standard Oil Company. Two considerations made this misrepresentation plausible: First, the unpopularity of the Standard Oil Company rendered the public ear friendly to such reasoning, and, second, people generally are not sufficiently acquainted with the details of the oil business of the country to understand that many thousands of people throughout the United States are interested in the production of oil who have no connection whatever with the Standard Oil Company. The oil business might be roughly divided into two grand divisions—the production of crude oil, or as it comes from the wells, and the refining of that crude oil. The Standard Oil Company refines 80 per cent of all the oil produced in America. It, however, produces only about 20 per cent of the crude oil. The remaining 80 per cent of the crude oil is produced by independent oil producers. These are the men who engage in the speculative and hazardous business of drilling oil wells at places which look promising, in the hope of getting producing wells. Your committee was inclined, as a matter of party policy, to yield to the demand that petroleum be placed on the free list.

The countervailing proposition was inserted in the bill for the reason, and for no other reason, that the committee was literally overwhelmed by the demands of independent oil producers all over the country, from the Canadian line to the Mexican border. The independent oil producers petitioning for the continuance of this countervailing duty outnumbered very many times the persons who expressed to your committee an interest in any other schedule. One great injustice which the Republican party and the doctrine of protection suffers in the biennial debates which take place before the American people is that persons who are interested in schedules never aid in making their own defense before the American people. No matter how valid their case may be, they leave it to be made by Republican politicians on the defense on the stump.

In the last campaign if the tens of thousands of Americans in New York, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Kansas, Oklahoma, Texas, California, and, in short, throughout

costs over $2,500,000; and interest, taxes, insurance, and de-

be inclined to give it up. In any event, it will take considerable

apply to reforestation and to the problem of permitting the

Kansas, Oklahoma, Texas, California, and, in short, throughout

the Union—for many persons are interested who do not live in the States where the wells are located—had expressed themselves as they have expressed themselves to your committee, the Democratic party would have ceased its denunciations and misrepresentations of the Republican party on this score very early in the campaign.

For my own part I am becoming somewhat sensitive to this indifference on the part of the persons interested. After all, a political party in this country can only do that which the judgment of the people will on the whole indorse. And if the people engaged in any line of business have a good cause, and it is worth their while to establish the justice of their cause before a Ways and Means Committee sitting to frame a tariff, if it is worth their while to present their just cause to the American people in defense of the action which their arguments procure to be taken, for my own part, if this bill passes, as it now seems it will, with this provision contained in it, I shall not hesitate at the very first opportunity to vote to bring in a special rule for its repeal if all these gentlemen who clamored so irresistibly before the Ways and Means Committee shall hereafter lie down and leave their defense to be made by the public men of the country, whose easiest course would be to yield to clamor, and leave their product open to general competition. This habit of presenting a case to the Ways and Means Committee, and then, after the action of Congress, either forgetting the matter entirely, or else sometimes saying that the protection makes no difference to them, is characteristic of very many persons other than the independent producers of oil.

In my own district I have heard for the last ten years not infrequent declarations from the coal producers that the tariff was useless or worse than useless on coal; and yet when the strain comes, when it is necessary to forget political prejudices and petty annoyances and get down to business and the truth of the matter, these same people will expect their Representatives in Congress to continue for them the protection on coal, even when four-fifths of the coal-producing States east of the Mississippi are asking for reciprocal free-coal relations. The independent oil people have argued to your committee and have convinced your committee that the Standard Oil Company is in condition to take care of itself; and that if we subject our people to the free competition of the newly discovered Mexican fields, the Standard Oil Company would save itself from any loss by reducing the price paid to the independent producer of crude oil to such an extent that any loss which that corporation would otherwise have to bear would be transferred from it and fall upon the independent oil producers. Besides, your committee must take into consideration business conditions rather than public clamor. The big fact stands out that we have received in this country more than $2,000,000,000 in money from the exportation of petroleum products. Sound business judgment would seem to indicate that we ought to make every effort we can to extend a trade which is so fruitful a source of increasing our national supply of money.

Your committee has recommended the placing of iron ore on the free list. A part of the argument for placing iron ore on the free list is similar to that urging free coal. Iron ore is so bulky and heavy in proportion to its value, that extremely long hauls by rail make the freight charge seem burdensome in proportion of the value of the article carried.

There are other arguments, however, stronger for free iron ore than can be urged for free coal. Almost all iron ores require mixing with other ores in order to produce the most desirable product. The owners of the leaner ores, such as those in Virginia, when seeking an ore to mix with their own naturally wish the richest and most concentrated ore possible. For many years the ores of the Mesaba and other near-by lake regions, by reason of their richness and exceedingly remarkable cheapness with which they could be mined, furnished a satisfactory source of supply for this purpose. In the last few years, however, the cost of mining the ores has increased and their ownership has passed into the hands of a very few people. For these reasons your committee favor placing iron ore on the free list. So far as the interest of my own State in this connection is concerned and the near-by ore regions of Virginia, I have thought that by this proposition of free ore our people should have an opportunity to purchase from the world's supply at the cheapest possible price ores to mix with and give value to the leaner ores on the Virginia and West Virginia line. The thousands of coal cars which go to the seaboard loaded and back to the interior empty will give an opportunity for exceedingly low freight rates from the seaboard. I have also thought that if the people of Pittsburg, so prosperous under the policy of protection and so much interested in iron ore, wish to join our friends from New England and the East in a trade by which New England could receive Nova Scotia coal and the Pittsburg region could ship coal into Canada to the north of Lake Erie, they would perhaps pardon me if I voted for free iron ore, so that if Canada ever does agree to the reciprocal arrangement and the mines of Nova Scotia shall thereafter increase their capacity to ship to American markets, there will be additional development on the North Atlantic seaboard in the way of iron furnaces and steel mills to employ an amount of coal which I believe will be equal to or greater than any additional supply from Nova Scotia.

I have already called attention to the very difficult task before this Congress: To revise the tariff so as to adjust it so nicely that we should have protection, but no excess; to increase the revenues; and to do this in the presence of a state of the public mind more or less compelling the Member of Congress sometimes to accept the judgment of the public in place of his own. The first part of this task is not only of the highest difficulty, but fraught with danger. Suppose your committee had been able to adjust every schedule so as to give in normal times just the amount of protection needed, and no more. This is a task no mere human ingenuity could accomplish, but assume its perfect accomplishment; what of a case of depression? I have already stated that when the depression started in Europe which twelve or fifteen months later eventuated the panic month here, we might have predicted it, in my opinion, from the remarkable increase of importations. When those importations had so increased in the months preceding October, 1906, as to very largely swell the importations for the twelve months then ending, and when for the next twelve months—that is to say, the twelve months immediately preceding October, 1907—importations were growing at such a rate that those of the later period exceeded those of the former by over two hundred and twenty-five millions, I submit that there is much of danger in tariff rates too closely adjusted. We were sending our money abroad for goods at a time when, if we had only known it, we needed money much more than we needed goods. We know that now, and in the light of what we now know there is necessarily a doubt whether too close an adjustment is wise. But what confronts us is a condition. The manufacturers fear that the bigger ones, to whom they must look for the purchase of materials, will combine and oppress them. We must reassure them. The people demand it.

Whether the people have rightly directed us remains to be seen; time and its test can alone tell. Some of the ancient enemies of the American system of protection will hail the downward revision of this bill as a tribute to their theory. I see in it no such thing.

In my opinion the future will see the American people relying more than ever on the doctrine of protection. European nations are more and more trying to exclude us from their valuable markets, while they extend their trade in our more valuable markets. An untaxed trade is the dream of visionaries. With a market so valuable as ours, when we do not levy an import duty the exporting countries levy an export duty. What is the wisdom in submitting to such a policy? Who would not resent it if the seller of wares demanded a bonus for the privilege of buying? Yet that is what is being done to us. Brazil charges an export tax on coffee. Some of the Brazilian States charge an export tax on raw rubber. We pay a part of Chile's taxes by way of an export tax on nitrates, while we fondly flatter ourselves and our farmers that they are admitted free for fertilizers. We are building Sicilian roads through export duties on lemons, and paying Greek taxes for Zante currants. If the tariff is a tax, why not at least collect the taxes here? The future, in my opinion, will see us collecting whatever tax is collected on sales to us.

Heretofore we have compared our wages to those paid in Europe. We must from this time forward reckon with the Asiatic factor in the equation. Japan has already aroused and China is awakening. The oriental workingman is adaptable and industrious. His wages bear no comparison to American wages.

They never can. He has not the land and the resources to permit the payment of such wages as the American workingman can receive if he is not subjected to the competition of un-American conditions.

The official figures furnished the Ways and Means Committee by the Government show that in Japan, the most progressive part of Asia, the following wages prevail:

Bricklayers, 45 cents a day of 9 to 9½ hours.
Carpenters, 50 cents a day of 9 to 9½ hours.
Laborers, 35 cents a day of 9 hours.
Painters, 45 cents a day of 9½ hours.
Plumbers, 35 cents a day of 9 hours.
Stonecutters, 42½ cents a day of 9 hours.
Coal miners, 41 cents a day of 9 hours.
Coal-mine laborers, 28 cents a day of 9 hours.
Compositors, 45 cents a day of 7 hours.

Farm laborers, male, 19 cents a day of 10 hours.
Farm laborers, female, 10½ cents a day of 10 hours.
Flint-bottle makers, 51 cents a day of 9 hours.
Horseshoers, 28 cents a day of 8 hours.
Blowers, Bessemer process, 32½ cents a day of 10 hours.
Sawyers in lumber mills, male, 30 cents a day of 9 hours.
Sawyers in lumber mills, female, 17½ cents a day of 9 hours.

I might multiply the list from the official figures which I have before me, procured for the Ways and Means Committee by the Government of the United States, to all sorts of occupations, and the wages range the same. Incidentally, these people work seven days in the week. In the whole list in three-fourths of the occupations named the number of days' work was seven per week, and in almost every instance where the days per week are only six the hours' work per day are ten. I should roughly estimate the wages paid as from one-seventh to one-fifteenth of the wages paid in this country.

Gentlemen who dislike the protective policy may reply that the cost of living is much less in Japan. I have no doubt that where the men, farm laborers, work for seven days in the week, ten hours a day, for 19 cents a day, and where women work as farm laborers for seven days in the week, ten hours a day, for the pitiful sum of 10½ cents, there can be no very good price received for farm products. These figures are for the principal commercial and manufacturing portions of Japan, namely, the cities of Kobe, Osaka, and Kyoto. The figures are for the year 1908, and the person making them was an official of the United States Government, and in the official document which I hold in my hand the source of his information is stated to be "personal inquiry."

In 1898 we exported to Asiatic countries $47,000,000 worth of goods. In 1907 we exported to Asiatic countries $99,000,000 worth. In 1898 we imported $94,000,000 worth, and in 1907 we imported from Asiatic countries $216,000,000 worth. In the ten years, therefore, of our greatest development our exports to Asia had increased by $53,000,000, and our imports from Asiatic countries had increased by $100,000,000. Our exports to Japan were twenty millions in 1898 and forty-one millions in 1907. Our imports from Japan were twenty-three millions in 1898 and seventy-two millions in 1907. We had therefore increased our exports to that country by twenty-one millions, and during the same period increased our importations forty-nine millions. This was notwithstanding the fact that our exports of raw cotton to Japan have increased largely within the last few years. At the same time our exports of manufactures of cotton have been relatively decreasing both to Japan and China. In other words, as rapidly as the Asiatics can adapt themselves, and they are very adaptable, to the use of our manufacturing methods, they are, because of their cheaper labor, underselling us in the markets where they compete. I am aware how dangerous a prophecy is; but I venture the prediction that any Member of this House who remains here another decade will find himself participating in the framing of another tariff bill when the people of this country will demand still higher protection in many lines of industry than we ever yet have had against the underpaid labor of Asia.

Mr. Chairman, we are about to supersede the Dingley law; and it may not be out of place to pause in order to pay a slight tribute to that great measure of the Republican party. Gentlemen on the other side have expressed a degree of surprise that we should have had a depression under that law and under Republican administration most complimentary to both. Such a result could not have occasioned such comment if it had taken place under any Democratic measure or administration.

In my opinion, necessary as new conditions make it to revise that law, it has been, with the sole exception possibly of the McKinley law, the most scientific protective measure that we have ever had. Under the Dingley law the people of the country have enjoyed the years of their highest prosperity, and during its whole existence a higher average of prosperity than they ever enjoyed before, and a higher average of prosperity than any other people on earth ever enjoyed in "the tide of time." [Long and continued applause on the Republican side.]

APPENDIX A.

[From Ways and Means Hearings, first print; pp. 1676–1677.]

Mr. GAINES. Where do you sell the product of your Belgian factory?

Mr. CLAUSE. All over the world. A little of it comes here, but otherwise it goes all over the world.

Mr. GAINES. How large is your Belgian factory as compared with your American?

Mr. CLAUSE. It is about the size of the average American factory. There are some factories that are larger, but it is about the same size as the average factory.

Mr. GAINES. In addition to the translation which was made by Mr. Cockran from the Belgian report of 1907 on manufactures I have had translated to me this additional matter, which I wish to go in the record, from the report on the manufacture of glass published in 1907 by the Belgian department of the interior and labor, page 207:

"The plate-glass industry has passed during the recent years through various times of crises and prosperity. In 1900 a selling syndicate existed, comprising the Belgian, French, German, and Italian factories. This syndicate lasted only ten months. From 1901 to 1904 the constant increase of production and competition caused a decline in prices, reaching 3 francs on the average value of a square meter. This resulted in a more and more critical situation to which the new international convention of August, 1904, and which was still in existence in 1907, put an end. [This syndicate has been signed to last until 1914.] As a consequence of this understanding, and thanks to slight monthly idle days, the production maintains itself in normal conditions. At present the plate-glass industry is in a very prosperous situation. * * *

"The present production of the 8 Belgian plate-glass factories exceeds one-fourth of the total world's production. As to the 24 Belgian, German, French, and Italian factories which are parties to the syndicate, they manufacture more than one-half of the world's production.

"Approximately 90 per cent of the plate glass produced is exported. Two-thirds of this production is intended for the United States, England, and its colonies. * * *

"Business with France and Germany is very small because of the high duties—6 francs in France and 7.50 francs in Germany per square meter, which represents, respectively, 50 per cent and 60 per cent of its value."

Is that in accordance with your observation of the trade, that the syndicate that regulates the selling price composed of the plate-glass producers of Belgium, France, Germany, and Italy produces 90 per cent of the plate glass produced in the world?

Mr. CLAUSE. The factories of what countries?

Mr. GAINES. Belgium, Germany France, and Italy.

Mr. CLAUSE. That they produce 90 per cent of plate glass used in the world?

Mr. GAINES. No; more than half of the world's production.

Mr. CLAUSE. I suppose the factories in those countries do produce half of the world's production.

Mr. GAINES. This says more than half.

Mr. CLAUSE. Yes; I suppose it is more than half.

Mr. GAINES. Then more than half of the world's production of this article is controlled by a foreign syndicate which regulates prices?

Mr. CLAUSE. Yes; whether it is half or more I do not know.

Mr. DALZELL. What is that translation from?

Mr. GAINES. It is a translation from this same book from which Mr. Cockran had a translation made, continuing the translation that Mr. Cockran had made.

Mr. DALZELL. It is the next paragraph, is it not?

Mr. GAINES. Yes; the next paragraph.

Mr. CLARK. Why do you not read it?

Mr. GAINES. I read that portion which I had translated, following the part which Mr. Cockran had translated.

APPENDIX B.

[From Ways and Means Hearings, second print; pp. 1850–1854.]

Mr. GAINES. In connection with what you were just saying, Mr. Carnegie, I understand that you question our ability to find out the cost here and abroad, owing to the difficulty of the subject-matter and our lack of the technical capacity to understand the information which we get; and that you advise us to make up our minds with reference to the steel schedules from two facts: First, the statement of Judge Gary (about which, however, there is some dispute); and then the other known fact, that the United States Steel Corporation exports a considerable amount of steel. In coming to a determination as to whether the steel company makes such a profit that it can be independent of foreign competition, you divide the number of tons of its output by its net profit, and that is somewhere from $13 to $15 a ton. The steel company, however, owns its own ore, and has in that profit an ore seller's profit. It owns transportation on the Lakes, and in that is included a lake transportation profit. It owns railroad interests, and in that is included railroad profits. It owns coal mines and makes its own coke, and in that is included the profits of the seller of coke. What would be the effect, in your opinion, of a reduction? (It also owns limestone and a number of other raw materials. I do not undertake to name them all.)

Mr. CARNEGIE. No, no; I understand. Say "and all the materials."

Mr. GAINES. Yes. What about the maker of pig iron or steel billets or any other form, at any other stage of the manufacture you choose, who does not own these primary processes of manufacture? What would be the effect on him?

Mr. CARNEGIE. He would make less profit per ton than the man who owned all of these, necessarily.

Mr. GAINES. Oh, yes; he makes much less profit per ton now on any one or two or three items of manufacture or processes of manufacture than the man who has a larger number of them. My question was, Would not the tariff wipe out that small competitor? Take the man who has to buy his ore and his coke, and who has no transportation profits, but must buy transportation from some one else. Have you considered the effect on him of this reduction?

Mr. CARNEGIE. No. I have not. I have considered the effect of the tariff upon men who run their business and make all these things; and then I do not know any small concern that makes just one item of steel, that buys everything and makes steel. I would not regard him, because I consider that he has not managed his business well, and he should not be considered a steel manufacturer at all.

Mr. GAINES. That brings us right up to the point. You have stated that in your opinion it is not the business of the Government, by the use of the tariff or by any other device, to aid the incompetent or the sluggish?

Mr. CARNEGIE. Yes, sir.

Mr. GAINES. I agree entirely with that; but is that intended to include all men who are not in the "aristocracy," as you might call it, of steel production? Everybody can not have your success, Mr. Carnegie, nor that of Judge Gary, nor that of Mr. Schwab; and yet there are men of, I think, very considerable capacity, perhaps, who are not so large. How is any man to start? You were small one day in the iron production, were you not, and in the production of steel?

Mr. CARNEGIE. No; we started with Bessemer works and everything. When I went into steel we had everything.

Mr. GAINES. But you did not start at the top of the steel production, did you? Perhaps you did, but there are other very capable men who did not.

Mr. CARNEGIE. The point you make is this, that you are not considering people abroad.

Mr. GAINES. Oh, no; not except as they affect our own people.

Mr. CARNEGIE. Then, if you are going to protect every manufacturer—small concerns, as you say, who make only one thing—if it is a specialty, you will find he gets a high price for it. There are numerous small manufacturers who make a specialty of a thing, but such a man certainly can not compete with the United States Steel Company in making rails or structural steel or plates or any of these things. The time has gone past for that.

Mr. GAINES. I think you are right on the very question: Has the time for the small independent man gone by? We can not legislate, Mr. Carnegie, for the steel company, or ought not to; and we ought not to legislate at it, but for the general condition of the country. Now, let me ask you this question, based upon that assertion. It may be correct or not, but it is my opinion. Is there not danger, if we take the tariff entirely off of steel products, that we may be aiding the steel company still further to create a monopoly of the business by destroying its remaining competition in this country, or tending to destroy that remaining competition?

Mr. CARNEGIE. Why, these small makers do not compete.

Mr. GAINES. Some of them sell billets, do they not?

Mr. CARNEGIE. I do not know of any concern that makes only billets.

Mr. GAINES. Are there not small makers of pig iron in the country?

Mr. CARNEGIE. If there are small makers of pig iron in the country they may do just as well as the large ones. If you have a furnace plant capable of turning out a few hundred tons a day of pig iron, I do not think the man that has 10 furnaces can make pig very much cheaper—pig iron by itself. And there are many small manufacturers who make specialties for which they get large prices. There will always be room for the able, enterprising man to devote himself to one specialty and make a profit on it. His specialty, probably, would not be imported. But a man who, under present conditions, wishes to go into the general steel business, except on a large scale, is a man whom you need not bother yourselves about. He has not the judgment necessary; and if the Government undertakes to nurse failures in business——

Mr. GAINES. No; I am not talking about nursing the failures. I am talking about a condition under which there is an opportunity for other people to start in a business than those who have already achieved the most pronounced success in the business.

Mr. CARNEGIE. You can not conduct a great steel business, and make rails and plates and girders and all that; the man is destitute of judgment who would attempt it.

Mr. COCKRAN. You mean without large capital?

Mr. CARNEGIE. Well, but one who attempts it is a small man.

Mr. COCKRAN. But I say your answer would indicate that any man who started in the steel business was destitute of judgment.

Mr. GAINES. It was your answer to my remark, Mr. Carnegie.

Mr. CARNEGIE. What is that?

Mr. GAINES. Mr. Cockran was interpreting your answer and not my remark.

Mr. COCKRAN. Yes; I am merely suggesting that you add to your answer "without capital," so as to make it clear.

Mr. CARNEGIE. Oh, but wait. He would still be a bigger fool if he had capital and did not build big works.

Mr. COCKRAN. Well, of course. [Laughter.] In other words, unless he employed it?

Mr. CARNEGIE. The time has gone past when in this great country the things that are used by the hundreds of thousands of tons, of steel, can be economically produced on a small scale.

Mr. GAINES. Then your opinion is that the time for the small manufacturer in steel has gone by, and we are to recognize the day of the large man and legislate solely with reference to him?

Mr. CARNEGIE. I think that that is quite true; but mind you, there will always be specialties which can be made in small quantities by the able man—always.

Mr. GAINES. Oh, yes; a razor or a special sort of high-speed steel or something like that?

Mr. CARNEGIE. Oh, a thousand little things.

Mr. GAINES. But in the general steel business, not the specialties—as you said about tin plate, when we speak of "steel," it has a sort of meaning in a general way to all of us.

Mr. CARNEGIE. Yes.

Mr. GAINES. The day for the small man in the business, in your opinion, has gone by; and in making up this tariff bill we should recognize that there is no longer any hope for him?

Mr. CARNEGIE. That is what I believe. Do you differ with that?

Mr. GAINES. Yes, Mr. Carnegie. I am very reluctant, indeed, to believe that the day of opportunity for the man of fairly modest means and the man who is not even a great genius has gone by, and that he must simply operate under the shadow of the protective wing and care of the big man. That is a thing that I hate to come to.

Mr. CARNEGIE. My dear sir, the enterprising man under the shadow of what you call the big man, the big establishment, has far more opportunity of rising to fortune than he ever had of conducting a small business.

Mr. GAINES. I am inclined to think so.

Mr. CARNEGIE. And I am sure of it.

Mr. GAINES. But, at the same time, he should have an independent chance, I think. Still, that is a mere question of giving my opinion now, when yours is of much greater interest.

Mr. CARNEGIE. Yes; but hold on a little, now. Let us just get your judgment on this point: You agree with me in the statement that the opportunities for clever men never were so great as since these great aggregations of capital and works have taken place. Why, imagine—take my own experience: I had 43 partners. There is not one of them but one that put a dollar in the business, and they were millionaires when we sold out. There never was such a chance.

Mr. GAINES. That was good work.

Mr. CARNEGIE. There never was such a chance for able men to make a fortune as these immense establishments have given. You have a wrong conception altogether about the small manufacturer.

Mr. GAINES. Yes; but——

Mr. CARNEGIE. Wait a moment. The man that had half of 1 per cent of interest with us—we promoted 12 of them, young fellows; no relatives. There was only one that was a cousin of some partner, and he got in on his merits. No; there were two, but they got in in spite of that. It was ability; and these young fellows—Schwab was one of them—I found Schwab on the Allegheny Mountains. He had a taste for marks then, and played a little. He was a bright boy. He wanted a situation. I sent him down to the works. He was draftsman. He is an awfully clever fellow, Schwab is. He attracted attention, and he got an interest in the firm; and he had—I need not tell the money he had when he left. He was no small man. [Laughter.]

Mr. GAINES. That I can readily believe.

Mr. CARNEGIE. Imagine what chance there would have been for Schwab when men were small manufacturers, pegging away at a hundred small establishments. That genius would never have had a chance to develop; because, besides being a great mechanic, he is the best manager of men I ever knew.

Mr. GAINES. But do you think, Mr. Carnegie, that the fact that there are opportunities under such men as yourselves is any reason for depriving people of opportunity elsewhere—those who want to start on their own account?

Mr. CARNEGIE. Those who want to start on their own account without capital betray a lack of judgment that will prevent them from ever being successful men.

Mr. GAINES. A strange state of affairs is about to develop. The agitation for the reduction of the tariff on steel, and perhaps for revision of the tariff, seemed to start mainly in the country because of the sale of steel rails abroad cheaper than at home. Now you aid the movement for the reduction of tariff, while defending the chief cause of complaint. Let me ask you this question, Mr. Carnegie: When you were in business, did you sell abroad cheaper than at home?

Mr. CARNEGIE. I never had the glorious opportunity of exporting in my early days, as far as I remember.

Mr. GAINES. You did not export? What is your impression as to the practice of selling abroad cheaper than at home? What is your opinion of that practice?

Mr. CARNEGIE. I think it is good for all parties concerned.

Mr. GAINES. Will you analyze that?

Mr. CARNEGIE. Yes; with pleasure. You make everything cheaper if you keep your men at work; and if orders are slack at home, and there is the alternative of idle men with families to support, and the other alternative is that you are to run at a loss, or without profit, I know what my practice was. I ran the mills, and I sold everywhere I could sell. I think that the man who disturbs such an organization as we had, instead of maintaining it at a loss every month, is a poor manager.

APPENDIX C.

(Capt. E. C. Boggs, Corps of Engineers, U. S. Army, Chief of Office.)

ISTHMIAN CANAL COMMISSION,
Washington Office, March 24, 1909.

MEMORANDUM.

1. Cost of canal to December 31, 1908, $149,347,519.36. This includes $40,000,000 paid to the New Panama Canal Company and $10,000,000 paid to the Republic of Panama for canal rights. Estimated expenditures, January and February, 1909, $5,500,000.

2. Amount of bonds sold on account of canal, $84,631,980.

3. Amount spent monthly this fiscal year for canal:

July	$2,072,837.44
August	2,018,265.92
September	2,761,016.58
October	2,947,020.53
November	1,833,268.69
December	2,542,111.65
	14,774,520.81

4. Bonds sold this fiscal year on account of canal, $30,000,000. Correct.

JAMES G. JESTER,
Disbursing Officer.

APPENDIX D.

GIFFORD PINCHOT, FORESTER, ON THE RELATION OF THE TARIFF TO FOREST CONSERVATION.

WASHINGTON, D. C., *March 10, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives.

DEAR MR. PAYNE: To avoid any chance of misunderstanding, I take the liberty of stating my views upon the tariff on lumber in more connected fashion than it was possible to do at the hearing before the committee on Ways and Means on February 24. At the outset I want to make it clear that the Forest Service has never advocated either the reduction or the abolition of the present duties upon lumber and shingles. On the contrary, we have been at some pains to avoid taking any position one way or the other until we could complete a satisfactory investigation of the subject. I say this because many believe that the Forest Service has declared in favor of the removal of the duty upon forest products as a means of conserving our forests. The service has made no such declaration.

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my judgment it would accomplish neither.

Free lumber would not materially reduce the price to the consumer. Most of the lumber we now import comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our forests. It is not likely that under free lumber more than 5 per cent as much would come from Canada as we would cut at home. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Her total amount of standing timber is probably not more than one-third of what is left of ours. In the end the Canadians will undoubtedly require for home use all the timber they can produce. Imports from Canada would not be enough, therefore, to limit the cutting of our own forests or to reduce the price of lumber in any important degree.

Stumpage prices are at present somewhat lower in Canada than in the United States. The taxation of Canadian timber land is better adjusted to the conditions under which timber must be cut than it is with us, but the average cost of logging and manufacturing are probably as great there as here. If the duty were removed, the effect of these factors taken together would be to increase the value of Canadian stumpage, and to some extent the profits of the Canadian manufacturer and the American retailer. There would remain little, if any, benefit to the ultimate consumer of lumber in the United States.

The fundamental question at issue in the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of the same opinion, I should favor the removal of the tariff; but I am unable to see how free lumber will promote forestry.

There is only way to save our forests: That is to see that they are kept at work growing new crops of timber as the old are cut away.

The lumbermen are right when they tell you that in times of high prices for lumber they do cleaner work in the woods and cut more timber from a given area than they do when prices are lower and only the best grades can be marketed. Low prices for lumber unquestionably increase waste. If the removal of the tariff had any effect on work in the woods, it would be to displace the lower grades of lumber now cut by our own mills, which must be either logged or left in the woods when the higher grades are taken out, and to that extent it would increase the woods waste in this country. The waste in logging is already enormous, several times larger than our importation from Canada. I do not believe that the increased use of Canadian wood under free lumber would equal the increased waste, and even if it did, the larger danger from fire and the greater difficulties in the way of forestry which follow wasteful logging would probably more than offset the gain. In other words, the drain upon our forests would not be relieved by allowing Canadian lumber to come in free.

You asked me at the hearing for my opinion as to the tariff on wood pulp. We are already dependent upon Canada for much pulp wood. Nearly seven-tenths of the wood we use for paper is spruce, and one-third of the spruce pulp wood is imported from Canada. It is highly important that we should have free pulp wood in the future as in the past, and that Canada should impose no export duty upon pulp wood. In this respect the pulp and paper making industry is in a different position from the other great wood-using industries of the United States. The latter can be wholly supplied from our own forests, while the former must have free access to the Canadian spruce forests so long as spruce is the chief pulp wood. I therefore concur with the recommendations of the select committee on pulp and paper investigations of the House of Representatives. These state that ground wood should be admitted free, provided that it comes from a country which does not in any way restrict the exportation of pulp wood or ground wood, and that there should be a reduction in the duty upon news paper, providing that it comes from a country which does not in any way restrict the exportation of pulp wood, wood pulp, or printing paper.

I believe there is now a sincere desire on the part of a large number of lumbermen to handle their forests more conservatively. I realize that they face difficulties in their efforts. We as a people have often been at fault because we have not made it easy for the lumbermen to practice forestry at a profit. The States, for instance, have failed to provide adequate fire protection. They have often taxed standing timber so heavily that the owner was forced to cut it off as quickly as possible, and then let the land go back to the State without provision for a future crop.

But it is first of all upon the lumbermen themselves that the duty of conserving their own forests actually lies. By asking for the retention of the tariff in order to protect the forests, the lumbermen have in substance entered into an agreement with the people of the United States to perpetuate their forests by wise use. This tacit agreement is freely recognized by many of the leaders among them. If the tariff is allowed to remain, the lumbermen should be held to their agreement, and if they should fail to carry it out, the people of the United States should take the matter in hand and enforce such control of lumbering as will protect the forests and the public. The lumbermen must recognize that the forests which they own are not simply pieces of private property. They are a public trust, the source from which most of the Nation's future timber supply must come. The Nation has decided that these forests must be conserved. It is the duty of every lumberman to act upon this decision. It is the duty of the Nation and the State to aid him in every way they can. If the lumbermen do not make the most of this opportunity, legislation is coming, and coming very soon, which will force them to do clean work in the woods, and to leave their cutover lands in a condition to produce a second crop.

I believe that it is possible to work out a solution of this great problem in cooperation with the lumbermen in a way that will satisfy both them and the public. To this much-desired end I have given in the past, and will continue to give in the future, my utmost efforts.

Very sincerely, yours,

GIFFORD PINCHOT, *Forester.*

APPENDIX E.

Statement of the United States Treasury on the 30th day of March, 1909.

CASH IN THE TREASURY—IN DIVISIONS OF ISSUE AND REDEMPTION.

RESERVE FUND.

Gold coin and bullion in Division of Redemption	$150,000,000

TRUST FUNDS.

Held for the redemption of the notes and certificates for which they are respectively pledged.

Division of Redemption:		
Gold coin	844,244,869	
Silver dollars	484,078,000	
Silver dollars of 1890	4,401,000	
	1,332,723,869	
Division of Issue:		
Gold certificates outstanding	844,244,869	
Silver certificates outstanding	484,078,000	
Treasury notes outstanding	4,401,000	
	1,332,723,869	

GENERAL FUND.

Gold coin and bullion	41,989,295.08
Gold certificates	46,875,910.00
Standard silver dollars	8,091,197.00
Silver certificates	6,825,807.00
Silver bullion	4,494,932.72
United States notes	8,412,881.00
Treasury notes of 1890	13,711.00
National-bank notes	23,293,833.00
Subsidiary silver coin	25,918,516.34
Fractional currency	$59.33
Minor coin	2,824,346.45
	168,740,488.92
In national-bank depositories:	
To credit of the Treasurer of the United States	$58,316,577.66
To credit of disbursing officers	12,391,551.80
	70,708,129.46
In treasury of Philippine Islands:	
To credit of the Treasurer of the United States $1,823,195.24	
To credit of United States disbursing officers 1,768,802.61	3,591,997.85
Awaiting reimbursement:	
Bonds and interest paid	11,978.85
	74,312,106.16
	243,052,595.08
Liabilities:	
National bank 5 per cent fund	23,522,017.41
Outstanding checks and warrants	11,731,557.22
Disbursing officers' balances	69,600,348.49
Post-Office Department account	2,938,870.89
Miscellaneous items	2,029,749.94
	109,822,543.95
Available cash balance	133,230,051.13

Receipts, expenditures, redemptions, etc.

	This day.	This month.	This fiscal year.
Receipts:			
Customs	$994,887.58	$27,373,728.07	$215,668,085.16
Internal revenue	291,313.31	19,527,735.07	183,971,969.76
Miscellaneous	449,316.30	4,022,968.96	38,929,392.38
Total (postal receipts not included)	1,705,517.22	50,994,472.07	438,569,474.30
Expenditures:			
Civil and miscellaneous	110,000.00	11,410,000.00	120,957,760.83
War	460,000.00	11,320,000.00	99,572,602.67
Navy	380,000.00	10,080,000.00	88,610,851.61
Indians	10,000.00	740,000.00	12,724,335.57
Pensions	200,000.00	13,600,000.00	123,403,991.23
Public works	270,000.00	7,500,000.00	69,438,290.68
Interest	100,000.00	100,000.00	15,985,143.55
Total (postal expenditures, except postal deficiency, not included)	1,530,000.00	54,760,000.00	528,696,982.13
Excess of receipts over expenditures	175,517.22	*3,765,527.93	*90,127,507.83
Receipts last year:			
Customs	673,312.84	20,366,411.65	222,083,336.04
Internal revenue	1,187,708.10	19,244,693.93	189,881,729.68
Miscellaneous	240,947.48	2,958,760.58	45,772,581.79
Total	2,101,968.42	42,569,836.16	457,742,647.51
Expenditures last year:			
Civil and miscellaneous	550,000.00	10,360,000.00	108,055,852.10
War	220,000.00	10,000,000.00	84,011,756.77
Navy		9,890,000.00	87,750,983.15
Indians	20,000.00	1,370,000.00	10,872,625.42
Pensions	430,000.00	12,950,000.00	116,501,841.21
Public works	540,000.00	7,100,000.00	71,027,913.79
Interest	100,000.00	100,000.00	15,722,625.89
Total	1,830,000.00	51,680,000.00	493,943,598.33
Excess of receipts over expenditures	271,968.42	*9,110,163.84	*36,200,950.82
National bank fund:			
Deposits of lawful money under act July 14, 1890	35,950.00	1,879,112.50	41,905,855.00
Notes redeemed and retired under act July 14, 1890	279,105.00	5,948,110.50	77,394,010.00
Notes received for current redemption	1,312,765.00	41,221,089.50	316,856,513.50

	United States notes.	Treasury notes.	Total.
	Dollars.	*Dollars.*	*Dollars.*
Redemption of notes: To March 14, 1900	[b]546,466,414.00	[c]103,195,488.00	649,661,902.00
UNDER ACT MARCH 14, 1900.			
Redeemed in and exchanged for gold:			
To date	150,068,193.00	7,370,761.00	157,438,954.00
This fiscal year	16,119,911.00	25,555.00	16,145,466.00
This month	1,553,037.00	505.00	1,553,542.00
This day	34,200.00		34,200.00

* Excess of expenditures over receipts.
[b] Since 1879.
[c] Since 1890.

MARCH 30, 1909.

Mr. DE ARMOND was recognized.

Mr. HOBSON rose.

The CHAIRMAN. For what purpose does the gentleman from Alabama rise?

Mr. HOBSON. Mr. Chairman, I rise to ask unanimous consent for sufficient time, not to be charged to the gentleman from Missouri, whose time is limited, but to make a single statement which I was refused the time to make in the time of the gentleman from West Virginia. I ask unanimous consent for not exceeding four minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to occupy four minutes to make a statement. Is there objection?

There was no objection.

Mr. HOBSON. Mr. Chairman, the gentleman from West Virginia [Mr. GAINES], prompted by the gentleman from Ohio [Mr. LONGWORTH], stated in effect that the tariff bill now under consideration may be expected to produce an increase of revenue which, judging from the history of the Dingley bill, should equal on the average twenty-seven millions each year. He also stated that we ought to expect from all sources a total yearly increase of revenue of $40,000,000.

The gentlemen are certainly optimistic. As I endeavored to state when the gentleman declined to be interrupted, the average increase during the period of the Dingley bill has been very much less. The following are the figures, taken from the Statistical Abstract of the Treasury Department.

Starting with the time when the Dingley law went into full operation, in 1900, the total customs receipts were as follows:

Year.	Amount.	Increase.	Decrease.
		Per cent.	*Per cent.*
1900	$233,200,000		
1901	238,600,000	5.4	
1902	254,400,000	15.8	
1903	284,500,000	30.1	
1904	261,300,000		23.2
1905	261,800,000	.5	
1906	300,300,000	38.5	
1907	332,200,000	31.9	
1908	286,700,000		46.5

Making a total increase of $122,200,000 and a total decrease of $69,700,000, giving a difference of $52,500,000, or a net average increase of about $6,560,000, instead of $27,000,000.

Now, we will take the total revenues of the Government, taken in the same way.

Year.	Amount.	Increase.	Decrease.
		Per cent.	*Per cent.*
1900	$567,200,000		
1901	587,700,000	20.5	
1902	562,500,000		25.2
1903	560,400,000		2.1
1904	540,500,000		19.9
1905	544,300,000	3.9	
1906	594,500,000	50.2	
1907	663,100,000	68.6	
1908	599,900,000		63.2

Making the total increase $143,200,000, and the total decrease $110,400,000, a difference of $32,800,000 for the eight years, making an average annual increase of $4,100,000 instead of $40,000,000.

Mr. DE ARMOND. Mr. Chairman, I suppose nobody, either in this House or outside of it, can doubt the importance of legislation embodying a revision of the tariff. The time certainly has come when the existing tariff law ought to be revised. I think, as was said by the gentleman from West Virginia [Mr. GAINES], that the people of this country, in every section of it and without distinction of party, were before the election and still are of the opinion that the tariff ought to be revised downward. This is not a hasty conclusion of the people, arrived at upon the spur of the moment or in heat, but it is their deliberate judgment, growing out of long experience with the existing law, and with the conditions which that law has brought about. If, then, in this country, where the people are the ruling power, and where those who for the time being make laws or who execute laws are but their agents and servants, the people have determined that the tariff ought to be revised and revised downward, there can, I think, be no doubt or shadow of doubt about the duty of those who can legislate to revise, and revise in the direction of materially reduced duties. I trust that when the work is done the people will not be disappointed with the result.

The beginning, however, it appears to me, is not quite so propitious as we might desire. The preliminary consideration looking to a revision was in the appropriate committee, that of Ways and Means, which deals with this subject. There were during the last sessions of Congress, for months, "hearings" before that committee upon the general subject of the tariff and tariff revision. Many persons appeared before the committee, each presenting his own view, supplemented by such facts, fictions, fancies, and theories as he saw fit to advance. The entire committee was present at these hearings, with the view, we may suppose, of gathering information and arriving ultimately at correct conclusions, or approximately correct conclusions, concerning the duty and task of revising the tariff downward. After this stage of the hearings had been passed there was a second stage. Then the partisan line was drawn. Although the people of the country, without distinction of party, desire a revision of the tariff, the best and fairest revision that can be made, yet, after preparation by the whole committee, by hearings and consideration for the work of revision, the gentlemen of the majority party withdrew themselves from the minority and proceeded in their partisan way to the work of preparing the revision bill now before the House.

Mr. Chairman, I am not going to dwell upon this phase of the matter, but I am going to note it in passing. If the purpose was to make a distinctively partisan measure for partisan purposes, and certainly without the light which might have been obtained by consultation and conference in the preparation of the bill with the minority members of the committee, then these gentlemen may have proceeded in a legitimate and natural way. If, however, the main object should have been and should now be to make as good a bill as possible, because of the effect this legislation must have upon the people of the country and upon the industries of the country, not for a day or a year, but probably for many years, then it would seem to me that this method of procedure has but very little, if anything, to justify it, and that, indeed, valid excuse can not easily be found.

Mr. Chairman, I am aware that the two great parties of this country are divided, the line being one, however, which is not so easily traced, upon theories in reference to tariff legislation; but it is very well known to everybody here and known to the people beyond these walls that with regard to a great many items to be dealt with the partisan line fades away and sectional lines or lines of some other kind appear, to mark the division between those upon the one side or the other.

In this House one party has a decided majority, which will enable that party, by virtue of its own voting strength in the House—and the majority is much larger at the other end of the Capitol—to do anything which that party desires to do and which sufficiently commends itself to the sense and judgment of that party to command the support of its representatives in these two bodies. There can be no danger to the majority party of control passing over to the minority. There can be no danger to the supremacy of a party with so substantial a majority, except in the attempt to carry out the purposes of an oligarchy of that party when the oligarchy is not right, but wrong; and always, for the good of the country, those who are wrong ought not to prevail and those who are right ought to prevail, however the lines may be drawn between the right and the wrong.

In the revision of the tariff as well as in making a tariff the primary question must ever be one of good judgment, fairness, and patriotism. It is not a question that can be determined wholly and solely by party alignment and party affiliation and party profession. The great issue rises above and beyond mere partisanship. I think that, so far as we have progressed in this matter here, we have not been traveling upon the high planes or following the best of guides. How this bill will finally be framed, how it will be when it goes through this House, of course, I do not know, and, I presume, nobody knows. Apparently there is a good deal of conference and scheming among your leaders, a good deal of effort of various kinds to decide what had better be done or what can be done to get this bill through the House, not because there is danger that a tariff bill will not pass, but because a tariff bill which certain elements in this House desire to have passed may not be passed.

I believe, Mr. Chairman, that we find in this a striking illustration of the abuse, as I consider it, upon which I have commented more than once, in this House and elsewhere, and concerning which I have but little to say to-day. It appears to me that in this House some gentlemen proceed too often and too far and too generally upon the theory that the only dangerous thing to be guarded against is the membership of the House, and the thing to be done is to get measures through without running the risk of amendment, or diversion from the purposes

of their self-chosen projectors, by reason of the exercise by the people's representatives of the power of those sent here to constitute this body, the special and closest representation in our national legislative life of the mass of American citizenship. I can not for the life of me see where the danger lies, or what danger there can be, in taking the Members of this House into the councils of our countrymen in determining what this tariff legislation shall be.

If there were but a single item in the bill, or if attention were centered upon a single item, what good reason could there be for trying to conjure up and invent devices for keeping the House from considering that item, and disposing of it as to a majority of the Members might seem proper?

Sometimes it is suggested, or things are done as though the suggestion were entertained and acted upon, that there is danger of the minority taking hold of the reins of power and overthrowing the majority, as though there were an attempt or a design to dethrone the majority and enthrone the minority. No such danger exists; no such danger can exist. No man acquainted with the genius of our Government or who has respect for its fundamental principles can be an advocate of minority rule, because our whole system rests upon the other proposition, the rule of the majority.

How that majority might be made up in a particular instance is a matter to be determined by those who align themselves upon one side or the other, and should not be determined by any other element, large or small, in the House, assuming the function of deciding or attempting to decide what should be acceptable to these dangerous commoners, the Members, and what in the House—their House—ought to be kept far from them.

My opinion is that this tariff bill should have been considered and prepared by the committee; not by an element of the committee composed of those who represent one party only, but by the committee. How would it have been possible in that committee for less than one-third to force their views upon the others, more than two-thirds? How could harm come from the suggestions of those few men of the minority? The whole procedure is as if it were upon the theory that 12 Members, reenforced by another accredited to one side, but in sympathy with the other upon these tariff questions, would have gone down in committee under the fierce assault of 6 other Members. Every man who pauses to think about it, every man who listens to the statement of the proposition, knows there is absolutely nothing in it.

This tariff law can not be made for one party only. When the bill shall have passed and shall have gone into the law it will be a law of the people of the American Republic, binding upon all of them, to be observed by all of them, good or bad in its operations upon the masses of our American citizenship. Why, then, its preparation in secret conclave, by comparatively few? And, passing that, why now the studied effort, the numerous councils, the persuasive influences, the powerful agencies, mustered to bring about some condition of things which will secure the adoption of some rule that will take from this House the right which the Constitution gives it, the right which the voters at the polls gave it, the right which inheres in it, to consider what ought to be passed, each man for himself to vote as he chooses and pleases, being responsible to his constituents, to his country, and to his conscience for his action?

The main proposition before us is not what ought to be done with this particular bill, not whether this provision or that provision is good, not whether this provision or that provision may be bettered, but what can be done and how it can be done to get this bill through the House without any possible change, if that may be; and if not, through the House with the least possible change. I submit that the course taken can not be expected to result in the best legislation. It appears to me it can hardly result in anything but bad legislation, in whole or in large part.

I have often thought, and I think now, that the highest duty which the American Representatives can perform, the noblest service they can render to their country, the most glorious page they can possibly write in our country's history—all will appear in the brightest light when they assert themselves individually and collectively and demand first, last, and all the time that the right of the people's Representatives to participate in the important business of the House shall not be denied or abridged by any power or any agency or any means whatsoever. [Applause on the Democratic side.]

Now, as to the main question—the real question—we have been merely marking time. Many very good speeches have been made; many interesting things said, and said well; many good arguments, pro and con, offered; but what we have been doing since this tariff bill came into the House really is killing time until those who assume to take charge of affairs here and to manage the business of the House, the Members in general being ignored and set aside, shall somehow, in some way, by some means, at the earliest time practicable, succeed in getting the bill through just as nearly as possible in form and substance as it came from one part of the one committee that considered it.

I do not think this course tends toward good legislation, and I do not think it is going to be productive of good legislation. I do not think it is even good partisanship, though, of course, I am not, and I make no pretense of being, concerned about that feature of it.

I will admit that I am disappointed in the course things have taken here, not that it is a matter of personal concern with me, because I regarded it and regard it now as a matter both of duty and of good partisanship to let the House at the bill, instead of trying to submerge the House, trying to legislate without the House, trying to pass the bill by some cunning devices and agencies, with the membership of the House practically denied opportunity to participate in its consideration and in its disposition. What difference does it make whether you or I or anybody else or everybody else here makes a speech or does not make one? What difference whether the speech is illuminating and informing or whether it be the reverse? What difference whether it be on sound lines or whether the orator wander away off in the morass and wilderness of error, while the whole scheme and plan all the time is to arrange things so that no matter what you say or I say or anybody says, no matter what any of us think or what the country thinks, the bill be put through here with the House of Representatives set aside? If it can not be put through in its present form, then what an interesting question is submitted to the free representatives of a free people!

The question then is: How much must you have? How much pottage for your birthright? How much for the rights, the sacred, invaluable rights of your constituents committed to your keeping? "How little will satisfy you? Will you be content if we let you vote upon this?" "Do you really insist upon a vote on that?" "Will you not lend your assistance unless we yield something?" And now, "having yielded this much to you, will you stand out for more?" "Why are you so obstreperous? Why insist on so much? Here is this, that, and the other thing, which reluctantly, which out of sheer necessity, which as a dernier ressort, we do concede to you. Is not this enough? Why do you want more?"

Where is this going on? Who are we? What legislative body is this? What constituencies behind us? What measure is up? Is it of much or little importance? Everybody concedes it is of vast importance. Everybody knows that this revision is a legitimate part of the business to be transacted, and we are to be weighed and rated later by the results that are to follow duty performed, or subserviency and surrender.

That the American people through their Representatives shall deliberate and shall bring about legislative results—that is the old, the constitutional plan. But some gentlemen will not let this bill go through, if they can have their way, without a vote upon, let us say, the lumber schedule. How audacious! How intolerable! The House oligarchy would have no such vote. Then again, how audacious, how intolerable the demand for a vote on lumber, or on anything else. "Would you not be content to just let it go through as it is? If you are obstreperous enough and numerous enough, no matter upon which side you are on that lumber or other question, so that a rule can not be put through this House against your opposition or without your aid, then, and then only, we will yield to you." Yield to you, the Representatives of the American people! "We will yield to the House of Representatives, when yield we must, the privilege to vote upon the lumber schedule, or some other schedule or item!"

"Now, have you not got enough?" "Are you going to ask for anything else?" [Laughter.] "Do you demand a vote on whether hides shall be on the free list?" "Do not forget that 'demand' is a strong word, and remember that you are merely Representatives, merely Members of the House. We will permit you to vote on free lumber, and still you insist on a vote on the hide proposition." "We shall have to think about that; to count noses to decide whether it is necessary to concede that you should have a vote upon that proposition."

"Have we got enough placated, coaxed, duped, fixed, driven in, to put a rule through, gag the House, and take from it the opportunity to vote upon the schedules of this important measure? Can we now 'dope' the House and put the bill through practically as it came from one part of a committee?" I was about to say one-half, but that would be very inaccurate; it is over two-thirds of one committee. "If lumber and hides are not enough for you to vote upon, then, in God's name, what else

do you want? Upon what else do you Members of the House of Representatives wish to vote?" [Laughter and applause.]

"Well, if enough of you stand fast and enough of you insist, stiff necked, hard hearted, and unreasoning, if enough of you stand on your rights as representatives of American constituencies and insist upon something else, of course you can prevent the passage of our rule, and so, outrageous as it is, we fear that we, the chosen few, must let you have a vote on something else."

So it goes, and so it will go until things are brought around to a point where a rule can be put through. Then we shall know how much or how little the House saves and asserts of representative right, and how much or how little the plotting few take from the House and center in themselves.

Who shall, by persuasion or threat, by promise or coercion, take from the chosen Representatives in this House any of their noble prerogatives, including the right to vote upon any schedule or item in this bill? Do you ask what do we desire to vote upon? I wish to vote upon anything and everything in the bill. [Loud applause on the Democratic side.]

I wish to vote upon any matter in the bill upon which you mean to legislate. If you propose a duty, I desire to vote for it or vote against it or vote for an amendment to your proposition. Now, that may be a strange and extreme assertion of the rights of a Representative, but I have this right in trust for the people of my district, to exercise for their benefit. That right can not be exercised here except by me, for I, for the time being, happen to be their Representative; and it can not be surrendered so far as those people are concerned except by me, who, for the time being, am entrusted with the duty of representing them. If I surrender my rights as a Representative, I surrender the rights of those who sent me here. One of my rights is that of voting upon this bill in detail. I can not surrender, nor do I believe any of you can, without shirking duty and breaking faith with a confiding constituency. This issue rises in importance far above your wool schedule, outrageous as it is. It rises in importance beyond the iniquity of the provision in this bill for the benefit of the Standard Oil Company. It mounts above the tops of the highest trees upon which are perched and hung the arguments of those gentlemen who would put a high duty on lumber for the benefit that is to come to the laboring man with multiplied millions who is laboring for the lumber duty—for that "laboring man." [Laughter and applause.]

It rises above all other questions, individually and collectively, presented by the bill. The great question is whether the American House of Representatives is upon this most important piece of legislation to have a free hand, or whether what it shall vote upon is to be determined by conference, concession, bargain, or sale. That is the issue that rises in importance above all others. That is the mighty question here and throughout this land, no matter what your schedules are, whether they are good or bad, because when the question is fairly put to them the American people, without distinction of party, without regard to section, will insist upon having their Representatives here something more than mere automatons, something more than mere pawns to be moved upon the chessboard, each for the time being having not his recognized power according to the rules of the game, but the power and the weight and the might, or the absence of it, as the House players, who place men here and change them there, may choose to decree.

Such is the supreme issue now. How it will be decided I know not. That depends upon the Representatives of the people. The decision must be just as vital upon that side of the aisle as upon this side. This bill can not go through without a fair show for consideration under the five-minute rule, with fair opportunity to amend, unless a majority of the Members of this House join in a scheme to put it through without such consideration and without the full opportunity to vote upon amendments.

I concede that in consideration by a large body, and in all decisions made by a large body, there may be, and in many instances there will be and must inevitably be, errors, miscarriages, shortcomings here and there, due to the many imperfections of mankind. But are we to be told that the Members of the House of Representatives are not to deal with this bill because they may commit errors and make mistakes and go wrong? Why, we are not sent here as perfect beings, nor are they who would reduce us to nothingness and exalt themselves into veritable House autocrats. We are not sent here to represent perfect beings.

But we are intrusted with important duties in high office, and obligated most solemnly to use our powers and abilities, and such information and knowledge as we may have gathered, for the service of our constituents, our countrymen, our Republic. We were not sent here merely to surrender all or any of our powers and prerogatives because somebody asks for the surrender, nor to barter them away for the privilege of voting upon one, two, three, or a dozen different items, with thousands of items in this bill upon which we are entitled to vote, and upon many of which, at least, it is our duty to vote. It is not a mere matter of choice with me, if I would represent my people fairly, whether I shall bargain for a concession to vote upon a few items or shall vote unfettered upon many items. It is my duty to face the problems of legislation as they come, and to vote as I think I ought to vote, and to stand in the light with my vote recorded, and with the people of my district and of my country advised as to my stand and as to my vote. The people are my judges, they are your judges. None of us has a prescriptive right here. I am not entitled to be a Member on this floor except by virtue of the partiality and confidence of the people who elected me.

I have no title to membership in this body beyond the present term. Whether I come here again or you come here again is to be determined by the people who have the power to reelect us or to elect others in our places. They are entitled to know what we do. They are entitled to have us do what we can. They have no right to expect and they do not expect perfection of us. They know that we may fall short; they know we shall fall short of that, but they do expect us to be courageous, and honest with them. They expect us not to barter away their rights and ours. [Applause on the Democratic side.] They do expect us not to trade away our right to vote upon everything for the opportunity, conceded as a privilege, to vote upon a few things. I do not know what you are going to do about it, but as for me, I look upon the preservation and exercise of our rights as more important than anything and everything else involved in this whole matter.

I am not going to discuss the question of tariff for revenue, tariff for protection, free trade, or any other of the questions that might be involved or that could with propriety be discussed with a bill of this kind before us. I would make many changes in the bill. I would provide for a graduated income tax; would lower duties clearly exorbitant; would raise more revenue, with less of favor to the few and more of justice and charity to the many. I believe that the American people, since the gentlemen upon the other side won the election as they did—not merely the American people who belong to the Republican party, but those of other parties as well—will be content for the time being with legislation on your lines, as you declared you would legislate. I do not believe this bill fairly represents what they have reason to expect from your own declarations and pledges. [Applause on the Democratic side.] I do not believe that the duties as laid in your bill merely represent what is reasonably necessary, upon your own theory, to account for the difference in labor cost upon the two sides of the ocean, and give in addition to the investor a fair profit, based upon the capital, genius, and energy employed in manufactures.

I believe that in many instances they go far beyond it, inexcusably far beyond it. I fear many of the reductions are merely in form and not in substance. Take the lumber tariff for an illustration. That tariff schedule, as we understand, and we have it on good authority if my understanding of the matter is not entirely at fault, was really suggested by and prepared at the instance of and for the gentleman from Michigan [Mr. FORDNEY], who knows a great deal about lumber and who is directly interested in the lumber tariff. This gentleman from Michigan admitted in a colloquy between himself and the gentleman from North Carolina [Mr. KITCHIN] that, in his judgment, the proviso nullifies the promise of reduction of duty on rough lumber; and nobody claims that the dressed-lumber duty is low. The man who has studied it, who is interested in preventing any reduction, who would like to increase the tariff, admits after a long speech made by himself, in the course of numerous interruptions and an extended colloquy with the gentleman on this side [Mr. KITCHIN] that, practically, there will not be any reduction in the duty on lumber if the bill goes through as it now is.

If that is true, and I have a right, in view of the statement made by the gentleman from Michigan, who ought to know and, I presume, does know, to assume that it is true—if that is true, one of two things happened: Either the other members of the Ways and Means Committee, the participating members of the Ways and Means Committee, did not understand or know what they did about the lumber business—and I would like to reach that conclusion, for it is the charitable one—or the other conclusion is correct, and that I do not wish to reach, that they purposely made that provision so as to suggest and promise the American people a reduction on lumber while actually denying it. I do not wish to reach that conclusion; and I am not going to talk upon that theory, because if it were true that a deception was contemplated, planned, and embodied in the bill, I do not know how a man could acquit himself of moral cowardice if he did not denounce as strongly as it would be in his power to do the duplicity which alone could account for that way of dealing with a fond and trusting public. [Applause on the Democratic side.]

In the making of this bill only one side, virtually, was heard. And that, I think, without going into a general discussion of the matter upon the modern theory of protection, is exemplified in this bill and, considering the plan followed, was practically inevitable. The committee was about to consider the subject of revising the tariff. Somebody, or a combination of somebodies, is engaged in a particular business affected by the tariff. They are engaged in the manufacture and production of something. Their profits will be increased by a certain rate of tariff duty and decreased by another rate. They understand their business better than you or I can understand it, and know what will be good for them, from their business standpoint, in the particular business in which they are engaged.

They straightway come before the committee. They come singly, they come in groups, and by delegations. They come, and come, and come again. They are prepared for the hearings. They are heard orally, they present statements, they file figures, they make arguments. They are advocating a particular cause; they hope, plead, and work for results beneficial to themselves.

I am not condemning them; I am not arraigning them; I am not denouncing them; but I am going to say it is unfortunate that legislation affecting the entire body of the public should in so many instances be dictated by special interests. There are hearings for everybody. Everybody can come and be heard. There is the glove industry. A great many people wear gloves. Men wear them, women wear them, and children wear them. Some people wear costly gloves of fine make, material, and appearance; others must make the most of homely, coarse gloves, merely for the protection which they afford. Why, there are a great many wearers of gloves in this country. The glove schedule is up; let them come in and be heard! Yes; if you have occasion to buy a pair of gloves for yourself or for a member of your family, come here from New York or from South Carolina or from Missouri or from California and appear before the committee—it will only take a week or two, probably—and be heard and tell them, if you choose, that you do not think it is a good thing to put the duty up. [Laughter.] Tell them that you believe you are paying enough for gloves; that you believe the people in this country who are manufacturing gloves are doing better than you are doing in your business, and that you do not believe the duty ought to be advanced. Yes; come on.

The large doors will swing open and there is the gorgeous chamber right before you for your reception, the throne room of Ways and Means. Of course, if you are just a plain somebody from somewhere in the country, you are liable to be awed, maybe nonplused, maybe overwhelmed by the magnificence of your surroundings; but there sit the wise men on the raised platform, there are the gorgeous hangings, there is the costly furniture, and there you may be heard! Come in, if you think they are going to make your gloves cost too much!

But, Mr. Chairman, they do not come and they can not come, though the glove manufacturer can call around, and he can incidentally help in the organization of the House and in the adoption of suitable rules [applause and laughter on the Republican side], and he can incidentally help to carry on the schemes of those in danger of a fall. Yes; he can drop in and suggest what would be satisfactory to those engaged with him in the business of manufacturing gloves. He has great learning on the subject of gloves, knows all about gloves, gloves of this variety, gloves of that variety, gloves made here and there and everywhere.

Then the duty upon gloves is fixed, and of course fixed to the satisfaction of the man who makes the gloves, but perhaps not to that of the people who wear them. Oh, they will manage to deal with the consumers somehow. Some of them are farmers. Are they complaining about gloves costing them more? "Why, my dear friend, look at the 25 cents a bushel that we give you on wheat, though you export and do not import wheat. [Laughter.] And if that is not enough, look at the 15 cents on your corn; and if that is not enough, look at the duty on your raw pork and raw beef—it is your own fault if you export instead of import these things. Why, we have taken care of you—and your hay. Oh, you can pay this little matter on gloves; and as for the good wife, who is making a little complaint about hosiery, why, there is a duty upon eggs and upon chickens that go out and do not come in; so, you see, we are also taking care of her." [Laughter.]

But they take care of different classes in different ways. They take care of the glove maker—and I use this merely in a typical way, because there are a good many others—they take care of the glove maker as the glove maker desires to be taken care of, and they take care of the glove wearer as the glove maker desires that the wearer of gloves be taken care of. [Laughter and applause on the Democratic side.] That is the general method of procedure in this matter. Those who want something, if they have done something, get it.

Let me just read here a paragraph that attracted my attention at the time of its output, and that has dwelt in my recollection ever since. When my colleague, the gentleman from Missouri [Mr. CLARK], was making his speech—in which he certainly handled a good many of these questions without gloves and to the satisfaction of everybody who is for fair play—he referred to some remarks made by the Speaker of the House, the gentleman representing a district in Illinois [Mr. CANNON]. Mr. CANNON wished to have placed before the public exactly what he said. Mr. CLARK, of course, yielded, and Mr. CANNON made his own statement, and here it is, as printed on page 225 of the CONGRESSIONAL RECORD:

Mr. CANNON. I was met with the statement there in print, and I believe it has not been denied, that Representative Hackney (then Representative, but not now Representative) was stating to his people that he stood upon the Denver platform, but that as to zinc he had the assurance of Representative PAYNE and Representative DALZELL that on the revision of the tariff zinc would be properly protected—

Zinc is now on the free list—

They said that the Representatives mentioned had denied that statement. It was an exceedingly interesting audience. We had great audiences on that two days' trip across the State and back. I stated further that words were cheap; that they knew in the Joplin district and elsewhere in Missouri whether a duty on zinc that came in competition with their production was necessary. I told them that action was louder than words; that they being experts, I being a Member of Congress, if I should be reelected, their action would control my vote; that if they sent the message by Representative MORGAN (and I laid my hand on his shoulder), that they being experts believed that zinc ore ought to go upon the protected list, I would take their action and vote accordingly; and if they sent Mr. Hackney, I would take their action and vote accordingly, and that it was up to them [laughter and applause]—

Perhaps there was laughter also down there in Joplin—

Now, that in substance was my speech, and in substance it was my speech in the district of Mr. RUSSELL and his near-by Democratic Representative, passing through the zinc and the lead and the glass districts. Now, those people seemed to think that glass, lead, and zinc needed protection. I will take their judgment, after full inquiry, and shall vote for that protection. [Applause on the Republican side.]

Now, let us look at that a moment and see whether it does not harmonize with what I said about the way these bills are made. The gentleman from Illinois [Mr. CANNON], carrying with him, however, the mantle of the Speaker of the House of Representatives and the shadow of the tremendous power of the Speakership—the substance being found when he is here—said, substantially, "Elect Mr. MORGAN and then I will vote for a duty on zinc, or elect Mr. Hackney and then I will vote to keep zinc on the free list."

Paraphrasing liberally, that is what the Speaker said. Now the Speaker carried into that contest, there and elsewhere, much more than the power and eloquence and experience and persuasiveness and ability and cunning of the gentleman who represents a certain district in Illinois. He carried also the power that he, the Speaker, has by virtue of the action of this House, affirmative and negative; affirmative, in electing him Speaker, and negative, in declining to assert its own rights and permitting the Speaker to assert and use those rights for such purposes as commend themselves to him. As to the Joplin district—and I have not time to discuss the zinc question—there either ought to be a duty on zinc ore, or there ought not to be a duty on zinc ore. [Applause on the Democratic side.] And the decision ought not to depend upon whether the people out in the Joplin district, or elsewhere, in the exercise of their rights and powers as electors, choose a Democrat or choose a Republican to represent them here. [Applause on the Democratic side.]

But, boldly and flatly—I will not use any other qualifiers—the Speaker put it: Vote my way politically and I will vote taxes your way; but fail to vote my way politically, and I will vote against you and your zinc tariff claims. The question whether there ought to be or ought not to be a duty on zinc ore was swept aside as unworthy of consideration—if you would have a duty on zinc, send us a Republican and you will get it; send a Democrat and you will be denied the duty on zinc if I can have it denied to you.

Do you suppose such logic, such persuasion, such philosophy, such political ethics were confined to that one campaigner, or to that southern part of the State of Missouri?

Now, I would like to know whether a bill can be framed here in justice to the American people when elections are won by such promises and such threats. Was anything like this said

public. We were not sent here merely to surrender all or to mill owners, anything to the beneficiaries of this most iniquitous woolen schedule?

Now, as a matter of fact, Mr. Hackney, a Member of the last House, and defeated by Colonel MORGAN for election to this House, in his former campaign and in his last campaign was openly for a tariff upon zinc ore. He and his competitor stood together on that proposition; but he stood upon the Denver platform, said the Speaker in the paragraph I have quoted, and if you elect him, no matter whether you need the duty upon zinc ore or not, no matter as to the merits, you shall not get it. I would like to know——

Mr. PARSONS. Will the gentleman yield for a question?

Mr. DE ARMOND. For a question.

Mr. PARSONS. Upon what theory was Mr. Hackney for a duty upon zinc ore?

Mr. DE ARMOND. I can not tell you.

Now, let me go a little further on that. There can be no question that Mr. Hackney, if elected, would be for a tariff on zinc ore, as is his successful rival, Colonel MORGAN. They are both friends of mine. I am speaking about this matter merely to call attention to a somewhat remarkable condition.

I do not know, and I do not pretend to know, how my friend Colonel MORGAN will vote upon anything else. I presume it was thought—reasonably it might be thought—that Mr. Hackney, although he would vote for a duty upon zinc, might not be for a duty upon any and every thing upon which two-thirds of this committee, excluding the others, would see proper to put a duty, at a rate fixed by them, and that he might not at the extreme moment, in the hour of a crisis, vote for a rule which, while giving to the Members of the House of Representatives as a concession permission to vote upon a few things, in defiance of all their rights and against the principles of the Constitution, outraging our constituencies, would deny to them the right to a vote upon anything and everything else involved.

As I said before, I think this is not an isolated instance. Having done the work, having "delivered the goods," the lords of special privilege ask for their pay; and there is nobody but the American citizen to pay, as the tribute comes out of the pockets of the millions scattered over this land. Then talk about the beauty of the protective system! Then talk about prosperity! Then talk about adhering to our principles and our standards!

Mr. MILLER of Kansas. Will the gentleman allow me a question?

Mr. DE ARMOND. Just a question.

Mr. MILLER of Kansas. Suppose Mr. Hackney had been elected. The gentleman says that he was in favor of a duty on zinc ore. Suppose he had been elected, and his party had a majority of this House, does the gentleman think his party and Mr. Hackney together would have put a duty on zinc ore for the purpose of protecting that industry?

Mr. DE ARMOND. Mr. Chairman, of course I did not think the Speaker would be alone in this business; and I see very clearly, however little support or much support he has, my friend, because he sympathizes with and entertains the views expressed in this paragraph which I have read, backs him up. I say the duty ought to go on zinc or be left off zinc as a matter of right, no matter who represents the district, and it ought not to be a matter of barter and sale as to the representative of any particular man or party. And I say that any legislation that is bottomed upon that kind of principle, or absence of principle——

Mr. MILLER of Kansas. I agree with the gentleman on that proposition.

Mr. DE ARMOND. That is all right, but let me state the proposition. It is a travesty upon words to say that such a thing is a principle. If a duty is to go upon zinc, it ought to go there because it is good, wholesome legislation to put that duty upon that metal, not because people who are down in that district, which produces more zinc than any other—the richest and best zinc district in the world—elected a man of the Speaker's party. That is the point I am making. Of course, I do not expect universal acquiescence in the proposition. I am admonished that there will not be.

Mr. PARSONS. Will the gentleman yield for a question?

Mr. DE ARMOND. Yes.

Mr. PARSONS. If the people in the Joplin district wanted a protective duty on zinc, then was it not their duty to send a member here of the protectionist party?

Mr. DE ARMOND. Well, I see that the Speaker has got still more support. It was their duty, I think, to exercise their free judgment as to what they should do. That was a question with them. They made their decision. However they might make that decision, whether in favor of Colonel MORGAN as the Republican candidate or Mr. Hackney as the Democratic candidate, the question of merit and of duty would remain. Now, then, if that be not the fact, the whole thing can be settled upon the other theory, by catechising the applicant for a duty, high or low, and taking evidence to corroborate or contradict, if necessary, the question being, not what is the state of the industry, not what is the condition of the Treasury, not what is the present duty, not what the duty ought to be, but "How did you vote? What did ~~you~~ do? Did you help the party of protection, or did your judgment and your choice incline you to the other side?"

I am astounded, really, that questions are asked which suggest that that is the proper way to legislate. Maybe it is. If it is, then it is also proper for the people's Representatives here to surrender the right to amend this bill, and swallow it whole. If that be the way to legislate, the matter is already disposed of.

Mr. MORGAN of Missouri. I would not interrupt my friend for a moment to embarrass him, but I would like to ask him this question: If the Committee on Ways and Means, in the consideration of the question of tariff upon zinc ore, did not attempt to settle that by examination into the cost of production in Mexico and production in this country? And is it not true that, upon those principles, this House will settle that question when it comes to vote finally upon it? And is it not true that there has been no suggestion whatever to the Committee on Ways and Means about a barter and sale or any pledge to the people of Joplin, one way or the other, excepting what has been said outside of this House as coming from the Joplin district? Nothing of that kind has been said, I believe, before the Committee on Ways and Means of this House or to any Member of the House. Is it not true that the Joplin people have simply appealed to the Congress of the United States upon what the gentleman has so eloquently said is the right to have protection under the protective policy that has been adopted by the Republican party?

Mr. DE ARMOND. Mr. Chairman, I can not answer that question, because there are so many questions in it. I can not answer as to what the Ways and Means Committee did, because they sat behind closed doors, and I did not have access to the council room, and my friends who belong to the party of my faith, and who also belong to that committee, were not good enough to be admitted. I was talking about what was laid down as a criterion. "You talk about protection to zinc. I perceive you know and understand the subject, so I will consider the matter as settled by what you do at the ballot box. If you do a certain thing, I will vote for a duty on zinc, and the duty will be imposed, but woe unto you if you do not vote my way!" Not in these words, but to this effect, the Speaker promised and threatened, entirely ignoring the whole question of right. I conclude that the Joplin treatment was tried elsewhere and frequently, and I think there is much in the bill before us and much in the manner of its preparation and in the handling of it here, and in the studied efforts to get it through the House without opportunity to the Members to amend it, to warrant the conclusion.

Mr. JONES. I would like to ask the gentleman, Mr. Chairman, whether or not the voters of the Joplin district were aware of the fact that the Speaker had power to and would appoint this Committee on Ways and Means when he made that promise to them?

Mr. DE ARMOND. I am presuming that they were aware that he possessed that power, and presuming they were aware that if those who sympathized with him were in the new House in sufficient numbers he would retain and exercise that power.

Now, there are some things that escaped the care of this committee, and while I have no interest in the matter at all, I just merely direct attention to it, so that if amendments are to be offered the committee may look after another industry. I am advised by a friend, and he showed me some documents upon the subject, that there is a very considerable complaint in certain quarters, a very earnest complaint, if not one from a very large number of people, because certain American products, and a certain one in particular, are not properly taken care of in this bill.

I refer to a dog product. I am told that this bill does not treat the American dog right on the article of puer. Tanners know what puer is. I am told that the American dog, which some men are glad to follow for certain purposes, is discriminated against in favor of the foreign dog. [Laughter.] I must presume that it was because the American dog was not before the committee asking to be taken care of. [Laughter.] The American dog is an American industry. The particular product to which I allude, when the American dog has anything to do with it, is an American product. An American dog amendment

may be tendered to secure support for a gag rule. As I am not willing to swap my rights as a Representative for anything whatsoever, of course I do not know what the dog amendment may be. I do not know whether it will be friendly to the dog, or whether it will be pressed. [Laughter and loud applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STANLEY. I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

Mr. DE ARMOND. Mr. Chairman, as there are many gentlemen who desire to speak, I do not wish further time.

Mr. McCALL. Mr. Chairman, when the committee was beginning its hearings, early in November, some so-called "commercial organizations" and some enterprising gentlemen of the press declared it was entering upon a make-believe effort at a downward revision; and so far as the organizations and gentlemen I refer to had any influence, the work was discredited in advance. What, it was asked incredulously, could the cause of tariff revision expect from a committee headed by two such arch standpatters, hopelessly beyond redemption, as the gentleman from New York and the gentleman from Pennsylvania?

When little David Copperfield took supper with Uriah Heep and his mother, we are told that he stood about as much chance against two such old hands as a tender young cork would stand against two old experienced corkscrews; and we were led to believe the cause of reduction of the tariff, with the gentleman from New York and the gentleman from Pennsylvania leading in the movement, would be in much the same plight.

After four months of arduous work on the part of the committee a bill was at last presented to the House, and with the appearance of the bill it is significant that criticism of the character to which I have referred entirely ceased. The same gentlemen who had been engaged in questioning the good faith of the committee in advance were compelled to abandon the task which they had undertaken, and they have since employed their talents in discovering "jokers" in every paragraph of the bill.

The reason is obvious. Whether you agree or disagree to the particular provisions of the bill, there can be no question in the mind of any man who has made in any detail a study of its provisions that it revises the tariff downward; that it makes some great and many important reductions from existing duties, and that as a whole, if it shall become a law upon the essential lines upon which it is drawn, it will make a greater reduction of duties upon important articles than any general law which has been enacted for a half century.

The gentleman from Missouri, the leader of his party in the House, has stated that the average ad valorem of the bill is slightly greater than the average of the present law. That is true, but not at all interesting as giving even a superficial test of the general character of the bill.

The average ad valorem to which he refers is reckoned upon the dutiable articles. If a bill were presented here which removed every tariff duty except upon sheep dip and cutch or any other two obscure articles and left a duty on them of, say, 90 per cent, it could be argued that such a bill gave a revision upward with a vengeance, because its average ad valorem was twice the average upon dutiable articles of the existing law. It is one of the characteristics of a free-trade system of duties that it has a high average ad valorem upon dutiable articles. The average of the tariff of Great Britain, the great free-trade country of the world, is much greater than that of the pending bill or of our present law. As I said, this average does not present even a superficial test. It takes no account whatever of articles taken from the dutiable and put upon the free list. Take the article of sugar. We have decreased the duty and yet increased the average ad valorem upon dutiable sugar because we put Philippine sugar on the free list.

Let me call your attention to the character of the changes which the pending bill proposes. First, it takes things like cocoa, mahogany, and other important articles now upon the free list and imposes a revenue duty upon them—and I use "revenue" here strictly in the free-trade sense of that term. The articles of the class to which I have referred are, in the main, not produced in the United States.

They are among the things that would be selected for the purpose of a purely revenue tax. In the aggregate the importations of these articles amount to $38,379,000, and it is estimated that they will produce in revenue $14,669,000, or an average ad valorem of 38.19 per cent. These things are now on the free list, and, in comparison, upon the average ad valorem basis, they would tell very strongly against the pending bill. But the importation of these articles is offset by transfers of about $35,000,000 in value of articles to the free list. These articles lie at the basis of great industries. And the difference in character between the two classes of articles involved in the exchange strikingly shows the general character of the bill. The lists prepared by Mr. Evans, the assistant clerk of the Ways and Means Committee, are as follows:

Free articles transferred to dutiable list by Payne bill.

Article.	Value.	Duty.
Oxalic acid	$634,855.00	$71,291.05
Oils:		
Anise or aniseed	32,805.00	8,201.25
Bergamot	192,485.00	48,121.25
Cedrat	426.00	106.50
Citronella, or lemon grass	223,276.00	55,819.00
Jasmine, or jasamine	15,151.00	3,787.75
Juniper	7,620.00	1,905.00
Lavender and aspic, or spike lavender	227,117.00	56,779.25
Lemon	218,749.00	54,687.25
Neroli, or orange flower	99,759.00	24,939.75
Nut oil, or oil of nuts	772,057.50	193,014.37
Orange oil	122,634.00	30,658.50
Roses, attar of	332,697.00	83,174.25
Rosemary, or anthoss	17,861.00	4,465.25
Enfleurage grease	404,316.00	101,079.00
Cutch	$321,016.00	$80,586.33
Zinc in ore	109,330.75	92,260.26
Calamine	703,741.10	703,741.10
Cabinet woods, in rough	3,719,932.08	185,966.60
Briar root, etc.	237,738.00	11,887.00
Sticks, joints and reeds	238,619.18	11,930.96
Rattans, etc.	1,116,179.00	55,808.95
Yams	2,911.00	727.75
Fruit in brine:		
Citron	165,831.00	66,146.76
All other	43,987.80	17,595.12
Cream and Brazil nuts	477,292.00	120,894.50
Cocoa, or cacao, crude, and shells of	8,689,119.00	3,292,854.40
Spices, unground	4,505,179.50	1,351,553.85
Mustard seed	195,276.00	68,582.80
Tea	14,583,409.57	7,993,698.70
Articles, crude, used in dyeing	177,436.00	17,743.60
Articles, crude, used in tanning	101,198.00	10,119.30
Total, free to dutiable	38,379,711.48	14,669,198.36

Dutiable articles transferred to free list by Payne bill.

Article.	Value.	Duty.
Ammonia, sulphate of	$801,570.00	$55,091.56
Copperas, or sulphate of iron	28.00	1.40
Licorice, extracts of, in pastes, rolls, or other forms	95,450.90	29,751.72
Cotton-seed oil	23.00	2.60
Croton oil	929.00	489.40
Iron ore	766,222.00	147,828.46
Iron ore from Cuba	1,992,501.00	196,683.52
Basic slag	13,591.00	1,613.04
Fence posts	9,780.99	973.12
Tallow	63,805.00	6,811.99
Flax straw	10.00	7.23
Flax, not hackled or dressed	1,585,632.00	136,227.40
Wood pulp, mechanically ground	1,237,628.65	154,953.34
Bituminous coal and shale	3,314,539.00	739,988.32
Slack or culm of coal	924,313.36	102,285.57
Patent fuel	618.00	123.60
Coke	698,607.05	139,761.40
Hides:		
Buffalo	1,797,108.00	269,566.20
Other cattle	19,984,610.37	2,997,691.59
From Cuba	143,891.00	17,263.32
Agricultural implements	24,785.68	4,957.13
Casein	6,602.00	1,320.40
All from Philippine Islands (Schedule A-N)	1,266,424.06	529,616.17
Total, dutiable to free	34,088,739.06	5,542,898.48

In addition to the things upon which purely revenue duties are levied, the increases of the bill amount in the aggregate only to about 25 in number. There are a few very small increases in the chemical schedules. There are four or five small increases in the earth and earthenware schedule. The only increases that could really be called large that are made upon important articles are upon zinc, upon certain grades of hosiery, and upon women's gloves. To offset them there are forty-odd reductions, some of them very heavy, in the chemical schedules; ten or more reductions in the earth or earthenware schedule; fifty or more in the great metal schedule, and as many more in the remaining paragraphs of the bill. The tally will stand about 25 increases, most of them unimportant, as against about 150 decreases, many of them very important. Coal, agricultural machinery, fence posts, sulphate of ammonia, hides, works of art over 20 years old, and iron ore are placed upon the free list. The articles upon which the reductions and removals of duty have been made may or may not have been wisely chosen, but that they are of great number and include things of prime importance in the industry of the country there can be no doubt whatever.

Mr. HARRISON. Will the gentleman yield for a question?

Mr. McCALL. Certainly.

Mr. HARRISON. Will the gentleman indicate along what lines of principle these raises were made that he has spoken of, and upon what principle the decreases were made, if any?

Mr. McCALL. I have a table which will show the most important of the increases and the most important of the decreases; that is, where the articles were taken off of the free list and articles put upon the free list.

Mr. HARRISON. What I want to ask is, What actuated the committee in making the raise?

Mr. McCALL. I really do not think the raises are of consequence enough for me to waste time to discuss them. I can frankly, however, for the purpose of argument, admit that they are all bold, bad things, but I offset them by the great decreases made in the bill. They are not all bold, bad things. I am coming later to a discussion of the increases and decreases. I am now simply talking to this point, that gentlemen who get up here and plead that this bill does not make substantial reductions in the tariff, general reductions in many of the schedules, either have not read the bill or are not correctly presenting it.

Mr. HARRISON. Does the gentleman think that the reductions in the bill have reduced it to a revenue point, or are not the rates still prohibitory?

Mr. McCALL. Undoubtedly the reductions on many of the articles will stimulate importation.

Mr. HARRISON. Does the gentleman believe that is true of the steel schedule?

Mr. McCALL. I believe there will be material increases of revenue in the steel schedule. Now, I trust my friend will not anticipate my whole argument, because I propose to say something upon these schedules and among them something on the steel schedule.

Everyone who looks at the bill in even a cursory fashion must admit that the combined weight of the increases is, from the standpoint of the general industry and commerce of the United States, almost infinitesimal when compared with that of the decreases made in the bill. No one can honestly say to the gentleman from New York, zealously assisted as he has been by the gentleman from Pennsylvania and by his other colleagues, whatever the crimes of the bill may be, that it does not present a great and comprehensive scheme of tariff revision, in which the reductions vastly preponderate over the increases.

I am far from claiming that the present bill is from my own point of view a perfect measure. I have no fancy for the inheritance tax nor for the tea tax, and neither do I fancy all the reductions or increases that have been made. It would be impossible for 12 men, whether we take the Republican members of the Ways and Means Committee or any other 12 men from either party in the House of Representatives, to agree upon a general tariff bill applying to some 5,000 different articles and have them agree upon every one. It would be rare that 1 of the 12 would get his first choice, and he would be quite fortunate to get even his second choice, while sometimes he would be at the bottom of the heap. But I believe of this bill, as a whole, when we consider the necessities for revenue and the general conditions of the country, that it contains the best set of tariff schedules ever submitted to the House of Representatives by a Committee on Ways and Means. While it recognizes the principle of protection to American industries, and recognizes it as a national and not as a sectional policy, it is leveled against the idea that it is an important function of tariff taxation to increase the fortunes, already great, of those gentlemen who have secured control of some of the great natural resources of the country, or that it is a function of a tariff law to put duties so high that producers in this country by a combination to destroy competition may use them for the purpose of extorting excessive profits from the people. If this bill should become a law substantially upon the lines upon which it is drawn, it will be a most fortunate circumstance for the country that it has had at the head of the committee which framed it a man who has spent his days and nights in the study of the subject and who has the unwearied industry, the great capacity, and the wide knowledge of SERENO PAYNE. [Applause.]

After his exhaustive exposition of the principles of the bill there is no occasion, and, indeed, no excuse, for an explanation of its details by anyone on this side of the House. What I shall say will be devoted to three or four paragraphs and to some considerations which have occurred to me in the course of this debate. I shall speak first of the paragraphs relating to shoes and leather and hides. Whatever inference may have been drawn from remarks made in debate concerning the shoe manufacture of the United States, it is far from being a sectional industry. It has been spreading over the country and gradually drawing nearer the sources of the material from which leather is made until it has became a great national industry. I have been told that our greatest shoe manufacturing concern is upon the west bank of the Mississippi River. During each of the last three periods given by a recent census bulletin the State of Missouri has more than doubled in the value of its production of boots and shoes. From 1880 to 1890 its production increased 144 per cent; from 1890 to 1900, 132 per cent; and in the five years from 1900 to 1905, 108 per cent; and there has been a healthy increase in the other States of the Central West.

The total value of the products of this industry in the United States amounts to the enormous sum of $400,000,000 each year. It has never been found possible in these days of combinations to create anything bearing the slightest resemblance to a shoe trust. There are more than 1,300 distinct establishments. While I do not believe in the great disparity of wages here and abroad shown by some of the statistics presented to the committee, there is no doubt that the American wages are very much in excess of the wages in this industry abroad.

The enterprise of our manufacturers and the ingenuity of our inventors and workingmen have enabled this country to lead the world in the production of shoes, but, as was shown by my colleague on Saturday, foreign countries are getting the advantages of our shoe machinery.

I can scarcely believe that the gentleman from Missouri [Mr. CLARK], the leader of the minority party, is serious in the purpose which he has announced, to place boots and shoes upon the free list.

Mr. BURLESON. Will the gentleman yield?

Mr. McCALL. Certainly.

Mr. BURLESON. It may be that the shoe manufacturers of Missouri do not want protection. I hold in my hand a letter from a man who says he is one of the largest shoe manufacturers of the United States, and he begs that shoes be put upon the free list. I would be glad to submit that letter to the gentleman, if he desires to see it.

Mr. McCALL. I do not question that at all. I do not know what that gentleman makes, but if he makes the ordinary kind of shoe, I believe that he would be driven to the wall if shoes were put upon the free list; and I propose to discuss that very question right now in this connection.

Mr. BURLESON. And he claims that he is one of the largest shoe manufacturers of the United States, and begs that they be put upon the free list.

Mr. McCALL. I have heard that claimed by others.

Mr. BURLESON. He lives in Columbus, Ohio.

Mr. McCALL. I think that is a circular letter. I do not know just what the relations of the man to the shoe industry are. The total value of the products of boots and shoes in the United States amounts to over $400,000,000 each year.

Mr. STANLEY. Will the gentleman yield?

Mr. McCALL. Yes.

Mr. STANLEY. I know that the gentleman from Massachusetts [Mr. McCALL] is thoroughly familiar with the subject, and I wish to ask him if he was forced to choose between free hides and free shoes both, or to take the present tariff on shoes and the present duty on hides, which he would think would be preferable for that industry?

Mr. McCALL. Mr. Chairman, if the gentleman will wait, I was going to cover the shoe question and the hide question, and I may follow along a line which may possibly enlighten the gentleman with reference to my own views on the subject.

Mr. SULZER. Will the gentleman yield?

Mr. McCALL. Yes.

Mr. SULZER. Can the gentleman state to what extent boots and shoes are being exported from the United States?

Mr. McCALL. There is not a large exportation of boots and shoes. In fact, it is an exceedingly small percentage, not merely of our production, but of the consumption of the countries to which we send them.

Mr. SULZER. Is it not a fact, however, that boots and shoes manufactured in the United States are sold in foreign countries cheaper than to Americans at home?

Mr. McCALL. I do not think that is true. There is not any surplus of boots and shoes to export. They do not have to resort to dumping.

Mr. SULZER. I am reliably informed that boot and shoe manufacturers in New England sell their products cheaper in Canada than in the United States.

Mr. McCALL. I think my friend has been misinformed. Now, we have a great advantage in machinery, but as was shown by my colleague on Saturday, the gentleman from Massachusetts [Mr. GARDNER], foreign countries are about to have the full advantage of all of our shoe machinery.

The great United Shoe Machinery Company has established agencies abroad. It is equipping factories there with the most modern machinery. It has experts training the foreigners in the use of these machines, and there can be no doubt that labor

abroad will be substantially as productive in this industry as it is in the United States. I know it goes well just before an election to tell about the immensely superior quality of our labor to that of Europe, but we know that the workingmen of Great Britain, Germany, and France are intelligent and industrious, and when they are trained in the use of this machinery they will probably fall little below our own shoemakers in point of efficiency. We know what those countries have done in other lines of manufactures. With the same kind of textile machinery as ours they have reached a point of productiveness where, unless we had protective duties, they would close similar mills in the United States.

This bill proposes to reduce the duty on shoes from 25 per cent to 15 per cent. Estimating this upon the value of the product, it represents at least a half dozen times as great a sum as the 15 per cent upon hides, reckoning it upon all the dutiable hides produced in this country, although very many of these hides are used in other leather industries than the boot and shoe industry.

The bill places hides upon the free list. I do not propose to call hides a raw material, because I think that is a much abused term. If one man uses the finished product of another, he is quite apt to call it raw material. Speaking now without any particular reference to the shoe manufacturers, I can say that if I had begun work upon this tariff bill with the idea that manufacturers were, in every instance, benevolent gentlemen, asking that duties be fixed without reference to their own advantage but purely with regard to the public welfare, that illusion would long ago have been dispelled. They are patriots doubtless, but I have noticed that some of them show that discriminating and thrifty patriotism which asks protection upon what they make and free trade in what they make it out of. The questions in regard to the leather industry must be settled upon the basis of the general welfare. To my mind it is inevitable if you put boots and shoes upon the free list that you will endanger a great American industry.

Now, what will be the effect of returning to our ancient and almost uninterrupted policy of having hides upon the free list, for the first tariff act, signed July 4, 1789, placed hides upon the free list and there they remained until the enactment of the Dingley law, except when the country was looking for revenue to pay the expense of war. We export no cattle hides from the United States except such as are on the living animal, and we produce in this country but little more than half the hides of the dutiable kind that we need. The purpose of restricting our markets is not, therefore, to find a home market for the hides we have, but simply to increase their price.

Who gets this increased price, amounting in the aggregate upon the hides raised here to about $7,000,000? Some say the packer gets it all. Some say the farmer gets it all, while most agree that it is divided between the farmer and the packer. Suppose the farmer gets half of it, or $3,500,000. That, I believe, is a small sum compared with the aggregate that will be saved to the farmers in the reduced cost or increased quality of their boots and shoes and other articles which are made of leather.

But I have not yet happened to hear in this debate what to my mind is a most important argument in favor of free hides. Whether or not it is true that the packers control the sole leather industry of the United States, their relations with that industry are very intimate. Such hides as those which are protected by the duty are chiefly used for making sole leather. The packers, in the regular course of their business, have about two-thirds of all these hides. The work of taking them off is more scientifically done in their establishments and they are better for tanning purposes. The packers have agencies all over the country and business connections which give them a great advantage over the tanner in purchasing the remaining third of the hides which they do not in the first instance control.

With two-thirds of the hides, and the best ones, owned by them and with their better means of securing the remainder they have the control of the great bulk of the raw material for sole leather, and if the duty of 15 per cent is to be left upon the foreign hides it would be only the forbearance of the packers that would prevent them from taking advantage of obvious economic conditions, forming a sole-leather trust, and completely controlling the manufacture and sale of sole leather in the United States. And the control of sole leather might lead to a trust in shoes. And with a leather or shoe trust controlled by the packers, whatever part the farmer received by reason of the duty on hides would be of very little consequence compared with the extra price that he would pay for articles made of leather. And, taking the aggregate of the whole people of the United States, the exaction of a sole-leather trust alone would probably outweigh the total value of all our domestic hides of the dutiable kind.

With free hides the tanner of sole leather will not be dependent upon the packer. He will have all markets to draw upon, and with the very small duty of 5 per cent upon sole leather there will be no danger of a trust, unless it be an international one. The bill also makes very substantial reductions in the duties upon those leathers in which dutiable hides are not employed at all.

Mr. SLAYDEN. Will the gentleman permit one other question?

Mr. McCALL. Certainly.

Mr. SLAYDEN. I would like to ask the gentleman if he believes that there would be importations of shoes even if they were put on the free list?

Mr. McCALL. I will give you my view about that.

Mr. SLAYDEN. I am asking the gentleman's opinion.

Mr. McCALL. They educate the Germans and the French and the other very bright people of Europe—at least we regard them as bright when they land upon our shores—in the use of our modern machines, and they have relatively low wages. You would find, first, that they would come in competition here with a cheaper grade of shoes, and would drive out our manufacturers making these grades, and gradually they would get control of a great deal of our shoe trade, and I believe possibly would supply half our total consumption of shoes.

Mr. SLAYDEN. What becomes of the boasted efficiency of American labor compared with that of Europe?

Mr. McCALL. It is fashionable to boast of the great superiority of our labor just before election, but I do not believe a man can come here from abroad and go into a shoe factory and do so very much better work than he did when he left his home country.

Now, Mr. Chairman, I will take up another schedule of the bill which is almost at the antipodes of this schedule, and which shows the great range of subjects covered by general revision of the tariff. I refer to the provision of the bill which puts works of art upon the free list.

Mr. MILLER of Kansas. Before the gentleman leaves this phase of the subject, I would like to ask him a question.

Mr. McCALL. I yield, with pleasure.

Mr. MILLER of Kansas. I would like to know if it is the opinion of the gentleman from Massachusetts that boots and shoes would be cheaper if the duty on hides was taken off?

Mr. McCALL. It is very strongly my opinion. The competition between our shoemakers is so intense that they could not take the repealed duty. They would have to give a better shoe, or else they would have to sell the same shoe for less money.

Mr. MILLER of Kansas. I understood the gentleman to say, in answer to the gentleman from Texas, that your farmers or people would be benefited by reason of getting a better shoe.

Mr. McCALL. Yes; that is my opinion. Or getting the same shoe for less money.

Mr. MILLER of Kansas. Now, can the gentleman give the committee any information at all as to the difference in price of the average pair of shoes after the duty is taken off and while the duty was on?

Mr. McCALL. There is a great deal of technical evidence on that point. I imagine that it would make a difference, on an average, of fully 10 cents per pair. Now, I may be entirely wrong about that.

Mr. MILLER of Kansas. Is it not true that the testimony before the Ways and Means Committee varies from 6 cents a pair to 10 cents a pair, and that there is no evidence before the Committee on Ways and Means in this hearing showing that any manufacturer has testified, or any expert on the subject has testified, that, in his judgment, the price would be more than 6 cents a pair?

Mr. McCALL. With all due regard to my friend, I think he is mistaken in regard to that testimony.

Mr. MILLER of Kansas. I think that is the testimony, exactly.

Mr. McCALL. A very important feature of the bill, to my mind, is that putting upon the free list works of art which have been in existence more than twenty years. Instead of setting up barriers against bringing into the country the great masterpieces of art, we should put a premium upon their importation. In the conquests of Napoleon he took out of conquered countries many of their great art pieces and carried them to Paris. If he did not carry on war for the purpose of securing them, he at least regarded their acquisition as one of the important fruits of victory, and he believed that their possession enriched his own country.

After he had been dethroned the other nations took back the most important works of which they had been despoiled. What

he won and lost by war we certainly should not refuse to gain by peaceful conquest. If we permit our men of wealth to buy great masterpieces and bring them into this country, experience shows that they will after a time find their way to the public galleries. The average life of these works in the hands of private collectors in this country, before they find their way to public galleries, is said to be only two generations, and even when in private hands they are often thrown open to the public. One of the best private collections of paintings that I have seen in this country was west of the Missouri River and at certain times it was open to the public. Many a boy and girl who could not afford to go to Europe and study the masterpieces in the galleries there, could get an inspiration from the study of the masters in their own country, and fortunate will they be if they can be permitted to look upon the immortal tints that Raphael and Titian have put upon the canvas. Works of art such as this bill would admit free have the highest educational value. We should stimulate their importation. It would be like barring out the sunshine to put up barriers against their coming in, and while I regret that the provision could not be made even more liberal, it is one of the most enlightened paragraphs of the bill.

Mr. HARRISON. Does the gentleman from Massachusetts realize that under the provisions for free art no provision is made which would permit the importation of some of the greatest masterpieces of European art, such as the terra cotta of Luca della Robbia and the wooden sculptures of Donatello?

Mr. McCALL. The gentleman refers to the distinction between sculpture and statuary. I should be very glad to see a change made in that respect, and I think one should be made.

Mr. HARRISON. I think so, too; and I am glad to hear the gentleman express the possibility of there being a still more liberal change.

Mr. McCALL. I should be glad to see sculpture put in place of statuary. I now yield to the gentleman from Nebraska [Mr.

Mr. HITCHCOCK. The gentleman makes a plea that American art students be given an opportunity to study art in America. Is it not a fact that works of art, under the present law, are admitted to public museums free?

Mr. McCALL. Undoubtedly.

Mr. HITCHCOCK. So that nothing could be gained under that head.

Mr. McCALL. I can not understand how the gentleman can say that nothing can be gained under that head. It would be very rare that a public museum could afford to buy an ancient great work of foreign art. Private collectors take pride in collecting these works and establishing galleries of their own. And, as I said, experience shows that after two generations these works go into public galleries. So a great deal would be gained under that head.

Mr. HITCHCOCK. Will not this new law be an incentive to private citizens to purchase and import works of art and place them in their own galleries, whereas now, in order to get free entry, they must put them in a public museum?

Mr. McCALL. I hope it will result in their buying them and bringing them in; but, as a matter of fact, they do not to any extent buy them to put them in a public museum. They could do that, anyway, if they were so disposed, and it would not prevent them in any way if they felt generous enough to make a gift of a painting to a public museum.

If the gentleman will pardon me, I do not like to ask an increase of the time on account of the limited time remaining for debate. I would like to take up another schedule of the bill.

I will now ask your attention briefly, to the metal schedule. There is a very substantial cut upon the many products of iron and steel, with the deeper cut upon the lower forms, upon which less labor has been expended. While possibly the great steel corporation, the most thoroughly organized manufacturing concern in the world, might have been able to stand somewhat larger reductions, the testimony showed that the independent concerns, which produce about half the iron and steel of the United States, would have been put in danger. Pig iron, which lies at the foundation of many great industries, is cut from $4 to $2.50 per ton, and scrap iron from $4 to 50 cents per ton. One of the very best provisions of the bill is that putting iron ore upon the free list. If the existing duty has any effect at all, it is to increase the great fortunes of the men who have acquired substantial control of our known iron-ore deposits. It appeared in evidence that about half of the best of the known iron ores of the country are controlled by a single corporation. They have been increasing in value by leaps and bounds. In 1899, according to Mr. Schwab, the license fee for 58 per cent ore was 10 cents to 15 cents per ton, and now inferior ore is bringing 85 cents per ton. When values of an article of prime necessity have multiplied from six to ten times in a decade, I do not believe the owners stand in need of a law to accelerate the process. I am not an advocate of government ownership; but if I were, I should believe in it for iron ore, as is the case in some of the civilized nations of Europe. It is of universal use. It is almost as necessary as the air we breathe. Our great deposits of iron may be regarded as one of the very choicest of the gifts of Providence to the Nation. Under our policy of private ownership the control of these ores has come into comparatively few hands.

Deposits which will not soon be needed for the use of man, but will sleep in the unsunned earth for generations, have been capitalized and put upon the stock exchanges. Interest must be earned upon them, and the gifts of nature to the race thus become a burden upon mankind. Under our system, if we had greater deposits there would be greater capitalization, more interest would have to be earned, and the man who used iron to-day would have to pay more for it simply because providence had been more generous to the country in which he lived.

But we have recognized the right of private ownership, and I would not disturb that in the slightest degree. I do protest, however, against putting up tariff barriers against our bringing in iron ores from other countries, and thus making still greater the vast fortunes which now exist as a result of the private ownership of these deposits. The practical result of free iron ore may not be very great, but it will check the increase in the cost of the ores, and it will relieve the people along the seaboard and remote from the mines from the necessity of paying some of the freight in carrying this heavy material hundreds of miles. It is this provision in the bill which, in my opinion, more than any other stamps it as a measure in the interest of the great masses of the people. As usual, the burden of the argument for a perpetuation of this duty is put upon the patient back of labor. The removal of the duty can not have the result of diminishing by a farthing the wages of any miner in the United States.

Mr. GRAHAM of Pennsylvania. Will the gentleman permit an interruption?

Mr. McCALL. Certainly.

Mr. GRAHAM of Pennsylvania. While the gentleman is on the iron schedule I should like to get the gentleman's opinion of the result of the change by which the duty on scrap is reduced from $2.50 to 50 cents a ton. I understand that the tariff upon pig iron is $2.50 a ton, while the tariff placed in this bill on scrap is reduced to 50 cents. Is there not danger that they will import pig iron broken up, mixed with scrap, and thereby reduce the revenues of the Government?

Mr. McCALL. I have heard that suggestion made. The committee certainly had no intention of leaving the bill open to a construction that would admit broken pig iron as scrap. They had in view simply waste iron, the pure by-product; but there can be no question whatever that the bill should be amended if it would have the effect that the gentleman anticipates.

Mr. GRAHAM of Pennsylvania. Does not the gentleman think it would have that effect, to allow the breaking up of pig iron and the mixing of it with scrap?

Mr. McCALL. I have not studied that provision.

Mr. GRAHAM of Pennsylvania. It is very easily broken up and could be mixed with scrap.

Mr. SCOTT. Will the gentleman permit a short question?

Mr. McCALL. Certainly.

Mr. SCOTT. Does the gentleman believe that it is consistent to remove the duty upon iron, placing it upon the free list, and to take zinc ore from the free list and put a heavy duty upon it?

Mr. McCALL. With regard to zinc ore, this bill was made by a jury of 12 men that worked all winter. No one of them could expect to have the duties upon 5,000 articles all adjusted to his entire satisfaction. I do not believe it would be possible to pick out 12 men in the House who would agree upon every duty. Personally, I favored keeping zinc ore where it was before we began, but the committee took a different position and I support their action.

Mr. COLE. Will the gentleman yield for a question?

Mr. McCALL. I will, but I am afraid my time will expire and I do not wish to ask for an extension.

Mr. COLE. Do you not think it better to put a revenue tariff on iron ore rather than on steel?

Mr. McCALL. A moment ago I gave my idea of a revenue tariff. I do not think it would be a revenue tariff if placed on iron ore.

Mr. HOBSON. The independent iron concerns will be the chief beneficiaries from the free ore, will they not; and that being the case, does the gentleman think that the reduction on pig iron and steel has been too drastic upon the trusts?

Mr. McCALL. I have not thought it was too drastic. I think they can well stand the reduction that has been made, and that other industries will not be in any way injured.

I will now speak concerning the paragraph for reciprocity on coal, which, in effect, means that if Canada will admit our

coal free of duty we will extend the same privilege to her coal. In the last fiscal year we exported to Canada 8,592,296 tons of coal and imported from the same country 1,297,405 tons. It will be seen that our exports to Canada considerably exceed our imports. Each country has a duty against the coal of the other. The coal question as between the two countries largely resolves itself into a question of freight. A glance at the map will show that. The great Province of Ontario is remote from the Canadian coal fields and near to our own coal in Ohio, Pennsylvania, and West Virginia. On the other hand, our northeastern seaboard is remote from our own coal fields and contiguous to the fields of Nova Scotia. By setting up mutual barriers against coal it can be transported from the mines of Canada farther into the central parts of that country and can also be carried from our mines farther into those regions of this country which would naturally be served by the Canadian coal. These tariffs are expended in each case in paying the useless hauling of freight. If we remove them, we shall supply from our mines the territory of Canada naturally tributory to them, and our own people, who are nearer the Canadian mines, may have an opportunity to get access to them. Why should each nation create artificial barriers in order that labor may be uselessly employed in carrying this heavy commodity? The reciprocal removal of the coal duties will thus take off a tax upon the coal miner and the consumer of both countries and will benefit both.

The sugar duties under existing law are maintained, except that the differential on the refined sugar is reduced by 5 cents a hundred. Whether or not gentlemen agree that there should be a differential, they must concede that the bill has made a substantial reduction from that allowed by existing law. The sugar refiner makes from 100 pounds of imported 96° sugar about 93 pounds of the refined. There is a waste of about 7 pounds in the refining. This waste, however, is also made by his foreign competitor, but the duty upon the 7 pounds wasted, which the American refiner pays, is about 11 cents, and that is an expense which the foreign refiner does not have to bear. It will thus be seen that the differential or the protection accorded the American refiner for refining sugar under existing law amounts to about 15 cents per 100 pounds. The bill must be credited with having reduced this protection by about 33 per cent.

Mr. Spreckels, of the Federal Sugar Company, has been quoted here as favoring the entire removal of the differential. What he said at the hearings is not susceptible of this construction. He declared that he thought he was "entitled to a moderate protection on refined sugars," but that he would prefer absolute free trade to the present schedule, which, of course, would mean the removal of all duty upon raw sugar. This duty upon raw sugar, he thought, gave the sugar trust especial advantages in Louisiana and Hawaiian sugar.

Now, a few words with regard to the maximum and minimum tariff. It seems to be generally conceded that some such system is desirable. It is quite commonly employed by other nations. If we have a single scale of duties which all may enjoy, whether they discriminate against us or not, they are likely to take what we give them and to disregard us if they can make advantageous trades with each other, although to the detriment of our own commerce. The maximum and minimum scale recognizes that there must be some weapons in our armory with which to wage a commercial warfare.

But which should be the regular everyday tariff—the maximum or the minimum? For my part, I can see no ground for the contention that the regular duties, adjusted upon thousands of articles, should be at a higher rate than is demanded by considerations either of revenue or of protection. I am not so enamored with tariffs as to create needless duties for everyday use. To have our maximum rate the regular rate would also be to proceed on the theory that war is the normal state of society, and that you must have resources with which to purchase a peace. The minimum tariff of this bill is given to all nations upon its enactment. The fact that the maximum may be put into effect will lead other nations to refrain from discrimination, but if they should discriminate against us, they then automatically set in motion against themselves the higher rates of our tariff.

Mr. HARRISON. Will the gentleman yield to me for a question?

Mr. McCALL. Certainly.

Mr. HARRISON. Under the provisions of the bill, does the gentleman see any means of getting a concession from other countries? Instead of reciprocity, this feature is to be used as a punishment.

Mr. McCALL. It leads to reciprocity. We do not punish them; they punish themselves. We establish two scales of duties, and we say to the whole world, You may have them. If they express a preference by saying, We will not use you as well as we do other nations, they express preference for our maximum scale.

Mr. HARRISON. But where is the opportunity for concession if you go at them with a threat?

Mr. McCALL. There is no threat about it. They declare their choice when they elect to discriminate against us, and thereby take advantage of the maximum duties of the tariff.

Mr. SHERLEY. Will the gentleman from Massachusetts yield for a question?

Mr. McCALL. I will yield to the gentleman from Kentucky.

Mr. SHERLEY. Any discrimination that might be made by a foreign nation would immediately, as it is said, automatically bring into effect our maximum rate.

Mr. McCALL. That is the object of the bill.

Mr. SHERLEY. Might not that preference given to another nation apply only to some article that we were wholly indifferent about?

Mr. McCALL. Oh, I think it must be something material, substantial.

Mr. SHERLEY. But the very fact that the provision is automatic in its working shows that the brains are taken out of it and it acts like a machine. It is not a question of whether the preferential rate is of any value or not; it is simply the fact of one.

Mr. McCALL. They are not under any other obligation to give any foreign nation the advantage of our Government.

Mr. SHERLEY. It is not that they should give to us the same rate as to another country, but they should not give such a rate to another country as would discriminate materially against us, and yet by the automatic arrangement the discrimination might be something that we cared nothing about, and yet that would put the maximum rates in effect and thus might punish ourselves instead of the foreign country.

Mr. McCALL. Possibly.

Mr. HITCHCOCK. I would like to ask the gentleman from Massachusetts a question.

Mr. McCALL. I will yield to the gentleman.

Mr. HITCHCOCK. I would like to ask the gentleman this question: The minimum tariff under the pledge of the Republican platform is to give such a protection as will compensate for the difference in cost in America and abroad and give a reasonable profit. I desire to ask the gentleman from Massachusetts, when we add the 20 per cent to create the maximum rate, what sort of a profit will be guaranteed to the American manufacturer?

Mr. McCALL. I ask any gentleman who contends that the maximum tariff should be arranged with reference to the difference in cost and the reasonable profit if he would not reach the same difficulty at the other end of the proposition?

Mr. HITCHCOCK. I ask further, if the maximum rate will not guarantee an unreasonable profit if the minimum guarantees a reasonable profit?

Mr. McCALL. It is not probable that our maximum tariffs are going to be enforced against every nation in the world at once. There is scarcely a possibility that it may ever be in force against Great Britain, which has made herself the clearing-house of the world's trade.

Mr. HITCHCOCK. The gentleman does not answer the question.

Mr. McCALL. And the result of the 20 per cent would have very little, if any, effect in most cases.

Mr. HITCHCOCK. It does not follow that if the minimum tariff——

Mr. McCALL. Oh, Mr. Chairman, I see the gentleman's point, and I think I answered it fairly. I have no objection, however, to the gentleman repeating his interrogatory.

Mr. HITCHCOCK. The interrogatory is this: That if the minimum tariff is sufficient to guarantee reasonable profits, as the Republican platform provides, will not the maximum tariff provide for unreasonable profits?

Mr. McCALL. I do not think it will. Now, let me say one thing further upon this question of the maximum and minimum, which will make my position clear. They should relate especially to luxuries, to the things in which those who may discriminate against us find a great profit, and which in an emergency we could get along without; but the maximum tariff should touch very lightly upon the necessaries, for if it is applied heavily to them we should be engaged in the sort of warfare where one fires into his own ranks. There is no general maximum levied in the bill. I would say that to my friend from Nebraska [Mr. HITCHCOCK]. Some of the schedules have no maximum at all. In my opinion, however, if the bill is to be amended in this regard, it should be to reduce the maximum in some cases and to remove it entirely in other cases.

Mr. SHERLEY. Mr. Chairman, I do not want to interrupt the gentleman if he does not desire to be interrupted——

Mr. McCALL. I wish to get through within my hour, but I will yield to the gentleman if he thinks it really important.

Mr. SHERLEY. I was simply going to ask the gentleman what his opinion was as to the maximum on lumber.

Mr. McCALL. Mr. Chairman, there should be no maximum on lumber at all. I think that is a case where we would punish ourselves more than we would punish anybody else. I think we should not levy any general maximums, but we should pick out those articles in which foreign nations get the most profit, and which we might in a pinch get along without.

Mr. Chairman, it is a habit gentlemen have, in discussing tariff bills, to declaim against New England, and especially Massachusetts, as if that part of the country was the chief author and beneficiary of the policy of protection, and that habit has been followed by some gentlemen taking part in the present debate. The precedents for this course are very ancient, and gentlemen fail to note both the absence of any reasonable ground for the precedents originally and the great change in conditions since they were established.

Invective against New England on account of the tariff is nearly as orthodox in some quarters as hostility to Great Britain was in this country prior to the present generation. It was a regular part of the training of the American youngster to teach him to declaim against England. This was taught in our schools, in our public discussions, and in our newspapers. If the colleges of the former times had been as responsive to the popular demands as they are to-day, they would very likely have had courses on "How to hate England." The "lion's tail" then held the same place in our politics that is taken now by the trusts. And if a very recent régime had been in force a couple of generations ago, it is interesting to speculate upon what hair-raising situations might have been developed upon the British issue. [Laughter.]

Anyone to-day who keyed up his speech to this obsolete sentiment would be talking nonsense but certainly not more so than to parade the ancient sectional denunciations of New England on account of the tariff.

Now, what are the facts?

In the first place, New England is not responsible for the adoption of the protective policy in the United States. The bill of 1816, which embarked the country decisively upon the policy of protection was enacted against the votes of the representatives of New England and found its strongest support among the southern Members. The forces of protection were led by two great southern statesmen, Henry Clay, of Kentucky, and John C. Calhoun, of South Carolina; and the forces of free trade were led by a great New England statesman, Daniel Webster, of New Hampshire. And the forces of the South, joined by those from the West, triumphed over New England. New England was lacking in the ordinary great natural resources. But she was admirably situated for commerce and she had a hardy and adventurous race of sailors eager to dare the perils of every sea.

As was said in the First Congress in debate, she ploughed the sea rather than the land. Her merchants had built up a flourishing trade extending to almost every portion of the globe. Her fishermen caught immense quantities of cod off the banks of Newfoundland and harpooned the whale in the far northern seas. They were especially the men upon whom Burke pronounced his splendid eulogy, and of whom he said:

> No sea but what is vexed by their fisheries; no clime that is not witness to their toils.

New England did not, as I have said, have the fertility and the great natural resources of other parts of the country, but she had one great natural advantage. She had the sea, and through commerce her people had attained remarkable prosperity. They did not wish to see the advantages of the sea taken away and their ports shut up by the imposition of high tariffs; but they submitted to the national decree firmly established against their protest, and they turned their attention to manufacture. And while they have followed them with great success, relatively to the rest of the country, New England is not as rich to-day as when she was chiefly a commercial community. Nor is it true that she is to-day especially the beneficiary of the tariff rather than the other parts of the country. I have already referred to the great increase in the manufacture of boots and shoes in the central part of the country, an increase which appears to a greater extent in Missouri than in any other State in the Union.

Take the cotton-manufacturing industry. It has taken hold with splendid vitality upon the soil out of which the cotton springs. Out of our 26,000,000 spindles more than 10,000,000 are in the cotton-growing States, and in less than twenty years the number of spindles in these States has increased 600 per cent, as against about 40 per cent for the rest of the country. The mills of the cotton States consume more than 2,000,000 bales of cotton each year, or about 200,000 more bales than is consumed by all New England.

We still export more than half of our cotton crop, but if the rapid growth of cotton manufacturing in the South shall continue it will not be long before the greater part of our cotton will be manufactured in the cotton-growing States. I think no southern gentleman will maintain that this industry does not have generous protection.

The pending bill also imposes protective duties upon fruits, tobacco grown under expensive roofs to protect it from the sun, sugar, lumber, and upon other important industries of the South. There are a multitude of protected industries in other parts of the country. There are enormous manufacturing industries, industries that have made single fortunes of more than a hundred million dollars, that have scarcely a representation in New England. She is remote from the domestic sources of the great elementary substances of manufacture and remote also from our great markets, and if she is interested in the policy of protection, the country as a whole is equally, or even more vitally, interested.

The only justifiable object of a protective tariff is to develop in our Nation the industries which it is naturally fitted to carry on. It should not have for an object to divert labor into channels where it would be employed at a disadvantage. The gospel that labor in itself is a blessing is preached by those who have practiced it but little. A country with poor natural resources and a sterile soil, where a man could wring from nature only with great difficulty the bare means of subsistence, would be the ideal sort of a country, according to some gentlemen's ideas of labor. There everyone would have an opportunity to work and to work hard. But such a country would be a proper home for a penal colony and not for a nation. [Applause.]

Blessed as we are with an unexampled variety of splendid natural resources we should not by legislation make our country to any degree the sort of a land to which I have just referred. We can employ our labor with profit upon those natural resources which are ours beyond question, and we do not need to go into the hothouse business and to divert the labor of America into doing those things which the sunshine and the climate of other lands would do for us with only a slight contribution from labor. Where we are fitted by nature to carry on an industry with a given amount of labor as well as it can be carried on abroad, we should develop and encourage such an industry; but when we embark upon lines which must be followed permanently at a disadvantage, we waste labor and do violence to the laws of nature. Where the difference in the labor cost of production is caused, not by the greater amount of labor required, but by the greater wage, there protective laws should intervene. Let us employ our labor in doing those things which we can do to the best advantage and permit foreign nations to do the work which they have greater natural advantages for doing, and then exchange our products with them. That is the sound basis for industry and for international trade. There is a great deal of truth in the celebrated saying of Bentham:

> Industry makes of government as modest a request as that of Diogenes to Alexander, "Stand out of my sunshine."

I believe that the schedules of this bill let in the sunshine upon many industries which need it. I believe that it will tend to foster the employment of American labor in the most profitable channels; that it will save labor now wasted or unprofitably employed; that it is against the interests of monopoly and in favor of the great mass of the people; and that if it shall be enacted into law it will be, on the whole, the most comprehensive and enlightened tariff law enacted in this country in a half century.

And now separate and apart from what I have been saying, I shall speak briefly upon those provisions of the bill which relate to the Philippine Islands. I think our relations with those islands should have been dealt with in a separate measure.

The bill provides practically for free trade under present conditions between them and the United States in their products and our own. As they are American territory, I hold to the opinion that the Constitution and the very genius of our institutions entitle them to free trade. As we are, in substance, providing free trade in their products by this bill, we should provide it ideally and with no technical limitation. It is repugnant to the spirit of American history that we should levy duties upon articles going from one portion of American territory to another portion. The free trade proposed by the bill is justified by this consideration rather than by any consideration of an economic

character. Those islands are upon the other side of the globe. They differ as radically in natural conditions from this country as does any country in the world. Their scale of wages is greatly lower than ours. Making laws for them and for this country presents radically different problems. We do not come naturally under the same fiscal system. Natural conditions and American political theories thus coincide in pointing the same way. We should levy our tax laws upon ourselves and permit them to levy their tax laws upon themselves.

Mr. HARRISON. I would like a question right on the point that the gentleman is referring to. I would like to know if he has received a letter, as I did, from Irving Winslow, secretary of the Anti-Imperialist League, from the gentleman's own State, in which the writer says that the Filipinos are resisting this proposed free trade with us on the ground that it will make them economic slaves to the United States? Mr. Winslow seems to side with the Filipinos. Will the gentleman say whether that is an expression of the popular opinion in Massachusetts or not?

Mr. McCALL. If you will permit me to go on, I was about to speak of that in another connection.

But we are practically extending them free trade. This provision will perhaps lead to investments in the islands by people in the United States and to the creation of new interests there. It seems to me, therefore, that it is important that we should accompany this provision with something that will serve as notice to the interests which will spring up and declare what our ultimate policy in the islands is to be. Otherwise, people becoming interested under the operation of this law will say they went there under the broad shield of the United States, and will ask that that shield be kept over them.

I have noticed the manner in which this bill has been received by the Philippine assembly. That is no revolutionary body, but it was set up under our auspices. So far as this country is concerned, it can not be suspected of having an unfriendly structure. And it is most significant of the aspiration of the people of those islands that, great as the advantages of this bill are to them, their assembly, constituted by us, puts above those great material advantages the cause of the independence of their country. Believing that free trade with this country will call into being powerful interests hostile to their independence, they do not wish to accept the gift. I believe we should heed their wish and couple this provision with an unequivocal declaration of our ultimate policy which will sanctify every schedule of this bill and make it one of the most glorious acts in our history. [Applause.]

There are only three solutions which we can avow. We can declare that we propose to hold them perpetually as vassals, passing their taxation laws at Washington, and conceding them now a little authority and now, perhaps, none at all; or that we will admit them some day as States into the American Union to take part in the common government; or that we will endeavor to fit them for self-government; and when that result shall have been accomplished will permit them to take their place among the free and independent nations. To my mind the first and second purposes are inadmissible. I have heard no one seriously avow either of them. Then why not, at the same time that we are granting them this extension of trade and calling new interests into being, why not declare that it is our purpose to fit them for self-government and then to grant them their freedom? [Applause.] Such a policy has been, in effect, approved by Mr. Taft before he became President and by his two predecessors in office. But the treaty of Paris imposes upon Congress the duty of fixing the status of the Philippines. Then let Congress at this fitting moment frankly declare, after ten years of drifting, just what we mean to do with those people. Let us make the declaration called for by American principles. Let us make it no less in their interests than in our own. [Loud applause.]

Mr. HARDY. Mr. Chairman, in what I shall say with reference to this measure I desire, if possible, first of all, to be fair, and next, to be clear. If possible, I would have every sentence contain some thought and every conclusion just. If I know my own convictions, I would not effect one change in this bill that was to the detriment of my country. And I go further and say, that if I believed by the infliction of a wrong on my country I could secure the triumph of the Democratic party, I would refuse to inflict that wrong. It seems to me, Mr. Chairman, that a little moderation, possibly, on each side of this Chamber might sometimes reach nearer the truth, and when I hear Members on that side proclaiming to the country that all is well, and that this country has had practically no panic and no hard times within the last eighteen months, I can not understand how they can bring themselves to such utterance. When I listened to the pæans in praise of the Dingley bill from the gentleman from Washington [Mr. CUSHMAN] the other day, who talked about the magnificent prosperity of his own section, and would not see the hardships, the bread lines, the laborers out of employment all over the country in other sections, it made me think just a little of a ride I took a day or two since. I went out on the Rockville road some distance, and while on a high hill, with a cold wind blowing in my face, with clouds gathering all around me, I happened to look over on the Capitol Dome. I saw a ray of sunlight make it all aglow; just that one spot of sunshine appeared in all the visible landscape. I wonder if any man, standing on the Dome, would say, like the gentleman from Washington, there were no clouds in all the heavens. Mr. Chairman, there was from 1892 to 1897 a great panic in this country. No honest man denies it. The poor suffered, the rich suffered, and it was all charged up to the Wilson bill, a Democratic measure. But there was also a great panic in 1907. This happened under the Dingley bill, a Republican measure; and we hear the gentleman from Washington [Mr. CUSHMAN] and the two gentlemen from Pennsylvania endeavoring to deny the panic of 1907, or, at least, any serious ills from it. To refute that denial, let me quote Senator ALDRICH's description of that panic. He said:

> The financial crisis from which the country has just emerged, which culminated in a serious panic in October, was the most acute and destructive in its immediate consequences of any which has occurred in the history of this country.

No Democrat could paint the picture stronger. No Democrat could use words more vigorous.

Says Mr. ALDRICH:

> The country was saved by the narrowest possible margin from an overwhelming catastrophy, the blighting effects of which would have been felt in every household. Although a total collapse was avoided, yet the injury to business amounted to thousands of millions of dollars.

Let the other side not undertake to squirm, not undertake to evade or avoid the fact that under a Republican administration, under a Republican tariff measure, the highest in its protective character any country ever knew, with no threatening cloud or menacing danger of Democratic victory, this country did run into a panic the like of which, says Mr. ALDRICH, was never encountered before. The great panic, not yet ended under a Republican administration, and after an unbroken Republican rule of eleven years, is a fact. By Republican logic, therefore, the Republican party ought to have been overthrown at the last election.

Their only argument in 1896 was that the depression and hard times that had occurred for the several years prior to that time did occur and exist under a Democratic administration. It was simply the argument, post hoc, propter hoc. They did not attempt to give any reason why or any policy of the Democratic party which produced the panic. On the contrary, they contented themselves with the statement that during the Democratic administration hard times were upon us and a panic came, and that therefore that administration was to blame.

Mr. Chairman, pardon me for just a moment to say, in a spirit of fairness, that if any person should look for the cause of the panic of 1893 he will not find it in any act or policy of the Democratic administration. I know it is customary now to say that it was a Democratic tariff panic. It was customary ten years ago to say that it was a free-silver panic, and now they frequently lump things together and say it was a four-year Democratic-administration panic, and they never honestly admit the truth that the panic was upon us when Cleveland was elected.

What did bring about hard times in 1892 and panic in 1893? I will tell you what it was, and there is not a man within the sound of my voice but knows that I speak the truth when I say that from 1881 to 1892, under the operation of a Republican administration, there had been a gradual contraction of the currency of this country, and labor and the products of labor fell from year to year and day to day in price. In my own State in 1892, before Mr. Cleveland was elected, cotton went down to the lowest price that it had reached in many years. The price of products were affected the same way in every State and the hard times were felt in every part of the country. We were right at the stage of a panic, or, as the gentleman from Mississippi [Mr. BYRD] the other night said, "A panic was unloaded on the Democratic party" when Mr. Cleveland was elected. [Loud applause.] That the panic of 1892-93 was brought on by Republican policies preceding it I think can be demonstrated, and I am willing to admit that under any party it was bound to continue until the silver question was settled; but the panic of 1907 was the product of Republicanism single-handed and alone, unless it was the unprovoked blow of fate blindly inflicted without cause.

HOW TARIFF REVISION WAS FORCED UPON THE REPUBLICANS.

What I wish to discuss, however, is not panics, but the question of reform and revision of the tariff. A tariff once fixed is likely to be fixed for a series of years for the reason that beneficiaries of it are anxious to retain the benefits they acquire and are fearful that any change will hurt them, and fight to postpone any revision, whatever inequalities or iniquities they themselves admit to exist in the tariff as it is. As early as 1891, Mr. Chairman, Republicans of reputation all over the country were declaring that the time had come when the tariff should be reformed, and the mutterings of discontent and the demand for revision have been growing louder and more insistent ever since. Not only do I find that the tariff question is one between the unfavored many and the favored few, but with the evidence in this House during the last few days, more than ever I know that the tariff fight is a Kilkenny cat fight of conflicting greeds of different grades. Each selfish interest gets all it can at each revision and holds all it gets. Each interest is against every other except where they combine for mutual aid against the balance of mankind.

When a tariff bill has been passed, each special interest opposes a revision for fear they might not be able, as I have said, to hold all they have, though all would be willing to revise if they could be assured they would hold their present advantage or get more and only cut down some other interest, but "conscience makes cowards of them all and makes them rather hold the ill-gotten gains they have than try for those they might not get." In 1901 Mr. Babcock, chairman of the Republican congressional campaign committee, declared:

I maintain that it is a part of the policy of protection to protect the consumer. We can to-day produce and undersell the world. Shall we continue a tariff on articles that are, in fact, articles of export? If Congress maintains a tariff on such articles, the whole theory of protection falls to the ground, and it simply inures to the benefit of those who may secure control of any such commodity, since by its aid they can fix exorbitant prices in the domestic market. How can such a policy be defended?

The standpatters were unmoved, and Babcock is a sadder, if not a wiser, man to-day than when he used those words. They have sung him to rest, and the halls that knew him once know him no more. About that time, W. E. Chandler, of Vermont, strong Republican that he was, declared that enormous combinations of capital control the politics of the country, nominate the candidates, and later direct the legislation; and he, too, has found his political grave. About that time, George F. Hoar declared:

We are dividing more and more the manufactures of this country between two classes; almost every profitable manufacture being engrossed, so far as the capital and management is concerned, by some single aggregation acting together without competition.

A few more words like that, and he would have found private life healthful; but the God who made him great and good, though not always right, took him first. The appeal of the masses for justice grew stronger, and in 1904 the Republicans promised revision.

But in 1905 the standpatters were immovable, and the governor of Massachusetts was writing the President urging his party to keep its pledge, and declaring they could not have carried Massachusetts but for that pledge in 1904. In 1906 Representative McCall, a Republican of the same State, was urging a Republican House, Senate, and President to keep the party pledge, but all in vain. The interests refused to permit revision, till now, driven by panic, by fear, and by shame, they enter on the task; how honestly and earnestly remains to be seen. They present us a bill. The country was assured before the election it would be a revision downward. Is it a revision up or down? Who can tell? Mr. PAYNE says it is down; Mr. CLARK says it is up. Just yesterday Mr. BATES, of Pennsylvania, argued at great length that the bill was revision downward, but in the very conclusion of his remarks he gave himself away when he asked:

When was there ever a substantial reduction of tariff duties that it was not followed up by hard times and the outflow of gold in this country?

HUGE, GLEEFUL, MEPHISTOPHELIAN JOKER.

It is, Mr. Chairman, like our Texas railway commission's revision of freight rates on lumber some years ago. When it was done, one commissioner said it was up and the other said it was down, and the people to-day do not know which was right. I only know that this tariff bill was as hard to pull out of the Republican party as a healthy tooth from a sick man, and that in many things it raises and in many things lowers the present rate, with the statement of its compilers that it carries an average rate of 45.72 per cent, as against 44.16 under the present Dingley law, and I know that in many places reductions are empty pretense, leaving duties still completely prohibitive, and in many places raises are substantial, imposing heavier burdens than the present rate, and that many articles are scheduled free with a joker following by which they are not free, and that the commonest, coarsest, and cheapest articles that are consumed by the poor are still the heaviest taxed.

I know, further, that the Dingley bill fixed the maximum tax avowedly higher than necessary, to give opportunity to trade for lower rates in reciprocity treaties, while the Payne bill has fixed a minimum rate, most likely as high as the Dingley maximum, and then provided for its increase by 20 and 25 per cent under conditions almost sure to arise; and I know that Mr. BATES, who defended the bill, concluded his argument with the statement that every tariff that lowered the duties was followed by hard times and the withdrawal of gold, and from that statement we know how earnest he is in claiming that this bill is a revision downward and still supporting it. No; they intend in this bill to keep the promise in the letter, but break it in the spirit. In the language of "Uncle Joe," "The letter maketh alive, but the spirit killeth;" and I believe that the whole bill is one huge, gleeful, Mephistophelian joker.

GRINDS FACE OF THE POOR—GIVES "DRAWBACK" TO MONOPOLISTS.

Further, Mr. Chairman, not content with putting the heaviest tariff on the things needed by the poor, this bill takes special care of the beef packers and the Standard Oil by providing a drawback for their special benefit of practically all they pay in tariff; and all the great and wealthy manufacturers are given free import material to help them compete with the outside world, if any material imported by them or any like material is used in making their exports. But it does not give any drawback on the dinner pail of the workingman or the implements used by agricultural toilers in making the great bulk of the exports that keep up our trade balances. The agriculturist is not organized as the manufacturer.

MANUFACTURER AND ORGANIZED INTEREST ONLY CARED FOR.

Mr. Chairman, the agriculturist has exported from this country, under the Dingley law, $9,800,000,000, while the manufacturer exported $5,800,000,000. Of imports there have been of agricultural products and noncompeting manufactures $5,000,000,000 and of manufactured products $4,500,000,000. Our agricultural exports all sell higher abroad than at home, but 85 to 90 per cent of our manufactured products exported sell on an average of 20 per cent lower abroad than at home. Our imports sell higher here than abroad, whether they are agricultural or manufactured products, except to the manufacturer who gets them free of duty under the drawback. Everything tends to favor and protect the manufacturing capitalist, but the agricultural producer and consumer may pick up the crumbs that fall from the rich man's table, happy if he be above the dog that licks the sores of Lazarus. I know it is a favorite argument for protection that all men are producers and all men consumers, and therefore all men are equally blessed and equally burdened by protection. Mr. Chairman, if you give all producers equal protection, then all consumers will bear equal burdens; but you give all protection to that class of producers known as "manufacturers" and little or none to the others. That is why the farmers sell their products higher abroad than at home and the manufacturers sell their products higher at home than abroad, and I make the statement in the belief that it is absolutely true that no producer can sell cheaper abroad than at home unless he is robbing the home consumer. No commodity is a legitimate article of export unless we can make it as cheap as our competitors in the markets of the world; and if we can do that, the protection then only helps the producer to rob the home consumer by charging him higher prices. Yet we are told every day that the manufacturers of America are going out into the markets of the world, not simply to sell their surplus and remnants at less than cost, but to struggle for the mastery of those markets. They boast that they can and intend to undersell the world in the outside markets of the world, yet clamor for protection at home. The intent is plain. The manufacturer demands to be given the power to rob the people at home, or what amounts to the same thing, the power to charge the home consumer higher prices than he can and does sell for abroad.

A great deal is said about free raw material. The shrewd manufacturer has not been content to receive protection, but he has engrafted in the doctrine of protection for himself and his products the doctrine of free trade for what he buys, which he calls "raw material." This is called the "doctrine of free raw material;" but even this does not go far enough to suit him. An article placed on the free list as free raw material is always the product of the agriculturist or unorganized industries, and all consumers, even the plain, common workingman, gets the benefit of its cheapness; but there are other commodities produced by organized industries that the great manufacturer wants free of duty, without letting the common people have them free of duty. That is where the big fish fall afoul of the little fish inside the protective net. To accomplish this result—free trade for the manufacturer and protection against the common consumer—the doctrine of the drawback is brought into operation. Under that doctrine, just to illustrate, the great Standard Oil trust and the great canning-goods people and the great meat packers are allowed to buy Welsh tin free of duty, all they want and need of it free of duty; that is, all that they can use in exports. What they buy and resell to home consumers they do not mind the duty price on, because they simply charge it up to the consumer when they sell in the closed home market. For their export trade, in which they can not fix prices but must meet competition, they are allowed to go to Wales and buy their tin, where they can buy it cheapest, and to keep the common people from doing the same thing all tin brought into the United States must pay the tax; but when the Standard and the packer exports his tin, the United States pays him back 99 per cent of the import duties he paid. This is called the "drawback." Against this the tin man now is wailing, and he shows that in ten years, at 1½ cents per pound, duties amounting to $20,593,179 were collected on imported tin and $18,834,900 paid back in drawbacks, leaving $1,758,279 in the hands of the Government, and from this amount the cost to the Government from executing this law, both collecting the duty and repaying the drawback, must be taken. The tin-plate man, in the circular I have, assumes that the cost of collecting and rebating is 5 per cent of the amount rebated. This seems reasonable to me, and on that basis it is shown that the excess of cost over receipts to the Government on the tin imported for the manufacturer to use amounts, during ten years, to 4 per cent on $18,834,900, or $753,396.

In round figures, had the common consumer used the same amount of imported tin the manufacturer used he would have paid to the Treasury of the United States $19,000,000, but in order to give it to the manufacturer free the Government actually is out the net sum of $760,000. This is only one item under this drawback clause of the Dingley bill which is improved on in the Payne bill. How much the grand total is that it has cost the United States to give manufacturers free imports while taxing all other consumers perhaps has never been computed, but it runs into millions and makes no small part of that annual billion-dollar budget this country is so proud of. It will be more under the Payne law, because under it the manufacturer will not have to show that he exported the same article he imported, but only something like it, in order to draw his draft on the United States Treasury and have it honored. The tools a farmer uses in making the cotton or grain he exports are as much material used in producing the export as the tin used by the packer in encasing his exports, but no law ever gave the farmer any drawback for his tools or even for the bagging and ties he wraps his cotton in when he exports it. I am opposed to the doctrine of free raw material and the doctrine of drawback. If by raw material is meant the products of nature, untouched and unaided by the hand of man, I would favor free raw material, even though every product of man's labor were protected. I would not protect the forest of America against the foreign forests, or the iron, coal, oil, or other mineral of our country against others. Nature's resources are not inexhaustible. All that we can obtain from foreign lands is an addition to the store of our wealth. I would not shut our people out from all the bounties of Providence that are showered on other parts of the world and thereby force them to consume all our own supplies of mine and forest at great cost when in bounteous plenty and at little cost they might be had by us of other countries, because some present holder desires to convert his property into money and wring present millions out of the labor of his own countrymen. We are like the prodigal son, wasting our substance in riotous living, destroying the heritage of our children. If our neighbors would give us leave to go into their forests and their mines and gather all their riches absolutely free and bring them into our borders without money and without price, who would not vote to authorize another Jason to go out and bring in the "golden fleece?"

PROTECTION TO OIL AND LUMBER KINGS.

Yet just to prevent that is the purpose of the plan which prohibits bringing into our borders the oil and ore of Mexico and the timber of Canada. Our forests would stand a blessing to us and our children if Canada would give us theirs all free. Our forests would not decay; but more imperishable and indestructible are the riches of our mines, hid in the bowels of the earth to await the wants of future generations, if our improvident neighbors, from greed of present gain or ease of present production, will supply our wants for little or nothing now. The Texas and Louisiana forests were once richer than the mountains of Lebanon; their longleafed pine was the finest of the world. Forty years ago our little mills cut what we needed and sold it to us for what it cost, with fair compensation added for the labor required to convert it into lumber; and it seemed likely to last us for generations. But the eye of the cormorant speculator fell on it. He bought it for a song, and then formed his combinations and his plans. Protection on lumber was not dreamed of when our people owned their forests and mills and supplied our local lumber wants, but as soon as Kirby in Texas, Weyerhaeuser in the West, and others in Louisiana and Georgia and North Carolina bought up all the stumpage and organized large mill combines we heard the demand for a wall around the country, so they could keep out all foreign lumber and price their own to the home consumer. The great lumber interests in my State—the timber in my State, but the capital owning it in the East—said to the railroads: "If you will help us to enlarge the markets by lower long-distance freight rates, we will help you fix higher short-distance rates; we will multiply your freight and you will make the land we paid $3 per acre for bring us $100 per acre, and bring it right soon. We will price the lumber the people of Texas must have at the very last dollar they can pay for it and yet build their houses. We will build mills of enormous capacity, and the railroads and ships will take it for us to all the markets of the outside world at less than they charge to take it to the people of Texas." All this they have done; and I am not desirous of protecting these stump owners, mill owners, and speculators, to help them fix exorbitant prices upon our home builders. But the lumber schedule and the oil I will talk of specially later.

FREE RAW MATERIAL.

I wish to speak a little just now of the doctrine as it is taught of free raw material.

If protection is ever right in principle, every interest that can come within the principle, whatever it is that justfies it, has an equal rght to that protection, and therefore the doctrine of "free raw material" as defined by the manufacturer, with protection of the finished product when both come equally within the purview of the same principle of protection, is unjust and discriminates in favor of the manufacturer. The manufacturers' doctrine of free raw material simply grew out of the fact that those interested in what they call "finished products" have always been the wealthier, better organized, and better represented class of beneficiaries under the system of protection. If protection, incidental to a tariff for revenue, must be accepted at all, every stage in production from the lowest to the highest article made of a given material ought to be equally protected. If there be ten stages from lowest to highest product, each handled by a different interest, the last interest must first pay the protection received by all going before, and then, to be equally protected, must have an added tariff for the last product before he hands it on to the ultimate consumer, who must in the end sweat for all the protection of the whole long line. Protection is a spiral stair, mounting higher with every rise. The man on each rise is fighting all those who stand below him. I say, "is fighting;" I should say would be fighting all those below him were it not for the fact that community of greed binds them together and that the ultimate consumer, who pays all the tax and in his feeble way fights them all, holds them together. Therefore they lock shields and join in solid rank against the common foe—the ultimate consumer—and if he be patient or is conquered all is well and peace reigns in all the ranks and companies of the Janizaries that guard the palace of imperial protection. But, Mr. Chairman, what is the raw material of one producer is the finished product of another. Corn and cotton is the finished product of the farmer, but the raw material of the cattleman and the cloth maker. The plow and the reaper is the raw material of the farmer, but the finished product of the implement man. Hides are the raw material of the boot man, but the finished product of the cattleman. The finished product of every industry is the raw material of some other industry, and there is no sense of equity in urging that one product be free because it is raw material and that another be protected because it is a finished product. If we are to raise a revenue by tariff and the result is incidental protection, I will play no favorites.

I will not vote to give the manufacturer free raw material but the farmer tax-burdened material. I will not vote to give the boot man free hides, the finished product of the cattleman, with everything the cattleman must use while he produces hides protected by a tax, and give the boot man protection. If it would benefit the farmer, I would vote for a tariff on his

cotton as long as there was a tariff schedule on the statute books, save that if ever cotton got to be controlled by a trust and sold cheaper abroad than at home I should then vote to repeal the tariff on it; and I want it distinctly understood that I make this same exception as to all the products which are controlled by a trust or sold cheaper abroad than at home, whether they be hides, lumber, wool, oil, or cloth, or iron, steel, or machinery.

MY PLATFORM IN FEW WORDS.

Could I make the law, Mr. Chairman, just as I would have it, I would ignore protection; I would lay an equal, uniform ad valorem tax on every article that was imported into this country, except that I would admit free of duty every article the price of which was fixed by a trust in this country or which was sold cheaper abroad than at home, and I would place, perhaps, a lower scale of duty on those articles of prime necessity for the great masses of our people or admit them free.

FREE TRADE.

I am not afraid of the name of free trader. I would that our country could be a free-trade country; but we can not raise the monstrous sum our Government spends by direct taxation. Our country's history goes far to show that the whole doctrine of protection, even to infant industries, is error. Our prosperity is a monument to the glory of free trade and not protection. We have but to study our own States and their commerce with each other. Between them there can be no protection and no tariff to shield our younger States and communities, else had the selfish interests built up protective walls around each separate State to foster the puling babes of new industries and, later, the monopolies in those States. I sometimes wish that grand and beloved Texas, with an area imperial, resources equal to those of any kingdom in Europe, and a history brief, but more glorious than that of the United States itself, had followed the advice of Anson Jones, her President, and remained out of the Union.

What, then, would have been our condition to-day? Had we avoided the system of protection we could have conducted our Government with little more than our state government costs. Our cotton would go to the world in free exchange for the commodities of other countries, and receiving the same price for their cotton our people would have bought all the products of Europe and many of those of the United States for half or little more than half of what we now pay. Our farmers would have had cheaper plows and reapers, our factories cheaper machinery, our railroads cheaper rails, our women cheaper sewing machines from the United States as well as from the balance of the world, and 10,000,000 people would to-day swarm in our marts of trade and flourish in our plains and valleys in their country homes; but that was not to be. The inscrutable plans of Providence had it that we should link our destinies with the glorious land of Washington and Jefferson, and I am content. Doubtless we would have had protection in Texas and tariff barons there would have bestrode us as they do here. It may be as well as it is. What is held in the secret womb of "it might have been" even time will not tell; but we do know that, as it is, Texas and other younger States, under a Constitution which forbids a tariff between the States, has demonstrated and is demonstrating that free trade is not simply an idea of the schoolman, and that infant industries can rise and grow and flourish without protection, for they are doing it under a far greater handicap from competition with New England than would ever exist in free-trade competition with all the world. All the implements and instruments of our industry come to us taxed and double priced, and yet we prosper and compete unaided against the world.

PROSPERITY ARGUMENT.

No; the prosperity of our country is not an argument for protection. In great part, as I said, it is a monument to the wide free trade between the States, a hundred times greater than all our foreign trade, and could we but combine all Canada and all Mexico and all South America, one continent under one homogeneous general government, freely mixing and mingling and sharing the rich blessings that God has bestowed on all its several parts, we would be only the richer and the happier for that glorious free trade.

To-day, as a people, we bear on our broad shoulders the weight of the marble and gilded palaces of the billionaire and the inconceivable luxuries of the favored classes. We scatter our bounty through lordly tourists and castle builders over all seas and all lands, and yet, like a young giant, our Nation rears its stalwart form above all others. But the virus of selfish greed fills all our veins and with general prosperity we are building two classes, the extremely rich and the extremely poor. Thank God for those between the two, the middle class that yet love justice and know mercy. At the worst, protection can do no more than to shut us in and shut out all the world. Our Republican friends, many of them honest, boast of prosperity under protection. Our prosperity must come from what we make ourselves or what we take from others. We do not get it by taking it from the rest of the world. On the contrary, of and within ourselves, we have the resources, the industry, the genius, and the character that, in spite of greed and the burden of a thousand kings, make us prosper.

STANDARD OIL AND LUMBER.

But, Mr. Chairman, I intend to discuss especially the oil and the lumber features of this bill. When the gentleman from New York [Mr. VREELAND] was defending the countervailing duty on oil provided in this bill, for which he claims the credit or assumes the responsibility, he declared that he only wanted to address those Members who wished to act intelligently and conscientiously, and not those who desired to appeal to prejudice. Those who wished to know the facts; not those who do not want to understand. I shall not assume that the gentleman himself did not wish to know the facts or did not want to understand them. I do not assume, I do not believe that every man connected with Standard Oil is a thief; but I do not and will not shut my eyes to acts done by the Standard or to measures that seem to me shrewdly devised to clothe the Standard with greater power and advantage over the great American public than it has to-day. Let me be fair. The Standard Oil Company has done what, perhaps, 90 men out of 100, if they could, would have done. I am therefore not going into any tirade of abuse. They have availed themselves of the opportunity that they found. They have driven competition to the wall and practically acquired a monopoly of the greatest mineral product in the world because they were able to do it. There are very few men who would not have done the same thing under the same circumstances, but that does not change the proposition that they should not be allowed to maintain that monopoly to the detriment of the American people, if our common sense and strength can prevent it. I do not blame them so much for doing it as ourselves for permitting it.

I wish to state right here that I am one man from a district which produces a commodity upon which he does not seek to impose a duty to the detriment of all the people of the United States. I will go further. I myself have some of what is called "independent production." I would rather shut it down than to impose a burden of hundreds of millions of dollars upon all the consumers of America for the benefit of one gigantic monopoly, even though I myself should profit by the deal. I know something, from practical contact, of the operation of the Standard Oil. It has been stated that the Standard Company produces only about 20 per cent of the crude oil of this country, while the independent produces the rest. The gentleman from New York says in former times the Standard produced some 35 per cent of the crude oil, but they have lately gone out of the producing field and confined themselves to buying, refining, and marketing. He is right. In the early days the Standard had to produce in order to obtain the great supply they needed, but they have discovered two things; first, that exploiting for oil costs vast sums of money, frequently without any return; and as their power grew they discovered, second, that they could control the entire product without the necessity of taking chances on boring dry holes. The so-called "independent producer" does that for the Standard free of cost to it. Since this latter discovery, the Standard wisely refuses to exploit for oil at all, and I doubt if you can find where they have drilled a well in unproven territory for years. What we call "wildcatting" is done wholly by private individuals or little corporations, but the very minute a wildcat well in any part of the earth is begun the Standard has its representatives on the ground taking note, and when the well is complete the Standard has a full log of the well, with a fair estimate of the reasonable cost of drilling and the output of the well. As each succeeding well goes down the same thing is true, and when enough wells have been drilled to justify the laying of a pipe line and the erection of large steel oil tanks, the pipe line is laid, the tanks erected, and contracts entered into by which the original wildcatter delivers his oil into the pipe line at a price fixed by the pipe line alone.

I hope if there are any Members here whose constituents are some of these so-called "independent oil producers" they will bear these facts in mind. When the field is in this condition, it may be that for a little while the private well owners struggle against fate and endeavor to market their products, but sooner or later they come to find that every field they approach is preoccupied by some present power which is ready to under-

sell them in that market, and if by fortune they make a few contracts of sale, ere long their customers are taken from them by cheaper prices, and in the end the private well owner finds that it is best for him simply to submit and deliver his oil into the pipe-line company at his home, whatever name it goes under, and accept whatever price that pipe-line company arbitrarily sees proper to give him. The Standard Oil Company is thus the owner from the beginning, not of 20 per cent, but of 90 or 95 per cent of all the crude-oil production. [Applause on the Democratic side.]

The producer is as helpless as the weaver at the loom to fix the price of his product, because the Standard absolutely, arbitrarily fixes that price for him. The modus vivendi is simply this: The pipe-line company has its pipe line running to every well in a given field. No other company has, no other company dares. The pipe-line company has an office. In that office the head man is prepared to make contracts in writing signed by himself and the private well owner, simply agreeing that the company shall take all the oil from the private well at the price stated in the contract, just so long as both parties thereto are satisfied; that at any moment the well owner may refuse to accept the price named or to deliver the oil, and at any moment the pipe-line company may refuse to give the price named or receive the oil. The result of this nominally mutually free condition is simply this: That the pipe-line company from day to day freely changes the price it will give. At their office window, above the paying teller's head, is placed a card on which every morning the day of the month is written and the price which the company that day pays for oil. Upon sight of this the well owner may, if he sees fit, notify the company that he will not deliver at that price the full tank of oil that day ready for delivery at his well, but the practical effect is he is absolutely helpless and must deliver and accept the price noted on the placard. The result is that the private well owner is no more an independent producer than the man who works by the day or the job for some one who pays him what he pleases and no more. He does and can no more than the other control the price of his output. Sometimes these conditions become so oppressive and unjust that the private well owner attempts to rebel.

He attempts to combine with others, he attempts to lay pipe lines, he attempts to erect refineries, knowing that if he could be permitted to refine his own oil and sell it in the markets of the world for anything approximating the prices charged for the refined product by the Standard Oil or the Waters-Pierce Oil, or any of those companies, commonly deemed aliases of the Standard Oil, that he could make a rich profit, but the private owner finds that by being undersold or forestalled in any and every market of the world to which he may go, the life of his refinery and his own life would soon be made a burden; and so he goes back to the foot of his master with a pitiful surrender and the lowly cry, "Here am I, Lord; do with me what thou wilt." And if the master cuts down his price below the point at which he can realize any profit, like the day laborer on a strike, he simply stops producing. These are the independent producers, of whom I am one, in whose interests the advocates of the countervailing duty on oil and all its products so loudly cry. There is this addition to be made, that after a field has been going prosperously for some time it frequently happens that early producing companies or private well owners find in the field certain individuals buying up the output in gross; that is, trading for all the property of a certain company or producer or all the wells of certain individuals for a lump sum, and these purchasers seem to be closely allied with the great powers that be; and, as I understand it, about the only nominal production the Standard has comes from those purchases made by them, or for them, of flowing wells or interests in proven territory, where they have found it cheaper or more satisfactory to buy "en bloc" than to buy from day to day, even though they themselves fix the price.

Having in his power the interests and destinies of all the private producers about him, undoubtedly the representative of the Standard Oil or the pipe lines can influence those whose oil he is pricing daily to send their petitions in to their Members here to favor this feature or that feature of this bill.

Mr. CAMPBELL. Does the gentleman from Texas think that it would in any way benefit the Standard Oil Company to remove the countervailing duty?

Mr. HARDY. If the gentleman will permit, I have that very subject in view to discuss further along.

Mr. CAMPBELL. If the gentleman thinks it would——

Mr. HARDY. I say I will discuss that. I am not answering the question now, because it comes later in my remarks.

Mr. CAMPBELL. I wish the gentleman also, if he has not already decided to do so, would discuss this phase of the question: If, as the gentleman has stated, it is the fact, and I contend that it is, that the producer is at the mercy of the Standard Oil Company, if he becomes now at the mercy of an additional field, what position does that give him among the oil producers?

Mr. HARDY. Briefly, I will make this statement, that I never knew any way by which a square could become more square; and if we are absolutely at the mercy of the Standard to-day, we can not by any possible condition be more absolutely so.

Mr. CAMPBELL. I have discovered this, that the Standard has always made it an excuse to reduce the price of crude oil when it is found that oil has been discovered in another field.

Mr. HARDY. That is true, and they make other excuses, or no excuses, except that it pleases them, and, in my opinion, the reason they reduce the price of oil in your State to-day to some 42 cents a barrel is not because it is not worth more, but your State is fighting for the establishment of independent refineries. You are passing laws to prevent their cut-throat methods of competition, and you will find their hand laid upon your necks and thrusting down the price of your crude product, and you are helpless because you are afraid to undertake to antagonize and fight them——

Mr. CAMPBELL. We are not afraid to antagonize them, and we have not been afraid. We have antagonized them and we have done the best we could.

Mr. HARDY. I believe it, and I glory in your spunk, though doubtless you are suffering now for it. They will make you regret your fight on them if they can, and this lower price of oil is one of the ways they make you feel their displeasure.

Mr. CAMPBELL. We have established some 16 or 18 independent refineries in the State of Kansas since we have been fighting them.

Mr. HARDY. More power to your arm. Yet your independent refineries must be weak or they would raise the price of crude oil.

Mr. SMITH of California. I want to inquire if any of the independent producers in Texas have made any effort to get together themselves and agree not to deliver oil to the Standard Oil Company unless the price went up?

Mr. HARDY. I have not that in my remarks, but I am glad the gentleman has asked the question. In my home town we tried from year to year to do that, but we found that the men who wanted to make speedy sale for the oil said:

> If we could refine and market our refined oil at anywhere near what the Standard gets for it, we could make an independent fortune, and we know the Standard gets more profit out of it than the gross price received by the producer; but we know that in every market we went into we would find ourselves forestalled and undersold and driven out of the field.

Whether the gentleman from Kansas is right or not, our people were afraid to compete with that great company.

Mr. CAMPBELL. That just shows the difference between the people of Kansas and the people of Texas.

Mr. HARDY. It remains to be seen whether you were wise. The fact is, we, too, have fought the Standard. We have passed, I believe, the best and strongest antitrust laws in the Union, and our attorney-general has prosecuted them and gotten a final judgment against them in the United States Supreme Court for nearly $2,000,000, the most successful fight ever made against them in the courts.

Mr. SMITH of California. Will the gentleman allow me to make a statement as to what we did in California?

Mr. HARDY. I believe I have an hour; I will yield to the gentleman.

Mr. SMITH of California. The Standard ran the price of oil down in our State until it reached 17 cents a barrel at the well. The independent producers were rushing about, every fellow trying to sell his oil. They saw the folly of the situation, and they got together and organized the Independent Producers' Association and absolutely shut down the wells, and now the Standard Company is paying them 60 and 63 cents.

Mr. HARDY. Perhaps you are wiser than the independents of Kansas. You get more for your oil, but you sell it to the Standard, and they fix the price.

Mr. ADAIR. Will the gentleman from Texas yield to me?

Mr. HARDY. Certainly.

Mr. ADAIR. Does the gentleman believe the telegrams and letters that many of us are receiving in relation to retaining the countervailing duty come from the independent producers, or are they inspired by the Standard Oil Company, or do they actually fear the result of the elimination of that provision?

Mr. HARDY. My belief is that the independent producers actually fear it, but it may be that fear was started by the

greed fills all our veins and with general prosperity we are building two classes, the extremely rich and the extremely

sooner or later they come to find that every field they approach is preoccupied by some present power which is ready to under-

Mr. HARDY. I say I will discuss that. I am not answering the question now, because it comes later in my remarks.

Mr. CAMPBELL. I wish the gentleman also, if he has not

actually fear the result of the elimination of that provision?

Mr. HARDY. My belief is that the independent producers actually fear it, but it may be that fear was started by the

whisperings of the representatives of the Standard Oil Company. That is mere conjecture, but I have this much to say: In my district there is what is supposed to be an independent refinery, but my people are not urging me with reference to this matter. I know how a shrewd whisper, telling every producer that if oil is admitted free from Mexico it will reduce the price of oil, would affect him. I know how it may come to him from the very man who buys the oil, and these men may think it is true and petition their Member.

Mr. ADAIR. And the gentleman thinks that some are acting in good faith?

Mr. HARDY. I believe all the real independent producers are acting in good faith.

Mr. BEALL of Texas. Will the gentleman yield to me for a question?

Mr. HARDY. With pleasure.

Mr. BEALL of Texas. The gentleman used the phrase a moment ago, "Alleged independent refinery." Does the gentleman entertain a suspicion that the alleged independent refinery might be a Standard Oil company?

Mr. HARDY. I do not know a thing in the world except that when it was first established we thought it was a Standard Oil concern, but no man could put his finger on an act or quote a single word that would prove it. Since then I think it has been reorganized, and it is, so far as I know, independent. You will notice none of my people are sending me petitions to retain this iniquitous countervailing duty.

Mr. BEALL of Texas. Does not the gentleman suspect that many of the so-called "independent refineries" throughout the country are in alliance, at least, with the Standard Oil Company?

Mr. HARDY. I have as much reason for believing that as to believe, from the purpose and design shown in the creation, that there is a God. [Applause.] I know, further, that if the Standard can erect refineries in Mexico and dictate prices there, as they do here, and control the legislative policy of Mexico, as hinted by the gentleman from New York, they will erect tariff walls around every nation and rob each nation in detail and to their satisfaction.

Mr. VREELAND. Will the gentleman from Texas permit a question?

Mr. HARDY. I am afraid that I will not get to the gentleman's argument, and I very much wish to get to that point. In fact, I wish right now to address myself to the gentleman's argument in favor of the countervailing duty on oil. I want to say that the other day we had a clear exposé of the joker in the lumber schedule, and ultimately the admission of the gentleman who drew that little joker of the fact that while it apparently provides for reducing the duty on lumber, it did not reduce it a single particle. I propose to show, and I believe I can show it more conclusively, that the countervailing duty in the Payne bill, here urged solely in the name of the independents, is absolutely for the benefit of the Standard Oil Company and for no one else. [Applause on the Democratic side.] I asked the gentleman from New York the other day practically one question, and that was whether the Standard was not to-day operating in every foreign field, and his reply was that in the end the Standard would control the production in Mexico and other foreign countries, and he went further and stated that Mr. Emery, an alleged independent producer and very hostile to the Standard, who was vigorously for the countervailing duty, was part owner of the greatest oil property in Mexico. Mr. Emery, too, he says, is a large exporter of oil. Please bear this or these facts in mind, as they have a strange bearing on the question involved. The gentleman from New York dwells on and elaborates the fact that both the Standard and its great Democratic foe, Mr. Emery, who is pushing this countervailing duty, have or will have unlimited oil in Mexico. Now, then, why do I say this countervailing duty would benefit the Standard, and the Standard alone?

There is another section of that law that comes in a different place, and I believe it is section 29, and it is called the "drawback" clause. It does not seem connected with oil. It is way toward the end of the bill; but it connects up with the Standard, all right, in this way and for this reason: When we adopt this countervailing duty and this drawback clause, as presented by the Payne bill and urged by the gentleman from New York, nobody in the United States except exporters of oil could ever import a barrel from Russia or Mexico or any other country, because the duty would be more than twice the price of our own oil. The American consumer, if he imported any oil from foreign nations, would have to pay as follows: On oil from Austria-Hungary, $2 per barrel approximately; from Roumania, 50 cents per barrel approximately; from Mexico, $2 per barrel approximately.

On crude oil this is absolutely prohibitive, other nations have similar duties, and this law would be equally prohibitive to the American consumer and nonexporter. But to the Standard and to Mr. Emory, the Democratic supporter of the gentleman from New York, the case is different. They, he tells us, are great exporters. They would get a drawback of 99 per cent of all the duty they paid. The Standard then would be out on every barrel they imported from Austria-Hungary or Mexico only 2 cents. The Standard Oil Company exports from this country every year, according to a statement I have—most accurately stated, as I believe—17,000,000 barrels of oil. They sell to the home trade 13,000,000 barrels. They could very easily import all the oil they wanted to from Mexico, Russia, or elsewhere and pay, at the most, 2 cents per barrel and use that to meet their export trade and use the oil they have already on top of the ground to supply their home trade. Nobody but they, perhaps, knows to-day how many million barrels of oil they have on top of the ground in this country.

They can shut down almost every well in the country tomorrow by refusing to take the oil and still not fail to keep any contract for the supply of either the crude oil for fuel or the refined oil for light that they have on their hands perhaps for the next ten years. They are to some extent interested, possibly, in keeping or continuing to keep a steady price for oil commodities, and so we find it happens now and then that when oil is plentiful in one section of the country they reduce prices in other sections to such a point that production must stop. They do not wish to tax their storage capacity too much. When the oil field was found in Beaumont and oil was sold at 3 cents per barrel by the millions of barrels, the freight cost more than 20 cents to get it to my town, but they reduced the heavier oil in my town to 20 cents per barrel, knowing that by that they would stop production of that oil there, and that that oil would remain stored in the earth for their benefit later when they saw fit to offer a price sufficient to bring it out and had ample time and were ready to store it. What then? The gentleman from New York [Mr. VREELAND] gave me, at my request, these figures and facts. First, he said that the Standard Oil Company went with its agent and purchasers into every new field of the known world. Their agents are in Mexico today ready to jump upon any field that is developed there. They have great properties and great refineries there now. With infinite resources they can go to the man who owns the leases, or to the company formed without much capital but holding thousands of acres of leases industriously procured, and buy all these leases.

Ten thousand acres of leases may be transferred to the Standard Oil Company to-morrow, and then the productions shut down in Mexico as it does sometimes here. What else? The Standard Oil Company knows that no oil can be shipped into Russia without the payment of 2.16 cents per gallon, and so long as they own oil in Russia, as stated by the gentleman from New York [Mr. VREELAND], they do not want any shipped there. They have that oil to refine and sell to the Russian trade, which they buy at their own price or produce there just as they do here. Russia's duty enables them to charge higher prices there. Mexico's duty enables them to charge higher prices there, and our duty enables them to charge higher prices here to the consumer, while the drawback feature of this bill enables them to import oil from Mexico, or anywhere else where they own wells or control the output, if necessary, free of duty, in order to beat down prices to the producer here. This is how this countervailing duty and drawback together operate solely for the benefit of the Standard, and for nobody else, unless it is for Mr. Emery, who is also a large exporter. I have thought that perhaps all the nations of the earth except us were afraid of the Standard, and that was the reason they imposed prohibitive duties on the importation of oil; but it looks more like the other nations, as we are asked now to do, are simply playing the game of the Standard for them. If a field in Mexico were to open to-morrow like the one that was in Beaumont five years ago; if oil was flowing to waste through the gutters in the streets and great ditches dug in order to carry it to earthen tanks; if 100 producers from 100 wells were each anxious to get the oil out of his well before his neighbor, and prices went down to 3 cents and 5 cents and 10 cents a barrel, then the Standard would buy that up just as readily in Mexico as in the United States. They would move all their tank builders there and store it, and lower the price of crude oil in the United States just as much as if the field had been in the United States, and whenever they wanted it import it into the United States at a duty of 2 cents per barrel. But

they do not even need to import it and pay that 2 cents per barrel. They would simply use it to fill their export trade, and fill our home demand with what they already have here.

But no reduction of refined oil to the consumer would take place. I have seen the price of crude oil go down from $1 to 50 cents per barrel, with no change in the price of refined oil. I have seen crude oil go down from 50 cents to 20 cents per barrel, with no reduction in the price of refined oil. Let me state it plainly again: Nobody could bring that oil in, either crude or refined, and sell it in competition with them on account of the duty; but the Standard brings it in, pays the $2 per barrel, and when it ships it out takes back 99 per cent of it. That leaves them 2 cents per barrel out that is paid to the Treasury of the United States. [Applause on the Democratic side.]

Can an independent refiner bring in that oil from Mexico in that way? No; for the simple reason that the independent refiner has not the facilities of transportation. He has not his great ocean carrying freight vessels to take this oil all over the world. He is not poor, but by the side of the Standard he is a pigmy, and any independent company that undertook to transport this oil into the markets of the world, if they began to get on their feet, would find the dirt cut from under them before they ever marketed enough to pay the expense of their carrying vessel.

Mr. WHEELER. Will the gentleman yield for a question?

Mr. HARDY. Yes.

Mr. WHEELER. Mr. Chairman, I happen to represent the district in which oil was first found. We were terribly afraid of the Standard Oil Company, and they did drive out the refiners, but now back in my district there are 17 independent refiners not connected with the Standard in any way. I am swamped with letters and petitions to keep that countervailing duty in the bill, and have one now 40 feet in length that I got to-day.

Mr. HARDY. To begin with, I know nothing about the independent refiners in the gentleman's district, but I want to say this: That they never did establish a refinery in Texas under the name of the Standard Oil Company.

They could never establish a refinery, perhaps, in Pennsylvania again under that name, and the independent companies, affiliated, associated, related, and combined all together, get together, and somehow or other the grasp of the Standard never relaxes itself from the throat of the people.

Mr. WHEELER. But these are bitterly opposed to the Standard.

Mr. HARDY. Excuse me; I understand that.

Mr. VREELAND. Mr. Chairman, I want to ask the gentleman if he is not familiar with the report of the Bureau of Corporations, in which a list of the independent refineries is given by name and their location at that time, obtained from evidence the same as the other information in the report?

Mr. HARDY. Yes. Our refinery is noted as an independent refinery at Corsicana, and this has been just the same as the Standard refinery has been. I do not say that it is not independent—I think it is—but I do not think it was some time ago.

Mr. VREELAND. May I ask the gentleman one more question while I am on my feet?

Mr. HARDY. Yes.

Mr. VREELAND. And that is to ask him if he will join in an effort to have petroleum and its products excepted from the operations of the drawback clause of the Payne bill?

Mr. HARDY. Most assuredly I will.

Mr. VREELAND. I want to say for his information that the gentlemen representing the producing and independent refining districts in the House have to-day addressed a letter signed by them to the chairman of the Committee on Ways and Means——

Mr. HARDY. You are going to include with that a repeal of the countervailing duty; let us put it all right——

Mr. VREELAND. We have addressed a letter, as I was saying, asking that petroleum and its products be excluded from the drawback part of the bill, especially for the reason stated by the gentleman that we are afraid the Standard Oil Company will bring in their oil from Mexico and take it to the refineries along the seaports and then get back its payment by the export of that oil.

Mr. HARDY. I do not know what showing there might be in that proposition. I want to wait and weigh and deliberate very well before I know just how I am going to feel on a proposition that comes——

Mr. SMITH of California. May I ask the gentleman a question on that point?

Mr. HARDY. Go ahead.

Mr. SMITH of California. If the provision which the gentleman from New York has suggested were put into the law, then would not the Standard go into Mexico and establish its refineries?

Mr. HARDY. Yes.

Mr. SMITH of California. I do not quite understand the logic that is bringing oil in free and taking it out again now, when the Standard could go down there and get labor cheaper and refine its oil cheaper than it can in this country.

Mr. HARDY. I will have this much to say in reference to that. The Standard Oil Company has a vast foreign trade. If it became necessary for them to manufacture their oil in Mexico and use Mexican oil for their foreign trade in order that it might supply the product cheaper, they could do as the gentleman from California suggested, by simply refining and exporting from Mexico, and in that way stop all their exports from this country and bring the price to the crude producers down with their present supply here and hold the price to the ultimate consumer up with their monopoly here, because with the high duty on imported oil under this bill no consumer could import it.

Mr. VREELAND. Will the gentleman permit me at that point? I will tell why it will be an advantage to us, because the Mexican oil at present, of which it has vast quantities, is like the Texan oil. Its quality is so low that it is not suitable for the export trade without being mixed with better oils of the United States; therefore the Standard can not refine Mexican oil to advantage alone any more than it can the Texan oil without mixing in the better oils that come from other States.

Mr. HARDY. I want to say that I heard the gentleman say something about the Standard Oil Company selling inferior oil that darkened the lamps in foreign countries and only water white in the United States. They sell a different oil than that down in Texas; they sell an oil which is not what it used to be. I think it is an inferior oil, but they sell it at the same price as your water-white oil. The Standard appears to have the absolute power to fix the price and quality of the oil as they sell it to the consumer and the price of the oil as they buy it from the producer.

Mr. SMITH of California. That is not true in California. Now, does the gentleman know whether the Standard has brought oil into this country from Mexico or any other country, refined it, exported it, and got its drawback?

Mr. HARDY. I think the Mexican oil field is a pure figment of the brain, based now upon the prospects that are there. There may be oil fields there, but there is very little of it barreled and possibly not a barrel of it shipped. It may be like the Beaumont field, that had a year of absolutely unlimited production; and if it were in this country I would call it a blessing to the people of our country that the wealth of nature was bestowed upon them. It is a strange thing to me that if there should be a boon of nature granted, we would want to cut our people off from the use of that fortunate gift of Providence and say that, though the oil were flowing in Mexico as freely as the waters of the Mississippi, we did not want the people of this country to get any of the benefits because we might have some oil producer in Texas or California or Pennsylvania who could not get as much for his oil. I have got this to say, for me and mine, that should God give us limitless supply of oil for a time, at least, in Mexico, I would be willing to shut my oil in the ground for a while and let that cheap oil come into the United States just as it would in all the balance of the world. [Applause on the Democratic side.]

Mr. SMITH of California. If it came in from Mexico cheap, and came in through the Standard, as you assert, would not the people get it cheap?

Mr. HARDY. I hope so, but I doubt it. In fact, if nobody else could import it, as I have shown, under this law, I hardly hope so.

Mr. SMITH of California. The gentleman does not think so, though.

Mr. HARDY. It certainly would not cost any more, if duty free.

Mr. SMITH of California. The gentleman does not think the Standard would give the people the benefit of the cheap oil, does he?

Mr. HARDY. I think if we passed the Kansas law, which I asked the gentleman about the other day, if in our righteous efforts to do something to break the throttling hold of the Standard, we will make it a crime for them to sell cheaper in one community than they do in another, in order to break down competition and to crowd out competitors, we may get cheaper oil.

Mr. CAMPBELL. Will the gentleman permit me? Why does not the State of Texas emulate the example set by the State of Kansas?

ported any oil from foreign nations, would have to pay as follows: On oil from Austria-Hungary, $2 per barrel approxi-

been in the United States, and whenever they wanted it import it into the United States at a duty of 2 cents per barrel. But

Mr. SMITH of California. If the provision which the gentleman from New York has suggested were put into the law, then does not the State of Texas emulate the example set by the State of Kansas?

Mr. HARDY. My friend has put to me a question that involves my undertaking to tell him why human nature is human nature. I know we have been passing antitrust laws, perhaps the best of any State in the Union, and we have made the most successful prosecution under that law of a branch of the Standard Oil, but still I think your law, which I referred to, most peculiarly fits the case of the Standard. I know to-day that men here are mixed and confused upon every schedule of this tariff bill. I know it sometimes takes a long time to establish the simplest principles of truth and right. I know that so far as I am concerned I will do all I can to get this Congress to pass your Kansas law.

Mr. CAMPBELL. Does not the gentleman think it would be easier to educate the people of Texas than the people of the whole country?

Mr. HARDY. Well, I am going to do my best to educate them both. I know that a federal law will do more to break up interstate monopolies than any one State can. I hope I can do something along that line; and if the gentleman from Kansas will aid me, we will make it so warm, if we can get enough aid to do so, for the monopolists and the combinations that are crushing out the little interests all over this country that we will give some little opportunity for independent enterprise to live in the future, as it has in the past. [Applause on the Democratic side.] The time is coming when independent enterprise will not exist; but, as was said by Mr. Hoar years ago, aggregations of capital are getting control of all the great interests and industries in this country, and the little man must turn his face to the wall or bow in meek submission to the will of the greater ones. One thing more, Mr. Chairman, about this oil duty. It is the climax of protection. The Standard and Mr. Emery, two of the largest producers of oil in Mexico and in the United States, are asking that they be protected against themselves; that in Mexico they be protected against their own production in the United States; and that in the United States they be protected against their own production in Mexico.

It seems to me that what they want is simply to be permitted to dictate prices both to Mexico and to the United States.

I want to say one other word; that is, that not only your countervailing clause, but the drawback clause, applies not only to the Standard, but to the beef packeries. They are fixing the price of our cattle in this country. The cattle raiser can not import cattle for his benefit, but the beef packer and exporter can import them from Mexico, and just as soon as he puts them into beef and ships it abroad he gets his drawback.

Your packers in Chicago can import all the beef they want from Mexico and pay no taxes on it that they do not get back. Not only that, but your laborer pays the tariff on his tin dinner pail, but the Standard Oil Company and the beef packers pay no tariff on the tin that they use for putting up their packages. The provision as it is found in the Payne bill is worse than it was in the old law. Under the former law the manufacturer would have to identify the material he had imported as the very same he exported before he could get the drawback. When the Standard Oil used the tin it could not get the rebate until it traced each can of kerosene leaving the country. But now it imports a million barrels to-day, using it to compete with home production and to depress the price of the home market, and if at any time within three years it exports another million barrels of oil it gets back all that it has paid. The Standard Oil Company imports tin for any uses it sees proper to put it to, and then if it exports oil in tins in three years it gets back that much tariff. The packer imports beef cattle and uses that beef to depress the markets of the cattlemen, and if in three years he exports so many cans of beef he can get back all the tax he paid on the tin and all he paid on the beef. Your bill is to help the Standard Oil Company and the packers, but you forget the laboring man and his dinner pail. [Loud applause.]

Mr. Chairman, I do not know whether an academic discussion is worth a cent in this matter. I do not know whether the interest of the consumer, who never comes before your committee, is worth being discussed in this matter. I do not know whether it is worth while to discuss the interests of the farmer, who stays down yonder and pays twice as much for his farming implements as the farmer in Europe pays for the implements that are manufactured in this country. I do not know whether the bending sewing woman in the hovels of New York, in the dark hours of the night, who undertakes to eke out a miserable existence by sewing, is worth considering in this matter. I do not know, Mr. Chairman, what it is that is worth considering in this matter, except the bickerings of the favored interests, which would fight each other but for the fact that they must fight their common enemy, the common people of this country. [Loud applause.] I can not tell, but I am fearful that you have got something at last to divide the South. The tenth district of North Carolina sends now a Republican Member, because she has got some lumber and maybe some factories. If I had time I would talk a little about lumber. At the time the gentlemen were talking about there being no lumber trust, I remembered the time when a large owner of stumpage in my State came East, and when he returned it was reported that he had borrowed some $40,000,000 to develop Texas.

I knew that, just after that time, a price list of lumber was made up by a syndicate in St. Louis and sent out to retail lumber dealers. I knew that that was being done, as I had retail men show me that price list. It showed, for instance, that this month there was an advance of 50 cents all around on last month's prices, and the next month's circular would show, perhaps, an advance of a dollar, and in five years the rise on lumber from the time that our great financier had borrowed the money, was about $9 per thousand, on the average, and I had to pay, instead of $18, $20, and $22 per thousand for lumber, as high as $45 per thousand. What was the cause? It could not be on account of the wages, because the little mills were paying, thirty years ago, as high wages as are paid to-day, yet they sold lumber at $8 that sells for $18 now.

I know that I saw these circulars, and that the retail lumberman who brought them to me told me that since they sent these circulars out every retail dealer must buy all these materials at a price, and each large mill had the same price. It may have not been a trust. I do not know. In addition to that, when our state railway commission undertook to reduce the freight rates on lumber to points in Texas, the railroad men of course opposed it, and appeared before them for that purpose. But it was a strange fact that the big mill men who had the lumber to sell also appeared or were represented with the railroad men and opposed the reduction of rates on lumber to points in Texas. I can tell you now that my home is 294 miles from Beaumont, and the freight rate there is 18½ cents a hundred pounds on lumber, and they ship the same lumber to Memphis at 16 cents. They ship it to Cairo at 17 cents, and 17½ cents to St. Louis. Now, what was the trouble? It was not that these lumber mills had their industries or interests injured by it, but they had made terms with the railroad; it was the railroads that gave them cheaper rates to the great corn belt in the Middle West, enlarging their market.

If they could have supplied nothing except Texas, they would have flooded that market and lowered prices or stopped production; but if they could get for a market the whole Middle West, they could saw all the pine in the State of Texas, raise the price higher and higher each year, put money in their pockets and destroy the patrimony that belonged once to the people of Texas, while they rob the home builders of my State. No wonder, then, they came with the railroad men to resist the reduction of freight on lumber to points in Texas. I do not know what it means, but I see that a great railroad man is here to-day, Mr. J. J. Hill, and it is said he is probably interested in the lumber question. He is helping the lumber men fight their battles in this city to-day. I want to say that when the lumber of my State belonged to my people we did not ask for protection. The little mills sawed our lumber and sold to us at reasonable prices. But eastern capital owns it to-day, strong hands have it in their possession. They are organized to help their cause, and they profess to need protection here while they sell our timber in lands abroad and compete with the world. What do they care if another generation gaze over a dreary waste, provided they have their millions?

APPEAL FOR JUSTICE AND MERCY.

My countrymen, I do not want to make any attempt at discussion in detail; but it is time for us to think of the people. We talk about there being no poverty, no hard times here. There may be sunlight in Washington, the State from which Mr. CUSHMAN comes. There is sunlight on my farm down yonder, where the dark-colored descendants of Africa work from day to day. They do not beg; they do not suffer for shelter or for bread. But when, after midnight, I walked through one of the open squares in New York City late in October, at 3 o'clock in the morning, I saw gathered on those benches the ghost-like figures of five hundred or a thousand people. Walking among them were the guardians of the night, the policemen of the great city, to see that order was maintained; and then, for the first time, I saw the daily newspaper used for a purpose I never had seen it used for before. Those people were without overcoats, and around their bodies they were pinning the sheets of the daily

news papers to keep in the warmth and keep out the chilly night air. I was told that some of them were worthless and some were unfortunate; but all were like the Son of Man in that he, too, had not where to lay his head.

It may be that the Democratic party is dreaming when it talks of justice to the consumer and mercy to the poor. Aye, it may be that the fight is a lifelong one for Democracy and for me, and we may be hopeless. Emmet asked that his epitaph be written after Ireland was free. Hamilcar took his two sons and swore them on the altar forever to fight the ambitions of Rome. Ireland will be free some day. America will be relieved from the throttling grasp of greed some day. My countrymen, as I looked upon those people who were shelterless in the great city of New York I thought of all the dreams which men have dreamed—of Bunyan, who dreamed in colors of the sunset of Christian and of Faithful; of Rousseau, who dreamed of equality; of Jefferson, who had dreams of a republic of equal rights to all and special privileges to none—but it seemed to me dark, dark, and hard to hope for equality between men until they found it in the grave. I looked again on those chilled and restless sleeping and sometimes feebly groaning ghostlike forms and thought of Browning's lines:

God's in his heaven; all's well with the world.

This is the philosophy of the Republican party: "This country has prospered; let it go on in the old way." But it seemed to me as I looked, all is not well with the world. We will dream still of a better world and, as God would have us, we will work to destroy the dragon of all-conquering greed and still keep up the struggle for equality among men and equal rights to all mankind. [Applause on the Democratic side.]

I know it has been said that academic discussion of the tariff now is wasted, but I do not believe so. The tariff issue now is not altogether what it was one hundred years ago nor what it was twelve years ago. One hundred years ago protection was a question of being willing or unwilling to foster and maintain a struggling babe in industry against the greater resources of the same industry in the Old World so that the infant might grow in strength and become capable of self-preservation. There was no question of trust and monopoly entering into it. To-day the questions of tariff, transportation, and trusts are so related to each other that each involves the other, and altogether they constitute the greatest and livest subject for political study and governmental action of this day and generation. They involve the problems of capital and of labor, the questions of the rights of property and the rights of man, of personal rights and of vested rights, of socialism and of individualism. Apparently remote from my subject, but really closely connected with it, is the fact that special privilege is the most universally existing evil of all the ages, and equal rights to all, equality of opportunity, the good most desired and hardest to obtain since the beginning of human history. Privilege likewise is the chameleon of civilization, changing its hue and form with the change of tide and the temper of the times. It was born in the dawn of history, when the shepherd ordered his household and kinsmen and they obeyed, when Abraham and Lot divided their flocks and separated their servants, and looking, one to the south and the other to the north, were lords of all they surveyed. That old civilization reached its crowning glory or shame of privilege when the pyramids grew on the banks of the Nile and taskmaster bade the toilers make brick without straw and made them build treasure cities for the Pharaohs; then came revolt and flight of the bondsmen to a new world, the land of promise. For a while the Judges ruled in Israel under the laws and by the laws given by Moses, and maybe the people enjoyed something like equal rights, but privilege was not dead.

When the unclean spirit is gone out of a man he walketh through dry places seeking rest, and finding none, he saith, "I will return unto my house whence I came out," and when he cometh he findeth it swept and garnished. Then goeth he and taketh to him seven other spirits more wicked than himself, and they enter in and dwell there; and the last state of that man is worse than the first.

Soon the Israelites demanded—of course, it was the people demanded—that they be given a king; and then lords and princes and kings and privilege returned and oppressed and enslaved, as they did in Egypt. In the valleys of the Euphrates, the Tigris, and the Ganges the same thing happened, and the masses toiled and bowed their necks to the yoke of the few. Amid the Scottish hills the Highland chief and in our western forest the Indian chief bore sway. Perhaps in all these phases of privilege the most kindly was that of the patriarch and the chieftain, because the ties of blood and family and personal relation softened the edge of selfish greed and thirst for power. The Spartan mother rejoiced in the freedom and manhood of her son, and Grecian philosophers and statesmen prated of liberty and equality; but intellectual Greece submitted, too, to the tyrants, and the eloquence of Demosthenes quailed before the power of Philip. The Roman dethroned kings and established a republic, but the Patrician arose, and the people followed in the train of this powerful man or that, till a Cæsar grasped in a single hand all the powers of state, and statesman, philosopher, poet, and people groveled at his feet and trembled at his frown. Freedom had been won and lost; equality had been proclaimed and forgotten. The middle ages had their feudal systems, and, professedly, privileges abounded under the names of "knight," "earl," "baron," "duke," or "king." In the cities the transformation of the lowly, stigmatized tradesman into the merchant prince began, and the power and privilege of wealth, pure and simple, cold and bloodless, grew. Conflicting greed fought itself; castle was defended against castle; baron warred upon king and king warred against baron, while the people struggled under all for some breath of liberty, some lessening of the burdens which they were made to bear in order to provide feast and fine linen for their lords and masters. Everywhere, in all the ages, this struggle of the masses for something better has gone on, sometimes with almost expiring groans; but it has continued everywhere in all the ages.

But everywhere and at all times self-interest with sleepless vigilance has prompted, and superior strength and cunning has enabled the few to grasp and hold privilege and power and to rule. Titles, crowns, lordships are but names for privileges. Here the names are gone, but the struggle between the people and privilege still continues no less vigorously, no less viciously than in ages gone. Equality seems to be only the dream of the philosopher, the Utopia of the poet. We in 1776 declared there should be no more patriarch, chieftain, lord, or king. All men were and should be equal. We tore off the coronet and the crown and cried "Down with the tyrant, up with the man." We shouted "Eureka." "America, the land of the free." "All men are equal." A Cæsar would not, should not be king, and yet ere eight years of government went by shrewd scheming men had found a way to ride on the backs of their fellow-men and this way was through privileges by protective tariff. As the decades went by, under its baleful shadow we grew more and more to be man and master. We abolished slavery, but in the very doing of it we welded more strongly the fetters of the protective tariff. We added more rungs to that ladder up which the favored few may climb. We enlarged the favored classes and doubled the burdens upon the backs of the patient people. We have not found Utopia, but poverty, want, and hunger stalk in the land by the side of power, privilege, opulence, and ease. The king cares now in no fatherly way; in fact, cares naught for his subject except for the shekels he wrings from his sweat. The chieftain and the baron now feel no affection for the scowling toiler from whose labor he wrings the tribute that builds his palace and mans his yacht. To him the laborer, the toiler, his vassal is but a thing, and did I but judge all the future by all the past, I could but declare that all men are equal and all men will be equal only in the grave, for privilege to-day is more strongly intrenched, more impersonal and selfish in its power, more cold and cruel than ever before. But, thank God, the indomitable spirit that prompts the everlasting struggle for freedom is stronger than ever, and for one like Hamilcar of old, who swore his children on the altar of his country to eternal hostility to the dominion of Rome, I intend to swear my children to eternal hostility to the foul dominion of the tariff and trust masters of the world.

Bold as the statement may seem, I would not have dared address this House on the general question of protection if I did not hope to add some thought that is new to all that is old and has been so much better said before. The debates of this House show that greed, everlasting greed, grows on what it feeds upon, and that "the eyes of man are never satisfied; therefore hell and destruction are never full." Instead of infant industries in new countries seeking protection against powerful competition, against which, unaided, competition would be hopeless, we have all powerful industries in old countries and in new countries asking for protection, each against the other and all for tribute from the balance of mankind.

Despotic Russia, imperial Austria and Germany, republican France, and free Mexico are protected as we are. All over the world trust magnates are praying for protection and the privilege of riding their fellow-man, and artificial barriers against trade are raised at the borders of all lands not to bless, but to curse the common people.

All the nations of the earth, if the doctrine of protection prevails, must finally divide, not with a view of mutual help and international comity, but with a view of mutually striving to overreach one another. The far more important subsidiary

tariff protection the first inequity was produced and the favored

proposition to that is that in this international warfare and struggle the great, the powerful, and favored of each nation are to be the captains and commanders of the forces. They are to marshal their hosts and fight their battles for their own special benefit, and they are to support their cause by gathering tribute in each nation from the great masses who do not participate in their victories or in the spoils of their battlefield. France levies a tariff on everything that her wealthy factor makes, either for consumption at home or for distribution abroad; Germany does the same; Russia, Italy, Austria, and America likewise; so that the home peoples of all these nations must pay to their manufacturers, not what commodities can be reasonably produced for, but just what consumers can be forced to pay for them. The tariff baron is no more a patriot in France or Germany or Russia than here. He is cosmopolitan; his wealth is international, only he must extort it by provinces. One levies tribute on France, another on Germany, and another on America; but they gather at Rome and spread their feasts and mingle their wealth above the flags of nations.

I have tried to grasp clearly just what modern protection means. France and Germany are not trying to protect their high-priced labor against the pauper labor of America. France and Germany are not giving young and weak industries a chance to start. In all these nations and in ours, two facts give protection almost invincible strength. The first is, it is a stealthy way to raise enormous revenues and support extravagant administration. The second is, shrewd wealth has found that by it the protected industries, if they will combine, instead of fighting, can levy all the tribute they ask on the unprotected consumer. But these two reasons are the last to be publicly proclaimed. Protectionists here and everywhere are growing rich off of the high prices they are getting from their people at home. All of them have, like us, greater internal than foreign trade, and they persuade their unprotected classes that if they can make everything at home competition will keep down the price of manufactures, and that the little man—the chicken raiser, the truck farmer, and the like—will get a higher price in the home market for his product, and the clerk, the miner, the laborer, will get higher prices for his labor. Reduced to its last analysis, we have the wonderful, but new and up-to-date position of all these leading nations to be this—that each nation must produce all that can possibly be produced at home, whether it can be produced with ease or difficulty, with great or little expense, and that they must trust to competition among home manufacturers to keep down prices, and only sell abroad what they can not sell at robber prices at home. The selfish interests of France, Germany, Italy, Austria, Russia, Australia, Canada, and all the islands of the sea in the Old World and the new, have seen the beauty of this scheme.

England stands alone and firm as yet among the great nations of the earth against the greed of the selfish interests. She knows, and we know, too, that she can not enrich herself by trading with herself, and that she can not hold the markets of the outside world unless she can undersell the outside world, and she knows and we know that she can not undersell unless she can produce cheaper; but, more than that, England knows that if while not holding the markets of the world, she raises her home price above what is reasonable and makes the manufacturer's profits great thereby, that what she gives to the manufacturer she must take from the consumer, and we know this, too. England knows that while it may enrich a favored few, it does not add to the national wealth to take from one man or one class of her subjects and give to another. We know all this, too, and the other protection countries know it, but the loud-mouthed clamor of the favored interests dins in the ears of the people and drowns the loudest shouts of reason. They shout: "Look what great wealth we have accumulated! What wonderful progress we have made!" We have accumulated great wealth; we have made wonderful progress. Protection does not make one stroke of the ax cut less deeply, one ear of corn grow less full; does not shorten the list of one lock of cotton, or injure the fleece of one sheep or the hide of one, or lessen the speed of one shuttle or the output of one loom. We can and do produce just as much and just as easily as we could if no tax were on us.

We could produce just the same if a tariff wall or a rock wall a thousand feet high were around us, but with that wall combinations and trusts can be more easily formed, and the boasted wealth of America shows that with virgin soil, with vast stores of mines and forest; with water, steam, and electricity to turn our spindles and oil and coal to fill our furnaces; with brain and brawn and sturdy industry we can and do produce more than any other people in the world, but we also see a strange distribution of the aggregate wealth produced. Through the tariff protection the first inequity was produced and the favored industries grew wealthy out of proportion to the prosperity of the rest of the people. Then came the power of steam, and transportation by water and by rail opened up a field not second to but superior to protection for the exercise of favor and the granting of privilege. The knight does not ride booted and spurred upon the mettled steed as of old, but the tariff baron, the trust magnate, the transportation lord sits in his gilded chair of state borne on the patient shoulders of the common man. The king is dead! Long live the king! Privilege is dead; privilege is alive again.

When the unclean spirit is gone out of a man, he walketh through dry places seeking rest, and finding none, he saith, "I will return unto my house whence I came out," and when he cometh he findeth it swept and garnished. Then goeth he and taketh to him seven other spirits more wicked than himself, and they enter in and dwell there; and the last state of that man is worse than the first.

APPENDIX.

To illustrate the Payne bill as compared with the Dingley law, I give this extract from the Washington Times of April 2:

HOSIERY SCHEDULE CAUSING TROUBLE.

It may be worth while to set out graphically the comparative duties imposed by the Dingley and the Payne bills. They are:

	Duty per dozen pairs.	
	Dingley.	Payne.
Cotton stockings, hose, and half hose, valued at not to exceed $1 per dozen pairs, 15 per cent ad valorem and also	$0.50	$0.70
Same, valued at $1 to $1.50 per dozen pairs	.60	.85
Same, valued at $1.50 to $2 per dozen pairs	.70	1.00
Same, valued at $2 to $3 per dozen pairs	1.20	1.50
Same, valued at $3 to $5 per dozen pairs	1.50	2.00

STRIKES THE POOR.

An advance all along the line, it will be observed, but heaviest on the cheapest grades—the ones the poor must use. Now note that when they get up to the stockings of the rich—"valued at more than $5 per dozen pairs," the bill says—the Payne bill makes no increase. The duty on these classes of stockings was 55 per cent under the Dingley and is continued at 55 per cent under the Payne measure. No increase on the stockings of the rich, but a rich increase on the stockings of the poor.

The way it works out is interesting. On the cheapest stockings the bill contemplates, costing $1 per dozen, the ad valorem tax would be 15 cents, plus a duty of 70 cents; total, 85 cents on a $1 purchase; that is, 85 per cent ad valorem on the poorest classes of stockings, against 55 per cent on the most expensive.

But the Members of the House will not get a chance to vote on it. The managers of the House have an idea that this increase of the taxes of the poor, while those of the rich remain stationary, would get a black eye; so there will be no vote.

To illustrate Standard Oil methods of destroying competition, which ought to be prohibited, I give this extract from argument of the government counsel in suit now being tried in United States court:

ALLEGED PRICE CUTTING.

Mr. Morrison described the various phases of alleged price cutting in which he declared the Standard indulged to put an end to competition. In many large cities, the attorney said, the Standard cut prices until it operated at a loss. This loss was made up, he explained, by higher prices obtained in adjacent towns, where no competition obtained. Many concrete examples were cited, including that of Springfield, Mass., where the business was conducted at a loss. In Fall River, Mass., a few miles distant and without competition, a profit of over 2 cents a gallon was made, more than equalizing the loss at Springfield, he declared.

Mr. YOUNG of Michigan. Mr. Chairman, the Committee on Ways and Means have had a most difficult task to perform. On the whole, I believe they have done well. They have tried faithfully to meet the demands of the country for lower duties without injuring any American industry or endangering the revenues of the Government. The committee is to be congratulated and the House and country are to be congratulated upon the fairness, the industry, and the wisdom which they have brought to their arduous task.

As to the bill itself, there are some features of it about which I feel a good deal like the man who said that he had not been as great a success in life as he expected and he never thought he would be. This bill has not been as satisfactory in some of its features as I expected, and I never thought it would be. [Laughter and applause.]

In the first place, a tax on tea and coffee seems to me not the ideal way of raising a revenue from a Republican standpoint. In some matters I believe the committee has pared too deep. I

do not understand upon what principle lead and zinc ore are placed on the dutiable list with high duties, and hides and coal and iron ore are placed upon the free list.

And let me say that I do not understand that kind of Republicanism which demands a prohibitive duty upon barley and hides and also free lumber and free iron ore. I do not understand that kind of Republicanism which demands a duty of 12 cents a pound on grease and dirt and 30 per cent of wool, and then, on "great economic principles," demands free lumber. For my part, I am willing to vote for full and adequate protection to the wool of Ohio and to the rice of Louisiana. I am willing, if I have an opportunity, to vote for an adequate tariff upon hides and upon coal, and I believe that there should be an adequate duty upon iron ore.

My belief in the doctrine of protection is not bounded by the confines of my district, but extends through every part and portion of the United States. [Applause on the Republican side.] I am not one of those protectionists who wish everything in my own district to be protected and regard with indifference the baring of the industries of all other districts to unlimited competition. Neither do I belong to that class of free traders who loudly demand free trade for the country at large and a prohibitive duty "for revenue" on peanuts, lumber, rice, or whatever their own districts happen to produce. Neither am I willing that the industries of my own district should be left like the shorn lamb, defenseless against the storm of unlimited foreign competition, while other industries are amply protected.

I would give, if I had my way, a fair and equal share of protection to every industry in this country which is in need of it.

My present criticism deals with the subject of iron ore. Under the Dingley law iron ore was subject to a duty of 40 cents a ton, with a rebate on Cuban ore of 20 per cent, leaving a net duty of 32 cents a ton as against Cuba. The present bill removes that duty altogether. This is a serious matter to one of the great industries of my State. How serious it is thought to be may be seen from the fact that it is the only subject in relation to the tariff upon which the legislature of Michigan has seen fit to act.

I hold in my hand a resolution passed by the legislature of Michigan calling upon their representatives in both Houses of Congress to use all honorable means to cause a restoration of the duty upon iron ore. I will not take the time of the House to read it, but I will insert it in the RECORD.

One of the principal reasons urged for placing iron ore on the free list is the assumed fact, based largely on some loose statements of Mr. Carnegie at the first conservation congress, that our supply of iron ore is approaching exhaustion. No greater mistake could be made. Instead of a scarcity of iron ore the amount known to exist in this country is so enormous as almost to stagger belief. A careful estimate, based upon examination, borings, and careful calculations made by the Geological Survey within the last two years, under the direction of Prof. C. W. Hayes, which is now in the hands of the printer and will soon be accessible to all, shows that the amount of iron ore known to exist in the three States of Michigan, Wisconsin, and Minnesota alone aggregates the enormous amount of 276,000,000,000 tons. This estimate is confined to three States. It takes no account of the great bodies of ore in the South and in the Rocky Mountain regions. It does not include the ores of New York, New Jersey, and Pennsylvania. Of course, much of this ore is too low in metallic iron to be commercially available at the present time, but all of it included in this estimate contains at least 30 per cent of metallic iron. Ores of the same iron content are being used to-day in Germany, and all these ores will be used here later on.

Mr. UNDERWOOD. Will the gentleman allow me to interrupt him a moment?

Mr. YOUNG of Michigan. Yes.

Mr. UNDERWOOD. I just wanted to suggest that the average run of the ore that is used in the Birmingham district is 33 per cent in metallic iron.

Mr. YOUNG of Michigan. That is true. So I say from what we now know of the vast deposits of the South and West, that a mining engineer who would risk his professional reputation upon the statement that there was in continental United States less than one thousand billion tons of iron ore capable of being used in time in the manufacture of iron would be a bold man indeed. As I said before, owing to commercial conditions a very large portion of this ore is not at present commercially available. It is the part of wisdom to encourage the use of the low-grade ores as a mixture for the richer grades; but if we are at this time to put our ores into direct competition with the rich and inexpensive ores of Cuba, only the very best of our high-grade ores can be used at all until the Cuban ores are exhausted. It is far wiser to conserve a portion of the higher grades by utilizing some of the lower grades.

But this can not be done under a policy of unlimited foreign competition. That policy will lead to the exhaustion of all the high-grade ores, while the lower grades will remain untouched. The same principle applies to iron ore that applies to lumber.

The district I represent comprises the entire northern peninsula of Michigan. It contains all of the iron ore found or likely to be found within that State. Since the beginning of the industry there have been mined and sent to market from this district 210,657,126 tons of iron ore. Its present known supply remaining is fixed by Professor Hayes in the statement that I have mentioned at 135,000,000,000 tons. Only some three hundred and odd million tons of this ore are at present commercially available. Although we have been mining in that district for more than half a century, the new discoveries have more than kept pace with the exhaustion. The amount of ore commercially available now known to exist in that district is greater than at any previous time in its history. This is true of every large iron-producing district in the United States.

Iron-ore mining began on the Marquette Range in the early fifties, and on all the Michigan ranges many years ago.

The exhaustion of these ores seemed so remote that stable communities have grown up around the mines. This industry in my district alone supports more than 100,000 people. Their business is entirely dependent upon the mines, whether connected with them directly or not. Thousands of miners own their own little homes. They have generally received fair wages. They are a thrifty, hardy, industrious, law-abiding people. What they have saved has been invested, for the most part, in the towns where they live. The transfer of the iron-ore industry, in whole or in part, to Cuba or other foreign country would mean to them serious loss and in many cases financial ruin. The same is true of the mechanics and the smaller business men and the owners of real estate in these towns. Their living comes directly or indirectly from the mining business. It is for these people that I am primarily interested. The great corporations, like the Steel Corporation, the Cambria, the Pennsylvania, and the concerns of that class, can all protect themselves by the purchase of Cuban mines. Some of them have done so already, and I have no doubt that all are trying to do so, and that all will succeed. They will not be seriously hurt; but what of the little communities that have grown up about these mines? They are entitled to some consideration from the Republican Congress of the United States. [Applause.]

To them the subject of the tariff is a vital question. It has been urged by some, who have only a half knowledge of conditions, that our mines are of such character that we can defy competition from all parts of the world. This is a mistake. None of the mines of Michigan are steam-shovel propositions. They are all deep mines. In some of them it is necessary to go down from 700 to 1,000 feet before the ore is encountered at all. Some of them are more than 2,000 feet in depth. To support the walls and roof of these mines great forests of timber are necessary, and this entails a great expense.

Mr. William G. Mather, who testified before the Committee on Ways and Means, and is a most competent and trustworthy, though interested, witness, fixes the—

	Per ton.
Cost of mining in the entire Michigan district at	$1.3846
Royalty	.3309
Transportation, rail and lake, to Lake Erie ports	1.2344
Administration, expenses, commissions, etc	.1096
Total	3.0595

Making a total cost at Lake Erie ports of $3.0595 per ton.

Judging from my own familiarity with this subject, I have no doubt as to the substantial correctness of these figures.

Mr. Mather fixes the average freight rates from Lake Erie ports to the furnaces, where the ore is used, as follows:

	Per ton.
Mahoning and Shenango Valley points	$0.65
Pittsburg and vicinity	1.05
Other western Pennsylvania points	1.25
Points east of the Allegheny Mountains	1.50

I think these figures are not far from correct, though they may be a trifle higher than those prevailing during the year 1908. This would make the cost at the furnaces as follows:

	Per ton.
Mahoning and Shenango Valley points	$3.71
Pittsburg	4.11
Other western Pennsylvania points	4.31
Points east of the Allegheny Mountains	4.56

distribution of the aggregate wealth produced. Through the

In some matters I believe the committee has pared too deep. I

the rich and inexpensive ores of Cuba, only the very best of our

Other western Pennsylvania points	4.31
Points east of the Allegheny Mountains	4.56

Judge Gary, who testified before the Ways and Means Committee, fixed the cost of the ore of the Steel Corporation which was mined from the ranges in Minnesota, as well as those in Michigan, at $2.88 at Lake Erie ports, or about 18 cents less than the Michigan ore cost. This is probably correct for his company, which has unusual facilities for cheap mining, but it must be remembered that the ore from the Minnesota ranges is a little lower in quality than the Michigan ore, and that the freight is greater from the Minnesota mines than from the Michigan mines, so that the Michigan ores compete on equal terms with the Minnesota ores at Lake Erie ports and at eastern points.

Of course ore can be delivered at Lake Michigan and Lake Erie ports at less money per ton than it can be delivered in Pittsburg. But the coke costs enough more at Chicago and Lake Erie ports than it does in Pittsburg to entirely make up for this difference, and perhaps a trifle more.

And right here I wish to say a word about the item of "depreciation," mentioned in the cost of iron ore in Judge Gary's statement. On the first day of this debate the gentleman from Alabama [Mr. HOBSON] asked if depreciation was a legitimate item in the cost of iron ore in addition to the royalty paid. To this the gentleman from New York replied that he thought not. Both gentlemen, I think, misapprehended the facts.

With a very few exceptions no developed iron-ore mine in the Lake Superior region has ever been leased. Nearly all of the leases are of explored but wild and undeveloped lands. Royalty is the price fixed between the parties, to be paid by the lessee to the lessor as the value of the ore in the bed in the undeveloped land. The lessee assumes the burden of equipping the mine with machinery, houses for the employees, roads, and even railroads, and the development of the property. In this way large amounts of money, frequently running into millions, are expended. I have in mind at this moment a property upon the Mesaba, at Coleraine, upon which the lessee has expended, if my recollection serves me right—and I think it does—over eight millions of dollars, and the property is not yet developed sufficiently to permit the shipping of ore in any quantity. This great expenditure of money makes the ore available and greatly increases its value in the bed. It would be manifestly bad bookkeeping to charge up to the first year's product the expense of all this development which frequently extends over a series of years. Just how much should be charged to each ton depends upon how much ore there is in the mine, and this can never be determined with absolute accuracy, but in such mines as those on the Mesaba it can be very closely approximated.

It is the custom, therefore, of all mining companies in the Lake Superior district, with which I am familiar, to estimate as closely as they can the proportion of this expense which should be charged to each ton of ore mined, and this is generally charged together with some other items under the term "depreciation" as a part of the cost of production. If the estimate is fairly made, it is just as legitimate a charge as any of the rest of the mining expenses, because whenever the mine plays out or proves a failure, all of the money, practically, spent in equipment and development is gone.

There is no subject upon which there is more misinformation than upon the character of the Mesaba mines in Minnesota. These are represented as being all steam-shovel mines. I have heard the cost of mining actually stated to be as low as 6 cents per ton. Such figures were never correct in any step of development of even the most favorably situated of those mines. The ore in what is known as the "steam-shovel mines" is overlaid with a heavy burden of drift running from 3 to 4 to 100 feet in depth. The cost of the removal of this drift is very great. A large number of the Mesaba mines producing a great tonnage are not steam-shovel mines at all, but underground mines. However, the cost of mining in the Mesaba is much less than on the Vermilion or in Michigan. Judge Gary fixed it for the entire output of his company at exactly 73 cents per ton. This is the mining cost alone. This lower mining cost, however, is offset by a cheaper freight rate from Michigan mines and a higher average quality of ore.

It is seriously urged, however, that the iron-ore industry needs no protection. Neither the Committee on Ways and Means nor myself have obtained absolutely accurate figures as to the cost of Cuban ore laid down at Atlantic ports or at the different furnaces and mills of this country. Mr. Schwab, who owns large iron-ore mines in Cuba, was before the committee and testified at considerable length and apparently with great frankness, but the committee, through inadvertence probably, failed to question him on the subject of the exact cost of that ore, on which subject he could no doubt have given most satisfactory information. This is to be much regretted.

Notwithstanding the lack of these figures, however, we are not at all at a loss for facts upon which to determine the need of protection for this great industry. Ever since the mines on the south shore of Cuba near Santiago were opened, the ore there produced has been shipped into this country and sold as far west as Pittsburg in competition with Lake Superior ores.

Mr. SULZER. Will the gentleman yield for a question?

Mr. YOUNG of Michigan. I will.

Mr. SULZER. Is it not a fact that the iron ore from Cuba is of a higher quality or better quality than the iron ore from the Mesaba Range?

Mr. YOUNG of Michigan. In some respects it is. The fact that Cuban ore can be sold at Pittsburg as cheap as Lake ores was brought very sharply to my attention by a personal experience. Way back in the eighties, when the tariff on iron ore was 75 cents a ton, with some other gentlemen, I was operating a small mine in the Marquette Range. It produced what was then regarded as a low-grade ore, running 56 per cent in metallic iron. It would now be regarded as a pretty high-grade mine. Our chief customer was the Carnegie Company, at Pittsburg; but they found that Cuban ore, which suited their purpose, could be obtained for less money than we could furnish it. Our ore was of a kind not needed at that time in the West; so we were compelled to throw up the property, and it remained idle for many years.

From that day to this Cuban ore has been sold in this country as far west as Pittsburg in competition with domestic ore. But it may be asked, If this be true, why is it that competition has not been more injurious in the past? The question is most pertinent, but the answer is easy. Cuba shipped to this country all the ore she could then produce, but that amounted to only 500,000 or 600,000 tons per year. The greater part of this ore was absorbed by the furnaces east of the Alleghenies.

The capacity of her mines was small, and, as you all know, governmental conditions in Cuba were not such at that time as to induce men to make new investments along speculative lines. But now the situation has entirely changed. Great discoveries of high-grade iron ore have been made on the northern coast of Cuba. These deposits are believed to be as large as those of the Mesaba Range. They are more cheaply mined and of greater value, ton for ton, than the Lake Superior ores, because of their high iron content and the small percentage of nickel they contain, which enhances the quality of the steel produced from them.

Mr. Schwab, testifying before the Committee on Ways and Means, speaking of these deposits, said, and I wish to call your attention particularly to this testimony, for it is most valuable:

There is a very large tonnage in sight. There is a peculiar condition that, to my mind, is going to make a radical change in the iron-ore situation. There has been discovered in Cuba within the last few years a very large deposit of ore. Indeed, some engineers estimate it quite as large as the Mesaba Range. It is of a different character, however, in that it is wet and needs drying before it can be transported.

Then Mr. LONGWORTH asked:

How would it compare with the ore in the Mesaba Range in quantity?

Mr. SCHWAB. I say some engineers I have had on the property estimate it to be about as large as the Mesaba Range.

Mr. LONGWORTH. And in quality?

Mr. SCHWAB. The quality is a totally different proposition; in some respects very much better, in that the ore contains nickel; and steel made from that ore contains from 1 to 3 per cent nickel; and that, of course, adds much to its value for certain purposes.

Mr. LONGWORTH. At what figure can that ore be landed in Pittsburg to-day?

Mr. SCHWAB. About the same as Lake ore.

Mr. Schwab further testified that in his great plant at Bethlehem, Pa., he had ceased to use domestic ores and was using nothing but Cuban ore. The statement made by Mr. Schwab that Cuban ores to-day, when they pay a duty of 32 cents a ton, can be laid down in Pittsburg as cheaply as Lake Superior ores ought to be trustworthy, because he is in the business of mining that ore himself and knows whereof he speaks. It ought to be peculiarly trustworthy, because it was a declaration against his own interest. He is a large owner of those ores, interested in introducing them into the United States without a duty.

And it was to his interest to show that they could not compete with domestic ores, and yet his statement is that, paying the duty, they can compete with those ores as far west as Pittsburg.

Now, Mr. Carnegie had something to say about this matter also. It was this:

The Pennsylvania Steel Company has a mine of wealth in its ore in Cuba. They expect, and I believe they are going to make, a quality of steel so far superior to any made now, at a cost which no other can reach except that enterprising young man, Schwab, of the Bethlehem Company, for he also has a mine in Cuba. They are going to make a great fortune out of their ore.

I wish to call your attention to some other evidence as to the character of those deposits. I have here a letter written by William Kelly, one of the leading mining men of northern Michigan, who is well known to a number of gentlemen in this House. He is a man of the highest character and one of the best mining experts in the country. Writing to me last January, he said:

I visited some of the mines in Cuba last year and saw one of the new deposits on the north shore. This is really an enormous ore body. The owners give out their estimate as 500,000,000 tons, but it is quite possible that the total amount may be nearly, if not quite, double that quantity.

The ore is on the surface without cover, but supports a growth of pine of sufficient value probably to pay for loading the ore on the cars. The haul to tidewater is only about 10 or 15 miles. There is no royalty to pay on this ore. It is of peculiar texture, being in the form of an iron clay, and it will have to go through a sintering process, but which is not very expensive. There are other deposits of the same character, one of which is being exploited and others, I understand, are not so well known. In any event, this ore is going to be used in the United States, but if the tariff is taken off it will displace a certain additional amount of Lake Superior ore, and so far as this goes it will reduce the work to be done and the money to be distributed in this district and the revenue of the Government to the advantage of the low-priced Spanish labor of Cuba and the profits of the owners of the properties.

Our properties belong to Cambria Steel Company, and the ore from Vulcan is shipped to Johnstown, Pa., to be smelted. Without the tariff it is probable the Cuban ore will be cheaper at that point than ours.

If a reduction in the tariff on iron ore would result in a reduction in the cost of steel to consumers something might be said in its favor, but this is not the result to be expected for the reason that the country must still depend largely on our own ores. The result, as I see it, is that it will tend only to replace a greater amount of our own ore.

If this be true, the present tariff on iron ore is simply a fair revenue proposition.

Now, I want to call your attention to a little more information about these deposits, and this is contained in a document issued by the Geological Survey, No. 340 E, in which, upon page 22, they go on to state that these ore bodies are operated under concessions from the Cuban Government; that the price paid, not as a royalty, mind you, but for the land, is $2.86 per hectare, equivalent to 2.47 acres; that is, the Pennsylvania Steel Company and Mr. Schwab, who have obtained these large concessions there, paid just a trifle more than a dollar an acre for the land. Well might Mr. Carnegie say that they have a great fortune in their ore mines in Cuba. "It is the best thing that we have."

Mr. SLEMP. I just want you to read a statement about the annual taxes.

Mr. YOUNG of Michigan. Oh, there are no annual taxes upon these lands since 1901. They do not even tax them. They stopped taxing them in 1901.

Now, I hold in my hand a statement made by the Director of the Geological Survey. In speaking of these ores he says they run from 35 to 65 per cent, and that those being mined run from 50 to 60 per cent, which is as high in ore as our Lake Superior ore; nearer to the water than our ore, with lower freight charges.

A concern over here in Baltimore which is using these ores, states that the cost of transportation from Cuba to Baltimore is 85 cents a ton, and that the mining cost, when the mines are undeveloped, is about 75 cents, making $1.60, and, with the duty, $1.92 at Baltimore.

Mr. Mather, in speaking about this matter, also expressed the opinion that Cuban ores could be laid down in Pittsburg as cheaply as the Lake Superior ores. Well, there is no question about that fact, gentlemen, for they are doing it now, and have been doing it for twenty years. The reason that this competition has not been disastrous to our district is because in the past they were able to mine so small a quantity of ore. But, as Mr. Schwab well stated, we are now on the eve of a new era. The deposits on the northern shore of Cuba are as large as those in the Mesaba Range. In 1907 the Mesaba Range mined and sent to market 27,000,000 tons of iron ore.

There is no reason why the mines of Cuba can not within a few years send as large a product to the United States. It is this situation which alarms not only the producers of domestic ores, but the people who are dependent upon that industry, directly or indirectly, and which calls loudly for protection. The manufacturer of iron and steel in this country has had only to compete with the labor of Germany and England, the highest paid labor in Europe; but the producer of ore pays his labor $2.47 a day, and has to compete with the labor of Cuba and Spain, the cheapest labor in the world outside the Orient.

But it has been urged against the tariff on iron ore that the ore properties in this country are owned by large corporations; that many of them were obtained for a song, and by combination the owners have forced the price of ore up so high that fee holders in recent years have been enabled to obtain an unreasonable royalty for them, to maintain which unreasonable royalty they desire protection.

It has been freely asserted that the Mesaba ores are practically all owned by the United States Steel Corporation. The fact is that that company controls less than one-half of such ores. It is also assumed by some that the lands leased from the Great Northern Railroad Company, known as the "Hill lands," and for which a royalty of 85 cents a ton is paid, constitute the greater part of their holdings. They constitute, relatively, a very small part of such holdings, probably not over one-fifth. For the great bulk of their holdings a much lower royalty is paid.

Very few of the ores in the Michigan-Minnesota, Lake Superior district are owned by any large corporation, with the exception of those owned by the Great Northern Railroad or a subsidiary company thereof, which has leased them to the United States Steel Corporation. Nearly all of these ores are owned by private individuals and are leased to the great corporations under leases running for twenty or thirty years, occasionally for a little longer period. All of these leases which I have ever seen, and I have seen very many of them during my practice as a lawyer in that region, contain a provision permitting the lessee on notice of thirty or sixty days to throw up the lease. In a period of depression, when the demand does not justify the working of all the mines, fee owners who desire their mines operated usually make concessions in the rate of royalty, and in many instances where they are unwilling to make such concessions as the lessees deem reasonable, the latter abandon the lease under the right reserved so to do. In practice, the loss occurring from the existence of business depression or changed conditions, such as would be brought about by an entire abolition of the tariff on iron ore, would be borne first by the laborer, second by the fee owner, and if all had not been absorbed in this manner, then what is left by the lessee. Of course the latter would suffer severely in any event by any general depression of business, but it must not be thought for a moment that the mining corporation will bear the entire loss caused by a reduction of the tariff. It will be passed on to labor and the fee owner.

If the manufacturer of iron and steel needs protection, the producer of iron ore needs it doubly. Do not be deceived, my Republican friends, by reasoning from past conditions. These have been entirely revolutionized. Cuba can compete with Lake Superior ores on more than even terms at Pittsburg. Remove the duty and she will ship her ore into the Mahoning and Shenango valleys.

As I said before, the great corporations can protect themselves by the purchase of Cuban mines. But what of the little communities built up around the mines at the head of Lake Superior?

It was stated by the gentleman from New York, the chairman of the Committee on Ways and Means, in his opening speech upon the subject, that there had been a great advance in the rate of royalties paid during the last twelve years, and that much of the demand for protection to iron ore came from the fee owners, who did not wish to see the extravagant royalties of to-day lessened. If he himself did not draw the inference, at least others drew it that this advance which was claimed to have taken place had been brought about by a combination among the great corporations. All this is entirely misleading. The gentleman from New York quoted Judge Gary as having stated that twelve years ago the royalties paid were but 10 cents a ton.

I was surprised at such a statement from Judge Gary. After the gentleman made his speech I read the testimony of Judge Gary as published by the Ways and Means Committee from end to end, and there is not a single word to that effect in it, nor did Judge Gary testify upon that subject at all. The gentleman from New York was mistaken as to his source of information. He drew a conclusion from something that was said by Mr. Schwab. I wish to call your attention a little to his testimony.

Some of you remember that on May 15, 1899, Mr. Schwab wrote a somewhat famous letter, in which he stated that the Carnegie Steel Company could make rails at Pittsburg at less than $12 a ton. Of course when he was before the Committee on Ways and Means, his attention was called to this letter. It was read to him, and he was questioned in regard to it, and this is one of the things he said:

I want to explain the motive of that letter. The letter was written at Mr. Frick's solicitation. It was at a time when he was anxious to dispose of the Carnegie Company, and it was also written in an optimistic vein for the same reason. If you will bear that in mind in reading the letter, you will perhaps understand it better.

It was, therefore, simply the seller of property "puffing" that which he had to sell. Mr. Schwab testified that the Carnegie Company could not at that time manufacture steel rails at $12,

they desire protection.

that the $12 only included the mill cost; but he said that as to mill cost, excluding all other costs, it was correct. By that statement he set himself the task of bringing the mill cost of steel rails within the $12; and in testifying on that subject he said:

We were leasing our ores at that time in the Northwest. We started out to buy them, but we were purchasing and leasing ores, as people familiar with the trade will recollect, at 10 and 15 cents.

Now, commenting on this testimony, the following colloquy occurred between the gentleman from Connecticut [Mr. HILL] and Mr. Carnegie:

Mr. HILL. Mr. Schwab started with iron ore, and said that at that time, when he made those figures, you were paying a royalty of 10 to 15 cents a ton, and that now the ore costs $1.

Mr. CARNEGIE. Excuse me, Mr. Hill. Mr. Carnegie told the committee the cost of iron ore to a private miner of ore in Pittsburg. The royalties on the steel ore we have sold, and there were hundreds of millions of tons, and it was 20 cents a ton, and that is the cost to-day to the United States Steel Company on that ore, and it is in perpetuity.

Again, referring to the same subject, he said that Mr. Schwab told him [Carnegie] that when he testified before the committee he was not speaking for any steel mill, but that he got this information as to the 10 or 15 cents from a private producer of ore in Pittsburg. And Mr. Carnegie then continued, as follows:

Mr. Chairman, upon the ore the United States Steel Company is smelting to-day to make a ton of rails in Pittsburg they pay royalties in perpetuity of 20 cents a ton.

But there was something as to the cost of that ore that Mr. Carnegie forgot to state. He did not tell the committee the real fact, that the Steel Corporation, in addition to that 20 cents a ton, paid large bonuses for every lease they obtained, and paid to the Carnegie Company sums running into the hundreds of millions of dollars for that very ore.

So you will see that the real cost of this ore was very much greater than 20 cents per ton. The simple truth about this whole matter of an advance in the cost of ore and royalties is that in boom years royalties have always been high, while in years of depression they have always been low. As long ago as the early eighties 75 cents was not infrequently paid as a royalty on iron ore, and this price, and even $1, was paid for ore on the Mesaba before the advent of the Steel Corporation.

A fair way to get at this question would be to look at the prices of iron ore. I hold in my hand a statement made from the figures obtained from the records of a large mining company at Cleveland, going back to 1857, and giving the average price each year, up to 1908. I will not delay the committee to read all these figures, but call attention to a few, which show that the tendency in the price of ore during long periods of time has been steadily downward, instead of there having been any great advance made because of any combination, or otherwise.

In 1857 ore sold at Cleveland for $8; in 1866 it had risen to $10.50; in 1873 to $12.17. From then it ran down to 1878, when it reached $5.37, rose in 1880 to $9.24, and then ran steadily downward until in the year 1898, the year upon which Mr. Schwab based his figures of a $12 steel rail, it reached the abnormally low price of $1.75, and then rose two years later to $4, and last year sold at $3.69. It will thus be seen that, taking long periods of time, the tendency of the price of ore has been steadily downward. It is true that from the low point in 1898 the price of royalties and ore has risen, and God be thanked that it is true.

I listened to that part of the testimony of Mr. Carnegie before the Committee on Ways and Means, where he said that it had been his custom whenever the demand fell off to lower the price and meet the situation in that way, with a great deal of interest. During the nineties he did sell steel rails in Pittsburg at $17.92 a ton. I listened with great interest to that statement, because I remember too well at what price in poverty and suffering in the Lake Superior region that result was obtained. To use his own phrase, that "pawky chiel," the laird of Skibo did not pay that price himself. There were many small mining companies in the Lake Superior region at that time, some not too strong financially, and by playing one against the other he forced down the price of ore, cent by cent, to the lowest point in its history.

The mining companies, so far as they could, reconped themselves, as they always will, by forcing down the price of labor until able-bodied, skillful miners were working in the Lake Superior mines at $1 a day. Even that did not meet the situation. In the paralysis of business at that time, even at the lowest wages, thousands of men in my district, honest, industrious, skillful men, who only asked the privilege of working, were denied it, and it became necessary for charitable people in other sections to send in provisions and clothing by the carload to prevent suffering and starvation. Such was the price our Lake Superior region paid for $18 steel rails.

God grant that through a well-meaning error of judgment of this House, or the other, in dealing with the tariff on iron ore, we may never be again called upon to pay that price in the degradation of our labor and the suffering of our people. [Loud applause on the Republican side.]

I append the following papers and tables referred to:

STATE OF MICHIGAN,
OFFICE OF THE SECRETARY OF THE SENATE,
Lansing, March 26, 1909.

Hon. H. O. YOUNG,
Member Congress, Washington, D. C.

DEAR SIR: I am directed by the senate to transmit to you the inclosed resolution, adopted by the senate on Wednesday, March 24.

Very respectfully,

E. V. CHILSON,
Secretary of the Senate.

Senate resolution 78.

Whereas there is at present, and has been since November, 1907, a great depression in the iron-ore market, which has resulted in practically closing the iron mines of Michigan; and

Whereas the operators of the iron mines will gladly operate their mines if they can do so without absolute loss, and are at present employing a small force of married men, so that men with families may be able to buy the necessaries of life for their families; and

Whereas if the duty is removed from iron ore and the ores of foreign countries are admitted free into the United States the loss will fall upon the men now engaged in iron mining: Therefore be it

Resolved by the senate (the house of representatives concurring), That all Members of Congress from this State, and also our United States Senators, are respectfully requested to use all honorable means to have the tariff or duty on iron ore maintained as at present: And be it further

Resolved, That the secretary of the senate be instructed to forward to each Member of Congress and United States Senator from Michigan a copy of these resolutions.

Prices of iron ore at Cleveland, Ohio, from 1857 to 1908, taken from the records kept by the Cleveland Iron Mining Company.

Year.	Specular non-Bessemer.	Hematite non-Bessemer.
1857	$8.00	
1858	6.41	
1859	6.07	
1860	5.41	
1861	5.04	
1862	5.73	
1863	7.56	
1864	9.13	
1865	8.08	
1866	10.50	
1867	9.76	
1868	8.19	
1869	8.36	
1870	8.29	
1871	8.29	
1872	9.12	
1873	12.17	
1874	8.87	
1875	6.99	
1876	6.73	
1877	6.43	
1878	5.37	
1879	$9.29	
1880	9.24	
1881	9.00	
1882	9.00	
1883	6.21	$5.25
1884	5.49	
1885	4.87	4.19
1886	5.03	5.15
1887	6.41	
1888	5.07	
1889	5.04	
1890	5.57	4.00
1891	4.50	3.60
1892	4.50	5.30
1893	3.40	2.60
1894	3.15	2.10
1895	3.00	2.00
1896	2.50	2.30
1897	2.35	2.00
1898		1.75
1899		1.87
1900		4.00
1901		3.00
1902		3.18
1903		3.65
1904		2.83
1905		3.20
1906		3.70
1907		4.27
1908		3.69

Statement showing shipments of Lake Superior iron ores by ranges from date of first shipment, 1855 to 1908, inclusive.

Year.	Miscellaneous (in Wisconsin).	Gogebic range.	Marquette range.	Menominee range.	Vermillion range.	Mesaba range.	Total all ranges.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Prior to 1870			2,980,271				2,980,271
1870			830,940				830,940
1871			779,607				779,607
1872			900,901				900,901
1873			1,162,438				1,162,438
1874			919,557				919,557
1875			891,257				891,257
1876			992,764				992,764
1877			1,010,494	4,593			1,015,087
1878			1,033,072	78,028			1,111,100
1879			1,130,019	245,672			1,375,691
1880			1,384,010	524,735			1,908,745
1881			1,579,834	727,171			2,307,005
1882			1,829,394	1,136,018			2,965,412
1883			1,305,425	1,047,415			2,352,840
1884	1,879	1,022	1,558,034	895,634	62,124		1,518,693
1885	441	119,860	1,430,422	690,435	225,484		2,466,642
1887		753,362	1,627,380	880,006	304,396		3,565,144
1885		1,322,878	1,851,634	1,193,343	394,252		4,762,107
1888		1,437,696	1,923,727	1,191,101	511,953		5,063,877
1889		2,008,334	2,642,513	1,790,754	844,682		7,286,943
1890		2,847,810	2,993,664	2,282,237	880,014		9,003,725
1891		1,839,574	2,512,242	1,824,619	894,618		7,071,053
1892		2,971,991	2,666,856	2,261,499	1,167,650	4,245	9,072,241
1893		1,329,385	1,835,893	1,496,197	820,621	613,620	6,095,716
1894		1,509,468	2,050,498	1,137,949	948,513	1,798,002	7,748,223
1895		2,547,976	2,097,838	1,923,798	1,077,828	2,781,587	10,429,037
1896		1,799,971	2,604,221	1,500,467	1,088,090	2,882,079	9,984,828
1897		2,238,236	2,715,035	1,937,013	1,278,481	4,275,809	12,464,574
1898		2,498,461	3,125,039	2,522,265	1,265,142	4,613,766	14,024,673
1899		2,795,856	3,757,010	3,301,002	1,771,502	6,696,584	18,251,904
1900		2,875,295	3,457,522	3,261,221	1,655,820	7,809,535	19,059,393
1901		2,938,155	3,245,346	3,619,053	1,786,093	9,004,890	20,593,507
1902		3,634,929	3,868,025	4,612,509	2,084,293	13,342,840	27,562,596
1903	17,913	2,912,708	3,040,245	3,749,567	1,676,699	12,892,542	24,289,674
1904	67,480	2,898,297	2,849,703	3,074,848	1,882,513	12,156,008	21,882,839
1905	111,391	3,706,736	4,210,522	4,495,451	1,677,186	20,153,699	34,354,985
1906	128,742	3,641,985	4,067,187	5,109,688	1,792,355	23,792,553	38,522,230
1907	76,146	3,637,607	4,388,073	4,964,728	1,685,267	27,492,949	42,245,070
1908	122,449	2,599,856	2,414,632	2,679,156	841,544	17,257,350	26,014,987
Grand total	526,441	56,807,198	87,656,306	66,195,622	28,017,060	167,492,908	406,693,535

Mr. FINLEY. Mr. Chairman, the bill under consideration is entitled "A bill to provide revenue, equalize duties, and encourage industries of the United States, and for other purposes."

The title of the bill should, properly speaking, state its purpose.

The condition that confronts the country to-day is that the Dingley tariff law, passed in 1897, does not raise sufficient revenue to meet the expenses of the Government. The appropriations made at the last session of Congress aggregate the enormous total of $1,044,014,298.23. The total estimated revenue for the next fiscal year, as stated by the chairman of the Committee on Appropriations in his speech delivered in the House March 4, 1909, is $825,340,712. This estimate is somewhat larger than the receipts amounted to in the past fiscal year. The report of the Secretary of the Treasury gives the receipts for the year ended June 30, 1908, as follows:

From customs	$286,113,130.29
From internal revenue	251,711,126.70
From sales of public land	9,731,560.29
From miscellaneous	53,510,301.31
Total	601,126,118.53
From postal revenues	191,478,663.41
Total revenue receipts, including postal, for the past fiscal year	792,604,781.94

So that there is a difference in the receipts for the past fiscal year and the estimated receipts for the present fiscal year. From the amount appropriated certain deductions are to be made. It is evident, however, that by the end of the present year there will be a deficiency of between one hundred and fifty and one hundred and sixty millions of dollars, so that the bill under consideration should properly be one to provide revenue. Revenue is necessary to the proper conduct of any government.

In this connection it may not be out of place to remark that government by the Republican party in this country is the most extravagant proposition ever confronting any people. For the benefit of those who may be disposed to doubt this statement, I give the following table, taken from the remarks of the Hon. LEONIDAS F. LIVINGSTON, made in the House of Representatives March 4, 1909.

Comparative statement of the aggregate amount of each appropriation act for the second Cleveland administration, 1894–1897, and the second Roosevelt administration, 1907–1910.

	Fiscal years 1894–1897.	Fiscal years 1907–1910.
Agriculture	$13,106,405.06	$44,044,872.00
Army	94,349,535.28	347,031,465.78
Diplomatic and consular	6,838,381.28	13,339,744.49
District of Columbia	22,601,665.21	41,260,305.13
Fortifications	13,010,504.50	29,438,890.00
Indian	34,667,032.57	39,273,052.00
Legislative, executive, and judicial	86,982,428.89	126,619,650.00
Military Academy	1,752,878.47	6,971,567.29
Navy	107,410,094.36	460,649,292.29
Pensions	614,972,794.85	610,349,500.00
Post-office	393,358,475.85	861,720,453.75
River and harbor	61,915,565.00	46,543,833.00
Sundry civil	118,322,692.29	458,875,976.78
Deficiencies	44,805,651.46	128,503,173.11
Total	1,574,105,556.07	3,214,993,198.98

This table shows the cost of government for the years 1894, 1895, 1896, and 1897, under the last Democratic administration, to be $1,574,105,556.07, and for the fiscal years 1907, 1908, 1909, and appropriated for 1910, under a Republican administration, to be $3,214,993,198.98. This table shows a balance of $1,640,887,642.90 in favor of the last Democratic administration on the score of economy. It is true that the country is twelve years older, but on the score of economy and expenditure, not this much older. If this increased expenditure continues in the future as it has during the period mentioned, the time is short when the people of the United States will be unable to bear the burden. Government in this country by the Republican party costs too much—more, in fact, than it is worth.

A pertinent question at the outset in the discussion of the Payne bill is the question, Will the bill provide sufficient revenue to meet the expenses of the Government? To answer this question clearly it is necessary to consider the bill strictly from a revenue standpoint. The Dingley law at the time of its enactment was the extreme limit to which protectionists in this country up to that time had gone in levying a tax on goods imported into this country.

nets to us, they can not and will not purchase from us to any

rate of tax so high as to yield the largest amount of revenue.

Superior mines at $1 a day. Even that did not meet the situation. In the paralysis of business at that time, even at the lowest wages, thousands of men in my district, honest, in-

1907	4.27
1908	3.69

March 4, 1909.

imported into this country.

The Dingley law was primarily intended for the benefit of the manufacturers. Little or no consideration was given to the consumers in framing the bill. It is stated on good authority that many of the schedules in the Dingley law were intentionally placed too high for the purpose of furnishing a basis on which future reciprocity treaties with other countries might be framed. However this may be, it is true that in many of the schedules this law has been found too high, and in many other schedules it has been found prohibitive. This is particularly true of the steel schedule. Carrying this line of thought one step further, it may be said that the distinguished chairman of the Ways and Means Committee in all the years that have followed since the passage of the Dingley law in 1897 has stood as a bulwark against reciprocity treaties with other countries and all the efforts to lower the duties imposed by the Dingley law. Many efforts were made by the late President McKinley to make reciprocity treaties with other countries, and to this end a number of such treaties were negotiated, as I recollect, by the commissioner, Mr. Kasson, appointed by him. On one occasion in the House I remember asking the present chairman of the Ways and Means Committee some questions in reference to these treaties, why none of the treaties found favor with him.

He stated, in answer to my questions, that these treaties were "jug handled." No doubt he understands what this term implies. His position has been one of opposition to any reduction in the schedules of the Dingley law. Able and honest, as I cheerfully concede him to be, I may state that his action during the past twelve years on this question has been in accord with that of his party. The chairman of the Ways and Means Committee, in his report on the pending bill, states that during the time the Dingley law has been in existence it has produced a surplus of $27,411,929. In order to arrive at this remarkable conclusion, he deducts the sum of $99,143,479, the amount of the postal deficit during this period; that is, during this period the postal service has cost this amount more than the postal revenues amounted to. He also deducts $50,000,000 paid on the Panama Canal out of the Treasury of the United States. The two items together amount to a total deduction of $150,000,000.

I would like to inquire, Since when has the postal service of the United States not been a necessary and legitimate department of the Government, to be considered in calculating the revenues and expenditures of the Government for all practical purposes? Long ago there was an antiquated idea that the postal service should be self-supporting. This theory was founded in primeval ignorance, and never on any logical basis. If it had any foundation originally, it was in the minds of those who were entirely uninformed as to the necessity and purposes of a postal service and the benefits derived therefrom by the whole people.

It would be as legitimate to take the expenditures for the support of the War and Navy departments during the past twelve years and to deduct this amount from the total expenditures in order to strike a balance in favor of the Dingley law as it is to do what has been done in the majority report on the pending bill.

In this connection I wish to say that every dollar expended by the Government in extending and promoting the efficiency of the postal service and in paying the postal employees proper compensation yields a larger dividend to the Government, direct and indirect, than a dollar spent in any other way.

The one hindrance in developing the oldest, and in point of natural resources the greatest, country in the world—China—is a lack of postal facilities and communication with the outside world. A country with a larger area of tillable land than any in the world, with a larger number of great rivers, with as much or more water power, with probably more deposits of coal and iron than any country in the world, and with a supply of labor in numbers, practically speaking, equal to that of the balance of the world together, lags behind in the race of progress, mental, moral, and industrial, largely for the want of suitable postal facilities. When the development of China is complete, a New Zealander may possibly view the ruins of London Bridge.

In the struggle for supremacy amongst nations this country has nothing to fear from Japan, but to my mind the final contest for industrial supremacy amongst the nations of the world will be fought out between the captains of industry in the United States and those in China. This, however, is a digression, and I appreciate the patience of the committee.

The time has come when the Republican party, in control of the Government, as it has been since March 4, 1897, is met face to face with a deficiency, one so large that it can not be laughed down, and so serious that under existing conditions and a continuation of the Dingley law it must be considered permanent.

This year the expenses of the Government will exceed the revenues by more than $150,000,000, so that the Republican party must of necessity make an effort to do something to increase the revenue. They have a solemn declaration in the platform of the party in favor of tariff revision. Tariff revision, as properly understood, means a revision downward, but to the mind of one of the old guard, a veteran and stand-pat Republican, it means generally a revision upward. Will the bill under consideration raise the additional and needed revenue? Candidly speaking, I do not think so, for the reason that the Dingley law, framed as it was on a high protective basis and to a large extent on a prohibitive basis, has failed to do so.

The present bill, as I understand it, imposes a tax on consumers of something like 1½ per cent more than the Dingley law. If this be true, and no one has convincingly disputed the proposition, the Payne bill will result in a larger deficit than has the Dingley law.

The title of the bill further states the purpose to be "to equalize duties and encourage industries of the United States." This phrase sounds well, and, taken in connection with what precedes in the title, is calculated to strike one favorably. Does the pending bill equalize duties? If it does not there is no necessity to consider whether or not the bill will encourage the industries of the United States.

The trouble with the Republican party in framing tariff bills is that they have never counted the farmer and consumers in this country among those engaged in and interested in the industries of the United States. The truth of the matter is, if the American farmer had not proven himself to be the most industrious of all the classes engaged in industry he would have gone to the wall long ago. He has managed to live in spite of the Dingley law, notwithstanding the fact that he sells his products in an open market and buys in a highly protected one. There is little or no tariff on anything the farmer of the United States has to sell. On all that he buys he is compelled to pay on an average something like 45 per cent.

Many years ago a Republican beneficiary of Republican tariff laws made the statement that "the tariff is the mother of trusts." Great merriment was made of this statement at the time. Results have shown, however, that the statement is true. The Dingley law enables its beneficiaries to unjustly extort from the consumer more than a billion dollars annually. The exact amount can not be ascertained. The total production of this country is supposed to be twelve to fourteen billion dollars annually.

Producers and consumers in this country are interested in taxation. Included in this class are the farmers, laborers, mechanics, and manufacturers. After the home market is supplied they must sell their surplus in a foreign market, reduce their production, or go out of business. The Secretary of Agriculture estimates the value of all products of 1908 at $7,778,000,000. Value of corn crop, $1,615,000,000; hay, $621,000,000; wheat, $620,000,000; barley, $86,000,000; rye, $22,000,000; rice, $18,000,000; potatoes, $190,000,000; sugar beets, $21,500,000; sugar-cane molasses and sirup, $34,000,000; tobacco, $70,000,000; value of cotton crop, 1907, $709,956,011.

It is an interesting fact that the total value of the cotton crop and cotton seed in South Carolina in 1907 equals the value of the tobacco crop in the United States.

Total value of agricultural exports, 1908	$1,017,000,000
Cotton exported in 1908	438,000,000
Value of grain products	214,000,000
Packing-house products	196,000,000

England to a large extent controls the manufacture of cotton for the reason that she places her manufacturers in position to compete in the cotton-goods trade of the world. In England a cotton mill may be built at a cost of from $13 to $15 per spindle. In the United States the same mill will cost, approximately, $20 per spindle. The Dingley law and the Payne bill have the same provision, imposing a tariff of 30 per cent on cotton-mill machinery, and it costs, approximately speaking, 30 per cent more to build a cotton mill in the United States than it does to build a mill in England. With this increase of cost of plant, the American manufacturer must make a greater profit on each pound of cotton manufactured than the English manufacturers make in order to compete. This effectually handicaps the American manufacturer in competition for the cotton-goods trade of the world.

The manufacturer, and this includes the laborer, like the farmer, must sell his surplus in foreign markets. The rates of the Dingley tariff law are so high—and the Payne tariff bill is framed even higher—that other nations can not trade with us on any reasonable basis. Not being able to sell their prod-

ucts to us, they can not and will not purchase from us to any large extent except in the matter of raw material, like grain, cotton, and so forth. At this time less than 4 per cent of manufactured articles consumed in this country are imported.

A reasonable tariff law would greatly increase the sale of American products. The manufacturers of cotton suffer more on this account than any other class, in my judgment. There is no reason why the cotton-goods trade of the world should not be monopolized by the United States, except that the Dingley law makes it impossible for us to do so. In the history of the Republic the tariff question has always been a most important one. Some people may have forgotten that at one time Calhoun was a protectionist and Webster a free trader. Clay was always a protectionist.

The time came when Calhoun and Webster changed positions. The proper settlement of this question should be from a national standpoint. General Hancock was defeated for the Presidency largely for the reason that he stated that the tariff question was a local issue. The contention of local interests in the consideration of this bill for recognition and consideration to some extent proves Hancock's statement to be true. The proper basis for a tariff law is one for revenue. If there be an industry in this country capable of supplying 50 per cent of the demand for that particular article, if a tariff of 100 per cent be placed on that article, then it must be that the consumer of this article pays approximately $2 for what he paid $1 before the tax was levied. At page 5290 of hearings before the Ways and Means Committee, Mr. Theodore Justice, a man evidently handicapped by profound ignorance and a disregard of the facts, announces the policy of the Democratic party, dominated and controlled by Southern representatives, to be one in favor of free raw material for the manufacturer. I denounce this statement as false. The Democratic party has never stood for this proposition. Individuals in the party may have taken this position. The truth is that the doctrine of free raw material for the manufacturer is the preachment of the New England protectionist. He wants free hides, protection for his shoes; free coal and iron ore, with protection for iron and steel; free lumber, and high protection on the manufactures of lumber. He wants free labor and high protection on the products of labor, without dividing the benefits of protection with labor, and, generally, free raw material and a protective tariff for everything that he does manufacture.

Under the policy that has been pursued by the National Government in raising revenue for more than a hundred years, by Democrats and Republicans, free trade and the discontinuance of custom-houses is an impossibility. In England, Germany, France, and other countries of Europe, much older than ours in point of development, a large part of the national revenue is raised from property and incomes. Great Britain raises annually $162,000,000 by an income tax. About one-fourth of this is derived from real-estate incomes, the other three-fourths from other sources. The British law reaches all incomes from $600 a year and upward, and is a straight 5 per cent rate. The German law is a graduated tax, ranging from 1 to 4 per cent, as I understand. There should be a graduated income tax in this country. But the chairman of the Ways and Means Committee says that the Supreme Court has declared the income-tax provision of the Wilson bill unconstitutional. To a certain extent this is a fact. But it is true, as believed by many lawyers in this country, that a proper income tax, one that will stand the test, can be framed. Whether this be true or not, the personnel of the court has been changed to some extent since the income-tax decision was rendered; and, even if that were not true, the court has been known to reverse itself on proper occasion. Notably was this done in the legal-tender decisions. Sections 34 to 38 in the bill under consideration provide for an inheritance tax. It is expected that this will yield $20,000,000. These sections of the bill are patterned after the inheritance-tax law of New York State.

I apprehend that this law will give great dissatisfaction. The majority of the States have such laws already. An inheritance tax more properly belongs to a State than it does to the National Government. Estates of deceased persons are administered in the courts of the States. An income tax by the National Government is preferable to an inheritance tax, and properly framed will raise a great deal more revenue. I suppose the reason the Republican party is in favor of an inheritance tax is that dead men can not vote, and they are afraid of an income tax, because of the votes and influence of those who would be called upon to pay the tax. The position of the Democratic party is that the tariff should be for revenue, and that in framing a tariff bill an effort should be made to equalize and distribute the benefits and burdens of the tax. The benefits range anywhere from free trade on a given article to a rate of tax so high as to yield the largest amount of revenue. If Congress may in its discretion levy a tax for revenue ranging as high as 50 per cent on a given article, then it is a question as to what rate within the limitations will produce the most revenue and at the same time equalize and distribute the benefits and burdens of the tax. As I have stated, the greater the amount of duty on an article produced in this country the greater will be the amount of benefit to the producer. If a tariff above 10 per cent on a given article amounts to prohibition on the importation of that article, then the tariff on that article is no longer on a revenue basis. To illustrate: If a 5 per cent duty on a given article will raise $1,000,000, a 10 per cent tax is prohibitive and will raise no revenue; then from a Democratic standpoint 10 per cent should not be levied. It is not to be conceded that in every instance Congress should levy the rate that will produce the greatest amount of revenue.

In framing a tariff bill Congress should bear in mind the amount of revenue to be raised, the ability of the various lines of industry to bear the burden, and also take into consideration the revenue necessary to give an efficient and economical administration of the Government. So that in all cases the highest producing rate should not necessarily be applied, and of course it is true that different rates should be applied to different articles. Some schedules should bear a higher rate than others. Where an article is one of the prime necessities of life, entering into general consumption, the rate should not be as high as where the article is a luxury. Congress should take into consideration the ability of the consumer to pay the tax, and in this connection I state frankly my belief that there should be a free list. In a case where a small revenue tax may be levied on two articles, one a necessity and the other a luxury, in most cases the former should be placed on the free list and the latter should be taxed. To illustrate: Coffee should be on the free list, and silks, and so forth, should be taxed. The time has come when the Republican party in carrying out its pledges and devotion to the trusts and trusts' interests in this country proposes to tax the breakfast table. Paragraph 553 of the pending bill provides that if any country, dependency, or colony shall impose an export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied and collected and paid thereon. This will amount to imposing a tax ranging anywhere from four-tenths of a cent to 4 cents per pound on coffee. I will insert in my remarks the following article, taken from the Philadelphia Record, in its issue of the 23d instant, relative to the proposed tax on coffee:

TAX ON NEARLY ALL COFFEE—LITTLE CAN ESCAPE IF TARIFF BILL IS NOT CHANGED.

WASHINGTON, D. C., *March 22, 1909.*

Owing to the large amount of coffee being held in this country at present, much interest is being taken in the disposition that will be made of the countervailing duty clause on coffee in the Payne tariff bill.

The clause provides that a duty equal to the export tax of any country from which coffee is imported shall be imposed on that tariff.

The Bureau of Manufactures states that many countries besides Brazil impose an export tax on coffee. From the State of São Paulo, in Brazil, there is a duty of 5 cents per 100 pounds, and in addition to this tax a duty of 73 cents per 100 pounds is levied.

According to the decree of September 12, 1908, an additional tax of 20 per cent ad valorem is to be levied on all coffee exported from the State of São Paulo in excess of 9,000,000 bags during the crop year of 1908; in excess of 9,500,000 bags during the crop year beginning July 1, 1909; and in excess of 10,000,000 bags during succeeding crop years.

From the States of Rio de Janeiro and Minas Geraes, Brazil, import duties of 41 cents per 100 pounds and 8½ per cent ad valorem are collected, respectively. Coffee from both these States is also subject to a duty of 73 cents per 100 pounds.

Other countries imposing an export tax are Ceylon, the duty being 2.9 cents per 100 pounds; Nicaragua and Salvador, 40 cents per 100 pounds; and numerous others.

Think of the iniquity of this proposition. Coffee may come in free, but if any coffee-producing country lays a tax on the coffee shipped out of the country, then the consumers of coffee in this country are to pay the penalty by paying an additional tax equal to the amount of the tax levied in the country producing the coffee. The proposition is monstrous. The bulk of coffee imported into the United States comes from Brazil. The coffee-producing countries that do not impose an export duty ship very little coffee.

The Republican party, rather than frame a bill on a revenue basis, and by this means raise money enough to defray the expenses of the Government, propose to tax coffee and tea. The tax on tea is fixed at 8 cents per pound. Whenever an article is taxed, the consumer pays the tax, it does not matter what the rate of taxation may be. If a reasonable tax for revenue, the money goes into the Treasury of the United States. If an unreasonable or prohibitive tax is levied and yields no revenue, the burden falls on the consumer and a special benefit is conferred on the beneficiary of the tax. Government is a restriction on the actions of the individual, and taxation is a

burden to a greater or less extent as the same may be levied wisely or unwisely. The interests of all the people in this country in the aggregate should be considered in framing a tariff law. It seems that the Republican party will never understand this proposition.

The Government has no right to tax any section of the country or class of citizens for the benefit of another section or class. If there is any class of citizens entitled to the highest consideration in framing a tariff law, it is those engaged in agriculture. I have not time to discuss this proposition fully, but it is true that every great country has had its rise to power marked by the advance of those engaged in agriculture, and in every country where agriculture has declined the prowess of that country has declined accordingly. But it may be argued that England is an exception to this rule. I answer, "No;" that the progress of agriculture, not only in England but throughout her possessions, is to be taken into account. When this is done my statement holds good. So that any tariff law that does not take into consideration the farmers of this country and the consumers generally is wrong in principle.

The present industrial depression is caused by the Dingley law. This law has failed to furnish the needed revenue for the Government, and under its operations the consumer has been robbed to the extent of billions of dollars. This money has gone into the coffers of trusts and combinations and has rendered them so powerful that to-day the business of the country is, practically speaking, in the hands of those who are the chief beneficiaries of the protective system. The condition that confronts us now is, Shall we reform the Dingley law to a revenue basis or issue bonds to make up the deficiency?

The pending bill contemplates a deficiency. Provision is made in section 40 for the issue of $250,000,000 of short-term bonds or certificates of indebtedness. Under the operations of the Dingley law thousands of manufacturing plants within the past two years have been closed down. Iron and coal mines by the hundred are no longer operated. More than three millions of workmen have been deprived of work. Consumption has been curtailed to the extent of billions of dollars. This business depression is chargeable solely to the Republican party, and the argument that the bill under consideration will better conditions and relieve the depression is, in my opinion, nonsense. There can be no doubt that the trouble with the law is that the duties are too high. Now, when the pending bill proposes to make the duties even higher, how can relief be expected? The only people who should be satisfied are the stand-pat Republicans. This bill satisfies them, because it is a revision upward. It is claimed by the advocates of the bill, "Oh, we have reduced schedules on steel and iron by 50 per cent." This schedule is a fraud. The iron ore, iron, steel, woolen, and sugar schedules in the Payne bill illustrate what is intended by the phrase "and for other purposes" in the title of the bill. Iron ore under the Dingley law is taxed 40 cents per ton. In paragraph 532 of the pending bill it is placed on the free list. There must be a reason for this. During the year 1907 we imported 1,096,717 tons of iron ore valued at $3,360,449.

The revenue paid the Government amounted to $392,488.72. Of the total ore shipped into this country, Cuba furnished 584,670 tons. There is a belief in some quarters that the steel trust controls largely the iron-ore deposits in Cuba. Take this proposition in connection with the iron and steel schedules in the pending bill, and the conclusion is easy that the steel trust will be the beneficiary to the extent of 40 cents per ton on all iron ores imported by it into this country. The question may be asked, How is it possible to ship iron ore from Cuba, Russia, and elsewhere at prices mentioned? As I understand it, to a large extent the ore comes as ballast and costs very little for shipping charges. Under the Dingley law pig iron is taxed $4 per ton; under the Payne bill, $2.50 per ton. Steel rails under the Dingley law are taxed $7.84 per ton; under the pending bill, $3.92 per ton. These two items, comparatively speaking, represent the cut in steel and iron. Both schedules are practically prohibitive. Why pig iron and steel rails should be taxed and iron ore placed on the free list is more than I can understand. There is no necessity, from an industrial standpoint, for a tax on either. In 1907 we exported steel rails to the value of $8,384,241. In this connection, I think it shameful that the American Economist, the organ of the protectionists, reproduces with its approval an article from the Philadelphia Inquirer attacking Andrew Carnegie in its issue of March 19.

The article is headed "Mr. Carnegie as a nuisance." According to this organ, Mr. Carnegie is now a free trader. If there is any one man in the world who should know all about the steel and iron industry it is Andrew Carnegie. Starting in life a poor boy, he achieved the greatest prominence in the steel and iron industry not only in this country, but in the world. He accumulated more than $200,000,000 in this business. He has been the largest individual beneficiary of a tariff on steel and iron. Now, because his intelligence and honesty prompts him to tell the truth by stating, as he has stated in the hearings before the Ways and Means Committee, that the steel industry in this country does not need a protective tariff, he is denounced by the organ of the protectionists. It has come to pass that if a man is honest and tells the truth, in the eyes of the stand-pat Republicans he should be indicted and convicted on the charge of being "a national nuisance."

About 3,000,000 tons of sugar are annually consumed in the United States. The total amount produced in the United States is considerably less than one-half of this amount. In 1907 the total importation, including sugar, molasses, and sirup refined, were valued at $92,681,977.21; the duty collected, $60,284,059.14. It is claimed that sugar paid in one year $52,232,041. Market prices of sugar wholesale in 1908 were in London $2.70 per 100 pounds, and in New York $4.96 per 100 pounds. The tariff represents the difference in prices between the two markets. The American sugar trust controls the price of sugar in the United States, and the tariff enables them to do this. The profits of the trust are enormous. How much, the public is not permitted to know. It is stated on good authority that their profits annually are over 20 per cent. The tariff on sugar should be reduced, and particularly is this true of refined sugars.

Mr. JOHNSON of South Carolina. I will ask the gentleman what is the duty on refined sugar?

Mr. FINLEY. I believe——

Mr. JOHNSON of South Carolina (continuing). One dollar and ninety-five cents a hundred pounds, is it not?

Mr. FINLEY. Yes.

Mr. JOHNSON of South Carolina. Did I understand the gentleman to say that the average price of sugar in this country is $2 a hundred in excess of the average price in London?

Mr. FINLEY. Well, it is approximately that; that is, the wholesale price.

Mr. JOHNSON of South Carolina. This bill reduces the duty on refined sugar 5 cents a hundred pounds, does it not?

Mr. FINLEY. Yes; a reduction so small that the trust will never feel it, and the people will not be benefited by it.

Mr. JOHNSON of South Carolina. In other words, if the people were benefited by it, a man would have to buy 100 pounds of sugar in order to make 5 cents.

One other question: What does the sugar trust get in this bill in the way of raw sugar?

Mr. FINLEY. From the Hawaiian Islands it has come in free for a long time.

Mr. JOHNSON of South Carolina. That has always been free. Under this bill they will get sugar from the Philippine Islands, up to 300,000 tons a year, free of duty.

Mr. FINLEY. That is my understanding.

Mr. JOHNSON of South Carolina. And in addition they will get what comes in from Cuba, 700,000 or 800,000 tons a year, with a reduced duty?

Mr. CLARK of Missouri. It comes in at 80 per cent of other duties.

Mr. JOHNSON of South Carolina. Yes; a reduction of 20 per cent of other duty.

Mr. FINLEY. That is true.

It may not be out of place here to remark that for every dollar raised by the bill under consideration, five to six dollars will go into the coffers of the trusts and combinations.

The free list provided in the pending bill is an unfair one and is framed in the interests of the trusts. Paragraph 497 places binding twine on the free list. I am not criticising this provision. I think binding twine should be on the free list, but why not place bagging and ties for cotton on the free list? The wisdom and fairness of this can not be disputed. Paragraph 350 places a duty of six-tenths of 1 cent per square yard on bagging for cotton. On the crop of 1908 this amounts to a tax of nearly $500,000. Of this amount only $73,851.73 went into the Treasury of the United States, and approximately $325,000 was paid by the cotton farmers as tribute to the bagging trust. In addition to this, cotton ties or hoops used in baling cotton are to be taxed three-tenths of a cent per pound, amounting on last year's crop to about $600,000. The duty collected on cotton ties last year amounted to only a little over $24,000, so that at least $575,000 was paid by the cotton farmers as tribute to the steel trust. The grain growers of the United States have free binding twine, and the great majority of them live north of the thirty-fifth parallel. The cotton farmers are taxed more than a million of dollars a year on the bagging and ties for their cotton. The great majority of them live south of the thirty-fifth parallel. The tariff on bagging and ties yields very little revenue, and why not place them on the free list?

The United States produces more than 65 per cent of the world's cotton. The total value of the crop of 1906 was $721,647,237; the total value of the crop of 1907 was $700,956,011. The number of bales exported in 1906 was 6,763,004, of the value of $385,159,047; the number of bales exported in 1907, 8,503,265, of the value of $472,088,260. Cotton is exported in the raw state and paid for in gold. Without cotton the balance of trade would be against the United States. Why should the cotton farmer be discriminated against? Why should he be compelled to pay 8 cents on each bale of cotton he grows as tribute to the bagging trust and steel trust? Not only is it true that the cotton farmer pays for the bagging and ties to cover his cotton, but in selling this is a total loss to him, amounting approximately to $1 per bale, or practically 2 per cent on his cotton crop. I insist that he is entitled to the same consideration that is shown to the grain grower.

Petroleum oil is nominally placed on the free list, but it is provided in the Dingley bill, as well as in the Payne bill, that if there be imported into the United States crude petroleum, or the products of crude petroleum, produced in any country which imposes a duty on its products exported from the United States, there shall in such cases be collected a duty equal to the duty imposed by such country. Russia and the United States produce nearly all the mineral oils. The Standard Oil Company has small competition in this country. Russia imposes an import duty on oil.

The revenue on oil in this country amounts to nothing. There was collected last year $12,851.76. The tariff is a prohibitive one and can only benefit the oil trust. In the Dingley law cotton-seed oil is taxed 4 cents a gallon. Under the pending bill it is on the free list. Petroleum should also be on the free list, without any "joker" proviso.

The Payne bill reduces by one-half the tariff on lumber hewn, sided, or squared, round timber sawed, boards, planks, deals, and other timber of the white sycamore and basswood. This is nominally intended to let in a certain grade of Canadian lumber, white pine, and so forth. Canada does not produce yellow pine. The tariff on lumber is about 11 per cent. For the purpose of comparison, I will give paragraphs 196, 197, 200, and 201, Schedule D, of the Payne bill, and paragraphs 194, 195, 196, and 199, the corresponding sections in the Dingley law.

Schedule D of the Payne bill, paragraph 196:

Timber, hewn, sided, or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

Paragraph 197:

Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, 50 cents per thousand feet, board measure; sawed lumber, not specially provided for in sections 1 or 2 of this act, $1 per thousand feet, board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished 50 cents per thousand feet, board measure; and if planed on one side and tongued and grooved, $1.50 per thousand feet, board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving: *Provided*, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

Paragraph 200:

Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, 10 per cent ad valorem.

Paragraph 201:

Clapboards, $1 per thousand.

Schedule D of the Dingley law, paragraph 194:

Timber, hewn, sided, or squared (not less than 8 inches square), and round timber used for spars or in building wharves, 1 cent per cubic foot.

Paragraph 195:

Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, $1 per thousand feet, board measure; sawed lumber, not specially provided for in this act, $2 per thousand feet, board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished 50 cents per thousand feet, board measure; and if planed on one side and tongued and grooved, $1 per thousand feet, board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet, board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tongueing and grooving: *Provided*, That if any country or dependency shall impose an export duty upon saw logs, round unmanufactured timber, stave bolts, shingle bolts, or heading bolts exported to the United States, or a discriminating charge upon boom sticks, or chains used by American citizens in towing logs, the amount of such export duty, tax, or other charge, as the case may be, shall be added as an additional duty to the duties imposed upon the articles mentioned in this paragraph when imported from such country or dependency.

Paragraph 196:

Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, 20 per cent ad valorem.

Paragraph 199:

Clapboards, $1.50 per thousand.

In the remaining schedules of D, "Wood and the manufactures of wood," in the Payne bill, there is very little change from the present law. I do not think that the lumber interests of the United States have anything to fear. Canada is the only country from which lumber is shipped into this country. A very large part of this is from the western section of the Dominion of Canada, and will have no effect whatever on the lumber industries in the United States along the Gulf and Atlantic coast, freight rates being prohibitive. This section has a monopoly in yellow-pine lumber. Canada does not produce yellow pine. In 1907 we exported timber, boards, deals, and planks, joists, and scantlings of the value of $53,714,682. Our largest purchaser was Great Britain, taking more than $13,000,000 worth. If there is any competition between Canadian lumber and the yellow pine of the South, why does not Great Britain purchase from her colony, Canada? I am satisfied that it makes no difference whether lumber is taxed or is on the free list. The lumber interests of the United States, and particularly the lumber interests in the South, have nothing whatever to fear. A tariff on lumber will not hurt or help.

In addition to this, however, it is absolutely certain that the proviso in paragraph 197 shuts out all possibility of any reduction in the tariff on lumber as fixed by the Dingley law. This provides, that if any country, dependency, province, or other subdivision of the government shall impose an export duty or other export charge of any kind whatever upon, or discrimination against, any forest product exported to the United States, and so forth, shall pay the duties prescribed in section 3 of the Payne bill. Section 3 provides, "That upon each article enumerated in paragraphs 196, 197, 200, 201 of the schedule D"—and above mentioned—that the rate of duty shall be as is provided in the Dingley tariff law. So that I again repeat that the lumber interests of the United States, and especially the lumber interests of the South, have nothing to fear from the proposed reduction on lumber in the Payne bill, for the reason that the Dominion of Canada is divided into a number of Provinces. Some of these Provinces impose an export duty on lumber. The great bulk of the timber in Canada is on government lands. The policy of the government is to protect the standing timber and conserve the forests, and it is largely for this reason than an import duty is imposed on certain lumber.

Schedule K, wool and manufactures of wool, shows the value of merchandise shipped into the United States in 1907 to be $63,273,497.04; the amount of duty paid $37,973,891.34; equivalent ad valorem tariff under the Dingley law, 60.12 per cent; under Payne bill, 59.40 per cent. This schedule is one of the most iniquitous in the whole bill. When analyzed it will be seen that it imposes the greatest burden on the consumer without increasing the number of sheep in the United States. In the argument of Andrew J. Sells on the wool schedule the statement is made:

While the Dingley law gives wool the highest duty ever carried in a tariff bill, the result is that in 1893 the wool clipped in the United States was 348,000,000 pounds, in 1908, 298,000,000 pounds, a loss of 50,000,000 pounds.

The duty in the Dingley law and in the Payne bill on wool is 11 cents per pound. The duty on manufactures of wool is a great deal higher than the duty on wool: On yarns, 87.73 per cent to 121.09 per cent; on clothes, woolen or worsted, 61.50 per cent to 136.73 per cent; knit fabrics, not wearing apparel, from 96.91 per cent to 133 per cent; blankets, from 92.64 per cent to 180.53 per cent; dress goods, and so forth, from 94.11 per cent to 107.53 per cent. These are only a few of the items. The woolen schedule should be revised downward.

The estimated revenue under the proposed bill is $305,225,173. The estimate, in my opinion, is an extravagant one. The tendency in most schedules where the rate is high is that it produces less revenue as the years go by. As I have stated, what may be a reasonable tariff to-day and yield a large revenue may in time be a highly protective one and yield no revenue. I will insert in my remarks the table of estimated revenues, comparison of the Payne tariff bill with the present tariff law, prepared under the direction of the Committee on Ways and Means, by William W. Evans, assistant clerk.

Recapitulation.

[The ad valorems are based on the dutiable values.]

Schedules.	Value of merchandise (dutiable and free).	Revenue under—				Equivalent ad valorem.	
		Present law (act of 1897).	Proposed bill (H. R. 1438).	Increase.	Decrease.	Present.	Proposed.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*	*Per cent.*	*Per cent.*
A. Chemicals, oils, and paints	37,125,351.05	9,743,468.44	10,029,339.54	285,871.10		28.82	28.48
B. Earths, earthenware, and glassware	26,539,278.92	13,748,947.51	13,834,352.03	85,404.52		51.81	52.13
C. Metals, and manufactures of	51,405,153.57	18,702,890.19	17,597,278.47		1,105,611.72	36.96	36.15
D. Wood, and manufactures of	28,086,569.24	3,630,054.89	2,926,252.13		723,802.76	16.09	10.42
E. Sugar, molasses, and manufactures of	86,132,918.06	52,648,866.41	52,139,668.71		509,197.73	61.13	61.39
F. Tobacco, and manufactures of	22,916,119.01	23,927,709.06	23,918,459.68		9,249.28	104.41	104.31
G. Agricultural products and provisions	82,376,479.86	18,161,295.68	32,171,688.01	14,010,392.33		33.81	39.08
H. Spirits, wines, and other beverages	19,684,467.21	14,011,560.22	14,747,776.50	736,216.28		71.18	74.92
I. Cotton manufactures	26,543,211.33	12,286,499.08	13,343,346.15	1,056,847.07		46.29	50.27
J. Flax, hemp, and jute, and manufactures of	92,658,402.01	41,778,299.48	41,592,247.67		186,051.81	45.38	45.08
K. Wool, and manufactures of	63,273,467.04	37,973,891.34	37,583,491.96		387,399.38	60.02	59.40
L. Silks and silk goods	32,591,910.12	17,351,095.14	17,653,160.03	302,064.89		53.24	54.17
M. Pulp, papers, and books	14,154,482.06	3,029,980.92	3,274,865.19	238,884.27		21.34	25.35
N. Sundries	118,268,710.77	26,325,474.26	24,156,304.63		2,169,169.73	22.27	26.20
Sec. 9. Unenumerated articles	1,501,402.00	226,989.49	253,521.69	26,542.20			
Total from customs	702,597,946.45	293,557,984.14	305,224,732.39	16,857,222.66	5,090,474.41	44.16	45.72
Net increase from customs				11,666,478.25			
Internal revenue on legacies, etc			20,000,000.00				
Internal revenue on cigarettes, additional			1,500,000.00				
Total revenue by proposed bill			326,724,732.39				

Section 29 of the bill provides that to reimburse the Treasury of the United States in the sum of $40,000,000 paid for the Panama Canal, $40,000,000 of bonds shall be issued and the money paid into the Treasury. Section 40 of the bill amends section 32 of the war-revenue act. This act provides that the Secretary of the Treasury may in his discretion, from time to time, borrow at a rate of interest not to exceed 3 per cent such sum or sums as in his judgment may be necessary to meet public expenditures and limiting the amount outstanding at one time to $100,000,000. Section 40 increases this amount to $250,000,000 for the purpose of raising revenue to defray the ordinary expenses of the Government. The total amount of bond issue provided is $290,000,000. This is very strong evidence that it is not expected or intended that the Payne bill will provide revenue necessary to defray the expenses of the Government. It is not possible in a speech like this to point out all the objections to the Payne bill. I have mentioned only a few in detail. In my opinion the bill is wrong in principle, for the reason that it discriminates in the interests of the favored classes, because it imposes unnecessary burdens upon the American people. The bill discriminates between the sections of the country. It gives benefits to the favored few at the expense of the many.

The preparation of the bill has been partisan. After the bill was made up by the Republican members of the Ways and Means Committee, the Democratic members of the committee were invited to a meeting of the committee, at which, by a partisan vote, the bill was at once reported to the House. We are told that opportunity will not be given for amendments on the floor of the House, possibly with the exception of such amendments as may find favor with the Republican members of the committee. Why not give the membership of the House, Democrats and Republicans, the opportunity of offering amendments to the bill? Some of you may wish to know what amendments I would suggest to the bill. I will tell you briefly. First, I would revise the bill to a revenue basis. Second, I would provide a graduated income tax on all incomes above $2,500. This would be fair to the American people and would raise the needed revenue beyond question. And third, I would amend section 23 of the Payne bill by placing ships and vessels when purchased in foreign markets for use in the ocean-carrying trade of the United States by American citizens on the free list; give such vessels American registry under proper rules and regulations requiring them to be officered by American citizens. This would do much for American commerce, and then perhaps we would hear no more of the demand for a ship subsidy. The Payne bill is more objectionable than the Dingley law. The people have asked relief from the unjust burdens of taxation, and your reply is to increase their burdens. You are patterning after Solomon's son. He lost the greater part of his kingdom for threatening to do what you are doing. The people will hold you accountable. [Applause on the Democratic side.]

Mr. FLOYD of Arkansas. Mr. Chairman, it is not my purpose to enter into any theoretical discussion of the tariff question. I propose to address myself directly to the provisions of this bill and to call attention to certain defects, discriminations, and objectionable features contained therein. There has been for some time in the past a general demand for a revision of our present tariff laws. Notwithstanding the fact that for ten years the Republican party has boasted of the Dingley law as the ideal of the protectionist, the one law that had brought to this country the greatest prosperity, we have seen that party in its national platform forced to repudiate it and to declare for a revision of the tariff. Their candidate for the Presidency, Mr. Taft, in his letter of acceptance, declared that if elected he would call an extra session of Congress to revise the tariff. In keeping with that pledge President Taft called this extra session of Congress. This persistent demand for a revision of the tariff was deep rooted and widespread; it was confined to no locality and circumscribed by no party lines. The sentiment was rife in the Republican party, as well as in the Democratic party. Two causes contributed to bring about conditions which made imperative this demand. One cause for it is that the existing tariff law no longer affords sufficient revenue to maintain the expenses of the Government.

A deficit exists in the Treasury. From month to month this deficit has increased until now it is estimated by those in authority that it will reach by the end of the fiscal year one hundred to one hundred and fifty millions of dollars. This cause operated upon the administration and forced the President and the leaders of his party to advocate tariff revision for revenue purposes. But there was another deep underlying cause that contributed to this universal demand for tariff revision which no party would dare to ignore. Under the operations of the Dingley law, the highest protective law ever written upon our statute books, the living expenses of the American people have increased until they are to-day about 35 per cent higher on the average than they were when this law was first enacted. It was this prevailing condition of high prices and not the deficit in the Treasury that caused this popular demand among the people. The demand for the revision of the tariff downward was due to the exactions, the robberies, the extortions that the corporations of this country and the manufacturers of this country, have been levying as tribute upon the American people. That is what caused the popular demand for it, and nothing short of substantial reductions on all the necessaries of life will ever satisfy that popular demand.

Now, I want to direct my remarks particularly along this line of thought; that is, I want to discuss in the main those features of this bill which bear some relation to and in their operations affect the expenses of the American people. We have heard much said about the consumer during the course of this debate. I prefer to state the proposition in a little different way. I prefer, instead of referring to the consumers as a separate class, to speak of the effects of the present law and this proposed law upon the living expenses of the whole American people, because this increase in the cost of living has affected every man, every woman, and every child in the broad land, whether they be poor, whether they belong to the middle class, or whether they be rich. The rich can stand it, but it has been a burden to the poor and it has become a burden and annoyance to the middle classes. There is a general revolt against the present law throughout the length and breadth of the land. Is this proposed law an improvement? I answer no,

for in many respects it is infinitely worse than the Dingley law. Let us see what it proposes to do for the people, the whole people, in regard to living expenses. Let us take some of these schedules bearing upon the cost of living and compare them with the corresponding schedules in the existing law. Do not think that I am going to weary you, because the details are simple when you come to analyze and compare the two along this line.

In some respects I admit that this proposed Payne bill is as difficult and intricate as a problem in calculus, as hard to comprehend as the most abstruse proposition in mental philosophy, but when it comes to these schedules and items which relate to living expenses it is one of the most simple documents I ever saw penned upon paper. It is simply a repetition, item by item, of the present law, with a few slight reductions in the interest of manufacturers, and with a few marked increases on items of necessity. Let us take the cotton schedule. There has been some reduction in cotton thread, but if you will turn to those items relating to reductions on thread you will find that the proposed bill excepts spool thread of cotton. Spool thread, of common domestic use, used in every household, and used by the people generally, is not reduced, and yet there is a thread trust in this country that controls spool thread, and that thread trust not only fixes the wholesale price, but arrogates the right to fix the retail price of every spool of cotton thread sold throughout the country. In my district an incident occurred a year or two ago which illustrates their methods. It occurred at Bentonville, my old home town, and a town of about 3,000 inhabitants. An agent of the spool-thread trust was sent there from somewhere in the East, I do not know where, to tell the merchants of that little city to raise the price of cotton thread to 6 cents per spool. They had been selling it at 5 cents. One firm, an old-established firm in the town, refused to comply.

The agent of the trust returned to the East and then the thread trust sent the unwilling firm a notice, telling them that they had been dealing with them for many years and their business relations had been pleasant, but they would tolerate no price-breakers, and unless they changed the price of cotton thread from 5 cents to 6 cents per spool no more cotton thread would be shipped to that dry goods concern. That concern refused. They were indignant. They wrote in reply that they proposed to sell their goods at the prices they saw proper to sell them; that they bought them for cash, paid for them, and proposed to exercise the right of selling cotton thread as they deemed proper and for whatever price they saw fit. They further notified the concern making this unreasonable demand that they had never purchased one spool of cotton thread from their concern; that they had purchased their cotton thread from a certain wholesale house doing business in their home town. In a few days the wholesale house received a notice from the thread trust that if they sold any more spool cotton thread to this recalcitrant retail firm that no more spool cotton thread would be shipped to the wholesale house.

The wholesale house wrote them that their letter had been referred to the attorney-general of the State, and that was the last that was ever heard of the proposition from the thread trust, for I am proud to state that we have a vigorous anti-trust law in Arkansas, and to note in passing that its validity was recently upheld by the United States Supreme Court. I mention this simply to show you the method of these trusts, and yet you can read this bill through and compare every schedule and you will not find that they have touched or reduced one particle duties on this spool thread of cotton that is sold by this very trust. But what have they done? They have reduced duties on cotton thread other than spool thread of cotton—in other words, that cotton thread that is used as raw material of the manufacture—and they have given the manufacturer the advantage of buying in foreign markets if he can buy cheaper than it can be produced or purchased at home, and they have not given any relief to the seamstress, the working girl, who, on account of meager income, must needs do much of her own sewing, or the woman who makes the clothing for her children. They have given no relief to the great body of our people, all of whom use more or less of this thread for domestic purposes.

Mr. HARDY. Will the gentleman allow me just a question for information?

Mr. FLOYD of Arkansas. Certainly.

Mr. HARDY. Is this other than spool thread mostly made by the cotton factories of the South?

Mr. FLOYD of Arkansas. I can not answer that question. I only know that it is other than spool thread. I do not know whether it is made in the South or not; my investigations have not gone into that question.

Mr. JOHNSON of South Carolina. May I interrupt the gentleman? The South, I think, makes a little more than 60 per cent of the coarse yarn made in this country.

Mr. FLOYD of Arkansas. Now, Mr. Chairman, take these schedules and compare them; it is a simple proposition; run them down one by one, examine the several items, and you will find that I have called your attention to the only reduction that is made in the cotton schedule; and if you will compare in like manner the items relating to materials from which bedding, blankets, and clothing are made you will find that the duties on no kind or quality of cotton cloth are reduced. You will find that no reduction is made on ready-made clothing and that no reduction is made upon wearing apparel of any kind. You will find, on the contrary, that there is a positive increase in the rates of duty on stockings, hose and half hose, and other articles in the schedule. You will not find any relief for the American people on this item of cloth and clothing in the cotton schedule. When you take up and consider the woolen schedule, when you examine the duties proposed in the Payne bill on woolen goods, blankets, and woolen clothing universally used by the people, and including all ready-made wearing apparel, you will find no reduction of the rates in the Dingley law in this schedule of the Payne bill from one end to the other.

Compare the woolen schedules in the present laws with the woolen schedule in the Payne bill, item by item, and you will find that as to the specific items I have referred to no reduction is made. There are a few insignificant reductions in the woolen schedule, but none that will cause any substantial reduction in the high cost of woolen goods or that will lessen the expenses of the great body of the people.

Let us consider for a moment the proposed changes made by the committee of the duties on boots and shoes and leather. What have they done? They have reduced the tariff from 25 to 15 per cent upon boots and shoes, and they have taken the 15 per cent tariff off of hides and given it to the manufacturer of shoes, and the manufacturer of shoes will be in a better condition if the proposed bill becomes a law than he is under the present law. Now, will the 15 per cent tariff enable foreigners to compete with the manufacturers of the United States in the sale of boots and shoes? No. It matters not, so far as boots and shoes are concerned, whether the rate of duty be 15 or 25 per cent; any duty upon boots and shoes is prohibitive, because there is no country in the world that can compete with the manufacturers of the United States in this great American industry.

I received a letter this morning—I have it here in my pocket, but my time is limited, and I will not take the time to read it—from a great shoe concern of Columbus, Ohio—the Wolf Brothers Shoe Company—asking that boots and shoes be put upon the free list, stating that the American shoe manufacturer needs no protection; that with free hides and cheap raw material the American manufacturer can shoe the world. I have called your attention to the fact that there is no reduction in this bill of duties on articles of clothing and wearing apparel, household goods, bedding, blankets, and other articles of comfort, embracing all other things which go to make up the ordinary expenses of the home, the family, or the individual along this line.

The next great item in the cost of living is food and food products. Let us look at food products, as dealt with in the Payne bill, and see whether or not the American people are going to get any relief from this high cost of food and foodstuffs under this proposed law. Now, there is something remarkable about this bill. I have not much time, but I want to talk about a few of its worst features.

Let us first consider the free list, as proposed in the Payne bill, with special reference to food and food products. A close analysis of section 2, which comprises the free list, will disclose some wonderful things. There are 240 paragraphs describing articles on the free list, but there is nothing on the free list that man can eat; that is, no food or food product suitable for the use of man except four items. I think there are just four.

Now, notice them! Bear in mind that I do not count coffee as being on the free list. I want to talk about that later if I have time. I will give you the number of the paragraph so you can verify my statement. Paragraph 560. Fish caught out of the Great Lakes and brought to the American shore is one item. Is not that a wonderful concession? If you go out on Lake Michigan or Lake Huron or any of the other Great Lakes and catch fish, you can bring them into the United States free of duty. What other fish? Those of the American fisheries, but the American fisheries are protected from pauper fish and pauper fishermen of all the oceans, and if they bring them in and you buy from them, you must pay their price for them in a protected market.

What else? What other food product is on the free list? Paragraph 685—tapioca. I believe some one said the other day it is used for manufacturing purposes mainly, and not specially for purposes of food. What else? Paragraph 697—turtles. What else? Paragraph 663—bologna sausage. When I looked down the list and found these articles—only four in number—I must confess I was astonished and amazed.

Mr. JOHNSON of South Carolina. Acorns are on the list. I do not know what they are for.

Mr. FLOYD of Arkansas. Yes; acorns are on the free list, but we do not eat them in Arkansas. After I discovered that the Ways and Means Committee were going to allow fish—if we could catch them—tapioca for puddings, turtles for soup, bologna for meat, I ran down the list to see if I could not find something in the form of breadstuffs or bread with which to eat these delectable luxuries so generously provided for us, and when I ran down to paragraph 704, entitled "Wafers," I thought I had found it, but alas, I examined it a little more closely, and I found it said, "Wafers, unleavened; not edible."

My friends, on the other side of the Chamber you boast of high tariff schedules as being in the interest of the American people, and especially the laboring people, but there is nothing on the free list from one end of it to the other that the laboring man can use for food except the things just named, and there is nothing on this free list from one end to the other that by any process of reason, contortion of sophistry, legerdemain of fancy, or stretch of the imagination, that you could possibly construe as wearing apparel, unless it comes under that rather dubious title of "rags, not otherwise provided for in this bill." On the contrary, what is proposed in the Payne bill? It is proposed to take spices from the free list and transfer them to the dutiable list, and in this report which I hold in my hand of the estimated revenues which you expect to derive from the Payne bill, made by experts, it is shown that the revenues derived from this tax, duty, or tariff on spices would be $1,500,000 per annum, in round numbers.

It is proposed to take from the free list and put upon the dutiable list tea, used in every household in the land. And the estimated revenues which your experts expect to see derived from this item are in the neighborhood of $9,000,000 per annum on tea alone. You expect to derive $10,000,000 under the Payne bill from these two items. What industry, my Republican friends, is protected by these taxes? You say you are for a protective tariff in order to protect labor and industry. What industry? What labor? Spices and tea are not raised in this country. It is a tax for revenue and a tax upon the common necessities of life for revenue and for revenue alone.

Oh, but you say you have retained coffee on the free list. Yes; with a proviso. Coffee is nominally on the free list, but you provide that if any country that produces coffee places an export duty upon that coffee, there shall be levied in the United States a tax equal to the export duty imposed by the foreign country from which it is shipped. I can not too strongly condemn this provision of the proposed law. We are told that it is done in order to use a "big stick" over the foreign nations of the world. Now, gentlemen, it is the echo of the big stick," when the man who used the "big stick" effectively in this country has passed from power.

What do you propose in this Payne bill to do in retaliation for what a foreign government does, perhaps in the legitimate scope of its functions, perchance in raising revenues to maintain that government? Here is the proposition—listen: A foreign government, having a right under its constitution and under its laws to impose export duties, imposes an export duty on coffee. And are you going to retaliate against the foreign government? No; you are going to retaliate against the American people, every user of coffee in the United States, by doubling the tax and making him pay an import tax equal to the export tax that the mother country imposes upon it. What industry is protected by such a policy in the United States? How is labor protected thereby? You protectionists, what defense can you make to your people for this unjust and iniquitous coffee tax even upon the theories of the Republican party? I declare to you that this countervailing duty on coffee is a departure from every sane and sound principle of legislation and is indefensible from any standpoint.

But that is not all. There are some remarkable provisions to this bill. Sections 3 and 4 must be considered. Section 4 puts another restriction upon the importation of coffee and upon the importation of any other article that comes to the United States from any other country in the world.

It provides that if any country admits all of the products of the United States, that is, every product of the soil or of the industry of the United States, into their country on equal terms with those of every other nation of the world, then we shall give them the advantage of these high rates in the Payne bill; but if they discriminate in favor of any country on the face of the earth against any one of our products, then coffee, or any other article of their products, shall be subject to an additional duty of 20 per cent ad valorem in some instances, 25 per cent in others. Here we have another big-stick idea. We are going to make every nation in the world come to our terms by a threat. Now, what does that mean? Over in central Europe there is a little peaceful nation known as Switzerland. The people are great artisans, and yet if the great Empire of Germany, or Russia, or England, or any of the other great nations of the world have entered into some trade agreement with those industrious people of Switzerland, their neighbors for centuries, that is a little more favorable in some respects, in some one particular, than to the United States of America, then every article that comes from any of these great countries is to have imposed upon it an ad valorem duty of 20 per cent over and above the rates of duty fixed in the several schedules in the Payne bill.

Now, right in connection with that schedule I want to call attention to another thing. It takes a most careful analysis to see all that is in this bill. It is a study. Take farming tools. It is not proposed in the Payne bill to place farming tools on the free list. A 15 per cent duty is imposed on farming tools; but there is a provision that if any country in the world admits our farming tools free of duty, then farming tools shipped from such country may come into this country free. That would give us free farming tools upon its face; but when you examine sections 3 and 4, it is provided if there is any discrimination against any other product, then there is a duty of 25 per cent added against farming tools. This is not shown on the face of the bill without careful analysis, but under section 3, relating to paragraph 468 of section 1, which relates to farming tools, we find that if any country discriminates, not against our farming tools, but against any other product of soil or industry, then, under section 3, not only shall the 15 per cent ad valorem be paid, but there shall be added thereto 25 per cent ad valorem, making a tariff of 40 per cent against the people and in favor of the great harvester trust on farming tools. Such is the proposed tariff in the Payne bill relating to farming tools.

I defy anyone, here or elsewhere, to disprove the facts alleged or the conclusions drawn therefrom.

But there is another provision or paragraph to which, right in this connection, I must call your attention. Paragraph 462 fixes the tariff upon art, statuary, and paintings, and imposes certain duties upon all works of art, statuary, and paintings unless the paintings or works of art or pieces of statuary are 20 years old. If more than 20 years old, they are admitted free of duty.

Now, it is understood from newspaper reports in the past that Mr. J. Pierpont Morgan, one of the great financial men of this country, has been in Europe buying up paintings and statuary of value. No one criticises him for that. It is likely that other millionaires and capitalists of this country will follow his example, and in the end that there will be bought for American gold and brought to this country more fine paintings, statuary, and works of art than Napoleon brought from Egypt or from Italy to France after his triumphant invasion of those countries with which to decorate the imperial palace of his empire.

Now, is it proposed in this bill to treat this fine old statuary and these fine old paintings like they do farming tools? Section 3 provides, as to paragraph 462, that if any country discriminates against us in any respect, as provided in section 4, that then so far as this paragraph relating to statuary and paintings is concerned, there shall be levied an additional tariff of 20 per cent of the duties imposed in that paragraph. No duty is imposed on the old and valuable paintings and statuaries, and 20 per cent on nothing is nothing still.

I am unalterably opposed to the proposition to fix the maximum rate of our tariff at 20 per cent ad valorem higher than the rates fixed in the several schedules in the bill. I am also opposed to delegating to any foreign government the power, by discriminations against us, to take articles off of our free list or to raise our tariff duties, as provided in sections 3 and 4 of this bill. By virtue of the provisions of these two sections, 68 articles named on the free list may, if this bill becomes a law, be found upon the dutiable list; not by the will of Congress, but by discriminations against us imposed by other countries. I submit, Mr. Chairman, in all candor, that this is no proper way to legislate. In a matter of such high importance as the imposition of duties or taxes, the American Congress should legislate for the American people, should fix such rates of duty as

they deem just and proper to all interests concerned and for purposes of revenue, and should not leave it in the power of any nation on earth to raise those rates of duties by discriminations or otherwise.

In view of this general situation, I think this bill should be amended in a number of particulars looking to a substantial reduction in the living expenses of our people. The tariff on lumber has been reduced. In my judgment, the bill should be amended and lumber should be placed upon the free list. This would enable the people to build better homes and would encourage more people to own their own homes.

The home is the unit upon which states and nations are built. I know of no more patriotic sentiment than that uttered by the brilliant Mississippian, S. S. Prentiss, when he said:

I am, first, for my own hearthstone, then for my county, then for my district, then for my State, then for my country, and last for the world.

The man who owns his own home, possessed of a happy and contented family, be that home "ever so humble," makes the best citizen in time of peace and the truest patriot in time of war.

Coffee should be restored to the free list. The proviso which calls for a countervailing duty on coffee should be stricken out. The provision in section 3, providing for an additional ad valorem duty of 20 per cent on conditions named in the bill, should be stricken out, and coffee should be placed unconditionally on the free list. Tea should be restored to the free list, as in the present law. The tariff on refined sugar should be substantially reduced in the interest of the 80,000,000 of our people all of whom are consumers of sugar. Farming tools should be placed on the free list in the interest of the great farming classes who, by their brawn, brain, and muscle, produce the breadstuffs for this country and a large per cent of the breadstuffs for all the great nations of Europe. This should be done, also, for another reason, and that is to check the power of the great harvester trust that to-day has a practical monopoly on all farming tools produced in this country

If it is insisted that we must retain these tariffs for purposes of revenue, then my answer is: If revenue is the object, by reducing the highly protective and in many cases prohibitive duties on manufactured products, such as cloth, wearing apparel, ready-made clothing, hats, boots, and shoes, to a revenue basis you will secure an abundance of revenue. And who will be hurt? Will the laborer? No; not in the least. The laborer will still receive his wages, and the money paid for his labor will buy more and his condition will be improved. The general public, the State, and the Nation will be benefited, because that condition of severe tension and unrest in the minds of the poor, in their hard struggle for subsistence, which wrecks homes, encourages crime, incites anarchy, fosters socialism, threatens society, and multiplies suicides, would be removed and the blessings of contentment, industrial peace, plenty, and prosperity would again be restored in the land. Such a policy would in no way affect or destroy the legitimate profits of any industry. This, in my judgment, would be in keeping with the purposes of a tariff for revenues and in keeping with the great popular demand at this time for a reduction of the tariff in the interest of the masses. I believe a substantial revenue would be thus produced.

The necessity for a bond issue would be removed in the near future. The necessity for an issue of certificates of indebtedness bearing interest at the rate of 3 per cent per annum would be removed.

Thus, Mr. Chairman, from a careful examination of those schedules which relate to articles of food, articles of clothing, and to articles of ordinary comfort and necessity, it is clear that nothing has been done, nothing is proposed to be done in this bill which will lessen the high cost of living in the United States, which increase of cost of living is due in a large measure, if not wholly traceable to the high schedules and burdensome exactions of the Dingley law.

On the contrary, much has been done or proposed to be done herein that will greatly increase the living expenses of all of our people. This ought not to be. To the rich, to the well to do, this will perhaps matter but little; but to the poor, to the millions of our fellow-countrymen whose yearly income is less than $500 per annum, who are daily engaged in a hard struggle for bread and the ordinary necessities of life, the retention of the present tariff on some and an increased rate on other articles of daily comfort will add additional burdens and work untold hardships, which ought not to be imposed by the Representatives of this great country.

The treatment of women and children, as provided in these schedules, is equally indefensible. The increased duties on gloves, stockings, and other articles of dress are not confined to the poor, but are equally burdensome and unjust to the middle classes and to the rich. The proposal to increase the tariff on gloves places an additional tax upon the fair hand of woman. The proposal to further tax stockings, hose, and half hose is a proposition to lay an additional tribute on her feet and on the feet of her children. The excessive tariff on corsets is a proposition to impose a duty on the comeliness of woman's form.

By the tax on tea and spices, heretofore on the free list, it is proposed to exact the enormous sum of more than $9,000,000 annually from woman's kitchen and from woman's table. These proposed taxes are what I denominate "home taxes." They are taxes imposed upon the comforts of the home. Yes; unjust, indefensible home taxes. The American woman deserves no such treatment at the hands of this Congress. I enter my earnest protest against it and hope the bill will be so amended as to omit these obnoxious provisions. [Loud applause on the Democratic side.]

Mr. YOUNG of Michigan. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. COLE having assumed the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HUBBARD of West Virginia, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of William H. Allison, Sixtieth Congress, no adverse report having been made thereon.

RECESS.

Mr. YOUNG of Michigan. I move that the House take a recess until 8 o'clock.

The motion was agreed to.

The SPEAKER pro tempore. Under previous order, the House will take a recess until 8 o'clock.

AFTER THE RECESS.

The recess having expired, at 8 o'clock p. m. the House was called to order by Mr. COLE, the Speaker pro tempore.

Mr. SCOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. THOMAS of Kentucky. Mr. Chairman, being a new Member of this House, I come with some hesitancy to make a few remarks concerning the pending measure which has been so ably discussed by older and more experienced men on both sides of this Chamber.

This bill is entitled "A bill to raise revenue, to equalize duties, to encourage industries, and for other purposes."

A casual examination of the bill, I think, discloses the apparent fact that at least one of its purposes is to so fix the tariff rates upon imports that the trusts and the monopolies of the country may continue to pillage the American people by raising the price upon commercial commodities and the necessaries of life.

The first purpose stated in this bill is that to raise revenue. The wisdom of man has never yet conceived or enacted a revenue measure that can produce sufficient revenue to meet the extravagances of a Republican administration. [Applause on the Democratic side.] It has never been done in the past and, unless the course of legislation is changed in regard to tariff taxation, it will never be done in the future.

I have heard a great deal in the discussion upon the floor of this House about the manufacturing industries of this country. I have heard a great deal about the consumers; but I have as yet heard nothing, except in a casual way, about the rights of that great class of producers, the laboring people, who produce every dollar of the wealth of the country. [Applause on the Democratic side.]

It has been claimed by the Republicans on the floor of this House that the main purpose of this bill, one of the chief objects of all protective tariffs, is to give better wages to the laborer, to afford protection to the labor of the country; and yet this bill does not, nor can any such bill, protect or increase the wages of the laboring element. On the contrary, high tariffs enable the manufacturer to enhance the value of the necessities of life that labor has to buy and live on, while it has been the continuous and unquestioned policy of the manufacturer and monopolist, supported by the Republican party, to bring into

this country in continually increasing hordes the worst element of pauper and criminal labor of southern and eastern Europe to compete with American labor.

It is a false pretext to keep out foreign manufactured goods for the purpose of protecting labor and at the same time open our doors to the foreign competing wage-earner, who works for nothing but his own betterment; who sends his wages abroad and competes unfairly with the American wage-earner, with no intention of making this land his home. The American wage-earner is of our highest type, the bone and sinew of our country, and the only way to protect our American wage-earner is to bar out all paupers and criminals of alien races and admit only those who declare their intention of becoming American citizens. The country must exclude all others or we shall in the end suffer demoralization and possible degradation and downfall.

This character of legislation alone will afford the American workman some measure of protection, which a tariff, be it ever so high, can never give.

To keep out the product of the cheap laborer and then admit him to this country to work in competition with American labor is an inconsistency. It has, however, always been the object of the monopolies of this country to obtain their labor as cheaply as possible, and in this they have to a great extent been aided by the Republican party. Years past that party negotiated the treaty that first brought Chinese labor into this country and flooded the western part of our domain with that character of workmen.

It was the same party—I presume in the avowed interest of labor—which passed the alien labor contract law, by which for years the manufacturers and monopolists of the United States could go to Europe and there contract for pauper and criminal labor at the lowest rates to themselves and bring it here to compete with American labor.

The advocates of high protection argue that a high tariff raises the wages of labor. They say a high tariff is for the benefit of the laboring man. That is one of the great arguments for the passage of the bill, when, as a matter of fact, nearly every increase in the wages of labor has been in the face of lockouts and state and federal injunctions—those infamous instruments of monopoly to fasten the fetters of industrial slavery upon the laboring element. [Applause on the Democratic side.]

It has been frequently alleged upon the floor of this House that the wages of labor have been increased in the past few years by reason of the tariff. I say that this is not the case. I say, and I will demonstrate to any reasonable man, that the wages of labor in this country under a high protective tariff—the Dingley law—in the past twelve years have been reduced 30 per cent. [Applause on the Democratic side.]

Now, I shall make good that assertion: A dollar, it makes no difference whether it be a gold dollar, a silver dollar, or a paper dollar, or whatever character of dollar it may be, is worth just exactly what it will purchase of the commodities of the country. The value of the dollar is of necessity fluctuating, because the value of a commodity never remains quite the same for any great length of time. Its purchasing power is determined exactly by what it will buy. If the price of commodities, of manufactured goods, the necessaries of life, farm products, and the wages of labor could at all times maintain the same ratio of increase and decrease, then the purchasing price of a dollar would remain the same. But as there is, as stated, constant fluctuation in the prices of all these things, the value of the dollar must necessarily increase or decrease in proportion as the value of commercial commodities increases or decreases.

According to the reports of the Bureau of Labor of the Department of Commerce and Labor, in the four industries of cotton, wool, leather, and iron and steel, among the highest protected industries we have, the per cent of labor to the product—that is, the amount labor has received of its own product—is, in the cotton manufactories, 21.33 per cent. That is, every time a laboring man has produced a dollar's worth of that product, the part that he has received for his labor has been 21.33 per cent.

In wool, calculating upon the same basis, it has been 18.6 per cent.

Upon shoes it has been 21.57 per cent.

In the steel and iron industry, which has been one of the highest protected industries of the country, every time a laboring man has produced a dollar's worth of product he has received for his labor 15.6 per cent.

According to the Bureau of Labor there has been in the last twelve years an increase of 19.2 per cent in wages in these four industries, and the bureau calculates that in the last twelve years there has been a total increase of 19 per cent in the wages of labor in all departments. The increase in the wages of labor, therefore, it will be seen, has not kept pace with the increase in the cost of living.

Dun's commercial report estimates that in the last twelve years the cost of living in the United States has increased 49 per cent; 27 per cent of this increase is attributed to the increased production of gold and 22 per cent of that increase to the tariff trusts. Taking the dollar as the unit, it will cost the laboring man at the present time $1.49 to buy as many goods or as much of the necessaries of life as he could have bought twelve years ago for $1.

What has he got to buy it with? His wages have increased on an average of 19 per cent, and he has $1.19 to buy goods, where twelve years ago he had $1 to buy the same goods. But, at the same time that his wages have increased 19 per cent, his cost of living has increased at the much greater ratio of 49 per cent, so that it now takes $1.49 to buy as much of the necessaries of life as he could have bought with $1 twelve years ago, or, the increase of wages not having kept pace with the increased cost of living, he has only $1.19 to buy them with, a difference of 30 per cent. Therefore his wages instead of increasing have actually decreased 30 per cent, the difference between the increase of wages and the increased cost of living. [Applause on the Democratic side.]

The great trouble is that the laboring people are slow to learn that the value of their wage is measured by what it will buy. It seems difficult for them to know and understand that the policy of high protection is an absolute menace to their interests. They have not yet learned that a high protective tariff lowers their wages by increasing the cost of living. When they do learn this, as they finally will, their just indignation will bury Republicanism at the ballot box.

I have heard a number of speeches upon the pending bill during this session of Congress, and I have learned that up in the State of Washington—Republican and highly protective in its sentiments—they have a new breed of Republican high-tariff chickens, composed, as stated by the gentleman from that State [Mr. CUSHMAN], principally of neck and pinfeathers, which they sell to the laboring people, according to his declaration, at 65 cents apiece. At the present rate of wages the laboring man can not afford many of the pinfeathers, much less the necks.

No wonder, Mr. Chairman, that Coxey's army—which was recruited to a great extent from that part of our domain—appeared in Washington with patches and punctures about its clothes. Republican legislation and high tariff were directly responsible for that marching column of hungry tatterdemalions.

During this discussion I have heard from the other side of the Chamber something about panics. There has never been a financial panic in the United States that was not the result of Republican legislation and the legitimate offspring of a high tariff. [Applause from the Democratic side.]

In 1869 when Black Friday was given to the financial history of this country as one of the very darkest days of our national existence, the Republican party was in full power and had been for years, and there was at that time a high protective-tariff law in full operation. The Republican party continued in power, and in 1873 there was another great panic—the result of Republican legislation and policies. We than had a high protective tariff. Who of the middle-age generation does not remember the panic of 1873?

The banks and other financial institutions of the country toppled over like houses of cards. Three million men were out of work, and in many of the cities of this land were marching under banners demanding bread or blood. This result was brought about by Republican high tariff and other vicious Republican legislation.

I heard the gentleman from Washington [Mr. CUSHMAN] speak of the advent of Coxey's army—which was recruited, in part, at least, from his State—into Washington City, and he laid that to the effect of the Wilson bill and Democratic legislation.

Mr. Chairman, the tattered legions of Coxey's army marched into Washington City and were ordered to keep off the grass on the 1st day of May, 1893, while the McKinley tariff bill was in full operation and nearly seventeen months before the Wilson bill was enacted into law. [Applause on the Democratic side.]

Mr. SHERWOOD. That is right; I saw the army start.

Mr. THOMAS of Kentucky. Mr. Harrison went into the presidential office on the 4th of March, 1889. When he was inaugurated there was more money in the Treasury of the United States than there had ever been at the end of any administration. What was the result? When Mr. Harrison

was again succeeded by Mr. Cleveland the Treasury was bankrupt, there being a deficit of over $60,000,000.

Plates were prepared by that Republican administration for the purpose of a bond issue to cover the deficit, but were held up until Mr. Cleveland came into office, succeeding Mr. Harrison, and the Democratic party, under his administration, instead of creating the panic, inherited the panic created by the Harrison administration and the McKinley bill. [Applause on the Democratic side.]

There was not in operation a law enacted by the Democratic party when the panic of 1892—not of 1894, as the gentleman from Washington [Mr. CUSHMAN] asserted—began.

Good times and high wages, we are told by the opposition, result from a high tariff. When did the Homestead strike take place? Was that under the Wilson bill? The Homestead strike took place in 1892, when the McKinley bill was the law of the land and there still was not a single Democratic law in force. That bloody strike, that greatest industrial war that civilization ever witnessed, took place at Homestead, right within the fortification and citadel of high-protection Pennsylvania, in 1892, when the blood of the laboring man—shot down at the instigation of monopoly—colored the ground because he was striking for higher wages and better conditions. And yet Republicanism claims that its policies make for better times and higher wages.

Mr. MADDEN. What did they strike for when the Democrats were in power?

Mr. THOMAS of Kentucky. There have not been nearly so many strikes when the Democrats have been in power.

Mr. MADDEN. Of course not, because there was nothing to strike for. They are perfectly willing to take what they can get when the Democrats are in power, and are glad of whatever it is.

Mr. THOMAS of Kentucky. The Democratic party has not been in full power in the United States, except about two years, in nearly fifty years, and, of course, if there is nothing to strike for there will be no strike; but under a Republican administration there is always something to strike for, and it is generally bread for the workingman.

Mr. MADDEN. When the Democrats are in power, the workman is glad to strike for a job, and he does not care what kind of wages he gets.

Mr. HUGHES of New Jersey. Mr. Chairman, will the gentleman from Kentucky yield for an interruption?

Mr. THOMAS of Kentucky. Yes.

Mr. HUGHES of New Jersey. I will tell the gentleman why they struck when the Democrats were in power: Because the Democrats had not formulated the injunction issue which the Republicans have used so successfully to keep them from striking. [Applause on the Democratic side.]

Mr. MADDEN. Will the gentleman permit a reply?

Mr. THOMAS of Kentucky. Yes.

Mr. MADDEN. Who was it sent the United States troops to prevent the workmen from striking during Cleveland's administration?

Mr. THOMAS of Kentucky. And who was it sent troops to Colorado to shoot down the workingmen after they had struck for living wages? And who was it that established the "bull pen," second in infamy only to the "black hole" of Calcutta, in which laboring men were incarcerated like sheep in the shambles? And who was it that by the infamous process of injunction deprived labor leaders of the right of trial by jury and sentenced them to prison for exercising the right of free speech in behalf of labor?

Mr. Chairman, I want to go on record right now as being unalterably opposed to this process of injunction as a means to coerce labor. It is an encroachment of power by the "courts of equity," so called, upon the courts of common law, long since denounced by Lord Coke as courts of "criminal equity," the purpose of which in the hands of monopoly is to deprive the citizen of the right of trial by jury in labor disputes; and the high-tariff advocates of Republicanism have consistently sympathized with this instrument of oppression to keep down wages, while at the same time they have inconsistently sung the siren song of higer wages for the workingman. [Applause on the Democratic side.]

Mr. Chairman, the gentleman from Washington [Mr. CUSHMAN] was especially laudatory of the Dingley law—the antetype and model of the present bill. His encomiums of both measures have been fanciful and extravagant, and, I think, without the pale of fact. Intimating, if not directly asserting, that high protection—that Dingleyism, as expressed in the Dingley law—has been a panacea for all the ills that afflict the body politic, he declares he is the highest of high protectionists and entitled to a seat in the inner sanctum of the elect.

His declaration and the assertion of high protectionists that a high tariff makes high wages and good times are not borne out by the facts. The Dingley tariff is still the law. If that tariff is the producing cause, the same alleged good effects should result as long as the cause remains. But the industrial history of our country is filled with chapters of lockouts and strikes and reduced wages, while our soil has been reddened with the blood of men slain in a vain attempt to better their condition.

From 1901 to 1905, inclusive, there were in this country, as shown by the reports of the Bureau of Labor, 13,904 strikes, involving 2,033,196 strikers, and in these strikes 2,598,130 employees were thrown out of work.

I append here a table showing the official figures for each of the above years:

	Strikes.	Number of establishments.	Number of strikers.	Number of employees thrown out of work.
1901	2,924	10,908	396,280	545,386
1902	3,162	14,248	558,143	650,792
1903	3,494	20,348	531,682	656,055
1904	2,307	10,202	375,754	617,211
1905	2,077	8,292	176,337	221,686
Total	13,904	63,898	2,033,196	2,598,130

Mr. Chairman, if this record is good times and high wages for labor under Dingleyism, may the Lord God of Hosts deliver us from what Republicanism would denominate "hard times" and "low wages." And, added to this record, in all our large cities during the winter just passed the army of hungry, idle men has been unparalleled; and in the city of Chicago, according to newspaper reports, 15,000 hungry school children—the children of laboring people—had to be fed by public charity. And right now, almost within the shadow of the Capitol of this great Nation, in the city of Washington, the bread line is formed to feed the hungry and unemployed, while the "want employment" columns of all the great daily newspapers are lengthening in a daily increasing ratio.

Mr. Chairman, under the Dingley law, measured by commercial failures, closed industries, reduced wages, and the number of unemployed, we are passing through the most appalling financial panic of our history. [Applause on the Democratic side.]

From October 1, 1907, to August 1, 1908, the commercial failures amounted to $219,945,836, a period of ten months. This, at the same raito, in twelve months would amount to $263,935,002, as against $226,000,000 in 1896, being an excess of nearly $38,000,000 over the failures of 1896.

During the present panic commercial disaster has been more widespread than ever before. And this "Republican panic" is the only panic, so far as I know, in the history of civilization in which a man could not get his own money out of bank on his own check; the only panic in which banks were compelled to pay a premium to other banks in which they had deposited money in order to withdraw their deposits.

"By their fruits ye shall know them," and judged by this standard, the fruit of Republican high-tariff legislation is reduced wages, financial disaster, and general commercial unrest. [Applause on the Democratic side.]

To the Society of Equity, the tobacco associations, the United Mine Workers, the Federation of Labor, and organized labor of every character I take off my hat. They have accomplished more toward better prices and increase of wages, and the general good of the producers—the laboring element—than all other influences combined.

Mr. Chairman, the pending measure, taken as a whole, is, in my opinion, worse, if anything, than the Dingley law. Tariff taxation under Republican legislation, like a bill denounced by a Republican member of the Kentucky legislature, "gets wusser and wusser." This bill is legislation, not in the interest of the consumer, not in the interest of labor, but in the interests of the trusts and monopolies which supply the sinews of political war to the Republican party during every national campaign, and who demand to be remembered by legislative enactment in the passage of a tariff bill that will enable them to continue to pillage the American people to further enrich themselves.

Mr. Chairman, in the limited time I have at my disposal it is impossible for me to discuss at length even the more important schedules of this bill. It gives the same raw deal to the farmer and consumer that it does to the laboring man. It levies a tribute of 45 per cent or more on the necessary articles of consumption that enter into the daily life of the people, while nearly every product of the farmer must compete free in the open market of the world.

I know a tariff is fixed on wheat, hogs, mules, sheep, corn, poultry, bacon, cows, hay, and other farm products, but this tariff is the merest sham. It does not and can not protect the farmer, and can not even deceive any intelligent man. The farmer of the United States is an exporter and not an importer of farm products. He raises more than he can sell in the home market, and can feed the world, and must depend upon the foreign market for the sale of his surplus products; and therefore a tariff on farm products is of no benefit to him whatever. The price of many, if not all, of his products is fixed in the foreign market, and the price of his wheat is absolutely fixed and determined in the Liverpool market; so a tariff on wheat is not and can not be of any benefit to him.

While the Republican party is attempting to deceive the farmer by this sham tariff, which purports to protect his products against some imaginary competition, it is making him pay a tribute to the sugar trust, the wool trust, the cotton-goods trust, the shoe trust, the Standard Oil Company, and various other trusts, which for years, under Republican domination, like unclean birds of prey, have glutted their filthy beaks in the vitals of the industrial life of the country. [Applause on the Democratic side.]

A tax on cotton goods, a tax on woolen goods, a tax on shoes, a tax on sugar, coffee, and tea, and diamonds free, and the tax on the cheaper qualities of gloves that are used by the great mass of the people is raised from 58.13 per cent ad valorem to 132.86 per cent ad valorem.

Republicanism says it is for a protective tariff, to protect labor and encourage the industries of the country, and yet tea and coffee, used by four-fifths of the people of the country, are put on the protected list, when neither is grown in this country and no labor is engaged in their production.

Under the maximum and minimum clause of the Payne bill not even farming tools are exempt from tariff exactions, but are made the subject of a sliding tariff of from 15 to 40 per cent, in the interest of the American harvester trust and other dealers in farming implements. In addition to all this, the tax is retained on tobacco, in the interest of the great American tobacco trust, whose manipulations cornered and controlled the tobacco market of the world and "squeezed" down the price of tobacco in the hands of the farmer below the cost of production, and no relief was found except through the Society of Equity, the Dark Tobacco Association, and other associations of like purpose, which by persistent effort have been enabled to successfully grapple with this giant trust and restore the price of tobacco to living prices.

As the law now stands the tobacco tax prevents the free sale of leaf tobacco. Tobacco is the only product of the soil that bears this burden. It is true the farmer can sell his tobacco in the leaf to whomsoever he pleases, but the purchaser can not resell it without the payment of the tax, even to his own workmen. This greatly restricts the sale of leaf tobacco and enables the trust to demand and receive much higher prices for its product, especially in those sections where tobacco is not grown.

Years ago the Republican party in national convention promised to repeal this tax, but the shadow of its master and campaign contributor—the American tobacco trust—fell across its pathway, and it was afraid and broke its pledges to the American tobacco grower, and the tax remains.

Mr. Chairman, the tariff is a tax and can be justified on no ground save that of raising revenue. If the tax, now nearly or quite prohibitive, on many manufactured articles could be lowered to a revenue basis an abundance of revenue would be secured. The people would buy more, a greater number of workmen would be employed at more remunerative wages, labor would be better satisfied, and, at lower prices for manufactured articles, the demand would become greater, more would be sold, business would become more active, conditions would become greatly improved, and, in my opinion, a brighter era of national prosperity would result.

Mr. Chairman, justice and equality for all classes under the law should be the shibboleth of legislation in a free republic. To levy duties so that special benefits will inure to privileged classes is contrary to the spirit and intent of our institutions, and can be justified neither in law nor morals. The law of fair dealing, the law of compensation, that which renders to all men and all classes only that which is due them; that requires all to bear their just proportion of the burdens of taxation is the golden rule of good government, the divine and human law, and the only rule of conduct by which nations can long prosper and survive. This was the law in the beginning, when God said, "'Let there be light,' and there was light." This was the law when the inspired prophet proclaimed the Ten Commandments to man from the sacred Mount of Sinai; this was the law when the peaceful shepherds tended their flocks on Galilean hills, and the wise men from the East kept their nightly vigils under Judean stars; this was the law when Enoch walked with God and John saw the wonderful vision of celestial life—the law from the beginning of time, and it should be the law to the end of time; and under this law the one object of legislation—the fundamental purpose of just government—is to seek the greatest good to the greatest number, which can never be done while legislation continues to grant special privileges to favored classes. [Applause on the Democratic side.]

Mr. Chairman, I have heard it strongly intimated, if not positively asserted, on the floor of this House that Democracy is dead or dying. Democracy is neither dead nor dying, but if this bill is passed in its present shape Republicanism will soon be calling on the rocks and hills to fall on it and hide it from the righteous wrath of an outraged people. The cardinal principles of Democracy are immortal. They will remain vital and active as long as justice has a temple and liberty an abiding place. The religion of Jesus Christ survived the apostasy of Judas Iscariot, Scotland recovered from the disaster of Flodden Field, the American Revolution survived the treason of Benedict Arnold, France recovered from the shock of Sedan, and Democracy will always rise strong and aggressive from any temporary political defeat that can be administered to it. Its basic principle, its fundamental law, is equal rights to all and special privileges to none; and the light of Democracy, like vestal flames, will burn and brighten on the altars and hearthstones of every home in this land when the fallacies of Republicanism are lost in the forgotten past. [Great applause.]

Mr. HUGHES of West Virginia. Mr. Chairman, I had expected my colleague [Mr. GAINES], who was so able to do so, to tell this committee how this new tariff bill would affect the people of West Virginia with reference to coal, but he failed to do that, and I am now going to try to do so within the limited time allowed me, and give you the situation as this bill affects the people of West Virginia.

Inasmuch as this tariff bill is a general revision of the duties on all commodities and articles that enter into international commerce, I shall attempt to discuss no feature of it other than the clause which deals with coal and coke, an industry which so vitally affects all the people of the State of West Virginia.

The principal coal-producing States are Illinois, Indiana, Ohio, Pennsylvania, Virginia, and West Virginia. That you may understand the relative conditions of the bituminous-coal industry in each of those States, it is only necessary to call your attention to the fact that Illinois, Indiana, and Ohio are among the foremost of the agricultural States of the United States. Nature has endowed them with soil and climate peculiarly adapted to agricultural pursuits. Pennsylvania, likewise, is a great agricultural State. Take from those four States all of their mining and other industrial enterprises, and still their people would be happy and prosperous on the products of the soil and their business of stock raising.

Every one of those States is rich in oil, gas, and especially coal deposits. This bountiful supply of fuel has so attracted manufacturing industries that they have become the great industrial centers of this Nation. Their factories are located, in a great measure, in the midst of their coal fields, and their fuel supply has a market and consumption almost at the mine mouth unsurpassed in magnitude by any section of the whole earth.

The contrast in West Virginia to her sister States is most striking. With the exception of some narrow bottoms along the banks of two or three of our largest streams, our lands are not suitable for profitable cultivation. From one end of the State to the other is a continuous chain of hills and mountains which at best can be made to yield barely a living for a small population. The fact is the larger portion of the State is not a farming section and never can be. Our people must engage in pursuits other than agriculture before we can hope to grow and be prosperous. We are not a manufacturing State in any sense of the word, in comparison with other coal-producing States. Not more than 10 per cent of the coal mined in West Virginia is consumed in that State; the other 90 per cent must find a market in other States. Our timber resources will soon be exhausted, and our lumber industry will cease to exist, in all probability, before another tariff bill will be considered by Congress.

Our hope for future prosperity is centered almost exclusively in this coal industry of the State. Fully 90 per cent of our people are dependent, directly and indirectly, upon our coal business. It is the coal operator that our merchants, wholesale and retail, must go to in order to find a purchaser for their merchandise. It is to him the farmer goes to sell his little surplus. Our railroads will go into receivers' hands if our mines are crippled. A

blow to the coal mines injures every industry in the State. When the mines are prosperous, all of our people are active and employed; when that business is depressed every industry we have feels the paralysis. It is the lifeblood of our whole industrial system. No State in this Union is so dependent upon one industry for its commercial success as West Virginia is dependent upon that of coal.

Permit me to call your attention to the fierce competition that we must meet from other sections of the country. The market for the larger part of our coal is in the Northwest. West Virginia coal is 300 miles farther away from this market than the coals in Indiana and Illinois, and in reaching the market our coal must be handled through the coal fields of those States. In the Lake country our coal comes into a competition with Ohio and Pennsylvania coals that is always at white heat. The average West Virginia coal is 450 miles from the Lakes, and pays a freight to Lake points of $1.12 per ton, and must be hauled across the State of Ohio, while the Ohio coal is only 155 miles from the Lakes, and pays a freight rate of only 85 cents per ton. The Pittsburg coal district is only 190 miles from the Lake points, and pays a freight rate of only 88 cents per ton.

There is in the Lake market a differential against West Virginia coal of 27 cents per ton in favor of Ohio and 24 cents in favor of Pittsburg coal, in the matter of freight rates alone, against the higher grades of West Virginia coal in the New River and Pocahontas districts. On the splint coal from the Kanawha, Guyan, and Thacker districts the differential against West Virginia coal is 11 cents per ton in favor of Ohio and 9 cents in favor of the Pittsburg coal.

The necessary consequences of this discrimination against West Virginia coal have been to drive many small operators out of the business and compel them to sell their mines to larger companies who were able in a measure to meet this competition, although under this great disadvantage. Not satisfied, however, with existing conditions, the coal operators from Ohio (No. 8) and the Pittsburg districts have gone to the railroads that haul coal from West Virginia, Ohio, and Pennsylvania to these Lake points, viz, Toledo, Sandusky, and Lorain, as well as Cleveland and Buffalo, and under threat of court proceedings and the precipitation of a rate war, have induced the railroads hauling coal from West Virginia to these Lake points to agree to raise the rates on West Virginia coal, and to retain the rates on Ohio and Pittsburg coal. The railroads agreed to raise the rates on West Virginia coal so that the differential against West Virginia and in favor of Ohio and Pittsburg coal would hereafter be 36¼ cents on New River and Pocahontas districts and 18¼ cents per ton on Kanawha, Guyan, and Thacker districts. A conference among the coal operators of these various districts and the carriers is being held this week in New York to see if the railroads can be pursuaded to withhold the putting of this proposed rate into effect.

If this schedule goes into effect, not a pound of West Virginia coal can go to this Lake market in competition with the Ohio and Pittsburg coals, and our people will be compelled to go out of the Lake business, and then Ohio and Pittsburg mines will have a complete and perfect monopoly of this Lake trade, which amounts, in round numbers, to 15,000,000 tons per year.

The Ohio and Pittsburg mines sent their representatives before the Ways and Means Committee and urged the adoption of reciprocity between Canada and the United States in the coal trades, and they have succeeded in persuading the committee to make a report and introduce a bill announcing this principle. If this feature of the bill should prevail and become a law the consequences to flow from it should be understood by every Member of this House, and more particularly by the distinguished gentlemen composing the Ways and Means Committee.

Reciprocity in general may be a good principle if the terms thereunder are fixed and definite, but it is unsound as a business proposition as applied to coal in the Payne bill. The extensive bituminous-coal operations in West Virginia and other States are adjusted to the present 67-cent rate on coal and shale, and 15 cents on slack or culm, and contracts would continue to be made upon those bases so long as those rates remained in effect. The coal business might adjust itself to a different definite rate, but if this reciprocal provision should be adopted it would make uncertain the tariff and render unstable the business of domestic coal operations. Assuming that Canada would immediately remove the duty on coal imported from the United States, our contracts would then have to be made upon that basis. Then, if Canada or any of its Provinces, for any reason, and summarily, should restore her duty, our duty upon like articles imported from Canada would forthwith be restored to the present rate, and vice versa. Thus domestic coal operators constantly would be in a quandary in the making of contracts and their transactions rendered unstable and chaotic. With fluctuations in tariff rates from zero to 67 cents on coal, slack, culm, and shale dependent upon the business necessities or caprice of Canada or any one of its Provinces, our own coal people would not know what to expect and practically would be at the mercy of their foreign competitors. If we must have reciprocity in coal, let it be of a kind that will not impair contract relations and unsettle our domestic industry; let us not depend upon a foreign country, but fix our own tariff rates upon these important products. But I am unalterably opposed to the reciprocal feature of this bill altogether.

In the very able explanation of the bill made to this House by the chairman of this committee, it is made evident that the reason for proposing the new coal schedule is based upon misinformation. It may be the fault of my own people, in that they permitted the committee to remain under a misapprehension as to the facts and actual conditions of the coal trade.

I beg your attention for a short while that I may point out the particulars in which the committee was misled.

First,

THE COST OF PRODUCTION.

In his explanation of the reason for putting coal on the free list, the chairman of this committee said (p. 183, CONGRESSIONAL RECORD):

> Early in the hearings the miners of bituminous coal in Pennsylvania appeared, and asked that this paragraph be inserted in the bill. It appeared from the evidence—I forget now the principal witness—that coal at the mouth of the mine in Pennsylvania costs $1.30 per ton and that coal at the mouth of the mine in Nova Scotia costs $1.40 a ton.

Please keep in mind that this information came from Pennsylvania miners, about the cost of mining in Pennsylvania, and by Pennsylvania he really means the Pittsburg district.

Instead of costing the Pennsylvania operator $1.30 per ton to mine his coal, he is actually selling coal f. o. b. cars at the mine at the following prices, viz:

	Per ton.
For Buffalo shipments	$1.10
For Toledo shipments	.95
For Pittsburg shipments	1.15
For Chicago shipments	1.10
For Cincinnati shipments	.90
For New York shipments	90 cents to 1.30

These are the actual selling prices of these coals at the mines as taken from price list printed in the Black Diamond Journal of March 6, 1909.

The average selling price of the Pennsylvania or Pittsburg coals at the mine mouth is $1.04 per ton, and when this witness, whose name the chairman did not remember, said that it cost $1.30 a ton for the operator to mine this coal at Pittsburg, he simply added 25 per cent to the selling price as it actually is, and by so doing imposed upon the committee and caused them to make a serious mistake.

The chairman says it was shown by this witness that Pennsylvania coal could be laid down in Boston for $3.65 per ton, and Nova Scotia coal could be laid down in Boston for $2.50 per ton. In other words, the consumer of coal in New England can procure it delivered from the Nova Scotia mines at $1.15 cheaper than he can get it from the miners of Pennsylvania; but this difference in cost, he says, is overcome by superior quality. This greater efficiency will amount, he says, to 70 cents per ton, and this fact has been judicially determined.

Grant all of this to be true, and then the consumer will find it to his interest to accept the Nova Scotia coal, because he will save on every ton of coal he uses the difference between 70 cents a ton for greater efficiency and $1.15 per ton, the difference in price, or 45 cents per ton.

It takes neither a philosopher nor a prophet to understand that the difference of 45 cents in favor of Nova Scotia coal, as against our own coal, must necessarily drive our coal out of the New England market. The cost of laying West Virginia coal down at Boston is about the same as that of the Pennsylvania coals.

But the truth is, it does not cost the Canadian miner $2.50 per ton to lay his coal down in Boston. The Dominion Coal Company, the largest producer in Nova Scotia, has stated in its circulars that it could load vessels with coal at Cape Breton at a cost of $1 a ton, and these vessels carry this coal to New England points for 75 cents per ton; and allowing a margin of 50 cents per ton, they can realize a splendid profit, and sell their coal to the New England consumer for $2.25 per ton delivered to points of distribution. Instead of Nova Scotia coal costing $1.40 per ton at the mine mouth, as the committee has been misled into believing, it actually costs no more than $1 per ton loaded onto the vessels. But the real purpose and object that the Pittsburg miners had in view when they misled the committee was to incorporate in this bill, and have en-

acted into law, a provision whereby they could trade off the New England coal market to the Nova Scotia coal miners in return for a translake market in central Canada, and this shall have been accomplished when this provision becomes a law.

The chairman of the Ways and Means Committee frankly admits this to be true when he says:

The idea of these gentlemen from Pennsylvania was that, while they allowed the Nova Scotia coal to come into Boston (meaning, of course, all New England) free of duty, under such an arrangement they would get a greater market in lower Canada than they would lose in New England. In other words, that they would sell more American coal in Canada than could possibly come into the United States, under this reciprocal arrangement.

The Pittsburg coal operators are very anxious to turn over the New England coal trades to Nova Scotia, in order that they might ship, free of duty, their coal into central Canada. Why are they so anxious to make this deal? Why are they willing that the consumer of coal in New England may be supplied exclusively by the miners of Nova Scotia? The reason is so apparent that I wonder that the committee did not see it at once. Two of the largest coal-producing districts in West Virginia supply to New England consumers about 6,000,000 tons of coal per annum. The coal supplied by these districts—Pocahontas and New River—is a soft, bituminous coal, possessing great heating properties, and is smokeless. On account of these characteristics it is peculiarly adapted to the New England cities, where smoke ordinances prevail almost universally, and, in consequence, it has established itself in that territory.

The Pittsburg coal, not being a smokeless coal, has found but little favor in the cities and towns of New England. By giving up the New England market to Canada, this Pittsburg miner is driving West Virginia coal out of that market, and but little of his own. This West Virginia coal so displaced from New England will not find a corresponding benefit of an enlarged market in central Canada, for a reason which is known to every coal man in the United States and Canada, namely, that this coal is so soft that it will not bear trans-Lake shipments to be again loaded into cars for distribution. This coal is not and can not be a competitor with the Pittsburg coal for Lake business. Under this reciprocal arrangement the Pittsburg miner gets all the benefit without suffering any losses, while the West Virginia miner receives no benefits whatever and suffers all the losses. Already these West Virginia coals must go to Lake points with a differential against them of $0.27 per ton in favor of Ohio coal and $0.24 per ton in favor of Pittsburg, and they have influenced the carriers to agree to increase these differentials to $0.36¼ per ton and $0.33¼ per ton, respectively, knowing that if this proposition to have free trade with Canada should become a law that the West Virginia coals displaced by Nova Scotia would have to seek a market in the West or cease to be mined. This must close down the mines in West Virginia and destroy practically the only industry in that State upon which the people are dependent for their livelihood.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. HUGHES of West Virginia. Certainly.

Mr. COX of Indiana. For information. Is there any export duty on coal shipped from Nova Scotia into the United States?

Mr. HUGHES of West Virginia. No; there is no export duty, but an import duty of 53 cents a ton.

Mr. COX of Indiana. Well, then, under the bill as it is now prepared there will be a duty upon your coal equal to that, will there not?

Mr. HUGHES of West Virginia. No. If they retain a duty at all on coal then the present duty remains as it is, 67 cents a ton. If they put as much duty as 10 cents a ton on coal coming from the United States, then in that event our coal rate would remain as it is now.

Mr. COX of Indiana. Then, as I understand you, though Nova Scotia has an export duty of 53 cents a ton under the bill as it is now prepared, there will be the same rate of duty, 67 cents a ton, on coal. Is that correct?

Mr. HUGHES of West Virginia. Their duty is on imported coal. If they keep their duty, we keep ours; but in case they have no duty at all we have no duty.

Mr. COX of Indiana. Is there any coal mined in any other place in the Dominion of Canada except Nova Scotia which comes in competition with coal in the United States?

Mr. HUGHES of West Virginia. Yes; at Vancouver, and at Crowsnest Pass, and Lethbridge, in western Canada.

Mr. COX of Indiana. And there is an export duty on that?

Mr. HUGHES of West Virginia. No; they have an import duty of 53 cents a ton, and the advantage that they have over the United States is this, that their coal operations in Nova Scotia and Vancouver are right along the coast, reaching from 2 to 20 miles, and they have their railroads running from the coast back to their mines. At Crowsnest and Lethbridge their mines are near our border, and their rate of wages is less than ours.

Mr. COX of Indiana. Now, one more question for information. On reading the paragraph relating to the duty on coal I find a drawback for all coal that is used upon American vessels engaged in foreign trade——

Mr. HUGHES of West Virginia. Yes.

Mr. COX of Indiana (continuing). Equal to the amount of duty paid upon it. That is correct?

Mr. HUGHES of West Virginia. That is correct.

Mr. COX of Indiana. Does the gentleman approve of that?

Mr. HUGHES of West Virginia. No; I do not approve of that. I think they should pay the duty.

Mr. O'CONNELL. Will the gentleman yield for a question?

Mr. HUGHES of West Virginia. Certainly.

Mr. O'CONNELL. I notice you want to have this duty kept on principally because of the Boston market. Would not the haul from the West Virginia fields to the Lakes be less than from West Virginia to the seaboard to-day?

Mr. HUGHES of West Virginia. No; not in the particular territory I am speaking about. There is a small part of the territory it would; and, as I gave the figures here, we have a differential now against us of 9 and 11 cents, and if the coal operators do not succeed in getting the railroad companies to withdraw the bulletin they have already issued we will then have a differential against us of 36¼ and 33¼, which practically puts us out of the coal business.

Mr. O'CONNELL. Would not there be just as big a market in the Canadian Northwest as in Boston to-day——

Mr. HUGHES of West Virginia. Well, we can not ship our coal to the Canadian Northwest, because our coal is a soft coal and will not stand reshipment.

Mr. O'CONNELL. But the shipment from Norfolk to Boston by the Atlantic Ocean will be as much as on the Great Lakes.

Mr. HUGHES of West Virginia. Well, but if we make a reshipment of this soft coal it all goes to pieces.

Mr. O'CONNELL. But do not you have a reshipment from Norfolk?

Mr. HUGHES of West Virginia. We can stand one reshipment, but not two.

Mr. O'CONNELL. Where do you get two?

Mr. HUGHES of West Virginia. If we would reship from the vessels and then distribute by rail into Canada, then that would make another handling of the coal.

West Virginia is to become bankrupt in order that Pittsburg miners may have a monopoly on the Lake and Canadian business, and by this scheme multiply the value of coal properties in the Pittsburg district seven or eight times. Already Pittsburg coal lands are selling for $1,000 per acre and more, while West Virginia coal lands, equally as good and often better, will not average $100 per acre.

Mr. John W. Boileau, coal expert for western Pennsylvania, published a book on the value of coal properties in the Pittsburg district some months ago, in which he said:

It is clear that rates must decrease on Pittsburg coal to the Lake, the demand for which is enormous and is growing at the rate of 20 per cent annually. The readjustment of freight rates is imperative and will add from $1,000 to $2,000 per acre to present values. * * * The difference in favor of Pittsburg district coal for any point on Lake Michigan or Lake Superior against other coal suitable for by-product coke on present freight rates amounts to $5,500 per acre in favor of Pittsburg district coal, as against an all-rail haul for competitive coal. With a readjustment of freight rates, which is not far distant, the Pittsburg district would have an advantage to Lake route of approximately $7,500 per acre of all-rail coal from Kanawha, Thacker, and Big Sandy to Chicago and vicinity, and from $8,500 to $10,000 per acre over the Pocahontas and New River districts, if all the latter districts competed by the water routes, each district paying the same rate per ton per mile to the lake front. (Pp. 36–37.)

The fact is that it is the deliberate purpose of the Pittsburg coal interests to drive West Virginia coal out of the market and close down every mine in the State. This they know can be accomplished by having free trade with Canada and have the railroads put into effect schedules that have already been agreed upon.

I want to say that no more striking exhibition of the cruelty of human greed has ever been witnessed on this continent than this effort of these miners to despoil the people of a whole State.

West Virginia is a Republican State because our people believe that the Republican party stands committed to the principles of protection to American industries and American labor. She cast her vote for President Taft because our people believed in the promises that in the revision of the tariff no industry in this country should be injured, much less destroyed. When the national convention declared in effect—

That tariff taxes must be kept so high as not only to equal the differences in the cost of production at home and abroad, but to guarantee a profit to American industries—

the people of West Virginia had faith in the integrity of that declaration and cast their votes accordingly. If the calamity

which is to be inflicted upon my State were necessary in order to secure revenue for the Government, we would bear it with patriotic fortitude, but from this measure it is admitted that not one cent of revenue will be received. We have relied upon protection; when it has been withdrawn we have suffered. It is a principle when applied to coal that with us is nonpartisan, and we have looked to the Government to maintain in good faith a tariff on coal just as it would keep faith with a foreign nation.

For the Republican Members of this House to enact this proposition into law is to repudiate your platform and pervert the fundamental principles of protection. When has the suggestion ever been made before, in all the history of our tariff legislation, that one American industry may be stricken down and that other Americans engaged in the same industry may have a monopoly in that same line of business? My understanding of protection has always been that it was a weapon leveled at the foreign manufacturer and the foreign laborer for the benefit of all Americans alike. Protection was never intended to foster one section of the United States to the detriment of another section engaged in the same industrial pursuits.

It has been frequently stated upon the floor of this House that coal was a raw material and therefore should not be placed upon the free list. One of these gentlemen [Mr. CRUMPACKER] has told us that by crude or raw material was meant such material as requires relatively a small amount of labor in their production. There is scarcely a commodity produced in this country where the labor cost—about 85 per cent—forms so great a percentage of the total cost as coal. Nearly every man engaged about a modern mine is a skilled mechanic.

The laws of different States actually require them to be. The mine boss and his assistants and the shot firers must all be men of great experience. The men who run the cutting machines and those who do the hauling by electric motors and the drillers, and the electrical engineer and the mining engineers and their assistants are all men of technical knowledge and skill of the highest degree. The up-to-date mine does not use picks and mules any more, but the work of mining is done almost entirely by skilled workmen. Coal is as much a finished product as the finished locomotive engine which burns it. It can not be denied that every pound of coal used for domestic purposes in stoves and grates is a finished product. It is consumed in this use without entering into the production of other commodities as much as a suit of clothes or a pair of shoes. No one yet has ever advanced the idea that the coal consumed by locomotive engines and steam-vessel boilers is raw material. There is no article known that is made out of coal or coal products except artificial gas, coal tar, and ammonia. The whole idea of coal being one of the raw materials, like iron ore, hides, and rough lumber, is a misconception of the use of coal.

The distinguished chairman, induced thereto no doubt by statements from the Pittsburg miners, attempts to hold out to West Virginia miners the hope that they may still reach the New England market by an all-rail route. This is what he says:

They—the West Virginia operators—were afraid they might lose the sale of some tons of coal in the New England States if this arrangement was made. Yet they failed to take into consideration the question whether this all-rail hauling of the American coal to Boston at $2.25 a ton by the American railroads would not be reduced so as to meet Canadian competition on coal, the railroads much better affording to take off 25 cents a ton of the haulage than to lose the entire tonnage or any part of it, and whether that would not make up the difference, even in the Boston market, as between American and Canadian coal.

This suggestion of a lower rail rate that American coals may compete with Canadian coals in New England commends itself strongly to the Pittsburg operator, and he has taken it into very serious consideration, for he can ship his coal by all rail into the New England market, but not a ton of West Virginia coal can go to New England by this all-rail route. The coal-hauling railroads from this Pittsburg district will not permit West Virginia coal to go to New England, except by water from Norfolk and Baltimore. Every pound of coal produced on the Chesapeake and Ohio and the Norfolk and Western railroads is excluded from the markets of Washington, Baltimore, Philadelphia, and New York. Fairmont district, in the northern part of the State, ships some coal to Washington and Baltimore markets, and with that exception the Pittsburg coal-hauling railroads exclude West Virginia coal from those four great cities and their harbors. Whatever advantage may result from a reduction of all-rail rates on coal to the New England States will be enjoyed by the Pittsburg people alone, and West Virginia will receive no part of such imaginary benefits, for we have no railroads that run into New England, and the railroad connections that do serve that territory have placed an embargo upon our coal.

Those who expect that New England will be greatly benefited by free coal from Nova Scotia will be sorely disappointed. The Nova Scotia miners under this arrangement will do exactly as did the British Columbia miners under the Wilson bill. They reduced the price of the coal sent by them into the United States to a point where American miners could not compete with them. The result was that the American mines shut down and their working organizations disintegrated. Then the Canadian miner raised the price to that at which American coal had formerly sold, and the American consumer paid the same price for Canadian coal that he formerly paid for the American coals. The American miners could not afford to start their operations, for if they had the Canadians would have immediately lowered the prices and closed them up again. This is exactly what will occur to the New England coal consumer under free trade with Canada. As soon as this arrangement goes into effect Nova Scotia operators will reduce the price until the American now furnishing that market will close his mines. After this occurs the price of Nova Scotia coal will go up, and all New England will be paying as much for Nova Scotia coal as they now pay for American coal.

And the money they now pay to American miners and laboring men engaged in digging and transporting this coal will be paid to foreigners, while they will have the questionable satisfaction of seeing the West Virginia operators and laboring men driven out of business, just as was done with the State of Washington under the Wilson bill. The Nova Scotia mines are inexhaustible. They have the advantage of cheap labor from England and Wales, with which they can contract without violating an alien contract-labor law, such as we have in the United States. They have the advantage in transportation charges, being so favorably located as to be able to ship to New England cities in English tramp colliers at minimum rates. To these advantages shall we add the 67 cents a ton protection we now have on our domestic coal, and thus increase the value of the Nova Scotia mines by many millions of dollars, and at the same time strike down our own coal industry? I answer emphatically in the negative.

It may be that Congress, under its taxing authority, has the power to destroy the industry of a whole State and bankrupt its people; but if such power does exist, it certainly ought never to be exercised. Whenever the functions of this Government are so manipulated that its powers are directed so as to destroy the industries of one of the States, then the whole purpose of the Government has failed. [Loud applause.]

Mr. BURNETT. Mr. Chairman, the report of those members of the Ways and Means Committee who are entitled to be called Democrats starts out with this statement:

A tariff is a tax paid by the consumer. The only proper and legitimate function of a tariff law is to raise revenue to supply the needs of the Government economically and effectively administered.

This has been the doctrine of the Democratic party since its foundation, and is the only tariff authorized by the Constitution.

A revenue-producing tariff is the only one for which any sound Democrat can stand, and when the tax becomes so high that it is prohibitory and produces no revenue it can find no warrant in Democratic principles or in the fundamental law. That a moderate degree of protection often results from such a tariff can not be denied, and does not militate against Democratic ideas.

The report of the Republican members of the Committee on Ways and Means says that the main reasons for the revision of the tariff at this time are two:

First. That after twelve years of the operation of the present tariff many new conditions have arisen which render it advisable that the rates be readjusted.

Second. Since the passage of the Dingley Act a large number of foreign countries have adopted tariffs with a maximum and minimum rate, and it has been found that section 3 of the present act was not sufficiently broad in its scope to meet these changed conditions.

Neither of these is the real reason why this revision is undertaken. There were, indeed, two reasons which drove the unwilling leaders of the Republican party to report this bill, but they were not the ones assigned in their report. They were: First, Republican extravagance and incompetency had piled up expenditures until a deficit of $150,000,000 in the Treasury stared them in the face. Second, they heard the voice of growing discontent and distrust of the American people demanding that the tariff should be reduced and the heels of the trusts taken off the necks of the people. At first a mild protest, it had grown to a demand, then to a clamor, and finally to a threat. Republican leaders then saw that it was time to take heed, and, for the first time in the history of the party's platforms, this declaration was made:

The Republican party declares unequivocally for a revision of the tariff by a special session of Congress immediately following the next presidential inauguration.

Although time and again you have deceived the people by specious promises, followed by their immediate repudiation, they decided at the election to trust you once more. Gentlemen,

have you given them what you promised? You were too cunning to state in your platform whether you intended to revise the tariff upward or downward, but upon every stump you avowed your intention of reducing instead of raising it. The gentleman from Minnesota [Mr. NYE] was honest enough the other night to admit this. [Applause on the Democratic side.] Would one of you have dared to predict that when you made up your bill for consideration in the House it would show a net increase of 1.56 per cent over the average in the Dingley bill? And the Lord only knows how much higher it will be when the Senate is through with it. Would one of you have dared to say to the stock raiser of the West that you would put hides on the free list and allow the New England shoemaker to continue to rob him with high-priced shoes?

Would one of you have had the temerity to tell the West Virginia or Pennsylvania coal miner that you intended to put the product of his labor on the free list and let the sugar trust continue to plunder him at its own sweet will? Who of you would have been bold enough to have said to the Alabama and Lake Superior iron miner that you intended to put his sweat and brawn on the free list and tax the coffee and tea which his children drink? [Applause on the Democratic side.]

Gentlemen, your bill is a tissue of deception from title to index. [Applause on the Democratic side.] Did you expect to conciliate the farmer, who constitutes the large majority of our country's population, by giving him free acorns and asafetida, as you do in your bill [applause on the Democratic side], while you permit the Standard Oil Company to extort blood money from him to furnish oil to light his early morning meal? If you did, why were you not honest enough to tell him so before you got his vote? A man with half an eye can now see why you told him to vote the Republican ticket then and wait till after the election to have the tariff revised by its friends. [Applause on the Democratic side.]

Are you now paying your campaign debts, or fulfilling your campaign promises? Gentlemen, did you let old "Money Bags" write this bill, or did you heed the cry of those whose votes you secured by evasion and deceit? [Applause on the Democratic side.]

You put balm of Gilead on the free list. Do you in that way expect to salve the poor man's wounds while you rub salt on those wounds at the rate of 12 cents per hundred pounds? I see that you put arsenic on the free list. Do you intend by that to say to the workingman: "If you can not afford to buy protected woolen goods to shield the shivering limbs of your wife and children from the winter's blast, we will give you cheap arsenic with which to hunt a suicide's grave?" [Applause on the Democratic side.]

I see that you put apatite—whatever that is—on the free list. In looking up the derivation of this word, I note that in the original it meant deceit, to deceive, being a mineral often mistaken for other minerals; and what could be more like the very irony of appropriateness than for your bill to encourage the importation of deceit? [Applause on the Democratic side.] Was that because the sugar trust had hired you to see that the appetite of toiling millions for sugar was not too much indulged? Or was it to further encourage the Republican appetite for pie? [Laughter.] If either were true, why did you not tell him before he voted that you intended so to do?

I see you put divi-divi on the free list. Was that because you held up the great corporations with bludgeons during your campaign and forced them to "divi" their plunder with you in order that you might buy a fair election? [Applause on the Democratic side.] If so, you made a howling success of it; for the report of your campaign committee after the election shows that you extorted over $3,000,000 to accomplish your designs. Gentlemen, I see you have put dragon's blood on the free list, and well you did; for when you meet the indignant millions whom you have betrayed you will need oceans of dragon's blood to keep you from cowering before their outraged gaze. [Applause on the Democratic side.]

You put ipecac on the free list. This you need not have done, for when the poor man sees his child's bare feet, made bare because of your iniquitous tax on shoes, it will require no ipecac to cause him to spew you out from the very nausea your tainted schedules bring. [Laughter and applause on the Democratic side.] Besides, after two years' trial of this bill, should it become a law in its present form, the sight of any man who supports it will act as an emetic more powerful than all the ipecac in the land. You let leeches in free. This again was "love's labor lost;" for no leeches were needed to help Republicans and the bloated favorites suck the lifeblood of an outraged people. [Applause on the Democratic side.]

I see you make lifeboats free. In this, gentlemen, you are wise, because when increased prices come, as they will, to those who have to toil, you will need lifeboats to save you from those who, in their righteous wrath, will cast you overboard. [Laughter and applause on the Democratic side.]

You put rough, or uncut, diamonds on the free list. Why did you do this? Evidently to fill the coffers of those who cut and polish and set the diamonds after they come here in the rough. But the very tariff you put on diamonds shows the irony of your report, in which you say that one of the cardinal principles of your party is the protection of American workmen. [Applause on the Democratic side.]

You leave polished diamonds and jewelry at the same rate as in the Dingley bill, while you increase cheap stockings for the limbs of the American working girl more than 20 per cent. In this were you trying to protect those who work on the farm, in the mills, and in the mines, or those who spend the summers working up divorce suits at Newport and Long Branch? [Applause on the Democratic side.] In this stocking schedule you again show that you labored overtime while the yearnings of your heart went out to the toilers of the country. You increase the duty on stockings valued at not more than $1 per dozen pairs from 68.39 per cent ad valorem to 89.75 per cent, while you leave those valued at more than $5 per dozen pairs at 55 per cent. In the case of cheap stockings you claim that you will realize an increased revenue of $500,000, while in some of the finer grades you do not realize an additional cent.

While you are shedding crocodile tears for the American workingman, please tell us who pays this additional half million. Is it the woman in the automobile or the woman at the loom? Is it the woman with the golf stick or the woman at the beatling stick? [Applause on the Democratic side.] Is it the parlor boarder at the Waldorf-Astoria or is it the chambermaid? Is it the woman intriguing for a disgraceful alliance with a foreign duke or is it the toil-worn farmer's wife? [Applause on the Democratic side.] Is it the virtuous shop girl working at $6 per week to buy protected tea for an aged parent or is it the high-priced ballet dancer who parades her silk stockings at so much per night? [Laughter and applause on the Democratic side.]

Your committee in their report tell us that most of the articles on which the duty is increased are luxuries. No doubt, gentlemen, you were sincere in that. No doubt a party dependent upon the silk-stocking gentry for its lease of power believes that any kind of stockings is luxury for those who toil. Another one of your "luxuries," so called, is the cheap glove worn by the poor women of the country. In this connection, I ask to read the following article, which recently appeared in the Washington Times:

TAX ON CHEAP GLOVES.

The gloves which now pay $1.75 duty is the schmaschen glace-finish sheep glove, unlined, not over 14 inches long. It is the cheap glove which is worn by the woman of modest means who commonly owns a "best pair" and an "every-day pair" of gloves, and sometimes does without the "best pair."

Gloves, however, are set down by the Payne bill as a luxury. They are taxed for revenue on that ground. The Payne bill has some odd notions of what constitute luxuries.

The glove which is now taxed $1.75 per dozen at the custom-house—the cheap glove of the working girl and the woman of limited means—costs about $3 per dozen in the country where it is made. Under the Dingley Act the importer paid a duty which figured out 58 per cent in order to get that glove into the country.

Under the Payne bill he will pay a duty of 133 per cent to get it in. The duty on the poor woman's glove is raised considerably more than 100 per cent.

RICH WOMAN FAVORED.

But the duty on the rich woman's $7-per-pair glove is raised only from 84 to 108 per cent.

Seems like a curious way of taxing luxuries, to raise the poor woman from 58 to 133, while the rich woman is raised from 84 to 108 per cent.

This glove schedule is rich in illustrations of how the necessaries of the poor are to be made to bear the burdens of raising revenue, while the necessaries of the rich, which would be luxuries to the poor, escape with a small part. Three millions of pairs of the gloves taxed 90 per cent are imported annually. Only 28,000 pairs of the high-priced glove, taxed 44 per cent, come in in a year. The tax on the poor woman's glove will make a contribution of $930,025 per year toward the Government's revenues, and two or three times that much will be added to the cost in order to enable the importer, wholesaler, and retailer to handle it. On the other hand, the rich woman's glove, just described, will contribute $12,749 to the Government's revenue.

And this sort of comparison might be carried on ad nauseam from the marvelous glove schedule of this bill. The cases cited are typical. The question is, What caused the Payne committee to make this glove schedule in this way?

The "Duke of Gloversville," Mr. Littauer, at whose factory thousands of pairs of gloves are manufactured every year, haunted this House for several days in the early part of the session. He left with a happy, satisfied look; and it has been hinted that he took great interest in seeing that the old rules were adopted. [Applause on the Democratic side.] But perhaps I had better not say anything about the question of the rules, because it has gotten to be a very sensitive subject, even to a few Democrats. [Applause on the Democratic side.]

Looking through the list of over ninety different qualities of gloves we see that there is not a single reduction, but there is

an actual increase on all but eleven. No wonder the "Duke of Gloversville" wore that "smile that won't come off" as he went away from the House. There is one ponderous and momentous fact in connection with the duty on gloves which no doubt cost the committee days of conscientious toil to work out. That is, they increased the gross annual revenue from 64 cents to $2 cents by increasing the duty $1 per dozen on one particular kind of gloves. Think of it, gentlemen! A deficit of $150,000,000 to be met, and a great committee has piled up 18 cents of that amount by taxing one quality of cheap gloves. No wonder the leader of the minority felt impelled to compliment the chairman of the committee on his insatiable appetite for work. [Applause on the Democratic side.]

Republican farmers in the South will no doubt throw up their hats in approval of the labors of this nonsectional committee when they see that you have put cotton-seed oil on the free list along with divi-divi and have left the bagging for their cotton with the same high tariff that existed under the Dingley law. [Applause on the Democratic side.] Such magnanimous treatment as this will break up the solid South with a vengeance. The Republican stock raiser of the West will no doubt thank God that he is not as other men, even as his benighted Democratic neighbor [laughter] when he contemplates the justice of his party in putting hides on the free list along with dragon's blood and asafetida, while it continues an outrageous tariff on wire with which to fence his stock. Suffragettes will no doubt be tumbling over each other to vote with the "G. O. P." when they gird themselves with corset covers on which they must still pay the same old Dingley tax. [Laughter and applause.]

Mr. Chairman, it seems to me that the Republican members of the Ways and Means Committee, in the preparation of this bill, aimed a deliberate and premeditated blow at the American woman. As to the course of some of the more ancient members of the committee, I am not surprised. The warm blood of youth has long since ceased to course through their veins, and they have passed the age where life's "gravitation shifting turns the other way." [Laughter.] But the unprovoked treatment accorded women all through this bill by the princely young gentleman from Ohio [Mr. LONGWORTH], the gallant and chivalrous gentleman from West Virginia [Mr. GAINES], the fiery and impetuous youth from Michigan [Mr. FORDNEY], and the committee baby from Washington [Mr. CUSHMAN], has filled me with sorrow and brought consternation to every woman's club in the land. [Applause on the Democratic side.]

It was bad enough for these gentlemen to go to fooling with hosiery and union suits and corset covers [loud laughter and applause], but when they went out of their way to put false teeth on the free list [laughter] and a high protective tariff on garters, I, a mere man, think they passed the limit. [Laughter.] It is an awful shock to my modesty to have to discuss such things in this presence, but these gentlemen have unblushingly put them in the bill, and I would be recreant to my duty to American womanhood were I not to hold the offenders up to their righteous indignation and scorn. [Laughter and applause.]

Mr. Chairman, it seems that during the early days of the session some vital changes were made in the bill. The Standard Oil Company, in some mysterious way, appears to have gotten in its deadly work. If there is any well-defined trust in this country, that is one. The last administration believed this to be the fact, for the Department of Justice was especially industrious in trying to destroy it. A Republican judge, under the developments of the Government's attorneys, tried his hand by the imposition of a little fine of $29,000,000. Of course nobody believed that fine would ever be collected. The fine became as great a joke as the oil joker in the Dingley bill. But there was enough shown up to satisfy everyone that the Standard Oil was a monstrous trust, and nobody thought the same joker would be found lurking in the Payne bill. But when the bill comes in, the Standard Oil serenely bobs up with the goods. [Applause on the Democratic side.]

That splendid, independent Republican Congressman, Mr. KÜSTERMANN, of Wisconsin, in a speech on the floor a few days ago, used this language:

I had positive assurance that the cunning little proviso, which served its purpose so many years, had been put out of existence by the Ways and Means Committee, and buried, and now you may imagine my astonishment when, in looking over the new tariff bill, I found the joker resurrected again, standing before me in all its wickedness. Yes; the little joker is again in evidence, ready to continue the work of taking twelve to fifteen millions of dollars out of the pockets of our people every single year and adding it to the vast profits of the greatest trust on earth.

[Applause on the Democratic side.]

The Republican platform declares for such protection as will cover the difference in the price of labor in this country and of other countries where the article is produced, together with a fair profit to the producer. Can gentlemen by any juggling with figures say that the countervailing duty put on crude petroleum in that paragraph represents any such thing? If not, has not the committee abandoned the platform and perpetrated a deception on a long-suffering and credulous people?

I might take up many other items in the bill and show them to be an abandonment of your platform declarations and a repudiation of your preelection promises. During this debate many gentlemen have shed such showers of tears over the protection of American labor as to bring consternation to the Weather Bureau. Are you really as interested in the protection of American labor as you pretend? If so, I have a little amendment which I will offer at the proper time, if permitted to do so, that will more effectively reach that end than any paragraph in your bill. It is an amendment that will receive the indorsement of millions of farmers and laboring men all over the country. It is an amendment that will, in its effect, meet the approval of 2,000,000 members of the Farmers' Union, hundreds of thousands of members of the labor organizations, and hundreds of thousands of citizens who belong to no labor organization, but share with them their love for American institutions and shudder for the future of our common country. It is as follows:

Add after section 11, as a new section, to be numbered section 11½, the following:

"Any alien over 16 years of age who is unable to read his own language or dialect shall, before entering this country, pay the sum of $25 head tax, and the Secretary of Commerce and Labor shall prescribe the necessary rules and regulations to carry out the provisions of this section."

[Applause on the Democratic side.]

"*Provided*, If any wife or dependent father or mother otherwise admissible accompany a husband or son who is admissible they may be admitted by paying the head tax now provided by law."

Mr. Chairman, the argument heretofore made by those who opposed an increased head tax was that it would work a hardship on immigrants from northwestern Europe, who usually come with their families, while it would not so affect the undesirable classes from eastern and southern Europe, who usually come alone. No such argument as that can be made against this amendment. As a matter of fact, it would not touch more than 3 per cent of the Germans and less than 2 per cent of the Bohemians, Scandinavians, English, Irish, Scotch, and other immigrants from northwestern Europe. True, it would keep out many thousand Italians, Greeks, Syrians, and others of the ignorant and undesirable kind, and that is one of the very ends that I want to reach. The Italians will be especially affected and more particularly those from Sicily and south Italy.

But a few days ago the country was shocked by the news that Joe Petrosino had been assassinated in Palermo, Sicily, by those very fellows. He was at the head of the Italian detective agency of New York, and had been sent to Sicily to try to run down a lot of Italian criminals. While there he was shot from ambush by adherents or friends of the "Black Hand." The way his death was received by these people will be seen by the following press dispatch sent out from New York some days ago:

IMMIGRANTS APPROVE KILLING—ITALIAN NEW ARRIVALS APPLAUD NEWS OF PETROSINO'S DEATH.

NEW YORK, *March 18, 1909.*

"Petrosino is killed."

"Bravo!" came the cry from 400 Neapolitans viewing for the first time the shores of the United States from the main deck of the *Europa*, of the Italian line, which had just been warped into the pier at West Thirty-fourth street this afternoon.

The announcement of the assassination of the detective from friends in small boats which had circled about the liner to welcome their kinsmen from across the water acted like a stimulant on the immigrants. The news that the foremost enemy of the Black Hand had been slain was seemingly the best that these people had heard in many days. They knew Petrosino. They not only knew him before he arrived in Italy, but he had been there several weeks before they had sailed, and they had learned what his business was.

Such men entail upon our people more trouble and expense than all others who reach our shores. Then should they not help to pay this additional expense? The reports of alienists in some of the hospitals and lunatic asylums of our country show that more of that class are being treated there than aliens from all other countries combined. They pay no taxes scarcely, and yet their sick and insane and paupers bring heavy burdens to every State where they are found. In New York a special detective agency has to be kept up to check their crimes, and thousands of dollars are spent on courts and jails on account of the criminals they bring and the crimes they commit. The extract which I read from a Washington paper gives some idea of the enormous expense which their criminals entail:

ONE HUNDRED THOUSAND DOLLAR SECRET FUND ASKED BY BINGHAM—WANTS BIG SUM TO KEEP TRACK OF FOREIGN CRIMINALS COMING HERE.

[Washington Times, March 22, 1909.]

NEW YORK, *March 22, 1909.*

Police Commissioner Bingham to-day renewed his recommendation to the board of aldermen for $100,000 with which to establish a secret service fund to use in investigations under his direction.

He wants the money to keep track of foreign criminals who might come to this country, especially those from Latin countries.

They live like scavengers on scant, cheap food, and yet they are brought to fill the coffers of steamship companies and to press down the price of the brawn and brain of the man who toils. [Applause on the Democratic side.] I will put you to the test as to whether you speak the truth when you say you are the friend of the American workingman. [Applause on the Democratic side.] If your Committee on Rules will let me offer this amendment and give me a record vote on the same, we will see who tells the truth when he declares that he wants to protect American labor. If it does not, then cease your hypocritical cant and admit that you spurn the rights of labor, and despise the man who toils. [Applause on the Democratic side.] You offer a sop in the way of an inheritance tax, and your President favors an income tax. He is a great lawyer, and knows that an income tax can be so framed as to meet constitutional objections, and yet you are so subservient to the living rich that you will not touch his hoarded gains till his head is laid beneath the sod. I am for both taxes, and yet I believe the income tax is the fairer of the two.

In 36 States the inheritance tax prevails, and I believe in none is an income tax levied. By an income tax, you do not duplicate those of so many States, and do not follow the hearse of the dead to pick his bones. [Applause on the Democratic side.]

Mr. Chairman, I come from a section of Alabama where the coal and iron industries have been greatly developed. Until this Republican panic came my people were upon the very crest of the wave of prosperity. You heralded abroad that as soon as Mr. Taft was elected the rainbow of prosperity would again span the heavens and the sun of progress and development would again shed its lustrous rays upon the country. Some of your emissaries came to my town and announced that the election of Taft would unlock the wheels of industry, and that even cotton would go back to its normal price. In this, as usual, you have proven false. [Applause on the Democratic side.]

There were some of my people, even Democrats, who listened to your siren notes. Some of these very people are now appealing to Democrats to save them from the Republican party. [Applause on the Democratic side.] This bill is your bantling. You did not even call in the Democratic members of your Ways and Means Committee to confer in regard to it. The responsibility for results is yours, and yours only, and if the panic which your incompetency and extravagance has brought upon the country is not relieved by this bill, 80,000,000 American people will shake their gory locks at you and say you did it, and at the ballot box next year you must answer for your offspring. [Loud applause on the Democratic side.]

Mr. REYNOLDS. Mr. Chairman, I heartily join with the others who have spoken in this House in commending to the country the industry and conscientious zeal which have characterized the labors of the gentlemen of the Ways and Means Committee in the discharge of the delicate trust committed to them. The patience and intelligence which they have shown in the collection of the mass of information bearing on this subject is unprecedented in volume and value.

I am glad to say that the great industrial center which I represent, in its railroads, mines, steel and iron works, and its agricultural interests, views the task before Congress as a work in hand, in response to the demands of the country and the pledges of the respective political parties, and that the Congress has undertaken the execution of this trust with a conscientious desire to respond to the sentiment of the different sections of our country in an effort to adjust rates in harmony with the general welfare and the needs of individual interests and communities, to the end that no growing and important industry in the Nation's development shall be imperiled and that the consuming public shall not be unduly burdened. In harmony with this sentiment, it is essential that the task be approached in the spirit of concession and compromise, for otherwise tariff legislation will be impossible in a domain stretching from ocean to ocean, with every variety of soil, climate, and production, with industries so diversified over a wide expanse of territory, in which the matter of transportation is an element of such transcendent importance as here.

In anything I may have to say I shall try to keep out of the realm of theories, leaving the course of our industrial development and the general happiness and advancement of our people as living and eternal witnesses to the wisdom of the policy of protection. The opposition, our friends on the other side of the House, while conceding the necessity of raising revenue by duties laid upon imports, through long years have wavered over terms and policies, often ignoring conditions for theories, standing one time for tariff for revenue, next for tariff for revenue only, then for tariff for revenue with incidental protection. If to them the term "protection" is a hated word, and the line of demarcation be drawn at this day between "tariff for protection" and "tariff for revenue," I may confidently ask at this hour, when theories play such an unimportant part, that we meet upon common ground and enact a law which we shall call a "tariff for prosperity." But I remind you, so you may not be deceived, that in the Republican nomenclature it will be classed as "a tariff for protection." [Applause.]

THE GENERAL PROSPERITY.

In its last national convention the Republican party made no declaration for a downward revision of the tariff. It simply declared for revision, but on the principle that "protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries." The revision must be made upon the principle of protection. Any surrender to the doctrine of a tariff for revenue would be a base betrayal of party pledges. It would be ignoring the blessings that the protective policy, through all its years, had brought to the Nation at large. It would be sinning against the light and knowledge that our country's development had revealed, and which in the years from 1903 to 1907 are shown in the following, furnished by the Bureau of Statistics:

Commercial, industrial, and financial statistics of the United States for 1907 compared with 1903.

Items.	1907.	Increase over 1903.
National wealth	[a]$107,101,000,000	[b]$18,587,000,000
Total bank deposits	$13,100,000,000	$3,546,000,000
Value of live stock	$4,331,000,000	$1,228,000,000
Savings bank deposits [c]	$4,690,000,000	$755,000,000
Depositors in savings banks [c] ..... No.	8,789,000	1,554,000
Gold production	$90,426,000	$16,544,000
Coal production ..... long tons	428,896,000	109,828,000
Wealth production on farms [d]	$7,488,000,000	$1,571,000,000
Cotton consumed ..... 500-pound bales	4,493,000	512,000
Cotton spindles in operation ..... No.	25,750,000	3,750,000
Imports of raw silk ..... pounds	18,741,000	3,473,000
Pig-iron production ..... long tons	25,781,000	7,772,000
Population of the United States [e]	85,817,000	5,445,000
Gold coined	$131,997,000	$88,223,000
Money in circulation	[f]$2,773,000,000	$405,000,000
Circulation per capita	[f]$32.32	$2.83
Bank clearings	$154,477,000,000	$40,514,000,000
National banks ..... No.	6,429	1,499
Capital, surplus, and undivided profits	$1,604,000,000	$318,000,000
Individual deposits	$1,325,000,000	$1,122,000,000
Loans and discounts	$4,631,000,000	$1,316,000,000
Customs revenues	$322,000,000	$148,000,000
Internal-revenue receipts	$270,000,000	$39,000,000
Total imports	$1,434,000,000	$408,000,000
Free of duty	$644,000,000	$218,000,000
Dutiable	$790,000,000	$190,000,000
Imports of raw material for use in manufacturing	$477,000,000	$147,000,000
Total exports	$1,881,000,000	$461,000,000
Exports of domestic manufactures	$740,000,000	$272,000,000
Exports of domestic manufactures of iron and steel	$182,000,000	$85,000,000
Exports of domestic raw cotton	$481,000,000	$165,000,000
Exports of domestic foodstuffs	$513,000,000	$4,000,000
Cotton produced ..... 500-pound bales	11,275,000	1,329,000
Mineral production	$2,039,000,000	$577,000,000
Value of products of manufacture [g]	[c]$14,802,000,000	[h]$3,391,000,000
Wages paid in manufactures [g]	[c]$2,612,000,000	[h]$290,000,000
Newspapers and periodicals published ..... No.	21,735	1,250
Receipts of Post-Office Department	$183,385,000	[c]$49,361,000
Salaries paid public-school superintendents and teachers	$109,681,000	$29,345,000

[a] 1904.
[b] Increase in four years.
[c] Inclusive of Illinois state banks having savings departments.
[d] As estimated by the Department of Agriculture.
[e] Exclusive of outlying possessions.
[f] As the result of special investigation by the Director of the Mint, a reduction of $125,000,000 was made in the estimate of gold coin in circulation on July 1, 1907, as compared with the basis of previous years.
[g] Exclusive of neighborhood industries and hand trades.

THE FARMER'S PROSPERITY.

In the general prosperity no class has fared better than the farmer. True, conditions have favored him, independent of the influences of party action, but if God gave the rain and the sunshine to grow the crops, the Republican party opened the markets for them, and organized and sustained a Department of Agriculture to teach him the methods of raising and protecting his products. From 1897 to 1907—

Cattle increased in number	26,083,864
Horses increased in number	5,627,333
Sheep increased in number	17,431,639
Wool increased in pounds	39,141,499
Wheat increased in bushels	104,257,832
Corn increased in bushels	689,352,067

And so through the list of all farm products; and this wonderful development afforded him a market at highly remunerative prices, which enabled him to pay his debts, open his bank accounts, and enjoy the comforts and luxuries unheard of till the return of prosperity under the Dingley bill.

PROTECTION THE TRUE POLICY.

I rejoice that in the discussion of the great problem before us of making a tariff bill on which shall depend the happiness and prosperity of our people, and in the schedules of which I hope shall prevail the principles of the golden rule, that the bitterness of party politics has not been awakened. It shows that revision of our tariff laws is becoming year by year more and more a purely economic proposition, looking to just dealing of one man toward another and to the general welfare of all our people. I remember as a schoolboy reading in a speech of Patrick Henry that he had no lamp by which his feet were guided but the lamp of experience, and I shall call up the experiences of my country in its industrial evolution to determine what course we should take in revising our work of the past. Twelve years of protection under the Dingley bill have been the marvel of the century. It has awakened and astounded the world in the magnitude of its achievements. It seems as if in the providence of God William McKinley was the chosen instrument of the hour to allay the distrust and suspicion which up to then appeared between the two sections, North and South, of our beloved country and who, with an exalted patriotism, wrought the work of reconciliation through the strife and conflict of a war with Spain which carried the old flag to Cuba and Porto Rico, and finally, in triumph to the cause of liberty and humanity, to the Philippines, where I trust it shall never go down till it has fulfilled its mission, if then.

The Dingley tariff bill, with reciprocity and the gold standard, has been the bed rock of our economic policy in the McKinley and succeeding administrations, under which prosperity took the place of depression and adversity, and through which confidence was restored, our markets extended world-wide, the boundaries of the Republic enlarged, an open door made for our commerce in the Orient, and for the first time in our history this mighty Republic recognized as a world power among the nations of the earth. There were doubtless causes world-wide in their operations tending to produce the conditions the country saw in 1893, but the threat to revise the tariff brought us face to face with a panic when business and trade were suspended, just as they are now, awaiting the work of revision, which in my judgment has been forced upon the country at an inopportune moment. But there are some general truths that I do not believe can be successfully controverted; and, first, that if there is one fact more firmly stamped than any other upon the memories of men, it is: That wherever in this country our population is the most dense, happy and prosperous; and wherever there is the greatest degree of individual and local wealth; wherever savings banks have their biggest balances and most numerous depositors; wherever there are the most fertile farms, busy markets, numerous manufactures, and an industrious and God-loving army of employed laboring men—in that broad stretch of country embracing the East, North, Middle West, and Northwest—there the protective idea has taken a firm and lasting root, and Republican principles have become the dominant force in the affairs of government. [Applause.]

Among the discordant elements holding views opposite our own upon the subject of the tariff, whether North, East, South, or West, the central thought of their creed is that protection is robbery, and that our home market, which has placed the factory by the farm, and through which we are able to pay the best wages anywhere on earth, and to compete with the strongest nations in the markets of the world, should be thrown open to the products of European factories to feed their cheap and king-ridden labor in competition with our own. But has protection been a robbery? I think not, when in the European steel mills we find women wheeling the coke, while here they are the heads of happy homes sustained by remunerative toil. Protection is no robbery in a country whose exports of 1892, amounting to $1,015,732,011, grew till in 1908 they were $1,834,786,357, principally under the operations of the Dingley law, providing a balance to the Nation's credit over imports of $640,445,565. Protection is no robbery where the internal commerce or home market, as with us, exceeds the entire international commerce of the world. Nor is it, where the laboring people, as in our mines, mills, and factories, receive wages higher than those paid anywhere else. No: protection is not robbery where the aggregate of our national wealth increased from 1900 to 1904 in the sum of nearly $20,000,000,000, nor when we realize that the value of farm animals rose from $2,228,123,134 in 1900 to $4,331,230,000 in 1908, nor when the 5,000,000 depositors in savings banks in 1897 grew to over eight and one-half millions in 1907, with increased deposits in the same period of over $1,500,000,000, nor in a Nation which in 1875 stood fourth in the list in the extent of its foreign commerce, and in 1903 passed to the first rank, which it has since maintained.

This unheard-of prosperity has resulted in giving employment to every man who wanted it, in starting every furnace, factory, and mill, and increasing the wages of labor and the prices of all farm products. It, too, has paid off the western farm mortgages and made us a Nation of lenders and not of borrowers. Well has it been truly said that in the midst of our industrial development, while we were feeding the mouths of European workmen with the products of our farms, we found a market for our coal to feed her industrial fires. Our economic system has so highly developed the skill of our workmen that whenever the word "American" is stamped upon our products of the mill and factory, it indicates that the purchaser has at hand the finest finished products in the markets of the world, and this combined with cheapness through the various means of production and distribution is the guaranty that through our present economic and industrial policy, inaugurated and fostered by the Republican party, a wide field has been opened up which shall sustain for all time our industrial life, and render remunerative the earnings of the laborer and the products of the farm; and so long as the superiority in quality is maintained, so long will America be the mistress of the industrial world. If the results of protection here attained are not satisfactory to the tariff reformer, he need only compare England with protected Germany where, in the former, in 1851, after adopting free trade in 1846, the numbers engaged in agricultural pursuits within her limits and Wales, were 1,767,900, while fifty years later they were 50 per cent less.

Germany looked abroad for a market for her grain in 1875, before she adopted protection, when she shipped 11,000,000 bushels of wheat to Great Britain; later she was using it all at home. The most thoughtful Englishmen have acknowledged that "the golden age of free trade disappeared forever before the iron age of competition when America and Germany after their wars set up for themselves." No wonder Bismarck, with prophetic words, in 1879, when appealing for the protective system, said that protective countries were prospering while free-trade countries were dying. Five years thereafter, when protection became enthroned in Germany's industrial system, he exultantly exclaimed over his country's returning prosperity, "Germany fears no power save God."

The protective-tariff system has vindicated its claim to be the permanent policy of this country. It has placed the farm and the factory side by side, furnished a remunerative market for the products of the former, and thereby promoted and sustained the interests of agriculture. It has provided for our people work and wages, homes and education, and all the comforts of life, and falsified all the doctrines of free traders since the days of Richard Cobden. It has kept the balance of trade with us and demonstrated by experience that under low tariffs that balance has been against us. It makes the home market our own and sustains our industrial strength, cheapens the products to the consumer, diversifies our industries, thereby employing our capital and labor and furnishing opportunities for the brain and energy of every man seeking employment.

Yes; as has been well said, it has given our laboring people homes and land and filled them with hope for themselves and their children. In Great Britain and continental Europe the scant wages of the workingman leaves to him intemperance and pauperism as his only refuge, whereas from the conclusions of the Mosely commission, composed of officers of the leading labor unions of England, which visited the United States in 1902, we were proud to note the statement that the American workingman was better paid, better clothed, better housed, and withal infinitely more sober than his British neighbor. [Applause.]

IRON AND STEEL SCHEDULES.

I suppose there is hardly a section of the country from which some complaint does not come relative to the proposed duties in this bill, and under our diversified industries it is natural it should be so. And while I concede the intelligence and good intentions of its framers, yet I feel it my duty, out of regard to the industries of my section, to say a few words relative to free ore, the reduced duty on pig iron and steel and iron scrap. But before doing so I may be permitted frankly to say that, in the interest of concessions toward a measure that may be as equitable as possible to the whole people, I am willing to consent to modifications, within the bounds of reason, of the existing rates on these products.

I may say further with reference to certain other features of the bill, I favor a duty on lumber and coal, because of the

wage element that enters into their production; free hides, as a step toward cheapening the articles manufactured therefrom to the consumer as well as sustaining the industries dependent upon the finished product and the maintenance of proper wage scale; free coffee and tea; and rates at lowest possible figure upon the necessaries of life, with importations from our outlying possessions upon the basis, at least, as contained in the Payne bill.

With reference to the steel products, I may say that there is in my district one large independent company, which, when in full swing, employs 18,000 men. Owing to the recent sharp decline in the market price of the company's business, it was obliged to announce a reduction of 10 per cent in wages, effective April 1. I doubt not, from my knowledge of the surrounding conditions, that this was in good faith, and I feel quite confident from the information conveyed to me that with respect to this great enterprise, on the principal manufactures of steel rails, structural shapes, plates, and bars, the cuts are too drastic and out of proportion to others, and the wage-earners may be compelled through the necessity of the situation to stand a large part by a proportionate reduction of wages, and from such a calamity they should under all conditions be saved.

From other parts of the State and the country at large comes like information, at this hour most distressing to all of us to hear, as well as I am sure it must be to the employers, in view of the high wages the business has heretofore afforded. But this condition could not be expected to be otherwise, in view of the great reverse that has come to the volume of and prices in the iron and steel trade, warning us at this moment to take prompt action on this bill, with fair rates of duty, to insure a quick return to normal conditions, which certainly must follow.

I am not here to discuss steel schedules or champion the steel interests in general, for most of the concerns, especially the larger ones, if the reports sent out as emanating from their management are to be believed, coupled with the statements made before the committee, are quite able to care for themselves. But I do want to advise that there is more involved in this problem than the mere cost of producing steel after the material has been collected and ready for the furnace, and that is the item of transportation, covering the assembling of the materials and finally the shipment to the place of consumption and distribution, the direct transportation charges for which, running into the hundreds of millions, would be seriously impaired by large importations from abroad, and further, to remind gentlemen that the Steel Corporation has many competitors in the manufacture of steel products, who are, perhaps, not able to approximate the cost to the corporation itself, and these small competitors should have due consideration, as far as rates of duty are concerned, not only to protect them against foreign steel manufacturers, but to protect the country in general from possible domination from the great Steel Corporation itself of these competitors by their gradual elimination on account of low duties.

But I do wish to call attention to the situation in which the bill places the individual merchant blast furnaces, which, to my mind, can not have been fully understood by the Committee on Ways and Means. I speak particularly with reference to those furnaces which are not connected with steel works, nor wherein pig iron is fabricated into finished forms and the product of which is sold at competitive prices. But, to be more specific, I refer to the eastern merchant blast furnaces, located east of the Allegheny Mountains, in New York, New Jersey, and Pennsylvania, embracing 44 blast furnaces, each producing at least 150 tons per day, or annually nearly 2,500,000 tons, with invested capital of over $50,000,000. The territory in which this iron is sold is limited by Baltimore on the south, the Alleghenies on the west, while the consumptive requirements of northern New York and Pennsylvania are supplied by the furnaces in the regions of Buffalo and the Beach Creek district of Pennsylvania. At Altoona on the west it is met by the market for western iron, and at Baltimore on the south by the product of Virginia and Alabama furnaces. It is a fact that while the furnaces within the eastern pig-iron district can not compete in the territory to the south, west, and north before named, yet it is easily reached by southern and Buffalo irons, while western iron in large tonnage, when industrial conditions are not favorable, is readily sold and delivered to eastern consumers.

Conditions surrounding other pig-iron districts for local reasons place them in a position in which they will be as seriously affected as the eastern district, if the cut of the present tariff on pig iron from $4 to $2.50 and on scrap iron and scrap steel from $4 to 50 cents is carried into effect. It is presumed that the committee supposed that the gift of free ores warranted a reduction of $1.50 in the duty on pig iron, or, in other words, a cheapening of 80 cents on raw material for each ton was a sufficient solace for letting down the bars to the extent of $1.50 for further competition with foreign pig iron. Any reduction in the duty on pig iron, based upon a reduction of the duty on ore, or placing the same on the free list, is subjecting the blast furnaces in the region before named to certain serious loss, without the guaranty of any adequate return. The question of free ore resolves itself into one of two conditions, and this, in my judgment, is borne out by the testimony submitted before the committee, and I am not speaking as the representative of the ore producers: First, the difference in price to the extent of the reduction of the duty on ores will be made up to the independent blast furnaces through increased cost of transportation, for any increased demand for transports would advance freight, and that part of the duty not taken by the miner will go into the pockets of the shipowners; or, second, the domestic iron-ore mines, which may be reached by foreign competition, will be closed, their capital impaired or destroyed, and the labor employed either reduced in wage or driven into other fields.

I admit that free ore may be beneficial to such large concerns as the Bethlehem Iron and Steel Company and the Pennsylvania Steel Company, which own great bodies of Cuban ores, which they can mine at low wages and ship on their own railroad and steamship lines. But they would not, in my judgment, be treated inequitably in the long run, for the cheapness with which they can make iron, as does also the United States Steel Corporation, compensates for the duty on ores. In whatever way you look at the situation, it is either a blow to the merchant blast furnaces, coupled with a reduction of the duty on pig iron, or it is destructive to our local mining industries. Far better it is to sustain both with the present rates of duty in the process of our development.

Yet it is said we must encourage foreign importation of ore or the United States Steel Corporation, which, it is alleged, owns or controls 60 per cent of the mines and enjoys sufficient influence to shape the policy of the other 40 per cent, will some day arbitrarily fix the price of ore, or that it is necessary to conserve our present resources for the future. As to the former, sufficient unto the day thereof, when the Congress can and will take care of that situation, and besides from my observation of the business methods of this corporation, it will not attempt a policy so suicidal; and as to the latter, the people will never approve a policy of conservation which denies the present generation its right to use what Providence has placed within its reach for our present necessities and the development of our growing industries. We are a unit in the plan to conserve against waste, but on no economic principle nor in the realm of common sense can be found excuse for leaving untouched for future generations what has been placed at our feet for the industrial struggles of the present and which, if untouched now, may be valueless in an advancing civilization when new methods and new agencies have displaced our present ones.

I have heard of no demand, nor have I read of any in the hearings before the committee, where the iron and steel manufacturers of this country, outside of those who have been fortunate in purchasing large bodies of foreign ores, are asking for free ores. They realize that our domestic ores are fit in general for every sort of mixture or blending in the manufacture of iron and steel, and they are willing to encourage the industry from which they derive their supplies, by letting the duty remain or suffer a slight reduction. They consider this a kindred interest, the encouragement to develop which, while affording employment for labor, will in time prove remunerative to the furnace industry.

The steel companies consume the entire product of their furnaces, which goes into the numerous forms of finished steel, except a comparatively small amount of so-called "off iron," which is unfit for their purposes and is thrown on the market occasionally. This "off iron" really cuts no figure, and is not offered in competition with the merchant iron in the usual way. Their improved equipment and high state of efficiency, as I remarked before, enable them to produce iron at rates much lower than the merchant blast furnaces.

The retention of the pig-iron duty would not enrich the Steel Corporation; on the contrary, the retention of the duty might cause the Steel Corporation, possibly, to pay a little more for their surplus iron than they would have to pay if $1 or $1.50 per ton were taken off; nor enhance their profits in any pig-iron market, though it might be a boon to the independent furnaces; and, keeping this in mind, the duty can be adjusted accordingly on steel products, remembering that it has been well said and known in the trade that the poor end of the steel business is the end that creates its prime necessity—pig iron. This is proved by the actual operation of numerous furnace plants. Men have invested their all in them, who are as poor to-day as ten years ago. They have had to struggle with shifting markets, adjust their business to the changes in wages and material, compete

among themselves with varying conditions surrounding the separate plants as to transportation and nearness of the raw material and of the markets in which they sell, and, more than all, incur enormous outlays for better equipment to meet the advance in improved methods and economic production.

Men must not forget that in dealing with the iron and steel business they are not playing with a toy, and that only thoughtful criticism, and not prejudiced vociferation, will adjust conditions to the interest of the consumer and the Nation at large.

The value of the products of these establishments was a little more than $900,000,000 in 1904. They employed 240,000 men and paid out that year more than $140,000,000 in wages. In considering the tremendous magnitude of the pig-iron industry it is only necessary to be reminded that in 1907 the world's total output was about 60,000,000 tons, of which the United States produced 40 per cent, Germany about 20 per cent, and Great Britain about 17 per cent. Its bewildering growth in the United States is shown by a production of 3,375,912 tons in 1880, reaching 25,781,361 tons in 1907. On the other hand the deadening present depression is apparent when it is realized that the output of our furnaces dropped to the approximate amount of 15,660,000 tons in 1908, showing an appalling loss not only in labor and transportation but in capital invested, which situation appeals now for fair and considerate judgment in dealing with the business.

In the consideration of steel and iron as affected by the existing duties, the subject has been treated as one, whereas, in my judgment, each stands upon a wholly different basis; and looked at from the view point of being one, much misconception of their relations to each other and to the trade has resulted, and especially is this the case with respect to the pig iron made at the merchant blast furnaces, cast in sand or iron chilled molds, to suit the varying requirements and specifications of the consuming public, and which is sold mainly, first, to iron foundries for the manufacture of machinery, stoves, architectural iron work, and so forth; secondly, Bessemer and basic iron, sold to the various steel interests, independent and otherwise; and, thirdly, mill or forge iron, sold to the various rolling-mill interests, the capacity of these furnaces being about one-half that of the large furnaces, which, on the other hand, are engaged in making pig iron, which is taken in a molten state direct to the steel works without the casting process. It is proper for me to say that the profits of the merchant blast furnaces of the East, and the same is true in other sections, bear no sort of comparison with profits in the other branches of the iron and steel trade, as I shall proceed to show.

The president of the Empire Steel and Iron Company said before the committee if the present duty of $4 is reduced more than a maximum of 25 per cent it will put out of business practically every eastern furnace, for English iron could very profitably be brought in here practically all the time were it not for the duty, although a moderate reduction can be made without damaging effect on the American producer; and he recommended a reduction of 40 cents a ton, and for iron ore a reduction to 30 cents. This, too, is from a man who said that for ten years his company was not able to pay more than an average of 6 per cent to those who put in their money at the start and by the closest attention to business, and that a reduction of $1 would force them to close down every plant they controlled before the end of the year. The representative of the Dunbar furnace, the first to make pig iron in the United States west of the Allegheny Mountains, said:

> There is very little profit in the pig-iron business; to-day you can not make a cent; last year you could not run at a profit.

Coming to the eastern merchant blast furnaces, which, generally speaking, buy in the open market all their ore, fuel, and so forth, for furnace supplies, it may be said that the product is disposed of within a radius of 100 miles, with transportation rates ranging from 25 to 90 cents per ton, though a considerable tonnage is shipped into New England at freight rates amounting to $2.10 per ton.

The Warwick Iron and Steel Company, in a statement taken from its books which may be considered as a fair illustration of the general conditions surrounding the eastern merchant blast furnaces, and filed with the hearings before the committee, set forth in general terms that its earnings have not been sufficient to build new furnaces, the new furnaces being built from the proceeds of new stock sold to the old and new stockholders. The earnings over a period of ten years, 1898 to 1907, inclusive, have not been sufficient to more than keep the furnaces in good state of repair and pay very moderate dividends to stockholders. The representative of the Virginia Iron Company, having seven furnaces in Virginia and two at Middlesboro, Ky., employing, when its furnaces, ore mines, coke ovens, and coal mines are in active operation, from five to six thousand men, and furnishing food, clothing, and living to from 20,000 to 25,000 people, which, from July, 1906, to July, 1907, made 202,453 tons of pig iron, 394,791 tons of coke, and mined 1,116,445 tons of coal during that period, and paid out in wages between two million and three million dollars, stated that the cost for making pig iron for that period was $14.11 per ton. The all-rail rate to New England, in which way 95 per cent of its shipments are made, averages practically $4 per ton. At the time of that statement it was said the New York papers gave the quotations for foreign market of iron at $12, the ocean rate from Liverpool to New York $1.22 per ton, thus putting English iron down, irrespective of the $4 duty at $14 per ton, a price less than the cost paid at the furnaces to this Virginia Company. It is no wonder, therefore, that it was further stated the company had not paid any cash dividends since its reorganization in 1903 to its stockholders. Mr. Joseph G. Butler, jr., representing a large percentage of the American blast furnaces of the United States, on January last submitted from several furnaces most intelligent and exhaustive reviews of the state of that industry to the committee, and I append hereto his statement, showing the domestic cost of making pig iron in the principal producing districts of the United States covering operations during the year 1907.

Furnace costs—Pig iron per gross ton.

Eastern Pennsylvania	$18.79
Buffalo	16.45
Southern Ohio	16.44–16.19
Mahoning and Shenango valleys	16.50–17.79
Middle West	16.10
Virginia	14.21–14.17–14.43
Alabama and Tennessee	12.93–11.00
Germany	8.71–10.16
England	9.48

A letter giving the cost and selling price, and the net gain or loss, for a series of years from a furnace owner, whose identity is not disclosed, states:

> Yours November 27th received. Below is given the information regarding price, cost of production, etc., covering ten years, which we think is what you want. Selling expenses, losses, improvements and repairs, depreciation, discount and interest, etc., are closely deducted always:

Year.	Made tons.	Cost per ton.	Net selling price.	Gain per ton.
1907	69,806	$16.44	$17.70	$1.26
1906	64,068	15.65	16.06	.41
1905	72,416	14.78	15.70	.92
1904	44,556	12.67	13.40	.72
1903	57,222	16.13	15.68	*.45
1902	60,572	14.92	18.07	3.15
1901	53,538	12.99	14.56	1.47
1900	40,508	15.32	16.50	1.18
1899	53,049	11.08	15.27	4.2
1898	43,003	8.43	9.60	1.17

* Loss per ton.

The following is from a furnace that produces its own iron ores and coke and is located south of Mason and Dixon's line:

> Your circular letter of the 27th ultimo relative to the hearing before the Ways and Means Committee in Washington was received some days since, but it has been impossible, owing to absence, for us to reply earlier.
>
> For the year 1907 our net sales of pig iron f. o. b. cars at furnace averaged $19.43. The average was rather high, owing to our having been fortunate in contracting well ahead at high figures. The cost of producing iron was $14.21.
>
> Our net selling price f. o. b. cars at furnace for the years given below were as follows:

1899	$12.64
1900	14.33
1901	11.87
1902	16.05
1903	15.08
1904	12.20
1905	13.80
1906	15.83
1907	19.43

Going farther south, in Tennessee, the president of the Roan Iron Company, one of the representative iron manufacturers in the South, in a sworn statement, states:

> As representing the merchant pig-iron manufacturers, would be glad to have you say to the Ways and Means Committee at Washington, in connection with the tariff hearings, that from our experience of many years in the manufacture of pig iron in Tennessee I consider the present rate of duty an absolute necessity in order to successfully meet foreign competition in the seaboard market.
>
> Our freight rate to New York is $4.14 and Boston $4.49, which is the shipping point for New England business; say it is $4.31 per ton from Tennessee and $4.42 from the Birmingham district, this is nearly, if not quite, twice the rate from Liverpool or German ports, and as these are large and important markets it is vital that they be retained for American producers.
>
> Our cost for the manufacturing of pig iron in 1907 was $12.93 per ton, leaving out interest on investment, and this cost was made up entirely of labor, with the exception of 85 cents per ton charged on pig iron as royalty on ore, coal, and limestone entering into the manufacture. Add

to this a freight rate of $4.31 per ton, and (with low labor cost and low ocean freights for the foreign make) without the tariff the eastern, our natural market, is lost to southern manufacturers.

Our average selling price for the past five years was $12.82 per ton, yet cost for a portion of the time was less than in 1907, owing to lower wages, which varies greatly in the different years.

The consumption of pig iron in the South is comparatively small, so producers are compelled to seek northern markets. As a great deal of capital has been invested in the past twenty years in the iron and coal industry in the South and large developments have been made (an important factor in the material welfare of the section), it would not seem the part of wisdom to so change the tariff rates as to jeopardize present investments and retard further progress.

And even from Alabama, with coal and ore at the furnace mouth, comes this statement:

The Central Iron and Coal Company of Alabama writes me as follows, under date of December 9:

"Replying to your circular letter of November 27, addressed to this company at New York, will state that we commenced producing pig iron in August, 1903. For the next four years our average cost and selling price was approximately $11 furnace. The company made absolutely nothing on the $1,000,000 invested. We made some money during the remainder of 1907, on account of the high price of pig iron. Have just about been holding our own on present market."

These statements indicating conditions outside of the eastern merchant blast furnaces, as well as those within, show the wide area of our country to be affected by an unwise reduction in the pig-iron duty to the extent of imperiling millions of invested capital in productive industry, reducing the earnings of transportation lines, depriving of employment thousands of our laboring people or reducing their wages to the foreign basis. I am willing, however, to admit that not only among the eastern blast furnaces but in the several districts before named there are small furnaces so located with respect to ore or coal supply, or both, that they can run under any and all conditions.

The extent of this competition with foreign pig iron is apparent from the accompanying statement of the comparative cost of foreign and domestic pig iron at principal seacoast points in the United States in 1907:

Point of production.	Seaboard point.				
	Philadelphia.	Boston.	Mobile.	New Orleans.	San Francisco.
Eastern Pennsylvania:					
Cost	$18.79	$18.79	$18.79	$18.79	$18.79
Freight	.60	2.10	6.72	6.72	14.00
	19.39	20.89	25.51	25.51	32.79
Buffalo:					
Cost	16.45	16.45	.....	.....	16.45
Freight	2.45	2.65	.....	.....	14.00
	18.90	19.10	.....	.....	30.45
Southern Ohio:					
Cost	16.19	16.19	16.19	16.19	16.19
Freight	2.65	3.25	6.72	6.72	14.00
	18.84	19.44	22.91	22.91	30.19
Mahoning and Shenango Valley:					
Cost	16.50	16.50	16.50	16.50	16.50
Freight	2.65	3.25	6.72	6.72	14.00
	19.15	19.75	23.22	23.22	30.50
Middle West:					
Cost	16.10	16.10	16.10	16.10	16.10
Freight	2.65	3.25	6.72	6.72	14.00
	18.75	19.35	22.82	23.82	30.10
Virginia:					
Cost	14.17	14.17	14.17	14.17	14.17
Freight	2.88	3.17	6.72	6.72	14.00
	16.97	17.34	20.89	20.89	28.17
Alabama:					
Cost	11.00	11.00	11.00	11.00	11.00
Freight	4.00	4.60	2.75	3.00	13.20
	15.00	15.60	13.75	14.00	24.20
Tennessee:					
Cost	12.93	12.93	12.93	12.93	12.93
Freight	4.00	4.60	2.75	3.00	13.20
	16.93	17.53	15.68	15.93	26.13
Germany:					
Cost	8.71	8.71	8.71	8.71	8.71
Freight	2.50	2.50	3.35	3.35	7.50
Duty	4.00	4.00	4.00	4.00	4.00
	15.21	15.21	16.06	16.06	20.21
England:					
Cost	9.48	9.48	9.48	9.48	9.48
Freight	2.50	2.50	3.35	3.35	7.50
Duty	4.00	4.00	4.00	4.00	4.00
	15.98	15.98	16.83	16.83	20.98

With cheaper raw materials than ours and a lower wage scale and ballast rates for ocean shipment, it is not to be wondered why the foreigner can undersell us, even with our present protective duty, and the following table, showing the comparative blast-furnace wages in the United States and England, will tell the story as to where will fall the burden if a keen competition is inaugurated by the proposed reduction of the tariff:

	United States.	England.
Furnace keeper	$2.90	$1.82
Top fillers	2.55	1.27
Cinder men	2.30	1.21
Bottom fillers	2.30	1.12
Laborers	1.65	.91
Blast enginemen	2.90	1.37

It will also be seen from the following statement that freight rates from England or Germany to Atlantic ports offer no protection, as the inland rates from the furnaces to most points of consumption are in excess of ocean rates:

Pig-iron freight rates from producing centers to points of consumption in the United States.

[Rail and water rates are given in all cases where available, as they are the cheapest and most generally used.]

From—	To Boston.	To Philadelphia.	To Baltimore.
Birmingham, Ala	$1.60	$4.00	$3.85
Virginia furnaces	3.17½	2.89	2.65
Mahoning and Shenango Valley	3.25	2.65	2.55
Pittsburg	2.85	2.25	2.15
Buffalo	2.65	2.45	2.45
Erie	2.85	2.25	2.15
Emporium	2.55	1.80	1.80
Bellefonte	2.55	1.45	1.50
Harrisburg	2.10	.55	.85
Reading	2.10	.60	1.25
Templer	2.10	.65	1.25
Emaus	2.10	.75	1.40
Swedeland	2.10	.40	1.15
Other eastern furnaces (about the same as Reading)	2.10	.60	1.25

On January 16, 1909, the president of the Warwick Iron and Steel Company, Mr. Edgar S. Cook, one of the most intelligent and best-posted men in the trade, presented to the committee an estimate of the cost of making pig iron for the next six months by the merchant furnaces in eastern Pennsylvania, based upon 1908 prices for Lake Superior ores and a varying percentage of local and foreign ores, which is very valuable and instructive in this connection, showing the total cost to be $15.89, and, when the freight rates to points of consumption are added, the committee can well see the conditions which confront this most important industry in Pennsylvania and elsewhere, gathering from it and all these statements the gloomy fact that a reduction such as contemplated will ultimately drive out of business every independent concern and place the iron industry under the control of one single gigantic monopoly; and in this view it can well be understood why such concerns are either indifferent as to what we may do or wishful for the duty to be wholly extinguished:

Estimate of Mr. Cook, based on product of 22,000 tons per month.

Ore: Cost per ton of pig iron		$9.00
Coke:		
At ovens, per ton (2,000 pounds)	$2.00	
Freight per ton (2,000 pounds)	1.85	
2,000 pounds delivered	3.85	
2,200 pounds coke per ton of iron at $3.85 (per 2,000 pounds)		4.23
Limestone: 950 pounds per ton of iron at $1 per 2,240 pounds		.42
Cost of material		$13.65
Salaries	.21	
Wages	.73	
Sundry supplies	.45	
Relining	.25	
Total		1.64
Manufacturing cost at furnace		15.29
Interest on bonds, taxes, insurance, commission on sales	.30	
Depreciation, to cover necessary replacements not otherwise provided for, and improvement	.30	
		.60
Total		15.89

The ore cost per ton of pig iron in the above estimate is based on the use of 30 per cent old range ore, 30 per cent Mesaba ore, 20 per cent Magasaka ore, and 20 per cent foreign ore, all taken at the price paid for same, including freight delivered at the furnace. It was also estimated that the metalloids will balance loss in furnace.

It is well to do nothing to impair the strength of the independent iron and steel concerns as a competitive force with the great corporation which recently surrendered to the inexorable law of supply and demand, finding itself driven thereto in the open-market search for buyers in that competition from which it was organized to escape.

Another consideration of vital importance not to be forgotten is, that the merchant pig-iron furnaces are among the best customers of the railroads in the large tonnage of iron ores, coal, limestone, coke, fire brick, sand, clay, and other supplies, and finally of their own product, pig iron. Millions of dollars are their annual tribute to railroads of our country in which the laborer is the final participant to practically the whole amount.

The tariff on steel and iron scrap, used principally as a substitute for pig iron, has placed upon it a duty in the Payne bill out of all proportion to pig iron itself. The duty should be the same as the latter and a moment's reflection will establish conviction on that point, for any reduction of the duty on scrap iron and scrap steel below the duty on pig iron, will not only be ruinous to the merchant blast furnaces by reason that foreigners will evade the law by breaking up pig iron and other material into scrap shapes, thus reducing the material to 50 cents, and because such reduction would result injuriously to railway companies, farm machinery manufacturers, and others, who are its principal sellers.

There are numerous considerations independent of any question of mere profits why the conditions surrounding this industry should not even be experimented with at a time like this. The existence of these blast furnaces is highly important to the eastern consumer for a convenient and economic supply of his raw material, which is sold under an unrestricted and often keen competition, the consumptive demand regulating the prices. Drive out this industry and a thrill of doubt and possibly a serious disarrangement of business dependent upon it, extending into all channels of trade, will result. With such a narrow margin of profits as is had under this competition and the present rate of duty, the consumer has no right to complain, his interests are well guarded, for when prices increase by reason of an active demand, German and English iron are soon imported, to the advantage of the Treasury and a gradual settling of prices.

And why should the furnace man not have his bright days of rising profits in times of general prosperity, when he has so many dark and perplexing ones in periods of depression and adversity? In the case of many plants owned by corporations, as they are, whose stock and bonds are held by numerous persons—women as well as men—in small holdings as well as large ones, as investments on the profits of which they live as well as accumulate, the general prosperity and happiness of individuals widely scattered throughout the country are involved.

When periods arise, as they do in the iron trade, when prices fall below the cost of production, the profits of preceding years are gradually absorbed in losses, whether the concern is idle or going, and it is often cheaper to run at a loss than to stop, and such conditions confront the operator frequently for months. I have known times in my personal knowledge when plants have been operated in the winter periods mainly to warm a home or feed the hungry mouths of dependent laborers and their families, but this is never considered in the hue and cry of some so-called "tariff reformers," whose misguided industry on behalf of the supposed wronged consumers never counts the cost or the consequences to the investor of his all or to the country in respect to its prosperity. Fixed charges—as interest, taxes, insurance and salaries, repairs and depreciations—are burdens to be borne, whether the market goes up or down; and so of the enormous outlay in betterments, frequently to meet improved equipments so essential in keeping abreast of the cheapening process in the economic methods of the day; and every wisely managed plant looks with earnest hope to the maintenance of an efficient organization among its executive and working forces, trained and developed through years of doubt as well as hope, and are compelled to keep running rather than witness through a suspension of work the disintegration of an organization which has been constructed through years of skill and patience—an organization which in the trade is considered to be worth as an asset 25 per cent of the cost of the plant.

PENNSYLVANIA THE KEYSTONE OF THE INDUSTRIAL ARCH.

The great industries of Pennsylvania in coal, coke, iron, and steel, which have made its name famous in every civilized nation, are of such transcendent importance they should not be imperfectly known in an hour like this. From no source can the facts be better marshaled than from the recent book of James M. Swank, secretary of the American Iron and Steel Association, entitled "Progressive Pennsylvania," wherein he says:

Pennsylvania has long been noted as the leader of all the States in the mining of coal, the manufacture of coke, and the production of iron and steel. Its leadership in these great industries in 1905 is shown in the following table, which gives the percentages of the total production of coal and coke and of the leading forms of iron and steel in the whole country in that year of industrial activity:

Production of coal, coke, iron, and steel in 1905.

		Production in United States.	Production in Pennsylvania.	Pennsylvania's percentage.
Coal, all kinds	gross tons	350,645,210	170,065,613	49.9
Coke	net tons	32,231,129	20,573,396	63.8
Iron ore	gross tons	42,526,133	808,717	1.9
Pig iron	do	22,992,380	10,570,127	40
Steel ingots, castings, etc	do	29,023,947	11,040,423	55.1
All kinds of rails	do	3,375,929	1,115,841	33
Other rolled iron and steel	do	13,464,086	7,802,449	57.9

Contrary to common belief, Pennsylvania has not been a large producer of iron ore since the ores of the Lake Superior region came into general use about 1880 in the manufacture of Bessemer pig iron. Its small production in 1905 is included in the table. And yet Pennsylvania was first of all the States in the mining of iron ore down to the census year 1880, when it produced 1,951,496 gross tons. In the census year 1870 it produced 978,113 tons, or over 32 per cent of the total production of the country in that year. In 1889 it fell to the third place, in 1904 to the ninth place, and in 1905 it occupied the sixth place among the iron ore producing States. In 1906 it occupied the fifth place. Its production of iron ore in 1905 was 808,717 tons, and in 1906 it was 949,429 tons. In 1904 its percentage of the total production was 1.4, in 1905 it was 1.9, and in 1906 it was 1.99. It is not necessary to comment on the prominence of Pennsylvania as a producer of iron and steel except to call attention to its extraordinary percentages of the total production in 1905 as they are shown in the table—pig iron, 46 per cent; all kinds of steel, 55.1 per cent; all kinds of rails 33 per cent; all other forms of rolled iron and steel, 57.9 per cent. Of the production of coal in Pennsylvania in 1905, 69,339,152 gross tons were anthracite, and 105,726,461 tons were bituminous; the total was 175,065,613 tons, or 49.9 per cent of the country's production. Of the total production of coke in the same year 63.8 per cent was made in Pennsylvania. In 1906 the whole country produced 369,753,284 gross tons of coal, of which Pennsylvania produced 23,060,511 tons, or 63.3 per cent. Nearly all the bituminous coal and coke produced in Pennsylvania is to be credited to western Pennsylvania. Practically all the anthracite coal produced in the United States is mined in eastern Pennsylvania.

It is to aid in keeping intact this process of development that I am impelled to speak to-day, and it is not through any feeling of local selfishness, but in the spirit of a just pride in our wealth and industrial achievements—the glory of a great Commonwealth. The industries of this State have grown through the fostering aid of a protective tariff system which its representative men in the councils of the Nation, often without regard to party, have struggled to maintain, not only for the benefit of their own State, but for every other section throughout the Union. Having kept the faith and been "the pillar of cloud by day and the pillar of fire by night" in guiding the footsteps of the followers of true protective policies, she has a right to appeal to all who have enjoyed its blessings to see that none of her industries be crippled or destroyed. One of her great statesmen, Galusha A. Grow, was the father and successful champion of the homestead law, which, with the land-grant system and the preservation of the home market for the producers of iron and steel, built up in the Western States and Territories that rich and splendid empire, which to-day is challenging the supremacy of the East in agricultural and manufacturing pursuits. So, too, the influence of that system is being felt in the rich, fertile, and beautiful Southland, where protective ideas will soon secure a foothold as lasting as anywhere else in our broad domain. Then, in the fullness of time and in the height of the Nation's industrial glory, each radiant eye will look toward Pennsylvania, and, with hearts rich in thankfulness, hail her as the keystone in the industrial arch of our Union. [Applause.]

Mr. HAMLIN. Mr. Chairman, in the short time allotted to me I do not expect to discuss this proposition in a very connected way. But I would like, on behalf of the millions of consumers of this country, to express the hope that on the day that we are compelled to vote upon this bill the Republicans will be as scarce in this Chamber as they are during this discussion. [Laughter.] The two great political parties in convention last year, in their platforms, declared in favor of a revision of the tariff. The Democratic party, true to its traditions and to its history, took the people of this country into its confidence and told them frankly that it was in favor of a revision of the tariff downward. The Republican party, true to its traditions and its history, in never fulfilling a promise or taking the people into

its confidence, declared in favor of a revision of the tariff, but failed to indicate the direction that the revision should take, whether up or down. [Applause.] And so they went into the campaign, playing both ends against the middle, and by some kind of hocus-pocus won the election. It seems surprising under those circumstances that that result should have been brought about. I can only account for it upon one theory. I think a great many people of this country must have been not unlike the people living out in a county in the district represented by my good friend from Kansas [Mr. CAMPBELL]. A few years ago I noticed in the papers that a county ticket had been nominated out there, and after the convention, and just prior to the election, the Republican candidate for one of the offices died; and so the committee got together and said: "This is not a political office, the Democratic nominee is a good man;" and they were correct in that, for all Democratic nominees are good men; "we will not fill this place on the ticket, but let the Democratic candidate have the office by default." But on election night, when they counted the votes, they found that the dead Republican had more votes than the living Democrat. [Great laughter.] I do not know why it was, unless it was because the Republicans out there could not read or did not have facilities to read, and did not, therefore, know that their candidate had died.

Mr. CAMPBELL. Will the gentleman permit me?

Mr. HAMLIN. Certainly.

Mr. CAMPBELL. In that instance they had more confidence even in a dead Republican than in a live Democrat. [Laughter and applause.]

Mr. HAMLIN. In one way they surely acted wisely, for it is my deliberate judgment, if you must vote for a Republican at all, then vote for a dead one always. [Great laughter and applause.] For if there is anything on earth that will improve a man's republicanism, it is death. [Renewed laughter.]

Now, Mr. Chairman, I was proceeding to say that I recognize that the formation of a tariff measure, which must affect and will affect every man, woman, and child, in all this Nation, is not an easy job. I would not attempt for one moment an academic discussion of the tariff at this time, but I do want to say this: It seems to me in the formation of a great tariff measure there are some fundamental ideas which ought not to be overlooked.

It is conceded to-day, I think, by everyone, that whatever tax is imposed by a tariff law must ultimately be paid by the consumer; that he is, in the last analysis, always the victim.

We should not overlook another fact—that the price of the article to the consumer is increased just in proportion and sometimes more, but never less, than the tariff levied against that article. I mean by that, this: That if on the ingredients entering into the composition of a suit of clothes there is tariff of $5, then the price of that suit of clothes is increased to the consumer (the man who buys it and wears it out) at least $5 more than it would have been if there were no tariff on those articles. Now the same is true of shoes. If on all the ingredients entering into a pair of shoes the tariff is 25 cents, then the price of that pair of shoes is at least increased to the extent of 25 cents to the consumer. And, Mr. Chairman, what is true of these two articles is of course true of all other articles on which there is tariff. That being true, it seems to me that in the formation of a tariff measure the consumer as well as the manufacturer ought at least to have some consideration. It appears to me from the hearings, and I have taken some trouble to read them all, that the consumer was not considered very strongly in the formation of the present tariff measure. [Loud applause.]

I want to submit this further proposition: I do not believe in a protective tariff for protection's sake, and I do not believe it can be sustained by any kind of logic that I have ever heard or that can be produced on the face of the earth. [Renewed applause.]

Why subsidize the manufacturers of this country any more than any other class? Certainly they are no longer infant industries; they admit that they are not only supplying the trade of this country, but are exporting millions of dollars' worth of products every year and selling them in open competition with the world. In 1908 they exported and sold in foreign markets manufactured products of the value of $740,575,841.

Not only that, but worse still, selling to the very people against whom they ask us to protect them, for less money than they will sell to us here at home.

They do not hesitate to discriminate against our people here at home, but also against the people of our dependencies. Since Porto Rico became a dependency of the United States, our protected industries will not sell them goods as cheap as they sell the people of neighboring islands. For confirmation of this fact we have the statement of the Resident Commissioner from Porto Rico on this floor, Hon. Tulio Larrinaga. He stated to the Ways and Means Committee as follows: "When a Porto Rican planter in our large coffee plantations has to replace his boiler, or any part of his machinery, he can no longer buy it in England, Belgium, or France as he did before. To-day he orders it from the American manufacturer, to whom he has to pay a much higher price than our neighbors from Santa Cruz, or any of the other foreign islands have to pay at the same factory, because the American manufacturer has to lower his price for them in order to compete with the Europeans, or his customers will not buy of him. This is equally true of all other articles we use."

Mr. GRIGGS. You say you pay a higher price in Porto Rico for machinery than they pay in the other foreign islands. Do you mean to say that?

Mr. LARRINAGA. Yes, sir; we do.

Mr. GRIGGS. Machinery made in the United States?

Mr. LARRINAGA. Yes.

Mr. GRIGGS. Do you pay more than they do in Jamaica, for instance?

Mr. LARRINAGA. Yes.

Mr. HAMLIN. With such testimony as this before your committee, Mr. Chairman, you yet dared to present to this House a tariff bill actually increasing the rate over that in the present law. While it is true that the gentleman in charge of this bill stated at the beginning of this discussion that the tendency of the revision of his bill was downward, yet the official report and comparison made by Mr. Evans, assistant secretary of the gentleman's own committee, shows that the average rate under the pending bill is 45.72, as against 44.16 under the present Dingley law. If this is a downward revision, then Heaven save us from an upward revision. [Applause on the Democratic side.]

My third suggestion is that we raise our taxes for state and county purposes by direct taxation. A man is taxed upon the property which he actually possesses, and the rich man, therefore, pays more taxes than does the poor man, because he has more property and is therefore better able to pay, and if the rate is reasonable, no good citizen complains of that taxation. But not so under a tariff law.

Under a tariff law the citizen is not taxed upon that which he actually possesses, but he is taxed upon that which he does not possess but is compelled to have. [Applause on the Democratic side.] And I say that any system of taxation that takes advantage of a citizen's necessities is an infamous system, and can not be sustained upon any ground except upon the high ground that the country needs the revenue and its citizens must respond. [Applause on the Democratic side.] To that extent, without a better form of taxation, we all are willing to submit to a tariff for revenue only, but for protection *never*.

Mr. Chairman, there is another suggestion, or rather a criticism, which I want to make, a criticism on the manner in which this bill was framed. It appears as I intimated a while ago, from the hearings, that certain interests in this country seeking to be benefited under the provisions of this bill and which are benefited, if it becomes a law, played a very prominent part not only in the hearings before the committee, but in the formation of this bill. Unfortunately under the domination of the Republican party certain interests in this country have not only written the schedules in the tariff bills heretofore, but undoubtedly have written many of the schedules in this bill. Do you deny it? Then let me call your attention to an article which I hold in my hand. It seems to me that this is impudence personified. I hold in my hand a copy of the "American Economist" of date March 26, 1909. This, it is unnecessary for me to say, is the organ of the "American Protective Tariff League."

Here is an article headed "On to Washington:"

The American Protective Tariff League has sounded the clarion call, "On to Washington." Manufacturers interested in what is going on in the Ways and Means Committee at the Capitol, and interested also in seeing that whatever is going on shall go no further than is absolutely necessary, are bidden to leave their factories, their homes, and their families, and fling themselves into the breach.

Who sent for them? But listen just a little further:

The League does not believe in lobbying, but the House and Senate committees that will deal with the tariff want "honest information," and obviously the protected manufacturers would be recreant to civic duty if they refused to help the committees out. Mr. Payne and Mr. Aldrich, for instance, would find their labors lightened if every manufacturer would submit a brief dealing with "any weak points in the customs administrative act. * * * So "let your office boy run the factory until tariff matters are settled," urges The League. An office boy can run the factory, but *it needs tried tariff talent to run the United States Government.*

[Applause on the Democratic side.]

How do you like that? It needs tried tariff talent to run the United States Government. "On to Washington, boys!"

To the shame and disgrace of the Republicans who control legislation in this House, they came and "run the United States Government" by writing a bill which, if it becomes a law, will raise the tax on an already overburdened people.

Or, putting it another way, if you fix things right at Washington, if you get yourself sufficiently protected, you can afford to let your office boy run your factory.

Now, it seems to me that there is too much truth in that statement. Every man who appeared before that committee asking for protection for his particular business, so far as I have been able to find from the hearings, received that protection, and some of them more than they asked for.

I remember that one gentleman from Massachusetts, a shoe manufacturer, appeared before the committee and told them that if they would give them free raw hides, 5 per cent would be ample protection to the shoe manufacturer; but the committee thought that they knew better, I presume, and even gave him more than he desired.

Another proposition which I would not have you overlook is: No man is protected who is compelled to sell his products in the open markets of the world.

Let us see what the facts are as they apply to the farmer. In the year 1907 (the last year for which we have the official figures) the farmer sold in the open markets of the world $1,054,405,416 worth of products.

To be more explicit, Mr. Chairman, he exported and sold in foreign markets—

Wheat, in 1907	bushels	76,562,423
Corn	do	83,300,708
Oats	do	4,014,042
Cattle (live)		423,051
Horses		33,882
Mules		6,781
Sheep		135,344
Hogs (live)		24,262
Other animals, including fowls, valued at		$355,148

He imported into this country for seed purposes, of course—

Corn	bushels	10,818
Oats	do	74,552
Wheat	do	375,433

In other words, in 1907 the farmers shipped to foreign countries and sold in the open markets of the world 163,416,370 bushels more of corn, wheat, and oats than was imported into this country. The foregoing figures do not take into account the packing-house, fruit, or dairy products which were exported.

With these figures before us, how can any sane man contend for a moment that a tariff on corn, wheat, and oats can be of any value to the farmers of this country? I denounce it as a fraud, and intended by your party, Mr. Chairman, only to deceive and hoodwink the farmers of the country.

No; the farmers of this country are not protected, but they are robbed, for they sell their products in the open markets of the world and buy the necessities of life in the protected market.

Now, let us very briefly examine this bill and see what you propose. You say it is a downward revision. I deny it.

This bill is a combination of absurdities, mysteries, and deceptions. After a careful examination of this bill, one can scarcely escape the conclusion that the evident purpose of the committee was to deceive the people.

When the bill was brought into the House, you gave it out that coffee and agricultural implements were on the free list; this you knew was not true. You had put in both the coffee and implements schedules a little "joker," which took coffee off the free list, where it is now under the existing law, and placed a duty of about 6 cents on the pound; and while you reduced the ad valorem duty on agricultural implements from 20 per cent to 15 per cent, you tacked on a proviso which will, if this bill becomes a law, likely make the duty on farm implements 35 per cent ad valorem instead of 20 per cent, as it is under the Dingley law.

You provide in the bill that every country, province, or dependency which admits our agricultural implements free of duty, we will admit like articles free of duty from these countries, provinces, or dependencies. But when you wrote that schedule you knew that nearly every nation on earth had a duty on agricultural implements, including Russia, Portugal, Italy, Austria-Hungary, Switzerland, Roumania, Mexico, etc. Therefore under the bill the tariff on agricultural implements will at least be 15 per cent ad valorem. Then in another part of the bill you attempt to conceal the little "joker" which does the mischief.

Section 4 of the bill in substance provides whenever any other country on earth admits any and all of our products, whether of the soil or factories, at a rate not in excess of the rate charged on any article from any other country on earth, then in that event we will admit their products at the rates mentioned in sections 1 and 2 of this bill (agricultural implements being mentioned in section 2, it means 15 per cent on those); but if any other country, province, or dependency on earth should happen to admit any article from any other country on earth one farthing cheaper, or on any more favorable terms than ours, then in that event articles mentioned in sections 1 and 2 of the bill shall automatically be increased by the rate mentioned in section 3, which is an additional rate of 20 per cent ad valorem. In plain English, it means in that event that the rate on agricultural implements, instead of being 15 per cent ad valorem would be 35 per cent, 15 per cent more than it is under existing law.

Coffee you say is on the free list, but you slip in a little "joker" on that. Under the head of "Free list" you say "coffee," but you add the "joker," which is—

Provided, That if any country, dependency, province, or colony shall impose an export duty or other export tax, or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

At the time this was written, Mr. Chairman, the committee knew that we get about 80 per cent of all our coffee from Brazil and that Brazil has an export tax on coffee of about 6 cents per pound.

They must also have known that this export duty on Brazilian coffee could not, on account of a loan, be taken off for at least ten years. In the face of these facts, then, how can we escape the conclusion that there has been a deliberate attempt to deceive the people? I put it to you Republicans now; you will not dare to pass this bill with a tariff on coffee. Many of you are serving your last terms in Congress if you do.

Mr. Chairman, I would like to examine the lumber schedule in this bill, but my time will not permit further than to say that the glad tidings which were heralded forth with so much unction by the "G. O. P.," that the tariff on lumber had been reduced one-half, now turns out to be a fake also. The gentleman from Michigan [Mr. FORDNEY], a member of the Ways and Means Committee and the admitted author of the lumber schedule, very frankly states that in drawing that schedule he did not intend that it should have the effect of reducing the tariff on lumber.

Now, Mr. Chairman, I have only time to say that in view of the alarming scarcity of our timber supply and of the fact that not only the lumber but the timber of our country as well is now largely controlled by a trust, it would be but little short of a calamity if we did not put lumber on the free list. I hope we may.

Mr. Chairman, the people had hoped that in the formation of a new tariff that the necessaries of life—things used by the poorer people of the country—could be put on the free list, or at least have the tariff on those articles materially reduced; but if this bill becomes a law their hopes will again be blasted.

You put a tariff on tea, coffee, spices, clothing, shoes, salt, lumber, plows, wagons, buggies, etc., in fact, everything on earth that the average man must have except sunshine, and if some ingenious Yankee would invent a substitute for sunshine you would erect a tariff wall to the skies in order to shut out the sunlight and give that Yankee a monopoly. [Applause on the Democratic side.]

Is there a Republican in all this land foolish enough to believe that his party leaders are in sympathy with the average man? I tell you they are bound hand and foot to the protected interests of this country.

Do you doubt it? Listen: At the behest of the shoe manufacturers of Boston and other places they took the tariff off raw hides, the only benefit the farmer had, but left a tariff on leather, which will have the effect to reduce the price of the farmer's cattle, but increase the cost of his shoes. And yet there is one shoe manufacturer honest enough to admit that with free raw material they do not need any tariff on shoes.

In support of that statement I have here a letter which came to me this morning, and I want to read it:

THE WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 30, 1909.

Hon. COURTNEY W. HAMLIN,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material the American shoemaker can shoe the world.

Very respectfully,
THE WOLFE BROS. SHOE CO.,
R. F. WOLFE, *President.*

Mr. ASHBROOK. If the gentleman will permit an interruption, I would like to state that the Wolfe Brothers have the largest shoe factory in Columbus, Ohio, and there are seven or

eight in that city. This firm employs several hundred people. The Wolfe Brothers are Republican in politics and own the two leading papers in the capital city of Ohio, the Ohio State Journal and Columbus Evening Dispatch, both Republican papers.

Mr. HAMLIN. I am certainly obliged to the gentleman for this information. I am glad to know that these Ohio Republicans have seen the light. [Applause on the Democratic side.] And I want to say to you, Mr. Chairman, that there are thousands of good Republicans all over this country who are getting tired of this idiotic talk about protection for the American manufacturers.

The district which I have the honor to represent is composed of about 250,000 people, and not one of them is here asking the Ways and Means Committee of this Congress for one single solitary favor. My district is composed of men panoplied in their own rugged honesty and independence, asking Congress for no favors on the face of the earth, but demanding that they be given an equal chance in the race of life, and that is all they require. [Applause on the Democratic side.]

You were very tender and considerate of the interest of the sugar trust, leaving a duty of nearly 2 cents per pound on sugar, which means an extra cost of sugar to the consumers of this country of about $142,000,000 per year. This neat little sum of money goes into the pockets of the sugar trust annually as a gift from the Republican party, but paid, of course, by the people.

But when it comes to automobiles, something which only the wealthy can afford to buy, the committee becomes tenderly considerate of that class of people and places a tariff of only 45 per cent on automobiles. A tariff of 80 per cent on sugar and a tariff of 45 per cent on automobiles.

Mr. Chairman, while you have put a duty of nearly twice as much on sugar as you have on automobiles, I presume we ought not to complain, for sugar is a luxury and automobiles are an actual necessity.

You put a high tax on tea and coffee, but you say these things are luxuries. If the people don't want to buy tea and coffee, let them drink water. You put a tax on salt, but of course salt is a luxury. Mr. Chairman, in effect you say, "let the people make brick without straw," they can eat their bread without salt.

Our Republican friends have put a high tax on clothing and blankets, which you farmers and laboring men think you must buy to keep your wives and children warm; but they say these things are luxuries—if you do not want to buy them, then freeze. But diamonds and other precious stones are actual necessities of life, and they are put on the free list. Mr. Chairman, does your party believe it can continue to fool the people? I do not.

But another remarkable thing about this bill is the careful and considerate manner in which our Republican friends have taken care of the liquor interest of the country. I want the good women, and it won't hurt for the men of this country to notice this. Our Republican friends have, by this bill, imposed a tariff of 85 per cent on hosiery, which retails at 25 cents per pair, while they only impose a tariff of 66⅔ cents per quart on champagne, which sells at $4 per quart. But of course champagne and other high wines are a real necessity, but you don't have to wear stockings if you don't want to. Listen again: While the author of the bill, the gentleman from New York [Mr. PAYNE] was explaining the bill he said in relation to beer and the breweries in general, in answer to a question by my colleague from Missouri, Judge RUCKER, as to why the internal-revenue tax on beer had not been increased, said:

> They took us into their confidence in regard to their balance sheets, etc. It seemed to us then, as it seems to the committee now, that that particular thing is taxed about all the business will bear.

O how tender and considerate you were, Mr. Chairman, of the beer interest of this country; would not increase the tax on beer for fear it would ruin the business, but you can and do provide 6 cents a pound on coffee and 8 cents a pound on tea, which directly taxes the poor man's breakfast table.

Do you believe the good people of this country will indorse your acts? I answer ten thousand times No.

But listen again: "They" (the brewery people) "took us into their confidence." Yes; and the very moment you went into the confidence of the breweries you went out of the confidence of the people. [Applause on the Democratic side.]

I wonder if the sugar trust and the Standard Oil trust and the lumber trust and the woolen trust and the cotton trust, the salt trust and all the other russ of his county did not take you into their confidence? Undoubtedly they did, for you have surely taken care of them nicely in this bill.

Mr. Chairman, your party grows extremely solicitous about the welfare of the laboring man only on two occasions. One is, just before a national campaign and the other when you have to enact a new tariff law.

Now, I do not believe you are going to deceive the laboring man any longer. He has watched you too long. No one knows better than he does that these fellows who are here begging and whining around for higher protection and putting it on the ground that the interest of the laboring man requires it, are not sincere, but that when you accede to their demands and give them this additional protection they will go back home and hire their labor just as cheaply as they can, paying no more for it than they are compelled to pay. In other words, none of these fellows ever increased the wages of their employees, comparatively speaking, one farthing, except when organized labor forced them to do it.

But you say the price of labor has been increased during the last few years. Yes, and the cost of living to the laboring man has increased, in the same time, infinitely more than his wages. "What doth it profit a man if he gain the whole world" and then have to spend it all, and more, to live.

It is a nice little game you are working on the laboring man. With one hand you give him one dollar increase in wages, which you were compelled to do by reason of organized labor, and with the other hand you take two dollars from him in increased cost of living.

This question came up in the hearings, before the Ways and Means Committee, in the shape of a colloquy between a manufacturer by the name of Solis and Mr. FORDNEY, a Republican member of the Ways and Means Committee and also a lumber manufacturer and one of the recognized chief apostles of protection in the House.

The language of Mr. FORDNEY at that time, I think, reflects the feelings of the manufacturers of this country toward the laboring man, notwithstanding their hypocritical plea for the man who labors in the mills and factories.

I quote from the hearings, first print, at page 3499:

> Mr. FORDNEY. Is it not true that the average American citizen is consuming much more per capita to-day, much more of provisions and the necessaries of life, than he was from 1893 to 1896?
>
> Mr. SOLIS. I think he has to buy enough to live on, but I think everything costs him a whole lot more.
>
> Mr. FORDNEY. That is true, but he has the money to pay for it, has he not?
>
> Mr. SOLIS. I do not know; I do not think he has.
>
> Mr. FORDNEY. Did you hear that statement made by the gentleman from Philadelphia yesterday, a gentleman who represented some labor organizations?
>
> Mr. SOLIS. Yes, sir.
>
> Mr. FORDNEY. In the textile works?
>
> Mr. SOLIS. Yes, sir.
>
> Mr. FORDNEY. What do you have to say to that? Do you think labor is much more prosperous to-day than it was a few years ago?
>
> Mr. SOLIS. I think so. I do not think they have much more money. Some wages have been advanced 10 per cent. Suppose a man is getting $10 and his wages are advanced $1, and his living has gone up $5; of course he has not gained anything. That is the condition to a large extent, I think. Everything he has to use now has gone up in price.
>
> Mr. FORDNEY. Then he can not afford to pay the advanced price?
>
> Mr. SOLIS. No; he can not.
>
> Mr. FORDNEY. Then he had better make application to the undertaker to put him out of existence.

On behalf of the laboring man I resent this statement, Mr. Chairman. The man who toils in the shops, in the factories, or on the railroads is an American citizen, and has an equal right to work and have a fair return for his labor and should be permitted to buy the necessities of life at a reasonable price. He don't have to go off and die. And I want to serve notice on the trusts and monopolies in this country now that they had better "make hay while the Republican party is in power," for while the people are "forbearing and long suffering" they will not always endure trust domination in this country.

Their days are numbered. [Applause on Democratic side.]

Mr. Chairman, in conclusion I want to say that I can not and will not vote for this bill in its present condition. I can not follow you in this matter, for I know where you would inevitably lead. You know only one way, and that is the way to the National Treasury; there to take from the hard earnings of the toiling millions money to enrich a favored few. No; I will not follow you. I prefer rather to follow him whose heart is big enough and whose intellect is broad enough to take in the interest of all the people, him who stands for "special privileges to none" and whose lead will bring me to the shrine of a happy and contented home—where the ruler thereof worships not Mammon, but the true God—and who is willing to sacrifice his life upon the altar of the country he loves. But to loot the National Treasury—*NEVER*. [Loud applause.]

Mr. POINDEXTER. Mr. Chairman, in the few minutes allotted to me it would be impossible to do more than to state very briefly and as simply as possible the position which the people of the great district which I represent occupy upon one or two of the items in this tariff bill. I would hesitate even to do

that if it were not for the fact that I have been told that it is doubtful whether there would ever be another opportunity for the people of my district to be heard upon this matter. It is a case of now or never—to speak now or forever after hold your peace. I have heard a good deal of talk in the last few days among Members of this House that it makes very little difference what our views are or what we do in regard to this tariff bill; that the bill will really be framed in the Senate. Gentlemen upon the other side of the House have taunted the majority of this House with the allegation that they would leave it to the Senate and try to blame the Senate for any unpopular features or imperfections that the bill might have, as it necessarily must have, as all bills and all laws, especially a law which, as has been said by the distinguished Speaker of this House, is both private and public in its nature and enters into every man's shop, because it would be impossible that there should not be some inequalities and some injustices in such a measure.

But I want to say, Mr. Chairman, that whatever may be the tendency of the day toward turning things over to the Senate, this House is the place where the bill should be formulated. This is the House which should fix the lines of this measure. Under the Constitution, this is the place where a measure of this nature has to originate, and it is the place where it should take definite shape. The Members of this House have come more lately from the people, and they will return sooner to the people. They represent more accurately the needs and desires of the people who are to be taxed by this bill, and consequently it should be seriously considered and there should be something more than a mere academic discussion or a mere disposition to make speeches upon either side of the Chamber, to be used in some forthcoming campaign.

There is one item in this bill which particularly concerns some 300,000 people in my district, which is principally a grain-growing district, although it has a great many other large industries, and that is the item upon jute bags—grain sacks. Under the tariff which is levied in this bill, some $400,000 a year are collected practically from the people of that district and some adjoining country in the State of Oregon and the State of Idaho, comprising what is known as "the great inland empire," lying between the Rocky Mountains and the Cascades, between the line of British Columbia and extending down into the central part of eastern Oregon, a district which produces annually some 50,000,000 bushels of wheat and other grain, the greater portion of which is exported to Liverpool, marketed there, and the price of which is based upon the Liverpool market.

All of that grain is shipped in what is known as "standard 22 by 32 Calcutta grain sacks," which, under the terms of this bill, have a tariff levied upon them of seven-eighths of a cent a pound and 15 per cent ad valorem, which amounts, roughly speaking, to 2 cents upon each sack which the grain growers of that district are compelled to pay as a burden, an obstacle practically upon their exports. Now, the only theory upon which a tariff can be laid is either one of two things. Either it is for the purpose of protecting home industry, or it is for the purpose of raising revenue. The policy of the Republican party is to levy reasonable and moderate duties in such a way as will discriminate in favor of home industries and protect them when it comes down to the actual working of a tariff schedule. When the Democratic party has the responsibility and the power of making a tariff law that is the theory upon which they proceed also, however much they may talk theoretically about its being a tariff for revenue only. The Democrats when they framed the Wilson bill had the matter of discrimination in favor of home industries in view. Now, Mr. Chairman, there is no home industry which is protected by this tariff upon jute bags. Every bag which the farmers of this great region buy is imported from Calcutta. The hearings before this committee demonstrate the fact that under the tariff which exists in the Dingley bill, and which is continued in the Payne bill, there is no manufacture of grain bags by American manufacturers. Every sack which the farmers use is imported from Calcutta. Those sacks are used only once by the farmers.

They buy the sacks when harvest is coming on. They harvest their grain, put it into the sack, and ship it abroad. They pay a duty, and the next year they have to do the same thing; and many times they buy the same sacks over again, secondhand, shipped back from Europe, and they have to repeat again the process of paying the tax upon them. It amounts practically, as I said before, to a duty on exports, contrary in its spirit at least to the prohibition in the Constitution of the United States depriving Congress of the power to levy any duty upon exports. If there is an opportunity offered, I shall submit an amendment making an exception in section 343, I think it is, of the Payne bill, of what is commercially described as "standard 22 by 32 Calcutta grain sacks," which are the sacks used by these farmers, used only for the short period of time which is required to sack their grain and ship it out of the country.

There are a great many other general provisions in the bill that I am opposed to and that the people of my district are opposed to. I believe the great majority of the Republican party are opposed to them. I believe they are opposed to a tax upon coffee and a tax upon tea. I am in favor of incorporating into this bill, and I believe that the great majority of the Republican party are in favor of incorporating into it, a reasonable, graduated tax upon incomes. In my judgment, it would be far better to substitute a tax upon incomes for the tax upon inheritances which is now contained in this measure.

There are some 36 States in the American Union which have already adopted the means of raising revenue taxes from inheritances. Of course, if the Federal Government invades that province of the State's power of taxation, it will have precedence over the States, and it will interfere with their source of revenue. My State has an inheritance tax, and I am told by some of my colleagues from the State of New York that practically the entire revenue of the State outside of the municipalities is raised by a tax upon inheritances; but if this measure goes through with this tax as it is now, it will work serious wrong and injustice upon the taxing power and upon the entire policy of a great many of the States of this Union.

Mr. COLE. Will the gentleman yield for a suggestion?

Mr. POINDEXTER. Certainly.

Mr. COLE. In the State of Ohio we passed an inheritance tax in the year 1906, which was passed by a Republican legislature and signed by a Republican governor, but the Democratic party took that up as an issue against us, defeated us, and repealed that tax.

Mr. POINDEXTER. Well, I do not think the Democrats of Ohio have any right to object to an inheritance tax on the part of the Federal Government. So far as the decisions of the courts are concerned upon the question of an income tax, there are six decisions of the Supreme Court of the United States that an income tax is not a direct tax and can be levied by the United States Government without apportionment among the people according to population.

There is one decision to the contrary, six decisions against one, and the decision of the court, which is confined in One hundred and fifty-eighth United States, was rendered by the same personnel of the court that had previously decided that an income tax was constitutional as it was drafted, without apportionment. The same men were upon the court who previously decided that the tax was constitutional, and I have no doubt that if an income-tax law should be drawn with a reasonable regard to the criticisms and objections which were levied against the income tax contained in the Wilson bill, obviating the room for those criticisms, that it would be held to be constitutional. The principal criticism of the income tax drafted in the Wilson bill was that it was not uniform. That was one of the principal objections to it; that there were too many exemptions; that the size of the incomes exempted were too large, $4,000; but the size of the incomes could be reduced to obviate the criticisms. Another objection was that it exempted savings banks, building and loan associations, and mutual insurance companies. That was one of the principal grounds of attack upon the income tax. These objections can be obviated by a due regard for the opinion of the Supreme Court. I think some of the members of the Supreme Court who decided that case expected that Congress in the exercise of its function would proceed to obviate the criticisms and objections which had been levied against that and would draw another bill which could stand muster at the bar of the court. Justice Brown, in his dissenting opinion, used these words:

> While I have no doubt that Congress will find some means of surmounting the present crisis, my fear is that in some moment of national peril this decision will rise up to frustrate its will and paralyze its arm. I hope it may not prove the first step toward the submerging of the liberties of the people in the sordid despotism of wealth.

In the beginning of that paragraph Justice Brown expressed the opinion and belief that Congress would find means to obviate the decision of that court. In my opinion a graduated income tax, with an increasing tax upon increased incomes, the easy increment—I will not use the term "unearned increment"—of colossal fortunes, is undoubtedly the easiest tax to pay and the justest tax for the people of any tax that can be levied. The Athenians had a system of taxation which, freely stated, amounted to this: They exempted those persons who only had what was "sufficient for nature," as they expressed it; moderate fortunes were taxed moderately and excessive fortunes were taxed heavily.

Now, we have inherited a great deal from these people. We have inherited the best features of the architecture of this

building, the sculpture and the art which surround us, and we can learn a great deal from their ideas of taxation when it comes down to practical government.

A great many gentlemen upon the Democratic side have hurled criticism and denunciations at the Republican party because it is a protective-tariff party, and it is true that that is the policy of the party. It only means, and you can only find in its platforms and in its authoritative declarations that it means, a moderate tariff and moderate protection and "tariff for revenue," as was read from the platform by the distinguished and brilliant gentleman from Kentucky the other day, "with due discrimination in favor of American industry."

I am in favor of this bill, generally speaking. I think it is a good one. It is undoubtedly a bill reducing the tariff, and every Democrat, if he is consistent, ought to be in favor of it, because where it raises one article it reduces three. And if I were going to throw bouquets, I would not necessarily heap them up around the chairman of the Ways and Means Committee or the distinguished membership of that committee, but I would pile them around a great political party, whose time-honored policy and central principle has been a belief in the theory of protection—a tariff for the protection of American industry—when that party has the independence and courage, the life and the youth, when conditions have changed, when the need for readjustment has come, to declare in favor of reducing the tariff and in favor of tariff reform. The strongest arguments and documents that have been read here in favor of this policy were from the high priest and apostle of the protective policy, William McKinley. What is all this proceeding here? What is this special session of Congress for? Is it not called by Republicans? Was not this movement originated by Republicans? Are we not called together here for the purpose of reducing the tariff? You say we are not reducing it in this bill. When the bill has been framed, it remains for the people to decide whether the Republican party has kept faith with its pledges and its promises. [Applause on the Republican side.]

My brilliant colleague from Washington [Mr. CUSHMAN], with his loyalty and love for the time-honored doctrine of protection, may desire to hold up the bars. We might as well be frank, and we might as well admit, and I assert, that this special session of Congress was called, and called intelligently, by Republicans for the purpose of a moderate and businesslike revision—a revision of the tariff to suit new conditions.

Now, gentlemen of the South, it is all very well for you on your side to deliver your orations upon the academic theory of a tariff for revenue, which you read and learned from the pages of the orations of your great statesmen that lived before the war when different conditions existed, when you had slave labor, when the South was purely an agricultural country, and when you had no manufactures. Now you have different conditions. You have a cotton crop which you ship every year to England to manufacture and bring back to sell at our own doors. There would be no dishonor in the South or in the Democratic party if it should favor a policy which would enable that great section, which in my judgment in the not distant future will be the richest section of the Union, to manufacture the products of your agriculture on the ground where they are produced. [Applause on the Republican side.]

You have the greatest harbors in the world, and with the proper enterprise, if you had the ingenuity, if you had what the English call the "open mind" that these New Englanders have, who have been declaring for protection generation after generation, when conditions have changed, so that they desire low tariffs or free trade in certain articles, you could accomplish much. They come like business men and ask for it and make a campaign to get it. If you want and need protection, why can not you throw away the outworn doctrine——

Mr. HEFLIN. Will the gentleman permit an interruption?

Mr. POINDEXTER. Yes, sir.

Mr. HEFLIN. The gentleman speaks about the South. Does not the gentleman believe if steel rails were cheaper and cotton factory machinery were cheaper, we could have built up the South more rapidly than we have under the high prices?

Mr. POINDEXTER. No, sir; I do not think you could have built it up as rapidly as you have. Whatever you have done there, and you have accomplished wonders, has been done under a Republican protective tariff. I do not think things were ever so stagnated in the South as they were under a Democratic tariff. I do not say it was due to that, but certainly the Democratic tariff did not benefit the situation any. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, I represent on this floor a district in eastern Tennessee that for sixty years has cast a vote on this side of the House of Representatives for the protective-tariff system. That district in McKinley's campaign gave a majority of 18,600 for protection. The people of that district believe in the tariff doctrine of Henry Clay, of Kentucky. They believe in the same protective-tariff policy which was advocated upon this floor by the lamented William McKinley; the same protective-tariff policy which was so ably urged and indorsed here by William D. Kelley—"Pig Iron" Kelley—of the great State of Pennsylvania. The people of that district feel that they had in the bill framed by Representative Dingley, of Maine, a friend and champion for the development of their great natural resources; but this bill we are now considering is not a McKinley tariff bill; it is not a William D. Kelley tariff bill; it is not a Dingley tariff bill. It is not an old-time Republican tariff measure at all. It is not the kind of a tariff bill advocated upon the floor of this House by the present chairman of the Ways and Means Committee when this question was previously considered in the American Congress. This is such a bill that I would be untrue to the interests of my constituents if I were to stultify myself by recording a vote in its favor. [Applause.]

That district is composed of 10 counties; it is the richest mineral district in the United States. There are lumber mills in operation in every county of the 10; there are immense and valuable deposits of iron ore in 6 of the 10 counties; marble that has been developed and placed in the palaces and public buildings of this and other lands for twenty-five years comes from 5 of the counties; coal mines in 4 counties, giving employment to more than 5,000 honest, deserving miners; zinc in 3 of the counties; barytes in 2; and after following the fortunes of the Republican party for sixty years, after preaching the doctrine which meant the development of its inexhaustible natural resources, we are invited here to put our coal on the free list, in the interest of British Columbia and Nova Scotia mines. We are asked to put our iron ore on the free list, and place our laboring men in competition with the cheap and poorly paid labor of Cuba; we are invited to accept a proposition which means the reduction of our lumber output, in order to furnish business for the lumber camps of Canada, operated by cheap Chinese and East Indian labor.

Mr. Chairman, the Payne bill as it now stands is not a true Republican tariff bill. It is false to the teachings of Henry Clay, "Pig Iron" Kelley, William McKinley, Dingley, and the previous professions of the chairman of the present Ways and Means Committee. Its enactment into a law without amendments would not only close down hundreds of mines, furnaces, and sawmills, throw thousands out of employment, but reduce the freight business of our southern railroads 30 per cent, and the reduction of the operating force and wages upon every transportation line in the South.

It would rob the National Treasury of a present revenue on Canadian coal and lumber, Cuban ore, and foreign pig iron of over $2,000,000. In the face of these facts, we are told a new tariff is needed in order to raise additional revenues. It proposes to place a tax upon every American user of tea and coffee, articles we do not produce and for which we need no protection. If "Jim" Hill, of the Great Northern Railway, desires to increase his tonnage on British Columbia coal and lumber and to find a new market for his foreign mines at the expense of Montana, Washington, Utah, and Wyoming, I protest against its being done at the expense of our National Treasury and upon the ruins of our now prosperous western and southern industrial mining centers.

I object, in the name of the district I represent, to a tariff schedule which proposes to close the iron-ore mines of that district—a district which has always been loyal to the Republican party and ever devoted to the Union—in order to open up and operate the ore lands of Cuba recently acquired by one of the trust leaders of the East.

If this bill is not amended in line and in harmony with all previous Republican tariff bills, I intend to vote against it. I would do this if I had to stand alone on this side of the Chamber. [Applause.]

Mr. WEISSE. Mr. Chairman, will the gentleman from Tennessee yield for a question?

Mr. AUSTIN. Yes; I will yield to the gentleman from Wisconsin.

Mr. WEISSE. Do you not think it is better to put coal on the free list and let the American laborer produce the coal and buy it at the same price that the foreigner does than to let the raw material come in and let the foreigner, through a rebate system, buy the product of American labor cheaper than the American laborer can buy it himself?

Mr. AUSTIN. Your party and my party have never, in a tariff bill, placed coal on the free list, but by establishing a protective tariff on coal have encouraged the opening of more than 1,000 mines in the South and the West, at an expenditure

of millions of dollars for machinery to operate them, for the building of countless cities and towns about them; and now, without a day's notice, in the twinkling of an eye, the plan is to imperil and destroy the investments of American citizens and turn the miners adrift to seek other avenues of employment.

Mr. Chairman, the Republican party's policy as to a tariff system does not mean protection to every article that the North and East produces in its factories and workshops, and furnish her at the same time, at the expense of the South and West, so-called "free raw materials." We have heard a great deal on the other side of this Chamber during this discussion about the "unjust" Dingley law. When the Dingley law went into effect practically every state treasury in the South was empty, as well as that of the Nation itself. What has been the result of the remarkable growth of the South under the Dingley protective tariff law? We made last year in the South over 3,000,000 tons of pig iron; we mined 94,800,000 tons of coal; we produced 6,300,000 tons of iron ore; 2,250,000 tons of phosphate; 9,125,000 tons of coke; we operated 11,524 lumber mills, and 112 iron furnaces, and 814 cotton and knitting mills. Thirty years ago we used annually 100,000 bales of raw cotton in southern factories. To-day we are using more than 2,200,000 bales in the manufacture of cotton goods—more than all New England is now consuming.

We are producing more than one-half of the entire lumber output of the United States, and yet our friends on the other side, hailing from the South, have for more than two weeks condemned the Dingley tariff law, a law that has wrought a marvel in the way of the industrial development of the Southern States.

Mr. CARLIN. Will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. CARLIN. I understand you desire to amend certain schedules of this tariff bill?

Mr. AUSTIN. Yes.

Mr. CARLIN. If a rule is presented here, the object of which is to prevent the amendment of the bill, will you vote against that, too?

Mr. AUSTIN. Yes, sir. [Applause.] In doing this, I may be charged with treason to the Ways and Means Committee, but my first and highest duty while here will be to resent and oppose any and every attempt to injure and retard the growth and development of the splendid district which I have the honor to represent in this body.

Now, Mr. Chairman, I wish to read a few choice extracts from some splendid Republican speeches. The able, just, and great President now in the White House gave utterance to this patriotic sentiment in a speech at Kansas City during the recent campaign, in referring to the preparation of a new tariff bill:

> It should properly protect against foreign competition and afford a reasonable profit to all manufacturers, farmers, and business men.

Mr. Sherman, the worthy Representative whom the American people recently promoted and sent to the other end of the Capitol, made this statement during the campaign:

> The Republican party will continue to be a protectionist party and the American people a protectionist people. And that protection must apply to every section, every industry, and every class.

In the discussion of the bill bearing his illustrious name, William McKinley, the idol of those who believe in a genuine American protective tariff, made this statement on the floor of the House of Representatives:

> There are amendments which I would make if I alone were to be consulted; but in the preparation of this bill we have had to look to every interest, to all the varied interests of the United States, extending from the East to the West and from the North to the South. No single man could have in any single tariff bill ever brought before the House of Representatives exactly what he wants. So, gentlemen may complain here and there that they want this duty lowered and they want that duty raised. They forget that in the preparation of a bill covering more than 3,000 articles you have got to give consideration, not to a single section, not to a single individual, not to a single interest, but to all the varied and combined interests of the United States.

Mr. Chairman, the gentleman who reported this bill [Mr. PAYNE] made this statement on the floor when the McKinley bill was being considered:

> Our boundless hills and valleys, our bounding brooks and swift-running rivers, in the full majesty of power, waiting to be bridled by the hand of man; our wonderful resources of mineral wealth—iron, petroleum, and natural gas always abounding—are ready for our work. Our diversity of climate and soil, adequate to our every need, all these do show forth the command of the Almighty to go out and possess the land. We have a princely heritage. Let us develop and enjoy it; let us obey the plain lesson of our environments; let us make the most of our opportunities.
>
> Why should we not make all the cotton ties and cotton bagging used in this country? Can you tell me? Is there any reason why we should not? Why go abroad and purchase that which you can make at home and for which we have the materials at home?

I ask the distinguished chairman of the Committee on Ways and Means to tell us why we should go to Canada for lumber, why go to British Columbia and Nova Scotia for coal, or to Cuba for iron ore, when we have all these materials in abundance in the United States?

In the consideration of the Dingley bill, the gentleman from New York [Mr. PAYNE] paid a true and just tribute to the glories and possibilities of the "New World." He then stood for the development of our natural resources, which he now seeks to prevent, and, in my judgment, destroy, under the provisions of the bill we are considering.

Here is the splendid utterance of the gentleman from New York to which I refer:

> Mr. Chairman, we have the greatest country on the face of the earth. Rightly it is named the "New World." It is a world in itself; it is a new world in that it is not only the last in its discovery, but it meets all the demands and requirements of modern civilized life. Stretching from ocean to ocean and from the Great Lakes on the north to the Gulf of Mexico on the south, it embraces twenty-five parallels of latitude, while the sun in all his course from east to west never sets upon our domain. We have every variety of soil, every condition of climate between the torrid and frigid. The soil on our hills and in our valleys, in the great prairies of the West and in the lowlands of the South, is unsurpassed in richness, variety, and productiveness.
>
> Nature has stored our mountains with gold, silver, copper, iron, and every variety of metal, with coal unequaled and abundant. The laboratories of the earth for centuries have been compounding and storing for our use oil and natural gas in seemingly exhaustless supply. Our countless rivers and streams, as they flow onward to the sea, develop a power infinite in extent, ready ever to be harnessed by the hand of man, and in obedience to his will to aid him in his work. With these grand resources, by the help of intelligent effort we can produce within our borders everything that the necessities and comfort of our people require. Providence never intended that a people so richly endowed should be mere hewers of wood and drawers of water; that we should confine our energies to corn and cotton and leave our mines undeveloped and our fuel unused. Our fathers never acted upon this idea.

I now commend that patriotic speech to the chairman of the committee that brings in a bill seeking to prevent the further development of our unlimited natural resources and to carry our money to foreign shores to develop foreign mines and give employment to men who are not American citizens. [Applause on the Republican side.]

Mr. GARRETT. Will my colleague yield for a question?

Mr. AUSTIN. I will yield for a question.

Mr. GARRETT. Is there any justification on any sort of theory for the duty which is maintained here in this bill for a tax upon cotton ties and jute cotton bagging?

Mr. AUSTIN. In answer to that question I want to make this statement: Before we began the manufacture of cotton ties in this country we were paying foreign manufacturers more for them than we did after we began the manufacture of cotton ties in this country. The same is true of jute cotton bagging and steel rails. We were buying steel rails of English producers and paying $107 a ton. When the American people, through the means of the Republican protective system, developed that business in this country, we brought the price of steel rails down from $107 to $28 a ton. Another thing: We were receiving in the South for our cotton prior to the Dingley tariff bill 5 cents a pound. After the enactment of that law and the construction of cotton mills in the South, the price of cotton advanced to 10 cents a pound, and that increase in price gave to the Southern people $300,000,000 more a year on their cotton crop. [Applause on the Republican side.]

Mr. MONDELL. Will the gentleman yield to me for a question?

Mr. AUSTIN. Certainly.

Mr. MONDELL. Is it not true that the Wilson bill reduced the duty on cotton ties, and the result was that the American manufacturers of cotton ties gave up the business, with the result that cotton ties were increased very largely in price during the time of the operation of the Wilson bill, under a lower duty?

Mr. AUSTIN. That is true. We not only gave up that industry, but under the Wilson bill we gave up everything except free soup houses located all over the land. [Laughter and applause on the Republican side.]

Mr. GARRETT. Will the gentleman yield further?

Mr. AUSTIN. If it does not come out of my time, I will stay with you all night. [Laughter.]

Mr. GARRETT. I would not like to compel the gentleman to do that, but I would be willing to ask an extension of his time.

Mr. AUSTIN. How much time have I, Mr. Chairman?

The CHAIRMAN. The Chair will state that we expect to rise at half past ten.

Mr. GARRETT. My colleague has met my question with the usual answer that has been made all the time about the panic of 1893. I am not seeking a political advantage or a political discussion here. As a matter of merit, what is the justification for maintaining the duties on cotton ties and jute bagging?

Mr. AUSTIN. This country has the iron ore, it has the labor, and it has the market, and the Republican party, under a protective tariff, believes in the manufacture of everything in this country that can be made here, and thus furnish employment to American workingmen at good wages, and an opportunity for American capitalists to develop our resources and open our mines, instead of sending the money to Europe for foreign cotton ties and jute cotton bagging.

Mr. GARRETT. How much cotton is raised in my colleague's district?

Mr. AUSTIN. I do not suppose there is a bale of cotton raised in my district, but I want to say that the Dingley bill raised the price of cotton on every pound grown in the gentleman's district from 5 to 10 cents.

Mr. GARRETT. Does my colleague know that the lowest price that has been paid for cotton was under the McKinley bill?

Mr. AUSTIN. I am speaking of the Dingley bill.

Mr. GARRETT. I mean the Dingley bill in 1898—the lowest price that was ever paid.

Mr. AUSTIN. Now, gentlemen, I want to say this——

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. AUSTIN. In a moment. (Continuing.) We bought last year $418,264,000 worth of foreign-made articles. Every one of the articles included in the list could have been manufactured in America. We shipped across the Atlantic Ocean from Memphis, New Orleans, and Savannah so-called "raw" material in the way of cotton. The English people at Manchester and other points made it into cotton goods, reshipped it across the Atlantic Ocean, and sold in this country $64,379,000 worth of cotton goods, and the American consumer paid the freight both ways and also furnished employment to thousands of mill operatives in England. Now, gentlemen on the other side talk a great deal about entering the foreign markets with American-made goods. The able Representative from California [Mr. MCKINLAY], I think, satisfied everyone the other night that it will be only a question of a short time when the Japanese will supply the entire cotton and other markets of the Orient. There is no possible chance of the American people ever occupying or filling the European market. I want to say, after an official residence of over a year in Europe, where I had an opportunity to personally examine 6,000 consular invoices, that, on account of the high wages in this country and the exceedingly low wages and immense overpopulation in all European countries, the American manufacturers are never going to be able to sell in the same European markets with the English, or the Scotch, or the German, or the French.

If we could possibly compete with these people they are more than fully equipped with splendid merchant-marine service, while we are without ships in which to carry our goods to the competing markets of the world.

We need an American merchant marine more for the markets of South and Central America, Australia, the Philippines, the West Indies, and the Orient than we do for the European markets, and we need not only protection from the cheap, pauper-made goods of Europe, but this Congress will fail to discharge its duty to the American people if it does not enact legislation which will protect the American wage-earner from the countless tide of foreign immigrants pouring into the United States at the rate of a million a year.

Mr. JAMES. Will the gentleman permit an interruption?

Mr. AUSTIN. Yes.

Mr. JAMES. If I understand the gentleman correctly, his contention is that cotton produced more money during the days of the Dingley bill than during the days of the Wilson bill. Is it not true that cotton is sold in the open market of the world?

Mr. AUSTIN. I do not understand the question.

Mr. JAMES. Is it not true that the price of cotton is fixed in the open market of the world?

Mr. AUSTIN. Yes.

Mr. JAMES. Then how does the gentleman contend that any tariff here affects the price of it?

Mr. AUSTIN. The development of the cotton resources of the South, the establishment of the mills in the South, and the consumption of cotton in the South has resulted in the advancement of cotton to 10 cents a pound, and the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Kentucky [Mr. JAMES] and every gentleman who sits on that side of the House hailing from a southern district knows that the South has grown and developed in its manufactures, in the condition of its farmers, in the growth of its cities, more during the last twelve years than in any twenty-five years since the war. [Applause on the Republican side.]

Mr. BEALL of Texas. Will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. BEALL of Texas. Does the gentleman think the establishment of cotton mills in the South is responsible for the increase in the price of cotton in the Liverpool market?

Mr. AUSTIN. I think it has its effect; and I want to ask this gentleman, Does he think we ought to reduce the tariff on calico and permit the English people to make all of our calico and close up the cotton mills of the South?

Mr. BEALL of Texas. I will answer the question by asking the gentleman a question.

Mr. AUSTIN. No; the gentleman must answer mine first.

Mr. BEALL of Texas. If the gentleman does not think that this bill discriminates against the cotton industry.

Mr. AUSTIN. Mr. Chairman, I yielded to the gentleman to answer my question, and before I answer a second one from him, I think he ought to answer mine.

Mr. BEALL of Texas. If the gentleman yields, I believe that the men who raise cotton, the men who toil out in the fields, ought to be permitted to buy their cotton products as well as any other product that they consume at reasonable prices, without contributing a large part of their earnings to enriching the few at the expense of the many. [Applause on the Democratic side.]

Mr. POINDEXTER. Mr. Chairman, I will ask the gentleman from Tennessee to permit me to answer the gentleman's question.

Mr. AUSTIN. Yes.

Mr. POINDEXTER. Mr. Chairman, in answer to the gentleman's question as to whether the development of the cotton mills in the south increased the price of cotton in Liverpool, I would say yes; that the shutting off from the Liverpool markets of the immense amount of raw cotton which has been manufactured in the south in their own mills is the principal factor in raising the price of cotton in the Liverpool mills.

Mr. MARTIN of Colorado. Mr. Chairman, I would like to ask the gentleman a question if he will yield.

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Colorado?

Mr. AUSTIN. Yes, we will hear from Colorado now.

Mr. MARTIN of Colorado. Mr. Chairman, the gentleman has stated that the reciprocal coal schedule in this bill would ruin the coal industry in Tennessee. In view of the statement made the other day by the gentleman from Wyoming [Mr. MONDELL], that coal is now cheaper in every southern port than in any other port in the world, I want to ask the gentleman whence the coal will come that will destroy the coal industry of Tennessee?

Mr. MONDELL. Mr. Chairman, before the gentleman answers that question I will ask him to yield to me.

The CHAIRMAN. Does the gentleman yield?

Mr. AUSTIN. Yes.

Mr. MONDELL. The gentleman, I know, does not desire to misquote me.

Mr. MARTIN of Colorado. No.

Mr. MONDELL. I said than any export coal port anywhere save ports in Canada.

Mr. MARTIN of Colorado. I thought you meant English ports.

Mr. MONDELL. Oh, no. Canada is a menace, no other coal port.

Mr. AUSTIN. Let me answer my friend's question about what effect free coal will have on the mines of east Tennessee. We have built three railroads from the coal fields in the South to tide water, two completed and one in the course of completion. One of those roads, known as the "Rogers' road," cost $40,000,000. The Louisville and Nashville Railroad, through my district down into Georgia, expended more than $15,000,000. The Southern Railway system is constructing a line along the Little Tennessee River to reach tide water. When the Panama Canal is completed the great vessels going to the Orient from European workshops will no longer go through the Red Sea, but a great majority of them will cross the Atlantic laden with the cheap pauper-made goods from Europe. When they have crossed the Atlantic Ocean on that run of three or four thousand miles their fuel will be exhausted when they reach this side. On their journey to the East through the Panama Canal they must recoal at our South Atlantic ports.

You put the Nova Scotia coal on the free list, and this great market that we are anticipating in the Kentucky and the Tennessee and Virginia coal fields will never supply the European vessels, but along the Atlantic coast will be a stream of vessels coming south with Nova Scotia coal. They will furnish the coal not only for these eastern vessels on their way to the

Orient, but they will ship their coal to near-by cities and manufacturing towns in Georgia, North Carolina, and South Carolina and enter a market for coal which Kentucky, Tennessee, and Virginia have enjoyed since the coal-mine operations began in those three States.

Mr. WILSON of Pennsylvania. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. AUSTIN. I have not yet yielded to Pennsylvania, so let us hear from that great State.

Mr. WILSON of Pennsylvania. Does the gentleman believe that Nova Scotia coal can be mined and delivered in competition with coal from Tennessee and the Virginias at any point south of Norfolk?

Mr. AUSTIN. I certainly do; and, in addition to that, I know that if this bill becomes a law not a pound of West Virginia coal will ever reach New England. Every pound of it will come from Nova Scotia.

Mr. WILSON of Pennsylvania. Is the gentleman aware that the cost of mining coal in the Virginias is less than the cost of mining coal in Nova Scotia, and that the cost of mining coal in Tennessee is just about the same as the cost of mining in Nova Scotia?

Mr. AUSTIN. We have over 500 miles of railroad transportation in order to reach the South Atlantic ports—a long and expensive haul for coal—and the other way you have cheap water transportation.

Mr. MONDELL. Is it not true the region the gentleman represents supplies a large portion of the coal for the Boston market or for that territory?

Mr. AUSTIN. No; it is supplied by the West Virginia people.

Mr. MONDELL. However, if the West Virginia people lose the Boston market, then they would enter into active competition with your people.

Mr. AUSTIN. With our people, and I want to say to the gentleman from Pennsylvania that if this proposed tariff on pig iron becomes a law, the English, Scotch, and German pig-iron makers will enter the Pennsylvania fields, and there will be no more pig iron manufactured in Pennsylvania and the southern furnaces will cease to ship iron to the northern markets. Now, for twelve months in Glasgow $1,000,000 worth of pig iron was shipped to the United States, principally to Pennsylvania, New York, and Boston, with a tariff of $4 a ton. The proposed duty in this bill is $2.50 a ton. If the Scotch and English manufacturers of iron could enter the Pennsylvania markets and sell their pig iron with a tariff of $4 a ton, they will be there with more pig iron when the tariff is reduced to $2.50 a ton.

Now, there has been something said about Mr. Pepper's article or report on the transportation charges from the iron districts of Germany being $2.85 per ton. The Scotch vessels carry pig iron from Glasgow to New York for $1.50 a ton and to Boston for $1.50 a ton. They can manufacture pig iron in England and Scotland for $9.00 a ton. Add on $2.50 tariff duty and $1.50 transportation, and you have so lowered your tariff that you will make it utterly impossible for a furnace in the State of Pennsylvania to manufacture pig iron in competition with the Scotch, English, or German pig iron.

Now, speaking about the development of the South, I want to read, with the indulgence of the House, just a few figures:

Of all our foreign exports in 1908, $1,861,000,000, $648,000,000 was shipped through southern ports, or more than one-third.

The increase from southern seaports since 1880 has been from $265,000,000 in 1880, to $648,000,000 in 1908, an increase of about 142 per cent, while increase of northern ports has been far less.

The five leading southern ports may justly be compared with New York, the greatest northern port.

The increase exports, New York, 1902 to 1907, was 39 per cent. For same period, Galveston, 105 per cent; Mobile, 11 per cent; Norfolk and Portsmouth, Va., 60 per cent; Savannah, 40 per cent; Brunswick, 70 per cent.

With 10,000,000,000 tons of iron ore already discovered in the South, a billion tons more than in all Europe; with 25 per cent more coal than all Europe. In 1880 she manufactured $457,000,000 of product; in 1908, $2,600,000,000.

In 1880 the South mined 6,000,000 tons of coal; in 1908, 95,000,000 tons.

In 1880 the South's farm products were worth $660,000,000; in 1908, $2,225,000,000.

In 1880 the South made 397,000 tons of pig iron; in 1907, 3,500,000 tons.

In 1880 the South's bank deposits were $148,000,000; in 1908, $1,156,000,000.

In 1880 the South's mineral products were $14,000,000; in 1908, $287,000,000.

In 1880 the South produced 179,000 barrels of petroleum; in 1908, 27,000,000 barrels.

In 1880 the South's lumber product was worth $39,000,000; in 1908, $365,000,000.

In 1880 the South had invested in manufactures $257,000,000; in 1908, $2,100,000,000.

The South's cotton spindles: In 1880, 668,000; in 1908, 10,500,000.

These splendid commercial and industrial records and achievements of the South were made under a Republican protective tariff and principally under the Dingley law. [Loud applause on the Republican side.]

APPENDIX.

LITTLE RIVER LUMBER COMPANY,
Townsend, Tenn., March 25, 1909.

Hon. R. W. AUSTIN, M. C.,
Washington D. C.

DEAR SIR: As the entire country seems to be greatly agitated over the revision of the Dingley tariff law, and as the proposed revision will come in various forms before the honorable body of which you are a Member, and as you have no doubt already many communications with reference to the proposed reduction of tariff on lumber and believing that you will give this matter very careful consideration, I take the liberty to beg your indulgence with regard to my personal views with reference to this matter.

Of course, it is needless to call your attention to the fact that the proposed revision is no protection whatever, and as to whether protection is needed by the lumber manufacturers of the United States, it is, to say the least, a debatable question. Yet I am firmly convinced, however, that inasmuch as the Nation greatly needs revenue, there is perhaps no better place to raise a certain amount of revenue than a proper import duty on lumber.

The proposed reduction or revision is absurd on its face, because it requires the payment of the same duty on lumber worth $10 per thousand as it does on lumber worth $100 per thousand. This, as you will see, is ridiculous as well as absurd; and being such a small amount, viz, 50 cents on rough and $1 on dressed lumber, it neither produces revenue nor affords protection.

A duty that will not affect the consumer and dealer of this country and raise a fair revenue ought to be in a sense an ad valorem duty; and I would suggest $2 per thousand feet on lumber with a selling value up to but not including $30 per thousand; and for lumber selling for from $30 to $40 per thousand, $3; and from $40 to $50 per thousand, $4; and for all lumber selling for $50 per thousand and more, $5 per thousand feet; these prices f. o. b. cars within the States, duty paid, and either in the rough or dressed.

While the high-grade stock will very greatly increase the revenue, it will in no sense become burdensome to the consumer in this country because of the fact that manufacturing concerns sell high-grade lumber at a price varying more than $5 per thousand feet. It is not unusual for some buying concerns in this country to pay one manufacturer from $5 to $10 per thousand more than another for practically the same lumber, and certainly the same grade of lumber. This may seem, on first thought, strange to you, but it is a fact which I can readily demonstrate to the satisfaction of any unprejudiced mind.

My position with reference to this matter may appear to you, on first thought, as too radical, but I trust you will give this question the attention it deserves; and I am, furthermore, satisfied that your advocacy along these lines will be entirely satisfactory to practically your entire constituency.

If there is any doubt in your mind as to the correctness of my position, and you have the time to go into this matter, or if you want any further information along the lines suggested, I will be glad to supply it to the best of my ability.

Believe me, dear sir, to be, very sincerely,

W. B. TOWNSEND, *President.*

J. B. SMITH,
MANUFACTURER OF TENNESSEE HARDWOODS,
Knoxville, Tenn., March 6, 1909.

Hon. R. W. AUSTIN, M. C.,
Washington, D. C.

DEAR SIR: My opinion is that it is in the interest of your constituency that you oppose any reduction whatever in the tariff schedule on lumber.

It will damage the lumber business in the Southern States, and especially in east Tennessee, and will not only cripple the industry, but it will lower the labor wage, and I urge you to do everything in your power to prevent any reduction whatever.

Very truly,

J. B. SMITH.

LITTLE LUMBER COMPANY,
Harriman, Tenn., March 11, 1909.

Hon. R. W. AUSTIN, M. C.,
Washington, D. C.

DEAR SIR: As a member of the Hardwood Manufacturers' Association of the United States, and one who is very deeply interested in the manufacturing and economic conditions and such as will justify the restoration of confidence in the business world, I write you this letter in order to express to you my personal views in regard to the proposed revision of the tariff, which will demand the attention of the incoming special term of Congress recently called by President Taft.

In my judgment it will be detrimental to the best interests of this country to remove or reduce or in any manner disturb the present tariff on lumber, wooden boxes, or box shooks; and entertaining this opinion and having been engaged for a long number of years in the lumber business, I assume the liberty of expressing to you my views upon the situation.

Trusting that you will give this your serious consideration, I am,

Yours, very truly,

LITTLE LUMBER CO.,
J. B. LITTLE.

LUMBERMEN'S CLUB OF MEMPHIS,
Memphis, Tenn., March 3, 1909.

Hon. RICHARD W. AUSTIN, M. C.,
Washington, D. C.

DEAR SIR: Please note the inclosed extracts from the Memphis Commercial Appeal, which is the first expression of this kind the Commercial Appeal has published on the subject of the proposed reduction in tariff on lumber. This paper has always been a strong advocate of free trade, but the position they have taken on this subject is a most sensible

one. If there is to be any tariff at all, why should the duty be lifted from products which the South has for sale? This is a matter of vital importance, not only to the Memphis territory, but to the entire South. We trust you will give it the consideration which its importance merits. We think that every southern Senator and Representative should come out strong in defense of this attack upon the lumber industry, which will directly affect the prosperity of the business interests throughout the South.

Yours, very truly,

J. W. MCCLURE, *Chairman.*

THE TENNESSEE COAL COMPANY,
Knoxville, Tenn., March 31, 1909.

Hon. R. W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR SIR: Reference to yours of the 25th instant regarding placing coal on free list, will say that this would not directly affect our business, which is confined entirely to the interior; but indirectly it will affect us, in that should foreign coal be admitted and come in competition with the coals now moving to the coast and from these points to different coastwise cities, it would force the coal now being consumed in said coastwise cities to seek interior markets and thus restrict us in ability to market our product. We are, consequently, opposed to any change of the present law, and trust that your efforts in opposing the same may prevail.

Thanking you for the interest shown, we are,

Yours, respectfully,

THE TENNESSEE COAL CO.,
GEO. P. CHANDLER, *President.*

WINDROCK COAL AND COKE COMPANY,
Windrock, Tenn., March 31, 1909.

Mr. R. W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR MR. AUSTIN: There are some matters in connection with the proposed tariff schedule which are of vital interest to the small or independent producers of iron ore and pig iron, and especially to those whose plants are inland, as for example, Tennessee, Virginia, and Alabama.

I am circulating, for later address to you by those of your constituents who are interested in the matter, a letter which sets forth as clearly as I can make it their reasons for objecting to the clauses relating to the proposed change in iron ores, scrap iron, and pig iron.

I trust you can see fit to lend your efforts to the matter and, with best wishes to you and your family, I am,

Yours, very truly,

C. H. THOMPSON,
General Manager.

RICH MOUNTAIN COAL AND COKE CO.,
Knoxville, Tenn., April 1, 1909.

Hon. R. W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR SIR: We are decidedly opposed to coal going on the free list We need this protection more now than ever. We have just passed through—in fact, we are not yet through—the hardest period ever experienced by the coal producers of this part of the country. Foreign coal can be delivered to our points on a very low water rate, and if the tariff is removed, we will certainly have very close competition for this business. We have been having a hard enough time for the past two years, and to remove this tariff is very liable to be an additional hardship on us.

Yours, very truly,

RICH MOUNTAIN COAL AND COKE CO.,
J. GLENN HOWELL,
Secretary and Treasurer.

CITICO FURNACE COMPANY,
Chattanooga, Tenn., March 24, 1909.

Hon. R. W. AUSTIN,
Washington, D. C.

MY DEAR COLONEL: The Payne tariff bill is out, and we know the worst. In my line of business, I think, we have had a very severe jolt. The worst feature in the bill is putting scrap iron at 50 cents per ton. This is equivalent to free trade, and will have a very disastrous influence on all departments of the iron industries, unless it is some of the steel makers on the Atlantic coast. The country will be flooded with the scrap, and even pig iron will be broken up to make scrap. Of course, if scrap is used it will cut down that much consumption of pig iron, and the fact is the situation now is very critical all around. The reduction in pig iron should not exceed $1, or 25 per cent, and scrap should be given the same duty.

There has always been a fair trade in the East for southern iron, and we have shipped at different times to New England and New York, but, under the proposed tariff, I see no chance of southern producers reaching these points. The trouble is our freight is from $4 to $4.50 per ton, while freight from England and Germany is not over one-half of this amount. I know it is to the interest of the South that the duty on pig iron should not be cut over 25 per cent, and that scrap iron should be the same.

At the present time, of course, we can not reach New York or New England points, as the prices are too low. We have been running Citico for some time, but shall close down next month, and also close one of the Rockwood furnaces, which is in your district.

Would be glad to have you see if you can do anything toward making these changes in the Payne bill. Have written Colonel BROWNLOW today in the same direction.

Yours, very truly,

H. S. CHAMBERLAIN, *President.*

CITICO FURNACE COMPANY,
Chattanooga, Tenn., March 31, 1909.

Hon. R. W. AUSTIN,
Washington, D. C.

MY DEAR SIR: In the matter of the proposed duty on pig-iron scrap, coal, and iron ore in the new tariff bill, I am sure there must be a great deal of misinformation with the committee having the bill in charge. It is practically all a question of the difference in the cost of labor. Scrap should be the same as pig iron, as it takes its place in the manufacture of the finished product, and to let this in practically free is the same as making duty on pig iron 50 cents per ton, which is suicidal. It has been shown to the committee conclusively that the labor cost abroad in the mining of iron ore and coal does not exceed one half what it does in the East and South, and this is where, owing to geographical position, the reduction in duty will prove most harmful and, in fact, be fatal to the great mining and manufacturing interests of these sections.

After some forty years of experience in the South along these lines I know throughly the labor conditions, and I would be glad to have you protest strongly against the reduction in tariff on pig iron and scrap more than 25 per cent, or to $3 per ton, or any reduction whatever on coal or iron ore. The reduction proposed will, in my judgment, not only be a hardship on all mining and manufacturing interests, but will at the same time rob the Treasury of much needed revenue.

Yours, very truly,

H. S. CHAMBERLAIN, *President.*

KNOXVILLE IRON COMPANY,
Knoxville, Tenn., March 29, 1909.

Hon. R. W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR SIR: I have your letter of March 25, and regret very much that I do not feel in a position to write you anything in reference to the coal and iron ore on the free list of the Payne tariff bill.

Of course I feel that it would be a mistake to admit these articles free, because there is, as I understand it, a large amount of coal in Nova Scotia and that section which, if admitted free, while it might not come in direct competition with this section, it would come in competition with the West Virginia coal, a large amount of which now goes to the coast, and so would force them to enter our market to get rid of their surplus. If I am correctly informed, there is a good deal of iron ore in contiguous territories, such as Cuba, for instance, which if admitted free would interfere seriously with home furnaces; but facts and figures I am not able to give you, which I regret.

* * * * * *

With kindest regards, I am,

Sincerely yours,

WM. P. CHAMBERLAIN,
President.

KNOXVILLE KNITTING MILLS COMPANY,
Knoxville, Tenn., March 24, 1909.

Hon. R. W. AUSTIN,
Member of Congress, Washington, D. C.

DEAR SIR: Our attention has been called to the House bill No. 1438; and we are particularly interested in the tariff bill, as applied to hosiery, which is now pending. It is positively imperative for the manufacturers of cotton hosiery in the South to receive proper protection to be able to operate their textile plants. We are particularly interested in articles 325 and 326, on page 91 of the bill. These are the items that vitally affect our business. We had hoped for a measure which would be even stronger, but we will be satisfied with these.

We are employing about 300 people; and within a radius of 100 miles there are located some twenty-odd mills, which would be vitally affected by these measures and which also have a large number of employees.

We will very much appreciate your looking after our interest carefully and see that nothing worse is given us in the way of protection than which is outlined in paragraphs 325 and 326, which is referred to above.

We assure you that we will very much appreciate your efforts and your assistance in this matter.

Yours, very truly,

KNOXVILLE KNITTING MILLS CO.

HOLSTON MANUFACTURING COMPANY,
Lenoir City, Tenn., March 23, 1909.

Hon. R. W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR MR. AUSTIN: I have just received, through your kindness, copy of House bill No. 1438, and for which I thank you.

Since the reciprocity treaties were made effective by President Roosevelt the entire knit-goods situation has been not only discouraging, but in a demoralized condition. As I understand it, the Payne bill reduces materially the duty on cheap grades, whilst advancing on the higher grades. A majority of the hosiery made in the South would ordinarily be considered as cheap or low grade. If it is a fact that the present demoralization is a result of reciprocity treaties, this further reduction might possibly be attended with a like further depression in business. This, of course, is not the intent of the new bill; but it is a point perhaps worth considering. As you know, the knitting industry through this portion of the State is a considerable item, and a further curtailment means but one thing, not only losses on our investments, which during the year have been unprofitable, but also means the idleness of employees. Personally, I should like to see the present duties maintained rather than reduced, as proposed. If the intent is to reduce the duty in order to increase the revenue, I should consider it not a proper one, as certain it is the buying power comes from regularly employed and well-paid employees, and they are certainly the class who purchase the low or cheap grade stocking. I should be indeed glad if you would give this some consideration, and therefore await your pleasure, thanking you thoroughly in advance.

Yours, truly,

F. A. WEISS, *President.*

LOUDON HOSIERY MILLS,
Loudon, Tenn., March 24, 1909.

Hon. R. W. AUSTIN,
House of Representatives, Washington, D. C.

MY DEAR SIR: I desire to write you in regard to House bill No. 1438, articles 325, 326, and 327, which affect our enterprise very much. As you know, I am a Democrat, and believe in all of its doctrines and principles; still, I know that the reciprocity treaties put in effect by Mr. Roosevelt have had a bad effect on our business, and it is to-day in a very unsettled condition on account of same. East Tennessee is becoming to be quite a manufacturer of hosiery, and your support of these sections will benefit not only east Tennessee industries and east Tennessee labor, but the country at large. I know this is a party measure, and I am satisfied you will support same; however, I desire, as a Democrat, to let you know that I am in accord with you, especially in regard to the articles referred to.

Yours, very truly,

C. H. BACON,
Secretary and Treasurer.

P. S.—I wish to concur in the above letter, except to disclaim any loyalty to Democracy. Glad to note Charles is a Republican in principle, if not in name. This, you know, is the result of good association.

Yours, sincerely,

JNO. P. SIMPSON.

MAGNET KNITTING MILLS,
Clinton, Tenn., March 31, 1909.

Hon. R. W. AUSTIN,
Washington, D. C.

DEAR CONGRESSMAN: We received copy of the new tariff bill, H. R. 1438, Report No. 1, and we thank you very kindly for same.

In looking over same we have studied the different schedules very carefully and compared same with the tariff bill of 1897. Sections 325, 326, and 327 are very interesting to us. Section 326 is pertaining to our business, and if enforced will make the knitting business in the South a safe place for investments. Heretofore, and now, investments in the knitting business have been very doubtful and risky, owing to keen domestic competition on low and medium grade hose, and German, French, and English competition on high-grade hose.

With the proposed rate enforced it will enable the southern mills which now make the low-grade hose, almost none profit-bearing hose, but very often money-losing hose, to branch out to medium-grade hose, which would be a great benefit, as the South is overcrowded with makers of low-grade hose.

In turn, the mills that are now making the medium-grade hose can enter the field of making high-grade hose, which business is now controlled by foreigners.

The raise of 20 cents per dozen does not mean that hose will increase in price 20 cents per dozen. I do not look for any increase in price, but the established staple prices will be the same, which means that we can get a share of the profit-paying business in our home market that is now controlled by foreigners in underselling us, owing to the present tariff not being sufficient to cover the difference in costs between this country and other countries, and in other various ways and means well known to people who are engaged in this business.

Hoping that you will help us in making the proposed rate a law, as stated in section 326, and thanking you in advance for your kind consideration in this matter, I beg to remain,

Most respectfully, yours,

PAUL F. VOGEL, *Manager.*

HUGHES & HUGHES,
Tazewell, Tenn., March 13, 1909.

Hon. R. W. AUSTIN,
Washington, D. C.

DEAR SIR: As you know, a number of east Tennessee counties have in them zinc in sufficient quantities to be worked, and in many places in these counties large sums of money have been invested in equipping plants for mining and working these ores. Claiborne is one of these counties. Within the last two years a zinc plant has been established in Claiborne County at a cost of $20,000 or more. This was just a beginning. The ore is abundant here, and until last summer the outlook was bright. The plant had to shut down last summer, however, and we are just in receipt of a letter from one of the men interested in the plant, Judge L. L. Bristow, of Georgetown, Ky., detailing the circumstances resulting in the closing down of the plant and suggesting that relief be asked at the hands of Congress.

We are interested both as east Tennesseans and as owners of zinc properties, and we ask you to lend your influence toward giving the proper relief. In order that you may have the facts before you, we quote as follows from Judge Bristow's letter:

"By reliable and conservative figures, it has been shown that the average cost of the production of zinc in the famous Joplin, Mo., district is $37.78 per ton. It can be produced at this figure, but not at a profit. On the contrary, by reason of the cheap peon labor of Mexico, the owners of smelters in this country claim that the ore can be produced and sold to them at about $16 per ton. The zinc deposits in Mexico are very large and easily mined.

"However, the Mexican ores only concentrate up to about 40 per cent metallic zinc, being about 800 pounds to the ton, while the ores of the Missouri-Kansas-Oklahoma fields can be concentrated up to 60 per cent metallic zinc, or 1,200 pounds to the ton. It therefore takes 1½ tons of Mexican concentrates to equal 1 ton of American "jack" or concentrated zinc. Now, basing the cost of the Mexican zinc, as sold to the American smelters, at $16 per ton, and figuring 1½ tons of this 40 per cent zinc, or 1,200 pounds of metallic zinc, as being equal to 1 ton of Joplin zinc, you will readily see that the smelters of this country can buy or produce zinc as we can produce at the actual cost of $37.78. Therefore if no duty is placed on the Mexican ore, the zinc industry of the United States, valued at approximately $100,000,000, would be forced to get out of business.

"We are asking Congress to place a duty of 1½ cents per pound on the metallic contents of all imported ores to make good the difference in cost of production above set out. As stated, $24 worth of the Mexican zinc is equal to 1 ton of our zinc. In order to make a reasonable profit on American zinc it must bring above $40 per ton for 60 per cent concentrates. Now, the 1½ tons, or 1,200 pounds of metallic Mexican zinc, cost the smelters of this country, as shown, $24, and a tariff of 1½ cents per pound on this 1,200 pounds would amount to $18 duty, which, added to the $24, would bring the cost of the product up to $42 and would prevent the Mexican miner from underselling the American producer of zinc. It would also enable the American producer to obtain a reasonable profit over the $37.78 which it had cost him to mine and mill his product.

"I have no doubt that you have noticed the recent decision of the United States Supreme Court to the effect that Mexican ores are not now subject to a duty. You probably do not, however, know that the result of this decision has been to cut the price of zinc concentrates from $42 per ton down to $35 per ton, and that as a result a large number of the mills in the Joplin district have been compelled to close down. The only reason that others are not closed is that the Joplin zinc veins in many instances carry lead also, and the owners are able to continue running by reason of the profit on their lead. I am interested in a mine there, and on account of our lead values we are still running, though barely able to pay expenses. We would shut down if not compelled by the terms of our lease to continue operations or lose our lease. You will remember that we had to shut down on Straight Creek last spring because of the low price of ores. You may not have realized, as we afterwards learned, that the fall in the price of zinc at that time was occasioned by the importation of large amounts of Mexican ores. Unless we get a tariff duty on imported ores, I fear we will never be able to open up again at Straight Creek. So you will realize the importance to your section in getting Mr. BROWNLOW, and if possible your Senators too, to fight for the proposed duty of 1½ cents per pound on imported zinc ore."

We hope you will find in this situation sufficient facts to justify your efforts in behalf of a measure to give relief.

Very respectfully,

H. Y. HUGHES,
W. C. PARKEY,
W. G. YOUKUM.

[Address of Mr. W. W. Finley, president Southern Railway Company, at the annual banquet of the Pittsburg Traffic Club, March 26, 1909.]

Mr. Toastmaster and gentlemen, in his essay on "Resources," Ralph Waldo Emerson, speaking of the United States, said:

"Here is bread and wealth and power and education for every man who has the heart to use his opportunity."

A New Englander, and writing within a decade after the close of the civil war, Emerson probably had in mind especially the North and the West. In these early years of the twentieth century his language applies with particular force to the South—preeminently the land of present-day opportunity. I am here this evening, Mr. Toastmaster, to invite you to look to the South—its industrial and transportation systems—to consider the extent and variety of its resources; its economic strength, its splendid record of accomplishment, and the opportunities which it offers to men of industry and enterprise.

When Emerson wrote, the extent and richness of the natural resources of the South were not fully known even to our southern people. Its industrial potentialities were almost universally underestimated. By far the greater proportion of its cotton and other principal products were being shipped to other sections of the United States and to foreign countries to be manufactured.

At that time the vast store of wealth contained in southern forests was but little appreciated. Wood-working industries on any considerable scale did not exist in the South. The centers of heaviest lumber production and of wood-working industries were in the northeastern section of the United States. The timber supplies of the United States were looked upon as inexhaustible. Wasteful methods of forestry were practiced throughout the North, and, owing to the rapidly increasing scarcity of suitable timber in the Northeastern States, the last twenty years have witnessed a decline in the relative importance of furniture manufacturing and other wood-working industries in that section and their relatively rapid growth in the South, Northwest, and the far West. In other words, these industries are following the rapidly receding forests. Fortunately for our section, large areas of forest land in the South remained practically untouched until, as a result of wasteful cutting in other sections, the country was brought to a realization of the fact that unless a conservative policy with respect to the remaining forests should be adopted the timber supply of the United States would be exhausted in comparatively a few years. The destruction of the forests in other sections has enormously increased the value of those remaining in the South. If, profiting by the experience of the past, we adopt scientific methods of forest management, our woodlands can be profitably used in the present and preserved as a source of future wealth.

First and foremost among the natural assets of the South is the cotton plant. It gives to our section almost a monopoly in the production of a textile fiber in demand wherever human beings live and brings all the world to our southern markets. When Emerson wrote, the annual production of cotton in the United States was less than 5,000,000 bales. Of this amount, not more than 100,000 bales, or only about 2 per cent of the total production, was consumed in southern cotton mills. There was a generally prevailing opinion that cotton goods could not be successfully manufactured in the South, and about 98 per cent of the raw cotton was shipped from the South to mills in the Northern States and in Europe. There are now more cotton spindles in the South than there were in the entire United States when Emerson wrote, and southern mills consume annually more than those of New England, having used, in 1908, 2,187,069 bales, while New England used but 1,894,834 bales. Cotton seed, except the small proportion used for planting, was then a waste product with no value whatever. Now it adds approximately $90,000,000 per year to the value of the southern cotton crop. It yields a salad oil that compares favorably with the oil from the Mediterranean olive groves, a high-class stock food, and a valuable fertilizer. It has become the basis of a great and growing industry, which is located almost entirely in the Southern States.

If Emerson had been writing of the iron and steel industry of the United States, he would then have found little to say about the South. Some years later, in 1880, the total output of southern iron ore was but 842,454 tons. In 1907 it amounted to 6,316,027 tons, or approximately as much as the total production of the United States in Emerson's time. With practically inexhaustible supplies of iron ore, coal, and limestone in close proximity, the South is building up a great iron and steel industry. As has been the case in the Pittsburg district, our southern iron and steel centers are attracting manufacturers of machinery, of tools, and other articles which use iron and steel as their raw materials.

Prior to 1880 coal was mined in the Southern States, outside of Maryland and West Virginia, chiefly for domestic use. The development of southern industries has brought about an enormous increase in the demand for steam coal and coking coal, and the total production of the South has increased from 6,037,003 tons in 1880 to 94,829,835 tons in 1907. Southern coal fields are so extensive as to assure an abundance of fuel for domestic use, for the generation of power, and for producing coke for centuries to come. The supply is adequate, not only for the use of the South, but for shipment to the North and for export to foreign countries.

The South is not wholly dependent on coal for its power. It is singularly rich in water powers. A glance at the map of our section will show large numbers of streams having their sources in the Southern Appalachian Mountains and flowing to the Atlantic Ocean and the Gulf of Mexico. Along the upper waters of these streams the fall is so considerable that the water of the same stream can, in many cases, be used for power generation at several different points. Before the hydro-electric engineer entered the field and demonstrated the possibility of power transmission for long distances the use of a water power was limited to the plants that could be located at the point where it was available. It is now no longer necessary to locate the factory at the power site; the hydro-electric engineer takes the power generated at a single point to factory sites throughout a large territory.

The climatic and soil conditions of the South are so varied that within its limits there can be produced, profitably, all the products of the Temperate Zone and many of those of the Tropics. It is furnishing each year an increasing proportion of the fruits and vegetables consumed in the United States. Southern-grown tobacco is manufactured in southern factories. Beneath the soil of the South are stores of marble and stone for the builder, clay for the potter and brickmaker, and a wide range of useful and ornamental minerals. Marble and granite from its quarries are going into monumental buildings in the North as well as in the South. Southern progress in the future will take the direction, not only of the expansion of industries engaged in primary manufacturing, but also of a multiplication of industries which will use its primary products as their raw materials. Cotton textiles,

in increasing quantities, will be made into articles ready for wear in southern factories. Iron and steel will be made more generally in southern establishments into structural shapes. Southern leather will be sent to the markets of other localities in the form of boots and shoes, harness, and belting, and the products of southern sawmills will be shipped to other localities, not only in the form of furniture, but manufactured into the great variety of other commodities of which wood is a raw material.

There is nothing artificial about our southern industrial progress. It rests on the solid ground of the conversion of southern raw materials into commodities ready for use. It is only by the utilization of its raw materials that a community can attain the highest degree of prosperity. The relatively greater advance of the North in population and wealth in former years was due to the fact that it used, not only its own raw materials, but a large proportion of those produced in the South as well. In fact, the raw materials of the South furnished the basis of great and prosperous industries in the North and in other countries. The South is now using its raw materials in ever-increasing quantities and is adding to the profits of their production the profits of manufacturing.

Side by side with the industrial development of the South there is taking place an advance in agriculture of fully as great economic importance. While raising larger quantities of the distinctively southern agricultural products, the farmers of our section are each year devoting more attention to diversified farming. An important factor in this agricultural advance has been the growth of a large number of industrial communities in all parts of the South, affording to the farmer a home market for an increasing proportion of his products.

We are living, Mr. Toastmaster, in an era of specialization of production in which the tendency is for each community to devote its energies principally to those industries best suited for its locality. One of the most important factors in bringing about specialization of production is climate. Climatic differences will, therefore, tend to increase the exchange of commodities along north and south lines. In the United States the relatively greater development of traffic along east and west lines has resulted, in large part, from two causes, which will probably be less controlling in the future than in the past. One of these causes is that, the principal markets for our exports having been in Europe, they have moved to the North Atlantic ports, and our imports, having been drawn principally from Europe, have entered through these same ports and have been distributed throughout the country. The other cause results from the fact that our country has been settled from the East. The Eastern States, with their denser population and older institutions, were the ones in which manufacturing developed most largely and in which the largest consuming communities were built up. In the newer States of the West agriculture, lumbering, and mining were the predominant industries. The east and west movement of exports and imports was therefore supplemented by an eastward movement of the products of western farms, forests, and mines to the consuming and manufacturing centers of the East, and a westward movement of domestic manufactures. With the development of southern consuming and manufacturing centers, the diversification of southern agriculture, the larger use of southern forests, the opening of southern mines, the increase in southern population and purchasing power, and the growth in importance of the South Atlantic and Gulf ports, especially with reference to trade by the Panama Canal and with the Latin-American countries, there will undoubtedly be relatively a larger increase in the exchanges between the North and the South.

This, Mr. Toastmaster, will operate to the advantage of both the northern and southern sections. Rich as is the South in natural resources and industrial potentialities, it can never be wholly self-supporting. It must continue to look to the North and to the West for a large variety of commodities that can more advantageously produced in those sections. As our southern industries continue to increase the quantity and variety of their products, our section will cease to buy, or will buy in smaller quantities, some commodities which they formerly drew almost exclusively from other manufacturing and distributing localities. I am confident, however, that the ultimate effect of this will be beneficial to both sections. What your manufacturers and merchants may lose in some lines will be much more than made up to them by enlarged demands in other lines. There will be an increased exchange of commodities between the sections, to the material advantage of both.

Adam Smith emphasized the economic importance of this exchange of commodities. In his inquiry into the Nature and Causes of the Wealth of Nations, writing of international trade, he said:

"When the produce of any particular branch of industry exceeds what the demand of the country requires, the surplus must be sent abroad and exchanged for something for which there is a demand at home. Without such exportation a part of the productive labor of the country must cease, and the value of its natural produce diminish."

What Mr. Smith said of trade between different countries applies with equal force to trade between localities in the same country. It applies with particular force to trade between localities in a country so extensive as the United States, with diversities of climate and natural resources which tend to specialize the production of different commodities in certain localities. This may best be demonstrated by a concrete illustration. You have in the Pittsburg district the greatest iron and steel industry in the United States, with every natural advantage favorable to its expansion. If, however, it had been limited to supplying the demands of this immediate locality for its products, it could never have reached anything like its present proportions, and might never have been started. Its growth and prosperity have been made possible by the ability to sell its products in other localities where they are in demand and where they can not be produced so advantageously.

What is true of the Pittsburg district and its iron and steel industry is true of every community and of every industry in the United States. The exchange of commodities between localities can not be effected without transportation. The extent to which it can be carried on depends upon the capacity of the transportation agencies which are available. Hence it follows that there is a very intimate relation between the development of any community and its transportation agencies. Its material progress and its increase in population and wealth are limited by the capacity of its carriers. No community, therefore, can afford to stand apart from its carriers or to be indifferent to the economic conditions which surround them. In this age of world-wide commerce the interest of any community in transportation can not be merely local. It is national and even international in its scope.

In international transportation you have, in connection with the South, a special interest in the establishment of direct and regular steamship lines between the United States and the Latin-American countries. Our country has an important geographical advantage with reference to this Latin-American trade. Our southern ports are particularly well located with respect to it. Yet there is not to-day a single regular steamship line from any South Atlantic or Gulf port to any Latin-American port south of Venezuela. There are a few lines, generally under foreign flags, running from New York to Brazil, Argentina, and, by way of the Straits of Magellan, to Chile and Peru. The vessels employed in these lines are generally freight carriers, too slow, and sailing at too great intervals, to render efficient mail service, and with poor accommodations for passengers. There are direct and regular lines to these countries from Great Britain, Germany, France, Spain, and Italy. The mails between South America and Europe are swift, regular, and certain. Between South America and the United States they are slow, irregular, and uncertain.

In spite of inadequate direct transportation facilities, however, the trade of the United States with the Latin-American countries is growing more rapidly than our foreign trade as a whole. It is the most promising export trade we have to-day, notwithstanding the fact that goods from the United States are, in many cases, carried across the Atlantic to Europe and back again to South America. The people of those countries consume large quantities of commodities that can advantageously be produced in the South and elsewhere in the United States. That American manufacturers can compete successfully in the Latin-American markets with those of Europe is unquestionable, and, although our trade with those countries is growing, I believe that if we are to realize the full benefit of our geographical advantage with relation to it we must have direct and regular steamship communication not only from the North Atlantic, but also from the South Atlantic and Gulf ports. While we may differ, Mr. Toastmaster, as to the best means for bringing this about, I think we must all agree as to its importance to our industrial and commercial progress.

Within the United States the interest of our communities in transportation embraces the improvement of our harbors and our inland waterways to the highest state of economic efficiency and the increase of railway facilities so as to keep them constantly up to the demands for railway service. Your interest in the adequacy of railway facilities is not restricted to lines in this immediate locality, for the delay of a carload of goods on a railway in Georgia or in Kansas may be as hurtful to a Pittsburg shipper as if it occurred within your city limits.

In no part of the United States, Mr. Toastmaster, is the matter of adequate rail facilities of more importance than in the Southern States. Prior to the civil war the railways of the South compared favorably with the lines in the Northern States. Alternately used and destroyed, first by one army and then by the other, there was little left of them at the end of that conflict but their rights of way and their debts. The older ones of us here this evening remember what they were like about the time Emerson was writing his essay on "Resources." The task of rebuilding these wrecked properties and of welding together disjointed lines of different gauges into standard-gauge systems, capable of rendering efficient service, was made more difficult by the fact that, as a result of the war, the financial resources and credit of the South had been shattered. There were not lacking courageous southern men who were able to inspire some of their fellow-citizens of the North with their faith in the South, and in its future, and together they undertook the task. Working shoulder to shoulder, these men linked the sections together in bands of steel, and not the least of their services was that of softening the prejudices left by war, drawing the North and South together in closer social and commercial contact, and welding them into one people.

The work is not yet done, for the railways of the South have hardly been built up beyond a single-track system. Comparing the section south of the Ohio and Potomac rivers and east of the Mississippi with the somewhat smaller section north of the Ohio and Potomac and east of Illinois, we find that this northern section has more than 12 times as much double-track mileage as the Southeast, and more miles of third track and fourth track than the entire double-track mileage of the Southeast. Considering the United States as a whole, with the possible exception of a few localities, the need of new railway lines is secondary to the improvement of existing lines and the increase of their carrying capacity. As to the South, I have no hesitation in saying that its most pressing economic need to-day is an increase in the carrying capacity of its existing railway lines, especially in the way of providing an increase in double-track mileage.

So far as the resources at their command have permitted, the men entrusted with the management of the railways of the South have provided increased facilities. In the ten years prior to the business depression which began in the fall of 1907, the increase in railway facilities in our section was materially greater than the increase in capitalization, and the increase in service performed was very largely in excess both of the increase in capital and in facilities. The traffic of the South had reached such proportions as to tax existing railway facilities to the utmost. The point had been reached where any material increase in southern agricultural and industrial production would have been impossible without a corresponding increase in railway facilities. Therefore, as we look to the future with confidence in the ability of our people to reach a higher level of prosperity than they have yet attained, we are confronted with the necessity for an increase in facilities in the way of double-tracking the more congested parts of our railway lines. These urgently needed facilities can be provided, Mr. Toastmaster, only by attracting the investment of additional capital in railway enterprises in our section.

If a Pittsburg manufacturing company is seeking capital for the enlargement of its plant, its managers must be able to convince those with money to invest that if they put it into this plant they can expect to earn, at least, approximately the same rate of profit as is earned by capital in other lines of business. The desire of each man to better his own condition and to provide for those dependent upon him is the mainspring of human progress. A man is not induced to invest his money in a farm by the philanthropic motive of growing grain to feed his fellow-men, but by the desire of gain. Another is not moved to build a cotton factory by an altruistic desire to clothe mankind, but by the expectation that he can sell cotton goods at a profit. Exactly the same expectation of gain leads to investments in a railway enterprise.

The provision of these adequate transportation facilities is a matter that concerns all classes of people. Whether or not they can be provided will depend, in large measure, upon the character of regulatory policies that are adopted. The proper field of regulation is the prevention of wrong and the safeguarding of the rights, both of the buyers of transportation and of the railways.

Regulations within this field should have for its object the prevention of abuses, and not administration of the business of the railways. It is undeniable, Mr. Toastmaster, that, in the early days of transportation by rail, certain abuses were developed. The most serious of these was the granting of special rates or special service to individual shippers. When this practice arose, the economic principles governing

railway transportation had not been formulated. In other lines of business, to a greater extent than at present, each transaction was a matter of special bargain. The prices of all commodities and of services were everywhere determined by what Adam Smith called "the higgling of the market." It was not considered criminal for a shopkeeper to sell a suit of clothes to one customer at a certain price and to sell to the next customer at a price substantially lower, rather than permit him to patronize a rival across the street. Charges for railway service were not recognized as standing on a different basis. The shipper who was a skillful bargainer, and who was in a position to divert traffic to a rival line, generally obtained concessions in rates. As the peculiar nature of the railway business has come to be better understood, and as its economic relations to all other lines of business have been studied, it has come to be realized that such discriminations between shippers similarly situated are economically wrong. They are wrong because the railway company is a common carrier, and as such should avoid unjust discriminations between its patrons, and also because it maintains a public highway to which each individual in the community is entitled to access on equal terms.

If regulation for the correction and prevention of abuses is to be beneficial, certain fundamental truths must be kept in mind. It must be recognized that transportation is essential to profitable production; that the railways of a community are an indispensable factor in its progress and development; that they are built by private capital and operated by private individuals, and that they have property rights in whatever remains to them as the net result of their operation. It is their property, in the use and enjoyment of which their owners are protected by the fundamental law of the land, and should be protected by public opinion to the same extent as any citizen is protected in the possession and enjoyment of his home, his farm, or his factory. It must be recognized that when public regulation has been carried to the extent of preventing unreasonable charges and unjust discrimination, the owners of a railway are entitled to have the same liberty in its management as is enjoyed by the owner of any other business. You can not put a great business such as this, on the success and prosperity of which all other lines of business are dependent, in a straitjacket of legislative and administrative restrictions and regulations and expect to thrive and prosper. Keep pace with the demands of the country for increased transportation facilities.

An intelligent understanding on the part of the public of the effect of regulatory policies upon the railways and upon all those interested in adequate facilities and efficient service is the more important for the reason that, on account of the character and location of the property of a railway company and the nature of its business, it must depend, probably more than any other business enterprise, upon public opinion for the protection of its property and its rights and for its ability efficiently to perform its service for the public.

It may not be improper for me to point out that if your railways are to increase their carrying capacity as your demand for transportation facilities grows, they must have the support of public opinion in times of prosperity as well as in times of adversity. It should not be withdrawn as soon as an improvement in railway operating results is apparent, for the inevitable effect would be to retard that development of transportation interests which is essential to the industrial and commercial progress of the United States. The railways of the country can not provide increased facilities if they are to be held down to the level of a bare existence, and if the first sign of an increase in net income is to be the signal for a demand for cheaper service.

It is important, therefore, that, in considering policies of railway regulation, we should calculate beyond the immediate objects to their ultimate results. Any reduction in transportation charges, if it is obtained at the price of impaired efficiency, is not only an invasion of the rights of private property, but is injurious both to the railway and to those who pay the reduced rates for its service. This was clearly set forth by the Supreme Court of the United States, in its recent decision in the Knoxville Water Company case, in which the court said:

"A slight gain to the consumer which he will obtain from a reduction in the rates charged by public service corporations is as nothing compared with his share in the ruin which would be brought about by depriving to private property its just reward, thus unsettling values and destroying confidence."

I think that the economic soundness of this statement can not be questioned, for it is based on the fact that the public generally is concerned in the efficiency of public service corporations.

I need not tell a Pittsburg audience that the public interest in efficient transportation service is supplemented by the importance of railway wage-paying and purchasing power as a factor in general prosperity. The economic importance of this is being more generally recognized. One of the most noteworthy instances of this was in the opinion of the Virginia Corporation Commission accompanying its recent order authorizing an advance in intrastate passenger rates from 2 cents to 2½ cents a mile. The commission said:

"Accepting as true the familiar and accepted statement that no large business interest can be injuriously affected without injuring the community as a whole, we believe that the failure of the railways to prosper so forces the reduction of the number of their employees and their wages, so reduces the ability and disposition of the railway companies to enter into new contracts for extensions, betterments, and improvements, so curtails their power to purchase supplies of many kinds, thus affecting many other enterprises whose prosperity depends upon the purchasing power of the railroads, and so discourages the investment of capital in new as well as old railway enterprises, as to amount to a public calamity."

The soundness of these views of the Virginia Commission will not be disputed in the Pittsburg district, where such a large proportion of your industries are dependent directly or indirectly upon railway purchasing power. You know the widespread effects of the enforced economies of the railways of the United States during the business depression. I think that no one will disagree with me in the opinion that the depression would have been less severe and that the recovery would have been more rapid if the railways had been able to maintain their normal rate of expenditures.

As a result of the discussion of the past few years the economic relations of the railways to the business of the country are coming to be better understood. The people generally are taking the view that the primary needs of the United States in respect to transportation are adequate facilities and efficient service. They agree with the Virginia Corporation Commission in its further admirable statement that "new capital must be supplied if these needs are to be adequately met, and we can only induce this new capital to seek investment here by pursuing a course which will attract it to this State." Accepting this as voicing the trend of public opinion, not only in Virginia but in the United States, we can look forward to an era of more intelligent and mutually helpful cooperation between our people and their railways for the advancement of their common interests. In the social and material progress that will come to our Nation as a result of the solution of our transportation problems in conformity with economic principles, the South will be no laggard. It is in truth, Mr. Toastmaster, a land of opportunity, with natural resources unexcelled by those of any other section of the earth. Its people have shown their quality in the courage with which they turned to repairing the damage wrought by war and in the splendid agricultural and industrial structure they have erected upon the ruins of their former systems. They can point to "that which they have done as but earnest of the things that they shall do," and can say to all the world:

"Here is bread and wealth and power and education for every man who has the heart to use his opportunity."

The CHAIRMAN. The time of the gentleman and the time of the session has expired.

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. COLE having taken the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

ADJOURNMENT.

The SPEAKER pro tempore. The hour of 10.30 p. m. having arrived, under the previous order, the House stands adjourned until 10 o'clock a. m. to-morrow.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 6104) for the purchase of a site and the erection thereon of a public building at Bucyrus, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6105) for the purchase of a site and the erection thereon of a public building at Fremont, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BARCLAY: A bill (H. R. 6106) to provide for the erection of a public building at Dubois, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. AUSTIN: A bill (H. R. 6107) declaring such persons as were engaged in the operation and construction of the United States military railroads during the war of the rebellion to have been a part of the Army of the United States and having a pensionable status in accordance therewith—to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 6108) to establish a postal savings bank system, and to provide for the conduct and regulation of the same—to the Committee on the Post-Office and Post-Roads.

By Mr. BYRNS: A bill (H. R. 6109) for the relief of tobacco growers—to the Committee on Ways and Means.

By Mr. LAFEAN: A bill (H. R. 6110) to pay railway postal clerks actual and necessary traveling expenses—to the Committee on the Post-Office and Post-Roads.

By Mr. BYRNS: A bill (H. R. 6179) to locate, map, and mark field of battle fought near Nashville, Tenn., December 15 and 16, 1864; to construct driveways, etc., and make an appropriation for same—to the Committee on Military Affairs.

By Mr. WOODS of Iowa: A bill (H. R. 6180) to amend the first paragraph of the fourth division and the first paragraph of the fifth division of section 3244 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. BURKE of South Dakota: Memorial of the legislature of South Dakota, asking Congress to maintain and increase the tariff upon wool—to the Committee on Ways and Means.

By the SPEAKER: Memorial of the legislature of Colorado, praying for the readjustment of the revenue from forest reserves—to the Committee on the Public Lands.

By Mr. CAPRON: Memorial of the legislature of the State of Rhode Island, praying Congress to reimburse the State of Rhode Island and the town of New Shoreham for expenditures in opening, keeping, and protecting the breachway at Great Salt Pond, Block Island—to the Committee on Claims.

Also, memorial of the assembly of the State of Rhode Island, opposing the taxation of inheritances for federal purposes—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Memorial of the legislature of Rhode Island, requesting the Senators and Representatives in Congress from Rhode Island to oppose the taxation on inheritances for federal purposes—to the Committee on Ways and Means.

By Mr. MONDELL: Memorial memorializing Congress not to reduce the tariff on coal—to the Committee on Ways and Means.

Also, memorial, opposing the further reduction of the tariff on sugar—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 6111) for the relief of Peter G. Straub—to the Committee on Claims.

By Mr. ANDERSON: A bill (H. R. 6112) granting an increase of pension to John W. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6113) granting an increase of pension to William R. Holmes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6114) granting an increase of pension to Charles W. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6115) granting an increase of pension to Philip Zerbe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6116) granting an increase of pension to Rudolph Gelsiu—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 6117) for the relief of Nathan Finnegan—to the Committee on Claims.

By Mr. AUSTIN: A bill (H. R. 6118) granting an increase of pension to Orlin L. Smith—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 6119) granting an increase of pension to Amlie Bonham—to the Committee on Pensions.

By Mr. BURNETT: A bill (H. R. 6120) for the relief of James Barron—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 6121) granting an increase of pension to Thomas C. Bird—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 6122) granting an increase of pension to William B. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6123) granting an increase of pension to Henry S. Walls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6124) granting an increase of pension to George W. Arison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6125) granting an increase of pension to Henry T. Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6126) granting an increase of pension to Hiram Pile—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6127) granting an increase of pension to William J. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6128) granting an increase of pension to John D. Mallory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6129) granting an increase of pension to William Newell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6130) granting an increase of pension to George Cable—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6131) granting an increase of pension to Robert M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6132) granting an increase of pension to Albert G. Beeson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6133) granting an increase of pension to Isaac Coldren—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 6134) granting a pension to John Kiplinger—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 6135) granting an increase of pension to A. Sidney Alden—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 6136) granting an increase of pension to Samuel B. Marshall—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 6137) granting an increase of pension to Joseph M. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6138) granting an increase of pension to Hugh A. Catron—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 6139) granting an increase of pension to Albert Steinhauser—to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 6140) for the relief of Matthew McDaniel—to the Committee on War Claims.

Also, a bill (H. R. 6141) for the relief of John Billups—to the Committee on War Claims.

Also, a bill (H. R. 6142) for the relief of the heirs of James Stewart and John Lee McMichael, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6143) for the relief of the heirs of Larkin Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6144) for the relief of the heirs of Matthew Higginbotham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6145) for the relief of the heirs of John Fisher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6146) for the relief of the heirs of Thomas N. Poullain, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6147) for the relief of the heirs of James Roberts, late of Jasper County, Ga.—to the Committee on Claims.

Also, a bill (H. R. 6148) for the relief of the heirs at law of J. A. Carter, late of Putnam County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 6149) for the relief of the estate of William R. Poole, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6150) for the relief of Martha Strickland, widow of William Strickland—to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 6151) for the relief of C. A. Sprinkel—to the Committee on War Claims.

Also, a bill (H. R. 6152) for the relief of Wesley Rankins—to the Committee on War Claims.

Also, a bill (H. R. 6153) for the relief of James W. Nickens—to the Committee on War Claims.

Also, a bill (H. R. 6154) for the relief of William Mason—to the Committee on War Claims.

Also, a bill (H. R. 6155) for the relief of John S. Lupton—to the Committee on War Claims.

Also, a bill (H. R. 6156) for the relief of John N. Bell—to the Committee on War Claims.

Also, a bill (H. R. 6157) for the relief of James H. Hottel—to the Committee on War Claims.

Also, a bill (H. R. 6158) for the relief of the heirs of James F. Rinker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6159) for the relief of the heirs of Thomas A. Crow, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6160) for the relief of the heirs of A. S. Gray, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6161) for the relief of the estate of Branon Thatcher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6162) for the relief of the estates of James and Eliza M. Lewis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6163) for the relief of the estate of Thomas Clevenger, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6164) for the relief of the estate of Robert Barr, deceased—to the Committee on War Claims.

By Mr. KELIHER: A bill (H. R. 6165) granting a pension to Joseph Kerrins—to the Committee on Pensions.

Also, a bill (H. R. 6166) granting a pension to Martha E. Sennenbrodt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6167) granting a pension to Timothy J. Mahoney—to the Committee on Pensions.

Also, a bill (H. R. 6168) granting an increase of pension to Seba Coffin—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 6169) for the relief of the Richmond Locomotive Works, successor of the Richmond Locomotive and Machine Works—to the Committee on Claims.

By Mr. LOWDEN: A bill (H. R. 6170) granting an increase of pension to Edward Reubeno—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 6171) granting an increase of pension to John Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6172) granting an increase of pension to Thomas Rader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6173) granting an increase of pension to Levi W. Bevis—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 6174) granting a pension to Louise Theobald—to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 6175) granting an increase of pension to James H. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6176) granting an increase of pension to Charles F. Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6177) to correct the military record of Benjamin Sharp—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 6178) granting a pension to William L. Carlton—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of municipal council of Fajado, P. R., praying for a liberalizing of the organic act of Porto Rico in an amply democratic sense—to the Committee on Insular Affairs.

Also, petition of L. T. Wilson and others of the Eighteenth Congressional District of Illinois, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of Andrew P. Hughes and 36 others, of Hillsboro, Ill., and of Henry H. Hoff and 7 others, for the creation

of a national highways commission and for an appropriation to aid in maintenance of public roads—to the Committee on Agriculture.

Also, petitions of J. E. Dyer, of North Easton, Mass., and other individuals and firms and corporations in the United States, for removal of the duty on sugar—to the Committee on Ways and Means.

By Mr. ALEXANDER of New York: Petition of residents of the Thirty-sixth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of Cigar Makers' Union No. 176, of Newark, Ohio, against admission of cigars from the Philippines save at regular import duty—to the Committee on Ways and Means.

By Mr. BOOHER: Paper to accompany bill for relief of Charles S. Armstrong and Joseph Tudell—to the Committee on Invalid Pensions.

By Mr. BOWERS: Paper to accompany bill for relief of Amlie Bonham—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petition of F. W. Briggs, of Pittsfield, Me., for creation of a national highways commission—to the Committee on Agriculture.

By Mr. BURNETT: Petition of J. N. McCrelass, of Horton, Ala., favoring repeal of duty on raw and refined sugar—to the Committee on Ways and Means.

By Mr. COOK: Petition of National Board of Trade, favoring appropriation of not less than $50,000,000 annually for improvement of inland waterways—to the Committee on Rivers and Harbors.

Also, petition of National Board of Trade, favoring assessment of specific duties, and a permanent nonpartisan expert tariff commission—to the Committee on Ways and Means.

Also, petition of Wallace Wilson Hosiery Company, of Frankford, Pa., and 400 employees, opposing reduction of tariff on hosiery—to the Committee on Ways and Means.

By Mr. DODDS: Petition of certain citizens of Traverse City, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ESCH: Petition of merchants of Milwaukee, against proposed advance of duty on gloves and stockings—to the Committee on Ways and Means.

Also, petition of citizens of the Seventh Congressional District of Wisconsin, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of the Chamber of Commerce of Milwaukee, Wis., against reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. FULLER: Petition of the legislature of the State of Wyoming, in opposition to any reduction of present tariff on wool and hides—to the Committee on Ways and Means.

Also, petition of American Artificial Marble Company, of Philadelphia, Pa., and others, against proposed increase of duty on Keene's cement—to the Committee on Ways and Means.

Also, petition of State Savings, Loan and Trust Company, of Quincy, Ill., for a free art schedule—to the Committee on Ways and Means.

Also, petition of James McManus, of Chicago, Ill., for a reduction of tariff on sugar—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of C. F. Norwood and 72 others of Bolaton, Minn., for reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of North Dakota, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of state convention at Minot, N. Dak., favoring placing lumber, coal, and iron on the free list—to the Committee on Ways and Means.

Also, petition of the legislature of North Dakota, for retention of present duty on all farm products—to the Committee on Ways and Means.

Also, petition of the legislature of North Dakota, for a law to effect more beneficent changes touching laws regarding the health of Russian immigrants—to the Committee on Immigration and Naturalization.

Also, petition of the legislature of North Dakota, favoring a federal license law relative to sale of liquor—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Dickinson (N. Dak.) Lodge, No. 1137, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

Also, petition of citizens of North Dakota, against reduction of duty on barley, wheat, and other grains—to the Committee on Ways and Means.

Also, petition of citizens of North Dakota, for reduction of duty on sugar—to the Committee on Ways and Means.

Also, petition of citizens of North Dakota, favoring federal inspection of grain—to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: Petition of Chamber of Commerce of San Francisco, Cal., favoring immediate occupancy of the new immigration station on Angel Island—to the Committee on Immigration and Naturalization.

By Mr. HENRY of Connecticut: Petitions of Kellogg & Bulkeley Company, and Dodd Lithographing Company, and others, favoring a higher duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Pouren defense commission, against surrender of Jan Janov Pouren to the Russian Government—to the Committee on Foreign Affairs.

Also, petition of Hebrew citizens of Connecticut, in behalf of industrial education as per the so-called "Davis bill"—to the Committee on Education.

Also, petitions of New Britain Record, and Case, Lockwood & Brainard Company, and others, against printing of stamped envelopes by the Federal Government—to the Committee on the Post-Office and Post-Roads.

By Mr. HIGGINS: Petition of Danbury Business Men's Association, against a duty on tea, coffee, cocoa, and spices—to the Committee on Ways and Means.

Also, petition of citizens of Connecticut, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Petition of residents of Third Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HUBBARD of West Virginia: Paper to accompany bill for relief of John M. Null (H. R. 2487)—to the Committee on Invalid Pensions.

By Mr. HUFF: Petition of citizens of Westmoreland County, Pa., against tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of American plate-glass manufacturers, favoring a higher rate of duty on plate glass—to the Committee on Ways and Means.

By Mr. HULL of Iowa: Petition of citizens of Iowa, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of the Seventh Congressional District of Iowa, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. KELIHER: Petition of citizens of Boston, Mass., for removal of duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Boston lithographers, for a higher import duty on all lithographic products—to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of residents of the Twentieth Congressional District of Pennsylvania, for a duty on hides—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of citizens doing business in city of East Brady, Pa., against postal savings bank and parcels-post laws—to the Committee on the Post-Office and Post-Roads.

By Mr. JAMES: Petition of business firms of Louisville, Ky., against a duty on hides—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of citizens of Savanna, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. McKINNEY: Petition of residents and business men of the Fourteenth Congressional District of Illinois, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. MARTIN of Colorado: Petition of conference of lead-ore producers of Idaho, Utah, Colorado, and Nevada, against a reduction of the duty on lead ore—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of various residents of the Twenty-seventh Congressional District of New York, against a duty on tea, coffee, cocoa, and spices—to the Committee on Ways and Means.

Also, petition of residents of the Twenty-seventh Congressional District of New York, favoring a rearrangement of the tariff on linoleum and oilcloth—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Oxford, Nebr., against the enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. O'CONNELL: Petition of citizens of Boston, against a proposed tax on tea—to the Committee on Ways and Means.

By Mr. RAINEY: Petition of merchants of Petersburg, Granville, Mason City, Chandlerville, Franklin, and Waverly, Ill., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mound City (Ill.) Board of Trade, favoring appropriation of not less than $55,000,000 per annum for development of internal waterways—to the Committee on Rivers and Harbors.

Also, petition of Mrs. W. H. H. King and 15 other ladies of Jacksonville, Ill., against use of the Hetch Hetchy Valley as a reservoir—to the Committee on Ways and Means.

Also, petition of Mrs. W. H. H. King and 15 other ladies and Conservation Club, of Jacksonville, Ill., against use of the Hetch Hetchy Valley, Cal., as a reservoir—to the Committee on the Public Lands.

By Mr. REYNOLDS: Petition of 678 citizens of Bedford and Blair counties, Pa., favoring removal of the duty on hides—to the Committee on Ways and Means.

By Mr. RHINOCK: Petition of citizens of the Sixth Congressional District of Kentucky, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of H. D. Brady, favoring a higher tariff on willow-basket material—to the Committee on Ways and Means.

By Mr. ROTHERMEL: Petition of manufacturers and miners of slate and slate products, requesting no change be made in existing tariff on slate and slate products—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of Mary E. Drury and 59 others, of Providence, R. I., asking removal of tax on tea and coffee—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of conference of lead-ore producers of Idaho, Utah, Colorado, and Nevada, against reduction of duty on lead ore—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of William E. Carlton—to the Committee on Pensions.

By Mr. TIRRELL: Petition of citizens of the Fourth Congressional District of Massachusetts, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. WEBB: Petition of G. D. Ray and other citizens of Yancy and Mitchell counties, N. C., asking for a specific duty of 6 cents per pound on mica in addition to 3 per cent ad valorem duty proposed—to the Committee on Ways and Means.

By Mr. WHEELER: Petitions of J. C. Scowden and 10 others and A. Dunn & Son and others, of Tidioute, and W. J. Haas and others, of Emlenton, all in the State of Pennsylvania, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of P. L. Williams' Sons and others, of Sharon, Pa., favoring free hides—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 2, 1909.*

The House met at 10 o'clock a. m., and was called to order by Mr. Alexander McDowell, Clerk of the House, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C.

I hereby designate Hon. JOHN DALZELL Speaker pro tempore.

J. G. CANNON.

APRIL 2, 1909.

Mr. DALZELL assumed the chair as Speaker pro tempore.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

JANITOR SERVICE.

Mr. HUGHES of West Virginia. Mr. Speaker, I want to ask unanimous consent for the consideration of several resolutions as from the Committee on Accounts, to take care of some matters which appear to be urgent. Certain employees not yet provided for are doing work and can not get their pay until these resolutions are passed.

Mr. CLARK of Missouri. Mr. Speaker, I understand that these resolutions only provide for a continuation of services that is already here. There is no objection to it.

Mr. HUGHES of West Virginia. That is correct.

The resolution was read as follows:

Resolved, That there shall be paid out of the contingent fund of the House, for the services of janitors to care for the rooms of the following-named committees, compensation at the rate of $60 per month from and including March 4, 1909, and during the remainder of the present session, under the direction and control of the Doorkeeper of the House, subject to the approval of the Committee on Accounts, namely:

One to the Committee on Education;

One to the Committee on Levees and Improvements of the Mississippi River, and the Committee on Reform in the Civil Service;

One to the Committee on Election of President, Vice-President, and Representatives in Congress, and the Committee on Alcoholic Liquor Traffic;

One to the Committee on Manufactures, and the Committee on Expenditures in the Department of Agriculture;

One to the Committee on Railways and Canals;

One to the Committee on Pacific Railroads;

One to the Committee on Mines and Mining, and the Committee on Private Land Claims;

One to the Committee on Militia, and the Committee on Expenditures in the War Department;

One to the Committee on Coinage, Weights, and Measures;

One to the Committee on Expenditures in the Post-Office Department, and the Committee on Expenditures in the Interior Department;

One to the Committee on Expenditures in the Department of Justice, and the Committee on Ventilation and Acoustics;

One to the Committee on Expenditures on Public Buildings, and the Committee on Mileage;

One to the Committee on Expenditures in the Department of Commerce and Labor, and the Committee on Expenditures in the State Department; and

One to the Committee on Disposition of Useless Papers in the Executive Departments.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman, is this resolution for unanimous consent? The Committee on Accounts has not yet been appointed, but there is a committee ad interim. Has this been submitted to that committee, and passed upon by them?

Mr. HUGHES of West Virginia. Yes, sir. That is to say, this revives a resolution of the last Congress, which the committee then reported, and no material change has been made in it.

Mr. MANN. By the three members of the committee?

Mr. HUGHES of West Virginia. No, sir; the gentleman from Georgia [Mr. BARTLETT] is sick.

Mr. CURRIER. I beg the gentleman's pardon. I have not examined them.

Mr. MANN. Mr. Speaker, I would like the gentleman's attention to this proposition. It used to be the custom to provide janitors for these committees, because they were in this building, and there was no other provision made for taking care of the rooms. Most of these committees are now in the Office Building, and the rooms are taken care of by the force employed by the superintendent of that building. The janitors, therefore, are no longer necessary for taking care of the rooms. It may be that one or more of the important committees on expenditures to some of the departments or concerning the disposition of useless papers needs a messenger, but it does not need a janitor, as that is provided for by the force in the Office Building. I think this resolution ought to have the approval or disapproval of the minority member of the committee, and for that reason——

Mr. HUGHES of West Virginia. I did not hear the gentleman's statement.

Mr. MANN. I said to the gentleman that the janitors are now no longer needed for this purpose. These janitors are mostly for committees now roomed in the Office Building, and the rooms are not now cared for by the janitors. They are cleaned by the force employed now by the superintendent of the building. It may be they call these janitors and use them as messengers. I do not undertake to say how that is, but I do undertake to say that the situation having entirely changed, with reference to this janitor service, from what it was when the committees were in this building, and the manner and method of caring for the rooms being changed, I think this is a matter that ought to be acted upon by both the majority and the minority, and as the matter has not been submitted thus far to the minority of the committee, ad interim——

Mr. MACON. If the gentleman has any delicacy about objecting, I will object.

Mr. MANN. I have no delicacy about objecting.

Mr. GOULDEN. I would say to the gentleman, as the next member of the committee on the minority, that this resolution met with my approval. In the absence of my colleague, Mr. BARTLETT of Georgia, I have acted in his place, and I hope there will be no objection, because it is necessary for them to have a number of these messengers.

Mr. CURRIER. If the gentleman from West Virginia will permit me. As the resolution was read I thought it applied to the clerks. As I understand it now, it does not apply to the clerks.

Mr. HUGHES of West Virginia. It does not apply at all to the clerks of these committees. It is the same that was provided in the Fifty-ninth and Sixtieth Congresses. Some rearrangement has been made, where a janitor is assigned to more than one room, as a matter of convenience, made necessary by changes in the location of certain committees.

Mr. CURRIER. I understand it is a single resolution, and with that understanding it will be satisfactory.

Mr. GAINES. If my colleague will allow me, I would like to ask the gentleman from Illinois [Mr. MANN] whether he is not mistaken in saying that these janitors are not wanted now to take care of the committee rooms. The janitors are needed for messengers, and it would certainly seem to be a useless expense for the custodian of the building to employ any other people to do all the work of taking care of the rooms. If there is no other work for these janitors to do, they ought to be dispensed with, if other persons are doing the work that might be left to the janitors. I ask the gentleman if that is not the case?

Mr. MANN. I do not undertake to say what ought to be done; but I undertake to say that the situation having entirely changed from the time this resolution was adopted, at the beginning of the Fifty-ninth Congress, I think this is a matter that ought to be submitted to the committee in some shape, both majority and minority, and have consideration. I suppose it will not delay the matter.

Mr. HUGHES of West Virginia. I should like to state that the temporary Committee on Accounts, appointed under the law, has all of the powers and privileges of the regular committee, and could have submitted this resolution as a privileged question. But in the absence of the gentleman from Georgia [Mr. BARTLETT], the minority member, who is ill, I did not call a meeting of the committee. Believing he would not object to the resolution if he were here, and because of its urgency, I asked unanimous consent for its consideration, intending, if this were denied, to confer with my other colleague on the committee [Mr. CURRIER], and with his consent bring in this resolution as a privileged matter from the Committee on Accounts.

I will say, further, that the Doorkeeper and superintendent of the building do not provide for janitors for these particular committee rooms. These rooms have been provided for in the past just in the manner now proposed. It is no new thing. The rooms are being occupied and must be looked after as though the committees existed. They are located both here and in the Office Building.

Mr. JAMES. Reference has been made here to the absence of the ranking member of the minority upon this committee [Mr. BARTLETT]. He has been very sick for the last few days, and I want to make that statement in explanation.

Mr. HUGHES of West Virginia. Yes; I stated that.

The SPEAKER pro tempore. Is there objection?

Mr. MACON. Mr. Speaker, I object.

Mr. MANN. For the present I object.

ATTENDANT IN LADIES' RECEPTION ROOM.

Mr. HUGHES of West Virginia. I offer the following resolution (H. Res. 45) and will ask unanimous consent for its consideration.

The SPEAKER pro tempore. The gentleman asks unanimous consent for the present consideration of the following resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 45.

Resolved, That there shall be paid out of the contingent fund of the House, for services of an attendant in the ladies' reception room, compensation at the rate of $75 per month for the sessions of the Sixty-first Congress, said attendant to be under charge of the Doorkeeper of the House.

With the following amendment:

Strike out "for" and insert "from and including March 15, 1909, and during."

Mr. MACON. Mr. Speaker, I will reserve the right to object.

Mr. HUGHES of West Virginia. This provides for the female attendant in the ladies' waiting room. She is doing the work, but can not get any pay until this resolution is passed.

Mr. MACON. I will say in response to that that, of course, the waiting room is in use now and the work in connection with it is being done, just as it was during the regular session. The Committee on Ventilation and Acoustics and other committees named in the resolution are not in session, not even in existence. For that reason I objected to the other resolution. I have no objection to this, because I think it is necessary and meritorious.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The amendment was agreed to.

The resolution as amended was agreed to.

MESSENGER IN HOUSE BRANCH POST-OFFICE.

Mr. HUGHES of West Virginia. I also offer the following resolution.

The Clerk read as follows:

House resolution 49.

Resolved, That there shall be paid out of the contingent fund of the House compensation at the rate of $100 per month, from and including March 4, 1909, and during the remainder of the present Congress, for the services of a messenger in the branch post-office in the House wing of the Capitol.

Mr. HUGHES of West Virginia. I will say for the information of the House that this provides for the pay of the man who looks after the branch post-office in the House wing of the Capitol building. Under the resolution providing for his employment in the last Congress he would only be paid until the end of the Sixtieth Congress; therefore this resolution is necessary.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The resolution was agreed to.

MESSENGER IN DOORKEEPER'S DEPARTMENT.

Mr. HUGHES of West Virginia. I also offer the following resolution.

The Clerk read as follows:

House resolution 48.

Resolved, That so much of the resolution of May 12, 1908, authorizing an assistant clerk to the Committee on Interstate and Foreign Commerce as made such clerk in lieu of a messenger in the Doorkeeper's department is hereby vacated; and for the services of said messenger compensation at the rate heretofore paid shall be paid out of the contingent fund of the House until otherwise provided for by law.

Mr. MANN. Reserving the right to object, I should like to know what this is for.

Mr HUGHES of West Virginia. This messenger was detailed by the Doorkeeper to the Committee on Interstate and Foreign Commerce in the last Congress at the request of the then chairman of that committee, Mr. Hepburn, of Iowa, who later requested that an additional assistant clerk to said committee be provided instead of this messenger. He was then promoted to be an assistant clerk. This is simply to give the Doorkeeper back the messenger, in lieu of the one who was taken away from him by promoting this messenger to be assistant clerk of the Interstate and Foreign Commerce Committee.

Mr. GOULDEN. The committee is now without a messenger?

Mr. HUGHES of West Virginia. Oh, no; this does not disturb the committee force.

Mr. MACON. Does the Doorkeeper report that he needs the services of this gentleman?

Mr. HUGHES of West Virginia. Yes; he does.

Mr. MACON. And that committee is without a messenger?

Mr. HUGHES of West Virginia. No; the committee has its messenger just the same.

Mr. MACON. What is the committee going to do if this man is transferred?

Mr. HUGHES of West Virginia. It is not a proposition to transfer anybody. As I said, it simply restores to the Doorkeeper a messenger who was detailed to the committee and who was afterwards made an assistant clerk.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The resolution was agreed to.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

Mr. MOORE of Pennsylvania. Mr. Chairman, the district which I represent in this House has not left unimproved a single acre of ground, save public parks. Almost every foot of it has been built over by industrial establishments, warehouses, stores, and dwellings. There is not an item in this bill which does not in some way affect these interests.

We believe in helping the planter, for we take his raw material and fashion it in our mills. We believe in assisting the farmer, for we take his grain and his produce and use it upon our table. We believe in assisting every section of the country, for the product of each goes into this district, where it is woven in form for the consumer in the South, in the East, and in the West.

I can not, with justice to these vast interests, attempt to analyze so important a measure as this bill, nor to treat of the specific items in the bill. I desire, however, in justice to the sentiments that hold with my people, to present a few brief general remarks; and if, coming from so important a center, I shall succeed in presenting intelligently the briefest speech that has been made on the tariff question, it will be, I am sure, a matter of gratification to the House and to my people at home.

THE DOER AND THE IDLER.

In the present contention we have to deal on the one side with the man who believes "the Lord will provide," and upon the other with his active and industrious brother who trusts the Lord to "help them that help themselves." The one declines to do a thing, even though it benefit him to do it; and the other doeth it, even though it benefit him that doeth it not.

One sits in the sunshine upon the wharf he did not build, and picks up the flotsam that comes in with the tide; the other seizes his natural opportunities and improves upon them. It is the doer who builds the ships and rears the mills; constructs the roads and opens up the mines. He rushes in with a thousand aids to hew and mold the crude material that nature puts before him. Were his incentive gone the path of man would fall to stagnant leads; his home the dreary hut, where flies the crow to steal his seed in the springtime, and where the rabbit nibbles of his cabbage in the autumn.

FARMER AND WAGE-EARNER INTERDEPENDENT.

Verily, he who would ennoble life upon the farm can not afford to quarrel with the maker of his tools. As one advances in the social scheme so the other does. Each is a producer of the nation's wealth; each is a consumer of the wealth the other produces. The farmer may not withdraw from the wage-earner lest he lose his market; the wage-earner can not withdraw from the farmer lest he lose his market. If the evil day shall come when one shall fail to know the other, the farmer may survive the winter, but the unemployed will overrun his fields or starve. From that community of interests into which the fortunes of the farmer and the industrialist have been interwoven there can be no severance, except the institutions they have jointly reared shall crumble and decay.

The earth is rich in raw material. He who brings it forth and puts his toil upon it for human use or delectation commits no crime. If he can make to grow two blades of grass where only one hath grown before, is he to be condemned? What shall we say of him who makes a city of a wilderness; electric light for a tallow dip; a parlor car for a buckboard? Or, if the handicraft of man, from masonry to chimney top, shall build the palace beautiful, shall we deride his wondrous skill and cry, "anathema?"

PROTECTION AGAINST PREJUDICE AND ERROR.

The country needs protection, the protection of a just and equitable tariff, for God hath not endowed alike with equal hopes and aspirations, with equal faith and equal advantages, with equal rights and equal opportunities, the men of every clime. It needs protection for its men and women who know the blessings of their own environment and seek to hold them, undisturbed. It needs protection from the prejudice that holds enthralled American génius seeking opportunity; against the wasteful Anglomaniac who fritters away American substance upon foreign fops and follies; against the demagogue who seeks to array the employer against the employed, the farm against the metropolis. It needs protection against the community that encourages the investment of capital for its own enrichment and then denies it just reward. It needs protection against the bungling legislator who pursues the man responsible and lets the shirk escape. It needs protection against the reckless meddler who runs amuck in the realm of industry, defiling *all* the sheep though one be black. It needs protection against the industrial theorist, for "He toils not, neither does he spin." It needs protection against injustice and monopoly, for these are the tares in the wheat; but its cup of need would not be full if it lack protection against the agitator who would burn the wheat to reach the tares.

ISSUE OF THE LIVING, NOT THE DEAD.

Protection has earned its right to respect. It has worked for us in our own land. It has been watched and emulated in others. Its benefits have reached the remotest hamlet; its burdens, if any, have been imperceptible. It has raised the standard of American life. A producer of revenue, it has relieved the people of direct taxation. As a national system it has worked well, and upon reasonable lines it should be continued.

I speak as a protectionist who believes in his own land and the advancement of his own people. If the standard of living in other nations be not so high as ours, the bars should rise until the foreigner is our equal with regard to men and with respect to materials. We may accept the other nations at our standard, but we can not consent to be dragged to theirs. We can be fair, we can even be generous, but nowhere in human philosophy is it written that we shall neglect our own firesides to become the almoners of the earth.

Mr. Chairman, Sibyl's books, nor Delphic oracle, the economy of Adam Smith, nor Thomas Jefferson's philosophy are half so important at this hour to the business and working people of America as the cold, prosaic problem of brick and mortar, the lathe, the plow, and the loom; for much as we revere the wisdom of the sages, living philosophers must still have bread. [Applause.]

SANITY AND REASON OF IT.

Mr. GOULDEN. Before the gentleman sits down will he yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOULDEN. As I understand, my colleague is for protection along safe, sane, and reasonable lines?

Mr. MOORE of Pennsylvania. Entirely so.

Mr. GOULDEN. But not for prohibitive protective tariff, nor for one that will build up trusts?

Mr. MOORE of Pennsylvania. I am a tariff protectionist and believe we should make in the United States everything that we can make; but, if advisable to bring in raw material which we do not produce, in order that home industries may be encouraged and home comforts provided, then we should consider the wisdom of obtaining such materials.

Mr. DE LEON. Mr. Chairman, the Payne bill establishes a system of free trade between the United States and the Philippine Islands of a nature entirely new. The novelty, in my opinion, consists in that while American products would be admitted into the Philippine Islands without any limitations, Philippine importations into this country are restricted in so far as our sugar and tobacco are concerned. The lack of absolute reciprocity in that provision of the bill makes it inequitable, inasmuch as the Philippine Islands, considered a poor and small country, are under the protection of the United States, a gigantic Nation and a herald of wealth. And, besides, even if free trade were to be established in its strictest sense—that is, a reciprocal exchange of products between the United States and the Philippine Islands, without barriers for one and elasticity for the other—it is evident that the effects would be disastrous and would involve grave consequences for the Philippine Islands.

As soon as such measure becomes operative it would immediately cause, in the first year, a decrease in the customs revenues of about $6,000,000, from which revenues the Philippine government obtains the greater portion of its income for the support of the administration. This decrease would augment every year as foreign importations gradually fall off, owing to the advantageous position which American products would have in the market, a position which, in the long run, inevitably would annul foreign competition.

Living under the protection of this country, the Filipinos would willingly grant the greatest preference to American products were they not convinced that such preference means the ruin of their own country. Once foreign goods are driven from the Philippine markets, the importer of American products would control the situation, and, following the usual practice in trade as seen in the past and in the present, he will despotically dictate the prices to the detriment of the consuming public who shall be enslaved even in their most pressing needs.

Exactly the same happens in this vast continent at these historic moments. This House of Representatives is at present revising the tariff in pursuance of a general demand from the people, who for so long have been compelled to pay exorbitant prices for the domestic products, imposed under shelter of a highly protective tariff, owing to the enormously high duties levied upon foreign goods and which make the American markets inaccessible for them. Now, is it not a relief to the consuming public which is sought in the revision of the tariff? Why, therefore, inaugurate in the Philippine Islands a similar situation as the present one here, when such situation for yourselves is no longer tolerable?

We have a few industries in the bud which will be affected through the influx into the islands of American goods, and whatever latent tendency there be to increase the manufacturing power of the country in the future, such tendency would be discouraged when the products of all kinds of this country are admitted free into the Philippine markets and control of these go to the hands of the mighty trusts, against which no struggle is possible once they are given complete control of the situation. And, as I said before, the decrease in the customs revenues would inevitably compel the Philippine government to go into

bankruptcy, because there are no other sources from which to obtain revenues and meet its financial obligations.

The internal-revenue taxes in force in the islands can not be increased without making them odious to the taxpayers, who, having undergone all sorts of calamities through which the economic conditions of that country have been subjected for the past ten years, are already exhausted and unwilling to be taxed any more. On the other hand, the budget of the Philippine government can not be radically decreased, for reasons obvious to the upper branch of the Philippine legislature. The assembly, in its initial session, undertook to reduce the appropriations of the insular government, interpreting thus the long-felt wish of the people; but little was accomplished when finally the appropriation bill came from the upper house. The reason that has always been alleged in opposition to reforms of this kind is that the reduction of the high salaries paid to American officials would involve the risk of the government not having competent men to serve in the administration of the islands. This fear ought not to exist, for the Filipinos are capable of holding responsible positions at much less salary than that paid to Americans, were the government only to do complete justice to the native, who, in whatever position he may have been placed, has always proven that he knows his business.

Furthermore, viewing the question under its political aspect, is not there a danger that the future independence of the Philippines would be hindered by the ties consequent upon the establishment of free trade? The trusts and other corporations that would establish themselves in the Philippines, encouraged by free trade, will oppose a formidable barrier against Filipino freedom. With elements of this kind to contend—elements against which the American people are at present struggling with no seeming success—the economic ruin of the Philippine Islands and the premature death of the political ideals of the Filipinos are a sure prediction. I say this not as a mere opinion of mine. I am here voicing the feeling of my people expressed through their representatives, and to verify it I shall read to you a cablegram sent by the assembly to my colleague, Mr. Lagarda, and myself. The cablegram was worded in Spanish, but I will read to you a translation of it:

MANILA, *March 28, 1909.*

LAGARDA and OCAMPO,
Filipino Resident Commissioners, Washington:

Assembly in yesterday's session unanimously passed a resolution insisting on action taken on May 19, 1908, as appears in joint resolution No. 11, protesting respectfully and energetically against proposed free trade, making it known to Congress that legislature finds absolutely impossible to raise new revenues. Resolution was immediately sent by special message to Bagulo for concurrence by commission. Entire text will be wired to Secretary of War after passage by legislature.

NIEVA,
Secretary, Philippine Assembly.

[Applause.]

The resolution to which the above refers reads as follows:

FIRST PHILIPPINE LEGISLATURE, FIRST SESSION.

Joint resolution 11.

Joint resolution giving instructions to the Resident Commissioners to the United States as regards the abolition of the Dingley tariff and other matters.

Resolved by the Philippine Commission and the Philippine assembly:

1. That the Commissioners of the Philippine legislature, resident in the United States, shall endeavor to secure from the Congress of the United States the abolition of the Dingley tariff on the following goods or merchandise, and under the conditions hereinunder specified:

"(a) On sugar, restricting importation, for the purposes of the abolition of the said tariff, to 400,000 tons.

"(b) On unmanufactured tobacco, restricting importation, for the purposes of the abolition of the said tariff, to 7,000,000 pounds.

"(c) On manufactured tobacco on cigarettes and picadura manufactured in the Philippines and of cigars manufactured in the Philippines without limitation, or, restricted at the most, to the quantity of 150,000,000 cigars."

2. That an effort be made to secure said abolition of the tariff without special concessions.

3. That the said Commissioners shall also endeavor to secure the removal of customs duties on agricultural machinery, apparatus, and implements, machinery and apparatus for making or repairing roads, and on steam plows.

This resolution of the Philippine legislature, whose upper house is mainly composed of competent and distinguished Americans, is in keeping with the sentiment and wishes of the people, reiterated in the recent unanimous action of the assembly—that is, that free trade will result highly prejudicial to the interests and welfare of the Filipinos.

To conclude: If really the retention of the Philippines is not done with the object of exploiting them, but to uplift and liberate them, as heretofore admitted by the American people and believed in good faith by the Filipinos, this House of Representatives should not pass section 5 of the Payne bill, which provides for a free trade between this country and the Philippines. The only reciprocity we ask is that our sugar and tobacco be admitted here free of duty, even to the limited quantities set forth in the bill, and in exchange allow all agricultural machinery and implements of United States manufacture free admission into all ports of the Philippine Islands.

After the Philippine Islands become independent, free trade would be more advantageous to both countries. The United States would be able then to reimburse herself, through the commerce that would be established between the two countries, of all the expenditures consequent upon the occupation of the islands, and the Filipinos would be in a better position to develop the resources of their country. Therefore, taking advantage of this opportunity offered by the close connection of the political aspect which the question bears upon its economic view point, I ask in the name of my people—better still, I request in the name of the 8,000,000 inhabitants of the Philippines—imploring in the most respectful attitude, that Congress adopt a resolution granting to the Philippine Islands their independence, if not now, at least after a definite number of years. In this way the American people will sanctify the noble work of liberating the Philippines as it liberated Cuba and other countries. [Applause.]

Mr. GOULDEN. Mr. Chairman, will the gentleman from the Philippine Islands yield for me to make a statement? First, I wish to extend my congratulations on the able speech which we have just heard. At a public dinner given in the city of Washington, the present President of the United States, then Secretary of War, said in the course of a speech in regard to the Philippines that on his reaching those islands as the newly appointed governor he was informed by excellent authority that if he could get the influence and the support of the gentleman who has just addressed us [Mr. OCAMPO], he would have no trouble in pacifying the people of the Philippine Islands and bring them under the influence of the laws of this country. [Applause.]

Mr. YOUNG of New York. Mr. Chairman, I was very much interested last evening in the speech of the gentleman from Kentucky [Mr. THOMAS], and after listening to it I did not know whether or not gentlemen on this side of the House might consider it an honor to be enrolled under the Republican banner. I felt that after all had been said, the Republican party was one of the greatest detriments to this country that we had ever experienced. The gentleman from Kentucky could see nothing good coming from this side of the House. There never was a panic that did not emanate from this side of the House, there never were hard times that started from the other side of the House, or from the possibility of the other side of the House coming into power and influence. But all things bad came from this side.

Now, Mr. Chairman, I think one of the most important things that we have to consider and which we have under consideration is the adoption of a tariff bill which will satisfy the great mass of the people, and the responsibility for that rests with the Republican party. I sincerely hope that neither selfish nor sectional interests will deter any man from doing his duty to quickly pass the bill, which will be for the benefit of all the people; and those on the other side if they oppose the measure so as to postpone action and cause a continuance of a loss to the Nation of $2,000,000 a day should be held responsible, because the Republican side of the House is most desirous of presenting and passing a measure which shall not alone provide sufficient revenue to sustain the Government, but which will protect the interests and industries of this country which need protection.

Mr. ADAIR. Will the gentleman yield for a question?

Mr. YOUNG of New York. I will yield to the gentleman.

Mr. ADAIR. The gentleman stated that the Republican side of the House is desirous of passing the bill at an early date, to give the people of the country the relief they deserve, and regrets very much that this side of the House may oppose and delay this proposition.

Mr. YOUNG of New York. I said I hoped the other side would not do it.

Mr. ADAIR. Will the gentleman state to the House in what way the minority can oppose the passage of the bill? The gentleman said that his party is responsible; you have the power; your people can put this bill through when you like. Why do you charge us with the responsibility of delaying it?

Mr. YOUNG of New York. I do not. I said I hoped there would be no obstacle put in the way of the passage of the bill by the other side. The country demands that this tariff matter shall be settled quickly and that the people no longer be held in suspense.

I feel, personally, that the bill should be acted upon as quickly as possible, consistent with giving every item in it the attention necessary to bring about the satisfactory results that we are aiming for.

Mr. ADAIR. How could this side of the House prevent the passage of this bill at an early date? Will the gentleman please explain to the Members of the House what he means by saying what he does?

Mr. YOUNG of New York. I mean just this: That I hope no obstacle will be placed in the way by anyone that will prevent the passage as quickly as possible of the bill. Mr. Chairman, I prefer not to be interrupted further, as I have only a few moments. My object especially this morning is to speak about the hide and leather and shoe schedule of this bill.

I have listened with great interest to all that has been said, and I must say my views have been broadened very greatly by the discussions which have been had here; but nothing has been said which has changed my views with regard to the tariff on those articles. I feel that this country can not and should not and will not permit the placing again of a duty upon hides. I think, perhaps, the measure as it is now provided for in this bill will stand. I think it is for the best interests of the country that such should be the case. Before the adoption of the Dingley bill the tanners of the country were successful and happy and prosperous, as they have been for one hundred years or more, because it is one of the oldest industries in the country; but from the time of the adoption of that bill conditions have changed very greatly, and the result of placing a duty on hides has been to enable the organization of a trust, which has for twelve years, or beginning twelve years ago, taken almost absolute control of that business. I speak in the hope that there are gentlemen here from the cattle-raising States who will give careful consideration to what I have to say, and in this connection I desire to say that I have no personal interest in that direction; I have nothing to do, personally, with hides, but have given careful attention to the subject owing to the nature of the business carried on by my constituency and my knowledge of that business. I have heard gentlemen on the other side of the House state that a duty should be levied on hides, just as on sheepskin or wool. Gentlemen will please remember that the hide produces nothing. The animal produces it, and the hide does not produce anything, while, on the other hand, the sheep is raised for the wool and yields its several crops, and is improved and bettered for the wool and for the mutton, and not for the pelt or for the skin, because the finer the wool the poorer the pelt, but the better the mutton. Mr. Chairman, I desire to tell what the condition is with that business. It is said here that the cattlemen realize a value for the hides. I have a circular here saying it is possibly $1 apiece. I want to say that the packers and the butchers have not taken into consideration in the purchase of the animal on the hoof the value of the hide.

The butcher pays 4 or 5 or 6 cents a pound for the animal on the hoof, and he buys it at the market price of beef, not at the market price of the hide. When he is buying he does not care much seemingly whether the hide is good or bad, thick or thin.

Mr. KENDALL. Will the gentleman yield for a question?

Mr. YOUNG of New York. Yes.

Mr. KENDALL. Is it the contention of the gentleman from New York that in the sale of the animal the hide is not considered as an element of value?

Mr. YOUNG of New York. I will answer the gentleman by saying that I believe the hide is considered of the same value as the beef and the animal.

Mr. KENDALL. And the benefit accrues to the seller?

Mr. YOUNG of New York. In so far as the weight of the hide goes alone and nothing else, because the packers buy the cattle on the hoof, and there are exported from this country between three and five hundred thousand animals every year, and those animals are sold by the pound alive, with the hide on. The price is made for the animal on the hoof. When it reaches England and is slaughtered the hide becomes immediately worth 14 or 15 cents, while they paid only 7 or 8 cents for the beef. I want to state what the result of this has been. It has placed the business in the hands of the packers. We raise only 60 per cent of the hides needed for our use in this country. We must get 40 per cent from some outside source. The placing of the duty of 15 per cent on hides we imported has had the effect of advancing the market on our own hides in this country in the same ratio, so the amount of hides imported and not exported amounts approximately to $2,000,000. That has been the means of raising the value of the American hides an equal amount of $2,000,000, making $5,000,000 that that has cost this country every year, or $60,000,000 in the twelve years in which it has been in operation.

Now, I ask gentlemen to consider very carefully whether or not that is not paying very dearly for the advantage they think they get in the price of hides in this country? It has placed an embargo upon all our people. It has compelled them to pay $60,000,000 more in the twelve years for their shoes, their harness, their belting, and the various other leather goods into which these articles should enter.

I want to go a little further. I want to show you the effect of the trust action with regard to the tanners. The tanners failing to meet the requirements in price of the hide dealers, the packers, the packers immediately began to tan their hides and to place them on the market, and as a result there are 25 or 30 tanneries being operated to-day by the beef trust in Chicago, and it is one of the closest monopolies of the United States. Gentlemen on the other side of the House have contended from the beginning of these hearings that everything in the way of a monopoly should be crushed or put under control. So it is to-day that gentlemen on that side of the House, and possibly a few on this side of the House, are willing to place in the hands of the beef trust of Chicago, not alone a monopoly of the hides, but a monopoly of the beef, the food and necessaries of all our people, and to-day——

Mr. GARRETT. Mr. Chairman, the gentleman speaks of this side of the House. Does the gentleman mean to say the whole of this side of the House?

Mr. YOUNG of New York. Oh, no; I should be very sorry to say that, because in the passage of this measure we have great hopes of that side of the House helping us to pass a measure that will be acceptable to all the people. I want to go a little further and show you what has been done. The beef trust not alone compelled the people of this country to pay $5,000,000 annually by the duty, but they have advanced the price of beef because they have an absolute monopoly.

Like the Standard Oil Company it has its established branches in every town of prominence in the United States, thus regulating the price of beef on the hoof, in the shops, and to the workmen throughout the country everywhere. Following this they made a price on hides at prices the tanners could not pay. They established tanneries, thereby driving out of business many reputable firms who have been for many years, one generation succeeding another, doing a tanning business in this country. Having established tanneries they are going still further. They have opened a house for the sale of their leather in Boston and are disposed now to manufacture them into shoes. Now you see what a monopoly you are creating; you see what you are giving to a party of four or five men who have grown enormously rich at the expense of all the people. There is hardly a gentleman in this House who does not remember that ten, twelve, or fifteen years ago the various firms who composed the beef trust were firms and corporations of comparatively little importance. To-day they are all powerful. To-day they extend in all directions. They have an absolute monopoly and control; and inside of ten years, if hides are not placed on the free list, the shoe-manufacturing industry, amounting to $360,000,000 per annum, and paying wages of between $90,000,000 and $100,000,000 a year, and the tanning industry of $400,000,000, will be in the control of five or six men who to-day control the beef-food products and the hides of this country. There are those who will say that the tanner may lose nothing, that he can import his hides, tan, and export them. I want to call attention to the fact that there are many independent tanners who have no foreign business who are now compelled to sell their products at home, and in doing so they are compelled to charge 14 per cent more than they will charge for these same goods abroad; so if the shoe manufacturer or the leather goods manufacturer goes abroad to sell his goods he is compelled to compete with labor at one-half or one-third the wages paid here and 15 per cent duty, and it is impossible for him to make any headway.

Mr. SULZER. Mr. Chairman, will my friend allow me to interrupt him for just a moment?

Mr. YOUNG of New York. Certainly.

Mr. SULZER. I understand the gentleman is in favor of putting hides on the free list.

Mr. YOUNG of New York. I am.

Mr. SULZER. So am I.

Mr. YOUNG of New York. Good for you. There is some of the help we are talking about from the other side.

Mr. SULZER. We will give you all the help I think you require in that direction. Now, do I understand my colleague from New York also to be in favor of putting meats on the free list?

Mr. YOUNG of New York. I have given no thought to that, I will say to my colleague from New York. I do not know anything of the meat schedule, and I do not know whether or not it should be placed on the free list, or whether it should be dutiable.

Mr. SULZER. Is it not a fact that the United States is a very large exporter of meats?

Mr. YOUNG of New York. Very large.

Mr. SULZER. Then why should we tax meats; why not put meats on the free list?

Mr. YOUNG of New York. I am not familiar with that and I do not know anything about it.

Mr. KENDALL and Mr. HINSHAW rose.

The CHAIRMAN. To which gentleman does the gentleman from New York yield?

Mr. YOUNG of New York. I yield to the gentleman from Nebraska.

Mr. HINSHAW. Does the gentleman believe that if hides go on the free list that shoes should not also be put upon the free list?

Mr. YOUNG of New York. Mr. Chairman, in answer to the gentleman I beg to say I do not believe that shoes should be placed on the free list. In the tariff bill that is presented for our consideration shoes have been reduced from 25 to 15 per cent ad valorem.

I want to say here in the presence of this House, and with a very considerable knowledge of the shoe business, and notwithstanding a letter which was received yesterday by almost every Member of this House, we can not compete with the foreign manufacturers of shoes when the American Shoe Machinery Company establishes its works in all parts of Europe and sells the machine outright, while the shoe manufacturer in the United States is compelled to lease and pay royalty for the use of these machines, never owning them.

Mr. HINSHAW. Does not the gentleman believe that the shoe manufacturers themselves in the United States are the best judges of whether they can get along without a tariff?

Mr. YOUNG of New York. I know the shoe manufacturers in the United States are the best judges. I have a letter, which I will include as a part of my remarks, from Mr. A. S. Krider, one of the brightest shoe manufacturers in the United States, who says it is utterly impossible for the American shoe manufacturers to compete with Germany, France, Switzerland, and Italy. I am going further than that——

Mr. KENDALL. Will the gentleman yield to a question?

Mr. YOUNG of New York. Certainly.

Mr. KENDALL. Is the gentleman in favor of imposing a duty on leather?

Mr. YOUNG of New York. I am in favor of imposing, Mr. Chairman, a moderate duty on leather.

Mr. KENDALL. In whose behalf?

Mr. YOUNG of New York. In behalf of the protection of the American tanner.

Mr. KENDALL. Why, then, does the gentleman exclude the American farmer from his share in that protection?

Mr. YOUNG of New York. I am not excluding the American farmer. The American farmer is protected in everything he sells by the tariff provisions which have been formulated by the Republican party. I want to say this in regard to the shoe manufacturing industry——

Mr. SHACKLEFORD. Will the gentleman let me ask him one question?

Mr. YOUNG of New York. Yes.

Mr. SHACKLEFORD. Do I understand the gentleman to say that the shoe machinery companies of the United States dispose of their machinery on better terms to foreigners than they do to the American producers of shoes?

Mr. YOUNG of New York. Mr. Chairman, I say, in answer to the gentleman, that the American Shoe Machinery Company leases its machinery here and collects a royalty every month, and the machinery is sold outright to the shoe manufacturers of Europe.

Mr. SHACKLEFORD. Is it more favorable when it is sold outright than it is where it is leased?

Mr. YOUNG of New York. I am quite satisfied that it is.

Mr. SHACKLEFORD. Why do not the American shoe manufacturers buy the machinery outright?

Mr. YOUNG of New York. The company will not sell it.

Mr. Chairman, the eloquent leader on the other side [Mr. CLARK] referred to this very question of leather and the duty on shoes. I want to say for his satisfaction that in his own State, in the city of St. Louis, there are 200,000 pairs of shoes made every working day in the year, and those men do not ask for free shoes. They are the ablest men in the United States. They know better what is needed than any other people. And so it is all through New England, New York, New Jersey, Pennsylvania, Ohio, Indiana, Missouri, Minnesota, and Wisconsin. All of those great shoe manufacturing States demand and insist that we shall have hides on the free list and a moderate protection on shoes—a fair fighting chance for the American tanner to do his work. [Applause.]

In considering the revision of the tariff, I take the position that the duties should be high enough to foster and protect American industries and American workmen against cheap foreign labor, but where it proves a burden to one class for the benefit of another it should be removed. The regulation and adjustment of the tariff schedule covering so many items is not an easy task, and I want to say right here that the Ways and Means Committee can not possibly give the intelligent consideration to each item on the schedule in the time allotted for the purpose; neither can Congress go into all the details and consider all interests from a nonpartisan standpoint. No doubt Congress could improve a whole lot upon its present method of wasting time on sentimental and unimportant subjects by useless, senseless, stubborn, and protracted debates at the beginning of the term and its furious outbreaks of activity at the end of the session, passing extremely important legislation without a semblance of pretense of careful consideration or examination. I strongly indorse the creation of a nonpartisan tariff commission, whose duty it should be to investigate actual conditions relating to each and every item on the entire schedule, and then transmit the information, properly compiled in compact form, to Congress. Until we have a commission working on some such plan we will not have all the benefits this country can have by a systematic and proper adjustment of the tariff laws. We will continue to have these depressions every time the tariff schedule is revised. As the tariff has more to do with our national prosperity than any other one thing, Congress can not give this matter too much careful and intelligent thought. There is no manufacturing industry, large or small, in this country that is not affected more or less by the tariff schedule, and no manufacturing industry can be affected without affecting labor, and it is only when our labor is employed, making good time and at good wages, that the country prospers to the fullest extent. It is impossible to overestimate the importance of the employment of labor, for with it comes the great purchasing power and consumption which is absolutely essential to prosperity.

Shoe manufacturing is one of the great and important industries in this country. According to the commercial or manufacturing census of 1905, the last taken, it stands sixth.

Iron and steel products are first.

Meat and slaughterhouse products second.

Cotton goods and clothing a very close third.

Fourth is flour and grist mill products.

Fifth, lumber and timber.

Sixth, shoes.

In 1900 we made 217,905,419 pairs of shoes, valued at $258,969,580; average of $1.19 per pair.

In 1905 we made 242,110,035 pairs of shoes, valued at $230,107,458; average of $1.32 per pair.

In 1900 we paid $66,110,832 in wages, or about 26 per cent of the value of the product.

In 1905 we paid $77,766,362 in wages, or about 24 per cent of the value of the product.

In 1908 estimate our product at $360,000,000, with a pay roll of about $90,000,000, or 25 per cent of the value of the product.

What I want to show by these statistics more particularly is the fact that the labor value is 25 per cent of the wholesale value of the product, so that we may know what duty is needed to protect the American workman. By actual statistics we find it is true that in shoemaking we lead the world. There is no doubt about it. American footwear has the preference in all foreign markets. The American shoe has more style, is better finished, and has better-fitting qualities than any foreign shoe made, and because of this fact we shall always, or at least as long as these conditions exist, export a certain amount of shoes. When we say this and point to the fact that our exports for the past year amount to about $11,000,000, there are those who immediately jump at the conclusion that the difference in wages is only slight and that we can stand a substantial reduction in the tariff, or, if given free hides and leather, we need no duty on shoes.

Gentlemen, this is the wrong conclusion. I will show you by actual statistics that the labor cost is so much less in foreign countries that Congress can not, with just regard to the American manufacturer and workingman, lower the duty at all. Until recently—that is, within the last few years—the foreign shoe manufacturer has made no attempt to modernize his shoemaking methods. Because of his low prices he has hesitated to purchase high-priced and expensive machinery, which is absolutely necessary, before economic systems and methods can be adopted and consequent saving in the cost of production and improvement of the product.

It was only when he found American competition in his own foreign markets and saw that he was obliged to either make a change or lose the business that he started to think—he really woke up; and while to-day we may feel secure with a very low duty, owing to the crudeness of his product, it will be but a short time until his product will be an entirely different proposition to compete with.

We must not allow ourselves to be misled by the fact that we export a few shoes now. I say "a few," because it is only about 3 per cent of what we produce. For if we look closely into this matter we find that the great majority of shoes we export are the better grades, or, in other words, such shoes as the foreign manufacturer, with his method and equipment, can not equal in finish, style, and fitting quality, and are such goods that only the wealthier class can afford to wear. We export some cheap, light-weight, and canvas shoes into the warmer climates; but even in these shoes it is the style and finish that sells them. When we come to the low and medium priced shoes, such goods as are made in immense quantities and are worn by the masses and are built for service rather than for appearance, where style and finish are not so essential, we export very few. We can not meet competition. The foreign shoe manufacturer, with his antiquated methods but very cheap labor, can make a good wearing shoe, but in style and finish we have gained a very decided advantage over our foreign competitors by reason of our improved machinery, our systematized method of manufacturing, and the specializing of our lines; but this is only a temporal advantage and one that will be lost just as soon as the foreign manufacturers equip their factories with American machinery and adopt American methods and educate their help to become good operators. After the installation of the machinery, it is simply a matter of education or experience, which it does not take very long to acquire. To prove that American machinery is being installed, it is only necessary to point to the fact that the United Shoe Machinery Company has found sufficient business in foreign countries in the last few years to warrant them in erecting their own plants and are now building the same lines of machinery we use here in no less than four foreign countries, and are shipping the same machinery into every country in which shoes are made in quantities.

The foreign manufacturer has copies of and is copying our lasts and patterns just as fast as he finds he needs them. He has imported and is importing American workmen, American foremen, and American superintendents, who are instructing his help, who are more than anxious to perfect themselves. Their factories are not small, insignificant shops, but they are large and compare favorably with our own both in size and output. The only thing small about them is the pay roll.

From actual statistics, consular reports, and information from private sources we gain a fair idea of what they are doing. In Austria-Hungary there are employed in shoe factories over 80,000 people. They are adopting American methods and machinery as fast as possible. I had the son of one of the largest manufacturers of Vienna in my factory in Anville for three months studying American machinery and methods of making shoes. When he left America he took with him a full line of American machinery, and it was his opinion that the labor cost of such shoes as retail here from $2.50 to $3 will be less than 20 cents per pair, possibly as low as 18 cents per pair.

In Switzerland the factories are progressing very rapidly and growing in size. At Chonenburg there is one factory turning out not less than 9,500 pairs per day, and is equipped with modern American shoe-making machinery.

In Italy there are a large number of factories. The average daily capacity of all the factories in Italy is said to be about 4,000 pairs per day, the largest being in Turin, making about 1,000 pairs per day. The labor cost of producing a man's Goodyear welt shoe in Italy such as retail in the United States at $3 and $3.50 exclusive of the cutting and fitting—that is, preparing the bottom stock, lasting bottoming, finishing, including treeing, packing, and so forth—is not over 15 cents per pair; with cutting and fitting included, it is about 19 cents to 20 cents per pair.

Germany, we find, has about 1,400 shoe factories scattered all over the country, the principal centers being Pirmasens, Weissenfels, Tuttlingen, Erfurt, and Nuremberg. In Nuremberg there is a factory turning out an average of over 10,000 pairs per day, and it is equipped with late American machinery. The labor cost for making a woman's turn shoe, not including the cutting and fitting, but everything else, is 55 pfennigs, or just 13 cents. The cutting and fitting, at the same rate, would not exceed 20 pfennigs, or about 4¾ cents, making a total cost of 17¾ cents for a woman's turn shoe.

I have in my possession a copy of a letter written by an American who was formerly employed in one of our large Brockton factories, but who is now superintendent of one of the factories in Erfurt. He says:

You know that I am here for the purpose of introducing American methods, and have a good chance to know the conditions in both countries. I have made it a point to become familiar with the living and wages paid and have studied the workmen and conditions. The workmen here are not so far behind as people generally suppose, and the factories are fully equipped with late machinery. The manufacturers are very progressive. The workmen are more than anxious to perfect themselves, and with a few changes in their systems would be fully able to meet the average American on equal footing. As to wages paid here, they are fully 150 per cent lower. Cutting-machinery operators are paid 25 marks (about $6). Hand cutters, from 21 to 25 marks ($5.04 to $6). The principal machine operators, such as edge setters, heelers, sluggers, levelers, rounders, welters, and stitchers, earn from 28 to 32 marks ($6 to $8); top-lining cutters, 18 marks ($4.32); boys and girls, from 7 to 10 marks ($1.68 to $2.40). All of this is for a week of fifty-nine and one-fourth hours of actual work. It will not be a great while with the present rate of advancement which the shoe operators are making before, even at the present rate of tariff, the American shoe workers will have to compete with the foreign shoe workers. One thing more; they have nearly all nonroyalty machines, which is also quite an item. I find that my present employer has already shipped some samples that I have made to a large house in New York. We are not making all cheap shoes. We have one line of samples at $3.25 a pair.

This letter gives actual conditions at the present time in Erfurt.

I will now quote weekly scale of wages taken from the German Tarifvertrag im Deutschen Reich, volume 11, page 107, showing the average wages paid to boot and shoe workers in other German cities:

	Per week.
Dusseldorf	$4.28
Hamburg	5.71
Kiel	4.76
Karlsruhe	3.33
Stuttgart	3.80

These quotations seem unreasonably low, but they are official; and to show that the wages are equally low in other lines of manufacturing, it may be of interest to quote from a contract entered into by the employees' association of the bag, sack and saddlery industry of Offenbach and the wage committee of the Saddlery Workers' Union. Under the heading of wages, they state:

The minimum wages for time workers who have served a full apprenticeship shall, in the first year after the completion of the apprenticeship, be 18 marks per week ($4.28); in the second year, 19 marks ($4.54); and in the third year, 20 marks ($5) per week.

These wages, you will notice, only apply to those who have served their full apprenticeship. This apprenticeship consists of binding out young men from three to seven years, usually between the ages of 14 to 21, during which time they become quite expert, but for which they receive very small sums of money at the end of their apprenticeship, which, if estimated for the length of service, is practically nothing.

It will be noticed that the wages, so far as I have quoted, can not possibly average over $5 to $7 per week for the men and possibly from $2 to $4 for the women, while the boys and girls, under the apprenticeship system, work for almost nothing.

Let us now compare these wages with the wages paid in this country. In Bulletin No. 77 of the Bureau of Labor, published in July, 1908, we find that the average paid to cutters in the United States is 30 cents per hour; edge trimmers, 40 cents; Goodyear stitchers, 40 cents; heel trimmers, 40 cents; lasters, 32 cents; McKay sewers, 30 cents; girls for vamping, 23¾ cents; closers, 19 cents, and so forth. The average weekly wages for men is from $15 to $24 per week, against $5 to $7 in foreign countries. Women earn from $8 to $15 per week, against $2.50 to $4, while our boys and girls earn from $4 to $8, against $1.50 and $2.50 in some countries, and in others it is $4 to $8, as against the foreign apprenticeship system, which is next to nothing. This shows that we pay in this country from three to four times as much as is paid by our prospective competitors. What I have quoted are not isolated nor extreme cases, but the regular wages paid. The same ratio exists in other countries and in still other lines of trade.

Take, for instance, the building trade. In England, Wales, Scotland, and Ireland, where the statistics seem most complete, quoting both minimum and maximum scale, take 10 different trades, such as bricklayers, masons, carpenters, plumbers, plasterers, painters, laborers, and so forth—I find that in England and Wales the minimum average weekly wages are $7.41; in Scotland, $6.07; in Ireland, $5.79; or an average in the countries named of $6.42. The maximum in the same countries are: In England and Wales, $8.30; in Scotland, $8.01; in Ireland, $7.43; or a maximum average of $7.91, or a total average of $7.16½. Understand, I am quoting from Bulletin No. 77 of the

Bureau of Labor. In the United States these same 10 occupations receive an average of $21.65 per week, based on fifty hours of work, so that the American received just 15 cents more for one week's work of fifty hours than the foreigner received for three weeks of fifty-four to fifty-nine hours each.

I feel it is useless to continue multiplying statistics. We have shown that our competitors pay less than one-third of what we pay. His labor cost is less than one-third of the cost of ours, and as the labor is 25 per cent of its selling price, the foreign manufacturer saves from 17 per cent to 18 per cent of its wholesale selling price on the labor cost alone as compared with ours. He saves anywhere from 4 per cent to 5 per cent more on other materials, not including upper leather or bottom stock, because every article used by shoe manufacturers in which there is a labor cost he buys at just so much less. His factory building costs him only about one-third of the cost of ours. His fire insurance is less than ours, but to be conservative, let us suppose that all these advantages amount to only, say, 5 per cent, which added to the average over us on labor of 17 per cent to 18 per cent, makes a total of 22 per cent to 23 per cent. He has cheap sole leather on account of free hides, which we also hope to have, which is an additional advantage of about 3 per cent, making a total advantage of 25 per cent to 26 per cent as against our present duty of 25 per cent. I have not mentioned anything about the tariff on upper leather, of which we use considerable in some shoes, neither have I taken account of the fact that in most foreign countries, if not in all, the United Shoe Machinery Company sell most of their machines outright, which is another distinct advantage over our royalty system. The question is, Can the great shoe manufacturing industry stand any reduction of the duty without demoralizing the business or cutting the wages of the workmen? I contend that we should have a maximum and minimum tariff, the maximum to be not less than 25 per cent and the minimum not less than 20 per cent.

I know that the assertion is made and believed by many that our labor is superior to foreign labor, and that a comparative statement of weekly wages does not prove anything as to labor cost of the shoe; that our workmen do more work and do it better than foreign workmen.

This is true where the foreign manufacturer has not furnished his workmen with the proper equipment, but where this has been done and the workman has been educated to the use of the machinery and has been taught American speed and methods, it is not true. The average foreign workman is not in himself as a workman inferior to our own. To prove this I need only to call your attention to the foreign workmen in our own factories and tanneries and to the nature and quality of goods we import made by foreign workmen. Are the ribbons, the laces, the cloths, the silks, and so forth, inferior to our own? If they are, we are very foolish to pay the fancy prices for them.

The foreign automobile is a good example. Does it appear that the machinists who build the engines, the painters who paint the bodies, the upholsterers who upholster the seats, and the mechanics who assemble the machine, and, in fact, the entire machine as it comes to us, are inferior to our own? We import every year from England, Germany, France, and Italy millions of dollars' worth of machines over a 40 per cent tariff wall. The same kind of workmen are employed in the shoe factories that build these machines and make the other goods which we import.

Do you suppose that shoemaking is such a complex and peculiar proposition that none but Americans can be taught to make a good shoe? I want to repeat that with American foremen and superintendents teaching the help American methods, American systems with the use of American machinery, it will only be a short time when a comparative statement of weekly wages will be a true comparison of the labor cost, if it is not now.

Let us not deceive ourselves by supposing that if the foreigner has the same tools, the same instructors, free raw material, and labor at less than one-third the cost of ours that we can compete without a duty. There is a possibility of being overconfident and a great danger of underestimating the ability of the foreign workmen. It is unsafe, unwise, and unbusinesslike to invite this competition by a substantial reduction of the duty on shoes.

There is another phase of the subject, on which I have not touched, which, I think, enters largely into it if we want to keep foreign-made shoes out of our markets. That is the fact that shoe values are not gauged by any set standard of value. The market value of shoes is largely a matter of judgment or opinion. Shoe value does not exist alone in the quality of bottom stock, but rather in the proportion of each as assembled in the shoe for the purpose and use for which the shoe is intended. It is largely a matter of the "get up" of the shoe as to the value the buyer places on it. To make this clear, different buyers will put different values on the same shoe. This is not the case with many other articles. Take wheat, iron, cotton, wool, or any article that has a set standard value, and all that is needed is a glance at the market quotations and you know its value, and a difference of 1 per cent will shut out the foreign product completely; but this is not so with shoes.

A good shoe salesman will take a line of shoes, with from 5 per cent to 10 per cent less value than some competitive line, with a good talking point or two, such as a foreign line would have, as the fact that an article is imported has great weight with some people, and sell them, and sell lots of them. In other words, the nature of the shoe business is such that if the conditions are nearly equal it is not only possible, but probable, that foreign-made shoes will be sold in this market. This we want to avoid, for with every dollar's worth of shoes we import we import 25 cents' worth of foreign labor; and if the tariff protects anything, it should protect the importation of foreign labor and the preservation of our own home market—after all, the greatest and best—because our working people receive higher and better wages than in any other country on earth.

Let us look at the other side and consider.

What harm can there be by retaining the present duty, or what good can come by the removal or reduction of this duty?

Is it possible that anyone supposes that the shoe manufacturers could make shoes cheaper than they do now if the duty was lowered or removed, when there are over 1,300 active competitors in the field, with a sufficient capacity to make all the shoes in eight months that we can use in twelve months; where every manufacturer is straining every nerve to secure sufficient business to keep working full time; and where the profit has been cut down to such a point that it has already resolved itself into a case of a "survival of the fittest?"

There is absolutely no chance of lowering of profits of the manufacturer; but what would happen would be the importation of foreign-made shoes, with a desperate attempt on the part of the shoe manufacturer to meet this competition, which could only be done by a cutting of the wages of our working people.

When we come to the tariff on hides the proposition is entirely different. When I say this I know the charge is made, "You want everything and give nothing." I want to say that we want only what is right, and we want to give all that is for the best interest of the industry and workingman; and because we ask that the duty on shoes be retained, so as to cover the extra cost of labor to protect the American workingman from cheap foreign labor, is no reason why we shall not ask for the repeal of the duty on hides, if we can show that it should be repealed.

The tariff on hides does not protect any American industry nor any American workman, but is a positive tax for the benefit of one class at the expense of another, and therefore has no rightful place on the tariff schedule.

The tariff on hides was no doubt intended as a benefit to the farmer and cattle raiser, and has been classed with the tariff on wool, both intended as a benefit to the farmer and stockman; but this comparison is wrong, for the following reasons:

First. The raising of wool is quite an industry. Sheep are raised and kept for this purpose.

Second. Sheep are carefully bred for the express purpose of improving the quality and quantity of wool.

Third. They produce a crop each year.

Fourth. The value of the wool produced by a sheep in a few years is more than its combined meat and skin value, and is not a by-product, but is the main reason why sheep are raised.

Fifth. The tariff on wool stimulates and increases the production, so that the tariff on wool is perfectly legitimate and proper.

All these essential features, however, are lacking in the tariff on hides:

First. Raising of hides is not an industry.

Second. Cattle are not bred with a view of improving the hide.

Third. The duty on hides does not stimulate the production, and I defy anyone to prove that the upward of $50,000,000 the American people have paid in the last twelve years because of this tariff has increased the product by one single hide.

Fourth. Hides can not be marketed without killing the animal, but are a by-product.

Fifth. The value of the hide is only about 10 per cent of the value of the animal.

The two are entirely different and bear no relation whatever to each other. But to come back to the original purpose, Does the tariff benefit the farmer or stockman? We feel sure it does not, owing to the very nature of the product. But this is per-

haps difficult to prove; so for the sake of argument we will suppose it does benefit the farmer and stockman.

The average farmer, who farms from 100 to 300 acres and sells only the cattle he raises on his farms, will have absolutely no benefit at all, because he uses as much leather in the harness, shoes, belting, and other articles where leather is used as he produced. Then there remains only the large stockman, who raises—as a western Senator has expressed it—cattle in carloads and train loads, and whatever he receives after the packer is through with him and that which the packer retains is a bounty, something that somebody is paying for their special benefit.

It appears that some of our Senators and Representatives seem to think that this tariff, after all, is only such an insignificant little thing of perhaps 3 cents a pair on shoes that it is not worth while to bother with, and no one will ever know the difference in shoe value, whether the tariff is on or off.

First, I wish to say that it is not a question of being a big or little thing; it is a question of right or wrong; but let us see what an insignificant little thing it really is:

We find that we are obliged to import each year about 40 per cent of all the hides we use; consequently, we produce only 60 per cent of our actual requirements. On the hides we import, and do not export the leather made from them, we pay something like $2,200,000, thus raising the price of our own hides to the same level; or, adding on the 60 per cent we produce, which is one and one-half times as many as we import, $3,300,000; which, added to the duty of $2,200,000, makes a grand total of $5,500,000 paid on account of this tariff. The Government gets 40 per cent and the packer and stockman gets 60 per cent. The question is, Who pays this bounty? This tax is, of course, divided on all leather products made from hides weighing over 25 pounds, but shoes consume perhaps more of these hides than any one other article.

In the shoe this tax adds an average of 3 cents per pair on the value of the bottom stock in men's and women's shoes, and where side leather is used in the upper it adds possibly 6 cents more to the cost; so that the man wearing a shoe made of side leather, which is the shoe the workingman usually wears, the tariff adds about 9 cents to every pair. This may seem a small matter, but to the man earning from $10 to $15 per week and having a large family to support, it is a serious matter.

The better grades of shoes are not made of side leather and the upper stock is not taxed, so that the tax on these goods amounts to only about 3 cents. As the workingman usually wears the side-leather shoes, he contributes just three times as much toward this bounty as the man wearing the better class of shoes. I refer to this to show who suffers most. The question is, Does such a duty have any right on the tariff schedule? Is it right? Does it seem reasonable for Congress to exact $5,500,000 in one year from the people of this country, with the heaviest burden resting on the shoulders of the workingman, for the special benefit of the packer and the stockman? Shall the workingman, with nothing in the world except what he earns at hard labor, with a family to support, rents, doctor bills, grocery bills, clothing bills, and shoe bills to pay, who may be striving to save a little money so that he may perhaps eventually have a home of his own, pay anything at all, even 1 cent, either to the millionaire packer or the millionaire rancheman, to those who have sufficient capital to "raise cattle in carloads and train loads?"

I saw an article in one of our large daily papers saying that the Ways and Means Committee would put hides on the free list, but, as this was a decided concession and a favor to the shoe men, they had very materially redneed the duty on shoes. For the shoe this is reducing the price of the commodity, but destroying the means of securing the price for the worker. This reminds me of cutting off the dog's tail right back of his ears. We do not want any favors. We want the tariff on shoes, not as a favor to us, but for the protection of this great industry and for the protection of the American workman, who is the great purchasing power of the Nation. All we ask for is a duty to cover the difference in the actual labor cost of the materials used in the manufacture of shoes and the difference in the actual labor cost in making the shoe. We do not want the tariff taken off hides as a special favor; we want it off because it fosters no industry and protects no one, because it is wrong to place a burden on one class for the benefit of another. In short, we are pleading for legislation that will be for the best interest of the American people and for that which is reasonable, just, and right. [Loud applause.]

Mr. SPIGHT. Mr. Chairman, in the beginning of my remarks, I shall content myself by saying, in a general way, that I am opposed to a tariff for protection purely on any article whatever. We all realize that for the purpose of raising revenue for the support of the Government a tariff upon imports is necessary. To the money thus produced must be added that from internal-revenue taxes. Under our present fiscal system, these two constitute our only sources from which the funds for the payment of the expenses of administration are derived. In levying these taxes, the luxuries of life—those articles which are not necessary for the comfort, welfare, and happiness of the masses of the people—should bear this burden. It does no harm to the general public to impose taxes upon diamonds and pearls, silks and satins, and cigars and cigarettes, and whisky and beer, because none of these things are necessary to the well-being of the people, and some of them are positively hurtful. On the other hand, those articles which enter into necessary daily consumption for food, clothing, home building, and means of livelihood, ought to be absolutely free of any duty. It can not be denied, because it is a self-evident fact that whatever tariff is imposed on any article is that much added to the price which must be paid by the consumer. There are some things which the people are obliged to have, and without which they can not live, prosper, and be happy. Such things it is the duty of the Government, as far as possible, to allow them to buy as cheap as possible. There are other things which are not essential to their welfare, but only serve to gratify pride, passion, or vitiated appetite, and without some of which they would be infinitely better off. These constitute the luxuries of the rich; or, as is too often the case, contribute to the ruin of the weak and entail wretchedness upon the innocent and helpless. No matter how heavily those are taxed it does not hurt the virtuous poor or detract from the comfort of any class of our citizens, whether rich or otherwise. It is axiomatic that the rich and strong can take care of themselves, but the poor and weak need protection. One of the most beneficent purposes of government is to guard and subserve the interests and happiness of this latter class.

Having thus generalized, and knowing the impossibility, in the short time allotted me in the consideration of this bill, to do more than discuss a few features of it, I shall confine myself to two or three topics only. On some of these questions I regret that I shall be compelled to antagonize some of my party associates and friends, and some of them from my own section of the country. I shall do so in kindness and in all charity, being actuated solely by a sense of duty to honest conviction, and to what I conceive to be the best interests of the people I have the honor to represent.

I am sorry that the attitude of some of our southern Democrats, both in and out of Congress, has subjected the people of our part of the country to the charge of inconsistency on tariff questions. It is being said, with some show of reason, that the Democrats of the South have opposed a protective tariff when we had but few interests of our own to be protected, but as soon as the opportunity offers for us to get some of the Government's graft which goes with protection we are ready to reach out for our share of the "swag." I am a southerner of southerners, and intensely proud of the land of my nativity. I have never had an aspiration that did not link itself with the highest and best interests of my beloved Southland. In my early life I gave four years to her service as a soldier boy; in private and public station I have striven for her welfare. I have been jealous of her honor and her good name. I love her people as I can never lose any other beneath the sun. There is nothing I would not do to contribute to her prosperity. I have ever been proud of the fact that I was born of Democratic parents, reared in the Democratic faith, and never, in my whole life, preached anything but Democratic doctrine. Therefore, it may not appear strange that I can not subscribe to this new propaganda; that because some interests in other sections of the country are unjustly protected, we of the South should surrender to the spirit of commercial greed, abandon principle, and turn our backs upon the teachings of a lifetime.

That we have suffered from the cruel exactions of a high protective tariff, we have been wont to proclaim everywhere. That we have driven our hereditary political foe, the Republican party, to at least an apparent acknowledgment that our contentions are well founded, is a part of the current history of the times. That the American people are reaching the conclusion at last that "protection of the classes is robbery of the masses," no observant man can doubt. Then, in the face of all these facts, it is humiliating to hear a cry coming up from the South demanding a protective tariff on some articles because they happen to be produced in that section. This is especially true of sugar, lumber, and hides.

Under the Dingley law, the tariff on rawhides was 15 per cent. Under the pending bill, they would be on the free list. This is right as far as it goes, but some of our Texas friends are opposing it because they raise cattle. If the bill would go further and put boots and shoes on the free list also, instead of

imposing a tax of 15 per cent, its framers would not be so glaringly inconsistent. The difference is the hides are sold by the farmers and the boots and shoes are sold by the manufacturers. Whoever knew the Republican party to favor the farmer against the corporation or any aggregation of wealth? It is right to put hides on the free list, and because the shoemaker would thereby get cheaper leather his products should also go on the free list.

At this point I will insert a letter which I received a day or two ago from a large shoe factory in Columbus, Ohio:

THE WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 30, 1909.

Hon. THOMAS SPIGHT, *Washington, D. C.*

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material, the American shoemaker can shoe the world.

Very respectfully,
THE WOLFE BROS. SHOE CO.
R. F. WOLFE, *President.*

I can imagine no reason why the writer of this should be insincere. If not, it is a strong and an honest argument in favor of free shoes. If every other protected industry would be equally honest and courageous, it would be far better for the country.

SUGAR.

Sugar is one of the prime necessities of life, and is used on every table, however humble. The cane growers of Louisiana and the beet growers of the West unite their voices with those of the sugar refineries, which are the chief beneficiaries in demanding that the present duties be retained, and this demand is heeded, notwithstanding the cry of the millions of people whose misfortune it is to be unable to contribute to Republican campaign funds.

Coffee and tea are also heavily taxed, although neither is produced in this country, and one or both are used on every breakfast table.

As against these impositions upon the poor and well to do alike, just look at the enormous protection given by this bill to the Standard Oil Company, the richest, most exacting, and the most powerful law-defying trust in the world. It has been estimated by competent authority that under the provisions of the pending bill this overgrown and arrogant trust is protected to the extent of from 150 to 250 per cent. Does any sane man believe that the Standard Oil Company needs any aid from the Government? How long will the American people submit to such injustice and wholesale robbery by the party in power in the interest of the greatest and most unscrupulous combination of wealth ever known in the history of the world? It is well known that the Standard Oil Company not only fixes the price of oil to the consumer, but that, in the exercise of its stupendous power, it "freezes out" every competitor that dares to run counter to its wishes. The Republican party is responsible for it, and, unless I greatly mistake the temper and forbearance of the incorruptible citizenship of this country, a day of reckoning is coming when those who are responsible for these conditions will call upon the mountains to fall upon them and hide them from the wrath of an outraged and long-suffering people.

BEER.

A rather peculiar and significant fact in connection with this proposed tariff legislation is that it was given out and generally understood, for some time before the bill was made public, that there would be an increase of the internal-revenue tax on beer. Instead of doing this the tariff was raised on tea and coffee. This was a surprise to everybody on the outside except the brewers. Which is better, cheap coffee or cheap beer? This Republican committee says: "Tax the breakfast table, but let the beer saloon alone." One is a necessity, the other a luxury, if not worse.

LUMBER.

Another provision in the bill now under consideration which has aroused considerable opposition in the South is the proposed reduction of the duty on lumber. In this connection, I want to say that of all the protests which I have received against this reduction, not one has come from a consumer, but all are from the mill men and lumber dealers. It is quite natural that a man should look to his own interests, and these lumber men, through their organizations, have poured into the mails of Members of Congress their specious reasonings and warnings against impending disaster that might well cause the unwary and unthinking to stop and consider. It is worthy of remark, also, that many of this idea in the South are northern men who, after having exhausted the timber supply in their own sections, have invested largely in timber and mill plants in the South and are now unwilling to surrender any part of their opportunity to increase their wealth at the expense of their new neighbors, the southern home builders. The men who buy lumber, not for profit, but for use, have no organization through which they can reach the lawmaking power of the Government, but must look alone to their chosen Representatives in Congress to protect their interests. I, for one, propose to do this to the best of my ability, and I warn those who are disposed to listen to the blandishments of the lumber trust that a day of reckoning will surely come and the people who are the sufferers from tariff burdens will demand an account of their stewardship. In that day, as in that other great day referred to in Holy Writ, some will hear the welcome plaudit, "Well done, good and faithful servant." Others will be dumfounded by the imperative command, "Depart, ye workers of iniquity!" Let no man deceive himself into believing that the people do not know their rights or have not the courage to maintain them. Lumber is as much a necessity of life as meat and bread and clothing. "What does it profit a man" if he have food and clothing, but nowhere to sleep? In barbaric ages men lived in caves and holes in the rocks or built themselves rude huts from the boughs of trees. In this day of civilization houses are required, and only the rich can build of stone or brick. The poor and the middle classes must have habitations made of wood. The Representative who would impose an unnecessary burden upon these millions of home builders at the behest or for the benefit of the few mill men, timber speculators, or lumber dealers is forgetful, for the time being, at least, of the interests of those needing protection the most. If some men have made investments in timber and mill property under the operations of the high tariff, it is better that they should suffer some loss than that the toiling millions should continue to suffer from high prices, and that the men who make the country great and prosperous in peace and defend its flag in war should be denied the comforts of home. The pending bill, so far as it affects the lumber tariff, is only a step in the right direction. It provides for a 50 per cent reduction on rough lumber and a much smaller decrease on the dressed or finished product. I would rather have it all admitted free, especially the rough lumber. If given an opportunity, I shall vote for such an amendment. As a last resort, I shall certainly favor the paragraph contained in the present bill.

There are two satisfactory reasons why I favor at least a reduction in the duty imposed upon lumber. I have already discussed the greatest of these, which would tend to enable every American citizen to build a home for himself and loved ones. If there were no other reason, this would control my action. There is, however, another, which is far-reaching in its operation. In recent years much has been said and written by the best thinkers about the rapid destruction of our forests and the consequent danger of a timber famine in the near future. It has also been demonstrated by the facts of history that the denuding of our lands will produce climatic changes and other conditions which may be extremely injurious to our agricultural interests.

So great has this danger appeared that men high in authority and of broad information have sought to impress upon the country the importance of forest conservation. Associations of patriotic citizens have been formed to encourage tree planting, so as in some degree to counteract the hurtful effects of the wasteful destruction of the natural growth. Abnormally high prices for lumber will increase this waste, and while a few men will reap large profits, it must be at the expense of the masses of the people in their immediate condition, and at the same time present a more serious problem for the future. The timber of the great Northwest is already practically gone. The lands along the Pacific coast and those in the South constitute the main supply, so far as the United States is concerned. Every observant man in the South must know how rapidly our merchantable timber is being exhausted. Canada is our only real competitor, and if her people want to strip their lands and give us cheaper lumber, I say, out of patriotic devotion to the best interests of my own country, let them do it.

UNDUE ALARM.

I have treated this question thus far upon the theory that the lumbermen are correct in their contention that a reduction of the tariff would cheapen lumber. I hope it would, and I believe that under normal conditions it would to some extent have that effect. But I do not believe there is any well-founded danger of the disastrous effect predicted by the opponents of a reduction of duty. If it is true, as generally believed, that the mill and timber men have a great organization to promote and protect their own interests, they will find a way to save themselves from any very serious losses. There was never a trust that could not. It is amusing to hear their calamity howl and their expressed fear of Canadian invasion, especially when we remember that the Canadian lumbermen are urging their government to protect them against the product of our mills. They have found themselves unable to compete with us, not only in our markets, but also in their own, and are now asking their government to interfere in their behalf.

whatever. We all realize that for the purpose of raising reve-

opposing it because they raise cattle. If the bill would go further and put boots and shoes on the free list also, instead of

increase their wealth at the expense of their new neighbors, the southern home builders. The men who buy lumber, not for profit, but for use, have no organization through which they

mills. They have found themselves unable to compete with us, not only in our markets, but also in their own, and are now asking their government to interfere in their behalf.

Our people are entitled to cheaper lumber, and Congress should help them to this end, if possible. Wise and patriotic statesmanship suggests that some effort should be made to preserve our forests for the benefit of future generations. Will it be done? If not, why not? Perhaps no more powerful and determined lobby ever besieged Congress in behalf of any interest than that which is pressing us to retain the present duty upon lumber. It is a contest between the masses and the classes, beween the consumer and the producer, between the rich and the poor. Upon which side will the elected Representatives of the people array themselves? The lines are drawn and our constituents are watching the issue. For myself, I do not hesitate to say that my honest conviction leads me to stand by the people. I have more money invested in timber and mill property than in anything else, except in agriculture, but I do not feel that I can honestly subordinate the interests of the great body of my constituents to my own special advantage. They have given me their confidence and I will not betray the trust.

BAGGING AND TIES FOR COTTON.

In the short time allotted me, I shall call attention to only one other feature of the bill under consideration. I refer now to the tariff on bagging and ties for baling cotton. This bill proposes the same duty on bagging as under existing law. A reduction of one-fifth of 1 cent is proposed on ties. Both of these articles ought to be on the free list. I do not know whether or not, when we come to consider the bill by paragraphs, the opportunity will be given for amendments; but if so, I shall move to place bagging and ties on the free list.

Of all the great products of our farms, cotton is the only one which has no protection, and we do not ask any. It contributes more in making up the immense balance of trade in our favor with other nations than all other agricultural products combined. During the fiscal year 1908 the balance of trade on all merchandise in our favor was in round numbers approximately $666,500,000. This was the largest in the history of the Government.

The value of raw cotton exported was approximately $450,000,000. In passing I will say that I regret that so much of this great staple is shipped out of the country. I wish that every bale could be manufactured at home. The southern farmer sells his cotton at a price fixed in Liverpool. It is shipped abroad to be made into cloth. It is returned to him in the finished product, and he pays the freight both ways, pays the foreign mill owner and laborer to work it up, and before it reaches him there is added the cumulating profits to the importer and the wholesale and retail merchants.

Mr. SLAYDEN. Mr. Chairman, will it disturb my friend if I interrupt him a moment?

Mr. SPIGHT. That is all right, sir.

Mr. SLAYDEN. Before he gets away from that part of his speech touching on the question of bagging and ties, I want to ask if he does not think an additional reason for putting both of these commodities on the free list would be the fact that it would remove a sectional factor from the bill?- Binding twine that the Northwest uses to secure its grain is admitted free of duty. Is not there also an additional reason for putting these commodities on the free list to be found in the fact that they are manufactured by an arbitrary, absolute trust?

Mr. SPIGHT. There is no question about the correctness of the position taken by the gentleman, my friend from Texas, and this only emphasizes the injustice done the cotton planters of the South.

Now, pursuing this matter further, the duty upon these two articles of prime necessity to the cotton planter amounts to about 8 cents on every bale of cotton. The average crop in the United States may be safely put at 12,500,000 bales. This would make a tax of $1,000,000 a year upon this unprotected product which saves to the country the balance of trade in our favor. The total revenue to be derived from bagging and ties under this bill is estimated at only $88,476, making a tax in excess of revenue of more than $900,000. Is this dealing fairly with the greatest agricultural product of the country? Very properly this bill places upon the free list agricultural implements, against a duty of 20 per cent under the present law. I hope this clause may not prove a "delusion and a snare," but very much fear that it is intended to mislead. There are two clauses in this paragraph, which is numbered 468. The first imposes a duty of 15 per cent. This is followed by a proviso that when any of these implements are imported from any foreign country which imposes no duty on like articles from the United States, they shall be admitted into this country free of duty. Then, in section 3, page 172, it is provided that these very articles, which are apparently to be on the free list, in fact, are taxed 25 per cent, being a rate of 5 per cent higher than under the existing law. This is true because, as I understand, practically every country which manufactures agricultural implements imposes an import tax either by the mother country or through some province or dependency. So that I am afraid the farmer will continue to pay on these implements either 15 per cent or 25 per cent to the steel trust. If this is all intended to hoodwink the farmers, it will fail of its purpose. They have been so often deceived by the hollow professions of Republican politicians that, while they are apparently "as harmless as doves," they have grown "as wise as serpents," and will be heard from in the day of reckoning.

But admitting that by some sort of construction or fortuitous circumstance the farmer will be allowed to buy his tools free from any duty, what does it all mean? These implements are used in cultivating and harvesting all farm products, every one of which, except cotton, has more or less protection. Why this unjust discrimination? It will not do to say that it is because cotton is better able to stand the tax than other crops. At the average price for which it has been sold for a number of years it is barely compensatory. If it were not for the fact that it is the only ready-money crop in the South and so much of the work of making and gathering is done by women and children, it would often be produced at a loss. It should be remembered that, unlike the grain crop of the West, practically a whole year is required to make and gather a crop of cotton. The inequalities and unjust discriminations imposed by the Government and the robberies by speculators and cotton exchanges have compelled the organization of farmers' unions in the South. No class of our people have been so persistently oppressed and outraged as the cotton planters. From year to year for generations they have seen the fruits of their labor taken to enrich others, while their wives and little ones had a bare subsistence. They are now struggling for a degree of independence; and callous, indeed, is the soul that will deny them sympathy and at least a measure of relief. For this great body of wealth producers we plead with Congress for fair treatment. It may be that our cry will be unheeded by the protected manufacturing interests, but we appeal with more confidence to the representatives of the wheat and corn growers of the West to help us in our fight for better conditions. We furnish, with small profit at best, the raw material which keeps the looms and spindles of the protected mills running, and yet we have a tax burden imposed upon us which far exceeds the entire revenue derived by the Government from the articles upon which the tax is levied. In addition to supplying the mills with cotton and enabling the Government to maintain our balance of trade against the world, we are compelled to pay protected prices upon everything we eat and wear, from the salt on the table to the clothing on our bodies. We pay a tribute of $1,000,000 a year to the steel trust and the bagging trust and fight for a living. No such discrimination is imposed upon any other business in the land. The cotton planter of the South does not ask for a tariff upon his product, but he does ask for fair treatment by the Government, and this he has a right to demand. [Applause on the Democratic side.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I would like to suggest just there, I was very much interested in the speech of my colleague. The cotton planter is at the mercy of the steel trust for his ties. The fact, as I understand it, is that, although they are taxed to pay the steel trust practically a royalty on cotton ties, those ties do not give to the Federal Government one single cent of revenue. That is what I understand the fact to be.

Mr. SPIGHT. I have no doubt that the gentleman is correct.

Mr. HUMPHREYS of Mississippi. The fact is that not a single cotton tie is imported into this country to pay any tax.

Mr. SPIGHT. It is simply a bonus to the steel trust.

Mr. HUMPHREYS of Mississippi. It absolutely permits them to levy a royalty on every cotton bale made in the South.

Mr. SPIGHT. This is true.

Mr. JOHNSON of South Carolina. I want to ask the gentleman from Mississippi if it is not a fact that when the farmer sells his cotton in Liverpool he sells the net cotton, and the bagging and ties are an absolute loss?

Mr. SPIGHT. They are not counted in the weighing.

Mr. JOHNSON of South Carolina. Thirty pounds is deducted for tare, so that they lose that amount.

Mr. SPIGHT. That is a clear loss.

Mr. JOHNSON of South Carolina. So that the farmers lose the weight of the bagging and ties.

Mr. SPIGHT. That is correct.

Now, the question recurs, Will Congress deal justly with that class of our agriculturists who do more than any other to make

this the richest and most powerful Nation on the face of the earth?

While an occasional voice is raised in the South in favor of a protective policy, I am glad that the great body of our people are loyal to the time-honored principles of Democracy and can not be seduced by the greed of gain to abandon the doctrines which are an integral part of its heritage of glory.

Mr. LINDBERGH. Mr. Chairman, before proceeding with my remarks, I desire to request my colleagues that I be not interrupted in my time.

We all have to be fed, clothed, and housed; and those of us who desire to be useful are engaged in some work. We are now considering a bill that proposes to tax most of the things that we eat and wear, the materials of which our homes are constructed and a part of their furnishings, and the tools and implements with which we work.

Tariff is an economic question chiefly, but I shall consider it from the view point of the common interests of the American people.

Wealth consists principally in the everyday energy of the people. All the stored-up wealth of the past and present generations is but the evidence of past human energy and will depend for its usefulness upon how present and future energy is applied. While we all desire to conserve for future use the wealth that has come to us through nature and the energy of man, yet we are principally concerned about future production. And the greatest success will be achieved only upon the best application of man's energy and the most uninterrupted employment of labor in production. To attain this end, we should not undertake to employ labor to override the unchangeable laws of nature. We can and should correct errors created by man; but an effort to annul nature's immutable laws will not result in a conservation of labor, but in an unpardonable waste of energy.

If the gentleman from Washington [Mr. CUSHMAN] will pardon, I can illustrate the principle stated above from his speech of March 29. He said of Washington and Canadian coal as follows:

> The facts are that the Canadian mine owners on the Pacific side possess not only one advantage over their American cousins, but they possess all the advantages. * * * I will enumerate some of them: First, their coal lands are cheaper; second, their taxes are not so high; third, the quality of their coal is better; fourth, the formation of their mines requires less work to mine a ton of coal; fifth, the wages for labor are less in British Columbia than in the United States; sixth, the American coastwise shipping laws afford an additional advantage to the Canadian in water-shipping rates; seventh, in some instances the Canadian has a cheaper rail rate to American points than the American has.

All except the third and fourth disadvantages stated by the gentleman from Washington may be classed as artificial, and it is proper to levy a tariff to equalize those conditions. In order to place Washington coal on at least equal footing with competing coal. And so far I would agree with the gentleman. But I can not agree with him when he states that we should create value for the coal owners by levying a tariff to offset the third and fourth disadvantages of Washington coal—to wit, its inferior quality and the fact of its being mined with greater difficulty. The Washington coal owner should not ask the American people to take an inferior grade of coal and yet pay an advanced price for it, due to the fact that it is more difficult to mine; but our policy should rather be to wait till Canadian coal has been so far exhausted that the natural conditions in the two countries have been somewhat equalized. That would be consistent with the conservation idea and would preserve our coal fields for future needs and, in addition, give us cheaper coal both now and then. We know that our Agricultural Department states that our coal supply is being rapidly exhausted and recommends that no waste be committed. The admission of foreign coal will by no means be a calamity if our coal fields are in danger of exhaustion.

Under various pretenses and excuses many arbitrary tariffs have been framed, offsetting physical advantages of nature and giving protection to certain interests. Really, if there are any good things in other countries which our people generally want and which can not be produced as good or as economically here as elsewhere, they are entitled to it without paying a tariff materially in excess of the difference in cost of labor to create American monopolies.

The Payne tariff bill has two main objects in view: One is to raise revenue; the other, to protect American producers. It might accomplish something of both of these objects, but it is far from satisfactory, and unless materially amended I shall vote against it. Under present conditions we should not undertake to raise the revenue necessary to operate the Government by levying a tariff principally on things of common necessity, but rather frame a tariff that will equalize the advantages of producing at home those commodities which are natural of production in our country so as to meet foreign competition, thereby keeping prices fair and also securing more revenue. When in doubt, we should resolve the doubt in favor of the American producer. Other things being equal, we can depend upon commercial America to create home industries.

I assume that any true measure of a protective tariff which should be alike just to the producer and the consumer involves a consideration of the natural physical conditions of production; for I take it that no tariff for protection is justified on protective grounds, unless the physical conditions of the countries involved for producing the things on which tariff is levied are reasonably approximate. For instance, if, as stated, Canadian coal is better and naturally easier of production than Washington coal, that is an unchangeable law of nature that we can not equalize by a tariff.

The disadvantages of Washington, resulting from her inferior coal and greater difficulty in mining, should not be charged to the American people by levying a prohibitive duty on Canadian coal. If labor in Canada is cheaper than in this country we can and should protect our labor against that artificial condition; but if we attempt to put on an additional tariff to compensate for the inferior quality of Washington's coal and for the difficulties encountered in mining, it would not be a protection to labor, even though it resulted in the employment of additional labor, for it would be eventually charged back against production in the final average.

It has always been argued in favor of a protective tariff, the measure of the difference in cost of labor at home and abroad, that it creates legitimate competition which, in operation, reduces practically the price to the home consumers. That, I think, is practically true, and, aside from the labor question, it has been the one great defense of a protective tariff. But if we levy a tariff which offsets an unchangeable law of nature, we can not defend that on the ground that we are attempting to effect an adjustment of general competition.

While a protective tariff is justified on the ground of expediency, no protection should be given to any industry producing common necessities when the natural conditions at home do not fairly approximate the natural conditions for production abroad. For instance, everybody uses sugar. In 1908 we imported $181,125,523 of sugar, figuring the wholesale rates and including the duty. The same quantity of sugar at wholesale price in free-trade England was worth $100,611,158. Thus our tariff enabled the sugar trust to charge us $80,514,365 more than was charged in England for the same amount. Our Treasury received $52,232,041 in revenue, but the people, besides having that amount added to the price of sugar, paid the trust $28,282,324 in addition because of a prohibitive tariff. The domestic production of sugar from the sugar beet is protected and is said to be in the control of the sugar trust; but be that as it may, this country is not adapted for producing sugar as cheaply as it can be produced in some other countries, and hence we are not justified in taxing the people to help this monopoly.

Whether the Ways and Means Committee have seriously considered the items upon which a protective tariff is sought to be levied in relation to the difference in physical conditions at home and abroad, independent of the cost of labor, I am unable to learn. Neither do I know in what way, if in any, the difference in cost of labor has been considered. The failure to give close consideration to these fundamental principles in this tariff bill is to be deplored, for the people were led to believe that a substantial general revision downward would be made. Of course when the bill is passed it will be assumed that the tariff has been settled for a time. There will no doubt be an adjustment of conditions to the new tariff as a settled fact, for the country has been waiting for it, and the supply of commodities in common use has been considerably depleted. There will be a period of activity in replenishing the supply. Therefore we are apt to have active times, even if we do not secure wise tariff legislation, creating a temporary impression in favor of the new law. But any weak legislation will ultimately result in our discomfort, as the law of general average will in time bring us to account.

Any tariff law that shall be a good revenue producer and a true protective measure shall conscientiously consider the natural conditions of production in the competing countries. A thing that can not be economically produced in our country and that is a common necessity, like tea, coffee, probably sugar, and some other things, should be admitted free. Where the physical conditions for production here of any commodity are as favorable as those abroad, a tariff may be levied that will approximate the difference in conditions created by man, such as cheap labor, that will create natural competition and secure revenue.

A tariff law that would give the least subsequent worry and the most revenue and give to all an opportunity without any special privileges, would be a tariff that would take into consideration, first, the physical conditions of production in the competing sections; and, second, the artificial conditions; and after considering those, admit to the home country free all commodities of common need that can not be advantageously produced at home and on all other commodities levy a tariff to equalize, as far as practicable, the artificial conditions.

By no means does it always happen that the economic conditions are less favorable to the home producers. The Standard Oil Company has been protected until it has an iron grip on the people's earnings, and we now require protection against it rather than for it. Yet it is here exerting its influence on this legislation. We all use its oil. Now, what has the company done for us? It claims credit for reducing the price of oil. It has reduced the price by a system of economy and by the introduction of new refining machinery. We appreciate that fact and give it credit therefor; but let us see whether that notwithstanding we have overpaid it. It is admitted by Rockefeller, the leading spirit in the company, that they started practically without capital, and its owners have grown to be the richest men in the world. They have charged the people in order to make this wealth. The company has enormous capital, and besides keeping up its betterments and increasing its surplus they have in the last nine years paid an annual average dividend of over 42 per cent. The Bureau of Corporations shows as one year's sale about 1,500,000,000 gallons of oil. The Standard Oil Company sells the same oil in England, France, and Germany for more than 2 cents per gallon cheaper than they do here, which means a tax on our people of over $30,000,000, and yet we get no revenue worth considering.

But the Standard Oil Company is not the only protected domestic producer that sells cheaper in foreign competing markets than at home. There are many others. And they undertake to justify it, for they would have us believe that it is done for the protection of labor. Now, the employment of labor is not determined so much by the quantity of production in any given commodity as it is by the production of all necessary commodities in relative proportion to the demand. We can protect domestic labor against foreign labor, but it will be of no advantage to labor to be uneconomically employed. In considering wages to the laborer and price of farm products and the products of all small producers, it is not enough merely to consider the question of hours of employment or the wage per day or the price of the products or articles; it is equally important to have a just and conscionable relation between these and the cost of necessities incident to a progressive and intelligent social life. If monopolies are permitted to control a large part of our common necessaries and take advantage of our needs to fix the price on these necessaries out of proportion with the price of labor and the price of the commodities which the plain people have to sell, we will all be at a disadvantage.

It is our duty to adjust the tariff so as to protect our labor, increase domestic production, and furnish the consumer—and that means all of us—the advantage of economical distribution in accordance with natural physical conditions. I can not forego the opportunity suggesting that there is a great difference between a protective tariff and a prohibitive tariff. A prohibitive tariff is a measure favoring one side only, while a protective tariff is alike just to producer and consumer. It must be admitted that in practical operation no tariff is capable of perfect adjustment, and that even if administered in the utmost good and intelligent faith, it will still be faulty. But I wish to remind you that there are some things we can see after the fact that ought to influence us to a reduction of the tariff in some cases and a removal in others.

To start with, the timber of this country all belonged to the Government; so did coal, oil, ores, and the land. In these consisted the natural resources of our country, and by their use we have developed into the greatest Nation on earth. But it has been done by the application of human energy; to that energy the principal credit is due, and to it should accrue the greatest benefits. When we know that our lumber mills produce about 40,000,000,000 feet of lumber annually and pay out about $200,000,000 to labor, we realize the importance of the industry; but we also realize that the price of lumber has gone up enormously, and that it is protected by a tariff of $2 per thousand, or an equivalent of $80,000,000 on the annual production. That is two-fifths of the entire cost of labor. This, however, is an estimate on the rough lumber only; on the finished article the tariff is higher, but the $200,000,000 cost of labor includes the work on the finished product. We, the people, practically gave away the timber when it seemed of little value, and now it is in control of a limited few; the lumber interests are taking advantage of our urgent needs, converting them into capital, and charging us the highest prices. That fact has created hundreds of multimillionaires. Why, one of the companies in Minnesota is referred to by Peabody, Houghteling & Co., reputable brokers in Chicago, as follows:

> The Backus-Brooks Company was established in 1884, practically without capital. Besides paying substantial dividends to its stockholders, it has accumulated net assets conservatively valued at $5,000,000. In its own name and through its subsidiary companies it owns over 500,000,000 feet of the finest Norway pine in Minnesota and Ontario.

In 1884 that company was an infant. It is now a colossal concern, but by no means the largest; far from it. Do you think it needs protection now? Or do you think that the farmer who wants to build a barn, or a granery, or repair a building, or the humble citizen who wants to build a home, needs some protection against the climbing prices of lumber? Regarding minerals and other natural resources, I could go on and relate facts to show how from small beginnings innumerable fortunes, figuring into the millions and hundreds of millions, have been created; and yet these interests are still clamoring for protection and seek to make us believe that prosperity depends upon such protection. A protective tariff is all right, but a prohibitive tariff is all wrong, for it brings us no revenue and it is a burden on all the people.

The programme for this bill is mapped out, and a rule is intended to be passed to prevent the Members from taking hold of it constructively; therefore I shall confine the rest of my remarks to the methods of this tariff legislation, for no Member need complain of the results if he votes for a rule that will cut him off from giving constructive consideration to the bill. I shall vote against any such rule.

There can be no natural progress through the Members of this House, so long as we permit a bill to be considered in the way this one has been so far. No doubt the Ways and Means Committee, who are responsible for the introduction of this bill, have acted in good faith. But those of the committee who have had control have been surrounded by conditions that have given them a different view of tariff than the Members have who live among the plain people. Those members of the Ways and Means Committee do not see the people who do the principal work of production, and they have not heard their testimony.

But these same members of the Ways and Means Committee are the central controlling power in this tariff legislation, and they are backed by the House organization. Our rules are adapted to give this organization almost complete control. And whether the bill which will be passed is good, bad, or otherwise, it will not be framed by the House, nor by the Republican party, but by the House organization, which, by adroit maneuvering, will line up enough Members to pass a rule which, when adopted, will leave most of the power of framing the bill in the hands of the Ways and Means Committee and preclude Members as well as the party from any part in its construction. Everything in this House tends toward centralization, which has been amply illustrated in the consideration of this bill.

The strongly centralized and capitalistic interests of the country desire a centralized power in Congress, because it can be reached with less difficulty than the House membership. It is to the interest of trusts and monopolies to keep the politicians so organized as to make it possible to create a dominant central power and build up a mutuality of interests with it; for to achieve their ends and prevent legislation for the people, all that is necessary is to reach those in control.

The smaller individual producers who are not organized into compact bodies can not influence this central power here, because their individual personal interests are not of such magnitude as to justify such an attempt; and yet the interests of these, considered in aggregate, are of vastly greater importance. It is to the interest of the individual toiling millions of producers—farmers, wage-earners, small business concerns, and, in fact, all such interests as are not organized into trusts and controlling monopolies—to disorganize the central power here and to secure a condition such as will enable the people to directly control their Representatives. Congressmen who surrender their power to a controlling central organization here, that can not be made responsible to the people, are betraying the trust imposed upon them by their districts.

The general debate on this bill has been held principally to exploit the parties and give the leaders time to get control of the Members. A careful examination of the RECORD, I think, will disclose that probably nine-tenths of the time has been devoted to either personal or party talk, without entering into the merits of this bill. Of course, everyone takes a pride in his party, but the party feeling is too strongly manifested here.

Whether Republicans or Democrats, we represent all the people. Parties must serve government in that broad sense that they gather from every source the best ideas and shape them to practical ends. No Member has a right to deprive his constituency of their representation on the floor of the House by merging into a smaller body, political or other. No Member should surrender his right of representation on any question of vital importance to any organized body smaller than the House itself. Such surrender would be tantamount to a violation of the spirit of the Constitution. That, however, does not mean that a Member may not, according as his best judgment dictates, be governed by the deliberations that have taken place in caucuses and other meetings outside of this House; but it does mean that he must be unshackled and free to exercise his own judgment in the House. No political party as such has authority to make itself the master of the House, nor has any party the right to form combinations for the purpose of opposing the will of a majority of those who were elected to represent their respective districts. If Members would take that position, there would be no party whip to lash the Members into inconsistent action. We would then pass a tariff bill that would be consistent with the wishes of the people; and I wish to have it understood that I make a distinction between the political bosses of a party and the people who constitute its rank and file. I repudiate the political bosses, but I do not repudiate the people.

It has been frequently stated on the floor that the majority party, meaning the dominant political party, has the right to do as it pleases, and that it alone is responsible for legislation, of course, in its own way and at its own time. While in opposition to the spirit and letter of the Constitution, those are the tactics which, nevertheless, have been persistently followed, and which also have been further extended by political parties under the caucus system. That practice has done more than any one other thing to make a select few the arbiters of national policies. And so legislation is pushed through this House under the whip and lash of party rule, as evidenced in the case of this bill.

I maintain that it is the duty of every Member to decide, after careful deliberation, upon his course of action, and only from the necessities and requirements of his constituency and on the basis of what is right and consistent with the interests of the Nation, and to exert his influence accordingly. It will then devolve upon the Members generally to frame into suitable legislation the wish, not of Republicans nor of Democrats, but of a majority of the Members of the House. When this principle shall govern, no influence of wealth or of position can control the deliberations of the House unless a half of its Members consent to it. Party organizations stand out prominently with loffy ideas; parading them and reiterating them, they undertake to stampede the public through them; they give expression to them through high-strung platforms. The voter must needs then keep an eye on the organization, for those having selfish interests are eminently practical; they are neither concerned about nor are they deceived by beautiful phrases; they have an eye single to organization; they desire it because it is tangible and can be reached; and not only do they desire organization, but one composed of as few as possible—the fewer the better. And so they set about to effect organization within organization, going on the theory that the closer the organization the more reachable it is. That is why they want to control the organization of parties, legislatures, and Congress.

Much has been said in this House about industrial and commercial combinations and comparatively little concerning combinations of a political nature, and yet the latter have weaved their network through our whole social structure. Both have grown up spontaneously under the law and influence of mutual interest. Each has an automatic central power, and their evolution follows lines of current activity. The constitutional provision for the election of United States Senators by the respective state legislatures constitutes the hub of political organization. Senators maintain their political hold to continue themselves in office by using their influence to secure appointments for their political friends; Members of Congress perpetuate their political power through appointments to federal offices within the jurisdiction of their respective districts. Senators and Congressmen can and ordinarily do help one another under this system of federal patronage. The appointees are usually associated closely with state administrations, whose more prominent officials control state appointive positions. And by the law of mutual interest they are all bound together, constituting a formidable organization. There is no agreement between them; none is necessary, for they are held together by the very nature of things. And all this "pulling-together" policy of the forces is clearly reflected in legislation here. True, no legislator is bound to tie with these interests unless he chooses; but he usually chooses to do so as he sees a mighty force in such a combination, a force that controls the politics of States and is of utmost importance all along the line, not excepting the departments at Washington. That there will be concerted action with such recognized mutual interests between the departments, Senate, and House, and between these and the States, congressional districts, and towns, is apparent. And the same law operates everywhere. In this House there is a close political organization which has not been effected by any express agreement on the part of anyone, but which has come about in a wholly natural way; the Members have concentrated their authority and lodged it largely with the Speaker; the Speaker has his trusted leaders, who most naturally are awarded the best positions and given the most favorable consideration; and through a process of elimination, the fear of which has frightened so many Members into line, all undesirables are excluded, and thus we have what is known as the "inner organization."

Now, while it would be difficult to determine how far the influence of this organization has fixed the terms of this bill, yet we do know that the bill is in the control of that power; and as I shall avail myself of the privilege granted to Members by a resolution of the House to extend my remarks in the RECORD, I shall touch upon the important features relating to the influences which have controlled this legislation.

We know that the power vested in Members by the Constitution has been appropriated by the leaders of the House, and that through the weakness of individual Members it has come into control of a very few; so few, in fact, that the House might be said to be even a smaller body than the Senate. Senators have retained more of their individual independence. It is a matter of common talk now that the Senate will frame this bill finally. However, this centralization of power in the House, I maintain, has reached its height and must soon come to an end, and the next tariff bill will be framed in this House. The people will not much longer tolerate the present condition of affairs, acquiesced in by this House, which makes possible that the body which was especially designed by the Constitution to represent the people becomes the instrument for the defeat of the very spirit of the Constitution.

In the general debate we have heard considerable said about certain paragraphs and phrases of the political platforms, and that they were indorsed or rejected by the people. We can not pass upon the results of elections without realizing that, under our system, the people are not able to express their approval or disapproval of any particular phrase, clause, or paragraph in a political platform, as the platforms are not drawn by them. Having had no part in the framing of the platforms, in the recent elections they had no way of expressing at the polls what part suited them and what part did not; they had the mere choice of adopting one, and they adopted the one that, on the whole, seemed best suited to their peculiar interests.

And yet it is argued that the several platforms were submitted to the people, and that they approved of this one or that one, as the case might be. The cry is raised, "The people said so!" while, as a matter of fact, we do not know their sentiment. Now, as it is well known that the voter can not express his sentiment on any particular clause or phrase in a platform, so-called "riders" are inserted, usually for selfish purposes. In substantiation thereof I quote from the recent Republican platform touching the tariff the phrase, "with reasonable profit added." Was there any way for the voter to separate that phrase from the plank in the platform declaring in favor of a protective tariff—the difference in the cost of production at home and abroad? That idea which had not been intimated before the committee presented it, if it were taken literally, would amount to a declaration in favor of a tariff which would sustain trusts, for the Government has no authority to determine profits under our policy of government. But the people put a broad construction upon it, accepting the spirit of the plank rather than the letter. That fact notwithstanding, I have heard standpatters claim that the finishing touch which that phrase gave to the platform was a victory for them, and we hear that claim still on this floor in the discussion of this bill.

I shall now discuss the people's relation to the passage of the tariff bill. The bill is now ready to go to the Senate; it will be returned to the House for consideration with Senate amendments. The Senate leaders are apt to make practically a new bill out of it; but if the Members of the House, irrespective of party, who stand with the people and the President for a substantial revision downward, will, on its return, show their independence as Representatives by voting their honest convictions and without trading, they will redeem the prestige of the House and do honor to their respective parties. We all know

what the people want in the way of tariff legislation; they desire honest revision, without any trading to secure special favors for any section of the country. The true Republicans and the true Democrats are agreed as to the general demands, and, though they have talked to the four winds, they have at every opportunity stood squarely for the common welfare.

Whatever be the merits or demerits of the bill, it has not been fairly considered; it has not been prepared by the Republican party, but by a part of the Ways and Means Committee and kept mostly in its control. The dominating power of that committee is composed of standpatters, and therefore the bill has been drawn by the friends of the standpat element in the party; and, by the way, it appears that the Democratic party has its standpatters, too. The committee have not drawn a bill for revision out of choice, but because public sentiment has so determinedly demanded revision that there was no escape from it.

The events leading up to the passage of a tariff bill, in chronological order, are about as follows: First, the shaping of public sentiment on the fact that the people were being taken advantage of by certain tariff-protected monopolies; second, a demand by the people for a revision of the tariff downward; third, the opposition of the standpatters to that demand, an opposition that was so strong that it prevented constructive tariff legislation from being considered in the House for several years; fourth, the overwhelming demands of the people for revision; fifth, the realization by the standpatters of the extensiveness and strength of this demand and their consequent plans to revise the tariff to suit themselves; sixth, the election of enough Members committed to tariff revision to assure of a revision by the people's own representatives; seventh, the organization of the House by the standpatters by decoying unsuspecting Members into supporting the old organization; eighth, the bringing out from darkness on the 17th day of March of a high protective tariff bill; ninth, general debate in the House, which merely means talk against time, without any attempt at constructive consideration of the bill; tenth, the discovery by the high-tariff leaders during the course of the debate that they could not pass the bill without further trading; eleventh, the calling in by these leaders of their lobby and consequent decoying of enough Members to pass a rule that would prevent any material reduction in the tariff; twelfth, the introduction and passage of the following rule:

> That immediately upon the adoption hereof general debate on H. R. 1438, "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall be closed, and the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of said bill for amendment under the five-minute rule; but committee amendments to any part of the bill shall be in order at any time, and also preference shall be given to amendments to paragraphs 196, 197, 708 (lumber), 581, 447½ (hides), 227 (barley), and 228 (barley malt).
>
> That an amendment shall be voted on to section 637, to wit: Strike out the proviso and insert as a new paragraph, No. 363, the following: "Crude petroleum and its products, 25 per cent ad valorem."
>
> That said specified amendments shall take precedence of committee amendments.
>
> That consideration of said bill for amendment shall continue until not later than Friday, the 9th day of April, at 3 o'clock p. m., at which time the said bill, with all the amendments that shall have been recommended by the Committee of the Whole House on the state of the Union, shall be reported to the House, and the previous question shall then be considered as ordered on said amendments and said bill to its engrossment, third reading, and final passage.
>
> A separate vote may be had on the amendments relating to hides, lumber, oil, barley, barley malt, tea, coffee, or any of them, irrespective of their adoption or rejection in Committee of the Whole, and the vote upon all other amendments in gross.
>
> That the daily hour of meeting hereafter shall be 12 o'clock noon.

And, thirteenth, the passage of the bill under the above rule.

Just a word on how the rule was passed: The Members of the House in general are honest and desire to secure the best results; but many of the Members do not realize the importance of the House being in control of its own actions, and so were decoyed by promises of reward in the nature of concessions for their districts if they would give their votes. Fortunately, many have had their eyes opened since and now see their mistake. Nevertheless, while we were tied by the gag rule that was passed, we can yet revise the bill in the interest of the general public when it comes back from the Senate if we all stand by our convictions. No Member who stands with his party or the people can consistently trade off his vote to favor the special interests because of promises of local concessions; a Member who does so sacrifices his own honor, his party, and the people, and is unfitted to represent his district, for the people favor what is consistent with the general welfare, as that will secure the best results generally.

Now, what did the Members do by voting for that rule? Their acts in practical effect mean that, so far as pertains to this House, the election of 1908 was to no purpose and might as well never have been held. When the House convened the Members elected the old Speaker, contrary to the express wish of the country. And, touching that gentleman, he is consistent with his avowed principles. It was known where he stood on the tariff, for he is a man who expresses his views and wishes, and he had shown beyond a shadow of doubt that he was a stand-patter on the tariff question. When, therefore, the Members reelected him Speaker and neglected to modify his political power relating to the manner of committee appointments they violated the obligations which the election of 1908 imposed upon them, namely, to secure tariff revision such as the public demanded.

They knew that the Speaker would appoint his old Ways and Means Committee, and that the Members who were sent here would never be given an opportunity to revise the tariff as it should be revised. The Speaker did not violate any trust or betray his constituency, for he came out in the open, as he always does, and declared what he stood for; and I admire him for it as well as I admire his consistency. But those very facts made it impossible for me to vote for him under any circumstances, as the things he stood for were the things the people did not want. I know, as we all should know, that he will fight to the last ditch to get his way; and the weakness of the Members was portrayed on the floor of this House when the last rule was introduced by the Rules Committee, a rule brought in at the instance of the interests that favor a tariff, not a revenue tariff nor a protective tariff, but a tariff which in many of its provisions is prohibitive, though in some respects better than our present law.

Just realize the situation. This House has been kept at general debate long enough to enable the Ways and Means Committee to trade, dicker, and barter till it could pass the rule, and the trading, dickering, and bartering have found more or less expression in the bill. The House permitted itself to vote on free tea and coffee; the committee knew the House stood for those things, and that they could hardly hope to pass the bill otherwise. The "insurgents" have forced into the bill some other concessions besides the above, providing for a general vote on other articles; and had they stood solidly together, they could have secured a vote on any provision that the Members desired to change.

I desire to point out some of the evidences of bad faith that are a matter of record. Everybody knows that in general debate no constructive action can be taken. The Ways and Means Committee were willing to give Members all the time for general debate desired, seeking to tire them in that way, as nothing could be done during its progress. Accordingly, at the instance of the committee, we met at 10 o'clock a. m., continuing for eight hours, and began again at 8 o'clock p. m., continuing till 11 p. m., and when that hour arrived the clock was regularly turned back, extending the sessions far into the night. All this was to no purpose except to encumber the RECORD with speeches, of which this, in part, is an example.

Now, at the close of general debate, observe the cunning of the committee: The time of meeting was changed to 12 o'clock noon, cutting off two hours in the morning, and the time for adjournment was fixed to 5 p. m., as a general rule, dispensing with the evening sessions. These short daily sessions shortened the time for constructive work on the bill, and, by the terms of the rule, we were required to vote on the bill not later than Friday, April 9, at 3 o'clock p. m. That shows what the management of the Ways and Means Committee can accomplish by the way of preventing Members from any constructive work on this bill. If you will analyze the situation and ask yourself the question how near the voter of 1908 came to framing a tariff bill through his Representative, you will find that he came nearest to that point at the organization of the House on March 15. On that day, the voters might have had a voice through their Representatives in the framing of the bill, but in the reelection of the old Speaker and in leaving with him the appointment of a Ways and Means Committee, the Representatives delegated their power and deprived the voters of the last election of their voice on this floor in the construction of this bill, for these had no representation on that committee.

But despite this failure, there was still a chance for doing something on the floor of the House until the gag rule was adopted, limiting the time for consideration to Friday, the 9th of April; that limitation enabled the standpatters to consume the larger part of the short daily sessions by indulging in technicalities and dilatory proceedings, as you will find by consulting the RECORD from the 6th to the 9th of April, inclusive. You will also find, by consulting the RECORD for the same days, that the chairman of the Ways and Means Committee stated that there was an agreement between the members of his committee to stand together on the bill; and on each of these days

one or more of these members rose and pleaded that no change be made, as the Ways and Means Committee had prepared the bill as an inseparable whole, and that to change it at all would amount to making it inconsistent in parts, and that notwithstanding that it provides for an issue of $250,000,000 of certificates to meet any deficiency which might occur.

Now, I would suppose that there will be no more gag rules passed to deprive Members of their freedom of action on this bill, and that when it is returned from the Senate we will again have an opportunity to amend it. Whether the Members in the meantime will take fresh courage, I do not know, but I appeal to you not to be persuaded to submit to gag rules in the wind up. When our armies have been on the field of battle fighting for the right, they have not wavered under any conditions, nor have they been frightened into making compromises by any hurry-up policy.

I believe the President is right in demanding speedy action, though he demanded that in a broad sense; but the hurry-up cry which is raised in this House is of a different sort, for in the general debate there was no evidence of any hurry, though the time was used to no purpose; but when we have reached dangerous ground for the special interests we are asked to hurry on. I believe in the hurry-up policy, so far as practicable; for the country is holding aloof from activity, awaiting readjustment, so that it may know what it shall do. But what we now do will be hard to undo should it be necessary, and thus it is of the greatest importance for future production that we act wisely rather than hurriedly.

To future production attaches the greatest importance. It is of even greater importance than the wealth of to-day, for this is a mere bagatelle compared with the wealth that the people possess potentially. We are too much prejudiced in the belief that the things that are are right, and, assuming that, use that as our premise. We are in the habit of measuring success by the results of periods, while we should instead analyze the conditions which have made possible our success, to determine whether we have succeeded as well as we should have done; we should have no sympathy with the good-enough policy. At times we have reactions because progress has been too rapid, but yet progress is always due us.

Continued practices create conditions that make it impracticable to correct the things that have started wrong. It is striking to observe how brave we are physically and what cowards we are commercially. In disputes between nations national pride has often brought on wars over trivial questions; the untold misery, the hardships, the immense pecuniary losses, and even defeat itself—all are claimed to be justifiable on the ground that one must maintain his national pride. People rush to arms with an enthusiasm that knows no bounds nor fear.

But a people may have commercial questions of infinitely greater importance to adjust, but because of the fear of a temporary reaction commercially they go about to accomplish such an adjustment with faltering step, fear, and trembling. In the one instance, they are willing to give their lives, their treasures, and saddle on future generations bonded indebtedness to accomplish their purpose; while in the other they waver, like cowards, in fear of a temporary inconvenience. Commercially we bluff ourselves; it is wise to be cautious, but we should not permit ourselves to be bluffed. And so we can not afford to allow ourselves to be bluffed by the stand-pat element in this House into hurrying up with this bill to the extent that we defeat the very object for which the extra session was called.

I have voted for this bill as now amended simply because in some respects it is better than when first introduced and better than the present law. It has revised some schedules downward. It has removed the tariff on petroleum and its products; placed coffee and tea on the free list; revised the iron and steel schedule and made some changes on other items; so that, on the whole, the bill is an improvement; but I might enumerate some outrageous provisions, like the tariff on hosiery, gloves, shoes, and on several others. The tariff on these items reminds me of the following poem:

> Fence our European rivals out,
> Keep the duty steep,
> Save our honest workingman
> From foreign labor cheap.
>
> Build a tall old tariff wall,
> Thus produce a dearth,
> And make the honest workman pay
> Twice what things are worth.
>
> When his cheek is thin with want
> And thinner is his calf,
> Fill his place with an immigrant,
> Who'll do his work for half.

I hope that when the bill comes back from the Senate it will have these objectionable schedules removed; and if not fairly remedied, I hope the question will be again opened up here, for the bill as passed by this House does not, in a broad sense, redeem the pledge of the majority Members to revise the tariff downward, and I for one shall keep up the fight for the enactment of a better bill.

Mr. BOWERS. Mr. Chairman, for nearly or quite five years past at least one issue upon which the people of a great part of the United States have been almost unanimous has been the revision of the tariff—a downward revision, and one that would relieve the country and the consumer from the many burdens under which they suffer by reason of the exactions of the Dingley law. Whatever the advocates of that measure might have said for it during the early days of its existence, a condition of affairs has arisen, fostered and brought about by its terms and operation, which convinced the great mass of thinking people of the United States that a change from existing rates and a reduction of duties along most of the schedules was imperative. For years the Democratic party has gone, in each biennial election, to the people with this contention and for nearly, if not quite, four years past a large proportion of the Republicans have joined in that demand. The need was so apparent and the cry of the people so insistent that both political parties in their platforms in the last presidential election declared in no uncertain terms for a downward and beneficial revision, and the Republican candidate for President on almost every stump from which he addressed the American voter pledged himself and his party to a fair, honest, and beneficial revision of the tariff. So insistent and universal was this demand, and so thoroughly was the Republican party committed by its platform and utterances to respond to it, that it was declared immediately after the national election in November last that a special session of Congress would be called as soon as possible after the incoming administration should take charge for the sole purpose of revising the tariff and correcting the inequities and inequalities that confessedly existed under the Dingley bill.

Even before the last session of the Sixtieth Congress convened the Committee on Ways and Means was called together for the purpose of considering the tariff, and elaborate hearings were had not only during vacation but that committee sat and labored during the greater part of the last session. The promise to the public was that a bill would be reported which would correct inequalities and fairly and equitably distribute the burdens of taxation. The bill now under consideration is the result of Republican councils and judgment on that question, and the matter for Congress to determine is not only whether it fairly and honestly redeems the pledges made in the platform and on the stump but also whether it affords any substantial relief to the consuming public and is in any material respect better than the old law.

In the consideration of this matter a few observations upon the nature of tariff measures and upon the lines on which tariff bills ought to be framed and taxes imposed will not be inopportune. As has been said more than once in the course of this, and for that matter of every other debate upon the tariff question, the tariff is primarily a tax. It can not be regarded fairly or properly in any other light, and while the majority in this body still contend that protection is as legitimate an object in tariff legislation as the raising of revenue, it can not be denied, nor can our Republican friends escape the proposition, that the initial and basic authority to lay a tariff and impose duties upon imports is the authority and right of taxation. Those of us who sit on this side of the Chamber and adhere to the Democratic faith believe now, as we have always believed, that the object of taxation, whether by duty on imports or otherwise, should be the raising of revenue; and while it has always been conceded that by the imposition of tariff duties even for the purposes of revenue there must result, necessarily and by the very operation of the impost, a certain measure of protection, we do not lose sight of the fact that such protection as inevitably ensues from any tariff measure should be incidental to the main purpose of raising revenue and not its primary object, as contended by the Republicans, for the purpose of protection.

It may be stated, therefore, that there are two conflicting theories as to legislation of this character—the Democratic idea of a tariff fairly and equitably distributed over all revenue-producing possibilities, so as to equally distribute the burdens of government, and permit, so far as possible, an equal share in such benefits as may result from the protection which is unavoidably furnished to those commodities and manufactures on which duties are laid; and the other, the Republican idea, that the tariff should be levied primarily for the purpose of protecting certain favored industries selected

for that purpose from the great mass of the business of the country, raising so much revenue by means of such a tariff as may be convenient or possible. I do not know whether our Republican friends will seriously controvert the accuracy of this statement of their position. Be that as it may, it appears to my mind that if any confirmation of its correctness is needed, it will be found in a perusal of the provisions of this bill. Framed under the guise of producing revenue, it is confessedly insufficient to accomplish that purpose, and its provisions seek to supplement what is practically a confessed inability on the part of the bill to raise enough money to support the Government in the near future by providing for the issuance of bonds, and that, too, after articles have been restored to the dutiable list which are prime necessities of life, and which for years have been admitted, with the assent and approval of all the people, free of duty.

Whatever may be said in favor of either system of tariff and whether the law should be framed for the purpose of raising revenue, with such incidental protection as necessarily and inevitably ensues, or whether it be framed, as this is, avowedly, to afford high protection, it will be admitted that it is at least a system of taxation, and, like every other system, is unjust, odious, discriminating, and un-American if the burdens of taxation are not equally distributed over the whole country, and, as far as possible, upon all the people of the land. In the remarks which I shall make on this subject I want to stress and keep that point continually before the House, because it is to the inequities of this bill and its flagrant omission or refusal to fairly distribute the burdens and benefits of taxation that I shall principally address myself. Viewing the tariff, as I must do, as a tax, it necessarily follows, to my mind, that the fair and proper way to levy it is to distribute it as broadly as possible over all the articles and commodities produced in this country, so that the basis of taxation may be made as broad as possible and may cover as much ground as may be with the largest possible returns.

Whenever the dutiable list is curtailed by taking from it any fair revenue-producing article, an inequality of taxation necessarily and immediately results and operates in a twofold measure against those interested in that particular commodity. To illustrate: Every time an article fairly the subject of revenue and not such a prime necessity of life as would demand imperatively that it go upon the free list, or which should not, by reason of other conditions, be taken off the dutiable schedule, is put on the free list, the basis upon which revenue is laid and the number of things which can be subjected to taxation is thereby reduced. The amount of revenue to be raised being the same, it necessarily results that the revenue lost by taking the article or articles from the dutiable list must be raised upon those remaining thereon, resulting, of course, in an increased rate of duty and taxation on those articles which remain, and, as stated, is a double injustice to those who are not interested therein. It cuts going and coming, for it not only deprives the producer of that article of his fair right to stand upon an equal footing as to benefits to be received with every other man in the land, but it increases the amount which he is required to pay upon everything else by reason of the increased rate of duty and the increased revenue that must be raised on the remaining articles.

Let me make myself clear. I do not believe in the protective-tariff system and can never be made a convert to that belief, but I recognize the fact that wherever a duty is laid some benefit by protection must result in favor of those who produce the article that is made the subject of the duty. I believe that those resulting benefits, resulting necessarily and inevitably from the system of taxation to which this country is committed, are as much the property of all the people as the right to be fairly taxed. I believe that it is as improper to levy the imposts out of which the money for which the support of government is to be raised upon a few articles, thereby increasing the taxes of all the people except those interested in the production of the favored commodity, as it is to bring about an inequality of taxation in any other way, and I believe that those incidental and resulting benefits, which can never be avoided in the imposition of any tariff law, should be distributed upon the same basis of equity that requires that no man should be charged ratably more than any other.

Holding, as I do, these views, and coming from a district, State, and section which has, in my judgment, been grossly discriminated against by this measure, I desire to discuss for a few brief moments what appear to my mind the inequalities and iniquities of this bill. My State produces for market cotton and its products—seed, oil, cake, and so forth—and lumber, with the other forest products, turpentine and rosin. All of these articles are by this measure placed upon the free list with the single exception of lumber, and on that commodity the duty is cut in half. Notice has been served on us that a motion will be made and pressed to put it on the free list, and I may fairly deal with the question as if that motion was pending. Under the Dingley bill, cotton-seed oil was a dutiable product. This bill places it upon the free list. Under that law lumber was dutiable at the rate of $2 a thousand, with some additional schedules for manufacture. During the year 1906 that commodity produced upward of $3,000,000 revenue, and had been steadily growing for some years before. Without discussing at any great length the steel, iron, and other metal schedules, and the manufactures of these metals, it is well to call attention to the treatment which this bill accords the farm products of other sections of the United States. Oats is dutiable at 15 cents a bushel, barley at 15, wheat at 25, hay at $4 a ton, mules and horses at from $30 per head up, hogs at $1.50 a head, live stock at 27½ per cent ad valorem, sheep at from $1.50 to $1.75 per head, meat of various kinds at figures ranging from 1½ to 4 cents per pound. All dairy products are taken care of, and even eggs, cabbages, and all other sorts of garden truck, by a duty which is almost if not absolutely, prohibitive. All animals other than those above mentioned at 20 per cent; tobacco at 104 per cent. Sugar and rice have both had their day in court and a favorable judgment rendered. Marble, building stone, and the products of all quarries which come into competition with lumber still carry considerable duties. Besides these the cotton planter is further taxed by a duty of over 20 per cent on bagging and over 11 per cent ad valorem on ties, both of which duties together raise less than $140,000 revenue and are prohibitive, as all bagging and ties imported are by the trust which manufactures and controls these articles. By the retention of the old joker in the oil schedule, the Standard Oil trust is still permitted to charge the people of this country sums considerably in excess of what they sell their oil abroad for, and the breakfast table of every man, high or low, rich or poor, from one end of the country to the other, is completely taxed by restoring coffee and tea which have long, in response to a popular, nay universal, demand, been free; which are relied upon to supply what would otherwise be the grossly inadequate revenue which at best it may be hoped this bill will produce.

Of course it will be said in reply that coffee is on the free list; but how is it free? In the same way that oil is. A countervailing duty is to be levied upon all oil and coffee coming into this country from any other which imposes an export tax upon either of these articles. Of course everyone knows that the only other country producing oil for export is Russia, and that it imposes an export tax as a part of its revenue system upon all oil exported. We could not import oil from any place other than Russia if we desired, and the Treasury Department, as was shown by the gentleman from Illinois [Mr. RAINEY] in an admirable and learned speech which he made during the first session of the Sixtieth Congress, has supplied by construction whatever might be lacking in the law to fasten this duty upon the people by holding that if the oil originally came from Russia it was still subject to a duty, though it may have been actually imported from another country to which it had been first sold.

Brazil, from whom we get a large proportion, indeed much the largest proportion of the coffee that is consumed in this country and by far the greater part of the lower or cheaper grades of coffee that are used by the poorer and middle classes, imposes and has imposed for years an export duty, which will result, of course, in the imposition of a countervailing duty here. And more than this, those who are best informed as to the coffee trade say without hesitation that the operation of this provision in the Payne bill will be to raise the price to the consumer immediately upon its passage without raising or yielding to the Government for some years to come any revenue whatever worthy of notice or consideration. In a conversation a very short time ago with one of the leading coffee importers of the South, he advised me that the general impression in the coffee trade was that the provision would absolutely fail to produce any revenue for two or more years, because the recent large importations of coffee and the large engagements made for delivery before the Payne bill could take effect would supply this country for at least that time.

Before proceeding to a discussion of the tariff on lumber, I may be pardoned for referring again to the proposition with reference to taxation, which in my judgment is fundamental and axiomatic, namely, equality and equity—the fair distribution of burdens. I can not conceive that any argument is necessary to impress anyone, much less this body, with the soundness of the position that it is manifestly unfair and inequitable to tax a particular industry upon everything that enters into it at high and oppressive rates and at the same time to take from it the prop which is absolutely necessary, as demonstrated by the experience of the past, to enable that industry to meet and bear the burdens which are thus placed upon it. If we on this side of the House could have our way as to the

framing of a tariff bill and could frame one based on our ideas and along the lines of a tariff for revenue distributing the taxation as broadly as possible, and consistently with a due regard to the rights and interests of all people in the land, the lumber people would be more than satisfied with the provisions of this bill. Indeed, I think it highly probable, and the lumbermen of my section, I believe, join in that belief, that if a bill should be framed along those lines they would be able to subsist and do business upon even a smaller rate of duty. It is the inequality of the situation, the inequity and injustice of taxing them to the limit of endurance and then cutting their own shield in two, against which they protest. The lumber industry is one of the largest and most important in the United States. Those engaged in it are of all classes of financial and industrial importance. It is in its nature an industry which can not be aggregated or controlled in the hands of a few. The report of the lumber cut of the United States for the year 1907, compiled by the Department of Agriculture, is interesting on this point. Table 36, page 41, of that report shows that there were at that time 26,934 mills. Of this number largely more than half, namely, 15,168, cut from 50,000 to 500,000 feet of lumber each per annum. In other words, of the total number of mills engaged in that business, about three-fifths of them cut amounts of timber varying from a little over 4,000 to a little over 40,000 feet per month. This, allowing an average of twenty-four working days to the month, a very large if not an impossible proportion in the lumber business, would give a daily capacity of these mills varying from 1,500 to 15,000 feet. By far the larger per cent of them are the smaller ones, and an average struck half between the two extremes, or about 8,000 feet per day, would be considerably in excess of the true computation of their average capacity. Four thousand eight hundred and thirty mills cut from 500,000 to 1,000,000 feet per annum; 5,279 from 1,000,000 to 5,000,000; 813 from 5,000,000 to 10,000,000; 652 from 10,000,000 to 25,000,000; 161 from 25,000,000 to 50,000,000; 39 from 50,000,000 to 100,000,000; and 2 over 100,000,000.

These figures, which are unquestionably correct, I cite for the purpose of showing that by far the larger part of the lumber business done in the United States is done by the small operator with the little roadside mill, and that they are the men who will be most affected by this inequality.

There is no industry with which I am familiar which is taxed to a higher degree. Everything that enters into their plant, their logging operations, and, indeed, that is used from the time the tree is felled in the woods until it is placed on the cars or vessel for shipment, is the subject of taxation to a greater or less extent—usually greater. The following figures upon some of the articles used by them will show the extent to which they are burdened. A comparison of the figures here given and carried by the Payne bill with those of the Dingley Act will show that in the instances in which reductions have been made on these articles they are, comparatively speaking, trifling, and neither individually nor in the aggregate commensurate with the amount of the reduction of the duty on their product:

Engines, stationary	30 per cent.
Engines, locomotives	30 per cent.
Boilers	30 per cent.
Machinery in general not otherwise specified	30 per cent.
Saws:	
Circular	20 per cent.
Crosscut	5 cents per foot.
Drag saws	6 cents per foot.
Handsaws and backsaws	25 per cent.
Mill saws	8 cents per foot.
Pit saws	6 cents per foot.
Steel bandsaws	5 cents per pound and 20 per cent ad valorem.
All, not specially mentioned	25 per cent.
Belting:	
Rubber	30 per cent.
Cotton or other fiber	30 per cent.
Leather belts, ready for use	30 per cent.
Leather for belts, not ready for use	5 per cent.
Chains, log chains / Chains, small	From ¾ cent to 3 cents per pound, but never less than 45 per cent ad valorem.
Steel forgings	30 per cent, ½ cent per pound added if worked.
Steel railway rails, fish plates, bars, etc	¼ cent per pound.
Piping, wrought iron or steel	30 per cent.
Harness for horses	35 per cent.
Horseshoes	⅓ cent per pound.
Horseshoe nails	1¼ cents per pound.
Nails	⅓ cent per pound.
Screws, according to length	2½ cents, 4 cents, 6 cents, and 8 cents per pound.
Iron or steel wire cables	40 per cent.
Rope, hemp	2 cents per pound.

Of course it is essential to this argument and to the soundness of my position, that I should demonstrate that the conditions under which they operate, even with these burdens, are such that they can not be fairly expected to live and do business if they are penalized to the extent that is proposed. My familiarity with the lumber business is confined practically to my own section. I know in a general way a good deal of the conditions under which they do business and against which they strive. In the first place, the cost of making lumber has steadily increased for the last ten years. The average of the laborer and the price of his labor have risen, and his average of living has advanced commensurately with the increase of his wage. More than this, the price of agricultural and farm products, of live stock, mules, horses, and the like, of which the lumber industry is one of the greatest consumers in this country, has also advanced greatly within the time indicated, and the actual cost of doing business to them has been vastly increased. There has been no advance in the price of lumber commensurate with this increase in cost of operation. The price of stumpage, among other things, has greatly enhanced, and while there are a very few fortunate operators and far-seeing men in my district, as I assume there are elsewhere, who years ago cast ahead and provided themselves with stumpage at low prices, the vast bulk of the stumpage in my district—and I believe that it contains more standing yellow pine than any other similar area in the United States—has changed hands within the last ten years at prices ranging up to as high as $5 per thousand feet. A very few have saved themselves as against this advance, but the vast majority of operators, not only as to number but as to acreage and amount of timber and amount of cut, have paid for their raw material prices approximating the present values. It is true that, on the other side of the balance, it may be said that lumber has advanced, and it has, but there has been no such advance as would offset the vastly increased cost of operation.

This lumber, and I speak, of course, only of the product with which I am familiar—that of my section—must of course be marketed away from home. It has been estimated that the State of Mississippi uses yearly about one day's cut of her mills. The rest is sold either abroad or in the States of the Middle West. Practically all that is sold in the United States goes into what is known in shipping circles as the "central traffic territory," namely, that part of the United States lying north of the Ohio River, east of the Mississippi, and west of a line drawn from Buffalo to Pittsburg. It is a mistake to assume that any more than a negligible quantity of our cut finds a market either in the East or in Canada. It is true that we have connection by water through the Gulf of Mexico and into the Atlantic and thence to the cities of the eastern seaboard, but those markets, as well as the Canadian markets that can be reached in that way and through the St. Lawrence River, are so much closer to the mills in Georgia and on the seaboard of the Carolinas that the differentials in freight and the cheaper transportation, both by rail and water, have driven us out of those markets, except as to a very small quantity of very high-grade lumber, mostly flooring, requiring the highest grades of longleaf pine, of which a small quantity is still sold in New York and Boston. That part of our lumber that goes abroad is shipped to the Gulf seaboard and sent by water chiefly to South America, Germany, France, and to some extent to South Africa. These shipments also constitute comparatively a very small part of our cut and comprise only the highest grades of prime-heart pine, free from blemishes of any character, which are sought because of the hardness and tensile strength of the wood. The amount of such lumber that can be obtained in the cut of a mill has been variously estimated and depends largely upon the character of the timber that is being operated. It runs anywhere from 10 to 25 and in rare instances, perhaps, as high as 30 per cent of the merchantable part of the tree. Besides the fact, that there are other grades of high-class lumber, as well as the great amount of the cut, which must and do seek a market in the United States, and the market for the whole of Mississippi and parts of Alabama and Louisiana is the territory which I have described. The freight on this lumber to points within the area given varies from $6 to $10 per thousand and upward. The average is estimated as being from $8 to $8.50.

The Canadian lumber with which this comes into competition can be sent from the Georgian Bay territory in Canada to the Lake ports within this territory at an average of about $1.75 per thousand, and into the interior points in that territory at an average of about $4 per thousand. It will therefore be seen that, at best, the Canadian has $4 advantage of us in freight, and, as to the Lake points has between $6 and $7. It would seem that a mere statement of this difference in freight would

the single exception of lumber, and on that commodity the duty is cut in half. Notice has been served on us that a motion will to meet and bear the burdens which are thus placed upon it. If we on this side of the House could have our way as to the

demonstrate beyond controversy the great disadvantage under which we labor, and which would be increased past the point of business endurance if lumber were to be put on the free list.

In addition to all this, it must be remembered that the price of lumber has declined very appreciably within the last two years. Without having the actual figures before me, I know that I am well within the facts when I state that there has been a decrease in price to the manufacturer on an average of at least $4 a thousand on his cut. I have heard this statement met with the reply that the price of lumber has not been reduced to the consumer—which may be and probably is true—but the fact remains, notwithstanding, that, if this be true, the difference has gone elsewhere than into the manufacturer's hands. Whatever the retailer may have done, whatever he may have been able to accomplish by way of agreement or otherwise to maintain his prices, there has been no such maintenance of prices to the man who makes the lumber. He has suffered to the extent that I have just indicated. In the depression that existed during the late panic I went from one end of my district to the other. Fully 80 per cent in number and 70 per cent in capacity of the mills of that district were closed and remained closed for months, because it was impossible to operate them under the existing conditions, and a condition of general demoralization and depression existed pitiable to behold.

Yellow pine was at its best, perhaps, about two years ago or a little less. Since that time, by reason of the decrease in price and an almost unprecedented, certainly an entirely unexpected and disastrous, falling off in demand, three of the largest and most important concerns in my district have been forced into the hands of a receiver, and their assets, sufficient under the prices that prevailed then to have discharged all their liabilities and left each of them a comfortable fortune, are now being administered in court or by trustees for the benefit of their creditors, with a practical certainty that their debts will not all be paid. These mills that I refer to are not small or middle-sized plants, but great institutions—with a few exceptions, perhaps, the largest in my district—at least one of which had acquired its stumpage holdings at very favorable, if not low, prices.

I have always regarded the present duty on lumber as defensible as a revenue duty. Ever since 1890 the imports of lumber and other forest products have been steadily on the increase. Immediately following the enactment of the Dingley law there was a temporary cessation and considerable falling off of lumber imports; but beginning with the year 1900, importations were stimulated and have increased steadily since. I have caused to be prepared by the Department of Commerce and Labor some figures showing the amount of lumber and shingles imported into the United States from the British-American possessions, which I shall place in the RECORD at the conclusion of my remarks, and to which I direct attention. The estimated ad valorem upon the imports from this territory was, based upon prices in 1908, 10.70 per cent. Can it be said that a duty which is less than 11 per cent ad valorem and which yielded a revenue of $3,650,000 is not a revenue duty? [Applause.] Can it be said that such a duty is not justified either by the imposts and burdens that are laid upon the business or by the amount of money which it yields for the support of the Government as well? [Applause.] Certainly, when both propositions are considered, it can not be contended that the duty on lumber is either protective or prohibitory, or that the revenue which it produces is so small and unimportant in amount as to be lightly considered when determining how we should raise governmental expenses. This bill cuts the duty in half, making an ad valorem duty of 5½ per cent, certainly a revenue duty; and yet it is proposed to destroy even that. [Applause.]

Just at this point I am interrupted by a friend, who advises me that he has looked the matter up and that the late Senator George, one of the greatest constructive statesmen that the South has contributed to national affairs since the war, as sturdy an advocate of a Democratic tariff as ever lived, and as true a friend of the people as ever spoke either in council chamber or on the hustings, advocated and voted for a tariff on lumber on practically the grounds that I now take. I thank him for the suggestion.

I have also caused to be prepared from authentic sources some very careful tables showing the importation by years of all lumber from 1895 to 1907, inclusive, which bear out and establish conclusively my contention that this duty is not only a revenue producer, but is entirely reasonable and just.

"Ah, but," it is said, "we send lumber to Canada." So we do. In 1906 we sold them something like $7,000,000 and bought from them over $17,000,000. In 1907 we sold them less than $10,000,000 and bought from them nearly $19,000,000. In 1908 we sold them not quite $10,000,000 and bought from them nearly $19,000,000. The fact that we sold them any lumber at all is easily explicable when one understands that they are compelled to purchase a limited amount of high-grade pine of great tensile strength for uses that they have no lumber available that will fill. They have sold us no such lumber, but, on the contrary, the whole of their exports have been of the character of stuff that comes directly into competition with the bulk of ours. A duty which enables us to buy from a foreign country more than twice as much of a given material as we sell to them can not be said to be either protective or prohibitory. Do not misunderstand me. I am not advocating a protective tariff on lumber or anything else. I am simply dealing with business conditions to make good the statement made by me in the outset of my remarks on lumber that this industry could not live with the taxes, discriminations, and burdens imposed upon it unless it was made one of the articles upon which a duty for revenue should be levied. Take off the unjust and discriminatory burdens that you have placed upon the people who are engaged in it. Give them an opportunity to buy what they need, what they consume, and what they use in their business in a free market, and they will be ready and able to meet competition from all sources. But when selecting subjects upon which duties are to be levied, it is my duty to protest, and I do protest, in behalf of my people against that class of discrimination which would force them to buy in a protected market and sell in a free one.

The whole question is involved in and solved by the doctrine that I have tried to make the central idea of this speech—fairness and equality of treatment. I am unalterably opposed to protection; and if my idea could be crystallized into law, we would have a bill framed purely along revenue lines, having, of course, due regard to existing business conditions. If a bill along these lines were presented, the duty might well be lowered considerably below the point proposed in this bill; but no such bill as that is offered us. We are told that protection is the cornerstone of this law, and even if we were not told so we could not read it without knowing it. You have proclaimed that this measure is intended to further vitalize and keep in force the Republican principle of protecting and hothousing certain industries at the expense of others. My protest against it is a double one—a protest against the principle of protection and a protest against the unfairness of not treating all industries alike.

You have taxed my people on everything they use to the last degree that it will stand. You have followed a maxim that I have heard uttered in certain circles of putting on all that the traffic will bear, and in many instances more. You have discriminated against every product of my State and section. You have placed upon us all of the burdens, and now I am expected, because I am a Democrat, because I am opposed to the principle of protection and believe in a tariff for revenue, to illustrate that abstract idea by voting to put lumber on the free list and destroy one of the great interests of this country and the greatest one of my district. I am practically asked, inasmuch as I can not illustrate my views otherwise or be given an opportunity to put them into effect by reducing the tariff upon the products which my people consume and upon all products to a proper revenue basis, to make them victims upon the protection altar that you have reared in order that I may proclaim to the world that I favor a tariff for revenue only. Neither Democracy, fair dealing, honest government, nor fealty to my party requires it. The interests and the industrial life of my people forbid it. My first and highest duty is to them. [Loud applause.]

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, March 25, 1909.

DEAR SIR: In response to your letter of the 20th instant, asking for the imports of lumber into the United States from Canada and the duties collected thereon during the ten fiscal years ending with 1908, a table is inclosed to you herewith exhibiting the information. The reports of collectors of customs do not show the duties collected on imports from each country, but only on imports from all countries in the aggregate. It is therefore necessary to estimate the duties collected on the general imports from the respective countries, which has been done in the case of Canada and other British North American provinces. The table therefore does not show the actual duties collected on Canadian lumber, inasmuch as some portions of the general imports of lumber were exported to foreign countries, but the figures are probably a very close approximation to the amount of duties collected on imports of Canadian lumber.

Very truly, yours,

WM. R. WHEELER,
Assistant Secretary.

Hon. E. J. BOWERS,
House of Representatives.

Rope, hemp ..... 2 cents per pound.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF STATISTICS,
March 25, 1909.

Lumber imported into the United States from Canada and other British provinces in North America and estimate of the duties collected thereon during the years ending June 30, 1899, to 1908.

Articles.	Rates of duty.	Quantities.	Values.	Duties.
ESTIMATED.				
Boards, planks, deals, and other sawed lumber (M feet):	*Per cent.*		*Dollars.*	*Dollars.*
1899	20.77	423,720	4,186,664.00	869,570.11
1900	18.53	680,069	7,464,208.00	1,383,117.74
1901	15.63	400,570	6,343,836.00	991,541.57
1902	14.54	664,976	9,233,226.00	1,342,511.66
1903	13.73	719,110	10,567,837.00	1,450,964.02
1904	13.55	586,459	8,741,398.00	1,184,895.25
1905	13.25	705,396	10,720,273.00	1,421,231.17
1906	13.10	944,275	14,392,684.00	1,911,635.55
1907	11.88	924,867	15,867,631.00	1,885,074.56
1908	10.70	782,789	14,989,179.00	1,603,842.15
ACTUAL.				
Shingles (M):	*Cents per thousand.*			
1899	30	471,594	827,886.00	141,478.20
1900	30	541,040	1,011,234.00	162,312.00
1901	30	555,853	1,028,181.00	166,735.90
1902	30	707,614	1,362,831.00	212,284.20
1903	30	724,151	1,494,906.00	217,239.30
1904	30	770,372	1,602,968.00	231,111.60
1905	30	758,725	1,581,421.00	227,617.50
1906	30	900,856	1,852,612.00	270,256.80
1907	30	881,003	1,940,001.00	264,300.90
1908	30	988,081	2,379,242.00	296,424.30
ESTIMATED.				
All other lumber:	*Per cent.*			
1899	16.91	.....	978,151.00	165,405.33
1900	15.97	.....	1,296,528.00	207,055.52
1901	14.96	.....	1,217,383.00	182,120.50
1902	14.95	.....	1,375,100.00	205,577.45
1903	13.64	.....	1,739,458.00	237,282.07
1904	13.35	.....	1,409,530.00	188,172.26
1905	13.31	.....	1,624,082.00	216,165.31
1906	12.64	.....	2,508,794.00	328,487.56
1907	11.73	.....	2,711,325.00	318,038.42
1908	12.84	.....	2,541,416.00	326,317.81
Total lumber:				
1899	.....	.....	5,999,701.00	1,176,453.64
1900	.....	.....	9,771,970.00	1,752,485.26
1901	.....	.....	8,589,403.00	1,340,417.97
1902	.....	.....	11,971,147.00	1,760,872.71
1903	.....	.....	13,802,201.00	1,905,465.39
1904	.....	.....	11,756,921.00	1,604,149.11
1905	.....	.....	13,031,776.00	1,865,015.98
1906	.....	.....	19,044,040.00	2,510,379.41
1907	.....	.....	20,518,957.00	2,467,413.98
1908	.....	.....	19,909,837.00	2,226,584.26

J. N. WHITNEY,
Acting Chief of Bureau.

Hon. E. J. BOWERS,
House of Representatives.

United States custom-house reports on imports, duty collected, and the ad valorem rate for the years 1895, 1900, 1903, 1906, 1907.

[These are items which come entirely, or nearly so, from British North America.]

PULP WOODS.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Ad valorem rate of duty.
		Cords.		*Per cent.*
1895	Free of duty	.....	$601,991.85	Free.
1900	do	.....	1,109,139.11	Free.
1903	do	.....	1,541,679.74	Free.
1906	do	592,023.67	2,267,095.23	Free.
1907	do	664,107.25	2,806,633.58	Free.

LOGS AND ROUND UNMANUFACTURED TIMBER.

		Thousand feet.		
1895	Free of duty	142,434	$1,111,649.69	Free.
1900	do	140,689.85	943,164.66	Free.
1903	do	74,893.41	583,774.00	Free.
1906	do	101,623.91	792,786.30	Free.
1907	do	165,470.43	945,924.48	Free.

WHITEWOOD, SYCAMORE, AND BASSWOOD, ROUGH.

1895	$1 per thousand feet	42,637.01	$529,753.55	8.04
	Free of duty	*542,746	*6,316,788.48	Free.
1900	$1 per thousand feet	8,311.47	101,793.49	8.17
1903	do	4,867.35	69,199.07	7.03
1906	do	4,226.97	70,651.78	5.98
1907	do	11,777.60	211,967.74	5.56

* Of all kinds—rough.

United States custom-house reports on imports, duty collected, and the ad valorem rate for the years 1895, 1900, 1903, 1906, 1907.—Continued.

WHITEWOOD, SYCAMORE, AND BASSWOOD, PLANED OR FINISHED ON ONE SIDE.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Ad valorem rate of duty.
		Thousand		
1895	$1.50 per thousand feet	1,341.70	$9,142.88	22.01
	Free of duty	*17,757	*158,359.14	Free.
1899	$1.50 per thousand feet	115.36	1,164.72	19.82
1903	do	11.01	215.19	7.68

NOTE.—Years 1900, 1906, and 1907 not given.

WHITEWOOD, SYCAMORE, AND BASSWOOD, PLANED OR FINISHED ON TWO SIDES.

1895	$2 per thousand feet	31.27	$738.66	7.82
1900	do	535.38	5,349.70	20.00
1903	do	22,294.32	303,882.33	14.61
1906	do	708.94	8,283.61	17.12
1907	do	1,047.29	12,302.00	17.03

WHITEWOOD, SYCAMORE, AND BASSWOOD, PLANED ON ONE SIDE AND TONGUED AND GROOVED.

1895	$2 per thousand feet	1	$16.00	12.50
1899	do	4	60.00	13.33
1903	do	123.85	3,308.00	18.94
1906	do	242.53	3,173.00	15.29

NOTE.—Years 1900 and 1907 not given.

WHITEWOOD, SYCAMORE, AND BASSWOOD, PLANED ON TWO SIDES AND TONGUED AND GROOVED.

1895	$2.50 per thousand feet	7.64	$156.03	12.16
1898	do	1,014	7,747.80	32.72
1903	do	402.27	4,091.46	24.80
1906	do	2.88	31.68	22.73

NOTE.—Years 1900 and 1907 not given.

OTHER SAWED LUMBER NOT SPECIALLY PROVIDED FOR, ROUGH.

1895	$2 per thousand feet	10,056.88	$80,243.71	22.20
1900	do	620,770.79	6,748,358.34	18.40
1903	do	656,109.22	9,793,979.01	13.60
1906	do	886,995.55	13,713,881.53	12.94
1907	do	893,339.61	14,023,253.02	11.75

OTHER SAWED LUMBER, PLANED OR FINISHED ON ONE SIDE.

1895	$2.50 per thousand feet	292.75	$2,066.00	24.18
1900	do	14,557.79	117,268.40	31.03
1903	do	9,436.70	88,676.24	22.60
1906	do	19,671.59	234,538.62	20.97
1907	do	19,176.90	239,649.28	20.01

OTHER SAWED LUMBER, PLANED OR FINISHED ON TWO SIDES.

1895	$3 per thousand feet	1	$21.00	14.28
1900	do	1,320.95	15,750.13	25.16
1903	do	450.33	9,835.56	13.74
1906	do	3,697.34	57,891.19	19.01
1907	do	2,777.89	48,318.91	17.24

OTHER SAWED LUMBER, PLANED OR FINISHED ON THREE SIDES.

		feet.		*Per cent.*
1898	$3.50 per thousand feet	1	$21.00	15
1905	do	3.75	55.00	23.87
1906	do	10.03	189.00	18.57
1907	do	1.36	34.00	14.05

NOTE.—Years 1895, 1900, and 1903 not given.

OTHER SAWED LUMBER NOT SPECIALLY PROVIDED FOR, PLANED OR FINISHED ON FOUR SIDES.

1898	$4 per thousand feet	19	$425.13	13.31
1900	do	14.80	289.00	29.48
1903	do	3.19	83.00	14.83
1906	do	26.37	440.00	23.97
1907	do	64.65	1,224.00	21.13

NOTE.—1895 not given.

OTHER SAWED LUMBER NOT SPECIALLY PROVIDED FOR, PLANED ON ONE SIDE AND TONGUED AND GROOVED.

1895	$3 per thousand feet	117.10	$1,253.00	28.04
1900	do	2,626.49	25,632.47	30.74
1903	do	382.43	7,683.45	14.93
1906	do	4,174.01	62,299.92	20.10
1907	do	5,306.32	83,415.75	19.10

* Of all kinds—dressed.

United States custom-house reports on imports, duty collected, and the ad valorem rate for the years 1895, 1900, 1903, 1906, 1907—Continued.

OTHER SAWED LUMBER NOT SPECIALLY PROVIDED FOR, PLANED ON TWO SIDES AND TONGUED AND GROOVED.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Ad valorem rate of duty.
		Thousands.		*Per cent.*
1895	$3.50 per thousand feet	122.90	$1,351.00	21.81
1900	do	799.34	8,006.70	30.61
1903	do	335.36	9,135.85	13.58
1906	do	1,485.29	24,411.80	21.29
1907	do	897.45	15,482.78	20.29

SPRUCE CLAPBOARDS.

		Thousands.		
1895	$7.50 per M	1,435.31	$22,227.00	9.69
	Free of duty	[a] 8,045	[a] 106,543.00	Free.
1900	$1.50 per M	8,287.42	121,989.00	10.19
1903	do	7,483.31	133,315.00	6.16
1906	do	5,112.97	131,809.00	5.82
1907	do	5,727.76	149,699.30	5.74

LATHS.

1895	15 cents per M	63,183.09	$73,905.72	12.81
	Free of duty	289,638	358,511.95	Free.
1900	25 cents per M	294,423.95	399,222.93	18.41
1903	do	414,817.76	841,308.74	12.32
1906	do	660,484.15	1,290,678.16	10.34
1907	do	668,635.89	1,736,525.17	9.63

PICKETS AND PALINGS.

1895	10 per cent	175.29	$1,263.16	10.00
	Free of duty	4,253	34,075.07	Free.
1900	10 per cent	14,621.07	71,091.18	10.00
1903	do	26,077.34	96,388.84	10.00
1906	do	20,681.72	129,269.76	10.00
1907	do	24,409.79	126,909.23	10.00

WHITE-PINE SHINGLES.

1895	20 cents per thousand	21,046.11	$37,073.00	11.85
1900	30 cents per thousand	115,712.33	208,633.32	16.64
1903	do	118,067.91	250,830.98	13.78
1906	do	12,887.56	24,392.60	15.48
1907	do	16,737	26,445.00	13.77

SHINGLES—ALL OTHER.

1895	30 cents per thousand	29,450.06	$68,651.13	15.06
	Free of duty	[a] 427,371	[a] 784,857.89	Free.
1900	30 cents per thousand	427,573.50	897,254.30	15.89
1903	do	606,808.16	1,238,015.29	14.71
1906	do	880,530.21	1,824,646.34	14.56
1907	do	867,040.83	1,904,347.77	13.66

[a] Of all kinds—rough.

United States custom-house reports on imports, duty collected, and the ad valorem rate for the years 1895, 1900, 1903, 1906, 1907—Continued.

SHOOKS, SUGAR BOX, AND PACKING BOXES AND PACKING-BOX SHOOKS.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Ad valorem rate of duty.
		Thousands.		*Per cent.*
1895	30 per cent		$5,651.30	30.00
	30 per cent		32,866.79	30.00
1896	do		30,648.03	20.00
1897	do		19,832.02	20.00
1898	do		2,494.05	20.00

NOTE.—Years 1900, 1903, 1906, and 1907 not given.

SHOOKS, SUGAR BOX, AND PACKING BOXES, EMPTY, AND PACKING-BOX SHOOKS, NOT SPECIALLY PROVIDED FOR.

1898	30 per cent		$18,559.58	30.00
1900	do		43,394.30	30.00
1903	do		64,462.63	30.00
1906	do		23,108.53	30.00
1907	do		11,912.31	30.00

NOTE.—Year 1895 not given.

WOOD PULP, MECHANICALLY GROUND.

		Tons.		
1895	$2.50 per ton	383.19	$8,750.00	16.66
	10 per cent	[b] 26,595.37	[b] 888,479.14	10.00
1900	1/10 cent per pound	70,222,323	491,889.36	11.00
1903	do	87,350,675	567,141.81	12.83
1906	do	182,044,903	1,237,628.65	12.26
1907	do	225,413,303	1,528,975.01	13.14

WOOD PULP, CHEMICAL, UNBLEACHED.

1895	$6 per ton	1,521.46	$86,659.64	13.73
	10 per cent		(c)	
1900	1/8 cent per pound	90,297,760	1,436,053.36	10.47
1903	do	115,995,990	1,698,616.50	11.42
1906	do	109,622,198	1,750,458.61	10.15
1907	do	137,977,285	2,776,748.65	9.61

WOOD PULP, CHEMICAL, BLEACHED.

1895	$7 per ton	382	$23,834.00	11.22
	10 per cent		(d)	
1900	1/8 cent per pound	20,112,695	478,156.00	10.52
1903	do	52,509,404	1,128,114.00	11.66
1906	do	62,773,594	1,588,631.00	9.88
1907	do	84,132,253	2,073,408.00	10.14

[a] Of all kinds—rough.
[b] All wood pulp under act of 1894.
[c] Included in table immediately preceding.
[d] Included in table Wood pulp, mechanically ground.

Exports of Canada.

LUMBER—DEAL ENDS.

	1895.	1900.	1903.	1906.	1907.	1908.
To Great Britain	$454,908	$543,055	$329,434	$364,232	$279,327	$298,680
To United States	873	4,214	5,872	5,002	14,380	10,696
To other countries	5,294	17,600	16,463	3,047	1,623	9,464

LUMBER—LATHS, PALINGS, AND PICKETS.

To Great Britain	$12,627	$25,600	$28,188	$30,206	$17,890	$38,305
To United States	469,011	490,531	993,579	1,165,454	1,525,675	1,651,120
To other countries	11,306	15,999	12,445	17,772	14,651	50,861

LUMBER—JOINTS AND SCANTLING.

To Great Britain	$46,348	$108,254	$299,131	$379,993	$428,614	$463,285
To United States	117,947	70,403	121,303	256,502	251,201	412,902
To other countries	20,385	57,007	39,670	109,898	81,378	170,278

LUMBER—PLANKS AND BOARDS.

To Great Britain	$493,486	$1,165,605	$1,552,796	$1,499,438	$1,215,421	$1,562,047
To United States	6,054,825	7,331,243	10,571,940	13,700,968	11,246,616	15,338,400
To other countries	859,273	1,114,430	1,881,062	2,757,619	2,869,506	4,187,002

LUMBER—DEALS, PINE.

To Great Britain	$2,310,040	$3,223,585	$3,726,822	$2,166,525	$1,521,931	$1,577,762
To United States		31,730	34,628	172,785	99,511	86,751
To other countries	1,875	21,201	81,097	14,617	3,076	2,159

Exports of Canada—Continued.

LUMBER—DEALS, SPRUCE, AND OTHER.

	1895.	1900.	1903.	1906.	1907.	1908.
To Great Britain	$4,610,219	$7,522,397	$7,643,753	$5,827,300	$6,414,045	$6,057,286
To United States	481,890	351,562	257,647	569,600	327,976	410,402
To other countries	179,789	414,001	414,054	157,703	133,891	302,923

LUMBER—ALL OTHER, NOT ELSEWHERE SPECIFIED.

To Great Britain	$151,806	$168,767	$254,505	$166,269	$129,130	$146,063
To United States	356,326	409,722	$16,913	398,050	396,709	217,904
To other countries	258,060	10,063	47,458	30,816	28,160	27,155

TOTAL LUMBER.

To Great Britain	$8,004,741	$12,822,910	$13,878,839	$10,471,188	$10,022,366	$10,196,900
To United States	8,083,887	9,165,125	12,541,694	17,080,998	13,919,875	18,279,699
To other countries	1,349,057	1,658,716	2,498,289	3,066,549	3,136,471	4,660,233

PULP WOOD.

To Great Britain	$9,393	$88,370				
To United States	458,613	864,077	$1,558,560	$2,649,106	$1,998,805	$4,655,371
To other countries		325				

SHINGLES.

To Great Britain	$7,361			$990		$274
To United States	657,992	$1,109,296	$1,596,181	1,874,249	$1,325,958	2,518,517
To other countries	22,688	22,210	13,962	33,247	14,896	29,194

SHOOKS, BOX AND OTHER.

To Great Britain	$75,436	$121,713	$270,731	$268,550	$223,132	$108,617
To United States	44,557	59,899	73,604	31,625	18,766	20,634
To other countries	33,599	69,745	96,837	67,603	41,822	76,296

SQUARE TIMBER—BIRCH.

To Great Britain	$111,176	$209,270	$203,971	$240,942	$86,335	$123,875
To United States	88	18,005	164	15,163	598	1,600
To other countries	41	1,089	555	4,815		1,610

LOGS—ALL KINDS.

To Great Britain	$5,033	$16,843	$29,795	$22,226	$68,948	$30,366
To United States	2,227,819	743,452	401,313	523,542	421,290	668,137
To other countries	563	115	3,020	1,494	217	635

GRAND TOTAL—ALL FOREST PRODUCTS.

To Great Britain	$9,975,833	$15,056,636	$16,742,435	$12,498,738	$11,783,564	$11,843,094
To United States	12,482,969	12,805,139	16,977,222	23,085,040	18,397,753	27,470,754
To other countries	1,482,364	1,800,493	2,666,348	3,240,392	3,294,781	4,856,622

Imports from and exports to British North America of principal lumber items.

Articles.	Imports.		Exports.	
	Quantity.	Value.	Quantity.	Value.
1906.	*M feet.*		*M feet.*	
Boards, deals, planks, and other sawed lumber	944,275,000	$14,592,000	101,089	$2,576,000
Timber, sawed and hewed				1,437,100
Logs and round timber [a]	100,502,000	773,260		3,806,300
Shingles, M pieces [a]	900,856,000	1,852,612	26,272	79,635
1907.				
Boards, deals, planks, and other sawed lumber	924,863,000	15,867,631	172,371,000	4,971,808
Timber, sawed and hewed				1,298,640
Logs and round timber [a]	97,573	938,501		3,045,180
Shingles, M pieces [a]	881,003	1,940,001	18,256,000	53,261
1908.				
Boards, deals, planks, and other sawed lumber	782,789,000	14,989,179	140,884	4,209,129
Timber, sawed and hewed				1,199,158
Logs and round timber [a]	131,337	1,264,439		4,337,766
Shingles, M pieces [a]	988,081	2,379,242	20,483	75,535

[a] All countries.

Mr. BROUSSARD. Mr. Chairman——

The CHAIRMAN. The gentleman from Louisiana, a member of the Committee on Ways and Means, is recognized.

Mr. BROUSSARD. Mr. Chairman, it is not my purpose to speak on this bill. I simply desire to yield my time to my colleague [Mr. RANSDELL].

The CHAIRMAN. How much time does the gentleman yield?

Mr. BROUSSARD. Such time as he may require to make the address he desires to deliver.

Mr. RANSDELL of Louisiana. Mr. Chairman and gentlemen, under the fiscal system of our Government, from its earliest days customs or import duties have been one of the recognized means of raising revenue for paying national expenses. The imposition and collection of these duties is necessary to carry on the Government. They constitute a very material part of our annual bank receipts, and without them the Nation's wheels could not turn, unless we should devise and replace them with some other system. Hence all political parties have advocated a tariff in some form. The division of opinion came in the preparation of the tariff schedules, and the political fights have been long and bitter. It would be wise for our lawmakers to unite on some sensible, businesslike plan, just and fair to every section of the country, for providing money on which to run the Government, and political differences should not be allowed to enter into the financial question. Surely the mere raising of revenue is a commercial problem, not a political one. But along with the financial feature of tariff bills is the more serious one of protecting home industries, either directly or as incidents to the revenue, and on this problem comes the difference.

The South has a deep interest in the tariff. It has not secured financial returns from the protective features of the system equal to those sections of the Union largely engaged in manufacturing. Nevertheless, it has many industries which are affected.

The tariff is well described as "a local issue," and a man's views thereon, be he Democrat or Republican, are very much influenced by his surroundings. My State has so many industries—salt, tobacco, rice, sugar, lumber, and so forth—which receive benefit from the protective features of the tariff that most Louisianians lean somewhat toward that policy, and in my judgment the South is rapidly changing its views on this subject. It is gratifying to note, however, that the principal Louisiana products included in the pending bill are large revenue producers, and defensible from the extreme Democratic view of a tariff for revenue only.

Lincoln once said:

> I do not know much about political economy, but I do know that when we purchase a ton of steel rails from Great Britain for $100 we get the rails and Great Britain gets the money, and when we produce the rails from our own mines and in our own mills, we have both the money and the rails.

[Applause.]

Now, surely the latter condition is much better than the former, and it seems right and proper to assist in procuring and maintaining it by wise tariff enactments whenever possible. Partly as the result of such laws, we have for years been producing "our own rails from our own mines and in our own mills," and innumerable factories of every kind and sort have sprung up and prospered in such manner as to make the United States the richest and most marvelous commercial Nation on earth. [Applause.]

Great abuses, however, have crept in. This is especially true of articles controlled by trusts where the protective tariff is so high as to shut out foreign imports entirely, to promote combinations at home that prevent all local competition, and to permit the sale of our manufactures abroad much cheaper, in many instances, than in this country. These things are wrong, and bring into much disrepute the whole system. Many radical changes in our tariff laws are necessary, and we should all strive hard to separate the worthless chaff from the good wheat in our tariff basket. The pending bill is deficient in many respects, but lack of time prevents me from pointing out its mistakes in detail, and I shall confine myself to a discussion of several items of interest to my section.

The South was for many years a purely agricultural community, and, as most of the direct benefits of the tariff go to manufactures rather than to products of the soil, the southern people leaned strongly to free trade. They wished to sell their cotton in the highest markets of the Old World and supply their needs untrammeled in the same markets. But since the civil war a vast change has taken place.

To illustrate the growth of the cotton-manufacturing industry in the several sections of the country the following table, covering a series of years, has been prepared by the Census Bureau, Bulletin 97, of 1908, from which I quote:

Production and consumption of cotton and number of active cotton spindles in the United States for selected years: 1840 to 1908.

Year.	Section.	Production.	Consumption.	Active spindles.
		Bales.	*Bales.*	*Number.*
1908	United States	11,325,882	4,539,090	27,505,422
	Cotton-growing States	11,325,882	2,187,096	10,200,903
	New England States	----------	1,894,835	15,229,333
	All other States	----------	457,159	1,975,186
1907	United States	13,305,265	4,981,936	26,375,191
	Cotton-growing States	13,305,265	2,410,993	9,527,964
	New England States	----------	2,073,355	14,912,517
	All other States	----------	500,588	1,934,710
1906	United States	10,725,602	4,999,279	25,250,096
	Cotton-growing States	10,725,602	2,373,577	8,994,868
	New England States	----------	2,059,900	14,407,580
	All other States	----------	475,802	1,847,648
1905	United States	13,697,310	[a]4,278,980	23,687,495
	Cotton-growing States	13,697,310	[a]2,140,151	7,631,331
	New England States	----------	[a]1,753,282	14,202,971
	All other States	----------	[a]385,547	1,853,193
1900	United States	9,507,786	3,873,165	19,472,232
	Cotton-growing States	9,507,786	1,523,168	4,367,688
	New England States	----------	1,909,498	13,171,377
	All other States	----------	440,499	1,933,167
1890	United States	7,472,511	2,518,409	14,284,180
	Cotton-growing States	7,472,511	538,895	1,570,288
	New England States	----------	1,502,177	10,984,297
	All other States	----------	477,337	1,879,595
1880	United States	5,755,359	[b]1,570,344	[b]10,653,435
	Cotton-growing States	5,755,359	[b]188,748	[b]561,360
	New England States	----------	[b]1,429,498	8,632,987
	All other States	----------	[b]222,098	[b]1,459,088
1870	United States	[c]3,011,966	796,616	7,132,415
	Cotton-growing States	[c]3,011,966	68,702	327,871
	New England States	----------	551,250	5,498,398
	All other States	----------	176,664	1,306,236
1860	United States	[c]5,387,052	845,410	5,235,727
	Cotton-growing States	[c]5,387,052	93,533	324,052
	New England States	----------	567,403	3,858,992
	All other States	----------	184,454	1,052,713
1850	United States	[c]2,469,093	575,506	3,998,022
	Cotton-growing States	[c]2,469,093	78,140	264,571
	New England States	----------	430,603	2,958,536
	All other States	----------	66,763	774,915
1840	United States	2,063,915	236,525	2,284,631
	Cotton-growing States	2,063,915	71,000	180,927
	New England States	----------	158,708	1,597,394
	All other States	----------	6,817	506,310

[a] Does not include foreign cotton. [b] Cotton mills only.
[c] Bales of 400 pounds.

The showing made by the statistics of this table is interesting and instructive. During the period covered the production increased from 2,063,915 bales to 11,325,882 bales; the consumption of cotton from 236,525 bales to 4,539,090 bales; and the number of active spindles from 2,284,631 to 27,505,422. The most remarkable feature of the table is the increase in the industry in the cotton-growing States since 1880. There were in these States twenty-eight years ago 561,360 active spindles, with a consumption of 188,748 bales; the statistics now show 10,200,903 spindles, with a consumption of 2,187,096 bales. Within the last eight years the consumption in these States increased 44 per cent, while in the New England States and in all other States it has remained practically stationary.

Mr. GOULDEN. Will the gentleman permit an interruption right there?

Mr. RANSDELL of Louisiana. Certainly.

Mr. GOULDEN. Does the gentleman attribute any of that great increase to the protective tariff?

Mr. RANSDELL of Louisiana. I rather think some of it does come from the protective tariff. [Applause.] I think, sir, if the cheap labor of Europe, which is a great deal cheaper than that in this country and which makes goods very much cheaper than we can possibly make them here, were allowed to compete on equal terms in our markets, that we in the South surely could not have prospered and progressed as rapidly in this industry as we have. [Applause.]

Mr. GOULDEN. Then, how does the gentleman account for the fact that in New England and other sections there has been no material advance whatever in the period to which he has alluded? Why is it entirely in the South, and not in the New England and other States?

Mr. RANSDELL of Louisiana. The whole cotton manufacturing country in this Union has increased very rapidly, as I have shown. The New England States, as I take it, reached the point of their maximum development a number of years ago, and they have not increased materially within the past eight years. They have increased enormously in the last fifty years, as shown by the statistics I have just read. The South did practically no manufacturing fifty years ago. Since that time it has come forward very rapidly, and I doubt if it would have done so if the manufacturers of England, Germany, France, and other countries of the Old World had been enabled to compete with us on terms of absolute equality.

Mr. GOULDEN. Does not the gentleman think that much of the increase in the South is due to the fact that you produce your cotton and the mills are right on the ground, and that it has no freight charges to pay?

Mr. RANSDELL of Louisiana. We do have a material advantage in that, which I shall attempt to discuss later on.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. RANSDELL of Louisiana. Certainly.

Mr. JOHNSON of South Carolina. Is the gentleman aware of the fact that a great proportion of the cotton goods manufactured in the South are exported to the Orient and sold in competition with the labor of the Old World?

Mr. RANSDELL of Louisiana. I understand that to be true.

Mr. JOHNSON of South Carolina. I thought the gentleman said that we could not compete with them.

Mr. RANSDELL of Louisiana. No; I did not say that. I understand a great deal of cotton is manufactured in the South and exported to the Orient, but it is a low-grade stuff.

The revenue in 1907 from imports on articles of cotton manufacture was $38,969,267—one of the best of our revenue producers—and from the revenue point a reasonable tariff on them seems warranted. But to the southerner there are other strong reasons for retaining this duty. He believes there is much benefit to him in having the cotton factory adjacent to the cotton farm. Transportation charges and fees of middlemen would be saved thereby; the producer would receive better prices for his raw cotton; and the factory employees would become heavy consumers of the diversified crops of the farm, which can not be raised with profit now, because the markets are too far away. The southerner is convinced that his superior advantages will ultimately cause practically all the cotton factories to go south. He starts with an initial advantage of fully $2 a bale on transportation from the field to the factory; he has the cheapest and best power on earth—electricity from his living waters; and his labor is cheaper than that of New England because of his mild climate, short winters, and rich food supply of the adjacent farms. He confidently expects in the future a surer and more rapid growth in cotton manufacturing than even the phenomenal increase of the past—44 per cent in the last eight years. He would gladly welcome to Dixie these cotton factories and factories of every kind, for he has learned the benefits of diversified industries and become a firm believer in the wealth-producing qualities of articles finished and ready for consumption as compared with the low price of the crude materials of mine, forest, and farm. He still loves agriculture, and cotton is still his king, but manufactures are daily receiving more and more of his allegiance, and the sway of King Cotton, at least in the raw state, may be in danger ere long.

There can be no direct tariff in favor of the ordinary cotton grower, because we are heavy exporters of cotton rather than importers; but I submit that if the present protective tariffs are to be maintained there should be a reasonable duty on imports of cotton in order to protect our sea-island and other long-staple varieties against the importation from Egypt and other countries, which amounted in 1907 to 228,793 bales, and threatens to injure very seriously the sea-island industry of the Southeast Atlantic, and the long-staple upland cotton of other sections.

There has been a rapid growth in the importations of cotton from Egypt and elsewhere. In 1890 it aggregated 17,212 bales; 98,664 in 1895; 134,797 in 1900, and 228,793 in 1907. Most of this cotton is long staple and competes with our long-staple varieties. The area for sea-island cotton seems limited to portions of South Carolina, Georgia, and Florida, and the total production in 1907 was only 86,815 bales, equivalent to 34,030,736 pounds. But the area suitable for long-staple uplands is very large, and the present yield is estimated by the New Orleans Cotton Exchange at between 800,000 and 900,000 bales a year. The variety of Egyptian cotton that is mostly used in this country is Mit Afifi, which constitutes about three-fourths of the total imports. It averages about 1⅜ inches in length. Janovitch and, to a small extent, Abasi, averaging 1½ to 1⅝ inches, are also used. Mit Afifi has a brownish color which makes it suitable for use without dyeing in manufacturing goods such as balbriggan underwear and lace curtains in which the ecru shade is desired. And this brownish color is the only reason that can be assigned for preferring Egyptian cotton.

Mr. LOVERING. May I be permitted to remind the gentleman that an Egyptian bale is 40 per cent heavier than the American bale, therefore increasing the figures which the gentleman has given?

Mr. RANSDELL of Louisiana. Yes; I understand that, but the census report from which these figures are given estimates bales of 500 pounds each.

Mr. LOVERING. I did not so understand.

Mr. RANSDELL of Louisiana. Yes; the bulletin so states—bales of 500 pounds each.

Mr. HUMPHREYS of Mississippi. How many bales of the 1⅜ inch are imported?

Mr. RANSDELL of Louisiana. The census does not give it. It says that the greater portion of this cotton is Mit Afifi, and that is about 1⅜ inches in length.

Mr. HUMPHREYS of Mississippi. Is it the gentleman's opinion that a tariff on this cotton would prevent its importation?

Mr. RANSDELL of Louisiana. No, sir; I do not think so. I think it would still continue to come in large quantities, as I will show later.

A careful examination of the Dingley and Payne bills will show that cotton and the oil from its seed are the only great products of the farms on which import duties are not imposed. Let me mention a few articles.

Article.	Duty.	Revenue in 1906.
Corn	15 cents per bushel	$1,521.79
Oats	do	3,400.75
Wheat	25 cents per bushel	10,867.18
Hay	$4 per ton	279,190.00
Rice	2 cents per pound	1,011,880.61
Wool	3 to 33 cents per pound	17,783,646.05
Tobacco and its manufactures		28,927,700.16
Sugar	1.682 cents per pound	62,222,041.41

There is also a duty on meal, flour, barley, rye, cattle, hogs, horses, mules, sheep, butter, cheese, milk, eggs, potatoes, seeds, vegetables, fruits, and nuts; meat of all kinds, lard, and so forth. And on the free list of the pending bill I find cotton, cotton-seed oil, hides, broom corn, tallow, tobacco stems, sundry seeds, bologna sausages, hoofs and horns, and a few others of small importance.

Mr. HUMPHREYS of Mississippi. Hoofs and horns—is that a literal or a figurative expression?

Mr. RANSDELL of Louisiana. Literal; it is taken from the schedule of the Payne bill.

Mr. HUMPHREYS of Mississippi. I thought possibly it was a figure of speech and referred to a certain distinguished personage. [Laughter.]

Mr. RANSDELL of Louisiana. No; I do not indulge in figures of speech on such a grave and serious matter as this.

Is not that free list respectable company for the great staple of Dixie, which sells annually for $650,000,000 and is by odds our greatest article of export? If the policy of protection is to prevail and all the agriculture of every other section of the Union is to be protected from foreign imports by a duty, I insist that the cotton and cotton seed of the South should not be singled out for different treatment. And there is special force in this objection when imported cottons are actually competing injuriously with our home products and when we would get a good revenue by imposing on them an import duty.

The price of Egyptian cotton is from 15 to 20 cents per pound. If we estimate it at an average price of 17 cents and make the import duty 33⅓ per cent of its value—which it could readily stand, as the wages in Egypt are only 15 cents a day, whereas the cotton farmers of the South pay their laborers 75 cents to $1 per day—it would make the duty about 5⅔ cents a pound, or $27.50 per bale, which, on 200,000 bales, considerably less than the amount actually imported in 1907, the duty would be $5,500,000. This rate of duty would not be excessive when compared with 45 per cent ad valorem, which is the average rate carried by the bill, and I hope the committee will accept an amendment which I intend to offer to that effect. This duty will impose a hardship upon no one. Adopt it, my friends, and

cut out the proposed duty on tea, which would be oppressive to so many of our people.

Mr. HUMPHREYS of Mississippi. Before the gentleman leaves that, I should like to ask him a question.

Mr. RANSDELL of Louisiana. Certainly.

Mr. HUMPHREYS of Mississippi. I am very much interested in this discussion. Has the gentleman thought of this phase of the proposition for a tax on cotton; that in the event that it was put upon the dutiable list, immediately a compensatory duty would be demanded and granted to the manufacturers of cotton?

Mr. RANSDELL of Louisiana. No; I had not thought of that; and I do not know why a compensatory duty should be demanded and granted.

Mr. HUMPHREYS of Mississippi. It is done in the other schedules—wool, for instance; and wherever there is a tariff on any raw material, as I understand it, a compensatory duty is then put on the manufactured article.

Mr. RANSDELL of Louisiana. I do not so understand it.

Cane sugar and molasses are exclusively southern products, confined principally to Louisiana, and beet sugar is a very important industry in the North and West. Sugar is incomparably our largest producer of customs revenue, yielding in 1907 the sum of $69,284,059, about one-fifth of our total import duties, which amounted that year to $332,233,363. Even the most confirmed free trader would not interfere with the schedule on raw sugar, because of the large revenue it produces.

It is conceded that neither the cane nor the beet sugar industries could exist without protection, for cane sugar is made in Cuba and Java for less than one-half of its cost in Louisiana, and beet sugar costs much less in Germany and other European countries than here. Our annual consumption of sugar is about 3,000,000 tons. We made in 1907 about 350,000 tons of cane sugar, and 490,000 tons of beet sugar; about 500,000 tons came in free from Porto Rico and Hawaii; Cuba sent us 1,300,000 tons at 80 per cent of the regular rate ($1.68 per 100 pounds for No. 16 Dutch standard, or 96 per cent pure), and the remainder, some 400,000 tons, came from Germany, France, South America, South Africa, and a small amount from the Philippines and Java.

I deprecate the provisions of the pending bill authorizing the admission of 300,000 tons of sugar from the Philippines free of duty and fear it is the entering wedge that will eventually drive the sugar industry from the Union.

Germany produces on 10,000 square miles of area some 2,129,597 long tons of beet sugar. In the Philippines there are 122,000 square miles, and a large percentage of it is specially adapted to cane sugar. Under skillful management the production of these islands would more than supply all the sugar we require, and at such a low cost that our home people could not possibly meet the competition.

Mr. BROUSSARD. I want to interrupt the gentleman to say that it is the opinion of the administration of the Philippine Islands that sugar can be produced in those islands to supply not only the United States but the entire world. That opinion was given me last week.

Mr. RANSDELL of Louisiana. I thank the gentleman very much for that information.

When the Dingley bill was enacted in 1897 no sugar was imported free from any outside country. Since then Hawaii and Porto Rico have been annexed and now produce 21 per cent of our sugar supply, which comes in free, as they are a part of the Republic. Modification of the general law allows Cuba to send us nearly a million and a half tons a year—fully 40 per cent of what we consume—at 80 per cent of regular import rates. And who can prophesy how long the present arrangement with Cuba will exist? It has been repeatedly said that when we intervene in that island again to maintain the peace we will never leave it, but will take it and hold possession forever; and there is grave danger in the situation. May heaven protect us from it.

I earnestly hope that my fears about the Philippines and Cuba may be unfounded, and that we may prove a big brother to them both, enabling them to get good starts in their national lives and work out glorious futures as independent states in the sisterhood of the world. If President Taft can so manage our affairs as to help these weak brethren without destroying our home interests, he will win an imperishable place in the history of mankind, and I sincerely wish him godspeed in the great task. [Applause.] But there are breakers ahead and very careful pilotage is necessary to save continental American sugar from direst shipwreck, and the Nation at large from an illad of woes.

Rice is produced in large quantities in Louisiana and Texas, their combined yield being 574,791,000 pounds in 1908, and with proper encouragement the industry will spread rapidly, as there are many sections in the South where conditions for rice culture are favorable. We imported, in 1907, principally from China and Japan, 209,603,180 pounds of rice, on which a duty of 2 cents a pound, amounting to $1,254,297, was collected.

The pending bill proposes to admit free rice from the Philippines, but I understand an amendment will be offered by the committee which will protect our rice growers from outside competition. This is very gratifying to me personally, as rice is becoming very important in the district I have the honor to represent, and my State produces more rice than any in the Union.

Another item in this bill of the greatest importance to Louisiana and the Nation is lumber, which has been so much discussed during the pending debate that I feel an apology is due the House for treating of it further.

Lumber is second only to cotton among the resources of the South, its annual output being about 19,000,000,000 feet, valued at about $300,000,000, as compared with 40,000,000,000 feet for the whole Union. The Nation's yearly production yields fully $600,000,000, and of that vast sum the South claims nearly one-half, and Louisiana is exceeded in its cut only by Washington. The six heaviest producers are—

	Feet.
Washington	3,777,606,000
Louisiana	2,972,119,000
Texas	2,229,590,000
Mississippi	2,094,485,000
Wisconsin	2,003,279,000
Arkansas	1,988,504,000

My district has a large number of sawmills and much standing timber, hence my constituents are especially interested in this lumber schedule.

Louisiana is so far away from the great centers of population which consume most of its forest products that I do not believe there would be much benefit, if any, in the way of reduction in prices to the local Louisiana consumer if lumber were placed on the free list. Nor am I prepared to say that there would be any material reduction in price to consumers within three or four hundred miles of Canada, though I would naturally suppose that competition between the mills of Canada and those of the South and West would make some reduction in that area.

Mr. LOUD. Do you believe that the reduction of the duty upon one-fortieth of the consumption of lumber in the United States is going to lower the price of the thirty-nine fortieths produced here?

Mr. RANSDELL of Louisiana. I do not.

Mr. LOUD. Then, the only one to get the benefit will be the producer of the one-fortieth, who will get the American price.

Mr. RANSDELL of Louisiana. Substantially, that is true.

Mr. LOUD. In that case we will legislate for the Canadian and no one else.

Mr. RANSDELL of Louisiana. Well, I think probably there may be some little influence in that area within three or four hundred miles of the Canadian line, as I stated, but it will not be material.

Mr. LOUD. I speak of the whole United States.

Mr. RANSDELL of Louisiana. As a whole there would be no material benefit, in my judgment.

Mr. STANLEY. Will the gentleman yield?

Mr. RANSDELL of Louisiana. Yes.

Mr. STANLEY. If only one-fortieth of the lumber will come in from Canada, where will the lumberman be hurt?

Mr. LOUD. Only in little spots along the border.

Mr. STANLEY. By taking this duty off?

Mr. LOUD. But we would legislate, in that case, for the benefit of the Canadian only, and not for the benefit of the consumer in the United States at all—not a penny—and we would take from our revenues $2,000,000 now paid by Canadians and spread it upon the American people in some other way. That is all the result of this legislation.

Mr. RANSDELL of Louisiana. Mr. Chairman, the broad question for us to determine is what would be the effect on the Nation at large of free lumber, and whether or not it is desirable to maintain a duty thereon. I am decidedly in favor of the Dingley rate of $2 a thousand [applause], about 11 per cent ad valorem, and shall state my reasons as briefly as possible.

Much of the clamor for free lumber comes from sections which have exhausted their supply of timber, and, being no longer able to reap profits from the protective rates which they once enjoyed so much, they care nothing for the West and South, and insist upon a removal of the duty, in the hope that they can get their lumber somewhat cheaper. A number of these men have also invested heavily in Canadian timber, and they wish to sell it here without restraint, regardless of the effect upon American industries.

Shall we listen to such appeals and refuse to place the great lumber business of the Union, which employs 600,000 men at an annual wage of $200,000,000, and whose output is $600,000,000 a year, all of which is spent in America in purchasing the products of our farms and factories, at least on a par with other forms of industry?

No; not on a par, but much below them. The lumber tariff is the lowest on the schedule. The present duty on lumber is $2 per thousand feet, or about 11 per cent ad valorem. This is the lowest duty of all items on the tariff schedule, which average about 43 per cent. All items entering into the manufacture of lumber are afforded several times more protection than lumber itself. The principal consumer of lumber is the farmer, and the best consumer the farmer has is the lumberman. Never before in our history would a bushel of oats, corn, or wheat, or a ton of hay, a team of horses, or a hundredweight of live stock buy more lumber than to-day. While some grades of lumber have advanced from 20 to 60 per cent in the last ten years, the price of most farm products has advanced a great deal more.

The percentage of protection on the various commodities largely consumed by the lumberman is as follows:

Corn	per bushel	$0.15
Wheat	do	$0.15
Hay	per ton	$4.00
Bacon	per pound	$0.05
Horses	per cent	25
Woolen goods	per pound	$0.22
Boots and shoes	per cent	25
Clothing and cotton goods	do	50
Iron and steel, an average of	do	43

Would it be a square deal to reduce this 11 per cent duty to 5½ per cent, as proposed by the pending bill, or to lop it off entirely, as some suggest? I can not think so. This duty is not a prohibitive one, as are so many schedules of the present law, but it permits an importation from Canada of nearly a billion feet of lumber a year, on which the duty is about $2,000,000; hence it is not merely a protective duty, but an actual producer of a very respectable revenue.

An article appeared in yesterday's Washington Post which shows that Mexico as well as Canada is preparing to ship a vast amount of lumber into this country. I can not vouch for the correctness of the statements, and merely quote the article for what it is worth:

[Washington Post, Thursday, April 1, 1909.]

SAN FRANCISCO, *March 31.*

With the prospect of a material reduction in the duty on lumber in view, one of the biggest timber deals in recent years has just been concluded by Hiram C. Smith, former president of the Pacific Lumber Company, of this city, whereby the Mexican Transportation Company (Limited) acquires the timber holdings in Mexico of William C. Greene, the copper king. The transfer embraces 2,700,000 acres of timber land and involves $25,000,000.

Included in the deal are 600 miles of railroad, which taps the timber sections of the States of Chihuahua and Sonora. A sawmill of Maderia with a capacity of 100,000,000 feet of lumber a year is acquired also, and it is planned to erect another mill at El Paso, Tex., with a capacity of 175,000,000 feet.

LARGEST IN THE WORLD.

With both plants operating, the company will be practically the largest producers of lumber in the world. Lumbermen are much concerned over the matter, for they realize that the consummation of the deal, with the low rate of duty on lumber provided in the Payne bill, spells ruin to the American industry, not only in the far West, but in the Northwest, and also largely in the South.

Against a concern with such large capacity and resources, employing the cheap Mexican peon labor, and no duty, or a small one, to protect them, the American lumberman would be placed at a very great disadvantage.

SIMILAR TO MICHIGAN VARIETIES.

Much of the timber is of the white-pine variety, similar to that of Michigan. It is the plan of the company to control, if possible, the trade in a large area of the United States.

Associated in the deal are former Ambassador to Washington Enrique Creel; Sir William C. Van Horne, chairman of the board of directors of the Northern Pacific; Julio Limantour, director of the Mexican National Railways; Dr. F. S. Pearson, of New York; E. D. Kenna, former vice-president of the Santa Fe; and W. T. Eldredge, a New York banker.

Mr. TAWNEY. Will the gentleman state whether that is an editorial or a news item?

Mr. RANSDELL of Louisiana. It is a news item.

Mr. SLAYDEN. Will the gentleman yield for a suggestion?

Mr. RANSDELL of Louisiana. I will yield to the gentleman from Texas.

Mr. SLAYDEN. It offers but a poor relief to a treeless country like western Texas and New Mexico, and no lumber representative in Louisiana and eastern Texas should be uneasy. The gentleman must know that all the lumber of northern Mexico comes from Louisiana and Texas.

Mr. RANSDELL of Louisiana. I understood that the timber resources of Mexico were practically undeveloped.

Mr. SLAYDEN. From an intimate knowledge of the entire Republic, I know that the timber areas in Mexico are not important.

Mr. STANLEY. Will the gentleman yield for a question?

Mr. RANSDELL of Louisiana. Certainly.

Mr. STANLEY. I understand that under the Wilson bill lumber was free, at least from Mexico.

Mr. RANSDELL of Louisiana. Perhaps so. I am not positive about it.

Mr. STANLEY. Has the gentleman any information as to the amount of lumber that came in from Mexico under the Wilson bill?

Mr. RANSDELL of Louisiana. I do not know. Mexico's timber was not much developed at that time.

Mr. STANLEY. I know that it was free, and that Mexico at that time shipped lumber into this country during the entire period amounting to 6,000 feet.

Mr. RANSDELL of Louisiana. If the facts stated in the Post article read by me are true—and I can not vouch for them—it would mean a serious importation of lumber from Mexico, and it would compete very injuriously, in my judgment, with lumber of Texas and Louisiana.

Mr. Chairman, many sincere and patriotic persons favor free lumber because they think it would tend to preserve our forests. But, in my opinion, this is erroneous. Their idea is based upon the supposition that free lumber would mean cheaper lumber, and, while I do not wholly admit that, let us grant it for the argument and see where it would lead us.

If any article be cheap, it is not highly prized, but is common and liable to be badly treated, neglected, and wasted. So, if lumber be cheap, we will consume larger quantities and be very careless in our use of it, and when the sawmill man finds an inferior, low-grade log he will not haul it to the mill, but will leave it to rot and waste in the woods, as the cheap prices do not warrant him in manufacturing any but the better grades.

If prices were reasonably high, he could afford to convert every particle of the tree into lumber, thereby increasing the output of his forest 30 per cent to 40 per cent and making it last from 30 per cent to 40 per cent longer. But the reverse is true as to all low-grade stuff when prices are cheap.

This low price therefore gives us a much smaller yield per acre of lumber, and even this smaller yield is not prized as it should and would be if prices were higher, and the result is that the forest is destroyed much more rapidly.

Moreover, when lumber is high it is used and consumed with greater prudence and care, just as all other things of value, and a given quantity goes much further because of substitutes for it—such as stone, cement, brick, iron, and steel—in the construction of houses, bridges, furniture, cars, and the innumerable things for which lumber is ordinarily used.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. RANSDELL of Louisiana. Yes.

Mr. HUMPHREYS of Mississippi. Does the gentleman's observation in his own immediate district confirm the theory that he just advanced—that when lumber is high it tends to conserve the forests, and when it is cheap the tendency is the other way?

Mr. RANSDELL of Louisiana. Mr. Chairman, I can not say that the experience in my own district would confirm that opinion. My district is purely an agricultural one. We have not a single large city in the district. Monroe, the principal one, has about 15,000 inhabitants, and it does not pay us to construct buildings of steel, iron, cement, stone, brick, and other things of that sort.

We have a few buildings of brick, but lumber is so much cheaper with us than any other material that we have constructed nearly all of our buildings of lumber; but I contend that in the congested centers of population a long way from the lumber supply, a long distance from the South and a long distance from the West, where the transportation charges are very high, if, in addition to high transportation charges, you have high lumber, there is the strongest kind of tendency on the part of the people of these cities and thickly settled regions to substitute in lieu of lumber cement, stone, brick, steel, iron, and everything they can find, not only in the construction of houses, but in the construction of cars, furniture, and innumerable things ordinarily made of lumber.

Mr. HUMPHREYS of Mississippi. Is it not a fact that a great part, if not the greater part, of the lumber product in the gentleman's district was shipped out of his district to other parts of the world and other parts of the United States?

Mr. RANSDELL of Louisiana. I believe that is true.

All this tends to reduce the consumption of lumber, and whatever reduces consumption conserves the forests. I am enthusiastically in favor of preserving all our natural resources, especially the forests, for I believe that on their conservation depends the ultimate future of our Nation; and I

their combined yield being 574,791,000 pounds in 1908, and with

would gladly assist in any legislation, state or national, that would promote that end, but I do not believe free lumber will accomplish it.

The question is of the very greatest importance and should receive our very best attention, regardless of selfish interests.

Just as the individual who would practice forestry must make some present sacrifice for the sake of the future gain, so also with the Nation. To obtain a future crop of trees on his land the individual must increase the cost of his lumbering and leave behind him a certain amount of the timber which he is turning into cash or pay the bill for replanting. The people of the United States also must be prepared to sacrifice something for the future if our forest resources are to be conserved.

The permanent welfare of the country requires a permanent supply of lumber, and the cheaper the better. But the permanent welfare of the country does not require that lumber should be as cheap as possible now, at the cost of exorbitantly high prices within a comparatively few years. The thing to be dreaded is an abrupt rise immediately preceding and running into famine conditions.

So long as we have an abundant supply of virgin timber still left for our immediate needs, an artificial condition is created. Since people do not wish to hold timber indefinitely, taxed and exposed to fire risk, with no returns, there is an undue pressure to sell at an early date. Very few purchasers of timber land care to tie up their money for twenty-five or thirty years before they begin to get it back. Consequently, until the supply measurably approaches exhaustion, private interest does not protect the public against the coming shortage.

Many persons have failed to distinguish between the interest of the present and the interest of the future. Forestry is necessary in the interest of the future. From the standpoint of the consumer, it offers no alleviation of present market conditions, even though the price of lumber has advanced greatly of recent years. On the contrary, those who wish to see the present price of lumber lowered are really trying to turn the hands of the clock backward, so far as progress toward an adjustment of supply and demand with reference to future as well as present needs is concerned. There is no use trying to disguise the fact that the interest of the present and the interest of the future are antagonistic. It is short-sighted to look only at the present.

The rise in the price of lumber which has taken place during the last few years has resulted in a very great saving of waste. The lumberman has not yet become willing to avoid the waste involved in cutting without reference to the production of a second crop on the same land, but he has come a long way toward full utilization of the timber which he actually cuts. This in itself is, in the long run, highly important for the Nation. Though we have a large surplus of standing timber over our immediate needs, the visible supply is much short of what we shall want before we shall be in position to supply ourselves from the constant yield of permanently productive forests. The more fully we utilize what we cut, the more we leave for our future supply.

If the privately owned forests of the country are to grow timber permanently, the owners must be able to obtain a price for their product which will yield a profit on the investment required to grow timber. Up to recent years the market price of lumber has been mainly the cost of cutting, manufacture, and transporting to market. Timber lands have been cheap, the public domain has held supplies to be acquired by those who had exhausted their own holdings, and the value of stumpage has consequently been far below that necessary to induce the private owner to undertake the growing of timber as a crop.

In short, if our present supply of standing timber is to be made to go as far as possible, prices must be high enough to make full utilization profitable, while if future supplies are to be grown the market price for the timber when grown must be high enough to include a reasonable return to the man who has grown it, as well as returns to those who log, saw, and sell it. We want lumber just as cheap as possible. Every advance in its price is an economic hardship. Nevertheless, the level of prices which accompanied profligate use could not be permanent; the level of prices which correspond to the less profligate use of to-day can not be permanent; and the attitude of those who wish to promote the best interest of the country in the long run, must be an acquiescence in the rise toward the price which will have to come shortly. There is such a thing as having lumber too cheap now.

When the Government put into national forests a large part of the timber of the West it withdrew great bodies of merchantable forest from the immediate market. Beyond a doubt, the creation of national forests tends at first to advance the price of stumpage in the West. By those who do not fully understand the situation, it is sometimes said that the result has been to give an opportunity for monopoly on the part of those who had already acquired large amounts of western timber. This is not true, because if the Government had not reserved these forests the monopolists would doubtless have had them also, and because the timber from these forests is on the market, in competition with that in private hands, at a reasonable price. But probably the purchaser of to-day, and certainly the purchaser of yesterday, pays or paid a higher price, because the Government has undertaken to provide for future needs and is not selling below what is considered a reasonable price in the light of general conditions.

In somewhat the same way the East and Middle West should be willing to pay the cost necessary to perpetuate our forests through forestry. The present generation must be taxed, moderately it is true, but nevertheless taxed, if our forest resources are to be conserved. Essentially, it does not matter whether the tax is raised through general taxation to purchase and cultivate forests owned by citizens or the Federal Government, or whether it is paid in higher prices due to the carrying out of regulations which will secure the practice of forestry by private owners, or through a tariff on imported lumber, or through the cost of fire protection and remitted taxes by the States to encourage forestry, or through any other means which will create conditions favorable to closer utilization in the woods and the renewal of forest growth on cut-over lands. Timber can not be made out of nothing. We got for nothing what we found already grown for us in this country, but that will not last much longer. Like the Panama Canal, or inland-waterway improvement, or the reclamation of arid land or swamp land, forestry means an investment, and an investment means a present sacrifice. The question is, Are we, as public-spirited citizens, willing to make the necessary sacrifice for the sake of the permanent welfare of the country, or do we prefer to live as cheaply as possible through waste, the consequences of which will fall as a grievous burden on the generation which is growing up to fill our places?

Mr. Chairman, in discussing forest conservation my mind naturally reverts to that eminent American who for the past two years has led the fight for a broad, comprehensive plan for the conservation of all our natural resources—not only the forests, but the minerals, the water in all its uses, and the soil in every way it benefits our race—that man long known as the creator of our forestry system and well deserving of a higher title—Father of Conservation in North America—the Hon. Gifford Pinchot.

In view of the many veiled, but none the less caustic, criticisms of this gentleman because of the opinions expressed in his letter to Mr. PAYNE, I wish to say that I have perfect confidence in the sincerity and wisdom of Mr. Pinchot's views, and, in my judgment, any effort to discredit them by attributing to him vacillation or improper motives will find no response among the people he has served so faithfully, efficiently, and unselfishly.

I have watched him closely for years; have had the honor of working with him in one branch of the conservation movement, and regard him as one of the greatest statesmen of this age.

In conclusion, Mr. Chairman, permit me to say that while the pending bill is a Republican measure, framed according to protection policies and different in many respects from a tariff-for-revenue bill, such as my party would seek to enact if in power, I deem it my duty to deal with conditions as I find them, and as whatever law we enact on this subject will be almost sure to remain in force at least four years, I have endeavored to discuss a few of its provisions without partisanship, and have suggested certain changes which I believe would be wise and fair to everyone.

One other matter of supreme importance which I earnestly hope will receive favorable action before this bill becomes a law is an equitable tax on incomes. No other kind of tax would be fairer and easier to pay and none would produce larger revenue. We need more money to carry on in proper manner the greatest government on earth. Let us pass an income tax, and if it be declared unconstitutional again by the Supreme Court, let us amend the Constitution and reenact it.

We are not passing a Democratic tariff measure, hence it is impossible to apply to some schedules of the bill the principles enunciated in the Denver platform. If Democrats had the power to make the bill and coordinate all its sections according to that platform, the situation would be very different.

Mr. Chairman, I believe in constructive statesmanship. I believe that every Member of this House should do his utmost so to frame this most important tariff bill that it will carry a minimum of woe and a maximum of weal to every citizen of our great Republic. [Applause.]

APPENDIX.

MARCH 12, 1909.

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives.

DEAR Mr. PAYNE: To avoid any chance of misunderstanding, I take the liberty of stating my views upon the tariff on lumber in more connected fashion than it was possible to do at the hearing before the Committee on Ways and Means on February 24. At the outset I want to make it clear that the Forest Service has never advocated either the reduction or the abolition of the present duties upon lumber and shingles. On the contrary, we have been at some pains to avoid taking any position, one way or the other, until we could complete a satisfactory investigation of the subject. I say this because many believe that the Forest Service has declared in favor of the removal of the duty upon forest products as a means of conserving our forests. The service has made no such declaration.

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my judgment it would accomplish neither.

Free lumber would not materially reduce the price to the consumer. Most of the lumber we now import comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our own forests. It is not likely that under free lumber more than 5 per cent as such would come from Canada as we would cut at home. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Her total amount of standing timber is probably not more than one-third of what is left of ours. In the end the Canadians will undoubtedly require for home use all the timber they can produce. Imports from Canada would not be enough, therefore, to limit the cutting of our own forests or to reduce the prices of lumber in any important degree.

Stumpage prices are at present somewhat lower in Canada than in the United States. The taxation of Canadian timber land is better adjusted to the conditions under which timber must be cut than it is with us, but the average costs of logging and manufacture are probably as great there as here. If the duty were removed, the effect of these factors would be to increase the value of Canadian stumpage, and to some extent the profits of the Canadian manufacturer and the American retailer. There would remain little, if any, benefit to the ultimate consumer of lumber in the United States.

The fundamental question at issue in the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of the same opinion, I should favor the removal of the tariff, but I am unable to see how free lumber will promote forestry.

There is only one way to save our forests. That is to see that they are kept at work growing new crops of timber as the old are cut away.

The lumbermen are right when they tell you that in times of high prices for lumber they do cleaner work in the woods and cut more timber from a given area than they do when prices are lower and only the best grades can be marketed. Low prices for lumber unquestionably increase waste. If the removal of the tariff had any effect on work in the woods, it would be to displace the lower grades of lumber now cut by our own mills, which must either be logged or left in the woods when the higher grades are taken out, and to that extent it would increase the woods waste in this country. The waste in logging is already enormous, several times larger than our importation from Canada. I do not believe that the increased use of Canadian wood, under free lumber, would equal the increased waste, and even if it did, the larger danger from fire and the greater difficulties in the way of forestry which follow wasteful logging would probably more than offset the gain. In other words, the drain upon our forests would not be relieved by allowing Canadian lumber to come in free.

You asked me at the hearing for my opinion as to the tariff on wood pulp. We are already dependent upon Canada for much pulp wood. Nearly seven-tenths of the wood we use for paper is spruce and one-third of the spruce pulp wood is imported from Canada. It is highly important that we should have free pulp wood in the future as in the past, and that Canada should impose no export duty upon pulp wood. In this respect the pulp and paper making industry is in a different position from the other great wood-using industries of the United States. The latter can be wholly supplied from our own forests, while the former must have free access to the Canadian spruce forests so long as spruce is the chief pulp wood. I therefore concur with the recommendations of the Select Committee on Paper and Pulp Investigations of the House of Representatives. These were that ground wood should be admitted free provided that it comes from a country which does not in any way restrict the exportation of pulp wood or ground wood, and that there should be a reduction in the duty upon news paper providing that it comes from a country which does not in any way restrict the exportation of pulp wood, wood pulp, or printing paper.

I believe there is now a sincere desire on the part of a large number of lumbermen to handle their forests more conservatively. I realize that they face difficulties in their efforts. We as a people have often been at fault, because we have not made it easy for the lumbermen to practice forestry at a profit. The States, for instance, have failed to provide adequate fire protection. They have often taxed standing timber so heavily that the owner was forced to cut it off as quickly as possible, and then let the land go back to the State without provision for a future crop.

But it is, first of all, upon the lumbermen themselves that the duty of conserving their own forests actually lies. By asking for the retention of the tariff in order to protect the forests, the lumbermen have, in substance, entered into an agreement with the people of the United States to perpetuate their forests by wise use. This tacit agreement is freely recognized by many of the leaders among them. If the tariff is allowed to remain, the lumbermen should be held to their agreement; and if they should fail to carry it out, the people of the United States should take the matter in hand and enforce such control of lumbering as will protect the forests and the public. The lumbermen must recognize that the forests which they own are not simply pieces of private property. They are a public trust, the source from which most of the Nation's future timber supply must come. The Nation has decided that those forests must be conserved. It is the duty of every lumberman to act upon this decision. It is the duty of the Nation and the State to aid him in every way they can. If the lumbermen do not make the most of this opportunity, legislation is coming, and coming very soon, which will force them to do clean work in the woods and to leave their cut-over lands in a condition to produce a second crop.

I believe that it is possible to work out a solution of this great problem in cooperation with the lumbermen in a way that will satisfy both them and the public. To this much-desired end I have given in the past and will continue to give in the future my utmost efforts.

Very sincerely, yours,

GIFFORD PINCHOT, *Forester.*

Mr. LANGLEY. Mr. Chairman, when General Hancock made the assertion in his campaign for the Presidency in 1880, that the tariff was a "local issue," it seemed to greatly amuse the politicians of the country, especially those who desired to retain the tariff question in politics. If General Hancock were living today and could witness the present clamor of different local interests for protection, and especially if he could have heard the able address just delivered by my distinguished protection Democratic friend from Louisiana [Mr. RANSDELL], I am sure that he would feel that his pronouncement in that campaign has been abundantly sustained.

Like most of my colleagues, including a respectable number on the other side of the Chamber, I am, of course, more directly interested in the protection of the industries of my own section of the country.

I want to say right here—referring to my recent colloquy on the floor with the gentleman from North Carolina [Mr. KITCHIN]—that whenever I reach that state of perfection that I feel that I can not place at the head of my list of duties the advocacy of the interests of the people who sent me here, I shall return my commission to them so that they can give it to some one whose conscience will permit him to stand by those interests. [Applause.] To represent one's own particular section is what I conceive to be the primary purpose of representative government, and so long as I am a Member of this House I shall do that, assuming that the same course will be followed by other Representatives, thus guaranteeing in the aggregate such action as will best promote the interests of all.

Mr. Chairman, I am a thorough believer in the American doctrine of protection to American industries and American labor. I believe in a tariff for protection, with incidental revenue, rather than a tariff for revenue with incidental protection. If this declaration places me in the class of the "standpatters," then I have no objection to the designation, for I do "stand pat" upon that proposition. So firmly convinced am I that this policy of protection is the correct one, and that without it our country could not enjoy that degree of prosperity that its resources entitle it to enjoy, that I am ready to cast my vote for reasonable protection to any industry in this country, whether it exists in my district or not. And herein lies, I think, the main difference between genuine Republicans and that class of Democrats who are not unalterably opposed to the application of the principle of protection to any industry. We believe in protection to American industries, while they seem willing to vote against protection except when it applies to industries in their own particular locality. In view of the various declarations of the Republican party on this subject, I can not understand how anyone can claim to be a Republican unless he favors the principle of protection, independent of the mere question of raising revenue. It may be that the tariff schedules can be so adjusted as to give adequate protection to every industry and at the same time raise approximately enough revenue for government purposes and no more.

But I for one would not abandon the policy of protection merely because there might be too much or too little revenue raised by proper protective duties. If the proper enforcement of that policy resulted in raising too much revenue, I would have the surplus used for needed public improvements, such as the building of turnpike roads and the more rapid development of our waterways. If it did not raise enough revenue, I should favor the raising of the balance by increasing the tax on beer and whisky, and by taxing incomes, and in such other ways as would place the burden of government expenses upon those who are able to bear it rather than upon those who are not able to bear it.

So much has been said in this debate by gentlemen on the other side of the Chamber about this question, and they have taken so many conflicting positions on the question, that it is difficult to tell whether Democracy stands for protection or free trade, or a revenue tariff, regardless of whether such a tariff affords protection or not.

My friend from Louisiana [Mr. RANSDELL], who has just taken his seat, and who, I think, is a typical representative of the Democracy of his section, evidently believes in the principles of protection—in spots at least. On the other hand, the gentleman from Mississippi [Mr. SISSON], who is a good Democrat, and who is certainly a good fellow, evidently takes the

free-trade view of it, as is evidenced by the following, taken from the CONGRESSIONAL RECORD of March 29:

Mr. LANGLEY. Will my friend yield to me just a moment? I will ask him, Is he, as a Democrat, opposed to the principle of protection, and is he opposed to the protection of the lumber industry? There has been some question down in my section of Kentucky as to whether Democracy is in favor of protecting lumber or not. I am glad to have this opportunity to put the gentleman and his party on record on that question.

Mr. SISSON. I will go on record with all my heart by saying I am opposed to protection on anything.

Mr. LANGLEY. I am in favor of it on most things, and therefore I disagree with the gentleman. [Applause on the Republican side.]

Still others on the other side have argued for a purely revenue tariff, regardless of whether it happens to afford protection or not.

Some reference has been made in this debate to party platforms. I want to read a few sentences from one of the platforms of one of the great political parties in this country. Referring to the question of raising the revenue and reducing the tariff, it says:

The necessary reduction and taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Pretty good Republican doctrine, that. What platform do you suppose that quotation is taken from? The Republican platform? No; it is taken from the Democratic national platform of 1884. And here is another quotation from the Democratic national platform of 1888, which makes very interesting reading in view of some of the statements that have been made in this debate on that side of the Chamber and by gentlemen who, I have no doubt, ardently supported the Democratic ticket in both of those campaigns. The quotation is this:

Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

I leave those gentlemen to explain, if they can, the consistency between their positions then and now.

There are some provisions in this bill, affecting interests in my section, that I do not like and that I shall endeavor to have changed if I have the opportunity, and to some of these provisions I shall presently offer criticism. At this point, I want to state that I do not question for a moment the high and patriotic motives which actuated the majority of the committee in preparing this bill. It was a stupendous task, and I think they have performed it with an eye single to the best interests of the entire country, as they view them. Upon such a great subject there must necessarily be difference of opinion, and the fact that I entertain such difference of opinion does not make me any the less a Republican, because I am firmly convinced that the great policies of the Republican party, of which protection is only one, have helped to make this country great, and that they are the only policies that can keep it permanently prosperous.

I do not claim to be an expert upon the tariff question. I have given it all the thought that I could in connection with the performance of other imperative duties here. I have read as much of the voluminous hearings as I could, and have listened patiently to the debates upon the floor.

I have taken special pains to hear and study the remarks of the distinguished chairman of the Committee on Ways and Means and other leaders of my party in this House who have advocated the provisions of this bill, and I must say, with due deference to them, that I am still unconvinced that all of its provisions are in full accord with the doctrines advocated by the leaders of the Republican party, which I have been taught from my childhood. They have failed to convince, for example, that the proposed reduction of the duty on lumber is in accordance with this doctrine. The gentleman from New York evidently disagrees with me in that. He intimated the other day that I view the question from too narrow a standpoint, and for the purpose of inducing me to abandon my championship of the lumber industry he suggested that I climb to the top of one of the Kentucky mountains and "look beyond the woods" and behold the great domain of the whole United States, which was the object of his beneficence in framing this bill. This is not the first time in the history of the world that such a plan has been proposed to induce one to forsake his cause. With that end in view, our Savior, once upon a time, was asked to go to the top of a mountain, and the gentleman who extended the invitation was courteous and obliging enough to make the ascent with Him. [Laughter.] But the Savior refused the tempting inducement offered to abandon His mission upon the earth. [Laughter and applause.]

Of course, the gentleman from New York has neither the time nor the inclination to go with me to the top of the mountain, and it is not necessary for me to make the trip alone, because I have been there many times before—in fact, I was reared almost on the top of a mountain—and I already know what I would see from that eminence. My mission here is to represent first of all what I conceive to be the best interests of the people of my district; and while I think I can look, and have already looked, "beyond the woods," so as to appreciate, in a measure, the needs of other sections, I am still of the opinion that these needs do not justify me in abandoning the best interests of my own people. Moreover, I believe that the gentleman from New York, just as the other tempter was, will be unable to "deliver the goods," under his guaranty that this reduction of the lumber duty will not decrease the wages of a single man in the United States. I am unable to understand the process of reasoning by which the gentleman reaches that conclusion. He says he wants to check the upward tendency of lumber prices, but that he does not know whether it will reduce the price or not. If the present duty is responsible for the present high price, how can it fail to reduce the price if the duty is reduced? And if the duty is not responsible, why reduce it? We have heard the gentleman defend protective-tariff rates on the ground that they maintain our high rate of wages, and I have followed his leadership on that theory.

How can he be consistent in that contention and at the same time deny that a lowering of the lumber duty will reduce wages? If there is one economic fact that our experience has established beyond all controversy, it is that tariff reduction never did anything more surely than to reduce wages. You can not cheapen labor's product without cheapening labor itself. Nothing is better settled than that. As a writer has put it: "Tariff reduction is price reduction, and price reduction is wage reduction." There is no escape from that conclusion. And, viewing this proposed lumber tariff from that standpoint, I beg to call attention to the following facts: Lumber is the second largest industry in the United States, iron and steel being the largest, involving an investment of over a billion dollars and employing from six to eight hundred thousand men. It is more important even than the iron and steel industry, in the sense that it is more generally distributed throughout the United States. It is an industry in 45 States and Territories. It is the largest industry in 12 States, and a leading industry in 13 States. No other industry has such diversified ownership. It is the largest purchaser of farm products in the United States. It pays annually more in freights to the railroads than any other commodity in the United States. Therefore anything that injures this industry would affect a larger number of people and have a greater tendency to impose hardships upon the people throughout the country generally than would an injury to any other industry. It would, in fact, directly affect in various ways the interests of several millions of our people. Tell me not, my eloquent young Republican friend from Ohio [Mr. HOWLAND], that the protection of such an industry, involving the interests of so many people, can be justly compared to the decayed branch of a tree. On the contrary, it is the healthiest and biggest limb on it.

If the gentleman from New York [Mr. PAYNE] is correct in his contention that it would not reduce the wages of labor in the lumber industry, it must be for the reason that the lowering of the duty will not increase importations, because, according to the unerring law of supply and demand, every importation which competes with our own products, in which labor is employed, decreases just to that extent the demand for our own labor. If this reduction would not increase importations, then the only effect it could have would be to reduce by 50 per cent the revenues derived from lumber importations. This would mean a sacrifice of nearly a million dollars of revenue annually, which can hardly be defended in view of the present financial needs of the Government.

As a matter of fact, I believe that the reduction of the duty from $2 to $1 will result in largely increased importations of the kind of lumber that competes with our own, and therefore it will necessarily be to the detriment of the lumber industry in this country.

It may be that by reason of the protection afforded by transportation rates to lumber produced as far away from Canada as Kentucky is would prevent this cut from $2 to $1 from injuring the Kentucky lumber industry to any considerable extent; but Canadian competition will undoubtedly be greatly strengthened by it in lumber sections less remote, and that will inevitably tend to depress, more or less, the lumber industry throughout the country; and for that reason I oppose it. Besides, the Canadian lumber would find an increased market in the northern sections of the United States, thus forcing the lumber produced there to seek a market farther South, and the effect of this would be felt in Kentucky sooner or later.

In view of the facts I have already enumerated, I do not think there is an industry in the United States which affords a more typical illustration of the necessity for protection as advocated by our party than the lumber industry, and I feel no hesitancy in saying that I would rather vote for an increase rather than a decrease of the tariff on lumber, and I would be religiously observing the tenets of my party when I did so.

The gentleman from New York complains about the monopoly of stumpage by men who have acquired large holdings for investment purposes, and he says that they are the ones who are urging the retention of the duty on lumber. The gentleman is simply mistaken about that. If that were the situation, my position on this subject would be different. I am willing to concede, of course, that men who have these large holdings are in favor not only of maintaining the present price of lumber, but of seeing it increased; that is human nature. But that class of holders form, as has already been shown in this debate, a small percentage of the owners of timber. My friend from Michigan [Mr. FORDNEY], in his admirable speech the other day, stated that he owns considerable standing timber himself, and frankly asserted, in his earnest and eloquent way, that he intended to hold it until he got his price for it. The other large holders of timber can do the same thing.

But where the burden of this reduction would fall most heavily would be upon that class of people who form, by all odds, the most numerous class of timber owners—the small holders—whose means are so limited that they can not hold their timber until they can get a high price for it. Not only that, but the hundreds of thousands of wage-earners in the lumber industry will be affected, and they, too, as a rule, belong to that class of people who are least able to bear the burden of a reduction in the price of their product, and therefore of their wages. And it is in behalf of these classes that we are appealing to you not to deviate on this item from the Republican standard of protection which we have advocated for so many years.

I do not underestimate the force of the argument that the farmers, who are not producers of lumber, would be benefited by reducing the price of lumber, on account of being able to build their homes cheaper, as the gentleman from New York and others suggest; but he must remember that while the farmers are the principal consumers of lumber, the lumbermen, on the other hand, are the best customers of the farmers, and that, while there has been a considerable advance in the price of lumber, there has been a still greater advance in the price of farm products, which the consumption of those engaged in the lumber business undoubtedly helped to bring about.

So, while the gentleman from New York is advising me to climb up on a mountain and look over "beyond the woods," it would not do him any harm to seek some elevation himself so that he might get a good view of the lumber camps, the mills, and the hundreds of thousands of people who are dependent entirely upon this industry for their livelihood, instead of limiting the scope of his vision to the large holders of stumpage and the other persons of wealth and independent means who happen to be interested also in this industry, and against whom the proposed reduction he says is aimed. These laborers are a part of that grand army of nature's noblemen who form the chief corner stone of our temple of prosperity. If we are to enforce justly and impartially our principles of protection, it is just as much our duty to give its benefits to one class as to another. I want protection not only for the men whose hands and faces scorch before the seething fires of furnaces, not only for the men who till the soil upon the hillsides, in the valleys, and upon the plains, not only for those who work amid the hum of the spindle and the wheel, but likewise for those who patiently toil in the damp and darkness of the coal mines, and for those who endure the dangers and hardships of bringing the lumber from the stump to the market. [Applause on the Republican side.]

I had intended to discuss the subject of the conservation of our natural resources, as it has been put forward in connection with the lumber question, but I have not the time to enter upon that. I do wish to call attention, however, to the fact that this propaganda, which in the outset of this agitation on the lumber question was used as an argument for the removal of the duty on lumber, so that it would prevent the waste of our forests, has now been abandoned, and that some of those who advocated it originally virtually concede now that free lumber would increase rather than decrease the destruction of our forests. Therefore, if it is wise to conserve our forests, the best way to do it is to increase rather than reduce the duty on lumber. As a matter of fact, I have very little respect for this conservation theory as applied to the question of a duty on lumber, and I do not believe that the results predicted by the advocates of that theory will ever materialize.

It is estimated that of the annual cut of timber, which amounts to about 100,000,000,000 feet, only about thirty-seven and one-half billions go into lumber. The replacement by growth is estimated to be about that amount. About 50,000,000,000 feet are used for fuel. The tendency, as is well known, is now rapidly in the direction of an enlarged use for fuel of material other than wood, and the use of timber for fuel will, of course, decrease accordingly. It requires only a moment's consideration of these facts in connection with the total estimated number of feet of timber now in this country to realize how absurd is the contention that we are going to leave to our grandchildren a devastated timber area. The truth of the matter is that at least some of those who are behind this conservation agitation are not worried so much about their posterity as they are about their own interests.

The gentleman from Illinois, in his very entertaining, instructive, and able speech a day or so ago on this question, seemed to be greatly alarmed over the prospect that our available supply of pulp wood for making paper would be exhausted within a few years. I do not think the gentleman's concern over this is justified. There are millions of feet of pulp wood in the mountains of Kentucky alone, much of which is now going to waste, and I dare say that the supply of this in the entire Appalachian Range will be sufficient to postpone for quite a while the pulp-wood famine that the gentleman predicts. I am opposed to putting pulp wood on the free list, because I want our people to get a market for their pulp wood instead of turning that market over to Canada, and I want the labor necessary for its production to be employed down there instead of in a foreign country. I believe, moreover, that long before our supply of pulp wood is exhausted that the inventive genius of our people will discover some satisfactory substitute for making paper. Necessity has always been the mother of invention, and it will always remain so, and our people have never yet failed to meet successfully a situation like that which the gentleman from Illinois predicts will arise.

I also desire to enter an earnest protest against the provisions of this bill relative to coal, one of the chief products of my section of the country, and for the same reasons that I have already urged in discussing the lumber question. The gentleman from Wyoming [Mr. MONDELL] and the gentleman from Washington [Mr. HUMPHREY] have so thoroughly discussed this question, particularly from the standpoint of their section of the country, and have shown so clearly that to place coal on the free list would be a direct discrimination against the white labor employed in our mines, and in favor of the Chinese-Japanese labor of Canada, that it would be presumptuous in me to undertake to dwell upon that. I desire, however, to call attention to the fact that 80 per cent of the cost of mining and marketing coal is paid as wages to labor; and when you injure the coal industry—as placing that article upon the free list would certainly do—you do much greater damage to labor than you do to the capital invested in the coal industry. Free coal can not benefit anyone among our own people other than a few manufacturers of the New England seaboard, because they, and not the consumers, would get the benefit of it. It is true that there are a few Pittsburg operators who are in favor of free coal, and that is because they are near enough to Canada to be able to increase their markets by a reciprocal arrangement with that government.

But these constitute a very small minority of the operators. Free coal would mean a net loss of millions of dollars to coal operators and coal miners and to communities which have been developed and which are being supported by this industry under a protective duty on coal. We have in the mountain sections of my State some of the finest coal deposits in the world. Until recently our coal has not been accessible to the markets by reason of the lack of transportation facilities. Railroads are now being constructed there, and at no distant date the improvement of our rivers will bring slack water to these coal fields. Consequently, the development of our coal industry is in its infancy. Capital has been invested and is still being invested there upon the supposition that the Republican party will continue in control of this Government, and that it will adhere to its traditional policy of protection. Abandon that policy with reference to coal and you strike a serious blow at one of the infant industries of my section of country, which will do immeasurable harm to the people whom I represent. I appeal to you not to do it, and I do not believe this Republican Congress will do it.

I do not like this bill because it contains too many propositions to place articles that we produce upon the free list. The excuse offered for it is, in some instances, at least, that these

articles are raw materials. But that which is raw material for one is the finished product of another. I contend that an article is not raw material after it has been touched by the hand of labor. It becomes a finished product, so far as the laborer is concerned, and is entitled to protection at the hands of a Republican Congress, if our theory on this subject is sound.

There are other industries in my State that are not dealt with in this bill in accordance with the principles of protection. It does not give adequate protection to hemp, one of the leading industries of Kentucky and other sections of the country. The evidence submitted to the committee shows that the hemp industry has been languishing for years because it has not been protected from foreign competition, as it should have been. India hemp or jute, the strongest competitor of the American-grown product, is on the free list and has been ever since 1890, and this bill not only leaves it there, but gives less protection to the hemp and flax industry than the present law does. I will insert, with the permission of the House, an extract from a statement furnished me on this subject, which illustrates the absolute necessity of having protection for these products.

Prior to the introduction of India hemp or jute into the American market, in about the seventies, the hemp industry in America had grown to formidable proportions, the total tonnage in 1860, the banner year, being about 75,000 tons. It has been grown successfully in Virginia, Kentucky, Illinois, Missouri, Minnesota, Nebraska, and California. While experimentally it has been grown in many localities extending as far south as the Gulf of Mexico. Following this period the high price of American labor and the absence of machinery for cutting the hemp and separating the fiber from the stalk made the production of hemp in America unprofitable in the face of the large importations of India hemp or jute, which by the year 1880 had completely robbed the American industry of the bagging trade for covering the cotton of the South and had taken away a large part of the general twine and rope business. Under these conditions the production steadily declined until in 1880 the entire production of hemp in America was less than 2,000 tons. It being apparent that the industry in America would be completely destroyed, Congress, in the tariff act of March 3, 1883, put a duty on all fibers. Under this stimulus the production of American hemp steadily increased until 1890, when the production was about 6,000 tons. On October 1, 1890, the tariff act put on the free list manila, sisal, jute, and jute butts, with the result that the industry has steadily declined since, notwithstanding the largely increased demand for fibers. With the increase in price, however, land rents and labor have also advanced, and the American farmer who is producing hemp is in no better condition. The fact is that he is forced to meet on equal footing the pauper labor of India—labor that is satisfied with 2 cents to 5 cents per day. Or, to make the comparison in another way, the preliminary report of the Department for 1908 shows importation from India to be 107,522 tons, which is valued at $6,544,920, or $60.50 per ton. The American production averages about one ton to 2½ acres, and figuring on $60.50 from India the American farmer must compete with a gross income of $24.20 per acre, while in America seed and labor will cost the American farmer from $22 to $25 per acre, and to this must be added land rent, averaging probably $15 per acre.

Now, to make the comparison for a more unfavorable year, would call attention to the report of the Agricultural Department for 1898, when India sent us 112,396 tons of fiber, valued at $2,543,498, or an average of $22.70 per ton. Making the same comparison as above of 2½ acres to the ton, the gross income per acre would show only $9.10, which would, in America, be insufficient to pay either the land rent or the labor charge against an acre of hemp. As a result of this American hemp fell below 3 cents per pound, which is below the cost of production.

Within the last ten years machines have been perfected for cutting hemp and flax, and there are before the public to-day three or four machines for breaking the hemp and flax which are meeting with deserved success, though not receiving the financial backing which would come to them if the American hemp and flax industry was properly protected and encouraged.

The perfecting of these machines will solve the labor problem for the producer of American hemp and flax.

The uses of American hemp are varied, ranging from fine twines, where it is often mixed with flax, up to heavy cordage, such as is manufactured at the Charlestown Navy-Yard, Boston, for use in the United States Navy. But the volume of business in fiber must be done on medium and low priced raw material, and the present duty on Italian and Russian hemp, flax, and flax tow only protects American hemp in so far as it enters into the manufacture of the high-grade products, the total tonnage of which always has been and always will be small.

Under present conditions any time the American production should rise above the present level the price of American hemp would be forced down to the level of India hemp or jute, and could not live now even in a small way if unprotected from Italian and Russian hemp and flax and flax tow.

In Minnesota and the Dakotas and throughout the great Northwest hundreds of thousands of acres are sown in flax annually, the seed saved, and then the million tons of flax straw are burned, which could go into the manufacture of bagging, burlap, binder twine, and various kinds of cord and ropes but for the enormous influx of cheap foreign fibers, the product of the world's pauper labor.

With a duty such as we ask on foreign fibers, it would be but a few years until American-grown hemp and flax, together with manila hemp from the Philippines, would supply the demand for coarse fiber in the United States, making the American people independent of the outside world for their fiber supply, both in peace and in war; would greatly enhance the value of farm lands; would supply labor to many thousands of men; and would result in a boom in this country in the agricultural districts beyond anything that has heretofore been known.

Hemp and flax can be and have been successfully grown throughout the South and Middle West, as far north as Minnesota, as far south as the Gulf of Mexico, and on the Pacific slope. There is every reason why America should grow all her own fiber; there is every reason why the American farmer should be encouraged to produce it; and in producing it, there is every reason why he should be protected from the pauper labor of India as well as from the Italian and Russian laborer, who is willing to work for a mere pittance in comparison with the wages demanded and deserved by the American workingman.

I am also opposed to the proposition to place iron ore upon the free list. This is also an industry that I think is entitled to protection, if we are going to make a just distribution of the advantages of protection in this tariff law. Neither does this bill provide a protective duty on barytes, another important industry in some sections of the country. I desire to call attention to still another important industry to which this bill does not do justice. I refer to the fluor-spar industry. The gentleman from Illinois [Mr. CHAPMAN] and myself have been insisting that such a rate of duty should be imposed on foreign fluor spar as will at least make up the difference between the cost of production of that article in this and foreign countries. The committee finally decided to place a duty of 50 cents a ton on crude fluor spar, which is the only real competitor of the American product and which has heretofore been on the free list. The small duty of 50 cents per ton, which the committee recommends, will, of course, yield a small revenue, but it is absolutely inadequate to afford any protection to the American fluor-spar industry, and, so far as that question is concerned, it might just as well have been left upon the free list.

Those who are at all conversant with the subject of steel manufacturing know, of course, that fluor spar is used as a flux in refining steel and other metals, and that it is especially adapted to open-hearth furnace steel practice.

Fluor-spar mining as an American industry began since the passage of the Dingley bill, and until five years ago was an industry of great promise. The Dingley bill made no reference to fluor spar, but under a clause in that bill admitting free of duty minerals in a crude state, and not otherwise referred to in the bill, it has been coming into this country for the last five years in large and rapidly increasing quantities free of duty. This foreign fluor spar is imported chiefly from the counties of Durham and Derby in England, near the ports of Manchester and Edinburgh. It is not now being mined, but comes from large heaps containing hundreds of thousands of tons, accumulated as a result of extensive lead-mining operations in that country a century ago, which are now abandoned. This fluor spar was a waste product associated with the lead ore and at the time had no value. Since the growth of open-hearth steel practice, in preference to the Bessemer practice, and the development of American mines to supply the demand, these vast heaps of British fluor spar have been acquired by British owners, and are being worked at no cost of mining, and no labor expense save the loading on vessels. It is sent across the ocean as ballast at a freight rate in no case exceeding $1 per long ton, and is being shipped into Pittsburg under a freight classification as "gravel," at the rate of $1.40 per long ton.

The long ton being the basis of quotation of all imported fluor spar, it is quoted in the Pittsburg district at the equivalent of $4.85 to $5 per short ton.

No American miner can produce fluor spar at a less cost than $5 per net ton at the mines. The freight rate being $2.50 per net ton to Pittsburg, American miners must sell at not less than $8 if any profit is realized.

The Payne bill provides a duty of $1.75 a ton on "ground or manufactured fluor spar," but it is not and has never been imported into the American market in this form; and even if it were, the demand for the material in that form is so small that the duty of $1.75 per ton would practically afford no protection whatever.

The imported fluor spar is in a crude state, and would come under the 50-cent duty on crude fluor spar provided in this bill.

The effect of the last five years' competition with this imported material has already practically destroyed this industry. An evidence of this is the fact that there are now but 6 American producers, whereas five years ago there were 150. Five years ago the American production was growing rapidly and amounted to 50,000 tons per annum.

In 1907 the American production did not exceed 15,000 tons. In 1908 the American production did not exceed 12,000 tons. Over 100,000 tons are now imported annually, and at this rate it is estimated that it would require more than ten years to exhaust the English supply.

The American production now is confined to a small district in southern Illinois and one in northwestern Kentucky.

If a protective duty is imposed on crude fluor spar, mines will be opened in Colorado, Tennessee, and Arizona, as large deposits exist in those States, and they are undeveloped because of the supply of the American market from abroad.

Only 5 to 10 pounds of fluor spar are required in the manufacture of 1 ton of steel. The imposition of a duty of even $3

a ton would not increase the cost of a ton of steel exceeding one-half of a cent.

It is true that there is no fluor spar, so far as I am advised, in my district—at least not in sufficient quantities to justify development. But in this instance I have adopted the kindly suggestion of my friend from New York [Mr. PAYNE], and have looked "beyond the woods" sufficiently to interest myself in an important industry in another section of my State.

The gentleman from New York suggested to me the other day that, while I could have an opportunity, so far as he was concerned, to offer an amendment restoring the $2 rate on lumber, he admonished me that I must not blame him if, as a result of such an effort, lumber should be put on the free list. I do not say that I will vote against this bill, because I do not know the shape in which it will be put upon its final passage, but I beg to suggest to the gentleman from New York that he must not blame me if, as a result of discrimination against certain industries that are entitled to protection, the bill is defeated. I am a Republican and propose to remain a Republican; but if I am to favor a tariff bill, it must be framed in accordance with Republican principles.

I do not contend that this bill was purposely prepared so as to give more protection to northern than to southern industries, and yet I think the bill itself is subject in some degree to that criticism. From the very start the North, and especially the eastern portion of it, was a manufacturing section, and it was natural for them to favor the doctrine of protection. In fact, the North has become so accustomed to protection and so accustomed to the South not asking for it that it is difficult for men of the North, in preparing a tariff bill as they have prepared this one, to realize the changed conditions which now exist and to resist the habit of giving the North the lion's share. Most of the timber of the North, and especially of the Northwest, has been disposed of, and disposed of under a protective duty. Now, most of the timber is in the South. It is one of the chief resources of the South, and I beg of you to remember that protection to our timber in the South is just as important to us as was protection of the northern timber when you had it.

There is another consideration that I deem worthy of mention in this connection. The gentleman from Ohio [Mr. LONGWORTH] and the gentleman from Missouri [Mr. CLARK] have both agreed that the Committee on Ways and Means is a political committee. This being so, the majority membership of that committee have committed, more or less, to their hands the destiny of our party. Aside from the justice of giving the industries of the South adequate protection, I deem it wise from a political standpoint to do so. A great deal is being said of late years about breaking the "solid South." If you Republicans of the North persist in reducing the tariff on lumber, one of our chief products, and in putting coal, another of our chief products, on the free list, and in failing to give protection to other industries that I might mention, your policy will tend toward "breaking" the South commercially rather than politically. Gentlemen on the other side from the South may disclaim and deny all they please, as my able and genial friend from Georgia [Mr. HARDWICK] did the other day, but the fact remains that protection sentiment is rapidly growing there, and the inroads that the Republican party has made in the Southern States are due primarily to the fact that the people of that section are rapidly drifting back to the ideas upon this question of Henry Clay and of the old Whig party of the South.

It was the doctrine of protection that made West Virginia as solidly Republican as is the Keystone State. It was the doctrine of protection that has made Maryland a doubtful State. It was the same doctrine that brought Missouri and Kentucky into the Republican column and that has created the magnificent Republican armies in Tennessee and North Carolina, which, at no distant day, will lead them also into the Republican column.

I beg my Republican brethren of the North to consider this phase of the question, which, in my judgment, it is not only politic to do but their duty to do, in dealing with the industries of the South—not the "new South," as some gentlemen have termed it, but the "old South" emerging from the prejudices and passions engendered by the war and the questions preceding it and getting back to her old status again. Let us help her onward along the highway of progress, and even if some of her representatives do protest against it, let us treat them in that spirit which found expression in the beautiful words of the Master, "Father, forgive them, for they know not what they do."

The great markets of the Orient are just opening their doors to the South. The Pacific Ocean is to be the storm center of the coming contest for supremacy in the world's commerce in which these markets will be a potent factor. With the completion of the great canal these markets will be within easy reach of our southern ports, and the southern planter and manufacturer will be the masters of these markets. Already the industrial activity that must inevitably come to the South as a result of these changed commercial conditions has set in. The value of the annual products of its farms is now $2,000,000,000 and of its factories two and a quarter billions—an increase of nearly 700 per cent in less than twenty years. The value of its annual exports is $650,000,000. Much of this industrial progress in the South is due to the policies of the Republican party, and if we continue to give the South its due share of the benefits of these policies, that progress will continue, so that it can soon be said of her, as it was once said of the West, "Southward the course of empire takes its way."

My Republican brethren of the North, let me give you this parting admonition: In calculating upon future Republican victories look well to the Southland. I predict that the time will yet come when you will take off your hats to "old Kentucky" or to some other good Republican southern State for saving your national ticket from defeat. [Loud applause on the Republican side.]

Mr. COVINGTON. Mr. Chairman, to attempt an elaborate discussion of the tariff question, now engaging the time of this committee, after the gentleman from Missouri [Mr. CLARK] and others upon this side of the House have so well presented the Democratic party's position in its broad aspect as affecting the great mass of American consumers, would serve no useful purpose and would unnecessarily drag this debate. I will only say in passing that no one knows better than the Republican leaders in this House that there is throughout the country an earnest and insistent demand for genuine reduction. The last campaign for the Presidency furnished the best proof of this knowledge. While in 1900 and 1904 the slogan of the Republican party was "stand pat" upon a policy of high protection, in 1908 every Republican stump speaker was loudly protesting, from the Atlantic to the Pacific and from the Canadian boundary to the Rio Grande, that the Republican party would give an honest revision of the tariff downward.

But it is the same old story. When the Payne bill was reported to the House the wealthy combinations of America serenely turned up with their interests fostered as in days of old, and after two weeks of debate, in which the apostles of a prohibitive tariff have been smoked out by the persistent questioning from this side of the House, we have had a frank statement from one gentleman on the Ways and Means Committee that the prime purpose of this bill is to keep the tariff schedules high enough to prevent foreign competition with goods made in this country. In other words, there is no attempt to look beyond the ramparts within which are safeguarded all the great protected interests of the country.

Without, therefore, referring to any particular schedule of the Payne bill, it may be truthfully said that the only party to which the country can ever look for genuine revision of the tariff in the interest of the consumer is that party which has for fifty years consistently advocated a revenue tariff—the Democratic party. Within its ranks are to be found those leaders who said as Mentor said to Telemachus, that "it is not the splendor of the cities but the prosperity of the fields that constitutes the greatness of a nation; not the opulence of its palaces, but the comforts of its homes."

There is, however, a provision of the Payne bill which has received too little serious consideration, and which by its incorporation into law may eventually lead to portentous consequences. I refer to those sections which constitute the provision for an inheritance tax as one of the chief means of raising revenue for the urgent needs of the Federal Government in this period of its extravagance. This inheritance tax is estimated to produce one-sixteenth of the total revenue to be derived from the whole internal taxes and duties on imports provided in the bill. Only 6 of the 17 general divisions of schedules are calculated to produce a revenue equal to the amount supposed to come from this proposed tax. While, therefore, this tax has been passed over with little notice in this House, the Payne bill in fact advances it into a conspicuous place in the system of federal revenues.

Now, as a matter of fact, either a direct or collateral inheritance tax is in force in more than 30 States of the Union. It has been already stated upon this floor, and I believe correctly, by the gentleman from Massachusetts, Mr. WASHBURN, that 20 States tax both direct and collateral lines, and that in 13 States the tax is progressive. In practically all these States, I am informed, the amount of the tax constitutes as heavy a burden as an inheritance should reasonably bear. In my own State, Maryland, there has been for years a collateral inheritance tax, and the legislature of 1908 increased this tax to a straight 5 per cent upon the market value of the property. Upon the faith of that tax as a certain source of state revenue

$5,000,000 of bonds have been authorized to provide the money to construct a system of permanent state roads, and I doubt not that in every State in the Union where this form of tax obtains the revenue from it has been looked upon as a certainty for future years.

The States already have the machinery through the orphans' courts or probate courts for the easy and certain collection of this tax, and, moreover, inheritances have been very generally regarded by lawyers and experts in taxation as an object of state taxation. Prof. Richard T. Ely, one of the foremost American authorities on taxation, devoted a chapter in his recent book, Ely and Wicker on Economics, to a balanced revenue system in which federal, state, and local revenues are placed in the right relation one to another. In this system he includes an inheritance tax as a natural source of state revenue, and he says it is a form of state taxation to which very properly increasing resort has been had in recent years.

It is certain that no double taxation by competing authorities, which will amount in the aggregate in many instances to a tax of $1,000 upon an estate of $10,000, can hope to stand. Such a tribute levied upon a small inheritance is so nearly confiscatory that even the good-natured patience of the American people will rebel, and if that situation does arise, then either the federal or state authority must give way. When we reflect upon the fact that some States have no inheritance tax, and that it is easier for the people of those that have to relieve themselves of their burden by concerted action in their legislature than to wait the hazard of a fight in Congress, it must dawn upon us all that the adoption of this inheritance tax by the Federal Government as a prominent feature in its revenue system at a time when we are at peace with all the world will sound the deathknell of that form of taxation as a source of revenue to which all the States may look as of right in the future, as many of them have already done.

The power to tax is not merely an incident of sovereignty in government. It is an absolute necessity to its existence, as we all know. This is as true of the States as it is of the Federal Government. The ordinary objects of state taxation, such as inheritance, can not be taken hold of by the Federal Government without actually undermining the doctrine of the reserved rights of the States. The General Government and the States, although both exist within the same territorial limits, are separate and distinct sovereignties, acting separately and independently of each other within their respective spheres. In respect to the reserved powers the State is as sovereign as the General Government, and the means employed by the state governments to carry into operation the powers reserved to them must be treated as exempt from federal taxation for the sake of the very preservation of the States in their rightful constitutional vigor and power.

The instances in which it has been actually held by the courts that the General Government may not tax the means or instrumentalities employed by the State to carry into execution their constitutional powers are very few, it is true. But there are exemptions that must rest upon implication and in the nature of things be upheld by the great law of self-preservation. Any government whose means employed in raising its revenues are subject to the control of another government can exist only at the mercy of that government.

We have had for the last seven years a theory of construction of the Constitution by merely interpreting it to give to the Federal Government any power that expediency demanded, but when the 4th of March ended the days of Mr. Roosevelt as a hunter of statesmen and started him on the more peaceful career of hunting the African lion it was hoped by many that a safe and sane idea of the limitations of the Federal Constitution would once more obtain. There is yet an opportunity to give crystallization to that hope by abandoning in this House all idea of encroaching unnecessarily upon the legitimate objects of taxation in the States.

The Speaker of this House several days ago, in ruling upon a parliamentary question, used the scriptural passage, "the letter killeth, but the spirit giveth life." The letter of the Constitution may declare in cold type that the powers not delegated to the United States by the Constitution are expressly reserved to the States, but there can be no more adroit, insidious, and successful method of killing the spirit of those powers than the appropriation by the Federal Government of the lucrative sources of state revenue. With such a principle as that once established in a time of normal conditions, and with the propensity for aggrandizing the Federal Government continuing as a policy of the Republican party, the mere shell of the state governments will in time be all that will remain.

The truth is that the situation that confronts the country as to raising revenues to run the Government is not such a serious one as our Republican friends would have us believe. The gentlemen who have framed the Payne bill have been willing to risk the expedient of an inheritance tax for an estimated revenue of $20,000,000. This has been done in the face of the fact that the decisions declaring an inheritance tax constitutional were made in a time of great national stress, because of the burden of a foreign war, and when, in order to so decide they had to hold that the tax was a tax on the transmission of property, and not a tax on the property of the legatee himself.

Why can they not risk an income tax for an almost certain revenue of more than $80,000,000? Professor Ely, of whom I spoke a little while ago, in elaborating a well-balanced revenue system includes an income tax as a natural source of federal revenue, saying that while an income tax is apparently now unconstitutional, it may again become constitutional, as it has been before. In this connection he also says:

> There is little question that an income tax, assuming it to be fairly enforceable, conforms almost perfectly to the ideal of taxation that men should pay the expenses of the state in proportion to their faculty or ability, since income is by all means the best single mark of such ability.

It was stated in the papers of a day or so ago that there is no longer any idea entertained by the managers of the Republican organization of trying to impose an income tax at this time, owing to the supposed constitutional objections in the way of it. I am not unmindful of the decisions of the Supreme Court in Pollock against Farmers' Loan and Trust Company, reported in One hundred and fifty-seventh United States and One hundred and fifty-eighth United States. The majority opinions in the two hearings of that case undoubtedly considered few incomes to be taxable. But when it is recalled that at other periods in our history the same sort of tax had several times been declared to be constitutional, and that the decision in Pollock's case was one of the numerous 5-to-4 decisions that have in the recent years graced the pages of our legal literature, it can hardly be called a rash conclusion to assert that the Supreme Court erred. One judge, Mr. Justice Shiras, in fact left the council chambers of the court a believer in the soundness of the tax and changed his mind in the still hours of the night.

The illuminating dissenting opinion of Mr. Justice Harlan in that case, wherein he showed that the unanimous judgment of the court in earlier cases had been that an income tax was not a direct tax and therefore need not be apportioned, and wherein he called attention to the fact that this was the view adopted by Chancellor Kent and Mr. Justice Story, is of itself an argument sufficient to warrant the incorporation into the Payne bill of a provision for an income tax. In that opinion Justice Harlan's words stand out like a haven of hope for the overburdened masses of the American people. He said:

> I can not assent to an interpretation of the Constitution that impairs and cripples the just powers of the National Government in the essential matter of taxation and at the same time discriminates against the great part of the people of our country. The practical effect of the decision to-day is to give certain kinds of property a position of favoritism and advantage inconsistent with the fundamental principles of our social organization and to invest them with power and influence that may be perilous to that portion of the American people upon whom rests the larger part of the burdens of government, and who ought not to be subjected to the dominion of aggregated wealth any more than the property of the country should be at the mercy of the lawless.

Of the court that rendered the decision in Pollock's case adverse to an income tax but four judges remain. Two believed that tax constitutional and two unconstitutional. The views of the five new judges no one knows; but President Taft, himself a great jurist, is reported to believe in the constitutionality of such a tax. Under all these circumstances I assert that it is a safer policy of sound and conservative government to risk the validity of this tax upon an undoubted source of federal income than to adopt the dangerous expedient of seizing one of the well-recognized objects of state income.

Mr. CLAYTON. Mr. Chairman, two facts have concurred to bring the present measure before the House. The Federal Treasury will be confronted with a large deficit at the end of the current fiscal year, and the Republican party promised the American people in the last campaign that there should be a revision of the tariff. The urgency for this legislation is accentuated by the fact that the business interests of the country have been, and are now, in a disturbed condition.

In the last presidential contest both of the great political parties declared that the tariff should be revised. The Democratic party took the unequivocal position that the revision should be downward, should be in the interest of the consumer, in the interest of that often forgotten member of American society, the taxpayer. The Republican party was forced to abandon its long-maintained position of "standing pat," and to admit that the tariff should be revised. The able and genial gentleman who now occupies the White House said that he would call this extraordinary session, if he were elected, to revise the tariff, and that probably the revision would be downward.

The masses of the people, the men and women who toil and save and who have to calculate to bring their expenses within their meager incomes, believed that the revision should be downward, and demanded that they should be considered when the tariff bill should be framed. The burden of taxation, under Republican tariff laws, has always fallen most heavily upon such people. The Republican party persuaded many of these men and women that something would be done in their behalf—in the behalf of the people other than those who have been the beneficiaries of the abuse of the federal power of taxation.

So, Mr. Chairman, on account of this persuasion and the large campaign funds contributed by the special interests and the powerful influence wielded by them, to you and your associates in this Republican House was confided the authority to originate a tax measure. You, Mr. Chairman, and all of us recognize that this is a great responsibility. The demand upon the Public Treasury for some $600,000,000 per annum, with financial provisions that will fall short of this sum to the extent of a hundred millions of dollars or more, presents a problem not easy of solution if Republican policies and practices are to be maintained.

If we are to retain a tariff prohibitive in many schedules and a large free list instead of a revenue tariff, with the necessaries of life as far as practicable on the free list, the problem is one that you can not solve in favor of a full Treasury. Your policy will continue the deficit, particularly in view of the Republican practice of extravagance, unless the revenue derived from tariff taxation and from internal-revenue taxes, which latter you do not propose to increase, be supplemented by some other form of taxation. The aid of no other form of taxation is invoked in the pending measure, except an inheritance tax, which, at the most, would only yield a few millions of dollars, greatly disproportionate to the deficit. The Republican party does not propose—on the contrary, it has set its face firmly against—an income tax, which, perhaps, is the most just form of federal taxation that can be devised, for it is not a tax upon the want of the men, women, and children of the country, but is a tax upon the affluence of those who would feel the burden of taxation in the smallest degree.

More than has heretofore been the case, wealth, and not want, should bear a just part of the burden of government. This is as sound in morals as the teachings in the Sermon on the Mount, and ought to be, as far as practicable, of the spirit of every human statutory enactment on the subject. Doubtless some day an income tax will be devised which will be free from any rightful or sound constitutional objection and which will be sustained by the highest court in our land. However, the Republican party has not the statesmanship and courage to enact such a law, though after a while you will come to it, and then, perhaps, as you did in regard to railroad rate regulation, claim to be the original discoverers. You need not doubt that you and the country will yet realize that an income tax is inevitable, just as the consolidation of the great transportation companies of the country made railroad rate regulation unavoidable.

It took the Republican party ten years to come to the Democratic position on that question. Within the next few years that party will surely come, be forced to come, to the Democratic position on the income tax. Such a tax stood the test of judicial scrutiny for more than a hundred years; and it took a divided court, with a majority of one, and it is sometimes said by those who are not charitable that this one associate justice was converted over night to a view against the validity of the income-tax law, to declare it invalid. But we need not now discuss that. A law can and will be framed to meet every substantial objection to the one that was overturned; and the Supreme Court of the United States will yet uphold such a law, as that distinguished tribunal had repeatedly done in those better days of the Republic—yet not the best days, for they are to come, when the very rich of our own country will acquiesce in the general opinion of the constitutionality and justice of such a tax, just as the very rich now agree to the justice of such a tax in England, our mother country.

Mr. Chairman, the campaign promises of the dominant party have not been met in the pending measure. This fact has been demonstrated by many speeches made in this Chamber and by the well-nigh universal condemnation of this bill by the public press of the country. It is beyond dispute that this measure is unsatisfactory to a majority of the Representatives here, regardless of party, and to a great majority of the people who sent us here. [Applause on the Democratic side.] The bill, instead of reducing the average rate of the Dingley law, raises that rate more than 1 per cent.

After having read this bill I think I may characterize it as a bundle of false pretenses, a scheme of covert favoritism, and a measure that bears evidence of sectionalism. On that side of the Chamber scarcely a Member has spoken who has not condemned one or more provisions of this bill. On this side I do not recall a single Member who has not found serious objection to many of its provisions.

So much, Mr. Chairman, for a general view of the subject and the situation—a situation that has been brought about by the dominant party, clothed with continuing authority to make and execute the laws of our country during the last twelve years. To the false teachings, the vicious legislation, and the extravagant administration of the Republican party is undoubtedly attributable the unhappy condition that now confronts the Treasury and the business interests of the whole country. [Applause on the Democratic side.]

Mr. WEISSE. Will the gentleman permit a question?

Mr. CLAYTON. Certainly.

Mr. WEISSE. May I ask the gentleman if the Treasury deficit would not be greater than what it is admitted to be, if we should deduct from the receipts the item of profit on account of the coinage of the silver seigniorage and the item of cash derived from the sale of railroad bonds?

Mr. CLAYTON. Yes; undoubtedly. The Statistical Abstract for 1907 shows the profits on the coinage of silver to be as follows:

1898	$4,756,470
1899	6,164,246
1900	9,992,374
1901	12,731,257
1902	10,579,507
1903	8,354,740
1904	6,373,396
1905	4,419,594
1906	2,918,344
1907	9,095,044
Total	75,684,972

The above amount has been turned into the account along with the revenues of the Government.

The Treasury has received since 1898 cash from the sale of the following bonds, which is not carried by the Treasury as a cash item, as I understand it:

Kansas Pacific Railroad Company	$6,303,000.00
Union Pacific Railroad Company	58,448,224.00
Central Pacific Railroad Company	11,798,314.00
Union Pacific Railroad Company (receivers)	821,898.00
Central Pacific Railroad Company (sales)	3,338,010.00
Union Pacific Railroad Company (receivers)	133,942.89
Central Pacific Railroad Company (indebtedness)	4,576,247.10
Total	85,419,641.99

If the bonds were still held by the Treasury, it would cause an increased deficit to this amount.

If these two items were deducted from the Treasury receipts, which receipts are normally supplied by tariff and other taxes, the apparent deficit of at least $100,000,000 would be increased to the extent of more than $160,000,000 additional.

Mr. Chairman, returning to the line of thought that I shall pursue, let me say—and let it be denied if it can be denied—that the deplorable condition of the finances of the Government has been brought about by the legislation, the policies, and the extravagance of the Republican party. The panic that we are now passing through—I hope it will end before long, notwithstanding the continued curse of Republican domination—is chargeable to that party, and it alone must bear the responsibility.

The recuperative energies of the country are great, and let us hope that the public finances and business generally may soon emerge from the present lamentable condition, though it can not be hoped that this tariff bill will contribute to that end. By way of parenthesis, permit me to say here that my amiable and amusing friend from the State of Washington [Mr. CUSHMAN] endeavored to divert attention from Republican failures and from this Republican panic by harking back to the panic of 1893, a panic that had its beginning under a Republican administration and that arrived full fledged under the McKinley tariff law, before the Wilson Democratic tariff law ever went into operation. [Applause on the Democratic side.]

It is perfidy for the great party now in control to offer the pending bill as a compliance with its promises. The Republican leaders in this House have, to some extent, at least, recognized this fact, and for weeks have been trying to administer to recalcitrant Members on that side soothing sirup in the shape of agreements as to amendments to be offered by the Ways and Means Committee and agreements as to separate

votes in the House on different items. Those in charge of this bill have been forced to this course in order to get the Members of the party responsible for this bill to support it.

The public press, no longer ago than this morning, tells us that a distinguished gentleman found serious objection to this measure because it reduces the duty on barley—in its solid form, I will say to his credit, rather than its liquid form, it being used largely in the manufacture of beer [laughter]—and I am told that your machine has, to use a vulgarism, "picked off" that distinguished gentleman by promising to raise the proposed duty on barley from 15 cents up to 25 cents per bushel, instead of 30 cents, as it is under the Dingley law. Let me say another thing. The press tells us that you, Mr. Chairman, and your party do not expect to put this measure through by the votes of Republicans who believe that it is a good measure, but that you expect by these promises of amendments and separate votes, to which I have referred, to get them to agree to vote it favorably from the Committee of the Whole to the House, where disagreeing Members hope to see it amended in some particulars; and for all their disappointments here they are led to trust that their wishes may be met in the Senate on different items in the bill.

In addition, it is surmised that the Speaker has further inducing gifts to bestow in the matter of committee assignments. Wise as he is, with a full knowledge of the ambition of Representatives and the probable overweening desire for committee preferment, it may be easy for him, if he sees fit so to do, to tempt Members with an alluring picture—that of a tree laden with many plums which will fall, when he shakes the tree, into the inverted hats of the boys that the benevolent gentleman has invited to be good. How many of you unwilling Republicans, insurgents and others, the political machine of this House may persuade to support this legislative monstrosity—monstrous because of its many doubtful and mysterious provisions—this tariff hideosity—hideous because it covertly takes care of the Standard Oil and other organized parasites—I do not know; but I hope to God, and I say it reverently, that the "knock-out drops," a supply of which the political doctor in the Speaker's chair may still keep, have lost their influence on this side of the Chamber. [Applause on the Democratic side.]

If the Democrats will stand firm against this iniquity, which you on that side have by your speeches condemned, we on this side will go to the country in the next campaign, not with a song of sorrow on account of Democratic division but with a note of triumph, and win in the Congressional election. And then the voice of the people will be obeyed in this Chamber. [Applause on the Democratic side.] This proposed statutory legerdemain, known as the "Payne bill," will disgust the country with a Republican House, and I fancy that when the Sixty-second Congress shall be assembled the present Speaker of this House, whom I esteem personally, but whose politics and rules I hate, will indulge in a soliloquy somewhat after that of the deposed cardinal:

Farewell, a long farewell, to all my greatness, for I have lost my left-handed grip on the Speaker's gavel.

[Applause on the Democratic side.]

It is with some diffidence, Mr. Chairman, that I say anything further on this occasion, for it is known that the tariff bill, as it will be enacted into law, is not yet written. It is being prepared by the master of your party, the distinguished Senator who comes from the little State of Rhode Island, across which a tobacco chewer can spit into the blue waters beyond and not violate any town ordinance covering that subject. [Laughter on the Democratic side.] This is said in order to show how so little a State is so great a State in the production of the most potent Senator at this time, and to demonstrate anew the equipollency of the States in one branch of the Federal legislature. We know that Senator dominates your party. We know that in secret conclave with a select few he is writing the tariff bill which you will give to the country.

The CHAIRMAN. The Chair hesitates to interrupt, but the Chair does desire to call the attention of the gentleman to the rule which provides that discussion of Senators and their proceedings is not allowed in the House.

Mr. CLAYTON. Mr. Chairman, the Member from Alabama is entirely within the rule, he submits to the Chair. I have discussed nothing that occurred in the Senate. I have said that a great and distinguished Senator would draw the tariff bill which you and your party would give to the country. I challenge the Chair to cite any rule that I have violated. I am entirely within my rights, and I submit it to the Chair's candid judgment that he is in error when he makes that point.

The CHAIRMAN. The Chair did not make the point on the gentleman. The Chair desired to caution the gentleman before he proceeded too far with comments upon Members of another body.

Mr. CLAYTON. The Chair has my gratitude to an abundant extent for his caution. [Applause on the Democratic side.] Pardon me for saying so, but I think that I am a very cautious individual, and that I have observed even too much caution as a guiding rule of my conduct. But, Mr. Chairman, thanking you for your admonition and accepting it in the spirit in which I am sure you gave it, misguided as you were, I shall proceed to deliver my observations. [Applause on the Democratic side.]

You will pardon me for saying that I am in some sort an expert on what is proper for a Member to say and what is not proper. As evidence of this fact the Speaker appointed me—I say it with becoming modesty, I venture—during the last session of Congress, a member of the special committee in the cases of the remarks of two gentlemen. In each case the special committee passed upon the propriety of the remarks of those gentlemen; and each one of those committees might properly have been called the "committee on expurgation." [Laughter and applause on the Democratic side.]

Now, Mr. Chairman, it is hard for a man to speak on a bill that we know will never become a law, for I was saying when the Chair interrupted me that the daily press tells us that in some room, somewhere on this Capitol Hill, several distinguished gentlemen, including the Senator from Rhode Island [Mr. ALDRICH] are in daily secret session, revising and devising the tariff bill, which, under the Constitution, is required to originate in the House of Representatives. The origin of this bill is about all that will be left of it when it goes to the President for approval.

Mr. COX of Indiana. May I interrupt the gentleman?

Mr. CLAYTON. Certainly.

Mr. COX of Indiana. I desire to ask the gentleman whether or not it is a fact that the Democrats at the other end of the Capitol have heretofore been excluded from hearings on the tariff bill?

Mr. CLAYTON. The press tells us that; but not the Democrats only, for we are told that the Senators from West Virginia and other Republicans who do not agree wholly with some of the ideas of eastern Republicans have been excluded from all participation in their hearings and councils. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. I desire to ask the gentleman is it not a fact that while the Republican members of the Finance Committee of the Senate are conducting their own investigation, the minority members of the same committee are pursuing the same course along precisely the same lines?

Mr. CLAYTON. I hope they are, in self-defense; for when a lot of Republicans get together in some secluded room and conspire against the welfare of the country it behooves the Democrats to get together anywhere and at any time. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. Do I understand the gentleman to intimate that because the majority of the Finance Committee of the Senate are holding this investigation they are engaged, as such and for that reason, in a conspiracy?

Mr. CLAYTON. That is my deliberate judgment, that they are conspiring against the welfare of the people of the United States. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. Then, sir, by what rule do you exclude the Democratic Members from its application?

Mr. CLAYTON. I am not going to open up a school of ethics for the enlightenment of the gentleman from Pennsylvania [Mr. BURKE]. His standard is so far removed from my standard that it would take a month to elevate him up to the position that I now occupy. [Applause on the Democratic side.]

Mr. BURKE of Pennsylvania. It might possibly take me a year to descend to the level of the gentleman's political ethics, if that is the spirit of the gentleman.

Mr. CLAYTON. The gentleman from Alabama tried to be polite to the gentleman from Pennsylvania. Your standard of ethics, your standard of political economy, your standard of human rights, your idea of rightful taxation by the Government, all differ from mine and are as far apart from mine as the North Pole is from the South Pole, and I would have to indulge in an excursion outside of my speech to enlighten the gentleman's conscience on that matter. [Applause on the Democratic side.]

Mr. Chairman, the situation that the Congress must deal with now is essentially different from that which confronted the Democratic Congress that enacted the Wilson tariff law. Then the Democratic administration, under Mr. Cleveland had, by the practice of honesty and economy, accumulated a large and unnecessary surplus in the Treasury. The Democratic party then took the position that this unnecessary surplus, exacted through taxation from the people, ought to have remained in the pockets of the people. Now quite a different

picture is presented. Republican extravagance, policies, and legislation have brought a large deficit, and the question now is, not how to leave money in the pockets of the people, but how to exact more taxes from them to meet a Treasury deficit. And let us not lose sight of the fact that the masses of the people understood that the revision of the tariff would be downward.

Mr. Chairman, this bill will not increase the revenue, and it is not a compliance with the demand for a revision of the tariff. Two features in it concur to render it a failure as a revenue-producing measure. The schedules that fix duties so high as to prohibit imports can not yield revenue. And there can be, of course, no revenue derived from items imported that are on the free list. A prohibitive tariff and a free list alike make against any yield of revenue. This bill is not framed to produce increased revenue. The tariff on many items is as high as on the same items in the Dingley bill, and some of the rates in that bill were prohibitive of foreign importations, and it was confessed that they were designed so to be. I need not stop here to remind you what was said in this connection in the Fifty-fifth Congress about the intention to make such prohibitive rates available in the negotiation of reciprocity treaties, and that such reciprocity never materialized because the interests protected by a prohibitive tariff were powerful enough to prevent the ratification of the treaties negotiated by Mr. Kasson. And as a revision of the tariff downward, this bill must be confessed a failure.

The Republican party in its perplexity occupies a cowardly, temporizing, and ambiguous position. You must meet or dodge the issue. As a rule, you have taken care of selfish special interests and have done nothing substantial in the revision of prohibitive duties. You attempt to satisfy the demand for tariff reform by enlargement of the free list. The bill fails to revise downward, and it will not yield sufficient revenue to meet the demand upon the Treasury. You know this, for you have provided in this very bill for the issue of interest-bearing certificates of indebtedness to the extent of $250,000,000, which means the same thing as a bonded indebtedness—and euphemism can not destroy the ugly fact—to meet a certain Treasury deficit now evident to every spectator who witnesses your vaudeville performance in this House.

In considering the taxing power of Congress, exercised by levying duties on imports, we ought to get back to fundamental principles, principles followed by our fathers. These should be levied for the purpose of public revenue and not for private gain. The imposition of such a tax necessarily has the result of increasing the price of the article taxed and unavoidably affords protection in some degree, whether designed or incidental, to the domestic manufacturer against the foreign competitor, whose article, if imported, must meet the cost of the domestic article plus the tariff tax. In the case of the article of domestic manufacture, the consumer pays the price of the article, with the additional sum afforded by the tariff, into the pocket of the domestic manufacturer, and in the case of a foreign article the import duty which the consumer pays goes into the Treasury.

Mr. Chairman, as practical men we are compelled to acknowledge several factors that enter into the framing of a constitutional and just tariff law. First, it must be levied for the purpose of public revenue. It was true before one of the greatest judges who has sat upon the bench of our Supreme Court in the last forty years, Mr. Justice Miller, said it in the Topeka case that—

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes is none the less robbery because it is done under the form of law and is called "taxation."

Another factor to be considered is how much the burden imposed upon the taxpayer, controlled by his duty to pay taxes for the support of the Government, shall be. And still another factor must be considered, and that is the conditions that have grown up under vicious systems and practices, to the end that violent and sudden changes may not be made which might throw the country into industrial chaos. Whatever theoretical views a legislator here may have, free trade is not now and never has been since the ratification of the Constitution of the United States a primary or a practical question in this country.

That was settled in the beginning by providing for tariff taxes for public purposes. Necessarily every such tax compels the consumer to pay more for an imported article, or a domestic article with which the imported article comes in competition, than he would have had to pay had there been no tariff, and correspondingly it is unavoidable in such a case that the domestic producer derives the incidental protection. The object ought to be to tax the consumer as little as possible, according to the needs of the Government, and then if incidental protection flows to the domestic manufacturer this is unavoidable, and the consumer must bear the weight of this incident.

The controlling principle in the formulation of a tariff bill, let me say by way of emphasis though it be in repetition of what I have endeavored to say, is that the measure should be for the purpose of public revenue. Another and, at least, a guiding principle to be borne in mind in the framing of such a measure is that the measure should be adjusted so as to operate equally throughout the country and not discriminate between class or section. It was true before it was declared by any court that perfectly equal taxation will remain an unattainable good as long as laws, government, and man are imperfect.

It was true, before it was said in the Head Money cases, that—

Perfect uniformity and perfect equality of taxation in all the aspects in which the human mind can view it is a baseless dream.

But it is everlastingly true that the nearer taxation is equal, the more nearly just is the taxation. And another principle to be considered always in the levying of taxes is that the taxation should be limited to the needs of the Government, honestly and economically administered.

Perhaps the best way to frame a tariff bill would be to follow the simple plan pursued in House bill 384, first session of the Twenty-ninth Congress, reported by Mr. McKay, and known as the "Walker tariff of 1846." The country grew and prospered most wonderfully under that simple measure, plain in all its provisions, consisting of eleven sections, and schedules designated from A to G, inclusive. There were no mysterious and confusing provisions in that bill. There were no provisions artfully designed to deceive the unsuspecting. The many virtues of that bill are in striking contrast to the many vices of the pending measure. There ought not to be any jugglery and mystification in the framing of a tax law. The taxpayers at least ought to know how, when, and upon what they shall pay a tax. The effort should be to make any tax law—or, for that matter, any law—as plain and as simple as possible. This present bill is a masterpiece of mystifying schedules and legislative jugglery. But its defenders call it a scientific tariff bill and pretend that it is framed to meet modern requirements. May the country be saved from such scientific work and may it be spared from further requirements of the trusts and unlawful combinations.

Mr. Chairman, in framing a tariff revenue bill it might be well to so draw it as to prescribe a reasonable and not a prohibitive tax on every article of importation, and then, pursuing the process of elimination, put first on the free list the articles belonging to the necessaries of life. The duties on each article, of course, ought to be as certain or as nearly ascertained as practicable, minimizing as much as practicable countervailing duties and drawbacks, in which two vices—for they are at the best vices in a tariff bill—this measure abounds. In this process of elimination I would take from the dutiable list the articles that the poor are compelled to buy, and would impose the burden of government, as far as possible, upon the luxuries of life, that are bought by those best able to pay, and hardly ever bought, if bought at all, by those whose condition in life compels them to practice self-denial. [Applause on the Democratic side.]

Mr. Chairman, if the country could be brought to a realizing sense of the iniquity of Republican tariff legislation, how the powers of the Government are being exploited at the behest and in behalf of special interests and against those who toil and pay the taxes, there would be a civil revolution which would drive from place and power the party that has so long abused the confidence of the American people. Take, by way of illustration, the farmer who raises cotton or the farmer who raises grain, the two great staple products that contribute more than all else to our national wealth, that are so vital in feeding and clothing the mighty millions of the teeming earth, and see how these farmers are taxed; but I propose to make some remarks on this particular subject at some later period if opportunity is afforded.

If the consumer, every time he purchased an article, could see standing on the one hand the taxgatherer, taking a part of his money for public purposes to support an extravagant administration, or could see, on the other side, the protected manufacturer putting a part of the consumer's money into his own pocket—more than could be taken without an unjustifiably high tariff; if he knew that by the payment of his cash he was contributing more to the taxgatherer than a just system of taxation required, or that some interest, sheltered behind a prohibitive tariff wall, was exacting tribute from him, there would not be many tariff discussions here, and you, Mr. Chairman,

and your party would be driven out of power. There would be put here in your stead those who have sympathy for the people, the consumers, and who are not bound hand and foot by the selfish interests that have so long controlled the politics of our country. [Applause on the Democratic side.]

Now, Mr. Chairman, what is the use of talking any more about this particular bill? Everybody has quit eulogizing it. I suppose its fond father will come in here next Monday and, under the narrow special rule adopted, rush the measure through, after having assured dissatisfied Republicans here that they can probably have their complaints considered in the other branch of the Federal Legislature. I can not doubt that my brethren on this side of the House will vote with practical unanimity against the passage of this bill. They will not listen to the allurements of their political enemy.

Mr. SWASEY. Will the gentleman yield for a question?

Mr. CLAYTON. I will yield to the gentleman from Maine.

Mr. SWASEY. I desire to ask the distinguished gentleman from Alabama if he recollects any language used like this:

Many industries have come to rely upon legislation for successful continuance, so that any change of law must be made at any step regardful of the labor and capital thus involved. The necessary reduction and taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Mr. CLAYTON. I thought the gentleman rose to ask me a question that would illuminate his understanding. But I suppose from the written question that the gentleman has propounded that he himself knows that his borrowed language has been used by somebody else, and I congratulate the gentleman, who was unable to propound a question in his own language, that he did have the good sense to borrow the language from somebody else. [Laughter.]

Mr. SWASEY. Will the gentleman yield?

Mr. CLAYTON. Certainly; but I have not finished the answer to the first question.

Mr. SWASEY. Let me say I did borrow the language.

Mr. CLAYTON. Certainly the gentleman did.

Mr. SWASEY. Because I wanted to be accurate; and I took it from the Democratic platform in the year 1884. [Applause on the Republican side.]

Mr. CLAYTON. Mr. Chairman, I can answer that by telling the gentleman a whole lot of things that he does not know; that American labor now is in competition with foreign labor; that you are now permitting the pauper labor of Europe to come into this country unhindered and take the jobs from the American citizens now living among us [applause on the Democratic side], and that you have invented this infamous drawback system in furtherance of your filmflam game. The gentleman quoted only a part of the tariff plank of that platform.

Mr. JAMES. Will the gentleman yield?

Mr. CLAYTON. Yes.

Mr. JAMES. The gentleman [Mr. SWASEY] has just stated that he read from the Democratic platform of 1884. I see that there is a very material part of it that the gentleman did not read.

Mr. SWASEY. That is right; I did not read it all.

Mr. JAMES. Why did not the gentleman read it all?

Mr. SWASEY. Because I only read one portion that touched on the question now under consideration.

Mr. CLAYTON. Oh, that is all right. You all know that the devil can quote Scripture for his own purposes. [Laughter.] Let us have all the Scripture. I will stand by the Democratic platform. Will the gentleman?

Mr. SWASEY. Will I?

Mr. CLAYTON. Yes. Will the gentleman stand by Democratic doctrines?

Mr. SWASEY. I will stand by a Democratic platform that imposes a sufficient duty on imports to keep the scale of American wages where they are.

Mr. CLAYTON. Will the gentleman stand by the platform in its entirety, or that plank in its entirety?

Mr. SWASEY. The biggest part of it is obsolete and has become outlawed.

Mr. JAMES. Mr. Chairman, if my friend, the gentleman from Alabama, will yield to me, I have the platform from which the gentleman from Maine has made a quotation of but a part of the tariff plank, and if the gentleman will yield to me, and the gentleman desires me to do so, I will read it.

Mr. CLAYTON. I certainly will be glad to have you do so.

Mr. JAMES. Mr. Chairman, here is what he did not read, which is in that same platform, immediately following what the gentleman did read:

Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from the custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity. We therefore denounce the abuses of the existing tariff; and, subject to the preceding limitations, we demand that federal taxation shall be exclusively for public purposes, and shall not exceed the needs of the Government, economically administered.

[Applause on the Democratic side.]

Mr. CLAYTON. That is exactly in line with what I said.

Mr. JAMES. The gentleman merely quoted a part of the platform and left out the material part.

Mr. SWASEY. But the gentleman from Kentucky has not read the whole of that platform.

Mr. JAMES. I will say, Mr. Chairman, with the permission of my friend from Alabama, in reply to the gentleman from Maine [Mr. SWASEY], that the "gentleman from Kentucky" did read the part of that platform which the gentleman failed to read, which is all in the platform relative to a tariff; and I insist that the gentleman should have read the whole of the platform, or none at all.

Mr. CLAYTON. Yes. Now, Mr. Chairman, I do not want to be diverted any more, unless some gentleman on the other side wants some enlightenment. I am always willing to try to give that. Now, if you want to ask any question pertaining to this matter under discussion, I will be glad to answer; but I do not care to be interrupted by these quotations from platforms unless you quote all. But let me say that the hearings before the Ways and Means Committee of the Sixtieth Congress, page 7592 and following pages, will tend to show how little the workingman gets out of a Republican tariff. But I shall not further digress.

Mr. KEIFER. Will the gentleman yield?

Mr. CLAYTON. Oh, I am always glad to hear from the gentleman from Ohio. He is hardly ever instructive, but is always interesting. [Laughter.]

Mr. KEIFER. Mr. Chairman, I will state that this is the first time since this debate commenced that I have undertaken to interrupt any gentleman on either side of the House. I now ask, after having heard repeatedly from the distinguished gentleman from Alabama——

Mr. CLAYTON. And the gentleman heard good things.

Mr. KEIFER (continuing). That Democracy stood on the principles of the forefathers——

Mr. CLAYTON. And I hope it does.

Mr. KEIFER. And I ask the privilege of reading three or four lines of the opening sentence of the first general law——

Mr. CLAYTON. Oh, I am perfectly familiar with that.

Mr. KEIFER (continuing). Passed by the Congress of the United States by a unanimous vote of the Members of that Congress; being the preamble to a bill that was approved by George Washington, in which——

Mr. CLAYTON. I hope the gentleman will not make a speech—read.

Mr. KEIFER (continuing). It was stated that the bill was to encourage and protect American manufactures.

Mr. CLAYTON. If the gentleman wants to read, he can read.

Mr. KEIFER. I will read it.

Mr. CLAYTON. Now, read it. I do not want to hear any harangue, but I am willing that the gentleman should read.

Mr. KEIFER (reading):

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported.

Mr. HENRY of Texas. Read the whole bill.

Mr. KEIFER. I have read all the preamble.

Mr. CLAYTON. I will ask the gentleman what was the average rate of that tariff bill?

Mr. KEIFER. It was to protect American manufactures, and it was the first bill for a general law approved by George Washington, then President of the United States.

Mr. CLAYTON. I am not asking the gentleman that. I have yielded to him, and now I demand of him a direct answer to a categorical question. What was the average rate provided in that bill?

Mr. KEIFER. I am unable to state all the rates.

Mr. CLAYTON. Of course; more Republican ignorance about the tariff. [Laughter and applause on the Democratic side.] The gentleman does not know the excuse for that—the infant industries. He does not know of that and he does not know that even the Iowa idea now, even the Republican idea out there, is that the infant industries have long outgrown that, and that your protective tariff is now a prohibitive tariff in many particulars and you have erected a wall so high, to quote somewhat the language of the distinguished Republican Senator

from Iowa, that the trusts find shelter behind your protective-tariff high wall. The average duty of that bill, I will enlighten the gentleman, was not over 15 per cent, while the rate under your Dingley Republican law is 45 per cent.

Mr. MACON. If the gentleman will permit——

Mr. CLAYTON. I yield to the gentleman from Arkansas.

Mr. MACON. I will state to the gentleman that I recently undertook to look that question up, and I found that the average tariff in that bill, which was presented to Congress by Mr. Madison, who was afterwards President of the United States, was just 8½ per cent. [Applause on the Democratic side.]

Mr. CLAYTON. I accept the gentleman's statement.

Now it is about six times that amount. Now, in the same proportion, if the tariff grew from 8½ per cent in about one hundred and twenty-five years to 45 per cent, the average of this bill, what will it be after a while? Lord God Almighty, in His inscrutable wisdom, only knows, unless the American people will drive your infamous party from power. [Applause on the Democratic side.]

Mr. KENDALL. I desire to inform the gentleman from Alabama that there is no idea in Iowa that is not in favor of protection to the American industries. [Applause on the Republican side.]

Mr. CLAYTON. I refer the gentleman to your distinguished Senator from Iowa, Senator CUMMINS, and let you and him wrestle with the difference between the Republican tariff and his idea, that he wants to lower your protective prohibitive wall, so that competition from abroad may come in and drive the trusts, who sheltered themselves behind that high wall of protection, from place and power, to enable the consuming American people to buy what they need in the different articles of life at a reasonable price. [Applause on the Democratic side.]

Mr. JAMES. I would like to inquire of the gentleman from Alabama if the gentleman from Iowa means to insinuate——

Mr. CLAYTON. Will the gentleman wait a minute? I want to say to the gentleman from Iowa that I am told that the same gentleman, now in the Senate, Senator CUMMINS, has said that the tariff has robbed the American people of more than a billion dollars a year. He said so, so I am told; and if this statement be not accurate, I ask you now to contradict it.

Mr. KENDALL. Mr. Chairman, I challenge the statement of the gentleman from Alabama.

Mr. CLAYTON. The challenge does not go. If we want to pass a challenge, you and I might meet on the outside and fight it out. [Laughter.] Is it so or is it not? Now, confess that it is so or that it is not so or that you do not know, like the answer that the average Republican gives.

Mr. KENDALL. If the gentleman will allow me an interruption, I will say that I have no authority to speak for the junior Senator from Iowa.

Mr. CLAYTON. I hope the gentleman does not.

Mr. KENDALL. But I have too much confidence in his good sense to believe that he made the statement imputed to him by the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON. I do not know whether he said it or not. It was quoted in the public prints.

Mr. KENDALL. In what paper?

Mr. CLAYTON. I do not recall that. God forbid that I should ever try the case by Republican utterances.

Mr. CLARK of Missouri. If the gentleman from Alabama [Mr. CLAYTON] will yield to me, I will state precisely what Senator CUMMINS said. He said——

Mr. KENDALL. I would like to inquire of the gentleman if he is reciting it from memory or reading it from manuscript?

Mr. CLARK of Missouri. I am not reading it from manuscript, but I would not forget it in a thousand years. It was published in the American Economist and divers papers. He said this: That all the robberies committed by all the insurance companies for all time did not equal one-fifth of the amount that the American people were robbed of every year under this high-protective tariff system. [Applause on the Democratic side.]

Mr. CLAYTON. I want to say, for the enlightenment of the gentleman from Iowa [Mr. KENDALL], if there is anything I love to do, it is to enlighten Republicans, and from Iowa particularly, for one of the mysteries to me is why the people of a great agricultural State like Iowa should continue to tax themselves for the benefit of trusts and monopolies through the medium of a Republican tariff. I want to say this: If the gentleman will refer to a publication by Mr. Franklin Pierce on this subject and cognate subjects, he will find, I am informed, that the statement is made and attributed to Governor CUMMINS just as I have made it here to-day. My distinguished and able friend from Missouri [Mr. CLARK] the other day told how to get tariff information by reading certain books. Now, I want the gentleman from Iowa to get some information as to the truth by reading at least one book. Will you?

Mr. KENDALL. I disavow any intention of reflecting upon the gentleman.

Mr. CLAYTON. Certainly, I understood that perfectly well and meant no reflection upon the gentleman's intelligence, although I sometimes doubt the intelligence of an agricultural constituency that will send a Republican here to vote to levy a high tax upon them for the benefit of selfish special interests rather than a revenue tax for public purposes.

I have been handed certain published excerpts from newspapers. I assume that Mr. CUMMINS, who is now the junior Senator from the State of Iowa, is quoted correctly, and I therefore insert these quotations, so that they may be considered along with the statement made by the gentleman from Iowa [Mr. KENDALL]. They are as follows:

The amount of graft of all the insurance companies for all time will not equal one-fifth of the amount of which our people are robbed every year by excessive tariff. (Des Moines, October 12, 1902.)

I believe the consumer has a better right to competition than the producer to protection. Competition we will have—that of our own country preferred, but that of the world if necessary. (Minneapolis, April 30, 1902.)

* * * * * * *

It has been said that in order to obtain these changes (Canadian reciprocity) it will be necessary for us to let into our markets Canada's agricultural products, or some of them. I believe this to be partially true. I assert confidently that in the sharp competition with Illinois, Wisconsin, Minnesota, the Dakotas, Nebraska, Kansas, and Missouri you will never be able to discern the influence of Canada in corn, oats, barley, hay, cattle, horses, hogs, butter, and eggs. (Inaugural address, Des Moines, January 14, 1904.)

I believe that some branch of the Government must be vested with the power to fix the prices of products of service upon which a monopoly or substantial monopoly has been established. (Minneapolis, April 30, 1902.)

Governor CUMMINS stated before the Polk County Club in October, 1905:

The amount of graft of all the insurance companies for all time will not equal one-fifth of the amount of which our people are robbed every year by excessive tariff. We are making a clear issue upon the tariff and reciprocity between the members of the Republican party. There is a fight in progress, and it must go on until one side or the other acknowledges defeat. It is idle to talk of harmony.

Mr. KEIFER. Mr. Chairman, I ought to have made my request earlier or been recognized earlier——

Mr. CLAYTON. The gentleman will please ask a question.

Mr. KEIFER. I wanted to say——

Mr. CLAYTON. The gentleman uses too many preliminaries. Please come to the point.

Mr. KEIFER. I did not read the preamble to this first act of the First Congress for the purpose of showing what the relative duty was, but for the purpose of answering whether or not the gentleman was right when he claimed that the policy of the forefathers was not to protect American industry.

Mr. CLAYTON. The gentleman can not put such language as that in my mouth. I said that their purpose was to levy a tax to raise revenue for the support of the Government.

Mr. KEIFER. Then I misunderstood the gentleman.

Mr. CLAYTON. With due deference to the gentleman, I will say that I am not responsible for that.

Mr. KEIFER. I understood the gentleman to say that there had been no constitutional attempt to levy any duty except for public purposes.

Mr. CLAYTON. I have spent some years of my life in construing language and the meaning of it and the selection of phrases, and the gentleman from Ohio [Mr. KEIFER], with all of his gifts and ability, can not put such language in my mouth.

Mr. KEIFER. I will allow the gentleman to explain.

Mr. CLAYTON. The gentleman needs no explanation.

Mr. KEIFER. Will you allow me to ask just one question?

Mr. CLAYTON. The gentleman uses too many preliminaries. He harks back to the ancient past. He has never got beyond the year of 1827. [Laughter.]

Mr. KEIFER. I wanted to ask the gentleman a question to put the gentleman right.

Mr. CLAYTON. While obliged to the gentleman from Ohio, if the "gentleman from Alabama" waited for the guidance of the gentleman from Ohio to put him right, the "gentleman from Alabama" is satisfied that he would be eternally wrong. [Laughter and applause.] The gentleman from Ohio reverts to the tombs of the past, to subjects that we thrashed over in the Dingley bill; and I commend to him, and to my adolescent friend from Iowa also, that he go back and read the debate on the Dingley bill, and he will find the whole thing talked about.

Now, I want to come back to this bill.

As to your free list, let me say that for the first time in the history of the country you propose to enact a sectional bill that discriminates in many of its provisions against the great agricultural West and the great agricultural South, a bill that discriminates unjustly between the people in the industries and the interests upon which you wish to levy taxes. Upon the ground of sectionalism alone, your measure now pending is indefensible. I propose, with your patient indulgence, later on to point out only a few of the items that indicate sectionalism.

The fact is, under the restrictive policy of Republican prohibitive tariff, the farm products of the United States, which are not and, in the nature of things, can not to any considerable extent ever be protected by any sort of tariff, have furnished the larger part of our exports to foreign countries. In other words, our export movement is mostly sustained by the farm. I quote the following from the Yearbook of the Department of Agriculture for 1907:

> The farm sustains most of the great export movement. If to the products that are fully agricultural are added those that are considerably so, in combination with materials of other origin, and then are added the forest products and the commodities considerably composed of them, the remnant of the exports is but 28½ per cent of the total value of the record of 1907.
>
> Cotton and its products are 29½ per cent of the total value of all exports; animals and animal products, 17 per cent; grain and grain products, 10½ per cent; all other exports sustained by agriculture, 6½ per cent; and the exports sustained by the forests are 8 per cent. Farm and forest together sustained 71½ per cent of the exports of 1907.
>
> BALANCE OF TRADE.
>
> The farmer is concerned in the Nation's balance of international trade, inasmuch as he provides the great bulk of the foreign credit which other classes of persons draw upon in the contrary movement of credit against this country.
>
> The balance of trade in farm products in favor of this country in 1907 was $444,000,000, an amount that has been exceeded in only four years—1898, 1899, 1901, and 1902. In all other products the trade of 1907 produced a balance of only $2,500,000 in favor of this country.
>
> Most of the foreign credit is provided by farmers. In eighteen years, beginning with 1890, the farmers have not failed to secure a balance of at least $193,000,000, the low amount of 1892. The great aggregate of the eighteen balances in the trade in farm products is $6,500,000,000, while the trade in other commodities during the eighteen years resulted in a grand adverse balance of $456,000,000.
>
> A great stream of wealth has constantly been sent from farms to foreign countries to offset the adverse balance of trade in commodities other than agricultural; to pay the ocean freight costs on imports conveyed in foreign-owned ships; and to pay the interest, dividends, and principal on investments in the United States by foreigners. It is the farmer who has sent credit to expatriated Americans; it is he who has provided the immigrant with millions to send every year to the loved ones in the old countries; and, if there is still any credit to dispose of, the farmer has provided the American traveler in foreign countries with his pocket money.

Let me invite your attention to the South's contribution to our national wealth in the matter of the growing of cotton—the great commodity of cotton—the raw part of which, exported, furnishes well-nigh the whole balance of trade in favor of the United States. It is the great product to which the world must look to hide its nakedness; the great staple that furnishes the common articles of wear for the rich and furnishes, in the shape of muslin, linen de Inde and calico, the fine raiment of the humble poor. Grain is raised in every country, some cotton on the Nile, and some short-staple cotton in India; but God Almighty, in His inscrutable wisdom, has given to this mighty American people a practical monopoly in the cotton production of the world.

The cotton produced by the South in 1907 had a farm value of from $650,000,000 to $675,000,000, and was excelled in value only by corn. The total exports of farm products for the year ending June 30, 1907, were valued at $1,055,000,000, and of this lint cotton, or "raw cotton," as it is incorrectly called, furnished $482,000,000, or nearly one-half of all our exports of farm products. A comparison of the exports of farm products for that year will show that cotton heads the list:

Cotton	$482,000,000
Grain	184,000,000
Unmanufactured tobacco	33,000,000
Oil cake	26,000,000
Vegetable oils	20,000,000
Fruits	17,000,000
Animal products	203,000,000
Live animals	41,000,000
Dairy products	6,000,000

It will be noticed that oil cake and vegetable oils, valued at $46,000,000, are not differentiated, but from "Commerce and Navigation of the United States," it appears that one-half of the oil cake is from cotton seed. The exports of cotton are therefore increased $13,000,000 on oil cake. Of vegetable oils, $13,673,000 is from cotton seed. In addition the exports of cotton manufactures were $32,305,412. Thus the exports of farm products as far as they pertain to cotton are:

Raw cotton	$482,000,000
Oil cake	13,000,000
Vegetable oils	13,600,000
Total	508,600,000
Cotton manufactures	32,305,412
Total cotton and cotton goods	540,905,412

All of these figures can be verified by reference to the Yearbook of the Department of Agriculture for the year 1907.

Nor is the South limited alone to raw cotton, although her share in the prosperity work of the last decade in that field entitles her to a fairer consideration than she has received in the Payne bill. She is also manufacturing cotton. The following figures, taken from the Special Reports of the Census Bureau, Manufactures, part 3, page 12, showing the number of cotton spindles in the world by countries for the year 1905–6, will show the rank of the South in the manufacture of cotton:

United States:	
Cotton growing States	8,994,868
Other States	16,255,228
England	48,826,144
Germany	9,730,209
Russia	7,000,000
France	6,702,800
Austria	3,621,220
Italy	3,500,000
Spain	1,800,000
Switzerland	1,462,752
Belgium	1,122,000
Portugal	350,000
All other Europe	1,115,000
British India	5,250,000
Japan	1,402,740
China	619,648
Brazil	733,890
Mexico	628,096
Canada	775,000
Other countries	200,000
Total	120,090,595

The actual increase in the number of spindles in the South from 1900 to 1905 was more than double the entire spinning capacity of the South in 1890. On page 27 of the third volume of Special Census Reports on Manufactures it is said:

> No fact relating to the industrial progress of the country is more interesting, more important, or more significant than the vigor, the persistency, and the success of the South in introducing this branch of manufacture [cotton goods].

And I might add that no fact connected with tariff building is more interesting, more important, or more significant than the vigor and the persistency of some tariff makers from New England in discriminating against the whole country, and especially against the South.

The cotton factories are more numerous near the cotton fields than in the days of long ago. The following figures will show that there are more factories in the cotton-growing States than in all the other States of the Union combined:

	Factories.
In the New England States	308
In the Middle States	204
In the Southern States	550
In the Western States	15

These figures, taken from the above-mentioned report of the Census Bureau, show that there are 550 factories operating in the South as against 527 in all the other States of the Union.

In the last five years New England increased a million spindles, while the South increased 3,200,000 spindles.

These spindles in the South consumed 1,813,659 bales of cotton in 1905, while the consumption for the whole country was 3,629,089 bales. The South used 255,000 more bales than New England.

The southern mills employ 434 mule spinners and 34,569 frame spinners, and 34,246 weavers. Thirty-three per cent of all the weavers of the United States are in the South, and there are more men weavers in that section, the reverse of the custom in New England. The female spinners, however, are more numerous in the South. The spinners and weavers are skilled operators and are slightly more than one-half of all the wage-earners engaged in the industry.

A comparison of figures as to the exports and imports of cotton and cotton goods and other cotton products and wool and woolen manufactures will serve to furnish one example of the discrimination against the cotton industry, the great industry of the South. In 1907 the total imports of cotton manufactures was $73,059,548 and the total imports of woolen manufactures were valued at $62,818,797. Yet the duty on the former was 53.38 per cent ad valorem, while that on the latter was 58.19 per cent ad valorem; and it will be seen that the cotton industry aids the United States about three hundred times as much in the world's trade balance sheet as does the wool industry. The total exportation of cotton manufactures is valued at $32,305,412, while the value of all woolen manufactures exported was $1,786,241. The value of the raw wool exported was $15,068. Thus it will be seen that the value of all cotton exports, including raw cotton, cotton manufactures, and oil cake and vegetable oils to the amount of $26,600,000, is $540,905,412, as against $1,801,309 of wool exports, including raw wool and woolen manufactures.

An examination of the following table from "Imports and Duties, 1894–1907," prepared for the Committee on Ways and Means, will show that the duties on cotton manufactures are so arranged as to be discriminatory against the coarse yarns produced by southern mills, a further discrimination against the South in favor of the New England mills.

Yarns imported, by numbers, 1907.

Number.	Value.	Duty.	Ad valorem rate.
			Per cent.
Up to and including No. 15	$1,479	$237	16.07
Nos. 16 and 17 (no importation)			
No. 18	46	7	14
No. 19 (no importation)			
No. 20	9,439	911	0.65
Nos. 21, 22, and 23 (no importation)			
No. 24	182	46	25.48
No. 25	26,042	3,647	14.01
No. 26	204	44	21
Nos. 27, 28, and 29 (no importation)			
No. 30	7,180	1,288	17.95
No. 31 (no importation)			

Here the cut ends. The Dingley rates remain on the following:

Number.	Value.	Duty.	Ad valorem rate.
			Per cent.
No. 32	$372	$140	37.63
No. 33 (no importation)			
No. 34	2,878	545	18.94
No. 35	3,759	1,082	28.79
No. 36 (no importation)			
No. 37	101	31	31
No. 40	12,779	2,973	23.26
No. 45	768	225	29.30
No. 50	1,962	625	31.86
No. 55	5,007	1,402	28.01
No. 60	3,237	928	28.50
No. 75	5,492	1,660	30.16
No. 80	196	67	34.29
No. 90	923	157	17.01
No. 92	3,530	1,088	30.42
No. 100	254	76	30.11

These figures show that those yarns produced by New England mills not produced by southern mills have had their rates of duty under the Dingley bill retained, while the duty on the southern product has been reduced. This becomes plainer after considering the consumption of all kinds of yarn. The following figures are taken from reports of the Bureau of the Census and show the consumption of yarns for 1905 for the New England States and for the Southern States:

	Pounds.
No. 20 and under, coarse:	
New England States	249,218,058
Southern States	476,804,080
Nos. 21 to 40, medium:	
New England States	317,476,791
Southern States	250,666,842
No. 41 and over, fine:	
New England States	101,253,957
Southern States	17,858,453
The percentage of yarns used in 1905 were:	Per cent.
No. 20 and under, coarse	52.55
Nos. 21 to 40, medium	39.36
Nos. 41 and over, fine	8.00

The South uses nearly twice as much of the coarse yarns as New England, and three-fourths as much medium. In fine yarns the South only uses one-sixth as much. The South, however, is making rapid strides in medium yarns. The Census authorities state that while the South in 1900 produced about 26 per cent of all the medium yarns, in 1905 it produced 41 per cent. In fine yarns in 1900 it produced barely 1 per cent; in 1905 14 per cent of the entire production of the country was furnished by the South.

It is singular that the Payne bill, in seeking places to reduce the tariff, should strike at the coarse yarns of the South and its medium yarns and make no change in New England fine yarns.

The Payne bill reduces all cotton thread and carded yarn, warps or warp yarn in singles, not bleached or dyed, from 3 cents a pound to 2½ cents; and on all numbers up to and including No. 15 it cuts the rate one-thirtieth of a cent a pound per number; on Nos. 15 to 30 the cut is one-twentieth of a cent a pound per number. These numbers cover all the coarse yarns and about one-half the medium, and are reduced against the interests of southern mills, while all yarns above 30 are retained at the Dingley rates in the interest of New England mills. The cut or reduction is against the South every time. But when New England's interests are at stake no reduction whatever is made on yarns. Of course, to the extent that New England uses coarse and medium yarns the reduction affects her; but as the South is the greatest user of the yarns reduced, the discrimination against her is apparent. Nor is this all. The manufactured goods of which the South produces little are not changed.

Spool-thread cotton, crochet, darning, and embroidery cottons are held at the old Dingley rates in the interest of New England.

The entire cotton-cloth schedule through all its myriad items is unchanged, except that mercerized cotton cloth is subjected to an additional duty of 1 cent per square yard.

Ready-made clothing is unchanged. Curtains and table covers retain the Dingley rates. The stocking change is remarkable, as the following statement will show:

> Stockings valued at $1 a dozen are raised 20 cents a dozen; stockings valued at from $1 to $1.50 a dozen, 25 cents a dozen; stockings valued at from $1.50 to $2 a dozen, 30 cents a dozen; stockings valued at from $2 to $3 a dozen, 30 cents a dozen.

All the stockings valued at more than $3 a dozen retain the Dingley rates. The rich are not touched, while additional burdens are thrown upon the poor. A poor woman buying hose at three pairs for a quarter pays $1 a dozen. These are raised in rates 50 cents to 70 cents a dozen pairs. A French woman would get three pairs for a quarter while an American woman would get of the same stockings—$1 value and 70 cents specific and 15 per cent ad valorem duty, with freight and profits—one pair.

The English woman pays $2 a dozen for a better hose; the American woman for the same stocking, without freight or profits, would pay—$1 specific and 30 cents ad valorem—$3.30; $1 specific and 30 cents ad valorem makes $1.30 a dozen on a $2 article, or 64 per cent ad valorem.

A rich woman wearing stockings worth $5 a dozen pays a straight ad valorem duty of 55 per cent now under the Dingley law; and this rate is not changed by the Payne bill—10 per cent difference in favor of a few who buy largely and against the millions who buy a cheaper grade. From Imports and Duties, 1894–1907, compiled for the Ways and Means Committee, page 281, it appears that the following duties were paid on stockings in 1907:

> 1. Valued at not more than $1 a dozen, duties, $1,094,551; ad valorem, 71.40 per cent.
>
> As the unit value of these stockings was actually 96 cents a dozen, the Payne bill increase of 20 cents a dozen specific will make the ad valorem rate under the Payne bill 88 per cent, an increase of 17 per cent.
>
> 2. Valued at more than $1 and not more than $1.50 a dozen, duties, $933,511; ad valorem, 58.32 per cent.
>
> The Payne bill raises the specific rate 25 cents a dozen, and as the unit value of these imports was $1.37 a dozen, it follows that the Payne rate will be 85 cents a dozen pairs and 15 per cent ad valorem, and that the duty, $1.06 a dozen pairs, or 77 per cent ad valorem, an increase of 19 per cent.
>
> 3. Valued at more than $1.50 and not more than $2 a dozen, duties, $1,314,759; ad valorem, 51.41 per cent.
>
> The unit value was $1.92 a dozen, and as the Payne bill increases the specific rate 30 cents a dozen pairs, the future rate will be $1 a dozen and 15 per cent ad valorem, or 66 per cent ad valorem, an increase of 15 per cent.
>
> 4. Valued at more than $2 and not more than $3 a dozen, duties, $210,848; ad valorem, 59.53 per cent.
>
> The specific rate is raised from $1.20 a dozen to $1.50 a dozen, and as the unit value of the imports was $2.69 a dozen, it follows that the Payne duties will be $1.50 a dozen and 15 per cent, or 63 per cent, a raise of 4 per cent.
>
> 5. Valued at more than $3 and not more than $5 a dozen, duties, $74,349; ad valorem, 64.80 per cent.
>
> 6. Valued at more than $5 a dozen, duties, $23,295; ad valorem, 55 per cent.

No change is made in the two last-named schedules by the Payne bill. The rates are prohibitory, and that is the intent of the bill. The first three items pay $3,342,821 and the last three $308,492, or less than one-tenth. The Payne bill strikes, first, at the revenue produced by cheap stockings, and, second, at the

poor people who buy them by raising the rates on the cheaper grades, in order to destroy the revenue and to enrich manufacturers of stockings. They say they must have revenue; but wherever a good revenue producer exists they change it to prohibitive rates and take tea and coffee to make up for the deficiency they have directly transferred to the manufacturers' pockets.

In the matter of cotton ties the Dingley rate was five-tenths of a cent per pound, while the Payne bill cuts it to three-tenths of a cent, a reduction. The Wilson bill let them in free, a concession the Payne bill ought to have made in passing around its gifts. In 1907, 716,819 pounds were imported, paying a duty of $3,584, or 17.23 per cent ad valorem. Sixteen million two hundred and sixteen thousand pounds came in the last year of the Wilson bill, which shows that the Dingley bill favored the steel trust; and the Payne bill, while a little more liberal, still hands out its favors to monopolies.

In the hearings before the Ways and Means Committee, page 2852, Mr. Thomas F. Magness, speaking for all the manufacturers of jute bagging, agreed to a reduction on sisal, manila rope, cordage, and twine, but asked for higher rates on bagging. He claimed that free bagging would place them at the mercy of the manufactures of Calcutta Indian labor.

Under the Wilson law there were nine mills making cotton bagging; under the combinations of the Dingley law these have been reduced to three, and they have a monopoly of the cotton-bagging business of about 100,000,000 yards, at a duty of six-tenths of a cent a yard, enough to keep out all foreign competition. Twenty million yards came in in 1907, paying a duty of $118,000, having a foreign unit value of 6¼ cents a square yard. The three companies having the monopoly are the American Manufacturing Company, of New York; the Ludlow Manufacturing Association, of Boston; and the Peru Bagging Manufacturing Company, of Peru, Ind. They asked for a greater rate, a greater chance to crowd farmers to the wall.

The Ways and Means Committee might have given free bagging to the producers of the greatest export value of the country, but they preferred to enrich these corporations. The cotton farmer pays duty on:

	Cents duty.
6½ yards of bagging per bale or	4¾
Steel cotton ties, per bale	4½
Total	9¼

Thirteen million five hundred and forty thousand bales at 10 cents makes $1,354,000 a year paid to the bagging and steel trusts, more than half of which is excess cost on bagging.

Lee McMillan, of New Orleans, in his testimony before the Committee on Ways and Means (Hearings, p. 4826), set out the following facts:

1. The three manufacturing concerns named own and control every mill in the United States now engaged in making bagging for cotton.
2. The first two agree at the beginning of each year upon a price to open the market at, and the Peru company follows. An arbitrary list named by the American is exactly the same quoted by the Ludlow.

Other companies were driven out of business by the monopoly tactics of the American and the Ludlow companies. The American bought out the mills at New Orleans, Louisville, and Galveston, dismantled them, shipped the machinery to Brooklyn and St. Louis.

3. These companies complain of Calcutta Indian labor when, in fact, they go to India and buy all the Indian mills can make. If cotton bagging were put on the free list, the American manufacturers would still be able to compete. The American Manufacturing Company makes a 2-pound 45-inch bagging at 6¼ cents at the ports and the (Calcutta bagging, duty paid, can not be landed for less than 8 cents While the American sells at 6¼ cents at ports, it collects 10 cents and 10½ cents a yard elsewhere. With bagging free it would be forced to sell at from 6 cents to 7 cents a yard. Mr. McMillan argued that the Government never got more than $120,000, while the cotton farmers paid each year to the bagging interests and steel trusts $1,250,000.

Mr. Rochester, of New York City, said before the Ways and Means Committee (Hearings, p. 4839), that two companies control the cotton-bagging business, the American and the Ludlow companies, the American selling 82 per cent of the country and the Ludlow 18 per cent at an agreed price. These two concerns have crushed out all other companies that have attempted to make cotton bagging. It is sold at from 3 cents to 4½ cents a pound, though made of the lowest and cheapest grade of jute butts and rejections, worth in the market seven-eighths of a cent to 2 cents a pound. It is loaded down with East River salt, oil, barytes, and other makeweights, which makeweights, it is estimated, cover the labor cost of the bagging. If the bagging trust can keep the tariff at high-water mark, the trust is thereby fattened at the expense of every farmer in the South.

The following is a statement recently made by Mr. W. B. Thompson, president of the New Orleans Cotton Exchange:

One hundred and twenty thousand dollars is the largest amount of duty on bagging for cotton received by the Government any year. Thus, for maximum revenue of $120,000 to the Government the farmer pays over a million dollars, and the bagging trust gets the difference.

Thus it will be seen that for every dollar the Government derives from this duty on bagging the farmer is made to pay the bagging trust $8.

Mr. Chairman, no man can study the development and growth of the South agriculturally and from an industrial standpoint since 1860, contrasting her condition then with her growth and development to-day, in spite of Republican tariffs, in spite of discrimination, in spite of reconstruction legislation, in spite of having been sometimes treated as alien, in spite of all that Republican Congress after Republican Congress has done to that great and proud section—no man can read of the steady growth and development of her industry and her agriculture without reflecting that the South, under free institutions, has developed and expanded more than she could possibly have done under the old conditions of slavery. [Applause.]

As a son of a former slaveholder I want to say to the sons of the abolitionists of Massachusetts that your fathers in their efforts to free the black man did more than they thought they were doing. They freed the South industrially, and the cotton spinners of Massachusetts and the iron masters of Pennsylvania know that the sons of the abolitionists are now compelled to compete in enterprises with the sons of the South, the sons of the former slaveholders, in leading industrial pursuits. [Applause.] Now, under changed conditions and on account of unrivaled resources and a superior climate, Dixie land is coming to the industrial front.

Alabama fixes the price of pig iron for the world. [Applause.] It can produce it more cheaply than it can be produced anywhere else. Under the providence of God the same progress has been made in the manufacture of cotton. In spite of Republican discrimination, the myriad of spindles that hum in the South are coming in competition with the spindles of New England. So that I state, not as an iridescent dream but as a solemn fact, that the spindles of New England no longer hum in their music, in the production of the coarser cotton fabrics, in competition with the southern mills.

And by the irony of fate, in the mighty sweep of time, in the uninterrupted and uninterruptible march of the progress of that section, the day will come when the New England cotton spinner will be forced to abandon his spindles in the East and come to the cotton fields of the South, where the plant blooms in whiteness and opens its bolls in snowy perfection in the autumn, where he can save transportation, where there is a better climate and better conditions prevail. And all the Arkwright clubs that can be organized can but little hinder—they can not stay—this event in the fullness of time.

Mr. Chairman, I want to call attention to the fact that this bill gives free hides, free coal, free iron ore, and other things free for New England, but no free jute bagging for the South. You give free binding twine to the grain grower of the West to bind his grain; this is right; but when it comes to the cotton grower of the South, who furnishes you for export $482,000,000 of lint cotton, against $184,000,000 of grain per annum, upon the jute bagging with which the cotton planter of the South wraps the great staple, you impose a tariff tax by this bill. For what purpose? To encourage jute growing in this country? To encourage jute manufacture in this country? Everybody knows that jute is not produced in this country; that jute bagging is either made by the bagging trust here or made for the same trust abroad.

Now, I want the Ways and Means Committee to do the agricultural South the justice to put jute bagging on the free list, as you are going to put some other articles on the free list. [Applause on the Democratic side.] I want you to put cotton ties on the free list and help out this cotton-growing industry.

Mr. KENNEDY of Ohio. Will the gentleman yield for a suggestion?

Mr. CLAYTON. Yes.

Mr. KENNEDY of Ohio. When the Wilson bill was passed, you put cotton ties on the free list. Does the gentleman remember that there was a sharp competition in the making of cotton ties that had reduced the price before you passed the Wilson bill to 70 cents a bundle, and when you passed the Wilson bill putting cotton ties on the free list, all the cotton-tie manufacturers in this country except one threw out the machinery and cotton ties shortly after that went to $1.40?

Mr. CLAYTON. I could not hear all that the gentleman said; but I would readily accept any statement he would make, because I know he is a man of veracity.

the tariff, should strike at the coarse yarns of the South and its medium yarns and make no change in New England fine yarns.

$308,492, or less than one-tenth. The Payne bill strikes, first, at the revenue produced by cheap stockings, and, second, at the

I want to see every industry prosper, but I do not think that the cotton grower of the South ought to be taxed to contribute to the prosperity of the manufacturer of cotton ties. And I do not know why cotton ties rose in price, as the gentleman states; but I suppose they did rise, as he has stated, because there was but one concern in the country to manufacture them. No such condition exists now, nor is any such condition likely to arise. If so, if the abolition of the duty on cotton ties in the past caused the ties to rise in price, so that the manufacturer could make more money, it seems to me that the gentleman in whose district the mill mentioned by him is located would want to abolish this tax on cotton ties in order that there might be another rise. I take it that nobody believes that the abolition of this duty would cause any rise in the price of cotton ties. If the American tie manufacturer prospered under the Wilson bill that had cotton ties on the free list, why can not he prosper under the Payne bill if they are again put upon the free list?

Mr. KENNEDY of Ohio. I might say that the reason we do not want ties on the free list is this: The reason cotton ties rose was because the Youngstown mill could not supply the market. The importers always have a combination, and they thought they would exploit two-thirds rather than fight for all; and so they put cotton ties up from 70 cents to $1.40, and they made their profit out of you on two-thirds of the cotton ties. Our Youngstown mill was the only iron mill in the North that had a fire in her.

Mr. CLAYTON. I am glad the gentleman made that statement. Certainly no manufacturer of cotton ties would object to having cotton ties put on the free list if he believed that it would raise the price of his product.

Everybody knows that the price of lint cotton or raw cotton—as I have said, it is incorrectly called, for it is the farmer's ginned and finished product—is fixed in the Liverpool market. The foreigner's free-trade market determines the price of our lint cotton. It not only fixes the price of this cotton, but fixes a tare of 30 pounds on each bale of this cotton for the bagging and ties. Now, look at the iniquity of it. The farmer not only has to pay his local merchant for the bagging and ties in which the cotton is wrapped, but he has to stand the loss of this tare of 30 pounds taken from the total price of his cotton. Now, in the name of common decency, let me go back to my people and say that even a Republican Congress was willing to put bagging and ties on the free list.

Mr. Chairman, another feature of this bill shows its unfairness to the South. It provides, in an indirect way, for a tariff tax of $2 per ton on German kainit and also for a tax under the countervailing clause on sulphate and muriate of potash. These chemicals are used largely in the composition of fertilizers in the cotton-growing States. If you are going to have a free list, then place those articles on that list so that an unnecessary burden will not be placed upon the backs of the southern farmers.

Let me emphasize a few statements, Mr. Chairman, and I have done. It is evident from this bill that it is not the purpose of the Republican party to abandon their position in behalf of a highly protective tariff. This bill demonstrates Republican unwillingness to have a competitive tariff to operate against the unreasonable prices exacted for trust-made and trust-controlled articles. The country will not be blinded to this fact by the list of free raw material furnished to manufacturers who take shelter from foreign competition behind the protective tariff on their manufactured products and charge the American consumer more than they charge foreigners in foreign lands. The American citizen should have the right to buy plows, sewing machines, watches, reapers, binders, and everything else as cheap at home as the same American-made articles can be purchased in other countries. I have heard distinguished Republicans admit the truth of this charge, that the foreigner buys these articles cheaper than our own citizens can buy them. Their excuse that this is done, as it is contended, in order to sell the surplus products of the manufacturer, will not satisfy the demands of the home consumer who believes in fair treatment.

A bill made up of prohibitive schedules and free lists can not meet the Treasury demand and will not deceive the people who demand a revision downward. No tariff legislation will meet the requirements of the country, unless the measure be bottomed upon the principles that duties should be levied for the purpose of revenue, such duties to be so adjusted as to operate equally throughout the country and not to discriminate between class or section, and that taxation should be limited to the needs of the Government, honestly and economically administered.

These are the Democratic principles, and are in eternal conflict with Republican protectionism, with Republican tax laws that discriminate between class and section, with Republican profligacy that cares not to be limited by the needs of the Government honestly and economically administered. Any law that ignores these fundamental principles is a vicious law and ought to meet with, and I believe will meet with, the just condemnation of the American people.

Mr. Chairman and gentlemen, I ask your pardon for this long trespass upon your time. I thank you for your courteous attention and for your patience, and permit me to say that your consideration does not exceed my appreciation. I trust you will accept in the spirit I have intended it what I have said, for I feel the kindest personal regard for all of you, but I would, if I could, send every one on the opposite side of this Chamber to political perdition. [Applause.]

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania [Mr. BURKE] briefly, and then recognize the gentleman from Michigan [Mr. TOWNSEND].

Mr. BURKE of Pennsylvania. Mr. Chairman, I have listened with my usual degree of pleasure to the remarks of my friend Judge CLAYTON, the distinguished Representative from the State of Alabama, and I want to say, Mr. Chairman, that in all this body I know of no man who is more uniformly courteous, usually, upon all occasions than he, by instinct as well as by his training; but the discussion in the last hour or two here tends to prove that in the heat of debate gentlemen on the other side of this Chamber, no matter how able and distinguished they may be, will give way now and then to the common failing of their party and indulge in remarks that are wholly unjustified by the attitude of gentlemen on this side of the Chamber. I know that the gentleman in his heart has as high a regard for the Members on this side as individuals and as a body as any citizen of this Republic, and I know that when he says it would be impossible for him to educate us up to his standard of ethics he does not measure the full meaning of his words. As to the standard of ethics represented by his district and mine, and as to his charge that we have forgotten the Constitution and forgotten those ethics and those rules that properly should apply in our relations with our fellow-men, let me say, Mr. Chairman, that in the district which I have the honor of representing there are 188,000 people, and at the last election there were cast 20,000 votes at the polls. In the district represented by the distinguished gentleman from Alabama [Mr. CLAYTON] there are 223,000 people, and at the polls there were cast but 9,000 votes at the last election. What, sir, became of the other 12,000 people who were entitled to cast their ballots at that election?

And what, sir, does that indicate as to the comparative standards of ethics represented by the two gentlemen on either side of this House?

As to whether we have forgotten the Constitution, that is a matter that I will leave to gentlemen on both sides of this House. It is an old and a familiar cry on their part that we are unfamiliar with the Constitution. It is an old and a familiar cry, Mr. Chairman, too, that at the next election the Democratic party will come in here in overwhelming numbers to overawe the Republican membership. I am not astonished that that statement comes from the gentleman from Alabama, because I have a distinct recollection that in the great convention held in the city of Denver last summer he made the same prediction with reference to the November election. [Applause on the Republican side.]

He also insists upon complimenting the American people for their integrity and their judgment, and reasserts his party's faith in their judgment. I have no doubt he regrets that the American people usually fail to return the compliment by asserting their confidence in his party. If the American people had as much faith in the Democratic party as the Democratic party by its declarations seem to have in the American people, they would not be in the minority in this body to-day. [Applause on the Republican side.]

Now, Mr. Chairman, the gentleman complains that this is not a perfect measure. I defy any man in this body to point to the time when and where any political party in the history of this Government prepared and furnished for the deliberation and consideration of the Congress a measure that was absolutely perfect.

Next, with his usual Democratic consistency, he complains that the measure is wrong, and in the next sentence he complains that we are going to amend it; in the third sentence he complains that we are going to grant three separate votes in order to insure an amendment; and, finally, in his peroration of criticism he complains that this is not the bill we are going to pass at all. If not, then what becomes of his criticism? Where does the logic of the gentleman lead him to?

The gentleman and his party are given to the prediction of winning more political victories six months in advance than

any other political organization that ever brought men together in the bonds of political brotherhood. The only difference between their party and ours is that they predict and we fulfill. [Applause on the Republican side.] He claims, also, in reply to a query from the distinguished gentleman from Ohio [Mr. KEIFER], that the last Republican President stole a part of their platform. I, sir, congratulate the Democratic party that at any time or at any place it wrote anything worth stealing by anybody. [Applause on the Republican side.]

And, again, he says: "Come back! Come back! Come back!" Why, that is a familiar cry from them. The Democratic party has been crying "Come back! come back! come back!" for half a century. The difference between them and us is that we cry: "Come forward! Come forward! March onward instead of marking time!" [Applause on the Republican side.]

The expense of running this Government is now approximately $1,000,000,000 annually, last year's appropriations aggregating one billion eight millions, and for the coming year one billion and forty millions.

While tariff discussion here is essential, I believe that during the period of suspense the American people are losing not less than $10,000,000 a day. As this is the natural consequence of all formative periods of revenue legislation, the necessity for prompt action is all the more apparent. The task of raising this revenue is one of America's greatest problems.

In November last, by an almost unprecedented majority, the American people adopted the proposition embodied in the Chicago platform and declared their desire that the duty and responsibility of framing a new revenue measure to supplant the Dingley law should be intrusted to and performed by the Republican party.

CHOSE A REPUBLICAN HOUSE.

To insure that end they elected a Republican House and a Republican President and insured the continuance of a Republican Senate. They thus approved the Republican and rejected the Democratic plan.

In prompt pursuance of the peoples' purpose, the Ways and Means Committee early in November last began, in a business-like and vigorous manner unequaled in the history of any government, to perform the stupendous task of constructing a statute that would cure the defects of our present revenue laws and insure the swiftest moving and most enterprising Government on earth an adequate income to meet its constantly increasing needs.

WORTH OF THE WAYS AND MEANS.

As to the labors of that committee, the Democratic leader [Mr. CLARK] indulged in no unmerited praise when he said in his notable speech on the tariff:

> No set of men in the history of this Government ever did harder, more tedious, more fatiguing, and more honest work than the Ways and Means Committee of this House.

Regarding the capacity of that body to perform its great work, a glance at its personnel will furnish the most conclusive evidence.

Beginning with its distinguished chairman, whose wisdom has been wrought in the crucible of thirty years' experience in this House, during which he has passed through the storm and strife of many conflicts, and out of which he has seen come the great revenue measures of both political parties, some of which resulted in disaster to the Nation's industries and failure to the Nation's fiscal policy, and others of which imparted new vitality and hope to a languishing commerce, a drooping agriculture and an idle army of sturdy Americans waiting work. One who has studied from without and observed from within the results of every revenue measure that has marked the last quarter of a century of the Republic's growth, and regarding which, as he casts a retrospective glance over it all, he may exclaim, "All of which I saw and part of which I was"—the Hon. SERENO E. PAYNE.

Next in rank and equal in the keenness of his observation and the untiring character of his industry comes that student and statesman who nearly twenty years ago began his career in this body already generously equipped with the attainments of a scholar and the worthiest ambitions of an American statesman, and without whose name the history of my State or the American Congress can no longer be written, the Hon. JOHN DALZELL of Pennsylvania. [Applause.] Add to these SAMUEL W. McCALL of Massachusetts, EBENEZER J. HILL of Connecticut, HENRY SHERMAN BOUTELL of Illinois, JOHN C. NEEDHAM of California, WILLIAM A. CALDERHEAD of Kansas, JOSEPH W. FORDNEY of Michigan, JOSEPH H. GAINES of West Virginia, NICHOLAS LONGWORTH of Ohio, EDGAR D. CRUMPACKER of Indiana, FRANCIS W. CUSHMAN of Washington, all of them distinguished in their vocations and professions, and all of them loyal members of the Republican party, and you have an able body indeed.

To these did the Congress of the United States fittingly intrust the great primary task of formulating the measure which was to attract the attention not only of the American people but of every civilized government with whom they deal.

I have no quarrel with the well meaning and earnest advocates of a permanent tariff commission, but I defy any party or body of people on earth that have to do with the practical management of the world's great affairs to select a body of men who, by virtue of their natural attributes and intellectual acquirements, their knowledge of sections and the requirements of the Government, their love for their people and their devotion to their country, are better fitted for the performance of this important undertaking than the Ways and Means Committee of this House. [Applause.]

REPUBLICAN RESPONSIBILITY.

Because of the fact that political parties must be regarded virtually as an integral part of our Government, and because of the fact that the American people at the polls in November last commissioned the Republican party to frame a tariff bill, the committee to which the task was intrusted was dominated by Republicans. By the success or failure of that measure the party must stand or fall.

While we may, within certain limits, struggle for the repeal of certain duties which one section may especially desire, or for the increase of protection in other quarters, let us keep in mind as individuals our duty to surrender in the end to the combined wisdom of all, for in the end it is not the individual alone who is on trial, it is not the popularity of this Member or that which is involved, but that above and beyond all is the pledge and the responsibility of the Republican party to perform faithfully the duty intrusted to it by the people.

UNFAIR CRITICISM OF COMMITTEE.

Those who criticise the Republican members of the Ways and Means Committee for excluding the minority members from their deliberations when they began the actual work of framing this bill are ignorant of all precedents or willfully unjust.

Mr. Mills and his Democratic associates did it when they framed the Mills bill; Wilson and his fellow-Democrats on the Ways and Means Committee did it in framing the Wilson bill, and all the other notable instances in our political history have been governed by the same principle and uniform practice.

ANSWER TO DEMOCRATIC DENUNCIATION.

It is not unnatural or unprecedented in political history that the minority party should indulge in the widest and wildest criticism of the measure framed by the majority; but a conclusive answer to it all is furnished by the fact that with all their talents they have hopelessly failed, through sheer inability, to offer in any crystallized form any substitute measure for the one now under discussion.

In fact, if 24 Republican Members were to be ill or absent on the day the final vote is taken on the tariff bill, the Democratic party would be without a remedy except to vote down the proposed measure and go back to the Dingley bill until the scattered and discordant forces of Democracy could frame a new bill, which from former experiences would carry us into the period of the next congressional campaign. [Applause.]

STAND BY THE PARTY.

Nothing, therefore, can justify us as Republicans in turning our backs for a moment upon our party and joining with that diametrically opposite element of the Democracy, and thus not only delay, but ultimately defeat, the expressed desire of the American people that the Republican party as a united national body should frame our revenue legislation for the next decade.

Hasten as we will, much time will still be required for the American people to adjust themselves finally to the new conditions.

The settling process incident to new conditions, which trade always arrogates to itself, must follow congressional action before the great boom in business for which we all so fondly hope can succeed.

COUNTRY DEMANDS ACTION.

The vital necessity of promptly performing our duty is apparent on all sides.

The discussion of the past two weeks has been profitable and enlightening. No Member need plead ignorance of any schedule to-day. Every mind is made up. Every conclusion has been reached after extended study, brilliant debate, and careful deliberation.

Let us prepare to vote on Monday next for that great body of provisions and such amendments as may be determined by the

Committee on Ways and Means as being the source of such diversity of opinion within our own party as will justify their separate consideration.

And once those amendments are disposed of, let us pass the bill on to the Senate for prompt and sensible concurrence or correction there.

If it contain minor defects, we may confidently look for their correction there, not by an adverse body, but by an associate branch of that same Republican party whose President awaits the opportunity to gladden American hearts by signing the bill. [Applause.]

A NATIONAL MEASURE.

In our natural anxieties for the special desires of sections we must not forget that this is not a local but a national statute, having as its basis the greatest good to the greatest number.

The spirit of compromise and the doctrine of concession must be preserved if in the end we are to acquit the Republican party, not of Pennsylvania or of Louisiana, not of the New England coast or the Golden Gate, not of the aspiring and luxurious South, nor the hardy, vigorous, and progressive Northwest, but of all the States and every section of this united, harmonious, and all-conquering Nation, whose growth and achievements constitute the chief glory of the world's fascinating story of national development.

PROTECTION THE REAL BASIS.

Nor can we for a single moment be unmindful of the fact that the very corner stone of Republicanism, the vital principle upon which she has won so many signal victories at the polls, is protection to American labor and industries.

Let us also be mindful of the fact that the people have not only voted for a continuance of that doctrine, but also in emphatic opposition to free trade and all the kindred theories of the opposition.

If it contain minor defects, we may confidently look for their correction there, not by an adverse body, but by an associate branch of that same Republican party whose President anxiously awaits the opportunity to gladden the hearts of the American people by signing the bill.

From Monday on our watchword should be "Action!" Let voices cease and votes begin. The mines, the mills, and the men of the Nation await our verdict. The great industrial world tells us every day that while many tongues are busy here, many hands are idle there. Let congressional discussion end that commercial development may begin. Let us conclude the roll call on the bill and begin the roll call in the mill.

Let us cheer the hearts, gladden the eyes, and strengthen the arms of the waiting millions of enterprising Americans who are more eager to-day than in all the hopeful hours of history to add to those substantial achievements for which the American character and the American Republic are famed and respected by the toiling, thinking people in every corner of the globe. [Applause.]

Mr. TOWNSEND. Mr. Chairman, already too much talk has been indulged in before the committee on the pending measure. I realize that this is a bill which, under the Constitution, must originate in the House, and therefore it should here receive that consideration which its great importance demands. It should be discussed fully, freely, and intelligently, and then it should be considered with opportunity given to perfect it by amendment. Some illuminating speeches have been made on both sides, but most of the talk in opposition has been unworthy of men honored by membership in this House. Little attempt has been made to enlighten Congressmen on the bill itself, but great efforts have been put forth to create popular distrust of the measure by appeals to partisanship and passion. Not only have we wasted time in much unworthy discussion, but it appears that the House is not going to be able to consider the bill for the purposes of general amendment. It is most humiliating to the self-respecting Representative to admit this, and yet, after listening to many of the speeches which have been made on this floor during the last three weeks, I can readily understand how possibly dangerous to the welfare of this country at the present time it would be to allow the partisanship and selfishness disclosed in these speeches to embarrass the party charged with responsibility at this time by permitting all kinds of amendments, not to improve the bill, but to make Democratic campaign material.

I fear that the general public does not know how a tariff bill is made. It does not understand how true is the statement of the gentleman from Missouri [Mr. CLARK] that the Ways and Means Committee is a political committee and that the tariff has been the issue for years between the parties; it does not understand how desperate is the situation of certain Southern Democrats whose districts have been invaded by Republican prosperity due to the establishment of protected manufacturing institutions, and which prosperity is destroying the theories of free trade and tariff for revenue only; it does not realize how urgent is the southern demand for statesmen rather than for boisterous and illogical orators; and therefore it can not know how determined certain Members are to discredit the Republican party. These Members have frequently become hilarious over the stories of want and suffering caused, as they assert, by what they are pleased to call a "Republican panic," and therefore it can not imagine what supreme delight it would afford them to see a bill passed which, instead of bringing joy and prosperity, would result in disaster confusing to the party in power.

Mr. Chairman, I would not consider it the part of wisdom for me to occupy any time of the House or the committee if by so doing action upon the pending measure would be delayed. I take it, however, that my talking at this time will not prevent the speedy enactment of the bill, as it is conceded that the remainder of this week is to be devoted to talk. Therefore I propose to make a few observations which occurred to me during the remarks of the gentleman from Alabama [Mr. CLAYTON].

I have been sitting here for the last two weeks listening to the dire threats of disaster and to the awful pictures of calamity made by our Democratic brethren, disclosing the condition of the country in case this bill should become a law. I have heard them laud the sentiment of nonpartisanship, and then I have never in all my experience seen such drastic measures to keep men in line as have been used by leaders on that side. I would have perhaps some fear of the result of the enactment of this measure, based upon the statements of Democratic orators, were it not for the fact that the same statements which they make now they have made for several years heretofore, and they were made very recently in the campaign of last fall, and the result has certainly been very satisfactory to the Republican party.

The gentleman from Alabama [Mr. CLAYTON] suggests that the House knows very little about this bill, and after one hour and a half or more of talk I think everybody who heard him is entirely satisfied that he has stated the exact truth as to one Member of this House. [Laughter on the Republican side.] I am also willing to concede that in ten minutes he can state practically what he knows about the law, because it occurs to me that no broadly informed lawyer who is really anxious to submit to the fair consideration of the House the great questions involved in the issue now pending before it would have made the speech he did if he was conscientiously seeking, as a lawyer, to enlighten the membership about to vote on this intricate subject.

There are two schools of political economy in this country, and it does not need the gentleman from Alabama nor the gentleman from Michigan to instruct the people as to what those schools are. They know. Almost from the beginning one school of statesmen have insisted that the expenses of the Government should be met by imposing duties on noncompetitive or revenue-producing articles. The other school believes in raising money sufficient to meet the expenses of government by imposing duties upon products which enter into competition with articles that are and ought to be produced in this country, and this not alone for the purpose of raising revenue, but also to encourage the investment of capital in America and the employment of American labor.

Now, it stands to reason that, inasmuch as the Government is progressive, as expenses are increasing, and must, from the nature of the case, continue to increase, whatever party is in power, inasmuch as inventive genius is at work all the time practically changing the methods of production, it must be true that once in a while the tariff schedules of the country need to be revised; and I submit that there is no question which can come before the Congress calling for a higher degree of statesmanship than that known as the preparation and enactment into law of a tariff bill.

I do not agree with all the provisions of this bill. There is no man in this House who does, and there has been no man in any House who ever did agree with all of the provisions of any general tariff bill. That must be so. But I submit that the gentlemen of the minority of the Committee on Ways and Means have given a high character by their recommendation to the gentlemen who constitute the majority of that committee. About the first thing which the distinguished gentleman from Missouri [Mr. CLARK] did was to recognize the fairness, the intelligence, and the sincerity with which the committee went about and concluded the great work assigned to it.

I confess, Mr. Chairman—and I know that this idea is not entirely popular in this House—from my experience with the tariff bill, recognizing the difficulties that surround the making of it and the little detail knowledge which the great majority

of Members must of necessity have of it, I am quite inclined to the belief that there is much wisdom in the suggestion that a tariff commission could, with propriety, prepare and present to the Congress a bill prepared by business men, a commission composed of high-grade intelligent experts well fitted for this particular purpose. There are 391 men in this House, each one feeling that he possesses a power of attorney to represent his particular district, to secure for that district the special things which come under the provisions of a tariff.

You can not blame the Members for looking after the interests of their constituents. They would not be returned if they failed to give special attention to such interests. I submit that no gentleman can tell another what the latter's constituents want; and under our system of government, where we apportion one Representative to a certain number of inhabitants, it is for the express purpose that that Representative shall be respousible first to that constituency. Every man on this floor who honestly represents his people recognizes that principle. One's country should be his constituency; but such country to a Congressman is typified by his district, as the real, honest interests of the latter are the welfare of the former. So I say we have these conflicting and contending influences all the time asking for something at the hands of the committee. Furthermore, there are certain great interests in this country which are better organized than others, and therefore can present their needs and their wants to the committee more effectively than not so well-organized interests; and however honest the members of the committee may be, they are still human and subject, of course, to arguments presented by intelligent and well-informed men.

The Republican party does not have to make any apology for having supported that theory of political economy which believes in building up American industry, and at the same time securing from the goods which compete with that industry the ways and means for supporting the Government of the United States.

So, Mr. Chairman, we contend that that is our principle; and, my southern friends, that is the principle which ultimately you must adopt. Since I have been here I have seen many of you come gradually over to the notion of protection. You may rail and condemn the men on your side who shall vote for the special interests of their districts, but the principle of protection is abroad in the land, and you will have to adopt it.

There is scarcely a district in your whole great Southland which has advanced greatly during the last few years but what must attribute the cause of this advancement to the fact that it has encouraged within its midst the great manufacturing interests which ought to be established there and which are more and more locating in its midst.

So I say that principle has come to stay. There is no question about it. The gentleman who has just spoken said he was in favor of a tariff for revenue only. He admitted that the Government must be largely supported by duties on imports, but I did not hear him mention a single item upon which he would place a duty. I submit it as my honest opinion that the Committee on Ways and Means could not have inserted one single item in this bill that would not have been subject to attack by gentlemen on that side, because their position is one of opposition. Where are you going to raise the revenue for meeting the expenses of the Government? You are equally responsible with us for those expenses. I notice that there is no partisanship when it comes to the distribution of money out of the Public Treasury; each individual here is looking to obtain as much as possible for his district.

I am anxious, Mr. Chairman, and I believe that is one of the greatest desires of statesmanship, that we shall hereafter reduce our expenses and try to confine ourselves more nearly to the necessary expenses of the Government, and not to go into anything, however attractive it may seem, until we are sure that we have the money for paying the expense of that particular undertaking and can well afford to so expend it.

Mr. Chairman, I repeat that these expenses are not created by the Republican party alone. They are created by the Congress, and must be met by duties on imports. Where are you going to place the duties? Some Democratic gentlemen condemn the tariff on lumber—and I am not saying I am for that tariff—but has it not been demonstrated by nearly every speech in opposition to the lumber schedule that the tariff on lumber as imposed to-day is purely a revenue tariff? I submit that nobody honestly contends that lumber will be a dollar cheaper to the consumer if you remove the tariff. The only man who will get anything out of it will be the owner of Canadian stumpage. [Applause.] That gentleman will get the benefit of the removal, and we will thereby lose the revenue to this country, about $2,000,000, which now comes from Canada. [Applause.]

But gentlemen say they do not favor that duty although it is really a revenue tax. Democrats oppose the duty on tea. Why, gentlemen? That is your notion of taxation. That certainly is purely a revenue item. It does not compete with anything in this country, and every time you levy 1 cent on that you get a cent in the Treasury. The people can not get it anywhere at home. They must pay the importer the additional price that you put on it for revenue. That is clear. So I say I have listened to the inconsistencies of this argument and I have wondered how advocates of a tariff for revenue only could make it.

The gentleman from Alabama [Mr. CLAYTON] intimates that the Republican party has been guilty of spending the people's money. Of course its representatives have. They have had charge of the Government for almost half a century. Have they squandered the people's money? Has it been squandered in improving harbors in the South? Has it been in building post-offices in the South? Has it been in doing any of the great works which all representatives of the people have voted for? A bill of particulars should be furnished showing where the substance of the people has been wasted. I insist, Mr. Chairman, that government has been cleaner, laws have been more universally for the common good during the Republican administration of the last twelve years than ever before in the history of our country. Name me over the great legislative and executive acts since March 4, 1897, and I will show them to the world as the monuments erected by patrotic statesmanship along the highway of substantial national progress. The Republican party has been entrusted with the affairs of this Government for lo these many years, and that in spite of the fact that biennially Democratic orators and Democratic newspapers have told the country what villainous fellows Republicans were. The party of protection has been continued in power because the people have lost faith in the preacher of disaster, in the man who talks as the gentleman from Alabama did, not for the purpose of presenting reasons to the House and country—of helping to enlighten the Members in the way they should vote on this question, but for the purpose of showing how he hated the politicians or the politics of the Republican party. Hate, Mr. Chairman, is not a quality of patriotism; it is the destroyer of character, the enemy of civilization, while love is an essential of greatness—the foundation of every great man and of every great nation.

So, Mr. Chairman, while, as I said to begin with, I do not agree with all of the provisions of this bill, and I would like some of them quite different—every man would—yet that has been true of every tariff bill that was ever before the American Congress. The vital question with me is this: Is the pending measure an improvement on existing conditions? I believe it is. I believe, with Congressman CLARK, that the committee has performed its duty as it has seen that duty. I do not want a tax on tea, nor do I want those countervailing provisions in reference to coffee and petroleum, because I am a Republican, and some of those notions are Democratic, and all are wrong. I do not believe that good can come to anybody by imposing a duty on such articles as tea. I am not entirely satisfied with the duty on woolen manufactures. That is possibly because I do not understand it well enough, but there are some things in reference to it which strike me as a little peculiar, and impress me as a little outside of the principles of the Republican party, because that party is founded on the principle of protecting American industries for the benefit of the American people. Overprotection is as unwise as it may be unjust. Gentlemen ask, How can a tariff benefit the people, and especially the farmer? They deny that any benefit comes to him. I do not know but what you can fool your farmers down South this easily, but you can not fool our farmers in that way. Ours know that farming is profitable only as there is a market for the product of the farms. Who furnishes the market for the agriculturist? Not the farmer, but the man who does not work on the farm, who does not produce the products of agriculture. It is the man who labors in the shop, and the factory, who furnishes the market, and up North we have a notion—crazy you may call it—that the more successful factories we have, the more profitable is farming, and those farms are most valuable which are located most closely to the factory. With us that is so.

I am not completely satisfied with the schedule in reference to gloves. I am not saying that there is anything intentionally wrong with it, because I am willing to accept the statement of the gentleman from Missouri [Mr. CLARK] that the committee went at these things carefully and conscientiously, but in looking over the evidence I find that only one man testified in reference to an increased duty on women's and children's gloves, and I can not find the basis for fixing the additional duties. Further-

more, I notice there are several kinds of men's gloves which are raised in the tariff schedule. The gentleman who testified said they did not need any greater tariff on men's gloves, and yet these schedules were raised in some instances. I believe in making gloves here. I know it is the fact that we have been buying gloves from abroad when we ought to make them at home, and I am willing to vote a tariff equal to the difference in the cost of production, but I would like to know what that is. I would like to know how the committee got at the exact figures. Somebody probably will explain this before we are through.

Mr. POU. Mr. Chairman, will the gentleman yield?

Mr. TOWNSEND. Yes.

Mr. POU. I will state to the gentleman that the evidence showed before the Ways and Means Committee that the difference in the cost of manufacture of women's and children's gloves here and in France, where most of them are manufactured, ranged from 73 cents to $1.25 per dozen. The additional duty ranges all the way from $1.50 to $5 a dozen.

Mr. TOWNSEND. I understood that. Of course I recognize this, that on the material out of which the ladies' and children's gloves are made, most of which is imported into this country, there is a duty of 20 per cent, as I remember it.

Mr. POU. I will state to the gentleman that the duty on women's and children's gloves is more than sufficient to cover the entire cost of manufacture.

Mr. TOWNSEND. Mr. Chairman, I agree that the committee has done careful and conscientious work. I am simply saying that there are certain things which I do not quite understand, but I submit to the House and to the country this question, Would the country be safe, after what we have heard here, in turning over to our Democratic friends the making of a great tariff bill? Some of the prominent men on that side say to those who have a little independence and would like to vote their own convictions, "You are not Democrats; you have no business to take the position you do." In other words, a few gentlemen are not only to interpret the policies of the Democratic party for this House, but they are to enforce partisanship run mad and compel every man, under whip and spur, to vote the dictates of some of the leaders. Whatever defects may survive in the bill will, in my opinion, be honest mistakes of judgment. But the measure when completed will have the support of the country, because it will be framed by a Congress which believes that the highest aim of a party entrusted with power should be to enact laws in the interest of the general welfare of the people of the United States.

Now, I admit that it is not entirely reasonable for us to say to our Democratic brother, "Why do not you present a bill," because we over here are charged with that duty. I know that we are intrusted with that responsibility; but I do say to you, gentlemen, when you are finding fault with every item in the bill and at the same time proclaiming that you are for a tariff for revenue only, that it would be fairer for you to suggest to this House upon what articles you would levy duties for the support of the Government. We are confronted with a situation——

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. TOWNSEND. Certainly.

Mr. JOHNSON of South Carolina. Does not the gentleman think the proper time for amendments to the bill is under the five-minute rule?

Mr. TOWNSEND. Well, that would be a proper time for a Democrat, because he thinks he is not going to have the opportunity under the five-minute rule——

Mr. JOHNSON of South Carolina. But does not the gentleman think we ought to have the right to amend the bill?

Mr. TOWNSEND. But that is not the point I am raising.

Mr. JOHNSON of South Carolina. If you decline to allow us the right to amend the bill, then why criticise us for not amending it?

Mr. TOWNSEND. I am not criticising you for not amending it. I would not expect you to amend it, but I would suggest that there is a higher duty than that of attacking, there is a higher duty than that of tearing down. You ought to be able at least to suggest something that would be better to do under the circumstances, suggest some items or articles upon which a duty could be levied for the purpose of raising revenue.

Mr. POU. Will the gentleman permit a question?

Mr. TOWNSEND. I will be glad to do so.

Mr. POU. Will the gentleman please state to the House of what earthly avail it would be to the membership on either side of this Chamber or any gentleman here to suggest a change in any schedule when he knows and we all know we are not going to have an opportunity to vote on them?

Mr. TOWNSEND. I answer that it would be probably useless for our Democratic friends to try to change a schedule, and exceedingly dangerous for them if they had to go on record as standing for something which they might possibly put in force if they were given the power. But you might, as an evidence of your good faith and superior wisdom, intimate what you would do under the circumstances if you had the power to do it.

Mr. HAMILTON. Mr. Chairman, before the gentleman gets too far away from the glove schedule, which he was attempting to cover a moment ago, will he state whether from his investigation he found that the Dingley duties did transfer the men's glove-making industry to this country, and whether it is true that before the imposition of these duties we imported 90 per cent of men's gloves, and now that we are making that 90 per cent of men's gloves and importing only 10 per cent?

Mr. TOWNSEND. The gentleman from New York, Mr. Littauer, so testified, although he did state that we imported practically as many gloves now as we were importing before the McKinley or the Dingley bill was passed. I refer to men's gloves.

Mr. DIEKEMA. That statement of the witness did not apply to the kind of gloves upon which the duty had been raised under the Dingley bill, as I understand it.

Mr. TOWNSEND. I have read the testimony with a great deal of care, and I failed to discover that that was true. It might have been that the witness intended to say that, but he was asked specifically if he was referring to men's gloves, and he said he was. The gentleman from Alabama [Mr. UNDERWOOD], as I remember, put the question directly to him. Now, we want to make these gloves here, and it is undoubtedly true, as my colleague from Michigan [Mr. HAMILTON] has stated, that since the enactment of the Dingley bill we have greatly increased the manufacture of men's gloves.

Mr. HAMILTON. Then, it is reasonable to suppose also we may transfer the women's glove-making industry to this country.

Mr. TOWNSEND. I think that is absolutely true; I have no question about that. I have serious doubt, however, as to whether the committee was properly informed as to the amount of duty that was necessary, and to me, Mr. Chairman, that is a matter of great importance. I am a protectionist, but I do not believe in a prohibitive tariff.

I am a protectionist because I want to make goods here. First, to give employment to American labor and American capital, and thereby increase the value of every legitimate industry in this country, including wages; and, second, to reduce eventually the price of the article produced, through American competition.

I do not believe that the tariff in itself ever produced a trust, but I can conceive of a tariff so high that a combination might be made behind the tariff wall thus built that would result in a trust. Therefore, Mr. Chairman, I want a revision of the tariff once in a few years, when under the development of business it is found too high. I want it based upon the principles laid down by the Republican party in its national platform, which is old-time Republicanism. I do not want a duty that is unduly high. And, therefore, Mr. Chairman, I say that, so far as I am concerned, in looking over the testimony, it occurred to me that we ought to have had the other side of the question as to gloves. It is sometimes unsafe to rely on ex parte statements.

Mr. HOBSON. Will the gentleman yield?

Mr. TOWNSEND. Certainly.

Mr. HOBSON. I have great respect for the gentleman's opinion——

Mr. TOWNSEND. Thank you.

Mr. HOBSON (continuing). And I would ask him, for information, what his idea is in the case of an industry that has been fully developed—whether he would still continue a protective tariff or not?

Mr. TOWNSEND. That depends, Mr. Chairman, entirely upon the circumstances under which that industry is doing business. It may be thoroughly developed, as the gentleman states, and yet it may have to enter into competition with foreign producers of like goods which are produced more favorably, due to the fact that they are paying less wages; and therefore believing, as I have said before, that we should make all we could here, I would put this home producer, or keep him, on an equality with his competitor.

Mr. HOBSON. May I ask the gentleman, for similar information, where he found an industry in which the cost of production is actually less in America, and ought to be less, and it is under economic and natural laws inevitably less, would he still advocate the maintenance of a protective tariff?

Mr. TOWNSEND. I would not.

Mr. HOBSON. Before I sit down, I wish to say that I was among those to whom the gentleman referred, I take it, when he said that Members on this side were kept in line on this question by whip and spur. Does not the gentleman know that at the last Democratic caucus it was officially passed that every Member on this side of the House is specifically left absolutely free on this question?

Mr. TOWNSEND. No; I did not know that.

Mr. HOBSON. Well, I will inform the gentleman so, and I hope he will never include me among those whom he says are driven by whip and spur.

Mr. TOWNSEND. Open confession is good for the soul.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. TOWNSEND. Certainly.

Mr. COX of Indiana. Speaking about the difference in the cost of manufacture of an article in this country and abroad, does not the gentleman believe that under what is known as the "drawback" provision of the Payne bill, being section 29, which will give to the manufacturers of this country free raw material for export trade that will make up or equalize the difference between the cost so far as the labor is concerned in this country and abroad?

Mr. TOWNSEND. But I do not think that applies to anything but the particular item; and so far as I am concerned, Mr. Chairman, I have no objection to foreigners bringing all they have a mind to in here to ship out again if they pay the American wage for manufacturing. They can have the rebates, so far as I am concerned, when sending them back, if made from imported material and by American labor.

Mr. Chairman, I do not wish to occupy so much time, and I did not expect to when I rose.

Mr. GARDNER of Michigan. Before the gentleman leaves the matter of gloves and hosiery, I would like to inquire whether or not he has any information as to whether a great mercantile house in America has been circularizing its patrons and urging them to write to their respective Members of Congress against the proposed tariff on hosiery and gloves, and that this same house has one or more extensive establishments in Europe, run in the interest of itself, and imports gloves made by foreign labor on foreign soil in competition with domestic labor in our country?

Mr. TOWNSEND. I have received circulars. Of course, I do not know the history that my colleague from Michigan has stated, and I am not particularly interested in it. As it occurs to me, that does not affect the principle I am discussing. It may be that everything is true as the gentleman has stated, and I have no doubt it is true. It simply goes to show what I said in the beginning, that there are all kinds of influences brought to bear on Congress at the time of the passage of such a bill as this; but we as Republicans, we as representatives of the people, ought to be quite sure that when we levy a great duty upon a necessary of life and do it for the purpose of producing that article here and thereby blessing the American people it is not greater than is absolutely necessary to accomplish the object for which it is intended; and that is the only thing I am contending for now, not that I surrender one jot or tittle of my faith in a sound protective policy.

I know my country has been builded up under that policy; I know it must continue to thrive under that kind of a policy; and because gentlemen who have no other arguments than those of abuse wish to do nothing but find "jokers," and assume that men are not legislating honestly with reference to these great questions—because such are their only arguments—I shall not be deterred from performing my duty, as I see it, of assisting in legislating for the benefit of the American people. When I have done that, I am satisfied that I shall not only please my constituents, but I shall please most of the people of the United States.

Mr. Chairman, I have not discussed in detail many of the items and schedules of the pending bill. They have been discussed by others many times. I am convinced that the Payne bill is a substantial compliance with the Chicago platform. It reduces some rates which are now too high. This is evidenced by the many protests of manufacturers against what they know are reductions. It raises some duties where protection seems to require it. It places many products which need no protection on the free list. All this is in accord with the history of our party.

I fear some provisions were inserted as a matter of compulsion. Some agreement had to be reached, and Members were compelled to submit to a compromise. I wish there was less selfishness, less partisanship here, so that with an eye single to the welfare of our country we could submerge even matters of local and party interest long enough to strike out the proposed duty on tea, the increase on gloves and hosiery; reduce the duty on many cotton and woolen manufactures, and on shoes; strike out the countervailing provisions on oil and lumber; change the provision as to maximum and minimum rates so that the minimum shall go at first into effect and remain for a definite period, say one year, and then the maximum if the foreign nation discriminates against us. Then, if not sufficient revenue will be produced, increase the internal tax on liquors, especially on beer; double the federal liquor tax to retailers and druggists and wholesalers; and then, if we still need more, put a stamp tax upon all transfers of stocks and bonds. These changes would suit me, and would produce sufficient revenue.

I realize that I am not going to have my way in everything which I am favoring, but some of these suggested changes will be made and in the end I hope to support the bill under which I expect to see industry revive and the country prosper as never before. The hum of revolving wheels and the sweet music from contented homes will put out of business the prophets of disaster and a united country will proceed on its glorious world career.

Mr. Chairman, I beg your pardon for having occupied so much time, and I will not detain you further. [Loud applause on the Republican side.]

Mr. MORSE. Mr. Chairman, I hope that when my views on the creation of a permanent tariff commission are put in the RECORD, gentlemen who are not here will do me the courtesy and kindness to read them.

I desire, Mr. Chairman, to take up this matter of the creation of a permanent tariff commission, but before doing so I wish to say that I agree with the gentleman from Michigan [Mr. TOWNSEND], who has just preceded me, on his tariff platform; and for that reason, Mr. Chairman, when the rule comes into the House on Monday, if it comes in a way which will prevent us from getting a record vote on the countervailing duty on petroleum and the products thereof, when that rule comes to a vote, I shall vote "no." [Applause.]

I believe, Mr. Chairman, that that countervailing-duty clause is not drawn in accordance with the principles of the Republican platform. I do not believe that 100 per cent on the products of the Standard Oil Company represents the difference between the cost of production at home and abroad, with a reasonable profit to the American producer. [Renewed applause.]

Mr. FERRIS. Will the gentleman yield to me?

Mr. MORSE. For a question.

Mr. FERRIS. Is it not true that the protection they now have amounts to from 100 to 200 per cent, and is absolutely prohibitive?

Mr. MORSE. I think it is absolutely prohibitive.

Mr. FERRIS. I hope the gentleman will permit me to state for his information that with the protection of 150 to 250 per cent the oil producers of my State are only getting 38 cents a barrel for their crude oil.

Mr. MORSE. Does the gentleman think that if this countervailing duty remains on, the oil producers of his State will receive any benefit from it?

Mr. FERRIS. It has not availed them anything in the past.

Mr. MORSE. It never will; and the removal of this duty will not injure them.

I desire to insert in my speech at this point a clipping which I cut to-day from the American Wool and Cotton Reporter:

It appears that William Whitman is to issue $2,000,000 of additional capital for his Arlington mills. For every $100,000 in this $2,000,000 there will be a ruined and broken-hearted American manufacturer crushed to death by a tariff-nourished trust. The exhibitions of greed and avarice at Washington by men like Whitman are doing more injury to American civic consciousness than the social evil of all the cities of the United States. If President Taft will keep his pledge for a tariff commission, and will appoint strong and wise men thereon, he will relieve the Nation from the perennial disgrace of the maneuvers of men like Whitman at the capital of the Republic. They will then appear as witnesses, with no more influence than a multitude of other citizens.

I am very strongly in favor of the creation of a tariff commission, and, if opportunity is afforded, I propose to offer an amendment to this bill providing for the creation of such a commission.

I think that President Taft takes a very sensible view of this question in the open letter which he wrote to Chairman PAYNE, of the Committee on Ways and Means. In this letter he says:

A tariff commission would be harmful or useful, as its functions were described in the bill. My own ideas have been that there ought to be a permanent commission of tariff experts to keep themselves advised by all the means possible of the cost of producing the article named in the schedule in foreign countries and in this country.

I think that what we lack is evidence, and some such means might very well be used for the purpose of securing it.

going to have an opportunity to vote on them?

I still advocate the maintenance of a protective tariff?

I should be the last to advocate a commission with any power to fix rates, if that were constitutional, as it would not be, or with any function other than that of furnishing the evidence to Congress upon which, from time to time, it might act.

I am firmly convinced that such a commission would be of inestimable value to the American people.

The Republican party at the Chicago convention adopted a fixed, definite principle on which it is proposed that tariff schedules shall be founded. It declared that the rate of duty should be equal to the difference between the cost of production at home and abroad, with a reasonable profit to the American manufacturer. Had I been writing that plank, I should have left off the clause, "with a reasonable profit to the American manufacturer," because I think that the American manufacturer ought and would be satisfied with the profits that foreign manufacturers take, and that the American manufacturer if he has this protection, namely, the difference between the cost of production at home and abroad of his article, would be satisfied with it. But we have adopted a policy, and I believe that it will be a permanent tariff policy; and the party has pledged itself to carry it out.

The party has also pledged itself to immediately revise the tariff and do it in accordance with this principle. It seems to me that this would be a very easy matter if we had the facts, but the trouble is that the facts are not here. No one knows what the difference between the cost of production at home and abroad is. There is not a man in this House who can go through the 3,000 articles in the protective schedules and name a hundred and tell how much it costs to produce the article abroad and how much at home. Thus, you see, it is at this time utterly impossible to carry out the platform pledge. It is utterly impossible because we do not know the facts, because we do not know the cost of production.

Mr. SCOTT. Will the gentleman permit me to interrupt him?

Mr. MORSE. Certainly.

Mr. SCOTT. I do not see any member of the Ways and Means Committee on this side of the Chamber, or I would not ask the question. But does not the gentleman know that the Ways and Means Committee devoted about five months in what we all regard as a very industrious effort to find out the difference between the cost of production at home and abroad, and has the gentleman read the testimony which they developed?

Mr. MORSE. I have read it very carefully; and I am surprised that the Ways and Means Committee has brought in a bill as good as it is.

Mr. SCOTT. I merely wanted to make the point that the committee had made an honest effort to obtain the information.

Mr. MORSE. I grant it. And if the gentleman will read my remarks, he will find that I give them credit for so doing.

Mr. CARLIN. Will the gentleman permit me to interrupt him?

Mr. MORSE. I yield to the gentleman.

Mr. CARLIN. I want to ask you if your attention has been called to this charge which is contained in the Evening Times this evening?

Mr. MORSE. I have seen it. I know nothing about it. I do not credit this charge. I do not believe that the Speaker of the House of Representatives or any other Member of the House will trade for the assistance of the Standard Oil Company, the beer trust, or anybody else. I do not believe it.

Mr. CARLIN. Then you have read the charges?

Mr. MORSE. I certainly have.

My idea, therefore, is that this tariff commission should be a permanent commission of experts who will devote their entire time to gathering facts for the use of the committee and classifying these facts, in order that the committee may promptly and correctly form their conclusions.

It is true that there are departments of Government which have certain facts of value to the committee. I am informed that the Bureau of Labor and that the Bureau of Corporations have both furnished valuable information to the Ways and Means Committee, but this is not enough. There are hundreds of articles that these bureaus know nothing about; there are hundreds of articles upon which the Ways and Means Committee took no evidence whatever. I have gone over the hearings of the Ways and Means Committee, and I have found that, according to these published hearings, there is no evidence whatever with regard to the cost of the production of hundreds of articles on which a rate of duty has been fixed by this committee.

I want to say at this time that I am not offering any criticism of the work done by the committee. I am astonished at the amount and quality of the work done, and I might say that I am fairly well pleased with the bill. I believe that there was no necessity of raising the duty on gloves or on hosiery. I believe that the tariff on print paper was reduced too much, and I am very certain, in my own mind, that the Standard Oil Company is in need of no protection, and that there should be no countervailing duty on petroleum or any of the products thereof, but I believe on the whole that the bill is a good bill; I believe that it is a revision of the tariff and a revision downward in accordance with our party pledges and our platform promises, but it does not go far enough in this direction to satisfy me.

It makes no difference whether we believe in a tariff for revenue, or a tariff for protection. We need the facts just the same, and I am absolutely certain that the Ways and Means Committee has not the time or the facilities for securing these facts. The Ways and Means Committee does not and can not devote its entire time to the making of a tariff bill.

Mr. PAYNE is chairman of the Ways and Means Committee, and has no other committee assignments, but you must remember that there are hundreds, perhaps thousands, of bills that are referred to this committee and demand the attention of the committee at every session of Congress. And in addition to this, you must remember that Mr. PAYNE is the floor leader on the Republican side of the House, that he is in constant attendance upon the sessions of the House, that he is the leader of his party in the House, and that his duties as such are both exacting and arduous.

Mr. DALZELL, the second member of the Ways and Means Committee, is also a member of the Committee on Rules. Everyone knows that this is one of the great committees of the House; everyone knows that it is probably the most important committee of the House under the present rules of the House; and it is a well-known fact that the duties of this committee require a great deal of Mr. DALZELL'S time and attention.

The third member of the committee is Mr. MCCALL. Besides being a very active and very able member of the Committee on Ways and Means, Mr. MCCALL is also chairman of the Committee on the Library. The same thing is true with the other members of the Committee on Ways and Means. They simply have not the time to go into all of these schedules, find out all of the facts about all of them, and report a tariff bill that is perfect, or nearly so. The members of the Ways and Means Committee are among the most industrious of our Members. They neglect no duty on any committee to which they are assigned; they are able, they are industrious, they are patriotic, and there is no one who would challenge their integrity or high moral character.

If I am permitted to introduce this amendment, it will provide that the commission which it creates will be kept strictly to the task of gathering data and classifying the data so gathered. This, in a word, is expert investigation and expert clerical work. If one will look over the biography of the members of the Ways and Means Committee and classify their occupations, I do not believe that he will be led to the conclusion that they are especially fitted for expert investigation or expert classification, even if they had the time to devote to this kind of work. There are 19 members of the Ways and Means Committee that framed the bill now before the House. Their occupations would lead one to believe that they are probably expert legislators. There are 19 members of this committee, and all but 3 are lawyers; 1 is a lumberman, 1 a business man, and the record does not disclose the occupation of the gentleman from Birmingham.

These committees do not work at the tariff bill all of the time. The committee that framed the Dingley bill did the work in less than four months, and the Finance Committee of the Senate did all of the work that was done on this bill in six weeks. The committee that framed the McKinley bill did the work in less than five months, and the Finance Committee at the other end of the Capitol put only two months' time on this bill. The committee that framed the Wilson bill devoted but a little more than four months' time to the work, and the Senate Finance Committee completed its work on this bill in three months.

It is hard to state just how many months' work was consumed in the framing of the bill which we now have under consideration, namely, the Payne bill, but it is safe to say that the committee did not devote over five months' actual time to the work, and it is well understood that a great deal of this work was done during the short session of the Sixtieth Congress, at a time when many matters of great importance were pending in the House, and when the attention of the Ways and Means Committee must frequently have been diverted from the consideration of the Payne bill.

It is very generally known throughout the country that the most important legislation enacted by Congress is the tariff

legislation. That is the way in which the Government raises the major portion of its revenues; that is the source from which the life-giving stream of yellow gold emanates.

Tariff legislation is important, because the prosperity of the Nation depends upon it. The wages of our laboring men, the education of their children, the very life of the Nation, industrially, depends upon the tariff legislation. We might almost say that the prosperity, happiness, and well-being of the entire Nation is dependent upon the skill with which Congress enacts tariff legislation.

A good bill means prosperity to all; a poor bill means misery, suffering, poverty, and degradation. Therefore I say it is important that Congress have every bit of information that it is possible to get in order that it may legislate wisely.

The idea of a commission to assist Congress and committees of Congress is not a new one. We had an example in point at the last session of Congress, and the conclusions of that "tariff commission" are embodied verbatim in this Payne bill.

I refer, of course, to the committee known as the "Mann committee," which was appointed for the purpose of making recommendations to Congress with regard to the pulp-wood supply, and more particularly to the proper duty to impose upon print paper. This committee was composed of six of the ablest men in the House of Representatives. This committee traveled all over the United States and in foreign countries, and took testimony and held public hearings; in fact, 3,000 pages of the hearings of this committee have been published. The work was done so thoroughly and so well that the Ways and Means Committee did not question the conclusions, but, as I said before, embodied the recommendation in toto in the bill. This committee spent several months, traveled thousands of miles, worked like Trojans, in their effort to secure facts and figures which would enable them to arrive at proper conclusions with regard to two or three items of the 3,000 items in the Payne tariff bill.

This was an ideal tariff commission. This commission went one step further than my ideas of what a commission at this time should do. It found the facts and made recommendations.

But this is not the only example of the calling in of expert assistants to aid judges and legislators and business men in coming to correct conclusions.

This plan is followed in business. Our great industrial institutions have their corps of experts at work all of the time finding out facts and classifying them. The United States Steel Company has its experts. The same is true with many, if not all, of our great financial institutions.

The same thing is also true with regard to our courts of equity. The judge appoints a special commissioner, who takes masses of testimony and sifts and classifies this testimony and reports his conclusions to the court.

Congress has its expert commissions to assist it. Take, for example, the Bureau of Corporations and the Bureau of Labor. These are really commissions for the purpose of taking testimony and classifying facts and reporting to the President and to Congress.

The Senate itself has frequently appointed commissions to investigate certain facts and conditions and report to the Senate. I will call your attention to a recent one. It is the commission which was ordered to investigate a certain great trust. You are all familiar with this commission.

I call your attention to another commission which has recently been appointed by Congress. I refer to the Currency Commission. Of course, we gave this commission more power than we would give to a tariff commission if we adopt the amendment which I will propose.

It was very generally admitted when the famous Aldrich-Vreeland bill passed the House that it was merely a temporary measure; it was very generally admitted that Congress did not at that time have at its disposal enough classified information to enable it to enact a permanent currency law.

So the Currency Commission was created. It was given the power to summon witnesses, it was directed to travel at home and in foreign countries, to study the currency question, to formulate its conclusions, and to report to Congress.

If it was necessary or even advisable to appoint a currency commission, how much more necessary and how much more advisable is it to appoint a tariff commission when the questions involved are of more importance and vastly more complicated?

The President himself has frequently appointed commissions. He sent one to Goldfield, Nev., to find out the facts about a certain strike there and report to him, and no one at this time doubts the wisdom of this procedure.

Congress created the Industrial Commission, and the report of this commission resulted in the creation of the Department of Commerce and Labor, the Bureau of Corporations, the rate law, immigration law, and much of the reform legislation of recent years.

You are all familiar with the Merchant Marine Commission, which has gathered and classified a mass of facts which, however, have not as yet resulted in wise legislation.

Thus we see that the idea of a commission is not a new one.

Does anyone in this House think that if we had had a commission which had investigated the cost of the production of refined petroleum in America and abroad we would have had a provision in this tariff bill giving the Standard Oil Company on its finished product a protective tariff of from 75 to 125 per cent?

Does anyone believe that if we had had the various schedules of this tariff bill carefully investigated for a term of ten years and the exact cost of the production of the article from the various foreign countries and in this country figured out to a fraction, we would have been flooded with petitions and protests at this time from the various industries of the country?

And that is not all. I want to call your attention to the classification. Most of the classifications of this law are over a generation old, and I believe that very few of them are modern and up to date. The reason for this is due to the fact that the committee has not the time to carefully go into the matter and classify all articles, and it is impossible at this time to take time to revise all of the schedules of the bill at one time. The industrial ship of state must sail over the Niagara Falls of a tariff revision in a leap, and no one knows what the result will be.

On account of this faulty classification, the importer does not know in what class his imports fall or what duty he is required to pay. He goes to the appraiser, who decides the question, and then if he is not satisfied with the appraiser's opinion, he appeals his case to the Board of Appraisers, and if he is still dissatisfied he goes to the courts.

Senator BEVERIDGE states that in the last ten years and since the Dingley bill was enacted there have been 300,000 of such cases decided and 600,000 begun. The Board of Appraisers and courts by deciding classifications are legislating every day.

And, worse than this, the contests cost the Government and the importers millions of dollars; worse than this, the importing industries are losing many millions of dollars and their industries have been confused and disturbed for many years; and, of course, every one knows that the whole cost of all of this falls in the end on the American people.

The Payne bill provides at section 195 that—

> Articles or wares not specially provided for in section 1 or 2 of this act, composed wholly or in part of iron, steel, lead, copper, nickel, pewter, zinc, gold, silver, platinum, aluminum, or other metal, and whether partly or wholly manufactured, 45 per cent ad valorem.

Under that paragraph, which is practically unchanged, the customs officials have classified nails with revolvers and electric dynamos; they have classified stoves with buttons, bullets with buggies, and automobiles with lanterns. They have classified farm implements with gold boxes, and carriages with dress trimmings; they have classified railway cars with enameled portraits, and cannons with crosses for churches.

And, strange as it may seem, no one knew what duties these articles, and 3,000 other articles, would pay until the appraisers had guessed, and the courts had taken the last guess on them.

I maintain, therefore, that there should be a scientific, accurate classification on all of these schedules, in order that every importer might see at a glance what rate of duty his article bore, and might be able to carry on his business without a continuous and expensive appeal to the courts.

Very few people know that the only scientific classification that was ever made was made by the tariff commission in 1882, twenty-seven years ago. And this is the classification which we have been following ever since. Is anyone surprised that with the rapid change in manufacture and production, the unprecedented change in wealth and in tastes, that such a classification has long ago become obsolete?

President Taft is reported to have said, in effect, that he hoped the consumer would be given consideration under this bill.

I think if Members will give this some consideration they will be driven to the conclusion that, as far as the hearings are concerned, the consumer has been given but small consideration.

I said as far as the hearings were concerned. I did not intimate that the Ways and Means Committee did not give the consumer proper consideration. But the facts remain, and an examination of the debate thus far will bear me out in this statement, that a great deal more consideration has been given to the manufacturer and to the producer than to the consumer.

Of course, I realize that the manufacturer and the producer is very often the consumer also, but it is the organized body that gets consideration. The manufacturer of steel files is here,

but have we heard from the consumer? The producer of petroleum is here, but who has heard a word from the consumer? The man who produces timber, and the man who manufactures wall paper has presented his case. I ask you to tell me who has appeared in behalf of the man who builds his house, or buys wall paper, or the man who wears shoes, or buys a harness.

I am not criticising this particular bill on account of any rate fixed in the bill on these particular items, but I am calling your attention to the fact, and I believe it to be a fact, that a commission with power to travel from place to place, with power to summon witnesses and take testimony, could arrive at more correct conclusions than the Ways and Means Committee that sit in state in the great committee room and listen to those who appear before it.

I say once more that the Republican party has declared for a certain policy for protection, namely, the difference between the cost of production at home and abroad, with a reasonable profit to the American producer.

Let us look into this bill for some specific examples. My good friend Mr. KOPP, of Platteville, is interested in the production of zinc ore. I do not believe anyone knows the exact cost of producing zinc ore of a certain metallic content in Mexico, or the exact cost of producing zinc ore of the same content in the United States. I have seen various figures and various estimates, but no two of them agree.

Now, let us suppose that we had an expert tariff commission. This commission had given this matter careful attention. They had visited the mines in Mexico, and had ascertained the average cost of producing the ore in Mexico. They had been to the Joplin district, the Kansas zinc-ore district, the Illinois and the Wisconsin districts, and had ascertained the exact cost of producing ore in the United States.

The Ways and Means Committee, in framing the tariff bill, would then be able in a moment to determine the amount of protection that zinc ore should have. The Ways and Means Committee, being mindful of the kind and quality of the American laborer, his desires, his requirements, his education, his high plane of living, and being fully informed as to the conditions in Mexico, could arrive at a correct conclusion in a very few moments.

And then see how easy it would be to defend that schedule, after it had been fixed in this way, on the floor of the House. The man asking for special privilege, for more than his fair share of protection, would find the figures staring him in the face. The man who desired to enter into a contract for a long term of years would be able to do so with the absolute assurance that he and his laboring men would be protected. He would know that whatever changes came in the cost of production at home and abroad, that a wise policy of this kind would protect him from cutthroat competition. He would be absolutely assured that he could continue his operations, pay his laborers living wages, and fear no competition from peon or low-paid laborers.

The same thing would be true with the ladies' glove schedule. Let us suppose that the commission had been to Europe and had investigated the European conditions under which ladies' gloves are manufactured. Let us suppose that they had visited the factories; they had consulted with the laborers; that they had found out exactly what the cost of production was in the countries which compete with us; they had investigated not only the labor cost, but the cost of material; they had visited our own factories; they had found out how much it costs to produce gloves in America with the American laboring people, with shorter hours, under healthful conditions, in factories where the laborer receives his just share of the fruits of his labor.

I say if the Ways and Means Committee had these facts before them, and would be able to produce them upon the floor of the House in justification of the schedules proposed by this committee, that there would be no one on the Republican side of the House who would intimate for one moment that the measure of protection was too much or too small. The defense would be absolute, and the party would vote as a solid party for the schedules if they knew that they were absolutely correct.

Let us consider for a moment the objections which are made to the appointment of a commission of this kind.

First, it is said that this is a party question; that such a commission would take the question out of politics and it would result detrimentally to the Republican party. I challenge such a statement. I am firmly convinced that it would result in strengthening and not tearing down the Republican party. It would enable the Republican party to carry out its party pledges and its party policies. When the Republican party announced that the tariff would be revised along certain lines, and had the facts at its disposal to revise the tariff along the lines promised, and kept its pledge with the people, it would result in greater confidence in the party, and would strengthen and not weaken it.

Second, it is said that it is the business of Congress to do this work, but every Congressman present here realizes that it is physically impossible for Congress to do all of this work. Everyone realizes that the ordinary Congressman is burdened at this time; everyone realizes that the Ways and Means Committee could not travel in foreign countries, could not travel continually from place to place taking testimony and making classifications. We already have many assistants.

With the growth of the country, with the territorial expansions, with the multiplying of business enterprises and business interests, with the world-wide view of things which America is now taking, comes greater responsibilities, and more and more work is thrown upon Congress. We are now appropriating a thousand million dollars a year, and it is perfectly legitimate and absolutely necessary that Congress should have some assistance in the securing of data in order that it may legislate intelligently.

And then comes the other argument, namely, the argument that such a commission will keep business in a constant turmoil, but I maintain that a diametrically opposite effect would result. It is the fear of the removal of the tariff from protected industries that brings business depressions. If the business man were assured that he would receive a just measure of protection at the hands of Congress, he would not worry. If he realized that no special interest would be favored, if he realized that everyone engaged in producing an article in this country would receive just exactly what the Republican platform promised he should receive, he would not pay much attention to the revision of the tariff. He would go on making his contracts, he would go on attending to his own business, he would go on doing business with the absolute assurance behind him that his business would be properly protected.

The longer this general debate continues, the more firmly I am convinced of the fact that we need more light, more information on these subjects.

There are hundreds of things that we are called upon to protect or place upon the free list that we know absolutely nothing about. How many men in this House have any idea as to the proper measure of protection to be afforded the following articles:

> Collodion, proxylin, cellulose esters, quebracho, ricinoleic acid, blanc-fixe, orange mineral, hydriodate.

Suppose you were fixing the tariff on eel grass, bauxite, parian, spiegeleisen, blooms, sprigs, albata, molybdenum, would you make it an ad valorem or specific duty? Would you make it 3 cents a pound, 3 cents an ounce, 3 cents a quart, or $3 a ton? What do you think would represent the difference in the cost of the production of these articles at home and abroad, and how would you figure a fair profit to the American producer? Here are a few more:

> Titanium, granadilla, osier, pimento, cassia-vera, paprika, corticene, galloons.

Do you think that these articles have been treated fairly by the Ways and Means Committee? Do you think the Ways and Means Committee has gone into the matter of the cost of these articles? Do you have any idea that there is any man on the floor of this House who does not belong to the Ways and Means Committee who has any very clear idea of the meaning of the following terms:

> Ramie silver, mungo, bibulous paper, plateau, alizarin, apatite, roucou, breccia, cerium, cudbear, divi-divi, kelp, myrobolans.

And yet we are called upon to legislate with the knowledge that we have, which is, indeed, meager. We are told to hurry; we are told that the great business interests of the country are demanding that we do something; we are told that we are delaying the revision of the tariff and bringing disaster to thousands and suffering to millions; we are told that the wheels of industry are stopped, but are ready and willing and able to start again as soon as the President signs the tariff bill; and, on the other hand, we are asked to legislate wisely, and if we do not legislate wisely we will and ought to pay the penalty of our dereliction at next election.

It seems to me that this matter of a tariff has been a football for partisan politics long enough. It seems to me that men have been elected and defeated on the question long enough. I am firmly convinced that it should be made a business and not a political proposition. I am firmly convinced that the time is not far distant when the American people will demand business methods in government, and I sincerely hope that the time is not far distant when the tariff question will also become a business proposition for the American business man and will cease to be a political football.

ment of Commerce and Labor, the Bureau of Corporations, the

is very often the consumer also, but it is the organized body that gets consideration. The manufacturer of steel files is here,

facts at its disposal to revise the tariff along the lines promised,

business proposition for the American business man and will cease to be a political football.

I do not see any other way of securing this result except in the manner suggested, namely, that of a nonpartisan tariff commission of experts with power to find out facts and to classify the facts so discovered. [Applause.]

Mr. CULLOP. Mr. Chairman, it was not my purpose at the beginning of this debate to say anything about this measure, but to remain silent and cast my vote against the same. But protests are pouring in here from the great consuming masses of the United States and from every section of the country against this bill and demanding its defeat. It would be unfair to the great constituency which I have the honor to represent on the floor of this House if in addition to voting against it I did not also register my protest.

I believe with ex-Governor CUMMINS, of Iowa, now a Senator of the United States from that great State, who declared not long ago that—

All the robberies and thefts committed by all the insurance officers since the life insurance business originated do not amount to the extortion due to the Dingley bill in one year.

[Applause on the Democratic side.]

I desire to supplement that statement by adding that there has been more money extorted from the consumers' pockets in this country during the existence of the Dingley bill by it than the entire cost of the civil war. [Applause on the Democratic side.]

In this measure it seems to be a gigantic struggle among its beneficiaries to see who can plunge their hands into the consumers' pockets the deepest. [Applause on the Democratic side.]

It appears by the declarations of the advocates of this measure on the other side of this House that the sole object of this measure is to enact legislation that will enable the manufacturing producer to plunder and pillage 80,000,000 consumers and take money from them and transfer it to the pockets of the beneficiaries of this unjust and oppressive measure. Against this policy I most earnestly protest. I warn the Republican party now and here that if you pass this measure as now proposed you will sound your own death knell. [Applause on the Democratic side.]

The indignation of the great majority of the American people, upon whom you are imposing unjust and unreasonable burdens by its terms, will confront you, and they will visit their punishment upon you at the polls at their first opportunity and will drive you from power. When you return to your constituency for their approval of your official conduct, they will repudiate you and withhold their indorsement of your public action.

In your national platform you promised the people of this country that you would revise the tariff, and it was understood by every citizen in this Republic that by that declaration you meant revision downward; that you would lower their high taxes, and not raise them, as you are undertaking to do by this measure.

This measure is not a revision downward, but a raise over the Dingley bill, the highest tariff-tax measure the country ever had, of 1.56 per cent.

You are doing this at a time when the people are crying for relief from public burdens, and at a time when they are least able to bear an additional expense. At a time when labor is idle, when distress is on every hand, when business stagnation prevails everywhere, when the expense of living is the highest ever known, when idleness prevails in every industrial center of our common country.

You are enacting this unwise legislation at the behest of a favored few who are the beneficiaries of it in order that they may further fatten off of the consumers of the country.

A protective tariff for protection's sake is fundamentally wrong in principle and unjust in practice. To legislate money out of one man's pocket into that of another is indefensible under the institutions of a republican form of government, and an imposition on a free people.

In the doctrine of my party, a tariff for the purpose of raising revenue to defray the expenses of the Government, economically administered, is an approved cardinal principle to which I most heartily subscribe, and whatever protection it gives incidentally, we approve, but to levy a tax upon the consumers of the country, which gives abnormal profits to persons engaged in certain industrial pursuits and deny to the people of the country competition is a doctrine in which I can find no justification either in morals or common justice. It destroys the equality of all men before the law. It discriminates in favor of one class and against the other. It gives to one an immunity which it denies to the other.

A protective tariff creates predatory wealth and is legalized graft. It has done more to debase the public conscience and lower the moral standard of the Nation than any other class of legislation. The tariff baron to sustain the system is the willing victim of the "campaign committee, the ward heeler, and the ballot-box stuffer." From him the funds are raised to corrupt the electorate. By such disgraceful and corrupt methods the great propaganda of protection has been foisted and continued as a burden on the American people. Aye, verily, it has debased the public conscience and lowered the moral standard of the Republic.

Through its putrid stream has flown the most disgraceful conduct and inexcusable crimes the calendars of our courts have recorded. You promised the people you would revise the tariff downward. Are you now repudiating that promise? You are sending this promise, solemnly made, to the great "scrap pile" of unredeemed pledges and broken promises made in the past.

But, sir, there is a ray of hope for the oppressed people. If we are to believe the reports which come from the White House, the President, who was a party to this promise and profited by it the same as you did, has said unless you change this bill he will take a hand in the scramble here for spoils and have the manifold wrongs existing in this bill rectified, so that it shall in some measure conserve the public good. He demands that the great and imperious tariff barons shall yield to the public demands. If he does not, the public serves notice on him that he is serving his last term in the high office he now holds.

By the appropriations already made by the Sixtieth Congress for the period ending June 30, 1910, there will be created a deficit in the National Treasury amounting to $265,000,000. In the President's message to this Congress he stated that by July 1, 1909, there would be a deficit of over $100,000,000; that under the Dingley law, which was prohibitive in many of its provisions as a revenue raiser, insufficient revenues were being raised to meet the expenses of the Government, and an urgent necessity existed for provision being made to raise revenue to meet and liquidate the Government expenses. This is occurring under Republican legislation and under the highest tariff the country has ever known.

Sir, the people of this country hailed with delight and relief the expiration of the Sixtieth Congress. It appropriated in two years out of the people's money the sum of $2,050,000,000. It was the most extravagant Congress ever convened under the Dome of the Capitol. By its enormous appropriations it was planning a way for an excuse to avoid a reduction of the tariff and the lowering of taxation in behalf of a suffering public, and out of this extravagant proceeding we find its natural offspring, the Payne bill.

Let us examine a few schedules contained in this bill. There is one in particular against which 80,000,000 consumers protest, and from nearly every merchants' association in this country a protest has been filed. From one of them I quote:

In the Payne tariff bill reported to Congress a material and unnecessary advance is made on two commodities which directly and seriously affect 80,000,000 consumers and work a decided benefit to a comparatively few manufacturers of these lines. We refer to the over 20 per cent increase over the 60 per cent tariff rate on foreign hosiery, which increase, in fact, means an advance of 23⅓ per cent on the present tariff.

The Payne bill further provides a greater increase on leather gloves than that cited on hosiery, this increase being no less than 128 to 150 per cent on Schmachen, 60 to 140 per cent on lamb, and 33 to 103 per cent on kid gloves. Seventy-five per cent of these commodities used in this country are already manufactured here.

These two sections of the Payne bill are radically wrong, for by them every user of hosiery and gloves is indirectly taxed for the benefit of the already highly protected domestic manufacturer; and by the excessive duties imposed by these two sections the importation of these commodities is prohibited, thereby depriving the Treasury of the revenue therefrom. In view of these facts, we urgently request that you not only seek to correct these defects pointed out, but that you exert your influence to secure these corrections, and thus bring about that which the entire people have put themselves on record as wanting—an honest revision of the tariff.

Here you have the way the Merchants' Association of Indianapolis characterize the provisions of this bill in their petition. They demand an honest revision of the tariff by this Congress. The legitimate and logical inference from the above strong language used is that this proposed revision is a dishonest one. They tell you what the people want and what they understood by your promise.

Ignore them if you will; but mark the prediction, if you do, they will resent it at the first opportunity afforded, and you will suffer for your misconduct.

This is but one of the many hundreds of petitions of like character which are pouring into this House. It is an appeal from a patient and suffering public for you to do right.

By the terms of these two schedules you have aroused the wrath and indignation of every woman in the land. You invite and provoke their opposition, and in the next campaign you will not find enough peaceful territory in all this broad land whereon to hold a party caucus, much less win an election. The women

of this country are powerful enough to elect or defeat any man or party for office, to win any political fight ever waged, and to carry to a victorious result any contest ever provoked. Of their cooperation we are assured. From the richest to the poorest the severest of condemnation will be visited upon you. Will you ignore the appeal of every woman and child in this broad land to serve the glove and hosiery barons of this country? Have you become so impregnated with tariff graft, licensed robbery, that you will not hear these people, who preserve the purity of the Nation's honor and uphold the virtue of the American home? Deny them if you will, but you will regret it as long as the name of this measure is spoken of by the human tongue. [Applause on the Democratic side.]

Sir, I wish for a moment to discuss another tariff schedule. The iron and steel manufacturers have always been the especial favorites of Republican legislation, and for thirty years they have unmercifully plundered the American people. Andrew Carnegie, the great steel king of the world, testified before the Committee on Ways and Means that these products needed no protection. Judge Gary did the same. Yet this bill generously protects them. Under the Dingley bill these products were protected 36.96 per cent; by the Payne bill, 36.15 per cent, a reduction of .81 per cent. By the Dingley bill steel rails were protected $7.84 per ton; by the Payne bill, $3.92. These products need no protection. I here read indisputable proof of this fact.

In the book of James Howard Bridge on The Inside History of the Carnegie Steel Company, page 312, in a letter from Mr. Schwab to Mr. Frick, you will find this statement:

As to the future, even on low prices, I am most sanguine. I know positively that England can not produce pig iron at actual cost for less than $11.50 per ton, even allowing no profit on raw materials, and can not put pig iron into a rail with their most efficient works for less than $7.50 per ton. This would make rails at net cost to them $19. We can sell at that price and ship abroad so as to net us $16 at the works for foreign business nearly as good as home business has been. What is true of rails is equally true of other steel products. As a result we are going to control the steel business of the world. You know we can make rails for less than $12 per ton, leaving a nice margin on foreign business. Besides this, foreign costs are going to increase year by year, because they do not have the raw materials, while ours is going to decrease. The result of all this is that we will be able to sell our surplus abroad, run our works all the time, and get the best practice and cost in this way.

This concern now has a monopoly of this business and controls the markets of the world. It makes steel rails for $12 per ton and sells them for $28—a net profit of $16 per ton, or 133⅓ per cent. They can make them cheaper than they can be made in any other country in the world. Why protect them? Such protection is prohibitive, and the Government derives no revenue from it, and it enables them to plunder the consumers of this country. [Applause on the Democratic side.]

The trust fixes the price. In England it costs $19 per ton to manufacture steel rails; ocean freight, $1; Dingley tariff, $7.84. The actual cost of English rails laid down in our market is $27.84 per ton. No fear of competition in this regard in this industrial line.

This bill is exceptionally generous to the boot and shoe industry. It proposes a tax on the consumers of this commodity of universal use of from 15 to 25 per cent. Since this discussion began I have received a letter from one of the largest shoe manufacturers in this country, which is as follows:

COLUMBUS, OHIO, *March 29, 1909.*

Hon. WILLIAM A. CULLOP,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in this country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material, the American shoemaker can shoe the world.

Very respectfully,

THE WOLFE BROS. SHOE CO.,
R. F. WOLFE, *President.*

Why tax the American consumer of shoes this enormous sum on a necessity and do so in the face of the fact that honest and reputable manufacturers openly declare it is not necessary? Without a tariff this industry can shoe the world. It gives opportunity for the formation of a trust and perpetrates an injustice on the people of this country. Boots and shoes, along with iron and steel products, should go on the free list where you are putting the farmers' hides.

In woolen goods it is an astonishing fact how you bear down on the consumers of these commodities, one of the necessaries of life, and what splendid opportunities you give the manufacturer, the trust magnate, and the monopolist. They are your favorites in every instance. How generous you are to them and how hard on the consumers. For what purpose you thus discriminate I am unable to comprehend. Let us examine the wool schedules:

	Per cent.
Women's and children's dress goods, 71.43 to 167.68 per cent, an average of	103.00
Clothing, ready-made	94.54
Flannels	101.52
Blankets	80.78
Knit goods	101.94
Yarns	87.77
Wool	42.61

Ready-made clothing is taxed 94.52 per cent. This is the clothing the laboring man wears, made by cheap labor in the "sweat shops" of the great cities. Of course you are protecting the laboring man. It is for his benefit, as you will see by the high tax. [Applause on the Democratic side.]

You tax the lumber with which his home is built; you propose to tax his sugar, tea, and coffee. Everything he consumes from the cradle to the coffin is taxed, but you still leave labor on the free list. You are truly his friend.

THE TARIFF AND THE FARMER.

No tariff measure would be complete without it paid attention to the farmer.

By this measure you propose a tariff of 25 cents a bushel on wheat and 15 cents a bushel on corn.

"What a mark of generosity!"

We produce one-half of all the corn in the world, and are one of the largest producers of wheat. We feed with these products our own people, and with our surplus assist in supplying the other nations of the earth. This schedule was inserted, as was appropriately remarked the other day, "as a sop to the farmer," and for no other purpose. Our farmer has no competition at home on corn or wheat. The ruling price of these products is fixed at Liverpool, England. In free-trade England the highest price is maintained on these products, and that market is the ruling price of the world. [Applause on the Democratic side.] To-morrow morning before a bid is made on a single bushel of wheat at Chicago advice must first be had as to the ruling price at Liverpool, and then the price is made here less the cost of transportation and profit to be realized. The price is lower here.

Fear has been expressed that the great wheat producers of Manitoba will export wheat and reduce the price of our farmer's wheat. There is no danger of that while the Liverpool market fixes the price.

The wheat of Manitoba and the wheat of the Dakotas travel side by side on opposite sides of the national boundary line for the ocean ports to take passage for Liverpool. The surplus we have to sell abroad fixes the price of our whole production. The tariff on these products is not made for his benefit, but to his detriment. In case of a corner on either of these products by the grain gambler it would enable him to reap an additional profit equal to the amount of the tax levied, and the benefit would inure solely to him. He is the fellow in the wood pile. He is the beneficiary of this protection and not the farmer. Again, in case of a famine in either corn or wheat, it would raise the price here the amount of the tariff and oppress our people without advantage to the farmer.

By this measure the farmer has a tax levied on everything he buys—his plows, wagons, reapers, mowers, harness, nails, wire fencing, clothing, lumber, sugar, coffee, and tea. Not a single article escapes. He is taxed from 20 to 150 per cent. Many of these articles manufactured here at his home are shipped abroad by the manufacturer and sold at from 25 to 35 per cent cheaper than they are sold to him. Truly the impositions upon him are unreasonable.

His vocation is the basis of all prosperity. Destroy it and the grass will grow in the streets of every city in the land. [Applause on the Democratic side.]

Mr. SWASEY. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. SWASEY. I want to ask the gentleman from Indiana if, under the Wilson bill, the highest protective duties on farm products were not incorporated?

Mr. CULLOP. No; I deny the statement, and further say that law, as passed, was not a Democratic measure, because of compromises made in the bill by the Senate; our party repudiated it, and Grover Cleveland, the President, refused his approval of it because it was not in harmony with the Democratic position on that great question.

THE TARIFF AND THE LABORER.

When you have driven the protectionist from every other position, his last stand is that a protective tariff is for the benefit of the laboring man. If it is, why do you not say so in the bill? Read this bill from beginning to end and you will not

lower the moral standard of the Nation than any other class of

and how hard on the consumers. For what purpose you thus bill? Read this bill from beginning to end and you will not

find a single provision which provides for him. Why not amend it and make specific provision for his protection? You tax everything he buys, even the coffee, tea, and sugar for his table, but leave his only product—his labor—on the free list to compete with all the world. For ten years the "dago," "hunyak," and "roundhead" have been pouring in upon this country at the rate of a million a year and depriving the American laborer of his employment. He has been practically driven out of employment in the highly protected industries of the country, controlled by the high priests of protection.

America should be proud of her laboring men. The young laborer marries, buys a lot, builds a home, raises and educates a family. He contributes to the social and material welfare of his country. He pays his taxes and defends his country's flag in the hour of danger. But how about the imported foreign laborer I have named? He does not come here for citizenship. He comes here to earn a competency, hoards it up, and when he is satisfied that he has enough returns to his native country. He pays no taxes to support the Government in time of peace nor tenders his services to defend the flag in time of war. The hunyak, dago, and roundhead live on "stale bread, spaghetti, and bologna;" 15 or 20 occupy a single room and do their own cooking and washing. When pay day comes he draws his wages, buys a post-office order, and sends most of it back to the country from which he came; and after three or four years' sojourn here he puts his few effects into a sack, carries it on his back to the nearest railroad station to be transported to the nearest seaport, and there takes steerage passage for the land of his nativity to reside for the remainder of his life. There is no prohibition against his coming here and displacing the American laborer. If the tariff is for the American laborer, as you claim, why not, then, prohibit this pauper labor from competing with him?

The tariff does not fix the price of labor. Supply and demand and the efficient labor unions of the country do that. When labor is plentiful, then labor is cheap; when labor is scarce, labor is high; and the tariff has nothing to do with it, as every man within the sound of my voice knows.

If the tariff regulates the price of labor, then why does it not operate the same all over the United States? Why does the laborer in the cotton factories in the South receive less pay for the same labor than the cotton operatives in New England? Why are wages not high in the manufacture of ready-made clothing, one of the highest protected commodities we have? In this industry the lowest of wages prevail and the "sweat-shop" system of large cities exists? Why is it that in the trades where there is no protection the highest wages are paid, such as brick masons, plasterers, plumbers, and compositors? A greater fallacy was never proclaimed than the one that the tariff is for the benefit of the laboring man.

Do you suppose that if two men of equal capacity and ability were to apply for a position at a tariff-protected industry and one would demand $2 per day and the other $3 per day that it would take the $3 man? Never. It would not be so generous as that.

If a high tariff is always attended with steady employment and high wages, why the idleness of labor and reduced wages now prevailing and which have been for the last eighteen months? So much enforced idleness and low wages have never before been known. The tariff has not been lowered and it is now proposed by this measure to be raised. Yet in nearly every industrial center since the introduction of this bill a notice of reduction in wages has been given. Do not be deceived longer by this plea. A high-tariff schedule never makes a high-wage-scale. The tariff is not for the benefit of the laboring man, but for the sole benefit of the owners of the protected industries, and they reap the reward of such class legislation and not the laborer of the land.

THE TARIFF AND PROSPERITY.

Sir, the distinguished chairman of the Ways and Means Committee, Mr. PAYNE, of New York, during his speech occupied some fifteen or twenty minutes reading telegrams announcing the fact that business had resumed and the idle mills had started, and yet the echo of his voice had hardly ceased in this Chamber until it was disturbed by the click of the telegraph key announcing a reduction in the wages of the laborer in the highly protected industries. This does not augur well for prosperity to remain. The return of prosperity has been announced by the press of the country every two weeks for the last eighteen months. What stopped prosperity, I ask? The tariff was not lowered and there was no agitation about it when the panic came in November, 1907. If a high tariff always produces prosperity, why did this panic occur? The panics of 1873, 1893, and 1907 occurred under high tariffs. It was asserted here the other day that the panic of 1893 occurred under the Wilson bill. I deny it. The Wilson bill was not passed until July 24, 1894, and the two most disastrous years of that panic were the years of 1893 and 1894, during nearly all of which time the McKinley bill was in force.

The failures of this panic are much greater, as the figures conclusively show. The failures of 1907 and 1908 exceed those of 1893 and 1894 by $146,000,000, and this has occurred under the highest tariff the country has ever known, the Dingley bill. [Applause on the Democratic side.]

There is but little sign that it is over yet, and I fear that it is in its infancy. It has been stated here on this floor that high wages is the barometer of prosperity. Then surely hope must give way to despair, as wages are being reduced all over the country.

Mr. JAMES. And they are still reducing them?

Mr. CULLOP. Yes; still reducing them everywhere; a cut all along the line, I regret to state.

I desire for a moment to call the attention of the House to some of the features of the high-tariff panic, of the misery and distress it has caused in this country.

In the great city of Chicago, where thrift, enterprise, and prosperity ought to abound, last fall 15,000 children attending the public schools were so poorly nourished at home that they could not prosecute their studies and had to be fed at public expense. Starvation was prevailing there and labor was unemployed. Again, take the city of Pittsburg. On February 8, 1908, the city council passed an ordinance appropriating $220,000 for public improvements for the sole purpose of employing idle labor there in that citadel of high protection, and if anyone doubts it, I have a certified copy of the ordinance here and will read it and have also the cartoons then appearing in the papers of that city showing the distress prevailing there.

Mr. JAMES. That was disputed the other day by the gentleman from Pittsburg [Mr. BURKE].

Mr. CULLOP. Yes; it was disputed during the able and eloquent speech of the gentleman from North Carolina [Mr. KITCHIN] by Mr. BURKE, and for that reason Mr. KITCHIN has provided me with the ordinance of that city on this question.

Mr. HARDY. It was said that the city had issued bonds, but that was denied; but it was not said that it was not an appropriation to be paid from the treasury.

Mr. SHACKLEFORD. I want to call the attention of the gentleman from Pennsylvania [Mr. BURKE] to the statement that is now being made by the gentleman from Indiana.

Mr. CULLOP. I assert here and now that the public records of the city government of Pittsburg affirmatively show that the statement I have made is absolutely correct.

How can anyone deny the distressing conditions prevailing in every city throughout the entire country? Since this panic began there have been public soup houses established to feed the unemployed in every metropolitan city in the land, extending from Boston, Mass., to San Francisco, Cal.

Sir, there have been Coxey armies marching upon the streets of every metropolitan city in this country, demanding of the municipal governments appropriations for public improvements in order that idle labor might be employed so that they could feed the starving mouths at home. Such distress and misery have never before been equaled under peaceful conditions in this country, and we sincerely hope that their like will never be witnessed again. [Applause on the Democratic side.] Here is evidence that a high tariff is not at all times attended by prosperity. I wish that it was. You will never produce it by high taxation; you may aid it by low taxation.

Sir, you are laying the heavy hand of the taxgatherer, with its burdens, on everything the poor man buys for the benefit of the rich. You are by this measure letting the rich escape their just share, and in my judgment this is not a good sign for the return of property or a correct principle for the basis of legislation, and I am unwilling to subscribe to it.

On the 1st day of this month there were standing on the numerous side tracks of the various railroads of this country 270,000 idle and empty freight cars out of commission, with their wheels rusting to the rails, as the fruits of this high-tariff panic. If they had been coupled together in one continuous train, it would be 2,219 miles long. Still in the face of these conditions some gentlemen on this floor deny there is a high-tariff panic, a business stagnation in this country. [Applause on the Democratic side.]

Daniel Webster in a speech at Faneuil Hall, October 2, 1820, in speaking of a protective tariff system, said:

> It was a policy which no nation had ever entered upon or pursued without having found it a policy that could not be followed without great national injury, nor abandoned without extensive individual ruin.

This was not on his part prophecy, but the declaration of a fundamental truth which the lesson of all history had taught.

This country to-day finds itself after a long period under a high protective tariff policy in an unfortunate condition. After twelve years under a high-tariff policy, one in which duties levied were so high that in many schedules they were prohibitive of any revenue, preventing competition in articles, and creating monopolies, that it has a large deficit in the Treasury, and a constantly growing one; that it is compelled to sell bonds, as provided for by this measure, to raise money to bear the daily expenses of the Government.

This measure proposes in the aggregate to raise the duties higher and increase the taxation and make it more prohibitive. By such a procedure you will decrease the revenue and increase the Treasury deficit.

One serious objection to this measure is that it will multiply the opportunities for combinations, monopolies, and trusts to dominate production and prevent competition and further aid in plundering and oppressing the people without increasing the government revenues.

In it the existing combines, monopolies, and trusts are well taken care of in every section which applies to the productions they control, so that under its broad and generous shelter they will thrive and continue to plunder the American consumer and swell their already overflowing coffers at the expense of the taxpayers of the country.

Sir, you may violate your platform pledges, your party promises; you may disregard the protests of the vast army of consumers of this country who appeal to you to save them from the oppression proposed to be heaped upon them by this bill; you may tax the inheritance of the widow and orphan, and let the large incomes of the rich escape, as you are here proposing to do, but when you do the responsibility is yours and you must assume it; you may strengthen the power of the combinations, monopolies, and trusts already existing in restraint of trade and denying competition to the consumer, and tighten their grip upon the country and give the opportunity for the formation of new ones, as this measure surely does; you may raise the high tax now levied on every necessary of life, as this bill proposes, but when you do it the responsibility is yours and not ours, and when the great army of consumers who have the burden to bear arraign you at the bar of public opinion, as they certainly will do, for the hardships you are inflicting on them, and for the violation of their confidence reposed in you it will be found you have broken faith with them and denied their welfare, and for this disregard of duty they will repudiate you and your measure by turning you out of power. [Applause on the Democratic side.]

Mr. KOPP. Mr. Chairman, I desire to discuss but one schedule in the proposed bill. I do not enter upon this discussion from any desire to engage in debate, but for the reason that in the discussion of the zinc question it has been assumed that Missouri was practically the only zinc-producing State in the Union, and that all the smelters were located either in Missouri or Kansas, and for the further reason that so many conflicting statements have been made on the floor of the House with reference to this great industry. I presume the one question which is uppermost in the minds of every Member with reference to each of the various schedules is, What are the facts?

If we knew the facts with reference to lumber, steel, petroleum, hides, and many other questions, I take it each one could make up his mind in short order how he wanted to vote. I do not mean by this statement to impugn the motives of those who have presented statistics upon these various matters, nor to question the truthfulness of them. The fact is, there are no accurate statistics on so many schedules, and there are always those who write on one side or the other of every question. Consequently it is not difficult to present authority on each side of such close questions as we have here for consideration.

The same is true with reference to zinc. I do not for a moment question that those who have presented figures as to production and cost of production of zinc ore and spelter had what they considered good authority. I have tried to find what government publications I could on this subject and to study the standard writers on the same, and the statistics I present are gathered from these.

One of the underlying principles of a protective tariff has always been that infant industries especially need protection. In Wisconsin the production of zinc is an infant industry; in fact, it has hardly grown to manhood in any part of the country.

Zinc is not one of the old metals, speaking broadly. It is true that Aristotle and Pliny each refer to a metal called "cadmia," which was used in the formation of brass, and undoubtedly this was one of the ores of zinc, but there was no zinc mining or smelting of any kind in Europe until 1730, when a little was done in England, and the first continental zinc plant was erected at Liege in 1807. Practically all the zinc that was used in those days was for the purpose of making brass and alloy. There was no demand for zinc, hence little time was spent in searching for it. It will thus be seen that even in Europe, with its centuries of civilization, the zinc industry is only 100 years old. As time went on, manufacturers discovered that zinc could be used for other purposes, such as making sheet zinc for caps on fruit jars and later for galvanizing purposes. Then it was that we began to look for zinc ore. Fifty years ago there was absolutely no zinc mined in the United States, except in New Jersey.

As perhaps you all know, southwestern Wisconsin, with eastern Iowa and northern Illinois, has long been known as a lead-producing district. In fact, iron, copper, and lead have been mined and used for hundreds of years. The lead mines of Wisconsin were operated heavily during the civil war and prior. The deposits were shallow, easily worked, with but little investment. In due time these were all worked out.

While working these old lead mines an unknown mineral was found in many places, but considered valueless; in fact, in one place in my district the roads were literally macadamized with zinc ore, those who used it thinking it only rock. Geologists had always contended that under the old lead ranges, and deep down in the bowels of the earth, zinc would be found. No mining to speak of was done, however, except at two or three points in southwestern Wisconsin, until about ten years ago, when my distinguished predecessor, Mr. Murphy, with three or four other gentleman of that locality, endeavored to stimulate and did stimulate an interest in the industry. As a result, prospecting began, and in due time valuable discoveries were made, and by the year 1905 it was demonstrated that in Wisconsin there was one of the richest zinc deposits, if not the richest, in the world.

Just as the mines were getting fairly well started and under headway deposits were discovered in Mexico, and large importations began. I remember very distinctly of it being rumored in my home town that ore was being imported from Mexico, and we wrote to Mr. Babcock, who for so many years represented the third district of Wisconsin in the House, asking him to investigate the matter. He did so, and reported that it was a fact. The importations continued, and as they continued prices began to decline, with the result that in 1907 and 1908 the business was practically at a standstill. I mean by this that a great many of the mines were not operating; but more significant, no prospecting was being done. Mining is different from any other industry, for the reason that there must be constant prospecting, locating new deposits. If this were not so, in a few years there would be no mining, as deposits of zinc are soon worked out.

This significant fact does not appear in tables, which show that the production only fell off a certain per cent in a given year. The vital question is, How much prospecting was being done; how many new discoveries were made and new mines opened up? The production for this year might be as much as last, but if no discoveries were made, the industry would receive a terrible blow.

As a protection, the zinc miners are asking that they be given a protective tariff equaling the difference in cost of production of ore here and abroad.

This brings us face to face with the first question, which is, What is the cost of production here and abroad? From ten representative mines in the Missouri field, and I take these figures for the reason that the wages paid in Wisconsin are practically the same as in Missouri, the wages paid are as follows:

Kind of labor.	Gold value of Mexican wages.	Usual wages, Missouri-Kansas district.
Ground boss	$1.42-$2.50	$4.00-$5.00
Shift boss	.85- 1.10	3.00- 4.00
Pump man	.25- 1.50	3.00
Drill man		2.75
Drill helpers		2.50
Shovelers	.50	2.50- 3.00
Hoist men	1.50	2.50- 3.00
Engineer	1.00	2.50- 3.50
Jig men	.75- 1.50	3.00- 5.00
Crusher feeder	.75- 1.50	2.50
Laborers	.15- .50	2.00
Blacksmiths	1.50	2.50- 3.50

In zinc mining, labor is a large part of the cost of production. I know it is a stereotyped statement to make, that labor is cheaper in Mexico than in the United States, but it is a fact, nevertheless.

No laborers on earth, taking it all in all, are to be compared in intelligence to the American laborers; and yet there are

certain kinds of labor which can be performed by the ignorant class of Mexico very efficiently. All of the Mexican employees are peons, excepting, perhaps, the superintendents and engineers. You all know how the American laborer lives. Let me read to you a short extract from a report of Consul Martin, from Mexico, made during the current year, as to conditions there.

He says:

The living conditions of the workers are extremely humble. The average man and his family live in a one-room shack, mud house, stone hut, or dugout along some bank. Their food consists of dried meat, tortillas (boiled pumpkin), beans, and coffee. Stoves are found only in the better homes, the laborer's meal being cooked over a little fire between stones. At mealtimes the family gathers round the fire, and they sleep on blankets on the floor. This is the living condition in every camp, the high-priced laborers alone having ordinary meals and sleeping cots. The man who has a family, and in most camps only men with families are desired, has the habit of consuming his wages the day after he earns them. The company runs a store, only at which he can get provisions on credit, and to this store his account book is brought and his daily necessities charged against his wages. Every operator has absolute control of the sale of all merchandise on his ground or within his concession; he keeps the store, he buys at wholesale in the cheapest market, and retails, in very small quantities, of course, at a profit of 100 per cent.

The next question is: What is the total cost of producing at the smelters a ton of ore from the Mexican mines and the American mines? The following table tells the story:

Mine number.	Cost of ore ready to ship.		Transporting to railroad.		Freight to smelter.		Total cost at Kansas smelter.	
	Mexico.	Missouri-Kansas.	Mexico.	Missouri-Kansas.	Mexico.	Missouri-Kansas.	Mexico.	Missouri-Kansas.
1 A	$4.00	$34.54		$0.50	$5.57	$0.66	$9.57	$35.70
2 C	5.00	44.91	$10.00	.50	7.57	.66	22.57	46.07
3 L	2.00	27.68	1.50	.50	5.46	.66	9.95	29.24
4 B	5.00	33.67	1.25	.50	5.33	.66	12.58	34.83
5 F	5.50	36.83	1.50	.50	5.57	.66	13.57	37.99
6 G	3.75	38.75	1.50	.50	7.07	.66	12.32	39.91
Average	4.21	36.13	4.75	.50	6.09	.66	13.42	37.29

Consul Martin, in his Consular and Trade Report issued this year from Mexico, gives testimony which ought to be conclusive on this whole matter. He states that with the aid of a mining expert he has examined the zinc situation in detail. He states he has seen what is estimated as 1,000,000 tons of ore exposed, which will run from 32 to 40 per cent metallic zinc. There can be no question, then, of the extensive deposits there. He further states that he has investigated the cost of production; that he has taken three representative mines and examined their production in detail, with the following result:

Cost of producing 1 ton of Mexican ore delivered at smelters in Kansas:

Mines number:	
1	$12.32
2	13.57
3	9.75
Average	11.88

It will be noticed that this is considerably less than the figures given in the above table, but to be absolutely fair we will take $13.42 as the average cost of a ton of Mexican ore.

1 ton Mexican ore (40 per cent), 800 pounds zinc, costs at smelter	$13.42
3 tons Mexican ore (40 per cent), 2,400 pounds zinc, costs at smelter	40.26
1 ton United States ore (60 per cent), 1,200 pounds zinc, costs at smelter	37.29
2 tons United States ore (60 per cent), 2,400 pounds zinc, costs at smelter	$75.58
To produce 2,400 pounds of zinc, United States	75.58
To produce 2,400 pounds of zinc, Mexico	40.26
Difference in favor of Mexico	35.32

On 2,400 pounds of metal there is a difference in the cost of production of $35.32, or 1½ cents per pound, which is the measure of protection asked.

Now, the figures with reference to Wisconsin ore will give a greater advantage to the Mexican producer, if the Wisconsin ore is sent to the Kansas smelters. The average freight rate from the Missouri mines to the Kansas smelter is 50 cents per ton, while from the Wisconsin fields it is $3.30 per ton. This will increase the cost of production of a ton of Wisconsin ore $2.80. If the ore is shipped to the Illinois smelters, where, by the way, a great amount of Wisconsin ore is shipped, the freight rate is $1.40 per ton, or 90 cents more than the Missouri producers pay.

If the ore is sent from Mexico to Mineral Point, in the heart of the Wisconsin fields, of course there is a difference in favor of the Wisconsin producer, as the freight rate from the Mexican mines to Mineral Point is $8.24 per ton. This seems almost prohibitive, but notwithstanding that fact over 100 carloads have been shipped into Mineral Point from Mexico since January 1 last.

In smelting there is a slight difference in favor of the American ore. It costs about $8 to smelt a ton of American ore and about $7.25 to smelt a ton of Mexican ore, but it takes 1½ tons of Mexican ore to produce the same amount of metal as 1 ton of American. Taking into consideration this fact, there is still more than 1½ cents per pound difference in the cost of producing American and Mexican ore. The zinc miners asked 1½ cents; the Payne bill provides for 1 cent.

Now, this is one instance where the tariff should not raise the price of the product when it first enters the arts and trades. Under the Dingley Act the smelters have been protected by a duty of 1½ cents per pound against the competition of foreign spelter. For the years 1904, 1905, 1906, and 1907 the average importation of spelter was only about $140,000, while the exportation for these four years averaged $500,000. In other words, the smelter has been allowed to fix his own price on his product, so far as foreign competition is concerned, and has paid the miner what he saw fit for the ore.

It is true the Payne bill proposes to reduce this to 1 cent; then why should not the miner have the same protection on his ore as the smelter on his spelter, when we are producing more ore and spelter each year than we consume?

Mexico is the only country we are fearing. They can produce the ore much cheaper than we can for two reasons: First, according to Consul Martin's report from Monterey, Mexico, nearly all of the mines there are quarrying propositions; that is, driving and tunneling in a hill or mountain and quarrying out the ore. For this very little machinery is needed and no pumping necessary, as in nine cases out of ten the mine will drain itself where it is worked through a tunnel or drift; while in Missouri, Wisconsin, and other States the deposits are found down in the bowels of the earth, which necessitates the sinking of a shaft all the way from 100 to 200 feet in Wisconsin, to 300 to 500 feet in other States. This takes heavy machinery and great pumps, to say nothing of the time devoted to sinking these shafts.

It can easily be seen from this that Mexico has a great advantage.

In the second place, it is a well-known fact, as heretofore stated, that in Mexico peon labor is employed almost exclusively, excepting, perhaps, superintendents and engineers. With us the miners work eight hours per day and receive a day's wage, while in Mexico they work twelve hours and sometimes longer. This difference in the hours of labor per day will certainly counterbalance any difference there may be because of the greater efficiency of the American workingman.

In the Wisconsin field—and I speak of that simply because it is the only one I have personal knowledge of; other States, no doubt, are the same—we have the highest grade labor in the world. Our laborers are Americans, who are trying to give their boys and girls a start in the world, so characteristic of American citizenship, by educating them and preparing them for places in the affairs of the world, and this is what the Republican party says they are entitled to.

The hope of America is not in her farms, nor her mines, nor yet in her factories, because of their great worth, but in her boys and girls, who, generation by generation, are educated and brought up to Christian manhood and womanhood. These things are not thought of, speaking broadly, in Mexico, and of course their laborers can work cheaper than ours. There every member of the family is a bread earner, while with us the father is the sole bread earner, in most cases, while the boys and girls are in school.

My plea for a high wage for the workingman is not necessarily that he may acquire wealth, as much as I should like to see him do that, but that every American workingman, whether in the East or in the West, the North or the South, may receive such a wage that he may keep his little family about him, that he may feed them well, dress them decently, educate them thoroughly, and bring them up to Christian manhood and womanhood.

This can not be done in southwestern Wisconsin with all prospecting ceased, with the mines closed, and the wheels of the mills idle. This has become more and more the case since the large importations of zinc ore begun in 1905. My home town is but 20 miles from the smelter at Mineral Point, owned by the New Jersey Zinc Company, and Mineral Point is in the heart of this great zinc field of Wisconsin, with dozens and dozens of mines less than 30 miles therefrom. Notwithstanding that fact,

since January 1, 1909, I am credibly informed that over 100 cars of the Mexican Central line, hauling ore all the way from Mexico, have been taken to Mineral Point and there smelted, while many of these great mines are idle.

You may give me statistics as long as you please, and you may tell me that America can not produce all the zinc she consumes—of which I will speak later on—but the fact that the Mineral Point smelter, owned by the New Jersey Zinc Company, in the heart of the Wisconsin zinc fields, is operating on Mexican ore, with the Wisconsin mines idle, convinces me conclusively that we need protection.

Now, the second argument advanced by those who are opposed to a protective duty on zinc is that the United States does not produce all the zinc needed. Several gentlemen in the course of this debate have advanced that argument. The following table shows the world's production of spelter from 1904 to 1907, inclusive, and our imports and exports of zinc and zinc products:

The world's production of spelter, 1904 to 1907, in short tons.

Country.	1904.	1905.	1906.	1907.
Australia			1,131	1,098
Austria and Italy	10,192	10,315	11,883	12,522
Belgium	154,314	160,406	168,067	170,307
France and Spain	54,107	55,524	59,298	61,438
Germany:				
Rhine district	72,083	74,127	75,729	77,459
Silesia	138,338	143,243	150,882	152,611
Great Britain	50,949	56,140	57,871	61,286
Holland	14,442	15,176	16,150	16,526
Poland	11,693	8,422	10,595	10,735
United States	186,704	203,849	224,770	249,860
Total	698,022	727,292	775,871	813,842
United States percentage of world's production	26.9	28	28.9	30.7

Importation of zinc and zinc products, 1904–1907, inclusive.

Year.	Zinc ore and spelter.	Manufactured articles.	Total value.
1904	$39,688	$10,394	$50,082
1905	53,358	8,253	61,611
1906	1,241,395	2,904	1,244,299
1907	1,731,643	8,416	1,740,059

In 1906, of the total importation, nearly one million was in zinc ore, and in 1907 one million five hundred thousand was in zinc ore.

Exports of zinc and manufactured products from the United States, 1904–1907, inclusive.

Year.	Zinc ore and spelter.	Manufactured articles.	Total value.
1904	$2,000,272	$117,957	$2,118,229
1905	1,530,705	159,995	1,690,700
1906	2,420,532	204,269	2,624,801
1907	1,215,628	186,203	1,401,831

At the end of the year 1907 the smelters of this country, according to reports made to the Government, had on hand a surplus of 26,364 tons of spelter, which, at 5 cents per pound, has a value of $2,636,400. From an examination of these figures, which are taken from facts reported by C. E. Sibenthal in the report of the Geological Survey on the production of zinc in 1907, prior to 1905 there was scarcely any ore imported from Mexico. For the four following years, according to the government report, ore was imported as follows (figures given in tons of zinc ore):

Year.	British Columbia.	Mexico.
	Tons.	*Tons.*
1905	8,561	32,164
1906	600	88,900
1907	1,139	108,800
1908	1,157	46,331

Now, in 1904, the year that importation began, we find that we imported zinc and zinc products of the total value of $50,082 and exported $2,118,229. In 1905 we imported $61,611 and exported $1,690,700. In 1906 we imported $1,244,299 and exported $2,624,801. In 1907 we imported $1,740,059 and exported $1,401,831.

During the year 1907, however, the smelters produced much more spelter than they could dispose of at home or abroad, and at the close of the year, according to their own figures, had spelter on hand to the value of $2,636,400. These figures need no further argument. They show conclusively that the United States can produce and is producing more spelter than it consumes.

Take each of the years I have just mentioned—and they are the only years during which there have been importations from Mexico—there would have been far more spelter produced in the United States than consumed, even though we had not received one pound from Mexico. This being so, there is no force left in the arguments of those who are contending for free zinc ore that the smelters can not secure all the ore they need. Moreover, it is a well-known fact that during the past two years many new smelters have been built where there is natural gas, thinking that there was going to be a wonderful increase in the production of ore from Mexico and that an opportunity would be presented for making millions in profit.

It may be interesting to know from what States the ore came during these years. The following table will show:

State.	1904.	1905.	1906.	1907.
	Tons.	*Tons.*	*Tons.*	*Tons.*
Arkansas	1,900	2,200	4,200	4,088
Colorado	94,000	105,500	114,000	142,510
Idaho		1,700	2,150	11,817
Kentucky	938	414	975	1,095
Missouri-Kansas	273,238	258,500	280,300	297,195
Montana		2,000	4,900	1,218
Nevada			7,080	4,836
New Mexico	21,000	17,800	30,000	4,281
New Jersey	280,029	361,229	401,090	368,710
Oklahoma				3,240
Utah		9,265	10,700	9,043
Wisconsin	10,300	32,600	42,130	53,011
Others	2,600	2,900	850	2,241
Total	683,025	795,608	905,175	902,293

This is not, then, an industry confined to Missouri alone, but one which affects the destinies of 22 States in this Republic. They are just beginning to use zinc in the commercial world. A few years ago zinc utensils were practically unknown, and galvanized iron had never been dreamed of. To-day nearly all pump piping of the smaller sizes, and kitchen utensils, and so forth, are made of galvanized iron or partially of zinc. The fact that it resists rust makes it invaluable to the housewife. It also has great use in the making of brass and other alloys.

It may be interesting to note the use made of spelter in the United States. The following table, taken from the last government report on the subject, shows the use made of spelter in the United States for the years 1905, 1906, and 1907:

	1905.		1906.		1907.	
	Quantity.	Per cent.	Quantity.	Per cent.	Quantity.	Per cent.
	Short tons.		*Short tons.*		*Short tons.*	
Galvanizing	100,000	50	124,000	55	140,000	60
Brass making	52,000	26	57,000	25½	40,000	17.7
Sheet zinc	34,000	17	36,000	16	30,000	13.3
Lead desilverization	2,400	1½	2,500	1	2,000	1.2
Other purposes	10,854	5½	6,000	2½	4,000	1.8
Total	199,254	100	225,500	100	225,000	100

I predict that in the next ten years it will be used for many purposes now unknown.

No doubt there are hundreds of millions in value deposited in the bowels of the earth in these 22 States. Unless the smelters will pay for this ore what it costs to dig it out, plus a reasonable profit, the ore will remain in the ground. When ore is taken out, it increases the wealth of the States just that much. Farming and mining are the two industries which most nearly create wealth. If the industry is protected sufficiently to thrive, my State of Wisconsin will add $25,000,000 to the wealth of the Nation each year for many years to come.

I have shown heretofore that it costs to produce 2,400 pounds of metallic zinc from Mexican ore, at the smelter, $40.26, while it costs to produce 2,400 pounds of metallic zinc from American ore $75.58, or a difference of $35.32. This would make practically 1½ cents on each pound, and this is the protection which was asked by the zinc miners of this country. Inasmuch as 2 tons of American ore can be smelted for $1.50 less than 3 tons of Mexican ore, these figures would be reduced slightly, but

not enough to make any considerable difference. The Committee on Ways and Means did not, however, see fit to place in the bill a tariff of 1½ cents per pound, but placed it at 1 cent. Inasmuch as many other industries are securing less protection than they asked and apparently demanded in many cases, the zinc miners are inclined to be satisfied with what is given them.

The 391 Members here are looking after their various districts and the interests which affect their people. The statesman who years ago declared that the tariff was a local issue was ridiculed, but subsequent history has shown that he was right. Each Representative is, in effect, asking Congress to protect his producing industries, but to place the lowest possible rate on what he consumes. Of course this tariff bill must be created by giving and taking and doing that which seems best for the greatest number of people. As the gentleman from Washington [Mr. CUSHMAN] stated the other day, the barometer of prosperity is not the cost price of articles, but the wage scale. Nothing is cheap when a man has not the money to buy it, and nothing is dear when a man has the price.

Universal prosperity will only come when the great laboring class who are creating the wealth of this Nation are employed twelve months of the year at an ample wage. The laboring man when he is thus employed keeps up his home, educates his children, and contributes to the general good of the country. While he is idle, the contrary is true in each case.

My special plea is for the zinc miners, but while I ask protection for them I also ask for protection to all industry employing labor which is met with undue competition from abroad, whether it be the mine, the farm, or the factory.

I realize that many claim that protection is needed when such is not the fact; but whenever the conditions are such that a producer can not make his product by paying a good wage to his workmen and leaving a reasonable profit for himself, by reason of the cheaper cost of production elsewhere, I am in favor of protecting that industry and giving to it a protection equal to the difference in the cost of production here and abroad, giving due consideration to economic conditions and difference in the efficiency of labor.

I trust that the provision with reference to zinc ore will pass the House in its present form. [Applause on the Republican side.]

Mr. CANDLER. Mr. Chairman, the people all over this country awaited with much anxiety the introduction of this tariff bill. It is not worth while to ponder now, however, the fond dreams that anticipated a possible fulfillment of party promises of relief from the burdens of taxation; relief from the oppression of iniquitously high import duties; duties imposed in favor of the classes as against the masses. Those dreams are shattered. In their stead the people see the same old broken pledges, the same utter disregard of solemn obligations, the same abject obedience to the behests of the "robber barons," the same almost contemptuous indifference to the complaints of the people to which during all these years of Republican rule they have been treated. True, they should not have expected anything else, for the leopard can not change his spots any more than the Republican party its allegiance to the plutocratic elements of this country. [Applause.]

Well may the farmers of the country stand appalled when they contemplate the pending bill. Well may the workingman groan when he seeks in it for comfort and finds none. There is no relief for them from the load of taxation they now carry; on the contrary, it has been added to, and the average rates in this bill are even higher than the average rates in the Dingley bill now in force.

These are general statements, it is true, but they are based upon actual fact, actual truth, as we find it in almost every line of this bill. It seems that the Republican majority of the Committee on Ways and Means deliberately designed to frame a bill to help the special interests at the expense of the farmer and the workingman, and if the pending measure is enacted into law their purpose will be accomplished.

How should the power of taxation be employed? Only to produce sufficient revenue for the economical administration of the Government, and not a dollar more. Every dollar taken beyond that is a dollar unjustly stolen, under the forms of law, from the earnings of the people. [Applause.] What I want to see done, Mr. Chairman, is to apply to the manufacturer the same principle that applies to the farmer and to the laborer. All of our people have the right to demand fair treatment; none have the right to demand more than that; none should be expected to be satisfied with less. Justice and fair dealing is all I ask or want for my people, but that much I do want, and intend to get it for them if I can. [Applause.]

Thirty years ago James A. Garfield, whom no one will place outside of the ranks of protectionists, said:

> I would have the duty so adjusted that every great American industry can fairly live and make fair profits, and yet so low that if our manufacturers attempted to put up prices unreasonably, the competitors from abroad would come in and bring prices down to a fair rate.

The late Senator Sherman, in a speech before the Home Market Club, of Boston, in 1888, said:

> Every imported article that does not compete with our domestic industry and is essential to the comforts and wants of our people should be placed on the free list.

Joseph Medill, the Republican editor of the ultra-Republican Tribune, of Chicago, in a speech before the American Agricultural Society in 1882, said:

> I understate the truth when I say the farmers of the West and the planters of the South are charged $500,000,000 a year on their goods for the profit of protected eastern manufacturers more than is fair or necessary on the principle of "live and let live."

The truths—and truths they are—proclaimed by these Republican protectionists more than three decades ago are as applicable to the situation to-day as they were then. The farmers of the West and of the South are to-day paying hundreds of millions that do not go into the Treasury to replenish the public revenues, but simply to enrich the manufacturer. Let no one mistake what I say. I take as much pride in my country's manufacturing record as any man living.

I would do nothing to obstruct the Republic's magnificent progress in this regard. I am willing to render unto Cæsar that which is Cæsar's, but, at the same time, I want no less consideration shown to the man who earns his living in the sweat of his face; I want the farmer to enjoy the fruits of his labor, which gives to this country its great wealth.

> To lay with one hand the power of government on the property of the citizens—
>
> said Associate Justice Miller, in Loan Association *v.* Topeka (20 Wallace)—
>
> and with the other bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called "taxation."

[Great applause.]

FARMERS EVEN WORSE OFF.

What consideration has been accorded the consumer in the present bill? Very little, if any. Not only does the proposed tariff not furnish relief which had been promised, but in its average rates it is higher than the present tariff, which was supposed to be a regular "skyscraper" of taxation.

The average of taxation in this bill is higher than the average of any tariff, not excepting those made to meet the exigencies of the civil war. There is good authority for this assertion, for it is based upon figures that come from the room of the Committee on Ways and Means. The average ad valorem rate of the Dingley tariff is 44.16 per cent, that of the Payne bill 45.72, a difference of 1.56 per cent. Is not this revision with a vengeance? On nearly every article that the plain people of this country use every day there has been an increase in rates of taxation.

COST OF LIVING.

The greatest outrage that has been committed is directed immediately against what for convenience sake is called the "breakfast table." This is readily established. First, let us look at our coffee. That was at first thought to be on the free list, but there is a string to it. The proviso which directs the collection of an import duty equal to the export duty that a coffee-raising country may put upon it is, everybody knows, aimed directly against Brazil, which sends us the greater portion of the coffee we consume. Brazil assesses an export duty of 12½ to 15 per cent on coffee. She will not repeal that duty. Why? Because she can not.

The export duty is required to constitute a sinking fund for the country's bonded indebtedness. Besides, there are political reasons. The great coffee-growing States of the Brazilian Republic would never consent to any proposition to deprive their planters of that 12½ or 15 per cent. So we see that so far from getting our coffee cheaper, we may have to pay an additional tax and therefore a higher price. Tea has been taken from the free list and loaded down with a duty of 8 cents a pound. On spices there is the specific duty provided in the present law, and in addition an ad valorem duty of 30 per cent. Mustard, pepper, salt, and practically all the necessaries of life are taxed to the limit. It is a burning shame, Mr. Chairman, such revision as this, and if the people of the country stand for it they will stand for anything.

This is the worst robber tariff ever sought to be inflicted on the people of this country. [Great applause on the Democratic side.] The humble citizen appears to have been especially

singled out in this bill. Everything he uses is heavily taxed. Take blankets. The duty on these ranges from 22 cents a pound and 30 per cent ad valorem to 33 cents and 40 per cent ad valorem. It does not put any money into the Treasury, for the imports are of no consequence. According to the census reports of 1905 we imported only $19,719, while our domestic product was valued at $24,620,000. Now, is not it perfectly clear that this tax goes to the manufacturer? The farmer and the workingman and the American people have this tax to pay, so that the already large profits of the manufacturer may be swelled.

Now, let us glance at the paragraph relating to ready-made woolen clothing. It reads like this:

> On clothing, ready-made, and articles of wearing apparel of every description, wool hats, shawls, whether knitted or woven, and knitted articles of every description * * * composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 60 per cent ad valorem.

On a suit of clothing invoiced at $15, weighing, say, 12 pounds, the tariff duty would be $10.30. The imports of ready-made clothing of this grade, the grade which the plain people use, are comparatively small, because the foreign manufacturers can not compete with ours. It would not pay. This duty, therefore, brings no money to Uncle Sam's cash box, but it enables the American manufacturer to tax our own people for his personal benefit.

BOOTS AND SHOES.

Boots and shoes under this bill are to pay 15 per cent ad valorem. On a pair of shoes costing $2.50 the tariff duty would be 37½ cents, which is just that much extra profit to the manufacturer, because the imports of boots and shoes into this country are practically nothing. The American shoe manufacturer is constantly making greater inroads upon the markets of the world, because his goods are more stylish and because he can compete on even terms with the foreign manufacturer and, if need be, even undersell him.

He does not need protection. One of the New England witnesses before the Ways and Means Committee, in an unguarded moment, allowed the admission to escape him—in reply to a question by the distinguished gentleman from Missouri [Mr. CLARK]—that if hides were put on the free list, the shoe manufacturers would not be hurt by their product also going on the free list. True, he took it all back afterwards, but that was after he had presumably been properly disciplined. He spoke the truth at first, because then he spoke from his own heart. [Applause.]

METAL SCHEDULE.

Our friends on the other side of this Chamber are quite jubilant when they talk about the metal schedule, because the farmer is considerably interested in that. "We have cut the duty on iron and steel in half," they exclaim. You have done nothing of the sort. You have cut the duty on steel rails in half, it is true, but what of that? Our rolling mills even then have vastly more protection than they need. Andrew Carnegie and Charles M. Schwab are pretty good authority when it comes to iron and steel manufactures.

If Carnegie is out of the business, Schwab is still in it, and not for his health, either. Both say that their particular industry does not stand further in need of protection. But the Republican party's pet, the steel trust, shakes its head at the idea of lowering rates, and so we find that in this bill the ad valorem equivalent in the metal schedule is 36.15 per cent, against 36.95 per cent in the present tariff. Why, here is an actual cut of eighty one-hundredths of 1 per cent! Is not that great? Another evidence of the sham of this so-called "revision of the tariff." It was at first thought that the tax had been removed from agricultural implements, but upon closer examination it appears that coupled with it is a proviso that they may only be imported free of duty from any country which imposes no duty on such articles. That is a fraud and another sham, for every country manufacturing them to any extent has a tariff duty on them. As a matter of fact, there need be no duty at all on agricultural implements, for the American manufacturer practically controls the markets of the world with his product. It is well known that American plows and reapers and all other implements are sold abroad for less than in the home market, and while again this duty puts no money in the Treasury, it makes it possible for the manufacturer to exact an excessive price from the American farmer.

I warn you Republicans now, as I did in my speech on February 3 last, you better put agricultural implements absolutely on the free list. The farmer demands it, and ought to have it. [Applause.]

So it is all along the line. The products of the farm have no protection, but still you insist on taxing the implements with which they are produced. You may be able to satisfy the American people, but I do not believe it. I believe that when they see your false promises and broken pledges they will hurl you from power. [Applause.]

Mr. Chairman, I represent a great agricultural district, a great agricultural section. Our great product is cotton. It does not need protection. What the southern planter needs, and what he does not get, is protection against the exactions of the "trust" which supplies him with bagging and ties. There the same old rate of duty has been maintained, and the southern farmer will have to pay the same old tribute to the manufacturer. My people ask no special favors, but they ask fair treatment. That is not accorded them under this bill, and therefore I protest against it.

FACING A DEFICIT.

The people of the United States, Mr. Chairman, are facing the very unpleasant fact of a big deficit at the close of the current fiscal year. It may be even larger by the 30th day of June, 1910. It was perfectly well known that such would be the case, and when the Ways and Means Committee set to work to frame the bill we have here it was expected that at least a sufficient revenue producer would be the result of its deliberations. Greatly to the amazement of the people, however, the bill brings lots of protection to the already protected industries, but not much, if any, additional revenue into the coffers of the Government. So sure were the committee of this that they provided for reimbursement to the Treasury out of the sale of Panama Canal bonds for the $40,000,000 paid to the French company, and, besides, for an issue of $250,000,000 of one-year bonds at the discretion of the Secretary of the Treasury. They are not called "bonds." That is a word that does not sound well when an issue is contemplated in times of profound peace. So they are designated "certificates of indebtedness." But whether they go by the one name or the other, the glaring fact stands out that the people of the United States may have to go in debt for a year, at least, to an amount of more than a quarter of the whole outstanding public debt of the Nation.

If those certificates bear 3 per cent interest—and a short-time issue could hardly be floated at less—the people will have to foot the bill to the tune of $7,500,000 for that one year. And this from the party which boasts that it takes care of the prosperity of the country. It is a kind of prosperity that I hope and believe the American people are getting tired of and will rid themselves of at the next election. [Applause.]

If this condition had arisen from unforeseen and unavoidable contingencies, an excuse might possibly be found for the course which the Ways and Means Committee has found itself compelled to pursue. When we take into consideration, however, that these deficits are due solely to the unpardonable extravagance of Republican administrations, then, indeed, no excuse can be given. We all know that as the Nation grows its needs also expand. But what would be thought of a business man who, because of the growth of his business, would add to an already heavy indebtedness, instead of seeking to reduce expenses wherever possible? What would be thought of a man who in spite of a diminished income would constantly add new and costly things to his home instead of trying to economize, pay his debts, and live within his means? A few years ago everybody was astounded when appropriations of a billion dollars were made in the life of one Congress. Extravagance, like—

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

To cover the sin of extravagance, the Republican majority of the Ways and Means Committee framed the bill before us. Nobody is satisfied with it, except, perhaps, a few excessively protected interests. All over the country the cry of denunciation is heard. So loud, so insistent, is the clamor that the Republican leaders are looking for cyclone cellars. Conferences are the order by day and by night, for these leaders are flooded with protests from their constituents, telling them that the work will not do. The "ultimate consumer" did not have a ghost of a show when the hearings were in progress before the Ways and Means Committee, but he is being heard now and is speaking in no uncertain tones. What good it will do remains yet to be seen.

My chief purpose in addresssing the House was to show how the interests of agriculture had been ignored in this bill, and how unfairly the people generally have been dealt with.

My closing remarks shall be an appeal to the House for that justice to the agricultural interests of the country which this bill denies them. Agriculture is the Nation's mainstay. Our

trade balances for the last decade have come from the products of the farm. The capital invested in farm lands and farm animals in 1900 was nearly $23,000,000,000; that in manufacturing industries not quite $10,000,000,000; yet the total value of farm products, not counting those fed to live stock, was only a little more than $3,764,000,000, whereas the value of manufactured products for that year was over $13,000,000,000. So you see the farmers got only 16 per cent on their money, while the manufactures got 141 per cent, and still this bill is for the protection of the manufacturer at the expense of the farmer. [Applause.]

Farming is an industry that ought to enjoy the fostering care of the Congress at least as much as any other. But it does not. Whenever its interests run counter to those of another industry it is the one that is made to suffer. Yet agriculture rarely complains. It is related of old Leopold of Dessau, one of the generals of Frederick the Great, that before a certain great battle he went apart from his troops and prayed. Leopold was not much given to prayer, as a rule, but in this case he did the best he could. "Lord," prayed he, "give us victory; but if you can't do that, just keep your hands off and I can lick the fellows myself." Thus agriculture might well say to Congress: "Help me if you will; but if you can't, don't help the other fellows at my expense, and I'll get along all rigat without your assistance." [Great applause.]

There is no use in concealing or ignoring the fact that all tariffs that ever were enacted in this country have been more or less the result of concession. But never, until the Republicans took the job, has there been a one-sided concession—from the weaker side always to the stronger. The same influences that dominated the tariffs of 1890 and 1897 are again dominating this bill. We, who believe that the tariff ought to provide revenue to pay the expenses of the Government, economically administered, will do the best we can, little as that may be under present conditions, to improve the character of this measure, if we have an opportunity to offer amendments. When this battle is over and the smoke clears away, we shall see who have stood by the people and their interests; who have been true to their country and its welfare; who have upheld the right and not faltered; and who are able in the end to stand forth clothed in the beautiful garments of truth and receive the commendation and approval of those whose servants they are. May the God of justice and the right save the people of this country from the calamity of the enactment into law of this iniquitous bill. [Loud and continued applause.]

Mr. HAMILTON. Mr. Chairman, we are engaged in passing a tariff bill and in levying duties to raise revenue to run the Government; we are confronted by the question whether duties shall be levied for revenue chiefly or for revenue and protection.

In considering this question, I have prepared a statement of facts, the truth of which, I believe, everybody will admit, and from these facts, as premises, I propose to draw certain conclusions.

FACTS.

First. We must raise money to run the Government, and the tariff furnishes the least burdensome method.

Second. We live in a tariff world, in which other nations, except England, protect their markets. The millennium has not yet arrived.

Third. We live in a world of industrial centralization, created by improved methods of transportation and communication.

Fourth. We live in a world of corporations, in which corporate combinations exist alike under free trade and protection, in republics and in monarchies, and the further the nations of the earth have advanced commercially the more their industries have become centralized.

Fifth. The further nations are advanced commercially the more their labor is organized, but nowhere are the wages of labor as high as they are in America.

Sixth. We have here in America a domestic commerce along our own coasts and upon our own rivers, lakes, and railroads, amounting to more than $25,000,000,000, which is more than twice the international commerce of all the world, and of that international commerce we sell about one-eighth and buy about one-ninth.

Seventh. Our ninety million population market, being the best market in the world, we should not give it away by free trade or exchange it by reciprocity for any other lesser market unless the best interests of the whole people will be conserved thereby.

Eighth. It is better to keep our money in use and circulation among ourselves than to send it abroad in exchange for commodities which we can make as well as foreigners.

Ninth. It is better to keep our own capital and our own labor employed than it is to keep the capital and labor of other nations employed.

Tenth. There is more of individual liberty here in America than in any other nation, and the average American citizen is better educated, better housed, better clad, and better fed, and counts more in achieving force than the average citizen of any other country.

Eleventh. If the products of poorly paid foreign labor are admitted into American markets duty free, then in order to compete with foreign labor American labor must work for the same wages paid foreign labor, plus the cost of transportation of foreign products into the American market.

Twelfth. If American labor were forced to the low wage scale of foreign nations, it would degrade the average of American citizenship and emphasize social difference.

Thirteenth. Tariff agitation and tariff uncertainty are injurious to industry.

Fourteenth. The more there is manufactured, the more people there are employed; and the more people there are employed, the more people there are to buy what the farmer has to sell; and the more people there are to buy what the farmer has to sell, the better price the farmer gets for what he has to sell; and the better price the farmer gets for what he has to sell, the more the farmer buys of what the manufacturer makes to sell; and the more the manufacturer makes to sell, the more he pays to labor to manufacture what he makes to sell.

Fifteenth. I submit tables showing wages in certain occupations, and cost of production of certain articles at home and abroad.

A comparison of wages, by the hour and by the day of eight hours, in the United States and certain countries of Europe in 1903.

	United States.		Great Britain.		Germany.		France.		Belgium.	
	Hour.	Day.	Hour.	Day.	Hour.	Day.	Hour.	Day.	Hour.	Day.
Bricklayers	$0.55	$4.40	$0.21	$1.68	$0.13	$1.04	$0.13	$1.04	$0.08	$0.64
Stonecutters	.42	3.36	.20	1.60	.12	.96	.14	1.12	.07	.56
Stone masons	.46	3.68	.21	1.68	.13	1.04	.14	1.12	.08	.64
Hodcarriers	.29	2.32	.13	1.04	.08	.64	.10	.80	No data.	
Carpenters	.36	2.88	.20	1.60	.13	1.04	.15	1.20	.07	.56
Painters	.35	2.80	.18	1.44	.12	.96	.13	1.04	.07	.56
Plumbers	.44	3.52	.20	1.60	.11	.88	.15	1.20	.08	.64
Machinists	.27	2.16	.17	1.36	.13	1.04	.13	1.04	No data.	
General laborers	.17	1.36	.10	.80	.08	.64	.10	.80	.05	.40

A comparison of the cost of production of certain articles in the United States, Great Britain, and Belgium.

Articles.	United States.		Great Britain.		Belgium.	
	Labor cost.	All other expense.	Labor cost.	All other expense.	Labor cost.	All other expense.
One yard cashmere cloth of cotton and low botany wool of equal weight and quality. (Weaving wage given as labor cost)	$0.064	$0.196	$0.013	$0.143	.....	.....
One yard cashmere cloth of cotton and botany worsted of equal weight and quality. (Weaving wage given as labor cost)	.064	.135	.015	.163	.....	.....
1 yard all-wool sateen of botany wool of equal weight and quality. (Weaving wage given as labor cost)	.058	.65	.014	.30	.....	.....
1,000 common red building brick	2.33	1.91	.....	.....	$0.66	$0.69
1 dozen ivory-handled table knives, practically same size, American make best English steel, English make ordinary steel	.94	7.18	.85	3.65	.....	.....
1 dozen knife blades used for above knives	.63	.55	.445	.40	.....	.....
1 gross green glass spirit bottles, equal capacity and weight	1.88	2.25	1.15	1.91	.....	.....
1 ton (2,240 pounds) Hematite pig iron	1.23	9.43	.79	11.25	.....	.....
1 dozen plain ironstone china plates, equal size, American make half ounce heavier	.22	.24	.15	.21	.....	.....
1 dozen plain cups and saucers same size, style, and weight	.23	.25	.12	.36	.....	.....

A comparison of the wages of labor employed in woolen manufacture in the United States, England, France, and Italy.

	Italy.	France.	England.	United States.
Sorters	$4.60	$6.40	$7.30	$12.50
Washers or dyers	3.00	4.25	5.00	7.00
Carders	2.30	4.00	3.00	6.00
Gill boxes	2.30	3.70	3.00	6.00
Comb minders	2.30	3.70	3.00	6.00
Boss spinner	7.00	9.25	12.60	18.00
Mule spinner	5.80	6.20	7.30	9.50
Ring spinner	2.30	4.00	3.00	6.00
Weavers	3.00	4.60	4.00	9.00
Fullers and pressers	3.50	4.25	6.00	7.00

I had some difficulty in getting these figures, but they are authentic.

CONCLUSIONS.

If these propositions be accepted as true, then it follows that any tariff policy which would share our 90,000,000 population market with foreign capital and foreign labor by the importation of foreign commodities which we can grow, manufacture, and produce as well as foreigners, would (1) be admitting to our markets the products of those who protect their markets against us, (2) would lower the level of our own citizenship without raising the level of foreign citizenship, (3) would stimulate foreign manufacturers while depressing our own, (4) would increase the employment of foreign labor while reducing the employment of our own, and (5) would increase the circulation of American money abroad and reduce its circulation at home.

TWO THEORIES.

In the framing of a tariff law, two theories are at work: One, the Republican theory of a tariff which shall "equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries;" the other, the Democratic theory that protection is "robbery" and that the tariff ought to be revised by a system of "gradual reductions" down to "a revenue basis."

That is, by a system of "gradual reductions" it is proposed to take down the chimney, take off the roof, take out the windows, take down the walls, and, finally, remove the foundations of our industrial edifice, so that no one will be disturbed while being turned out of doors.

For illustration, the Dingley law contains fourteen schedules and a free list, embracing 463 classes of commodities, and these in turn embrace thousands of articles grown, manufactured, produced, bought, sold, and used by millions of people, and it is perfectly apparent that a system of "gradual reductions" would introduce a general condition of doubt and distrust in which no manufacturer would dare to buy raw material except in limited quantities to be manufactured in limited quantities and sold in limited quantities upon a shifting market.

The only system of "gradual reductions" the country ever had was Henry Clay's "sliding scale," which slid into the panic of 1837.

A REVENUE BASIS.

And when we had reached a "tariff for revenue basis"—when we had reached the bottom—what would we have?

A tariff for revenue only is a tariff on things the like of which we do not grow and produce. England collects more revenue per capita than we do, but she collects it on a tariff for revenue only basis. A tariff "for revenue only" is a tariff only for revenue, and a tariff for one thing "only" obviously can not be a tariff for two things.

Therefore there can be no such thing as a tariff for revenue only, with incidental protection.

But there can be such a thing as a tariff which shall "equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries," and that is what the Republican platform in the last campaign declared for.

Recognizing that there can be no such thing as a tariff for revenue only, with incidental protection, some gentlemen on the other side have become more or less open advocates of protection.

In the language of the New York Sun:

> Alabama and Tennessee are becoming manufacturing States, and their prosperity depends largely upon their coal and iron industries. Their need of protection is imperative. Georgia and the Carolinas are developing enormous industries in cotton products, which also need protection. Louisiana would perish under a dispensation of free trade in sugar and rice. Virginia has her tobacco, and so it goes. Each wants its own peculiar industry nourished by Congress, yet all join in denouncing "the party of protection."

Other gentlemen recognizing that there can be no such thing as a tariff for revenue only, with incidental protection, have evolved a hybrid compromise between the demands of their constituents for protection, which they can not safely disregard, and their platform utterances which they can not repudiate and retain their identity as a party, and propose a tariff which would neither be high enough for protection nor low enough for free trade, to be reached by a sliding scale of disaster, compared with which the arid waste from '93 to '97, strewn with the skulls and bones of defunct business enterprises, would be as a drought to a desert.

That is, the duty which they would finally levy, when they had reached the bottom of their "sliding scale," would be constructed on the water-gauge plan, and would measure the flow of importation and collect toll therefrom, and the swifter the flow the greater the revenue, down to approximate free trade. And the swifter the flow, the more American labor and American industries would be submerged.

However, these gentlemen have not ventured to try to incorporate their various views in a bill.

TRUSTS.

But we are told in the Democratic platform of 1908 that protection protects trusts and that "articles entering into competition with trust-controlled products should be placed upon the free list."

Let us examine this.

Trusts are corporations organized under the laws of various States—not under the laws of the United States—but trusts are not peculiar to the United States. The further the nations of Europe have advanced commercially, the more their industries have centralized, and a proposition to put articles the like of which are made by trusts upon the free list simply means the opening of American markets to foreign trusts, which are protected in their own country against American trusts.

Not only are foreign trusts protected, but foreign governments sanction and uphold them upon the theory that with steam-driven machinery it is better to run steadily and keep men steadily employed than to run haltingly to supply a fluctuating demand; and that by running steadily every unit of production is made cheaper.

Not only that, but these foreign corporate combinations have international trade combinations, by which they seek to regulate output and apportion trade among themselves.

Not only that but they sell cheaper abroad than at home.

Not only that, but Germany owns 90 per cent of her railroads, and by 1957 France will own all of hers, and the government-owned railroads of Germany and France carry goods designed for export at lower rates than goods designed for home consumption.

Not only that, but the sea is no longer a barrier, but a means of cheap and easy transportation.

TWO FACTORIES.

We live in a tariff world and a world of corporate combinations, and a tariff bill has to be framed with reference to conditions as they are.

Down to the beginning of the trust era the problem was simpler.

Let me illustrate. One example is worth a thousand arguments:

Assume for the purpose of illustration that the gentleman from Mississippi—if my friend will permit me—is a foreign manufacturer, and that I am an American manufacturer.

I have no figures for other countries, but if he builds in England and wants to borrow money, he can borrow it cheaper there than I can here; his machinery will cost him less than mine, his power will cost him less than mine, his belting will cost him less than mine.

We each begin to excavate for the foundations of our factories, and he pays his diggers the current wages of 80 cents a day if he builds his factory in England, 64 cents a day if he builds in Germany, and 40 cents a day if he builds in Belgium; I pay mine $1.36 a day. We pay more than that in Michigan, but $1.36 is the average for the United States.

Then we begin to lay the walls, and he pays brick masons $1.68 a day if he builds in England, $1.04 if he builds in Germany, and 64 cents if he builds in Belgium. I pay $4.40 a day.

He pays stone masons $1.68 a day if he builds in England, $1.04 if he builds in Germany, and 64 cents a day if he builds in Belgium, and I pay $3.68 a day.

He pays hod carriers $1.04 a day if he builds in England, 64 cents if he builds in Germany, and 40 cents a day in Belgium, and I pay $2.32 a day.

He pays carpenters $1.60 a day if he builds in England, $1.04 if he builds in Germany, and 56 cents a day in Belgium, and I pay $2.88.

He pays painters $1.44 a day if he builds in England, 96 cents a day in Germany, and 56 cents a day in Belgium, and I pay $2.80 a day here.

He pays plumbers $1.60 a day if he builds in England, 88 cents a day in Germany, and 64 cents a day in Belgium, while I pay $3.52 a day here.

We proceed to set the machinery, and he pays skilled machinists $1.36 a day if he builds in England, $1.04 if he builds in Germany, and 64 cents a day in Belgium, while I pay $2.16 a day here.

It is obvious that in the labor employed in construction alone my factory has cost more than the foreign factory.

Mr. HUGHES of New Jersey. Will the gentleman yield?

Mr. HAMILTON. Yes.

Mr. HUGHES of New Jersey. Has the gentleman any explanation to offer why England, a free-trade country, in comparison with those other countries, pays the highest wages?

Mr. HAMILTON. That is a question that is very frequently asked——

Mr. HUGHES of New Jersey. And never answered.

Mr. HAMILTON (continuing). And I do not know that I have ever heard a perfectly satisfactory answer to it. Of course, the gentleman will scarcely argue that the free-trade conditions in England are responsible for the better wages in England than in Germany and in Belgium. Possibly the matter of supply and demand of food necessities may have something to do with it. Of course, you might as well try to supply the city of Washington from a market garden as for England to try to live upon the products of her own soil. However, I have not investigated this element in the problem; and I can not give the gentleman an answer which would be satisfactory to him or to myself.

Mr. HUGHES of New Jersey. Will the gentleman yield for another question?

Mr. HAMILTON. I yield to the gentleman.

Mr. HUGHES of New Jersey. I would like to ask the gentleman to address himself to this point of his very interesting argument: The gentleman shows the high rate of wages paid in America to the various artisans, as compared with the much lower rate paid to artisans of the same kind working in the other countries of the world. Now, is there anything to prevent these artisans from coming to the ports of our country and competing in this country with these highly paid artisans of this country?

Mr. HAMILTON. I am coming to a discussion of that condition. I am endeavoring to discuss this subject in a perfectly fair way. Of course, there is the contract-labor law, and there is the restriction of the importation of coolie labor, but in the South—and possibly the gentleman can give me some information, because I am not quite certain about this—in North and South Carolina and Louisiana, have not the state authorities within the last two or three years made an arrangement for men to go abroad and get laboring men to be imported for work in those States?

Mr. HUGHES of New Jersey. If the gentleman puts that in the shape of a question, I would be obliged to reply that I do not know.

Mr. HAMILTON. You know it was discussed on the floor of the House, and the Attorney-General rendered a decision in relation to it.

Mr. HUGHES of New Jersey. I do not recall anything about it, but I am satisfied the gentleman would not make that statement unless he knew it was true. The American manufacturer has done his best to evade the obligations put upon him by this House when it passed the last high-tariff bill by going to the cheapest sections of this country and abroad in order to obtain cheap labor to compete with the high-paid mechanics that you have been talking about. I will admit that.

Mr. HAMILTON. So far as the purpose of the argument I am making is concerned, we ought to try to get away from our prejudices. This is a great question. We ought to discuss it fairly. It is not a matter to be settled by prejudice. Human nature is selfish, human nature is acquisitive; and it is never less acquisitive when it is organized into corporations, and corporations are never less acquisitive when organized into corporate combinations.

I suppose the gentleman himself, if he were a stockholder in a corporation, might be willing to get his labor as cheaply as he could, and therefore it becomes necessary to impose some legal restriction for the maintenance of the democracy of opportunity here. And before I get through I want to show that the enforcement of a protective tariff has its ethical aspect. We have a civilization here on American soil which makes the average citizen, the average man, the best all-round man on earth, I believe.

Now, this is an industrial cooperative association in a broad way. Obviously we can not pull the rest of the world up to our standard, because the rest of the world is too big; but we can levy duties which shall prevent the pauper-made or cheaply made goods of foreign nations coming in here and competing with our better paid American labor. If we should put wage conditions here down to the foreign level, of course that would affect injuriously American citizenship.

Mr. WEISSE. Will the gentleman allow me?

Mr. HAMILTON. Now, I want to proceed, and maybe a little further on I will yield to the gentleman.

Now, let us get back to our two factories. We go on, and my friend CANDLER, who is personating the foreign manufacturer, turns out a case of goods, let us suppose, of cashmere cloth. I had a good deal of trouble to get commodities that could be compared accurately as to foreign-labor cost and American-labor cost. Suppose we are making cashmere cloth. He turns out a case of, say, 100 yards, and his weaving wage, as I have ascertained, would amount to $1.20, and I turn out a case with a weaving wage of $6.40.

In his factory all other expenses incident to the production of this case of goods amount to $14.30 and in my factory to $19.60.

Therefore he can lay his case of goods down at my factory door for $15.60, plus cost of transportation, while my case of goods costs me $26.

In the absence of protection, there is but one thing for me to do, and that is to call out my men and explain to them that we must either shut up shop or that they must work for the wages paid abroad.

REVENUE AND PROTECTION.

Just here the tariff interposes and says to you; Mr. Candler, as a foreign manufacturer you pay no taxes here, you support no institutions, you build no schools, churches, benevolent or charitable institutions or homes for the unfortunate, you contribute nothing for public improvements or for police protection, therefore we require you to pay a sum for the privilege of trading in our market which shall "equal the difference between the cost of production at home and abroad."

And this money that you pay shall be used to pay the expenses of running our government, of supporting our army and navy, of paying pensions to soldiers and to the widows and orphans of soldiers, of maintaining rivers and harbors, of digging and maintaining inland waterways, of digging and maintaining the Panama Canal, of the purchase and preservation of forest reserves, of the carrying on of war, of the restoration of order in Cuba, of the reorganization of Port Rico, and of the establishment of a stable government in the Philippine Islands.

But you say in that case the price is increased to the consumer by the amount of the duty exacted.

Down to the beginning of the trust era, which is the culmination of tendencies which commenced long ago, the answer to this was that others seeing the success of my factory built other factories until my factory was multiplied by thousands and tens of thousands scattered throughout the country, and that these factories, by inventions and improvements and by competition among themselves, reduced prices to consumers in many instances, even below the duty exacted.

PRICES, WAGES, BUSINESS.

But suppose prices are not reduced below the duty exacted; suppose prices are not even reduced to the level of foreign prices; suppose even that prices are higher than foreign prices; what then? Let us examine this.

Even though prices may not be reduced to the level of foreign prices, the more industries there are the more men there are employed and the more their purchasing power is increased, and as I have said before on this floor, the more men there are employed the bigger the town, and the bigger the town the better the market for the farmer, and the better the market for the farmer the more valuable the farm.

The more industries there are, the more capital there is employed and the more railroads, steamboats, and factories there are built, and the more mines there are dug and the more farms there are improved.

We have now 235,000 miles of railroad, the making of which required labor and capital, over which 47,000 locomotives, the making of which required labor and capital, are hauling two million cars, the making of which required labor and capital, loaded with the products of ninety million people, the value of whose products is increased or diminished accordingly as men are employed or unemployed or partly employed.

The Detroit River floats more tons of freight than enter and clear at the ports of London, Liverpool, and New York combined, and 95 per cent of the ships carrying this freight are American ships manned by American men, built by American capital and American labor out of American material cut, forged, shaped, and dug from American soil.

wants its own peculiar industry nourished by Congress, yet all join in denouncing "the party of protection."

if he builds in Germany, and 56 cents a day in Belgium, and I pay $2.88.

In everything that tends to human health and comfort the humblest artisan of to-day commands what the wealth of kings could not command a few years ago.

The more industries there are the more money there is kept in use and circulation.

The nimble dollar in use and circulation used to be illustrated in the old-fashioned circus by ten men coming out in the ring and standing in a circle, and one of them said to his neighbor: "Bill, I owe you a dollar, but I haven't the money to pay you." And another man stepped up and said to the first man: "Here, John, I owe you a dollar and here is the money to pay you." Whereupon John paid Bill and Bill paid the next man, and so on around the circle until that dollar had paid ten debts in succession and returned to the man who originally held it.

SENDING AMERICAN MONEY ABROAD TO PAY FOR WHAT WE CAN MAKE HERE.

Your chief argument now is that a low tariff makes lower prices.

A few years ago you gentlemen advocated the free and unlimited coinage of silver and gold at the ratio of 16 to 1, and the chief reason you gave then, aside from the opportunity it would give to pay just debts contracted at 100 cents on the dollar in 50-cent dollars, was that more money makes higher prices.

That of course is true provided the money circulates. It is only money that "goes into the market of commodities, and is there exchanged against goods" that affects prices.

But how do you propose to get money and keep it in circulation? If you receive money, you must give something in exchange.

Do you expect to keep money in use and circulation here by paying it out to foreign manufacturers and foreign laborers for making commodities which our people can make as well as they?

We have more gold in our federal treasury now than ever before and more money deposited by labor in savings banks than ever before.

But could that money be earned and deposited here if we were sending money abroad to pay foreign manufacturers and foreign laborers for making what we can make as well as they?

Gentlemen say they are in favor of American homes. So is everybody. Patriotism is not the exclusive asset of any party.

But do you expect to build American homes by sending American money abroad to pay foreign manufacturers and foreign laborers for making what we can make as well as they?

Gentlemen tell us things would be cheaper. They might be for a time till foreign manufacturers, having possession of our markets, raised their prices; but men out of work spend no money at the store and the bun in the grocery window is never more remote than when you have not got the money with which to buy it.

The history of low tariffs is a history of hard times. Under George Washington, the first tariff bill was passed. It was increased by twelve separate enactments down to the war of 1812 when it was doubled.

From 1816 to 1824 there was depression of tariff, depression of trade and hard times, relieved by the tariff of 1824, which was raised by the tariff of 1828.

Clay's "sliding scale" slid into the panic of 1837, but conditions were relieved by the tariff of 1842.

The Walker tariff was low, but its logical effects were postponed by war with Mexico putting large sums in circulation, famine in Ireland calling for large shipments, the finding of gold in California, the Crimean war, revolution in Europe, and by reflex action prosperity here, until at last prosperity from accident ceased and we fell into the panic of 1857.

REMOVAL OF DUTIES AS A REMEDY FOR TRUSTS.

But with the era of trusts, a new factor enters into the problem, and let us suppose that my factory has been merged into a trust; that is, I have transferred my factory to a corporation organized under the laws of New Jersey, Delaware, or West Virgina, and have taken stock in the new corporation in consideration of the conveyance, and several other owners of factories engaged in the same kind of manufacturing have done the same thing.

In the language of the report of the census of manufactures for 1905, "one of the most effective methods of forming a large manufacturing enterprise is to consolidate existing independent establishments."

But meanwhile my friend, the gentleman from Mississippi, has been merged into a foreign trust, and the old warfare for the markets of the world has simply been transformed from a warfare among individuals into a warfare among great corporate combinations at home and abroad for the markets of the world.

Now, gentlemen on the other side propose to destroy trusts by removing the duty from the articles the like of which are made by trusts. Let us examine this.

Some eight years ago, at the height of the trust transition period, it was estimated that only 12.8 per cent of the manufactured output of the United States was made by trusts, and that therefore 87.2 per cent of the manufactured output of the United States was made by competing independent industries.

The accuracy of that estimate has never been verified, but supposing only 50 per cent of the manufactured output of the United States is made by competing independent industries, what would be the effect of the Democratic proposition to remove the duty from articles the like of which are manufactured by trusts?

Is it not perfectly apparent that if this policy would have any effect at all, its first effect would be to drive the smaller competing independent industry to the wall?

And when you had done that what would you have?

Is it not perfectly apparent that you would have great corporate combinations holding the field alone and dictating terms to producers and consumers and to labor?

And when you had done that, what would there be to prevent foreign and domestic corporations from organizing international trade combinations just as they are doing now in Europe?

And when you had done that what remedy would labor have, what remedy would producers and consumers have, against the arbitrary prices fixed by international trade combinations?

Mr. COX of Indiana. Will the gentleman yield?

Mr. HAMILTON. I will, but I really ought to be closing.

Mr. COX of Indiana. I will not detain the gentleman but a moment. I have enjoyed the philosophy of the gentleman from Michigan, but he is criticising the Democratic party.

Mr. HAMILTON. No: I am not. I am showing that your remedy would operate directly contrary to its expressed purpose.

Mr. COX of Indiana. Will the gentleman tell us what remedy he offers for the control of the trusts?

Mr. HAMILTON. I am not personally put to the necessity of originating remedies for trusts. The Republican party, in response to a patriotic duty, has been considering conditions as they are, and as a party we have gone about the business of regulating combinations by law, and that apparently is the only way to accomplish it. We are now regulating corporations, in the language of the law, "affected with a public interest," like the great carrying corporations doing interstate business, but the regulation of private occupations rests upon a different rule, and it would take too long to discuss it now.

THE CASE OF CERTAIN COLLEGE PROFESSORS.

We are engaged in passing a tariff bill for ninety millions of people. Of these 90,000,000 people about 29,000,000 are engaged in so-called gainful occupations, 10,000,000 in agriculture, 7,000,000 in manufacturing and mechanical pursuits, 5,000,000 in trade and transportation, and 7,000,000 in professional and domestic service, and any law which would discriminate for or against any one of these industrial divisions would meet with universal execration.

The interlocking and interdependent relations of our whole population are illustrated by the case of certain college professors, discharged during the hard times from 1893 to 1897 because of the falling off of the income from certain railroad bonds held by the colleges employing the professors.

To trace the line of causation back to the cloistered professor of some dead language or political economy is interesting.

For various reasons, now known to all men, during the years from 1893 to 1897 times were hard and, according to Samuel Gompers, 3,000,000 men were out of work.

Therefore, men out of work bought less and less at the stores; and the stores bought less and less of the factories; and the factories paid out less and less in wages; and the farmer sold less and less to everybody.

Then railroads, having less and less to haul from mill to merchant and for everybody, began to lose money, although they cut down wages, laid off labor, and laid off trains.

They failed to pay their fixed charges and operating expenses, and finally the railroads, being in the hands of receivers and being unable to pay the interest on their bonds held by the college employing the professors, the college was obliged to discharge the professors who

Taught the free trade
That shut up the shops,
That shut down the mills,
That shut off the traffic,
That ruined the railroads,
That stopped the interest,
That paid the professors their salaries.

This is the industrial house that Wilson built.

WHAT ARE WE PROTECTING, AND WHY?

This Government does not belong to a few of us. It belongs to all of us, and we are engaged in passing a tariff bill, not for

way. Obviously we can not pull the rest of the world up to

can capital and American labor out of American material cut, forged, shaped, and dug from American soil.

some of us, but for all of us—buyers and sellers, producers and consumers—engaged in many occupations, and inasmuch as every man is a producer as well as a consumer, a buyer as well as a seller; and inasmuch as every man as a buyer wants to buy low, and as a seller wants to sell high, he illustrates in himself the impossibility of putting prices up for the benefit of sellers or putting prices down for the benefit of buyers.

We are engaged in passing a protective tariff law. What are we to protect and why?

First, we are protecting a civilization here, which, under the form of democratic self-government, is seeking to preserve the right of men to exercise their faculties in lawful occupations, jointly or severally; and to preserve the opportunity of all by restraining the monopoly of opportunity by a few.

Second, as a part of this preservation of this democracy of opportunity, we propose to maintain a wage scale among American laboring men which shall enable them to maintain their own self-respect.

Third, to do this, it is necessary for us to hold the wage level of our people above the wage level of other nations by a protective tariff which shall "equal the difference between the cost of production at home and abroad."

If the products of the labor of poorly paid foreign workmen were admitted to our markets duty free to compete with the products of our better paid workmen, one of two things would happen: Either American labor would have to go down to the industrial and social level of foreign labor, or else we would have to raise the industrial and social level of the rest of the world, which is impossible.

The nearest approach we can make to the raising of the level of foreign workmen is by admitting some of them here subject to reasonable restrictions and merging them into our own population.

In the exercise of these reasonable restrictions, no doubt the exclusion of cooly labor makes it harder to get "help" on the Pacific slope.

No doubt the contract-labor law makes it more difficult for employers to dictate terms to labor.

But of cooly labor may be imported from across the Pacific and the lower forms of European labor from across the Atlantic for the purpose of allowing them to underbid American labor, then obviously we do not raise the level of foreign labor even on our own soil, but we lower the level of our own labor.

As a nation we are engaged not only in building factories and raising crops, but in raising men.

In this way the tariff question becomes an ethical question.

In the maintenance of this protected cooperative union of American labor and American industries, we have no right to exclude any territory appertenant to the United States not to discriminate for or against any race, section, or class under our flag.

Protection is for the protection of the American people—not of any particular interest.

Protection is for the protection of our American industrial democracy—not of any industrial oligarchy.

It is inadequate if it forces any industry to reduce American wages to the level of foreign wages.

It is indefensible if it is so levied as to legislate wealth into the hands of any special interests.

In this way protection becomes a question of patriotism.

Mr. PRAY. Mr. Chairman, my remarks to-day will relate chiefly to wool and hides and their status under the Payne tariff bill, which is now under consideration.

In the discussion of this measure we have heard a great deal about free raw material and the finished product, respectively. It should not be forgotten that what is one man's raw material is the finished product for another. Wool is the sheep raiser's finished product and hides the cattleman's. Under the equitable Republican policy both are entitled to protection. They are the assets, or a considerable part of the assets, of the sheep farmer and the cattleman. To deprive these of the protection now given them, or by refusing to give them what they are entitled to, is to depreciate their market value and cut down the wages of men employed in producing them. This is so self-evident a proposition that it calls for no protracted argument.

In the State of Montana, which I have the honor to represent on this floor, sheep raising is one of the chief industries. Next to mining, it is the greatest wealth producer of the State. According to the figures given in the Agricultural Yearbook for 1907, there were then in Montana 4,000,000 sheep, and the product for 1906 was 30,820,000 pounds of washed and unwashed wool and 11,403,400 of scoured. This represents 12 and 11.3 per cent, respectively, of the country's total output. The capital invested in the industry was estimated last year at $60,000,000. The sheep farming business of the United States ranks fourth among the countries of the world. So great an interest has an irresistible claim to consideration, and any legislation affecting it ought to receive the most painstaking care. The farmers of the United States, whether they grow wheat or cotton, oranges or grapes, whether they raise cattle or sheep, have as much right as the manufacturers to demand fair treatment in the framing of a tariff.

The underlying principle in our policy of protection is the equalization of the cost of production by means of imposts upon articles produced by labor cheaper than our own, and thereby causing unfair competition. The protective tariff serves the double purpose of building up new industries and guarding those that stand in danger from the influx of cheaper foreign products. On those essentials is based the claim of the wool industry of Montana—and, for that matter, of the whole country—to the proper protection in the tariff.

Montana's woolgrowing industry represents to-day the result of many years of untiring, often unprofitable work; of close attention to detail; of obstacles patiently removed; of difficulties overcome by sternest effort. In its inception it was much as it was in the days of old—migratory, unstable, governed by chance. Gradually it has become an industry based upon intelligent, liberal investment, and carried on in conformity with those business principles that apply to every properly conducted commercial enterprise. Among the factors entering into the profit and loss calculations none is so inexorable as the climatic conditions under which sheep farming in Montana is carried on. The necessity of providing shelter and food for the flocks during severely inclement weather adds enormously to the primary cost. As an instance, I call attention to the fact that in the year ending March, 1907, with its unusually severe winter, no less than 727,000 sheep died from disease, cold, and other unavoidable causes. In the same period the loss from the like ills all through the United States averaged 6 per cent of all the flocks. I shall show further on that in this and in other important particulars the sheep-farming industry in this country labors under disadvantages which can only be compensated for through the protection afforded by proper import duties. Before I reach that point, however, I want to show by carefully compiled statistics a picture of the expenses and earnings of the sheep industry of Montana for the years 1907 and 1908.

Summary of the wool and mutton production and of the expenses and earnings of the sheep industry of Montana for the years 1907 and 1908.

Number of sheep		5,000,000
Investment		$60,000,000
EARNINGS—1907.		
Wool, at 20 cents		$8,000,000
Lambs and mutton, average $0.917 per head (average yearly outgrowth on the original number of sheep)		4,585,000
Total		12,585,000
EXPENSES.		
Operating	$7,000,000	
Fixed charges, at 7 per cent	4,200,000	
		11,200,000
Net profits, 1907		1,385,000
Being a profit on the investment of 0.023 per cent for the year.		
EARNINGS—1908.		
Wool, at 16 cents		$6,250,000
Lambs and mutton		4,585,000
Total		10,835,000
EXPENSES.		
Operating	$7,000,000	
Fixed charges	4,200,000	
		11,200,000
Loss for 1908		365,000
Being a loss on the investment of 0.006 per cent for the year.		
Summary of two years—1907 and 1908.		
EARNINGS.		
Wool		$14,250,000
Lambs and mutton		9,170,000
Total		23,420,000
EXPENSES.		
Operating	$14,000,000	
Fixed charges	8,400,000	
		22,400,000
Net profit for two years		1,020,000
Being a profit on the investment of 0.0085 per cent per annum for the two years, or a profit of 0.102 cent per head per annum.		

Right here it is proper to speak of the wages earned by the employees on a sheep ranch in Montana. Whether for skilled or for unskilled labor, they are higher than anywhere else in the world. The shearers, during a period of six weeks in early summer, are paid 9 cents a head, averaging $9 a day. The aggregate pay of these shearers in Montana amounts to approximately $450,000. Herders get $40 a month and board;

By trusts. Let us examine this.

to all of us, and we are engaged in passing a tariff bill, not for

ranch help, $35 a month and board; cooks, $50 a month and board. In all this, lodging, of course, is included. It is doubtful if there is any other industry that can make a better showing in behalf of its employees.

Now, Mr. Chairman, I propose to submit a comparative statement showing why the sheep growers in the United States, and especially in Montana and the adjacent States, are at a disadvantage when brought in competition with the sheep growers of other countries prominent in this industry and why they need the protection in the tariff for which I am contending. I have already told you of the wages, and so forth, we are paying. To this I will add, without going into detailed enumeration of items, that the total cost of running one sheep in Montana for twelve months is $1.3170. In foreign wool-producing countries the account stands thus, facts and figures having been obtained from statistical sources:

AUSTRALIA AND NEW ZEALAND.

Climatic conditions, aside from drought periods, are conducive to both wool production and a heavy percentage of lambs. No winter feed required.

Wages of herders average per month, about	$17.00
Cost of shearing, per head, about	.05
Actual cost of running sheep, per head, per year, about	.36

ARGENTINE REPUBLIC.

Climatic conditions are mild and a continuous growth prevails the entire year. No winter feed required.

Herders' wages per month, about	$15.00
Cost of shearing, per head	.04
Actual cost of running sheep, per head, per year	.39

The mild climate produces prolific growth of wool and insures heavy increases to flock in lambs.

CAPE COLONY.

Climatic conditions are much the same as in the Argentine Republic; land values are high; growth of grass not so prolific; no winter feed required; wages about the same; increased value of land increases the cost of maintenance per head per year to 56 cents.

UNITED STATES.

Actual cost of running sheep per head per year, $1.40. This does not include the cost of providing winter feed at an additional expense of from $1 to $1.50 per head, according to locality.

This exhibit proves that on account of natural conditions, if no other, the woolgrowers of the United States are entitled to protection which will place them at least on a level with the woolgrowers of countries more favored by nature.

It is unfortunate that neither in the publications of the Department of Agriculture nor in those of the Census Bureau can any statistics be found showing the amount of capital invested in the woolgrowing industry of this country. The figures I give on this head are estimated. An approximate idea of the magnitude of the industry can be obtained from the following figures taken from the Agricultural Yearbook:

Number and farm value of sheep, 1899–1908.

	Number.	Value.
1900	41,883,065	$122,665,913
1901	59,756,718	178,072,476
1902	62,002,091	164,446,000
1903	63,964,876	168,315,750
1904	51,620,144	133,520,099
1905	45,170,423	127,331,850
1906	50,631,619	179,056,144
1907	53,240,382	204,210,129
1908	54,631,000	211,736,000

Of the total for 1908 there stands to Montana's credit the exhibit of 5,524,000 sheep at $3.90 per head, giving a farm value of $21,544,000, a fraction over 10 per cent of the total for the United States.

Now, Mr. Chairman, as to the effect of the tariff on the wool industry it is only necessary to refer to the facts, and in this case the figures supply them. The tariff act of 1883 resulted in a decrease, for the five years 1885 to 1889, in the production of wool in the United States of 17 per cent, and in the number of sheep of 16 per cent. The courts held that under that same act broken tops could be admitted as waste. When it is remembered that broken tops are really first-class wool in a stage just preceding that which makes it fit for the spinner, it will be seen how that decision of the courts was calculated to and did exert a baneful influence upon the domestic industry by bringing in at a lower rate of duty material which but for that law should and would have paid a higher rate. Without giving the figures in detail, suffice it to say that from 1,316,083 pounds, valued at $564,694 in 1884, the importations increased to 8,662,209 pounds, valued at $3,447,201 in 1889. In 1890 the McKinley tariff was raised to 11 and 12 cents, respectively, with a resulting increase in the home production of 22,000,000 pounds, or 12 per cent, in the five years from 1890 to 1894, and an increase in the number of sheep in the four years from 1891 to 1894 of 180,690,000, an average of over 45,000,000 a year.

Now, for another picture. The Wilson tariff of 1894 placed wool on the free list. The logical result was that importation increased enormously and the domestic industry suffered accordingly. In the three years of the operation of the Wilson tariff the production of wool decreased 50,000,000 pounds, and the number of sheep 117,410,000, an average of over 39,000,000 a year.

During those years the importations of first-class wool amounted to 448,119,000 pounds; of second-class wool to 59,371,000 pounds, and of third-class wool to 344,045,000 pounds, a total of 851,535,000 pounds, an average of 283,845,000 pounds a year. The Dingley tariff changed all that. In 1898, we had 37,656,960 sheep, the farm value of which was $92,721,133; in 1908, 54,631,000 sheep, with a farm value of $211,736,000. In 1897 the imports of raw wool were 350,852,026 pounds; in 1898 they fell to 132,795,202 pounds, and in 1899 they were only 76,736,209 pounds. From that year to the present the imports have fluctuated, the lowest figure being in 1901, 103,583,505 pounds; the highest in 1905, 249,135,746 pounds. Last year the imports were 217,524,437 pounds.

All this shows, beyond the hazard of denial by anybody, that with proper protection the wool industry of the country is comparatively prosperous; without such protection it languishes. How important an industry it is; how, whether it flourishes or does not flourish, it affects every man, woman, and child, few people realize. The great Ways and Means Committee of this House deserves unqualified commendation for the zeal, the patience, the painstaking intelligence with which it has applied itself to the inexpressively burdensome task of solving the many complex problems in the construction of a tariff, and the result of its labors which we have before us in this bill also merits our appreciative consideration. No tariff has ever been framed, Mr. Chairman, that gave satisfaction to every interest affected by it. I venture to say none ever will be. Surely, the unexpected would have happened if the committee had brought forth a bill so perfect in all respects as to have commanded the approval of everybody. Of course, I mean everybody Republican, for no one on this side ever imagined that the committee would be able to satisfy our Democratic friends in this regard. Having said this much, I address myself to the wool schedule, to point out in what it falls short of giving that measure of protection which, in my opinion, the woolgrowers of the country have a right to claim.

It is my purpose to invite specially the attention of this House to paragraph 368 of the bill, which places a duty of 25 cents per pound on top waste and roving waste, and 20 cents per pound on slubbing waste, ring waste, and garnetted waste. That is a reduction of 16⅔ and 33⅓ per cent, respectively, from the rate in the present tariff, which is 30 cents per pound on all these products. The reduction in the rate would make it possible to bring into the country broken tops, or "slubbing waste," as it is called in the bill, skillfully mixed in with first-class wool and, by dextrous handling, have all of it pay the lower rate of duty, greatly to the disadvantage of the home industry. The reduction noted makes distinctly for the loss of the domestic woolgrower. It must be quite plain, even to the casual observer, that by this reduction great injustice might be done to the woolgrower, who, at the best, as already shown, is very much handicapped by natural conditions in his competition with foreign wool producers.

As to wool mentioned in paragraphs 364 and 365 of this bill (356 and 357 of the present law), it should be said that it is believed in well-informed quarters that the manner in which the "skirting" proviso of the former section has been carried into effect has been decidedly prejudicial to the interests of the woolgrowers. Mr. W. K. Harber, an authority on wool production and the tariff and one of the leading woolgrowers of Montana, thus explains the effect of that proviso:

An importation of 100 pounds of Australian skirted wool, shrinking 50 per cent, will pay $11 duty—that is, 11 cents per pound on first-class wool. It yields 50 pounds clean wool, upon which the duty paid averages 22 cents per pound, instead of 33 cents as contemplated by paragraph 362 (354 of the Dingley law), which imposes a duty on scoured wool three times that laid on unwashed. To produce 50 pounds scoured wool would require 135 pounds of Montana unwashed wool, shrinking 63 per cent, which is displaced by the Australian wool. In other words, 135 pounds of Montana wool is protected by $11 duty, or about 8 cents per pound.

If the present rate of duty were maintained and the "skirting" clause eliminated, it would be something like a fair deal for the American wool producer.

As regards wool of the third class, which enters largely into the carpet manufacture and which forms by far the largest part of our importations of the staple, I state upon competent authority that the dual classification in the present law, and in the pending bill as well, as to this grade allows a great deal of wool to be brought into the country, to be used in the manufacture of clothing, by the payment of only 4 cents per pound duty. Here the manufacturer is the beneficiary. If the straight rate of 7 cents per pound were adopted the manufacturer would be compelled to buy a better grade of wool, and the American woolgrower would have better protection for his product.

Very imperfectly, not at all in proportion to the importance of the interests involved, I have attempted to explain the inequalities of the wool schedule. I should have been glad, Mr. Chairman, if an opportunity could have been had to offer some amendment to the same, for I feel sensibly that the woolgrowers of my State have not all the protection they ought to have. I would amend the wool schedule by restoring the duty in paragraph 368 to 30 cents, as it is in the present tariff.

In approaching the subject of hides, I plant myself squarely upon the broad platform of protection to domestic products. I am decidedly in favor of retaining the duty of 15 per cent ad valorem on hides and of giving protection to that extent to the cattle raisers of the Western and Southwestern States and the farmers of the United States. I can see no good reason for placing hides on the free list.

The only ones to be benefited by it are the tanners and the manufacturers of shoes, harness, and other light leather goods. Band and shoe leather has a duty of 5 per cent ad valorem; boots and shoes and leather shoe laces, finished or unfinished, 15 per cent; harness, saddles, and saddlery, 35 per cent; manufactures of leather, or of which leather is the component material of chief value, not otherwise specially provided for, 30 per cent; articles or manufactures of rawhide, or of which rawhide is the component material of chief value, not otherwise specially provided for, 50 per cent. This is pretty liberal protection all along the line, I take it. Far be it from me to raise objection to any of these rates, but in view of them I fail to see the justice of the contention that hides ought to go on the free list instead of retaining the protection they now enjoy.

As showing the money invested in cattle I will only cite from the Yearbook of 1907 that the farm value of milch cows and other cattle, on January 1, 1908, aggregated the sum of $1,495,995,000. For Montana alone the figures were $20,064,000. I have been unable to find any official statistics as to the production of hides in the United States later than those given in the last census report. There the product for 1900 is given as 12,738,000. It can be taken for granted, of course, that in the decade since then the number has greatly increased. Right here I want to add the significant statement that in 1897 the average price of green salted hides per pound was 9.96 cents, and, in 1898, 11.56, the increase being exactly the 15 per cent ad valorem put on hides by the Dingley tariff.

Mr. Chairman, in the platform of 1860 the Republican party made its initial declaration in favor of a protective tariff policy in these words:

> That while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence.

That, sir, was the keynote for the economic policy of the United States, which for the last half century, with the intermission of the brief period of three years when the Wilson tariff cast its blight over the land, has been the country's glory; which has brought prosperity unparalleled in the history of the world; prosperity which is the envy of all nations; prosperity to the maintenance of which the Republican party is pledged. Those pledges have been quadrennially reiterated, and to this day the party has lived up to them. In the platform of 1908—

> the Republican party declared unequivocally for a revision of the tariff by a special session of the Congress immediately following the inauguration of the next President.

The fulfillment of the pledge is seen in this extraordinary session. And when this bill shall have been enacted into law, I believe you will find the party is also true to its traditional policy—

> not only to preserve without excessive duties the security against foreign competition, to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country.

[Loud applause.]

Mr. SIMMONS. Mr. Chairman, after the long discussion, I shall only trespass briefly on the time of the House.

In considering this bill the following equally important objects must be constantly kept in view, namely:

Revenue for carrying on the Government; proper protection for the manufacturing industries; adequately remunerative employment for operatives; and fair treatment for the great army of consumers.

To enable the Government to collect the revenues estimated under this or any tariff act, the country must be prosperous, and for this condition to exist our factories must be constantly operated so that our people may be fully employed, and thus become possessed of purchasing power.

Never, since the foundation of our Government, does history record that any of the above-mentioned coordinate factors prospered but that all prospered. Never at any time has one of them been depressed but that all have been depressed, and the tariff law enacted at this special session of Congress will determine the immediate business future of this Nation.

It must be admitted by every Member of this body that it is through the prosperity of our manufacturers, and the high scale of wages maintained thereby, that we derive national prosperity to a greater extent than from any other source, and time has fully demonstrated that a condition of prosperity to our manufactories can be accomplished only by a protective tariff.

The wisdom of this policy of the Government has been so conclusively proven that I do not think it admits of argument.

In the past twelve years of our national life, under the operation of the Dingley tariff law, not only has our Nation recorded its most phenomenal industrial growth, but the like of it has never been known in the history of the world.

The American people in the last national campaign were confronted by two simple propositions:

First. Should they support the party pledged to a revision of the tariff on a basis that would protect and conserve the industries of this great Nation? or

Second. Should they support the party committed to revision of the tariff for revenue only?

Their choice was unmistakably recorded at the polls, and mindful of the mandates of the people as then and there expressed there is but one course to follow.

I rejoice in the fact that our countrymen have directed us to act in this matter in a manner which is in exact accord with my own feelings, and I shall vote for every paragraph of this bill which gives proper protection.

I differ from the committee only where they have reduced the duties below the point which will permit a factory to maintain its present standard of wages, and at the same time make a fair profit on the money invested, which are the cardinal principles of the Republican national platform.

The experience of every country of the world has clearly demonstrated that the nation adhering to protective policies has enjoyed the highest measure of prosperity.

No more forcible illustration of this statement can be given than a comparison of the growth and development made by this Nation and our close neighbor, the Dominion of Canada.

In a speech made in my home city several years ago by one of the most prominent men of the Canadian country, he stated that Canada had as large a land area as the United States; that it was as rich in mineral and timber resources as was the United States; that its agricultural resources were as great and as extensive as those of the United States; and that, while the two countries had begun their national lives about the same time, the United States had reached a population of more than 80,000,000 of people, with the accumulation of almost incalculable wealth, while Canada had, within the same time, only reached a growth of about 6,000,000 of people and proportionately a much smaller aggregated wealth.

He stated that he attributed these vast differences in population and wealth more to the tariff laws existing in the two countries than to any other reasons, the American Nation having maintained for many years a tariff for protection as well as for revenue, while Canada had mainly followed the policy of tariff for revenue only.

He stated further that he thought existing conditions had demonstrated beyond question that our policy of tariff for protection was correct, and that he rejoiced in the fact that his Government was revising its tariff laws on lines of protection to their industries and their labor; and this policy is now being pursued by the Canadian government in a most vigorous manner.

Mr. Chairman, I know of no light to guide my feet except the light of experience; I know of no way to judge the future except by the past; and in view of the splendid achievements of

our Nation under protective policies, I am for maintaining them to the letter, as well as to the spirit.

This bill generally accomplishes all the objects sought and is in keeping with the pledge of our party given to the people in the last campaign. It has, however, in some schedules reduced the rates to points that will not enable such industries to continue their operations and maintain their present scale of wages, and in so far as these schedules are concerned I take exceptions to the bill. Undeniably the greatest injury that would be done to any American industry under the bill as it now stands would be that done to the pulp and paper manufacturers. Admitting that this bill is a revision downward, it nevertheless must be borne in mind that a reduction should in no instance place a single industry in a position that would prevent its future operations on a basis that will enable it to maintain its present standard of wages and make a fair profit.

I contend that placing pulp upon the free list and reducing the duty on print paper from $6 to $2 per ton would not only prevent the manufactories of these products from maintaining their present standard of wages and making a fair profit, but would destroy them absolutely. In other words, this rate of tariff means confiscation and nothing else.

It would throw out of employment tens of thousands of men, most of whom are the heads of families. It would imperil the hundreds of millions of capital now invested in these industries, and would transfer this entire business to the Canadian forests and water powers.

The manufacture of pulp and paper is one of America's greatest industries, and is deserving of as fair and liberal treatment at the hands of Congress as any other of our protected interests.

I wish now to call your attention to the magnitude of this enterprise:

The census of 1905 shows the number of paper and pulp establishments in this country was	761
The capital invested was	$277,000,000
The average number of laborers employed was	66,000
The cost of materials was	$111,000,000
The value of finished products was	$189,000,000

All these figures have been greatly increased since the census of 1905. The estimated value of the paper and pulp produced in the United States in 1907 was $250,000,000, and the estimated value of news paper produced in the United States in the same year was $50,000,000.

More than one-half of all this was produced east of the State of Ohio. Of late new mills are multiplying in the Western and Southern States wherever timber grows in abundance, and the market is not too remote. The industry in magnitude and importance ranks among the foremost in the country.

In the thirty years prior to 1899 news print paper declined from $200 per ton to $40 per ton. It has fluctuated since that time, selling once at $55 per ton. In January, 1900, it sold at $50 per ton; in 1906, at $38 per ton; in 1907, at $40 per ton; and in 1908 the highest price was $52.40 per ton. Perhaps no other commodity in general use has declined so much in price from 1878 to 1908 as news paper, and at the same time improved so much in quality. No other American product records a greater reduction in cost to the consumer when at the same time the cost of production has so materially increased to the manufacturer or producer.

The cost of production in the last few years, especially since the census of 1905, has greatly increased—wood and materials of all kinds having advanced. The pulp wood has increased about 90 per cent in cost in the last ten years, costing in 1898 about $5 per cord and in 1908 nearly $10, the increase in the last two years having been over $2 per cord. The cost of the wood constitutes about 40 per cent of the cost of news paper. With the demand for eight hours as a day's work—at the same wages—all within the last three years, the increase in the cost of production is obvious.

I represent a district which is one of the largest producers of pulp and print paper in the United States—a district having a capital invested in this industry amounting to $5,000,000, with a production valued at $2,500,000, and giving employment to over 2,000 operatives. I reside on the very borders of Canada, which country is the great competitor of ours in the production of these articles. I know that by reason of the lower cost of pulp wood in Canada, the low scale of Canadian wages, and its cheaper power, if pulp is put on the free list and the print-paper duty reduced to $2 per ton, our industries will be completely driven out of business.

I am satisfied that under the present tariff our these articles the American manufacturers thereof make but a fair and reasonable profit, and such profit the Republican national platform assured this industry it would receive. I favor the maintenance of the present rate of duty on these articles; but if, in the wisdom of the House, revision shall be generally downward throughout the bill, I contend that under no circumstances should the duty on print paper be reduced below $4 per ton. This would be a reduction of 33 per cent from the rate under the present (Dingley) law and would, in my opinion, be more radical than the prevailing reductions in the bill.

I also find my constituency most unjustly treated in the schedule covering rough lumber. That this great American industry, together with the pulp and paper industries, should have been singled out for slaughter in this bill is a condition beyond comprehension.

The American lumber trade is one of the greatest of all our industries. There is invested in this industry $600,000,000, furnishing employment to 30,000 sawmills, each with its full complement of employees, aggregating in the total 800,000 men, who, with their dependent families, would mean 3,000,000 of our population who would be directly affected.

This industry in the past, in common with our other great enterprises, has been protected by every tariff law enacted by the Republican party, and I contend that, from the view point of fair treatment, this industry has every claim for continued protection which can be advanced in favor of any commodity in this entire bill. Not only is this contention made in justice to this great enterprise per se, but I confidently believe that protection to this industry would be of as great benefit to as large a number of the American people as protection to any other; and this condition applies with equal force to the owners of the standing timber and the manufacturers of the lumber that comes therefrom.

The arguments that have been advanced in favor of the radical reduction of the duty on rough lumber are that it will both cheapen the cost to the consumer and conserve the forests of our country. If these contentions were true, there would be justification for this act; but as these claims are based upon mere theories, I contend that this great enterprise should not be imperiled when the most reliable expert evidence disproves every such theory. In confirmation of this statement I quote Mr. Gifford Pinchot, the Forester of the United States Government, and undeniably the best-informed living man on this subject in America, who says:

> If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my judgment it would accomplish neither.
>
> Free lumber would not materially reduce the price to the consumer. Most of the lumber we now import comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our own forests. It is not likely that under free lumber more than 5 per cent as much would come from Canada as we would cut at home. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Her total amount of standing timber is probably not more than one-third of what is left of ours. In the end the Canadians will undoubtedly require for home use all the timber they can produce. Imports from Canada would not be enough, therefore, to limit the cutting of our own forests or to reduce the price of lumber in any important degree.
>
> Stumpage prices are at present somewhat lower in Canada than in the United States. The taxation of Canadian timber land is better adjusted to the conditions under which timber must be cut than it is with us, but the average cost of logging and manufacturing is probably as great there as here. If the duty were removed the effect of these factors taken together would be to increase the value of Canadian stumpage and to some extent the profits of the Canadian manufacturer and the American retailer. There would remain little, if any, benefit to the ultimate consumer of lumber in the United States.
>
> The fundamental question at issue in the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of the same opinion I should favor the removal of the tariff. But I am unable to see how free lumber will promote forestry.
>
> There is only one way to save our forests: That is to see that they are kept at work growing new crops of timber, as the old are cut away.
>
> The lumbermen are right when they tell you that in times of high prices for lumber they do cleaner work in the woods and cut more timber from a given area than they do when prices are lower and only the best grades can be marketed. Low prices for lumber unquestionably increase waste. If the removal of the tariff had any effect on work in the woods, it would be to displace the lower grades of lumber now cut by our own mills, which must be either logged or left in the woods when the higher grades are taken out; and to that extent it would increase the woods waste in this country. The waste in logging is already enormous, several times larger than our importation from Canada. I do not believe that the increased use of Canadian wood, under free lumber, would equal the increased waste; and even if it did, the larger danger from fire and the greater difficulties in the way of forestry which follow wasteful logging would probably more than offset the gain. In other words, the drain upon our forests would not be relieved by allowing Canadian lumber to come in free.

In view of the fact that but 2 per cent of our lumber is to-day imported from Canada, and the estimate of Mr. Pinchot that if lumber was placed on the free list the increased importation from Canada would be but 3 per cent, and that neither our forests nor our consumers would derive benefit, the demands of the

advocates of free lumber are, in my opinion, without any foundation whatever. That this great enterprise should be so seriously depressed without bringing any compensating benefits would be a course in direct violation of the fundamental principles of Republicanism.

Many lumber establishments are located in my district, notably in the city of North Tonawanda which, with the adjoining city of Tonawanda, is the largest white-pine market in the world.

The average receipts of lumber and lumber products at this port for the past twenty years, during the seasons of navigation, as shown by the customs reports, are 492,000,000 feet per annum by water. In addition to this, a large amount is received by rail; but of this latter quantity I have no statistics, though the records do show that 43,935 cars of freight were shipped from the Tonawandas in 1906, and the bulk of the traffic was in lumber.

There is invested in the lumber and planing mill industries of the Tonawandas upward of $20,000,000 of capital, which would be most seriously jeopardized by any reduction in the tariff on lumber; and of the 25,000 of population 20,000 people at this point are either directly engaged in the lumber business or dependent upon it for a livelihood.

If rough lumber should be placed on the free list, or even should the existing duty be materially reduced, the effect would be paralysis to the business life and activity of this now rapidly growing community and the transfer of this life and vigor to our Canadian neighbors.

I most earnestly invoke the support of the Members of this House in giving to this industry the same protection that, through the wisdom of the Republican party, it has enjoyed under the present law. This is nothing but justice to the enormous vested rights, as above stated, and to the 800,000 men engaged in the industry and the countless thousands dependent upon them.

Mr. Chairman, I do not wish to trespass at too great length upon the time and patience of the House, but I feel it my duty before closing to mention briefly a line of industrial development which has practically come into existence within the last decade.

As wonderful as has been our national progress since our national birth on all lines of scientific discovery, we must admit that the fruition of America's greatest genius is exemplified in the discovery in recent years of the practical utilities of the electric current and its application to the every day work-a-day world through the medium of the electric furnace.

Processes of manufacture but a few years since unthought of are now common and indispensable.

The source of this great contribution to the industrial life of our country is Niagara, the home of the greatest power development in the world; and with fair and adequate protection to the infant industries which have sprung into existence within the last few years, I believe the day is not far distant when the reputation of that city as a manufacturing center will become as far famed as is that of its scenic grandeur.

The benefits of this new process of manufacture at Niagara are not confined to that city alone, but will be enjoyed with equal advantage throughout the district I represent, as it is all within the zone of economic transmission of the current.

The industries of that locality emanating from the recent discovery of the electric furnace have largely been without protection, as they have come into existence since the passage of the Dingley law. I therefore earnestly desire that the Ways and Means Committee should give this new schedule under the present bill careful and mature consideration, believing, as I do, that under the fostering care of our national laws these industries will in a very few years take leading rank among the great enterprises of our Nation and of the world.

I have but one more comment to make upon the bill, and I shall then conclude. I differ from the judgment of the Ways and Means Committee in placing a burden on the consumers of tea and coffee. We produce neither of these commodities in the continental territory of the United States, and therefore the object of their taxation is purely for revenue, and not in any sense for the protection of American industries.

I fully realize that this tariff law must be so enacted as to produce the revenue necessary for the maintenance of the Government, but I am unalterably of the opinion that the revenue we must receive, in addition to that which will come to the Government through the duties levied on articles included in the protected list, should be derived from taxation on the so-called "luxuries," and not on the actual necessities.

Coffee and tea are used as generally by the 90,000,000 of the people of this Nation as is any other article of food, and I therefore favor every law and policy which will give to the people such articles at the lowest possible cost.

In conclusion, I trust every Member realizes that the business interests of this great country demand at our hands as speedy action on this measure as is consistent with proper and fair deliberation, and I therefore hope this Congress will conclude its labors in the very near future, and that we will give to the country a law for the regulation of its industrial life which will be in full keeping with the pledges made by the Republican party, and the coming of which law may be the harbinger of a new industrial era in American national history, surpassing in its blessings of prosperity the great advances we have made in the past decade, and which will force our Nation onward in the leading position we now occupy among the nations of the earth.

Mr. DIXON of Indiana. Mr. Chairman, to the demands of the American people for relief from the exorbitant exactions of the Dingley tariff law the Democratic and Republican parties in the last campaign promised a revision thereof, and the people interpreted that promise as a revision downward and as an assurance of some relief to the overtaxed consumer.

The people intrusted the duty of revision of the tariff to the Republican party, and the first legislative expression in response to that promise, under which the party was given the reins of power, is the proposed Payne bill. "By their fruits ye shall know them." It is in Indiana a felony to obtain money or anything of value by false representations. What should be the punishment of the political party that obtains the votes of the people, their most highly valued possession, by false representations?

To the demand for relief, the answer is additional burdens. To the cry for lower taxes, the answer comes, higher contributions. To the plea for reduction of the cost of the necessaries of life is the assurance that higher prices will bring added prosperity and happiness. To the appeal that the poor are unable to stand greater burdens is the promise that our Nation will continue to prosper, and that in some way this prosperity will diffuse itself among all of the people.

The Government must be supported and the money for that purpose must come from the people.

No one objects to contributing his portion for said purpose when the money collected goes into the National Treasury and is expended with economy. Every citizen can compute his contribution toward the support of the state and municipal governments, but it is difficult to estimate what he pays for the support of the National Government. The main support of the Government is from the internal revenue and the duties upon imported goods. This has always been the source of our national revenues, and will continue to be, whatever political party is in control of the Government. Direct taxation under the Constitution would be assessed against the States in proportion to their population and not with reference to the value of the property contained therein. This would tax the poor and rich equally without reference to their ability to pay, and hence would be unjust and inequitable and will be resorted to only in case of the greatest emergency.

The Government, deriving one-half of its revenues by means of the tariff, will give protection in a measure upon the articles thus selected, and to this extent the manufactures of the country will be given an advantage. The tariff originally was adopted for the purpose of encouraging infant industries and was but 10 per cent, and this was deemed sufficient. The tariff was not originally established nor justified in order to shield the American manufacturer from the world's entire competition in trade and to deprive the American consumer forever of the benefits of the world's markets, but to encourage the American manufacturer to embark in a competition with the world in trade and production and to give him the advantage of a moderate tariff that he could equip himself to compete with the world.

The idea of partitioning off the American people as forever excluded from the benefits of the world's markets and doomed to be victims, by legal compulsion of trust prices and trust trade only, is a modern curse that looks to the Republican party for perpetuation and fellowship.

The tariff is a tax or duty levied upon articles imported into this country. Articles thus imported are taxed according to the tariff schedules, and this tax is first paid by the importer, but the price of the articles is increased by the duty thus collected, and the consumer ultimately pays the same, although the money paid in the first instance by the importer goes into the National Treasury. To the extent that the tariff is protection the tax is always paid upon the article by the consumer and goes into the

pocket of the protected producer. One system is legitimate taxation; the other is taxation for special interest.

A tax is not a source of wealth nor a means of development. The effect of a protective tariff is to distribute unfairly the reward of labor, prevent its natural diffusion, and concentrate it in the hands of a few people. It is a tax levied by the Government on all of the people for the benefit of a favored few.

In most cases the price to the consumer is necessarily higher than the homemade article, with the result that such articles are excluded from our markets. By such schedules the foreign articles are excluded, and the home manufacturer has an absolute monopoly of the home market. Foreign competition being thus impossible, the home manufacturers pool their interests and agree on a price just below the price at which the foreigner must sell his goods after paying the tariff tax, and thus levy their exactions upon the people.

The Republican party, through its present misguided leadership, now wants the people to ratify its distortions of the protective system from its former purpose and scope to the present trust-fixed schedules, whereby trade conspirators controlling the output of American manufacturers may force the sale of their wares upon 90,000,000 American citizens, free from competition of either home or foreign rivals, and of course at their own prices. So gloring a hold up of American citizens by syndicated interests through the act of the law would hardly have been attempted but for the fact that party methods and party machinery have been found adequate to screen from popular reach and redress the gravest wickedness and wrong.

In what way will the Payne bill interfere with the successful exploiting of our people by the sugar trust, the steel trust, the lumber trust, and the Standard Oil trust?

The sugar trust, a monopoly controlling more than half of the refining sugar industry, as shown by the Sugar Trade Journal, is practically left undisturbed by this bill. The steel trust that needs no protection is left in undisputed control of the markets.

The lumber trust also will be left practically in control of the markets. The Payne bill reduces the duty on lumber, but the people expected and hoped for the same to be placed on the free list. This industry, controlled by a trust and by the wholesalers agreeing on a schedule of rates of sales, has greatly increased the cost of all kinds of lumber and increased the cost of homes, and necessarily handicapping the laboring man and the farmer in building homes and properly improving their farms. It also increases the rents of houses and decreases the number of those who can own their homes. This is especially burdensome to the great consuming districts in the West.

The Standard Oil Company can still retain its hold upon the American market and continue to sell their products cheaper abroad than at home. This yearly profit, drawn from the American people to the extent of nearly $60,000,000 a year, will continue to flow uninterrupted into their coffers. What excuse can be given for this iniquity and injustice? Their campaign cries against the Standard Oil Company are worthless when it is considered that under the Payne bill the same provision by which this company is given absolute monopoly is retained, and this notwithstanding the fact that their oils are sold throughout the world from fifty to a hundred per cent cheaper than to the American consumers, and their profits during the last twelve years have amounted to nearly $60,000,000 per year and 55.9 per cent profits have been yielded on the amount of their stock. This company also uses large quantities of imported tin plate for the manufacture of their cans for the exportation of their oil, and they are allowed to recover from the Government 99 per cent of the import duty on the same. The President in the last campaign sought by all means to connect the management of the Democratic party with the Standard Oil Company. Campaign orators talked about the $29,000,000 fine to be recovered from this company, but the Payne bill shows who are the true friends of this great monopoly.

The domestic commerce and interstate commerce of the United States is twenty times as great in volume and value as our foreign trade has ever been at its very best. Our home market is twenty times as valuable to the manufacturers of the United States as our foreign trade is at its topmost figures. Competition and legislative barriers must ever be met by the American manufacturer, and though it is creditable and profitable to seek dominion and a market there, his American commerce and interstate traffic at home will likely ever remain in great excess of the foreign trade; and if he can only remain the master by law of the American market, freed from the peril of competition and at liberty to fix his own price for his wares, he may swell his fortune as he chooses, levy his exactions upon the people as he wills, and transmit to successors and children as valuable prerogatives as primogeniture itself ever bestowed.

The Payne bill is, in the main, private legislation, and for the sole benefit of favored interests. While upon some schedules it raises revenues, it has, in the main, fixed the rate so as to exclude competition and restrict importation. The Dingley Act has resulted in practically preventing foreign competition, and the protected beneficiaries have excluded domestic competition. Surrounded by a tariff wall that no foreign competitor could scale, they have pooled their interests, limited their production, fixed a schedule of artificial prices, and compelled the consumers to pay the prices, and in this way transferred from the farmer, from the laborer, from all other people, the money to fill their pockets. The amount of these exactions is measured only by the greed of the special interests. The Dingley Act, by reason of its high schedules, prevents the importation of many goods that would come into competition with our home-made goods and give the consumer lower prices and also the manufacturer at home reasonable profit.

Under the Payne bill the same policy is continued as under the Dingley Act. Our home manufacturers will raise their price to the highest point possible to keep out foreign competition, and this increased price does not go into the National Treasury, but to the favored manufacturer. The people pay the increased price, the Government gets no revenue, and the protected interests add to their gain.

The total imports from foreign countries in 1905 were but 3.1 per cent of the total consumption of similar articles in the United States in said year.

The metals and manufactures of metal amounted in imports to but 1.1 per cent of the total of that class of articles consumed; the wool and manufactures of wool to but 6½ per cent. We collect the duty upon the 3.9 per cent of the amount of total consumption, and the money goes into the Public Treasury; the 96.1 per cent are increased in value and the money goes into the treasury of the special interests, without one dollar of public revenue being raised therefrom.

The interests which have secured the high protective rates of the present bill, averaging 45.72 per cent ad valorem, pretend that this great amount of protection is necessary to compensate them for the higher wages they pay their workmen as compared to the wages paid by foreign manufacturers. This is a fraudulent pretense, unsupported by facts. This bill grants a great deal more protection than the alleged difference in the cost of production at home and abroad. As a matter of fact, the labor cost in many of these protected industries is cheaper at home than abroad, and in most of them the per cent of tariff duty is greatly in excess of the total labor cost paid in the manufacturing of the protected products.

The Statistical Abstract, published by the Government, shows that the value of the finished product of all the manufacturing industries of the United States for 1905, the latest date for which the Government has compiled the statistics, is $14,802,147,087. The amount paid in wages in said year in the production of said manufactured articles was $2,611,540,532, which gives the total labor cost for all of the said articles as 17 per cent, while the tariff rates are from 30 per cent to 100 per cent on said articles. In other words, the tariff rates cover the entire labor cost. It not only covers whatever alleged difference exists between the labor cost in this country and in foreign countries, but it also covers the entire labor cost and then gives a profit many times the cost of the labor.

The manufacturers of iron and steel produced in 1905 $941,071,093 worth of finished products and paid in wages for their manufacture $143,809,576, or 15 per cent of the value of the finished product. And these articles are given by the Payne bill protection of thirty-six and fifteen one-hundredths of 1 per cent, more than twice the entire labor cost. This is done for the alleged purpose of equalizing wages at home and abroad; in other words, they are given a protection of over 21 per cent as a bonus, in addition to full payment of the entire labor cost of production.

The cotton manufacturers turned out in 1905 $442,451,218 worth of manufactured goods and paid in wages $94,377,695, or 21 per cent of the value of the finished product. The Payne bill gives manufacturers protection of 50.27 per cent, or 29.73 per cent above the labor cost. There rates are increased 3.98 per cent above the rates of the Dingley bill. No possible justification can be given for this increase or the extravagant protection afforded this industry under the Payne bill.

The manufacturers of wool products produced in 1905 goods to the value of $380,934,003 and paid in wages $70,797,524, or 18 per cent. The protection afforded this industry under the Payne bill is 59.40 per cent, or 41 per cent above the entire cost of labor in the manufacture thereof.

The manufacturers of silk produced in 1905 $133,288,072 worth of that article and the wages paid were $26,767,943, or 20

per cent. The protection afforded by the Payne bill is 54.17 per cent, or 34 per cent above the entire cost of labor. Are these reasonable profits promised by the Republican platform after equalizing the cost of labor at home and abroad?

In addition to the above special cases, the following articles show the tariff on the finished product and the labor cost, and completely answer the claim of the adjustment of the tariff rate to the cost of labor:

	Labor cost.	Duty.
	Per cent.	*Per cent.*
Hats, wool	25	85
Hosiery, knit goods	25	80
Nails	14	38
Woolen blankets	20	84 to 125
Woolen clothes	20	97
Woolen dress goods	20	103
Brooms and brushes	20	40
Clothing (men and women)	19	83
Salt	24	36 to 79
Tin and tin plate	6	53
Tinware	22	45

A tariff rate equal to the entire labor cost of the finished product would certainly be sufficient, since the amount of wages would not then be considered in competing with foreign goods and our people would be granted this great advantage, since it must be conceded that foreign manufacturers must at least pay some wages. A tariff based on an advantage covering the entire labor cost would be a great revision downward. Do the schedules of the Payne bill show the same to be constructed upon the equalization of wages at home and abroad?

Protection is asked in the name of labor, but its real beneficiaries are the trusts and the manufacturers. The duty on a single article in the Payne bill is not founded upon the labor cost of its manufacture. The American laborer is paid good wages because his work in the factory is so effective and the amount performed is so large.

Mr. Hill, a statistician of the State Department, testified before the Tariff Commission that by reports of the American consuls in Great Britain the 5,250,000 workmen in American industries produced double what 5,150,000 in Great Britain performed.

Mr. Maurice Low, a thoroughgoing protectionist, says:

> We have the authority of all competent observers in America that one of the reasons to explain the secret of American prosperity is the great productive power of the American workingman, his output being so much larger than those of his foreign competitor that the cost of the American product is less than that of any other workman; and it has also been demonstrated that wages and labor cost bear not the relation that is ordinarily supposed; that is, it is not true that low wages are an indication of low-labor cost, but rather the reverse, the low-priced workman being usually an unintelligent and unskilled worker and unable to compete with the high-priced worker of greater intelligence and skill.

In 1878 William M. Evarts, then Secretary of State, through American consuls in different parts of the world, collected the facts as to the amount of production and cost of labor in continental countries and summarized these reports in the following language:

> The average American workman performs from one and a half to twice as much work in a given time as the average European workman.

Andrew Carnegie said a few years ago:

> It is not the lowest, but the highest paid laborer, with scientific management and machinery, which gives cheapest products. Some of the important staple articles made in Britain, Germany, and America are produced cheapest in the last, with labor paid double.

Mr. Blaine, upon information from American consuls when he was Secretary of State in 1881, said:

> Undoubtedly the inequalities of wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor.

Senator BEVERIDGE, of Indiana, speaking of the wages of the operatives in Russian factories, says:

> But low as these wages appear, yet, in comparison with the same American labor, these common working men and women of Russia may truthfully be said to be overpaid. Their wages are less than the wages of American workingmen; their working ability is still smaller. One can not believe, either, that the Russian working man or woman for a long time will be as efficient as the American working man or woman.

In the recent tariff hearings Mr. Bailey, of St. Louis, in testifying in regard to steel and iron wire, stated:

> While the individual earnings of the American workman is greater than that of the English workman, still the cost per hundredweight in wages to the American manufacturer is much less than to the English manufacturers because of the greater amount of work turned out by the American laborer.

It is to be regretted that the Committee on Ways and Means have not furnished Congress or the American people with information as to the relative wages abroad and at home, based upon the productive capacity of the American and foreign laborer. The absence of such evidence must be considered as a strong circumstance against the contentions of our friends on the other side of the House that the labor cost abroad is cheaper than at home, upon which they claim to have constructed the proposed bill.

The Ways and Means Committee, among the various documents on various subjects, have made no report as to the comparative relation of wages to efficiency. I have examined their hearings in vain for any detailed or complete statement upon this subject. The speeches of the majority members of that committee were barren of facts upon this important point. No data covering this subject were obtainable at their committee rooms, and the Bureau of Labor was unable to shed any light upon the matter, and we are forced to depend upon the evidence heretofore referred to for the facts in the case. It is true they are general in their nature and not applicable to particular schedules, and we are under the compulsion of legislating upon this vast question with no adequate information to guide our action.

The daily wages of skilled labor in the protected industries is less than in the unprotected industries. The highest wages are paid to our masons and carpenters, plumbers, plasterers, painters, and similar occupations, and in these trades the tariff has no effect. The twelve leading industries, and wages paid in each case, are as follows:

	Annual wages.	Weekly wages.	Daily wages.
Boots and shoes	$414.00	$7.92	$1.32
Blacksmiths	496.00	9.54	1.59
Carpenters	573.00	11.22	1.87
Clothing for men	415.00	7.98	1.33
Clothing for women	389.00	7.50	1.25
Iron and steel	633.00	10.44	1.74
Lumber	370.00	7.14	1.46
Masons, brick and stone	546.00	10.50	1.75
Nails, iron and steel	456.00	8.76	1.46
Woolen goods	359.00	6.90	1.15

Of these industries nine are protected by the Payne bill and three are unprotected. The average daily wages are as follows:

Average daily wages, (9) protected industries	$1.30
Average daily wages, (3) unprotected industries	1.74
Average weekly wages, (9) protected industries	7.10
Average weekly wages, (3) unprotected industries	10.44
Average yearly wages, (9) protected industries	405.00
Average yearly wages, (3) unprotected industries	542.00

These figures are taken along with several other tables cited by me from a recent publication on Industrial Questions, published by M. A. Donahue & Co., of Chicago.

Who are the beneficiaries of the Payne bill—the beneficiaries of the taxes on the product of wages and labor? Occupation, as compiled by Edward Atkinson, is shown by the census of 1900:

Employed in lawful occupations:	
Males	23,754,205
Females	5,319,192
Total	29,074,117
Agriculture:	
Subject to foreign competition	200,000
Free from foreign competition	10,181,765
Professional service, free from foreign competition	1,258,735
Domestic and personal service, free from foreign competition	5,580,687
Trade and transportation, free from foreign competition	4,766,964
Manufactures, mechanic arts and mining:	
Subject to foreign competition	400,000
Subject in part to foreign competition	400,000
Free from foreign competition	6,285,992

By this classification 1,000,000 persons only are engaged in those occupations where their labor can be considered in any possible way as subject to foreign competition. It is this class only, if any, whose wages can be affected by the tariff. The railroad industry is not affected by such a law, and it employs 1,521,355 men and paid last year in wages $900,801,653. This industry pays higher wages and more wages than the highly protected industries engaged in manufacturing cotton, silk, and woolen goods, iron and steel, and in making pottery and glass.

How does the tariff increase the wages of persons engaged in agriculture? The law taxes the articles they consume and thereby lessens their earnings. The protected industries do not sustain 4 per cent of our people.

The real price of labor is the amount of the necessaries of life that labor can buy with those wages. Wages are not measured in dollars, but in the purchasing power of the wage. The laborer does not work for the sole sake of employment, but to supply the needs and comforts of his home. What the laborer

wants is the highest returns for this labor. His prosperity is measured by what is left after the purchase of the necessary supplies for his home are purchased. If his wages are increased, but the necessities of life are increased in price more rapidly than his wages are, then he is poorer, though in fact his wages may be larger. In the last ten years wages have increased 19.5 per cent; the cost of the necessities of life have increased 55 per cent, and the Payne bill promises no relief as to the cost of these necessities.

Protection is demanded in the name of labor, but labor itself is unprotected. We forbid foreign goods, but we welcome the foreign laborer. The foreign laborer competes with our laborers in every field of industry and is employed in this country in the protected industries more extensively than in the unprotected. The manufacturer is protected, the laborer is unprotected, but he must compete in the open and free market and is compelled to buy all the necessities of life in a highly protected market.

A workman who made a dollar a day in 1897 must to-day receive $1.55 to buy the same articles of necessity that he purchased in 1897 for the former price. If he received $2 per day in 1897, to-day his wages must be $3.10 to put him on an equal plane when he buys the supplies for his family. If he received $3 a day at the former date he must now get $4.65 to equalize the difference in the cost of living, and if he was a skilled laborer and received $4 a day, he must now receive $6.20. Every laboring man will answer that he is not now receiving his due portion of the alleged Republican prosperity.

But what has the Payne bill done for the consumer? The schedules of the Payne bill are fixed in response to the demands of the manufacturer. These latter include but a small portion of the great number of the American people who are the consumers of the manufactured articles. For years they have felt that heavy weight of tariff taxes, and the Payne bill gives them no relief. The Ways and Means Committee hold their hearings and the representatives of the special interests crowd their committee room and fill volumes with their special pleas, and their learned counsel file lengthy and able briefs in support of their contention, but no representative from the great consuming masses appears before the committee in behalf of their interests. However just the judge, he can not do justice when he hears only one side of the case. Furthermore, when the majority of this committee believe in a policy that looks to the manufacturer rather than to the consumer, it is not surprising that the interests of the former are carefully guarded and the interests of the latter class sadly neglected.

It used to be contended by the Republicans that the tariff duty was paid by the foreigner, but this contention has long since been abandoned, and all their speakers agree to-day that the tariff duty increases the price of the domestic commodity as well as the imported article, and is paid by the consumer. The defense of the protective tariff is now based on the contention that the people owe to the manufacturer an obligation to maintain the manufacturing industries of this country and to guarantee them a profit without reference to the heavy burden it imposes upon the consumers. The tariff increases the price of everything bought by the farmers and the working classes, for they are the great consumers. The tariff increases the price of every article they buy, for use or wear. The tax on the blacksmith's hammer and anvil is paid by the farmer when he has his wagon and farming tools repaired. The farmer pays the taxes on horseshoe nails when his horses are shod. He pays the taxes upon lumber when he builds his home and barn and constructs his fences. And the workingmen in the cities pay their proportionate part when they settle for their house rent.

The laboring men on the farm, as well as in the shops and in the offices and stores, and all the salaried men contribute to swell the enormous profits of the protected interests when they buy for their families the articles and the necessities for their home. Each man can imagine his contributions when he glances over a partial list of the articles of daily consumption, which shows the great variety of sources from which these special interests draw their bounty from the American people.

Knives and forks, 67.81 per cent tariff duty; sugar, 61.71 per cent; lemons, 59.08 per cent; salt, 36 to 79 per cent; tea, 8 cents per pound; blankets increased from 67 to 104 per cent, the cheaper grades at the higher rates; flannels, 107.52 per cent; women and children's dress goods, 107 per cent; wool hats, 85.42 per cent; knitted articles, 94 per cent; cloaks and jackets, 74 per cent; shawls, 97 per cent; carpets, from 50 to 60 per cent; buttons, on the average, 52 per cent; gloves, 72 per cent; umbrellas, 50 per cent; hosiery, 90 per cent: woolen clothing, 83 per cent.

Did not the people expect a reduction upon some of these articles when the pledges of the political party promised a revision of the tariff? Are these unchanged schedules upon the necessities of life the expected response to the demands of the people for relief? Is this the response to the demand for the reduction of the tariff which was made by the great agricultural States of the West and Middle West and Northwest, from which section the great demand for revision first made itself felt within the Republican party? These people, for the most part, represent the consumers and not the manufacturers. The especial emphasis made by the chairman of the Ways and Means Committee in his explanation of this bill on the slight reduction of a limited number of schedules was an acknowledgment of the fact that the people expected a revision downward.

In the first year of the administration of the new President, with its boasted promises of prosperity and happiness to all, the dinner table is to be heavily taxed to pay the extravagant expenses of government and to give additional bounty to the special interests. The porcelain and tableware are taxed 55 per cent, the knives and forks 67 per cent, the sugar 61 per cent, the salt 36 per cent, the mustard and pepper 30 per cent, the tea 8 cents per pound, the coffee 4 cents per pound, the glassware 60 per cent, the toothpicks 28 per cent, and the tablecloth 50 per cent.

To the above can be added the tariff duty on soda, baking powder, cinnamon and other spices, mustard and cocoa, as well as the extremely high duty on the stove and cooking utensils, the coffee pot, and on the table itself. This list speaks for itself, and shows the burdens that are unfairly placed upon the necessities of life. No individual can live and escape contribution to the support of the special interests.

The sugar schedules of the proposed bill are the same as the present Dingley law, except a reduction of 5 cents upon every hundred pounds of refined sugar. This is one industry at least which is largely controlled by a trust, and its operations and profits will not be curtailed by the proposed legislation. The duty upon raw sugar remains the same, except that fixed quantities are admitted free from the American dependencies. The reduction in the rate on refined sugars is so small that it is of but little benefit to the consumer. The result of this reduction is that a consumer who purchases 100 pounds during a year receives the total benefit of said reduction to the amount of 5 cents only. The average consumption of sugar is about 80 pounds per capita per year. The ordinary consumer buys his sugar by the 25 cents and 50 cents' worth at a time, and this reduction gives him a reduction of a quarter, or a half a cent, and the result is the merchant would retain this small margin and the consumer get no benefit at all. With sugar on the free list the benefit would be felt and enjoyed by the people at large.

If there is one schedule more than another that deserves and will receive the condemnation of the American people, it is the schedule of woolen manufactures. Its rates are exorbitant and unwarranted, and its burdens fall upon all, but most heavily upon the people who are least able to pay. Our climate requires and our health demands comfortable and warm clothing, and the tariff duty in this schedule practically forbids a large number of people from securing these needed articles. Wool clothing and woolen blankets should not become luxuries. Nature demands that their use should be general and not restricted to the wealthy alone. I fail to comprehend how anyone can justify a tariff tax of over 100 per cent upon these prime necessities of life, while articles of luxury that can be purchased only by the wealthy are taxed at less than 20 per cent. If I were adjusting tariff rates, I would put the lowest duty upon the necessaries of life, and upon those articles that must be purchased by the poor at a low rate, leaving the higher rates to be paid for the luxuries of life that are to be purchased by the wealthy. The people of the country will have to pay the exorbitant rates provided for woolen clothing or be compelled to use those composed of woolen stuff mixed with cotton or no wool at all.

The increased duties on stockings has raised a storm of protest from all parts of the country, and no justification can be made for the same. In 1906 the importations of hosiery were, in the main, of four grades:

	Per dozen.
1. 2,500,000 dozen pairs, valued at	$0.936
2. 1,062,000 dozen pairs, valued at	1.39
3. 965,000 dozen pairs, valued at	1.93
4. 107,541 dozen pairs, valued at	2.68

The duties upon these importations ranged from 68.39 per cent to 59.78 per cent, the cheaper the article the higher the duty. The Payne bill increases these duties from 11.20 per cent to 21.36 per cent, the cheaper bearing the largest increase. This places an unnecessary burden and hardship upon every family. The persons using the cheaper hosiery pay more than those using the higher and better grades.

The result must be that unless we pay much more for these goods, the quality must be much poorer. To buy their supplies for a family is necessarily a heavy drain upon the household, and the consumer is entirely lost sight of in the great effort to satisfy the insatiate greed of the special interests. The difference of 1 cent a pair for hose or stockings for each of our 90,000,000 of people amounts to $900,000. Estimate the enormous amount that must be paid by the people, based upon the outrageous increase in the prices and the quantities necessarily consumed by the American people. It is a shame and a disgrace, and such conduct merits the condemnation and execration of the American people. The person using the higher grades will pay a tax of 7.98 per cent on the better grades; the poorer person will pay a tax of 89.75 per cent on the inferior grades which he uses. This is done in the name of labor, but, in truth, to swell the fortunes of the manufacturers.

Almost equally conducive to health and comfort are gloves, the tariff duty on which is greatly increased. I can conceive of no reason why these articles should be so excessively taxed, except that the necessity of their use compels an immense consumption, and on no schedule could richer fruits from government bounties be secured. Why should woolen goods and gloves pay a higher duty than silk? Why should hosiery and underwear be so heavily taxed, while uncut diamonds are put on the free list? Why should women's and children's dress goods be taxed at 112 per cent, while pearls are taxed but 10 per cent? Why should flannels be taxed 107 per cent and plushes for less?

Much praise is claimed by the Republicans for the liberal "drawback" feature of the proposed bill. Under the existing law a manufacturer can receive a rebate of 99 per cent of the duties paid on his importations when said importations go into the manufactured products and can be identified when exported. Thus when the International Harvester Company uses foreign goods in the manufacture of its machinery and farm implements it can secure from the Treasury of the United States 99 per cent of the duties paid upon such imported materials when said imported materials are used in their machinery sold abroad. This company is said to have a separate department conducted on this basis. Under the proposed law a manufacturer using imported material for use in his finished product may receive the drawback within three years from the date of the importation and whether the manufactured product contains the imported material or domestic material of the same quality and productive value. This is a great benefit to all manufacturers, and enables them to sell their products abroad cheaper than to the American people, and is a concession of the fact that it is not the labor cost in manufacture that prevents them from competing with foreign manufactures. The cost of manufacturing is the same whether foreign or domestic material is used, and when foreign material is used they are able to successfully compete in the markets of the world with the manufacturers of all countries, without reference to the alleged cheap pauper labor of Europe. This provision will extend the sales of American manufactured goods, but it will be at the expense of the American producers of the material used in the manufacture of the articles so exported. This drawback provision is a contradiction of the alleged purpose of the Payne bill and a denial of the principle upon which it assumes to be constructed—the equalization of wages at home and abroad.

The bill provides for a dual system of duties, with maximum and minimum rates. The minimum rates are those stated in the bill upon each schedule; the maximum rates are an average of 20 per cent advance over the rates so carried in the bill. The maximum rates are to apply to all importations from any country where there is any discriminating duty against American products. A large number of countries now maintain such discriminating duties, and it is fair to assume that many of the duties of the Payne bill will be 20 per cent higher by reason of this provision. This will accord the American manufacturers an opportunity to raise the price of their finished product 20 per cent, with the result that our consumers will be forced to pay this additional price.

Coffee is placed ostensibly on the free list, but there is the proviso that a duty shall be collected upon the same when the exporting country imposes an export duty thereon, the import duty to equalize the export duty charged. Nearly 90 per cent of our coffee is imported from Brazil, which country levies an export duty, and said duties are pledged to secure the payment of certain bonds, and this export duty can not be easily removed. The result will be that our people will be forced to pay the duty of 4 cents per pound on coffee, and, while it will produce revenue, it will be a burden upon the people that is both unreasonable and unjust, since an equal revenue could be obtained by lowering the duty upon woolen goods to allow real competition, and thus raise both the revenue and lessen the cost of the goods, to the great benefit of the consumer.

As a revenue producer this bill, as it stands, must be a failure. The Dingley bill did not produce sufficient revenues to meet the expenses of the Government, as we face a deficit of nearly $150,000,000. The increased rates provided for and the continuance of the present rates upon most of the articles under the numerous rates can not produce more revenue than the Dingley bill. But as most of the countries from which we import goods, directly or indirectly, discriminate against some American product, the maximum rates, an average of over 20 per cent more than the rates named in the bill, will apply at once upon the enactment of this bill to nearly every article imported, with the result that importation will be less and the revenue derived therefrom will be smaller. Our country will be involved in trade wars and our people suffer in their enforced contribution to the special interests.

Aside from these considerations of the particular provisions of the proposed measure, it is well to revert to the general proposition that our country was more prosperous and our development greater under low tariff than under high protective tariff laws.

Under the low-tariff law of 1846 the census reports show greater per cent of gains in value of all farm products than in the last ten years.

In the production of corn, the great basic product of agriculture in the Middle West from 1850 to 1860, under a Democratic tariff, there was an increase of 41.7 per cent in the United States. From 1880 to 1890, under a Republican tariff, there was an increase of 21 per cent. Under Democratic tariff, railroad mileage from 1850 to 1860 increased from 10,982 miles to 30,626, an increase of nearly 300 per cent. From 1890 to 1900 the increase was from 166,703 miles to 194,262, or an increase of about 16½ per cent.

The value of farms and farm property increased from 1890 to 1900 from $3,067,343,580 to $7,980,493,060, an increase of over 101 per cent. From 1880 to 1890 the increase was from $12,180,501,538 to $16,082,267,689, a little over 30 per cent. From 1890 to 1900 the increase was but a little over 20 per cent.

The value of farm animals increased between 1850 and 1860 over 109 per cent. Between 1880 and 1890 the increase was but 55 per cent; between 1890 and 1900 there was a decrease in value of $190,642,894.

Our exports increased from 1850 to 1860, 163 per cent. From 1880 to 1890 there was an increase of 2⅜ per cent. From 1890 to 1900 there was an increase of a little over 60 per cent; from 1900 to 1907, about 34 per cent.

In wealth we increased from 1850 to 1860, 125 per cent; from 1880 to 1890 the increase was 46 per cent; from 1890 to 1900 the increase was 37 per cent. The capital employed in manufacturing industries increased 89.4 per cent from 1850 to 1860; from 1890 to 1900 the increase was 50.7 per cent. From 1850 to 1860, under low tariff, rural wealth increased over 100 per cent; from 1890 to 1900, under high tariff, rural wealth increased but a little over 20 per cent. On the other hand, urban wealth doubled in every decade, except from 1880 to 1890 and from 1890 to 1900, when the increase was only 50 per cent. The average per capita wealth of the farmer remained the same from 1860 to 1900, yet that of the urbanite increased over sixfold. Of the $78,000,000,000 increase of national wealth from 1860 to 1900 but a little over one-fifth went to the farmers, who represent one-half of the population; yet of the $9,000,000,000 increase of wealth during the low-tariff decade of 1850 to 1860, over 44 per cent went to the farmers.

We are told in every campaign of the great increase in our national wealth under protection. This country is so situated and has such immense resources that its development and increase of wealth would be wonderful under any kind of tariff laws. We have fertile soil, inexhaustible mines of hidden wealth, and the most intelligent people on the globe. Prosperity is not produced by law. Many years ago men believed in the divine right of kings and their power to make people happy and prosperous. Our people have discarded such beliefs. Prosperity comes through natural processes. It is not handed out by the President or by Congress. It comes by industry, fertility of the soil, and the intelligence of our people combined. Our country, with its broad and fertile plains, vast mines of mineral wealth, and enormous resources, will be prosperous and progressive.

For the year ending June 30, 1907, the domestic export of farm products were of the value of $1,055,000,000, being the first year in the history of the world that a country exported agricultural commodities of home production to a value in excess of a billion dollars. Farm products furnish 63½ per cent of the total exports of our country. Since 1890 the farmers have not failed to secure the balance of trade in our favor. During that time the aggregate of the balance is $6,500,000,000, while the trade in all the other commodities has resulted in an adverse balance of $456,000,000. The farmers have furnished the wealth to offset the balance of trade in other commodities, and to them is to be given the credit for this great work of adding to the country's wealth, capital, credit, and welfare.

Four-fifths of the world's production of corn is grown in the United States, and the value of the 1907 crop was $1,350,000,000. Eight years' crop would pay for building every mile of railroad in the country. The hay crop for 1907 was 61,420,000 tons, and its value was $660,000,000; the cotton crop was worth $650,000,000; the wheat crop was worth $500,000,000; oats were worth $360,000,000; rye, $23,000,000; potatoes, $190,000,000; barley, $115,000,000; tobacco, $67,000,000; rice, $19,000,000; buckwheat, $10,000,000. The total value of the products of the farms in this country in 1907 was $7,412,000,000. It was 10 per cent greater than in 1906, 17 per cent over 1905, 20 per cent over 1904, 25 per cent over 1903. The value of eggs and poultry produced on the farms in 1907 was over $600,000,000. In 1907 we exported cotton to the value of $481,277,797.

We exported in 1907 domestic merchandise to the value of $1,853,718,034. The products of the farm constitute the larger part of the immense sum, and have changed this Nation from a debtor to a creditor Nation. We have fed and clothed the people of other countries, and the farmer is the source of the national wealth and prosperity.

Our farm property in 1850 represented one-half of our total wealth, in 1870 it represented but one-third, and to-day it is not equal to one-fifth.

We have immense wealth; the last showing was in the census report of 1904 and amounted to $107,104,211,917, yet 70 per cent of it was owned by 200,000 people, and the other 30 per cent is owned by the remaining 85,517,230 people of the country. It is said that when the directors of the United States Steel trust meet one-twelfth of the total wealth of the country is represented around the directors' table. Five thousand men in this country actually own one-sixth of our entire national wealth, leaving the balance to be divided among the remaining 85,812,239 people. What is the income of our people? Waldron's Handbook of Currency and Wealth estimates the incomes as follows:

One in 20 of the families is able to secure an income of $3,000 a year and over.
Two-thirds of the families get less than $900 per year.
More than one-half get less than $600 per year.
While more than 4,000,000 families, comprising one-third of the Nation, must get along on an income of less than $400 per year.

The tariff has contributed more than all other things combined to produce this unequal distribution of wealth, stimulating, supporting, and producing trusts. These advantages are given by law. The law gave the right and opportunity to organize the American Steel Corporation with a capital of more than a billion dollars. It gave the same opportunity to the Standard Oil Company, the cotton-seed oil trust, to the International Harvester Company, and to hundreds of others.

The census of 1900 shows that of the 16,000,000 families in the United States, less than 5,000,000 owned their own homes free from incumbrances, and that 11,000,000 families either do not own their homes or have them mortgaged. While the total wealth of our people is immense, it is concentrated in the hands of a few. The mortgaged indebtedness in the United States increased from $6,019,679,985 to $8,394,728,733 from 1890 to 1900, an increase of 39 per cent. In Indiana during the year 1905 the mortgage indebtedness increased $123,549,506.

During the fiscal year 1906, the value of the dutiable merchandise imported into this country from abroad was $664,721,885.77. There was collected upon this merchandise at the custom-houses $293,557,984.14, being an average of 44.16 per cent.

This is the total amount of the revenue derived from the tariff during the year 1906. This represents the amount the Government received by reason of the tariff. How much do the home manufacturers receive from the tariff?

In the year 1906 there were at least $14,000,000,000 worth of domestic manufactured goods consumed in the United States. These manufactured articles are increased in cost to the consumer by the amount of the tariff levied on similar articles imported into this country. This tariff duty in 1906 averaged 44.16 per cent, and the increased amount placed by our home manufacturers upon their home goods goes not into the Treasury of the Government but into the pockets of the manufacturer.

The figures show the result of tariff taxation and the distribution of its proceeds, as follows:

Revenue received by the Government	$293,910,395
Bounty received by manufacturers	6,182,400,600

This shows that under the beneficent effects of the Dingley bill for 1906, for every dollar paid into the Treasury of the Government $20 at least go into the pockets of the manufacturers, and all of this comes directly from the pockets of the consumers. This vast bounty amounted to $68.68 to every individual in the United States, counting the population at 90,000,000. The average family is composed of five members, and each family contributed $343.40. Under the Payne bill these contributions will be greater, as the average tariff duty is larger, as shown by their own reports. The money going into the National Treasury by reason of the tariff in 1906 amounted to $293,910,395, which is $3.26 per capita of our population—$16.30 per family. If this was raised by a direct tax upon the individual, how light would be his burden when compared with the amounts he now contributes to the special interests. The vast sum now contributed to the special interests is paid in an indirect manner by an increased price on everything the people consume. It takes tribute from nearly everything that we eat and wear; on every tool and implement used by the mechanic, mason, and carpenter; on every article used in the construction of a house or barn; fence, either of wood or wire; on the farm implements; and on books and newspapers. There are nearly 4,000 articles on the tariff list, and on the articles used by the poor the tariff is much higher than on articles used by the wealthy. Articles of necessity are unfairly taxed over articles of luxury.

The bill provides for a tax upon inheritances; and while this is a proper and legitimate subject for raising revenue, two-thirds of the States now have an inheritance tax, and the same might be wisely left to the States alone, while the National Government should provide an income tax. I approve of an inheritance tax, but prefer an income tax. An inheritance tax and an income tax would both fall upon the class that can well afford to pay the same. This class has been studiously guarded and protected by the general provisions of the bill. While the Supreme Court by a bare majority decided against the validity of an income tax, the personnel of this court has been changed, and President Taft in a public speech last summer expressed the belief that in case of emergency such a tax should be levied and the same could be drafted so as to avoid the objections of the court.

The insertion of the inheritance-tax feature is a confession of the belief of the committee that the Payne bill without this provision would not raise sufficient revenue; and even with this additional feature the committee have seen proper to provide for an issue of bonds, craftily called by the committee "evidences of indebtedness," bearing interest, to meet the anticipated deficit caused by the enactment of this law.

This bill may yet be changed, modified, and amended. The protests of the people are being daily heard. Whatever may be its ultimate provisions, this bill stands to-day as the carefully prepared measure of the Republican party, and its modification by this House will not be in accordance with the wishes of its leaders, but out of fear of the cry of condemnation from an outraged and tax-ridden constituency. What may happen to this bill after it leaves the House I dare not venture an assertion, but I am persuaded that the people are not to be relieved by any legislation coming from the hands of the Republican party. [Loud applause.]

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and Mr. DENBY having assumed the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. FORDNEY, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of James H. Deal, Fifty-third Congress, no adverse report having been made thereon.

RECESS.

The hour of 6 o'clock having arrived, the House, under its previous order, took a recess until 8 o'clock p. m.

AFTER THE RECESS.

The recess having expired, at 8 o'clock p. m. the House was called to order by Mr. DENBY, the Speaker pro tempore.

Mr. MANN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the tariff bill, with Mr. OLMSTED in the chair.

Mr. HEFLIN. Mr. Chairman, this is no new subject that we are considering at this extra session of Congress. It is, however, a question of great importance to the American people and one in which they are vitally interested. One of the gentlemen on the other side of this Chamber, in discussing the tariff, last night said that—

We are here because the Republican party has called us here to consider the question of revision.

I take issue with him, Mr. Chairman. We are here because the Democratic party has called your oppressive tariff system to judgment. We are here in spite of the efforts of subsidized newspapers that represent those who profit by the provisions of the Dingley tariff law.

We have at last been able to show the people that you are taxing them to enrich a favored few. The Democratic party has forced the Republican party to abandon its famous "stand-pat" position and to agree with us before the American people that the tariff should be revised. [Applause on the Democratic side.] That is why we are here, Mr. Chairman. If the Republican party could have succeeded without declaring for tariff revision, it would have done so, and we would not be here now considering the tariff, because it is fast becoming known to all men that the Republican party is the party of special interests, the handy instrument of predatory wealth, and that the Democratic party is the party of equal rights, the party of the masses of the people. [Applause on the Democratic side.]

Mr. Chairman, time was when Republicans laughed at Democrats who talked of flagrant abuses and widespread oppression under the Dingley tariff law; and to our appeals for relief for the people they said: "We are 'standing pat.'" They made no argument; they had none of merit to make. Sir, I have lived to see you tremble before the righteous wrath of a Democratic people, desert your "stand-pat" doctrine, and come out in the open in the campaign of 1908 and declare for tariff revision. [Applause on the Democratic side.]

You have deceived and imposed upon the American people. There is no question about that. Some of you on that side have been absolutely frank and honest. I recall the speech of the high priest of protectionism, the gentleman from Pennsylvania [Mr. DALZELL]. He said in the Sixtieth Congress that the country demanded revision, and then, with a knowing smile on his face and a high-protection twinkle in his eye, he said:

I do not know whether we will revise it up or down.

But, Mr. Chairman, we have come here as a result of Democratic agitation, as a result of Democratic education, to revise the tariff in the interest of justice to all the people, and that means revise it downward. We have aroused the conscience of the American people until you had to decide in favor of revision. Now, what is that revision going to be, and in whose interest is going to be? Will it be up or down?

The gentleman from Minnesota [Mr. NYE] was candid enough to say in this House a few nights ago:

There is no use trying to dodge the question; the whole country knows that we met to revise the tariff downward.

And that is what the country demands to-day. What have you done toward redeeming your pledges to the people?

You have brought into this House, under whip and spur, the most miserable makeshift and robber scheme that was ever devised by mortal man. You kept it behind lock and key. You had it guarded day and night, and you would not permit the Representatives of the people on either side of the House to see its precious provisions until the day that you decided to report it to the House, and then you gave the minority members on the Committee on Ways and Means twelve minutes in which to consider it.

Mr. Chairman, may I not, under all the peculiar circumstances surrounding this tariff bill, in all propriety inquire who wrote this bill and why should its provisions have been so carefully guarded and kept from the American people?

This bill is of vast importance to the people. Both parties have declared for revision, and they ought to have been permitted to work together for the good of our common country, and bring out a bill representing the combined wisdom of the membership of this House. Think of it: a bill containing so many important provisions, taken from its hiding place in the desk of the committee room, and voted on in twelve minutes.

Mr. JAMES. With 4,000 items in it.

Mr. HEFLIN. Yes: a bill containing 4,000 items. How do you think that will strike the American people? Is there any semblance of fairness about it? None at all.

Now, then, it is rumored in the newspapers that certain rules will be passed by the Republican majority in this House to prevent us from voting on the items in this bill separately, and that agreements have been made to protect the Standard Oil Company, and not raise the duty on beer. The sugar trust, the Standard Oil trust, the steel trust, and all the other trusts are going to walk through the furnace of this bill unharmed, and they will not even have the smell of reduction fire upon their clothes. Why, sir? Because they have contributed to the Republican party all that you demanded in the campaign last fall. [Applause on the Democratic side.]

And, gentlemen on that side, you are going to be forced into line; you are going to come up and obey the final mandate of the tariff barons back of your party. For you are like the fellow I told about in this House once before. The story illustrates your position so well that I must tell it just here: Pat was being tried for the larceny of a yearling. All the evidence was against him, and Pat's lawyer informed him that the chances were against him, whereupon Pat said:

Never you mind, you make the speech to the jury.

He did so; and when the jury reported, Pat was acquitted. His lawyer looked at him with utter surprise and went over and shook his hand and said:

Pat, how did that happen?

Pat said:

I told you that you did not understand the situation. Eleven of the jurors in that case got some of the beef.

[Applause on the Democratic side.]

So, Mr. Chairman, when the time comes for enough gentlemen on that side to respond to the call of the powers that be, you will do so, for it is certain that nearly all of you got some of the campaign beef last fall. [Applause on the Democratic side.]

The Democratic party came out into the open and declared in favor of publishing its campaign funds. That brave and able leader of the Democratic party, the Daniel of Democracy in America, the man who for more than fifteen years has championed the cause of the common people, William Jennings Bryan [applause on the Democratic side], declared in that contest that he wanted every dollar contributed to his election published to the wide world. [Applause on the Democratic side.] Did the Republicans do that? No, Mr. Chairman, you absolutely refused to do it. And why? Because you knew that if you published before the American people your campaign contributions you would drive away some honest Republicans who otherwise would vote the Republican ticket. But, my friends, do you know that a great political revolution is going on in this country? The time of the special-interest man in Congress is nearly over. The people are waking up. The masses of the people are going to look out more and more for the interest of all the people, and the day will come when the men who compose this body will be men whose heart beats are in sympathy with the rights of the masses of the people in this country. [Applause on the Democratic side.]

Mr. CLAYTON. Mr. Chairman, may I interrupt my colleague for a moment?

Mr. HEFLIN. Certainly.

Mr. CLAYTON. That wonderful book, the Bible, furnishes an illustration of why the Republican party is bound and subservient in this Government to the trusts and to the special interests. The trusts and special interests furnished the campaign funds, and the Bible says that—

The ox knoweth his owner and the ass his master's crib.

[Applause on the Democratic side.]

And the Republican party has as much wisdom as an ox or a jackass. [Applause on the Democratic side.]

Mr. HEFLIN. Mr. Chairman, my colleague [Mr. CLAYTON], one of the ablest men in this body, has quoted Scripture entirely applicable to the Republican party at this time. If the American masses could see and know that special interests are furnishing campaign funds with which to buy elections in doubtful States for the Republican party, they would cease to vote the Republican ticket.

When I came here, Mr. Chairman, I believe we had 127 Democrats in this body. I have lived to see that number grow until to-day we have in this House 172 Democrats. And I now predict that after your miserable tariff scheme has gone into effect and the people have felt its abuses the next House will be overwhelmingly Democratic. [Applause on the Democratic side.]

Gentlemen, the handwriting is upon the wall. Even in the last campaign, against an enormous campaign fund and Republican promises to revise the tariff, the Democratic party gained twelve hundred and fifty thousand votes.

The defeat of some of the old "bellwethers," as we call them, Republican high protectionists, who have been weeded out on that side, is a wholesome sign. Some of them were defeated by Republicans who came here by very small majorities over the Democratic candidate. Our cause is growing. It is gaining favor every day. The people are coming into their own. They have had a hard struggle. God knows if ever on this earth the masses of the common people had to struggle against great

odds, it has been in this Republic of the West for the last twelve years.

Mark Hanna, the high priest of the Republican party and the man by whom you laid great stake, went about the ballot box in 1896 with $9,000,000 to corrupt the American electorate, and he made barter of the ballot and debauched the manhood of every man that he touched with his campaign gold. [Applause on the Democratic side.] He taught the special interests of this country to abandon argument to convince the voter of the justice of their cause and resort to the corruption of the voter. His position was, "Away with your arguments. Away with your appeals to the conscience, to the judgment of men; take your money and call on the sovereign voters of America to surrender their convictions and sell their votes," the most sacred weapons known to free men. "Yes; sell them to the highest bidder. Raise your protective tariff as high as you please. What right have the American people to complain? We bought the election and paid for it." That was his position. Mr. Chairman, he succeeded in purchasing ballots, and the election of 1896 was carried.

Sir, you have been in absolute control of the Government since 1896 and promised employment to the laboring man and prosperity to the whole country.

No party has ever deceived the people so long and so successfully on any public question as the Republican party has deceived the American people on the tariff question.

When the country was prosperous, not by reason of, but in spite of, your robber tariff, you told the people that your high protective tariff produced that prosperity, and they believed it.

While the people were giving thanks to the Republican party for what they considered blessings from the Dingley tariff law, the tariff barons of America were reaping a rich harvest at the hands of the masses, and the trust magnates were pitching their tents in every avenue of legitimate business and destroying competition on every hand; and to-day the combination of these two obnoxious interests control the money supply of the country, and by the exercise of the power that your party has placed in their hands they can produce a panic in twenty-four hours. [Applause on the Democratic side.] And yet when the earth yielded abundantly and when the showers came and when the seasons were good, you stood on the house tops and said, "Give praise to the Dingley tariff law for all this." [Laughter and applause on the Democratic side.]

A gentleman on that side of the House last night, a new Member, the gentleman from Tennessee [Mr. AUSTIN], said that the good prices that we had received for cotton in the South for the last two or three years were due to the Dingley tariff law.

My friend, let me tell you something of the struggle of that people. I was born and reared upon the farm, and if ever a people had to struggle for what they earned in this world, it is the cotton-producing people of my country. [Applause on the Democratic side.] They ship abroad every year enough cotton to bring to America the balance of trade, and without it the balance of trade would not be in our favor. And the thing that has given them reasonably good prices in some years recently has been their organizations to fight the gambling exchanges that you have permitted to flourish in rank luxuriance in New Orleans and New York and other sections of the country. [Applause on the Democratic side.] And the gentleman said last night that "During the life of the Dingley tariff law we had had high prices and the best prices for cotton."

I deny that statement, Mr. Chairman. I want to inform the gentleman and that side of the House that the average price of cotton during the Walker tariff law, the Democratic tariff law, from 1846 to 1857, was higher, even that far back, than the price during the Dingley tariff law, from 1897 to 1909. [Applause on the Democratic side.]

Mr. ADAMSON. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield?

Mr. HEFLIN. I will yield for a question.

Mr. ADAMSON. I would like to ask my friend from Alabama if, considering the high prices which protection has compelled the country people to pay for everything they buy, cotton has not been really cheaper under the Dingley law than at any other period in history? [Applause on the Democratic side.]

Mr. HEFLIN. That is very true.

Mr. MACON. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. MACON. Mr. Chairman, I wanted to interrupt the gentleman before he left the price of cotton. The gentleman from Alabama and myself live in the South, and I will ask him if he does not know that the cotton buyers of the South will not even make a bid on cotton until after they have heard by cable from Liverpool every morning? That is the way I have found it in the South, and I think the gentleman has found it that way also.

Mr. HEFLIN. The price is fixed by cotton gamblers in New York and Liverpool, and the high tariff on cotton goods that are manufactured from our cotton that come back into our country forces the manufacturer of cotton abroad to do everything in his power to buy cotton as cheaply as possible, so that he can compete successfully with the American manufacturer. [Applause on the Democratic side.]

Now, Mr. Chairman, to the gentlemen on the other side who come here appealing to the South to surrender her devotion to principle let me say, if they know as little about everything else that they discuss here as they do about the prices of cotton and the general progress of the South, they know very little indeed. [Laughter.]

Mr. BURNETT. I will ask the gentleman from Alabama if it is not true that the gentleman from Tennessee who made that statement last night does not live in a cotton-producing part of the South?

Mr. HEFLIN. That is true; he does not live in the cotton belt. But, Mr. Chairman, the special interests pick out the ablest and shrewdest men that they can find and send them here and they keep them here. These agents of special interests have back of them an unlimited fund with which to give banquets at the New Willard Hotel and other hotels of the country; but, gentlemen, those that they tax and oppress back yonder rely upon you and upon me to do right and be just in this the greatest lawmaking body in the world; and when I stand here from day to day in this extra session and see my Democratic colleagues from every section of the country seeking to enforce the laws of justice and pleading the cause of the plain people, I am prouder than ever that I am a Democrat. [Applause on the Democratic side.]

The panic that came upon us nearly two years ago, when the Republican party was in power in every branch of the Government and when the protective tariff was the highest that ever burdened the country, has at last convinced the people that the Republican party and Republican tariff laws can not prevent panics, and that they are utterly unable to deliver us from the clutches of a panic that has cursed the country for nearly two years. [Applause on the Democratic side.]

What has become of your campaign cry that "panics only come when Democrats are in power and Democratic tariff laws are in force?" The soup houses built to feed the great army of American wage-earners who were thrown out of employment by the ruthless hands of a Republican panic answer that question. [Applause on the Democratic side.] The number of mercantile failures—the greatest ever witnessed in the history of panics—also makes answer. Closed mills, paralyzed industries, and demoralization of trade have all placed the death seal upon that false cry of the Republican party. [Applause on the Democratic side.] That campaign cry has served you well and it must be sad to part with it now, but even in this august instance you must yield to the inevitable. For the song has gone out of the thing—

And the spirit of song has fled;
The nightingale sings no more to the rose
When that beautiful flower is dead.

[Laughter and applause.]

But the gentleman from Washington [Mr. CUSHMAN] refuses to be convinced. The staggering fact of a widespread and ruinous panic disturbs him not. On he goes talking about prosperity in his State.

Sir, I was glad to be informed that while the farmers of the South and West were unable to obtain money with which to move their crops, and the railroads of the country were embarrassed in raising money with which to pay their employees, and the mills and shops of the country were silent in the grasp of a Republican panic, there was one spot on American soil, in the far-off Commonwealth of Washington, where the dread hand of a Republican panic did not cast its blighting shadow. [Applause on the Democratic side.]

Mr. Chairman, in the midst of these hard times—when all business is woefully disturbed and nobody is satisfied with conditions as they are—the gentleman from Washington surprises the House by telling us about the clang of hammers, the song of the saw, and the general prosperity abounding in his State. This refreshing exception from the widespread evil of the Republican panic reminds me of this bit of verse from Lord BYRON:

In the desert a fountain is springing,
In the wide waste there still is a tree,
And a bird in its solitude singing,
Which speaks to my spirit of thee.

[Laughter and applause.]

And now, when all the other Republicans have quit claiming that panics only come when Democrats are in power, the gentle-

man from Washington still sings the songs of Dingley prosperity, and smiles on the ruins that that tariff law has wrought. [Applause on the Democratic side.] But his companions, in the throes of political embarrassment, and realizing that the old false battle cry of their party is discredited now, look appealingly to their tariff masters and exclaim:

If thou wouldst have me sing and play
As once I play'd and sung,
First take this time-worn lute away,
And bring one freshly strung.

[Laughter and applause.]

You did not dare in the campaign just closed to talk of "standing pat." You abandoned that position and admitted that we were right—that the tariff should be revised. And now that the election is over and you are returned to power, you ignore your platform and campaign pledges and present a bill most pleasing to the tariff-tax eaters and most displeasing and disappointing to the tariff-tax payers. [Applause on the Democratic side.]

The gentleman from Washington [Mr. CUSHMAN], in speaking upon the tariff a few days ago, told us of the high wages paid labor in the State of Washington. He said that "for fixing a small place in the ceiling in his home where the plastering had fallen, a small piece," he said, "about the size of his hat brim"—and we know how small that is [laughter], and he said that the workman charged him $5, but said he did not complain. No, Mr. Chairman; he did not complain, and he ought not to have complained, because I heard him plead in 1906, standing in the selfsame place in this House, for high protection; and when he saw the ruin, the panic, that that high-tariff measure had wrought among the people of his home, and this humble toiler came to fix that place in his house, he doubtless felt like saying, and in his heart did say: "You tax me highly for this piece of work, but the policies that I have advocated produced the conditions that pinch you with hunger now. So I suppose it is right to tax me to help support you." [Laughter and applause.]

Mr. Chairman, we have heard much Republican talk in the last few years about prosperity. You can not have national prosperity when a few men are permitted to fix the price of national necessities as is now done under a Republican tariff law. The Republican party is in power, and yet $100 would buy more of the necessities of life before the Dingley tariff law went into effect than $150 will buy now, and the Payne bill is worse than the Dingley bill. Does this manner of protection help or hurt the great body of American consumers? [Applause on the Democratic side.]

Take the farmer, for instance. He does and must rely on the export of raw material, and not a line in your tariff law contributes to his comfort and well-being; but you hold him up and tax him at every turn in the road. [Applause on the Democratic side.]

If the southern farmer should go abroad and sell 100 bales of cotton and purchase machinery to use in a cotton mill in the United States, before he could bring this, his own property, into his own country he would be compelled to pay the value of 50 more bales of cotton. This is the fruit of a Republican tariff law. [Applause on the Democratic side.]

In many instances you place the duty or imports so high that it keeps out of our country certain goods and wares, and the Government does not receive one cent in revenue; but the difference in the price before and after the import duty was fixed is paid by the American consumer. [Applause on the Democratic side.] For instance, if I can buy a yard of cloth for 7 cents before a tariff is placed upon it, and then a duty or tariff of 3 cents per yard is put upon it, that makes it cost me 10 cents per yard. Now, then, the New England manufacturer says to the American consumer: "You must pay us 10 cents per yard for this cloth because under the law you can not buy it from England for less than 10 cents." Why is this? Because our Government has said to England: "Before you can sell that cloth to our people you must pay a duty of 3 cents per yard." What does this do for the New England manufacturer? It puts in his pocket a profit of 3 cents per yard. Who pays this extra 3 cents? The American consumer; and the Government in many instances does not derive one cent in revenue, and why? Because the English manufacturer says: "Your tariff on that class of goods is so high that we can not compete with the New England manufacturer; we will hunt another market." And they do. The goods quit coming, the Government gets no revenue from this source, but the Government continues to tax you and me for the benefit of the New England manufacturer. [Applause on the Democratic side.]

Let me illustrate by referring to your high tariff on the cheapest blankets and flannels. In 1907 we imported blankets and flannels of this character to the value of $316, and the tariff on them was $340.32, making them cost the consumer $656.32. Just think of that, you delightful and charming advocates of high protection. [Applause on the Democratic side.]

The American consumer is at last beginning to see that you are denying him access to the markets of the world, not for the purpose of getting revenues, but for the purpose of enriching New England manufacturers. What are you doing in this bill to farm necessities, agricultural implements, and so forth? Let me read a few lines from the views of the Democratic minority of the Committee on Ways and Means:

There are articles left in the bill on which the rates are as prohibitive as under the Dingley law, allowing very little of importations, raising practically no revenue and barring out competition. Notable among these are rivets, screws, fence and other wire rods, axles, axle bars, blacksmith's hammers, sledges, track tools, wedges, crowbars, bolt blanks, cast-iron vessels, stove plate, sad irons, muskets, shotguns, rifles, nails, spikes, tacks, needles, steel plates engraved, stereotype plates, electrotype plates, hooks and eyes, and many other articles named in the schedule.

Again, under Schedule G, the minority view says:

The treatment of the farmer by this bill is along the same lines as have characterized Republican methods in the past. He gets practically no relief, and the laborer and producer have greater burdens imposed upon them. The cost of living for the average man is increased; the advantage of wealth and power is also increased. Heavy taxes are laid on coffee, tea, and substitutes for coffee, which, with cocoa, butter, mustard, pepper, cinnamon, and all sorts of flavors for food, are declared to be luxuries, while figs, lemons, etc., are raised in price without hope of increasing the revenue, etc. Every article of food the laborer must have to live comfortably is heavily taxed; even the salt on his table is not exempt. This schedule was evidently prepared by the same mind which has dominated this bill—a mind certainly not unfriendly to the great trusts.

So, Mr. Chairman, any sane man can see that the American consumer is heavily taxed in this bill and for the benefit of special interests. Ex-President Cleveland was sound on the tariff question. Here is what he said in the campaign of 1904:

I ought not to fatigue your intelligence by detailing further facts showing that the protective policy which the Republican party has imposed upon the country, and which that party in the pending campaign noisily defends, not only has something to do with trusts, but by its very nature, as well as by its natural results, it is the parent and accessory of the robbing marauders which vex and afflict our people's life and demand tribute in every home of our land. They dictate the prices we shall pay for the food we eat and the clothes we wear and the habitation in which we live.

The rate of tariff taxation has increased by one-fourth, the expenditures of the Government have more than doubled, and hundreds of industrial trusts and combinations, the vicious progeny of extreme tariff protection, openly and stealthily search the pockets of our people. I use my words of twenty years ago: "The right of the Government to exact tribute from the citizen is limited by its exact necessities, and every cent taken from the people beyond that required for their protection is no better than robbery."

[Applause on the Democratic side.]

This statement of Mr. Cleveland's is full of truth and Democratic doctrine.

The Republican party taxes the swaddling clothes of the infant, and you tax the winding sheet of the adult dead. But you do not stop there. You tax the coffin in which he is buried and the tombstone that stands above his lifeless form. [Applause on the Democratic side.]

For the benefit of my Republican friends, let me read an editorial from a Republican newspaper:

CAMPAIGN CONTRIBUTIONS.

[From the Concordia (Kans.) Empire.]

We have been invited to send a dollar contribution to the Republican campaign fund that is being raised by popular subscription and to which President Roosevelt recently subscribed. We would like to have our dollar in such select company all right, but we have done all the contributing we intend to do this year.

We recently have completed building a house, at a cost of something over $4,000, and for every foot of lumber, every pane of glass, every sack of cement, every pound of nails, and, in fact, for nearly every bit of material that went into it, we made a good, liberal contribution through the trusts that control them, and we guess we have done our share.

It may be treason for a Republican newspaper to talk this way, but facts are facts, and it sort of relieves our conscience to tell the truth about the trusts once in a while. We will just let the several trusts to which we have had to pay unwilling tribute in the past year pay our dollar for us. We need it and they do not.

[Applause on the Democratic side.]

Mr. Chairman, even the rank and file of the Republican party are beginning to see that the protection policy of the Republican party is ruinous to the plain people. [Applause on the Democratic side.] Under that policy trusts flourish as never before. Ex-Senator William E. Chandler, a Republican, has said:

If trusts are allowed to flourish unrestrictedly, they will destroy competition as a business principle, crush out individualism, and put the control of society—its property, its politics, and its government—into the hands of opulent oligarchies.

Havemeyer, the sugar king, said:

The tariff is the mother of trusts.

The trust is the deadly enemy of producer and consumer alike. He holds up the producer with one hand and robs the consumer with the other; he reduces the number of buyers, removes competition, and places the producer at his mercy. He reduces the number of sellers, removes competition from his path, and has the consumer at his mercy. [Applause on the Democratic side.]

Now, Mr. Chairman, upon the question of lumber, I shall vote to take the duty off. The Democratic platform plainly says:

We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that these articles be placed on the free list.

Some gentlemen tell us that a high tariff on lumber will protect our forests. This can not be true. A high tariff on lumber puts a premium on the rapid destruction of our forests, because it makes the price of lumber higher, and the higher the price the greater the inducement to produce it on a large scale.

The higher the price on lumber, the greater the tax on the home builders, and the opportunity for the poor man to build a home becomes less and less. Mr. Chairman, at this point let me read from the eloquent speech made in this House a few days ago by my able and distinguished friend, the gentleman from Kentucky [Mr. JAMES], who is to my mind the greatest orator in the Republic. [Applause on the Democratic side.] Every throb of his patriotic heart beats loyal to the masses. [Applause on the Democratic side.] He said, here discussing the tariff on lumber:

But the poor man who is without a home has no one to speak for him except the Representatives upon this floor.

[Applause on the Democratic side.]

A great banquet was given by the lumber trust a few weeks ago at the New Willard Hotel in this city. A most sumptuous feast, I am told, was offered to the guests. They were lobbying to keep the $2 tariff on lumber; but, gentlemen, I am in favor of free lumber. The millions of people in our country who are without homes have no banquets to offer you, no sparkling wine for you to sip, no hot birds for you to eat. They have a ballot, though, and can reward you at the polls with their love, their vote, and their confidence; and I appeal from the banquet of the lumber trust to the homeless of the land and ask you to choose which side you will serve.

[Loud applause.]

We are told that in those sections of the country where the timber has all been cut that the small streams have dried up and larger ones are less deep and wide, and that droughts are more frequent, the rainfall less, and that the health of the community is injuriously affected.

We of the South can not afford to have our forests destroyed. In order to produce cotton there must be a certain degree of moisture in the air, and the winds from the South Atlantic crossing the Gulf Stream and meeting the colder air currents from the Appalachian forests produce this degree of moisture.

Now, Mr. Chairman, let us see how your tariff tax affects the farmer. You force him to sell the products of his soil in a free-trade market and to buy the same material back in manufactured form in a protected market. You can not make me prosper when you increase the cost of everything that I have to buy and reduce the price of everything that I have to sell. Sir, the American people have paid dearly for a Republican administration. You are taxing them to-day as they have never been taxed by any party in the history of the country.

Under this high tariff the cost of agricultural implements has increased, which, of course, increases the cost of production, and the cost of living has become a burden to the average man. Mr. Byron W. Holt, an American economist of note, has computed the tariff taxes annually paid by the American farmer. He estimates that upon the average the farmer buys $238 worth of life's necessaries annually. "Of this amount," he says, "$18 goes to the Government and $37 to the private monopoly, the protected trusts making $55 in all."

Now, then, the tariff and trust tax on 10,000,000 farmers is $550,000,000 annually. Is it any wonder, then, that the Carnegie corporation, valued in 1893 at $10,000,000, increased in value by leaps and bounds under the Dingley tariff law until within six years Carnegie was enabled to sell his share alone for $360,000,000? [Applause on the Democratic side.] Think of this enormous tax on the farmer. Suppose the tax assessors in our States should go up to the farmer when he buys a year's supply of, say $238 worth, and demand a payment of a tax on that amount of $18. Why, he would be indignant and there would be no peace for the authorities of the State until that high and inexcusable tax rate should be repealed. [Applause on the Democratic side.] And yet this is just what you are doing to the American farmer under your tariff laws. If we continue to put a tariff on what other nations have to sell, the day will come when they will put a tariff on everything that we have to sell, and who can blame them?

Under the beneficent action of your high protection we have in America now the tariff-burdened masses and the tariff-protected classes. [Applause on the Democratic side.]

If the people could realize what portion of the price they pay for the necessaries of life consists of a tariff tax, you would have no peace until this high protective feature should be repealed. If they but knew as they purchase the little things how much tariff tax enters into the price, every consumer would become an open advocate of tariff reform. But, unfortunately for the people, the tariff tax is hid in the price of the article purchased. It is, nevertheless, a tax on the consumer.

The consumer is not told how much he is taxed on the article that he buys, but the tax is there just the same. I can illustrate this point by telling the new drummer's first experience with an expense account. On his return from his first trip he handed the proprietor his expense account, and in it he had hotel bills, so much; livery bills, so much; railroad fare, so much; and one suit of clothes, $50. The proprietor, in astonishment, said:

John, I see a suit of clothes in your expense account; we'll strike that item out. I am not paying for your clothes.

John said nothing, but was soon out on the road again. When he returned and handed his expense account to the proprietor, the proprietor glanced over it hurriedly to see if John had properly charged the items. This task performed, he smiled and said:

John, you are improving. I don't see any suit of clothes in this expense account.

John looked at the proprietor and said:

It's in there just the same.

[Applause on the Democratic side.]

So, Mr. Chairman, when we are buying every day the necessities of life, we are not confronted with the statement that we are paying a tariff tax, but we are. The tariff tax is in there just the same. It is true that it takes money to run the Government, and revenues are collected for this purpose. The revenues ought to be paid by all the people, and if in the collection of sufficient revenues incidental protection follows, the industry and labor of every section of the country ought to share in the benefits derived while that policy is in force. While I stand for a tariff for revenue, I am not willing for you to pick out eastern, western, and New England industries for the special favors of your protective policy and see the industries of the South injuriously affected or purposely ignored. Burdens and benefits ought to be equally distributed. [Applause on the Democratic side.]

The South has stood for the rights of the masses against the encroachments of special interests. She has demanded legislation for the common weal, and she has pleaded for fair and just treatment of all the people by this Government of the people. [Applause on the Democratic side.]

Mr. Chairman, this tariff is not borne by the individuals according to their means and ability to pay. There is absolutely nothing fair or just in your tariff scheme.

In our towns and cities the man who owns the most valuable houses and lots obtains the highest rent and he pays the most taxes. Any honest man will agree that the man who owns a building worth $100,000 should pay more tax than the man who owns a house worth $3,000.

Take farm lands, for instance. The man who owns a fine plantation of a thousand acres ought to pay, and he does pay, more taxes than the individual who owns a one-horse farm. The State, the county, and the city have tried to place the burden upon the individual citizen in accordance with his ability to pay, and this is as it should be; but the national policy of the Republican party places the burden of the tariff tax upon those least able to bear it and permits the mighty rich to practically escape any of the burden. [Applause on the Democratic side.]

The trust magnate, with small family, and worth his millions, and living in ease and luxury, does not pay as much of the tariff tax as does the poor man with large family, for the simple necessities of life. Mr. Chairman, this is wrong, and no fair-minded man will deny it. [Applause on the Democratic side.]

We ought to have an income tax. From an income-tax law we would get $125,000,000 annually. And this amount would come from those most able to bear the tax burdens of the Government and those who certainly ought to be willing to pay for the special privilege of robbing the American people. [Applause on the Democratic side.]

You may talk of swollen fortunes and money kings, and we have both in this land of the free; but the plain citizen, the man of small means, those least able to pay taxes, bear the tax burdens of the Republic. [Applause on the Democratic side.]

Mr. Chairman, let me tell you another way to raise revenue. If you will not abolish the gambling exchanges of the country, those that gamble in farm products, you ought at least to make

them pay for their privilege to rob the American farmer. [Applause on the Democratic side.]

Take cotton, for instance. Put a tax of $1 a bale on every bale of cotton offered for sale on the exchange where the party selling does not intend, in good faith, to actually deliver the cotton. You would do one of two things. You would stop these cotton gamblers from bringing into ruinous competition with real cotton a fictitious stuff, or you would derive more than a hundred million dollars a year to help pay the expenses of the Government. [Applause on the Democratic side.] But you will not disturb the cotton gamblers or the incomes of the mighty rich. The people whom you denounced last fall and whose evil practices you pretended to condemn are here encamped about the Capitol and they are in constant consultation with the high priests of the Republican party. [Applause on the Democratic side.]

Mr. Chairman, time was—and that before you became so intrenched in power—when you pleaded only for protection to American infant industries. This high protection and how it was obtained and held reminds me of the story of Sindbad, the sailor, and the Old Man of the Sea. When Sindbad was walking up and down the seashore he saw an old man sitting upon the ground not a great distance from him, and the old man beckoned him to come to him. Prompted by his desire to aid the old man in any way that he could, Sindbad went to his call. The old man, pretending that he was unable to walk, requested him to take him across a little stream into the woods beyond, and Sindbad bowed his back and took the old man upon his shoulders, and, lo! when he reached the spot where the old man said that he desired to go, he locked his legs around Sindbad's neck and refused to alight from his shoulders. Everywhere Sindbad went the old man went with him, an annoying burden on his back; and every time that he took a mouthful of food, he had to divide with the Old Man of the Sea. Finally, employing all the strength of his being, he threw the old man from his shoulders. [Applause on the Democratic side.]

Time was when these hoary-headed industries said to the Government: "We are feeble and unable to walk without your aid. Carry us across the stream of our infancy into the wood yonder, where we can stand alone." The Government bowed its back and the tariff barons climbed upon the shoulders of the American people. [Applause on the Democratic side.]

The stream of their infancy was crossed. The woods where they could stand alone was reached, but when they reached that point they had become arrogant and they refused to alight from the shoulders of the American masses; and now everywhere the American citizen goes the burden of the tariff tax goes with him [applause on the Democratic side], and every time he makes a dollar he must divide it with the tariff baron on his back. [Applause on the Democratic side.] Our people are crying out for deliverance from the iniquities of this unjust burden. The Republican party is helpless—we will get no relief from that source. But, my friends, relief is coming. The American people will rally around the Democratic standard and at the first opportunity, through the expressed will of a sovereign people, we will throw these burdensome tariff barons from the back of the American people. [Applause on the Democratic side.]

The tariff baron has come to look upon the American masses as a woolgrower looks upon a flock of sheep. He looks to the individual citizen for a portion of this tariff tax as the woolgrower looks to each and every sheep for a portion of wool. The woolgrower, however, is more merciful to his sheep than the tariff baron is to the citizen, for there are certain periods of the year when he will not allow the sheep to be sheared—when he will permit the sheep to retain his coat of wool to protect him from the cold—to preserve his life. [Applause on the Democratic side.] But the tariff baron shows no such consideration for the American people. From his fleecing process there is no escape and there is no mercy in his cruel eye. From the cradle to the grave he haunts the footsteps of the American citizen and everything that goes into the home of the consumer bears the hand print of this Republican tariff tyrant. [Applause on the Democratic side.]

But you say we favor a high tariff because it protects the American laboring man. Mr. Chairman, for a hundred years you have taught that infamous doctrine and deceived the laboring man. For a hundred years you have held about him the shadow of this mighty arm of protection, and yet under this Republican protection the laboring man is least protected. [Applause on the Democratic side.] The foreigner buys goods, the product of the American laborer's toil, cheaper in the foreign land than the American laborer can buy it for himself and family in his home land. [Applause on the Democratic side.]

And again, when wages are poor and the laborer strikes for better wages, these tariff barons, the boasted friends of American labor, import foreigners into the locality to take the place of those who are asking for themselves and family a living wage. [Applause on the Democratic side.] Not only that, they employ that ever-willing and ready instrument of the Republican party—federal injunction. Carnegie, Rockefeller, and others, who revel and fatten in the high places of Republican protection, are hailed as captains of industry and kings of finance. They own and live in mansions that cost millions. [Applause on the Democratic side.]

But where, let me ask you, is the brownstone front, the yacht club, and golf ground of the laboring man [applause on the Democratic side], who has toiled early and late for years under the friendly wing of high-tariff protection—echo answers, Where? [Applause on the Democratic side.]

How fares the laborer under Republican rule and high-tariff protection? Let me read from a report of the director of charities in Cleveland, Ohio. Director Conley tells us that by personal investigation he has discovered that, while the average cost of living for a working woman in Cleveland is $5.25 a week, the average wage of such woman is but $4.83.

He tells us that out of 38 women he questioned, 12 were earning $3, and 6 were receiving but $2 a week.

This, he assures us, is a fair representation of the general conditions.

Now, for a real knotty problem, the one suggested by Director Conley's report caps the climax:

> The women in question live, and yet the cost of their living is greater than their wages. How do they live?
>
> Without attempting to solve this seemingly inexplicable puzzle, we simply remark that the condition of the working woman of Cleveland would appear to be much worse than was that of the slaves in the South before the war.
>
> The slaves were at least provided with a living.
>
> It is another illustration of the truth, which many are unwilling to admit, but which none can deny, that the industrial slavery of to-day is a worse condition of things than was the black slavery that existed south of the Potomac forty years ago.

[Applause on the Democratic side.]

Now, let us examine more closely into this tariff protection to the American laborer.

There is no duty on freight rates, so how does high tariff protect the great army of railroad employees?

There are a million carpenters in the United Sattes. How does a tax of $2 on lumber protect this class of laborers? It is to his interest to have lumber cheap and liberally used. [Applause on the Democratic side.]

There are 600,000 dressmakers and tailors in the United States, and the duty on dress goods runs as high as 165 per cent, on woolen cloth as high as 152 per cent. No fair-minded man can deny that this high tariff injures the tailor and the dressmaker. [Applause on the Democratic side.]

Mr. Will Payne tells us in the Saturday Evening Post that Edward Atkinson some years ago made an analysis of the 30,000,000 workers in the United States, as reported by the census, and declared that it was impossible to pick out as many as 1,000,000 whose work would be injuriously affected if absolute free trade were suddenly adopted. So, Mr. Chairman, the laboring man of America is at last realizing that he has been imposed upon and woefully deceived by the Republican party for years. [Applause on the Democratic side.]

The wage earner here does as much work as two foreign laborers, and with modern machinery as much sometimes as five do.

Again, Mr. Will Payne, in the Saturday Evening Post, says:

> High duties can not protect American labor, for there is little doubt that it is already the cheapest labor in the world, not the lowest price, but the cheapest when measured against its output, giving for a dollar in wages a greater product than any other laborer in the world.

[Applause on the Democratic side.]

Let us look into another phase of this matter.

Returns from 51 pig-iron companies show that 672 wage-earners out of over 18,000 own their homes, and returns from 131 iron and steel companies show that 5,540 wage-earners out of 126,739 own their homes.

Mr. Chairman, your party can not deceive the laboring man any longer. [Applause on the Democratic side.]

How do you treat the laboring man when the time comes to vote? I will tell you how you treat him——

Mr. SWASEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HEFLIN. Yes; for a question.

Mr. SWASEY. I will ask the gentleman if the industries in his State since 1900 have been in a prosperous condition?

Mr. HEFLIN. No, sir; to-day we have the worst of conditions, caused by a Republican panic, which is the offspring of Republican conditions. [Applause on the Democratic side.]

Mr. SWASEY. Let me inquire of the gentleman whether the manufactures in his State from 1900 to 1905 have not increased $37,000,000?

Mr. HEFLIN. If so, it was done by the industry and enterprise of my people over Republican difficulties and in spite of the Republican party. [Applause on the Democratic side.] Now, Mr. Chairman, I decline to be interrupted further.

Mr. BURNETT. I would ask the gentleman if it was Republican policies that brought that prosperous condition, why have they not kept it up until now?

Mr. HEFLIN. That is a very appropriate question to ask them. Now, then, I was about to tell of your treatment of the laboring man as a voter. During the campaign last fall there was a great army of laboring men idle, who had been thrown out of employment by the Republican panic. Hungering and shivering in the cold, they begged for work and begged for bread.

What did your party do then? You did not give them bread, and you did not give them work, but you took advantage of their helpless and pitiful condition and you told them to vote the Republican ticket, and that if that ticket were elected you would start the shops and mills to running on full time and full pay. [Applause on the Democratic side.] You intimidated and deceived them into voting the Republican ticket, but you did not keep your promise, and the institutions of charity are to-day feeding hundreds of thousands of men and women and children, to whom you promised employment and full pay. [Applause on the Democratic side.]

Mr. Chairman, there is a just God ever watchful of the affairs of men, and mark it, the day is coming when the consciences, the intellects, and the sacred ballots of laboring men will be beyond the touch and taint of the intimidating and corrupting hand of the Republican party. [Applause on the Democratic side.]

Poor, outraged mortals. They have followed where you led, and they have gone where you have driven them until to-day the condition of the laboring people of America, as a class, is appalling. [Applause on the Democratic side.]

In your greed for great riches and governmental power you have exalted the dollar, and you have come to look upon these human beings that God has with His image blessed as mere money-making animals. [Applause on the Democratic side.] And in your heart of hearts you cry:

> What care we for wrongs and crimes?
> It's dimes and dollars, dollars and dimes!

Sir, the deplorable condition that your party has produced in America among the laboring people calls to mind a little poem entitled "The Lost Atlantis," written by a man by the name of Clark. He describes the condition of the human family in America, when a few men will own all the wealth and control all the avenues of business and employment. He pictures the trust image seated on a high pedestal overlooking the hungry and idle masses of people below, and then he says:

> The only word the image uttered, day and night, was give, give!
> And the people only answered, grant us work, that we may live!

[Applause on the Democratic side.]

Ah, Mr. Chairman, under the reign of the Republican party the conditions described by CLARK have already cursed our country. [Applause on the Democratic side.]

To-day 23 men own four-fifths of the wealth of the United States and control the money supply of the country, and, as my friend JAMES, from Kentucky, has said:

> Nearly 42,000,000 of our people do not own their homes.

And yet you praise the protective policy of the Republican party, and boast that it is the friend of the laboring man. For twelve years we have had the highest tariff that ever afflicted a patient people. [Applause on the Democratic side.] And what has happened? Why, sir, when crops were good and our people were industrious and enterprising and we had more money per capita than ever before, a panic, the offspring of Republican high protection, came upon us like a thief in the night [applause on the Democratic side], destroying legitimate business, paralyzing the industries of the country, robbing the cotton producers of the South, and throwing out of employment millions of men who were dependent upon their daily wage for bread on which to live. [Applause on the Democratic side.] And the panic is still with us; and the cry of the unemployed is still heard in the land: "Grant us work, that we may live." This is the fruit of the Republican party, and "by their fruits ye shall know them." [Applause on the Democratic side.]

I read in the papers yesterday of a pitched battle between the native-born laborers of Indiana and the foreigners that you had imported there to take their places, and I read of riot and bloodshed in Pennsylvania, the agents of corporate greed battling with the unemployed. Hungry men, made desperate by your failure to give them employment as you promised, seeing their wives and children starving day by day, are thrown into prison or shot upon the streets. And again I quote from Clark:

> I heard a voice proclaiming, down the solemn aisles of space,
> He who strikes a starving brother, smites his Maker in the face.

[Applause on the Democratic side.]

Now, Mr. Chairman, I must close.

They tell us, Mr. Chairman, that we must quit the Democratic party and break the solid South if we would have favor with the Republican President and occupy seats at the pie counter of the Republican party. I would remind you, sir, of the long suffering, the afflictions, and persecutions that we have endured at the hands of the Republican party and how the Democratic party has delivered us out of them all. It was your party that tried to destroy the civilization of the white man in the South; your party that broke Grant's agreement with Lee—violated the sacred terms of the surrender at Appomattox [applause on the Democratic side]; its cruel agents who plundered our people and filled dungeons with the bravest and best men in the land because they dared to defend their property against the thieves and their homes from the lust and carnality of the brutes in our midst. [Applause on the Democratic side.] It was your party that destroyed local self-government in the South and generously offered our people choice between military rule and negro domination. It was your party that gave us reconstruction, mantled in a saturnalia of crime that shocked and astounded the civilized world. [Applause on the Democratic side.] Shall we so soon forget the Republican party and its criminal record in the South? God of our fathers forbid that we shall ever forget it. [Applause on the Democratic side.] What of the Republican party's record in more recent years? It was your party that declared that Northern States shall have the right to regulate the franchise and change their constitutions at will but that this right will be denied to the Southern States. [Applause on the Democratic side.] It was your party that tried to pass the force bill, and had you succeeded federal soldiers with their bayonets would be about all the polling places in the South on election day to prevent a free expression of our people's will—to carry elections by force; and it is your party now that has declared in its platform its determination to cut down our representation in Congress and in the electoral college. [Applause on the Democratic side.]

Your invitation for us to leave the Democratic party is an invitation for us to turn our backs upon the South's best friend and become an ally of the South's worst enemy. [Applause on the Democratic side.] Your invitation for us to abandon Democracy now is an invitation to desert the party of equal rights—the party of the Constitution. It is an invitation to leave the party that drove the scallawags and carpetbaggers from the South and gave back home rule and self-government to every Southern State. [Applause on the Democratic side.] It is an invitation, sir, to destroy the party upon whose shoulders rest the final perpetuity of constitutional government. [Applause on the Democratic side.] It is an invitation to desert the party in whose hands rest the preservation of the purity of our Anglo-Saxon civilization. It is an invitation to forget the sacred teachings of our Democratic fathers and prove ourselves unworthy to be their sons. [Applause on the Democratic side.]

No, Mr. Chairman, we are Democrats—trained in the school of Democracy, taught to believe in the Constitution, and to regard the welfare of the people as the chief concern of the Republic—the highest end and aim of constitutional government, and, ennobled by these beliefs, we had rather be doorkeepers in the house of our Democratic fathers than to dwell in the tents of Republican spoils and wickedness forever. [Applause on the Democratic side.]

Neither the spoils of office nor tariff "sop" can destroy the militant Democracy of the South. [Applause on the Democratic side.]

> The South loves jewels and golden store,
> But the South loves honor and virtue more.

[Applause on the Democratic side.]

So long as your party is the tool of monopoly, so long as you tax one class to enrich another, so long as you place the dollar above the man, so long as you legislate for the classes against the common masses, the South will remain true to the principles of the Democratic party. [Applause on the Democratic side.] With the Constitution of our country in one hand and the Declaration of Independence in the other, she lifts her liberty-loving eyes toward the sky land and the stars, and exclaims: "I will vote the Democratic ticket so help me God." [Loud applause on the Democratic side.]

[Mr. GOLDFOGLE addressed the committee. See Appendix.]

Mr. CURRIER. Mr. Chairman, I hesitate to take up any of the time of the committee, and yet I feel that I ought to say something regarding the schedules dealing with pulp and print paper. These industries are of great consequence to the people of New Hampshire. Something like $16,000,000 is invested in the pulp and paper business in that State; more than 4,000 people are employed in the mills, and their wages amount to $2,000,000 a year.

The pulp and paper schedules are in some respects very unsatisfactory. The duty on print paper as fixed by the bill is 66⅔ per cent lower than the existing duty, a reduction almost unequaled in the entire bill. I believe this enormous cut to be destructive of a great industry. There is little increase in the price of print paper to-day over the price of nine or ten years ago, and the cost of producing the paper has gone steadily up. No great industry in this country has been operated in the last few years on a smaller margin of profit than the print-paper industry—a margin so small that it can stand no material reduction. The present duty of $6 per ton has not been a prohibitive duty, under which it was possible to unfairly advance prices in this country. It has hardly served as an adequate protective duty. Print paper is coming into the country every day, paying the duty of $6 per ton and competing with American products.

Every attempt to show an unlawful combination among paper manufacturers to advance prices has failed. The business is as free from improper practices as any business in the country. It is a great and legitimate American industry, employing many thousands of people at good wages. We promised in the Republican national platform that we would so revise the tariff that the duties levied should bring about an equality as regards cost of production in this country and abroad and give to the American producer a fair margin of profit. Does anyone contend that in the last few years, with the duty at $6 per ton, the print-paper makers have been getting more than a fair margin of profit? On the contrary, I think their margin of profit has, all things considered, been smaller than in almost any other line of manufacture. If such has been the case with the duty at $6 per ton, what will conditions be when the duty is cut to $2 per ton, with a country close to our markets, competing in them now producing more than one-tenth as much as we do to-day, and able to almost indefinitely increase the industry? The Canadian paper makers find it profitable to send their paper into our markets now, paying a duty of $6 per ton. Reduce the duty to $2 per ton, allowing the Canadians to make $3 or $4 per ton more than their present profit—and that in itself is more than our manufacturers, taken as a whole, are making—and, under such stimulation, imagine how the business would increase. If you do this, have no misunderstanding as to the result: You single out for destruction a great American industry; you turn thousands of workingmen out into the street or force them to follow our mills across the border to the cheap timber lands of Canada.

Why should a Republican Congress single out one great industry and make it the sole exception to the rule laid down in the Republican platform? The Democratic platform indorsed this policy, but the Republican platform did not. Why ignore our party pledges and carry out the Democrats' promises in this case? There is no excuse or justification for it. Oh, some of the newspapers want this done. I have never believed in the policy of destroying one industry that some other industry might make a little more money.

In my belief, the men who are clamoring for free print paper—and a $2 duty is practically equivalent to that—will be greatly disappointed should they get this legislation. Do they think the paper mills of Canada will be conducted with any regard for the welfare of American newspapers? Hon. John M. Charlton, of Canada, the leading advocate of reciprocity with the United States, in discussing this matter—its effect on prices—in a speech which he delivered in this city a few years ago, said:

> What do you suppose the Canadian farmer and miner and lumberman desire free trade with the United States for? In order to sell in the American market for the Canadian price? Not at all. That wouldn't do them any good, would it? What they want is the privilege of selling in the American market for the American price, and putting the difference in their own pockets.

There is no escape from Mr. Charlton's conclusion; that is what they want. Some little concession might be made for a while, but just as little and for just as short a period as possible. This legislation, if enacted, will inevitably work for the benefit of citizens of a foreign country and to the injury of American citizens, and will transfer a great industry from this country to a foreign country. Is this what we desire to do in a Republican tariff bill?

The chairman of the Committee on Ways and Means, in his splendid speech in defense of his bill, in speaking of a very small cut in the duty on tin plate, said:

> This cut will not take away the tin-plate industry from the United States. If it would, I would never have voted for it.

When he laid down that principle he received enthusiastic applause on the Republican side. All we ask is to have that principle cover and protect another great industry just as much entitled to protection as the tin-plate industry.

The putting of ground wood pulp on the free list will mean in the near future the transfer of our pulp mills to Canada to be near the cheap wood of the Canadian forests. Very many of the farmers of New Hampshire have growing on their farms wood suitable for pulp, and commanding for that purpose a much higher price than could otherwise be obtained for it. Every one of these men is injured by this proposed legislation. As an equivalent for all the damage this legislation will do, what do you get?

The abolition of a discriminatory charge of 25 cents per cord on pulp wood from Quebec; that is all. No well-informed man believes that Ontario and other Canadian Provinces which now prohibit the exportation of pulp wood to the United States will change their policy in the slightest degree as a result of this legislation. You reduce the duty on print paper $4 per ton, and you get nothing in return from all of Canada except a concession of 25 cents a cord from the single Province of Quebec.

If you want to accomplish anything in the way of forcing Canada to remove its prohibition of exportation, treat wood pulp as you do lumber; provide that if any Province of Canada imposes an export duty or prohibits the exportation of pulp wood or pulp, then a duty shall be imposed upon pulp wood coming from that entire country. That might be effective; but this provision will not merely allow, but will encourage, Ontario and other Provinces to rigidly maintain the existing regulations regarding prohibition of exportation to the United States, turn over to their manufacturers the entire Canadian market, and permit Quebec to increase almost without limit its production of pulp and paper and so flood our markets as to ruin the industry here.

It is said that unless we make these reductions in the tariff Quebec will impose an export duty or will prohibit the exportation of pulp wood to the United States. Have no fear of that. There are too many voters in the Province of Quebec who desire the privilege of cutting and sending to our markets their pulp wood to make it safe for any party in that Province to advocate such a policy.

Much has been said about the comparative labor cost in the mills in the United States and Canada. It is said that in some cases labor is paid more there than here; that many American citizens are at work in Canadian mills. The paper industry is a comparatively new one in Canada, and it is said that they had to come here and hire expert paper makers, and pay them enough to make the employment attractive. Admit, for the sake of argument, that that be true at present; but how long will such conditions obtain? How long before they will educate their own people to do all this work and be able to dispense with high-paid American workingmen? Only a little while; the condition is purely a temporary one. Suppose the wage cost is about the same to-day, how about the comparative cost of the raw material—the pulp wood? There is a difference to-day in favor of the Quebec manufacturer over the American manufacturer of more than $3 a cord. It takes a cord and a half of pulp wood to make a ton of paper, and the Quebec manufacturer in that single item of cost has an advantage over the American manufacturer of more than twice the amount of the duty proposed in this bill. The difference in cost is largely due to the high freight rates on pulp wood coming to the American mills, but the freight rates on print paper coming into the principal American markets are practically the same from Canadian mills as they are from our mills. In view of that, what becomes of your platform promise that in levying duties you would equalize the cost production and give a fair margin of profit?

It is said that this policy will tend to conserve the forests of the United States. Against that statement I put the statement of practically every official forester in this country who has expressed an opinion on the matter. Anything which tends to cheapen forest products in the United States tends to increase and not lessen wasteful lumbering. Mr. Philip W. Ayres, of New Hampshire, one of the ablest and best-informed foresters in the country, in a recent letter to me states:

> It seems to me that to the extent that cheap lumber comes in from Canada a greater slash will be left in our own woods without lessening the extent of the felling areas.

[Loud applause on the Republican side.]

Mr. DAVIS. Mr. Chairman, the interest manifested during the last few days indicates that the subject under discussion is one of vital importance. It touches the welfare of all. Their food, clothing, and shelter are materially affected by the character of this economic legislation.

THE DINGLEY LAW.

I desire to call attention to the title of this bill. It is "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." You will observe that the words "equalize duties" is one of the main objects of this legislation. The Dingley law, under which this country has been operating for the past twelve years, and by and through which we, as Republicans, claim, and many Democrats do not deny, has been one of the main causes of our great industrial advancement and prosperity in recent years, was entitled "An act to provide revenue for the Government and to encourage the industries of the United States."

The Dingley law omits the words "to equalize duties." At the time of the passage of the Dingley law our economic conditions were somewhat unsettled and chaotic. Many lines of business, and especially industrial activities, were suspended. Closed factories, laborers out of employment, and the farmer dejected over prevailing conditions and future prospects characterized this period. The Treasury was badly depleted, and the laboring classes were demanding work and the means of obtaining a living. The Dingley law was therefore enacted under conditions altogether different from the present. Equalization of duties claimed less attention than the providing of revenue and the giving of employment. The people in these respects were not disappointed, but on the contrary every industrious person was rewarded by the opportunity afforded to earn a good wage. Capital once more came forth from its hiding and the wheels of industry were again set in motion. The farmer rejoiced because of the opportunity for the ready disposition of his produce at a good price.

Mr. Chairman, I do not think the last speaker on the Democratic side could dispute that proposition. I wish to say right here that I am not going to make any statements that are very radical or far from the truth if I can help it; and if I should accidentally make any statement contrary to the fact, I desire to be corrected, and I will appreciate any correction of that kind.

CHANGED CONDITIONS DEMAND EQUALIZATION OF DUTIES.

Owing to these changed industrial conditions we find ourselves, after the lapse of twelve years, confronted by the cry that taxation is oppressive and unequal, and that the duties levied upon imposts should be lowered and equalized as far as possible, and this special session of Congress has been called to accomplish this purpose. The Constitution provides, section 8, Article I:

> That the Congress shall have power to lay and collect taxes, duties, imposts, and excises; to pay the debts and to provide for the common defense and general welfare of the United States.

We are now engaged in performing our constitutional duty. The two great parties are agreed upon the two chief methods of raising revenue, namely, by the levying of imposts and excises.

The Democratic party insists, however, that imposts should be laid chiefly and almost exclusively for revenue, while the Republican party has always contended that in addition to the raising of revenue, imposts should be levied for the purpose of encouraging our industries, even to the limit of protection, and I for one, belonging to the great Republican party, believe that protection is very essential in many instances in the manufacture of competing products. But in no instance do I believe that this should exceed a reasonable protection against the balance of the world, and in no case be so great as to become prohibitive, and thus become a shelter for monopolistic trusts. [Applause.] In all cases where this beneficent and friendly shield of protection is used to control production or price of the commodity, this shelter, in my opinion, should be removed.

THE TRUE PRINCIPLE OF PROTECTION.

The Republican platform of 1908 declares that—

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

This is the party declaration, which should govern us Republicans, at least, in the preparation and passage of the present bill. It is useless to deny that the American people when they went to the polls last November felt and believed and were assured, from platform and the public press, that the true meaning and spirit of this party declaration was that revision of the tariff should in the main be downward; and all the public speeches of our President, Mr. Taft, who was elected upon this platform, are unequivocal and certain in this regard. The people have demanded this, our platform has declared for it, and I feel sure that our President will be satisfied with nothing less. During the many utterances on this floor frequent applause has followed, some of which may have been partisan, but in the main was responsive to the sentiment and thought expressed. But, Mr. Chairman, while applause from our colleagues may be flattering and pleasant, it will be short lived and of little significance, unless after the completion of our work the American people give it their approval. If we merit this approval, it will surely not be withheld, for the American people, intelligent beyond all others, seldom misjudge their Representatives. Sectionalism and partisanship have no place in the present discussion. The great economic questions at issue are of such vital importance that special interests should be put to one side and the subject approached from the standpoint of the general good.

Mr. Chairman, I represent none of the so-called "special interests." The manufacturers, agriculturists—including dairymen and stockmen—business men, and others, whom I represent in Congress, are broad and intelligent enough not to demand of me that their special occupation, business, or industry be unduly benefited to the detriment of others, for they have a common interest in the general welfare of all. The farmers of the district I represent and in the State of Minnesota are interested in the welfare of the manufacturers, for the prosperity of one is the prosperity of all. All of the great producing classes are composed of laborers, and their production, although varied, enters into our living, and all classes are consumers, be they laborers or not.

LABORERS AND CONSUMERS TO BE CONSIDERED.

In framing this bill for final passage, the 90,000,000 consumers in this country should not be overlooked, and the necessaries of life should, if possible, be brought within their power to purchase. The protection to American labor is one of the cardinal doctrines of the Republican party, and thus far we have fairly well succeeded in accomplishing this result. I know it is difficult in all cases to give the laborer his just share of the product of his labor, and that a perfect protective tariff bill is impossible. Yet this subject is committed to our care, and whenever a schedule is framed to protect the manufacturer against encroachments from without, this new schedule should constantly keep in mind the difference in cost of the manufactured article at home and abroad.

This difference in the price of labor should be gauged by efficiency and also by the difference in the cost of living, for the actual wage can only be measured after the cost of living is deducted. [Loud applause.] We glory in the fact that we pay the highest wage in the world, but such is not the case if the laborer has nothing to his credit when the day's work is done. I am inclined to believe that in most instances the reduction of the tariff schedule will have a tendency to reduce wages, but I am as thoroughly convinced that the articles produced which enter into consumption will be correspondingly lowered.

Mr. HILL. Will the gentleman pardon me for interrupting him at this point?

Mr. DAVIS. I yield to the gentleman.

Mr. HILL. After being engaged for five months studying how it would work in that connection, I am free to say now that I do not think there is a reduction from the beginning of schedule 1, section 1, to the end of the tariff bill that will justify one penny of reduction of wages in the United States.

Mr. DAVIS. I should be very much pleased if that proves to be true. I hope it is, because I am as much interested in that as any man in this House. If by the equalization of these duties and revising the schedules there shall not be a laboring man to lose one hour's work or one cent of pay, if this proves to be true, you and I ought to be happy, because we will meet the approval of our constituents and merit their praise. If in this argument of mine I make any statement that conflicts with the tariff schedules, I want to be corrected.

Mr. HILL. I make that statement, the gentleman will pardon me, because I saw in a paper a day or two ago a suggestion to the labor of one of the most important industries of this country that a reduction of the schedule would necessarily be followed by a reduction of the wages. In my judgment that interest could stand a much greater reduction than it has received before justifying any reduction in wages.

Mr. DAVIS. It might be somewhat personal for me to inquire if that was the United States Steel Company?

Mr. HILL. I do not mention any names; I merely state the fact.

Mr. DAVIS. I saw that statement, and I would state that it has had some influence on the remarks that I made just a few moments ago.

do in a Republican tariff bill?

[Loud applause on the Republican side.]

lic speeches of our President, Mr. Taft, who was elected upon this platform, are unequivocal and certain in this regard. The

it has had some influence on the remarks that I made just a few moments ago.

THE PROBLEM OF A REASONABLE PROFIT.

A more difficult problem to consider is that of a "reasonable profit" to the manufacturer. Selfishness and greed demand exorbitant dividends, and no matter what schedules are in force, or what conditions exist, the dividend partaker usually demands the same amount. While it is probably true that any reduction of schedules will be met by a lowering of the wage, yet I hardly think there will be any corresponding reduction in the so-called "reasonable profit," for it is at this point that the employer draws the line. Did they but draw the line at a reasonable profit on actual investments, it would not be so bad, but to reduce wages and still maintain large dividends, both upon actual and inflated capital, is greed personified, and to humor this is beneath the dignity of the American Congress. [Loud applause.]

THE PROPOSED LUMBER SCHEDULE.

Mr. Chairman, so much has been said about the lumber schedule in the proposed measure that it may be wearisome to continue the debate along this line. I shall therefore only briefly allude to some phases of it. Right here, Mr. Chairman, I might state with truthfulness that in the fifty years that I have been a resident of Minnesota I have seen one of the grandest forests of pine and other valuable woods disappear, as it were, like the Indian—it has been driven almost into the Pacific Ocean. I have seen that forest squandered recklessly, saw it purchased at a price that was almost for the asking, and then the timber demolished and nothing left in its place. The only valuable timber of any magnitude now left is in the extreme Northwestern States, save and except some in the more southern States. That has been my experience, and I wish that it had not been so. But as my friend [Mr. NYE], the gentleman representing the fourth district of Minnesota, said the other day, that he lived in the great city of Minneapolis—and I was surprised that he did not eulogize that city more, because, in my judgment, it is one of the most beautiful cities on earth, and one of the most progressive; possibly made so in consequence of the destruction of these great forests.

Eight years ago that city was the lumber center of this continent, and to-day about the only thing left besides the city of Minneapolis, from that immense forest, is a large number of multimillionaires. [Applause.]

Mr. FERRIS. Mr. Chairman. I would like to ask the gentleman if the statement that he has just made does not prove the Pinchot of yesterday to be more nearly true than the Pinchot of to-day?

Mr. DAVIS. I think so; and possibly before I get through, if my time does not expire too soon, I may express my opinion in a friendly manner of my friend Mr. Pinchot.

From the best data that I am able to obtain, last year the United States exported logs, lumber, and timber valued at about $45,000,000, while it imported only about $17,000,000 worth, and these exports were extended into Mexico and sold in competition with the cheap labor products of that country. Our exports also extended into Canada to a greater extent in volume and value than did our imports from that country, thus showing the uselessness of a tariff on logs, lumber, and timber produced in this country. The present bill reduces the tariff as contained in the Dingley law of $2 to $1 per 1,000 feet on lumber not planed or finished; and planed or finished on one side, from $2.50 per 1,000 to $1.50 per 1,000 feet; planed or finished on two sides, from $3 per 1,000 feet to $2; planed or finished on three sides, from $3.50 per 1,000 to $2.50; planed or finished on four sides, from $4 per 1,000 to $3 per 1,000; planed on one side and tongued and grooved, from $3 per 1,000 to $2; and planed on two sides and tongued and grooved, from $3.50 to $2.50 per 1,000 feet. This reduction is uniformly $1 upon each 1,000 feet, regardless as to whether it is on rough or finished.

Mr. JOHNSON of South Carolina. At that point will the gentleman allow me to ask him a question?

Mr. DAVIS. Certainly.

Mr. JOHNSON of South Carolina. Does it cost anything like the difference between the duty upon rough lumber and dressed lumber to dress the lumber? Does not that duty far exceed the entire cost of dressing the lumber?

Mr. DAVIS. I am informed and believe that it only costs 50 cents a thousand to dress the lumber.

Mr. JOHNSON of South Carolina. A large lumberman told me that was what it costs.

Mr. DAVIS. That is my information, and they do it now, thanks perhaps to our protective tariff system and the energy of the American people. I have seen it done at the Shevlin mill in Minnesota, so artistically and beautifully done that the mind of man can not conceive of anything more perfect. The log passes out of the water, and from thence is converted into lumber and conveyed to the pile in the yard, and on the way is planed and finished.

Mr. HILL. I am familiar with the process of dressing lumber, and have been for the past twenty-five years; and if the gentleman will stop and think a moment, in the first place the lumber can not be dressed as it comes wet from the saw.

Mr. DAVIS. I have seen it done.

Mr. HILL. It has got to go upon skids, and is piled and dried, or else kiln-dried, before it can be dressed.

Mr. DAVIS. Excuse me, I have seen this take place. A log is taken from the river automatically, placed on the carrier, and when it is squared it passes through the gang. The boards are then passed on, and as the lumber passes along it is planed and smoothed on one or both sides by machinery as it passes on the way to the pile.

Mr. HILL. I must say to the gentleman that I was in the same business for twenty-three years, and I know what he speaks of is absolutely impossible to be well done.

Mr. DAVIS. I have seen it done in Mr. Shevlin's mill.

Mr. JOHNSON of South Carolina. How long since the gentleman from Connecticut was in the lumber business?

Mr. HILL. Only fifteen years.

Mr. JOHNSON of South Carolina. Oh, well, there have been great improvements since then.

Mr. DAVIS. I have seen other mills, where it was sawed in one mill and had to be transported to the planer in another mill; but in this case that I speak of the lumber, as it comes from the saw, automatically travels along on a movable sidewalk and is planed on one or both sides in the course of its travel.

Mr. SHACKLEFORD. Does the gentleman know the process of making lumber with a whipsaw, like they do it in Connecticut?

Mr. DAVIS. As you and I did fifty years ago?

Mr. SHACKLEFORD. That is the way they make it in Connecticut now. [Laughter.]

Mr. STANLEY. The gentleman from Connecticut was not making tongued and grooved lumber, but was making wooden nutmegs. [Laughter.]

Mr. LINDBERGH. The gentleman seems to be pretty thoroughly familiar with the lumber business. It has been stated by many speakers here on the floor that this proposed tariff is to protect the small lumber dealers. I have in my hand a prospectus issued by a company advertising $3,000,000 bonds for sale, in which they offer the guaranty of a certain lumber company in Minneapolis—the Backus-Brooks Lumber Company—in which it is stated that that company was established in 1884, practically without capital, and that, besides paying substantial dividends to the stockholders, it has accumulated net assets conservatively valued at $5,000,000; that in its own name and through its subsidiary companies it owns over 500,000,000 feet of the finest white and Norway pine in the State of Minnesota and in the Province of Ontario. Does the gentleman know of other companies that have started without capital and have increased their business to that extent?

Mr. DAVIS. In reply to the gentleman, I would say if he had lived there as long as I have he would know that the little incident he now mentions is a small one when compared with some of the other men who have been engaged in the lumber business in Minneapolis. At least this little $5,000,000 capital is a bagatelle compared with some others that I know. I will not call their names, but we would consider that a comparatively poor man in Minneapolis, especially if he has been engaged in the lumber business. [Laughter.]

Mr. LINDBERGH. I fully agree with the gentleman.

Mr. DAVIS. In other words, on the rough boards the cut is 100 per cent, while on the finished product from 25 to 50 per cent. Statistics show that during the year ending June 30, 1906, the total importation under these schedules was 916,889,000 feet of lumber, and of this quantity less than 30,000,000 feet was of the finished or partly finished product. This shows that the tariff on the finished product was virtually prohibitive under the Dingley law. Again, when it is considered that fully 90 per cent of all the lumber consumed in the United States is finished or partly finished, it is apparent that the home market, on the kind and quality of lumber consumed by our people, has been virtually supplied from our own forests.

Mr. Pinchot, the Chief Forester of the Bureau of Forestry, asserts that the schedule, as proposed in the Payne tariff bill, will not increase importations more than 3 per cent over what they now are under the Dingley law, which shows that the proposed schedule relating to lumber will not materially interfere with the home producer, and, in my judgment, it will not at all, for I feel assured that our own manufacturers can and will readily reduce the price to the consumer sufficiently to prevent Canadian and other outside manufacturers from invading our home market. Our people believe they are entitled to cheaper lumber, and of the quality and finish which they are accustomed to use. Therefore, if it is proposed to benefit the consumer by legislation, the rates proposed should be very much reduced on the finished product.

THE COST OF PRODUCTION.

Much has been said concerning the cost of production. Evidence has been produced before the Ways and Means Committee and statements made upon the floor of this House endeavoring to prove the cost of production on lumber to be less in Canada than in the United States; but, on the contrary, it has been shown that such is not the case, and that the reverse is true. The able address of the gentleman from Illinois [Mr. MANN] concerning Canadian wages in the wood-pulp industry convinced me that the Canadian laborer, efficiency considered, receives as high or higher wages than the American. This being true, and, in addition thereto, the cost of transportation upon this heavy commodity being so largely in our favor from the place of production to the great Mississippi Valley consumers, would it not be wiser still to place all lumber upon the free list? I for one think it would, and earnestly urge that this bill be so amended as to accomplish this result.

CONSERVATION OF FORESTS AND FREE LUMBER.

Another good reason to my mind why lumber should be placed on the free list is that if, as has been repeatedly stated, by the removal of the tariff the Canadian manufacturer would import large quantities of lumber into the United States it would thus tend to conserve our forests and prevent the present rapid depletion thereof. I am aware that Mr. Pinchot, for whom I have the highest regard, has endeavored to show that such would not be the case, but his argument is far from convincing, and, as analyzed by the gentleman from Ohio [Mr. HOWLAND] a few days ago upon the floor of this House, it seems fallacious. The Minneapolis Journal comments thereon editorially as follows:

The curious statement of Gifford Pinchot, Chief Forester of the United States, that the reduction of the tariff on lumber would not affect the price of that commodity, and, furthermore, would not tend to conserve the forests of the United States, leads many to believe that he is either foolish on the subject of tariff, or that they are. Everywhere else the reduction of a tax is conceded to cause a reduction in the price of a generally used commodity. But with lumber, Mr. Pinchot claims, it would not do so. It is quite apparent that the reduction of $1 upon the tariff on rough lumber, leaving a tariff of from $1.50 to $2.50 a thousand on different grades of finished lumber, would not affect the price, since the subordinate taxes, those on the finished boards, would still be prohibitive. But Mr. Pinchot was supposed to be talking about free lumber. Free lumber could fail to conserve the forests only upon the theory that the large timber owners of America, rather than see Canadian lumber come in, would cut and slash their holdings of stumpage to control the local market. The threat has been made, and apparently by men who have the power to carry it out, that if the tariff on lumber is reduced, this would be the result. It can be the result only upon the theory that a few men, who can soon get their heads together, control the remaining stumpage of the country. They are willing to let the people have the forests in the shape of boards gradually and decently, provided they can dictate the price. That price they have dictated during the last seven years to the tune of an increase of 46 per cent over the average, while other commodities have increased only from 9 to 26 per cent. The lumbermen have thus shown that they can make good any threat they have in mind. The question is: Will Congress be thwarted of its wish to give the consumer relief, or will it go ahead with free lumber and let the future take care of itself?

Already Congress has shown a disposition to compromise. The lumber tariff in the Payne bill is an empty thing. It does not guarantee the consumer anything. If it had been put in to give play for trading and concessions in other directions, it could not have appeared in better shape than it does.

It hardly seems probable that in this day and age, with prices of lumber so high, that any material waste to the forests would be permitted by the interested manufacturer in consequence of competition from without. In this connection, the Northwestern Agriculturist, published in the city of Minneapolis, Minn., has this to say:

Our forests are dwindling, and unless we choose to speak in defiance of all available statistics, they are almost on the verge of exhaustion. On the whole, the price of lumber soars ever higher and higher, and the value of timber holdings advances with leaps and bounds. Here in Minnesota we have seen standing timber advance in value from $1 to $12 a thousand inside of ten years. Everywhere there has been a big advance in timber values. Yet, now the lumbermen come to us and plead for a tariff, largely because their timber is so much more valuable than it used to be; for that is just what they mean when they say stumpage costs so much that they must have protection against the cheap timber of Canada. This is simply a demand for protection on an "unearned increment." Cost of production and wages are as high in Canada or higher than here.

Here is the situation in a nutshell: The price of lumber and timber has increased enormously within a few years. In good times our domestic mills can not supply the demand. The forests are almost gone. Every year the demand on them increases. Soon they will be wiped out. Canada has vast forest resources on which we can draw both to the relief of our forests and to the benefit of our consumers. But our lumbermen, after all their years of prosperity, fattened on the richest forests the world has ever known, enjoying the greatest home market that any industry ever had, competing with Canada and all other timber countries in the markets of the world (even in those of Canada itself) to the extent of $125,000,000 a year, now have the "nerve" to ask Congress to retain an obsolete duty.

It is contended by many Members, and especially by those from the Pacific coast, that the present tariff on lumber as contained in the Dingley law should be raised, instead of lowered. The reason for this is not apparent, for already the lumber tariff is prohibitive, except upon rough boards, a class of lumber that is very little used. To my mind this contention emanates from the extensive owners and holders of stumpage, for the instant the tariff is raised up goes the price of stumpage, and the manufacturer would not be materially benefited. I desire, Mr. Chairman, in this connection, to have printed as part of my remarks Table No. 43, as taken from the Forest Service Circular, No. 97, of the year 1907, being a comparison of stumpage values for the years 1899, 1904, and 1907:

TABLE 43.—*Comparison of stumpage values, 1899, 1904, 1907.*

Kind.	Average value per M feet.		
	1899.	1904.	1907.
White pine	$3.66	$4.62	$8.09
Ash	3.03	3.95	7.58
Basswood	1.50	3.89	6.79
Hickory			6.69
Oak	[a] 3.18	3.86	6.52
Spruce	2.29	3.70	[b] 5.49
Chestnut	2.71	3.39	4.97
Elm	3.39	5.58	4.94
Poplar	2.81	3.80	4.64
Cedar	1.32	1.49	4.63
Hemlock	2.56	3.51	[c] 4.51
Birch			4.40
Cypress	1.58	3.42	4.37
Cottonwood	1.45	2.61	3.97
Beech			3.56
Yellow pine	1.12	1.68	3.16
Maple	2.66	3.82	2.50
Red gum	1.68	1.67	2.46
Redwood	1.06	1.55	2.35
Western pine			1.66
Douglas fir	.77	1.05	1.44
Tupelo			1.27

[a] White oak only. [b] Eastern spruce only. [c] Eastern hemlock only.

This table shows very convincingly that stumpage values on nearly all kinds of timber have more than doubled during that period.

The Chicago Tribune, the leading Republican journal of the Middle West, of March 4, 1909, editorially said:

It is a significant fact that these lumbermen who assert that the cost of production is so much higher here than in Canada ship considerable lumber to the Dominion. The Canadian lumbermen have been complaining of this "invasion" and asking the Ottawa government for protection through a duty on American lumber. The unanimity of this demand for protection is evidence that neither party needs it, but that both want it, so that they may put the knife into the consumer.

* * * * * *

The sum and substance of the matter is that the corporations which own a large percentage of the timber lands of the United States have secured control of vast areas of Canadian timber land. It is their policy to keep the duty on lumber intact, so that during the next ten or twelve years they may sell their American product at exorbitant rates. Then they would turn around and ask Congress to take off the duty and let their Canadian lumber come in free.

Mr. Chairman, I believe it to be a fact that considerably more lumber and timber is annually exported by us into Canada than we import from that country, and that they are more in need of protection from us than we are from them. Recently the Board of Trade of the City of Nelson, British Columbia, passed resolutions on this subject; and I desire, Mr. Chairman, to insert a copy of these resolutions in the RECORD as part of my remarks.

Resolutions adopted by the Board of Trade of the City of Nelson, British Columbia:

Whereas the lumber industries of British Columbia and western Canada are still suffering from the unfair competition of rough lumber coming into Canada free of duty; and

Whereas railway companies are still placing large orders for lumber on the American side, such railway companies having been heavily subsidized by the Canadian people, of which subsidies British Columbia has to pay her proportion; and

Whereas large quantities of lumber are waiting sale and mills are idle, which lumber was produced with protected machinery and protected supplies; and

Whereas the manufacturers of western Canada have to-day in stock as much lumber as they have ever marketed in the best year heretofore experienced, and have increased their manufacturing capacity to such an extent that they are now able to supply a market at least three times greater in any one year than sold in the best year so far experienced, viz, 1906; and

Whereas Hon. Mr. Fielding assured the lumber manufacturers of this district some years ago that the dumping clause would give us ample

protection from American labor, which is not the case, for the reason that during the past eighteen months the American markets have been so demoralized that their mills have been selling lumber for less than two-thirds of its cost, and consequently exporters to Canada are willing to make affidavits that the price at which they are dumping lumber into this country is the "fair market value if sold for home consumption;" and

Whereas owing to the excessive capacity to produce lumber it is important to preserve to Canadian mills our entire market; and

Whereas the product of the mountain mills is from 75 to 85 per cent of common lumber, the unfairness should be manifest of allowing American mills to dump into Canada their surplus low-grade material, which represents by far the larger portion of our output; and

Whereas the most vital industry in the welfare of this Province is the only great industry on the American Continent which is not afforded reasonable protection, and as there seems to be no just grounds to continue to sacrifice our interest: It is therefore

Resolved, That the Dominion government be urged to give this matter prompt investigation for the purpose of verifying the claims advanced in this petition and to place a duty of $2 per thousand on rough fir, cedar, spruce, larch, and pine lumber, and of 30 cents per thousand on shingles, at the earliest possible date.

The leading newspaper at Nelson, British Columbia, has this to say editorially upon the subject:

BOARD OF TRADE MATTERS.

Several most important matters were dealt with at last night's meeting of the board of trade. The one that means the most to this country is, of course, the resolution passed asking the government at Ottawa to put a duty on rough lumber and shingles. This is but a matter of simple justice to the lumbermen of British Columbia. Everything they require in the way of machinery and supplies is protected, but they are left at the mercy of the American mill men, who, when the lumber industry is at low ebb on their own side of the line, as it has been during the past year, simply dump their accumulated stock on the Canadian market at prices which absolutely prevent competition. The result of this during the past year or so has been that thousands of Canadians have been thrown out of employment and millions of dollars of Canadian capital has been rendered unproductive. This is not right, but under present conditions it can not be helped. There is, however, a remedy—the placing of a duty on lumber—and this the Dominion government is now being asked to do.

AMERICAN LUMBER PRODUCER NEEDS NO PROTECTION.

Mr. Chairman, the consuming public, and especially the home builders, believe that the price of lumber is too high, and that the American producer needs no protection whatever, either from the Canadian, the Mexican, or elsewhere. That our facilities for producing lumber are the best, and, together with the efficiency and quality of our labor considered, we can manufacture lumber of all kinds cheaper than in any other country. Hence the placing of lumber on the free list will be beneficial to the great majority of our people. Statistics show that the revenue derived under the Dingley law from imports on lumber is comparatively insignificant, and the present bill is so framed that, as a matter of fact, the Dingley law will become operative upon all lumber and timber imported from Canada. Although certain portions of the proposed law would indicate that reduction of the tariff was intended, yet upon more careful scrutiny of all of its provisions it is quite apparent that certain restrictions exist on the part of the Canadian government and which can not be changed that would ipso facto continue the Dingley schedule in force.

Now, Mr. Chairman, one of the reasons, if not the chief one, for the passage of the Payne bill is the raising of revenue by readjusting tariff schedules, and yet some of the members of the Ways and Means Committee advocate prohibitive tariffs. The gentleman from Michigan [Mr. FORDNEY], who is greatly interested in the lumber schedules, boldly asserted, in substance, that if he were permitted to write a tariff bill he would so write it that the importations of any goods that could be manufactured in this country would be prohibited. Again, the gentleman from Washington [Mr. CUSHMAN], judging from his utterances, would also build the tariff walls so high as to prohibit lumber importation.

Now, Mr. Chairman, what would be the result upon our Treasury if many of the leading schedules were constructed as they are in the proposed bill along this prohibitive line? Would such legislation be conducive to the raising of revenue? No. From a revenue standpoint prohibitive schedules are the same as free trade. I shall not attempt to enumerate many of the proposed schedules, but a few of them will, I think, demonstrate that they are not constructed along the line of equalizing duties. In Schedule I it appears that the cotton cloth and thread schedules are raised on an average of from 46.29 per cent ad valorem to 56.27 per cent ad valorem. This may be called "equalizing" from the manufacturer's point of view, but not justly so as viewed by the consumer. The cotton-hose schedule is raised from 60.03 per cent ad valorem to 77.67 per cent ad valorem.

Mr. Chairman, between the years 1900 and 1905, according to the federal census reports, the output of the American hosiery industry increased 60 per cent under the Dingley law, thus showing that the American manufacturer is certainly given great advantage over the foreign producer. Furthermore, during the last three years, under the Dingley law, and while the American hosiery industry was increasing very rapidly, the price of women's stockings, which were selling from 30 to 45 cents per pair, have raised in price to 75 and 85 cents per pair. The prediction is boldly made that if the proposed schedules are enacted that cotton stockings now to be had for 50 cents will rise to 85 cents per pair, 25-cent stockings to 40 cents, and 10-cent stockings to 18 cents per pair. Following the rise in price which has taken place in the last three years, such additional advance would become serious indeed. This additional tax would not be small, and very few, if any, families could dodge it, for few women, girls, or children would wear woolen stockings, and silk ones are out of the reach of the masses. The cotton hose is a universal garment, and enormous quantities are used every year, and if this schedule is raised under the guise of equalizing, I fear that it will be more harmful than beneficial. It certainly will not produce more revenue, but will simply be an added burden upon the consumer.

Schedule N, the glove schedule, is raised from 51.89 per cent ad valorem to 72.65 per cent ad valorem. Under the Dingley law this schedule was comparatively prohibitive, judging from the value of imports thereunder, and now to pretend to equalize it by so materially raising it, only the interests of the manufacturer will be conserved, at the expense of the consumer.

The Committee on Ways and Means undoubtedly considered that the oil schedule needed no equalizing, for it was left untouched. It will be difficult to persuade the people that oil and all by-products should not be placed upon the free list, and that this method of equalizing the present schedules would be more appropriate.

Again, the farmer and stock raiser will demur when informed that the hides which he produces are no longer protected, and that this form of equalization has received the sanction of Congress, and especially so when he is compelled to purchase the products of the hide in the form of boots and shoes enhanced in price by a protective tariff.

The radical reduction of 100 per cent in the tariff on barley hardly comports from an equalizing standpoint with the radical uplifting of the tariff on gloves and stockings.

But, Mr. Chairman, the Ways and Means Committee have apparently concluded that the proposed bill will not raise sufficient revenue unless inheritances be taxed. If sufficient revenue could not be raised by a just and fair and equalized impost, I should not object to this method of raising it by taxing inheritances.

But I still believe that a proper scaling down and equalizing of many of the large proposed and almost prohibitive schedules which are contained in the Payne bill would raise sufficient money to administer our governmental affairs without resort being had to this more drastic inheritance-tax method. Again, 36 of the States of the Union have already adopted it for replenishing their treasuries. Therefore, is it wise, is it proper or just, except in extreme cases of need, which do not now exist, to impose upon our people double taxation?

Mr. Chairman, the Ways and Means Committee are apparently in doubt as to the revenue-raising qualities of this proposed measure by the schedules offered, even including the clause providing for the inheritance tax, and this is borne out by that other provision which provides in case of emergency for the issuance of government certificates of indebtedness to the amount of $250,000,000. I shall not, Mr. Chairman, further detain the committee, but express the hope that opportunity will be given for the membership of this House to fairly and fully express its opinion by vote upon many of the important schedules proposed, and not submit to the people legislation of this great importance except by the voice of the majority of their chosen representatives. [Loud applause.]

Mr. FOWLER. Mr. Chairman, while the Dingley bill was still pending, in May, 1897, I introduced a measure for the establishment of a tariff commission, and sought to have it made a part of that measure. In the pursuance of its advocacy, I addressed a letter to the press of the country, urging its support; and, subsequently, on December 2, 1901, after fuller consideration, I introduced another measure to accomplish the same purpose, and wrote a second letter to the Members of Congress urging their favorable consideration. These two letters, in their order, read as follows:

MAY 22, 1897.

MY DEAR SIR: Everyone now realizes, I think, that the American people of all sections, of all parties, of every calling, and of all classes, are tired and heartily sick of tariff tinkering and the consequent disturbance, if not actual destruction, of all lines of business. What they need and most earnestly desire is an opportunity to engage in business with assurance that there will be no such radical changes as will destroy or even cripple any department of trade or commerce.

Any tariff measure that will produce sufficient revenue to support the Government under present conditions will, with the natural increase of population and the greater consumption incident to prosperity, bring us in a few years a hundred millions more revenue than will be required to meet expenses. It should not be taken from the people. It would naturally lead to national extravagance.

How, then, shall we adjust our revenues to our actual needs? Shall it be by overhauling the whole subject again—every schedule down to the very last item? Certainly business prudence would require that our taxes be lowered gradually and removed from such articles as an intelligent and skilled commission would recommend. The changes should be so made as to result in an evolution, and not in a revolution.

The taxes should be aliated from year to year and taken from one schedule at a time. Hence the President, who is responsible for the proper administration of the Government, with the recommendation of the tariff commission, ought to have the power to suspend any portion of the taxes and the country not be compelled to wait until the Executive, the House of Representatives, and the Senate were in political conjunction, which might not happen for several years. They were not in conjunction from 1875 until 1889.

That the President may suspend taxes, if that power were given him by Congress, was decided by the Supreme Court in Field v. Clark (143 U. S. Repts., 649), when the constitutionality of the reciprocity clause of the tariff act of 1890 was challenged.

The duty of the commission to investigate all federal taxation and domestic and foreign conditions, and annually recommend changes calling for legislation, will make it a most valuable adjunct to a wise administration of our national affairs.

Its establishment can not do any harm, while it may prove the greatest possible blessing to the American people in securing stability to our varied business interests and continued and equal prosperity to all sections of our common country.

Very truly, yours, CHARLES N. FOWLER.

HOUSE OF REPRESENTATIVES,
Washington, November 24, 1902.

MY DEAR SIR: On May 22, 1897, before the Dingley bill was passed, I introduced a bill to establish a tariff commission, and at the same time addressed a letter, a copy of which is hereto appended, to the newspapers of the country.

On December 2, 1901, after a fuller consideration, I introduced the inclosed bill, incorporating several additional powers, which, I am confident, may be exercised by a tariff commission greatly to the advantage and advancement of the public welfare.

The union of commercial interests and the coordination of economical forces throughout the world have attracted much attention in recent years. The new order of things has given rise to apprehensions in many quarters lest the accumulation of power in corporate hands may result in danger, if not positive injury to the public interest. What should be the policy of the Government under all the circumstances?

First, I maintain that a broad intelligence is essential to wise action; therefore, before restrictive, and certainly before destructive, legislation is passed we should acquire the fullest information with regard to the evolutionary forces, not confined to our own country, by studying the phenomena produced and determining the advantages and disadvantages of the conservation of energy growing out of capital combinations.

Secondly, I maintain that a tariff commission, created as proposed in the inclosed bill, incidentally possesses all the power necessary to obtain the requisite information to intelligently and wisely negotiate a trade treaty with any foreign country; therefore such a commission could compel witnesses to appear and testify.

Thirdly, I maintain that since the preamble of the Constitution declares that that instrument was established "to promote the general welfare," and since Congress, among other powers, and duties, is to "provide for the general welfare," Congress may create a commission whose duties are to see that the people living in the various sections of the country shall not be imposed upon by the distribution of worthless stock, and to that end that such commission may rightfully insist upon the fullest information with regard to all corporations at such times and in such form as it may prescribe; further, that such commission can protect the people against extortion practiced by any corporation engaged in the manufacture of a protected article to the extent at least of giving to the public the fullest possible details with regard to the business of such corporation.

Fourthly, I maintain that it is unreasonable to expect that we can go into the markets of other countries and sell our excess of productions to a degree that is ruinous to their industries without incurring hostility, which must lead to inimical legislation, tariff reprisals, and unfriendly relations. Such a result should be obviated; and we can only secure universal friendship after we have become aggressive competitors in the markets of the world by a system of reciprocal trade treaties mutually advantageous to the parties in interest; therefore I am in favor of a permanent tariff commission whose high office and important duty shall be to negotiate reciprocal trade treaties and work out tariff adjustments from time to time, as the business interests of the country demand.

Very truly, yours, CHARLES N. FOWLER.

Again, early in December, 1908, I introduced a like measure, which also provided for maximum and minimum rates and authorized the President to make trade agreements and enter into trade treaties between these limits as established by Congress.

Whatever may be the steps now taken in this direction, I am confident that our business relations with the rest of the world will in time demand the exercise of this power on the part of the Executive.

TARIFF BY EVOLUTION INSTEAD OF REVOLUTION.

Production throughout the world is coming to be more and more a matter of exact science in discovery and development and of economy through the use of enormous aggregations of capital.

International commerce is coming to be more and more a matter of reciprocal negotiation.

In round numbers, the annual productions of the United States amount to $25,000,000,000, of which nearly 10 per cent, or about $2,000,000,000, are exported, while we buy from the rest of the world about $1,250,000,000 annually. (See Appendix A for imports and exports from 1880 to 1908.)

The total imports of all the world, outside of the United States, are about $13,000,000,000. Since we now sell to the rest of the world to the amount of $2,000,000,000 and now buy from the rest of the world over $1,000,000,000, it leaves a market of less than $10,000,000,000, of which we desire to get more and more. (See Appendix B for imports and exports of all countries.)

It should be remembered in this connection that our home market, which lies within our own doors and is therefore exclusively our own, to be held without competition, to be given away for nothing, or to be traded off or exchanged to the advantage and profit of the American people, is just twice the amount of all the markets of the rest of the world for which every nation is a natural and legitimate competitor.

We shall succeed in our struggle for this foreign trade directly in proportion to the intelligence and enterprise we show.

First. In connection with the production, cost, and market conditions of other countries as well as our own.

Second. In establishing a merchant marine to give us direct mail and transportation facilities with our natural customers.

Third. In developing American banking connections throughout the world, by which we shall get control of the goods and route them over direct American shipping lines.

To-day, however, we are to confine ourselves to the first of these propositions: The intelligence and enterprise we show in connection with the productions, cost, and market conditions of the rest of the world as well as our own.

From the passage of the first act of the American Congress, drawn by Alexander Hamilton and signed by George Washington, which was a protective tariff measure, for nearly a century and a quarter we have had what Henry Clay was pleased to call "the American system," sometimes more pronounced, sometimes less, but always protective.

With the opening of the Suez Canal, steam navigation, the building of great railway systems, and as the result of many potential and far-reaching inventions and discoveries during the last fifty years, international commerce has grown to an extent and intimacy that makes it one of the most gigantic, intricate, and important problems of the day.

Within these last fifty years all the countries of the world have adopted the protective policy, except free-trade England, and such commercially backward countries as Turkey, Persia, and China.

After a brief interval of free trade which the German Empire inherited from the Zollverein in 1871, during which time German industries, more especially iron and textile, suffered greatly because hard pressed by English competition, the German Government, under the leadership of Prince Bismarck, passed a protective tariff law in 1879. In urging its passage the "Iron Chancellor" used this significant language:

"The success of the United States in material development is the most illustrious of modern times. The American Nation has not only successfully borne and suppressed the most gigantic and expensive war of all history, but immediately after disbanded its army, found work for all its soldiers and marines, paid off most of its debt, gave labor and homes to all the unemployed of Europe as fast as they could arrive within the territory, and still by a system of taxation so indirect as not to be perceived, much less felt. Because it is my deliberate judgment that the prosperity of America is mainly due to the system of protective laws, I urge that Germany has now reached that point where it is necessary to imitate the tariff system of the United States."

From the passage of this protective law by Germany may be dated the evolution of that condition of trade relations which now obtains throughout Europe and is destined to be developed still further there and throughout the world. This William McKinley foresaw and forecast in his last and most memorable address. He said:

"The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

"If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?" (Speech at Buffalo September 5, 1901.)

By 1891 the countries of continental Europe with which Germany carried on trade had generally adopted the protective principle, and Germany found herself greatly hampered, especially since her own protective tariff had accomplished its work, and her industries were on their feet and looking for outside markets. To secure these the Imperial Government

entered into reciprocity treaties with Russia, Austria-Hungary, Italy, Switzerland, Belgium, Roumania, and Servia which were to continue for a period of twelve years, terminating in 1903.

Since the words of Mr. N. I. Stone, tariff expert of the Department of Commerce and Labor, in describing the changes which occurred in Germany from 1879 to 1903 so aptly describe our own conditions, or are so prophetic of what they are certain to be, I can not forbear to repeat them here. He said:

"In the meantime, however, great economic changes had taken place. The quarter of a century which lay between 1879, when the autonomous tariff was adopted, and 1904, when the conventional tariff was to terminate, witnessed the great decline of the agricultural and more than proportional development of the manufacturing industries in the scale of relative importance in the Empire. In 1879 the agrarian party was an ardent advocate of free trade, because Germany depended on foreign markets as an outlet for its excess of cereals and other farm products, while at the same time the agricultural population had to depend on British and French sources for its supply of cheap agricultural implements and other articles of personal use. By 1900 the situation had undergone a radical change. Not only had Germany ceased to be an exporter of cereals, but, owing to competition of the United States, Argentina, and Russia, was obliged to become an importer of grain. The owners of large German estates found it impossible to compete with the cheap agricultural products, not only grain, but cattle and meats, raised on virgin soil with but a slight expenditure of human labor. The cry of "protection" now came loudest from the agrarian camp, which also evinced great hostility to reciprocity treaties. In any event the demand was made for a revison of the tariff, for the purpose of not only greatly raising the duties on agricultural products, but also of making the increased protection safe from encroachment through the conclusion of new treaties.

"On the other hand, the manufacturers were for the most part satisfied with the existing duties, and were even willing to go to the extent of still further reductions if by so doing they could secure reductions in the tariffs of foreign countries. Both sides agreed as to the necessity of a thorough revision of the tariff before the expiration of the reciprocity treaties; the agrarians, because they wanted increased protection; the manufacturers and exporters, because they desired more scientific and up-to-date classification of commodities."

The thoroughness which always marks the work of German scholarship was appealed to in this matter of the highest importance to the agricultural, manufacturing, and commercial interests generally of the Empire. The Government proceeded to prepare a tariff bill not "under whip and spur," while business hesitated, waited, and languished, but with a full knowledge and deliberation. It was not completed in four months, but its preparation consumed five years of labor on the part of a special commission of 32 representatives of the agrarian, manufacturing, and commercial interests acting in cooperation with tariff experts of the treasury and other government departments, in addition to 2,000 trade and technical experts who were consulted by the commission from time to time.

The tariff bill which resulted from these labors was introduced in the Reichstag by the Government early in 1902, and after ten months' deliberation—ten months, mind you—passed with some changes on December 25, 1902. It contained but one set of duties, with the exception of rye, wheat, barley, and oats, for which both general and minimum rates were provided to prevent further reductions through reciprocity treaties.

This German revision is in bold contrast with our "haphazard," "catch-as-catch-can," "go-as-you-please," "hurry-up-and-get-through-with-it" method.

In bold contrast with the hurry, haste, and slapdash which must mark the present revision of the tariff, owing to the unrest and urgent demands of business, I want to call your attention to the following fact:

About one year ago the press of the country demanded the removal of the duty on wood pulp. So persistent was the demand that a committee was appointed, consisting of six Members of the House, to investigate the subject of wood pulp. In pursuance of their duty, I am informed by one of the committee that they have actually spent at least four full months and taken about 4,000 pages of testimony, and yet they have not completed the investigation as it ought to be made, since they are compelled to report during the present session of Congress.

Conundrum: If it has taken four months to partially investigate one single item in one single schedule, how long would it take to thoroughly investigate all the items in all the schedules?

I want to call your attention to a few articles which were selected by Senator BEVERIDGE from the Dingley bill, showing what changes were made in the Senate. The gamut of variation runs all the way from a high duty down to the free list, on one side, and up to an increase of 333 per cent on the other. When you remember that the majority of both the House and Senate committees was Republican, and therefore for the protective principle, can anyone doubt that guessing, wild guessing, was done somewhere?

Dingley bill in House and Senate.

Article.	Duty fixed by House committee.	Duty fixed by Senate committee.	Difference.
			Per cent.
Borax	2 cents per pound	5 cents per pound	150
Borate of lime	do	4 cents per pound	100
Boracic acid	3 cents per pound	5 cents per pound	66⅔
Fusel oil	½ cent per pound	¼ cent per pound	100
Opium	$6 per pound	$8 per pound	33⅓
Nitrate of lead	2½ cents per pound	1½ cents per pound	66⅔
Phosphorus	20 cents per pound	10 cents per pound	100
Soda ash	¼ cent per pound	⅛ cent per pound	50
Sea moss	Free list	10 per cent	
Unmanufactured pumice stone.	20 per cent	do	100
Spectacles, eyeglasses, etc., of a certain value, but not over 75 cents a dozen.	25 cents per dozen and 20 per cent.	40 cents per dozen and 20 per cent.	[a] 60
Coral and spar	25 per cent	50 per cent	100
Railway fish plates or splice bars, iron or steel.	½ cent per pound	0.4 cent per pound.	25
On certain knives	50 cents per dozen	Duty omitted	
On other knives	75 cents per dozen	do	
Razors and razor blades of a certain value.	$1 per dozen and 15 per cent.	50 cents per dozen and 15 per cent.	[a] 100
On razors and razor blades of a different value.	do	$1.75 per dozen and 20 per cent.	[a] 75
Scissors and shears of a certain value.	50 cents per dozen and 15 per cent.	15 cents per dozen and 15 per cent.	[a b] 333⅓
Files of a certain length	30 cents per dozen	50 cents per dozen.	66⅔
Files of a different length	60 cents per dozen	$1 per dozen	66⅔
Planed or finished lumber	50 cents per M feet	35 cents per M feet.	42⅞
On the same, if planed on one side and tongued and grooved	$1 per M feet	70 cents per M feet.	42⅞
Toothpicks	2 cents per M and 15 per cent.	1 cent per M and 15 per cent.	[a] 100
Sugar cane, unmanufactured	20 per cent	10 per cent	100
Saccharine	$2 per pound and 15 per cent.	$1 per pound and 10 per cent.	[a c] 100
Chicory root	1 cent per pound	Free list	
Cocoa butter	6 cents per pound	3½ cents per pound.	71⅔
Substitutes for coffee	1½ cents per pound	2 cents per pound.	33⅓
Still wines	60 cents per gallon	30 cents per gallon.	100
Certain cotton cloth	8 cents per square yard.	6½ cents per square yard.	23⅓
Stockings, hose, etc., of a certain value.	50 cents per dozen pairs and 15 per cent.	60 cents per dozen pairs and 15 per cent.	[a] 20
Tow of flax, retted	$22.40 per ton	$11.20 per ton	100
Floor mattings	8 cents per square yard.	4 cents per square yard.	100
Carpets of a certain value	6 cents per square yard and 35 per cent.	10 cents per square yard and 35 per cent.	[a] 66⅔

[a] In the specific part of the duty.
[b] And 33⅓ per cent in the specific part of the duty
[c] And 50 per cent in the ad valorem part of the duty.

With all respect to the men, as men and individuals, composing the Ways and Means and Finance committees, which formulate our tariff legislation, I want to call attention to these committees and the time they consume in the revision of our tariff by quoting what Senator BEVERIDGE said in describing them and their work:

"For example, the Committee on Ways and Means of the House that framed the Dingley bill reported that bill the 19th day of March, 1897, so they did all the above work in *less than four months*. The Committee on Finance of the Senate took this bill and reported it back the 4th of May, 1897, so the Finance Committee did all this work in *six weeks*.

"Again, the Committee on Ways and Means of the House that framed the McKinley bill reported that bill the 16th day of April, 1890, doing the work in *less than five months*. The Committee on Finance of the Senate took this bill and reported it back the 17th day of June, 1890, so the Finance Committee did all this work *in two months*.

"Again, the Committee on Ways and Means that framed the Wilson bill reported that bill the 19th of December, 1893, so they did all the work *in a little over four months*. The Committee on Finance took this bill and reported it back the 20th day of March, 1894, so the Finance Committee of the Senate did all this work *in three months*.

* * * * * * *

"For instance, I have a list here of the members of the Ways and Means Committee of the House of Representatives who framed the Dingley bill.

"Mr. President, every member of that committee at that time, with two exceptions, was a lawyer; one was an editor and one was a wood manufacturer.

"Take the present Ways and Means Committee of the other House. A mere reading of their names and their occupations

in the Congressional Directory will disclose to the Senate what admirable men they are as legislators; but it does not disclose that they are especially fitted by their life work for economic investigation, because all of them but two are lawyers, one is a lumberman, and one has no occupation at all."

Three members of the present Ways and Means Committee, consisting of 19 members, who assisted in preparing the tariff bill are not Members of the House now, while 4 of the members of the Finance Committee of the Senate, consisting of 12 members, were not Members before March 4, 1909.

The commission charged with revision of the tariff in Germany took two years to revise the schedules, or in the work of classification alone.

In most of the important countries of Europe the tariff has been recently revised, not only with a view to changes in rates, but in order to provide a scientific system of classification of commodities based on modern industrial conditions. Recently Greece, little Greece, has appointed a commission composed of government officials, members of Parliament, merchants, and manufacturers, who are to report in two years a tariff bill.

While by no means all of the time of our Board of General Appraisers is taken up with questions of classification, it is one of its most important functions, and constitutes the bulk of customs litigation before the courts to which both the Government and the importers frequently appeal from the decision of that body. This litigation, which keeps an army of judges, lawyers, and government officials constantly busy, has cost millions of dollars to the Government, many more millions to the people directly interested therein, and in the end must come from the pockets of the people. With the exception of the members of the bar hardly a single class in this community has been benefited by this unproductive waste of time and money. During the last current year 55,798 classification protests were received and 35,785 were decided, while the suspension files now number 60,353.

Is there a single business in the United States, amounting to $100,000,000 a year; yes, $50,000,000 a year; yes, $10,000,000 a year; yes, even a quarter of that amount, that has not a body of expert men, costing as much as an expert commission would cost this Government, doing nothing but reducing every factor of the business to a certainty, and refining every differential to a thirty-second or a sixty-fourth of 1 per cent?

Germany, with a foreign trade amounting to three billions, has applied this principle to her international commerce. All the countries of Europe, practically, except free-trade England, are doing the same thing. Our import and export trade has passed the three-billion mark. Is it not high time that we, too, should now imitate our imitators who have reduced foreign trade to an approximate science?

Mr. ROOT, whose services to his country has rendered the office of Secretary of State illustrious, said:

"In my judgment, the United States must come to a maximum and minimum tariff. A single, straight-out tariff was all very well in a world of single, straight-out tariffs, but we have passed on during the course of years into a world for the most part of maximum and minimum tariffs, and with our single-rate tariff we are left with very little opportunity to reciprocate good treatment from other countries, and with very little opportunity to defend ourselves against bad treatment."

The tariff commission which I advocate provides the effective machinery by which this proposal can be carried out without shock or the slightest interference with the trade of the country, and yet the matter of legislative control rests entirely with the House and the Senate. (See Appendix C.)

Under the McKinley Act of 1890 provision was made for the imposition or suspension of certain duties upon given conditions. Mr. Blaine negotiated certain treaties in accordance with that provision which worked most advantageously, but the effect of the Wilson bill destroyed them. The authority for the negotiation of the treaties was upheld by the Supreme Court of the United States in the case of Field *v.* Clark (143 U. S. Rept., 649).

Sections 3 and 4 of the Dingley bill grant in principle all that I contend for. If the President can suspend all of any duty imposed, certainly he could suspend any part of the duty so imposed. Again, if the President can impose any given duty, certainly he could impose any part of such duty. In accordance with section 3 of the Dingley law the President has entered into a trade agreement with Germany, and the same is now in force and operation.

If Congress should declare to-day that the present tariff schedules should be the actual schedules, and at the same time fix maximum and minimum schedules as the boundaries within which an expert tariff commission, subject to the approval of the President, who is responsible for the revenue, could fix the actual duties to be paid, but that no such change should take place for a period of a year and a half after their promulgation by the President, this country would go forward by leaps and bounds.

Under such a system we would have tariff by evolution and not by revolution.

Should such a principle be adopted, no party could go before the country on a platform to abrogate it. Labor and the business interests would unite in its defense, for it would eliminate that unrest which must necessarily follow the success of a party clamoring for a revenue tariff instead of a protective tariff; for such a tariff system would soon be recognized as an advantageous trade tariff, and this would conserve the general welfare.

I do not speak as the representative of any party when I say that should the Democratic party succeed in 1910 upon the tariff issue it would unsettle business interests generally; and the one worrying and disturbing question confronting every industry working under a degree of protection would be whether the Senate would likely become Democratic, whether the next President would be a free-trade Democrat.

On the other hand, a permanent tariff commission of the very highest order and amply paid, with power subject to the approval of the President and within legislative limitations, would bring steadiness, stability, and a broader, wiser, and more lasting prosperity than a stereotyped tariff, even if its disturbance was not continually threatened by the success of the opposing party.

Again, the negotiation of trade treaties or conventional arrangements must necessarily become more and more the policy of international commerce. Germany now has such conventions with Russia, Austria-Hungary, Italy, Switzerland, Belgium, Roumania, Servia, Sweden, Bulgaria, Greece, and the United States, while she has negotiations pending with other countries.

Mr. N. I. Stone, the tariff expert, says:

"Nor can there be any doubt that Germany has fared far better with her conventional system than France, with her general and minimum tariffs. The experience of these two leaders among the nations of the European Continent, as well as that of their respective followers, has led to the gradual abandonment of the general and minimum tariff system practically all over Europe, with the exception of France and Spain, disregarding certain deviations from either by some minor countries like Norway and Greece."

When we were negotiating the present commercial agreement with Germany, its Government was represented by ten experts from the following departments: The commercial, political, and consular division of the foreign office; the department of commerce in the imperial ministry of the interior; the imperial treasury department; the Prussian ministry of finance; the Prussian ministry of agriculture; and the Prussian ministry of commerce. These commissions are usually composed of picked men. The personnel and their preparation for the treaty negotiations are treated as matters of the greatest importance and planned years in advance.

The United States has a problem in this connection peculiar to herself. While all European countries grant to third parties the most favored rates granted to the contracting parties, the United States Government, from the time of Thomas Jefferson down to this hour, has never extended to third parties the benefits of the most favored nation stipulations, insisting always that it has no application to reciprocity arrangements.

In other words, our reciprocal trade agreements, if the established policy of the Government is to be pursued, must stand independently and alone. To work out a system of conventions with all the commercial nations of the world, however difficult and complex because of this fact, is nevertheless possible and highly important. Our problem is distinctly our own, but we have more, vastly more, to gain in the world's commerce than any other single nation.

Shall we take advantage of our opportunity or sit idly by, relying upon antiquated methods, while the more progressive countries sweep on to greater and greater conquests?

This is an age of understandings, agreements, unions, combinations, and consolidations in production, trade, and transportation—local, national, and international; and the legal barriers imposed through ignorance and prejudice may harass and hinder and delay temporarily, but will not prevent them, for upon them the progress and life of modern trade depend.

There has been no time in the history of Anglo-Saxon liberty when the interpretation, development, and adaptation of the common law to current conditions in the light of marvelous material changes has been so essential to human progress as now.

Therefore we should rely upon the conservatism and riper wisdom of our judiciary for those evolutionary adjustments of law to curb and regulate wrongs rather than upon temporary madness and political prejudice, from which spring revolutionary changes and destructive repression.

Let it be remembered, however, that this progressive coordination and union of material forces involves a great fundamental principle, which is inherent in the sovereign right of the people. That principle is this: That every legalized monopoly derives its authority and power from the people, and is, therefore, subject to control and regulation by the people for the protection of the people against the abuses of monopoly.

The once accepted axiom under the old conditions that "competition is the life of trade," has given place to an accepted fact under the new conditions that trade wars are destructive of universal prosperity, inimical to labor especially, but inimical also to the investments of our savings banks and life insurance companies, and to commercial capital, upon the profitable employment of which the prosperity and happiness of our 25,000,000 workers depend.

This is not only true of national production, trade, and transportation, but it is just as certain to involve in its scope and influence the commercial relations of the entire globe. We should have our trade treaty with Germany, Germany with Japan, and Japan with us; and all three of these nations should in turn be doing business upon specific terms with all other countries.

These trade treaties, which are essential to the highest degree of mutual advantage, will bring strength, steadiness, and stability to the world's commerce, and contribute immeasurably to the world's peace and general welfare.

Gentlemen, shall American business still remain the football of American politics?

Shall "the Payne bill" become the issue of the next congressional campaign?

Fifteen of our ablest men, peculiarly fitted by nature and education, standing in the public eye and esteem by the side of our Supreme Court, and drawing an aggregate of $150,000, or $10,000 each, looking out for our trade of three billions a year, ought to give us an amazing profit upon the investment, and would effect a "conservation of resources" unmatched by any other force in our national life and remove the tariff from the field of politics.

The question is: Shall we have such a commission to advise Congress as to what the maximum and minimum duties should be, and secure within those limitations established by Congress for our manufacturers and merchants such trade agreements as will insure the largest possible return upon any trade privileges granted by this country to any foreign nation?

Shall we remain in these marvelously progressive times twenty-five years behind the most progressive nation in international trade, or shall we seek to establish the most advantageous trade relations with every nation on the globe, secure in the friendship of all, and at peace with the whole world?

Mr. RUCKER of Missouri. Mr. Chairman, during the campaign last fall I believed and declared that the Republican party could not safely be intrusted with the power and charged with the duty of tariff revision. I believed then, and I believe now, that the Republican party sustains a relation to the corporations, the trusts, and the monopolies of the United States so close, confidential, and mutually profitable that it dare not and will not give the great mass of American consumers just and equitable relief from the cruel burdens imposed upon them by existing tariff law.

The presentation to the House of the pending bill is a justification and vindication of my convictions.

This bill has been heralded far and near as a Republican revision of the tariff downward. The distinguished gentleman from New York [Mr. PAYNE] who reported it, when interrupted by a Member on this side, in a burst of eloquence or of passion, said:

> Taken as a whole, the revision is downward; but when you come to put it on articles of luxury, it is upward.

This declaration afforded me temporary gratification; but as debate progressed and "joker" after "joker" and iniquity after iniquity were uncovered and held up to view, this quotation, all uninvited, came to my mind:

> With smooth dissimulation skilled to grace,
> A devil's purpose with an angel's face.

[Laughter and applause on the Democratic side.]

This quotation may or may not correctly portray the real purpose of the "friends of the tariff" in christening this atrocity "revision downward."

"Taken as a whole, the revision is downward," boldly proclaims the gentleman from New York [Mr. PAYNE].

Spices, unground, have never heretofore been required to pay a tariff duty.

Spices are a common household necessity, used in every home.

This bill, if enacted into law as reported, will not only impose a duty for the first time in the history of this Republic of 30 per cent ad valorem on unground spices of all kinds, but will largely increase the Dingley rates on ground spices.

But the chairman of the Ways and Means Committee candidly admitted that, as applied to luxuries, like common spices, the revision is upward.

This bill proposes to increase the tariff on women's gloves to $4 per dozen pairs, with a still higher tariff if the gloves exceed 14 inches in length. The distinguished gentleman from New York [Mr. PAYNE], in discussing this enormous tax on gloves, justifies the action of his committee and the attitude of his party in this remarkable, if not convincing, language:

> Women could get along without kid gloves or fewer pairs of them—use silk gloves and cotton gloves and all that sort of thing. They could keep their hands warm, although they could not cover their pride.

It is true that cotton gloves or the home-made yarn mitten will keep a lady's hands warm, and, perhaps, after all, the mothers and wives and daughters and sisters of the toiling masses of American consumers should be thankful to the G. O. P. for its excessive generosity in not depriving them of this comfort.

Of course "women can get along without kid gloves" if this sacrifice is necessary to enable the party in power to discharge its obligation to the glove makers. [Laughter and applause on the Democratic side.]

Remember, the revision on luxuries of life is upward.

The chairman of the Ways and Means Committee, evidently regarding stockings as a luxury and not a necessity, has ruthlessly laid his heavy hand upon ladies' stockings—figuratively speaking—and revised the duty upward. [Laughter.] Not only so, but in this, as in all other schedules dealing with plain, common, everyday necessities of life, we find the highest rate of duty is imposed upon the cheaper grade of goods and the lowest rate upon the more costly goods.

Mr. STANLEY. Is the duty on stockings like the duty on gloves—the longer the stocking the higher the duty?

Mr. RUCKER of Missouri. The committee did not prescribe the length of the stocking. [Laughter.]

In the face of sworn testimony, declarations, and admissions that the manufacturers of boots and shoes could compete with the world without tariff protection, provided they were given free hides, the Committee on Ways and Means put hides on the free list, but kept a prohibitory duty on the finished products of leather.

This is rank, gross injustice to the farmer who produces the hides and to the millions of American citizens who wear boots and shoes. Both ought to bear a revenue duty, and a revenue duty only, or both ought to be on the free list. If you gentlemen of the majority dare pass this bill in its present form, I warn you now that at the next congressional election the outraged people of the United States will take enough political hides, even at free-trade value, to pay the national debt. [Laughter.]

There is and for years has been an almost universal demand for cheaper lumber in the United States. This bill, casually considered, justified the belief that the committee had recommended a reasonable reduction in the tariff duty on lumber. Indeed, the chairman of the Ways and Means Committee, in his report, which accompanies the bill, after reciting several alleged reductions in lumber schedules, uses this plain language:

> All other sawed lumber, from $2 to $1.

People throughout the United States welcomed the glad tidings borne to them through the public press, and justified by speeches delivered here, and applauded the old Republican party for having kept faith with them by taking the initiatory step to give the country cheaper building materials. The public will not long rest under this delusion. The fact is, the tariff on lumber has not been reduced in the pending measure.

Most all, if not all, of the lumber imported or likely to be imported is Canadian lumber.

The proviso contained in the section relating to the duties on lumber, in view of conditions existing in Canada or some of the Provinces of Canada, absolutely precludes the possibility of importing a foot of lumber at less than the Dingley rates.

The gentleman from Michigan [Mr. FORDNEY], a member of the Committee on Ways and Means, the recognized advocate and champion of high tariff on lumber, with commendable candor and frankness admitted on the floor of this House that he was the author of the proviso referred to, and that his purpose, intent, and desire in securing its incorporation in this bill was to prevent any possible reduction of the existing tariff on lumber.

within which an expert tariff commission, subject to the ap-

terial changes has been so essential to human progress as now.

In view of the statements made by the gentleman from Michigan [Mr. FORDNEY], I was somewhat perplexed at the language of the gentleman from New York [Mr. PAYNE] when he said:

> I know that a large portion of the lumber interests—because I am informed by a gentleman in that business who has been in touch with those people—is willing to take this duty of $1 a thousand and say no more about it.

Of course, the "lumber interest" is satisfied with the provisions of the Payne bill. Why should they not be? It leads the people to believe the lumber rates are reduced, but, in reality, secures to the lumber monopoly the high rates of the Dingley tariff bill. This is revision downward with a vengeance.

Just before this session convened, and while the committee was preparing the pending bill, the press of this city informed us that the matter of raising the tax on beer from $1 to $1.50 per barrel was under consideration. As the Government is sorely in need of revenue to meet the deficit in the National Treasury, and beer is a good revenue producer, many of us indulged the hope that the beer tax would be increased, and that coffee, tea, and other common necessities would escape the unrelenting grasp of those who are licensed by your tariff laws to rob, plunder, and pillage the people. I do not know what it signifies, but it is currently reported as a fact that about the time this Congress convened in extra session, and when a contest was being waged over the organization of the House and the adoption of its rules, a lobby representing distillers and brewers bore down upon Washington and sought to influence the results of these contests. What interest they had or what motive inspired their action is beyond my comprehension.

I only know that when we desired to raise additional revenue to conduct the Spanish-American war Congress increased the tax on beer to $2 per barrel. But with an empty Treasury appealing to the committee, with the Executive admonishing us of the necessity of speedily raising revenues to protect the honor of our Government, the committee contented itself by raising the duty on gloves, stockings, spices, and many articles of absolute daily necessity, but failed and refused to increase the small tax on beer.

The breakfast table may groan under the weight of unjust tariff taxation, women may use cotton gloves to keep their hands warm or suffer from cold, children may go without stockings and half clad, but the beer schooner must not be molested, for we are assured that, "taken as a whole, the revision is downward, but when you come to put it on articles of luxury it is upward."

In conclusion, let me say you will be unable to find a man in the Republican party who has the hardihood to argue with the American consumer that the Payne tariff bill gives the relief demanded and promised. If within the broad domain of this great Republic one can be discovered with cheek enough to do so, I venture the assertion that a whole buffalo robe would not make side whiskers for him. [Loud applause on the Democratic side.]

[Mr. SMITH of Michigan addressed the committee. See Appendix.]

Mr. CLINE. Mr. Chairman, I have the honor to represent one of the largest labor districts in the State of Indiana. My sole purpose is to protest, in the name of that great body of consumers, against the enactment of a bill that, in their opinion, is in part inequitable and unjust. It is a matter of sincere conviction with me when I state that I am opposed to the political policies as a whole advocated by the majority in this bill. We are told by the Committee on Ways and Means that this is a bill "to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." In no one of the main propositions does this bill fulfill these declarations. It provides for the issue of $250,000,000 in bonds bearing 3 per cent interest. That is not a measure to produce revenue; it is a bill to borrow money to defray the expenses of the Government. It also provides that the bonds may be retired, and reissued as often as the necessity requires, so that there is not at any one time more than two hundred and fifty millions outstanding in one year. This is for the purpose of meeting a deficit that every man knows will occur under this bill if it becomes a law. I know the word "certificate" is used instead of the word "bond," but that was because of the odium that rests upon a party that issues bonds in times of peace, to meet the ordinary expenses of the Government, and especially at this time when we have had in operation the highest protective measure ever written on the statute. At no time in all our history has Congress found it necessary in times of profound peace to attach a rider to a revenue measure to enable the Treasurer to sell $250,000,000 worth of bonds at his discretion in times of peace to run the Government.

Why should the necessity now exist for a new means of raising revenue and a new necessity arise to reinvigorate and revivify our industries? Have we not heard for a decade of the wonderful and marvelous working power of the Dingley law and the blessings that it brought to the country? Have we not been regaled with the slogan that the mills were open and the laborer had a full dinner pail, and that these conditions were the accomplishment of the Republican party in the administration of the affairs of the General Government?

Back of all these surface indications, what are the facts? On the one hand the expenses of the Government have been leaping up by millions year by year, with a constantly increasing deficit in funds to meet those expenses. On the other hand, the cost of living to the great masses of the people, especially the wage-earners, have been increasing in articles of clothing, food, and fuel without a corresponding increase in salaries and wages. Men and women in every walk of life, both with a fixed income and without one, have economized, reduced expenses, and are still unable to meet these conditions. In the very forefront of this experience came the Republican panic of 1907, under which the country is still staggering—a panic that temporarily embarrassed nearly every bank, left thousands of locomotives standing dead upon the track; fires went out in the furnaces; thousands of laboring men walked out into the streets and the doors of the factory were locked behind them; property went into the hands of receivers; and all this under the benign policy of the Dingley law, the highest protective measure ever enforced against the people. That was the harvest of twelve years of Republicanism, the sure product of your economic theory; a policy which in its full development wrought ruin and disaster to the remotest bounds of the commercial interests of the Republic.

What further happened? The citizenship of the Nation was aroused, and it demanded to know who was responsible for the sweeping disaster that had overtaken the people; why fortunes had been swept away, why idleness had taken the place of industry, why this land that raised food to feed the world should find her strong men by the thousands eating out of the hand of public charity in all our principal cities, when they were willing and anxious to labor for what they ate. The people came to know that a federal statute that discriminated against the common people and made them pay a tribute to a few was an unjust law, and they demanded that it be changed. Gentlemen state that they came here of their own volition; came as a matter of conscientious duty to revise the statute. You came at the demand of 90,000,000 people, and you put off the coming as long as possible, because of the intimate relationship you sustained to the special interests you have so long championed, a fact that I will submit evidence on before I conclude. You came because the Democratic party, in season and out of season, battling for a principle, and that, too, in opposition to a largely subsidized metropolitan press, had taught the people the injustice of a law that laid the strong hands of the Government upon the earnings of the masses without rendering compensation therefor, and turned these earnings over to a chosen few. You came because you had to come to escape the vengeance of the people of your own party. You came because you were charged with the sweeping depression in business, in that you maintained a high protective tariff, confessed it in your Chicago platform, and promised the people you would revise the tariff and revise it downward.

The people of the Nation believed you meant what you said. Does any man think that they even suspicioned that there was any ambiguity in your declaration to revise the tariff? Do you believe that there would be 218 Members sitting on the other side of this Chamber if it had been known that you were willing to maintain the high prohibitive duties of the Dingley bill; that you were willing to put a tax on tea, coffee, spices, woolen clothing, hosiery, and burden the laboring classes with duties that ought to be levied upon the luxuries of the rich; that you would refuse to take the duty off of lumber and other necessaries? Such a marked betrayal of public confidence in the open declarations of a party and such a violation of the good faith of the people as you have reflected in the Payne bill has no parallel in American politics. The dominant and controlling feature in the Payne bill is the same as that in every other high protective measure; it is a blanket mortgage on the thrift and industry of the millions who toil for daily bread in favor of the few, comparatively, and which mortgage has been foreclosed over and over again by the party in power, not in a court of chancery, where every party may be heard and justice done him, but in a cold court of statutory law, and every time the

party has taken a lien against the people it has taken a judgment over for a higher rate of duty.

Mr. Chairman, at the bottom of the legislation we are about to enact lies the solution of the problem of our national welfare, for all we are or hope to be is in our trade and commerce. We must not impede its development. The serious question with us must be how much more can we develop it, what shall we do with it, where shall we sell it, and how shall we weave its correlative results into our individual and national life. Trade begets all the national greatness and power.

The more equitable and intense the commerce, the more enduring will be our achievements. The greatness of a nation is only a relative condition; it means nothing unless all the elements touch not only the lives of the wealthy and influential, but likewise the hopes and destinies of the humblest citizen of the Republic, for as you lift up the hopes and make good the purposes of the common people, so do you fix their status in society and teach them the vital relationship each citizen holds in his country's march to destiny.

GLOVE SCHEDULE.

Mr. Chairman, I desire to discuss but a few of the schedules out of the very many that are written against the people; enough, however, to show the general character of the bill. The unanimity with which the manufacturing interests of New England appeared before the Ways and Means Committee is only equaled by that other fact—that they were all treated alike and got what they wanted. I call the attention of the committee to the glove schedule—paragraphs 440 to 444, inclusive—and for the purpose of making plain the iniquity, I set out the schedule of rates under the Dingley law, the rate under the Payne bill, and show the increase of duty above what you are now paying.

Gloves in—	Present tariff.	Payne bill.	Increase.
			Per cent.
Paragraph 440:			
Up to 14 inches	$1.75	$4.00	128
14 inches up to 17 inches	2.25	5.05	124
Paragraph 441:			
Up to 14 inches	2.50	4.00	60
14 inches up to 17 inches	3.50	5.05	40
Paragraph 442:			
Up to 14 inches	3.00	4.00	33⅓
14 inches up to 17 inches	3.75	5.05	37
Paragraph 443, up to 17 inches	2.50	5.05	102
Paragraph 444:			
Up to 14 inches	3.00	4.00	33⅓
14 inches up to 17 inches	3.75	5.05	37

These duties are prohibitive and designed to be so and, from any standpoint, are absolutely indefensible and unjust. They oppress the great majority, who will be forced to wear a cheap glove or none at all.

The quality of gloves worn by most people, including clerks, shop people, farmers' wives and daughters, are what are called two-clasp gloves and described in trade as follows:

Description.	Present duty.	Proposed duty.
2-clasp schmaschens	$1.75	$4.00
2-clasp lamb glove	2.50	4.00
2-clasp real kid	3.00	4.00

These duties are on the dozen pairs. You will see that this schedule marks an increase in duty ranging from 33 per cent to 128 per cent above what we already pay. No man can justify the increase, and no one pretends to. It was handed out as a favor to a special interest. It is a plain violation of the Republican platform, interpreted to the people to mean a revision downward; for, conceding that the difference in the labor in the production of the competing article at home and abroad should mark the rate of duty, and conceding also that there may be added a reasonable profit, which is itself a violation of every economic law of trade, still no man claims as a matter of right that the rate of 128 per cent above what we now pay is necessary in order that these gloves might be made in this country. The millions of clerks, shopgirls, stenographers, sewing girls, housewives, women in every walk and avocation of life working for a wage, and that usually low enough, will rebel against a party that subverts the power of government to the assessment of the masses to enrich the few. From all over the country come the protests of retail dealers, who not only want to protect their business, but their customers as well, against this extortion. These protests come from men engaged in trade, with large experience, who know what the result will be. With the consent of one of the strongest business houses in Indiana, I herewith include in my remarks a letter written on the subject. This is one of a large number of letters received:

[Established in 1860.]

THE RURODE DRY GOODS STORE,
DEALERS IN DRY GOODS, NOTIONS, CARPETS, CHINAWARE, ETC.,
Fort Wayne, Ind., March 26, 1909.

Hon. CYRUS CLINE,
Congressman, Twelfth District,
Washington, D. C.

DEAR SIR: We beg to call your attention to the duties proposed on hosiery and gloves in the new tariff bill now before Congress, and to respectfully ask you to use your influence to have those rates reduced.

In event of the proposed rates on these articles being adopted we would be compelled to materially advance prices on these goods or to sell inferior goods at the same prices, thus doing an injury to our business and an injustice to customers. * * *

The production of hosiery has increased over 60 per cent in the last five years in this country, but there has been no falling off in importations. We must have certain lines of foreign goods.

We have located in Fort Wayne one of the largest hosiery mills in the country, employing 2,000 people. During the late financial disturbance they did not shut down a day nor reduce their force, and during the last two years have made large additions to their plant. They certainly do not belong to the desperate class of hosiery makers. Wayne Knitting Mills stock is quoted at 135 and pays yearly dividends of 12 per cent.

The vice-president and manager of the mills has publicly stated that he would be willing to accept a reduction of 10 per cent from present rates.

Respectfully asking your thoughtful consideration of this matter, we are,

Yours, truly, THE RURODE DRY GOODS COMPANY.

This is the statement of an honest business firm that wants to protect the public and its business. Actual experience is a complete answer to the claimed necessity for a greater tariff to stimulate our glove industry.

I call your attention to the silk-glove industry in this country, and for the purpose of having the absolute truth concerning the situation, removing all speculation, I incorporate a part of an examination of a witness before the Ways and Means Committee. I quote from Tariff Hearings, page 5819. The witness was one Kayser, and his testimony in part was as follows:

Examined by Mr. UNDERWOOD for the committee:

Mr. UNDERWOOD. Under this present duty (60 per cent) since 1888 you have built up an industry in this country that has now obtained a monopoly of the American market; is that not so?

Mr. KAYSER. Yes, sir; the industry has monopolized this market to a great extent.

Mr. UNDERWOOD. Don't you think, under those circumstances and the fact that the Government is needing revenue badly, that this 60 per cent ought to be reduced?

Mr. KAYSER. I doubt whether the Government would derive any revenue from that. I want to say that we, personally, do not have the monopoly; that is, I have not got it personally. I have a number of competitors.

Mr. UNDERWOOD. But your industry has a monopoly of the American market?

Mr. KAYSER. It has so far.

Without protracting this examination, it was developed that this witness and his associates have now $6,000,000 invested in the business, of which he alone produces more than one-half of the product. So profitable has it become under the protection of the Government that this same man, Kayser, has established his business in Saxony, and makes and imports cotton gloves for his trade here, because he can get cheap labor. That is not, of course, in the interest of American labor. It ought to be said to Kayser's credit that he did not follow the example of many men in his infant-industry business and import the Saxony girls to displace the American girls who had built up his business. Why should this bill still continue to support an industry of this character, with these exorbitant rates so high as to be prohibitive, when the beneficiary himself comes into court and admits that the rates are so high that he has absolute control of the market, can make his own prices, and exploit the labor of this land for his private interests? The Government gets no revenue. Why not cut the rate of duty so as to invite competition and give us a new source of revenue? This is a fair illustration of the developed fruits of American protection. Even Kayser, with all his selfishness and greed, had not the nerve to ask for a higher duty, and that, too, when he admitted the Government would not get any revenue at the present rate. All he wanted was the right to levy the same 60 per cent on the common people and "to be let alone," and the committee gave him the right.

HOSIERY SCHEDULE.

Your attention is invited to the hosiery paragraph and to the enormously increased rate levied against the people by the Payne bill. For the purpose of making the statement clear I set out the paragraph, 326, and the items named in it, the rate

of duty now paid, the proposed duty, the increased rate, and the total rate if the bill becomes a law:

On hose costing—	Dingley law.	Payne bill.	Increase.	Total duty.
			Per cent.	*Per cent.*
$1 per dozen pairs	$0.50	$0.70	40	107.11
$1 to $1.50 per dozen pairs	.60	.85	25	83.32
$1.50 to $2 per dozen pairs	.70	1.00	40	91.40
$2 to $3 per dozen pairs	1.20	1.50	25	74.53
$3 to $5 per dozen pairs	2.00	2.00	----------	64.88

The ad valorem duty of 15 per cent remaining the same in both bills. This is another illustration of the Republican party's love for the laboring man and his family. When the tariff on these articles has apparently reached the limit under the Dingley law they are given another boost of 25 per cent to 40 per cent more. The cheaper the goods—the goods purchased most by the masses—the higher the rates. People who are able to buy these goods at $5 per dozen and upward at wholesale are saved from the advance rate of duty. The shop girl or the farmer's wife and daughter can plank down the additional 40 per cent to the tariff barons and thank the Republican party for it.

FREE HIDES AND FREE BOOTS AND SHOES.

A great deal of sentimentality has developed in the discussion of the free-hide question. The leather products are the most widely used. Every man, woman, and child uses leather. It is stated by the authorities that the average use of leather in the United States is $4 per capita, and that the average person sells 75 cents worth of hides. Since hides were put on the dutiable list the great mass of independent tanners have gone out of business. Eighty-five per cent of the tanning business is controlled by the beef combine of Chicago. Under the McKinley law hides came in free, and we received millions of pounds from South America every year; since the Dingley law has been in force the importations have very materially fallen off, raw hides going to Germany to be tanned because there is no duty. The beef trust under the 15 per cent duty is able to control the production of leather and fix the price accordingly. The farmer does not raise cattle for the hides, nor does he take into consideration the price of hides when he sells. The price of his cattle is governed by the price of beef, not by the price of hides, and he does not get more or less for the cattle because of the change in price for hides.

Are you in favor of taking off the duty and letting the small individual tanner have the same chance in the market that the big tanner does? If you give the beef trust the right to control the price of rawhides, you give it the power to dictate to the boot and shoe man the price of leather, and thus force up the price of your own shoes. Our boot and shoe makers sold abroad last year 6,552,412 pairs of shoes, worth $11,469,599; that was an increase in amount over four years ago of 42 per cent, and an increase in value of 58 per cent, and that, too, with a 15 per cent duty on hides and a 25 per cent duty on shoes. We sold abroad more than $45,000,000 of leather goods, and if you relieve us from the beef trust, we will quadruple those sales. Let me in this connection incorporate the views of that great statesman, James G. Blaine, on the question. When the McKinley bill was under consideration, the committee was about to place a duty on hides. So important was the matter that Mr. Blaine wrote to Mr. McKinley about it. His letter, written under date of April 10, 1890, is as follows:

DEAR MR. MCKINLEY: It is a great mistake to take hides from the free list where they have been for so many years. It is a slap in the face of the South Americans with whom we are trying to enlarge our trade; it will benefit the farmer by adding 5 to 8 per cent to the price of his children's shoes. It will yield a profit to the butcher only—the last man that needs it. The movement is injudicious from beginning to end, in every form and phase. Pray stop it before it sees light. Such movements as this for protection will protect the Republican party into speedy retirement.

Yours, hastily, JAMES G. BLAINE.

We are able to go into competition with the world in the boot and shoe business, if we can get the goods out of which to make them on the same basis that other makers do. The following is a letter from a firm that wants a wider market under those conditions:

THE WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 29, 1909.

Hon. CYRUS CLINE,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material the American shoemaker can shoe the world.

Very respectfully,

THE WOLFE BROTHERS SHOE COMPANY,
R. F. WOLFE, *President.*

Through some mysterious influence the beef trust is able to keep the duty on hides and boots and shoes, and that, too, when one of the largest manufacturers in Massachusetts said before the committee that the business needed no protection if the duty on hides was taken off.

THE LUMBER SCHEDULE.

I can not discuss all the outrageous provisions of this bill, but want to call your attention in a sentence or two to the lumber schedule. No argument is needed to convince the public that prices of lumber have advanced more than those of any other commodity. In some instances the price has trebled. All the great timber tracts in the country have gone into the hands of private corporations. In some instances the holdings amount to more than half a million acres. It would be an insult to the intelligence of the people to deny that there was a combination to control the price of lumber. More lumber kings have thronged the corridors of the Capitol during this session to secure better rates on lumber or to keep what they have than the representatives of any other industry. Free lumber would lessen the price to the consumer. If lumber is put on the free list, the combination will not be able to maintain the present prices. I propose to give the man who wants to build a home or improve the one he has got the benefit of my vote for free lumber. The home is the unit of our civilization. The people that own the largest number of their own homes are the happier and better people; and I am at a loss to know why this powerful, conscienceless organization under the authority of law should have the right to levy tribute upon the man who wants to build a home for himself and family, and yet a great political party is privy to that injustice.

AN UNLIMITED MARKET FOR AMERICAN GOODS.

You may check by vicious legislation the onward march of the Republic to its ultimate destiny, but you can not defeat it. Our genius, with our rapidly increasing population, our intelligence, our boundless resources, can not be permanently stayed. We shall go out in spite of legislation to battle for supremacy in the world's trade. I quote to you the statement of President McKinley on September 5, 1901:

Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial system. * * * What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell wherever we can buy and buy wherever the buying will enlarge our sales and production, and thereby make a greater demand for home labor.

No better Democratic doctrine was ever proclaimed, and it stands in striking contrast with the present attitude of the Republican party in farming out the business of the Nation to protected industries that hamper our energies, control our markets, and cripple our commerce. Even this "John the Baptist" of protection, wedded as he was to the "home-market" theory, saw the limitless possibilities of the Republic's trade; he saw the ever-increasing toiling millions of Americans, with goods and products in their hands to sell; and he likewise saw other millions who wanted them, and he gave utterance to that sentiment that ought to ring in the ears of every American—

We should sell everywhere we can and buy wherever the buying will enlarge our sales and products.

The high protective and prohibitive policy the Payne bill is committed to is absolutely incompatible with the McKinley doctrine. We export more than $500,000,000 of merchandise annually. Our rapidly increasing population forces us to seek expanding markets. I stand for the widest possible expansion of foreign and domestic commerce. I would give to every man who could use it free raw material, but at the same time I gave him that I would take away from him the power to control by trusts and combinations his own market, except that control that was the result of equal opportunity and fair competition. I would permit him to buy his ships anywhere, register them under our statute, float the American flag, man his vessel with American seamen, and urge him to trade American goods wherever that trade would make him a profit.

We are just at the threshold of our commercial greatness. We are building the Panama Canal at a cost of many hundred millions of dollars, thereby opening up to us, the only great manufacturing and agricultural Nation of the Western Hemisphere, the entire western coast of South America, with its boundless resources—goods that give us an unusual opportunity for exchange on a most favorable basis. We bring by many thousands of miles nearer one-half the people of the globe—China, Japan, Western Africa, Oceania, and Australia. Shall we hang a tollgate in the canal and take a pittance from the English merchantman, German and French traders, and permit

them to go out and possess what belongs to us; or shall we strike down the narrow, restrictive policy we have adopted that has driven our merchant marine from the seas, and through wise legislation prepare for that conquest of trade that shall determine the country's future?

That the American consumer must buy exclusively from the American manufacturer and the American manufacturer buy only what the farmer raises is an exploded theory. The American manufacturer makes more than the home consumer can buy, and the farmer produces more than the manufacturer can take, consequently both must have a larger market. Manufacturers of agricultural and farm implements sold abroad last year more than $27,000,000 worth of goods, and sold them to every nation in the world. The fact that they could sell the goods gave them a large market; they could invest more capital and employ more labor. Suppose that an import duty of the countries into which they shipped their goods had been so high as to keep them out, what would have been the result? Capital would have been withdrawn from business, labor discharged, and only enough manufactured to supply the local demand. Suppose the American farmer was required to find a home market for every pound of beef and pork and every bushel of wheat and corn, of which he sold abroad last year more than $414,000,000. The result would be a decline in prices, in the employment of labor, and in the value of farm lands.

No nation ever attained prominence without a great foreign and domestic commerce.

In the contest now being waged upon this floor two great parties are contending for the application of their respective theories of economics. What is the distinction? What is the basis of their respective doctrines? The Democratic party is builded upon the theory of equal opportunities for every citizen before the law. It abjures all class distinction, all favoritism, and declares its elementary truth to be "equal rights to all and special privileges to none." From the very inception of democratic government that principle has been the vital one with it. It seeks out the individual citizen and his equality with every other citizen as its chief business and protects him in that equality.

Democracy recognizes that every citizen has the same rights, and no greater, than every other citizen has in the protection that the law affords to him and in the opportunities that it gives to him in the pursuit of happiness. The essence of Jeffersonian Democracy is "equality before the law and equal opportunity."

On the other hand, the Republican party was born of a single purpose which it executed well, and after the accomplishment of that purpose it has maintained itself for more than a third of a century by lending all the powers of the Government to fostering and protecting special interests at the cost of the entire body politic. The philosophy of its dogma is, that the taxation of the whole people for the benefit of the few, under the guise of a protective tariff, is the silent influence that gives prosperity to the whole country.

A long and faithful adherence to this policy has developed vast combinations of capital that take shelter behind this doctrine to plunder and rob the people. They dominate and control the markets, crush competition, limit production, and restrict trade. Their number and unrestricted power have become a menace to the liberties and prosperity of the people. So flagrant have their wrongs become and so imperial are they in the realm of trade, that the federal courts have been applied to for the relief of the people. They have no friends except the leaders of the Republican party, who are sponsors for them. That there may be no suspicion that I am overstating the cordial relationship that these commercial tyrants sustain to the leaders of the Republican party, and the protection they receive from them, I want to quote from an address by Judge Robert S. Taylor, of Fort Wayne, Ind., and also from the remarks of Judge CRUMPACKER. Judge Taylor is one of the foremost Republicans in the country, has been on the Mississippi Commission, and formerly a prominent candidate for the United States Senate. I quote from a public address delivered before the Tippecanoe Club December 14, 1904, in Fort Wayne. After arraigning his party for its subserviency to the trusts, he uses this language:

> The trusts are drifting us along on a dangerous course. They are creating a class of enormously rich men who fatten on monopolies which oppress the people. The means by which they create these monopolies and make these overgrown fortunes are furnished to them by the law; by provisions of law which authorize the formation of trusts.

Judge Taylor addressing himself to the duty his party owed the country said:

> The other main duty of the Republican party to which I refer is the revision and reduction of the tariff. We mentioned the subject in our platform, not to say that we would stand pat, but that the tariff should be adjusted to the changing conditions of business from time to time and that work ought to be committed to its friends and not to its enemies. Quite true. It is up to us now to show by our conduct whether that was a candid statement or a cloak to deceive.
>
> It is impossible to overstate the difficulty of the discharge of this duty. The interests which have grown up under our protective system are so vast that they are well-nigh omnipotent. They have been friendly for the most part to the Republican party and for the best of reasons. They have contributed liberally to our campaign expense fund. They exert a mighty influence at the polls and with Members of Congress. They will contest every step toward tariff reduction.

Judge CRUMPACKER, speaking to this question at the present session, says:

> Since that time—the enactment of the Dingley law—the problem of industrial combination has become a serious one in our affairs and it is now as necessary to protect the people of this country against impositions by trusts and monopolies at home as it is to protect legitimate industries from disastrous competition abroad. This can only be effectually done by eliminating all unnecessary duties.

This is Republican evidence of the highest character. Judge Taylor's prophecy is true—the combinations of special interests are standing solidly together against the people in this battle for tariff reform, and "contesting every step in that direction."

I can not close these remarks without reminding the laboring man of his deep debt of gratitude to the Republican party for the sacrifices it has made for him.

There is no crime like that of ingratitude. When the high protectionist is smoked out of his hole on every other proposition he immediately declares himself the especial champion of the laboring man. He smites his breast and "points with pride" to what he and his party have done for him. The ordinary man would think, to hear the Republican spellbinder, that laboring men by the thousands in this country swarmed at the fashionable watering places, like Atlantic City, Old Orchard Beach, and Saratoga to spend the heated summer months, or went up into the mountains of New England to their own summer homes.

This "laboring-man's-friend" racket has been overworked, both literally and figuratively. Before I proceed to show what favors the laboring man has received at the hands of the Republican party, I incorporate some remarks made by the gentleman from Indiana [Mr. CRUMPACKER] in his recent address before this committee with reference to the laboring man. He said:

> Every honest, industrious, and frugal toiler in this land ought to be able to earn enough money to establish and own a home, rear a family with all the advantages that American society affords in the way of comforts, education, and culture, and provide for all the reasonable requirements of life.

For extravagance of statement, in the light of actual conditions, I commend this to any inquiring friend looking for an illustration. The average laboring man in the ordinary pursuits of life, without collateral sources of income, can not earn enough and save it to own a home if he has a family to provide for, say nothing about the advantages of society, culture, comforts, and education for his family.

In order to show what prosperity has come to the laboring man and at what variance his possibilities are with the statement of Judge CRUMPACKER, I have selected a group consisting of 7 of the principal industries of the United States, showing the number of men employed in each and the average weekly wage in each. This statement is taken from Bulletin No. 93, Commerce and Labor:

Industry.	Men employed.	Average weekly wages.
Boots and shoes	174,650	$11.88
Clothing, men's	158,437	12.23
Cotton goods	351,413	7.71
Foundry and machine shops	426,148	11.48
Iron and steel works, rolling mills	256,135	12.56
Lumber and timber products	640,360	9.23
Tobacco and cigars	163,880	11.14
Average of the 7 industries per week		11.00

Take a group of States, Indiana, Ohio, Michigan, Illinois, Wisconsin, with extensive steel and glass works, the average weekly wage for the men employed is $11.32. The yearly wage in these 7 enumerated industries for a laboring man would be $572, provided he worked every day of the fifty-two weeks in the year. Out of this he must first pay his house rent, reasonably amounting to $150. It must be remembered that less than 2 per cent of the laboring men in these great industries own their own homes. Out of 256,135 men employed in the iron and steel business only 5,000 of them sleep under their own roofs. In these assumed prosperous times only 2 men out of every 100 shelter families in their own residences. After deducting the rent he has $422 left with which to feed, clothe, and educate

his family. I am taking into account in this calculation the fact that the tables from the Bureau of Commerce and Labor show that wages have increased in the last ten years 19.1 per cent, and I also note that all commodities have risen 35.4 per cent in the same time, so that while wages are 20 per cent higher than they were ten years ago, the dollar he spends for commodities will not buy two-thirds as much as it would ten years ago. The increased cost of commodities has gone into the hands of the trusts and combinations that fix the prices of them. Let us see what the laboring man is confronted with if he has the ordinary family of five persons to provide for. If he goes into the shoe store to buy shoes for himself, wife, and children, the boot and shoe trust takes 25 per cent duty out of his purse levied by a Republican Congress. When he goes into the dry goods store for woolens, he contributes to the woolen goods trust. When his wife and daughters want gloves, underwear, and hosiery he finds that the Payne bill has touched him for 33 to 128 per cent of an increase on these goods for the benefit of the combination. He goes over to the grocer and he finds a tariff on nearly all the necessaries of life. He sits down to his breakfast table and while he helps his family the sugar trust gets in its work and the coal trust in the basement has taken out its pinch.

Everything he buys this Republican party has forced him to get in a restricted market, controlled by trusts and combinations that Judge Taylor says the Republican party is responsible for, and which party has, in the Payne bill, issued to these same combinations a new license with instructions to take all they can get. Question: After these tariff thieves have fleeced the laborer on every corner, how much has he left of his $422—his year's work—to educate his children, place them in society, and give them the advantages of American civilization?

The laboring man goes out to sell his toil—the only product he has to dispose of—a finished product, ready to market, but he finds he has no restricted market to offer it in; he must sell in an absolutely open market to whoever will bid for it. The Payne bill contains no provision for protection to American labor; everybody was taken care of but he and the farmer. He comes into direct competition with the southern pauper labor of Europe. We make no objection against the intelligent foreigner coming to our shores—many of them are among our best citizens and they are most heartily welcome, but no greater injustice has been done the American laborer than to permit the cheap pauper labor from the shores of the Mediterranean to come by the hundreds of thousands without any restriction and swarm at the doors of every industry to underbid the American laborer for his job.

Every man wants to own his own home, give his children the benefits of society and culture, and enjoy in every way the fruits of this splendid civilization of ours, and no man is more entitled to it than the man who labors, and thereby creates the wealth that makes these things possible.

I would like to show that the farmer is as much the victim of these combinations as the laborer is. He already knows that the 25 cents duty on wheat and 15 cents duty on corn was not given him in good faith, when he is compelled to sell all his surplus products in the world's markets, with competition from every corner of the globe, and buy all he needs in the way of farm machinery in an absolutely restricted market and pay more for the same goods than the same manufacturer sells them abroad for.

Let me say in conclusion that I believe in a tariff for revenue. Such revenue tariff will give the American manufacturer, incidentally, all the protection necessary to enable him to pay the American workman good wages and successfully compete with all rivals in an open market. Free raw material is one of the necessary elements for successful manufacturing. The rate of duty should never be larger than to equal the difference in the cost of producing the competing article at home and abroad; any duty in excess of this rate is not necessary and would lead to the formation of trusts and combinations that take an undue advantage of the consumer. Manufacturers who are able to make their goods and sell them in a foreign market in competition with the rest of the world, as our exports show that many of them are, ought not to be protected by any tariff. I would lay the burdens of a tariff as lightly as possible on the necessaries of life, and more heavily upon the luxuries of wealth. If this policy would not produce sufficient revenue, I would supplement a revenue measure by a graduated income tax. That, in brief, is my position on the tariff question.

All men agree that we must meet a part, at least, of the expenses of the Government by levying a duty on imports. We are committed to that theory. The patriotic task arises in so regulating the duty as to produce the largest amount of revenue without injuring our industries, and without destroying a healthy competition for business in an unrestricted market. The injustice comes when the Government assumes a paternalism for privileged classes of citizens engaged in trade and manufacturing and enables those classes, by statutory enactment, to drive out competition, prey upon the consumer, and keep the markets for themselves.

I believe in a broad patriotism—a patriotism that in its sweep stands for the prosperity of all the people; that takes note of any injustice done to any class and comes to their relief.

However much I would like to vote for any bill that is a step in the right direction, I will not vote for a measure that taxes most of the necessaries of life and carries with it an increase in the living expenses of the consuming class in all vocations and retains, also, the prohibitive duties of the Dingley law. I would be misrepresenting thousands of men in all classes of employment, if I did, who are struggling against a constantly increasing scale of prices to meet their necessary daily expenses.

Mr. FERRIS. Mr. Chairman and gentlemen of the committee, the Payne bill (H. R. 1438) bears the following title: "To provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." I submit a more appropriate title would be: "To raise revenue moderately, to encourage industries hugely, to issue bonds lavishly, to invade state rights perceptibly, to equalize duties terribly, and for other purposes too numerous to mention, of which the American people can never hope to know or understand." [Loud applause.]

This bill contains some 4,000 items on which the duties are arranged. It contains a bond issue of fifty million outright and an authorization for two hundred and fifty million more of Treasury certificates, which is worse, for it is larger in amount. It provides for an inheritance tax, which will collide with the local laws of more than three-fourths of the States, 36 States having laws in operation on the subject, hence a duplicate tax. It is a taxing of the dead, who are but moderately well off at best, and not a tax that will reach the living, who are well to do. The measure is full of pitfalls and snares. It has drawback provisions that are more vicious than the Dingley law, more far-reaching than without the close scrutiny of an expert can be ascertained. It contains a maximum and minimum rate provision that is a delegation of power conferred by the Constitution of this Nation on Congress alone. It is a dangerous provision and will doubtless involve us in a trade war that will be otherwise than beneficial to this Nation. And last, but not least, it is a raising of the Dingley rates, when we were promised lower rates.

It is a compounding of specific and ad valorem duties which enshrouds it in mystery, the equal of which has as yet not been known. It deals in mystery when it should deal in frankness. It mystifies and makes difficult of understanding, through its countervailing and compounding of duties, that which could be made plain of understanding at will by its framers. It is a strictly partisan measure, where the Democratic Members were not even permitted to sit in their presence while the bill was being drawn. It is an abandonment of statesmanship and the exaltation and summit of partisanship. It is an instance where the people were promised bread and are asked now to accept a stone. It is more than they should bear. It is more than this Republican majority should inflict. I believe it is safe and sane to predict it is more than they will endure. [Applause.] And this is said having due deference to the soothsayer and the false prophet and the attendant admonition that attends them. [Laughter.]

So far is the measure from being what it should be, under your positive pledge and promise, that your own confidential and private secretary has compiled facts and figures that show that the average rate under the Dingley law was 44.16 per cent, while the average rate under the Payne bill is 45.72 per cent, and subtracting in the elementary way the Dingley-bill average from the Payne-bill average, we can readily ascertain and understand that the rate is 1.56 per cent higher than the existing law.

Is there anyone here on either side of this Chamber who will rise in his seat and confess that in the platform, on the stump, in his campaign literature, or elsewhere he even admitted, much less promised, the people a higher rate of tariff than the Dingley law affords? Is there anyone here that openly confessed, in platform, in literature, or speech that they did not intend to reduce the rates perceptibly? I feel sure there is not. But, on the other hand, is it not eminently and even notoriously true that you promised reductions, in platform, on the stump, in your campaign literature, and by your every word and every act that not only would we receive a reduction, but hasty reduction as well? [Applause.] Is it not thrice true that your own President has convened you in extraordinary session not to raise, but to reduce the Dingley schedules? [Applause on the Democratic side.]

Is this the party of Lincoln? That Lincoln whom we have all learned to love, admire, and eulogize together? Is this the party of the sainted McKinley, whose last admonition to the American people was to revise and lower the tariff? Is this keeping faith with your pledge, your promise, and, I might say, the honor of a party that is great enough to be intrusted with the control of the Nation's affairs? Let it ever be our abundant hope that, like they of old, you will retrace your erring steps and openly confess your present unwillingness to keep faith with the people and will take back your promises of the past and make no more of them in the future.

Take back your duplicity! Retrace your erring steps in the framing of this bill! Disregard the greedy, avaricious corporations, whose modesty knows no bounds, whose willingess and cunninguess to take is greater than their willingness to make. [Applause.] The bill and the hearings bountifully suggest that their counsel was much in evidence during the molding and formation of this monstrosity. Strike out the countervailing duty on oil, that is neither helpful to the poor producer or the consumer, and, if anything be done, put a plain, straight duty on the crude oil as it flows from the well. Afford protection to he who mines; not he who plunders. Drive away and eliminate the mysticism attendant upon this measure by reason of those countervailing-duty clauses and the gliding and shifting of rates incident thereto. It was unfair to the Government under the Dingley bill, for it has yielded no revenue in the past. It is unfair to the producer, for it is admitted that the present duty amounts to from 150 to 250 per cent protection, and the revenue it has afforded this Nation shows it to be absolutely prohibitive; as it was unwise then, so it is unwise now. This enormous percentage of protection only enables the oil producer of my State to receive 38 cents a barrel for the crude petroleum as it flows from the well, a price inhuman on its very face, as is patent to all. This is tariff without profit to the Government, tariff without advantage to the producer, tariff that ravishes the consumer. [Applause on both sides.] Lo, it is tariff with a vengeance; one that can hardly be fathomed or understood. We can but conclude that it is but a fattener for the trusts that have already been troubled with corpulency by reason of their greed, disregard of the law, morals, or conscience and their ability to evade the payment of fines lawfully imposed.

Retrace your steps and remove the duty from iron and all agricultural implements of husbandry, for most any raté you affix is prohibitive, and it is but the adding of an additional burden to he who toils, to he who produces, to he who can not form or organize a trust, and to he who is more entitled to protection than us all. [Applause.] I make reference to the American farmer. [Applause.] Retrace your steps and place barb wire on the free list. The iron and steel industries have admitted through an authority that is conceded to be the best that they no longer need protection. I am willing to pin my faith and belief on his judgment. I think the American people will join me in this. I beg to refer to the sworn testimony of Andrew Carnegie, taken before the Ways and Means Committee and in printed form where it can readily be had, wherein he says the iron and steel industry no longer needs protection. I am anxious that this admission bind them and us.

Retrace your steps in the formation of this bill and move to strike out the tariff on lumber and let it go on the free list, where it of right belongs. [Applause.] Free the home builders of the Nation from the clutches of the lumber trust and your mission of revision and your act of generosity will be more wise and gracious than you know. Retrace your steps and strip from this bill the tariff on wood pulp and print paper. It is but a premium on education, a premium on the press of the country, and I might say, even on intelligence. It is greatly desired by all of the people in all the walks of life; none will oppose it but the lumber trust and the paper trust, and they of right should not complain. Their coffers have long ago been made full to the brim by special favors and special rates that have been and are burdensome to the people. Add one laurel to the American home; lift one ounce from the back of he who seeks to be a home owner, for it is that one green spot where citizenship reaches its most divine heights. It is the corner stone and fabric of government—home devotion and home ownership. It is the brightest page in human life. [Applause.]

Retrace your steps and apply common logic and common sense and save the forests by putting lumber on the free list. Let the forests that are fast becoming bare, denuded, and extinct have opportunity to replenish and again bloom with usefulness, grandeur, and beauty! [Applause.] I beg of you follow the Pinchotism of the past, if at all. The Pinchotism of the present follow him not. He is like the scriptural saying:

We know not from whence he came or whither he goeth.

He walks one way and looks the other. [Laughter.] He is more changeable than consistent. He should be ashamed of himself. He should with shame face relieve the Nation of such a juggling career and his further services in his present capacity.

The United States Forester should be to our forests in time of need, when their interests are at stake, what we would have our true friends be in time of need, trouble, and sorrow. He has not so acted, as we must all agree. On the contrary, when duty and backbone were necessary, we find him fleeing to the rocks and mountains. Stand up in the light of the noonday sun and tell the American people why. Tell us where you were yesterday? Tell us where you are to-day? [Applause.]

Retrace your steps and encourage the home builder and home owner, which is the corner stone and very fabric of our patriotism and power. Let the 7,000,000 American families, homeless and toilers though they be, who are now forced to live and exist for an entire year on less than $500, have an opportunity and a chance. Lo, let the 5,000,000 homeless toiling families who have to live on less than $350 per annum have a chance to own that one green spot called "home." Pray legislate for the firesides more and the plunderers less, and patriotism will never wane, but this American Republic will grow in power and be thrice ever green. [Loud applause on both sides.] Legislate the hearts closer to the home and love of country, rather than farther away. [Loud applause by Democrats and Republicans.]

Retrace your steps and place boots and shoes on the free list, to the end that our American boys and girls may be better shod for less money. You have placed hides on the free list, so the American grower of hides must compete with the cattle of the desert and the jungle. You have made the man who rears cattle on land that is worth $50 per acre sell his hides on the same market with the grower of hides on land worth 25 cents per acre. Now, why ask the toiling masses and America's millions to keep vigil over the leather trust, that has caused barefooted boys and girls throughout the land for more than a dozen years? Why be fair to one and unfair to another? Why make feast for one and famine for the other? Why ignore the millions and give heed to the few? If the leather trusts are losing corporations, let them get out of it. If they can not compete with others engaged in the manufacture of shoes, how do you expect the cattle grower on high-priced land to compete with the grower of hides on cheap and undesirable lands? Why take from everybody and give to somebody? And after the taking from everybody is all exhausted, then what will the losing corporations do as the time approaches when there will be naught with which to plunder and make unto his own? If a manufacturer can not make money—this being their contention, and for argument's sake alone we will grant it—why come to Congress and ask that he be given money? Why should he more than the artisan or the laborer ask that something be taken from all of us to give any particular one of us? There is but two ways to get a thing. It must be either by an individual effort earned or by an individual effort taken, and the Republican party in further protecting these swollen fortunes seems to share most of the theory of "taking." [Loud laughter and applause.]

Retrace your steps, Republican members of the Ways and Means Committee, and bring in a committee amendment putting boots and shoes on the free list. If you can not pass it in committee, you of the Committee on Rules, of which the Speaker of this House is supreme, can, and of right ought to, bring in a rule that will let us vote in Committee of the Whole House as to whether boots and shoes shall be on the free list, along with hides. Then, if this be done and lost by will of a majority of this House, the American people may know who to look to in the future for friendship and who to look to as their enemy. They will at least know how they voted, and may draw their own conclusions. I hope the committee and the Republican side of this House may not longer hide under the shelter of a rule that but blinds the eyes of the voters as to the votes and activities of their Representatives. Come out like men, and, if the majority wants boots and shoes on the free list, let the American people have them. If they do not want them free, it is not too much to know. A vote is not too much to ask. Purge this Republican management in this House of what seems to me to be unfairness and a skulking and shirking disposition of common duty. Let the Senators of the United States again, if they will, renew the distaste of the American people for their activities for the trusts and their inactivities for the rights and interests of the people. Let us ever and constantly hope that the American people may be able to condone their frailties of the past by their future activities in the people's behalf.

Retrace your steps, Republican members of the Ways and Means Committee, and move to strike out the inheritance-tax provision and insert in lieu thereof an income tax, to the end that we may seize upon the swollen fortunes of the living rather than upon those of the dead. [Applause.] Shake from your party counsels the ever haste and desire to invade the rights of States. Shake from your party edicts a law that will admittedly collide and run amuck with more than three-fourths of the States. Yea, tax the living thrice rather than the dead once. One is able to protest, the other not. It is a new venture for this Government. It is purely within the province of the States, and, as I believe, quite, if not entirely, outside of the federal. It differs widely from the income tax, both from a legal aspect and from a moral aspect as well. It is not a tax within the purview or contemplation of our fathers who drew the Constitution, and I might, and do gladly, say of them that they wrote wiser than they knew. [General applause.]

I know, and the Nation knows, that Republican exigencies are often great. We have witnessed it before, but this is a more striking example of what Republican extravagance, purchased prosperity, false theory, and wild abandonment of economy will lead to. I had hoped, however, that it would not require a bond issue, an inheritance tax, and a stamp act, all within less than a month from the retirement of that once very much sought-after President, the like of whom historians have not written, the half of whom has never yet been told, the repetition of whom we hope we will never hear.

Retrace and retrench on this abandonment of the Constitution, this invasion of states rights, this extravagance without parallel even in time of war, this unusual and unprecedented action, and return to that sweet-voiced bird "economy"—the sweetest note that seraph ever sung. [Laughter and applause.] Economy in this day and age will soon be a soothing ill for all ailments. It will tower above other issues like the historic Washington Monument towers above the marshes of the sea. [Laughter.] Lo, it is to-day as grave a necessity as the preservation of our honor as a Nation and the preservation of the liberty of our citizens that comprise it. [Applause.]

The drawback provision in the Payne bill—if I properly understand it, and I have tried faithfully to do so—is by far the most far-reaching and misleading clause in the bill. It is the most direful in the effect upon the interests of the people I represent, I feel quite sure. This clause permits the American manufacturer to go into the markets of the world and purchase where he can purchase best and cheapest the raw materials of the world. This clause then lets him import them, paying but temporarily the duty prescribed by the act. It then permits that, after they are used and these or other goods which he may manufacture are sold in whole or in part abroad, he may then return to the custom-house keeper and secure the return of his every duty so paid.

What is this but the stripping of the American producer of every vestige of protection this measure on its face purports to give and afford? Its effect can not be otherwise, however much its friends may claim for it. Retrace your steps, Republican members of the Ways and Means Committee, and strike that clause from the bill. While it is true the protection your bill on its face gives to the producer is more of an idle recital than of value to him, still it is your duty not to tamper or strip him of that which you tell him is of value to him as long as the protective theory prevails and obtains. It is a remarkable provision and its effect must be even more marvelous than the provision itself. Let us look at it, study it, worry over it, and marvel at it together, both Democrats and Republicans. [Loud laughter and applause.]

This provision is of no avail to the producer or the consumer at any time, but is of infinite advantage to the factory all the time. It denudes and strips the producer of whatsoever protection the bill makes recitals of, and leaves him unattended and alone throughout spring, fall, winter, and summer, save at election time, when the recitals in the bill of so much per bushel for wheat and so much per bushel for corn are very noticeably called to his attention. The farmer, not knowing of the existence of such a clause that daily strips and divests him of whatever the effect of the recitals would have been, believes, trusts, and votes for you at election time, while you chuckle in your glee at the deception you inflict.

You of the Republican faith, why not once more return to the style of Abe Lincoln and be honest and frank? Why not let this frankness at least prevail and be extended to the American producer? Why speak in parables to him? Why abuse his confidence with fiction and enshroud his hopes, aspirations, ambitions, and desires in a cloud of mystery which he can neither fathom nor unfold? [Loud applause on the Democratic side.]

It is the American producer who does more and gets less than any person in all this thinking, busy, throbbing world. He pays more for laws and derives less benefit and needs laws less than any other class. It is the American producer and toiler who defends this country and its welfare when danger clouds threaten or peril is near. By frank legislation we cement their hearts to the Nation; by mysterious legislation we legislate them away. [Applause.]

Retrace your steps. Rise in your seats and move to strike out that drawback clause, to the end that the producer may at least have the protection the face of your bill purports. Retrace your steps and ignore the cunning and vice of the American manufacturers who, through greed, avarice, and conscienceless activity in giving testimony, have brought about this bill. I again repeat the trusts are willing and ready to adopt a theory, the effect of which is where they can not "make" they will "take." Their pages of testimony is asking that the taking be made legal. The Ways and Means Committee has framed a bill that indulges in the latter more than it encourages the former. [Laughter.] Come like men unmasked from behind a rule of this House that clouds in mystery your actions and your innermost and best theories and beliefs and let the American people know for what you stand and what you, in fact, accomplish by such a bill. Vote "yes" or "no" on each provision. Do not hurdle the bad with what little good there may be and make the Nation and this Congress swallow it whole.

I do not. I can not for the life of me understand this weird theory of protection as advanced by the Payne bill. In theory and in fact it is a proposal on the part of American manufacturers to have this Government pay them for going into unprofitable business. If it is wise and judicious to pay men for going into unprofitable business, why would there not be more wisdom and more sound sense in paying men to go into business that would be profit yielding? I submit I can not understand the logic. They seem less fortified from every aspect that I can view the equity of their demand. I merely mention it that the American people may know of it and be amazed at it together. [Laughter and applause.] We must, for argument's sake, at least, proceed on the theory, after reading their testimony, that without the protection afforded by this bill the manufacturers of the country can not longer prosper or survive. This is their contention, and this is their sworn testimony. This is the burden of their song. On this there is no dispute.

An unprofitable business may, in the eye of the protectionists, be as good for a community and for a nation as one that is profit yielding; but surely it is not better, nor excels in virtues. If you can offer logic for one, then why not the other? The doctrine of protection, I had heartily assumed, would never reach such proportions that it would be better for the people of a country to engage in a losing business than to embark in a profitable one; but this bill overthrows my ardent hopes in that direction. [Applause.] For, as we shall observe, all of the industries, when legislation is nigh, are running at a loss, and none of them profit yielding. The steel trust, the Standard Oil trust, the leather trust, and the lumber trust, are some of the losing industries which appear prominently in the hearings.

I do not believe the gentleman from New York [Mr. PAYNE], hardened patriot and statesman though he be, could subscribe to such logic and such thought. Not even the gentleman from Michigan [Mr. FORDNEY], who was characterized by Mr. CLARK as the greatest protectionist of the age, or the gentleman from Washington [Mr. CUSHMAN], whose humor and wit edifies and elevates us all, could stamp their full approval on such logic as their theory advances.

If it be advisable to pay men to manufacture, which according to the advocates of this bill must otherwise be at a loss, why could we not with the same logic pay the merchant, the artisan, the farmer, or the laborer for his daily toils when they were insufficient to maintain him in luxury and splendor? And if it be proper to pay one line of business for entering into and conducting its business, why not with the same propriety pay all until the platter was bare and then issue bonds and borrow money as this bill provides? [Applause and laughter.] This must be done to the end that we may again take on a prosperous hue and fully maintain Republican prosperity. [Laughter.]

Now, Mr. Chairman, we can readily lay hands on the whole theory of protection. We can well see its innermost vitals and its unhealthy effects, for if some industries must be encouraged, protected, and subsidized—that is to say, the losing one—then there must be others that must be run on a paying basis from whose earnings the subsidies, taxes, and tariffs must be paid to the one that is running the losing business. Money must come

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past by their future activities in the people's behalf.

he can neither fathom nor unfold? [Loud applause on the Democratic side.]

whose earnings the subsidies, taxes, and tariffs must be paid to the one that is running the losing business. Money must come

from some source, money must be had from somewhere or some place, before it can be paid out and dispensed to anybody.

For, as we shall all see, if all of the witnesses before the Ways and Means Committee were engaged in losing businesses, as they testified before the committee, they would all soon be bankrupt and none could protect or be protected. [Laughter.] This being true, it is apparent that the profitable must bear the burdens of the unprofitable. This is so apparent that it seems almost self-evident, unnecessary of enlargement or explanation. We may all feel thankful and all rejoice together that there is one industry in the land to-day that needs no subsidies, that needs no tariff, that needs nothing but brains and brawn to maintain itself. It is the industry arising from our fertile soil [applause], the business of agriculture. [Applause.] Here, then, must be one of the industries that must divide that which it hath with he who hath not. This is protecting the farmer's interest as the thief in the night protects the stable. Protects the farmer as the unfaithful shepherd protects his master's flocks. [Applause.]

The protectionists, of course, will hardly subscribe to this argument, for, believing as they do that protection is a beneficent mantle, so broad and so expansive that it covers everywhere and everybody—that is to say, we may all help ourselves to each other's property and distribute it under this bill and nobody pays the bill. It is an instance of dealing in wild generosity before practicing the elementary principles of common justice. It is the rifling of the pockets of the many to the advantage and enrichment of the few. It is the heaping of swollen fortunes, the divesting from the many to dump into the lap of the few who are made beneficiaries under this bill.

This theory of theirs is alluring and seductive, but as faulty and defective as it is alluring and entreating. Tariff and its protecting wings do not come like bounteous showers of springtime, but they must, of necessity and of reason, come out of somebody and from somebody's pocketbook. They must, we fear, in truth and in fact, come from the threadbare pockets of the needy who toil and slave—yea, from he who denies himself and his family the comforts that their industry and energy would otherwise richly warrant and entitle. [Applause.]

If such a theory be pursued to the end, we must again agree that those of us that are prosperous in business from energy and thrift must divide with that business which is not prosperous, and this can but cast an untimely blight upon industry and vigilance, thrift and prosperity, that is the flower and growth and the grandeur of this American Republic. [Applause.] It would be but to penalize industry and success that inefficiency and failure might be rewarded. Its practical operation can not be otherwise. Its effects are more far-reaching than we know.

If protection were as equally distributed as the Republican theory contends, then no additional relief would be afforded to anyone, and hence no purpose accomplished. No one would be benefited, no one would be injured, and there would be no protectionist who would show his head on either side of this House or in this country, and the scheme would be a bubble not long to maintain its prism-like colors and grandeur. [Laughter.]

It is quite true in the very nature of things that only some articles are susceptible of being imported for reasons that are quite apparent to us all. Hence a statute may recite protection for a commodity without avail.

Agricultural products are in truth and in fact imported into this country scarcely at all, hence the placing of a tariff wall around them does not send their price upward or downward, but it remains the same. The farmer gets nominal protection in the statute books, but none whatever at the custom-house or granary. It is a recital without an advantage; a hope that never comes true. The very nature and character of the things produced by the farmer makes it impossible for him to receive benefits under protection, while he must from the laws and the schedules contained in this bill bestow bountifully protection upon another.

We of the Democratic faith believe that the good things of the Nation should be equally divided among those who produce them. [Applause.] We believe the corner stone of this Nation rests on the theory that no law should be passed by the Federal Congress that makes the task more difficult for one and beneficial for the other. [Applause.] We believe that zeal, energy, and industry should be the test. We can not subscribe to the theory of legislating away from the masses into the hands of the few to the end that they in turn may issue prosperity to us as they desire. [Applause.]

There is no issue present between the two parties as to prosperity and antiprosperity, as the eloquent gentleman from Washington [Mr. CUSHMAN] would have us believe, for on that theory and on that issue there can be no difference between Americans. Nay, not even between human beings. All men enjoy, crave, and seek prosperity. This is true of white and black, educated and uneducated, civilized and uncivilized. No heated partisanship can arouse a difference on that issue. The difference is in the various methods and theories of accomplishment.

The Republican party will have prosperity, if they have to borrow money to have it; as before said, even if they have to take it. What have we in this bill but a glaring exhibition of the very thing just named? Both taking it and borrowing it. [Laughter.]

In describing the different theories as to what real prosperity is, it has often been defined by Democrats, but is well worthy of repetition.

"It does not mean, as some Republican gentlemen of this Congress seem to think, high prices for worthless securities; a few millionaires enriched by successful speculation. Nor does it mean the erection of a few places, without any improvement in the dwellings of the poor. Nor does it mean an increase in the number of private equipages, additional pomp in public ceremonials, or new splendor in private display. No, sir; because all these are possible, and indeed frequent, where the masses are sunk in abject misery, poverty, and want."

The sound Democratic conception of prosperity is framed on an entirely different idea. Prosperity, as Democrats understand it, is an abundance of commodities fairly distributed among those who produce them. It means improved cottages housing and sheltering healthier and happier people. It means better clothing and better shoes covering sturdier limbs. It means more schools, with wider instruction imparted to them. It means more parks and libraries and museums, with more intelligent people using and enjoying them. It means every resource of civilization brought into greater abundance within reach of those who create the wealth of a country.

Republicans, in their protective theory, believe that prosperity may be legislated. We as Democrats believe, in order that it be lasting and of avail, that it must be created by effort in some form. You of Republican faith believe it is right to tax the masses for the protection, enrichment, and benefit of the few, to the end that they may distribute prosperity among us as to them of right appear. We believe in collecting revenue for the expenses of the Government in strict conformity with the Constitution, and that the success that attends each life, each factory, each corporation should rise or fall with the perfection and excellency of the product produced, to the success attained. The Democratic theory often used, and I might say, often worthy of repetition, that equal rights to all and special privileges to none should be and is the watchword of all free government. [Applause by Democrats.] Yours, as is shown by the inequalities of this bill, is that of another hue, that of another type.

The doctrine of equal rights, old as it is, grows with beauty, luster, and grandeur as the years speed by. Build your Nation's hopes upon it. Pin your faith to it. It is thrice everlasting. It is thrice evergreen. It is broad enough, grand enough, and comprehensive enough for us all. Let us subscribe to it. [Loud and continued applause.]

Mr. HUGHES of New Jersey. Mr. Chairman, in all probability I would not have launched my little bark upon the troubled sea of this discussion at this time were it not for the fact that so many gentlemen on the other side of the Chamber are constantly attempting to justify the high and oppressive tariff exactions on the ground of their friendship to labor. To hear these gentlemen one would think that their only object in life is the welfare of the American workingman. If this were merely meant to be taken as "rhetorical flub-dub and political folderol," it would not call for any comment from me or any other Member of this body; but it is quite evident from the speeches that have been uttered on the floor of this Chamber, emanating from the other side, that when the people call for an accounting for the failure of this body to reduce the prices of their commodities and necessities, you gentlemen are going to take refuge behind this specious plea. If you had a sense of humor, or if you had any respect for the intelligence of the average American mechanic, you would not have the temerity to take this stand.

Any man can make the general plea that he is a friend of the American workingman in the abstract, but the wage-earner is looking for concrete examples of that friendship, and this your side of the House has consistently refused to give him. Under legislation that you have enacted and which you have refused to modify or repeal, the accepted and duly accredited representatives of organized labor are now under sentence of fine

and imprisonment for having attempted to secure for their followers some share of the protection which you clamorously insist was intended wholly for them. [Applause.]

The working people of this country know that you have permitted the prices of their commodities to be raised. They know, too, that the only commodity which they have to sell is their labor. They are also aware of the fact that neither in the Dingley law nor in the present bill is there any tariff on that commodity. There is only one commodity in which you insist on absolute and unrestricted free trade, and that is labor. You have permitted the manufacturers of this country to combine to raise the price of their products, their commodities, but you meet with drastic injunctions and indictments any attempt on the part of the laboring men to combine to keep up the prices of their commodity, the labor of their hands and their brains.

Many of you, no doubt, are hiding behind the Speaker of this House and the committees which he has arranged, and are going forth telling your people that you are willing to vote for remedial anti-injunction legislation whenever you get a chance, but in the last session of Congress, when the bill revising the criminal code was under discussion, you had an opportunity to show where you stood on this question. A paragraph was under consideration which provided that two or more men conspiring to interfere with the contitutional rights of another might have the most drastic punishment in the way of fine and imprisonment inflicted upon them. In the interest of the wage-earners of the country I offered an amendment to that paragraph, excepting from its provisions men who combined together to leave or to refuse to enter the employ of another. That provision, simple as it was and effective as it was, to take labor organizations out of the purview of that most drastic legislation, was voted down, and every gentleman, with the exception of two, if my recollection serves me right, on your side of the House voted against that proposition. [Applause on the Democratic side.]

The laboring people of this country know that you are permitting free trade in their commodity. They know that their only chance to assimilate and regulate the fierce competition necessarily following this situation can only be made by thorough and effective organization. You have denied them the right to communicate with each other through their organs, so that they might favor those manufacturers who honestly desired to give them a share of that protection which they receive and to discriminate against unfair manufacturers who insist on withholding for themselves all the advanced prices which your policy enables them to command.

Inasmuch as the claim has so often and so insistently been made on that side of the House that wages are dependent upon the tariff schedules, I have taken the trouble to go over the rates of wages received in one of the leading industries of this country, and a highly protected one at that. The city of Paterson is the greatest silk-producing center in this country. This is one of the few commodities which have never been monopolized and the price of which is constantly going down. No one has ever been able to form a monopoly of the silk manufactures in this country, for the reason that the raw commodity comes in free, may be had at practically the same price by any man, and with a very small amount of capital a few looms may be operated. The question of transportation and other vital considerations of many industries are eliminated, and the small man manufactures practically on a par with the largest manufacturer.

The competiton among manufacturers is keen and is reflected in the prices they get for their product, which is very cheap. In the nature of things the general tendency of wages is downward, because one unscrupulous and wage-cutting manufacturer compels other fair-minded, reasonable men in the business to come to his level, so far as labor is concerned. Besides that, branch mills have been established throughout the South and the great State of Pennsylvania in order that the heretofore nonproducing members of the miners' families—the little girls—may be used in the simpler branches of this industry. In addition to that, the tremendous volume of foreign labor constantly attracted to our shores makes a problem which it is practically impossible for the American laboring man to solve. He finds himself overwhelmed by people whose language, customs, and habits of life are absolutely foreign to him. He is constantly confronted by the spectacle of the price of his commodities going up and the relative value of his wages going down. [Applause on the Democratic side.] A successful strike is next door to impossible, for besides the thousands of men always willing to take the employment of others, the manufacturer is aided by the laws and the interpretation placed on them by the courts. The unequal struggle of the American workingman to obtain better conditions for himself and his family is lost before it is begun.

I have before me Bulletin No. 77 of the Bureau of Labor, issued in July, 1908, containing the wages and hours of labor from 1890 to 1907. On pages 115, 116, and 117 of this report certain schedules are given concerning the silk industry, and it is to these schedules that I wish to call your attention. In these schedules the period between 1890 to and including 1899 is taken as a basis of computation, and wages earned during that period are figured at 100 per cent. Wages for each succeeding year down to and including 1907 are given such value as they may have by comparison with that basic figure. I have taken the trouble to average up the wages received from 1890 to 1907, and the following table is the result of my efforts:

Occupation.	Increase.	Decrease.
	Per cent.	*Per cent.*
Beamers, male	0.2	
Doublers, female	0.3	
Dyers, male	1	
Loom fixers, male	2.8	
Pickers, female	7.8	
Quillers, female	2.8	
Spinners, male	4.7	
Twisters-in, male	.5	
Warpers, male	10.2	
Warpers, female		0.2
Weavers, male	.5	
Weavers, female		1.6
Weavers, ribbon, male		5.2
Weavers, ribbon, female		4.1
Winders, female	6.2	

These figures show that in the important and most highly-paid branches of the silk industry, such as the weaving of ribbon and broad silk, the average level of wages for the past seventeen years has been lower than in the ten years next preceding that period. [Applause on the Democratic side.] The figures show that there have been increases in some lines, but these increases are more apparent than real. They occur in the simpler branches of the industry, in which labor is never highly paid, and of course where the average wage of a particular branch of the industry is four or five dollars a week, an increase of a dollar makes quite a showing in the percentage column. In the highly skilled and most important branch from the standpoint of production of the whole industry, namely, the weaving department, the figures show a decrease in wages on the average for the past seventeen years in comparison with the ten years preceding that, in every case, except that male weavers show an average increase of one-half of 1 per cent. I desire to print in my speech another list of figures, which are as follows:

	1889.				1909.			
	High.	Low.	Number of looms run by weaver.	Number of hours' work per week.	High.	Low.	Number of looms run by weaver.	Number of hours' work per week.
Loom fixers	$15.00	$12.00		60	$20.00	$18.00		[a]55
Twisters	15.00	12.00		60	19.00	18.00		[a]55
Ribbon weavers	30.00	20.00	1	60	20.00	12.00	1	[b]55
Warpers	15.00	12.00		60	20.00	16.50		[c]55
Broad-silk weavers	20.00	15.00	1	60	15.00	9.00	2	[d]55

[a] Union formed 1884.
[b] No union.
[c] Union formed 1892.
[d] Union formed 1898.

This information I have obtained from a private source, the trustworthiness of which I am ready to vouch for. The figures are the actual figures concerning wages as they are being paid in the silk industry to-day, and let us see what they show. We find that the loom fixers, twisters, and warpers show—each of them—a considerable increase in the last twenty-year period. We find that the ribbon weavers and the broad silk weavers show roughly about as much of a decrease as the loom fixers, twisters, and warpers show in the way of an increase. It is significant to observe here that the departments which show an increase are thoroughly organized and ably handled, while those branches which show a decrease are, or have been until very recently, absolutely unorganized. I point this out in order to prove to the committee what I started out to show, that wages are not dependent upon high protective tariffs, but on the ability of the laboring man, through his organization, to demand his share of the protection ostensibly levied for his benefit.

Now, Mr. Chairman, what is the lot of these people whom you are so willing to protect on the stump and so willfully neglect on the floor of this house? Rent, coal, lumber, clothing, transportation, meat, food, and all commodities of every kind and descrip-

tion that enter into their daily life are protected in such a way as to eliminate the necessity of competition, so far as the sellers are concerned. The great monopolies of the country, not satisfied with a fair and decent profit on their honest capitalization, have issued bonds on fictitious values and watered stock, not upon the property they hold but upon their ability to overtax and overcharge the American people. They have, in effect, put a mortgage on the people of this country.

It is a notorious fact that nearly a billion dollars of the stock and bonds of the steel trust represents nothing but what financiers call "water," yet interest and dividends must be paid on this water, and every man who lives in a house and rides on a railroad or uses a piece of machinery, of which steel is a component part, is deprived of some part of his earnings in order that these fraudulent dividends may be paid. When it is a notorious fact that there are more than 100 combinations, each controlling or seeking to control some commodity, some necessity of life, and each issuing stock and bonds upon its ability to obtain such a control and collect these overcharges, is it any wonder that the business structure of the country toppled and fell with a crash in October, 1907?

In my judgment, Mr. Chairman, this tariff will never be properly revised if undertaken in the wholesale manner which characterizes the present tariff bill. There are so many industries and so many interests concerned in its revision, and so many of them to which some measure of protection is so absolutely necessary, that men who represent these interests will be willing to agree to any sort of a tariff exaction so long as they are permitted to have their share. Then the general unrest and unsettlement of business conditions consequent upon any attempt to make a general revision of the tariff makes a legislator hesitate. If I could arrange this matter of tariff revision to suit myself, we would not be engaged now in any wholesale attempt to fix these schedules. Why could we not take up those big schedules in which the people are vitally interested; schedules which it is notorious are sheltering trusts and monopolies; schedules which do not need protection to enable them to pay wages, since there is little or no labor cost in connection with them; schedules like the beef schedule, the oil schedule, the sugar schedule, and the lumber schedule? Let us devote a session of Congress to the consideration of these questions, or, if that would be too much, let us take them one at a time at each session of Congress. That would not disturb business, and the people and the Members of Congress interested in the lumber schedule, for instance, would come into this House and make their argument and have it passed upon and decided by Members from all over the country sitting as a jury in a case, with no desire to do anything but equal and even-handed justice to the people of the country. In another session of Congress another schedule could be taken up, and so on. In this way we would obviate the log rolling which will occur on a bill of the character of the one we have now before us.

Mr. Chairman, it would be amusing, if it were not so fraught with grim importance to the people of this country, to contemplate some of the schedules of this bill. Everybody understood that this extra session of Congress was called in order that the people might get immediate relief from exactions and oppressions, and yet we find as two of the most important propositions contained in this bill an attempt to put an additional tax on tea and on coffee. This action, taken in connection with the fact that sugar is already taxed as much as it will stand, throws an interesting side light upon the avowed purpose of the party in power to relieve the people from oppression. It seems dreadfully strange and inconsistent to the ordinary Republican who does not know that, after having taken the campaign funds of the great interests in the last campaign, you are estopped from granting the people any real measure of relief. Mr. Chairman, in my judgment, the people of this country at the present time are suffering almost entirely from a condition which forces the prices of their commodities up faster than their wages. It is the highest function of government, as I understand it, to legislate so that the producer retains his fair share of that which he produces. Judged by that standard, this bill is a sad and lamentable failure. It still provides shelter enough to enable the monopolies to plunder the people and it contains no provision which will in any way help the wage-earner, the supposed beneficiary of this bill, to obtain a part of the benefits which are supposed to accrue to him under its operation. [Loud applause.]

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. DENBY having resumed the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had instructed him to report that it had come to no resolution thereon.

The SPEAKER pro tempore. The hour of 10.30 p. m. having arrived, under the rule heretofore adopted, the House stands adjourned until to-morrow at 10 o'clock a. m.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 6181) appropriating the sum of $60,000 for locking and damming and otherwise improving Richland River, between Dayton, Tenn., and where it empties into the Tennessee River—to the Committee on Rivers and Harbors.

By Mr. CURRIER: A bill (H. R. 6182) to facilitate the use for manufacturing purposes of square No. 328, in the city of Washington, as authorized in the act of Congress of February 1, 1907—to the Committee on the District of Columbia.

Also, a bill (H. R. 6183) to provide for the creation of a national highways commission and for the construction, improvement, and maintenance of public highways—to the Committee on Agriculture.

By Mr. ROBERTS: A bill (H. R. 6184) to reorganize and increase the efficiency of the Hospital Corps of the United States Navy and regulate its pay—to the Committee on Naval Affairs.

By Mr. ELVINS: A bill (H. R. 6271) to correct the military record of the officers and enlisted men of the Enrolled Missouri Militia and all other militia organizations of the State of Missouri that cooperated with the military forces of the United States in suppressing the war of the rebellion—to the Committee on Military Affairs.

Also, a bill (H. R. 6272) to extend the provisions of the pension act of June 27, 1890, and the pension act of February 6, 1907, to the Enrolled Missouri Militia and other military organizations of the State of Missouri that cooperated with the military and naval forces of the United States during the late civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6273) providing for the erection of a public building at De Soto, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. SULZER: A bill (H. R. 6274) to create in the War Department a roll to be known as the "volunteer retired list," to authorize placing thereon with retired pay surviving officers of the United States Volunteer Army, Navy, and Marine Corps of the civil war, and for other purposes—to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 6275) for erection of a public building in the city of Pana, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 6276) authorizing the President of the United States to enter into commercial agreements for the purpose of securing enlarged foreign markets for the beef, pork, and flour products of the United States—to the Committee on Ways and Means.

By Mr. PATTERSON: A bill (H. R. 6277) to authorize the building of a dam across the Savannah River at or near the mouth of Stevens Creek, between the counties of Edgefield, S. C., and Columbia, Ga.—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMER: Memorial of the legislature of the State of Idaho whereby the said State of Idaho proclaims, declares, and asserts its ownership and title to all sections 16 and 36 in every township granted by the United States to the State of Idaho and not heretofore disposed of by the State, in accordance with the donation act and the constitution and laws of the State of Idaho, and memorializing the Congress of the United States to request the Department of the Interior to ascertain what portions of said sections may be mineral lands and certify the same to the State of Idaho, so that the State may select an equal quantity of other unappropriated lands in said State in lieu of said sections for the use and benefit of the common schools of said State—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 6185) granting an increase of pension to Adaline Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6186) granting an increase of pension to John E. Richmond—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 6187) granting an increase of pension to Michael Cosgrove—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 6188) granting an increase of pension to Gilman F. Chase—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 6189) granting an increase of pension to Ole Hendrickson—to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 6190) granting an increase of pension to John H. Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6191) granting an increase of pension to Vincenzo Ferraris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6192) granting an increase of pension to Augustus F. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6193) granting an increase of pension to Joseph Tester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6194) granting an increase of pension to Gilbert J. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6195) granting an increase of pension to Abraham Pevyhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6196) granting an increase of pension to Valentine B. Hummel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6197) granting an increase of pension to James P. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6198) granting an increase of pension to Calvin M. Partlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6199) granting an increase of pension to Aaron Elgin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6200) granting an increase of pension to W. H. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6201) granting an increase of pension to Benjamin F. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6202) granting an increase of pension to Simon Neff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6203) granting an increase of pension to James G. Rumbolz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6204) granting an increase of pension to Hugh McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6205) granting an increase of pension to William T. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6206) granting an increase of pension to John Purkapile—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6207) granting an increase of pension to Mary W. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6208) granting an increase of pension to William T. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6209) granting an increase of pension to John Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6210) granting an increase of pension to David F. Hodges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6211) granting an increase of pension to William F. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6212) granting an increase of pension to Christian Ulrici—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6213) granting an increase of pension to Charles H. Barger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6214) for the relief of Richard Isaacs—to the Committee on Military Affairs.

Also, a bill (H. R. 6215) removing charge of desertion against Ephraim W. Mills—to the Committee on Military Affairs.

Also, a bill (H. R. 6216) removing charge of desertion against John Young—to the Committee on Military Affairs.

Also, a bill (H. R. 6217) removing charge of desertion against John R. Butler—to the Committee on Military Affairs.

Also, a bill (H. R. 6218) to remove the charge of desertion from the record of Peter Ghem—to the Committee on Military Affairs.

Also, a bill (H. R. 6219) to remove charge of desertion standing on the rolls against W. H. Mounce—to the Committee on Military Affairs.

Also, a bill (H. R. 6220) to remove the charge of desertion now standing on the records against John F. Harbaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 6221) to remove the charge of desertion now standing on the records against John Pilcher—to the Committee on Military Affairs.

Also, a bill (H. R. 6222) to correct the military record of Charles P. Brace—to the Committee on Military Affairs.

Also, a bill (H. R. 6223) to place the name of Emma A. Trott upon the roll of intermarried citizens of the Cherokee tribe of Indians—to the Committee on Indian Affairs.

By Mr. HAMLIN: A bill (H. R. 6224) granting a pension to James J. Davison—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 6225) for the relief of Frederick Hughson—to the Committee on War Claims.

By Mr. HUBBARD of West Virginia: A bill (H. R. 6226) granting an increase of pension to William H. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6227) granting an increase of pension to Henry C. Shepherd—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 6228) granting an increase of pension to Calvin E. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6229) granting an increase of pension to Giles Walden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6230) granting a pension to S. R. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6231) granting a pension to J. J. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6232) granting a pension to Stephen D. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6233) granting a pension to James W. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6234) granting a pension to W. W. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6235) granting a pension to Flemon Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6236) granting a pension to Mrs. John G. Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6237) for the relief of Charles G. Jones—to the Committee on War Claims.

Also, a bill (H. R. 6238) for the relief of estate of John W. Spradlin—to the Committee on War Claims.

Also, a bill (H. R. 6239) to remove the charge of desertion standing against Zacharias Vaughn—to the Committee on Military Affairs.

Also, a bill (H. R. 6240) to remove the charge of desertion against Joseph P. Rollins—to the Committee on Military Affairs.

Also, a bill (H. R. 6241) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate to Elvina Cunnyngham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6242) to carry into effect the findings of the Court of Claims in the matter of the claim of Robert A. Dickson—to the Committee on War Claims.

Also, a bill (H. R. 6243) authorizing the Secretary of War to recognize Richard B. Herrin, deceased, as having been a member of Company C, First Regiment Tennessee Volunteer Mounted Infantry, civil war—to the Committee on Military Affairs.

Also, a bill (H. R. 6244) authorizing the Secretary of War to recognize Calvin L. Smith, deceased, as having been a member of Captain Bryson's company, North Carolina Scouts and Guards, civil war—to the Committee on Military Affairs.

Also, a bill (H. R. 6245) authorizing the Secretary of War to recognize John A. Elmore, deceased, as having been a member of Company I, First Regiment Tennessee Volunteer Mounted Infantry, later Fifth Regiment Tennessee Volunteer Cavalry, civil war—to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 6246) granting an increase of pension to William Darling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6247) granting an increase of pension to George J. Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6248) granting an increase of pension to Reuben G. Kingsland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6249) granting an increase of pension to David Cool—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6250) granting an increase of pension to Isaac Emmerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6251) granting an increase of pension to James H. May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6252) granting an increase of pension to Henry L. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6253) granting an increase of pension to David W. Moffatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6254) granting an increase of pension to Jacob J. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6255) granting an increase of pension to Jame L. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6256) granting an increase of pension to John Grant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6257) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

Union, reported that that committee had had under consideration

John E. Richmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6258) granting an increase of pension to Joseph J. Lloyd—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 6259) granting an increase of pension to James Spealman—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 6260) granting an increase of pension to H. R. Foster—to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 6261) granting a pension to Ella Nickerson—to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 6262) for the relief of Mrs. P. A. Eskridge—to the Committee on War Claims.

Also, a bill (H. R. 6263) for the relief of the estate of Phereby R. Sheppard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6264) for the relief of the heirs of Stephen Daggett, deceased, Mrs. Julia D. Harris, administratrix, of Okalona, Miss.—to the Committee on War Claims.

By Mr. STERLING: A bill (H. R. 6265) granting a pension to Clark Conners—to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 6266) granting an increase of pension to Stella J. Barlo—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 6267) for the relief of Levi Adcock—to the Committee on War Claims.

By Mr. WOODS of Iowa: A bill (H. R. 6268) granting an increase of pension to Theodore Ostrander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6269) granting an increase of pension to Spencer J. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6270) granting a pension to Sally A. Mattson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petition of John J. McWilliams and others, of Buffalo, N. Y., favoring a higher duty on lithographs—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of J. H. Shawrer, of Paulding County, Ohio, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of Fountain Dry Goods Company, against a duty on linoleum and oilcloth—to the Committee on Ways and Means.

By Mr. BATES: Petition of George Blair, of New York, favoring a duty on moving-picture films—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-fifth, Twenty-sixth, and Twenty-seventh Congressional districts of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Pennsylvania, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-sixth Congressional District of Pennsylvania, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of the Twenty-fifth Congressional District of Pennsylvania, for removal of the duty on hides—to the Committee on Ways and Means.

Also, petition of J. M. Du Mars and other citizens of Hartstown, Conneaut Lake, and Meadville, Pa., against sale of intoxicants on all property controlled by the United States Government—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Pennsylvania, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CURRIER: Petition of John A. Oldenburg and other citizens of Finlayson, Minn., for the creation of a national highways commission (H. R. 15837)—to the Committee on Agriculture.

By Mr. DAWSON: Petition of Henry S. Sanford and other citizens of Clinton, Iowa, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DODDS: Petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of members of the National Coffee and Tea Association in the Twenty-second Congressional District of New York, against a duty on coffee and tea—to the Committee on Ways and Means.

By Mr. ESCH: Paper to accompany bill for relief of Ole Hendrickson—to the Committee on Invalid Pensions.

By Mr. FOELKER: Petition of citizens of the Third Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Chamber of Commerce of Porto Rico, favoring a duty on all Coffee not raised on American soil, and for the retention of the duty on American sugar and tobacco—to the Committee on Ways and Means.

Also, petition of the Western Federal Brokerage Company, of Chicago, Ill., relative to tariff on sugar—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, of Chicago, Ill., favoring increase of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of Johnson & King, of Sycamore, Ill., against increase of tariff on hosiery and gloves—to the Committee on Ways and Means.

By Mr. HAMER: Petitions of E. O. Styner and 29 others, H. P. Henry and others, E. E. Boone and others, and Frank E. Lestherston and others, all of the State of Idaho, against removal of present duty on lumber—to the Committee on Ways and Means.

By Mr. HAMILTON: Petition of citizens of the Fourth Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of residents of Van Buren County, Mich., favoring a constitutional amendment permitting women to vote—to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of Bert Ellis and 13 others, of Sherburn, Minn., favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL of New Jersey: Petition of residents of the Third Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HUBBARD of West Virginia: Petition of citizens of Wheeling, W. Va., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HUGHES of New Jersey: Petition of citizens of the Sixth Congressional District of New Jersey, favoring a duty on casein and lactarene—to the Committee on Ways and Means.

By Mr. KINKEAD of New Jersey: Petition of citizens of the Ninth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. KRONMILLER: Petition of A. V. Vollips and other citizens and A. B. Banghart and other citizens of Baltimore, Md., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. KÜSTERMANN: Petition of Pike River Granite Company, of Marinette, Wis.—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of Mary Korthals, of Verndale, Minn., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of business firms in Oregon, Polo, Savanna, and Chadwick, Ill., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. NORRIS: Petition of citizens of Nebraska, protesting against the Johnston Sunday bill—to the Committee on the District of Columbia.

Also, petition of residents of Funk, Nebr., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. OLCOTT: Petition of citizens of the Fifteenth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. OLDFIELD: Paper to accompany bill for relief of Levi E. Eames (H. R. 4105)—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Petition of citizens of Lynn, Mass., against the Government printing return addresses on envelopes—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERWOOD: Petition of citizens of the Tenth Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Toledo, Hatton, Put-in Bay, Bloomdale, and Swanton, all in the State of Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. STERLING: Petition of business men of Danvers, Broadwell, San Jose, Atlanta, Mount Pulaski, Elkhart, and Lincoln, all in the State of Illinois, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. STURGISS: Petition of Evening Star Grange, No. 205, Independence, and other citizens of Shepherdstown and Romney, all in the State of West Virginia, favoring repeal of

duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Journeymen Mechanical Embroiderers, Schifflisticker Union, No. 12768, favoring increase of tariff on embroidery—to the Committee on Ways and Means.

Also, petition of Post Card Manufacturers and Allied Trades Protective Association of the United States, favoring support of certain paragraphs in the Payne bill relative to post cards—to the Committee on Ways and Means.

Also, petition of the Roessler & Hasslacher Chemical Company, favoring increase of duty on cyanide of potassium—to the Committee on Ways and Means.

Also, petition of lithographic workmen of New York, favoring an increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of citizens of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of the Tenth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. THOMAS of Ohio: Petition of citizens of the Nineteenth Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of Chamber of Commerce of Milwaukee, against reduction of duty on barley—to the Committee on Ways and Means.

By Mr. YOUNG of New York: Petition of citizens of the Fifth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 3, 1909.*

The House met at 10 o'clock a. m. and was called to order by Mr. Browning, its Chief Clerk, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C.

I hereby designate the Hon. E. D. CRUMPACKER for Speaker pro tempore.

J. G. CANNON.

APRIL 3, 1909.

Mr. CRUMPACKER assumed the Chair as the Speaker pro tempore.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, Mr. OLMSTED in the chair.

Mr. SPARKMAN. Mr. Chairman, this bill, in my opinion, should be amended in several important particulars, two of which I propose to discuss briefly in the time allotted to me. These pertain to the lumber and cotton schedules. The bill should be amended so as to fix the rate on lumber as it is now under the present law and to place a tariff of at least 5 cents a pound on cotton imported into this country, especially upon Egyptian cotton. This should be done in the interest of revenue and of the large number of our own people engaged in those industries throughout the country.

These, together with the equalization of taxation, are the avowed purposes of this bill, for it is entitled, "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." The importance of raising revenue is accentuated by the position given it in the title. Indeed, if we are to judge from this alone we would come to the conclusion that the raising of revenue is of prime importance and was uppermost in the minds of the framers when they began the preparation of the bill, however widely the committee may have departed from that idea in the writing of the various schedules. And this, Mr. Chairman, is a very proper theory upon which to write such a bill, for in addition to the principle that taxes can only be levied for the purpose of raising revenue, the condition of the Treasury at the present time should make that the leading feature in any tariff measure for the consideration of this body. If there ever was a period in our history when an increase in revenues was needed that time is now. With an ever-widening gap between outgo and income, between expenditures and revenues, causing a deficit which has been estimated will extend this fiscal year to upward of a hundred millions of dollars, it is necessary that we should not lose sight of that feature which occupies such a prominent place in the title of the bill, and that no legitimate subject of tariff legislation should pass untouched, especially where the other objects of the bill may be easily carried out and no unnecessary burden laid upon the consumer.

Now, the two articles I have mentioned can bear a tax such as I have suggested without the placing of a heavy burden upon those who may use them. A tax, for instance, of $2 per thousand on rough lumber, the rate under the present law, will, as it is doing now, produce some revenue—not much, to be sure—but sufficient to justify us in making the increase.

Under the existing law the estimated revenue from rough lumber is $1,773,923.30, while the rate proposed in the pending bill will, according to the same estimates, only raise $886,966.55, or about one-half of the amount just mentioned. Now, I submit that though the sum which the increased rate I propose would bring is small, it is, nevertheless, an amount worth having, as it would substantially increase the revenues, and that, too, without laying any great burden upon the consumer.

My own individual opinion is that it would add nothing, for the tariff would, in this particular case, fall upon and be divided among those who produce and handle the lumber before it reaches the "ultimate consumer," as would the profits, if any are to be derived from the increase; and that is the opinion of many disinterested parties who have given thought to this subject. Mr. Gifford Pinchot, than whom no one in the country is better informed on the subject or more nearly disinterested, in a statement before the Ways and Means Committee on the 24th day of February last, gave as his opinion "that free lumber under present conditions would have practically no effect on the price to the consumer." Being asked how he figured that out, he answered:

> I believe the Canadian stumpage holders and manufacturers and the dealers in the United States would practically take up all the profits, so that whatever benefits resulted would not come to the man who finally used the lumber.

Further on in his statement, when asked if there was any hope for the "ultimate consumer" in the way of lower prices on lumber, he said:

> I do not think that he will ever get lumber much cheaper than he does now. * * * Personally, I would be in favor of letting the tariff alone. I believe the best results, all things considered, will follow if it is allowed to remain as it is. * * * The Canadian supply is only about 5 per cent; less than 5 per cent is imported. * * * The total annual importation is less than a billion feet of lumber now; we cut 40,000,000,000 feet from our own forests. Were the importations of lumber from Canada to be doubled with free lumber they would then amount to only 5 per cent of our own cut.

An amount, I may add, that would figure but little in the matter of raising or lowering prices or increasing or decreasing burdens.

But be this as it may, it is the firm conviction of those employed in the industry that the effect of free lumber upon the lumber business would be far-reaching. For some time past—in fact, for nearly two years—that business, owing to the recent panic and the hard times which followed, has been in a demoralized condition bordering on paralysis. This is the situation in my State, where several failures in that line have occurred, while many more, owing to the same cause, have gone, temporarily, at least, out of business. It has been estimated that immediately preceding the panic of 1907 there were in Florida upward of 600 sawmills. Now, as a result of the financial and business depression throughout the country, there are remaining in that State not more than 400, a reduction of 33⅓ per cent. Not all of those, however, ceasing to operate have failed, but lumber prices have been so low as to make it unprofitable for many concerns to continue in the business.

These are the conditions prevailing throughout the lumber-producing sections of the country, and it is the firm belief of the lumbermen that to take the duty off of lumber entirely would greatly intensify these conditions; that the business, already demoralized, would grow worse, with widespread disaster as the result. Confidence, Mr. Chairman, is everything in the business world, as we have often seen. Without it the wheels of industry stop and panics follow, with all their attendant evils; and if the retention of this duty should have no other effect than to restore confidence among those engaged in the lumber business, it would be well worth the small sacrifice we would be called upon to make to bring about that result. These, however, are not the only beneficial results that, in my opinion, would come from the retention of this duty.

But first let us look at some of the objections to the proposition. Against the idea of placing a tariff on lumber is the opinion reached that to put it on the free list would tend to

forest conservation; that free lumber would not only reduce the cost to the consumer, but would stimulate importation. Now, if this were true, it would furnish a strong argument in favor of a material reduction in that schedule or even of the admission of lumber free into this country, for there is no doubt but that the destruction of the forests in this country has been so wanton and so rapid and the danger of a timber famine so great as to alarm all thinking persons, while the best thought of the country has been invoked to devise ways and means to put a stop to this waste and to reforest our timber-denuded lands. Indeed, I think I risk nothing in saying that one of the chief reasons for this agitation for free lumber is based upon the idea that it would, by adding to the domestic supply, retard the destruction of our own forests.

But would free lumber do this? My opinion is that it would not, and this is the view taken by the lumbermen and many others in a position to judge of the probable effects of such a condition. Again, I may properly call attention to the opinion of Mr. Pinchot, expressed at the hearing just mentioned, who there expressed himself as being firmly convinced that free lumber would incline not in the direction of forest conservation, but to the wasting of our timber resources, and he bases this opinion upon the ground that if, as asserted, free lumber would tend in the direction of lower prices, it would, by causing waste, hasten rather than retard the destruction of our forests. And this is reasonable. When prices are high there is an incentive to the utilization of everything marketable, and in the case of lumber, when prices are fair the lower grades are marketed along with the higher, but when prices fall below the point where those inferior grades can be used, that portion of the log which would produce these lower grades is left on the ground to rot or burn, thus becoming food for forest fires, so general in the lumber districts and so harmful to forest conservation. Mr. Pinchot gives the following apt illustration of the point I am making:

> You take a 24-inch tree in the woods; cut that tree down; say there are four logs in it. The first log will produce the largest amount of clear lumber, the second a smaller percentage, and the third a larger percentage of common lumber, and the fourth still poorer lumber. The cost of logging 1,000 feet of clear lumber as compared with 1,000 feet of common lumber is the same in the woods; cost of sawing is the same. At certain prices it will pay to take out two logs, because the third log will not pay the cost of logging and sawing. At higher prices you would take three logs. This is an exact illustration, I think, of the way the price affects the waste in the woods. So the lower priced lumber is, the more logs would be allowed to remain to rot or burn. * * * There is a certain amount of capital invested in mills now. That capital, if it is allowed to lie idle, involves a very large loss. It pays a man better to keep his mill running, even at a small loss. Therefore the change of price does not have as rapid effect as it otherwise would have. A man who would otherwise shut down his mill simply leaves a few logs in the woods and takes out from each tree the best and fewer logs. The lumbermen take from the tree now everything that they can get out at a profit; no doubt about that. There is a great deal of waste left in the woods. As the price rises it will pay to market the standing timber much more closely; they can then use the low-grade lumber. We do not begin to use our forests anything like as closely as they do in Europe; I mean as to what we leave in the woods. The brush is the greatest source of fire danger. If the stumpage owner gets 50 cents more from the logs than he otherwise would, he can afford to put a larger part of that into the disposal of the brush than he could if the margin was small.

And this is common sense. For a long time there was no market for this cheaper grade of lumber, and it was left on the ground to rot. This waste has been estimated as high as 25 per cent of the quantity of sound lumber. In other words, 25 per cent of the tree that would under better conditions be merchantable has been left on the ground. But of recent years this percentage of waste has, under the stimulation of a greater demand, been reduced to almost nothing, which condition remained until the panic two years ago, when, as a result of the low prices which followed, nothing but the better classes of lumber was cut or sold.

Now, Canada seems to be our chief competitor, from which country we imported during the last fiscal year $18,632,860 worth, while at the same time we only sent to that country $9,797,103 worth, the balance of lumber trade being 100 per cent in Canada's favor. The difference in the quantity of lumber imported from and exported to that country was still more marked. While we received from her 792,789,000 feet of sawed lumber we sent back only 149,884,000 feet. Thus it will be seen that while in value we got back almost one-half in quantity we received about one-fifth in return. This means that she ships to us a much cheaper grade of lumber than we send to her. Now, from all this it can readily be seen that if it were possible to flood this country for even a short time with the low grades of Canadian lumber it would to that extent retard the manufacture and sale of our cheap class of lumber, a condition that would not only tend to waste, but would not benefit our own people—certainly not those I represent, as the Canadian lumber does not in any appreciable quantity reach Florida. It is therefore safe to conclude that free lumber would not tend to forest conservation nor to the reduction of waste, but, on the contrary, would hasten the destruction of our forests and the exhaustion of our timber.

Another argument in favor of taking the duty off of lumber is that it would furnish cheaper buildings. But this would not be the case except, perchance, in some localities in the Middle West and along the Canadian border where the domestic timber supply has been exhausted. Besides, such buildings would be constructed mainly of the common grades of lumber, for the higher grades are not brought into this country, and would not be if the tariff were taken off entirely. The prices of the higher grades would not be affected by free lumber. The competition, if any, would be between the lower grades of Canadian lumber and the inferior grades of the South. The people as a whole would not reap any benefit by the change.

Still another argument in favor of free lumber is based upon the idea that lumber in this country is controlled by a trust, and that the removal of the duty would destroy this monopoly. Now, if I believed that there is such a trust and thought that the taking off of the small tariff on lumber would crush it, I would be willing to try the experiment, provided it could not be reached in some other way, but a careful study of the situation has convinced me that there is no such combination. There may have been, and may yet be, small local combinations having for their purpose the steadying or raising of prices; but, if so, they have been short lived and their influence is not menacing. The industry has not yet advanced far enough for a dangerous trust to exist, and, in my opinion, none does exist.

It is estimated that the present lumber supply in standing timber in the United States amounts to 2,500,000,000,000 feet, and, with the Government owning 20 per cent of this and 45 per cent in the hands of small holders other than manufacturers, no immediate trouble can come from the holders of the residue, especially as it is divided among thousands of investors, the largest group not holding more than 3 per cent, while no one individual, it is said, controls more than one-fourth of 1 per cent of that amount, and long before the danger point is reached some way will be found to destroy all combinations of monopolistic tendencies.

Another argument, addressed mainly to this side of the House, is of a partisan nature. We are urged by some to support the proposition for free lumber as being more in accord with Democratic theories of federal taxation. But I submit that the Democratic party is not a free-trade party; indeed, there are no free traders in this country except theoretical ones, for however beautiful the doctrine of free trade may be in theory it can not, under present conditions, be generally applied in practice, especially when we are forced, as we are, to raise half of our revenue by tariff taxation. The true Democratic theory is a tariff for revenue, with protection as the incident. And further believing that wealth and not poverty should be taxed, that luxuries should bear the greater burden of taxation, that party would tax more heavily than it would the necessaries of life. This has ever been its policy and theory of taxation, whatever concrete recommendations it may have made in its platforms from time to time, and if the Democratic party had succeeded in the last election it would no doubt have framed a tariff law along the lines of its declared policy, but it was defeated at the polls and other policies approved by the people, so that we now have a tariff bill framed largely in accordance with the protective theory, and it is with that bill and that theory that we at present have to deal in the bill presented for our consideration.

If the Democrats had been called upon to frame a tariff measure, they might have reduced the tax upon lumber or actually placed it on the free list, but along with such reduction they would have distributed more equally the burdens to be borne and the benefits to be derived and would have at least reduced the tariff on those articles the lumberman uses in carrying on his business as well as those which come into competition with his product. But that this bill does not undertake to do. While fixing the duty on rough lumber at 5½ per cent ad valorem, the measure proposes to tax the articles used by the lumberman in his business upward of 36 per cent ad valorem, while those articles coming in competition with his product receive a protection of about 35 per cent ad valorem. Steel hand saws, for instance, are protected by a rate of 29.88 per cent, 25 per cent on mill saws, 45 per cent on axles, 20 per cent on circular saws, 57.39 per cent on bolts, 32 to 64 per cent on axles, 29.99 per cent on boiler tubes, 22.58 per cent on hammers and sledges, 35 per cent on harness, 30 to 69 per cent on marble, 25 to 35 per cent on brick, 37 to 45 per cent on tiles, 22.77 to 50 per cent on granite, 20 per cent on slate, and 20 to 25 per cent on cement, and so on through the entire list of articles either used by the mill man or which come in competition with his finished

product. All of these rates, though upon the necessaries of life, are far above the revenue point and can not be justified upon any theory of equity or justice to those engaged in the lumber industry. True, the rates on planed lumber or other manufactures of wood are 10.42 per cent, but certainly no one will contend that this is a fair equivalent for the tax the lumberman has to pay for the things he uses or that it would furnish adequate protection in face of the still higher protection afforded by the bill to those articles which come in competition with his own product.

Assuredly a Democratic Congress, if it had framed a tariff bill throughout, would not have placed lumber on the free list or materially reduced the rate thereon without having also reduced the rates on the articles he is compelled to buy; and if, under a tariff law framed along the line of protection, such high duties are to be placed on everything the lumberman uses, certainly the small duty of 16.33 per cent ad valorem on all wood products, or 11 per cent on rough lumber, contained in the present law is not excessive.

Mr. Chairman, the timber industry in my State is one of the largest—perhaps, next to agriculture, the largest—there. As I have said, there are upward of 400 mills now in operation in that State, with more than 15,000 employees, cutting 1,150,000,000 feet annually, or more than the entire amount imported into this country from Canada. These employees, with their families, numbering 75,000 people, are dependent upon this industry for a living. Besides, there are hundreds of thousands of others interested—indirectly, to be sure, but nevertheless interested—in the stability of this business and the prosperity of those engaged in it. These are farmers, stock raisers, carpenters, merchants, indeed, every class of people within the borders of that State, for they not only furnish a ready market for a great deal of the products of other industries, but they pay to their employees the enormous sum of $10,000,000 per annum, which is scattered broadcast throughout the State, paid to the merchants, farmers, stockmen, doctors, and others with whom they deal. In fact, there is scarcely a community in Florida that is not benefited by the mill men, and any blow struck at them would be a blow at the entire State. Any condition that would bring disaster to them would be felt throughout the Commonwealth. Appreciating keenly these facts, the people have become aroused, and many requests have come to me from all over the State urging me to favor the retention of the rates contained in the present law. They come from individuals, business firms, boards of trade, and other commercial bodies representing the various industries there, and it is in response to these demands, together with my sense of right and justice, that I urge the change I have suggested in this bill.

The same argument with equal force can be made in favor of a tariff of at least 5 cents per pound on cotton, for by such a course the revenues would be largely augmented and a degree of protection afforded to sea-island or long-staple cotton produced in this country. There are some 80,000,000 pounds of cotton imported from abroad. To be more accurate, and taking the last three years as fairly representative of our import trade with foreign countries in that commodity, there were imported in 1906, 70,963,633 pounds; in 1907, 104,791,784 pounds, and in 1908, 71,072,855 pounds, or an average of 82,276,090 pounds, which, at 5 cents per pound, would yield $4,113,804.50, a large and much-needed addition to the revenues. At the same time this tax would not curtail importations in that article nor hurt anyone in the least, but would greatly benefit the producers of cotton in this country.

That I am correct in these propositions one need only examine the facts to be assured. It is well known that cotton can be produced in all the countries from which it is imported into this much more cheaply than in the United States, owing to cheaper labor abroad and the greater yield per acre. By far the largest importations of cotton are from Egypt, from which we received in 1907, directly, 78,783,913 pounds, and indirectly, through England, 4,149,582 pounds more. Now, the yield in Egypt is three or four times as great per acre as it is here, so that if the price of labor were the same the cost of production here would be approximately as many times as great, but, as a matter of fact, labor is much cheaper there than here, so that the advantage is still more largely in favor of the foreign producer. Now, from the hearings before the Ways and Means Committee, when the cotton schedule was being considered, I gather that it costs to produce sea-island cotton from 18 to 20 cents a pound, which, at best, is only sold for from 20 to 21 cents, while Egyptian cotton can be produced for 4 or 5 cents and sells in this country for from 15 to 18 cents a pound, so that the placing of a 5-cent per pound duty on this cotton would only increase the cost to 10 cents, still leaving a large profit to the Egyptian producers after deducting transportation charges. Surely this would not be a prohibitive duty, nor would it increase the cost to the consumer, as competition here would keep the price of the manufactured article at what it is now. If the American producers can exist on a profit of 1 or 2 cents a pound, the Egyptian producer would not be shut out on a duty of 5 or 6 cents a pound, while the manufacturer here could still make a fair profit after paying the duty if, indeed, he should have to pay it.

But it is said that foreign cotton does not come in competition with our own product, that Egyptian cotton, as well as the Peruvian product and other imported cottons, is used in the manufacture of goods for which the domestic cotton is not suitable and is not used. All this may be true, and yet the foreign product does compete indirectly with our sea-island cotton, for the articles produced from Egyptian cotton displace to a certain extent the articles manufactured from our domestic product, and to that extent is a competitor and a very serious one, too. This is the view taken by the producers of sea-island cotton in my State, for the legislature has twice in recent years memorialized Congress, asking it to place a duty on Egyptian and other long-staple cottons imported into the United States. The first memorial was in 1899, the second as late as 1905, which is as follows:

> Memorial to the Congress of the United States asking that a duty of at least 10 cents per pound be levied on all importations of Egyptian and other long-staple cotton brought into the United States as raw material.
>
> Whereas the present price of long-staple or sea-island cotton is below the standard of profitable production and has so been for some years past, causing a large area of our State to be uncultivated and our farming interests to languish; and
>
> Whereas the policy of protection to American interests, if to be continued, should embrace within its fostering care the tillers of the soil, who are now and must ever be the mainstay of our republican form of government; and
>
> Whereas the long-staple or sea-island cotton grown in this country is used exclusively in the manufacture of the finer fabrics, such as laces, etc., and a duty upon the Egyptian cotton and other foreign long-staple cottons would therefore be no burden upon the poor, but would only affect those well able to bear it, and at the same time would greatly encourage a large portion of our farming population; and
>
> Whereas we believe that the levy of such a duty would materially aid in building up our factories engaged in the manufacture of the finer cotton fabrics, while at the same time protecting our farmers from the pauper labor of Egypt: Therefore be it
>
> *Resolved*, That it is the sense of this legislature that a duty of 10 cents per pound on all Egyptian and other long-staple cottons imported into the United States should be levied by Congress.
>
> *Resolved further*, That our Senators and Representatives in Congress are hereby earnestly requested to use all honorable means to accomplish this end. Be it further
>
> *Resolved*, That the secretary of state is hereby requested to furnish each of our Senators and Representatives in Congress with a certified copy of this memorial.

With both the preamble and the resolutions I agree, and heartily indorse them. But fearing that a duty of 10 cents a pound would not meet with favor by the committee, and wishing the rate to be clearly fixed on a revenue basis, at the same time affording some protection, I have asked that the rate be placed at 5 cents per pound instead of 10, and I trust this may be done.

Mr. Chairman, the cotton growers of my State and of the South where long cotton is produced need the benefits that such a tariff would confer upon them. With a highly productive area of cotton-growing lands, sufficient to supply the entire domestic demand for sea-island cotton, the whole South only produces about 24,000,000 pounds annually, while we import, as we have seen, 82,276,090 pounds, seventy-odd millions of which come from Egypt, from which country the producers can ship into this country under present conditions at a profit of at least 10 cents a pound, while our own producers only realize, at best, 2 cents a pound above the cost of production. No one should hesitate in voting for such a tax when $4,000,000 would be added to the revenues and such great benefits accrue to our home people.

The condition of our cotton growers, Mr. Chairman, is a serious one, and should be remedied by this bill. No other business is so handicapped by foreign competition as the farmer of the South, and this Congress should here and now give them the relief asked, especially when that relief will add $4,000,000 to the revenues of the Government.

Mr. Chairman, I have said that we need the revenue, though small it may be compared with our necessities, which these changes in the bill would bring into the Treasury, and the statement is true. The expenses of the Government are annually climbing up, while the revenues are falling off; and this bill, if it becomes a law in its present shape, will not provide the needed revenue unless we resort to the plan of borrowing for which the measure provides, and that we should not do, except in case of emergency and as a last resort. More money will be needed in the very near future unless we pass over matters urgently demanding attention. Already some of these are being neglected. In the interests of our rapidly growing commerce we should have had a river and harbor bill at the last

session of Congress. According to custom one was due then, and the conditions of our rivers and harbors demanded it, but the large Treasury deficit stood in the way, and Congress adjourned without passing such a bill. Now, unless we increase the revenues, the same or even a larger deficit will meet us in December next. When and how will we provide the means for the great work of river and harbor improvement, so much needed and so loudly demanded by the people? We can not pass the matter over again. A favorable response to those demands must be made, and here in this bill, under its various schedules and by an equitable system of taxation, we should provide the means.

The people are willing to furnish the means to carry on this great Government and will submit to any just system of taxation so long as the money taken from them is needed for proper governmental expenses and is properly expended. In my judgment, the changes I propose would accord with Democratic and equitable principles of taxation, and I hope they may be made. [Applause.]

Mr. KINKAID of Nebraska. Mr. Chairman, I expect to vote for this revision bill, but I must insist upon some amendments. Right now I desire to respectfully, yet very earnestly, protest against the placing of cattle hides upon the free list while according protection to leather and shoes and the other products of leather which the farmer and stock raiser consume.

Whether tanners and shoe manufacturers have actually combined for the purpose of promoting the placing of hides upon the free list I do not know, but I think they themselves will not gainsay that they have been cooperating to that end. They did cooperate to that end in the hearings they had to the Ways and Means Committee, which reported the pending bill. Mr. Chairman, these great industries have a right to be heard, and it is entirely right that they should go before the Ways and Means Committee and there give their testimony as to the operation of their industries, the success with which they have been meeting, and any possible difficulties with which they have been contending, and suggest to the committee such changes in the schedules affecting their industries as they may think advisable and fair. It is the privilege of these industries to be represented before the Ways and Means Committee and in the Congress upon a matter important to their business interests and at the same time very important to the public in general. I do not gainsay their right or the propriety of their being heard both by the committee and upon the floor of each House of the Congress.

Mr. Chairman, I am glad the tanning and shoe manufacturing industries have thus far succeeded so well. As an American citizen I am proud of their industrial achievements at home and of their commercial triumphs in foreign countries. I congratulate them and congratulate our country that our tanners have been the most progressive and the most successful of any in the world. I congratulate our shoe manufacturers and the people of our country that our shoe manufacturers employ the most skillful workmen; that they use the best shoe-manufacturing machinery of any in the world; and that this machinery is the product of the genius of American inventors; and I congratulate American citizenship that American business ability, American inventive genius, the high skill of American workmen, combined with the policy of protection, have resulted in making these two great industries preeminent, internationally, in their respective lines. I wish their success to continue as far as it may be practicable, but not wholly at the expense and sacrifice of the farmer and stock raiser.

Mr. Chairman, I wish a fair division of the profits of the policy of protection. When the policy of protection is put into operation by congressional enactment every American citizen is a stockholder, and he must pay dividends or assessments dependent upon the success or failure of the act, especially as to his interests. It is fair that all should share alike in the advantages and possible disadvantages of the policy; but I regret very much to say that the proposition as made by the tanner and shoe manufacturer—that in this revision a duty shall be continued upon leather and upon shoes, but that hides shall be placed upon the free list, and which provisions have been incorporated into the pending bill—I regret to say I fear that if this clause should be ratified by the Congress that the result would be that my constituent, the farmer and the stock raiser, would be the payer of assessments that the tanner and the shoe manufacturer might be the drawers of dividends. I fear the result would be like robbing Peter to pay Paul.

Mr. Chairman, I desire to make myself plain at the outset that I am not contending for a duty upon hides of adult or large cattle alone, or hides only which weigh over 25 pounds. What I desire is that a duty be placed upon the hides of cattle of all sizes and ages, including calves. I think this was the intention of the provisions of the Dingley bill when it was passed, but tanners and shoe men raised the question and a construction was made by the Treasury Department to the effect that cattle hides did not include calfskins and meant only hides which would weigh more than 25 pounds; and, hence, that it was only hides which would weigh 25 pounds and upward upon which a duty should be paid. The farmer and stock raiser did not have his day in court on this proposition or I think the decision would have been different. Sir, my proposition is that a duty be imposed upon hides of cattle of all sizes and ages regardless of the weight, including calfskins. I am free to say, in my judgment, that unless a duty shall be accorded calf skins it would not be consistent to continue a duty upon hides weighing over 25 pounds, for it is my candid judgment that if either should be favored to the exclusion of the other that calfskins should have the preference rather than the hides of adult cattle, because a greater amount of labor is devoted to the taking care of a calf in proportion to its value than is required to be bestowed upon older and larger cattle in proportion to their value, and it is upon a labor basis that any benefit to be derived by the individual producer by a tariff that a duty is accorded.

RELATIVE QUESTION.

Sir, I shall not contend that the production of cattle hides is an infant industry and is therefore entitled to an advantage over other industries to be secured by a protective duty. *But, sir, who will gainsay that the taking care of young calves is an infant industry?* Mr. Chairman, I am going to treat this question as a *relative one*. I am frank to say that if hides were placed upon the free list, and its products—shoes, harness, and saddles, which the farmers and stock raisers consume, and other products of tanners and of the manufacturers of leather which farmers and stock raisers consume—were placed upon the free list, I would be ready to admit that hides should also go upon the free list. I would be ready, so far as my opinion is concerned, to grant a decree of foreclosure against any demand which might be made by farmers and stock raisers, under such circumstances, for a continuance of a duty upon hides.

It is my judgment, that my constituents would not have wished for a continuance of a duty upon hides, if hides, which so many of them produce, had been placed upon the same footing in the schedule as leather, shoes, harness, saddles, and other products of the hides which they consume. Mr. Chairman, the fact is that a large percentage of my constituents, including a large percentage of cattle raisers, have for the last year or two, in my judgment, been willing to suffer a reduction or repeal of the duty upon hides, conditioned that leather and the products of leather be treated in the same way. I think they have been prepared to accept the proposition about which tanners and shoe men have been bantering for the last year or two that their manufactures be placed upon the free list if raw materials which they use were also placed upon the free list. My constituents have been ready, in my judgment, to meet the tanners and shoe manufacturers halfway upon the tariff question. Mr. Chairman, the fact is, in the early part of the recent regular session I did receive a very small petition asking that hides be placed upon the free list, but it was sent me by a mercantile firm of Chadron, Nebr., who yearly handle a large amount of boots and shoes, and I am satisfied that the petition was signed and sent me in contemplation that leather and shoes and other manufactures of leather were going to be placed upon the free list, as newspapers now and then for the last few years have reported tanners and shoe manufacturers here and there as expressing themselves as ready and willing that their products should go upon the free list if the raw materials which they consume in their manufacture should also be placed upon the free list.

This is the only communication I have received from my constituents in favor of free hides, but I have not heard a word from even one of these petitioners since the bill has been reported putting hides upon the free list and continuing its products upon the dutiable list, but I have heard from numerous other constituents, all of whom have written me in behalf of a continuance of the duty on hides. It strikes them as very unfair and unjust that hides should be discriminated against, as they view it and term it, by being placed upon the free list, while a mere percentage of reduction is to be made as to leather and the manufactures of leather. Sir, this looks to me like a very one-sided proposition. Hides are placed upon the free list, while a reduction merely has been made of the duty upon leather and shoes and some other of the products of leather. In answer to this it is pointed out by tanners and shoe men and by distinguished Members of this body, who indorse their views, that nearly as much reduction has been made on some of the manufactures of leather as the whole of the 15 per cent ad valorem that the Dingley law accords to hides. But, sir, the

treatment is not uniform or anything like it, for it is only a reduction as to shoes and other products of hides which is made, while the article of hides is deprived of any protection whatever. Sir, the philosophy of the widow's mite is very pertinent.

Sir, *who is willing to stand such inequalities? Who can stand such inequalities?* The injustice can not better be emphasized than by the statement of the fact that the cattle raiser must produce the hide and sell it on a level with Mexican hides, where cattle are grazed upon lands worth so much less than our lands in the United States and the Peon labor necessarily employed is paid from 20 to 40 per cent of what our farm labor is paid; while, on the other hand, the cattle raiser must pay for the products of the free hides which he sells, a price enhanced by the duty imposed upon, say, boots, shoes, harness, saddles, and other leather products necessary to his consumption. It should be very plain to anyone that if the farmer is made to sell upon a certain basis he should be permitted to buy upon the same basis. It should be very plain, if one must sell upon a low basis all he *produces* and buy upon a higher priced basis all he *consumes*, that he must soon go to the "wall."

CHANGE SOUGHT.

But, Mr. Chairman, permit me to call attention to the schedule of the pending bill, as compared with that in the Dingley bill. By the Dingley bill, as all understand, a duty of 15 per cent ad valorem is imposed upon the importation of cattle hides from foreign countries, while this revision bill places hides upon the free list; as to leather, the tanners' manufactured product, the Dingley bill provides:

438. Band or belting leather, sole leather, dressed upper, and all other leather; calfskins, tanned, or tanned and dressed; kangaroo, sheep, and goat skins (including lamb and kid skins) dressed and finished; chamois and other skins, and bookbinders' calfskins, all the foregoing not specially provided for in this act, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; patent, japanned, varnished, or enameled leather, weighing not over 10 pounds per dozen hides or skins, 30 cents per pound and 20 per cent ad valorem; if weighing over 10 pounds and not over 25 pounds per dozen, 30 cents per pound and 10 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem; pianoforte leather and pianoforte-action leather, 35 per cent ad valorem; leather shoe laces, finished or unfinished, 50 cents per gross pairs and 20 per cent ad valorem; boots and shoes made of leather, 25 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, shall be classified as manufactures of leather and pay duty accordingly.

Upon these same articles the pending bill provides:

448. Band or belting leather and sole leather, 5 per cent ad valorem; dressed upper and all other leather; calfskins, tanned or tanned and dressed; kangaroo, sheep, and goat skins (including lamb and kid skins), dressed and finished; chamois and other skins and bookbinders' calfskins, all the foregoing not specially provided for in sections 1 and 2 of this act, 15 per cent ad valorem; skins for morocco, tanned but unfinished, 5 per cent ad valorem; patent, japanned, varnished, or enameled leather, 20 per cent ad valorem; pianoforte leather and glove leather, 20 per cent ad valorem; boots and shoes made of leather, and leather shoe laces, finished or unfinished, 15 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, and gauffre leather, shall be classified as manufactures of leather and pay duty accordingly.

I read from the Dingley bill as to other manufactures of leather:

447. Harness, saddles, and saddlery, or parts of either, in sets or in parts, finished or unfinished, 45 per cent ad valorem.

As to these same articles, the pending bill provides:

453. Harness, saddles, saddlery, and whips, or parts thereof, in sets or in parts, finished or unfinished, 35 per cent ad valorem.

Mr. Chairman, reductions have been made on the products of hides and leather, but I think it will be admitted, if it has not in fact been already admitted, that all such reductions have been made at the *direct expense of the producers of hides;* in other words, that the placing of hides upon the free list was the sole basis of the reductions made on shoes and other products of leather. But, sir, the percentage of the reductions are so unequal, and in this the injustice consists. To be plain, tanning and shoe manufacturing are more than compensated for reductions they suffer by the duty taken off of hides; they profit by it.

Mr. Chairman, I am not advocating a duty upon hides merely because the raising of hides is one of the principal industries of the State in which I reside—not because it is especially a chief industry of the district in the State of Nebraska which I have the honor to represent. I am only endeavoring to resist an unwarranted and unjust discrimination against the live-stock industry. I should certainly feel that I were derelict, representing as I do a district so vitally interested in the live-stock industry, if I did not protest, and earnestly protest and remonstrate, against the placing of a burden upon that industry as a contribution to the success—I should say to the increased success, because they have been succeeding very well—of the tanning and shoe manufacturing industries.

That Nebraska is a great cattle-growing State I need only cite the fact that as to the ownership of milk cows it comes after only the great dairy States of New York, Pennsylvania, Illinois, Wisconsin, Minnesota, Iowa, and Texas. As to other cattle, it stands fourth in order, only the great cattle States of Texas, Kansas, and Iowa coming ahead of it. But Nebraska is fast becoming a leading dairying State as well as a leading cattle-raising State, and perhaps to-day it does not stand second to any State in the Union in the ownership of cattle in proportion to its population. I have not verified it by statistics, but I feel very confident that the sixth district of Nebraska, which I have the honor to represent, is not second in the production of cattle, and of the best cattle, to any congressional district in the United States. Its farmers and cattle raisers are as enterprising and as progressive in their lines as any to be found in the United States, and I would rather take their opinions for it—because they do business with the packers and the butchers and the cattle buyers themselves—than to take the opinion of tanners and shoe manufacturers, as to whether they receive any benefit by the duty imposed on the importation of hides. They think they are benefited by the duty imposed by the Dingley bill upon hides.

STOCK ARGUMENT.

Mr. Chairman, I can not accept as reasonable or sound the stock argument so widely disseminated by tanners and shoe manufacturers and indorsed by some distinguished Members of this House that cattle are raised for *beef alone, just for beef*, and not for any of the various other purposes for which the by-products in these progressive times are being devoted; particularly that hides are not given even the remotest consideration when the animal is being sold. The contention is that the farmer's and stock raiser's sole purpose in raising cattle is for the value that is contained in the beef product and that they have no regard for the value contained in any of the by-products, particularly the hide; and the further contention is that the cattle raiser and seller in fact receive no benefit from the duty imposed upon hides by reason of the fact that the packer who buys a large percentage of the beef cattle pays nothing on account of the duty, but cheats the cattle raiser out of this protective benefit, and yet realizes the full benefit of the same for himself.

Mr. Chairman, what purpose the owner of the beef animal or the raiser of the beef animal has in raising it cuts no figure. It is not a legitimate inquiry. The question is what the animal is worth in the market and what it will bring in the market. But I maintain that the farmer and stock raiser raises the animal for what it will bring in the market, should it be $20, $30, $40, $50, $75, or $100. He raises the animal for the money it will bring in the market, and it is for the buyer—let him be butcher, or whoever he may be—to look out and determine how much may be realized upon all the products of the animal. The buyer is in competition with other buyers, and in order to make an intelligent purchase he must know what he can make out of the animal, and he must realize all it costs with a reasonable profit added.

Mr. Chairman, I regard as equally unreasonable and absurd the further contention that when selling the animal the farmer and stock raiser realizes nothing for the hide—at least is not permitted to enjoy the benefit of the duty imposed and accorded by the Dingley bill—but that the packer, who buys and slaughters the animal, appropriates the advantage of the duty to himself. The contention of the advocates of this argument is that the price per pound is fixed upon the beef product, and that while the hide, as is now the situation, may bring several cents more per pound than the beef product, that the hide, when on the live animal, sells for just the same price per pound as the beef product of the animal. But, sir, this reasoning will not hold good; for, granting that the hide at times is worth much more per pound than the beef product of the animal, and that the animal, in gross or alive, brings just so much per hundredweight, regardless of the different component parts, how is it when we come to the cheaper portions or by-products of the animal—the hoofs, the horns, and other offals—some of which are of no value at all? If the live animal sells for 6 cents per pound, then, according to the reasoning of the tanners and the shoe manufacturers and those who indorse their proposition, the head, horns, hoofs, and tail, including even its bushy end, sell also for 6 cents per pound.

Mr. Chairman, they tell us no consideration is given to the value of the hide when a sale is being made by the cattle raiser, especially when a sale is being made to the packer; but, sir, *how can the hide be lost sight of by the buyer when he can see nothing else but the hide?* The hide, which is the outside of the animal, is all he can see. But what I wish to call attention to is, and it is very well known to every fairly well informed cattle

of the provisions of the Dingley bill when it was passed, but

raiser and cattle dealer, the fact that the hide is scrutinized closely, even upon the live animal, when a purchase is about to be made. If the hide bears even a light brand, the price of the animal is docked on that account; if it bears a deep brand, the animal is docked more than for a light brand; if the animal bears two or more brands, as is the case in many instances where it has been kept upon the range by different owners, then the price is docked additionally for the additional brand or brands. This is not only true of the packers; it is the practice of the experienced feeder. He docks the price of the animal because he knows when he sells it for slaughter that the hides of the carload of live animals he may sell will be scrutinized, and that a discount will be made for all the brands which they contain. Why, sir, to question that no consideration will be given to the hide in the purchase price of beef animals or "feeders" purchased for fattening is to question that business experience and business intelligence are not turned to account in this pursuit as well as in other business pursuits.

These two propositions, Mr. Chairman, I regard as equally fallacious and sophistical, and no such roundabout or circumlocution of reasoning as they employ would be necessary if their proposition had for its basis a solid or reasonable foundation.

Sir, they prescribe that they be permitted to buy what they consume upon a free-trade basis of prices and yet persevere in demanding a continuance of a duty upon their manufactures, that they may sell to the home producer and the home consumer upon a high or protective basis of prices. *Is this fair? Is this equality?*

Mr. Chairman, as to the question of fact whether the packers wrongfully deprive the cattle producer of the benefit of the duty upon hides, I do not feel sufficiently informed to justify my making any assertion as to this question. While this is an important question to farming interests, it is not necessary to a determination of the question under consideration; so far as the interests of the hide producer is concerned, he is entitled to the benefit of the duty, and it would not help him any that the benefit be transferred to tanners and shoe men, granting for argument that the packer wrongfully appropriates it.

REMEDY OFFERED.

But what remedy, Mr. Chairman, do the tanners and shoe manufacturers propose for the relief of the farmer and stock raiser from the alleged wrong inflicted upon him by the packer? They ought to offer a remedy for the wrong when they are advising the Congress. In my opinion, in this era of righteous warfare being waged against monopolies and trusts, they should invoke the enforcement of the remedial statutes provided against such wrongs, but if the law be inadequate to redress the wrong, then they should invoke of the Congress new legislation.

But they do neither of these, Mr. Chairman; in fact, they ask that the protective benefit which they allege the packer is wrongfully depriving the farmer and stock raiser of, that the Congress legislate not against the evil, not for the relief and redress of the farmer and stock raiser, but that the benefit so wrongfully obtained by the packer be transferred from him to the tanner and shoe manufacturer. This is the kind of relief: The benefit of the wrong alleged to be suffered by the farmer and stock raiser at the hands of the alleged avaricious packer is to be transferred to and become the legalized right of the tanner and shoe manufacturer. Thus, Mr. Chairman, the farmer and stock raiser are left to fight out their own battle with the packer, in a worse condition than we now find them; they are to be deprived of their lawful weapon, by which I mean the protection afforded them—the duty on hides accorded by the Dingley law. They are to be left to make this unequal contest with the great packers without being able to invoke the statutory right which they now enjoy. Is this the way the alleged grievance of the farmer and stock raiser should be redressed?

Mr. Chairman, I do not assume, nor do I believe, that the individual operators engaged in tanning and the manufacturing of shoes are all responsible for the demands being made by some of their representatives. On the contrary, I assume that they have delegated the task of looking after their interests in this revision to a committee or some individual, and that they have left to them or to the individual the grounds upon which their demands should be made. However this may be, I am unable to perceive how they can be permitted to claim that they are performing a public benefit by the remedy they offer. They are certainly not performing any of the public duties of citizenship when asking that the duty they seek shall inure to their direct benefit. As an example of self-sacrificing citizenship or patriotism, it reminds me of Patriot Artemus Ward, who, during the civil war, rather than to imperil his own corporosity by service in the army, generously offered to send all of his wife's relations to the front.

But, Mr. Chairman, if, as it is claimed by the proposals of the tanners and shoe manufacturers, that the packer wrongfully deprives the stock raiser of the benefit of the duty imposed upon hides by the Dingley bill, then, by analogy of the laws and customs of States and nations, if the right to which the seller of the animal is being deprived can not be restored to him personally it would not be transferred to an individual, but should go to the State or nation. This is the law governing the recovery of plunder and booty.

DEMAND UNTENABLE.

But, Mr. Chairman, the demand being made by the tanners and shoe manufacturers that hides be placed upon the free list is untenable, and, I may say, demurrable from a political and economic standpoint, upon the grounds upon which it is asked. Their demand is demurrable because it is made upon free-trade principles, and it is entitled to no consideration by the Republican or majority side of the House, for the Republican party is pledged—it pledged itself all over the country on the stump in the recent campaign—for a revision upon protective lines. The demand is untenable and demurrable as far as consideration to be given it by the Democratic or minority side of the House for the reason, as I have gathered it from the expressions of the minority leader and other members of the party, the minority favors a tariff which will afford a revenue adequate to defray the expenses of the Government, and in the demand made by the tanners and shoe manufacturers, tariff for revenue is given no consideration at all, for they are asking for unqualified free trade in hides, and this in total disregard that a large deficiency in our revenues already exists and is daily increasing. They are unwilling that their industries shall thus indirectly bear the small burden of taxation necessary to defray the expenses of the Government such as would result from a small duty upon hides.

In proof of my proposition that the demand is made upon free-trade principles, I cite the testimony of Davis P. Lease, of Lease & Co., incorporated tanners, of Philadelphia, Pa., found in pamphlet No. 20, first print, Ways and Means Tariff Hearings, of date Saturday, November 28, 1908, page 2406. Mr. Lease stated:

What we ask to-day is that the American tanners be put upon a level with the tanners of the world. We ask nothing more; we ask nothing less.

On page 2399 of the same pamphlet, I quote the testimony of Mr. Fred Vogle, jr., tanner, of Milwaukee, Wis., who, in answer to question propounded him from the distinguished gentleman from Illinois [Mr. BOUTELL], stated:

I think the ultimate effect would be that we would be on a fair world's price basis.

I read now from the Free Hide Text Book, published by the National Association of Tanners, which may be regarded as a brief filed by the tanners and shoe manufacturers in behalf of free hides. On page 23 they state:

As at present conducted, tanning hides into leather and manufacturing leather into boots and shoes are separate industries, but for the purpose of this article they may be considered as one. Together, they form a great industry. There is none in the United States which is naturally more capable of successful development. There is none which has been more impeded by the tariff. This great industry now calls loudly for a reduction of the tariff. Especially does it call for the abolition of the duty of 15 per cent imposed upon hides by the Dingley tariff of 1897.

NOT FOR BENEFIT OF PUBLIC.

Mr. Chairman, I say again the demand that hides be placed upon the free list is untenable, because it is not shown to be made in behalf of the interests of the public. I regret to say, on the contrary, that from the statements made by representatives of these great industries no benefit is likely to be derived by the public and rather that it is private benefit that is sought.

Mr. Chairman, upon this proposition I call as a witness Mr. Fred Vogel, jr., to whose statements or testimony I have already alluded. I read from pamphlet No. 20, first print, Tariff Hearings, pages 2398 and 2399, the witness being questioned by the gentleman from Illinois [Mr. BOUTELL]:

Mr. BOUTELL. In your opinion, would the packer be apt to make any reduction in the price of hides to the tanner if this duty were repealed?

Mr. VOGEL. No; I do not believe so. I believe it would affect all his hides the same as it did anybody else's.

Mr. BOUTELL. Then you could not furnish leather any cheaper to the jobbers or middlemen or the manufacturers of leather?

Mr. VOGEL. Not at the first instance; no.

Mr. Chairman, it is pertinent to inquire right here how it is, if the tanner is to appropriate to himself all the benefit to be derived by placing hides upon the free list, that the manufacturer of shoes is going to derive any benefit therefrom and going to be able to reduce the price of shoes in accordance with the duty taken off of hides? After depriving the cattle producer of the benefit of the duty, is there to be a contest between the

valorem that the Dingley law accords to hides. But, sir, the

cess, because they have been succeeding very well—of the tanning and shoe manufacturing industries.

animal, is all he can see. But what I wish to call attention to is, and it is very well known to every fairly well informed cattle

tanner and the shoe manufacturer as to which shall have it or as to a division? I read further from the testimony:

Mr. BOUTELL. And then the manufacturer of leather or the man who makes the shoe would not be in a position to sell his shoe any cheaper to the jobber in shoes?

Mr. VOGEL. Not to begin with; no, sir.

Mr. BOUTELL. And then, just to follow this up, the jobber in shoes naturally would not be able to sell any cheaper to the retail dealer?

Mr. VOGEL. Not if the situation is such as I expect at the first removal of the duty.

Mr. BOUTELL. Then, coming down to my friend, the man who buys a pair of shoes, he would not get them any cheaper?

Mr. VOGEL. I do not believe at first that that would be the effect.

Mr. MCCALL. I understand the witness has stated that that would be the effect at first.

Mr. BOUTELL. I am just coming to that.

We hope with a great many people, if this duty were repealed, that there would be some reduction in the price and that there would be some profit which we realize would be distributed, but that the retailer might have one benefit and that the purchaser of shoes might be able to get the shoes cheaper. What do you say with reference to the ultimate effect of the repeal of the duty, bearing in mind what you have said of the constantly increasing demand for hides?

Mr. VOGEL. I think the ultimate effect would be that we would be on a fair world's price basis. To-day the packer fixes the price. The supply in this country is short, and the buyer of American hides is absolutely cut off from exporting heavy hides—the sole-leather hides. He always has the 15 per cent as a wall before him. Before this duty was imposed, quite a proportion of exports in sole leather were packer hides tanned here by American tanners in competition with the best foreign hides. That trade has been gradually lost, and the only hide that can be exported to-day is one that has been imported.

Mr. BOUTELL. I take it from what you say with the extension of the cable and the world's demand for hides that there is substantially a world's market for hides?

Mr. VOGEL. Yes, sir.

Mr. BOUTELL. An international price for hides?

Mr. VOGEL. Yes, sir.

Mr. BOUTELL. And that if this duty were repealed the international demand for hides would, to a large extent, govern the price?

Mr. VOGEL. Yes, sir; regulate the price all over.

Mr. BOUTELL. What, then, do you think, in your best judgment, would be the final result of putting all our raw hides on the free list to the purchase of shoes? Can we look forward to any substantial reduction in the price of shoes to the individual purchaser?

Mr. VOGEL. I do not believe that hides, if the consumption goes on the way it has, will rule very much cheaper. I think we have reached a point where the hide supply of the world is a little short.

I read further from pages 2400 and 2401 of the same hearings:

Mr. BOUTELL. Would you think that free hides and a 15 per cent ad valorem on the finished leather would enable you to sell cheaper to the manufacturer and in that way furnish cheaper shoes to the ultimate consumer?

Mr. VOGEL. The profits in the leather business for the past twelve or thirteen years have been very moderate, and I do not believe under present conditions the tanners of the country could afford to reduce their prices.

Mr. BOUTELL. So that with free raw hides and with 15 per cent ad valorem on finished leather you do not see any immediate prospect of any substantial reduction in the price of shoes at retail?

Mr. VOGEL. I do not.

Questioned by the eminent gentleman from Massachusetts [Mr. MCCALL]:

Mr. MCCALL. Speaking of the price of hides now and prior to ten years ago, when the duty was imposed, and the increased price of hides in this country, is it not a fact that the foreign price of hides has also increased very much in that time?

Mr. VOGEL. Certainly.

Mr. MCCALL. With regard to the effect of the duty upon the tanning industry, in the long run do you not think that it would increase the cost of leather to the tanner?

Mr. VOGEL. Certainly.

Mr. MCCALL. Would not the removal of the duty in the long run have a tendency to decrease the cost?

Mr. VOGEL. It would eventually.

Upon page 2403, being questioned by the talented gentleman from New York [Mr. COCKRAN], the hearings further state:

Mr. COCKRAN. From the point of view of public policy and the general welfare, why is it you want hides placed upon the free list?

Mr. VOGEL. The main reason is that we are hampered by the great influence that the packer has on the tanning business.

Mr. COCKRAN. You are coming here to get relief from an inconvenience to yourself, and not apparently from any desire to advance the general welfare of Mr. BOUTELL'S friend and my friend, the ultimate consumer?

Mr. VOGEL. We believe that if you give us free hides, that would be the ultimate result.

Mr. COCKRAN. That is to say, you offer us a belief and you want the fact. You want free hides, and you offer our friend, the ultimate consumer, the possibility of a reduction. That is your position?

Mr. VOGEL. No one can foresee what the future will bring.

Mr. COCKRAN. Certainly. You relegate the ultimate consumer to the domain of speculation and hope, while you want to get the tangible and practical relief at once. That is your position?

Mr. VOGEL. We would like the relief at once.

Mr. Chairman, evidently this able manufacturer and business man believes in the adage that "a bird in the hand is worth two in the bush," and he would take his in his hand and let the cattle producer seek his in the bush.

Mr. Chairman, I respectfully submit that, fairly interpreted, the evidence quoted proves my proposition that no benefit would be derived by the consumer of the manufactures of leather, let it be shoes, harness, saddles, or what not, by the placing of hides upon the free list. I contend it proves also my proposition

that the benefit expected to be derived is the private business benefit to tanning and the manufacturing of shoes and other products of leather, and that this individual benefit, the direct benefit to be derived by these two great industries, is to be accomplished at the expense of the cattle raiser.

COMPETITION FOREIGN.

But, Mr. Chairman, this demand is untenable and illegitimate for another reason. It is untenable because it is asked for the purpose, as is stated by the witnesses, to enable them to compete for the trade of foreign nations. I have always understood the tariff policy to be a home policy, a policy employed for the purpose of building up home industries, for the purpose of home protection, for the purpose of home trade, and consequently home prosperity or prosperity attained at home. I have understood the end to be the protection of home labor, home producers, home manufacturers, and the home market. But here, Mr. Chairman, a demand is being made that agriculture, or the farmer and stock raiser, be deprived of the benefit of protection not for any home reason in a public sense, not for home trade or the results at home, but in behalf of the advantages of foreign trade for these two industries exclusively. The injustice of this demand is emphasized by the fact that coupled with it is a demand for the continuance of protection by the imposition of duties upon leather and shoes of which hides is the chief so-called "raw material."

Mr. Chairman, the demand contains a repudiation of the golden rule, because it asks the statutory privilege of buying at free-trade prices and selling at home at protective prices; it asks that the tanner may buy the hide of the farmer or stock raiser at free-trade prices and that the tanner and shoe manufacturer may sell back to the farmer or stock raiser the manufactures of the hides, perhaps the same hide, but maybe a Mexican hide, at protective prices, and yet to sell in foreign countries at free-trade prices. It asks that they be privileged to go into the markets of the world to buy the hides which they consume or else buy hides at home at South American or Mexican prices, while the advantage to be given tanning and shoe manufacturing may preclude this privilege to the farmer and stock raiser when buying of these industries the manufactures or products of hides. This, Mr. Chairman, would not be equalizing taxation as the title of the bill expresses its purpose to be; it would be unequalizing taxation as is now provided by the Dingley bill in the respects under discussion.

This demand, Mr. Chairman, reminds me of a story I heard when I was a boy, of the white man and the Indian going hunting together, as I infer, with but one gun, with the understanding that the game should be divided. They shot a wild turkey, and mistakenly shot, also, for a turkey a buzzard. When the time arrived to divide the game the white man, with generosity only apparent, offered the Indian that he might take his own choice by proposing to him the alternatives. I will take the turkey and you may take the buzzard, or you may take the buzzard and I will take the turkey. "No," says the Indian; "white man, you buzzard me all the time."

Sir, it seems plain to me that these two great industries are giving the farmer and the stock raiser the worst end of the proposition all the time.

RAW MATERIAL.

Mr. Chairman, it is argued by tanners and shoe men that no protection should be accorded the farmer and stock raiser as to hides for the reason that a hide is not a manufactured article. It is stated in the Free Hide Text-Book, published by the National Association of Tanners, November, 1908, a copy of which I presume was sent to every Congressman in behalf of the case they are trying to make, on the first page of the pamphlet:

The principle of protection can not be made to apply to hides, because they are not an article of manufacture made in response to demand, but result incidentally from the slaughter of cattle for food.

On page 11 of the pamphlet it states:

No one is engaged in the manufacture of hides. They are an incidental product of the butchering business. Cattle can not be raised for their hides.

In other places in the pamphlet statements are made to the same effect. Their contention is that no raw material which they use should be protected. I extract from near the bottom of page 25 of the pamphlet this statement:

A vicious tax upon raw material tends to nullify, in part, the great advantage which the country possesses for the production of leather and its manufacture into boots and shoes.

But, Mr. Chairman, what is raw material? I contend it depends wholly upon the circumstances of the case. With the shoe manufacturer the shoe completed is his finished product, while leather as he received it from the tanner is his raw material; with the tanner, the leather is his finished product, while

hides are his principal raw material; with the farmer and stock raiser, a herd of breeding cattle, the farm upon which he keeps them, the grass, the hay he cuts and feeds, the corn he raises and feeds the cattle, and all the labor he bestows upon the cattle in raising them—these are his raw material, or is the material upon which he works to produce and from which he produces the beef animal, his finished manufactured product. Why is not the money invested and the labor performed in this fundamental industry as worthy of protection, as worthy of the benefits of the policy of protection as the capital and labor employed in the manufacture of leather and of shoes? I can see no moral difference and contend that there should be no legal difference made by the Congress, and I maintain that a sound public policy will not sanction the discrimination between the two provided by the pending bill.

Mr. WEISSE. Will the gentleman yield to a question?

Mr. KINKAID of Nebraska. I yield to the gentleman from Wisconsin.

Mr. WEISSE. In 1893 the hide of every farm animal was worth $2, of an average of 50 pounds, and the animal was worth $15. In 1905 the farm animal was worth about the same; the hide about $6. In that case the farmer got $4 more for the hide while the packers gave the same for the beef. Do you not think the tanners have been better friends of the farmer than the packer?

Mr. KINKAID of Nebraska. Mr. Chairman, I will not take issue with the gentleman from Wisconsin, who is well informed upon the tanning business and informed upon the prices of things for a number of years. I understand him to be a very successful tanner and know him to be a first-rate Congressman from the Democratic standpoint. I will not take issue with him as to whether the tanners have been fairer or just as fair as the shoe manufacturers. That has nothing to do with the case. But I will say this, that in the arguments presented, so far as the benefit of the duty is concerned, a very strong effort is being made here to have hides placed upon the free list, and it looks to me—I do not mean in any unfavorable sense—that a combination exists between the tanners and the shoe manufacturers as to free hides.

Mr. Chairman, I have not looked up any statistics, and will not consume the valuable time of this House by making an exposé in detail of the cost of the raising of a beef animal; in fact, I am frank to say that I have not figured on the problem carefully, but I venture offhand the proposition that the cost of the labor required in the production, I may say manufacture, of a beef animal which will sell for from $50 to $75, will fully equal the cost of the labor required in the *manufacture* of leather and of shoes of an equal value. But it is not important for the sake of the argument whether this proposition shall be correct or not. What I contend for is that the labor which must necessarily be devoted to the raising of cattle is morally as well entitled to the benefit of protection as is the labor employed in the manufacture of leather or the manufacture of shoes. True, there was a time when we were agriculturists and not much else industrially, and a great necessity existed for the development of manufactures in order not only that our wants might be supplied, but that our industries might be diversified, and that was the principal reason why the policy of protection was inaugurated. But to-day, as admitted by tanners and shoe men, in fact, as they justly boast, their industries have become fully developed, essentially they are fully developed when they are the best in the world, and the consequence is that no more reason now exists for affording them protection than for affording the pursuit of agriculture protection.

NOT INFANT INDUSTRY.

Mr. Chairman, the fact is that tanning and the manufacturing of shoes in the United States is no longer an infant industry. The beneficence of protection has made these industries great—great at home, preeminent in the world.

Mr. Chairman, the further fact is that, like the military Alexander, tanners and shoe men are looking for more worlds to conquer. It is not *home* but *foreign* conquests which they seek. They have become alarmed, according to their testimony, at the progress being made, especially in England, in the manufacture of shoes. The achievements attained here in the United States in manufacture, especially of shoes, and the success they have gained in the sale of their shoes in foreign countries by reason of the production of good shoes and attractive shoes, the best fitting and the prettiest shoes that are made anywhere in the world, whereby for a time the American manufacturer of shoes paralyzed the foreign manufacturers by outselling the latter in their own homes; this has admonished, warned, the foreign manufacturers of shoes that they must carefully improve their methods or their business will be ruined by the ascendency of the American manufacturer.

Mr. Chairman, this very practical kind of a warning has had its effect, for it has already borne fruit, especially in England, where it is claimed that rapid progress has already been made by improved machinery and improved skill of workmen of the higher grades, so that it is granted by the American shoe manufacturer that England is now ready to make as good shoes as we make here.

I deem it pertinent to read here from the testimony of Mr. LEAS, found on page 2407 of the same Ways and Means pamphlet which I have heretofore quoted from. Questioned by the distinguished gentleman from Massachusetts [Mr. MCCALL]:

Mr. MCCALL. If you can export leather into the markets of the world, why can not you control the market of this country with no duty on leather, assuming that you had free hides?

Mr. LEAS. If there was a general level all over the world, except for one point, we would not care whether the duty was on leather or not. Since the days of Blaine, since his book was written, there has been a great change in the condition of things abroad. They not only have their cheap labor, but they have sent their experts over here and they have learned the skillful manner of making shoes. They have skilled workmen as foremen, and they have all the machinery we have, and they are beating to-day our manufacturers of shoes.

As remarkable as it may seem, Mr. Chairman, the incentive that prompts the demand now being made upon agriculture, upon the farmer and stock raiser, for a contribution, as it were, to the tanning and shoe-manufacturing industries, to enable them to successfully compete in England as well as other foreign countries, is the manufacture of shoes and other leather goods for the trade in these countries. I say remarkable as it may seem, because I regard it as very remarkable, for the reason that the demand carries with it a most radical departure from the policy of protection as heretofore understood and applied. What good will it do the farmer and stock raiser that leather and shoe manufacturers are outdoing similar manufacturers in foreign countries, outselling foreign manufacturers in their own countries and their own homes? It can not be contended that the cattle raiser will derive any direct or even indirect benefit from this trade in foreign countries, carried on on a free-trade price basis, and yet the purpose is to assess them in order that such a commercial conquest may be made feasible.

Mr. Chairman, I say godspeed to tanners and shoe manufacturers in their commercial conquests in foreign countries. Every American will be proud of their foreign as well as their home achievements; but I protest that it is not legitimate that such victories shall be attained at the expense of the farming and live-stock industry, without any compensation to the industry or to the public in general to be derived directly or remotely.

FOREIGN MARKETS FOR MEATS AND FARM PRODUCTS.

Mr. Chairman, while discussing foreign trade, it becomes pertinent for me to state right here that I regard it as most important to the interests of agriculture that the Congress look well to promoting the extension of markets in foreign countries for the sale of American beef, pork, and other farm products. Farmers do not ask that this be done at the expense of any other industry; all they ask is that they be accorded an even chance with manufacturing and other industries; but the industry of agriculture is not organized, as are the manufacturing industries, and the danger is that it will not receive due consideration, and it therefore behooves the membership representing agricultural districts to look well to these interests, most important to our prosperity.

MILLIONS INVESTED.

Tanners and shoe men call attention to the millions invested in their businesses and warn us that their success will be imperiled or ruined unless a reduction be made in the price of the raw material which they consume. While due consideration may properly be given to such a demand and warning, are we at the same time to forget that a greater number of millions—yes, billions—are invested in farming and stock raising, and a greater number of men employed therein? Are we not to keep in mind as well the safeguarding of the labor engaged and the capital invested in agriculture as that employed and invested in manufacturing? If either of the industries shall be given a preference over the other, agriculture should be the first, because, as was expressed by the great apostle of protection, the late William McKinley, the prosperity of the pursuit of agriculture is the foundation of the success of our other industries, and it is the fundamental industry of the United States, and upon its prosperity the prosperity of all the others must rest. This is the substance—I can not quote the exact language—of the great protectionist statesman.

INCREASED COST OF PRODUCTION.

Mr. Chairman, in behalf of the various industries which appeared before the Ways and Means Committee for the maintenance of a duty upon their products it was urged that the cost

of production had been greatly increased since the enactment of the Dingley bill, and in this connection I deem it very important to state that the cost of farm labor has increased correspondingly with the cost of labor employed in other industries. The percentage of its increase has been just as great as to the price of farm labor and other farm expenses as have been the increases in all other lines. In many instances which have come to my personal knowledge farmers have had to give up their farms because they could not, even at the high wages, secure enough labor. Besides the increased price of farm labor, farm values—the lands upon which cattle must be bred, grazed, raised, and fattened—have risen from 50 to 200 per cent or more since the enactment of the Dingley bill.

Mr. Chairman, as beneficial as it may be to our country that our manufacturers successfully dispose of their products in foreign countries, we can not reasonably expect that they can always monopolize the manufacturing business of the world. While we may to-day be in the van of industrial progress, we can not expect to forever maintain an ascendency for the sale of the products of our manufacturers in foreign countries, which are rapidly qualifying themselves just as well for successful manufacturing as Americans. We must expect that foreign countries also will protect and foster their home industries. We must be prepared for this. We must expect that England and Germany and France, in the respects in which they may be behind us, will strive to overtake us, and that they will succeed in many instances. We must expect the same, more or less, of other European countries. We must expect great progress, too, in the Orient by the Japanese and the Chinese. In the world's trade it will be the law of the survival of the fittest. This consideration, Mr. Chairman, makes it important that we look well to, that we safeguard our home market, our home industries, the interests of the home producer, and the home laborer, and that the higher standards of wages and living upon which our success and prosperity hitherto have been attained may be preserved and perpetuated.

Mr. Chairman, agriculture asks but "equality before the law." [Prolonged applause.]

Mr. LIVINGSTON. Mr. Chairman, the discussion of the Payne bill in a general way has extended over three weeks. I regret that the time thus consumed could not have been devoted to a discussion of the schedules under the five-minute rule. Much valuable information to the Members of the House and country could have been had in this way. The tariff bills in the past, as well as the one pending, having been purposely sealed books to the people and, I fear, largely to Congress. This bill when enacted into law will affect 90,000,000 people, with all that pertains to their welfare and well-being, every industry, enterprise, or business undertaking. The necessities, comforts, and luxuries within reach of the people of this great country will be affected for years to come by the terms of this bill. Why, then, Mr. Chairman, so much secrecy, such haste, so much partisan politics, such restrictions as in the rule adopted allowing only a few schedules open for discussion and amendments? Why not throw open to the House every schedule and invite a searching investigation, thus permitting each Representative to stand for what his convictions and constituency authorize and demand of him and at the same time assuming the responsibility for his actions? As it is now progressing, no one on this side of the House can be held responsible except for his vote on a few schedules, that by the grace of the majority we are permitted to cast on schedules designated under the rule. The tariff being a tax and paid by the ultimate consumer, those representing them on this floor should have every possible opportunity to see that they have a square deal. For this reason the Constitution limited the origin of measures raising revenue and disbursing revenue to the House of Representatives. What a farce this procedure is! Not two dozen Members have been allowed to participate in forming the bill; every possible obstacle thrown in the way of the people's representatives either to understand or participate in the final shaping of this bill!

The end will be as formerly—the bill will be railroaded through the House into the Senate, where a few New England Senators on the Finance Committee of long experience and large control will determine and present to the country what is known as the "Payne bill." The tariff being a tax for the support, or should be, of the Government, every citizen or combination of citizens should gladly and cheerfully contribute to that end, and would be far more willing to do so but for the reason that they know that taxes are and have been levied to build up and maintain classes and not for the general welfare, and that the classes in turn support and keep in power those that give them special favors in the tariff law. Thus, for many years, "You tickle me and I will tickle you" has been the rule, until to-day, and for years gone by, these favored classes have grown so strong that they absolutely dominate the schedules of tariff legislation in which they are directly interested, thus perpetuating their financial and commercial control of this country. Our people have in the past attributed all our ills that afflict the body politic first to one cause then another. The monetary system absorbed the attention of the country for many years, and upon this rock the old, stable, and historic party of Jefferson split in twain. Then came the cry that our railroad corporations had absorbed all the potential agencies of the country and must be dismantled. Then came the declaration from a thousand sources that the trouble was the effort and success, to a certain extent, of a Hamiltonian party under cover and disguised as the advance guard within the Republican party. We have seen the question of currency, with all its bitterness, division, and strife, calm down and practically die out, while the classes have gone on increasing in power and control.

We have seen political upheavals and millions of property sacrificed in the effort to limit, when possible, and dismantle when not able to control and regulate railroad combinations, and yet all this concentrated effort to quash and rid the country of this "Pandora's box," out of which all evils that afflict us sprung, is to-day attracting but little attention. Our railroads are recuperating and fast gaining back their losses, and yet the masses are left in the same helpless, restless, dissatisfied condition, clamoring for a square deal. The people have been harangued first with one cause then another until they have practically lost faith in their leaders, and are to-day at sea wondering if there is no "balm in Gilead," and is there no physician there. And now comes the new bugle blast from the same old source—we must have a tariff commission, we will never get relief from Congress. These lords of tariff since 1890 have felt secure in the House and Senate when in control of Republicans, and every effort with every possible agency has been employed to keep Congress in their control and well have they succeeded, and not until recently have they realized that there was real danger on this line. The people have long demanded relief, claiming that the Dingley bill was too high in its protected schedules; they have quieted these complaints with the promise to revise the tariff, and time after time have they failed to keep their promise, and last the task was undertaken and a complete failure drives them to the refuge of a commission. To increase their fears come warnings from the independent press of the country charging that the Payne bill had done nothing for the ultimate consumer; while they cried for bread a stone had been tendered them. While the Republican platform had favored and promised a revision of the tariff downward, and with the expectation of the consumer in their interest, we have the bill as it left the House, neither a revenue measure nor in the interest of the people, but the same old tariff bill for the classes.

The murmurings and dissatisfaction among the Senators only enhance their doubts as to their ability to conform the Payne bill to the demands of the favored class; and then, last, but not least, the President is understood to favor a bill in the interest of the people—a revision for revenue and downward. With the handwriting on the wall plainly indicating that a tariff measure in the interest of the people must sooner or later come, word was passed along the line, "Watchman, what of the night?" and the response comes from every section of the country, "We must look to some other source or method to hold our specific and class schedules in the tariff bill; we must have the Senate insert a clause authorizing a tariff commission," and the reason among others to be given is that only through a commission can the people get a square deal. What a farce. Is the stream supposed to be purer than the fountain? Is the servant supposed to be more merciful, considerate, and just than the master? Is it possible that an effort is to be made to fool the people with the hope of success if a commission is appointed by the powers that have for all these years legislated against the masses in favor of the classes and upon whom the party is absolutely dependent for its very existence? Suppose you that the commission will be different from the party; will there not be under any law authorizing the same a majority and a minority; will not the majority of that commission exercise the same high-handed lordship and exclude the minority from practical participation in the conclusions of the commission? What have the people to expect or gain by transferring this prerogative from Congress to a commission? If their delegates in Congress do not do their duty to their constituency, every two years at the polls they can be discharged. When, if a commission is established, will the people get a chance to call the commission to an account of their stewardship?

The simultaneous cry for a tariff commission both from manufacturers, merchants, and certain classes of consumers would seem to indicate a belief that a tariff commission would accomplish reforms, reductions, and equalizations where Congress

has failed; that a limited number of economic experts independent of political parties, unhampered either by their tradition or selfishness, would reach a result in the interest of the Treasury and of the consumer. Theoretically this method of supplanting Congress in its supreme function of raising the taxes for the support of the Government would seem to promise well, if there was no history from which a different result could be predicted.

Germany appointed a tariff commission of 20 members, who were engaged for five years in framing a bill in the interest of revenue primarily and the equalization of the burden of taxation on the consumer. This report was made to the Reichstag in 1902, when the new tariff bill for the German Empire was adopted. And to-day a crisis impends in the financial affairs of the Empire, and the Government is confronted with the necessity of raising an additional annual revenue of $125,000,000 as the result of the practical operation of a tariff system so decidedly protective as to disappoint the country and its revenue-producing power. And it is interesting to note that the interests most largely benefited by the present protective schedules are demanding that the additional revenue shall be raised from new and domestic sources—from taxes on gas and electricity, newspaper advertisements, government monopoly of the manufacture and sale of spirits, and increase of tobacco, beer, and wine taxes. In other words, when the protective principle has fastened itself upon the Government, rather than surrender its benefits by equitable revision, it suggests and devises new sources of revenue to be contributed by the consumer.

It may be well to ask whether a tariff commission would prove a more efficient remedy in the United States than in Germany.

Again, the present French tariff law passed in 1892, highly protective in its character, has worked a financial crisis in that Republic resulting in a popular agitation for tariff revision, and here the remedy was the creation of a customs commission in 1906 which should investigate the subject of tariff revision. A commission of 17 members was accordingly created and has made its report so pronounced in its protectionism as to forereach and disappoint the protectionists themselves. The French treasury is confronted with a deficit of practically $100,000,000, and the recommendations of her tariff commission not only offer no relief from increased importations, but threaten through retaliation destruction of the great and valuable export trade of France.

England, where free trade has been the rule since the days of Cobden, has appointed a tariff commission of 52 members to investigate the proposals of Mr. Joseph Chamberlain for protective tariff, and their deliberations have advanced to the point of recommending protection as a means of meeting the deficiency of the country's revenues.

These are examples of the results to be expected from tariff commissions. These commissions are in existence to-day, and are the creation of the oldest, wisest, and strongest of the governments of the Old World. They prove incontestably that the tendency of commissions is to fasten the protective system on the government, and under color of disinterestedness of patient hearings and expert knowledge that their recommendations are true economic wisdom.

I repeat that this demand in the United States for a tariff commission is not in the interest of the masses of the people. The power of the protected interest will prove as irresistible in America as in France, in Germany, and in England. The human nature of the American commission will not prove more resistant to selfish appeal than the European commissions.

The interest of the masses lies in their representatives, and to delegate their power on this important subject of taxation is to fasten their burden irremovably upon them.

"Concentrated power in the hands of a few and as far removed from the people as possible" is the motto of the powers that be. I beg of the people to guard well this point, an absolute guaranty to a government by the people and for the people. Let the functions and division of powers of government stand as our fathers gave them to us: Legislative, judicial, and executive, each confined to its sphere and each held responsible to the sovereigns—the people—for the administration of government through their only source of restraint—the ballot.

There is no legislation of so much importance to the people as the tariff bill. Let me write in the tariff schedules and I will control the finances of the country. Give me control of the tariff bill and the finances, and what is left that I will not control?

As I object to a tariff commission, it will be expected of me to suggest a better method to meet the complaint of what is denominated the "business class" to having tariff changes that derange and upset business plans and business calculations.

I beg to submit that the Ways and Means Committee of the House and the Finance Committee of the Senate should keep open doors during each session of Congress and be required, by amendments or changes, to keep the schedules of the tariff bill in touch with the conditions of the revenue, needed to cover all disbursements or appropriations, increasing or decreasing duties as conditions may demand. The whole committee in both Houses should be required to be present and participate and share the responsibility of results. Under this plan only a few schedules would be changed each session and no fear of a general derangement of business would exist.

These great committees, kept at work in this way, would soon be able to comprehend and digest all conditions affecting the raising of revenue. [Loud applause.]

Mr. ADAIR. Mr. Chairman, I shall enter upon a discussion of the Payne tariff bill without political prejudice, and what I shall say will be based upon a sincere conviction that my position is a correct one. The tariff question is not, and should not be, a political question. It is purely a business proposition and should be considered from a business standpoint. So far as I am concerned, I have no ax to grind or no special interest to serve. I am trying to honestly represent all the varied interests, the producers, the wage-earners, and the consumers of the country. I speak for the plain people and ask such legislation as will bring the greatest good to the greatest number. In the consideration of this bill I insist upon equal rights to all and special privileges to none. If we will live up to that doctrine we will materially advance the interests of this, the greatest and best Nation the sun ever shown upon.

Mr. Chairman, I am here representing, I believe, the second largest congressional district in point of population in the United States, a district whose reputation for both agriculture and manufacturing is known throughout the length and breadth of this broad universe. I doubt if any district in the Union has grown so rapidly during the past ten years in both wealth and population as the Eighth District of Indiana. The farmers are intelligent, industrious, and prosperous; the manufacturers, merchants, and laborers are honest, enterprising, and progressive, and none of them asks anything at our hands, except absolute justice, and that I am determined they shall have. I never was so proud of that district as I am to-day. During the preparation and consideration of the Payne tariff bill, not a single manufacturer from the great industries of my district has lobbied the Ways and Means Committee or the membership of the House for a prohibitive duty on the products they produce. All they ask, and all I ask for them, is a square deal, and they will show you such progress as will win the admiration of the whole country.

Mr. Chairman, we are compelled to raise revenue, and it must be raised by tariff taxation. The expenses of the Government have grown so large that the revenues derived under the Dingley bill are no longer adequate to meet the demands made upon them. There is now a deficit in the Government Treasury of $80,000,000, and President Taft informs us that it will exceed $100,000,000 before the close of the fiscal year. This enormous increase of expenditures is partially due to the creation of new offices and the unwarranted raise of salaries. During the Sixtieth Congress there were over 8,000 new offices created, and the raise of salaries, together with the salaries of the new officers, amounted to $29,862,846.38. In this connection I want to state that I voted against the creation of all these new offices, and also voted against each and every raise of salary, and this increase of $29,862,846 in our expenditures can not be charged to me.

It is not only necessary to revise the tariff for the relief of the Government Treasury, but it is also necessary for the relief of the American people. Under the prohibitive duties of the Dingley bill great trusts and combinations have sprung up, and at this time it is just as important to protect the people against the imposition and extortion by trusts and monopolies in our own country as it is to protect honest and legitimate industries from disastrous foreign competition.

There are many provisions in the Payne bill with which I heartily agree, while there are many others with which I do not agree. Some of the duties fixed on the luxuries are entirely too low, while others on the necessities of life are entirely too high. I am certain the people will not indorse the bill as a whole, by reason of the fact that the average duty of the Payne bill is higher than the average duty of the Dingley bill.

The people of the country have been demanding with great earnestness revision of the tariff, and in making that demand they were insisting upon a revision downward, and not upward. I believe practically everybody understood when this special session was called for a revision of the tariff that the schedules

were to be lowered and not raised. Inasmuch as a revision downward is expected, I can not support the Payne bill in its present form. If the bill is taken up under the five-minute rule, and is thrown open for amendment, I shall support such items in the bill as I believe to be in keeping with the demands of the people, and shall make a vigorous effort to amend those schedules which I am sure are entirely too high and have been placed in the bill at the request of the special interests to the detriment of the consuming public.

Before I take up the discussion of certain items of the bill I want to state to the membership of the House, and especially to the constituency I represent, my position with reference to the tariff question: First, I never have been and am not now in favor of "free trade;" such a policy is neither practical nor possible under our form of government. Second, I never have been and am not now in favor of what is known as a "high protective tariff;" such a policy breeds gigantic trusts and monopolies and makes it possible for them to take an undue advantage of the American consumer. Third, I believe in a tariff for revenue, so levied as to give protection to the American manufacturer where it is needed and enable him to pay good wages to American workmen. Fourth, I believe there should be no duty levied on any article manufactured in the United States at a less cost, after paying liberal wages to labor, than the same article can be manufactured in any other country in the world. Fifth, I believe when an article can be successfully manufactured in the United States, but not at as low a cost as the same article is manufactured in foreign countries, there should be a duty levied sufficiently high to cover the difference in the cost of manufacture between this and other countries, plus cost of transportation charges; a duty in excess of this amount is unnecessary and unjustifiable. Sixth, I am in favor of lowering the tax on the necessities of life consumed by the masses and increasing it on the luxuries consumed by the rich.

Now, Mr. Chairman, with this brief statement of my position upon the tariff question, I want to take up the discussion of a few items in the proposed bill.

DUTY ON SUGAR.

With reference to sugar, I want to say that I am unalterably opposed to the duties fixed by the Payne bill. It is one of the necessities of life which is consumed by every man, woman, and child in the country. The wealthy individual uses but little more than the poor man; hence the burden of the tariff taxation on sugar rests just as heavy on the poor as it does on the rich.

I contend that it is one of the necessities of life, and should be furnished the people at the lowest possible cost. The tariff on sugar has traditionally been the principal revenue-producing feature of tariff bills. This, however, has not been true because there was nothing else to levy a duty on for the production of revenue, but it has been true because one of the most powerful lobbies—backed by one of the greatest trusts the country has ever known—has been constantly on guard to see that the special privilege or license they enjoy to rob and plunder the people is not repealed or curtailed.

Let us see for a moment what the maintenance of the tariff on sugar costs the people of the United States. For the year ending June 30, 1906, the imports of sugar into this country aggregated 3,726,201 pounds. On this amount of sugar imported the duty collected was $52,232,041. The trust paid for that sugar in foreign markets where it was purchased the sum of $85,022,631. This added to the duty paid made it cost the trust, laid down in this country, $137,254,672.

Now, let us see what the trust charged the American people for this same sugar. According to the Bureau of Statistics the average price of sugar in New York wholesale market was $4.96 per hundred pounds. A simple operation in multiplication develops the fact that the wholesale price of the entire amount of sugar imported was $181,125,523. Thus it will be seen that the American people paid the enormous profit to the trust of $43,870,851, and also paid the tariff, amounting to $52,232,041. Therefore it cost the consumer $181,125,523 to buy the sugar which originally cost the trust $85,022,632.

If this is not robbery pure and simple I want to know what you call it. Why should the American people be annually robbed of this vast sum of money. Millions taken out of the pockets of the common people in order that a heartless trust may pay enormous dividends. It is no longer contended that the tariff is not a tax, but every sensible person knows and admits that it adds to the cost of the product. It is an easy matter to show what sugar costs in this and other countries, and to prove that the consumer pays the tax.

In 1908 the average price of sugar in the London wholesale market was $2.70 per hundred pounds, while in New York it was $4.96 per hundred pounds. Thus it will be observed that the price in New York was nearly double what it was in London. Now, let us see what makes up that difference. If the sugar imported into the United States had not cost any more than a like amount of sugar imported into London, the total imports for the year would have been worth, wholesale price, $100,611,158. Instead of this amount, at the average price for the year it was $181,125,523. That leaves a difference of $80,514,365, which must necessarily have come out of the consumer. Let us see what the consumer gets in return for such an enormous contribution.

In the first place, he contributed to the revenue of the country $52,232,041. The balance of the sum mentioned evidently went to the sugar trust. This great trust has been for years supported by the tariff. No one contends that it is a home industry. Its manufacture of sugar in the United States amounts to but little. It is slightly interested in the beet-sugar development of the West, but it is known to all men that it maintains this interest not with the view of large developments, but for the sole purpose of protection by suppression. It is not intended that the sugar beet shall grow in large enough quantities to develop into a large enough industry to menace the trust's refining monopoly. So the trust goes into the beet-sugar business and keeps the development of that industry within certain limits in order that it may make sure that competition shall not be too serious. Then it insists upon protection for the beet-sugar industry, which is conceded by all to be controlled by them expressly for the purpose of suppression, and, up to this time, it seems they have had no trouble in getting it.

Our protection of sugar in this country has added $80,000,000 to its annual cost. Not only that, but it transfers to Great Britain the great industry of making jellies, preserves, jams, and many other articles in which sugar is used as a basis, because England has the cheap sugar. Protection has made the sugar trust possible and powerful. It enables the trust to go into the beet-sugar industry and stifle that business while pretending to promote it. It has made it possible for the trust to earn dividends which any fair-minded man would concede was next to robbery. It has paid in a single year 22 per cent, in addition to the accumulation of a tremendous surplus. In fact, the business has been so profitable that annual statements have not been made for publication, and the only statements it permits to get before the public are merely jumbles of figures that serve only the vague purpose of letting the country know what a good thing sugar is, without giving any definite information.

Now, Mr. Chairman, what does this bill under consideration propose for the relief of the great consuming public? Does it propose to save the people millions of dollars by the reduction or the elimination of the duty on sugar, or does it continue the special privilege now enjoyed by the sugar trust, by which and through which the people's pockets have been rifled for the benefit of the stockholders of the most powerful trust this country has ever known?

We find on examination of the Payne bill that the sugar trust is tenderly cared for, as practically all of the present duty is retained in the bill. The Dingley bill provides a duty of 1.95 and this bill a duty of 1.90, a slight reduction of five one-hundredths of 1 per cent per pound on refined sugar. This slight reduction amounts to practically nothing, does not afford the people the relief to which they are entitled, and will not curb the sugar trust in its delightful privilege and practice of imposing an extortion on the people.

Mr. Chairman, I can not conscientiously support this provision of the bill, and under no consideration will I vote to continue the present high duty on sugar for the benefit of the sugar trust and to the detriment of the consuming public. Why not increase the duty on champagne and imported wines and greatly reduce the duty on sugar? Champagne is consumed by the rich, and an increase of duty will not lessen the amount used, as the millionaire does not care whether it costs $5 per quart or more. If he wants it, he will buy it regardless of cost. Strange as it may seem, this bill taxes the necessities of life consumed by the men who toil in the factories and on the farms much higher than the luxuries consumed by the rich; this is not fair, and I protest against it.

COFFEE SHOULD BE ON THE FREE LIST.

Now, Mr. Chairman, I want to take up the item of coffee. In taking up the discussion of this question I want to say to begin with that I am just as strenuously opposed to a duty on this necessity of life as I am to a duty on sugar. And the same is also true of tea, which I shall reach later. The fact is, I am not in favor of taxing the breakfast table by increasing the cost of foods and drinks required by the consuming public. I believe there is a more equitable way of raising the revenue necessary to meet the running expenses of our Government.

In the first place, the duty on coffee is of no value to any American industry. The United States produces no coffee whatever. It can not be argued that it will stimulate American industry or furnish employment for American labor. The only effect it can have and does have is to raise the revenue by increasing the cost of one of the necessities of life and by so doing work a hardship on the common people. I find upon investigation that the facts in relation to the coffee business are as follows:

In 1908 there was imported into this country 7,100,000 bags, nearly 83 per cent of which came from Brazil. Two-thirds of this was shipped from the port of Santos and the other one-third from the port of Rio. A very small quantity came from the Brazilian ports of Victoria and Bahia.

The state governments of Brazil impose an ad valorem export tax of 9 per cent upon all coffee. This is equal to about seven-tenths of a cent per pound. Upon all coffee shipped from the port of Santos there is also imposed an export tax, known as "surtax," of 5 francs ($1 American) per bag of 132 pounds. This is equal to about nine-tenths of a cent per pound. Upon all coffee shipped from the port of Rio there is imposed an export tax, known as "surtax," of 3 francs (60 cents American) per bag of 132 pounds. This is equal to about six-tenths of a cent per pound. In addition to all of the above taxes, the São Paula government imposes 20 per cent ad valorem as an export tax upon every bag of coffee in excess of 9,000,000 bags shipped this year up to July 1. As the full quota has already gone out, any further shipments will be under this additional tax. Next year the same rule applies after 9,500,000 bags have been shipped.

Under the above laws the 5,900,000 bags of coffee coming into the United States from the port of Santos in 1908 paid export taxes of seven-tenths cent plus nine-tenths cent; in all, 1.6 cents per pound, equal to $2.01 per bag. Total amount of export taxes paid, $7,839,000 (Santos).

The 2,000,000 bags of coffee coming to the United States in 1908 from the port of Rio paid, under the above requirements, export taxes of seven-tenths cent plus six-tenths cent; in all, 1.3 cents per pound, equal to $1.71 per bag. Total amount of export taxes, $3,420,000 (Rio).

This is taking no account of any possible addition under the 20 per cent export tax upon excess coffee shipped from Santos, since as yet we have no data concerning the extra shipments. The export taxes which we know were paid upon the 5,900,000 bags of coffee shipped from Brazil into the United States in 1908 amounted to the sum of $11,259,000.

Under paragraph 533 in the proposed tariff act coffee brought into the United States from Brazil will pay an import duty or tax equal to the export tax; so if we bring in the same quantity of coffee this year as last, the consumers in this country must pay at least $11,259,000 more for it than they paid last year.

Is this free coffee? Figuring the average cost of green coffee at 7 cents per pound, this means a duty of 21 per cent. It is argued that this "countervailing" duty—that is, a duty imposed against Brazilian coffee as a penalty, because it imposes an export duty—will force the General Government of Brazil to remove the same, so that in the end the United States will receive its coffee free of both export and import duties and thus be benefited. As a theory this is most attractive, but when the facts are known the theory fails.

In December, 1908, São Paulo issued $75,000,000 ten-year bonds, the returns from which were used to purchase certain coffee by the Government in an effort to sustain its home coffee markets. The quantity of coffee thus purchased—more than 7,000,000 bags, known as "valorization" coffee—was pledged as security for these bonds, and the Government has also pledged the income from the 5-franc surtax upon all coffee shipped out of the port of Santos to pay the interest upon this $75,000,000 issue of bonds and to create a sinking fund, which arrangement was guaranteed by the Federal Government of Brazil.

No matter how great a "countervailing" or "retaliatory" duty the United States may see fit to impose, it can not force the removal of the Brazilian export duties, since the above duties are pledged to sustain the national credit of that country and must continue until by the sale of the 7,000,000 bags of "valorization" coffee the ten-year bonds are paid. As the attempt of the Brazilian Government to sustain the market price of its coffee must depend upon holding the 7,000,000 bags until it can be sold without depressing the coffee industry—that is, only on a high market—another serious danger threatens the United States if the present tariff act becomes a law.

About 2,000,000 bags of this "valorization" coffee are now stored in this country and the balance in Europe. The duty suggested in the Payne bill has already caused the price of coffee in this country to advance fully 2 cents per pound. If the suggested duty becomes a law, it will enable Brazil to at once sell its holding here—2,000,000 bags—without any benefit to the United States Treasury, and to the injury of the American consumer to the amount of the added duty, at least $4,000,000.

It would also result in permitting all the "valorization" coffee—5,000,000 bags—now stored in Europe to come in here free, as there is no export duty out of Europe, and in that case the 5,000,000 bags would be sold at the higher price, again without any benefit to the United States Treasury, but to the injury of the American consumer to the full amount of the added duty, at least $10,000,000. Although the terms of Brazil's bond issue provide that a certain quantity of "valorization" coffee be sold each year, this does not prevent the sale of all of it if a satisfactory price can be obtained.

In addition to all "valorization" coffee there is also held by private interests in this country more than 2,000,000 bags of coffee. This would also gain the benefit of the advance cost by the duty, and the supply from all of these different sources would be more coffee than the United States can use in a year.

It is therefore an inevitable conclusion that if the present paragraph 533 in the Payne bill becomes a law the following results will follow:

First, the United States consumer will pay more than 2 cents a pound for every pound of coffee consumed as a direct tax; second, the United States consumer will pay a sum exceeding $18,000,000, not to the United States Treasury, but to the treasury of Brazil and to the speculative interests which control the stocks of coffee now in this country and Europe; third, the injustice of such a duty will arouse the antagonism of the Nation.

I therefore believe, Mr. Chairman, that Congress will make a serious mistake if paragraph 533 is not stricken out of the Payne bill. Coffee should be placed on the free list, and the "countervailing" duty, or what is generally known as the "coffee joker," should go out of the bill.

SHOULD BE NO DUTY ON TEA.

Now, I want to take up for a moment the subject of tea. Under the Dingley bill tea comes in free of duty, while under this bill it is taxed 8 and 9 cents per pound. It is estimated that this proposed duty on tea will yield an annual revenue of $8,000,000. Now, who pays this vast sum of money? I contend that 90 per cent of it is paid by the poorer people who use the cheaper grades of tea. It has never been contended that tea is a luxury, but has always been classed with the necessities.

There are a vast number of tea drinkers as well as coffee drinkers, and when you increase the cost of tea 9 cents per pound you increase the cost of living of over 5,000,000 families of our population.

There is no justification for this tax except that it will produce revenue. It is not claimed that it is a duty for protection, and a duty for revenue should never be levied upon the necessities of the poor, but if at all upon the luxuries of the rich. It can not be claimed that it will encourage an infant industry or furnish employment to American labor, as this country is not a tea-producing country.

I contend that there are other ways of raising revenue more justifiable than by placing a duty on tea. Like sugar and coffee, it should be placed on the free list in the interest of the American home and the American workingman.

So far as I am concerned, I shall oppose any duty on either tea or coffee or any other necessity of life not produced in this country, and on the necessities we do produce I do not favor a tax higher than the difference in the cost of production between this and other countries plus the cost of transportation.

I am in favor of raising the tax on the luxuries and lowering it on the necessities. It seems to me it would have been better to increase the duty on diamonds rather than lay a duty on coffee, tea, and sugar. Under this bill uncut diamonds come in free, while cut diamonds pay only 10 per cent. Think of it, under the provisions of this bill the necessities of life pay a duty of from 25 per cent to 100 per cent, while such luxuries as diamonds pay but 10 per cent. Is it any wonder the rank and file of our population are dissatisfied? They have a right to be. They are not getting a square deal, and they know it. I say increase the tax on diamonds and all luxuries of that class 100 per cent and keep it off the poor man's breakfast table.

HOSIERY AND GLOVES.

Now, Mr. Chairman, I want to discuss for a few moments the exceedingly high rate of duty levied on hosiery and gloves. My attention has been called to the excessive duties on these necessities of life by a large number of the retail merchants, not only of my district, but from all over the country, who are vigorously protesting against the provisions of the Payne bill on these items.

I have stated that hosiery and gloves are necessities, and I am sure since the death of the Hon. Jerry Simpson, of Kansas, no one will take issue with me on that assertion. There is no question but what the rates fixed by the Dingley bill have been sufficiently high to afford ample protection to the manufacturers and a very liberal scale of wages to their employees. In fact, it is so high that it has created a monopoly in this branch of manufacturing, and has enabled a few men to pile up colossal fortunes off the sweat and toil of the plundered masses.

The special privilege they have enjoyed under the Dingley bill has only tended to increase their avariciousness, and now they are asking through this bill for a still further increase of duties that they may not only continue but may increase their exploitation of the people.

An attempt has been made by the manufacturers of hosiery to convey the impression that the business is not prosperous, that its condition is not satisfactory, and that a higher rate of duty than that fixed by the Dingley bill is needed to put the business in a prosperous condition. This statement is positively at variance with the fact, as practically all of the hosiery mills are working full time, and with a full complement of help. Every industry has been affected by the recent depression, but to ascribe dullness in the hosiery trade to insufficient protection, is an evidence either of an attempt to deceive, by taking advantage of a temporary calamity, to prove a general condition, or it is a manifestation of inexcusable weakness that deserves the contempt and opposition of every fair-minded citizen in the land.

The Dingley bill gives the American manufacturers an advantage of about 65 per cent over the foreigner, and yet they ask for an increase of 20 per cent more, without assigning any plausible reason for the additional increase. Under the present law the production of hosiery in the United States increased between 1900 and 1905, 60 per cent, as shown by the government census. It is also shown that the manufacture of men's half hose increased 58 per cent in five years, and that ladies' and children's hosiery increased 61 per cent from 1900 to 1905.

These facts do not indicate that the hosiery business is in a deplorable condition and deserves a higher duty. No one would contend that an industry would thrive and increase at such a rate without being profitable to those engaged in it. It will be noted that during the last ten years there has been scarcely no increase whatever in the amount of hosiery imported, while the output of the American manufacturers has increased over 60 per cent. It is shown by the census reports that the amount of foreign hosiery used in the United States has decreased during the past five years. The fact is the American manufacturers of domestic hosiery are getting entire control of the business, and the rapidity of their growth is within itself indisputable evidence that the tariff fixed by the Dingley bill is more than ample, and that any increase would be government favoritism at the expense of the people.

Now, Mr. Chairman, I think these facts show conclusively that the rates fixed on hosiery in this bill are entirely too high, and I trust the membership of this House will join me in an effort to reduce the duty on hosiery to such a point as will do full justice to both the manufacturer and the consumer.

And the same thing is true of gloves. The rates fixed in this bill are as unreasonable, unjustifiable, and outrageous as the duties fixed on hosiery. Foreign gloves would be entirely excluded and the American manufacturer would have a complete monopoly.

The census reports show that domestic manufacturers now have 75 per cent of the American market, and the 25 per cent they do not have consists largely in a class or grade of gloves our manufacturers can not make.

Yet, notwithstanding this fact, the Payne bill provides an increase of duty as follows: On Schmaschen gloves, from 128 per cent to 390 per cent; on lamb gloves, from 60 per cent to 200 per cent; on kid gloves, from 33 per cent to 184 per cent. If these duties are enacted into law, a great additional burden will fall upon the American people, and a few manufacturers will enrich themselves from the public purse.

I contend, Mr. Chairman, that it is nothing short of an outrage to tax every man and woman in the country who wear gloves and hosiery for the benefit of a few highly protected manufacturers. Such duties will yield no revenue to the Government, will not increase the wages of a single laborer, but will add millions to the coffers of the already rich. I am opposed to such an outrage upon the people and shall never vote for it.

WOOLEN SCHEDULES THE MOST WICKED OF ALL.

Mr. Chairman, it is freely admitted that the woolen schedules of the Dingley bill were the most vicious of all the schedules of that bill, but lo and behold! the woolen schedules of the Payne bill are infinitely worse and more oppressive than the same schedules of the present law. It has been contended that these high duties were levied in the Dingley bill for the benefit of American labor, and this contention is always made to cover up and conceal the real purpose of those who seek special privileges at the hands of the Government.

Now, Mr. Chairman, I propose to show that labor does not receive the benefit of this high duty, but that the result has been the creation of one of the most powerful trusts known in this country to-day, a trust that is taking out of the pockets of the people on one item of clothing alone a clear profit of $82 for every dollar that goes into the Government Treasury in the way of revenue. There was produced in the United States in 1905 $767,210,990 worth of manufactured woolen goods. We exported in that year, as shown by the manufacturers' report, $1,786,240, leaving for home consumption $765,424,759. Now, the average protection under the Dingley bill was 90 per cent, and on this basis of protection the value of these goods in foreign markets would have been only $404,651,368. This shows that the protection on woolen goods produced by us in one year amounted to the enormous sum of $362,569,622.

Now, for the sake of the argument, let us say that the American laborer gets twice the wages the foreign laborer gets—and this estimate, I am sure, is entirely too high, but it is in line with the contention of the manufacturer, who bases his demand for high duties on the ground that the labor cost in the American mills is so much greater than in foreign countries. Statistics show that American labor was paid in 1905 for the manufacture of the $767,210,990 worth of woolen goods the sum of $135,069,063. Now, assuming that we pay double the wages paid by foreign manufacturers, their labor cost on the same amount of goods would have been $67,534,000. Take this from the $362,569,622 of protection afforded under the Dingley bill and you find we have a protection over and above what it costs to manufacture these goods in foreign markets of $295,023,031. In other words, if the American consumer bought his woolen goods in the open market he would save $295,000,000 annually.

Do not understand me as expressing the desire that the American consumer buy his supply of woolen goods of foreign manufacturers. There is no Member of this House more deeply interested in the success and growth of American industries than myself. I want the woolen mills of this country to produce all the woolen goods consumed by our people, and I want the tariff so adjusted that they may enjoy a liberal and reasonable profit upon their investment and also enable them to pay good wages to their employees. But, Mr. Chairman, I am unalterably opposed to a rate of duty so high as to exclude all foreign competition and confer upon a heartless trust the privilege of extracting from the pockets of the already overburdened consumer the enormous sum of $290,000,000 annually. The woolen schedules fixed in this bill are an outrage upon the farmers, laborers, merchants, mechanics, and, in fact, our entire population. Every patriotic American citizen is ready and willing to contribute his part and share toward paying the running expenses of this Government, economically administered, and in justice to the 300,000 patriotic citizens I have the honor to represent, as well as those represented by other Members of the House, I ask in justice to them that the woolen schedules be lowered, to the end that full justice be done both the manufacturer and the consumer.

LUMBER DUTY SHOULD BE REPEALED.

Now, Mr. Chairman, I want to discuss briefly the proposed duty on lumber, and in connection with this question I desire to say that it is extremely gratifying to me to observe the very general protest coming from all parts of the country against the retention of that duty. At the first session of the Sixtieth Congress I introduced a bill to repeal the duty on lumber, and during that session I made a speech advocating its passage, but the bill died in the hands of the Ways and Means Committee. I believe, however, the effort I made at that time contributed in at least a slight degree to the almost unanimous demand now coming from the great bulk of our population, the people of the great central valley, the farmers and those interested in farming, and the consuming millions of the East, for a repeal of the duty on lumber.

These demands are not only coming from the consumers, but they are also coming from the retailers of lumber, whose profits have been lowered and whose sales have been decreased by the almost prohibitive price of material. Prices have gone so high that the retailer is embarrassed in asking a decent profit, has been selling his lumber to the consumer on a very narrow margin, and has suffered along with the consumer, while the producer has made enormous profits under the prohibitive duties of the Dingley bill.

I must confess, Mr. Chairman, that the greatest suprise to me in the Payne bill was the proposed duty on lumber, and this, too, in the face of an almost universal demand for its repeal coming from all sections of the country. Only a short time ago the legislature of the State of Ohio passed a resolution calling on the Members of Congress from that State to vote in favor of the repeal of the duty on lumber, and the same is true of other States.

I have now in my possession newspaper clippings from nearly every leading newspaper in the country advocating the repeal of this duty. Who is it, I ask, wants the duty on lumber retained? Nobody except those who own a large acreage of timber lands, either in the South or West. There may be occasionally a few owners of small tracts of timber, but they are at the mercy of the few who own millions of acres and with whom they can not compete, and will not be materially affected, no matter whether the tariff is repealed or retained. In this connection I will state, without fear of successful contradiction, that one of the most powerful lobbies ever witnessed in the city of Washington has been maintained during the past winter in the interest of a tariff on lumber. Members have been wined and dined, and the beneficiaries of the system have pictured with tears in their eyes the great disaster that will befall them if the duty is repealed.

The fact is, Mr. Chairman, our forests are dwindling, and unless we discard entirely all available statistics, we must confess that the future supply of timber is very much limited. In the meantime the price of lumber soars ever higher and higher and the value of timber holdings advances with leaps and bounds. Canada has vast forest resources, on which we can draw, both to the relief of our forests and to the benefit of our consumers. But the great lumber producers, after all their years of prosperity, having made millions out of the richest forests the sun ever shone upon, blessed with the greatest home market that any industry ever had, successfully competing with all the lumber markets of the world, even shipping into Canada itself $125,000,000 worth of lumber a year, now have the nerve to ask Congress to retain an obsolete duty, in order that they may build up stupendous fortunes at the expense of the retailer and consumer.

During the debate on this bill it has been conceded that lumber will be cheaper if the tariff is taken off. Then, in the name of justice, let it be done. Let us make it possible, if we can, for every man in this country to own a home, no matter how humble it may be. We have reached a time when a tariff on lumber is a menace to the plain people, and we should not sacrifice their interests for the benefit of the owners of millions of acres of timber lands, who have already grown rich at the expense of the masses.

TIN-PLATE INDUSTRY.

Now, Mr. Chairman, there are many other schedules in this bill I would like to discuss, but I will not have the time to do so. Before closing, I want to call your attention to section 29 of the Payne bill, known as the "drawback," and show the effect it has had upon the tin-plate industry of the United States. This section provides that—

On the exportation of articles manufactured or produced in the United States, either in whole or in part of imported materials, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, less the deduction of 1 per cent: *Provided*, That the exportation shall be made within three years after the importation of the foreign material used.

There is a similar provision in the present law, not, however, so far-reaching as section 29 of this bill. It was put in the Dingley bill for the express benefit of the Standard Oil Company, and is continued and made more liberal in this bill for the same purpose. A careful examination of both the Dingley bill and the Payne bill will show that the Standard Oil Company has secured everything it asked for, and everything in which it is interested has been well taken care of.

Now, I want to show the effect the "drawback system" has had on our tin-plate industry. During the past ten years there has been imported into the United States 1,374,994,406 pounds of tin plate, and on this tin plate there was paid to the Government a duty amounting to $20,593,179.79. This, however, did not remain in the Government Treasury, as $18,834,900.58 was drawn out under the "drawback" provision of the Dingley bill; and practically all of this vast sum of money went to the Standard Oil Company.

This company had the provision put in the Dingley bill so that it could buy its tin plate in Wales, ship it into the United States, and when manufactured into containers for the shipment of its product to foreign countries, could then draw out of the Government Treasury 99 per cent of all the duty paid. During the last half of 1908 practically all of the tin-plate mills in the United States were closed because of no demand for their product, and thousands of men were thrown out of employment, while at the same time the Standard Oil Company was buying enough tin plate in Wales to have kept many factories running, and to have furnished employment for many thousand men. If the "drawback" received by the Standard Oil Company would cheapen their product to the American consumer it would not be so objectionable, but you must remember it is only allowed on the tin used in the foreign trade and gives no relief whatever to the American consumer. In other words, it enables the Standard Oil Company to sell its products to the foreigner cheaper than it does to the American.

Now, Mr. Chairman, the tin-plate industry in this country has grown until the annual output of our mills exceeds home consumption, and it is now necessary for the American manufacturers to have the export business in tin plate in order that the mills may be operated twelve months in the year and steady employment furnished the workers. Let us see what the securing of the export business in tin plate will mean to the laborers and manufacturers in the United States. The average amount of tin imported is something over 1,000,000 boxes per year, and to make this tin in the United States would require about 30 mills running full time for twelve months. Not only would it furnish employment for thousands of tin-plate workers, but it would also furnish labor for a vast number of men employed in the mines and furnaces where pig iron is produced. I insist, Mr. Chairman, that this provision is a discrimination for the benefit of the Standard Oil Company, is an outrage upon justice, and in the interest of the American manufacturer and the American laborer I ask that it be repealed.

Mr. Chairman, I will not have the time to discuss other items of the bill, some of which are too high, while others are too low. I only wish this bill was as good as its title. It is entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States." In the first place, most of the duties fixed by the bill are so high that they are prohibitive, and will produce no revenue. The fact that the bill provides for the issue of $250,000,000 in bonds or certificates bearing 3 per cent interest is a confession on the part of the author of the bill that it will not yield sufficient revenue to meet the running expenses of the Government.

Moreover, it does not equalize duties. On some items it is over 300 per cent, while on others it is practically nothing. For instance, the duty on files has been reduced to a point where it does not represent the difference in cost of manufacture between this and other countries, and that industry, employing thousands of men, is threatened with disaster. I hope, Mr. Chairman, that the bill may be considered under a rule that will permit of amendment, so that such inequalities may be corrected. In conclusion I want to say that I am now ready and willing to join hands with both sides of the House in giving to the people of the country a bill which will reflect the honesty, sincerity, ability, and patriotism we claim to possess. Now is the time when we should lay aside our partisanship, as well as our selfishness, and stand together in the interest of the people, whose servants we are.

I ask, Mr. Chairman, that the rights of the people be protected and that the day of special privilege be brought to an end. Coming as I do from the plain people, whose representative I am proud to be, I make this appeal in behalf of my constituency and for justice and fair dealing to the individual citizen. [Loud applause.]

Mr. LEGARDA. Mr. Chairman, ever since the Philippine Islands, through the ratification of the treaty of Paris, in 1899, came under the sovereignty of the United States, free trade between the Philippines and America has been considered as the logical sequel to that international event. The establishment of free trade between the United States and the Hawaiian Islands, and later on with the island of Porto Rico, left no room for doubt in the mind of anyone that the Philippine Islands under the same conditions would receive the same treatment.

Confident in this belief, and in anticipation of free-trade relations with the United States, the Philippine Commission, which between September 1, 1900, and October 16, 1907, exercised all legislative and executive functions in the islands, enacted on July 2, 1904, an internal-revenue law against the almost universal opposition of all classes of the people there. Unsuccessful attempts have been made at various times to secure congressional legislation providing free trade between the United States and the Philippines. The last fruitless attempt made to secure such legislation was in 1906 when the proposed law actually passed this House by an almost unanimous vote, but failed of action in the Senate.

The recommendations made by the governor-general and members of the Philippine Commission, that tariff relief be afforded,

have been many and urgent. On the occasion of his inauguration as first civil governor, on July 4, 1901, President Taft said to the Filipino people:

The people may reasonably entertain the hope that Congress will give them a tariff here suited to the best development of business in the islands, and may infer from the liberal treatment accorded in its legislation to Porto Rican products imported into the United States that Philippine products will have equally favorable consideration.

In his report for 1902 to the Philippine Commission, Commissioner Ide, in his administrative capacity as secretary of finance and justice, says:

The rates now imposed by law upon imports into the United States from the Philippine Islands are still practically prohibitive and afford no encouragement to the industries of these islands.

And, again, in his report for 1903 Commissioner Ide says:

The only real effective manner in which the Congress of the United States can aid the insular revenues and aid the Filipino people by tariff legislation is by an entire removal of or a great reduction in the duties imposed in the United States upon products of the Philippine Islands imported therein, and a repeal of that portion of the act of Congress which provides for a refund from the Philippine revenues of amounts collected in the islands as export duties on products shipped to the United States and there entered free of duty. The market thus opened to the people of these islands would give a greatly needed stimulus to industry here, and thereby largely increase the producing capacity of the people and their ability to live in a better manner, to pay a sufficient amount of taxes to carry on the government properly, and to buy the products of the manufacturers of the United States in greater measure. The two industries that need this help and consideration more than any others are the sugar and tobacco interests. * * * This subject is not discussed at length in this report, because it is understood that it will be presented more fully in the report of the civil governor to the commission, but the discussion is entirely pertinent and vital to the question of insular revenues.

From the report of the Philippine Commission to the Secretary of War for 1904, at which time Civil Governor Luke E. Wright was president of the commission, the following excerpts are taken:

The taxation imposed by the Dingley tariff upon sugar and tobacco imported into the United States is very heavy, and is prohibitive so far as concerns the Philippine Islands. The civil governor, in his last annual report to the commission, pointed out the languishing state of both these industries, and explained that owing to the loss of their work animals by rinderpest, and the damage done to their crops by locusts, the people were much discouraged and were barely able to cultivate their estates. He also pointed out that their foreign market was exceedingly restricted, and that prices were low. * * * Aside from being a measure of simple justice, nothing which Congress could do would have so tremendous a moral effect upon the people of the islands as to permit their sugar and tobacco to enter the United States without the imposition of any duty, or with the imposition at most of a low duty only. It is difficult for them to appreciate the soundness of the reasons which give this benefaction to Hawaii and to Porto Rico and refuse it to them.

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We desire to call attention to the injustice effected upon the revenues of the islands by section 2 of the act of Congress approved March 8, 1902, which provides that the Philippine government shall refund all export duties imposed upon articles exported from the islands into and consumed in the United States. Under the provisions of this section there has been collected in the Philippine Islands since its enactment down to the close of the fiscal year 1904 the sum of $1,066,450.20 United States currency, which is refundable. These refundable duties are principally upon hemp exportations to the United States, and are in effect a gift of that amount to the manufacturers of the United States who use hemp in their operations, and whether so intended or not it is manifestly a discrimination in favor of our manufacturers as against those of foreign countries. No good reason is perceived why this bounty to American manufacturers should be extracted from the treasury of the Philippine Islands, and it is respectfully submitted that the law authorizing it should be repealed.

But the Congress of the United States postponed from session to session action along the lines recommended by the Philippine government. To the Filipino people this harsh treatment awakened memories of the long-dead past, of a period several generations removed, when the Crown of Spain was equally harsh and unjust.

By the beginning of the seventeenth century, Spanish merchants had built up a lucrative export trade with Mexico and other parts of Spanish America. They desired a monopoly, and during the entire seventeenth century and the larger portion of the eighteenth century the Spanish Crown, at the request of the importers of Cadiz and Seville, issued a series of cedulas, or royal decrees, prohibiting trade between Manila and the Mexican port Acapulco, or so limiting and imposing such restrictions on such trade as to amount to a virtual prohibition. Tomas de Comyn, a writer of that period, in his work, "The State of the Philippine Islands," declares:

Scarcely will it be believed in the greater part of civilized Europe that a Spanish colony exists between Asia and America whose merchants are forbidden to avail themselves of their advantageous situation and that as a special favor only are they allowed to send their effects to Mexico once a year, but under the following restrictions: * * *

Thus it will be seen that it is no new experience for the Philippine Islands to be disappointed in their endeavor to get an American market for their surplus products, and that in the late action, or nonaction, of the United States Senate history but repeats itself. No one, however, believes that it will take the American people, as it took the Spanish Crown, two hundred years to right this wrong.

Meanwhile, the Philippine internal-revenue law, enacted with a view to providing revenues in anticipation of the day when a portion of the customs revenues should be lost through free trade with the United States, drained, as taxes, from the people into the insular treasury much greater sums than were justified by the economic situation of the islands. And in order to get this surplus back into circulation, while awaiting the establishment of free trade with the United States, the Philippine government made continuous appropriations for public works which can not now be abandoned without doing great injury to the public interests. Additional taxes can not to-day be imposed on a people already overtaxed. Without including certain minor municipal and provincial taxes, the official reports show that the bureaus of customs and internal revenue alone collect from the Filipino people $15,000,000 per annum. This represents a per capita tax payment of not quite $2 compared to a per capita circulation of just about $2.50. The per capita circulation in the United States is fourteen times as great as it is in the Philippines, and even India, with its enormous population and with its world-wide reputation of poverty and misery, has a per capita tax circulation nearly 40 per cent greater than the Philippines. Of all the civilized countries only China, Peru, Venezuela, and Bolivia have a per capita circulation smaller than that of the Philippines. Egypt and the Central American States have a per capita circulation about six times as great, and South Africa and Mexico about four times as great as the per capita circulation of the Philippine Islands. Compared with per capita circulation, the per capita tax payment in the Philippine Islands is much greater than it is in any one of the countries enumerated above. This dearth of exchange media has forced merchants to resort to the primitive system of a barter of products. This condition is especially accentuated in some of the remote localities, where means of transportation and communication are difficult.

With the view of relieving in part these deplorable conditions, certain provisions relating to the Philippine Islands have been incorporated in the Payne bill now before this House. It is proposed that 300,000 long tons of sugar, 300,000 pounds of wrapper and 3,000,000 pounds of filler tobacco, and 150,000,000 cigars of Philippine growth or production be admitted free of customs duty into the United States, and that all importations of the said articles in excess of such quantities shall pay the full customs duty upon entry into the United States. It is also provided in this bill that all other articles of Philippine growth or production shall hereafter be admitted customs duty free into the United States. And in view of said relief from customs duties this bill provides that all articles the growth or production of the United States, and without any limitation as to quantity, shall be hereafter admitted customs duty free into the Philippine Islands.

For several years Philippine sugar has been admitted into the United States at a reduction of 25 per cent of the customs tariff. During the last eight years the average annual value of Philippine sugar brought to this country has been $300,000; but in the year 1892, under the Spanish régime, the value of the Philippine sugar imported into the United States was $1,350,000, or 50 per cent greater than it is now. Seventy-five per cent of the customs duty on the 300,000 tons of sugar to be admitted free, as provided in this bill, would amount to about $8,500,000. The beneficial effects would be felt almost immediately, but not to the extent of the amount stated. The production of sugar in the Philippines at present is only about 160,000 to 180,000 tons per annum, of which 20,000 to 30,000 tons is consumed locally, the rest being exported mainly to China, and a small portion reimported after being refined in Hongkong.

The production of sugar in the Philippines to-day is only about one-half of what it was during the latter years of the Spanish régime. To bring the production back to what it then was will require several years of unremitting toil and the advance from year to year will be constantly less apparent. The industry has to be built up almost from the very foundation. Too many of the essential factors in the problem of economic sugar production are wanting, and many of them can not be supplied, at least for a long time to come. Since the American occupation the rinderpest has killed off over 80 per cent of the work stock, the periodic plagues of locust destroy such crops as are planted, lack of irrigation and transportation facilities, and, above all, lack of farm hands, all contribute to perpetuate a condition of agricultural and commercial depression. Even a large influx of outside capital could do little toward conquering adverse conditions so fundamental in their nature. In this

connection it should be understood that no cooly labor will be used in the production of Philippine sugar, the laws of the United States as to Chinese exclusion and immigration being in force in those islands.

Again, the very limitations provided in this bill on the quantity of sugar to be imported customs free into the United States makes it very problematical indeed whether or not outside capital sufficient in volume to put in such centrals as are needed for the economic production of sugar on a large scale could be induced to invest in such a precarious undertaking. The present production of sugar in the Philippine Islands is equal to only 5 per cent of the present consumption of sugar by the people of the United States. And before the Philippines could possibly increase their sugar production in an amount equal to another 5 per cent of the consumption of sugar here, the American people would have increased their consumption of sugar by 10 per cent. At least official statistics show that to be about the ratio of increase during the last forty years.

The American mainland and the islands of Hawaii and Porto Rico combined can now only supply 40 per cent of the sugar consumed by the American people, and the amount of sugar imported from other countries is constantly increasing. Since the American occupation the Philippines have supplied about 1 per cent of this foreign sugar. In order to supply it all, and to really begin to compete with sugar produced in America, the Philippine Islands would have to increase their present production of sugar twelvefold and their present export of sugar to the United States sixtyfold. And this estimate is based on the palpably absurd hypothesis that the consumption of sugar in the United States would not increase while the Philippines were increasing their output. As a matter of fact, the obstacles in the way of increasing the output of Philippine sugar are so unsurmountable, and the area on which sugar can be profitably produced is so circumscribed, as to limit within very reasonable bounds the possible output of sugar in these islands for very many years to come. On the other hand, the experience of the immediate past has shown that the increase in the consumption of sugar by the American people is constant and well-nigh unlimited. Philippine increased production could never catch up with America's increased consumption.

There are at present 166,000 acres of land in the Philippine Islands under sugar cultivation. There are 10,000 sugar planters in the islands, which gives an area to the average sugar farm of about 16½ acres. Existing laws prohibit the holding of extensive areas by individuals or corporations. Sugar planting there is, for this reason, on a very modest scale, and must continue so.

With rare exceptions, the sugar mills there are of the most primitive types, losing over one-half of the saccharine in the cane, and seldom having as much as 30 horsepower. A large proportion of the mills are run by hand or animal power. About half of the wage paid the farm hands is in rice, the staple food, and by reason of drought, lack of irrigation, and the locust plague during the last six or eight years, there has been a great shortage in the rice crop, which has forced the sugar planters to import from China at a greatly increased cost most of the rice they furnished their farm hands and laborers in the mills. Almost without exception the sugar planters in the Philippine Islands are at the absolute mercy of the sugar merchants and middlemen, who hold mortgages on their lands and liens on their crops, who sell them provisions at the highest market price and take their sugar at the lowest, and who by extortionate charges of every kind contrive with great ingenuity to squeeze every cent they can out of the farmer without driving him to actual bankruptcy.

Another question with respect to Philippine sugar, and a most important one, which seems not generally understood, is its natural market. A distinguished representative of the American sugar interests testified before the Ways and Means Committee, not long since, that the Philippines stood in the same relation geographically to China in which Cuba stands with relation to the United States. No one supposes that sugar will be sent from Cuba to China or from the Philippine Islands to the United States unless forced there, when it can be sold to better advantage at home. The fact is that the natural market for Philippine sugar is China.

As to this phase of the question, the insular collector of customs in his annual report for 1908 says the following:

> The most successful years, in point of production, were 1902 and 1903, when the total annual exports were approximately 250,000 tons. But in recent years, since Philippine sugar has been practically excluded, by tariff barriers and bounties, from the most profitable markets, the lot of producers has been a precarious one indeed, and their profits, when such were realized, distressingly small. Although this experience has been a trying one, the result, in combination with other conditions anticipated, should prove a permanent benefit to the industry in future, as the small returns realized from shipments to other countries have led to the introduction of sugar, as a staple commodity, into the interior of China, with its millions of consumers, where its use was practically unknown twenty-five years ago. But Chinese buyers will not pay more for Philippine sugar than it is worth for shipment to other markets, understanding perfectly well that by offering the equivalent of European or American market values—whichever happens to be the higher—less freight, and other expenses attendant upon the long shipments to those markets, they will usually be given the preference, because their market is within easy reach, settlements are more easily and quickly made, and they ask no questions about polarization, sugar being bought and sold in China entirely upon its color.
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> That China is the natural market for Philippine sugar, and that it will continue to be absorbed in that country, at prices fixed by competition, in exchange for the many articles which China furnishes for Philippine consumption, is clearly indicated by the sugar movements of the present year. When the shortage of crops in other parts of the world became known, and the price of sugar rapidly rose in western markets, a few cargoes were sent to the United States on speculation, but as soon as the Chinese buyers found that the rise in value was a fact, they immediately responded by offering its equivalent, and since then practically all shipments have gone to China, which received 52 per cent of the entire exportations of the year.
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> In order to turn this important trade with China into a permanently profitable factor of Philippine commerce, we must have the regular competition of better offers than are usually possible for shipment elsewhere; and it has been in the confident belief that this relief would be extended by Congress, through the removal of the tariff upon Philippine sugar entering the mainland territory, that producers have continued operations and even endeavored to increase their output.

This statement represents the facts and applies with equal force, so far as the market is concerned, to Philippine cigars. The removal of the American tariff upon these two products will secure to us an equivalent advance in price in China and other eastern markets, thus conferring a great benefit upon the Filipino people without causing the slightest ripple in the sugar or tobacco markets of the United States.

With regard to leaf tobacco and manufactured tobacco, to be admitted free into this country under the provisions of this bill, the benefits enjoyed from such entry by the agriculturists and manufacturers in the Philippine Islands would necessarily be accompanied by certain drawbacks. Thus there would be an abnormal increase in the price of leaf tobacco and a material rise in the wages paid to the workmen in the cigar factories. It is also probable that unless rigid regulations are established to prevent the manufacture of cigars from inferior material in falsification of standard brands manufacturers who had no regard for preserving the quality of the Philippine product would greatly injure its reputation in this and other markets by the use of poor material and workmanship. It would furthermore appear that Filipino cigars, at present almost unknown in this market, would, for many years to come, have a hard uphill fight to gain a foothold. No large degree of benefit to the tobacco industry in the Philippine Islands could therefore be reasonably expected for several years to come, and even then the increase in the production of cigars in the Philippines, brought about by the provisions of this bill, would only mean an increase of between 50 and 75 per cent over the present production.

The Resident Philippine Commissioners in Washington have received from those who sent them here very specific instructions regarding the matter now under discussion in this House. Joint resolution No. 11 of the Philippine legislature directs us to make an effort to secure the abolition of the customs tariff on limited quantities of sugar and tobacco brought here from the Philippine Islands, and to secure this without special concessions. In order that there should be no doubt that said joint resolution should be strictly construed, later instructions have been received by the Resident Commissioners here from the Philippine government completely clarifying said joint resolution.

Had the proposition for reciprocal free trade been made before the Philippine assembly was constituted, very little, if any, opposition would have been made to this measure. There was no opposition made there to the free-trade bills presented in this House in 1905 and 1906, and which passed this House by a large majority. But to-day, when the Philippine Islands have a duly constituted popular body of men elected by the people as their representatives to care for their interests and to voice their aspirations, the people of those islands, through their representatives, direct that we respectfully present their wishes before this House in order that you who come so directly from the American people may pass judgment on the claims of those over whom you exercise sovereignty.

It is clear that the Committee on Ways and Means exercised wisdom in limiting the quantity of sugar and tobacco to be imported free of customs tax into this country. It is only natural that the domestic industries built up here under a protective tariff should continue to receive a proper measure of protection. But it is also clear that there, in the Philippines, an equal interest should be taken in protecting the local industries which were created under conditions parallel to those which obtain here, and especially is this true when the practical problem is presented of an estimated deficit of ₱5,000,000 due to the free and unlimited entry there of American products. Neither of

the houses constituting the Philippine legislature have so far been able to provide a means for replacing this lost revenue, and in view of the depressed economic conditions in those islands and the high rate of taxation, to which I have heretofore made reference, it will be impossible to create new additional revenue, at least until such time as a new era of prosperity may make itself felt.

If, instead of the free admission without limitation as to quantity of American products into the Philippine Islands, this bill provided only the free entry there of agricultural machinery and other commodities of prime necessity, such as cotton cloth, and which are needed for the agricultural and industrial development of those islands, or if this bill provided only for such reciprocal exchange of commodities custom-duty free as would balance the limited quantity of American products to be sent from here—if such were the provisions of this bill, it would be our pleasant duty as representatives of the Philippine people to make manifest to this House their gratitude, and through this House to the American people, who wield sovereignty over those islands, and who in the final analysis are the ones who decide what is to be the future of the Philippine Islands.

The Filipino people are not ungrateful for what the American Government has accomplished and is accomplishing for them in those islands. In several respects the laws which govern the Filipino people are superior even to the laws in some of the most advanced States of this Union.

We have a superior system of laws regarding coinage and weights and measures, and we have practically banished from the islands the curse of opium and drug using. We have in operation a most satisfactory system of postal-savings banks and an agricultural bank, and, as I said before, in these and several other respects the Filipino people have reason to be and are grateful to the American Government in those islands.

The Congress of the United States has always been inspired in its acts by principles of justice and wise equity. Especially has it demonstrated its generosity and liberality when the interests of the poor and the weak were at stake. The Filipino people believe that, coming before this Congress with a just cause, they will receive the same measure of equity as that which the American people, through their Representatives in this Congress, have always in the past conceded under similar circumstances.

My firm conviction has always been, and remains to this day unshaken, that a prosperous and happy future smiled on the Philippine Islands from the moment that the Americans planted there the flag which represents liberty, progress, and civilization. [Loud applause.]

Mr. COX of Indiana. Mr. Chairman, in the framing of tariff bills four persons are vitally interested: First, the Government, from the view point of revenue; second, the manufacturer, from the view point of pretended protection; third, the laborer, from the view point of wages; fourth, the consumer, from the view point of cheap necessaries of life. The Government's interest overshadows all others. That it must have revenue to pay operating expenses no one denies, but all admit. The policy to be pursued in raising this revenue represents the line of cleavage between the two dominant parties of the day. The Republican party insists upon its policy of protection, for the double purpose, as it claims, of protecting all industries, large and small alike, against foreign competition, and at the same time raising revenue. The Democratic party, to which I belong, agrees with the Republican party as to raising revenue, but denies the right of protection against foreign competition, believing that with laws of uniform operation the American can protect himself by his own initiative against foreign competition. The Republican party's position is a paternalistic one; the Democratic party's position is in opposition to this, aiming at equal and exact justice in the way of legislation, throwing the individual on his own ambition, free from fetters or special legislation, letting him work out his own destiny. The Republican party insisting that the Government was created for the purpose of fostering private enterprise, even though this be at the expense of the many, if necessary; the Democratic party insisting that the Government was created to foster the interests of all alike by passing laws of equal uniformity, operating with equal force upon all of its citizens.

With these dissertations upon the dividing lines between the parties, and keeping in view the different interests to be affected by the bill, let us consider it along these lines. That the Government needs revenue is shown by the fact that the deficit in the Treasury is to-day upward of $90,000,000, and it is admitted by all who have a right to know that by the end of the fiscal year June 30, 1909, the deficit will reach at least $140,000,000.

Will the bill under consideration raise revenue to meet the ever-growing deficit in our Treasury? If it will, and while so doing it does not become an engine of oppression, grinding between the upper and the nether millstones the millions of consumers in this country of manufactured products, the necessaries of life, then it should be commended and have the hearty support and cooperation not only of every Member of Congress, but of the many consuming millions of people living in continental United States or any of its dependencies. On the other hand, if for the purpose of raising revenue it becomes an instrument of oppression, then it should not be supported by any Member of Congress or by the people, but the friends of the measure who are now offering it as a source of relief ought to be rebuked by the people.

It is estimated by the friends of the bill that in its present form—containing the inheritance-tax clause, under which it is estimated $20,000,000 of revenue will be raised—it will raise $326,000,000 per year. But, in my judgment, instead of it being a revenue raiser it will prove to be, in many particulars, a revenue consumer, as I hope to show later before concluding my remarks. For the purpose of raising revenue that class of articles should be taxed heaviest which are used by the class of people best able to pay; the corollary of this being equally true that the articles should be taxed lightest used and consumed by the people least able to pay. Articles may be divided into luxuries and nonluxuries—those which are essential to the preservation of life, and those not necessary for the preservation of life. By far the larger part of our people belong to the class who must use articles of prime necessity of life. Food, raiment, and shelter are things which all must have, and these things should bear their burden of taxation in proportion to their value; while, on the other hand, all other articles not essential to the preservation of life should bear their proportionate share of taxation in proportion to their value.

One of the serious vices in this bill, and one which should condemn it, is that there is no relief from the burdens of taxation upon the many necessaries of life; but, on the other hand, there is indeed a very large increase in many articles necessary to life. I have time to go into but few of the schedules of this bill, but later on I desire to especially call attention to sections 23 and 29 of the bill.

The framers of the bill have held up to the country that blessings will flow to the farmers as a result of this revision. Let us observe a few things in the bill which give protection to the farmer and charge him protection in return, and giving him free articles in return for the protection exacted of him.

The proposed bill imposes a duty of 25 cents per bushel on wheat, the same as the Dingley bill. During the year 1907, the latest statistics I have, we raised 735,260,970 bushels of wheat in the United States. Of this amount we exported 146,700,425 bushels, and during the same time we imported into the United States 590,092 bushels. To equalize this the bill imposes a duty of 30 per cent of their value on all stockings, hose, and half hose, made on knitting machines or frames, composed of cotton or other vegetable fiber; and upon what is commercially known as "seamless" stockings, hose, and half hose composed of cotton or other vegetable fiber, finished or unfinished, valued at more than $1 per dozen pairs and not more than $1.50 per dozen pairs, 85 cents per dozen pairs; valued at more than $1.50 per dozen pairs and not more than $2 per dozen pairs, $1 per dozen pairs; valued at more than $2 per dozen pairs and not more than $3 per dozen pairs, $1.50 per dozen pairs; valued at more than $3 per dozen pairs and not more than $5 per dozen pairs, $2 per dozen pairs—and in addition thereto upon all the foregoing 15 per cent of their value; valued at more than $5 per dozen pairs, 55 per cent of their value.

Upon his sewing machine a duty of 30 per cent of its value is imposed. But to compensate him for this heavy tax the bill gives him free hones, free whetstones, free unmanufactured hoofs, free horns and parts of horns, and free ipecac to enable him to unload his nauseated stomach after sleeping over these enormous burdens. They give him a duty of 15 cents per bushel upon his barley, although in the year 1907 we raised 153,597,000 bushels; but for this duty on barley they charge him 5 cents per linear foot for his crosscut saws and 25 per cent of their value upon his handsaws; upon his horseshoe nails and wire nails not less than 1 inch in length, one-half cent per pound; less than 1 inch in length, including spike nails, nuts, washers, horse and mule shoes, 1 cent per pound; and to equalize this they gratify the farmer's desire by giving him free rennets, free bologna sausage, free rags, and free spunk to strengthen his nerve. On corn they give him 15 cents per bushel, although in the year 1907 we raised 2,927,416,091 bushels. Of this amount we exported 86,368,228 bushels, and during the same year we imported into the United States 10,018 bushels. But for this generous gift they impose a tax upon all his fence wire valued at 4 cents per pound or less, two-fifths cent per pound;

as the small returns realized to the introduction of sugar, of China, with its millions of

from shipments to other countries have led as a staple commodity, into the interior consumers, where its use was practically

presented of an estimated deficit of $5,000,000 due to the free and unlimited entry there of American products. Neither of

ever-growing deficit in our Treasury? If it will, and while so valued at 4 cents per pound or less, two-fifths cent per pound;

valued over 4 cents per pound, three-fourths cent per pound; and, in addition, if it comes here manufactured in any way, an additional duty of one-half cent per pound. But, to appease his wrath for this, they give him free ivory tusks, free jalap, free joss sticks (for the Chinamen), old junk, free kelp, free kindling wood, and free leeches (to suck his blood).

On horses and mules valued at $150 or less per head a duty of $30 per head is placed, valued over $150 per head a duty of 25 per cent of their value, although during the year 1908 we had in the United States 19,992,000 horses, valued at $1,867,530,000, and during that year we exported 33,882 head of horses, valued at $4,359,957; and during the same period of time there was imported into this country 2,152 head of horses, valued at $292,056.60. During the same year we had in the United States 3,879,000 head of mules, valued at $416,939,000, and during the same period of time there was exported from the United States 6,781 head of mules and imported into the United States during the same time 124 head, valued at $5,648.40. To compensate for this he must pay on the axles in his binders, mowers, rakes, hinges, bolts, nuts, cast-iron pipe, 1 cent per pound; and upon his chains not less than three-fourths of an inch and not less than three-eighths of an inch in diameter, 1¼ cents per pound; less than three-eighths inch in diameter and not less than five-sixteenths inch in diameter, 1¾ cents per pound; less than five-sixteenths inch in diameter, 3 cents per pound; and no chain of any description to pay a lower rate of duty than 45 per cent of its value. But to compensate him for this he is given free ice, free indigo, free iodine, free ergot, free fishskins, free fossils, free human hair (raw or uncleaned), "blessed boon to the bald," free cuttlefish bone, free divi-divi. (God knows what this is; I do not.)

Sheep, 1 year old or over, $1.50 per head; less than 1 year old, 75 cents per head; although in the year 1908 we had 54,631,000 head of sheep, valued at $211,736,000. Of this number we exported 135,334 head, valued at $750,242. In return for this the farmer is charged for his blankets and flannels, or underwear composed wholly or partly of wool, valued at not more than 40 cents per pound, a duty of 22 cents per pound, and in addition thereto 30 per cent of their value; if valued at more than 40 cents and not more than 50 cents per pound, the duty should be 36 cents per pound and 35 per cent of its value, averaging a duty upon this kind of goods and wares of from 165 to 182 per cent. Upon men's, women's, and boys' hats, trimmed or untrimmed, wholly or in part, with the fur of rabbit, beaver, or other animal, valued at not more than $4.50 per dozen, $1.50 per dozen; valued at more than $4.50 per dozen and not more than $9 per dozen, $3 per dozen; valued at more than $9 per dozen and not more than $18 per dozen, $5 per dozen; valued at more than $18 per dozen, $7 per dozen; and in addition thereto 20 per cent of their value. In return for this he is given free arsenic; free sulphide of arsenic; free asafetida (for perfumery); free balm of Gilead, "to soothe his weary soul;" free bladders and all integuments and intestines of animals; free fish sounds; free dry blood; free Brazilian pebbles; and free bristles, "to give him courage."

On swine, a duty of $1.50 per head, although in 1908 we had 56,084,000 head in the United States, valued at $339,030,000; and during the same year we exported 24,262 head, valued at $209,440, and we imported 614 head, valued at $12,423. But for this protection he is compelled to pay a duty of 8 cents per pound on his tea imported from the producing country and 9 cents per pound if imported from a country other than the producing country, and a duty of not less than 4 cents per pound upon his coffee, and on sugar, 40 per cent of its value; upon his table, butcher, carving, kitchen, bread, butter, vegetable, and fruit knives, forks, if imported with handles of other than pearl, shell, ivory, silver, or other metal than iron or steel, 14 cents each; with handles of deerhorn, 10 cents each; with rubber, bone, or celluloid handles, 4 cents each; with handles of any other material, 1 cent each; and, in addition to the above, 15 per cent of their value; and if any knives or forks are imported without handles, 40 per cent of their value. But to compensate him for this, he is given free acorns, free beeswax, free broken bells, free stuffed birds, free catgut, whip gut, or worm gut (unmanufactured), free diamonds and other precious stones, rough and uncut, and free dragon's blood.

He is given on cattle less than 1 year old a duty of $2 per head; all other cattle valued at more than $14 per head, $3.75 per head; if valued at more than $14 per head, 27½ per cent of their value; although in the year 1908 we had in the United States 50,073,000 head of cattle, valued at $845,938,000, and exported 423,051 head, valued at $34,577,392, and imported 30,838 head, valued at $423,137.59.

But for this generous protection he again must pay a duty on all gloves 14 inches in length, made partly or wholly of leather, $4 per dozen pairs; on gloves exceeding 14 inches in length, $4 per dozen pairs and 35 cents per dozen pairs for each inch or portion in excess of 14 inches; in addition to the above duty on all gloves lined with cotton, silk, woolen, or other fabrics, an accumulated duty of $1 per dozen pairs; on gloves lined with fur or skin, $2.50 per dozen pairs; on hand-sewn gloves, $1 per dozen pairs; on gloves having "crows' feet" stitched, sewn or silk on the back, 40 cents per dozen pairs. Upon his suspenders, made of cotton or other vegetable fiber, 45 per cent of their value; candle wicking, 10 cents per pound and 15 per cent of its value; cotton belting for machinery, 30 per cent of its value; cotton stockings, 25 per cent of their value; shirts and drawers, pants, vests, union suits, combination suits, tights, sweaters, corset covers, and all underwear of every description, made wholly or in part by knitting machines, finished or unfinished, composed of cotton or other fiber, valued at not more than $1.50 per dozen, 60 cents per dozen and 15 per cent of their value; valued at more than $1.50 per dozen and not more than $3 per dozen, $1.10 per dozen and in addition thereto 15 per cent of their value; valued at more than $3 per dozen and not more than $5 per dozen, $1.50 per dozen and in addition thereto 25 per cent of their value; valued at more than $5 per dozen and not more than $7 per dozen, $1.75 per dozen and in addition thereto 35 per cent of their value; valued at more than $7 per dozen and not more than $15 per dozen, $2.25 per dozen and in addition thereto 35 per cent of their value; valued at above $15 per dozen, 50 per cent of their value.

For this outrageous tax the farmer is given free nux vomica, free curling stones and curling-stone handles, free oakum, free miners' diamonds, free seeds of morbid growth, free flint and flint stones unground, free gold beaters' mold and gold beaters' skin, free manna, free crude marrow, free moss, free mother-of-pearl and shells, free raw silk, free skeletons, free teeth "to chew his food," free turtles, free whalebone, free pulu, free orange and lemon peel, and (good) apatite, with free aniline salts (before breakfast).

No amount of reasoning around the circle would ever convince a thoughtful man that 25 cents a bushel on wheat, 15 cents per bushel on barley and corn, will ever raise or tend to raise the price of these commodities. This is proven true by the fact that in each of these commodities our farmers are heavy exporters of all of them, and it is further proven by the fact that the price of every bushel of the farmer's wheat is fixed by the Liverpool market, the price of wheat in that market being higher than it is in New York City, and higher in New York City than it is in Chicago, and higher in Chicago than it is in Duluth, and higher in Duluth than it is in Seattle, showing that every bushel of wheat raised in this country the farther you get away from the Liverpool market the lower the price becomes. Nor can any amount of argument be made to convince a thoughtful man that a duty of $30 per head upon horses or mules, or $1.50 per head on sheep, or $2 per head on cattle, or $1.50 per head on swine will have a thing to do with keeping up the price of live stock in this country when we are such heavy exporters of all of these commodities.

I believe if the duties were entirely taken off of wheat, barley, corn, horses, mules, cattle, sheep, and swine the price to the farmer or seller would remain just as it is; and this, in my judgment, would not even have a tendency to lower the price of these commodities to either the seller or buyer. The duty upon these articles is a fake, a sham, and a fraud thrown out as a morsel to lull the farmer into silence and submission to a high rate of duty upon every article of necessity entering into his life from the day of his birth to the date of his death. And I believe this bill will no longer deceive the farmer, but I believe that when its workings are understood he will learn that he is again tied to a hippodrome, driving at break-neck speed straight to the interests of trusts, monopolies, and combinations, which for the last ten years, or during the life of the Dingley bill, have compelled him to sell all his surplus commodities in an open and unprotected market and compelled him to buy all the necessaries of life in a high and protected market.

These are only a few of the major objections to the bill. A great many jokers have been discovered and unearthed during the progress of this debate and by the newspapers of the country; but, in my judgment, the real, genuine joker, the straight flush, the sweepstake, is to be found in sections 23 and 29 of this bill.

Section 23 of the bill provides for free raw materials for the construction and building of all ships in the United States to be owned by foreigners or to be used and operated in foreign trade. The section would preclude free raw materials for the construction and building of ships for American ownership, for American trade, and to sail under the American flag. Why dis-

criminate against vessels built for an American citizen, for the home trade, and to sail under the American flag? This is exactly what the section does. It gives to the shipbuilders of this country material free of duty, provided they build a ship for foreign ownership or for foreign trade; on the other hand, it compels the American who wants a ship built to ply in the home trade and to sail it under the American flag to pay an enormous duty upon every pound of iron and steel, lead or paint, every foot of lumber, his leather, or any other article which may be necessary to construct, build, and equip his ship.

The Republican party has always based its policy of protection upon the proposition that it was needed to protect home industry, and yet in this section the party about faces, turns its face to the east, subverts and changes its policy, and stands for a direct discrimination against the American who desires to build a ship. There are no less than 30 shipbuilding concerns in the United States. Why should these concerns be given free raw material with which to construct ships for foreigners and be compelled to pay exorbitant duties upon their materials used in building a ship for American ownership?

If the Republican party is the genuine friend of the farmers of the country—and which they so loudly pretend—as well as all the other consumers, the question might be pertinently asked, Why are they giving free raw material for the manufacture of ships for foreigners? Why not give to the manufacturers of this country free raw material for the farmers' binders, mowers, rakes, wagons, buggies, wire, and, in fact, everything which he daily uses and consumes? If discrimination is to be made at all, for one I am in favor of a radical discrimination in favor of the American producer and consumer, be he farmer, laboring man, professional, or otherwise. It stands to reason, because it is true, that under the conditions the foreigner can get his vessel cheaper than the American by at least 25 to 40 per cent. Some one must pay this discrepancy; this difference must be made up by some one. Who is going to do it, other than the great mass of American people, who, in the last and final analysis, must pay all bills? And this discrimination will only be made up by higher freight rates imposed upon the American upon articles shipped and transported by him upon the water, and, in addition thereto, an increased tax upon the necessaries of life. You can not take advantage in this way, and thereby deplete the revenues of the Government, without this vacuum being replaced by some one else. In my judgment, the foreigner should be compelled to make this up by compelling him to pay the full price of his vessel he has built in this country from highly protected articles, upon the same principle that a farmer is compelled to pay for the increased price of his machinery by reason of the fact of its being built and constructed from highly protected materials.

This, however, is but one of the many instances of legislation enacted by the Republican party to build up special interests at the expense of the many. It is this class of legislation that the Democratic party has always inveighed against, and I trust it or some other party will continue so to do until all our people are treated alike, so far as they can be, in the way of legislation.

The Republican party stands for a ship subsidy, and a ship-subsidy bill was defeated in the closing days of the Sixtieth Congress by only two votes, which, if it had passed, would have cost us not less than $4,000,000 per year from the beginning; and this is but the entering wedge to the National Treasury for countless millions of dollars to be wrung from the people by a high protective tariff every year thereafter. But here is a provision which goes a step further and offers to subsidize foreign ships, or ships built for foreign ownership and foreign trade. They propose to subsidize foreign ships by giving them cheaper material over American ships, the people ultimately to pay this subsidy; and for the American shipowner they propose not only to vote a direct subsidy for him, but under paragraph 424 of the bill they propose to give to all American vessels engaged in foreign trade a drawback on all foreign coal which has been imported into the United States equal to the amount of duty upon imported coal, which is 67 cents per ton, upon coal imported from any country which maintains an export duty on its coal.

Which subsidy is the worst, the subsidy to foreign ships in giving them free raw material or the direct subsidy for the American ship, with free coal, free liquor, free cigars, free tobacco, free cigarettes, free food stuffs, and all other supplies for the ships of any kind or nature, as I shall show later on? Section 29 of the bill gives to the manufacturers absolutely free raw material for all of their export trade. It provides that where goods manufactured from imported materials are exported the manufacturer can draw back from the Government, when he exports his manufactured commodity, the amount of duty which he originally paid upon his imported material. Or, if he does not desire to do it in this way, after importing his material and paying duty thereon, he can then use domestic material of equal quantity and productive manufacturing quality and value, manufacturing this into commodities, and export it abroad, and upon this he will be allowed a drawback from the Treasury in an amount, less 1 per cent, equal to the amount he originally paid upon his imported materials. This section of the statute can not be too severely condemned. It is not a revenue producer to the Government, but is a revenue consumer pure and simple. The Dingley law had a drawback provision in it providing for free raw materials to the American manufacturer for all goods exported by him. I endeavored a few days ago to learn the amount of money and the persons to whom the drawback was paid under the Dingley bill. I learned from the Treasury Department the amount of money paid out under it, but failed to get the names of the persons to whom it was paid.

Under the Dingley bill there was paid out in the way of drawbacks to the manufacturers in this country for the year 1898, $2,387,550.58; for the year 1899, $3,739,885.85; for the year 1900, $5,430,397.84; for the year 1901, $5,215,502.49; for the year 1902, $4,947,662.97; for the year 1903, $5,078,862.15; for the year 1904, $4,809,808.11; for the year 1905, $5,816,475.12; for the year 1906, $5,831,124.85; for the year 1907, $5,445,150.67; for the year 1908, $6,637,602.14; total paid out in the way of drawbacks, under the Dingley bill, $55,364,022.77. This is, indeed, an enormous sum of money to be paid out by the Government to monopolies, combinations, and trusts in this country, who control not only the home market, but likewise the export market. I would, indeed, have been glad to have learned to whom the drawbacks were paid, but it is evident that they were paid to the trusts and monopolies of this country. The drawback allowed upon tin plate is probably the best example I can give. I submit the following figures to show the amount of drawback allowed in the last ten fiscal years, under the Dingley bill, upon this one item alone:

Year.	Drawback paid.
1899	$1,823,164.23
1900	1,848,792.15
1901	1,889,823.55
1902	1,860,104.17
1903	1,820,966.22
1904	1,658,138.93
1905	2,252,381.82
1906	1,788,761.81
1907	1,625,281.94
1908	2,359,485.66
Total	18,834,900.58

Total duty collected, 10 years	$20,593,179.79
Drawback paid	18,834,900.58
Left for United States Government	1,758,279.21

Does anyone doubt but what this $18,834,900.58 paid out by the Government in the way of drawbacks was paid largely, if not entirely, to the Standard Oil Company?

This is not all of the wicked provisions in section 29. It provides that all articles intended for consumption on vessels clearing for foreign countries, after their departure from the United States, may be subject to the provisions of this section. There were, in 1908, 240 steamships clearing from ports of the United States to foreign countries carrying steerage passengers. The steerage capacity of these ships on each voyage was 230,412 passengers and 63,967 cabin passengers, a total of 294,379 passengers. The statistics show that for the year ending June 30, 1907, there were brought to the United States by sea 1,630,266 passengers from foreign ports and 569,882 persons were carried to foreign ports, making a total of 2,200,148 passengers carried both ways during the year 1907. Under this provision, all vessels, American or foreign, clearing for foreign ports are entitled to withdraw from bonded warehouses free of internal-revenue tax all liquors and other commodities used upon the steamers free of any tax whatever. In other words, it permits vessels clearing for foreign ports to set up a saloon free of duty or tax, at the expense of the people. The Government imposes upon the saloon keeper a tax of $25 for his license; it charges the breweryman $1 per barrel for his beer; it charges the distiller $1.10 per gallon for his whisky; it charges the manufacturer of cigars, cigarettes, and cheroots of all kinds $4.50 per pound and 25 per cent of their value; and the manufacturer of chewing tobacco, 55 cents per pound; but gives to the shipowner clearing for foreign ports all of the above articles free, to be used on board the ship,

all gloves 14 inches in length, made partly or wholly of leather, American trade, and to sail under the American flag. Why dis-

This is a discrimination against the saloon man and is a discrimination against the consumer of all of these commodities in the United States, who must ultimately pay all the bill [applause], and is directly in favor of the steamships going from or returning to American ports. [Applause.] Is it right to give to the manufacturers of this country who desire to export their commodities free raw material? I submit this question to the great body of consumers in this country. [Applause.]

It has been admitted that the manufacturers in this country have been exporting their manufactured commodities abroad and selling them to foreign consumers at prices lower than they sell to American consumers. This has been accounted for by the Republican party upon the theory that it was the refuse or excess which the manufacturer sold abroad at prices cheaper than he did to the American consumer. But why can not the manufacturer sell abroad cheaper than he can to his home consumers, when all the articles entering into his manufactured product for exportation come to him under this section of the statute free of duty? [Applause.] Why charge the farmer high prices for his implements used upon his farm and at the same time give to the same manufacturer free raw material to manufacture implements to be used by the foreign farmers? [Applause.]

I say, without fear of successful contradiction, that under section 29 of this bill the manufacturers of this country are able to get free raw material for every dollar's worth of their goods entering into their manufacture for exportation. This is the worst discrimination against the American people ever attempted. [Applause.] As the drawbacks under the Dingley bill in ten years amounted to $55,364,022.77, what they will amount to in the next ten years under the Payne bill, should it become a law, I do not know; but, in my judgment, it will exceed this amount ten times. [Applause.] Why should the foreign consumer be preferred to the American consumer?

Entering into his manufactured product for exportation comes to him under this section of the statute free of duty? Why charge the farmer high prices for the material entering into the manufacture of his farm implements, and at the same time give to the same manufacturer, who makes the same farm implements for the foreign farmer, free raw material? Under paragraph 460 of the Dingley bill, and being paragraph 468 of the Payne bill, a duty of 20 per cent of their value is placed upon all agricultural implements. Last year there were imported into the United States $23,643.70 worth of agricultural implements, which yielded to the Federal Government the pitiful sum of $4,728.74 revenue. During the same period of time we exported abroad to the markets of the world to be sold to foreign farmers $26,936,456 worth of farming implements. Thus by means of this exorbitant rate of duty a tribute of more than $25,000,000 was laid upon the farmers of this country by the international harvester trust.

We are told that by reason of the high price of labor in this country our manufacturers can not compete with the manufacturers abroad in this line of work, for the reason that employees abroad working in similar lines of trade receive such small wages; yet every dollar's worth, not only of farming implements, but all other goods manufactured in this country and exported abroad, the moment it is offered for sale in any foreign country comes into immediate competition with foreign labor.

Under this drawback provision of the statute it places it within the immediate power of the steel trust, the harvester trust, the leather trust, and every other trust in the United States to get free raw material from abroad, manufacture the material into products, export and sell them to foreign consumers. Such trusts as these are therefore privileged to not only stamp out all opposition at home, but control the export trade as well. If the manufacturers are entitled to free raw material out of which to make their manufactured commodities, I insist that they should be given free raw material out of which to manufacture their commodities for home consumption, so as to lower the price to the home consumer and let the manufacturers pay the duty upon their commodities out of which they propose to manufacture goods to supply the foreign trade.

I say without fear of successful contradiction that under this section of this bill that the manufacturers are able to get free raw material for every dollar's worth of goods entering into their export trade. This is the worst discrimination against the American people ever attempted. How can any man justify his vote in favor of this law? How can he go back to his constituents and square his vote with them by telling them that he voted to levy a tribute of 45.72 per cent upon the 80,000,000 consumers of manufactured commodities in this country and at the same time voted to give to the foreigner free of duty American manufactured goods. [Applause.] If this nefarious section remains in the bill, while I am not the prophet or the son of a prophet, yet I will venture the statement that instead of the Government paying back $55,364,022.77, as it did during the ten years under the Dingley bill in the same period of time, it will pay out at least from five to ten times this amount of money, and pay it to the trusts, monopolies, and combinations in the country.

We are told by the framers of this bill that it is a reduction of duty downward, yet the average rate of duty under the Dingley bill is 44.16 per cent, while the average rate of duty under the proposed bill is 45.72 per cent, being 1.56 per cent higher than the Dingley bill. The bill in its last analysis will be found to be a revenue consumer instead of a revenue producer. I oppose it for the reason that it raises the duty upon nearly all of the necessaries of life. I oppose it because it levies a duty upon tea, coffee, and sugar, the poor man's breakfast table. I oppose it because it discriminates in favor of the foreign shipowner and against the American shipowner. I oppose it for the reason that this discrimination must be made up by a tax upon the toiling masses of our country. I oppose it because it provides for a direct subsidy given to foreign shipowners, and to the trusts, monopolies, and combinations in this country in the way of free raw manufacturing material for export trade. I oppose it because instead of protecting the people it protects the monopolies and trusts, which need no protection, and fails to protect the people, who do need protection. I oppose it because it permits ships plying between American and foreign ports, or between the Atlantic and Pacific ports, to withdraw free of duty, or internal-revenue tax, all intoxicating liquors, cigars, cheroots, cigarettes, and tobacco to be used and sold by the ships while making their voyages from and to ports in the United States, thereby defeating the Government out of millions of dollars worth of internal-revenue tax annually. I oppose it for the reason that this is a direct discrimination against the American consumer of these commodities and in favor of the shipowners. I oppose it because it is a measure based upon broken promises of the party in power, made by it to the people in the last campaign. [Applause.]

Mr. MALBY. Mr. Chairman, at this late date and after so much has been said with respect to the bill now under consideration, and in particular with reference to the schedule which I desire to address the House upon, I hesitate to consume a very large portion of the time of the House, notwithstanding the fact that the subject under consideration is of vast importance to the people of this country and in particular to the people of the State which I have the honor in part to represent. I would feel that I was derelict in my duty were I to permit the opportunity altogether to pass without expressing my views.

During the first session of the Sixtieth Congress the people of this country were more or less entertained, if not instructed, by daily speeches from the floor of this House, adjudging the fact to be that there had been organized in this country a gigantic monopoly having for its intent and purpose the raising of the price of print paper, and demanding as a remedy that we proceed at once to place print paper on the free list without waiting for this general revision of the tariff. So loud and long had these voices rung that this House passed House resolution 344, in March, 1908, which resolution, among other things, directed the committee—

To inquire into the elements and conditions involved in the production of wood pulp and print paper, in so far as the same may be affected by any combination or conspiracy to control, regulate, or monopolize any trade in the supply, distribution, or sale of wood pulp or print paper of any kind, or any articles entering into the same, or any of the products of paper, or how far the same may be affected by any duties on wood pulp or paper, and how far the same would be affected by the destruction of the forests of the United States; and also to inquire whether the present prices of print paper are controlled, in whole or in part, by any combination or person engaged in commerce among the several States or in foreign commerce; and if so, to inquire into the organization and methods, and also to inquire into all possible facts in regard to the same.

It will at once be seen from the terms of the resolution that the gravamen of the charge consisted in claiming that there was a combination or conspiracy to regulate and monopolize trade and to regulate the price of wood pulp and paper. The committee was duly appointed by the Speaker of the House, of which Mr. MANN, of Illinois, was made chairman. The committee itself, in stating the contention of the publishers in its preliminary report, states as follows:

First. That the price of news print paper was advanced in September, 1907, to $50 a ton in New York, and correspondingly elsewhere, a figure that was claimed to be $12 per ton in advance of the price of two years previous, and that a still further advance of $10 more was threatened, making a total advance of $22 per ton.

Second. That the advance already made and the threatened advance were the result of a combination or conspiracy entered into by the manufacturers of the news print paper or their selling agents.

Third. That such advance in price and such combination to make further advance were caused by the tariff duties on wood pulp and print paper, and hence, in justice to the newspaper and other publishing industries of the country, the duties on print paper and wood pulp should be repealed.

The committee further states in its preliminary report that prior to their appointment the statement had been widely circulated that the advance in prices, together with the threatened advance, would entail upon the printing and publishing interests of the United States an additional cost of $60,000,000 per annum. Subsequently it was explained by the same authority that the actual and threatened advance in news print paper would be over $24,000,000 per annum.

It will thus be seen that the newspapers of this country, who were clamoring for this investigation prior to the appointment of the committee, claimed an additional cost of $60,000,000 per annum, which was immediately reduced to $24,000,000 per annum after the appointment of the committee. The committee very properly proceeded to ascertain whether there was anything contained in the charges, to wit: First, whether there was an unlawful combination or conspiracy among the news print paper manufacturers to raise the price of print paper, and, second, whether there was an advance or threatened advance by which the newspaper publishers would be compelled to pay $24,000,000 per annum advance for such paper as might be required to conduct their business. The committee proceeded at once to the work assigned them and promptly investigated all matters submitted to them.

They have finished their labors and made a final report, which was submitted to this House in February, 1909. The charges of unlawful combination and of conspiracy and extortion made by certain newspaper publishers were indeed grave, and required prompt action and investigation.

It is perhaps well to treat these charges separately. First, as to the conspiracy, this being the main charge, the committee reports as follows in its preliminary report:

The evidence before the committee so far fails to prove any combination of print paper manufacturers to advance prices or otherwise in restraint of trade, but considerable evidence was presented that might excite suspicion that such combination had been made and was in existence. * * * Such of the paper manufacturers as have appeared before your committee during its hearings have strenuously and completely denied under oath the existence of any combination, agreement, or understanding of any nature whatever among the paper manufacturers, or their selling agents, to regulate, control, or advance the price of paper, the assignment of customers, or for any other purpose in restraint of trade.

Further on the committee adds to its preliminary report:

In not presenting at this time definite conclusions and recommendations, your committee is guided by the fact *that no combination in restraint of trade has been proven by the evidence to exist among the paper manufacturers, and the evidence does not show any intention on the part of the paper manufacturers to further increase the present price of news print paper*, but, on the other hand, the evidence does show that the upward tendency of the price of paper, which was so marked during the year 1907, reached its limit some months ago, probably as the result of economic conditions, and that at present the tendency of the news print paper market is downward.

The committee further reports, viz:

The paper manufacturers strenuously denied there ever having been such an intention, and *from the evidence submitted to the committee we find that such an advance was never contemplated.* (See p. 1980, Mann report.)

No further reference whatsoever is made to the charge of conspiracy in the report of this special committee. This is the chief charge and the basis of this investigation, and would seem to have been conclusively disproven and their complaint might properly have been dismissed. The only remaining question, therefore, to consider is whether the present tariff of $6 per ton is so protective as to give the American paper manufacturers an undue or excessive profit.

I will now endeavor to proceed to the investigation of the second proposition—as to whether the prices of print paper in the United States are excessive or whether the present tariff of $6 per ton is unreasonable to this rapidly growing and great industry. The committee very well states the position of the manufacturers in its preliminary report, in which the owners insist that there has been a decided increase in the cost of producing paper, caused—

First, by the increase in the cost of pulp and pulp wood; second, by the increase in the wages of the employees; third, by the reduction in the hours of labor of those employed in it; fourth, by the increase in the cost of other articles entering into the production of paper.

Being somewhat of a farmer and woodsman myself in the Adirondacks of New York, I may be pardoned, perhaps, for injecting some information of my own, some which I have observed and some which I have acquired by diligent inquiry. The special committee in its evidence and in its report shows that substantially all of the timber lands in Canada, at least a vastly controlling interest, is vested in the Crown and known as "crown lands." (See Mann report, p. 1981.) That is, the Government leases these lands and determines upon what terms the timber of all kinds shall be cut. These leases of crown lands are obtained as a general rule by sale at auction and are supposed to go to the lowest bidder. The amount paid for them depends, of course, upon how much timber may be cut and its location, but as a general rule it may be said that the leases average much less than a dollar per acre; sometimes much less and seldom very much more. By the same authority we are told that the owner of these lands pays taxes amounting to $3 a square mile per year.

They also pay to the government a royalty on spruce wood per cord of 40 cents for that manufactured in Canada, and 65 cents for that sold to be manufactured in foreign countries. Thus we ascertain very closely what the stumpage is worth—that is, what the value of a cord of wood is in the standing timber. It is worth per cord according to these charges as follows: Stumpage, 40 cents; lease, 5 cords to the acre, as estimated by Mr. MANN, 20 cents per cord; taxes, $3 per square mile, approximately one-half cent per acre; total, 60½ cents. For export to the United States an additional sum of 25 cents per cord is added, making 85 cents per cord; so that a cord of pulp wood standing in the Canadian forest is worth 60½ cents for manufacture in Canada and 85½ cents for manufacture in the United States. It is estimated, and the special committee agree, that it requires 1½ cords of pulp wood to make 1 ton of paper, so that according to these charges 1 ton of print paper would cost the Canadian manufacturer 90¾ cents for the standing timber before any labor had been expended upon it. How does this value compare with that in the eastern United States? In New York, with which I am familiar, the stumpage is worth $2.50 to $3.50 per acre, depending upon its location as to streams and railways. A fair average value to-day of stumpage in New York would not be less than $3. In fact, I was informed yesterday by an officer of the International Paper Company that they were contracting now for several thousand cords of wood at a little in excess of $3 per cord. We find that the Canadian manufacturer has the advantage in the cost of his standing timber over American manufacturers of from $2.15 to $2.40 per cord, or from $3.22½ to $3.60 per ton of paper before any expense has been incurred by either of them. It might be explained in passing that this vast difference between the value of standing timber in Canada and in the United States is very largely accounted for by the fact that in Canada forest lands are, as we have seen, substantially all owned by the government and are leased at a trifling expense, while in the northeastern United States there are no government lands. The forest lands are owned by individuals, which at present cost anywhere from $20 to $35 per acre, and are subject to taxation for that purpose. The interest on these investments, together with the taxes and the cost of protection as against fires, very largely accounts for the increase in the value of the stumpage per cord.

FREIGHT, TRANSPORTATION, AND LOCATION.

The transportation charges, so far as the American manufacturer is concerned, is one of first importance. It is, therefore, my purpose to call the attention of the House to what these charges actually are. We find on page 1448 of the special committee's report the testimony of Mr. E. A. Merritt, jr., manager of pulp mills located at Hannawa Falls, New York State, under date of May 20, 1908, that the freight paid by him ranged from $4 to $6.58 per cord from various Canadian points, the freight rates being not less than 15 cents per hundred pounds, the average weight of a cord of wood in the rough being 4,000 to 4,500 pounds.

At page 1050, special committee's preliminary report, Mr. L. S. Parsons, manager of the transportation department of the International Paper Company, in a letter submitted to the select committee gives specific rates from the various Canadian points of shipment to various mills of the International Paper Company on the Hudson River Valley, which ranged from $3.60 to $4.50 per cord.

Mr. Hugo, of the Remington Martin Company, of Watertown, N. Y., states that the average freight rates on pulp wood to Canada from his Watertown district, being the St. Regis Paper Company, ranges from $4 to $4.50 per cord.

It will thus be seen that the average cost of freight alone from the Canadian forests to the American mills will average at least $4 per cord, and indeed these figures are not disputed by anyone. Having in mind that it requires 1½ cords of wood to make 1 ton of paper, it will thus be seen that the cost of

transportation alone to the American manufacturer is not less than $6 per ton for white print paper. This cost of freight is railroad freight, and does not include the cost of hauling to the railroad station and loading it upon the cars, or the cost of unloading from the cars at the mill, statistics for which there seems to be none, so far as the report of the special committee is concerned, but that these charges are considerable from the very nature of things leaves no room for doubt.

I now desire to call the attention of the committee to the cost of transportation, so far as the Canadian manufacturer is concerned. Most, if not all, of the pulp mills of Canada manufacturing wood pulp and white paper are located upon streams which produce sufficient horsepower for that purpose, and the owner of such mills, I think it may be stated in every case, is also the owner of large timber rights which he has leased from the government, under the conditions which I have heretofore mentioned, to supply his mills. He does not, except in very exceptional cases, purchase any pulp wood at all except from those who own lands along the stream upon which his mill is located, and then only at such a price as would be good business in saving his own forest lands. There is practically no cost of transportation in his case. He is not compelled to haul his wood to the railroad station, usually some distance away, nor does he have to freight it long distances at great expense. He simply puts the pulp wood into the river and drives it down to the mill at a cost, according to the best authority, of not more than 50 cents to $1 per cord, according to distance. When it arrives at his mill it is exactly where he wants it—in the mill pond—and it is hauled out into the mill as it is desired. It might be noted in passing, however, that these river charges of driving are paid by the American manufacturer in addition to other railway transportation charges, for in almost every case the wood has to be driven down the river to some railroad station, in many instances much farther away than the Canadian mill, before it is loaded upon the cars for transportation. That the foregoing facts are warranted, I desire to call the attention of the House to the location and output of some of the largest pulp and paper mills in Canada: Laurentide Paper Company (Limited) at Grand Mere, Quebec, on the St. Maurice River, is a complete plant manufacturing wood pulp, white paper, and sulphite, having a daily output of 150 tons of white print paper per day, and being the lessees, as I am creditably informed, of sufficient grants of crown lands to completely supply the mill.

The Belgo Canadian Pulp and Paper Company, located at Shawanigan Falls, Quebec, on the St. Maurice River, is a ground wood and paper plant, but no sulphite plant, having an output of 85 tons of white paper per day and large tracts of crown lands from which to draw their supply. The E. B. Eddy Company (Limited), of Hull, Quebec, is located on the Ottawa River, and is a complete plant, manufacturing ground wood and sulphite and white paper, having an output of 50 tons of white paper per day, with ample leases of crown lands to operate its plant. The Imperial Paper Mills of Canada, located at Sturgeon Falls, Sturgeon, on the St. Maurice River, Canada, is a complete plant and with an output of 50 tons per day, and are the lessees of large tracts of crown lands. The J. R. Booth mills, located at Ottawa, Ontario, Canada, on the Ottawa River, is a complete plant, with an output of 90 tons of white print paper per day. It will thus be seen that the foregoing mills, which are the largest in Canada, have an output of 425 tons per day of news print paper. My attention has also been called to six other smaller mills in Canada, favorably located, making news print paper, having an output of 90 tons of news print paper per day, making a total output of white print paper in Canada, which I have called to your attention, of 515 tons per day. The present consumption of print paper in Canada will average about 90 tons, so that it will be seen that there is left available for export to the United States from Canadian white-print paper mills 425 tons per day.

Calling again the attention of the House to the fact that it requires 1½ cords of pulp wood to make a ton of paper, we find that the Canadian manufacturer has distinct and positive advantage on transportation alone over his American competitors of not less than $6 per ton, as the transportation paid by the American manufacturer, as we have seen, will average at least $4 per cord.

COST OF WOOD TO THE AMERICAN MANUFACTURER.

I desire to call the attention of the House to page 1975, being a part of the report of the special committee of this House, which is as follows:

There seems to have been a decided increase in the cost of pulp wood. This is admitted by everyone. The average cost to the International Paper Company of pulp wood in the rough per cord delivered at the mill, from 1898 to 1908, is stated to us as follows:

1898	$5.33
1908 (first three months)	10.14

The average cost to the Northwest Paper Company, at Cloquet, Minn., for pulp wood per cord in the rough:

1902	$3.15
1907	7.40

The average cost of rossed pulp wood per cord to the Remington group of mills, delivered at the mill, was:

1904	$11.00
1908 (first three months)	14.00

The average cost of rossed pulp wood per cord to the Frank Gilbert Paper Company, delivered at the mill, was:

1894	$6.25
1908 (first three months)	13.80

These statements furnished to the committee are all under oath and may be asssumed to be correct, and indicate an increased cost of wood, whether in the rough or rossed, to have been during the past ten years, and in some cases for a less period of time, nearly 100 per cent, and in some cases in excess of that amount.

It also appears from the testimony taken by the special committee of this House, at page 1989, that the American consul at Three Rivers, Province of Quebec, under date of May 14, 1908, writes, in a letter submitted by Secretary of State Root to said committee, as follows:

The price of pulp wood in the rough has within a year held at $5 per cord, and less at very great distance from transportation facilities. Farmers who have no stumpage tax to pay have sold as low as $4.50 per cord, and in rare instances at less than $4 per cord. Mr. William Ritchie, of Three Rivers, contracted last year for a large amount of pulp wood with the Laurentide Paper Company, the largest paper-manufacturing concern in Canada. He received $5 per cord, delivered on the Bastonis River, Province of Quebec. The cost of bringing the wood from the Bastonis River to the St. Maurice River at La Tuque would be about 50 cents, and from there to Grand Mere 30 cents more.

This would make the price of wood delivered for the Laurentide Paper Company at its mill $5.80. It will thus be seen that while the largest of Canadian paper mills in 1908 were paying $5.80 a cord for wood delivered at its mill, American mills, by the above tables, were paying more than $10 per cord for the same kind of wood.

At page 2890, special committee's report, extract from letter written to Mr. MANN under date of January 7, 1909, by Edgar G. Barrett, president of the Union Bag and Paper Company, who states that the cost of 2-foot rough wood delivered at the end of the conveyor from the cutting-up points in Canada is $5.56. This cost includes logging, driving, government dues and tax, cutting up, and miscellaneous expense and administration; and as this wood was exported to the United States, it also included 25 cents per cord more stumpage than a Canadian consumer would have to pay, thus reducing the cost of wood to a Canadian consumer, under similar conditions, to $5.31.

On page 3209, special committee's report, in the statement before the Ways and Means Committee November 21, 1908, Mr. George N. Ostrander, manager of the wood and land department of Finch, Pruyn & Co., manufacturers of paper at Glens Falls, N. Y., states that in the year 1907 his company purchased a quantity of rough pulp wood at points on the Grand Trunk Railroad east of Quebec at $5.50 to $6 per cord. These prices include in all cases a reasonable profit to the seller.

This evidence would seem to conclusively demonstrate that the cost of pulp wood delivered at the mills in Canada was not to exceed $5.50 per cord in 1907 and 1908, while the same wood delivered at the American mills was $10 and upward.

COST OF MANUFACTURE AND LABOR.

That there is a wide difference between the cost of all kinds of labor entering into the manufacture of paper from the beginning until it is ready for delivery admits of no kind of doubt, and there is no evidence, so far as I am able to discover, either in the testimony or the report of the special committee, which would authorize a different conclusion. Upon this point I desire to call the attention of the House to the report of the special committee at pages 1977 and 1978, and we find as follows:

The average cost to the International Paper Company of labor in the production of 1 ton of paper from the prepared materials was:

1900	$3.80
1908 (February)	4.38

The average cost to the International Paper Company of labor in the production of 1 ton of paper from the delivery of the pulp wood at the mill was:

1900	$7.74
1908 (first three months)	8.81

To the Northwest Paper Company the average cost of labor in the pulp and paper manufacture in 1907 was 18 per cent higher than in 1904.

In the John Edwards Mill, of Wisconsin, the cost of labor in the manufacture of 1 ton of paper from the prepared materials was:

1900	$3.00
1907	3.88

The committee very properly adds:

There seems to have been considerable increase in the average weekly wage of the employees in the paper and pulp mills. This increase has not been greater than seems to your committee to have been necessary, owing to the increased cost of living; and the wages now paid in the paper and pulp mills would not be generally considered high as compared with other skilled labor.

Owing to the fact that the machinery is largely operated in the mills by water power, it is economical to run them night and day. Up to about 1900 or 1901 the employees worked on what is known as the "*two-tour*" or "*two-shift*" *system*—that is, an employee would work one week eleven hours during the daytime for six days, or sixty-six hours, and the next week thirteen hours during the nighttime for six nights, or seventy-eight hours.

About 1901 the hours of labor in the eastern news print paper mills of the United States were generally reduced, so that an employee alternately worked one week eleven hours per day, or sixty-six hours, and five nights per week of thirteen hours each, or sixty-five hours. Under this system the mills shut down Saturday night. *This reduction of hours was accomplished without reduction of wages;* and, in fact, it would appear that notwithstanding the *reduction in hours there were some increases in wages.*

In 1906 and 1907 the International Paper Company and a large number of other eastern news print paper mills put into effect what is called "*the three-tour system,*" under which there are *three shifts of men*, each working *eight hours per day* for six days in the week. This shortening of hours was accomplished *without reduction in the wages of the men per week, and in some cases the wages have been increased*, so that they are now *higher under the eight-hour system than they were under the longer hours.*

In the opinion of your committee it would be very unfortunate to adopt any legislation which would result in a return in the eastern news print mills to the former system of twelve hours' work per day or which would operate to continue such system in the western mills. While the adoption of the three-tour system instead of the two-tour does not *advance* the *wages* paid in the mill to the extent of *one-half, yet it makes a very considerable and decided increase in the number of employees paid and the total amount of the wages paid out.*

It will thus be seen from the report itself many good and sufficient reasons why the labor entering into the cost of print paper manufactured in the United States must of necessity be very much larger than in Canada, as the report shows that the eastern mills have adopted the "three-tour system," working eight hours a day, while in the Canadian mills the "two-tour" or two-shift system still prevails. It is also very significant that the committee adds—

That this shortening of hours was accomplished without reduction of wages of the men per week, and in some cases the wages have been increased, so that they are now higher under the eight-hour system than they were under the longer hours.

Nothing would seem to me to be more conclusive upon this point than these statements of facts made by the committee itself. The report above quoted is amply sustained, however, by the testimony taken by the committee, for on pages 3258 and to 3269 of the testimony taken by the committee are given rates of wages and hours of employment in 1907:

In 18 news print paper mills in the United States and in 3 mills in Canada, in 20 ground-wood pulp mills in the United States and 3 such mills in Canada, and in 7 sulphite-fiber mills in the United States and 2 such mills in Canada are given the number of employees in each occupation in each mill and the wages per day and hours of service per day for each employee. This data was collected by the Department of Commerce and Labor by their agents, who visited the various mills, and was transmitted by Charles P. Neill, commissioner, to the select committee on February 5, 1909. The department, however, failed to summarize tables containing the data, and thereby an opportunity was given for singling out and comparing the few isolated cases in which Canadian wages appeared to exceed United States wages, but did not in reality give the true measure of compensation by comparison of the hourly rate of wages paid in each country.

These tables, therefore, have been submitted to and summarized by an expert statistician, and they develop the fact that the average daily wage on an eight-hour basis of all the employees in all the Canadian mills covered by these tables was $1.56, and that the average daily wage on an eight-hour basis in all the United States mills covered by these tables was $1.78, an excess in the United States mills of 42 cents per employee per day, or 30 per cent. This is the most comprehensive and reliable examination that has ever been made of the comparative wages paid in the two countries in this line of manufacture and can not be refuted by the citation of or comparison of individual mills or of individual employees in such mills.

On page 2697, special committee's report, is a table furnished by Mr. Neill, Commissioner of the Department of Commerce and Labor, giving the average amount of wages paid in producing 1 ton of news print paper from the first work in the forest, including the labor cost, in 18 mills in the United States, covering the year 1907. Said mills produced 421,934 tons of news print paper, or upward of one-third of the production of all the mills in the United States for that year. Included in the number are eastern and western mills. The total wages per ton in these 18 mills, from the first work in the forest, was $13.75. Deducting the wages paid in forest operations leaves the sum of $8.44 as the cost of the labor in producing a ton of paper in a pulp and paper mill in the United States. As the average hourly wage rate paid in pulp and paper mills in the United States exceeds that paid in pulp and paper mills in Canada by 30 per cent, the average cost of labor per ton of paper in the Canadian mills would bear the same proportion to $8.44, namely, $6.44, showing an excess of $2 in the cost of labor in a ton of paper in the United States over Canada.

I have now arrived at that point where it may be useful to present concisely a summary of the conclusions of the facts as to the cost of a ton of print paper in the United States over that of Canada. First, therefore, we find that the value of the raw product as it stands in the woods of the United States as compared with those of Canada to manufacture a ton of paper is in excess of that of Canada $3.22 to $3.60.

Second. That the cost of charges of transportation and expenses incident thereto is in the United States over that of Canada $4 per cord or $6 per ton of paper.

Third. That the labor which enters into the manufacture of a ton of paper over that of Canada is $2 per ton, making a total difference between the United States and Canada for a ton of paper $11.60.

These figures will be found to be substantially correct from whatever standpoint investigation proceeds, and justifies not only the maintenance of the present rate of duty of $6 per ton on print paper, but would fairly authorize an increase instead of a decrease.

I am now reminded of the fact that in presenting this matter to the House for their consideration the gentleman from Illinois [Mr. MANN] cited as almost his exclusive authority one James R. Booth, of Ottawa, Canada. It is therefore important for us to examine carefully who this man is who has furnished this information upon which the American Congress is invited to act. What are his interests? How far shall his statements be received as giving the exact situation? I have known Mr. Booth by reputation for more than twenty-five years. He is the owner of extensive pulp-paper and sulphite mills located at Ottawa, Ontario, Canada, on the Ottawa River, where there is the best and cheapest water power in the Dominion of Canada and perhaps in the world. Years ago he constructed extensive mills there for the manufacture of lumber. In order to carry on these extensive operations he secured from his Dominion government extensive timber rights upon both sides of the Ottawa River, upon one side of which is the Province of Quebec, and the other side the Province of Ontario. His mills are located in Ontario, from which no pulp wood or other logs or timber are permitted to be exported to the United States. Upon the Ontario side, I have it from the best of authority, he still owns about 2,500 square miles of timber land, equaling 1,600,000 acres, and on the Quebec side 2,300 square miles, being 1,472,000 acres, making an aggregate holding of 3,072,000 acres of crown lands of which at present Mr. Booth has control, thus being the largest single holder of timber lands in the world.

After much of the timber suitable for lumber had been taken off and American genius and enterprise had discovered a way to profitably manufacture paper from wood, Mr. Booth, who was still the owner of these lands, advantageously located, as I have explained, upon both sides of the Ottawa River and easily accessible to his mill, concluded to establish pulp, paper, and sulphite mills, having a location probably the best in Canada. It will thus be seen that he controls an area of wild forest lands equal in extent, according to the statement of the gentleman from Illinois, to 20 per cent of all of the spruce lands of the United States east of the Rocky Mountains, and from which scarcely a single stick of spruce timber suitable for making pulp has as yet been taken. Does any one imagine that this shrewd business man has established this extensive pulp and paper manufacturing establishment at Ottawa for the purpose of supplying the Canadian market; and, if not, whom does he intend to supply? The story of the whale swallowing Jonah would never have been recorded had our distinguished chairman visited Ottawa on time.

Here is a country of 90,000,000 people, rich beyond the dreams of man, and using easily as much paper as the combined nations of the world. Where should he look for a market except here at his very door and with easy means of access, and at reasonable transportation? The chairman of the committee visits his mills and examines them and secures a report of some kind, which shows that in 1908 to manufacture a ton of paper at his mills it cost $34.11. It may be said, in passing, that during that time he offered to sell to the International Paper Company paper at $33 per ton, and offered and did sell to other competing companies at considerably less; but in view of all the facts which I have stated, is it to be expected that the American Congress will take Mr. Booth's view of what such proper cost of paper is when all of the facts and circumstances lead to the inevitable conclusion that his statement is not correct? And, besides all this, we must remember that the statements made by the American manufacturers here were made under oath. Mr. Booth, in his statement, was controlled by no such solemn obligation. He was privileged to say what he pleased, and submitted such facts as he thought best.

The books of his concern, so far as appears from the evidence taken, were never examined. No one will deny either his desire to enter the American market or his intent and purpose to do

so. His preparations for such an invasion are apparent to everyone. Does he occupy a disinterested position and is Congress safe in taking his unsworn and unverified statement, when, in particular, they seem to conflict with the facts known to us and which I have heretofore endeavored to present?

Mr. GOULDEN. Mr. Chairman, will my colleague yield for a question?

Mr. MALBY. Yes, sir.

Mr. GOULDEN. I should like to ask my colleagne if he can tell us if the crown lands are sold in unlimited quantities or sold in limited quantities?

Mr. MALBY. Well, unlimited quantities, of course, is a very large expression.

Mr. MANN. If the gentleman will permit, answer to that is the fact that they are usually referred to as "limits."

Mr. GOULDEN. As much as a thousand acres?

Mr. MANN. The International Paper Company has 4,000,000 acres.

Mr. GOULDEN. I would call that an unlimited quantity.

Mr. MALBY. These lands are sold to these great companies, who desire to erect industries in their country, and they usually secure quantities which will insure them of an ample supply for the capacity of their mills.

Mr. GOULDEN. Will it interrupt my colleague to ask him another question? At what price are these lands usually sold? Is there any fixed limit or are they put up at auction?

Mr. MALBY. They are sold at various prices. I have estimated that in no instance are they sold for over a dollar per acre and usually less than one-half that price. The average price would probably be less than 50 cents.

Mr. GOULDEN. If my colleague would indulge me with one more question, I would be thankful for the information. Is much of that land held by Americans?

Mr. MALBY. I can not say "much." I know that the International Paper Company has quite a large quantity and others a considerable amount.

Mr. MANN. Will the gentleman yield, and then I will not interrupt him further?

Mr. MALBY. With pleasure.

Mr. MANN. How would it benefit Mr. Booth if the provisions we have in the bill should become a law as long as Ontario forbids the exportation of forest products? What object would he have in trying to do the thing which you charge against him?

Mr. MALBY. Does the gentleman from Illinois claim that the bill forbids the exportation of the finished product?

Mr. MANN. It does not give them the tariff reduction unless the restrictions at present be removed.

Mr. MALBY. No; but what are these restrictions? There are no restrictions except the 25 cents per cord on pulp wood, which the Canadian manufacturer would probably be very glad to remove were we to reduce the tariff from $6 to $2 per ton, and for this very small concession the committee recommends that the tariff duties be destroyed and the finest markets in the world opened up freely to our Canadian competitors.

Mr. MANN. Will the gentleman from New York yield for a moment?

Mr. MALBY. Certainly.

Mr. MANN. The gentleman who is assailing Mr. Booth can not be heard, and I think it is very fair to say Mr. Booth never volunteered any information to the committee. We sent a man there to his mill, and we visited the mill ourselves. We sent an expert man from the Department of Commerce and Labor through his mill, and all the information Mr. Booth ever furnished was furnished at the request of, and was absolutely corroborated by, the expert we sent to the mill.

Mr. MALBY. I am not going to discuss that, because time will not permit. I do not suppose Mr. Booth is personally supervising his mill, but I know what his situation is and I have stated it, and besides it does appear in the evidence taken by the committee that Mr. Booth did volunteer his information; and besides I know when he reports to this committee that it cost him $34.11 to manufacture a ton of paper, in 1908, when the pulp timber had been taken off of his own lands, he is subject to suspicion and in particular when he offered to sell it to the International Paper Company at $23 per ton, and did actually sell their competitors at a less price. It is fair to assume that he made a handsome profit in both transactions.

The remaining question presented by those who are seeking to obtain paper at ruinous prices and in total disregard of the property invested and of the just claim of labor is one of conserving the forests, and, while this is always worthy of serious attention, I can not understand any more inappropriate place to discuss it than while considering a general tariff bill. What just relation has tariff to forest lands, or forest lands to tariff? Everyone seems to be in favor of a legitimate conservation of our forest lands; certainly we are and have been making every effort to do so. The State of New York has purchased and become possessed in a legitimate way of large tracts of forest lands. Other States are doing the same. The National Government has transferred millions of acres of government lands to the forest preserve, where they must ever remain under the control and supervision of the Government. This is legitimate conservation. There is only one way in which the State or National Government can honestly own or legitimately control any forest lands which they do not now own, and that is by condemnation and purchase.

What means the suggestion that duties should be removed from pulp wood and paper so that our lands can be conserved? Whose lands are we attempting to save and whose property rights are we attempting to interfere with? Are we attempting to destroy or decrease the value of lands owned by private citizens? Who is there who is willing to voice the opinion that the Government of the United States is engaged in an effort to indirectly destroy the value of the private property of our citizens? By what legitimate, legal, or moral right can this be accomplished if that is intended? Does not the owner of forest lands possess the same good title and has he not the same right to own, control, and dispose of them as a citizen who has property in any private enterprise? Why, and by what authority, do we attempt to lessen the value of or destroy the title to his investment, or interfere with it in any way? If it is desirable and necessary in the interest of the public to take these lands, then there is but one legitimate way to do it, and that is by purchase and sale, and not by creating a condition or confronting the owner with such unequal surroundings that he must surrender his property or be driven into bankruptcy; and besides all this, who is there who will give a bond that this scheme will succeed? Who imagines that the owner of forest lands will surrender them and give up the struggle until the very last stick of timber has been removed? Certainly this would be the natural and the actual result of any such contest. Instead of promoting the conservation of our forests it would naturally and surely lead to their destruction. Who contends that to cripple this great industry in the United States, employing as it does, directly and indirectly, more than 100,000 human beings, most of them heads of families, and paying out wages of more than $40,000,000 a year and making marketable more than $250,000,000 of finished product, would be serving the public? Who ever heard of low prices on anything in this country until it was produced here in such quantities as to reasonably supply the market? This has been the experience of our people from the beginning. No article has been sold cheaply in our markets until we manufactured it ourselves, and none will sell cheaply after we have ceased to manufacture it.

Mr. TIRRELL. Will the gentleman permit an interruption?

Mr. MALBY. Yes.

Mr. TIRRELL. Is it not a fact that the paper companies own about 5,000,000 acres of timber land in this country?

Mr. MALBY. I so understand it.

Mr. TIRRELL. And that in order to conserve the forests they are now purchasing about one-third of their logs in Canada so as to cut down their own timber only when it has reached a proper growth, thereby conserving the forests of the United States?

Mr. MALBY. Undoubtedly the statement of the gentleman is true. I would have made that statement myself, but I understood it was already in the RECORD.

It is an entirely fair suggestion that should the American manufacturers be destroyed or seriously crippled, the price of paper will go up instead of down. The interests of forest conservation can not be served by making paper cheaper. They are best served by making paper dearer. Who will plant a tree in place of one cut down when the one cut down is scarcely worth the cutting? What the people of this country want is not larger newspapers and more bad magazines, but smaller newspapers and better magazines. [Applause.]

There is but one further suggestion which I desire to make in closing, and that is that the great conspiracy which it now appears—if it ever had any existence—is represented by certain members of the American Newspaper Publishers' Association, who were successful in creating a false impression and maliciously libeled the great paper industry of this country and the honorable gentlemen who are engaged in it in order that they might secure cheap paper and not for the purpose of

redressing any wrong—a wrong which never existed, and which they never had the slightest reason or authority to believe or claim did exist. We have been told that the past twelve years has witnessed an era of prosperity unprecedented in this or any other country on the globe since the beginning of time. In the main, this may be said to be true; but what of those who have struggled along in the paper industry? How have they fared and how have they shared in this general prosperity? Who is there who can demonstrate or even claim that any considerable portion of this prosperity has been theirs?

The International Paper Company, the greatest of them all, after an unprecedented struggle has been able to pay the interest on its bonded indebtedness; for a short period it paid 6 per cent interest on its preferred stock and none on its common stock. For the past year its net income has dwindled to practically nothing, and it now pays the interest on its bonds and 2 per cent on its preferred stock, and it may be said that this corporation is one of the best managed in this country. The St. Regis Paper Company, referred to by Mr. MANN, chairman of the committee, having a capital of over $2,000,000, has scarcely paid a dividend on its stock, and the Remington Paper Company, with a capitalization of several million dollars, has practically paid nothing to its stockholders. The Gould Company, which was fortunate enough to possess its own lands and purchased very little outside, has been able to pay a dividend of 6 per cent. How does this compare with the record of any other industry during the past twelve years, and what possible justification can there be for making their matters worse? We have had abundance of prosperity in this land, but none of it has come to the paper maker or the stockholders of this kind of property. Thousands of citizens throughout the land are owners of stocks and bonds in these corporations. Are they not entitled to a little consideration at the hands of Congress? [Applause.]

I append hereto a communication from Hon. James S. Whipple, forest, fish, and game commissioner of the State of New York, and the resolution of the congress of the Knights of Labor passed March 20, 1909, which are entitled to careful consideration:

APRIL 1, 1909.

Hon. E. B. VREELAND,
House of Representatives, Washington, D. C.

MY DEAR MR. VREELAND: There has been so much said for and against the lowering of the duty on wood pulp and news paper material manufactured in other countries in relation to its effect on the forests, especially in the State of New York, that it seems to me it is my duty as the commissioner of forest, fish, and game of New York, to express my opinion on the subject. It must be conceded, I think, that it is important to preserve the timber growth in this Commonwealth to the extent of our abilities for several reasons, among them being:

First. To the end that we may have a reasonable wood supply, not only now, but many years hence.

Second. That the forests in a State with the topographical conditions that exist here are imperatively necessary as the most important factor in the conservation of the water supply.

Third. Without the forests the water in the streams would more rapidly dry up, under and overdrainage of farm lands be seriously affected, and their productiveness and value materially diminished.

Fourth. If any part of the tariff is removed on manufactured material, its tendency would be to cheapen all kinds of wood and its products.

Fifth. The history of lumber operations since the first cutting of trees in America, as well as in other countries, proves that the cheaper the lumber is just so much less has been the inducement for careful lumbering, conserving, and handling of forests.

Sixth. Until lumber becomes scarce and very valuable, little or no effort has ever been made to conserve and carefully utilize it, nor has there been very much activity shown in the planting of trees and reforesting denuded nonagricultural lands.

Seventh. It is undoubtedly true that, the margin of profit to-day under a $6 tariff is not too much for the manufacturers of paper in this State. It is also true that to establish a paper-manufacturing plant requires a very large investment, and furnishes employment for a large number of men, and anything that will reduce the profit in the business below a reasonable amount would strike a serious blow both to labor and capital now engaged in the manufacture of paper.

For all of these reasons, and especially with relation to the conservation of the forests, water, and agricultural lands in this State, the tariff should not be removed.

Many of the lumbermen of this State are materially aiding the department and the people along the line of better and more conservative use of the forests, and are adopting better and more economical methods in lumbering and handling their forest lands, because with present prices they are enabled to do so.

If we make the forests valuable there will be no trouble in getting the lumbermen and all of our people to refrain from cutting trees below 12 inches in diameter, because the increased growth at that period rapidly enhances their value, and the profit in the younger growth if now cut is small, and from a business standpoint, because of the fair profit in lumber operations they can afford to so manage their properties.

The greatest need in this country to-day, in my judgment, is to keep non-agricultural land covered with a reasonable tree growth, and for everyone who has land not especially adapted to agricultural purposes to plant trees.

It has taken a good many years to arouse the people of this State and in the Nation to this necessity; they are beginning to understand it. I trust that Congress will do nothing to set back the splendid progress now being made in this respect. If I am correctly informed, Mr. Pinchot, of the national department, strongly urges the retaining of the duty on lumber for this purpose; but he does not object to its being taken off from the manufactured product when made into paper. If this is his position, it seems to me that it is a very illogical one, and one in which I can not follow him.

From a Republican view of the tariff standpoint alone, one might well ask the question, Why reduce the duty to the danger point in the case of manufactured wood product, when it is paper, and yet urge a much higher duty upon other manufactured articles coming into competition with our domestic products?

I do not care, nor intend, to address you from that standpoint, but solely from the standpoint of a man charged by a great State to care for and work out a policy for the preservation of its forests, and from that standpoint and that only without representing any other interest, it seems to me that in the considerable lowering of the tariff upon either lumber, pulp, or paper an injury will be done to the great work of conserving and improving our forest interests now well under way in this State.

Very sincerely, yours, J. S. WHIPPLE, *Commissioner.*

THE CONGRESS OF THE KNIGHTS OF LABOR (INCORPORATED),
Albany, N. Y., March 20, 1909.

Hon. GEORGE R. MALBY,
House of Representatives, Washington, D. C.

DEAR SIR: The Congress of the Knights of Labor hereby protests against the tariff reduction on wood pulp and paper, and against any downward revision of the tariff that does not adequately protect American labor and industries, and would respectfully urge that you oppose all such legislation.

Respectfully, yours,

THE CONGRESS OF THE KNIGHTS OF LABOR.
[SEAL.] J. R. MANSION, *Secretary.*

Mr. HULL of Tennessee. Mr. Chairman, under the latitude allowed by general debate on the tariff bill, I desire to submit a few remarks concerning the improvement of waterways with special reference to the Cumberland River in Tennessee. The State I have the honor to represent in part has more miles of navigable streams to the square mile than any other State. Three hundred square miles of water is contained in Tennessee's total area of 42,059 square miles. The State has about 3,000 miles of railroads and nearly 1,500 miles of navigable waters—the latter mainly unimproved.

Two subjects, and they are of a kindred nature, stand out before the American people more prominently from a business standpoint than any other, and it is needless to say that I refer to the development and improvement of public roads and navigable streams. As to the former, there is to-day a great revival of interest in their improvement. Twenty-odd States have adopted state-aid systems and together with their counties and municipalities are successfully grappling with this difficult and expensive problem. But since the General Government retains jurisdiction over the navigable waterways, it is left to the wisdom of Congress to say how soon and to what extent these numerous arteries of commerce shall be improved and developed.

FIRST INTERNAL IMPROVEMENTS.

In the early history of our country we find that much attention was given by the Government and the States to the development of waterways, including river and harbor improvement, and also the construction of a system of suitable canals through the interior, among which might be mentioned the Erie Canal, the Wabash, the Delaware, the Lehigh, the Schuylkill, the Chesapeake, and so on. Large expenditures were unhesitatingly incurred during these early days of the Republic for these purposes.

But this was before the birth and development of our present great railway system. After the coming of the railroad, the railroads of the country seemed to gradually secure control of most of the canals, and as a consequence many of them fell into disuse and, strange to say, there was for a long period a gradual and general decline in waterway improvement. However, on account of the unsurpassed and almost unlimited material resources and possibilities of the United States along the lines of agriculture, mining, manufactures, and commerce, together with the pluck, enterprise, and ingenuity of the American people utilized in their development, this country has taken such long and rapid strides in its material progress as to overwhelm all the efforts of the railroads, with their limited transportation facilities, to keep pace therewith. The result is that frequently and, I might add, periodically, enormous freight congestions occur almost throughout the country. This has necessarily resulted in retarding, disorganizing, and well-nigh paralyzing business during such periods. I need not stop to inquire whether these constantly recurring freight congestions are due to shortage of cars, or exorbitant rates, or lack of rolling stock, or insufficient road mileage—whether to any one or all of these conditions—but the fact is beyond controversy that railroad transportation facilities are woefully deficient, and most of our navigable streams are unimproved.

RENEWED INTEREST IN WATERWAYS.

In the light of these conditions there has been a revival of interest in river improvement during the past few years. At one time only steamboatmen attended meetings designed to urge appropriations by Congress for the improvement of rivers, but in this era of wonderful production in all industrial and commercial pursuits, when transportation facilities are found to be wholly inadequate, meetings to urge upon the Government the necessity of this character of improvement are frequently being held along all important water courses and attended by not only the carrier, but by the producer, the shipper, and the consumer as well.

In their extremities, due to overwhelming public demand for transportation of freights, the railroads instead of viewing river improvement with disfavor and jealousy are, as a rule, now inclined to the belief that this character of improvement, instead of being antagonistic and handicapping to the successful and profitable operation of the railroads, is rather supplemental thereto. As a rule, therefore, the railroads are not now inclined to antagonize efforts to secure river and harbor appropriations from the Government.

NO REAL CONFLICT BETWEEN RAILWAY AND WATERWAY TRANSPORTATION.

Mr. Chairman, the United States has about 230,000 miles of railroads, but this is not nearly enough to meet the freight demands, although it is almost half the railway mileage of the world. On the other hand, we have 43,000 miles of rivers in the United States. The Government has only expended a little over $500,000,000 on both its rivers and harbors, while France has expended $1,000,000,000; Holland has spent several hundred millions building dikes; Belgium has spent $100,000,000, and this latter country has only about 1,100 miles of internal waterways.

England has 3,000 miles of canals; Germany, 8,700; Austria-Hungary, 7,200; and France, 3,800—connecting their navigable streams so as to secure the best and cheapest transportation.

To the friends of water transportation, the favor with which it is now being viewed by the railroad interest is a hopeful sign. Still, this is not unnatural. It is a demonstrated fact that in all the European countries, including France, Germany, Belgium, and so forth, canals increase the freights of railways. I have read somewhere that there was an independent railroad on either bank of the river Main when its improvements were completed in 1886—and over their opposition—but in the two succeeding years the railroad traffic increased 36 and 58 per cent, respectively, and their traffic doubled within ten years, while that of the river increased from 150,000 tons to 1,700,000.

Instead of injuriously affecting the two railroads paralleling it, the navigation of this improved river was instrumental in developing increased business, not only for itself, but for the railroads as well. I understand that this commercial fact is true wherever like conditions exist in Europe.

WATER TRANSPORTATION NOT SO SLOW.

The superficial idea exists that transportation by rail is much more rapid, in point of time, than by water; but this is a mistaken view. The Interstate Commerce Commission has gone on record as saying—and that great railroad man, James J. Hill, likewise stated in an interview some months ago—that the average movement of a freight car per day is 25 miles, computing from the time the freight is loaded until the freight car is unloaded. This demonstration explodes the popular idea that water transportation is not the quickest. That it is much cheaper is not controverted. A few people, of course, are in control of the railroads, while the waterways are in the hands of the people. Waterways have not the impediment of taxes or debts or private control, and so forth, with which railroads must contend. I am reliably informed that the Ohio has greater carrying capacity than seven or eight double-track railroads side by side. Experts say that the biggest train transports about 2,000 tons, while one towboat carries 70 barges down this river, with a total of 70,000 tons.

Mr. Chairman, one great advantage of waterways is that they are at all times under the control of the people, through their government, and ultimately the canals are surrendered to them, as is the case in some countries of Europe. One striking advantage of river improvement, among many others, is that the movement of freight soon becomes as great in quantity and value up the river as down. While no actual figures can be given, it can not be denied that the cost of water transportation, on an average, is from one-third to one-sixth of the cost by rail. It is generally agreed that the country would save as much annually in reduced freight rates as it expends for river improvement.

Some one has stated that the total railroad tonnage of the United States is approximated at 1,400,000,000 tons, and the cost of hauling $1.02 per ton. This imposes a burden upon the people for this freight alone of $1,500,000,000 per year, and most of this freight is first hauled over dirt or other roads before its shipment by rail and at about the same cost. This would make the annual cost of transportation of this character more than $3,000,000,000. If water transportation would reduce this enormous burden one-third or one-sixth, the saving would be startling.

NECESSITY FOR WATERWAY IMPROVEMENT.

But, apart from considerations of the quickness, cheapness, and other beneficial effects of water transportation, river improvement is a necessity upon another ground heretofore pointed out, but on which I wish to elaborate.

On December 28, 1907, James J. Hill, than whom no one is better skilled in railroad construction and operation, made this statement:

> Bearing in mind the enormous growth of business in the United States, the improvement in the waterways has become a national necessity. * * * The reports of the Interstate Commerce Commission show that for the ten years ended 1906 the tonnage carried by the railroads has increased 126.4 per cent, while the railroad mileage has increased but 22.7. When business again resumes its former volume, the delays and freight blockades, which have existed for several years past, must again occur until some permanent outlet has been furnished.

It is easy to see, if this ratio of increase of freights and transportation facilities is kept up, the sad and awful plight to which the country must soon be reduced. I have noticed in the press and other published statements of individuals that in 1906, during the severe railway freight congestion, the people in the Northwest burned their fences and barns to avoid freezing because they could get no coal. Many hundred thousands of bushels of wheat lay and rotted in the rain because the railroads could not haul it. In the South thousands of bales of cotton rotted by the road because of the railroads' inability to move it. In the great fruit belt of the West thousands of bushels of the choicest fruit rotted because the railroads could not haul it.

These conditions prevailed to a greater or less extent all over the country. The railroads could only move so much freight and no more. I well recall a wretched state of freight congestion throughout my district during this time.

In an address before the Commercial Club at Kansas City, November 19, 1907, Mr. James J. Hill used the following language:

> A year ago I said that it would require $5,500,000,000, or $1,100,000,000 a year for five years, to make our railroad facilities equal to the demands upon them. The figures are staggering, but twelve months have confirmed them and enhanced the difficulty of securing such investment. In the last year the railroads have raised in one way or another in the neighborhood of a billion dollars. Much of this has been obtained on short-time notes at a high rate of interest. Most of it has gone into terminals, renewal of old equipment and purchase of new and other necessary improvements. It has been a forced investment, the funds for which were raised not to make our railways adequate to their task, but simply to keep them at their present working level. It has been used to keep the wheels of industry from slipping backward. But there has been very little new construction. The needs of the moment were too severe for that; and, although substantially the amount of money suggested by me as indispensable has been collected and spent, the railroads have barely held their own, and the future remains to be provided for. Not less, but, in the opinion of competent judges, more, perhaps 50 per cent more, should be spent annually for the five years to come.

Two years ago he said $5,500,000,000, or $1,100,000,000 a year for five years, must be thus expended, and that the construction of 73,000 miles of new railroad during the next five years was necessary to enable the roads to meet the demands made upon them for transportation. A year later, after the expenditure of $1,000,000,000, in the above address, he increases his estimate 50 per cent, thus meaning that an expenditure of $7,000,000,000 during the next five years is necessary to keep pace with the ever-increasing freight demands. This is an impossible undertaking. The annual interest upon $7,000,000,000 at 5 per cent is $350,000,000, and yet our Government during its whole existence has expended only $500,000,000 for waterway improvement. I understand that only about 3 per cent of its appropriations are for commerce.

ESTIMATED ECONOMY OF WATER TRANSPORTATION.

Mr. Chairman, if at all correct in their reasoning and conclusions, the latest report of the Inland Waterways Commission shows that a greater use of waterway transportation would work wonderful economy. It is not my purpose to either affirm or dispute the correctness of these statements, nor have I the time now to explain in detail the facts and data upon which they base their conclusions, nor the process of reasoning by which they are reached; but I merely call attention to their report, in which it is calculated that if $50,000,000 a year should be expended in suitable waterway improvement, there would be a net annual saving in freights of at least $250,000,000; a saving of $150,000,000 in the prevention of flood damage; a saving of $25,000,000 in the prevention of forest fires; a saving of

$75,000,000 in cheapened water power; and an increase in farm productiveness of not less than $500,000,000. The commission estimates that after this plan is gotten in working order there will be an annual gain of twenty times as much as the original expenditure.

I have thus detailed briefly, Mr. Chairman, some facts and data, together with the statements of opinion of different individuals and organizations pertaining to the development of the Nation's waterways, and without adopting as my own each view thus presented, I do say that they are of such importance as to claim the serious consideration of every thoughtful, progressive citizen.

THE CUMBERLAND RIVER—HISTORY OF IMPROVEMENTS.

I now desire to present the claims for recognition of the Cumberland River, and particularly that portion above Nashville, Tenn. This river has over 500 miles of navigable water, not including the navigable length of its tributaries. It rises in eastern Kentucky and, flowing through and by the great undeveloped timber, coal, and stone regions of eastern Kentucky and northeastern middle Tennessee, forms a semicircle over 300 miles in length through the richest part of middle Tennessee. This river is navigable from its mouth to Burnside, Ky., a total length of 518 miles. The distance from Nashville to Burnside is 325 miles, and from Nashville east to the Kentucky line 200 miles, while from Nashville to the mouth is 193 miles.

From 1830 to 1840 the Tennessee and Kentucky legislatures made numerous appropriations for the improvement of this river, but little permanent benefits resulted therefrom. Tennessee granted a charter to the Cumberland Navigation Company in 1846, the purpose of which was to "improve the navigation of the Cumberland River below the town of Nashville by means of a system of locks and dams." But nothing came of this enterprise. From 1832 to 1838 Congress appropriated in all $155,000 for improving this river, all of which was expended below Nashville. This river received no aid from the General Government from 1838 to 1871. From 1871 to 1890 Congress made thirteen appropriations for the benefit of this river below Nashville, aggregating $305,000, the same to be applied to open-channel work. In 1892, I believe it was, the project of locking and damming the river below Nashville to its mouth, involving the construction of seven locks and dams, commencing with Lock A, at Harpeth Shoals, was adopted by Congress. From 1892 to March, 1905, $440,000 have been expended under this project to extend the lock and dam system of the upper river to the lower river, making the aggregate sum of $900,000 that has been expended by Congress on the lower river from 1832 to March, 1905. The estimated value of the commerce of this lower river for the year 1907 was $5,877,957, and number of passengers carried, 14,000. It may be here remarked that a reexamination and survey has recently been made of the lower river, with the result that one of the proposed locks and dams is eliminated, and Maj. W. W. Harts, in charge of the Cumberland River work, in his last report states, among other things:

> The improvement of the lower portion of this stream is a worthy one of much importance, and one that should, in my opinion, be undertaken promptly by the United States.

In 1870 Congress ordered the entire river surveyed, with a view to open-channel work and removal of obstructions. This resulted in appropriations at intervals for open-channel work during subsequent years. As far back as 1832 government appropriations for the improvement of this river were separated and designated "above" and "below" Nashville.

In 1882 Congress ordered a survey of the upper river, with a view to its locking and damming from Nashville to Burnside. A project to this end submitted by the Chief of Engineers was adopted by Congress in the river and harbor act of 1886. Under this project the sum of $2,519,000 has been expended by the Government since 1886, the total appropriations above Nashville to date being $2,665,000, but this sum included expenditures for construction of Lock No. 1, 2½ miles below Nashville, the purchase of sites for abutment at Lock No. 8, and for Locks and Abutment No. 22, near Burnside; the selection of sites for locks of Smith Shoals system; the construction of Lock No. 21, near Burnside, as well as the construction of Locks 2, 3, 4, 5, 6, and 7 above Nashville. These latter locks and dams, to be completed during next year, afford slack-water navigation from Nashville to Carthage, a distance of 116 miles, and also Lock No. 21, 18 miles below Burnside, now near completion, will furnish slack water to that railroad point. This project for the upper river provides a minimum depth of 6 feet the entire distance.

In February, 1906, a board of engineers, after a hearing at Nashville, made a report recommending a modification of the upper river project, to which I have just referred, to the extent that Locks 1, 2, 3, 4, 5, 6, and 7 to Carthage, and 21 below Burnside, should be completed, but that the construction of the other locks and dams proposed between Carthage and Burnside, "is not at present justified by the commerce involved." This modified project was adopted by Congress in the river and harbor act of March 2, 1907.

CLAIMS OF UPPER CUMBERLAND.

This is a brief résumé of the projects for the Cumberland's improvement and the work done thereunder, as I gather from reports of Chief of Engineer's Office and other sources. The Department of Engineers recently recommended that the project to lock and dam the lower Cumberland be carried out, but that the further improvement of the upper Cumberland shall cease for the present—after the completion of Locks and Dams Nos. 7 and 21. Their recommendation that the lower end of the river be thus improved meets my hearty approval and shall have my constant support; but from their suggestion that the project for the improvement of the river above Nashville shall be abandoned for the present, I most earnestly and emphatically dissent.

From my knowledge of the physical, commercial, and industrial conditions of the territory drained by the Cumberland River, I unhesitatingly insist that the claims of the upper river for improvement are not inferior to those of any other river project of similar magnitude in America; hence my contention that the work should be carried on on both sections at the same time, so that this generation as well as its grandchildren may have the benefits of slack-water navigation.

I dare say that every engineer who has actually visited and inspected the upper river and seen the almost unlimited material possibilities of the territory it drains, and its almost utter lack of railway transportation, has strongly recommended its speedy improvement by locks and dams. As far back as 1881, when the survey of the river above Nashville was made with a view to the pending project, Maj. William R. King reported that said "river is worthy of improvement, and that the work is a public necessity." This survey showed that the entire fall from Burnside to Nashville is 223 feet, or 8 inches per mile, and "that the general slope is quite uniform, so there would be no trouble about rapid currents;" that the river bed is generally rock, which would afford a secure foundation for the locks. This is so superior to the Kentucky and many other rivers that have been thus improved, notwithstanding extremely bad foundations. A test made during this survey showed that the low-water discharge of the river above the mouth of the Caney Fork was 1,100 cubic feet per second, and 1,325 cubic feet per second near Nashville.

The detailed report of that survey also shows that this upper river is stable and permanent—there are no cut-offs or changes of course. I understand that cut-offs in the Mississippi have shortened the river several hundred miles within the last two hundred years. I gather from the report that the upper Cumberland's banks are about 1½ feet horizontal to 1 foot in height. There are very few bank slides. The river is of uniform width, averaging about 300 feet above the state line, and 400 feet below the state line east of Nashville, thus causing a generally uniform height of rises.

Impediments to navigation, such as protracted freezes resulting in ice obstructions, so frequent in many other navigable streams, is of rare occurrence on the Cumberland. Suitable construction supplies for lock and dam purposes, such as rock and timber, can be had in abundance near any dam and lock location. The engineers have heretofore suggested that the dams already built on the upper river in connection with the open-channel work done there will greatly aid toward canalizing the river by confining the water to a limited channel.

Perhaps one of the potent reasons for the improvement by locks and dams of the upper river first is embraced in the suggestion of one of the engineers in charge, made some years ago:

> That the navigation of the lower river is already more reliable than that above, while railroads are in some places accessible, and the needs of the people for the transportation are not so great as those above Nashville.

But he also adds that—

> At an early day the same standard of improvement should be adopted below Nashville—

To which I agree.

In each of the annual reports made since 1882 the engineers in charge have recommended and urged the completion of the projected locks and dams on the upper river until the year 1905, as I have stated, and Congress also was in hearty accord. It is true that during later years some of them directed attention to the relative importance and claims of the two ends of the river and urged improvement of the lower end as well, but at no time prior to 1905, so far as I now recall, has the discontinuance of improvements on the upper river as projected been recom-

mended or suggested either by the Department of Engineers or by Congress.

In 1886, Colonel Barlow, speaking, in his report, of the two sections into which the river was divided, said:

> Separate appropriations for these two sections should have the effect also of securing a larger aggregate yearly amount for carrying on the work, a most desirable result in view of the magnitude and importance of this improvement.

While this statement referred to the two sections into which the upper river was then divided, namely, below and above the Kentucky line, it would now apply with equal, if not greater, force to the upper and the lower river. A leading suggestion in this and subsequent reports is that this improvement means—

> For the upper section the opening up of a cheap and safe means of transportation for the almost unlimited forest and mineral resources of the upper Cumberland Valley.

ENGINEERS' ADVERSE RECOMMENDATION.

Mr. Chairman, I of course recognize the efficiency and excellent ability of the four distinguished engineers who went to Nashville and held a hearing in February, 1906, and as a result of which recommended the abandonment of the then existing upper-river project, save as to Locks 1 to 7, inclusive, and Lock No. 21, near Burnside, upon the sole ground that "it is not at present justified by the commerce involved." I wish, however, to comment fairly upon this report and the chief grounds upon which it is based, and to cite some additional facts and conditions in connection with those to which I have already directed attention, which strongly rebut the conclusion of this honorable board.

The fact that since 1883 this river above Nashville has been recommended by all the engineers in charge as suitable for improvement by locks and dams, and highly worthy, should be borne in mind. The fact, also, that Congress concurred in this conclusion in the river and harbor act of 1886, and heartily adhered to it until 1906, having made numerous appropriations in accordance therewith, should not be overlooked. None of this board have ever seen this section of the river.

Again, the entire suitableness of this section of the river for locking and damming—its rock bottom, its steep banks, its uniform width, its gradual slope, its freedom from ice gorges, and so forth; the existence of near-by material for lock and dam construction—afford strong and convincing reasons in support of its continued improvement.

The advisability of improving a river is determined by a number of important considerations, but chief among which relates to the commercial and industrial benefits to be obtained by such improvement. The following statement is found in the report of the Board of Engineers in 1906, based upon their hearing at Nashville, to which I have alluded:

> The board does not consider their (the counties) existing commerce sufficient to justify the expenditure of $4,200,000, which will be required to canalize the river from Carthage to Burnside, nor that a large development of commerce in coal or other mineral resources over this section of the river is reasonably prospective.

IS THIS VIEW WELL FOUNDED?

This view is hardly in harmony with the view of every business man in the Cumberland Valley, or with the views of every engineer who has been in charge of the work of the improving of the Cumberland theretofore. As I have already stated, Colonel Barlow and other engineers in charge have repeatedly gone on record in their official reports as saying that the improvement of the upper river would afford an outlet for the natural resources of that section. Colonel Barlow, in his report for 1890, urges as one of the strongest reasons for extending the system of locks and dams on the upper river to the river below Nashville as follows:

POSSIBILITIES AND NEEDS OF UPPER SECTION.

> The public necessity and convenience subserved by the radical improvement of the lower Cumberland would be the opening up of the vast and varied mineral and forest resources of the Cumberland Valley to navigation. * * * The commerce of the Cumberland River extends to the most important points of the Mississippi system, and it is thought that this commerce will continue to largely increase as the river above Nashville is improved, by reason of heavy shipments seeking the western waterways.

Colonel Barlow had personally inspected this river and its valley. It is a known fact that the chief mineral resources and forest areas of the Cumberland Valley and territory which this river drains are to be found in the upper Cumberland section. It is equally well known that the seven locks and dams now being constructed on the river above Nashville extend through an almost exclusively agricultural section and terminate near the edge of the forest, oil, stone, coal, and other mineral areas lying undeveloped and far from any other transportation facilities.

So far as I know or have heard, few if any of the engineers in charge have had occasion since the survey of 1882 and 1883 to visit and carefully inspect the Cumberland River above Carthage and the commercial possibilities of the territory it drains. Neither, so far as I recall, has the distinguished chairman of the Rivers and Harbors Committee, or any member of that committee, had an opportunity to make a visit of inspection to this upper river. I have little doubt that if members of this committee should inspect this part of the river and observe the material conditions there, together with its almost complete isolation from railway transportation, they would easily find that its early improvement is well deserved and that it clearly comes within the showing required of many other rivers of similar importance that receive, and have been receiving, favorable recognition from the Government.

Mr. Chairman, a most important point that I here desire to make is that the great bulk of the freight that now comes down the Cumberland to Nashville and points below, comes from that portion of the valley lying above and beyond Lock No. 7 near Carthage, and this must continue to be the case, since the undeveloped resources of the character already alluded to are located on this unimproved section of the river, and are virtually unsupplied by railway transportation. I have an intimate personal knowledge of the entire upper Cumberland section as respects its agriculture, varied natural resources, commerce, freight traffic, and its immense possibilities when suitable outlet is afforded. The completion of the seven locks above Nashville will soon materially increase the commerce of the upper river, but such increase would prove a revelation if these improvements should be extended above Carthage, so as to tap not only the agricultural but the timber, stone, coal, and other mineral resources of Kentucky and Tennessee. I do not deem it necessary to dwell at length upon the industrial and commercial possibilities of the rim, the basin, and the Cumberland Mountain, along near the foot of which the upper Cumberland flows.

I gather from the valuable report prepared by the Nashville Board of Trade and the Cumberland River Commission that prior to the civil war a number of steamboat lines operated between Nashville and New Orleans, conveying the cotton, tobacco, and grain crop of the former section down the river and bringing back sugar, molasses, and coffee; that this commerce was considerable; that with the Cumberland improved all kinds of freights could be carried to the various trade centers of the Mississippi Valley and of the Gulf, as well as the West Indies and other seacoast markets of the world; that the railway tonnage of Nashville annually approximates 40,000,000 tons; that Nashville has some 700 manufacturing concerns, whose annual output exceeds $30,000,000; that the jobbing trade of this city is nearly $200,000,000 each year; that the Cumberland River traffic coming into Nashville, not including that of other points on the river nor that deflected by railroad, amounts to about $17,000,000 each year; that the improvement of this river by locks and dams "is the most important factor in the complete development of Nashville and middle Tennessee.

I find in the report of the Board of Engineers, dated February, 1906, that the district officer estimates that in the event of the completion of the then existing project of improvement the commerce of the Cumberland River would increase to 1,000,000 tons annually. The report adds:

> This, however, would be but a small part of the freight movement that would be affected by the improvement. According to the census of 1900, in the 21 counties of Tennessee and Kentucky which abut on the river below Burnside and which will be directly affected by the improvement, there was a population of 440,146, an area of 8,775 square miles, with farms covering 479,738 acres, of which 2,361,865 acres were improved. The total value of the farm property and products for 1899 was $91,822,014, of which $13,575,217 represented live stock, and $17,263,237 products not fed to live stock.

It should be remembered that these assessed values are only about 60 per cent of the real value of the property.

It will be observed that the quotation just made only refers to counties abutting on the river. In this connection it should be borne in mind that there are a still greater number of other counties situated near, but not abutting on, the river that are without railroad facilities and are measurably dependent upon this river during its navigable season for transportation.

Mr. Chairman, it is a matter of no serious difficulty for the upper Cumberland watershed to not only supply, but to easily glut, all the demands of the Nashville markets, with its various products, either in the raw or manufactured state, and this with very scant transportation facilities by reason of only occasional navigation; hence the completion of the river improvements from Nashville to the Ohio will be a benefit not only to Nashville and the lower river section but to the upper river territory as well, in that an outlet would be thereby afforded for all surplus products both to home and to distant and larger markets. But, the lower river being already navigable for a much longer period than the upper river, why not improve

both at the same time, so that the improved lower end and the people of the upper section would not be deprived for a generation of the great increase of commerce that would at once follow the improvement of the upper section above Carthage?

Mr. Chairman, I emphasize and urge the necessity of further improving the upper river without delay or hindrance, because this section is but in the infancy of development and is without satisfactory railroad facilites to encourage or make extensive development possible. If this section were favored with year-around navigation, within a short time one could witness many vessels laden with outgoing or incoming freight passing a given point on this river every day. Even with the small amount of work already done upon the upper Cumberland, the commerce has increased considerably and is maintaining a permanent and healthy increase. It is true that the last report of the engineer in charge indicates a temporary decline in the commerce of the upper river, but it is a fact well known that this was but temporary and due solely to the protracted low-water stage during the rainy or navigation period. Hundreds of tons of up-river freight are unloaded or loaded along the upper Cumberland during each season of navigation at each of such shipping points as Gallatin Landing, Hartsville, Cedar Bluff, Dixon Springs, Alexander, Rome, Taylors Branch, Carthage, West Point, Buffalo, Snow Creek, Granville, Wood Forks Landing, Fort Blount, Jennings Creek, Gainesboro, Butlers Landing, Bennetts Ferry, Celina, Martinsburg, Center Point, Ross Landing, Carys Landing, Blacks Ferry, Marrowbone, Burkesville, Albany Landing, and so on.

The down-river freight mainly comprises live stock, tobacco, most kinds of agricultural products, fruits, poultry, eggs, immense quantities of undressed lumber, logs, staves, handles, spokes, and other manufactured products, which are prepared for shipment only in small quantities, such as the usual few months of irregular and uncertain navigation and consequent transportation facilities justify. The important fact that the railroad facilities of the upper Cumberland Valley are very scant and of little practical utility if the river was improved should not be overlooked. The Southern Railroad passes across the Cumberland Mountains east of Nashville, but does not run near enough to the Cumberland River to afford advantageous transportation facilities to the valley proper. All of the important shipping points on the upper river, save Carthage, are not touched by any line of railroad. The people, therefore, of the valley proper, as well as the inhabitants of the rim and the plateau, are in most instances obliged to haul their products over dirt roads a distance of from a few miles to 50 miles in order to reach a railroad and, in addition, pay a much higher freight rate.

It is easily seen that the lack of adequate transportation is an enormous handicap to the development of this immense territory. The boats can only run during a few months in the year, and irregularly during this time, hence only such amount of freight is prepared for shipment as chances of removal justify, with the result that no kind of effort is made to develop the country by increasing the output of the farm, or mining coal, or making profitable disposition of the many hundred thousands of acres of virgin forests, or digging additional oil wells, except to freight the small number of steamboats that ply the upper Cumberland during the brief period of its navigation, for a large number of vessels are not put on this river because the navigable season is too short and uncertain to justify this course from a business standpoint.

To illustrate, in a small but certain degree, the manner in which commerce would keep pace with increased navigation, I recall one summer, which is usually the dry and low-water season, during which there were numerous rains and the river continued navigable, and when it became apparent that boats could continue to transport freight the banks of the river were kept crowded during the entire summer with freight for shipment. The price of products is largely determined by their ability to reach the best market, and the cost of transportation is usually the greatest factor in fixing prices of marketable products, whether of the field, the mine, the forest, or the factory. The plain truth must be apparent to every observer that marketable products of the watershed of the upper Cumberland must in the main be hauled over dirt roads to railroads or shipped by boat during the river's brief period of uncertain navigation. These conditions render it difficult, if not impossible, to compete in the best markets or to secure the benefit of the best markets.

OTHER RIVERS IMPROVED BY SECTIONS AT SAME TIME.

Mr. Chairman, some one has suggested that it would be inexpedient to improve the lower river and extend the work of improvement above Carthage at the same time. I utterly fail to see the unfeasibility of such course. On the contrary, this method of improvement has found favor with Congress and with engineers in charge of other rivers of similar importance and size.

The James River, in Virginia, has been considered for the purpose of appropriations and improvement in two sections, namely, above and below Richmond. Both sections have been improved at the same time. The Cape Fear River, in North Carolina, has been divided into two sections likewise, namely, above and below Wilmington, and improvement conducted on both at the same time. The value of the commerce of this river is $4,400,217.

The Savannah River, in Georgia, has been improved by sections above and below Savannah, and above and below Augusta. The Coosa River, in Georgia, has been improved by sections, work being done upon both at the same time, namely, above and below the crossing of the Eastern Tennessee, Virginia and Georgia Railroad bridge. Similar methods of improvement have been adopted and conducted upon the system known as the Black Warrior, the Warrior and the Tombigbee. The Brazos River, in Texas, has been improved materially at the same time above and below Old Washington. The Red River has been improved at the same time on the two sections, extending in either direction from Fulton, Ark.

Of course, the Mississippi would not be a fair illustration, but it is not unfair to remark that in addition to the numerous sections into which this river is divided for purposes of improvement, improvement is going on all the time on the upper Mississippi as well as the tributaries of the upper Mississippi.

The Missouri River has been improved by sections, extending in either direction from Sioux City, at least until 1902. Work has been done at numerous different points on the Ohio. The order in which some of the locks and dams have been constructed is like this—8, 11, 13, 19, 10, 26, and so forth.

The Big Kanawha River has been improved by locks and dams for 90 miles with a 6-foot depth at an expense of $4,223,000, while its commerce, since improvement, is only $9,776,604. I might here remark that the commerce of the upper Cumberland exceeds this, without material aid from the lock and dam improvement.

The Kentucky River had a commerce in 1906 of $3,646,411 only, while its improvements have cost $3,681,000, with an estimated balance necessary for completion of $1,710,000. The Columbia River is being improved by sections and at considerable expense. The Monongahela has been improved by sections—the West Virginia and the Pennsylvania section. Nearly a million and a half have been spent on the West Virginia, while more than three and one-half millions have been spent on the construction of locks on the Pennsylvania section.

The commerce on the Little Kanawha was only 70,289 tons, yet four locks and dams are being constructed on this river. The Big Sandy River in West Virginia and Kentucky has received more than a million dollars, while it is only navigable to its fork, 27 miles, and also appropriations for locks on its two prongs, 9 and 4 miles in length, respectively, the whole project to cost $4,725,000. This river's commerce for 1906 was $2,450,548.

These citations, hastily gathered from the various reports of the Chief of Engineers, are given, not in the way of criticism, but as overwhelming evidence in support of the sound policy of extending the lock and dam system further up the Cumberland River from Lock No. 7, and at the same time extending same down the river to its mouth. No; I do not for a moment question the wisdom or the policy of the course pursued toward the rivers I have enumerated, but I commend it, on the contrary, and only ask that the two sections of the Cumberland River receive the same recognition at the same time that other sections of rivers of no greater importance have received at the same time from Congress.

ANOTHER OBJECTION ANSWERED.

Mr. Chairman, I desire to recur to another statement or suggestion in the special report of the Board of Engineers, who recommended temporary abandonment of improvement on the upper Cumberland River, and that is that it "is not at present justified by the commerce involved," and this is the controlling ground upon which the board acted.

I submit that this is hardly fair to this river, since there is no controversy as to the existence on the upper river of such extensive material resources as are to be found in few other sections of the country. To be sure the commerce is small compared to what its volume would be with suitable facilities for carrying the products of this country to a suitable market. If the maximum volume of commerce were already attained there would be no just claim for river improvement, but this is one of the chief purposes of improving our waterways, to afford a constant outlet for freight traffic.

The Northwest, I understand, was called "The American Desert" until railroads penetrated it, and now it is teeming with wealth and dotted all over with almost every kind of enterprise. They are even plowing out there now with automobiles.

The Green River, in Kentucky, was scarcely navigable and had an insignificant commerce until it was locked and dammed. Now, I have been told, that it carries more freight into Evansville than any two railroads entering that city. Like the Cumberland, this river's watershed had undeveloped resources that were only waiting for an outlet to enable them to reach market at a reasonable freight rate.

Coal is found in 23 counties in Tennessee and Kentucky within the Cumberland basin, and that it and other minerals exist there in almost unlimited quantities, is not controverted. But what profit would it be annually to mine even millions of tons of this Cumberland Mountain coal, and by short lines of railway where necessary, or by the Obed River, to place it on the banks of the Cumberland for shipment? With an unimproved river, with navigation too irregular, uncertain, and brief to justify the use of large numbers of boats and barges, this immense amount of coal would have to lie there and become worthless. Likewise as to all other freights where large quantities are prepared for shipment. If the same requirements suggested as to the upper Cumberland sections had been applied to numerous other large and important rivers, such as the Kentucky River, the Green River, the Big Sandy, the Big Kanawha, the Monongahela, the Allegheny, the Little Kanawha, and many others that have been wisely improved by the Government, and their commerce rapidly developed as a consequence, would have each to-day been without improvement or prospective aid.

Anyone at all familiar with its natural resources must readily agree that the upper Cumberland watershed can easily freight for generations to come all the vessels and other water craft that an improved river would afford. Coal can only be towed down the Ohio on the floods, by reason of the uncertainty of navigation. The increased cost which this necessity incurs is 20 cents per ton. Experienced steamboat men tell me that the irregularity and uncertainty of navigation increases the cost of shipment on the upper Cumberland at least 35 per cent. In brief, the world's uniform experience is that where rivers draining a fertile and resourceful country have been canalized or suitably improved, the highest degree of development and increased prosperity soon follows—boats going loaded in both directions. The Cumberland Mountain coal, oil, stone, and timber region is 600 to 800 miles nearer New Orleans than the Pittsburg fields. How could one dispute, therefore, that with an improved river there would be any great delay in the development and marketing the forest, mineral, and agricultural products of the 23 counties bordering on and near the upper Cumberland River? Besides, short lines of railroad tapping the adjacent coal fields could and would be easily and cheaply constructed from different points on the upper Cumberland.

During this and the last Congress, I have urged that steps be taken looking toward the early and gradual extension of the lock-and-dam system above Carthage, and also that the same system at the same time be extended down the river until its mouth is reached. But the last Congress was not in a state of mind to appropriate a dollar for any new work or new project for the improvement of any river or harbor in the country, so that the present Congress must be looked to for this character of relief. When an appropriation is asked for a project of river improvement, where a survey and estimates have not been had for a period of many years, the Rivers and Harbors Committee sometimes prefer, and so insist upon, a resurvey before making further appropriation.

Since the upper Cumberland was last surveyed, in 1882-83 and since no appropriation for that portion above Carthage could be had earlier than the present Congress, I asked that a reexamination and resurvey of this section of the river be made in the meantime, to the end that this possible objection and obstruction may be removed when the next river and harbor bill is drafted and passed by Congress. I asked also that a resurvey of the Obey River, from its mouth to the head of navigation at Eastport, be made, with a view to the removal of obstructions, and also such open channel work as would facilitate navigation. The last Congress acted favorably upon each application. I trust and believe that the conditions made to appear to the government engineer from his inspection of the Obey and the upper Cumberland, and from the showing as to their merits to be made to the engineer by the people residing along these rivers, he will feel fully justified in strongly recommending their early and permanent improvement. During the Sixtieth Congress I offered a bill to place the lock-and-dam system, as proposed, from Lock No. 7 to the Kentucky line, on the continuing-contract basis, the cost not to exceed $2,000,000. I have again offered that bill in this Congress, and do trust it may receive favorable consideration. The people of the Cumberland Valley east of Nashville have accomplished much; they have contributed more largely than any other section to the rapid and permanent growth and the substantial upbuilding of the capital city.

Mr. Chairman, there should be no discrimination against this great river and the magnificent valley it drains. Too long already has this fertile region, teeming with undeveloped natural resources and peopled by a citizenship that has no superior in the land, suffered the untold losses and disadvantages resulting from scant transportation facilities. The people who inhabit the hills and valleys of the upper Cumberland are honest, intelligent, industrious, and frugal. They are brave, patriotic, and liberty loving. Whether in peace or in war, whether in public life or in private station, they have nobly met every requirement of honor and duty. [Loud applause.]

Mr. RAUCH. Mr. Chairman, I wish to take advantage of this opportunity to discuss certain paragraphs and provisions of the bill under consideration and to print as an appendix to my remarks a communication received from a gentleman residing in my district. I recognize the limitation of time, also the fact that a number of gentlemen have not as yet had an opportunity to be heard.

Mr. Chairman, President Taft said in his inaugural address: "In the making of a tariff bill the prime motive is taxation and the securing thereby of a revenue." This is an altogether different premise from what has formerly been supposed to be the basis of a Republican tariff, the primary object of which has been declared to be protection. He further said that he intended to make the Roosevelt reforms "a most important feature of my administration;" and his distinguished predecessor, who so readily adopted certain Democratic principles, proclaimed loudly and continuously that his one great fight was against the "privileged classes." The foregoing smacks very much of the Democratic doctrine of a "tariff for revenue," and to the thoughtful student of political conditions must present an anomaly that is quite interesting. If the position of Mr. Taft represents a beautiful finesse from the standpoint of a politician, it can hardly be called statecraft. If he has broken away from the traditions of his party, the present tariff bill certainly can not receive his approval. If the former is true, it is hardly what we would expect from the operation of the keen, judicial mind of the President. If the latter is true and he is really against special privileges, the drafting of that principle into our tariff laws will require the elimination of the influences of the "privileged classes" that are so manifest in the present bill.

There is no doubt but what the beneficiaries of the prohibitive tariff rates were afraid of such a turn, but it is their evident intention to hold the party to its bargain, because in their testimony before the Committee on Ways and Means they expressly declared that they did not expect the Republican party to disregard its promises, no matter how badly the country needed revenue, and that they were entitled to the rates which they now have, which they claim represent the difference between the cost of production abroad and at home, including a reasonable profit to the American producer.

In the consideration of this question, which has so long dominated the politics of our country, we must proceed upon a definite theory. We can not proceed upon two theories seeking to make them both fundamental when their nature demands that one be subservient to the other. We must either levy a tariff for revenue, leaving the incident protection to be what it may, or impose a tariff for protection, leaving the incident revenue be what it may. The main reason for a tariff has always been a matter of discussion and has offered a question upon which the two parties have divided. It is now of very great importance because the tariff-fed industries have formed monopolies and are demanding, under the guise of protection, that the high schedules under which they have fattened be maintained. Business men are asking that their business be protected from the discriminations of monopolies.

Now, the action of any political party is dangerous when in its final action it yields to the strongest political influence. This is usually what it does when it does not follow a principle. Then special protection comes to those who are strong and the weak are left to perish. If we follow a principle, men can form some opinion as to what its development and evolution will be and what conditions it will bring about. If we levied a tariff for revenue and not for protection, the schedules that are the best revenue producers and the least burdensome upon the people would be well established. Business interests would not hang and alternate between the hope and fear of the granting or refusal of some special privilege, because they could form some opinion of what the application of the principle would bring to them. Who in business would not prefer to build upon

a principle than upon the vacillations of those who deal out favors to the supplicants who can perform the greatest political service?

Mr. Chairman, we have traveled a long distance in listening to the arguments and excuses of those who favor prohibitive tariff rates. From the argument that the foreign producer and not the consumer paid the duty to an appeal for our infant industries; from the denial that our products were sold cheaper abroad than at home to the excuse that it was only our surplus; from the position that many of the present rates are not prohibitive to the one that they should be reduced to represent only the difference in the cost of production with fair profit; lastly, from the position that the primary object in imposing a tariff is protection to the admission, by a Republican President, that the primary object should be for revenue. We do not know how far you will go. It is sufficient to say that you will be controlled by the political exigencies of the case.

Many of the schedules in the Dingley law are greatly in excess of the cost of production at home and abroad. While this is true, the Committee on Ways and Means have not hesitated to raise the rates of that law. The old hosiery schedule was outrageously high in certain items. That industry has grown with marvelous rapidity in recent years; in fact, in 1908 we imported only about $6,654,000 worth, and made over fifty millions' worth. It would seem according to these figures that the industry is pretty well cared for in this country. Under the Payne bill, the cheaper grade of hosiery, or the socks worn by the poor man, are taxed 85 per cent, while the fancy ones of various patterns and colors are taxed only 55 per cent. This is a sample of the way in which the Payne bill helps the poor in reducing the duty on the necessaries of life.

Another interesting feature of the Payne bill is the dropping of the identification clause in the "drawback" provision, and permitting importers to export in the manufactured article the equivalent of the material which they have imported, and secure in "drawback" 99 per cent of the duties on the imports. This provision will prove a great boon to the Standard Oil Company and the beef trust. Under the Dingley law, the material imported must be identified in the articles exported to entitle the manufacturers to a "drawback" of the duties paid. That provision was known as the "identification clause."

The Standard Oil Company and the beef trust are among the greatest exporting combinations in the United States to-day. Under this new provision they will be able to enormously increase their profits and to fasten more firmly their hold upon the American consumer and more successfully thwart their American competitors. The gentleman from Indiana [Mr. CRUMPACKER] says that the Standard Oil Company is a large importer of tin plate. This is true. Under the Dingley law there was paid out in the way of drawbacks over $55,000,000. Over eighteen million of this amount was paid out upon tin, and it is fair to assume that a goodly share of that amount was paid to the Standard or its representatives. All of this under the provision containing the identification clause. To what extent the manipulation can be carried on when this clause is stricken out is now a matter of conjecture.

Mr. Chairman, if protests were not useless, we would feel like protesting against a system that can not even be justified by the most ardent supporters of a high protective tariff. They say that a high protective tariff is in the interest of the American workingman and that we should be patriotic enough to pay a higher price and always purchase an American-made article to keep the American laborer employed. If there is anything in this argument, I submit that the same patriotism that compels the American consumer to buy American oil from the Standard Oil Company should compel the Standard Oil Company to buy American tin plate from an American company. Why should this special privilege be given to the Standard Oil Company? Is it not as important to keep the tin-plate maker as busy as the oil worker?

Mr. Chairman, I think the bill represents a revision of the tariff in favor of the classes instead of the masses, and I believe the country is awake to the situation. The following communication shows something of the sentiment against certain schedules:

WILER & WISE (INCORPORATED),
Logansport, Ind., March 25, 1909.

Hon. GEORGE W. RAUCH,
Washington, D. C.

DEAR MR. RAUCH: We note that the Ways and Means Committee of the House of Representatives has incorporated in a proposed tariff bill a decided increase upon cotton hosiery and women's leather gloves.

We think this very unjust and discriminative. The duty is raised upon the class of merchandise that the masses use, and does not seem to be changed upon the merchandise of the classes.

An article that is as staple in the dry-goods business as sugar in a grocery store is a 25-cent hose, and under the present rate of duty a consumer receives a very fair article, but under the advance the hose that would retail at 25 cents would not be worth carrying home.

We see no reason why this duty should be advanced, as the American manufacturer is well protected, and to our personal knowledge a number of the American manufacturers who are making a full-fashioned stocking such as is imported from the other side have increased their capitalization very much, and, in fact, watered their stock and are still paying heavy dividends.

Take it in our own State, the Wayne Knitting Mills, under the present protection have built up a tremendous plant employing hundreds of workingmen, and I have it from one of the directors that their dividends have been so large that they have been compelled to cover them up in order not to raise the ire of their customers.

The glove manufacturers have not been backward in making similar requests, and their demands are no less unjustifiable and outrageous. They have secured a tariff that will exclude foreign gloves altogether. They would practically put the whole industry into the hands of a group of manufacturers in Fulton County, N. Y.

The rates suggested are increases over the present rate of 128 to 150 per cent for schmaschen, 60 to 174 per cent for lamb, and 33 to 102 per cent for kid, which is in direct opposition to the wishes of the people of this country who have declared in favor of reduction in the present rates of duty.

Statistics show that the domestic product for the year 1905 was $17,740,385, as compared with the importation of $4,890,793. From this it is clearly seen that the domestic interests have control of more than 75 per cent of the market for leather gloves in this country, so why should they ask for an increase in duty?

Upon a consideration of these facts, we believe you will cast your vote and use your influence against this measure. We beg to remain,

Yours, very respectfully,

WILER & WISE (INC.),
By CARL S. WISE, *President.*

Mr. BARNHART. Mr. Chairman, it was with considerable hesitancy that I decided to undertake the discussion of this—the tariff—question, for the reason that it is so vast in its possibilities of right and wrong that I behold the ingenuity of the greatest and most skillfully trained minds in this body floundering at times in the turmoil of contention that is long drawn out and necessarily technical.

I think I am safe in venturing the observation that scarcely 2 of the 391 Members of Congress agree on the multitudinous phases of this bill, and doubtless we could not all agree on any bill. But if we are patriotic, if we are just, if we are considerate, if we are void of selfishness, and if we truly represent the interests of our people at large and our country's welfare, our duty is plainly outlined on the horizon of public sentiment all about us.

The greatness of a country and the success of its people are dependent on four constituent elements of environment. They are food, shelter, clothing, and means of enlightenment, and if we would achieve the largest sphere of success for the masses, whom we represent, we should make their possibilities for inspiring homes, comfortable clothing, wholesome food, and abundant reading matter the most encouraging within the possibility of legislative endeavor. And how can we do this? Manifestly, the cheaper necessities for every family can be purchased the more of them they can have, and the more of them they have the larger will be their self-satisfaction and enjoyment, and consequently the more likely their influence for right in man's duty to man.

But somehow we have drifted into a money-grasping era. Those who must earn their living "by the sweat of the face" see legislative and official favor shown to the class that sneers at the doctrine of equal privileges for all. They see one class of people enabled to exact unjust profits from another class. They see tariff barons reveling in wealth and the farmer and the laboring man forced to practice constant and discouraging economy to enable them to "make both ends meet."

Does the tariff system—the protective-tariff system which we have had for some years and the new one now proposed—discriminate in favor of certain interests in particular and against the public in general? If it does, then every patriotic representative of the people is in honor bound to vote against it; and to reach an intelligent conclusion, let us see what influences contributed to its conception and are operating by shrewd manipulation and cunning devices to pass it.

I have heard a great deal of talk in this debate of the "hearings" before the Ways and Means Committee. Does the country understand what these "hearings" consist of? I will tell you. It was a rush of representatives of certain interests to get before the committee to tell of the special protection they want. And who were these men who spent their money and came here and testified, and then stayed here most of the winter and gave $5 and $10 a plate banquets to Members of Congress? Were they men interested in securing better conditions for the toiling millions? Were they here to urge the committee to report a bill that would give cheaper homes, cheaper clothing, cheaper food, and cheaper reading matter to the masses?

You know they were not! They came as representatives of the interests that profit at the expense of the people through the imposition of high-tariff taxes, or else they came to have

continuing-contract basis, the cost not to exceed $2,000,000. I have again offered that bill in this Congress, and do trust it

some opinion of what the application of the principle would bring to them. Who in business would not prefer to build upon

grocery store is a 25-cent hose, and under the present rate of duty a

the imposition of high-tariff taxes, or else they came to have

the tariff reduced on the luxuries of life that are not produced in this country. Men, they are, representing the corporate greed of our country—men who boldly demand their pound of flesh, regardless of where it comes from. And it looks like their unholy greed will be satisfied, foul birds that they are, preying, vampire like, on the fruits of toil of calloused-handed men and pale-faced women and carrying their spoils back to the coffers of those who live by their wits and then revel in luxury and dishonor on money taken from those who earn it and who thus pay tribute toward keeping the high-tariff party in power by giving it the bargain and sale advantage of colossal campaign corruption funds.

Mr. Chairman, I said in the beginning that I want to be classed with those who favor better conditions and easier means of comfortable and successful living for those who create the dollars in our glorious country, and I can only do that by voting in favor of lower tariff taxes on the necessities of life and collecting more of our revenues from the luxuries. We need cheaper lumber, cheaper hardware, and cheaper glass with which to build homes; and if the rich want to use mahogany and mosaic and inlaid and hand carved furniture, and silk plush and purple and fine linen, let them pay a substantial tariff tax on it. They are simply able to do it. We need cheaper shoes and stockings, and woolens, and ginghams, and muslins; and those who can afford to use silks, and broadcloths, and rich laces, and gold, and diamonds, should be compelled to pay liberally thereon in support of adequate government revenues. We need cheaper supplies for the wholesome furnishings of our breakfast tables, our dinner tables, and our supper tables, and let those who give monkey dinners and feasts at the tables of mammon, "grease the skids," so to speak, for sliding the government expenses through. And we need cheaper means of disseminating intelligence by lower priced paper and fewer dividends for the watered stockholders of the paper trust.

Who furnishes the bone and sinew of our national thrift and prosperity? Is it the man in the furrow, in the shop, or in the other diversified branches of production, or is it the manipulator of corporate stocks, the speculator with his ear to Wall street tickers, or the tariff beneficiary who is licensed by his Government to charge prices for his products by means of tariff-wall protection that makes millionaires as thick about the halls of legislation as flies about a molasses barrel? I need not answer this. Every man and woman within my hearing has it answered already.

So much for generalities, and now for some specific instances of the injustice of tariff bills framed in the interest of the producer without regard to the rights and the needs of the consumer. I submit that the best evidence we might introduce on any question would be that of those who know of what they are talking by practical experience. For instance, the Hawks Furniture Company, of Goshen, in my own district, gives me enlightenment of a substantial nature in their letter to me on the glass and lumber tariff. They say in a letter under date of March 26:

DEAR SIR: Referring to our former communications relative to the tariff on plate glass, we have noted the schedule as reported by the Ways and Means Committee. Now, while this is supposed to be a reduction, if you figure the importations and sales in this country for the past few years, it is really an advance in the rate, for while there is a reduction of 12½ cents per foot on sizes which formerly carried a 35-cent duty, there is an advance of from 8 to 10 cents and from 10 to 12½ cents per foot on the sizes of which there is the largest consumption; and the worst feature is that it entails an advance of 25 per cent on sizes which are almost altogether used in furniture that is purchased by the common people, and a reduction from 25 to 33⅓ per cent on large sizes purchased by those who are well to do.

Now, if the actual cost, which, on the face of it has been greatly overestimated by the plate-glass trust, could be obtained, we verily believe that there is very little, if any, difference in the actual cost of producing glass in this country and in Europe, and we deliberately say that, from the business point of view, the proposed schedule is simply an outrage upon the greater part of the consuming public.

In regard to the tariff on lumber, about which so much has been said and written, you can readily see from the nature of our business we are in quite close touch with this subject, and it has long been our opinion, although we have never expressed it until late, that $2 per thousand tariff on lumber is simply a dead letter; in other words, it makes no difference whether it exists or whether there is none at all unless it affects the lumber interests in the State of Washington and vicinity. Recently we have interviewed representatives of some of the best lumber concerns in the country, and this view has received their honest confirmation; therefore the campaign talk as to the consuming public being benefited by the removing of this tariff amounts to nothing at all; likewise the large dealer and manufacturer of lumber is not benefited by its retention. This view also receives confirmation from the fact that although in very recent years there has been wide variation in the price of lumber, advances and declines, there has at no time been an intimation of lumber imports from Canada. Is it not true that of the $17,000,000 importation the far greater part is mahogany, of which none is grown in this country? In connection with this subject it is too evident that large interests have asked more protection than they require or expect, and are surprised at their success; likewise such interests have received greater consideration than the common people.

Mr. Chairman, I can not subscribe to all of the conclusions in this letter; instead, I submit it for the consideration of the House because of its lucid statement of facts. I can not agree that a reduction of the tariff on lumber would not reduce the price. If it would not, why this lobby of lumber barons so graciously in our midst arguing against free lumber?

But, you say, this is only the opinion of a firm that manufactures wood products and is interested in cheaper raw material. The argument that is made in the letter, however, tells the truth plainly in most instances, as every intelligent man sees it, and in corroboration of its premise, here is a letter from a farm owner in Indiana. He says:

MY DEAR SIR: Rightly or wrongly, the farmers believe that what amounts to a lumber trust practically controls the price of lumber all over the country. They know that the price of lumber has increased anywhere from 75 to 200 per cent in the last ten or fifteen years; they also know from the publications in the Department of Agriculture that our forests are nearly exhausted, and they can not understand how Congress can for a moment permit any portion of the tariff on lumber, whether rough or finished, to remain at a time when our forests are dwindling and the price of lumber is endlessly ascending. The way the farmer figures it out, he is taxed 10 per cent on every post he buys, 30 per cent on every box shook, $2 a thousand feet on every rough board, and from $2.50 to $3.50 a thousand on the finished lumber he may require, for the purpose of creating a tariff wall which makes his lumber higher, enormously increases the value of the standing timber held by speculators, and encourages the destruction of the remaining forests, which eventually can only be regarded as a national disaster.

The farmer knows full well that if he could not raise cereals and provisions enough to feed the country, the consuming millions would knock the tariff off these commodities in a flash. He knows very well that the present timber crop, which is practically the only crop that can be raised, is nearly exhausted, comparatively speaking, and he can not understand any process of reasoning which undertakes to defend the tariff tax on these commodities.

Then there is the "joker" in the lumber section of the Payne tariff. In defending his new tariff bill, Mr. Chairman PAYNE said the greatest merit in the reduction in the lumber schedule was that it would reduce the price to the consumer and would be of benefit to the millions, while a retention of the present duty would be of service only to those speculators in stumpage who were already wealthy. He said the men who wanted the Dingley duty on lumber retained were actuated solely by motives of greed.

Finished lumber, which is to remain protected at $2 per thousand, can be imported, because of the saving in railway rates as compared with rough lumber, if the tariff permits it; but, as proposed, it does not permit it. About 90 per cent of the lumber shipped from a mill by rail goes through the planing mill before it is put on the cars. About the same percentage of the lumber sold at a retail lumber yard is planed or finished in some measure.

The ordinary consumer of lumber buys finished lumber almost entirely. The lumber schedule as drafted makes it impossible for him to get this lumber from abroad. Therefore he will be entirely dependent on domestic supplies, as before. This is the kind of revision that may fool, but will not benefit.

What is true of lumber is also true of wood pulp. Recently the paper-making combine of the country raised the price of paper 35 per cent and won. At the same time our forests are being denuded to get wood-pulp material, which pulp is protected $6 per ton. Canada, with its millions of forest pulp lands, is anxious to sell us pulp at a price that would be a blessing to all users of paper, and at the same time protect our forests from devastation by the lumberman and pulp maker's axes, but our tariff wall shuts out competition, the destruction of our forests goes rapidly on, and we are paying the international paper trust $6 per ton, or nearly so, tariff-tax profit, from which the Government does not realize one cent of revenue.

Let us go to another important feature of this bill. About every man, woman, and child in this country wear shoes to keep their feet warm and dry and their health good. The cheaper they can buy shoes the more of them they can afford, and their comfort and health will be correspondingly increased. And in this connection I want to submit a letter from a leading shoe dealer of my district, Mr. John A. Herzog, of Mishawaka. In a letter dated March 22, 1909, he says:

DEAR SIR: All the tanners and shoe manufacturers want is an opportunity to continue in business; be left alone. The business of many who have worked diligently for years is gradually slipping away.

It is not that they object to the packers going in the leather business, that is their privilege; but they do object to the Government of the United States by legislative enactment giving the packers a special privilege by placing any duty on hides.

The present or any duty on the hides of cattle gives the packer a monopoly of the raw material from which sole leather is produced, and if continued will give them an absolute monopoly of the sole-leather business. The next step will be to control shoe manufacturing, which they could easily accomplish after they control all the leather. We hardly believe the people would want this.

The cry is out, "The cattle raisers want the duty on hides." So they do, some of them, but why? Because the packers, with their usual astuteness, stand in the background and make the cattle raisers believe that by putting hides on the free list he will get less for his cattle; but as a matter of fact he can not get any less, because the packers are on a strictly noncompetitive basis and pay just as little now as they can; how can they pay any less? They only pay enough to bring sufficient cattle to the market for their beef business.

It is not the cattle raiser, it is the packers, who get the benefit. The packers are making five or six millions of dollars a year through the present duty. It is enabling them to form what they have long covveted—a sole-leather trust, and it will also help them to form a shoe manufacturing trust. The packers are the ones who must have the duty if they wish to carry out the policies they have in mind, and with their usual sagacity they are leading the people to believe that it is the cattle raiser who in reality requires the duty, and that they (the packers) have no interest whatsoever.

The continuation of the duty means higher priced shoes, higher priced harnesses, the elimination of independent tanneries, and shoe manufactories, and the beef trust will control absolutely another necessity of the people.

Corroborating this sentiment is the declaration of leading shoemakers of the country that if we will give them free raw material they ask no tariff on shoes, as they are prepared to compete with the world and ask no protective tariff if they are given a free material market.

I am in favor of free hides, but free shoes are equally essential, and if the steering machine of the Ways and Means Committee does not permit the consideration of a free-shoes amendment to the bill then here is a joker in the free-hides section that will do the stock raisers and the people universally no good, but will help the shoe manufacturers to cheaper raw materials and the same high prices for shoes.

In its concrete analysis what a humbug this high tariff on hides is, to be sure. Why, sirs, suppose a farmer does sell one or two or even ten hides a year? What would the protective tariff on these amount to in comparison with the tariff taxes on the shoes and other leather goods he must buy for himself and family? Under the Dingley bill he got 15 per cent protection on his hides and paid 25 per cent tariff tax on his shoes, and paid out on an average two or three times as much money for shoes as he took in on hides sold, and so the protected shoe manufacturer got the best of the hide grower approximately 5 to 1. In other words, if the farmer received 15 per cent tariff protection on $10 worth of hides sold in a year he gained $1.50, and then when he paid out 25 per cent on the $30 worth of shoes he purchased during the same period he lost $7.50. If there is a man in existence who can not see this, he is as blind as a loft full of bats.

So it was not a profitable measure for the farmer who had hides to sell, and it was an absolute imposition on the millions and millions who never had a hide to sell and never will have. Let me warn you who represent the special interests of ranchmen and packers and shoe manufacturers on the floor of this House that the consuming millions in this country will have free hides and free leather sooner or later that they may have cheaper shoes, and those of you who oppose them for mercenary reasons in this legislation will be lucky if you do not lose your political hides through the contempt of the shoe-wearing public.

And the same spirit of greed that asks a high protective tariff on hides that weigh over 25 pounds also asks a high protective tariff on wool. They do this, they say, to protect the United States woolgrower against low prices through foreign competition. But, ah, sirs, we farmers who own sheep know. In 1907 we, in Indiana, sold our wool at 28 cents per pound, and your high protectionists told us that was the result of a high tariff. Last year we had to sell our wool at 14 cents per pound, just half what we got a year before, and the same high tariff was doing business in the same old way. However, when our wool dropped 100 per cent in price you continued the price of manufactured woolens so high that the man who purchased a suit of clothes would never had known that the price of wool had dropped one-half, and, in fact, it would not concern him much, for his woolen suit had a joker in it—it was most all cotton.

Not content with the high prices of clothing already fixed by tariff protection, there are instances of enormous additional increases for manufacturers' benefit. For instance, according to Raymond, of the Chicago Tribune, an examination of the Payne tariff bill raises the suspicion that eastern manufacturers exerted effectual influence on the committee that prepared it. In none of their lines is there a reduction, while on some of them there is an enormous increase. Hosiery and gloves particularly are so classified and rated that there will be an oppressive increase in price, and the worst of it is that the greatest increase is on the kinds worn by the poorer classes. Take hosiery, for instance: Fifty-cent stockings will sell for 85 cents, 25-cent stockings for 40 cents, and 10-cent stockings for 18 cents. In gloves the same ratio prevails.

Another letter, Mr. Chairman, of much concern in the consideration of this tariff bill comes from William Buehrle, a grocer in the country town of Monterey, in the district I have the honor to represent. He writes, under date of April 1:

DEAR SIR: The new tariff bill in its present form contains a clause providing for a tax upon tea, and also a little "joker" which provides for a countervailing tax on coffee, this latter provision being contained in the clause in which it is proposed "to impose upon the coffee product of all countries having an export duty on coffee an import duty of like amount."

On account of the well-known influence over the Government of Brazil which is exercised by the bankers who have financed the coffee corner, an import duty of 5 francs per bag and an additional 20 per cent ad valorem tax on all coffee exported from Brazil is already in effect; and the "joker" clause to which I refer would enable the bankers to raise or lower the duty on coffee at will, and Brazil produces about 85 per cent of the world's coffee.

Coffee and tea can not be classed as luxuries; and inasmuch as no part of the United States produces any considerable quantity of either, the tariff can not be held out as a "protection to home industries."

My Indiana neighbor and friend could have consistently gone a step further in his good counsel and advised a lower duty on sugar. That and fruit are prime necessities on every table in the land, and if we ought to have cheaper tea and coffee we ought also to have at least no increase in the price of sugar and fruits. Why, the honorable Secretary of the Treasury, Mr. Franklin MacVeagh, is quoted as publicly saying that—

To my mind it is not too harsh a word to call the existing tax on sugar "infamous," as it extorts from the laboring man, barely able to provide himself and his family with the sugar necessary to sustain their lives, an actual sum often in excess of the sum the same tax extorts from the richest multimillionaire in the land.

Other items of outrageous food legislation of interest to every individual who enjoys a good and wholesome meal are pineapples and lemons. For instance, fresh pineapples have become a very popular and healthy product for table use in many palatable forms. This bill provides that pineapples, which are now taxed 7 cents per cubic foot, shall be rescheduled and rerated at $8 per thousand pineapples, regardless of size or weight.

In comparison with the present duty, this is an increase of 100 per cent, and in addition to fixing the tax so high as to shut out Cuban and Porto Rican pineapples and giving Florida growers a monopoly at fancy prices, the requirement of the bill is such that all pineapples shipped into our country must be uncrated and counted at port of entry, and this delay would practically confiscate the fruit, as it is salable and palatable only when fresh. Lemons and many other tropical fruits are likewise listed for enormously increased rates, and you high tariffites, who vote such extravagance upon the dinner tables of our land, should not be surprised if you are handed a lemon at the election next year; and if such is your just fate, never say to me that you were not duly warned.

Our country must have revenue. But let us raise it by taxing the luxuries that the rich are able to buy and by taxing the incomes of the wealthy. Our present revenue-raising system taxes a poor man with a family on all he eats and wears, and the wealthy property owner gets off easier than the poor man, if his family is smaller, because he pays government tax on only what he buys. Raise the tariff on luxuries, whether they be unnecessary finery, automobiles, great incomes, or what not, but in the name of comfortable humanity and of the brotherhood of men and the Fatherhood of God do not make the common people—the great masses of toiling millions—pay for the support of the Government and exorbitant prices to the tariff-protected magnates beside.

My colleagues, I beseech you to assume the broad spirit of the greatest good to the greatest number in the enactment of this bill. Out of consideration for your oath of office and your responsibility to your fellow-man all over our country you can not afford to be selfish in your action in this high calling. May the spirit of liberality and of universal regard, handed down to us by the fathers, forbid that the sentiment of niggardly provincialism vociferated on the floor of this House on this day shall meet with approval anywhere but in the hearts of the wicked and the unjust. The utterance here that a Representative will vote for any tariff bill that gives protection and incidental extravagant prices to the producers of his district, regardless of any impositions and outrages it inflicts on the country at large, is a disgrace to the locality that authorizes such hydrophobic sentiment, for it strikes at the very foundation of honesty and justice in legislative duty and invites the lamentable suspicion that we, the Representatives of the interests of the deserving millions of our country, stand ready to trade our concern for the general welfare of our country and her people for a mess of pottage, for the selfish interests of our home district.

When one Congressman declares that he is for free lumber and a high tariff on hides, because he comes from a stock-raising section, and another says he is for free hides and a high tariff on lumber, because he represents a timber section, and they denounce each other as being wrong and unpatriotic, they make the same spectacle of their consistency that is illustrated in the anecdote of the two Irishmen who were walking along a lonely path through a forest.

Suddenly and very unexpectedly they came upon a hangman's scaffold, and looked at the ghastly gibbet and then at each other in fear and trembling. Finally one broke the silence by

Mr. Chairman, I can not subscribe to all of the conclusions in this letter; instead, I submit it for the consideration of the

are on a strictly noncompetitive basis and pay just as little now as they can; how can they pay any less? They only pay enough to bring sufficient cattle to the market for their beef business.

in the clause in which it is proposed "to impose upon the coffee product

other in fear and trembling. Finally one broke the silence by

saying: "Mike, if that gallows had its just dues, where would you be?" And the suggestive and possibly pertinent retort was: "Sure, Tim, an' I'd be standin' here alone."

And a discriminating public looks on, listens, and then decides each is right in his estimate of the other.

This tariff question can never be settled right until it is fixed on a purely revenue basis and until wealth bears its just share of national expenses. We may revise and rerevise the tariff along the line of building up one class at the expense of the other, but we will not get it on a stable and equitable basis until the majority of Representatives on this floor consecrate themselves to the reestablishment of the national decalogue, which inspired our greatness and goodness, viz: O thou beloved land, bound together by the ties of common interests and perils, live forever—unselfish, brave, honest!

Mr. SABATH. Mr. Chairman, I was very much affected when the gentleman from New York [Mr. MALBY] and others on your side who have preceded me have from day to day pleaded for the poor paper, beef, steel, oil, coal, sugar, and other trusts. So earnest were their appeals for these benevolent but oppressed trusts that I was frequently on the verge of passing the hat around for these wailing trusts and making a collection for them on the floor of this House. But I came to the conclusion that notwithstanding the deplorable conditions, as described, of these unfortunate trusts, who have been able to divide in dividends only about $200,000,000 during the past year, that we have people in this country that have not fared so well, and I changed my mind.

Mr. Chairman, during the twelve days that this debate has been going on I have seen one Member after another rise in his place and plead against the reduction of the tariff, because it would hurt certain industries in his district or State. And on careful examination I would invariably find that such industries were controlled by some trust or combine. Very seldom have I heard any one on your side plead for the reduction of the high tariff, which is robbing the American people and bringing ruin to the small business man and manufacturer and which is keeping the American wage-earner in bondage, want, and misery.

The bill now up for consideration before this House is as subtle a piece of makeshift legislation as the present Dingley tariff act, affording absolutely no relief to the deplorable conditions, and it is apparent to all that it will serve the same interests, the same trusts, and the same monopolies which the present act so faithfully takes care of.

Mr. Chairman, I see in this bill simply a tax on the consumer, to whom no adequate relief is given from the present extortionate, prohibitive, and oppressive duties on all necessaries of life. And all this, notwithstanding the fact that your party has pledged itself to revise the tariff on a substantial downward basis so as to give the people relief, at least from the burdensome and oppressive tax on necessaries for life. You Republicans have persistently, and I regret to say successfully, misled the people. Your platforms emphatically declared for a revision of the tariff act, your speakers and campaign literature have lauded your magnanimity to the heavens, but the people are still waiting for the promised revision. Now, in place of what you have promised, you propose to appease them by this makeshift bill, believing that you will deceive them as you have done times without number in the "dear old past." However, you are grossly mistaken. They are rising in their wrath and refuse to be hypnotized. You can not fool them all the time. There is a limit, and you have reached it.

Having only limited time, I can not go into details as to the merits and demerits of this bill, therefore I shall point out but a few of its many flagrant inconsistencies.

Coffee is a commodity which is used in nearly every home, and it may be termed a universal beverage. So much of it is being consumed that the Committee on Ways and Means deemed it prudent to slip into this makeshift bill a very carefully worded paragraph, which is calculated to produce a tax amounting to about 4 cents per pound. This is the manner in which it is proposed to victimize the people. It is a well-known fact that Brazil produces about 85 per cent of the world's supply of coffee. Brazil imposes an ad valorem tax amounting to 11 per cent on all coffees exported from Rio and Santos, and, in addition, it imposes a surtax of $1 per bag on all coffee exported in excess of 9,000,000 bags. The committee, well aware of these facts, saw a splendid opportunity to blindfold the people by inserting the following provision in the paragraph relating to this commodity, viz:

Provided, That if any country, dependency, province, or colony shall impose an export duty or other tax or charge of any kind whatsoever, directly or indirectly, upon coffee exports to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

The "joker" is apparent, and anyone can see the trick, and I demand the removal of that "joker."

As to sugar, no one has seen fit thus far to touch that "sweet thing," which is a great household necessity, and, of course, is controlled by the "sugar trust." The consumption of sugar in this country averages about 80 pounds per capita, and every man, woman, and child uses it. For the year 1906 the imports of sugar into this country aggregated 3,726,339,201 pounds; this is aside from the comparatively small quantity produced in Louisiana and in a few other States where beet sugar is grown. The excessively high tariff on sugar is intended as protection to the cane grown in Louisiana and the beets of the Northwest, but primarily in the interest of the "sugar trust." This infamous protection has added, in round numbers, the tremendous sum of $80,000,000 annually to the abnormal cost of living of the American people, equaling about 2 cents on every pound and $10 on a family; but in my district the average cost for sugar to a family is about $15, as we have no race suicide there. [Applause.] I hold here a letter of the "Committee of Wholesale Grocers," composed of wholesale grocers from all parts of this country—the East, the West, the North, and the South—and the expressions which it contains are most appropriate, and therefore I will read it:

COMMITTEE OF WHOLESALE GROCERS,
New York, April 2, 1909.

SIR: Recognizing that the "trusts" are the chief beneficiaries under our present tariff, the people have placed themselves unequivocally on record as demanding tariff revision. They have been promised honest tariff revision in the interests of the consumers. Failure to fulfill this pledge, it is admitted on all sides, will meet with serious consequences.

The duty on sugar is one of the highest rates in the entire tariff schedule, being practically an 80 per cent ad valorem duty, and increasing the cost of refined sugar 2 cents per pound. Such a tax on a necessity can not be justified. It alone means a burden on the head of an average family of about $10 per annum; it affects the people of all ages in this country, the per capita consumption being 81.17 pounds.

"Honest tariff revision" can not leave the people burdened with this tax on one of the most important articles of daily food, nor can it leave our canning and preserving industries with this handicap, which prevents them from competing in the neutral markets with European countries that have the advantage of cheap sugar.

A prominent New York paper says: "The beneficiaries of the tariff are organized, strong, experienced, crafty, and unscrupulous. Congress is for the greater part confused and uninformed.

I fully concur with this view, for, if the Republicans would be informed, I rather believe that they would reduce the duty on sugar at least 50 per cent. [Applause on the Democratic side.]

The leaders are frightened, but it is uncertain how truly they will gauge the force of public sentiment. But one thing, we think, is not uncertain, and that is that if the present demand for reduction is not honestly and substantially met, the tariff will not long be left to the tender hands of its friends. "Is it a riot?" asked Marie Antoinette when the distant roar on the Bastile reached her ears. "Your Majesty," was the reply, "It is not a riot; it is a revolution."

Trusting you will take advantage of the opportunity offered to act in the interests of the consumer, I remain,

Respectfully, F. C. LOWRY, *Secretary.*

This high protective tariff of about 2 cents per pound enables the "sugar trust" not only to build up an oppressive monopoly of the refining business, but it makes it possible for this trust to declare tremendous dividends, besides accumulating an enormous surplus, not to mention the munificent contributions to the Republican party, which now in return so generously looks after its welfare. The "sugar trust" is now accused of cheating the Government out of something like $6,624,000 by using "doctored" scales, which are necessary as an offset for the proportion of white sand used. However, the Republican party does not mind this little incident, for the "sugar trust" is not the first trust to beat and cheat our Government. [Applause on the Democratic side.]

By the retention in this bill of the high duty on sugar, as well as on all other necessities of life enumerated therein, you virtually license these criminal trusts and monopolies to continue to rob the people. The arguments advanced for the retention of the duty on sugar are absolutely false and absurd. Labor will not be benefited, for the bulk of the sugar which is being consumed in this country is imported, and the sugar beets grown in the Western States are being chiefly cultivated by cheap Japanese and Chinese labor. It must also be taken into consideration that the beet-sugar factories operate only about one hundred days in the year, and the wages earned during that time will not support the workingmen and their families for a whole year. In addition, I wish to state that all the independent sugar refiners are in favor of a 50 per cent reduction on sugar, and I maintain that sugar should be free of any duty whatsoever, so that it could be sold for about 3 cents per pound, thus effecting a saving of about $10 per year to every family in the United States.

The next article I wish to take up, Mr. Chairman, is chicory. It is essentially used by the very poorest class of people as a

substitute for coffee. It is an article which we can not produce here, for its process is a secret. Many attempts have been made to manufacture it here, but as yet none have proved successful. Only the poorest of people use chicory because they find it impossible to buy coffee, and under this bill you propose to raise the duty from 2½ to 5 cents per pound, a duty which is prohibitive and obnoxious, and which only intensifies the poverty which these people must endure. I have been unable to discover what interests are being protected by a duty on chicory, but I can plainly see how an additional hardship will be imposed thereunder on the poor.

Tea is a beverage very common in nearly every household, and it is not grown in this country, and consequently is an imported commodity. By imposing an outrageously exorbitant tax of 8 and 9 cents per pound you are debarring many families from it, as this tax will increase the price to the consumer about 15 cents per pound more than he now pays.

Spices have not escaped the vigilance of the committee, and again, in their extreme desire to benefit the people, have taxed these necessities 30 per cent.

The fact is, Mr. Chairman, that instead of revising the tariff downward you are revising it upward, and especially so on all necessities of life. Coffee, tea, cocoa, chocolate, chicory, and spices are permitted to come into this country free of duty under the present Dingley tariff law, but now you are imposing a duty on these commodities ranging from 30 to 60 per cent. You are increasing the duty on all fruits, such as apples, pears, peaches, plums, oranges, and lemons. You are placing a duty on flour, cornmeal, and buckwheat. You tax milk 2 cents per gallon and cream 5 cents per gallon. You tax butter and cheese 6 cents per pound. You tax beans, peas, and, in fact, all cereals. You tax vegetables 25 per cent and upward, including cabbage and pickles. You even tax garlic, onions, and potatoes 25 cents per bushel. Yes, you tax fresh and smoked meats, hams and bacon, ranging from 1½ to 4 cents per pound, so that the "beef trust" will be protected, enabling it to make the people pay double price for every pound of meat and lard which they purchase. You tax fish, herring, and sardines 2½ cents per can so as to protect the fish trust.

You tax poultry, dead and alive, from 3 cents to 5 cents per pound to protect cold-storage "combinations;" and even the "salt trust" secures protection in the form of a duty of 8 cents to 12 cents per hundred pounds on salt. You tax eggs 5 cents per dozen, and dried eggs you rate at 15 cents per pound. Even biscuits, bread, and wafers you see fit to tax 20 per cent. The duties which you impose on all these eatables, I presume, is because you consider these commodities luxuries. The fact is that you are not only taxing the poor man's breakfast table, but his dinner and supper table as well. [Applause on the Democratic side.]

The bill proposes a terrific attack on imported toys of all sorts; and if it becomes a law, it will make a "lean" Christmas so far as the sparkling delights of the children's eyes are concerned. For instance, glass balls, chains, and tinsel ornaments for the Christmas tree will be taxed under the new tariff up to 60 per cent of their value. Little cotton angels with gilt wings will be weighted with a tariff of 45 per cent. Toy animals will be taxed the same as live ones. Thus, if a toy horse valued at about 30 cents will be imported, the duty collectible will be $30, the same as that on a live thoroughbred horse. Tiny kid gloves for dolls' hands are taxed at the same rate as gloves for live, grown up people, and dolly's stockings will carry a tariff of 85 per cent. That is tariff reform "upward" with a vengeance. [Applause on the Democratic side.]

Now, let us see what you are doing with the tariff on articles which we wear. You tax wool and all woolens from 75 to 300 per cent, forcing the American people to wear cotton or cheap woolen clothes. Under the present Dingley tariff we are forced to pay all-wool prices for garments which practically are all cotton, the slight admixture of wool in the better grades being composed of old rags picked to pieces and known to the trade as "shoddy." A suit of clothing made entirely of a good grade of wool is nearly as scarce as a blue diamond. It is not by choice but by tariff legislation that the clothing manufacturers have been forced to make imitation goods.

If cloth were made entirely of the best grade of wool, it would not be sold, for the consumer would faint at the price it would be necessary to charge. The poor people of this country have been denied the use and wear of warm and durable clothing by the Dingley tariff for over ten years. The Dingley tariff says that the poor people of this country shall not be well clothed, as regards warmth and durability. The wool out of which the durable and warm clothing of the poor people of Europe is made is prohibited from entering this country by tariff duties ranging from 225 to 735 per cent. Let me ask, For whose benefit do you place such a high tariff on wool and woolen goods? Is it in the interest of the wage-earner, or is it in the interests of the "sheep-raisers' combine" and the "beef trust?" To my mind it is evident that the resulting benefit of this excessively high duty on wool and woolen goods will only benefit these trusts. You are increasing the duty on cotton yard goods, which we can not manufacture here, 1 cent a yard; on oilcloths, which are chiefly used by the poor, you tax 20 per cent; on stockings, hose, and half hose you add an increase to the present duty of about 50 per cent, which will put the duty to about 80 per cent, but only on such goods which the poor people purchase. However, you see to it that the duty is not increased on silk stockings, hose, and half hose, which cost from $1 upward per pair, such as are worn by the rich people; you are satisfied to let the duty on such fancy hosiery remain the same.

Last November the National Association of Hosiery and Underwear Manufacturers presented a demand to the Ways and Means Committee, in the form of a petition, regarding the increase of the duties on ordinary cotton stockings for women and children and on half hose for men, and every demand which was made by them was acceded to by the committee. I desire to insert a schedule of the specific duties under the present law and under this bill, which, in addition to a 15 per cent ad valorem duty under each, are as follows:

Value per dozen pairs.	Duty per dozen pairs.	
	Dingley bill.	Payne bill.
Not over $1	$0.50	$0.70
$1 to $1.50	.60	.85
$1.50 to $2	.70	1.00
$2 to $3	1.20	1.50

This association placed before the committee figures to show that the cost of production in American mills was much higher than at Chemnitz, Germany, from which place some stockings are imported into the United States. These figures, however, were false, according to the figures of the association itself. During the year 1907, hosiery to the value of $50,000,000 was manufactured in this country, while in the same period the imports aggregated only $7,000,000. Marshall Field & Co., the largest concern of its kind in the world, say of hosiery makers and prices:

The little competition American manufacturers are getting to-day is only a healthy stimulus, and helps to keep domestic prices in bounds.

It is evident that the manufacturers are getting all, if not more, protection than is needed.

I shall read to you, Mr. Chairman, a very interesting letter which I have received from the firm of Carson Pirie Scott & Co., of Chicago, which, I believe, is the third largest establishment of its kind in this country. The letter is strictly to the point. They write as follows:

CARSON PIRIE SCOTT & CO.,
Chicago, March 30, 1909.

Hon. ADOLPH J. SABATH,
House of Representatives, Washington, D. C.

DEAR SIR: With such a general protest to Congress against the hosiery and glove schedules of the Payne bill as is in evidence at this time, it may seem superfluous for us to urge your influence against the adoption of paragraphs Nos. 326, 450, and 451, which in their present form would work a gross injustice to the workingmen or ordinary wage-earners, upon whom the burden of living expenses is already too great. While it makes little or no difference to us what kind of goods we sell, we are unalterably opposed to a tariff calculated to benefit only a group of manufacturers who already enjoy ample protection and to the proposition of increasing the duty on hosiery and gloves in inverse ratio to the ability of the consumers to pay higher prices. Among all the remonstrances we have seen against the proposed increase on cotton hosiery and gloves there is none too extreme for us to indorse. There are other objectionable features to the Payne bill, such as paragraph No. 321 (last clause), which provides for 1 cent a square yard added duty on all mercerized goods. Also provisional clause of paragraph No. 427, which provides that toys in imitation or miniature of, or bearing the same name as an article subject to a higher duty, shall be charged the same duty as the latter, which would make a 25-cent toy in many cases cost $30 or more to import.

We earnestly ask you to give this very general protest your serious consideration.

Yours, very truly, CARSON PIRIE SCOTT & CO.

Now, let us look into the tariff on gloves. For the interest and benefit of a few Republican friends who are manufacturers of gloves, you increase the duty on gloves from $1 to $2.65 per dozen pairs; but the greatest increase—130 per cent—is placed on the cheapest kind, which the average person buys. Right here I wish to read a letter from one of the country's most prominent merchants, who, by the way, is a lifelong Republican,

Mr. John V. Farwell. His letter is dated February 15, 1909, and therein he states, as follows:

JOHN V. FARWELL COMPANY,
Chicago, February 15, 1909.

Hon. A. J. SABATH,
Washington, D. C.

DEAR SIR: There has been a very strong movement on the part of the glove manufacturers, led by Mr. Littauer, of Gloversville, to have the tariff on skin gloves raised to an enormous degree. The wording of the proposed change in rates looks innocent enough; but when it is figured out, the percentage is not only enormous, but even ridiculous.

He must have known what was going to transpire and what the bill would provide, even before we had a chance to ascertain what the schedule on gloves would call for. [Applause on the Democratic side.]

We have signed a paper to the Ways and Means Committee giving the facts in regard to this; and I write this letter simply to call your attention personally to it, feeling sure that you will see that no such injustice is perpetrated on the American people. There is no necessity whatever for any increase or change in this particular schedule—at least that is our judgment.

Yours, very truly, JOHN V. FARWELL, *Treasurer.*

This morning I have received a telegram from the Chicago Tribune, which is one of the leading Republican newspapers in this country, with an enormous circulation. The telegram reads like this:

CHICAGO, ILL., *April 2, 1909.*

Hon. A. J. SABATH,
Washington, D. C.

Nearly 200,000 men and women have signed the following petition in the last two days:

"To the Congress of the United States, Washington, D. C.:

"We, the undersigned, emphatically protest against the duties to be assessed under the new tariff bill, H. R. 1438, known as the 'Payne bill,' on articles of wearing apparel, particularly leather gloves and cotton hosiery. The burdens these increases will place upon the women of the country, especially those who can least afford to bear them, are unjust and unwise. We therefore petition you to enact, by amendment, rates at least not higher than those now prevailing under the Dingley bill."

The Tribune would be under many obligations if you would telegraph at our expense, if—

1. You are in favor of separate record votes on the various sections covering the articles on which protest is raised.
2. If you are in favor of rates on these articles at least not higher than those imposed by the Dingley tariff.
3. If you will aid the protestants of your State in securing what they believe to be justice.

THE CHICAGO TRIBUNE.

I answered "Yes." I am in favor of a separate record vote on these articles and all other articles in which the people of this country are interested. [Applause.]

Now, Mr. Chairman, will you give the Members the chance, so that we can by our votes give the people what they ask for?

Mr. Chairman, I will venture to say that if you will pass this bill in its present form the people will be obliged to, and I hope that they will, handle you and your party "without gloves." [Applause.]

The articles to which I have called your attention are not all on which the duty has been increased. You have increased the duty on quilts and blankets of ordinary quality 60 per cent. Why, you are not even overlooking threads, shoe strings, needles, and pins, all of which you have taxed. In fact, there is nothing of any value that the people eat or wear that I can find that you have not taxed, thereby placing the American people at the mercy of these unscrupulous trusts and combinations. And all this, notwithstanding your anteelection pledges and promises.

You contend that you have made a revision and that you have made some reductions. Now, let us see what these reductions are. You did place hides on the free list, but people neither eat nor wear hides. Hides are used in the manufacture of shoes, harnesses, and beltings, and so forth, but you did not take off the duty on any of these articles, so I doubt if the consumer will be benefited. You claim that you have reduced the duty on lumber. Well, let us see if you really have done so. If you will take the pains to read the little "joker" in the lumber schedule, you will possibly find yourself amazed that there is no reduction on lumber; but even if it were reduced, will it be of material benefit to the great mass of American people? Can they eat or wear lumber? Statistics show that only a small percentage of wage-earners own their own homes, and that the great majority can not build their own homes, for they are doing well under this Republican prosperity if they manage to earn enough to provide for the most needful necessaries of life, and there are thousands who are unable to do that.

And so that I shall not be accused of overlooking any reductions which you have made, I shall give you all that would be of interest to this House. I find that you have, in the interest of the American laboring man, for whom you have shown such great solicitude, but who, by the way, has been out of employment for nearly two years and is unable to provide food, clothing, and shelter for his family, reduced the tariff on marble, granite, and onyx, so that when building his mansion these articles will save him 10 cents per square foot. [Applause on the Democratic side.] You have also reduced the tariff on stained and decorated plate glass which is used so much in all of the beautiful and magnificently furnished homes which our laboring men have erected for themselves and their families; but you have omitted to reduce the tariff on plain and ordinary glass. [Applause on the Democratic side.] Oh, yes, you have reduced gunpowder 2 cents per pound, but this reduction does not apply to powder which is used in our navy, for the powder trust will not let you take off the duty on that, else how could this patriotic trust continue to plunder our Government of thousands of dollars annually by charging it 20 cents more than the market value per pound? The reduction is only made on gunpowder which is "used for sporting purposes only." [Applause on the Democratic side.] Oh, what a blessing this reduction willl bring to the American people. Well, these are about the only articles that you have reduced the tariff on. But I wish to be honest with you, gentlemen, you have retained some "real necessities of life" on the free list for the sole benefit of the American wage-earner.

I shall now give you a list of them. First, you permit all rough diamonds and precious stones to come in free. [Applause on the Democratic side.] Why, of course, diamonds and precious stones are necessary, and it is absolutely essential that the workingman should have a diamond in his shirt bosom and a diamond ring on his finger. How could he get along without these? And the poor working girl? How could she go to the shop or the factory where she earns from $5 to $8 per week unless she would have nice diamond earrings and a few diamond pins? Therefore, you are putting on the free list really some of the real necessities of life. [Applause.] Of course, the imitation stones and jewelry that the wealthy buy you tax 60 per cent. Yes, you have also in the interest of the people reduced the tariff, or rather put on the free list all undressed furs. In addition to such necessities of life which I have mentioned, you put on the free list all honorary medals, fossils, amber, and "mere sham"—I mean meerschaum—joss sticks, horns, human hair, and human teeth. The people will need the latter article, because they will grind their teeth very hard if you pass this measure. [Laughter.] Having the interest of the wage-earner at heart, you also place on the free list, shellfish and turtles, thinking perhaps that he indulges in delicacies at late dinners [laughter], stuffed birds, broken bells, and all punk. No doubt it will be a blessing deeply appreciated by the American people. [Applause on the Democratic side.] You have also placed on the free list works of art in existence twenty years or over prior to their importation. Oh, how grateful will every housewife be, for when she is out in Europe on her summer vacation she can buy rare oil paintings and have them come in free of duty, thereby saving from $25 to $500 on every picture or save the worry that smuggling causes.

Mr. Chairman, can it be possible that this committee, in exuberance of their benevolence and charity toward our millionaires, have forgotten that the great majority of the people are struggling for mere existence, and that upon these struggling people the whole burden of taxation is being shifted, and that the unrighteous benefits are reaped by the wealthy? I have received hundreds of letters from workingmen who are protesting against this bill. To give you an idea what really the sentiment among them is, I will read this one:

CHICAGO, *March 30, 1909.*

A. J. SABATH, *Congressman.*

DEAR SIR: Having supported you at the election, in the hope that you are for the masses, I earnestly hope that you do not approve of this new tariff bill of PAYNE'S. Wealthy people can pay any prices, but what of the laboring class? I think there has been too many things left unconsidered in proposing this tariff bill. I am not only protesting for myself, but for many others. I have yet to hear the person in favor of it.

Yours, respectfully, JAMES BOWBIN,
615 Washburne Avenue.

Here I have another letter which emphasizes the injustice of this bill. It reads like this:

CHICAGO, *March 28, 1909.*

Hon. ADOLPH J. SABATH.

DEAR SIR: I herewith protest against the passage of the new tariff bill now pending as unfair to the average laboring man—unfair that it raises the cost of actual everyday necessities and of wearing apparel. I wish you will vote against its passage in its present form.

Yours, truly, WM. J. NOVY,
811 South Harding Avenue, Nineteenth Precinct, Thirty-fourth Ward, Chicago.

This gentleman is not a resident of my district. [Applause on the Democratic side.]

The country is aroused. Gentlemen, the time, I believe, has come when even you benevolent Republicans must yield to the

demands for justice and equality for the people who are the rightful masters. The American workingman should be treated honestly and fairly, for it is his work which brings about the development of our vast natural resources and the production of the entire wealth of the United States.

A few days ago the gentlemen from Illinois [Mr. BOUTELL], from Washington [Mr. CUSHMAN], and from West Virginia [Mr. GAINES], and some others, stated on the floor of this House that the increased tariff on articles which are necessities of life will not be an additional burden on the consumer, and that a reduction on these commodities will not reduce the price for the consumer, because the merchants and middlemen are the ones responsible for high and exorbitant prices. This I absolutely deny, and if these gentlemen would be better posted on the commercial conditions of this country I am satisfied that they would not have made this charge. The truth of the matter is this, Mr. Chairman, that the wholesalers, and especially the retailers, are completely at the mercy of the "manufacturers' combinations" which not only fix the prices of every commodity all over the country, but in a majority of instances fix the prices at which merchandise must be retailed. Mr. Chairman, I desire to add in this connection, for the information of these gentlemen, that outside of some few of the largest mail-order houses and department stores, the retail merchants have had a greater struggle for existence during the past few years than ever before; and unless you pass some legislation which will effectively restrict the trusts and combinations, they will be forced within a short time to close the doors of their establishments.

Mr. Chairman, the excuses which you are making to justify your actions in refusing to give the people the relief as per your anteelection pledges, are mighty lame and will not be accepted by them. Listen to what they have to say. I will read to you one of the many letters which I am receiving from lifelong Republicans:

W. F. CHILDS & CO.,
GROCERY COMMISSION MERCHANTS AND BROKERS,
Chicago, Ill., March 31, 1909.

Hon. ADOLPH J. SABATH,
House of Representatives, Washington, D. C.

DEAR SIR: Allow me to write you in regard to the tariff bill now before the House of Representatives.

I am an ordinary consumer, but as one of the many I want to protest against the provisions of the bill proposed.

I am not a tariff expert and do not presume to offer specific suggestions on a complicated question like this; but if the law to be enacted does not bring about lower prices in the necessities of life, and if the revision is not a genuine revision in the direction promised by the Republican party, I frankly say that although I have voted consistently the Republican ticket for over fifteen years, I will certainly throw what influence I have and will work in favor of a change of administration that will give the people of this country what they need, what they are entitled to, and what they have been promised.

Not only this, but I can name 25 men of my acquaintance, with whom I come frequently in contact, who feel as strongly on the subject as I do, and who expect and who will be satisfied with nothing less than such a genuine tariff revision. I am, sir,

Very truly, yours, W. F. CHILDS.

The pledges which your party has given should be carried out. The American people demand relief. They are asking and justly demanding the revision of the tariff, and it is for this purpose alone that this extraordinary session is called. If you pass this bill, with all its "jokers" and iniquities, the people will have good reason to believe that the Republican party, now in power, is guilty, as charged in the newspapers of the country and elsewhere; that it is controlled by trusts, monopolies, and special interests, which it is every ready, to serve, to the manifest detriment of the common people.

I maintain that a high tariff will always breed trusts and monopolies, efface commercial competition, and retard the progress of the country, because it deprives us of the markets of the world. Other nations will not trade with us if we refuse to trade with them.

Mr. Chairman, we have no cause to fear competition; we can safely compete with the entire world. Let all the raw material and necessities of life come in free, and open our doors to the world, and the world in turn will open its doors to us; and with our American spirit, push, ability, foresight, and energy, coupled with the country's natural resources, we will within a few years control the markets of the world. [Applause on the Democratic side.] If we adopt a policy along this line, we can within a short time drive out England, France, Spain, and even Germany from the markets of the American Republics, as well as Mexico. We can thereby increase our exports by at least $100,000,000 per year, which would enable us to start fires in the furnaces, thus putting in motion the machinery in our idle and deserted shops and factories, and bring about a demand for labor, which means an increase in wages, and work would be had for thousands and thousands of unemployed workingmen throughout the country, and contentment would reign in every American home and fireside. [Applause on the Democratic side.] Would not this be better than to protect a few thousand "Londonized" and "Parisianized" "trust barons," who spend their winters in extravagant luxury in Florida and California and their summers in Europe, and return in the fall to collect their "booty" [applause]; whose sons spend their days in idleness, and the nights in shocking debauchery; whose daughters are in hot pursuit of some degenerate and impoverished scion of nobility in order to secure a title, even though it subjects the American people to severe ridicule. [Applause.]

Mr. Chairman, your pleas for the American workingman are ridiculous and absurd, especially so when you cry that a reduction of the tariff would force him to compete with foreign labor. It is well known to you that, with the exception of Asiatic labor, the American laborer is the poorest paid in the world, in proportion to his efficiency, as it is recognized that he turns out twice as much work as any other laborer. This, however, is not due alone to the improved and highly advanced machinery, coupled with his endurance and skill, but due in a large measure to the "driving system" of the bosses. Do you not know that thousands of our laboring men are leaving this country for Canada, Mexico, and other American Republics, where they receive higher wages than here, as is shown by the able and honest report of the gentleman from Illinois [Mr. MANN]?

To illustrate the point, I will read you a table of wages by occupations in pulp and paper mills, both in the eastern and western mills of the United States and in Canadian mills, which is contained in this report of the committee of which the gentleman from Illinois [Mr. MANN] was chairman, which will prove that in Canada, where there is no protective tariff, higher wages are paid than in this country, which has a protective tariff:

Wages, 1907, covering 15 eastern, 3 western, and 3 Canadian news print mills; 17 eastern, 3 western, and 3 Canadian ground-wood mills; 7 United States and 2 Canadian sulphite mills.

Occupation.	United States.		Canadian mills.
	Eastern mills.	Western mills.	
Head beaterman	$2.56	$2.84	$3.50 to $2.40
Beaterman	1.77	1.77	1.75 to 1.04
Machine tender	3.57	3.59	4.25 to 3.52
Back tender	2.24	2.25	3.00 to 2.46
Third hand	1.79	1.64	2.00 to 1.75
Fourth hand	1.74	1.35	1.75 to 1.46
Head finisher	2.46	2.19	2.20 to 2.00
Finisher	1.76	1.74	2.00 to 1.40
Head grinderman	1.99	1.95	2.56 to 2.50
Grinderman	1.77	1.78	2.40 to 1.80
Screen man	1.72	1.23	2.16 to 1.25
Head pressman	2.06	1.97	2.00
Pressman	1.72	1.54	2.16 to 1.20
Acid maker	3.10	2.00	3.00 to 2.20
Cook	2.51	2.50	3.00
Cook helper	1.79	1.65	1.85 to 1.00
Blow pitman	1.81	1.55	1.54 to 1.02
Wood handlers, piling wood	1.73	1.60	1.95 to 1.32
In wood room, sawyers	1.76	1.84	2.42 to 1.70
Barkers	1.71	1.72	1.75 to 1.35
Chipper	1.74	1.82	1.65 to 1.54

Do you not know that the American laboring man secures less in necessaries of life for a day's work than the laborer in any other country? If you do not know, look at the statistics, which will show you how the prices of necessaries of life have been increasing in this country 49 per cent within the last ten years, and compare them with his earnings, and then see how many pounds of meat and potatoes, or anything else you choose, he can secure with his earnings of one day's hard toil.

The claim that the high tariff protects the American toiler is erroneous, for it protects the trust and trust products only. The gentlemen from Alabama [Mr. BURNETT] and from Mississippi [Mr. BYRD], and others on your side of the House have shown in their arguments that the high protective tariff increases the cost of living but does not increase the wages of the workingman; and this because we permit all labor, with the exception of Asiatic labor, to come in free, which competes with American labor.

I agree with these gentlemen on the proposition in the main, but I can prove that free labor, other than Asiatic, is not detrimental to American labor, because the wages paid in the sections of the country where the immigrants settle are much higher than anywhere else. The remedy lies here. We should permit all raw material to come into this country free of duty, which will stimulate our trade and commerce and will give

ment for nearly two years and is unable to provide food, clothing

come when even you benevolent Republicans must yield to the

had for thousands and thousands of unemployed workingmen

which will stimulate our trade and commerce and will give

employment to all. Besides, this country will be in a position to compete with the entire world; yes, we will be able to undersell the world.

Mr. Chairman, the theory on which you are proceeding to raise revenue is wrong. You will find that you will fall short many millions of dollars in your estimate, because the extraordinary increases which you propose will stop importation, the result being the ultimate loss of revenue. However, Mr. Chairman, I doubt very much if you have ability to draft any bill which, if enacted into law, will give you enough revenue to meet the extravagant expenditures. What you should do, and what the people will force you to do, is to economize. I say, stop the extravagant appropriations; stop the raids on the Public Treasury, and keep within reasonable bounds and limits. Do not increase the appropriations $50,000,000 yearly, but reduce them. Stop the increasing expenditures of the army and navy, which are now five times greater than what they were twenty years ago; stop passing thousands of special pension bills, especially for people who are neither entitled to nor in need of pensions. I am satisfied that if a proper investigation be had the pension appropriations would be reduced from the enormous sum of $160,000,000 to one-half of that figure. Stop the creation of new ranks in the naval and military service. Stop salary "grabbing." Stop the graft that is going on at the Panama Canal. Do not use the Government post-office as a political asylum, but place it on a business basis and stop the deficit there. Stop filling every nook and corner of government buildings with your political henchmen.

Give the Philippine Islands their independence; they cost this country over $40,000,000 annually, and we receive absolutely no benefit from them. If you take these matters earnestly into consideration, you will have no trouble in passing a revenue bill that will be approved, instead of being condemned, by the people. Your last appropriation bill carried $1,044,000,000; divided, it means a tax on every man, woman, and child aggregating about $12.20; six persons to a family means $73.20 each year. Add to this extortion, made possible by the high tariff, and you easily equal the foregoing sum. Therefore, Mr. Chairman, each American family under a Republican administration is taxed annually to the tune of about $146.40. How much longer do you believe the people will stand for this?

Mr. Chairman, the American people further demand that you tax those that can best afford it, in place of those that can least afford it. They demand that you reduce the tariff on raw materials and necessities of life and increase the duties on luxuries. Do not tax the poor for the interest and benefit of the rich; equalize the taxes; tax the rich in proportion of their wealth. Pass a proper law which will provide for an income and inheritance tax; impose a fair tax on corporation dividends, on stocks and bonds of a commercial nature, and you will not be obliged to tax the people to death. [Loud and continued applause.]

Mr. GRONNA. Mr. Chairman, in asking the indulgence of the committee for a few remarks on the bill now pending, I wish to say that I have no intention of attempting a discussion of the theories of free trade or protection. Nor shall I presume to adjust the tariff rates on the 4,000 or more articles dealt with in this bill. If in these remarks it shall appear that my opinion as to the desirability of certain duties differs from the opinion of the majority of the Committee on Ways and Means, I want it understood that I am attempting no criticism of that committee or of the way in which they have done the work intrusted to them. I realize that an enormous amount of hard work is involved in drafting such a bill, and that no committee could make a bill that would be satisfactory to all the Members of this House or to all the Members of the majority of this House, or even to all the members of the committee engaged in the work. It is a case in which there will be great conflict of opinion, and one Member may have to agree to the imposition of duties that he thinks are unwarranted but that another Member is convinced are absolutely necessary for the continued prosperity of the country.

The people have pronounced unequivocally in favor of maintaining the policy of protection, but they have also declared just as unequivocally in favor of a revision of the present tariff—a revision downward.

The reason for this demand for revision is not the abandonment by the American people of the policy of protection, but the belief that the schedules of the Dingley law are in very many cases higher than necessary for adequate protection to the American industries, and the further belief that sheltered behind these protective duties trusts and combinations have grown up which control the prices of the commodities that the people must necessarily buy. The statement has often been made that many of the duties in the Dingley law were made unnecessarily high in order that the reduction of these duties might be offered to other countries, in order to induce them to enter into reciprocal trade agreements whereby we might be granted special rates on our imports into the other country, and we in turn would admit the products of the other country at lower rates than those applicable to the products of countries which had not entered into such an agreement. Comparatively few reciprocity treaties of the kind contemplated have been entered into, and the expected reduction of duties has therefore not been made. Even if the duties of the Dingley bill were not made higher than was necessary, a revision of the tariff is demanded. Tariff rates must be adjusted to changed conditions, and the conditions have greatly changed during the twelve years that the Dingley schedules have been in effect.

Both parties recognized the growing demand for a revision of the tariff, and both parties promised in their platforms to revise the tariff. The promise was in both cases interpreted as a promise to revise the tariff downward, and I believe that both parties will endeavor to fulfill their promises and revise the tariff as desired by the people of the country.

By a downward revision of the tariff, however, I do not necessarily understand a horizontal reduction of the present duties, nor necessarily a reduction of the duties on all articles. The country still indorses the principle of protection, and if it is found in any case that the tariff on certain articles is inadequate to foster and protect the industry producing those articles, the country would indorse the raising of the tariff on those articles rather than the lowering of the tariff. I do not believe, however, that there are many, if any, cases where the tariff should be increased. The Dingley law was a very thorough piece of work, and I do not believe that any article needing protection was denied it.

The articles on which the people are especially insistent that the duties shall be lowered are those articles produced by what is popularly known as "trusts," and the prices of which are controlled by these trusts. It is possible that if the tariff on these articles were removed entirely that the independent producers in these articles would be the ones to suffer most, and that the trusts would control the production even more fully than now. It is probable that if the tariff is reduced below the point of adequate protection, the one that will suffer will be the independent concern. I would not say, however, that the mere fact that there may be somewhere in this country some one or a few factories that will suffer from a reduction of the tariff affecting their industry, that that is a conclusive reason for not reducing the tariff on their products.

The welfare of the many can not be made to wait upon the profit of the few, and the ultimate fate of these unfortunate independent concerns would be the same. If they can not stand the competition of the foreign manufacturer that the trust can stand, they could not, in the long run, stand the competition of the trust, even though the trust might for a while be willing to let them live. When the regulating effect of free competition on the prices of commodities has been done away with through combinations and consolidations, the adjustment of the tariff schedules becomes a much more delicate operation than it formerly was. Instead of fixing the duty at such a figure as to be certain that it was not too low and relying on the force of domestic competition, both of the different concerns engaged in that particular industry and of the free capital seeking investment, to fix and maintain prices at a reasonable level in case the duty should be found to be higher than was actually necessary, it now becomes necessary to fix the tariff at such a figure that it merely covers the difference in cost of production here and abroad. If the tariff is made higher than this, it will merely result in extorting unreasonable prices from the American consumer for the benefit of the trust controlling the products of that industry. Manifestly it is a difficult task to determine exactly what the figure should be in one particular case, and when we consider the enormous number of articles that the tariff must be fixed on in this way it becomes evident that it is beyond the power of any man or any set of men, however industrious and competent, to do this work in a few short months.

The only way in which we can obtain information that will enable us to construct a tariff with any approach to scientific exactness is to create a tariff commission which will obtain the data necessary in order to determine what rates ought and ought not to be fixed—a commission that would not merely have hearings where interested persons often succeed in avoiding giving any information that would not advance their interests, but that would investigate the different industries and examine the books of the different concerns in order to determine the cost of production, and that would also examine into the matter of the prices that foreign producers could afford to sell their products at, and that would reduce the results of their

investigation to such a form that each Member of Congress could have it at his disposal in a usable form before the drafting of a tariff bill was begun. It is true that we can not at this time wait for the appointment and report of such a commission before revising the tariff, but it is to be hoped that this will be the last time that the tariff is revised by guesswork.

I am very glad to see the duty taken off from coal and iron. I should also like to see it removed from lumber and from petroleum. It appears to me that in making tariffs we should consider whether it is not often possible to protect our industries and resources by omitting duties as well as by imposing them. It appears to me that where the development of an industry means the destruction or removal of the sources of supply without any possibility of restoration, that we should be slow in encouraging the wanton destruction or improvident removal of the supply.

If we remove all the coal from a mine, it will not grow another crop. If our iron fields become exhausted, there is no way of replenishing them. If we ship all of the oil that our country contains to other countries, there will be a time when we shall not even have enough oil for our own consumption. It appears to me that we ought to consider what the probable conditions in the future will be, as well as the easiest way to exploit our resources. There is to my mind no reason why we should encourage wanton destruction of our resources now, if by so doing we shall be compelled to depend on the supply of other countries in the future. I therefore believe that coal and iron should remain on the free list, where the committee has placed them. I also believe that lumber should be placed on the free list. It has been argued that placing the lumber on the free list would not reduce the price of lumber, because of the fact that the lumber market is controlled not by the lumber manufacturers, but by a combination of dealers which would not permit the price to be lowered. We must remember, however, that if there were no duty on lumber there would be nothing to prevent any Canadian dealer in lumber from shipping a carload into the United States and selling it at his own price. It has also been argued by others taking an opposite view, that the removal of the tariff would reduce the price and would, consequently, be the cause of increased waste in lumbering, because the lumbermen can not afford, if the price falls below a certain point, to utilize all the forest products. We have been told, however, by the highest authorities, that our lumber supply is on the verge of exhaustion, and that no system of forestry, however scientific, can save us from serious scarcity of lumber in the very near future. This scarcity, in fact, will be so serious that we shall be compelled to depend for our supply on other countries.

Since this is so, it appears to me that the wise and provident course to pursue is to remove the tariff on lumber and admit some of the foreign lumber at this time, instead of retaining the prohibitive tariff until our own supply has become so nearly exhausted that we are forced to buy almost our total supply from the foreigner. For this reason I am in favor of free lumber and hope to see it some time, even if we can not get it at this time.

I wish to insert at this point a few clippings from newspapers dealing with this matter:

HIGH TARIFF AND HIGH PRICES CAUSE FOREST DESTRUCTION.

[Philadelphia Record.]

As a consequence of the exorbitant prices of lumber in the United States the processes of deforestation are ruthless in their completeness. The forests are devastated. Nothing is left upon the ground that is suitable for conversion into immediate use either for boards, ties, telegraph poles, pulp, wood alcohol, laths, match sticks, or toothpicks. The woodlands are converted into desolate wastes, the ravage being finally completed by fire. Under other conditions of lower prices millions of young trees would be left to grow to merchantable size.

If the lumber tariff were abolished the consumer would get cheaper lumber without greatly reducing the profits of manufacturers who are now forced, through tariff barriers to intertrading, to costly roundabout methods of marketing their products. One of the largest lumber manufacturers of the country, dealing with this phase of the situation, writes as follows to the American Lumberman:

"I am interested in mills and stumpage on both sides of the boundary, although much heavier on this side than in Canada, and can, I think, give a disinterested opinion. The most important point seems to be whether or not the price of lumber to the consumers will be reduced by the reduction in tariff. I think there is no doubt but that it will and, paradoxical as it may seem, without much reducing the manufacturers' selling price. We would accomplish this by taking advantage of our geographical situation. Georgian Bay lumber would go to the nearest market, largely to the Eastern and Middle States. Minnesota pine into the Winnipeg territory; Wisconsin and Michigan hard woods, of which Canada has but little, would go all over Canada. We must remember that we must meet Canadian competition anyway; they must market this surplus. Why not let it in under favorable freight rates, giving our consumer the benefit and replace their lumber with ours in other markets where our lumber has the favorable rate? The South could replace Canadian lumber in the West Indies, Cuba, Mexico, and like territory with their cheap freight rate. Why compel Canada to ship their lumber 2,000 miles to the West Indies to compete with lumber from the South when the same lumber could be used by us at their back door, and we be compelled to ship lumber from the South or West at very high freight rates to the same back door, charging all this excess to our consumer? I own a good deal of unsold lumber in Canada to-day that would go to an American consumer for less to him with duty removed. Increased supply over widening territory at lower cost will always reduce and create uniformity of price."

If, as would appear, we are destroying our forests, drying up our streams and converting large areas of land into arid wastes, thereby robbing consumers without any considerable or permanent advantage to manufacturers, can we too soon abandon such a ruinous policy?

LUMBER DEAREST COMMODITY.

[Chicago Post correspondence.]

No other commodity in common use has increased as much in price in recent years as lumber and building materials generally. Taking an average of all kinds of lumber, some of which is not much in demand, and not showing much of a price increase, the conservative Bureau of Labor of the United States Department of Commerce and Labor sets these facts forth in prosaic fashion in the following table:

(100 represents average price for 1890–1899.)

	1902.	1903.	1904.	1905.	1906.	1907.
Farm products	139.5	118.8	126.2	124.2	123.6	137.1
Food, etc	111.3	107.1	107.2	108.7	112.6	117.8
Cloths and clothing	102.0	103.6	109.8	112.0	120.0	123.7
Fuel and lighting	134.3	149.3	132.6	128.8	131.0	135.0
Metals and implements	117.2	117.6	109.6	122.5	135.2	143.4
Lumber and building materials	118.8	121.4	122.7	127.7	140.1	143.9
Drugs and chemicals	104.2	112.6	110.0	109.1	101.2	109.5
House-furnishing goods	112.2	113.0	111.7	109.1	111.0	118.5
Miscellaneous	114.1	113.6	111.7	112.8	121.1	127.1
All commodities	112.9	113.6	113.0	115.9	122.5	129.5

In view of the facts, it is not surprising that the effort to retain the duty on lumber meets with little encouragement in this part of the country, even from lumbermen. One of the greatest lumber manufacturers in the United States remarked the other day that while he would prefer to have the tariff stay where it is, he didn't "have the nerve" publicly to commit himself to opposition to the repeal of the lumber tariff. Another big lumberman, who occupies much the same position and is doing little to encourage the agitation being conducted by the lumber trade for the retention of the tariff on lumber, is illustrating by his own activities the effect of the tariff on the conservation or, rather, exhaustion of American forests. This lumberman, Thomas Shevlin, and his associates have mills on the Rainy River on the Minnesota and Ontario sides, with about the same capacity, 60,000,000 feet of lumber per year, and with about the same amount of timber tributary to each. Originally it was intended to operate both mills to their full capacity, but owing to the limitations of the Canadian market the Minnesota mill will this year run to its full capacity, while the Ontario mill will produce only about one-tenth of what it could.

THROWING AWAY WEALTH—THE KIND OF MONEY-MAKING MATERIAL THE LUMBERMEN "THREATEN" TO THROW AWAY IF WE SHOULD IMPORT ONE-TWENTIETH OF OUR LUMBER SUPPLIES.

[Editorials from the American Lumberman, edited by J. E. Defebaugh, manager of the high lumber tariff campaign.]

Stumpage has increased in value, not only because it has thus far, as the raw material, absorbed most of the increase in the value of lumber, but because manifestly it is becoming scarce. Practically every acre of standing timber in the United States, outside of government holdings, has been inspected by the cruiser. The amount of available timber is a fixed quantity, and the end of it, under present conditions, is not far away. Another generation will see the virgin forests belonging to private parties practically gone. If reforestation were now to be undertaken in the most broad and efficient way, the results could not be felt in the lumber markets for fifty years.

Undoubtedly it is this sort of an advance which has aroused the ire of many people and led to talk of a lumber trust. An average advance of 100 per cent in fifteen years in a commodity based on a natural resource seems enormous; it is merely the expression of inflexible economic influences. As any commodity in common use and needed by the community becomes scarce the pressure of competition is felt and prices advance. But the advance itself has to be divided among various factors, all influenced by this same pressure of competition. * * *

In spite of all the explanations that can be made, the bald comparison is a startling case. It indicates how far the cutting away of our white pine resources has progressed, and is significant of the future that confronts every other of our great commercial woods. Yellow pine has already begun to feel the influence of restricted timber supply, and within a few years more the west coast woods—even fir, now so abundant—will testify in their prices for stumpage to the fact that they will be the last great resource of our timber users.

As regards the duty on sugar I am glad to see at least the cut of five one-hundredths of a cent per pound. I should like to see the matter of producing domestic sugar thoroughly investigated by a competent commission to determine whether the present duty on sugar is required in order to give adequate protection to our own sugar producers or whether the main benefit of this duty is reaped by the sugar trust. I know that one gentleman before the committee maintained that the American sugar producer did not need protection. If this is the case, I believe that the revenue of $55,000,000 obtained from the duty on sugar is secured at too great a cost to the American people, when, as the gentleman from Indiana [Mr. CRUMPACKER] showed, this revenue costs the American public $110,000,000. I should also like to know definitely whether the sugar trust is not reaping the benefit of the 20 per cent reduction that we have granted Cuba. If the American Sugar Refining Company gets the more than $7,000,000 annually that we are granting Cuba by our reciprocity treaty with her, I believe that the people should know it.

The duties on tea and coffee would be strictly revenue duties, as are those on spices. These articles are not luxuries; they are necessities. A tax on these is a tax on the table of the average consumer; a tax that will fall on rich and poor alike; a tax not graduated so as to rest most heavily on those most able to pay it. I believe that there should be no duty levied on tea and coffee and no increase of the duties on spices. In order to raise the revenue that these taxes would bring, I believe that it would be preferable to increase the taxes on beer and whisky, and, if necessary, to levy a tax on incomes in addition to the inheritance tax provided for in this bill.

The imports of tea and coffee, as given by the Bureau of Statistics for the year 1908, were: Tea, 94,149,564 pounds; coffee, 892,692,410 pounds. A tax of 1 cent per pound on coffee would have yielded $8,920,924.10. A tax of 8 cents per pound on tea would have yielded $7,531,965.12. In all, these taxes would have yielded $16,452,889.22.

In 1907 we consumed 1,821,867,627 gallons of beer. An additional tax of 50 cents per barrel on beer would have yielded approximately $28,500,000. In other words, if we admit tea and coffee free and impose an additional tax of 50 cents per barrel on beer, we shall collect $9,000,000 more in revenue than we should if we left the tax on beer at the present figures and imposed a duty of 1 cent on coffee and 8 cents on tea. The purpose of these taxes is the production of revenue. Is there any reason why we should not increase the tax on beer? It is contended by some that the tax would decrease the consumption of beer. I am sorry to say that I do not believe it would. But granting that it would, would the country be the loser if we consumed less beer? I certainly do not think so. I believe that the additional tax on beer should be substituted for the proposed taxes on tea and coffee, and if the House has the opportunity to vote on this question I am confident that this change will be made.

One very good feature of this bill that has not been advertised to any great extent is the placing of agricultural implements on the free list. Hardly anyone will care to maintain that the concerns manufacturing these implements need protection. The harvester trust, the International Harvester Company of America, I believe to be the most arrogant and dominating trust in this country. It controls practically the entire output of harvesters. From the very first the organization of this trust meant higher prices to the farmer, and I believe it safe to say that no other trust has been so fond of using its power to increase prices as this trust has been.

As to the tariff on wheat and barley, I want to say that I believe that a duty of 25 cents per bushel on wheat and the same duty on barley will be satisfactory to the farmers. I hope to see a duty put on hides.

I want to introduce at this point an estimate of the cost of raising wheat prepared by the American Society of Equity. This statement shows the cost of raising a bushel of wheat to be $1.19½ per bushel. A profit of 20 per cent appears in this estimate. After deducting this, I find that the cost of raising a bushel of wheat on land costing $40 per acre is 99 cents. If the land is worth but $25 per acre, the cost per bushel will be 92 cents.

THE SOCIETY OF EQUITY GIVES FIGURES SHOWING THE COST OF RAISING WHEAT IN THE RED RIVER VALLEY.

It is perhaps a fact that many grain growers do not really know what it costs to raise a bushel of wheat. Every successful business man knows to a fraction of a cent what his goods cost; how much it costs to sell them. He figures his insurance and taxes, the interest on his investment, and also a fair salary for his own services. All these items are properly figured as a part of the cost of his goods. To this he adds anywhere from 20 per cent to 100 per cent as a profit to compensate him for his business risk and as a just return on his capital invested.

The following figures as to the cost of production of wheat on a section of land in the Red River Valley were compiled from the books of a successful farmer, who has kept track of his farm expenses much the same as a man engaged in selling goods:

Cost of production of wheat on a farm of 640 acres in North Dakota.

COST OF FARM.		
640 acres, at $40 per acre		$25,600.00
COST OF FARM IMPLEMENTS.		
3 plows, at $65	$195.00	
2 drags, at $18	36.00	
2 cultivators, at $25	50.00	
2 drills, at $120	240.00	
2 binders, at $150	300.00	
1 mower	50.00	
1 rake	70.00	
1 corn planter	45.00	
4 wagons, at $90	360.00	
7 sets harness, at $30	210.00	
1 buggy	100.00	
		1,616.00
FARM ANIMALS.		
16 horses, at $150		2,400.00
Total cost of farm, implements, and animals		29,616.00
COST OF SEED AND LABOR.		
800 bushels of seed wheat (5 pecks to the acre), at 80 cents	$640.00	
3 men, including board, at $45 per month each	1,620.00	
Wages of owner of farm, at $75 per month	900.00	
Wages of wife of owner, with board, at $35 per month	420.00	
Feeding 16 horses for one year	1,200.00	
		$4,780.00
COST OF HARVESTING.		
Thrashing 8,100 bushels, at 11 cents	$891.00	
Binding twine, 2½ pounds to the acre, at 25 cents	160.00	
		1,051.00
INTEREST AND TAXES.		
Taxes	100.00	
Interest on cost of farm, $25,600, at 6 per cent	1,536.00	
Interest on cost of implements, $1,615, at 6 per cent	96.96	
Interest on cost of animals, $2,400, at 6 per cent	144.00	
		1,876.96
		7,707.96

All machinery wears out, and manufacturers figure that machinery depreciates at the rate of 10 per cent per year, and they charge off that amount every year on their books, and they also figure that it costs 3 per cent per year to make repairs.

REPAIRS AND ALLOWANCE FOR DEPRECIATION.		
Repairs on implements, valuation $1,616, at 3 per cent	$48.48	
Depreciation of implements, on valuation of $1,616, at 10 per cent	161.00	
		209.48
CHARGE OFF WEAR AND LOSS OF FARM ANIMALS.		
Working life of a horse is fourteen years, therefore there is an average loss of one horse per year		150.00
Total expense		8,067.40

All manufacturers figure to make at least 20 per cent profit on their business, and after figuring the absolute cost of production add 20 per cent to that cost and figure their selling price from that figure.

20 per cent of $8,067.40, the cost of production for a profit to the wheat planter		1,613.48
		9,680.88

Total cost of production on a 640-acre wheat farm yielding 12½ bushels to the acre, 8,100 bushels, showing that the producer should receive $1.195 per bushel in order to receive fair compensation on his investment, business trials, and risks. These figures have been carefully compared by the best wheat experts of the American Society of Equity and have been approved by them. One of the most expert accountants of the Northwest has gone over all of the figures and certifies that they are correct. The Society of Equity, by its board of directors, hereby officially declares that the farmer is entitled to as much profit on his business as the manufacturer or the merchant, and that the minimum price for wheat on the farm should be $1.25 per bushel.

The duty on wheat has in the past been of little benefit to the farmer. So long as we export the amount of wheat and wheat flour that we have exported every year these last thirty years, it is evident that any tariff that we may levy will not affect the price of wheat. If we export 100,000,000 bushels of wheat every year, the price of wheat in this country will not exceed the price in the world's market minus the cost of transportation to that market, no matter if we levy a tariff of 500 per cent. The tariff against Canada to keep her wheat from coming into competition with ours is at the present absolutely without effect, as we are compelled to compete with her products when we export our wheat. It is true that near the border on the Canadian side the price of wheat is often a good deal lower than on the American side. This, however, is due to the inferior means of transportation at that particular point in Canada, and I regret to say that the elevators at those points have formed effective trusts or entered into gentlemen's agreements with each other whereby they rob the poor Canadian farmer of often as much as 10 cents a bushel. This does not benefit the American farmer, however. He does not receive what the Canadian farmer loses. It is all pocketed by these elevators.

The time may not be far distant, however, when we shall produce no more wheat than we need for home consumption. When that time comes the American farmer will demand a protective duty on wheat, and I therefore want to see the duty of 25 cents per bushel retained in this bill. It is true that that time may be some years in the future, but we must remember that we do not pass a tariff bill every year. The Dingley law has been in effect for twelve years, and if it is found that the present bill will make a good law, which I hope and believe that it will, it may be allowed to remain on the statute books for twelve years or more.

The drawback feature of this bill, which is the provision of the Dingley bill liberalized in certain respects as to the requirements from those desiring to avail themselves of this privilege, opens to some interesting reflections. The theory of the drawback is evidently that our manufacturers are placed at a disadvantage when they come into competition with the manufacturers of other nations, because of the higher price that they must pay for their raw material. It is therefore proposed to permit them to purchase their raw material in the same markets as their foreign competitors, to ship it over to this country, and to export the manufactured product with the payment of only 1 per cent of the duty on the raw material.

It was evidently supposed by those who first passed a law with a drawback provision in it that this would place the American manufacturer and the foreign manufacturer on the same basis so far as cost of production was concerned, and that the American manufacturer would therefore be enabled to compete in the world's markets. As a matter of fact, the American manufacturer would be under the handicap of the amount of 1 per cent of the duty levied on the raw material, plus, in many cases, the cost of carrying that material twice over the Atlantic Ocean. The most interesting part of this matter comes, however, when we consider that the theory of the drawback is that the American manufacturer can successfully compete in the world's markets, given free raw material. Now, it has been drummed into our ears for years, and we have drummed it into the ears of others, that the reason that we need protection for our industries is that we must protect our laborer against the competition of foreign labor. We have offered facts and figures and fancies to show that not only is the time wage higher in this country than in any other country, but that the labor cost of each unit of production is greater. The reason that we have always advanced to explain why the cost of any manufactured product is and must be greater here than abroad has never been that our natural resources are inferior to those of foreign countries, but that the wages that we pay our laborers are higher, and that in order to maintain these high wages, with the consequent high standard of living, it is necessary that we have a protective tariff.

We then turn around and insert in our tariff laws a drawback provision, presupposing that our manufacturers are not only able to compete with the manufacturers of other countries unaided, but that they can do so under a handicap. We practically take the position that, although the wage per day or per year may be higher in this country than in others, the labor cost of the product is not, but on the contrary is less. Now, everyone is naturally anxious to know which is the correct position. Is the labor cost of the product manufactured in this country less than the labor cost of the foreign product or is it greater? Or is the cost greater when the American people have to buy the products and less when the products are sold to the foreign consumer?

The drawbacks paid during the year ending June 30, 1908, I find from the report of the Bureau of Statistics, Department of Commerce and Labor, to have been $6,637,602.14. The principal articles on the exportation of which a drawback was paid, with the amount paid, were as follows:

Article exported.	Quantity.	Drawback paid.
Rags	27,087,986	$459,891.69
Leathers		879,117.47
Condensed milk ... cans	19,268,628	131,377.97
White lead ... pounds	8,359,169	128,022.95
Sirup ... gallons	11,568,373.5	413,652.78
Refined sugar ... pounds	26,997,629	479,097.74
Tin cans	86,027,033	2,381,002.03

As to who received the $2,381,000 paid as a drawback on the export of tin cans, I have been able to get no information.

Mr. LOVERING. Will the gentleman answer a question?

Mr. GRONNA. With pleasure.

Mr. LOVERING. Does the gentleman mean that the rebate was paid on the tin cans or on the tin from which the cans were made?

Mr. GRONNA. There was a duty paid on the tin plate——

Mr. LOVERING. The only duty which was rebated under the drawback was the duty which was previously paid on the tin, was it not?

Mr. GRONNA. Exactly.

Mr. MARTIN of Colorado. Since the gentleman has been interrupted, I would like to ask him a question for information.

Mr. GRONNA. I have but little time.

Mr. MARTIN of Colorado. It has been stated that under the Dingley law the drawbacks amount to about $7,000,000 annually, in round numbers. It has been stated by a number of Members during this debate that the drawbacks will be vastly increased under the provisions of the Payne bill. I would like to ask if the gentleman can tell me whether the probable amount of drawbacks under the Payne bill has been estimated and deducted from the total probable revenue to be derived under the bill?

Mr. GRONNA. I will say, in reply to the gentleman, in all due respect, that we can only anticipate that. I will say that the drawbacks that have been paid amount to $6,637,602.14. I have not made any estimates as to what the Payne bill will do in that respect so far as revenue is concerned.

Mr. MARTIN of Colorado. If the gentleman will pardon me, the object of the question is this: It is conceded that the estimated revenues under this bill will fall $10,000,000 short annually, and I desire to know if the amount of drawbacks probable under the Payne bill had also been estimated and deducted, or if there would be a still further shortage by reason of the drawbacks?

Mr. GRONNA. If the gentleman will permit me to go on, I can show him what I think about the drawbacks.

Some went, perhaps, to the exporters of condensed milk and some to the fish canneries. It is generally believed, however, that most of it went to the Standard Oil Company. I find that the statement was made before the Committee on Ways and Means that the Standard Oil Company and the large packing houses have erected their own factories for the manufacture of these tin cans from imported tin plate. Now, I confess that I do not see why the Standard Oil Company should be given this preference over our other manufacturers. I do not see why we should pay an export bounty on the oil that that company exports. I do not believe that the company needs it; it exports every year over a billion gallons of refined oil and sells it in competition with the oil of other countries. Further, as oil is the product of an exhaustible natural resource, I do not favor any undue exploitation of this resource, which will tend to exhaust it any sooner than necessary.

From what information I have been able to get, it appears that the drawback provision has benefited not so much the manufacturer of an article from the imported material as the manufacturer and exporter of other articles of commerce in vessels made from the imported raw material. The bill under consideration therefore proposes to liberalize the provision in order to make the importation, manufacture, and exportation of foreign raw material more profitable to the smaller manufacturer. It is therefore proposed that the drawback be paid on the exportation of products made from our own raw material if the exportation is made within three years of the importation of an equal amount of raw material. Where a manufacturing concern has a large export trade, this would operate practically to remove the duties on the material that it uses in manufacturing its product. For instance, we have been told that it is necessary in order to protect the small oil producer to provide for a duty on crude and refined oil, and that the Standard Oil Company controls the industry so completely that the removal of the duty on oil will not injure that great concern, but that any reduction in the price of oil would be passed on to the small producer, whose oil the Standard Oil Company refines. Now, if we place a duty on oil and then adopt a drawback provision what is to prevent the Standard Oil Company from importing a billion gallons of crude oil and practically escape the payment of any duty on this importation by checking it against its export of a billion gallons of refined oil? Where then would be the benefit that the small oil producer expected to reap from a duty on crude oil? The Standard Oil Company would be importing its raw material free of duty to compete with the American product, but the duty on refined oil would still remain. Would not every other great trust have the same advantage? Will not the result of the drawback provision contained in this bill be to give the trust the benefit of lower free-trade prices, while compelling the American consumer to buy the products of these trusts in a protected market?

Mr. COLE. Will the gentleman yield to a question?

Mr. GRONNA. Yes; I will be glad to do so.

Mr. COLE. Does the gentleman favor repealing the drawback feature on oil?

Mr. GRONNA. I certainly am in favor of taking the countervailing duty off from oil.

Mr. COLE. I understood your statement to be that you favored abrogating the drawback feature so far as it related to petroleum. I want to say that that matter was presented to the Ways and Means Committee yesterday. I have not found whether it was acted upon or not. The Members who represent the oil districts in the United States have joined in the request that the drawback feature be abrogated so far as petroleum is concerned.

Mr. GRONNA. I am exceedingly glad to know that, and I thank the gentleman for the information.

It further appears to me that permitting the importer to retain the imported product for three years, if he so desires, before exporting the manufactured product, opens the way for possible speculation or gambling in some of our products, especially in wheat. The production of wheat and other products of the soil differs from the production of the products of factories. If all the factories in this country run at their full capacity two years, employ the same number of hands, and so forth, it may be presumed that the amount that they will produce one year will be approximately the same as they produced in the other.

The producers of wheat, however, have a different condition to face. They may seed to wheat the same number of acres, employ the same number of hands, and work just as hard one year as they did the preceding one, yet their crops may not be more than one-half as great. Because of this the products of the soil, and especially wheat, because of our large surplus, invites speculation. We have our bulls and our bears engaged in trading in wheat, or what is by courtesy called "wheat." We have corners formed to control the market, and then we have other concerns striving to break the corner. This speculation makes sudden changes of the amount of wheat in this country desirable to the wheat gambler. Under the drawback provision it becomes possible for any concern to import a large amount of wheat for use in speculation and to reexport it, receiving the return of the duty paid when the wheat was imported. The proposed provision will make it possible to hold the wheat in this country for three years before exporting it or its products.

Mr. CAMPBELL. Will it bother the gentleman to ask him a question?

Mr. GRONNA. Not at all.

Mr. CAMPBELL. I wish the gentleman would state the difference in the price of wheat on the Dakota side of the line and on the Canadian side of the line.

Mr. GRONNA. I will say, for the information of the gentleman from Kansas, that from my own observation it is about 8½ cents a bushel the year around.

Mr. CUSHMAN. In favor of which country?

Mr. GRONNA. The United States.

Now, in all probability, before this tariff law that we are going to enact at this session is superseded by another, the consumption of wheat in this country will equal or perhaps exceed the production, that is, the average production. We will have years of exceptionally large yields and other years with short crops. Now, in making it possible to hold this wheat here for three years, or to import wheat one year and export flour, not necessarily made from the same wheat or from wheat, purchased at the time that the wheat was imported, it is made possible for large millers and other large concerns to import wheat during our short years and to check it against flour exported during years when our crops are more than sufficient to supply our home consumption. Enough wheat can be imported to force the price to the farmer down to the same point as when our crops are bountiful. In short, the protective tariff, so far as it affects wheat, will be in effect only during those years when we export wheat, and when the price of wheat is consequently not affected by the tariff; when the farmer produces fewer bushels of wheat and looks to the higher price to compensate him for his short crop, in some measure, we are to have what will practically amount to free trade in wheat. To remedy this I have prepared an amendment, which I offer, the purpose of which is to require the importer of wheat to export the flour during the same fiscal year as the importation was made in order to receive a drawback, if the flour is manufactured from American wheat. The proposed amendment is as follows:

No drawback shall be allowed upon the exportation of any article manufactured or produced in whole or in part of grain raised in the United States unless such article shall have been manufactured or produced in the same mill or factory as the article manufactured or produced from the imported grain, and only upon such articles as are manufactured or produced from grain harvested prior to such importation: *And provided*, That the exportation shall be made during the same fiscal year as the importation of the grain used or checked against:

Provided further, That whenever wheat is imported into the United States to be manufactured in bonded manufacturing warehouses into flour, the bran, shorts, and other by-products of such process of manufacture produced from such imported wheat may be withdrawn for domestic consumption upon the payment of 25 per cent ad valorem, and an amount equal to a like rate of duty shall be deducted from the drawback upon imported wheat if any product of imported wheat or its equivalent from domestic wheat is not exported. To determine the duty on such bran, shorts, and other by-products, the market price at the place of manufacture shall be taken to be its value.

Mr. EDWARDS of Kentucky. I just wanted to ask the gentleman from North Dakota if he does not feel that the price of wheat is high enough in this country; and as he has just stated that he is in favor of protection to the farmer, I would like to ask him if he is in favor of the protection of lumber?

Mr. GRONNA. I want to be frank with the gentleman. If I thought that protection was needed or that a duty was needed to protect the industry in lumber, I would be for it; but I am free to say I do not believe it is necessary to have a tariff on lumber.

The provision providing for maximum and minimum duties I believe to be a wise one, although it may be necessary to make a change in the proposed manner of applying them. The reciprocity system has almost proved itself a failure. It is entirely impracticable. In order to have something to offer the foreign countries in return for their reduction of their duties on American products, it is necessary to make some duties higher than necessary or desirable. If we do not, then if we reduce the duties on certain goods in order to secure concessions from other countries we must evidently reduce them below the point of adequate protection. Now, I contend that it is poor statesmanship to levy duties higher than are necessary. If we fail to negotiate reciprocity treaties with countries producing those articles on which we placed too high a duty in order to have something to use in our bargaining, and no one can say beforehand what reciprocity we may find ourselves able to enter into, the producers of those articles in this country will enjoy a higher duty than they are entitled to. If, then, a trust is formed, controlling the market in those products, a heavy burden is placed on the consumers and the trust enjoys the benefits. In addition to this, too high duties will encourage the establishment of concerns which can not exist without this high rate of protection, establishments that have no reason for their existence other than the excessive duty.

The principle of the maximum and minimum tariff seems to me to be preeminently sound. We levy the duties necessary to protect our industries, and so long as other countries treat us fairly their products enjoy these rates. If, however, they discriminate against our products, then the maximum rates are to be enforced against their products. As a matter of self-interest, they will accord us the same treatment as they do other nations, so far as this is possible in view of treaties that may exist with other nations. Because of the fact that there may be treaties existing between other nations that can not be abrogated for sometime, perhaps years, but which do not particularly affect us, I believe that it will be well to change the manner of applying the maximum rates, in order that we may escape applying them to a country that perhaps is admitting all of our products on the same basis as those of other nations, with the exception of a few unimportant articles.

The American farmer believes in the protective system. Although he has borne as many of the burdens of protection as the man engaged in any other industry and has received less direct benefits from it than manufacturers have, he has borne this burden uncomplainingly. He is still willing to bear his part of the burden, but he also wants some of the benefits. It is often argued that the manufactured product should be protected, but that the raw material should be admitted free of duty, in order that our manufacturers may have no handicap in competing with the manufacturers of other nations.

The farmer has in the past had to compete with other nations in their own markets in disposing of many of his products, and the protective duties levied on these products have therefore been of no benefit to him. He emphatically protests against having those duties removed as soon as he begins to derive some advantage from them. He does not see why he should be expected to sell his products in a competing market and buy all that he consumes in the way of manufactures in a protected market. He does not see why he should be discriminated against merely in order that the manufacturer may extend his foreign trade. It is not clear to him why he should bear the burden of extending his own foreign trade and also the cost of extending the foreign trade of the manufacturer. When we talk of raw material, he wants to know whose raw material and what is raw material. He points to the fact that the raw material of one manufacturer is often the finished product of another, and more often the finished product of the farmer. He knows that labor enters largely into the production of his crops, and that if the wages that the manufacturer pays are higher than those that the foreign manufacturer pays, likewise are the wages that he pays higher than the wages paid the foreign farm laborer. He sees no reason for compensating the manufacturer for his payment of high wages and denying that same compensation to himself. It is not just to the farmer to compel him to sell in an unprotected market and buy in a protected market, and the farmer knows it.

As I said at the beginning of my speech, I am not criticising the committee that drafted this bill. Like many others, I find

that I can not support all of the provisions of the bill. I believe, however, that on the whole it is a good bill; I believe also that it might be made better. I for one want the opportunity to vote on the several provisions separately, and I hope that we shall have that opportunity. If the changes that I should like to see are made, I shall support it, and I hope that such changes will be made. [Applause.]

Mr. HOWELL of Utah. Mr. Chairman, in the course of the debate on this bill a vast amount of information has been imparted to the country. During its progress I am profoundly impressed with the magnitude and importance of the task now undertaken by this Congress in enacting a bill "to provide revenue, equalize duties, and encourage the industries of the United States," as well as with the difficulties and embarrassments which are involved in framing a wise and just measure of this character. The Ways and Means Committee, composed of some of the ablest Members of the House, have devoted themselves diligently and assiduously to this task, and as a basis for their action have collated a vast amount of information pertaining to the various industries affected by this bill.

I was glad to hear from the lips of the leader of the minority, the estimable gentleman from Missouri [Mr. CLARK], the statement to the effect that whatever differences as to their conclusions might exist between the Republican members and the Democratic members of the committee, the whole committee, with great singleness of purpose, had striven to elicit the facts and the truth concerning every subject they had investigated.

We have the assurance of the distinguished chairman of the committee [Mr. PAYNE] that upon the conclusion of these hearings a subcommittee, consisting of the 12 Republican Members, carefully considered every schedule, and, while there developed some diversity of opinion in the committee upon some schedules and some features of the bill, by a series of compromises the subcommittee had reached a decision and pronounced their verdict in the bill now submitted to the House.

But, Mr. Chairman, the history of all tariff legislation proves that these early compromises of the committee are but the forerunner of those which are to come. When the bill is considered in the Senate it will, no doubt, in some respects be modified by further compromises in that body, and finally by compromises between the two Houses in conference. Thus, by a series of long and careful deliberation, the bill before it is finally presented for the President's approval will have been molded into form by pressure that will come from every section of the country.

We shall, perhaps, find that no one shall be able to get all the protection that he may feel his duty to his constituents requires him to obtain. This country is so vast, its industries so diversified, that it is impossible to meet the views of all regarding the proper adjustment of every item. We of the majority will agree upon the essential elements of the bill; and since "in the multitude of counsel there is safety," I believe when we have completed our labors that a measure will be enacted that will verify the highest hope of the people and vindicate the wisdom of Republican statesmanship.

It is plainly evident, however, that we shall not be able to agree with our Democratic brethren. The history of this legislation and the discussion of this bill thus far on the floor of the House conclusively demonstrates that there is an irreconcilable difference between the two schools of political thought—a difference, I may add, which no nonpartisan tariff commission can ever remove.

And, Mr. Chairman, in order that my attitude on this matter may be entirely understood; in order that the doctrine of protection, as I view it, may be appreciated, I desire to say that the national view point is the only view point from which I care to look at or observe the doctrine of protection; and the test, which in my weak way I shall apply to every tariff measure which comes before the House for consideration and adoption, is this: Will the proposed measure tend to promote, directly or indirectly, the growth and power of this Nation? Will it promote the industrial prosperity of the people? Is it fair, just, and equitable in its provisions? Will it tend to make those United States better able to carry out the high destiny which an All-Wise Providence has marked out for it? If it will in the main meet these conditions, then I am for the measure.

But before proceeding to a consideration of certain features of the bill to which I desire to call your earnest attention I wish to express my gratitude and appreciation to the honorable gentleman from Colorado, Mr. Bonynge, who so ably represented upon the committee that section of our country which I have, in part, the honor to represent. Not only did the gentleman distinguish himself as a member of the committee, but he was ever zealous in his efforts to secure from the representatives of the industries of the section from which I come a full and fair statement of the facts and arguments which they desired to place before the committee.

Moreover, the bill as presented contains unmistakable evidences of his continued good offices in the shaping of the schedules, and for this also I thank him and other members of the committee.

But, Mr. Chairman, there are certain features of the bill, I regret to say, wherein duties which the committee has suggested are inadequate to afford the protection which the industries demand. The producers of lead in the West, in the States of Idaho, Colorado, and Utah, are gravely concerned over the proposed reduction of the duty of 30 per cent on crude and pig lead.

I hold in my hand a memorial addressed to the Sixty-first Congress of the United States by a conference of the ore producers of Idaho, Utah, Colorado, and Nevada, representing over 61 per cent of the lead produced in the United States, held in Salt Lake City, March 22 and 23, in which the conference protests against any such tariff schedule as that proposed in the present bill.

In order that the Members of the House may be fully informed of the conditions affecting this vitally important industry, I shall include the same in my remarks:

Memorial from conference of lead-ore producers of Idaho, Utah, Colorado, and Nevada to the Sixty-first Congress of the United States, special session.

To the Senate and the House of Representatives:

At a conference held in Salt Lake City, Utah, on March 22–23, 1909, of the lead producers of the States of Idaho, Utah, Colorado, and Nevada, representing more than 61 per cent of the entire lead production of the United States, it was unanimously voted and resolved that the following statements be set forth in a memorial to Congress as reasons why the import duties on lead in ores and on lead in pigs, bars, and base bullion, as fixed by the Dingley law, should not be reduced:

We rely on the pledges made during the last national campaign by the party in power to maintain a tariff on all American products sufficient to make up for the difference between the cost of production in this country and the cost of production in competing countries and to yield a reasonable return on investments.

A reduction in the tariff on lead would seriously cripple, if not entirely destroy, the lead-mining industry of the States of Idaho, Utah, Colorado, and Nevada. The Dingley Act has encouraged the expenditure of large amounts of capital in searching for and developing deposits of lead ores and in building extensive plants for treating them. Thousands of men have been employed in prospecting for, developing, mining, shipping, and treating lead ores. The mining of low-grade deposits has been greatly stimulated by the Dingley law.

A blow dealt to the lead-mining industry would not be confined to that industry alone. Lead mining, like manufacturing, usually requires a large plant; large sums are spent for coal, timber, machinery, tools, explosives, agricultural products, and freight. The producers and their employees would therefore not alone be affected, but the coal miner, the manufacturers of machinery, tools, and explosives, and their employees; the farmer would lose one of his best markets; and many thousands of railroad employees would be idle if the lead industry be destroyed.

The successful and economic recovery of gold and silver from siliceous ores must be brought about by smelting with lead ores. Without them the smelting cost of siliceous ores would be so great as to prevent the mining of low-grade deposits, and the output of gold would be diminished.

Prospecting for lead ores in the West has gone hand in hand with prospecting for the more precious metals. To discourage one is to retard the other.

The United States outranks all other nations in the tonnage of lead consumed annually and in the tonnage produced. In 1907 the consumption was 35.6 per cent of the total for the world and the production was 33.3 per cent of the total for the world. The consumption of lead in the United States has nearly doubled since the enactment of the Dingley tariff law.

Between the first discovery of lead deposits and the marketing of the refined metal a long series of complex operations intervene, many of which may properly be classed as manufacturing processes. (See Appendix A.)

Deposits of pay ore are found only as a result of long, patient search; their existence can not be ascertained in advance by any known scientific methods. The developing of mines, even with the aid of unlimited capital, can not be hurried beyond certain limits. At its best, this work is expensive, tedious, and trying. We submit that prospecting and developing, even when fruitless and disappointing, are proper charges against the cost of producing lead. Many concerns while doing development work have taken out such high-grade ores as have been encountered and have sent them to market, the proceeds being used towards defraying the cost of development. In only a few properties, however, has enough development work been done to make mining operations profitable. According to census statistics for the year 1902, the only year for which complete statistics are available, there were only 29 dividend-paying argentiferous-lead mines in the United States, or less than 7 per cent out of the 447 mines that marketed any product that year. (See Appendix E, p. 542, Tables 48 and 49.) It is significant that these dividend-paying mines had a large tonnage, indicating extensive development, the average output of each of these mines for the year being some 38,000 tons of low-grade milling ores. The owners of the nondividend paying properties believe, of course, that when sufficient development work has been done their mines will be able to produce lead cheaply and economically; otherwise they would not keep on spending money without immediate return. It is to be noted that mining methods are constantly improving, but that of the total expenditure, more than 60 per cent is for labor.

The argentiferous lead deposits of this country are generally low grade, the quantity of lead recovered for the year 1902 indicating an average content of 7.9 per cent, or 158 pounds of lead per ton of ore. The remaining portion of the ore gangue is worthless rock, which must be gotten rid of, the bulk of it by concentrating in water, the rest by the more expensive process of smelting. The profitable handling of low-grade lead ores can not be done on a cheap scale; on the contrary, it

calls for the investment of large sums of money before any return is had.

The claim is sometimes made by persons opposed to the tariff on lead that wages in the mining districts of the West are maintained at a wastefully high level. But we submit that mining work calls for skilled, experienced men, and that in comparison with the wages paid other classes of skilled labor throughout the country the rate is not too high. The mine owners pay the existing scale because they are compelled to do so in order to obtain competent service.

If the tariff on lead should be reduced, we should be compelled to meet competition from Mexico or to abandon the industry of lead mining. As more than 60 per cent of the cost of producing lead from a fully developed mine is represented by wages of miners, our competing with Mexico depends entirely upon the question as to whether our wage-earners will work for the same wages and live under the same conditions as do the miners of Mexico. Our miners receive an average of $3 to $4 for eight hours' work; the Mexican miner receives 26 cents to 78 cents (gold) for ten to twelve hours' work. That our American miners can not compete with Mexicans in the matter of wages is obvious.

This conference insists primarily on protection for the American lead miner. But a tariff which, even though protecting lead in ores, permits bullion and the products manufactured from lead to come from Mexico and other countries where it is mined and smelted by cheap labor and to undersell American products, will cripple the American lead-mining industry as effectually as would a reduction of the tariff on ores.

We therefore respectfully but strongly ask for such a differential of duty on pig lead, etc., above the duty on lead in ores and for such further differential on refined lead as will preserve the industry.

Respectfully submitted.

HENRY L. DAY, *President.*
GEO. W. RITTER, *Secretary.*
Conference of Lead-Ore Producers,
Idaho, Utah, Colorado, and Nevada.

APPENDIX A.

SUCCESSIVE STEPS IN SILVER-LEAD MINING.

Between the discovery of deposits of lead ores and the marketing of the refined metal a long series of complex operations intervene, many of which may properly be classed as manufacturing processes. The more important of these operations are:

1. Prospecting: The search in new localities for ore deposits or for signs of ore.

2. Developing: The installation of hoisting machinery, air compressors, compressed-air drills, haulage cars, pumps, and other machinery, and the making of tunnels, shafts, drifts, cross-cuts, and other openings in the earth which may serve in the end as avenues for bringing ore to the surface, for drainage, and for ventilation, but which are made primarily in searching for suspected ore bodies and in ascertaining their extent and value.

3. Mining: The breaking of the ore down, getting it to the surface, and timbering the excavation to keep the ground from caving in.

4. Tramming: Conveying the ore over rails or by aerial tramway from the mine to a concentrating mill located near an available water supply.

5. Concentrating: Breaking, crushing, and grinding the ore into fine particles by means of proper machinery; passing the fine particles over jigs, tables, or other approved devices, so that with the aid of water and by the process of gravity the heavy particles containing the valuable mineral are collected, the bulk of the worthless rock and dirt being washed away.

When the ore as mined has a high lead content, as happens in some districts, and where the gangue is not too refractory for economical smelting, the concentrating operation is omitted. Many of the mines of Mexico are notable in this respect.

6. Transportation of the concentrated ore, by railroad, from the concentrating mill to a sampling works.

7. Sampling: The obtaining of a very small quantity of ore that shall represent the average of a lot of many tons, so that by means of an assay on the sample the value of the entire lot may be arrived at.

8. Transportation of the concentrated ore, by railroad, from the sampling works to a smeltery.

9. Smelting: Mixing the concentrated lead ore with siliceous or dry ores containing silver and gold, and with fluxes such as iron ore and limestone, making the proportions such that in a smelting furnace the combination will form a molten slag, out of which the particles of lead, silver, gold, and other metals may settle and be drawn off as base bullion.

10. Transportation of the base bullion, by railroad, from the smeltery to a refinery.

11. Refining: Separating the lead, gold, silver, and other metals and impurities from one another, either by a combination of fire processes or by electrolysis.

APPENDIX B.

MEXICAN LEAD-SILVER MINES.

The existence of extensive deposits of argentiferous lead ores in Mexico, in the regions of the Sierra Mojada, Chihuahua, Santa Barbara, and Monterey, are matters of common knowledge. The ability of these mines to produce lead at low cost is suggested in a paper entitled "The Sierra Mojada, Coahuila, Mexico, and its ore deposits," by James W. Malcolmson, presented before the American Institute of Mining Engineers, at its Mexican meeting in November, 1901, and published in the transactions of the Institute, volume 32, pages 100–139. We are told in this paper that between the years 1886 and the time of writing (1901) "some 3,000,000 tons of ore have been extracted from the mines" (p. 100), and that "a powerful and successful smelting industry, employing thousands of men, has been developed in Mexico by the investment of millions of dollars, largely of American capital" (p. 105). To one who understands the requirements of a successful lead smeltery, the most extraordinary thing about the Sierra Mojada region, aside from the vastness of the ore deposits and the grade of the ore, is that the iron ores and even the lime needed for fluxing carry important precious metal values. The following extracts are all from Mr. Malcolmson's paper:

"At the present time practically the same ore bodies are being worked which were discovered in the early period of development; but improved conditions permit the profitable mining of a very much lower grade of ore than formerly. The following table shows approximately the tonnage, assay, and analysis of the various ores mined in the camp during 1900.

	Metric tons.	Ag., ounces per ton.	Pb.	SiO_2.	FeO.	CaO.	$BaSO_4$.
			Per ct.	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*
Basic lead ore	80,000	9	15	10	30	5	--------
Siliceous lead ore	21,000	10	14	34	22	2	--------
Irony lead ore	7,500	3	15	3	53	2	--------
Siliceous ore	2,500	19	--------	73	10	1	--------
Irony ore	1,000	1	1	3	77	1	--------
Lime ore	25,000	8	--------	7	3	33	--------
Siliceous lime	52,000	18	--------	20	3	21	10

"In all the mines now open there are very large bodies of mineral of the classes mentioned above, but lower in grade. In time, with lower freight and treatment rates, these will undoubtedly prove to be a source of profit (p. 104).

"The Sierra Mojada has always been regarded as a source of lead supply, and to-day probably two-thirds of the entire product of the camp is lead-carbonate ore from these last-mentioned deposits. The average assay of lead ore, now mined at the rate of 120,000 tons annually, shows approximately 12 ounces of silver per ton and 15 per cent of lead (p. 128).

"In the early days the ore was freighted by teams 75 miles to Escalon and shipped over the Mexican Central Railroad to El Paso, Tex., or to Argentine, Kans. No duties were collected by either the Mexican or the United States Government. In 1889 a local duty of 2.6 per cent of the value of silver and lead contents was imposed; and since 1896 an additional duty of 4.5 per cent on the silver contents has been collected at the frontier by the Mexican Federal Government; and by a decision of the United States customs authorities, ratified by subsequent legislation, a duty of 1.5 cents per pound of the lead has been collected on its admission into the States (p. 102).

"Much of the lead ore shipped at the present time to the United States is smelted in bond, in the same manner as the Canadian lead ores, and subsequently sold outside of the country (p. 102).

"Modern methods * * *. Square-set methods of mining and timbering were introduced. Experienced timbermen from Colorado were employed at first to put in the sets, but the Mexican miners themselves finally became so skillful that of late years practically all the timbering has been done by native labor. A few years after taking over the mines the American operators built from Escalon to the camp a railroad, which has been one of the most prosperous enterprises in the Republic.

"With the introduction of American methods of mining, it was found profitable to rework the old but partially exhausted stopes throughout their entire extent. On account of the large size and softness of the lead-ore bodies, the cost of mining has always been low * * * (p. 123).

"Labor for the mines is fairly abundant. The Sierra Majada miner earns $1.50 Mexican, or 75 cents United States currency, per day. He is industrious and intelligent and will mine and timber in the heaviest ground with skill and confidence" (p. 139).

APPENDIX C.

MINE LABOR AND SUPPLIES IN MEXICO.

[Extracts from an article entitled "Mine labor and supplies in Mexico," by Mark E. Lamb, mining engineer, published in the Engineering and Mining Journal of December 26, 1908, pp. 1245–1247.]

Labor conditions in Mexico differ so widely and radically from those across the border in the United States that some notes and illustrations of how work is done there seem to be of interest and service to engineers and investors.

One should always bear in mind the extremely low cost of labor. Where else can dirt be moved at the cost given for grading for Pinguico mill? They are not even doing it at Panama. * * * The margin must, indeed, be close when 100 tons of sand can be shoveled to conveyors from tanks for $2.50 gold. Compared with similar work in Nevada and California it is simply too low a cost to include in finals per ton.

Mill machinery, supplies, and materials are cheaper in Mexico almost, without exception, than in the States. One of the exceptions is Standard Oil products. Manufacturers in the States allow a special export discount of from 5 to 10 per cent from their lowest prices for home consumption. There is a slight duty on machinery for mines, but when proper representation is made to the department, even these small duties are refunded when new plants are built. The Mexican Government certainly fosters the mining business sedulously and impartially, and it is exactly this treatment which has given miners such confidence. Money will continue to come to Mexico for mining investments, while the evidence is all one way as to the treatment received. Railroad rates to Mexican camps are much lower than similar hauls in the States. The same applies to passenger fares, and with even greater force to telegraph tolls. The latter service double discounts Western Union, in cost, expedition, and accuracy, to say nothing of the fact that complaints receive attention and proper adjustment. All these differences are due to government control, the latter having as much to do with low freight rates, perhaps, as the competing water hauls. * * *

APPENDIX D.

COMPARATIVE EFFICIENCY OF MEXICAN LABOR.

Comparison.	Cost per foot.	Wages.
CENTRAL MEXICO.		
Drifting and crosscutting in hard slate, etc., Mexican hand labor, contract work [a]	$1.85 to $2.30	$0.375 to $0.50

[a] Drifting, etc., in Central Mexico. (From an article entitled "Efficiency of Mexican labor," published as special correspondence in the Engineering and Mining Journal, October 17, 1908, p. 752):

"As to the greater dollar efficiency of Mexican labor note these contract prices current at a mine at which I am consulting engineer. The vein is about 3½ feet wide and varies in hardness, being frequently quite soft. The crosscuts are in hard slate. Values are given in United States currency per foot: Main drifts, 5 by 7 feet, hand labor, $2.30; intermediate drifts, 4 by 6 feet, $1.85; crosscuts, 4 by 6 feet, $2.15; winzes, $1.85 to $2.25. This does not include hoisting and pumping. * * *

"In Central Mexico an ordinary miner gets 37½ to 50 cents gold per day, except in some of the larger camps."

COMPARATIVE EFFICIENCY OF MEXICAN LABOR—continued.

Comparison.	Cost per foot.	Wages.
AMADOR COUNTY, CAL.		
Drifting and crosscutting in black slate, etc., American labor, air drills [a]	$5.37	$2.50 to $4.00
COMSTOCK LODE, NEV.		
Drifting in ordinary ledge matter, American labor, air drills [b]	9.00 to 10.00	--------

[a] Drifting, etc., in California. (From paragraph on "Drifting and crosscutting," p. 188, Modern Tunnel Practice, by David McNeely Stauffer, New York, 1906):

"From this same shaft (Lincoln mine, Amador County, Cal.) a crosscut was extended 642 feet, passing through 40 to 60 feet of black slate, with considerable water, and then two drifts were driven, aggregating 483 feet in length. The work was done with the "baby" plant, and the average depth of each hole was 5 feet. The following table of cost was furnished by Mr. Voorhels:

	Total cost.	Per foot.
Labor:		
Miners, $2.75 per eight-hour day		
Carmen, $2.50 per eight-hour day	$6,772.50	--------
Day foreman, $4 per ten-hour day	672.00	--------
Night foreman, $3.25 per ten-hour day	435.50	--------
Total labor cost	4,880.00	$4.130
Powder	1,226.50	1.043
Fuse	79.50	.068
Caps	35.00	.030
Candles	96.00	.082
Total cost	6,317.00	5.376

[b] Drifting on the Comstock Lode, Nevada. (From article on "Modern mining on the Comstock," by Claude T. Rice, Engineering and Mining Journal, December 29, 1906, p. 1211):

"With this artificial ventilation it is possible to drive with air drills a 5 by 6 foot drift in ordinary ledge matter on the Comstock for $9 to $10 per foot, a remarkably low cost considering the unfavorable conditions."

I am convinced, Mr. Chairman, that their contention is just and demands attention. And in order that this may clearly appear to the Members of the House I shall beg leave to explain the matter briefly under three heads: First, the importance of the industry itself; secondly, the loss if the industry were destroyed; thirdly, the probable effect of the proposed reduction in the tariff.

From a small pamphlet, Lead Statistics in Utah and the United States, compiled by the Utah Mine Owners' Association, November, 1908, which I shall also ask to be made part of the RECORD, it appears that of the 365,166 tons of lead produced in the United States during 1907, one-sixth, or 59,107 tons, was produced in the State of Utah, which stands third in the lead-producing States, Idaho coming first with 123,000 tons and Missouri next with 116,000. The value of the Utah lead product was $6,270,630. There are engaged in the mining, milling, and the smelting of lead and its associated metals about 10,000 men, who are paid on the average $1,000 a year—a total wage outlay of $10,000,000. There are employed in other industries, such as railroading, agriculture, merchandise, assaying, sampling, and coal mining about another 10,000 men, who could not be so employed were the lead industry to be destroyed. These men get, roughly, $12,000,000 yearly as wages. Moreover, the other metals associated with lead mined, and so mined at the same time, approximate: Gold, $2,000,000; silver, $6,000,000; and copper, $1,570,000. Were it no longer possible to operate these mines because of the reduced value of lead, these metals would, of course, be lost.

Concerning the amount that would be lost were this industry to be destroyed, it is but a matter of simple addition to show that the various figures given total roughly $36,000,000, a loss which, falling upon 300,000 people, would paralyze, if not actually destroy, all other of their activities, commercial or agricultural, and this is only one of the mining States affected by this bill. Mr. Chairman and gentlemen, the people of the West can not stand such a loss, nor ought they to be compelled to do business in constant apprehension of such a loss. We, out there in the mountains, gentleman, are more or less isolated; we are far in the interior, beyond water communication, and dependent upon the magnanimity or oppression of the railroads as they see fit. We therefore become dependent upon one another. One industry relies upon and trades upon the existence of the other. We have to hang together, gentlemen, or we would hang separately. We can not easily call in help from the outside. Therefore the ruin of one of our industries reacts vitally upon the rest and brings poverty and destitution upon thousands of people. Any blow that would cripple or destroy this great industry would spell disaster to that great section of the West where it is carried on.

The present tariff provides for a duty of but 1½ cents per pound on the lead and lead ores and the same amount in pigs or bullion, whereas the Dingley law provided for a tariff of 1¼ cents per pound on lead ores and 2¼ cents per pound on lead in pigs or bullion, being a reduction on the latter of 30 per cent. Now, the statistics show that for the years 1898 to 1906 the United States imported but 21,000,000 pounds of ores and dross, but over 85,000,000 pounds of pigs and bars. This, of course, paid the duty. But the average price of lead in London during 1907 was 4.113 cents per pound and in New York 5.325 cents per pound, a difference of 1.212 cents per pound. This was not quite the duty on the ores under the Dingley bill and a little more than half the duty on pig and bar lead. Now, the reduction in the lead schedule as proposed in the new bill is, as to pigs and bars—which from 1898 to 1908 were four times greater than the importations of lead ores—0.625 cent lower than the Dingley bill. In other words, the value of American lead has been reduced $12.50 per ton, or a total upon the output of Utah mines, based on the production of 1907, of over $7,000,000. But, gentlemen, on the basis of the average metal prices from 1896 to 1906, the profits for the year 1906 would have been only $392,000, a little more than half the loss that will be suffered by the proposed reduction in the tariff.

A statement compiled by the Mine Operators' Association of the actual conditions attending the production of lead in Utah at present clearly demonstrates that, at the present price of lead, silver, and copper, the ore produced in that State for 1906 would have entailed a loss of $760,588. This statement is highly important as illustrating the serious consequences to the West resulting from the importation of lead from Mexico in such quantities as to bear the price and disturb the stability of the market.

EXHIBIT.

STATISTICS ON LEAD ORES IN UTAH FOR THE YEAR 1906, AS COMPILED BY SPECIAL COMMITTEE OF UTAH MINE OPERATORS' ASSOCIATION.

[Based upon statistics from 28 lead-producing mines making reports to Utah Mine Operators' Association.]

Total production of lead in Utah, as reported by United States Geological Survey, 59,260 tons.

Total production of lead from 28 mines reporting to Utah Mine Operators' Association, 50,982 tons, being 90.6 per cent of the total production of the State of Utah for the year.

Total number of mines reporting	28
Number of mines reporting a profit for the year	18
Number of mines reporting a loss for the year	10
Total tons ore treated	501,465

Metal contents of ores.

		Total contents.	Average per ton of ore.
Lead	pounds	101,964,329	[a] 10.2
Copper	do	2,762,000	[a] .27
Gold	fine ounces	19,563	[b] .039
Silver	do	6,009,380	[b] 11.9

[a] Per cent. [b] Ounces.

Income and costs.

	Total for the year.	Average per ton of ore.
Total income from sale of product	$5,965,912	$11.89
Total cost of mining	4,089,350	8.15
Excess of income over costs	1,876,562	3.74

New York market prices of metals.

	Prices on March 23, 1909.	Average prices.		Differences.	
		Ten years, 1898–1907, under Dingley tariff.	Year 1906.	Year 1906 above present prices.	Year 1906 above average prices for 10 years, 1898–1907.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*
Lead, per pound	4.0	4.6	5.7	1.7	1.1
Copper, per pound	12.5	15.4	19.3	6.8	3.9
Silver, per fine ounce	50.6	60.1	67.0	16.4	6.9

Income for the year 1906, in excess of costs, $1,876,562.

Extraordinary income, on account of high prices of metals in 1906, compared with average for ten years, 1898 to 1907, inclusive:

Lead, 101,964,329 pounds, 90 per cent, difference at 1.1 cents per pound, $1,009,447; copper, 2,762,000 pounds, 75 per cent, difference at 3.9 cents per pound, $80,789; gold, 19,563 ounces, no difference; silver, 6,009,380 ounces, 95 per cent, difference at 6.9 cents per ounce, $393,-

the tonnage, assay, and analysis of the various ores mined in the camp during 1900.

In Central Mexico an ordinary miner gets $1 to $1.50 per day, except in some of the larger camps.

day, as against $3 in the United States; blacksmiths and carpenters, $1 per day, as against $4 here; and engineers, $1 in Mexico and $3.50 here. It is not just and right, nor is it in accord with the principles and traditions of the Republican party, to put American labor in competition with such conditions.

The effect of this reduction will be to encourage the development of the lead and silver mining in Mexico to the crippling and retardment of our own industry. The lead production of the United States will be prostrated under the menace of a competition of unlimited extent and possibility and at a cost of production with which American labor can not compete.

We produce almost enough lead now for our own consumption, and under the present tariff rates our production is constantly increasing, so it will not be long until we produce sufficient lead to meet and even exceed our own requirements. Under these conditions prices to the consumer must necessarily be found on the lowest level consistent with the cost of production. What sense or statesmanship is there in legislating to the injury and detriment of an industry of such extent and promise?

SUGAR.

A second item to which I desire to direct attention is the production of sugar and the admission duty free of the sugars of the Philippine Islands. The manufacture of sugar, Mr. Chairman, is a matter that has for many years engrossed the attention of the people of Utah. Long before the making of sugar from the sugar beet had become a practical matter certain of our citizens had spent the greater part of their lives and all of their fortunes and the fortunes of their friends in a vain but honest endeavor to manufacture sugar. We had, Mr. Chairman, among us citizens who were in the true sense pioneers of industry, and some of these men labored incessantly to establish in Utah the manufacture of sugar. Repeated failures seemed but to add new zest to their renewed undertakings. Finally, after many experiments, it seemed possible that Utah could produce successfully sugar from sugar beets and plans were made for the building and equipping of the first sugar factory.

And I should like to say just a word concerning the ways in which the money was obtained to begin the new industry. It did not come, gentlemen, from the eastern bankers and the money lenders; it did not come from the vested interests; it came, sir, from the pockets of the plain people. A share was taken by this one, two or three by that one, and so on until the stock was subscribed and the factory built, and I can well remember how anxiously the outcome of this new venture was awaited. But it succeeded, and to-day the industry is a prosperous one.

Mr. Taylor, a distinguished representative of the Department of Agriculture, pointed out (Tariff Hearings, p. 3344), that the beet-sugar industry is a most remarkable one, not only for the fact that it gives in itself a good return to the farmer as well as to the refiner, but because this industry more than any other,

915; total, $1,484,151. On the basis of average metal prices for ten years the profits for the year 1906 would have been $392,411.

Income for the year 1906, in excess of costs, $1,876,562.

Extraordinary income, on account of high prices for metals in 1906, as compared with the present time:

Lead, 101,963,329 pounds, 90 per cent, difference at 1.7 cents per pound, $1,560,959; copper, 2,762,000 pounds, 75 per cent, difference at 6.8 cents per pound, $140,862; gold, 19,563 ounces, no difference; silver, 6,009,380 ounces, 95 per cent, difference at 16.4 cents per ounce, $936,249; total, $2,637,150. On the basis of present metal prices there would have been a loss for the year 1906 amounting to $760,588.

We hereby certify that the foregoing statistics were compiled by us and that they are based upon all of the reports made by lead-producing mines of Utah to the Utah Mine Operators' Association, and that the best lead-producing mines in the State of Utah are represented. The mines not reporting are small producers or properties in the course of development.

H. S. JOSEPH,
C. E. ALLEN,
GEO. W. RITER,
Special Committee on Statistics, Utah Mine Operators' Association.

SALT LAKE CITY, UTAH, *March 27, 1909.*

This, gentlemen, will work a destruction of the mining industry of Utah and bring ruin and disaster to the people of the State. I trust, Mr. Chairman, that the House will find no difficulty in at least restoring the duty to the rate applied in the Dingley bill.

I ought also to point out, Mr. Chairman, that the greater part of our lead importations come from Mexico. In 1906 our importations from that country totaled, ore and base bullion, more than 133,000,000 pounds, and from all other parts of the world about 19,000,000 pounds. This means that our mine owners, in attempting to compete with foreign producers, will be compelled to put their labor in competition with the foreign countries from which our imports come. This would be most disastrous to American labor, as will be seen by the following statements:

In Mexico shaft men receive $1 per day United States money, while in the United States they are paid $3.50; tunnel men, 75 cents per

tends to build up the agricultural communities. Mr. Taylor said upon this point:

It is the thorough belief of the Department of Agriculture—and as it is the one object to which I give all my time, it is mine—that the sugar (beet sugar) industry is the one industry that is back of a lot of things in this country. It is the mother lode in the development of western conditions. I have been here all day, and we have not heard yet a real explanation of the sugar industry, because it means more than the question of sugar. It means corollary industries. It means the development, the breeding, and the feeding of stock. It means the development of farm conditions to the very highest possible degree. It means trolley lines and a general development. It is the one industry that will capitalize and call other industries around it.

And further, on page 3346, Mr. Taylor continues:

The sugar (beet sugar) industry offers for the future the one great impetus to develop the agricultural country. It offers a good many things. It induces the investment of capital. It takes a lot of money to build a sugar factory; but you can not grow sugar beets on land alone. It encourages rotation. It will build up a tobacco district, for instance, as it has done in Wisconsin. Up in Wisconsin they antagonized the sugar-beet industry because they had had a hard time in getting land enough to grow their tobacco. But after the sugar industry went in, and they developed land to grow sugar beets, their sugar beets left the land in a condition to grow tobacco. Now they have increased their tobacco area greatly. The sugar industry is one that appeals to cooperation and encourages every other industry in the agricultural line, especially the intensive lines, such as producing milk—the dairy, the creamery, feeding, and so forth. The sugar beet is one of the things, and about the only crop that we know of that will go out and clarify land that is charged with alkali. The sugar beets are driving the alkali lands out in California and Nebraska. They are driving them out of existence. They are producing lands, and it is because it is so general, so helpful, that it appeals to the Department of Agriculture. It takes years to develop those conditions, to bring about all the results that must come from this industry; and that is why I take the liberty of suggesting that it ought to be fostered and taken care of until it can bring about these results.

The testimony of Mr. Taylor was fully borne out by the testimony of Mr. Swink (Tariff Hearings, pp. 3404–3418), a gentleman who appeared before the committee in behalf of the raisers of sugar beets, and asked that the tariff be left as it was. In the course of his testimony he said:

Yes, sir; I want to say some more here. I want to dwell a little more on what this is to our country. I want to say this: I have been there a long while, and I have taken lots of interest in trying to improve that country. I have tried pretty near everything we could try, and there has been nothing so successful as the growing of beets. There is nothing that is more certain. A man who has not a dollar can buy a piece of land—go in debt for it—with an assurance that he can pay for it; more so than almost anything else. I know that by practical experience. I have sold, myself, to sugar-beet people coming there to settle a number of pieces of land at good prices, fair prices, and they have paid it off. Now, to give you an idea how that has worked, and the success with which it has worked, especially since we have had the sugar interests there, I had occasion to call to mind all the small tracts of land I had sold, because I had to make out some water rights to them, and out of all the lands that I had sold there were only 3 per cent of the purchasers that paid a dollar down, and there were only 7 per cent of that which ever fell back to me. They all paid out on their land. So that shows that it has been for the interest of our farmers. They could not pay the price for the land and pay out on it unless it was to their interest.

Now, another thing. It has induced the building of railroads. You take from Ibally to Rocky Ford, a distance of over 100 miles, the Santa Fe has built a railroad, paralleled herself 12 miles north, so as to accommodate the people and ship their beets to and from their different factories all along the line, and it has opened up the country, and they are also extending their lines, which probably they would not do, and will not do if there is anything to hinder our beet interests, so that we could not go ahead in the business.

This, gentlemen, represents but the universal experience with the sugar-beet industry. I recall no other industry which does so much for agriculture and at the same time so much for manufactories. And, Mr. Chairman, I wish particularly to direct your attention to the fact that the profits of this industry go not into the pockets of a few capitalists, but into the hands of the farmers themselves.

The sugar-beet tariff is not a question of protecting the refiner only, but of protecting the farmer, who so rarely gets protection that, getting it, he ought to be entitled to retain it. Moreover, Mr. Chairman, this most emphatically is not a case of protecting the farmer of a particular locality, for the hearings are full of testimony that sugar beets can be extensively raised throughout the length and breadth of this great land of ours. In his testimony before the committee, Mr. Taylor, in response to the question of the gentleman from Colorado, Mr. Bonynge:

How much territory is there in the United States that is adapted to the growing of sugar beets? Can you state how much territory there is of that kind in the United States?

Answered:

It is adapted to a large part of the farming district of New York, Pennsylvania—I am talking now about the real farming districts—in fact, you can take a line drawn across the country that will take in Chicago, the Northern States, say Minnesota, Michigan, Wisconsin, the northern half of the State of Iowa, both the Dakotas, Colorado, Utah, Idaho, Montana, and it is adapted to nearly all of the intermountain States where they can get water. (Tariff hearings p. 3345.)

Mr. Chairman, this is one of the few instances where you have a really national industry. Surely, sir, it ought to be carefully preserved. And in this connection it should be borne

2.9 cents per pound, $80,789; gold, 19,563 ounces, no difference; silver, 6,009,380 ounces, 95 per cent, difference at 6.9 cents per ounce, $393,-

blow that would cripple or destroy this great industry would

in mind that the industry has already had to overcome some extremely serious difficulties in the course of its growth. These difficulties, gentlemen, were not the result of national causes; they did not concern the mighty causes that have attended the establishment of sugar-beet culture, and they had nothing to do with the questions arising in connection with the farmer's battle with hostile natural forces. The difficulties to which I now refer, gentlemen, were difficulties that resulted from purely artificial causes. Indeed, sir, they were imposed by the action of this Government itself.

When the Dingley bill was framed and became a law there was little thought that this country would soon be at war with Spain, and no thought or appreciation of the great changes, the great territorial expansion, that was to result therefrom. It was not contemplated that we should be within a few years deluged with cane sugar from the Tropics. And yet, gentlemen, this has been the fact. Under a tariff framed to meet competition from these very countries, framed to protect American industry and labor from the low-labor conditions of the Tropics, the farmer has been forced to meet that labor under essentially free-trade conditions.

Acting under a policy which I shall not condemn, Congress has seen fit to extend to the struggling people of our island possessions and to Cuba all possible aid and assistance, commercial and otherwise. Accordingly, trade with the United States has been made practically free, and the labor of the Tropics has met American labor in the open field. The result, gentlemen, has not been altogether happy. It has not materially assisted the farmer to know that ethically he was doing a fine thing. He may, sir, have secured from his experience a moral uplift, but he got no bread for his children. The situation at times has been most discouraging, and fortunate has it been that the changes have come gradually.

These inroads upon American industry and labor came in the form of great waves. The first was in 1898, when Hawaii was annexed to our country and the tariff laws extended thereto. This admitted Hawaiian sugar free, which, prior to that time, was subject to a duty. In 1896 there came from the islands 198,000 tons of sugar, and by 1907 this had increased to 420,000 tons.

The second encroachment upon the rights intended to be secured to our sugar raisers by the Dingley bill occurred when Porto Rico was permitted to import her sugar, produced by workmen under low wage rates, free of duty. Her production has increased under this opportunity from 50,000 tons to 217,000 tons. This could never have been contemplated by the framers of the Dingley bill.

The third encroachment, also the result of the Spanish war, came when we made with Cuba a treaty permitting her to import her sugars with a drawback of 20 per cent. The treaty was made in 1903. In 1904 we received from Cuba about two and three-quarters billions of pounds, which by 1907 had increased to three and one-quarter billion pounds. This also was unforeseen at the making of the Dingley bill. Our fourth great unforeseen modification of the Dingley Act was made when we permitted Philippine sugars to enter with a 25 per cent rebate, which was practically admitting it free, since the 75 per cent collected was returned to the islands for the maintenance of the government.

After all this, gentlemen, it is now proposed to admit Philippine sugars entirely free.

Some people complain of the present duty on sugar. Are they not aware that the duties in our country are lower on this article than in any of the great nations of Europe where the beet-sugar industry has been established? It is interesting to refer to the tariff rates on sugar by the leading beet-sugar countries as shown by the schedule, which I shall include in my remarks.

Statement of customs duties imposed by certain foreign countries on imports of various grades of sugar.

[Countries where sugar is provisionally liable to special duty are omitted, the United States not being included therein.]

Tariff classification.	Rates of duty per 100 kilos.	
	Domestic value.	United States equivalent.
AUSTRIA-HUNGARY.	*Florins.*	
Raw sugar under 98 per cent polarization	2.20	$0.898
Refined sugar and all sugar of 98 polarization and over	2.40	.974
Molasses	6.00	2.436
(Consumption duty on sugar in addition: 88 kronen ($7.714) per 100 kilos.)		

Statement of customs duties imposed by certain foreign countries on imports of various grades of sugar—Continued.

Tariff classification.	Rates of duty per 100 kilos.	
	Domestic value.	United States equivalent.
BELGIUM.	*Francs.*	
Juices and raw cane or beet sugars	25.50	$4.921
Refined sugars	25.50	4.921
Sugar to be used in the manufacture of vegetable preserves, confectionery, fruit jellies or sirups, condensed milk and milk foods, and also (subject to previous denaturation) sugar for industrial purposes or for cattle foods	5.50	1.061
Sugar to be used in the manufacture of invert sugar	20.50	3.956
Sirups and molasses produced in the manufacture or refining of sugars:		
Of a total saccharine richness not exceeding 50 per cent	10.00	1.93
Of a total saccharine richness exceeding 50 per cent	15.00	2.895
FRANCE.		
Raw sugars, the estimated yield at the refinery being:		
98 per cent or less—		
Consumption duty	25.00	4.825
Import duty	5.50	1.061
More than 98 per cent—		
Consumption duty	25.00	4.825
Import duty	6.00	1.158
Refined sugars, other than candy—		
Consumption duty	25.00	4.825
Import duty	6.00	1.158
(A refining tax of 2 francs ($0.386) per 100 kilos is also levied on raw sugar and refined other than candies. A superintendence tax is also leviable on the importation of sugar at the rate of 8 centimes ($0.015) per 100 kilos of refined, net weight.)		
(Sugar imported from French colonies is exempted from payment of the import duty.)		
Molasses:		
Other than for distillation, having a saccharine richness of—	*Florins.*	
50 per cent or less (import duty)	20.75	4.004
More than 50 per cent (import duty)	42.90	8.279
For distillation, for each degree of saccharine richness (import duty)	.20	.038
GERMANY.	*Marks.*	
Sugar:		
Refined	18.80	4.474
Raw or unrefined	18.40	4.379
Sirup and molasses	40.00	9.52
HOLLAND.	*Florins.*	
Unrefined (excise duty):		
Of a saccharine richness of 98 per cent or higher	27.00	10.854
Of a saccharine richness of less than 98 per cent for every percentage of quality	*.27	.108
Melada, molasses, sirups, and other saccharine fluids (excise duty)	6.00	2.412
(When the degree of purity of these fluids exceeds 68, the excise shall be raised by 36 cents ($0.144) for every unit above 68.)		
Refined (excise duty): Loaf and lump and all sugars not specially mentioned	27.00	10.854
ITALY.	*Lire.*	
Sugar yielding more than 94 per cent of refined sugar	99.00	19.107
Sugars, other	88.00	16.984
Molasses, raw, for the manufacture of blacking, of coloring extracts, etc. (subject to denaturation)	1.00	.193
Cane molasses, for the manufacture of coffee substitutes (under control)	Free.	Free.
Other molasses	10.00	1.93
SPAIN.	*Pesetas.*	
Sugar, glucose, liquid caramel, and other analogous products	85.00	16.405
Molasses and honey:		
Containing more than 50 per cent of crystallizable sugar	80.00	15.44
Containing up to 50 per cent of crystallizable sugar	40.00	7.72
RUSSIA.	*Rubles.*	
Sugar, raw ... per pound	4.50	2.317
Sugar, refined, in loaves, pieces, or lump, and sugar candy ... per pound	6.00	3.090
Molasses ... do	1.80	.927
UNITED KINGDOM.	*£ s. d.*	
Sugar:		
Not exceeding 76° of polarization	0 2 0	.486
Exceeding 76° and not exceeding 77°	0 2 0.8	.502
Exceeding 77° and not exceeding 78°	0 2 1.6	.518
Exceeding 78° and not exceeding 79°	0 2 2.4	.534
Exceeding 79° and not exceeding 80°	0 2 3.2	.55
Exceeding 80° and not exceeding 81°	0 2 4.0	.566
Exceeding 81° and not exceeding 82°	0 2 4.8	.582

* But not less than 18 florins ($7.236) per 100 kilos.

as to the refiner, but because this industry more than any other, carefully preserved. And in this connection it should be borne

Statement of customs duties imposed by certain foreign countries on imports of various grades of sugar—Continued.

Tariff classification.	Rates of duty per 100 kilos. Domestic value.	Rates of duty per 100 kilos. United States equivalent.
UNITED KINGDOM—continued.	£ s. d.	
Sugar—Continued.		
Exceeding 82° and not exceeding 83°	0 2 5.6	$0.568
Exceeding 83° and not exceeding 84°	0 2 6.5	.616
Exceeding 84° and not exceeding 85°	0 2 7.4	.634
Exceeding 85° and not exceeding 86°	0 5 8.3	.652
Exceeding 86° and not exceeding 87°	0 2 9.2	.67
Exceeding 87° and not exceeding 88°	0 2 10.2	.69
Exceeding 88° and not exceeding 89°	0 2 11.2	.71
Exceeding 89° and not exceeding 90°	0 3 .4	.737
Exceeding 90° and not exceeding 91°	0 3 1.6	.761
Exceeding 91° and not exceeding 92°	0 3 2.8	.785
Exceeding 92° and not exceeding 93°	0 3 4	.809
Exceeding 93° and not exceeding 94°	0 3 5.2	.833
Exceeding 94° and not exceeding 95°	0 3 6.4	.857
Exceeding 95° and not exceeding 96°	0 3 7.6	.881
Exceeding 96° and not exceeding 97°	0 3 8.8	.905
Exceeding 97° and not exceeding 98°	0 3 10	.929
Exceeding 98°	0 4 2	1.012
Molasses and invert sugar and all other sugar and extracts from sugar which can not be completely tested by the polariscope and on which duty is not otherwise charged:		
If containing 70 per cent or more of sweetening matter	0 2 9	.501
If containing less than 70 per cent and more than 50 per cent of sweetening matter	0 2 0	.486
If containing not more than 50 per cent of sweetening matter	0 1 0	.243

NOTE.—One hundred kilos equals 220.46 pounds, 1 pood equals 36.112 pounds, 1 hundredweight equals 112 pounds.

In view of the experiences of these great beet-sugar producing nations, and when there is a casting about for some methods to increase the revenue, I respectfully commend to the Committee on Ways and Means the advisability of increasing the duty on sugar one-half cent per pound.

The revenues flowing into the Treasury from this source would amount to nearly $10,000,000 for the next fiscal year, but would be less as our own production increases in the future.

While it is conceded that sugar is one of the staple necessities in every household, it must also be remembered that large quantities of sugar are manufactured into confections, sweetmeats, and other luxuries affording such liberal profits to the makers and dispensers that no increase to the ultimate consumer would follow this slight advance of duty on sugar. This plan would dispense with the proposed duty on tea and coffee. From the Republican standpoint, only the exigencies of revenue can justify the imposition of the duty on these noncompetitive articles. Such a duty is directly at variance with the time-honored doctrines of the Republican party. The revenues to be derived from these articles can be collected with certainty from sugar, and at the same time give our domestic sugar producers such adequate protection and encouragement as will develop and extend our production.

We have now almost reached the point when the free sugar entering our market and the imports from Cuba, under preferential rates, supply our requirements. When this point is reached and a surplus of Cuban sugar presses upon our market, down will go the price until our beet-sugar producers will be destroyed. We ought to pursue some definite policy adequately to protect and encourage the industry.

No industry can thrive under unstable and uncertain conditions, and for that reason perhaps less mischief will ensue from the settlement of the question of Philippine sugar by the free admission of a maximum quantity of 300,000 tons per annum, but I can not refrain from expressing the fear that long before sugar exports from the islands reach the full maximum limit the agitation for unrestricted entrance to our market will again be vigorously carried on.

It is not fair to our home producers of sugar to have to face constantly a possible competition with the cheap cane sugar of tropical countries. Such a policy is a menace that discourages its extension and development. No other beet-sugar country in the world admits tropical sugar free, even from its own colonies. Let us once for all make the duties high enough to assure our own producers that it is our permanent and well-defined policy to give this industry just and adequate consideration.

There is one feature of the proposed legislation that is worthy of consideration as affecting both our own revenues and those of the islands. In the first place, it is evident that with free sugar the entire Philippine product will be marketed in the United States, and that under the stimulus of our market the quantity available for export will soon reach the maximum allowed free of duty. This increase of 300,000 tons of free sugar coming into the United States will displace an equal quantity of heretofore full-duty-paid sugar, thereby depleting our estimated annual revenue from sugar to the extent of $10,000,000 annually.

Again, the Philippine government has already awakened to some of the disturbing and vexatious problems involved in this free-trade proposition. In the first place, the Philippine government will be deprived of the revenue which the United States has heretofore collected from the imports of their sugar and tobacco—a considerable sum—and turned over to the Philippine treasury. Again, the importation of free goods from the United States will enable our merchants to secure a larger share of that trade; but as our trade drives out and supplants that of other countries, the Philippine treasury to that extent is depleted of its estimated revenue, and the government will be compelled to devise other schemes of taxation, a task exceedingly difficult, in view of the traditional hostility of that people to any direct property tax.

WOOL.

The third article to which I desire to direct the attention of the House is wool. The wool industry, like the sugar-beet industry, is one that affects the whole Nation, first because of its extent and the great range of territory on which it spreads, and also because it touches not alone our agricultural interests, but our manufactories also. It is one of the very few industries which flourish in the arid regions of the West, and has perhaps contributed more to the general welfare of the western communities than any other single industry. A résumé of the history of the sheep industry was graphically and simply told before the committee by a sheep woman from Utah, a woman who has had to face and overcome the difficulties of the occupation herself. Her account is short and graphically describes the condition in that industry under the Wilson bill:

STATEMENT OF MRS. E. BONNEMORT, OF SALT LAKE CITY, UTAH.

THURSDAY, *December 3, 1908.*

Mrs. BONNEMORT. Gentlemen, this is a rather embarrassing position for me. I have never spoken in public in my life, and, in fact, I do not think many of the sheep raisers are used to oratory. I wish I were an orator, so that I could make you understand what it would mean to the woolgrowers of the West if the tariff on wool should be lessened; or I wish I were an orator, that I might make you understand what it did mean when the tariff was taken off wool, as it was some years ago.

Before the tariff was taken off the wool, we got from 15 to 18 cents a pound for our wool, and we got from $3 to $4 per head for our sheep. After the tariff was taken off the wool we received from 5 to 6 cents a pound for our wool. Especially during the last four years of President Cleveland's administration, it was worse then; the wool only brought us from 5 to 6 cents per pound; and our sheep brought us $1 per head, when we could find a buyer; but in those days it was very hard to find a man who had a dollar to pay for the sheep.

You can not imagine the misery that the sheep men went through. We were unable to pay for our herders. We were unable to pay their wages and furnish them proper food to eat. They did not suffer, though, as much as the men, who owned the sheep and their families.

But that was during a Democratic administration, which has passed and gone. Now we are enjoying the blessings of a Republican administration, and to those honorable men we plead for protection.

If we should have a reduction on the wool again, it would bring the same misery in Salt Lake and to the West that it did before. We would be in just as bad a place as we were then, because it costs to-day twice as much to raise a sheep that it did in those days; and in those days we paid our herders from $30 to $35 a month, and to-day I pay my herders from $45 to $100 per month.

In those days we had plenty of free range, plenty of feed for our sheep. To-day the ranges are scarce, and we have to feed our sheep, so that it would undoubtedly bring back the same disaster that we had before if the duty were taken off wool. I was going to say it would mean worse disaster, but that could never be. Those that passed through that period know that there could never be anything worse. I know that if they lessened the tariff on wool it would ruin one of the best industries in the West.

Mr. FORDNEY. Where is your home?

Mrs. BONNEMORT. In Salt Lake City.

Mr. FORDNEY. You are the owner of sheep in that place?

Mrs. BONNEMORT. Yes, sir.

That, gentlemen, accurately describes the relationship of the sheep industry to the general welfare of Utah.

But I wish to make a few observations upon certain conditions which in the last few years have materially changed woolgrowing in the West. Formerly the ranges were free, and all parts of the ranges physically accessible were open to sheep grazing. This is no longer true. The railroads enjoying grants from the Government perceived some years back that a revenue might be derived from the renting of their lands—the alternate sections—for grazing purposes. Accordingly, sheepmen were charged a certain sum for grazing privileges upon this land. But sheep owners found some uncertainty attending this manner of conducting their business, and in the course of time found it desirable either to obtain from the railroads long leases on the land or, to purchase the same outright. This, of course, added much to the cost of running sheep. They still had, however, in the railroad belt the alternate government sections as well as all the unsettled government lands outside of this belt. But

more recently the establishment of forest reserves has withdrawn from unrestricted privileges a large part of the territory that was used as summer ranges for sheep, and the owners now are compelled to lease from the Government as well as from the railroad companies land upon which to graze their sheep. It is obvious that this has materially increased the cost of maintenance, and has correspondingly reduced the sheepman's profits. And this consideration leads me to make some observations upon certain undesirable features of the provisions of the old bill as well as of the new bill.

In the first place, there was a conflict in the testimony taken at the hearing as to just what was done with third-class wools. The carpet makers contended it was used only for carpets and could be used for nothing else, while others appearing before the committee asserted it could be and was used for making some of the cheaper grades of cloth, and offered in evidence cloth made of wool imported under this classification. (Tariff Hearings, pp. 5168–5180.) If it be a fact that this grade of wool is used for making the cheaper grades of cloth, then, gentlemen, there should be some amendment to the bill that will result in placing the duty imposed on second-class wools upon these wools now called "third-class" or "carpet" wools, which are used in the manufacture of woolen fabrics. So soon as a wool is used for making cloth it comes in competition with our domestic wools and should be taxed the competition duty.

A second point: It appears (Tariff Hearings, p. 5051) that under the provisions of the Dingley bill it has been possible for foreign woolgrowers to import into this country skirted fleeces—fleeces that have had trimmed away the dirty and poor parts—at the regular rate, when, from the language of the act, it was evidently intended that a double duty should be paid thereon. These skirted fleeces shrink only some 35 per cent, while the domestic wools, with which they compete, shrink as much as 65 per cent. This is a manifest injustice upon our own woolgrowers, and the language of the bill should be so changed as to remedy this evil and make this evasion of the intent of the law no longer possible.

The purpose of these suggestions is to enable a bill to be passed which shall secure to the woolgrower the protection which it is evidently intended he should have.

And upon this whole question of the wool tariff I can do no better than to quote the words of Mr. Grosvenor when he said:

This is not a fight for high profit; it is not a fight for the aggrandizement of the capital invested in sheep raising; it is the struggle for the life of a great and valuable American industry.

HIDES, COAL, LUMBER.

The state of our finances and the necessities of revenue, in my opinion, furnish ample justification for placing a duty on hides, lumber, and coal, and I shall support such amendments to the pending bill. The illuminating remarks of the gentleman from Wyoming [Mr. MONDELL] on the coal situation, it seems to me, incontrovertibly demonstrate that while free coal may be to the interest of the locality that controls the Canadian coal trade, it undoubtedly might seriously impair and cripple this industry in several other important sections of the country without any compensating benefits to the people.

In discussing this question of protection, I may say, Mr. Chairman, that although it is not my purpose, nor do I deem it necessary, to weary the House with a detailed narration of the history and progress of the doctrine of protection, a matter upon which all are doubtless fully informed, it does seem to me desirable, in order that there may be a proper understanding of the fundamental principles of that doctrine, that our memory should be refreshed upon some of the more general features that had to do with the adoption and development of that principle in this country.

The First Congress met in April, 1789, and on July 4 of the same year Congress passed an act fixing certain specific and ad valorem duties upon merchandise imported into the country, the ad valorem duties ranging from 5 to 15 per cent. The preamble of this act is not without interest. It provides that:

Whereas it is necessary for the support of the Government, for the discharge of the duties of the United States, and the encouragement and the protection of manufactures, that duties be laid on goods, wares, and merchandise imported.

The circumstances attending the enactment of this law have been summarized by a writer as follows:

Hamilton was opposed to framing any permanent bill, because Congress did not know enough about the subject to legislate wisely. He proposed, therefore, that a general ad valorem duty should be charged on all importations. Madison thought otherwise. He believed that Congress could safely go further toward a definitive solution of the question. There were others who urged the adoption of such a tariff as would encourage and protect home manufactures. The Members from Pennsylvania pressed this view with considerable zeal, and they offered a resolution enumerating the articles the manufacture of which they proposed the Government should "encourage and protect." Madison contended it was the duty of Congress to protect national as well as local interests, and that the State, having surrendered the power of protection, had a right to expect it from the General Government. Various discriminative duties were proposed, some avowedly prohibitive. During the discussion of the measure petitions were received from various quarters in favor of a revenue system the chief object of which should be to foster "domestic industries." (Bolles's Financial History of the United States, 1789 to 1860, p. 74.)

The act thus first passed by Congress was to continue in force until the end of that session of Congress, which was held after the 1st day of June, 1796.

At this time the general attitude and feelings of the people upon this subject were more or less uniform.

The desire, too—

Says the same writer quoted above, in speaking of this time—

for European manufactures and luxuries, which spread after the close of the war, had been checked. "Ashamed of our folly," says a writer, "and alarmed at the danger we were in, a serious change was generally resolved on and has generally taken place, as beneficial to home manufactures as our former habits were injurious. Buckskin breeches and gloves, home-made jeans and cotton, homespun stockings of thread, cotton, and worsted; American porter, beer, and cheese, and many other articles have become fashionable in dress and familiar in diet; and, in general, a greater simplicity and frugality has been introduced into our families;" nor was the blessing of less consequence to "the landed gentlemen throughout the Union." "They now suddenly see," says a writer of that period, "that it is to their interest to purchase homemade articles at a given price rather than imported, because the foreign manufacturer calls not for their produce or for provisions or raw materials, but the American manufacturers must necessarily consume both." Accordingly, a new movement was begun to extend American manufactures. The movement became general. The literature of the day was full of appeals, addresses, and resolutions setting forth the duty of the people to encourage home industries.

On August 10, 1790, and on March 3, 1791, Congress passed other and further acts for the levying of duties.

It will be clear from the above that when, on December 5, 1791, Hamilton communicated to the House of Representatives his great report on manufactures—requested by them on January 15, 1790—he wrote of a subject which was not new to Congress nor to the people at large. The public mind was attuned to the doctrines which Hamilton therein proclaimed.

However, it should be said that even at this time the feeling and beliefs upon this subject did not tend all in one direction, for already there was a school of thought which, though inconsiderable in numbers, was vigorous in feeling, and advocated the doctrine of free trade.

These early tariff laws were not, however, entirely successful, for notwithstanding that they were intended to protect and foster domestic manufactures, there were two main reasons in the laws themselves which prevented a result as desirable as might be hoped for. First, owing to the intense prejudice which existed against taxation by the central government, a sentiment which was fostered by Jefferson and those associated with him, it was impossible to make the duties themselves as high as the necessaries of the case required in order that they should be in every way protective. In the second place, the duties were not specific but ad valorem, and it is well known that such duties may be, and at that time actually were, very largely evaded. In the last communication he ever made to the House, Hamilton favored the contraction of the ad valorem system and the extension of the specific duties.

Other impediments under which American manufacturers were forced to work were the lack of skilled workmen, the universally high wages, and the scarcity of machinery.

When the bill of 1816 was so overwhelmingly passed—almost 2 to 1 in the House and 4 to 1 in the Senate—the country was almost unanimous upon the question of a protective tariff. Our differences upon that subject have developed since that time. However, before taking up a consideration of our differences, it may perhaps be well at this point to pause for a moment and analyze briefly this protective-tariff question.

The gentlemen on the other side of the House are not always clear in their expressions regarding the fundamental principles involved in this question. They are wont to appear before the people and proclaim, with much evident satisfaction and self-righteousness, that they are not among those who do not believe in a tariff; on the contrary, they fully support a tariff; and it was but during our last campaign that the supporters of the "peerless one" earnestly urged the people to cast their votes for that gentleman on the ground that, so far as the tariff was concerned, the two parties stood substantially in the same position, the only difference being a mere question of figures.

This, gentlemen, is a most erroneous and mischievous error that has once more been clearly demonstrated during this debate. The Democratic and the Republican parties are to-day, as they ever have been, at the opposite poles of this question. I beg to remind you that in no sense is the tariff a synonym for protection, for a free trader may well believe in and advocate a tariff as the most appropriate and easy method of securing necessary revenue.

A tariff may be levied for two purposes: First, it may be levied for the purposes of revenue only, in which case the prin-

ciples which are applied in making the tariff schedule are essentially different from those which must control when the object of the tariff is to protect domestic manufactures.

More recently, indeed during the present discussion, we have been admonished by even so illustrious a champion as the gentleman from Missouri [Mr. CLARK] that it was useless to discuss the theories and principles of protection and free trade; that the subject had been so many times covered that it was now old, worn, and exhausted. A strange and remarkable situation, gentlemen—a Missourian who no longer wants to be shown. But, gentlemen, I suspect there is something more behind this story than may at first appear. It looks to me as if it might be an effort to do that impossible thing—make silence a sort of contractual assent. For it will be recalled that the gentleman, after relieving himself of this deprecatory disclaimer, took the House by the coat lapel and, with the air of one who has at least reached an understanding with his hearer, proceeded to discourse with us upon the present bill as a revenue bill only.

But I take it, gentlemen, that we shall not thus permit the honorable Member to set us tilting at windmills. The issue, gentlemen, is a protective tariff, not a revenue tariff. It is true that as one phase of this present bill we have to consider the question of revenue, but the issue—and this the gentleman seems to desire to mask—is free trade or protection.

Those who preach and believe in a tariff for revenue purposes are, of course, free traders. A pure revenue tariff contains, of course, no provision at all for protection, nor is this purpose contemplated. But, on the other hand, the tariff for protection is expressly framed for the purpose of fostering and encouraging home production. The question of revenue, under such a tariff, is secondary. This point, as I have just ventured to suggest, oftentimes entirely escaped our friends of the minority. For example, they are continually complaining of the fact that this or that provision of the present tariff is so high as to be prohibitive, and that, therefore, it produces no revenue; that, hence, it is an "abomination." If the tariff is to be looked at from their standpoint, as a revenue measure, all these matters become of vital importance; but, viewed from the standpoint of protection, they may become immaterial. Indeed, one of the very best ways to foster local manufacture is to stop the importation of manufactured articles from abroad. That this proposition permits of no gainsay is abundantly shown by the conditions already set forth as existing in this country before and during the war of 1812.

But to return to the question of a protective tariff: There are a number of fundamentals which, in the making of such a bill, must be steadily kept in view, always remembering that the great object of a protective tariff is to make us "independent of foreign nations for war materials and other essential supplies" by building up our own industries, by extending the avenues of labor, by maintaining the American scale of high wages, and by diversifying industries and enlarging the opportunities of the American people.

In the first place, it may be deemed necessary to this end to create an industry, in which case a sufficient tariff is levied to enable factories to be built and operated without being crushed by excessive importations from abroad. This is what has been termed the "fostering or building up an infant industry," and, gentlemen, as an illustration of the beneficent results which may follow from such a course of legislation, I beg to refer you to the statistics of the progress of manufacture in the United States from 1850 to 1905, as follows:

Progress of manufacturing in the United States, 1850 to 1905.

[From official reports of the Census Office.]

Year.	Number of establishments.	Average number of wage-earners.	Wages paid.	Value of product.
1850	123,025	957,059	$236,755,464	$1,019,106,616
1860	140,433	1,311,246	378,878,966	1,885,861,676
1870	252,148	2,053,996	775,581,948	4,232,325,442
1880	253,852	2,732,405	947,953,795	5,369,579,191
1890	355,415	4,251,613	1,891,228,321	9,372,437,283
1900 *	512,254	5,308,406	2,322,326,877	13,004,400,143
1905 *	533,369	6,157,751	3,016,711,706	16,866,706,985

* Exclusive of statistics for governmental establishments and for Hawaii. Figures for 1905 include neighborhood industries and hand trades, estimated by Census Office at $2,000,000,000.

Some of the more recent convincing object lessons of the fruits of the protective policy, to which I desire to refer, are the much talked of tin-plate industry and the beet-sugar industry. I mention these together because they are both the offspring of the McKinley bill in 1892. That staunch and able advocate and defender of protection, the revered McKinley, for the first time, in the tariff act of 1892, which bears his name, offered such inducement and protection to these industries as to invite American capital to engage in these enterprises. The results have fully justified his prescience and statesmanship.

Most of us well remember the dire prophecies that were made by the Democrats in the campaign of 1892, regarding the results which would follow, or, rather, would not follow, from the provisions regarding tin plate as they appeared in the McKinley bill. It was said to be an industry which could not be established in the United States, and that, if established under the provisions of that bill, the people would be made to pay a heavily increased price for their tin, and yet, strange to say, the figures in the case show directly the opposite. The figures show that in 1891 there was produced in the United States 352 tons of tin plate, and that this amount was gradually increased until in 1907 there were produced 495,000 tons, estimated. The result is no less striking in the matter of prices.

In 1890 coke tin plate was worth in New York $5.15, from which point it has steadily declined, at times reaching as low as $2.99 (1898), and in 1908 it sold for $4. But—and this is the instructive lesson—not only did the American production of tin plate under the McKinley tariff reduce the price of the plate in New York, but it materially reduced the price in Wales, the source of our tin ore.

The proposition to manufacture beet sugar was likewise denounced as impractical, and its total failure was predicted; but, as I have shown earlier in these remarks, the beet-sugar industry has made a splendid growth in the face of the uncertain and adverse conditions which have so often surrounded it. As this industry grows and the American people become more fully informed as to the immense benefits to agriculture involved in the beet-sugar industry I confidently believe it will demand a higher regard for its welfare and prove to be one of the proud monuments of the protective policy.

In this connection also, I beg to remind you that the gentleman from Wisconsin [Mr. WEISSE], who is so strongly in favor of free hides, assures us that the removal of the duty would have the effect of raising the price of hides. The American people have too often experienced this truth: That when the foreigner has control of our market by easy admission of his products, he proceeds to levy a tariff on the American consumer by exacting all that the traffic will bear.

But a protective tariff is necessary, not alone, as our Democratic friends would at times like us to believe, for the establishment of infant industries, but it may also become essential for the successful maintenance and operation of industries well and long established. It is quite possible for even such industries to be entirely choked and destroyed by a concerted and well-directed campaign by foreign producers.

This phase of the case has perhaps been at no time better illustrated than during the period immediately following the close of the war of 1812. At that time American capital had, owing to the embargo laws and nonintercourse acts, which drove it from commerce, become largely interested in manufactures. But when the war closed, English manufacturers, whose products had accumulated in great masses during the years of nonintercourse, simply deluged the country with articles of every description. The purpose of their action was obvious—to relieve themselves and to destroy the rapidly-growing American industries, which the conditions of nonimportation had made it possible to begin. Lord Brougham is quoted as stating the object of this movement as follows:

It is well worth while to incur loss upon the first exportation in order by the glut to stifle in the cradle those rising manufactures in the United States which the war had forced into existence, contrary to the natural course of things.

The policy was swift and sure and perfect in its results.

During the first year of peace the foreign importation of goods amounted to more than fourteen and one-half million dollars, more than double the quantity that could be consumed. Prices fell swiftly and heavily. The farmers bought in large quantities, relying upon the market conditions which had existed during the war. But this inundation of foreign goods wiped out the manufactures and left the farmer with little market for any of his produce and with no market at all for his wool. Therefore thousands of sheep, at that time one of the farmer's chief sources of revenue, are said to have been killed and tried for tallow. In 1824, Martindale, speaking in the House, drew a picture of this period that forces its lesson deep:

While this period of waste and devastation was going on the purchase market was dispersed also. There was little demand for the farmer's provisions, for his beef, pork, and wheat. The price was greatly reduced. But the habits of the farmer and his family were formed, and suited to better times. The customs, tastes, and fashions of the country and his immediate neighbors imposed a kind of moral necessity upon him to measure his expense by theirs, not by his means. His expenses were greater than his income. The consequence was inevitable—his cash was first exhausted, and next the produce of his farm; his credit next and (by a mortgage) next the farm itself. The expenses which produced the mortgage prevent the redemption. The farm is sold to pay for foreign goods and the merchant becomes the purchaser. This is no unreal picture; it has no original in nature.

But prices did not remain at this low ebb for long, and now followed the virus of the British plan. American manufacturers being crushed and the British having no competition in America, they immediately advanced their prices. One instance to indicate this is sufficient. At the close of the war the manufacturers at Inverness and Dundee converted large quantities of hemp which England had obtained from Russia for war purposes into bagging and sent it to the United States. The American manufacturers were crushed, whereupon the price of bagging to the cotton grower was immediately raised, so much so that in 1824 Clay affirmed that—

The extra price would be more than equal to ten years' production of our fabric.

Thus was demonstrated the effect of a situation in which foreign manufacturers were able, though selling at a loss, to crush out our domestic industries. One of the aims of a protective tariff is to prevent as far as possible the happening of such an event.

Another matter that may call for protection in this matter of home industry is the wage of the factory hand. Unless our workmen are to be reduced from their present high standard of intelligence and ease to the level of toilers of the European sweatshops; unless we, too, are to have unrestricted female labor; unless we, too, are to suffer from the untold curses of child labor, our tariff must be sufficient to equalize the difference in the labor cost of producing an article abroad and in the United States.

And, finally, there must be a sufficient tariff, as was expressed in the last Republican platform, to permit the manufacturer to make a reasonable return upon his investment.

These, gentlemen, are the fundamental principles which underlie the doctrine of protection. These, gentlemen, are the principles which must never be lost sight of. They are the principles upon which rest the security and perpetuity of our institutions. I repudiate the idea that the tariff is a local question. There must be some relation between the industry or occupation protected and the general welfare and prosperity of the country, but where this relationship exists the accident that a particular locality seems particularly benefited becomes immaterial. I also repudiate the assertion that the tariff is solely an economic question. On the contrary, I maintain that, though economic, because affecting the industries of the country, it is also, and primarily, broadly national and political, because it has so largely to do with the very life and existence of the Nation. It possesses this relationship to the life of the Nation because of the principle announced by Hamilton that we should be—

Independent of foreign nations for military and other essential supplies.

It is thus important, because without the condition which it brings about, the Nation would ultimately cease to exist.

And what have the gentlemen on the other side to offer us as reasons why we should not have a tariff for protection? A glance at their past history shows that their reasons have been as varied as they have been numerous.

The great, broad view which has always been taken from the time of Hamilton until the present by those who support a protective tariff is this: First, the Nation, to be preserved, must be strong; secondly, the Nation, to be strong, must have great and diversified industries; thirdly, to have these industries and to maintain the high standard of American labor we must have protection from the underpaid toilers of foreign countries, and to insure this is one of the objects of a protective tariff. It is true that at first it was necessary to advocate the principle of promoting infant industries, because at the time that this argument was advanced it was necessary that industries should be established. Later, after the industries had become strong and well fixed, it became necessary for the friends of the strong and powerful Nation to advocate that the industries should be protected in order that they might continue to exist and maintain the American wage scale, and the arguments which have been advanced to sustain these positions have naturally been fashioned to suit the particular conditions which at the time obtained. But running through all of these there has been the core-thought that we must, in order to maintain our Government and civilization in the world, be strong and powerful, and these were the means which we were adopting to reach that end.

On the other hand, those who have opposed the protective tariff have never been quite clear upon what grounds it should be attacked. As has been pointed out, the tariff of 1816 passed without its opponents having taken any well-defined position regarding it. By the time the tariff of 1824 was being discussed there had begun to crystallize from the vague solution of notions theretofore held by the opponents of a protective tariff a sort of plausible defense. These first early glimmerings were economic in their character. It was argued by those opposing the measure that inasmuch as a protective tariff would tend to prohibit the importation of foreign products it would therefore make it impossible for foreign countries to buy the agricultural products of the United States, since they would not be able to pay for them; that this would destroy commerce both ways; and that capital about to be invesed in manufactures would be driven to other lines. And there was at this time also suggested a doctrine, perhaps a fact which for the next thirty years was to be the rallying ground of the opponents of protective tariffs, namely, that as the slave labor of the South could not be used in the development of manufactures the high tariff must enure solely to the benefit of the North by making the South tributary to the North for all manufactured goods. At this time the doctrine of the southerners at the moment was, as Senator Hayne himself expressed it, that the duties were paid ultimately by the consumers of the imported goods. Not yet, however, was the tariff generally regarded as sectional legislation.

For reasons which need not now be stated the tariff of 1824 failed, and in 1829–30 Congress again had under consideration the tariff question. By this time the southern statesmen, having had time to deliberate upon the subject, had a new theory to propose against and new reasons to give why a protective tariff should not be enacted. These new views were expressed by Mr. McDuffie, of South Carolina, who propounded the doctrine that the duties were paid not by the importer, not by the consumer, but by the southern exporter, and that therefore the South, which exported so much cotton, in reality paid all the duties levied under a protective tariff. This result was reached by a line of reasoning which laid down the proposition that all trade reduced ultimately to barter between producers, and that therefore where an exporter was obliged to pay a 25 per cent duty upon the imports which he had received in pay for his exports, he had received just 25 per cent less for his exports than he would have received had he not been compelled to pay any duty upon his imports. It was in vain that Messrs. Gorham and Everett pointed out to him that even though they were in the first instance true, as they seem to have denied, yet inasmuch as the North consumed its proportionate share of the imports they brought in, they paid back to the exporter this amount which he claimed to have paid from his own pocket.

From that time until the present little has been advanced that was new and that has not been made to do duty many, many times; and it must be borne in mind that, notwithstanding the dire predictions which have from time to time been made by the disciples of free-trade schools of political thought, this Government has for fifty years developed amid the influence of a protective tariff. During that time it has conducted and recovered from the greatest war which the world has ever known. It has flourished immeasurably in all branches of manufacture. Mighty industries have been born and have grown to gigantic proportions. In this connection it is of interest to observe that our free traders are now charging this very fact as one of the reasons why we should no longer have a protective tariff. I am alluding now to that charge of the gentlemen who sit on the other side when they say that a protective tariff is the mother of trusts. I hold no brief in their behalf, nor do I desire at this time to enter into a discussion of any relationship which might be found to exist between such trusts and the protective tariff; but I do wish to say that if the protective tariff has, as an incident, given to us the trusts, it had first to give to us those gigantic industries upon which are the form and substance of the trusts.

But Mr. McDuffie did not content himself with economic objections to the tariff. By an ingenious though fallacious line of reasoning he pronounced the tariff laws unconstitutional, and Mr. McDuffie took occasion at this time to threaten resistance to the execution of the tariff laws, a doctrine which his fellow-Carolinian, Calhoun, later more fully developed into the doctrine of nullification. But this point of the constitutionality of the act was settled once and for all when the elaborate scheme devised by Calhoun for the evasion of the tariff laws ignominiously failed, and the doctrine of nullification became but a memory.

There seems to have been no thought during all this period that a protective tariff did not protect. There seems to have been little serious suggestion among the leaders of Congress that the protective tariff did not foster American manufactures. The objections to the tariff at this time were local and particularistic. It might perhaps be said that the objection was that it would tend to make the Central Government strong and vigorous, an end never sought by the slave owners of the South. Reflection had, moreover, convinced the South that protection was inimical to slavery, and this conviction was, of course, sufficient to array against each effective tariff measure the entire representation of the Southern States.

Beginning, however, with the tariff agitation of the forties the arguments advanced by both the free trader and protectionist became largely economic. The free-trade doctrines in England had by this time been thoroughly developed, and had obtained, as has been already pointed out, sufficient currency to secure the adoption by the British Government of a policy of free trade. These principles spread to the United States and were eagerly embraced by our political economists.

If the protective tariff has given us the steel trust, it must also have given to us the steel industry. It must have given to us the wonderful development in coal and in iron as the necessary accompaniments of that trust. If the protective tariff has given to us the sugar trust, it must have given also to us the great sugar refineries: it must have given to us a market for the crude sugar: it must have given to us a market for the planter's cane and the farmer's beets. It would seem, gentlemen, that you might better have placed your objections to the protective tariff on other grounds.

The doctrine of protection is not a stranger to this House nor to this people. It attended and waited upon the birth of this Nation, and it has grown venerable in our service. Always on the side of those who contended for a great and strong nation and government, it has on more than one occasion led its supporting hosts to victory. The young Republic was scarcely born before its widening eyes found their earliest vision filled with the sturdy figure of protection; and from that day until the present that form and that face have always filled the forefront of the Nation's progress. Under the wise and kind guidance of protection the American Nation has grown from lusty youth to vigorous manhood. It has expanded its power and strength until, like the little rock that Daniel saw cut from the mountain without hands, it bids fair to roll forth until it fills the whole earth. Under its benign influence and direction our trackless forests have become fertile fields, our cataracts have become harnessed giants, our turbulent and uncontrolled rivers have become broad highways of commerce, and where was council fire there now is the roaring blast of the furnace. We have cattle upon a thousand hills, and the desert has indeed been made to blossom as the rose. [Loud applause on the Republican side.]

Mr. HOBSON. Mr. Chairman, we are assembled in extra session at the call of the President—at the call of both great political parties—at the call of all the people. The Nation is waiting upon us to take definite action in revision of the tariff. Vast interests are involved—local, national, world-wide. The questions before us are complex and difficult, and challenge the best of our intellects, the best of our industry, the best of our character, and the best of our devotion to the public good. While we listen to the clamor of all the special interests affected, let us also give heed to the silent voice of the millions of consumers upon whom the cost of living is weighing heavier and heavier as each year passes.

In order to avoid unnecessary delay and in order to get the best results in considering this complex tariff bill now before the House, I believe each Member should take up the schedule upon which he is best informed and give it special consideration. Having been a constructor in my day, I will take up the question of structural material, contained in Schedule C.

About half of the permanent wealth of the world consists of construction in its various forms. Among the materials of modern construction, iron and steel have come to play the principal part, and the other materials, stone, cement, brick, and the like, always follow the lead of iron and steel. Indeed, the iron market has come to be regarded in all industrial nations—in fact, throughout the world—as the "barometer of trade." Recent investigation has shown that the cost of construction exerts a determining influence upon the prosperity of all the industrial nations, causing, through its fluctuations, a boom at one time and a depression at another time.

As nations have become more and more industrial they have been overtaken periodically by the mysterious malady of industrial depressions, under which at times the whole business of the nation is prostrated. All of the five industrial nations—Great Britain, the United States, Germany, France, and Belgium—have suffered from this malady, and all have appointed commissions at various times to investigate the causes and seek the remedies. Italy, Switzerland, and Canada have also appointed similar commissions. Following the depression of 1872–1878 two congressional committees took up the question; then, following the depression of 1882–1884, the Bureau of Labor was

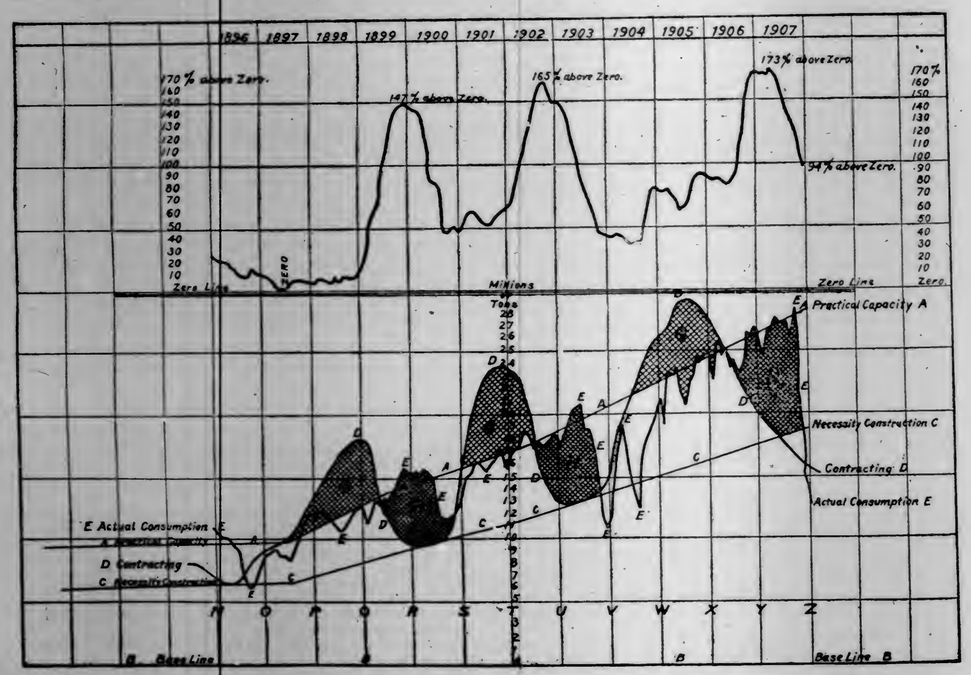

established and devoted its whole energy and resources for an entire year to this investigation, extending its researches to Europe as well as to America. Its report on industrial depressions gives the causes as advanced by all the other commissions of the world, under 180 different heads, while the bureau itself gives the causes under 135 different heads. Amid such a diversity and complexity of supposed causes, given without any possible order or degree or relative importance, the malady remained shrouded in mystery.

About six years ago the head of the Bureau of Labor, the late Carroll D. Wright, had a correspondence with Mr. George H. Hull, of Tuxedo Park, who has been in the iron business for nearly half a century, concerning the question of "overproduction," supposed to be one of the causes of industrial depression. As a result of this correspondence, Mr. Wright requested Mr. Hull to take up the investigation of the whole question of industrial depressions. Mr. Hull's labors, resulting from this request, are just being completed and have not yet been published, but I have been authorized to make use of them in the consideration of the tariff bill, because they brought out the fact, in an incontrovertible form, that a continued period of low cost of construction invariably causes general activity and leads to a boom, which in turn causes an advance in the cost of construction, and that a continued period of high cost of construction invariably causes an industrial depression. This is a matter of the first importance in considering Schedule C of this bill, because this schedule, especially steel and iron, in large measure will affect the cost of structural materials and thereby the cost of construction, and thereby the question of slow or rapid recovery from our existing depression and the question of future prosperity and depression. Therefore I will give a very short account of the investigations of Mr. Hull.

He used the analytical method throughout, whereas all the previous investigations had employed the synthetic method. As he proceeded, by the method of elimination, the complex subject became more and more simplified; as the others had proceeded, the complexity only increased.

The total wealth of the Nation, as taken by the Census Bureau in 1904, the latest census of this kind, was $107,100,000,000, classified as follows:

Real property, taxed	$55,510,000,000
Real property, exempt	6,830,000,000
Steam and street railways, equipment; telegraph and telephone systems; electric-light plants; waterworks; shipping and canals	16,085,000,000
Manufactured products	7,499,000,000
Agricultural products	1,899,000,000
Mining products	408,000,000
Imported merchandise	495,000,000
Manufacturing machinery, tools, etc	3,298,000,000
Farm implements and machinery	845,000,000
Furniture, carriages, etc	5,750,000,000
Clothing and personal ornaments	2,500,000,000
Live stock	4,074,000,000
Gold and silver coin and bullion	1,999,000,000
Total	107,104,000,000

Proceeding to investigate the parts of the national wealth that fluctuate, it appears that $31,170,000,000 are land, $8,930,000,000 are necessities, making $40,097,000,000 that are practically steady. In the $67,000,000,000 remaining we must locate the wealth that fluctuates. Of this, $51,365,000,000 are construction in its various forms, the largest items of which are $31,170,000,000 in buildings and improvements, $14,085,000,000 in railroads and public works, and $6,001,000,000 in manufactured products, leaving everything else $15,641,000,000. Even this $15,641,000,000 is in large measure dependent upon construction. It is therefore within the realm of construction that the fluctuations which make booms and depressions must be found.

Of the whole volume of construction, a part goes on all the time, through depressions and booms alike. This part, called "necessity construction," is found to be about 65 per cent of the total capacity, as shown from the curves AA and CC in figure 1, the curve AA being platted from the boom records of iron consumption, when all the capacity was taxed to the utmost, and the curve CC being platted from depression records, when only necessity construction was going on. It is, therefore, between these two curves that we find the field of fluctuation. Normal construction could be represented by a curve about halfway between these two; and it is a fickle 15 per cent of construction, known as "investment construction," that, going above the normal, produces a boom, and going below the normal produces a depression. The curve EE represents the actual consumption of iron during the period in question.

The incentive at the basis of all forms of investment is the hope of a large advance in the value of the object. This prospect is best when the cost is low and is worse when the cost is already high.

The purse strings of those who have capital to invest open up when the cost of construction in buildings, railroads, ships, and so forth, is low, and they proceed to draw in as the cost rises. The two elements of cost are materials and labor. Of these the cost of labor is more regular than the cost of materials, not being subject to violent and extreme fluctuations. In addition the cost of labor, when it varies, follows the course of the cost of materials. Therefore the cost of structural materials is the basis of prosperity. A period of low-price materials will stimulate construction, and an extended period of low prices must produce a boom, while a period of high-price materials will check construction and, if extended, must produce a depression. A period of activity in construction sets in all over the country at the same time. It soon increases the demand, which, in turn, will cause an advance in price, and this advance in price stops the letting of new contracts, which ends in depression.

Every important industrial depression therefore may be expected to be preceded by a period of high-priced material, and this period may be expected to be preceded by a period of low-priced material. Since all construction materials invariably follow iron in prices, the history of the fluctuations of the price of pig iron should disclose the sequence—low prices, then high prices, then depression.

Lowest and highest prices of Scotch pig iron in New York from 1825 to 1882.

[From the American Almanac.]

(Edited by Ainsworth R. Spofford, Librarian of Congress.)

		Lowest.	Highest.	Year.	
Low,		**35.**	**75.**	1825	114 per cent advance.
High,		50.	70.	**1826**	
	Depression.	50.	55.	1827	
		50.	55.	1828	
		40.	55.	1829	
		40.	50.	1830	
		40.	47.50	1831	
		40.	47.50	1832	
		37.50	47.50	1833	
Low,		**37.50**	48.	1834	
		38.	42.50	1835	
High,		38.	**62.50**	1836	
	Depression.	40.	**70.**	**1837**	88 per cent advance.
		37.50	55.	1838	
		37.50	45.	1839	
		32.50	40.	1840	
		32.	37.50	1841	
		23.50	35.	1842	
Low,		**22.50**	32.	1843	
		30.	35.	1844	
High,		30.	**57.50**	1845	133 per cent advance.
		35.	42.50	1846	
	Depression.	30.	42.50	**1847**	
		25.	37.50	1848	
		22.50	27.50	1849	
		21.	24.	1850	
		19.	25.	1851	
Low,		**19.**	31.	1852	
		28.50	38.	1853	
High,		32.	**42.50**	1854	123 per cent advance.
		28.50	37.	1855	
		29.	37.	1856	
	Depression.	28.	37.50	**1857**	
		22.	27.	1858	
		22.	31.50	1859	
		20.50	27.	1860	
Low,		**20.**	24.50	1861	
		21.	33.	1862	
		32.50	43.	1863	
High,		43.	**80.**	1864	300 per cent advance. (Depreciated currency.)
		40.	55.	1865	
		42.	55.	1866	
	Depression.	38.	49.	**1867**	
		35.	45.75	1868	
		34.50	45.	1869	
		31.	37.	1870	
Low,		**30.**	39.	1871	
High,		33.50	**61.**	1872	103 per cent advance.
	Depression.	37.	52.	**1873**	
		33.	45.	1874	
		29.	41.	1875	
		27.50	34.	1876	
		25.	28.	1877	
		21.50	26.50	1878	
Low,		**19.**	30.50	1879	
High,		21.	**35.**	1880	84 per cent advance.
		22.	26.	1881	
	Depression.	23.	26.50	**1882**	

The accompanying table of prices of pig iron from 1825 to 1882, published in the American Almanac, shows this invariable sequence for all seven depressions that occurred during that period, three being attended by panics and four being without panics. The existing depression, though accentuated by the financial panic of October, 1907, may be taken as an illustration. (See Fig. 1 again.) The curve EEE, giving the

actual consumption of pig iron, shows the condition of prosperity, and on it are seen the depressions of 1900 and 1904. The latter left the price of pig iron down unusually low (see curve PPP), and it averaged low through 1904 and 1905.

During this period of low prices the volume of contracting was enormous (see curve DDD), actually rising up far above the capacity of the whole country to build. Architects and designers were unable to meet the demand for plans, and producers of structural materials had orders in some cases for more than a year ahead. The average contract for large enterprises is about a year and a half ahead of the delivery of materials and the demand for labor. Soon everything was running full; old furnaces were put in blast; a great wave of prosperity appeared. As the time approached for the delivery of materials contracted for the previous year, the enormous demand could not be met. It passed far beyond the possible supply. The price began to rise; soon it soared; and materials for immediate delivery could not be secured at any price. The volume of contracting began to decrease. It proceeded to fall as the cost of materials rose, until it dropped, in the spring of 1907, to the very line of necessity construction and even lower.

But the public did not know this. The wave of prosperity swept on, carried by the construction contracted for a year and two years before. The financial panic came in the fall and precipitated the depression and made it more sudden and momentarily more severe; but the depression would have followed in 1908 all the same, for there were no investment contracts to carry out. The high prices of 1906 and 1907 had stopped practically all investment contracting and continued high prices of steel have prevented recovery therefrom, though the recent reduction in prices has started investment contracts, but the full effects will not be felt for a year or two yet. The steel producers by shutting down plants and maintaining their persistent high prices in the face of the natural law of supply and demand, which ought to have produced a quick fall, have prolonged the depression at least a year already. The depressions of 1900 and 1904 were short, because the prices of construction materials dropped at once and investment construction started up again.

Investigation shows that the history of practically all industrial depression in America and in other industrial nations has been the same. A period of low prices brought forth large investment contracts, and in a year or two the effort to meet these contracts, demanding in many cases more than the total supply of labor and material, made the prices go up, usually very high, so that further investment contracts stopped. Then, when the boom seemed at its height, when the production of material was greatest, suddenly as old contracts were completed there were no new ones to take their place, and mills had to be shut down, men thrown out of employment, and the depression followed as quickly as the boom began. The curves of figure 2 give a complete history of the depressions that have occurred in America. Examination of the curves brings out the cause of these depressions, namely, a period of high prices of construction materials. The depressions of the early and middle nineties and a few other depressions, due to financial causes, to war, and other outside forces, were short of duration and not properly classed as industrial depressions.

Mr. Hull's exhaustive investigations have thus led to a knowledge of the strange malady of industrial depression, which is sure to be followed by the development of remedies. He recommends that the Government, through the Department of Commerce and Labor, should collect and publish monthly the volume of construction going on throughout the country, including new contracts, together with the percentage of completion of old contracts, with a forecast of the volume of construction already visible for the year to follow. This would enable producers of construction materials and contractors to anticipate a boom and prepare for it. The same knowledge would put a balance and check upon the more speculative forms of investment, preventing heavy losses to investors and moderating the demoralization of business. It probably would not prevent booms and depressions, but it would make them less violent and less frequent.

This brings us to the question of the bearing of this investigation upon the schedules of the tariff bill now before us. The lessons of Mr. Hull's investigations show that the rates on structural materials, whatever their normal level, should be so adjusted as to tend to put an automatic check upon the rise of prices. For instance, take the rate of $2.50 per ton on pig iron recommended by the Payne bill. If this is to be the figure, then it should be fixed at $2.50 for a basic price of pig iron, say $13 per ton, say for No. 2 foundry iron f. o. b. New York. When the market price of pig iron rises to $14 per ton the duty should automatically drop to $2 per ton; when it reaches $15, the duty should fall to $1.50; for $16 a ton it should be $1; for $17 a ton it should be 50 cents; and when pig iron reaches $18 per ton, it should pass automatically to the free list. Such a scale would be especially advantageous in America because of the very small stock of pig iron we carry, amounting at times to only a few weeks' supply, and even a few days, while it takes a year to build a furnace to increase the capacity.

As the demand began to rise, reflected by the rise in prices, we would more and more be enabled to draw upon the stocks of the world, where abroad the stocks constantly on hand amount to many months' supply. This would prevent, in a measure, the sudden soaring of prices with the stoppage of investment construction, would save us in part from those terrible fluctuations in the price of iron, which have been greater than 150 per cent in twelve months, and help to mitigate the bad effects of booms and depressions.

Such an automatic adjustment of the tariff would also tend to check and prevent the harmful effects of combinations and monopolies, giving the manufacturers the home market in proportion as they give our consumers the benefit of low and reasonable prices and taking away the monopoly of the market when the prices rise.

Such an automatic adjustment of rates would begin to acquaint our industries with the conditions of free trade and prepare them for the struggle for the free-trade markets of the world.

It is high time that we should take account of the advancing stage of development of our industries. An industry, like a child or a young animal, ought to be protected during the early stages of its development; but a time of youth and manhood comes when, for further development, it should be progressively compelled to meet competition and shift for itself. With her boundless resources, America has the conditions of supply of materials and the aptitude of population, along with the elements of coal and water power, that fit her to be the great manufacturer for all the world. The great staples that we naturally produce to advantage are world staples and should not be produced with only the idea of the home market. No matter what the magnitude of that market, our great industries will not reach a permanent basis for unlimited development until they go out for the markets of the world.

There are thus three stages if tariff rates are to be adjusted to promote and not retard the healthy evolution of our industries. In the first stage let the rates be high and protective, when the industries are growing up to the home market. Let them then taper off to a revenue or competitive basis for the second stage, the rates being adjusted to the revenue demands. Then let them taper off to a free-trade basis for the third stage. I am thus both a protectionist and a free trader. With many of our great industries we have long since passed the first stage of development; but the party in power, under the clamor and demand of special interests, clings to the tariff rates of the first stage. The effect of this policy is most harmful to the industries themselves. It stifles competition and engenders trusts and monopolies. By a combination, eliminating competition, the manufacturers can get full advantage of the tariff wall. Consequently they combine, and in combining they capitalize monopolistic privilege and inflate stocks. This enriches a few stockholders, but it puts a mortgage upon the future earnings of the industries and creates a burden for them to carry in competition with the industries of other countries. With the higher profits of the home market, they are less and less inclined to seek the foreign markets.

Thus the abuse of the protective system not only rivets upon the Nation the burden of high prices, but it checks and dwarfs the growth of the industries themselves and enfeebles their powers of competition—tending to really make a protective tariff and high prices a permanent necessity, which is fundamentally opposed to the true principle of protection.

Take the case of the steel and iron industries. The Dingley bill should have put the steel and iron schedules down to a strictly revenue or competitive basis—tapering toward free trade, as recommended above. If this had been done, it is safe to say that there would have been no understanding between the producers by which the price of steel has been determined; there would probably have been no steel trust; or if the various subsidiary companies had been united, they would not have first inflated their values as they did, but would have united on a sound basis, primarily to get the benefits of production on a large scale. The capitalization of the great corporation would probably have been less than half its present capitalization; the Nation would have been getting the benefit of lower-priced structural materials; the steel producers, while still holding the home market, would have gone out

more rapidly to get the markets of the world, following the true line of modern business development, that of reducing the cost to the consumer while supplying a superior article, increasing the profits, not by raising prices, but by reducing the cost of production and increasing the volume of business.

On such a basis and following such a sound policy, the steel industry would not have had occasion to shut down any of the plants; it would not have been subjected to the vicissitudes of delirium of activity at one time and semiparalysis at another, but it would go on steadily increasing, passing beyond the home market, to the conquest of the markets of the world. No industry can remain permanently healthy or attain a strong and full development when confined to the home market. With all the advantages of production on a large scale and of owning all the elements of manufacture, from the land containing the ore to the finished product, the steel trust claims that its cost of production is very much higher than the cost of production abroad. Instead of turning its attention to the markets of the world, it centers it upon Congress; instead of going forth to a healthy, strengthening, manly contest with all comers, it whines for protection from all comers, while it juggles and perverts figures to prove its weakness.

An investigation of the figures given by Judge Gary, president of the steel trust, before the Ways and Means Committee

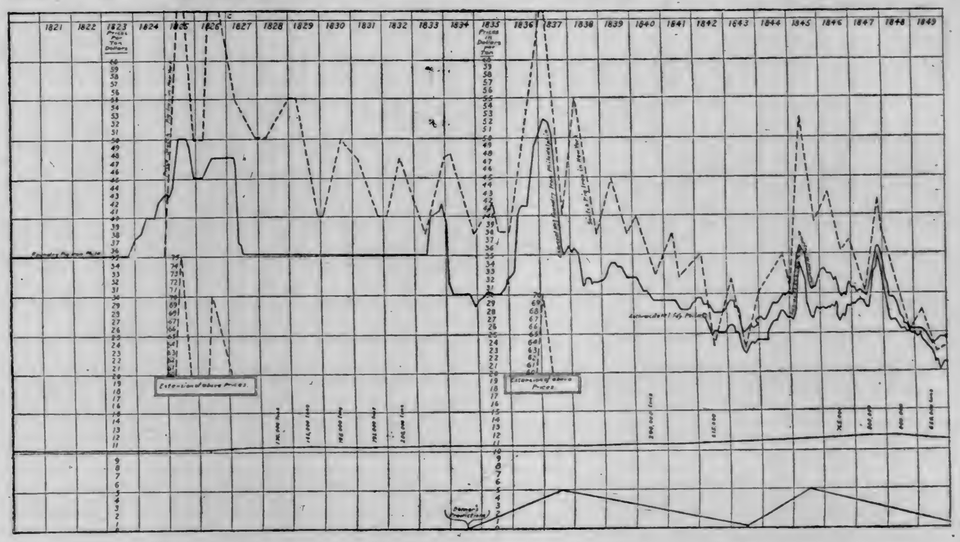

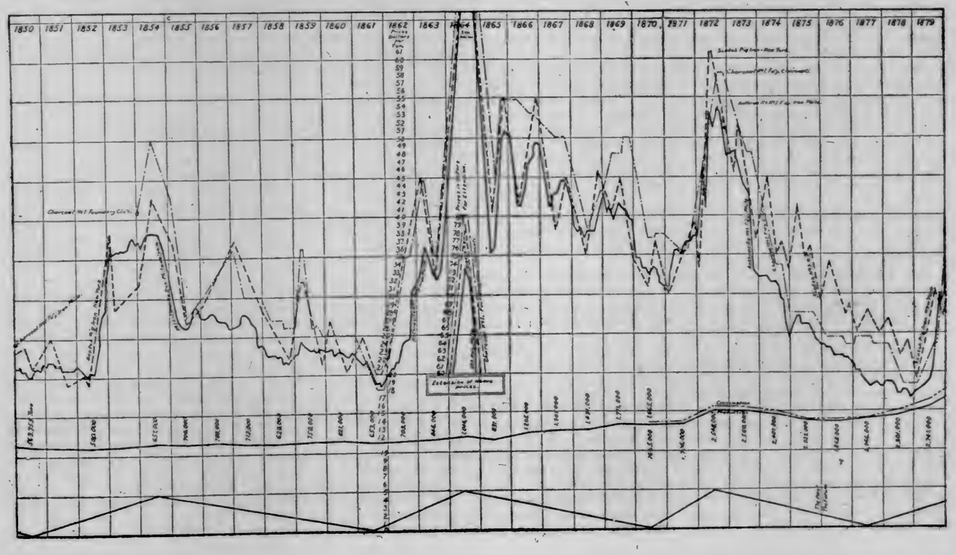

the market price of pig iron rises to $14 per ton the duty should | while still holding the home market, would have gone for

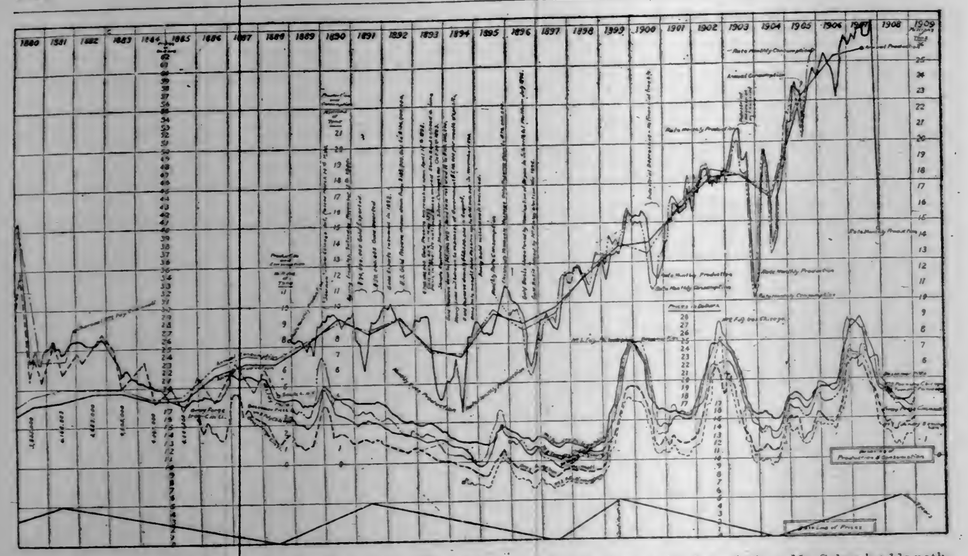

shows the demoralizing effect of maintaining a high protective policy beyond the legitimate stage of development. The giant, no matter how strong he might become, feels that he must prove his weakness; the trust, no matter how low its cost of production, must prove a high figure. Judge Gary's figures are best understood when compared with those of Mr. Schwab, the first president of the trust, given in 1899. Since this date there have been naturally many improvements in methods, many processes of saving, many advantages of production on a larger scale, and of cooperation in the various stages of manufacture, more than offsetting the rise in the cost of labor and other increases of cost. Mr. Schwab estimates 10 cents to 15 cents per ton of ore as the cost for royalty on lease when they did not own the ore lands. Judge Gary allows the steel trust 30 cents for the same, when it largely owns its ore lands. Mr. Schwab estimates 15 to 25 cents per ton of ore as the cost of mining; Mr. Gary allows 73 cents.

Mr. Schwab makes no allowance for depreciation of land. Mr. Gary after paying himself 30 cents royalty allows himself 40 cents per ton for the depreciation of the land. Taking the ore-land holdings of the steel trust and assuming as they do that the land is to be exhausted in sixty years, and taking the amounts of ore mined and computing interest at 6 per cent, the 70 cents allowance would amount to about $4,000,000,000. This is the amount Judge Gary would set aside for the ore lands.

Mr. Schwab estimated 60 cents to 70 cents per ton freight from mines to the Lakes. Mr. Gary allows 73 cents. Mr. Schwab estimated 60 cents per ton as the cost of freight on the Lakes. Mr. Gary allows 72 cents. Mr. Schwab allowed 70 cents per ton of ore for freight from the Lakes to Pittsburg, not included in Mr. Gary's estimates.

Mr. Schwab's figures gave 35 cents to 40 cents as the cost per ton of ore at the mines and $2.40 per ton of ore at the furnace, and since 1.83 tons of ore are required per ton of iron, this makes $4.50 per ton as the ore cost in a ton of iron. Mr. Gary gives $8.62 as his figures. Since his itemized figures did not total up to this amount, Mr. Gary subsequently admitted that he had allowed $1.26 per ton of ore as a profit in the mining over and above the cost even at the high figures given; this would make $2.31 mining profit in a ton of iron. Mr. Gary further admitted, upon cross-examination, that he allowed 55½ cents per ton of ore as profit in transportation, making $1.02 per ton of iron profit over and above the cost even at the high figures given. Mr. Schwab estimated $1.75 as the cost of coke for a ton of iron. Mr. Gary allows $4.15, and later acknowledged that he allowed 60 cents profit above the cost.

Mr. Schwab estimates 35 cents as the cost of limestone, and $1.65 as covering all other expenses. Mr. Gary allows 49 cents for limestone, and $1.64 for all other expenses. In addition, Mr. Gary still adds 40 cents for depreciation; Mr. Schwab adds nothing. Mr. Schwab's total cost sums up $8.25 the cost of a ton of pig iron. Mr. Gary's figures make $15.30. If, with all the advantages of consolidation claimed for the big corporation, the cost of production of pig iron had actually increased from $8.25 in 1899 to $15.30 to-day, there could be no stronger proof of inefficiency resulting from the high protection, and no stronger argument for changing the whole system. But Mr. Gary's figures, while evidently stated correctly for the untenable method he employed, can not be taken seriously as giving actual, legitimate cost. But he proceeded to use these figures for determining the cost of delivery at Atlantic, Gulf, and Pacific ports compared with the cost of delivery from Germany, England, France, and Belgium. He gives $15.30 as the cost of production in the United States, $8.71 the cost in Germany, $8.50 in England, $8.75 in France, and $9.25 in Belgium. Quoting the freight rates and allowing for $4 duty on the foreign iron, he gives the following as the total costs for laying down pig iron:

For Atlantic ports, the cost in—	
America	$17.75
England	15.00
Germany	15.21
France	15.25
Belgium	15.75
For Pacific ports, the cost in—	
America	29.30
England	19.50
Germany	19.71
France	19.75
Belgium	20.25
For Gulf ports, the cost in—	
America	22.02
England	15.46
Germany	15.61
France	15.65
Belgium	16.15

Mr. Gary did not seem to realize that such extraordinary advantage of foreign iron, amounting to as much as $3.75 in Atlantic ports, nearly $10 in Pacific ports, and $6.60 in Gulf ports, would have caused heavy importations from Europe. Profits on pig iron in Europe run frequently below 50 cents per ton. The prospect of the enormous profits in the American market, indicated by Mr. Gary's figures, would have caused all pig-iron producing nations to rush their product here. As a matter of fact, the importations into America amount to almost nothing. Last year they were only about 200,000 tons out of a consumption of 27,000,000 tons. Cited as they are, as though resulting from the same method of computation, Mr. Gary's figures of the relative cost of production in those European nations and America are altogether misleading and are really ridiculous.

As a matter of fact, pig iron is now being produced in Alabama at $9.30 to $9.35 per ton, and at a proportional cost at the other centers of manufacture. It is therefore clear that the

rate of the present bill—$2.50—is a generous provision for the pig-iron industry. In my judgment it is still prohibitory. Certainly there could be no valid complaint against making $13 per ton the basic market price at which this rate is levied, and reducing the rate automatically as the price rises, until the rate vanishes and pig iron goes on the free list when the price reaches $18 per ton. In the manufacture of steel rails Mr. Schwab estimated $3.75 per ton as the cost of converting pig iron into rails, making $12 per ton the total cost of the manufacture of rails. Mr. Gary allows $6.67 per ton for converting the iron into rails and adds 84 cents per ton for the depreciation of the plant, making a total cost of manufacture of $22.81.

Mr. Schwab allowed $5 per ton as a fair total profit; Mr. Gary allows $5.19 additional profit over and above all the other profits given above. Mr. Schwab's estimate of the fair selling price is $17 per ton; Mr. Gary's $28.

Mr. Schwab estimated that $5 per ton was a fair profit to cover every element of profit, together with the depreciation. Mr. Gary allows himself the following profits per ton of steel rails: On rails, $5.19; on mining ore, $2.37; on freight, $1.02; on coke manufacture, 65 cents; on depreciation of steel mills, furnaces, and so forth, 84 cents; on depreciation of iron furnaces, 40 cents; on royalty on ore, 55 cents; on depreciation of ore land, 73 cents, making a total profit of $11.75 per ton of rails, by his own figures, on a cost of production, by his own figures, of $16.25, or a profit of 72 per cent. There can be no reasonable doubt that the improvements and consolidations since 1899 have more than offset the increased cost of labor and other increases, and that steel is being produced at a real cost not far above Mr. Schwab's estimates, and that the real profits of the steel trust are more than 100 per cent.

As a matter of fact, in its annual report for 1907 the trust stated that its net profits, after deducting $35,000,000 for upkeep, and so forth, amounted to $155,000,000. Since its total output was about 10,000,000 tons by its own figures, it made an average profit of $15.50 per ton. As steel rails and structural shapes comprised the bulk of the output, we can only conclude that the profits were about $15 per ton on a cost of production of about $13 per ton, or about 115 per cent.

It is clear, therefore, that steel rails and other forms of steel are ready, like pig iron, for a change of tariff to a revenue basis with an automatic scale sliding on to a free-trade basis. If the rate of seven-fortieths of a cent per pound is decided on for steel rails, then this should be the rate when rails are sold at $15 per ton, and for each advance of price of $1 per ton the rate should be reduced automatically one-fortieth of a cent, until, when the market price is $22 per ton and over, steel rails would be on a free-trade basis.

The course of reasoning for pig iron and steel rails applies to practically all the products of steel and iron, and is applicable to many of the other schedules of our great national industries. The policy here recommended should have been adopted at the time of the Dingley law. It is high time for its adoption now.

Mr. SWASEY. Mr. Chairman, will the gentleman yield for a question?

Mr. HOBSON. Yes.

Mr. SWASEY. Suppose that in this automatic manner of raising prices and lowering them there should enter into the industry a constant and continual rise of wages and cost of materials, how would that be regulated?

Mr. HOBSON. Mr. Chairman, I am very glad the gentleman has brought out that point. It always happens in a boom that wages go up as well as materials, and then it is always more difficult to push the wages down than to push down the cost of other things. The usual history in such cases is that when the depression follows the boom a portion of the mills and factories close down entirely without attempting to cut wages. This tends gradually to glut the labor market with idle men. Then, before the recovery, while the demand for labor is still low, the manufacturers try to cut wages, as the steel manufacturers are now doing; not that this is in any way necessary where the profits are so large, but that condition of the labor market makes it possible in spite of labor organizations. This seems cruel when so many men have been out of work or on half time, but it is the law of trade. It is a great misfortune for the Nation for wages to be cut at any time, for it is in relatively high wages that a healthy distribution of wealth is realized. But the greatest misfortune is for willing and competent workers to be thrown out of work entirely. It is in enforced idleness of large numbers that depressions bring their terrible train of suffering and every form of business is prostrated, while there is no limit to prosperity if there is work for all. It is impossible to produce too much, for every time you produce an article you create the buying capacity for another article or for its equivalent.

This Nation created wealth between 1900 and 1904 of over $18,000,000,000, two billions more than the wealth of the whole Nation in 1860, and it came from the fact that substantially all of our people were at work. It is the height of hypocrisy for steel and iron manufacturers to pretend that their taking advantage of the labor market to cut wages is due to tariff revision or that they seek high rates of tariff for the benefit of the wage-earners.

This brings me to the general question of wages as affected by the tariff schedules. A great deal of misapprehension, a great deal of pretense of solicitude for the wage-earner, and no little humbuggery exist on this question. As a matter of fact, less than one-fifth of those engaged in useful pursuits in America are employed in manufacturing industries. At the last census the total was about 30,000,000, and less than 6,000,000 were so engaged. It is ridiculous on the face of it that the wages of less than one-fifth could determine the whole wage standard of the Nation, as is claimed. The truth is a still smaller fraction are engaged in the highly protected industries, and these are really paid less than the others, notably those employed in transportation. It is fundamentally wrong to claim for our high tariff the credit for high wages in America. A manufacturer in a protected industry, like an employer in any other industry, only pays for his labor what he must pay—that is, the prices of the labor market. It is not philanthropy or charity that determines these prices, but simply the law of supply and demand in the whole labor market. We must expect employers of labor to try to keep wages down.

There is no doubt that the great employers of labor have had a powerful influence upon immigration, stimulating the flow of labor to America, even to the extent of facilitating the coming of undesirable citizens, in order to increase the supply of labor and thereby keep wages down. The employers who clamor for high tariff protection on the pretext that it is to protect labor could really help protect labor by advocating restriction upon immigration by putting a tariff on labor that comes in. Instead of this, they use their resources and great ingenuity to get free labor, and as much as possible, from other countries. The manufacturers of New England, for instance, some fifty years ago sought to supplement their supply of native labor with the Irish immigrants. Next they brought in the Canadian-French to supplement the Irish. Then they brought the Italian to supplement the Canadian-French. Now they are bringing in Armenians and laborers from eastern and southeastern Europe to add to the Italians. I am not criticising legitimate efforts to encourage desirable immigration, but I wish to show up the hypocrisy of the high protectionist pleading in the name of high wages for labor when he is really doing all in his power to reduce wages.

The fact is, the average American wage-earner produces from two to five times as much as the average wage-earner of Europe, but he does not get on the average an equivalent compensation. For what he produces the American wage-earner is the poorest paid white wage-earner in the world and receives a smaller share of the value of his product. Furthermore, this share is steadily declining. At the census of 1890 the wage-earners engaged in manufacturing received 20 per cent of the value of all the products manufactured, while in 1900 they received but 17.8 per cent. In addition, while this share of the products of their toil is constantly decreasing, the cost of living is constantly advancing. The increased cost due to the tariff is estimated at $110 per year per family, or over 10 per cent of the average family income.

It is time for the true relation between the tariff and wages to be understood by the thousands of wage-earners led astray by the fallacy that protection increases wages.

The real way in which protection affects wages, and the only way, is its influence upon the demand for labor. In the early stages of an industry protection quickens development, accelerates the output or volume of products, and increases the demand for labor, and thereby raises wages. In the later stages when the industry has grown up to the size of the home market, protection discourages further expansion to take in foreign markets, thus tends to curtail the volume of output and thereby to reduce the demand for labor and to lower wages. Ere this stage is reached protection should taper off to a tariff on a revenue basis and then to free trade, preparing the industry for the competition of foreign markets. In moving out for these markets the volume of output would go on increasing; the price to the consumer would be lowered, but the increase in the demand for labor would keep the wages high and even advance them. Capital would still make large profits by enlarging the volume of business, though the profits on a single unit de-

for limestone, and $1.64 for all other expenses. In addition, Mr.

the other centers of manufacture. It is therefore clear that the

creased; labor would get a relatively larger share of the profits and the distribution of the wealth created would be constantly widening instead of constantly concentrating as at present.

Moreover, this legitimate advance in wages would not entail an equivalent advance in the cost of living. The wage-earner would not be compelled to pay more and more for the necessities of life; on the contrary, the cost of living would go down with the reduced profits on each article at the same time that wages advanced with the larger output, laying the true foundation for national prosperity and greatness in giving an ever-increasing opportunity for a higher standard of living, for better education, and more culture to the masses of the people, ends to be desired and to be sought by every legitimate policy of government.

Mr. LOVERING. Mr. Chairman, may I ask the gentleman a question?

Mr. HOBSON. Certainly.

Mr. LOVERING. If the proposition which the gentleman makes is that the duties should lower as the price of domestic material rises, referring now to iron, as he says, is not that precisely the way it does operate now with the tariff?

Mr. HOBSON. Slightly.

Mr. LOVERING. And fix the rates?

Mr. HOBSON. Slightly; because the ad valorem becomes lower.

Mr. LOVERING. When the prices rise, do not foreign products come in?

Mr. HOBSON. If pig iron were $25 a ton and the duty of $2.50 per ton remained the same as when pig iron was low, then, of course, the relative ad valorem protection is less, and to that extent would tend to produce importations.

Mr. LOVERING. Is not that the tendency now, and is not that the way in which all booms and depressions are created, by the working of the present tariff or the one named in the Payne bill?

Mr. HOBSON. Of course, the tendency is for goods to come in when the prices soar, even with a fixed tariff, but it would be quicker and stronger if the rates of duty automatically fell with the rise of price. As to the effect on booms and depressions, I do not wish to be understood as claiming that the tariff in any form has a determining influence. I will tell the gentleman frankly that my investigation, including a study of the results of Mr. Hull's researches, have convinced me that these booms and depressions will continue to come upon us like a recurring malady, in spite of all we do; but having established the underlying cause, we can now proceed to develop at least a partial remedy.

The collection and publication of information on the volume of construction, present and prospective, to warn contractors against overtaxing their capacity and to enable producers to forecast a boom and prepare a stock of materials in advance, combined with a quick and automatic tendency of the tariff to check the rise of price of structural materials and to open up the stock of the world's supply when the booms approach, will help to diminish the terrific fluctuations in the cost of structural materials, and especially the soaring prices that stop all new contracting and precipitate our terrible depressions; will tend to check the putting out of excessive quantities of investment capital at one time and to check the sudden stopping of same at another time; will tend to check wild speculation and alternating hoarding.

If any gentleman wishes to see at further length the causes and analyses of booms and depressions as worked out by Mr. Hull, I shall be glad to show them to him after the conclusion of my remarks, as I have at hand the manuscript of Mr. Hull's book.

Now, Mr. Chairman, I will pass to the consideration of the phases of this great question with which I will conclude.

America has now become the greatest manufacturing nation of the world, producing more in value of manufactured articles than Great Britain, France, and Germany combined. Our industries as a whole have passed beyond the stage of infancy or even of childhood. The policy of general high protection has served its day. It should have been substantially reduced at the time of the Dingley bill. Though years overdue, serious reform is still denied in the Payne bill. The placing of raw materials on the free list is only another way of supplementing the protection of the industries producing the finished product. The bill before us still holds stubbornly to the high-protection policy, though the least that should have been done would have been to shift from a prohibitory to a competitive level. Even this level should be regarded as only temporary and as leading toward ultimate free trade for our world staples when our revenues permit. It will be a happy day when the Government is released from the necessity of raising a large part of its revenue from imports.

Indirect methods of taxation are the choice measures of oppression which have been employed by arbitrary governments. In a republic they should give way more and more to direct methods. A patriotic people are willing to bear the burdens of a just government, efficiently and economically administered, and in a nation of self-government the people ought to know always when they are being taxed, how much they are being taxed, for what purpose they are being taxed, and who is the recipient of the tax. By the method of imports this knowledge is denied. To-day the average American citizen has no realization of the fact that he is being taxed, and heavily taxed, when he buys any of the current articles of necessity; he has still less realization of the fact that the bulk of this taxation goes to benefit the protected producer of the article and not to the Government. When he buys articles made from iron or steel, for instance, he does not realize that the tariff of $4 per ton on pig iron is being levied proportionately upon him; that the Government has received only about $800,000 of this tax of $4 per ton on the 200,000 tons imported, while the producers of iron have received, through the higher prices charged, $4 per ton on the 27,000,000 tons produced and sold at home, or a tax benefit of $108,000,000 on pig iron alone.

It is estimated that through the existing tariff each family in America is assessed every year about $111, and that of this amount only $16 goes to the United States Treasury, while the balance, $95, goes to the protected interests as profits. It is conservatively estimated that for every dollar of tariff tax paid for the support of the Government our people pay $6 tariff tax to swell the profits of individuals.

Revenues coming in from imports are variable to a great degree, at one time producing a heavy surplus, withdrawing money from circulation, and encouraging extravagance and recklessness in governmental expenditures; at another time causing serious deficits and embarrassments that may lead to the shaking of confidence and the adding of a financial panic to the industrial depression, causing the deficit.

The system of taxation by imposts raises an army of beneficiaries, the owners of the special interests which, through the Government, are taxing the Nation; and this army of beneficiaries, with so much at stake, set upon our legislators, enter politics, and ally themselves with the party that will promise continued protection, put out vast sums in contributions in national and congressional campaigns and in the spread through all the media of publicity of fallacies and deception to "educate" the people and threaten and intimidate their employees to vote "right" under penalty of loss of employment. The whole result is demoralizing to public life, causing citizens and even public servants to look upon the Government from the standpoint of individual gain and to place local interest above the general welfare.

High protection has become so confirmed that its beneficiaries have come to look upon it as "vested." The Payne bill confirms the conclusion that might be drawn from general principles, that no substantial reforms in such a vested policy can be expected from the conservative party. It would be far from me to approach a great question like the present one from a partisan standpoint, but from a truly national standpoint the country could only expect such a reform from the liberal party. Whatever the names of the different political parties in the different countries, and whatever the shifting grounds upon which they may stand, there is always the broad line of demarcation between the two great parties, which is best defined by calling them "conservative" and "liberal." Government has been slowly coming down from the monarch to the people. The conservative party is essentially the party to conserve the condition now, as they have been as in the past; the liberal party is the party that would be more liberal, more rapid in extending the powers and control of government to the masses.

The best results come when these two parties are evenly matched, keeping a balance upon each other and alternating in the control of the government. The conservative party is best when it is liberal; the liberal party is best when it is conservative. The danger in the conservative party, when long in power, is that it may become the refuge and agent of special interests that prey upon the people and therefore wish to eliminate, as far as possible, the influence and control of the people, thwarting reforms and becoming, as it were, overconservative. When such is the condition, this party should be turned out. The danger in the liberal party, when long in power, is that it may become radical, may proceed too rapidly, and may go too far in reforms—may be overliberal. When such is the condition, this party should be turned out. The conservative party

is best under a liberal leader; the liberal party is best under a conservative leader.

To-day the Republican party is the conservative party in America. It has become the refuge and agent of special interests, and in this great question of tariff revision it is overconservative. To-day the Democratic party is the liberal party in America. It is the party to which the people must intrust the power of government in order to secure substantial reform in our tariff policy. Ours is a day of rapid changes, an age requiring constant readjustments in economic and political policies. It is therefore the logical age for the liberal party to hold, nominally, the reins of government, and in most of the countries liberal ministries are in control. The conservative party has been in power in America for half a century. By all the laws of human affairs it is time for a change. Nothing more clearly indicates this necessity than the bringing in by the Republican party, after the demands for reform coming from all over the land, of the Payne bill, which increases the average rate of duty of the Dingley law and keeps the country chained to the high-protection policy which our industries have outgrown, but which continues to compress those industries into the home market, shut off by high walls from all the rest of the world.

The Almighty created this American Continent with the greatest supplies of the materials of manufacture, from forest, field, and mine, with boundless coal deposits and waterfalls for power. Our people were chosen from among the most adventurous and hardy of the peoples of almost all other lands. We have established a new civilization here, where no social or other barriers hamper the free play of economic forces, under which civilization we have developed and are further developing a wonderful producing aptitude among the masses of our people. We have combined here all the elements for supremacy in manufacturing the great world staples demanded by all the peoples of the earth. Yet of manufactured articles we export to foreign markets less than one-third the proportion exported by European nations. The abuse of the high protective policy, keeping it in force beyond its legitimate period of usefulness, is dwarfing and cramping our industries, shutting them off from their real outlets, the markets of the world.

America can produce the great world staples cheaper and better than any other nation and on a scale literally unlimited in quantity. The commercial empire marked out for the Nation is as boundless as the ocean. It is time to drop the parochial view of the Nation and start out upon its world-wide destiny. Let us take off the swaddling clothes from our industries and enter them in the lists of the world's arena. Let us tear down the frontier barriers and move out upon the world until our products become the standards in every market, till our swelling commerce brings enduring prosperity to America while it carries blessings to all the people of the earth. [Loud applause.]

Mr. SWASEY. Mr. Chairman, I regret very much that I feel it to be my duty to occupy any of the time of this committee. If I were to have my choice I should take the easier method of making a speech, a method unknown, so far as I know, to any other body in the world save to the American Congress, and that is to get unanimous consent for a minute and then ask for the privilege of inserting a speech in the RECORD. I am not in a situation to do that; first, because I have no written speech; secondly, it would place me in an embarrassing position if I should attempt to write one and then should distribute along through its sentences or between the sentences or at the end of a paragraph the usual proper "applause." [Laughter and applause.] I suggested this to a leading Member of the House and he said that I need not have any concern about that matter at all. He said that was the duty of the reporters. [Laughter.]

Now, Mr. Chairman, it is with some embarrassment that I attempt to say anything on this occasion. I know it has become the custom, if not the rule, in this great National House for young Members like myself to do as the boy does on days of family receptions, be seen and not heard. Notwithstanding my age, I have learned some things since I came to Congress a few months ago. I have learned some things that are very disappointing and some things that are very pleasing, but on the whole, when I sit down at night and look over the situation carefully and take account of stock, I am really glad that I am here as a Member from Maine. Notwithstanding that, coming here from Maine and following the illustrious predecessors from my district—FRYE, Dingley, and Littlefield—I am glad that my district has not got any lower down than I am. [Laughter.]

One of the things that have greatly pleased me since coming here is the correction of certain impressions that I received in my own State during two or three of the last campaigns. Eminent gentlemen from both sides of this House would visit our woodsy State, and take hold on the one side and the other to help us in our campaign. Eminent Democrats from the South and Republicans from the West were earnest that we should vote right; and some of these southern Representatives, elegant men, came up there in my district and discussed political issues, taking the ground of "free trade," as we term it, or tariff for revenue only, and to my discomfiture drove home upon my constituents that doctrine, reverberating the cry of the poor consumer who is taxed to death and destruction. So I was pleased when I came here and mingled in Congress to see the pleasant faces on the other side of this Chamber, make the acquaintance of the gentlemen, and shake their hands and be received with that cordiality known only to the people of the South, and realize that while they talked tariff for revenue only in Maine, they were telling me, with their hands to their mouths, in a confidential way, that they had to vote for protection or they could not come back from the South. [Applause on the Republican side.] That is one of the pleasant things that I have learned. I have learned more in connection with that, though, and that is that the great policy of the Republican party of this great Republic—protection—which has been submitted to the American people twelve times in the last fifty years, and ten times out of the twelve met with increasing unanimity and a majority in its favor, is permeating and honeycombing the Democratic South. It reminds me of what my old friend, the apostle of greenbackism in Maine, had to say about the greenback doctrine. I refer to "Uncle" Solon Chase. He is an honest, original thinker, a nice old man, and he stirred up a good deal of following and a good deal of enthusiasm. He traveled out through the West, as he said, "with his cowhide boots and broad-rimmed hat," and created a good deal of trouble there. He would say this—and this great spreading of the doctrine of protection throughout the South reminds me of it—

The greenback doctrine is like the itch; if it gets into a family, it is bound to go through.

And it is so with protection.

Now, we hear on the other side of this Chamber arguments in favor of tariff and tariff for revenue only, and I thought, from the way delegations divided, of the old Democrat down in Virginia that I heard of in the last election, who said he voted for Bryan, but when he dropped his ballot in the box he was silently praying for Taft.

Now, I am a protectionist, and I am for protection that means protection. I am not for a protection to American industries that leaves any industry deserving protection at the hands of Congress on the ragged edge and in doubt, living between hope and despair. I am in favor of putting a duty upon competitive products of American manufacture that is certain to protect them.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. SWASEY. Yes.

Mr. COX of Indiana. The gentleman announces that he is a protectionist. Will the gentleman inform the committee whether he is a modern-day protectionist or an ancient standpatter?

Mr. SWASEY. I am older than some and younger than some. But I am for protection, as I say, that will protect. I would give the industry the benefit of the doubt. The duty had better be too high than too low. The duty can be reduced if too high easier than the industry can be raised from its ashes. This word "downward," to me, has an ominous sound. I believe it to be true that every time there has been a reduction in the American tariff it has been followed by a reduction of American wages. I stand for 30,000,000 of wage-earners and 11,000,000 of farmers who are producers, and all consumers as well.

Now, I am not going to discuss the present tariff bill in all its schedules or in any academic way. I believe that the committee has done more of a giant's work than any Ways and Means Committee that ever assembled beneath the flag. [Applause on the Republican side.]

And why? Because we have been living under protection. We have not only been increasing our population, but we have been multiplying our industries. And when they sat down last November and organized that committee for the consideration of a revision of the tariff for American industries and to protect American labor, they had more industries and more laborers and more interests than the Nation in any day of its existence had ever seen before, by reason, as I believe, and as the Republican party believes, of the protective tariff that we have had for twelve consecutive years. I think they did as well, they worked as hard, as faithfully, and as patriotically, with wide experience, with honesty of purpose, with a desire to do what

was best for the American people, as any committee that was ever organized and chosen for any purpose. And I would say the same of the select committee, though I do not agree with its conclusions. But if Members of the House, who think they know better about the industries of their districts, differ from the report, it is no reflection upon the committees.

Now, the particular industry to which I call the committee's attention is one in which I am greatly interested. My constituents are greatly interested in it. A select committee was appointed of Members of this House. The distinguished gentleman from Illinois [Mr. MANN], who is now present, was made chairman. That committee was appointed upon a cry that is so startling to us Americans, "combinations in restraint of trade;" or if they want to make it more effectual, they will holler "trusts." And who was behind that cry? The great combination of the American Newspaper Association, a worthy association, a great educational industry, one that we can not do without in this country; and yet they have a power over and above any other combination of men in the United States. They said, according to Mr. MANN's report, and the resolution that was introduced in this House, that there had been a combination in restraint of trade; there had been a combination—conspiracy, as the gentleman from New York [Mr. MALBY] said this morning—to raise the price of print paper and to put the American Publishers' Association to an additional expense of from $24,000,000 to $60,000,000.

That cry has been kept up, notwithstanding the distinguished gentleman from Illinois, who was appointed chairman of the committee, has reported that he found no conspiracy; that he found no combination; that he found no trust; and his examination was accompanied with that thoroughness and desire to discover the facts for which the honorable gentleman is characteristic. He will say, further, in my opinion, that no industry in the United States of its magnitude or within reach of its importance to-day or any day since that resolution was introduced in the House, is freer from the taint of combination, freer from any conspiracy to control or raise its prices, and is open, more than any other great industry, for competitive bidding. I make that statement in the presence of the honorable gentleman, and if my conclusions are not correct, he can correct me. Yet, to-day, you take up the public press and you will see what "the great paper trust" in this country is doing; that it is hovering by lobbies around the great Congress of the United States, when the press knows, if it has investigated and can comprehend the report of the select committee, that that statement there is any combination or any trust or any conspiracy of the paper manufacturers is absolutely false.

Now, the report was made by that honorable committee. The investigations were thorough in certain sections of this great country and in certain sections of Canada; and I only regret that the gentleman from Illinois, the chairman of that committee, did not see fit to come into the State of Maine, where it is the great industry of our people and our State, and investigate the price of labor there, as compared with labor in the eastern Provinces of Canada, with which we have to compete. I am sorry that he did not visit my district, where the Androscoggin River, from its source to the sea, is turning the wheels of 16 giant pulp mills that are giving employment to thousands upon thousands of men, and, in some instances, women, at great and satisfactory wages, giving them employment at wages that make them comparatively independent, notwithstanding the low price of paper.

The other day, when the gentleman from Illinois [Mr. MANN], in his able and instructive speech, was explaining to the House and illustrating by object lessons his investigation of that great industry of this country and Canada, certain questions were propounded to him by me. I see that has gone into the papers. Now, the people in my district read the papers, the Washington correspondence and the editorials of the district papers. And I think some of my people, who are quite as well acquainted with forest growth as the gentleman from Illinois or myself, will smile. When he was speaking upon spruce, I asked him if poplar and hemlock and basswood and fir and pine were not used, and he said they were. I asked him if poplar was a wood of rapid growth; and he said no, it was of slow growth, and it was not much used in the manufacture of pulp.

Mr. MANN. I do not want to interrupt the gentleman, but the gentleman's statement is not correct.

Mr. SWASEY. Will the gentleman from Illinois correct me in that particular? I am quoting from the newspaper report. I do not want to misstate him.

Mr. MANN. I understand the gentleman does not, and I do not want to interrupt.

Mr. SWASEY. I want you to correct me if I have not stated what you said. I do not mean to misstate.

Mr. MANN. I did not say poplar was of slow growth. Everyone knows that quaking aspen grows rather rapidly when it is young and does not grow very large, as a rule, in the gentleman's country, and is not used for the ground wood, concerning which I was speaking.

Mr. SWASEY. I am very glad to have the correction from the gentleman from Illinois, because the newspaper which I hold in my hand states in the report of that inquiry that Mr. SWASEY was not well informed, and that the gentleman from Illinois [Mr. MANN] did so state with reference to poplar timber. I am very glad to have the gentleman correct that statement himself, because I know about poplar timber. I have lived in the margin of the woods all my life, and in the neighborhood of pulp mills since the first making of paper from wood pulp, and I know something about it. I think I am prepared to discuss the pulp and paper question and the age and growth of trees from personal knowledge and experience.

Mr. MANN. If the gentleman will also allow me, the term "poplar," of course, is a common term and not a scientific term, and is applied to at least a half dozen different kinds of trees and means, in the opinion of people who read the papers, different things in different parts of the country. I assume that the gentleman refers to what is called the "quaking aspen," which is called "poplar" in some parts of the country.

Mr. SWASEY. We have only one kind in Maine, which is called "poplar," and for short they have cut it down to "popple," and either pronunciation from long usage may be considered correct.

Now, Mr. Chairman, I am coming to this question: Under the bill presented to this House the duty on print paper is cut from $6 to $2, with a proviso that if all charges are removed from any timber from any province or country adjoining this, or anywhere, then the duty upon print paper shall be to the foreign manufacturer $2 per ton. In other words, the duty is changed from the present rate of $6 with a proviso to $2 with a proviso. And what are the charges imposed by any other Province? In Ontario, as the committee has heard over and over again, they have put an embargo on the shipments of any pulp-wood material or forest products for manufacture of pulp from Ontario.

In the Province of Quebec they have a charge of 25 cents per cord. Now, the proposition of this bill reduced to the last analysis is, whether the American Congress shall say to that great industry, with its hundreds of mills and 100,000 people dependent upon it for their daily bread and for the maintenance of their homes, that we shall give to the Province of Quebec or any other Province $4 in return for 25 cents. In dollars and cents that is the proposition.

Now, I say, Mr. Chairman, that I am here on the floor of this House to represent the Second District of Maine, and this is one of the great industries of my district. We have more diversity of industries in that district than any other district that I know of in the United States. It extends from the mountains on the Canadian line to the sea. But this is the great industry. There are 16 mills on the Androscoggin River. Our people are intensely interested.

The industry in the State of Maine has not been profitable to the paper makers for the last few years. I know something about it from personal experience and observation. The first pulp mill that I know of in the State of Maine was built in my town. It was a poplar mill, a soda-ash or chemical mill, and it was in operation for years. In connection with a steam sawmill, it was located a mile from my village, and it built up around itself a little community where before there had been a few farmhouses and no school. In the short space of two years there was a little village of 400 or 500 people, a school of 60 pupils, 2 stores, a post-office, and a contented, well-fed neighborhood of employees.

Now, the gentleman from Illinois [Mr. MANN], in his report, says that any change that will dismantle the paper machines of the United States will be a ruinous policy. That is the substance of what he says. We had a demonstration of that theory in our town. Fire struck that pulp mill. Those pulp machines were dismantled by fire, and they never have been replaced. The monument of that dismantled pulp mill stands in my town to-day in those deserted cottages standing there almost worthless, rotting to the ground for the want of occupants and the want of steady employment.

Now, what has been the effect in the neighborhoods where these pulp mills have been built? The gentleman from Illinois [Mr. MANN] said, in answer to an inquiry that I made, that he had no information comparatively with regard to the Maine industry, and thought of sending the Sergeant-at-Arms for witnesses. I think the gentleman must have overlooked the record. I have looked over the report of his committee, and I find that there were representatives before that committee from every pulp mill in my district. An examination of that report

shows that at least 320 pages were devoted to the testimony of witnesses who were interested in and who controlled every pulp mill in my district, on the Androscoggin River, 12 in all.

Now what, I say, has been the effect in Maine of the construction of these mills? What is true of one is true of all. It is, as I have said, the great industry of Maine. It is one on which we depend more than on any other single industry within the limits of that State.

What is true of one of these mills is true of them all, only in a varying sense. Wherever the water power—and the river is full of it every few miles—wherever the water power has been harnessed to the wheel and the industry of pulp and paper manufacture has been located there will cluster around it a little settlement of employees, until the forests where the mills have been built are, in a sense, blossoming as the rose. There they have built their homes, where they are contented and where they get good wages. In the town of Rumford there is a great waterfall, where the first perpendicular fall on the Androscoggin River is 100 feet, and where it falls 190 feet in the course of three-quarters of a mile. Now, what has the paper-making industry done for Rumford? The International Paper Company has expended there $10,000,000. They found there a hamlet of only three houses and no schoolhouse. To-day there stands the beautiful embryo city of Rumford Falls, with as fine business blocks and nice business streets as can be found in New England. There is gathered around their pulp mills at that water power, as yet not fully developed, eight to ten thousand population. There you will find from 1,500 to 2,000 scholars, with as fine schoolhouses as any in New England. Costly churches and elegant residences have been built. There have been established a national bank and a trust company, with deposits amounting to millions of dollars, put in there by the employees, three or four thousand in number, who have built their homes in the vicinity of Rumford Falls. That is the industry at Rumford, and it is only a brief, poor outline and picture of the great industry, wherever it is located. It is a domestic, a home industry, and it converts home products into manufactured products. It pays 10,000 Maine men and women in its employ the best of wages, better than they get in almost any other industry.

Now, I want to come down to the question of the tariff. Why, Mr. Chairman, I ask, does any committee of this Congress desire to single out a great industry that has made so many homes, that has expended so much money, that has made such vast investments, that has issued its bonds and its securities until they have found lodgment for investment in the hands of thousands of men and women in this great country—why, I say, have they singled out that industry to reduce the duty upon its product?

In 1894, when the Democrats were in power, when the industry was new, when there was no competition with it in Canada or elsewhere, when not a single pulp mill was built above the Canada line, the Wilson bill provided a 15 per cent ad valorem duty. It put a duty on print paper of 15 per cent ad valorem, and when in 1897 that great man, that economic student, a Republican and a protectionist, who preceded me from the second district of Maine, who spent his life, I might say, in the study of economic administration; the father of the Dingley bill, for whose memory I have the highest, deepest, and most heartfelt regard; who was at the head of that committee; who lived in Maine and understood its interests; who was the editor of a great family paper, which he founded and built up and made its columns what they were—and no editorial from his pen ever caused any reflection on the character or patriotism of any man—to whose charge was committed the revision of the tariff, put upon that print paper just the same duty that was put on it by the Wilson bill; and so anxious was Mr. Dingley to protect Maine industries that he took lumber from the free list and placed a higher duty on finished lumber than the Senate, that high-protection body, could stand. The bill went to the Senate, and the duty on print paper was 15 per cent, and if it had remained the Canadians and Scandinavians would have been paying to-day on print paper more than $6 per ton. It went to the Senate, and they put on a specific duty of $6 per ton. It came back and was accepted by Mr. Dingley as a proper duty; and then what was paper worth? What did it cost to make paper, as compared with to-day? And I ask the question right here, Who that knows anything about the woods cost of logging in Maine for lumber or pulp wood does not know that wages and cost of living in the Maine woods is 40 per cent higher than in Canada?

In 1897 the cost of wood was a little more than half what it is to-day—$5.33; the cost of labor was 25 to 30 per cent less than it is to-day, and there was no competition in sight.

But in the year 1909, when the paper industry of this country is on the ragged edge; when it is fighting competition with Canada and the Scandinavian peninsula, who are sending more than 600 tons of pulp and paper every day into the American market; when they stand between hope and fear; when they are curtailing their expenses; when they are using the greatest endeavor to economize in every department, and after they have scaled down their wages 5 to 10 per cent, from the manager or superintendent down through every grade of employment in their mills; when material, instead of being worth $3 a cord, as it was under the Wilson bill, and $5 a cord when the Dingley bill was enacted, is worth $10 a cord to-day, we find the situation to be this: That the cost of material since the pulp industry started and the duty of 15 per cent ad valorem was put on has gone up 100 per cent; labor has increased 66 per cent, and the cost of print paper to this great publishers' combine has only been raised 14 per cent. That is the situation.

I hold in my hand, Mr. Chairman, a memorial from the legislature of my State, passed within forty-eight hours by an overwhelming majority in both houses, instructing the Senators and Representatives from that State to stand for the maintenance, at least, of the Dingley duty. I hold also letters and communications from every independent pulp manufacturer, and I hold here memorials from every labor union represented in my district. Under leave to print, I shall ask to have some of these appear in the RECORD. I appear here not only for the manufacturers and employees, but I stand for the thousands of farmers whose trees have become valuable, where they were worthless before the pulp mills came. That industry has lifted more mortgages from the farms of Maine than any other industry I can think of. It has brought better conditions to thousands of men who were struggling before in adverse circumstances. No man lives who has the poetic gift or imagination to tell, through all the communities in the vicinity of these pulp mills, of the benefits that have resulted to the people of Maine, to the people of New Hampshire, to the people of Vermont, to the people of New York, or anywhere and everywhere that those industries have been established.

I ask only justice, Mr. Chairman. I do not want anything more. I want the duty maintained on the pulp and paper industry to bring it out from under all adverse circumstances and conditions. I want the manufactories preserved, and I want preserved and untouched and undisturbed the homes of the hundred thousand employees. I want the party that controls this great Republic to keep the contract it made expressly or impliedly, at least, with the men who have invested their millions in this great industry. Do what the Republican party says, and let the Republican party keep its faith with them, and when it does, with every industry exact justice, then we shall go on with renewed prosperity to higher and greater results in all that pertains to national, material, and industrial success. [Applause.]

RUMFORD, ME., *March 30, 1909.*

To Hon. EUGENE HALE and WILLIAM P. FRYE, Senators from Maine; Hon. AMOS L. ALLEN, Hon. JOHN P. SWASEY, Hon. EDWIN C. BURLEIGH, and Hon. FRANK E. GUERNSEY, Representatives from Maine:

Your petitioners, residents of the State of Maine and operatives of the International Paper Company in its pulp and paper mills at Rumford, in the State of Maine, most respectfully, through you, desire to enter our protest to the Congress of the United States against the proposed reduction in the duty on news print paper from $6 to $2 per ton, also against the admission of ground-wood pulp free.

We do not believe that the pulp or paper mills in Maine are at the present time making any more profit on their investment than they are reasonably entitled to, and we do not believe that any reduction in the duty on news print paper would seriously affect the paper interest.

We further believe that the admission of ground-wood pulp free into this State would have a direct tendency to cause the pulp mills to be erected in Canada, and should this be done, in our judgment, the paper mills would soon follow the pulp mills.

A change in the tariff in this direction would not only directly affect every man that is connected either directly or indirectly with a pulp or paper mill, but it would be a corresponding injury to every farmer who has pulp wood for sale.

In the village of Rumford, Me., in 1892, there was a population of less than 300, and now it is estimated that it is between six and eight thousand, and this has been wholly brought about by the pulp and paper industry. There are other communities in Maine—Madison and Millinocket—where the whole life of the place depends on the paper business. It is our earnest request that you confer freely with the Finance Committee of the United States Senate and give them the benefit of your suggestions.

Signed by 420 pulp and paper workers of Rumford, Me.

Data regarding the duty on news print paper.

Country.	Duty per ton (2,000 pounds).	Price per ton.
France	$22.80	$52.00
Germany	12.80	49.60
United States, present duty	6.00	*40.00 to 41.00
Great Britain (free trade)		41.60

* See Bulletin of Publishers' Association, March 8, 1909.

what you said. I do not mean to misstate.

Mr. MANN. I did not say poplar was of slow growth.

But in the year 1909, when the paper industry of this country is on the ragged edge; when it is fighting competition with

* See Bulletin of Publishers' Association, March 8, 1909.

	Per cord.
Cost of pulp wood in Canada	$5.50 to $6.50
Cost of pulp wood in the United States	9.00 to 10.50
Freight on wood from Canadian points to mills in the United States	3.50 to 4.00

Freight rates on paper from Canadian mills to points in the United States: The same approximately as from mills in the United States to the same points; the greatest disadvantage being $1 per ton.

Freight from Scandinavia to ports in the United States: Fifteen to 19 cents per 100 pounds, as low as from many mills in the United States to seaboard.

PAPER FOR IMPORT IMMEDIATELY AVAILABLE.

From Canada, over 300 tons daily.
From Scandinavia, over 250 tons daily.
Cost of paper in an 8-inch paper, 2½ mills.
Duty on the paper at the $6 rate, 0.37 of a mill.
Duty on the paper at the $2 rate, 0.13 of a mill.
Duty on the paper in the average magazine weighing 10 ounces, one-fourth of a cent.
Duty on a book costing $1.18, one-half of a cent.
Proposed duty of $2 on paper, about 5 per cent ad valorem.

DUTIES ON IMPORTANT ITEMS USED IN PAPER MANUFACTURING.

Felts, 44 cents per pound and 40 per cent ad valorem; wires, 33 per cent ad valorem; chemicals, 25 per cent to 50 per cent ad valorem.

BRUNSWICK, ME., *February 22, 1909.*

Hon. JOHN P. SWASEY,
House of Representatives, Washington, D. C.

DEAR SIR: Your favor of the 20th instant is at hand and noted.

It is very likely true that this report has the approval of the news-paper publishers, but I hope it has not the approval of the Ways and Means Committee, and it certainly has not the approval of the news-paper manufacturers in the eastern part of the country. It is possible some of the western manufacturers may feel that it is for their interest to reduce the duty on paper, provided they can be sure of a supply of pulp wood, but I think it is pretty generally thought that the western manufacturers can not remain in the news-paper business. Many of them have already stopped manufacturing news, and others are working in that direction. News-paper manufacture must be in the Eastern States, where we have a reasonable supply of pulp wood. I do not believe we can exist with a duty reduced from $6 per ton to $2, as proposed by the recommendation of the committee. There is not to-day $4 per ton profit on news paper, and there was not last year. One of our mills lost money on the manufacture of news paper last year, and if the duty is reduced as proposed, I do not see how we can maintain ourselves in business. Either the price will have to go up or we shall have to stop making paper. If the duty is reduced, new mills will be built in Canada, and with our high schedule of wages and with everything that goes into our manufacture on a high basis we can not maintain ourselves.

This whole thing appears to us to be an attempt on the part of the newspaper publishers to break down the interests of the news-paper manufacturers.

The moment this duty is reduced or removed the Canadian mills will dump into our market all their surplus product, and as soon as mills can be built in Canada I believe there will be a large increase in the amount of paper to come to this country. In fact, it will practically mean the transfer of the manufacture of news paper from our country into Canada and Scandinavia, and the worst competition we will be up against will be from Scandinavia. There the cost of labor and of raw material is very low and they will be able to take our market to the extent that they have product, and, in my judgment, they will rapidly increase their product to the great disadvantage of American mills. I can not conceive of our Congress favoring the reduction of tariff to the extent of the destruction of the news-paper manufacturing interests in the United States.

Your, very truly,

PEJEPSCOT PAPER COMPANY,
F. C. WHITEHOUSE, *Treasurer.*

INTERNATIONAL BROTHERHOOD PULP, SULPHITE AND PAPER MILL WORKERS,
Chisholm and Lisbon Falls, Me., March 23, 1909.

Hon. JOHN P. SWASEY.

DEAR SIR: We are led to believe that Congress, now in extra session, is preparing to pass a new tariff bill. Accordingly, we, the workers in the pulp and paper mills, feel that our means of gaining a livelihood will be greatly impaired, if not totally destroyed, if the duty on pulp and paper is removed or reduced. There is considerable difference in the wages paid the pulp and paper mill employees in Canada and this country, and with a low tariff, or no tariff at all, it would enable the Canadian manufacturers to manufacture paper some cheaper, if only the difference in labor were taken into consideration. Many of the pulp and paper mill employees would be ruined by such an act. They have built homes in the paper and pulp mills towns in this section, under the assumption that they would be allowed many years of happiness and prosperity in their chosen towns.

We all feel very nervous over the present situation, and beg to advise you that our members and the employees in general in paper and pulp mills in this section join in petitioning you to use your utmost influence in preventing the removal or a reduction in the present duty on paper. Some people in some parts of the country may be benefited by such a move, but we, your constituents, will be greatly harmed.

We sincerely trust that you will use your best endeavors to prevent any such action in Congress. We beg to remain.

Very truly, yours,

THOMAS H. PELLEY, *President.*
D. G. DURON, *Secretary.*

STATE OF MAINE.

Memorial to Congress relating to the proposed reduction of the duty on lumber, pulp, and paper.

Whereas the people of the State of Maine are vitally interested in the lumber, pulp, and paper industries; and

Whereas there is now pending in Congress a tariff bill wherein it is proposed to greatly reduce the duty on lumber, pulp, and paper and thereby irreparably injure the prosperity and welfare of the people of our State: Therefore be it

Resolved, That the the people of the State of Maine in legislature assembled earnestly urge upon their Representatives and Senators in Congress to do all they can to maintain the present duties on the above articles, as fixed in the Dingley tariff bill, and to prevent any reduction of the same; and it be further

Resolved, That a copy of this resolution be sent to each of the Representatives and Senators of the State of Maine, to the Speaker of the National House, and the chairman of the Ways and Means Committee.

[Mr. ALEXANDER of Missouri addressed the committee. See Appendix.]

Mr. AIKEN. Mr. Chairman, we are here in extra session to revise the tariff schedules. I believe that an honest statement of the fact is that we are here obedient to the demand of the people to revise the tariff downward. It is openly the purpose of the Democratic party, reluctantly assented to by the Republicans in campaign promises.

It is not that conditions under protection are so much worse now than in former years, but the abuses, inequalities, and absurdities of the protective system have at last filtered through the public mind; and, thanks to the consciences of our Republican friends of the Middle West, the popular demand for relief from tariff oppression has at last found its way into the Republican platform. Never would the ringmasters of standpatism have consented to commit themselves to any revision downward if they had not faced the doubtful issue of a presidential campaign, made doubtful by disaffection in their own ranks on this very issue. So thoroughly had the Democratic idea of freedom from the thraldom of tariff robbery permeated even Republican strongholds that the dominant party was left to choose between a platform declaration favoring revision and defeat at the polls. This promise, though given reluctantly, was interpreted and proclaimed by that party's candidate for President to mean revision downward. And so, for once, we are all committed to the good Democratic doctrine of justice to all the people.

It seems, however, that Republican platform promises are like the smiles of the summer girl; they are delusive to those who would take them too seriously. You can not trust them beyond election time—the flirting season. But the people are tired of this flirting. They are beginning to suspect the truth, that in a Republican's dictionary a platform is defined to be: "A thing to get in on." How, in the face of campaign promises, the gentlemen on the other side can bring in a bill for this House to consider that in the aggregate, with minimum rates, is 1.56 per cent higher than the rates under the Dingley bill, is just a little more than the consistent mind can comprehend. This, mind you, is under the minimum rate, most favorably administered, while under retaliatory or countervailing rates the present bill would exceed the Dingley law, on an average, perhaps more than 20 per cent. The chairman of the Ways and Means Committee resents this idea. While he admits the fact, he undertakes to explain that on the great majority of articles the duty has been lowered and that the increase comes from placing a duty on certain articles heretofore on the free list. It is proposed by this means to increase the revenue; the consumer in the end must pay this increase, and whether he pays it on oxalic acid, transferred from the free list to the dutiable list, at the rate of 1 cent per pound, or on sugar, reduced five one-hundredths of 1 cent per pound, is a matter of supreme indifference to him. The question that concerns the consumer is not the method of robbery, but the fact.

In the tariff hearings before the Ways and Means Committee, the captains of industry, in every conceivable branch, were called in to say just how little protection they would consent to. It seems that in the framing of the Dingley bill no secret was made of the presence of certain outside agents, whose purpose was to influence the committee. And, without charging that the committee was unduly influenced, it is a noteworthy fact that the interest represented by one of these agents, a manufacturer of woolen tops, received a higher rate of protection than did the manufacturers of woolen yarns, though yarn is a further step in the manufacture than tops.

Some one has asked: "If the consumer feels himself so much oppressed, why did he not appear before the committee and lodge his complaint?" The consumer, as such, is not organized, but the man is not on this floor who has not heard his complaint privately. Why need he come here? Has he not a right, under normal conditions, to expect that he will be fully and faithfully represented by the very Members who compose that committee and who compose this House? We are the representatives of the consumer, a fact long since forgotten or ignored by some.

It seems to me that even from the view point of the protectionist, something should be conceded to the millions who do

not derive a cent from a protective tariff. It is freely admitted now that the effect of high tariff is to increase the price to the consumer. Then, has the disinterested consumer no rights?

I suppose that a conservative estimate of the population of the United States in 1905 would be something like 85,000,000 souls. There were at that time 216,262 manufactories, with a capital of $5,000 or more, and more than half this number, 113,961, were owned by single individuals. These manufacturing enterprises employed 5,470,321 wage-earners, who, averaged, received about $35 per month, or something over $1 per day. In this, of course, is included the highest as well as the lowest wages paid. Now, if there is any man on the face of the earth from whom I would not take a penny, either by legislation or otherwise, that man is the wage-earner, the operative. The question is, Does he get his share of the protection when it is considered that he is a consumer as well as a producer? Who does not know that the cost of living has advanced fully 40 per cent; and who does not know that the operative barely breaks even on his wages, when paying trust-made prices? If the trust, with all of its oppressive power, is not the immediate consequence of a protective tariff, then circumstantial evidence counts for nothing. During the first ten years of the Dingley law 655 independent corporations were merged into 33, forming giant trusts. While it is the trust that directly affects prices, it is the tariff that directly affects the trust and enables it to levy exorbitant tribute of all the people. What, then, is to be said of the other 80,000,000 consumers who derive not one penny from excessive protection? Have they no rights in the American Congress? Are they from their labor to feed, foster, and fatten a few trust-protected barons under the pretext of protecting home industries?

We may ask very pertinently, what is protection? It is an unreasonable, indirect tax, amounting quite or almost to prohibition of the entry of foreign products, and designed in the interest of the manufacturer at home, without reference to the unreasonable exactions from the consumer at home. An extreme example of protection is furnished in the countervailing duty on petroleum. Petroleum might be made a good revenue producer, if a small tax was put on it, discriminating in favor of the American producer, but permitting some importations from Russia and other oil-producing countries. If this countervailing duty, amounting to something like 15 cents per gallon, was removed, doubtless Russia would remove her export tax, and the United States Treasury would get some little toll from the golden stream that is annually poured into the coffers of the Standard Oil Company.

There has been but one so-called "Democratic tariff" during the past forty years, and it was as imperfect as a Republican minority could make it, cooperating with a disgruntled element of the Democratic party. Yet it is not recorded that industry languished during the operation of this tariff. And a further fact is, that during the last year of the Wilson-Gorman tariff $27,000,000 more revenue was collected than during the first year of the Dingley bill. That this is a natural consequence of low tariff can be readily demonstrated by reference to some of the rates in the Dingley Act and reproduced in the Payne bill. We will take, for instance, flannels, worth more than 30 cents and not more than 40 cents per pound. On such is levied a duty of 22 cents per pound, and in addition a tax ad valorem of 30 per cent.

This, figured out in a straight ad valorem tax, amounts to 143.67 per cent. Flannels, valued at 40 cents and not more than 50 cents per pound, are taxed 33 cents per pound; and in addition, an ad valorem tax of 35 per cent. This, when figured on the basis of a straight ad valorem tax, amounts to 102.26 per cent. The importation of this class of goods in 1907 amounted to the insignificant sum of 257 pounds. Under a reasonable tariff, it might have run into hundreds of thousands of pounds, bringing into the Treasury of the United States a commensurate revenue, and carrying comfort to many a cheerless home of the poor. Flannel is almost as necessary for the health of the individual as the bread he eats. There is no calculating the ravage wrought by pneumonia, consumption, and kindred diseases, in many cases through lack of bodily covering. It will be noted that the tariff is higher on the cheaper grades, such as the poor might be expected to buy. And yet, our Republican friends, claiming to be the friends of labor and of the poor, put a duty on this essential of comfort, which more than doubles its price, and puts it out of the reach of this same laborer. It is the same old story of making the rich richer by sacrificing the health and even the very lives of the poor. The boasted wealth of the American people pales into insignificance when it widens the line between the very rich and the very poor. This unnatural condition of society marked the decadence of Rome; it will just as surely bring about disintegration here. Already it has concentrated the wealth of this Nation in the hands of a few hundred men. One corporation alone, the steel trust, is capitalized at one seventy-seventh the value of all the property of the United States.

The people may not be able to differentiate between the methods of tariff taxation; they may not be able to follow the tortuous and devious path by which their own Government has systematically plundered them, to glut the greed of a few trust-fattened tariff barons, but indifferent to the method, they now realize the fact, and the old-line standpatters will never find them so easily hoodwinked again. When the greatest tariff gourmand of them all placidly admits that he has enough it does seem that it is time for the perpetrators of the system to cover their faces and change their course. [Applause.]

It is not possible, in discussing this tariff bill, to do more than refer to a few typical items that need immediate correction. Important amongst these is lumber. Despite the popular demand that this article be put on the free list, the Payne bill leaves the duty on it, reducing it slightly. It is, of course, bad policy to throw any obstruction in the way of the home builder, and this objection is generally urged, but, in my judgment, this is not the most urgent reason for putting lumber on the free list.

The rapacity with which the sawmill has devoured the American forest indicates certainly, and it has been so estimated by experts, that within a decade practically all of our forest lands will have been denuded. The gentleman from Michigan [Mr. FORDNEY], a veritable Gamaliel on the question of protected lumber, states that near his home town, within a radius of 13 miles, there were once 109 sawmills; and that they cut a billion feet of lumber in a single year. He says to-day there is not a single foot of pine timber being cut in that section; and whereas he could once have bought it at 25 and 50 cents per thousand feet, on the stump, the little white pine now left would easily bring $25 on the stump.

Now, if this wanton waste of lumber, accelerated by government bounty, is continued the condition described will be the condition all over this land. If Canada wishes to exhaust her forests at cut-throat prices for our accommodation, why not let her do it? If there is no profit in the business now in the United States without protection, then the cure for the evil is to curtail production until Canada with wasted resources must leave us without a rival.

It seems that even with a tariff of $2 per thousand the business lately has not been prosperous. This same gentleman to whom I have just referred relates the fact that within the past year his firm sold 36,000,000 feet of lumber, cut in the State of Mississippi, at a loss of 50 cents per thousand feet. This waste of timber without profit to the manufacturer is only a sample of the folly that would sacrifice millions of dollars that the future could hold for the paltry thousands of to-day.

I have no sectional interest in this question. The gentleman from Michigan, whose statement I shall not question on this point, admitted in response to a question from the gentleman from North Carolina [Mr. KITCHIN] that the tariff was not worth a cent to the South Atlantic States. There is no better authority, and especially when the testimony was so reluctantly given. But if it did affect my State, the other and higher consideration of a reasonable preservation of our forests would determine me.

Another interesting item in this bill is hides, which have been placed on the free list, thanks to the pressure of our Republican friends of Massachusetts. Free hides are desirable, if we might also have free products of leather. But does anybody think that if the duty on shoes is not reduced that free hides will lessen the cost of shoes a cent? If so, they should not so deceive themselves. That price that the tariff fixes on imported shoes, graded according to the quality, will be the price of the home product. The proposition is just this: Cut off entirely from foreign competition, will the home man throw away the extra bounty that the Government gives him? Is it human nature? It is not hides that he sells us, but shoes, at the best price that he can obtain.

I am prepared to assert that the shoe manufacturers do not need this protection. I know, incidentally, one large shoe-manufacturing establishment—one of the largest in this country—whose stock is worth something like $10 for each $1 originally invested, and it has been paying, as well as I can recall, an annual dividend of something like 25 per cent. I have received numerous letters from shoe manufacturers candidly admitting that they no longer need protection. I will ask leave to print just one as a specimen.

COLUMBUS, OHIO, *March 29, 1909.*

Hon. WYATT AIKEN,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list. The American shoe manufacturer needs no protection. With free hides and cheap raw material, the American shoemaker can shoe the world.

Very respectfully,

THE WOLFE BROS. SHOE CO.,
R. T. WOLFE, *President.*

A similar letter, even in stronger terms, was received by the chairman of the Ways and Means Committee from A. E. Little & Co., of Lynn, Mass., and yet, with such evidence in the committee's hands, the tariff on shoes was very slightly reduced. There is no justification for excessive protection on shoes, not even in the mind of an uncompromising protectionist.

There has been some slight reduction on steel and articles manufactured of steel, but the reduction is not sufficient. The same principle that is applicable to the shoe business is applicable also to the steel industry. All of those products used in the manufacture of steel have been materially reduced, and iron ore has been put on the free list. And why was iron ore put on the free list? It has been positively and openly asserted here, and I believe it to be true, that it was done for no other purpose than to give advantage to the iron industries on the Atlantic coast. It is said that the steel trust owns practically all the iron deposits in Cuba, and, of course, it must be shipped in free of duty. With cheapened raw material, the tariff should be so reduced on the finished product as to admit some of the foreign product, thereby increasing the government revenue.

I believe that a highly protective tariff, besides cutting down revenue, actually obstructs our export trade. Nations, like individuals, buy very largely where they sell. The ship that can carry freight both ways can give the cheapest rate to the shipper. Where a foreign country has sold its produce, and on the proceeds of this produce established its credit, there it will go to buy, even if the same goods may be had at the same price in another market. I state this positive fact, that 20 yards of cloth were shipped from England for every 1 yard shipped from this country in a single year in the recent past. I do not just now recall the exact year. Without undertaking to explain this myself, I would ask if it is not just possible that the law of barter, hampered, and in many cases quite prohibited by our exclusive system, affects the freedom of our foreign market? I do not mean by this that the old rate on cotton goods, and especially coarse goods, is higher than is consistent with raising revenue for the United States Treasury, but the trade in cotton goods may be hampered by our excessive rates on other articles.

There is just one other item to which I will refer. I notice that oil paintings and other works of art have been put on the free list. Now, the Dingley law permitted the importation of oil paintings and the like when destined for public art galleries. This is all well enough.

I hope I am not unappreciative of the beautiful in art or in nature. I am sure that I would do nothing to lessen the culture and refinement of my people. But I can not do an inconsistent thing when I know that no real advantage to society is derived thereby. Stop for one moment and think just who gets pictures from across the water. Are they hung in the cottages of the poor, or even of the moderately wealthy? No; the men who have them will have them despite any tariff, and they are able to pay for them.

Duty on tea, duty on coffee, duty on sugar, duty on iron, duty on steel, duty on flannel, and all high, and free pictures. There is a sample of the consistency of the bill.

I have mentioned a few of the inconsistencies of this bill. I have not done it in a captious spirit, but in the effort honestly to direct attention to the inequality and injustice found there.

I am not opposed to a reasonable tariff to raise revenue necessary to support the Government, and, as I have said on a previous occasion, the extravagance of the dominant party makes a pretty stiff tariff necessary. But let the burden be distributed. Do not lay it on the shoulders of the poor mainly.

That glaring injustice would be found in this bill might reasonably be guessed, knowing the sentiment of the Republican party, holding that everything, from a tiny stalk of barley to a steel-rail factory, should be propped with government bounty.

Somehow, this whole theory of protection starts at the wrong end of the proposition. It assumes, as did the royalists of old, the "divine right" to plunder the masses. In the past the American people have too nearly paralleled conditions existing in England many years ago, of which Macaulay wrote:

> A small portion of the people stand booted and spurred ready to ride, and a large portion of the people stand saddled and bridled ready to be ridden.

Governor CUMMINS, now United States Senator, and a good Republican, made use of this very strong language:

> All the robberies and thefts committed by all the insurance companies' officers since the business of life insurance originated do not amount to the extortion due to the Dingley bill for one year.

And the Payne bill, in the aggregate, is even higher.

Will the people stand it? Will they continue to bend their necks to the burden? Will they, half clad and half fed, continue to struggle under the weight of an insolent, trust-fed, tariff gourmand?

Purely as an economic question, I do not believe that a nation's wealth is increased by advancing the cost of the home-made article, when the home consumer alone is to pay the advanced cost. It undoubtedly centralizes wealth and creates large fortunes, but for every dollar of excess given to one set of men to further swell their burdensome wealth some other citizen, who, perhaps, can ill afford to spare it, is a dollar poorer. When the people, who may be trusted, when informed, to do right, grasp the meaning of tariff robbery, it will go, and it will be remembered as one of the enormities of public polity. [Applause on the Democratic side.]

Mr. RANDELL of Texas. Mr. Chairman, before I begin, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman has that permission already.

Mr. RANDELL of Texas. And that I may be permitted to continue my remarks until I conclude.

The CHAIRMAN. The gentleman from Texas, a member of the Committee on Ways and Means, asks unanimous consent that he may have time to conclude his remarks. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I would ask the gentleman—and I think no one would want to deprive the gentleman of the right to talk as long as he desires—if he could not just as well make that request at the end of his hour, so that Members will not take up so much of the gentleman's time in useless interrogatories?

Mr. RANDELL of Texas. Mr. Chairman, I would prefer to have the matter go as it has ordinarily gone with the others who have occupied the time. I do not think I shall impose upon the time of the House, nor do I intend to permit many interrogatories. I am willing to have anyone ask me about anything material to the matter, but I do not wish to have injected somebody else's speech in my remarks. I shall not permit it, for that matter.

Mr. MANN. I know the gentleman does not want to consume too much time or to have some one else put a speech in his. The time of the committee ought not to be used in that way.

Mr. RANDELL of Texas. I shall not permit it.

Mr. MANN. I shall not object.

The CHAIRMAN. The Chair hears no objection.

Mr. RANDELL of Texas. Mr. Chairman, the revision of our tariff laws, now under consideration, engrosses the attention not only of the Congress, but of all the American people. The exercise of the taxing power is one of the most important functions of government, directly affecting the business affairs as well as the liberty of its citizens. Enacting a tariff law is a test of statesmanship. Wisely framed, it economically provides revenue for the public expenses. Unwisely drawn, it produces evil, perhaps even direful, results.

The Congress making the law should be honest, intelligent, and absolutely disinterested. The honesty of American statesmen, past and present, will compare favorably with those of other nations. Their intelligence equals the best product of the world. But the lack of disinterestedness—the selfishness of sections and the greed of special interests—accounts in large measure for the inequalities and the injustice of former enactments. No matter what degree of honesty and intelligence may be claimed for them, a Congress in which the dominant party is made up largely of the direct beneficiaries of tariff exactions can not be expected to give much relief. They will, if they dare, increase the pelf rather than reduce it. Is it not well known that this country is trust ridden; that our railroads, mines, factories, oil fields, forests, and commerce are trust controlled? Do not they and their partners, agents, attorneys, and those under political obligation to them dominate, as far as possible, every department of this Government? Let us look truth in the face. Shall the trusts and special interests enact this law, or shall the disinterested Representatives of a free people write this revenue statute? What I shall say here is not intended as personal, but wholly impersonal. The forces of the enemy we confront are well organized. We must be zealous in protecting the rights of those who sent us here. Those rights are consistent only with justice to the whole country.

For more than forty years the country has labored under a heavy tariff burden. The exactions imposed under stress of civil war have been continued in times of peace; nay, more, they have been increased, until there has been developed a system of taxation which for injustice, inequality, and extravagance is unequaled in modern times—a reflection alike upon representative government and American intelligence. It presents likewise a wonderful exhibition of public patience. Time and again has relief been promised, to be continually followed by disappointment. So strong was the demand for relief, that in the fall of 1904 the President announced to the country that the second session of the Fifty-eighth Congress should enact two measures; first, a railroad rate bill; second, a revised tariff law; and emphatically declared that if it should adjourn without doing these two things he would immediately call an extra session to consider them. Shortly after the holidays, however, evidently yielding to pressure from some element in his party, he declared that there might not be time during the short session to properly consider both these questions, and that the railroad rate bill must be disposed of and the tariff bill could wait for the extra session. Mind you, this was immediately after a presidential election. The railroad rate bill was not disposed of. The extra session was expected by the people. For some reason it was not called. The Congress had as much time for an extra session then as now.

At the first session of the Fifty-ninth Congress, convening in December, 1905, the subject of railroad regulation was taken up, and finally a bill was passed; but no action was taken in reference to a revision of the tariff, and the President made no effort to force it. The trusts and the "stand-pat" element had their way. The next thing an expectant people heard emanating from the White House on this subject—and it echoed through the corridors of the Capitol—was that the tariff should not be revised preceding a presidential election, but should follow it. Thus the election of 1906 was bridged over by specious pretense and relief was cunningly postponed for four years. Such is Republican method.

In order to escape defeat at the election of 1908 it was necessary for the Republican party to make a solemn pledge, both in its platform and on the stump in every State, that the tariff would be thoroughly revised and freed from all inequalities and oppressive rates.

The promise before your elections in 1906 had been oral. It had been made by speeches. It had been made by representative men, but not in a representative capacity. They said that the tariff should be revised at once, and revised by its friends. The tariff was not revised after the election of 1904 and not revised before the election or after the election in 1906, and it was necessary in 1908 that the promise be put in writing, and it was put into the platform, so there could be no escaping the fact that the Republican party would call an extra session, if their ticket was elected, to consider tariff revision immediately after the presidential election.

Had not such pledge been deemed necessary this session would not have been called and this bill would not have been before the Congress. The plan of the party machine, in conjunction with the beneficiaries of the present law, is to make a great show of revision to deceive the public; but their intention really has been, and is, to revise the Dingley Act in the interest of the favored manufacturers and trade combinations, eliminating rates that are no longer useful to them, and by well-disguised methods frame the new law into a greater money-making machine than the old law now is, thus continuing oppressive and unconscionable duties and rewarding the various monopolies and trade combinations who furnished the means to retain the Republican party in power. [Applause on the Democratic side.]

An expectant people anxiously awaited the Payne bill, whose author was to be a Moses that would deliver them out of Egypt and guide them through the wilderness to the promised land. But the distinguished chairman of the Ways and Means Committee has not proven himself a good pathfinder, nor an adept at squeezing through the barriers in this forest journey. In fact, he has abandoned the job of deliverance (which he never favored), and his bill, if enacted, would actually obstruct the God-given passage through the Red Sea and hold the children of Israel helpless against the brute force and the intensified wrath of plutocratic Pharoah and his triumphant hosts. [Applause on the Democratic side.] The promised delivery of the people from the Pharaohs of protectionism has not even begun. The Payne bill is only a refinement and a flagrant reenforcement of the enormities of the Dingley Act. [Applause on the Democratic side.]

It may well be said that this debate should not be confined to a mere academic discussion. It is high time to consider the tariff system from a practical standpoint. Protectionism owes whatever of respectability it may have to the personal standing of those distinguished and patriotic men who believed the schedules ought to be made not only for the purpose of raising a revenue, but also to protect "infant industries," the upbuilding of which would be conducive to the general welfare. Such men as Alexander Hamilton and Daniel Webster never dreamed of using the tariff law as a means of levying tribute on the toiling masses to enrich the favored few. [Applause on the Democratic side.]

It was thought that our useful and necessary manufacturing establishments in the beginning of their struggles would be unequal to their well-established and powerful competitors in foreign countries and that the incidental advantage our people would obtain by an intelligent adjustment of the tariff schedules would be amply sufficient to fairly and justly open the door of opportunity to American enterprise. Thus the Government would raise a revenue with reasonable economy, and the incidental advantages, freely and willingly accorded to the American producer, would redound to the benefit of the whole country. This is in accordance with the principle that the healthful prosperity of the manufacturer is a real benefit to the farmer, just as the prosperity of the farmer is a benefit to the manufacturer; but in no sense is it best for the country that manufacture should rob agriculture any more than that agriculture should rob manufacture. The rights of the producer should be respected and upheld by law and the rights of the consumer should be guaranteed in like manner. Our forefathers applied these principles intelligently and were rewarded by realization of national prosperity. Hamilton and Webster never taught the protectionism of to-day. They sought to shelter the weak—not to uphold monopoly and pelf.

The "infant industry" of long ago is now full grown. The baby that held out its chubby hands to them and won their sympathies with cherub smiles and pleading tears, is now a lusty giant. Commodus like, he stalks abroad, clad in a lion's skin, armed with a two-edged sword and a herculean club. Against this modern Goliath the ordinary man wages unequal conflict; and, when a Samson arises to champion the people's rights, the Philistines of monopoly too often, by gifts of gold or political preferment or social recognition, furnish a Delilah to beguile from him the secret of his strength and leave him shorn of his power. [Applause on the Democratic side.]

They say the tariff should be revised by its friends. Who are the friends of the present tariff? Surely they do not include those who are bearing the heavy burden of the present law and writhing under the cruel exactions now imposed upon them. Does the phrase not rather mean those who are profiting by these burdens and exactions? Does it not include those who barter legalized robbery for party success? How could such a monstrous doctrine be incorporated in a more pleasing and misleading phrase, "The tariff should be revised by its friends?" That the trusts, the monopolists, the aggregations of incorporated wealth, their agents, counselors, and political representatives should be intrusted with revising a tariff schedule under which they are now fast increasing their wealth, already immense, and their power, too plainly dominant, is a proposition as absurd as it is alarming and a fact as certain as it is despicable. Is there reason to believe that those who are now permitted by law to reap the golden harvest created by millions of producers will willingly give up even a tithe of their present advantage? No one is so simple as to believe such a thing. No optimist could find here one ray of hope. Yet is not this the present condition? The organized, incorporated monopolists of almost every great business interest in this country, intrenched behind the power of gold and assured of willing service by the greatest machine of modern times, for the first time in our history came out boldly in the great political contest of 1908 in support of the Republican ticket. The captains of industry led the columns of the protectionist party. The chief promoters of monopoly were foremost in the fight. When the forces of protectionism began to waver, and when victory for the people's banner seemed almost certain, Rockefeller, Harriman, and all the others of like interest threw themselves in front of the assaulting columns, openly and loudly cheering the Republican hosts. The country was astonished. But before their resentment could crystallize into new and determined effort the wily Republican leaders made terms with the bewildered business men and hypocritically appealed to the laboring masses against the alleged "trickery" of the trust magnates. It was declared from the highest Republican sources that Rockefeller and his class were not sincere in espousing the Republican cause; that their professed support was a trick to turn labor against the Republican ticket; and many honest, but credulous, sons of toil were deceived. So, as the gentleman from Missouri [Mr. CLARK] says, "They played both ends against the middle." Thus the

battle was won; bloated wealth was triumphant; and the cause of humanity went down, as usual, in defeat.

Mr. Chairman, a few remarks with reference to the method of framing this tariff bill may prove useful. The Ways and Means Committee had some hearings. Mostly those interested in the schedules attended and testified. That, perhaps, was natural. The people can not come and represent themselves on such occasions; they can only rely upon the Representatives whom they elect and send here to serve them. After the hearings, which were concluded about Christmas, the committee, that is, the Republican members of it, excluded the Democratic members from participation, even from being present to offer suggestions; and, in executive session, behind closed doors, they discussed, I suppose, the whys and wherefores of their action. I do not know whether the discussions were scientific or political. I do not know whether the business interests of the whole country were ever discussed in those meetings; but, if they were discussed, I see no reason why the Democratic members of the committee would have been out of place there. I can readily understand that if, in the making of this or that schedule, there would be any political significance, any opportunity to promote the interests of the Republican party, or a chance to favor special interests that would return the favor at the time of election, why the Democrats were excluded from participation in the framing of this bill. [Applause on the Democratic side.]

To be candid, Mr. Chairman, with you and the House and with the country, merely as a party man I might rejoice at seeing them bring in a bad bill that my party might profit thereby; but the Democratic party stands to-day, and has always stood, for the best interests of the country, whether it gains power thereby or loses control. I know the intention of the members of the committee on the Democratic side was to assist in framing a bill that would best serve the entire people. They have had no opportunity in this case. They knew no more about that bill before it came into this House than any other Member of the House.

The Constitution of the United States provides that all revenue bills must originate in the House of Representatives, thus making tariff legislation a special duty of the House. The Senate has its special functions. It is a coordinate branch of the legislative department of this Government. The Senate and the President act in reference to treaties and various other prerogatives and powers that are special to them, but the House of Representatives, from the standpoint of the Constitution and the intent of those who framed it, is the body that ought to look after the purse strings of the Government. It is the body that should say absolutely what should be the provisions of a revenue law, because they, as the direct representatives of the people, were intrusted with the duty and with the great power of laying their hands upon the pocketbook of the Nation. The taxing power is most beneficent if properly used and most detrimental and dangerous in the hands of tyranny. The House of Representatives is intrusted under the Constitution as guardian of the property rights of the people, but under the Republican administration the constitutional rights of this House amount to nothing, and the constitutional rights of the people are no more respected. We are not here to govern, but to serve; and our sworn duty is to uphold the Constitution of the United States and to faithfully serve our constituents. Under the Constitution it is the duty of this House to make this bill. Under the rule of the Republican party this House is not to make this bill. [Applause on the Democratic side.] It would be impossible for the House of Representatives to properly make a tariff law unless the bill could be considered section by section. The great number of subjects treated, with thousands of articles to be taxed, with the hundreds of paragraphs in the bill, we can not consider carefully and properly unless we take them up seriatim and vote upon them separately. You all know that statement is true. We could take one month, read this bill under the five-minute rule, admit freedom of amendment, permit reasonable discussion, prepare it in proper form, and pass it decently and in order. It would then be a law made by the House of Representatives, under the Constitution, and amendments from the other end of the Capitol ought to be considered only as advisory. In making a tariff law, the House of Representatives should exercise the same power that the President has in making nominations for office. He appoints, with the advice and consent of the Senate. The House of Representatives ought to make a tariff bill, with the advice and consent of the Senate, and the advice of the Senate ought to be purely advisory, and its consent should be given as a matter of course, unless it involves the violation of some principle. [Applause on the Democratic side.]

But the prerogatives of this House are no longer considered of value by the party in power. I want to call the attention of the country, Mr. Chairman, to the situation, because I know it is useless for me to appeal to the Republican majority here, unless, perhaps, out of the great West there have been sent some few men who will join with us—some new Members, few though they are, from the great North—that may stand by Democracy and represent truly the interests of the people. So far as the Republican machine is concerned, we have no hope; and the people need expect nothing but continued disappointment. This debate has been dragging along, the Republican leaders trying to get together what they call the "scattered elements." With them it is a question of combining special interests for party advantage. This is done by bringing together enough of those who want special legislation to make a majority on roll call. Certain ones must be satisfied; concessions must be made. It is a question of trading. And I want the people of this country to consider this matter. A political party that will, defiant of the people and careless of their rights, force a tariff bill through the House without giving an opportunity to understand what are its provisions and to consider its schedules should be repudiated and rebuked by a self-respecting people. If the Representatives on this floor—Democrats and Republicans—are faithful to their constituents, they will not permit a rule to be adopted on next Monday, nor on any other day, which will prevent full discussion or restrict opportunity for amendment. Each one recreant to duty deserves just condemnation. But the Republican machine knows how to fix it up. They know how to patch up differences. There are many ways. Some want one thing, some another. Many have personal ambition. It is understood now that an arrangement has been made. How it has been made, I do not know; but on Monday next—day after to-morrow—the rule is to pass.

I wonder what the people of this country would think if they knew just what has taken place in getting together on that rule. Where opposition is too strong to crush, policy must be used. The chairmanship of the Committee on Appropriations, for instance—a good stepping-stone to the Speakership, perhaps—would make the heart of an insurgent so warm and pliant that, from patriotic motives, he would go over to the dominant side of his party. Or a new and "modern Lincoln" may arise and shake the country from ocean to ocean, demolishing with word and gesture the rules of the House and clamoring for certain favors for his State. Put him on some big committee, rub him the right way, if you please, and his great talent is turned to other matters, and he, too, stands with the dominant machine in his party. Too often the demand is in favor of bloated monopoly, defiant and exacting, but it must be pacified and provided for. I am only supposing cases. Some of you may have noticed instances of that kind. But, Mr. Chairman, I stand here to protest against such management. When a great tariff bill involving billions of dollars annually comes up for consideration in this House, it ought to be enacted by the unbought, disinterested Representatives of the American people, and not by a party machine manipulated by private greed and political corruption. Your constituents sent you here to make a tariff bill. Well, you are not making it. Will you permit a rule to pass that will throttle you? The responsibility is with you. Every one of you that shall be recreant to your duty on Monday next, and by a rule bind and gag the Members of this House, will hear from your constituents in no uncertain terms. [Applause.]

In reference to the provisions of the bill itself, Mr. Chairman, I have time to make only some general remarks and cite a few specific examples. I want to tell you about this bill that the majority machine proposes to crowd down your throats on Monday. Does it redeem your party pledges? If not, why not? You promised to revise the tariff, remove unjust discriminations, and lighten the burden of labor. But this bill actually increases the percentage of the rates over the Dingley Act. Under the present law the average tariff levied is 44.16 per cent, while in the Payne bill now under consideration the average duty is 45.72 per cent. This estimate is made by you and is as favorable to the bill as you can possibly make it. The revision, therefore, is upward, and not downward, as the people had a right to expect. It also takes coffee and tea from the free list, placing them under heavy duties.

An inheritance tax is also levied. This last is a decoy-duck. It is proposed to create in the public mind the conviction that the owners of great fortunes will be made to disgorge some of their large holdings. When the edge of opposition is thereby dulled, this item will be stricken out—probably by the Senate. Were it really the intention to force wealth to bear its just part of the public burdens, an income tax should have been levied according to constitutional limitations, and the inheritance tax would have been left to the States, many of which already have enacted such legislation. To enter that field and leave out a tax on incomes is merely a sham, not a real purpose.

The tax on coffee and tea will also be dropped from the bill

in response to overwhelming public sentiment. This subterfuge to raise revenue without relieving tariff exactings will have to be abandoned. This will force a reduction of duties that are now practically prohibitive to a revenue basis. To this the country is entitled, but the tariff lords object to losing any part of their plunder. The trusts elected the Republican ticket, and now demand the full fruits of their victory. Here is a dilemma. The Treasury needs more money. To get it imports must be increased. Prohibitive rates must be lowered or imports can not increase. To lower the duties gives cheaper products to the American consumer. The trusts object!

This is an object lesson it behooves the American people to carefully study. Protectionism has advanced steadily to the point where the tariff is no longer for the purpose of revenue, but is solely a means of exploiting our own people. Revenue rates have been displaced by prohibitive rates on nearly all the necessaries of life and the great bulk of our commerce supplying articles of general use and consumption. This system, reenforced by organization which largely shuts out competition, has lessened the magnitude of our foreign commerce, decreased the import duties, restricted our export trade, and delivered the American people into the power of organized monopoly, which, protected by law, attempts to gratify its insatiable greed by preying upon the American producer and robbing the American consumer.

The unhealthy condition of our foreign commerce and the gross injustice to our own people under Republican control of the tariff may be to some extent comprehended by a study of the statistics showing the gross consumption and the percentage of imports. We will take for example the year 1905, as I am aware of no valid objection to using it as a fair illustration. The business of that year was not affected by any panic, and conditions were of ordinary and usual character.

Table showing relation of imports to gross consumption under the act of 1897.

	Gross consumption 1905.	Percentage of imports to gross consumption.
Chemicals, oils, and paints	$325,290,554	6
Earths, earthenware, and glassware	429,021,028	5.3
Metals, and manufactures of	3,013,665,592	1.2
Wood, and manufactures of	1,471,485,484	1.1
Sugar, molasses, and manufactures of	501,663,463	17.9
Tobacco, and manufactures of	331,832,195	5.9
Agricultural products and provisions	1,900,973,319	1.4
Spirits, wines, and other beverages	491,533,843	3.5
Cotton manufactures	894,402,017	2.7
Flax, hemp, and jute, and manufactures of	248,538,638	29.1
Wool, and manufactures of	856,689,310	6.2
Silks and silk goods	157,101,469	20.2
Pulp, papers, and books	427,224,782	2.9
Sundries	1,670,396,210	5.6
Free list	1,379,767,290	92

Thus we see that the total consumption in the United States of merchantable articles is $14,231,562,914, of which only 9.4 per cent is imported. We can not expect to sell our products to foreign countries unless we purchase their products. The tariff is at present used to cut off imports. It necessarily restricts our exports and deprives the American producers of the advantage of foreign markets. The value of dutiable products consumed in the United States, we find from this table, amounts to $12,851,895,624, of which a little less than 7.8 per cent is imported. Yet the average tariff rate on dutiable products consumed in this country under the present law—the Dingley Act—is 44.16 per cent, and under the proposed act—the Payne bill—it will be 45.72 per cent. It is almost bewildering to the human mind to grasp the immense difference in cost to the consumer by reason of the tariff. This difference as applied to imports largely goes into the Treasury, but you must remember that imports are less than 7.8 per cent of the whole amount; the remaining 92 per cent is affected in price but pays no revenue into the Treasury. Some of these schedules, however, are not materially affected in price, such, for example, as our farm products and that class of production generally which is least capable of organization and trust control. It would be fair, therefore, in making a computation to consider that the tariff rates affect the price of domestic products 30 per cent instead of 45 per cent. This would make an extra cost to the American consumer on dutiable articles of nearly $4,000,000,000, and the amount of revenue paid into the Treasury would approximate $300,000,000, thus costing the American people more than $12 for each dollar placed into the Treasury under Republican management of the tariff. We will, however, make a still greater reduction. Some claim that the cost to the consumer would not be more than 22 per cent. Let us make it 20 per cent; and then we find that the enhanced price of dutiable goods consumed in this country amounts to something more than $2,570,000,000, or more than $6.50 for each dollar of revenue collected! Was there ever a more unjust, dishonest, and extravagant system of taxation devised? Will the people permit the Republican party to continually and openly use the tariff law as a means to bind them hand and foot and deliver them bodily to the monopolists and trade combinations, who already have their deadly grip on our business interests and natural resources? A few years ago the tariff produced the greater part of our needed revenue. It now produces only three-tenths of the amount of public expenditures. It would be better to do away with the system entirely than to prostitute it to political corruption and national dishonesty. The sooner we get back to the old Democratic plan of a tariff for revenue the better it will be.

Again, we were promised relief from the excessive cost of living. In this, also, disappointment is complete. The cost of living determines, in large measure, the quality of living; it is also one of the principal factors in determining the profits of labor. A subject of such fundamental, universal, and vital importance should receive the utmost consideration by those intrusted with the lawmaking power. Food, shoes, clothing, toilet articles, household necessities, and articles of general use in everyday life should, if possible, be in easy reach of all, and the opportunity to obtain them at the lowest cost should be free and open and not restricted and obstructed by governmental action. Yet, in this bill, we find that the importation of the necessaries of life, articles of the most common and universal use, is greatly restricted, and the domestic trade of the United States is more than ever in the power of the combinations which control it—combinations which have already throttled competition and are dictating prices. Our enormous production of raw materials, the inventive genius of America, the great increase of efficiency by the use of machinery, together with the intelligence and energy of our people, should naturally produce easier, better, and cheaper means of living than any country in the world.

Although America, in the manufacture of shoes, has captured the markets of the world, yet her citizens are deprived of an opportunity for cheap shoes and hindered in their demand for better shoes. Cotton and wool furnish our entire people with clothing, yet this bill not only fails to reduce the present enormous tariffs on the cotton and woolen schedules, but actually increases greatly the duties on the particular articles most necessary for general consumption. It invades the household and makes more expensive the ordinary things of household use. Even toilet articles, kitchen utensils, blankets, and bedding will cost more than ever before.

Intensifying the evils resulting from increased cost of labor, the strength of our institutions, and the capacity of our citizenship, the excessive tariff on building material of all kinds is retained, and this cost will be increased despite the reduction of some rates that are no longer needed to maintain monopoly. This is a great country, new in its development, of a productive power heretofore unknown; and this fact furnishes us at least a hope against utmost calamity. The immense production and consumption in this country of iron, steel, lumber, lime, cement, and all sorts of building material open the opportunity for making homes, improving farms, building factories, constructing roads, bridges, railroads, public buildings, ships, and transportation facilities superior to any known on the globe. The opening and permanent improvement of our harbors and navigable rivers, the building of canals, the drainage of our swamps, and the reclamation of our arid lands have just begun. The excessive cost of material necessary for such work retards our natural advancement and interferes with the quality as well as the progress of the work. To thus fetter American enterprise and development is not merely a flagrant injustice; it is a crime against the Nation. [Applause.]

The Dingley Act restricts revenue and assists monopoly. The Payne bill goes even further than the present law. Take lumber, for instance. Under the Dingley Act the price of lumber has advanced enormously. There is no further competition. The imports as shown by the table just read amount to only 1.1 per cent of the amount consumed in the United States. This small amount is composed entirely of wood manufactures of some special kinds not entering into competition here and small shipments of logs and lumber across the Canadian border in localities where the cost of transportation controls the local market. Such imports are not affected by tariff rates and would be about the same in amount with or without tariff. The lumbermen, however, are clamorous for retaining the tariff on lumber in order that they may have the power of exacting from the American market $2 per thousand more than the natural and legitimate price.

The timber lands of the United States are now nearly all

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would not be more than 22 per cent. Let us make it 20 per

The timber lands of the United States are now nearly all

owned by men and corporations of immense wealth. The owners can and will use every means in their power to secure the highest price for their products. Apparently yielding in some measure to the public demand for free lumber, the Payne bill reduces the tariff one-half. This was accepted as a fair compromise between the lumber manufacturer and the general consumer. The insincerity—not to say treachery—in this action is shown by a proviso putting what is termed a countervailing duty on lumber. We find this in section 197 of the proposed bill, and it declares—

that if any country, dependency, province, or other subdivision of government shall impose an export duty or export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

And section C of this act provides that in any such case the tariff on all forest products from that whole country shall be subject to the same rate of duty as the present law. Whoever put that proviso in the bill knew, or ought to have known, that the conditions in Canada were such that this proviso would necessarily keep the tariff on lumber at the present rate. The pretended decrease was merely to deceive the public. The proviso was to satisfy the lumber manufacturers. Such political jugglery should not be tolerated by an intelligent people. The secret frauds in tariff bills are facetiously called the "jokers." This proviso is one of the "jokers" in the Payne bill. My opinion is that public scorn will force it out by amendment before the bill leaves the House.

Of all our American products wood and manufactures of wood have the nearest to complete monopoly of the home market, the importations being only 1.1 per cent of consumption. Under such conditions every dollar of the lumber schedule put in the Treasury may be made to cost the American consumer more than $90. The same increased rate which the tariff adds to the 1 per cent of exports can be added by the lumbermen to the 99 per cent of domestic production. Thus 1.1 per cent of the tariff rate would go into the Treasury and the 98.9 per cent (domestic production) would go into the pockets of the lumbermen. It is only ignorance of such conditions that has prevented or postponed a political revolution on the tariff question. The prime purpose of a tariff bill under Republican administration is no longer the raising of revenue, but a means of preventing importations and the exploitation of the American market by the manufacturer.

Take, for example, the paragraphs including hides, leather, and leather products. Under the present law there is a duty of 15 per cent on hides, 15 per cent on leather, and 25 per cent on shoes. Under the proposed bill hides are put on the free list, band and sole leather is taxed 5 per cent, other ordinary leather 15 per cent, and shoes 15 per cent. Any tariff on leather and shoes is practically prohibitive. The revenue on boots and shoes amounted in 1906 to $38,960,71. This was from importation of fancy kinds of shoes, the importation of which was not affected by a tariff and did not compete with any articles produced in this country. The revenue on hides amounted in the same year to more than $3,000,000. The producers of hides are the farmers and stock raisers. To put hides on the free list and a tariff on leather, shoes, and other manufactures of leather, means to put the revenue taken from hides into the pockets of the manufacturer of leather and leather products. The tariff that remains on shoes, leather, and so forth, prevents foreign competition. Hence, to place hides on the free list serves only to increase the profits of the manufacturer. Again, cattle hides was the only revenue-producing item on the list. The Payne bill, in the interest of monopoly, cuts down in this instance, as usual, the public revenues and enriches the special private interests. Leather, shoes, harness, and other manufactures of leather should be on the free list in the interest of honesty and economy, and in that event there should be no duty on hides; but as long as the tariff remains on leather and shoes the duty should remain on hides, thus producing some revenue and distributing the burden of taxation.

The wool schedule is glaring in its injustice. If the framers of the Payne bill desire to give the leather and shoe manufacturers free hides, why not free wool for the woolen manufacturer, just as we have free cotton for the cotton manufacturer? The truth of the matter is this: Rates are made, not for the public welfare or in accordance with any set of principles, but are governed wholly by party expediency and favoritism. The cotton manufacturer of New England is Republican, and is paid for it by exorbitant duties on the cotton goods he manufactures out of free raw material. The woolen manufacturer of the East is also Republican and would demand free wool, but he is made to understand that he must act in partnership with the wool producers of Ohio and other Northern and Western States in order to make and keep the woolgrower Republican; hence the tax of 11 cents per pound on raw wool, amounting to about 35 cents per pound in the cheap woolen cloth, is considered as a foundation on which to build compensatory and protective tariff rates until they become even prohibitive, amounting generally to more than the total value of the finished product, and in many instances several times its value, producing no revenue and openly robbing the American people by statutory power. Competition might give relief, but trust combination does away with hope in that direction. I have already shown that the importation of wool and manufactures of wool in 1905 were only 6.2 per cent of gross consumption. Even this small showing would not be made were it not for the fact that the production of wool in the United States supplies only a little more than half the amount consumed; hence nearly all the tariff on the wool schedule comes from the importation of raw wool brought in to supply the deficiency in domestic production. The duty on unwashed wool, 11 cents per pound, amounts to 46.88 per cent, the importation of which in 1906 amounted to a little over 91,000,000 pounds.

This bill is not only unjust to the American people, but in an astonishing degree it affects most cruelly the poor. Of all the people in this Government, those who most need faithful and vigilant care in the making of our laws, and those who are least able to protect themselves from the errors and iniquities of public servants, are the great mass of humanity composing the substratum of toil. The millions who are engaged in manual labor and those dependent on them consume each year the greater part of their earnings and furnish a field for commercial exploitation both vast and lucrative. While it seems that a man of average conscience would sicken at the very thought of "grinding the face of the poor" to increase his own business profits, yet experience has demonstrated that the financial vulture knows nothing of pity or mercy. The stricken sheep, and its helpless young as well, furnish food alike for its rapacious greed. The poor laborer must, to the extent of his ability, procure food and clothing for himself and family. Everyone in this country should have an opportunity to obtain a full supply. Tens of thousands are in want. Cheap yarns valued at less than 30 cents per pound are taxed under the present law equivalent to 136.09 per cent, producing a revenue in 1906 of $132.33, showing that the rate is prohibitive and that the poorest classes are forced to pay more than twice its value for even the inferior stuff they are compelled by necessity to use. Under the proposed Payne bill the same yarns are taxed equivalent to 121.09 per cent, and the estimated revenue will be $117.75, showing that the new rate, also, is known by the framers of the bill to be prohibitive; and yet this poor class is still compelled to pay more than double the value of these yarns. Is this cruelty exercised for the public good, or is it not robbery, permitted by the public, who are too busy to detect and punish such cruel injustice?

Yarns, valued at more than 30 cents per pound, no matter how costly, are taxed under the present law equivalent to 87.73 per cent, which rate is retained in the proposed bill. This rate also is practically prohibitive, as the revenue on this item for 1906 was only $149,414.42; and it is estimated by the committee that the same amount of revenue will continue. Thus the great mass of people who are better able to pay are not pressed so heavily as the very poor, although the percentage as against them is a great and useless burden, bringing in almost no revenue, but increasing the cost of their clothing nearly 100 per cent. Why do we submit to such robbery? Take the item of cheap blankets, valued at not more than 40 cents per pound, the present duty of 99.91 per cent is retained in the bill, although the revenue produced therefrom in 1906 was only $385.69. The estimate is that the future revenue will be the same amount. Thus it is the recognized fact that the tariff rate is prohibitive, but our poorest people must pay double the value for their cheapest woolen covering. Blankets, valued at more than 40 cents and not more than 50 cents per pound, pay a duty of 104.72 per cent, which is also retained in the present bill. The revenue collected is a pittance—$377.30. This rate also is admittedly prohibitive. It produces no revenue, but taxes the poorer people more than double the price on blankets. While blankets, valued at more than 50 cents per pound, no matter how costly, are taxed only 67.96 per cent, producing a revenue of less than $20,000; practically prohibitive, imposing a heavy burden, but much lighter than that exacted from the very poor. Seemingly for fear that the very poor might indulge in double blankets the tax on blankets more than 3 yards in length and valued at not more than 40 cents per pound is 180.53 per cent, producing a revenue in 1906 of $1,013.68; a strictly prohibitive rate, which is retained in the proposed bill, and operates not to produce revenue,

but to force the poorer class of people to pay nearly three times the value of double blankets, thereby swelling the coffers of wealth and robbing the attenuated substance of want. The most costly blankets are taxed only 92.64 per cent, a discrimination in favor of wealth. This evidently is the Republican method of applying the Scriptural doctrine—

Unto him that hath shall be given and he shall have more abundance, but unto him that hath not shall be taken away even that which he hath.

It will certainly be a consummation devoutly to be wished when the American people, rising to the full statue of American citizenship, shall elect public servants who will ingraft into our laws and breathe into the spirit of our institutions the sublime principles of the Golden Rule, and follow both in theory and practice the blessed injunction—

In all things, whatsoever you would that men should do unto you, do you even so to them.

I will cite one more example. Take light, unbleached cotton cloth, valued at not more than 7 cents per square yard: The present duty is 74.65 per cent, the same rate being retained in the proposed bill. The revenue produced, and the amount expected to be produced, per annum is only $12,69—an admittedly prohibitive rate, producing no revenue, but forcing the destitute to pay nearly double the price of necessary cotton cloth. Finer grades are heavily taxed, but much less in proportion, the greater hardship being placed upon the necessities of the poor—the tariff being not to produce revenue for the Government, but to enrich the manufacturer at the expense of our own people.

Time forbids the enumeration of the various items equally subject to criticism and contempt. The tariffs on gloves, although producing at present almost no revenue, are greatly increased; and on the kinds mostly worn by poor people the tariff is, in some instances, more than doubled. The object can not be the production of revenue; it is monopoly, plain and simple. Those who profit by such statutory monopoly not only have voted, but are expected to continue to vote, the Republican ticket. What of the masses who are thus fleeced by law? Will they permit the continuance of such a system? Will they longer trust a party that knows not the sacredness of a pledge and has ceased to even wear a mask to cover its shamelessness?

Another patent fact is that this proposed bill is wholly sectional. It is gotten up for the benefit of the North and East, and especially the East. The eastern manufacturer enjoys the favor of extraordinary tariff rates on his products, and is given the privilege of small or no tariffs on the products that he buys; thus he has an immense advantage over the millions of sturdy producers in the West and South. The advantages in the bill are also in favor of class as against the masses, even in the North and East. The benefits derived go to the rich and powerful and give to them a greater hold and more complete control of the laborer and wage-earner than ever before.

A letter was recently sent to the members of the Ways and Means Committee, signed by a committee representing "the collar, cuff, and shirt manufacturers of Troy, N. Y., and vicinity," stating, among other things:

The conditions affecting our industry are practically the same as in 1897, and the same need of protection exists to-day as at that time.

After eleven years' experience under the Dingley tariff of 1897—schedule J, section 338—the collar, cuff, and shirt manufacturers have found that the protection to their industry offered by the custom laws has enabled them to operate their business with success only by economizing at every possible point.

The letter also states that the Troy manufacturers produce more than three-fourths of the collars and cuffs sold in this country. It also makes the statement that—

The people of Troy and vicinity depend largely upon this industry for their support. It is the only remaining manufacturing industry in this district which gives employment to a large number of women. Ninety per cent of the employees are females, and fully one-half of the work is done in the homes of the families of this city and surrounding country.

They want the present high rates of duty either retained or increased, and also state that—

If any reduction in duties is made it will have to be met by reduction in the wages of employees, a course we think very undesirable.

Now, what is the result of this tariff-fostered industry that has been fed at the public expense for more than twenty-five years? We are assured that the operators of the business have been "economizing at every possible point." That, of course, means that labor has been paid no more than necessity required. The law did not protect labor. The operatives in this, as in all the protected industries, must meet their competitors in the open market. They keep their employment by charging no more for their labor than others are willing to take. There seems to be no recorded instances to the contrary. When, as in this case, the industry is well established and is not only flourishing but commands three-fourths of all the trade in this country, the power of the manufacturer is displayed and the helplessness of the laborer is made apparent by the bold statement of this committee that "any reduction in duties will have to be met by reductions in the wages of employees." Where does the right of the employee come in? Where is the boasted protection to American labor? Reductions in tariff will not be met by reduced salaries of officers or reduced income from the money invested, but it will be met, they say, by reducing the wage of labor. Thus is laid bare the falsity of protectionism. And one of the most pitiful things of all is the reflection that these laboring people are taught as they grow up that their bread depends upon a tariff law, which they must vote to uphold or starve. The truth is that labor engaged in unprotected enterprises is more independent and better paid than that which is enslaved and ground under the heel of their protected employers.

If this bill is not framed for the special interest of monopoly, why is not the iron and steel schedule placed upon the free list? As already shown, the gross consumption of this metal and its manufactures in the year 1905 was a little more than $3,000,000,000. The imports amounted to only 1.2 per cent. Could there be clearer proof of monopoly and prohibitive rates? The natural situation is prohibitive of foreign competition, and combination has already produced monopoly; and yet this proposed bill only reduces the average rate on this schedule from 36.96 per cent to 36.15 per cent—a negligible quantity, a boasted "reduction" that is practically an insult to the consuming public—an open defiance of their will. To rightfully consider enormous profit given by this bill, we have but to understand the fact that the tariff rate increases the price of domestic products by the same ratio that imports of like products are increased in value. Thus, of the $3,000,000,000 of metal products consumed annually in this country, the Treasury gets a revenue, under this bill, of 36.15 per cent on the 1.2 per cent of imports; and the same rate of 36.15 per cent, added to the remaining 98.8 per cent of the $3,000,000,000, goes into the pocket of the manufacturer. The manufacturer receiving, theoretically, more than $95 for every dollar received by the Government. By reason of the numerous rates in this schedule and the inequality of consumption of the different articles embraced therein, this estimate is too high, but there seems to be no question but that actually the manufacturer of iron and steel and their products collects $50 for every dollar the Treasury obtains by reason of the tariff. The iron, lumber, and textile schedules are examples only of the gross injustice and unrighteousness of the present tariff law and the proposed Payne bill.

But you say these things ought to be protected, that you are not for free trade. Mr. Chairman, I am not for free trade, and the Democratic party is not for free trade. These gentlemen dodge the question when they say they stand for protection but not for free trade. Just as though you had to be for robbery, or no tariff! That is not the issue. The issue to-day is: Shall we have a tariff for revenue, fairly and equally distributing the burden of taxation; or, shall the tariff be levied in the interest of "protected" classes, preventing imports by prohibitive rates? Why not take the countervailing duty off oil? It was understood for years that oil was on the free list. That is another Republican "joker." The Wilson bill was republicanized in the Senate. At any rate, this duty was a fraud. When it was discovered they realized that a prohibitive tariff on petroleum and its products had been stealthily enacted in the interest of the oil trust. Public sentiment demands its repeal. But the Payne bill still contains that "little joker." Mark my words, it will be forced out of this bill. [Applause.]

Mr. COOPER of Pennsylvania. Will the gentleman from Texas state whether he is interested in the petroleum oil fields of the South?

Mr. RANDELL of Texas. I am not.

Mr. COOPER of Pennsylvania. I do not mean that the gentleman is personally interested, but that his constituents are. I would like to ask him if he believes in absolute free trade in crude petroleum? I desire to ask the gentleman that question for information.

Mr. RANDELL of Texas. I believe that petroleum and its products ought to be on the free list, as it is controlled by trust forces; and I do not believe that any tariff placed upon it would redound to the benefit of the people in reference to revenue or otherwise.

Mr. COOPER of Pennsylvania. Does not the gentleman believe that the product of this country is jeopardized because of the discovery of petroleum in Mexico?

Mr. RANDELL of Texas. I do not. This country is perfectly safe now and will be as long as humanity walks the earth, unless we go on letting these special interests acquire all our natural resources, our oil, our coal, our iron ore, and our forests until, finally, they will own the surface of the earth as well and

subject our people to like conditions as the inhabitants of Ireland once were. That time may come, but we are in no danger from Mexico. [Applause.]

The idea that labor engaged in the protected industries is benefited thereby is delusive. At first there is a great stimulus to the industry. The manufacturers employ more men than would be necessary under normal conditions. The production becomes greater than the market demand. Ruinous competition is brought about in the effort to dispose of surplus product. Then the employers find it to their interest to combine and keep up the price of their goods. Foreign competition is shut out by the tariff. The combination, or "trust," as it is called, restricts production to suit the demand. The excess of labor enforces idleness and the great number seeking employment make sharp competition in wages.

Mr. CULLOP. Will the gentleman from Texas permit me to ask him a question?

Mr. RANDELL of Texas. Certainly.

Mr. CULLOP. Is it not true that the demand and supply for labor and the price are regulated by the unions and not by the tariff?

Mr. RANDELL of Texas. In many instances that is true. But the rule is that the laborer is not protected. He must compete with those who seek similar employment.

Mr. CULLOP. Another question, if you please. Is it not true that the tariff-protected industry will employ labor just as cheap as it can, and if two men offer for work, each of equal capacity, one demanding $3 and the other $2, will not that protected industry take the $2 man every time?

Mr. RANDELL of Texas. Certainly. The laborer in these industries has to compete with the world. The manufacturer is not slow to bring cheap foreign labor into this country to compete with the very labor that he says he wants protected by high tariff on his product.

The fact of the matter is that, if the protective doctrine ever had any vitality or life that was real, it has outlived its day. In New York they are lacking for farm hands. I received a communication from the board of trustees of the State School of Agriculture, of date January 12, 1909, saying that—

> One of the crying needs of the farmers of the State of New York is an adequate supply of intelligent farm labor, and that we give our hearty approval to any action which can or may be taken by the State or National Government to supply such labor.

Labor on the farm is a "crying need," while many factories are running on half time, the result of artificial conditions produced by protective tariffs and trusts.

I got another communication from the general assembly of the State of Ohio, headed: "The great State of Ohio declares for free lumber."

Now, it does seem to me that when the great State of Ohio says that they are entitled to free raw material, it is strange that they do not ask that wool go on the free list. What is the matter with the great State of Ohio, a prosperous State, that can afford to live without being unjust to other people? They petition Congress to put on the free list things that they buy and to put high protective duties on things that they produce. Why did not the great State of Ohio say that the great West and the great Southwest have been our patrons, buying our farming implements and machinery and wagons and patronizing our other industries, and that the great State of Ohio will ask you to consider the farmers and put upon the free list articles which they need in their agricultural pursuits—material to build their homes, implements and machinery to cultivate their farms, break the prairie, and clear the forests, and in all things to treat those people right? [Applause.]

Mr. Chairman, has it come to this, that in every section it is only a question of advantage to us, and that we care nothing for the balance of the country? If so, the public morals are not what our forefathers had a right to expect they would be in this advanced day. [Applause.] Instead of improving upon them, in the light of their example, we have deteriorated. Some people believe in having selfishness ingrafted into the law, but I believe the great mass of American people, north and south, east and west, are honest. I believe that the people of New England—and this bill is framed in the interest of that section—want honest laws honestly enforced and desire only a fair show in the race of life. But many have grown up with the institution of protective tariffs and they are afraid to vote against what they have been taught is a necessary system for fear that the bread will be taken from the mouths of their children; and I can not blame them, when the matter comes home with such force as that. The threat to close down the mills is a powerful one when considered by an employee who is already perplexed as to the means of feeding his family. The question uppermost in his heart is: "What shall I do for Mary and the children?" And with doubt and uncertainty, yet with his heart in the right place, he goes up to the ballot box and, by force of circumstances, casts his ballot for a protective tariff.

That man is not my enemy, he is my fellow-citizen; and I have the same heart for him that I have for those who are not surrounded by such difficulties as encompass him. [Applause.]

But, Mr. Chairman, it is growing late, and there are Members here who would like to speak.

Before concluding, however, I must call to the attention of the House that the sugar trust is well provided for in this bill. The boasted statement of one of the majority members of the Ways and Means Committee that they had "struck the sugar trust a blow between the eyes" is truly laughable. The tariff on sugar remains the same except that the differential on refined sugar, which, under the present law, is ninety-five one-hundredths of a cent per pound, has been reduced five one-hundredths of a cent. In other words, one nineteenth of the duty has been taken off, leaving the sugar trust still in full control. It appears that no trust is endangered by this bill. The "blow between the eyes" administered to the sugar trust is not a ferocious one.

> 'Tis but the tender fierceness of the dove,
> Pecking the hand that hovers over its mate.

[Laughter and applause.]

No matter who may profit by this bill, the farmer is certainly not one of its beneficiaries.

The duty on barley is reduced 10 cents a bushel that the brewer may have cheaper raw material for his beer. The committee has kindly kept its taxing hand off the breweries; and, instead of gaining more revenue from beer, have taxed coffee and tea. An attempt is also made to dupe the farmer by putting farm implements on the free list, but there is a proviso which replaces the tariff duties on implements imported from other countries which place a tax upon similar articles exported from this country. That provision practically takes such implements from the free list and replaces the tariff upon them. Such attempts at deception have been so successful in the past the Republican party is encouraged to keep them up.

We have considered some of the provisions of this extraordinary measure. The examples we have cited are only a few of its objectionable features; but I hope they will give at least somewhat of an insight into its iniquities. The question will soon be submitted to you. You can vote for a rule that will prevent proper consideration and amendments, or it is in your power to have the bill considered item by item and amended according to the best interest of the country. Yielding to the party lash, you will throttle the House of Representatives, do away with the prerogatives that have been intrusted to it, and send over to the Senate this bill, asking them to frame it. Why, I understand they are already preparing one there; and from the hearings, as I understand it, the Democratic members are excluded. Such a spectacle! Why should this plot be hatched in secret? You mark my words, they will take some of the "jokers" out of this bill; they will reduce some of the rates; they will make some corrections, and the boast will go out that there was a victory for the people. After they have finished this bill, however, and it has become a law, the trusts will remain in power, the East will continue to exploit the West, organized and predatory wealth will enslave labor as heretofore, the manufacturer will increase his pelf, the fruits of toil will be diverted from the storehouse of its producer, and restricted and congested industries will multiply calamity in the land. I hope the time will soon come when the people will awaken to their interests, awaken to their duty as citizens, and will rise up and revise a system that has been so warped by Republican misrule. Mr. Chairman, I hope at no distant day to see our institutions in such condition that the laborer can reap the reward of his honest toil without let or hindrance; when the opportunities of life shall be open equally to all; when the law, supreme, shall be administered without fear or favor; when equality, justice, equal rights to all and special privileges to none shall be no longer mere theory, but shall be crystallized into a practical policy that will have come and come to stay. [Prolonged applause on the Democratic side.]

Mr. WEISSE. Will the gentleman yield for a question?

Mr. RANDELL of Texas. Certainly.

Mr. WEISSE. Can the gentleman state, if possible, the price of hides and cattle for the last twenty years, and why No. 1 country buff hides advanced about 230 per cent from the low price, again declined to 6 cents a pound, and are to-day 100 per cent above last year at this time? Do you think it was the 15 per cent duty that caused the increase?

Mr. RANDELL of Texas. Has the gentleman the figures there?

Mr. WEISSE. I have.

Mr. RANDELL of Texas. He will insert them at the end of my remarks.

Mr. WEISSE. They are as follows:

Comparative table of cattle, hides, and hogs, taken from the official market reports in Chicago, showing the relative cost of hides and meats.

Year.	Packer hides.[a]		Chicago country hides—No. 1 buffs.	St. Louis market—green salted country hides.	
	Price heavy native cows.	Price branded cows.		Highest, per pound.	Lowest, per pound.
	Hundred pounds.	*Hundred pounds.*		*Cents.*	*Cents.*
1888				7¼	6½
1889				6	4½
1890				8	4½
1891				6¼	4½
1892	$5.94	$5.17	$4.86	4¾	3¾
1893	5.21	4.71	4.26	4½	2¾
1894	4.95	4.63	4.21	5¼	3¼
1895	8.76	8.00	7.86	9	5
1896	7.51	6.66	6.85	8½	4½
1897	9.35	8.74	8.86	9½	7½
1898	10.84	9.72	9.94	9¾	8
1899	11.27	10.90	10.08	10¼	8¾
1900	10.62	10.18	9.11	9	7½
1901	10.66	9.87	8.73	8½	6¾
1902	11.12	10.01	8.74	8¼	7½
1903	10.07	9.19	8.50	8	7½
1904	10.60	10.28	9.45	9½	7¾
1905	13.16	12.74	11.88	12½	9¾
1906	14.96	14.11	13.41		
1907	13.12	11.88	10.83		
1908	11.42	10.40	9.19		

Year.	Average farm price per head.[b]		Prices, Chicago market.[c]		
	Milch cows.	Other cattle.	Western cattle.	Canning cows.	Average price for hogs, all grades.
			Per hundred.	*Per hundred.*	*Per hundred.*
1888	$24.65	$17.79			
1889	23.94	17.05			
1890	22.14	15.21			
1891	21.62	14.76			
1892	21.40	15.16			
1893	21.75	15.24		$0.65 to $5.00	$6.60
1894	21.77	14.66	$8.60	.75 to 4.40	5.05
1895	21.97	14.06	3.75	.75 to 4.40	4.30
1896	22.53	15.86	3.50	.75 to 5.00	3.50
1897	23.16	16.65	3.90	1.00 to 2.70	3.70
1898	27.45	20.92	4.20	1.45 to 3.60	3.85
1899	29.66	22.79	4.60	2.00 to 3.25	4.05
1900	31.60	24.97	4.35	1.25 to 3.25	5.05
1901	30.00	19.93	4.55	1.00 to 2.80	5.85
1902	29.23	18.76	4.95	1.00 to 3.25	6.85
1903	30.21	18.45	3.65	1.00 to 2.75	6.00
1904	29.21	16.32	3.65	.75 to 2.75	5.15
1905	27.44	15.15	3.80	.75 to 2.00	5.25
1906	29.44	15.85	4.40	.75 to 3.05	6.25
1907	31.00	17.10	4.50	1.00 to 2.85	6.10
1908	30.67	16.89		1.25 to 3.40	5.70

Year.	Estimate of average weight of hides sold by the farmer on other cattle.	Price of heavy native cows as price basis for hide value.	Value of the meat and all offal, if killed by the packer.
	Pounds.		
1888	50		
1889	50		
1890	50		
1891	50		
1892	50	$2.97	$12.19
1893	50	2.60	12.64
1894	50	2.47	12.19
1895	50	4.38	19.68
1896	50	3.75	12.11
1897	50	4.67	11.98
1898	50	5.42	15.50
1899	50	5.63	17.16
1900	50	5.31	19.66
1901	50	5.33	14.60
1902	50	5.56	13.20
1903	50	5.06	13.42
1904	50	5.30	11.02
1905	50	6.58	8.57
1906	50	7.48	8.37
1907	50	6.56	10.54
1908	50	5.71	11.18

[a] Prices taken from the hide and leather trade publication.
[b] From Bureau of Statistics, Department of Agriculture.
[c] Prices taken from Drovers' Journal, the official paper of the Chicago Union Stock Yards.

If you want to protect American labor, pass a law that he can buy the product of his own hand as cheap as a foreigner and not make him work in free competition in the world of what we export and deny him the right to buy as cheap as the foreigner can buy his product.

Every dollar's worth of rawhides produces about $5 worth of finished product, of which the laborer receives, through its different stages, about 30 per cent. There is used up with it 40 to 45 per cent of other material; about 15 to 20 per cent goes to transportation and other charges, and 2 to 5 per cent profit to the manufacturer.

Are you willing, on account of the 15 per cent duty on hides, to deny the American laborer this opportunity to tan these hides, and keep him idle, and capital leaving this country and going to foreign countries and being invested in foreign manufacturing industries?

Our increase in exports of leather and leather goods made out of free of duty hides has been 300 to 500 per cent. Our exports of leather during the same time, made of dutiable hides, has been less.

Are you willing to place 15 per cent on hides, thereby throwing out of employment labor to the amount of $1 and capital investment of $4 and allowing pauper labor of Europe to buy his product 15 per cent cheaper than an American can buy it on account of the rebate on leather, protecting foreign labor and building up foreign industries to the detriment of American capital and American labor?

This is the way the tariff worked under the Dingley bill, which caused failures to the extent of $679,000,000, against failures of $533,000,000 in 1893–94, or 40 per cent more than during Democratic years; threw out of employment about 40 per cent of American laborers, who are idle yet; caused over 400,000 empty freight cars; and drove out of this country six to seven hundred thousand educated laborers, to go to Canada and other countries to seek employment, that are to-day suffering; and compelling our business people to invest millions of capital in foreign factories, on account of those outrageous and unjust schedules in the Dingley tariff bill.

Taking as a basis for our calculation hides that average 50 pounds in weight, on farm cattle, in the above table, according to census and trade reports it shows that the cattle value to the farmer, if sold in the market to the packer, was in 1893:

For meat and offal other than hides	$12.64
For hides	2.60
Total	15.24

In 1895, the year of a panic under Democratic administration, according to these census figures, the farmer received:

For meat and offal	$19.68
For hides	4.38
Total	24.06

In 1905, the boasted Republican prosperity year, the farmer received:

For meat and offal	$8.57
For hides	6.58
Total	15.15

In 1906, according to these same census reports, the farmer received:

For meat and offal	$8.37
For hides	7.48
Total	15.85

The above tables show that meat value in 1895 was 135 per cent more than in 1906.

The above tables show that the hide value in 1906 was 170 per cent more than in 1893.

The attached tables show that canner cows, which classification includes the old cows unfit for dairy purposes and from the ranches for breeding purposes, sold in 1906 as low as 75 cents a hundred pounds in the Chicago market. The hide brought on an average 14 cents for branded and about 15 cents for free of brands. The hides off of these animals netted the packer, no doubt, more than he paid for the same cattle alive on the hoof in the yards.

Did the packer sell his dressed meat cheaper in 1906 than 1895? This I leave open for the cattle raisers and consumers of meat to answer. If not, according to this table, is it not a fact that the packer gets the benefit of the 15 per cent duty on hides?

Also, there is printed in the RECORD a table, showing the average price of export steers for four years, 1893–1897, of about $92, during the Democratic years; in the four years, 1904–1908, of about $74, showing a decline in value, no doubt, on account of the duty on hides, as these hides will sell for an average price of $12 to $16 each in our market, and in the foreign markets 15 per cent less, on account of the duty.

If the duty was removed, it would raise the price of these cattle, and also would not reduce the price of hides, as we are the greatest consumers of this product in the world and our market establishes the price.

The average value of a hide sold by the farmer direct from the South, east of the Mississippi, according to an invoice attached, is $1.62, and about 80 per cent of them will class as free-of-duty hides.

Copy of invoice of hides from Marx Hide and Tallow Company, Louisville, Ky., sold to C. S. Weisse & Co., Sheboygan Falls, Wis., March 12, 1909:

	Pounds.	Cents.	Total.
1,485 dry flint hides	12,686	19½	$2,442.05
348 dry salt hides	4,684	17½	807.99
221 dry glue hides	2,256	12½	282.00
34 dry glue hides	258	12½	32.53
7 dry pieces, worthless			
Average price per hide, $1.62			3,564.29

The above table that I submit is a collection of country hides taken off and marketed by the farmer, sold to dealers of the Southern States east of the Mississippi River, showing the great difference in value of a hide. No doubt a deduction of 10 to 20 per cent can be made for freight and charges of handling to get the net price to the farmer, and is to demonstrate what little benefit the farmer gets out of the 15 per cent tax on hides that he sells direct to the dealer.

Also, sales of packer hides according to the statement of the census report of 1905—5,169,204 hides, $44,206,107 value; average price, $8.80.

[Mr. FOELKER addressed the committee. See Appendix.]

Mr. HANNA. Mr. Chairman, it is with some hesitation that I at this time make a few remarks upon the tariff bill, which is now before Congress for consideration. I am a new Member from the State of North Dakota, a State which perhaps is more purely an agricultural State than any other State in this Union. It is true that we have lignite coal mines and some excellent clays in the western part of the State, but outside of the mining of these minerals our people are engaged altogether in agricultural pursuits.

More than 50 per cent of the flax that is raised in the United States is raised in the State of North Dakota. It is a very large producer of spring wheat, of barley, oats, cattle, sheep, and horses.

As I have listened to the many able speeches which have been made on the bill now pending by Members of this House, I have been impressed rather forcibly with the thought that each man was speaking upon the bill more especially as it might affect the people of the district which he had the honor to represent, rather than speaking upon the bill from the broader standpoint as to what might be best for the country at large.

There are certain schedules in this bill which I consider vital to the welfare of the people whom I represent. In this bill, the tariff upon barley has been reduced from 30 cents to 15 cents a bushel, and upon malt from 45 cents to 25 cents. North Dakota raises about 15,000,000 bushels of barley per year, and it has only been recently that the price has been such as to make it a profitable crop for our farmers to grow. There have been two reasons for this. One has been on account of the protection given under the Dingley law, which practically shut out the Ontario barley, and the other reason is that it is alleged, under the national pure-food law, that malt must be made from barley, and that it can not be made from screenings, cracked rice, and material of that kind. In consequence, in the past two years, at least, our farmers have received a good price for their barley, and have been prosperous accordingly. We are a long way from the market and the place where the barley is consumed. It costs from 15 to 20 cents per bushel for freight, elevator charges, commission, etc., to place our barley down in New York State, in competition with the barley which may come over into the United States from Ontario. In raising barley out in the great States of North Dakota, South Dakota, Minnesota, and the other Northwestern States that raise large amounts of barley, as a rule, it is raised upon large farms. The cost of labor is high, and it is impossible to give the barley the care and attention that can be given it upon the smaller farms down in Ontario. Barley is very susceptible to the weather, it takes but little to stain it, and it is impossible upon our large farms to give it the care and attention that the smaller farmers can in Canada.

The consequence is that when our barley reaches the market in the East it is apt to be stained, while the Canadian barley is bright, and to that extent our barley is handicapped just that much. It would seem as though it would be a wise policy if the duty on barley should be left as it is at the present time, and not taken off just at the moment when the farmers of our country are beginning to realize a fair price for it. With the farmers of the country prosperous, the manufacturer, railroads, laboring men, and every interest must prosper also.

In this bill, as I go through it, I find in section 29 the question of "drawback;" that is, where the article is raised or produced in some foreign country, comes into this country, is manufactured, and is sent out again, the duty shall be rebated. This is a question that may vitally affect the Northwest.

This country has been exporting wheat for many years, but the amount of wheat that we are exporting now is getting closer and closer, and it is estimated that within the next five years possibly, and surely within the next ten years, it will be a question whether this country will raise wheat sufficient for its own consumption.

We are not making the tariff laws simply for to-day, but this tariff law which we are now about to enact will probably stand for the next ten or fifteen years, and during that time it will be impossible to change or alter, in any way, any particular one of its provisions. In this matter of "drawback" it would seem as though we should approach it with the utmost care that it may be so safeguarded and so cared for that while it may give the opportunity to millers or manufacturers to grind grain or manufacture for export out of this country, at the same time the protection which our farmers and people are entitled to upon the grain which they produce in this country shall not be taken from them.

The bill as proposed provides that "the exportation shall be made within three years after the importation of the foreign material used or checked against," but this, in the case of grain, should not go beyond the crop year, as it would allow the accumulation of grain in some years, which would work to the detriment, perhaps, of the years that were to follow. It might also be well, in the case of grain, such as wheat or flaxseed, that the rebate should only be allowed to the particular mill which imported it, and where it was ground either into flour or oil.

Amendments will be proposed to correct this section, that all interests may be safeguarded.

In the matter of lumber the people of the State which I represent are in favor of placing lumber absolutely upon the free list. One reason, of course, is that we have no lumber within the State; and, upon the other hand, we are very large consumers of lumber. It would really seem as though lumber should go upon the free list. When we take into consideration the fact that we are using up our forests so rapidly, that it is stated that, at the present rate of consumption, they can last for only twenty-five or thirty years longer, it would seem as though the sensible thing for us to do would be to place lumber upon the free list and draw as much, in the way of supplies, as possible from the country to the north of us. The question of transportation enters largely into the cost of lumber, and the small mills located down in the interior of the United States can hardly be disastrously affected by the reduction in the tariff upon lumber. I am satisfied that if it were put to a vote of the people of the United States that, by a very large majority, they would declare in favor of free lumber, as there must be 20,000 consumers of lumber to one sawmill man.

The country has been facing for some time a deficit in the Treasury of the United States. It is proposed in the bill which we have before us to place a tax upon tea and also upon coffee, where a country places an export duty upon coffee. Our people generally are opposed to taxing either coffee or tea, largely, perhaps, for the reason that those items enter so largely into the everyday life of the people, and are used in every home in this broad land of ours from one to three times a day. They have been upon the free list and the people generally feel that they ought to be there. It would seem as though the wiser and better plan to raise a revenue would be to increase the internal-revenue tax on beer 50 cents or a dollar a barrel, and that this would add a large amount to the revenue of the country, and would be raised upon something that might perhaps be called a "luxury," as would not be the case with tea or coffee, which are necessities.

It is a matter of great study and of hard work to prepare a tariff law that will raise money sufficient for the needs of this Government, and at the same time to distribute that tariff so that all parts of the country will share equally the burdens, and will also share equally the help and benefit of the protection which is afforded under it. For this and other reasons I

have been much interested in the subject of a tariff commission whose duty it should be to go to all parts of the country, find out the needs and requirements of every section of it, and of all business enterprises, manufacturing, mining, farming, and of our people in every walk and avenue in life. That this commission should visit, if necessary, foreign countries, get at the conditions there, and then from time to time make their reports to the Congress and to the President of the United States, that the President and Congress might have the proper data and the figures and the statements at hand to work out a tariff law that would show no mountain peaks within the law as to some sections of the country and valleys as to some other section, but that should be upon a fair and equitable basis for the benefit of the whole people and of every section of the United States.

Mr. STAFFORD. Mr. Chairman, in the time at my command I wish to direct my remarks principally to the schedule providing for free hides, and, if time permits, to consider generally some other provisions of the bill. It is impossible in an hour to review and consider even briefly the various schedules which are being discussed prominently by the public.

My interest in the subject of free hides is because my home city produces more leather than any other city in the country, and it is of direct concern to that important industry.

The tariff bill under consideration is a departure from prior bills presented by the Republican party, in that it recognizes the principle of free raw materials. Some of these duties have been placed on the free list against the protest of the manufacturers, but in the case of hides the committee has responded to the demand of all manufacturers concerned, including the tanners, the shoe, harness, trunk, and belting manufacturers, for the abolishment of this duty as their only protection and safety in face of the growing mastery of the beef packers in the control of the hide market.

It is well known that there are not sufficient hides raised in this country to meet even the home consumption, and with the leather industry expanding as it has during the past several years, it is absolutely necessary if the heavy leather industry is to take the same rank as in those lines made from skins, such as calfskins and kips, which are admitted free, that they should have a free and ample supply of cattle hides.

Not since the war-revenue duties were repealed in 1873 has there been any duty whatsoever on cattle hides until, through some ulterior purpose, there was introduced in the Dingley Act in the Senate, and afterwards incorporated into law, a provision for a duty of 15 per cent. The construction that was given to that provision by the Treasury officials levied a duty on all hides weighing 25 pounds and over and admitted free of duty those under that weight.

With the beef packers controlling 60 per cent of the hides, is it any wonder that the independent tanners, whose very existence depends upon obtaining freely the raw material, should protest against the continuation of this duty?

Prior to the imposition of this duty in the Dingley Act the American leather industry was increasing rapidly both as to leather manufactured from cattle hides, which now bears the duty of 15 per cent, and in the manufacture from calfskins and kips, which are free of duty. How striking are the figures which show the increase of our exports of manufactured leather from those hides which do not bear a duty when compared with diminishing exports from leather manufactured from cattle hides which carry the duty. In 1895 we exported 45,000,000 pounds of sole leather, and in 1908 our exports were but 31,000,000 pounds, a decrease of more than 30 per cent in thirteen years. The reason for this decline is traceable to the duty on hides and the practice of the beef packers in fixing the price and controlling the output of hides.

Not only have the packers under their control more than 60 per cent of the cattle hides, which they can withhold from the market until they receive their price, as hides are not perishable but may be stored without injury for years, but the packers have become the active competitors in the manufacture of leather, so that they virtually have the independent tanners under their absolute subjugation in dictating to them the price of their hides up to the amount of the foreign market price plus the duty and the freight charges; and in addition they are active competitors in the manufacture of leather, which in each instance gives them the decided advantage in the control of the leather trade.

It is common knowledge that the American Hide and Leather Company, which was organized in 1899 by the leading beef packers, is the combination that controls more than two-thirds of the output of side upper leathers. But the beef packers have not stopped with this combination, but are gaining control wherever they can of independent tanneries. Nor are they limiting their operations to this country, for within the past six months Swift & Co. has purchased two of the largest packing houses in Buenos Aires.

Not content with fixing the price of beef, they wish to control the output and price of every part of the animal. Recognizing their supreme control of the hide market, they are planning to utilize their monopoly by having not only a monopoly of the raw material but a monopoly in the output of leather.

Whether the beef packers shall control the leather industry of this country is the issue that is being waged by the independent tanners and all the manufacturers of leather goods who are demanding the removal of the duty. With the conceded advantage that this tariff gives to the beef packers, is it not passing strange that no representative of theirs has come into the open asking for a retention of this duty, and that the only representative before the committee, who had to be subpœnaed, stated as the representative of Armour & Co. that they are asking nothing in the readjustment of the tariff? But other attorneys appeared under the guise of representing other interests, and presented the arguments that fittingly belonged to the side of the beef packers and bewailed the injury the farmer will suffer if this duty is taken off. If these representatives are the true friends of the farmers, why is it that they are not advocating a duty on calfskins and kips, of which more than three-fourths are taken off by the farmers, rather than a duty on cattle hides, of which less than one-fourth is taken off by the farmers, and the great majority of which are controlled by the packers? Their claim that this would be an injury to the farmers is too specious, and their self-interest in the packers' side challenges the bona fides of their argument.

The farmers will not be fooled by this sophistry, for they know when they sell their cattle to the buyer that he purchases the critter on the basis of the price for beef as it is sold in the markets at Chicago, Omaha, and Kansas City, and not upon the prevailing price of hides.

The farmers know, as all persons acquainted with stock selling know, that hides are but a by-product and merely an incident in the make-up of the critter, and that the price of beef is the determiner of the value of the cattle, just as the value of any merchandise encased in a covering is determined primarily by the merchandise rather than the chance value of the covering. The value of a crate of strawberries or a barrel of apples is that of the value of the fruit, and though the case and the barrel may have some value, the selling price is determined by the demand for the main article.

One-sixth, which represents the hide, with 57 per cent of the animal for edible purposes, can not be the controller in determining the price. If the cattle hides had a free market, as the hides from calfskins and kips, there would not be this insistent demand on the part of leather and shoe manufacturers to free themselves from the control of the beef packers. With free hides, I venture to say that the price of hides will not be greatly reduced, but that the latter industry will be enabled to extend their manufacture of heavy upper and sole leather, which will create a larger demand for the home supply, and thereby raise the price of the local hide.

What explanation can be given to the increase in the price of calfskins by 18 per cent since 1898, whereas dutiable hides have only increased 13 per cent, other than that the American leather industry tanning calfskins, under a free market for their raw materials, advanced in this output many per cent, whereas the heavy leather industry was hampered by the artificial limitations in obtaining the heavy hides from the packers?

With free cattle hides, as with free calfskins to-day, the United States will become the world's market for hides, and with the growth of the leather industry the home demand will determine the price of the hides. No one seriously contends that the removal of the duty on hides will check the raising of cattle, but the continuance of that duty may, and many believe will, cripple and embarrass the leather, shoe, and kindred industries. It is purely a business proposition that should be decided on sound economic principles, taking into consideration our premiership in the manufacture of shoes, belting, and similar lines, and the ability of the tanners to meet the competition of the world if they obtain their raw materials free of duty.

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. STAFFORD. For a question.

Mr. RANDELL of Texas. As the fact is, hides produce about $3,000,000 revenue, and there is no revenue on that schedule outside of hides; now, when they put hides on the free list, ought not they to put leather and leather products, shoes, harness, and so forth, on the free list?

Mr. STAFFORD. I wish to challenge the first statement, even though the gentleman is a member of the Committee on Ways and Means, for if he had read the hearings before the committee closely he would have known that while the aggre-

gate duty collected on hides was $3,000,000, by reason of the drawback of 99 per cent on all leather manufactured from foreign hides and exported, there is only a net revenue of $1,800,000. But now, coming to the question——

Mr. RANDELL of Texas. Mr. Chairman——

Mr. STAFFORD. Permit me to answer your question, and then I will yield. Now, coming to the question of whether there should not be a reduction in the duty on leather and on shoes, I wish to say to the gentleman that the schedules as reported by the committee have a corresponding reduction. In the Dingley tariff act the duty on shoes is 25 per cent. The duty as reported in the Payne bill is 15 per cent. The duty on sole leather under the Dingley bill is 20 per cent——

Mr. HILL. Fifteen per cent less on sole leather.

Mr. STAFFORD. In the Payne bill it is 5 per cent. Consider for a moment whether that is a corresponding reduction on shoes. Take, for instance, the low-price shoe which is worn by the laboring man for heavy work that is sold for $2. To-day the duty on that valued shoe of 25 per cent will equal 50 cents. On the duty reported in this bill it will be but 30 cents. On a $5 shoe the duty under the Dingley bill is $1.25; under the present bill at 15 per cent it would be but 75 cents.

If the price of the average hide, which to-day is about $7, were reduced to the extent of the duty, amounting to from 90 cents to a dollar and 20 cents, there would be a saving on the 2 pounds of sole leather of about 4 cents and on 3 feet of heavy upper leather of 6 cents, which is the amount that goes into a pair of the average workingman's shoes, which would make a lessening in cost to the manufacturer of about 10 cents a pair.

It has been stated in the hearings that the saving would vary from 9 to 12 and 13 cents a pair, according to the weight of the shoe. It must be remembered that the uppers on the finer grade of shoes are manufactured from hides which do not bear a duty and wherein the sole leather is only affected; but in the case of the heavy shoes that are worn by the workingman for heavy wear, the uppers as well as the soles are made from hides that pay this duty. Why, this duty on hides affects the price of shoes worn by the laboring man more than it does that worn by the rich and middle classes, and the effect of this 15 per cent duty on cattle hides is greater than is represented by the 10 or 12 cents.

If there will be a saving of from 9 to 12 cents in the cost of leather to the manufacturer in the cheap-grade shoes by taking off the duty on hides, and this bill reduces his protection 20 cents a pair, does the gentleman say that that is not a corresponding reduction? In fact, the reduction in the manufactured leather and in the shoe and harness schedules are greater than the benefit derived from taking off the duty on hides.

Mr. RANDELL of Texas. What is the purpose of the duty, if it does not bring in revenue and is prohibitive? What purpose have you except to exploit the American market?

Mr. STAFFORD. So far as the removal of the duty on hides is concerned, it is to enable the leather manufacturers to compete in the markets of the world. So far as leather manufactured from these skins which do not bear a duty is concerned, the history of the industry shows that there has been rapid development, but the heavy leather industry has been checked by the artificial barriers created by the duty on hides. The American leather man, the independent leather producer, wishes to be freed from the thraldom of the beef packer, who controls the price of raw materials; and I contend that if hides are placed on the free list, it will be of direct and decided advantage to the consuming class.

No one can contend that there is not keen competition among the shoe manufacturers, so that the consuming public will not derive the advantage from a reduction in the price of the leather that goes into the shoe. Let me cite to you what was testified by an expert shoe manufacturer before the committee. When hides were on the free list, the shoe that was sold to the laboring man, the farm hand, and the farmer for heavy work in the fields for $2 cost the manufacturer about $1.35, and was sold to the retailer at $1.60, who in turn made a profit of 40 cents in selling it at $2. But when the price of the material was raised 10 or 12 cents, the manufacturer sold it to the wholesaler at $1.70 or $1.75, and the retailer, in order to obtain his margin of profit, could not add 10 or 15 cents on the selling price, but was obliged to sell the same shoe for $2.25 or $2.50, or else purchase a cheaper-grade shoe to be sold at $2. As has been stated, if the retailer sold the shoe at $2.10 or $2.15, his competitor, who would offer a similar, though inferior, shoe for $2, would get the trade.

If he had done that, as has been explained by persons connected with the shoe trade, he would have lost his customer, because there is no established grade of shoes selling for $2.10 or $2.15. What was the result? Either a shoe was manufactured of cheaper quality, that was placed on the market at $2, or this same shoe, that formerly sold for $2, was necessarily raised in price to $2.25 or $2.50. Here is an example of how this duty, that increased the price but 12 cents to the shoe manufacturers, ultimately increased the price 25 to 50 cents to the ultimate consumer.

I call upon any Member of the House, from their own individual experience, running back only for a period of ten years, to say whether they do not know instances where shoes they have purchased for $4 have been raised to $5, a $3.50 shoe raised to $4, and a $3 shoe to $3.50, all because of the increased price resulting from the tariff duty on hides?

With the abolishment of this duty the wearers of high-grade shoes can certainly expect a better quality for the prices that they are paying to-day, and the users of the lower-grade shoes can expect to buy their shoes at a lower price.

Anyone acquainted with the shoe, harness, belting, and kindred industries knows that the competition between rival manufacturers for the control of the trade will necessarily redound to the benefit of the consumers if the price of the material was reduced. Figure out what this increase in price of shoes costs to every household, without considering the saving that would result on harness leather, which is made from the heavy hides that carry the duty, and you will see it overbalances and outweighs the little crumbs that the farmer may receive from this tariff duty on hides.

Mr. JAMES. Will the gentleman yield for a question?

Mr. STAFFORD. For a question.

Mr. JAMES. I understand the gentleman to contend that the cattle, or the "raw material," as you term it, was controlled by the beef trust. Is that correct?

Mr. STAFFORD. Controlled by the beef packers. Sixty per cent or more of the hides is controlled by the beef packers, and naturally, controlling that quantity, they control the prices.

Mr. JAMES. I entirely agree with the gentleman as to that. Now, will you kindly explain to the House the contention on that side that a tariff on cattle benefits the farmer?

Mr. STAFFORD. That contention is not being made from our side, but is the contention that was just made by the gentleman from Texas [Mr. RANDELL], who preceded me, and who is a member of the Ways and Means Committee.

Mr. JAMES. Why is it that your party puts a tariff on beef?

Mr. STAFFORD. That question is not pertinent to the consideration of the duty on hides.

Mr. JAMES. I know it is not, but it is as to cattle.

Mr. STAFFORD. The question here is whether we shall equip our merchants so they will be able to compete in foreign markets.

Mr. RANDELL of Texas. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Texas?

Mr. RANDELL of Texas. The gentleman misunderstands my position with reference to cattle and hides. I am not in favor of protecting either one; but I do say, or intended to say in my address, that if the tariff is taken off hides the duty on leather products ought not to be left on, either.

Mr. STAFFORD. I can not yield to the gentleman any further.

Mr. RANDELL of Texas. I simply wanted to correct the gentleman's statement of what I said.

Mr. STAFFORD. I do not want to do the gentleman any injustice——

Mr. RANDELL of Texas. But you do me an injustice.

Mr. STAFFORD. I have already shown that under the schedules in the bill under consideration there is a proportionate and greater reduction in the tariff on leather and in the tariff on shoes than will result to the benefit of the manufacturer because we take off the duty on hides.

But the main reason for the shoe, belting, and other allied manufacturers joining in this appeal to have the duty removed is because they recognize their supremacy in the manufacture of their products, and that if they are enabled to get the leather on the same terms as the foreign manufacturer they can compete in the control of the foreign markets. In some instances, because of this increased cost by reason of the duty, the shoe manufacturers have been compelled to surrender the foreign field, particularly in the case of the cheaper grade of shoes, which are more directly affected by the tariff than the high grade.

In no industry other than perhaps the iron and steel industry are the boot and shoe makers so formidable in their competition in foreign markets, in spite of the higher price that they have been obliged to pay for the manufactured product. They can not avail themselves of the drawback, because the domestic leather is to a large extent manufactured from domestic hides,

on which there is no drawback, and as a consequence the shoe manufacturer is obliged to pay a higher price for his sole leather and the heavy side upper leather than what the foreign shoe manufacturer pays for his manufactured product. Another embarrassment, even when the leather is manufactured in this country from foreign hides, on which the drawback is properly applicable, is that the shoe manufacturer is unable to make the necessary affidavit to show that the leather used in the shoe to be exported is made from an imported hide.

When you consider that in 1896 we exported but a million pair of shoes, of the value of $1,400,000, and in 1908 we exported six and a half million pair, of the value of eleven and a half million dollars, the necessity of granting to the leather and shoe manufacturers the opportunity to compete on even terms in the world's market is apparent.

No attempt to make this a sectional issue will be successful, for the shoe industry is no longer limited to New England, and its supremacy to-day is challenged by the growing shoe industry in the Middle West, which have the equal in shoe factories in St. Louis, Cincinnati, Milwaukee, and Chicago of those in New England. The removal of the duty affects not only the tanners, the shoe manufacturers, the belting, harness, and furniture lines, but it affects every household in this country.

The bill in this particular and in other sections has been framed to develop and stimulate our foreign trade and at the same time protect the home producer in the control of the home market, but not with superlative duties that would enable him to unduly charge the consuming public for their wares. In its aim to enable our manufacturers to gain possession of the foreign markets it is a departure from prior tariff measures that follows the demand of the commercial world, and is in keeping with the sentiment expressed by the late President McKinley in his Buffalo Exposition speech, wherein he predicted the necessity of shaping our tariff policy to gain foreign markets.

No longer are our manufacturers content with the home market, for we have reached that stage in our industrial and commercial life when, if we are to continue to progress, we must, to relieve our excess production, invade the trade dominion of foreign countries. To accomplish this we must place our manufacturers on as equal terms, consistent with the protection of the higher wages paid to American labor, as their competitors abroad. This is the reason why this bill carries free coal, free ore, free hides, free pulp, and makes a reduction in duty on other materials that enter into manufacture.

With the increasing burdens and increasing expenditures of the National Government, we are forced to adopt other means of raising revenue than by indirect taxation through impost duties and through the levying of internal-revenue taxes on alcoholic and maltous liquors and on cigars. As the expenditures increase this need will become more and more necessary, and I welcome and approve the proposition to tax inheritances, as is proposed in the pending bill. The fact that 30 other States have already adopted this method of meeting their expenditures is an argument in its favor which shows its popularity and its general approval. Because three-fourths of the States have adopted this method of taxation is no binding reason, as some have advanced on the floor, why the National Government should not also adopt this system. If the National Government exercises this power, nothing prevents the States from continuing their policy, even if it may force them, in the equitable levy of taxation, to reduce the amount of their inheritance taxes.

The inheritance tax as carried in this bill of 1 per cent on estates above $10,000 and up to $100,000, of 2 per cent on estates between $100,000 and $500,000, and of 3 per cent on estates exceeding $500,000, must be considered a fair tax that will not be too onerous to force the repeal by the States of their inheritance-tax laws.

The estimate from this source is $20,000,000. But with our increasing revenues we will be forced very shortly, if the time has not arrived at present, to adopt a graduated income tax. Serious doubts are entertained by some whether any income-tax provision can be drafted to overcome the objections of the Supreme Court that declared the last measure unconstitutional; but if the policy is right, this method should be adopted in raising the additional revenues of the Government. It is true that many may attempt to falsify their incomes, but the penalty can be made heavy enough so as to secure payment from all in the designated classes. No more equitable levy can be made than taxing the incomes of those who from favored circumstances are the better able to meet the expenses of the Government.

The inheritance tax is an emergency provision to tide over the temporary embarrassment that confronts the Treasury with falling revenues. Like the stamp taxes for emergency war revenue purposes on real estate and business transactions, the inheritance tax can be easily repealed when the emergency is passed. No expensive machinery is required to collect the taxes, and when the need for the additional revenue is at an end its repeal can be readily effected without a jar to the remaining schedules of the tariff bill that are related and interdependent.

Though the members of the Ways and Means Committee, for their arduous labors in preparing this important bill, are entitled to the thanks of the House, the conviction is forced home that such a work is too extensive for any set of men to complete in the time available to Representatives for consideration of tariff measures. My opinion is reenforced by an experience of the past year as a member of the Select Committee on Pulp and Paper Investigation, where we found our time all occupied in considering only the pulp and paper schedules, and where we limited our inquiry largely in the paper schedules to those pertaining to news print paper. Though the Ways and Means Committee has had the benefit of Treasury experts and of testimony of interested parties, mostly manufacturers, there is in the hearings, and must be in the minds of the committee as well as Members of the House, an absence of full and detailed information as to the real conditions pertaining to the trade in the respective lines affected by the schedules.

As industries multiply and manufactures become more complex and intricate, the difficulty of a committee framing a tariff bill will become greater. It is beyond the range of possibility for any Representative to become sufficiently expert to pass intelligently upon all the schedules or even a few of the schedules of a tariff bill. The conditions demand the creation of a permanent commission of experts whose special function will be to ascertain trade conditions generally, at home and abroad, and the effect of the tariff on our trade and manufactures, so as to become fully versed with every phase of commercial life which is affected by the tariff, and to intelligently inform Congress from time to time of changed industrial conditions at home and abroad that necessitate a change of tariff duties.

As Representatives, in deciding questions of direct concern to every person in the land, we should be furnished with the best possible information as to existing trade conditions and the effect of the tariff both upon manufacturers and upon the consumers, so that the House can act intelligently in framing a tariff measure.

The power to determine the schedules is too great to be surrendered to any appointive commission, and should be retained by Congress; but no objection should be made to thorough investigation by unbiased experts to ascertain the facts and report their findings to Congress.

There is increasing demand from manufacturers and consumers alike that a tariff commission should be established, for they recognize the difficulty that Members of Congress have in ascertaining the true conditions and in passing upon the respective tariff schedules.

More attention has been given by the committee in the framing of this tariff bill than to any other prior measure, but the work would have been much easier and a better tariff bill could have been framed if the tariff commission had been created several years ago and could have given the benefit of their research to the committee and to Congress.

The tariff can no longer be regarded as a local issue, but must be framed from a national standpoint. The public demands a tariff bill that will give nothing more than adequate protection to our manufacturers, so as to secure American labor in its employment and that will not levy any undue burden upon the consuming class. The principle of protection to our industries is firmly established in American economic life, but it should not be abused for the enrichment of a few favored classes at the expense of the large body of our citizens. [Applause on the Republican side.]

Mr. Chairman, the live issue of a year ago between the newspapers on the one hand and the news print paper manufacturers on the other was whether the tariff affected the price of news print paper.

The present bill instead of providing a duty of $1.66 a ton on ground wood pulp, admits free of duty wood pulp and reduces the duty on print paper valued at less than $45 a ton from $6 to $2 and valued at between $45 and $50, from $8 to $4.

These schedules follow the recommendation of the select committee that was appointed a year ago to investigate the paper and pulp manufacture and to report to Congress what changes if any should be made in the tariff schedules.

The select committee, of which I had the honor to be a member, began its work in the latter part of April and held daily sessions of from seven to ten hours each day until the close of the session, and during the vacation period continued its investigations by visiting numerous paper mills throughout

the country and visiting the sources of pulp-wood supply in the Northwestern States and in Ontario and Quebec. The recommendations for free pulp and for a reduced tariff on print paper meet the full approval of the newspaper publishers, and the only dissent is from certain news print paper manufacturers to that part reducing the tariff on news print paper from $6 to $2 a ton.

To discredit the paper committee's recommendation, certain large paper manufacturers have charged that it was a surrender to the newspapers of the country to gain their favor. My answer to that false and unfair charge is that during the campaign, when this was one of the leading issues, no Republican member of the committee entered into any promise of capitulation with the opposing newspapers which sought the members' defeat because of their position on this committee, and each kept free from all entanglements so that they could decide this question impartially and fairly as the testimony and the facts warranted.

Before addressing myself to the reasons that prompted the committee in recommending this tariff cut, I wish to engage your attention for a few minutes in speaking generally about the constituent parts of news print paper. The primary reason for cheap news print paper is the cheap process of converting spruce wood under high hydraulic pressure against large revolving grindstones driven by water power into ground wood pulp, which constitutes from 75 to 80 per cent of the manufactured paper. This wood pulp lacks sufficient fiber to make it tenacious enough to give strength to a sheet of paper, and there is added to give it this strength about 30 per cent of what is called "sulphite pulp."

This latter pulp, which can be made from other soft woods besides spruce and for which hemlock and poplar are largely utilized, is made by boiling small chips of the wood with sulphurous acid under high steam pressure from eight to twelve hours, which separates the fibrous parts, and after screening presents a fiber that when mixed with the ground pulp produces the necessary strength for the news print paper. During the process of mixing the pulps there is added a small percentage of clay, alum, and coloring matter to give stiffness and provide a finish and the color to the paper. But in its finished form news print paper is 90 per cent wood.

This brief review of the component parts of news print paper shows the large preponderance of spruce wood and its necessary presence when no other wood or substitute that will as economically produce the same quantity of pulp has as yet been discovered.

The paper investigation aroused the paper manufacturers and the country generally to a realization of the rapidly diminishing supply of pulp wood of this country and of the need of reforestation in our country to provide the future supply, and also of our dependence upon Canada for its necessary spruce wood, unless steps were taken to preserve the spruce supply in this country.

Hon. Gifford Pinchot, Chief of the Forest Service, stated before the committee that the estimate of 500,000,000,000 feet of timber in Canada by the Canadian superintendent of forestry was a very liberal estimate of the Canadian timber, and Mr. Pinchot believes that one-half of this is spruce. From the available data he believes that Canada has three times as much spruce as there is standing in this country. He also gave the opinion that at the present rate of consumption the supply in the New England States would not last more than a dozen years, outside of Maine, where the supply would continue available for nearly thirty years, and that the supply in Minnesota would last about a decade.

This estimate, from reports received by the committee from other sources, I believe is too low; but there can be no question of the rapidly diminishing supply of spruce wood in our country and of our dependence more and more, as the time goes on, upon Canada for the available supply, unless we immediately begin to reforest and conserve the present spruce timber now standing.

Mr. Pinchot reports the consumption of pulp wood in 1899 as 1,896,000 cords, and in 1906 of 3,661,000 cords. And the returns from the Treasury Department show that in 1907 we imported from Canada 644,000 cords which was nearly three times the amount imported ten years before.

There can be no question that the marked increase of price in news print paper that took its sudden rise in the summer of 1907 was traceable directly to the rapid rise in the cost of pulp wood. For several years the price of pulp wood has reflected the growing scarcity of the American supply until, in the summer of 1907, a scare suddenly seized hold of the paper makers of the country by reason of the diminished supply to meet the immediate needs occasioned, partly in the West by the want of lumber jacks to furnish the necessary supply, and also by the continued increasing demand for spruce wood.

Pulp wood cost from two to three dollars a cord more in 1907 than the year before, and twice as much as five years before. So scarce during the summer of 1907 was pulp wood in the West that the Wisconsin mills were obliged to contract for 50,000 cords in Quebec at an average cost of $6.50 a cord f. o. b. cars, which cost practically $14 at the paper mills when the freight charges were paid. So there was warrant for the increase in price of paper or a part at least in the decided increase in price of pulp wood.

The uniform rise in the price of paper followed the economic law of the price rising to the highest level in a short market where the determining controller of the product, the International Paper Company in this case, raised its delivery price to $2.50 a hundred.

Prior to the hearings much was heard in justification of the old tariff, that labor was cheaper in Canada than in the American mills; but the testimony discloses, without contradiction, that skilled labor in the Canadian paper mills proper receive as high wages, and in some instances higher, than in the States. This is ascribable to their having been induced to leave employment in American mills, for which they demanded a higher wage. So also in the scale of wages paid to the unskilled labor in the paper mills. Their wages are generally on a par with those in this country, and if time permitted I would read the average wages paid in all classes of employment in the eastern and western American mills and in the Booth mill, which is an up-to-date Canadian mill, located at Ottawa.

An analysis of the cost of production as disclosed by the hearings of the International Paper Company, which manufactures 30 per cent of the news print paper of this country, with mills located in New York, Massachusetts, and New Hampshire, and of the Booth mill at Ottawa, upon the basis of 80 per cent of ground wood and 25 per cent of sulphite pulp in a ton of paper, without including repair cost or selling cost, shows that the cost to the International Paper Company for 1 ton of paper would be $30.05, of which $11.53 would be for ground wood, $7.84 for pulp, and $10.68 for other materials and cost of conversion; while in the Booth mill the total cost for a ton of paper on the above basis would be $28.38, of which $9.10 would be for ground wood, $7.46 for sulphite pulp, and $11.82 for other materials and cost of production.

The returns further show that the cost of production in some of the New York paper mills, such as the St. Regis and the Gould paper companies' mills in the Watertown district, is less by more than a dollar a ton than that of the International Paper Company; while the cost of production in the three western mills located in Wisconsin and Minnesota that made returns of their cost of operation is also less by more than a dollar than that of the International.

The schedules of cost of the eastern and western mills will prove that the cost of production does not vary much from the cost of the Canadian mills, and that $2 a ton more than equals the difference in the cost of production.

Two gentlemen representing districts that produce more news print paper than any other districts in this country have spoken to-day. I have listened very attentively to their remarks, but I failed to determine wherein they reached the real question at issue between the printing public on the one hand and the news print paper manufacturers on the other. If the arguments made by the gentleman from Maine [Mr. SWASEY] or the gentleman from New York [Mr. MALBY] are carried to their logical extreme, we will have to put a duty on pulp wood, so as to insure the news print paper manufacturers of this country, who happen to own pulp-wood timber lands, the control of the market as to pulp wood by preventing any export from Canada.

Mr. SWASEY. Mr. Chairman, there was no suggestion in the remarks of either the gentleman from New York or myself that we proposed to put a duty on pulp wood.

Mr. STAFFORD. The argument of the gentleman from New York, when he was comparing the value of stumpage in this country with that in Canada by showing that Canadian stumpage was much lower, would lead to the conclusion that this country should erect a barrier around it, so that there should be no further importation of wood into this country. How long is this country to follow the false policy of taxing the consumer so as to furnish an unearned profit to the owner of some natural resource which is limited in supply and where the yield is controlled by arbitrary direction?

The question of pulp-wood supply is indissolubly connected with the question of free lumber. Canada is as alive to the the necessity of protecting its wood supply as the United States,

and this sparsely settled country is taking greater precaution in preserving its woodlands than our country. The paper and pulp committee, on its visit to Canada, following the election and before the assembling of Congress in December, found a very strong sentiment among Canadians in favor of depriving absolutely the American paper mills of their supply of pulp wood and adopting as a national policy that of Ontario in forbidding the exportation of its pulp wood. The Canadians believe that by so doing they could force the transfer of the paper industry to their country and thereby develop the undeveloped water powers which are so numerous in Ontario and Quebec. The American Government has neglected sorely the opportunities of cultivating cordial trade relations with our neighbor to the north. Recognizing the need, as one of the alternatives to our supply of pulp wood, to have free access to the Canadian forests, the committee in its report recommended concessions that will make it to the advantage of Canada to accept our terms. It is virtually a reciprocal arrangement, awaiting Canada's acceptance to make it binding, for until its Provinces grant the free exportation of pulp wood, which is so necessary to perpetuate the paper industry of this country, the old duties on print paper and ground-wood pulp will continue.

I am not surprised that the large manufacturers who control large areas of pulp wood are protesting against this policy. If pulp wood should be prohibited by Canada for export to our country, it is not hard to conceive how the holders of pulp wood timber lands in this country, like the International Paper Company and the Great Northern Paper Company and those other paper companies that operate in Maine, would receive unbounded benefits by enhanced and increasing prices by reason of that policy. But the committee looked at this question from a national standpoint. We considered the interests of the independent manufacturers of print paper who buy their pulp wood and wood pulp. We considered what was necessary to keep news print paper cheap, and we believed that the only way to perpetuate that policy was to offer liberal terms to Canada, whereby she would be induced to grant to the American people the free exportation of her wood, and we in turn would give her the benefit of free pulp and reduced duties on print paper.

In the arguments of the two gentlemen to-day no mention whatsoever was made as to the varying cost of production between Canada and the United States. Those gentlemen assume, by their silence, that the statement made the other day by the gentleman from Illinois [Mr. MANN], the chairman of the paper committee, is true, that wages paid in Canada are equal to, if not in excess of, the wages paid in this country.

Now, with a line of manufacture on the same plane as that in this country, what harm can come by permitting Canadian paper makers to compete in our markets, if we thereby insure the perpetuity to the American paper manufacturer of a perpetual supply of pulp wood?

The Wisconsin paper men, who manufacture more news print paper than any other State west of New York, are claiming that they will suffer by reason of the recommendations of the committee, and that this concession should not be granted to any Province unless all the Provinces act unitedly and grant it at one and the same time.

If Ontario is so shortsighted that it will continue its policy of forbidding the exportation of pulp wood when used in the manufacture of paper outside of the Dominion, that will be its loss. I take it that the Province of Ontario will recognize the advantage that will come to her lumbermen, with large quantities of spruce wood at their disposal, and that they would prefer to take advantage of the higher markets for spruce wood in the near-by State of Wisconsin, where the average haul would only be from 300 to 400 miles, rather than to dispatch it to the limited market at Ottawa. We can not forecast what any Province will do, but certainly Wisconsin paper manufacturers have no complaint to make, for to-day their supply is as limited by reasons of the embargo of Ontario in the exportation of pulp wood as it will be if she declines to accept these terms, and the only fear of competition is that which exists to-day from the Canadian mills, more than a thousand miles away.

Mr. SWASEY. Will the gentleman yield for a question?

Mr. STAFFORD. I will yield to the gentleman.

Mr. SWASEY. Does the gentleman mean to state that all the competition of print paper and pulp comes from Canada—that is, competition to the American mills? Is it not true that 300 tons are coming in every day from Scandinavia?

Mr. STAFFORD. I wish to say that the gentleman is confusing the imports of sulphite pulp, ground-wood pulp, and manufactured paper. While there are large imports of sulphite pulp from Scandinavia, there is no ground-wood pulp coming from there and no paper.

But from Canada there have been large importations of ground wood, and why should not there be? Very little labor is required in manufacturing ground-wood pulp, which is the essential component part of news print paper. Why should we not admit free of entry the wood pulp and allow our paper manufacturers to get their raw material in this half manufactured form when it tends to perpetuate the news print paper industry in this country?

Canada in the last six years has increased her exports of wood pulp from one million to two and one-half million dollars in value a year. We welcome them, and I hope they will continue to increase so as to give to the American news paper manufacturers their supply of wood pulp that they can continue to manufacture news print paper at the lowest possible rate; but we did not intend to give the American news paper manufacturers who control pulp-wood lands the advantage of a home market with diminishing supply of pulp wood. We want to perpetuate the American news print paper industry in this country. We want to continue the news print paper manufacture and have news print paper sold at as low a price as is consistent with a fair profit. The only way that can be secured is by opening our ports under proper reciprocal arrangement by granting Canada some concessions for the admission of its pulp and print paper in return for their free pulp wood, and at the same time adequately protecting the American paper manufacturer. [Applause on the Republican side.]

Mr. GRAHAM of Illinois. Mr. Chairman, I can scarcely hope to say anything new on the tariff question, nor do I hope to be able to say the old things as well as they have been said. I am a very firm believer in the doctrine of a tariff for revenue alone, but I believe that in raising the necessary revenue from imports care should be taken to so place the duty as to incidentally do the most good to such American industries as are least able to compete successfully with similar products of foreign make.

In my judgment many of the schedules in this bill violate this principle, and in line with the present Dingley tariff it will prove but a means of using the Government as an instrument to take money out of the pockets of all the people and put it in the pockets of a favored few.

I have the honor to represent in this body one of the greatest agricultural districts and one of the greatest bituminous coal-producing districts in the United States, with quite a few manufacturing establishments in it; a district inhabited by as intelligent and industrious a people as can be found on the face of the earth. I am therefore intensely interested in legislation affecting labor in field and mine and factory.

I have listened with much interest to the discussion of the proposed law, with a keen desire to arrive at a wise and just conclusion, and after two weeks of able discussion I am entirely unable to see how or where it would benefit my people or the great body of the American people or where or how it would add a single honest dollar to their income, but I can readily see how it would materially increase the cost of living to the farmer, the miner, and almost every man who works with hand or brain, and thus it will operate to their serious disadvantage. I have seen, too, how injurious, nay, how destructive, it is to that keen sense of justice, that fine sense of honor and honesty which ought to prevail among an enlightened and upright people.

Again and again during the debate have I heard gentlemen favor the passage of this bill and promise to support it, not because it was right; not because it was founded on sound moral principles; but because it gave their locality an advantage at the expense of the general public. Put plainly, but I trust not offensively, it meant: "If you will let my constituents put their hands in the pockets of the American people, then you have my consent that your constituents may do likewise without let or hindrance from me, and the devil take the hindmost." It stands, not for honesty and independent effort, but for special advantage through special laws. I propose to take up and discuss three aspects of the question. First, the protective tariff as it affects the farmer; second, as it affects the wage-earner; and third, and perhaps most important of all, what will be its probable effect on the perpetuity of the Republic.

DOES A PROTECTIVE TARIFF HELP THE FARMER?

The farmer is the foundation of society. All the other avocations rest on agriculture. The farmer may be said, after God, to be the original creator of wealth. He expends his labor on the elements, and by his toil combines soil, moisture, air, and sunshine into new forms; into wheat, corn, oats, flax, and hemp, and so forth, for use as food, clothes, and shelter. Others by their

labor add to the value of many of his products, but I repeat he is the great original producer.

The miner and the fisherman, in a certain sense, are also original producers, inasmuch as they, by their labor, bring to use what was in the bowels of the earth or the sea.

There is no harder worker in society than the farmer. He toils longer and has less of enjoyment than men in most other callings. The farmers of the Middle West and South have natural advantages such as are seldom found elsewhere in the way of climate, soil, and other favorable conditions, and yet they do not make great fortunes. Many of them have accumulated considerable property, but most of that is due to the settlement of the country and the increase in the value of their land consequent upon this increase in population. It is worthy of note that while the farmers of the West have been creating wealth rapidly most of that wealth has taken wings and has found a permanent abode in a section of the country where the soil is too poor to yield paying returns for cultivation. How is this accomplished?

To my mind no better illustration can be given than the old cartoon published first, I think, in Harper's Weekly, representing the protective tariff as a huge cow whose head was located all over the food-producing area of the Mississippi Valley, and whose other end was in the East, extending from New England to Pennsylvania, and while the western farmers were busily engaged in shoveling the products of their farms into her capacious maw, the beneficiaries of protection were occupied in extracting the milk, keeping the cream and returning the residue. The Payne bill will not change this condition.

Like the present law, it throws the farmer a sop by putting an import duty on domestic animals and on cereals and other products of the farm, all of which are raised in greater abundance here than elsewhere, and the prices of which are practically determined by the price paid in foreign markets, mainly in Liverpool and London, where they are sold in open competition with like products from any and every part of the world.

No Englishman would pay more for American wheat or corn or cotton than he would for similar products raised in Russia or Egypt or Australia or South America. He simply buys where he gets the best value for the money.

The amount of farm products imported, or which would in any event be imported, in competition with products natural to our farms is very small and, of course, little gain accrues to the farmer by this duty on animals and farm products which we raise in such abundance.

The following figures taken from government sources for the year 1907 establish this fact:

Table of leading agricultural products of the United States, showing the home production and the imports in 1907; taken from the United States Statistical Abstract for 1907.

Article.	Production in United States.	Imports.	Tariff rate.	Amount of duty collected.
Corn.....bushels..	2,927,416,091	10,018	$0.15	$1,502.70
Wheat.....do....	735,260,970	599,092	.25	149,773.00
Cotton.....bales..	13,510,982	209,583	Free.	
Rye.....bushels..	23,068,000	157	.10	15.70
Hay.....tons..	63,677,000	63,000	[a] 4.00	252,000.00
Oats.....bushels..	754,443,000	74,552	.15	11,182.80
Cattle:				
Milch cows.....	20,988,205	[b] 31,967		
Oxen and other cattle.....	51,565,731			
Horses.....	19,746,583	[b] 2,436		
Sheep.....	53,240,282	[b] 221,717		
Hogs.....	54,794,439	None.		
Mules.....	3,816,692	None.		

[a] Per ton. [b] Duty.

Of what practical benefit is this tariff to any Illinois farmer, or, for that matter, to any American farmer? Most of the small grain imported into the United States is for seed, and a tariff on that is an injury to the farmer, rather than a benefit. What has he to fear from competition in farm products from any source here in America? The competition he has to meet, and which fixes the price of his product, is in Europe, and the high tariff does not prevent his competitors from sending their products to the world's markets and competing with him there, which, indeed, they do.

On the other hand, while the farmer gains but little because of increase in prices due to the tariff, he loses much, for almost everything which he buys for daily use in his family and on his farm he pays an increased price because of it.

When he buys a plow, or a harrow, or a planter, or a roller, or a cultivator, or any farm tool, or when he fences his field, he is paying tribute to some of his favored fellow-citizens, who, in most cases, have combined together in a trust under the fostering wing of this same protective tariff for the purpose of fleecing him.

So when he builds a house or a barn or a shed, for the lumber, the nails, the locks, the windows that go into it he is contributing an amount approximating 46 cents on the dollar additional to some favored trust or individual. When he buys clothes and shoes for himself, his wife, and children, he is caught again. Even the food he eats does not escape, and it is now proposed to add to his burdens by a duty, or tariff, on tea and coffee and on ladies' gloves and hosiery; so that, if he could balance his tariff account at the end of the year, he would find that the gain he derived from it would be as nothing compared with the loss.

This would be hard enough to bear if the money taken went into the Government Treasury, but when we consider that nearly all of it is, by the machinery of the law, given, not to the Government, but to favored trusts or individuals, it surely should be looked upon as an intolerable burden to a free people. Of late the farmers have been receiving object lessons in the lower prices at which American-made articles are being sold abroad than at home.

When farmers in South America and Russia and elsewhere, with whom the American farmer has to compete, can buy the implements made in America cheaper than the American farmer can, it is surely time for him to "sit up and take notice" and to investigate as to whether those who have grown rich out of protection are really working in his interest or their own. I give a few of the prices here and abroad of some staples, articles of American manufacture, to illustrate this point and to stimulate some real thinking on the part of those who imagine the protective tariff has done so much for them.

Article.	Home price.	Price sold at abroad.
Cultivators.....	$11.00	$8.40
Plows.....	14.00	12.00
Axes.....dozen..	8.25	7.20
Kettles.....	1.40	.85
Table knives.....gross..	15.00	12.00
Horseshoe nails.....	3.00	[a] 2.00
Barbed wire.....	3.00	[a] 2.00
Cut rivets.....	10.00	[a] 5.55
Typewriters.....	100.00	60.00
Sewing machines:		
Fine.....	27.50	20.75
Medium.....	22.00	17.50
Cheap.....	18.00	12.00
Steel rails.....	28.00	[b] 23.60

[a] Per hundredweight. [b] Per long ton.

Indeed, as said by the author of a book recently issued, entitled "The Passing of the Tariff:"

The policy of underselling to foreigners has become a recognized practice on the part of the protected manufacturers of the United States, secret if possible, but followed constantly, whether secret or open.

The proof of the fact is so strong that they have ceased to deny it and endeavor to explain it by telling the people that the trusts sell goods cheaper in foreign countries than at home in order to keep their employees at work, and that they do so at a loss.

To men of ordinary intelligence this statement is too silly to need contradiction, but it can do no harm to quote high Republican authority on the subject. About six years ago the late John Hay, Secretary of State, speaking upon political issues, said:

We are building locomotives for railways in Europe, Asia, and Africa. Our bridges can be built in America, ferried across the Atlantic transported up the Nile, and flung across a river in the Sudan in less time than any European nation, with a start of 4,000 miles, can do the work. We sell ironware in Birmingham, carpets in Kidderminster; we pipe sewers of Scotch cities; our bicycles distance all competitors on the Continent; Ohio sends watch cases to Geneva. All this is to the advantage of all parties; there is no sentiment in it. *They buy our wares because we make them better and at lower cost* than other people.

On September 22, 1908, in a communication to the Reform League of New York, President Charles W. Eliot, of Harvard, made an attack on the existing high-tariff system. He said in part:

The high tariff which has prevailed in the United States since the war has done a little good in the way of building up new industries, but it has done immeasurable harm, and is likely to do more and more harm.

As a country which produces, in normal years, much more grain and cotton and many more manufactured goods than it can consume, it is in the interest of the United States to develop for itself world markets under the most favorable conditions possible. The tariff prevents or obstructs the attainment of those favorable conditions.

That the tariff is not necessary to the maintenance of American wages or American standards of living appears clearly from the common

practice of selling American goods in foreign countries at much lower prices than they are sold in the United States *and yet at a profit.*

If the American people mean to maintain their individual liberty in industries, trades, commerce, and politics, they must steadily defend themselves against monopolies.

In the North American Review for September, 1908, Prof. Henry Wade Rogers, dean of the law department of Yale University, writing on this subject, says:

Under the pretense of protecting labor, tariffs have been fixed not merely high enough to cover the difference in the cost of labor here and abroad, but far in excess thereof, and so high that the great mass of the people of this country have been exploited that the privileged few might build up enormous fortunes. This legislation has not been in the interest of the workingman, nor for the benefit of the people, but quite the reverse. Those who have benefited by such legislation have been the privileged classes, the coal barons, the sugar barons, and tobacco barons of the country, who have been permitted by Congress to write the tariff laws of the United States.

And unquestionably Professor Rogers is correct in this statement. Of what practical benefit, then, I repeat, are the protective duties to the farmer? How much money do they put in his purse? Surely very little. But when the gain, if any, is compared with the loss he sustains through the higher prices he is compelled to pay for what he must buy, it appears infinitesimal. Clearly this tariff on wheat, corn, etc., and on animals is but a sop thrown to him to pacify him; but an attempt to chloroform him while he is being robbed.

There are some phases of the question which affect the farmer in common with other citizens, to which I shall advert later on, but as to the farmers as a class, I think I have said enough to justify the conclusion that the system of protective tariff in vogue is injurious to them, and while the Payne bill reduces some of the schedules, it is mainly those that do not need protection at all or with which the farmer has little to do, while it will, on the whole, materially increase the cost of living.

A letter has reached me from a lady in my district of marked ability—Mrs. A. S. Anderson, of Litchfield, Ill.—which is typical of many others received, protesting against the passage of the pending bill, and as I feel she voices not only her own sentiments but those of thousands, nay, hundreds of thousands, of American women, I feel that I am justified in quoting from it. She says:

Does it not look like "taking candy from babes," to put a tariff on all cotton hosiery and on gloves, not luxuries, but necessities, to the women who can not defend themselves by voting against the bill? Has not the Hon. SERENO PAYNE read history, and did he not learn that "history repeats itself?" Did he not learn that "Cæsar had his Brutus, Charles the First his Cromwell," * * * and the legislators who are trying to make this bill a law should wisely profit by their example, or their calling and election will not be sure next election. Might does not make right, and though this bill is fathered by a Republican and the Republicans are working for its passage the Republican women of Illinois and the United States will not stand for it.

We expect you to go on record as doing everything in your power to kill that bill, not alone because the women want you to do so, but also because it is wrong for the government of this or of any nation to strike at the homes and the domestic happiness of its people—just what the Payne tariff bill aims to do.

The women expect every Congressman to do his duty, and that is to kill the Payne bill.

This lady expresses clearly and forcefully the feelings of the great body of the women of the country; and depend upon it, if you rouse the American women by passing this measure and thus increasing the cost of living, already far too high, you will surely sow the wind and as surely reap the harvest which always follows such a sowing.

Were I intent only on seeking party advantage, I would be glad to see the Republican majority force this measure through without change, but it affects the interests of the people, and especially the people in the common walks of life, so vitally that it would be criminal not to oppose it in every way possible, and I can assure Mrs. Anderson and my other constituents that it is a real pleasure to me to do so.

I spoke a while ago of the cartoon representing the farmers of the West as feeding the great tariff cow while the tariff-trust magnates of the East did the milking. Let me illustrate more in detail how this operation is performed, and in doing so I would like to make clear the distinction between the Democratic position, a tariff for revenue—that is, for money to run the Government—and the Republican position of a tariff for protection.

In principle they are as wide apart as the poles. The former would take from the citizen only the money necessary to defray the public expenses; the latter takes money from one citizen to bestow it on another citizen; the former would tax the citizen only for public uses, but the latter, under the guise of taxation, takes money from the public at large and hands it over to a favored few. Well, indeed, did the lady say history repeats itself, and it were well for all of us to heed this warning, for danger threatens.

The military feudalism which followed the breaking up of the Roman Empire lasted for centuries, during which common men spent their lives fighting for their feudal masters. Finally, when the passage of time and the advance of civilization overthrew these war lords, they simply changed front, intrenched themselves in a new form of special privilege, and so managed matters that, instead of fighting for them, men worked for them; instead of giving sword-service, they paid rent. The war lord evolved into the landlord, history repeated itself, and special privilege continued in the saddle.

Then for other centuries men struggled against this new form of feudalism, of special privilege, known as "landlordism," until now, even in Ireland, where because of alien misgovernment it reached its worst phase, it is rapidly disappearing, and soon, I hope, will go to keep company with the dodo.

Is history about to repeat itself once more in this regard? Is special privilege here in free America, where it had been completely unhorsed, to again get in the saddle and by this system of predatory protection legislation substitute the industrial lord for the landlord? Verily there is danger of it. How wisely he spoke who warned the people that "eternal vigilance is the price of liberty." Bear with me while I point out how this system works and how far it has already gone.

There is perhaps no one article so apropos as steel rails with which to illustrate this point. We have the evidence of those who know all about the manufacture and cost of them, and we can apply the well-known rule of evidence that when a witness gives testimony adverse to his interests we may believe him, as he would not be likely to misstate facts to his own disadvantage.

Asking you to keep this thought in mind, I quote in full a letter, written by Mr. Schwab, president of the steel trust, to Mr. Frick, also an officer of that concern. Mr. Schwab admitted that this letter was genuine in his testimony before the Ways and Means Committee of this House on December 18, 1908. I quote:

PITTSBURG, PA., *May 15, 1899.*

MY DEAR MR. FRICK: You asked me to give my views as to the probable future earnings of the Carnegie interests and as to the proposed reorganization on a basis of $100,000,000 bonds, $250,000,000 preferred stock, and $275,000,000 common stock.

Permit me say that, commencing in 1879 as engineer constructing the works, ten years as general superintendent of our principal works, and over two years as president, I feel that I know the properties and their possibilities as well, or better, than anyone in or out of the concern.

While we have been highly successful in the past, as everyone knows, I believe we are only now getting in shape to be truly successful and truly profitable. Our April profit-and-loss sheet shows earnings slightly over $1,500,000, with rails netting us only $17.50 and billets $16. Lowest prices we ever had, on an average, were $16.50 for rails and $14.50 for billets; so you see we have reaped very little of the advantages of increased prices. With prices anywhere near to-day's selling prices we could easily make over $3,000,000 per month, and then our new works to be started in two months will. I estimate on present prices, bring us additional profit of $600,000 per month, or a total of $3,600,000 per month.

As to the future, even on low prices, I am most sanguine. I know positively that England can not produce pig iron at actual cost for less than $11.50 per ton, even allowing no profit on raw materials; and can not put pig iron into rails, with their most efficient works, for less than $7.50 per ton. This would make rails a net cost to them of $19. We can sell at this price and ship abroad so as to net us $16 at works for foreign business, nearly as good as home business has been. What is true of rails is equally true of other steel products. As a result of this we are going to control the steel business of the world.

You know we can make rails for less than $12 per ton, leaving a nice margin on foreign business. Besides this, foreign costs are going to increase year by year, because they have not the raw materials, while ours is going to decrease. The result of all this is that we will be able to sell our surplus abroad, run our works full all the time, and get the best practice and costs in this way.

Very truly, yours,

C. M. SCHWAB, *President.*

Mr. Schwab here tells us that steel rails were then made in Pittsburg at a cost of $12 per ton, and that they could not be made in England for less than $19 per ton. To get the English rails to the seaboard, load them on a ship, pay the freight and marine insurance to New York would cost about $3 per ton. Allowing the English manufacturer $2 per ton profit, the rails would thus cost $24 per ton in port at New York. Under the Dingley law now in force there is a custom-house duty or tariff of $7.84 per ton on steel rails, and so these rails could not get through the custom-house and into the United States till this tariff or custom-house tax is paid.

This $7.84 added to the $24 would make their cost this side of the custom-house $31.84. If an American railroad company or individual bought rails abroad and brought them into this country through the custom-house, the $7.84 custom-house tax would go into the Treasury of the United States, where it would be used to defray the expenses of the Government—that is, it became "revenue."

But since steel rails can be made in this country at $12 per ton and since the foreign rails would cost $29.84 per ton landed in this country, even though the foreign maker waived all profit on them, it is quite apparent very few rails would come in, and would come at all only under some very peculiar conditions. And since they would not come into the country they would not get in the custom-house, and would not of course pay any custom-house tax or tariff, and hence no "revenue" would be derived by the Government from steel rails.

Steel rail makers in America are quite well aware of all this and fix the price on their rails accordingly. Making them for $12 per ton they could sell them for $15, which would be a profit of 25 per cent, but for years they have fixed the price at $28 per ton, a profit of 133⅓ per cent.

Now, the $7.84 customs tax is a part of this $28, being added in as a part of the manufacturer's profit, and as the American-made rails never go through a custom-house they pay no custom-house tax, and no part of the $28 goes to the Government Treasury. Where, then does it go? That is easy. It goes into the treasury of the steel trust, or whatever concern sold the rails. Thus, you see, the power of the Government to collect custom-house taxes is so used as to divert this $7.84 per ton from the Treasury of the United States into the treasury of the trust.

In 1907 there were 3,663,000 tons of steel rails sold in the United States, upon which the protective tariff of $7.40 per ton realized to those who made them the munificent sum of $28,717,920 in addition to the very large profits outside the tariff.

Thus you see what a protective tariff means, and you can surely see why the steel trust and the other trusts are willing to contribute their money and their coercive power to continue in office the party which favors such a tariff.

During the same year, 1907, there were only 3,911 tons of steel rails imported into the United States, which, at $7.84 per ton, yielded a revenue of $30,652.24. In this way, you see, we are living under a law which takes money from our citizens under the guise of the taxing power in such way that for every dollar it puts in the United States Treasury it puts $937 in the treasury of the steel trust, an unlawful combination which has grown so strong that it is now apparently stronger than the law; so strong that a short time ago it was able to compel the President of the United States to deliberately violate the federal antitrust law and allow it to gobble up and consolidate with its only serious competitor, the Tennessee Coal and Iron Company.

I think this makes tolerably clear the difference between a revenue tariff and a protective tariff, and makes clear also how the power of the Government is used by means of a protective tariff to take money from one citizen and give it to another, an exercise of power which, in my judgment, is wholly unwarranted under the Constitution.

It in some measure resembles the plan pursued by the Romans in Judea two thousand years ago of selling to the highest bidder the right to collect from the people for his benefit as much money, under the name of "taxes," as he was able to wring from them, except this, that in Judea the people knew just how much was taken from them, whereas with us the amount is very shrewdly wrapped up in the price we have to pay for the necessaries of life in such a way that every retail business man is unconsciously a collector of this unholy tribute for the use of the tariff trusts and barons.

I do not want to be understood as saying that every protected industry yields as large a per cent of tribute as steel rails do, but the difference is in degree only—the principle is the same; and while an exact statement would be impossible, it has been estimated that the ratio of revenue to protection under the Dingley law is about 1 to 18—that is, for every dollar paid into the United States Treasury from the custom-house tax on imports $18 is, by this protective tariff, diverted into the treasury of the trusts as bounty or tribute collected from the people; and as it works with the steel trust, so it works with the other protected industries.

As the revenue derived from imports in 1907 was about $330,000,000 on this ratio of $1 revenue to $18 protection, the amount of bounty or tribute which the American people had to pay to this modern juggernaut, this great American fetish, was about $6,000,000,000. When you reflect that we have had eleven years of this Dingley law, and have had strongly protective laws for over thirty years before it was enacted, you can readily understand the manner in which our enormous wealth is now concentrating in a comparatively few hands, and how this concentration is steadily and rapidly going on until it is alarming even conservative people.

The profits thus taken from the citizens through the operation of the protective system are so great that the dividends on a fair valuation of the trust stock would be so large as to excite attention, and probably adverse legislation; so, to prevent this, a system is devised for giving fictitious value to the capital stock, or, to use the language of the street, "it is watered."

The steel trust will again serve as an illustration of what I mean, and I can do no better than to quote from a recent book, entitled "The Trusts of To-day," by Prof. Gilbert Holland Montague, of the department of economics in Harvard University.

On page 110 et seq. he says:

> How remote is the bearing which the cash value of the plants has upon the capitalization of the trust is strikingly shown in the United States Steel Corporation. In exchange for the stock of its constituent companies, this trust gave of its own stock an equivalent amount and $74,373,035 more. At the formation of these concerns, however, there had been a capitalization in excess of cash value. The properties composing the American Tin Plate Company, which represented a cash value of $18,000,000, were capitalized at $46,000,000. The National Steel Company, valued at $27,000,000, was capitalized at $59,000,000. The American Steel Hoop Company, representing a money investment of $14,000,000, was capitalized at $33,000,000. The capitalization of the Federal Steel Company, fixed at $68,000,000, on the admission of its president, exceeded by $31,000,000 the value of its separate concerns. The properties of the American Steel and Wire Company, capitalized at $80,000,000, on Mr. Morgan's estimate in 1898, were valued at $40,000,000. From the testimony of the officers themselves it appears that the cash value of the plants entering the United States Steel Corporation—estimating the National Tube Company on the same basis as the American Tin Plate Company—was $278,570,200, and the "good will," $178,500,000. Since the United States Steel Corporation increased this capitalization by $74,373,035, $252,873,035 of its capital stock appears to be based on intangible assets.
>
> Still another comparison is that made by the United States Steel Corporation itself in purchasing the shares of the different companies. The common stock of all the constituent companies, excluding the Carnegie Company and the Lake Superior Consolidated Mines, which have no preferred stock, amounts to $270,855,100. As the common stock added by the United States Steel Corporation represents "good will," the total excess over the money invested in the plants is $302,118,963.
>
> The most striking comparison, finally, is afforded by the easy test of the investment market. The par value of the securities of the United States Steel Corporation before the conversion of its preferred stock into bonds was $1,404,000,000, $550,000,000 of which was 7 per cent cumulative preferred stock and $304,000,000 5 per cent gold bonds. The bonds have since sold at about 72, the preferred stock has fluctuated about 54, and the common stock has fallen to 10. In the opinion of the stock market, the proper capitalization of the United States Steel Corporation is about $570,880,000 and the overcapitalization is about $833,120,000, or nearly 60 per cent.

Thus, according to Professor Montague, the steel trust is, through the protective tariff, able to make American consumers pay such artificially high prices for what it makes and sells that it is able to pay interest on eight hundred and thirty-three millions of water in its capital stock, and, singularly enough, they have persuaded a great many people that doing this has made them rich. How long, O Lord, how long!

HOW DOES THE PROTECTIVE TARIFF AFFECT THE WAGE-EARNER?

Originally the protective theory was put squarely on the ground of protecting American capital against the cheap—low rate of interest—money of Europe. When that plea became ineffective the protectionists shifted their ground to protection for our infant industries. When the infant became so overgrown that he was ashamed, or probably afraid to longer cry for "pap," protectionists shifted to "the protection of American labor;" but the constant reduction of wages under high protective tariffs, the effect of a large cut in wages at Homestead and elsewhere as the first fruit of the McKinley bill, the fact that wage-earners in mine and factory were squeezed very close to the starving point, convinced the wage-earner that the tariff did not protect him, and that he must depend on labor organizations to enforce his rights and compel the payment of higher wages; and now, while they pretend not to abandon the wages theory, they have come out in the open and say, "We must have a protective tariff that will guarantee the American manufacturer a profit." While that was the real object of it all the time, it was never before the avowed object, and it looks very much as if "protection for protection's sake" is now in its "last ditch," where I hope it will follow the usual course, and die.

Its advocates triumphantly assert wages are higher in the United States than in any other country, and that the United States has a protective tariff; ergo, the high wages result from the protective tariff. Wondrous logic, but no better and no worse than that of the colored brother who discovered a bear and a bird's nest in the same tree and stoutly insisted that the bear was the architect. Were they not found together?

There have been periods in our history when we had very low tariffs, and they were purely revenue tariffs, but there has never been a time in our history when wages were not higher here than in any other country. The reasons are quite apparent. Wages is a portion—and ought to be a fair proportion—of what labor produces. Labor will produce most where it is most

efficient and the conditions under which it operates are most favorable.

Where is labor most efficient? In the United States. Where are the conditions under which labor operates most favorable? In the United States. Why, then, should not labor receive the highest wages here, regardless of tariffs? It should, and it did till the greed and selfishness of protected interests endangered our wage supremacy, and would have appropriated a larger part of labor's share but for the splendid intelligence and self-sacrifice of wage-earners in perfecting their organizations under conditions that seemed well-nigh impossible. If the protectionist is right, there is no need of labor organizations. They are entirely superfluous. The beneficiaries of the system will take care of the wage-earners.

But somehow they did not. On the contrary, so great was the necessity for organization that the men were compelled, in sheer self-defense, to bury all personal feeling; to smother every prejudice, however strong; to forget every antipathy of race, of color, of nationality, of religion; to band themselves together in a compact organization; to fraternize in spite of their natural feelings, in spite of some of the strongest prejudices men entertain. Surely the pressure which welded such incongruous elements into practically impregnable unions must have been very great. And that pressure was, the tendency—nay, the determination—of the protected interests to lower wages and thus increase profits, often already too large. And now, while wages have nominally gone up because of labor unions, they have in fact—in the purchasing power of the money earned—gone down because of the increase in trust prices. The late—and much lamented—Carroll D. Wright, United States Commissioner of Labor, in his report for 1903 shows how the American laborer, while receiving the highest nominal wages, does not in fact receive the highest wages, as measured by its power to purchase necessaries of life.

He estimates that the English laborer can buy the necessaries of life for one year with two hundred and five days' labor, the American can do so with two hundred and twenty-five days' labor, the Frenchman with two hundred and thirty-one days' labor, the German with two hundred and forty days' labor, the Russian with two hundred and eighty-six days' labor, the Italian with two hundred and ninety days' labor. As England has no protective tariff, France a pretty high one, Germany a still higher one, Russia higher yet, and Italy the highest of all, does it not look as if these statistics proved that a high tariff really made low wages, and, to strengthen this argument, it might be said that in China, where absolute protection existed, the laborer worked for nothing and boarded himself.

Why is it protectionists never compare wages in England with other European countries which enjoy protection? Let me do so for them. The United States tariff commission gave these comparative wage scales in their report some years ago:

Occupations.	Germany (protection).	France (protection).	England (free trade).
Bricklayers	$3.45	$4.09	$8.12
Masons	4.00	5.00	8.16
Carpenters	4.18	5.42	8.25
Painters	4.60	4.90	7.25
Plasterers	4.37	.....	8.10
Blacksmiths	3.90	.....	8.12
Cabinetmakers	4.95	.....	7.70
Dyers	3.30	.....	7.60
Weavers	3.00	.....	5.40
Grinders in glasswork	4.37	.....	10.92
Common laborers	2.60	.....	5.09

Since the ordinary laboring man spends for his living all he earns, his chief concern is for the purchasing power of his income rather than the number of dollars he receives.

The man who can earn a living with two hundred and five days' labor each year would seem to have the advantage of the man who has to work two hundred and twenty-five days to do the same thing.

As a matter of hard fact, wages, in the relative sense, have been rapidly and steadily decreasing under the operation of the Dingley law, and the present bill gives fair promise of being even worse in that regard.

Dun's Commercial Agency has for years kept careful track of prices of the commodities which are of general daily consumption. As quoted by Franklin Pierce, in the Tariff and the Trusts, the cost of these commodities—that is, the cost of living—increased 47.4 per cent during the ten years of Dingley tariff, from 1897 to 1906, inclusive. What could be bought for $72.45 in July, 1897, cost $106.79 in June, 1906, and the rise was gradual and steady. While wages during the same period increased nominally 18 per cent, the cost of living increased 47.4 per cent, thus showing an actual decrease of 29.4 per cent in that decade. This decrease in wages was, of course, absorbed in bigger profits to the trusts.

In this connection I would commend a careful study of the table of prices of leading necessary articles of daily consumption, given on page 569 of the Statistical Abstract of the United States for the year 1907.

Taking the years covering the Dingley tariff, it will be seen that—

Breadstuffs costing $10.50 in 1896 cost $18.16 in 1907.
Meats costing $7.05 in 1896 cost $9.64 in 1907.
Dairy and garden costing $7.87 in 1896 cost $14.46 in 1907.
Other food costing $8.53 in 1896 cost $9.82 in 1907.
Clothing costing $13.60 in 1896 cost $20.10 in 1907.
Metals costing $13.23 in 1896 cost $17.52 in 1907.
Miscellaneous items costing $13.52 in 1896 cost $19.24 in 1907.

These figures show a gradual and steady increase, not spasmodic jumps, and they speak eloquently of the absolutely scientific manner in which the workingman's wages are reduced in fact, although the unions have been able to obtain a slight nominal increase. They give the laborer 18 cents with one hand and take 47 cents from him with the other.

If a tariff regulates or fixes wages, why does the rate vary so much in the various States of the Union, all enjoying, or rather suffering from, the same tariff?

Mr. Wright's report, quoted from above, shows the average earnings in the South Atlantic group of States to be $143.48 per year, while in the Western group it is $227.34. Why this difference under the operation of the same tariff law, if the tariff is the great wages regulator? And why are wages higher in England, with no tariff, than in Germany or France or Italy, with high protective tariffs? Or why are even the nominal wages higher in England than in some of the States of the Union? A serious search for a reasonable answer to these questions will show the hollowness of the protectionists' claim.

And here let me say that the greatest industrial progress ever made by this country was made in the decade from 1850 to 1860, under the Walker tariff law, a purely revenue measure, which protectionists, with a magnificent disregard for the meaning of words, refer to as "a free-trade tariff."

Carroll D. Wright's Industrial Evolution of the United States is my authority for the following figures:

	Per cent.
From 1850 to 1860 our national wealth increased	126
From 1890 to 1900 our national wealth increased	36
From 1850 to 1860 capital invested in manufacturing increased	89.4
From 1890 to 1900 capital invested in manufacturing increased	50.7
From 1850 to 1860 products of manufactories increased	85.1
From 1890 to 1900 products of manufactories increased	28.9
From 1850 to 1860 railroad mileage increased	360
From 1890 to 1900 railroad mileage increased	19

This remarkable progress can not be attributed to protection, can it. And right in line with this is the experience of the English people, as shown by the following tables of wages paid in various occupations in 1850 and 1888, covering a period of forty years of free trade:

Occupation.	Place.	Wages in 1850 per week.	Wages in 1888 per week.	Amount and increase, per cent.
		s. d.	s. d.	s. d.
Carpenters	Glasgow	14 0	30 0	12 0+ 85
Bricklayers	do	15 0	27 0	12 0+ 80
Masons	do	14 0	23 8	9 8+ 69
Pattern weavers	Huddersfield	16 0	25 0	9 0+ 55
Weavers	do	12 0	26 0	14 0+115
Warpers and beamers	do	17 0	27 0	10 0+ 58
Winders and reelers	do	6 0	11 0	5 0+ 83
Weavers (men)	Bradford	8 3	20 6	12 3+150
Reeling and warping	do	7 9	15 6	7 9+100
Spinning (children)	do	4 5	11 6	7 1+160

Comparison of seamen's money wages in Great Britain, per month, in 1850 and 1888.

	1850, sailing vessel.	1888, steam vessel.	Amount.	Per cent increase.
	s.	s. d.	s. d.	
Bristol	45	75 0	30 0	66
Glasgow	45	70 0	25 0	55
Liverpool (1)	50	67 6	16 6	33
Liverpool (2)	50	85 0	35 0	70
London	45	75 0	30 0	66

It has been argued here and asserted with tiresome iteration by gentlemen on the other side of this Chamber that labor has been constantly employed and highly remunerated under the Dingley law.

The gentleman from Washington [Mr. CUSHMAN] has been particularly emphatic on this point, and has given us a glowing description of the plentitude of jobs and the scarcity of men and the high wages which prevailed in the country generally, and in Spokane in particular, last fall. I can only account for it by concluding that Spokane must be so undesirable a place to live that even good wages will not attract men, for if such advertisements of "men wanted" at such high wages as he stated were published in Illinois, there would be an influx to our State which would practically depopulate our neighboring States, since everyone who could find remunerative work would, of course, prefer to live in the greatest State in the Union.

The gentleman has told us some very amusing stories, and told them better than they are usually told, which is saying a good deal, for they have been told well and often in the past, and he has given us some alleged facts about the condition of labor during the last few years which are even more amusing than his stories. Richard Brinsley Sheridan once retorted on an opponent in the British Parliament, who was making a speech after the manner of the speech of the gentleman from Washington, by saying:

> The gentleman relies on his memory for his wit, and on his imagination for his facts.

Let us see how close to the facts the gentleman kept. Let us see from the evidence of those who had better opportunity to know than the gentleman from Washington had what the real conditions were in the ranks of labor throughout the country.

Fortunately we have access to direct, and at least semi-official, information on this point. On Wednesday, February 10, 1909, at the call of Hon. Oscar S. Straus, Secretary of Commerce and Labor, 19 representatives of the principal international labor unions of the United States met in the office of the Secretary, in Washington. Mr. Secretary Straus; Mr. Daniel J. Keefe, Commissioner-General of Immigration and Naturalization; Mr. Charles P. Neill, Commissioner of Labor; and Mr. Terence V. Powderly, Chief of the Division of Information, were present on behalf of the Government.

Mr. Keefe acted as chairman, and stated the purpose of the meeting to be the discussion of a number of questions of great moment to both the wage-earners and the department.

Surely at such a gathering any statement of existing conditions not reasonably correct, not fairly and substantially in accord with existing conditions, would not pass unchallenged or without correction.

Mr. Gompers was present, as a representative of the American Federation of Labor, and made an address, which, with all the addresses and remarks made during the conference, has just been published in a pamphlet issued from the Government Printing Office. The facts stated in that address as to the employment of labor were not questioned by anyone and may, I think, be taken as true. They surely demonstrate the remarkable activity of the imagination of the gentleman from Washington. In order that there may be no misunderstanding, I quote verbatim from the address of Mr. Gompers, as published by the Government.

Among other things he said:

> Permit me to call attention to this: At the beginning of December, 1908, I sent out a circular letter to the executive officers of a number of international trade unions of America and got from them a report as to the state of employment and unemployment, and from the reports, which were made to me within fifteen or twenty days, I culled the following information:
>
> The blacksmiths report during the past year about 50 per cent of the trade unemployed, those employed averaging about four days a week.
> Boilermakers and iron-ship builders, 30 per cent unemployed.
> Bridge and structural-iron workers, 25 per cent unemployed.
> Carpenters and joiners, 40 per cent unemployed.
> Wood carvers, 50 per cent unemployed.
> Cement workers, 50 per cent unemployed.
> Cigar makers, 10 per cent unemployed.
> Commercial telegraphers, 15 per cent unemployed.
> Coopers, 15 per cent unemployed; two-thirds of the employed working half time.
> Elevator constructors, 40 per cent unemployed.
> Steam and hot-water fitters: Employment in the West, fair; in the East, fully 40 per cent unemployed and working about one hundred and eighty days in a year.
> Freight handlers, about 30 per cent unemployed.
> Glass-bottle blowers, about 20 per cent unemployed. On account of conditions of the trade, no work is performed during July or August.
> Window-glass blowers, 20 per cent unemployed.
> Granite cutters, about 15 per cent unemployed.
> Hatters, men working about three-fourths of the time.
> Hod carriers and building laborers, 60 per cent unemployed.
> Hotel and restaurant employees, 30 per cent unemployed.
> Machinists, 20 per cent unemployed.
> Railway maintenance of way employees, 25 per cent unemployed.
> Butcher workmen, 40 per cent unemployed.
> Coal miners, work about 200 days during the year.
> Painters and decorators, 70 per cent unemployed.
> Pattern makers, 30 per cent unemployed.
> Pavers and rammer men, 25 per cent unemployed.
> Printing pressmen, 20 per cent unemployed.
> Shipwrights, joiners, and calkers, 50 per cent unemployed.
> Tile layers, state of employment very poor.
> Tin-plate workers, 40 per cent unemployed.
> Tobacco workers, working on two-thirds time.
> Iron molders, 70 per cent unemployed.
>
> I am sure it is not an exaggeration to say that there are now in our country, and have been with very little variation since October, 1907, nearly 2,000,000 wage-earners unemployed.
>
> Secretary STRAUS. Do you mean by that that before that period those 2,000,000 wage-earners were employed?
>
> Mr. GOMPERS. I do, sir.
>
> Secretary STRAUS. Are you pretty well satisfied that the information which you obtained is reasonably correct? It depends so much upon the sources from which you obtained your information.
>
> Mr. GOMPERS. My information was obtained from the executive officers of the national or international trade unions, and their reports are based upon reports made to them by the secretaries of their local unions, their local lodges, or local branches of the representative trades. Many of them are so absolutely accurate that there can be no doubt at all. It may possibly be within the limit, but not beyond it. For instance, there are a number of organizations which provide, in some form or other, for a benefit to the men who are unemployed, either in stated sums, say $2, $3, or $4 a week, or through the remission of the dues of the individual member. Now, it frequently occurs that a man does not avail himself of the benefit to which he is entitled by reason of his nonemployment, but the benefits are only paid to those who comply with certain conditions which make employment impossible during such period. So that the figures are as accurate, I think, as any figures which can be obtained from any source.

Mr. Valentine, president of the Iron Molders' Union, also made an address, which is reported on page 63 of the pamphlet. He said:

> I wish to say just a few words in connection with the statement made by President Gompers as to the number of men out of employment in the calling which I represent—molding. Our reports show the greatest percentage out of work in the history of our organization—in the neighborhood of 70 per cent. These figures are absolutely correct, because we have a system of gathering the statistics through application for out-of-work relief in our organization. At one time, beginning with November, 1907, for a period of four months and a half, we had less than 9,000 of our members employed, and many of those were employed, probably, three-fourths time or half time. That was the condition of the molding trade; and as you know, the iron trade, they say, is the key to the trade conditions in this country. That condition obtained for a number of months. During the months of November and December it began to look a little brighter; some of the men found employment; but since that time, it strikes me, the trade conditions, in so far as the iron-molding industry is concerned—and that applies to steel, brass, etc.—are worse than they were at the beginning of the panic, and they are a great deal worse than they were in 1893 or 1873—this morning's paper bears me out in my statement that they are absolutely worse—and no prospects for the future. If you will take the report of the Iron Age this morning, as published in the Washington papers.

Mr. Neill, United States Commissioner of Labor, also addressed the conference. Surely a representative of the administration would not exaggerate or misstate the hard conditions of the laboring men of the country. Indeed, I think I am justified in saying he would not fail to call attention to and correct any exaggerations or erroneous statements reflecting on the administration of which he was a part.

He said:

> Here is one of the highly protected industries of the United States, protected for the purpose of securing good wages and good working conditions, and yet a very large part of the unskilled labor in the steel industry at present is still working a twelve-hour day; and in the blast-furnace branch of that industry men are working twelve hours a day, seven days in the week, and this means a twenty-four-hour day once every two weeks, or at the end of whatever period the changes are made from the night to the day shift. A twelve-hour day is not an industrial condition that ought to be encouraged, and the effort of the Government, it seems to me, ought to be to work away from that condition instead of cooperating in continuing it.
>
> In some parts of the country men in this industry are on a twelve-hour day at the rate of 12 cents an hour. Will the division of information assume that there is a scarcity of labor in a community where adult males, toiling twelve hours a day, six days in the week, can earn only $8.64 a week as their full wages? What is needed is a continued "scarcity" of labor and not further additions to its supply.

Mr. Perham, president of the Order of Railway Telegraphers, and chairman of the railroad employees' department of the American Federation of Labor, told of the conditions which obtained generally among section hands in the far West and Northwest. He is reported, on page 87, as saying:

> The living conditions surrounding these men were not touched upon. I think the conditions so bad and the subject of such importance that I would like to have some branch of the Government investigate the conditions under which construction men and ordinary section men live. In construction work, especially in desert sections of the country, we often see a string of old worn-out box cars used for bunk houses and eating places, with a total lack of sanitation or any consideration of decency or comfort. The mules are treated with far more consideration than the men; perhaps they cost more to obtain.

And Mr. Hawley, president of the Switchmen's Union, is quoted in the pamphlet as saying:

> Now, what I look at is this: The evil which exists consists mainly in the large number of idle men we have here; that can not be denied. It is caused by the peculiar conditions under which the industrial affairs of this country are operated. The men are here and the women as well, as shown here to-day, and have not any work.

Through all the speeches made during the conference the same thread runs—idle men, lowering wages, and poor conditions for labor.

Funny stories can not wipe out the fact that fifty years of high protection—the last ten being "Dingleyism," or protection run mad—has left the country filled with idle men, on the one hand, while on the other it has built up many private fortunes, far above the danger line, and enormously increased others, which were already too large.

Surely, under this array of evidence, even the optimistic gentleman from Washington could no longer insist that "under the Dingley law labor has found abundant employment at fair remuneration."

But if it is not "protection" that makes wages high in this country, what is it? First, the superior efficiency of American labor and, second, the more favorable conditions which exist here.

As to the superior efficiency of the American worker little need be said. Since 1878, when William M. Evarts, as Secretary of State, collected and collated reports of consuls from various countries showing the efficiency of the American workman to be from 50 to 100 per cent greater than the European workman, the fact has not been questioned seriously.

And since then have been added the testimony of Mr. Blaine, Mr. John Hay, Mr. Andrew Carnegie, and many others. Mr. Bailey, of the Broderick & Bascom Wire Rope Company, St. Louis, on page 2049, Schedule C, of the tariff hearings before the Ways and Means Committee, on November 25, 1908, said, in comparing wage cost here and in England:

> The wages paid for similar services in the United States is doubtless considerably more than stated above, but to compensate for this difference in wages it must be borne in mind that in England one man attends to but one thick-wire block; in the United States one man attends to at least four, and often six, thick-wire blocks, while for the finer sizes, say No. 24 to No. 36, there is still a greater difference, and for these sizes in England one man attends to 10 to 15 blocks; in the United States one man (with help of a boy) attends to 30 to 50 blocks.
>
> From the foregoing it will appear that while the individual earnings of the American workman is greater than that of the English workman, still the cost per hundredweight in wages to the English manufacturer, because of the greater amount of work turned out by the American workman, is due to the greater number of machines attended to by the American.

Andrew Carnegie has well stated the rule to be that the highest-paid labor produces the cheapest products.

The second proposition, namely, that wages depend also on environment and surrounding conditions, is almost self-evident, and it has been a source of wonder to me why protectionists, ostrich fashion, insist on comparing wages here and in Europe, while stoutly refusing to notice the difference in the conditions.

In the first place, there is the question of the density of population.

France has 190 persons to the square mile.
Germany has 270 persons to the square mile.
Italy has 293.5 persons to the square mile.
Great Britain has 341.6 persons to the square mile.
Belgium has 588 persons to the square mile.
United States has 25.6 persons to the square mile.

These figures furnish obvious food for reflection. Conditions in the different European countries are much more nearly alike than are the conditions in any one of them and the United States.

Population is much denser in no-tariff Britain than in high-tariff Italy or France or Germany. Why, then, are wages higher there? Mainly for the reasons given above—that is, greater efficiency of labor, and partly because of the surrounding conditions, such as greater deposits of coal and iron ore and tin and other things on which to expend labor.

But how do any of these, or all of them, compare with our country in material on which to expend labor? There is scarcely room for comparison, so abundant is our supply. We have gold and silver and copper and iron ore and coal; in short, we have mineral wealth of almost every kind in the greatest abundance. We produced $94,000,000 worth of gold last year; only a nominal amount was produced in all Europe. We produced $38,000,000 worth of silver; Europe did not produce one million, and most of that was in Russia. We have over half the world's supply of copper, so far as known; Europe has none to speak of. We have 194,000 square miles of coal land; England has 9,000, Germany 3,600, France 1,800. We have almost five times as much coal area as all Europe has. We have as much corn-producing laud as all the rest of the world, and more cotton-producing land than all the rest of the world. We furnish the greater part of the world's corn and four-fifths of the world's cotton.

Great Britain has neither gold nor silver nor copper, except in minute quantities. It has no corn land, no cotton land, no tropical-fruit land, no turpentine, rice, sugar-cane, or tobacco land, as against our very abundant supply of all these. Its population is over thirteen times as dense as ours. Yet, in the face of all these material differences in our favor, so lame is the protection argument that they depend on a wage contrast between our country and that one. And even at that, as we have shown by leading protectionists themselves, in the amount of money paid for a given amount of work actually done, the Englishman gets as much or more than the American, and very much more than is paid in any highly protected European country.

Surely, where natural wealth and opportunity are so abundant and the labor efficiency so high, our laborers do not get a fair proportion of what their labor produces, for a fair proportion under our conditions would be much more, both nominally and in purchasing power, than in countries less favored by nature and much more densely populated.

I cheerfully admit that protection enables the beneficiaries of it to pay high wages, but I think the facts given show conclusively that they do not. And here let me suggest that on protection's theory the protected employers of labor are trustees for the benefit of their employees. Now, a trustee ought to give a bond for the faithful performance of the trust, and he ought to make a report of his acts and doings as such trustee, and why should not the steel trust, for instance, be requested to report how much the tariff benefits it each year and why it is that, according to the July, 1906, bulletin of the United States Bureau of Labor, blast-furnace workers got only 16.9 cents per hour during 1905 for working in a place hot as hades?

Carnegie and Schwab and Gary and Frick and others are supposed to have grown very wealthy out of their share of the protection swag, but where is the furnace workers' share?

And Mr. Havemeyer, of the sugar trust, should report as trustee for men who work ten hours a day in a temperature as high as 110 degrees in his sugar refineries. What sort of a trustee is he who gets and keeps the portion of protection plunder that should go to the ward and stoutly refuses to open his books or file a statement?

As the present bill is framed with a view of guaranteeing the manufacturer a reasonable profit, Congress should certainly reserve the right to examine the books and get reports so it might judge as to the reasonableness of these profits. The publication of these reports would show what a brazen sham it is and how patient and long suffering the people are.

WHAT WILL ITS PROBABLE EFFECT BE ON THE PERPETUITY OF THE REPUBLIC?

The Declaration of Independence was the high-water mark of human freedom. This Government, reflecting its principles, is the best ever devised by man; hence the most important duty the American citizen has to perform is to preserve and perpetuate it for the benefit of our descendants and, indeed, of all the children of men. But after all it is a work of human hands and brain. It will not live always.

How long will it live? That depends somewhat on us. I have merely suggested the tremendous material wealth God stored up in our country. It has been, and is being, developed very rapidly. The great mechanical devices of the last half century have made it possible to develop these resources and convert them into wealth with almost incredible rapidity.

But where is that wealth? Who has it? How has it been distributed? It has been distributed very unfairly; indeed, it has scarcely been distributed at all. Largely because of the manner in which the protective-tariff laws operate, this enormous wealth has been and is concentrated too much; it is controlled by too few of our people. I can not better express the situation than by quoting at length the latest expression on this subject I have been able to find. Prof. Byron C. Matthews, in a book issued last year, Our Irrational Distribution of Wealth, says:

> Several attempts have been made to state in general terms the concentration of wealth in the United States which has resulted from the agencies employed for its distribution. One of the attempts was made in the early nineties by the late Charles B. Spahr, at that time an associate editor of the Outlook. He concluded that 1 per cent of the families of the Nation owned half of our national wealth. In other words, 125,000 families owned one-half, and 12,375,000 families owned the other half. He also concluded that of the 12,500,000 families in the Nation at that time 5,500,000 were practically "propertyless." He accredited to each of these families average family possessions amounting to about $150 in the form of clothing and plain household goods.
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> Mr. George K. Holmes, Chief of the Bureau of Statistics of the Department of Agriculture, Washington, D. C., also published an estimate during the early nineties. He concluded that—
>
> Twenty per cent of our national wealth is owned by three-hundredths of 1 per cent of the families; 51 per cent by 9 per cent of the families, not including the millionaires; 71 per cent by 9 per cent of the families, including the millionaires; and 29 per cent by 91 per cent of the families.

Again, he says:

As little as 5 per cent of the Nation's wealth is owned by 52 per cent of the families. Finally, 4,047 families possess about seven-tenths as much as do 11,593,887 families.

The same forces leading to concentration which were in operation up to the time when these estimates were made have been in operation since that time, and with increased activity and increased scope for this activity, as is evidenced by the greater number of combinations with greater or less monopolistic power that have been organized in all departments of industry since that time.

The inequalities are greater to-day than ever. A recent estimate of Mr. Lucian Sanial, a lifelong student of social conditions, is full of interest in all its details, but we give room for his summary of conclusions only. He concludes that of the $95,000,000,000 which constituted the national wealth in 1900, the 250,251 wealthiest men possessed $67,000,000,000, the 8,429,845 persons who compose the middle class possessed $24,000,000,000, while the poorer classes, composed of 29,333,137 persons, owned only $4,000,000,000. In this enumeration of population, only those "ten years and over" reported as occupied" are included. Of the wealth produced in 1900, estimated at $24,500,000,000, Mr. Sanial concludes that 23.74 per cent went to productive workers, while 76.26 per cent went to nonproducers and exploiters. None of these three men claim scientific accuracy for their figures. They claim only that they approximate the truth. As approximations to the truth, they certainly contain material for reflection, whatever may be our fair criticisms on them. Everybody knows that enormous wealth is amassed in the hands of a comparatively few men; every impartial student believes that such concentration is a hindrance to healthy social growth, hence a menace to social welfare. In it is developing a species of anarchism not yet generally recognized, but far more destructive of democratic government than the bomb-throwing type.

I do not say this condition is wholly due to the protective system, but I do say that protection, the "mother of trusts," as Mr. Havemeyer called it, has done more than all other agencies combined to bring it about.

We are often told that wealth is power. It is. There are men among us to-day who have so much wealth, and as a consequence so much power, that the ordinary imagination can not conceive of them as being deprived of their liberty, no matter what they did.

They are almost conceded to be bigger than the law. This is a dangerous condition, and, as Professor Matthews says, it is developing a species of anarchism far more destructive of democratic government than the bomb-throwing type.

Nor are these men in the main very patriotic or very ready to make sacrifices for their country's sake. They exhibit more anxiety to contract titled, or even royal, alliances than to maintain democratic simplicity, or to pay their fair share of public burdens.

Has the Republic anything to fear from this concentration of wealth?

The lesson of history is that it has.

We have recently had some very effective object lessons on that subject and should profit by them. I can not forbear before concluding to quote again from The Trusts of To-day:

In the mere cost of producing its output a combination of mills, as compared with a single plant producing on a large scale, obtains a distinct advantage. In the making of goods the trust must bargain for the service of employees and of money lenders with the same care that it buys raw material and sells its product. By the financial standing of its directors and its sheer monopoly strength, it may form alliances with banks and obtain lower interest rates on its commercial paper and on its long-time, funded loans.

The Standard Oil Company, together with the Amalgamated Copper Company and certain other trusts in which Mr. Rockefeller and his associates are interested, derives extraordinary advantage from its financial alliance with two chains of New York banks. As this particular advantage of combination is rather recent, it deserves explanation. By the natural concentration which for a generation has been going on in the banking business the National City Bank, of New York, has become closely connected with 50 or 60 other institutions in different parts of the country, and in New York has become head of 11 or 12 banks and trust companies. Identified with this chain of banks are the Second National Bank, the United States Trust Company, the leading officials of the New York Life Insurance Company, and the banking house of Kuhn, Loeb & Co. Associated with these interests is another chain of banks, headed by the Hanover National Bank and including the Trust Company of America and the Union Trust Company. About ten years ago the Rockefeller interests secured control of the National City Bank, so that to-day they influence within New York City alone $168,000,000 of banking capital, $475,000,000 of deposits, and $323,000,000 of loans.

Similar alliances are available to the industrial trusts controlled by J. P. Morgan & Co. Within its chain of institutions the Morgan interest numbers the First National Bank, the Chase National Bank, the Manhattan Trust Company, the National Bank of Commerce, the Morton Trust Company, the Western National Bank, the Equitable Trust Company, the Mutual Life Insurance Company, and the Equitable Life Assurance Company. These combined institutions influence a banking capital of $97,000,000, deposits exceeding $472,000,000, and loans aggregating $327,000,000. The advantage to borrowers among the trusts in which the Standard Oil people and the banking house of J. P. Morgan & Co. are interested may readily be imagined. Together these two alliances have at their disposal nearly one-half the banking capital of New York City. Not only are they ready at a moment's notice to loan millions and to undertake any vast enterprise for the favored trusts, but by their preponderance in the money market they are able to force the rivals of the trust to borrow at disadvantageous rates. The concentration of banking interests is for the most part due to the organization of trusts in manufacturing industry. The offensive and defensive alliance between the trusts and the banking institutions, which is most conspicuous in the Rockefeller and in the Morgan interests, appear with greater or less distinctness wherever there is industrial combination.

How easy this explanation makes it to put together the various links in the chain of circumstances which led up to the absorption of the Tennessee Coal and Iron Company by the steel trust last fall, thereby at one stroke getting possession of one of the largest deposits of coal, iron ore, and limestone to be found together in the world and incidentally forcing the President of the United States to ignore a vital law of the country, thus successfully establishing, in a bloodless way, a new doctrine of nullification.

In conclusion, I charge that the pending bill utterly fails to give the relief needed. It increases the burdens of both the farmer and the workingman, with no corresponding increase of benefits; it fails to furnish any remedy for the enormous concentration of wealth which has been and is going on to an alarming extent; it fails to redeem the pledges made to the people last fall and without which there would not have been a Republican majority here now, and it demonstrates that the country can get no real tariff reform through that party which owes its success to those special favorites under the law who have been enriched by tariff legislation.

Mr. KELLIHER. Mr. Chairman, the indignant protest of the American people against the imposition of a revenue tax upon tea and coffee in a time of peace has speedily effected the desired result. It is no longer a secret of the Ways and Means Committee room, but is anxiously proclaimed abroad, that no attempt will be made to levy this obnoxious tax.

Having been successful in preserving untaxed these articles so essential to the table, the consuming masses are now directing their energies toward two other schedules of the pending bill which can not possibly survive their irresistible attack. As necessary as tea or coffee is to the table of the rich and poor alike, so are stockings for their feet and gloves for their hands.

The unwarranted action of the committee in making excessive, if not indeed prohibitive, the customs tariff upon these essential articles of wearing apparel can not but result in such an uprising of hostile public opinion as will compel the august committee to again revise these schedules, and the next time downward to at least the Dingley basis.

Mr. Chairman, upon nearly every tariff schedule of importance which underwent a revision an argument was furnished by some member of the committee in favor of the change. Upon the hosiery schedule in the Payne bill the committee has maintained a silence which, to say the least, is discreet, if not suspicious. It is true that the chairman, in his opening statement, did mention the change, but so nimbly did he pass on and away from it that the House is still in the dark as to what influenced the committee's action in adding 30 per cent to the present duty upon cotton stockings of the poor man, woman, and child, and caused them to refrain from increasing the duty upon the silk hosiery of the well-to-do.

We were not enlightened upon the subject and still remain in doubt as to what method of reasoning we owe this remarkable conclusion of the committee. It has been proclaimed that the desire to recoup our revenues was uppermost in the work of the committee in preparing the pending bill, but that no opportunity to strengthen the protective system would be allowed to go unchallenged.

The hosiery schedule presents a glaring example of the inconsistency of the framers of the bill. All thought of increasing revenues were cast to the winds and the Public Treasury sacrificed that a small clique of powerful manufacturers, already in almost absolute control of the output of domestic cotton stockings, might exploit the domestic market without hindrance from foreign competition.

Pass this schedule in its present form and the Brown hosiery syndicate, of Philadelphia, will be practically without competition in the American field of cheap-grade cotton stockings, and the poor man, woman, and child will take what they offer and at the price they fix or go without a grade of stocking they have become accustomed to wear. Glance at the hearings—brief and pithy—at which the wise committeemen obtained the facts—God save the mark—upon which they based their action in increasing the tax upon the cotton stockings of the humble to such an unjustifiable extent, and you will note a brief or two and a series of exhibits, all furnished from the concerns which make up the Brown hosiery trust.

In this group are:

Brown-Aberle Company; Brown Knitting Company; Harry C. Aberle Company; Thomas E. Brown & Son; German-American Hosiery Company; Glen Knitting Company; Brown-Moore Hosiery Company, of Philadelphia; and the Berkshire Knitting Mills, of Reading, Pa.

The Brown family controls all of these concerns and all their products are distributed through one selling agency.

These are the manufacturers who sought and got this unlooked for and unwarranted increase over the Dingley rate under which their industry had grown at a marvelous pace. That

I may not be charged with voicing the protest of any particular interest rather than that of the great masses of people to be exploited, I would call attention to the fact that a great hosiery industry is located at Ipswich, Mass., whose annual production of cotton hosiery amounts to about $1,000,000. To the credit of this corporation they did not seek this increase in duties. This industry will share in the unnatural profits that will inevitably accrue to the domestic manufactrers of hosiery if the only check which keeps the prices of these articles within reason—the importation of foreign stockings—is removed.

A casual comparison of the yearly importations of cotton hosiery from Europe since the McKinley bill went into effect will show that importations have practically remained at the same figures, while in periods dating from 1900 to last year the domestic output has increased at an almost incredible rate, reaching a size in 1908 that was 100 per cent greater than 1900, as the following indicates:

Table showing imports of foreign hosiery.

1890	$6,604,835
1900	8,623,154
1908	6,645,570

Table showing output of domestic hosiery.

1900	$27,233,616
1905	43,590,357
1908	50,000,000 to 60,000,000

Surely, with the imports virtually at a standstill for eighteen years, so far as growth is concerned, and the domestic output increasing 100 per cent in only eight years and still increasing, the fallacy of the contention that such an increase as contemplated in the Payne bill is for the purpose of stimulating an infant hosiery industry is as evident as that two and two make four.

That the Federal Treasury will not be enriched from customs tariff upon increased importations of foreign hosiery as a result of this raise is too apparent to dignify with an argument. Low duties stimulate, high duties paralyze, importations.

Mr. Chairman, surely no member of the Ways and Means Committee will display the temerity to argue that with the duty upon low-class hosiery at 50 cents per dozen pairs and 15 per cent ad valorem there will not be more imported than with the duty at 70 cents per dozen pairs and 15 per cent ad valorem, an increase of 30 per cent upon the same goods. And right at this point a table showing the difference in the duties upon hosiery between the Dingley and Payne bills may not be amiss:

Table showing increase in hosiery duties in Payne over Dingley bill.

Value.	Dingley.	Payne.	Increase.
Not more than $1 per dozen pairs.	50 cents per dozen pairs, 15 per cent ad valorem.	70 cents per dozen pairs, 15 per cent ad valorem.	30 per cent.
$1 per dozen pairs and not more than $1.50.	60 cents per dozen pairs, 15 per cent ad valorem.	$85 cents per dozen pairs, 15 per cent ad valorem.	Do.
More than $1.50 per dozen pairs and not more than $2 per dozen pairs.	70 cents per dozen pairs, 15 per cent ad valorem.	$1 per dozen pairs, 15 per cent ad valorem.	Do.
More than $2 per dozen pairs and not more than $3 per dozen pairs.	$1.20 per dozen pairs, 15 per cent ad valorem.	$1.50 per dozen pairs, 15 per cent ad valorem.	20 per cent.
More than $3 and not more than $5 per dozen pairs.	$2 per dozen pairs, 15 per cent ad valorem.	$2 per dozen pairs, 15 per cent ad valorem.	No increase.

From the above table it is seen that additional tariff burdens of 30 per cent are put upon the cotton stockings that cover the feet of the poorer classes, while the luxurious silk hosiery that adorn those of the opulent are not further from the reach of the wealthy than they were under the Dingley bill. The old-fashioned cotton stockings that are imported into this country, and which retail at 25 cents per pair, are increased 30 per cent, while silk hosiery, which retail from $3 to $5 per pair, remain as they are. The better quality of cotton stockings that are worn by the middle classes, which retail for 50 cents per pair, must also bear an additional burden of 30 per cent, which the fancy silk hose escapes.

Mr. Chairman, the claim that may be made that additional revenue will flow into the Treasury as a result of this outrageous increase is easily riddled. For ten years we have been collecting approximately $3,600,000 yearly from hosiery importations, or about 60 per cent on a yearly importation of $6,000,000 foreign products. If the increase carried in the pending bill becomes law, there is not the slightest doubt but that which its rapacious advocates desire and figure will transpire—great reductions in importations.

With dwindling importations will come corresponding shrinkage in revenue returns, and competent authorities upon the subject predict a decline of over 50 per cent inside of five years, which, if it eventuates, means a great dropping off in revenue. But, to turn to another phase of the subject, what will be the effect on the eventual burden bearer, the consumer?

Mr. Chairman, it is a fact that will not be disputed that in 1906 and 1907 the Brown hosiery syndicate, of Philadelphia, the largest in America—who are to be the chief beneficiaries under the proposed increase—could not fill their orders for fully a year after they were placed, so great was the demand from the American trade. Great firms like Lord & Taylor, Brown, Durrell & Co., Marshall Field & Co., Arnold & Constable, were unable to obtain goods within nine months of the time they should have been delivered from the Brown mills, and yet these modest Pennsylvanians demand additional protection to an industry which has demonstrated its incapacity to meet the demands already put upon it by the domestic trade.

There may be something said upon the question of the pay of the labor in the hosiery mills of the country—for the man who would get higher protection for a commodity which he would corner pleads eloquently and pathetically for the uplift of American labor when he would divert attention from his own selfish interest.

Mr. Chairman, no justification can be found for any claim that the great consuming public should be levied upon to protect the wage of the hosiery mill operatives in the mills of the Brown syndicate. They to-day enjoy a splendid wage, which I trust will continue, and their condition does not enter into a consideration of this question in the remotest manner.

Mr. Chairman, I have yet to make a speech in Congress in which I have intentionally uttered a single syllable in a demagogic spirit. I have no respect for the man who decries the achievement of honest capital or patience with the calamity shouter who traces the blame for the social ills of the country to those captains of industry who have contributed so generously to the great triumph of American industrial and commercial development.

But in this case I am forced to the belief that the new hosiery schedule was written for the sole purpose of turning over the great cotton stocking market of America to a Philadelphia syndicate which has already been fabulously enriched by the protection which the Dingley rate affords. There is an old saying that much wants more, and it is my solemn belief that if the Payne duties are retained upon cotton stockings, which the humbler element of the country is compelled to purchase, the control of this essential commodity will be put into the hands of a few to exploit to their heart's content.

Mr. Chairman, the American people of to-day live much better than they did a generation ago. What was then considered in the light of a luxury, both in food and wearing apparel, is regarded as necessary to-day, and people will deprive themselves to obtain what their tastes demand. This being so, it is manifestly unfair for the champions of high duty upon hosiery to declare that recourse can be had by the consumer of modest means, who can not afford to meet the advanced price of the full-fashioned hosiery, to the cheaper or seamless article. They find it possible to obtain them to-day; the capacity of the mills of the American hosiery manufacturers is being tested, and the revenue from the foreign importations is as large as it can be made. Then why not let well enough alone? But if there must be a change, at least distribute the burden equally.

It is an indefensible rearrangement of tariff duties that imposes a further burden of 30 per cent upon the cotton stockings of the poor man, woman, and child, and leaves the silk hosiery of the rich with no other share than it already bears. Mr. Chairman, public opinion will rewrite this schedule, if not in the House, then at the other end of the Capitol; and I venture the prediction that when the new tariff law goes into effect the hosiery schedule will read as it does to-day, and the Department of Justice will not be invoked to dissolve a hosiery trust, which would be the inevitable sequence of the passage in its present form of the pending bill.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I do not intend to engage in any carping or hypercritical criticism of this bill. I appreciate fully the difficulty which confronted the Ways and Means Committee when they set about to revise the tariff and frame a bill that would meet the increasing demands of an overworked Treasury, and I am not disposed to criticise them too harshly or to find fault unnecessarily with the bill which they have reported. I believe they have done as well as any other gentlemen could have done under the same circumstances, and when I say "under the same circumstances" I mean when required to frame a bill for one purpose which is intended to accomplish an entirely different purpose. This is not a bill to raise revenue. It is as far from that as the East is from the West. On its face it purports to be "A bill to provide revenue,

equalize duties, and encourage the industries of the United States, and for other purposes." A Frenchman wrote a dictionary and defined a crab to be a little red fish that walks backward. He submitted his book to an English lexicographer for his criticism, and the Englishman said:

I have only three objections to this definition. In the first place, a crab is not a little fish; in the second place, it is not red; and in the third place, it does not walk backward.

My criticism of this bill would not be so sweeping as this. It is not "a bill to provide revenue." That much is true. It is not "a bill to encourage the industries of the United States," but it is most certainly, as it claims to be, "a bill for other purposes." In the first place, it is not a bill to provide revenue. I have too high a regard for the intelligence and statesmanship of the distinguished gentlemen who framed it to believe for one minute that they would work as diligently, as earnestly, and as secretly as they have done for four long months in an effort to frame a bill to provide revenue and then bring in this bill, which I might call "another bill of abominations" if I were in a mood to be critical, which I am not.

The Dingley bill, we have been taught to believe, was the complete fruition, the "full corn in the ear," of that perfect fiscal policy so long promised to those who held fast to the substance of things hoped for, the evidence of things not seen; but it could not meet the demands of that spirit of reckless extravagance which has characterized the last twelve years of Republican maladministration. Our expenditures were running behind the receipts until we were brought face to face with a deficit of a hundred million plus, and then the majority members of the Ways and Means Committee set about to revise the tariff so as to make it a real revenue producer. The papers were filled with prophecies and assurances from those high in the councils of the dominant party that this was, indeed, to be a revenue bill. "*The Republicans have appropriated the last plank left in the real Democratic platform.*" "*What will the Democrats now stand for since the Republicans are to give us a tariff for revenue?*" These are some of the headlines we have been greeted with during the last few months, and the Payne bill is what we are to get.

I shall vote against the bill unless it is amended beyond any hope which I now have. I am opposed to it as a revenue measure because, in my opinion, it will produce less revenue than the Dingley law, which it is to supersede; and I am opposed to it as a measure of protection because I do not believe in the policy of protection, which in this bill is nothing short of protection run mad. I believe every system of indirect taxation is bad, but a fiscal policy which levies taxes upon the citizen unawares and then turns that tax over to another citizen instead of putting it into the Common Treasury is indefensible and, in my opinion, wicked. The ideal system would require the tax collector to stand in front of the taxpayer and demand of him his lawful tax, and if that were done we would hear no more of billion-dollar sessions. Perhaps it may only be idealistic, but be that as it may, the further we depart from that policy the nearer we approach error, and no policy based upon error can be defended.

I am opposed to the policy of protection utterly, and by that I mean to say that in my opinion a tariff should be imposed for the one sole and only purpose of raising revenue for the Government. The Supreme Court of the United States expressed my view very forcefully in the opinion in Loan Association r. Topeka, reported in Twentieth Wallace:

To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less robbery because it is done under the forms of law and is called "taxation." This is not legislation. It is a decree under legislative forms.

I am not in sympathy with the so-called policy of "a tariff for revenue, with incidental protection." If I should write a tariff law I would write it with the sole view of raising revenue, and whatever protection it afforded would be accidental rather than incidental. In 1892 we made a clean, straight fight for a tariff for revenue only, and we won then because we deserved success. The issue was clearly drawn and everybody understood it. We denied the right of the Government to impose imposts for any other purpose than to raise revenue. We said in our platform:

We denounce Republican protection as a fraud—a robbery of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purpose of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

Nobody believes the Wilson law was written along any such lines. In his report Mr. Wilson himself said:

The bill on which the committee has expended much patient and anxious labor is not offered as a complete response to the mandate of the American people. It no more professes to be purged of all protection than to be free of all error in its complex and manifold details.

The Republican party unloaded the offspring of their own misgovernment upon this much-maligned measure, and by persistent, artful, and unceasing misrepresentations succeeded in so associating the Wilson law with hard times as to make them convertible terms in the political parlance of the day. In the first place the Wilson law was not responsible for the panic of 1893. As a matter of fact, it was not enacted until August 27, 1894; and, in the second place, it was not a tariff for revenue only, and no jugglement of historical truths can ever write it so in our political history. Mr. Jefferson said that there was nothing to be feared from error so long as reason was left free to combat it, and we should have held fast to that faith and exposed the falsity and sham of the Republican contention, and time would long since have justified us. You can not fool all the people all the time. Unfortunately, we abandoned the fight for a tariff for revenue only in the next campaign, and in its stead embraced the new, though simpler, doctrine of a tariff for revenue, with the meaningful word "only" left out. Since the Payne bill has been a burning we have had an opportunity to observe this new evangel in action, and judged in the light of its interpretation here during this present session, I have no hesitancy in pronouncing it a fit consort for its supposed antithesis, the policy of protection, and I leave it to a candid public to determine, if it can, which is the bigger humbug. When a given schedule is under consideration, lumber, for instance, or hides, the advocate of protection insists upon the Dingley rates, because he is in favor of protection for all American industries.

The Democrat who has large lumber interests in his district votes for those same rates because he believes in a tariff for revenue, and in either event the people pay the tax. The only schedule which can not be justified under the doctrine of a tariff for revenue as distinguished from a tariff for revenue only is where the rate is prohibitive. Take the lumber schedule as a fair example: We produce 40,000,000,000 feet of lumber annually in the United States, and we import approximately 1,000,000,000. If the tariff is a tax—and it will be a difficult matter to convince any variety of Democrat that it is not—and if the consumer pays that tax—and it will be equally difficult to convince a Democrat to the contrary—then the American consumers of lumber are taxing themselves $80,000,000 annually in order to collect $2,000,000 revenue for the Government. In other words, the ratio of revenue to tax is as 1 to 40. The schedule under which cotton ties are taxed produces $14,000, but it enhances the price to the consumer of cotton ties, who is the cotton farmer, $400,000 annually. In this instance the ratio of revenue to tax is as 1 to 28. How, then, can one who votes for the lumber schedule on the ground that it is a revenue tariff refuse to vote for the tariff on cotton ties, which is, relatively, a better revenue producer? The woolen schedule produces some $37,000,000 revenue, and it is variously estimated that the increased price of woolen manufactures due to the tariff is approximately $200,000,000. The ratio of revenue to tax here, then, if these estimates are accurate, is as 1 to 5½. I mention the woolen schedule because, to my mind, it is so utterly indefensible. The rates are practically prohibitive on many of the articles of most common and most necessary consumption. Common blankets, for instance, valued at not more than 40 cents a pound, must pay a tariff of more than 107 per cent. In 1907 our imports of this blanket amounted in all to only 1,116 pounds; or, in other words, the rate was prohibitive.

Take the cheaper grades of flannels, which are used for underwear: The rate is 90 per cent, and this duty last year yielded the Government the handsome sum of $55.86. If the lumber schedule, which gives $1 for revenue out of every $40 of tax, can be brought under the ægis of this policy of a tariff for revenue, why not extend that same defense to the tariff on blankets and underwear. I shall not attempt to unravel the mysteries of the wool schedule nor to undertake any detailed discussion of it. I mention it in this connection simply to show that it can be defended upon the doctrine of a tariff for revenue just as reasonably as other schedules are defended—lumber or hides, for instance—and yet, to my mind, it is the most iniquitous of all the schedules in this bill. I say this because it entails actual suffering upon many people who are unable to pay the high prices which the protected manufacturers are enabled to demand. They not only pay high prices, but they get very inferior quality of goods. While the committee was having its hearings the gentleman from Ohio

[Mr. LONGWORTH] read a letter from a manufacturer of woolen goods which is most interesting on this point.

This is the extract which he put into the hearings:

As a manufacturer of clothing for a period of almost fifty years, I can truthfully state that I never handled cloth of so inferior a quality for the price as I do now. The masses, consisting of laborers, mechanics, and farmers, the real users of ready-made clothing, are receiving practically no value for their money. The qualities and colorings are so poor that in many instances the colorings fade and crockle, and in the manufacture of garments give positively no satisfaction to the wearer.

If I were an orator, Mr. Chairman, if I had either wits, words, or the power of speech to stir men's blood, I think I should wish for no better subject for inspiration than the iniquities of this woolen schedule. The minority leader read a most remarkable editorial the other day, which I shall take the liberty of printing as a part of my remarks. It tells its own story much better than I can tell it.

The editorial is from the Kansas City Star:

TUBERCULOSIS AND THE TARIFF.

Probably few persons have ever given the matter a thought, but there is an intimate relation between the high protective tariff and the high mortality resulting from tuberculosis. The ravages of this disease are greater in the United States than in any other similarly enlightened country. And the cost of warm clothing is greater in this country than in others. There is where the relation between an unnecessary tariff and a largely preventable malady comes in.

It has been shown that tuberculosis is very largely a disease of poverty. Particularly is the spread of the disease, the miscellaneous infection from it, mainly traceable to poverty. And, next to good food and fresh air, the most important thing in the prevention or the cure of tuberculosis is warm, woolen clothing. But the cost of this kind of clothing, whether for wearing apparel or for bedding, is directly increased about 100 per cent by the heavy import duty on wool and woolens. This excess cost is raised to about 150 per cent by the duty on machinery and other articles affecting the manufacture of woolens. These duties were imposed to promote sheep raising and the manufacture of woolens. But the increased cost of raw material has made the general tariff disadvantageous to the manufacturer, and it has not greatly benefited the woolgrower. At least, such benefits as have accrued to the limited class engaged in growing wool is as nothing compared to the benefits that would come to the masses in general through cheap clothing; or to the cruelties, hardships, sickness, and death resulting from an insufficiency of warm clothing. It is better that the Nation should be comfortably and cheaply clothed, warmed, and saved from preventable disease than that the woolgrowers should increase their profits at the cost of these advantages to the whole people. It is claimed by scientists that cheap wool clothing would do more to suppress tuberculosis than all the sanitariums and other agencies now maintained for that purpose.

But in order to make an equitable adjustment of this question, the tariff should be taken off both raw and manufactured wool, and from all machinery or other articles affecting the cost of manufactured wool.

[Applause on the Democratic side.]

The gentleman from Georgia [Mr. GRIGGS] says the cotton schedule is even worse than the wool. I can hardly believe that, although the gentleman being a member of the Ways and Means Committee is more familiar with the schedules than I am, and he may be right. Certainly the wool schedule is bad enough. There is one right curious fact about this cotton schedule, though, that I would like to call to the attention of the committee. When the bill was reported I observed that the tariff on certain lower grades of cotton manufactures was reduced and on certain higher grades was raised, and knowing that the southern mills were largely engaged in the manufacture of these lower grades I was curious to know just what they thought of these changes. I made some inquiry into the subject and received this astonishing information: The southern mill men said they were satisfied with the cut in the rate on their products because that, together with the increased duty on the finer fabrics, would tend to induce the New England manufacturers to quit making the low grades and devote all their skill to the production of the more highly protected grades, and that would give the southern fellows a monopoly of the manufacture of the lower grades. Just what there is in this I can not say, but it is the reply which I got from a gentleman who is in position to know what the southern mills want, and he told me this was the statement they had made to him.

But, och, mankind are unco weak
And little to be trusted,
If self the wavering balance shake,
'Tis rarely right adjusted.

Mr. Chairman, I believe the tariff is a tax. I repeat that because I believe a Democrat ought to repeat it very often. I think it would be a very good mental exercise if every Democrat here would repeat this sentence at least once a day for the next two weeks: "The tariff is a tax, and the consumer pays it." Senator George was a very great man. He was not an expert in tariff schedules, but he had a superabundance of what Emerson calls "the saving grace of all valid minds," common sense. In discussing the Wilson tariff bill, when it was before the Senate in 1894, he said:

I am not an expert on tariff matters. I am not a member of the Finance Committee, and I have not given much attention to the question of taxes, or tariff, or finance, except that I have a sort of old-fashioned notion in my head that if anything I wish to buy is brought into this country and is taxed at the seaport 15 or 20 or 30 per cent, in the end I have to pay it. I have that sort of an old-fashioned notion.

I have that same notion, Mr. Chairman, and I have the further notion that if a tariff is so high as to keep out importations from abroad then the American manufacturer is adding a very large per cent of that tariff rate to the selling price of his product, and that the consumer is in this way paying that tax, not to the Government, but to the manufacturer. I am not the only one who believes that, either, Mr. Chairman. The manufacturer believes it, too, and as evidence of that fact the very first day the Ways and Means Committee met here last fall the manufacturer came to town. It was the old song over again of the "Beggars coming to town"—

Some in rags and some in tags and some in velvet gowns.

Figuratively speaking, the glove manufacturer was in the worst kind of rags. Without more help he would certainly perish, according to his account of the situation. And right here I want to quote what another great Mississippian said in this Capitol upon a former occasion when the Senate was considering a tariff bill. Certain interests then were clamoring for protection just as they are to-day, and some were insisting just as the glove man is insisting that unless the fostering hand of the Federal Government was extended and the taxing power was invoked to his rescue their business would be destroyed. I commend his words of wisdom to every Democrat who is asking protection, under the guise of revenue, for some industry in his district which he has been clamored into believing will be ruined if left to competition from abroad.

In discussing this very phase of the question, Senator Lamar said:

If it be true that these industries can not exist without the aid of taxes levied by the Government; and if Congress, recognizing this fact, levies duties for the purpose of maintaining them, they are not really industries, but Government manufactures, political establishments, branches of the public service; as much as are the army and navy and diplomatic corps or any of the departments of administration.

Gentlemen on this side of the Chamber gagged only a few weeks ago when they were importuned in debate to vote for a ship subsidy, and yet many of those same gentlemen are to-day advocating a protective tariff on some product of their districts. The only difference between a subsidy and a protective tariff is that the subsidy is voted directly to the favored interest out of the funds which the Government has collected from the people, and the protective tariff authorizes and empowers the interest itself to collect the tax by increasing the selling price of its product to the people. The one is done directly, openly, and above board, whereas the other is done indirectly and under the false pretense of raising revenue. How many Congressmen would be reelected if we were to vote directly to Mr. Weyerhaeuser and Mr. Hines and to the other 50 millionaires who are associated with them in what has been referred to in the hearings as the "Weyerhaeuser group of lumber kings"—if we should vote to these gentlemen directly, I repeat, $2 a thousand on their lumber cut in order to prevail on them to continue in the lumber business and employ American labor? Suppose a bill were introduced here to pay Mr. Littauer $10,000 or $100,000, or any other number of thousands, in order to induce him to manufacture women's gloves in competition with foreign factories, how many votes would it receive? And yet this is exactly what we are doing, but we are doing it by indirection.

It is not my intention to discuss any of the schedules of this bill in detail or at length, because I do not know enough about them to do so intelligently; but I do intend to say something about the tariff on lumber, because my district is pretty nearly covered with virgin forest and there has been more or less agitation there in favor of such a tariff. If I am given an opportunity to do so, I shall vote to put lumber on the free list, although I believe the lumber industry is as much entitled to protection as any other American industry. But when I say that I have helped its cause very little from my view point, because I am opposed to the whole policy of a tariff for protection.

I believe that the only proper function of a tariff law is to raise revenue for the Government. This, as I understand it, has been the teachings of the Democratic fathers, and the old-time religion is good enough for me. I do not mean by this to question the Democracy of any gentlemen on this side of the Chamber who is in favor of the lumber schedule. I simply say that the old-time religion is good enough for me, but I understand fully that we gave up that creed, as a test of party faith, some years ago when we abandoned the doctrine of a tariff for revenue only.

I would like to commend to some of my colleagues on this side, however, what occurs to me to be some very sound Democratic, as well as patriotic, doctrine. When the tariff was under discussion on this floor in the spring of 1892, the following col-

loquy occurred which, I think, tells its own story without comment from me. There are some gentlemen on this side who, I think, will find this very interesting, if not instructive. I read from the CONGRESSIONAL RECORD of March 16, 1892:

Mr. PERKINS. Are you to be understood as opposed to a state or national protection to be extended to the beet-sugar industry?

Mr. BRYAN. I am, most assuredly. [Loud applause on the Democratic side.] And when it is necessary to come down to Congress and ask for a protection or a bounty for an industry in my own State, which I should refuse, as wrong to an industry in another State, I shall cease to represent Nebraska in Congress. [Great applause on the Democratic side.]

I call attention to the fact that the RECORD of that distant date reads "Great applause on the Democratic side."

I believe I have already stated that the tariff on lumber is no more to be defended on the ground that it is a revenue tariff than is the tariff on steel or the tariff on wool and woolen goods. If we test it by the logic by which the protectionist has always justified his theory, I believe it will as signally fail there.

Perhaps I should say by which the protectionist has heretofore justified his theory. Recently we have a new doctrine or rather a new logic of protection from an unquestioned source, from no less a personage than the Speaker himself. In his interruption of the gentleman from Missouri [Mr. CLARK] the other day, he said:

I stated further that words were cheap; that they knew in the Joplin district and elsewhere in Missouri whether a duty on zinc that came in competition with their production was necessary. I told them that action was louder than words; that they being experts, I being a Member of Congress, if I should be reelected, their action would control my vote; that if they sent the message by Representative MORGAN (and I laid my hand on his shoulder), that they being experts believed that zinc ore ought to go upon the protected list, I would take their action and vote accordingly; and if they sent Mr. Hackney, I would take their action and vote accordingly, and that it was up to them. [Laughter and applause.] Now, that in substance was my speech, and in substance it was my speech in the district of Mr. RUSSELL and his near-by Democratic Representative, passing through the zinc and the lead and the glass districts. Now, those people seemed to think that glass, lead, and zinc needed protection. I will take their judgment, after full inquiry, and shall vote for that protection. [Applause on the Republican side.]

In other words, protection is no longer a theory of economics to be subjected to the tests of careful and patriotic study; no longer a matter to vex the minds and challenge the thought of the statesman, but a simple question to be submitted to every selfish interest in the country: Do you want us to give you a special privilege which will enable you to charge more for your product than it is worth? If so, send a man to Congress who will stand with the rest of us who are engaged in that same lofty enterprise and we will let you in.

But there are better arguments for protection than this. There are arguments which appeal to the judgment of the patriot as well as to the cupidity of the robber, and when I say that the tariff on lumber can not stand the test of protection logic I mean the test of honest arguments. The first argument by which the theory of protection was justified is what is usually called the "infant-industries" argument.

Professor Taussig, of Harvard University, in his "Tariff History of the United States," puts it as follows:

The argument is, in brief, that it may be advantageous to encourage by legislation a branch of industry which might be profitably carried on, which is therefore sure to be carried on eventually, but whose rise is prevented for the time being by artificial or accidental causes. The essential point of the argument lies in the assumption that the causes which prevent the rise of the industry and render protection necessary are not natural and permanent causes; not such as would permanently prevent, under a state of freedom, the growth of the industry.

Subjected to this test, will the lumber tariff stand? Is there any reason to believe that if protection is now extended this industry may be "carried on eventually" at a profit without protection?

We have the assurances of Mr. Gifford Pinchot, our Chief Forester, that our supply of timber will be exhausted during the lifetime of this present generation, so that there will be no chance for this industry "to be carried on eventually" at all, either at a profit or at a loss. And I will say here, furthermore, that while there is very much in his great work to which he may always refer with justifiable pride, I do not believe that in the future Mr. Pinchot will ever point even with satisfaction to the recent letter which he wrote to Mr. PAYNE on the subject of this lumber tariff. As I read it, he bases his hope for the conservation of our forests upon the promise of the lumber interests, that if the present rates are retained they will promise to be good. There is not a man in this Congress who will say that the experience in his own district gives him any reason to hope that the lumbermen will in the future refrain in the slightest degree from their greedy and scandalous destruction of our timber wealth.

Is the lumber interest still an infant industry? We all know as a matter of fact that it was the very first American industry in which the settlers engaged the day they set foot on the soil at Jamestown. Bishop, in his History of American Manufactures, says:

The first products of the industry of the Plymouth colony of Rhode Island, and probably of others, sent to a foreign market were manufactured from the almost inexhaustible wealth of the American forests.

Shipbuilding commenced within three years after the landing of the Plymouth colony. Just a century before the Declaration of Independence 730 vessels were built in Boston and vicinity.

In his report to Congress in 1791, Alexander Hamilton, among other industries enumerated, says:

WOOD.

Several manufactories of this article flourished in the United States. Ships were nowhere built in greater perfection, and cabinet wares generally were made little if at all inferior to those of Europe. Their extent was such as to have admitted of considerable exportation, and exemption of duty of all woods used in manufacture seemed to be all that was required.

To illustrate to just what proportions this "infant" has grown of late years, the following extract from the testimony of Mr. T. M. Knappen before the Ways and Means Committee last November will be interesting:

It is estimated that three interests now control one-third of all the standing timber in the United States. One of these, the great Weyerhaeuser group, is said to have produced more than 50 millionaires.

A right curious thing happened when Mr. Knappen was testifying before the committee:

Mr. FORDNEY. Whom do you represent?

Mr. KNAPPEN. I represent myself; I represent the National Forest Conservation League; and I believe I represent the sentiment of a great many people.

Mr. FORDNEY. What is the National Forest Conservation League that you represent?

Mr. KNAPPEN. It consists very largely of myself.

Mr. FORDNEY. That is what I thought. [Laughter.]

When the gentleman from Michigan [Mr. FORDNEY] came to make his speech on this bill the other day he took occasion to refer to this colloquy again, and, as before, the announcement that Mr. Knappen represented no one occasioned laughter. No wonder the gentleman from Connecticut [Mr. HILL] felt called upon to assure the witness that—

You do not have to represent anybody but yourself as an American citizen coming before this committee.

The argument of the protectionists, and strange to say the very same argument is made by those Democrats who are voting for the lumber tariff solely for the purpose of raising revenue, is that the American lumber interests can not compete with the lumber mills of Canada. The following news item, which I clipped from a daily paper a day or two ago, states their position clearly, and incidentally throws some light on the extent to which this infant industry has recently developed. It is well to consider this telegram also in connection with the argument quite familiar to us of late that we on this side should favor the lumber tariff even if it is protective, because the South is getting the benefit of it now. This telegram indicates pretty accurately who the South is that is getting this advantage. Mr. Fosburgh seems to be a pretty big part of the South himself, about four States, I believe, he modestly admits to being. Mr. FORDNEY would have had no cause to laugh at Mr. Fosburgh if he had appeared before his committee. It is very plain whom he represents.

VIEW OF A LUMBERMAN.

NORFOLK, Va., *March 18, 1909.*

E. C. Fosburgh, president of the North Carolina Pine Association, controlling a majority of the lumber mills in eastern Virginia, Maryland, and North and South Carolina, declared here to-day that the 50 per cent reduction on lumber proposed by the new tariff bill will be ruinous to lumber manufacturers and mills generally on the entire Atlantic seaboard.

He contended that while some of the strong manufacturers may withstand the damage, the small operators will be driven out of business, the greatest injury being likely in this immediate section, which would be flooded with Canadian lumber. He said the lumber interests of the country will fight against the reduction.

The facts show that we exported about $7,000,000 worth of lumber to Canada last year, and in addition to that we exported approximately 2,000,000,000 feet to the various countries of the earth, and the Democratic doctrine, as I understand it—and it is also the doctrine of common sense—is, that if a manufacturer is able to sell his goods in the open markets of the world in competition with all comers, then he needs no protection. From 1895 to 1907 the mills in Washington and Oregon increased their exports from 131,000,000 feet to 363,000,000 feet, while the mills of British Columbia, which these gentlemen are so much afraid of, increased their exports in the same period and to the same markets from 41,000,000 to 67,000,000 feet, the increase in the former being nearly 200 per cent, and for the latter about 55 per cent.

It is ridiculous to contend that these gentlemen are seeking this protection because they are unable to compete with Canada or British Columbia. What is their reason then? I am told

by gentlemen of many years' service here that they have never known such a lobby in Washington as these gentlemen have maintained here for the past three months. Why this solicitude for the Government's revenues? Why are they here?

Good now, sit down; and tell me, he that knows,
Why this same strict and most observant watch.

To my mind there can be but one answer—they want this tariff because they believe it will enable them to rob the American consumer of lumber by charging him more for it than the Canadian is willing to sell it to him for, and that, too, in the face of the fact that they are successfully meeting the Canadian mills in the open markets of the world and are furthermore shipping considerable quantities of lumber into the Canadian market itself. So much for the "infant-industry" argument. The next argument in point of historical development of the policy of protection was that it is necessary to have protection against foreign competition in order to enable the American manufacturer to pay the high rates of wages which prevail in the United States.

I quote another passage from Professor Taussig's book:

About 1840 the protective controversy took a new turn. It seems to have been felt by this time that manufactures had ceased to be young industries—

God save the mark—

and that the argument for their protection as such was no longer conclusive. Another position was taken. The argument was advanced that American labor should be protected from the competition of less highly paid foreign labor. * * * The protectionists asserted that high duties were necessary to shut out the competition of the ill-paid laborers of Europe and to maintain the high wages of the laborers of the United States.

This is the same old false pretense we are hearing to-day. We have been listening to it for fifty years. There never was any truth in it, and there is none in this. Fortunately we were able to get the figures from first hands in this matter, and the fact is established beyond controversy that the wages in the cold and forbidding climate of the far north are greater than in the warmer and more genial climate of the Pacific coast and the Southern States. All the conditions of life and work are harder there than with us, and every element that goes to make up the labor cost of lumber there is greater than with us. The hearings developed the following scale of wages. I quote from the testimony of Mr. Scanlon, a large manufacturer of lumber in both countries.

In the Province of Ontario, Canada, about the same scale of wages prevails as are paid in Michigan, Wisconsin, and Minnesota. In the Provinces of Saskatchewan, Alberta, and in the mountain district of British Columbia common labor is paid at the rate of $2.25 per day of ten hours in the sawmills and $2.50 per day in the woods, while in the so-called "coast district" of the Province of British Columbia, common labor receives $2.50 per day in the sawmills and $3 per day in the woods, and skilled labor is being paid in the same proportion. There is some oriental labor used in the British Columbia mills, ranging in price from $1.25 to $1.75 per day, depending on the class of work they perform. Considering the efficiency of the oriental labor, they are more expensive than white, and they would not be employed at all if white labor could be obtained. In fact, the laws of British Columbia prohibit the use of oriental labor in cutting and removing the timber from provincial lands. Wages are so high in Canada that I do not think we have anything to fear on that score.

The gentleman from North Carolina [Mr. KITCHIN] exposed so completely the humbug about subjecting the American workman to the competition of oriental laborers in the mills of British Columbia that it is hardly worth mentioning again. They sent an enterprising photographer around through the lumber camps of British Columbia and photographed some 200 Hindoos, who were there at work, and then they printed millions of copies of these pictures and scattered them broadcast over this country, and even put them in the hearings here, to create the impression that the tariff was protecting the American workman from the competition of cheap oriental labor.

The gentleman from Washington was forced to admit the other day that while he was able to find 200 Orientals to kodak in the mills of British Columbia, there were some 2,000 at work for the lumber manufacturers in the States of Oregon, Washington, and California. None of these were photographed, however, and their pictures do not therefore appear in the published hearings. The whole argument about our not being able to compete with the cheap labor of Canada is a humbug. We can carry on our logging operations twelve months in the year, blessed as we are with a most genial climate, whereas our neighbors on the north are handicapped by most severe winters. It is simply to keep out honest, legitimate competition from the mills beyond our northern border, and this love for the laboringman is simply springs to catch woodcocks. Suppose we measure this lumber tariff by another tenet of the protectionists, that if we keep out foreign manufactures by a high tariff competition among our own manufacturers for the magnificent trade of this great country will of itself keep prices down to a reasonable level, will, in fact, according to the claims of many protectionists, keep the price down below the price of the imported article. There never was any valid foundation for this hope, because it proceeded upon the belief that man can be trusted not to abuse power when it is given him, a faith that finds no justification in the history of the world. Instead of entering into honest competition for the trade of this magnificent empire, the richest and by far the most extensive ever dedicated to free and unhampered trade, they set about to make competition impossible by the formation of trusts, sometimes politely called "gentlemen's agreements," which have effectually strangled all competition and enabled them to divide the raiment of the American consumer. We have seen a good many industries walk into this House and demand protection in days gone by, and by joining hands with all the other interests they have always been able to succeed. Infant industries a century old, grown not only to man's estate, but to the estate of lairds and dukes and a' that, and now comes the lumber industry, which began business the day the settlers landed at Jamestown, and yet in this good year of our Lord 1909 it is still crying for the bottle.

Mr. Chairman, I do not intend to consume but a few moments more. I understand the Republican party is in an embarrassing situation. The gentleman from Missouri has just informed me that at a meeting of the Ways and Means Committee this afternoon you were forced, as a result of the debate in the past week or ten days, to abandon the tax you intended to put upon tea and coffee; and as these were about the only items in the bill that would really increase the revenue I appreciate your embarrassment, and instead of rejoicing at it I want to make a few suggestions that may help you out of the hole.

Mr. MANN. They will be gladly received. [Laughter.]

Mr. HUMPHREYS of Mississippi. I appreciate the difficulty under which these gentlemen have labored. As I said at the outset, I think they have done as well as anyone could under the same circumstances—that is, when required to frame a bill for one purpose which is intended to accomplish an entirely different purpose. We understand, of course, that this is not a bill to raise revenue—that is, not to raise revenue for the United States Government. [Laughter.] This is a bill to enable one class of American citizens to charge all other American citizens more for their goods than they are worth.

Now, gentlemen, I make these suggestions in the spirit of the loftiest patriotism in order to help the Republican party out. You have endeavored to revise the schedules of the Dingley bill for the purpose of meeting the deficit caused by the reckless extravagance of twelve years of Republican maladministration, and in doing so you have observed implicitly the injunction of the motherly interests to "hang your clothes on a hickory limb, but don't go near the water." Even the Dingley bill, that paragon of legislative perfection, was unable to stand the assault of the last seven years, and so you sought to revise the schedules and increase the revenue, with the net result that you have brought in a bill which, so far as the revision of the schedules is concerned, decreases the revenue we are now receiving.

Now, I want to make a few suggestions which I think will be helpful. For instance, there is the tax on beer that I might suggest.

I know it is claimed that the tax on beer is already as high as the industry can pay. It is only a little over 3 cents a gallon, and spirits pay a tax of $1.10 a gallon.

It is not half as high as the proposed tax on tea, about one-fourth as high as the proposed tax on coffee, and in addition is a purely voluntary tax which nobody has to pay unless he so desires. Your wife and children will never quarrel with you for not having it on the breakfast table.

Again, it is insisted that if we double this tax the brewers will have to quit business and the production will thereby be so materially reduced that the revenue will be less than we are now receiving. Unfortunately for this theory, it does not square with the facts. The following statement, which was prepared for me by the Commissioner of Internal Revenue, shows that there is no merit whatever in this contention:

The tax on beer is now $1 per barrel of 31 gallons. This rate was in force up to and during almost the entire year of 1898. On the 13th of June of that year, under the war-revenue act, the rate was increased to $2 per barrel.

The year before the war-revenue act became fully operative the consumption of fermented liquors was 37,493,396 barrels. The following year, under the increased rate, the consumption fell to 36,581,114 barrels. In 1900, however, with the rate still at $2, the consumption advanced to 39,330,849 barrels, and to 40,517,078 barrels in 1901. In 1902 the tax was reduced to $1.60 per barrel and the consumption was 44,478,832 barrels.

In 1903 the tax was again placed at $1 per barrel, in which year the consumption was 46,650,730 barrels. There has been a steady increase in the production of fermented liquors, the consumption during the last fiscal year reaching 58,747,680 barrels. If the tax were increased to $1.60 per barrel, taking the consumption of the last fiscal year as a basis for computation, the increased rate would yield additional revenue to the amount of $35,248,608.

purple necessary to kill those worms which are eating up the

He stated to this House that in ten or twelve years about

I know that I am on sacred ground, and I do not want to be hazed. I will not say $1 on beer, because I understand that shall not go on. Perhaps nothing was said about a sum smaller than that, so I suggest 60 cents. That will be $1.60, which was the revenue tax on beer until a few years ago, and to put that on again to-day will increase the revenues annually more than $35,000,000. [Applause on the Democratic side.] I say 60 cents—not $1.

Another item I want to suggest—and I have only a few minutes more—is to tax the alcoholic contents of wine, the alcoholic element in wine. If subjected to its proportionate tax, taking $1.10 a gallon on spirits as the proper measure, it would produce a revenue of more than $35,000,000 annually, yet wine goes untaxed absolutely. Then, I would suggest another item that might raise some revenue and not lay the heavy hand of the taxgatherer upon any legitimate industry in the country. One of the causes of greatest expense to the internal-revenue collector in the administration of the law results from the privilege which we have granted to the liquor dealers to bottle their liquors in bond. We furnish an officer of the Government to superintend it, to see that the liquor is just what it purports to be, according to the stamp upon it. We furnish the stamp or label to be put upon the bottle. When the dispensers draw the cork, of course the label is broken, and when that bottle is empty, they fill it up with some other sort of liquor.

To run down that character of violation of law costs the Division of Internal Revenue a great many thousands of dollars a year. We furnish the stamp for nothing. We furnish for nothing the stamp to the wholesale liquor dealer when he transfers his liquor from the original package into a smaller package. Now, there used to be a small charge for that. I suggest to the gentlemen on the other side, in their extremity, that they might resort to that again—5 cents for the stamp, to be increased to 20 cents, say, where the package to be stamped contains as much as 5 gallons, and in the opinion of the officials in the Treasury Department that will yield $1,000,000 a year. Now, as I am in not only a virtuous frame of mind, but am filled also with compassion and sympathy for the gentlemen upon the other side, I would suggest one other item. You have a tax now of 2 cents a deck on playing cards. If you increase that 5 cents, you will add $1,000,000 more to the revenue. Mr. Chairman, there is just one other suggestion and then I am done. You have a tax on cigars, levied, as most Republican taxes are levied, without any reference to equity; so upon the common stogy, a cigar that sells two for a nickel, you have levied just as great a tax as upon the 25-cent cigar. By a proper adjustment of that schedule I am advised by officials that you can add $2,000,000 to the revenue from that source alone.

Mr. Chairman, I have made these suggestions in the spirit of the utmost kindliness and good feeling for the gentlemen on the other side. I hope they will be accepted in the spirit in which they are offered, and I am sure if they are accepted they will get you a little way at any rate out of the hole in which you find yourselves; and when you come on Monday to vote on the rule which we are told will be offered, I want you to remember these suggestions and vote with us to permit amendments, and I now most solemnly promise you that if I can not find any one else to do it, I shall offer these amendments myself, and thereby give you an opportunity to vote for them. [Applause on the Democratic side.] Mr. Chairman, by adopting these suggestions and doing as I request, you will not have to go home next summer and lay it all on "Uncle Joe" and say that he would not recognize you for that purpose, when your constituents ask you, as they surely will ask you, why you taxed lumber instead of beer; why you taxed tea and coffee instead of wine and cards; why you taxed the breakfast table instead of the gambling table. It is up to you now, and not up to the Speaker. [Laughter and applause on the Democratic side.] Do not vote for a rule that will cut us off from the right to make these amendments. We will offer them, and we will help you to put them on. [Applause on the Democratic side.]

Mr. COLLIER. Mr. Chairman, if this Chamber were a theater to test the oratorical qualities of those sent here to represent the people, I would indeed hesitate before I raised my voice in debate upon this floor, but, armed in the consciousness of a just cause, I take issue with those whom I believe have arrayed themselves upon the side of error. I am very much obliged to my colleague from Mississippi [Mr. HUMPHREYS] for yielding me a portion of his time, and in the limited time at my disposal I shall not attempt to treat this bill specially by different schedules, but shall content myself with a few remarks in regard to the bill generally.

The tariff bill now under discussion does not carry out the pledges the Republican party made to the people before the last election. But I must confess that this failure to carry out these promises is no surprise to me or the people of my section. We knew, down in my country, that this would simply be a repetition of the same old story. As election time approached last year the party in power grew a little sick, and when people get sick they repent and promise all kinds of reforms. But, after the election was over, it was wonderful how quickly this great party recovered its health, and as health came back remorse and all promises of reform disappeared.

When the devil was sick, the devil a monk would be;
When the devil got well, the devil a monk was he.

[Applause.]

The tariff has been revised by its friends. As well invite the burglar or the highwayman to revise the criminal code. The leopard could as easily change his spots and the Ethiopian the color of his skin as could a Republican change his ideas on protection—the Republican party had its birth in protection, and some day an indignant and outraged people will see to it that this party finds its death in protection. [Applause.]

The present bill is not an honest revision of this tariff. It will fail to satisfy thousands who, on last November, voted the Republican ticket, believing that the party was sincere in its declarations that it intended to honestly revise this tariff. Smarting under the severe but just criticism of an outraged and deceived public, the leaders on the other side are seeking to justify the irregularities of the schedules in this bill by a technical defense that will deceive no one. The gentleman from Ohio [Mr. COLE] on last Thursday stated:

> Gentlemen on the other side insist that there is a provision in the Republican platform which declares in favor of revision downward. I have searched that instrument in vain for any such declaration. It is true that during the campaign utterances of that kind were made from the public platform and the stump, but, if you will examine the document carefully, no such declaration is there made.

The gentleman admits that upon the platform and upon the stump they promised a downward revision. But the bill now under discussion proves that these campaign orators were deliberately sent out to make false promises and willfully deceive the American people. For months the Committee on Ways and Means has been engaged in earnest and laborious sessions. Witnesses from every section of the country appeared before them, and a voluminous amount of testimony was taken. Revenue had to be raised. Under present conditions there is a large and increasing deficit which the chairman of the Committee on Appropriations declared might reach the sum of $150,000,000 at the end of the present fiscal year. Therefore much depends upon the action of the Ways and Means Committee. The eyes of the public were upon them. Nearly 100,000,000 people were looking to that committee for relief. When the chairman of the Ways and Means Committee, on the second day of this session, arose from his seat, and with a smile upon his face, amid the tumultuous plaudits of his Republican admirers, introduced the great tariff bill of 1909 the Nation held its breath. This bill is a clumsy imitation of the Dingley Act, with immaterial changes here and there to make it look different.

The American people are willing to accept a just and equitable tariff. The country is ready for a tariff that will raise revenue to run this expensive Government of ours and get us out of the financial hole in which the Republican party has placed us—a tariff where the duty will be heaviest upon luxuries and lightest upon those articles that are necessary.

Does this bill so regulate the tariff? Necessities like diamonds and other precious stones, rough and uncut, are placed upon the free list, while a luxury like a gallon of castor oil has to pay a duty of 35 cents. Hides are admitted free of duty, yet shoes are taxed 15 per cent ad valorem. The schedules on hides and shoes proves conclusively that this bill is intended to benefit only one class of our people. Whose interest is it to have hides cheap, if it is not the great shoe manufacturing industries of the Nation? Therefore this bill says that the farmer and the cattle man must sell his hides cheap without any duty upon them, but when the shoe manufacturer buys these cheap hides and cuts them up into shoes, why, then the farmer must pay him 15 per cent duty above the regular price of such commodity or go barefooted. The same system of taxation is pursued in regard to iron ore, which is placed upon the free list so that the great steel industries of the country can buy this iron at the lowest possible rate, yet if the farmer should wish to build a house, he must pay one-half a cent duty on every pound of nails he drives into that house; and the blacksmith must pay 1½ cents a pound tariff upon the anvil in his shop. Cut diamonds, rubies, emeralds, and sapphires are admitted into this country upon the payment of a tax of 10 per cent ad valorem. But if the worms are destroying the greatest of all American products, the southern farmer must pay a tax of 15 per cent upon all the Paris green and London

purple necessary to kill those worms which are eating up the fruits of his toil; which fruits constitute even in years of panic depression over $675,000,000, as shown by the report of Mr. Secretary Wilson himself in the Yearbook issued by the Department of Agriculture. [Applause.]

The consumption of sugar in the United States for the year 1908 was 3,185,789 tons, of which there was imported raw sugar from foreign countries and insular possessions 2,284,791 tons. Therefore a tariff on crude sugar has proved a good revenue-producing tariff. But the importations of refined sugar for the years of 1907 and 1908 amount to the insignificant figure of 649 tons, which have produced revenue to the United States Government to the amount of $13,629; and yet the tariff of 1.95 cents per pound has enabled the sugar manufacturers to wring over $200,000,000 from the pockets of the people. The Payne bill proposes to reduce this rate from 1.95 to 1.90 cents. If a man were to eat a pound of sugar every day for an entire year, the reduction in the Payne bill would save him the tremendous sum of less than 17 cents; but he must pay into the pockets of the refineries protected by this rate a few cents under $7. And such inconsistencies are found all through this bill, conclusively showing that this bill is a species of class legislation and is intended to benefit a few only, and those few the financial magnates of the world. [Applause.]

I want to place myself upon record as being opposed to the indefensible proviso in the petroleum schedule, that proviso which states that oil shall be upon the free list unless there shall be imported to the United States crude petroleum or its products produced in any country which imposes a duty on petroleum or its products from the United States; then the duty here shall be equal to the duty imposed by such country.

In the publication by David T. Day, of the United States Geological Survey, entitled "The Production of Petroleum in 1907," it is shown that from 1903 to 1907, inclusive, the world's production of petroleum amounted to 1,103,839,054 barrels, of which output the United States alone furnished 644,849,148 barrels, while the rest of the world furnished 459,053,891 barrels of petroleum. Of this 459,053,891 barrels of petroleum furnished outside of the United States, Russia alone produced 329,836,266 barrels, leaving for the rest of the world in five years to produce the comparatively insignificant number of 130,209,665 barrels of petroleum. In other words, in the five years from 1903 to 1907 the United States and Russia together produced nearly 90 per cent of the world's production of petroleum, leaving less than 12 per cent of this supply to be furnished by the rest of the world.

In the year 1907 the total production of petroleum was 262,212,299 barrels, of which supply only 34,266,230 barrels were produced outside of Russia and the United States, showing that Russia is the only country in the world that can export oil in any amount to the United States. I attach hereto the table of petroleum production as prepared by Mr. Day, showing the relative proportion of petroleum as supplied by each country.

World's production of petroleum.

[Barrels of 42 gallons.]

Country.	1903.	1904.	1905.	1906.	1907.
United States	100,461,237	117,080,960	134,717,580	126,493,936	166,095,325
Russia	75,591,256	78,536,655	54,960,270	58,897,311	61,850,734
Sumatra, Java, and Borneo	5,789,364	7,682,014	8,386,804	8,602,572	* 8,738,302
Galicia	5,234,475	5,947,283	5,765,317	5,467,997	8,360,441
Roumania	2,763,117	3,509,628	4,490,987	6,378,184	8,118,207
India	2,510,250	3,385,468	4,137,038	4,015,833	4,344,162
Japan	1,209,371	1,418,767	1,311,157	1,710,768	2,010,639
Mexico					1,000,000
Canada	486,637	552,575	634,665	569,733	758,872
Germany	445,858	457,421	560,663	578,610	756,631
Peru	49,048	49,524	37,720	42,419	65,476
Italy	17,876	25,470	44,027	53,377	* 53,500
Other	* 30,000	* 40,000	* 30,000	* 30,000	* 30,000
Total	194,588,658	218,955,279	215,226,018	212,900,000	262,212,299

* Estimated.

My information is that Russia imposes a duty on crude petroleum of something like 97 cents a barrel; so, by the countervailing duty in this schedule, or the "little joker," as it is facetiously called, that amount of 97 cents a barrel would have to be paid on each barrel of Russian oil imported into this country. Consequently the tariff is prohibitive and the oil is not exported by Russia; but the Standard Oil Company charges this tariff to the American consumer and sells oil to the purchaser at home at just a trifle below what it would cost Russia to lay it down here. In regard to the absolutely prohibitory nature of this proviso, I will call attention to the estimate of the gentleman from Wisconsin [Mr. KÜSTERMANN] in his interesting and instructive speech upon this subject last Thursday. He stated to this House that in ten or twelve years about twenty-five or thirty thousand dollars was all the revenue that the Government had received by reason of this countervailing duty. So, in order to give the Government revenue to the amount of less than $30,000, the American people have had to pay to the Standard Oil Company an estimated sum amounting to $133,943,880.

It is well known that the Standard Oil Company, to meet the price of Russian oil in Europe, the Standard Oil Company's only field of competition, reduces the price of its oil to meet the price of Russian oil, and sells to the European consumer oil at a price considerably under that which this company charges a citizen of the United States. This is a system of class legislation that is absolutely dishonest. It is intolerable that the great masses of the American people should be unjustly taxed in order that the Standard Oil Company can, in eight years, make a profit of nearly half a billion dollars. Yet, in the face of these facts and figures, the Republican party offers you this bill as a just and equitable rate of tariff taxation, a bill that is in the interest of the great trusts and combines of this country. It is a bill that will permit these great corporations to still further pool their interests and combine against the people.

The lumber schedule is probably of more interest to the people of my section than any other one schedule in this bill. It has been claimed that the removal of the duty upon lumber will work a great hardship to my own State. I have been urged by personal friends to stand by the present tariff of $2, claiming that such a rate would benefit my section and my State. I have been told that while the entire system of protection is wrong, the Republican party is in power and that party is going to stand for a high tariff anyhow, therefore let the people of my State come in and get their share of the spoils.

I take great pleasure in placing the seal of my condemnation upon any such doctrine. I will never, while a Member of this House, cast my vote to justify a theory, wrong in principle, because my neighbors are equally guilty or because it might prove a real or fancied benefit to my section.

The only rule that can consistently guide official conduct in this House, or in any other body where men presume to legislate for others, is to follow the dictates of a conscience based upon that experience an honest endeavor to study and understand public questions gives to that one who is earnestly seeking for enlightenment. Therefore, impelled by the dictates of my own conscience, and guided by the imperishable principles of that political party which is destined some day to lead the people of this country out of the wilderness of greed and spoliation into the promised land of prosperity and plenty, I raise my voice against the tariff on lumber and ask you to place it upon the free list.

I do not believe that this rate of $1 or the present rate of $2 upon lumber will be of any benefit to my own section or to the great masses of the American people. The advocates of a tariff on lumber claim that we can not compete with Canada and that our markets will be flooded with Canadian lumber. Prominent lumbermen of Mississippi who favor this tariff admit that a reduction will interfere with only the low, the inferior grade of yellow pine. The most earnest and zealous advocate for the present rate upon the floor of this House is the gentleman from Michigan [Mr. FORDNEY], who, I understand, is largely interested in the lumber business himself, not only in my own State of Mississippi but elsewhere. He has argued this schedule with more vigor and earnestness than anyone on either side of this Chamber, and yet he tells us that Canada can transport her lumber to the great cities of Chicago, Milwaukee, Detroit, Toledo, Cleveland, and other distributing points upon the Great Lakes at a transportation rate of from $1.75 to $2 per thousand feet; whereas the lumber from Mississippi and other Southern States can not be moved to these points for less than $7.50 per thousand. Therefore the same grade of timber can be shipped from Canada to Chicago, and by paying the tariff of $2 per thousand can be sold for $3.50 cheaper than the southern yellow pine, and if we adopt the schedule of the Payne bill—a $1 tariff—this lumber can be sold by the Canadian lumberman $4.50 cheaper than the southern mills.

It can not be claimed that with the difference of climate between the South and Canada, immeasurably in favor of the South, that the difference in the cost of getting out this timber will be from three to four dollars per thousand. Why, in Canada the working hours are so much shorter, the winter is so much more severe, that the cutting of Canadian timber will be attended by numberless hardships that the genial climate of the South is free from. Again, I am informed, and I believe reliably, that the wages paid the laborers in the Canadian mills are not so much less than wages paid in the Lake States. I am further informed, and I believe my information to be correct, that

the cheap Chinese, Japanese, and Hindoo labor of Canada is being wholly dispensed with either in cutting or manufacturing this timber. Therefore, if the Canadian lumberman can get out his timber cheaper, or as cheap, as we can, and then pay this tariff and land it in Chicago, or some other distributing point, $4 cheaper than the southern mill owners can, how is this tariff going to protect southern mills?

Again, logs are admitted free from Canada. What good will it do the southern mills to place a tax on rough lumber and then permit millions of logs to come in free for the mills of the Lake States, to purchase at a cheap price, without paying any duty, and then saw this lumber and put it upon the market in direct competition with southern lumber?

The price of lumber in the last few years has gone up by leaps and bounds. While it is true that all commodities have increased, yet the following table, taken from the Bureau of Labor of the United States Department of Commerce and Labor, shows that the increase in timber has been greater than any other commodity therein mentioned, an increase of nearly 50 per cent:

(100 represents average price for 1890–1899.)

	1902.	1903.	1904.	1905.	1906.	1907.
Farm products	130.[illegible]	118.8	126.2	124.2	123.6	137.1
Food, etc	111.[illegible]	107.1	107.2	108.7	112.6	117.8
Cloths and clothing	102.	106.6	109.8	112	120	126.7
Fuel and lighting	134.[illegible]	149.3	132.6	128.8	131	135
Metals and implements	117.[illegible]	117.6	109.6	122.5	135.2	143.4
Lumber and building materials	118.[illegible]	121.4	122.7	127.7	140.1	146.9
Drugs and chemicals	114.[illegible]	112.6	110	109.1	101.2	109.6
House-furnishing goods	112.[illegible]	113	111.7	109.1	111	118.5
Miscellaneous	114.[illegible]	113.6	111.7	112.8	121.1	127.1
All commodities	112.[illegible]	113.6	113	115.9	122.5	129.5

And from 1900 to 1908 this price has gone up 64.7 per cent.

A house built to-day with $1,000 worth of lumber and building supplies could have been built ten years ago with the same kind of materials for $353. I shall always support any measure that tends to give the people cheaper homes. The greatest institution in the world is the American home. The proudest moment in any man's life is when he takes his little wife by the hand and leads her into that home which he has bought and paid for by honest toil. This home is his castle—

The poorest man in his cottage bids defiance to all the forces of the crown. It may be frail; its roof may shake. The winds may blow through it; the storms may enter. But the King of England dare not enter. All his forces dare not cross the threshold of the ruined tenement.

Ownership of home and the little comforts we can give those who are dependent upon us is about the best the most of us can get out of this life. This ownership sanctifies the marriage relation; draws husband and wife, mother and children, closer together and makes golden the hours passed at that fireside we can call our own. Let us take this tariff off of lumber so that every American citizen can build his own home without having to pay two prices for the materials that go into it. The present tariff bill is clearly drawn in favor of class legislation. It is intended to protect only a few of our citizens, and even then a class that needs protection less than any other class in the Republic.

The Government is intended to do those things which will result in the greatest good for the greatest number, yet the agricultural sections of the country, which constitute by far the larger portion, do not receive any benefits whatever from the tariff, but, on the contrary, are the greatest sufferers under this iniquitous system. The products which the farmer sells are sold in competition with the world, and the world's market fixes the prices; but the manufactured articles which the farmer must buy are prevented by the tariff from entering world-wide competition, and the manufacturers are enabled to fix the price to suit themselves.

In spite of the unjust discrimination in this bill against the farmers, the gentleman from Michigan [Mr. TOWNSEND] upon the floor of this House stated that the Democratic party may fool the farmer in the South, but they can not fool the farmers of the North.

The following appropriations made by the Government under Republican administration from 1898 to 1907, inclusive, show the great interest this party has taken in the agricultural sections of the country:

Department of the Interior	$1,641,767,440.41
War Department	1,582,638,679.47
Post-Office Department	1,473,402,938.00
Navy Department	876,411,705.35
Treasury Department	444,153,997.52
Department of Justice	82,270,200.31
Agricultural Department	50,257,000.00

This conclusively shows that the amount contributed for agricultural purposes is ridiculously small, as compared with any other department. Fifty million for agriculture in ten years, and yet the South alone has produced in that length of time on one product a valuation of over $5,000,000,000. Yet this tariff bill makes it harder for the farmer to live than any other class of the American people.

It is absurd to contend that American industries, the richest the world has ever known, can not exist without laying heavy burdens upon millions of our people. If the industries of other nations, without a protective tariff to fill their treasuries, can send articles over here and undersell American industries, unless we give our industries protection, why is it that the American industries can export these articles of merchandise to Europe and sell them to European consumers considerably cheaper than they would sell these articles to citizens of the United States? And if they did not make a profit on the exported articles, they would not send them to Europe.

I believe in encouraging American industries, but I do not believe in robbing the American people to make them the richest corporations in the world. I would knowingly vote for no law that would "take from the mouth of labor the bread it has earned." But I do not believe that the spoils gathered by reason of these protective tariff rates have ever gone to increase the wages of an American laborer, but, on the contrary, have simply swelled the dividends of some gigantic corporation.

The Republican system of protection not only robs the people, but makes it harder for the laboring man to live by raising the prices of the necessary articles of life, and then when this party tells the laboring man they will pay him better wages, Judas-like, they betray him with a kiss.

The Republican party claims that it, too, is after the trusts. If you, upon the other side of this Chamber, are really in earnest in what you say, why do not you tear down this tariff wall that stands between you and the great masses of the American people. Reduce this tariff and the trusts will go out of business. [Applause.] You have destroyed all competition by prohibitive rates and permitted the great industries of the country to get together and form a complete monopoly of all articles of consumption and manufacture. It is self-evident that the narrower the field of competition the easier it is to create a monopoly; and, conversely, the broader the field of competition the more difficult it becomes to establish a monopoly. With our prohibitive tariff competition in any article on the tariff list is necessarily limited to American dealers and manufacturers, because European and Asiatic dealers can not possibly compete with American dealers in this country under such conditions. The result is that American dealers can, and frequently do, get together and fix the price of industrial commodities to suit themselves. [Applause.]

The chairman of the Ways and Means Committee, in his beautiful peroration at the close of his nine-hour speech last week, stated that he believed the passage of this bill would start up industries throughout the United States. The gentleman from Alabama [Mr. UNDERWOOD] also stated that Professor Tausig, appearing before the Committee on Ways and Means, had said that—

"Protection is granted for the purpose of enabling new industries to establish themselves and to offset the difference in cost at home and abroad.

But protection creates monopoly and monopoly creates trusts and trusts destroy all competition. Note the following statistics and see if the figures do not unquestionably bear out my statement. These statistics are taken from Mr. John Moody's Encyclopedia of Social Reforms, edition of 1908. Mr. Moody is the recognized authority upon such subjects:

The greater industrial trusts.

Name of company.	Incorporation.		Number of plants acquired or controlled.	Total capitalization, stocks and bonds outstanding (par value).
	Date.	State.		
1. Amalgamated Copper Co. and affiliated corporations	1889	New Jersey	35	$271,163,000
2. American Smelting and Refining Co. and affiliated corporations	1899	do	145	203,100,000
3. American Sugar Refining Co. and affiliated corporations	1891	do	* 60	160,000,000
4. American Tobacco Co. and affiliated corporations	1901	do	* 200	324,369,000
5. International Merchant Marine Co.	1902	do	6	176,325,705
6. Standard Oil Co. and controlled companies	1899	do	* 400	98,338,300
7. United States Steel Corporation and controlled properties	1901	do	* 792	1,475,201,849
Total (7 greater industrial trusts)			1,638	2,708,438,754

* About.

Summary of industrial trusts.

	Number of plants acquired or controlled.	Total capitalization, stocks and bonds outstanding.
7 greater industrial trusts	1,638	$2,708,438,754
451 lesser industrial trusts	5,038	8,243,175,000
Total of 458 important industrial trusts	6,676	10,951,613,754

The above tables show that the seven greater industrial combinations in the United States are represented by the immense amount of $2,708,438,754. These seven trusts have all been organized since 1898, and present an aggregate consolidation or control of 1,638 distinct original plants. In other words, instead of the new industries that the friends of protection claim competition will cause to spring up, we find in less than ten years seven trusts have swallowed up over 1,600 minor plants. Let us now look at the lesser industrial trusts. Of these trusts there are 451, with a combined capital of $8,243,175,000. These 451 trusts have bought, controlled, or put out of business 5,038 distinct plants, representing in all consolidations of 6,676 distinct plants, covering practically every line of productive industry in the United States. And all of this consolidation has been accomplished in the last ten years under the prohibitive rates of the Dingley tariff bill. The aggregate amount of capital tied up in the 458 industrial trusts of the United States amounts to the enormous sum of $10,951,613,754, showing a total consolidation of 6,676 distinct plants. Ten years ago, where the people had nearly 7,000 industries to buy their products from, each industry in keen competition with the other, they now have less than five hundred. These conditions could never have been accomplished without the assistance of a high protective tariff, for protection restricts competition. The restriction of competition enables the favored to establish monopolies, and a monopoly is the very life of the trust.

It is easy to see the advantages to those who own the trusts, and it is just as easy to see the disadvantages to the great masses of the people whom the trusts try to own. By consolidating a certain industry is placed under one head. There being but one buyer, the price of raw materials which are used in the industry is fixed by the buyer; there being but one employer, the laborer's wages are fixed by the employer, and when the raw material is converted into a manufactured product, there being but one seller, the price is fixed by the seller. They say it is a poor rule that will not work both ways, yet here we have a condition where when the trust is a buyer the price of materials is reduced, and when the trust becomes a seller the price of materials is raised.

The extermination of the trust would restore business to a healthy condition. It would reduce the price of the product which is consumed by the people; it would increase the price of the raw material which is produced by the people; and it would improve the conditions of the laboring man. Yet I do not see how the trusts can be exterminated as long as monopoly is fostered by a high protective tariff.

The attitude of the Republican party in regard to the extermination of the trusts is an amusing one. The Republicans are like the timid man who went bear hunting but was not especially anxious to find any. They are continually shouting: "Down with the trusts," when all the time the wise ones know you might as well try to fight a fire with coal oil as to fight the trusts with a high protective tariff. The fight the leaders of the Republican party are putting up against the trusts reminds me somewhat of a fight we had down in Vicksburg in the fall of 1905. At that time my city was visited by that dread disease, yellow fever.

The United States Marine-Hospital Service was promptly put in charge—and, by way of digression, Mr. Chairman, the marine service handled the situation admirably. We were told that the mosquito—the *Stegomyia fasciata*—was the cause of the origin and the propagation of the disease; that the way to fight the fever was to fight the mosquito; and the way to fight this insect was to kill all living mosquitoes and to destroy all possible breeding places. Following directions, we closed up our dwellings and burned sulphur in them, because the fumes of sulphur are deadly poison to the mosquito. Following the same instructions, we turned over all tin cans scattered around in the back yards, for fear rain water might accumulate in them, as the mosquito breeds on the surface of the water. For a similar reason we screened all outyard barrels, and all the creeks and ponds in and adjacent to the city were treated to a liberal supply of coal oil, because the mosquito will not breed on water which is covered with petroleum. And, by way of digression, I wish to add that during those times, when the people of the South were fighting pestilence and death, according to the instructions of the United States Marine-Hospital Service, one of the greatest ammunitions that we had to fight this pestilence with was petroleum, which was used in Mississippi and Louisiana by the tank, pouring it into the gutters and on creeks and ponds. And yet, Mr. Chairman, in those times that tried men's souls, when we were facing this pestilence and death and needed this petroleum to drive the grim specter from our homes, that great philanthropic organization known as the "Standard Oil Company" raised the price of oil upon us that summer three different times. [Applause.]

But to come back to my illustration. In this way we worked night and day to destroy the mosquito. And all the time that we were burning sulphur and turning over tin cans and screening barrels and oiling creeks and ponds, there, at the very foot of our city, was a great lake capable of offering a breeding place to all the mosquitoes that ever roamed the guideless swamps of the Mississippi or ever ravaged the coast of New Jersey. And so it has been with the Republican party. Doctor Roosevelt saw that under Republican rule the country was afflicted with the trust fever, a disease more fatal, more dangerous, than that of "Yellow Jack." Doctor Roosevelt set about to destroy the trust mosquito, the "*Stegomyia octopus*," as this particular species is scientifically termed. For some years the doctor has been engaged in a vigorous campaign against this mosquito. He turned over tin cans in the back yards of Hill and Harriman; he screened the barrels which stood under the eaves of the roof that shelters the wild clamor of Wall street; he oiled the creeks and ponds of Pennsylvania and Texas. But all the time that Doctor Roosevelt was burning sulphur and turning over tin cans and screening barrels and oiling creeks and ponds, there, all around him, was the great lake of "Protection," breeding more trust mosquitoes than could ever be destroyed if every citizen in the United States were a President and every President were as strenuous as Theodore the First. [Laughter and applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

[Mr. TOU VELLE addressed the committee. See Appendix.]

Mr. ASHBROOK. Mr. Chairman, I have no desire to burden the RECORD by the extended use of dry figures or add to the big noise by attempting to make a speech. Enough has already been said in general debate on this tariff bill, and possibly too much for the personal good of many of the gentlemen who have addressed this committee.

I am a Democrat. I am proud to say, and believe in the principles of Democracy, but I am here to first represent the people of my district, and propose, so far as I understand their will and wishes, to execute the same to the best of my ability. If I did not do this, I would, in my opinion, not be an honest Representative of an intelligent and confiding constituency.

I am glad to say that this right was conceded to every Democrat at the Democratic caucus. I here quote paragraph 7 of the rules adopted March 22, 1909, by the Democratic caucus:

In deciding upon the action in the House involving party policy and principle, a two-thirds vote of those present and voting at a caucus meeting shall bind all members of the caucus: *Provided*, The said two-thirds vote is a majority of the full Democratic membership of the House; *And provided further*, That no Member shall be bound upon questions involving a construction of the Constitution of the United States or upon which he made contrary pledges to his constituents prior to his election or received contrary instructions by resolutions or platform from his nominating authority.

I have no statistics to insert in the RECORD, which now too often resembles a railroad time card with a hundred divisions; everything in the World Almanac, and about all of the Government's statistical reports having been used. I shall let my constituents largely speak for themselves, and will, therefore, with your indulgence, insert certain letters and resolutions received from them, all of which have my hearty indorsement.

The eloquent gentleman from Alabama [Mr. CLAYTON] in his speech yesterday made a plea for the cotton grower, asking that fertilizer materials, jute, bags, and so forth, used by the southern farmer be admitted free. His plea is just, right, and reasonable and should be favorably considered.

I have just received a letter from Prof. Charles E. Thorne, the director of the Ohio Agricultural Experiment Station, located at Wooster, Ohio, in my district. The director briefly supports this reasonable demand for free fertilizer materials by uncontrovertible argument. Now, then, are a majority of the Members of this Congress friends of the farmer or not? If so, heed the demands of the gentleman from Alabama and the director of the Ohio Experiment Station.

I am the son of a pioneer Ohio farmer, the Representative of a rural district, and will hail the opportunity for a record

vote on this and all other schedules affecting the farmer and

Whereas the continued success of this great industry, so important to

cultural purposes is ridiculously small, as compared with any other department. Fifty millions for agriculture in ten years,

* About.

creeks and ponds in an neglected condition, and the mosquito will not breed liberal supply of coal oil, because the mosquito will not breed of a rural district, and will hail the opportunity for a record

vote on this and all other schedules affecting the farmer and his interests. The letter reads:

OHIO AGRICULTURAL EXPERIMENT STATION,
Wooster, Ohio, April 1, 1909.

Hon. WILLIAM A. ASHBROOK,
House of Representatives, Washington, D. C.

DEAR SIR: Now that the Payne tariff bill is under discussion I will venture to remind you of the importance of putting all fertilizing material upon the free list. These include the German potash salts, such as muriate or sulphate of potash, basic slag, and nitrate of soda. These materials do not come in competition with our home products except possibly the basic slag, and that is imported in too small a quantity to affect the local market.

This is a matter in which the farmers of Ohio are very much interested, as the maintenance and increase of the fertility of our soil, upon which depends the future prosperity, not only of agriculture, but of other industries, depends upon the increasing use of fertilizing materials, such as those mentioned.

Yours, respectfully, CHAS. E. THORNE, *Director.*

The lumber schedule has possibly been the subject of more debate than any other single schedule. It remained, however, for the genial gentleman from North Carolina [Mr. KITCHIN] to dig out the "joker" in this schedule and extort from the honest member of the Ways and Means Committee, Mr. FORDNEY, of Michigan, that the supposed reduction of the duty on lumber in the Payne bill was a delusion and a fraud; that while the people generally throughout the country believe that it will reduce the duty on lumber one-half, it will not reduce it the infinitesimal part of 1 per cent.

The gentleman from Michigan, who is said to be one of the lumber barons, frankly confessed that he knew just what the "joker" would do when he put it in the bill, and feverently expressed the hope that the schedule would pass, as he did not believe there should be any reduction in the duty on lumber. We admire his frankness, but deplore that the lumber interests are so ably represented on the Ways and Means Committee.

I congratulate my Republican colleague from Ohio [Mr. HOWLAND] on his able speech of a few days ago, favoring free lumber, and indorse his argument therefor, as well as all other gentlemen who are striving to give the poor man a chance to own his own home.

I stand for the demands of my district and State, including those set forth in the following circular letter just received:

THE GREAT STATE OF OHIO DECLARES FOR FREE LUMBER.

The general assembly of the State of Ohio has adopted the following joint resolution declaring emphatically in favor of the repeal of the tariff on all forms of lumber and timber:

Whereas the researches of the National Conservation Commission, under the direction of the President, indicate the exhaustion of the domestic forests within twenty to thirty years, which will be a national calamity; and

Whereas in this State and in all others lumber and its products are one of the necessaries of life and in general use by all our people; and

Whereas the only present practical means of extending the duration of our domestic forests is to reduce the drain on them; and

Whereas the price of lumber and all forms of wood continuously advance, thereby imposing a great hardship on our people; and

Whereas the Government should not be a party, by its fiscal legislation, to the imposition of these exorbitant prices: Therefore be it

Resolved by the general assembly of the State of Ohio, That our United States Senators and Representatives in Congress are hereby requested to use all honorable means within their power to have all duties on lumber, timber, and their raw products forthwith removed and to have the same placed, as soon as possible, on the free list.

Resolved further, That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of our said Representatives in Congress and to the Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee of the National House of Representatives.

I have the honor to represent one of the greatest sheep districts in the great State of Ohio. While my sympathies are always with the consumer and I believe the necessities of the poor man should have our first and best consideration, yet I justify myself and my convictions in the retention of the present duty on wool with the fact that the farmer is the least protected and smallest beneficiary under our protective-tariff system of any of the protected interests.

The wage-earners of the great industrial enterprises are the beneficiaries of protection. We are told, and believe, too, by it their wages are kept up. So far as protection protects the American workingman against cheap foreign labor I am in full accord. But protection to the trusts and monopolies that their millions may become billions I am irrevocably opposed. Therefore I say, Mr. Chairman, that since the wages of the daily breadwinners are kept up by protection, they should not, and I believe will not, complain that the farmer, who in the end largely "pays the freight," should have some remuneration in the way of protection to the wool industry.

I here insert in my remarks House joint resolution 29, offered by Mr. Wilber and adopted by the Ohio legislature March 8, 1909:

Whereas the State of Ohio is the fifth State in the Union in number of sheep and fourth in valuation; that there are within her borders more high-class flocks of pure-bred sheep than is to be found in any other State or country in the world; and that

Whereas the continued success of this great industry, so important to the State, is contingent on adequate tariff protection from the cheaply grown wool of Australia, the Argentine Republic, and elsewhere on practically valueless land at little labor cost: Therefore be it

Resolved by the general assembly of the State of Ohio, That it is the sense of the general assembly of the State of Ohio that no reduction of tariff on any class of wool should be made by the present Congress of the United States, and that copies of these resolutions be forwarded by the secretary of state to said Congress of the United States and also to the Committee on Ways and Means, now in session at the Capitol at Washington.

Mr. Wilber moved that the rules be suspended and that the resolution be placed on its adoption now, which was agreed to.

The question being, Shall the resolution be adopted? the yeas and nays were taken and resulted in its adoption.

General Hancock tersely told the truth when he said the tariff was "a local question," and General Grant was equally truthful in his declaration concerning war, which is fully as applicable to the passage of a tariff bill that will satisfy everybody. I shall vote for no reduction on wool, at least until the American farmer can buy his farming implements as cheap as the Filipinos, who were favored by the last Congress by the repeal of the duty on farming implements imported in the Philippines. I believe the American farmer is entitled to at least as much consideration as the Filipinos by the Congress of the United States.

Free hides ought to mean cheaper shoes, cheaper harness, and the like, and I am, therefore, in favor of free hides. I have not received a single protest from my district against free hides. Not a farmer has "put up a kick." The farmer knows that it is the packer who gets the benefit of a protection on hides. The packers' trust not only controls and fixes the price on cattle, but also on all of the by-products. The trusts do not need protection. Capital is generally able to take care of itself. The farmer does not profit by the duty and the people want cheaper shoes, therefore give us a record vote on this schedule.

I am proud that at least one manufacturer of shoes, who hails from my State, is in favor of the removal of the duty on shoes. I interrupted the gentleman from Missouri [Mr. HAMLIN] a couple of days ago when he read a letter from Wolfe Brothers, of Columbus, Ohio, to explain something about this firm and its importance. Permit me to read in the RECORD a letter addressed to me by the same gentlemen:

THE WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 30, 1909.

Hon. WILLIAM A. ASHBROOK,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material the American shoemaker can shoe the world.

Very respectfully, THE WOLFE BROS.' SHOE CO.,
R. F. WOLFE, *President.*

I want to state that Wolfe Brothers have one of the largest shoe factories in the Middle West. There are at least a half dozen shoe factories in Columbus, Ohio. The Wolfe Brothers', I believe, is the largest.

It might also be interesting to the gentlemen across the aisle to know that Wolfe Brothers are Republicans in politics and that not only Democrats are clamoring for cheaper goods for the poor man, but some Republicans are imbibing Democratic doctrine to the extent that they are calling a halt on the pillage of the poor, which permits the rich to cross the "pond" three or four times each year to "hobnob" with the aristocracy of Europe and erect their castles there.

The Wolfe Brothers own and publish two of the leading Republican papers in Ohio, and the only two Republican papers at the capital city, the Ohio State Journal and the Columbus Evening Dispatch, and through the columns of these two splendid papers have long demanded a reduction of the duties on the common necessities of life. They are Wolfe by name, but do not appear to be in sheep's clothing, like Brother FORDNEY, the lumberman. Give us more manufacturers of the Wolfe Brothers brand and more Republican papers, if we must have that kind, like the Ohio State Journal and Columbus Evening Dispatch.

And what about the manufactured cotton goods? Why this great increase in duty? "Daddy" PAYNE looks and seems like a fatherly old chap, but certainly when he framed this schedule he had a "grouch" with the ladies. If the bill passes in its present status the rotund and robust figure of Chairman PAYNE will never more dare be seated with the "bald heads" on the front row. It would not only be dangerous on his part, but immoral as well, for with a further increase of 20 per cent on cotton hosiery, the ladies will not be able to wear the kind that fastens to the corset, but will be compelled to adopt the gents' style of wearing socks, fastening them on the tops of their shoes.

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-FIRST CONGRESS, FIRST SESSION,

ALSO

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VOLUME XLIV, PART II.

CONGRESSIONAL RECORD,

SIXTY-FIRST CONGRESS, FIRST SESSION.

In all seriousness, Mr. Chairman, to propose to increase this schedule when it was expected that it would be decreased 20 per cent is as ridiculous as it is pernicious. I desire here to insert a letter from the Green-Joyce Company, of Columbus, Ohio, one of the largest jobbing concerns of dry goods and notions in Ohio:

THE GREEN-JOYCE COMPANY,
Columbus, Ohio, March 26, 1909.

Hon. WILLIAM A. ASHBROOK,
House of Representatives, Washington, D. C.

DEAR SIR: You will recall the writer as having lived in Newark for a great many years, and who was well acquainted with your father and his family. I have been associated with and part of the company for which I write for a number of years.

I write you on behalf of this company for the purpose of protesting, most vigorously, against a proposed advance of 20 per cent duty on cotton hosiery. It is uncalled for and unfair to wholesale and other dealers and to the consumers. We do not know whether you so understand it or not, but the large part of cotton hosiery imported is cheap goods, such as are used by people in moderate circumstances, laboring people, etc. In other words, the majority of cotton hosiery imported is that of medium price and the cheaper grades, and not silk and fancy qualities, which would be classed as luxuries.

It was generally understood among, and acceptable to the trade and manufacturers, that a reduction of 20 per cent would take place on this item, instead of an advance.

We are advised by what we consider good authority that an interested combination has either accomplished this advance, or is about to accomplish it. This combination controls a large percentage of the imported goods we refer to, and are prepared to advance the price very considerably beyond what it now is. It won't do. It must not be done, and we ask you as one of the Representatives from this State to oppose it. It is against the welfare of every dealer, large or small, and against the welfare of the people, the majority of whom are now having one of the hardest struggles in history to make ends meet, and many to even get the commonest necessities. It is one of the serious things, and we ask you not to pass it lightly.

We shall be pleased to hear from you.

Very respectfully, yours,

THE GREEN-JOYCE CO.,
E. B. DENNIS.

Mr. Chairman, the Green-Joyce Company know that if the duty on cotton hosiery is increased 20 per cent they will be compelled to add that amount and a small increased per cent of profit to the cost of their goods to the retailer; the retailer will be compelled to add a small increase in his per cent of profits, so that by the time the goods reach the consumer a conservative estimate makes an increase of 35 per cent to 40 per cent. Why? Is this the revision of the tariff downward promised by the Republicans during the last campaign? Does not the Payne bill show an increase of 1.56 per cent, and is upward, not downward? Has the Standard Oil fastened its fangs on the manufacture of cotton goods, too? Will this help the cotton grower of the South? Not a penny. He will sell his cotton in the markets of the world, and the combinations will reap the rich reward.

No doubt all of the Members are being deluged with petitions and personal letters from the merchants and the people generally in their districts, protesting against the advance on gloves, hosiery, and manufactured cotton goods, as well as a dozen other objectionable schedules. If all of the Members receive as many complaints as have poured into my office since this debate has been on, I do not envy you the job of reconciling the folks at home if you vote for these schedules.

I here have three letters received in my last mail. L. Hirshberger, proprietor of the Great Western Clothing House, of Newark, Ohio, under date of April 2, says:

Kindly use your best efforts against a further increase in the duties on gloves and hosiery; everybody uses these articles; the duty is now high enough. This is only intended to benefit the rich manufacturers at the expense of the multitudes. We know you will vote to protect the common people.

And here is another letter of the same date from Nick Amster, of Wooster, Ohio, a large merchant in that city:

As merchants we are strongly opposed to an increase in the duties on gloves. The market is now in a very good condition. Just as soon as this duty is increased, the American manufacturer will take advantage of it. Kindly do all you can to oppose this bill.

Here is what one of the largest merchants in my home county, John J. Carroll, of Newark, Ohio, has to say:

We desire to express our disapproval of the advance in duty on hosiery as proposed in the new tariff bill. It is uncalled for as far as protection to American manufacturers and employees are concerned, and would really be a great burden on the majority of our people for the benefit of a few who are never satisfied with a fair profit. We hope and believe you will work for the people's interest.

I have also received similar letters to-day from Louis Forlow, a prominent dry goods merchant at Millersburg, Ohio, and from the Fountain Dry Goods Company, of Coshocton, Ohio.

I should hate to go back to my people, having voted for such outrageous increases in these schedules, and I promise you that I will not vote for it; and I warn those who do vote for it that unless you are in districts controlled by these interests you will find yourselves in the "lame-duck" class when next you have an accounting with the people.

And there is the countervailing duty on petroleum. Innocent looking little thing in type, but it takes millions out of the pockets of the people and gives it to the greatest trust the world has ever known. Strange, too, that very few people know anything about it and dream on under the sweet delusion that coal oil, like salvation, is free.

Paragraph 637 is found on page 159 of the Payne bill "snugly tucked away" in the "Free list." Let us read it:

637. Oils: Almond, amber, crude and rectified ambergris, aniline, aspic or spike lavender, cajeput, caraway, cassia, cinnamon, chamomile, civet, cocoanut, cotton seed, croton, fennel, ichthyol, juglandium, limes, mace, olive oil rendered unfit or incapable of use for food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him; palm, sesame or gesamum seed or bean, thyme, origanum, red or white, valerian; spermaceti, whale, and other fish oils of American fisheries; petroleum, crude or refined: *Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country.

Read the proviso again and you will find what is called a "joker." Let us read the "Provided" carefully:

That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country.

The principal producers of petroleum outside of the United States are Russia and Mexico. Both impose a duty on petroleum, so that neither can import their products into this country except by the payment of the same duty as is imposed on these products imported into their countries. Does that put coal oil on the free list? The gentleman from Wisconsin [Mr. KÜSTERMANN], an independent Republican—would that there were more like him—who has made an incessant fight against this little "joker," informs me that this "proviso" costs the American people $13,000,000 annually.

If the Standard Oil needs protection—and the Republicans contend that it is protection to infant industries, and the people are willing to be longer fooled—then I withdraw to the ranks of "free trade," on oil, at any rate. It remains to be seen, whether or not we shall have a right to vote on this schedule. If we do, it goes out; if we do not get a vote on it, prepare for the wrath to come; and I again predict many of those who vote for it will themselves go out. You can not fool all of the people all of the time.

Before I leave the "joker," permit me to make another illustration by again referring to the lumber schedule. The people generally think of the discarded card when they play seven-up, or the end man at the minstrels when they read about the "joker" in a tariff bill, and I want them to become better acquainted with the Washington "joker."

On page 54 we find paragraph No. 197:

197. Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, 50 cents per thousand feet board measure; sawed lumber, not specially provided for in sections 1 or 2 of this act, $1 per thousand feet board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, 50 cents per thousand feet board measure; and if planed on one side and tongued and grooved, $1 per thousand feet board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing and grooving: *Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.*

Here we are supposed to get a cut of just one half. But do we? Well, we do until we strike the "joker," whose non de plume is "Provided." Read carefully on after you strike that word "Provided," and you will find the same old "nigger in the wood pile." If the Province of Nova Scotia should put a duty on cord wood or toothpicks, the duty would remain the same in the Payne bill as in the Dingley bill. Surely Mr. FORDNEY was the right man in the right place on the Ways and Means Committee to see that the poor lumberman does not "get his toes tramped on." We believe the gentleman from Michigan [Mr. FORDNEY] is a truthful gentleman, and he told us he did not believe this schedule would affect the present Dingley duty or that it would reduce the duty on lumber at all. But why try to fool the people? He evidently believes that Barnum told the truth.

The tariff is the most insidious disease with which the American people were ever affected. They pay it and do not know it. "He toileth not, neither does he spin."

When the taxpayer goes to the county treasurer to pay his taxes on real and personal estate, the rate and amount of the tax is clearly shown when the receipt is given, and he knows to just what extent he is assessed. If the rate happens to be a trifle higher than he believes it should be, somebody hears about it; but when the same taxpayer goes to the merchant and buys the necessities of life, he pays the price apparently unconscious of the fact that he is paying tribute to some trust—a tariff tax—many times in excess of what it costs him for schools for his children and for local, county, and state purposes.

When the poor man and the middle class vote for Congressmen and help send Senators to Washington to represent their best interests, who, under the guise of protection, enact tariff laws like the Payne bill, he is outrageously duped, to put it in the mildest possible terms. He does not know that when his good wife pours out a cup of coffee or a cup of tea that there will lurk behind his back the taxgatherer; that when he drops a lump of sugar in the cup, the sugar trust takes its pinch of about 2 cents per pound, and so on down the simple bill of fare.

Diamonds and rubies come in free, but calico dresses are taxed 50 per cent. But, then, the poor man, his wife, and his children should not despair. While it is true that the poor man pays the burden of the tax, yet asafetida, Balm of Gilead, catgut, whipgut, wormgut, cuttlefish bone, dandelion roots, dragon's blood, divi-divi, fishskins, fossils, bones, whetstones, ice, ipecac, old junk, leeches, marrow, musk, nux vomica, pulu, rags, rennets, salip, fennel seed, shrimps, spunk, turtles, vaccine virus, whalebone, and so forth, are on the free list. Hallelujah!

When he lays in his winter supply of dragon's blood, diamonds, catgut, whetstones, leeches, and so forth, he can thank the Lord and the dear old Republican party that no trust gets a "rake-off" on these useful and indispensable articles.

The trouble is the people pay too little attention to those things that ought to concern them most. They do not bother themselves about "drawbacks," a "maximum and a minimum," a "countervailing duty," and "jokers," but live on sweet campaign promises from year to year, apparently oblivious of the fact that the opulent become more corpulent and the patches on their pants more prominent.

But, Mr. Chairman, I am no free trader; but in my humble way I propose whenever I get the opportunity to help strike down and out these "fossils" of protection and "leeches" of infant industries preying on the poor man and the duplicity of the people.

In conclusion, I wish to urge the American people to give more thought and consideration to those things in which they are most vitally interested. I read an editorial in the Cleveland (Ohio) Press yesterday which illustrates better than it is possible for me to do why the people are being robbed, with little protest, of many, many millions every year of their hard-earned dollars:

A WOMAN'S PALLID FACE WILL INTEREST MOST PEOPLE, BUT HOW ABOUT THE TARIFF?

Two facts are before the editor of this newspaper to-day for consideration in this column. They are unusual facts, and one is certain to interest you. They are:

(No. 1.) Mrs. Clarence Mackay, one of New York's richest and most conspicuous society women, has adopted a new cosmetic fad. She puts gray powder on her forehead and cheeks, paints her upper lip with light carmine and her nether lip in dark red.

It is said that the effect of this pallid face and brilliant mouth is startling, and that many fashionable women, especially those who have lithe figures like Mrs. Mackay, will adopt the fad.

(No. 2.) The tariff revision which Congress is about to perpetrate will be the most colossal fraud (in so far as the consumer and real producer are concerned) since the revision of 1892–93. The bill that will become a law will increase the cost of the poor or salaried man's living, will heavily tax the woman of moderate means, but will be perfectly satisfactory to the trusts and the millionaires of both sexes. It is highly probable that there will be no tax on inheritances or on stock certificates.

The tax will be increased on gloves of moderate grade and size, such as shop girls wear, but there will be a reduced tax on very expensive gloves, long 16-button affairs, such as Mrs. Mackay wears. Indeed, in every tariff schedule you will find that the revision upward will be upon articles that common folks use, and the revision downward will be upon articles consumed by the rich; and in every instance you will find the revision will consider the interest of the capitalistic producer, giving him full protection, and will disregard the interest of the consumer and labor producer, who is one and the same person.

* * * * * * *

Which of these facts interest you? They appear to have no relation to the other, but they have. It is this: Congress is to pass a vicious tariff measure, because the majority of citizens are not concerned about anything that Congress does in any tariff measure. The word containing a "t" an "a," an "r," an "i," and two "f s" frightens most people, and they do not study the really great question under discussion in our country to-day. You, for instance, may pass over without reading or serious thought the columns containing tariff discussion in this newspaper to-day. But will you miss the item concerning Mrs. Mackay's gray powder and red lip paint? We think not. You will remember the pallid Mrs. Mackay after you have forgotten that you are paying absurd tribute to the trusts as a result of the thievish tariff revision which is now being made and which you are doing nothing to stop. This seems to be the happy-go-lucky American way. And it fully explains why a little minority of rich men is able to dominate and rob the great majority of people in this country year after year.

"What can I do," you ask?

Well, what did the trust do? It sent its cleverest lawyers and managers to Washington and demanded revision in its interest. The leather trust demanded protection. It explained its needs and politely described its desire to make you pay more for shoes. It, with all the other trusts, was on hand to fight for revision beneficial to the trusts and the rich.

We have printed the Payne bill. Did you read it? If so, do you not see that the brunt of the new tax is to fall upon you? You have a right to protest. Write to your Representatives in Washington. Tell them that you are paying all you can stand for shoes, tea, coffee, cotton goods, oil, and other articles proposed for increased tax. Tell them to see to it that the tax is put upon luxuries, not necessities. Ask why uncut diamonds should come in free of duty and tea come in with a heavy tax. And if your Representatives do not respond to your bidding, like the servants they are, cut off their pay envelopes at the end of their terms and send men to Washington who will represent you and not the trusts. That is your weapon. Let your Representatives know that you will use it if they fail to think of the consumer, you, before they think of the producer, the trust.

* * * * * * *

Do you see the relation, now, between Mrs. Mackay's cosmetic and the tariff? The majority of people are so engrossed by frivolous news that they overlook the serious questions of the day—overlook them even when they mean harder work with less profit.

Finally, Mr. Chairman, I can only say that I certainly hope that no rule will be adopted which will prevent every Member going on record on free lumber, free hides, free shoes, free oil, free iron ore, and on all of the schedules in this bill in which the people are demanding a reduction. The people are patient and long-suffering; but it was the last straw that broke the camel's back, and the passage of this bill without radical amendment will surely break the backs of the American people and the future prospects of many Members across that aisle. [Applause.]

Mr. HELM. Mr. Chairman, the bill before the House, as reported by the majority members of the Ways and Means Committee, calls for an estimated annual collection from the pockets of the people of the enormous sum of $326,724,732. Its magnitude and far-reaching effects demand that we should consider it carefully and dispassionately from a business standpoint. From statements made here by members of that committee, it is manifest that only those who have an ax to grind have been heard in the make-up of this bill; ample time should be afforded the great masses of consumers to be heard from before its passage; undue haste would be wrong. I am not the least surprised that the special interests, having succeeded in obtaining a bill to their taste, are now busy creating a sentiment for its immediate passage. If this bill did not serve the purposes of the special interests, there would be an increasing cry for extended discussion. From the very nature of the situation, the 85,000,000 ultimate consumers who are affected by it, or any considerable per cent thereof, could not appear before the committee at its hearings. The only possible way for them to be heard is through their Representatives who have the courage to voice their contentions, and to that end, I for one protest against inordinate haste in the passage of this bill.

At the very beginning let it be remembered that the expense of running the Government for the past twelve years amounts to $8,122,598,367, almost twice the sum required for the same purpose for the twelve years next preceding July 1, 1897. The first session of the Sixtieth Congress, and since the panic of 1907, appropriated $1,008,884,884 to be expended during the fiscal year 1909. The revenue of the Government for that fiscal year was over $35,000,000 less than the appropriations. The appropriations for the fiscal year 1910 amount to $1,044,014,295, and the revenues for this are now over $90,000,000 short, with three months of the fiscal year 1909 remaining; so that it can be seen at once that, if this bill comes up to the full measure of its proponents' expectations, there will still remain to be raised by taxation from other sources the sum of $717,289,565, with a prospective estimated deficit of $140,000,000. Instead of the panic serving as a signal to slow down and take the situation under control, you have thrown the throttle wide open, and as a result you are in the ditch.

While it does not come within the official scope of Congress to take cognizance of municipal, county, and state taxes, which in every instance are at the highest limit, with in many instances their bonded indebtedness strained, I insist that it is proper for the Members of this body to bear in mind that the burdens being placed upon the people in the way of taxation are intolerable and must be lightened. It may be well in this connection to bear in mind that the bonded indebtedness of the Federal

Government has increased since July 1, 1897, to March 16, 1909, from $847,365,130 to $913,317,490, and that the total amount of interest paid on the outstanding interest-bearing debt of the Government during the period just stated amounts to $343,058,701.

The striking feature of the two sessions of Congress in which I have had the honor to sit has been the prodigal and lavish expenditure of the public funds. The RECORD will disclose the fact that I have consistently opposed this course by my votes. The Republican party, claiming to be a party of constructive legislation, has done little, if anything, during the last two years other than to make the most extravagant appropriations. You are preeminently a party of spenders, and your whole aim in the passage of this bill is to collect more taxes off the people that you may still further increase appropriations. Whenever any effort is made to check your untoward course in this particular, your invariable response is that this is a billion-dollar country. As well might the individual spendthrift undertake to justify his course by saying that he has the wealth to squander. That there is, and has been for a number of years, an alarming annual waste of many millions of dollars, due to duplicate appropriations and unbusinesslike methods and a general all-round leakage, is admitted by the belated effort to constitute a committee to supervise appropriations.

Instead of curtailing expenses, stopping these duplicates and leaks, you are casting about to find additional sources from which to derive more revenue, as is evidenced by the inheritance-tax feature of this bill. This is a method of raising taxes that has been resorted to by many of the States for raising revenue for state purposes, and it is manifestly unjust to these States that have been compelled to resort to this method for the Federal Government to forestall this right, for the legislative bodies of these States will be compelled to repeal their laws, since they are closer to the people who will rebel against this double taxation. The vice of this proposition is in creating a condition by extravagance where it becomes necessary to find new sources of revenue without eliminating some of the present sources of taxation.

Following the panic of October, 1907, the business of the country has fallen to lower and lower levels during each month succeeding that date; yet, in the face of these admitted conditions, Congress, by the policy and action of the majority party, has permitted appropriations to increase till it staggers the mind to contemplate their stupendous proportions. Mr. CLARK, the minority leader, in his discussion of this bill on the floor of the House, made this statement:

> The tariff is a tax. The tariff is a tax paid by the consumer. Nobody with any reputation for veracity or intelligence to lose will deny either of these two propositions. If he does deny them, he will be confounded by the evidence of high protective advocates contained in the hearings before the Committee on Ways and Means, which hearings are made up almost exclusively of the evidence of such advocates.

No one on that side to this date has challenged this statement or can do so successfully, so that it must follow that the $326,724,732 to be raised by this bill is a tax that must be paid by the consumer.

The right to tax is the right to destroy, and by taxation you have exercised well-nigh to the limit this right to destroy the property of the people. All efforts on this side to check or curb the placing of this intolerable burden upon the people is met with derision and sneers. The businesslike procedure under such circumstances would be to reduce expenditures to at least meet existing revenue, not to increase taxation for more lavish expenditures. Efforts looking to economy are made sport of. At the present time no one can contend that business is increasing in such volume, for that is the usual plea of the extravagant, as to demand additional expenditures to meet expanding conditions. At such seasons as this it is imperative that the Government, like individuals, live within its income. The chairman of the committee extolled the Dingley bill as a revenue producer, conveying the impression to the country that by it the Spanish-American war was financed. The controlling idea of the proponents of the bill is not to lighten the burdens of the people, but to raise additional revenue with which to meet additional and increased appropriations, the chairman stating in his opening speech that "the time had come to hunt for more revenue in a tariff bill." Economy is an unknown quantity on that side of the House. Anybody can spend money, but it is an evidence of wisdom to save it. Nor do I expect to see a return of a period of prosperity until the legislative bodies controlling the commercial nations of the world, realizing this fact, act accordingly; for, and I repeat it with emphasis, national, as individual, prosperity rests primarily upon the same underlying principle. The estimated annual revenues from custom duties to be raised by this bill show an increase over the Dingley bill of $11,666,748. This, together with the $20,000,000 from inheritance taxes and $1,500,000 additional internal revenue, represents an estimated annual increase in the amount of taxes to be collected from the people of $33,166,748.

In all, you propose to collect under this bill, by way of taxation, from the people $326,724,732.39, and at a time when the country is still suffering from severe business depression, and as against $293,557,984.14 collected in 1906, when the country was at its high tide of prosperity. And yet there are gentlemen here on this floor, in the face of these indisputable facts, claiming that this bill is a "revision downward." Neither the facts nor the figures warrant this statement. If it were true, we would be in the ridiculous attitude of undertaking to meet a daily increasing deficit with a daily decreasing revenue. At what point, pray, do you expect these two diverging conditions to meet and strike a balance?

The apologists for this bill claim to have recently discovered that some of the rates of the Dingley bill are and have been prohibitive. Yet you have inserted prohibitive rates in many instances in this bill in spite of your additional contention that reduced rates increase revenue and that you must have and are hunting for more revenue. Again, if you have full confidence in your prophecy that the passage of this bill means the return of vanished prosperity, why in addition to taxing inheritances do you provide for $50,000,000 Panama bonds to refund a liquidated charge, and in addition make provision to increase the amount of certificates of indebtedness from $100,000,000 to $250,000,000; and this in the face of the fact that the average or equivalent ad valorem rates of taxation in this bill are higher than the rates in the bill which this extraordinary session of Congress was called to revise, and, as the country understood it, to revise downward?

To my mind, these are distress signals for the approaching financial storm that you expect to break in fury over the commercial business of this country following this bill's enactment into law. You have made provision in said bill to issue interest-bearing obligations of the Government equal to almost two-thirds of the revenue that you claim this bill will raise, so that it might well be termed "a bill to increase the bonded indebtedness of the country," instead of "a bill to raise revenue." This function of the bill will be used to its full extent, if it shall result, as I expect it to, that the expenses of the Government for the next twelve years shall, as they have in the past twelve years, redouble.

The Republicans have, with amazing effrontery, but with their accustomed inconsistency, claimed that every blessing—including, I presume, increased cost of living—that humanity has enjoyed since July, 1897, when the Dingley bill became effective, has resulted from the provisions of that bill. In the first instance, if true, why repeal it? Mr. DALZELL, speaking of that measure, in addressing this House during the first session of the Sixtieth Congress, after rehearsing the wonderful strides this country had made along commercial lines, added:

> And yet, notwithstanding this wonderful prosperity which, if not contributed to by, is at least coincident with our existing tariff laws—

And so forth.

Later, in his efforts to account for the panic that was then on, he said:

> The most remarkable thing about the whole situation is the suddenness with which it passed.

Has it "passed?" If so, when? This Dingley bill, panacea for all previous business disorders—this bill that you claim rekindled the fires in the furnaces, started the wheels of prosperity to revolving—is to be repealed and succeeded by a bill that a Washington Post correspondent, on March 24, 1909, styles "A bill to kill business," over an article bearing a New York date line and written by an economic expert, and which is in full as follows:

"BILL TO KILL BUSINESS"—ECONOMIST WRITES IN CRITICISM OF PAYNE TARIFF MEASURE—BY KEEPING 2,000,000 IDLE, HE SAYS, IT WILL PREVENT EARNINGS OF A BILLION AND TEN BILLIONS OF TRADE.

NEW YORK, *March 24, 1909.*

Among the criticisms of the new tariff bill received by Wilbur F. Wakeman, general secretary of the American Tariff League, is this by R. Benedict, a New York lawyer and economic expert:

"The Payne bill, as I read the House draft, looks in the wrong direction, for it looks rather toward less than more employment for our people. It is said that there are now idle in this country all the way from 2,000,000 to 5,000,000 of our workers of all grades and classes. Call it the smaller number, 2,000,000. If these people were put to work they could hardly earn and spend yearly less than $500 apiece upon the average. That would mean an initial impulse of $1,000,000,000 more annually paid to our merchants, which alone is quite worth while; but that is the initial value only of the reemployment of our idlers; the final annual value must be at least ten times as great, for $1 paid into the market to-day would certainly have changed hands ten times by this day of next year, and upon each exchange it would have represented a total employment of $1—that is, it would have swollen to the value of $10 in a year, which would mean a final value yearly of $10,000,000,000 to our domestic business of merely putting the present idlers to work.

"From every human point of view the reemployment of our 2,000,000 of present unemployed is the main thing to be looked out for in the new tariff measure. Of course, we does not have to say that unemployment means death by starvation at one place or another. It means the swelling of our bread lines and our pauper rolls, not to mention the increase in business at police headquarters. But from a cold business point of view, the Payne bill as it comes from the committee is a sad mistake.

"I believe it is expected to bring in about $300,000,000 a year of revenue by keeping the people unemployed, and even in many cases adding to our sum of unemployment. If it merely keeps idle those who are now out of work, it will destroy $10,000,000,000 of business here annually to realize $300,000,000 of revenue. That is, for each dollar of customs revenue collected it will kill $33.33 of domestic business. But from the vice of reductions in many directions inherent in the bill there is every reason to believe that unemployment will be eventually doubled by it—that is, to collect $1 customs revenue we will throw away $66.66 of domestic business.

"It seems to me that if this were my job, and I were the giant of wealth called 'Aggregate domestic business interest of the United States,' I would put my hand in my pocket and pay the Government $300,000,000, which it seeks to raise by the Payne bill in exchange for a flat closing our ports against foreign competition in this market for our workers. I should be miles and miles ahead of the game at that."

In this article it appears that there are from 2,000,000 to 5,000,000 idle workers of all grades. Is it possible that this condition could still exist and this wonderful Dingley bill still in full force and effect? In the language of the distinguished gentleman from Pennsylvania, yet notwithstanding this appalling idleness, "which, if not caused by it, is at least coincident with a Republican administration."

In 1897, the date of the passage of the Dingley bill, following the period of business depression, the Republicans went before the people proclaiming that the remedy for the situation was the passage by Congress of a highly protective tariff. The battle cry was "Start the factory and prosperity will come to the farmer, as night follows day." But, behold, idle and smokeless factories for two years, and the farmer prosperous in spite of this situation. You are simply groping, or else boldly undertaking to deceive by false impressions; for this same party, with a siege of hard times, with an increasing army of unemployed, are now telling the people that the remedy for a situation paralleled to the situation preceding 1897, requires a reduction of customs duties or taxes in order to restore prosperity. And yet they are offering a bill that is a revision upward, as the figures disclose. Notwithstanding the gentleman from New York, chairman of the committee proposing this bill, displayed violent indignation and wrath when the gentleman from Tennessee [Mr. GARRETT], on the floor of the House, during his opening statement of the bill, ventured to intimate that the bill now under consideration was a revision upward, and denounced, with the wrath of Jupiter hurling a thunderbolt, the statement as unjust and unfair, vehemently asserting that this bill was a revision downward. Verily, it is the "voice of Esau but the hand of Jacob."

The chairman of the Ways and Means Committee, in the course of his remarks on this bill, in response to a question from the gentleman from Kansas [Mr. REEDER], made use of this expression:

Now, get the farmer's vote out of your mind and try to consider this question fairly and squarely as between man and man.

This bill places a tariff of 25 cents per bushel on wheat and 15 cents per bushel on corn. When did a farmer ever sell a bushel of wheat at a higher price than that at which wheat was selling at the same time in the Liverpool free-trade market, except, possibly, when the gamblers on the board of trade had cornered the market? If the market abroad is not higher than the home market, what man would be so foolish as to pay freight abroad and sell in a lower market than at home? Until the farmer gets more for his products at home than abroad the tariff is of no earthly advantage to him. This is no new proposition, I confess; but if this matter is to be treated "fairly and squarely as between man and man," why put this and many similar features in this bill to hoodwink the farmer? Canada is the only country from which we import wheat into the United States. The chairman said that it was necessary to have the hard wheat of that country to mix with the soft wheat of this country in order to make a flour that our mills can export. Again, if the duty placed by this bill on agricultural products could be of any possible advantage or benefit to the farmer, under the drawback clause of this bill Canadian wheat can be brought in in unlimited quantities, converted into flour by American millers, and made to supplant the American export trade, not by blending it with American wheat, but by using Canadian wheat exclusively to supply the market that is now supplied, at least in part, by home-grown wheat. Under this same drawback clause, by which the import duties paid by the importers are refunded to them, Canadian, Mexican, and other foreign cattle and live stock and farm products generally can be imported and, after rehandling, made to compete with our home products, so that the farmer will be compelled to sell his raw material in an unprotected market—the markets of the world, as it is best understood—and at the same time be compelled to purchase every thing he must buy in a taxed or protected market, while, by the provisions of this measure, you are attempting to mislead him into believing that it is his products that are protected.

From the Republican point of view this is what you call "treating the matter fairly and squarely as between man and man." No; the ultimate effect of this bill is, with a line drawn north and south through Pittsburg, that the section of country west of that line is treated as an alien and foreign country, in that the domestic raw material from this section must compete in price and quality with the best of imported raw material free of duty. Another deception for the farmer is in the placing of iron ore on the free list. The effect of this, in plain English, is to enable the steel trust to import its raw material from Cuba, Canada, and Mexico, where it has acquired extensive and high-grade ore deposits, free of duty, thereby putting into the pockets of the trust millions of dollars which formerly went into the Treasury, while the fencing wire, the roofing, structural material, and iron material used in agricultural implements remain unrelieved of the protective rates that have been and are placed upon them by this bill. Still another deception, intended for much the same class, is in the sugar rate, whereby each consumer's annual saving, under the new rate, reaches the preposterous sum of 4 cents.

During the year 1906, 1,058,926 dozen pairs of gloves were imported—that is, 12,707,112 pairs. On these the duty under the present law was from $1.75 to $5.90 per dozen. This bill proposes to increase the duty on the $1.75 kind—the cheapest gloves imported—an increase of 100 per cent. The poor woman's glove is to be taxed 90 per cent; the rich woman's 44 per cent. There are 3,000,000 pairs of the gloves which are taxed 90 per cent annually imported and only 28,000 of the gloves that are taxed 44 per cent, so that the total taxes on the poor woman's glove will be $930,025 a year and on the rich woman's glove $12,749 for the same period.

These are but samples of the deceptions sought to be imposed upon this country's army of consumers. Did time and opportunity permit, I could point out scores of others. The country might as well expect to gather grapes from thorns or figs from thistles as to expect real relief from a "revision of the tariff by its friends."

I declare any tax-levying bill that takes one penny from the wages of the working girl to pay for the increased salaries of an increasing army of federal officeholders or for big navies and armies to be, if not unhallowed, at least criminal. I am opposed to increasing the price of the cheap gloves that the poor must use in order to lower the price of the gloves that the rich wear. I am for the girl that must wear the cotton stocking because she can not afford the silk one.

And, now, before closing this particular branch of the discussion, and in response to the statement of the gentleman from the State of Washington [Mr. CUSHMAN], who, in his inimitable style, twitted this side of the House because of the depression of prices during the last Democratic administration, I wish to submit, in order that the people may be enabled to form their own conclusions as to how far the Republican party's legislation was instrumental under similar circumstances in increasing prices of live stock and farm products, the following reports of the Chamber of Commerce of Cincinnati for the years indicated:

Annual average price of hogs.

DEMOCRATIC YEARS.

1893	per hundred	$6.90
1894	do	5.10
1895	do	4.35

REPUBLICAN YEARS.

1897	per hundred	3.30
1898	do	3.85
1899	do	4.65

Annual average price of cattle, same market.

DEMOCRATIC YEARS.

1893	per hundred	$3.61
1894	do	3.85
1895	do	3.85

REPUBLICAN YEARS.

1897	per hundred	3.54
1898	do	3.70
1899	do	3.85

Average price leaf tobacco, same market.

DEMOCRATIC YEARS.

1893	per hundredweight	$10.00
1894	do	11.85
1895	do	10.05

REPUBLICAN YEARS.

1897	per hundredweight	8.05
1898	do	9.10
1899	do	7.95

Corn, No. 2 (St. Louis, Milwaukee, and Cincinnati).

DEMOCRATIC YEARS.

		Cents.
1893	per bushel	31⅞-41½
1894	do	31½-56
1895	do	29¼-53

REPUBLICAN YEARS.

1897	per bushel	19½-29½
1898	do	25½-36⅝
1899	do	29½-36¼

Clover seed (Cincinnati Chamber of Commerce).

DEMOCRATIC YEARS.

1893	per hundredweight	$10.67
1894	do	8.80
1895	do	7.64

REPUBLICAN YEARS.

1897	per hundredweight	5.82
1898	do	5.68
1899	do	5.48

Timothy seed (Cincinnati).

DEMOCRATIC YEARS.

1893	per hundredweight	$1.68
1894	do	2.10
1895	do	2.07

REPUBLICAN YEARS.

1897	per hundredweight	1.20
1898	do	1.11
1899	do	1.05

Timothy hay (same market).

DEMOCRATIC YEARS.

1893		$12.55
1894		10.95
1895		12.70

REPUBLICAN YEARS.

1897		9.80
1898		8.67
1899		10.00

The present bill bears a strong resemblance in its operations to the concessions granted by the governments in the Latin-American republics. There the government grants a monopoly direct to its favorite, which in time, by intolerable oppression of the people, engenders revolution. This bill grants special favors by legislative enactment to particular industries, and the result is scant difference between the monopolies born of and fostered by such legislation as contained in this bill and the concessions of the republics south of us. In operation they are the same. What is the difference in the status, as a result of this bill, of Standard Oil, the steel trust, the sugar trust, the beef trust, the International Harvester Company, and kindred companies in the United States, and in that of the concessionaires of the South American republics? The concerns first named are in as complete control of the commodities that the American people must have as the concessionaires are in their respective governments. There are indications that the people of this Republic are becoming aware of the similarity of these situations; and when they do become fully advised, and these glaring evils are not eradicated, the result will be one about which I entertain grave and serious apprehensions.

When the panic of 1907 came, it was the farmer who was to the panic-stricken financiers what reinforcements are to a routed army. He saved the day and averted a direful disaster. In return for that service, he is in this, as in all other bills written by the friends of the tariff, made to retain his position as the principal burden bearer of an extravagant and profligate Republican administration.

The failure of the bill to in any measure alleviate the gross injustices that have been imposed on the vast army of American consumers forbids that I lend my vote or support to any feature of it.

Mr. FOSTER of Illinois. Mr. Chairman, it is with a great deal of pleasure that the Members of this House have listened to the able argument upon both sides of this Chamber upon the tariff bill now before us. The hearings before the Ways and Means Committee have been exhaustive in so far as the protected interests are concerned, and they have clamored to be heard in the committee room in the interest of protection to their industries. Some very able speeches have been made on this floor, and we are indebted to the chairman of the committee for his explanation of this bill; yet in all his argument in support of the bill, it seems to me, he does not show where the consumer will be given the benefit of a downward reduction of duties. The minority leader, Hon. CHAMP CLARK, in a very able and exhaustive address before this House, has shown that this bill is not a downward revision of the tariff, but that all the protected industries are very well taken care of in the Payne bill now under consideration, and if this bill becomes a law as now reported no relief of taxation will be given the people. [Applause.]

An attempt has been made by these men who are asking that special privileges be given them under this bill to show how the consumer will be benefited. The selfishness of human nature has always been such that each is trying to take care of himself, and while the arguments, from a protection standpoint, might seem to be conclusive that these protected industries are making goods for the consumer as cheap as he ought to expect to buy them, yet they are attempting to have a bill passed that will enable them to take from the consumer a portion of his earnings for the purpose of enriching themselves.

We have seen, under this protective-tariff system, institutions grow from small concerns and then, forming immense combinations and trusts, attempting through these combinations to control the price of their own product and thereby be enabled to charge the people whatever price they determine as fixed by themselves in combination. The argument in this House has demonstrated, it seems to me, that Members are sometimes unable to look beyond their own districts and are asking the privilege of taxing other people for the benefit of their own districts.

I like the sentiment expressed by the gentleman from Minnesota [Mr. NYE] in a speech on this floor, when he said:

We ought to be patriotic enough to look to the welfare of all the people and legislate in their interests.

[Applause.]

Too often, through selfishness, people advocate a high tariff, not for the purpose of placing revenue in the Treasury, but that they may have the benefit of this tax to enrich themselves.

I believe in the principle that every man is entitled to the full benefit of his own labor, and that no man or class of men have a right to take from another man's pocket a portion of his earnings and put it into his own without giving him something of value in return.

The protected industries have so long enjoyed the privilege of taxing the American consumer that they feel it is their right to continue to do so. Under the guise of protecting the American manufacturer and laborer they attempt to show that protection is necessary or their factories will have to close and the workman be thrown out of employment.

I believe in the principle that whatever tariff is levied is that much taxation upon the people, and that the Government has no right to permit, by law, any man to tax another for his own benefit. It seems to me that the principle that you advocate of taxing the people to make a business profitable that otherwise would not be is wrong. The farmer or workman has no assurance of a profit by law, but must take his chances in open competition in the markets of the world. I believe that all taxation should be as light as possible on the necessaries of life, and only so much should be collected as is necessary for an economical administration of the Government.

The farmer who works from early morn to late at night, many times in rain as well as sunshine, in the cold and heat, often being compelled to keep his children from school, thus depriving them of an education, and at the end of forty years of hard labor has a few hundred acres of land is considered a rich man in the community; and yet these men in protected industries have been able, on account of a high tariff and with the aid of combinations, to amass immense fortunes in a little while. It was said by a Republican candidate for the United States Senate in Wisconsin in the last primary that since the Dingley bill had been enacted into law more than $500,000,000 had been collected each year by the protected industries of the country that had gone not into the Treasury of the United States, but into the pockets of these protected industries. So that the people have been taxed for the benefit of these protected industries while this law has been on the statute books over $5,000,000,000. This certainly is an enormous tax on the people of our country.

The farmer by law is compelled to pay a tariff on everything he buys and sell his products in the open market of the world. In this bill you intend to fool the farmer by making him believe he is protected by a tariff, when you certainly know it is of no benefit to him. The farmer does not ask to be relieved of his just proportion of taxation, and is willing to be taxed when that money goes into the Treasury, but he has a right to object to being taxed on everything he buys and compelled to sell in competition with all the world. The beef trust is enabled to pay him what it desires for his stock when placed on the market, and he is powerless to help himself. If he ships a load of fattened stock to one market and he is dissatisfied with the price offered him, which is fixed each day by the trust on all the stock in the market at that time, and he should decide to reload and ship to another market, the combination will telegraph ahead to look out for this particular shipment, and when he arrives there is offered less for his stock than before. So he is compelled to sell his stock at a reduced price. The beef

trust is determined that he must sell at the price they fix in the first instance or take less. Again, when this product is finished and shipped back to the local merchant, the beef trust again fixes the price, and he is compelled to pay whatever they ask. The trust is enabled, through combination, to fix the price in both instances. Thus it is, like the old man's coon trap, he is "caught coming and going." [Applause.]

The protected industries have enjoyed the privilege of taxing the American people so long that now they are doing their utmost to hold the privilege granted them. The great corporations have capitalized their concerns so much more than they have actually invested—and have millions of watered stock—that they are now trying to make the people pay a profit on this fictitious capital with the cry that they are entitled to a fair profit on the capital invested. The great cry of the protected interest is that protection is for the benefit of labor; that the tariff is levied for the purpose of protecting labor; and yet, under the provisions of this bill, material is shipped in here and manufactured and shipped abroad and sold to foreigners cheaper than to the men who work in the factories. The laborer must come in competition with the labor of the world. There is no protection for the men who labor in the factories. Many times the tariff is much higher than the total cost of the labor. Whenever there is any agitation of a lower tariff, then there is a cry of reducing wages by this class of protected interests. If the tariff is levied for the interest of labor and to cover the difference in cost of production in this country and abroad, there ought to be a provision that when the Department of Commerce and Labor determines that the product of such protected industry is selling for more than the difference in the cost of labor here and abroad, then the President of the United States should have the right to lower the tariff accordingly. [Applause.]

During the last campaign the people were promised genuine reduction of the tariff, so that they might secure the necessaries of life at a lower price. It was said that the schedules in the Dingley law needed revising and that this Congress would reduce the rates of the present tariff law. Mr. Taft told the people on the platform that if he were elected he would call Congress in extra session for the purpose of revising the tariff, giving genuine reduction, so that the people might be relieved of the unnecessary burdens of taxation. I ask the Members of the other side of the House if you think you are keeping faith with the people? Have you given them in this bill a reduction in the price of the necessaries of life? Can they buy cheaper clothing or other necessaries of life when this bill becomes a law than they do now? The Treasury experts have estimated that the average tariff in this bill is nearly 2 per cent greater than the Dingley law. Is that the kind of reduction promised? Is that the kind of reduction the people expected from the hands of this Congress? I think not. In my judgment, a genuine reduction should be made on the articles the people are compelled to buy for everyday use. No Member of this House wants to see a single industry of the United States injured in the least. Everyone desires to see labor employed at good wages. The man who works with his hands is entitled to a fair division of the profits of his labor; but in the passing of this bill this end is not sought by the men who are asking for a continuance of the right to tax the people through the tariff; they want the right by law to continue to shut out foreign competition and control through combination the markets of our own country. The people will not tolerate a species of legislation like this, that increases taxation when they are promised a reduction.

Mr. Chairman, the majority of the Committee on Ways and Means can feel the people no longer. They will drive from power the majority in this House and send Representatives here who will give them genuine tariff reduction. The expenses of the Government have grown so enormous through extravagant appropriations that the high rates of the present tariff do not produce sufficient revenue to pay the expenses. We ought to cut down our expenses. Many millions could be saved if an effort were made to be more economical. There seems to be no effort to reduce expenses any place, but useless appropriations are made and millions of dollars are spent from which the people derive no benefit whatever. No true American citizen desires to hinder a just administration of the Government, and he is willing that all necessary money should be appropriated for all just needs of the Government; but, Mr. Chairman, he does have a right to object to being taxed and have that money extravagantly spent. Every dollar that goes into the Treasury must be produced by some one's labor. Every dollar means the toil of some one. The people will no longer bear this heavy burden of taxation. They expect this Congress to take such steps as are necessary to lessen this load that they are now compelled to bear. The money that is spent by Congress is not the money of the Representatives, but belongs to the people; and it is the duty of the officers of the Government to see that it is economically used. [Applause.]

It is hard to understand why the great State of Ohio, through its representatives in the legislature, should petition this Congress to remove all the tariff on lumber and still desire to retain the high tariff on such products as the people of that State produce. It is just as essential that the people should have other necessaries of life as they should have cheaper houses. The people of New England want the western people to give them free hides and yet desire to retain a high tariff on shoes. Very few shoes are imported into this country, and all the tariff levied on boots and shoes is for the benefit of the shoe factory. It certainly seems to me that the tariff should be made as light as possible on those articles of necessity, so that the people will be able to supply themselves with cheaper clothing and other necessaries for themselves and their families.

The shoe men, before the Ways and Means Committee, have asked that the tariff on hides be removed, so that they would not be at the mercy of the packers' combine, and yet they want to retain the duty on shoes. Let us remove the duty on leather goods, such as boots, shoes, and harness such as the farmer buys, so that our people can buy leather goods at less price than they are now compelled to pay. The gentleman from Wisconsin [Mr. WEISSE] has repeatedly said on the floor of this House that he, as a tanner, was willing to have all tariff removed from leather if he were given free hides and free tanning materials. The great shoe manufacturing firm of Wolfe Brothers, of Columbus, Ohio, has said, in the following letter, that if they are given free hides they can make the shoes for the world:

WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 29, 1909.

Hon. MARTIN D. FOSTER,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material, the American shoemaker can shoe the world.

Very respectfully,

THE WOLFE BROS. SHOE COMPANY.
R. F. WOLFE, *President.*

Yet, in the face of all this Congress is asked to remove the duty on hides and allow a high tariff to remain on leather goods. Be consistent and remove the duty on shoes also. Do not attempt to take care of the interest of the New England shoemakers and forget all the consumers. There are so many "jokers" in this bill that nobody can tell what will be its effect until after it is passed and becomes a law, and its different provisions construed by the Treasury officials and the courts. [Applause.]

The gentleman from North Carolina [Mr. KITCHIN] in a great speech in this House a few days ago showed how the "joker" in the lumber schedule would raise the tariff on all classes of lumber, and the gentleman from Michigan [Mr. FORDNEY] acknowledged that such a "joker" existed, and that it would not reduce the duty on lumber one cent.

Mr. KITCHIN is to be commended for his loyal stand for the people in his efforts to relieve them from this unjust tax. He has been able to look to the interest of the home builders, and not to the interest of the men who are trying to tax people for every stick of lumber they are compelled to buy. People must have lumber to build houses, and no combination controlling the price should be permitted to compel our people to pay outrageous prices for this necessary product that God has placed here for our use. It seems that the defenders of the tariff on lumber have worked overtime, and the representatives of this interest have been the best organized of all the interests asking protection in this bill. Every mail has brought to the Members arguments and appeals to continue this unjust tax on the American home. Even so great and good a man as the Hon. Gifford Pinchot has been induced by some argument to reverse himself on this question.

The duty on sugar has been reduced 5 cents on the hundred pounds. This reduction does not amount to anything, and so far as giving any relief to the people from the sugar trust, might just as well have been left where it was in the Dingley law. Each person would have to eat 100 pounds of sugar before he would save one nickel with the reduction contained in this bill. The people must continue to pay the enormous profits to the sugar trust, and the people must continue to buy of the sugar trust and pay tribute to that gigantic monopoly if this bill becomes a law. No one has yet pointed out the "joker" in the watch schedule, but it, no doubt, is there.

I confidently expect my colleague [Mr. RAINEY] to expose the iniquity of the schedule on watches, as I am sure he can so ably do, as in the past he has shown the injustice of this schedule in the Dingley bill. There is not much doubt that the watch trust will find some way to keep out competition and continue to sell its products abroad cheaper than to the people of this country.

Mr. Chairman, I believe in the Democratic doctrine of tariff for revenue, the burden being placed the lightest on the necessaries of life. With all the protected interests clamoring at the doors of the committee room and the lobby about this Capitol working overtime for protection, the people, I fear, will be forgotten; and when this bill passes both the Senate and House and becomes a law, it will be demonstrated that the people's interest has not been looked after, and they must go on paying tribute to the rich combinations who have already grown too rich off the labor of the country. When this bill was first introduced it was heralded over the country that the tariff had been revised downward, but the more it is examined the more it is shown that the bill will again fool the people and still give the tariff beneficiaries all the advantage they desire. I would have been glad to have voted for a bill that would lighten the burden of the taxpayer, though it had been proposed by a Republican Congress; and I am sure this side of the House would have gladly supported such a measure. Not only to the people of the districts we have the honor to represent, but to the people of the whole country, do we owe an effort to give them a tariff law that will not burden them with taxation and compel them to pay of their earnings to the trusts of the country that shield themselves behind a tariff wall.

Mr. Chairman, I would be untrue to the interests of the people should I vote for this bill without it is changed in such a way as to give substantial relief to them in taxes. I expect that next Monday a rule will be brought in here closing debate and permitting such amendments as the committee may consent shall be offered. No opportunity will be given to reach this bill under the five-minute rule, and the claim will be made that the interests of the country demand that the bill shall be passed immediately. I submit to this House that it would be better to take a little time and pass a bill that will be in the interest of the people. The protected interests are here to look out that they be taken care of, and it is our duty as representatives of the people to see that those who labor and pay the taxes, those who are the consumers, should also be looked after. We should not permit our people to be robbed of their hard earnings by a class of men who give them nothing in return for the money they take from them. Mr. Chairman, there will come a time when the people can not be fooled. They will rise in their might, and instead of these paid lobbies being about in this Capitol they will demand that the Representatives shall no longer give heed to this class of citizens who only act from selfish motives; and if we fail to heed the people's voice and keep faith with them, they will send men here who will secure legislation favorable to their interests and who will revise this tariff in the way the people have been promised it would be done.

I can not attempt in the brief time allotted me to discuss in detail the different schedules, but have contented myself in dealing in a general way with this bill. I had hoped that in this bill there might be relief for the wage-earner, for the farmer and producer generally, but, it seems to me, this bill is only in the interest of that class who want to profit from the labor and producer of the land.

Mr. Chairman, this House should not be so hasty in its endeavor to pass this bill that no opportunity be given to amend it in such a way that the promise made to the people will be fulfilled. Let us take a broad view of the rights of the people and legislate in the interest of all of them. Let us not forget that we have no right to tax all the people of this country for the benefit of any one class. Let us see that the rights of the people are maintained against the greedy combinations and trusts that would build a high tariff wall around our country, keeping out all competition from abroad and stifling competition at home, thus controlling the market of our own country and collecting an unjust tax from our people. [Loud applause.]

Mr. ELLERBE. Mr. Chairman, it has not been my intention to make a speech on the Payne tariff bill. I have realized from the first that Democrats would have practically nothing to do with framing the law. The most that we will be permitted to do is to protest against the bill as a whole. Because of the unjust burdens imposed upon the masses of the people, for the reason that the bill is sectional, particularly does it discriminate in favor of the East and against the South and West, because the burden is the greatest ever imposed upon the American people the bill should not pass. At this time I shall simply call attention to one paragraph of the Payne bill.

Paragraph 652 of section 2 of the Payne bill is identical with paragraph 644 of the Dingley law. This paragraph in the Dingley law places sulphate of potash and muriate of potash on the free list. Paragraph 652 in the Payne bill nominally does the same thing. As a matter of fact, placing this paragraph of the bill under the heading "free list" is a pretense and a fraud. It is one of the many paragraphs in the Payne bill to be denominated, popularly speaking, a "joker" and is intended to hide the real purpose of the framers of the bill in imposing a duty of 20 per cent on all the articles enumerated in the paragraph mentioned.

Section 3 of the Payne bill, beginning at line 24, page 172, reads as follows:

Upon each article enumerated in the following paragraphs of section 2 of this act there shall be levied, collected, and paid a duty of 20 per cent ad valorem.

A number of paragraphs are mentioned, among them paragraph 652 of section 2. This "joker," hidden away in section 3, is intended to impose a burden or tax of nearly $1,000,000 on the farmers of the South. I take the following from Notes on Tariff Revision, a publication gotten up for the use of the Ways and Means Committee, and only in the last few days available to the membership of the House:

Sulphate of potash is a salt that occurs in nature in considerable quantities. In the Stassfurt (Germany) mines it is found in combination with sulphate and chloride of magnesium, forming the mineral kainit. Sulphate of potash is employed in the production of carbonate and also as a fertilizer.

Importation of sulphate of potash: Quantity, 58,306,202 pounds; value, $1,013,045.31; value per unit, $0.018. Germany's share of this importation was 55,407,033 pounds, the United Kingdom furnished 1,175,932 pounds, and the balance came from Austria-Hungary, Belgium, France, and Canada. Muriate, or chloride of potash, called "sylvine," occurs in the Stassfurt beds and also in Vesuvius. It enters largely into the manufacture of saltpeter, alum, and chloride of potash. From it is made, by decomposition with sulphuric acid, the greater part of commercial sulphate of potash, and it is used to a considerable extent as an ingredient of artificial manures.

Importation of muriate of potash.—Quantity, 231,327,378 pounds; value, $3,963,511.45; value per unit, $0.017. Of this importation, 226,586,102 pounds came from Germany, the balance from Belgium, the United Kingdom, and the British West Indies.

The total value of these two items imported into this country in 1907, $4,876,356.76. Twenty per cent duty, or tax, on this amounts to the sum of $975,271.35. Heretofore these items have been on the free list; now, it is proposed to tax the farmers of the South in order that the trusts and great industrial corporations may not be required to pay their quota toward defraying the expenses of the Government.

It may be claimed by some that the 20 per cent duty levied in section 3 will not apply to potash shipped from Germany, unless conditions are such that the provisions of section 4 apply to the imports from Germany enumerated in paragraph 3 and particularly including paragraph 652, relative to potash. Section 4 of the Payne bill reads as follows:

SEC. 4. Until sixty days after the passage of this act, and whenever thereafter any country, province, dependency, or colony admits each and every article imported into said country, province, dependency, or colony from the United States, or any of its possessions, the growth or product, in whole or in part, of the soil or industry of the United States or any territory belonging thereto, upon payment thereon of duties, imposts, excises, or taxes which shall not be in excess of those levied upon like articles imported from any other country, province, dependency, or colony, and admits such articles on terms as favorable as those accorded to any article imported from any other country, province, dependency, or colony, there shall be levied, collected, and paid upon articles imported into the United States, and all territory belonging thereto (except the Philippine Islands), from such country, province, dependency, or colony, the growth or product of the soil or industry of such country, province, dependency, or colony, and whether such articles are shipped from the ports of such country, province, dependency, or colony, or from any other foreign port or ports, the rates of duty prescribed in section 1 of this act, and in like cases the articles mentioned in section 2 of this act shall be admitted free of duty.

Whenever, on or after sixty days after the passage of this act, any country, province, dependency, or colony discriminates against any article imported from the United States, or any territory belonging thereto, the growth or product in whole or in part of the soil or industry of the United States, or any territory belonging thereto, by levying duties, imposts, excises, or taxes thereon in excess of those levied upon similar articles imported from any other country, province, dependency, or colony, or in any way fails to admit any article imported from the United States, or any territory belonging thereto, on terms as favorable as those accorded to any article imported from, and the products of any other country, province, dependency, or colony, there shall be levied, collected, and paid upon all articles imported into the United States, or any territory belonging thereto, the growth or product of the soil or industry of such country, province, dependency, or colony so discriminating against any article imported from the United States, the rates of duty prescribed in section 3 of this act: *Provided, however*, That these provisions for additional duties shall not apply to the cases where the preferential duties to other countries are those who are given by a province, dependency, or colony to the mother country only.

It is a notable fact worthy of all condemnation that the Payne bill in section 4 substitutes maximum and minimum rates for

reciprocal rates provided in section 4, the corresponding section in the Dingley law. In other words, the Dingley law in section 4 provides for reciprocal treaties with other countries.

It will be observed that the proviso in section 4 specifies that the additional duty shall not be imposed where the preference is given by "province, dependency, or colony to the mother country only." Germany has three forms of tariff—maximum, conventional, preferential. The United States by treaties is only entitled to the conventional rate of tariff with Germany. Should Germany give a preferential rate on an article imported from any other country or one of her provinces, dependencies, or colonies, which she denies the like imports from the United States, then the rate imposed in section 3 is applicable.

Nearly all of the sulphate and muriate of potash brought into this country comes from Germany. At the present time Germany discriminates against us on considerably more than 100 articles or tariff numbers by giving preferential rates to other countries. In my humble judgment, she will never make the concessions we demand in this bill; therefore, in sixty days from the passage of the bill the maximum rate goes into effect and a 20 per cent duty is placed on all sulphate and muriate of potash imported from Germany into this country.

Now, gentlemen, potash is used extensively in the manipulation of nearly all fertilizers used in the South. Therefore, this tax places a burden upon every man who grows cotton and tobacco in the South, Pennsylvania, Connecticut, and elsewhere. It does seem that in selecting this item the committee was evidently armed with a "search warrant" to find a paragraph which would injure the farmers of the South and tobacco growers of other sections.

You can not claim that you are protecting anything by this, for we do not produce sulphate or muriate of potash in this country. You gentlemen of the Republican side claim to be the friend of the farmer, and yet you would place this burden upon him. Every time a poor man comes to town with his mule and cart and carries home a bag of fertilizer he will realize more and more your deceit and treachery.

I suppose, Mr. Chairman, that this will tax the cotton grower more heavily than anyone else. In the name of high Heaven, has he not troubles enough? Some one has well said that it took thirteen months to make a cotton crop. If many of you gentlemen on the Republican side of this Chamber were forced to go South and make a support for yourself and families growing cotton under conditions as they have existed for the past twenty-five years, you would raise a howl over this tax that would be heard around the Nation. Gentlemen, I appeal to you not to place this tax upon the people of the South, who now bear more of the burdens and receive less of the benefits of the tariff than any section of the country.

The southern cotton grower not only clothes the world, but he holds the balance of trade in favor of this country. In the name of common fairness, is he not entitled to some consideration?

And now, Mr. Chairman, though in a measure tied as I am because of my being on this side of the Chamber, yet I feel that I would be untrue to myself and untrue to the millions of farmers who must bear this burden did I not enter my most vigorous protest against such unfair, unjust, and discriminatory legislation. [Applause on the Democratic side.]

Mr. HILL. Mr. Chairman, I move that the committee do now rise.

The question was taken; and the motion was agreed to.

The committee accordingly rose; and Mr. OLCOTT having resumed the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, and had instructed him to report that it had come to no resolution thereon.

The SPEAKER pro tempore. The hour of 6 o'clock p. m. having arrived, the House will stand in recess until 8 o'clock this evening.

AFTER RECESS.

The recess having expired, at 8 o'clock p. m. the House was called to order by Mr. OLCOTT, the Speaker pro tempore.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, Mr. OLMSTED in the chair.

Mr. RAINEY. Mr. Chairman, the day of reckoning has come at last. For ten years the Republican party has promised a substantial revision of the tariff—a proper readjustment of the burdens of tariff taxation. Every two years, just before the elections, the Republican party has promised a revison of the tariff by the friends of the theory of protection, and upon that promise that party, for the last decade, has succeeded always in electing a majority of this House. Just after the elections, however, the leaders of the party have invariably pointed to large Republican majorities as an evidence of the alleged fact that there was no demand in the country for a revision of the tariff, and so the years dragged their weary length along. On the farms of the West men labored under the burning sun of summer and paid tribute to the trusts; in the East, amid the clang of machinery, men toiled and paid tribute to the trusts, and saw the product of their own brain and muscle sell 3,000 miles away, in the capitals of Europe, 25 and 50 per cent cheaper than they themselves could buy it in the markets of the city where they labored. A feeling of unrest prevailed last year throughout the country.

In order to carry the elections last fall, it was necessary to make a promise that apparently meant something, and the Republican candidate for the presidency, rising to the demands of the occasion, agreed, in the event of his election, to call Congress in extra session immediately after his inauguration for the purpose of revising the tariff. He has kept that promise, and we are here now for that purpose. For over a week, day and night, this debate has dragged on. The country now understands the situation. The bill you propose retains all the bad features of the present law and adds many new features infinitely worse. [Applause on the Democratic side.] It is a Republican measure pure and simple. The Republican members of the Ways and Means Committee boast of the fact that they excluded the Democratic members of that committee from their deliberations, and, consulting only the trusts and the law-defying corporations, framed this the most infamous measure of tariff oppression ever conceived by tariff beneficiaries and their representatives.

THIS BILL TO INCREASE BONDED INDEBTEDNESS AND TO TAX INHERITANCES.

The bill we are considering proposes to increase the bonded indebtedness of the country by hundreds of millions of dollars in order to avoid disturbing the tariff barons of the land in their enjoyment of ill-gotten gains. This measure proposes to invade the States and levy a tax on inheritances. Nearly 30 of our States now levy a tax of this character. The National Government proposes now, in this measure, to usurp the functions of the State, and to levy additional inheritance taxes. Under prior Republican tariffs everything was taxed from the cradle to the grave—clothes, food, medicines, books, the tools of the artisan, and, finally, the very boards out of which his modest coffin was constructed, the nails which held it together, and the hammer which drove them into the yielding wood. This bill goes further than that, however, and fines his widow and children because he is dead. The poorer he was, the more it is proposed to fine his widow and children. If he only leaves $500 worth of property, the fine for dying is fixed at 5 per cent of that amount; if, however, he leaves $100,000 worth of property, the fine is only 1 per cent, and so this bill preserves, even in this feature, the Republican policy of compelling the poor to bear the real burden of paying the expenses of government—the same old Republican policy of making the rich richer and the poor poorer.

BEER AND OIL PROTECTED IN THIS MEASURE.

There has been a pretended attempt for some years to regulate railroads, but even the pretense has vanished now, and a great railroad attorney sits in the counsel chamber of the President. A great temperance wave has just swept over the country; but the President of the United States, safe behind his substantial majority, has defied it all and has given an important place in his Cabinet to the personal attorney of the greatest brewer in the world, who contributed $50,000 to the Republican campaign fund last fall. With a fine of $29,000,000 hanging over him, the head of the Standard Oil trust called on the President-elect, pledged to carry out the policies of the man who made the fine possible, and to-day the Standard Oil Company is represented in the Cabinet of the President. No sane man ever expected a dollar of this fine to be paid, and a few days ago the fine was set aside by the courts. The present administration is taking no further serious steps against the Standard Oil.

Beer and oil seem to have played a prominent part in the framing of the present tariff bill. The tax on gloves, cotton goods, and hosiery is increased 20 per cent, but the country is safe—no additional burden is placed on beer and the countervailing duty is preserved on petroleum. In fact, this bill comes to the relief of the millionaire brewers of the country and proposes to give them cheaper raw material by reducing the tax on barley. The millions of voters in this country who have been lead to believe that a real fight was being waged against the

Standard Oil trust and who have been registering their protest at the polls against beer will be glad to know that beer and oil have both been taken care of in this bill. There may be a tax on coffee; the burden of maintaining the breakfast table may be increased; but beer is safe and oil is safe, and contributions from millionaire brewers and Standard Oil magnates will continue to pour into the treasury of the national Republican committee. [Applause on the Democratic side.]

FREE LUMBER.

The demand for free lumber is almost universal; it has been granted in part by this bill; kindling wood is now on the free list. [Laughter and applause on the Democratic side.] The tax on American homes and home builders continues, but the Republican party in future campaigns can call attention to this important concession; and the farmer of the West has now the opportunity, if he cares to accept it, of purchasing his kindling wood in Canada and bringing it in free of duty. I apprehend, however, that there will be no great rush across our northern boundary for kindling wood.

INCREASE OF TARIFF TAXATION.

There are four or five thousand articles embraced in our tariff schedules. This bill reduces the tariff tax on less than 400 articles. The juggling of ad valorem and specific duties in the present bill makes it impossible to tell upon how many articles the tariff is raised. The comparison of the Payne tariff bill with the present tariff law prepared under the direction of the Committee on Ways and Means, which means the Republican members of that committee, and which is now a public document, shows that the tariff tax is increased from 44.16 per cent under the present law to 45.72 per cent under the pending bill.

It is impossible, however, to tell how much the pending bill will increase the rate provided for in the Dingley law. The actual effect of the maximum and minimum provisions of this bill can not be fully understood at the present time. They certainly can, under no circumstances, at any time lower the rate of duty. They amount in reality to an emphatic declaration of trade war against every nation in the world. Our position will be, if this bill becomes a law, that whenever any nation in the world gives the slightest preference on the most unimportant little article imported into that country from any other country, or even from any of its provinces, automatically and at once we put into operation on everything we import from that country the maximum tariff rates, which are to be made by adding to the rates prescribed by this bill sometimes one-fourth, sometimes one-fifth of the same. In other words, if the rate is under the present bill 50 per cent ad valorem on some particular schedule, automatically and without notice that rate becomes over 60 per cent ad valorem. I undertake to say that it will be impossible to find at any time in the future a commercial nation which does not on some little article give some slight preference over us to some other nation or to some one of its own provinces.

The real effect of the present bill, therefore, is not to raise the tariff taxes 1 or 2 per cent over the present law, but to raise the tariff taxes 20 or 30 per cent over the present law. [Applause on the Democratic side.]

WATCHES.

Now, Mr. Chairman, I think I have more present now, than I had a few minutes ago; in fact, I seem to have an excellent audience—for a night audience. In view of that fact, I want to discuss just one feature of this bill as briefly as I can, and to point out one more "joker" for the benefit of my old friend, the watch trust. [Laughter and applause on the Democratic side.] It has been nearly three years now since I talked about watches on this floor. I have spent a large portion of that time trying to get the watch trust prosecuted, but it seems, under a Republican administration, to have grown stronger and stronger all the time, and stands to-day in this bill shoulder to shoulder with beer, and shoulder to shoulder with Standard Oil and its products. You can usually find in the watch schedule of a Republican bill a fair index of the entire bill. [Applause on the Democratic side.] Under the Dingley law the tax imposed upon imported watches was higher than it ever was before. After the Dingley law went into operation this great watch combination was formed. Under a pretense of revising the tariff downward, this schedule has been juggled, as all these other schedules have been juggled, by switching tariffs from specific to ad valorem and from ad valorem to specific, adding ad valorem tariffs to specific tariffs, until it takes an expert to know what they mean. [Applause on the Democratic side.]

This bill was framed without consulting any Democratic members of the committee; in fact, the Republican members of the Committee on Ways and Means openly boast that they excluded the Democratic members from their deliberations while framing the bill; and while they do not openly boast of this further fact, the bill shows that in framing it they consulted only the representatives of the trusts. There is not any lowering of the duty in the watch schedule. In this bill a method has been found to increase almost 100 per cent the tariff on the poor man's watch.

PRICE OF POOR MAN'S WATCH TO BE INCREASED.

Watches are divided into two classes. The more expensive watches—those containing 17 jewels, and more than that—are known as "railroad movements." The watch trust, under a Republican administration, has found a way to protect itself absolutely so far as these movements are concerned. I have shown on this floor before that every jobber, if he wants to handle their goods at all, is compelled to agree to sell railroad movements for not less than a certain price, and every retailer is compelled to agree to sell railroad movements at a certain minimum price. It does not matter how much more than that they charge. Their mode of fixing in this way the price of watches does not extend to the cheaper grades. In this bill they have found a way to increase the price of these cheaper grades.

Under the tariff of 1894 the duty on all watch movements was 25 per cent ad valorem. The present tariff law retained the ad valorem duties and added certain specific duties, and the present tariff law made possible the watch trust in this country. The bill we are now considering increases the tariff tax on all the cheaper grades of watches. It does not change the tariff as to the watches containing 17 jewels and more than 17. In the Payne bill there is a specific duty of $1.25 on a 17-jewel watch, in addition to a duty of 25 per cent ad valorem. On watches containing more than 17 jewels the specific duty is $3 each, and to that is added 25 per cent ad valorem. This is not an increase. The same rates are charged in the Dingley bill. The bill we are considering, however, abandons the ad valorem duties of 25 per cent on all grades of movements containing less than 17 jewels, and the 7-jewel movement is taxed 70 cents specific; the 11-jewel movement, $1.35 specific; the 15-jewel movement, $1.85 specific. Under the present law there is a tax of 35 cents on each movement containing 7 jewels and less than that, to which was added 25 per cent ad valorem. The tax on movements containing 11 jewels and more than 7 jewels, under the present Dingley schedules, is 50 cents each, and 25 per cent ad valorem. On watches containing 15 jewels the tax is 75 cents each, and 25 per cent ad valorem.

Assuming that the unit value of watch movements is 85 cents under the Dingley law, a 7-jewel movement would be taxed 35 cents plus 25 per cent ad valorem. In other words, under the present Dingley schedules, a watch movement costing, at wholesale, 85 cents would pay a duty of 56 cents. Under the Payne bill the duty on this movement would be 70 cents, an increase of nearly 50 per cent. The New York Standard Watch Company filed a brief with the Ways and Means Committee in which they claim that a Swiss movement can be produced in Switzerland for 50 cents wholesale. Under the Dingley tariff the tax on this watch would be 47 cents. In the proposed bill the tariff would be 70 cents. Under the present law the tariff on a watch of this character is over 100 per cent. This certainly ought to satisfy the watchmakers in this country. Under the proposed bill, however, the tariff will be 125 per cent.

The object of this schedule in the Payne bill is, therefore, to increase the price of the poor man's watch, and the effect will be to practically prohibit the importations of the cheaper grades from Switzerland, and therefore to enable the watchmakers of this country to fix prices to suit themselves. The burden falls upon the retailers and the ultimate consumers. This bill is supposed to be a revenue measure, and yet, in this schedule, the effort is to exclude from the Treasury the revenue heretofore derived, even under the high Dingley rates, from watches.

PROPOSED WATCH SCHEDULE MEANS LOSS OF REVENUE.

In 1907 the importations of watch movements containing 7 jewels and less amounted to $57,184, and upon this grade of watch movements in that year alone there was collected duties to the amount of $482,847.33. There was in 1907 brought into the United States only 18,600 watch movements containing 17 jewels, and only 6,113 watch movements containing more than 17 jewels. The 17-jewel movements and the movements containing more than 17 jewels paid in that year a revenue amounting to only $118,441.50. From this showing it can be seen at once that the poor man's watch has in reality been paying the revenue derived from this schedule. The more expensive grades pay only a small portion of it. As a revenue measure, therefore, this bill, having the effect of excluding the cheaper movements from this country, has the effect of increasing not only to the poor man the price of his watch, but it has the effect of decreasing the revenue heretofore derived from watches.

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from this country, has the effect of increasing not only to the poor man the price of his watch, but it has the effect of decreasing the revenue heretofore derived from watches.

THE JOKER IN THE WATCH SCHEDULE.

The watch manufacturers, however, fearing that it might be possible for some Swiss movements to get over this proposed high tariff wall and interfere with their plans for exacting tribute from retailers and consumers, have provided a joker, which the Republican members of the Ways and Means Committee have kindly included in this bill.

Section 189 of the Payne bill contains the following proviso:

Provided, That all watch movements and cases of foreign manufacture shall have the name of the manufacturer and of the city, town, or village, and country of manufacture cut, engraved, or die-sunk conspicuously and indelibly on the plate of the movement and the inside of the case, respectively; and the movements shall also have marked thereon by one of the methods indicated the number of jewels and adjustments, said number to be expressed both in words and in Arabic numerals; and none of the aforesaid articles shall be delivered to the importer unless marked in exact conformity to this direction.

I am delighted to see that I have now present a large number of the Republican Members of this body, and I appreciate the attention my argument is receiving on that side of the House. In order to be able to make perfectly clear the effect of this proviso, I have brought into the House to-night certain Swiss watches. They are from the establishment of A. Wittnauer & Co., of New York City. This firm is among the largest of the importers of Swiss watches. Practically all of the watches imported into this country come from Switzerland. I have here a watch which is marked, for the purpose of this argument, No. 1. It is what is known as a "ball watch." No firm in this country manufactures anything like it. It is one of the smallest watches made. The dial of the watch is less than one-quarter of an inch across, and the entire watch could be put in the end of an ordinary sized lead pencil; and yet it is a complete watch.

The watch is hardly as large as an ordinary hazelnut. I would like to have some gentleman on the other side of the House explain how it is possible to engrave, or cut, or sink conspicuously or indelibly on the plate of the movement, and on the inside of this case, the name of the manufacturer, the name of the city, town, or village where this watch is manufactured, the country where it is manufactured, the number of jewels the watch contains, and the number of adjustments the watch contains, expressed both in words and in Arabic numbers. I submit that it is physically impossible to comply with these requirements, and this bill would exclude absolutely on account of this proviso alone from the United States this beautiful little watch.

I have here another watch, marked No. 2, for convenience, on the tag attached to it. This movement is just a fraction larger perhaps than the one I have just displayed. It is, of course, impossible to mark this movement in any of the ways indicated, on account of the small size of the watch. This watch is known as a "locket watch." It has considerable sale in this country and is incased in a locket-shaped case when sold. This little watch, marked on the tag No. 3, is a trifle larger than the other, but not large enough to contain the legend required by this bill. The watches I have been displaying are of the more expensive kind. The ball watch sells in this country at wholesale for $115, case and all. The locket watch sells at wholesale in this country for $78 in the case. The movement in the watch I am now displaying sells at wholesale in this country for $70. It is incased in an American case, and the case sells at wholesale for $15. These watches would probably retail for 33 per cent more than the wholesale price. There is no attempt, however, on the part of importers to regulate the retail price of Swiss watches in this country, and retailers are at liberty to fix their own price.

This little jewel-size silver watch, marked on the tag No. 4, is of a slightly different pattern from the others. It sells in this country at wholesale for $12.50, and is what is known as a silver "Niello" watch.

The watch marked No. 5 on the tag is also a jewel-size watch. The price of the movement at wholesale in this country is $12.50. The movement is contained in the American case and the price of the case is $4.50 at wholesale.

The two watches I am displaying now, marked No. 6 and No. 7 on the tags, are much larger in size. No. 6 is the equivalent of a 12-size American watch. No. 7 is as large as a 14-size American watch. The ordinary American watch of this size would have in it plates large enough to contain several words. I am displaying these two watches, however, for the purpose of showing that these models do not contain room for the smallest inscription. It is not possible to find in them a plate large enough to contain any inscription, and certainly not the long pedigree required by the bill we are considering. I have displayed only ordinary models of the Swiss watches imported to this country. All of them show, whether they are large or small, the absolute physical impossibility of engraving upon the Swiss-watch movements the matter required by this bill.

In these larger watches it would be possible, of course, to comply with the law so far as the case is concerned, but the larger movements are usually encased in American cases. In order to more fully explain this particular phase of the bill, I will print here a letter from the company which so kindly loaned these watches to me. This firm is well known on two continents, and its standing can not be questioned.

A. WITTNAUER COMPANY,
MANUFACTURERS OF WATCHES, 9–13 MAIDEN LANE,
New York, March 27, 1909.

The Hon. H. T. RAINEY,
House of Representatives, Washington, D. C.

DEAR SIR: At your request, we are sending to you by to-day's express, prepaid, the following watches, the numbers indicated below being duplicated by the same numbers on the tag attached to each article. All of the watches are intended to illustrate the physical impossibility of complying with the proposed regulations as to the marking of watch movements and watch cases.

No. 1. This article, which is called a "ball watch," has admittedly no surface whatever inside the case or movement whereby we could comply with said regulations. It would, of course, be absurd to insist upon putting these requirements upon the outside of the case, inasmuch as it would obviously render the article unsalable.

No. 2. On this watch the same argument is offered as on the preceding, and is merely sent to show a variety.

No. 3. On this article, although a regularly made Swiss watch, it is admittedly impossible to comply with the proposed markings, as there is not surface enough on the entire movement on which to place the required wording.

No. 4. This watch will give you a good idea of a medium-sized Swiss watch, of a model at present largely imported. Here, also, although much larger in size than the preceding examples, it is obviously impossible to comply with the proposed regulations.

No. 5. This watch is the same size as the preceding and is intended to show that although of a different pattern of movement, here also there is no room whatever for the lengthy pedigree required.

No. 6. We are sending this model to refute any objection that may be made against the size of the former models. You can easily see that notwithstanding the large size of this watch there is absolutely no room on the surface of this movement for even the smallest inscription.

No. 7. We are sending this, which is equal to the No. 14 size American watch, to show good faith in our contention that modern watches are so made that it would, in nearly all instances, be impossible to comply with the regulations requiring the lengthy pedigree proposed.

We would call your attention to the fact that No. 5 and No. 6 are both cased in American cases, and desire to say that the larger portion of all foreign movements imported are cased in this country in American-made cases.

We trust that these 7 models will be conclusive evidence that our request to leave the marking of watches the same as at present is correct in every respect and furthermore, we might add, that a large portion of the retail trade of the United States imports most of their foreign watches, with their own trade names and places of business, in the United States, which it is certainly their privilege to do, besides being a resident guarantee to the purchaser to the American consumer, who has an American firm to fall back upon. Furthermore, if the proposed regulations were to be enforced, it would react as an injury to the retail dealer, inasmuch as by being compelled to have his wares marked with the name of the maker, place of production, etc., there would be no reason why the consumer could not be in direct communication with the European manufacturer, purchase there, and if purchased there in person, the article would then be brought in as personal property, thus working injury to the retail dealer who loses legitimate profit to which he is normally entitled, besides losing the revenue to the Government, which is no small item.

We would add again that if the regulations were to be enforced, it would, as you can judge by most of the exhibits sent, prevent the importation of a large quantity of watches, which at present represent considerable revenue to the Government.

Without wishing to take up too much of your time, yet we would like to touch in a few words the fact that the proposed increase of duty on the movements having 15 jewels and less, if enforced, will, first, cause a considerable shrinkage in the amount of Swiss watches imported, to the serious detriment of the revenue, which from the standpoint of your honorable body is the main object of the Payne bill. Second, there are several independent American watch-case factories which derive a very large portion, if not their entire business, from their imported movements, classed from 7 jewels and less, and if therefore the importation of this class of Swiss movements is curtailed by the proposed new duties, aside from the fact that the revenue from this importation will be lost, these various American case factories will be compelled to reduce their output and even go entirely out of business.

In conclusion, we desire to register the fact that we are not asking an impossibility; we believe in reasonable protection for home industries and for revenue, but, as is well known, the American watch industry has for many years, and even previous to the Dingley Act, needed no protection above the old 25 per cent ad valorem to become a power in the land and so increase their output as to be able to control not only home models, but seriously compete with foreign watches in their place of production.

We wish you every success in your argument and desire to thank you for the interest you have taken, and beg to remain,

Very sincerely, yours,

A. WITTNAUER CO.,
V. C. DESSIAN, *Secretary.*

Certain alleged Swiss movements were displayed before the Ways and Means Committee. All of them were supplied with plates large enough to contain this legend. I have had the pleasure of inspecting these movements. It is impossible to believe any of them could be sold in this country to any appreciable extent. No respectable retailer would think of carrying them in his stock, and no watch purchaser with the slightest degree of judgment and ordinary common sense could be in-

duced to buy them at any price. It would surprise me very much to learn that any of them could be made to run for as long as sixty minutes. It is absurd to say that these models could injure in this country the business of any watchmaker. Any ordinary blacksmith ought to be able to make a better watch than the watches displayed before the Ways and Means Committee, on account of which they claim this proviso was inserted in this bill. I challenge the watch manufacturers in this country to name a single reputable retailer who carries in his stock the movements they displayed before the Ways and Means Committee. A watch manufacturer in this country whose business is injured by such clumsy watch-movement imitations as these has no right to continue in the business of manufacturing watch movements in this country. [Applause.]

The great firm of Tiffany & Co., in New York, sell only Swiss watches. The purchaser of a "Tiffany watch" buys a Swiss watch. This great firm simply prints across the dial of the watch the word "Tiffany" and indicates in some place on the watch the fact that it is of Swiss make. They become, therefore, responsible for the watch. If the watch is defective in any particular, the purchaser relies upon Tiffany to make it good. This firm has built up its watch business by extensive advertising. If it is compelled now to engrave on a watch movement the matter required by this bill, the watch business of this firm would be completely ruined. Any retailer operating in any part of the country where rents are cheap would be able to take advantage of all the advertising Tiffany might do. He could order "Tiffany" watches direct from the makers in Switzerland and could point to the fact that they were identical with the watches Tiffany was selling, except that they did not contain on the dial the word "Tiffany." The effect of years of advertising and business enterprise will be completely and immediately destroyed by this bill, even assuming that it is possible to so modify the Swiss movements that they will contain a plate large enough to permit the legend required in this bill to be engraved on the same.

Admitting that it is possible to induce the Swiss watchmakers to modify their methods of making watch movements so as to insert in the movement a plate large enough to contain the required inscription, I respectfully insist that this law would compel every consumer who purchases a Swiss watch to carry around with him the business card of a Swiss firm 3,000 miles away. Many thousand American tourists visit Europe every year. Nearly every one of them goes to Switzerland. This law—if it is possible to carry it into effect, and if it is possible to keep up the importation of Swiss watches—will therefore have the effect of fully advising American tourists as to the location of the great Swiss watch factories, and any one of them can go directly to the manufacturer and buy there his Swiss watch and bring it back, free of duty, through our custom-houses. Swiss watches purchased by Americans who go abroad are usually of the most expensive type, watches costing from $300 to $500, and even more than that; watches which strike the hour and quarter hours, and watches which contain other curious and unusual features. I submit that this situation would be most undesirable from many standpoints.

In nearly all our large cities great firms of retailers can be found who handle only the Swiss watches. The Tiffany firm is not the only American firm that will be injured by this bill. The proposition in this schedule, therefore, will have the following effect:

First. To increase the cost of the poor man's watch.

Second. To make it impossible to import the cheaper Swiss watches at all on account of the prohibitive duty on the same.

Third. The bill will deprive the Government of practically all the revenue it collects on watches.

Fourth. Assuming that the tariff is not absolutely prohibitive, this proviso is intended to make it physically impossible, in the case of Swiss watches, to comply with the same.

Fifth. Assuming that the Swiss manufacturers will for our benefit modify their method of constructing movements so as to permit this legend to be engraved on the movement, and assuming that watches can be brought in at the rates provided in this bill, to handle Swiss watches would completely ruin the watch business of any ambitious advertising retailer.

Sixth. The physical impossibility of engraving the required matter on the movements and on the cases of the smaller watches would, in the absence of anything else, absolutely prohibit the importation to this country of the smaller watches.

Seventh. There are six large independent watch-case manufacturing companies in the United States. Their product is used largely for the purpose of encasing the cheaper grades of Swiss movements. If the cheaper grades of Swiss movements can not be brought into the country, we may expect the greater number of these watch-case companies to be driven out of business.

WATCH CASES.

The American watch trust could therefore fix its own price on all watch cases. The watch trust controls—as every retailer in this country well knows—the following watch-case companies: The Crescent Watch Case Company, of Philadelphia; the Keystone Watch Case Company, of Newark, N. J.; and the Philadelphia Watch Case Company, of Riverside, N. J.

There are no other companies than these trust companies and six independent watch-case companies engaged in the manufacture of watch cases in this country, except the Dueber-Hampden Company; and inasmuch as the latter company only manufactures cases for its own movements, it would not perhaps be seriously affected.

IMITATION SWISS WATCHES.

I have here a letter from an independent watch-case maker in this connection, which I will presently read. The makers of watch movements in this country are so sure that the provision I have been discussing will become a law that they have for a long time been getting ready for it; and within the last few days they have placed upon the market a watch which I was able yesterday to secure. It purports to be made by the Swiss-Anglo Association, of Liverpool and New York; as a matter of fact, it is made in New Haven, Conn. It will surprise many Members of this House to know that it is proposed to sell at wholesale this watch, complete—case and movement—for 75 cents. I have had it now for about two days, and have kept it wound up. I set it yesterday by the clock over the Speaker's desk, and I can testify that for nearly two days it has kept the best of time.

In the face of the fact that our watchmakers can produce this watch and sell it complete, case and all, at home and abroad, for 75 cents, is it not absurd to insist that in order to protect them it is necessary to insert a provision in this bill by which the very cheapest Swiss movement is taxed 70 cents in addition to 40 per cent ad valorem on the case that contains it?

I want to call attention to the fact that this watch is called the "Swiss-Anglo" watch. It is, as you see, an open-face watch, provided with a very heavy crystal, and although no part of even the material that goes into the watch was brought from Switzerland—although it is completely manufactured in this country—they propose to call it the "Swiss-Anglo" watch. This watch is evidently to be placed on the market to take the place of the cheaper Swiss movements, when, by the operation of the schedule we are considering, the cheaper Swiss movements are absolutely excluded from this country. This watch can be sold to a purchaser who wants a cheap Swiss watch, and he can be made to believe he is getting a watch of that character.

They have just commenced to advertise in the trade papers the watch I am now displaying, and I have here some advertisements clipped from watch-trade papers now advertising the watch. I do not know just what connection the American watch combination has with this so-called "Swiss-Anglo" watch. I want to call attention to the fact that the watch as placed upon the market is sent out in this neat little box, with a hinged lid, and that the watch itself is contained in a chamois bag. The cheaper grades of watches are usually sent out in little canvas bags, like the one I hold now in my hand. If the watch trust is not interested in this particular watch, those gentlemen who are putting it on the market, whoever they are, have copied very closely their methods, and in order to show that this watch is intended to be sold all over the world, I propose to print here, for the benefit of the retail watch dealers of the country, the guaranty and agreement which appears printed here on the bottom of this little box which contains the watch:

License.

THE SWISS-ANGLO ASSOCIATION,
LIVERPOOL AND NEW YORK.
Agencies in London, Toronto, Chicago, and San Francisco.

The movement fitted in this watch is completely covered by the strongest basic patents, and is not sold separately from the case. Any infringement will be rigorously prosecuted.

Guaranty: The watch carries with it our guaranty, and if without misuse it should fail to keep good time, it should be at once returned to any of our branches, preferably New York, together with 6 pence (or 12 cents) for packing and remailing, and it will be repaired free of charge.

AGREEMENT.

The finished watch is sold under the following agreement, assented to by purchase and controlling all sales and uses thereof, any violation of which agreement revokes and terminates all rights and license as to watches of makers in violator's possession, and, continued, subjects the violator to suit for infringement of said letters patent:

1. Jobbers may sell only to retail dealers, and accompanied by this notice, and may sell only at rates specified in the schedules.

2. Retailers may advertise and sell only to buyers for use at 6s. 3d., 7 francs 85 centimes, $1.50, 6 marks 35 pfennigs, 2 rubles 95 copecks.

No rebate or bonus allowed with any sale at wholesale or retail.

One absolutely standard price, f. o. b. London, Liverpool, Chicago, or New York.

3. Guaranty, with date of sale, with each watch.

Not long ago I notified these gentlemen that I was going to make this speech—I mean the gentlemen who have been defending the watch trust.

Mr. TIRRELL. That being the case, will the gentleman answer one or two questions?

Mr. RAINEY. With great pleasure.

Mr. TIRRELL. The gentleman stated at the opening of his remarks that the watch trust had got in their work, the raising of duties in the Payne bill. Can the gentleman tell us by whose brief or testimony or evidence the rates were changed in the Payne bill? Is he informed on that subject?

Mr. RAINEY. Inasmuch as the majority members of the Committee on Ways and Means would not even permit the Democrats who were members of that committee to be present when they framed the schedules, I can not say what influences were brought to bear on the Republican members of the Ways and Means Committee. [Applause on the Democratic side.]

Mr. TIRRELL. Then the gentleman has not seen the brief which was filed.

Mr. RAINEY. I have seen all the briefs that have been filed, including the brief filed by young Mr. Dueber, to whom the gentleman evidently refers. I want to say that his father, who built up that great business, spent the last years of his life fighting the watch trust.

Mr. TIRRELL. On June 25, 1906, did not the gentleman say, in reference to that concern whose brief has been filed with the Committee on Ways and Means, in regard to the watch trust——

Mr. RAINEY. I can make the gentleman's question much shorter by saying that I said a great many complimentary things about the Dueber Company. I said a great many complimentary things about the old gentleman who built up that great industry, and who spent his life fighting the watch trust. And the watch trust is probably delighted with the fact that he is now dead. [Laughter on the Democratic side.]

Mr. TIRRELL. Did not the gentleman say at that time that the Dueber-Hampden Company is the strongest opponent of the watch trust——

Mr. RAINEY. Yes; and I could not think of any greater compliment at that time, and I am sorry I can not say it now.

Mr. TIRRELL. Does not the gentleman know that the company filed a brief and furnished the evidence on which the tariff on watches has been changed?

Mr. RAINEY. No; I do not know it.

Mr. TIRRELL. And that this company whom you alluded to as the most independent and vigorous opponent of the watch trust, this very company, is the one that has recommended the changes in the watch tariff, and the reason given principally——

Mr. RAINEY. What authority has the gentleman for disclosing the secrets of the Committee on Ways and Means?

Mr. TIRRELL. Because I had sources of information that perhaps the gentleman did not possess.

Mr. RAINEY. And nobody else. [Applause on the Democratic side.]

Mr. TIRRELL. That is an assertion that will compare with some of the assertions the gentleman has made about the watch trust.

Mr. RAINEY. I want to congratulate the gentleman. It is evident from the work the Republican members of the Ways and Means Committee have been doing that the gentleman who defends always upon this floor with so much energy and so much ability one of the most infamous trusts in this country has had access to the Republican members of the Ways and Means Committee when they were framing this bill to such an extent that they consulted him and told him what they are going to do with reference to this particular schedule.

Mr. TIRRELL. The information was open to the inspection of the gentleman from Illinois, if he had had the industry to look it up.

Mr. RAINEY. The gentleman can not charge me with lack of industry.

Mr. TIRRELL. I want to ask the gentleman if this very company to whom he has alluded as the opponent of the watch trust is not the principal witness, and the one that furnished the principal evidence giving the reasons for the changes in the watch tariff in the Payne bill?

Mr. RAINEY. The New York Standard Watch Company and various watch companies furnished evidence before the Ways and Means Committee, and also young Mr. Dueber. I have read this evidence—all of it. I told the gentleman that I read Mr. Dueber's brief. I know what he said.

Mr. TIRRELL. Then, why did not the gentleman spread it before this House?

Mr. RAINEY. I read everything having reference to watches in the hearings before the Ways and Means Committee.

Mr. TIRRELL. And the gentleman has not said one single line about anything said in that brief.

Mr. RAINEY. I know all about everything that was printed. I did not know, as the representatives of the trust seem now to know, just exactly what the Republican Members were going to do. [Applause on the Democratic side.]

Mr. TIRRELL. And the gentleman should know that the independent men, who the gentleman says are outside of the trust, are those who furnished the evidence upon which the present schedule was prepared.

Mr. RAINEY. That is the trouble about the protective tariff. It reaches down through all ranks of men and corrupts everybody it touches. You can not fight one hornet without fighting the whole colony. [Applause on the Democratic side.] Every manufacturer of anything, when he looks up high above him and sees a man worth millions of dollars which he has stolen from the people, carries around in his heart the fond hope that that system will be continued in force until some day he has had the opportunity and time enough to steal millions himself from the people.

That is the trouble with your protective system. We stand for tariff for revenue only. You stand for that system which reaches down and corrupts everything it touches, which makes men, when they see the profits of legalized robbery, anxious to continue in the career that makes that kind of robbery possible; and so you get them all together here, all agreed upon one proposition, all agreed upon the proposition that the way for thieves to succeed is to stand together and to prey upon honest men. [Applause on the Democratic side.]

Mr. TIRRELL. Mr. Chairman, in all that declamation we have not heard one fact or one argument. I want to ask the gentleman this question——

Mr. RAINEY. The gentleman can ask all the questions he wants if I can have the time to answer them.

The CHAIRMAN. The gentleman has four minutes remaining, and it rests with him whether he will yield or not.

Mr. RAINEY. Very well; I will ask the gentleman to make his question as short as he can; and if I anticipate it and answer it in advance, I hope he will acquit me of any desire to be discourteous.

Mr. TIRRELL. The gentleman has spoken about prices. Can the gentleman inform this House as to the difference in wages as it appeared in Mr. Dueber's brief between the workmen in Switzerland and in this country? As a matter of fact, is it not nearly three times as much here?

Mr. RAINEY. Oh, Mr. Chairman, that is the old story, maintaining a system that makes possible millionaries and paupers and sustaining it by calling attention to wages and wage differences. We make watches here by machinery. They simply feed metal into one end of a machine and it comes out the parts of a watch at the other end. There are no watchmakers now. The highest paid men in the watch factories are employed about what they call "assembling" watches. This tariff is for the benefit of machines, not men, and in order that a man may earn $3 a day, it is necessary for him in some grades of these cheaper movements to assemble 100 movements a day. He can not hope to work every day, except Sunday, in a month assembling 100 movements a day. It affects a man's nervous condition, so that he is compelled to take days off occasionally. Is the gentleman through with his questions?

Mr. TIRRELL. If the gentleman would answer the question, instead of going off into a declamation, I would submit more questions.

Mr. RAINEY. I would be glad to answer them if I have the time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUNDIN. Mr. Chairman, I ask unanimous consent that the gentleman be allowed ten minutes more to finish his remarks.

The CHAIRMAN. The Chair is not aware that the gentleman from Illinois desires ten minutes more.

Mr. RAINEY. Oh, Mr. Chairman, I will take all the time I can get, provided I am not taking up time allotted to other gentlemen.

The CHAIRMAN. The Chair will state that there are a good many gentlemen who desire to be heard.

Mr. RAINEY. I do not want to impose on other gentlemen, and I shall not ask for it.

Mr. LUNDIN. I think it nothing but fair that he be allowed ten minutes more, inasmuch as his time was taken up considerably. Therefore I ask unanimous consent that he be granted ten minutes more.

The CHAIRMAN. If those gentlemen who desire to be heard are agreeable, the Chair will put the request. Is there objection? [After a pause.] The Chair hears none.

THE INDEPENDENT WATCH-CASE COMPANIES.

Mr. RAINEY. Mr. Chairman, I want to call attention to another feature of this proposition. There are six large independent watch-case manufacturing companies in the country. Their output is used largely for the purpose of encasing the Swiss movements that are brought to this country. This tariff, keeping out, as it will, Swiss movements entirely, means that most, if not all, of these independent companies will be compelled to go out of business. Now, I want to read a letter from one of them for the benefit of my friend, the gentleman from Massachusetts [Mr. TIRRELL], the watch-trust expert on the other side of this House. [Laughter on the Democratic side.] This is from the North American Watch Company, and at least the gentleman from Massachusetts, who knows so much about watch prices and the secrets of the Ways and Means Committee so far as they relate to the trusts and the protection they are getting under this bill, will admit that this particular company is not a part of the trust he defends. This letter is dated New York, March 30, 1909:

Hon. HENRY T. RAINEY, *Washington, D. C.*

DEAR SIR: The "colored person in the wood pile," or the Payne tariff, so far as the watch interests are concerned, is Mr. Zerbrugg, the president of the Standard Watch Company, of Jersey City, N. J.—

I supposed he was the man who wrote this schedule. Is the gentleman from Massachusetts familiar enough with the secrets of the Ways and Means Committee, so far as it relates to trusts and this particular infamous trust, to tell me whether he did or not?

Mr. TIRRELL. I do not know this gentleman or anything about him.

Mr. RAINEY (reading)——

The "colored person in the wood pile," or the Payne tariff, so far as the watch interests are concerned, is Mr. Zerbrugg, the president of the Standard Watch Company, of Jersey City, N. J., and the Philadelphia Watch Case Company—

And he will agree those two case companies in addition to the Keystone Company are controlled by the watch trust—

who is also the moving spirit and the "boss" of the alleged watch trust. He wishes the United States Government to give him an absolute monopoly on low-priced watches in America by putting an excessive tariff on imported movements, thus not only stopping their importation and cutting off from the Government the revenue tariff on same, but also preventing six large independent watch-case factories in this country, who have a large market for their cheaper line of watch cases with imported movements in same, from doing any business in watches of similar cost to his, and throwing all this trade into the hands of Mr. Zerbrugg and his factories. We are willing to compete with him in watch-case making, but do not desire him to shut out our customers from buying our cases with imported movements in same, by getting the United States Government to put a prohibitory duty on such movements for Mr. Zerbrugg's benefit. This is creating a monopoly by congressional action and reducing the Government's revenue on same, as no low-priced watch movements in the cheaper grades can be imported and sold in America under the Payne tariff.

Mr. Zerbrugg can and does sell his watches, which he claims cost him 72 cents at present, for $1.25; that should be profit enough for him and his infant industries.

Yours, very truly,

NORTH AMERICAN WATCH COMPANY,
W. A. MOORE, *Vice-President.*

Now, this "Swiss-Anglo" watch movement takes the place, so far as this particular factory is concerned, of the cheaper Swiss watches. They were so sure of the Ways and Means Committee of this House, just as sure as my friend from Massachusetts is, and they make a confidant of him because he is the watch-trust expert of the House, that the cheaper grades by the Payne tariff bill would be taxed 70 cents specific on the movement alone and 40 per cent ad valorem on the cases, that they put this watch out just a few days in advance of the appearance of the Payne bill.

This company could not wait. They were so sure and so anxious to take advantage of the other companies that they have put their Swiss movement, manufactured in this country, on the market now in order to take advantage of the barring out of this country by this bill of the cheap movements made in Switzerland or in any other part of the world.

Mr. WEISSE. Will the gentleman from Illinois yield for a question?

Mr. RAINEY. Yes; I will yield to anybody, and I will gladly yield to my friend from Wisconsin.

Mr. WEISSE. The gentleman from Massachusetts spoke about the labor cost in Switzerland. According to the census report, the labor cost of watches in the United States is 51 per cent; the tariff is 75 per cent. Who gets the other 24 per cent? Will the gentleman answer?

Mr. RAINEY. I can tell you who gets the other 24 per cent—you need not wait for the gentleman from Massachusetts to answer. These watch-trust millionaires the gentleman represents—some of them live in his district—get the other 24 per cent. He owes his election to the fact that watch-trust employees are compelled by their employers to vote for him. The Waltham watch factories are located in his district. He is here earning his salary. He is here repaying——

The CHAIRMAN. The Chair must call the gentleman to order. That is going a little too far.

Mr. RAINEY. The gentleman does not object; and if he does not object, it is not necessary for the Chairman to object for him.

Mr. TIRRELL. I will say to the gentleman that both Democrats and Republicans seem to like a defense of their industries on the floor of this House from the gentleman from Massachusetts.

Mr. RAINEY. I have no doubt they do.

THIS BILL AIDS THE WATCH TRUST.

I have been for some time now fighting, to the very best of my ability, the American watch trust. This bill establishes for many years to come the tyranny of the watch trust and makes it more complete than ever. No provision in the bill is so absolutely unnecessary and so oppressive as the provision I have been discussing. The American watch trust can, whenever it pleases, destroy the business of any watch jobber or watch retailer in the country. The existence of this trust was made possible by the provisions of the Dingley bill. It can become, under this bill, more oppressive than ever. It has so far received splendid assistance from Republican administrations. I called attention nearly three years ago to the business of Charles A. Keene, of 180 Broadway, New York, who at that time had commenced to reimport American-made watches. I produced on this floor the evidence of his reimportations; I brought here a number of his watches; I put the numbers of the movements in the RECORD; I challenged the companies comprising the watch trust to say that these movements were not sold abroad at the price I stated. I produced on this floor the evidence and published it in the CONGRESSIONAL RECORD in speeches I made here on the 5th and 6th days of April, 1906, and on the 25th day of June, 1906; and the evidence I produced on those occasions stands absolutely uncontradicted to-day.

A number of speeches have been made in reply to my speeches, but no Member speaking on this floor for the watch trust has ventured for a moment to refer to or discuss the evidence I presented. Articles of American manufacture can be brought back, under the Dingley law, without the payment of duty, if they have not been improved upon or advanced in value abroad. It gives me great pleasure to state that Mr. Charles A. Keene is still engaged in the business of reimporting American-made watches, and is still engaged in the business of retailing them in New York City at prices less than any American wholesaler is able to buy them for.

In view of the fact that American watches are being sold abroad at prices ridiculously low, compared with prices they charge at home, is it not now absurd to insert in this bill these prohibitory provisions, thereby fixing stronger than ever upon watch retailers and upon purchasers of watches the power of this infamous trust?

I will print at this point in my speech some letters I received recently from Mr. Keene, who has so successfully defied the trust, in which he discusses the provisions of this bill:

CHARLES A. KEENE,
WHOLESALE WATCHES AND DIAMONDS,
New York, March 27, 1909.

Hon. HENRY T. RAINEY,
Washington, D. C.

MY DEAR MR. RAINEY: I received the copies of the Payne bill and the Dingley tariff law of 1897, and have compared the sections you mention. I was already familiar with section 180 of the Payne bill and also section 191 of the Dingley tariff law; in regard to section 490 of the Payne bill, I do not think that has any bearing on the watch business.

When Mr. Dueber informed you that the omission of the ad valorem duty on the 7-jewel movements, on the 11-jewel movements, and on the 15-jewel movements really made the duty about the same as before, he either did not know what he was talking about, or he wished to willfully mislead you. As I told you in my letter of a few days ago, the omission of the ad valorem duty was intended for a severe blow against the very cheapest grade of watches that are imported. For instance, I have been talking with an importer to-day, one of the largest in New York, whom I have known these twenty years; he says a watch movement can actually be produced in Switzerland at 40 cents each. Under the old tariff law (before the Dingley) tariff on this movement would amount to 10 cents; under the Dingley tariff law it would amount to 45 cents; under the proposed Payne law it amounts to 70 cents. Now, then, the watch trust may say that there are some 7-jewel movements that cost a great deal more than 40 cents to produce in Switzerland that will be allowed to come into this country under the 70-cent rate. That is true, but government statistics will show that three-fourths of the movements imported into this country at the present

time contain 7 jewels and less, and the average cost to the importer is 70 cents each; the average cost to produce is something less, so you see this fact alone will nail any argument the watch trust can produce.

Now, then, under the old tariff law—that is, before the Dingley—the duty was 173 cents; under the Dingley, 52½ cents; under the proposed Payne law, 70 cents, or 100 per cent on the average importations against a little less than 80 per cent.

Mr. Dacher was right in regard to the 11-jewel not being made very much in this country, and it is also true that they are not imported much. The 15-jewel Swiss can be made as cheap as $1.60; under the old law the duty would have been 60 cents; under the Dingley, $1.15; under the new proposed Payne bill, $1.85; and at present there is being imported in all grades of Swiss watches about $2,000,000 worth annually; and if this new Payne law goes into effect, it will keep out at least seven-eighths of these goods, therefore depriving the Government of just so much revenue. It will also deprive the American workingman of cheap watches and deprive the independent American case makers of the business they have now in making cases for these cheap Swiss movements that are imported, and to transfer the business to the Philadelphia Watch Case Company and the New York Standard Watch Company, which practically belongs to Mr. T. Zerbrug, who was one of the leaders in forming the watch trust; he also controls the Keystone and Crescent Watch Case Company.

I wish to point out to you the extreme percentage of duty in the new proposed Payne tariff bill is 70 cents on an article costing 40, or 175 per cent, and I am told by a Swiss manufacturer that the actual difference in the cost to produce one of these very cheap movements and the 14-jewel movement is 10 American cents, and the difference in the proposed new tariff is 65 cents, or about 650 per cent. I understand that Mr. A. Wittauer, of New York, is to call on you to-morrow; although I never met Mr. Wittauer but a few times I know him well by reputation. He is one of the largest importers we have. His goods are sold by the finest stores throughout this country.

I understand that Tiffany & Co., of this city, will be hit very hard if this bill becomes a law, as you are aware the bill provides that the full name and address of the manufacturer shall appear on all movements that are imported, and of course Tiffany & Co. would object to that as they have all their movements made abroad and prefer to have their own name and address put on them here, and I sincerely hope you will find time to make a strong speech in favor of having the Dingley tariff reduced, as even at the present rate the tariff fosters a trust which coerces and blackballs the dealers at will. As I said before, I am personally most interested in seeing a clause inserted in the new bill that will permit the free entry of reimported American watches as a whole or in part of American manufacture. As it is now, the Waltham and Elgin companies send their movements to Europe and have Swiss dials, hands, and some other minor parts put on which costs a few cents; then duty is charged against the entire watch when it goes back. This work is being done on their part simply to keep the goods out, and I certainly hope that you will be able to beat them at that game.

With best wishes, I remain,

Yours, very truly,

C. A. KEENE.

CHARLES A. KEENE,
WHOLESALE WATCHES AND DIAMONDS,
New York, March 30, 1909.

Hon. HENRY T. RAINEY,
Washington, D. C.

DEAR MR. RAINEY: About a week ago I sent a letter to my agents in London requesting them to cable to me in francs the actual cost in francs to produce the very cheapest grade of 11 and 15 jewel movements. You will notice by the inclosed cablegram that the 11 jewel cost 6 francs, or about $1.20; the 15 jewel 6 francs 50, or about $1.30; so you will see the new bill proposes to put a new tariff of $1.35 each on an article that costs but $1.20, and $1.35 each on an article that costs but $1.30.

Hoping you will be able to make use of this information, I remain,

Yours, very truly,

C. A. KEENE.

CHARLES A. KEENE AND THE WATCH TRUST.

Under the Dingley law and under the proposed bill it is possible by making slight alleged improvements on an article of American manufacture to prevent its reimportation to this country unless there is paid on it the full tariff rates. While the watch trust three years ago was very vigorously denying that Mr. Keene was purchasing Elgin and Waltham watches abroad at ridiculously low prices and bringing them back into this country for sale here, they were asking the assistance of the Treasury Department in their efforts to prevent the reshipment of their own watches. They were causing to be placed on their watches while abroad Swiss dials, so as to be able to claim that the watches had been "improved upon" or "advanced in value" while abroad.

At that time I wrote to the Secretary of the Treasury, asking him if he had been requested by the American Waltham Watch Company to be on the lookout for American-made watches "improved upon" while abroad, and therefore dutiable. I received a reply from him, dated the 9th day of May, 1906, in which he declined to give me information of that character. I expected this refusal before I wrote to him. I wrote to every collector at every one of our ports of entry, and I received answers from many of them which prove absolutely that at the request of the watch trust the officials of this Government stand guard at every one of our ports of entry to prevent Charles A. Keene, of New York City, from bringing back to this country the American watches he has purchased abroad at the foreign price. The bill we are considering preserves this feature of the Dingley law and makes it still possible to make alleged improvements on articles of American manufacture of only a few cents in value while those articles are abroad, and thereby prevent the bringing back of the same to this country. It will be impossible, under the rule you propose to bring in, to amend the bill, even in this particular. The party in power therefore makes it possible for American manufacturers to keep up their prices at home and to make 3,000 miles from here prices 25 and 50 per cent cheaper. Mr. Keene is able, however, I am glad to say, by carefully removing the dials they place on their product abroad, to bring American watches back into this country and to continue his business. He is still furnishing the American people with the very best evidence in existence as to the fact that our industries no longer need protection, and that we are maintaining our present system for the benefit alone of the men who have already profited to the extent of untold millions of dollars at the expense of the great mass of the American people. [Applause.]

I will print at this point in my speech some of the letters I received at the time I was investigating this matter, from the collectors at some of our ports, and I submit them as proof positive of the fact that the watch trust is exerting itself to the utmost to prevent the reshipment to this country of the goods they still insist they do not sell cheaper abroad than at home, and I submit them as an impeachment of the standing and of the veracity of the officials of the watch trust, who still make these assertions [applause]:

UNITED STATES CUSTOMS SERVICE,
Port of New York, May 7, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, Washington, D. C.

SIR: Your letter of April 30 was received and held awaiting reply from the Treasury Department in regard to your application for copies of the affidavits and information lodged with this office with reference to an importation of watches by C. A. Keene, of New York.

I beg to state that I am unable to give you the desired information, for the reason that the department do not feel that they can with propriety authorize this office to supply the same.

Yours, respectfully,

J. J. COUCH,
Special Deputy Collector.

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 2, 1906.

SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: Please advise me whether you have been advised by the American Waltham Watch Company, directly or through any of their agents, or by any other American watch company, directly or through any of their agents, to be on the lookout for American-made watch movements improved upon while abroad by adding Swiss dials or in some other way? Have you been requested by any watch company, or their agents, to notify the collectors at the various ports to look out for American-made watch movements improved up, and therefore dutiable? Can you send me copies of such letters of advice from any watch company? I am looking up the question of the reimportation of American-made goods, particularly the question of the reimportation of American-made watches.

Yours, truly,

HENRY T. RAINEY.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, May 8, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, United States, Washington, D. C.

SIR: In reply to your letter of the 2d instant, in which you request to be furnished with copies of letters received from certain American watch companies relative to the importation of watches made by them and sold abroad, I have the honor to state that information of the character referred to is considered as confidential by the department, and can not therefore be disclosed.

Respectfully,

L. M. SHAW, *Secretary.*

The following letter I sent to the collectors of nearly all our ports, believing that the Secretary of the Treasury would refuse to furnish the desired information. I attach some of the replies, which show how completely the Roosevelt administration indorses the method by which the watch trust attempts to make the law inoperative.

I wrote to the collectors a week before I wrote to the Secretary of the Treasury, in order that they could not be directed by the Department to refuse to furnish me with the information I desired. The wisdom of this course was fully demonstrated. The nearer you get to a Republican administration the stronger the determination is manifested to give out no information that will show the necessity for a tariff revision downward:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., April 24, 1906.

JOHN C. CLINE,
Collector United States Custom Service,
Port of Los Angeles, Los Angeles, Cal.

DEAR SIR: I am advised that the Waltham Watch Company, and perhaps some other American watch companies, have notified you to be on the lookout for Waltham watches imported by C. A. Keene, of New York; also advising you that these American-made watches have been finished and improved upon abroad, which makes them more valuable when returned, and therefore they are subject to duty as any foreign-made goods. Please advise me if this is true or not; also send me a copy of the letter of notification received by you from the Waltham Watch Company, or any other American watch company, together with your fees, or let me know what your fees are and I will remit.

Yours, truly,

HENRY T. RAINEY.

UNITED STATES CUSTOMS SERVICE,
OFFICE OF THE COLLECTOR,
Portland, Oreg., April 30, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, Washington, D. C.

SIR: I have the honor to acknowledge receipt of your communication of the 24th instant in regard to the importation of certain watches manufactured by the Waltham Watch Company, and in answer thereto beg to inform you that no such importations have been made at this port, but this office has been instructed by the Secretary of the Treasury to assess duty on watches manufactured by this company which have been exported and returned with certain improvements. You, no doubt, can obtain the information desired from the honorable the Secretary of the Treasury, to whom the letter from the Waltham Watch Company was addressed.

Respectfully,

I. L. PATTERSON,
Collector of Customs.

UNITED STATES CUSTOMS SERVICE,
Port of Buffalo, N. Y., April 30, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, Washington, D. C.

SIR: In answer to your letter of the 24th instant regarding the Waltham Watch Company et al., I beg to say this office has had no letters from any firm direct, but did receive a copy of a letter of Robbins & Appleton, agents of the American Waltham Watch Company, of No. 21 Maiden Lane, New York City, dated April 2, 1906, to the honorable Secretary of the Treasury, which was forwarded here with department's letter of April 13, 1906, for our files.

If you will apply to the Secretary of the Treasury, you will be able to get the information desired.

Respectfully,

W. H. BRADISH,
Special Deputy Collector.

UNITED STATES CUSTOMS SERVICE,
Port of New Orleans, La., April 26, 1906.

Hon. HENRY T. RAINEY,
Committee on Labor, House of Representatives, Washington, D. C.

DEAR SIR: In reply to your letter of the 24th instant, I beg to state that the information relative to reimported American watches came from the Treasury Department, and you can doubtless obtain a copy thereof on application to the honorable Secretary of the Treasury.

Respectfully,

HENRY MCCALL, *Collector.*

UNITED STATES CUSTOMS SERVICE,
Port of Chicago, April 26, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, Washington, D. C.

SIR: I am in receipt of yours of the 24th instant, making inquiry whether we had received any communication from the Waltham Watch Company, or other American watch companies, in regard to the American-made watches that were being finished and improved abroad and returned to this country.

We have had no communication from the Waltham Watch Company, nor from any of the other watch companies, but our attention has been called by the Secretary of the Treasury to the reported reimportation of such watches, and we are cautioned in regard to the same.

Respectfully, yours,

WM. PENN NIXON,
Collector of Customs.

CUSTOMS SERVICE, OFFICE OF THE COLLECTOR,
Detroit, Mich., April 26, 1906.

Hon. HENRY T. RAINEY,
Committee on Labor, House of Representatives,
Washington, D. C.

SIR: I beg to acknowledge receipt of your communication of the 24th instant relative to the return of American-made watches to the United States after the same have been advanced in value abroad, and in reply would inform you that this matter has been made the subject of correspondence between the honorable Secretary of the Treasury and this office.

Respectfully,

JOHN B. WHELAN, *Collector.*

CUSTOMS SERVICE, OFFICE OF THE COLLECTOR,
Toledo, Ohio, April 26, 1906.

Hon. HENRY T. RAINEY, M. C., *Washington, D. C.*

SIR: I have your letter of the 24th instant relative to American watches imported after having been improved abroad, and I beg to state that we have had no correspondence with the Waltham or other company upon the subject. We have had, however, instructions relative thereto from the Secretary of the Treasury, with citations from manufacturers' correspondence, which, it is assumed, would be available to you through the department.

Respectfully,

JOS. C. BONNER, *Collector.*

UNITED STATES CUSTOMS SERVICE,
Port of Boston, Mass., May 1, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, Washington, D. C.

SIR: I am in receipt of your letter of date April 28, 1906, further in regard to the question of watches.

In reply, I would state that I do not feel at liberty to make public any correspondence from importers to this office without direct authority from the department.

Respectfully, yours,

GEORGE H. LYMAN, *Collector.*

CUSTOMS SERVICE, OFFICE OF THE COLLECTOR,
San Diego, Cal., May 14, 1906.

Hon. HENRY T. RAINEY, *Washington, D. C.*

SIR: Respectfully referring to yours of April 24, 1906, requesting certain information from this office relative to the Waltham Watch Company, I have the honor to respectfully refer you to the honorable the Secretary of the Treasury.

Yours, respectfully,

F. W. BARNES, *Collector.*

I was fortunate, however, in securing from the collector at Los Angeles, Cal., a copy of the letter of the Waltham Company, sent by the Secretary of the Treasury to the collectors at all our ports. I print here the letter of this collector to me and the copy of the letter of Robbins & Appleton sent to me by him:

UNITED STATES CUSTOMS SERVICE,
Port of Los Angeles, Cal., April 30, 1906.

Hon. HENRY T. RAINEY,
House of Representatives, United States, Washington, D. C.

SIR: I have the honor to acknowledge the receipt of your letter dated April 24, 1906, requesting me to advise you whether or not it is true that the Waltham Watch Company, or any other American watch company, has notified this office to be on the lookout for Waltham watches exported and again imported by Keene, of New York, advanced in value.

In reply, I have to state that such notice has been received from Messrs. Robbins & Appleton, agents of the American Waltham Watch Company, Waltham, Mass., and I herewith inclose a copy of the said notice.

Very respectfully,

CHAS. W. STONERG,
Special Deputy Collector.

ROBBINS & APPLETON,
AGENTS AMERICAN WALTHAM WATCH COMPANY,
WALTHAM, MASS.,
New York, April 2, 1906.

SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: On or about March 15, 1906, about 1,300 Waltham watch movements, made by the American Waltham Watch Company, of Waltham, Mass., and consigned to Charles A. Keene, arrived at the port of New York. Upon examination by the appraisers it was found that some 1,218 of these movements bore foreign-made dials, which were attached to the watches so as to form an integral part thereof. Also, that 88 of the said watch movements bore American-made dials. Reference to the books of the American Waltham Watch Company showed that 1,210 of those bearing foreign-made dials, and 6 of those bearing American-made dials, had been shipped from the factory of the said company to London, England, without any dials, and that while said watch movements had been timed and regulated and subjected to final inspection, after which they were imported into this country as first above stated. The said two lots of watch movements, namely, 1,210 bearing foreign-made dials and 6 bearing American-made dials, attached in a foreign country, were classified as dutiable at the usual rates applicable to imported watches.

We have received information, which is believed to be reliable, that other shipments of Waltham watches or watch movements may arrive in the future at one or more of the ports of entry on the Canadian border, and not impossibly at some other port of entry along the Atlantic or Pacific seaboard, which watches or watch movements will be dutiable, because of a similar state of facts to that above referred to. In order that the Government may be able to collect the proper duties in the event of any such future shipment, we suggest that the proper officers at each port of entry of the United States, and particularly at each port of entry on the Canadian border, be notified to hold all consignments of Waltham watches or watch movements upon their arrival until an opportunity be given to show whether such watches or watch movements went abroad without dials and were furnished with dials or other parts and had work done upon them in foreign countries, and that for that purpose, and immediately upon such arrival, the American Waltham Watch Company be notified at its office at Waltham, Mass., in which event the proper evidence will be immediately furnished by such company.

Respectfully,

ROBBINS & APPLETON.

I call particular attention to the latter part of this letter. The Waltham Watch Company agrees, if they are "immediately" notified of the arrival of Waltham watches, they will "immediately" furnish evidence showing the watches have been improved upon while abroad. The question arises, How can the Waltham Company "immediately" furnish such information? It can only be answered in one way: The Swiss dials are put upon the watches, or the other alleged improvements are put upon the watches, while abroad, by the Waltham Watch Company themselves, or the alleged improvements are made here in the factory of the Waltham Company in Massachusetts and a careful record of the same kept, so as to prevent their reimportation.

The Waltham Company can and probably do obtain in this country the material for the improvements they claim they make abroad, and to prove this assertion I print here an affidavit I received to-day from an importing firm in New York City:

HIPP, DIDISHEIM & BRO.,
New York, April 3, 1909.

We hereby testify that we have imported in large quantities for various American watch factories watch material, such as dials, watch hands, mainsprings, hair springs, balances, jewels.

HIPP, DIDISHEIM & BRO.

Sworn and subscribed before me this 3d day of April, 1909.

[SEAL.] CHARLES SIMON,
Notary Public, New York County, No. 117.

FREE TRADE WITH THE PHILIPPINES.

For a number of years the proponents of a high protective tariff have insisted that it was being maintained principally for the purpose of protecting labor. This year they have thrown aside the mask and this bill proposes to take down the tariff wall between the United States and the cheapest labor in all the world.

As a Democrat, I have been in favor always of expansion, but I have been in favor of that kind of expansion which would extend our national boundaries until they stretched from a frozen north to a frozen south. [Applause.] Take the map of

the world and find that place in the world where labor is the cheapest, and you will find to-day the American flag floating there. Did you ever hear any Republican orator insisting that the flag should remain on the island of Cuba, and yet more American blood was shed there than was shed in the Philippine Islands. Twice we have sent our regiments to Cuba to maintain order and to secure honest elections, but the tariff beneficiaries who control the destinies of the Republican party have never insisted that the flag should remain there and that Cuba should be annexed.

The reason for this situation is not far to seek. There are no laborers in Cuba who are willing to work for a few cents a day. There is no great storehouse of cheap labor in that part of the world.

The Republican platform of last year contained the following startling announcement:

Between the United States and the Philippines we believe in the free interchange of products, with such limitations as to sugar and tobacco as will afford adequate protection to domestic interests.

This declaration was not taken seriously by the organized labor of the country; but the proposed tariff bill follows the declaration contained in the Republican platform and provides for absolute free trade with the Philippine Islands, except that shipments of sugar from the Philippine Islands to the United States in excess of 300,000 gross tons and the excess of shipments of tobacco in each year over a certain amount fixed therein shall pay a duty when brought into the United States.

We propose to build up industries in the Philippine Islands by providing for them free trade with the United States. We propose to maintain industries here by high protective tariffs. An easy method, however, of escaping the tariff in this country when it becomes burdensome upon any of our industries has been discovered within the last few years. The industries so burdened simply establish branch plants in those sections of the world where they expect to sell their product. Within the last four or five years the Westinghouse Company has escaped the exactions of the steel trust by simply establishing in England its largest plant, and from that point, employing cheaper foreign labor, under the direction of American foremen, they are attempting to carry on the fight for supremacy with the great German factories.

Only one thing at the present time seriously interferes in this country with the law-defying progress of predatory corporations. The only thing that seriously interferes with the plans of our so-called "captains of industry" is the demand for shorter hours and a higher wage, which comes from the organized laborers of the country. They are making in this country the real fight for the future of the race. If our great industries could escape these demands, do not you think they would accept any opportunity presented?

This bill, if it becomes a law, presents to them the opportunity they need, and it may explain the tenacity with which Republican party leaders have clung to the idea that the flag must be maintained in the Philippine Islands. Under this bill industries can be established in the Philippine Islands, where conditions of living are cheap, close to the world's great storehouses of cheap labor, and there, with the cheapest labor in all the world, the market even in this country can be supplied with the articles produced now by our own skilled laborers.

NOT SAFE TO EXCLUDE JAPANESE LABORERS FROM PHILIPPINES.

At present the Chinese-exclusion laws have been extended to the Philippine Islands. It would not be safe, however, to attempt to exclude Japanese laborers from the Philippine Islands if they show a disposition to go there. The consequence of legislation of this character might be much more serious than could ever have come from the recent attempt to exclude Japanese from the public schools on the Pacific coast and to limit their holdings of real estate in that section of our country. A few years ago the Japanese nation fought and won the battle of the Sea of Japan with cruisers and battle ships built by the United States, by England, and by Germany.

To-day, with Japanese workmen under Japanese foremen, in Japanese shipyards they are turning out that most complicated of all machines, a modern battle ship; they are building *Dreadnoughts* in Japan now in less time than they can be built in English shipyards. These imitative, skillful little workmen, willing to work for a few cents a day, it is reasonable to suppose can in the near future turn out almost as much product in a day as our own skilled workmen.

The present bill opens up alarming possibilities in this direction. The Philippine Islands are exempted by the bill we are considering even from the operation of the maximum and minimum provisions of this bill. The great Empire of China, with its teeming millions of population, lies immediately adjacent to and within easy reach of the Philippine Islands. Even now the Chinese cross back and forth, 8,000 of them, every year in their little boats. There are 18 Provinces in China, and 14 of them are rich in iron ore. Within the next decade China will furnish the world with its chief supply of iron ore.

THE STEEL TRUST AND THE IRON ORE OF CHINA.

Not long ago the real head of the steel trust, and the most conspicuous example of what the protective tariff can do in the matter of producing millionaires, testified before the Ways and Means Committee and made the apparently patriotic declaration that the steel industries needed no further protection. A well-defined rumor is now being circulated in this Capitol to the effect that this gentleman and his associates have acquired large interests, perhaps controlling interests, in the iron-ore fields of China. What is to prevent these gentlemen from transporting to the Philippine Islands ore from the iron-ore fields of China, adjacent to the sea, and there, with the cheapest labor in all the world, manufacturing steel with which to supply the markets even of this country? The ore consumed now at Pittsburg and the iron ore they propose to use at Gary comes, all of it, from Canada by water, through the Lakes to Gary—through the Lakes, and then by rail to Pittsburg.

It would be easier and shorter and less expensive to carry iron ore from China to the Philippine Islands than it is to carry iron ore from the Lake Superior region in Canada to Gary or Pittsburg. The Philippine tariff law of 1903 furnishes no obstacle to this kind of a programme.

The Democratic party is not in favor of free trade with any nation in the world. We realize that under present conditions half the revenue of this Government must be derived from duties on imports. The Democratic party favors a tariff for revenue, and I undertake to say that there can be found in the history of the Democratic party no tendency to take down the bars between this country and the cheapest labor in the world. [Long-continued applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STURGISS. Mr. Chairman, our friends on the other side are never so happy as when pleading the cause of the Swiss or some other foreign workman. They are more interested in giving employment to those who owe allegiance to a foreign government, who pay their taxes to that government, who fight for its flag in case of war, than they are in taking care of the interests of their fellow-citizens who live under our flag and will fight for our Government and sustain all of its industries. I shall not in the time allotted to me engage in a controversy touching any of the matters discussed by the gentleman from Illinois [Mr. RAINEY], but I shall endeavor to present what I conceive to be an accurate and philosophic statement of the principles that separate and distinguish the two great parties that are contending for supremacy in this country.

The existing tariff law, known as the "Dingley Act," was passed by a Republican Congress and approved by that apostle of protection, the martyr President McKinley, in fulfillment of the pledges of the Republican party as contained in its national platforms. In 1888 it declared that—

We are uncompromisingly in favor of the American system of protection; the protective system must be maintained. Its abandonment has always been followed by general disaster to all interests, except those of the usurer and the sheriff.

In 1892 it "reaffirmed the American doctrine of protection," and called attention to its growth abroad. In 1896 the party platform gave expression to this idea by declaring:

We renew and emphasize our allegiance to the policy of protection as the bulwark of American industrial independence and the foundation of American development and prosperity. This true American policy taxes foreign products and encourages home industry; it puts the burden on foreign goods; it secures the American market for the American producer; it upholds the American standard of wages for the American workman; it puts the factory by the side of the farm, and makes the American farmer less dependent on foreign demand and price; it diffuses general thrift.

The people approved these declarations and commissioned a Republican Congress and President to crystallize them into legislation, and on the 24th day of July, 1897, the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States" was approved.

Did that title honestly set forth the real character of the act? I insist it did.

AS TO REVENUE.

First. Official records show that it yielded ample revenue for all the legitimate and ordinary expenses of the Government, and provided for the extraordinary expenses of the war with Spain and for many new public buildings and a greatly increased navy. The total receipts and expenditures have been as follows, July 1, 1897, to March 16, 1909:

Total receipts	$8,097,920,296
Total expenditures	8,072,508,367
Surplus	25,411,929

Included in the expenditures is the sum of $99,143,479, being the excess of cost of the rapidly expanded postal service over its earnings, but not including $50,000,000 paid or advanced on account of the Panama Canal, which will be reimbursed by the sale of bonds authorized for the expenses of constructing the canal, which was an extraordinary expense, intended to be defrayed by the issue and sale of bonds.

But it is asserted that the revenues have fallen off and the Treasury is facing a certain deficit, and, therefore, a new tariff law is required that will provide more revenue. I doubt the assertion. A very marked and world-wide depression in business, beginning abroad in 1906, culminated in this country in the fall of 1907. I am of opinion that if our importers had not permitted the dumping upon this country in 1906–7 of about $200,000,000 worth of foreign goods in excess of the usual imports for the same period we should have suffered very slightly from this world-wide panic; but the foreign manufacturers, pressed by demands for money to meet debts contracted in an undue expansion of manufactures, and finding no home market for their products, sold at temptingly low prices to American importers this large excess, which not only caused a drain of gold to Europe and England in payment of the same, but glutted our markets, caused suspension of work in the home factories, threw our work people out of employment, and disturbed all forms of business and destroyed confidence.

Revenues fell off rapidly, both customs and internal, but the scale of government expenses projected when the country was in the full tide of prosperity could not be immediately curtailed, and there is consequently a temporary deficit in revenues as against expenditures. That this is only temporary is shown by the already increasing volume of business in all domestic enterprises as well as in imports. I have no fear that the existing tariff law would fail to provide ample revenue for the current ordinary expenses of the Government in the future, when normal conditions have been restored.

ENCOURAGING INDUSTRIES.

Second. Did the Dingley Act "encourage the industries of the United States?" No other period of a little less than twelve years can show so marvelous a growth in all the industries and business of the United States. More mines were opened and more coal, ores, and minerals produced; more factories, furnaces, mills, and industrial plants were built and equipped, and a vastly larger output, both in quantity, quality, and value, than ever before, placed upon the markets. The forests and the farms teemed with industrial life. Wages were higher than ever, employment more steady and constant; more railways were built, greater additions to the deposits in our savings banks made, and the general prosperity was the admiration and marvel of the whole civilized world, and capital and population were attracted here in larger degree than ever before.

And so every pledge in party platforms and the declarations of the caption of the act were most abundantly fulfilled and redeemed.

THE PROTECTIVE POLICY.

It would seem too late in the history of this country to have to defend the right to levy duties which should be for the purpose of not only providing revenue for the Government, but also to encourage the industries and provide for the general welfare of the United States, but the assertion has been repeatedly made and in many forms by Democratic Members of this House during the present session that no constitutional authority existed in Congress to levy taxes of any kind "except for revenue only," and that party has repeatedly enunciated that proposition in its state and national conventions, and at this time that is the cardinal difference between Democrats and Republicans. We believe a distinct grant of power was conferred upon Congress to so arrange national taxes and duties as to not only raise revenue, but also in the so doing to provide for the general welfare. The people of the United States ordained and established the Constitution "in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, and secure the blessings of liberty to themselves and their posterity," and also "to promote the general welfare," and in pursuance of that declaration, the grant contained in the eighth section of Article I, defining the objects for which the taxing power might be exercised, includes the right "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense," and also "for the general welfare of the United States."

If, then, a tax or duty may be so laid and collected as to provide revenue for all the purposes enumerated, and in its expenditure provide for the general welfare, it certainly can not militate against the right to levy and collect such tax if the mere levying and collecting it, apart from any purpose for which the money collected might afterwards be used, will redound to and enhance the general welfare. And if this double advantage may be secured by arranging schedules and the free list, and by regulating the rate of duties, then not only is the right clearly conferred, but it becomes the plain duty of every Member of Congress, and in accordance with the soundest dictates of patriotism and statesmanship to so arrange schedules and rates that this double advantage may accrue.

It is alleged that taxation in any form is a necessary evil, and if this be conceded, then it becomes more plainly apparent that we should not only mitigate the evils, but as far as possible convert them into blessings.

A PROTECTIVE POLICY DEVELOPES NATURAL RESOURCES AND MAKES A NATION STRONG AND INDEPENDENT.

I conceive that it is of the utmost importance that a nation and people organized into a body politic that desires to maintain its independent existence must be self-sustaining, capable of defending its soil and people from the aggressions of every other nation, whether in the form of actual physical war or in commercial warfare and rivalry. In order to acquire this actual independence and to maintain it, the material things that supply food, clothing, shelter, weapons of warfare offensive and defensive, must be produced and provided within the territory and jurisdiction of the nation. Until all this has been done the nation exists only by the tolerance of other and more powerful and better equipped governments.

It therefore is the part of political wisdom, of patriotism, and the highest statesmanship to encourage the development of all the reasources and natural advantages that the nation possesses. Agriculture, mining, manufactures, shipbuilding, commerce, banking, and diversified occupations and employments should all be encouraged and stimulated, until the nation, like a well-trained athlete, should be systematically and symmetrically developed and fit to meet all comers, to suppress insurrection and rebellion, and repel invasion.

If a nation were composed of tillers of the soil only, or of artisans and manufacturers alone, or of merchants and traders, or of miners, or woodsmen and shipbuilders and sailors alone, it would be at the mercy and exist only at the sufferance of those nations that had a diversification of industries, occupations, and resources all well developed.

THE SOUTH AND THE CIVIL WAR.

No more impressive and gigantic illustration of the wisdom and importance of such a symmetrical development of the resources and diversification of the industries and the training and occupations of a people can be found in the pages of either ancient or modern history than in the late civil war in our own country. I challenge the attention of Members on both sides of this House who participated in that struggle, as well as every thoughtful student of the events and conditions that preceded and were a part of the history of that unhappy war, to consider the admitted facts.

Nearly 9,000,000 people, banded together with enthusiasm in a common purpose to establish an independent government, fighting on interior and shorter lines, with half their frontier protected by the ocean and the Gulf; with a docile slave population to cultivate the soil and care for the families of the absent soldiers; with as gallant and brave soldiers as ever wore uniform; with a dash and élan unsurpassed by the veterans of Napoleon; with brilliant generals skilled in the science and art of war; with a Johnston, a Jackson, and a Lee, equal in genius, daring, and devotion to our Sheridan, Sherman, and Grant; with wives, mothers, and daughters of the Southland most devoted and self-sacrificing; these people, who were born and bred of our bone and blood, fought a losing fight, and were doomed from the beginning to defeat and disappointment. Yet, never before in the history of the world had such a combination of numbers, qualities, and devotion failed in such a struggle.

The explanation is a simple one. Hinton Rowan Helper, a native of North Carolina and a slave owner, whose tragic death took place in this city since this session began, pointed out as early as 1857 that slavery would make the States in which it existed almost exclusively agricultural, because slave labor must necessarily be crude, ignorant, and unskilled, and only profitable in the cultivation of the soil; and that skilled artisans and mechanics would not go to or remain in a State where slave labor degraded free labor and reduced its wages.

Alexander H. Stephens, one of the ablest and purest public men this country ever produced, declared upon the floor of the Georgia convention as it was about to pass the ordinance of secession that that step meant war; that the South was not prepared for war; that it was an agricultural section; that it had no diversification of industries; that it could not manufac-

ture cannon, powder, shot, guns, or side arms, nor clothing, boots, or shoes for its armies; that it could not build ships or locomotives nor make railway rails; that it could only procure these essentials for successful warfare by exchanging its cotton with England or continental Europe, and for this exchange it must depend upon foreign ships, for the South had few of its own.

When the blockade was successfully established, cotton dethroned as king, and munitions of warfare could neither be manufactured at home nor be brought in from abroad, the end was inevitable and near at hand. How great the contrast with the Northern States, whose mining, manufacturing, commerce, and all the varied industries of that section flourished as never before. The high war tariff stimulated and created new industries and brought population and capital to that section.

Nearly every regiment from the North had its skilled mechanics, who could build or repair a locomotive or other engine, construct boats and railways, or repair and man a telegraph line; but in the South, when rails were worn out, locomotives or engines disabled, boats damaged or destroyed, and telegraph lines cut, few skilled mechanics or engineers could be found to repair or replace these worn-out or damaged instruments so necessary for successful warfare. Superhuman courage, genius, and devotion could not win a fight in which material resources and supplies were wanting against an army well supplied with and capable of renewing these necessary resources and supplies as fast as they were used up, worn out, or destroyed.

Who can tell how long the war would have been prolonged, or its final outcome, if the Southern States, instead of being almost exclusively devoted to agriculture and stock raising, had been blessed with a diversification of industries, with all their magnificent and varied natural resources developed, and their people skilled in all the mechanic arts and occupations? The genius and capabilities of the citizens of the South had been too largely devoted to politics and the defense and propagation of slavery. That they had the capacity for large business enterprises, the genius for the learned occupations as distinguished from the learned professions, has been shown in a thousand ways since the incubus of servile labor has been removed. Rumsey, of Virginia, was the real inventor of the steamboat, and his model, crude and imperfect because the requisite skilled labor to build engine and boat could not be had in the South, was launched upon the waters of the Shenandoah River, in my district, before Fulton, on the Hudson, had made a successful trip. Yet, surrounded by skilled artisans and favoring circumstances, the latter has been acclaimed the first inventor of a water craft propelled by steam, and is likely to go down in history with that credit to his genius.

McCormick, another Virginian, having perfected his reapers and mowers in model and form, was compelled to establish his shops and works in a great northern city, where self-respecting mechanics, machinists, and skilled laborers of all kinds, working at good wages, could be had to carry out his plans to build and ship these creatures of his ingenious brain to every harvest field of the world.

RESOURCES OF THE SOUTHERN STATES.

With coal, timber, and ore, and water power equal to the best in New England, and raw cotton superior to any in the world, the South and not New England should have been the busiest and most prosperous cotton-goods manufacturing section in the world. The whole South, with natural resources equal to any part of the North, with a more genial climate, presents a case of arrested development, because her people were doomed to the simplest occupations by reason of the unskilled labor of the slaves, against which no intelligent, self-respecting white artisan would compete. Slavery was a curse to master and land hardly less great than its injustice to the slave.

Mr. GARRETT. Mr. Chairman——

Mr. STURGISS. I beg the gentleman not to interrupt me. I have no idea I shall be able to enlighten him at all by replying to his questions. If he will follow the line of my argument, he will see the trend of it; and he is welcome to all of it. I represent in part a so-called "Southern State," in which I have seen that arrested development so stimulated until to-day the State of West Virginia, once an integral part of Virginia, whose creation and existence depended upon a party whose pledge was to develop and promote and protect all the great interests of the country, is unsurpassed in progress and prosperity by any other Southern State.

Mr. GARRETT. The gentleman answered a question which was not asked.

Mr. STURGISS. I shall have to remind the gentleman of the fact that for many weeks the gentlemen upon that side, intoxicated with the exuberance of their own verbosity, have multiplied words without wisdom and have defended everything except the true American policy and the interests of the American workman, and have exercised, as they have exercised for years, the arguments of destructive criticism. They have so long persisted in this—for nearly fifty years—that they have lost the power of constructive statesmanship. They have not brought in here, as the result of these many weeks and months of deliberation, a tariff measure of their own. They have not dared to challenge the attention of the country to a tariff policy of their own creation, but, standing in the position of opposition, have devoted themselves now, as ever in the past, to that policy of destructive criticism——

Mr. GARRETT. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. STURGISS. I can not. I have only a limited time, and we are drawing near the conclusion of this debate and discussion.

Mr. GARRETT. The gentleman ought not to take up so much time, then, to answer questions I did not ask.

Mr. STURGISS. If the gentleman did not want the question which he had in his mind answered, he ought not to have intimated it. The gentleman forgets, possibly, that mental telepathy may have communicated it to me.

Mr. GARRETT. The gentleman thought I was going to ask a partisan question, which I was not.

Mr. STURGISS. Happily that period in our economical history has passed, and the South may now compete on equal terms with the most favored sections of our common country in the generous rivalry for material development and prosperity.

The greatest drawback and handicap under which that section now labors is the result of her prejudices and adherence to old political ideas and associations. However well free trade might have suited the South when she had little but cotton to trade and wanted to buy in the cheapest markets of the world, that policy should no longer control her statesmen and her people, owners of a rich heritage in natural, but slightly developed, resources and riches.

The South should have the same just measure of protection to her peculiar industries and occupations as New England or any other section of our country. Rice, sugar, lumber, citrus fruits, peanuts, and cotton manufactures, as well as coal, iron, and zinc ores, lead, and manufactures thereof, should receive that share of protection that will secure the work people of the South from the cheap labor of the Tropics, of China, and Japan, as well as the illy paid labor of Europe.

Will any thoughtful student of political economy and industrial conditions show any plausible reason why New England, without coal, iron, or a rich soil and genial climate should have so far outstripped the South Atlantic and Gulf States, the middle Southern and southwest Southern States, which possess by nature all that New England has of natural advantages and, in addition, a fertile soil, genial climate, coal, iron, zinc, lead, sulphur, limestone, cement rock, and other natural and material resources? If the Representatives from those States will permit me, I commend that question to them, to be answered to their own consciences and their constituents.

WAGES.

The policy of a protective tariff does undeniably develop the resources and increases the wealth and prosperity of a nation, making it independent commercially, financially, and politically. It does give better wages and happier conditions to its work people. No one familiar with the wages paid abroad in the mines, furnaces, mills, factories, and on the farms, whether in Europe, the Tropics, China, or Japan, will contend for a moment that the American workman could live, or should be required to live, upon these starvation wages.

Every American voter is a sovereign and carries under his hat a part of the sovereignty of the Nation. He is the source of all political power, and each one of us is profoundly interested that he should be intelligent as well as virtuous; that he should have leisure for reading, studying, and understanding the policies of the Government which he controls. He is, and of right ought to be, the best fed, the best clothed, best housed, and best paid workman in the world. That his condition, even in the periods of panic and utmost depression in the United States, is vastly better than that of the workman in any free-trade nation is shown beyond all question in the fact that the workers of the Old World and of foreign lands are coming to our shores in greater numbers every year, which they would not do if it were not certain that they would thereby better their condition. The small number of work people in the United States who are now the subjects of charity is infinitesimal almost by contrast with the more than 750,000 wage-earners of free-trade Great Britain, who have been out of employment for the last twelve months. The old-age pension system of England is but a thinly disguised charity to keep these unfortunates from the poorhouse. Germany was less affected by the late panic and depression than any other European nation, and largely because of the fact that that people, under the leadership of Bismarck, has abandoned the free-trade policy and established a well-arranged system of protection.

THE PAYNE BILL.

Before offering any criticisms upon the bill reported by Mr. PAYNE, the chairman of the Ways and Means Committee, I want to bear testimony to the laborious investigations and conscientious efforts by the chairman and that committee in their endeavor to perfect a bill that would command the support of the House, meet with the approval of the people, provide adequate revenue, and equalize duties, and encourage the industries of the United States.

No measure of taxation of such a complicated character and touching such a variety of interests can ever be drafted so as to meet with the unanimous approval of Members of Congress and of the people; such a bill must necessarily be in the nature of a compromise, and, in my judgment, it seems to be framed along protection lines and to provide for adequate revenues.

It is calculated to create new industries and to make them profitable here, to give employment to a larger number of our people in these occupations, and to give a better market for our own raw materials. Doubtless clamor will be raised against some of the schedules that have been slightly raised, having for their purpose the encouragement of new industries. A like clamor was raised when the Dingley bill sought by a high rate on tin plate to establish that industry in the United States.

It was asserted by free traders that we never could successfully manufacture tin plate, because we had no tin mines and could produce no metallic tin, losing sight of the fact that more than 90 per cent of the cost of finished tin plate is in the labor, in mining the coal, making coke, raising the iron ore, quarrying the limestone for fluxing purposes, transporting these materials to the furnace, and the various processes that at last result in producing the steel or iron sheet, with finally the very thin coating of metallic tin, the latter of which constitutes less than 5 per cent of the actual cost of labor and material for the finished plate. Under the fostering influences of the Dingley Act tin-plate mills have been established in many parts of the United States, and thousands of skilled workmen find employment at high wages, produce as good a tin sheet and at lower cost to the consumer than was the cost before the passage of the Dingley Act. This industry may be taken as typical of many others that have been established in like manner and by the stimulating influence and the fostering care of the protective system.

The advantages to this country of such an industry are manifold. These employees receive high wages; they own their own homes; they pay the best prices in the market for meats, fruits, and vegetables, thereby directly benefiting the farmer and the stock raiser; they are well housed and well clothed; they pay a large share of the taxes for local and state government; they bear arms in time of war in our army and navy.

If such industries were not established and maintained here we should be sending our money abroad to build up industries that would give employment to men who would support a foreign government by their taxes, by manning foreign ships, and fighting in the armies of our trade rivals, if ever at any time war should exist between those nations and our own country. It seems to me that every consideration of patriotism, of self-interest, of the broadest altruism, should prompt us to support the principle of protection so plainly embodied in the Payne bill, whether that protection relates to the local industries situate in our respective congressional districts or is a part of the general system, the first benefits of which will accrue to some other section or locality.

SCHEDULES.

In the further consideration of the bill I shall direct my attention briefly to some of the schedules in which my home State is most largely interested as a producer of competing articles affected by the tariff rates, and as to others so far as they relate to the wisdom and propriety of subjecting them to any tariff rate.

SUGAR, TEA, AND COFFEE.

These articles of prime necessity, used alike by rich and poor, when subject to a very moderate duty would be great revenue producers, because of such general use and the large quantities consumed.

The rate of 8 cents and 9 cents per pound on tea, proposed by the Payne bill, is, in the opinion of many, excessive, and in this I concur. Under the Dingley law it is on the free list. The proposed rate might well be termed a high protective rate, and would gratify every extreme protectionist, if it could possibly tend to the growing of tea in our own territory or island possessions; but soil, or climate, and labor conditions hold out little hope that the experiments in the cultivation of the tea plant now being tried can ever result in the production of tea successfully in commercial quantities. The rate of duty can only be defended upon the plea of the necessity to raise revenue, and will always be unpopular and can never be justified except upon the ground of the greatest emergency. I do not believe that such necessity now exists, and therefore believe it would be unwise to levy a duty upon tea.

Coffee stands upon a slightly different footing, for its cultivation may be encouraged and greatly increased in Porto Rico, Hawaii, and elsewhere within the jurisdiction of the United States by a moderate tariff upon imports, and at the same time yield a very considerable revenue; but it is admitted by the framers of the pending bill that the tariff proposed is not intended for revenue, for, while nominally putting coffee upon the free list, the bill provides—

> That if any country, dependency, province, or colony shall impose an export duty, or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

Some, or all, the States or Provinces of Brazil which produce coffee impose such an export tax, deriving a large revenue therefrom, and have pledged or mortgaged this revenue to repay the principal and interest of loans or bonds the proceeds of which have been used by these Provinces for various projects or enterprises undertaken by them. These pledges cover periods extending from seven to ten years, and consequently this export tax can not now be repealed. The expectation of the Ways and Means Committee in drafting the proviso was, apparently, that Brazil or her Provinces would be induced to repeal this export tax, if the duty imposed by the bill should not apply, upon condition that the export duty was repealed and the exports of coffee to the United States be free from both export and import tax and that traffic be untrammeled. But, in view of the facts just stated, this condition can not be expected, and the tariff proposed by the bill will be just that much added to the cost of coffee to the consumer. The primary purpose of the proviso was to cheapen the price of coffee—and it probably would have produced that effect, by inducing the repeal of the export tax by Brazil or her Provinces, but for the obligation to her creditors to continue and apply the revenue therefrom to the payments of the debts secured thereby—and not to increase the cost by import duties.

Brazilian Provinces produce about two-thirds of the world's crop, and the United States is the largest consumer. Porto Rico and the Philippines and Hawaii are the only places under the jurisdiction of the United States that successfully cultivate the coffee berry. In 1906 importations from Brazil amounted to over 778,000,000 pounds (out of a total of 982,000,000, of the value of over $78,000,000), while the exports from Porto Rico and Hawaii amounted to only 39,000,000 pounds, of the value of about $4,700,000.

Under the conditions relating to tea and coffee, I believe both should remain on the free list and not be subjected to any tariff whatever.

The rate on sugar is a reduction on refined sugar of 5 cents per hundred pounds, while that on raw or unrefined sugar remains unchanged.

The consumption of sugar in the United States amounts to 3,000,000 tons per year, or an average of about 66 pounds per capita. In 1907–8 the United States, including Porto Rico, Hawaiian Islands, and the Philippines, produced a little over one-half of that amount. Cuba produced about the same amount. The importation of beet sugar, not above No. 16 Dutch standard, amounted to 177,564 tons, valued at $8,203,000. The revenues from importations of sugar, molasses, and manufactures thereof amounted to over $60,000,000, on a valuation at ports of entry of about $93,000,000.

The estimated revenue under the Payne bill upon the basis of an equal value or amount of imports will be reduced a little over $500,000.

I believe the rate on refined sugar might have been reduced to 1.75 cents per pound, or a little over 10 per cent reduction on the present rate, instead of 2½ per cent reduction, still leaving a difference of eighty one-hundredths of a cent per pound for cost and profit to the refiners instead of 1 cent per pound.

Under the Dingley Act the refiners have had a margin of 1 cent a pound between the tariff on imported raw and refined sugars, and that the profits have been unjustly large is shown by the following statement of the American Sugar Refining Company, commonly known as the "sugar trust," chartered under the laws of New Jersey with a capital of $50,000,000. It

has increased it to $90,000,000. Its preferred stock has paid 7 per cent per annum and its common 10 per cent per annum, and in 1893 12 per cent, and an extra dividend that year of 10 per cent, making 22 per cent. Its assets for 1907 are as follows:

Raw sugar, including sugar to arrive, refined sugar, and sirup, and stock in process of manufacture	$17,532,226
Cash	5,016,986
Loans	17,666,550
Accounts and bills receivable	5,934,482
Investments in beet sugar and other corporations	22,907,052

Manifestly the margin of profit is unreasonably large, and the duties on raw sugar might have been raised and on refined sugar reduced without loss of revenue to the United States and with a gratifying reduction of the price to the consumer.

Since the committee put hides upon the free list, boots and shoes should have been put at a lower rate than the reduction from 25 per cent ad valorem, present rate, to 15 per cent.

West Virginia stands out as the one political and geographical landmark created or growing out of the civil war. Repressed and ignored by the political leaders of Virginia, except for purposes of taxation, her separation from the mother State was the beginning of a new industrial life as well as of political independence. With a little over 400,000 population when admitted to the Union, June 20, 1863, the State has now over a million and a quarter of people.

With magnificent virgin forests of the best timber, then not unfrequently selling for payment of delinquent taxes, now worth for stumpage alone from $20 to $50 per acre; with 16,000 square miles of bituminous coal in workable seams of commercial value, selling within the last twelve or fifteen years at from $2.50 to $10 per acre, now bringing $200 to $500 per acre; with oil and natural gas in very large quantities, glass sands, limestone and cement rocks, blue-grass lands of the best, herding the choicest of beef cattle and the finest wooled sheep; with superior fruit farms upon the river bottoms and the uplands; with peach and apple orchards of more than a thousand acres each in many instances; with great tanneries, many paper and pulp mills; with furnaces, iron and steel mills, tin-plate plants, pottery and glassware factories, and many of the raw materials entering into these and other manufactured goods, the State may well be said to have been richly dowered by the god of nature. West Virginia was aroused from a semidormant state by the stimulating influences of the Dingley Act, and from the date of its enactment the State became a great workshop of prosperous industry.

The State may truly be described as a tariff-made State—that is to say, by the protective feature of the Dingley Act capital and population were attracted to the State, completely revolutionizing its political complexion, emancipating it from the thraldom of a free-trade Democracy, adding to the value of its forests, its mines and varied resources, and giving employment at good wages to many added thousands in its manufacturing plants, in the forests, mills, and in the mines and quarries.

Some of the provisions in the pending bill hit West Virginia industries a staggering blow, if they shall be enacted into law.

COAL.

Fifty thousand miners and coke workers are employed in our coal and coke operations. A very considerable market is found for our coals in New England. If, as is proposed, coal be placed upon the free list, a concession will be made to New England that it does not need, and I do not believe will demand or insist upon. Nearly all of her manufactured products are and have been liberally protected for many years. Free trade would give a market in New England for Nova Scotia or Cape Breton coal to the amount of about 1,000,000 tons a year, and to that extent drive out the bituminous coals of Maryland and West Virginia, and the latter State would be compelled to seek a market in the Ohio and Mississippi valleys for that much more of her products than now find their way southward, and to that extent displace the coals of Tennessee and other Southern States supplying the Mississippi Valley. In addition, New England, more profoundly interested in shipbuilding and in the construction and maintenance of a great merchant marine than any other section of the country, would be encouraging the importation of Canadian coal in foreign built and owned vessels, which would engage in that traffic, and to that extent deprive American-built vessels engaged in and having exclusive privilege of our coastwise trade of that much freight.

So that the advantages of free coal to New England would be more than offset by the discouragement offered the American shipbuilders and vessels and the encouragement given the foreign vessels to engage in this trade, thus injuriously affecting the shipbuilding industry of New England.

The coal operators in West Virginia would be willing to accept a fixed rate of 45 cents per ton, and would prefer this to either the present rate, which is 67 cents a ton for run-of-mine coal and 15 cents for slack, or to the proposed rate, made dependent upon the rate to be fixed by Canada. Personally, I do not believe it a wise policy to make the rate that we impose on imports depend in any degree upon the pleasure or will of the nation to which we export our products. I understand that the Canadian rate may be quickly changed by order of council or some other executive body, while with us it must depend upon congressional action, which is slow and uncertain. By the enactment of the proposed bill we should be giving an undue advantage to our rivals.

LUMBER.

The State, and my district, is a large producer of both hard and soft wood lumbers and of wood pulp and paper, and the proposed reduction in the tariff on all of these products will work a great hardship to our people. Many of them have bought timber lands at high prices, with the Dingley tariff rates in existence, and now give employment to thousands of sturdy wood choppers and sawmill men and other thousands in the pulp mills.

The reduction or abolition of rates on products of wood from our forests will throw many thousands of people out of employment and make valueless, or greatly reduce in value, property investments. In this connection I desire to read an extract from a letter from one of our pulp makers:

> It is now admitted by the paper-trade journals that the Mann committee will recommend the abolition of the duty on wood pulp amounting to $1.75 a ton. This means a loss to us of $70 a day if we meet Canadian prices.
>
> There is enough pulp wood in this State to supply all the pulp mills and paper mills within its borders for the next fifty years. The statistics show that the pulp-mill consumption represents 2 per cent of the visible supply.
>
> We have 68 men here dependent on the 2 small mills I represent. The day this tariff change goes into effect we will have to shut down.

I earnestly protest against placing lumber and wood products on the free list.

OIL.

The independent oil producers in West Virginia have indicated their entire satisfaction with the provisions of the bill relating to the countervailing duties, provided that the operation of the section in relation to drawbacks does not give an undue or unreasonable advantage to the Standard Oil Company or other great producing and refining companies.

WOOL.

We are not satisfied with the reduction in the rate on the lower grades of wool. While we produce a small quantity of these lower grades, yet it is believed that if imported in large quantities they will supplant in greater or less degree the fine wools, which constitute the bulk of the wool grown in West Virginia. We think no change should be made in the wool schedule.

TIN PLATE.

Our tin-plate workers are practically unanimous in objection to the drawback provisions in relation to imported tin, manufactured into cans and cases in this country and in which are exported abroad meats and canned goods and the oils of the Standard Oil Company; and while I do not believe that the repeal of this provision would materially benefit the tin-plate worker, yet I am opposed on principle to the drawback system as opening, in many instances, a wide door for fraud.

I think it unwise to reduce the tariff on tin plate in any degree so long as we are importing a very considerable quantity of tin plate from Great Britain.

NO APOLOGY.

I make no apologies for speaking specially in behalf of the interests of my district and of its products that are affected by the tariff. I do this because I am more familiar with them, and because if I did not represent them specially, I should be derelict in my duty to my constituents.

I am willing to extend to the products of every other State to the fullest extent the benefit of a protective policy, and ask only similar treatment for the industries of my State.

DEMOCRATS BREAKING AWAY.

I welcome with much gratification the breaking away from party allegiance of many enlightened and patriotic members of the minority party, and especially among those who come from the Southern States. I believe the time is coming rapidly when, emancipated from the thraldom of party allegiance, the South will declare for a protective policy, and so continue long after New England may have declared for free trade.

It will be better for the country when industrial and economic and not sectional questions divide the great parties of the country, and I hope to live to see the day when greater

prosperity, greater wealth, and greater material development and advantage shall come to the South in common with all other sections of the country, and when, burying all differences growing out of the ancient policies of the past, we shall go forward to greater heights of prosperity and happiness under one economic policy, one destiny, and one flag. [Applause on the Republican side.]

Mr. LLOYD. Mr. Chairman, several gentlemen from the Republican side have complained that the Democrats have not presented a substitute bill for the one now pending. Every such suggestion has come from a politician who is not satisfied with the Payne bill, and feels that his constituency are less content than he. The Republicans are responsible for this bill, and need not expect to be able to hide their own misdoings by attempting to throw responsibility upon Democrats or by raising any quarrel with them. The promise has been made that the tariff would be revised. In every part of the country this statement was reiterated. The pending bill is supposed to be in response to the demands of the people and framed in accordance with the pre-election pledges of Representatives. It was insisted prior to the election that a genuine tariff revision could only be made by friends of the tariff, and the assertion was repeatedly made that the Republicans were its friends and the Democrats were its enemies. Complaint is now heard that the Democrats are not doing their duty, because they have permitted the Ways and Means Committee without hindrance to present their views in a concrete bill. The Payne bill is not satisfactory to any Member of this body, so far as I have heard. Gentlemen in explaining its imperfections now say no tariff bill can be made which is perfect. Why were not the American people informed last November that it was impossible for any Republican to frame a satisfactory tariff bill? It was then asserted that only the Republican party could make such a bill. At this time it is frankly admitted that the Republican party is unable to frame a satisfactory law; that any bill to secure passage must be a compromise. This could as easily have been asserted six months ago as now.

How ridiculous must this confession appear to those who have relied upon the Republican party for relief, when that party now admits its incapacity and demands that the Democratic party shall present a substitute bill. Evidently such request is made with the vain hope that the Democrats may present an objectionable measure. The Republican party is charged with the responsibility, and it can not shirk it. The people have thrown the burden upon that party to prepare a tariff measure, and it can not avoid the burden of such action. The Democrats were excluded from the consideration and preparation of the bill. From January 1 to March 15, behind closed doors, the Republican members of the Ways and Means Committee deliberated on the tariff schedules, and then presented the pending bill to the Democrats. No one outside that committee, so far as the Democrats have knowledge, had the slightest intimation of anything it would contain. When the bill thus prepared in secret was presented to the committee, motion was made to favorably report it without reading, and this motion prevailed. The bill was reported to the House at once, and the discussion began and has continued until this time, beginning at 10 o'clock each morning and concluding at 10.30 at night. When, I wish to know, could the Democrats have presented a bill as a substitute? At what stage in the proceedings was it permissible? Under the existing autocratic rules, when could such a substitute have been presented? At no time; and every gentleman here knows it. Such a suggestion can only be made to mislead an unsuspecting public. But gentlemen may rest assured that the people are informed of what is doing here, and will hold each individual responsible for his action.

It is not my purpose to critically discuss the bill in detail, but I can safely assert that it is no improvement on the Dingley law. When all its mysterious provisions are understood, and its "jokers" have all been exposed, it will be seen that the bill has been drawn by the manufacturers, for the manufacturers, and that protection to special interests and not tariff has been the controlling motive in the preparation of the bill. The professed friends of the tariff for the time being forgot their interests in that subject, and apparently have allowed themselves to be overcome in what may seem to them the larger question of protection to manufacturers. It is not the infant industries that have controlled action, but it is the overmastering power of the mature enterprises which have controlled in the framing of the schedules.

The Government, with its deficiency of $60,000,000 last year, with $90,000,000 thus far this year, and the prospect of a deficit next year, makes urgent need for revenue. Will the proposed law furnish it, is the question. The chairman of the committee, in his statement and report, shows a probable shortage of $10,000,000 per year in the revenues under the bill. In explaining the different items of expenditure which must be made, he said, among other things, that the appropriations made from time to time were not wholly expended each year, and intimated that at least 5 per cent of the total amount would not be required. Then, figuring the demands for the fiscal year 1910 at $900,000,000, he concluded that $45,000,000 of the appropriations recently made for the coming fiscal year will not be needed, and then deducted that amount from the appropriations. He failed to take into his accounting the fact that appropriations made for a given year may be paid in subsequent years; that in each year there are payments made from the Treasury for items not included in the appropriations for that year. When this has been taken into account, the appropriation is about exhausted.

The records show that on an average much less than 1 per cent is shown to remain of the appropriated balance, so that the reduction of $45,000,000 from the needed revenues on this account can not be made. This bill can, from no reasonable standpoint, be considered a revenue measure, and other means must be resorted to in taxation to meet the expenditures of the Government. The gentleman from New York shows that between the passage of the Dingley bill, July 25, 1897, and March 16, 1909, there has been $275,000,000 collected in revenue above disbursements, but he fails to show how much of that sum was produced by the war taxes imposed to meet the expenses of the Spanish war. One thing is evident, the expenses must be greatly curbed. During the calendar year 1908 the increased expenditures over 1907 were $77,000,000, and this in the midst of the panic. The expenditures in business enterprises decreased, and naturally it would be supposed that the expenditures of the Government would likewise have decreased. Unless an urgent system of economy is inaugurated the pending bill, if enacted into law, must inevitably fall by tens of millions of dollars annually to meet the demands of the Treasury.

The appropriations for next year are $1,044,014,298.23. Think of it, more than $12 per capita if distributed to the individual. Now, to meet this it is estimated that $223,340,732 will be received from postal revenue. It is claimed that $60,000,000 is for sinking fund on public debt, and need not be paid; that $35,000,000 is appropriated for the Panama Canal, which can be paid by the sale of bonds under the provisions of this bill. By making these reductions there would be left as a necessary amount to be raised by taxation $725,673,586.23. To meet this enormous sum the following estimates are made:

From customs duties under the present bill	$305,224,752
From internal revenue	251,000,000
From taxes on legacies	20,000,000
From miscellaneous sources	62,000,000

making in all $638,224,732.39, which anyone can see will leave a deficiency of over $87,000,000 per year.

It is claimed for this bill that it will produce $33,166,748.25 more revenue than existing law. It may be surprising to know that after all that has been said about the revenue features of this bill it proposes only $11,666,748.25 more than the Dingley law on customs duties. In fact, it produces less by nearly $3,000,000 than the present law on all schedules excepting agriculture. Agricultural products and provisions are increased $14,010,392.33. It might be expected naturally that any extra burdens would bear more heavily on agriculture than anything else. But, in this case, this enormous increase in agricultural schedules was ostensibly for the protection and benefit of the farmer. Notice how this is worked out. Tea, which has been on the free list, is taxed 8 cents per pound. This product is all imported so that there is no protection to the American producer or laborer in levying the tax. There was imported for consumption last year 99,420,859 pounds. If there should be the same importation next year, it would yield a revenue under the proposed law of $7,953,668.70. Pepper, mustard, nutmeg, cloves, cinnamon, and nearly all kinds of spices are taken from the free list and taxed 30 per cent of their value, and this would add one and one-half millions more to the revenue. Not content with these heavy taxes on the American table, cocoa has been added to the dutiable list with a tax of 4 cents per pound, which amounts on the present importations to $3,200,000 more.

Apparently not satisfied with this burden placed on the farmer under the guise of protection to his industries, but in fact adding directly to his expenses for the necessaries of life which go into every-day home consumption, there has been taken from the dutiable list with a tax of 15 cents per pound hides, which are produced by the cattle raisers of the country, that the Boston shoe merchant may secure his leather cheaper. This loss to the western farmer has not been fully compensated. If there was a material reduction on the importation prices of boots and shoes, then there could be little complaint, but in

this particular there is apparently splendid foundation for the charge that this bill is drawn in the interests of the eastern manufacturers. The people generally are favorable to free hides, but they wish free boots and shoes as well.

It is surprising what misleading arguments are sometimes made. For example, the gentleman from Ohio undertook to show that the 1867 tariff was the cause of the marvelous increase in the wool clip from 160,000,000 pounds in 1867 to 308,000,000 pounds in 1885. Then, I ask, why was there less wool produced in 1872, for the law had been in existence five years, than when it was first enacted? There has been practically the same rate of taxation since the existence of the Dingley law. On the same principle, why were there 62,000,000 sheep in 1902 and only 45,000,000 in 1905? Why were there 64,000,000 sheep in 1903 and never within 10,000,000 of that number since that time? Why was the price of wool to the farmer in 1908 so much reduced from earlier years? Why were sheep worth $178,000,000 in 1901 and only $127,000,000 in 1905, a falling off in value of nearly 30 per cent in four years?

I do not controvert the fact that tax on wool increases the price to the woolgrower, because our people are importers of wool and not exporters. The annual production is about 300,000,000 pounds, and there are imported over 200,000,000 pounds; but our market, after all, is largely controlled by the question of supply and demand. The scarcity of wool in the world increases the price here, and a surplus in the world's supply will lessen it. The gentleman from Ohio left the impression that the American horse was valuable only because of the tariff, and that the value increases as the tariff increases. In illustration he shows that horses were worth less in 1897 under the Wilson bill than in 1893 under the McKinley law, and were worth more in 1908 under the Dingley tariff than in 1893. But he fails to explain that horses were worth $74 per head in 1889, when Mr. Cleveland first went out of office, and that they declined each year and were only worth $61 per head when he was inaugurated the second time. Why not be fair in these discussions, and admit the truth—that none of the tariffs, high or low, are responsible for the price of horses? When they are in demand, they are high, and when there is an oversupply, horses are cheap.

The gentleman from Washington likewise digressed from the discussion of the merits of the pending bill to make comparison of the prices of farm products. He said:

It is the common knowledge of all men that shortly after 1894, about 1897, that the prices in this connection began to rise and rose very rapidly all the time up to 1904 and past that date.

I ask that the record be examined to ascertain the truth of this statement. Take wheat, the great staple crop of the country. In 1897, the year Mr. Cleveland went out of office, wheat was 80 cents a bushel, and it never reached that price again in any year, with the exception of 1904, until the year 1907. I quote from the Statistical Abstract the price of wheat for the following years:

	Cents.
1897	80.8
1898	58.2
1899	58.4
1900	61.9
1901	62.4
1902	63.0
1903	69.5
1904	92.4
1905	74.8
1906	66.7
1907	87.4

Some gentleman may say your statement begins with the close of the Cleveland administration, and does not show the prices during that time. To be entirely fair, I will give the prices of wheat, commencing in 1890 and ending with 1896, which completes the table:

	Cents.
1890	83.8
1891	83.9
1892	62.4
1893	53.8
1894	49.1
1895	50.9
1896	72.6

It will be observed that from 1890 to 1894, under the McKinley tariff, wheat fell from 83.8 cents to 49.1 cents, and that under the Wilson tariff it rose from 49.1 to 80.8 cents, and that for five years thereafter it was not within 15 cents per bushel of the 1897 prices. Equally surprising facts are found with reference to the price of corn. For example, in 1899, it was worth 30 cents per bushel; in 1901, 60 cents; in 1895, during the Cleveland régime, 45 cents per bushel; and in 1905, under Roosevelt, 41 cents per bushel.

Any comparison which undertakes to charge the low prices of farm products to a low tariff and the high prices of such products to a high tariff are without foundation in fact. The surplus of the staple products of the farm are sold abroad in the open market in competition with the products of the lowest-paid labor in the world.

It is urged that there is a tax on farm products which protects the agriculturalist. How does that help the farmer so long as he is an exporter? Whenever he becomes an importer, or like products are imported, as in the case of the sugar planter, then the tax imposed is a benefit, because the foreign sugar producer or the importer, as the case may be, can not sell here without first paying the duty on sugar. The wheat grower exports annually more than 200,000,000 bushels of wheat and wheat flour. He is dependent wholly upon the export price for his product, which is governed mainly by the supply of wheat in the world. Why was it that wheat was worth less than 50 cents per bushel in 1894? A careful inquiry will develop the fact that it was because there was more wheat produced that year than in any previous year in the world's history. Why did it increase in price to 80 cents per bushel in 1897? Was it because of Grover Cleveland and the Wilson bill? No; but because in that year there was a shortage of 270,000,000 bushels from 1896, and the world production was less by 425,000,000 bushels than in 1894. The world's production in 1891, under the McKinley tariff, was 130,000,000 bushels less than it was in 1893, when it was worth 30 cents per bushel less. If gentlemen were to study the economical conditions and the causes which affect, there would be none of the cheap political cant which charges all of the financial failures to the actions of any political organization. This bill should stand or fall on its merits, and not on any attempt to befog and belittle a great political organization by fallacious declarations, deceptive jugglery of figures, or bitter denunciations. None of these should avail in determining the desirability of the proposed legislation.

There can be no question of the fact that the American people were promised revision of the tariff by both political parties. Notwithstanding this positive pledge to the people, gentlemen wedded to the doctrine of protection have repeatedly asserted that the tariff should be so high as to prevent the importation of any foreign goods in competition with American manufacture. At least three members of the Ways and Means Committee have declared themselves in favor of this position, which is in open violation of platform declarations and in utter disregard of the needs of the people. It is the extreme selfish view in statesmanship, which would have a small part of the people prosper without regard to the well-being of the great mass of mankind whose will should be supreme and whose wishes should be enacted into law. According to the table prepared by the tariff experts who are employed by the Ways and Means Committee to make comparison of the Dingley law and the Payne bill, the present average per cent of customs duties under the several schedules is 44.16 per cent, while under the proposed law the per cent will be 45.72, an increase of 1.56 per cent over the Dingley duties.

COUNTERVAILING DUTIES.

One of the objectionable features of this bill is what is termed "countervailing duties." These are conditional taxes and dependent upon the terms expressed in the provisions of the bill. Petroleum, for illustration, is placed on the free list, but in doing so there is added this proviso:

That if there be imported into the United States crude petroleum, or the products of crude petroleum, produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country.

No one can tell whether there will be any tax on crude petroleum or whether this provision will serve to prohibit importation. It is not known how much the tax may be, because it will depend upon the tax imposed in the country which levies an impost on American products seeking admission there. The interpretation of the law will depend wholly upon the statute of a foreign country. The Standard Oil Company now controls the price of oil in the United States; in fact, it almost controls the world's price. The crude oil is subject to its dictation, whether it owns the oil or buys the product from independent producers. No independent producer can compete with that company, but is completely subject to its monopolistic grasp. If independent competition is attempted, the Standard has the power to crush its competitor. In addition to its enormous holdings in the United States, it owns oil fields wherever oil in paying quantities is found. In every oil-producing country of the world, with the possible exception of Russia, it has possessions. If it is sought in the United States to assert the rights of a competitor, the overmastering power of the Standard is met at every advanced step. If it is attempted to protect against the foreign competitor, again the Standard is found in the way to progress. How to release its hold, how to meet its control, how to remove its monopolistic power, are the questions which so greatly concern the whole American people. I feel sure that the sentiment in this House is so strongly in favor of the people in this contest that the countervailing duty on petroleum will be removed and it will be placed unconditionally on the free list. The provision now in the law can only benefit the Standard Company, so that no harm can result from removing this barrier to competition from without.

A countervailing provision is attached to the coffee schedule, which makes the law indefinite as to amount of tax and dependent upon the action of the country exporting coffee. It is expressed in this proviso:

That if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon.

Brazil last year sent to the United States three-fourths of the coffee consumed, over 778,000,000 pounds. It furnished over two-thirds of the world's crop. That country has an export tax on coffee of nearly 3 cents per pound. The effect of the passage of this bill would be to levy a tax of 3 cents per pound on all Brazilian coffee. It is claimed that that country would remove this export duty in order to avoid the tax imposed here. It has been plainly shown, however, that Brazil needs the revenue, and, in addition, that its bonded indebtedness is based on the agreement to continue such tax. That country is, therefore, so situated that it can not withdraw the tax. The United States would then impose the 3-cent rate on every pound coming from Brazil. Coffee, therefore, instead of being on the free list, will yield a revenue of many millions of dollars. I feel sure it is safe to predict that this unreasonable and uncertain tax will be removed by placing coffee on the free list without interposing conditions.

Another provisional section will have the effect of preventing the importation of small watches, because it will be impossible to make the engraving required on the case and movements. The prohibitory provision to which I refer is thus expressed:

That all watch movements and cases of foreign manufacture shall have the name of the manufacturer, and of the state, town, or village, and country of manufacture cut, engraved, or die sunk conspicuously and indelibly on the face of the movement and the inside of the case, respectively, and the movements shall also have marked thereon by one of the methods indicated the number of jewels and adjustments, said number to be expressed both in words and in Arabic numerals; and none of the articles shall be delivered to the importer unless marked in exact conformity to this direction.

Why should such a provision be made? Why should the importer, if he pays the customs duties required by law, be excluded? American watches are sold in every market of the world. If the European watch is sent to this country, and the importer is willing to pay the duty here, should the law by its terms have the effect of excluding it? Watches, too, are a commodity which it is admitted are sold away from home much cheaper than in the United States.

The best hidden "joker" found in any schedule in the bill, perhaps, is the countervailing tax on lumber. The conditional clause is splendidly expressed in these words:

That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or of any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

This provision is so broad and far-reaching that if any small dependency or division of government in any part of British Columbia should impose an export duty, however slight, upon any product of the forest of any kind, then the Dingley rates are to apply to the products of lumber that may be exported. The gentleman from Michigan [Mr. FORDNEY], author of this provision, frankly admitted that it would have the effect of retaining the Dingley rate, and was intended to do so. In my judgment, this unfortunate provision will not be in the bill when it goes to the Senate. There will be a reduction of 50 per cent as indicated in the present bill, or a less rate, on lumber, with all conditions removed. The people have a right to know the rate of taxation on anything imported into this country. No law should be so framed as to depend for its construction upon the statutes of another country. Our tariff bills should be so framed that every item in them can be understood at the time of the reading. There are several provisions in the pending bill which no man can understand without reading various other sections in the bill, and in some instances the expressions are so difficult in their meaning that no man can tell in advance what would be the probable construction of a court on the provisions of the bill. Before passing from this phase of the subject I wish to call attention to another proviso. In the schedule fixing the duty on dolls, doll heads, and toys there is named an ad valorem tax of 35 per cent, which is the existing law; then there are added these words:

The toys made in imitation or miniature of, or bearing the same name as, articles that are provided for in the dutiable list of this section by individual or class designation shall pay the same rate of duty as such articles.

Nearly all toys are made in imitation of something real or bearing the name of some article of manufacture. This bill would make the tax on the toy the same as on the object imitated. If a toy is made in imitation of a horse, the duty would be the same as on a horse that might be imported, $30. On a toy cow the duty would be $3.75, which is the proposed duty on a cow. Small toy watches, in Europe worth, say, $1.36 per gross, would, under existing law, pay 40 cents duty, but under the Payne bill there would be required 70 cents for each watch, plus 40 per cent ad valorem on the case, which would amount to $101.34 per gross, or about 75 cents each. A toy sheep, which would cost less than 10 cents in Europe, would require a duty of $1.50, because the duty on a sheep is that amount. A toy pistol, which may be imported at 5 cents, would be required to pay a duty of 75 cents and 25 per cent of the value of the pistol, because that is the duty on pistols. These items show the absurdity of this provision. I can not understand on what theory such a suggestion was made, unless it was for the purpose of preventing their importation. The manufacturers of toys, according to the hearings, agreed that 35 per cent ad valorem was a sufficient protection to them. The hearings disclose also a violent protest to the proposed provision, and an urgent demand that it should not be incorporated into law.

DRAWBACKS.

Another scheme provided in this bill is pernicious in its effects. I have reference to what is known as the "drawback" feature; that is, a provision which, in certain specified cases, allows 99 per cent of the duties that have been paid to be refunded to the persons who made payment. For example, where ships are constructed in American shipyards for foreigners, to be used in foreign trade, the duties of all the materials of importation used in building the ship shall be paid back to the shipbuilder. This is a strange provision, in light of present conditions. With the merchant marine of this country fast passing away, with the decline from 65 per cent of the whole carrying trade in 1860 to about 10 per cent of it now, this makes this action the more astounding. Why should ships be built for foreign ownership free from the effects of the tariff, while all duties are imposed in the construction of American ships for American use and ownership?

Section 29 of the bill is so constructed as to make the meaning indefinite. I have conferred with no one who has a fixed idea of what is intended. One of its provisions is—

On the exportation of articles manufactured or produced in the United States either in whole or in part of imported materials, or from domestic materials of equal quantity and protective manufacturing quality and value, such question to be determined by the Secretary of the Treasury, there shall be allowed a drawback equal in amount to the duties paid on the imported materials used, or where domestic materials are used, to the duties paid on the equivalent of imported materials less the legal deduction of 1 per cent.

This, whatever else it may accomplish, is intended to have the effect of furnishing free of duty the materials for use in manufacturing articles which may afterwards be exported. It is another forceful illustration of the apparent desire to pave the pathway of the manufacturer with every substantial benefit that a law can give without regard to the rights of the American consumer, who pays the bills.

Another paragraph of the same section relates to the withdrawal of the internal revenue from articles aboard ship and is in these words:

Articles of domestic manufacture and production subject to internal revenue tax may be withdrawn from bonded warehouses free of tax, to be consumed on vessels clearing for foreign countries, and after their departure from the United States, under such rules and regulations as the Secretary of the Treasury shall prescribe.

There is now a heavy internal revenue tax imposed on all malt and spirituous liquors, tobacco, cigars, and cigarettes, amounting to $250,000,000 annually. Under the provisions of the pending bill, all articles which pay such taxes can be sold for consumption and use on any vessel clearing for foreign ports entirely exempt from taxation. All revenues are to be remitted. Why should this Government encourage the use and sale of intoxicating beverages and tobacco in every form on the high seas, while it prohibits the American citizen on land from using the same articles unless the revenue duties are fully

ing the Cleveland regime, under Roosevelt, 41 cents

45 cents per bushel; and in 1905, per bushel.

sessions. If it is sought in the United States to assert the rights of a competitor, the overmastering power of the Stand-

ing bill which no man can understand without reading various other sections in the bill, and in some instances the expres-

high seas, while it prohibits the American citizen on land from using the same articles unless the revenue duties are fully

paid, and until the individual has first obtained a license to sell and dispose of such commodities?

In the fiscal year ending June 30, 1907, the records showed that over one-half million people took passage from the United States. This gives an idea of the enormous traffic which is encouraged by this unusual concession. The drawbacks under the Dingley law are not nearly so large as those expected under the Payne bill. For the last ten years the drawbacks have averaged more than $5,000,000 per year. Many think they will be several times that under the Payne bill. In any event, whatever the drawback may be, it is taken from the current revenue and lessens it by the amount thus withdrawn. I ask on principle, Why should the manufacturer be given a royalty to the amount of the customs duties on goods sold for export when the American citizen is required to pay them on goods sold at home? On what economic or ethical basis can such a course be upheld?

MAXIMUM AND MINIMUM RATES.

One of the most radical and serious changes made in existing law is with reference to maximum and minimum rates. Under the Dingley law the maximum rate was charged unless by friendly trade agreement a lower rate was determined upon not below the minimum rate. This had the effect of encouraging trade and was an inducement to fair treatment on peaceful terms. Under the Payne bill the minimum rate is first charged, but all existing treaties as to tariffs are to be annulled in sixty days after the passage of the bill, then the maximum rate is to be charged against every country unless the foreign government shall give the United States as favorable tariff arrangements as are given to any other country.

The minimum rates are the specified rates under the Payne bill. The maximum rates are on an average about 20 per cent higher than the Dingley rates and add 68 paragraphs of the free list to the dutiable list at 20 per cent ad valorem. The purpose of this plan is to coerce trade agreements, to force other nations to make with us the most favorable trade relations. This, in face of the fact that our Government has entered into a treaty with Cuba to favor it in the discrimination of duties beyond all other nations. How can it be expected to drive other nations to terms while this Government is itself favoring Cuba? Leading nations to-day have agreements with one another whereby preferential duties are given in certain instances, and our Government has done likewise. Why should it now seek to annul these treaty stipulations, cause other nations to break up their preferential plans, and drive them if they trade with this Government to readjust their tariff agreements, when our Government would not change its trade relation with Cuba to satisfy any other country?

The strongest plea in favor of the pending bill was made by the gentleman from California [Mr. MCKINLAY], who insisted that the United States should have a tariff law so high that no goods would ever come into competition with American manufactures, and then the productions of this country should be limited to the needs of our own people. This is the legitimate result of the protective policy, and is the fairest expression of it I ever heard from a Republican. What must become of the American farmer, who has produced more than $50,000,000 worth of animals each year than is needed for home use and consumption? What will be done with the $700,000,000 annual surplus of farm products? Where will the market be found for the half billion dollars' worth of manufactured goods that are sold in foreign markets? This country is reaching a point in its development where the vital question is one of the sale of commodities.

The great burning economical proposition is, Where can the products of the American farm, mine, and manufactory find a ready and profitable market? This country is great industrially. Its business thrift and enterprise can not be surpassed. Its natural advantages are the greatest enjoyed by any people. And yet, in direct opposition to the plea of the gentleman from California, is the demand of the American producer for a place where he can dispose of the fruits of his toil at a profit. I can not understand how the American who examines the pending bill in the light of business expansion and economic conditions can indorse the restrictive effect of such a law upon the trade of our country at home and abroad. In the face of a pledge to revise the tariff in the interests of the people, this unequal, unfair, unjust, and grievously burdensome measure can not meet the expectant demands of a generous people. Since the pending bill increases the cost of nearly everything of everyday consumption, from that which makes up the daily bills of fare for the table to the clothes and underwear worn by the inmates of the home, and brings expense and burden rather than relief from the ills already borne, a long-suffering people will certainly condemn it as a measure of oppression, and will see in it a further yielding to the firm grasp of monopoly rather than the loosening of the bands which now draw the profits of the masses into the coffers of the few. Against this tendency I protest. Legislation should be in the interest of the whole people. They should write the statutes, and as far as I can ascertain their judgment it shall control my action. Believing as I do that the pending bill is not in their interests and will in no way benefit them, I shall cast my vote against it.

Mr. BARTLETT of Georgia. Mr. Chairman, I thank you for your kindness and courtesy in extending me recognition at this time, but owing to my physical condition I am not able to proceed. I will avail myself of the privilege of extending my remarks in the RECORD now or later, in the event I shall be able to address the committee on Monday.

Mr. KOBLY. Mr. Chairman, there is an irreconcilable conflict between two propositions presented by this bill, as indicated in its title. It purports to be a bill to provide revenue and encourage the industries of the United States. This means that the bill is devised primarily for purposes of "protection."

In so far as it tends to "protect" it fails to provide revenue, and in so far as it tends to provide revenue it fails to "protect." It can "protect" only by shutting out imports, and it can provide revenue only by securing imports.

Its proponents are so doubtful of its revenue-producing qualities that they have provided for issuing $250,000,000 worth of interest-bearing bonds, called "certificates of indebtedness," out of deference to certain critics of a certain Democratic administration. If this inference as to the bond provision is not correct, and if the bill is really expected to produce the needed revenue, then the proponents of the bill certainly must be preparing, not to reduce expenses, but to increase them enormously. There is likewise an irrepressible conflict between the advocates of "protection" and the defenders of man's natural rights. Those who deny to "protection" anything but evil can hardly be expected to discuss the question of how much "protection" is necessary or desirable.

Mr. Chairman, I do not believe that we can achieve "national prosperity" by legislation. Both in and out of Congress many profess to believe this can be done. The proposition that we can tax ourselves rich has been proclaimed so often that the people seem to have a settled conviction that the chief business of Government is to provide prosperity for the Nation. This idea is almost a superstition. If it be true that prosperity flows from legislation, then such prosperity as we have had for the past eighteen months must be the kind to expect from the legislation proposed.

The truth is that legislation can, and often does, interfere with prosperity, but never creates it. We can not make the Nation rich by taxing ourselves, yet that is what the advocates of "protection," as provided in this bill, propose.

"Protection" has been well intrenched since the civil war, and the tariff has, consciously or unconsciously, been surrounded with so much "mystery" that not a few people profess to believe it is not understandable. The debates on the question are not always striking examples of perspicacity, and often are couched in terms which undoubtedly prove that many of the debaters are far from possessing a clear understanding of the question.

The tariff is indeed a vexed question, but it can be understood. To understand it involves merely an accurate description of what takes place in the production and distribution of wealth. The settlement of this question is desirable, and the demand for its settlement is insistent and must be met.

Not a few seem to think it can be settled by taking it out of politics, and many of this class boldly abandon their time-honored claims to greatness on account of tariff legislation in the past and frankly admit that "Congress does not know enough to write a tariff law." "How have the mighty fallen!" Eleven years bring many changes. In this opinion I heartily concur. Congress will never know enough to devise a bill which will successfully provide for both revenue and "protection." Much clamor is now heard for a permanent tariff commission as a means of taking the question out of politics. Somehow the suspicion will not down that these men are trying to let go. It is idle, however, to talk about taking the tariff out of politics. In the very nature of things it must continue a political issue until it is settled, and settled right. Ultimately it will be settled right, as was the slavery question; but, like the slavery question, it will be a long time in the settlement. So tariff reformers ought not to despair.

It is equally idle to talk about settling this question by referring it to a permanent tariff commission. The proposition involved is that a committee of experts will determine the amount of "protection" needed. The defenders of the doctrine that man has natural rights will never subscribe to this proposition. The underlying principle of American institutions is the innate capacity of the people to settle for themselves all questions of government. This principle recognizes the certitude of reason and the natural dignity of man. Consequently this question will have to be settled by the people in the court of reason; and, in my opinion, they will never submit to a "committee of experts" questions which, in the very nature of things, and as a matter of right and duty, they must settle for themselves.

This proposition may draw upon me the scorn of protectionists, who seem to deny the certitude of reason, and cause them to say sneeringly that I learned this out of books. Book learning, it appears, is good in all branches of activity except "national prosperity." The kind of learning that is good in that behalf is evolved from the "inner consciousness" of "statesmen," who do not learn from books.

In this connection it may not be amiss to say that the people are coming to understand clearly that if a Congressman has to depend upon what he learns from the "tariff hearings" to equip him for "statesmanship," he is unfit for that important office.

Tariff reform has gained a tremendous impetus in the past two years. Time was when the people probably believed the story that panics came because the Democrats "tinkered" with the tariff. But we have just had a panic, and it came at a time when protectionists were in power, and had been uninterruptedly in power for more than ten years. It also came in a time of peace, and in the very midst of harvesting one of the most bountiful crops ever recorded in the history of the Nation, and the truth is its shadow is still upon the land.

Many thoughtful men were convinced that this panic would arouse the people on the question of banking and currency reform, which is woefully needed, and it did; but it aroused them more on the tariff question. The people evidently have taken this panic as conclusive proof of the error of the oft-repeated assertion that panics come only after the Democrats "monkey" with the tariff.

The people have a suspicion that the "protective" tariff has caused the "increased cost of living," and accordingly have voted for a revision of the tariff "by its friends." The word "revision" is susceptible of several interpretations, however, and time alone will disclose, Mr. Chairman, whether or not the revision now in process by the friends of a "protective" tariff will be upward or downward, and whether or not it will give relief.

The agitation for relief will not down. If we are to get relief, reform must be along natural lines and in full recognition of the truth that natural laws govern the production and distribution of wealth, and that more human misery flows from ignorance of natural laws than from all the crimes of history.

Protectionists seem to lose sight of the fact that legislative interference with natural laws is inevitably followed by human misery. Nature always provides punishment for violation of her laws, and from nature's decrees there is no appeal. The punishment for our attempts to provide "national prosperity" by act of Congress is the "increased cost of living."

Reforms are accomplished slowly, and tariff reform will be no exception. It will come when the people give a mandate for it, but not before. Perhaps the people will have to endure much increase in the "cost of living" before they will seriously examine "protection" on its merits, but their burdens under "protection" will increase progressively and finally become unbearable. When that time comes, and it is sure to come, "protection" will hear its death knell.

The power to tax is the power to take away from the people the fruits of their toil, their property, their food and clothing and homes. The power to tax is the power to destroy.

Taxes, therefore, ought to be sparingly and justly laid and collected, and the measure of justice is the equality of the burden and the needs of government economically administered.

As the tariff is a tax, it is excusable as a revenue producer, but not otherwise. A tariff for purposes other than revenue is unequal and unjust. A tariff for "protection" is a special privilege of the worst kind, and violates the rights of property. The right of the citizen in his property is a natural right of man, a right which government does not give and can not take away, a right which is guaranteed by the Constitution, but denied by act of Congress. Congress has not the right to lay a tax to be collected by private interests, yet that is the effect of "protection."

The tariff is essentially a question of political economy, concerning as it does the production and distribution of wealth.

Economically speaking, the Nation is not a unit. Political lines and national boundaries are not made for economic reasons. If Mr. Jefferson had not bought Louisiana, the "disasters" which would have followed the years of unrestrained commerce between the people of that section and the people of the old Northwest Territory would be dreadful to contemplate. Had Nova Scotia joined in the Revolution it would not now be necessary to "protect" the people of Boston against Nova Scotia coal. Had we conquered Canada in 1812 we would not now have to "protect" ourselves against her lumber. Had Texas maintained her separate sovereignty, we could not now allow our citizens liberty to buy Texas beef.

Inasmuch as Mexico is a separate sovereignty we may not use her petroleum, even though it be so plentiful as to run into the sea, as it does, according to the gentleman from New York [Mr. VEEELAND].

In the face of the overwhelming disaster which befell San Francisco recently we forgot to protest against the contributions of food and clothing made by the "pauperized" peoples of Europe. We forget to rejoice over disasters which befall other peoples, and when famine is their lot we divide with them our food and clothing. We forget that we used our navy as an instrument of mercy recently to carry food and clothing to the hungry and the naked in southern Italy.

Yet Congress is full of "statesmen" who regard the exchange of food and clothing, building material, and household furniture as "commercial warfare," and who inveigh against importations as "invasion," and who predict that freedom and liberty in the matter of exchange will result in the "capture" of our markets and the "annihilation" of our industries. These are the men who are now engaged in rehabilitating our "national prosperity."

Protectionists seem to regard money as wealth, but money is not wealth. Wealth consists of goods, broadly classified as food, clothing, and homes. Wealth is produced, not by act of Congress, but by labor. Wealth is produced, not in Congress, but on the farms and in the mines and factories. Wealth is the product of labor coupled with nature. Nature does much; labor does little. The sun and the rain and the wind are not negligible quantities in the scheme. The production of wealth is, however, scarcely more important to mankind than its distribution.

The distribution of wealth involves the machinery of exchange, the machinery for transferring the ownership of property from one person to another, and transportation. But transportation is another question. The machinery for transferring ownership consists of money and banking.

Protectionists do not seem to understand the nature of money and banking. Money is a measure of value. It is also a tool or instrument for transferring the ownership of property. About 5 per cent of the business of the country is done with money. The other 95 per cent is done without the use of money, save as a measure of value, by means of banks.

In this age it is no longer possible for a man to supply all his needs with his own hands. Specialists in all branches of activity produce wealth which is placed in the common fund of commerce. Originally men exchanged or traded their products directly; for instance, a bushel of wheat for a yard of cloth. This was direct barter. Specialization developed variety of products, and then direct barter consumed so much time that it became burdensome, so double barter was invented. Double barter consists of trading general products for one particular product, which particular product by common consent is made the measure of value and the medium of exchange.

For ages this particular product has been the precious metals and has been called "money." Money is to-day the measure of value throughout the civilized world, but it is a very limited medium of exchange. Specialization and the development of labor-saving machinery so increased the quantity and variety of the product of man's labor, and so complicated the process of exchange, that money was no longer adequate to the work of transferring the ownership of products, and banking was devised for the purpose. Hence, among other things, a bank is a machine for the transfer of the ownership of property, and banks and clearing houses to-day are actually engaged in transferring the ownership of property from one person to another and without the use of money, save as a measure of value. In short, one piece of property is traded for another piece of property at an agreed valuation through banks by means of checks and clearing houses.

Overwhelming necessity brought this about, for no civilized country possesses or can possess money enough to effect the transfers of ownership in modern domestic commerce; and the civilized world does not possess enough money to effect even the transfers of the ownership of property between the citizens of the several nations.

International commerce is merely the exchange of products between citizens of the several nations. The citizen trades—no-

the nation. What takes place every day in the clearing house of an American city is exactly what takes place in international commerce. One commodity is traded for another commodity.

Millions of dollars' worth of commodities and property are exchanged every day, and scarcely any money at all is used even in settlement of the balances.

The imports and exports of merchandise by the people of the United States for the fiscal year ending June 30, 1908, were more than $3,000,000,000 in value, which is more than all the gold and silver coin and bank notes in the United States. Yes; and it is more than all the gold imported by the United States in one hundred and seventeen years.

The imports of merchandise for the year mentioned amounted to more than $1,194,000,000 worth, and the exports amounted to more than $1,860,000,000 worth, an excess of exports over imports of more than $666,000,000 worth of goods.

Our imports of gold and silver for the year mentioned were $192,975,418 and our exports $130,354,926, an excess of imports of $62,620,492. Last year, it will be remembered, bankers, on account of the scarcity of currency due to the panic, imported an unusually large amount of gold.

Our exports of merchandise last year, it appears, exceeded our imports by more than $600,000,000 worth. Yet our imports of gold and silver exceeded our exports by less than $63,000,000. This leaves more than $600,000,000 worth of merchandise exported last year for which, apparently, the American citizens were not paid. I say "apparently," for, in fact, the foreigner pays for this excess of merchandise exports in several ways: By services rendered—such as carrying merchandise across the sea, which will probably account for $200,000,000—by banking the various transactions, and by feeding, clothing, housing, transporting, and otherwise serving vast numbers of American tourists who roam foreign lands in quest of excitement, pleasure, and knowledge.

Hence we must conclude that our exports certainly are paid for in other things than money. Hence we are driven to the conclusion that for every dollar's worth of commodities or other property sent by an American citizen to a foreign country a dollar's worth of commodities, property, or service must come from some citizen of some foreign country to this country in payment.

Protectionists delight in talking about the "favorable balance of trade," and point with pride to the fact that we "sell more than we buy." Apparently they are superficial enough to believe that because we export more merchandise than we import we therefore sell more than we buy, and that the difference between what we "sell" and what we "buy" is paid to us in money, and that money, after all, is the one desirable thing, and that the receipt of this money is the proof of our prosperity and their wisdom.

The following tables, which are official compilations, conclusively prove the folly of the "balance of trade" doctrine, and the error of the inference drawn by protectionists that we get in money the difference between what we buy and sell:

Gold coin and bullion imported and exported and annual excess of imports or exports from 1864 to 1907.

Year ended June 30—	Exports.	Imports.	Excess of— Exports over imports.	Excess of— Imports over exports.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*
1864	100,001,634	11,176,769	89,484,865	.....
1865	58,481,033	6,498,228	51,882,805	.....
1866	71,397,309	8,196,261	63,601,048	.....
1867	39,026,627	17,024,866	22,001,761	.....
1868	72,066,341	8,737,443	63,658,901	.....
1869	36,010,498	14,122,568	21,870,930	.....
1870	33,035,902	12,056,950	21,979,012	.....
1871	66,086,298	6,883,951	59,892,647	.....
1872	49,048,760	8,717,458	40,331,302	.....
1873	44,856,715	8,682,447	36,174,268	.....
1874	34,902,420	19,903,137	14,999,283	.....
1875	66,080,077	13,696,793	52,384,184	.....
1876	31,157,050	7,972,709	23,184,341	.....
1877	26,590,374	26,246,234	344,140	.....
1878	9,294,455	13,420,215	.....	4,125,760
1879	4,187,614	5,224,948	.....	1,037,334
1880	3,029,625	80,758,396	.....	77,119,571
1881	2,935,132	100,031,259	.....	97,496,127
1882	32,587,880	34,377,054	.....	1,789,174
1883	11,600,888	17,734,149	.....	6,133,261
1884	41,081,957	22,831,317	18,250,640	.....
1885	8,477,892	26,691,696	.....	18,213,804
1886	42,952,191	20,743,349	22,208,842	.....
1887	9,701,187	42,910,601	.....	33,209,414
1888	18,376,234	43,934,317	.....	25,558,083
1889	59,942,285	10,284,858	49,667,427	.....
1890	17,774,491	12,943,342	4,831,149	.....

Gold coin and bullion imported and exported and annual excess of imports or exports from 1864 to 1907—Continued.

Year ended June 30—	Exports.	Imports.	Excess of— Exports over imports.	Excess of— Imports over exports.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*
1891	86,362,654	18,232,667	68,130,087	.....
1892	50,195,327	49,699,454	495,873	.....
1893	108,680,844	21,174,381	87,506,463	.....
1894	76,978,061	72,449,119	4,528,942	.....
1895	66,468,481	36,284,760	30,083,721	.....
1896	112,409,947	33,525,065	78,884,882	.....
1897	40,361,680	85,014,780	.....	44,653,200
1898	15,406,391	129,391,674	.....	101,985,283
1899	37,522,066	88,934,603	.....	51,432,517
1900	48,265,759	44,573,184	3,693,575	.....
1901	53,189,177	66,051,187	.....	12,862,010
1902	48,568,950	52,021,254	.....	3,452,304
1903	47,090,595	44,982,027	2,108,568	.....
1904	81,439,066	99,045,368	.....	17,595,382
1905	92,594,024	53,648,961	38,945,063	.....
1906	98,573,591	96,221,730	.....	57,648,139
1907	51,399,176	114,510,249	.....	63,111,073

Silver coin and bullion imported and exported and annual excess of exports over imports from 1864 to 1907.

Year ended June 30—	Exports.	Imports.	Excess of exports over imports.
	Dollars.	*Dollars.*	*Dollars.*
1864	4,734,997	1,978,843	2,756,064
1865	9,262,193	3,311,844	5,950,349
1866	14,846,762	2,503,831	12,342,931
1867	21,811,745	5,045,609	16,766,136
1868	21,387,778	5,450,955	15,936,823
1869	21,134,882	5,675,908	15,459,974
1870	24,519,704	14,362,229	10,157,475
1871	31,755,780	14,386,463	17,369,317
1872	30,328,774	5,026,231	25,302,543
1873	39,751,859	12,798,490	26,953,369
1874	32,587,885	8,951,769	23,636,216
1875	25,151,345	7,203,921	17,947,241
1876	25,329,252	7,943,972	17,385,280
1877	29,571,863	14,528,180	15,043,683
1878	24,335,670	16,461,099	8,044,571
1879	20,409,827	14,671,052	5,738,775
1880	13,503,894	12,275,914	1,227,980
1881	16,841,715	10,544,238	6,297,477
1882	16,829,560	8,095,336	8,734,224
1883	20,210,445	10,775,242	9,464,203
1884	26,051,426	14,594,945	11,456,481
1885	33,756,633	16,550,627	17,206,006
1886	29,511,219	17,850,307	11,660,912
1887	26,296,504	17,000,191	9,696,313
1888	28,037,949	15,403,669	12,634,280
1889	36,689,248	18,678,215	18,011,033
1890	34,873,929	21,032,984	13,840,945
1891	22,590,888	18,026,885	4,564,168
1892	32,810,520	19,935,080	12,875,473
1893	40,737,319	23,196,222	17,541,097
1894	50,451,265	13,286,532	37,164,733
1895	47,295,286	20,211,179	27,084,107
1896	60,541,670	28,777,186	31,764,484
1897	61,016,638	30,526,227	31,413,411
1898	55,195,239	30,977,781	24,177,458
1899	56,318,055	30,675,096	25,643,960
1900	55,712,275	33,276,302	21,435,973
1901	64,285,180	36,386,521	27,898,659
1902	49,732,390	28,232,254	21,410,136
1903	44,259,259	24,163,491	20,095,768
1904	49,472,702	27,768,814	21,703,888
1905	48,848,812	27,484,895	21,363,947
1906	65,890,063	44,442,540	21,426,523
1907	56,739,073	42,946,624	13,792,449

Merchandise imported and exported, and the annual excess of imports or exports: Specie values, 1864 to 1907.

Year ended June 30—	Exports.	Imports.	Total exports and imports.	Excess of exports over imports.	Excess of imports over exports.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1864	168,887,088	316,447,283	475,285,271	.....	157,560,295
1865	166,029,303	238,745,580	404,774,883	.....	72,716,277
1866	348,859,522	434,812,066	783,671,588	.....	85,952,544
1867	294,500,141	395,761,096	690,267,227	.....	101,254,955
1868	281,962,899	357,426,440	639,389,339	.....	75,463,541
1869	286,117,697	417,506,379	703,624,076	.....	131,388,682
1870	392,771,768	435,956,408	828,730,176	.....	43,190,640
1871	442,820,178	520,223,684	963,043,862	.....	77,403,506
1872	444,177,586	626,595,077	1,070,772,663	.....	182,417,491
1873	522,479,922	642,136,210	1,164,616,132	.....	119,656,288
1874	586,283,040	567,406,342	1,153,689,382	18,876,698	.....
1875	513,442,771	533,005,430	1,046,448,147	.....	19,562,725
1876	540,384,671	460,741,190	1,001,125,861	79,643,481	.....
1877	602,475,220	451,323,126	1,053,798,346	151,152,094	.....
1878	694,865,766	437,051,532	1,131,917,298	257,814,234	.....
1879	710,439,441	445,777,775	1,156,217,216	264,661,666	.....

Merchandise imported and exported, and the annual excess of imports or exports: Specie values, 1864 to 1907—Continued.

Year ended June 30—	Exports.	Imports.	Total exports and imports.	Excess of exports over imports.	Excess of imports over exports.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1880	835,638,638	667,954,746	1,503,593,404	167,683,912	.....
1881	902,377,346	642,664,628	1,545,041,974	259,712,718	.....
1882	750,542,257	724,639,574	1,475,181,831	25,902,683	.....
1883	823,839,402	723,189,914	1,547,029,316	100,638,488	.....
1884	740,513,609	667,697,698	1,408,211,302	72,815,916	.....
1885	742,189,755	577,527,329	1,319,717,084	164,662,426	.....
1886	679,524,830	635,436,136	1,314,960,966	44,088,694	.....
1887	716,188,211	692,319,768	1,408,502,979	23,868,443	.....
1888	695,994,507	723,957,114	1,419,911,621	.....	28,002,607
1889	742,401,375	745,131,652	1,487,533,027	.....	2,730,277
1890	857,828,684	789,310,400	1,647,139,084	68,518,275	.....
1891	884,480,810	844,916,196	1,729,397,006	39,564,614	.....
1892	1,020,578,148	837,402,462	1,857,980,610	202,875,686	.....
1893	847,665,194	866,400,922	1,714,066,116	.....	18,735,728
1894	892,140,572	654,994,622	1,547,135,194	237,145,950	.....
1895	807,538,165	731,939,965	1,539,508,130	75,598,200	.....
1896	882,606,398	779,724,674	1,662,331,612	102,882,264	.....
1897	1,050,966,574	764,799,412	1,815,723,968	286,263,144	.....
1898	1,231,482,320	616,049,654	1,847,531,984	615,432,676	.....
1899	1,227,023,392	697,148,489	1,924,171,791	529,874,813	.....
1900	1,394,483,682	849,941,184	2,244,424,866	544,541,898	.....
1901	1,487,764,994	823,172,165	2,310,937,156	664,592,829	.....
1902	1,381,719,401	903,320,918	2,285,040,319	478,398,483	.....
1903	1,420,141,679	1,025,719,237	2,445,860,916	394,422,442	.....
1904	1,460,827,271	991,087,371	2,451,914,642	469,739,900	.....
1905	1,518,561,666	1,117,513,071	2,636,074,737	401,048,595	.....
1906	1,743,864,500	1,226,562,446	2,970,426,946	517,302,054	.....
1907	1,880,851,078	1,434,421,425	3,315,272,503	446,429,653	.....

Without exception, since 1864 our exports of silver yearly have exceeded our imports; and our exports of gold have largely exceeded our imports for the period named.

For each of the past thirty-three years, with but four exceptions, our imports of merchandise have largely exceeded in value our exports of merchandise.

So we find from government statistics that for the last forty-three years our exports of merchandise and our exports of money have largely exceeded our imports of merchandise and our imports of money.

The following totals of imports and exports, from 1790 to 1908, inclusive, a period of one hundred and eighteen years, as they appear in the historical table of imports and exports, Annual Review of the Foreign Commerce of the United States, page 30, are illuminating:

Merchandise exports	$46,328,213,301
Merchandise imports	40,243,189,615
Excess exports	6,085,023,686
Gold and silver exports	4,521,866,830
Gold and silver imports	3,090,520,768
Excess exports	1,431,346,062
Merchandise and gold and silver exports	50,850,080,131
Merchandise and gold and silver imports	43,333,710,383
Excess combined exports	7,516,369,748

In the light of these facts, what becomes of the idea that "money is wealth?" What becomes of the idea that only one party to a transaction can make a profit, and that the one who gets the money? What becomes of our boasted "favorable balance of trade?" What becomes of the claim that the difference between what we "buy" and "sell" comes to us in money? What becomes of the "home market?" What becomes of the "maximum and minimum rates for securing foreign markets?" What becomes of the prediction that a tariff for revenue only will cause our country to be "flooded" with "cheap" products of foreign "pauper" labor? Does not such talk show an ignorance of commerce that is appalling?

Scarcely 10 per cent of any nation's total annual product is exported or can be exported. More than 90 per cent of the products of each nation is consumed at home. War or famine may increase a nation's imports, but if the increase is due to war, the imports as a rule are to be paid for in the future; if the increase is due to famine or other like disaster, the imports are often a gift prompted by humanitarian motives.

The protectionists boldly assert that their policy gives "labor" to the people, from which it might be inferred that they look upon labor as a blessing. But labor is a curse. We read in Genesis that God drove Adam and Eve out of the Garden of Eden on account of their sins. Theretofore they had dominion over the earth and enjoyed whatever they wanted without working for it. But when God drove them from the garden He put a curse upon them, and said to them:

All the days of thy life shalt thou eat thy bread in the sweat of thy brow.

No one works because it is pleasant, but because it is necessary. We do not live to work, but we work to live. We work to overcome obstacles to our well-being, our prosperity. We need food, clothing, and homes; so we toil to secure these things. As soon as we have supplied one want we are confronted with another. We want more than just enough for our subsistence. We are always confronted with desires. We do not need an act of Congress to give us work.

In proof of this, I call as witnesses the countless numbers of men and women in our large cities who tramp from house to house and from factory to factory seeking—what? Not labor, for they are weary now from the labor of their quest. They know full well that no other labor is quite so hard as that of going from place to place seeking a chance to expend time and energy in the production of things which may be exchanged for food and clothing and shelter. They want bread, not work.

Work is a curse, not a blessing; yet "protection" makes us work harder to get what we need and want than we would have to work if we did not have "protection." We want more food, more clothing, more homes, more leisure, but we want less work.

By our unnatural laws we have built up unnatural industries, overcrowded our cities, hampered exchange, and lessened the productive power of our people, and as a consequence we suffer and our highly artificial system periodically breaks down and our sufferings are then accentuated. Then thousands of men and women suddenly are unable to get food for themselves. What must they think of legislation that gives them work, but prevents them from getting food?

When Christ told us how to pray, He bade us ask, not for our daily work, but for our "daily bread." When the multitude followed the gentle Nazarene on the occasion of the Sermon on the Mount, He did not tell them to catch fish and bake bread for themselves, but He took compassion upon them and multiplied the loaves and fishes that they might eat.

Oh, that was "cheap labor!" By eating that bread those poor people "robbed" themselves of the "advantage" of producing it themselves and "threw themselves out of work."

What of a man who refuses to live in a house already built, because, forsooth, by so doing he "robs" himself of the work of building a house, and who builds a new house out of new material to "protect" himself against "cheap labor?"

No doubt had some protectionist been present when God rained manna down from heaven for His chosen people, whilst Moses was leading them from the land of bondage into the land of promise, he would have warned them against the economic error of eating such food, for was it not "from a foreign country?" Was it not the product of "cheap labor?" Did it not literally "flood" the country with a "cheap" product? Was it not "dumped" on their shores? Was not the country "inundated" with it? Did it not "rob" the people of work? Did it not "annihilate" an industry? Did it not "paralyze" commerce?

By their words, protectionists seem to fear abundance and plenty, and by their acts they cause scarcity and want.

The rights of property are loudly proclaimed by the protected interests in their contests with organized labor, but these same interests seem to possess very obscure ideas about the rights of property when it comes to tariff schedules. The tariff is now and for many years has been and will no doubt continue to be laid primarily for the purpose of "protecting" industries. When a tariff is so laid it is an unwarranted interference with the production of wealth as well as a controlling factor in its unequal distribution.

"Protection" diverts capital and labor from natural channels to unnatural channels, from enterprises which are naturally profitable to enterprises which are naturally unprofitable, from industries which add to the stock of the world's wealth to industries which subtract from the stock of the world's wealth. In other words, "protection" constrains men to produce certain things, while without "protection" they could and would produce other things. It causes them to consume more time, more food, and more clothing whilst producing them than they will naturally exchange for after they are produced.

Hence it is these enterprises need "protection." "Protection" simply compels other people to give to the owners of these enterprises food and clothing which the owners of these enterprises could not under freedom get for themselves by exchange. In other words, the owners of these enterprises can not exchange their products for enough food and clothing to sustain life, so they have a law passed, called "protection," which forces the people to supply them with the difference, called "a reasonable profit."

Therefore the effect of "protection" is actually to lessen the production of wealth. This is so, whether the industry can or

can not continue without "protection." It is important to bear in mind, however, that there are not many cases where they can not continue without help. In most cases enterprises are not dependent upon "protection" at all. The owners of most protected industries simply fatten on what the law enables them to take away from other people.

Therefore, Mr. Chairman, if anyone says that I am in favor of destroying industries, I answer that any industry which can not sustain itself is a stumbling block to the Nation, and the sooner the men engaged in it get into some other enterprise which will make them self-supporting the better it will be for all concerned.

Under "protection," therefore, there is not as much wealth for distribution as there is under freedom. Under "protection" there is scarcity of wealth. This scarcity is felt by the people, but they do not perceive that food and clothing and building material are scarce; they just perceive that these things are "high priced." So scarcity manifests itself by increasing the cost of living. They do not get as much as they used to get and have to work harder to get it.

Under "protection" an inventory of the products of labor discloses less wealth, less food, clothing, building material, and household furniture in the land than under natural conditions, under freedom and liberty.

"Protection," we have seen, gives to some people the right, under the acts of Congress, to levy tribute upon other people; that is to say, our tariff laws enable some to take away from others the products of their labor—their food, clothing, household furniture, and building material—without giving them anything in return.

Perhaps I shall be denounced as a free trader, and this naturally presents for inquiry the meaning of the word "free," as used in this connection. As I understand it, it means that the citizen shall be at liberty to trade with whomsoever he pleases. It means that if a man produces something, he may exchange it for something produced by anybody else on earth. This is the natural condition of trade. If there were no statutes concerning trade and exchange, all men would be at liberty to trade with whomsoever they pleased. If a man is not free, what is his condition? If a man is not free, it is because his liberty has been taken away from him. A man in this condition is forced to do something he does not want to do and would not do if he were free. Why is he deprived of liberty and freedom? Is it that some one may compel him to accept a lot of good things which he desires and needs, or is it that some one may compel him to give up a lot of good things which he has produced by hard work? Man has always been deprived of liberty because some one wanted to rob him. Oppression has always had spoliation for its purpose.

Liberty is the natural right of man. The Declaration of Independence defines liberty as an inalienable right of man given to him by his Creator, and declares that government is instituted for the purpose of securing to him this right. I am old fashioned enough to believe that the Constitution guarantees to me this right. I am bold enough to say that I resent any attempt to deprive me of this right upon any ground whatsoever.

The pretext and refuge of "protectionists" is the "greatest good to the greatest number." This is a damnable doctrine. The natural right of the humblest citizen is far superior to the greatest good of the greatest number.

It is far better that a hundred guilty men go free than that one man should suffer unjustly.

No one will deny that what a man produces with his own labor belongs to him. He may do with it what he pleases—consume it himself, exchange it for his neighbor's product, or give it away. He may take it across the sea and give it away over there and not even a protectionist will complain. He may exchange it over there for some other fellow's product and no one will complain. So long as he does not bring the other fellow's product back to this country there will be no complaint. As soon as that is done, however, complaint is heard. Strange to say, the complaint is not that the foreigner has cheated and given too little, but that he has given too much. The more he gives, the louder the complaint.

If, for instance, an American citizen produces a thousand cigars and takes them to Berlin and exchanges them for 1,000 pencils, no one will complain until the pencils are brought to America. Then the American will be told that he has brought back too many pencils for his own good, as well as too many for the good of the country.

The customs-house officer will tell him that in view of these "facts" and the laws of the land based upon them, it will be necessary to take half the pencils away from him. Inquiry will develop the fact that the Government wants half the pencils for revenue to help support the Government (more or less economically administered), but it will further disclose the fact that the Government wishes to discourage the American from bringing home "too many" pencils in the future.

In fact, according to protectionists, the more pencils the American brings back, "the worse" for the country; the fewer, "the better." Because, by bringing back "too many" pencils Americans are "deprived of the opportunity of producing pencils by their own labor."

The cigar maker, as a result of his trade, has only 500 pencils left for himself, and he concludes that the effect of the transaction is exactly the same as if the Government had taken one-half his cigars in the first place. In fact, he would be better off if it had, for that would have saved him the expense of his trip to Europe. He consoles himself, however, with the thought that he is helping to support the Government. His experience with the Government, however, results in a determination to trade in the future on this side of the ocean, in compliance with its wishes. He accordingly goes to the home pencil maker the next time and asks how many pencils he will give for 1,000 cigars.

The pencil maker looks at his price list and answers:

I will give you 500 pencils for your thousand cigars.
But I can get a thousand pencils in Berlin for a thousand cigars—

Says the cigar maker.

That's true—

Says the pencil maker—

but you can't use them in this country. I have great influence with Congress and have had a law passed which will take half the Berlin pencils away from you if you bring them home. Now, I am not fool enough to give you more pencils than I have to, and as 500 is the best you can do by going to Berlin, it is, under the circumstances, the best I will do for you.

The cigar maker, as a result of his second trade, again has but 500 pencils left for himself.

In the first instance the Government, in effect, took half his cigars away from him and gave him nothing in return but "good government." In the second instance the pencil maker, in effect, took half his cigars away from him and gave him nothing in return at all.

This fairly illustrates not only how "protection" interferes with the distribution of wealth and enables some people to appropriate other people's property, but it gives us an inkling of the manner in which some people grow rich and others grow poor, and it throws a flood of light on the increase in the cost of living due to scarcity.

Note that the American produces 1,000 cigars and exchanges them for 1,000 Berlin pencils. The country needs the pencils, but does not need the cigars, so the country gains by the trade. The other country needs the cigars, but not the pencils, so it is also gainer by the trade. But, on account of "protection," the American loses one-half his product because the Government takes it away from him. Between him and the Government, however, the country gets 1,000 pencils, all that is coming to it. But "protection encourages industries." The American pencil maker produces 500 pencils, which he trades to the cigar maker for 1,000 cigars. The Government gets nothing; the cigar maker gets but half what he could get under freedom; therefore there are in the country on account of "protection" 500 less pencils than there otherwise would be. Therefore the net result of "stimulating" American industries by "protection" is a net shortage of 500 pencils.

The country needs 1,000 pencils, and has but 500; it does not need cigars, and has 1,000 of them. Under freedom the two Americans could have produced by foreign exchange 2,000 pencils; but we have "protection," so must manage to get along without 1,000 cigars and 500 pencils.

By trading with a foreigner under "protection" the citizen alone meets with a loss, but by trading with home producers under "protection" the citizen and the Nation both meet with a loss. The tariff as a revenue producer impoverishes the citizen; the tariff as an "industry stimulator" impoverishes both the citizen and the Nation.

Not only does a tariff for "protection" lessen production and thereby create scarcity, which is only another word for "famine," but it also enables some people to take things away from other people without giving them anything in return.

Therefore, a protective tariff decreases the wealth of the country and causes the decreased wealth to be distributed in such a way that much of it goes to a few and but little of it goes to the many.

By the tariff tax the Government yearly takes away from the people vast quantities of their products for its support. These products are used in government work and by people employed in government work, and includes government supplies of all kinds, and food and clothing for officeholders and public servants. The value of these products in money exceeds

three hundred millions of dollars yearly. But for every dollar's worth of products taken by this tax for government use, there are many dollars' worth taken by the owners of "protected" industries for their use. This is what protectionists describe as "stimulating" industries and "developing" resources. If the owners of these "protected" industries were not permitted to appropriate other people's property they would have to produce property themselves, and if they produced it there would not be a scarcity, and "high prices" would not distress the people.

It is a "great" system. In an almost virgin country, after fifty years of "protection," we have the spectacle of numerous trusts and monopolies in continuous struggle with organized labor over the question of wages.

In Europe there are several hundred people to the square mile, while in the United States there are but 27 people to the square mile. In England and Wales there is enough land to give about 6 acres to the family, whilst in the United States each family may have more than 200 acres. England and Wales have not enough land to support their people—we have more than enough.

Yet we find American cities overcrowded. European cities are overcrowded because land is not available for the people. Such is not the case in this country. Conditions in this respect are so obviously wrong that the President—Mr. Roosevelt—was constrained to appoint a commission to inquire into the conditions of farm life in the United States. The appointment of this commission certainly is in harmony with "prosperity by legislation."

We refuse to take European manufactures, hence they can not take our farm products, for, remember, a dollar's worth of exports means a dollar's worth of imports. If we will not buy, we can not sell. We shut out foreign products by a protective tariff, which also shuts in home products; then we devise a maximum and minimum tariff for the extension of our foreign commerce. Great statesmanship, indeed!

European peoples produce more than twice as much wheat as all the people of North America, who produce but little above their own needs. European peoples work longer and harder to produce this wheat than Americans would have to work to produce it, and can not produce enough to supply the demand.

Americans, who can produce wheat with much less time and effort, are not permitted to do so. It is so much more picturesque to appoint a farm-life commission! Americans, on the contrary, are constrained to produce things at which they must work as long and as hard as Europeans, although, in the very nature of things, Europeans would exchange these very things for our farm products, and the result would be that we would get these things, and more of them, by exchange, for less time and effort than we get them now by producing them ourselves, and Europeans would get more food for the same amount of effort now exerted.

Trade in gold is free the world over, because "statesmen" think gold is wealth. Gold is produced cheaper in some places than others; yet, strange to say, no one has ever asked for "protection" for the American gold miner. He has had to go on competing with "foreign pauper labor," whilst the zinc and lead miner has had to be "protected." Now, a bushel of wheat will exchange for as much gold in America as it will in Europe. An ounce of gold, however, will exchange for twice as much cloth in England as in America. This is but one of many examples of the unnatural, or law-made, ratios of exchange.

The old familiar sophism that "low prices are all right if we only could get the dollar" is not forgotten or overlooked. This sort of reply may satisfy some people that tariff reform is dangerous, but thinking people who know that men do produce and exchange the great bulk of commodities without money will not be alarmed, and they will rest content with the assurance that men, if let alone, will produce the things they need, and will exchange them with each other. They know full well that the dollar is only a tool to make the exchange easy, and that if there is plenty of products in the land it makes no difference whether the valuation of them in dollars is high or low. It is important that there be plenty of food, clothing, and houses to go round; it is not important how these things are measured in dollars. The people want food and clothing and homes, not dollars, and the "statesmen" who argue that an abundance of dollars is the consequence of a protective tariff must believe that "money is wealth," and that a man is well off even if he go hungry, provided his "daily bread" is "high priced" in dollars.

A man who exchanges his daily product for $2, but who can not exchange his $2 for enough good things to sustain his family, is not as well off as a man who exchanges his daily product for $1, but who can exchange his $1 for enough to sustain his family. Prices are deceptive. The cost of living is measurable by the amount of work required to produce enough for sustenance and comfort; therefore, abundance and not price is the desirable thing for the Nation. Instead of looking upon abundance as an evil it should be looked upon as a blessing. Instead of shutting out Mexican oil and zinc because it is abundant, in order that we may work longer and harder to get these things in our own country, we should welcome the opportunity to get them elsewhere with less work. We should neither fear abundance nor cause scarcity.

We hear much about the "high wages" in this country and "pauper wages" in Europe. We have "protection" and high wages in this country—therefore "protection" makes wages high. They have "protection" and "pauper wages" in European countries—therefore "protection" makes "pauper wages." Wonderful logic, Mr. Chairman. But despite our "high wages," Mr. Chairman, the increased cost of living is here to plague us.

Yes; wages are high in this country, and so is the cost of living. "Increased cost of living!" That does not mean anything if it does not mean a scarcity of food and clothing and building material and household furniture. It means that too few people are producing these things, and too many are consuming them. It means that a few get too much, and many get too little. There is, in other words, a shortage of good things. The Indianapolis Tariff Commission Convention has said that "protection produces scarcity." In this connection it may not be amiss to emphasize again the fact that a failure of crops also "increases the cost of living."

In this, a virgin country, in a so-called "land of liberty," we have a system which makes multimillionaires and labor unions, idle rich who roam in foreign countries, and little children 4 and 5 years old, by the hundreds of thousands, working in the mines and factories to keep their poor souls and bodies from dissolution.

A protective tariff has a twofold action. It constrains the people to produce less, and then takes their products away from them, a part for the support of the Government and a part for "stimulating" industries.

And this is done partly in the name of labor. "O labor, what crimes are committed in thy name!"

On the one hand, Congress says to the laborer: You may not do with the products of your own labor what you want; you may not exchange them with whomsoever you will; you must content yourself with exchanging them with this man, not with that man. You may not exchange your products for a hat made in England or Germany, but you must exchange them for a "Danbury-made hat," or for some other American-made hat.

On the other hand, the courts say to the laborer: You may not agree among yourselves that you will trade with one American hat maker and not another; you may not agree among yourselves not to trade with the "Danbury hat maker."

Such an agreement is defined as a "secondary boycott," and as a "cruel" violation of property rights, and if you and your associates undertake anything of the kind you will be restrained, and if you disobey, the court will send you to jail.

What is sauce for the goose, it seems, is not always sauce for the gander.

The people groan under the load of taxation and spoliation. When they resist and cry out in protest, "it disturbs business." Business men now not only have to reckon with all the natural conditions under which wealth is produced and distributed, but they must also reckon with the unnatural conditions. They must wait with bated breath the outcome of elections, and then wait until the Committee on Ways and Means takes "evidence," and then wait until a bill is secretly written, and then wait until it is published, and then wait until it is debated, and then wait until it is made into law, and then commence all over again and wait some more. So it will always be until we are enlightened enough to abandon the notion that prosperity flows from legislation and repeal all laws intended to produce "national prosperity" and allow the law of nature, which comes from a superior intelligence and which can neither be modified nor repealed, to have its beneficent sway, and then men will be free in fact as well as in name, and business will be undisturbed by elections and sessions of Congress and peace and justice and equality will prevail. Then wealth will reach its highest production and its distribution or exchange will be unrestrained and equal. Then spoliation in the "name of the law" and under the guise of benevolence will get a setback, and the country will enter upon a long and peaceful period of natural prosperity, checked only by the act of God.

Mr. GREGG. Mr. Chairman, to our Republican friends, who have boasted so long, so loud, so persistently, and so recently of the wisdom, perfection, and all-sufficiency of the Dingley tariff bill, this extra session is the saddest they ever at-

for revenue to help support the Government (more or less economically administered), but it will further disclose the

plies of all kinds, and food and clothing for officeholders and public servants. The value of these products in money exceeds

tended. [Applause.] I wish to assure them, that while I can not mingle my tears with theirs, they have my sympathy. I am so constituted that I can not see a man or set of men in an embarrassing condition without having a compassion for them.

We are at last invited to the funeral obsequies of the Dingley bill. [Applause.] Those whom I have so often heard on this floor praise, yea, even glorify, that bill, come now not to praise but to bury it. [Loud applause.] Its erstwhile friends plaintively say that changed conditions make its repeal necessary. What conditions have changed? Nothing, except that the law has been demonstrated to be a failure. [Applause.] It failed to produce prosperity. The country struggled along well under it for a while, but eventually, notwithstanding our great resources, its burden became too grievous to be borne, and we went down into the most disastrous financial, business, commercial, and industrial collapse this country has ever experienced. [Loud applause.]

It has failed to produce the revenue necessary to conduct the Government, and under its predicted great revenue-producing effects we are now confronted with a deficit of $150,000,000 at the end of the present fiscal year. So disastrous is its failure that its burial can not be conducted with proper decorum, not even decently and in order. [Applause.] Everybody, from the President down, in wild excitement and almost in delirium is crying, "Bury it, and bury it quick. [Applause.] If not, the stench of its decomposing body will fill the land and nauseate still more the American public." [Applause.]

One more idol of Republicanism is to be dashed to the ground. One more failure of Republican statesmanship is to be written in history by the side of its other follies. [Applause.] One more tombstone is to be erected in the Republican cemetery. [Applause.] The sadness of the Republican heart at this funeral is aggravated, because it feels and knows that the party is burying its idol of protection through prohibitive tariff rates. [Applause.]

The Payne bill is framed in partial recognition of this. Here and there it makes a complete surrender, and adopts the wise and righteous Democratic idea of raising revenue. Through this bill the Republican Ruth is saying unto the Democratic Naomi:

Entreat me not to leave thee or to return from following after thee: for whither thou goest I will go, and where thou lodgest I will lodge.

[Applause.]

The next tariff bill, whether written by Republicans or Democrats, will be framed with a view to providing the necessary revenue to run the Government. [Applause.] The Republicans may not so frame it from choice, or patriotism toward the great body of American consumers, but will be compelled to so frame it from necessity. If that party continues to administer this Government, the expenses of running it will so increase that any other character of tariff bill will be insufficient to raise the revenues to meet these expenses. [Applause.]

If the Democrats come into power, after this wild carnival of Republican extravagance, it will have no other choice and will both from necessity and from a sense of patriotism toward the American people, frame a bill on that principle. [Applause.]

No bill will be framed along free-trade lines. There is no sane man but knows that free trade is absolutely impossible in this country under our constitutional taxing powers. [Applause.] The taxes to raise the bulk of the necessary revenue will always have to be tariff taxes. The governmental expenses have been increasing in almost arithmetical progression, and we have no reason to believe they will ever be reduced below a point where to meet them anything but a comparatively high tariff can be levied.

It is a libel upon the Democratic party to call it a free-trade party. It could not be if it wished. Democrats are sensible and patriotic, and they realize that many industries have come to rely upon legislation for successful continuance, and that any change of law must at every step be regardful of the labor and capital involved, and that reductions should be made so gradual as not to affect injuriously either capital or labor. [Applause.]

As said before, no party could be free trade if it wished. Any tariff bill will have to be so framed as to produce the necessary revenue, and the amount to be raised is now and will continue to be so great that the rates levied will of necessity have to be so high that in themselves and in spite of everything they will afford sufficient protection to cover the difference in cost of production here and abroad. [Applause.] This will be sufficient to put the home producer on an equal footing with his foreign competitor, and it is a sad reflection upon the energy and business capacity of our people to say that they can not then successfully compete. [Applause.]

At first the justification of the protective system was based on the idea that it encouraged the investment of capital in manufacturing enterprises and protected it after it was so invested. Now, the labor vote having become an important factor, our Republican friends claim that protection is necessary to maintain the American wage scale.

In this connection I wish to call attention to the fact that every legislative measure for the alleviation of the laboring man has been of Democratic initiative, and if passed by a Republican Congress, has been so passed because of constant twitting and goading by Democrats. [Applause.] The Democrats have been the friends of labor in all their just demands; but notwithstanding this, in every election a majority of the labor vote of the East and West has loyally supported the Republican party. They have sorely tried the patience of their Democratic friends, and let me warn them that they may wear out that patience. When they do this, woe is their condition! When the Democratic party ceases to uphold their cause, they will have no advocates in the Halls of Congress. [Applause.]

The only excuse I can find for this seeming ingratitude is that they are misled by the Republican dogma that a perpetuation of Republican ideas is necessary to the perpetuation of their wage scale. I am persuaded that this contention has been overworked. It is strange to me that any man is silly enough to believe that employers pay their employees better wages because their products are protected by prohibitive tariffs.

Do we not know that they get their labor, just as they get everything else, just as cheap as they can? The employees have always been compelled to deal across the counter with the employers, and every advance in wages and every reduction in hours of work has been contended for and accomplished by their own efforts and very often after great sacrifices by them; and they undervalue the importance of their own efforts when they credit to a tariff any increase in wages or reduction in hours of work. The employers pay existing wages because they are compelled to. [Applause.] The fact that our workingmen receive better wages than those of other countries is due to many causes, such as organization, by which they can enforce their demands, and a superior capacity of production; the most important cause being that there are so many varied occupations which our people may pursue that they are more independent and the demand sustains a fairer proportion to the supply. When our country becomes as thickly settled as the older countries and all the avenues of employment are filled up, you will then see the same scale of wages, regardless of any tariff scale we may have.

The contention of the Republicans that the wage scale is affected by the tariff is an afterthought as well as fallacious. Admitting for the sake of argument, which we do not, that any wages are affected by the tariff, it should not be forgotten that the great bulk of American laborers are engaged in work which can not either directly, or indirectly, be so affected. That eminent statistician, the late Edward Atkinson, of Boston, in an article styled "Occupations and their relation to the tariff," published in the Quarterly Journal of Economics, February, 1903, in a masterly analysis of the different occupations affected by the tariff, demonstrated that according to the census of 1900, there were:

Persons occupied in—	
Agricultural pursuits	10,381,765
Professional pursuits	1,258,739
Domestic and personal service	5,580,657
Trade and transportation	4,766,964
Mechanical and manufacturing pursuits	7,085,992
Total	29,074,117

Mr. Atkinson shows that out of the 29,000,000 persons now at work for gain, not 1,000,000 of them could be seriously or adversely affected if all duties on foreign products of a like kind were at once removed, which no one contemplates doing. If this be true, and it has not, so far as my investigation has extended, been denied or answered, should not the interest of the other 28,000,000 laborers have some consideration, and should they be unreasonably burdened to aid the 1,000,000?

Another class of our fellow-citizens who are very dear to those who wish to build prohibitive tariff walls are the farmers of the Middle West, Western, and Pacific coast States. To quiet a slight restlessness on the part of these worthy fellow-citizens of ours the Dingley tariff levied a small import duty on corn and wheat. The levy of this duty was an insult to the intelligence of every farmer in the United States. Pray tell us how many barrels of corn and bushels of wheat would have been imported into the United States if there had been no tariff?

These misguided farmers do not stop to consider what they pay in the increased prices of the clothing they wear, upon all

the woolen and cotton goods they use, upon the shoes, boots, harness, agricultural implements, tools, sugar, nails, and upon all other articles used by them in their avocations.

Mr. Chairman, in the presidential campaigns of 1900, 1904, and 1908, go where you would in Kansas, you would see miles of farmers in procession dressed in cheap, shoddy clothes, brandishing aloft cornstalk sticks, marching under banners and transparencies containing such miserable legends as "Let us stand pat, my boys," "Protection and prosperity," "We must protect our labor," "We will preserve our home market." The same humiliating spectacle could be seen in Iowa, where thousands of farmers listened to Senator DOLLIVER and Colonel Hepburn sing the glories of the prohibitive tariff. The same asinine exhibition could be seen all over the States of Montana and Wyoming, in both the Dakotas, in Idaho, and in Utah, and all up and down the Pacific coast. "Against stupidity the very gods battle in vain." [Applause.]

I want to utter a warning to Congress and the American people. The Payne bill, to a certain extent, is an abandonment of former Republican contentions, and has partly for its object the production of revenue. I warn you that it may not in any contingency, and certainly will not raise sufficient revenue if we do not begin to economize in our expenses. I do not mean that we should get down to a stingy and niggardly basis. Run the Government as a great Government, such as we have, should be run, but in doing it have some regard to businesslike administrative methods. Every department of our Government swarms with unnecessary and incompetent tax eaters; unnecessary offices and positions have been created until now employees of the Government, in different departments, are in the way of each other, and the duties of different bureaus interlap so as to produce conflict and confusion.

For forty-two years the Republican party has been in full control of one, two, or three of the departments of our Government. It began its career in the mad riot and extravagance of a dreadful civil war. Forty-four years ago the civil war ended. With the exception of eight years of Democratic control in the Executive Department our Government has been conducted on a war footing. In the fiscal year ending June 30, 1908, we paid on pensions, one of the legacies of the civil war, $153,093,086.27.

This amount of money is greater than Great Britain pays for a standing army of 254,000 men; it is a sum greater in amount than Germany pays for a standing army of 617,000; it is greater in amount than any nation of continental Europe pays for the support and maintenance of a standing army. Pensions are granted to soldiers on the theory that patriotic services were rendered in the crisis of the Government's fate; that they bravely rallied to its defense and bore themselves like heroes in the arduous conflict which preserved the Union. While I am in favor of pensions, I believe they should be paid to the deserving and the needy. Those who are already self-sustaining and independent should be dropped from the rolls, and the money paid to them should be paid to those who need it, thereby increasing the Government's contribution to their unfortunate condition.

For twelve years we have groaned under the so-called "Dingley tariff bill." Even its friends must now admit it was a tariff for the benefit of foreign nations. Under its malign operation our own manufactured products are sold to foreign nations at prices ranging from 30 per cent to 60 per cent less than they are sold to our own citizens.

In Laredo, Tex., a Remington typewriter, or typewriter of any make, is sold at a cost of 50 per cent higher than in Laredo, Mexico, about 200 yards distant on the other side of the Rio Grande. The same typewriter which brings $100 in Laredo, Tex., can be bought in Laredo, Mexico, for $50. The same discrimination is made against our own people in the sale of sewing machines, agricultural implements, barbed wire, all kinds of iron, and hardware. It is plain that every article which is sold in a foreign country for a less price than is sold to our own citizens needs no discriminating duty in its favor, and it should be put upon the free list. Steel rails are sold cheaper in Canada and Mexico than in the United States. This fact alone demonstrates that steel needs no protection whatever. Mr. Carnegie, who is perhaps more interested in the manufacture of steel than any man living, says that it needs no protection. Mr. Schwab, in the last few days, has announced that the steel industry of the United States can defy all foreign competition. It seems to me that Congress should take Mr. Carnegie and Mr. Schwab at their word and place steel upon the free list.

As we can not hope to secure sufficient revenue to support the Government, as at present administered, through custom tariff, we are compelled to resort to internal taxation, and right here we encounter another serious difficulty. Nearly every known method of internal taxation is in use in many—in perhaps a majority—of the States. If the fact that the States levy an inheritance tax forbids the General Government from resorting to this method of raising revenue, then the Government of the United States is helpless along that line. I can see no objection to an inheritance tax levied by the General Government. I favor it for the reason that when it is directly levied and collected those affected by it will most likely stir themselves and demand that an end be put to the mad riot of extravagance in the administration of the Government. Moreover, it is certainly within the power of Congress to levy a tax on the gross receipts of all corporations engaged in interstate and foreign commerce. Speaking for myself, I would favor levying a tax on the gross receipts of corporations engaged in the manufacture of products favored by a discriminating tariff duty.

These spoiled darlings of protection should be made to pay for the favors shown them by the Government. I have seen it stated that President Taft favors an income tax. While it is true that the Supreme Court has decided that the income tax levied by the Wilson-Gorman bill was unconstitutional in certain parts, still the question is an open one. That decision, when rendered, met with the approval only of those who were adversely affected by the law. It has not generally been approved by either the people or the profession. In rendering it a bare majority of the Supreme Court overruled five previous decisions of the Supreme Court sustaining the power of the General Government to levy an income tax. Should the question again come before the Supreme Court, there are strong reasons to believe that the court will again reconsider its former decision and reverse itself.

The power of the Government to issue treasury notes and make them legal tender in the payment of prior debts, in the case of Hepburn v. Griswold, was denied. In a subsequent case this decision was overruled, mainly upon the ground that when the Constitution of the United States was adopted all sovereigns had the power to issue this kind of note and make it legal tender in the payment of all debts, and that the United States, as a sovereign, had the same power. When the Constitution was adopted the governments of every foreign nation had and exercised the right to levy and collect an income tax. By parity of reasoning it seems to me that the United States Government, as a sovereign, has the power to levy an income tax.

At the close of the last Congress the able chairman of the Committee on Appropriations [Mr. TAWNEY] gave out to the country a startling exhibit of the frightful waste and extravagance of the public service, but it fell stillborn upon the ears of the public and did not produce even a ripple of reform. During the last seven years the executive branch of our Government has been conducted with a total disregard of expenses. So much time and thought was devoted to spectacular performances intended to glorify the occupant of the White House and to keep him in the limelight that no time or thought was left to the consideration of a businesslike administration of the affairs of the Government.

If a private corporation, as rich, even, as the Standard Oil Company, had conducted its business in the same way, it would long since have been bankrupt. If one of our great business administrators, a J. J. Hill or a Harriman, for instance, had been in charge of our civil establishments, he would have placed them upon business bases and millions of useless expenditure would have been avoided. The Republican party alone is responsible for this seven years of utter disregard of business principles in the administration of the Government, and I hope it will learn, sooner or later, that the people have paid too dearly for Rooseveltism.

I congratulate you, my Republican friends, upon the change you have made, for I see that our present Chief Executive is now taking steps to consolidate bureaus whose duties and work overlap, and generally reforming the departments all down the line, so as to get the greatest results for the least expense, and it is said that thereby an immense amount of money will be annually saved, without any detriment to the public service. [Applause.] It is a great scandal that this has not been done sooner.

In the brief time allotted to me, I have not been able to consider the schedules of the bill under consideration. Suffice it to say in condemnation of the whole bill, that it is generally conceded, except by those interested, that it is sectional and lays tribute upon certain sections of the country in the interest of others.

While I indorse the Democratic position on the tariff, and if we were framing a Democratic tariff bill I would be willing for my section to share its advantages and suffer its disadvantages with other sections, I will not, however, sit idly by and see the interests of my section crucified by a bill which is

framed along sectional lines. If we are forced to have a bill which is protective, then I believe that such protection should be extended equitably to all industries in all sections.

My section is largely interested in the production of lumber and rice and hides. The producers of this lumber and rice and hides are, under this bill, taxed upon everything they consume and upon the implements and machinery with which they labor, and I insist that their products should be placed upon an equal footing with others and should receive the same advantages that are granted to other products. If I am told that the last Democratic platform declared for free lumber, I answer that it also declared for a tariff bill framed along Democratic lines. We are not getting such a bill, and, as we are not, it is the duty of every Member of Congress to do the best he can for his district and section, and it becomes his duty to see that his district and section do not suffer all the disadvantages without getting any of the benefits. In legislation, as in everything else, we ought to apply practical common sense. If a law is being enacted which we can not prevent, it becomes our duty to minimize as much as possible the evil effects of such law upon our own people. If a bill is to be adopted which applies the principles of protection, we should insist that these principles be fairly and impartially applied. To say that those principles should be fairly and impartially applied is not by any means equivalent to saying that those principles are correct.

Mr. Chairman, I have but little hope that any reasonable or just tariff law will be enacted by this Congress. The Senate of the United States is the fortress of the protected interests. While under the Constitution all bills raising revenue must originate in the House of Representatives, the Senate may propose or concur with amendments, as on other bills. As a matter of fact, the Senate not only proposes amendments and concurs with amendments, but it also substitutes whole clauses, sections, and paragraphs—the whole bill in short. The House proposes; the Senate disposes. Whatever bill we pass here will be returned to us torn, dismembered, and disfigured beyond recognition, and made more sectional in its effect and operation. Mr. Chairman, I have faith in the honesty and intelligence of the American people. There are signs of an awakening all over our country. A better time is coming. The fight will go on until a just and a reasonable tariff law is enacted, and a fiscal system devised which will grant special favors to none and give equal opportunity to all classes of our fellow-citizens without regard to section, locality, or class. [Applause.]

[Mr. SAUNDERS addressed the committee. See Appendix.]

Mr. HAMMOND. Mr. Chairman, in the brief time allotted to me I can not, of course, make a speech on the tariff. The things I shall say may more properly be denominated, as they frequently are in the RECORD, "remarks."

Throughout the country for several years there has been a demand from the people for a revision of the tariff schedules. This demand did not come from the beneficiaries of the tariff system, but rather from the great body of consumers throughout the land.

This bill when it is finally perfected will be the answer of Congress to that demand, and the bill as it leaves this body the response of the House to the consumers of the United States. In the ordinary course of proceedings many gentlemen appeared before the Ways and Means Committee to enlighten that committee upon the conditions affecting the various schedules to be considered, but unfortunately they who came before the committee were not representatives of those who made the demand for tariff revision. The consumers are not represented in this controversy at all, except in so far as the Members in this House see fit to represent them. Glove makers, hose makers, watchmakers, boot and shoe makers, and all other makers of goods protected by the tariff schedules appear by themselves and by their attorneys, but the consumers, the persons who made the complaint, and the persons who ask relief, are not represented.

It is not too much to say that the great majority of the persons who demanded revision looked for downward revision; and when the answer of this body and of the whole Congress is returned they will first of all inquire if their demand has been considered and if an answer such as they are entitled to have returned to them has been given.

First of all they will be told, and they will know it if they examine the recapitulation on the last page of the estimated revenues, that under the present tariff law the average ad valorem tariff rate is 44.16 per cent, but that under the proposed bill, the answer to their demand for reduction, it is 45.72 per cent, an increase of nearly 2 per cent to the duties of which they complain and which they condemn as too high.

True, here and there will be found reductions. There has been a reduction upon cattle hides. There has been a small reduction on refined sugar. There has been a reduction on barley. Have these reductions been made upon the request of the great consuming body of this country? I come from a district producing hides, but I know that we can not expect to have all tariffs adjusted for our benefit; and under certain conditions I would be willing that the hide tariff should be reduced or removed entirely. But one of the conditions I should insist upon would be that if we have duties cut down upon products we send out, then we must have the duties cut down on the things we have to buy.

Under the act of 1897 hides of cattle, raw or uncured, whether dried, salted, or pickled, bear an import duty of 15 per cent ad valorem, but skins and hides weighing 25 pounds or less if green, and 12 pounds or less if dried, are held to be raw skins and admitted free of duty, and during the fiscal year ending June 30, 1907, nearly 49,000,000 pounds of calfskins, valued at $11,163,702.51, were imported into the United States free of duty. Now it is proposed to admit free of duty cattle hides formerly bearing a tax of 15 per cent. In the better grade of shoes, I am informed, leather made from these cattle hides is used for the soles and heels only, but the heavy shoes, the cheaper shoes, used to a large extent by the very men who raise and sell cattle, and for whose benefit this 15 per cent tariff tax on hides has been imposed, are made of leather obtained from cattle hides. Under the proposed bill shoes are protected by a duty of 15 per cent ad valorem. If the man who produces hides and puts them upon the market for sale is to have no protection, why should the shoemaker who makes boots and shoes out of these hides and puts them upon the market for sale be protected by a 15 per cent duty? Of course, labor is expended in the manufacture of shoes, and it is claimed that the wages paid labor are greater in this country than in other countries, and, therefore, the products of the better-paid labor ought to bring better prices in the market; but is the labor expended in the manufacture of shoes better labor, more valuable to the country at large, than the labor of the cattle raiser? If our tariff laws be designed for the raising of revenue, let all our people bear alike the burden of the taxes. If the tariff laws be designed for protection, let all equally share in the protection afforded. If there is to be no tariff duty imposed upon the cattle hides of the farmer, which he sells, then let there be no duty on the shoes made from those hides, which he buys. Until boots and shoes are put upon the free list, I am opposed to the hides of cattle being placed upon the free list. The demand for free hides has come from the manufacturers of boots and shoes, and some of them are willing that the duty be taken off their products, providing it is taken off the raw materials they manufacture; and this is fair.

I present again the letter from the Wolfe Brothers Shoe Company, of Columbus, Ohio. This company declares that, with free hides and with cheap raw material, the American shoe manufacturer needs no protection.

THE WOLFE BROTHERS SHOE COMPANY,
Columbus, Ohio, March 30, 1909.

Hon. W. S. HAMMOND,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list. The American shoe manufacturer needs no protection. With free hides and cheap raw material the American shoemaker can shoe the world.

Very respectfully,
THE WOLFE BROS. SHOE CO.
R. F. WOLFE, *President.*

The placing of hides upon the free list and leaving a duty upon boots and shoes will benefit only the manufacturers of boots and shoes. It will decrease the revenue of the country and furnish another instance of a tariff for the benefit of the few at the expense of the many.

Then the duty on barley, which has been 30 cents a bushel since the act of 1890, by this bill is to be reduced to 15 cents a bushel. It is interesting to learn from the published hearings before the Ways and Means Committee from whom the demand for a reduction of this duty comes. The great barley-producing States of the Union are Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and California, and while some barley is used for feed, nearly all of it is converted into barley malt for the brewers. In western New York there are a number of maltsters, and, because their plants are at a distance from the barley-producing areas, they are obliged to pay heavy transportation charges on the barley they manufacture. It seems that the land near their establishments will not produce so good a grade of barley as is raised in the West, but across the line, in Canada, the farmers can raise a most excellent product.

Now, the persons who desire the barley rate reduced and upon whose statements the Ways and Means Committee has acted in making the reduction, are these New York maltsters. There is no claim that the reduction of the duty will give to the country a greater revenue, so this reduction has not been made for revenue purposes. We have been told time and time again that the purpose of tariff legislation is to furnish, first, protection to our own industries, and incidently to provide a sufficient revenue for the needs of government. This reduction is not a revenue measure. Then it must be defended upon the ground that it protects our American industries. How does it protect them? These New York maltsters say that if the tariff is reduced on barley, then the Canadian farmers near the New York line will raise barley and ship it into this country where it will be made into barley malt. This, then, might appropriately be called a tariff adjustment for the purpose of encouraging Canadian industries, instead of a tariff for the purpose of encouraging American industries. I can not vote to reduce the duty upon barley to aid the farmers of Canada and half a dozen maltsters in western New York at the expense of the barley growers of the United States. In this connection I desire to read a letter from a Canadian malting company addressed to the Electric Malting Company, of Minneapolis, Minn.:

THE EATON BROTHERS MALTING COMPANY,
Owen Sound, March 22, 1909.

Messrs. ELECTRIC MALTING COMPANY,
Minneapolis, Minn.

GENTLEMEN: We are in receipt of your letter of the 19th instant, asking us for information regarding barley. In reply we beg to say that we are at present paying the farmers 60 cents per bushel for good malting barley. We are having to pay dealers at points of delivery, throughout the Province, 65 to 66 cents per bushel in carloads.

It is almost impossible to estimate with any degree of accuracy the quantity of barley still in the hands of the farmers. The farmers in this neighborhood are, as a rule, exceedingly well off. Most of them use all of their barley for feed, excepting on occasions when prices rule very high. Then they bring the barley onto the market instead of using it for feed.

In answer to your questions regarding your tariff on barley, we think it should not exceed 10 cents per bushel. If you want Canadian barley you must do something to stimulate its cultivation among the farmers. There is not the least doubt but you could import Canadian barley with greater advantage to yourselves. If your tariff were low enough to justify your starting into buying on this market, it would arouse interest among the farmers, and, no doubt, before many years they would be raising as much barley as they did in the eighties, when such enormous quantities were exported from Ontario into the United States. That was before the McKinley bill and the Dingley bill were enacted.

The requirements for malting barley in this country are small; not enough to make any difference to the cultivation of that cereal. According to the government statistics, the quantity of malt manufactured in Canada does not exceed 3,000,000 bushels per year. You will see by this that there is not encouragement to the home industry of malting to stimulate the cultivation of barley.

We shall be pleased at any time to correspond with you on this matter and to impart to you any information we may possess.

We beg to remain, gentlemen,
Yours, truly,

THE EATON BROS. MALTING COMPANY,
CHRISTE EATON.

There is a slight reduction in the duty on sugar. Sugar which has gone through a process of refining is now taxed 1.95 cents per pound. The proposed bill reduces it to 1.90 cents a pound. The sugar schedule is both a revenue and a protective tariff. The Government receives from $50,000,000 to $60,000,000 a year in sugar duties. Louisiana produces a little less than 350,000 tons of cane sugar, and this year it is estimated we will produce nearly 400,000 tons of beet sugar. The sugar duty affords protection to the producers of about 750,000 tons of sugar, but this amount is less than one-quarter of the sugar we use each year. The average wholesale price of sugar in 1908 in the London wholesale market was 2.70 cents a pound; in the New York wholesale market it was 4.96 cents a pound. We are paying, therefore, nearly twice as much for sugar here as it is sold for in London. A prominent member of the Ways and Means Committee is reported to have said, in reference to the sugar tariff, that—

Investigation into the subject proved very irksome and troublesome; it was impossible to get at the exact facts, as the experts were not inclined to reveal the secrets of their business to the Committee on Ways and Means.

The following computation may not be exact, but it is at least interesting: The American importation of 3,726,339,201 pounds at the average New York wholesale market price of 4.96 cents makes a total wholesale cost of $184,826,424. The same number of pounds at the English wholesale price of 2.70 cents gives a total cost of $100,611,158. The difference between the two is $84,215,266.

Now, what becomes of this $84,215,266 paid by the consumers of sugar in the United States? The sum of $52,232,041 found its way into the United States Treasury through the duties collected, the balance, over $30,000,000, went somewhere else. Since the sugar trust practically controls the sugar industry of this country, and is the institution principally interested in maintaining the high protective tariff upon sugar, it is not difficult to guess where over $30,000,000 paid out by the consumers of sugar in this country found lodgment, nor is it very difficult to understand why the members of the Ways and Means Committee found that an investigation into the subject of sugar "proved very irksome and troublesome," and why it was "difficult to get at the exact facts," and why the sugar experts were "not inclined to reveal the secret of their business." The American consumer of sugar is paying too much for the protection of the comparatively small amount of sugar produced in this country. I think the producers of cane sugar and the producers of beet sugar should receive protection as well as the producers of barley or the producers of wheat, but a tax of 80 per cent upon sugar, and that is practically the duty it bears, is too great, and the reduction instead of being five one-hundredths of 1 cent a pound should be ninety-five one-hundredths of 1 cent a pound, leaving for the present, in view of the great need of the country for revenue, a duty of 1 cent a pound on refined sugar.

The American consumer will be grievously disappointed with some of the items of this bill. It proposed to tax tea at 8 cents and 9 cents a pound—this for purely revenue purposes. Even yet we sometimes hear Democrats called "free traders," and sometimes learned and wise men in attempting to show the differences between Republicans and Democrats upon the tariff question declare that the Republicans are in favor of duties upon articles competing with products of the United States, which is protection, while the Democrats favor duties on articles that do not compete with the things produced in the United States—a revenue tariff.

Here we find a Republican committee, the majority of whom are "standpatters" and extreme protectionists, proposing a duty upon a noncompeting article for the purpose of revenue and revenue alone. As a matter of fact, a tariff bill enacted by either party will furnish protection and a great deal of it to American industries. I do not object to the protection afforded by a tariff bill, but to inequalities in protection. In making a tariff bill to-day we seek to put in it as much protection as possible and to get out of it as much revenue as possible. The needs of the Government are imperative, we must have a sufficient income to meet our necessary expenditures, and the time may come when it will be necessary to tax tea and coffee and other noncompeting products, but it is not necessary to do it now, and the necessities of life are the things that should escape the burden of taxation the longest. When all other means have been exhausted and the income of the Government is insufficient, the necessities of life must be taxed; until then they should not be taxed unless it be for the purpose of equalizing protective duties. The added duty proposed would increase the cost of teas practically 10 cents a pound, an increase of from 30 per cent to 40 per cent upon the present prices. Tea is not a luxury, but a necessity, and it should remain where it is—on the free list.

The Dingley tariff affords the American manufacturers of hosiery an advantage of about 65 per cent over foreign manufacturers. Under this substantial advantage over competitors the production of hosiery in this country has increased. The value of men's half hose manufactured in this country in 1900 was a little over $11,000,000. In five years it increased to $17,438,914—about 58 per cent. Ladies', children's, and infants' hosiery manufactured in 1900 were of the value of $16,205,372; and in the same space of time the amount was increased to $26,152,043—about 61 per cent. This does not indicate that the hosiery manufacturers of this country are suffering on account of disastrous competition, and the consumers of this country are not complaining because of the low price of stockings.

Yet, in this bill revising the tariff, we find instead of a reduction of duties, large increases. On hosiery valued at $2.68 a dozen, now taxed 59.78 per cent, the duty is raised to 70.98 per cent, an increase of 11.20 per cent; hosiery valued at $1.93 a dozen, now taxed at 51.23 per cent, is raised to 66.75 per cent, an increase of 15.52 per cent; hosiery valued at $1.39 a dozen, now taxed at 58.17 per cent, is raised to 76.16 per cent, an increase of 17.99 per cent; hosiery valued at 93.6 cents a dozen, now taxed at 68.39 per cent, is raised to 89.75 per cent, an increase of 21.36 per cent; and let it be noticed that the cheapest grade of hosiery, of which there is imported more than one-half of all the hosiery imported, is taxed the highest at the present time, and under this bill suffers the greatest percentage of increase of tax. This does not appeal to one as an attempt to put the burden upon the luxuries of life instead of the necessities. This revision has not been made for the benefit of the

cent, an increase of nearly 2 per cent to the duties of which they complain and which they condemn as too high.

the line, in Canada, the farmers can raise a most excellent product.

consumer at large, but for a limited number of Pennsylvania manufacturers.

The glove manufacturers of Fulton County, N. Y., appeared before the committee and received substantial recognition to the cost, if this bill becomes a law, of the American consumer. The makers of this bill, who would reduce a 15 per cent duty on hides for the benefit of the New England boot and shoe manufacturers, are very kind indeed to the New York glove manufacturers. Gloves valued at $3.01 a dozen, now protected by a duty of 58.13 per cent, increased to 132.86 per cent; those worth $3.89 a dozen, now protected by a duty of 55.28 per cent, are to have 113.12 per cent; those worth $4.42 a dozen have a protective duty raised from 56.60 per cent to 90.56 per cent; those worth $10.50 a dozen, now protected by a duty of 42.85 per cent, raised to 51.42 per cent; those worth $16.36, bearing a duty of 31.48 per cent, raised to 35.44 per cent. And, again, observe the method of putting the tax upon luxuries and not on necessities—gloves worth $3.01 a dozen, taxed at 58.13 per cent, are now to be taxed 132.86 per cent, while the gloves valued at $16.36 a dozen will have the tax increased from 31.48 per cent to 35.44 per cent.

Mr. Chairman, the people of the country, it seems to me, would be better satisfied if the glove revision were downward instead of upward. Possibly the revenues of the Fulton County glove manufacturers might not increase so rapidly, but they would still be sufficient to enable them to keep their automobiles.

Behold the glove maker who has the benefit of a tax of 132 per cent on a cheap glove riding in an automobile bearing a tax of 45 per cent. Are we taxing luxuries or necessities?

Calamine (zinc ore), now admitted free of duty, is given tariff protection to the extent of $22.40 per ton—100 per cent. In the last campaign Speaker CANNON visited the Joplin (Mo.) zinc district and, in substance, informed the people of that district that if they wanted a tariff on zinc ore they should elect a Republican Congressman in place of the Democrat then representing that district. He put his hand on the shoulder of the man he desired the district to send to Congress. That gentleman was elected, voted for Mr. CANNON for Speaker, supported the so-called "Cannon rules" and, no doubt, supports the present tariff bill. The Joplin district is rewarded by this 100 per cent tariff, while the people of the whole country will pay a little more for the zinc they purchase and for the manufacture of zinc. For years the zinc industry has flourished without any tariff, but there are zinc mines in Mexico producing a 32 per cent ore, while the Joplin mines produce a 60 per cent ore; this, and the fact of the proximity of the smelters to the Joplin mines would indicate that the industry might struggle along without 100 per cent protection.

But, turning from the direct increases granted by this measure, let me call your attention to a few of the indirect methods by which certain industries secure favorable tariff legislation. Paragraph 637 provides that petroleum, crude or refined, shall be admitted free of duty. Then follows this provision:

Provided, That if there be imported into the United States crude petroleum or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty on said crude petroleum or its products so imported equal to the duty imposed by such country.

Russia and, possibly, Mexico—the only countries from which petroleum or its products might be imported into the United States—levy duties upon imported petroleum, and through this provision petroleum and its by-products enjoy now a tariff duty of about 100 per cent.

In paragraph 424 coal is taxed 67 cents a ton, unless exported from a country, dependency, province, or colony which imposes no tax or duty on it when imported from the United States. Whether or not we shall have free coal in this country—and we ought to have it—depends upon the action of other countries instead of the action of our own Congress.

I believe if we are permitted to vote upon the question lumber will go on the free list. The bill provides for the reduction of the tariff $1 a thousand feet, but paragraph 197 provides that if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, and so forth, then the duties prescribed in section 3 of this act shall apply, and section 3 directs that each article mentioned in paragraph 197 shall bear "the same rate of duty as prescribed by the law in force prior to the passage of this act." Such duties are now levied in Canada, from which country lumber, if any at all is imported, will come, and if the proposed law is enacted all lumber imported from Canada will bear, under the terms of the provision to which I have called attention, exactly the same duty that it bears to-day. So there is absolutely no reduction whatsoever in the lumber duty.

The tariff on cotton goods remains apparently the same in this bill as in the Dingley law, but the duty is fixed largely by the number of threads per square inch. The greater the number of threads to the square inch the higher the tariff duty. Section 318 of this law provides that "each ply of two-or-more-ply thread shall be counted as a thread. Much of the imported cotton goods contains threads which are of two or more ply, and the effect of this provision is to count more threads to the square inch and thus remove cotton cloths from the low-duty schedules and place them in the high-duty schedules. By reason of this provision some cotton goods now bearing a tariff duty of 2½ cents a square yard will carry a duty of 4½ cents a square yard, and in this way the duties on cotton goods are increased. Then, much of the cotton cloth imported is mercerized, at least it is given a luster, and by paragraph 321 of the act "all cotton cloth mercerized or subjected to any similar process" shall pay a tax of 1 cent per square yard in addition to the other duties imposed. So, by these two very innocent provisions, the duties upon cotton cloth are very largely increased; and right here I would read a letter from F. B. Shipley, chairman of a committee representing a large number of wholesale dry goods houses:

NEW YORK, *March 27, 1909.*

Hon. W. S. HAMMOND,
Washington, D. C.

DEAR SIR: The undersigned, a committee representing 70 wholesale dry-goods houses, respectfully ask your attention to the inclosed press clippings, showing that the effect of the "joker" paragraphs, 318 and 321 of the cotton-goods schedule of the Payne tariff bill, would greatly raise duties, and frequently double them and more.

As the provisions are technical, it is certain that the gentlemen who drafted the bill did not realize that these provisions were prohibitive.

Our special committee of experts is at your disposal to demonstrate this raise.

Cotton-goods statistics show that American mills do not need any protection on the goods they are equipped to produce. In neutral markets they have so well been able to compete that their exports have rapidly grown, and in 1906 equaled $52,944,033.

The average dividends of the principal Fall River mills affected were, in 1907, a panic year, 25.5 per cent; in New Bedford, 25.2 per cent. A prominent illustration is the Dartmouth Manufacturing Company, which paid 66 per cent last year, and on February 24 last an extra dividend of 100 per cent. This mill makes precisely the class of goods which these paragraphs are designed to prohibit. All of these dividends are in addition to enormous salaries paid to officers.

American mills do not sell their products on an ordinary profit basis, but adroitly fix their prices just below those at which similar goods can be imported.

The net result of these paragraphs, if permitted to become law, will be to greatly reduce revenues by prohibiting importation; to permit a few New England mills to manipulate prices at will, and to repeat their action of 1907, when they arbitrarily raised prices more than 50 per cent, although there was no corresponding increase in cost of production; it will drive many importing houses out of business and work a hardship on 28,000 American retail merchants and add an additional burden to the whole American people by increasing the cost of a primary necessity of life.

No question of politics is involved. The whole people are united in the conviction that the tariff should be reduced rather than raised.

President Taft said, on December 16 last: "I believe that the way to stamp out trusts and monopolies is to avoid excessive rates, which tempt monopolies."

An average tariff of 20 per cent on cotton fabrics is ample to protect American manufacturers from any possible difference in cost of production, and its only effect would be to compel them to run their mills on a fair capitalization and charge reasonable profits.

Respectfully submitted.

F. B. SHIPLEY,
49 Leonard street,
Chairman Committee on Publicity.

Coffee, of course, in paragraph 533 remains on the free list. Then follows the provision that if any country, dependency, province, or colony shall impose an export "duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon." In the year ending June 30, 1907, there were imported into the United States 982,254,832 pounds of coffee, and of this amount 778,609,591 pounds came from Brazil. Brazil does, and has for some time past, imposed charges and taxes upon coffee, at least certain provinces of Brazil have imposed such charges and taxes. Therefore under this provision the coffee coming from Brazil to this country would be subjected to a duty equal to the taxes, imposts, and charges upon it in Brazil. It is claimed that the duty imposed by this country upon such coffee would be less than 1 cent a pound; but from such information as I have been able to obtain, I believe that upon the cheaper grades of coffee a tariff tax equal to all charges, duties, and imposts of the Brazilian Government thereon would be in the neighborhood of 4 cents a pound. The consumer, therefore, would have that much more to pay for each pound of coffee purchased by him. Those who say that in case this duty were imposed the merchants and middlemen would pay it, and not the consumers, will deceive no one. Even if the profits of the merchants and middlemen were so great that they

could afford to pay the duty on the coffee sold by them, they would not pay it. The consumers know from bitter experience that no one is looking for a chance to pay taxes, and they are pretty well satisfied that no one other than themselves will pay taxes upon the things they buy. The profits of the merchants are not so great upon the cheaper grades of coffee that they could afford to pay out of them this tariff tax even if so inclined. I desire to read a letter received from Sprague, Warner & Co., wholesale grocers, of Chicago, Ill.:

SPRAGUE, WARNER & CO., (INCORPORATED),
WHOLESALE GROCERS,
Chicago, March 31, 1909.

Hon. WINFIELD S. HAMMOND, M. C.,
Washington, D. C.

SIR: Believing that Members of Congress desire to be informed upon the question of the distribution of coffee in this country, in view of the present discussion of this article in reference to the new tariff bill, we take the liberty of submitting for your consideration the following facts:

The lowest grade of Rio or Santos coffee that is merchantable is now selling in lots of 1,000 bags or more for 8¼ cents, New York. The cost of handling and transporting the same to this market costs, approximately, three-eighths of a cent per pound. The shrinkage in roasting is about 16 per cent, or 1⅜ cents per pound. The cost of roasting and insurance, including expense of handling, but without any charge for storage, amounts to about one-half cent per pound, making the lowest possible cost to us, as distributers of coffee, 10¼ cents per pound. We sell this grade of coffee at a very close margin of profit, the average of which would be less than one-half cent per pound. Retailers of coffee sell this grade to consumers at from 12½ cents to 15 cents per pound. The suggestion that is reported to have been made, that this grade of coffee is sold at from 35 cents to 40 cents per pound, is entirely without foundation in fact. We do not believe that this grade of coffee is retailed in any part of our country at a price exceeding 20 cents per pound. We also believe that we should be warranted in affirming that in no instance has there been a pound of this grade of coffee retailed at 35 or 40 cents per pound. If, however, there has been any sale made by any unscrupulous merchant at either of the prices mentioned, we are very sure that for every single pound that has been retailed at such prices there have been 10,000 pounds retailed at 12½ cents per pound or less. The margin of profit to all handlers of this grade of coffee is exceedingly small, and this fact should be borne in mind in giving consideration to this question.

We are roasters and distributers of high-grade coffees that sell for 40 cents and even 50 cents per pound at retail, but these are coffees that are imported from other countries, and their cost to us is in proportion to the increased price to the consumers.

We are, we believe, among the leading distributers of high-grade coffees, but from our experience we feel warranted in saying that fully 75 per cent of all the coffee consumed in this country is purchased by the consumer at from 12½ cents to 25 cents per pound. Very little coffee is sold "green," but when sold it is upon a margin of profit even narrower than that shown for roasted coffee.

So far as we have knowledge, the preparation and the sale of coffee to consumers is upon as reasonable a basis of merchandising as any article now sold by the merchants of this country. It should be borne in mind, however, that entering into the cost of this article are the items of transportation, insurance, labor, packages, and the usual expense items entering into the cost of other manufactured articles.

While the taxing of coffee would undoubtedly create no financial loss to us, still we regard it as a most unwise measure, and believe that nothing Congress could do would tend to destroy public confidence and create dissatisfaction among the greater portion of our citizens more than to place a tax upon tea and coffee, which are now regarded as necessaries in the family food supply.

The only object of this letter is to invite you to a careful consideration of this question, and before passing judgment upon it to ascertain the facts.

Very respectfully, yours,

SPRAGUE, WARNER & CO.,
By M. A. DEAN, *Treasurer.*

I must not occupy more time, but let me say that the duties to which I have called attention are the so-called "minimum duties." Under sections 3 and 4, should any country fail to admit any article imported from the United States on terms as favorable as if it were imported from another country, province, dependency, or colony, the maximum duties would apply to imports from such country into the United States, and those duties are the minimum duties plus an additional duty, generally 20 per cent of the minimum duty. Thus wherever there are trade agreements or trade arrangements between foreign countries where a preferential duty is established more favorable to the contracting parties than to the United States, the maximum duties would be at once established, and the tariff duties upon imports from the countries entering into such trade arrangements be largely increased.

This act is intended to provide revenue, equalize duties, and encourage the industries of the United States. The revenue we must have, and to obtain it there must be importations from other countries. Revenue can not be secured through duties that prohibit importations. We ought to have competition in our markets, and only such protective duties as will enable the American manufacturer or producer to meet competition from abroad under equal conditions. The duties should be equalized. One class of labor is as much entitled to protection as another; one manufacturer should be given as much advantage as another; one producer should receive from tariff legislation as much benefit as another. Our industries should be encouraged, not only to control the American market but to find a place in other markets. We can well afford to permit importations of manufactured articles from countries where we may ship our products. Our cotton, our grain, our cattle, and our manufactured articles are in demand in many foreign markets, and their export should be encouraged. The domestic market is of great value, but it is not the only market. American industry and American progress seek the markets of the world and are not content to exploit the home market alone.

I favor liberal drawback provisions so that the American producer and American manufacturer may not be handicapped in their effort to find new markets for American products, and to carry around the globe the evidences of American skill and American effort. We are big enough and strong enough to meet competitors here and abroad without burdening the American consumer with heavy taxes and excessive charges. [Applause.]

Mr. LEVER. Mr. Chairman, it was not my intention to take part in the general debate upon the pending bill, and I shall do so now only briefly and to uncover a patent wrong against my section, preferring, as I did, to discuss its various schedules under the five-minute rule and when action was being had. The press reports give us to understand, however, that a rule will be brought in by the majority on Monday, or some time during next week, which will cut off the discussion of the bill by item and prevent any amendments to it except such as have been agreed to by the majority of the members of the Ways and Means Committee. You have thrown away two weeks in a useless, ridiculous, farcical, so-called "discussion" of the bill in what you call "general debate." It has not been a debate at all except in a few instances. You Republicans, divided as you are between those who want no revision of the tariff except a revision upward, and those who would in good faith keep the pledges of their platform and have a bill which gives real revision and relief, are permitting this debate not for the benefit that may come of it, but for the sole purpose of getting time in which to bring together your warring factions. It is not general debate that the country wishes; it is not long-drawn out academic discussion; the country demands and expects a discussion of this bill item by item, with the right accorded Democrats and Republicans alike to offer amendments to it item by item.

Your rule will prevent this. Your rule means, in fact, that the 12 Republican members of the Ways and Means Committee, and not the chosen Representatives of all the people, will make the bill that passes this House and is sent to the Senate, which, when it reaches that body, will be chucked into the waste basket of the Senate Finance Committee, there to sleep the sleep that knows no waking. The Senate Finance Committee will proceed to give the country its next tariff law, and, while it may bear the name of the "Payne law," it will probably have precious little of the handiwork of the distinguished chairman of the Ways and Means Committee of the House in it. This is the procedure that the country is to witness in the near future, and all this debate and discussion and furore we are now having will go for naught. This is not as it should be. The House of Representatives, under the Constitution, is charged with the responsibility of providing the revenues for the Government; but, under your rules, the rules of the majority, the House of Representatives has become so impotent as a legislative body, so absolutely unresponsive to the wishes of the people, that they have had to turn to the Senate for whatever of real discussion and legislation they seek. Why are we not permitted a discussion of this bill by items? Why are we not allowed to offer amendments to it freely by items? What if it does take a little more time? The country is willing to stand for a reasonable delay if, in return, you will give it a real downward revision of the tariff. Why this haste in putting through this most important piece of legislation that will affect the country in the next ten years? Why are Members—the immediate, direct personal representatives of the people—denied the right of speaking for the people through such amendments as seem wise and just to them?

When the Payne bill was given to the press, it was hailed as a magnificent piece of legislation, in full accord with the Republican platform, and meeting in every respect the demand of the country for revision. Every interest and section of the country were represented as being satisfied with it, rapturously satisfied with it. It is different to-day. Every interest seems to be dissatisfied. The consumers are being heard from. The people at home are using the mails, and you Republican gentlemen who were falling over yourselves at first to support the Payne bill are now falling over yourselves to get out of the way of it. [Applause.]

The more it has been studied the more vicious and obnoxious it appears. It is filled from one end to the other with "jokers," frauds, and deceptions. Its very title, viz, "To provide revenue,

equalize duties, and encourage the industries of the United States, and for other purposes," is a fraud and deception, for it does not equalize duties; nor is it built upon nonsectional lines. It is an effort to deceive the people by apparently reducing rates in their interests, when, as a matter of fact, the rates have been raised covertly and by hidden paragraphs. This is true of lumber, petroleum, coffee, and commercial fertilizers—these many jokers have already been discovered. No man on earth can tell how many more are in the important sections 3 and 4 of the bill. I dare say there is not a man in this House, not even the chairman of the Ways and Means Committee, who is alleged to be the best posted man in the House on tariff matters, who can give a thorough and comprehensive statement in detail of the duties that are imposed by these two sections. They are a Chinese puzzle, covering up no man knows what and bearing on their face a strong suspicion of deception.

Mr. Chairman, this is strikingly illustrated—yes, demonstrated—in the matter of a duty on commercial fertilizers. Paragraph 576 of the bill puts guano, manures, and all substances used only for manure on the free list, permitting that schedule of the Dingley bill to stand. Paragraph 652 puts potash, sulphate of potash, muriate of potash, and all potash salts upon the free list. This is the way it looks on the face of the bill, but a more careful study of the bill, a closer investigation of it, discloses that a possible duty on potash salts of 20 per cent ad valorem is carried in sections 3 and 4, the sections that carry the so-called "maximum and minimum rates." This is seen by a reference to page 152 of the bill, where section 652, apparently on the free list, is made amenable to the maximum and minimum rates carried in these sections. I think no one can deny that these sections were intended, in the end, to keep in effect the Dingley rate and in some cases to increase it. This is certainly true of sulphate and muriate of potash.

Germany, from which we import the bulk of our muriate of potash, has a tariff on potash salts. But even if this were not the case, section 4 provides that Germany or any province, dependency, or colony must give to the United States the same rate of duty as it gives to every nation of earth, and this is the important language of the section, "upon each and every article imported into said country."

In other words, if Germany, or any other country for that matter, should, to secure some important treaty right, give the least concession upon the least article of trade and to that extent discriminate against the United States, then the maximum duty automatically applies to imports from her; and in the case of commercial fertilizers, muriate of potash would be dutiable at the rate of 20 per cent ad valorem.

Now, what will a 20 per cent duty on muriate of potash mean to the farmers of the South Atlantic States? The Department of Agriculture estimates that the farmers of the country use annually $110,000,000 of commercial fertilizers, and of this amount $90,000,000 is consumed by the South Atlantic States—about 87 per cent of the total for the entire country. South Carolina alone, small in area as she is, expends annually $15,000,000 for commercial fertilizers. Of the total amount of fertilizers consumed in the South Atlantic and Southern States, $10,000,000, according to the best available information, is expended for muriate of potash, which is one of the necessary constituents of a complete fertilizer, the kind most usually used by the southern farmer. It is the potash of your ordinary 8:2:2 fertilizer and is supposed to give fruit to the crop, although this has not been scientifically demonstrated.

A 20 per cent duty ad valorem on $10,000,000 worth of muriate of potash consumed in the Southern States annually means a $2,000,000 annual tax upon the southern farmers. It means to South Carolina alone, to her farmers, an additional burden, for it must be understood that all potash salts are on the free list in the Dingley law, of $320,000 a year. It is to protest against this flagrant disregard of the rights of the southern people, this outrageous imposition upon them, this surreptitious attempt to saddle an additional load upon them, that causes me to raise my voice on this occasion. This is a covert method of discriminating against them, of making them contribute out of their pockets to the Federal Government this added tax. The southern farmer does not wish, nor has he ever wished, to escape any of the burdens of the Government. He is willing to carry his share of the necessary evils of government, but he does protest against an unjust discrimination against him; he does protest against being made the burden bearer all the while, and getting so little in return for it; he does ask that same treatment for himself that is accorded every section of the country; he does demand that taxation throughout the country shall be levied without regard to sectional lines; and he does protest against the building up of one section of the country at his expense.

The demand for muriate of potash is growing day by day, and hence this new duty upon it means an increasing burden upon the farmer, and the next ten years will in all probability see the use of it doubled, with a consequent doubling of the tax.

The policy in tariff legislation heretofore has been to put guanos and manures upon the free list, and I venture to assert that there can be given no good reason at this time why this important element of all commercial fertilizers should be placed upon the dutiable list. It can not be claimed that it is imposed for the purpose of nurturing and building up some infant American industry—an argument behind which is planted the high-protective system with all of its inherent wrongs and injustice—for every pound of muriate of potash consumed in this country is imported, the largest supply coming from Germany. There can be but one reason for the imposition of this tax upon the southern farmers, and that is that it is a source of revenue. But, in the name of justice, does not the South, which is largely agricultural, already contribute more than her just proportion of federal taxation?

The truth is, Mr. Chairman, that the farmers, North, East, South, and West, who are the greatest producers and, at the same time, the greatest consumers of the Nation, will, as a class, find no relief in the Payne bill, but on the contrary will, as too usual, find themselves bearing the brunt of providing for the revenues of the Government, and, at the same time, under your theory of high protection, contributing out of their earnings to the upbuilding of certain favored industries. Strange it is that he does not make his voice heard. He is more directly affected by the tariff than any other class, and yet he does not maintain a lobby at Washington; he does not give any elaborate banquets for the entertainment of Members of Congress. He expects his Representatives to give heed to his interests, and how badly he is disappointed in them can never be shown more clearly than in this so-called "revision" of the tariff. You have taxed him upon everything that he eats, wears, and drinks, and uses in his business. You have taxed his farm implements, his bagging and ties, his binding twine, his spices, his oil, his shoes, his harness, his furniture, his tableware, his nails, his wire, his sugar, coffee, and tea, and his wearing apparel.

You have taxed him upon everything of which the imagination can conceive; you have left him nothing free that can be of any use to him; and, not satisfied with the present burdens upon him, you have added this new burden of a tax upon his commercial fertilizer, which he uses in maintaining soil fertility and in stimulating crop growth. You have taxed the very instrumentalities with which he has made your Nation great. Standing as he does between this Nation and international bankruptcy; giving you as he does from year to year, with his brain and brawn, your balance of trade; bringing back to you through the sale of his products in foreign markets a ceaseless stream of foreign gold, you might be expected to give him some consideration in accordance with his deserts. You have not done it. You have taxed him from alpha to omega. You think that you have hoodwinked him, but woe be to you if you have deceived yourselves. [Applause on the Democratic side.]

I desire to read as part of my remarks bearing on the proposition to impose a duty on commercial fertilizers a very carefully written letter of a very valued friend of mine. It illuminates the subject very much, and I am sure will be of value and interest to the House. I read:

M. O. DANTZLER,
HARDWARE AND FURNITURE,
Orangeburg, S. C., April 2, 1909.

Hon. A. F. LEVER,
Washington, D. C.

DEAR SIR: I take the liberty of drawing to your attention some apparent discriminations in the new tariff bill, known in the House of Representatives as "H. R. 1438."

I wish to draw your attention to section 2, articles 592 and 652.

Article 592 provides for the free entry of basic slag, certain grades of which are imported only for manurial purposes and can not be used for any other purposes than manurial.

Article 652 provides for the free importation of sulphate of potash, crude or refined, and muriate of potash, which articles are imported more largely for manurial purposes than for any other purposes.

All three of these articles enumerated in the above two paragraphs are imported almost entirely from Germany. Commercially speaking, there is no muriate or sulphate of potash obtained outside of Germany, and the same thing can in justice be said of the basic slag, which is used for manurial purposes.

If the law goes into effect with its provisions intact as they are to-day, the actual result will be that a duty from $2 to $3 per ton will be levied upon basic slag and $7, $8, or $9 per ton on potash. Hitherto basic slag has come in free under a recent decision of the Board of Appraisers, classing it where it rightly belongs, as a substance used only for manure, and potash has also come in free by special provision.

I understand that the treatment now accorded to some of our exports by Germany will immediately result in the retention of a 20 per cent ad valorem tax upon all articles which are imported from Germany, with the result to these articles as aforesaid.

Crops require phosphoric acid and potash. They will not grow and mature without them. Basic slag is one of the most important and valuable sources of phosphoric acid available to our farmers; and sulphate and muriate of potash, obtained only in Germany, are the only

sources of potash; consequently, the operation of this bill will be to immediately impose upon agriculture in this country a most severe tax.

In every ton of fertilizer which the farmer buys in this section of the country there is not less than 8 per cent of phosphoric acid nor less than 5 per cent of potash, which would be equivalent approximately to 1,000 pounds of basic slag and 200 pounds of muriate of potash. The additional tax per ton on fertilizer used by the farmer would, therefore, be from $1.50 to $2 per ton, or nearly 10 per cent.

I invite you to compare with the two paragraphs above enumerated paragraph No. 576, providing for the free entry of guano, manures, and all substances used only for manure; paragraph 673, providing for the free entry of nitrate of soda; and paragraph 480, providing for the free entry of sulphate of ammonia. I notice that these articles are omitted from the enumeration of the materials upon which the 20 per cent ad valorem duty will be levied in the event contemplated by the provisions of sections 3 and 4 of the act.

I beg respectfully to ask why there should be this discrimination? Basic slag and the potash salts are just as much manures and just as essential to the production of crops in this country as sulphate of ammonia, nitrate of soda, guano, or any other articles used only for manure, and it seems to be strange that there apparently should be a desire to impose a heavy tax upon these articles while the others come in free.

I beg to recommend either that the words "basic slag, ground or unground," be entirely struck out of section 592 and not mentioned anywhere in the tariff, so that, when imported in a form and of a grade which can be used only for manure, it will come in free in any event, or that the words "basic slag fit only for manure" be added to section 576.

I also recommend that the words "sulphate of potash, crude or refined and muriate of potash when used only for manure," be added on to section 576.

Respectfully, yours,

M. O. DANTZLER.

Mr. MAGUIRE of Nebraska. Mr. Chairman, much has already been said here on this tariff bill. Naturally it has become a theme of comment and discussion throughout the country. Revenue legislation is always of unusual interest and far-reaching in its consequences. We have been called here in extraordinary session to perform the work of tariff revision, and the country waits in suspense and anxiety for the results. The demand of the people is for a genuine revision. Will they get it? We are the properly constituted authority to shape a revenue measure. This question, upon the magnitude of which we all agree, is now for us to answer. What kind of a tariff bill does the country want and what sort of a measure have the people a right to expect? What promises had the country from those who to-day are in position and power to grant this needed legislation? Let us turn for a moment to a little political history. Both platforms of the two great political parties in the last campaign declared for tariff revision. All platform orators and leaders of both political parties who were in authority to speak for their respective parties declared, at least in my State, for revision downward. The people of the first district of the great State of Nebraska, which I have the honor to represent, understood these promises to be for a sincere and honest revision, and they will be satisfied with nothing less.

I come from a State which asks for no legislative favors that are not given to all alike in this great Republic; from a State having the smallest per cent of illiteracy of any in the Union. I represent a district in the heart of a vast empire of wealth; a district with more young men and women in its colleges and universities and more children in its schools than any similar section in our common country; a district with its great fields of waving grain and yellow corn, with herds grazing on its hillsides and valleys, with homes and groves, schools and churches, cities and villages. These people have carved their fortune from the wilderness and made the State one of the brightest in the galaxy, surpassed by none in its form of state and local self-government, in the character of its laws, and in the desire of its people to obey them. It is not surprising, then, that they should desire and demand through their elected Representative the support of measures which will reflect their will and be in accord with progressive policies everywhere.

I am in accord with their sentiment in demanding a genuine tariff revision. If an honest bill had been presented here, offering real substantial revision, and at the same time a measure calculated to produce revenue sufficient to meet the legitimate expenses of government, I promised the people of my district I would support it, no matter from what source it might emanate or what party might receive its credit. I promised them I would favor legislation for the general good, that patriotism, not partisanship, would be the controlling motive in determining whether I would give or withhold my support on tariff legislation.

A tariff bill is now before this House under the name of the "Payne tariff bill," purporting in language "to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." Will this bill in its present form produce sufficient revenue? Does it equalize the duties and burdens of indirect taxation, and is it fair to the producer and the consumer? Will it encourage the legitimate industries upon which the masses of the people depend? These are the questions which every Representative must consider in this investigation and answer to his constituents and to the country for his vote and final action on them.

Let us now take up and examine some of the schedules bearing directly on the ordinary articles of consumption.

LUMBER.

Among the various subjects upon which the consumers of this country have been expecting a reduction of the tariff is lumber. As to this product the sentiment has been overwhelming, not merely for a reduction of the tariff, but that lumber should be placed on the free list. Outside of the great lumber interests, including the holders of large tracts of timber lands, there has been heard no great opposition to free lumber. But those few who have profited in recent years by the exorbitant prices of lumber and who expect to continue to be treated by the Government as the beneficiaries of an unjust and discriminating tariff have been very active in their efforts to keep the tariff on lumber.

Under the present Dingley Act the tariff on lumber is as follows:

Boards, rough, $2 per thousand; boards, planed and grooved, $2.50 to $3.50 per thousand; telegraph poles, ties, etc., 20 per cent ad valorem; fence posts, 10 per cent ad valorem; laths, 25 cents per thousand pieces; shingles, 30 cents per thousand pieces.

Of this schedule the one which affects the consumer the most is that of sawed boards which are planed. It is estimated that at least 90 per cent of the lumber shipped from the mill by rail goes through the planing mill before it is put on the cars, or in other words, 90 per cent of the lumber sold at the yards by the retailer to the consumers is of the finished or partly finished class, on which there is a duty of from $2.50 to $3.50 per thousand.

In carrying out the pledge for genuine tariff revision and in the face of a general demand for free lumber, the proposed Payne bill has cut the duty on rough lumber from $2 per thousand to $1 per thousand. On the face of it this appears to be a reduction in the duty on lumber of 50 per cent, but the gain is more apparent than substantial. This is very evident when we consider that practically none of this rough lumber is used by the consumer, and even if it could be used the reduction would not benefit the consumer materially, because the duty of even $1 per thousand is prohibitive in the case of rough lumber for the reason that the high rate of transportation would make it impossible to import this class of lumber. The weight of rough lumber is about one-third more than the weight of the finished lumber and the cost of the transportation alone from the Pacific coast to the retail markets of the United States is estimated to be about $10 per thousand.

If the Committee on Ways and Means had the desire of benefiting the consumers in the least they should have made a reduction on the finished lumber, because this is the lumber of the market, and this is the lumber for which the consumers have been compelled to pay outrageous prices in the past few years.

It is clear, then, that the Payne bill offers no substantial relief on the lumber schedule. What justification is there for maintaining this lumber tariff in view of all the circumstances, even from the standpoint of a protectionist?

In the first place, the owning of timber lands is not an industry and should not be protected on any theory. As for the manufactured products of lumber, the industry has long since ceased to be in its infancy. The United States to-day is the leading lumber-exporting nation in the world. We are not only exporting lumber abroad, but we are successfully competing in the markets of the world. Such an industry needs no protection at home against foreign competition. Again, the annual drainage on the forests of the United States in about three times the annual growth. It is estimated that in 1907 the consumption, not counting loss by fire, was between 100,000,000,000 and 150,000,000,000 feet. Of this amount, 40,256,154,000 feet were used for lumber alone, based upon the estimate of Mr. R. S. Kellogg, assistant forester in the Department of Agriculture, that there are between 500,000,000 and 700,000,000 acres of timber land producing an average of 60 board feet per acre.

The scarcity of white pine is already giving alarm. This industry reached its maximum eighteen years ago, and now the output is only 50 per cent of what it was then. The supply of hard woods has declined from 8,000,000,000 feet in 1900 to 5,000,000,000 now. Minneapolis was once the lumber center of the world, and within five years more all her sawmills will be gone. Between Minneapolis and St. Louis on the Mississippi River there were once a hundred sawmills, according to ex-Governor Van Sant, of Minnesota, and now there are only two, and these will cease to operate within a year.

In 1880 the lumber product of the United States was 18,000,000,000 feet, and in 1907 it was 40,000,000,000 feet. This enormous drain on the forests of our country has been increasing to such an extent that the end of this natural resource is already in sight. Southern yellow pine and Douglas fir are to-day the

leading kinds of lumber on the market, and of these the yellow pine annual cut equals about one-third the total cut of coniferous timber in the United States and goes on at the destructive rate of 30,000 square miles annually. The Douglas fir, it is estimated, will be exhausted in twenty-five or thirty years. Must we, in the face of all this, have a tariff on lumber and thus put a premium on the further destruction of our rapidly diminishing forest products?

Yet the tariff makers urge that we must have revenue. Apart from the acknowledged fact that our timber as a natural resource is rapidly being exhausted, there might be some weight to the argument for a reasonable tariff on lumber for the purpose of revenue if, in fact, such a tariff would produce any considerable amount of revenue. But the fact is under the present schedule of the Dingley law the imports for 1907 from Canada of finished or partly finished lumber amounted to less than $300,000, which produced only about $60,000 in revenue. From the tariff on finished lumber then, practically no revenue has come to the Government under the Dingley law, and under the Payne bill it is probable that the revenue from the imports of finished lumber will be even less than under the Dingley law, because the rate on finished lumber still remains prohibitive. The revenue from the imports of rough lumber in 1907 was $1,718,679.33, and under the Payne bill would be only about half this amount. The revenue from the importation of rough lumber would not materially increase by the reduction of the tariff from $2 to $1 per thousand, because, in the first place, the consumer does not furnish the market for this unfinished lumber, and, in the second place, lumber imported from Canada in the rough can not pay the high freight rates plus the duty and compete with American lumber. Therefore a tariff, whether on finished or unfinished lumber, can not be justified on the ground of producing revenue.

But the lumber interests and the stumpage owners of the United States insist that they must have the tariff on lumber for protection. If there ever was a time when this argument was good, that time has long since passed. Much stress has been laid upon the argument of protection to American industry and American labor in order to justify a tariff on lumber. For this reason an examination of the facts is not only fair, but necessary to a proper understanding of the situation. Now, what are the facts? In the first place, Canada is practically our only competitor in lumber production. It is contended by those who favor a tariff on lumber that Canadian lumber produced by cheap labor would destroy the American lumber industry, if admitted free of duty. The fact is, as the following table shows, that wages in Canada, both in the mills and in the logging camps, are higher than wages for the same labor in the United States. The table was furnished to the Ways and Means Committee by Theodore M. Knappen, secretary of the National Forest Conservation League:

		Canada.	United States.
Foreman	per month	$143.33	$127.50
Band sawyer	per day	6.19	5.20
Filer	do	7.35	6.83
Engineer (chief)	do	4.25	3.79
Graders	do	2.99	2.41
Fireman	do	2.54	2.78
Millwright	do	3.99	3.56
Setter	do	3.38	3.12
Edgerman	do	3.62	3.20
Trimmer	do	2.54	2.48
Common laborers (white)	do	2.39	2.05

	British Columbia.		Washington.	
	Campbell River.	Fraser mill.	Shelton.	Olympia.
Barker	[illegible].75	$3.00-3.25	$2.50	$2.50
Blacksmith	[illegible].00	75.00	3.00	3.00
Blacksmith helper	[illegible].50	2.25		
Buckers	[illegible].00	3.25	2.75	2.75
Cook	70.00	75.00	65.00	
Dog-up man	[illegible].50	3.00	2.50	2.50
Engineer	[illegible].25	65.00	3.00	2.50-3.00
Faller, head	3.50-[illegible].00	4.00	3.00	3.00
Faller, second	[illegible].00	3.75	2.75	2.75
Fireman	[illegible].50	2.50	2.00	
Flunkey	[illegible].00	35.00	30.00	
Hook tender	[illegible].00	5.00	3.75	4.00
Line horseman	[illegible].50		2.25	2.25
Rigging slinger	[illegible].00	3.50	2.75	2.50
Signalman	[illegible].50	3.00	2.25	2.25
Skidder, head	[illegible].00		3.25	
Skid road man	[illegible].25	2.25	2.00	2.00
Sniper	[illegible].75	3.25	2.50	
Swamper	2.50-[illegible].75		2.25	2.25-2.75
Undercutter	[illegible].50		3.00	
Woodcutter, behind donkey		3.00	2.00	

In estimating the cost of production in Canada as compared with the United States we must consider not only that labor is paid as high or even higher than in this country, but also that the Canadians pay a 25 per cent duty on their mill machinery. The tariff on lumber, therefore, does not give the American labor any advantage. The manufacturer will get his labor, as he does in the South, for $1.25 per day, and he will pay for skilled labor just what he has to and no more. In respect to the cost of production, then, we can and should compete with the Canadian lumber. As for the competition in the markets of the world, no argument is necessary, because we are actually doing it now. In 1905 the United States exported lumber to the amount of $40,613,504 and furniture to the amount of $5,377,768. In 1907 the United States exported timber and logs to the amount of $4,535,286; also sawed timber and lumber as follows:

Sawed timber	$13,101,178
Boards	39,861,352
Joists, etc	752,152
Total	53,714,682

Our entire forest products exported that year amounted to $126,000,000, and a large part of this went to Canada. Last year our manufactured lumber product exported to Canada amounted to $10,000,000. The mills of Washington and Oregon compete successfully with those of British Columbia in the markets of the world where they get no tariff advantage. Then why should we fear competition from Canadian lumber right here at home in our own markets without the aid of a high tariff? The testimony before the Ways and Means Committee of the lumbermen themselves showed that we can and do compete in the markets of the world in all the higher grades of lumber, and yet on this very class of lumber the tariff is the highest.

A tariff on lumber, therefore, can not be justified as a means of producing revenue, because it produces very little; nor can it be justified on the ground of protection for two reasons: First, the lumber industry has grown so large that it has demonstrated that it does not need protection any longer; and second, American labor has not been getting any benefit from the tariff on lumber.

It seems clear, then, that the only other purpose of the lumber duty is to continue this legislative privilege in favor of the lumber manufacturers and stumpage owners for the sole purpose of enhancing the value of their holdings of timber lands and allow them to continue to dictate prices of a product so essential to the building of American homes. While the consumers of lumber have been paying the tariff on lumber during all these years, they were not aware of the fact that they were victims of the greatest fraud ever perpetrated on any people.

During the last seven years the price of lumber has increased 46 per cent on the average, while other commodities have advanced only from 9 per cent to 26 per cent. The man who built a frame house in 1907 paid twice as much for it as for one built in 1893. The following table shows an average advance of over 100 per cent in fifteen years:

White pine.	1892.	1907.	Per cent increase.
Fencing:			
6-inch, No. 1	$15.00	$32.00	133.33
4-inch, No. 1	12.00	30.00	150
4-inch, No. 2	9.00	26.00	188.88
4-inch, No. —	7.00	19.00	171.42
6-inch, No. 2	12.00	29.00	141.66
6-inch, No. 3	9.00	21.50	138.88
Common boards:			
8-inch, No. 1	12.50	30.00	140
8-inch, No. 2	11.00	28.00	154.54
8-inch, No. 3	10.00	25.00	150
10-inch, No. 1	12.50	31.50	160
10-inch, No. 2	11.00	28.00	154.54
10-inch, No. 3	10.00	25.00	150
12-inch, No. 1	14.00	37.00	164.28
12-inch, No. 2	12.50	31.00	148
12-inch, No. 3	9.50	26.00	173.68
Flooring:			
No. 1 fancy	16.50	33.00	100
C fancy	25.00	47.00	88
Piece stuff:			
2 by 4, 12, 14, 16	11.50	23.00	100
2 by 6, 12, 14, 16	10.00	27.50	175
2 by 8, 12, 14, 16	11.00	27.50	150
2 by 10, 12, 14, 16	10.50	29.00	176.19
2 by 12, 12, 14, 16	11.50	30.50	165.21
3 by 12, 12, 14, 16	11.50	31.50	173.91
White-pine lath	2.00	5.00	150

The following statement shows the increased value of stumpage in the past eight years:

White pine, from $3.66 per thousand to $8.09 per thousand.
Yellow pine, from $1.12 per thousand to $3.16 per thousand.
Douglas fir, from 77 cents per thousand to $1.44 per thousand.
Cedar, from $1.32 per thousand to $4.03 per thousand.
Hemlock, from $2.56 per thousand to $4.51 per thousand.
Spruce, from $2.26 per thousand to $5.49 per thousand.

This shows an advance of from 100 per cent to 300 per cent in eight years, and values are still going higher. Holders of stumpage lands expect to get even $10 per thousand for longleaf pine which they bought at 50 cents per thousand. These values are largely due to the prospect of a continued protective tariff.

The great development of the West and the increase of the rural population will cause an increasing demand for lumber, and at the same time there will be a constantly decreasing supply. These two circumstances together would normally give the lumbermen a valuable and a fortunate opportunity. But they want more than this. They are asking for a subsidy in the form of a tariff. Such a tariff on lumber is not for protection nor for revenue, but instead, if this tariff prevails, it will inevitably operate to encourage the rapid destruction of our forests and it will give to the lumbermen a monopoly of one of our most valuable natural resources.

And a monopoly of our forest resources for the purpose of exploitation and destruction would indeed be a great calamity to our country. Our timber, unlike many other of our natural resources, is a one-crop product and can not be replaced in a generation. Destroy our forests and you strike a blow at the American home. All over the great argicultural stretches of our country millions of cottages are scattered, in which happy families find shelter and comfort. Barns and sheds protect their stock and securely house their crops. Annihilate the forests and you drive our poor people into caves and cliffs. Lumber is of necessity so much a part of the poor man's home that we should have free lumber in order that we may have more free homes.

GLOVES.

Under Schedule N, in the compilation entitled "Estimated revenues, comparison of Payne tariff bill with present tariff law," we find the whole class of gloves, made wholly or in part of leather, raised from 51.89 per cent under the Dingley law to 72.65 per cent under the Payne bill. On men's sheep, "glace" finish, unlined, the duty is raised from $3 per dozen to $4 per dozen pairs, or from a dutiable rate of 64.29 per cent to 85.71 per cent. The total imports of this class are practically nothing, amounting in 1907 to only $1,816, and while the yearly imports from 1895 to 1907 have averaged slightly higher, still there has been a gradual decline.

Under the same class, on ladies' or children's gloves of sheep origin not over 14 inches in length, the duty is increased from $1.75 per dozen to $4 per dozen pairs, or a rate of increase on the appraised value from 58.13 per cent to 132.86 per cent. While this class has been a fair revenue producer, still with this increase the rate would become restrictive and disastrous to revenue. Imports have gradually decreased from $1,166,973 in 1900 to $438,940 in 1907. This decline does not indicate that American manufacturers are in any growing danger from foreign competition.

The glove classed as "lamb" or "sheep" not over 14 inches in length, has the duty raised from $2.50 per dozen to $4 per dozen pairs, or an increase from 56.60 per cent to 90.56 per cent. The goat, kid, or other leather than sheep origin, "glace" finish, unlined, is increased from $3 per dozen pairs to $4 per dozen pairs, or from 49.52 per cent to 66.03 per cent. The injustice in the schedule is still further apparent in the higher rate of duty paid, and the still greater increase on the cheaper gloves and those classed as necessaries which is seen in the flat instead of the graduated rate on all grades above a certain fixed value.

It is impossible, though, for me to dwell much longer on the injustice of this glove schedule, because my time is limited; but the foregoing observations have been taken as types and examples of the unfair discriminations to the ordinary consumer on a single article of clothing so generally worn by the average man and woman. Examination of the imports and productions shows that the rate on a large number of items in the glove schedule is already restrictive, and it would be greatly to the interest of the Government and the consumer to have a radical reduction. The only advantage in the present law under several classes of gloves is in keeping out healthy competition and giving the manufacturers a monopoly of the business.

The excuse given as a justification for this increase in the rate in the Payne bill by the supporters of this measure is that increased rates will give added protection to manufacturing, will stimulate home industry, and ultimately, through course of time, will cheapen gloves. But the method is indirect and conjectural, and gives no hope to the present-day consumer. The truth is that the industry in this country has already grown far beyond the infant stage and has taken on monopolistic proportions.

HOSIERY.

Let us now turn our attention to the hosiery schedule. We find stockings, hose, and half hose imported for the year ending June 30, 1906, to the amount of $6,123,195.69, with an average rate of 60.03 per cent duty, while this bill proposes an increase to 77.16 per cent. But the above figures do not give a correct impression of the radical discrimination in the rate of duty on this class of clothing. Under the cheaper grade, valued at $1 per dozen pairs, the rate is 68.39 per cent, while in the Payne bill the duty is increased to 89.75 per cent. The class valued more than $1 and not more than $1.50 per dozen pairs has a rate of 58.17 per cent, but under the Payne bill the proposed rate of duty is increased to 76.16 per cent. The grade valued at more than $1.50 and not more than $2 per dozen pairs is raised from 51.23 per cent to 66.75 per cent. But the unfair discrimination again is most apparent when we examine the higher priced goods valued at more than $5 per dozen pairs and find that they have been left at the Dingley rate of 55 per cent. For example, a pair of hose valued at 9 cents will have a duty imposed of 89.79 per cent, while expensive kind worn by the rich bears only a 55 per cent rate. On this same pair of hose valued at 9 cents the duty will be 8 cents, while on a pair valued at $1 the duty is but 55 cents.

In the present age and under our present standards of living hosiery is not a luxury, but an ordinary necessary of life—a common and universal article of consumption. This is a proposition which I think will not be necessary to argue to this body, notwithstanding the statement of the eminent chairman of the committee in reporting this bill, that he was offering a bill with reductions in the necessaries of life. When forced to explain, the answer comes that it is for protection to American manufactures. An examination of statistics of the hosiery industry for many years past and of the testimony before the Ways and Means Committee does not reveal a necessity for government aid. The only conclusion to be reached is that the exorbitant increase is wholly unjustifiable and is in the nature of a gift to the hosiery manufacturers. From the examination of the schedules, the amount of imports in the past, the rapid and permanent development of the industry, and from the fact that this article of clothing is of common use and a necessity of life, there is no valid reason why the present rate in the hosiery schedule should not be radically reduced. Let us have this schedule amended and reduced in justice to 90,000,000 consumers.

COTTON MANUFACTURES.

A further examination of the cotton-manufactures schedule shows a total advance from 46.29 per cent to 50.27 per cent. Cotton cloth, coarser weave, is 38.17 per cent and the finer weave 44.35 per cent, with handkerchiefs and mufflers 58.65 per cent, leaving these articles at the Dingley rate. The old rate is also retained in cotton clothing and wearing apparel. The total imports for consumption for the year ending June 30, 1906, in cotton manufactures were $26,543,211.53, and on this the American consumer paid $12,286,499.08 import tax. But many of these grades of goods produced practically no revenue, and the rate of duty on them served only for protection purposes to the manufacturers. It was said that we could hope for a reduction in the tariff on the necessaries of life. Is there any hope in this schedule, with the total rate raised from 46.29 per cent to 50.27 per cent? In the cotton schedule are found the articles of universal use, common necessaries of life.

The schedule reveals an unscientific and unnatural classification, and could be made a greater revenue producer if the authors had framed the schedules from the point of view of the Government and the consumer instead of from that of the manufacturer. The effect of this bill will be to work serious hardships to dry-goods merchants and in removing from their stock, goods that usually sold at popular prices. The provisions seem to be adroitly arranged to prevent the importation of the bulk of cotton goods. The duty now is about twice the cost of the labor in manufacturing. The testimony before the Ways and Means Committee shows that the desire of the cotton manufacturers was to retain the rate of duty as it was, and now we find presented here a bill providing for an increase from 46.29 per cent to 50.27 per cent. We certainly are compelled to go to some other schedule before we find any encouragement in this bill for the consumer.

WOOLEN MANUFACTURES.

There is practically no change in the rate of duty in the general schedule of woolen manufactured goods. Woolen or worsted clothes bear a rate of 96.56 per cent. Women's and

children's goods remain very nearly the same, the Dingley rate being 103.33 per cent and in the proposed bill 103.23 per cent. Wearing apparel—clothing, ready-made, such as cloaks and outer garments—now have a rate of 85.35 per cent, with no change in the Payne bill. On the two items of blankets and flannels the rate of duty remains unchanged, with 80.78 per cent on blankets and 107.52 per cent on flannels. But many of the items throughout this schedule bear a rate of duty which is not only exorbitant and unfair, but practically prohibitive. If the classification and rates of duty were made reasonable, this schedule could be made a much greater revenue producer. On this schedule you will not receive any plaudits from the American consumer. The rates are so prohibitive that in a large number of grades of goods but a few hundred dollars of revenue are reported in a year. The Government seems to have gone into partnership with the manufacturers to sustain a price and force the consumer to pay tribute to the manufacturer in the increased price. If the rates were made reasonable, the results would come not only to the Government in revenue and the consumer in a reasonable price, but to the manufacturers in good profits. As the rate now is the consumer pays enormous profits to the manufacturer and the Government suffers seriously from the lack of revenue.

SHOES.

Shoes and leather products going into shoes, while reduced from 25 per cent to 15 per cent, in fairness to the consumer should have been reduced considerably more. This is an article of universal use among rich and poor, a necessary of life in this climate and in our stage of society. Every individual uses from one to several pairs of shoes, making a considerable portion of the total clothing expense, and perhaps no other article of wear amounts to so much in the course of the year to the average man, woman, and child. Had this schedule been revised from the standpoint of the consumer and the Government as a revenue producer, the duty on shoes would have been greatly reduced.

The manufacturers of boots and shoes in the United States need no tariff protection, as appears very clearly from the testimony and the facts before the Ways and Means Committee. The exports of boots and shoes from the United States have increased from $6,665,017 in 1903 to $10,666,949 in 1907, while our imports in 1907 were only $164,509.30. This vast export trade shows that American shoes are now sold in the markets of the world in competition with other shoes. Then why compel the American consumer to pay a tariff tax to the manufacturer to protect him against foreign competition when, as a matter of fact, there is no competition? This industry has grown so large and prosperous that the American shoe manufacturers have not only successfully driven the foreign competition out of our own markets, but have actually gone over and are now driving the foreigner out of his own market to the extent of nearly $11,000,000 in 1907.

Would it not be in keeping with our duty as Representatives, in behalf of nearly 90,000,000 consumers of shoes, to reduce this duty, instead of swelling the coffers of the shoe manufacturers, who long ago passed from the nursery stage?

WATCHES.

It would seem from this bill that the framers had not forgotten their old friend the watch trust, and that they are determined to bring the support of Congress to aid it in retaining a monopoly of the watch industry. Movements having not more than seven jewels have the rate of duty raised from 62.56 per cent to 75.12 per cent, while on higher-priced movements of more than seventeen jewels, the class of watches not commonly used, the proposed rate is only 36.12 per cent. The cheaper movements pay by far the higher rate of duty. Can anyone discern a revision here in the interest of the poor man?

PINEAPPLES, SALT, LEMONS.

The rate on pineapples in bulk is raised from 24.07 per cent to 27.52 per cent, while the rate on those in packages is raised from 16.06 per cent to 27.54 per cent. Salt in bulk bears the same rate as under the Dingley law, 79.19 per cent, which furnishes the salt trust with ample protection to insure for it a monopoly of prices with nothing to fear from foreign competition. The duty on lemons is also increased from 47.27 per cent to 59.08 per cent, and while the members of the committee have attempted to restrict importation, they may have the home industry sufficiently developed to have lemons handed back to them a hundredfold if this bill goes into operation.

TEA, COFFEE, COCOA.

Cocoa, crude, is taken from the free list and made dutiable at the rate of 36.86 per cent. There can be no justification, nor is any given, for placing this much used article on the dutiable list, and this illustrates the point to which the supporters of this measure must go in order to raise revenue.

Tea is taken from the free list and made dutiable at the rate of 8 cents and 9 cents per pound. This further exemplifies the extremity to which the advocates of discrimination are forced to obtain revenue to run the Government. Tea has always remained on the free list except in 1898, when a tax was levied to carry on a war.

Coffee is on the free list nominally; but actually, and in the most effective sense, it is on the dutiable list. The proviso, in effect, places an almost unbearable tax on this article of food by providing that if any country or province shall impose an export duty on coffee exported to the United States, then a duty equal to that duty shall be levied and collected thereon. The fact is that Brazil, in a single Province of that country, produces the bulk of the coffee of the world. This Province produces more than 70 per cent of the consumption of the United States, and a general export tax is charged in Brazil and in this Province which is variously estimated from 2½ cents to 8 cents per pound. Under your countervailing proviso a like amount in import tax would be added by our Government, which would make us pay not only the export tax of Brazil, but, in addition, the import tax of our own country. Brazil produces two-thirds of the world's crop of coffee, while the United States is the greatest consumer. On an average, nine or ten hundred millions of pounds are imported each year, and more than 70 per cent of this comes from one Province in Brazil where the export tax prevails.

This "joker" evidently was not intended to be discovered till the bill became a law and interest in it had passed from the public mind. Those who drafted this bill knew full well the facts, and no denial comes from them that this was a secret method to tax an article of food which, almost from time immemorial, has been on the free list.

Why use deception and place coffee on the free list with this innocent-appearing proviso, to be taken advantage of when the export duty of Brazil, as you well know, will place coffee on the dutiable schedule? If revenue is wanted, and you wish to deal fairly with the people, why not reduce trust-made articles from a protective to a revenue basis? In times of profound peace to attempt to levy tribute on the poor man's breakfast table—his tea, coffee, and cocoa—is an example in tariff making that seriously discredits this measure as a possible revenue producer, and is another evidence of the ridiculous position into which you are forced in order to obtain ample revenue. You promised a revision downward on the necessaries of life, and you reported a bill purporting to do so, and here you tax the poor man on the articles of food from which he draws his sustenance to give him strength to go forth on his daily toil.

OIL.

I have been not a little surprised at the attempts of some of the men in this House to advocate and attempt to force through 99 per cent protection for the products of the Standard Oil Company in the countervailing provision in paragraph 637 of the free list. This is another of the so-called "jokers." It might be interesting for us to know some of the facts and motives behind the framing of this paragraph, and I am sure the Members would willingly give way at any time for this information. Certainly the Standard Oil Company can not need protection to assist it and its group of interests and high financiers in further exploiting the American people and piling up its ill-gotten wealth. It is pitiable to see free men condoning, but a deplorable spectacle to witness representatives of the people serving such a master. I have confidence enough in the honesty and fairness of the membership of this House, and in their feeling of responsibility and duty to the people they represent, to believe that if those in authority let us get at that provision upon the final passage it will be defeated with an overwhelming vote. You can not vote for a duty on oil and then go back to your district and look an honest man in the face.

BONDS.

We were asked at the outset to believe that this was a bill for a genuine reduction on the necessaries of life, but a search through the free and the dutiable lists offers no proof that it is in any proper sense a reduction. If redeeming features are contained in the bill, they certainly are not found in the schedules. Looking, then, at the other provisions we find one that is more conspicuous than all the others, and that is the provision for the issuance of bonds and certificates of indebtedness. This latter term is used with something of a soothing effect instead of the word "bonds," which has the traditional sound of war, but the result of each is the same—the creation of a public debt. At a time when we are at peace with all the

world, section 40 of the Payne bill enlarges the war provision of June 13, 1898, from one hundred millions to two hundred and fifty millions of dollars. This is corroborative evidence of its weakness and forecasts the failure of this measure. This, too, while the earth is yielding abundantly, and in the natural order of things when the wheels of industry should be moving at an unabated speed. The provision for the issuance of bonds has no place in an import-revenue system. The test of a revenue system is crop failures, combined with industrial and commercial depression. If this bill provides now in a testamentary way for its own failure, what could we expect for it in times of depression? Instead of issuing more bonds we ought to be providing for the payment of bonds and indebtedness and for reducing the deficits of the Government by a system of more rigid economy.

SOUTH AMERICAN TRADE.

The subject of foreign trade is inseparably connected with our import revenue system. One vital defect of the present bill is not only that it will fail to encourage trade, but that it will have a tendency to destroy trade. The Dingley law failed in this one essential, because its rates of duty are too restrictive. The nations of Europe are cultivating trade relations with the South American republics, and as a result are securing the bulk of the commerce, while we have not availed ourselves of our privileges there. Their political systems are modeled after ours and they naturally would desire to trade with us. Then, too, some of our island possessions and the Isthmian Canal are conveniently reached in that direction, all of which would easily give us control of the commerce of South and Central America. The Payne bill offers no hope along the line of amicable trade encouragement, because the average rate is too high and the reciprocal arrangements are based upon the "big-stick" idea, with trade duty of 45.72 per cent and a penalty from 45.72 per cent upward. On the other hand, there should be such reciprocity between the two Americas in commercial and trade relations that we could turn our attention southward to find new and larger markets for our machinery and our products.

MAXIMUM AND MINIMUM CLAUSE.

The maximum and minimum clause of this bill is disappointing in that it is so constructed as to be an invitation to an endless trade war. It lacks in the essential elements of cultivating reciprocal trade relations with the nations of the earth. The bill interchanges the maximum and minimum features and makes the Dingley maximum the proposed minimum rate. The universal rule in every revenue and taxation system, whether through statutes or constitutions, is that the principle should be maximum instead of minimum in the limitations on administrative power to levy taxes. Permanent international commerce and trade relations must always be on an amicable basis and not enforced by threat. The safe principle of reciprocal trade is to provide a general maximum duty treating all nations on the same terms, and if reciprocal advantages can be gained by trade treaties or agreements between us and other countries, then the favored-nation clause could be invoked to meet favored-trade conditions between the two. With the proposed provision in effect, instead of 44.16 per cent we may have a 65.72 per cent rate in operation, or a rate more than 21 per cent higher than the present law. The Dingley law allows trading on a rate of 44.16 per cent downward, while the Payne bill proposes a rate of 45.72 per cent upward. This is going after trade with a club by retaliation and vengeance; and the clause, if made operative, will result in a trade destroyer and a deficit producer, with possible international complications.

PRODUCER AND CONSUMER.

Little hope is given either the producer or the consumer in this bill. The margin between the two is widened and the consumer comes in for even less favors than the producer. The test to the producer is not alone the price he gets in the market, but the purchasing power of his product in what he must consume. This is likewise true of the wages or salary of the laborer, the artisan, the clerk, and the professional or business man. The framers of this bill either neglected or failed to grasp the mighty industrial, social, moral, and political forces associated with the well-being of this country. They encouraged the interests of the rich, but failed to study the problems of the poor. In the shaping of a tariff measure the schedules ought to be arranged with a view of letting the burdens of indirect taxation fall as lightly as possible on the necessaries of life, the articles of consumption by the poor, and the burdens should be borne by the luxuries enjoyed by the wealthy.

RULES.

Much has been heard both in and outside of this House about the rule to be enforced in the passage of this measure. Are we to be given the right to amend, or is this bill to be forced through and the Members compelled to vote upon it in the manner of dumb animals driven through a chute? We have a measure with 4,000 items, covering every conceivable article of commerce, and are you going to deny 391 Members and 391 districts the right to determine what is to remain in this bill and become a law, or is one man, with his 11 party associates on the committee, to frame the bill, present it to the House, and force it through by gag rule? Shall we be given a chance to amend, or will this bill be forced through en masse? Are we here simply in numbers to make your actions legal? The general debate could have ceased long ago and the Members permitted to take up the bill paragraph by paragraph, with the privilege to debate under the five-minute rule and amend any or all of the 43 sections, including the dutiable and the free lists, and also the administrative features.

The country needs and wants the very best tariff law it can get. We should have free tea, free coffee, free lumber, and free oil; we should have greatly reduced duties from those proposed, on iron and steel, cotton and woolen manufactures, gloves, shoes, and hosiery. In the passage of a tariff bill there ought to be no delay, but I hope the Members will take the time to assert their full rights, demand a scientific classification of schedules, and give us a law under which we can all live and prosper. Grant this much for the millions of wage-earning women and children, for the man at the anvil, at the business counter, and on the farm—for those who developed this vast empire of wealth and established the ideals and institutions of American industry and civilization. I appeal not for the thousands who dwell in the shadow of this Capitol to influence legislation, but for the millions everywhere who have no paid lobby here. [Continued applause.]

Mr. ANDERSON. Mr. Chairman, it is with some hesitancy that I ask permission to take up any of your valuable time, but I deem it advisable to say a few words at least and to enter my protest against any duty on the necessities of life, such as coffee, tea, spices, boots, shoes, gloves, hosiery, clothing, and so forth. Fully appreciating the short time that has been allowed to me this evening and thanking the House for the courtesy, I will dwell chiefly on matters with which I am familiar. I have been for several years connected with manufacturing interests and have employed several hundred people, especially in the manufacture of underwear.

I did not expect to have this privilege accorded me, and only requested time when the gentleman from West Virginia [Mr. GAINES] failed to answer my question regarding how many people the high tariff on laces and embroideries protected. He argued that laces are a luxury, and I agree with him to a certain extent, and especially do I agree with him on certain grades of laces; but when we have no lace factories, or rather very few lace factories—and, if I am correctly informed, there are less than a thousand operators in lace factories at the present time—would you put a prohibitive tariff on lace, so that it actually prevents the poor laboring man's wife and children from enjoying trimming on their gowns, skirts, dresses, and infants' wear?

The poor man does not just care to exist and have three meals a day, although at the present time, under Republican administration, many would hail with joy one good meal a day, instead of standing in the bread line and partaking of the luxury of soup houses. [Applause on the Democratic side.] It would be a great country in which to live if we could say we had no bread lines or soup houses, and our laboring men not only received good wages, but owned their own homes and had some hours for pleasure seeking.

The laboring man's wife has just as much pride in making a good appearance before her husband and her friends as the rich man's wife, and I again want to enter a protest against a duty on certain grades of laces and embroideries. If certain grades of lace were admitted free of duty, it would allow a poor man's wife to trim her garments, as well as to beautify baby's dress; and what pleases a man more on returning home, weary and worn, from a hard day's work than to find a good meal ready for him, with the smiles of wife and baby to cheer him along? God pity the man who is not blessed in this manner. [Applause on the Democratic side.]

I might also say if certain grades of laces were admitted free of duty it would not only remove a great burden from 80,000,000 people, but it would stimulate and cause a demand for the manufacture of such articles as muslin underwear, shirt waists, children's and infants' wear, and give employment to many more thousands of people.

Statistics show that but few men are employed in this country in the manufacture of laces, less than a thousand, I think, despite the fact that this industry has enjoyed an ad valorem duty of 60 per cent. In other words, the cost of laces pur-

chased by 80,000,000 people for trimming purposes has been increased 60 per cent, and the net result has been that less than 1,000 men are now employed in manufacturing laces in this country. If this is a fair sample of the protective system, any man can figure out for himself its iniquity.

As I said in the beginning, the lace business is something of which I have personal knowledge. However, my observation has been that in this great country of ours the burden of taxation bears too heavily upon the shoulders of those who can least afford to bear it. I mean the poor man and the man of moderate circumstances. Obviously this state of affairs should not continue longer.

Let us for a moment analyze the effect of a protective tariff on one item. Take, for instance, that of farming implements. It is a fact beyond a doubt that farming implements are manufactured in this country, transported to European and South American countries, and sold there at a lower figure than they are sold to the farmer right at the door of the factory that turns them out.

This, I think, all will agree is a discrimination that works a hardship to one of the largest classes of wage-earners in the United States. It has been the most valuable asset of the Republican party to pose as the friend of labor, and while I am, and have always been, an advocate of giving to every man who works in the factory or the shop the just return of his labor, I am also in favor of giving to the man who digs and delves in the field from cock-crow to sunset the same just return. In the last analysis the whole labor and business world is dependent upon the farmer for sustenance.

Without his industry the forge and the shop, the mine and the factory would soon have to suspend operations. Why, then, may I ask, is an unjust and unfair discrimination practiced against him in favor of the alien farmer, whose products come in competition with those raised in our own country? Why should the Arab, or Egyptian, who raises wheat to compete in the markets of the world with American-raised wheat, have the machinery that cuts and prepares that wheat for market sold to him at a vastly lower figure than the farmer in Ohio, Illinois, or Iowa? How comes it that an American company can sell its wares cheaper to the foreign purchaser than to the home consumer? That question is easily answered. By reason of the fostering care of a Republican tariff, American combinations and monopolies are protected from outside competition under the guise of giving them an opportunity to pay higher wages to the factory hand, the traveling salesman, and the general run of employees whose bread and meat come from the coffers of these trust magnates; yet we find that after a consolidation of the many factories that produce this class of goods, the wage of the artisan is reduced, the occupation of the salesman, like that of Othello, is gone, and the farmer of America is more systematically and persistently robbed than before.

The charity of these gentlemen is extended solely to the foreign agriculturist, and that, too, at the expense of one of the largest classes of American laborers. The tariff that gives the agricultural-implement trust a monopoly gives it at the same time power to exact from the farmer a profit that amounts to tribute, just as surely as that exacted by the Black Hand from the man who by his thrift and economy has prospered to an extent that excites cupidity and lawless lust for the fruits of another's labor.

Reduce your tariff and let competition come in, and the American farmer will be able to harvest his crop with improved machinery bought as cheaply as that used by the half-breed on the steppes of Brazil or the banks of the Nile. But, you say, that will allow foreign cheap labor to compete with high-class and highly paid American labor. We want to keep up the wage scale.

Now, was there ever a greater fallacy or a more demagogical argument put forth to sustain a bad cause? Does not every intelligent American know that the price of labor is controlled by the law of supply and demand, as are all other commodities of present-day civilization? Do we for a moment suppose that the head of one of the trust factories would refuse to replace a $5 a day mechanic with a $1 a day mechanic who could do the same work and as much of it in a day simply because the one was an American and the other a foreigner? Do we not see every day in the year the cheap labor of Asia coming in and displacing the better-paid American labor in nearly every vocation and in every section of this country? Then, why longer deceive ourselves and seek to deceive the people whose servants we are with false arguments and absurd hypotheses?

A protective tariff inures to the benefit of him who has and takes from him who has not even the little he would like to have. The farmer's boy who rises with the lark and goes forth to his daily task under the light of the still shining stars and works until the last faint streak of red has faded in the western sky pays tribute to the trusts that have monopolized the implement business.

Every rosy-cheeked maid who sings as she sews the folds of her modest gown in which to appear with becoming decency at the village church, every weary mother who from day to day sews and sews, that the raiment of her offspring may be presentable, or to provide food for the hungry mouths of those she is left by a sad fate to protect, pays her widow's mite to swell the bank account of the multimillionaire who never works, but reaps from the sowings of others, that a pampered darling may dissipate a fortune on the frivolities of fashion and a degenerate son may live in easy indolence. Call you this just or right? That we must have a tariff that will produce a revenue to meet the demands of the Government none will gainsay, but when you place the chief burdens of taxation upon the shoulders of the artisan, the farmer, the sewing woman, and all those who have to provide the daily needs by daily exertions, you have placed upon them an unjust burden, and you have put the ax to the tree of liberty.

In the name of the American workers, in the name of our American civilization, and in the name of common humanity and justice, I bid you pause while there is yet time and before an outraged people arise in their might and strength and by that brute force that is born of hunger and lost hope and shattered ideals make you pause.

I am one of those who believe in the cardinal principle of Democracy—"the greatest good to the greatest number"—and, applying that principle to this Payne tariff bill, I find that either the bill or the principle needs to be changed.

In so far as the tariff bill as originally presented is concerned, my honest and candid opinion is that it is a sham and a mockery, and is a Republican endeavor to blind the millions of consumers. The Democratic party has been preaching revision for years, and Mr. Taft was forced to promise relief.

Now, how will that relief be given? Shall we further rob the wage-earner and the man of moderate circumstances? Shall we add to the already heavy burdens he has to carry? Why should we put a tax on the toiler's breakfast table? If a tax is put upon tea and coffee, I believe it would be one of the most outrageous acts ever perpetrated by Congress.

The Payne bill is supposed to be framed in accordance with preelection pledges of Representatives and is supposed to be in response to the demands of the masses. It was stated on the stump last fall that only the Republican party could frame a satisfactory bill, and I honestly believe when the bill is finally passed you will hear men of all parties criticise it and claim that little relief, if any, has been given.

There is no question in my mind whatsoever but that the trusts and monopolies which have had the utmost protection in every manner will receive all for which they have asked, and that they will continue to make and distribute their wealth among themselves and spread more harm and discontent among the masses.

Now, Mr. Chairman, if my memory serves me right, Andrew Carnegie made the statement sometime ago that no tariff was needed on steel rails, and yet the Payne bill shows a tariff of $3.92 per ton on steel rails, which, to my mind, is practically as prohibitive as the Dingley rate of $7.84, and my candid opinion is Mr. Carnegie was pretty well informed as to what the tariff would be and will continue to be able to make generous gifts in the future as he has done in the past; but in this country of ours charity covers no sins, and the Payne bill is void of charity and full of sin. It seems to me we should return to Democratic principles in the framing of the tariff bill, to the end that the expenses of the Government be more equitably distributed and that each pay in proportion to his ability to do so.

Mr. Chairman, I for one am in favor of a separate record vote on the articles I have mentioned and all other articles in which the people of this great country are interested, so they may know who are representing them and who are representing the trusts and monopolies, such as the Standard Oil, the steel, and the sugar trusts.

Mr. Chairman, I desire to call your attention and the attention of this House to the ever-increasing belief that this bill is a particularly heavy burden on the American breakfast table, an institution that neither individuals nor parties can afford to attack with impunity, and I am willing to base my reputation as a prophet on the proposition that if this bill carries the tax on tea, coffee, pepper, sugar, cloves, and so forth, as it now carries them, the party in power will feel the heavy hand of the voter who does not relish the additional cost added to his morning meal.

But it is said that it will be impossible to raise the revenue to pay the expenses of government unless these things are taxed.

I deny this proposition, and I believe that more revenue can be raised by a strictly revenue bill than by a protective bill, especially if the protective bill is so drawn, as it is in many cases, as to make the imports practically impossible by the enormous duty charged. Then there is the income tax, which was constitutional for nearly one hundred years and only pronounced unconstitutional by a divided court in time to defeat the Wilson bill as a revenue producer. There can be no possible question but that the one class other than the laborer who receives the least benefit and is done the greatest injury by the operations of a tariff bill like this is the American farmer. His surplus products are sold in a free market and everything that he uses is taxed to the limit, so that he buys in the highest and least competitive market and sells in a market that competes with the world.

Still the standpatter from the stump tells him that ancient joke, that the tariff on wheat, oats, and corn is his share of protection. Then he tells him of the spirit of brotherly love that should envelop his soul, so that he will help his brother, the manufacturer, to pillage, under the form of protection, his other brother, the workingman.

But to return to the farmer. When Grover Cleveland retired from office at the end of his second term the price of the principal product of the farmer, wheat, was 80 cents per bushel; and it never reached that price again until the year 1907, despite the fact that during the ten years that ensued there was a duty of 25 cents a bushel on wheat. From 1890 to 1894, under the high protective McKinley bill, wheat fell from 83 to 50 cents per bushel, with the same duty of 25 cents per bushel.

And so it is with other products of the farm, the surplus of which the farmer is compelled to sell in the free market of the world. Corn in 1899 was worth 30 cents per bushel. In the short space of two years, namely, in 1901, it sold at 60 cents per bushel.

Will some one please explain why there is such a vast change in price under the operation of the selfsame bill? If there be any virtue in the claim of the protectionist, why, then, does not this tariff keep it at the high price instead of in such dangerous fluctuations? Every reasonable person knows that there is but one law that makes the price of wheat, corn, and so forth, and that law can neither be repealed, amended, or trifled with by legislators, and that is the law of supply and demand. I reassert the well-known truth that nothing else affects the price of grains except, perhaps, a war or some other dreadful calamity, and these things can be placed under the head of accidents.

However, before I leave this subject I will add just one more agency that affects the price of grains, and that is the manipulations of heartless gamblers who operate on grain exchanges in the great grain centers of this and other countries. They frequently extort great fortunes from the people by devious methods and artificially affect the price of grain. There should be some law framed to prevent these gamblers from so manipulating the price of grain for their selfish ends. My attention has also been called to the fact that in 1895, under the Cleveland administration, corn sold at 45 cents per bushel, and during 1905, under the Roosevelt administration, corn sold at 41 cents per bushel. These examples only serve to show the folly of trying to prove by the prices themselves that the tariff has anything to do with the price of grains; and dull, indeed, is the person who can be convinced that low prices of grain bear any relation to a low tariff or high prices to a high tariff.

The surplus products of the American farmer are sold in the markets of the world in competition with similar products raised by the lowest-priced labor in the world.

But they tell us that the farmer is helped by this duty on farm products. They forget that this can not help the farmer so long as he is an exporter. Particularly does he get no benefit from this sort of legislation because when he becomes an importer—that is, when he purchases necessary articles—he finds that he is buying articles protected by a nearly prohibitive, and in many cases by an absolutely prohibitive tariff.

Let the farmer take in a load of grain to market, and then if he has in mind the erection of a new building on the farm, let him invest the proceeds of the sale of the grain in lumber, nails, glass, and so forth, and he will be compelled to owe a little until he brings in the next load or two. At this time he should begin to speculate on the real meaning and value to a farmer of this much-vaunted high protective tariff on agricultural products.

It begins to look as though the revision of the tariff by the friends of the tariff is going to be a joke, a delusion, and a snare so far as the great mass of consumers is concerned. The revision will be upward instead of downward, and woe be unto the party that foists this bill on the people, for they will rise in their wrath on election day. Two years thereafter they will replace President Taft with that other great son of Ohio, Governor Judson Harmon. [Applause.]

Mr. GORDON. Mr. Chairman, it would seem superfluous to further specifically discuss any of the important or even any of the immaterial tariff schedules contained in the bill now under consideration. This has been done so ably and exhaustively that I could not reflect any additional light upon them. I will therefore direct my remarks upon somewhat different lines; and in doing so I wish to say that I have no ambition now or at any time to be heard in this Chamber merely for the transitory honor of making a speech. Neither do I desire to speak and publish for "home consumption," as all of the new Members and some of the old ones are frequently supposed to do. But I do desire to be heard for a short time, lest my silence should be construed as indifference to the important issues involved in the pending debate, which perhaps will prove to be the most celebrated, exhaustive, and instructive discussion ever known to the hackneyed but vital and notable history of the intricate and perplexing problem of tariff legislation, and which debate will perhaps disseminate more educational tariff literature than was ever before given to the American people. Practically all that has been said and published heretofore on this subject has been brought to light in this debate and supplemented with a history of the effects of the operation of existing tariff laws since the enactment of the Dingley bill, and which shows the necessity of revising and amending such laws, from time to time, in order to adjust them to the ever-changing conditions of trade and commerce and the every varying demands of an evolving and advancing civilization.

For more than a century, nay, from the very foundation of this Government, a reasonably satisfactory solution of the tariff problem for any considerable period of time has defied the wisdom and statesmanship of some of the ablest and best men that this country has ever produced or, perhaps, ever will produce. It is no wonder, then, that we should approach this economic enigma "with fear and trembling." And all that we can presume to do is to emphasize the magnitude and sensitiveness of the question involved in this, perhaps, too impassionate and vehement controversy and to supplicate the majority having the issue in their hands to exercise all of their wisdom, justice, and moderation in framing the bill for enactment. Unbecoming, indeed, it may appear in me, a comparative stranger on this floor, to offer a word of advice to any Member of this House, perhaps, the ablest, most practical, and, by their various occupations, vocations, and professions, most fully equipped for their duties of any legislative council in the world. Sensible of this, I offer any advice, something that is oftener given than taken, with hesitancy and diffidence. During my very pleasant association with the membership of this House I have not sought to talk and to teach, but to listen and to learn. And I would now gratefully acknowledge my obligations to gentlemen on both sides of this Chamber for the useful information and valued instruction that I have derived from listening to their learned discourses here, and more especially for that derived during this prolonged and remarkable debate, which, I think, has taught us all that the fundamental difficulty in formulating and adopting a tariff bill resides in the perpetual and irrepressible rivalry of commercial interests. It is so easy for men to think that is right which is to their advantage, but it is not so easy for them to think that is right which is to the advantage of somebody else.

Has not such been the observation of every gentleman in this House in his dealings with men, and has such infirmity not had emphatic expression in the earnestness with which manufacturers generally beg for protection for their manufactured products, but pray that the raw material from which they are made shall be put upon the free list? The iron manufacturers want protection for iron and steel, but want ore upon the free list. Manufacturers of shoes and leather want a tariff on shoes and leather, but want hides on the free list. While cattle raisers want a healthy duty on hides, they would not object to free shoes and other leather products.

The oil trust wants a tariff on the products of petroleum, but the crude oil on the free list. Woolgrowers want a high tariff on imported wool, but would be glad to see woolen goods on the free list; while the manufacturers of woolen goods want a high

duty on imported woolen products, they want wool, the raw material, on the free list. Sugar growers and manufacturers of sugar want protection for sugar and its products, but would like to see barrels and hogsheads and the machinery necessary for their finished products on the free list. The manufacturers of cotton goods want a high-protective duty on the products of cotton, as they have heretofore had, and which they have been given again in the pending bill; yet they want free cotton, which they have heretofore had and will continue to have, because our country has a practical monopoly in the production of cotton, and it therefore has little or no competition with foreign-grown cotton; while the people, not only in the cotton-producing areas, but in every other section of the country, would rejoice to have a material reduction of the duty on cotton goods, as they ought to have.

In those States wherein timber, suitable for lumber, is practically exhausted and wherein lumber has heretofore been protected, and in those prairie States and Territories wherein there is little or no timber or lumber, the people want free lumber; but in those States wherein there is yet a supply of timber and lumber, the timber owners, lumber dealers, and manufacturers want the present or a higher duty than is now imposed upon lumber. And so we could continue these antithetic illustrations indefinitely, but we have cited enough to show that the fundamental difficulty in framing and adopting a tariff law that will be reasonably satisfactory to all classes and communities of our people, resides in the great diversity of local, sectional, or specific interests and in the rivalries of commercial enterprise, and hence the diversity of views and contentions heard upon this floor in the pending discussion. Members naturally sympathize with the wishes and wants of their constituents. This is right, with this qualification, that each will not demand more for his constituents than he is willing to concede to the constituents of others under like or similar conditions. My constituents are willing to pay their just proportion of a tariff tax—for it is nothing more nor less than a tax indirectly paid—to support the Government honestly and economically administered, but not a dollar for protection per se—that is, for the sake of protection. Our once "infant industries" have become full grown and independent giants that need no protection, though a tariff for revenue only does incidentally protect them.

I agree with the distinguished gentleman from Alabama [Mr. UNDERWOOD], who said in his able speech before this committee a few days since that the best Democratic tariff law we have ever had was what is known as the "Walker bill," of 1846, which levied import duties on competitive products, such as wool, cotton, iron, and steel, but placed sugar and coffee, noncompetitive articles, on the free list. And we would so graduate the duties on competitive products as to levy the highest rate, not prohibitory, on the luxuries and elegancies of life, such as wines, liquors, jewels, ornaments, silks, works of art, and so forth, and so forth, and the next highest upon the comforts and the lowest on the necessities of life. I believe that all classes of the people should bear their just proportion of the tax necessary to the support of the Government that protects them, the rich paying the highest rate, the well to do the next highest, and the poor the very lowest—that is, in proportion to their ability to pay.

While my constituents want a reduction of the tariff on shoes, cotton and woolen goods, oil, coal, farming implements and machinery, wheat, flour, meat, bacon, and some other necessities, they are not complaining unreasonably, nor are they demanding such radical reduction in the existing tariff schedules as will destroy or seriously damage any useful industry, but they do insist upon an equitable tariff tax and the lowest consistent with revenue purposes.

The timber owners and lumber dealers and manufacturers of the district that I have the honor to represent are asking that the present duty be retained on lumber; the consumers naturally want free lumber. Now, as I do not think that the reduced rate proposed in the bill would be burdensome to consumers or unfair to any interests, and as we are compelled to raise revenue for the support of the Government, and as the duty now on imported lumber brings into the Treasury nearly $2,000,000, and as the decrease of that duty to about one-half, as provided in the pending bill, may increase that amount by increased quantities of foreign lumber coming into the country, I will, for the purpose of revenue, vote for the reduced rate of tariff on imported lumber as provided in the bill, believing that each industry ought to bear its just proportion of a tax to support the Government. As shown in this debate, this industry gives employment to 800,000 laboring men. I have said that one chief difficulty in coming to an agreement in framing a tariff law resides in the diversity of the interests involved and in the ever active conflicts of commercial enterprises. I repeat that declaration to show the necessity of mutual concession and compromise. It is hard to reason with the run-mad commercialism of the day. It sometimes looks as if that spirit would soon become a national monomania, if it has not already done so. Fifty years ago a millionaire was a novelty and a wonder. To-day he is common as colonels in Kentucky or majors in Tennessee. The pauper of to-day is the millionaire of to-morrow, and we do not know how he became so except by devious methods that robbed somebody else. We admire and applaud commercial enterprise and success when directed and achieved on legitimate lines and by honest methods.

There is, or ought to be, a limit to individual, corporate, monopolistic, and even national aggrandizement. A nation, as well as individuals and combinations of individuals, can become too powerful to be just. The exactions of wealth and the extortions of monopoly, with the power that accompanies great riches, have been prolific sources of social disturbance and political revolution in all past ages, and may become so in this if not restrained and controlled by law.

That a high protective and discriminating tariff has aided in the creation of trusts and monopolies will hardly be questioned, and the time has come to enforce the Democratic doctrine of "equal rights to all and special privileges to none." That New England has grown rich and powerful at the expense of other sections of the country will hardly be denied. She was the first to get tariff protection and she wants to be the last. The high protection that she has so long enjoyed on cotton and woolen fabrics, shoes, and other products of prime necessity should be greatly reduced and to a revenue basis. And here may I historically remind you that it was this long favored section—New England—that made the first threat to dissolve the Union, because she said her commerce was being injured by the then existing war with Great Britain. May I also remind you that what were deemed unjust tariff laws caused another State in a different part of the country to threaten nullification and secession in 1832, but the objectionable law was modified and further trouble for the time was averted. Also that the tariff question was later a material factor in the inauguration and prosecution of one of the most sanguinary and destructive internecine wars of which human history has given an account. May I further remind you that tariff taxation was the leading cause of our Revolutionary war. And although it is a hundred and thirty years since one of these wars and nearly fifty since the other in which the tariff question was a material factor, it is not yet settled, but is still a source of discord and dissension as shown in this protracted and vehement debate. It is still a bombshell filled with explosives, and needs to be carefully handled. It is not—at least, it ought not to be—any party's question, but the country's question. The eyes of restless, anxious, watching millions are upon this Congress, called together for the special purpose of revising and changing an unsatisfactory tariff law and making it more equitable and satisfactory to the people by doing equal and impartial justice to all classes and all sections of the country. Justice is the essence of all good and stable government, and without that all forms of human rule, whether democratic, monarchic, oligarchic, autocratic, or what you will, are alike tyrannies and will eventually be overthrown. If, then, we would have continued peace and tranquillity, let us give the people justice. No Member can fairly claim a concession for his particular constituency that he is not willing to accord to those of all other Members. And in the final framing of this bill, imposing a tariff tax for revenue to support the Government, frugally and honestly administered, let us endeavor to put the lightest burdens upon the labor producers and toiling consumers and the highest on those who can most easily bear them.

AN INCOME TAX.

We are compelled to raise enough revenue to maintain the Government and to prevent a continuation of the deficit now in the Treasury and estimated to be from $100,000,000 to $140,000,000. This is the great purpose for which we have been convened in extraordinary session, and this must be done by levying duties on foreign products coming into this country until some better and more satisfactory system of raising revenue to support the Government can be devised.

In this connection I desire to say that I emphatically favor an income tax for raising a portion of the revenue to support the Government, and would heartily support a bill for that purpose, such as was proposed by my colleague, Mr. HULL, in his able speech on yesterday. The bill he proposes provides that all incomes above $4,000 per annum be taxed 2 per cent for the purpose of raising revenue for the support of the Government. The passage of such a bill would bring large sums into the Treasury, without being oppressive to anyone. The man

who is fortunate enough to have such an income ought not to object to paying a tax of 2 per cent on all the income he has above that amount, because it enables him to pay the tax without a hardship. Is it not a sound principle that all citizens should contribute to the support of their Government in proportion to their ability to do so? Such an income tax as this would not only be moderate and fair, but would be such an ample source of revenue to the Government as to enable it to reduce the tax now imposed upon the comforts and necessaries of life, and that is what I favor. I am for revising the tariff downward on all articles that are indispensable to the great body of the people and of raising it, if necessary for revenue, on those articles that are not indispensable.

Concluding, I once more appeal to the majority, having the power to pass the bill under consideration, to be fair and just—giving to all classes of the people and all sections of the country an equal hearing and a "square deal."

Mr. MOSS. Mr. Chairman, in speaking for a short time on the tariff question I shall not attempt to make a partisan speech. I wish to talk from the standpoint of a farmer and not that of a politician, nor do I have the same advantage as the gentleman from New York, who is a merchant in New York and a farmer when in Pennsylvania. I know nothing about any other business than farming, and came direct from the farm to the floor of this House; theories may sustain arguments for campaign purposes, but the business of this country deals only with facts, and the American farmer is the great business man of our Nation.

I wish to speak of two phases only of this great tariff question—its relation to the cattle industry and the maximum and minimum features of this bill. The value of our meat industry is not seemingly understood by some of the Members of this House. I was much interested in the remarks of the gentleman from Massachusetts [Mr. GARDNER] when speaking in the interest of the shoemakers of his State. We are aware of the importance of the busy workshops and the value of their output, but, sir, Mr. Chairman, if all the property of the New England States was sold at its estimated value the proceeds would not be sufficient to equal the amount of capital now invested in the production of the meat supply of the United States. And I call the attention of the Members of this House to Table 3, page 4, Bulletin 155; United States Department of Agriculture, published in 1907. I insert that table in full in my remarks, and now call attention only to the comparisons I have given, namely, the total capital engaged in the meat industry and that invested in the New England States; the capital directly related to meat productions for export is $10,625,059,283; and the estimated true value of the New England States is $8,823,325,592.

And now, Mr. Chairman, the value of our cattle is three-fourths that of all our domestic meat animals; and so we may say the capital directly related to the cattle industry in the United States is equal to the true value of all the property of the New England States. The people who own this vast amount of property are interested in every phase of the cattle question. We are interested more in the price of the meat than we are in the price of the hide, simply because there are more pounds of beef in the steer than there are pounds in the hide; but, sir, when I was a boy and attended the old-time rifle matches, where a beef was the prize, the hide and tallow always made one choice out of five, and the hide is more valuable to-day than it was thirty years ago. And I state here that no industry in the United States with an equal investment pays so small a margin of profit as the cattle industry as it stands to-day, and, if the committee will follow me a few moments, I will give some of the reasons why this it true, and I wish it understood that I am speaking from the standpoint of a corn-belt cattle grower and feeder.

I desire to call particular attention to the fact that export cattle to-day under our present tariff are lower than they were under the Wilson law in 1896. I shall insert in full in my remarks a table prepared for me by the statistician of the Agricultural Department showing the number, value, and average value per head of all cattle exported from the United States from 1890 to 1908, both inclusive. I call attention now only to the years 1896 and 1908—the last year of the Cleveland administration and the last year of the Roosevelt administration. In 1896 we exported to all countries 372,461 head of cattle; in 1908 we exported 349,210 head, or a decrease of 23,251 head. The cattle exported in 1896 brought the American farmer $34,560,672, while those exports in 1908 realized but $29,339,134, or a decrease of $5,221,538 in total value. In 1896 the average price per head of export cattle was $92.79. In 1908 the average was only $84.02 per head, or a decrease of $8.77 per head. Under the Wilson bill, taking the years 1893–1897, inclusive, a period of five years, the average price of export cattle was $92.31 per head; and under the Dingley law, taking the years 1898 to 1908, inclusive, a period of eleven years, the average price of export cattle was $77.65, or a decrease of $14.66. To make this comparison the more striking, let us compare the average price of export cattle under the McKinley Act, the Wilson law, and the Dingley bill. For the years 1890 to 1892, inclusive, the average export price of cattle was $82.46. So we have the averages as follows:

The last years of the McKinley law the average price of export cattle was $82.46 per head; the Wilson law, $92.31 per head; the Dingley law, $77.65 per head. These facts are not mentioned as a defense of the Wilson bill or an indictment of the Dingley law; they are quoted to prove the assertion that the cattle industry pays a very small margin of profit at the present time, and whatever may have been the degree of prosperity of the whole country, the cattle industry has not been favored by the high prices which are said to constitute that prosperity.

Cattle from the corn belt, when fattened for the market and sent to Chicago, are separated into grades, and each grade seeks its own market. There is no more competition between the different grades of fat cattle from our farms than there is between the fine shoes and the brogans from the Massachusetts factories. There are three principal grades of beef cattle. The shipping grades are the very choicest and the highest priced. These go to our eastern cities for high-grade hotel, restaurant, and retail trade. This trade demands the best beef and pays the highest price. The second grade is export cattle, or those which are shipped abroad alive; then comes the packing grades, or those purchased by the Chicago packers, which compose the great bulk of our beef cattle. The only practical competition at the Chicago yards is that between the shippers, packers, and exporters, and this competition is only present when the packers are bidding for the higher grades of cattle, and thus conflict with the interests of the buyers for the shipping and export trade. As the great bulk of cattle are of grades below shipping and exports, they fall into the packers' hands without competition. This gives rise to the charge of a cattle trust. I shall not argue the question of the existence of a cattle trust; but if there is a cattle trust, it is a trust which can not be broken up by the penal laws of our country, and will be dissolved only when you broaden the foreign market for our cattle and make it possible for competition to enter into the grades of cattle now handled exclusively by the packers. Men will always buy as cheaply as is possible under existing conditions. That is the first law of trade, and it will manifest itself in the cattle trade just as surely as in any other branch of business. One of the chief advantages which broader foreign markets will bring to the American farmer is the competition in buying for the grades of cattle now handled exclusively by the packers. I can make this clear if you will follow me in an examination of our export cattle trade.

I can not better illustrate the present condition of our present foreign markets for cattle than to take a most striking example from our fat-stock show at Chicago. In this great international fat-stock show, in 1908, my own State, Indiana, captured the highest honors open to any cattle feeder in the world, producing the grand champion fat steer, Fyvie King. No other beef animal, sir, in the world was the equal of this fine animal, which was bred and fed in the great cattle State of Indiana; but when that animal was offered for sale to go upon the block it was denied admission into the markets of every country of continental Europe, except Belgium.

The traveler from continental Europe speaks about meeting American citizens and American products, but he never sees an American steer or tastes American beef.

There has been but 1,179 head of American cattle sold in France, Germany, Italy, and Austria-Hungary since 1895, a period of thirteen years. There has not been a single steer sold in either country since 1902, a period of six years. Their market is not friendly to fresh beef slaughtered in America and sent to their markets.

From the years 1896 to 1907, inclusive, not a pound of American fresh beef has found a market in Austria-Hungary, but 19,000 pounds in France, 1,419,760 pounds in Germany, and but 156,350 pounds in Italy. I place in the RECORD Table 7, Bulletin 55, showing our table exports of meat products, by countries, from 1890 to 1906, inclusive, and I will only call your attention now to the totals.

Taking the years 1899–1908, inclusive, a period of ten years, we exported to the four great countries of continental Europe, viz, France, Germany, Austria-Hungary, and Italy, only 1,146 head of live cattle, valued at $101,220. During this same period we exported to the United Kingdom 3,371,382 head, valued at $315,023,115, or in round numbers 3,000 times in number and value was sold to the United Kingdom as to the four great

countries on the Continent. Practically the same results are true in our fresh-beef trade. During this same period our total exports of fresh beef to the four great countries of Europe were 2,390,163, having a value of $209,683. As small as this amount is, it was wholly sent out during the last five years under reciprocal trade agreements which have been made between the United States and these countries, and which the Payne bill in its present form will abrogate and set aside. During this same ten-year period we exported and sold to the United Kingdom 2,775,684,413 pounds fresh beef, valued at $266,401,965, or 1,250 times the volume and value to Great Britain as to the four great countries of continental Europe. The combined population of France and Germany exceeds 100,000,000 people; transportation facilities are as ample to Havre and Bremen as to Liverpool, nor are freight rates materially different. The people of continental Europe are a meat-eating population, and their markets are poorly supplied with this prime necessity of life. I can not explain this situation better than to quote from a signed article by Alvin H. Saunders, editor of the Breeders' Gazette, and published in that great farm paper, April 22, 1908, page 9441:

I spent a few hours the other day in the great Smithfield market, London, where beef, pork, and mutton in quantity fairly paralyzing is daily exposed for sale from Argentina, New Zealand, Australia, Denmark, and the United States; but across the English Channel, scarce six hours' distant, are other toiling millions gnawing at hard crusts, horse meat and sausages of dubious origin. A glut at Chicago and London and comparative famine, so far as good nourishing meats are concerned, from Naples to Copenhagen. Why? Because the iron hand of the law stands between the American feed lot and the European kitchen, that is all.

The United Kingdom has always been a friendly market to us, but it is also a friendly market to other countries. South America and Australia are now underselling us in the British markets on the cheaper grades of beef, and we are gradually losing our export trade on cattle and their products. I will place Table 6 in full in my remarks, and now simply call attention to the fact that for the year ending June 30, 1907, a period free from financial disturbance, we did not export, in round numbers, but 7,000 head more cattle than we did for the average of five years extending from 1898 to 1902, inclusive; and 113,857 head below the average for the five-year period from 1903 to 1906. If we take the year 1908 for comparison, we exported in that year fewer cattle and the American farmers received a smaller total sum of money from this item than for any year since 1893. Comparing 1908 with 1896, the total number exported in 1906 was greater and the average price was $8.72 per head higher in price. Our canned beef has fallen from 50,000,000 to 15,000,000 pounds for the five years ending in 1907, and in this same period our exports of fresh beef fell from 300,000,000 to 291,000,000 pounds. In this connection I quote from a statement made by Clay, Robinson & Co., of Chicago, one of the largest cattle commission firms in the Central West, published in the Live Stock Report, March 5, 1909:

Exports of beef from this country are on the wane, and a great deal of damage has resulted to the price range thereby. The latest statistics anent the imports into the United Kingdom during 1908, as compared with the previous year, indicate a big decrease. Last year the United Kingdom bought from our country live stock for food purposes to the value of $31,782,168, a decrease of $7,570,800 from the previous twelve months, while a total of $50,165,828 of fresh beef was imported by that country, a decrease of $432,145. And this total decrease in import trade in fresh beef indicates that a considerably increased volume of cheaper beef was received against the year previous, and it came from countries other than the United States.

United States exports of dressed beef in the United Kingdom during 1908 in value were approximately $15,906,641, a decrease of $9,256,000 from the year before; while the exports of live meat animals a total volume of business of $21,704,590 was noted, indicating a decrease of $7,610,322 from the year before. A great portion of the decrease in the United States live-cattle and dressed-beef exports was due to the increased trade with the Argentine Republic enjoyed with England and also the favor with which the Canadian beef found sale.

Our total exports of fresh beef are shown to have been 201,154,105 pounds for 1908, against 281,651,502 pounds in 1907. The significance of these figures can best be shown by quoting the following statement, taken from Meat Supply and Surplus, published by the Department of Agriculture in 1907. I quote the first sentence written in that bulletin:

With a meat export in 1900 amounting to one-eighth of the production, the growing of meat animals and the manufacture of the products derived from their slaughter are largely dependent upon the export trade, and the foreign marketing is essential to the maintenance of the present magnitude of the meat industry and of prices profitable to the farmer. If such an immense quantity of surplus meat food was to be confined within this country by the refusal of foreign countries to buy it, there would follow consequences to farmers, range men, slaughterers, and packers which would be financially disastrous.

Now, Mr. Chairman, I trust these figures will convince the gentlemen of this House that the cattle industry deserves careful consideration in the pending tariff measure.

I shall speak of free hides in this connection; but before leaving the subject of foreign markets I want to ask the question, What relief will the pending measure give from unfriendly foreign restrictions on our meat industry if it becomes a law as it now stands? I am going to ask the same question regarding this measure which Mr. Blaine asked in regard to the McKinley bill: Does it make a foreign market for our beef and pork?

The farmers and live-stock men are in favor of a maximum and minimum tariff, because they have understood that such an arrangement means an extension of our reciprocal trade agreements. I have called attention to the fact that the only fresh beef we are now sending to the Continent is the result of these trade treaties, and that these agreements will be abrogated by the pending bill; but I undertake to say that as the present bill is drawn, however well it may serve the American manufacturer, it will not open foreign markets to American meats and meat animals, and therefore will disappoint the just expectations of our farmers and stockmen. This opinion is not based upon a spirit of hostility to any constructive work by the majority, but is based upon a study of the cause which has driven us from the world's live-stock markets. The Payne bill assumes that American products have been discriminated against by foreign tariffs, and the trade advantages it offers will go to countries which give to our products the most-favored-nation clause. The present live-stock situation has not been created by hostile tariffs.

The Secretary of Agriculture uses these words in describing the tariff situation in Europe as applied to our meats:

As a rule, the tariff rates imposed do not discriminate against the United States. At present no country of Europe, except France, imposes on the United States products higher rates than those applicable to the products of its most highly favored competitor. Even in the case of France, the benefit of the lowest tariff rate is accorded to the United States on several of its leading packing-house products.

The Payne bill abrogates our present special trade agreements which have partly opened European trade to certain classes of our meats, and then, under the automatic maximum and minimum features, prevent the American farmer from securing any concession at all. It takes away what little special privileges we have, and absolutely offers nothing in return. This being true, then in what manner will the Payne bill, if enacted into law, open the markets which are now closed to us? This important feature of our trade relations does not seem to have been understood by the distinguished gentleman of the Ways and Means Committee.

Our cattle and meat products are shut out of their markets by unjust regulations under the right to protect the public health, and not under the operation of a tariff charge. The American farmer produces the best meat in the world at the lowest price. On all grades of grain-fed cattle they can meet the competition of the world. No one objects to the principle that a nation should have the power to exclude or restrict the importation of food products to protect the public health, or to avoid contagious diseases among stock. Our own country exercises this power, and but recently it prohibited shipments to avoid diseases; but as soon as the danger is past, the arbitrary regulations are suspended. We can not reasonably object to other countries exercising the same power to protect their interests which we reserve to protect ours. It is not the principle to which we object, but the unfair regulations to enforce the principle. It is an instance in which the spirit rather than the letter killeth, and that is exactly why this automatic provision of the Payne bill must fail to meet the situation.

The gentleman from Michigan [Mr. FORDNEY] in defending the countervailing duties on forest products, used these words:

Canada has discriminated against American citizens; and, by the heavens above me, I contend that we have the right to strike back at Canada when she strikes at us.

This sentiment was applauded on the Republican side of this Chamber; and yet, Mr. Chairman, in section 482 of the Payne bill I find this provision; "Any animal imported specially for breeding purposes shall be admitted free;" and under this section France, in 1907, sent to the United States 1,582 horses and mares, which brought the farmers of France more than $1,000,000, and during that period not an American steer was admitted into their markets. The same thing is true of Germany; they send their horses and mares into the United States at a high price and not a single American steer could gain entry into their country. Our farmers want to know why it is that they can send sound animals into our markets and we can not send sound animals into theirs. If you are going to strike at the Canadian lumberman, why not strike at the French and German farmers? We give them markets for their horses and they deny us a market for our cattle. This section of this bill should be amended, and I call attention that, if given the opportunity, I will offer the following substitute for this section:

SEC. 482. Any animal imported by a citizen of the United States specially for breeding purposes, whether intended to be so used by the

importer himself or for sale for such purpose, $100: *Provided*, That all such animals shall be admitted free of duty if imported from any country which admits American live animals under conditions and regulations satisfactory to the President: *And provided further*, That no such animal shall be admitted free unless pure-bred of a recognized breed and duly registered in the book of record established for that breed: *And provided further*, That certificate of such record and of the pedigree of such animal shall be produced and submitted to the customs officer, duly authenticated by the proper custodian of such book of record, together with the affidavit of the owner, agent, or importer that such animal is the identical animal described in said certificate of record and pedigree: *And provided further*, That the Secretary of Agriculture shall determine and certify to the Secretary of the Treasury what are recognized breeds and pure-bred animals under the provisions of this paragraph. The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision. Cattle, horses, sheep, or other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back to the United States within six months free of duty, under regulations to be prescribed by the Secretary of the Treasury: *And provided further*, That the provisions of this act shall apply to all such animals as have been imported and are in quarantine, or otherwise in the custody of customs or other officers of the United States, at the date of the passage of this act.

If this section were amended, taking away the right of free entry from those countries which prohibit the entrance of our live stock into their markets, we would have a most powerful weapon with which to secure the American farmer a fair fight for foreign trade.

And now, Mr. Chairman, the question of free hides is raised by the Payne bill. My position is mighty plain on that proposition. I am for free hides if you put leather and shoes on the free list. I am opposed to free hides and taxed shoes. The working people of this country are entitled to cheaper shoes; the farmer should have cheaper harness; and I am willing to spread this gospel of reduction in the cost of production to include free hides. I place in my remarks a letter from a manufacturer of shoes asking for free hides and offering free shoes. I commend the spirit of fairness contained in that letter, and I am willing to strike the bargain on his own terms. This means a concession from both parties who produce the shoe—the man who raises the hide and the man who makes the shoe—in favor of the man who buys the shoe, for you can not make a shoe without the hide; and when we are to determine the cost of that shoe, why take all the concession from one man? Free raw materials with a taxed finished manufactured product made from that raw material means, simply, that the advantage which goes in some degree at least with any tariff duty is to be given to the manufacturing States as against the agricultural and mining States; for raw materials are produced largely by the farmer and the miner.

I am willing to take off both duties at the same time; but, sir, the wayfaring man, though a fool, knows that if the farmer consents to free hides in advance the shoe manufacturer will get cheaper hides, but the farmer will not receive cheaper harness and cheaper shoes. The Treasury will lose the revenue derived from a just revenue duty on hides, the farmer will lose $1 per head on all beef cattle, and the people will pay the same price for shoes. It will be the same old story of the sugar trust, with the old duty on refined sugar maintained and raw sugar admitted at a lower rate. The duty on raw sugar from Cuba was lowered 20 per cent, without any reduction in the duty on refined sugar. This was done to give the people cheaper sugar. Last year we imported from Cuba 1,618,233 tons of raw sugar, and the price of the refined sugar was not lowered one penny. The Treasury of the United States lost a vast amount of revenue, the treasury of the sugar trust gained an equal amount, and our people paid the old price, which is 2 cents per pound more for sugar than the people of the United Kingdom have to pay.

Why should there be protection on shoes? All our shoes are made in the United States and we are selling vast quantities abroad. Last year we imported only $164,509 worth of shoes, paying a duty of only $41,000, while we exported $10,600,000 in value, or nearly 6,000,000 pairs of shoes. The manufacturers lose nothing by lowering the rate on shoes from 25 per cent to 15 per cent; one rate is just as prohibitive as the other. Harness is reduced from 45 per cent to 35 per cent. In the year 1907 we imported but $160,632 worth of harness, and in the same year we exported five times the value in harness that we imported. The rates on shoes and harness are absolutely prohibitive. They yield practically no revenue, so that the Treasury is not benefited. If the purpose of a tariff is to raise revenue, I call attention to the fact that a tariff on hides of 15 per cent will yield more revenue in one year than a tariff of 25 per cent on boots and shoes would do in fifty years. Why, then, repeal the one and leave the other?

The present tariff on hides is 15 per cent ad valorem. This is a just and fair revenue duty and places in the Treasury a revenue of $2,789,300 per annum. We are told that at present our revenues are not sufficient to meet our expenses, and that the Government must raise more money. Under these circumstances, I ask why this revenue is thrown away and hides are placed on the free list? I am determined to adhere to my resolution to discuss this question from a farmer's view point and not as a political consideration. I may remind my Democratic colleagues, however, that this is purely a tariff for revenue, and therefore accords with our time-honored political principles; and I may say to my Republican brethren that if you recognize the difference between the cost of production here and abroad, together with a reasonable profit to the American farmer, that the present duty is too low, and, while I do not claim the right to direct your policy, to make the interpretation of your platform, I can see no reason why an American farmer is not as fairly included within that promise as an American manufacturer.

The question has been asked, "Who gets the benefit of the tariff on hides?" The answer is very plain. The same man gets the advantage of the tariff on hides who gets the benefit from the tariff on every other article in the tariff schedule—the man who makes them for sale; and that, in this instance, is the American cattleman. I insert in my remarks a table of the prices of domestic hides for the years from 1892 to 1908, inclusive. This table was compiled for me by the Bureau of Statistics under date of March 29, 1909. I now call attention to the prices for 1897 and 1898: For 1897, the price for domestic green salted hides was $9.96 per 100 pounds; in 1898, the price was $11.50, an increase of nearly 15 per cent. The tariff on hides went into effect in 1898, and this ought to answer who got the extra price. I wish to say that no market is more sensitive than the fat beef market. Even the appearance of a steer adds to his value. Cattlemen feed special feeds to add to the glossiness of the hair; they bed carefully to add to the appearance, for the cattle are purchased by the eye, and every factor adds to their value. Even the presence of horns detract from their sale because of liability to damage or actual damage to the hides and flesh by bruising; and anyone familiar with market reports knows that if a high-priced bunch of cattle contains any cattle with horns, that fact is always noted in the market report, so that buyers and sellers in the country will fully understand the sale.

The present bill carries a duty of 11 cents a pound on raw wool—a tax equal to a rate of 46.88 per cent ad valorem. This tax increases to 44 cents on scoured wool which produces 1 pound of woolen cloth; on yarns made wholly or in part of wool a tax equivalent to a rate of 121.09 per cent ad valorem; on woolen cloths, 136.75 per cent ad valorem; on knit fabrics, 123 per cent; blankets, 99.9 per cent; flannels, 107.52 per cent; women's and children's dress goods, 107.53 per cent—an average rate on all wearing materials made wholly or in part of wool of 94.54 per cent. These taxes are not only oppressive but they are prohibitive. Only 6.2 per cent of all our woolen manufactured goods are imported into the country; we get practically no revenue from these importations.

I have given these figures to contrast the wool schedules with the hide schedules in the same bill. Now, the value of all the cattle in the United States, according to the census of 1900, was $1,500,000,000; and the value of all sheep was $171,000,000; or that our cattle are worth practically nine times the value of our sheep. Now, why should wool bear so high a duty and cattle hides no duty at all? The answer is very plain to me. Farmers shear their sheep and sell their own wool. If you own but one sheep you can see at a glance the difference which the tax on wool makes in its market value, and the vote of the farmer is feared at the ballot box. The beef animal is usually sold on foot, and beef cattle vary widely in price—often from 3 to 6 or 7 cents a pound in the same market.

A butcher, when he slaughters a beef, divides it into three parts, the hide, the quarters, and the offal. From the hide and the quarters he must get the value of the animal. The more meat it dresses, the higher value he can pay, so that a very fat animal is worth more than a poor one, both on account of the quantity and the quality of the beef. So the price varies widely, because the percentage of dressed beef to live weight varies widely. The hide does not vary so much in weight or price, so that the hide is a larger factor in fixing the price of plain cattle than it is in fixing the price of the very high-priced cattle. But to show that the price of the hide does have an effect on the selling price of cattle, I insert the following telegram from Clay, Robinson & Co., cattle salesmen at Chicago and every other great cattle market in the United States. These men have no interest on either side of this controversy

and simply state the effect the change will have on cattle shipped for sale to any of the great markets:

UNION STOCK YARDS,
Chicago, March 31, 1909.

RALPH W. MOSS,
Washington, D. C.:

If hides put on free list, affect selling value of cattle 5 to 10 cents hundred.

CLAY, ROBINSON & CO.

If every cattle grower in the United States slaughtered his own cattle and sold the hides as he now sells his wool, so that the effect of the tariff duty would appear to him as plain on hides as it does on wool, there would be doubt as to the disposition of this schedule. Every protectionist would be eager to vote for a high rate on hides, and every tariff-for-revenue advocate would favor a revenue duty with its incidental protection, and we would have the hide and the leather schedules closely modeled after the wool and woolen schedules.

I rejoice, Mr. Chairman, that this result can not be brought about. Leather and its products are a necessity among civilized people. Everybody wears shoes, and the demand for leather and its products exceed our ability to produce the hides to supply it. I believe the necessities of life should be lightly taxed, but the necessity for good shoes is no greater than it is for warm clothing. I insert in my remarks an editorial which Mr. CLARK of Missouri took from the Kansas City Star, the leading Republican newspaper of the West, and made a part of his speech on the Payne bill. Mr. CLARK of Missouri said:

That there was any connection between the tariff and tuberculosis I never dreamed, but here it is, and when you hear it, it is as clear as day. This article is as follows:

TUBERCULOSIS AND THE TARIFF.

Probably few persons have ever given the matter a thought, but there is an intimate relation between the high protective tariff and the high mortality resulting from tuberculosis. The ravages of this disease are greater in the United States than in any other similarly enlightened country. And the cost of warm clothing is greater in this country than in others. There is where the relation between an unnecessary tariff and a largely preventable malady comes in.

It has been shown that tuberculosis is very largely a disease of poverty. Particularly is the spread of the disease, the miscellaneous infection from it, mainly traceable to poverty. And, next to good food and fresh air, the most important thing in the prevention or the cure of tuberculosis is warm, woolen clothing. But the cost of this kind of clothing, whether for wearing apparel or for bedding, is directly increased about 100 per cent by the heavy import duty on wool and woolens. This excess cost is raised to about 150 per cent by the duty on machinery and other articles affecting the manufacture of woolens. These duties were imposed to promote sheep raising and the manufacture of woolens. But the increased cost of raw material has made the general tariff disadvantageous to the manufacturer, and it has not greatly benefited the woolgrower. At least, such benefits as have accrued to the limited class engaged in growing wool is as nothing compared to the benefits that would come to the masses in general through cheap clothing; or to the cruelties, hardships, sickness, and death resulting from an insufficiency of warm clothing. It is better that the Nation should be comfortably and cheaply clothed, warmed, and saved from preventable disease than that the woolgrowers should increase their profits at the cost of these advantages to the whole people. It is claimed by scientists that cheap wool clothing would do more to suppress tuberculosis than all the sanitariums and other agencies now maintained for that purpose.

But in order to make an equitable adjustment of this question, the tariff should be taken off both raw and manufactured wool, and from all machinery or other articles affecting the cost of manufactured wool.

[Applause on the Democratic side.]

The men who vote to levy these exorbitant rates on the woolen manufactures will have visited upon them the curse that is pronounced in the Bible against those who "grind the faces of the poor." [Applause.]

I not only indorse this sentiment, but I mean to vote for free hides and free leather and free shoes; but I protest against the discrimination between wool and hides. It would be vastly better to lower the tariff on wool and woolen goods and retain a low tariff revenue on hides and leather products. The woolen schedules are the worst in the bill. It is not possible that they could be written in any tariff bill if it were not for the supposed effect on the farmer vote. Yet there are vastly greater farm values on cattle than on sheep, and the effect of the tariff on hides is just as positive as on wool. The tariff table which I insert in this connection will show this to be true. No industry ought to prosper at the expense of the whole country. The burdens of government ought to be equally distributed by lower duties levied on many articles instead of high duties on manufactured articles. We would then distribute the benefits as well as the burdens of taxation. The needs of the people and not the political advantages should be considered in levying taxes to support our Government.

James J. Hill stated in a public address that there must be a revolt against the worship of manufacture and trade as the only forms of progressive activity. I venture to predict that if the farmers of our country thoroughly understood the provisions of this tariff bill the revolt would come in this Congress.

Farmers do not enjoy the leisure nor the income of the manufacturing and commercial classes. They live an isolated life and have not had access to current literature as other classes have. I rejoice that this condition is fast passing away. Rural delivery and cheap daily papers are working wonders among our rural population. If their influence is not felt in this body to-day, it will be felt in the near future. I need not remind the majority of this House that the agricultural interests look to them to make this revision a fair one to their interests. We hear much on the floor of this House about the conservation of our resources. Gentlemen, the greatest natural resource this country or any other country has is the fertility of its soil. Lord Bacon more than three centuries ago said that "there be three things which make a nation great and prosperous—a fertile soil, busy workshops, and easy mode of conveyance for men and commodities from one place to another." You can not maintain a fertile soil without general live-stock farming, and you can not promote the live-stock industry of this country by placing hides on the free list and shutting our beef from the markets of the world. [Loud applause.]

APPENDIX.

[United States Department of Agriculture, Bureau of Statistics Bulletin No. 55. Victor H. Olmsted, Chief of Bureau.]

Meat capital compared with other capital and classes of wealth.

Item.	Value.
Capital directly related to meat production for export	$10,625,059,283
Capital invested in manufacturing, 1904	12,683,265,673
Capitalization of net earnings of steam railroads, June 1, 1904	11,241,752,000
Value of real estate (1905, autumn) and of implements and machinery (1900) of farms devoted chiefly to producing cotton, hay, and grain	9,074,168,745
Value of real estate (1905, autumn) and of implements and machinery (1900) of farms devoted chiefly to producing cotton, fruit, rice, sugar, tobacco, vegetables, and to general farming (including small specialties)	5,792,314,927
Estimated true value of street railways, shipping, waterworks, telegraph and telephone systems, electric light and power stations, Pullman and private cars, and canals (1904)	4,810,546,999
Estimated true value of entire real estate of South Atlantic and South Central divisions, 1904	9,505,995,304
Estimated true value of all property situated in New England, 1904	8,823,325,592
Estimated true value of all property situated in the South Central division, 1904	10,052,467,528
Estimated true value of all property situated in the Western division (Rocky Mountain and Pacific regions), 1904	9,092,581,271

Domestic exports of meat animals, 1890–1908.

Year ending June 30—	Total value of cattle, sheep, and swine.	Meat animals.					
		Cattle.		Sheep.		Swine.	
		Number.	Value.	Number.	Value.	Number.	Value.
1890	$82,413,250	394,836	$31,261,131	67,521	$243,077	91,148	$909,042
1891	31,852,988	374,679	30,445,249	60,947	261,109	95,654	1,146,631
1892	35,621,281	394,607	35,099,095	46,999	161,105	31,963	364,681
1893	30,556,881	287,094	28,092,428	37,290	126,394	27,375	397,162
1894	34,309,458	336,578	33,461,022	132,570	838,763	1,533	14,753
1895	33,395,906	331,722	30,993,796	405,718	2,623,638	7,139	72,424
1896	37,884,333	372,461	34,560,672	491,565	3,076,384	21,049	227,297
1897	38,185,094	392,190	36,357,451	241,120	1,531,645	28,751	295,998
1898	39,151,873	439,255	37,837,500	199,690	1,213,885	14,411	110,487
1899	31,597,629	389,400	30,516,823	143,288	833,555	33,031	227,241
1900	31,763,465	397,286	30,635,133	125,772	733,477	51,189	391,813
1901	39,738,445	459,218	37,566,980	297,925	1,963,009	22,318	238,465
1902	31,060,602	392,884	29,902,212	358,720	1,940,050	8,398	88,330
1903	30,037,719	402,178	29,848,936	176,951	1,067,850	4,061	40,923
1904	44,294,673	566,406	42,259,291	301,313	1,954,601	6,345	53,790
1905	42,703,061	567,836	40,598,048	268,365	1,687,321	41,496	416,692
1906	43,516,238	581,229	42,081,170	142,600	891,600	59,170	630,968
1907	35,637,074	433,051	34,577,392	135,344	750,242	24,262	309,440
1908		340,210	29,339,134				

Average export prices of cattle, 1890–1908.

1890	$79.17
1891	87.26
1892	88.95
1893	90.68

1894	$93.14
1895	92.26
1896	92.79
1897	92.70
1898	86.12
1899	78.35
1900	77.11
1901	81.81
1902	76.11
1903	74.22
1904	71.21
1905	71.50
1906	72.03
1907	81.73
1908	84.02

Exports beef from United States to all countries, years 1890–1908.

Country and year ending June 30—	Beef, canned.		Beef, cured: Salted or pickled.		Beef, fresh.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
Total, all countries:						
1890	82,635,507	$6,787,193	97,508,419	$5,250,068	173,237,595	$12,862,384
1891	107,585,727	9,068,406	90,286,079	5,048,788	194,045,638	15,322,054
1892	87,028,084	7,876,454	70,294,739	3,987,829	220,554,617	18,053,732
1893	79,089,492	7,222,824	58,423,953	3,185,321	206,294,724	17,751,041
1894	55,974,910	5,120,851	62,682,667	3,572,054	193,891,824	16,700,163
1895	64,102,293	5,720,993	62,473,325	3,558,230	191,338,487	16,832,860
1896	63,698,180	5,636,953	70,709,906	3,975,113	224,783,225	18,971,107
1897	54,019,772	4,635,308	67,712,940	3,514,126	200,395,960	22,051,742
1898	37,109,570	3,279,057	44,314,479	2,318,467	274,758,071	22,993,556
1899	38,385,472	3,503,293	46,534,878	2,525,784	282,139,974	23,515,185
1900	57,553,745	5,233,982	47,303,513	2,697,340	329,078,609	29,643,830
1901	53,445,521	5,307,501	57,312,633	3,145,219	351,748,333	31,851,361
1902	66,645,888	6,649,139	48,622,757	3,031,027	301,824,473	27,045,056
1903	76,307,114	7,916,028	52,801,220	3,814,671	254,795,966	25,013,321
1904	57,468,338	5,882,888	57,584,710	3,260,475	290,570,671	28,811,599
1905	66,688,568	6,588,978	55,334,707	3,095,304	236,485,568	22,138,365
1906	64,321,359	6,430,449	81,088,028	4,697,742	248,054,227	24,310,038
1907	15,800,823	1,615,808	62,645,281	3,740,212	281,651,502	26,367,287
1908	23,376,447	2,467,875	46,938,367	3,213,480	201,154,105	20,339,377

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF STATISTICS,
Washington, D. C., March 29, 1909.

MY DEAR MR. MOSS: The table concerning hides, beef, etc., sent to you Saturday were, it is hoped, useful for your speech of to-morrow. There was some expectation that further information might be provided, and an overhauling of material in this office discovers the following mean wholesale price of domestic packers' green-salted cattle hides at Chicago, the annual mean being adopted. The hides are those of heavy native steers, and the prices are computed from the Shoe and Leather Reporter market reports.

		Cents.
1892	green-salted, per pound	8.79
1893	do	7.31
1894	do	6.38
1895	do	10.20
1896	do	8.14
1897	do	9.96
1898	do	11.50
1899	do	12.34
1900	do	11.94
1901	do	12.37
1902	do	13.38
1903	do	11.69
1904	do	11.66
1905	do	14.30
1906	do	15.43
1907	do	14.57
1908	do	13.19

You will observe that from 1897 to 1898 the price increased almost exactly 15 per cent, the ad valorem rate of the Dingley tariff.

Very truly, yours,

NAT. C. MURRAY,
Acting Chief of Bureau.

Hon. RALPH W. MOSS,
Room 151, Office Building,
House of Representatives, Washington, D. C.

Hides and skins—Number produced in 1909.

NATIONAL CONSUMPTION OF BEEF HIDES.

Naturally following from Table 23, which presents the results of this investigation with regard to the number of cattle, sheep, and swine slaughtered in 1909, a mere copying of numbers establishes the number of calfskins, cattle hides, and lamb and sheep skins produced in 1909. The calfskins numbered for that year 5,831,000; the beef hides (exported live cattle not being included), 12,738,000; lambskins, 12,765,000; and the sheepskins 11,783,000. The total skins produced by cattle, including calves, is 18,569,000; by sheep, including lambs, 24,548,000.

Upon combining the production of beef hides with the net imports the approximate consumption of beef hides during one year at about 1909 can be determined. This is presented in detail in table 61, wherein it appears that to the cattle-hide production of this country should be added imports of 3,130,000 hides, and from them should be subtracted domestic exports of 130,000 hides, leaving as a net result of the operation a consumption of 15,738,000 cattle hides.

For the year represented by Table 61 the gross imports were about 20 per cent of the consumption, and the net imports remaining after deducting the domestic exports were about 19 per cent.

TABLE 60.—*Number of hides and skins produced, 1909.*

Class of animals.	Number of hides and skins.
CATTLE.	
Calves under 1 year	5,831,000
Steers:	
1 and under 2 years	1,687,000
2 and under 3 years	2,336,000
3 years and over	1,966,000
Total steers	5,989,000
Bulls 1 year and over	649,000
Heifers 1 and under 2 years	1,687,000
Cows 2 years and over	4,413,000
Total cattle, except calves	12,738,000
Total cattle	18,569,000
SHEEP.	
Lambs under 1 year	12,765,000
Sheep, except lambs	11,783,000
Total sheep	24,548,000

TABLE 61.—*Consumption of beef hides, 1909.*

Item.	Number of hides.
Cattle slaughtered (calves not included)	12,738,000
Imported hides, computed from dry weight, average of 1899–1901	3,130,000
Total	15,868,000
Deduct:	
Domestic exports, hides and skins, all kinds except furs, average of 1899–1901	130,000
Foreign exports (reexports) of "hides and skins" not deducted, partly because the above deduction necessarily includes skins, and also hides other than those of cattle, and partly because the statistics of foreign exports do not separate cattle hides	0
Consumption	15,738,000

THE WOLFE BROS. SHOE COMPANY,
Columbus, Ohio, March 30, 1909.

Hon. RALPH W. MOSS,
Washington, D. C.

DEAR SIR: As one of the largest manufacturers of shoes in the country, we urge you to lend your influence to place shoes on the free list.

The American shoe manufacturer needs no protection. With free hides and cheap raw material, the American shoemaker can shoe the world.

Very respectfully,

THE WOLFE BROS. SHOE CO.,
R. F. WOLFE, *President.*

Mr. FISH. Mr. Chairman, I am well aware of the old adage that fools rush in where angels fear to tread, and of the unwritten rule that it is advisable for a new Member to refrain from discussing public questions. It had been my intention to adhere to a strict observance thereof, but within the past week or so I have received numerous petitions from residents of my district protesting against the tax on tea, and in order to give expression to their views I am compelled to transgress that well-considered rule.

Few complaints have reached me in regard to the other schedules of the bill. From the foundation of the Government no general tariff bill has received universal indorsement for all its schedules. Human ingenuity could not successfully master that problem. The history of the general tariff bills that have been enacted into law is that with scarcely an exception have they received the full vote of the dominant party in both branches of Congress.

The Payne bill is a fulfillment of the pledges of the Republican party, and carries out the views of its candidate for the Presidency. To my mind the plank in our platform was not equivocal, but was intended to mean and meant a real revision, and not as has been claimed by some a revision upward. I would have been loath to have enunciated any other view during the campaign.

Complaints have come from the other side of the House that the minority members of the committee were excluded from the counsels of the committee until the bill was ready to be reported. Such has been the course pursued in framing all general tariff bills in the last quarter of a century. It was done by the Democratic members of the committee in framing

the Mills bill in 1888 (see Stanwood's American Tariff Controversies in Nineteenth Century, vol. 2, p. 231), and also with the Wilson bill, and no other method can, for the general welfare, be safely pursued.

I shall not dwell upon the danger of importations of tea being rushed in during the discussion of the bill, and the very object of this particular tax, namely, raising of revenues, being defeated. The general theory of tariff legislation in this country for half a century or more is that luxuries rather than necessities should be taxed. Tea was subject to a tax prior to the tariff of 1832. The Walker tariff of 1846 continued it on the free list, qualifying, however, provided that it was imported in American vessels or in vessels of countries entitled to reciprocal privileges direct from the country where it was produced. The tariff of 1857 left it on the free list. During the civil war, owing to the dire necessity of raising revenue, both tea and coffee were subjected to a tax by the tariff act of July, 1861.

In 1872 both tea and coffee were taken off the dutiable list, so that from 1832 to the present time, a period of seventy-seven years, with the exception of eleven years (1861 to 1872) during the civil war and for a few years after, tea has not been taxed. The people have come to look on it as not a proper subject of taxation. The person most vitally affected by the proposed tax is the wife or daughter who looks after the household and endeavors to keep down the expenses, while the husband, father, or brother is at work earning a livelihood for the family. This proposed tax, being a specific tax of 8 or 9 cents per pound, bears heaviest upon the people in moderate circumstances, who buy the cheaper grades of tea. It is an additional burden of from 20 to 25 per cent upon those who can least afford it. This tax is not only unsound and unjust, but it is lacking in political expediency. Should it be imposed, it will be the subject of daily discussion in every household, and the party which imposes it will justly be held responsible. The hand that rocks the cradle rules the world.

I listened to the eloquent remarks of the gentleman from Colorado [Mr. RUCKER] as to the benefits of woman suffrage. To my mind, woman has a higher and nobler sphere than in the domain of politics, and that is the management of the household, and therefore I am unwilling to increase her burden in this matter of domestic economy. There are other proposed duties which affect her which, personally, I should prefer to see left out of the bill.

The revenue to be derived from the tax on tea is $8,000,000. As one of the objects of this bill is to raise revenues, the question naturally arises how to supply its place. I would with all deference suggest a stamp tax or an additional tax on beer, one or both, preferably the former. As to the former, it produces in Great Britain an annual revenue of about £8,000,000, or almost $40,000,000, and France of over 200,000,000 francs, or $40,000,000; but it is fair to say that it is more comprehensive and embracing than would be acceptable in our country. The tax on affiches or advertisements, posters, and so forth, in France brings an annual revenue of $800,000.

The annual revenue derived by the British Government from tax on beer is upward of £13,000,000, or about $65,000,000. Here it is somewhat less. The tax on beer in the United States is $1 less per barrel than it was a few years ago.

The report of the Commissioner of Internal Revenue for the year ending June 30, 1908, shows that tax was paid on 58,747,680 barrels of fermented liquor.

Mr. Chairman, I would be the last to tax any particular industry unduly, but from what I have seen of brewers in the metropolitan district of our State, the large fortunes they have amassed, I am not willing to concede that they are unable to bear their fair share of the burdens that must be imposed to raise the necessary revenue. While I would not wish to reestablish the war rate, an additional tax of 30 or 40 cents per barrel would in nowise be burdensome and would produce an annual revenue of from eighteen to twenty million dollars. The chairman of the Ways and Means Committee, in his clear exposition of the features of the bill, alluded to the fact that the license fee in some portions of our State was $1,000 or over per annum. While this is true, it is only true of cities of the first class, and the license has in nowise been changed for five and fifty to twelve hundred dollars. The imposition of a stamp tax and a moderate additional tax on fermented liquors will allay any fear as to the lack of sufficient revenue arising from the enactment of the Payne bill.

Whether or not the Treasury Department was consulted by the Committee on Ways and Means as to the advisability of imposing a stamp tax and raising the tax on fermented liquors or six years; it varies in different localities from one hundred the Members of this House have no means of judging, but I venture the opinion that were the question of taxing tea and coffee or the imposition of a stamp tax, or the additional tax on fermented liquors, one or both, left to the vote of the House, the majority would be in favor of the latter.

The leaders on the other side of the House criticise the provisions of the bill and declare themselves in favor of a large reduction in the duties imposed, while individual Members demand protective rates for the products of their particular districts.

It is not to be wondered at that under these circumstances the distinguished and courteous leader of the minority should refrain from introducing a tariff bill. How could he bring these divergent opinions and interests together? Upon what given proposition could they agree? They are vociferous in their denunciations of the extravagance of the dominant party, and yet when called upon to specify in what particulars the expenditures of the Government could be reduced they are dumb. The largest annual expenditures are for the army, navy, pensions, and the Panama Canal, besides the post-office expenditures. They are unwilling to demand a reduction in these items. Their national platform calls for an adequate navy, for a generous pension policy, and for the completion of the Panama Canal.

Their platform goes further and calls for liberal and comprehensive plans for the improvement of waterways and for federal aid to state and local authorities in the construction and maintenance of post-roads; but they fail to suggest how this vast increase of expenditure is to be provided for. Such is the constructive genius of the Democratic party.

Mr. Chairman, we have a great and growing country which under the wise administration of a protective tariff has prospered as no other land. We can not stand still; we have new problems to face, and shall be prepared to meet them with the enactment of the tariff bill.

The fathers of our country favored a protective tariff, and the greatest minds of both parties have advocated it, as did Missouri's greatest son, Thomas H. Benton, who has been referred to in this debate, and who stood in the Senate in favor of protection to the products of his State. Silas Wright and James Buchanan did likewise, as well as many other leading Democrats, and yet we have heard men of the same faith in this House denounced for following in their footsteps.

In fifty years the Democratic party has had but one man, Grover Cleveland, who will go down into history as one of the great statesmen of the country. He has been far more criticised and denounced by his own party than by his opponents. He made an earnest and honorable attempt to carry out the pledges of his party.

How beset he was with difficulties, and how the sugar trust succeeded in gaining control of the Wilson tariff bill is shown by the extracts below from Chairman Wilson's speech and the letter from President Cleveland to Chairman Wilson under date of July 2, 1894.

Mr. Wilson, on July 19, 1894, referring to the difference in conference committee on said bill, spoke as follows:

> But the great difficulty in the pathway of an agreement has been a proper adjustment of the sugar schedule. The Senate has reintroduced into the proposed tariff bill a sugar schedule which, whether truly or not, has been accepted by the committee and by the press of the country as unduly favorable to the great sugar trust. It proposed a duty of 40 per cent ad valorem on all grades of sugar, a differential of one-eighth per cent upon refined sugar, in addition to a differential of one-tenth of a cent on sugar imported from countries that pay an

In the same speech he read a letter from President Cleveland to himself, of which the following is an extract:

> Under our party platform and in accord with our declared party purposes sugar is a legitimate and logical article of revenue taxation.

Extracts from letter of President Cleveland addressed to Chairman Wilson, of Ways and Means Committee, dated July 2, 1894, when the Wilson bill was in the hands of the committee of conference and read in the House of Representatives on July 19, 1894:

> Every true Democrat and every sincere tariff reformer knows that this bill in its present form and as it will be submitted to the conference falls far short of the consummation for which we have long labored, for which we have suffered defeat without discouragement, which in its anticipation gave us a rallying cry in our day of triumph and which in its promise of accomplishment is so interwoven with Democratic pledges and Democratic success that abandonment of the case or the principles upon which it rests means party perfidy and party dishonor.

With such an indictment of the outcome of the last Democratic tariff legislation by its own President, is it not natural that the people of the United States have been unwilling to intrust further tariff legislation to that party?

In conclusion, Mr. Chairman, let me say that the manner in which the country had prospered and advanced under a protective tariff is best summed up in the words of the last Republican national platform:

> In this the great era of American advancement the Republican party has reached its highest service under the leadership of Theodore Roosevelt. His administration is an epoch in American history. In no other period since national sovereignty was won under Washington or preserved under Lincoln has there been such mighty progress in those ideals of government which make for justice, equality, and fair dealing among men.
>
> The highest aspirations of the American people have found a voice. Their most exalted servant represents the best aims and worthiest purposes of all his countrymen. American manhood has been lifted to a nobler sense of duty and obligation. Conscience and courage in public station and higher standards of right and wrong in private life have become cardinal principles of political faith; capital and labor have been brought into closer relations of confidence and interdependence; and the abuse of wealth, the tyranny of power, and all the evils of privilege and favoritism have been put to scorn by the simple, manly virtues of justice and fair play.
>
> The great accomplishments of President Roosevelt have been, first and foremost, a brave and impartial enforcement of the law, the prosecution of illegal trusts and monopolies, the exposure and punishment of evildoers in the public service, the more effective regulation of the rates and service of the great transportation lines, the complete overthrow of preferences, rebates, and discriminations, the arbitration of labor disputes, the amelioration of the condition of wage-workers everywhere, the conservation of the natural resources of the country, the forward step in the improvement of the inland waterways, and always the earnest support and defense of every wholesome safeguard which has made more secure the guaranties of life, liberty, and property.
>
> These are the achievements that will make for Theodore Roosevelt his place in history, but more than all else the great things he has done will be an inspiration to those who have yet greater things to do. We declare our unfaltering adherence to the policies thus inaugurated and pledge their continuance under a Republican administration of the Government.

Let us speedily enact the tariff bill, and thereby produce revenue, equalize duties, and encourage the industries of the United States, so that we may enter anew upon a field of unbounded prosperity, and in these days of universal good will, with the last vestige of sectionalism happily vanished, afford the broad-minded and splendidly equipped President of the United States an opportunity to develop his progressive policies, which are to redound to the welfare of the whole people.

Mr. THISTLEWOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. OLCOTT, Speaker pro tempore, having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill, H. R. 1438, the tariff bill, and had come to no resolution thereon.

ADJOURNMENT.

Then, on motion of Mr. OLMSTED, at 10 o'clock and 30 minutes p. m., the House adjourned until Monday, April 5, 1909, at 10 o'clock a. m.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSTER of Vermont: A bill (H. R. 6278) providing special postage rate on third-class and fourth-class matter on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG of Michigan: A bill (H. R. 6279) making an appropriation for extending the breakwater at the harbor at Marquette, Mich.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6280) providing for the purchase of a site and the erection of a public building thereon at Ishpeming, in the State of Michigan—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6281) to authorize the establishment of a life-saving station at Munising, Mich.—to the Committee on Interstate and Foreign Commerce.

By Mr. WILEY: A bill (H. R. 6282) granting pensions to army locomotive engineers, and providing pensions to widows and minor children of army locomotive engineers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6283) providing for the recognition of the men who served as locomotive engineers during the late war of the rebellion—to the Committee on Military Affairs.

Also, a bill (H. R. 6284) to provide for clean paper money—to the Committee on Banking and Currency.

Also, a bill (H. R. 6285) to provide for the further purification of the water supply of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 6286) for universal transfers over the street railway lines in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 6287) providing for the purchase of a site and the erection of a public building thereon at East Orange, in the State of New Jersey—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6288) providing for an examination and survey of the Kill von Kull and Newark Bay, New Jersey, with a view to securing increased depth and width—to the Committee on Rivers and Harbors.

By Mr. AUSTIN: A bill (H. R. 6289) for the construction of a lock and dam in the Clinch River at or near Kingston, Tenn.—to the Committee on Rivers and Harbors.

By Mr. ANDREWS: A bill (H. R. 6290) amending act of June 27, 1898, permitting payment of pensions to officers and men of Indian wars and their widows, between 1849 and 1854—to the Committee on Pensions.

Also, a bill (H. R. 6291) to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 8, 1901—to the Committee on Indian Affairs.

Also, a bill (H. R. 6292) to amend section 2324 of the Revised Statutes of the United States relating to mining claims—to the Committee on Mines and Mining.

Also, a bill (H. R. 6293) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

Also, a bill (H. R. 6294) providing for the exchange and payment by the United States of certain railroad-aid bonds issued by the counties of Grant and Sante Fe, Territory of New Mexico, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 6295) to establish a Soldiers' Home at Santa Fe, Santa Fe County, N. Mex.—to the Committee on Military Affairs.

Also, a bill (H. R. 6296) to authorize the issue of bridge bonds by the county of Valencia, in the Territory of New Mexico—to the Committee on the Territories.

Also, a bill (H. R. 6297) donating the southwest quarter of the northwest quarter of section 36, township 1 south, range 34 east, New Mexico principal base and meridian, in New Mexico, to Bedford Forrest Camp, No. 1606, United Confederate Veterans—to the Committee on the Public Lands.

Also, a bill (H. R. 6298) to authorize grants of land in national forests for cemetery purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 6299) to quiet title to certain lands in Dona Ana County, N. Mex.—to the Committee on Private Land Claims.

Also, a bill (H. R. 6300) granting to the Women's Missionary Union, of El Paso, Tex., certain unappropriated land for a public sanatorium—to the Committee on the Public Lands.

Also, a bill (H. R. 6301) to provide for the establishment of an annex to all National Homes for Disabled Volunteer Soldiers—to the Committee on Military Affairs.

Also, a bill (H. R. 6302) authorizing the Secretary of the Interior to allot agricultural lands in the Mescalero Apache Indian Reservation to the Indians resident therein, and setting aside the remainder of said reservation as a national park, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 6303) to amend an act entitled "An act to prohibit the passage of local or special laws in the Territories, to limit territorial indebtedness, and for other purposes"—to the Committee on the Territories.

Also, a bill (H. R. 6304) pensioning the surviving officers and enlisted men of the New Mexico and Arizona volunteers employed in the defense of the frontier of the Territories of New Mexico and Arizona against Mexican marauders and Indian depredations from 1855 to 1890, inclusive, and for other purposes—to the Committee on Pensions.

Also, a bill (H. R. 6305) to establish a fish-culture station at Trout Springs, Gallinas Canyon, San Miguel County, N. Mex.—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 6306) for the purchase of a site and erection of a federal building at Las Vegas, N. Mex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6307) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico," approved February 6, 1907—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6308) to authorize the Secretary of the Interior to sell and convey the unappropriated nonmineral desert lands of the United States—to the Committee on Irrigation of Arid Lands.

which the country had prospered and advanced under a pro-

Also, a bill (H. R. 6309) to amend section 2139 of the Revised Statutes of the United States of 1878—to the Committee on Indian Affairs.

Also, a bill (H. R. 6310) to validate a certain act of the legislative assembly of New Mexico with reference to issuance of certain bonds—to the Committee on the Territories.

Also, a bill (H. R. 6311) granting to the Women's Missionary Union, of El Paso, Tex., certain unappropriated land of the public domain for a public sanatorium—to the Committee on the Public Lands.

Also, a bill (H. R. 6312) providing for the allowance of compensation to the members of the United States Land Commission to the Territory of New Mexico, created under the act of Congress of June 21, 1898—to the Committee on the Public Lands.

Also, a bill (H. R. 6313) appropriating $10,000 for the construction of a reservoir in the Manzano Mountains, Torrance County, N. Mex.—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 6314) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

Also, a bill (H. R. 6315) donating the southwest quarter of the northwest quarter of section 36, township 1 south, range 34 east, New Mexico principal base and meridian, in New Mexico, to Bedford Forrest Camp, No. 1606, United Confederate Veterans—to the Committee on the Territories.

Also, a bill (H. R. 6316) appropriating $10,000 for the construction of reservoir in Sandoval County, Territory of New Mexico—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 6317) to authorize the exploration and purchase of mines within the boundaries of private land claims—to the Committee on Mines and Mining.

By Mr. SISSON: A bill (H. R. 6318) to provide for the purchase of a site and the erection of a public building thereon at Water Valley, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

By Mr. ANDREWS: A bill (H. R. 6433) granting to the town of Gallup, McKinley County, Territory of New Mexico, 160 acres of land—to the Committee on the Territories.

Also, a bill (H. R. 6434) creating the national battle ground at Glorietta, Sante Fe County, N. Mex.—to the Committee on the Public Lands.

By Mr. WILEY: Resolution (H. Res. 50) concerning rates charged for telephone service in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ANDREWS: Resolution (H. Res. 51) providing additional compensation for the two messengers in the disbursing clerk's office of the House—to the Committee on Accounts.

By Mr. WILEY: Concurrent resolution (H. C. Res. 14) for survey of a ship canal in New Jersey—to the Committee on Rivers and Harbors.

By Mr. HOWELL of Utah: Memorial of the legislature of Utah, in favor of a law prohibiting the shipment of alcoholic beverages to prohibition States—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of Utah, praying for the retention of the present tariff on lead, wool, and hides—to the Committee on Ways and Means.

By Mr. CALDER: Memorial of the legislature of Wyoming, in opposition to any reduction in the present tariff on wool or hides—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 6319) granting an increase of pension to Horatio N. Warren—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 6320) for the relief of Louis Kahn—to the Committee on War Claims.

Also, a bill (H. R. 6321) for the relief of Capt. H. C. Smith—to the Committee on War Claims.

Also, a bill (H. R. 6322) for the relief of W. J. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 6323) for the relief of Alfred Miller—to the Committee on War Claims.

Also, a bill (H. R. 6324) for the relief of Juan Estevan Vigil—to the Committee on War Claims.

Also, a bill (H. R. 6325) for the relief of Jose Antonio Barreras—to the Committee on War Claims.

Also, a bill (H. R. 6326) for the relief of W. A. Walker—to the Committee on Claims.

Also, a bill (H. R. 6327) for the relief of John S. Bowie—to the Committee on Claims.

Also, a bill (H. R. 6328) for the relief of Pedro Salazar y Garcia—to the Committee on Claims.

Also, a bill (H. R. 6329) for the relief of Rayes Salas—to the Committee on Claims.

Also, a bill (H. R. 6330) for the relief of Jose Antonio Barreras—to the Committee on Claims.

Also, a bill (H. R. 6331) for the relief of Nathan Bibo, sr.—to the Committee on Claims.

Also, a bill (H. R. 6332) for the relief of E. H. Biernbaum—to the Committee on Claims.

Also, a bill (H. R. 6333) for the relief of F. Nerio Gomez—to the Committee on Claims.

Also, a bill (H. R. 6334) for the relief of Rebecca J. Miller—to the Committee on Claims.

Also, a bill (H. R. 6335) for the relief of Eduardo Martinez—to the Committee on Claims.

Also, a bill (H. R. 6336) for the relief of Ventura Maestas—to the Committee on Claims.

Also, a bill (H. R. 6337) for the relief of Theophilus L. Keen—to the Committee on Claims.

Also, a bill (H. R. 6338) for the relief of Jose Salazar y Ortiz—to the Committee on Claims.

Also, a bill (H. R. 6339) for the relief of Pablo Ciriaco Baca—to the Committee on Claims.

Also, a bill (H. R. 6340) for the relief of Manuel Madril—to the Committee on Claims.

Also, a bill (H. R. 6341) for the relief of A. W. Cleland—to the Committee on Claims.

Also, a bill (H. R. 6342) granting a pension to Presciliana F. Valdez—to the Committee on Pensions.

Also, a bill (H. R. 6343) granting a pension to George A. Rigdon—to the Committee on Pensions.

Also, a bill (H. R. 6344) granting a pension to Lou Butler—to the Committee on Pensions.

Also, a bill (H. R. 6345) granting a pension to Doroteo Duran—to the Committee on Pensions.

Also, a bill (H. R. 6346) granting a pension to George Leihy—to the Committee on Pensions.

Also, a bill (H. R. 6347) granting a pension to W. H. Gooden—to the Committee on Pensions.

Also, a bill (H. R. 6348) granting a pension to Bernard Higgins—to the Committee on Pensions.

Also, a bill (H. R. 6349) granting a pension to William Sweeney—to the Committee on Pensions.

Also, a bill (H. R. 6350) granting a pension to Joseph B. Watrous—to the Committee on Pensions.

Also, a bill (H. R. 6351) granting a pension to John W. McSparron—to the Committee on Pensions.

Also, a bill (H. R. 6352) granting a pension to William C. Stanford—to the Committee on Pensions.

Also, a bill (H. R. 6353) granting a pension to Julian Lujan—to the Committee on Pensions.

Also, a bill (H. R. 6354) granting a pension to Nicanor Quintana—to the Committee on Pensions.

Also, a bill (H. R. 6355) granting a pension to Antonio Rendon—to the Committee on Pensions.

Also, a bill (H. R. 6356) granting a pension to F. Salazar y Jimines—to the Committee on Pensions.

Also, a bill (H. R. 6357) granting a pension to Miguel Romero—to the Committee on Pensions.

Also, a bill (H. R. 6358) granting a pension to John H. Young—to the Committee on Pensions.

Also, a bill (H. R. 6359) granting a pension to Theodor Reimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6360) granting a pension to Guadalupe G. Martinez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6361) granting a pension to Ignacio Salazar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6362) granting a pension to John Lilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6363) granting a pension to Edwin Kraemer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6364) granting a pension to Antonio Salazar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6365) granting a pension to Nemecio Valencio—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6366) granting a pension to Juan Bautisto Duran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6367) granting a pension to Charles W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6368) granting a pension to Clara W. Griego—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6369) granting a pension to William C. Stanford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6370) granting a pension to Alexander May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6371) granting a pension to Juan Deciderio Valdez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6372) granting a pension to Leonisco Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6373) granting a pension to Peter Miner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6374) granting a pension to Alvina McCabe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6375) granting a pension to Juanita Leyva de Sanchez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6376) granting a pension to H. C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6377) granting a pension to John J. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6378) granting a pension to George W. Mossman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6379) granting a pension to Ell Newsoms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6380) granting a pension to Sarah A. Geck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6381) granting a pension to C. B. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6382) granting a pension to Simon Arias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6383) granting a pension to Carey C. Seemuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6384) granting a pension to John W. Irvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6385) granting a pension to Francisco Perea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6386) granting a pension to Harris B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6387) granting a pension to Samuel Barbeau—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6388) granting a pension to George R. Watt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6389) granting a pension to Frank A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6390) granting a pension to Quincy Adams Stiteler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6391) granting a pension to Juan Antonio Griego—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6392) granting an increase of pension to William H. H. Metzger—to the Committee on Pensions.

Also, a bill (H. R. 6393) granting an increase of pension to Hattie E. Crary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6394) granting an increase of pension to William S. Smock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6395) granting an increase of pension to Annie J. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6396) granting an increase of pension to Lewis Eckel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6397) granting an increase of pension to Maria C. Lopez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6398) granting an increase of pension to Sylvia A. Sturges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6399) granting an increase of pension to S. D. Longstreet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6400) granting an increase of pension to Irene Schormoyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6401) granting an increase of pension to Emeline Dalton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6402) granting an increase of pension to E. W. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6403) granting an increase of pension to Joseph McQuillin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6404) granting an increase of pension to James E. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6405) granting an increase of pension to Juan Baca y Sais, alias Juan Baca No. 2—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6406) granting an increase of pension to George W. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6407) granting an increase of pension to James T. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6408) granting an increase of pension to Pascualita J. G. de Anaya—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6409) granting an increase of pension to Anna M. Shont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6410) granting an increase of pension to Amanda Paxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6411) granting an increase of pension to Reuben S. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6412) granting an increase of pension to Philip L. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6413) granting an increase of pension to Cornelius J. Demorest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6414) granting an increase of pension to William H. Hastings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6415) granting an increase of pension to Elizabeth Shield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6416) granting an increase of pension to John C. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6417) granting an increase of pension to William Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6418) granting an increase of pension to Maria Soledad Montoya de Trujillo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6419) granting an increase of pension to C. H. Kirkpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6420) granting an increase of pension to Belle Forsha—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6421) granting an increase of pension to John A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6422) granting an increase of pension to H. A. Van Epps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6423) granting an increase of pension to Mrs. A. J. Fountain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6424) granting an increase of pension to J. N. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6425) granting an increase of pension to Gottlieb Honzaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6426) granting an increase of pension to Maria S. B. Sanchez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6427) granting an increase of pension to Mary J. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6428) granting an increase of pension to A. E. Chaffee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6429) granting an increase of pension to Roque Candelaria—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6430) granting an increase of pension to Leverett Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6431) granting an increase of pension to D. M. Sutherland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6432) granting an increase of pension to James E. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6435) confirming title to the Canoncito de Nuanez grant—to the Committee on Private Land Claims.

Also, a bill (H. R. 6436) for the relief of certain persons residing at Monticello, Sierra County, Territory of New Mexico—to the Committee on Claims.

Also, a bill (H. R. 6437) for the relief of the estate of Justiniano Castillo—to the Committee on Claims.

Also, a bill (H. R. 6438) for the relief of the estate of Martin Vigil, deceased, and the administrator of said estate, Eslavio Vigil, of Albuquerque, N. Mex.—to the Committee on Claims.

Also, a bill (H. R. 6439) for the relief of the estate of Francisco Montoya—to the Committee on Claims.

Also, a bill (H. R. 6440) for the relief of the estate of Matias Baca, deceased, and his son, Juan Rey Baca—to the Committee on Claims.

Also, a bill (H. R. 6441) for the relief of the estate of William Le Blanc, deceased—to the Committee on Claims.

Also, a bill (H. R. 6442) giving the Court of Claims jurisdiction to adjudicate two claims for Indian depredations of the estate of Blas Lucero, late of Albuquerque, N. Mex.—to the Committee on Claims.

Also, a bill (H. R. 6443) to authorize the payment of $5,000 to the widow of the late Tranquilino Luna, in full for his contest expenses in the contested-election case of Manzanares against Luna—to the Committee on Claims.

Also, a bill (H. R. 6444) giving the Court of Claims jurisdiction to adjudicate two claims for Indian depredations of the estate of Blas Lucero, late of Albuquerque, N. Mex.—to the Committee on Claims.

Also, a bill (H. R. 6445) to confer jurisdiction on the Court of Claims in the case of Manuelita Swope—to the Committee on Claims.

Also, a bill (H. R. 6446) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.—to the Committee on Claims.

Also, a bill (H. R. 6447) referring to the Court of Claims the claim of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased—to the Committee on Claims.

Also, a bill (H. R. 6448) for the relief of the heir and legal representative of R. W. Daniels, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6449) for the relief of the heirs and legal representatives of William Bishop, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6450) to remove the charge of desertion from the military record of Ramon Tafoya—to the Committee on Military Affairs.

Also, a bill (H. R. 6451) to remove the charge of desertion from the military record of Juan Sanchez—to the Committee on Military Affairs.

Also, a bill (H. R. 6452) to remove the charge of desertion from the military record of Joseph D. Depue—to the Committee on Military Affairs.

Also, a bill (H. R. 6453) to remove the charge of desertion from the military record of Francisco Medina—to the Committee on Military Affairs.

Also, a bill (H. R. 6454) to remove the charge of desertion from the military record of the late Lieut. Robert C. Hoggins—to the Committee on Military Affairs.

Also, a bill (H. R. 6455) to place Austin J. Chapman on the retired list of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 6456) to remove the charge of desertion from the military record of Isidro Talamante—to the Committee on Military Affairs.

Also, a bill (H. R. 6457) to remove the charge of desertion from the military record of John D. Hopper—to the Committee on Military Affairs.

By Mr. AUSTIN: A bill (H. R. 6458) granting an increase of pension to John H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6459) for the relief of Robert Allcorn—to the Committee on War Claims.

By Mr. BARCLAY: A bill (H. R. 6460) granting an increase of pension to David F. Marsh—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 6461) for the relief of Mrs. Mary Trayler—to the Committee on War Claims.

By Mr. BYRNS: A bill (H. R. 6462) for the relief of F. J. McCarthy, administrator of the estate of Martin F. McCarthy—to the Committee on War Claims.

Also, a bill (H. R. 6463) granting an increase of pension to Romulus C. Ramer—to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 6464) for the relief of L. A. Whitehead—to the Committee on War Claims.

Also, a bill (H. R. 6465) for the relief of Mrs. Virginia Grant, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 6466) for the relief of Mrs. M. M. Champion—to the Committee on War Claims.

Also, a bill (H. R. 6467) for the relief of Henry L. Blake and others, complaining that their lands and other property have been taken, damaged, and destroyed in the execution of the works of the United States for the improvement of the Mississippi River—to the Committee on Claims.

Also, a bill (H. R. 6468) for the relief of heirs of Mrs. Julia L. Watson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6469) for the relief of the heirs, devisees, and legatees of the estate of Willis Lowe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6470) to carry into effect the findings of the Court of Claims in the case of Bettie B. Willis, administratrix of Joel H. Willis, deceased—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 6471) granting an increase of pension to Eli Miller—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 6472) granting an increase of pension to Joseph C. Holt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6473) granting an increase of pension to Walter Pruett—to the Committee on Invalid Pensions.

By Mr. COUDREY: A bill (H. R. 6474) granting an increase of pension to Thomas J. Connor—to the Committee on Invalid Pensions.

By Mr. DAWSON: A bill (H. R. 6475) granting an increase of pension to John Quinn—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 6476) granting an increase of pension to James P. Holsclaw—to the Committee on Pensions.

By Mr. ELVINS: A bill (H. R. 6477) granting an increase of pension to Israel L. Hahn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6478) granting an increase of pension to Noah A. Sapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6479) granting an increase of pension to Samuel McGhee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6480) granting an increase of pension to Jeremiah F. Berryman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6481) granting an increase of pension to Elihu L. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6482) granting an increase of pension to Jesse Harral—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6483) granting an increase of pension to Benjamin M. Lanham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6484) granting an increase of pension to Childers W. Lanham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6485) granting an increase of pension to Thomas Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6486) granting an increase of pension to Edmond R. Haywood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6487) granting an increase of pension to Willis Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6488) granting an increase of pension to Thomas H. G. Lester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6489) granting an increase of pension to James Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6490) granting an increase of pension to David Farquhar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6491) granting an increase of pension to Falkland H. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6492) granting a pension to John George Schacht—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6493) granting a pension to Samuel S. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6494) granting a pension to Alexander J. Souden—to the Committee on Pensions.

Also, a bill (H. R. 6495) for the relief of William Nevin—to the Committee on War Claims.

Also, a bill (H. R. 6496) to correct the military service record of John Schwab—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 6497) for the relief of the estate of E. A. Mays, deceased—to the Committee on War Claims.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 6498) granting an increase of pension to Edmond S. Norris—to the Committee on Pensions.

Also, a bill (H. R. 6499) granting an increase of pension to Jacob Haylett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6500) granting an increase of pension to Noah E. Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6501) granting a pension to Mollie A. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6502) granting an increase of pension to Richard J. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6503) granting an increase of pension to Daniel W. Lynch—to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 6504) for the relief of the estate of J. H. Moseby, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6505) granting an increase of pension to Stephen Konicka—to the Committee on Pensions.

By Mr. WILEY: A bill (H. R. 6506) granting permission to Frank W. Clarke to accept the decoration of Chevalier of the Legion of Honor, conferred upon him by the French Government—to the Committee on Foreign Affairs.

Also, a bill (H. R. 6507) to authorize John A. Ockerson to accept decorations tendered him by the Government of the French Republic, the King of Italy, the King of Sweden, the King of Belgium, the Emperor of Germany, and the Emperor of China—to the Committee on Foreign Affairs.

By Mr. YOUNG of Michigan: A bill (H. R. 6508) granting a pension to George L. Steward, alias George Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6509) granting a pension to Emma C. Peterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6510) granting an increase of pension to Thomas Helmka—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6511) for the relief of James E. Saunders—to the Committee on Claims.

Also, a bill (H. R. 6512) to correct the military record of Edward Joseph Carey, alias Edward Joseph Fitzharris—to the Committee on Military Affairs.

Also, a bill (H. R. 6513) providing for salary and allowances of the postmaster at Mackinac Island, State of Michigan—to the Committee on the Post-Office and Post-Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BYRNS: Paper to accompany bill for relief of F. J. McCarthy, administrator of the estate of Martin F. McCarthy—to the Committee on War Claims.

By Mr. CALDER: Petition of citizens of the Eleventh Congressional District of New York against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring 5 cents per pound on coffee—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against any reduction of duty on print paper—to the Committee on Ways and Means.

Also, petition of citizens of the Sixth Congressional District of New York, favoring increase of duty on post cards, etc.—to the Committee on Ways and Means.

Also, petition of John Kissell, of Brooklyn, N. Y., favoring reduction of duty on Canadian barley—to the Committee on Ways and Means.

Also, petition of many importers of paper, favoring decrease of duty on various paper products—to the Committee on Ways and Means.

Also, petition of citizens of Brooklyn, N. Y., favoring a very low duty on Guinness's stout—to the Committee on Ways and Means.

Also, petition of Pittsburg Marble Mosaic Company and D. J. Kennedy Company, against increase of duty on Keene's cement—to the Committee on Ways and Means.

By Mr. COX of Ohio: Petition of Charles E. Thorne, of Wooster, Ohio, favoring the placing of all fertilizing material on the free list—to the Committee on Ways and Means.

Also, petition of grocers of Hamilton, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Way and Means.

Also, petition of the Thresher-Varnish Company, against a duty on China nut oil—to the Committee on Ways and Means.

Also, petition of General Assembly of Ohio, favoring repeal of duty on all forms of lumber—to the Committee on Ways and Means.

Also, petition of Stomps & Burkhardt Company, against a duty on rattan—to the Committee on Ways and Means.

Also, petition of Hamilton Iron and Steel Company, Hamilton, Ohio, against a duty of 50 cents on scrap iron—to the Committee on Ways and Means.

Also, petitions of the Holbrock Brothers Company and the Elder & Johnston Company, against increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of citizens of the Third Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DODDS: Petition of citizens of Traverse City, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FISH: Petitions of sundry citizens of West Ghent, of sundry citizens of Hudson, and of sundry citizens of Kinderhook, N. Y., against a duty on tea, coffee, cocoa, or spices—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-first Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Prattsville, favoring a duty on lactarene—to the Committee on Ways and Means.

By Mr. FULLER: Petition of the Casein Manufacturing Company, of New York, favoring a duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of Wolf Brothers' Shoe Company, of Columbus, Ohio, favoring placing shoes on the free list—to the Committee on Ways and Means.

Also, petition of importers and jobbers of tea in the city of Boston, Mass., against a duty on tea—to the Committee on Ways and Means.

Also, petition of Frank Gehring, general president of the Lithographic International Protective and Beneficial Association of the United States and Canada, favoring increase of duty on post cards and lithographic products—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of Endres, N. Dak., against reduction of duty on barley—to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of employees of Joseph Black & Sons Company, of York, Pa., against any change in schedule on hosiery—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of Indiana and Reynoldsville (Pa.) Lodges, Nos. 931 and 519, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

By Mr. NORRIS: Petition of A. F. Allemand, of Nebraska, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HENRY W. PALMER: Petition of citizens of the Eleventh Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. ROBINSON: Petition of Tim J. Pettit, Ernest Gibbs, and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SHEPPARD: Petition of H. Brown and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TAYLOR of Ohio: Petition of Mr. W. M. Cole, Samuel Garner, and many others, of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petitions of Frank Piestinger, of Greenville, and T. D. and G. E. Leist, of Kempton, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Ohio, against a tax on tea and coffee—to the Committee on Ways and Means.

Also, petition of 15 ladies of Bluffton, Ohio, against increase of duty on gloves, hosiery, cotton goods, woolen goods, ribbons, tea, and coffee—to the Committee on Ways and Means.

By Mr. WANGER: Petitions of Chalkley Styer, of Narcissa, and 30 other residents of Montgomery County; of 50 residents of Schwenksville; of John L. Kulp, of Bedminster, and 75 other residents of Bucks County, all of the State of Pennsylvania, for an amendment to the tariff bill removing casein and lactarene from the free list and imposing a duty of 2¼ cents per pound on unground casein or lactarene, and 2½ cents per pound on ground casein or lactarene—to the Committee on Ways and Means.

By Mr. YOUNG of Michigan: Petition of citizens of the Twelfth Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of citizens of Munising, Mich., and citizens of Marinette, Wis., favoring retention of tariff on wood pulp, pulp, and paper—to the Committee on Ways and Means.

SENATE.

MONDAY, *April 5, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Vice-President being absent, the President pro tempore took the chair.

Mr. SAMUEL D. MCENERY, a Senator from the State of Louisiana, appeared in his seat to-day.

The Journal of the proceedings of Thursday last was read and approved.

ADJOURNMENT TO THURSDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Thursday next.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 38) repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a concurrent resolution of the legislative assembly of the Territory of Hawaii, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Concurrent resolution.

Be it resolved by the house of representatives of the Territory of Hawaii (the Senate concurring):

Whereas the Congress of the United States is about to consider the revision of the law relating to the tariff on imports; and

Whereas the country is committed to the principle of a protective tariff, which shall also produce a large proportion of the necessary revenues of the Government: Be it

Resolved, That the following facts be laid before Congress for consideration by it in connection with said proposed revision of the tariff law, viz:

1. At the time the present tariff law was enacted the United States owned no coffee-producing territory, necessitating no duty on coffee as a protective measure, and the current revenue was sufficient without imposing a tariff on coffee for revenue only; consequently coffee is now on the free list.

2. Since the enactment of the present tariff law the United States has acquired a large area of coffee-producing territory, viz, the Philippines, Porto Rico, and Hawaii.

3. It is our understanding and belief that, with a protective duty on coffee of, say, 6 cents per pound, these three groups of islands could profitably produce coffee enough eventually to supply a large proportion, if not the entire consumption, of the United States.

4. We ask that, from a protective-tariff standpoint, consideration be given to protecting those industries which are peculiar to the tropcal portion of the United States, as well as to those which are the products of the mainland exclusively.

5. Aside from the purely protective feature of the suggested duty, we submit that no single item among the whole list of imports presents a better opportunity for securing so large a revenue with so small a tax on individuals as will a duty on coffee. A duty of 6 cents a pound on coffee would produce a revenue of between fifty and sixty million dollars per annum.

We submit, however, that there is every reason to believe that imposing the suggested import duty upon coffee would not result in raising the price of coffee to the consumer, or would result in but a slight increase.

Under these circumstances we submit that, as additional revenue is needed from some source, the foregoing facts show that a duty on coffee would result:

1. In a very large revenue to the United States Treasury, with only a slight, if any, increase in price of coffee.

2. In incidentally protecting a new small and unprotected industry, with the ultimate prospect of its becoming a large and prosperous one, and provide a suitable means of agricultural development by small landowners, in which the people of these islands of small means can take a large part.

Resolved further, That a copy of these resolutions be sent to the President of the Senate, to the Speaker of the House, the chairman of the Ways and Means Committee, and the Delegate to Congress from Hawaii, at Washington, D. C.

HOUSE OF REPRESENTATIVES,
TERRITORY OF HAWAII,
Honolulu, Hawaii, March 16, 1909.

We hereby certify that the foregoing concurrent resolution was this day adopted in the house of representatives of the Territory of Hawaii.

H. L. HOLSTEIN,
Speaker, House of Representatives.
EDWARD WOODWARD,
Clerk, House of Representatives.

SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, March 19, 1909.

We hereby certify that the foregoing concurrent resolution was this day adopted in the senate of the Territory of Hawaii.

WILLIAM O. SMITH,
President of the Senate.
WILLIAM SAFFORD,
Clerk of the Senate.

The PRESIDENT pro tempore presented a joint resolution of the legislative assembly of the Territory of New Mexico, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

TERRITORY OF NEW MEXICO,
OFFICE OF THE SECRETARY.

(Certificate of comparison.)

I, Nathan Jaffa, secretary of the Territory of New Mexico, do hereby certify that there was filed for record in this office at 11.55 o'clock p. m., on the 18th day of March, A. D. 1909, council joint memorial No. 7, Mr. President, and also that I have compared the following copy of the same with the original thereof now on file and declare it to be a correct transcript therefrom and of the whole thereof.

Given under my hand and the great seal of the Territory of New Mexico, at the city of Santa Fe, the capital, on this 27th day of March, A. D. 1909.

[SEAL.] NATHAN JAFFA,
Secretary of New Mexico.

Council joint memorial 7. By Mr. President.

Memorializing Congress for an appropriation of money or land script for the purpose of relieving the counties of Santa Fe and Grant, in the Territory of New Mexico, from the burden imposed upon them respectively by former congressional statutes confirming and validating certain bonds of each of the said counties issued without lawful authority.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas the county of Santa Fe, N. Mex., is overburdened and distressed by the weight of a bonded indebtedness now approximating in amount $1,000,000, based on illegal railroad-aid bonds, converted into illegal refunding bonds, which, although such bonds could not be successfully enforced in the courts after the decision of the Supreme Court of the United States in the Pima County case, below more particularly referred to, were, in avoidance of that decision, confirmed and validated by Congress in and by an act entitled "An act approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes," the same having become a law, without the approval of the President, January 16, 1897. (See Stat. L., vol. 29, pp. 487, 488, 489, chap. 30.)

Whereas the said indebtedness originated in the following manner and under the following circumstances, to wit:

1. The said indebtedness results, to an amount exceeding one-half thereof, from the issue by the county of Santa Fe, in February, 1880, of bonds in the principal sum of $150,000, bearing interest at the rate of 7 per cent per annum, payable semiannually, in aid of the construction of the New Mexico and Southern Pacific Railroad (now part of the Santa Fe Route), so far as that railroad extends in the said county, including a branch line of about 20 miles in tortuous length from Lamy Junction to the city of Santa Fe; and the remainder of the said indebtedness results from the issue by the said county, at a later date, of bonds in the principal sum of $150,000, bearing interest at the rate of 6 per cent per annum, payable semiannually, in aid of the construction of the Texas, Santa Fe and Northern Railroad (now part of the Denver and Rio Grande Railroad system) from the city of Santa Fe to Espanola, the southern termination at that time of the railroad of the late Denver and Rio Grande Railway Company.

2. The total assessed valuation of the property subject to taxation in the county of Santa Fe is about $2,200,000.

3. All the aforesaid railroad-aid bonds, with one judgment for interest on a part of the said first bond issue, were, before the rendering of the decision in the Pima County case (Oct. 29, 1894, Lewis v. Pima County, 155 U. S., 54), refunded under the provisions of a territorial refunding act, chapter 79 of the Sessions Laws of 1891, found in the compiled laws of New Mexico of 1897, as sections 340 to 348, both inclusive, which refunding act it is evident, does not authorize the refunding of bonds void on their face.

4. Over and above the said railroad-aid indebtedness, the said county has a legitimate interest bearing bonded indebtedness of about $200,000.

5. All of the said railroad-aid bonds were issued under the supposed authority of chapter 30 of the New Mexico Session Laws of 1872, still found in the said compiled laws as sections 3898 to 3901, both inclusive, which statute of 1872 could, under the doctrine announced in the Pima County case, no longer legally operated after the passage of the act of Congress, approved June 8, 1878 (20 Stat. L., 101), which prohibited every "municipal corporation" in a Territory from incurring "any debt or obligation other than such as shall be necessary to the administration of its internal affairs."

6. The bonds in aid of the New Mexico and Southern Pacific Railroad Company were, under the belief that the said territorial act of 1872 was still in force, and pursuant to its provisions, voted for on the 4th day of October, 1879, in two concurrent elections, one upon the proposition to aid, to the extent of $71,000, in the construction of the main line crossing the said county, and the other upon the proposition to aid, to the extent of $79,000, in the construction of a branch line connecting the city of Santa Fe with the main line at Lamy Junction.

The votes cast on the first proposition numbered only 259, of which 192 were in the affirmative and 67 in the negative; and the total vote cast on the second proposition numbered only 266, of which 190 were in the affirmative and 76 in the negative.

8. At that time (1879) the total number of voters qualified to vote in the county of Santa Fe at general elections, including resident owners of taxable property as well as residents not such owners, exceeded 1,000, but, by the terms of the said railroad-aid statute of 1872, very few of the general electors were qualified to vote at the special elections believed to be thereby authorized, because such elections were determined under that statute by the votes exclusively of "the electors of the various precincts of said county who own taxable property." (N. Mex. Compiled Laws of 1897, p. 3899.)

Under the exemption statutes in force at the time of the said railroad-aid elections, respectively, every resident was immune from taxation of property to the amount of $300, not to speak of other exemptions from taxation more specific in character, and the great majority of such residents at the time of each of the said special elections had severally no property subject to taxation. This fact, taken in connection with the general ignorance then prevailing in the county, of the English language and of the method of American corporate business, accounts for the apparent passivity of the great majority of its residents on the occasions of the special elections concerning the said railroad aids. Railroads were still unsolved mysteries to the great majority of the territorial population. Most of those of Mexican ancestry were characteristically simple in their habits, confiding in their nature, attentive to religious duties, and devoted to pastoral and agricultural pursuits after the ancient manner of their forefathers. The first influence of the incoming railroads was prejudicial a generation ago to the native population of New Mexico, for it diminished by eastern competition their accustomed home markets, and was subversive of old-time social conditions.

This first influence of the railroads was felt conspicuously by the county of Santa Fe. The main line of the "Santa Fe route" did not come nearer to the city of Santa Fe than 20 miles, although from time immemorial that city had been the emporium and distributing point of New Mexico and, under the Spanish, Mexican, and American rule, the seat of an important and money-distributing military, as well as civil, government. The advent of the first railroad destroyed the "Santa Fe trail" and the commerce which over that trail had centered in Santa Fe for generations. Santa Fe's importance was temporarily impaired, her old trade distributed among other places more favorell by railroad communication; and yet, as consideration for the burden of the first aid by the county bonds, voted at the two-headed election of 1879, she was, in respect of railroad transportation, accorded only the small favor of the railroad branch from Lamy Junction, and even that supposed benefit was conditioned on the county's contribution to the construction of the main line, a contribution not, it is believed, exacted of any other county, since the main line was to be built at all events.

9. In fact, it was a great detriment to the city of Santa Fe to be thus sidetracked on a branch line of railroad, and naturally her commercial residents looked forward to the advantages apparently in prospect from the incoming of the main line of the old Denver and Rio Grande Railway Company under its chartered right and duty to construct its main line into New Mexico as far south as Santa Fe, conformably to the acts of Congress requiring such construction to be completed as early as June 10, 1882. But, although chartered and subsidized by Congress, the old Denver and Rio Grande Railway Company failed to meet that statutory requirement, and even entered into a compact with its rival, the Atchison, Topeka and Santa Fe Railroad Company (the indirect beneficiary of the said first railroad aid), by which, early in 1880, further construction of the Denver and Rio Grande Railway south of Espanola was inequitably pretermitted for the period of ten years from that date. In view of this new disappointment, and for the immediate purpose of bridging the gap in railroad communication between the city of Santa Fe and the Denver and Rio Grande Railway at Espanola, from which point that railway was in operation to the north through Pueblo, Denver, and other business centers, the Texas, Santa Fe and Northern Railroad Company was incorporated and the second county aid voted as aforesaid.

10. But, nothwithstanding these efforts for amelioration of the evil conditions flowing from the innovation of railroads in a community accustomed to the simple life of the old Spanish and Mexican days, the property and business interests of the inhabitants of the county became almost stagnant, and so continued for a whole generation. It was absolutely impossible for the county to pay the interest on the railroad-aid bonds, still less any part of the principal. Indeed, the accumulated interest is now a heavier burden than the principal, and is subject to increase by compounding under judgments and future re-

fundings, because Congress has confirmed and validated the county's void indebtedness.

11. All these railroad-aid bonds appear to have been negotiated by the respective companies concerned and to have come into the hands of purchasers for value, and, since their conversion into refunding bonds, the county is confronted by present holders of the new bonds, who bought them in reliance on the confirmatory acts of Congress.

12. In the year 1887 the board of county commissioners of the county of Santa Fe was sued upon a large number of interest coupons clipped from the bonds issued in aid to the New Mexico and Southern Pacific Railroad Company, and there followed in that and collateral legal proceeding a most energetic litigation, finally resulting in a decision of the supreme court of New Mexico, August 12, 1891, adjudging the validity of the coupons, which decision is reported in 6 New Mexico Reports (Gild.), 88.

13. Prior to this decision the legislative assembly of New Mexico passed said chapter 79 of the session laws of 1891, looking to the refunding of all outstanding valid indebtedness of counties and municipalities.

14. After that decision of the supreme court of New Mexico, not only the judgment in which the interest coupons involved were merged (with interest compounded on those coupons), but also the outstanding principal indebtedness evidenced by the railroad-aid bonds and all arrears of interest not merged in that judgment, and, furthermore, the principal and interest evidenced by the aid bonds and coupons issued to the Texas, Santa Fe and Northern Railroad Company, all coming within the doctrine so announced by the supreme court of New Mexico, were converted into refunding bonds of the county under the said chapter 79.

15. It is true that, in a dissenting opinion in that case, Mr. Justice Freeman took the ground that all the said railroad-aid bonds were void ab initio under a proper construction of the said act of Congress of June 8, 1878 (20 Stats., 101). But was then the opinion of the majority of the justices, as well as of some of the leading lawyers of the Territory, that the congressional prohibition could not be extended to a county, although governed by a board of county commissioners, by any proper interpretation of the words "or other municipal corporation." Therefore, the county failed to sue out a writ of error from the Supreme Court of the United States for review of the said judgment, and took it for granted that no relief could be had in the courts from the burden of the railroad-aid indebtedness.

16. However, in the year 1894, the Supreme Court of the United States, in the above-mentioned Arizona case, Lewis v. Pima County (155 U. S., 54), distinctly held, without any dissent, that the prohibition in the act of Congress above cited extends to railroad-aid bonds, issued by counties in the Territories, although so issued strictly in conformity with the provisions of a general act of the territorial legislative assembly. For that reason the Pima County bonds involved in that case were held to be void.

17. Later, Congress, in view of the Pima County case, passed the aforesaid act of 1897, expressly validating all bonds of the county of Santa Fe, which had been refunded under the terms of the above-cited chapter 79 of the New Mexico Session Laws of 1891. This confirmatory act of Congress, by its broad terms, absolutely excluded the county of Santa Fe from any relief whatever in the courts from the oppression of the said railway-aid indebtedness, no matter how great its original invalidity, and thus the present generation of Santa Fe County's inhabitants, including numerous worthy settlers recently from the East, are face to face with a demon of poverty, for whose invocation they are in no respect responsible.

18. Notwithstanding the failure of the county of Santa Fe to secure, within the space of time allowed by law, a writ of error from the Supreme Court of the United States for a review of the aforesaid decision, Congress probably had, in its tutelar relation to the Territories, constitutional power, even after the promulgation of the decision in the Pima County case, to authorize a review by that high tribunal of the New Mexico judgment. At all events, that territorial decision could not debar a review by the Supreme Court of the United States of future territorial decisions affecting railroad-aid indebtedness for the principal, or for later-maturing interest coupons of any such railroad-aid bonds, or resulting county refunding bonds.

19. That territorial judgment could not in any view be deemed res judicata except as to those privy to the litigation, and there were many outstanding bondholders, including all holders of bonds issued in aid of the Texas, Santa Fe and Northern Railroad Company, who were in no sense whatever entitled to invoke that judgment as an estoppel.

The want of power in the county to issue the railway-aid bonds, as declared in the Pima County case, was constructively imputable to every holder of such bonds, since the bonds all originated after the prohibitive act of Congress considered in that case, every purchaser of a municipal bond issued either in a State or in a Territory being put on inquiry as to the power of the municipality to issue it, and no recital saving him from the duty of such inquiry.

20. Again, until the passage in 1897 of the confirmatory act of Congress before mentioned, every holder of a refunding bond which showed on its face that the debt funded was absolutely void in its inception and, whatever the form of the refunding bonds, every original refunder and every original purchaser of a refunding bond knew that the indebtedness refunded by that bond was within the class of municipal indebtedness denounced by the act of Congress of 1878, discussed in the Pima County case, was powerless to enforce such bond in the courts, notwithstanding the most "binding" recitals appearing on its face.

21. But, in 1897, before the county of Santa Fe was advised of its right and opportunity under the decision of the court of last resort in the Pima County case, Congress passed the above-cited confirmatory act, which operated on the one hand to protect every bondholder of the void railroad-aid bonds as refunded and on the other hand to deprive the county of Santa Fe of its right of defense against the bondholders and almost of its right to exist on a political plane comportable with the civic merit of its citizens and worthy of its ancient dignity as the capital of the vast subkingdom out of which the States of Colorado, Utah, and Nevada have since, in great part, sprung, New Mexico and Arizona only remaining as Territories.

Whereas the county of Grant, N. Mex., is aggrieved and burdened in like manner, although not so egregiously, by the validation by the said act of Congress of her void railroad aid indebtedness; and

Whereas it is the sense of this legislative assembly that, on the eve of New Mexico's emergence out of the territorial condition into the full dignity of statehood, Congress ought, on grounds of political equity, to relieve the county of Santa Fe from the hard plight in which it has been left by adverse national legislation in which the Territory of New Mexico had no representative vote: Therefore be it

Resolved by the legislative assembly of the Territory of New Mexico, That the Congress of the United States is hereby requested, by an appropriation of money or assignable landscrip, to enable the counties of Santa Fe and Grant, N. Mex., to compromise, satisfy, and discharge so much of their respective bonded indebtedness (principal, with accrued and accruing interest), validated and confirmed by the act of Congress of January 16, 1897, as was originally embraced in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid bonds issued to the New Mexico and Southern Pacific Railroad Company, and in the judgment mentioned in the said act of 1897, as well as in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid bonds issued to the Texas, Santa Fe and Northern Railroad Company, and also as was originally embraced in the issue by the county of Grant of its railroad-aid bonds under the supposed authority of the territorial railroad-aid act of 1872, but after its repeal by the act of Congress of 1878; and be it further

Resolved, That the secretary of the Territory be, and hereby is, directed to make and transmit seven copies of this memorial to our Delegate in Congress, one for himself and the others to be transmitted by him, one to the President of the Senate, one to the Speaker of the House, one to Senator ELKINS, two to the Senators from Colorado, respectively, two to the chairmen, respectively, of the proper Senate and House committees.

CHAS. A. SPIESS,
President of the Council.

WM. F. BROGAN,
Chief Clerk Council.

E. A. MIERA,
Speaker House of Representatives.

E. H. SALAZAR,
Chief Clerk House of Representatives.

Approved this 18th day of March, 1909.

GEORGE CURRY,
Governor of New Mexico.

Filed in office of the secretary of New Mexico, March 18, 1909, 11.55 p. m.

NATHAN JAFFA, *Secretary.*

The PRESIDENT pro tempore presented a petition of the Chamber of Commerce and Board of Trade of Tacoma, Wash., praying for the repeal of the duty on soy beans, which was referred to the Committee on Finance.

He also presented a memorial of Dirigo Local Union, No. 84, International Brotherhood of Paper Makers, of Augusta, Me., and a memorial of Local Union No. 146, International Brotherhood of Paper Makers, of Woodland, Me., remonstrating against any reduction in the duty on wood pulp and print paper, which were referred to the Committee on Finance.

He also presented petitions of Field & Start, of the William Trimbey Company, of T. R. Thomas & Co., of W. E. Owen & Son, and of Griffin & Hoxie, all of Utica; of J. W. Mitchell, of Olean; and of R. C. Albro, of Olean, all in the State of New York, praying for a reduction in the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a memorial of the Socialist Labor Party of New York, remonstrating against the decision of the supreme court of the District of Columbia in imposing a jail sentence on Messrs. Gompers, Mitchell, and Morrison, which was referred to the Committee on the Judiciary.

Mr. SMITH of Michigan. I present a petition, in the form of resolutions, adopted at a public meeting in the State of Michigan, and ask that it be read for the information of the Senate and referred to the Committee on Finance.

There being no objection, the petition was read and referred to the Committee on Finance, as follows:

Whereas the Payne bill now before Congress provides for free iron ore; and

Whereas the principal industry and largest part of the wealth of the upper peninsula lies in its iron-ore mines; and

Whereas the largest part of the taxable wealth of the State of Michigan is in the iron-ore resources; and

Whereas free iron ore means that the independent, well fed, well-clothed labor of Michigan must compete with the cheap labor of Cuba and will therefore mean idle mines and deserted villages in the upper peninsula and affect every taxpayer in the State of Michigan: Therefore be it

Resolved by this mass meeting of all the people of the village of Iron River (within the vicinity of which are upward of 10 producing iron-ore mines), That our Senators and Representatives in Congress be requested to use their utmost endeavors to have the present duty on iron ore retained, and to the end that the same be not changed in any particular: Be it further

Resolved, That the secretary of this mass meeting be instructed to send a copy of these preambles and resolutions to Senator BURROWS, Senator SMITH, and Hon. H. O. YOUNG.

P. O'BRIEN, *Chairman.*
M. S. MCCONOUGH, *Secretary.*

Mr. SMITH of Michigan. I present a petition in the form of a resolution adopted by the board of supervisors of Iron County, Mich., relative to a reduction of the present duty on iron ore. I ask that the petition be read and referred to the Committee on Finance.

There being no objection, the petition was read and referred to the Committee on Finance, as follows:

Resolution adopted by the board of supervisors of Iron County, Mich., March 27, 1909.

Whereas the mining and shipment of iron ore is the principal industry of Iron County, in which a vast amount of capital has been invested, and forms the basis of its industrial welfare; and

Whereas the mining development of Iron County is yet in its early stages, and has progressed to its present state by the fostering and

encouragement of reasonable protection against the importations of iron ore from foreign countries; and

Whereas there is abundant iron ore in Iron County, but it is of such a low grade as to make it unprofitable to mine the same in competition with such imported foreign ores; and

Whereas it is now proposed in the tariff bill introduced in the House of Representatives at Washington to place iron ore on the free list, chiefly for the benefit of the iron mines of Cuba, by reason of which the miners of this county will be brought into competition with the cheap and poorly paid labor of Cuba, which competition will surely tend to lessen the wages of our miners, if our iron mines are not closed entirely, as we fear they will be in case that iron ore is so placed on the free list; and

Whereas the development of the iron industry of Cuba or other foreign countries will tend to discourage the investment of capital in the Lake Superior district, and especially in Iron County, where the iron ore is of low grade, as aforesaid; Now therefore be it

Resolved, That the board of supervisors of Iron County, Mich., hereby protest against the provision in the tariff bill placing iron ore on the free list as being injurious and detrimental to the iron mining industry of Michigan, and particularly in Iron County, and as contrary to the best interests of the country as a whole: And be it further

Resolved, That we urge upon our Senators and Representatives in Congress to use every means in their power to oppose placing iron ore on the free list and endeavor to restore it to its former position.

W. J. RICHARDS, *Chairman.*
JOHN WALL, *Clerk.*

I hereby certify that the foregoing is a true and complete copy of a resolution unanimously adopted by the board of supervisors of Iron County, Mich., on the 27th day of March, 1909.
[SEAL.] JOHN WALL, *Clerk of the Board.*

Mr. SMITH of Michigan presented a petition of the Board of Trade of Holland, Mich., praying for the repeal of the duty on raw hides, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Marinette, Wis., and a memorial of sundry citizens of Munising, Mich., remonstrating against the repeal of the duty on wood pulp and print paper, which were referred to the Committee on Finance.

Mr. GALLINGER presented a memorial of the Board of Trade of Berlin, N. H., remonstrating against the proposed reduction of the duty on print paper, wood pulp, and lumber, which was referred to the Committee on Finance.

He also presented a memorial of the Winnipiseogee Mill Company, of Franklin, N. H., remonstrating against the proposed reduction of the duty on wood pulp and print paper, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of New Hampshire, remonstrating against the imposition of a tax on tea, which was referred to the Committee on Finance.

He also presented a memorial of the legislative committee of the New Hampshire Pharmaceutical Association, of Nassau, N. H., remonstrating against the imposition of the proposed stamp tax on proprietary medicines, which was referred to the Committee on Finance.

Mr. CULLOM presented a memorial of Dirigo Local Union, No. 84, International Brotherhood of Paper Makers, of Augusta, Me., remonstrating against the repeal of the duty on wood pulp and print paper, which was referred to the Committee on Finance.

Mr. SMOOT presented a memorial of the legislature of Utah, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

To the honorable Senate and House of Representatives of the United States:

Your memorialists, the legislature of the State of Utah, respectfully represent that the mining and the live-stock industry of the State of Utah are the greatest industries and more capital is invested therein than in any other of the industries of this State; and

Whereas even under the present tariff on lead in ores a majority of the lead mines of Utah can not be operated at a profit on account of the low metal prices; and

Whereas if the present tariff is reduced at all our labor in the lead mines would be compelled to compete with Mexican peon labor, making the production of lead in Utah prohibitory; and

Whereas the raising of stock and the shipping of hides to be used in the manufacture of leather have built up a large industry, and the shipping of hides to the eastern market to be used in the manufacture of leather has greatly increased the live-stock industry of this State;

Therefore your memorialists respectfully urge the Congress of the United States to maintain the present tariff on lead, wool, and hides, and that no change be made in the tariff revision affecting these articles; be it further

Resolved, That a copy of this memorial be forwarded to our Senators and Representative in Congress, to be by them presented to the Senate and House of Representatives.

HENRY GARDNER,
President of the Senate.
E. W. ROBINSON,
Speaker of the House.

Approved March 22, 1909.

WILLIAM SPRY, *Governor.*

Attest:
[SEAL.]
C. S. TINGEY,
Secretary of State.

STATE OF UTAH, *Office of the Secretary of State, ss:*

I, Charles S. Tingey, secretary of state of the State of Utah, do hereby certify that the foregoing is a full, true, and correct copy of certified copy of senate joint memorial No. 2, "Protesting against the removal or reduction of the tariff on lead, wool, and hides," approved March 22, 1909, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 29th day of March, A. D. 1909.
[SEAL.] C. S. TINGEY,
Secretary of State.

Mr. SMOOT presented a memorial of the legislature of Utah, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

A joint resolution requesting the Senators and the Representative in Congress from Utah to endeavor to secure an amendment to the interstate-commerce act to prohibit the shipment of alcoholic liquors in certain cases.

Be it resolved by the legislature of the State of Utah:

That the Senators and the Representative in Congress from the State of Utah be, and they are hereby, respectfully requested to use their best endeavors to secure an amendment to the interstate-commerce act, so that the same will prohibit the shipment of alcoholic liquors into States which by law prohibit the manufacture and sale of alcoholic liquors;

That copies of this resolution be immediately forwarded to each Senator and the Representative in Congress from this State.

HENRY GARDNER,
President of the Senate.
E. W. ROBINSON,
Speaker of the House.

Approved March 22, 1909.

WILLIAM SPRY, *Governor.*

Attest:
[SEAL.]
C. S. TINGEY,
Secretary of State.

STATE OF UTAH, *Office of Secretary of State, ss:*

I, Charles S. Tingey, secretary of state of the State of Utah, do hereby certify that the foregoing is a full, true, and correct copy of senate joint resolution No. 6, approved March 22, 1909, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 29th day of March, A. D. 1909.
[SEAL.] C. S. TINGEY,
Secretary of State.

Mr. SCOTT presented petitions of sundry citizens of the United States, praying that an appropriation be made to place a suitable memorial in Statuary Hall to James Rumsey, which were referred to the Committee on the Library.

Mr. PERKINS presented a petition of sundry citizens of the State of California, praying for an increase in the duty on lithographic products, which was referred to the Committee on Finance.

He also presented petitions of the board of trustees of the state library of Sacramento; of the executive committee of the California Library Association, of Sacramento; of the California Association, of Sacramento; of the regents of the University of California, of Berkeley; and of the academic council of the Leland Stanford, Junior, University, of Palo Alto, all in the State of California, praying for the repeal of the duty on books and other printed matter imported into the United States, which were referred to the Committee on Finance.

He also presented a memorial of the board of directors of the State Agricultural Society, of Sacramento, Cal., remonstrating against any reduction of the present duty on wool, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., and a petition of the Shipowners' Association of the Pacific Coast, of San Francisco, Cal., praying for the enactment of legislation providing for the transportation in American bottoms of all Philippine products imported into the United States free of duty, which were referred to the Committee on Finance.

He also presented a petition of the California Tariff Revision Committee, of San Francisco, Cal., praying for the repeal of the duty on sulphate and muriate potashes, which was referred to the Committee on Finance.

He also presented a petition of the Nevada Sulphur Company, of San Francisco, Cal., praying that the meaning of the word "refined," as applied to sulphur, be defined in the proposed tariff law, which was referred to the Committee on Finance.

He also presented a memorial of the Chamber of Commerce of Los Angeles, Cal., remonstrating against the repeal of the countervailing duty on petroleum, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of the State of California, remonstrating against a reduction in the duty on sugar imported from the Philippine Islands, which was referred to the Committee on Finance.

He also presented a memorial of the Chamber of Commerce of Oakland, Cal., remonstrating against any reduction in the duty on blasting caps, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of San Francisco, Cal., remonstrating against any change being made in the duty on plain and mercerized cotton piece goods, which was referred to the Committee on Finance.

He also presented a petition of the Chula Vista Lemon Growers' Association, of San Diego, Cal., praying for an in-

crease of the duty on lemons to 1½ cents, which was referred to the Committee on Finance.

He also presented a memorial of the Chamber of Commerce of Los Angeles, Cal., remonstrating against any reduction of the duty on bituminous coal and asphaltum, which was referred to the Committee on Finance.

He also presented a memorial of the Labor Council, American Federation of Labor, of San Francisco, Cal., and a memorial of sundry citizens of Bakersfield, Cal., remonstrating against the imposition of the proposed duty on tea, which were referred to the Committee on Finance.

He also presented petitions of the Merchants' Exchange of San Francisco, of the Chamber of Commerce of Sacramento, of sundry banking institutions of Santa Rosa, and of the board of directors of the Bank of San Francisco, all in the State of California, praying for an increase of the duty on hops, which were referred to the Committee on Finance.

Mr. BROWN presented a petition of sundry citizens of Sutton, Nebr., praying for the enactment of legislation granting a per diem pension to the surviving soldiers and sailors of the civil and Mexican wars, which was referred to the Committee on Pensions.

He also presented a paper to accompany the bill (S. 557) granting an increase of pension to John M. Bayley, which was referred to the Committee on Pensions.

Mr. CLAPP. I present a petition, and as it is a legislative act of Minnesota, I ask that it be read and referred to the Committee on Finance.

There being no objection, the petition was read and referred to the Committee on Finance, as follows:

Resolution.

Whereas the Payne tariff bill as drawn reduces the import duty on barley from 30 cents per bushel to 15 cents per bushel; and

Whereas the States of Minesota, North Dakota, South Dakota, Wisconsin, Montana, and Iowa produce nearly all of the barley grown east of the Rocky Mountains, large quantities of which barley is used in the eastern part of the United States; and

Whereas the Provinces of eastern Canada are able to produce an excellent quality of barley, grown on cheaper lands and worked with cheaper labor, and much nearer our large eastern cities than barley grown in our Northwestern States; and

Whereas the farmers of the Northwest have in the past carried by far the heaviest burden of a high protective tariff on lumber, machinery, and other articles of general use, and receiving but a very small, if any, benefit from the tariff on grain because the price has been fixed by the price received for the surplus exported to other countries; and

Whereas we have now reached a point where home consumption has nearly reached our ability to produce, and consequently a protective tariff on grain has become of actual and not merely an imaginary benefit to the farmers of this State; Be it

Resolved, That the proposed reduction of the duty on imported barley is against the interests of all growers of barley in all of our Northwestern States and against the interests of the western terminal cities of Minneapolis, Duluth, Milwaukee, and Chicago; And be it further

Resolved, That we ask our Senators and Congressmen representing the State of Minnesota at Washington, and also Senators and Congressmen representing our sister States at Washington, to use their influence and votes to maintain the present duty on imported barley.

Adopted March 26, 1909.

A. J. ROCKNE, *Speaker.*
ARCHIBALD H. VERNON,
Chief Clerk.

Mr. CLAPP presented a memorial of sundry citizens of Duluth, Minn., remonstrating against the proposed duty on hosiery and gloves, which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of Brainerd and Cloquet, in the State of Minnesota, remonstrating against the repeal of the duty on wood pulp and print paper, which were referred to the Committee on Finance.

Mr. JONES presented petitions of Local Lodges Nos. 1102, 1083, 318, 1082, 287, 228, 353, and 823, of Ellensburg, Centralia, North Yakima, Hoquiam, Walla Walla, Spokane, Port Angeles, and Vancouver, all of the Benevolent and Protective Order of Elks, in the State of Washington, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. OLIVER presented a memorial of the Journeymen Bricklayers' Association of Philadelphia, Pa., remonstrating against the imposition of any duty on tea, coffee, cocoa, and spices, which was referred to the Committee on Finance.

He also presented a petition of Valley Grange, No. 52, Patrons of Husbandry, of Millville, Pa., praying for the removal of the duty on sugar, which was referred to the Committee on Finance.

He also presented a memorial of the synod of the Reformed Presbyterian Church of North America, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry paper-box manufacturers of Philadelphia, Pa., remonstrating against the proposed increase of duty on surface-coated papers, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Butler, Pa., praying for the removal of the duty on works of art, which was referred to the Committee on Finance.

He also presented a petition of Green Brier Grange, Patrons of Husbandry, of Rebuck, Pa., praying for the removal of the duty on raw and refined sugars, which was referred to the Committee on Finance.

He also presented petitions of Local Lodge No. 931, of Indiana; Local Lodge No. 455, of Monongahela; Local Lodge No. 983, of Ambridge; Local Lodge No. 1106, of Bangor; Local Lodge No. 540, of Washington; Local Lodge No. 776, of Washington; Local Lodge No. 319, of East Stroudsburg; and of Local Lodge No. 650, of Homestead, all of the Benevolent and Protective Order of Elks, in the State of Pennsylvania, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. TAYLOR presented the petition of E. W. Foster and sundry other citizens of Tennessee, praying for an increase of the duty on lithographic products, which was referred to the Committee on Finance.

He also presented a petition of the Retail Shoe Dealers' Association, of Nashville, Tenn., praying for the repeal of the duty on hides, which was referred to the Committee on Finance.

He also presented a petition of Sherman Council, No. 20, Junior Order of United American Mechanics, of East Chattanooga, Tenn., praying for the enactment of legislation to regulate the interstate transportation of liquors into prohibition districts, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Nashville, Tenn., and a memorial of sundry citizens of Memphis, Tenn., remonstrating against any increase of the duty on hosiery and gloves, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Nashville, Sweetwater, Knoxville, Chattanooga, and Niota, all in the State of Tennessee, praying for the adoption of the clause in the so-called "Payne tariff bill" relating to the duty on hosiery, which were referred to the Committee on Finance.

Mr. BURNHAM presented a memorial of the Board of Trade of Berlin, N. H., remonstrating against the proposed reduction of the duty on print paper, wood pulp, and lumber, which was referred to the Committee on Finance.

Mr. GUGGENHEIM presented a concurrent resolution of the legislative assembly of the Territory of New Mexico, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

TERRITORY OF NEW MEXICO,
OFFICE OF THE SECRETARY.
(Certificate of comparison.)

I, Nathan Jaffa, secretary of the Territory of New Mexico, do hereby certify that there was filed for record in this office at 11.55 o'clock, p. m., on the 18th day of March, A. D. 1909, council joint memorial No. 7 by Mr. President; and also that I have compared the following copy of the same with the original thereof now on file, and declare it to be a correct transcript therefrom and of the whole thereof.

Given under my hand and the great seal of the Territory of New Mexico, at the city of Santa Fe, the capital, on this 27th day of March, A. D. 1909.
[SEAL.]
NATHAN JAFFA,
Secretary of New Mexico.

Council joint memorial 7. By Mr. President.

Memorializing Congress for an appropriation of money or land scrip for the purpose of relieving the counties of Santa Fe and Grant, in the Territory of New Mexico, from the burden imposed upon them, respectively, by former congressional statutes confirming and validating certain bonds of each of the said counties issued without lawful authority.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas the county of Santa Fe, N. Mex., is overburdened and distressed by the weight of a bonded indebtedness now approximating in amount $1,000,000, based on illegal railroad aid bonds, converted into illegal refunding bonds, which, although such bonds could not be successfully enforced in the courts after the decision of the Supreme Court of the United States in the Pima County case, below more particularly referred to, were, in avoidance of that decision, confirmed and validated by Congress in and by an act entitled "An act approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes," the same having become a law, without the approval of the President, January 16, 1897. (Stat. L., vol. 29, pp. 487, 488, 489, ch. 30.)

Whereas the said indebtedness originated in the following manner and under the following circumstances, to wit:

1. The said indebtedness results to an amount exceeding one-half thereof, from the issue by the county of Santa Fe, in February, 1880, of bonds in the principal sum of $150,000, bearing interest at the rate of 7 per cent per annum, payable semiannually, in aid of the construction of the New Mexico and Southern Pacific Railroad now part of the "Santa Fe route"), so far as that railroad extends in the said county, including a branch line of about 20 miles in tortuous length from Lamy Junction to the city of Santa Fe, and the remainder of the said indebtedness results from the issue by the said county, at a later

March 22, 1909, as appears on file in my office.

He also presented a memorial of sundry paper-box manufacturers of Philadelphia, Pa., remonstrating against the pro-

Growers' Association, of San Diego, Cal., praying for an in-

Lamy Junction to the city of Santa Fe, and the remainder of the said indebtedness results from the issue by the said county, at a later

date, of bonds in the principal sum of $150,000, bearing interest at the rate of 6 per cent per annum, payable semiannually, in aid of the construction of the Texas, Santa Fe and Northern Railroad (now part of the Denver and Rio Grande Railroad system), from the city of Santa Fe to Espanola, the southern termination at that time of the railroad of the late Denver and Rio Grande Railway Company.

2. The total assessed valuation of the property subject to taxation in the county of Santa Fe is about $2,200,000.

3. All the aforesaid railroad-aid bonds, with one judgment for interest on a part of the said first bond issue, were, before the rendering of the decision in the Pima County case (Oct. 29, 1894, Lewis v. Pima County, 155 U. S., 54), refunded under the provisions of a territorial refunding act, chapter 79 of the Session Laws of 1891, found in the Compiled Laws of New Mexico of 1897 as sections 340 to 348, both inclusive, which refunding act, it is evident, does not authorize the refunding of bonds void on their face.

4. Over and above the said railroad-aid indebtedness, the said county has a legitimate interest-bearing bonded indebtedness of about $200,000.

5. All of the said railroad-aid bonds were issued under the supposed authority of chapter 30 of the New Mexico Session Laws of 1872, still found in the said Compiled Laws as sections 3808 to 3901, both inclusive, which statute of 1872 could, under the doctrine announced in the Pima County case, no longer legally operate after the passage of the act of Congress approved June 8, 1872 (20 Stat. L., p. 101), which prohibited every "municipal corporation" in a Territory from incurring "any debt other than such as shall be necessary to the administration of its internal affairs."

6. The bonds in aid of the New Mexico and Southern Pacific Railroad Company were, under the belief that the said territorial act of 1872 was still in force, and pursuant to its provisions, voted for on the 4th day of October, 1879, in two concurrent elections—one upon the proposition to aid, to the extent of $71,000, in the construction of the main line crossing the said county, and the other upon the proposition to aid, to the extent of $79,000, in the construction of a branch line connecting the city of Santa Fe with the main line, at Lamy Junction.

The votes cast on the first proposition numbered only 259, of which 192 were in the affirmative and 67 in the negative; and the total vote cast on the second proposition numbered only 266, of which 190 were in the affirmative and 76 in the negative.

8. At that time (1879), the total number of voters qualified to vote in the county of Santa Fe, at general elections, including resident owners of taxable property as well as residents not such owners, exceeded 1,000, but, by the terms of the said railroad-aid statute of 1872, very few of the general electors were qualified to vote at the special elections believed to be thereby authorized, because such elections were determined under that statute by the votes exclusively of "the electors of the various precincts of said county who own taxable property." (N. Mex. Compiled Laws of 1897, p. 3859.)

Under the exemption statutes in force at the time of the said railroad-aid elections, respectively, every resident was immune from taxation of property to the amount of $300, not to speak of other exemptions from taxation more specific in character, and the great majority of such residents at the time of each of the said special elections had severally no property subject to taxation. This fact, taken in connection with the general ignorance then prevailing in the county of the English language and of the methods of American corporate business, accounts for the apparent passivity of the great majority of its residents on the occasions of the special elections concerning the said railroad aids. Railroads were still unsolved mysteries to the great majority of the territorial population. Most of those of Mexican ancestry were characteristically simple in their habits, confiding in their nature, attentive to religious duties, and devoted to pastoral and agricultural pursuits after the ancient manner of their forefathers. The first influence of the incoming railroads was prejudicial, a generation ago, to the native population of New Mexico, for it diminished by eastern competition their accustomed home markets, and was subversive of old-time social conditions.

This first influence of the railroads was felt conspicuously by the county of Santa Fe. The main line of the "Santa Fe route" did not come nearer to the city of Santa Fe than 20 miles, although from time immemorial that city had been the emporium and distributing point of New Mexico, and, under the Spanish, Mexican, and American rule, the seat of an important and money-distributing military as well as civil government. The advent of the first railroad destroyed the "Santa Fe trail," and the commerce which over that trail had centered in Santa Fe for generations. Santa Fe's importance was temporarily impaired, her old trade distributed among other places more favored by railroad communication, and yet, as consideration for the burden of the first aid by the county bonds voted at the two-headed election of 1879, she was, in respect of railroad transportation, accorded only the small favor of the railroad branch from Lamy Junction, and even that supposed benefit was conditioned on the county's contribution to the construction of the main line, a contribution not, it is believed, exacted of any other county since the main line was to be built at all events.

9. In fact it was a great detriment to the city of Santa Fe to be thus sidetracked on a branch line of railroad, and naturally her commercial residents looked forward to the advantages apparently in prospect from the incoming of the main line of the old Denver and Rio Grande Railway Company under its chartered right and duty to construct its main line into New Mexico, as far south as Santa Fe, conformably to the acts of Congress requiring such construction to be completed as early as June 10, 1882. But, although chartered and subsidized by Congress, the old Denver and Rio Grande Railway Company failed to meet that statutory requirement, and even entered into a compact with its rival, the Atchison, Topeka and Santa Fe Railroad Company (the indirect beneficiary of the said first railroad aid), by which, early in 1880, further construction of the Denver and Rio Grande Railway south of Espanola was inequitably pretermitted for the period of ten years from that date. In view of this new disappointment and for the immediate purpose of bridging the gap in railroad communication between the city of Santa Fe and the Denver and Rio Grande Railway at Espanola—from which point that railway was in operation to the north through Pueblo, Denver, and other business centers—the Texas, Santa Fe and Northern Railroad Company was incorporated and the second county aid voted as aforesaid.

10. But, notwithstanding these efforts for amelioration of the evil conditions flowing from the innovation of railroads, in a community accustomed to the simple life of the old Spanish and Mexican days, the property and business interests of the inhabitants of the county became almost stagnant and so continued for a whole generation. It was absolutely impossible for the county to pay the interest on the railroad-aid bonds, still less any part of the principal. Indeed, the accumulated interest is now a heavier burden than the principal, and is subject to increase by compounding under judgments and future refundings, because Congress has confirmed and validated the county's void indebtedness.

11. All these railroad-aid bonds appear to have been negotiated by the respective companies concerned and to have come into the hands of purchasers for value, and since their conversion into refunding bonds the county is confronted by present holders of the new bonds, who bought them in reliance on the confirmatory acts of Congress.

12. In the year 1887 the board of county commissioners of the county of Santa Fe was sued upon a large number of interest coupons clipped from the bonds issued as aid to the New Mexico and Southern Pacific Railroad Company, and there followed in that and collateral legal proceedings a most energetic litigation, finally resulting in a decision of the supreme court of New Mexico, August 12, 1891, adjudging the validity of the coupons, which decision is reported in 6 New Mexico Reports (Gild), 88.

13. Prior to this decision the legislative assembly of New Mexico passed said chapter 79 of the session laws of 1891, looking to the refunding of all outstanding valid indebtedness of counties and municipalities.

14. After that decision of the supreme court of New Mexico not only the judgment in which the interest coupons involved were merged, with interest compounded on those coupons, but also the outstanding principal indebtedness evidenced by the railroad-aid bonds and all arrears of interest not merged in that judgment; and, furthermore, the principal and interest evidenced by the aid bonds and coupons issued to the Texas, Santa Fe and Northern Railroad Company, all coming within the doctrine so announced by the supreme court of New Mexico, were converted into refunding bonds of the county under the said chapter 79.

15. It is true that, in a dissenting opinion in that case, Mr. Justice Freeman took the ground that all the said railroad-aid bonds were void ab initio under a proper construction of the said act of Congress of June 8, 1878 (20 Stat., 101). But it was then the opinion of the majority of the justices, as well as some of the leading lawyers of the Territory, that the congressional prohibition could not be extended to a county, although governed by a board of county commissioners, by any proper interpretation of the words "or other municipal corporation." Therefore the county failed to sue out a writ of error from the Supreme Court of the United States for review of the said judgment, and took it for granted that no relief could be had in the courts from the burden of the railroad-aid indebtedness.

16. However in the year 1894 the Supreme Court of the United States in the above-mentioned Arizona case, Lewis v. Pima County (155 U. S., 54), distinctly held without any dissent that the prohibition in the act of Congress above cited extends to railroad-aid bonds issued by counties in the Territories, although so issued strictly in conformity with the provisions of a general act of the territorial legislative assembly. For that reason the Pima County bonds involved in that case were held to be void.

17. Later Congress, in view of the Pima County case, passed the aforesaid act of 1897, expressly validating all bonds of the county of Santa Fe which had been refunded under the terms of the above-cited chapter 79 of the New Mexico Session Laws of 1891. This confirmatory act of Congress by its broad terms absolutely excluded the county of Santa Fe from any relief whatever in the case of the oppression of the said railway-aid indebtedness, no matter how great its original invalidity, and thus the present generation of Santa Fe County's inhabitants, including numerous worthy settlers recently from the East, are face to face with a demon of poverty for whose invocation they are in no respect responsible.

18. Notwithstanding the failure of the county of Santa Fe to secure within the space of time allowed by law a writ of error from the Supreme Court of the United States for a review of the aforesaid decision, Congress probably had in its tutelar relation to the Territories constitutional power, even after the promulgation of the decision in the Pima County case, to authorize a review by that high tribunal of the New Mexico judgment. At all events, that territorial decision could not debar a review by the Supreme Court of the United States of future territorial decisions affecting railroad-aid indebtedness for the principal or for later maturing interest coupons of any such railroad-aid bonds or resulting county refunding bonds.

19. That territorial judgment could not, in any view, be deemed res judicata except as to those privy to the litigation; and there were many outstanding bondholders, including all holders of bonds issued in aid of the Texas, Santa Fe and Northern Railroad Company, who were in no sense whatever entitled to invoke that judgment as an estoppel.

The want of power in the county to issue the railway-aid bonds, as declared in the Pima County case, was constructively imputable to every holder of such bonds, since the bonds all originated after the prohibitive act of Congress considered in that case, every purchaser of a municipal bond issued either in a State or in a Territory being put on inquiry as to the power of the municipality to issue it and no recital saving him from the duty of such inquiry.

20. Again, until the passage, in 1897, of the confirmatory act of Congress, before mentioned, every holder of a refunding bond which showed on its face that the debt funded was absolutely void in its inception, and, whatever the form of the refunding bonds, every original refunder and every original purchaser of a refunding bond who knew that the indebtedness refunded by that bond was within the class of municipal indebtedness denounced by the act of Congress of 1878, discussed in the Pima County case, was powerless to enforce such bond in the courts, notwithstanding the most binding recitals appearing on its face.

21. But in 1897, before the county of Santa Fe was advised of its right and opportunity, under the decision of the court of last resort in the Pima County case, Congress passed the above-cited confirmatory act, which operated, on the one hand, to protect every holder of the void railroad-aid bonds as refunded, and, on the other hand, to deprive the county of Santa Fe of its right of defense against the bondholders and almost of its right to exist on a political plane comportable with the civic merit of its citizens and worthy of its ancient dignity as the capital of the vast subkingdom out of which the States of Colorado, Utah, and Nevada have since in great part sprung, New Mexico and Arizona only remaining as Territories.

Whereas the county of Grant, N. Mex., is aggrieved and burdened in like manner, although not so egregiously, by the validation of the said act of Congress of her void railroad-aid indebtedness; and

Whereas it is the sense of this legislative assembly that, on the eve of New Mexico's emergence out of the territorial condition into the full dignity of statehood, Congress ought, on grounds of political equity,

to relieve the county of Santa Fe from the hard plight in which it has been left by adverse national legislation in which the Territory of New Mexico had no representative vote: Therefore be it

Resolved by the legislative assembly of the Territory of New Mexico, That the Congress of the United States is hereby requested, by an appropriation of money or assignable land scrip, to enable the counties of Santa Fe and Grant, N. Mex., to compromise, satisfy, and discharge so much of their respective bonded indebtedness (principal, with accrued and accruing interest), validated and confirmed by the act of Congress of January 16, 1897, as was originally embraced in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid bonds issued to the New Mexico and Southern Pacific Railroad Company, and in the judgment mentioned in the said act of 1897, as well as in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid bonds issued to the Texas, Santa Fe and Northern Railroad Company, and also as was originally embraced in the issue by the county of Grant of its railroad-aid bonds under the supposed authority of the territorial railroad-aid act of 1872, but after its repeal by the act of Congress of 1878; and be it further

Resolved, That the secretary of the Territory be, and hereby is, directed to make and transmit seven copies of this memorial to our Delegate in Congress, one for himself and the others to be transmitted by him, one to the President of the Senate, one to the Speaker of the House, one to Senator ELKINS, two to the Senators from Colorado, respectively, and two to the chairmen, respectively, of the proper Senate and House committees.

CHAS. A. SPIESS,
President of the Council.

WM. F. BROGAN,
Chief Clerk Council.

E. A. MIERA,
Speaker House of Representatives.

E. H. SALAZAR,
Chief Clerk House of Representatives.

Approved this 18th day of March, 1909.

GEORGE CURRY,
Governor of New Mexico.

Filed in office of secretary of New Mexico March 18, 1909, 11.55 p. m.

NATHAN JAFFA, *Secretary.*

Mr. DU PONT presented a resolution adopted by the Board of Trade of Wilmington, Del., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas a joint meeting of the trade and commerce and the legislative committees of the Wilmington (Del.) Board of Trade was called by the president March 30, 1909, for the purpose of considering the Payne tariff bill; and

Whereas in view of the possible operation of the maximum and minimum provision of the Payne tariff bill now before the House of Representatives, and in view further that the large industries of this city engaged in the manufacture of morocco from imported raw skins would be seriously affected by the operation of the so-called maximum and minimum provisions of the proposed bill under which imported raw skins would be subject to a duty of 20 per cent ad valorem; Therefore be it

Resolved, That these committees in joint session enter their most earnest protest against the maximum and minimum provisions as proposed, and urge upon our Senators and Representative in Congress to oppose these provisions by every honorable means in their power.

Unanimously adopted March 30, 1909.

THE WILMINGTON BOARD OF TRADE.

Attest:
GEO. H. MCGOVERN,
Secretary.

Mr. DEPEW presented memorials of Local Union No. 4, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Palmer; of the Business Men's Association of Corinth, and of the Business Men's Association of Luzerne, all in the State of New York, remonstrating against the repeal of the duty on wood pulp and print paper, which were referred to the Committee on Finance.

He also presented a memorial of the Board of Trade of North Tonawanda, N. Y., remonstrating against the repeal of the duty on dressed and rough lumber, which was referred to the Committee on Finance.

He also presented a petition of Local Grange No. 66, Patrons of Husbandry, of Orwell, N. Y., and a petition of Lombard Grange, No. 714, Patrons of Husbandry, of Westfield, N. Y., praying for the passage of the so-called "rural parcels-post" bill, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. ROOT presented a memorial of the Board of Trade of North Tonawanda, N. Y., remonstrating against the repeal of the duty on lumber, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, praying for the repeal of the duty on Canadian barley, which were referred to the Committee on Finance.

He also presented petitions of Local Lodge No. 33, of Utica; of Local Lodge No. 922, of Dunkirk; of Local Lodge No. 772, of Ogdensburg; of Local Lodge No. 621, of Plattsburg; and of Local Lodge No. 1005, of Hoosick Falls, all of the Benevolent and Protective Order of Elks, in the State of New York, praying for the enactment of legislation to create a national reserve in the State of Wyoming, for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of sundry citizens of Addison, Brooklyn, Newburgh, New York City, Poughkeepsie, and Syracuse, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Niagara Falls, Deferiet, Fort Edward, Ticonderoga, Watertown, Morrisonville, Luzerne, and Corinth, all in the State of New York, remonstrating against any reduction of the duty on wood pulp and print paper, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Naples, Olean, Clinton Corners, Delmar, Arlington, Barker, Clyde, Chemung, Moravia, Ripley, Groton, Lebanon, South Hannibal, Ashville, Solsville, Castile, Yorktown, Edmeston, Deer River, Peekskill, Fillmore, Interlaken, East Chatham, Orwell, Nunda, Oswego, Syracuse, Beekman, Greenwich, and De Peyster, all in the State of New York, praying for the passage of the so-called "rural parcels-post" bill, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Binghamton, Lyons, Corning, Auburn, Elmira, Rochester, Le Roy, Warsaw, Geneva, Hornell, Canandaigua, Penn Yan, Waverly, Ithaca, Cortland, Canastota, Oneida, Fulton, Rome, Herkimer, Utica, Oneonta, and Norwich, all in the State of New York, praying for a modification of the present duty on oilcloth and linoleum, which were referred to the Committee on Finance.

Mr. HALE presented a petition of Local Union No. 146, International Brotherhood of Paper Makers, of Woodland, Me., and a petition of Dirigo Local Union, No. 84, International Brotherhood of Paper Makers, of Augusta, Me., praying for the retention of the present rate of duty on print paper, which were referred to the Committee on Finance.

He also presented a memorial to the selectmen of West Enfield, Me., remonstrating against the reduction of the duty on news print paper and the free importation of ground wood pulp, which was referred to the Committee on Finance.

Mr. LODGE presented petitions of sundry citizens of Boston, South Boston, Hyde Park, Somerville, Waltham, Cambridge, Ashland, Ware, Falkner, Everett, East Somerville, Plymouth, East Boston, Tully, Revere, Medford, Roxbury, Lawrence, Reading, Haverhill, Andover, Brockton, Newton, Northampton, Belmont, Fall River, Dorchester, Holyoke, Lynn, Edgartown, Hyannis, Roslindale, West Newton, North Cambridge, Clinton, Worcester, Lowell, Quincy, Dracut, Marblehead, Falmouth, Salem, Newburyport, Chicopee Falls, Somerset, Brookline, Melrose, Malden, Mattapan, Jamaica Plain, Peabody, Stoughton, Taunton, Allston, North Easton, Campbello, Lakeville, Littleboro, Charlestown, Brighton, Beverly, North Adams, Pittsfield, Dalton, Dedham, Winthrop, Waltham, Westfield, Chicopee, Adams, Ashland, Ayer, Winchester, Fitchburg, North Plymouth, Swampscott, North Andover, Greenfield, Gloucester, Elmwood, Wakefield, Orange, Provincetown, Orleans, Springfield, and Turners Falls, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were referred to the Committee on Finance.

Mr. HEYBURN presented sundry papers to accompany the bill (S. 15) to amend the military record of Jonas O. Johnson, which were referred to the Committee on Military Affairs.

Mr. FRYE presented memorials of Livermore Falls Local Union, No. 8, of Chisholm; of Local Union No. 22, of Solon; of Dirigo Local Union, No. 84, of Augusta; of Local Union No. 146, of Woodland; and of Local Union No. 14, of Lisbon Falls, all of the International Brotherhood of Paper Makers, in the State of Maine, remonstrating against the repeal of the duty on wood pulp and print paper, which were referred to the Committee on Finance.

He also presented a petition of Orient Grange, No. 60, Patrons of Husbandry, of East Corinth, Me., and the petition of Lowell & Whitten, of West Farmington, Me., praying for the repeal of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a memorial of Local Union No. 179, Cigarmakers' International Union of America, of Bangor, Me., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Gardiner, Me., and a petition of the Board of Trade of Auburn, Me., praying for the repeal of the duty on hides, which were referred to the Committee on Finance.

PACIFIC COAST STEAMERS.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 428) directing the Secretary of War to

establish and operate a line of steamers along the Pacific coast, and making provision therefor, asked to be discharged from its further consideration and that it be referred to the Committee on Interoceanic Canals, which was agreed to.

HEARINGS BEFORE THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 11, submitted by Mr. GALLINGER on the 25th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 11.

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee; that the committee may sit during the sessions or recesses of the Senate; and that the expense thereof be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON INTERSTATE COMMERCE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 15, submitted by Mr. ELKINS on the 29th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 15.

Resolved, That the Committee on Interstate Commerce or any subcommittee thereof be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings, bills, and such papers and documents as may be deemed necessary printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 17, submitted by Mr. WARREN on the 1st instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 17.

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee and to have the same printed for its use; that the committee may sit during the sessions or recesses of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

DISPOSITION OF USELESS PAPERS IN THE EXECUTIVE DEPARTMENTS.

Mr. SIMMONS, from the Joint Select Committee on the Disposition of Useless Documents, submitted the following report (S. Rept. No. 1), which was read and agreed to:

The Joint Select Committee of the Senate and House of Representatives, appointed on the part of the Senate and on the part of the House of Representatives, to which were referred the reports of the heads of departments, bureaus, etc., in respect to the accumulation therein of old and useless files of papers, which are not needed or useful in the transaction of the current business therein, respectively, and have no permanent value or historical interest, with accompanying statements of the condition and character of such papers, respectfully report to the Senate and House of Representatives, pursuant to an act entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," approved February 16, 1889, as follows:

Your committee have met and, by a subcommittee appointed by your committee, carefully and fully examined the said reports so referred to your committee and the statements of the condition and the character of such files and papers therein described, and we find and report that the files and papers described in the report of the Postmaster-General in House Document No. 3, Sixty-first Congress, first session, dated March 15, 1909, are not needed in the transaction of the current business of such departments and bureaus, and have no permanent value or historical interest.

Respectfully submitted to the Senate and House of Representatives.

F. M. SIMMONS,
J. H. GALLINGER,
Members on the part of the Senate.
ARTHUR L. BATES,
J. FRED. C. TALBOTT,
Members on the part of the House.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. HEYBURN:

A bill (S. 1213) extending to the members of the Forsyth Scouts the provisions of the pension acts of June 27, 1890, and February 6, 1907 (with the accompanying papers); and

A bill (S. 1214) granting an increase of pension to Lewis W. Graham (with the accompanying paper); to the Committee on Pensions.

By Mr. DICK:

A bill (S. 1215) to furnish bronze medals of honor to surviving soldiers who responded to President Lincoln's first call for troops; to the Committee on Military Affairs.

A bill (S. 1216) to apply a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining, and to regulate the expenditure thereof; to the Committee on Mines and Mining.

By Mr. DU PONT:

A bill (S. 1217) granting an increase of pension to Penton Belville; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 1218) granting a pension to Henry Fleming; and

A bill (S. 1219) granting a pension to William W. Maltman; to the Committee on Pensions.

By Mr. TAYLOR:

A bill (S. 1220) for the relief of Jacob G. Barkley; to the Committee on Claims; and

A bill (S. 1221) granting a pension to Thomas Smith; to the Committee on Pensions.

By Mr. TALIAFERRO:

A bill (S. 1222) for preventing the manufacture, sale, or transportation of adulterated, misbranded, or falsely graded naval stores, and for other purposes; to the Committee on Interstate Commerce.

By Mr. CHAMBERLAIN:

A bill (S. 1223) authorizing the President of the United States to appoint Col. James Jackson to the rank of brigadier-general on the retired list;

A bill (S. 1224) to correct the military record of William R. Owen;

A bill (S. 1225) to correct the military record of David R. B. Winniford; and

A bill (S. 1226) granting an honorable discharge to Amos Dahuff; to the Committee on Military Affairs.

A bill (S. 1227) granting a pension to I. C. Taylor;

A bill (S. 1228) granting an increase of pension to Allen Rhodes;

A bill (S. 1229) granting a pension to John S. Montgomery;

A bill (S. 1230) granting an increase of pension to William Allen King; and

A bill (S. 1231) granting an increase of pension to David D. Garrison; to the Committee on Pensions.

By Mr. McENERY:

A bill (S. 1232) for the relief of James L. Bradford; to the Committee on Public Lands.

A bill (S. 1233) to amend the patent laws of the United States; to the Committee on Patents.

A bill (S. 1234) for the relief of the estate or the heirs of Mrs. Martha L. Wells, deceased (with the accompanying papers);

A bill (S. 1235) for the relief of the legal representatives of G. A. Le More & Co.;

A bill (S. 1236) for the relief of the estate of Marcus Walker, deceased;

A bill (S. 1237) for the relief of the estate of Amy L. Mahoudeau, deceased; and

A bill (S. 1238) for the relief of T. Alonzo Walker and Augusta C. Todd; to the Committee on Claims.

By Mr. BRADLEY:

A bill (S. 1239) granting an increase of pension to John F. Corbett;

A bill (S. 1240) granting a pension to John Clay;

A bill (S. 1241) granting an increase of pension to Frederick Journal;

A bill (S. 1242) granting an increase of pension to Mary A. Kerr;

A bill (S. 1243) granting an increase of pension to Richard M. Johnson;

A bill (S. 1244) granting an increase of pension to William A. McGinety;

A bill (S. 1245) granting an increase of pension to W. L. Southgate;

A bill (S. 1246) granting an increase of pension to James S. Searcy;

A bill (S. 1247) granting an increase of pension to Francis M. Thompson;

A bill (S. 1248) granting an increase of pension to John French; and

A bill (S. 1249) to amend "An act to amend section 4766 of the Revised Statutes of the United States;" to the Committee on Pensions.

A bill (S. 1250) for the relief of Eliza V. C. Farris, for services rendered the United States; to the Committee on Claims.

A bill (S. 1251) to establish a fish-cultural station in the State of Kentucky; to the Committee on Fisheries.

By Mr. JONES:

A bill (S. 1252) granting an increase of pension to Gates Saxton;

A bill (S. 1253) granting an increase of pension to Tilman P. Edgerton; and

A bill (S. 1254) granting an increase of pension to John J. Swett; to the Committee on Pensions.

By Mr. ROOT:

A bill (S. 1255) authorizing the settlement of certain outstanding liabilities of the Government by the issue of new drafts upon the return of drafts heretofore issued representing said liabilities; to the Committee on Finance.

A bill (S. 1256) granting a pension to Melville A. Hays; to the Committee on Pensions.

A bill (S. 1257) for the relief of Dr. Warren E. Day; to the Committee on Claims.

By Mr. JOHNSTON of Alabama:

A bill (S. 1258) granting an increase of pension to Edward J. Schnell, alias Edward J. Snell (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 1259) for the incorporation and regulation of corporations engaged in interstate commerce; to the Committee on the Judiciary.

By Mr. GUGGENHEIM:

A bill (S. 1260) to establish a subtreasury at Denver, Colo.; to the Committee on Finance.

A bill (S. 1261) to provide for the purchase of a site and the erection of a public building thereon at Glenwood Springs, in the State of Colorado;

A bill (S. 1262) to provide for the purchase of a site and the erection of a public building thereon at Montrose, in the State of Colorado; and

A bill (S. 1263) to provide for the purchase of a site and the erection of a public building thereon at Durango, in the State of Colorado; to the Committee on Public Buildings and Grounds.

A bill (S. 1264) granting a pension to Emerson E. Paden (with accompanying paper);

A bill (S. 1265) granting a pension to John G. Schempp;

A bill (S. 1266) granting a pension to Cynthia A. Simons;

A bill (S. 1267) granting a pension to Hannah Mohr;

A bill (S. 1268) granting an increase of pension to Robert H. Fernsworth;

A bill (S. 1269) granting an increase of pension to Robert S. Faught;

A bill (S. 1270) granting an increase of pension to Eunice A. Starr;

A bill (S. 1271) granting an increase of pension to Albert N. Raymond;

A bill (S. 1272) granting an increase of pension to David W. Aldrich;

A bill (S. 1273) granting an increase of pension to Sarah J. Selby;

A bill (S. 1274) granting an increase of pension to Alfred H. Livingston;

A bill (S. 1275) granting an increase of pension to Cora G. Davison;

A bill (S. 1276) granting an increase of pension to John Burns;

A bill (S. 1277) granting an increase of pension to George W. Parks;

A bill (S. 1278) granting an increase of pension to Spencer M. Hillibert;

A bill (S. 1279) granting an increase of pension to Thomas J. Vinyard;

A bill (S. 1280) granting an increase of pension to Wilbert B. Teters;

A bill (S. 1281) granting an increase of pension to Charles Roden;

A bill (S. 1282) granting an increase of pension to Marshall K. Ames;

A bill (S. 1283) granting an increase of pension to William H. Stannah;

A bill (S. 1284) granting an increase of pension to John G. Geiling;

A bill (S. 1285) granting an increase of pension to Adelia Dittman;

A bill (S. 1286) granting an increase of pension to Theodore A. Mather;

A bill (S. 1287) granting an increase of pension to John S. Sanderson;

A bill (S. 1288) granting an increase of pension to Hubert Steimel;

A bill (S. 1289) granting an increase of pension to George W. Hamilton;

A bill (S. 1290) granting an increase of pension to Annie George;

A bill (S. 1291) granting an increase of pension to John Mather;

A bill (S. 1292) granting an increase of pension to Isaac Hollister;

A bill (S. 1293) granting an increase of pension to Francis M. McMahan;

A bill (S. 1294) granting an increase of pension to Henry Butler;

A bill (S. 1295) granting an increase of pension to Charles Hinman;

A bill (S. 1296) granting an increase of pension to Willis E. Hall (with accompanying paper);

A bill (S. 1297) granting an increase of pension to Joseph M. Rawlings (with accompanying paper);

A bill (S. 1298) granting an increase of pension to John H. Mattocks (with accompanying paper);

A bill (S. 1299) granting an increase of pension to Joseph H. Surby (with accompanying paper); and

A bill (S. 1300) granting a pension to Elizabeth A. Corliss (with accompanying paper); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 1301) granting an increase of pension to Annie C. Potter;

A bill (S. 1302) granting an increase of pension to Daniel M. Shaw;

A bill (S. 1303) granting an increase of pension to Thomas Hewson;

A bill (S. 1304) granting an increase of pension to Andrew G. Wylie;

A bill (S. 1305) granting a pension to Sarah J. Ridgeway;

A bill (S. 1306) granting an increase of pension to Daniel F. Lee;

A bill (S. 1307) granting an increase of pension to Alfred N. Webb;

A bill (S. 1308) granting an increase of pension to Ellas Baker;

A bill (S. 1309) granting an increase of pension to O. A. Stine;

A bill (S. 1310) granting an increase of pension to Robert A. Tracy;

A bill (S. 1311) granting an increase of pension to David Farquhar;

A bill (S. 1312) granting an increase of pension to Lucien W. Dunnington;

A bill (S. 1313) granting an increase of pension to David F. Ragsdale;

A bill (S. 1314) granting an increase of pension to Emma A. Porch;

A bill (S. 1315) granting an increase of pension to Catherine R. Rice;

A bill (S. 1316) granting a pension to Alexander J. Souden; and

A bill (S. 1317) granting a pension to America V. Vincent; to the Committee on Pensions.

A bill (S. 1318) for the relief of Arthur H. Barnes;

A bill (S. 1319) for the relief of the heirs of Frances E. Bannister;

A bill (S. 1320) for the relief of the heirs of Ann L. Robb; and

A bill (S. 1321) for the relief of Joseph L. A. Daugherty; to the Committee on Claims.

A bill (S. 1322) for the relief of John N. Neal; and

A bill (S. 1323) to correct the military record of John P. Griffith; to the Committee on Military Affairs; and

A bill (S. 1324) authorizing the Secretary of the Interior to examine and adjust the accounts of William R. Little, or his heirs, with the Sac and Fox Indians; to the Committee on Indian Affairs.

By Mr. SMITH of Maryland:

A bill (S. 1325) granting an increase of pension to Louis N. Frank;

A bill (S. 1326) granting an increase of pension to Donna M. Blatter;

A bill (S. 1327) granting an increase of pension to Naomi V. Culley;

A bill (S. 1328) granting a pension to Emil Kuhblank;

A bill (S. 1329) granting an increase of pension to Thomas S. Ball;

A bill (S. 1330) granting a pension to Mary Elizabeth Wannall;

A bill (S. 1331) granting an increase of pension to Mary E. Campbell;

A bill (S. 1332) to equalize the pension of Edward D. Bates from March, 1883, up to the time of the special act granting him $24 per month;

A bill (S. 1333) granting an increase of pension to Eli Strimel; and

A bill (S. 1334) granting an increase of pension to Rachel A. Ardeeser; to the Committee on Pensions.

A bill (S. 1335) for the relief of the widow of Joseph Culley;

A bill (S. 1336) to reimburse and indemnify the town of Frederick, in the State of Maryland;

A bill (S. 1337) for the relief of the mayor and city council of Baltimore, Md.;

A bill (S. 1338) for the relief of the estate of George Lloyd Raley;

A bill (S. 1339) for the relief of the estate of R. W. Isaac;

A bill (S. 1340) for the relief of the estate of Zachariah Claggett; and

A bill (S. 1341) for the relief of Elizabeth Shutt; to the Committee on Claims.

A bill (S. 1342) placing M. H. Plunkett, assistant engineer, United States Navy, on the retired list with an advanced rank; to the Committee on Naval Affairs.

By Mr. BRISTOW:

A bill (S. 1343) granting an increase of pension to Charles G. Craig (with the accompanying papers); and

A bill (S. 1344) granting an increase of pension to Benjamin F. Hays (with the accompanying papers); to the Committee on Pensions.

By Mr. FRYE:

A bill (S. 1345) to incorporate the American National Institute (Prix de Paris) at Paris, France; to the Committee on Foreign Relations.

A bill (S. 1346) to correct the military record of Albert S. Austin (with the accompanying paper); to the Committee on Military Affairs.

A bill (S. 1347) to construct a vessel for the customs service for use in the vicinity of Portland, Me.; and

A bill (S. 1348) to construct a tender for the use of the engineer of the first and second light-house districts; to the Committee on Commerce.

A bill (S. 1349) granting a pension to Aaron O. Houghton;

A bill (S. 1350) granting an increase of pension to George W. Stone;

A bill (S. 1351) granting an increase of pension to Francis M. Johnson;

A bill (S. 1352) granting a pension to Alfonso Penley;

A bill (S. 1353) granting an increase of pension to Rose E. Staples;

A bill (S. 1354) granting an increase of pension to Richard Dearborn;

A bill (S. 1355) granting a pension to Emma K. Frank;

A bill (S. 1356) granting an increase of pension to William D. McKenney;

A bill (S. 1357) granting an increase of pension to Thomas Storah;

A bill (S. 1358) granting a pension to Alice Rugan;

A bill (S. 1359) granting an increase of pension to Eudora McLaflin;

A bill (S. 1360) granting an increase of pension to James H. Little;

A bill (S. 1361) granting an increase of pension to Oscar F. Gammon;

A bill (S. 1362) granting an increase of pension to Esther A. Field;

A bill (S. 1363) granting an increase of pension to Hannah J. Dinsmore;

A bill (S. 1364) granting an increase of pension to Samuel W. Ingalls (with accompanying papers); and

A bill (S. 1365) granting an increase of pension to Alonzo Hill; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 1366) granting an increase of pension to John M. Johnson (with accompanying papers); and

A bill (S. 1367) granting an increase of pension to John Chatham (with the accompanying papers); to the Committee on Pensions.

By Mr. PILES:

A bill (S. 1368) granting an increase of pension to Woodbury Blocksom, alias Ralph D. Wood (with accompanying papers); to the Committee on Pensions.

By Mr. CULLOM (by request):

A joint resolution (S. J. R. 15) proposing an amendment to the Constitution in relation to the term of service of the President of the United States; to the Committee on the Judiciary.

By Mr. BURTON:

A joint resolution (S. J. R. 16) authorizing the printing of reports upon preliminary examinations and surveys, etc.; to the Committee on Printing.

TAXATION OF DISPLAY SIGNS.

Mr. HEYBURN. I introduce a bill which I ask to have read at length and to be laid upon the table.

The bill (S. 1369) providing for a license tax on display signs, was read the first time by its title and the second time at length as follows:

Be it enacted, etc., That there shall be levied, collected, and paid into the Treasury of the United States an annual license fee of 2 cents per superficial square foot or fraction thereof upon each and every posted display advertisement or sign of any article of commerce, trade, or commodity entering or advertised to enter into interstate commerce, whether such advertisement or sign be painted, printed or marked upon buildings, wood, paper, cloth, or other material displayed for the purpose of advertising any article or thing mentioned or described upon said sign.

Second. That said license fee shall be paid annually on or before the 1st day of May in each and every year as in the case of other licenses collected by the United States.

Third. That in ascertaining the superficial contents of such notices or advertisements the entire surface of the thing upon which such advertisement appears shall be measured and such contents shall be the basis upon which the said license shall be collected.

The PRESIDENT pro tempore. At the request of the Senator from Idaho, the bill will lie on the table.

TAXATION OF EXCESS LAND HOLDINGS.

Mr. HEYBURN. I introduce a bill, and I ask that it be read at length and laid on the table.

The bill (S. 1370) to provide for taxation of land holdings in certain cases was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That all corporations, persons, or associations of persons owning or holding in their names lands in excess of 1,000 acres in any State or Territory of the United States shall pay an annual tax into the Treasury of the United States of 10 cents per acre upon such excess of holding over and above 1,000 acres for each corporation or persons or association of persons.

Second. That said tax shall be collected on or before the 1st day of March in each and every year as in the case of other taxes levied by the United States.

The PRESIDENT pro tempore. The bill will lie on the table, at the request of the Senator from Idaho.

TAXATION OF LANDS IN INTERSTATE COMMERCE.

Mr. HEYBURN. I introduce a bill and ask that it be read at length and laid on the table.

The bill (S. 1371) to provide for taxation of land holdings in connection with interstate commerce was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That every corporation, person, or association of persons owning, holding, or claiming to own or hold lands in any State or Territory of the United States, granted, purchased, or held in connection with the conduct of any interstate commerce business, or from which lands any article of commerce or trade entering into interstate commerce is taken or produced, shall pay an annual tax of 10 cents per acre upon said land on or before the 1st day of May in each and every year.

SEC. 2. That said tax shall be collected as in the case of other taxes levied by the United States.

The PRESIDENT pro tempore. The bill will lie on the table.

AMENDMENT TO THE CENSUS BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, which was referred to the Committee on Appropriations and ordered to be printed.

FOREIGN PRODUCTS IN DOMESTIC MARKETS.

Mr. DANIEL. I submit a resolution of inquiry and ask for its present consideration.

The resolution (S. Res. 20) was read, as follows:

Senate resolution 20.

Resolved, That the Secretary of State is directed to inform the Senate, as far as he may, what foreign products are sold in the United States lower than in foreign countries, and what information has been derived under the resolution of the Senate directing the Secretary of State "to procure, through our consular and other representatives abroad, all available information relating to the practice of foreign governments selling manufactured goods in this country at a price lower than the domestic price, the information to be communicated to the Senate at the earliest possible day."

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALE. Let it be read again.

Mr. ALDRICH. It is all right.

Mr. HALE. I withdraw the request.

The resolution was considered by unanimous consent and agreed to.

DOMESTIC PRODUCTS IN FOREIGN MARKETS.

Mr. DANIEL submitted the following resolution (S. Res. 21), which was considered by unanimous consent and agreed to:

Senate resolution 21.

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, directed to inform the Senate what has been accomplished with reference to the statement requested by resolution sent to that department, and to give the Senate such information as he can with respect to manufactured products which are sold in foreign markets at lower rates than in America.

ASSISTANT CLERK TO COMMITTEE ON INDUSTRIAL EXPOSITIONS.

Mr. JONES submitted the following resolution (S. Res. 23), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 23.

Resolved, That the Committee on Industrial Expositions be, and is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum.

HEARINGS BEFORE THE COMMITTEE ON THE CENSUS.

Mr. LA FOLLETTE submitted the following resolution (S. Res. 22), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 22.

Resolved, That the Committee on the Census or any subcommittee thereof, be, and is hereby, authorized to employ a stenographer from time to time, as may be necessary to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings, bills, and such papers and documents as may be deemed necessary printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

THE CENSUS BILL.

Mr. LA FOLLETTE. I desire to state for the information of Senators that it is the expectation of the committee that the census bill can be reported out by Thursday morning. If so, I shall then ask the Senate to give it consideration on Friday and from day to day thereafter until it is disposed of.

ASSISTANT CLERK TO COMMITTEE ON CANADIAN RELATIONS.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 24), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 24.

Resolved, That the Committee on Canadian Relations be, and is hereby, authorized to employ an assistant clerk at a salary of $1,440 per annum, to be paid out of the contingent fund of the Senate.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 38. Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909, was read twice by its title and referred to the Committee on Printing.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 1 o'clock p. m.) the Senate adjourned until Thursday, April 8, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 5, 1909.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. George W. Goode, First Cavalry, to be major from April 3, 1909, vice Stevens, Fifth Cavalry, retired from active service.

First Lieut. Douglas McCaskey, Fourth Cavalry, to be captain from April 3, 1909, vice Goode, First Cavalry, promoted.

INFANTRY ARM.

First Lieut. Wait C. Johnson, Twenty-sixth Infantry, to be captain from March 9, 1909, vice Hathaway, unassigned, retired from active service.

First Lieut. J. Millard Little, Thirtieth Infantry, to be captain from March 10, 1909, vice Ronayne, Twenty-eighth Infantry, retired from active service.

First Lieut. John L. Bond, Nineteenth Infantry, to be captain from March 23, 1909, vice Swaine, First Infantry, retired from active service.

First Lieut. Josephus S. Cecil, Nineteenth Infantry, to be captain from March 23, 1909, vice Gordon, Eighteenth Infantry, promoted.

First Lieut. Edward R. Stone, Thirtieth Infantry, to be captain from March 25, 1909, vice Lasseigne, Fourteenth Infantry, promoted.

Second Lieut. Horatio K. Bradford, Seventeenth Infantry, to be first lieutenant from March 9, 1909, vice Johnson, Twenty-sixth Infantry, promoted.

Second Lieut. Charles H. Mason, Eighth Infantry, to be first lieutenant from March 10, 1909, vice Little, Thirtieth Infantry, promoted.

Second Lieut. Nicholas W. Campanole, First Infantry, to be first lieutenant from March 15, 1909, subject to examination required by law, vice Ware, Twenty-first Infantry, detailed in the Signal Corps.

Second Lieut. John G. Macomb, Fourteenth Infantry, to be first lieutenant from March 23, 1909, vice Bond, Nineteenth Infantry, promoted.

Second Lieut. L. Worthington Moseley, Second Infantry, to be first lieutenant from March 23, 1909, vice Cecil, Nineteenth Infantry, promoted.

POSTMASTERS.

GEORGIA.

James F. Dever to be postmaster at Rockmart, Ga., in place of James F. Dever. Incumbent's commission expired February 3, 1909.

KANSAS.

J. M. Gibbs to be postmaster at Oskaloosa, Kans., in place of Frank H. Roberts, resigned.

E. T. Metcalf to be postmaster at Colony, Kans. Office became presidential January 1, 1909.

LOUISIANA.

Edson E. Burnham to be postmaster at Amite, La., in place of Edson E. Burnham. Incumbent's commission expired January 19, 1909.

MINNESOTA.

James A. Gillespie to be postmaster at Carlton, Minn., in place of William Gallagher, resigned.

NEW JERSEY.

Frank Hill to be postmaster at Dumont, N. J. Office became presidential April 1, 1909.

NEW YORK.

James A. Johnston to be postmaster at Marlboro, N. Y., in place of James A. Johnston. Incumbent's commission expired April 19, 1908.

NORTH CAROLINA.

Albert Richardson Kirk to be postmaster at Albemarle, N. C., in place of Ella M. Sanders. Incumbent's commission expired January 14, 1907.

OREGON.

Lee Rowell to be postmaster at Sheridan, Oreg. Office became presidential April 1, 1908.

PENNSYLVANIA.

Martin B. Allen to be postmaster at Honesdale, Pa., in place of Martin B. Allen. Incumbent's commission expired April 19, 1908.

Sallie P. Gillingham to be postmaster at Langhorne, Pa., in place of Sallie P. Gillingham. Incumbent's commission expired January 14, 1909.

John P. Thomas to be postmaster at Taylor, Pa., in place of John W. Reese. Incumbent's commission expired April 27, 1908.

TEXAS.

William L. Yanger to be postmaster at Iowa Park, Tex. Office became presidential April 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 5, 1909.

CONSUL-GENERAL.

James T. Du Bois to be consul-general at Singapore, Straits Settlements.

MINISTER.

George H. Moses to be envoy extraordinary and minister plenipotentiary to Greece and Montenegro.

ASSISTANT SECRETARY OF THE TREASURY.

Charles Dyer Norton to be Assistant Secretary of the Treasury.

ASSISTANT ATTORNEY-GENERAL.

Oscar Lawler, to be Assistant Attorney-General of the United States.

REGISTER OF THE LAND OFFICE.

John W. Miller to be register of the land office at Wausau, Wis.

PROMOTIONS IN THE ARMY.

PAY DEPARTMENT.

Lieut. Col. Harry L. Rogers, deputy paymaster-general, to be assistant paymaster-general with the rank of colonel.

Maj. George F. Downey, paymaster, to be deputy paymaster-general with rank of lieutenant-colonel.

TO PLACE ON RETIRED LIST.

Each of the retired officers herein named to be placed on the retired list of the army, with the rank of one grade above that actually held by him at the time of retirement:

With the rank of lieutenant-colonel.

Maj. Ferdinand E. De Courcy,
Maj. Henry F. Brewerton,
Maj. Lafayette E. Campbell,
Maj. William M. Waterbury,
Maj. John R. Brinckle,
Maj. Edward G. Mathey,
Maj. James N. Morgan,
Maj. Edmund K. Russell,
Maj. Henry M. Kendall,
Maj. Thomas Sharp,
Maj. Washington I. Sanborn,
Maj. Henry P. Ritzius,
Maj. James M. Burns, and
Maj. William H. Kell.

With the rank of major.

Capt. John A. Payne,
Capt. George K. Spencer,
Capt. William W. Tyler,
Capt. Dillard H. Clark,
Capt. William O. Cory,
Capt. Christopher W. Harrold,
Capt. Lewis Merriam,
Capt. William M. Williams,
Capt. John H. Gifford, and
Capt. Edward I. Grumley.

COAST ARTILLERY CORPS.

Lieut. Col. Clarence Deems to be colonel.
Maj. Charles H. Hunter to be lieutenant-colonel.
Maj. Stephen M. Foote to be lieutenant-colonel.
Capt. George Blakely to be major.
Capt. Frank W. Coe to be major.
First Lieut. Francis W. Clark to be captain.
First Lieut. George A. Wieczorek to be captain.
First Lieut. Edward Canfield, jr., to be captain.
Second Lieut. Edward N. Woodbury to be first lieutenant.
Second Lieut. Ray L. Avery, to be first lieutenant.
Second Lieut. Edward A. Stockton, jr., to be first lieutenant.

CAVALRY ARM.

Lieut. Col. Levi P. Hunt to be colonel.
Maj. Edwin P. Andrus to be lieutenant-colonel.
Capt. Daniel L. Tate to be major.
First Lieut. William H. Winters to be captain.
Second Lieut. George E. Price to be first lieutenant.
Second Lieut. Isaac S. Martin to be first lieutenant.
Second Lieut. Raymond S. Bamberger to be first lieutenant.
Second Lieut. George A. Somerville to be first lieutenant.

INFANTRY ARM.

Capt. Walter H. Gordon to be major.
First Lieut. George I. Feeter to be captain.
Second Lieut. John McE. Pruyn to be first lieutenant.
Second Lieut. Henry W. Fleet to be first lieutenant.
Second Lieut. Francis H. Burr to be first lieutenant.
Second Lieut. John C. Ashburn to be first lieutenant.
Second Lieut. Robert T. Phinney to be first lieutenant
Second Lieut. Hugh M. Kelly to be first lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

John Anson Bufket,
Charles Carroll Demmer,
Owen Chester Fisk,
George Burgess Foster, jr.,
James Shelton Fox,
James Charles Haley,
Howard Hume,
Thomas Holland Johnson,
Glenn Irving Jones,
Charles Tomlinson King,
Condon Carlton McCornack, and
Edward Leroy Napier.

PROMOTIONS IN THE NAVY.

Ensign Bradford Barnette to be a lieutenant (junior grade).
Lieut. (Junior Grade) Bradford Barnette to be a lieutenant.
Assistant Paymaster Edward R. Wilson to be a passed assistant paymaster.
Second Lieut. Clayton B. Vogel to be a first lieutenant in the Marine Corps.
Boatswain Edwin Murphy to be a chief boatswain.

POSTMASTERS.

ILLINOIS.

Willard C. Magner, at Morris, Ill.

KANSAS.

Charles Friskel, at Frontenac, Kans.

MASSACHUSETTS.

Benjamin W. Brown, at Northbridge, Mass.

MICHIGAN.

Thomas A. Dailey, at Adrian, Mich.
Cash B. Herman, at Carleton, Mich.
Robert E. Newville, at Boyne, Mich.
M. Byron Pierce, at Farmington, Mich.

MINNESOTA.

Lewis O. Norheim, at Montevideo, Minn.
Harry E. Woodis, at Amboy, Minn.

NEW HAMPSHIRE.

Frank I. Morrill, at Contoocook, N. H.

NEW JERSEY.

Palmer H. Charlock, at Elizabeth, N. J.

OHIO.

Charles H. Ellis, at Yellow Springs, Ohio.
Emley B. Gatch, at Milford, Ohio.
Seymour S. Tibbals, at Franklin, Ohio.

PENNSYLVANIA.

Thomas F. Bourke, at Rossiter, Pa.
James Edward Butler, at Ellwood City, Pa.
David I. Stadden, at Glen Campbell, Pa.
James R. Underwood, at Roscoe, Pa.

VIRGINIA.

Robert Irby, at Appomattox, Va.

WISCONSIN.

Thomas H. Wylie, at Owen, Wis.

WITHDRAWAL.

Executive nomination withdrawn from the Senate April 5, 1909.

William G. Wheeler to be United States attorney for the western district of Wisconsin, his resignation having been tendered.

INJUNCTION OF SECRECY REMOVED.

The injunction of secrecy was removed by the Senate on April 5, 1909, from an extradition treaty between the United States and the French Republic, signed at Paris on January 6, 1909.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 5, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Saturday, April 3, 1909, was read and approved.

DISTRIBUTION OF DOCUMENTS.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 38, repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909, which I send to the desk and ask to have read.

The Clerk read as follows:

House joint resolution 38.

Resolved, etc., That the joint resolution entitled "Joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications," approved March 2, 1909, be, and the same is hereby, repealed.

The SPEAKER. Is there objection?

Mr. PERKINS. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. MANN. Mr. Speaker, I move to suspend the rules and pass the resolution.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass the joint resolution. Is a second demanded?

Mr. PERKINS. Mr. Speaker, I demand a second.

Mr. MANN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois is entitled to twenty minutes and the gentleman from New York to twenty minutes.

Mr. MANN. Mr. Speaker, at the last session of Congress a joint resolution was passed providing that the documents which were appropriated for or ordered by the last Congress be distributed by Members of the last Congress, thereby shutting out the new Members of this Congress from the distribution of any public documents except those which may be ordered by this Congress until the 1st of next December. The excuse given for that was that it was ordinarily the habit for Congress not to meet until December, and therefore the Members of the Sixtieth Congress ought to have the distribution of documents until the 1st of December. There are, I believe, between 70 and 80 new Members of this House. They have been sworn in; they are here in Washington serving their districts as Members of the House.

When they are asked by their constituents for public documents which are being issued, they are compelled to say that although they are Members of Congress the documents belong to their predecessors who are ex-Members of Congress; and while the resolution was passed in the last House during the time the old Members of Congress were here, it seems to me very appropriate that this House with its new membership shall have the right to vote upon the question as to who shall have the distribution of the documents intended for the various Congressional districts during the time that the new Members are the Members of Congress and the old Members are ex-Members of Congress.

Mr. KEIFER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. KEIFER. Mr. Speaker, I desire simply to ask whether the gentleman has before him the resolution that it is proposed to repeal by this resolution, and if he has I would be glad to have it read so that we may understand just what we are repealing.

Mr. MANN. Mr. Speaker, the resolution which was passed to repeal reads as follows:

House joint resolution 263.

Joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications.

Resolved, etc., That all documents and books ordered to be published by the Sixtieth Congress which are actually printed prior to the first Monday in December next, to which Members of that Congress not Members of the Sixty-first Congress would have been entitled if published prior to the 4th day of March, shall be allotted such Members, and the term allowed to distribute the same shall be extended to the first Monday of December next.

Approved, March 2, 1909.

Now, by construction of the folding room, it is held that this means not only documents which were ordered printed by the Sixtieth Congress, but documents for which the Sixtieth Congress made the appropriations. Perhaps the easiest document to refer to would be the Agricultural Yearbook, to which each district becomes entitled to in the neighborhood of 1,000 copies. Under the joint resolution, which is now the law, these Yearbooks, which come out in June or July usually, would all go to the credit of the ex-Members of Congress in place of to the credit of the new Members of Congress, and the new Members of Congress being asked in their districts for the Yearbook will be compelled to say that although they are the Members of Congress the distribution of those documents—part of the duty of Members of Congress—is made by a man no longer a Member of Congress.

Mr. Speaker, I reserve the balance of my time. [Applause.]

Mr. PERKINS. Mr. Speaker, I desire to present very briefly the question that is now before the House. I ask the attention of the House that the decision may be made which seems to be fair and just with reference to our own membership. I have no possible personal interest in this question, nor has the Committee on Printing, but in the Sixtieth Congress the question was presented in reference to the distribution of certain documents. The law is that an outgoing Member has the distribution of documents until the convening of the first session of the following Congress.

Under this, as we all know, the new session meets in the December a year following a new Member's election. The result is that the outgoing Member has the distribution of the documents that are published until the meeting of the next session in December following his election. The present Congress meets, instead of December, in the middle of March, and under the wording of the general law, instead of the outgoing Member having the distribution until December, his distribution is cut off in the middle of March. To meet that, so that outgoing Members of the Sixtieth Congress might have exactly the same treatment that has been allotted to the Members of other outgoing Congresses where there is no extra session—that they might have exactly the same treatment that will be accorded to any Member of the Sixty-first Congress who is not reelected—it was provided that in reference to documents ordered by the Sixtieth Congress and not yet published, those should be distributed to the outgoing Members down to December. An extra session has been called. Let me call the attention of the House to the fact that documents ordered by this Congress go to the new Members, documents in relation to the tariff, tariff reports, and so forth—every one of those go to the new Members.

They are here in attendance now, and everything authorized by this Congress, everything that pertains to the tariff and the work we are doing, is given to us for distribution; but in reference to those documents which were ordered by the Sixtieth Congress and which might not have been printed by reason of the inability of the printing department to keep up with the requirements as fast as ordered, and are not yet ready for distribution, those go to the old Members. Now, gentlemen, as I say, I have no interest in this thing; but it did seem to the Committee on Printing, it seemed to the Members of the Sixtieth Congress, that we should deal with the outgoing Members of the Sixtieth Congress as Members of all other Congresses have been dealt with. What is the law? A man is elected in November. His office begins in March. He does not get the distribution of documents until December following the beginning of his term, and then he has the distribution for two years; if he is not reelected and goes out in March he has the distribution until the following December. The only exception to that would be the Members of the Sixtieth Congress whose distribution began in December, 1907. Unless we allow the law to remain as we passed it in the last Congress their distribution stops absolutely on the 15th day of March, 1909.

A Member of the Sixtieth Congress not reelected has the distribution of documents for fifteen months and no more. A Member of the Sixty-first Congress begins his distribution in March and he has it for the two years for which he is elected. If he is not reelected he still has it until the following December, because there will not be another extra session to pass another tariff bill two years from now; so a Member of the Sixtieth Congress not reelected has the distribution for fifteen months and a Member of the Sixty-first Congress not reelected will have the distribution for thirty-three months. Do gentlemen think it is fair for a Member of the Sixtieth Congress not reelected to have a distribution for fifteen months and that a Member of the Sixty-first Congress not reelected should have a distribution for thirty-three months?

Mr. DOUGLAS. Will the gentleman yield?

Mr. PERKINS. Oh, surely.

Mr. DOUGLAS. Does not the gentleman think the exceptional circumstances of this year—as this is an extra session and the present Members of the Sixty-first Congress will be in Washington during the whole of this spring—that this excep-

tional condition calls for an exception in favor of the Members of this Congress?

Mr. PERKINS. No; because the Members of the Sixty-first Congress have everything that belongs to them. We have everything that is printed as a result of the extra session.

Mr. HULL of Iowa. Will the gentleman yield for a question?

Mr. PERKINS. Surely.

Mr. HULL of Iowa. These documents are primarily for the benefit of the people of the different districts. Will not an active Member be more active in making a general distribution than a man that is entirely out and engrossed in his private business?

Mr. PERKINS. I will say, in answer to the gentleman from Iowa, that I should be very glad if Congress at some past time had seen fit to change the general law so that every man's distribution should begin the day he came in, session or no session, and should close the day he went out, session or no session. That would have been a better law, but it has not been the law for years untold. Instead of that being the law the distribution has ceased——

Mr. SHERLEY. Will the gentleman yield?

Mr. PERKINS. Surely.

Mr. SHERLEY. How are we going to make this a better law unless we do it sometime?

Mr. PERKINS. I think it perfectly proper that the Members of the Sixty-first Congress make their requisitions and begin their distribution of the works of this Congress now. I think it would be perfectly proper to have a law providing that at the end of the Sixty-first Congress distribution should be made——

Mr. SHERLEY. Is not the gentleman begging the question if he admits that the position taken by the gentleman from Iowa is right?

Mr. PERKINS. No; not at all; because the Members of the Fifty-sixth, Fifty-seventh, Fifty-eighth, and Fifty-ninth Congresses have all had two years' distribution.

Mr. SHERLEY. Oh, but the gentleman keeps assuming that the distribution is a perquisite of the Congressman, whereas it is supposed to be for the benefit of his district. Now, if the position of the gentleman from Iowa [Mr. HULL] is right, the sooner we put it in the hands of that person most likely to make the distribution in the district the better.

Mr. PERKINS. If it had been regarded that way by Congress, it would not have been on the statute books for untold years that the distribution should not begin until the beginning of the following session.

Mr. SHERLEY. There can not be such a thing as a vested wrong; and if it is wrong, the sooner we change it the better.

Mr. PERKINS. If it is a vested wrong, certainly not. But it does not seem to be a vested right that a man of the Sixtieth Congress should be turned out with only a fifteen months' distribution—with only a fifteen months' control over books. The gentleman from Kentucky knows perfectly well that when it comes to such a document as the Yearbook, they were promised long in advance; he knows perfectly well that every Member of this House has upon the books in which he keeps his records a list of applications which exhaust every publication which he has as soon as it is placed to his credit.

Mr. SHERLEY. The "gentleman from Kentucky" certainly does not know it, but it may be true as to the gentleman from New York.

Mr. SULZER rose.

The SPEAKER. Does the gentleman from New York [Mr. PERKINS] yield to his colleague [Mr. SULZER]?

Mr. PERKINS. I do.

Mr. SULZER. Mr. Speaker, I would like to have the gentleman from New York explain to the House as briefly as he can just the difference between himself and the gentleman from Illinois [Mr. MANN] regarding the distribution of public documents.

Mr. PERKINS. The difference is exactly this: The law has been, or the operation of the law has been, because Congress does not meet until December, though the term begins in March, that a Member coming into Congress has had books placed to his credit in December and distributes them from the December that he came in until the December following the closing of his term. On account of the special session meeting in March, we thought it was just that there should be the same distribution ordered in reference to Members of the Sixtieth Congress that had been followed for years in reference to Members of prior Congresses, and therefore we provided that the holding of the special session should not change that law, but that the Members of the Sixtieth Congress not reelected should have a distribution of documents ordered by the Sixtieth Congress, as they would have had if this extra session had not been called, the Members of the new Congress having, of course, the publications ordered as the result of the extra session. Now, the gentleman from Illinois [Mr. MANN] moves to repeal that provision, and the result would be that the outgoing Members of the Sixtieth Congress will lose the distribution of publications which they ordered, but which are not yet printed.

Mr. JAMES. Will the gentleman permit an interruption?

Mr. PERKINS. Surely.

Mr. JAMES. Is it not true that Congress originally provided that this distribution should commence from the "opening of Congress," for the reason that when a Member is elected the demand becomes greater upon the Member-elect, especially when Congress is in session, than upon the outgoing Member?

Mr. PERKINS. I hardly think that. The gentleman knows that the minute he is elected people regard him as having begun his office, and in his district they know he is coming here as a Member of Congress.

Mr. JAMES. Is it not a fact that anything that is desired to be brought to the attention of the Member of Congress by a constituent is directed to the person elected to Congress after Congress assembles, and not to the retired Member?

Mr. PERKINS. The constituent generally knows who has been elected in his own district in the previous November, and sends his request to him.

Mr. JAMES. Now, supposing a letter is addressed to the "Member of Congress from the First District of Kentucky," with a request contained in it from some one in his district; that letter is given to you and you are required to fill it with such books as requested; does the gentleman not think that we are expected, as we are here, to secure them, and it is not expected of the man who is not here? [Applause.]

Mr. PERKINS. I will say that I do not believe there is anybody in the gentleman's district would address a letter to him as the Member from the First District, but would address it to him as "Ollie M. James."

Mr. MARTIN of Colorado. I would like the gentleman to point out the line of demarcation in reference to this proposition: My predecessor has returned to his home and profession in private life. I am here and I am being deluged with requests that I ought to be able to fill, and he can not.

Mr. PERKINS. I reserve the balance of my time. How much time have I occupied?

The SPEAKER. Fourteen minutes.

Mr. PERKINS. I reserve my time.

Mr. MANN. I yield two minutes to the gentlemen from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Speaker, I only want a moment on this resolution. I simply want to state the position that confronts the new Members. I live in a very remote district. My predecessor has returned to his home and his profession. I am here in Washington and Congress is in session. As the fact is known to my constituents, I am daily being deluged with a number of requests for seeds and maps and documents and the various kinds of government publications. I want to ask the gentleman who is opposing this resolution how these requests are to be satisfied? I want to say to him that it is decidedly embarrassing for me to have to write to those people and inform them that those publications have been allotted to a man who is no longer in office, and that I, who am here, for that reason am unable to supply those requests. Now, I want to say to you, gentlemen, that I believe that I can speak for all new Members, that we do not want these publications for the purpose of gratuitously flooding our districts with them, but that we do want them for the purpose of complying with the demands and the requests that we are daily receiving from our constituents, to whom these publications belong, and not to our predecessors in office. [Applause.] Therefore, gentlemen, I trust that you will see the predicament in which 70 or 80 new Members have been placed; that you will consider that these publications are the property and perquisites of our constituents, and not of ourselves or our predecessors, and that you will pass the resolution offered by the gentleman from Illinois. [Renewed applause.]

Mr. MANN. I yield two minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Speaker, I think the gentleman from Colorado has hardly stated the case for the new Members as strongly as it deserves. The new Members here are intensely interested in this resolution. The requests they are receiving for papers and documents are so many that their position is very embarrassing under the present conditions, so much so that they would not be justified in voting against this resolution. The President of the United States loses all of his prerogatives the moment he steps down from his office. The moment a judge steps out of his office he loses control over

the business of his court; and everywhere as soon as a man leaves an office he ceases to perform the functions of that office. Now, why should a gentleman who has been a Member of Congress continue after his term expires to exercise the privileges of that office, unless it be to inflict humiliation upon the man who comes to take his place? I believe the present condition does us new Members great injustice, and I hope the resolution of the gentleman from Illinois will prevail. [Applause.]

Mr. MANN. I yield one minute to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I am a new Member on the floor of this House, and have been forced to the necessity of actually buying public documents in order to supply the needs of my constituents. Now, I either want this resolution passed or my pay increased in order to meet this extraordinary expense. [Laughter.] The salaries of the retiring Members of the Sixtieth Congress ceased on the 4th of March, their allowance for clerk hire ceased on the 4th of March, their distribution of garden seed ceased on the 4th of March, and there is no good, sound reason why their supply of public documents should not cease on the 4th of March.

Now, I know of one case where a retiring Member of Congress, who for some reason did not feel friendly to his successor, actually gave the documents away to some other Member of Congress not representing his district. The documents are the property of the people of the various districts, and not the property of the retiring Members. In my own case, my predecessor was kind enough simply to leave the walls of the office in which I transact my official duties. [Laughter.]

Mr. MANN. I hope the gentleman from New York will use part of his time.

The SPEAKER pro tempore (Mr. MALBY). The gentleman from New York [Mr. PERKINS] has six minutes remaining.

Mr. PERKINS. How much time has the gentleman from Illinois still left?

The SPEAKER pro tempore. Ten minutes time.

Mr. PERKINS. I will ask the gentleman if he is going to yield to any other speakers?

Mr. MANN. If the gentleman is only going to make one more speech, I will take a minute or two myself to conclude, without yielding any more time.

Mr. PERKINS. Then, Mr. Speaker, I only wish to say a word or two. In this matter I represent those who are not here. Let us in this matter be fair. Three-quarters of us have no personal interest in it, but a rule is being applied to others which all of us have been subjected to. When I was first elected, as was the case with every Member of this House, the people in my district knew perfectly well who was the Member of Congress, and I received a certain number of applications, as you now receive a certain number of applications which perhaps you are unable to fill.

When I was elected, as was the case with everyone here, our terms began in March, but not until December did our distribution of documents begin. We have all gone through with that experience. I found no great difficulty with it. My constituents were perfectly reasonable. I either got documents from my predecessor, if he was willing to turn them over, or if he had turned them over to some one else I wrote back to my constituents and said, "Write me after December, when the distribution begins," and in that way I had no great difficulty. As a reward for that, when I go out of Congress I shall have the distribution under the general rule until the December after my term expires. I have no interest in this matter, but it does seem to me unfair that the Members of the Sixtieth Congress shall be the only Congressmen in years past or years to come who, instead of having their full two years' distribution, shall have it only for fifteen months.

Mr. MANN. Mr. Speaker, just one word. I came into Congress twelve years ago at the extra session which passed the Dingley tariff law, and I desire by the resolution that I now ask the House to vote upon to apply the same rule to new Members now which was applied when the last tariff law was passed at a special session. The new Members then received the public documents, and the old Members of the Fifty-fourth Congress did not have the gall to ask that they be allowed to rob the new Members. [Applause.] The gentleman from New York [Mr. PERKINS] says we should be fair. I believe in fairness. When the joint resolution was passed by the last Congress it was not an exhibition of fairness or justice, it was merely an exhibition of power. Now we have the opportunity to do away with the mere exhibition of power, and to deal fairness and justice to the new Members of Congress and to their districts. [Applause.] The people of their districts are entitled to receive their public documents from the men whom they have elected as their Members of Congress, and not from mere private citizens. [Applause.] I ask for a vote.

Mr. HOBSON. Before the gentleman takes his seat will he yield for a question as to the effect of this provision?

Mr. MANN. I yield to the gentleman for a question.

Mr. HOBSON. Reference has been made to the possible advantages of a change of procedure in this matter. I merely wish to ask the gentleman if the adoption of this resolution would accomplish that effect, and whether, after the 4th of March, 1911, when this Congress expires, the issuance of publications would cease for those who are now Members of Congress?

Mr. MANN. The resolution now under consideration and the resolution sought to be repealed only apply to the year 1909. They have no application after that. I ask for a vote.

The SPEAKER pro tempore. The question is on the suspension of the rules and the passage of the joint resolution.

The question was taken; and on a division (demanded by Mr. PERKINS), there were—ayes 190, noes 18.

Accordingly (two-thirds voting in affirmative) the rules were suspended and the joint resolution passed.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 1438, the tariff bill.

Mr. CLARK of Missouri. Mr. Speaker, I wish to make a parliamentary inquiry, and if the Chair can not answer it, it may be that the Chairman of the Ways and Means Committee can. I want to ask if it is not advisable to quit this general debate and at once take up the bill under the five-minute rule, discuss it from the first section to the last section for amendment, and report it back and pass it? [Applause on the Democratic side.]

The SPEAKER pro tempore (Mr. MALBY). The gentleman from Missouri does not state a parliamentary inquiry, in the opinion of the Chair.

Mr. CLARK of Missouri. Well, I want to make one remark, and that is, we are ready for that performance right now. [Laughter.] [Cries of "The regular order!" on the Republican side.]

You can yell "Regular order" as much as you please, but you can not take that out of the RECORD except by a record vote. [Applause on the Democratic side.]

The motion of Mr. PAYNE was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. BARTLETT of Georgia. Mr. Chairman, I do not intend to detain the House or to lengthen out this debate, which has dragged its length along for these last two weeks. I had intended on last Monday to say something to the House on the position I occupy on this bill, but I was prevented from doing so by very serious illness. Nor can I expect, nor do I now intend, to occupy, even if I were physically able, the time that it would take me to discuss the propositions in this bill as I had intended.

I merely rise, Mr. Chairman, for the purpose of briefly discussing some of the features of this bill, and will amplify my views in the RECORD. I am one of those Representatives, Mr. Chairman, coming from that section of the country, the South, whose development in recent years has amazed and startled our own country and the world. Our increase in wealth, manufactures, in the products of the farm, the mine, and the factory, and everything that makes a people great and prosperous, is amazing, not because of any favorable or special privileges that the Government of the United States have given us at the expense of other citizens of the United States, but in spite of all vicious legislation at the hands of the Republican party. [Applause on the Democratic side.]

I am not here to demand for my people, in this bill or any other bill, a change of the tariff law, or any special privileges for any product or manufacture of my section. We are ready to bear the burdens of taxation, and we do not want to reap any benefit that may result from the Government extending unequal taxation to any citizen of the United States. [Applause on the Democratic side.]

We are for a tariff for revenue when the Government is economically administered, but not a dollar for protection. [Applause on the Democratic side.]

The great cotton industry of the South, which pours into the laps of the people of the United States a golden stream of wealth, which during the prosperity from 1898 to 1907 made the balance in our favor of exports over imports, is the great-

est wealth-producing crop of the United States and of the world. The producers of this wealth-bearing crop, which brought in nearly $450,000,000 per annum of foreign gold to our people for the past eight years, do not ask, do not demand, protection of their raw product or the finished manufactures—do not demand any protection or special privileges at the hands of the Government for that great staple. [Applause on the Democratic side.] Nor do we believe it is the duty of the Government to lay the hard and partial hand of taxation on the necessities of the people in order to give us an advantage over others upon the products we produce and the things we manufacture. [Applause on the Democratic side.]

Mr. Chairman, it can not be expected that anyone in any reasonable time can discuss the party principles and party differences involved in the question of the tariff, with the various theories that are held relative thereto and the schedules which this bill contains. From the beginning of our Government it has been the policy followed by all political parties to raise a part of the revenue for the Government by the levy of duties upon imports. This must be done in order to obtain revenue for the Government, or other plans of taxation must be resorted to and other sources of revenue sought.

So long as our Federal Constitution limits the method and manner of taxation by the General Government, resort should be had for revenue to a tariff on imports. Otherwise, we must resort to direct taxation and apportion it amongst the States, according to population. I do not believe that the American people, and especially those who are engaged in agricultural pursuits and who own the land and real estate, will ever agree to such a change in our fiscal policy. Therefore nearly all are agreed that we must have a tariff law. It is as to the application of the principle of taxing imports by tariff duties to the various articles imported that the differences exist.

THE POWER OF TAXATION.

Nothing is more important than the question of taxation, and in this age and generation very few people can be found, even amongst the extreme protectionists, who will now deny that the tariff is a tax and that it must be paid by the American consumer. This power to tax is the strongest and most pervading of all the powers of government, reaching, as it does, directly or indirectly, all classes of people. As was stated by Chief Justice Marshall in the case of McCullough *v.* Maryland:

> The power to tax is the power to destroy.

No better illustration can be given of the truth of this proposition than the existing 10 per cent tax imposed on the circulation of all other banks than the national banks, because it drove out of existence every state bank of circulation within a year after its passage. This power to tax, and therefore this power to destroy, can be as easily employed against one class of individuals and in favor of another, so as to ruin one class and give unlimited wealth and prosperity to another, if there is no limitation on the use of the power which may be exercised.

To quote the language of Judge Miller, in the case of the Loan Association *v.* Topeka (20 Wallace, 657):

> To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes is none the less robbery because it is done under the form of law and is called "taxation." This is not legislation, but it is a decree under legislative forms.

The word "taxes" has been defined as the rate or sum of money assessed on the person or property of the citizen by government for the use of the Nation or State, or as burdens or charges imposed by the legislature upon persons or property to raise money for public purposes.

To quote Judge Miller further:

> If it be said that a local benefit results to the local public of a town by establishing manufactories, the same may be said of any other business or pursuit which employs capital or labor. The merchant, the mechanic, the innkeeper, the banker, the builder, the steamboat owner are equally promoters of the public good and equally deserving of the aid of the citizens by forced contributions. No line can be drawn in favor of the manufacturer which would not open the coffers of the public treasury to the importunities of two-thirds of the business men of the city or town.

In this opinion Justice Miller quotes with approval certain cases from the State of Maine, to be found in the Fifty-eighth Maine Reports, page 590, and amongst other things as follows:

> Taxes are the enforced proportional contribution of each citizen out of his estate, levied by authority of the state for the purpose of raising revenue for the support of government, and for all public needs. They are the property of the citizen, taken from the citizen by the government, and they are to be disposed of by it.
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> There is nothing of a public nature any more entitling the manufacturer to public gifts than the sailor, the farmer, or the lumberman. Our Government is based upon equality of rights. All honest employments are honorable. The state can not rightfully discriminate among occupations, for discrimination in favor of one branch or one industry is discrimination adverse to all other branches. The state is equally to protect all, giving no undue advantage or special and exclusive preference to any.
>
> No public exigency can require private spoliation for the private benefit of favored individuals. If the citizen is protected in his property by the Constitution against the public, much more is he against private rapacity.

Instances might be multiplied by quoting like declarations by the courts dealing with the question of the right to tax the people for the benefit of any special interest. The right of commerce and trade we do not get from the Constitution, nor did our ancestors get it from kings; it is an inherent right of the Anglo-Saxon and of the American citizen. All restrictions upon it and all burdens placed upon the right to trade and commerce, other than to raise revenue for the Government, are contrary to the theory of a free republic. One of the chief grievances of the American colonies against George the Third, set forth in the Declaration of Independence, was "for cutting off our trade with all parts of the world."

NEW ENGLAND'S FIRST VIEWS ON THE TARIFF.

At that time, and up to 1846, England was and had been for centuries the most earnest, vigorous, and determined champion of protection the world ever saw, and enforced the extremest doctrines by all the powers of war and all the arts of diplomacy. To use the language of a distinguished Republican Senator from Maine in 1882:

> She destroyed the growing commerce of Ireland by one blow of her navigation laws; repressed her cattle raising, her woolgrowing, her manufactories, and made her the waste of to-day. She attempted the same rôle in America; forbid the exportation of her products to any other country than her own; forced all the carrying trade into English bottoms; repressed all manufactories of fabrics, and provided by law that none of the American colonies should manufacture iron of any kind; that no smith should make a bolt, spike, or nail of bar or wrought iron; that no mill or other engine for rolling iron or furnace for making steel should be permitted; and finally drove us to the Revolution and lost the brightest jewel from her diadem. * * *
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> The resistance to this oppression by taxation and restriction of trade showed itself in Massachusetts Bay, when the citizens of Boston, painted as savages, boarded the tariff-ridden ships and dumped the tea of tyranny into the waters of the harbor. The crack of the rifles of the patriots at Bunker Hill and Lexington in defense of the right to resist this oppression was heard around the world.
>
> It may be well to recall something that Massachusetts has said and done in opposition to the protective policy, since Massachusetts and the East are to be benefited, probably, more by this bill than any other section of the country, and have grown rich and powerful by the maintenance and continuance of the protective system. The merchants of Boston in 1820 met at a town meeting and appointed a general committee, consisting of 29 men, amongst them some of the most honored of the State and most distinguished of the country. Mr. Daniel Webster was appointed chairman of a committee of seven to consider the scheme of a protective tariff. They issued an address, in which they invited the manufacturers, merchants, and farmers of the State to confer with them, and these delegates from all parts of the State formulated their views into a series of resolutions.

Certain things are stated in the resolutions and in the report made by Mr. Webster which may sound strange now, but it may be well to recall them. Amongst other things they alleged:

> That the avowed object of protection was to direct and control the occupations of men by granting special privileges to those engaged in particular pursuits.

They said further:

> This can be done (waiving any question whether it can be done at all without violating the spirit of the Constitution) only at the expense of the community, for it is a fact that legislation does not create wealth, but simply transfers it from hand to hand, and can enrich one class only by impoverishing others. It would surely be surprising that a system of restriction so unequal and so repugnant to all sound theories should be adopted by a free and enlightened people at a time when the greatest nations of Europe, after a long trial of it, have openly acknowledged its incorrectness, and whole nations suffering and lamenting the consequences of its adoption, and when our own unexampled success, under a more liberal policy, has given the sanction of experience to the deduction of reason.

This is but a part of the report, but he quoted the resolutions as follows:

> *Resolved*, That no objection ought ever to be made to any amount of taxes equally apportioned and imposed for the purpose of raising revenue necessary for the support of government, but that taxes imposed upon the people for the sole benefit of any one class of men are equally inconsistent with the principles of our Constitution and with sound policy.
>
> *Resolved*, That high bounties on such domestic manufactures as are principally benefited by that tariff (meaning the tariff then proposed)

> favor great capitalists rather than personal industry or the owners of small capitals, and therefore that we do not perceive its tendency to promote national industry.
>
> *Resolved*, That we are equally incapable of discovering its beneficial effects on agriculture, since the obvious consequences of its adoption would be that the farmer must give more than he now does for all he buys and receive less for all he sells.

The entire memorial was presented by Mr. Webster in the first session of the Eighteenth Congress. (See Annals of Congress, vol. 2, pp. 3079, 3091.)

Thus it is true that years before the Democratic party placed in its platform opposition to this policy of tariff taxation of the many for the benefit of the few, the able men of New England pronounced this policy of protection inconsistent with the Constitution of the United States and with our theory of government.

THE DEMOCRATIC DOCTRINE.

The substance of the Democratic theory can be found in the declarations of its platforms enunciated in 1832, 1836, and 1840, and since then, in this proposition:

> That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of any other, or to cherish the interests of one portion to the injury of another portion of the common country. We hold that the citizen of every section of the country has a right to demand and insist upon equality of rights and privileges.

HENRY CLAY'S VIEW.

The Republican doctrine of to-day, which claims to be founded upon the theory of the American system advocated by Mr. CLAY, who was the chief exponent of the system in the early days of the Republic, has gone far beyond anything ever conceived or intended by Mr. Clay, and to-day the Republican doctrine stands for protection, not to the infant industries, but protection to certain favored manufacturing industries at the sacrifice of the rights and interests of all the other thousands and millions of people in the United States. The American policy advocated by Mr. Clay never looked to the closing of our markets against foreign products; all that he ever claimed was such an adjustment of duties for revenue as would afford incidental protection to home industries. In 1815, in a debate on the tariff, he proposed to raise money to pay off the war debt, and only urged a duty on imports of 25 per cent, instead of 20 per cent. He said:

> In three years we can judge of the ability of our establishments to furnish these articles as cheaply as they were obtained from abroad, and can then legislate with the lights of experience.

He believed that three years would be sufficient time to place our industries on this desirable footing. Yet nearly one hundred years have passed since Mr. Clay announced this doctrine, and it is claimed now that we should not only levy tariff taxes to raise revenue but to encourage industries that were infants at that time. A century of protection has hardly been able to satisfy these infant industries, and we have now a tariff tax of 45 per cent ad valorem; and when the Treasury has been full and a surplus accumulated, that surplus has been dissipated by extravagant and wasteful expenditures, and there has not been any effort made to reduce taxes to something like a revenue standard, and every effort to do so is denounced by protectionists as ruinous to American industry. Mr. Clay can not be charged with having any such ideas as are now entertained by the Republican majority.

In 1842, in the Senate, while discussing the tariff act of 1832, in which all the duties were pared to the uniform rate of 20 per cent, Mr. Clay said:

> If the compromise act had not been adopted, the whole system of protection would have been swept by the boards by the preponderating influence of the illustrious man at the head of the Government (President Jackson) at the very next session after its enactment.

And that so far as he could go he would; and that was not to lay duties for protection alone, but in laying duties for revenue to supply the Government with means, to so lay them as to afford incidental protection. He would, therefore, say to the friends of protection, "Lay aside all attempts beyond this standard and look to what is attainable and practicable."

Surely, if the spirit of Henry Clay could revisit these Halls, he would be shocked and horrified to be told that he was the father or founder of any such system which would produce such a bill for the country as the one under consideration.

DANIEL WEBSTER'S VIEW.

Daniel Webster, in his debate in the House in 1824, in reply to Mr. Clay, who advocated what he called "the American policy of protection," said:

> Sir, that is the true American policy which shall most fully employ American capital and labor and best sustain the whole population. With me it is a fundamental axiom; it is interwoven with my opinions; the greatest interests of the country are united and inseparable; agriculture, commerce and manufacturing will prosper together or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the others.

THE DEMOCRATIC TARIFF OF 1846.

Various tariff battles were waged and laws enacted until 1846, when what is known as the "Walker tariff act" was passed.

This was a Democratic tariff, which imposed the highest duties upon luxuries and the lowest upon necessaries. No duty, even upon luxuries, was higher than 40 per cent ad valorem, except in the case of brandy and whisky distilled from corn, and other spirituous liquors or beverages of a similar character, which were taxed 100 per cent. No better illustration of the assertion that this Walker tariff act was the best tariff law we have ever had could be found than in the statement of Senator Allison, a Republican, of Iowa, in 1870, then a prominent Member of the House, and later, and until he died, one of the most distinguished Senators of the United States, as follows:

> The tariff of 1846, although confessedly and professedly a tariff for revenue, was, so far as regards all the great interests of the country, as perfect a tariff as any we have ever had. If any interest was depressed under the tariff of 1846, it was the iron interest. I do not believe that this interest, as compared with other interests, had sufficient advantage under that tariff; yet when we compare the growth of the country from 1840 to 1850 with the growth of the country from 1850 to 1860—the latter decade being entirely under the tariff of 1846, or the amended and greatly reduced tariff of 1857—we find that the increase in our wealth between 1850 and 1860 was equivalent to 126 per cent, while it was only 64 per cent between 1840 and 1850, four years of which decade were under the tariff of 1842, known as a "high protective tariff," but the average rate of which was about 70 per cent below the existing rate, or 27 per cent under the tariff of 1842 as against 44 per cent upon all importations under the present tariff. Our industries were generally prosperous in 1860, with the exception, possibly, of the iron interest. This was the statement of Mr. Morrill, of Vermont, on this floor during the discussion of the tariff of 1864. With regard to the condition of the steel industry in 1860, the steel manufacturers in 1866, memorializing Congress for increase of duties on steel, stated that—
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> "It was reserved for Pittsburg to bring about the first substantial and enduring success in the year of 1860; and encouraged by our example numerous establishments have sprung into existence, as already indicated in this paper. This shows that under the revenue tariff of 1857, which imposed only an ad valorem duty of 12 per cent on steel, a substantial success was achieved in the steel manufacture in 1860."
>
> I have read the language of the memorial.

To show what the view of Mr. Walker was on this subject of raising revenue, I quote from his report, as follows:

> This revenue of $244,000,000 a year as a maximum, I would derive from three sources alone:
>
> 1. By a tariff for revenue.
> 2. By an excise on wines, malt and spirituous liquors, and tobacco, abolishing all other internal taxation.
> 3. By a tax on our national banks, based upon just and fair equivalents.

In later years, he wrote of the effect of such a tariff:

> A tariff for revenue, as experience has shown, instead of depressing improves all industrial pursuits, including manufactures, and vastly augments the wealth of the country. Under the tariff of 1846, as shown by the census, our wealth increase from 1850 to 1860, 126.54 per cent; whereas from 1840 to 1850 the increase was only 64 per cent; from 1830 to 1840, 42 per cent; and from 1820 to 1830, 41 per cent. So, also, from 1850 to 1860 our agricultural products increased 95 per cent, and our manufactures 87 per cent, being in both cases nearly double any preceding ratio of increase. So also our imports, exports, and revenue nearly tripled in the same period of time, and our domestic trade rose nearly in the same ratio. This augmented ratio is not the result of increase of population, which, from 1850 to 1860, was less than 36 per cent. The Irish famine was supposed by my opponents to account for the increase the first year, although the decreased price paid abroad that year for our cotton nearly equaled the additional sum paid by England for our breadstuffs and provisions. But the next year and the next, before any gold had reached here from California, our exports and revenue went on augmenting in a corresponding ratio, rising in eight years from $22,000,000, under that tariff of 1842, to $64,000,000, under the tariff of 1846.
>
> There is another insuperable objection to the specific system, namely, that it unnecessarily and invariably taxes labor vastly more than capital, and the poor in a much greater proportion than the rich, upon the goods consumed. Under the system of specific duties of so much per pound, or yard, or gallon, etc., the specific duty is the same. The rich, who purchase the costly articles bearing only the same specific duty, pay, in proportion to value, less than one-half of what is paid by the poor, who purchase a cheaper and less costly article. If we take all the costly articles purchased by the rich bearing under the present tariff the same specific duty as the inferior article bought by the poor, we will find the difference against them exceeds $20,000,000 a year. Such is the immense additional tax exacted from labor under the system of specific duties.

This act of 1846 remained in force until 1857, when the duties on imports were reduced, and this remained true until 1861, at the beginning of the civil war, when a tariff act was passed providing for the raising of revenue for the Government at that time, and this was from time to time amended, increasing the rates and imposing an internal-revenue tax and a direct tax; and the captions of these bills show that they were intended to temporarily increase the duties on imports. These laws continued in force until 1870, when a tariff bill was framed reduc-

ing the internal-revenue taxes, but not reducing the tariff taxes. In 1872 a pretense was made to reduce duties, but the high protective duties still continued. Again in 1883 the internal-revenue tax was decreased, but the tariff taxes were kept up. An effort was made in 1888 by a Democratic House to reduce tariff taxation in what was known as the "Mills bill." While this bill passed the House, it failed in the Senate, the Senate being Republican. This brings us to the McKinley bill of 1890, the title of which act was to reduce revenue, which had accumulated under the tariff act of 1883, and under this act the protective duties were higher than during the war. Then came the Wilson bill of 1894, to provide revenue for the Government, but which failed of its purpose by reason of the decision of the Supreme Court of the United States declaring the income tax unconstitutional. Then we had the Dingley bill of 1897, which had for its purpose to provide revenue and encourage the industries of the United States; and now we have the Payne bill, which has for its alleged purposes, to provide revenue, equalize duties, and encourage industries.

The American people, chafing under the injustice and wrong of these schedules which have existed since 1897, have made demands upon the party in power that they should be reduced. The pledge of the Republican party, as construed by the Chief Executive while a candidate for the Presidency, is that we shall have tariff revision downward. Yet, in this bill the same special interests are taken care of, duties are not equalized, and the same discrimination and injustice is practiced against the American people. The same power to tax is exercised and used and the burdens of the people are not at all diminished, and the property of the citizen is again to be confiscated by the Government for the benefit of the few. If it were left to me, I would eliminate every trace of what I conceive to be the plunder of the public for the benefit of the few from this system of taxation; I would prevent a few men from making their living in the sweat of other men's brows. It is not, in my judgment, a proper exercise of the taxing power; when the Government thus taxes the property of the citizen it amounts, in many instances, to confiscation, even though the proceeds be devoted to governmental purposes. By the exercise of the power conferred by this bill, under the guise of protection to the industries of the country, the Government places in the hands of individuals and corporations the power to confiscate the property of their neighbors for private gain. Taxation for governmental purposes is a burden, but to confer upon individuals the power to confiscate property is robbery.

This system of protection has grown so strong and has been fostered to such an extent that those who live upon it think it is sacred, as a statute contained in the Ark of the Covenant, and that it should be preserved unchangeable, like the laws of the Medes and Persians. They assume that it is right and proper at any time to put burdens upon the people, but that the people who bear these burdens have no right, whether in times of prosperity or in the time of adversity, to have them mitigated; that no Democrat shall dare touch it, and that it can only be handled by its friends. They flatly declare that we should bear the burdens of the system, sell our products wherever we can, but that we must buy what we need where they please for us to buy.

I now propose to discuss some of the features of this bill, which will be known as the "Payne bill."

THE DINGLEY BILL.

The effect of the administration of the policies promulgated by the Dingley bill have been such that the people, without regard to party, have clamored for and demanded a revision of the tariff schedules provided in that act. Under the Dingley Act, as under all protective-tariff acts, trusts and combinations have been formed, and the formation and combination of these trusts are but the natural results of the protective-tariff system. The protective tariff has been justly said to be the genesis of the trusts, and the trusts produce oppression and monopoly. So oppressive have been the exactions of the trusts under the Dingley law that a distinguished Republican, now a Senator from Iowa, said of it:

All the robberies and thefts committed by the insurance officials since the life insurance business was originated do not amount to the extortions paid under the Dingley law in one year.

Under it the prices of all articles, and especially the necessaries of life, have been advanced to the American consumer, while the foreigner has been favored by these same manufacturers and trusts and buy the same articles in the foreign markets at a much cheaper price. The demand of the people for a revision was so loud and insistent that the Republican party, which had produced these conditions by its protective-tariff law of 1897, was forced to heed it in its platform of 1908, when it promised revision of the tariff. The Republicans have stood pat for many years, until they realized that their standing pat would no longer bluff the people into submission, and they have finally thrown down their pat hand and in this bill presented a tariff measure which, in its effect, will be worse and more disastrous to the people than has been the Dingley law. The party in power has presented a bill which will ultimately raise the ad valorem rate 1.56 per cent, and they have buttressed so many of its provisions with jokers and countervailing duties upon many of the necessaries of life that, under the pretense of having articles admitted free or the duties thereon lessened, the actual tariff will be increased over the present rates.

I do not hesitate to say that this measure will be hailed by the manufacturers and combinations and trusts with much more joy than they welcomed the Dingley law. There is not a single provision in it that looks to in any way lessening the power and control of the monopolies in the United States, and the old game of extorting from the people will go on in the same way under this as under former high-protective tariff bills of the Republican party. The trusts will still flourish and will still bleed and plunder the people. The hope of the American people that this Congress would bring a blessing in the shape of a reduction of the tariff schedules is to be blasted if this bill becomes a law.

The present conditions are very much akin to those which existed in England in the seventeenth century during the reigns of Elizabeth and Charles the First. Monopolies in the necessaries of life flourished by grants from the Crown. Charles the First lost his head and the reign of Elizabeth was in danger of a shameful and disgraceful end by reason thereof. Our English ancestors began the fight against monopolies, and their descendants will continue the battle until the victory is won. It may not be amiss to recall the condition of affairs in England during that time. They are thus described by the historian Macaulay:

It was in the Parliament of 1601 that the opposition, which had during forty years been silently gathering and husbanding strength, fought its first great battle and won its first victory. The ground was well chosen. The English sovereigns had always been intrusted with the supreme direction of commercial policies. It was their undoubted prerogative to regulate coins, weights, and measures, and to appoint fairs, markets, and ports. The line which bounded their authority over trade had, as usual, been but loosely drawn. They therefore, as usual, encroached on the province which rightfully belonged to the legislature.

The encroachment was, as usual, patiently borne till it became serious. But at length the Queen took upon herself to grant patents and monopolies by scores. There was scarcely a family in the realm that did not feel itself aggrieved by the oppression and extortion which the abuse naturally caused. Iron, oil, vinegar, coal, lead, starch, yarn, leather, glass, could be bought only at exorbitant prices. The House of Commons met in angry and determined mood. It was in vain that a courtly minority blamed the speaker for suffering the acts of the Queen's highness to be called in question. The language of the discontented party was high and menacing, and was echoed by the voice of the whole nation. The coach of the chief minister of the Crown was surrounded by an indignant populace, who cursed monopolies and exclaimed that the prerogative should not be allowed to touch the old liberties of England.

The Queen's reign was in danger of a shameful and disgraceful end, but that she, with admirable judgment, declined the contest and redressed the grievance, and in touching language thanked the Commons for their care of the common weal.

At the meeting of the Long Parliament, Sir John Culpepper thus spoke of these monopolies which oppressed the people:

They are a nest of wasps—a swarm of vermin which have overcrept the land. Like the frogs of Egypt, they have gotten possession of our dwellings, and we have scarce a room free from them. They sup in our cup; they dip in our dish; they sit by our fire. We find them in the dye fat, washbowl, and powdering tub. They share with the butler in his box. They will not bait us a pin. We may not buy our clothes without their brokerage. These are the leeches that have sucked the commonwealth so hard that it is almost hectical. Mr. Speaker, I have echoed to you the cries of the kingdom. I will tell you their hopes. They look to heaven for a blessing on this Parliament.

As an illustration of the present conditions and how this protective tariff builds up the manufacturer and extorts from the consumer, I call attention to the following statement made by Mr. H. E. Miles, a member of the National Manufacturers' Association, the chairman of its tariff committee, a manufacturer of agricultural implements, and at the head of that trust. The statement is taken from the American Industries, and was published on November 15, 1907, as follows:

I have made money every year out of the tariff graft. Not much, but still a little.

The tariff barons raised their price $50,000 to me. I made a charge against the jobber of $60,000, and I know that he charged more than $70,000 for the $60,000 he paid me. Before reaching the consumer the $50,000 charge became about $100,000, to be paid by the agricultural consumer.

The manufacturer who would prosper must make a double profit, one by the shrewd management of his business and another by still shrewder manipulation in Washington.

We have no great difficulty in shopping abroad, for we could get as high prices as at home. We are so held up, however, by our supply people that to most of us there is very scant profit in foreign business.

When Congress gave us 45 per cent, we needing only 20 per cent, they gave us a congressional permit, if not an invitation, to consolidate, form one great trust and advance our prices 25 per cent, being the difference between the 20 per cent needed and the 45 per cent given.

Mr. Miles shows how the tariff raises prices to those who, in manufacturing, have to buy other manufactured products. This expense is transferred to the next purchaser. The jobber charges a profit on the tariff, as well as on the cost of the article, and each person who handles the product collects a profit, so that, according to Mr. Miles, the first charge of $50,000 becomes $100,000 by the time it reaches the consumer. Mr. Miles in another article estimates the total loss to the people at $500,000,000 annually. The statement of Mr. Miles also shows that the tariff law is an invitation to consolidate, and that having been given the tariff on the theory that it is needed, the manufacturers naturally assume that it is intended that they shall take advantage of it, even if they have to combine to do so.

So to-day, in America, three hundred years after this fight against monopoly was inaugurated and carried on by the English people, we have a repetition of that condition. The American people have looked to this Congress, called in special session by the President, to remedy the evils that exist, and instead of receiving a blessing at the hands of Congress they have received this bill, which but further fastens the chains of monopoly upon the people. I believe that the same spirit of resistance to oppression and the exactions at the hands of the trusts and monopolies still lives in the American heart as found expression in our English ancestors three hundred years ago and that they will hold to a severe reckoning this Republican majority, which, in this bill, have so betrayed the trust of the people.

Let us examine some of the provisions of the bill briefly and see what has been done toward lessening the burdens of the people. You set out to raise revenue for a depleted Treasury, which your Dingley law has failed to keep replenished and which your extravagance has emptied. Your Dingley law has not only increased the amount the people must pay for the necessaries of life, but it has produced a panic. You not only propose to increase taxation by still further burdening the consumers of the land with an increased cost of living, but you propose to issue bonds and certificates of indebtedness in a time of profound peace. Your McKinley bill produced a panic in 1893 and forced you to prepare to issue bonds, after you had wasted a surplus left you by a Democratic President, and the same result has followed the Dingley bill—extravagance in public expenditures, a deficit in the public revenues, and bond issues in time of peace.

THE PAYNE BILL.

The Government must have revenue, and you propose to raise it by this bill—not by taxing the incomes of the rich and laying burdens upon the luxuries of life, but by taxing the inheritances of the poor, and by laying burdens upon the necessaries of life, which the common people and the poor must have. You propose to make the American breakfast table bear an increased burden of eleven and a half million dollars. Tea and coffee must be taxed to make up the deficit caused by your inefficient Dingley bill and by your extravagance. Under your proposed scheme of tariff revision, throughout this entire bill, the burdens of the poor are increased and no increased burden is put upon the rich. The cheaper grades of clothing, both of wool and cotton, must bear an additional burden. The cheaper the article and the greater its consumption, the more it is taxed under the provisions of this bill. It is proposed to raise nearly $7,000,000 from tea and $1,000,000 from the increased duty on hosiery, and that of the cheaper kinds, which already pays a tax of about $3,500,000; ladies' gloves are required to pay $1,500,000 of increased duty, making the toll on the women who wear gloves nearly $5,000,000.

THE PROVISION IN REFERENCE TO COFFEE.

The countervailing duty on coffee will amount to a tax of $2.90 per 100 pounds on all the coffee purchased from Brazil, which is the chief coffee-producing country of South America, and which supplies to this country 750,000,000 pounds of the 900,000,000 pounds consumed by our people. I base this statement upon information which I get from the Daily Consular Report of March 27, 1909, issued by the Bureau of Manufactures, and which is as follows:

EXPORT DUTIES ON COFFEE.

THEIR RELATION TO PROPOSED IMPORT DUTY IN UNITED STATES.

The tariff bill under consideration in the House of Representatives provides "that if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon."

The following statement shows the countries which impose export duties or taxes on coffee, the units for taxation, and rate. A column is added showing the equivalent of such tax in United States currency on 100 pounds of coffee.

Country.	Unit.	Rate of duty.	
		Foreign currency.	United States equivalent, 100 pounds.
Belgian Congo	100 kilos [a]	3 francs [b]	$0.263
Brazil:			
Rio de Janeiro	Kilo	29.75 reis	.411
Minas Geraes	Ad valorem	8½ per cent	
São Paulo	Kilo	41.4 reis	.57
Ceylon	Cwt	0.10 rupee	.029
Dominican Republic	46 kilos	$0.15	.1485
Ecuador	Kilo	0.005 sucre	.11
French Congo	Ad valorem	5 per cent	
French Somali coast protectorate	100 kilos	1 franc	.0088
Guatemala	101 pounds	$1	.99
Haiti:			
Coffee	do	$3	2.97
Coffee, broken, and residues of	do	$2.50	2.475
Nicaragua	100 pounds	$0.40	.40
Portuguese possessions:			
Cape Verde Islands	Kilo	4 reis	.20
Congo	100 kilos	1$880	.825
San Thome and Principe—			
To Portuguese ports	Kilo	16 reis	.78
To foreign ports in foreign vessels	do	45 reis	2.21
To foreign ports in Portuguese vessels	do	30 reis	1.47
Timor	Picul	2$320	1.99
Salvador:			
From the ports of Libertad and Acatjutla	46 kilos	$0.40	.40
Surtax	do	0.265 pesos [c]	.10
From the port of La Union	do	$0.40	.40
Surtax	do	0.51 pesos [c]	.194

[a] Equals 220 pounds. [b] One franc equals 19.3 cents. [c] Silver.

In addition to the tax imposed by the Brazilian States as given in the above statement, coffee exported from these States is subject to a further tax of 5 francs per bag of 60 kilos (73.1 cents per 100 pounds). According to the decree of September 12, 1908, an additional tax of 20 per cent ad valorem is to be levied on all coffee exported from the State of São Paulo in excess of 9,000,000 bags during the crop year commencing July 1, 1908; in excess of 9,500,000 bags during the crop year beginning July 1, 1909; and in excess of 10,000,000 bags during the succeeding crop years.

No one believes that Brazil or any other South American country that produces coffee can or will abolish the export duty which its Government imposes on coffee. Therefore, if this countervailing duty prevails, it must be an additional tax of about 2.9 cents per pound on coffee imported into this country. Here, again, you sought to tax the poor man's breakfast table.

TEA.

The tax of from 8 to 9 cents per pound on tea is not justified. It was a much less tax than this on the same article that led our forefathers to rebel against the unjust taxation of England. Surely the Ways and Means Committee, who put this tax upon tea, have never read what Sydney Smith said about tea, when he used these words:

Thank God for tea! What would the world do without tea? I am glad I was not born before tea.

LUMBER.

The people looked to this Congress to give them free lumber, and you have refused to do so. Not only that, but you have added to the lumber schedule in the bill a provision that will virtually continue the same rates that now exist in the Dingley Act.

For twenty-five years before the Dingley Act no tax had been placed on lumber. It was not regarded as a fit subject of taxation, at least during times of peace. It does not bring in any considerable amount of revenue; it is but a bonus or bounty to the lumber manufacturers, which they in turn collect from the consumers.

You not only tax lumber, but you tax every common article of consumption and all the necessaries of life. For twelve years the lumber manufacturers have enjoyed a period of plenty and profit. Their product has doubled and almost trebled in value during that time, and lumber kings and millionaires have increased largely in numbers. It is about time that the American consumer of lumber should have his inning, and that they should again have free lumber. I quote on this subject from the late James G. Blaine, one of the greatest Republicans of the age, who was himself in favor of a protective tariff and who, in 1868,

With me it is a fundamental axiom; it is interwoven with my opinions;

tinued in force until 1870, when a tariff bill was framed reduc-

while discussing the proposed tax on breadstuffs, salt, and lumber, said:

In the first place, let me say that during the war, when we were seeking everything on the earth out of which taxation could be wrung, it never entered into the conception of Congress to tax breadstuffs—never during the most pressing exigencies of the terrible contest in which we were engaged. Neither breadstuffs or lumber ever became the subject of one penny of taxation. It was not because of the influence of the rich grain dealers of Chicago or Toledo or Milwaukee. It was because if anything is universal, breadstuffs are universal, for they constitute literally the staff of life.

If you impose upon them a tax ever so small in amount, it will be made a pretext by the very speculators of whom gentlemen talk for adding an appreciable amount to the cost of a barrel of flour. Now, as to the article of lumber, I again remind this House that there never has been a tax on this article. The gentleman from Ohio may talk of this question as he pleases; but I say that whenever the western frontiersman undertakes to make for himself a home, to till the soil, to carry on the business of life, he needs lumber for his cabin, he needs lumber for his fences, he needs lumber for his wagon or carts, he needs lumber for his plow, he needs lumber for almost every purpose in his daily life.

I stand with Mr. Blaine on this question, and I stand with the Democratic platform of 1908, which demanded free lumber for the people. The man who builds his home should be encouraged and not burdened with a tax upon the absolutely necessary article out of which he must build his home.

THE COTTON SCHEDULE.

Raw cotton is left free in the bill, as it should be, unless the bill is to be framed purely as a revenue measure, when there might be raised some revenue by taxing the 71,000,000 pounds of cotton that is imported annually into the United States. But I do not believe that cotton is a proper subject of revenue. I am not one of those who demand or expect a tariff duty upon the small amount of cotton that is imported into the United States. I come from a State that produces the largest number of bales of cotton of any State in the Union save one. In 1908 Georgia produced over 2,000,000 bales. True, some of it is what is called "sea-island cotton" or "long-staple cotton;" but I am not here to demand or suggest—on the contrary, I would oppose—the laying of a duty upon the Egyptian cotton that is imported into the United States. It would produce, it is true, a small revenue, but there is no necessity for the levying of a protective or prohibitive tariff on cotton imported into this country. No other country in the world can compete with the South in the production of cotton, and never will. Of the 13,450,000 bales produced in 1908, 8,364,000 bales, or over 63 per cent of the entire production, was exported; and a duty on cotton would not enhance the price one penny, because the price is fixed, not in America, but in Liverpool.

To put a tariff on cotton, in my opinion, would simply result in a retaliation in England and other countries that purchase our cotton and that send to us cotton raised in other countries. Besides, Egyptian cotton, which is the bulk of the cotton imported into this country, being about 58,000,000 pounds, does not compete with the sea-island or long-staple cotton in America, nor does it tend to reduce its price. On the contrary, the Egyptian cotton is mixed with the long-staple cotton raised in the United States, and is used to produce a grade of cloth that can not be made except by the combination of the two. So that to levy a tariff upon cotton of any sort, and especially on sea-island or long staple, would not be for a revenue purpose but purely for protection against a cotton that is not produced in the United States. This Egyptian cotton is of a brown-colored fiber; it is a long staple, and is best adapted for mercerizing and other processes that give a high finish to the cloth and cause it to resemble silk. Its brown color permits it to be used without dyeing in the manufacture, such as is seen in balbriggan underwear and lace curtains. Except in cases where the brown-colored fiber is especially desired, there is little reason for preferring the Egyptian cotton to the sea-island cotton. The higher grades of sea-island cotton have not only a finer fiber than any other cotton, but make finer and stronger yarns and threads. For this the grades of Egyptian cotton can not be substituted and are not substituted. Besides, there is no danger from the Egyptian cotton, because its production has not increased, but has decreased in the last year from 307,800 bales to 215,000 bales. Besides, nearly 38 per cent of the sea-island crop is exported; in 1907 there were 86,000 bales of sea-island cotton raised, or the equivalent of 34,000,000 pounds, and of this 12,000,000 pounds were exported, leaving only 20,000,000 pounds for consumption in the United States. Surely, when the demand of the United States for long-staple cotton is for three times as much as can be produced in the United States, it would not be fair nor just nor right to the consumers or the manufacturers of the goods made from long-staple cotton to exclude by a prohibitive tariff the importation of Egyptian cotton, which does not and can not compete with the sea-island cotton.

No man would be bold enough to suggest that an import duty on cotton would in anywise help or aid the cotton farmer of the South. The cotton crop of the South, two-thirds of which is exported, has brought into this country billions of dollars in gold, and has done as much or more than any one thing to produce prosperity of the kind we enjoyed two years ago. For five years, from 1900 to 1905, the cotton crop of the South brought $2,974,000,000, while the entire gold and silver output of the world amounted to $2,578,000,000, and for the three years following 1905 the value of the crop was over $20,000,000 more. It brought into this country nearly $450,000,000 last year, and while we had an excess of exports over imports of $456,000,000, the cotton crop produced the greater part of the excess. Unlike other farm products raised in this country, such as corn and wheat, cotton is not consumed at home, but is exported and brings back into the coffers of the country streams of gold to make it prosperous and rich. Of corn produced in this country in 1907, only 2.95 per cent was exported, and of wheat only 19.95 per cent was exported, while nearly two-thirds of the cotton crop was exported.

Yet the producers of this great wealth in the United States, which does so much to place the balance of trade with the world on our side, are taxed for everything they use in making this great crop. They have to pay tribute to the steel trust, to the agricultural-implement trust, to the bagging trust, and to the cotton-tie trust. They must buy all that they require in the highly protected market of the United States and sell their product in competition with the world.

I call attention to the following letter, in reference to the bagging trust, to show what extortions are practiced upon the cotton farmers:

NEW ORLEANS, *April 1, 1909.*

Hon. CHARLES L. BARTLETT,
Washington, D. C.

DEAR SIR: Having been delegated last November by the New Orleans Cotton Exchange to present before the Ways and Means Committee its plea for free bagging and ties for the cotton farmer, I now beg to address you, with the hope of enlisting your assistance toward removing the present tax upon the above necessities to every man who raises a bale of cotton. If I can assist you in any possible way with information in connection with these articles, please command me, as there may be some points you would like to know which neither Messrs. GRIGGS, UNDERWOOD, nor POU touched upon when I was before their committee.

I observed that Chairman PAYNE laid considerable stress upon the fact that, according to the Treasury figures, there was imported during 1907 some 20,000,000 square yards—say, 16,250,000 running yards 44 to 45 inches wide—but the gentleman possibly did not know that during that year, and also the present year, the American Manfuacturing Company, known as the "bagging trust," were the ones who imported the greater part of that bagging into this country; and you may state, without fear of contradiction, that out of the five Calcutta mills engaged in making this bagging the American Manufacturing Company are this year importing the output of three mills, namely, Hastings, Briggs, and Kinnison, two of which are the largest in Calcutta; and I may also state that some years the American Manufacturing Company buy, through Ralli Brothers, in Calcutta, all of the cotton bagging made there.

I was struck with the absence before Ways and Means Committee of all of the American makers of bagging, for no man connected with the bagging trust appeared before the committee; but the American Manufacturing Company, the Ludlow Manufacturing Associates, and the Peru Bagging Company combined and sent a Brooklyn lawyer there to present their claims asking for an increased duty. Perhaps none of the trust magnates would have enjoyed answering questions that might have been put to them.

In their written address to the committee the combine emphasized the fact that on account of foreign competition fewer mills in this country were now engaged in the business than some years ago. Let me here state that the big new mill situated in Brooklyn could make bagging enough for half of the present crop, while the Ludlow, Mass., mill has increased its capacity until it now can make about 25,000,000 yards each year.

You know that the cotton crop since 1892 has doubled in size—say, 6,700,365 bales raised in 1892; 13,408,841 bales raised in 1908—and during that time, under the protection the bagging trust has enjoyed it has grown rich and powerful. Did it not buy out and completely demolish the bagging mills of both Louisville and New Orleans? And did not the trust buy out the independent mill in Galveston, and has kept it idle ever since the storm? I know all the above to be facts.

The cotton farmer has not only paid the tax under the Dingley tariff, but please consider his losses incurred on account of the very inferior cloth the trust forces upon him. Read, if you please, the inclosed clipping from the New Orleans Times-Democrat, which will give you a fair idea of how the first bale grown in Mississippi last year looked upon its arrival by express at the New Orleans Cotton Exchange. Let Congress place bagging upon the free list, and you will then put within the farmer's reach a quality of bagging which will properly protect his cotton and thereby save millions of losses every year caused by damage and loss of cotton badly covered. Read, if you are interested, some of the letters we have received praising Calcutta bagging—which is the farmers' friend—and then you may realize the additional benefit free bagging will be to the farmer.

Let me here state that if you find you can not get bagging upon the free list, the same as the western farmer has had his binder twine since 1894, I hope you will then try for a reduction of the duty to one-fourth cent per running yard, for this is but another case of the "half loaf."

Under the Payne bill the reduction upon ties will be 9 cents per bundle. The Dingley duty of five-tenths equals 22½ cents per bundle. The Payne duty of three-fourths cent equals 13½ cents per bundle, say, 2.7 cents per bale of cotton, which, added to the present duty of 7½ cents per 100 yards of bagging, amounts to 7½ cents per bale of cotton.

No cotton ties have been imported for several years, and I think none will come in if the Payne tariff of 13½ cents per bundle stands, so no revenue will be derived there. Nearly 90,000,000 yards of bagging were required to cover the cotton raised in 1908, which, as above stated, the farmer was taxed upon at a rate of 7½ cents per 100 running yards. If you can aid in removing this burden, every cotton farmer in the South will owe you a debt of gratitude.

I trust you will excuse the length of this letter; but I thought it was possible that I might give you a new idea upon a subject I have been engaged with for twenty-five years.

With best wishes, I beg to remain,

Faithfully, yours, C. LEE MCMILLAN.

DISCRIMINATIONS IN THE COTTON SCHEDULE.

This bill is so sectional in its provisions that, while it gives free twine to the farmers of the West, it makes the cotton farmer pay a large toll to the combinations and trusts that control the market for bagging and ties. It is to such inequalities and such iniquities in all protective-tariff measures that we most strongly object. The South does not want a protective tariff on anything it makes. It is true that there are some manufacturers and some lumbermen in the South who are demanding an increase of the duties on lumber and other manufactures; but the South has grown great and prosperous, not by reason of the tariff but in spite of it, and those in the South who clamor for protection upon their manufactured products at the same time demand that the tariff be taken off the articles they purchase in other portions of the country. Their idea of statesmanship that the southern Representative should follow is thus expressed in a letter which I have from one who desires to have the duty retained on lumber:

It seems to us that our Representatives ought to vote for everything that is in our favor and to reduce the tariff on those things that we buy from the North, like machinery and other articles.

This is but an evidence of that same spirit of selfishness and greed upon which is bottomed the principle of a high protective tariff; and whether you find it in the North, South, East, or West, it is the same desire to have the Government protect and foster one class of men at the expense of another class; protect by tariff legislation what I make, but do not protect the things I buy. And that principle is embodied in this bill, for it puts the tariff high on articles produced in the East and reduces it or removes it entirely from articles manufactured in the South. This is particularly true of the schedule of cotton manufactures. Under the Dingley law the tariff tax on cotton manufactures averages about 47 per cent, and this bill increases it to over 50 per cent. Strange to say, the increases are all made on the finer grades of goods manufactured in the North, and the reductions are made on the coarser grades of goods manufactured in the South. I do not complain at some reduction in the tariff on cotton manufactures; a tariff ought to be laid on them for revenue purposes. In 1907 we manufactured about $450,000,000 worth of cotton goods, and we exported about $32,000,000 worth and imported cotton goods to the value of $73,000,000, producing something over $13,000,000 in revenue.

The South has made rapid progress in the manufacture of cotton, and we now consume in our mills more cotton than do the eastern mills. While we do not manufacture the finer grades of goods, we have almost a monopoly of the market for the coarser grades. No discrimination in this tariff bill can stop our progress, and the change in the present duties, or any considerable reduction, would not stop our progress. We have prospered in spite of discrimination and in spite of the tariff, and will continue to do so; but the injustice and outrage perpetrated in this bill is that on these goods that are made in the South the tariff is reduced, while on those manufactured in northern mills the duty is increased. What the southern manufacturer needs and wants is a market for his goods and not protection by tariff. The same schedules in the Dingley Act are high enough; in fact, they were too high, and should not be increased. There was no demand for their increase; certainly not from the cotton producers and manufacturers of the South.

The evidence before the committee shows that when the cotton manufacturers first appeared before the committee, one of their chief spokesmen, Mr. LIPPITT, stated, in answer to a question by the chairman:

We are going to ask you to leave the duty as it is.

Mr. DALZELL asked:

All along the line?

And the answer was:

On the cloth schedules, with the exception of some few minor points. I am making my argument why it should not be changed.

And again he said:

I am not appearing here to ask for an increase in the duties on the cloth clause of the cotton schedule. The importations are not so large that we feel justified in asking that the duties be increased, but we would not like to see them decreased.

There was no reason for the increase of these duties. From a statement I have seen, it appears that the average dividends of the principal Fall River mills in 1907 were 25½ per cent; in New Bedford, 25 per cent. The Dartmouth Manufacturing Company paid last year 66 per cent, and on the 24th of February declared an extra dividend of 100 per cent.

I quote the following letter I have received, calling my attention to the injustice of this schedule of cotton manufactures:

NEW YORK, *March 27, 1909.*

Hon. CHARLES L. BARTLETT,
Washington, D. C.

DEAR SIR: The undersigned, a committee representing 70 wholesale dry-goods houses, respectfully ask your attention to the inclosed press clippings, showing that the effect of the "joker" paragraphs 318 and 321 of the cotton-goods schedule of the Payne tariff bill would greatly raise duties, and frequently double them and more.

As the provisions are technical, it is certain that the gentlemen who drafted the bill did not realize that these provisions were prohibitive.

Our special committee of experts is at your disposal to demonstrate this raise.

Cotton-goods statistics show that American mills do not need any protection on the goods they are equipped to produce. In neutral markets they have so well been able to compete that their exports have rapidly grown, and in 1906 equaled $52,944,033.

The average dividends of the principal Fall River mills affected were, in 1907, a panic year, 25½ per cent; in New Bedford, 25.2 per cent. A prominent illustration is the Dartmouth Manufacturing Company, which paid 66 per cent last year, and on February 24 last, an extra dividend of 100 per cent. This mill makes precisely the class of goods which these paragraphs are designed to prohibit. All of these dividends are in addition to enormous salaries paid to officers.

American mills do not sell their products on an ordinary profit basis, but adroitly fix their prices just below those at which similar goods can be imported.

The net result of these paragraphs, if permitted to become law, will be to greatly reduce revenues by prohibiting importation; to permit a few New England mills to manipulate prices at will, and to repeat their action of 1907, when they arbitrarily raised prices more than 50 per cent, although there was no corresponding increase in cost of production. It will drive many importing houses out of business and work a hardship on 28,000 American retail merchants and add an additional burden to the whole American people by increasing the cost of a primary necessity of life.

No question of politics is involved. The whole people are united in the conviction that the tariff should be reduced rather than raised.

President Taft said on December 16 last: "I believe that the way to stamp out trusts and monopolies is to avoid excessive rates which tempt monopolies."

An average tariff of 20 per cent on cotton fabrics is ample to protect American manufacturers from any possible difference in cost of production, and its only effect would be to compel them to run their mills on a fair capitalization and charge reasonable profits.

Respectfully submitted.

F. B. SHIPLEY,
49 Leonard Street,
Chairman Committee on Publicity.

As illustrating the cotton-goods schedule, I quote the following:

COTTON GOODS.

MERCHANTS GET TOGETHER TO OPPOSE HIDDEN DUTIES IN COTTON-GOODS SCHEDULE.

[Daily Trade Record, March 26, 1909.]

Aroused by a sense of injustice at what they term the "jokers" in paragraphs 318 and 321 of the cotton-goods schedule, about 40 well-known and representative dry-goods houses met in the rooms of the Merchants' Association and took steps in a movement the object of which is to arouse public sentiment against these parts of the bill becoming law, and to gain a full knowledge of the significance of what these apparently innocent provisions really mean.

When the synopsis of the bill which was first sent out, and which, by the way, contained no reference to the cotton-goods schedule, came to the attention of cotton-goods merchants, the first impression was that the new bill contained no material change in this regard. However, with more careful study of the completed bill, which came out later, additions to the old schedule have been noted and carefully analyzed which change the whole complexion of the law in so far as it affects foreign-made cotton goods of a certain character. Mercerized goods, in particular are attacked, and in such a way, it is stated, that goods which cost the consumer 19 cents, 25 cents, and 35 cents will increase in price 100 per cent. This, it is considered, will put importers out of business and will only benefit one or two large local firms.

The previous intimations that Henry F. Lippitt and James R. MacColl, representing the Arkwright Club of Boston, were responsible for the offending additions grow stronger and more frequent, and it is claimed that the loss of business which will result if the schedule, as it stands, becomes law will be irreparable, and that the added cost will be borne by the consuming public.

R. K. MacLea was chairman of the meeting referred to, at which the following resolutions were adopted:

"*Resolved*, (1) That we emphasize our protests against the method of changing the cotton-goods schedule as embodied in the Payne tariff bill, and use every effort to fully expose the attempted underhand advances as proposed by the wording of same following the suggestion as given to the Ways and Means Committee by Henry F. Lippitt and James R. MacColl, for the Arkwright Club of Boston, as shown and published in tariff hearings of March 1, 1909. (Appendix, p. 1772.) We further voice our protests against such methods and demand that the Ways and Means Committee of the House of Representatives and the Senate Finance Committee of the United States Senate give due consideration to our joint protest.

"(2) That two committees be appointed, one to give publicity of the facts, another to act on behalf of wholesale dry-goods merchants interested to show the proper authorities at Washington the serious error as embodied in the Payne bill now before the House of Representatives on the cotton schedule."

A publicity committee, consisting of Frederic B. Shipley, of Shipley & Blauvelt, 49 Leonard street, and A. L. Reid, of A. L. Reid & Co., of 66 White street, and a representative committee, consisting of R. B. MacLea, of R. B. MacLea & Co., 79 Worth street; John Darling, of

John Darling & Co., 41 Union square; and F. D. Sherman, of Sherman & Sons Co., 62 Leonard street, were appointed.

The bill having been reported, the only hope for success, it is believed, lies in interesting the public and the press. This the committee hopes to do, and will at once get in touch with all of the wholesale and retail houses throughout the country.

Frederic B. Shipley, of Shipley & Blauvelt, when seen by a representative of this paper yesterday, gave out the following statement on the matter:

"While the cotton-goods schedules in the proposed law apparently provide for the same duties as the Dingley law, these provisions are largely nullified and the duty increased by paragraph 318, which alters the usual means of determining the duty.

"In the present law the duty has been fixed largely by the number of threads per square inch. Paragraph 318 provides not only that each thread shall be counted, but that 'each ply of two or more ply threads shall be counted as a thread.' As most cotton goods imported contain threads which are of two or more ply, the effect of this will be to remove most cloths from the low-duty schedules and place them in the high-duty schedules. Thus goods now paying 2½ cents per square yard will frequently pay 4½ cents per square yard. The operation of this will be that many goods imported, such as English reps and jacquards will pay about 52 per cent of their value, instead of 31 per cent as at present.

"In addition to this, paragraph 321 provides that all cotton cloth mercerized or 'subjected to any similar process,' shall be subject to an extra duty of 1 cent per square yard. On the cloths before mentioned, this will operate to bring the total duty up to about 66 per cent of their value.

"The phrase 'mercerized or subject to any similar process' will doubtless be construed to mean any sort of luster, and as almost all cotton goods imported have some luster, this means that practically all cotton cloths will not only have to pay the advances before mentioned, but will be subject to an additional tax of 1 cent per square yard.

"In fully 75 per cent of the cotton goods imported, this tariff will therefore be prohibitive and will not operate to increase the revenue.

"These provisions have been artfully designed, not by statesmen who are trying to protect American industry, but by cotton-goods experts who are adroitly trying to prevent any importations of cotton goods.

"If the bill is allowed to become a law, it will not only close up the majority of the importing houses, but it will work untold hardship on all classes of dry-goods merchants by removing from the popular price classes many cloths that are now retailed for 19, 25, and 35 cents. It will work special hardship on cotton-goods converters, leaving them at the mercy of a few cotton-goods mills who will be enabled to repeat their action of two years ago, when they arbitrarily raised the prices to an unlimited and unwarranted extent.

"The extra duty on mercerization is totally unjustifiable, since foreign cloths are already taxed the ad valorem rate on the cost of mercerization. In view of the fact that every mercerizer in America to-day is totally unable to take care of the business which he has in hand, there is no reason to charge an extra duty on mercerization.

"Another 'joker' in the proposed law is the provision that determines the number of threads to the square inch in that 'each filament of cotton' shall be counted as a thread. A 'filament' is an elusive term and may easily be construed to mean a section of a fiber, which would make even the cheapest cloth count more than the finest cloths made, and therefore impose the highest duty even on the lowest cloths.

"The pretended justification of the bill on the ground of protecting American labor is absurd, for the reason that the average duty is twice as great as the total percentage of wages, much less any difference between foreign and American cost of labor. On most American cloths for which American manufacturers are equipped, they are amply able to compete with foreign manufacturers in neutral markets.

"The object of this law is, therefore, to create the same conditions in the cotton-goods industry as exist in the steel and other industries, which enable American manufacturers to sell goods in America at a higher price than the same goods may be obtained for abroad."

But why should not Mr. Lippitt and his associates be protected, since they are from New England, where large (?) fortunes are not made? This gentleman, when asked what he considered a large fortune, said to the committee that he would not regard anything short of three-quarters of a billion dollars as a very large fortune. So that Mr. Lippitt, whom I have quoted, is reported to have afterwards urged the committee to make some changes in the cotton schedule which discriminate against other manufacturers and operate to the advantage of the mills in which he is interested. In this respect, as in others, the committee seems to have followed the idea of protecting those who are rich already at the expense of those who are poor, and who under this bill will still be compelled to pay tribute to the multimillionaires of New England, who do not regard themselves as rich until they have acquired three-quarters of a billion dollars.

THE PROGRESS OF THE SOUTH.

I desire to say a few words just here in regard to the great progress of the South, accomplished in spite of discriminatory tariff laws:

Since 1880 the population of the South has increased 63 per cent; the value of her property has increased 167 per cent; investments in manufactures have increased 716 per cent; cotton mills have increased 1,169 per cent; active spindles in cotton mills, 1,464 per cent; active looms in cotton mills, 1,453 per cent; the use of cotton in mills, 875 per cent; capital invested in cotton-oil mills, 2,268 per cent; pig-iron production, 767 per cent; coke production, 2,394 per cent; in lumber production, 830 per cent; in the products of the farm, 237 per cent; in bales of cotton raised, 85 per cent; in the value of the cotton crop, not including seed, 96 per cent; in the production of corn, wheat, and grain, 41 per cent; in mineral products, 1,976 per cent; in coal mined, 1,470 per cent; in iron ore, 649 per cent; in railroads constructed, 221 per cent; in exports from ports, 145 per cent; in capital in national banks, 248 per cent; in deposits in national banks, 721 per cent; in deposits in state banks, 649 per cent; and in expenditures for public schools, 285 per cent. (See Appendix B.)

This progress has proceeded steadily, until to-day the South is one of the most promising and wealthy sections of the country. We have made this progress by industry and under the most adverse conditions that ever beset a people. And this prosperity and progress is not due to any favors from the Government of the United States or to any privileges that have been granted it. This great South, prospering and advancing as it has done and will continue to do, in material development and wealth, is not to be allured from its devotion to the political principles and policies to which it has adhered through all these years by the proffer of privileges and benefits to it or its people, by placing burdens on other portions of the country. All they ask is a fair chance and an equitable and just distribution of the burdens and benefits of government. They are not to be shaken in their faith in the proper principles of government or party policies, or by the offer of plunder under the guise of taxation or protection to be extorted from other citizens of the United States. Nor are they to be swerved from their devotion to those principles by the offer of offices by those in power and who distribute offices. Nor are they yet ready to join the Republican party of the Nation in placing burdens and taxes upon the American people in order that they may receive a small portion of the benefits to be derived from such an unjust and unfair exercise of the taxing power of government. So far as the people I represent are concerned, they do not ask to participate in the plunder of the American people by unjust and onerous taxation. Let not the Republicans lay unction to their souls that the people of the South will change their political convictions. I can do no better here than to quote from a letter recently written by Bishop Warren A. Candler upon this very subject, and which letter I shall quote in full as an appendix to my speech. Said the bishop:

It should also be said that our long-established view of the tariff is not to be surrendered. With possibly one exception, the professors of political economy in every respectable college and university in America (the experts on this subject) unite with us in our unwavering opposition to protection. I am not sure that there is one exception, but I understand that in the University of Pennsylvania the heresy of protection is intrenched. The location of such instruction discloses its inspiration. Why should we renounce what is demonstrably correct? Certain protectionists are fond of calling themselves the "standpatters:" very well, if they can stand pat for an erroneous economic dogma we may well stand pat for a sound economic principle.

The truth is, the system of protection is not founded in reason nor based on righteousness; it is maintained by trading and mutual concessions among the Representatives in Congress of clamant and domineering interests. To employ the taxing power of the Government to enrich certain interests at the expense of all the people comes dangerously near robbery under the guise of legislation. It is utterly puerile to say such a system is necessary in order to maintain the wages of the laboring man. Who shall make the protected manufacturer, who has not scrupled to rob all the people, divide his spoils with his employees? Wages are not thus determined. And even if it were true that protection raises wages, it is also true that it raises the expenses of the laborer more, and thereby it reduces the amount of his net income.

It is true that in the South, as elsewhere, there are a few who are ready for proffered privilege to surrender their convictions, if they ever had any, or who are ready to fill offices when tendered. But the seasons will come and go, and the years will roll away into many decades before the rank and file of the Democrats of the South, who believe in the teachings and doctrines of the party, and who are Democrats from principle, will desert the tenets of that party in which they have long had faith and whose fortunes they have always followed. The mere fact that the people of Georgia may have given the President a hearty welcome and entertainment does not justify the statement that they have surrendered their political faith. The fact is that Mr. Taft received fewer votes in Georgia in November last than any Republican candidate for President ever received, except President Roosevelt in 1904, and no recruits will be made for the Republican party in Georgia or in the South by legislation of this character, which violates all the rules of equity and fair dealing and undertakes to lay the burden of taxation not only with inequality among the people, but with discrimination in favor of sections.

This bill proceeds upon the idea of retaliation upon the other nations of the world, so far as our foreign commerce is concerned. It comes out upon the highways of the world and proclaims commercial war, and pays no heed to the words of that great Republican, who himself did so much in the interest

of protection, when, in his last speech at Buffalo, he left this message to the American people:

The period of exclusiveness has passed. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend our markets abroad? * * *

We must not repose in fancied security that we can forever sell everything and buy little or nothing.

Instead of cultivating friendly relations with our South American neighbors, about which we have heard so much in recent years, especially from President Roosevelt and his Secretary of State [Mr. Root], this bill undertakes to regulate and control the fiscal systems of those countries and inaugurate a system of retaliation on them, and that, too, in reference to an article of food furnished us by those countries which is chiefly consumed by the poorer classes of our citizens.

AN INCOME TAX.

I favor an income tax as a just, fair, and proper tax.

The Supreme Court of the United States, as it was constituted in 1895, by a vote of 5 to 4, rendered a decision declaring the income-tax provision of the Wilson Act to be unconstitutional.

I desire now to call attention to a portion of the dissenting opinion of Mr. Justice Brown in that case, as follows:

It is difficult to overestimate the importance of these cases. I certainly can not overstate the regret I feel at the disposition made of them by the court. It is never a light thing to set aside the deliberate will of the Legislature, and, in my opinion, it should never be done, except upon the clearest proof of its conflict with the fundamental law.

Respect for the Constitution will not be inspired by a narrow and technical construction which shall limit or impair the necessary powers of Congress. Did the reversal of these cases involve merely the striking down of the inequitable features of this law, or even the whole law, for its want of conformity, the consequences would be less serious; but as it implies a declaration that every income tax must be laid according to the rule of apportionment, the decision involved nothing less than a surrender of the taxing power to the money class.

By resuscitating an argument that was exploded in the Hylton case, and has lain practically dormant for a hundred years, it is made to do duty in nullifying not this law alone, but every similar law that is not based upon an impossible theory of apportionment. Even the specter of socialism is conjured up to frighten Congress from laying taxes upon the people in proportion to their ability to pay them. It is certainly a strange commentary upon the Constitution of the United States and upon the Democratic Government that Congress has no power to lay a tax, which is one of the main sources of revenue of nearly every civilized State. It is a confession of feebleness in which I find myself wholly unable to join.

While I have no doubt that Congress will find some means of surmounting the present crisis, my theory is that in some moment of national peril, this decision will rise up to frustrate its will and paralyze its arm. I hope it may not prove the first step toward the submergence of the liberties of people in a sordid despotism of wealth.

As I can not escape the conviction that the decision of the court in this great case is fraught with immeasurable danger to the future of the country, and that it approaches the proportion of a national calamity, I feel it my duty to enter my protest against it. (Pages 1145-1146 United States Supreme Court report, volume 1, book 39.)

Since that time President Roosevelt, in a message to Congress on the subject, and in speeches, has recommended the imposition of an income tax. I quote from his message, as follows:

The National Government has long derived its chief revenue from a tariff on imports and from an internal or excise tax. In addition to these there is every reason why, when next our system of taxation is revised, the National Government should impose a graduated inheritance tax, and, if possible, a graduated income tax. The man of great wealth owes a peculiar obligation to the State, because he derives special advantages from the mere existence of government. Not only should he recognize this obligation in the way he leads his daily life and in the way he earns and spends his money, but it should also be recognized by the way in which he pays for the protection the State gives him.

President Taft, while discussing the same subject in a speech delivered in Ohio, used the following language, which he has repeated on a number of occasions since:

I believe a federal graduated inheritance tax to be a useful means of raising government funds. It is easily and certainly collected. The incidence of taxation is heaviest on those best able to stand it, and indirectly, while not placing undue restriction on individual effort, it would moderate the enthusiasm for the amassing of immense fortunes.

In times of great national need an income tax would be of great assistance in furnishing means to carry on the Government, and it is not free from doubt how the Supreme Court, with changed membership, would view a new income-tax law under such conditions. The court was nearly evenly divided in the last case, and during the civil war great sums were collected by an income tax without judicial interference, and it was then supposed within the federal power.

Surely this is a question worthy of consideration by the present Congress when it undertakes to make up a deficit in the revenues of the country, and the Government should again be given the opportunity to at least endeavor to collect from the wealth of the country a portion of the revenues with which to defray its necessary expenses, and the policy of laying the chief burdens of taxation upon the consumers and upon the backs of the toiling masses of our country, as is done by this bill, should be no longer continued.

INHERITANCE TAX.

I have already stated that I am opposed to the inheritance-tax feature of this bill, because it undertakes to levy a tax upon the small inheritances of the poor, and does not reach the large inheritances, upon which such a tax should be mainly imposed. Besides, 36 of the States now impose an inheritance tax, and from this source derive an annual revenue of from ten to fifteen million dollars, and the remaining States that have not already adopted this plan of raising revenue are considering the proposition. Under the act of 1898, known as the "war-revenue act," there was collected in the year 1902 something like $5,000,000 from this source.

I can not give my support to this bill, because I do not believe in the doctrine of protecting by the agency of the Government any business or any class by the imposition of tax that must be borne chiefly by the consumers of the country. I am not opposed to the levying of tariff upon imports sufficient to raise revenues for the Government, to carry it on and pay the expenses when economically administered, but in imposing the duty it should be fairly and justly imposed, and not, as is contained in this bill, discriminating in favor of classes and sections.

I have no desire to learn any new lessons as to the Democratic doctrine on the subject of the tariff. I am content to still follow the doctrine as laid down and upheld by the founders of the party, and by that great apostle of Democracy, Andrew Jackson. In his first message to Congress he said:

With regard to a proper selection of the subjects of impost with a view to revenue, it would seem to me that the spirit of equity, caution, and compromise in which the Constitution was formed requires that the great interests of agriculture, commerce, and manufactures should be equally favored, and that perhaps the only exception to this rule should consist in the peculiar encouragement of any products of either of them that may be found essential to our national independence.

In conclusion, I can do no better service to my party and my people than to recall and repeat the words of this most illustrious Democrat and advocate of the rights of the plain people of our country, to be found in his message to the Senate, protesting against their vote of censure for removing the deposits from the United States Bank:

It is not in a splendid government supported by monopolies and armies that they will find happiness or their liberties protected, but in a plain system, void of pomp, protecting all and granting favors to none, dispensing its favors like the dews of heaven, unseen, unfelt, save in the freshness and beauty they contribute to produce. It is such a government that the genius of the people require; such a one only under which our States may remain for ages to come united, prosperous, and free.

[Applause on the Democratic side.]

Think not to delude us by proposing a tariff on cotton—the long staple, the sea-island kind, or any other kind. The price of our cotton, for long and short staple, is fixed in Liverpool, in the markets of the world. We export 65 per cent of the short staple and nearly 38 per cent of the long staple, or sea-island cotton; and to lay a tax on cotton, either long or short staple, is to put upon it merely a bonus for the cotton manufacturer, which will be taken from the pockets of the people and redound to the injury of the grower. [Applause on the Democratic side.]

Hug not the delusion to your souls, gentlemen on the Republican side, that this great empire of the South, which has arisen from its ashes and which is developing simply the privileges and advantages that God has given them by the exercise of their own independence and their intelligence—hug not the delusive idea to your souls that that great empire wants any protection under this bill, but is true to the principles that their forefathers fought for. Hug not the delusion to your souls that that country is ready to sell its devotions and principles of party for a mess of tariff protection. [Applause on the Democratic side.] Nor yet are they ready to forget the doctrines of their fathers for mere favor of more protection.

Mr. Chairman, I must desist. The House will grow weary, and I am myself hardly able to continue. I desire to say that I am ready to vote with my party and its party declarations in a removal of a tariff on lumber, every cent and every dollar of it. [Applause.] Up to the war no tariff on lumber was ever levied by any Congress. From 1868 to 1897 no unhallowed hand of any trust ever dared to lay a tax on lumber or salt. To use the language of a great Republican, probably the greatest Republican we ever had in modern times, a man that stood up for the principles of the Republican party, Mr. James G. Blaine, in a speech of 1868, declared that even during the stress of the civil war when you swept the sea of expediency, swept the ocean and land, went into the houses and dwellings of citizens and put an internal-revenue tax on every business, levied tariff taxes until they piled mountain high, never in war even did the Republican or Democratic party ever think of levying a tax on lumber, salt, or bread. [Applause on the Democratic side.] In

this bill you do all. Lumber to build the homes of the poor man and shelter his family is taxed for the benefit of the lumber trust. Salt must pay a tax, not for revenue, not to fill the empty coffers of the Government, made empty by the extravagance of the Republican party for the last fourteen years. [Applause on the Democratic side.] Not to run the Government economically, but that the lumber trust, the salt trust, the beef trust, the Standard Oil trust, the steel trust, the cotton bagging and tie trust, and all the other trusts may prosper, and that the people may continue to bear the burdens, not of taxation, but of robbery and injustice. [Loud applause.]

APPENDIX A.

DISSOLVING THE "SOLID SOUTH."

[By Bishop Warren A. Candler.]

Objection is being urged to the solidity of the "solid South," and intimations have been given out that an effort is being made to disintegrate it. Concerning the political phases of this subject, in the light of which men determine their party affiliations, I have nothing to say; but about the general subject I have some reflections to offer.

And, first of all, I would like to inquire why so much objection is urged to a "solid South" while nothing is said of a "solid New England?" The solidity of the latter is as obdurate and persistent as the solidity of the former, and for much the same reasons, doubtless. There is no solid West (i. e., North and Central West), because the West has been settled by a great variety of people and its population is too heterogeneous to be solid. But from the days of the colonies until now there have been distinct types of people in both New England and the South, and for the most natural reasons, therefore, they have been solid.

For one I believe that it is best they should be "solid." By their solidity they work out for themselves the best results, and at the same time they thereby make the best contribution to the well-being of the entire country. In a land which is filling up with multitudes of miscellaneous people from every part of the globe it is vastly important that in one or two sections at least there should be some stable forms of life and civilization.

The South especially possesses certain characteristics which should be perpetuated at all cost. They are of the utmost value to the Republic, and they must not be minimized or modified.

In the South is found the purest type of what may be called "original Americanism." Among its people are more men and women who trace their descent directly to colonial sires than in any other section of the Union. Its social forms and domestic life, as well as its architecture, tend naturally to the colonial type, and they should not be exchanged for any other.

Its religious life is orthodox in creed and evangelical in spirit. The variegated and eccentric ecclesiastical bodies which abound in New England have but a small and negligible following in the South. Southern Christianity has not been weakened by sending forth from its roots all sorts of isms, which, like suckers, weaken the main stem without producing any good fruit themselves. We have had few heresy trials, for we have had few heretics. Our people have accepted the Bible as the word of God, and have relied for salvation upon the atonement of Jesus Christ the Lord. By consequence the southern churches have more nearly succeeded in winning the whole population of the South to Christian living than have the churches of the other sections of the country succeeded with the people to whom they make their appeals. There are more church members in the South in proportion to population than can be found in any other part of the United States.

In the South we have also the best observance of the Sabbath, and in so far as we have anywise fallen from grace in this important matter our fall may be traced to influences which have come in upon us from without. If we had remained more "solid" with respect to the observance of the Sabbath, we would have done far better than we have by following, even for a little way, modish vice and foreign airs.

The South is the soberest part of the United States. There are fewer barrooms among us and fewer people who want barrooms than are found in New England or the West. Prohibition counts for more in the South than it does in any other section of the Union.

There are also fewer graft and less graft in the South than any other section. Pennsylvania, the land of William Penn and great solidity, has shown more corruption in the building of her capitol and the government of the one city of Pittsburg than has been known in all the South during a half century. The southern people have not been without their faults, but they have been remarkably free from the cowardly, sneakish vice of stealing. Public officials in the South have not been given to pilfering public funds.

Many other characteristic excellencies of the southern people might be enumerated, but let these suffice for the present. Is it supposed that we shall change our principles with respect to these or any other matters? If so, why? Have our principles been demonstrated to be unsound? If so, in what particular? If we are to renounce our principles, what set of principles shall we put in their place? Has New England anything better to teach us? Is the land of the Pilgrim Fathers to maintain an unyielding solidity, while the South is to break up into classes of convenient size for instruction by New England? Let New England show more Christianity, more children, a better observance of Sunday, less drunkenness, and less graft before we sit humbly at her feet for instruction. We might have learned much from the New England of the Pilgrim Fathers, but we can learn little of value from the New England of their backslidden children.

But it may be said that we must change our view of the relative powers of the state and federal governments. This is not the time for that. It is true our picturesque President has assured the country that "we need through executive action, through legislative action, and through judicial interpretation and construction of law to increase the power of the Federal Government;" but at the risk of initiation into the "Ananias Club" or classification with the "undesirable citizens," we are bound to tell him such talk is perfidy to his official oath. He swore to support the Constitution, not to stretch it, and secession against the Constitution is worse than secession against the Union, for the Union draws its life from the Constitution. The Union without the Constitution is not the Federal Union, but the organized tyranny of an unscrupulous majority, doing as they list with the rights of the minority. If the Federal Government requires more power to fulfill its mission under the conditions of the present day, there are easy and constitutional ways of giving it such power, but it does not belong to the executive, legislative, or judicial branches of the Government to filch power from the States or from the people, even though they purloin it in order to lay it in the lap of the Federal Government.

But does the Federal Government need so much more power? It is said that there is going on in our country a perilous concentration of wealth in the hands of a few. Suppose we centralize the Government at the same time this process of concentrating wealth goes on, and that eventually the concentrated wealth seizes the centralized Government. What then would become of the rights of the people? What would be done would simply be a question of what might be desired by the men wielding this immense combination of financial and political power. If they failed to find precedents for their usurpations they could plead the illustrious example of our present President, and call for the enlargement of the powers of the Federal Government by "executive action," "legislative action," and "judicial interpretation and construction of law." Doubtless, however, they would not stop for even that much formality of law. Under the lead of the President's rough-riding example the limit of their power would be only the limit of their desires.

Moreover, expansion of territory demands more and more the shifting of weight from the Federal Government to the local governments of the States. Otherwise the strain on the center will become too great and the whole structure will crumble. The security of the Union is in the sovereignty of the States.

This is certainly no time for the South to cease contending for the strict observance of the constitutional limitations imposed upon the Federal Government. A surreptitious revolution is proposed, and it must be resisted as vigorously as if it were an armed force attempting to subvert the Government. Let us stand solidly against it, and if any other section wishes to stand with us we shall not object. But if any other sections of the country invite us to abjure our devotion to the fundamental principles of the Government in order to obtain political spoils in the form of office and appropriations, let us give them to understand that neither we nor our fathers have been accustomed to accept bribes.

It should also be said that our long-established view of the tariff is not to be surrendered. With possibly one exception the professors of political economy in every respectable college and university in America (the experts on this subject) unite with us in our unwavering opposition to protection. I am not sure that there is one exception, but I understand that in the University of Pennsylvania the heresy of protection is intrenched. The location of such instruction discloses its inspiration. Why should we renounce what is demonstrably correct? Certain protectionists are fond of calling themselves the "standpatters;" very well, if they can stand pat for an erroneous economic dogma we may well stand pat for a sound economic principle. The truth is, the system of protection is not founded in reason nor based on righteousness; it is maintained by trading and mutual concessions among the Representatives in Congress of clamant and domineering interests. To employ the taxing power of the Government to enrich certain interests at the expense of all the people comes dangerously near robbery under the guise of legislation. It is utterly puerile to say such a system is necessary in order to maintain the wages of the laboring man. Who shall make the protected manufacturer, who has not scrupled to rob all the people, divide his spoils with his employees? Wages are not thus determined. And even if it were true that protection raises wages, it is also true that it raises the expenses of the laborer more, and thereby it reduces the amount of his net income.

We have nothing to take back as to the tariff. If other sections wish to unite with us in emodying in law the sound and honest views which we have held on this subject, we will welcome their association and assistance. But if they unite with us in our contentions, what then will become of their own solidarity, concerning the dissolving of which we hear nothing?

Other subjects might be brought forward, but I forbear for the present. Let me inquire with reference to the matters herein presented and other issues which naturally suggest themselves, what principle, or set of principles, which have operated as cohesive forces to make the South solid in her place, as New England is solid in her place, is it now proposed that we shall renounce? If we all go together into some new movement, will we not be as solid as ever? If we divide, will we be happier and more harmonious among ourselves and more influential with other sections by reason of the strife which division will engender? Were any people ever made more powerful or prosperous by discord? Willy enemies have been known to pursue the policy of dividing a people in order to conquer them, but those who have most faithfully resisted the foes of peoples thus threatened have always insisted that their security was their unity.

I take it no Trojan horse will be admitted within our gates. Our people may gaze on such devices with a certain sort of interest, but they will not be so simple as not to see that the contents of the animal are something more warlike than grass.

I beg to commend to careful consideration of all concerned the following paragraph, which I have extracted from one of the most ably conducted papers in the South:

"That the South is dissimilar from other parts of the Republic in important social, political, and religious matters is a proposition too plain to be disputed for a moment. That these differences are radical, historic, and persistent it would be easy to show. That they are to the advantage of our section is a belief that we hold without asking leave or license of any. The South is the social, political, and religious residuary legatee of American civilization. Its day is coming; indeed, is now. It has no need to fret or to be impatient of fortune, for it holds the illuminating lamp of the future of our national life. Only we must preserve our vantage and push our way toward a complete realization of our historic ideals. Nor must we be in haste to give up either our solidarity or our isolation. This may seem a reactionary or nonprogressive sentiment, but it is neither. Both the solidarity and the isolation of peculiar peoples have been employed of history and Providence in hastening the world's better destinies. This isolation and solidarity is no barrier to intercourse and cooperation in all common enterprises, but it is that eclecticism of people which puts their exceptional ideals above the thought of compromise or accommodation. The South can agree to no coafescences, ecclesiastical or otherwise, that will for a moment jeopardize its ideals."

That is what might be called "interestin' readin'." It is also quite suggestive. Southern courtesy and hospitality must not be mistaken for the renunciation of southern convictions.

It may be added that the task of breaking up the "Solid South" will not be found an easy one. The unifying processes of more than a century have not arrested and turned backward in a day. Blood and tradition, ancestry and history, the compacting power of war and the solidifying struggles of peace, common interests and common dangers, common memories and common hopes, count for something; and all these things must be reckoned with when men undertake to break up the "Solid South." Where will they find a solvent powerful enough to disintegrate in a moment what has been forming for more than a century? Can the seductive woolings of an artful partisanism put asunder

those whom Providence hath so manifestly joined together? Can the crafty pleadings of a thrifty expediency compass such an end? Can the saccharine sentiments which are wont to flow around banqueting boards dissolve the affiliations of generations? Hardly.

The "New South" is just the "Old South" going on its way—and "happy on the way." If any civil person is traveling the same road the South has no objection to his company, but it is not bowed down beneath an insupportable sense of desolation and lonesomeness. Its happiness is not dependent upon the presence of any traveling companion. With its cotton fields and factories, its fruit and flowers, and above all with its lofty and uncompromisable principles, the South asks no favor and begs no one for fellowship.

The people of the South are not wanting in independence of thought. They are not terrified into being "solid." They do not divide, simply because they are honestly agreed. It has not been for a sham solidarity, forced upon them by intolerance, that they have contended in peace and war. Such a view of them is shallow and misleading. The South is solid first and most of all in the sacred things which lie deeper down in the soul than passing policies and transient expedients of party politics. The southern people are one in heart, and I mistake them very much if they do not so remain for years to come.

APPENDIX B.

THE SOUTH—RESULTS—RESOURCES.

Summary of southern progress since 1880.

[From the Manufacturers' Record.]

	1880.	1900.	1908.
Population	16,309,960	23,548,401	26,834,705
Density	20.3	29.1	33.2
Manufactures:			
Capital	$257,244,564	$1,153,002,368	$2,100,000,000
Products	$457,454,777	$1,463,643,177	$2,600,000,000
Cotton mills:			
Capital	$21,000,000	$112,837,000	$266,500,000
Spindles, active	667,754	4,453,729	10,443,761
Looms, active	14,323	112,806	222,539
Cotton used ... pounds	108,694,889	747,744,006	1,059,519,893
Cotton-oil mills:			
Number	45	369	800
Capital	$3,800,000	$34,450,000	$90,000,000
Pig iron made ... tons	397,301	2,604,671	[a] 3,445,221
Coke made ... do	372,436	5,799,384	[a] 9,289,471
Lumber products, value	$39,000,000	$188,114,000	$365,000,000
Lumber cut ... feet	3,410,294,000	13,699,107,000	[a] 19,303,983,000
Farm products, value	$660,000,000	$1,271,664,000	$2,225,000,000
Cotton crop:			
Bales	5,723,934	9,003,296	10,582,966
Value without seed	$312,303,000	$339,958,000	$614,034,000
Grain products:			
Corn ... bushels	466,825,484	476,655,803	[a] 715,780,000
Wheat ... do	55,301,686	93,358,836	[a] 59,485,000
Oats ... do	55,291,270	83,968,256	[a] 43,003,000
Mineral products, value	[b] $13,817,930	$114,945,059	[a] $286,818,347
Coal mined ... tons	6,037,003	49,068,059	[a] 94,829,835
Iron ore mined ... do	842,454	4,707,449	[a] 6,316,027
Petroleum ... barrels	179,000	17,093,973	[a] 27,239,057
Phosphate mined ... tons	190,763	1,489,907	[a] 2,253,198
Railroad mileage	20,612	52,594	67,181
Exports, value	$264,905,753	$484,644,177	$648,098,715
National banks:			
Resources	$171,464,172	$516,796,096	$1,100,117,888
Capital	$46,688,930	$86,371,980	$162,558,230
Individual deposits	$64,733,249	$264,968,284	$831,277,537
Other banks, deposits	$88,444,576	$254,439,168	$624,752,437
Common schools, expenditures	$9,796,040	$20,535,848	[c] $37,687,615
Property, true value	$7,505,000,000	$13,863,073,149	$20,073,686,216

[a] Figures of 1907. [b] Figures of 1882. [c] Figures of 1905-1906.

INVENTORY OF THE SOUTH.

[From the Manufacturers' Record.]

An inventory of accomplished facts of southern progress since 1880, when it was enabled to resume its normal career, and of its material resources still to be thoroughly developed.

Population, from 16,309,960 to 26,834,705, or by 10,464,745, equal to 63.9 per cent.

True value of property, from $7,505,000,000 to $20,073,686,216, or by $12,568,686,216, equal to 167 per cent.

Capital in manufactures, from $257,244,564 to $2,100,000,000, or by $1,842,755,436, equal to 716.6 per cent.

Products of manufactures, from $457,454,777 to $2,600,000,000, or by $2,142,545,223, equal to 468.9 per cent.

Capital in cotton mills, from $21,000,000 to $266,500,000, or by $245,500,000, equal to 1,169 per cent.

Active spindles in cotton mills, from 667,754 to 10,443,761, or by 9,776,007, equal to 1,464 per cent.

Active looms in cotton mills, from 14,323 to 222,539, or by 208,216, equal to 1,453 per cent.

Cotton used, from 108,694,889 pounds to 1,059,519,893 pounds, or by 950,825,004 pounds, equal to 875 per cent.

Capital in cotton-oil mills, from $3,800,000 to $90,000,000, or by $86,200,000, equal to 2,268 per cent.

Pig iron produced, from 397,301 tons to 3,445,221 tons, or by 3,047,920 tons, equal to 767 per cent.

Coke made, from 372,436 tons to 9,289,471 tons, or by 8,917,035, equal to 2,394 per cent.

Value of lumber products, from $39,000,000 to $365,000,000, or by $326,000,000, equal to 836 per cent.

Lumber cut, from 3,410,294,000 feet to 19,303,983,000 feet, or by 15,893,689,000 feet, equal to 466 per cent.

Value of farm products, from $660,000,000 to $2,225,000,000, or by $1,565,000,000, equal to 237 per cent.

Bales of cotton raised, from 5,723,934 to 10,582,966, or by 4,859,032 bales, equal to 85 per cent.

Value of the cotton crop, not including seed, from $312,303,000 to $614,034,000, or by $301,731,000, equal to 96 per cent.

Corn, wheat, and oats raised, from 577,328,440 bushels to 818,318,000 bushels, or by 240,789,560 bushels, equal to 41 per cent.

Value of mineral products, from $13,817,930 to $286,818,347, or by $273,000,417, equal to 1,976 per cent.

Coal mined, from 6,037,003 tons to 94,829,835 tons, or by 88,792,832 tons, equal to 1,470 per cent.

Iron ore mined, from 842,454 tons to 6,316,027 tons, or by 5,473,573 tons, equal to 649 per cent.

Petroleum produced, from 179,000 barrels to 27,239,057 barrels, or by 27,060,057 barrels, equal to 15,118 per cent.

Phosphate mined, from 190,763 tons to 2,253,198 tons, or by 2,062,435 tons, equal to 1,081 per cent.

Railroad length, from 20,612 miles to 67,181 miles, or by 46,569 miles, equal to 221 per cent.

Exports from southern ports, from $264,905,753 to $648,098,715, or by $383,192,962, equal to 145 per cent.

Aggregate resources of national banks, from $171,464,172 to $1,100,117,888, or by $928,653,066, equal to 541 per cent.

Capital of national banks, from $46,688,930 to $162,558,230, or by $115,869,300, equal to 248 per cent.

Individual deposits in national banks, from $64,733,249 to $831,277,537, or by $466,544,288, equal to 721 per cent.

Deposits in state banks, savings banks, private banks, and loan and trust companies, from $88,444,576 to $624,752,437, or by $541,307,861, equal to 649 per cent.

Expenditures for common schools, from $9,796,040 to $37,687,615, or by $27,891,575, equal to 285 per cent.

This record of achievement is as nothing compared to what the South is yet to do in realizing fully its vast potentialities. To begin with, its area of 806,947 square miles is for the most part scantily populated, when one considers the more than 100 persons to the square mile supported in New England or the 93 persons to the square mile in such a State as Illinois. When the density of population in the whole South shall be equal to that of Illinois, there will be 75,046,071 inhabitants of the South, nearly the population of the whole country in 1900. That there is room for such a population and a support for it is obvious in the fact that of the 516,446,080 acres of land in the South but 337,981,784 acres, or 65 per cent of the whole, are in farm land, and of the farm land but 116,779,896 acres, or 34 per cent, are improved.

Mr. CALDERHEAD. Mr. Chairman, I am not sure that anything I say will add to the value of this discussion. We have had fifteen days of it now, I believe, and the debate has not added much light either to the value of discussion of the protective-tariff system, as a system, or to the criticisms that are imposed upon it.

The eloquent gentleman from Georgia [Mr. BARTLETT], who has just taken his seat, in his opening remarks accused the provisions of the proposed legislation to be a grant of special privileges to somebody, and in his concluding remarks he charged that the proposed tariff was not levied for the purpose of producing revenue for the Government economically administered, but for the purpose of making rich somebody at the expense of others.

For fifteen days we have listened to the general charge that the tariff was levied for the purpose of being a burden on the consumer. There has not been an intimation that the tariff at any time is for the benefit of the producer.

The gentleman from Missouri [Mr. CLARK], opening the discussion on that side of the House, cited the names of the authorities in the Nation who included the substance of all that could be said upon it. He named Alexander Hamilton's report and a number of others, and concluded with the report of Mr. Gallatin. Nothing that has been said upon the subject since Hamilton's report has added much to the knowledge of the people, or to the purpose for which the protective tariff is levied. Here is a great Nation, now, of 90,000,000 people, occupying land stretching from sea to sea, a great agricultural land, to which the inhabitants might easily turn for their own sustenance, and Hamilton's report was for the purpose of advising the country of the necessity of diversifying the industries of the United States, that it might find employment for all its people and be independent of the producers of other nations.

At this hour, Mr. Chairman, the question is the same that it was in his day. Ten millions of people are engaged as laborers upon farms; six and a half millions of people, speaking in round numbers, are engaged in labor in the manufactories; 1,800,000 people are employed upon the railways. All the vast army of men who are not employed in agriculture are employed in producing some form of manufactured goods or in the transportation of them. The charge is generally made that the whole tariff is levied for the protection of the manufacturer. The general answer to it is that the man who has received the most protection from the tariff has been the farmer upon his farm, and the wage-earner at his work and in his wages. Testimony to that effect is set forth in the language of Mr. Tompkins, from North Carolina, before our committee, in which he testified that fifteen years ago a cotton crop of 10,000,000 bales was worth 5 cents a pound, before the establishment of manufactories, and brought $300,000,000; and now, since the establishment of manufactories, that same crop of 10,000,000 bales brings to the South $600,000,000; and in addition to that, the discovery of the method of producing cotton-seed oil brings the South another $100,000,000.

Men have been drawn from the farms to labor in their own factories, and the men who competed upon the farm merely

to the executive, legislative, or judicial branches of the Government to disintegrate in a moment what has been forming for more than a century? Can the seductive woolings of an artful partisanism put asunder

factories, and the men who competed upon the farm thereby

for the production of cotton and the sale of it are competing upon the farm for the production and sale of the food which supports the factories, as well as supplies them with its cotton. The value of the farm products there is another hundred millions.

Mr. Chairman, but a few minutes more will suffice for all that I intend to say at this time. Last year we produced upon the farms of America nearly eight thousand millions of dollars worth. We sold abroad to other countries about one thousand millions of dollars' worth. Who bought the rest of it? Who had the money to buy it, and how did they get it? Last year the manufactured products of America were sixteen thousand and eight hundred millions of dollars, and we exported about nine hundred million dollars of that. Who bought the rest of it and who had the money to buy it? Twenty-three thousand million dollars' worth of commerce between the States and less than two thousand million dollars' worth of commerce between the United States and all the balance of the world!

The commerce between the States of our country is greater than all the commerce of Europe, Asia, and Africa with all the world. Who buys our commerce, and who has the money to buy it? We have lived for ten years under a tariff legislation that is denounced as partisan, as class legislation, as legislation for privileged wealth. Where did the money come from that bought sixteen thousand millions of dollars worth of manufactured products and seven thousand millions of dollars worth from the farms? Who paid for it? It is not worth while now to enter into a discussion of the schedules which this committee has been preparing for the next tariff. It is hardly worth while to attempt to answer charges that have been made against the Chicago platform. It is enough for us that for months the committee has been listening to the testimony of men engaged in every line of business. More statistics and more data have been collected for the preparation of this bill than for all of the other bills within the last forty years. In a few hours, I think, the bill will be laid before you for discussion, section by section.

As you read it it will be evident to you that it has not been made for the purpose of enriching one man at the expense of another, and it will be no reply to say that it is a tax levied upon the poor or upon the consumer. There is no consumer unless he is also a producer, and the man in America who is not a producer can not be a consumer of any value either to the Nation or to its productions from the farm or from the factory. The tariff legislation that is proposed now does not differ from the tariff legislation proposed by Hamilton, from that proposed and carried into effect by McKinley, nor from that proposed and carried into effect and operation by Dingley. You can not turn a page of the national life during the operation of the Dingley bill that does not show that the Nation was richer by a thousand millions of dollars at the end of every year. There were years when the Nation was richer at every sundown by a million of dollars. There were years when the Nation was richer by a thousand millions of dollars every thirty days.

Some complaint is made that the tariff is levied for the benefit of New England. Can you remember that at the same time the most of our manufactories are in New England and that there is neither coal, nor iron, nor wood, nor leather, nor any other natural production there within her borders sufficient to keep one-fourth of her mills running for thirty days? The great supply comes from the rest of the Nation. Look at the map of the country and at the roll of the deposits in the banks. The gentleman from Connecticut [Mr. HILL] sitting at my right represents a little district. His whole State is only half as large as my own congressional district, and yet in his State there are $400,000,000 on deposit in the savings banks, not counting deposits of the manufacturers who are protected by this protective tariff. Let me modify that expression. The men who are protected by the protective tariff are the wage-earners of his State.

Rocky and mountainous, rough with swamps, without coal mines or iron mines or any other raw material; without grazing for herds of cattle or sheep; without a 40-acre field, even in one spot, for corn or grain, he has in his State twice as much wealth accumulated as wages of labor as there is in my State, which has 80,000 square miles in it. Surely the wealth of New England——

Mr. RUCKER of Missouri. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Missouri?

Mr. CALDERHEAD. Certainly.

Mr. RUCKER of Missouri. Speaking of the great wealth of the wage-earner in Connecticut, I desire to ask the gentleman if the statistics do not show that a smaller per cent of the wage-earners own their homes in Connecticut now than they did twenty years ago?

Mr. CALDERHEAD. I think the gentleman is mistaken. He has had plenty of time to inform himself upon that subject. I have not investigated the subject for the purpose of——

Mr. RUCKER of Missouri. I say that the statistics show that.

Mr. CALDERHEAD. I say that I have not investigated the subject for the purpose of answering questions of that kind; but it sounds very much like a question that might have been under discussion in a hotel lobby and ought to have been answered there. It was just as easy for gentlemen upon the other side, who have been propounding questions of the same character for the last fifteen days to themselves in the lobbies of the hotels in the evening, to have ascertained the facts and brought them here and presented them during the fifteen days they have had the opportunity to present them.

Mr. RUCKER of Missouri. I sought to be entirely courteous to the gentleman——

Mr. CALDERHEAD. I do not wish to be discourteous to my friend——

Mr. RUCKER of Missouri (continuing). And I say my statement is not predicated upon hotel-lobby discussions; it is based upon the statistics issued by the party in power. [Applause on the Democratic side.]

Mr. CALDERHEAD. Then I say again in the fifteen days of debate that has been going on here there has been ample opportunity to have offered the authentic statistics before the House; and there will be time yet before the bill passes, and while the gentleman is my friend, I hope that he will lay them before the House.

Mr. SULZER. I would suggest to the gentleman from Kansas that the gentleman from Missouri has laid the statistics before the House.

Mr. CALDERHEAD. But he was asking a question.

Mr. RUCKER of Missouri. But I followed it up by the declaration that the statistics show what I stated.

Mr. CALDERHEAD. Lay the volume before the House in due course of time, and I will undertake to answer it then if I have overlooked it now. What I ask you to remember is this fact, that north of the Potomac and east of the Ohio River is more than two-thirds of the wealth of the entire Nation.

Let me repeat again, that north of the Potomac and east of the Ohio River are two-thirds of the wealth of the country, and there are the manufacturers, there are the producers who take seven-eighths of all that come from your farm and mine and manufacture it into material for commerce, and there the things are made, the $16,000,000,000 worth, $15,000,000,000 worth that is sold to us in our country. There is the market for our flocks and our herds, our wheat and our corn.

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question?

Mr. CALDERHEAD. Yes.

Mr. HARDY. You stated that north of the Potomac and east of the Ohio River is two-thirds of the wealth of the country.

Mr. CALDERHEAD. Yes.

Mr. HARDY. Does not that of itself show that some unfair advantage in our economic system has been given to that section of the United States?

Mr. CALDERHEAD. Not in the world. From the time of Alexander Hamilton to this time they have been building factory after factory. Just as I stated a little while ago, the little State of Connecticut, or take all New England, without coal, without iron, without sheep ranges and cattle ranges, and cotton fields, without the great producing soil that is found in your country, have been accumulating more manufactures, paid more wages, and put more money in the bank than all the balance of us put together.

Mr. HARDY. Will the gentleman allow me just a repetition of what I said. Does not the very fact that that portion of the country which has the natural resources is poorer than that portion of the country which is by nature the poorest show that the Government is favoring the New England section to the detriment of the other sections?

Mr. CALDERHEAD. Nowhere in the world. The only thing now that bothers New England is the fact that cotton mills have doubled in the field where the cotton is produced. And other factories are growing up in other parts of the country.

The shoe factories are in St. Louis, in Kansas City, in St. Joseph, and Omaha, nearer to the field which produces the leather for them and nearer to the consumer who uses them. Just as I stated a little while ago, if the gentleman will read

the statements made by Mr. Tompkins, of North Carolina, before our committee, he will see that cotton, which fifteen years ago only brought $300,000,000, last year brought $600,000,000, and he charges it to the fact that the cotton mills have gone nearer to the cotton fields. The same protective-tariff law that stretched over New England stretched over the great South and the great West and invited labor in all its operation.

Mr. HARDY. Have not those cotton mills of the South been compelled in their infancy and their poverty to compete with the great, wealthy factories of New England without any protection?

Mr. CALDERHEAD. No, sir. The same protection extended to them that extended all over the country. It was one law for one land.

Mr. HARDY. Is there any protection against New England for the young industries of the South and of the new West? [Applause on the Democratic side.]

Mr. CALDERHEAD. The same protection. It is one law for one land, from sea to sea. The same protection which stands over the shoe factories of New England stands over the shoe factories of St. Louis, and there is in St. Louis the largest shoe factory in the world, turning out a million pairs of shoes every thirty days. There are in New England the cotton mills which were built nearly a hundred years ago, still in operation, turned by the same water power, while there is spread all over Georgia the new cotton mills that have been built within the last fifteen years.

Mr. HARDY. The point I am trying to present to the gentleman is: Are not we in the South building up infant industries, and, under the Constitution, are not we forbidden to have any protection against the old established and wealthy industries which may drive us out of the market?

Mr. CALDERHEAD. Does the gentleman mean that there should be a tariff between States? Is that the doctrine he intends to advocate, that there must be a tariff between States, to enable Georgia, which was planted when Massachusetts was planted, to catch up with Massachusetts now?

Mr. HARDY. If protection is a righteous proposition, ought it not to prevail in every locality and in favor of every State?

Mr. CALDERHEAD. It does, without question. We make no law and have made none in forty-eight years that we have been responsible for legislation that is not for the whole people. We have never made a law which you have revised or repealed except a tariff law. The only tariff law that we have ever made that you have repealed was the McKinley law. We made it and put it in operation. You repealed it and put in operation the Wilson bill, and the country repudiated and repealed you at the first opportunity.

Mr. REEDER. I would like to make a suggestion, if you please. I would like to say to the gentleman that nature has built up a great protection in favor of the southern cotton industry, and that, in addition to the protection that we give, it seems to me, will produce a great deal of cotton manufacture.

Mr. BARTLETT of Georgia rose.

Mr. HARDY. Allow me just one suggestion by way of response to what the gentleman said a moment ago.

Mr. CALDERHEAD. I prefer to yield to the gentleman from Georgia [Mr. BARTLETT] now, and I will yield to the other question later.

Mr. BARTLETT of Georgia. I want to ask the gentleman if this very bill—the Payne bill—does not discriminate against the kind of cotton yarns made in the South in favor of the kind made in the East by reducing—and I have no complaint to make of that—the tariff upon the coarser classes of yarn up to 40, and made now almost altogether in the South, and by increasing the duty upon the finer yarns, made almost altogether in the East and in the North?

Mr. CALDERHEAD. Mr. Chairman, I did not enter into a discussion of the schedules. I did not intend, and neither did the committee, that there should be a discrimination against the mills of Georgia and in favor of the mills of New England. I want to say just one word further.

Mr. BARTLETT of Georgia. I would like to ask the gentleman another question, and then I will not interrupt him again, because I am not able physically to do it. The gentleman, then, admits that my proposition about this particular bill is correct?

Mr. CALDERHEAD. I am not quite sure that I have admitted that. I have said that I did not intend——

Mr. BARTLETT of Georgia. The gentleman aided in preparing the bill. Is it not a fact, not only with reference to the finer and coarser yarns, but you put a provision in here which taxes thread which was double twisted, and put a higher tariff on that, and that was the kind of thread made in the East? Is it not a fact—and I do not want the gentleman to give away any secrets, if it is not proper—is it not a fact that within the last few days, with reference to the last proposition of twisted thread, the committee, realizing the injustice of this, have proposed to modify that by an amendment?

Mr. CALDERHEAD. The gentleman is perhaps correct about that, for I want to say that the committee did not intend to do injustice to any portion of the land or show partiality to any portion. We are preparing legislation to establish justice and equity in the whole Nation.

From now until the end of the debate on the bill, I think if it is shown that there are partialities to one section or discriminations against another, the committee will be just as willing to correct it as the gentleman from Georgia. I may add a little further that I was one of the Members who was in favor of a tariff on the long staple or sea-island cotton, for I am aware of the vast extent of territory over which its cultivation could be extended. I regret that the committee was unable to agree with me in that. If the gentleman is in favor of a tariff which will protect sea-island cotton and will perfect an amendment to that effect, I will stand by him.

Mr. BARTLETT of Georgia. I am not, because I do not think it needs it.

Mr. CALDERHEAD. He could have the benefit of it.

Mr. BARTLETT of Georgia. I would not be for it if it needed it.

Mr. HARDY. I wish to say in answer to the gentleman from Kansas [Mr. REEDER], who has stated that nature has given protection to the South, which it has denied to other countries, in her product of cotton, that whenever we sell that product cheaper abroad than at home, something ought to be done to bring down our home price.

Mr. CALDERHEAD. I have not yielded for a discussion with the gentleman.

Mr. HARDY. Just one word more. If the manufacturer of New England sells his product cheaper abroad than at home, they need no protection.

Mr. CALDERHEAD. Mr. Chairman, I have heard that fallacy uttered more than once. If the gentleman will read the testimony presented to the committee, to which the gentleman has had access for the last fifteen days, it would have given him better information than that.

Mr. HARDY. Does the gentleman deny that manufactured products are sold cheaper abroad than at home?

Mr. CALDERHEAD. I have just made my reply to you, but if the goods sent abroad were emptied into the ocean, the wages of the men who made them would be paid just the same.

Mr. STANLEY. Mr. Chairman, I was impressed by what the gentleman has said—that it was the desire of the Committee on Ways and Means to do exact justice to all sections of the country. I want to say to the gentleman that my section of the country—Kentucky, with the exception of the claim on the part of those representing eastern Kentucky for an increase of the duty on lumber—has asked no favor at the hands of the committee for protection to any industry. Everything we produce in my section is sold in the open markets of the world, and 90 per cent of our greatest staple goes direct to Liverpool and other foreign markets. We have asked that the iniquitous tax of 6 cents a pound upon all tobacco be removed. The Ways and Means Committee have three times passed a bill, and it passed the House without an opposing vote, taking that tax from the backs of these people. I want to ask the gentleman now if he is not in favor or if he would oppose an amendment to this bill repealing the 6 cents tax on this product—tobacco—a tax that no man on this floor will defend for a second and that would not affect the bill or any of its schedules in its symmetry or autonomy in any way?

Mr. CALDERHEAD. Mr. Chairman, I am not undertaking an investigation of the internal-revenue law for the purpose of replying to any suggestion that the gentleman has just made. I know it is a fact that the great market for our tobacco is in America. The merchants in Hamburg, who buy tobacco from all the islands of the sea, hold it to sell for manufacture in every nation on the face of this earth, and are trying to get into this great market of ours. Every nation on earth is trying to compel this Nation to reduce its tariff. The Democratic party is organized and somehow or other seems to be lined up upon the side of foreign nations and against the American laborer. [Applause on the Republican side.] How comes it that all of you should be insisting that we should levy the taxes in our law for the support of our Government upon terms which will be satisfactory to Hamburg, satisfactory to Liver-

pool, and satisfactory to every foreign country that desires to sell to this country?

Mr. STANLEY. Mr. Chairman, I will be as brief with a question as I can, and I know the gentleman——

Mr. CALDERHEAD. What is the question?

Mr. STANLEY. Mr. Chairman, the gentleman from Kansas misapprehends the purpose of my question and misapprehends the purpose of the amendment to which I referred.

Mr. CALDERHEAD. No, Mr. Chairman; I think not.

Mr. STANLEY. This 6 cents tax does not affect the internal revenue directly or indirectly. It is not collected on the imports; it does not deal with any portion of the foreign trade; it is an excise tax, levied here at home.

Mr. CALDERHEAD. I am perfectly willing to yield for a question, but I am not going to enter into a colloquy.

Mr. STANLEY. Mr. Chairman, I am calling the gentleman's attention to the misapprehension of my question and the purpose of this tax. I do not care to put a tax of a dollar a pound on imported tobacco or to take it off; what I am talking about is whether he is willing to take off the excise tax.

The CHAIRMAN. The gentleman declines to yield.

Mr. CALDERHEAD. Mr. Chairman, I said a moment ago that I did not intend to enter into a discussion of the internal-revenue tax. It has been a good many years since that tax was levied. There has been ample opportunity for a discussion of it and ample opportunity for revision of it, and if at the present time it is deemed necessary or advisable, it may yet be done.

Mr. JAMES. Is it not true that your party platform of 1888 declared in favor of taking this tax off of tobacco because your party declared that it was a hindrance, a burden, and an annoyance to agriculture? [Applause.]

Mr. CALDERHEAD. That may be true.

Mr. JAMES. It is true.

Mr. CALDERHEAD. I think it is, or the gentleman would not state it. For the purposes of what I have to say at this time, I do not care much whether it is true or not, since Kentucky does not care for a tariff for any of her interests. Situated in the heart of the nation, with the richest soil and the most genial climate, with a most heroic people and a heroic history, I advise the gentleman to turn to the statistics of his State and inquire whether her sons have done their duty to their land or not when they compare it with the little New England States and see what they have done with their rocky coasts. And there are others. There is all that vast land of the South, richer by nature than any other land the sun shines on; with heroic traditions, with great men, with rich land, with easy, docile labor, what have you done with your rich inheritance?

These men in the frost-bitten States of New England, not by the favor of a sun that shines summer and winter like yours, not by the favor of a soil that is measureless in its richness, not by the favor of a gentle climate or great opportunity, not by the favor of rivers that can carry their produce to the sea, but by toil and labor the men in these little frost-bitten States have accumulated two-thirds of the wealth of the Nation, while you, with waterfalls enough to run all the machinery necessary for all the cotton that could be made on all your wide acres, ship two-thirds of your crop to some other country and sell it there. What have you done with your land?

Mr. SISSON. Will the gentleman permit an interruption?

Mr. CALDERHEAD. Yes.

Mr. SISSON. Will the gentleman tell this House what would become of the smoking factories and humming looms in New England if the South should manufacture all of her vast products?

Mr. CALDERHEAD. Do not be uneasy for a moment about New England. She has taken care of herself from the day the Pilgrim fathers landed at Plymouth Rock until now, and she will take care of herself until the end. [Applause.] Do not be uneasy about that.

Mr. GARRETT. This bill indicates that. [Applause on the Democratic side.]

Mr. CALDERHEAD. Make all you can, develop your own lands to the utmost, and see what we will do.

Mr. SISSON. Will the gentleman permit another interruption?

Mr. CALDERHEAD. Yes.

Mr. SISSON. Has not the condition the gentleman speaks of been occasioned by reason of the fact that New England has had from 45 to 90 per cent protection upon all that she produced and the South has had absolutely nothing?

Mr. CALDERHEAD. That is a question which is traditional in the South, and has occupied most of the hearthstones and most of the hotel corners for the last eighty years. Why do you not get to work on your own account? [Laughter.] When you set up a government of your own—I do not intend to accuse you of doing what was unjust—you intended to export cotton to England, and you provided in your constitution that no import duty should ever be laid upon any manufactured goods coming into your country.

You stood by your traditions then, and you are still standing by them. You are living by them. A tradition is a healthy thing for a people, and no nation lives long that does not reverence its fathers and its mothers; but it is time for the children of a rich land to take their traditions in hand and go to the fields of toil and begin to produce and manufacture for themselves. [Applause on the Republican side.]

Mr. HOBSON. Will the gentleman yield for a question?

Mr. CALDERHEAD. Yes.

Mr. HOBSON. I will ask the gentleman if he has ever been through the South since the days of the civil war, and since the devastation and prostration produced by reconstruction, and if he has since then seen the astonishing progress that has been made not only in the development of agriculture, but in the way of manufacturing?

Mr. CALDERHEAD. Now, if the gentleman will wait, and not interrupt with a question——

Mr. HOBSON. I should like to know if the gentleman has been through the South and seen the changes that have occurred since the days of the civil war?

Mr. CALDERHEAD. There is no need of repeating the question. I understand it. I do not want to be interrupted again with a colloquy, without meaning any discourtesy whatever to the gentleman from Alabama.

When I saw the South it was devastated by war; it was poor. I know how poor it was when it went home from Appomattox. I realize the heroism with which they finally returned to their labors on their homesteads, but I know that until the operation of the Dingley law spread its influences and its sustaining hand over you, you paid no attention to factories, and I know that since that time you have built more cotton mills than you built before in a hundred years. [Applause on the Republican side.]

I know also that 2,600 independent sawmill owners sent their delegates to represent them before our committee. The water power which turns the wheels had been running there from the time before the first governor of Georgia occupied his seat. The power to turn all that great forest into lumber for us to use in a market 800 miles away was open, and yet not a sawmill turned a wheel, except for their own little home consumption, until the Dingley law furnished a protecting hand over them, and then they sold lumber to little New England.

Mr. SLAYDEN. Will the gentleman yield?

Mr. CALDERHEAD. I will yield to the gentleman from Texas.

Mr. SLAYDEN. I want to ask the gentleman, who has told us some things that he knows, and in passing I want to say that he knows some things that have not happened [laughter on the Democratic side]——

Mr. CALDERHEAD. Mr. Chairman, I do not care to yield to hear things that I do not know and things that have not happened. [Laughter.]

Mr. SLAYDEN. Does the gentleman know that at least one State in the South, the only one for which I claim the privilege of speaking, even in part, produces one crop worth more each year than any other crop of any nature whatever produced by any State in the Union, and on top of that the people of Texas contribute a million of dollars to help pay the pensioners in Kansas? [Laughter on the Democratic side.]

Mr. CALDERHEAD. Upon that subject I want to say one word. We frequently have heard it charged that the poor South is taxed to pay the pensions to my comrades. I want to remind them that the only tax they pay for that purpose is the internal-revenue tax levied upon whisky, beer, and tobacco, and the payment of that is purely a voluntary matter with each man. [Laughter on the Republican side.]

Mr. SLAYDEN. They pay it, do they not? They do not do like the people of Kansas, drink without paying the tax. [Laughter on the Democratic side.]

Mr. CALDERHEAD. Pay it? Of course, they pay it. Unfortunately, it may be for them, they have paid more attention to the consumption which results in paying the tax than they have to turning the steel shafts that hold the spindles in the cotton mills. [Laughter and applause on the Republican side.]

Mr. RICHARDSON. Will the gentleman yield for a question?

Mr. CALDERHEAD. Certainly.

Mr. RICHARDSON. I do not want to ask any question in relation to sentiment at all. I want to ask the gentleman one

taxes thread which was double twisted, and put a higher tariff | which will be satisfactory to Hamburg, satisfactory to Liver-

question. He has discussed the cotton-cloth tax, although I did not hear him, as I was not in the Hall at the time. I want to ask this question about the cotton-cloth tax: Is there any difference in the Payne bill as to the tax on cotton cloth and that in the Dingley bill; and if so, what is the difference?

Mr. CALDERHEAD. I stated, I think, although the gentleman did not hear me, that I did not intend to enter into a discussion of the schedules of this bill at this time for the reason that there will be ample opportunity to do that when the bill is presented in the House.

Mr. RICHARDSON. But the gentleman was discussing the tax upon cotton mills, etc. I want the gentleman to give me a direct answer, as whether paragraph 321 of the Payne bill does not change the entire tax put upon cotton cloths in the Dingley bill, and the average increase reaches 50 per cent—prohibitive in a great many of the articles of cotton cloth imported.

Mr. CALDERHEAD. Mr. Chairman, do I understand the meaning of that question to be that therefore the South must stop making cotton and quit work? Of course I do not want to be discourteous to the gentleman.

Mr. RICHARDSON. Mr. Chairman, I am asking for information; I am not talking about sentiment, about the poverty of the South, or anything of the kind. I want the gentleman to answer that direct question about the difference in the rate in the Dingley bill on cotton cloths and in this bill.

Mr. CALDERHEAD. Mr. Chairman, I said before that I did not care to enter into a discussion about the schedules of the tariff at this time for the reason that we will have ample opportunity to do that as the schedules come before us.

Mr. RICHARDSON. Will the gentleman allow me right there to make a suggestion—not a speech at all?

Mr. CALDERHEAD. Very well.

Mr. RICHARDSON. Mr. Chairman, this tax does not touch the southern cotton mill at all. The southern cotton mills make coarse cloths, and they have no competitor in the world on that character of cotton cloth.

Mr. CALDERHEAD. I think that is true.

Mr. RICHARDSON. It relates only to the New England mills. If sections 318 and 321 are carefully examined it will be ascertained that by classification the theory of the Dingley tax is annulled, and which increases the rate 50 per cent on certain cotton cloths.

Mr. CALDERHEAD. Mr. Chairman, I wanted to remind the gentleman of this fact, that he has had that bill since the day it was reported to the House, and has had ample opportunity to study it. Some changes have been made in the bill recently for the purpose of correcting what appeared to be an injustice to his people. I think, perhaps, he will find as the bill comes before the House that it has been amended for the express purpose that he desires.

Mr. RICHARDSON. Does the gentleman think that a cotton mill at Fall River which makes 25 per cent in the panic year of 1907 ought to have additional protection? I am not complaining as to southern mills. They are not affected at all. The change made decreases revenues and increases the cost to the people of necessary cotton cloth by giving the New England mills a monopoly.

Mr. CALDERHEAD. Mr. Chairman, there are questions of that kind which can be discussed, and doubtless have been discussed during the last fifteen or twenty days. They have been in every campaign. Wherever I have had the pleasure and honor of hearing those gentlemen talk about politics from the stump in the last ten years, I have heard these same kind of questions put to the audience as an evidence that the Republican party was unjust to the gentleman and his people and unfair in partiality to New England. I am not from New England. I have seen very little of it. The only portion that I have ever seen has been the heart of Connecticut. I live west of the Missouri River. For twenty-eight years I never was east of it.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. CALDERHEAD. Not now. Mr. Chairman, I have watched the vast increase of that great empire, against the policy and against the legislation, so far as they were able to accomplish it, of our friends on the other side.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. CALDERHEAD. Mr. Chairman, I can not yield at this time.

The CHAIRMAN. The gentleman declines to yield.

Mr. RUCKER of Missouri. But the gentleman asked me——

The CHAIRMAN. But the gentleman declines to yield.

Mr. RUCKER of Missouri. The gentleman asked me for some facts, and I want to give them to him.

Mr. CALDERHEAD. Mr. Chairman, the gentleman can take the floor after I am through for the purpose of making a speech. I have watched the development of my country from the other side of the Missouri River. For twenty-eight years I was not east of it. A year after the time I went there they drove the golden spikes that united the Central Pacific with the Union Pacific Railway, and made one line of railroad from the Missouri River to the Pacific Ocean. When I went there, freight was $600 a ton in gold from the Missouri River to Salt Lake. The next year after that great railway was built it was $39 a ton for the same distance. The day before yesterday the sixth intercontinental line was completed. No golden spike was driven at Seattle when the Chicago, Milwaukee and Seattle Railway was completed.

All the notice that it excited was a paragraph in the newspaper. Fifteen great States have been built since that time. Mines and minerals have been developed, flocks and herds are scattered over their vast domains, affording the raw material that will keep the unemployed workingmen of America at work the year round. You are standing here to say that every tax we put upon it is in some way or other a burden upon the consumer. The consumer? Who is he but the man who produces?

Just a word more, Mr. Chairman, and then I am through. I wish to remind my Republican friends that it is not a question whether hides come in free or subject to a duty, of whether lumber comes in free or subject to a duty. Personally I knew that they ought both to be protected, for the tariff is for protection to the laborer in the lumber mills, and there has been no evidence found in four years that there is a lumber trust which combines the lumber mill and the manufacturer. [Applause.]

I believe there ought to be a tariff on hides, for it is an industry which the farmer and the herd owner from the Missouri to the Rocky Mountains furnish to the market. [Applause on the Republican side.] I do not believe that the shoe factories of New England or anywhere else need that 15 per cent. It is not a question of whether either of those things comes the way we want it; but it is a question of whether the legislation in which we believe, the legislation which is consistent with the life of the laborer of the Nation, the legislation which stands like a wall around the laborers of America to protect them from the competition of the poorly paid laborers of other nations [applause on the Republican side] shall be maintained and passed as a law or shall be defeated because some little petty item does not suit you and me. [Applause on the Republican side.]

And for it all there are many years to come. No nation has ever yet been born and started on its career with a purpose to die. A hundred million people in our brief life; in another century 300,000,000; in another five centuries who shall number the multitudes that stand upon our land, all of them rejoicing in that nobler spirit of life, in nobler action of life, in the higher standard of faith and hope, and that if all around them some kind of clouds come to disturb the air, and threats upon one side and answers upon the other side make the foundations of the Nation tremble, then I know that in that far-off day, just as in the day of the fragment of the generation to which I belong, when duty calls, liberty's sons will come answering from every hill and valley, singing the same song that we sung:

Oh, say, can you see, by the dawn's early light.
* * * * *
Oh, say, does that Star-Spangled Banner still wave
O'er the land of the free and the home of the brave?

[Applause on the Republican side.]

And it will still be there. [Loud applause.] A thousand years, my own Columbia, it will still be there.

Mr. RUCKER of Missouri. Will the gentleman yield for a question before he takes his seat?

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Missouri. Could I answer the question he asked me a moment ago? Does the gentleman yield for a moment; it will not take but a moment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURGESS. Mr. Chairman, in this bill now before the House the clock of protectionism strikes twelve. The philosophy of the doctrine and the facts now existing in this country demonstrate the truth of that assertion. From Alexander Hamilton to President McKinley all of the great men who have written and spoken on this subject have contended that the philosophy of the doctrine was that a protective tariff invited the investment of capital in manufacturing enterprises in this country, which increased the employment of labor and consequently augmented the capacity to buy and strengthened the home market for all producers. To put it concisely, until quite recently all the advocates of the doctrine of protectionism based their support of it upon the theory that it was a great developing instrumentality, augmenting the wealth of the country in every way.

not get to work on your own account? [Laughter.] When you

Mr. RICHARDSON. I do not want to ask any question in relation to sentiment at all. I want to ask the gentleman one

the floor after I am through for the purpose of making a speech.

every way.

I need not weary the House by quotations from Alexander Hamilton's report or from any of the historical documents and speeches touching this subject, for no well-informed man will gainsay what I have stated.

Mr. Chairman, I submit that every character of development policy carries inherently the seeds of death; that any policy of development presupposes fruition, just as the great natural law of growth presupposes ultimate fruition and decay. Just as the fruits ripen and fall to the ground, just as the trees of the forest reach maturity and finally decay, just as every form of life finally goes into dissolution, so, in the very nature of things, a development theory when put in operation looks to its final death, to the cessation of its application, by reason of the consummation of those things sought by its adoption. More than that, a development policy the result of human invention should be based upon and be in accord with the great natural laws pertaining to the subject-matter to which the policy itself relates.

You ask a great physician what the real philosophy of medicine is, and he will tell you that it is a mere aid to nature's natural efforts to work out the laws of health, and that medicine really is the science of how not to give it. That, in the nature of things, any remedy which he adopts must be in accord with these natural laws, and temporary in its use, ceasing with the evolution of these natural laws, which he merely tries to aid. You ask the Huntingtons and the Hills the philosophy of railroad building, and they will tell you that donations by the citizens toward the building of the railroad is purely a temporary matter, an inducement, an aid, and that in the last analysis those who invest their capital in the building of railroads must look to the great natural forces that exist, or will be developed, for dividends upon such investments. The very origin of protectionism was grounded upon the theory of stimulating manufacture, the contention being briefly stated thus: That by restricting foreign competition in the home market, a more profitable field therein was created for the investment of capital; that such investments not only added to the taxable values but increased the employment of labor, furnished more mouths to eat and bodies to wear, with better wages to buy all those things needed for man's necessities and comforts; and that this condition produced a universal benefit, in that it tended to increase prices on everything within the home market for the simple reason that it made the demand greater, operating upon the same supply, and hence increased prices on all things, since value at last is the creature of relation.

In the beginning there was much force in this philosophy, for the reason that the facts then existing made the application of the doctrine capable of producing to a large extent these results. since in our early history we purchased nearly all manufactured articles abroad, and we were almost wholly an agricultural people, raising corn, tobacco, wheat, cotton, cattle, and so forth.

I do not care at this time to pause to discuss the question of whether the policy was a wise one to inaugurate or not. That has been for a hundred years a question upon which has been poured out the intellect of the world, but for the purposes of the argument I am now making that is immaterial. I have said, and I repeat with all emphasis possible, that we have reached a period at which the doctrine of protectionism is doomed to death by the changed conditions, which make its continued application more and more unjust and injurious. I have said, and I repeat that this bill makes the clock of protectionism strike twelve; that this policy has reached its fruition; and that the process of dissolution as certainly awaits it as ultimately it must await every other development policy.

In the language of my German friends I wish to say to the House that the philosophy of the doctrine of protectionism is "ausgespieled." This German word beautifully and truthfully expresses the situation as it exists to-day, and obviously to the thoughtful mind as manufacture was increased under this policy more and more its benefits grew less and its burdens increased. As the immortal Grover Cleveland once remarked: "It is not a theory but a condition which confronts us." What are the facts? In almost all lines of manufacture the American manufacturer is making as much and more than the American market consumes, and foreign export of American manufactured articles is growing by leaps and bounds. An examination of the reports of the department of the Government touching the subject discloses this fact, as well as the most casual investigation through the usual sources of information among us. And now I wish you to follow me. Is it true that we have reached the point in this development policy called "protectionism" where the manufacturer of the article upon which he has been protected by the tariff is making more than the people of the United States consume?

If that be true, and you know, each of you, that it is true, I submit that I have demonstrated that we have reached the fruition of your policy, and that the present and coming great task of the American statesman is how to abandon the policy as no longer productive of good, but really of injury if continued, with the least commercial and industrial disturbances on account of such abandonment. In other words, we have reached the point with this doctrine where statesmanship is the art of how to cease giving this medicine any longer without destroying the health of the patients who have been overstimulated by it. The fact is, we have gotten drunk, as a nation, on the wine of protectionism, and the serious problem now is how to sober up. Obviously, when the manufacturer, stimulated under this development policy, reached the point where he was furnishing an adequate supply for the home market demand, from his selfish standpoint, he recognized that he was confronted by a condition under which, if he wished to extend his business—increase his profits—he must do one of two things as a business proposition: He must compete with similar factories in the home market by reducing prices without respect to the shelter afforded by protection, or he must combine with these others engaged in the same business, so as to reap the benefit of the full prices afforded under protectionism, and expand such combined businesses by competition in foreign markets wherever possible. Is it strange that these combinations have rapidly sprung up in the country? Is it strange that the mother of protectionism finally gave birth in the fullness of time to this miserable brood of children that, like vampires, are now sucking the blood of the masses? The strange thing about it is that the American people will be so busy with their private pursuits as not to exercise their intelligence and call a halt in this process of what is now legalized robbery.

Will any man on this floor contend that this policy now and still invites the investment of capital in competing factories in the home market; that under this policy now there is increasing employment to labor and a universal diffusion of capacity to buy, by reason of its beneficent operation? No honest man can or will make any such contention, in the face of the facts as they are known to exist. [Applause on the Democratic side.]

But, Mr. Chairman, this is not the worst of the condition that confronts us. Not only has all the good philosophy which originally supported the doctrine passed out of it, by reason of the consummation of the purposes of its operation, but, under present conditions, the application and continuance of the policy not only ceases to be beneficent, but actually becomes malevolent. How? These manufacturers, having covered the American market with their supplies, and having organized, either by actual holding companies covering the various factories or by agreements which operate with the same practical results, to maintain the largest measure of profits possible under protectionism, are now going further, and by these processes they are seeking to depress the prices of the things they buy, to lessen labor by eliminating it wherever possible, and crushing and preventing any local competitor from springing up anywhere by the enormous capital and power they possess when thus massed under the shelter of protection.

I wish to say to my Republican colleagues on that side of the Chamber, and to Republicans everywhere, that you are being driven, inch by inch, by the great, natural economic laws of this country toward the abandonment of protectionism. You may war against these great forces for a while, but the time is coming speedily when they must finally overthrow you. You may ridicule the "Iowa idea." You may laugh and spit at LA FOLLETTE, CUMMINS, and others, but these men are types of the toiling masses within the Republic, and their views are a tribute, eternal as the hills, to the tenets of that party of the people from Jefferson to Bryan. [Applause on the Democratic side.]

These men who stand for genuine revision of the tariff are not going to grow less in numbers. They are continually going to increase more and more by reason of comprehension of the conditions which exist, and a great Democratic tide is rising in this country which will work out practical results, in spite of the "stand-pat" arguments of this House, in spite of the hand of the "Iron Duke" and his lieutenants, in spite of partisan politics, in spite of the contributions of wealth and power, in spite of a subsidized press, and in spite of time-serving politicians, and we shall sweep the "standpatters" from power in the Republican party and force it to accept finally on this character of legislation, as it already has done in other things, the true Democratic doctrine of a tariff for revenue, or the Republican party will be disorganized and overthrown and the Democracy will reign supreme, and the manufacturer will cease to be

the only creature taken care of by the legislation of our country. [Applause on the Democratic side.]

I told you that the clock of protectionism strikes twelve. We can not go on always, as McKinley said at Buffalo, looking alone to the home market. The real need now—and it will be an ever-increasing one to the American people—is foreign markets. It is inevitable that the pockets and the patriotism, that the principles and the policies of the American people will finally jump together on this question. The manufacturer has too long been the pet of national legislation, and the great producers and consumers of this country must "have their day in court." The "bulls" of protectionism have played the stocks and bonds of the manufacturer, of trusts, of combinations to the limit, and the "bears" must now have their innings, and the corn raisers of the great Middle West, the wheat raisers of the great Northwest, can no longer be held in line for this policy by the waving of the "bloody shirt," by the adroit appeals to sectionalism, by the false sophistry of benefit to them, and they are gradually drifting in line with the cotton raisers and the cattle raisers on this doctrine.

The great cry for reduction of the tariff, a cheapening to them of the things they buy, in justice to them, because of the fact that they are selling their products in the world's market under the universal laws of competition, and blessing other nations and enriching their own, is swelling more and more in this country, and will finally become speedily a mighty voice which can not be hushed by all the hands of all the "Iron Dukes" of all the parties in this country. The irony, the bitter sarcasm, of this bill lies in the fact that the organized leaders of the Republican party, preaching the "stand-pat" doctrine and practicing it, too, as long as they dared, and now, when in the open, they no longer dare to thwart this voice in their own party, they are resorting to miserable subterfuge in order to still this voice. They knew well this cry was so strong, that for fear of national defeat in the last election, they suddenly became so anxious to revise and ostensibly reduce the tariff, that they pledged the people, prior to the last election, that if successful they would call, immediately after the short session of the Sixtieth Congress, a special session to revise the tariff, and while you evaded all you could any specific promise to reduce it, such was the party contention everywhere where this voice of reduction was making itself heard. All over the Middle West your orators were promising the people that the tariff would not only be revised, but that it would be reduced in the interest of the people. You knew the people were crying for bread; you knew that insurrection threatened your party organization; you met it by promises, and this bill is your performance, contemptible to every man who knows enough about it to look into it. This bill does not reduce the tariff. This bill is not in the interest of the toiling and consuming masses. This bill is still a "stand-pat" high-protection tariff measure, and you can not delude the people any longer. The people cried for bread, and you have given them a stone, and a grindstone at that. [Applause on the Democratic side.]

Now, what are the people going to do about it? Are they going to continue to support a policy that, played to the limit, all the good has passed out of and that is growing worse every day? How long will the taxpaying consumers of this country stand for a policy that, played to the limit, is now resulting in combinations which control the home market and continually milk the American people of the highest possible profit, while they are selling abroad, under competitive conditions with other countries, cheaper than they sell at home? I bear glad witness to the fact that the great toiling masses are rapidly becoming better informed. You find to-day in the humblest home newspapers and magazines, and I am proud to say that they are not all subsidized, and more and more they are pouring out to these earnest, patriotic brains the facts as they exist, and more and more the wheat raiser, the cattle raiser, the corn raiser, the cotton raiser, and the toiler everywhere, is coming to realize that protectionism has played out; that his burdens are growing greater; that his wages are buying less; that it is harder and harder for him to hold his job; and that something awful, somewhere, is the matter. And as certain as the sun shines this great educational process going on among the masses will not stop, and these men are putting away from them sectionalism feeling, partisanship, and are drifting with irresistible force from different standpoints to the same conclusion—that the protection must be overthrown. Does this mean free trade? No. The Democratic party never in its history declared for free trade, and never could have logically done so, for the simple reason that it is a party always revering the Constitution of our country, and that Constitution proposes as a method of raising taxation to support the Government a duty on imports, a tariff, a tax, if you will, to be paid by the consumer of the articles taxed, and we could not therefore in this country ever go beyond a tariff for revenue.

We could not go to free trade, nor ought we to go too fast. I sometimes fear that the desperation of the "standpatter" and the delay of remedial relief may provoke such a storm against its own house as that the danger will be too sweeping and sudden a reduction of the tariff when it comes, as come it must, and that the problem confronting the conservative Democrat will be to prevent not a reduction, but too much reduction too suddenly. The Democracy's position on the tariff is the golden thread which runs through its whole history, in preachment and in practice, since its first national platform in 1840, and it declared then for the doctrine of a tariff for revenue, limited to the needs of an honest government economically administered. From that doctrine it has never wavered. As the great Thurman used to wake the echoes in the Middle West by saying "The tariff of the American people is a tax, and should be levied according to taxation principles," so the party, in all its history, has been true to this doctrine, and it has ever stood for the doctrine of a tariff for revenue. And what does that mean? Revenue is an income to the Government from taxation. A tariff for revenue is a tariff tax paid by the consumers of the articles taxed. I pause to call attention to the fact that while Republicans at home and elsewhere talk glibly about state taxation, you never hear one of them, here or elsewhere, talk about national taxation. They seem to have a horror of this word "tax," and some of them used to say, when we hurled it in their teeth, that the foreigner paid it, and logically got themselves in a ridiculous position of contending that their great system actually developed this country at the expense of the foreigner. Of course, few people ever believed such a ridiculous doctrine.

The overshadowing issue in this country to-day, like Banquo's ghost, which was an honest one which will not down, is the issue of low taxation and economic expenditure, of equality of the burden and benefits of taxation, and the wise economy of expenditure. That is the point, now, upon which all the thought of the country needs to be concentrated. Look at the Republican party as an organization now. Its main circus is the tent of protectionism, and everything else is a side show. Speaking to my brethren on this side, I implore you to get busy, get together, call our forces all over the country together, and let us cease fighting over side shows, as they are not important, but let us march in solid phalanx down upon the main circus, in through the main entrance, and grapple with the old "he" elephant himself. And, my brethren on this side of the Chamber, if we will get together in the coming campaigns upon the ancient and honorable doctrines of our party for low and equal taxation, honest and economic government, we can sweep this country. [Applause on the Democratic side.]

What about the doctrine of free raw material? The very fact that the tariff is a tax forces the conclusion that it should be levied according to taxation principles. What are they? Equality, uniformity in the burdens and benefits of a tax without reference to classes, sections, individuals, or whatever else. The doctrine precludes the idea of fighting protection with a free list. It makes me sick to hear a Democrat, or a Republican, as to that, talk about free this or that or the other. Whenever you put articles of import upon the free list you increase the burden of the tax on everything else and increase the inherent evil of the incidental protection carried by it at the same time. [Applause on the Democratic side.]

As for myself, if I could write a tariff bill, I would have a free list that you could practically cover with a $10 bill. But you say, "Would you be for a tax on this, on that, or the other?" I would be for a tax of some sort on any old thing that is imported into this country, so that I could broaden the burden of the tax and decrease and lessen the incidental protection as far and as much as the system of taxation would permit under our trade conditions.

You ask me if I am for a tax on hides? Why, of course. The duty was over three millions of dollars last year on hides. For a tax on wool? Yes. For a tax on cattle? Yes. For a tax, in a word, on anything that we import. I would be for a very moderate tax on some things. Why? Because I believe in the old Democratic doctrine that if we could we would raise enough revenue to run an honest, economic Government by taxing the luxuries alone, but we can not. Therefore, we have to tax comforts as well, and we can not raise enough on both. Therefore, we have to have a tax on necessaries. I would minimize the free list. I would levy as low a tariff on the necessaries of life as the demands of an economic, honest Government would permit, and still higher on comforts, and still higher on luxuries, and enough on all classes of articles to meet the needs of an

honest, economic Government justly and fairly administered. That is the position that this country is as certain to come to as you live.

It would have been better by far for the country if this general debate had closed in four hours on a side, and the bill had been taken up section by section and this body permitted to assert its representative capacity on every schedule in this bill. [Loud applause.] But the "standpatters" are in the saddle. They own "the machine" of the House, and they are allowing the "Iron Duke" to dictate the great taxing power of this Government. You start in to stifle the voice of the people in this, the greatest representative body. You know it, and I know it, and the people are finding it out. Abraham Lincoln knocked the block out when he said:

You may fool some of the people all of the time and all of the people some of the time, but you can not fool all of the people all of the time.

[Applause.]

The real question involved in this controversy among ourselves about the rules was not secondary issues, not a question of committee on committees; but really the question was of taking from the Speaker part of his power—taking the iron glove from the "Iron Duke"—and raise a Committee on Rules in this House that will be responsible to the Representatives here and to whom we could appeal for a rule that will give every Representative a fair show on every article that affects his district. The issue was "the machine," as run by the Speaker and his two appointees on the Committee on Rules.

Now we are beginning to reap the results. The "Iron Duke" and his two lieutenants are juggling and fixing up a rule by methods that no man would care to tell the truth about in the open day. They are endeavoring to satisfy this side and that side and get them to come together in a hodge-podge trade to force the stand-pat policy through in this House, and take the chance to have the thing helped out some at the other end of the Capitol by a like machine. [Applause on the Democratic side.] I predict that the machine will go to pieces at the other end of the Capitol for the first time in forty years. They have no such rules over there. This bill, just like the railroad rate bill, I predict, will be better for the people when it comes from the other end of the Capitol than it is now and here. Perhaps the result of this is softened somewhat by the fact that this protracted debate has brought out a lot of concessions from the machine that we might not otherwise have gotten. If the blow is softened to that extent, I welcome the fact, but I apprehend the concessions will not amount to anything substantial. I predict that the iron and steel schedules will not be modified, nor will the woolen schedules. We are to be allowed to touch the lumber schedule in high places. I understand we are to have an amendment on hides, so that we may under hides "skin" the rest of the country. [Laughter and applause.] There may be an amendment on lumber offered, perhaps, and a few little things to satisfy some of the insurgents, but the body of the bill will stand in accord with the "standpatters" here and yonder.

Now, if I were as mean as some of the Populists were once in my district, when they had a mass meeting and spoke favorably of a measure that passed, and said it was a scoundrelly act, but helped their party—if I could find it in my heart, I would say in regard to the situation, "I welcome the situation, because I believe it means the destruction of the Republican machine in this country in the next congressional and presidential elections."

Just here I wish to call attention to the evidence of the growth of Democratic sentiment, which, in my judgment, is a matter on which the country and the party should be congratulated. Doubtless, upon past "paramount" issues, we either estranged entirely or caused the indifference of a very considerable number of voters who may be classified under the name of the "middle class"—the merchants, the bankers, and the professional men; but it is perfectly evident that upon this issue the merchant everywhere is becoming awake to the fact that protection played to the limit, which for a while he thought aided his business, and maybe made him sympathize with protectionism or be indifferent to the Democracy, is now affecting his business; that these combinations are fixing the price to him, decreasing his profits, dictating the course of his business, and interfering with the great laws of competition, and minimizes the value of his character and capacity in his business; that his real interests lie not with the great combinations and manufacturers, but with the great consuming masses, and he is beginning to protest everywhere and is rapidly drifting toward the ranks of the Democracy.

Ah, Mr. Chairman, as iniquitous and wicked in its conception and its execution as that glove and hosiery schedule is, out of the evil there is coming good; the merchants everywhere, and the women everywhere—God bless them all—are looking into this question, and they are protesting not only against this schedule, but more and more against the system which I assert is absolutely consistent when it writes into this bill this miserable glove and hosiery schedule. It is only what it has done times without number in the history of the organization. It is nothing new for the "standpatter" to build up a monopoly that is exactly what has been done all along, and this schedule, I trust, will form an object lesson that will rivet the minds and hearts of the American women and the American merchants upon this great problem, and that they will aid us in the destruction of any political organization which stands for a continuance of this policy.

Protests are coming in from them indicating that they are realizing that this protection played to the limit has evolved combinations that are destructive of competition, that narrow the middlemen's profits, and tend to destroy every just, economic law in its operation. [Applause on the Democratic side.] You will not fool the country. The country will take the view of it that a lunatic did in a story which I intend to tell and then close.

Two lunatics were being conveyed to the Southwest Asylum, in my State. One said to the other:

Where are you going?

The other one said:

I am going down to the lunatic asylum.

What is the matter with you?

Why, I got to studying predestination and foreordination and God's election and man's free will, and all that, and I got mixed up.

I talked with the preachers and deacons, and it all got worse. I got so I couldn't sleep, saw all kinds of visions, and they just took me and said they were going to send me down to the asylum to straighten me out. Now, what is the matter with you?

Well—

Said the other—

I am going down to the asylum, too. They say I am crazy.

Well, what is the matter with you?

Why, I got to studying tariff revision, free trade, tariff for revenue, reciprocity, free raw materials, the maximum and minimum, and drawbacks, and all that, and I got all mixed up, and I thought the country was being ruined. One night I had a vision, and I heard a voice that told me the Republican party was coming into power the next election and that they were going to revise and reduce this tariff in the interest of the people and straighten all this out. I believed it, and I told my friends of my vision, and they took me and sent me down to the lunatic asylum.

Well—

The other man said—

you did not believe in a vision like that, did you?

He said:

Yes.

What! Did you believe that the Republican party as at present organized would reduce the tariff in the interest of the people?

Yes—

He said—

I did.

Well, you ain't crazy, you are just a natural-born fool.

[Laughter.]

[Mr. FOSTER of Vermont addressed the committee. See Appendix.]

Mr. STANLEY. Mr. Chairman, I rise to discuss a part of this tariff bill which is more than political. "For justice all places a temple, and all seasons summer;" and in the name of common justice I demand of the Ways and Means Committee either that they bring in an amendment taking the tax off of leaf tobacco in the hand of the farmer or that some man who refuses to do it have the courage, the manhood, the respect that is due the committee and the people to rise on this floor and defend his act and defend the justice of that tax. Mr. Chairman, this tax will, sooner or later, be the hardest thing you will have to defend. When the cry is abroad in the land that this bill is a cunningly devised plan to help the rich and oppress the poor, to aid the strong and to burden the weak, then this one little schedule will rise like Banquo's ghost, and it will not down. [Applause on the Democratic side.]

Mr. Chairman, for many years there has been concealed a joker in your tariff bills. There is a provision to-day in the revenue laws providing that tobacco in the hand, just as the farmer raises it, without any process of manufacture at all, just as it comes from the stalk, is manufactured tobacco and subject to an internal-revenue tax of 6 cents a pound until you get enough of those leaves together, unmanufactured in any way, to amount to 2,000 pounds and to fill a hogshead, and then it is tobacco in the natural leaf and can be sold by whoever purchases or whoever wants it. Both in the hands of the vendee and in the hands of the vendor it is absolutely free from tax,

but the man who raises that tobacco can not sell it in small quantities unless he sells it to some manufacturer or broker. The result is that the tobacco that is raised must go through this so-called "process of manufacture." Now, for the purpose of smoking—pipe tobacco—the natural leaf is not improved by manufacture, and the manufacturers before the Finance Committee of the Senate all admit that to-day the greatest problem they have to confront them is how to make their tobacco as much like the natural leaf as possible. They admit that the cost of manufacturing is not half a cent a pound, and yet that tobacco, although manufactured at less than half a cent a pound, is sold at from 40 to 80 cents a pound to the very man that raises it.

If the 6 cents tax did not exist and there was no law preventing the farmer from selling his tobacco in the hand, one concern in Tennessee authorizes me to make the statement that it could handle 10,000 hogsheads of the farmer's tobacco for which they could find a sale at home, that they could ship it by the hundred pounds wrapped up in bales to the sawmills in Missouri, in Louisiana, and in Mississippi, and that they could sell it in small quantities in the same way all over the South.

As it is the only sale we have for our tobacco, the only purchasers of 95 per cent of it are the Regies and the American Tobacco Company. The only force, the one agency that demands as its inexorable ultimatum of the Republican party that this tax shall remain, is the tobacco trust, and I call upon you here to-day to let us have a vote and to let us see who are with the people and who are with the trust. [Applause on the Democratic side.]

I believe that the great majority of the men upon that side are not with this trust. The Committee on Ways and Means time and again has reported this bill. No man has spoken for the retention of this tax. No laborer, no farmer, none of the sons of toil, have asked for it. The insidious machinations of James B. Duke and those under his control, a few stool pigeons posing as independents—they are the only people who have asked for it.

I heard my friend from Kansas [Mr. CALDERHEAD] talk about the principle of the tax upon luxuries. The only reason you tax the luxury and tax it as high as you do, is that the men who indulge in the luxury pay for it. I do not object to a tax on manufactured tobacco—I do not care if you make it 40 cents a pound. I do not object to a dollar a gallon tax on whisky, and my people make it. If men choose to chew tobacco and to drink whisky, both bad habits, they can pay for it, but the man who raises a pound of tobacco is as much entitled to justice as the man who raises a bushel of wheat. You have no right to put a tax on the tobacco grower, that you may fill the coffers of the trust.

Now, I demand that this committee do one of two things: EITHER PERMIT MY AMENDMENT OR DEFEND YOUR REFUSAL ON THE FLOOR OF THIS HOUSE. Do not conceal a nameless outrage in the body of this bill; do not put a thing in there of which you are ashamed; do not put a thing in there which you know is wrong and will do a grave injustice to 500,000 men and then treat my appeals with silent contempt; do not refuse to do justice and then refuse to defend the act of injustice.

I interrupted my friend from Kansas [Mr. CALDERHEAD]. He said they did not propose to allow imported tobacco to come into this country without a tax. He is a member of the committee, and I say it with all due deference, that he is utterly ignorant of the whole subject, or he misapprehended what I said, which I think is more probable. He says he objects to the free importation of foreign tobacco, and talks of this 6 cents tax as if it were an import. There is not a pound of tobacco in the Burley district or an ounce of tobacco in the Black Patch that ever comes back into this country when exported. There is not a pound of tobacco that is imported into this country that comes directly or indirectly in competition with it. Why, he was talking about the Hamburg market. I am surprised that a gentleman on the great Ways and Means Committee should know absolutely nothing about the tobacco market. He talks about the Hamburg tobacco competing with our own. Hamburg is not a tobacco market. Bremen is the only open tobacco market in Europe. If he reads the consular reports, he will see that Bremen is the great center which supplies Sweden, Norway, Switzerland, and it actually breaks up the hogsheads we ship over there, and every dealer in the Bremen market has asked the privilege of having tobacco shipped to him in bales instead of in hogsheads.

If you allow this to go through, my friends, it will not in any way affect your revenue. If there is a man upon the Ways and Means Committee who will take five minutes or five hours and will convince me or will convince himself, or will at the end of the argument still claim in the presence of this House that this bill will affect our import duties by a mill, I will agree to make no further demands. Yea, more than that. Your Commissioner of Internal Revenue, one of the ablest commissioners you have had since the war, Mr. Yerkes, came before your committee and said that you could take this tax off the back of the farmer and that it would not affect the internal-revenue tax by a single cent.

My friends, you have read in the daily papers of the conditions that exist in western Kentucky and Tennessee. You have read the story of the Night Riders, a story of lawlessness and disorder in that country, and the accounts are very greatly exaggerated. No writer has yet taken the trouble to paint to you the misery, the want, the utter destitution that visited that country when the tobacco tenants for two long years got less than 20 cents a day because the American Tobacco Company arbitrarily in ninety days reduced the price of raw material from an average of over 7 cents a pound on over $60,000,000 worth of property.

You have never read how those farmers peacefully organized and stood together and held their crops unsold for three years, until they secured a fair price for them, and you have never read the story of the lives of these same farmers of Kentucky and Tennessee for generations before they became the hapless victims of a grinding and heartless monopoly. In the midst of labor broils, in the midst of war between employer and employee, in the midst of lockouts and of strikes, in a hundred years there had been no friction, there had been no strife, no jar between the landlord and his tenant in any of those 26 States. Three hundred thousand men for fifty years tilled the soil in peace; 300,000 men have for half a century lived as neighbors and friends with those for whom they toiled, and 300,000 men had as their sole ambition and highest desire to add to the column of home lovers and home seekers in this land.

On the fertile plains of Kentucky and Tennessee during all this era the little patches of tobacco on hill and dale furnished to the tumultuous scenes of conflicting toil one quiet haven. Hope and peace and plenty cast their mingled delights around them. Here in the midst of confusion and lockouts on every hand was labor's very Eden.

But it is an unequal contest. There is but one thing that will give them relief. There is no longer any competition in the sale of manufactured tobacco, and they want to sell it without manufacturing it. They want to sell their tobacco just as they grow it, just as the farmer has a right to sell his wheat and his hay and his corn; and you by a single amendment can give it to them. Five hundred thousand men will rise up and call you blessed if you do. One single solitary commercial bandit will grit his teeth in wrath and curse you if you amend this law. It is James B. Duke, whom your courts have indicted, whom your President has denounced, standing out, solitary and alone, against a host of toilers. For whom do you stand; the farmer or the trust? If you can not defend this iniquitious provision, for the sake of humanity and for the sake of justice and for the sake of common decency I appeal to you to repeal this pernicious provision in the organic law of the land. The Ways and Means Committee has three times reported a bill to this House repealing this obnoxious act, and three times when presented by the gentleman from Pennsylvania [Mr. DALZELL] it has passed this House without a dissenting vote. Three times it has died in the Senate; and I have produced here on this floor the very telegram that was sent in the name of an independent buyer to a certain member of the Finance Committee, whose name I am not permitted to call, stating that he wanted the bill killed.

I produced the man who sent that telegram. He said that he was not an independent buyer and Mr. Duke sent for him and took him to his office at 105 Fifth avenue, New York, and dictated that telegram, and that is the only voice that has ever been raised against the repeal of this infamous enactment. Can James B. Duke run a ground wire to the Capitol of the United States, and secretly steal the clothing from the back of a million men and women, and reduce them to a condition of almost abject servitude?

What are we asking? I am ashamed to say it. Only a little relief for the wretch who has toiled through heat and cold and rain and shine to bring to fruition a few leaves of tobacco. They have at last mastered the markets of the world, until to-day there is not a manufacturer of tobacco on earth save one to whom he can sell. There is not a foreign port which he may enter.

This poor man can not sell a leaf of his tobacco anywhere on the green earth, not in Germany, the Netherlands, Portugal, France, Spain, Austria, Italy, or South Africa, unless it go to one purchaser; and we ask—what? We ask that he may take

in his own hand a few leaves of tobacco that he himself has grown, and start barefooted down the road to find a purchaser for them.

This brave tenant and his hard-pressed landlord are still sternly and stubbornly battling with the trust. They stand in the midst of poverty and disaster, still unwilling to surrender to their merciless master. Princely fortunes, old and established firms, almost omnipotent in the mercantile world, have been scattered and blown to the winds. The anathema of the law, state and national, this trust successfully defies. In the face of it all, these loyal, determined, patriotic farmers of Kentucky and Tennessee, in the face of pitiless penury, still stand by their homes.

There is one relief and only one—the producer of tobacco must find a market not controlled by the trust. That market you can open by the repeal of this tax. The only objection which has been or can be assigned is this pitiful loss of revenue. In the face of the facts and conditions that confront you, this is no objection at all.

There are 7,000,000 negroes in the South who prefer the natural leaf to tobacco in any other form. That tobacco is given to those negroes in the form of a ration by the owners of southern plantations. A Member of this House the other day told me that it was the custom to allow so many pounds of tobacco with every ration—so much meat and so much meal and so much tobacco. Now, the southern planter and the plantation darky alike would prefer the natural leaf. I know that in the sad hours for Kentucky and Tennessee we can look to the sons of the orange and evergreen for relief. They will not fail us in a response characteristic of that brave and generous land.

It is argued, Mr. Chairman, that if this tax should be taken from tobacco in this form that the sale would supersede the demand for tobacco in other forms, and in that way more materially decrease the revenues of the Government. I hope that this is true, and more than true. "'Tis a consummation devoutly to be wished." Have you ever considered the full meaning of this argument? It is simply this: Men making a few cents for a day of thirteen hours' ceaseless toil in the cultivation of tobacco, will, after this long day is done, take a bundle of tobacco to the nearest country store and trade it for coffee or sugar or meat, and the merchant will sell it to the next customer instead of a plug made by James B. Duke & Co., and in that way the Government will lose the chance to take from this "o'erlabour'd wight" the sum of 6 cents.

Is there a man upon either side of this Chamber who will tell me in honesty and candor that he is the friend of the toiler, that he believes in protecting him against the oppression of the worst trust ever formed, and then have the temerity to claim that this Government should continue this old, cruel war tax, eating as it does the bread from the mouths of the overburdened and starving tenantry of the South?

Will you sit idly by, with your eyes open, and permit them to be ruthlessly plundered, see their last market destroyed, and refuse to this people, by a law you can not defend, the poor boon of making another market for themselves? [Applause on the Democratic side.]

Mr. HOBSON rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HOBSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes in order that I may reply to the gentleman from Kansas [Mr. CALDERHEAD].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOBSON. Mr. Chairman, the gentleman from Kansas [Mr. CALDERHEAD] has reproached the South for being backward. It is not necessary to call attention to the progress that the South has made in recent years. This progress has been marvelous. As shown by statistics, it stands without a parallel in the history of America or of any other country. And yet the South is only on the threshold of its development, for in addition to its fertile soil and salubrious climate, it has boundless deposits of coal, iron, cement, salt, limestone, marble, and other minerals, along with great water-power possibilities and three-quarters of the cotton supply of the world, all constituting the basis for becoming the greatest manufacturing section of the world. But it is true that the South was a long time getting started. I believe the gentleman from Kansas little realizes the odds under which the southern people have been laboring. He can have but a slight idea of the terrible devastation wrought by the long civil war, nor can he realize the untold suffering of the reconstruction days, when ignorance was enthroned and the land turned over to be pillaged by adventurers, who squandered the meager resources of the public treasury. I am sure the gentleman has no realization of the staggering weight which the southern people are bearing as they try to uplift the colored race in the face of difficulties arising from misguided efforts of those at a distance who do not understand this great race problem. It is only within the last few weeks that the southern people have been able to draw a deep breath of relief in the assurance that no more will there come from the Government any suggestion of political domination or social equality. With these two questions set at rest we will, under God's guidance, grapple with this great problem and make more rapid progress in redeeming a part of a race that is otherwise going to extermination. And the reward for duty well done will be that the black man will become a growing asset for the South and for the Nation.

The gentleman from Kansas has reproached the South for clinging to its sentiments and to its traditions. I think that such a reproach is ill timed at this juncture, when we find special interests, far and near, forgetting their country, as they clamor for themselves. It is full time that some of the old devotion to country and to principle should again be manifested in public life. [Applause.] I believe, Mr. Chairman, that a man has not fully learned to live until he has found certain principles for which he is willing to die. [Applause.] I admit that the South is clinging to her traditions. Ninety-eight per cent of all the blood that flows in the veins of Southerners is American blood [applause], that has come down pure from the days when men were willing to sacrifice themselves, their fortunes, and their lives for country and for principle. [Applause.] It will be a happy day for the United States when the South, buttressed by industrial, commercial, and financial strength, goes forward and takes again the leadership in directing and molding the affairs of this great Nation. [Applause.]

The question has been raised of the South's share of the national taxes which go to pensions. This amounts to tens of millions every year, and is a heavy drain upon that section for which there is no return. But the South has never complained; the ex-confederate soldiers themselves have never complained, though the pensions have grown to mountain heights. The southern people have the kindliest feelings for the soldier that wore the blue, who showed so much courage and devotion, and the South is thankful to heaven that it is still a part of our great Union. [Applause.] The gentleman from Kansas no doubt loves his country. He doubtless feels a thrill when he looks at the stars in the flag, but I am bold to say that his feelings are not as deep as those of the man who realizes that there was a chance of his not being born under that flag. I have seen the flag when smoke and thunder were on the air, and then it was that my soul exulted and my thanks went up to Almighty God that I had been born under the Stars and Stripes. [Applause.]

And I know that I am simply typical of the other southerners. My father was three times wounded, an officer in the confederate army; yet the earliest memory I have is his saying that he hoped that two of his sons would live, one to go into the army and one into the navy to fight under the old flag. [Applause.] I can tell you to-day, speaking for the whole South, that the fires of patriotism burn as brightly there as in any other part of the country—and no one has a right to doubt this fact since the evidence shown in the Spanish war. The stars in that glorious flag that answer to the names of the Southern States are glittering with a loyalty that is perfect, with a devotion to the Union that is absolute. [Applause.]

Mr. GILLESPIE. Mr. Chairman, I would not join in any way in this discussion except for the fact I find myself differing from some of my colleagues and Members on this side as to what policy should be pursued in reference to some items in this tariff bill. I join in the main, but not all, with what has just been said in regard to the South by the gentleman from Alabama, who has just taken his seat. My father and mother were both born and raised in the district which that gentleman now represents. I have found out that in these tariff questions that special interests control and are the ones who are fighting for recognition here before the Ways and Means Committee. They are the dominant factors in framing a tariff bill. I want to refer, for instance, to the charge that the South is not doing what she ought in the way of material progress. You men of the North hear me. It is to-day as it was when Calhoun hurled the doctrine of nullification, the doctrine of secession, against the tariff barons of this Nation; it is true now, as it was then, that the South suffers most from the heavy taxation laid upon her toilers by your system of protective-tariff legislation. [Applause on the Democratic side.]

We are a cotton-raising people. That is our chief industry. The man who would sacrifice the interests of the cotton raiser of the South to those interested in lumber, in hides, in sugar, in rice, in a number of articles on this tariff list, in my opinion

does not represent the interests of the main body of people of the South who have suffered all these years from these unjust tariff burdens. [Applause on the Democratic side.] Let me tell you. Two-thirds of our cotton crop must find a market abroad. You can not help us by tariff legislation except by making our burdens as light as possible consistent with the needed revenue of an economical government, only by affording us an opportunity to buy what we need of manufactures at a lower price. We are interested in preserving the cotton-manufacturing industry of this Nation. It would be a foolish policy for us to advocate anything that would destroy the cotton-manufacturing industry of this country, or any other industry, for that, although we are dependent for two-thirds of our cotton products upon the cotton industries in foreign countries.

Let me put this to you. The gentleman from Ohio the other day plainly put before this House and the country how, by your protective tariff legislation, you are putting 11 cents a pound in the pockets of the woolgrowers of his State. You people a few years ago denied the proposition that you could create value by legislation. But here you are admitting that, by your high protective tariff policy, you are putting 11 cents a pound in the pockets of the woolgrowers of this country. Now, my friends, suppose you go to the cotton farmer with that proposition, a proposition that requires him to pay on an average nearly 100 per cent tax upon the woolen fabrics that he has got to buy. Are not you asking him a great deal when you require of him to support a policy by taxation that takes from his pockets his honestly earned money and puts it in the pockets of people in other parts of the country?

My friends, the southern white man has to support and educate his own family. Yea, more than that, he has to educate a family of negro children at the same time—tax himself to educate his own children, tax himself to educate almost an equal number of negro children; and then you come to him with this bill in your hand and lay further tax burdens upon his back by demanding 100 per cent on wool, 65 per cent or 70 per cent on cotton and on steel, and many other outrageously high rates in this bill.

Take the whole list, and, in heaven's name, can you hope to win the South under such a policy as that? You may get a few lumber barons, you may get a few wool barons, you may get a few of our people that receive direct benefit from your legislation, but, my friends, the great body of southern workers, those who are toiling in the fields, will control the South. You will never get them until you come, not with flattery upon your lips, not with a bribe in your hands by way of paying special interests, but with justice in your heart, with justice in your proposition, whatever it is. Then, and not until then, will you make any headway in the South, and that will be when the leopard changes his spots or the Ethiopian his skin.

My friends, I know that a Republican believes in special interests, and he may have some respect for southern men that join the Republican party in order to advance their particular special interests; but I do not believe that you have any respect for a man, not controlled by any of these special interests, that would come over and join your protective policy and thus practically betray the interests of the great body of his own people. [Applause on the Democratic side.]

You criticise the South. Let me tell you what you are doing. Look at the statistics of the census of 1900. Look at the boys and girls from 10 to 15 years of age in the South that are working in the fields. You men of chivalrous America, look at the girls of the South, of that tender age, that are in the fields. They are not all negroes. I ask you to look at the statistics with reference to the white boys between 10 and 15 years of age, and the white girls between 10 and 15 years of age, out in the fields; and yet you sneer at them because they have not made the advancement you think they should have made in education. What are you doing? You are by this bill taking schoolbooks out of their hands and putting them into the hands of your own children. You are tearing the roofs from over the heads of these people of the South and building more substantial and palatial residences for your own people. My friends, that is the condition. Mark my word; you will never win in the South until you leave flattery behind, until you leave political bribery behind, and come to us with a proposition involving the square deal, the fair thing, for the people of that section of the Union. [Applause on the Democratic side.]

Now, they say, here is a bill that puts coal on the free list. A gentleman, a Republican, powerful in the councils of his party, turned and said: "Look here; you have turned traitor to the South. I am going to protect southern interests." Now, my friends, how does that proposition look? Coal is a necessary commodity in millions of homes to our people. Here is a proposition that puts coal on the free list, practically. We need it in Texas, we need it in every State in the Union, and here is a gentleman that says to the southern people, "Stand with me to put coal on the dutiable list. I want the southern people to join with me and enable me to recover my part of this special privilege, my tax on coal."

This powerful Republican says: "My colleagues in plunder are not fair. I have heretofore helped them collect a bonus on wool, iron, steel, cotton cloth, and they deny me my bonus on coal. I am outraged. You men of the South, help me to get my share. I do not propose to lift the burdens by a little finger's weight off the backs of our consuming masses, but I will continue their burdens. However, your lumber barons want their bonus, your meat and hide barons want theirs. Let us barons stand together and collect what we have heretofore collected, and let the consuming masses of the country bear the burden."

Mr. Chairman, I will not join in with this delightfully just and fair programme.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I would like to ask the gentleman a question.

Mr. GILLESPIE. I yield to the gentleman.

Mr. HUMPHREYS of Mississippi. While the gentleman is on that point, you have observed that a number of gentlemen on this side of the Chamber, some at any rate, are supporting the proposition to keep the tariff on lumber on the theory that heretofore there has been protection to the interests of the North, and now they intend the South to have its share. The gentleman has observed in the newspapers in the last few days a number of Republicans who are in favor of a tariff on lumber, and who now are threatening the organization that unless they keep this tariff on lumber they will join with the opponents and make an assault on the protective system as a whole. The gentleman, I am sure, sympathizes with those Republicans who want to make a general assault on the entire policy of protection. [Applause.]

Mr. GILLESPIE. Certainly. And it is the only way we can ever win. Take from them their bonus and they will join us for justice to all our people. Now, think of that proposition. Think of the thousands that live on the prairies of Texas and that have been systematically robbed by lumber trusts or lumber agreements in forcing up the price of lumber. Now, here is a proposition that looks to giving to my people cheaper lumber, and yet through some theory of taxation I am required to join the hosts who claim they have been deprived of a part of their booty by their own colleagues.

They come over and want my vote to continue the high price on lumber to the people of Texas. The same way about hides. Now, here is a proposition that is plain in my mind. There is a reasonable competition in this country among the boot and shoe manufacturers anyway. Practically, they have the field. They have excluded foreign competition. Now, in the face of home competition they are able to give our people their boots and shoes at a fair and reasonable price. If they can get their raw material cheaper under this competition, which is admitted to exist, it would inevitably tend to give the people of this country cheaper boots and cheaper shoes, cheaper harness and cheaper saddles. How can I deny such an open proposition as that? My people who have stood for and paid these unjust exactions for years—here is a proposition that offers them a prospect of cheaper shoes, cheaper leather products, and what shall I do? Shall I sacrifice the interests of the shoe wearers and the boot wearers of my district and State to the interests, whether they are cattle kings or packers, of the few that control the sale of hides?

My friends, on the principle of the greatest good to the greatest number of my people as well as of the country at large, I am going to vote, if I can, to put hides on the free list, and I am going to vote to put leather and the products of leather of all kinds on the free list. [Applause.] If I can not get that, I am going to stand for hides on the free list anyhow. They have reduced the tariff on leather from 20 to 5 per cent anyway. I will do this believing the inevitable result will be to give my people and those of the whole country cheaper boots, cheaper shoes, cheaper harness, and cheaper leather manufactures of all kinds. [Applause on the Democratic side.]

Mr. KENNEDY of Ohio. Will the gentleman yield for a question?

Mr. GILLESPIE. I yield to the gentleman.

Mr. KENNEDY of Ohio. Do I understand you are opposed to a tariff on wool and woolen products?

Mr. GILLESPIE. I would put wool to-day on the free list. [Applause on the Democratic side.] I would reduce the tariff on woolen manufactures fully 50 per cent to-day. [Renewed applause on the Democratic side.]

Mr. KENNEDY of Ohio. Does not the gentleman think that the tariff on wool and woolens distinctly discriminates in favor of the South as against the North, where more woolens are consumed per capita in those colder climates?

Mr. GILLESPIE. You say it does discriminate?

Mr. KENNEDY of Ohio. Do you not think that the South pays less per capita to raise revenue on wool and woolens than the northern people would?

Mr. GILLESPIE. I suppose they would; I have not looked up the statistics. But what if it is so? The money stays with your people. Your tariff barons get a large share, and a much smaller share is forced from these barons by labor organizations.

Mr. KENNEDY of Ohio. I would ask the gentleman to kindly tell us what your constituents consume in your district that you do not want taxed?

Mr. GILLESPIE. I have said I would reduce the tariff on woolen fabrics one-half, leaving 50 per cent. Is not the gentleman satisfied with a tax of 50 per cent? Why do you demand 100 per cent? [Applause.]

Mr. KENNEDY of Ohio. Do I understand that the people of the South do not want a tax on anything?

Mr. GILLESPIE. You do not understand any such thing, because the people of the South have never refused to bear their just burden of taxation at any time. [Applause on the Democratic side.]

Mr. KENNEDY of Ohio. On what do your constituents want to pay their share of the revenue necessary to run this Government?

Mr. GILLESPIE. We want to pay a tax on our incomes. [Applause on the Democratic side.] We want to pay taxes on all luxuries that our people use. We have always been willing to pay a reasonable revenue tariff tax.

My friends, this is a serious matter with my people. Since I have been in Congress I have not appealed for one minute to sectional prejudice or any prejudices growing out of the war. I have told my people that if we can get our case before those of the American people who live north of Mason and Dixon's line, if we can convince them that we are not ourselves controlled by sectionalism, by prejudice, but that in the interest of this country we stand for justice and for nothing more, I believed that in time our people would be heard.

Lincoln said that this Government could not continue founded upon injustice. Your protective tariff policy is unjust. Injustice is embodied in it, and, as Lincoln said about slavery, I do not believe the American people will ever let this question rest. Every movement must tend toward the ultimate extinction of this unjust system of taxation now imposed by the Republican party. In 1890 you passed the Sherman antitrust law. You did this to keep the people quiet over their just resentment at tariff-sheltered trusts and monopolies, destroying home competition. But you have not enforced this law, and monopoly is now demanding its repeal or emasculation by amendment, so bold has monopoly become. The panic of 1907 exposed all your false pretenses that high taxation brings and continues prosperity. When, through short crops, the price of cotton advances, you tell the cotton farmer that high tariff did it. When the wheat crop of the world but ours fails, and the nations are paying famine prices for bread, and wheat goes up, you say high tariff did it. When labor organizations force wages up, you say high tariff did it. When the demands of the wars of the world, including ours, raise prices, you say the high tariff did it. When new gold supplies stimulate prices everywhere, you say high tariff did it. Your false pretenses are fully exposed. But the high cost of living and the trusts remain prominent. You told the people you would revise the tariff downward. This Payne bill exposes that false pretense. Mr. Taft promised a revision downward; but the tariff baron is greater than Mr. Taft. The Dingley bill promised reciprocity; but the tariff baron is greater than the Dingley bill. You promised the enforcement of the Sherman antitrust law; but the tariff baron is greater than the Sherman antitrust law. You stand fully exposed. You must receive the condemnation of the people. Every movement must look to the ultimate extinction of your unjust, unequal, and sectional tariff policy. [Applause on the Democratic side.]

Mr. THISTLEWOOD. Mr. Chairman, I have listened with a great deal of patience and not without some pleasure to this tariff discussion that has occupied the attention of this House and the people of the country generally for many days.

I should not trouble you at this time were it not a fact that this may be the only opportunity I may have of explaining my vote on this important measure.

I have been greatly amused by the arguments presented by some of my good Democratic friends on the other side of this Chamber. Some of them have pointed their long, bony fingers at this side and with wild gesticulations and in thunderous tones have declared that the tariff system under which this country has grown and its people prospered without a parallel in any country was robbery and graft, and that the framing of any tariff legislation was tinctured with dishonor.

I have great respect for opinions of some of my Democratic friends. I have great respect for those who disagree with me honestly, if they can suggest something better, but I have only contempt for denunciation without argument or for statements and opinions not founded on the truth.

Notwithstanding the defects of our revenue system, as pointed out by our good Democratic friends; notwithstanding all the ills of our tariff legislation that has been so vigorously denounced, and under which the business of the country has been carried on, we have made greater progress under the Dingley tariff law in the last twelve years than in any like period of our country's history. And yet you say everything is going wrong in the face of the undisputed fact that the laborers of this country have been better clothed, better paid, and better fed than in any other country on the face of the globe. In no country are the women and children treated with that consideration that are accorded to them here. We have more savings banks, with more depositors, and, what is more, some of our savings banks' depositors are helping to furnish the money to run the institutions of industry which have added so much to our country's greatness. We have more miles of railroad, and as an evidence of the general prosperity of the country I do not know of a single railroad in the hands of a receiver, showing our people are traveling and that they have the money to pay the freight.

But, while I am a protectionist, while I believe in protection as a principle, because I have seen the great good that has come to this country through the operation of our tariff laws, there are some features of this bill I do not indorse. I do not believe it is wise to remove the duty on hides; the land upon which most of our cattle are raised is no longer cheap. Some one has said the hide is raw material. The hide to the farmer, if he does the killing, is his finished product. If he sells his bullock at the rate of 5 cents per pound, gross, the hide when taken off will bring him 8 to 10 cents, or nearly as much per pound as the dressed carcass.

Land in Illinois upon which cattle are now being raised is selling from $50 to $150 per acre. To raise cattle on this high-priced land requires you shall have not only the best breed of cattle, but that you must endeavor to sell in your best home market. The hide of a good butcher steer will sell for $10 or more; and yet some one says the hide is a by-product.

Another thing, Mr. Chairman, that I oppose in this bill is the excessive duties, as I believe, sought to be collected from imported hosiery and gloves, and in response to a large petition from the business interests of my district I desire to enter my earnest protest against this schedule. I say to the framers of this bill that they have trouble on their hands.

Whenever you attempt to impose a seeming excessive charge on the things that are so dear to the hearts of the ladies of this country, as gloves, hosiery, and so forth, you have a fight. The trouble this will bring you compared to the attack by the gentleman from Alabama will be as the disturbing of a hornet's nest to that of the ordinary house fly. Do not do it, gentlemen. Do not increase the duty on this class of goods. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I want to assure the committee that it is not my purpose to deliver a tariff speech. I think this House and the country have been surfeited with tariff speeches; but representing a district in that great section of the country about which so much has been recently said, my constituents entertaining some views not in entire accord with all that has been said, sitting here not in a Democratic caucus or in a Democratic convention, as some gentlemen seem to suppose, but under my oath as a Representative in the Congress of the United States, I propose, if I am enabled so to do, to represent faithfully the views of my constituency in any vote that I may cast in this House of Representatives. Gentlemen coming from that section of the country—I mean nothing personal in my remarks—some of them representing simply the interests of short cotton, shall not, I respectfully submit, prescribe my Democracy for me. I am not a free trader in any sense of that term; and as I declared upon this floor more than two years ago, whenever the Democratic party declares for free trade, I shall sever my connection with it the next day. [Applause on the Republican side.]

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. CLARK of Florida. I will yield to the gentleman.

Mr. RANDELL of Texas. Does not the gentleman equally oppose the doctrine of protection?

Mr. CLARK of Florida. I will answer the gentleman. The Democratic party has declared, as the gentleman from Texas well knows, for a tariff for revenue only. It has declared for a tariff for revenue with incidental protection, and I believe that is the most sensible declaration it ever made on the subject, because it is absolutely impossible to fix and collect a duty on any article coming into this country in competition with like articles produced here unless you do add a measure of protection to the people who own and sell such like articles so produced in this country. [Applause on the Republican side.]

The Democratic platform in this country has also declared, and I think the gentleman will find it in the platform of 1888, that the Democrats stood for a tariff for revenue that would take care of the industries of this country, at least to the extent of the difference in the cost of labor abroad and in this country, and I stand for that. [Applause on the Republican side.]

Mr. RANDELL of Texas. I realize full well that incidentally advantage occurs when you levy a duty on certain articles. I wish to know the position of the gentleman himself. He belongs to the same party that I do, and comes from the same Southland, and I ask him the simple question——

Mr. CLARK of Florida. Whether I believe in protection?

Mr. RANDELL of Texas. Whether you are a protectionist or not.

Mr. CLARK of Florida. I will answer the gentleman, and answer him plainly.

Mr. RANDELL of Texas. Can not the gentleman say "yes" or "no?"

Mr. CLARK of Florida. I say to the gentleman that all legislation is the result of compromise, and I do not expect to write the tariff bill for this majority. I say to him that if they put into this bill what my people want and what they sent me here to get, I shall not undertake to dictate to them what else they shall put into it, because I have no power to do it. [Applause on the Republican side.]

Mr. RANDELL of Texas. Does the gentleman stand for this doctrine, that if he gets his part of the swag he will vote to give protection in making this bill?

Mr. CLARK of Florida. Oh, the gentleman ought not to use that language.

Mr. RANDELL of Texas. Well, I will not use that word. I will say when it is a question of dividing the advantage, if the gentleman gets his part, is he satisfied?

Mr. CLARK of Florida. I will tell you what I said to my people and what they said to me: As long as a protective-tariff system prevails in this country, as long as the articles we have to buy are taxed, as long as my people have to bear the burdens of it, they say that we ought at least to have a division of the benefits. [Applause on the Republican side.] That is where I stand. You may call it "swag" or what you please, but I represent as intelligent and patriotic a constituency as the gentleman from Texas does. [Applause on the Republican side.]

Mr. RANDELL of Texas. I can say to the gentleman that the incidental protection he speaks of is a necessary incident when you levy a tax; but does it make a difference with the gentleman (whether he stands for protection, or does not stand for it) whether the bill has a tax on long-staple cotton or on oranges and other products of that district? Would he be for protection with these items in the bill and against protection if they are not included?

Mr. CLARK of Florida. I have not said that I was for protection per se.

Mr. RANDELL of Texas. Is the gentleman for or against it? Yes or no.

Mr. CLARK of Florida. I am absolutely in line with the Democratic platform that I quoted, and I am not in line with the Populistic element that has controlled it recently. [Applause on the Republican side.]

Mr. SHACKLEFORD. Will the gentleman yield to me for a question right there?

Mr. RANDELL of Texas. Mr. Chairman——

Mr. CLARK of Florida. If gentlemen will just wait a minute, I want to complete a statement I was about to make, and I hope the gentlemen will wait a moment. I want to say this, because aspersions have been cast, perhaps not intentionally—I would not charge gentlemen with that—upon some of us who represent constituencies whose interests are distinct from some of the others. I want to state to this House and to the country what the gentleman from Alabama [Mr. HOBSON] stated a few days ago. The very Democratic caucus under which these gentlemen claim to be acting, to which they swear all sorts of allegiance, and condemn every man who does not, has a rule—and if it did not have that rule I would not have stayed in it—to the effect that every Representative is left free, where a constitutional question is involved and he has an opinion on the subject, to vote as he pleases. He is also left free, when instructed by his people in a certain regard, to vote the instructions of his constituents. On two several occasions a Democratic legislature in the State of Florida, solidly Democratic at one time and almost solidly Democratic at the other, has memorialized Congress to put a duty on Egyptian and other long-staple cotton coming into this country in competition with the sea-island cotton.

Our legislature has also memorialized Congress to put a duty on citrus fruits, pineapples, and other products of my State, and I am instructed in that regard, and no caucus and no opinionated Democrats can make me violate the solemn obligation I owe to my people. [Applause.] Now I yield to the gentleman.

Mr. RUCKER of Missouri. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER of Missouri. Mr. Chairman, I want to suggest that the applause on the Republican side is suppressive of order.

The CHAIRMAN. The Chair thinks that the gentleman has not stated a point of order.

Mr. CLARK of Florida. Oh, Mr. Chairman, the gentleman can not hurt me by such things as that. The people of my district know me.

Mr. RANDELL of Texas. Mr. Chairman, I am very sorry, indeed, that the gentleman from Florida has seen fit, when I asked him a respectful question to find out whether he was a protectionist or not, to say that he claimed that he does not belong to the Populistic element that has come into the Democratic party. Now, I want to ask the gentleman this question: Does he think that was an answer to my question, or did he mean to reflect the idea that there is anything Populistic about my record or about the people that I represent?

Mr. CLARK of Florida. Mr. Chairman, I meant to tell the gentleman where I stood. I tried to do it. I told him I stood on the platform as I have quoted it to him.

Mr. RANDELL of Texas. And in that connection the gentleman made the answer that he did not stand with the Populistic element.

Mr. CLARK of Florida. And I have told the gentleman that I was not for protection per se.

Mr. RANDELL of Texas. Not for protection per se?

Mr. CLARK of Florida. Yes.

Mr. RANDELL of Texas. Then the gentleman is not for protection for itself, but for himself. [Applause on the Democratic side.] Is that the idea?

Mr. CLARK of Florida. The gentleman knows that I am not for myself, but for my constituency.

Mr. DIES rose.

Mr. CLARK of Florida. Oh, Mr. Chairman, let me get through with this gentleman first.

Mr. RANDELL of Texas. May I ask the gentleman this question: Did he intend the House or the country to understand that the Democracy of Texas is in any way impregnated or poisoned with Populism?

Mr. CLARK of Florida. Mr. Chairman, I will tell the gentleman exactly what I meant the country to understand, that we do not intend, so far as I am concerned, and I believe the people I represent, to follow your Nebraskan Populistic leader any more. [Applause and cheers.]

Mr. RANDELL of Texas. I would like to ask the gentleman this question: Does he stand with the New Jersey Democrat who said here that Mr. Bryan knew too much of the decalogue to be President of the United States? [Applause on the Democratic side.]

Mr. CLARK of Florida. I will state this: I think the southern Democracy never made a greater mistake in its life than when it turned its back on its Democratic friends in the East, whom it has driven from the party, and tied up with Populism out in Nebraska. [Applause and cheers.] Now, let me go on. I can not yield any more.

Mr. RANDELL of Texas. But I want to ask the gentleman a question.

Mr. CLARK of Florida. Oh, Mr. Chairman, the gentleman made a two-hours' speech on Saturday——

Mr. RANDELL of Texas. The Nebraskan needs no defense at my hands. [Applause on the Democratic side.] I want to ask the gentleman from Florida: Is he a Cleveland Democrat on the tariff? Does he stand for the doctrine of free raw material?

Mr. CLARK of Florida. Oh, Mr. Chairman, I am just a plain, old-fashioned Democrat, and when you all get back there

some of my good Democratic friends on the other side of this question?

Mr. RANDELL of Texas. Will the gentleman yield for a

under which these gentlemen claim to be acting, to which they swear all sorts of allegiance, and condemn every man who does

Mr. CLARK of Florida. Oh, Mr. Chairman, I am just a plain, old-fashioned Democrat, and when you all get back there

you will be better off. [Applause and laughter on the Republican side.]

Now, I want to say this: In 1896 I happened to be the United States district attorney in my State under Mr. Cleveland's appointment. Notwithstanding the fact that federal officials were being removed everywhere because of political activity, I went over that State and upheld the banner of the regular Democracy as represented by Mr. Bryan at the risk of having my head cut off every night, any night, any morning. It was not done, and I have followed him three times, and I am awfully tired. [Applause.]

Mr. BARTLETT of Georgia. Will the gentleman yield?

Mr. CLARK of Florida. Yes; for a question.

Mr. BARTLETT of Georgia. That is all. I want to know whether the gentleman regards as Populistic doctrine the principles announced by the Democratic platform in 1892, under which we elected the last Democratic President that we have elected, which platform declares:

We denounce Republican protection as a fraud and robbery of the great majority of the American people for the benefit of the few.

Mr. CLARK of Florida. Oh, read all of that, please.

Mr. BARTLETT of Georgia (reading)—

We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties except for the purpose of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

Is that Populistic or Democratic doctrine?

Mr. CLARK of Florida. That is very Democratic, because there was a good Democrat on the ticket that time. [Applause and laughter.]

Now, Mr. Chairman, I will say this——

Mr. BARTLETT of Georgia. Is not that good Democratic doctrine to-day?

Mr. CLARK of Florida. I want to express publicly my opinion that the Democratic party will never win a national election on the tariff question as long as these divisions and differences of opinion exist, some being for revenue only, some for revenue, with incidental protection, some free traders, and, perhaps, some protectionists; but if you will join with me and a few other humble members of the party and let us have a tariff commission, with a maximum and minimum rate, and thus take the tariff out of politics and go before the country on the time-honored principles of the party, we may rehabilitate it in the eyes of the American people.

Mr. BARTLETT of Georgia. The gentleman does not mean to say that is not Democratic doctrine.

Mr. CLARK of Florida. Oh, no; I would not say that anything was not Democratic doctrine from some standpoint. [Laughter and applause on the Republican side.] I deny nothing; but I want to say this, Mr. Chairman, and these gentlemen can not charge me——

Mr. SHACKLEFORD. Let me ask the gentleman one more question. The gentleman from Florida wants a tax on sea-island cotton. I want to know if he is willing, in order to get a tariff on sea-island cotton, to join the Republicans in putting an increase on hosiery and knit goods and tea and coffee and the other things that they have in their bill?

Mr. CLARK of Florida. I stated a while ago that all legislation was the result of compromise.

Mr. SHACKLEFORD. Mr. Chairman——

Mr. CLARK of Florida. I will answer. I will give a categorical answer, but I will do it in my own way. I have said there are diverse interests all over this country. I do not expect to write this bill. It would be presumption to go to these gentlemen and ask the privilege of doing so. I do not know whether they are going to put sea-island cotton in the bill or not. I do not know anything about it at this late hour, I can assure the gentleman; but I said this in the beginning of my remarks, that if they put into that bill what my constituents sent me here instructed for, I shall not undertake to dictate what else they shall put in it after getting what my people want——

Mr. SHACKLEFORD. You will take theirs?

Mr. CLARK of Florida. I will vote for the bill; yes. [Applause on the Republican side.] Mr. Chairman, one thing further——

Mr. WEISSE. Mr. Chairman——

Mr. CLARK of Florida. I desire to go on.

The CHAIRMAN. The gentleman from Florida declines to yield.

Mr. CLARK of Florida. I want to say now, Mr. Chairman, that these gentlemen who assume to themselves the entire right to speak for the South are not entitled to that right. I can speak for a part of it, and I have as much right to speak for that great section as any man on this floor, I do not care who he is. My father has slept in the grave of a confederate soldier, wrapped in the uniform of that great army, for forty-odd years. I was raised in that section and have lived there all my life, imbued with every sentiment that has nerved and actuated the great people from out of whose loins I came. I believe I am rendering those people a better service, reverencing the memory of their deeds, loving their history and all that; I believe I am rendering them a greater service when I stand for the material upbuilding of my section in everything that makes a people great, rich, powerful, and prosperous. [Applause.] I am sick and tired of hearing my southern colleagues upon this floor pleading for the poor man in the South. For God's sake do something to take him out of that class, and you will not have to make that plea. [Applause on the Republican side.]

The factories in the East are going to the South every day where the raw material is, in that balmy climate where living is cheap, where a man can work three hundred and sixty-five days in the year in the open air, where fuel is cheap, and everything else that goes to support a family is cheap. We can in our cotton factories, in our canning establishments, and in other industries of similar kind soon defy the world in the cheapness of manufacture. I want to say to the gentleman who is still standing, although Spartanburg is not in his district——

Mr. FINLEY. Mr. Chairman——

Mr. CLARK of Florida. Wait a minute, let me finish and then I will yield. So many cotton factories have been established in Spartanburg, S. C., in recent years that they do not raise enough cotton in the country to supply them, and they have to bring it in from other parts.

Mr. FINLEY. I will say to the gentleman, in answer to his statement——

Mr. CLARK of Florida. I do not yield for that.

Mr. FINLEY. Hold on. There are about as many cotton mills in my district as there are anywhere.

Mr. CLARK of Florida. Go ahead.

Mr. FINLEY. The gentleman says he will vote for this bill?

Mr. CLARK of Florida. I did not say that.

Mr. FINLEY. I beg pardon, but I understood the gentleman to say that.

Mr. CLARK of Florida. I said if they took care of my people in the bill I would vote for it.

Mr. FINLEY. Does the gentleman know what is in the bill?

Mr. CLARK of Florida. I do not know what the Ways and Means Committee may put in it by way of amendment.

Mr. FINLEY. Have they taken care of you or not?

Mr. CLARK of Florida. I do not know whether they have or not.

Mr. FINLEY. Will the gentleman vote for the bill?

Mr. CLARK of Florida. If it does not take care of what my people sent me here for, I will not vote for it. That is plain and frank and honest.

Mr. FINLEY. If they put in what you want in the bill and you vote for it, what is the difference between the gentleman from Florida and the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL], who will also vote for the bill?

Mr. CLARK of Florida. Well, there is a vast difference between the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL] and the "gentleman from Florida."

Mr. FINLEY. For the purposes of this bill?

Mr. CLARK of Florida. In the first place, they have served a great many years here, and they are very able gentlemen. The "gentleman from Florida" is only an ordinary Florida cracker. [Laughter.]

Mr. FINLEY. But for the purposes of this bill?

Mr. CLARK of Florida. Oh, the gentleman can draw all the fine distinctions he wants to. First and last, I say this to you, that I am here instructed by my people. If this Republican party, to which I do not belong, but which controls the House—and they have got a right to control it—put in the bill what my people instructed me to get if I could, I will vote for the bill regardless of the party framing it.

Mr. FINLEY. When the gentleman says that he will vote for the bill, does he mean that he will then be voting with the Democratic party or with the Republican party?

Mr. CLARK of Florida. I will be voting with those Democrats nearest my views.

Mr. BYRD. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. CLARK of Florida. Yes; just for a question.

Mr. BYRD. If I understood you, you said that if what you wanted was in the bill you would vote for it. Would you do

that notwithstanding everything else in the bill meant robbery to the American people? Answer that.

Mr. CLARK of Florida. I have just stated that I would vote for it if they put in what my constituents wanted, no matter what else they put in.

Mr. FINLEY. Is that the price?

Mr. CLARK of Florida. I want to know what the gentleman means by that?

Mr. FINLEY. I did not mean anything offensive, but if you had any political convictions.

Mr. CLARK of Florida. I have not the convictions of a man who represents a district that has got nothing in it in the world but a bale of short cotton, a "nigger," and a mule. [Great laughter.]

Mr. BYRD. I would like to ask the gentleman another question.

Mr. CLARK of Florida. I must decline.

The CHAIRMAN. The Chair understands that the gentleman from Florida [Mr. CLARK] declines to yield.

Mr. CLARK of Florida. As most of the gentlemen know, I have been sick for some time, and I am standing here exerting myself too much now.

But I want to say this, Mr. Chairman, in conclusion. I do not care anything about the scoffs and jeers of these people. I came to my own conclusion, and my people have come to theirs. You folks do not elect me to Congress. You do not send a Representative from the Second District of Florida here to represent that district. I am here to represent the 225,000 or 230,000 people in that great district which sweeps the entire eastern coast of Florida. There is not a State in the Union that is not represented in that district by some citizen from that State.

They are wholly American in every respect. They have come from all over this Union there; they have married and intermarried with our people, and it is as thoroughly an American community as there is in the broad expanse of this Republic; and I am tired of living back in the years before I was born. [Laughter and applause on the Republican side.] Democracy ought to be progressive if it is anything; it ought to keep pace with the times; it ought to meet the conditions as we find them; and I do not concede for a moment that you gentlemen represent the Democracy; you do not represent it any more than I do. I will meet you, if I live, at the next national convention, and we will see who is in control and who represents the Democratic sentiment of this great Republic of ours. [Loud applause on the Republican side.]

On the 1st day of December last I had the honor to appear before the honorable Ways and Means Committee of this House in advocacy of an import duty on Egyptian and other long-staple cotton imported into this country. In the statement which I then made to the committee was incorporated the memorials of the legislature of my State, to which I have referred; an article from the Daily Consular and Trade Reports, No. 2908, dated June 29, 1907; resolutions of the sea-island cotton growers of Georgia and Florida, and other documents, as well as abundant and indisputable facts showing the absolute justice of the contention which I was then and am still making. That address or statement to the committee was as follows:

STATEMENT OF HON. FRANK CLARK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, ASKING FOR A DUTY ON LONG-STAPLE COTTON.

TUESDAY, DECEMBER 1, 1908.

Mr. CLARK. Mr. Chairman and gentlemen of the Ways and Means Committee: I am here as the representative of the people of the Second Congressional District of Florida in the House of Representatives of the Congress of the United States, together with certain of my constituents, who are growers of sea-island cotton in Florida, and who are duly accredited representatives of the sea-island cotton growers of that State, for the purpose of asking your honorable body to incorporate in the bill revising the present tariff schedules, which you will soon frame, a provision placing a duty on all Egyptian, West Indian, and other "long-staple" cotton imported into the United States from any foreign country whatsoever.

Lest my position and that of our people should be misunderstood, I beg the kind indulgence of the committee while I briefly state what my understanding of the views entertained by the people of Florida, irrespective of political parties, are. I desire to assure the committee at the outset that I believe I fully appreciate the proprieties of the occasion, and therefore shall not attempt to afflict the committee with a speech on the tariff, but shall content myself with a statement of our position and follow that with facts and figures which I trust and believe will amply justify the asking which we shall make of this committee.

First, I submit, Mr. Chairman, without in anywise discussing or even impinging on the relative virtues of a "protective tariff" and a "tariff for revenue," that the recent election and other elections preceding it have, in my opinion, forever established as a part of our system of government the indirect scheme of taxation, viz, the levy and collection of customs duties on articles imported into this country from foreign lands. This being true, I am firmly of the opinion that this matter ought to be removed from the domain of partisan politics and hereafter treated as a business proposition and a commission or other proper tribunal created to deal with it.

Second, I construe the verdict of the American electorate in the recent national contest to mean that the majority desired the dominant political party to "revise the tariff," and I recognize that the responsibility for results is with the majority.

Third, believing that as long as the policy of levying and collecting customs duties on imports is to be maintained by the United States, the people who are forced to bear the burdens of this system of taxation should be allowed to reap some of the benefits which flow from it, myself and my associates are here to ask and to urge that this committee in its work of revision will place a reasonably fair and proper duty on all Egyptian, West Indian, and other such long-staple cotton as is imported into this country from Egypt, the West Indies, and other foreign lands, and which are competitors in the markets of the United States with the sea-island cotton grown in the States of South Carolina, Georgia, and Florida.

As evidencing that I am truly voicing the sentiments and desires of the people of Florida on this subject, I desire to read certified copies of two memorials to the Congress of the United States passed by two different legislatures of the State of Florida, in the years, respectively, A. D. 1899 and A. D. 1905. I may add that both of these legislatures were practically solid Democratic bodies.

The memorials are as follows:

MEMORIAL 1.

Memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian or long-staple cotton, or the importation thereof.

Whereas the present price of long-staple or sea-island cotton is now far below the cost of production, causing a large area of our State to languish and a once profitable industry to wane and die; and

Whereas the low price referred to is not due to overproduction, as is demonstrated by the fact that for a crop of 104,557 bales in 1896 and in 1897 the average price for the grade of "fine" was 11 cents, while the last crop, 75,000 bales only, or 25 per cent less than the year previous, and the average price for the grade of "fine" was 2 cents less, or 9 cents per pound; and

Whereas the indisputable cause for our low prices, financial depression, and agricultural discontent is found in the annually increasing importation of Egyptian cotton, the product of pauper labor; and

Whereas the Democratic party and people have not deemed it derogatory to their principles and interests to have a duty placed on wool, pineapples, citrus fruits, and tobacco; and

Whereas the placing of said duty on the above-mentioned article has proven a direct benefit to our people and with which protection they would not part without a struggle; and

Whereas there are but two ways whereby the money necessary to maintain the National Government can be raised, and since the funds derived from internal revenue are insufficient even when made onerous and burdensome, as they now are; and

Whereas we are forced from the nature of things to depend on a tax laid upon goods and products imported into this country from foreign countries to raise funds to assist in the support of the Government: Therefore be it

Resolved, That it is the sense of this legislature that a tariff should be laid for revenue only and arranged so that if it shall prove a burthen all may equally bear it; if a benefit, it may be equally shared.

Resolved further, That we are unalterably opposed to the free importation of Egyptian or other long-staple cotton.

Resolved, That we favor an import duty of 50 per cent ad valorem and 5 cents per pound on all long-staple cotton imported into the United States, and that a copy of these resolutions be furnished each of our Senators and Representatives at Washington.

MEMORIAL 2.

Memorial to the Congress of the United States, asking that a duty of at least 10 cents per pound be levied on all importations of Egyptian and other long-staple cotton brought into the United States as raw material.

Whereas the present price of long-staple or sea-island cotton is below the standard of profitable production and has so been for some years past, causing a large area of our State to be uncultivated and our farming interests to languish; and

Whereas the policy of protection to American interests, if to be continued, should embrace within its fostering care the tillers of the soil, who are now and must ever be the mainstay of our republican form of government; and

Whereas the long-staple or sea-island cotton grown in this country is used exclusively in the manufacture of the finer fabrics, such as laces, etc., and a duty upon the Egyptian cotton and other foreign long-staple cottons would therefore be no burden upon the poor, but would only affect those well able to bear it, and at the same time would greatly encourage a large portion of our farming population; and

Whereas we believe that the levy of such a duty would materially aid in building up our factories engaged in the manufacture of the finer cotton fabrics, while at the same time protecting our farmers from the pauper labor of Egypt: Therefore be it

Resolved, That it is the sense of this legislature that a duty of 10 cents per pound on all Egyptian and other long-staple cottons imported into the United States should be levied by Congress.

Resolved further, That our Senators and Representatives in Congress are hereby earnestly requested to use all honorable means to accomplish this end.

Be it further resolved, That the secretary of state is hereby requested to furnish each of our Senators and Representatives in Congress with a certified copy of this memorial.

STATE OF FLORIDA, *Office of the Secretary of State, ss:*

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing are true and correct copies of memorials to the Congress of the United States as passed by the legislature of Florida, sessions 1899 and 1905, respectively, as shown by the original enrolled resolutions as filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 11th day of November, A. D. 1908.

[SEAL.] H. CLAY CRAWFORD,
Secretary of State.

Mr. CLARK (continuing). On the 25th day of November, 1908, in response to a call therefor, a convention of delegates representing the sea-island cotton growers of Georgia and Florida met in the city of Lake City, in the State of Florida, to consider this matter. I am told that fully 200 sea-island cotton growers from the two States were present, and the result was the appointment of a committee to appear here to present their cause to this committee. These gentlemen so appointed are now here.

care I wanted was in the bill you would vote for it. Would you do

In addition to sending representatives here, the convention adopted certain resolutions, which are as follows:

"In convention of the sea-island cotton growers of Georgia and Florida, held at Lake City, Fla., this the 25th day of November, 1908, the growers of cotton finding, after years of experience, that Egyptian cotton without a tariff on it, on account of the cheap labor of 8 or 10 cents per day required by produce said Egyptian cotton, is injuring the interest of the sea island cotton growers by placing the value or selling price of his cotton below the cost of production, which at present is from 22½ to 24 cents per pound, and thereby jeopardizing the industry and output of the yield of sea-island cotton necessary for the world's consumption and needs: Therefore be it

"*Resolved*, That a committee of four from Georgia and four from Florida be elected to meet the Ways and Means Committee at Washington, December 1, and ask that a tariff of 10 cents per pound be placed on Egyptian cottons.

"*Resolved further*, That it is the sense of this convention that we want our American industries protected and that we want the producer to share equally in such protection with the manufacturer.

"*Resolved further*. That Hon. Harvie Jordan, president of the Sea Island Cotton Association, and Hon. C. S. Barrett and Hon. R. F. Duckworth, of the Farmers' Educational and Cooperative Union, be requested to cooperate with any committee selected by this meeting."

Mr. CLARK (continuing). With the permission of the committee I will now read an article appearing in the Florida Times-Union on November 25, 1908, over the signature of Maj. Alex St. Clair Abrams, one of the ablest lawyers and one of the most brilliant men in all the South, and who has had a great deal of experience with relation to cotton. It is as follows:

THE COTTON QUESTION.

JACKSONVILLE, FLA., *November 23*.

EDITOR TIMES-UNION: In view of the early meeting of the cotton growers of Florida, at Lake City, I trust they will appoint a committee to proceed to Washington and appear before the committee charged with the work of preparing a revision of our tariff laws, and insist upon a tariff being levied on all cotton imported into the United States.

As is well known, I have always been a Democrat of the school of the late Samuel J. Randall, of Pennsylvania. I believe in protecting American products and industries, and while it may be true, and doubtless is, that some of the schedules in the Dingley bill are unreasonably high, nevertheless it seems clear to me that the principle of protection has enormously added to the development and prosperity of the country.

When the Dingley bill was before the Congress, I went to Washington for the purpose of aiding, however feebly, in the work of obtaining protection for Florida fruits, vegetables and cotton. Unfortunately, the Democratic policy was hostile to protection, and but little could be accomplished. The tariff put upon vegetables, oranges, and pineapples was wretchedly inadequate, and still is, while the idea of putting a tariff on cotton was generally ridiculed. As a result, we have been importing, on the free list, every year from $12,000,000 to $15,000,000 worth of Egyptian long cotton, while more than half the time, by reason of this competition, the Florida, Georgia, and South Carolina growers have not been able to raise it profitably. While this cotton has been admitted free of duty, thread and fabrics made from long cotton have been heavily protected and the manufacturers have reaped large harvests, while the growers have either made bare livings or suffered loss.

Aside from any question of principle, it is clear that with a deficit of over $50,000,000 there can not be much reduction in the existing tariff, and now that the bill is being revised, our representatives in both Houses should insist on a tariff on cotton of at least 5 cents per pound and 50 per cent ad valorem.

I know of my own knowledge that for years in Alachua, Baker, Columbia, Bradford, and other counties in which long cotton is raised the majority of the growers were always heavily in debt and their property mortgaged to merchants and factors.

I have given the matter much thought and feel sure that if when the Dingley bill was passed a tariff had been imposed on cotton, as suggested by me, that it would by this time have added 100,000 souls to the population of Florida and increased output at least $5,000,000 or $6,000,000 per annum, besides affording a reasonable profit to the growers.

From a remark made by the committee to Mr. Chase, representing the fruit growers, I see that the South is being met with the same rebuke I met with from Mr. Dingley, whom I saw personally in my effort to get a tariff on cotton. He asked me if the tariff was put on cotton would the Florida Representatives vote for his bill. I told him that I could not answer for that, but that probably they would not. He replied to me as follows: "Mr. Abrams, it would make no difference to me whether a Member of Congress was a Democrat or a Republican if he favored the protection of American industries and production, but when you gentlemen come to us and ask us to put a tariff on your productions, and at the same time send representatives to both Houses to oppose protection and to vote against protective measures, your people can not find fault if we take you at your word and decline to give you the protection which you secretly ask and publicly oppose." I have given his language as near as I can recall it after so many years, but I do not hesitate to say that there was much force in what he said.

The western and eastern sheep owners are amply protected from foreign wool by the tariff placed thereon. I can see no reason why the southern growers of cotton, who have to produce a staple at much greater cost and labor than the growing of wool on sheep's back, should not also be given protection; and rather than not have it, I think every representative in both Houses from Georgia, South Carolina, and Florida should vote for the revised tariff bill, no matter if some of the schedules are, in their opinion, unreasonably high, provided we obtain adequate protection for our industries and productions.

American producers, whether black or white, can not compete with Egyptian growers, who pay 6 or 8 cents per day for labor, and whose lands in the Valley of the Nile are annually fertilized by nature by the annual overflow of the valley by the river. So, likewise, we can not compete with the West India pineapple and citrus growers for the same reason.

I therefore trust that a vigorous and successful effort will be made to get the committee to impose a tariff on cotton. And just here I want to remind those interested in obtaining it that the tariff should be imposed on cotton in general, so as to avoid all technical questions that may arise as to what is or is not long cotton. The Egyptian cotton is not as long as our sea-island cotton, and unless the tariff is placed on cotton without designating it "long" or "short" there will be danger of contests by the manufacturers who are anxious to import the staple free of duty, while they are amply protected in the articles they manufacture, and as a result of such protection keep the price of their productions just as high as if had ever been.

If we can obtain this tariff, I feel confident that within ten years the increased production of cotton in Florida will add 150,000 souls to our population and increase the value of our lands in the counties producing the staple from $25,000,000 to $50,000,000.

The committee in Washington will take up the cotton question on the 1st of December, and it seems to me that the board of trade, as well as the Lake City convention, should take immediate measures so that Florida may be well and thoroughly represented before it.

ALEX. ST. CLAIR-ABRAMS.

Mr. CLARK (continuing). In addition, along this line, I beg permission to say, Mr. Chairman, that when I came here to Congress for the first time I came here through a long-drawn-out primary election contest, in which there were four other candidates, and in that contest from every stump I openly and publicly promised the people that, if chosen, I would use every legitimate and proper effort to secure the duty on cotton for which I am now before you contending. My election, then, by quite a large majority and my return twice since then without opposition clearly establishes, in my opinion, the wishes of my constituents on this subject.

During the present year, in a hotly contested primary election for United States Senator from Florida, the Hon. DUNCAN U. FLETCHER was chosen by a large majority, and Mr. FLETCHER announced himself on this subject as favoring exactly what I stood for four years ago.

Having, I feel, established that the people of Florida desire the asking here made, I now invite your attention to existing conditions, upon which we base our insistence.

When I mention sea-island cotton, I refer to that cotton which is of very fine texture, of quite lengthy staple, and, so far as I am advised, is only grown in this country in portions of South Carolina, Georgia, and Florida. I am aware of the fact that in certain parts of Mississippi, Louisiana, Arkansas, and Texas they grow a cotton of longer staple than the ordinary "short" cotton which is common to practically all of our southern territory, and that this cotton is ordinarily referred to as "long-staple" cotton, but it is not the sea-island cotton of South Carolina, Georgia, and Florida.

The best quality of our sea-island cotton is grown on the islands near Charleston, S. C., and the staple of this cotton is from about 1½ to 2¼ inches in length.

I believe it is generally conceded that our Florida sea-island cotton ranks second in texture, and the staple runs from 1⅛ to 2 inches in length. The Georgia sea-island cotton comes third, there really being, however, as I am informed, no very great difference in texture or length of staple between sea-island cotton grown in the three States, under similar conditions, as to the selection of seed, planting, cultivation, and harvesting.

This sea-island cotton of the three States mentioned, and in the interest of which we are asking a duty on imported long-staple cottons, is used principally in the manufacture of laces, thread, mercerized silks, plushes, velvets, velveteens, curtains, table covers, and other goods of the finest character. Not 10 per cent of our sea-island cotton or imported Egyptian cotton is made into thread.

The total quantity of cotton such as we contend is a competitor of our sea-island cotton in the markets of the United States consumed in this country for the year ending August 31, 1908, was as follows: Ninety-two thousand eight hundred and fifteen bales of Egyptian cotton, 12,061 bales of Peruvian cotton, 6,405 bales from British West Indies.

I have ascertained from Census Bulletin 97, released for use on November 26 of the present year, that the net quantity of cotton imported into the United States during the year ending August 31, 1908, was 140,870 bales of 500 pounds each, and that of this amount 122,170 bales, or 85 per cent of the entire importation, was of Egyptian growth.

I am informed by Director of the Census North that the total importation of what is known under the generic term of "long-staple cotton" into the United States for the present year amounts to 71,072,755 pounds, of the value of $14,472,241. Of this amount there came into this country from Egypt 58,356,306 pounds of long-staple Egyptian cotton of the value of $12,287,360. This cotton came into the United States free from duty, and competed with the sea-island cotton of South Carolina, Georgia, and Florida in the markets of the United States.

The quality of Egyptian cotton, known in this country as the "Joannovich" variety, is constantly improving in quality, owing to the improved methods of seed selection, as well as more modern methods of planting, cultivating, and harvesting. This variety of Egyptian cotton is the particular cotton which is the most dangerous competitor of our sea-island cotton which has yet come into the American market.

In this connection the committee should consider that within less than three years after the proposed tariff revision bill goes into operation the area for the growth of cotton in Egypt will be vastly extended. This will be due to the completion of the work of raising the Assouan dam in the Nile in Upper Egypt. It is proposed to raise this dam 23 feet, and will require an expenditure of $7,500,000.

Concerning this proposed improvement, which is to be made solely for the benefit of cotton culture in that country, I desire to call the attention of the committee to some statements appearing in the Egyptian Gazette, which item I have taken from the Daily Consular and Trade Reports of the Department of Commerce and Labor, No. 2908, dated June 29, 1907, as follows:

"The result of the work will have an important bearing on the cotton crop. The area under cotton in 1906 is given as 1,506,290 acres. Taking the present cotton crop at 6,750,000 kantars (a kantar equals 100 pounds), the average yield per acre works out to 4½ kantars. The area under cotton in Lower Egypt alone is 1,260,107 acres, this representing about 40 per cent of the total cultivated area in that division of the country. The whole of this area being perennial irrigation is cotton bearing. These figures indicate, therefore, that on an average cotton is grown on the same land two years out of five. The area under cotton in Upper Egypt is given as 246,183 acres. This represents only a small proportion of the cultivated area, less than half the latter being under perennial irrigation. Moreover, the climatic conditions south of Assiout are unfavorable for growing cotton. In order to ascertain to what extent the cotton-bearing area is susceptible of expansion, we assume that the whole of the basin lands in the northern half of Upper Egypt will be brought under perennial irrigation, and that the uncultivated portions in both Upper and Lower Egypt will ultimately be reclaimed. The cotton-bearing area will then extend over some 3,600,000 acres (being the total of 6,387,100 acres given above,

less about 800,000 acres south of Assiout). On the basis of 40 per cent acreage per annum and a yield of 4½ kantars per acre, this area might produce an annual cotton crop of about 10,000,000 kantars. It is to be observed that a considerable portion of the land at present under cultivation is being improved, which will, without doubt, contribute to raise the average yield per acre. On the other side must be set the consideration that last year's crop was so favored by a good Nile and satisfactory climatic conditions as to raise the average yield above the level of recent years. Of the total of 10,000,000 kantars, no more than 7,000,000 kantars would consist of the Mitafifi, Abassi, and Yoannovitch varieties, for which the delta is famous, the remaining 3,000,000 kantars representing the lower-grade cotton produced in Upper Egypt. Lord Cromer, in discussing these figures, remarks in his report for 1906:

"'It will, of course, be understood that this crop of 10,000,000 kantars can not be produced until both the supply of water has been largely increased, either by raising the Assouan dam or by some other means, and until reclamation works on a large scale have been executed in Lower Egypt.' Sir William Garstin, probably the highest authority on the subject says: 'I do not think that 10,000,000 kantars as an eventual yield for the Egyptian cotton crop is at all an impossible figure, but it will take many years to arrive at—probably ten or fifteen.'

"The Egyptian cotton crop might conceivably receive a still greater extension in course of time from two further sources, namely, the reclamation of the lakes in Lower Egypt and the development of the oases (reclamation of Lower Egypt is the Khedive's especial project). The former, if ever carried out, would add some 800,000 acres to the cultivated area and a further 1,500,000 kantars to the cotton crop. The latter is at present too problematical to permit of any estimate being made of the possible results."

It will be observed that it is the intention to complete the dam mentioned and bring this vast additional territory into cultivation for cotton about the year 1912. As it is hardly possible that another revision of the tariff will take place for ten, fifteen, or possibly twenty years, it will at once be seen what the completion of the dam will mean for the cotton growers of sea-island cotton in this country unless they are given the benefit of a duty upon their competitors from abroad. The fact is that no sea-island cotton can be raised in this country.

The South Carolina, Georgia, and Florida sea-island cotton growers can not begin to compete with the long-staple cotton growers of Egypt and other foreign countries. In the first place, the lands in Egypt produce, without fertilization, about 450 to 500 pounds of lint cotton per acre, whereas our sea-island cotton-growing lands in the State of Florida will not produce one-third so much without fertilization.

In the second place, it is utterly impossible to employ labor on a farm in the State of Florida for less than $25 to $30 per month for men and at least $15 per month for women. This is the lowest possible figure, and farm labor is exceedingly scarce at those prices. This condition exists because of the fact that the turpentine farms, phosphate plants, lumber camps, and other like places where labor is in demand in our State are anxious to secure hands at from $1.25 to $2.50 per day.

My information is that farm labor in Egypt in an abundant supply can be obtained anywhere from 10 cents to 20 cents per day for able-bodied men. The committee, on this statement of fact, will have no difficulty in determining at once how serious a condition threatens the sea-island cotton industry in the United States.

I have not taken the time to closely investigate, but I am under the impression that an investigation of the present tariff schedules will show that every article of cotton manufacture imported into this country is dutiable, thus benefiting the American manufacturer of cotton goods of whatever description and leaving the grower at the mercy of the pauper labor of Egypt. He sells in markets that are free and there meets with his product the competition of the world and buys in a protected market and thus pays a large tax on every article he produces, although such article may be manufactured out of his own product.

The grower of wool in the West is protected against the cheap labor engaged in the growing of wool in foreign lands by a duty on all importations, and his sheep graze on the public lands. He is thus twice favored by the Government.

The Republican party, which is now in control of every department of the Government, and which through its representatives will frame the intended revision of the tariff, declared in the twelfth resolution of its platform, in 1860, that that party was in favor of "that policy of national exchanges which secures for the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers a reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence." I invoke that declaration of more than forty-eight years ago now in the interest of "agriculture" in my section of the country. If, Mr. Chairman, your party has benefited, protected, and cared for the artisan and the manufacturer, you have not fostered, cared for, and protected the agricultural interests of the country in its different forms.

In view of the facts which we have been enabled to put before this committee, I shall insist that the committee owes it to those engaged, and who desire to further engage in the cultivation of sea-island cotton in this country, to place a duty upon Egyptian cotton, and all other cottons grown in foreign lands, of such texture and length of staple as to make them competitors in the American markets with our sea-island cotton, of at least 10 cents per pound on lint, and at least 4 cents per pound on all such cotton in the seed. This, in my judgment, would not be a prohibitive tariff, but in its operation would produce revenue for the Government, and at the same time would, in a measure at least, equalize the difference between the cost of production in such countries as Egypt and in this country, and would give to our people at least an even chance in their own markets. We are not asking any special favors, Mr. Chairman; we are not insisting upon any privileges being granted to us that are not granted to the remainder of the citizenship of this country, but we do believe that when we toil in the sun of a semitropical climate for twelve months in the year to produce a crop of cotton, and when everything we purchase for our own consumption, even, if manufactured from the identical sea-island cotton which our sweat and toil has produced, we are forced to bear the burden of paying the price increased by the addition of a tariff, that we should at least be permitted to enter, with the article which we produce, the markets of our own country upon an equal footing with Egypt and the West Indies, conscious that we are asking nothing but that which our patriotic fellow-citizens of this committee, with full knowledge of the facts, will gladly accord us; I submit to this committee the case of my constituents.

I do not think I care to add anything else unless the committee desires to ask questions.

Mr. UNDERWOOD. Are you to be followed by some other, who raise this cotton?

Mr. CLARK. Yes. I could not give you anything with reference to the practical raising of the cotton. We have some practical men who can give you all the information along that line that you desire.

Mr. BOUTELL. The total importations of this long-staple cotton you gave in round figures at 71,000,000 pounds?

Mr. CLARK. Yes.

Mr. BOUTELL. What is the present domestic production?

Mr. CLARK. About 80,000 bales, I should say. It will run about 300 pounds to the bale. Sea-island cotton runs 300 pounds to the bale; that is, the standard bale.

Mr. BOUTELL. How many pounds would that make of the domestic product as against the 71,000,000 pounds imported?

Mr. CLARK. Well, that is 80,000 bales, 300 pounds to the bale. I would have to figure it up. It would be about 24,000,000 pounds, I think.

Mr. BOUTELL. Twenty-four million pounds of the domestic product?

Mr. CLARK. As against 71,000,000 pounds imported?

Mr. BOUTELL. Yes, sir.

Mr. GAINES. Practically one-third?

Mr. CLARK. Yes, sir; just about.

Mr. DALZELL. Do you not think that this tariff you are asking for is what Mr. Cockran would call a tariff on apprehension?

Mr. CLARK. I do not know what he would call it.

Mr. GAINES. It is the Assouan Dam that is troubling you, is it not?

Mr. CLARK. No; the Assouan Dam has troubled us to some extent, but the importation free of duty of 85 per cent of the long cotton consumed in this country is what is troubling us now.

Mr. HILL. You are not able, of course, to anywhere near supply the demand, even if all the land used for the growing of this cotton in the United States were in use?

Mr. CLARK. I don't know about that, Mr. Hill. When I first went to Florida they were growing long-staple cotton down on the peninsula below Tampa, and there is not a pound grown now in any but 17 of the 45 counties of Florida. My opinion is that if it were profitable to grow sea-island cotton in Florida we could, in connection with the sea-island growing belt of Georgia and the islands of South Carolina, supply the demand in America for this class of cotton.

Mr. HILL. Why not? Do you not get more for it now than you ever have before?

Mr. CLARK. I could not tell you that, but I know labor has increased.

Mr. HILL. You mean the demand has increased and your domestic supply has not increased?

Mr. CLARK. No; I say labor has increased.

Mr. HILL. Oh, labor?

Mr. CLARK. I say labor has increased so much and the cost of living has increased so much that it is impossible to raise it now.

Mr. HILL. What is the cost per acre of that land on which that cotton is grown on the sea islands, on an average?

Mr. CLARK. I should say $25 an acre.

Mr. HILL. Do you think you would require a duty to protect the product of land worth $25 an acre against products grown on land worth $200 or $300 or $400 or $500 an acre?

Mr. CLARK. I do not mean land that has been cleared and put in a thorough state of cultivation. I mean you can buy it for that now, but after you put it in a thorough state of cultivation it would probably be worth from $50 to $100 an acre.

Mr. NEEDHAM. Do you think there is sufficient area in the region spoken of, if cultivated, to supply the American demand for this cotton?

Mr. CLARK. I think we could supply it if we could raise it profitably.

Mr. NEEDHAM. You spoke of the area being limited to three States——

Mr. CLARK. You can raise this cotton, I think, in every inch of the State of Florida; certainly from the Suwanee south. That would be two-thirds of the State.

Mr. NEEDHAM. Then you think the area is practically unlimited there in which you could raise this cotton?

Mr. CLARK. No; I would not say it was unlimited. I say the area is quite large in Florida.

Mr. UNDERWOOD. I suppose the value of the domestic long-staple cotton has followed to a large extent the value of the imported cotton, has it not?

Mr. CLARK. I could not tell you about that, Mr. UNDERWOOD. These gentlemen who handle cotton and deal with it, and all that, can give you that practical information better than I can give it to you.

Mr. UNDERWOOD. I notice here in the Treasury reports that the value of the imported article in 1894 was a little over 10 cents; in 1895 it was 9 cents; in 1896 it was 12 cents; in 1897 it was 11 cents; in 1898 it was 9 cents; in 1899 it was about 10 cents; in 1900 it was 12 cents; the same figure in 1901; in the next year 12 cents; in the next year 14 cents; the next year 17 cents——

Mr. CLARK. What year was it 14 cents?

Mr. UNDERWOOD. That was in 1903.

Mr. CLARK. Yes.

Mr. UNDERWOOD. In 1904 it was 17½ cents; in 1905 it was 15 cents; in 1906 it was 15 cents; in 1907 it was 19.9 cents. So that there has been a constant rise in the price of cotton, a constant rise in the price of the domestic product, notwithstanding the importations that have come in.

Mr. CLARK. No——

Mr. UNDERWOOD. That is what these figures show.

Mr. CLARK. There was a rise in cotton last year, Mr. Underwood, because our people, the long-staple cotton growers—to be perfectly frank with this committee—became so absolutely tired of selling their cotton at a loss that they got together and decided they would hold their cotton until they could get a better price for it, and that is the reason it went up last year. Some of the local people decided to stand by them financially and enable them to hold it, which they did. But of course they can not do that always. That would be a losing fight in the long run.

Mr. UNDERWOOD. But, outside of last year, there has been a continual increase in the imported cotton from 1894 from something like 10 cents to 15½ cents.

Mr. CLARK. Yes; the price now in the market is some 17 or 18 cents.

Mr. RANDELL. The increase in this cotton has not been nearly as much in per cent in the other grades of cotton?

Mr. CLARK. No, sir; it has not.

If you will permit me to say one word more, I would like to do so. I am here insisting upon this proposition. If the tariff schedule is to

be maintained and duties to be levied on every single solitary thing on the face of the earth which is manufactured from this long-staple cotton, and the manufacturer is to be protected, if it is a good thing for him, why is it not a good thing for the man who toils in the sun and grows it, and furnishes the long cotton to the manufacturers?

Our people, in other words, are tired of selling our stuff absolutely in competition with the pauper labor of Egypt; and every time our wives buy a little of this artificial silk that has been exhibited this morning we pay an enormous tax, and we are buying our own goods, made from the product of our own soil.

That is the whole question in a nutshell, as I see it; and that is why I am presenting this case in behalf of my constituents.

Mr. HILL. You ask a duty on cotton generally, without any particular reference to long-staple cotton?

Mr. CLARK. No; I do not.

Mr. HILL. I thought you had in the past.

Mr. CLARK. No, sir; I have not. That is a mistake. We have a monopoly as against the world in short cotton; we do not need any protection.

Mr. BOUTELL. Right in that connection, Mr. CLARK, you have gone thoroughly and intelligently into this question of the growth and supply of cotton in the different parts of the world. The question that Mr. HILL asked suggests whether you have in your investigation found out what progress is being made by the English, German, and French manufacturers, statesmen, and economists in attempting to solve the problem of growing their own staple in their own colonies or possessions.

Mr. CLARK. Well, I have not any information sufficient to give this committee. I only know in a general way that that is true.

Mr. BOUTELL. You know that they are making great efforts in that direction?

Mr. CLARK. Yes.

Mr. BOUTELL. And spending large sums of money?

Mr. CLARK. Yes.

Mr. BOUTELL. Now, you have given an illustration of what can be done by the growers of long-staple cotton in foreign countries with the cheap labor. Suppose that Great Britain and Germany and France should solve this problem of producing their own staple entirely, in India, Egypt, and the French possessions in Africa. Then we would be brought face to face—perhaps it will be the framers of the next tariff with the problem, first, of protecting our growers of short cotton against this Hindoo and African labor; and, second, with the more important problem of using our own staple in our own American factories.

Mr. CLARK. Yes, sir.

Mr. BOUTELL. Well, if there should be at any time a falling off in the foreign demand for the raw cotton, in order to utilize it and continue the value of the raw cotton, we must manufacture it here at home, must we not?

Mr. CLARK. Yes; that is the way I view it, sir.

Mr. BOUTELL. And if that time should approach with a falling off of the foreign demand for our cotton, increasing domestic demand for our cotton, it will make a very largely increased spread of the manufacturing of cotton in the South, will it not?

Mr. CLARK. There is no doubt about it in the world, sir.

Mr. BOUTELL. If these foreign manufacturers of cotton should produce all of their own staple, we could by broadening our manufacture here still absorb our entire domestic crop?

Mr. CLARK. Surely, yes. Now, I will let these other gentlemen speak.

Mr. HILL. You acknowledge the ability of the South to compete with the rest of the world in short-staple cotton?

Mr. CLARK. Yes; I think so.

Mr. HILL. But claim that they can not compete in the long-staple cotton?

Mr. CLARK. Yes, sir.

Mr. HILL. Are you not aware of the fact that labor in India and China, where short staple cotton is produced, and more particularly India, is much lower than it is in Egypt?

Mr. CLARK. I understand that, but they have not been able yet to produce cotton that competes with us in what we call "short cotton."

Mr. HILL. Then it is a question of quality between India cotton and cotton in the Southern States, and not a question of price?

Mr. CLARK. Well, of course the quality controls prices very largely, I think, in everything. I think it is always a question of quality. It is so in the case of men, animals, and goods.

Mr. COCKRAN. As I understand it, your position is that if there were a general freedom of trade, cotton would be willing to take its chances with the rest, but when every other industry levies upon cotton, cotton wants a chance to levy back upon others?

Mr. CLARK. Mr. Cockran, representing my constituency, I want to say this: We are American citizens. I think every State in the Union is represented in my district by some citizen who has transferred his residence down there. We are willing to take our chances with the American people in any plan or scheme of taxation adopted by them. If it is considered best to remove all the duties from cotton goods and leave cotton free, we will take our chances with the rest; but if these duties are to remain we want our interests taken care of, along with those of the other sections of the country. That is the way I think our people view it.

Mr. COCKRAN. That is precisely as I understood.

On December 14 last, with the consent of the Ways and Means Committee, I filed an additional statement, as follows:

ADDITIONAL STATEMENT OF HON. FRANK CLARK, M. C., IN ADVOCACY OF PLACING A DUTY ON RAW COTTON.

WASHINGTON, D. C., *December 14, 1908.*

COMMITTEE ON WAYS AND MEANS,
Washington, D. C.

GENTLEMEN: As additional to what has been said and submitted in behalf of the levying and collection of a duty on all long-staple raw cotton imported into the United States either in lint or in seed, from Egypt, Peru, the British West Indies, and other foreign lands, I shall submit, first, a letter from the Hon. Alex. St. Clair-Abrams, of Jacksonville, Fla. Major St. Clair-Abrams states the case so clearly and has such an intimate knowledge of conditions that I feel I can do no better than simply submit his letter for your consideration. The letter is as follows:

JACKSONVILLE, FLA., *December 8, 1908.*

Hon. FRANK CLARK,
House of Representatives, Washington, D. C.

MY DEAR CLARK: I have received your letter, as well as the pamphlet, on the tariff hearings. There is one matter that I do not think has been sufficiently impressed on the committee, and it is this: That you can only raise long cotton, or sea-island cotton, on light sandy soil, while short-staple cotton can be raised on clay and other heavy soils. On the light sandy soil the average of lint on the long or sea-island cotton varies from 100 to 125 pounds per acre, while on the short cotton the average will be 200 to 500 pounds per acre. Therefore it is not only the difference in price of labor and cost of picking, but also the difference in the average production of cotton, which bears most heavily upon the grower. I think you could have safely stated to the committee, and can still safely state to them, that in Georgia, South Carolina, and Florida there is enough of this light sandy soil adapted to the cultivation of long or sea-island cotton to supply not only the United States, but the world.

As a result of the average low price and the uncertainty, caused by the competition from free Egyptian and other cotton, the children of the farmers who are raising the staple, instead of going into the same business, leave the farms and seek other and more profitable avocations, and the result is that instead of the staple increasing in volume every year it remains about stationary and is principally cultivated by the older men, who have no other occupation and are not familiar with any other business that could prove more profitable.

When I came to Florida, in 1874, there was a great deal of long cotton raised in Putnam, Marion, Orange, Volusia, Brevard, Polk, Hillsboro, and Manatee counties. To-day not a bale of cotton is raised in these counties, although there are hundreds of thousands of acres of land in them admirably adapted to the culture of the staple. The decline in the price has been the sole cause of the people abandoning the staple as a farm product. It is perfectly clear to my mind that unless a protective duty is imposed on this cotton that within twenty years there will not be a bale of sea-island cotton raised in the South.

It is not a question of apprehension as to the future, but a question of the actual condition which exists at the present time. Under ordinary circumstances our production of long cotton should have increased fourfold, instead of which it has either remained stationary or is actually declining. In the meantime thousands of our young men, both white and black, who were born on these long-cotton farms, are annually leaving them because they see no hope of making even a fair living out of its culture. To stop this exodus and abandonment of these farms, to keep these young men on them and afford them a reasonable opportunity of earning a fair profit, is certainly worthy of the attention of Congress.

As you have properly stated, for years I have given this matter a great deal of attention and study. Not a few of my clients have been utterly ruined by the low prices of long cotton and have seen their farms sold from under them as a result, and they driven, in their mature years, from the homes where they were born to live a life of struggling poverty elsewhere.

Because of my knowledge of the situation and my advocacy of a protective tariff, I refused in 1888 to accept a nomination for Congress tendered to me at Orlando by a committee as a result of the long-drawn-out struggle between General Bullock and Hon. John E. Hartridge, on the sole condition that I would pledge myself to abide the action of the Democratic caucus on the subject of the tariff. I mention this fact only to show how many years I have had this matter in my mind.

I regret exceedingly that I could not have been in Washington to have aided you in this matter, and wish you the most complete success.

If you think this letter will help you any you are at liberty to file it with the committee.

Repeating my sincere hope that you will be successful in obtaining this much-needed and much-merited relief to the long-cotton growers of this State, I am, my dear Clark,

Very truly, yours,

ABE ST. CLAIR-ABRAMS.

I have made every possible effort to secure exact figures as to cost of production of cotton in Egypt. I have been enabled to secure what I regard as authentic information touching the labor cost in Egypt. I made the statement in my former address to the committee on this subject that labor in the cotton fields of Egypt only commanded a wage of from 10 to 20 cents per day. It seems I was in error, because from the evidence which I shall now furnish the committee it appears that laborers in the upper Nile section receive a wage of from only 9 to 11 cents per day.

I herewith submit a letter from the Hon. Charles P. Neill, Commissioner of Labor of the Department of Commerce and Labor, under date of December 9, 1908, which speaks for itself:

WASHINGTON, *December 9, 1908.*

Hon. FRANK CLARK,
House of Representatives, Washington, D. C.

DEAR SIR: Your request to the Bureau of Statistics, Department of Commerce and Labor, for information regarding the cost of field labor in the cotton fields of Egypt has been referred to this office for attention.

In reply I would say that exact and recent data on this subject are not available. The best information which I can supply you is the following extract from the United States Monthly Consular Reports for 1904, page 1107:

"*Wages in Egypt.*—The Deutsche Kolonial Zeitung of April 7, 1904, says that of the population of Egypt, which is about 8,000,000, only a few are engaged in commerce and industry; the greater part are devoted to agriculture. The labor supply is large and wages are low. In Upper Egypt wages are from 9 to 11 cents per diem; in Lower Egypt, 13 to 18 cents. Board is never furnished. In addition to wages by the day or the month (the latter for overseers), payments may be made according to the work. For example, to plow 1¼ acres, 94 cents; to irrigate it, 70 cents. The fellaheen prefer to receive their wages in natural products, particularly shares of the crop—as, for sowing and reaping, 5 per cent of the grain; for thrashing, 1 per cent of the grain and 1 per cent of the straw. In growing cotton on bad ground they receive one-third to one-half of the crop; on good ground, about one-fifth of the crop and the refuse parts of the cotton plant, to be used as firewood. In the case of corn, the laborer gets one-half the crop; in rice, which requires irrigation, three-fifths. The fellaheen do not like to work where it is necessary to use the sakieh or shadoof (mechanisms to draw water by animals or by hand, respectively). On the whole, the position of the laborer in Egypt is not good."

Hoping that this information is sufficient for your purpose,

I am, very truly, yours,

CHAS. P. NEILL, *Commissioner.*

I desire to state to the committee, in conclusion, that since the hearing on this subject, December 1 last, I have been to Florida, and my further investigation of the subject convinces me of the truth of the following:

First. There exists in the sea-island cotton belt of the United States sea-island cotton-producing land sufficient to supply any demand for this product in the United States.

Second. No one now engages in the production of sea-island cotton as a money-making proposition. The sea-island cotton now grown in Florida is chiefly grown by the very small farmer, who makes a support for his family otherwise and simply plants enough of this cotton (which is generally worked and gathered by his children) to make a bale or two of lint, thus guaranteeing to him some ready money at Christmas time.

Third. Eighty to 100 pounds of lint, under present methods and without the use of fertilizers, per acre is a fair average crop of sea-island cotton for Florida.

Four hundred and fifty pounds of lint per acre, with the present crude methods of cultivation and without the use of fertilizers, is considered a fair average crop in Egypt.

Fourth. Labor in the Upper Nile region in Egypt is from 9 to 11 cents per day, and in the Lower Nile region it is from 13 to 18 cents per day.

Counting twenty-six working days to the month, and multiplying the said twenty-six days by the average wage, which would be 13½ cents per day, we would have $3.51 as the average monthly wage paid laborers in the cotton fields of Egypt, as against from $25 to $30 per month paid to farm laborers in the sea-island cotton region of Florida.

Fifth. Conditions surrounding the production of sea-island cotton in the United States have grown worse year after year, and unless something is done to save the industry the time is close at hand when not a pound of sea-island cotton will be grown in the United States.

In conclusion, I desire to print with these remarks a clipping from the Evening Metropolis, a newspaper published in Jacksonville, Fla. The item is a telegraphic dispatch from the town of Alachua, a town of about 1,000 inhabitants located in the heart of the sea-island cotton belt, and has been always one of our principal markets for sea-island cotton.

The news clipping speaks for itself, and I herewith present it:

"BACKSET FOR COTTON—GROWERS NEAR ALACHUA HAULED STAPLE BACK HOME.

"ALACHUA, *December 14.*

"Something that has scarcely ever happened in the county, and never at Alachua, is the fact that cotton offered for sale has had no buyers.

"This place has not only always paid more for cotton than any other place in the county, but has generally been the leader of the State, and the fact that cotton has been offered for sale by the growers there for the past several days without buyers certainly shows that the market is in bad shape.

"It has always been said that cotton is one thing that the farmer could depend on to get cash out of; but the present crop will doubtless make many of the larger growers look to other products another season and see if cotton can not be again brought up to where it will pay the farmer to grow it."

Respectfully submitted.

FRANK CLARK.

In addition to my own statements, which I have just quoted at length, a number of gentlemen, some of them growers of sea-island cotton in Georgia and Florida, appeared and made arguments in favor of the levy of a duty on imports of Egyptian and other long-staple cottons. I desire to call particular attention to a communication from Hon. Harvie Jordan, of Georgia, president of the Sea Island Cotton Association, and also president of the National Cotton Association, which can be found at page 4502 of the Tariff Hearings. Mr. Jordan says:

HARVIE JORDAN, OF ATLANTA, REPRESENTING ASSOCIATION OF COTTON PRODUCERS, ASKS FOR DUTY ON COTTON.

ATLANTA, GA., *December 7, 1908.*

COMMITTEE ON WAYS AND MEANS,
Washington, D. C.

GENTLEMEN: As president of the Sea Island Cotton Association and the National Cotton Association, which two organizations embrace a very large element of cotton growers engaged in the production of sea-island and long-staple cotton in the Southern States, I respectfully beg to file an appeal with your committee for the speedy enactment of an amendment to our present tariff laws by which an import duty of not less than 40 per cent shall hereafter be imposed on the market valuation of all foreign raw cotton imported to America which can be used as a substitute or competitor by American mills against similar grades raised in this country. The southern cotton growers of sea-island and long-staple varieties earnestly desire the levy of this import duty by the Federal Government, in view of the fact that the heavy and constantly increasing annual importations of Egyptian raw cotton into this country by American manufacturers is becoming a serious menace to the production of such grades of cotton in this country. In 1907 the importations of Egyptian long-staple cotton was 90,000 bales, which was 10,000 bales in excess of the total production of sea-island cotton in the States of Georgia and Florida for the same period. These importations are constantly on the increase and seriously affect the price of not only the sea-island productions of Georgia, Florida, and South Carolina, but between 300,000 and 500,000 bales of long-staple cottons annually produced in the Mississippi Delta and territories adjacent thereto.

It is altogether unfair to give high protection to American manufacturers against the shipment of manufactured cotton goods from abroad into this country and at the same time allow the importations of raw cotton into this country duty free. American mills under this protection are granted against competition from foreign mills, while they are given the power to regulate the price of sea-island and long-staple cotton raised in this country by the importation of Egyptian varieties of raw cotton duty free. Under this system the highly civilized and progressive American farmer is made to compete with the practically enslaved peasantry of Egypt. We do not believe that these conditions represent the true policy of the American Government. Either the protective duties favoring American manufactured cotton goods should be wiped out entirely and the American mill owners placed on a parity of competition with American cotton growers, or a duty of at least 40 per cent of the market value of all grades of Egyptian and other foreign-grown cotton should be levied against the importations of such cottons into this country. There are many mills in America to-day which are using only Egyptian cotton, which they receive at their mills duty free, while the finished product of their mills is protected by a duty of from 40 to 60 per cent against the competition of similar products manufactured abroad.

The southern cotton growers of these varieties are asking for a fixed duty of 10 cents per pound on all grades of Egyptian cotton shipped into this country. Such a duty would at once mean an increased demand for long-staple varieties in this country by American mills, and would stimulate production of these varieties, especially in the Delta of the Mississippi, where competition with Egyptian cotton under existing conditions is not profitable.

This is a plain presentation of the case, and the fixing of a duty as requested would mean the increase of many millions of dollars annually to the producers of sea-island and long-staple cotton without injury or detriment to American manufacturers. We hope to secure your favorable indorsement of the proposition herewith submitted.

Yours, respectfully,

HARVIE JORDAN,
President Sea Island Cotton Association;
President National Cotton Association.

Having now, Mr. Chairman, presented the case of my constituents from the standpoint of the necessity for the placing of Egyptian cotton on the dutiable list at a fair and reasonable rate, let me very briefly call attention to the unjust, yea, even harsh treatment accorded the Florida, Georgia, and South Carolina grower of sea-island cotton by and under the terms of this bill. In almost every line of it he is discriminated against. I am quite sure there is not a single article in the wide, wide world of which sea-island cotton constitutes a component part which, under the terms of this bill, is not placed on the dutiable list, and at a highly protective rate. He is forced to sell his product in an open market, free to all the world, and in direct competition with the product of the "pauper labor" of Egypt; and when he goes into a store to buy a little piece of lace, mercerized cloth, or other article for his wife, his children, or himself, although the article is manufactured from sea-island cotton—the product of his own industry and toil—he finds himself buying in a protected market, where he is forced to pay heavy tribute to the manufacturer.

Not only this. Almost everything which the Florida sea-island cotton grower buys, and which he must buy to enable him to produce this cotton on his farm, is on the dutiable list. I have selected a few items from the bill, and I call the attention of the committee to them. They are as follows:

SCHEDULE G.—AGRICULTURAL PRODUCTS AND PROVISIONS.

ANIMALS, LIVE.

222. Cattle, if less than 1 year old, $2 per head; all other cattle, if valued at not more than $14 per head, $3.75 per head; if valued at more than $14 per head, 27½ per cent ad valorem.
223. Swine, $1.50 per head.
224. Horses and mules, valued at $150 or less per head, $30 per head; if valued at one $150, 25 per cent ad valorem.
225. Sheep, 1 year old or over, $1.50 per head; less than 1 year old, 75 cents per head.
226. All other live animals, not specially provided for in sections 1 or 2 of this act, 20 per cent ad valorem.
227. Barley, 15 cents per bushel of 48 pounds.
228. Barley malt, 25 cents per bushel of 34 pounds.
229. Barley, pearled, patent, or hulled, 2 cents per pound.
230. Buckwheat, 15 cents per bushel of 48 pounds; buckwheat flour, 25 per cent ad valorem.
231. Corn or maize, 15 cents per bushel of 56 pounds.
232. Corn meal, 40 cents per 100 pounds.
234. Oats, 15 cents per bushel.
235. Oatmeal and rolled oats, 1 cent per pound; oat hulls, 10 cents per 100 pounds.
237. Rye, 10 cents per bushel; rye flour, one-half of 1 cent per pound.
238. Wheat, 25 cents per bushel.
239. Wheat flour and Seminola, 25 per cent ad valorem.
240. Biscuits, bread, wafers, and similar articles, not specially provided for in this section, 20 per cent ad valorem.

Thus it is seen that if a Florida cotton grower buys a mule or a horse from Kentucky, Tennessee, or Missouri, and the value of that mule or horse is $200, the Florida man must pay to the Kentucky, Tennessee, or Missouri dealer his tariff protection of 25 per cent ad valorem. And just here let me say, in passing, that I have yet to hear of any effort being made by my extremely virtuous Democratic colleagues from the States named to put either mules or horses on the free list. It is not much of a mule or horse that is not worth $150 these days, and yet, under this paragraph, if the animal is only worth fifteen or twenty dollars, there is a duty of $30 per head, and still my virtuous friends from Kentucky, Tennessee, and Missouri, who are the only real, genuine Democrats left on the earth, do not, in the interest of the "common people," complain.

Corn is protected to the extent of 15 cents per bushel, and corn meal—the poor man's bread—is taken care of at the rate of 40 cents per hundred pounds. Why is it that some of these "holier-than-thou" Democrats from Missouri, Illinois, Nebraska, Iowa, and other corn-raising States, do not rise on this floor and denounce this iniquity of taxing corn and corn meal? Here, my friends, is where you could render a real service to the "common people," for whom you express such great love in general-debate speeches.

Oats are taxed 15 cents per bushel, rye taxed 10 cents per bushel, wheat taxed 25 cents per bushel, wheat flour taxed 25 per cent ad valorem, and wool protected at a high rate.

My position is that the tariff schedules ought to be equalized, so that the burdens of the system may be equally borne and the benefits equally shared by every section of our common country and by all our people, whether they be common or uncommon. No logician beneath the skies can give one single sensible reason why corn, oats, barley, rye, potatoes, wheat, or wool should be on the dutiable list in any American tariff bill, while long-staple cotton is kept on the free list. I challenge any and every Representative upon this floor to furnish such reason, if he can. It has not been furnished thus far, Mr. Chairman, either at the tariff hearings or in this debate.

Amplifying very briefly my statements in colloquy with some of my colleagues in the beginning of my remarks, I will say that I am of the opinion that in acting upon matters of legislation the primary duty of a Representative in the American Congress is to his immediate constituency; he should represent and reflect their wishes and views faithfully; and if the time should come during his service when he can not conscientiously pursue this course, his duty, to my mind, is perfectly plain.

He should surrender to his people the commission they have intrusted to him, and thus allow them to fill their seat in this House with a Representative who can and will truly and faithfully voice their sentiments in this body. I think no other course would be honorable. The secondary duty of a Representative here, in my opinion, is to the great body of the country at large, and I yield to no man on this floor, on either side of this Chamber, in patriotic love of country from ocean to ocean and from the mountains to the sea. I love every star that glitters in the flag; I love the institutions of the Republic, and my people are as ready to uphold, protect, and defend them as are the people from any portion of the broad domain over which flies that proud emblem of liberty, the Stars and Stripes. Borrowing from another, let me say that my people, standing for this Republic, indorse the sentiment—

To our country, may she ever be right; but right or wrong, our country still.

Mr. SAUNDERS. Mr. Chairman, a few moments ago, the other side of the House seemed to applaud the statement of the gentleman from Florida, that it was time for them to do something for the poor man of the South, and thereby take him out of that category. I agree with this sentiment. The time has come for something more than honeyed words to our section. If your applause indicates a spirit of sincere willingness to aid us, then the way is open, and action on one item of this bill will afford this aid. Nor will you be asked to take a step inconsistent with the working theory on which your bill has been constructed.

I recognize that it is built on protective lines, but it is not necessary that a protection measure should be inherently unjust in the application of the protective principle, to the extent of surrendering revenue that is badly needed. A deficit of $100,000,000 clamorously proclaims the need of the Treasury for more revenue, and in the search for that revenue you have indicated a willingness to tax luxuries in order to secure it. Now, I am going to afford the majority party of this House a chance to do justice; to take advantage of an opportunity neglected by the Ways and Means Committee; to square itself with its professed principle of protection; and at the same time afford incidental aid to a large body of farmers in the South who are engaged in a heartbreaking struggle with foreign cheap labor, and the American tobacco trust. [Loud applause on the Democratic side.]

This opportunity will be made clear when your scrutiny is directed to certain features of the tobacco schedule.

The majority report of the Committee on Ways and Means contains two statements to which I wish to call the attention of the House. On page 5 of the report will be found the following statement, in connection with the advance of duties, and the avowed purpose for which the duties have been increased. Here are the words of the report:

We have increased the duties on certain articles for the *sole purpose of increasing the revenue*, and *most of the articles on which the duties have been increased, are luxuries.* (Italics mine.)

Now, I wish to remind the majority side of the House that if it is their purpose to raise revenue, there is one article in the tobacco schedule from which a handsome revenue can be raised, an article which we are all agreed, is a luxury. This article is imported Turkish tobacco.

The bill under consideration is a protective-tariff bill, and some of the schedules are phenomenally high. This is conspicuously true in the case of Sumatra leaf, which carries an import tax of $1.85 per pound. The effect of this duty has been to build up in this country an absolutely artificial system of cultivation; an industry of a restricted character, that could not exist for a moment under natural conditions, if the duty was removed. The Payne bill continues this duty, because there is a limited production of shade-grown tobacco in the States of Connecticut and Florida, a production that is largely in the hands of corporations that have been strong enough to secure from the lawmaking body in the past, a duty of $1.85 a pound. This duty has enabled them to do business, and make money.

One of the witnesses before the Ways and Means Committee stated that the tremendous possibilities for profit in this industry, as a result of this duty, have stimulated production abnormally. But, while the committee has continued this duty, it has been blind to the interests, and deaf to the demands, of a large body of tobacco growers in the States of Virginia, North Carolina, and South Carolina who raise tobacco under absolutely natural conditions. If the committee desired to raise more revenue, and this is given as one of the objects of the bill, an opportunity is presented to compass this result, by imposing a higher duty on an imported article which comes into this country from Turkey, Asia Minor, and Egypt. Incidentally, while raising revenue from a luxury, they would aid the tobacco farmers of three States. Now, what are the facts in regard to smoking tobacco, used both for cigarettes, and pipe smoking? A large proportion, if not the entire amount, of the bright tobacco raised in this country for cigarettes, and for pipes, is raised in the States of North Carolina, South Carolina, and Virginia.

The duty on the imported tobacco that competes with this home-grown product, is very low, as compared with the duty on Sumatra leaf.

Mr. STANLEY. Mr. Chairman, I ask for order. The gentleman from Virginia is discussing a matter of vital importance, outside of the politics in it, to every Member in this House, and I think the House ought to be in order.

Mr. SAUNDERS. There are no politics in this proposition. It is a question of justice which rises above politics [loud applause], and as such I am presenting it to the majority side of this House, and simply asking them to be consistent. They have framed this bill, and have announced to the country that it was framed on protective lines.

In the majority report from the Ways and Means Committee, it is stated that they have increased duties on luxuries to raise more revenue. To be consistent, the duty on this luxury, this imported Turkish leaf, which is the fad of the day for smoking, ought to be increased, and the additional revenue that this increase will afford, ought to be collected. The Treasury needs the revenue, and here is one subject at hand from which it can be secured.

I suppose that the duties have been increased on luxuries, because it was considered the proper thing to do, because they were considered appropriate subjects to carry a greater burden. Now, Turkish tobacco is a luxury, and if adequately taxed, will be a great revenue producer. Why not increase the duty on this subject-matter? The committee has been satisfied to retain the tax of $1.85 per pound on Sumatra tobacco, and a tax of 35 cents a pound on this class of tobacco, although the latter duty is really only equal to 17½ cents a pound. Why do I make that statement? Because the evidence taken by the Ways and Means Committee shows that the tobacco which comes into competition with the bright tobacco of Virginia, North Carolina, and South Carolina, is equal per pound, for the purposes for which it is intended, to 2 pounds of the home-grown product. That fact makes the duty on this Turkish tobacco only 17½ cents a pound, so far as the interests of our home growers are concerned.

And yet Sumatra tobacco coming into this country in competition with the hothouse growths of shade-produced tobacco in Connecticut, and Florida, carries a duty of $1.85 per pound. If you gentlemen want to be consistent, if you are in quest of some subject-matter from which consistently, and appropriately, you can raise a larger revenue, then I direct your attention to a foreign-grown product which will carry a higher duty. Increase this duty, and you will increase our revenues anywhere from $3,000,000 to $5,000,000 a year, according to the duty imposed, and at the same time do something for those struggling farmers of the South, in whom your applause of a few moments ago seemed to indicate that you were so much interested. Did it mean that, gentlemen, or did your applause simply indicate that you were delighted to see that the gentleman from Florida [Mr. CLARK] was out of touch, and harmony, with the rest of the Democrats on this side of the House? What did your applause mean? If it meant that you are interested in our struggling farmers, then let me give you a few facts. You will find that in this matter, my statements are amply borne out by the record. The importation of Turkish tobacco has been increasing for the last ten years.

This tobacco comes into competition with Virginia, and North and South Carolina bright tobacco. Its importation has increased from 400,000 pounds in 1897, to something over 7,000,000 pounds in 1907, the last period for which we have the figures of importation available. This tobacco carries a tax of 35 cents a pound, and it is easy enough to see what it would yield in the way of revenue if this tax were increased to $1.25 a pound. You may ask me in that connection, Would not the increase exclude the Turkish tobacco leaf? It would diminish it to some extent, just exactly as the tax on Sumatra leaf has to some extent diminished the importation of Sumatra tobacco, but the amount that would come in under the increased duty, just as the Sumatra leaf has come in under a larger duty, would be sufficient to make a considerable increase in the revenue from this source. I suppose there is hardly a Member on this floor who knows what Sumatra tobacco leaf yields in the way of revenue to this Government. Let me give you the figures. There is annually imported into this country about 6,500,000 pounds of Sumatra tobacco leaf, at $1.85 per pound, yielding something like $12,000,000 of revenue.

I ask the gentlemen on that side of the House, Would they not prefer to get the revenue that they need, and that we know the country needs, from this source—a tax on imported tobacco—rather than from coffee and tea, both of which are taxed in the Payne bill? It can be done without any trouble. You can secure from this source all of the revenue that you would derive from the tax on both tea, and coffee. If, incidentally, there comes any benefit to the producers, it will come to a class of people who need that benefit, as much as any class of workers in these United States.

We hear a great deal, Mr. Chairman, about the principles of protection, and the interests of American labor, but when the Republican party comes to apply those principles, they seem to think that the application ought to be confined to industrial labor entirely. They build up protected interests, which give employment in industrial centers, and then they talk with pride of the people working in those protected industries, who receive from $4, to $5, to $10, or $15, a day.

Yet when it comes to applying the same principles to agricultural labor, they seem to be indifferent to its interests. Agricultural labor ought to be as dear to the hearts of the American lawmaker, as labor in the factories, or in the shops. [Applause.] What do the people who work in the tobacco fields of Virginia get in the way of protection? Your attention is called to the fact that domestic shade-grown tobacco is doubtless protected by a high duty, because its production is controlled in large measure, by corporations able apparently to impress their demands upon the Republican party, and to have what they want, written into the tobacco schedules. But the bright tobacco of Virginia, and of North and South Carolina, is raised by individual growers, who are never seen about the halls of Congress clamoring for protection, or for a duty. Most of them are not able to raise the money with which to furnish a lobby in their interests.

Yet their rights are as great, and as equitable, as the rights of the people who have come here, and secured the duties on Sumatra tobacco. What does the Virginia tobacco grower get for his bright tobacco? An average, say, of 10 cents per pound. What does that price mean in the way of a daily wage, for the people who work in the tobacco fields? Does that price mean to the tobacco grower, a daily wage in anywise equivalent to the wages received by the men who work in the protected industries, in the tin plants, or in the steel plants, or to the wages paid to the men who work for the companies that raise shade-grown tobacco? Not at all. According to the testimony before the Ways and Means Committee, ordinary darky laborers working for the people who grow tobacco under shade, receive from $22, to $24 a month.

What of the man who cultivates, and owns the fields, and raises his own tobacco? What does he often get as a daily wage, from the sales of bright tobacco? He gets, Mr. Chairman, in many cases, not more than $10, or $15 a month, if his returns are calculated as wages. In bad years he gets less than this. It is not an infrequent thing for a tobacco raiser, to find that the proceeds of his crop barely pays his fertilizer bill.

This Turkish leaf is a subject that can stand an increased duty. Do you ask me how, as a Democrat, I am asking you to increase this duty? If I could write this bill, I would secure relief for my people in some other way, by some other form of fiscal legislation.

But you are writing this bill, and we have the right to come to you gentlemen, who have announced the principles that control your action, and ask you to be consistent, to be just, to be fair, and to make your actions square with your professions. You profess to be in favor of protection; you announce that you have advanced duties to secure revenue. In the same breath you assert your willingness to tax luxuries. Now, I bring to your attention a subject-matter that is a luxury, and one that will yield a large revenue, if adequately taxed.

In addition, by the imposition of an adequate duty on Turkish tobacco, you will incidentally aid a large number of American farmers, who, in the truest sense, are laboring men. I say that I have a right to ask the Republican party, which has announced the working theory upon which the Payne bill has been constructed, to be consistent in their treatment of kindred interests, and to furnish us a bill purged of sectionalism, and in all respects just, and equitable in its application of the principle for which it stands. I ask nothing more, and should receive nothing less. [Loud applause.]

Mr. REEDER. Mr. Chairman, will the gentleman from Virginia yield me time, if he has it, to make a statement?

Mr. SAUNDERS. I will yield to the gentleman.

Mr. REEDER. The gentleman from Texas started out with the proposition as a foundation for his excellent speech that the South necessarily ships two-thirds of its raw cotton across the ocean for a market. This is far from the truth. Instead of having men in Congress representing their fair land who base their fine logic and flowing wit on false premises, careful thought would lead one to the conclusion that the people of the South should send men here who would look after their interests and see that those interests are protected rather than promulgate such ideas. The gentleman from Virginia has argued until the very close in favor of protecting his people, and then he seemed to remember some Democratic time-honored dogma and set the whole thing aside by saying they would devise some other method of taking care of the southern laborer.

Mr. SAUNDERS. Oh, no; I addressed you gentlemen as Representatives on the majority side of the House, simply asking you to be consistent and just.

Mr. REEDER. I am with you as to that proposition, but it seems to me that both the gentleman from Texas and the gentleman from Virginia have indicated that the South is derelict in not sending Members here to represent them who will work to have their industries protected.

I believe that your industries should be protected, and I believe that they should be protected to such an extent that your people would be more prosperous than they are to-day, and that the whole Nation would benefit by your increased prosperity. It is not necessary to ship two-thirds of the raw cotton raised in the South across the ocean for a market. If your people would reach out for the protection of the cotton manufacturer with the same energy that the western and northern people use in seeing that the interests of their constituents are looked after, the South would be much more prosperous, and every part of the Nation benefited vastly by the better market you would thus furnish for other manufactures and for food-products. One section can not be a laggard without injury to all.

Mr. FINLEY. Mr. Chairman——

Mr. REEDER. Oh, just let me get through with this statement.

Mr. FINLEY. Now, that we are on the cotton schedule——

Mr. BURLESON. Mr. Chairman, to what gentleman from Texas does the gentleman from Kansas refer?

Mr. REEDER. The gentleman from Texas, Mr. GILLESPIE.

Mr. BURLESON. Surely you did not understand from his remarks that he was asking for protection upon any product of our State.

Mr. REEDER. He started off with this proposition, that you produce cotton and that you must send two-thirds of your cotton across the ocean as raw material. This was the foundation for his speech and is all wrong, because you have no business to send two-thirds of your cotton across the ocean as raw material. You should send men to Congress who are in favor of protecting the cotton industry, and manufacture the greater part of that cotton in the South.

Mr. BURLESON. With the permission of my friend from Virginia, I will state to the gentleman from Kansas that the South has not yet abandoned, but still adheres to her traditional policy as to the tariff. She has her faults, but a desire to pilfer her neighbors' pockets, even though it could be accomplished through the instrumentality of law, is not one of them. For her I beg to decline the suggestion of the gentleman. Furthermore, it would be silly to put a duty on raw cotton. Cotton does not need protection.

Mr. REEDER. I do not refer to raw cotton. I mean the manufactures of cotton.

Mr. BURLESON. Cotton goods are protected now; the duty, especially on the finer grades made in New England, is as high as a cat's back.

Mr. SABATH. They are protected now to 50 or 60 per cent.

Mr. REEDER. No one is suggesting a duty on raw cotton; but I do insist that manufactures of cotton ought to be protected sufficiently to cause the work of manufacturing to be done in this country.

Mr. CLARK of Missouri. You could not protect them more. It is prohibitive now.

Mr. GLASS. Does the gentleman believe in protecting American industries because they are American industries or because they send Republicans here to Congress? [Applause and laughter on the Democratic side.]

Mr. REEDER. I believe that the Democrats have made a failure in this. Their constituents need protection, but the tenets of your party are such that you have got to make some excuse when you ask for protection. You worship party tenets so much you dare not go forward. You will not admit you have foresight. You only use a hindsight, and your people continue to suffer stagnation for that reason. The South ought to send men here who want protection and who do not fear to say so and work to get it.

My friend CLARK, the witty leader of the minority, says the tariff is now prohibitive on cotton. The fact is, this statement is so far from the facts that nearly $95,000,000 worth of the products of your cotton, which you have shipped abroad in the raw state, came back in 1906 manufactured, and paid nearly $40,000,000 tariff to get back to our markets. There is some difference between prohibitive tariff and ninety-five million imports; but what is ninety-five millions when a traditional Democratic policy is to be upheld?

Mr. SABATH. Oh, the West wants protection, and you are willing to vote for protection, too.

Mr. REEDER. The gentleman never saw a State more in favor of protection of American labor than Kansas, and we have little direct protection.

Mr. SAUNDERS. If I will say what we want in the South, will you give it to us?

Mr. REEDER. No; I would not like to say that. [Laughter.] I do not know you well enough.

Mr. RUCKER of Missouri. Suppose the South sends Republicans here; would that change the gentleman's view?

Mr. REEDER. It would not. I would not give Republicans all they want, because some of them want a tariff on lumber, and I am not in favor of that. That protects stumpage, not labor. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to ask the gentleman from Kansas a question.

Mr. REEDER. I am afraid that the gentleman will spoil what I intended to say at this point

Mr. JOHNSON of South Carolina. Mr. Chairman, I understand the gentleman from Kansas to say that we ought to manufacture all the cotton in this country.

Mr. REEDER. Yes; you ought to manufacture all the cotton needed in this country and much to sell abroad in the way of cotton goods.

Mr. JOHNSON of South Carolina. Does the gentleman want to help the South to build more cotton mills?

Mr. REEDER. Yes, sir.

Mr. JOHNSON of South Carolina. Then, vote to reduce the enormous duty on cotton-mill machinery. [Applause on the Democratic side.]

Mr. REEDER. I do not believe that is the way to do it. It does not profit to kill one industry and thus throw American laborers out of employment to build up some one else. That is Democratic doctrine. I want Americans to make that machinery, and I wish you people to be so protected that you can afford to pay for the machinery and sell all of the cotton manufactures used in the United States and much elsewhere, and not have your Congressmen get up here and make speeches, with the foundation for such speeches the statement "that you, of necessity, have to ship your raw cotton across the ocean to find a market," though I concede this is Democratic doctrine and usage.

Mr. SAUNDERS. May I ask the gentleman from Kansas a question? Does he think that I made out a pretty good case for the people in whose interests I have spoken?

Mr. REEDER. Yes; until you get about through. Then you seemed to think you must preserve some Democratic precedents, or time-honored tenets, and backed up considerably.

Mr. SAUNDERS. My friend is mistaken in thinking I have "backed up" at all. I have merely asked the gentlemen on that side to be consistent. Is that asking too much of a Republican? Now, I want to show the gentleman how much stronger I can make my case. This Turkish tobacco, on which I ask that the duty be increased, as a matter of consistency on your part, as well as of advantage to my people and to the public revenues, is manufactured chiefly into cigarettes and smoking tobacco, at a profit of 100 per cent or more to the manufacturers. I want to say further, and this may explain why it is that we have not been able to get an increase in the duty on this tobacco, that 90 per cent of the Turkish tobacco importations into this country, are used by the American Tobacco Company, the "tobacco trust." At the same time Turkey does not allow us to import into that country a pound either of raw tobacco, or of the manufactured product from America.

Sumatra leaf is a wrapper tobacco. Turkish leaf is a filler tobacco. On account of its distinctive qualities Sumatra tobacco can, and does, carry a very large duty. Its importations, in the face of a duty of $1.85 a pound, are millions of pounds a year.

Turkish tobacco has its distinctive qualities—a peculiar flavor, due to the salts in the soil where it is grown. This flavor has caused the smoking of Turkish tobacco, chiefly in the form of cigarettes, to become quite a fad, a national fad. Hence this tobacco, as a luxury and fancy tobacco, will carry a large increase of duty, and under this duty, yield a large increase of revenue, anywhere from three to five millions of dollars a year, according to the duty imposed.

The importations of Sumatra tobacco are about 6,500,000 pounds a year, yielding about $12,000,000 a year.

The importations of Turkish tobacco have grown from about 400,000 pounds a year to about 8,000,000 pounds a year, the figures for the year 1908 not being available.

A large increase in the duty on this tobacco would diminish to some extent the importation of the lower grades of this product, a very desirable thing, by the way, to do, but large quantities would continue to be imported, as no American filler leaf has the peculiar flavor of this tobacco.

Hence this tobacco will carry a large increase of duty, and the importations under a larger duty will yield a large amount of additional revenue. European and Asiatic Turkey, and Egypt, send us practically all of this Turkish tobacco.

Turkey does not allow the importation of tobacco from this country, however manufactured.

The duty on Turkish tobacco is at present 35 cents on the pound, which is really only about 17½ cents per pound, as compared with American filler tobacco, for the reason that, owing to the small stems in the Turkish tobacco, a pound of it will go as far as 2 pounds of American tobacco.

Sumatra tobacco and Turkish tobacco do not compete, as one is a wrapper and the other a filler tobacco.

There is an estimated profit of 100 per cent, or more, in the manufacture of this Turkish tobacco into cigarettes.

I think the facts given strengthen my case.

Mr. REEDER. It requires a good deal of gall on the part of the Republican party to force protection upon the South for their interests, with their Representatives fighting constantly against such a protection; but as the gentleman seems to have a proper case for protection and frankly asks such protection, I heartily favor his having such protection for the tobacco he indicates.

Mr. RUCKER of Missouri. Oh, well, they have got the gall.

Mr. SABATH. Yes; they have gall enough to do it.

Mr. STANLEY. I want to ask the gentleman just one question.

The CHAIRMAN. Does the gentleman from Virginia [Mr. SAUNDERS] yield to the gentleman from Kentucky [Mr. STANLEY] to ask the gentleman from Kansas [Mr. REEDER] a question?

Mr. SAUNDERS. Yes.

Mr. STANLEY. I want to state to the gentleman from Kansas that so far as his observations go there is a non sequitur in their application to anything that has been said by the gentleman from Virginia [Mr. SAUNDERS]. The claim of the gentleman from Virginia for an increase of this duty is absolutely Democratic, for the reason that it is in the first place a revenue tax, and in the next place it is a duty upon a luxury, and in the third place it is a duty that in its operation affects a trust and does not in any way affect the people.

There is nothing in the Democratic platform or in the Democratic policy that prevents the laying of a large revenue upon a luxury because incidentally somebody in this country may produce a small quantity of that same article.

Mr. REEDER. The extended statement of the gentleman from Kentucky, misnamed a question, bars cotton manufactures from protection. But in the interest of the South we have used of our gall and given your workers in cotton quite a protection on what to us are necessaries. I wish that the gentleman after this, if he has a correction to make in a speech of the gentleman from Virginia, will call him to one side and correct it before the gentleman from Virginia starts in to make the speech

and not take my time for such a good and necessary labor. I will, for a moment, if I have the time——

Mr. SAUNDERS. I will give the gentleman all the time he wants.

Mr. REEDER. The gentleman from Kentucky says you are arguing the case as a tariff for revenue; the fact is, you are arguing it for the protection of your people.

Mr. SAUNDERS. No; I merely made a quotation from the Payne report. Are you familiar with that report?

Mr. REEDER. Somewhat.

Mr. SAUNDERS. Here is what it says: That it has increased duties on certain articles for the sole purpose of raising revenue, and that most of "the articles on which duties have been increased, are luxuries."

Now, I call the attention of the gentleman to the following facts—that Turkish tobacco is a luxury, and as such is a proper subject upon which you can raise revenue for the country. I said that to be consistent in carrying out the announcements on your side, you ought to take this subject-matter, and put an increased duty on it, as being at once a luxury, and a revenue producer.

Mr. REEDER. The gentleman insisted he wanted this tariff for the protection of his people. I wish to emphasize two points; first, the gentleman from Texas started out with the proposition we must ship two-thirds of our raw product abroad. That is not true. The South should send men here in favor of protecting southern industries and then you would manufacture your own raw material and save millions of dollars to the South. The gentleman from Virginia certainly insisted that he wanted this raise of the tariff to protect his people, and it would be a dangerous stretch of imagination to imagine his interest in this item and not consider the thought of his people's interest.

Mr. SAUNDERS. No; I did not.

Mr. REEDER. You certainly did.

Mr. SAUNDERS. What I said was that if you were consistent, you would get your revenue from a tax on a luxury, and incidentally we would get some benefit.

Mr. REEDER. Your argument was it would benefit your people.

Mr. RUCKER of Missouri. One of the inconsistencies of your position is that it is predicated on the hope of consistency on the other side.

Mr. SAUNDERS. The point is well taken.

Mr. REEDER. You should educate the southern manufacturers on this proposition. If you favor protection for your industries, send men here to work along that line and get your industries protected and the South will then prosper beyond measure, because they have unlimited resources.

Mr. BARTLETT of Georgia. May I ask the gentleman——

Mr. SAUNDERS. This is an illustration of your attitude. You prefer to be inconsistent rather than help southern industries.

Mr. REEDER. No; the southern people are the inconsistent people. We have helped your people with a good duty on manufactures of cotton and I will do all I can to protect your tobacco raisers with a higher duty on tobacco.

Mr. BARTLETT of Georgia. We made last year 13,486,000 bales of cotton. Of that, a little over 4,500,000 was manufactured both in the East and the South. Now, how many factories do you suppose you would have to build in the East or South to manufacture all the 13,500,000 bales of cotton?

Mr. REEDER. If the South were represented here by such men as are sent from New England, we would manufacture 9,000,000 bales of it. That is what they would do and what you ought to do.

Mr. BARTLETT of Georgia. Is it not a fact that Kansas has sent men here who do not know any more about the cotton industry than——

Mr. REEDER. I do not think I know as much about cotton as the gentleman from Georgia, but I do know this, that there is a great deal of cotton manufactured abroad that ought to be manufactured by the people of the South.

There is plenty of money in this country to manufacture much of this cotton, and all that stands in the way is the Democratic idea that you must not protect your home industries.

Mr. BURLESON. In the name of common sense, tell us how the duty on raw cotton would encourage the manufacture of it.

Mr. REEDER. I do not want a duty on raw cotton; I want a duty on manufactured cotton.

Mr. BURLESON. You have that now, to an unconscionable degree, in the present law, and on hosiery and goods to be used by your people and mine this bill materially increases the duties.

Mr. REEDER. I want just enough, so that the American workmen will do the work and get the pay for manufacturing our cotton goods.

Mr. BURLESON. But New England has been demanding and receiving a prohibitory tariff on cotton goods for years. And, Mr. Chairman, I pray that enlightenment may some day come to the farming constituents of the gentleman from Kansas, when they can at last realize that they can not be made rich by increasing the tax burden resting upon themselves. I hope that some day they will come to know that just such bills as this one makes them pay a higher price for everything they eat and wear, everything they use, with absolutely no recompense.

The duties on farm products in this bill, with the possible exception of barley, are a delusion and a snare. In truth, they afford the farmer no benefit and only serve as a means of deceiving them, in certain States, into a continuation of support of the Republican party. Such farmers seem unable to realize that the real effect of such bills as this and the present Dingley law is to enable the crafty beneficiaries under its provisions to plunder for their own enrichment.

Mr. Chairman, sometimes I tremble when I think that the God above is still exacting of men an observance of that law handed down on the tablet of stone which says, "Thou shalt not steal." If he is doing so, as an inevitable consequence a very hot fire must be kept kindled for those intelligent Republicans who are instrumental in keeping such fruitful means of thievery as these modern tariff laws in existence, for under them the toiling millions are plundered in order that a few trust magnates and manufacturing monopolists may roll in wealth.

Mr. REEDER. The facts are, the way to have goods cheap, money plenty, and farm products high is to so protect manufactures as to have our goods made by our own people. See tin; first stage, tin made in Wales and high; second stage, a tariff on tin; tin now made at home and cheap. Abraham Lincoln once said—he knew this much about a tariff—when you buy goods made abroad you have the goods, but some one else has the money. When you buy goods at home we have the goods and the money. Even a Democrat ought to see the latter is the better condition.

Mr. WEISSE. Does the gentleman believe that this bill protects American labor?

Mr. REEDER. Yes, sir.

Mr. WEISSE. Will the gentleman kindly explain to this House how the Republicans are protecting labor when, through the drawback system of this bill, the foreign laborer can buy the products made by American labor cheaper than he can himself? How are you protecting American labor by denying him the right to buy the work of his own hands as cheaply as the same can be bought by a foreigner?

Mr. REEDER. You overlook the fact that he must have money to buy at any price, and the only source of money is his labor. If certain raw material is sent into this country and we pay a tariff on it, and we can not pay that tariff and have the labor done here and send the goods manufactured therefrom abroad and sell them, we had a good deal better rebate that tariff than not have the work of manufacturing done by our people.

Mr. WEISSE. Then the gentleman is in favor of a tariff on hides? He can not get the hides into this country on account of the 15 per cent duty. They go to Europe to be tanned, and they deny our tanners the manufacture of that leather and the exportation of their leather goods. This same system gives to the foreign manufacturer cheaper leather than our own manufacturers, all in the interest of the beef trust.

Mr. REEDER. Put a higher tariff on manufactured leather and then they can manufacture it in this country, and we will have to apply our rebate system on leather sold abroad, as we can not control that market, but we can give our laborers the pay for tanning and also for manufacturing the leather.

Mr. WEISSE. It will absolutely kill our export trade in leather if you do that. Give us free hides and we can beat the world in any market. We are willing to let the heavy leather come in free if you will put all material used in tanning and cattle on the free list, which you will not do. The tanning business is such that there are 70 per cent less of tanners to-day than there were ten years ago.

Mr. REEDER. That is exactly the difficulty with your southern prosperity. You let foreigners do your manufacturing. This rebate system gives you free hides where you compete for a foreign market. The southern people should manufacture their cotton, and I would like to see the South send men here who are in favor of the southern people manufacturing at least their own raw material.

Mr. WEISSE. You can not get the hides of South America tanned here as long as you let England buy them 15 per cent cheaper than we do by reason of the tariff.

Mr. REEDER. By means of the rebate system we answer your statement absolutely and give the labor to Americans at good wages. Then you can have them manufactured here if you put a tariff on leather.

Mr. MACON. Mr. Chairman, I would like to ask the gentleman, in response to what he said a while ago about the prosperity of the South, if it is not a fact that the South, during the present panic, sent money to New York and the other money centers of the country to do the business of the country upon? The South is to-day one of the most prosperous sections of this country, and I want to say that it will continue so if you do not rob it of its just dues with your high protective tariff. Let her alone and she will take care of herself.

Mr. REEDER. The South has had very fair prosperity under the Dingley tariff. They could have greater prosperity if they would send men here imbued with the idea that they must protect southern industry rather than work in the interest of the foreign manufacturer.

Mr. MACON. The gentleman wants the South to send men here who would deliberately sacrifice her time-honored principles of justice in order that they may take from the pocket of one man in order to put gain into the pocket of another. If that is what he wants, I hope the time will never come that that class of Representatives will be sent here to disgrace that fair land upon this floor in that way.

Mr. REEDER. There is a good deal more prosperity, in my judgment, in Texas and Florida than in most parts of the South. It is on account of their not paying so much attention to those "time-honored Democratic principles." They are working along the line of the advanced thought of the times. I commend other portions of the South to their example.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. Does the gentleman from Kansas yield the floor?

Mr. CLARK of Missouri. He did not have the floor.

Mr. REEDER. I did not understand that I had the floor, but I am not through.

Mr. CLARK of Missouri. The gentleman did not have the floor.

Mr. REEDER. I think I am going to do the southern people some good, and I would like to continue.

The CHAIRMAN. All gentlemen will be seated.

Mr. REEDER. Now, Mr. Chairman, I would like a little time on my own hook, if I could have it.

The CHAIRMAN. The gentleman from Missouri moves——

Mr. CLARK of Missouri. The gentleman did not have any time.

Mr. REEDER. I did not have, but I would like to have some.

The CHAIRMAN. The gentleman from Missouri moves that the committee do now rise.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. CLARK of Missouri. Division!

The committee divided, and there were—ayes 96, noes 139.

So the committee refused to rise.

Mr. REEDER. Mr. Chairman, I did not intend making a speech on the tariff question, but I am thoroughly in favor of a protective tariff; I am in favor of a protective tariff, and I am also a Member from a purely agricultural region. We do not expect to get any great amount of protection for our products direct, and we never have had such protection. All we expect is that with a great number of people working all over this Nation and receiving good wages, we will be furnished a good market for our products. [Applause.]

I am sure the South would be in a very much better financial condition if they would send Members to Congress who would work to secure a protective tariff for such products as they in the South could produce and which they ought to manufacture. [Applause on the Republican side.]

Southern Members were complaining this morning about New England having a preference over the South in the tariff. The fact is the tariff is the same for both sections. But the South has a vast advantage over New England, because they have the products that support their laborers right at their door.

They have water powers handy; they have raw material in close proximity to their factories; nature has built up around you what New England does not have and what could not be given you by law. With these many advantages the southern people should wake up to the fact that they should not ship cotton abroad in the raw state, but should manufacture it at home into all the articles which are made out of cotton. The South should see to it they have Members on this floor who will favor the passage of laws that will protect them to such an extent as to insure that your cotton will not pay the expense of middlemen and transportation across the ocean twice and a tariff to get back, and then sell in a market which you are clearly entitled to. So I believe it is in regard to every other industry. I do not believe that the protective tariff should be so high as to keep all manufactures out; but I believe it should be very near that point. I would keep it below, because I do not wish the people to pay any more for manufactured goods than is necessary to permit us to continue to pay our citizens such wages as will permit them to clothe, feed, and educate their children in a manner likely to produce a high grade of citizens in spite of the pauper wages the Democrats would have them meet in unprotected competition. Our laboring people differ from other people, because of the better wages we pay, and because of their living better and educating their children more generally; our laboring people have many of the luxuries of life, and the tendency of our giving our laboring people so good an opportunity not only makes our laborers' standard higher, but has a tendency to better the condition of the laborers of every nation of the world.

Mr. HAMILTON. I will ask the gentleman if it is a fact that the foreign manufacturer is able to pay the cost of transportation on raw cotton to Europe, manufacture the raw cotton into the finished product and then pay the cost of transportation back to the United States, and still compete successfully in our markets with finished product in cotton here?

Mr. REEDER. It is. When the gentleman from Texas [Mr. GILLESPIE] made a speech this morning he started out with this as a foundation for his speech, "We must ship two-thirds or three-fourths of our raw cotton across the ocean." This is a false proposition. The speech was a good one, but he located it on a sandy foundation which will simply slip from under it, and thus destroy his whole logic. On page 418 of document 1503, Notes on the revision of the tariff, I see that of the raw cotton sent out from the South to foreign lands $93,850,689.93 worth of manufactured goods came back to be sold to our people. And that not only was the freight paid across the ocean and back and a profit to numerous middlemen, but a tariff of $38,999,267.96 was paid for its return to our markets, and this for the one year ending July 1, 1906.

Here is some fifty millions each year that belongs to your people of the Southland. If fifty million per annum is not enough of a bonus on one item to awaken the South, your people should send men here who would work with New England to pass a tariff for protection on cotton manufactures so high that they could afford to have this work done by Americans and then use your natural advantages over New England with such energy as to get your full share, and thus be of vast benefit to the Southland and of some considerable benefit to the sections of the country which furnish you food for your laborers. And while we in Kansas would probably pay a little more for our cotton goods, we would have a better market for all of our products. It seems very clear to me we should have a tariff for protection to southern labor, and, incidentally, it should be a tariff for revenue. We should no doubt raise some revenue by the tariff, but it is much more important, especially to the South, who are losing the very life blood of their prosperity by having their raw materials sent abroad for manufacture, that this bill should be for protection to American labor. Every laborer in this country who can be protected and given a better wage thereby becomes a better citizen, and his children will grow to be better men and women; and not only that, but they will be better customers than you can find in any other portion of the world. Our market is worth a great deal more than all the other markets of the world to the American producer, and if the southern people would proceed along the line of protection, they would make this market still better than it is now.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. REEDER. Yes, sir.

Mr. JOHNSON of South Carolina. The gentleman is talking about cotton. Now, I live in a cotton-manufacturing district, and I would like to say to the gentleman that it costs probably a million dollars to build a mill in South Carolina which could be duplicated in England for $600,000. That is because of the enormous duty that is placed on cotton-mill machinery, rubber

belting, structural steel, and the material that we must buy to equip that plant. Now, does not the gentleman think that the building of a mill that will give employment to a thousand people for all time to come is such an industry that the New England manufacturers could afford to release their grasp on the machinery that goes into that mill?

Mr. REEDER. The idea embodied in the gentleman's question is the primal mistake of the Democratic party. The gentleman virtually asks me this: If we have men working now in the manufacture of machinery to put into cotton mills, and those men get $2 a day, would it not be better to make them take $1.20 a day instead of $2?

Mr. JOHNSON of South Carolina. Now, another question.

Mr. REEDER. I hope the gentleman will wait until I have an opportunity to answer the first one. That is the mistake the Democratic party is making and always seems to be determined to make; that is, that we should lower the wages of our laboring men from $2 to $1.20 a day. Now, that would be a fatal mistake. I would rather see you pay for the mill a price which will protect the laborers who are engaged in the manufacture of the machinery that goes into the mill and then raise the price on cotton products, so that where your laborers now get four or five dollars per month they will get ten or twelve dollars a month or more.

Mr. JOHNSON of South Carolina. What is your drawback clause for—to let in free material to give labor something to do?

Mr. REEDER. Mr. Chairman, I will be glad to answer that question also. The drawback clause means that, although we can not control the foreign market, we can do this: If a man is manufacturing goods in this country and has to pay a duty on raw material, if he can not meet the competition in the foreign markets and pay that duty, when he manufactures goods for the foreign market we return to him 99 per cent of the duty that he pays on the imported materials going into the manufactured product which he exports. That permits him to meet the competition and thus give employment to American workmen. That is Republican doctrine, and that is just what we ought to do. [Applause on the Republican side.]

Mr. MADDEN. Mr. Chairman, I do not wish to burden the House in a prolonged argument of the various schedules embodied in this measure, but would rather devote the inadequate time allotted me in a discussion of the effect the adoption of the bill will have upon that class of our American citizenship, the bone and sinew, I might say, of our body politic—the American laborer.

I desire to talk upon this subject because it is one in whose every particular I am well versed by experience, which, after all, is the only fruitful source from which can emanate information which can be depended upon.

About the laboring man and concerning the field of duty in which he is engaged, I possess that peculiar information which is enjoyed only by one whose early requirements rendered it imperative that employment must be had or the necessities of life would not be forthcoming.

It happened to be my good fortune to be born poor. My parents being in necessitious circumstances, and the opportunities in the neighborhood in which I lived for securing employment by one whose financial conditions made it impossible for him to secure the necessary education to obtain higher employment were extremely meager, and so my life from early childhood until young manhood was spent in the dangerous, hazardous, and laborous work of stone quarrying, in which business I acquired information and experience which ultimately made it possible for me to accept the presidency of the company from which I earned my first dollar.

These years of preparation, which finally shaped my career, gave me a splendid opportunity to study the desires, the necessities, and the inclinations of the laboring man, with whom I had had years of experience. I suffered what they suffered; I enjoyed what they enjoyed. Their grievances received my sincere sympathy and their troubles I made my own. When they were happy I was happy, and when they were sad I was remorseful. Our hearts beat in unison, and I have never learned to disregard their reasonable appeals for assistance; and I hope that I may never so far forget my own early experience as to fail when opportunity offers to render them whatever assistance I can and to espouse their cause whenever it seems to me to be in their interests so to do.

I am in favor of the adoption of the bill now pending before the House for a twofold reason.

First, I am in favor of its adoption because I believe that it will bring back those banner days of commercial supremacy which the United States enjoyed following the passage of the Dingley tariff bill, which brought great blessings and remained in full force and with undiminished powers until the recent unavoidable panic, the blighting ravages of which were so speedily and effectually checked by the wise, sane, businesslike, and apparently providential action of a Republican President, backed by a Republican Senate and House of Representatives.

Secondly, I want to hear the hum of the wheels of American industry. I want again to smell the smoke of commercial activity. I want to hear the rumbling of the wheels of factory and mill. I want to know that away down in the bowels of the earth, amid the grime and smoke and dirt and dust, there will be found the same light-hearted, well-paid, contented American wage-earner that is to be found in more favorable employment, and with less arduous duties to perform. I want them all to be equally happy.

I want the American laboring man to be the best-paid, the best-housed, the best-clad, and the most-contented person on earth; and the American laborer is the best paid, the best housed, the best clad, and the most contented of his class that can be found anywhere upon the face of the earth. He receives from two to five times as much in exchange for his hire as is received by any like person in this broad universe, and he has been receiving said wage since the adoption of the Dingley tariff bill, a Republican measure passed by a Republican Congress and signed by a Republican President.

The laboring man who remembers the doleful years from 1893 to 1897 needs no argument to convince him that the Republican policy of protection is, when compared with the system which made those days a curse to American manhood and American womanhood, the most blessed and the most beneficent system ever adopted by man for the benefit of his kind.

The enemies of this measure are filling the air with bitter, vindictive, and partisan rant because of the provision contained therein to tax the breakfast table by putting a duty on coffee and tea. I am not in favor of that tax, but I want to call attention to the indisputable fact that there was not a laboring man in this country from 1893 to 1897 who would not have been willing to pay five times the price he now pays for a cup of good coffee or tea in exchange for the privilege of receiving employment at half the wage he now receives. It was not a matter of the cost of coffee or tea in those days, Mr. Chairman, but a matter of bread, and the wherewithal to purchase the same.

I am a protectionist because I believe that protection affords greater opportunities to all classes of our citizenship than a free-trade or tariff-for-revenue system can possibly give.

There has never been a time in this country, from its very foundation to the present time, when a tariff-for-revenue policy was in existence that the country did not suffer commercial paralysis; and there never was a time following the adoption of a Republican protective-tariff system that the country did not, under its stimulating and invigorating effect, take on new and increased activity.

There are other good reasons why I am a protectionist, Mr. Chairman, and why I favor the adoption of the bill we are now preparing for final enactment into law, but I am particularly wedded to the system because of the protection it affords the wage-earner.

I do not want to live to see the day when the American workingman will be forced by legislation to accept the low-wage scale of foreign free-trade nations. If there be those here who think that there is no substantial difference between the wages received by our laborers and the wages received by foreign laborers, I would respectfully invite their careful inspection of the following comparison of wages in this country and the wages paid in free-trade Europe:

	United States.		Great Britain.		Germany.		France.		Belgium.	
	Hour.	Day.	Hour.	Day.	Hour.	Day.	Hour.	Day.	Hour.	Day.
Bricklayers	$0.55	$4.40	$0.21	$1.68	$0.13	$1.04	$0.13	$1.04	$0.08	$0.64
Stonecutters	.42	3.36	.20	1.60	.12	.96	.14	1.12	.07	.56
Stonemasons	.46	3.68	.21	1.68	.13	1.04	.14	1.12	.08	.64
Hodcarriers	.29	2.32	.13	1.04	.08	.64	.10	.80	No data.	
Carpenters	.36	2.88	.20	1.60	.13	1.04	.15	1.20	.07	.56
Painters	.35	2.80	.18	1.44	.12	.96	.13	1.04	.07	.56
Plumbers	.44	3.52	.20	1.60	.11	.88	.16	1.20	.08	.64
Machinists	.27	2.16	.17	1.36	.13	1.04	.13	1.04	No data.	
General laborers	.17	1.36	.10	.80	.08	.64	.10	.80	.05	.40

A comparison of the cost of production of certain articles in the United States, Great Britain, and Belgium.

Articles.	United States.		Great Britain.		Belgium.	
	Labor cost.	All other expense.	Labor cost.	All other expense.	Labor cost.	All other expense.
One yard cashmere cloth of cotton and low botany wool of equal weight and quality. (Weaving wage given as labor cost)	$0.041	$0.196	$0.013	$0.143	.....	.....
One yard cashmere cloth of cotton and botany worsted of equal weight and quality. (Weaving wage given as labor cost)	.041	.135	.015	.163	.....	.....
1 yard all wool sateen of botany wool of equal weight and quality. (Weaving wage given as labor cost)	.038	.65	.014	.30	.....	.....
1,000 common red building brick	2.33	1.91	.....	.....	$0.66	$0.69
1 dozen ivory-handled table knives, practically same size, American make best English steel, English make ordinary steel	.94	7.18	.85	3.65	.....	.....
1 dozen knife blades used for above knives	.63	.55	.445	.40	.....	.....
1 grass green glass spirit bottles, equal capacity and weight	1.38	2.25	1.15	1.91	.....	.....
1 ton (2,240 pounds) Hematite pig iron	1.23	9.43	.79	11.25	.....	.....
1 dozen plain ironstone china plates, equal size, American make half ounce heavier	.22	.24	.15	.21	.....	.....
1 dozen plain cups and saucers same size, style, and weight	.22	.25	.12	.36	.....	.....

A comparison of the wages of labor employed in woolen manufacture in the United States, England, France, and Italy.

	Italy.	France.	England.	United States.
Sorters	$4.60	$6.40	$7.30	$12.50
Washers or dyers	3.00	4.25	5.00	7.00
Carders	2.30	4.00	3.90	6.00
Gill boxes	2.30	3.70	3.00	6.00
Comb minders	2.30	3.70	3.00	6.00
Rose spinner	7.00	9.25	12.60	18.00
Mule spinner	5.80	6.20	7.30	9.50
Ring spinner	2.30	4.00	3.00	6.00
Weavers	3.00	4.00	4.00	9.00
Fullers and pressers	3.50	4.25	6.00	7.00

If the above tables are correct, and they are correct, and if the Republican protective tariff system is responsible for the great difference in wages received by our wage-earners and those received by wage-earners of Europe, and it certainly is so responsible, then it is beyond me to understand how it is possible for any man who is compelled to earn his bread by toil to so far forget his own interests as to want to change said system. I do not believe, however, that any appreciable number of them do want a change. The American laborer is better educated than his foreign brother. He has better opportunities for acquiring information concerning public affairs than is afforded abroad. He knows the value of the franchise and knows how to exercise it, and can be counted upon to do the right and the intelligent thing when it comes to protecting the protection which protects him.

Mr. Chairman, I favor the passage of the pending measure when amended as I understand it will be when it shall be taken up under the five-minute rule. It contains some schedules I would change, and some I would strike out of the bill if I had my way about it. I would reduce the tariff on some articles in some of the schedules and increase the duty on others. It is not a perfect measure. No tariff bill ever was perfect. None ever will be. But we must have money to meet the expenses of our Government, and I believe the easiest and least burdensome way to raise that money is by the tariff method.

The tariff question has been discussed from the formation of our Government, in season and out of season, down to the present good hour, and I will wager that when time rolls his scroll into eternity and Gabriel blows his horn the gentlemen on the other side of this aisle then representing, or misrepresenting, the Democratic party, even though it be then too late, will cry out "Protection! Protection! Protection!"

The way to keep America prosperous is to keep American workmen employed. To do this we must prevent Europe from taking the American market. You can not employ men in European factories to make goods for American consumption without throwing American workmen out of employment. What advantage is there in being able to buy foreign-made goods cheap if to do so we are first compelled to shut off the forge and the loom? What would it profit us to have Europe take our market while we are looking for theirs? The American market is the best in all the world. It amounts to $27,000,000,000 per annum, while the export trade of the world, including the United States, amounts to but twelve billions annually. Do we want to give up the home market and take a chance on the foreign market? I hope not. It does not appeal to me as a wise suggestion. I am opposed to it. My plan is to keep the American workmen employed, pay them good wages, keep them happy, make it possible for them to buy the goods made by their fellow-citizens—make the tariff sufficient to protect the American workman, but not so high as to cause an inflation of prices; to be exact, I should like to see the tariff just enough to make the difference in cost of production at home and abroad so that our workmen can find employment in making goods for home consumption, hold the home market, and thus maintain the present standard of wages and living.

I am a Republican and I believe in protection. I am one of those who believe in taking the responsibility placed upon us by our election. [Applause on the Republican side.] After having done so I shall be glad to submit my case to the good people of my district and abide the result of their verdict, whatever it may be. [Loud applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report (H. Rept. No. 4) from the Committee on Rules.

The Clerk read as follows:

House resolution 53.

Resolved, That immediately upon the adoption hereof general debate on H. R. 1438, "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall be closed, and the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of said bill for amendment under the five-minute rule; but committee amendments to any part of the bill shall be in order at any time, and also preference shall be given to amendments to paragraphs 196, 197, 708 (lumber), 581, 447½ (hides), 227 (barley), and 228 (barley malt).

That an amendment shall be voted on to section 637, to wit: Strike out the proviso and insert as a new paragraph, No. 36½, the following: "Crude petroleum and its products, 25 per cent ad valorem."

That said specified amendments shall take precedence of committee amendments.

That consideration of said bill for amendment shall continue until not later than Friday, the 9th day of April, at 3 o'clock p. m., at which time the said bill, with all amendments that shall have been recommended by the Committee of the Whole House on the state of the Union, shall be reported to the House, and the previous question shall then be considered as ordered on said amendments and said bill to its engrossment, third reading, and final passage.

A separate vote may be had on the amendments relating to hides, lumber, oil, barley, barley malt, tea, coffee, or any of them, irrespective of their adoption or rejection in Committee of the Whole, and the vote upon all other amendments in gross.

That the daily hour of meeting hereafter shall be 12 o'clock noon.

Mr. DALZELL. Mr. Speaker, it is hardly necessary that I should occupy the attention of the House for any length of time aside from the time necessary to explain the terms of this rule. The rule relates to the consideration of the tariff bill reported to the House some two weeks or more ago. The first thing it provides is that general debate, which has continued for two weeks, shall now be closed. The next thing it provides for is amendments, to be considered in Committee of the Whole, and those amendments are of two classes: First, amendments reported by the Committee on Ways and Means. These amendments are to be in order to any part of the bill at any time. Second, amendments relating to certain paragraphs in the bill covering subjects that have been considered of primary importance and of exceptional interest to the Members of the House, to wit, hides, barley, barley malt, lumber, and the two subjects which will be included in the amendments offered by the Committee on Ways and Means, tea and coffee.

Special provision is made for the consideration of an amendment to paragraph 637, the proviso to which paragraph reads as follows:

Provided, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country.

Mr. Speaker, the amendment to that paragraph, provided for in the rule, is to strike out the proviso and insert the following:

Crude petroleum and its products, 25 per cent ad valorem.

Of course the effect of that amendment is to allow our own people to fix what shall be the duty upon petroleum in any given instance, or indeed in all instances, rather than to allow the amount of that duty to be fixed, as it would be in the bill reported, by some other country.

The consideration of these amendments will engage the attention of the House up until Friday next at 3 o'clock, during which time the House will be engaged in their discussion. At that time, the bill, together with such amendments as may have been adopted by the Committee of the Whole House on the state of the Union, will be reported to the House, the previous question will be considered as ordered upon the amendments, on the engrossment and third reading of the bill, and on the bill to its final passage. There will, however, be permitted in the House a record vote upon the various subjects that are made amendable in the bill, without regard to whether or not those amendments have been voted up or voted down in the Committee of the Whole.

The hour of meeting has been changed from 10 o'clock in the morning until the ordinary hour of 12 o'clock noon.

I reserve the balance of my time and yield twenty minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. UNDERWOOD], a member of the Committee on Ways and Means.

Mr. UNDERWOOD. Mr. Speaker, the status of this tariff bill before the House is this: We have discussed the bill for two weeks under general debate. I believe there is a concensus of opinion in favor of closing general debate. I know that there is no opposition on this side of the House to that portion of the resolution that seeks to close general debate, but it is not necessary to bring before this House a special rule to close general debate. If the gentleman from New York [Mr. PAYNE], the chairman of the committee, had been willing this morning, he could have moved in the House to close general debate, and close it by unanimous consent of this House. So that the only proposition that comes before us to vote upon on which there is a difference of opinion is how we shall consider the bill. General debate is no consideration of the bill.

The rules of this House for a hundred years have recognized that when you come to consider a great appropriation bill or a great revenue bill the only way the House can express the sentiments of the country and the Members can express the sentiments of their constituencies, is to consider the items contained in the bill item by item. [Applause on the Democratic side.] It is impossible to get a consensus of this House or an expression of the opinion of the country by voting en bloc for a tariff bill, as much so as if it was a general appropriation bill. Recognizing that, to some extent the Committee on Rules has very graciously said to the House that on some particular amendments, which we will point out to you, you may have an opportunity to cast your vote, and try to voice the expressions and the wishes of your constituencies. But, Mr. Speaker, under the rules of this House, under the law that the Republican party has fixed for the government of this House, the membership of the House have been guaranteed that great appropriation bill and great revenue bills shall be considered item by item.

There has been no effort made in this debate or the consideration of this bill, either in the committee or in the House, since the 11th day of last November to in any way delay or hamper its passage by the minority Members of the House. The Democracy represented on this committee has been willing to drive the bill to its final passage at the earliest hour it could be done, with a fair and reasonable consideration of the items in the bill. Last June, before this House adjourned, I called the attention of the chairman of the Committee on Ways and Means to the fact that we were ready to sit here all summer and prepare a tariff bill. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. CLARK of Missouri. I yield five minutes to the gentleman from North Carolina [Mr. POU], a member of the Committee on Ways and Means. [Applause on the Democratic side.]

Mr. POU. Mr. Speaker, our Republican friends are to be congratulated that at last you have been able to frame a rule which satisfies the insurgents in your own ranks. You do not dare to bring in a rule, as has been stated by the gentleman from Alabama [Mr. UNDERWOOD], which will allow a vote upon all the sections of this bill. It may be presumed, therefore, that your proposed rule satisfies the demands of the heretofore clamorous and discordant elements in your own ranks. How you propose to put this bill through will be developed hereafter. The air is full of rumors. It is even claimed by those in charge of the bill that they are assured of Democratic support. Let it be understood here and now that this bill represents all of the viciousness and discrimination of the protective-tariff system, and no Democrat can consistently vote for it. [Applause on the Democratic side.] But it is rumored that you are expecting help from this side of the Chamber because your bill satisfies the demands of certain districts. Let us hope that there is no gentleman on this side of the Chamber who has been "satisfied" so far as the demands of his district are concerned to that point which will constrain him to support such a vicious measure as this. [Applause on the Democratic side.] This bill represents the fundamental difference between the two parties struggling for ascendency in this Nation, and gentlemen who support the bill belong on that side of the Chamber and not on this. [Applause on the Democratic side.] I can not understand that code of ethics which constrains any gentleman to say, "Because the bill has satisfied me and my district I will support the measure, no matter what its effect may be upon the interests of other districts and the American people generally." That is selfish greed run to seed.

I can conceive of no position more brutal in its disregard for the rights of others, or more corrupting as an example of legislative conduct. As well might the member of a caravan, banded together for mutual protection crossing a desert, attacked by a band of Arabs, say to the chief of the attacking band, "If you will give me part of the booty, I will surrender to you all of my companions." [Loud applause on the Democratic side.]

In conclusion, Mr. Speaker, I would commend to gentlemen, if there be those who entertain any such intention, the spirit of that great man, Robert E. Lee, who, when the supreme hour came, put aside the allurements of place and power and cast his lot with the weaker side; not, indeed, because he was a southern man, but because the voice of duty called him there. [Loud applause.]

Mr. CLARK of Missouri. Mr. Speaker, I wish the gentleman from Pennsylvania would use some of his time.

Mr. DALZELL. I prefer the gentleman would use all his time.

Mr. CLARK of Missouri. That is not fair.

Mr. DALZELL. I think it is fair enough.

Mr. CLARK of Missouri. If you are going to have one speech, it is fair; but it seems to me if you are going to have more than one, you ought to use part of your time now.

Mr. DALZELL. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. CUSHMAN]. [Loud applause.]

Mr. CUSHMAN. Mr. Speaker, I trust that every man in this House will understand that I realize full well the meaning of this resolution and the effect it is likely to have, if adopted, upon the mighty lumber and coal interests of my home district. But, Mr. Speaker, in my mind, above and beyond the local interests of my own district there rises the welfare of the entire ninety millions of people in this Nation. [Applause on the Republican side.] Therefore let me pass by for a moment my own personal interest and speak of the welfare of the Nation at large.

We are here to pass the Payne tariff bill. To-day this great Nation of ninety millions of people and all its mighty industries, aggregating in value untold thousands of millions of dollars, is standing idle, waiting, resting its industrial sinews and holding its commercial breath, waiting for the passage of this tariff bill that will lift from athwart its pathway a shadow. These industries are willing and anxious to move on, and all they ask is that before they start the pathway along which they are to go shall be lighted by law, and then they will, as best they can, adjust their business to the prescribed conditions.

Even a bad bill is better than no bill; even an imperfect bill passed soon is better than interminable delay and prolonged uncertainty.

The question now before this House is the adoption of this resolution, which will enable this House to pass the Payne tariff bill and send it over to the Senate. We must pass this or a similar resolution to enable us to pass this bill. Every man with two ideas above the intellectual level of a chimpanzee knows that if we do not pass this or a similar rule to limit time and expedite matters, we will still be talking and still considering while spring blossoms into summer and summer dwindles into winter. And in the meantime the vast industrial energy of this Nation will be waiting, waiting, waiting. And when everybody gets to waiting, that constitutes industrial paralysis.

I do not claim to be wiser or more patriotic than my political brethren on this floor, but I, for one, want to see this tariff bill passed, and passed soon, whether it exactly suits me

or not. It ill becomes any man to set up his own little interest against the great and overpowering welfare of this Nation at large. Speaking for myself alone, I thank God that my Republicanism is a little deeper than my selfishness. [Applause on the Republican side.]

I shall vote for this resolution. [Applause.]

Now, what is the present situation, so far as my especial and particular interest in this bill is concerned?

The Ways and Means Committee have reported into this House this great tariff bill, and it is conceded by most Republicans here that that committee have done the best they could considering the necessities of the United States Treasury on the one hand and the welfare of the consumer on the other. The committee felt that it was necessary to make some reductions in the tariff on some items, but they have endeavored to treat all industries with fairness.

In this bill as it now stands that committee have cut the tariff on lumber right square in two, in the middle, and they have cut off the 67 cents per ton tariff on coal and placed coal on the free list.

Considering that lumber and coal are two of the biggest industries in my region, do not you think that by these sacrifices I have already contributed about as much to the general welfare as ought to be asked of any man or any region?

But there are men on this floor—on the Republican side—whose industries have not been touched and are still afforded ample protection in this bill, and these men are now demanding that what little protection to lumber now remains in this bill shall be wiped off. They have threatened to hang the country up by the heels and let it dangle till the dog days come while they talk tariff unless lumber is hit another blow.

They are willing to accept this bill in its present form with all the protection it gives to their own interests, but they demand an opportunity to vote to place lumber on the free list, while at the same time their industries are sheltered behind the protection afforded by this bill. That is a pathetic exhibition of supreme selfishness.

I know that they have demanded the peculiar language of this resolution in order to aid them in smiting lumber, which is the big industry in my district. If I consent to this programme, I want you to know that I am not so stupid that I do not understand it, but it is because I put my patriotism and my regard for the welfare of my country above my selfishness. [Applause.]

Mr. Speaker, a quarter of a century ago I lived in the then Territory of Wyoming. Those were the days of which Eugene Field sang—

When money flowed like liquor, 'nd the folks wuz brave 'nd true.

The enterprising citizens of those days and that region had a way of expediting justice that was mighty swift; they frequently hung a man first, and made up the court record afterwards. [Laughter.]

There was a certain old settler in that region whose front name in his lifetime was "Bill," although I do not now recall that there is any name on his tombstone.

Bill was engaged in the business of raising cattle, and he prospered marvelously. The only cow brute he had on earth in the beginning was one old brindle steer. But he turned that old steer out on the range in the fall, and the next spring he branded a thousand head of calves as the natural increase. [Great laughter and applause.]

Yes; Bill was prospering, and all went merry as a marriage bell until one night—one dark night—a vigilance committee called on Bill without the formality of an engraved invitation.

They called old Bill out of the cabin and put a noose around his neck with a facility made perfect by long practice [laughter], and the leader then said to him:

Bill, we are going to hang you; what have you got to say about it?

Old Bill rolled his quid into the other cheek and said:

Well, gentlemen, I s'pose I've got more interest in this performance than any other gent present, but I am the least enthusiastic over the programme.

[Great laughter.]

Now, Mr. Speaker, that describes exactly my feelings in this present situation. [Renewed laughter.]

When I look around over this polite political vigilance committee gathered together in this Hall, I think I realize that you are about to confiscate my lumber industry and at the same time lead me to the political scaffold. Permit me, as my farewell message, to say to you, that—

I have more interest in this performance than any other gent present, but I am the least enthusiastic over the programme.

[Great laughter.]

A great many men on this floor who come from prairie States hug to their breasts the delusion that they can get cheap lumber for their communities, and that the price of agricultural products will still remain high. Do not think it for a minute!

If you smite the lumber business of the United States, the recoil of that blow will stagger every interest that you think you are representing when you vote for free lumber.

Let me give you in about a dozen words a word picture of the size of the lumber industry—as I know it to be:

In my own State of Washington the lumber business is enormous. We have in that State 1,300 sawmills, employing 110,000 men. We pay out every year in wages to those men the enormous sum of $75,000,000. The total capital invested in sawmills and machinery in the State of Washington (not including standing timber or logging roads or lumber vessels) is the stupendous sum of $160,000,000.

In the entire United States, the figures showing the total of the lumber business are still more astounding. In the United States there is over $600,000,000 invested in the sawmill industry. There are employed in the United States in the lumber industry over 800,000 men, with an annual pay roll to labor of $200,000,000. There are 28,000 sawmills in the United States, scattered from ocean to ocean.

When you think you can strike down the lumber industry of this Nation without any serious consequence, I bid you think of those 800,000 laboring men scattered throughout the length and breadth of this land—and if they can not have work, they will not have bread. [Loud applause.]

The SPEAKER. The gentleman's time has expired.

Mr. DALZELL. How much time did I occupy, Mr. Speaker?

The SPEAKER. The gentleman has occupied ten minutes.

Mr. DALZELL. I mean personally.

The SPEAKER. The gentleman has an hour.

Mr. DALZELL. I know; but how much time personally did I occupy?

The SPEAKER. The gentleman used five minutes personally and yielded five minutes to the gentleman from Washington [Mr. CUSHMAN].

Mr. DALZELL. I yield ten minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, the refusal of the gentleman from Missouri [Mr. CLARK] to yield me part of the time that was to go to him compels me to seek time from the same source from which he takes his. Whatever differences I may have with my party associates in this House I shall settle at an appropriate time, and, I think, to my own satisfaction. At this time I desire to discuss this proposed rule.

I concede, Mr. Speaker, the obligation of the majority to prepare a tariff bill in accordance with their theory of a tariff measure and to enact it into law in that shape in which they believe it should be enacted. The pending bill is entitled:

An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

If this bill did any of the things which it purports to do, I should not find so much fault with the majority for attempting to prevent the House perfecting it as it should be perfected. But this bill does not do any of the things purported in its title. It does not raise the revenue required, because, for the first time in the history of the country, a tariff bill provides for the issuance of $290,000,000 of interest-bearing obligations of the Government to provide revenue sufficient to run the Government. In no other tariff bill ever enacted has this been done. Under the war revenue act of 1898 only $15,000,000 of 3 per cent certificates of indebtedness were issued, not for the purpose of raising revenue to defray the expenses of the Government, but to enable the administration to help out the speculative interests in the country during the panic last year. This bill contemplates the issuance, not of $100,000,000 of 3 per cent certificates as were provided in that act, but the issuance of $250,000,000 of 3 per cent certificates, and forty million Panama Canal bonds, and taken in consideration with the attitude of the administration in the curtailing of expenses, it must be apparent that the most extraordinary expenditures ever contemplated must be in the minds of some people.

The bill does not equalize duties, Mr. Speaker. When it was reported from the Committee on Ways and Means there was no stampede of the idle rich to this Capitol from the golf courses or from the balmy summer resorts in the South, where they spend the winter months. Confident that the tariff was to be revised by its friends, this Capitol has seen a complete absence of the great magnates representing combined corporate wealth in this country.

I speak, with my associates, on behalf of the great consuming public of the country. [Applause on the Democratic side.] We ask you not to revise this iniquitous tariff law in the interest of those who have been the beneficiaries, but in the interest of

those who have been suffering under its inequalities for years. [Applause on the Democratic side.] The Speaker has recently said, and his statement has been repeated on the floor of this House, that every day this bill is delayed in this Congress the business interests of the country suffer at the rate of $10,000,000 a day. Mr. Speaker, I much prefer that the business interests of this country should continue to suffer at the rate of $10,000,000 a day for two or three months than that the great toiling masses of the country should be for ten or fifteen years more subjected to the same inequalities and burdens under which they have labored for twelve years. [Applause on the Democratic side.]

My position upon a tariff measure is easily stated. I believe it is in harmony with the historic Democratic doctrine. I should enact a law which would raise sufficient revenue to meet the expenditures of the Government economically conducted. I should place all raw materials upon the free list. In distributing the burdens, I would place them upon luxuries and not upon necessities. In adjusting the rates of duties upon those articles upon which duties were imposed, I would endeavor to equalize the cost of production here and abroad.

Mr. Speaker, I rejoice that I was a party to a measure which will enable the Democratic party to place itself squarely on record as to its position on tariff legislation before the bill is enacted into law. My colleague from New York [Mr. HARRISON] has already in detail pointed out those things which he believes and I believe should be incorporated into the motion to recommit to be made by the gentleman from Missouri [Mr. CLARK]. And let me say that, with many millions of others of the people of this country, I await with expectation and hope the form in which that motion to recommit will be framed, confident that the Democratic party as now controlled and represented here will not fail to meet the expectations of the millions of suffering toilers throughout the country when the time comes to record the Democracy upon what should be in a tariff bill. Mr. Speaker, I can not believe that my party will fail to take advantage of this opportunity, and I rejoice that the country will have squarely before it the position of the two parties upon the tariff for the first time in twelve or fourteen years.

I have that confidence in the House of Representatives that if I had my way I would be willing to permit this bill to be considered section by section, item by item, so that the people's Representatives might have an opportunity properly to discharge their duties. I shall await with some curiosity to see how those who were recently professing themselves as anxious to relieve this House from a so-called "system of tyrannical rules" will vote at this time upon this rule. If they are as anxious as they professed to be less than three weeks ago, this rule can not be adopted, and this House will be placed in a position where it can carry out the mandates of the American people. [Loud applause.]

Mr. CLARK of Missouri. I yield five minutes to the gentleman from Texas [Mr. RANDELL].

Mr. RANDELL of Texas. Mr. Speaker, this bill was prepared and written in secret, and the rule proposed here to-day is for the purpose of preventing its proper consideration. I oppose the adoption of this rule and defend the rights of the people. The Committee on Rules intend to prevent an exposure of the hidden frauds, commonly called the "jokers," in the bill, and to render impossible any improvement of the measure. The Constitution imposes upon you and me, as representatives of the people, the duty of making the tariff law. You know that it is impossible for the House of Representatives to pass on the items in this bill unless they consider it section by section. No opportunity is given under this rule to so consider it, but only to vote on and discuss committee amendments and a few other specific items, namely, lumber, hides, barley, and barley malt.

Also, it gives us the right to vote to retain the present duty on petroleum or to tax it 25 per cent. It means to cover up inequalities in the bill. It means that the Representatives here on this floor will not have the right to have written in the bill what they desire to contain. They must stand for extortion, and not to give simple, fair, honest provision for the good of the whole people. [Applause.] You can not cast an intelligent vote in the way required by the rule. If this bill is passed through the House in bulk the Senate will be compelled to make the bill instead of the House of Representatives. The Constitution gives us the right and imposes upon us the duty to make the revenue laws. Will you shirk that duty for party advantage? Will you nullify that right? Will you permit the special and favored interests to frame this law for their own advantage? [Applause on the Democratic side.]

This rule will save a little time. It will help pass this bill sooner; but, Mr. Speaker, I tell you that for every hour you save by its adoption in preventing amendments under the five-minute rule you will cover up some nefarious scheme that even the majority on that side of the House would not favor if they understood it. The bill is full of fraud and deception. I challenge gentlemen on that side to meet us on that proposition. We will give to them an opportunity to answer whether that charge is true or false, if they will consider the paragraphs in their order. If you, gentlemen, stand here and vote for a gag rule and prevent consideration and amendments when the charge is made here openly by us on this side of the House by the minority members of the Ways and Means Committee, you will be called to answer to the people for your unfaithfulness.

If you follow the Republican machine in this House, and the Senate fails to protect the country, the new law will pour more money into the coffers of the trusts and cause more wrong and misery than even the present law you have faithfully promised to revise. [Applause on the Democratic side.]

Mr. DALZELL. I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, as much as I dislike the wording of this rule, I am going to vote for it. I want to say to the gentlemen on this side of the House who have been for several days demanding that certain provisions should be put into this rule before they would vote for it—I say to you, gentlemen, some of you from the States of Minnesota, and Iowa, and from Kansas, that you are not good Republicans. [Laughter.] You are not good protectionists. [Applause.] You are demanding protection for an industry directly in your representative district, and demanding free trade on the products of another State, your neighbor.

Ah, gentlemen, the man who will demand free trade on his raw material that is his neighbor's finished product, and ask protection on his own finished product, is a statesman in the great structure of American politics about the size of a 2 by 4, the smallest timber in the structure. [Applause on the Republican side.] That is your size, no matter who you are. You demand protection to barley. One gentleman from the State of Minnesota said he could not vote for a rule that did not give more duty on barley than 15 cents per bushel. There was produced in that great State last year but 172,000 bushels of barley, about $75,000 or $100,000 worth. He is demanding more protection to barley, but he wants free trade on that great and magnificent industry, the lumber industry, which amounts in volume to nearly $800,000,000. [Applause on the Republican side.]

Measure your patriotism, figure it out yourselves, whatever it may be, and you will find in the arena of American politics you are not larger than a fly speck on the map of the world. [Applause.] Gentlemen, the country is demanding prompt action on this tariff bill, so that the business world may go forward, and I am generous enough to say that I will submit my case to the Members of this House and to the people of the country and show my patriotism in my desire to enact this tariff bill into law at the earliest possible moment. [Applause on the Republican side.]

Mr. CLARK of Missouri. Mr. Speaker, to offer a motion to recommit on a tariff bill with instructions is no new performance. On the McKinley bill Mr. Carlisle offered a motion to recommit with instructions. On the Wilson bill Mr. Converse offered a motion to recommit with instructions. On the Dingley bill Mr. Dockery, of Missouri, offered a motion to recommit with instructions. Following those illustrious examples, at the proper time I shall offer a motion to recommit with instructions. [Applause on the Democratic side.]

The situation about this matter is this: I am against this rule and every rule like it. My position is that the humblest man in this House, the veriest congressional tenderfoot here, has a right to offer an amendment to any item in this bill from A to Z. [Applause on the Democratic side.]

He has as much right as the chairman of the committee has or as I have. It is the only way that a tariff bill can be thoroughly considered and presented to the country. Now, what does this rule do, in brief? It fixes certain amendments to be offered. Then it gives a majority of the Ways and Means Committee a right to offer an amendment here at any time about anything, but no other Member is to be permitted to offer any sort of amendment. That is unjust, unfair, un-American, and preposterous. If gentlemen want to tie their own hands, let them do it; I will not. [Applause on the Democratic side.] And when you go back to your constituents do not be so cowardly as to undertake to load the whole of this indefensible transaction onto the man who occupies the Speaker's chair. [Applause.] You can not defend yourselves by that trick. Like Saul at the stoning of Stephen, you stand by, consenting, when you vote for this rule. You thereby make yourselves parties to

taking away from yourselves the right to freely offer amendments.

I said twice in my speech that the Democrats did not want to waste an hour and that we did not want general debate, but we wanted to amend the bill. Two weeks ago last Friday I took the chairman of the Ways and Means Committee out into the lobby before the debate began and offered to waive every minute of the general debate if they would let us at the bill. [Applause on the Democratic side.]

I told him that all we wanted was a chance to amend it, and that I would cooperate with him to prevent any waste of time. Thirteen days have rolled by. Many good speeches have been made. They might as well have been made on the top of Pikes Peak for all the effect they have had, except to drive the majority into bringing in a few amendments, such as putting tea and coffee on the free list. We did that much good, anyway.

But, Mr. Speaker, these amendments are not sufficient; we have a right to have a vote upon the question whether that outrageous raise in hosiery shall stay in this bill. [Applause on the Democratic side.] We have a right to say whether steel rails shall go upon the free list. These amendments that are picked out by the men on this committee are no more important than a hundred that I could stand here and enumerate. For instance, that outrageous raise on gloves, made for the benefit of one lone glove maker in the city of Johnstown, N. Y. [Applause on the Democratic side.] Why should we not have a crack at the prohibitive rates on woolen goods in this country, that are consumed everywhere? I could name 100 more, if I had time, but I have only five minutes.

I know you have 47 majority. I know you will get a little aid and comfort over on our side—but very little. You postponed this rule from last Thursday, when you had us here to vote on a rule, down to the present minute, because you did not have enough votes to pass it, and in order that you might trade and traffic, bulldoze and wheedle and coax enough men back onto the reservation, like the gentleman from Washington [Mr. CUSHMAN], to get this rule through. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I now yield ten minutes to the gentleman from New York [Mr. PAYNE]. [Applause.]

Mr. PAYNE. Mr. Speaker, I want to say to my brethren on this side of the House that we will be held responsible for this bill before the people of the country. That fact has weighed upon the members of your committee in the preparation of the bill, and every fact has been sought, every source of information has been tried in order that we might present a bill that would do simple justice to the people of the United States—to the consumer and the laborer—that we might so adjust the balance of duties in this bill that no man might be deprived for a moment of his right to labor, and no man or woman might be deprived of the right to buy a good article in the market, made by American workmen, at the lowest possible price. [Applause on the Republican side.]

Responsibility on the other side of the aisle is different. It is theirs to criticise and not to construct. They gave out after the close of the hearings that they were to consult, that they were to formulate a bill, that they were to astonish the country with the excellence of their tariff ideas. They did nothing during the months we were at work, and when we brought in our bill they said they had had no time to consider it. They had every moment of the day and of the night that we had for the months that we spent in our deliberations; and if they had used the same diligence, if they had used the same courage, if they had used the same patriotism, they would have presented to the country their ideas in a tariff bill.

The bill came before the House and before the country and was open to criticism. The gentleman says we have spent too much time in general debate. I do not believe he has even read the general debate. There has been much that is valuable said on the floor and some criticism that was just on the bill and some criticism that was grossly unjust. It has been met by counter argument; but the bill still remains, gentlemen, as it was presented to this House, and the fact remains that the great mass of the Republicans in this House at this moment are willing to vote for this bill with a few amendments that have been placed upon it by the Ways and Means Committee. [Applause on the Republican side.]

We can not satisfy every interest. The gentleman complains of hosiery; and I want to say to you gentlemen on this side, that there is not a single protected item in this bill that is better justified than the increase of duty on hosiery put into this bill. [Applause on the Republican side.]

They complain of gloves. Yet it is precisely the case that we had in tin plate twenty years ago, when we followed the leadership of William McKinley and created that magnificent industry employing 25,000 of our people; and twelve years ago, under the leadership of Mr. Dingley, when we imposed the duties on men's gloves. We were making about 5 per cent, and to-day we are making 90 per cent of men's gloves. [Applause on the Republican side.] And they are much cheaper than they were when we put the duty on them. It is as fine a vindication of the idea of protection as was the duty on tin plate.

Now, men that make men's gloves can make women's gloves; and with the same measure of protection that we put on men's gloves we come before you to-day with a bill to put a duty on women's gloves; and when we shall employ 50,000 of our people in making women's gloves for American women to wear, they will be sold as cheaply and cheaper than they are to-day; and the American workmanship will make better gloves than the women are wearing to-day. [Applause on the Republican side.]

Gentlemen, the country is waiting to have this tariff question settled. They want it settled now. Telegrams and letters are coming to our committee: "Hurry up the passage of the tariff bill." Will you falter, will you delay, because you can not have your own way in everything? Is your judgment better than the judgment of the great mass of the Republicans? Gentlemen, there has never been a moment since I have had a seat in this House that I did not believe that the wisdom of a majority of the Republican party, after full consideration of a question, was better than my own, and I was willing to follow, no matter who led the great mass of Republicans and blazed the way. [Applause on the Republican side.]

So, gentlemen, we should surrender our individual opinions, we should surrender for the good of our party, we should surrender for the good of the country. This is the way all great measures are passed in the House of Representatives, and with the Democratic party carping and criticising and ready to do mischief in any way they can. There are a few dissatisfied gentlemen on this side, but I want them to stop and think how many industries they might destroy for want of proper knowledge and information. How many industries might you destroy not only in the whole country, but even in your own congressional district?

Gentlemen are excited here about the duty on barley. The farmers of their districts, they say, want barley put back again to 30 cents. We put it at 15 cents, not on my motion; and yet I venture to say that I have received more resolutions from grangers, more petitions from farmers, asking me to see to it that the duty on barley did not exceed 10 cents a bushel, and under no consideration to go above 15 cents, than resolutions and petitions to the contrary have been received by any other gentleman; and still I cheerfully ask to have put into this rule this provision that you might vote upon barley to satisfy the people of your districts, the farmers who you state are in favor of a greater duty on barley. Gentlemen, look beyond your own districts, look to the future, look to the millions of our people, look to the workingmen, ready for work, and for the sake of the toiling masses hasten the passage of this bill! [Applause on the Republican side.]

Mr. DALZELL. Mr. Speaker, I shall not delay the committee. I have only a single word to say in conclusion. The consideration of a tariff bill by a special rule is nothing new in the history of tariff legislation in this country. The McKinley bill was considered under a rule. The Wilson bill was considered under a rule. On the 5th of January, 1894, the Democratic party then being in control of this House, a rule was introduced which provided for the consideration of the tariff bill then pending, known as the "Wilson bill." That rule provided that on January 10, five days thereafter, general debate should close, and on January 25, fifteen days thereafter, the bill should be reported to the House, the previous question considered ordered upon the amendments upon the bill to its engrossment and third reading, and upon its final passage. As a matter of history, the bill was passed without any opportunity afforded to the Members of the House to consider each and every paragraph of the bill. Why, gentlemen on the other side of the House are agonizing to-day because they say that they will have no opportunity to consider this bill item by item.

Mr. Speaker, I recall an historic occasion in this House when a Democratic Speaker, occupying the chair you now occupy, and a Democratic majority being in control of the House, a rule was adopted which, with only fifteen minutes' debate on either side, compelled a vote upon and secured the passage of 637 Senate amendments to the Wilson bill, and that despite the protests of Republicans on this side of the House. [Applause on the Republican side.] And these are the gentlemen who are to-day agonizing because they shall not have an opportunity

to spend the dog days in Washington considering item by item the paragraphs of a tariff bill.

Mr. Speaker, this bill is a tariff bill made by a Republican committee in response to the call of a Republican President, pursuant to the mandate and in redemption of the pledge of the Republican platform made in Chicago last summer. It is a well-considered bill, a well-matured bill. It appeals not, of course, to the satisfaction of every Republican—no tariff bill made by uninspired human wisdom could be made so perfect as to respond to the desires of all—but it should appeal to every true Republican, because it is a bill drawn along Republican lines in accordance with Republican principles for the protection of American industry and the maintenance of an American wage. And now the country at large stands waiting and asking us not to talk, but to act. I suggest that we act. [Applause on the Republican side.]

Mr. Speaker, I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The SPEAKER proceeded to put the question.

Mr. CLARK of Missouri. Mr. Speaker, I want to offer a motion to recommit this rule, as follows:

Resolved, That the resolution providing for the consideration of the bill (H. R. 1438) to provide revenues, equalize duties, and encourage the industries of the United States, and for other purposes, be recommitted to the Committee on Rules with instructions to report back a substitute for said resolution that will provide for the immediate closing of general debate on said bill and for its immediate consideration under the five-minute rule, so that the Members of the House may have an opportunity to offer amendments to and pass on separately each and every paragraph in the bill.

The SPEAKER. The Chair will state that the precedents for the last ten years have been uniform, holding such a motion not in order.

Mr. CLARK of Missouri. Mr. Speaker, I would like to read the Speaker one of his own decisions. [Cries of "Regular order" on the Republican side.] O, just possess your soul in patience over there.

The SPEAKER. One moment. The Chair will hear the gentleman on the point of order.

Mr. DALZELL. Mr. Speaker, I demanded the previous question. The gentleman has not the floor to make any motion of any kind.

The SPEAKER. That is correct.

Mr. DALZELL. Even if his motion were in order.

The SPEAKER. Not until after the previous question is ordered.

Mr. UNDERWOOD. Mr. Speaker, I submit if a motion to recommit is in order, the previous question would not take the gentleman off the floor to make that motion.

Mr. DALZELL. I submit, Mr. Speaker, that the gentleman is not entitled to the floor to make his motion; and, furthermore, his motion is not in order. I shall be very glad to see, and I think we all will on this side of the House, the gentleman's motion to recommit the bill when that time comes.

Mr. CLARK of Missouri. You will see that, if you do not go blind before next Friday. [Laughter and applause on the Democratic side.]

The SPEAKER. The Chair, without objection, will hear the gentleman.

Mr. CLARK of Missouri. All I want to do is to read the rule and read the Speaker's decision:

RULE XVII.

PREVIOUS QUESTION.

There shall be a motion for the previous question, which, being ordered by a majority of Members voting, if a quorum be present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions, allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

Now for the precedent—page 287, volume 5, Hinds' Precedents, section 5576:

The motion to refer under rule 17 may be made pending the demand for the previous question—

I commend that to the gentleman from Pennsylvania—

on the passage, whether a bill or resolution be under consideration.

Mr. DALZELL. But not applicable to this case.

Mr. CLARK of Missouri (reading):

On January 4, 1904, Mr. JAMES HAY of Virginia presented a resolution relating to an investigation of certain alleged misconduct on the part of Members, and after debate thereon moved the previous question.

Pending this question Mr. SERENO E. PAYNE of New York, rising to a parliamentary inquiry, asked when it would be in order to make a motion to recommit the resolution.

The SPEAKER said—

The same Speaker in the chair now—

"The Chair is of the opinion that pending a demand for the previous question the motion which the gentleman indicates would not be in order."

The question was taken on the motion for the previous question, the yeas and nays being ordered. There appeared—yeas 78, nays 78, answering present 9—not a quorum.

Thereupon the House adjourned.

On January 5, when the resolution was again taken up, the Speaker said:

The Chair desires at this time to correct a ruling made by the Chair yesterday. After the previous question had been moved upon this resolution yesterday the gentleman from New York [Mr. PAYNE] proposed a motion to refer. The Chair had in mind clause 4 of Rule XVI, which is as follows:

"When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely; which several motions shall have precedence in the foregoing order."

Now, with that rule standing alone, the ruling of the Chair was strictly in accordance with the letter of the rule; but the Chair had overruled Rule XVII, which is as follows—

Just as the gentleman from Pennsylvania overlooked it just now—

There shall be a motion for the previous question, etc.

There is no use quoting it again, as I have already quoted it. Then the Speaker determined, after quoting the rule:

In the opinion of the Chair, if called upon to rule for the first time and harmonize Rule XVI with Rule XVII, the Chair would hold that Rule XVI applies to resolutions and that Rule XVII applies to joint resolutions and bills.

Evidently, under Rule XVII, it was the intention of the House, by the adoption of the same, to give the House an opportunity after a bill had been engrossed and read a third time, if there were accidents, or for any reason it was the sense of the House that the bill ought to be recommitted, to have that opportunity. In practice that motion is in constant use in the ordinary business in the House in cases where the previous question is ordered upon the bill to its passage after the bill has been engrossed and read a third time. But the Chair does not feel at liberty or believe that it would be a correct ruling, in view of the practice of the House heretofore, to so harmonize these two rules. It has been the practice of the House, certainly from the time of Speaker Crisp, to hold that Rule XVII applies to resolutions as well as to bills. That was followed by Speaker Reed and also by Speaker Henderson.

Gentlemen are familiar with that fact, for the reason that in cases of resolutions reported from election committees in the determination of election contests it has been the constant practice after the substitute was voted on to move to recommit with or without instructions. So the practice of the House having been to substantially nullify Rule XVI, and the Chair not feeling at liberty to depart from that practice, so far as the motion to commit is concerned, holds that under Rule XVII it is in order, pending a motion for the previous question upon a resolution, or after the previous question upon the resolution has been ordered, either, at the election of the House to commit the resolution.

The Chair thought proper to call the attention of the House promptly to the error that the Chair fell into yesterday.

[Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, there is no doubt at all that in a proper case a motion to recommit may be made after the ordering of the previous question, but I call the attention of the Chair to paragraph 61 of Rule XI, which reads:

It shall always be in order to call up for consideration a report from the Committee on Rules, and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

Now I call the attention of the Speaker to a ruling in the Fifty-second Congress, a Democratic Congress, and in the Fifty-third Congress, also a Democratic Congress, where Speaker Crisp ruled:

Pending a report from the Committee on Rules, one motion to adjourn is in order, and thereafter no other dilatory motion, even of the highest privilege, is in order.

And also in the Fifty-second and Fifty-third Congresses, Mr. Speaker Crisp said:

The former practice of entertaining the question of consideration against a report of the Committee on Rules was reversed.

But without regard to these cases, I call your attention to a ruling that is right in point, as follows:

Pending the motion for or after the previous question is ordered on a report from the Committee on Rules, the motion to recommit is not admitted under the more recent practice of the House, although the rulings conflict.

That was ruled by Speaker Crisp and by several Speakers since, and that is the identical question that is now before the Chair and is decisive of the question. [Applause on the Republican side.]

The SPEAKER. The Chair quite agrees with the ruling that the Chair made on the motion then pending. But the Chair calls the attention of the gentleman from Missouri [Mr. CLARK] to the fact that while the Chair ruled properly in that case, yet that ruling does not cover this motion. It is not a universal rule. This is a report from the Committee on Rules, and the same question was raised in the speakership of Mr. Speaker Crisp, as follows:

On March 28, 1894, the previous question had been ordered on a resolution reported from the Committee on Rules fixing times for the consideration of the contested-election cases of O'Neill v. Joy, from Missouri, and English v. Hilborn, from California.

Mr. Thomas B. Reed, of Maine, moved to recommit the pending resolution to the Committee on Rules, with instructions to so modify the resolution that an additional vote might be had in the Joy case on the question of ordering a new election, if the House should determine that the facts required one, and with instructions to allow a suitable time for discussion.

Mr. Joseph H. Outhwaite, of Ohio, made the point of order that a motion to recommit a report of the Committee on Rules was not now in order.

The Speaker sustained the point of order, holding as follows:

"In the first place, ordinarily, under all parliamentary rules with which the Chair has any acquaintance, except the system under which we are now operating, a motion to recommit is not in order after the previous question is demanded or ordered. A motion to recommit is simply another method of permitting the House to amend, and under ordinary rules the right of amendment is cut off by the previous question. The House has, however, a provision in its rules that even pending the demand for the previous question or after it is ordered a motion to recommit may be in order.

"Rule XI provides that 'It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration thereof the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

"Now, the purpose of the rule, as disclosed by the language which has been read, was that on reports from the Committee on Rules the House should have the right, without delay and without motions tending to delay, to dispose of such report. The language is similar to that used in reference to motions to suspend the rules; and the Chair is aware that there may be some embarrassment at times because of the distinction between a report from the Committee on Rules and a motion to suspend the rules. But take the case now before the House. The Chair has no doubt that it is within the power of the House to amend a report from the Committee on Rules. The Chair has never entertained any doubt about that. If the House should vote down the demand for the previous question, then this report could be amended.

"The idea that the Chair has always had in enforcing this new rule was so to construe it as to permit the House to vote without delay upon the final proposition, either as reported by the committee or as agreed upon by the House if the House should choose to amend it.

"Now, the House has ordered the previous question. What does the previous question mean? It means that the House shall proceed to vote upon the proposition on which it is ordered. If a motion to recommit is in order, perhaps a motion to lay on the table might be in order; and the effect of both these motions, whatever the motive of the mover might be, would be to delay the House in reaching a final vote on the proposition before it, and on which the House has expressed a desire for a final vote by ordering the previous question. The Chair has always held, in construing the rule, that any motion which would tend to prevent the House from a speedy vote upon the final proposition is not in order.

"The Chair holds that on a report from the Committee on Rules, when the previous question has been ordered, it is not in order to move to recommit to the committee. The Chair thus holds the more willingly because the matter is entirely in the power of the House. If the House desires to amend or alter in any respect a report of this character, it need only vote down a demand for the previous question, and then the whole field of amendment is open; the report can be altered in any way to suit the wishes of the House.

"In other words, the Chair accepts the ordering of the previous question as an expression of the desire of the majority of the House to vote upon the resolution as it stood when the previous question was called upon it. Therefore, the Chair holds that the motion to commit is not in order."

This ruling of Mr. Speaker Crisp has been four times, the Chair is reminded, sustained by Mr. Speaker Henderson, and the present occupant of the chair has on two occasions followed the rulings of Mr. Speaker Crisp and Mr. Speaker Henderson; so that while the Chair now admits the correctness of the ruling that he made in the case read by the gentleman from Missouri [Mr. CLARK] as applying to ordinary resolutions, he calls the gentleman's attention to the fact that this is not an ordinary resolution. The Chair now reads from the Manual, page 273, at the bottom, the rule that was adopted in the Congress presided over by Mr. Speaker Crisp, as follows:

It shall always be in order to call up for consideration a report from the Committee on Rules, and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

And under that rule these decisions were made by Mr. Speaker Crisp, by Mr. Speaker Henderson, and the present occupant of the chair. It is an exception under the express rule to the ordinary practice arising under Rules XVI and XVII.

The question is on the motion of the gentleman from Pennsylvania [Mr. DALZELL].

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 196, nays 180, answered "present" 1, not voting 11, as follows:

YEAS—196.

Alexander, N. Y.	Esch	Kennedy, Iowa	Payne
Allen	Estopinal	Kennedy, Ohio	Pearre
Ames	Fairchild	Kinkaid, Nebr.	Perkins
Anthony	Fassett	Knapp	Plumley
Barchfeld	Fish	Knowland	Pratt
Barclay	Focht	Kronmiller	Pray
Barnard	Foelker	Küstermann	Prince
Bartholdt	Fordney	Lafean	Pujo
Bates	Foss	Langham	Reeder
Bennet, N. Y.	Foster, Vt.	Langley	Reynolds
Bennett, Ky.	Foulkrod	Law	Roberts
Bingham	Fowler	Lawrence	Rodenberg
Boutell	Fuller	Longworth	Scott
Bradley	Gaines	Lorimer	Sheffield
Broussard	Gardner, Mass.	Loud	Simmons
Brownlow	Gardner, Mich.	Loudenslager	Slemp
Burke, Pa.	Gardner, N. J.	Lovering	Smith, Cal.
Burke, S. Dak.	Garner, Pa.	Lowden	Smith, Iowa
Burleigh	Gillett	Lundin	Smith, Mich.
Butler	Goebel	McCall	Snapp
Calder	Graff	McCreary	Southwick
Calderhead	Graham, Pa.	McGuire, Okla.	Sperry
Campbell	Grant	McKinlay, Cal.	Stafford
Capron	Greene	McKinley, Ill.	Steenerson
Chapman	Griest	McKinney	Sterling
Cocks, N. Y.	Gronna	McLachlan, Cal.	Stevens, Minn.
Cole	Guernsey	McLaughlin, Mich.	Sturgiss
Cook	Hamer	McMorran	Sulloway
Cooper, Pa.	Hamilton	Madden	Swasey
Cowles	Hanna	Madison	Tawney
Creager	Hawley	Malby	Taylor, Ohio
Crumpacker	Hayes	Mann	Tener
Currier	Heald	Martin, S. Dak.	Thistlewood
Cushman	Henry, Conn.	Miller, Kans.	Thomas, Ohio
Dalzell	Higgins	Miller, Minn.	Tilson
Davidson	Hill	Millington	Tirrell
Davis	Hollingsworth	Mondell	Townsend
Denby	Howell, N. J.	Moon, Pa.	Volstead
Dickema	Howell, Utah	Moore, Pa.	Vreeland
Dodds	Howland	Morehead	Wanger
Douglas	Hubbard, W. Va.	Morgan, Mo.	Washburn
Draper	Huff	Morgan, Okla.	Weeks
Driscoll, M. E.	Hughes, W. Va.	Mudd	Wickliffe
Durey	Hull, Iowa	Needham	Wiley
Dwight	Humphrey, Wash.	Nye	Wood, N. J.
Edwards, Ky.	Johnson, Ohio	Olcott	Woodyard
Ellis	Joyce	Olmsted	Young, Mich.
Elvins	Kahn	Palmer, H. W.	Young, N. Y.
Englebright	Keifer	Parker	The Speaker

NAYS—180.

Adair	Dies	James	Pickett
Adamson	Dixon, Ind.	Jamieson	Poindexter
Aiken	Edwards, Ga.	Johnson, Ky.	Poù
Alexander, Mo.	Ellerbe	Johnson, S. C.	Rainey
Anderson	Ferris	Jones	Randell, Tex.
Ansberry	Finley	Kellher	Ransdell, La.
Ashbrook	Fitzgerald	Kendall	Rauch
Austin	Flood, Va.	Kinkead, N. J.	Reid
Barnhart	Floyd, Ark.	Kitchin	Richardson
Bartlett, Ga.	Foster, Ill.	Kopp	Robinson
Bartlett, Nev.	Gallagher	Korbly	Rothermel
Beall, Tex.	Garner, Tex.	Lamb	Rucker, Colo.
Bell, Ga.	Garrett	Lassiter	Rucker, Mo.
Booher	Gill, Md.	Latta	Sabath
Borland	Gillespie	Lee	Saunders
Bowers	Glass	Lenroot	Shackleford
Brantley	Godwin	Lever	Sharp
Burgess	Goldfogle	Lindbergh	Sheppard
Burleson	Good	Lindsay	Sherley
Burnett	Gordon	Livingston	Sherwood
Byrd	Goulden	Lloyd	Sims
Byrns	Graham, Ill.	McDermott	Sisson
Candler	Gregg	McHenry	Slayden
Cantrill	Griggs	Macon	Small
Carlin	Hamill	Maguire, Nebr.	Smith, Tex.
Carter	Hamlin	Martin, Colo.	Sparkman
Cary	Hammond	Maynard	Speight
Clark, Fla.	Hardwick	Mays	Stanley
Clark, Mo.	Hardy	Moon, Tenn.	Stephens, Tex.
Clayton	Harrison	Moore, Tex.	Sulzer
Cline	Haugen	Morrison	Talbott
Collier	Hay	Morse	Taylor, Ala.
Conry	Hellin	Moss	Taylor, Colo.
Cooper, Wis.	Helm	Murdock	Thomas, Ky.
Covington	Henry, Tex.	Nelson	Thomas, N. C.
Cox, Ind.	Hinshaw	Nicholls	Tou Velle
Cox, Ohio	Hitchcock	Norris	Underwood
Craig	Hobson	O'Connell	Wallace
Cravens	Houston	Oldfield	Watkins
Cullop	Howard	Padgett	Webb
Dawson	Hubbard, Iowa	Page	Weisse
De Armond	Hughes, Ga.	Palmer, A. M.	Willett
Dent	Hughes, N. J.	Parsons	Wilson, Ill.
Denver	Hull, Tenn.	Patterson	Wilson, Pa.
Dickson, Miss.	Humphreys, Miss.	Peters	Woods, Iowa

ANSWERED "PRESENT"—1.

Andrus

NOT VOTING—11.

Boehne	Driscoll, D. A.	Murphy	Russell
Coudrey	Fornes	Rhinock	Wheeler
Crow	Gill, Mo.	Riordan	

So the previous question was ordered.

The following pairs were announced:

For this session:

Mr. TOWNSEND with Mr. RUSSELL.

Until further notice:

Mr. CROW with Mr. BOEHNE.

Mr. WHEELER with Mr. DANIEL A. DRISCOLL.

Mr. MURPHY with Mr. FORNES.

Mr. COUDREY with Mr. GILL of Missouri.

Mr. ANDRUS with Mr. RIORDAN.

The result of the vote was then announced as above recorded.

[Applause on the Republican side.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 178, answered "present" 1, not voting 14, as follows:

YEAS—195.

Alexander, N. Y.	Esch	Kennedy, Iowa	Payne
Allen	Estopinal	Kennedy, Ohio	Pearre
Ames	Fairchild	Knapp	Perkins
Anthony	Fassett	Knowland	Plumley
Barchfeld	Fish	Kopp	Pratt
Barclay	Focht	Kronmiller	Pray
Barnard	Foelker	Küstermann	Prince
Bartholdt	Fordney	Lafean	Pujo
Bates	Foss	Langham	Reeder
Bennet, N. Y.	Foster, Vt.	Langley	Reynolds
Bennett, Ky.	Foulkrod	Law	Roberts
Bingham	Fowler	Lawrence	Rodenberg
Boutell	Fuller	Longworth	Scott
Bradley	Gaines	Lorimer	Sheffield
Broussard	Gardner, Mass.	Loud	Simmons
Brownlow	Gardner, Mich.	Loudenslager	Slemp
Burke, Pa.	Gardner, N. J.	Lovering	Smith, Cal.
Burke, S. Dak.	Garner, Pa.	Lowden	Smith, Iowa
Burleigh	Gillett	Lundin	Smith, Mich.
Butler	Goebel	McCall	Snapp
Calder	Graff	McCreary	Southwick
Calderhead	Graham, Pa.	McGuire, Okla.	Sperry
Campbell	Grant	McKinlay, Cal.	Stafford
Capron	Greene	McKinley, Ill.	Steenerson
Chapman	Griest	McKinney	Sterling
Cocks, N. Y.	Gronna	McLachlan, Cal.	Stevens, Minn.
Cole	Guernsey	McLaughlin, Mich.	Sturgiss
Cook	Hamer	McMorran	Sulloway
Cooper, Pa.	Hamilton	Madden	Swasey
Cowles	Hanna	Madison	Tawney
Creager	Hawley	Malby	Taylor, Ohio
Crumpacker	Hayes	Mann	Tener
Currier	Heald	Martin, S. Dak.	Thomas, Ohio
Cushman	Henry, Conn.	Miller, Kans.	Tilson
Dalzell	Higgins	Miller, Minn.	Tirrell
Davidson	Hill	Millington	Townsend
Davis	Hollingsworth	Mondell	Volstead
Denby	Howell, N. J.	Moon, Pa.	Vreeland
Dickema	Howell, Utah	Moore, Pa.	Wanger
Dodds	Howland	Morehead	Washburn
Douglas	Hubbard, W. Va.	Morgan, Mo.	Weeks
Draper	Huff	Morgan, Okla.	Wickliffe
Driscoll, M. E.	Hughes, W. Va.	Mudd	Wiley
Durey	Hull, Iowa	Needham	Wilson, Ill.
Dwight	Humphrey, Wash.	Nye	Wood, N. J.
Edwards, Ky.	Johnson, Ohio	Olcott	Woodyard
Ellis	Joyce	Olmsted	Young, N. Y.
Elvins	Kahn	Palmer, H. W.	The Speaker
Englebright	Keifer	Parker	

NAYS—178.

Adair	Craig	Hardy	Lloyd
Adamson	Cravens	Harrison	McDermott
Aiken	Cullop	Haugen	McHenry
Alexander, Mo.	Dawson	Hay	Macon
Anderson	De Armond	Hellin	Maguire, Nebr.
Ansberry	Dent	Helm	Martin, Colo.
Ashbrook	Denver	Henry, Tex.	Maynard
Austin	Dickson, Miss.	Hinshaw	Mays
Barnhart	Dies	Hitchcock	Moon, Tenn.
Bartlett, Ga.	Dixon, Ind.	Hobson	Moore, Tex.
Bartlett, Nev.	Edwards, Ga.	Houston	Morrison
Beall, Tex.	Ellerbe	Howard	Morse
Bell, Ga.	Ferris	Hubbard, Iowa	Moss
Booher	Finley	Hughes, Ga.	Murdock
Bowers	Fitzgerald	Hughes, N. J.	Nelson
Brantley	Floyd	Hull, Tenn.	Nicholls
Burgess	Floyd	Humphreys, Miss.	Norris
Burleson	Foster, Ill.	James	O'Connell
Burnett	Gallagher	Jamieson	Oldfield
Byrd	Garner, Tex.	Johnson, Ky.	Padgett
Byrns	Garrett	Johnson, S. C.	Page
Candler	Gill, Md.	Jones	Palmer, A. M.
Cantrill	Gillespie	Kellher	Parsons
Carlin	Glass	Kendall	Patterson
Carter	Godwin	Kinkead, N. J.	Peters
Cary	Goldfogle	Kitchin	Pickett
Clark, Fla.	Good	Korbly	Poindexter
Clark, Mo.	Gordon	Lamb	Poù
Clayton	Goulden	Lassiter	Rainey
Cline	Graham, Ill.	Latta	Randell, Tex.
Collier	Gregg	Lee	Ransdell, La.
Conry	Griggs	Lenroot	Rauch
Cooper, Wis.	Hamill	Lever	Reid
Covington	Hamlin	Lindbergh	Richardson
Cox, Ind.	Hammond	Lindsay	Robinson
Cox, Ohio	Hardwick	Livingston	Rothermel
Rucker, Colo.	Sims	Sulzer	Watkins
Rucker, Mo.	Sisson	Talbott	Webb
Sabath	Slayden	Taylor, Ala.	Weisse
Saunders	Small	Taylor, Colo.	Willett
Shackleford	Smith, Tex.	Thomas, Ky.	Wilson, Pa.
Sharp	Sparkman	Thomas, N. C.	Woods, Iowa
Sheppard	Spight	Tou Velle	Young, Mich.
Sherley	Stanley	Underwood	
Sherwood	Stephens, Tex.	Wallace	

ANSWERED "PRESENT"—1.

Andrus.

NOT VOTING—14.

Boehne	Driscoll, D. A.	Murphy	Thistlewood
Borland	Fornes	Rhinock	Wheeler
Coudrey	Gill, Mo.	Riordan	
Crow	Kinkaid, Nebr.	Russell	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. THISTLEWOOD with Mr. RHINOCK.

Mr. KINKAID of Nebraska, with Mr. BORLAND.

The result of the vote was announced as above recorded.

On motion of Mr. DALZELL, a motion to reconsider the last vote was laid on the table.

The SPEAKER. Under the order just adopted, the House resolves itself into the Committee of the Whole House on the state of the Union, for the further consideration of the bill.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. CLARK of Missouri. In order to save time——

Mr. PAYNE. Pending that——

Mr. CLARK of Missouri. Under the rule that motion is not in order.

Mr. DALZELL. Well, we can go into Committee of the Whole and then rise.

Mr. CLARK of Missouri. Then let us go into Committee of the Whole.

Mr. DALZELL. It will take about two minutes to go through the form.

Mr. CLARK of Missouri. It may take more than two minutes, I will advise you right now.

Mr. DALZELL. All right.

The SPEAKER. The gentleman from Pennsylvania [Mr. OLMSTED] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

Mr. FORDNEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 197, on page 55, strike out all of lines 9 to 19, inclusive——

Mr. UNDERWOOD. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. UNDERWOOD. I desire to inquire whether we are now considering these amendments under the five-minute rule of the House?

The CHAIRMAN. The Chair so understands.

Mr. UNDERWOOD. Then I desire to know, under that rule, if debate is limited on each amendment to five minutes?

The CHAIRMAN. The Chair understands that the debate upon amendments is governed by the ordinary rules of the House.

Mr. UNDERWOOD. That is, five minutes in favor of a proposition and five minutes against it?

The CHAIRMAN. Under the rules.

Mr. UNDERWOOD. Then, Mr. Chairman, I wish to say, that in order to expedite——

The CHAIRMAN. The Clerk has not completed the reading of the amendment. The Clerk will read the amendment.

The Clerk read as follows:

Paragraph 197, on page 55, strike out all of lines 9 to 19 inclusive, the words to be stricken out being as follows:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

The CHAIRMAN. The Chair will ask the gentleman from Michigan if this is offered as a committee amendment?

Mr. FORDNEY. It is, Mr. Chairman.

Mr. CLARK of Missouri. Mr. Chairman——

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

Mr. CLARK of Missouri. I was on the floor addressing the Chair before the gentleman from New York was.

The CHAIRMAN. A motion to rise always has precedence. The gentleman from New York moves that the committee do now rise.

The question being taken, on a division (demanded by Mr. CLARK of Missouri) there were—ayes 208, noes 168.

Mr. CLARK of Missouri. Tellers.

Tellers were ordered, and the chairman appointed Mr. PAYNE and Mr. CLARK of Missouri.

The committee again divided; and the tellers reported—ayes 192, noes 146.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

Mr. PAYNE. Mr. Speaker, I am informed that the printed bill is exhausted in the document room. I ask unanimous consent for a reprint of 1,200 copies of the bill as reported to the House in bill form.

Mr. CLARK of Missouri. Why not have it printed with these celebrated amendments printed in different type?

Mr. PAYNE. Because it is not practicable.

Mr. CLARK of Missouri. Why is it not practicable?

Mr. PAYNE. Because the amendments are not ready, and we could not get the bills for use to-morrow morning.

Mr. CLARK of Missouri. I would rather have it printed the other way, but I am not going to object.

WITHDRAWAL OF PAPERS.

Mr. DENBY, by unanimous consent, was given leave to withdraw from the files of the House papers in the case of Lewis B. Moore, Sixtieth Congress, no adverse report having been made thereon.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. CLARK of Missouri. I demand the yeas and nays. [Cries of "Oh, no!"] Oh, you have got to work every night until 5 o'clock. [Laughter.]

Mr. MANN. We will work until 5 o'clock to-night.

Mr. CLARK of Missouri. I know it, and that is what I want.

The yeas and nays were ordered.

The question was taken, and there were—yeas 205, nays 150, answered "present" 3, not voting 29, as follows:

YEAS—205.

Alexander, N. Y.	Dwight	Hubbard, W. Va.	Mondell
Allen	Edwards, Ky.	Huff	Moon, Pa.
Anthony	Ellis	Hughes, W. Va.	Moore, Pa.
Austin	Elvins	Hull, Iowa	Morehead
Barchfeld	Englebright	Humphrey, Wash.	Morgan, Mo.
Barclay	Esch	Johnson, Ohio	Morgan, Okla.
Barnard	Estopinal	Joyce	Morse
Bartholdt	Fairchild	Kahn	Mudd
Bates	Fassett	Keifer	Murdock
Bennet, N. Y.	Fish	Kendall	Needham
Bennett, Ky.	Focht	Kennedy, Iowa	Norris
Bingham	Foelker	Kennedy, Ohio	Nye
Boutell	Fordney	Kinkaid, Nebr.	Olcott
Bradley	Foss	Knapp	Olmsted
Broussard	Foster, Vt.	Knowland	Palmer, H. W.
Brownlow	Foulkrod	Kopp	Parker
Burke, Pa.	Fuller	Kronmiller	Payne
Burke, S. Dak.	Gaines	Kustermann	Pearre
Burleigh	Gardner, Mass.	Lafean	Perkins
Butler	Gardner, Mich.	Laughlin	Plumley
Calder	Gardner, N. J.	Langley	Poindexter
Calderhead	Garner, Pa.	Law	Pratt
Campbell	Gillett	Lawrence	Pray
Capron	Goebel	Lenroot	Prince
Cary	Good	Longworth	Pujo
Chapman	Graff	Lorimer	Reeder
Cocks, N. Y.	Graham, Pa.	Loud	Reynolds
Cole	Grant	Loudenslager	Roberts
Cook	Greene	Lovering	Rodenberg
Cooper, Pa.	Grest	Lowden	Scott
Cooper, Wis.	Gronna	Lundin	Sheffield
Cowles	Guernsey	McCreary	Simmons
Creager	Hamer	McGuire, Okla.	Smith, Cal.
Crumpacker	Hamilton	McKinlay, Cal.	Smith, Iowa
Currier	Hanna	McKinley, Ill.	Smith, Mich.
Cushman	Haugen	McKinney	Snapp
Dalzell	Hawley	McLachlan, Cal.	Southwick
Davidson	Heald	McLaughlin, Mich.	Sperry
Davis	Henry, Conn.	McMorran	Stafford
Dawson	Higgins	Madden	Steenerson
Denby	Hill	Madison	Sterling
Diekema	Hinshaw	Malby	Stevens, Minn.
Dodds	Hollingsworth	Mann	Sturgiss
Douglas	Howell, N. J.	Martin, S. Dak.	Sulloway
Draper	Howell, Utah	Miller, Kans.	Swasey
Driscoll, M. E.	Howland	Miller, Minn.	Tawney
Durey	Hubbard, Iowa	Millington	Taylor, Ohio
Tener	Volstead	Wickliffe	Young, Mich.
Thistlewood	Vreeland	Wiley	Young, N. Y.
Thomas, Ohio	Wanger	Wilson, Ill.	
Tilson	Washburn	Wood, N. J.	
Tirrell	Weeks	Woodyard	

NAYS—150.

Adair	Dickson, Miss.	Hughes, N. J.	Rauch
Adamson	Dies	Hull, Tenn.	Reid
Aiken	Dixon, Ind.	Humphreys, Miss.	Richardson
Alexander, Mo.	Edwards, Ga.	James	Robinson
Anderson	Ellerbe	Jamieson	Rothermel
Ansberry	Ferris	Johnson, Ky.	Rucker, Colo.
Ashbrook	Finley	Johnson, S. C.	Rucker, Mo.
Barnhart	Fitzgerald	Keliher	Sabath
Bartlett, Ga.	Flood, Va.	Kinkead, N. J.	Saunders
Beall, Tex.	Floyd, Ark.	Kitchin	Shackleford
Bell, Ga.	Foster, Ill.	Korbly	Sharp
Bochner	Gallagher	Lamb	Sheppard
Borland	Garner, Tex.	Lassiter	Sherley
Bowers	Garrett	Latta	Sherwood
Brantley	Gill, Md.	Lever	Sims
Burgess	Gillespie	Lloyd	Sisson
Burleson	Glass	McDermott	Slayden
Burnett	Godwin	McHenry	Small
Byrd	Goldfogle	Macon	Smith, Tex.
Byrns	Gordon	Maguire, Nebr.	Sparkman
Candler	Goulden	Martin, Colo.	Spight
Cantrill	Graham, Ill.	Mays	Stanley
Carlin	Gregg	Moon, Tenn.	Stephens, Tex.
Clark, Fla.	Griggs	Moore, Tex.	Sulzer
Clark, Mo.	Hamill	Morrison	Talbott
Clayton	Hamlin	Moss	Taylor, Ala.
Cline	Hardwick	Nicholls	Taylor, Colo.
Collier	Hardy	O'Connell	Thomas, Ky.
Conry	Harrison	Oldfield	Thomas, N. C.
Covington	Hay	Padgett	Ten Eyck
Cox, Ind.	Heflin	Page	Underwood
Cox, Ohio	Helm	Palmer, A. M.	Wallace
Craig	Henry, Tex.	Patterson	Watkins
Cravens	Hitchcock	Peters	Webb
Cullop	Hobson	Pou	Weisse
DeArmond	Houston	Ralney	Wilson, Pa.
Dent	Howard	Randell, Tex.	
Denver	Hughes, Ga.	Ransdell, La.	

ANSWERED "PRESENT"—3.

Andrus	Fornes	Lindbergh

NOT VOTING—29.

Ames	Gill, Mo.	Maynard	Slemp
Bartlett, Nev.	Hammond	Murphy	Townsend
Boehne	Hayes	Nelson	Wheeler
Carter	Jones	Parsons	Willett
Cooper, Tex.	Lee	Pickett	Woods, Iowa
Crow	Lindsay	Rhinock	
Driscoll, D. A.	Livingston	Riordan	
Fowler	McCall	Russell	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WOODS of Iowa with Mr. WILLETT.

Mr. SLEMP with Mr. LEE.

Mr. PICKETT with Mr. MAYNARD.

Mr. PARSONS with Mr. LIVINGSTON.

Mr. NELSON with Mr. LINDSAY.

Mr. MCCALL with Mr. JONES.

Mr. HAYES with Mr. HAMMOND.

Mr. FOWLER with Mr. CARTER.

Mr. AMES with Mr. BARTLETT of Nevada.

Accordingly (at 4 o'clock and 58 minutes p. m.), the House adjourned until 12 o'clock noon to-morrow.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BATES, from the Committee on the Disposition of Useless Executive Papers, to which was referred the reports of the heads of departments, reported the same, accompanied by a report (No. 3), which said report was referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSTER of Vermont: A bill (H. R. 6514) granting certain obsolete ordnance for ornamental purposes—to the Committee on Military Affairs.

By Mr. STANLEY: A bill (H. R. 6515) for the erection of a public building at Madisonville, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. BENNET of New York: A bill (H. R. 6516) to amend an act entitled "An act making an apportionment of Representatives in Congress among the several States, under the Twelfth Census."—to the Committee on the Census.

By Mr. GARDNER of New Jersey: A bill (H. R. 6517) to create a tariff commission, and defining its powers and duties—to the Committee on Ways and Means.

By Mr. NYE. Resolution (H. J. Res. 43) directing payment of

money to widow of Hon. James Hinds, deceased, according to terms of resolution passed in Fortieth Congress, third session—to the Committee on Claims.

By Mr. BINGHAM: Resolution (H. Res. 52) for relief of Elizabeth J. Farrell—to the Committee on Accounts.

By Mr. BENNET of New York: Resolution (H. Res. 54) requesting the Secretary of the Treasury to furnish certain information in reference to secret-service employees—to the Committee on Expenditures in the Treasury Department.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 6518) granting an increase of pension to Frank H. Holding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6519) granting an increase of pension to James Gannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6520) granting an increase of pension to Charles A. J. Blake—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 6521) to remove the charge of desertion from the record of Jackson Hockett—to the Committee on Military Affairs.

By Mr. BARCLAY: A bill (H. R. 6522) granting a pension to Martha E. Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R 6523) granting an increase of pension to Allen Matley—to the Committee on Invalid Pensions.

By Mr. BARNARD: A bill (H. R. 6524) granting an increase of pension to James H. Bowles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6525) granting an increase of pension to Isaac M. Sheaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6526) granting an increase of pension to Jonathan Harlan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6527) granting an increase of pension to Emmett Langston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6528) granting an increase of pension to Nancy C. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6529) granting an increase of pension to Travis Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6530) granting an increase of pension to Isaac H. Cohn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6531) granting an increase of pension to Isaac C. Spears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6532) granting an increase of pension to David Montieue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6533) granting an increase of pension to James McCurdy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6534) granting an increase of pension to Marshall Dill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6535) granting an increase of pension to Erie Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6536) granting an increase of pension to Edward C. Fulmz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6537) granting an increase of pension to Horsey Strong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6538) granting an increase of pension to James H. Bowles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6539) granting a pension to Mary De Prez—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6540) granting a pension to Margaret McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6541) granting a pension to Daniel W. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6542) to authorize the honorable discharge of Theodore F. Colgrove, late lieutenant-colonel of the One hundred and forty-seventh Regiment Indiana Infantry—to the Committee on Military Affairs.

By Mr. BURLESON: A bill (H. R. 6543) for the relief of the heirs of William Russell—to the Committee on Claims.

By Mr. BYRNS: A bill (H. R. 6544) granting an increase of pension to Almon E. Abel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6545) for the relief of F. M. Yarbrough—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 6546) granting an increase of pension to David Byers—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 6547) granting an increase of pension to Martin King—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 6548) granting an increase of pension to Thomas B. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6549) granting an increase of pension to Thomas J. D. Pinnick—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 6550) granting an increase of pension to James Hewitt—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 6551) granting an increase of pension to George A. Mills—to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 6552) granting a pension to Abbie L. Ellis—to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 6553) granting an increase of pension to Charles F. Junkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6554) granting an increase of pension to Edward H. Dorsett—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 6555) granting an increase of pension to George W. Whitacre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6556) granting an increase of pension to David Studebaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6557) granting an increase of pension to James N. Hughes—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 6558) granting an increase of pension to S. G. Ragsdale—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Joint resolution of general assembly of Ohio, favoring repeal of all duty on lumber—to the Committee on Ways and Means.

By Mr. AUSTIN: Petition of employees of Biddle Manufacturing Company, of Knoxville, Tenn., asking passage of paragraphs 325, 326, and 327 of the Payne tariff bill—to the Committee on Ways and Means.

Also, petitions of employees of Loudon Hosiery Mills, of Loudon, Tenn., and employees of Davis Hosiery Mills, of Chattanooga, Tenn., asking passage of paragraphs 325, 326, and 327 of Payne tariff bill—to the Committee on Ways and Means.

Also, petition of employees of Holston Manufacturing Company, of Lenoir City, Tenn., asking for passage of paragraphs 325, 326, and 327 of Payne tariff bill—to the Committee on Ways and Means.

By Mr. BATES: Petition of George Blair, of New York City, favoring a duty on moving-picture films—to the Committee on Ways and Means.

Also, petition of many citizens of the Twenty-fifth Congressional District of Pennsylvania, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of James T. Reno, of Edinboro, Pa., against removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Youngsville Manufacturing Company, against increase of duty on plate glass—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Ephraim Allen, of Eden, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CALDER: Petition of citizens of the Sixth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of physicians of Brooklyn, N. Y., against a duty on Guinness stout—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of National Liberal Immigration League, favoring arrangements by which American missionaries can be accorded the same rights in Russia as Russian missionaries are accorded in America—to the Committee on Foreign Affairs.

Also, petition of Congress of the Knights of Labor against all tariff legislation that does not grant adequate protection to American labor—to the Committee on Ways and Means.

Also, petition of C. E. Jagger for a duty on patent leather—to the Committee on Ways and Means.

Also, petition of Rumford Local No. 9, Brotherhood of Paper Makers, against reduction of the duty on print paper—to the Committee on Ways and Means.

By Mr. COOK: Petition of citizens of the Second Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Journeymen Bricklayers' Association of Philadelphia, Pa., opposing tax on tea and coffee—to the Committee on Ways and Means.

By Mr. COX of Indiana: Petition of citizens of the Third Congressional District of Indiana, opposing tax on tea and coffee—to the Committee on Ways and Means.

Draper
Driscoll, M. E.
Durey
Howell, Utah
Howland
Hubbard, Iowa
Martin, S. Dak.
Miller, Kans.
Miller, Minn.
Millington
Sulloway
Swasey
Tawney
Taylor, Ohio

create a tariff commission, and defining its powers and duties—to the Committee on Ways and Means.

By Mr. NYE. Resolution (H. J. Res. 43) directing payment of Invalid Pensions.

Congressional District of Indiana, opposing tax on tea and coffee—to the Committee on Ways and Means.

Also, petition of Local Union No. 371, A. S. of E., against reduction of tariff on barley, grain, etc.—to the Committee on Ways and Means.

Also, petition of Benevolent and Protective Order of Elks, of Dayton, Ohio, favoring a reserve for care of the American elk in Wyoming—to the Committee on the Public Lands.

By Mr. DODDS: Petition of citizens of Comfort, Antrim County, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of New York Fruit Exchange, against tariff increase on lemons—to the Committee on Ways and Means.

Also, petition of Adirondack Lumber Manufacturers and Shippers' Association, against tariff reduction on lumber—to the Committee on Ways and Means.

Also, petition of Germania Brewing Company, of Buffalo, N. Y., against duty on Canadian barley—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York City, for appropriation to widen the Hudson River to Troy—to the Committee on Rivers and Harbors.

Also, petition of Retail Grocers of Philadelphia, against tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of Mid-Continent Oil and Gas Producers' Association, against reduced tariff on petroleum and its products—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, against reduction of tariff on wooden boxes, box shooks, and lumber—to the Committee on Ways and Means.

Also, petition of Luyties Brothers, of New York, favoring amendment to tariff bill to encourage sale and exportation of spirits of domestic manufacture—to the Committee on Ways and Means.

Also, petition of Chapin Post, No. 2, Department of New York, Grand Army of the Republic, of Buffalo, N. Y., favoring bill for erection of monument to the late Brig. Gen. Henry W. Lawton—to the Committee on the Library.

Also, petition of Fine Arts Federation, of New York, favoring the bill introduced by Senator NEWLANDS—to the Committee on the Library.

Also, petition of citizens of the Thirty-fifth Congressional District of New York, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of willow growers of New York State and willow-basket makers of Liverpool, N. Y., for increase of duty on willow baskets—to the Committee on Ways and Means.

By Mr. DUREY: Petition of various residents of the Twenty-fifth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FORNES: Petition of machine printers of New York, favoring increase of duty on wall papers—to the Committee on Ways and Means.

Also, petition of many soap manufacturers of the United States, for reduction of the duty on tallow—to the Committee on Ways and Means.

Also, petition of the Chamber of Commerce of the State of New York, urging upon the Congress of the United States that provision be made in the new tariff now under preparation for such equitable arrangement as will insure for our exports the application by the Republic of France of the minimum rates of duty that other favored nations enjoy in their commerce with that country—to the Committee on Ways and Means.

Also, petition of Retail Grocers' Association of Philadelphia, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-ninth Congressional District of New York, favoring higher duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwark, Conn., against reduction of tariff on print paper—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York City, against the ad valorem basis of duties—to the Committee on Ways and Means.

Also, petition of paper manufacturers of the United States, against a reduction of duty on paper products—to the Committee on Ways and Means.

Also, petition of committee of wholesale grocers of New York, favoring reduction of duty on sugar—to the Committee on Ways and Means.

Also, petition of Yellow Pine Manufacturers' Association, against reduction of the tariff on lumber—to the Committee on Ways and Means.

Also, petition of National Shoe Wholesale Association of the United States, against the duty on hides—to the Committee on Ways and Means.

Also, petition of James W. Howard, to place crude asphalt and crude bitumen on the free list—to the Committee on Ways and Means.

Also, petition of Knickerbocker Chocolate Company, of New York, asking that crude cocoa be restored to the free list—to the Committee on Ways and Means.

Also, petitions of Smith & Henley, Joseph Beth, and Charles F. Holesark, all of New York City, asking removal of duty on raw and refined sugar—to the Committee on Ways and Means.

Also, petition of 400 machine wall-paper printers of New York City, asking increase of duty on wall paper—to the Committee on Ways and Means.

Also, petition of David Stevenson Brewing Company, of New York, asking for removal of duty on Canadian barley—to the Committee on Ways and Means.

By Mr. FOSS: Petition of Bay View Reading Circle, of Zion City, Ill., against passage of hosiery and glove schedule in Payne tariff bill—to the Committee on Ways and Means.

Also, petition of J. F. Bidinger, representing Sprague, Warner & Co., of Chicago, against tax on tea or coffee—to the Committee on Ways and Means.

By Mr. FOSTER of Vermont: Petition of Hon. Charles D. Watson and 74 other citizens of St. Albans, Vt., asking for removal of the duty on sugar—to the Committee on Ways and Means.

By Mr. FULLER: Petition of National Coffee and Tea Association, of New York, against a duty on coffee—to the Committee on Ways and Means.

Also, petition of 28 citizens of the Twelfth Congressional District of Illinois, in favor of removing casein and lactarene from the free list and imposing a certain duty on the same—to the Committee on Ways and Means.

Also, petition of National Coffee and Tea Association, of New York, against a duty on tea—to the Committee on Ways and Means.

Also, petition of Sprague, Warner & Co., of Chicago, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of James Hewitt—to the Committee on Invalid Pensions.

By Mr. GOULDEN: Petition of James W. Van Cleave, favoring adjustment of the tariff—to the Committee on Ways and Means.

Also, petition of lithographers of Greater New York, favoring tariff on lithographs—to the Committee on Ways and Means.

Also, petition of Adirondack Lumber Manufacturing Company, opposing change of tariff on lumber—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York State, favoring improvement of the Hudson River—to the Committee on Rivers and Harbors.

Also, petition of Fine Arts Federation, of New York City, favoring the Mall for a Lincoln Memorial—to the Committee on the Library.

Also, petition of New York Fruit Exchange, opposing reduction of duty on lemons—to the Committee on Ways and Means.

Also, petition of American lithographers of New York, for a proper tariff—to the Committee on Ways and Means.

Also, petition of National Association of Box Manufacturers, favoring an increase of tariff on lumber—to the Committee on Ways and Means.

Also, petition of Jed, Frye & Co., New York, favoring reduction of tariff on canned and cured fish—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of citizens of the Ninth Congressional District of Pennsylvania, opposing casein and lactarene on the free list and urging removal of duty on hides—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of North Dakota, against reduction of duty on barley or other agricultural products—to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of George W. Pitner—to the Committee on Pensions.

By Mr. HOWELL of New Jersey: Petition of residents of the Third Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOWELL of Utah: Petition of Utah Lithographing Company, against reduction of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of citizens of Utah, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HUGHES of New Jersey: Petition of citizens of the Sixth Congressional District of New Jersey, against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of farmers and elevator men of Paynesville, Minn., protesting against the proposed reduction in the tariff on barley—to the Committee on Ways and Means.

Also, petition of George E. Brett, L. B. and D. Richards, and F. Kron, dry-goods merchants of Mankato, Minn., protesting against proposed increase in tariff on cotton hosiery and women's leather gloves—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of citizens of the Thirteenth Congressional District of Illinois, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. McDERMOTT: Petition of Chicago Live Stock Exchange, against repeal of the duty on hides—to the Committee on Ways and Means.

By Mr. McHENRY: Petition of citizens of Pennsylvania, favoring removal of the duty on sugar—to the Committee on Ways and Means.

By Mr. MALBY: Petition of residents of St. Lawrence County, N. Y., favoring repeal of duty on raw and refined sugar—to the Committee on Ways and Means.

Also, petition of residents of the Twenty-sixth Congressional District of New York, against any duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MARTIN of Colorado: Petition of Canon City Lodge, No. 610; Central City Lodge, No. 557; and Telluride Lodge, No. 692, Benevolent and Protective Order of Elks, all of Colorado, for an American elk reservation in Wyoming—to the Committee on the Public Lands.

Also, petition of citizens of Colorado, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Colorado, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of various residents of the Twenty-seventh Congressional District of New York, for removal of duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of various residents of Utica, N. Y., against placing of duties on teas, coffees, cocoa, or spices—to the Committee on Ways and Means.

By Mr. MURDOCK: Petition of Sumner County Medical Association, for the creation of a bureau of health—to the Committee on Agriculture.

Also, petition of citizens of Sedgwick and Wichita counties, Kans., for a pension for the members of the United States Military Telegraph Corps—to the Committee on Invalid Pensions.

Also, petition of citizens of Eighth Congressional District of Kansas, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Cattle Raisers' Association of Texas, for retention of the present duty on cattle and hides—to the Committee on Ways and Means.

Also, petition of citizens of Harvey County, Kans., against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. A. MITCHELL PALMER: Petition of 106 citizens of East Stroudsburg, Pa., favoring removal of duty on hides—to the Committee on Ways and Means.

By Mr. PRAY: Petition of H. G. Miller and Kalispell Lumber Company, of Kalispell, Mont., favoring a duty on lumber—to the Committee on Way and Means.

By Mr. PEARRE: Petition of Charles Conters and 128 other tin-plate workers, of Cumberland, Md., asking for an amendment of the drawback feature on tin plates in the Payne tariff bill—to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of citizens of Lansing, Mich., for legislation to regulate commerce in intoxicants, and favoring also the antiopium bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of C. E. Jagger, favoring a duty of 30 per cent on manufactured patent leather for shoes—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers Shoe Company, favoring placing shoes on the free list—to the Committee on Ways and Means.

Also, petition of C. J. Wittenberg, of New York City, against placing coal on the free list—to the Committee on Ways and Means.

Also, petition of Frank Gehring, of Jersey City, N. J., for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of F. C. Lowry, secretary of wholesale grocers' committee, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of importers and jobbers of tea in the city of Boston, against a duty on tea—to the Committee on Ways and Means.

Also, petition of National Coffee and Tea Association, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Dryden & Palmer, J. H. Barker & Co., and Wallace & Co., favoring placing crude cocoa on the free list—to the Committee on Ways and Means.

Also, petition of Sprague, Warner & Co., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of the State of New York, urging upon the Congress of the United States that provision be made in the new tariff, now under preparation, for such equitable arrangement as will insure for our exports the application by the Republic of France of the minimum rates of duty that other favored nations enjoy in their commerce with that country—to the Committee on Ways and Means.

Also, petition of National Wholesale Dry Goods Association, against an increase of duty on linoleum—to the Committee on Ways and Means.

Also, petition of Manhattan Shoe Company, for repeal of duty on hides—to the Committee on Ways and Means.

Also, petition of assembly of the State of Ohio, favoring removal of duty on lumber—to the Committee on Ways and Means.

Also, petition of Siegman & Weil, for lower duty on artificial silk—to the Committee on Ways and Means.

By Mr. WANGER: Resolutions of the Pennsylvania State Association of Architects, approving the report of the Fine Arts Council recommending that the proposed Lincoln Monument to be erected in the national capital shall be upon the site at the end of the Mall, as originally provided for; and in favor of the Newlands bill, creating a bureau of fine arts—to the Committee on the Library.

Also, protest of John B. Swartz and 15 other residents of Perkasie, Bucks County, Pa., against the imposition of any tax or duty on teas or coffees—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 6, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438—the tariff bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the tariff bill, with Mr. OLMSTED in the chair.

Mr. FORDNEY. Mr. Chairman, I now call up the amendment which I offered last evening.

The CHAIRMAN. The amendment was reported yesterday, but without objection will be again reported.

The Clerk again reported the amendment, as follows:

Paragraph 197, on page 55, strike out all of lines 9 to 19, inclusive, the words to be striken out being as follows:

Provided, That if any country, dependency, province, or other subdivision of government shall impose an export duty or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency, province, or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way, there shall be imposed upon all of the forest products of such country when imported into the United States the duties prescribed in section 3 of this act during the continuance of such export duties, charges, embargo, discrimination, or restriction.

Mr. CLARK of Missouri. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. Mr. Chairman, the parliamentary inquiry is this, and it might as well be settled now as at any other time: If this motion of the gentleman from Michigan is voted up or is voted down, then, under the rule, can any other amendment be offered touching the subject of lumber?

Mr. PAYNE. Mr. Chairman, I would say to the Chair that that is the way I understand it, that an amendment can be offered provided for in the rule.

Mr. CLARK of Missouri. That is the very thing that I am asking about.

Mr. TAWNEY. This is not an amendment provided for in the rule.

Mr. MANN. Anybody can offer an amendment.

Mr. CLARK of Missouri. That is what I want to find out.

Mr. DALZELL. Mr. Chairman, if the gentleman from Mis-

Mr. DALZELL. Mr. Chairman, the gentleman from New

Ways and Means.

Sixth Congressional District of New Jersey: Petition of citizens of the and coffee—to the Committee on Ways and Means.

Also, petition of importers and jobbers of tea in the city of

Mr. MANN. Anybody can offer an amendment—

Mr. CLARK of Missouri. That is what I want to find out.

Mr. DALZELL. Mr. Chairman, if the gentleman from Missouri will allow me, the rule provides for committee amendments. One of the committee amendments relates to the subject of lumber. A rule also provides for the consideration of a lumber schedule specifically by somebody else than the committee.

Mr. MANN. Anybody can offer an amendment.

Mr. CLARK of Missouri. When are we going to consider it?

Mr. BURLESON. Now. An amendment to the amendment can be offered.

Mr. DALZELL. The amendments specifically mentioned in the rule have precedence over the committee amendments.

Mr. CLARK of Missouri. That is the gentleman's opinion and that is my opinion. The opinion that rules, however, is in the Chair.

Mr. DALZELL. I think probably the Chair will follow us. [Laughter.]

The CHAIRMAN. The Chair will endeavor to answer the parliamentary inquiry of the gentleman from Missouri. This particular amendment offered by the gentleman from Michigan is offered as a committee amendment. It is to strike out a certain proviso beginning on page 55. In the opinion of the Chair this amendment does not open up for amendment any other portion of that paragraph save the proviso referred to, but the proviso itself, that part of the paragraph, is subject to perfection by amendment before this amendment to strike out is voted upon.

Mr. CLARK of Missouri. Mr. Chairman, then I offer this as the substitute, which I send to the desk.

Mr. TAWNEY. Mr. Chairman, do I understand the Chair to hold that after this amendment is agreed to or disagreed to there would be no opportunity to offer further amendments to this paragraph unless a committee amendment?

The CHAIRMAN. No. The Chair has simply ruled as to the effect of this particular committee amendment. There is specific provision in the rule for other amendments.

Mr. FORDNEY. Can I not offer it as an individual? If so, I want to offer the amendment as an individual and not as a committee amendment. While I say it is authorized by the committee, if I am permitted to offer it as an individual I would like to have it considered at this time.

Mr. PAYNE. The gentleman has offered it already, and it is before the committee, and no point of order was made against it.

Mr. FORDNEY. Very well.

The CHAIRMAN. The gentleman stated yesterday that he offered it as a committee amendment; but in the opinion of the Chair that is immaterial, as the rule specifically provides a preference for amendments to this paragraph no matter by whom offered.

Mr. FITZGERALD. Mr. Chairman, in order to understand, may I inquire whether under this rule it is not in order to offer and have considered, in preference to any other amendments, amendments which may be offered by anybody to the paragraphs specified in the rule? I call the attention of the Chair to the fact that while the rule makes committee amendments in order in preference to amendments offered by other Members of the House, it yet gives priority to amendments to certain paragraphs no matter from what source those amendments come. In order that there may be no misunderstanding, we should have an expression from the Chair at this time as to whether that is the correct construction of the rule.

I wish to call the attention of the Chair to this fact, that this rule does not provide that such amendments, meaning committee amendments or a committee amendment, shall have priority; but it provides that while committee amendments to any part of the bill shall be in order at any time, that "also preference" shall be given to amendments, not committee amendments, but to amendments to specific paragraphs. It seems to me that in order to clear up any misunderstanding the Chair at this time should state what its construction is of the rule, so that Members may be fully advised. I understand, for instance, it is the intention of some Members to offer to this particular paragraph an amendment placing lumber on the free list, and this rule was intended to give such an opportunity; but if it be held that such amendments have no priority, then the object of the rule in this respect will be defeated.

The CHAIRMAN. The Chair will, without objection, have the rule again reported.

There was no objection.

The rule was again reported.

Mr. FITZGERALD. Mr. Chairman, I call the attention of the Chair, in addition, to the fact that these specific amendments are given preference in another part of the rule over committee amendments, so that there can be no doubt that the rule was designed to give preference to amendments to the specified items in the bill.

Mr. DALZELL. Mr. Chairman, the gentleman from New York is entirely right in his construction of the rule. The amendments to the subjects specified in the rule have preference over committee amendments. But here is a subject upon which there are two amendments, one a committee amendment and the other an amendment specified in the rule. If the point had been made that the gentleman's committee amendment was not in order until after the amendments had been offered to the lumber paragraph by somebody else, I think it would have been well taken; but no point of order was made, and the gentleman has been recognized and his amendment is pending before the House, and while, of course, it is entirely proper we should understand technically what the rule means, yet it seems to me the difference here is the difference between tweedle dee and tweedle dum. The gentleman could offer his amendment now, under the rule, as an individual.

Mr. HENRY of Texas. Mr. Chairman, I suggest that the gentleman offered his amendment as a committee amendment on yesterday.

Mr. DALZELL. He did; but if it is ruled out as a committee amendment——

Mr. HENRY of Texas. The gentleman could not withdraw it and offer it as an individual amendment. We should object to that.

Mr. MANN. Mr. Chairman, I would like to call the attention of the Chair to what the rule provides in this way. The rule provides that committee amendments shall be in order to any part of the bill at any time. If the rule had stopped there, there would be no chance to offer individual amendments until the committee was through offering its amendments. Now, in order to prevent the committee occupying the entire time until the final rising of the committee with its committee amendments, so as to prevent the offering of individual amendments, the rule provides that individual amendments to certain specified paragraphs shall have precedence, but the two portions of the rule must be construed together. It is perfectly plain that it is not the intention of the rule to provide that all individual amendments to all of the specified rules shall be passed upon before the committee can offer an amendment to any of these specified paragraphs, because if that were the case it would prevent the committee from offering its amendments at the time when the paragraph is before the committee. Now, it seems to me that the proper construction of the rule is that the committee amendments upon the specified paragraphs under the usual rules of the House are in order when they are offered when the specified paragraphs are under consideration; but the committee can not take up all the time of the committee offering amendments upon paragraphs not specified, and thereby cut out the offering of amendments on the specified paragraphs. If a contrary rule should be made, then the committee can, under no circumstance, offer an amendment to the lumber schedule until all the specified paragraphs have been disposed of; and instead of our disposing of the paragraph when it comes up for consideration, we would undertake to dispose of individual amendments on the lumber schedule, and then next Friday dispose of the committee amendments on the lumber schedule, perhaps.

Mr. SHERLEY. Mr. Chairman, I can not agree with the proposition laid down by the gentleman from Illinois. The rule is crudely drawn, and was drawn under force of political necessity, and that political necessity required that certain men should be assured that there would be an opportunity that could not be taken away of offering amendments to certain specific paragraphs. Now, there is no language that can be made plainer than the words that state that specified amendments shall take precedence of committee amendments. It either means plainly that, or it means nothing at all; and I insist the purpose was that such amendments should be in order, and that such motions would have precedence over any other amendments, not to these specified paragraphs, whether offered by the Ways and Means Committee or not.

Mr. HENRY of Texas. Mr. Chairman, I ask that the amendment offered by the gentleman from Missouri [Mr. CLARK] be read, in order that the committee may understand it.

The CHAIRMAN. The Chair will first answer the parliamentary inquiry. The special rule, or order, of the House under which we are now proceeding provides that committee amendments to any part of the bill shall be in order at any time, and then it provides that precedence shall be given to amendments to paragraphs 196, 197, and so forth, and that said specified amendments shall take precedence of committee amendments. The rule undoubtedly intended to provide that amendments to paragraphs 196 and 197 and the other specified paragraphs should have precedence over amendments to other paragraphs, even though offered by the committee. Now, here is an amendment to one of those specified paragraphs, and although it is offered by the committee, it seems to the Chair to have prece-

dence, being to one of the specified paragraphs to which amendments are given precedence by the very terms, as well as the manifest intention, of the rule. The Chair, therefore, thinks that the amendment offered by the gentleman from Michigan is in order at this time.

Mr. CLARK of Missouri. Now, I offer a substitute for it.

The CHAIRMAN. The Clerk will report the substitute.

Mr. TAWNEY. Mr. Chairman, a parliamentary inquiry. The gentleman from Michigan——

The CHAIRMAN. The Chair will state, however, that the gentleman from Missouri [Mr. CLARK] can not be recognized to offer a substitute until the gentleman from Michigan, if he so desires, has occupied his time. He has the floor and is entitled to five minutes before any other gentleman can be recognized to offer an amendment.

Mr. CLARK of Missouri. I will be recognized then?

The CHAIRMAN. Perhaps.

Mr. CLARK of Missouri. It seems to me that, being the first to offer a substitute, I have the first right.

The CHAIRMAN. The Chair can not promise. Perhaps the chairman of the Committee on Ways and Means may have a substitute amendment.

Mr. CLARK of Missouri. He has no more rights here than I have.

Mr. SHERLEY. After the disposition of the amendment offered by the gentleman from Michigan [Mr. FORDNEY], will there be any limitation to the number of amendments that can be offered to this paragraph?

The CHAIRMAN. The Chair would rather meet that question when it arises. The gentleman from Michigan [Mr. FORDNEY] is entitled to the floor.

Mr. FORDNEY. Mr. Chairman, I am frank to say that I exceedingly regret to find it necessary to offer this amendment. It is my candid opinion that it is one of the most meritorious paragraphs in the bill. The lumber industry, as every man knows who knows anything about it, is one of the greatest industries in the country. As has been repeatedly stated on the floor of the House, the value of the output of lumber in a single year—last year—amounted to somewhere from $600,000,000 to $800,000,000. And it has been repeatedly stated, and I wish to make that statement again, that the duty on lumber, based on the average value of the product of the log, is not more than 10 or 11 per cent ad valorem, perhaps the lowest rate of protection to any prominent industry in the country. And if the bill as it is now before the House were enacted into law, I am frank to say—and it was my earnest hope that it might be—would mean $2 per thousand feet on rough lumber. It means this:

That Canada must yield up to the United States her raw material, her forest products, or pay $2 per thousand feet on rough lumber. The Members of the House who are here to-day asking to have lumber placed upon the free list have known that the Committee on Ways and Means has been in session since the 10th day of November last; yet not a voice has been raised before that committee by any man in this House in opposition or to protest against the duty on lumber being reported in that bill.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. FORDNEY. Just one question.

Mr. FITZGERALD. Is the gentleman in favor of or opposed to the amendment which he has offered?

Mr. FORDNEY. My dear sir, I am offering it and will vote for it, but it causes me to sweat blood in doing it. [Laughter.]

Mr. MADDEN. Will the gentleman permit a question? Just exactly what effect will the amendment have on the provision in the bill if adopted?

Mr. FORDNEY. If the amendment is adopted and the bill then is enacted into law, it means $1 per thousand feet on rough lumber and the additional duty provided for in other paragraphs on dressed and partly manufactured lumber. There are many gentlemen in the House who do not want to vote for the bill with that proviso in it. Therefore, Mr. Chairman and gentlemen of the House, in order to satisfy men who are willing to vote for $1 duty on lumber, I am ready and willing now to sacrifice that proviso and accept $1 per thousand feet on lumber. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman's time has expired.

Mr. CLARK of Missouri. I offer that substitute now for the gentleman's motion.

Mr. TAWNEY. I desire to offer a substitute for the motion of the gentleman from Michigan.

Mr. CLARK of Missouri. I was up first.

The CHAIRMAN. The Chair does not know what is in either motion and presumes them to be of equal rank. The gentleman from Missouri is the ranking member of the Ways and Means Committee, but not necessarily entitled to recognition on that account. Under all the circumstances, however, the Chair will recognize him at this time. [Applause.] The Clerk will report the amendment——

Mr. PAYNE. I do not think that ruling is fair to this side of the House. It is well known that the gentlemen on the other side of the House are opposed to the bill [cries of "Regular order!" on the Democratic side] and gentlemen on this side of the committee—— [Renewed cries of "Regular order!" on the Democratic side.]

Mr. HENRY of Texas. I would like to know what the gentleman is saying.

Mr. PAYNE. I am addressing myself to this side and to the Chair.

Mr. SHERLEY. The gentleman is entirely out of order.

Mr. SHACKLEFORD. I make the point of order that the point has already been ruled on.

The CHAIRMAN. The Chair will, in the first instance, have the amendment reported.

Mr. PAYNE. What I was objecting to was the observation of the Chair.

Mr. SHERLEY. I insist on the regular order.

The CHAIRMAN. The Chair will take that into consideration upon hearing the amendment. The Clerk will read the amendment.

The amendment was read, as follows:

"Strike out all of paragraphs 196 and 197 and insert in paragraph 708, 'timber manufactured or unmanufactured and all lumber.'"

Mr. CLARK of Missouri. That means to put it all on the free list.

Mr. TAWNEY. Mr. Chairman, I move to strike out all of the substitute after the first word, and insert what I have sent to the desk.

The CHAIRMAN. The gentleman will suspend for one moment.

Mr. TAWNEY. I make the point of order that two paragraphs can not be covered by one amendment.

The CHAIRMAN. The Chair thinks this is not a substitute amendment offered by the gentleman from Missouri.

Mr. TAWNEY. Mr. Chairman——

The CHAIRMAN. Wait a minute.

Mr. TAWNEY. I offered an amendment——

Mr. CLARK of Missouri. If it is not an amendment, what is it?

The CHAIRMAN. Why it is an amendment to strike out two or three paragraphs, and then an amendment. It is not a substitute for or an amendment to the amendment offered by the gentleman from Michigan.

Mr. CLARK of Missouri. Yes; and the whole thing goes together; it is the same subject-matter.

Mr. FITZGERALD. I wish to submit that a motion to strike out——

Mr. TAWNEY. I insist on the point of order.

The CHAIRMAN. Whenever an amendment is offered to perfect a paragraph it takes precedence of a motion to strike out the paragraph, and certainly of a motion to strike out two paragraphs.

Mr. CLARK of Missouri. Why, it takes precedence over the same rule.

The CHAIRMAN. Not under the rules and practice of the House. It is not to perfect the paragraph, but a motion to strike it out.

Mr. CLARK of Missouri. I know; but what is the sense of perfecting the paragraph if you are going to move to strike out?

The CHAIRMAN. After the paragraph is perfected the committee may not desire to strike it out. That is the sense of permitting an amendment offered for the purpose of perfecting the paragraph to take precedence of a motion to strike out the paragraph.

Mr. CLARK of Missouri. Well, then, I offer that leaving out paragraph 196 and moving to strike out 197.

Mr. TAWNEY. I object to a modification of the amendment.

Mr. FITZGERALD. The gentleman has a right to modify his amendment at any time before it is acted upon by the committee.

The CHAIRMAN. The gentleman had best offer his amendment in writing.

Mr. TAWNEY. I have offered my amendment and sent it to the desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

Mr. SHACKLEFORD. The gentleman from Minnesota said he offered his amendment, but he did not have the floor to offer it.

The CHAIRMAN. He has the floor now.

Mr. DE ARMOND. Mr. Chairman, I would like——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DE ARMOND. I would like to make a suggestion on the point of order, stating to the Chair the historic order——

The CHAIRMAN. There is no point of order pending at the present moment.

Mr. DE ARMOND. I want to call attention to the motion of the gentleman from Missouri. [Cries of "Regular order!" on the Republican side.]

The CHAIRMAN. One moment.

Mr. DE ARMOND. The gentleman from Missouri had the floor and offered a substitute; the gentleman from Minnesota then offered to amend the substitute, moving to amend the substitute by striking out all after the first word.

The CHAIRMAN. But the Chair did not recognize the gentleman for that purpose.

Mr. DE ARMOND. The gentleman from Minnesota now proposes to offer an amendment.

The CHAIRMAN. The Chair has ruled upon the matter.

Mr. DE ARMOND. Then the Chair has ruled wrongly.

Mr. TAWNEY. I offer the amendment I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Strike out all after the figures "197," in line 20, of lines 20 to 25, both inclusive, page 54, and lines 1 to 14, both inclusive, page 55, and insert the following:

"Lumber of any sort, planed or finished on one side, 50 cents per 1,000 feet board measure; planed on two sides, $1 per 1,000 feet board measure; and if planed on one side and tongued and grooved, $1 per 1,000 feet board measure; and if planed on two sides and tongued and grooved, $1.50 per 1,000 feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tongueing, and grooving."

Mr. FITZGERALD. I make the point of order, so as to demonstrate the consistency of the Chair in its ruling, that the amendment of the gentleman from Michigan [Mr. FORDNEY] takes precedence over the amendment of the gentleman from Minnesota [Mr. TAWNEY], because it is an amendment to strike out a portion of the paragraph, and this is a motion to strike out the entire paragraph and insert.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DE ARMOND. I offer an amendment to the amendment of the gentleman from Michigan.

The CHAIRMAN. The gentleman from Missouri offers an amendment——

Mr. TAWNEY. Mr. Chairman, do I understand the Chair to rule that my amendment is not in order? It is a substitute for the amendment of the gentleman from Michigan.

The CHAIRMAN. The Chair did not understand that the gentleman desired to be heard on the point of order, but if he does——

Mr. TAWNEY. I offer this as a substitute for the amendment offered by the gentleman from Michigan, and not as an amendment to his amendment.

The CHAIRMAN. But the Chair will suggest to the gentleman from Minnesota that his amendment strikes out the entire paragraph.

Mr. TAWNEY. It strikes out down to certain lines and then reinserts the language of the bill.

Mr. CLARK of Missouri. Now, Mr. Chairman, that is worse than mine was, according to the ruling of the Chair.

The CHAIRMAN. The lines proposed to be stricken out by the amendment of the gentleman from Minnesota comprise the entire paragraph, and render his amendment subject to the same objection as that sustained against the amendment of the gentleman from Missouri [Mr. CLARK]. Now, the gentleman from Missouri [Mr. DE ARMOND] offers an amendment, which the Clerk will report.

Mr. TAWNEY. Mr. Chairman, I move, then, to strike out, on page 54, all——

Mr. GARRETT. A point of order, Mr. Chairman. The gentleman from Missouri [Mr. DE ARMOND] has been recognized.

Mr. SHACKLEFORD. The gentleman from Missouri [Mr. DE ARMOND] has been recognized.

Mr. TAWNEY (continuing). All after the figures "197," and in line 20, down to and including——

Mr. GARRETT. I make the point of order that the gentleman from Missouri [Mr. DE ARMOND] has been recognized to offer his amendment.

The CHAIRMAN. That is correct, and the Clerk is about to report the amendment.

Mr. TAWNEY. I move as a substitute for the amendment offered by the gentleman——

Mr. GARRETT. I make the point of order——

Mr. TAWNEY. I move to strike out, after the figures "197," in line 20, the remainder of that line, and lines 21, 22, 23, and 24, up to the word "when" in line 24, page 54, and then strike out, in line 25, the words "in addition to the rates herein provided."

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota after the amendment offered by the gentleman from Missouri [Mr. DE ARMOND] has been disposed of.

Mr. MANN. The gentleman's amendment has not yet been reported.

The CHAIRMAN. The Chair will then consider whether or not it is in order——

Mr. TAWNEY. And then strike out from line 9 down to line 19, page 55.

The CHAIRMAN. The Chair is afraid the Clerk will be unable to report the amendment of the gentleman from Minnesota, and would suggest that while we are considering the other, if it is convenient, the gentleman reduce his amendment to writing.

Mr. TAWNEY. It is very easy to report my amendment, if the Clerk has followed it.

The CHAIRMAN. The Clerk will first report the amendment of the gentleman from Missouri.

The Clerk read as follows:

Amend the proviso by striking out all after the word "*Provided*," and insert in lieu of the words stricken out the following:

"That none of the duties imposed by this paragraph shall be levied upon any of the products of any country, subdivision, or dependency of North America, South America, or Central America, or any island of the Western Hemisphere, but all such products shall be admitted free of duty."

[Applause.]

Mr. TAWNEY. Mr. Chairman, I make the point of order that you can not transfer any item in this schedule, on which there is imposed a duty by the schedule, to the free list.

Several MEMBERS. Why not?

Mr. TAWNEY. Because the procedure is first to strike out, and then to amend paragraph 708 of the free list——

Mr. MANN. It does not put it on the free list.

Mr. TAWNEY (continuing). By adding that stricken out to the free-list paragraph.

Mr. MANN. It does not put it on the free list.

The CHAIRMAN. The Chair will hear the gentleman from Missouri on that point.

Mr. DE ARMOND. I would like to hear the point of order stated.

The CHAIRMAN. The point of order is that the amendment is not germane in that it attempts to amend the free list.

Mr. DE ARMOND. Why, Mr. Chairman, I think we shall find in the bill precisely the same sort of thing. There are sections imposing duties and providing that under certain circumstances the duty should not be imposed. The bill is full of that kind of legislation.

Mr. HITCHCOCK. If the gentleman will allow me, there is a paragraph on page 54 which sustains his contention.

Mr. DE ARMOND. I will yield to the gentleman to read the paragraph.

Mr. HITCHCOCK. That is a paragraph imposing a duty on cash registers, embroidery machines, and other such machinery. It contains, however, this proviso, which puts certain machinery on the free list:

Provided, however, That all embroidering machines and lace-making machines imported prior to July 1, 1911, shall be admitted free of duty.

Mr. DE ARMOND. You see that I am trying to preserve as far as possible, if this amendment be incorporated, the harmony, beauty, and careful phraseology employed in the construction of this bill. [Laughter on the Democratic side.] It is unkind for the gentleman from Minnesota [Mr. TAWNEY] to reflect in this way on the Ways and Means Committee. It is true that there is more or less rivalry between the Committee on Ways and Means and the Committee on Appropriations, but this is one of the subjects within the jurisdiction of the Committee on Ways and Means, and it certainly is unkind, not to say ungenerous, in the gentleman from Minnesota in this indirect way, without making open attack, to cast reproach upon the Committee on Ways and Means. [Laughter.] The bill just bristles with this kind of provisions.

Mr. TAWNEY. Mr. Chairman, I make the point of order that the gentleman is not talking to the point of order.

Mr. FITZGERALD. Mr. Chairman, it is immaterial——

The CHAIRMAN. The Chair does not wish to hear any further discussion on the point of order, which the Chair overrules. [Applause on the Democratic side.]

Mr. DE ARMOND. Mr. Chairman, if this amendment be incorporated in the bill and take the place of the proviso, it will "protect" our lumbermen against the "pauper labor" of Europe and the "pauper labor" of Asia and Africa and the far distant islands of the eastern seas. [Laughter on the Democratic side.] It would admit duty free the wood products mentioned in this paragraph, when they come from some country, or some division of some country, or some dependency of some country in America, North America, South America, or Central America, or the Western Hemisphere islands, and I think that would be desirable.

Mr. NEEDHAM. Will the gentleman yield?

Mr. DE ARMOND. For a question.

Mr. NEEDHAM. Does not the gentleman's amendment violate the most-favored-nation clause, and would it not render it absolutely inoperative?

Mr. DE ARMOND. I think not, and we can take care of the favored-nation clause later on. We have a right to "violate" it, anyway.

Mr. PAYNE. You will not get far enough to violate anything with such an amendment as this.

Mr. DE ARMOND. We have some precedents in this bill which, I think, violate the rights of the plain American citizen. [Applause on the Democratic side.] This would give, I think, free of duty, wood articles covered by this paragraph, provided they are the product of the Western Hemisphere. It would afford a degree of protection, for which gentlemen have yearned, so far as is concerned the "pauper labor" of Europe, Asia, and Africa. Against these "hordes" of pauper laborers there would be ample protection; but when it comes to America, then we would have free trade in lumber. I believe the lumber trust can stand it, and I am sure the masses of the American people can.

Mr. PAYNE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri [Mr. DE ARMOND]. Of course, it is hardly necessary to argue it. I can not think it possible that the gentleman himself believes in it. I am in doubt whether he would vote for it if he had the opportunity. The idea of imposing a duty against some countries and not against others is a violation of the most-favored-nation clause of our treaties. Of course gentlemen on that side of the House would not vote for any such foolish proposition if they thought it would go into the bill.

I want to say, Mr. Chairman, that I shall support the amendment offered by the gentleman from Michigan [Mr. FORDNEY]. Further than that, in justice to the majority of the Ways and Means Committee, I want to say that they entered on the revision of the tariff with the agreement that they were all finally to unite on every provision of the bill after full and fair discussion and vote in the committee, whatever their individual opinions might be. And so that committee will be found voting and standing by the bill as reported to the House except where the committee has agreed upon an amendment. If an amendment is made to put lumber on the free list, you will find the committee voting for it solidly, and if an amendment is offered to increase the duty you will find them voting the same way, because they believe that the bill must be perfected by a majority, and when it is so perfected it is their duty to stand by the bill. [Applause on the Republican side.]

Now, having said that, Mr. Chairman, I want to call attention to the intimation made by the Chair, that the gentleman from Missouri was entitled to make a motion because he was a member of the committee. The Chair sees that that would deny any individual Member upon this side an opportunity to offer any amendment to this bill which had not been reported by the Ways and Means Committee. The gentlemen on this side desiring to amend this paragraph other than to strike out the proviso——

Mr. GARRETT. I submit that the gentleman is not talking to the amendment.

Mr. PAYNE. Of course the Chair would not be so unfair as to deny that recognition which would be their right as Members of the House, a higher right than that accorded to any member of the committee upon the minority side. The majority being precluded because of their agreement among themselves to stand by the bill from offering any amendment either to reduce the duty on lumber or to increase it, it would be unfair to gentlemen upon this side not to recognize them to make such an amendment, although they are not upon the committee.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. PAYNE. Yes.

Mr. FITZGERALD. Let me suggest to my colleague, Is it not the practice of the House that not only does recognition alternate from one side to the other, but members of the committee reporting the bill are entitled to recognition before other Members of the House?

Mr. PAYNE. That is in the discretion of the Chair, and I want to say to my colleague in all fairness that that has generally been followed in the House. There is no rule in that respect, and the Chair is not bound by that custom; and when we come to the position we are in to-day, it would be unfair in the Chair to carry that out, and I have no doubt the present occupant of the chair will be fair, as he always is in the matter of recognition.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman a question for information. Does he hold that any individual Member on his side of the House has any more right to offer an amendment to this bill than an individual Member upon this side of the House?

Mr. PAYNE. Why, certainly not; but it is a question of recognition, and that question of recognition is entirely with the Chair.

Mr. CLARK of Missouri. I know that; and the Chair ruled on it and the gentleman from New York is growling about it, and that is all there is to it, one way or the other.

Mr. PAYNE. The Chair has not ruled upon it. The Chair made an intimation, and the Chair made an intimation without knowing all the facts; and I have no doubt, from the fair-mindedness of the present occupant of the chair, since he has learned the facts he will allow gentlemen upon this side to offer amendments to these schedules—gentlemen who desire to offer them like the gentleman from Minnesota [Mr. TAWNEY].

Having said that much, I want to make another suggestion here, and that is that I shall take advantage of the order of the House heretofore made and publish in the RECORD to-morrow morning some remarks, which I can not make upon the floor now because we are proceeding under the five-minute rule, in reference to the hosiery schedule and the glove schedule of the bill. I want to make that announcement so that if any gentleman on the floor is curious to see those remarks he will know where to find them, otherwise they might be buried in the RECORD forever.

Now, Mr. Chairman, in regard to this amendment offered by the gentleman from Michigan, I am heartily in favor of it. It was an amendment reported by the committee and an amendment offered in the committee, as it has been in the House, by the gentleman from Michigan [Mr. FORDNEY]. I may say that if the committee had been fully informed as to the nature of the leases and the contracts that have been made in the Dominion of Canada and some of the Provinces, that proviso would never have been in the bill in the shape in which it is, but that information was gained later, and the committee are very glad to correct that mistake. Having said this much, Mr. Chairman, on that subject, I think I have already said all that is necessary in opposition to the variegated amendment offered by the gentleman from Missouri [Mr. DE ARMOND]—all that is necessary to solidify this side of the House against it, I think, and all that is necessary or ought to be necessary to solidify that side of the House against such an amendment. I hope the time will come when some gentleman who has been at work and prepared an intelligent amendment to this paragraph will be recognized by the Chair so that the House will have an opportunity to vote upon the merits of the proposition as to whether it wants to put lumber upon the free list.

Mr. TAWNEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAWNEY. Is the amendment of the gentleman from Missouri [Mr. DE ARMOND] offered as a substitute for the amendment offered by the gentleman from Michigan [Mr. FORDNEY], the committee amendment, or is it an amendment to the amendment?

Mr. MANN. It is an amendment to perfect the paragraph.

Mr. TAWNEY. Mr. Chairman, my purpose in asking is this: If it is a substitute, I want to offer my amendment as an amendment to the substitute, striking out all after the first word of the substitute.

Mr. MANN. Mr. Chairman, as I understood the reading of the amendment of the gentleman from Missouri [Mr. DE ARMOND], it is simply to perfect the proviso which the amendment of the gentleman from Michigan proposes to strike out.

The CHAIRMAN. The Chair has just reread the amendment offered by the gentleman from Missouri, which seems, as stated by the gentleman from Illinois, to be an amendment by way of perfection of that portion of the text which the amendment of the gentleman from Michigan proposes to strike out. It is, therefore, entitled to be voted upon before the amendment of the gentleman from Michigan.

Mr. MANN. Mr. Chairman, just a word——

The CHAIRMAN. Had the gentleman from Minnesota concluded?

Mr. TAWNEY. Mr. Chairman, I simply wanted to say that if it was a substitute for the amendment offered by the gentleman from Michigan, I desire, then, to offer my amendment as an amendment to the substitute by striking out all after the first word and inserting my amendment; but if it is an amendment to the amendment, my amendment would not now be in order.

Mr. SHERLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MANN. To discuss the question.

Mr. SHERLEY. Mr. Chairman, has not debate closed upon the amendment? That is my parliamentary inquiry.

The CHAIRMAN. As the amendment stands now, it is one amendment being made on each side.

Mr. MANN. Mr. Chairman, I move to strike out the last word of the substitute. Mr. Chairman, apparently we will soon be called upon to cast our first vote in committee upon the amendment offered by the gentleman from Missouri——

Mr. UNDERWOOD. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. UNDERWOOD. On yesterday the gentleman from Pennsylvania [Mr. DALZELL] stated that the time had come to vote, not to talk. We shall insist on a strict construction of the rule——

Mr. MANN. Mr. Chairman, I make the point of order the gentleman is not stating a point of order; he is talking through his hat.

Mr. UNDERWOOD. Mr. Chairman, I make the point of order the gentleman from Illinois is not speaking to the amendment he made to strike out the last word.

Mr. MANN. I am speaking to the amendment which I made to strike out the last word. The gentleman from Alabama does not know what I am speaking about; he has not listened to a word that I said, but if he listens he will get the information.

Mr. UNDERWOOD. I listened to every word the gentleman said.

Mr. SHACKLEFORD. Mr. Chairman, I desire to know what is the last word.

Mr. UNDERWOOD. Mr. Chairman, I make the point of order the remarks of the gentleman from Illinois were not addressed to his amendment to strike out the last word. Of course, I submit to the Chair to determine whether he was or was not.

The CHAIRMAN. The Chair was attending to another matter and did not hear the language of the gentleman from Illinois, but he has no doubt the gentleman from Illinois will proceed in order.

Mr. MANN. Mr. Chairman, in order to determine whether it is wise to strike out the last word of the amendment of the gentleman from Missouri [Mr. DE ARMOND] it is necessary to consider what the amendment is. I would not leave to my distinguished friend from Alabama, who never takes a broad view of one question, but only looks at the little details of it, to understand what is in question. [Applause.] Now, gentlemen, what is the question presented in the amendment offered by the gentleman from Missouri, and what does it provide? That we shall violate the practice of this country since its beginning; that we shall violate the favored-nation clause in all of our treaties; and the first amendment offered by the gentleman on that side of the House is in violation of all the rules of decency in legislation and of practice in both bodies.

Mr. UNDERWOOD. Mr. Chairman, I again raise the point of order, and I think I am entitled to recognition on that point. I again make the point of order the gentleman is not speaking to his amendment, and I make the further point of order that his amendment is an amendment in the third degree and he is not entitled to make it.

Mr. MANN. The gentleman needs to read the parliamentary practice.

The CHAIRMAN. The Chair thinks the amendment offered by the gentleman is in the second degree and is in order.

Mr. MANN. The gentleman's arithmetic is at fault.

Mr. UNDERWOOD. Mr. Chairman, I ask for a ruling of the Chair as to whether the gentleman is speaking in order on this matter.

The CHAIRMAN. The Chair will ask the gentleman from Illinois to proceed in order.

Mr. MANN. Mr. Chairman, I should not have occupied the time of the House on this matter, but this very identical matter was one which was very carefully considered by the special committee in reference to pulp and paper, and we concluded that it was not possible or practical or decent for us to recommend that we have legislation in the tariff bill in respect to a specific country——

Mr. UNDERWOOD. Mr. Chairman, I rise to say the gentleman is not proceeding in order, and we are entitled to have this bill considered in order under the rules of the House.

Mr. MANN. Mr. Chairman, I propose to say——

Mr. UNDERWOOD. Mr. Chairman, I propose to raise——

Mr. MANN. We not only have authority to move to strike out the last word, but if necessary——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, my time has been largely taken up. I call the attention of the Chair to the fact that one-half of the five minutes has been occupied by the distinguished gentleman from Alabama, kicking against nothing.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Without objection, the gentleman from Michigan [Mr. FORDNEY] desires to speak in opposition to the amendment offered by the gentleman from Minnesota.

Mr. FORDNEY. Yes, sir. Mr. Chairman, I do hope that the amendment will not prevail. If the amendment is carried, it means that the entire paragraph will be stricken out. It means that rough lumber will be placed upon the free list. I believe, Mr. Chairman, that would be a serious mistake. I believe that no man—no Republican, at least—can conscientiously vote for that amendment, for the reason that after many days spent in hearings by the committee——

Mr. PAYNE. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. PAYNE. I want to say to him that the amendment of the gentleman from Missouri [Mr. DE ARMOND] does not do anything of that kind at all. It does not accomplish any purpose except to insult some various nations. [Cries of "Vote!"]

Mr. FORDNEY. Mr. Chairman, I quite agree with the gentleman from New York [Mr. PAYNE] that it means nothing except a filibuster, and therefore I will not take up any more of the time of the committee, but I appeal to the gentlemen to vote the amendment down.

Mr. DE ARMOND. Mr. Chairman, I would like to have a few words in closing, on the amendment.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DE ARMOND. To address myself to the amendment as proponent of it, and closing the debate.

The CHAIRMAN. There is no closing of debate in the Committee of the Whole.

Mr. DALZELL. Mr. Chairman, I make the point of order that debate is exhausted.

The CHAIRMAN. Debate is exhausted upon the amendment.

Mr. DE ARMOND. I move to strike out the last two words. [Cries of "Regular order!"]

Mr. MANN. Mr. Chairman, I make the point of order that that amendment is in the third degree.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN], to strike out the last word, unless that amendment is withdrawn.

The question was taken, and the amendment was rejected.

The CHAIRMAN. Now, the gentleman from Missouri [Mr. DE ARMOND] moves to strike out the last two words.

Mr. DE ARMOND. Mr. Chairman, evidently, as indicated by the vote, the gentleman from Illinois did not go far enough in his amendment.

I was very much impressed, Mr. Chairman, with the suggestion of the gentleman from New York [Mr. PAYNE] when he expressed the hope that somebody in this House would prepare a suitable amendment to this lumber schedule. The country has been hoping for that ever since the gentleman and his committee made their deliverance. It has not only been hoping that a suitable amendment would be offered, but it has been hoping that a suitable amendment would be adopted. The gentleman and his committee for months were upon this and kindred matters, and now the suggestion is, now the hope is voiced, now the longing finds words to carry it forth, advising that the gentleman from New York would like somebody in the House to offer an intelligent amendment to perfect this schedule upon which he and his side of the committee have been operating for several months.

Mr. TAWNEY. Mr. Chairman, a parliamentary inquiry. I would like to have the amendment of the gentleman reported so that we may know whether he is talking to the amendment or not.

Mr. DE ARMOND. Mr. Chairman, for the general benefit of the committee that might do, but for the benefit of the gentleman from Minnesota [Mr. TAWNEY], I am satisfied it would be futile.

Mr. TAWNEY. I am satisfied that the gentleman is not talking to the last two words, which he knows as well as every other Member here.

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] will proceed in order.

Mr. DE ARMOND. Thank you, Mr. Chairman. I do hope that I can have the attention of the gentleman from Minnesota, because if there is any man here who needs enlightenment, not only on the last two words, but upon all of them, the gentleman from Minnesota has furnished demonstration this morning that he surely is the individual.

Now, if this amendment were adopted there would then be put into this text what I have offered in place of what the gentleman from Michigan [Mr. FORDNEY] has moved to strike out. It would not interfere in any particular with striking out the entire paragraph if the House sees proper to strike it out, but if the House should not strike that out, then I think, as the gentleman from Michigan [Mr. FORDNEY] does, that by virtue of the incorporation of this amendment in the paragraph there would be free trade in these lumber articles mentioned and specified in this paragraph. I share with the gentleman the conclusion that this would be the effect of the incorporation of the amendment, but I can not join with him in the sorrow which he voiced and which it appears would possess him if such an amendment were adopted.

Now, as to what would happen about these "favored nations." Every one of these treaties provides that we can abrogate the treaty upon notice. This is anticipating a trouble that has not come and is not likely to come. The Chair will observe that efforts were made to get in amendments to cover the entire paragraph, to deal with the question of free lumber, and thus far without success, because the amendment submitted by the gentleman from Michigan [Mr. FORDNEY] is that which, of course, controls, determining whether other amendments are or are not germane.

In view of this fact, and not because I think the phraseology of the amendment is particularly good, but so that the amendment may be made applicable and allowable at this time, I have offered this amendment, and if adopted we shall have in effect free lumber so far as this paragraph is concerned, whether or not you do anything else; yet its adoption would not interfere with striking out the entire paragraph, or any appropriate amendment providing for free lumber. It is not offered merely as a choice of phraseology, or as a favorite style of amendment, but simply because nothing but an amendment to the proviso can be offered at this time or be acted upon at this time. Therefore I believe it quite unobjectionable, because after the vote is taken upon it perhaps there will be something offered, or something done, taking us away from the lumber schedule if that be possible. So I would like to have this vote; it would accomplish the purpose that we had in view in seeking free lumber, and its adoption will not interfere with a motion, if made later on, to strike out the entire paragraph.

The CHAIRMAN. The motion is on the amendment offered by the gentleman from Missouri by way of substitute to perfect the paragraph.

Mr. DE ARMOND. My motion is to amend the paragraph as it stands in the bill and perfect the text.

The CHAIRMAN. The Chair so stated it.

The question is on the amendment offered by the gentleman from Missouri.

Mr. HARDY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HARDY. If it is in order, to offer an amendment to the amendment offered by the gentleman from Missouri.

The CHAIRMAN. The gentleman from Texas offers an amendment.

Mr. HARDY. That amendment is this:

Provided, That the foregoing duties shall not apply to any country, dependency, province, or other subdivision of government which shall not prohibit all imports of any kind from the United States, and as to all such nations, countries, dependencies, provinces, or other subdivisions of government all commodities named in this paragraph shall be admitted free of duty.

The CHAIRMAN. That amendment must first be reported from the Clerk's desk.

Mr. HARDY. I have interlined it in the proviso as it stands in the bill.

The Clerk read as follows:

Provided, That the foregoing duties shall not apply to any country, dependency, province, or other subdivision of government which shall not prohibit all imports of any kind from the United States, and as to all such nations, countries, dependencies, provinces, or other subdivisions of government all commodities named in this paragraph shall be admitted free of duty.

Mr. HARDY. Mr. Chairman, I offer that amendment as a complete answer to the proposition that the amendment of the gentleman from Missouri [Mr. DE ARMOND] might infract the favored-nation clause of some treaty with some nation. My amendment would apply equally to all of the nations of the earth that should absolutely prohibit all imports from the United States. It would apply to any such nation and would let in the lumber and lumber products of all other nations free. Its intention is to give free lumber from all the nations on the earth. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment to the amendment as offered by the gentleman from Texas.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chairman announced that the noes appear to have it.

Mr. DE ARMOND. I would like to have a division, Mr. Chairman.

The committee divided; and there were—ayes 131, noes 178.

So the amendment was rejected.

Mr. PAYNE. Let us have a vote on the proviso.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. FORDNEY].

The question was taken, and the amendment was agreed to.

Mr. TAWNEY. I now offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 54, after the figures "197," in line 20, strike out all down to and including the word "but," on line 24, and also strike out the words "in addition to the rates herein provided," in line 25, on page 54, and line 1, page 55.

Mr. MANN. I ask that the paragraph may be read as it will be when amended.

The Clerk read as follows:

So as to read:

"197. When lumber of any sort is planed or finished there shall be levied and paid for each side so planed or finished 50 cents per thousand feet board measure; and if planed on one side and tongued and grooved $1 per thousand feet board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tongueing, and grooving."

Mr. TAWNEY. Mr. Chairman, this amendment, if adopted, will take out of paragraph 197 all lumber on which there is imposed a duty, including rough lumber, the duty on which is now $2 a thousand, and will reduce the duty on finished lumber 80 per cent. I then intend to offer an amendment striking out paragraph 196, which imposes a duty upon timber hewn, sided, or squared, and round timber used for spars or in building wharves, and will follow these two amendments with still another amendment to paragraph 708 of the free list, placing on the free list all of the lumber thus taken from the dutiable list.

My purpose in proposing to allow a duty of 50 cents a thousand to remain on sawed boards finished on one side instead of $2.50 a thousand, $1 on boards planed on two sides instead of $3 a thousand, and $1.50 on boards planed on two sides, tongued and grooved, instead of $3.50 as in the present law is to afford American labor the opportunity of finishing in the United States rough lumber imported free of duty, and thus overcome the objection that my proposition would benefit Canadian and not American labor.

VALUE OF LUMBER IMPORTED FROM CANADA.

The value of rough lumber imported from Canada into the United States during the fiscal year 1907 was $14,623,256.02. The value of sawed lumber, planed or finished on one side, imported from Canada in the same year, was $239,649.28; sawed lumber, planed or finished on two sides, $48,348.91; sawed lumber, planed or finished on three sides, $34; sawed lumber, planed or finished on four sides, $1,224; sawed lumber planed on one side, tongued and grooved, $83,415.75; and sawed lumber, planed on two sides and tongued and grooved, $15,482.78.

These statistics, furnished by the Department of Commerce and Labor, establish two facts: First, that the principal importation of lumber from Canada is rough lumber; and, second, that the duty on finished lumber is practically prohibitive, for the statistics show that we have heretofore imported only a very small quantity of finished lumber. Even with rough lumber on the free list and a reduction of 80 per cent in the duty on finished lumber, the importation of lumber from Canada would not increase, as I shall hereafter show, to an extent that would in any way injure the American manufacturer or American laborer employed in the manufacture of domestic lumber.

Mr. FITZGERALD. Will the gentleman yield?

Mr. TAWNEY. I must decline to yield. I have only a few minutes to fully explain my position in reference to the amendment which I have offered and those which I propose to offer.

Mr. FITZGERALD. Just for a question.

WHAT CONSTITUTES REPUBLICAN PROTECTION?

Mr. TAWNEY. Mr. Chairman, notwithstanding the statement made yesterday on this floor by the distinguished gentleman from Michigan [Mr. FORDNEY] that I am neither a Republican nor a protectionist, because I have asked for an opportunity to vote in favor of free lumber in order to determine whether the House approves the judgment of the Committee on Ways and Means when, in the first instance, it placed lum-

ber on the free list, or when, in the second instance, it transferred lumber from the free list back to the dutiable list, I, as a Republican and a protectionist, offer this amendment.

If to demand a duty on the unfinished product of an industry where it is conceded that the cost of producing that product is no greater here than it is abroad—an industry whose raw material is rapidly diminishing and can not be reproduced except by the joint action of God and man—for the purpose of giving to that industry a monopoly in the sale of its product in the American market, is Republican protection, then the gentleman from Michigan [Mr. FORDNEY] is entitled to the distinction of standing alone in his theory of what constitutes a Republican and a protectionist. Let me say to him that that kind of protection is not Republican protection. It is monopolistic protection, and he is welcome to the distinction of being the only Republican who advocates it. [Applause.]

Mr. CLARK of Missouri. I would like to say about three sentences, and that is that I am for the Tawney amendment. [Applause.] If you can not get a whole loaf, take a half loaf. [Applause.]

Mr. TAWNEY. Mr. Chairman, I am utterly unable to understand why the gentleman from Michigan should exhibit so much temper and feeling because, as a Representative and a Republican, I have insisted only upon being accorded an opportunity to offer this amendment and those which I propose to offer, and an opportunity to vote on these several amendments. If he is sincere in his statement and believes that the lumber industry of this country is in need of the duty proposed, he ought to be willing, as I am, to submit that question to the candid judgment of this House. I have no quarrel with him because he contends for and advocates a duty on lumber. That is his right as a Member of the House. But I claim for myself and for all other Members who disagree with him on the merits of his proposition the same right and the same opportunity to advocate free lumber and to vote in accordance with our convictions on that proposition.

It is a notable fact that in the speech of the gentleman from Michigan a few days ago in defense of a high duty on lumber he did not claim or attempt to show that the cost of manufacturing lumber in the United States is greater than the cost of manufacturing lumber in Canada, the only country from which we import lumber manufactured from coniferous wood; and yet he claims that because I advocate free lumber I am neither a Republican nor a protectionist. By what rule, Mr. Chairman, are we to determine whether we are protectionists or free traders? Are only those protectionists who, merely for the sake of protection, advocate that policy regardless of the conditions incident to production, or are those protectionists who advocate protection only where it is necessary to equalize the difference in the cost of production here and abroad? I have never advocated protection, nor has the Republican party declared for protection, where the cost of producing an article in a foreign country was as great as in our own. The Republican party, in its last national convention at Chicago, declared in its platform that—

> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equalize the difference between the cost of production at home and abroad.

DUTY ON LUMBER NOT NOW JUSTIFIED.

Mr. Chairman, in view of the fact that the cost of producing lumber in the United States is no greater than it is in Canada, and in view also of the fact that our forests, which are the source of the raw material of the lumber industry, are rapidly diminishing while the demand for lumber is constantly increasing, I maintain that neither from the standpoint of protection nor from the standpoint of conserving the forests of the United States can a duty upon lumber imported from Canada now be justified. The cost of producing lumber being no greater here than in Canada, the admission of lumber free of duty would not injure American manufacturers or affect the wages of American labor. Its only effect to the producer would be to check temporarily the rapid increase in the price of his stumpage. It would not decrease that price, for although the forests of Canada would become available for meeting the demands of our market, yet these demands are increasing so rapidly that the combined forest areas of both the United States and Canada would soon be encroached upon to such an extent that the value of Canadian and American stumpage would very soon increase beyond what that value is to-day.

Stumpage values have increased within the last eight years enormously. I have in mind a large tract of standing timber in the northern part of Minnesota that was sold ten years ago by a private owner at $1.75 per thousand feet. This timber to-day would readily sell at from $12 to $15 per thousand feet. Instances were cited in the hearings before the Committee on Ways and Means where timber purchased a few years ago for 17 cents per thousand feet is to-day worth $2.50 and $5 per thousand feet. If to admit lumber free of duty would only temporarily check the further increase in the price of stumpage and would not injuriously affect the manufacturer or the laborer, then it can not be claimed that free lumber would injure anyone, or that a duty is necessary to protect this industry from foreign competition.

COST OF PRODUCTION GREATER IN CANADA THAN IN UNITED STATES.

I have a statement here, taken from the hearings before the Committee on Ways and Means, showing the cost of producing lumber in Canada and in the United States. It is in the form of a letter, dated November 17, 1908, and printed on page 3095, Schedule D, Tariff Hearings, before the Committee on Ways and Means. The letter is written by Mr. D. N. Winton, the president of several lumber companies operating sawmills in the United States and Canada. From this letter it appears that the mills of the Thief River Falls Lumber Company, Thief River Falls, Minn., produced lumber at a cost of $3.482 in 1906, and $3.418 in 1907, per thousand, in each case, while Mr. Winton's mill at Prince Albert, Saskatchewan, comparable on account of its location to the Minnesota mill, produced lumber at a cost of $4.187 per thousand feet in the year 1907.

The items included in making up these figures begin with the sorting of the logs and repairing of booms, and continue up to the point of disposition of the lumber, including the cost of planing, repairs, shipping, disposition of refuse, selling cost, traveling expenses, and commissions. In the case of neither mill were logging expenses and the cost of stumpage figured. The Canadian mill would get its logs a little cheaper so far as stumpage is concerned, but logging would cost more in Canada.

WHOLESALE PRICE.

In 1907 the average price received for lumber at the Prince Albert mill was $21.66, and at the Thief River Falls mill $21.10.

Mr. Winton states that his interests in the United States are several times those in Canada, and concludes his letter as follows:

> It is my opinion that the removal of the tariff would work no unnecessary hardships on the lumber industry in the United States. It might take a short time to readjust the changed conditions, but I believe it would be for the best interests of the people at large that the tariff on lumber should be abolished.

Further details of Mr. Winton's statement may be obtained by consulting the Hearings, pages 3096-3097.

BRITISH COLUMBIA V. WASHINGTON.

On page 3097 will be found detailed statements of cost of manufacture, including cost of logs, at a British Columbia mill and at a Puget Sound, Washington, mill. For obvious reasons the name of the Puget Sound mill is withheld, but the name of the company was given to the committee in confidence. The following is the statement of the Puget Sound mill:

COST OF PRODUCTION, WASHINGTON.

Average cost of logs per month	$6.447
Labor in sawmill per thousand, including all labor on logs from pond to pile in yard	1.87
Administration, including San Francisco office	.454
Insurance	.25
Taxes	.036
Depreciation	.50
Interest and exchange	.282
Repairs and maintenance	.068
Supplies	.147
Total average cost of rough lumber per pile in yard	10.054
Dressed lumber—labor, repairs, and supplies	.739
Total cost of dressed lumber	10.793

COST OF PRODUCTION, BRITISH COLUMBIA.

ROGERS LUMBER COMPANY, ENDERBY, BRITISH COLUMBIA.

This is based on our figures for 1907 and taken from our books:

Logs delivered at the mill	$6.50
Sawing and putting in pile	3.92
Taking the lumber from pile and loading on cars	.12
General expense, including salaries, interest, and taxes	3.17
Total	13.71

In 1908, owing to having changed our method of operation to some extent, we have reduced our cost:

Logs delivered at the mill	$6.50
Sawing and putting in pile	2.89
Taking the lumber from pile and loading cars	.15
General expense, including salaries, interest, and taxes	3.05
Total	12.59

Cost at British Columbia mill $1.80 per thousand more than at Washington mill.

The Rogers mill is not on tidewater, but as a rule logs of cedar cost about $1 less at coast points in British Columbia than on Puget Sound, and for logs a little more in British Columbia. Other statistics as to wages and cost of production will be found on pages 2881-2882, 3051, 3052, 3077, 3082-2097.

WAGES IN UNITED STATES AND CANADA.

Mr. Chairman, I have here another statement as to the wages paid to labor employed in the manufacture of lumber in Canada and wages paid to those who are employed in the manufacture of lumber in Wisconsin and in Michigan. The statement has been taken from the pay roll of 9 sawmills in Wisconsin, 3 in Michigan, and 5 in the Province of Ontario, Canada, and is as follows:

Wages paid in Wisconsin, Michigan, and Ontario sawmills.

	Filer.	Machinist.	Blacksmith.	Circular sawyer.	Band sawyer.	Hand setter.	Steam setter.	Edger men.	Catching edgings.	Carriage edger.	Fireman.	Night watchmen.	Resaw sawyer.
Girard Lumber Co., Dunbar, Wis	$5.00	($) $2.70	$2.65 2.70		$4.00 4.50	$2.35 2.57		$2.25 2.47	$1.50 1.57	$2.10 2.34	$2.00	$1.85 2.00	$2.00
Bird & Wells Lumber Co., Wausaukee, Wis	4.00	3.00	2.65		4.00	2.20		2.20	1.65	1.75	1.75	1.75	
I. Stephenson Co., Wells, Mich. No. 1 mill, $14; No. 2 mill, $12, to be cut to $10.	(b)	3.60	2.50	(c)	4.80 5.50	2.25 and 2.50		2.60 and 2.50	1.50	1.75	1.75	1.00 to 1.75	2.50
Wisconsin Land and Lumber Co., Hermansville, Mich	5.00	3.50	2.25 to 3.00	$4.00	4.00	2.50	$2.50	2.50	1.50 1.35	2.00 1.60	1.75	1.75	2.25
Sawyer Goodman Co., Marinette, Wis	8.00 and 9.00		2.75		4.00 and 5.00	2.25	2.25	2.25	1.40	1.75	1.75	1.75	
Paige & Keith Lumber Co., Crandon, Wis	5.50	5.00	2.00	5.50		2.75		3.00	1.75	2.00 1.75	2.00	2.00	2.75
Brown Bros. Lumber Co., Rhinelander, Wis	(d) 3.50 (e) 6.00		3.00		6.50	2.50		2.75	1.75	2.00 2.10	2.10	2.10	2.50
Robbins Lumber Co., Rhinelander, Wis	6.00	3.00	2.50		6.00		2.50	2.75	1.25	1.85	2.00	2.25	2.25
Stearns Lumber Co., Lac du Flambeau, Wis	7.50	2.50	2.50		5.50	2.50		2.75	1.75	2.00	2.00	1.75	
Menominee Bay Shore Lumber Co., Soperton, Wis	(f) 11.00		2.25		4.00	2.25		2.25	1.40	2.00	2.00	1.75	
White Pine Lumber Co., Blind River, Ontario	(f) 11.00	3.00	2.50	5.00	4.50	2.50 and 2.75		2.75	1.00	2.00	2.00	1.50	
Eddy Bros. & Co., Blind River, Ontario	(g) 21.00	1.75 and 2.25	1.75 and 2.50		5.00	2.75		2.75	1.00	2.00	2.00		
J. W. Wells Lumber Co., Menominee, Mich	(h) 12.00				5.00	2.50		3.00	1.40				
Moulthrop Lumber Co., John Island, Ontario	4.00		2.50	5.00	3.75 3.75	2.15 2.15		2.15 2.15	1.40 1.00		1.65		
James Playfair & Co., Ontario	(h) 15.00	3.50	2.25		5.00	2.75		2.75 2.75	1.75 2.00	2.50	3.25	1.87	
Norman L. Playfair, Midland, Ontario	(h) 12.00		2.00		6.00	2.75	2.75	2.50 2.75	1.75	2.00 2.25 2.00 2.25	2.25	1.65	2.25

	Clearing resaw sawyer.	Clearing band saw.	Clearing gang.	Head trimmer.	Tail trimmer.	Slasher men.	Pilers.	Sorters.	Teamsters.	Lumber handlers.	Pond men.	Common laborers.	Jackers.	Gang sawyer.
Girard Lumber Co., Dunbar, Wis	$1.65 1.75	$1.75 1.80		$1.75 1.80	$1.65 1.70	$1.65 1.75	$1.65 1.75	$1.50 1.51	$1.50 1.57	$1.45 1.57	$1.65 1.75	$1.35 1.40 to 1.50		$2.00 2.70
Bird & Wells Lumber Co., Wausaukee, Wis		1.55		1.75	1.40	1.55	1.55	1.40	1.50	1.40	1.55	1.40		
I. Stephenson Co., Wells, Mich. No. 1 mill, $14; No. 2 mill, $12, to be cut to $10.	1.50	1.60	1.75	2.00	1.75	1.60	1.75	1.75	1.50 to 1.65	1.25 to 1.50	1.50 to 1.65	1.25 to 1.50		2.50
Wisconsin Land and Lumber Co., Hermansville, Mich		1.75	1.60	1.60	1.50	1.40	1.60		1.60	1.50	1.50	1.75		2.50
Sawyer-Goodman Co., Marinette, Wis		1.60		1.65	1.40	1.35	1.50	1.50	1.50 1.60 1.75	1.50	1.50	1.50		2.25
Paige & Keith Lumber Co., Crandon, Wis	2.00	2.25		2.00	1.75	1.75	2.25	1.75	1.75	1.75	1.75	2.00		2.75
Brown Bros. Lumber Co., Rhinelander, Wis	1.85	2.00		2.50	1.85	1.85	2.00	1.85	1.25 to 2.00			1.60 to 1.85	$1.85	2.50
Robbins Lumber Co., Rhinelander, Wis	1.85	1.75		2.10	1.50	1.75	1.85	2.25	2.00	1.85	1.85	1.85		
Stearns Lumber Co., Lac du Flambeau, Wis		1.50		2.00	1.75	1.75	2.00	2.00	1.65	1.25 to 2.00	1.75 to 2.00	1.75 to 2.00		2.50
Menominee Bay Shore Lumber Co., Soperton, Wis		1.50	1.75	1.85	1.75	1.75	1.70	1.60	1.50	1.60	1.60	1.85		2.25
White Pine Lumber Co., Blind River, Ontario		1.87½	2.00	2.00		1.60	2.00	1.60	1.50	1.50	1.75	1.50		3.00
Eddy Bros. & Co., Blind River, Ontario		1.87½	1.75	2.12½	2.00	1.60	2.00	1.60	1.50		1.00	1.40 to 1.50	1.75	3.00
J. W. Wells Lumber Co., Menominee, Mich		1.65	1.40	1.50	1.50	1.65	1.55	1.42	1.50		1.35	1.40	1.40 1.55	2.25
Moulthrop Lumber Co., John Island, Ontario			2.25	2.25	2.00		2.25	1.75	2.00		2.00	1.75		3.00
James Playfair & Co., Ontario	1.75	2.00		2.25	1.75	1.75	2.10	1.75	1.60	1.65 1.75	1.75		2.00	
Norman L. Playfair, Midland, Ontario		2.00		2.00	2.00	1.75	2.00	1.75	1.75	1.50	1.85	1.55	1.90	

[a] $100 per month. [b] Job work. [c] Hard wood; pine. [d] Round. [e] Band. [f] For whole mill. [g] Day and night. [h] 2 bands going; edger. [i] Per thousand.

From these two statements it conclusively appears that there is no room for the application of the principle of protection to the lumber industry or to the manufacture of lumber in the United States, for from these statements it is clear that the cost of producing lumber is no greater here than in Canada, and without a difference in the cost of production which would give to Canada an advantage over the American producer in our market, you can not apply the principle of Republican protection.

NECESSITY FOR PROTECTION NOT DETERMINED BY MAGNITUDE OF INDUSTRY.

The question of whether or not the principle of Republican protection should be applied can not be determined from the size of an industry nor from the number of men employed in that industry. The gentleman from Michigan [Mr. FORDNEY] and other gentlemen who advocate a duty on lumber have dwelt almost entirely upon the magnitude of the lumber industry to justify the duty, and have studiously avoided discussing the real question that should determine the application of the principle of protection, namely, whether or not there is any difference in the cost of producing the article imported upon which it is proposed to impose the duty. If the product of any industry can be produced as cheaply here as it can be abroad, then the foreign and the domestic industry meet in our market on an equality. It has always been my understanding that that is all that is contemplated in the policy of protection. This, of course, includes every element that enters into the cost of production as well as a

reasonable profit to the producer. Protection for an industry simply because of the size of the industry and regardless of the cost of production can not be justified, and those who advocate protection under such circumstances can do so only upon the ground that it is their purpose to protect such an industry in the enjoyment of a complete monopoly of the American market for the sale of its product.

The lumber industry of the United States to-day has practically a monopoly of the American market for the sale of lumber. Our product aggregates more than 40,000,000,000 feet annually, while the lumber imported from Canada during the last fiscal year did not exceed 2 per cent of the American product. The forest area of Canada is less than one-third the present forest area of the United States. The facilities for producing lumber in Canada and transporting it to our markets are greatly restricted by physical and other conditions, which in themselves are ample protection against any possible harm to the American producer on account of the admission of lumber free of duty.

CONDITION OF LUMBER INDUSTRY NOW AND TWELVE YEARS AGO.

The gentleman from Michigan [Mr. FORDNEY] and other advocates of the duty on lumber have mentioned the fact that when we prepared and passed the Dingley tariff bill I favored a duty on lumber. Mr. Chairman, that is true, I did, and if the conditions surrounding the production of lumber in Canada and the United States were to-day as they were then, I would not advocate the admission of lumber from Canada free of duty. At that time this industry in Canada was not, as it is now, at the mercy of powerful labor organizations which control the wages paid to labor employed in it, and it was not then paying the wages it is now obliged to pay in consequence of the demands of these organizations. At that time, as is conclusively shown from the testimony then given before the Committee on Ways and Means, the labor cost of producing lumber was 50 per cent less in Canada than in the United States.

The lumber industry in the United States at that time was in a more depressed condition than any other industry. According to the annual report of R. G. Dun & Co. for the year 1896, four-fifths of all the manufacturing failures during that year were lumber manufacturing failures. Notwithstanding the panic of 1893–94, and the consequent reduction of American wages in all branches of industrial activity, Canadian lumber was imported into the United States in large quantity and sold in competition with the American product. During that time a bridge was being constructed across the St. Louis River at Duluth, in the State I have the honor in part to represent. Although the abutments at either end of that bridge stood practically in a lumber yard, the timber used in its construction, as I was then informed, was imported from Canada. Such was the condition of the lumber industry when the Dingley tariff law was enacted.

Since that time the demand for lumber has been constantly increasing and has been greater than our supply. This is evidenced by the substitution for lumber of various kinds of materials for structural purposes which were not used to any extent twelve years ago, while the price of lumber has increased until to-day all grades of lumber are selling for much more than ever before, and many grades have increased in price from 100 to 200 per cent within the past eight years.

Mr. SWASEY. Will the gentleman yield?

Mr. TAWNEY. I have no time to yield.

OUR FORESTS BECOMING DEPLETED.

There is another fact that must be borne in mind in considering this question to-day. Twelve years ago, when the Dingley tariff bill was under consideration, our forests were so vast in extent that they were regarded as practically inexhaustible. Their depletion since then by reason of the aggressiveness of the American lumbermen to meet the demands of the domestic market has been so rapid and so extensive that many of our people, who are unselfishly looking to the welfare of future generations in this country, believe that if this depletion is not checked it will be only a short time until our forests will be practically denuded and we will then be at the mercy of foreign producers of lumber to supply the demand of the American market.

Mr. Chairman, in this connection it is a matter of sincere regret that the Chief of the Forestry Bureau of the Department of Agriculture did not continue up to the time when the bill now under consideration was reported to the House of Representatives to advocate the admission of Canadian lumber free of duty in the interest of forest conservation, and that he, for the purpose of exalting himself and his bureau, accepted the condition which would give him practical control over the administration of all American forests, both public and private, in consideration for changing his views as to the effect of a duty upon lumber to the extent of claiming that a high duty on lumber is necessary to the conservation of the American forests. If he had chosen to postpone making known his changed views on this subject until this bill had been reported to the House, the bill would have provided for the admission of rough lumber free of duty instead of the imposition of a duty, for it is a fact which no member of the Committee on Ways and Means will deny that while the bill was under consideration in the committee lumber was on the free list longer than it was on the dutiable list, and that the change was not effected until after the receipt by the committee of the now famous letter of the Chief of the Forestry Bureau of the Department of Agriculture recommending and advising the imposition of a high duty upon lumber in the interest of forest conservation.

PUBLIC SENTIMENT DEMANDS REMOVAL OF DUTY.

Mr. Chairman, there is no schedule in the Dingley tariff law that has contributed more to the demand for a revision of the tariff than the lumber schedule. There is no schedule against which public sentiment has crystallized as it has against the lumber schedule of the present tariff law. Republican and Democratic state conventions in different parts of the Union have declared in favor of free lumber.

Mr. LANGLEY. Not all of them.

Mr. TAWNEY. I did not say the Republicans of every State have declared in favor of free lumber, but Minnesota, Iowa, Ohio, Wisconsin, and the two Dakotas, and doubtless others, have, while legislatures controlled by the Republican party have memorialized Congress in favor of free rough lumber.

The sentiment of the people in respect to the lumber schedule has not been manufactured by men in Wall street or in the great commercial centers as it has been manufactured in respect to other provisions of the Payne bill. It is a genuine sentiment, growing out of the conditions under which lumber is now produced and sold to the American consumer. In view of the fact that this sentiment is based upon conditions which justify placing lumber on the free list, I believe it to be the duty of Congress to respect that sentiment by admitting free of duty all Canadian lumber.

To justify Congress in doing otherwise, the advocates of a duty on lumber must show that the cost of production here is greater than in Canada. This they have not done. To insist upon a duty without that condition violates the principle of protection and does more to destroy the confidence of the people in its advantages and its benefits as an economic policy than all the Democratic free-trade arguments that have ever been used to overthrow it.

THE DUTY ON BARLEY.

Mr. Chairman, the gentleman from Michigan [Mr. FORDNEY] and other advocates of the lumber duty have charged that because I favor free lumber, and at the same time demand a protective duty upon barley, one of the great cereals of the Northwest and of my district, I am utterly inconsistent and selfish. I might reply in kind by calling attention to the fact that while they are demanding a duty on lumber, they are also advocating and doubtless will vote, as I shall, for free iron ore, free coal, free hides, free wood pulp and pulp wood, free saw logs, and free binding twine, as well as the several hundred other items on the free list. But I am not in the habit of questioning the motives of or making charges against my colleagues on this floor. They are as much entitled to their opinion as to the wisdom of placing the articles I have mentioned on the free list as I am, and I claim only the same right for myself as to placing lumber on the free list.

ADVANTAGES OF CANADIAN OVER AMERICAN FARMER IN PRODUCING BARLEY.

The production and sale of barley in the United States and in Canada is an entirely different proposition from the production of lumber in these two countries. The value of the land that produces malting barley here is much greater than that of the land upon which barley is produced in Canada. The aggregate yield per acre is greater in Canada than in the United States, which enables the Canadian farmer to sell his product at a less price per bushel than the American farmer. The quality of the Canadian product is no better than is that of Michigan, Wisconsin, and Minnesota. The wages of farm labor in Canada are much less than the wages paid to farm labor in this country. The cost of transporting Canadian barley to market, owing to the advantages of water transportation, is much less than the cost of transporting our western barley to market. Because of these different conditions under which barley is produced and sold in Canada and in the United States, the duty on barley, as a matter of protection to the American farmer, is abundantly justified.

But, Mr. Chairman, there is another wide distinction between the production of lumber and of barley. Lumber production permanently reduces and destroys national wealth. Barley production increases national wealth by adding annually to the aggregate production of our farms and also by increasing the

value of our agricultural land. When timber is removed from an acre of land, unless it is hard wood, the land is practically valueless and a second crop of merchantable timber can not be produced from that acre of land in less than half a century, while an acre of barley-producing land yields an annual crop. The conditions under which these two articles are produced are, therefore, not at all comparable, either as these conditions affect the cost of production or as they affect our national wealth.

BARLEY MARKET NOW IN THE WEST.

There is a further reason that justifies this duty. Up until twenty years ago the duty on barley was 10 cents a bushel. At that time we produced in the United States only 63,000,000 bushels of barley, and imported from Canada from eleven to fifteen million bushels per annum, or almost one-fourth of our annual production. All Canadian barley was sold and delivered at Buffalo and Oswego and other ports on Lake Erie and Lake Ontario. At that time the malting center of this country was in the State of New York. The price paid for Canadian barley at Oswego fixed the price for the entire American product. The farmers of the West then received the New York price, less the cost of transportation from our western and northwestern farms to New York. This difference in the cost of transportation of Canadian and American barley to the then barley market was alone sufficient to justify the imposition of the duty.

Since that time, and as a result of the duty, the maltsters of Oswego and other places on Lake Ontario have practically gone out of business, Buffalo now being the only point in the State of New York where malting has been continued to any considerable extent, and that is because of the cheap water transportation from Lake Superior and Lake Michigan to that point. To-day the center of the barley market of the United States is in the Northwest, principally in Chicago and Milwaukee, where the price of the American product is fixed. Instead of receiving the market price as fixed years ago in New York, less the cost of transportation to that State, the western farmer is to-day receiving for his barley the price fixed in the market which is in close proximity to his fields where the barley is produced.

This, Mr. Chairman, is the principal reason why the farmers of the Northwest have, during the past eighteen years, received more for their malting barley than they ever received prior to the time when the duty was imposed in the McKinley tariff law.

INCREASE IN BARLEY PRODUCTION.

In addition to this, we have the further fact which shows conclusively the benefit that the farmer has derived from this duty: In 1888 our aggregate production of barley was 63,884,000 bushels, the farm value of which was $37,672,032, while in 1907 our aggregate production of barley was 153,597,000 bushels, the farm value of which was $102,290,000; the aggregate annual value and production in 1907 being practically three times that in 1888.

Mr. HILL. Will the gentleman state, without reference to the greater production of barley and the rate of duty, what effect it will have upon the price of the nearly 7,000,000 bushels of barley we are exporting?

Mr. TAWNEY. I do not know that we export any barley except that which is exported from California, which is poor malting barley and is sold principally for feed. The gentleman must distinguish between feed barley and malting barley. Malting barley is raised principally in the Northwest along the Canadian border, and that is the section of the country which constitutes our principal malting-barley territory.

Mr. Chairman, the subject of the duty on barley is one with which I have been familiar since the Fifty-third Congress, sixteen years ago, which was a Democratic Congress. When the Wilson tariff bill was reported to the House, it provided for a duty on barley of only 20 per cent ad valorem, equivalent to a specific duty of about 6 cents a bushel. The only amendment offered to the Wilson bill by a Republican that was adopted was the amendment I offered increasing the duty on barley from 20 per cent ad valorem to 20 cents a bushel. Prior to that time the duty under the McKinley law, enacted in 1890, was 30 cents a bushel. In the present Dingley law the duty was again increased to 30 cents a bushel.

In 1908 the State of Minnesota produced more barley than any other State in the Union, the aggregate production that year being 32,500,000 bushels. I therefore maintain that I am neither inconsistent nor unreasonable in asking for the same protection to the barley farmers of my State that the Committee on Ways and Means has proposed to give to the wheat farmers or the farmers who produce any other cereal or other agricultural product.

THE FARMER ENTITLED TO PROTECTION.

I believe, and always have believed, in the policy of protection to American industries and American labor, and there is no industry in this country that is more entitled to that protection than our agricultural industry. There is no industry that contributes so much to the wealth and prosperity of the Nation as that industry. To take from a branch of that industry the protection which has enabled it to expand threefold in the last two decades, for the purpose of reestablishing the malting industry in the State of New York, is unjustifiable. I therefore hope the duty on barley will be restored to a protective basis. [Applause.]

It is true that the farmers of Minnesota are greatly interested in continuing the present duty on barley or in securing a sufficient duty to enable them to compete successfully against the Canadian product. Their interest in this question is not wholly a selfish interest. The majority of the people I have the honor to represent upon the floor of this House are Republicans and protectionists. They believe in protection because they know from experience that under this Republican policy they, as well as the entire country, have always prospered and that they have always enjoyed more of the comforts and even many of the luxuries of life than they have ever enjoyed under the Democratic free-trade tariff policy.

While they advocate protection for things which they produce, they do not ask that the things which are produced by others and which they consume be unprotected from competition with foreign producers where the cost of production abroad is less than it is here. They recognize that on the whole the American standard of wages and living is far above that of any other country exporting products to our market, and that this standard of wages and living can not be maintained unless the difference in the cost of production here and in foreign countries, whose standard of wages and living is below ours, is equalized by the imposition of a duty upon the foreign product when entering into the American market.

But where there is an article like lumber, which enters so largely into the agricultural industry, and when they know, as they do, that the price to them of that product has enormously increased during the past few years, and that the cost of producing lumber is no greater here than in Canada, they naturally feel that protection to such an industry is not justifiable, and this fact explains the universal demand among the farmers for free lumber. If the same conditions existed in respect to the production and sale of barley, they would not ask, nor would I, as their Representative, insist upon an increase in this duty. Since these conditions are not the same, and the proposed duty of 15 cents a bushel on barley would give the Canadian farmer an advantage in our market, I do insist that the duty should be increased, thereby removing the inequality that would otherwise exist between the Canadian and the American farmer in the sale of this product in the American market.

Mr. FORDNEY. I move to strike out the last word, Mr. Chairman.

The CHAIRMAN. That is unnecessary. The gentleman from Michigan [Mr. FORDNEY] is recognized in opposition to the amendment offered by the gentleman from Minnesota.

Mr. FORDNEY. Mr. Chairman, I wish to say in reply to the remarks made by the gentleman from Minnesota that when he states he is in favor of removing the duty from rough lumber because it is the raw material of the planing mill, he forgets that it is the finished product of 30,000 sawmills in this country [applause], which sawmills employ from 750,000 to 800,000 men, and the value of the product amounts to $600,000,000 to $800,000,000. I did state, and I repeat, that the gentleman from Minnesota insisted that he would not support a rule for the consideration of this tariff bill unless he could have an opportunity to have a separate vote on lumber and on barley.

Mr. TAWNEY. Mr. Chairman, I want to say to the gentleman from Michigan that the gentleman from Minnesota never made that statement.

Mr. FORDNEY. Let me say to the House that I may be mistaken. If the gentleman will say I am——

Mr. TAWNEY. The gentleman is mistaken. I never made that statement.

Mr. FORDNEY. I understood you to say that in a private conversation with me in your committee room.

Mr. TAWNEY. Oh, no; the gentleman did not understand me to say anything of the kind.

Mr. FORDNEY. If I am mistaken I ask the gentleman's pardon, because I would not misquote him; but he did say [laughter], he did state, gentlemen of this House, that the question of barley was one of great importance to him. I want to say to the gentleman and to the House that the question of barley in the State of Michigan is of great importance to me, as much so as it is to the gentleman from Minnesota in his State. The States of Michigan, Wisconsin, and Minnesota are the great barley-producing States in this country; and if the gentleman is fair, he will then demand free raw material for the breweries in his district.

Mr. HARRISON. Will the gentleman yield? Does the gen-

tleman believe that if the amendment of the gentleman from Minnesota prevails, rough lumber will go on the free list?

Mr. FORDNEY. I so understand it.

Mr. HARRISON. The gentleman is wrong; it will be taxed at 10 per cent under section 9.

Mr. TAWNEY. But the gentleman will remember that I propose to follow this with an amendment placing the items in section 196 and the items stricken out in 197 on the free list.

Mr. FORDNEY. Well, the gentleman must not take up my time. I do say, and I repeat to the gentleman from Minnesota, that when you demand free trade on your neighbor's finished product and ask protection on your own, you are not as good a Republican as I am. [Laughter.] There was a time on the floor of this House when the great State of Minnesota was a lumber-producing district—I think in the gentleman's own district—and he was a protectionist then on lumber. He is a free trader on lumber now, and I demand of him that he shall prove to the contrary, because his amendment is the very best proof of it. My dear, my beloved friend, you are not in the same class of Republicans with me. [Laughter.]

Mr. TAWNEY. I do not want to be, on this proposition.

Mr. FORDNEY. I am glad the gentleman excludes himself from my class of Republicanism, and he must admit that I am a loyal protectionist. [Laughter.]

Mr. POU. The effect of the amendment offered by the gentleman from Minnesota [Mr. TAWNEY] is to put all lumber not dressed on the free list. Now, the proposed bill to which I am opposed is a high protective measure. You have, for instance, protected the woolgrowers of the Nation with an average ad valorem duty of 50 per cent. You have protected the manufacturers of metal with a 35.15 per cent duty; the earthenware and glass manufacturers with a 52.15 per cent duty; the manufacturers of chemicals with a 28 per cent duty; tobacco manufacturers with a duty of 104 per cent; agricultural products and provisions with a duty of 39.08 per cent; the manufacturers of spirits, wines, and so forth, with an average ad valorem duty of 74.92 per cent; and the manufacturers of cotton goods with a similar duty amounting to 50.27 per cent; but your bill only provides a duty of 5.92 per cent on sawed lumber, and now comes the gentleman from Minnesota with an amendment which will put all lumber not dressed on the free list.

Mr. Chairman, I can not support the proposition. [Applause.] I see no reason for this discrimination against the people of the South, who have preserved their forests, and those who are engaged in the manufacture of lumber. I decline to support the amendment for several reasons. No tariff bill which raises less than $325,000,000 will adequately meet the requirements of the Government. A great sum must be raised by levying duties on imports. The levying of such duties must necessarily protect somebody's business or interests, and I hold that the protection thus incidentally afforded should be equitably adjusted. No interest should be made the scapegoat of a bad measure. There is to my mind no reason why you should discriminate against the people of my section in favor of the woolgrowers of the Dakotas or the sugar-beet growers of the West.

Under the existing Dingley law rough lumber is protected with a duty of 11.84 per cent, which yields an annual revenue of $1,800,000 to the Government. You have already cut this duty in half in this bill; but not content with this, the gentleman from Minnesota wants lumber placed on the free list.

Will those who favor his amendment also vote to place wool on the free list? Will they even vote to place the manufactures of lumber on the free list? Will they vote to place the manufactures of steel and iron on the free list? Of course not. Then why discriminate in levying duties? Is it because the South has not cut away her timber as some other sections have?

Mr. Chairman, nobody contends that the person who consumes lumber in the South will receive any benefit whatever if that commodity is placed on the free list. If the proposed amendment would enable those who build homes to get their lumber cheaper, I would without hesitation support it; but even the advocates of free lumber do not claim this. The home builder, the person who buys lumber, will pay exactly the same whether his lumber comes from North Carolina or from Canada. The existing duty and the proposed duty only enable the lumber manufacturers of my section to reach a market a little farther away from the point of manufacture. In its last analysis the question which now confronts us is whether we will deprive these people of the market they now enjoy for their low grades of lumber.

I repeat, if the placing of the commodity on the free list made lumber cheaper to the consumer, I would not hesitate one instant to support it, for even if it injured the lumber manufacturers of my section, I would feel it my duty to cast my vote in the interest of the great army of cousumers. But not a solitary gentleman who has spoken on this subject puts forth any such contention.

In conclusion, let me say, quoting a distinguished Democratic Senator, if your tariff is a good thing, then all sections and all commodities are entitled to its benefits equally; if it be a burden, then all sections and all commodities should bear the burden equally, as nearly as possible. Of course, it is no sacrifice of any man's principles as a Democrat favoring a tariff for revenue only to insist upon this. As a Member of the minority, I have a right to insist that you treat my State and my people justly even from your standpoint of legislative action. I fear that your bill will still be characterized by discrimination and favoritism even after we have all done what we can to improve it.

The lumber industry is a most important industry to the people of the South, distributing, I am told, $1,000,000 every day in the year. I am not begging you for protection for this or any other industry in the State or the section which I have the honor to represent in part. As I have said before in this Chamber, I am opposed to the protective principle. Verily it can kill and make alive, but the life it imparts to any industry is dearly paid for in the end. But I insist that an ad valorem duty of less than 6 per cent on lumber is a fair and just revenue-raising duty. Its removal will not help the consumer. It may help the owner of Canadian stumpage. It certainly will deprive the Treasury of a large annual revenue. I am not willing to unite with gentlemen on the other side of that aisle who, I fear, from selfish motives, advocate a removal of this revenue duty after every interest in their States has been cared for by this committee by levying duties which shut out competition and give those interests a monopoly of the American market. [Applause.]

Mr. CUSHMAN. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Minnesota [Mr. TAWNEY], which amendment, in effect, proposes to put all rough lumber on the free list in this American tariff bill which we are now discussing.

Sir, that Minnesota gentleman, while assaulting the faith of the party with his hands, is boasting of his Republicanism with his mouth. He says he is a Republican. If that be true, God save the mark. Sir, if he is a Republican, then I am not, and I do not want to be. [Applause on the Republican side.]

When a man surrounds and circumscribes his Republicanism by lines of sublime human selfishness, then he puts his feet off the Republican platform. [Applause on the Republican side.]

If a man on the Democratic side of this House votes for free trade on all products, I do not agree with his views, but I respect his candor and pay my meed of praise to his consistency.

But when a so-called "Republican leader" of this House rises in his place and repudiates the political faith into which he was born, for no loftier purpose than pure greed and selfishness, then, in my opinion, he falls beneath the level of contempt.

That is where that eminent but evasive gentleman from Minnesota stands to-day.

He, in an effort to justify his position, gives his private definition of a Republican, and he violates the political dictionary in an effort to justify himself. Sir, if I can invade the domain of the dictionary and write my own definitions, I can do anything on earth, and justify it—by my own private dictionary.

I heard an infidel once say that if he could rewrite the Bible he would be a great churchman. That is the trouble with the gentleman from Minnesota. If he could rewrite the faith of the Republican party to suit his selfishness, he would be a Republican.

Sir, the declarations of Republican faith have not been written by a single hand; those declarations have been written by the uncounted millions of Republicans all over this broad land, and thank God, the tenets of that faith can not be unwritten by any single hand, however greedy and selfish it may be.

The gentleman says he is in favor of free raw material. But is he? What free raw material is the Minnesota gentleman in favor of? Is he in favor of free trade on barley—for that is the raw material of the brewer; is he in favor of free trade on wool—for that is the raw material of the spinner; is he in favor of free trade on wheat—for that is the raw material of the miller. Of course he is not.

And when the gentleman proclaims that he is in favor of free trade on rough lumber, because it is a raw material, he again violates the political dictionary. Rough lumber may be the raw material of the carpenter and the home builder, but, sir, that same rough lumber is the finished product of 28,000 sawmills scattered over this land from ocean to ocean, and they employ in those sawmills 800,000 sawmill laborers, who, with their families, count 3,200,000 mouths that are fed from the wages of this industry—and if they can not have work they will not have bread. [Applause on the Republican side.]

Sir, the Republicans of this Nation have never sought nor intended to pick out one single industry from all our flourishing land and sacrifice it upon the altar of any man's greed.

When the gentleman spoke of putting lumber on the free list, he said that public sentiment had crystallized wonderfully in favor of such a move. His political faith does not seem to rest upon moral conviction, but upon public clamor. When he said that, I realized upon what a slender base his faith rested. The trouble with that gentleman is that he has had his ear to the ground instead of having his eye on the stars.

I say to you, my political brethren on this floor, that it will be a sad day for the Republican party when we start in to tear down the wall of Republican protection in front of any legitimate American industry. [Applause on the Republican side.]

It may be another man's industry that is attacked to-day, but when you begin to tear down the temple of protection, sooner or later you will find your own industry engulfed in the common ruin.

I am a consistent protectionist. My protectionism rises superior to my selfishness. I am willing to protect the barley of Minnesota, and I ask similar protection for the lumber of my own State. I am consistent.

And I say that the man on this floor who wants to protect his own little industry but is willing to see his neighbor's industry destroyed, is not a protectionist; he is just a plain political cannibal, willing to have his neighbor eaten up if he can be saved.

Here is the eminent gentleman from Minnesota, who proclaims his Republicanism in the very moment when he is deserting the principles of that party. Sir, I am here to impugn the Republicanism of any man who wants a tariff of nearly a dollar a grain on barley and who does not want a tariff of a cent per thousand on lumber. [Applause on the Republican side.]

Sir, my political faith is a matter of conviction, and not of convenience. I do not change my politics when I change my residence.

Almost a quarter of a century ago I lived in Nebraska. It was a great prairie State, with little or no forests. But I believed in a tariff on lumber then just the same as I do now.

If I moved away from the State of Washington, which is a great lumber State, and went back to Nebraska, I would carry my convictions back with me, even if I had no visible assets.

But some men cry out, "Oh, it is not going to hurt the lumber business to remove the tariff." Sir, those men give the lie to their language by showing the tenacity with which they cling to protection for each little product of their own.

My friends, this is a matter that comes close home to me. I have never appealed on this floor for any privilege or protection which I was not willing to concede to all other people and all other sections. In relation to this whole tariff bill I have stood openly and aboveboard for a fair measure of protection to every legitimate American industry. And having been that fair and generous to others, I do not want the one great industry, which means more for the prosperity and happiness of my people, made a vicarious sacrifice to gratify the selfishness of any man.

When I campaigned over my own State of Washington last fall I preached the faith of Republicanism; I told those people that the Republican party believed in protecting all legitimate American industries, including the manufacture of lumber—and as God is my witness, I was honest when I said it. I believed it then, and I believe it now.

The only way the Republican party can be held together is by building a wall of protection that shall equally and adequately protect all the industries of America. Do you think that on the great field of American enterprise you can make lumber a commercial outlaw and not reap the reward of your political treachery?

Sir, when I was a child I read a story of the English war in India. According to that tale certain of the natives of India had allied themselves with the English army. They were in imminent danger of attack, and together they threw up a hasty fortress for their joint protection from the common enemy without. But it was found that the fortress was too small to hold all, so the English drove their native allies out of the fortress they helped to build, expecting them to be slaughtered by the enemy.

Do you know what those natives did? In a single instant they joined the enemy and turned their fire upon the inhuman and ungodly crowd that had denied them shelter within the fortress they had helped to build, and they washed their hands in the blood of those who had sought to sacrifice them. [Applause on the Republican side.]

You had better listen to that tale. When you drive a legitimate American industry outside the wall of protection, they will help shoot you to death on the next American political battlefield. [Applause on the Republican side.]

protection than our agricultural industry. There is no industry

Mr. HARRISON. Will the gentleman yield? Does the gen-

APPENDIX.

GIFFORD PINCHOT, FORESTER, ON THE RELATION OF THE TARIFF TO FOREST CONSERVATION.

WASHINGTON, D. C., *March 10, 1909.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives.

DEAR MR. PAYNE: To avoid any chance of misunderstanding, I take the liberty of stating my views upon the tariff on lumber in more connected fashion than it was possible to do at the hearing before the Committee on Ways and Means on February 24. At the outset I want to make it clear that the Forest Service has never advocated either the reduction or the abolition of the present duties upon lumber and shingles. On the contrary, we have been at some pains to avoid taking any position, one way or the other, until we could complete a satisfactory investigation of the subject. I say this because many believe that the Forest Service has declared in favor of the removal of the duty upon forest products as a means of conserving our forests. The service has made no such declaration.

If the tariff on lumber were to be removed, it would be done, I take it, for one or both of two purposes—either to reduce the price to the consumer or to preserve our forests. In my judgment, it would accomplish neither.

Free lumber would not materially reduce the price to the consumer. Most of the lumber we now import comes from Canada, as most of it would if the duty were taken off. We are importing from Canada only about 2 per cent as much lumber as we are cutting from our forests. It is not likely that under free lumber more than 6 per cent as much would come from Canada as we would cut at home. Contrary to the general impression, Canada, as compared with the United States, has no great timber supply. Her total amount of standing timber is probably not more than one-third of what is left of ours. In the end the Canadians will undoubtedly require for home use all the timber they can produce. Imports from Canada would not be enough, therefore, to limit the cutting of our own forests or to reduce the price of lumber in any important degree.

Stumpage prices are at present somewhat lower in Canada than in the United States. The taxation of Canadian timber land is better adjusted to the conditions under which timber must be cut than it is with us, but the average cost of logging and manufacturing are probably as great there as here. If the duty were removed, the effect of these factors, taken together, would be to increase the value of Canadian stumpage and to some extent the profits of the Canadian manufacturer and the American retailer. There would remain little, if any, benefit to the ultimate consumer of lumber in the United States.

The fundamental question at issue in the lumber tariff is forest conservation. I believe that the demand for free lumber rests mainly on the hope that it offers a way to protect our forests. If I were of the same opinion, I should favor the removal of the tariff. But I am unable to see how free lumber will promote forestry.

There is only one way to save our forests. That is to see that they are kept at work growing new crops of timber as the old are cut away.

The lumbermen are right when they tell you that in times of high prices for lumber they do cleaner work in the woods and cut more timber from a given area than they do when prices are lower and only the best grades can be marketed. Low prices for lumber unquestionably increase waste. If the removal of the tariff had any effect on work in the woods, it would be to displace the lower grades of lumber now cut by our own mills, which must be either logged or left in the woods when the higher grades are taken out, and to that extent it would increase the woods' waste in this country. The waste in logging is already enormous, several times larger than our importation from Canada. I do not believe that the increased use of Canadian wood under free lumber would equal the increased waste, and even if it did, the larger danger from fire and the greater difficulties in the way of forestry which follow wasteful logging would probably more than offset the gain. In other words, the drain upon our forests would not be relieved by allowing Canadian lumber to come in free.

You asked me at the hearing for my opinion as to the tariff on wood pulp. We are already dependent upon Canada for much pulp wood. Nearly seven-tenths of the wood we use for paper is spruce, and one-third of the spruce pulp wood is imported from Canada. It is highly important that we should have free pulp wood in the future as in the past, and that Canada should impose no export duty upon pulp wood. In this respect the pulp and paper making industry is in a different position from the other great wood-using industries of the United States. The latter can be wholly supplied from our own forests, while the former must have free access to the Canadian spruce forests so long as spruce is the chief pulp wood. I therefore concur with the recommendations of the Select Committee on Pulp and Paper Investigations of the House of Representatives. These were that ground wood should be admitted free, provided that it comes from a country which does not in any way restrict the exportation of pulp wood or ground wood, and that there should be a reduction in the duty upon news paper, providing that it comes from a country which does not in any way restrict the exportation of pulp wood, wood pulp, or printing paper.

I believe there is now a sincere desire on the part of a large number of lumbermen to handle their forests more conservatively. I realize that they face difficulties in their efforts. We as a people have often been at fault because we have not made it easy for the lumbermen to practice forestry at a profit. The States, for instance, have failed to provide adequate fire protection. They have often taxed standing timber so heavily that the owner was forced to cut it off as quickly as possible, and then let the land go back to the State without provision for a future crop.

But it is first of all upon the lumbermen themselves that the duty of conserving their own forests actually lies. By asking for the retention of the tariff in order to protect the forests, the lumbermen have in substance entered into an agreement with the people of the United States to perpetuate their forests by wise use. This tacit agreement is freely recognized by many of the leaders among them. If the tariff is allowed to remain, the lumbermen should be held to their agreement; and if they should fail to carry it out, the people of the United States should take the matter in hand and enforce such control of lumbering as will protect the forests and the public. The lumbermen must recognize that the forests which they own are not simply pieces of private property. They are a public trust, the source from which most of the Nation's future timber supply must come. The Nation has decided that these forests must be conserved. It is the duty of every lumberman to act upon this decision. It is the duty of the Nation and the State to aid him in every way they can. If the lumbermen do not make the most of this opportunity, legislation is coming, and coming very soon, which will force them to do clean work in the woods and to leave their cut-over lands in a condition to produce a second crop.

I believe that it is possible to work out a solution of this great problem, in cooperation with the lumbermen, in a way that will satisfy both them and the public. To this much-desired end I have given in the past, and will continue to give in the future, my utmost efforts.

Very sincerely, yours,

GIFFORD PINCHOT, *Forester.*

The CHAIRMAN. The gentleman's time has expired.

Mr. HARRISON. Mr. Chairman, lest we forget, I desire at this point to read a plank from the Democratic platform adopted at Denver last July:

Existing duties have given the manufacturers of paper a shelter behind which they have organized combinations to raise the price of pulp and of paper, thus imposing a tax upon the spread of knowledge. We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list.

Mr. Chairman, I stand upon that platform. [Applause on the Democratic side.]

Mr. BOUTELL. Mr. Chairman and gentlemen of the committee, in speaking in opposition to the amendment offered by the gentleman from Minnesota [Mr. TAWNEY], I wish to offer to the members of this committee for their calm and sober consideration a few reasons why this duty should remain as fixed by the committee. It is very apparent that we have now reached the most critical period in the life of this bill, namely, the amending of carefully prepared schedules in the confusion of the Committee of the Whole, and it is clear that we must proceed with patience and good nature and with great self-restraint if we would escape error.

I now wish to call attention to what seem to me three cogent reasons why this duty should not be changed: First, on account of the revenue which it produces. Let me suggest to those members of the committee who would be glad to see rough lumber go upon the free list that during the last year, according to the official statistics, the duty collected on rough lumber was $1,800,000, and that the ad valorem was less than 12 per cent. The Ways and Means Committee has cut that ad valorem in two, to less than 6 per cent. If the same amount of lumber should come in as came in heretofore, under the new duty, we would still collect $900,000 a year. If, as the advocates of a freer trade in lumber maintain, double the amount of rough lumber should come in at the reduced $1 rate, our income would be still $1,800,000 from this source. Now, as we approach this first suggestion of cutting off the income fixed by the committee, I want to call the calm and sober attention of the members of the committee to this responsibility: That wherever you take a million dollars from the bill, the obligation is placed upon you to suggest some other wise measure for raising an equivalent revenue.

I suggest this to the consideration of those members of the committee who under ordinary circumstances would like to see lumber placed upon the free list. Second, it is very apparent from the evidence before the committee that the best interests of forest conservation would lead us to maintain at least a dollar rate on rough lumber so as to induce the lumbermen of the United States to clean up the cheaper lumber which otherwise they would not be induced to do. The third reason, and the one which I think ought to prevail, even if neither of the others addresses itself to the judgment of the committee, is this: On both the north and the south of us we have in the British Dominion and in South America countries that are ready to take advantage of us in replenishing their own treasuries by an export tax on their raw products which we buy from them. Let me call the attention of the committee to this remarkable situation. We import over 80,000,000 pounds a year of raw rubber. We pay about $60,000,000 a year for it. We boast that it is on the free list for the benefit of our rubber manufacturers, but every year, gentlemen, the American rubber manufacturers, who think they are getting free rubber, contribute to the treasuries of the States of Brazil over $12,000,000 a year in a 25 per cent ad valorem export tax. There is the same danger on the north, that every reduction which we make in lumber will be used by the Canadian or the provincial governments to aid their own treasuries or their crown-land funds. So, for these three reasons, Mr. Chairman, that we need the revenue; that it is the interest of the conservation of our forests; that it is to prevent an export duty being placed by the Canadian government, I submit to the calm and sober judgment of all the members of the committee that the rate fixed by the Ways and Means Committee should be sustained. [Loud applause.]

Mr. PERKINS. Mr. Chairman, the gentleman from Washington [Mr. CUSHMAN] has suggested some question as to what was required of Republicanism. I stand here believing the duty of a Republican is to vote for a measure by which the largest benefit will be derived by the greatest number and the smallest loss will fall on the smallest number. There is no commodity the use of which enters so largely into the entire American population as lumber. Nine-tenths of the men of moderate means live in houses that are built of wood, and whatever tends to lessen the price certainly is of benefit to the great masses of the American community. [Applause.] Now, Mr. Chairman, who are those who are interested in the high price of lumber? I have an acquaintance with a man of wealth who told me that years ago, fifteen or twenty years ago, he bought a large amount of timber land; and he told me that for every dollar he had paid then he could realize $10 now in the increase in the value of the stumpage. Now, Mr. Chairman, between the man who builds a house and the man who has found his investment has increased from $1 to $10 in the course of fifteen years, whom shall we stand for? I find no fault with the gentleman who made that judicious investment; he had the advantage of intelligence, he had the advantage of wealth, and he foresaw that the increased value of our forest product would be such that where every dollar he put in would be worth $10 now.

But it seems to me it comes with a strange grace, to those who have profited by an increase in the value of their commodity as the result of the general economic laws, to ask us to add to that great increase a further increase of $2 a thousand on the price of lumber.

The gentleman from Michigan [Mr. FORDNEY] spoke of the mills that would be closed, the men that would be thrown out of employment. That, Mr. Chairman, it seems to me, is the veriest nonsense. Were not these mills working, were not these men employed, ten years ago, when the price of lumber was $4 or $5 a thousand less than it is now? If they could not work, if the men could not be employed, if lumber were $2 less than it is now, they would not have been employed then. The only effect of taking off this duty will be, I apprehend, not to greatly reduce the price, but to prevent the rapid increase that year by year makes more expensive one of the most necessary commodities of the country, and year by year increases the value of the great stumpage ownership. It has been the history of our industrial development that large wealth, large ownership, has largely acquired the possession of the great undeveloped portion of the natural resources of the land. The ownership of timber land, the ownership of mines, the ownership of coal, have very largely drifted into large ownerships. With that, Mr. Chairman, I find no fault; but surely, when we are legislating on what should be for the interest of the great bulk of the community, we should consider the fact that the natural resources of the land are largely absorbed by a comparatively small number, and that the necessary result of the use of the natural resources of the land is to increase their price by economic laws that no one can hinder. It does seem to me that we should fairly respond to the demand which, as the gentleman from Minnesota [Mr. TAWNEY] justly said, comes up from all over the land, to add no additional burden on the price of one of the great commodities of the American people. [Applause, and cries of "Vote!"]

Mr. CLARK of Florida. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the last three words in the paragraph, viz, "planing, tonguing, and grooving."

Mr. CLARK of Florida. Mr. Chairman, I desire to say that I am opposed to the amendment offered by the gentleman from Minnesota [Mr. TAWNEY], and I go further than that and say that I am in favor of a restoration of the $2 per thousand rate contained in the Dingley bill. [Applause.] If I can get an opportunity to vote, I shall certainly so record myself.

Yesterday, Mr. Chairman, in the discussion of this bill the gentleman from North Carolina [Mr. POU] undertook to read those gentlemen who occupy the position that I do a lecture as to our duty to the Democracy. He recommended that we go over on the other side and take a seat. I commend that advice to the gentleman from North Carolina, who is standing here voting against what is in the Denver platform, which he helped to make, and with which I had nothing to do. [Applause.]

Mr. POU. Will the gentleman permit an interruption?

Mr. CLARK of Florida. I have not the time.

I was not here yesterday, and the gentleman did not give me any opportunity. My seat is right in front of him, and the gentleman ought to have had me here, because I was in the building and not very far away. But that is neither here nor there.

He says that one who takes the position that I did exhibits "selfishness run to seed," or "greed run to seed." I take it openly, and I am willing to treat the other man fairly. "Selfishness" or "greed run to seed" is when you try to put in the bill what your own district wants and you are not willing to give the same "square deal" to the other fellow. [Applause on the Republican side.]

I am opposed to the amendment offered by the gentleman from Michigan [Mr. FORDNEY], and I stand here, as I said yesterday, representing my constituency, under their instructions, to vote for the $2 rate if I can possibly be given opportunity to do so. That is my position, fairly and squarely stated, and I do not go under cover to state it, and I do not go in the darkness to my friends on the other side and beg them to put things in the bill for my constituents' interests. [Applause.]

Mr. FASSETT and Mr. REEDER rose.

The CHAIRMAN. The Chair will ask whether the gentleman from Kansas [Mr. REEDER] desires to speak in favor of or in opposition to the amendment?

Mr. REEDER. I am in favor of it.

Mr. FASSETT. I wish to speak against it.

The CHAIRMAN. The Chair will first recognize the gentleman from Kansas [Mr. REEDER] and then the gentleman from New York [Mr. FASSETT].

Mr. REEDER. Mr. Chairman, I regard myself as a Republican and my faith is based on the fact that I think the protection of American industry is the foundation of Republican success and the prime cause of the great success the party has had in so successfully guiding the affairs of this Nation. Yet I am very much in favor of the resolution of the gentleman from Minnesota [Mr. TAWNEY] to place lumber on the free list. I shall not be able successfully to establish my argument by telling a story, so I shall have to base what I may say on facts. I am in favor of free lumber.

Mr. HUMPHREY of Washington. You do not produce any lumber in your district.

Mr. REEDER. I propose to base my argument favoring this amendment, as a Republican, on facts.

Mr. HUMPHREY of Washington. That is a fact, is it not?

Mr. REEDER. The facts are, a tariff on lumber will not protect American labor; it is not intended to protect American labor. We have arranged in this resolution to protect all such labor done on lumber as can be done in this country. The protection to be had under the law as it was in the Dingley bill and the law as it was proposed in the Payne bill was protection to stumpage purely, simply giving to those men who own the stumpage more for such stumpage.

The basis of my argument is protection to American labor; but no protection to owners of stumpage, which is the Republican principle of protection to our laborers' interests. And because of my steadfastness for this Republican doctrine, I am heartily in favor of this resolution to admit rough lumber free. I probably have some little feeling in regard to the owners of this stumpage because of my knowledge of how much of it was obtained by great millionaires, who now own nearly all of the stumpage of this country. When I first came to Congress, a law was passed providing that the money received for this lumber when sold should go into the irrigation fund. We have saved to this fund some forty or fifty millions of dollars. I know, as nearly as I can know anything, that these people who now own this stumpage have been able to secure and keep legislation on our statute books, in the way of lieu-land scrip, the timber and stone act, and other devices to enable them to secure stumpage at such prices as to clear not less than $100,000,000, which should be in the irrigation fund. They did not need that money; they do not need this extra one or two dollars per thousand they wish us to donate them by this bill on all their holdings. They wish us to add this amount to that great sum of money they have secured by getting this stumpage, which they should have permitted to go into the irrigation fund, as was provided in the law of 1902, and thus to-day we would have enough in that fund to have been able to make 20 to 25 homes a day instead of the 10 homes we are now making daily with the $50,000,000 they have left us for that purpose.

This stumpage was generally secured under the timber and stone law at 25 cents to 50 cents per thousand feet and they can now sell it for from $3 to $5 a thousand feet. I do not believe there is an American citizen that desires to tax the millions of consumers of lumber in this country, to add to the price of lumber in order to aid these people, who now own this stumpage. Therefore, I am in favor of passing this resolution, and I do not believe there is a man in favor of the people on this floor, either Democrat or Republican, who would think of voting against passing the resolution or who will vote to add one to two dollars a thousand to the value of the stumpage now owned by millionaire speculators, especially when you consider the means by which they obtained it. If we vote in favor of passing this resolution, every part of the labor, which is done in changing the logs which are already free into lumber, will be done in the States in the Northwest and other sections of our country and by American laborers. Are you in favor of the stumpage owner? If you intend changing the price of stumpage, you do not thus aid labor; the labor is to be done under this resolution by American labor or pay a duty.

The millions of lumber users should not be asked to contribute on every piece of lumber they use to add to the fortunes of these millionaire speculators in lumber, and it is no part of Republican principles to pass a law to compel them to so contribute.

Mr. CLARK of Missouri. A question of order. Is debate on this paragraph exhausted?

The CHAIRMAN. It is not exhausted on this amendment.

Mr. CLARK of Missouri. I move that debate on the Tawney amendment and all other amendments attached to it be closed.

The CHAIRMAN. The gentleman is not recognized for that purpose.

Mr. CLARK of Missouri. I raise the point of order that debate on this paragraph is exhausted under the rule.

The CHAIRMAN. The gentleman from Florida moved to strike out the last three words. The gentleman from New York is recognized in opposition, only one speech having been made.

Mr. FASSETT. Mr. Chairman, I shall not detain the gentleman from Missouri nor this House long. I am opposed to this proposition for several reasons. The first reason is that I am for a high protective tariff [loud applause on the Republican side] pledged to protect in every possible way every legitimate American enterprise.

The second reason I am opposed to the proposition is that it will disappoint every advocate of it in this room and in the country outside.

The third reason is it will deprive us of a large item of important revenue, $1,700,000, annually and give us no substitute.

The fourth reason is that no consumer of raw lumber anywhere in the United States will buy one foot of lumber one cent cheaper if this resolution passes. [Applause.]

Mr. Chairman, I speak as a manufacturer of lumber and owning large stumpage in Canada. For myself personally I would be glad to see the tariff reduced entirely. I would be glad to see absolute free trade in every product of the forest. We can get, then, into the magnificent markets of America from across the border, and I could make my holdings worth much more than they are now. [Applause.]

Who is pushing for this change? It is those of us who are interested in Canadian enterprises and Canadian stumpage. We can well afford free trade. You gentlemen in the lumber business can not afford it, and purchasers of lumber will not benefit. If you give me a $2 remission, I can get $2 farther into New York State and New England. You compromise on $1——

Mr. TAWNEY. Will the gentleman yield for a question?

Mr. FASSETT. Not at all. I can get $1 farther into New York State than I can now, and that is where this committee agreement is a compromise. But those gentlemen who talk for the benefit of the ultimate consumer must not forget the primary producer. No consumer has power to consume to the profit of the dealer beyond his power to earn; and if you solely consider the consumer here and destroy the earning power of the producer in America, you have spoiled your market and ruined your party, and you can not face the people on that issue and you ought not to want to do so. [Applause on the Republican side.]

Mr. SLAYDEN and Mr. RANSDELL of Louisiana rose.

The CHAIRMAN. The Chair will ask upon which side of the amendment the gentleman from Texas is?

Mr. SLAYDEN. I am in favor of the Tawney amendment.

Mr. RANSDELL of Louisiana. I am opposed to it.

The CHAIRMAN. The Chair will recognize first the gentleman from Texas and then the gentleman from Louisiana.

Mr. SLAYDEN. Mr. Chairman, the unanimity with which the timber barons oppose the amendment offered by the gentleman from Minnesota [Mr. TAWNEY] suggests that there may be a little joker in that amendment, and that it is in the interest of the people. [Applause.] As all of the other jokers in this bill are offered against the interest of the people, it seems to me only fair that we give this bantling an opportunity. When the people who confess themselves directly interested financially in the production of lumber without exception oppose legislation, then it is very likely wise legislation to enact.

The suggestion has been made here that gentlemen can not consistently agitate for free lumber who demand a tariff on barley, for example, and it was suggested that the gentleman from Minnesota [Mr. TAWNEY], who, I suppose, wants a tariff upon barley, should come over to this side of the aisle.

I should like mighty well to see him move, but I do not believe that on the logic advanced in support of that contention he needs to take up his chattels to-day and start in this direction;

nor, on the other hand, need the gentlemen who support a tariff on citrus fruits, even though they advocate free lumber, which the gentleman that I have in mind at this moment does not do, move on that account. Lumber and annually renewable crops do not stand upon a level with each other.

In that connection I want to introduce into the RECORD a paragraph or two from a communication sent here by a man who has been lobbying, if you please, in the interest of the people and in opposition to overtaxed lumber:

It can not be denied that logging and sawmill labor in Canada is paid, on the whole, as high wages as in the United States. It is a fact that sawmills in Canada cost more than they do in this country, on account of the duty on their machinery and the higher cost of construction labor. It is also a fact that in the markets of the world the United States sells ten times the lumber that Canada does.

Mr. Chairman, it seems to me that a merchant who sells ten times as much produce of any given nature and quality as another need not be very apprehensive of the competition of that other merchant.

This all goes to show that neither the American sawmill labor nor the American manufacturer needs protection, and that the only and real party protected is the American stumpage owner.

The coniferous timber of the United States is gradually passing into the hands of a few parties. One company alone—the Weyerhaeuser Timber Company—owns 15,000,000 acres of the choicest timber in the West.

Think of it, Mr. Chairman; one association, the Weyerhaeuser Timber Company, owns a kingdom in extent, an empire in value; and they are asking that they be permitted to tax the people who live upon the prairies, who are already groaning under an excessive burden of taxation, mostly levied in the interest of people situated financially as these timber barons are.

While this is the largest individual holding, yet throughout the South and the far West there are numerous and vast holdings of such extent that within the life of the new tariff bill about to be enacted the holders thereof will be absolutely enabled to monopolize the lumber market of the United States.

Similar Weyerhaeusers owning large timber tracts in the State of Texas stand on the platform of the gentleman from Michigan, but there are more people on the prairies of Texas than there are Weyerhaeusers, and more producers of the wealth of that great State than there are timber owners in eastern Texas, and I hope the Representatives of the people will vote for the interests of the majority. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I am in favor of free lumber, but as that proposition has been voted down, I shall support the amendment of the gentleman from Minnesota [Mr. TAWNEY]. This amendment provides for the free admission of rough lumber and a very material reduction of more than 50 per cent in the duty on dressed lumber. I would like to see every American citizen own his own home. There are millions of home builders who are interested in the price of lumber, while the number of people who own stumpage is very small. Practically all the standing timber in the United States is owned by a few millionaires. These great timber lands were purchased for a mere song and have increased in value in many instances more than 1,000 per cent. I do not see how any gentleman can get his own consent to vote additional millions to the lumber barons at the expense of the toiling millions who must build homes.

Mr. PAYNE. Mr. Chairman, I move to close debate on this paragraph and amendments in five minutes.

Mr. SWASEY. I hope the gentleman will give me five minutes.

Mr. PAYNE. Well, in ten minutes, then.

Mr. CLARK of Missouri. Does that mean that it will preclude any other amendments being offered to this paragraph?

Mr. PAYNE. To this paragraph; there are one or two other paragraphs.

Mr. CLARK of Missouri. But I want to offer an amendment to this paragraph after we are through with the Tawney amendment.

The CHAIRMAN. If the amendment prevails, it would not prevent the offering of other amendments to the paragraph, but it would prevent debate.

Mr. CLARK of Missouri. Well, I am in favor of that.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending paragraph and amendments be closed in ten minutes, the time to be occupied by the gentleman from Louisiana [Mr. RANSDELL] and the gentleman from Maine [Mr. SWASEY]. Is there objection?

There was no objection.

Mr. RANSDELL of Louisiana. Mr. Chairman, there is one thing I wish to call to the especial attention of this side of the House, and that is that we are not engaged in framing a Democratic tariff bill. This is a Republican measure, framed according to Republican protective principles, and not a Democratic bill framed according to the tariff-for-revenue ideas of the Democratic party. I wish to suggest to my Democratic friends that it is illogical to insist upon applying the principles of the Denver platform to one schedule of this bill when it is impossible for us to frame the bill as a whole according to that platform. It would surely be inconsistent to make a Democratic provision for lumber and Republican provisions for all other parts of the bill. It is a connected whole, a complete entity, and all its schedules must be coordinated according to some definite line of policy, which, in the present case, is the Republican one of protection.

If we were framing a Democratic bill, I take it that it would be our duty to make it conform as close as we could to the principles laid down in that platform; but we are not doing that. We are here trying to make a bill along Republican lines.

The voters of this country have said that the Republicans must frame this bill and not the Democrats, and the Republicans are doing it. As one Representative of a great section of the country largely interested in the lumber industry, I wish to say that as the bill is being framed along protection lines, I think it very unjust for my section not to get its fair share of that protection. [Applause.]

I do not think it is at all inconsistent for good Democrats, as most of us from the South are, to try to have this bill just and fair to every section of the country.

The gentleman from Minnesota, who introduces this measure, is not trying to have free trade in the many products of his own State, but he is striking at one of the largest interests of this country, one of the greatest of the South. Are you going to play into his hands, my Democratic friends, when he will not play into yours? Take the bill as a whole, let it be considered as a whole and not as a part when you make up your vote. Get it in as good shape as you can, and let it protect your section if it is going to protect all the others.

Mr. NORRIS. Will the gentleman yield?

Mr. RANSDELL of Louisiana. I will yield to the gentleman from Nebraska.

Mr. NORRIS. I want to ask the gentleman if this was a Democratic House, then I presume from what he has said that he would vote for this amendment, but as long as it is a Republican House he will vote against it. [Applause.]

Mr. RANSDELL of Louisiana. I think a duty on lumber can be defended on the strictest kind of Democratic principles, because it is a distinct revenue producer, and if I was preparing a tariff bill I would favor putting a duty on it, because it does produce a very large revenue.

Mr. SWASEY. Mr. Chairman, I am interested in the paragraph concerning lumber. I represent a State that has a large lumber interest, and if the gentlemen of this House will look at the map of the United States, they will see that the boundary line between Maine and the Provinces of Canada is a river—the St. John. We have large lumber holdings in Maine. We have 10,000,000 acres of timber land in which the State of Massachusetts and the State of Rhode Island and the State of Connecticut can get lost in the woods.

Our northern boundary is a navigable river—the St. John. It is navigable for logs and for lumber. I am here as a Representative of the people that are deeply interested in the protection of American lumber, and the legislature of my State, by an overwhelming majority, last week sent instructions to their Representatives in both branches of the National Congress to see to it that this great interest was protected.

We are brought into direct competition with Canadian lumber and we are brought into competition with every forest product of the Canadian forests. Mr. Chairman, I apprehend that we forget that this great Union of ours is a union of States; that there is no interest north, south, east, or west but what the whole people of the Union are interested in. By our rapid transportation, by our rapid communication, by telegraph and telephone and wireless telegraphy, by the railroads, it is nearer from Maine to Texas than it ever was before, it is nearer from Florida to Washington than it ever was before. You can not touch the interest of any section of this great Republic without affecting to some extent the interests of the other sections of the Republic.

This great West of ours furnishes us corn and wheat and barley and beef, and all those products are being run into our forests by the carload, train after train, and if we could have the privilege of going into the Canadian market and buying the products for carrying on our lumbering operations over the Canadian line, we could afford to give up the $2—yes, $4—but when we pay you $1.20 for your wheat, $1.10 for your corn, and from $400 to $600 for a pair of Kansas, Ohio, or Illinois horses, we are paying for all the privilege that we get by virtue of the protection to that great industry of ours, and I trust that gentlemen will be fair with us and will give us a restoration of the Dingley tariff.

The CHAIRMAN. The time of the gentleman has expired. Without objection, all pro forma amendments will be considered as withdrawn. The question now is on the amendment offered by the gentleman from Minnesota.

Mr. EDWARDS of Georgia. Mr. Chairman, let us have the amendment rereported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division there were—ayes 151, noes 173.

Mr. TAWNEY. Mr. Chairman, I demand tellers.

Tellers were ordered.

The Chair appointed Mr. TAWNEY and Mr. FORDNEY tellers.

The House again divided; and the tellers reported—ayes 170, noes 176.

So the amendment was rejected.

Mr. CLARK of Missouri. Mr. Chairman, I offer an amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Pages 54 and 55, strike out paragraph 197.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. CLARK of Missouri), there were—ayes 118, noes 157.

So the amendment was rejected.

Mr. TAWNEY. Mr. Chairman, I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAWNEY. Mr. Chairman, as I understand the rule it provides for a vote in the House on any of the amendments to the paragraphs specified in the rule, whether the amendment is voted up or voted down. The inquiry that I wish to make is this: If this paragraph 197 can not be amended in the Committee of the Whole, and the amendment has been voted down, and a vote is demanded on this paragraph in the House, and it should carry, that would necessitate amending the free list and also striking out paragraph 196. Could that be done in the House without a vote in the committee on the proposition to strike out paragraph 196 and to amend paragraph 708?

The CHAIRMAN. The present occupant of the chair has a very decided opinion upon that point, but it seems to the Chair that is a question which would have to be decided by the Speaker in the House. It can not be decided in Committee of the Whole House on the state of the Union, as the inquiry touches the action of the House after the bill shall have been reported from the committee.

Mr. TAWNEY. Then, in order that there may be no question about it, I will offer amendments to strike out paragraph 196 and to amend paragraph 708.

The CHAIRMAN. The Clerk will report the amendment which the gentleman from Minnesota offers.

The Clerk read as follows:

Page 54, strike out paragraph 196, being lines 16, 17, 18, and 19.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. TAWNEY. Now, Mr. Chairman, I offer the following amendment to paragraph 708, which I send to the desk and ask to have read, which amendment seeks to transfer all of the items in paragraphs 196 and 197, proposed to be stricken out by my amendment originally offered to paragraphs 196 and 197, and transfer all of said items to paragraph 708 of the free list.

Mr. GAINES. Mr. Chairman, I wish to make the point of order that the amendment now offered is inconsistent with the action already taken by the committee. The vote already taken disposes necessarily of the proposition now made by the gentleman from Minnesota.

Mr. TAWNEY. Why, I can not see anything in the proposition of the gentleman. My former amendment——

The CHAIRMAN. The Chair does not desire to hear argument; it is not for the Chair to determine the consistency or inconsistency of the amendment. The committee must determine for itself whether or not it will be consistent. This is not the same identical amendment that was voted upon, and is an amendment to a different part of the bill—an entirely different paragraph—and it appears to be germane. The point of order is overruled. The Clerk will report the amendment.

The Clerk read as follows:

708. Wood: Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, and sawed lumber, timber hewn, sided, squared, or sawed, and round timber used for spars or in building wharfs, logs and round manufactured timber, including pulp woods, firewood, handle bolts, shingle bolts, gun blocks for gunstocks, rough hewn, or sawed or planed on one side, hop poles, ship timber, and ship planking; all of the foregoing not specially provided for in sections 1 and 2 of this act.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. SCOTT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 136, after line 14, insert as a new paragraph, to be numbered 447½:

"447½. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 10 per cent ad valorem."

Mr. SCOTT. Mr. Chairman, in the eight years of my service in this Chamber I do not now recall that I have made a speech without the expectation, or at least the hope, that what I said might have some influence upon the action of the House. I can not flatter myself, however, that there is any ground for any such hope or expectation at this time. After the extended discussion which has been had on this subject there seems to be no doubt but what every gentleman on this floor has already made up his mind how he will vote on this amendment, and that nothing which can now be said will change a vote. I shall therefore content myself with one or two brief statements which seem to me to show that this amendment is logical and just.

The bill which we are considering reduces the duty on leather goods, boots and shoes, and other manufactures of leather at varying rates from 25 to 75 per cent below the Dingley law. In view of the fact that the duty on the finished product of the manufacturer is thus reduced, it is only fair and just that the duty of his raw material should be reduced. But the raw material of the manufacturer is the finished product of the farmer and the stock raiser, and I do not believe it is fair to reduce the duty upon this raw material in greater proportion than the reduction on the manufacture of the finished product. The pending measure removes all the duty from hides, while it takes but from 25 to 75 per cent duty from shoes and leather.

Mr. HUGHES of West Virginia. Mr. Chairman——

Mr. SCOTT. Mr. Chairman, I should prefer to make my statement first. I am willing, and those for whom I speak are willing, to submit to a corresponding reduction in the duty on hides, but I do not think they should suffer all of the loss. The amendment which I have offered, therefore, asks that a duty of 10 per cent be levied upon raw hides, which is substantially a 40 per cent reduction from the existing rate.

I believe that this duty can be levied without injustice to any American industry. I believe it can be levied without robbing any American laborer of employment or reducing his wages. I believe also that the levying of this duty will be just to the farmers and the stock raisers who furnish this raw material and whose profit would undoubtedly be diminished if it be allowed to remain on the free list. As I said in discussing this measure some days ago, the removal of this duty either will not reduce the price of hides or it will reduce the price. If it does not reduce the price, then no industry has been benefited and the Treasury has been robbed of the revenue derived from the tariff. If it does reduce the price, then the farmer who purchases the hides must ultimately suffer the loss; and he will obtain no corresponding benefit by reason of a reduction in the price of the manufactured articles which he must purchase, because I submit that no manufacturer of shoes has ever yet been able to figure out that he would be able to give the consumer either a better shoe for the same price or a cheaper shoe by reason of the remission of this slight duty. It seems to me, therefore, Mr. Chairman, that in common fairness to the great producing class of this country, in fairness to the class which makes up more than one-third of the population of the United States, that this amendment should prevail, and I hope the House will take that action upon it.

Mr. DIEKEMA, Mr. ROBERTS, Mr. GARDNER of Massachusetts, and Mr. BURLESON rose.

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. ROBERTS] desire to speak in favor of or against the amendment?

Mr. ROBERTS. In opposition.

The CHAIRMAN. The gentleman may proceed.

Mr. ROBERTS. Mr. Chairman, it seems to me at this time a brief history of the tariff on hides would be of interest and benefit to the committee. For a period of twenty-eight years prior to the enactment of the Dingley law hides carried a small tariff of from 5 per cent to 10 per cent, the 10 per cent being imposed in the height of the civil war, when it was absolutely necessary to raise enormous revenue and everything in sight was taxed. From 1872 down to 1897, when the Dingley bill was enacted, hides were on the free list, where they had been from-

the foundation of the Government until about 1856. I want to call the attention of the committee to the fact that no tariff bill in the last quarter of a century has passed this House carrying with it a tariff on hides. The McKinley bill as it became a law and as it passed the House exempted hides from taxation. The Dingley bill as it passed the House had no provision taxing hides, that provision being put on in the coordinate branch; and it seems to me that the arguments of the gentleman from Kansas [Mr. SCOTT] have a very familiar ring. Either hides will be reduced or they will not be reduced. He seems to ignore one of the vital points in this question. The American manufacturers have been engaged for years, in all lines of business, in working up a foreign market; yet the manufacturer of shoes has been met, under the provisions of the Dingley bill, by a distinct handicap when he endeavored to put his wares in competition with those of the foreign manufacturer, for the simple reason that the foreign manufacturer of boots and shoes can come to the American tanner and purchase the identical leather used by the American manufacturer at from 10 to 12 per cent cheaper than his American competitor can purchase that same leather.

Through the operation of the drawback clause it allows the tanner to get the drawback of 15 per cent upon the exported leather, so that when the American manufacturer goes into the foreign market he is met with that discrimination imposed upon him by the laws of the United States, of his own country, of 10 to 12 per cent advanced cost in the raw material of his product. That reason alone should impel this Congress to restore hides to the free list, where they had been from 1872 until 1897.

Now, the gentleman from Kansas [Mr. SCOTT] is evidently arguing from the standpoint that the tariff on hides benefits the raiser of the cattle. But it seems to me, Mr. Chairman, that is one of the greatest fallacies that has been advocated and advanced in support of the proposition of taxing hides. I think if I had the opportunity—I have only a moment or two, and may not be able to give all the figures—that I could demonstrate to a mathematical certainty that there is not at present, and never has been, the slightest relation between the price of cattle on the hoof and the price of their hides.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURLESON. Mr. Chairman, the preparation of a tariff bill always affords opportunity for a display of selfishness; but I confess my surprise that the time has come when a Member of Congress stands upon this floor and deliberately says, "If you will give me what I want for my district, if you put in this bill what I ask for my district, you can put in anything else that you may see fit and I will support it." [Applause on the Democratic side.] Mr. Chairman, having reached this point, I confess that, in my judgment, we have sounded the uttermost depths of unconscionable selfishness and grasping greed. What does this mean? Nothing more than this: That if you will provide for me, protect the few things that I want taken care of in my district, you may plunder, you may rob the remainder of the American people to your heart's content, and I will stand by and not raise my voice to protest or resist, but will aid you in your acts of despoliation. [Applause on the Democratic side.]

But, Mr. Chairman, it has become so fashionable to make protection speeches on this side of the Chamber that I am tempted to make one myself. [Laughter.] I believe that I, too, will stand for protection. Mr. Chairman, I raise my voice for protection in behalf of the 80,000,000 of people—yes; the 90,000,000 of people—in the United States who are consumers, as against the few thousand manufacturers who are to be the principal beneficiaries if this bill becomes law. In their behalf I am for free boots and shoes. I am for free leather, and free goods manufactured from leather. If these could be had and a proposition should be brought forward to put a tariff on hides, I would oppose and vote against it. I am opposed to a protective tariff, regardless of the guise in which it may come or be offered. But, Mr. Chairman, I also believe in honesty and fair dealing. The people of the South and West, the farmers and cattle growers of those sections, are large consumers of leather, leather manufactured goods, and boots and shoes.

New England is a large consumer of hides, making them into boots and shoes. Now, if hides are to go on the free list, why not boots, shoes, and leather goods? Echo answers, "Why!" Why do I support the proposition proposed by the gentleman from Kansas? I will tell you why, and I shall speak with the utmost candor: I do not believe it is going to benefit the cattle grower but to a very limited degree. I would not be honest if I did not state my deliberate judgment to be that the principal beneficiary of the present tariff on hides is the packers or, to speak plainly, the beef trust. I so stated three years ago on this floor. I said then that the farmer and stock grower had been handed a gold brick in this particular schedule of the tariff law. I reiterate that statement now. Then, why should I ask a tariff on hides in this bill? I will tell you why. But before I proceed, let us see what would be the result if free hides were given as contemplated here.

Do you think free hides as offered in this bill will secure for the masses of the people cheaper boots and shoes—for the farmers, cheaper harness and saddles?

If I thought so, I would stand against this amendment, though if we on this side were making a bill I would insist that hides be used as a revenue article, having collected last year nearly $7,000,000 from hide importations.

The tariff tax under the Dingley law, the present law, on boots and shoes was 25 per cent, the tariff on hides being 15 per cent. This rate on boots and shoes was prohibitory, or practically so, because there is collected, as shown by the Treasury reports, only $38,960 per annum from their importation. This tax is reduced in this bill to 15 per cent; but, Mr. Chairman, a careful reading of the hearings before the Ways and Means Committee forces the conclusion that this 15 per cent tariff is so high, when considered in connection with the cost of ocean freight charges, as to enable American shoe manufacturers to continue to sell their product at prevailing prices.

The same is true also as to leather manufactured goods, the duty under the present law on these being 45 per cent and under this proposed bill 35 per cent.

The shoe manufacturer appeared before the Ways and Means Committee and said, "Give us free hides, and we are willing to give free boots and shoes." Our mail has been flooded with letters from those claiming to be of the largest of our shoe manufacturers to the same effect. We have repeatedly heard the gentleman from Wisconsin [Mr. WEISSE], a tanner, who knows more about leather than all of us, say that the tanners were willing to have leather free if hides were put on the free list. Mr. Chairman, the farmers and stock raisers of the West and South are entitled to cheaper boots and shoes, cheaper harness and saddles; the mass of consumers of this country are entitled to cheaper shoes.

Considering the many burdens laid on them under the terms of this bill, do you not think one schedule should be formulated in their interest, not with a view of giving them an advantage—they do not ask it—but in order to give them simple justice? Now, if we give these manufacturers free hides, do you think they will give the consumers the benefit of the concession? I do not believe it. Do you not know they will continue to charge just as high a price as possible under the duty fixed on their manufactured product? Of course they will, and the only result of free hides will be to enable these manufacturers to put that much more in their pockets. I believe in free hides in this bill, but when we yield this I say let them yield free boots and shoes and free leather goods at the same time.

They have expressed their willingness to give free shoes if they can get free hides; now let them do it. If free hides are granted and no further reduction is made in these boot and shoe and leather-goods schedules, my opinion is that the consumers of this country will for years be compelled to continue to pay this high tax on their shoes and other leather goods. My deliberate judgment is that if you who stand for the consumer and want cheaper shoes and boots, your best chance to secure them is to continue the tariff on hides until the tariff is taken off boots and shoes and leather goods at the same time. You must do this, and by so doing say to these protected interests, say to these monopolistic manufacturers who are always grasping, who always want more—say to these men who came before the Committee on Ways and Means and declared "We are willing to give you free boots and shoes if you give us free hides"—"we propose to continue a duty on hides until you keep faith and give up the graft that you have through the tariff."

If we do this, we will ultimately succeed in getting free shoes; if we now yield, we never will.

Mr. Chairman, if we let this bill stand unamended, thus leaving hides on the free list, mark the prediction: We will hear no more complaint from the East about the hide and leather schedules; but if we hold to a duty on hides they will continue to howl, and in the end will yield their unreasonable exactions and consent that the consumer be given cheaper shoes and leather goods in order to secure free hides.

Mr. Chairman, in the interest of those who grow cattle, I stand ready to put hides on the free list if boots and shoes go on the free list at the same time. If leather-manufactured goods should go on the free list, I will stand upon this floor and vote against the duty on hides; but we are not going to even have a chance to vote on these schedules. Oh, no! We can not be trusted to do so.

Mr. Chairman, this House has by vote in Committee of the

Whole just refused to put lumber on the free list. It may be in the House, on a record vote, the result will be the same, but I have my doubts; it may be you will vote this amendment down; it may be that the Payne bill will go to the Senate providing for other free raw materials, which is, of course, a departure from the long-established Republican protection policy; but, Mr. Chairman, however this may be, when the Aldrich bill becomes law you will find that the same old crowd has been doing business at the same old stand and that the interest of the protected monopolies of this country has been carefully looked after, notwithstanding the consumer, for whom I beg protection, is again the victim and sufferer thereby.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIEKEMA. Mr. Chairman, I rise to speak in opposition to the amendment of the gentleman from Kansas, the distinguished chairman of the Committee on Agriculture. I believe that agriculture still lies at the foundation of our national wealth and prosperity. I am glad, for one, that one-half of the people of this country are still engaged in agricultural pursuits. I am happy to know, as an American citizen, that the farmers of the United States own their own farms and are not tenants. They are the great conservative force and moral strength of our people; and I believe, representing as I do a great agricultural district, that they also represent the most patriotic sentiment of the country. Mr. Chairman, when the farmers understand the exact situation contained in this schedule they will unite with me and say that they want hides upon the free list. [Applause.] There is a hand-to-hand struggle, a hand-to-hand fight, going on at the present time between the independent tanners and the packers; and the farmers of my district will come to the help of the independent tanners.

Now, Mr. Chairman, there is not a country on the face of the earth that places a cent of tariff upon hides except our country, and we never did it except in an evil moment. We can not stimulate this industry so as to produce enough to supply our own needs. Forty per cent of the hides are now imported, and a greater percentage will be imported from year to year, for the demand for leather is increasing and our population is growing much faster than our production of hides. Now, what are we doing? We are saying to the independent tanner, if we adopt this amendment, you must either pay a dollar or a dollar and twenty-five cents for every hide you import from a foreign country, or you must buy from your competitors, the Chicago packers, who control from 60 to 80 per cent of the product. One-third of all the heavy leather tanned to-day in this country is being tanned by tanneries owned by these packers. Recently in my own State they have, as I am informed, acquired three new tanneries. They are now selecting the best hides for their own tanneries and therefore can make the best leather to compete in the open market with the independent tanners. Soon they will make their own boots and shoes and will try to monopolize the whole industry and fix their own prices. Give free hides to the independent tanner and he can compete. Compel him to pay tribute to his competitor and he can not survive.

While I do believe that the farmer is at present receiving some slight benefit from the duty on hides, I am absolutely certain that no selfish instinct will stand in the way of his present patriotic duty. I do not believe shoes will be cheaper if we place hides on the free list, but I believe they will be better, for the competition is very sharp, and a better shoe is ultimately a cheaper shoe. [Applause.]

Let me remind the Members of the House right here of a letter written by the immortal Blaine in 1890, as follows:

WASHINGTON, *April 10, 1890.*

DEAR MR. MCKINLEY: It is a great mistake to take hides from the free list, where they have been for so many years. It is a slap in the face of the South Americans, with whom we are trying to enlarge our trade. It will benefit the farmer by adding 5 to 8 per cent to the price of his children's shoes.

It will yield a profit to the butcher only, the last man that needs it. The movement is injudicious from beginning to end—in every form and phase.

Please stop it before it sees light. Such movements as this for protection will protect the Republican party only into speedy retirement.

Very hastily,

JAMES G. BLAINE.

This voice now comes to us from the grave, but added years have only given to those words an increased appreciation of their wisdom and foresight.

Free hides will save a great independent industry, and will prevent a most dangerous monopoly of the whole hide, leather, and boot and shoe industry. Our duty seems clear. Let us stem the tide and save the industry. [Loud applause.]

Mr. UNDERWOOD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. UNDERWOOD. I desire to offer an amendment.

The CHAIRMAN. To the amendment?

Mr. UNDERWOOD. I desire to offer an amendment to the amendment and to insert, after the words "cattle hides," the words "and skins," so that it will read "cattle hides and skins."

Mr. GARDNER of Massachusetts. Mr. Chairman, I make the point of order that that is not germane.

Mr. UNDERWOOD. I insist that it is germane.

The CHAIRMAN. The Clerk will first report the amendment.

The Clerk read as follows:

After the words "cattle hides" insert the words "and skins."

Mr. HARRISON. May we have the whole amendment of the gentleman from Kansas reported with the proposed amendment?

The CHAIRMAN. Without objection, the amendment of the gentleman from Kansas will be again reported.

The amendment was again reported.

Mr. UNDERWOOD. Now, Mr. Chairman, speaking——

Mr. GARDNER of Massachusetts. Mr. Chairman, I have raised a point of order.

Mr. PAYNE. I want to call the attention of the Chair to the rule under which we are working.

The CHAIRMAN. One moment. The Chair is trying to find out what the amendment is.

Mr. UNDERWOOD. Mr. Chairman, I desire the amendment to read, "Hides and skins of cattle." I do not know whether I have made myself clear or not.

The CHAIRMAN. The Clerk will, then, report the amendment as the gentleman desires it to be.

The Clerk read as follows:

Amend so as to read, "Hides and skins of cattle, raw or uncured, whether dry, salted, or pickled, 10 per cent ad valorem."

Mr. GARDNER of Massachusetts. I raise the point of order that that is not in accordance with the rule adopted yesterday. The rule permits germane amendments to paragraph 581, which is the hides paragraph. Now, the skins paragraph comes later, paragraph 672 of the bill. It has been decided in several cases by the Treasury Department, and has never been appealed by the Government, that skins are not hides; that they are divided by a well-known line of 25 pounds in the green hides and 15 pounds in the dry hide, and that the two things commercially are totally different articles.

Mr. WEISSE. Twelve pounds for dry hides.

Mr. UNDERWOOD. I think that any language that relates to the phraseology, broadening or narrowing it, is in order as an amendment.

The real purpose of this amendment is this: I believe we should have a revenue tariff on hides. I believe that tariff should cover all classes of hides. The effect of the present law is to let in skins free. Skins are the product of the ordinary farmer, the ordinary producer of cattle. He gets no protection, but the great beef packers of the country have their hides protected. Now, if we are going to raise revenue on one, I believe we ought to raise revenue on the other, and there is a great deal of revenue that can be raised on skins. Therefore I think this amendment is in order, because it merely goes to the phraseology of the paragraph and broadens it to cover the contention of the Supreme Court of the United States. The courts have held, although the original paragraph was all one, that any hide weighing less than 25 pounds was a skin. I do not think that was contemplated by Congress when it passed the original law; and now, if we change the phraseology of the law so that any hide, whether it weighs a pound or 30 pounds, is a hide, the amendment is one which merely goes to the changing of the phraseology.

Mr. STAFFORD. If the Chair will indulge me——

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STAFFORD. I wish to correct the gentleman——

Mr. UNDERWOOD. Just one word. The fact that there is another paragraph in the bill does not affect the pertinency of the amendment to this paragraph. We have a perfect right in this paragraph to define what a hide is. We could strike out the word "hide" and substitute the word "skin." It is merely an effort to broaden the phraseology of the paragraph so that it will cover the subject all the way through.

Mr. SLAYDEN. I think the gentleman will find that the interpretation of the meaning of the word is merely a ruling of the Treasury Department.

Mr. STAFFORD. The paragraph to which I wish to direct the attention of the Chair provides "that skins of all kinds, raw, except sheepskins with the wool on, and hides not specifically provided for in section 1 or 2 of this act," shall be on the free list.

The purpose of those who submitted the rule was to provide for a vote on hides, and hides alone. As the gentleman from Massachusetts [Mr. GARDNER] has said, the word "hides" has received a definite construction by the Treasury Department to be those hides of cattle which average more than 25 pounds. All hides under that weight, which are known as "calfskins" or

"kips," are now admitted free of duty. But the Ways and Means Committee, in the bill that has been submitted here, reenforces and confirms that construction by placing skins in paragraph the rule if an amendment to include skins is permitted, for then you give opportunity to any Member of this House to make any kindred motion that would be violative of the rule and that only the committee might offer as committee amendments.

The CHAIRMAN. The Chair is ready to rule. The Chair finds that in the pending bill, in previous tariff laws, and in rulings and decisions under those laws a distinction has always been made between hides and skins, and finds, also, that in the rule adopted yesterday, and under which the committee is now proceeding, preference is given only to certain specified amendments, among others, to paragraph "447½, hides." The preference seems to be distinctly limited to amendments upon the subject of hides.

Now, the amendment of the gentleman from Alabama proposes to add the words "and skins." The rule distinctly limits preferential amendments under this paragraph to hides. The proposed amendment by the gentleman from Alabama includes an additional subject, namely, skins. The Chair thinks it is not in order under the rule.

Mr. UNDERWOOD. Then, Mr. Chairman, I offer the following amendment: Add, after the word "hides," the words "weighing more than 1 pound."

Mr. GARDNER of Massachusetts. Mr. Chairman, I raise the same point of order that I raised to the other amendment.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. GARDNER of Massachusetts. No.

Mr. STAFFORD. Mr. Chairman, will the Chair allow me to direct his attention to the fact that the amendment is contradictory? You can not have a cattle hide weighing 1 pound. The hides of calves weigh several pounds. The purpose of the gentleman is to violate plainly the construction of what is known as "skins," which has received a definite construction by the Treasury Department. He is trying to accomplish by indirection what he can not accomplish by direction.

Mr. CLARK of Missouri. Let me ask the gentleman if that is not simply a trade regulation, and has not Congress the right to define the meaning of these terms?

Mr. STAFFORD. The question must be construed under the rule which we have adopted. What was the purpose of the rule in permitting an amendment by an individual Member to the paragraph on hides? It was not intended that liberty should be given to offer an amendment to the paragraph on skins and kips. It is a question of the construction of the rule under which we are proceeding.

The CHAIRMAN. The Chair is ready to rule. The special rule or order of the House gives a preference to amendments to paragraph 447½ on hides. The gentleman from Alabama offers an amendment relating to hides weighing 1 pound or over. The Chair can not attempt to decide as to how many pounds a hide may weigh, nor how few pounds a hide may weigh and still be a hide. It seems that the amendment relates strictly to hides; and it is for the committee to determine whether they wish to apply the paragraph to hides weighing 1 pound, if there are such, or limit it to hides of a greater weight. It may be absurd to legislate concerning hides weighing 1 pound. But if the Chair should rule out this amendment, others might be offered at 2, 3, or 4 pounds, and so on upward, until finally the Chair would have to determine the minimum weight of a thing which may be called a "hide." That is not a parliamentary question for the Chair to decide. It is legislative matter for the committee. The amendment upon its face relates to hides. The Chair overrules the point of order.

Mr. UNDERWOOD. Then, Mr. Chairman, on the merits of the question, I want to say that the gentleman proposes to tax hides 10 per cent. That will apply only to hides weighing 25 pounds or over. The testimony before the Ways and Means Committee clearly shows that the average hide the farmer takes off a cow or steer will not weigh 25 pounds. There was no duty left on the article that the farmer produces, and this is under the ruling of the Treasury Department, this duty on hides being construed to mean a hide of cattle weighing more than 25 pounds. The great packers of this country have a revenue levied on their products, but the farmers of the country have their products put on the free list. I say what is fair for one is fair for the other; and if you are going to levy a duty on hides that weigh more than 25 pounds, which is a benefit to the packer, why not levy it on hides that weigh more than 1 pound for the benefit of the farmer?

More than that, the reason I am for it is outside of that question. I believe it is our duty to raise revenue. I believe in a revenue tariff. I know that this duty on hides does produce more than $3,000,000 of revenue as it stands now. If we put it on all kinds of hides it will produce a great deal more.

Mr. STAFFORD. Will the gentleman permit a question?

Mr. UNDERWOOD. I can not; I have only five minutes. If we put it on all kinds of hides we will increase the duty considerably. It will apply to calfskins as well as to other kinds of hides, and in 1907 $11,000,000 worth of hides and skins came into this country. Ten per cent of that would mean $1,000,000 that we put into the Treasury of the United States. We are in need of revenue. It is a good revenue article, and there is no reason, in my judgment, why the hides weighing under 25 pounds should not bear a revenue, as well as hides that weigh 25 pounds and over; and for that reason I am in favor of the amendment. [Applause.]

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that debate on the two pending amendments be closed in twenty minutes.

Mr. PAYNE. Oh, no; let us vote on this preposterous amendment offered by the gentleman from Alabama. I object.

Mr. GARDNER of Massachusetts. Mr. Chairman, I was wondering what excuse gentlemen on that side of the House would give in order to get out of voting for free hides. I have said for years that when it came to the point they would find some good reason why they could not vote to abolish the duty. Now, we are told by the gentleman from Texas [Mr. BURLESON] and the gentleman from Alabama [Mr. UNDERWOOD] that they are going to vote for a tariff on hides because boots and shoes and leather are dutiable. I am only surprised that more of the gentlemen on the other side have not claimed that as a revenue producer the hide duty should be maintained. Now, let us first take up the words of the gentleman from Texas. He says, if you will only put boots and shoes on the free list, and so says the gentleman from Kansas [Mr. SCOTT]——

Mr. SCOTT. Mr. Chairman, the gentleman from Kansas did not express a wish for boots and shoes to be upon the free list.

Mr. GARDNER of Massachusetts. Perhaps he did not put it as strong as that. If the gentleman from Kansas [Mr. SCOTT] will admit that he is inconsistent in voting for free lumber and for a duty on hides, I will admit that I am inconsistent in voting for a duty on lumber and in voting for free hides.

Mr. SCOTT. Mr. Chairman, if the gentleman will yield to me, I would be very glad to explain my position on that question.

Mr. GARDNER of Massachusetts. Mr. Chairman, with regard to this question of free boots and shoes raised by the gentleman from Texas [Mr. BURLESON], and I would like to have his attention for a moment, the gentleman knows very well that hides always were free until the Dingley bill was enacted. He knows very well that boots and shoes always carried a duty of from 20 to 30 per cent when hides were free. Upper leather carried a duty of 20 per cent when hides were free throughout the period of the Wilson Act and at all other recent times prior to 1897.

Mr. COX of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GARDNER of Massachusetts. In a minute. Sole leather carried a duty of 10 per cent. Then came along the Dingley bill, and Congress said we will put 15 per cent duty on hides, and in return we will raise the duty on boots and shoes from 20 to 25 per cent, and on sole leather we will raise the duty from 10 per cent to 20 per cent. We will leave upper leather where it is. Now, when we reverse the situation and take the duty off hides we are willing to give you more than you gave us when you put it on. We accept 15 per cent on boots and shoes where we had 20 before. We accept 5 per cent on sole leather where we had 10 per cent before. We accept 15 per cent on upper leather where we had 20 per cent before the duty on hides was imposed. Now, the gentleman from Texas tells us that he can not vote for free hides because it is not a fair exchange, although we are conceding him more than we received when hides were put on the dutiable list. Now I yield to the gentleman from Indiana.

Mr. COX of Indiana. Mr. Chairman, does the gentleman believe that it is fair for that western country to raise the cattle and for the manufacturers in New England to get their hides free and at the same time have an enormous rate of duty on the manufactured products of boots and shoes that we out in that country must buy?

Mr. GARDNER of Massachusetts. Mr. Chairman, the gentleman's cows are protected from tail to horn, and his farmers are mighty well protected in other respects. Moreover, the shoe and leather trade must pay a duty on tanning extracts and dyes. We are not getting our raw materials free. Now, to go on. You say, Give our farmers what they are giving you and we will be satisfied. We are giving you more. If you calculate a reduction of 10 per cent on the duty on boots and shoes you will see what it means. Why, I remember hearing people

argue in this House as to how much more a pair of shoes will cost if you have a duty on hides. The gentleman from Ohio [Mr. KEIFER], who thinks that upper leather is not ever dutiable leather, shakes his head, because he does not know what farmer's upper leather is made of. Now, the fact is that nobody claims that the hide duty adds as much as 15 cents to the cost of a pair of shoes, and yet we are giving the farmer more than 15 cents in return for free hides. We are giving up 10 per cent of the duty on our finished product. Under the Payne bill, if you import a pair of $2.50 shoes we give up 25 cents of our protection. If you could import shoes as cheap as $1.50 per pair, then we should be giving 15 cents off our protection. If you import a $5 shoe, we must yield 50 cents of our present protection.

Mr. KEIFER. Mr. Chairman, an emissary from some district—I will not say the district of the gentleman from Massachusetts [Mr. GARDNER], who has just spoken—passed into my home city yesterday and visited all of the people who use leather of any kind, and asked them to telegraph me, and that emissary carried the same information that my distinguished friend from Massachusetts [Mr. GARDNER] just now displayed. One of the telegrams, omitting the name, reads as follows:

We use $40,000 to $50,000 worth of leather yearly. We are anxious for lower prices. Kindly use your influence for free hides.

I have known the business of the man who sent that message ever since he entered it, and that of the company which now bears his name, and I knew at once that neither he nor his company ever used a dollar's worth of leather the hides from which it was produced was subject to any duty at all. All the leather he or his company uses is tips and the like for suspenders, that never came from cattle hides at all.

Briefly answering the gentleman from Massachusetts, I may say I know that the uppers of ladies' shoes and gentlemen's shoes generally are not made from cattle hides. This is almost universally the case. I do know that the "little brogan shoes" that the farmer wears are made generally from cattle hides, and I know that the farmer does not complain that he has to pay, at the utmost, 5 cents per pair of shoes more on account of the duty on cattle hides, because that is the utmost duty that comes upon the heavy shoe sold to the farmer. If the farmer gets the benefit of a duty on hides, he need not and will not complain of 5 cents extra on a pair of shoes.

Mr. GARDNER of Massachusetts. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Massachusetts?

Mr. KEIFER. I can not yield, as I have only five minutes. If you give me time, I will yield. My friend here, also from Massachusetts, said just now that the packers control the tanning business because they acquired the hides of the beeves they slaughtered, as though that had something to do with it, and if we take the duty off, they would not have any hides to control at all. They would buy their beef stock for less than they pay now, and they would have the same number of hides under free trade as with a duty. But the fact is that one-fifth of the hides are controlled by the packers of this country. About 50 per cent of all the hides they take, as the statistics show, from the cattle they slaughter they sell to the independent tanners, that have tanneries here and there all over the country. It seems to be common here to cry aloud in favor of something that is to be in the interest of a special class of manufacturers by crying out against the packer, and that is enough. I have in a recent speech given the figures to show that the big packers do not kill anything like one-half of the beef cattle of this country. I have also given other figures to show the packers do not control the tanning business. These gentlemen are still reiterating here that the hide of an animal is raw material and ought not to be protected. It represents, when it is taken off of an animal that is killed for its beef, one-sixth of the value of that animal. That is the average all over this country. It represents the toil and the labor and the feed and all that of the farmer in every county in my State and in every county in every other State west of the Ohio, all of whom are interested in its protection. [Applause.] It is not a question of my district; it is not a question of the big cattle raisers, as these people seem to think. It is not that. Every farmer that has a cow, and every other person that has a cow or raises an animal for beef, has the same interest in the protection of cattle hides. To discourage and cripple the cattle industry will not only promote a monopoly on foreign hides against the people's interest, but it will tend strongly to advance the price of beef.

It is said that the Ways and Means Committee has equitably adjusted the hide and leather schedule and that it should not now be disturbed. How putting hides on the free list and a duty on leather and the manufactures thereof comes to be an equitable adjustment is hard to see.

The farmer gets nothing; the manufacturer everything. Equity means equality; and you can not deal equitably with one party or class by giving him or it nothing and the other party or class all there is. If this bill is to be a reduction downward by putting some important products on the free list and increasing the duty on other products in special interests, it will not be an honest revision, but a disappointment to the whole country. The protected interest that is struck down to-day may be a precedent for striking down another important one to-morrow, and the whole protective policy must soon fail. Protection in our country must stand as a general policy or not all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENRY of Texas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HENRY of Texas. Mr. Chairman, I make the point of order that all time allotted under the rules for discussion has been exhausted.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas makes the point of order that debate on the pending amendment is exhausted. The point is well taken. The Clerk, for the information of the House, will——

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Mr. WEISSE. Mr. Chairman, I move to strike out the last word.

Mr. HUGHES of New Jersey. Mr. Chairman, I make the point that the gentleman from Wisconsin has already spoken to that amendment.

The CHAIRMAN. The Chair thinks the gentleman from New Jersey is mistaken. The Chair knows the gentleman from New Jersey is mistaken.

Mr. HUGHES of New Jersey. If the Chair knows it, it is sufficient.

Mr. WEISSE. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, this question of a duty on hides is purely a question between the beef packers and the tanners. The large beef packers of Chicago control at least 60 per cent of the cattle hides that are taken off of cattle every year——

Mr. KEIFER. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I can not be interrupted; if the gentleman from Ohio would read the hearings——

Mr. HENRY of Texas. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HENRY of Texas. Mr. Chairman, I make the point of order, this is an amendment in the third degree, and therefore the gentleman is not entitled to the floor.

The CHAIRMAN. The Chair is inclined to think and the Chair would rule that that point of order upon the amendment can not be made while the gentleman has the floor making his speech.

Mr. HENRY of Texas. Mr. Chairman, it seems to me that now is the only time to make it.

The CHAIRMAN. The Chair thinks the proper time to make the point of order against the amendment is when the amendment is made.

Mr. HENRY of Texas. But the gentleman never offered his amendment until he took the floor, and therefore I never knew for what purpose he rose until he offered his amendment.

The CHAIRMAN. The Chair thinks the gentleman from Texas will readily recognize that, after an amendment has been made and debate has been proceeding, it is too late to make a point of order that it is not in order.

Mr. HENRY of Texas. I ask the gentleman to reduce his amendment to writing.

The CHAIRMAN. The Chair declines to make any such request.

Mr. HENRY of Texas. I make the point of order that it is not in writing.

The CHAIRMAN. That point of order the Chair overrules. It is not a good point of order.

Mr. HENRY of Texas. Let me understand the Chair fully. The Chair holds that the point of order will not lie against the amendment after it has been offered, but that I must make the point before the amendment is offered?

The CHAIRMAN. The Chair holds that when the amendment is offered and received by the committee, and debate has commenced upon it, it is too late, then, to make a technical point of order against it, and is not in order.

Mr. HENRY of Texas. I tried to make it before the debate commenced.

The CHAIRMAN. The Chair thinks the gentleman from

Texas is hardly correct in making that statement. The Chair recognized the gentleman from Texas to make a point of order, and sustained his point of order a while ago——

Mr. HENRY of Texas. I make the further point of order that the gentleman is not addressing himself to the amendment offered by him.

The CHAIRMAN. The Chair will endeavor to ascertain.

Mr. HENRY of Texas. All right. I will renew the point if he does not speak to the question.

Mr. STAFFORD. The hearings before the committee disclosed that the total number of cattle killed throughout the country was 17,000,000, and of these 7,000,000 were killed by the large packers. These 17,000,000 head of cattle were what are known as "cows and kips."

Mr. HENRY of Texas. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HENRY of Texas. The gentleman is not addressing himself to the amendment.

The CHAIRMAN. The Chair thinks he is, and thinks the gentleman from Wisconsin [Mr. STAFFORD] is in order.

Mr. HENRY of Texas. The gentleman moved to strike out the last word, and he is discussing a proposition as to how many cattle were killed in the United States, and how many hides were imported, and so forth, and is not touching his amendment, side, edge, or bottom.

The CHAIRMAN. The Chair would state, so far as the opinion of the present occupant of the chair is concerned, he believes he is right in making the ruling, according to the constant practice of the House and by the rule of common sense. It is impossible to discuss the merits of striking out the last word of a paragraph without considering the paragraph itself.

Mr. HENRY of Texas. And that rule is the one to which I am trying to address myself, namely, the rule of common sense, and not permit the gentleman to move to strike out the last word and then discuss everything but his amendment.

The CHAIRMAN. The gentleman from Texas is not in order. The gentleman will take his seat.

Mr. HENRY of Texas. When the Chair has ruled.

The CHAIRMAN. The Chair has ruled.

Mr. STAFFORD. The question before the House is whether the beef packers, who control the hide market, shall be supreme and dictate the selling price of hides to the independent tanners or whether the tanners will have a free market in the purchase of hides and be able to continue on even terms with the packers who have gone into the leather business.

More than 60 per cent of all the hides taken off of cattle is controlled by the large beef packers of the country. If the gentleman who has just taken his seat had read the hearings, he would have noticed that the representative of Armour & Co. stated that 7,000,000 of the 17,000,000 head of cattle that were killed last year were slaughtered by the largest packers in Chicago. But this 17,000,000 includes 5,000,000 head of calves or yearlings, from which calfskins and kips are taken, and which are not included under cattle hides. But more than 7,000,000 of the 12,000,000 cattle hides are controlled by the large beef packers, for it is becoming the practice of Swift & Co. and other large packers to make it a business of purchasing individual hides from farmers at their respective branches throughout the country from cattle killed on the farm or slaughtered locally.

When the independent tanner wishes to buy a consignment of hides he must pay that price which is arbitrarily fixed by the beef packers. He has no other market to buy from than that controlled by the beef packers, and they derive the benefit of the tariff duty by charging the tariff rate to the world's market price.

If cattle were raised for the hides and the farmer received the benefit of this duty, there might be some reason for urging its continuance; but when we know that cattle are raised and will continue to be raised for the supply of beef, it can not be maintained that the removal of the tariff will in anywise affect the raising of cattle.

Another potent reason for demanding free hides is that the hides taken from cattle slaughtered here are insufficient to meet the home demand of the leather manufacturers. They must have foreign hides to meet and to provide sufficient raw material for the market. But the tanning industry is so advanced and efficient that placed on an equal footing with other foreign competitors they can compete in the markets of the world.

The duty on hides has not only crippled the American leather manufacturer, but it has resulted in causing tanneries to be established in Canada, across the border, that would have been established in this country, because Canada, as all civilized countries, levies no duty on hides. The effect has been only to cripple the local leather manufacturer to the decided advantage of the large beef packers.

It is unfair, and the argument is specious as advanced by those gentlemen on the other side when they say if you take off the duty on hides that the duty on boots and shoes should be removed. It is the independent tanner that is asking for relief, and the question is whether as to his manufactured product, the leather, there has been a proper reduction in the tariff. On examination you will find that there is more than a corresponding reduction in the proposed duties on leather manufactured from cattle hides. Sole leather, which now bears a duty of 20 per cent, is reduced to 5 per cent.

Mr. COX of Indiana. Mr. Chairman——

Mr. STAFFORD. I can not yield.

But the gentleman knows, if he has studied this bill, that there are heavy duties levied on tanning materials used in the manufacture of leather, such as the chemicals used in preparing the leather; and besides the difference in labor cost, this extra cost must be compensated for with a duty.

The question for the House to determine is whether or not you are going to relieve the independent tanners and let them compete with the beef packers, some of whom are engaging in leather manufacture, or are you going to continue to subjugate them to their thraldom?

When you consider the great competition in the boot and shoe industry, can it be contended, if the price of leather is reduced by taking off the duty, that the price of manufactured products of leather will not redound to the benefit of the consumer? Every shoe manufacturer claims that it will. And what is the reason why the shoe, harness, and belting manufacturers, and all other manufacturers of leather are asking for the duty to be taken off hides? They fear that if the duty is not removed, the packers will ultimately control the leather output and they will be more and more under the control of the beef packers.

It is that condition that confronts the independent packers of this country. Take off this duty on hides and they will be able to go into the markets of the world to sell their leather.

This is a raw material, and no one can dispute it. When the farmer sells the "critter" there can be no question but that the value of the animal is determined by the value of the beef. The little benefit that the farmer receives from the higher price for the few hides of cattle he slaughters will be offset by the reduced price or superior quality of the shoes and harness he uses. Take off that duty and you will enable the independent tanner to continue without ultimately being forced to merge with the leather trust, and also to extend his trade by capturing the markets of the world. The reduced price of leather will also be to the advantage of the shoe, harness, and other leather manufacturers in enlarging their export trade. Even with the handicap of higher prices for leather the shoe exports have increased remarkably.

Twelve years ago we exported 1,000,000 pairs of shoes, of the value of $1,400,000. Last year we exported 6,500,000 pairs, of the value of eleven and a half million dollars.

The issue is whether we will have enlarged markets or be content with the home market. The manufacturers want freedom from restraint. They are willing to take their chance in gaining supremacy in the foreign markets, if you will place them on the same plane as their foreign competitor in obtaining the basic product.

Mr. McGUIRE of Oklahoma. I move to strike out the last two words.

The CHAIRMAN. The gentleman's motion is not in order.

Mr. McGUIRE of Oklahoma. I desire to speak in opposition to the motion to strike out the last word.

The CHAIRMAN. The gentleman is recognized in opposition to the motion to strike out the last word.

Mr. HENRY of Texas. The Chair had already ruled that the time had been exhausted on the amendment when I made the point that it was an amendment in the third degree.

The CHAIRMAN. That is the point of order? That amendment is still pending.

Mr. HENRY of Texas. Then, the gentleman is speaking in opposition to the amendment of the gentleman from Wisconsin?

The CHAIRMAN. He is.

Mr. McGUIRE of Oklahoma. Mr. Chairman, this is the first time in six years' service in this House I have spoken against or voted against any committee provision, or any portion of a committee bill. I am a protectionist; and in advocating protection upon hides I am absolutely and unqualifiedly doing it, as

I believe, in the interests of the principles of the great Republican party of this country. [Applause.] The gentleman from Massachusetts [Mr. ROBERTS], referring to the remarks of the gentleman from Kansas [Mr. SCOTT], stated that those remarks had a very familiar ring. That is quite true. Those remarks had a familiar ring, because they were, in effect, in the interest of a tariff upon one of the greatest of American industries.

Mr. ROBERTS. Will the gentleman yield for a question?

Mr. McGUIRE of Oklahoma. Not now. The remarks of the gentleman from Massachusetts had a very unfamiliar ring, coming from a gentleman from that State; for it is a fact written within the pages of the history of this Government for fifty years that whenever you hear a word from one of these gentlemen it was in the interest of protection to the very limit upon every industry in the State of Massachusetts.

Mr. COX of Indiana. Will the gentleman allow me to interrupt him?

Mr. McGUIRE of Oklahoma. Not now. But when we come, Mr. Chairman, to advocate protection upon hides, the meaning of which is to protect an industry in every State in the American Union [applause], then and now, I find these gentlemen, coming from the State whose great industries have been builded because of the principles and policies of the Republican party, advocating free trade, in line with the Democratic party upon every article that does not affect their own individual industries.

I say, Mr. Chairman, in the face of a proposition such as made by the gentleman from Massachusetts, I can not help but think "Consistency thou art a jewel, but thy name is not Massachusetts." [Laughter and applause.]

Mr. Chairman, it is an easy matter just at this juncture, just at this particular period, to say that you are building up a trust, you are protecting the packer. It does not make any difference to me whether the tanning industry is found on the one side or on the other. If it was said that the packers—if such is the case—are establishing tanneries, the tannery is worth just as much to the farmer, it is worth just as much to the laborer, it is worth just as much to the American people, whether it be established in the State of Missouri or the State of Massachusetts, in Michigan, or in any other State. It does not make any difference whether it is for the exclusive business of tanning or whether it is established in connection with some other business.

It employs the same number of men, the same wages are paid, the same protection is guaranteed to labor. Shall we stand here and say we are opposed to the duty on hides because it may contribute a few pennies to the packer while it at the same time contributes millions to the farmer?

Mr. STEPHENS of Texas. Will the gentleman permit me to suggest that out of 13,000,000 cattle slaughtered in the United States, 5,000,000 are slaughtered at the various slaughtering establishments.

Mr. McGUIRE of Oklahoma. I quite agree with the gentleman, but my time has expired.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HENRY of Texas. Mr. Chairman, I make the point of order that all time has expired for the discussion of this amendment and amendments thereto, and that no further amendment can be offered at this time.

The CHAIRMAN. One moment. The Chair understands that there has been one argument on either side upon the pro forma amendment to strike out the last word, and further debate therefore is out of order. The point of order being made, the Chair sustains it.

Mr. HENRY of Texas. I make the point of order.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn. The Chair hears no objection.

Mr. KELIHER. I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts——

Mr. WEISSE. I move to strike out the last two words.

The CHAIRMAN. That motion has already been made by the gentleman from Massachusetts [Mr. KELIHER].

Mr. FERRIS. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FERRIS. The inquiry is this: I desire to know if this section would be subject to a further amendment to put boots and shoes on the free list? I ask this for the purpose of determining my vote, and casting an intelligent vote upon this subject.

The CHAIRMAN. The Chair will have to decide that question when such an amendment is proposed.

Mr. FERRIS. Well, but——

The CHAIRMAN. The Chair declines to answer that at this time.

Mr. FERRIS. Mr. Chairman, just a moment.

Mr. HENRY of Texas. A point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. FERRIS. I should like to be heard just a moment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. KELIHER] has been recognized.

Mr. FERRIS. Upon the parliamentary inquiry I made a moment ago——

The CHAIRMAN. The Chair can not hear argument upon a parliamentary inquiry. The Chair has recognized the gentleman from Massachusetts [Mr. KELIHER].

Mr. HENRY of Texas. I make the point of order——

The CHAIRMAN. What is the point of order?

Mr. HENRY of Texas. That the gentleman's amendment is an amendment in the third degree, and can not be debated.

The CHAIRMAN. The Chair sustains the point of order. The question is upon the amendment offered by the gentleman from Alabama [Mr. UNDERWOOD] to the amendment offered by the gentleman from Kansas [Mr. SCOTT].

Several MEMBERS. What is the amendment?

Mr. HENRY of Texas. I ask that the amendment and the amendment to which it is offered be again reported.

The CHAIRMAN. Without objection the amendment of the gentleman from Alabama will be again read.

Mr. HENRY of Texas. And also the amendment of the gentleman from Kansas.

The CHAIRMAN. Without objection both amendments will be read.

The amendment of Mr. UNDERWOOD and the amendment of Mr. SCOTT were again reported.

The CHAIRMAN. The question now is on the amendment of the gentleman from Alabama [Mr. UNDERWOOD].

The question being taken, on a division (demanded by Mr. UNDERWOOD) there were—ayes 65, noes 133.

Accordingly the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. SCOTT].

Mr. WEISSE. Mr. Chairman, I move to strike out the last word. Mr. Chairman, a great many statements have been made here in regard to the hide business by gentlemen who know very little about that business. If you will go to the Bureau of Animal Industry down here, they will give you the number of cattle killed, but they will not give you the value of the hides. The gentleman from Ohio a minute ago stated the number of cattle. If he will take the census of 1905, he will find that the packers marketed $44,000,000 worth of hides. He will find, further, that of the cattle killed in the various slaughterhouses of the United States the hides sold amounted to about $20,000,000. We imported $14,000,000 worth. The gentleman may shake his head and deny the statement, if he wants to. I repeat that we imported $14,000,000 worth. This made a total of about $78,000,000. We used in the tanning business in 1905, $89,000,000.

The hides that the farmer marketed and sold directly to the tanners or dealers did not bring him over $7,000,000, or $10,000,000 at the outside. The packers' hides that were sold in the Chicago yards brought an average of $8.80 apiece. Figures which I have already inserted in the RECORD show that purchases of southern hides averaged the farmer $1.62. It takes five southern hides to make one packer's hide, so any statement as to the number of cattle hides is absolutely misleading when you quote the number of hides and do not quote their value.

Now, the gentleman states, further, that this is a Massachusetts proposition. I wish to say that Massachusetts tans scarcely any sole leather made of dutiable hides. It is tanned in Wisconsin, Michigan, Ohio, Tennessee, Kentucky, Illinois, California, New York, Pennsylvania, Maryland, Maine, Indiana, Georgia, North Carolina, West Virginia, and Virginia.

Now, he also made the statement that he was for protection, but he fears that some foreigner would sell a hide here in competition with an American and not be taxed to bring it in here. I will say that under the Dingley bill that same foreigner can come here to-day and buy leather made in America—the animal raised in America—15 per cent cheaper than the American can through the drawback system. [Applause.]

Now, there has been a question in regard to classification. Calfskins have always been classed by the trade from 8 to 15 pounds, kipskins 15 to 25 pounds, and hides 25 pounds and up; and when the Treasury Department ruled on that they ruled according to the trade classification, and since then calfskins have come in free. During this time calfskins have advanced

The duty on hides has not only crippled the American leather manufacturer, but it has resulted in causing tanneries to be

committee bill. I am a protectionist; and in advocating protection upon hides I am absolutely and unqualifiedly doing it, as

Mr. FERRIS. Well, but——

have come in free. During this time calfskins have advanced

above 30 per cent more than hides that are dutiable. During the last panic free calfskins declined 20 per cent, while the market for dutiable hides declined 70 per cent. Why? Because the foreigner could not buy them and reexport them to this country without paying the duty, and our market was thus deprived of the support of foreign capital when most needed.

In 1890 hides were worth 4½ cents a pound in Chicago. In 1897 they advanced to 10 cents a pound; then they declined again, and went up to 14 cents two years ago, and again declined 6 cents, and since then have advanced to 12 cents, which they are to-day.

This 15 per cent duty on hides, after paying the rebate, gave us on exported leather made from it a net revenue of about $1,800,000. The tax diverted quantities of hides from South America and other countries to Europe, where they were tanned into leather and made into leather goods, boots and shoes, and so forth. The foreign manufacturers also bought other raw material and extracts from us to do this. They were able to do this, as they paid 15 per cent less for their hides in South America, and he had to pay on account of the tariff 15 per cent more to get them into the United States. Political economists say it is an evidence of barbarism to export raw materials. Our investment was so much more that no tanner could conduct a tannery entirely for exporting leather and invest 15 per cent more on his hides than the European tanner, even if he got the rebate back.

Now, as a result of this tax these hides did not come to our country to be tanned, but went to Europe. In trying to collect this tax we lost this trade and through the rebate system our consumers—farmers and laborers—could not buy leather as cheap here as the foreigner could. We have lost the export trade of $5 worth of leather goods, boots and shoes, on every dollar's worth of foreign hides kept out by the tariff. There is, in addition, the loss of labor to American workmen as well as in capital invested. In an effort to get small revenue from imported hides we have put our tanners and manufacturers of shoes, harness, belting, and other leather goods out of business to the exact amount of the hides turned away from our shores.

Is it not better to allow hides to come in free, when by so doing we employ American labor and capital and export the finished product, which would amount to millions, than to keep on this duty of 15 per cent for the small revenue? No amount of tariff on hides will increase the production of them.

The profit in the hide tax, if any, goes to the packer trust, that kills heavy cattle and sells 50 per cent in value of all the hides affected by the 15 per cent duty. Through the branch slaughtering houses in the large cities the packers kill and market about 40 per cent more, which gives them absolute control of the sale of 90 per cent of the heavy hides taken off in this country, leaving about 10 per cent to be sold direct by the farmer, which nets him about seven to ten million dollars, on which the duty of 15 per cent would give him, if he got it, an additional price of one to one and a half million dollars for his hides. It is not true that the farmer will get less for his hides if the duty is removed. Hides on the free list would increase the price of hides in the markets abroad, which would be equally as high as ours. It is not a question of price, but of quantity. To keep our leather industries employed we need millions of pounds of hides, more than can be produced in this country.

I have endeavored to secure statistics from the Animal Industry Bureau, but they have not furnished any information that can be used in a reliable way. I have taken the census report of 1905 of manufactures and compiled the figures that I herewith submit, which are about as near correct as can be obtained anywhere:

Dutiable hides used in 1905		$80,126,503
Large packers produced		44,206,107
Imported		14,949,628
Small packer and butcher		20,000,000
Farmer to the dealer	$7,000,000	
Transportation	3,000,000	
Total of hides sold by the dealer		10,000,000
		89,155,735
Commerce and Labor report, 1907—		
Imported skins, free of duty		$49,814,518
Produced in United States		6,426,614
Total		56,231,132

There was consumed in 1905 hides and skins total amount of $145,387,867—

Of imported hides and skins, amount of	$64,764,146
Domestic hides and skins	80,623,721
Total	145,367,867

With this amount of raw material we produced leather and leather goods to the grand total of about $700,000,000, or about $1 worth of hides will make $5 worth of leather and leather goods. We exported leather and leather goods as follows:

Exports of leather and leather goods, 1905.

Sole leather made from dutiable hides	$9,444,873.00
Total revenue from duty on hides, 1905	2,185,381.53
Total drawbacks	565,514.99
Net revenue	1,619,866.54

Free of duty.

Patent leather	$166,320.00
Upper and split leather	15,057,701.00
Other leather	1,813,154.00
Boots and shoes	8,057,697.00
Harness and saddles	502,660.00
All leather goods	1,318,046.00
Total	26,915,668.00

HIDE TARIFF CAUSES DECREASE OF SOLE-LEATHER EXPORTS.

Under the baneful influence of the tariff of 15 per cent on heavy cattle hides, our exports of sole leather have declined, despite the well-known fact that the use of leather shoes has increased all over the world. In the year 1895, before the imposition of the present tax, our exports of sole leather were 45,364,349 pounds. During the fiscal year ending June 30, 1908, exports of sole leather were only 31,189,897 pounds. Here is a loss of more than 14,000,000 pounds, notwithstanding that the law now in force permits a drawback of 99 per cent of the duty. Under the stimulus of free hides, Canada, England, Germany, and other countries have developed their tanning industries.

Sole-leather exports.

Year.	Pounds.	Dollars.
1895	45,364,349	6,919,372
1896	41,818,503	7,474,021
1897	38,881,314	6,510,404
1898	37,813,019	6,641,553
1899	37,120,912	6,280,994
1901	34,060,296	6,423,366
1902	35,180,296	6,577,732
1903	36,454,284	6,560,857
1904	37,428,437	6,920,467
1905	36,820,717	6,978,407
1906	44,107,054	9,441,873
1907	40,548,767	8,186,279
1908	31,990,868	7,021,313
	31,189,897	6,593,999

Comparative table of cattle, hides, and hogs, taken from the official market reports in Chicago, showing the relative cost of hides and meats.

Year.	Packer hides.[a]		Chicago country hides—No. 1 buffs.	St. Louis market—green salted country hides.	
	Price heavy native cows.	Price branded cows.		Highest, per pound.	Lowest, per pound.
	Hundred pounds.	*Hundred pounds.*		*Cents.*	*Cents.*
1888				7½	6½
1889				6	4½
1890				8	4½
1891				6½	4½
1892	$5.94	$5.17	$4.86	4½	3½
1893	5.21	4.71	4.26	4½	2½
1894	4.65	4.62	4.21	5½	3½
1895	8.76	8.00	7.81	9	5
1896	7.61	6.66	6.85	8½	4½
1897	9.35	8.74	8.86	9½	7½
1898	10.84	9.78	9.94	9½	8
1899	11.87	10.90	10.68	10½	8½
1900	10.62	10.13	9.11	9	7½
1901	10.66	9.87	8.73	8½	6½
1902	11.12	10.01	8.74	8½	7½
1903	10.07	9.19	8.59	8	7½
1904	10.60	10.28	9.45	9½	7½
1905	13.16	12.71	11.88	13½	9½
1906	14.90	14.11	13.41		
1907	13.12	11.88	10.83		
1908	11.42	10.49	9.19		

[a] Prices taken from the hide and leather trade publication.

Comparative table of cattle, hides, and hogs, etc.—Continued.

Year.	Average farm price per head.[a]		Prices, Chicago market.[b]		
	Milch cows.	Other cattle.	Western cattle.	Canning cows.	Average price for hogs, all grades.
			Per hundred.	*Per hundred.*	*Per hundred.*
1888	$24.65	$17.79			
1889	23.94	17.05			
1890	22.14	15.21			
1891	21.62	14.76			
1892	21.40	15.16			
1893	21.75	15.24		$0.65 to $5.00	$5.00
1894	21.37	14.66	$3.60	.75 to 4.40	5.05
1895	21.97	14.66	3.75	.75 to 4.40	4.30
1896	22.55	15.86	3.50	.75 to 5.00	3.50
1897	23.16	16.65	3.90	1.00 to 2.70	3.70
1898	27.45	20.92	4.20	1.45 to 3.60	3.85
1899	29.66	22.70	4.60	2.00 to 3.25	4.05
1900	31.60	24.97	4.35	1.25 to 3.25	5.05
1901	30.60	19.63	4.55	1.00 to 2.80	5.85
1902	29.23	18.76	4.95	1.00 to 3.25	6.85
1903	30.21	18.45	3.65	1.00 to 2.75	6.00
1904	29.21	16.32	3.65	.75 to 2.75	5.15
1905	27.44	15.15	3.80	.75 to 2.00	5.25
1906	29.44	15.87	4.40	.75 to 3.05	6.25
1907	31.00	17.10	4.50	1.00 to 2.85	6.10
1908	30.67	16.89		1.25 to 3.40	5.70

Year.	Estimate of average weight of hides sold by the farmer on other cattle.	Price of heavy native cows as price basis for hide value.	Value of the meat and all offal, if killed by the packer.
	Pounds.		
1888	50		
1889	50		
1890	50		
1891	50		
1892	50	$2.97	$12.19
1895	50	2.60	12.64
1894	50	2.47	12.10
1895	50	4.38	19.68
1896	50	3.75	12.11
1897	50	4.67	11.98
1898	50	5.42	15.59
1899	50	5.63	17.15
1900	50	5.31	19.63
1901	50	5.83	14.60
1902	50	5.56	13.20
1903	50	5.63	13.42
1904	50	5.30	11.02
1905	50	6.58	8.57
1906	50	7.48	8.37
1907	50	6.50	10.51
1908	50	5.71	11.18

[a] From Bureau of Statistics, Department of Agriculture.
[b] Prices taken from Drovers' Journal, the official paper of the Chicago Union Stock Yards.

Taking as a basis for our calculation hides that average 50 pounds in weight on farm cattle in the above table, according to census and trade reports, it shows that the cattle value to the farmer, if sold in the market to the packer, was, in 1893:

For meat and offal other than hides	$12.64
For hides	2.60
Total	15.24

In 1895, the year of a panic under Democratic administration, according to these census figures, the farmer received:

For meat and offal	$19.68
For hides	4.38
Total	24.06

In 1905, the boasted Republican prosperity year, the farmer received:

For meat and offal	$8.57
For hides	6.58
Total	15.15

In 1906, according to these same census reports, the farmer received:

For meat and offal	$8.37
For hides	7.48
Total	15.85

The above table shows that the meat value in 1895 was 135 per cent more than in 1906.

The above table shows that the hide value in 1906 was 170 per cent more than in 1893.

The attached tables show that canner cows, which classification includes the old cows unfit for dairy purposes and from the ranches for breeding purposes, sold in 1906 as low as 75 cents a hundred pounds in the Chicago market. The hide brought on an average of 14 cents for branded, and about 15 cents for free of brands. The hides off of these animals netted the packer, no doubt, more than he paid for the same cattle alive on the hoof in the yards.

Did the packer sell his dressed meat cheaper in 1906 than in 1895? This I leave open for the cattle raisers and consumers of meat to answer. If not, according to this table, is it not a fact that the packer gets the benefit of the 15 per cent duty on hides?

Also, there is printed in the RECORD a table showing the average price of export steers for four years, 1893–1897, of about $92, during the Democratic years; in the four years 1904–1908, of about $74, showing a decline in value, no doubt, on account of the duty on hides, as these hides will sell for an average price of $12 to $16 each in our market, and in the foreign markets 15 per cent less on account of the duty.

If the duty was removed, it would raise the price of these cattle and also would not reduce the price of hides, as we are the greatest consumers of this product in the world, and our market establishes the price.

The average value of a hide sold by the farmer direct from the South east of the Mississippi, according to tables in the RECORD, is $1.62, and about 80 per cent of them will class as free of duty hides.

This bill reduces the duty on heavy leather made out of imported hides from 20 to 5 per cent. We imported $105,923.25 worth and collected $21,184.65 of revenue.

The farmers of this country consume about $160,000,000 worth of leather goods, on which the duty is lowered from 10 to 40 per cent. This would make a reduction in cost to the consumer, figuring on the same basis, of not less than $20,000,000 to the farmer alone. To the consumers of leather and leather goods throughout the United States this difference in duty would no doubt effect a saving of $70,000,000 to $100,000,000.

Fifteen thousand tanners and shoe manufacturers, because of free and open competition, would certainly give to the farmers the benefit of this reduction quicker than would a dozen large packers, who work hand in hand and control the packers' trust.

Cowan is the "attorney," so-called, for the cattle raisers. No doubt he should be called "attorney for the packers' trust," since he used their argument for the duty on hides, advanced twelve years ago. The tanners and shoe and leather people have been fighting for free hides ever since, and every argument Cowan made has been for the packers' interest. The packers have been trying to fool the country for years, declaring that if the hide duty was removed cattle would sell lower. They have been able to buy cattle on the hoof from the farmer at about any price they chose to pay, regardless of the tariff supposed to benefit the farmer.

According to the reports of the Bureau of Animal Industry, which gives the value of cattle to the farmer, and of which I inclose tables, this was 135 per cent less in 1906 than in 1895, while the packers sold the hides to the tanners for 170 per cent more.

It certainly requires no attorney to analyze this proposition to find the party who gets the benefit from the hide tariff.

If you wish to protect the American laboring man, pass a bill, not like this, where the pauper labor of the world can buy the products of his labor in America cheaper than he can himself through the rebate system on imported raw material, and by so doing make him compete with the labor market of the world, with freight and carrying charges against him, and pay more for his product than any other laborer.

If you want a system of protection and want to protect the American laborer against the pauper laborer of Europe, as you have been talking of on the stump and in this debate, put the tariff so high that they will be unable to import any manufactured goods, and then reduce his hours of labor to seven or eight and let him exchange with the farmer and other producers of wealth in this country, and levy an income tax. By so doing, tax the people that have money and bring it into the channels of business. This, no doubt, will protect him so that he could enjoy the fruits of nature that are produced in this country, as we have the garden spot of the world. Adapt this policy and you will then have the right to go out and talk that you are protecting the American laborer.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin may be permitted to continue for five minutes.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the gentleman from Wisconsin may continue for five minutes. Is there objection?

Mr. SCOTT. I object.

Mr. CRUMPACKER. Mr. Chairman, the Committee on Ways and Means, after a careful investigation of this subject, considering well its industrial and the commercial aspect and all other questions relating thereto, decided that hides should be placed on the nondutiable list, and I think that decision was a wise one from every standpoint and fully in harmony with the principles and traditions of the Republican party along the lines of protection. The duty on hides has not increased the opportunities for the employment of capital in any measure, nor has it given a single additional day's work to the laboring men of the country. The only effect of that duty is to increase the cost of one of the prime necessities of life; and, in my judgment, Mr. Chairman, the benefits of the duty goes to the enrichment of the packers and the leather trust instead of the cattle raiser. That is demonstrable from the fact that we export $35,000,000 worth of cattle on the hoof every year, and the hides of those cattle can receive no possible benefit from the duty.

Those cattle sell at the same price in our market as the cattle that we sell for home consumption, showing clearly that the duty on hides is not a factor in fixing the price of beef cattle.

Now, Mr. Chairman, in order to show that the Committee on Ways and Means in this respect acted in full harmony with the great Republican leaders on the policy of protection, I will read a letter written by James G. Blaine to William McKinley on the 10th of April, 1890, on this identical subject, when the McKinley bill was in course of preparation.

The letter is as follows:

WASHINGTON, *April 10, 1890.*

DEAR MR. MCKINLEY: It is a great mistake to take hides from the free list, where they have been for so many years. It is a slap in the face of the South Americans, with whom we are trying to enlarge our trade. It will benefit the farmer by adding 5 to 8 per cent to the price of his children's shoes.

It will yield a profit to the butcher only, the last man that needs it. The movement is injudicious from beginning to end—in every form and phase.

Please stop it before it sees light. Such movements as this for protection will protect the Republican party only into speedy retirement.

Very hastily,

JAMES G. BLAINE.

And, following that suggestion, the Ways and Means Committee and Congress in 1890, under the leadership of Mr. McKinley, decided it unwise and un-Republican to put hides upon the dutiable list, to tax that necessary of life, the only effect of which would be to increase the cost of leather products. The duty could not possibly stimulate or increase the production of hides. There would be as many cattle raised without the duty as with it.

Therefore, Mr. Chairman, I am firmly in favor of the action of the Committee on Ways and Means in making hides free; because it is sound, because it embodies Republican doctrine, because it is in harmony with the traditional policies of our party on the principle of protection. The effect of the duty is to drive millions of pounds of South American hides from our ports—where they would be tanned and manufactured into leather products and sold abroad—to European ports, where they are admitted free of duty. European capital and European labor now convert those hides into leather and manufactures thereof, when that work would be done by American capital and American labor if it were not for our tariff. In the interest of American capital and American labor and in behalf of the average American farmer, I protest against the imposition of a duty on hides. [Applause.]

The CHAIRMAN. The Chair will recognize the gentleman from Connecticut [Mr. HILL].

Mr. PAYNE. Will the gentleman yield till I make a motion to close debate?

Mr. HILL. Yes.

Mr. PAYNE. Mr. Chairman, I move that we close debate in twenty minutes. [Cries of "Make it five."]

Mr. SCOTT. Mr. Chairman, it seems to me the time of closing debate ought to depend a little bit on the number of those who wish to speak in favor of the amendment. I do not think we ought to have twenty minutes of debate unless it be devoted to those in opposition to the amendment.

Mr. PAYNE. Is there any gentleman who wants to speak in favor of the amendment? I am trying to find out.

Mr. SCOTT. If nobody desires to speak in favor of the amendment, then I think the debate ought to close in five minutes, and let the gentleman from New York [Mr. PAYNE] occupy those five minutes.

Mr. PAYNE. I do not desire to cut off any gentleman, if anybody desires to speak in favor of the amendment.

Mr. HENRY of Texas. Mr. Chairman, I move that all debate on the pending paragraph close in five minutes.

The CHAIRMAN. The gentleman from Connecticut yielded to the gentleman from New York for the purpose of making a motion to close debate.

Mr. PAYNE. Mr. Chairman, I move that debate on the pending paragraph close in fifteen minutes, and I would like to have the last five minutes of that time.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment close in fifteen minutes.

Mr. SCOTT. Mr. Chairman, pending that I would like to ask how the time is to be divided. I think the proponents of the amendment have the right to close the debate, and we shall certainly want part of those fifteen minutes.

The CHAIRMAN. The Chair is not advised of any gentlemen desiring to be heard.

Mr. KEIFER. There are many who want to be heard in favor of the amendment.

Mr. PAYNE. Who?

Mr. KEIFER. Right here, right beside you, within reach of you.

Mr. PAYNE. Oh, the stentorian voice of the gentleman from Ohio has already been heard.

The CHAIRMAN. The gentleman from New York now moves that all debate on the pending amendment close in fifteen minutes.

Mr. KEIFER. Mr. Chairman, I shall not object to that if ten minutes of that are given to those in favor of the amendment and one against it, because the last fifteen minutes have been taken up by those opposing the amendment.

Mr. PAYNE. Then I shall make it twenty minutes.

The CHAIRMAN. Does the gentleman indicate how the time is to be divided?

Mr. GARNER of Texas. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment close in twenty minutes, the time to be equally divided——

Mr. KEIFER. Mr. Chairman, I shall object unless those in favor of the amendment close the debate.

The CHAIRMAN. The Chair will put the question. The question is on the motion of the gentleman from New York that all debate on the pending amendment close in twenty minutes.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The Chair will recognize the gentleman from Connecticut [Mr. HILL].

Mr. MARTIN of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of South Dakota. I would like to inquire as to whether the proponents have the right to close debate?

The CHAIRMAN. There is no rule on the subject.

Mr. MARTIN of South Dakota. Can we have one at the present time?

The CHAIRMAN. The Chair understands the gentleman from Ohio [Mr. KEIFER] desires to be heard in favor of the amendment. Is that correct?

Mr. KEIFER. Yes; if there is nobody else who wishes to speak.

The CHAIRMAN. The gentleman from Connecticut is now entitled to the floor.

Mr. HILL. Mr. Chairman, I approached this subject in the committee and now in a perfectly neutral state of mind. I have no personal interest in any way, shape, or manner, and neither does the State which I in part represent, for there is very little tanning—I think none—and very little of leather manufacturing in that State. I want to call the attention of Members to this fact: If they will look at the books of the members of the committee, which they have used for five months in preparing these schedules, they will find no schedule received more careful attention or study than this did, and when you talk about changing the rate of duty on hides I want to say that you have got to go through the whole schedule from top to bottom and alter every rate in it, because the whole schedule is built up on free hides. Mr. Chairman, why did I vote for free hides? Because there came before the committee a large number of gentlemen from Maine, from New York, from Virginia, from Minnesota, from St. Louis, from New Orleans, from Savannah, from all over the United States, who said, "If you will give us free hides, we will build up the shoe and leather trade of the United States to the stars," as one man put it, "and we will admit the products of the hides free—shoes and all the rest of the leather productions."

They put the committee in an embarrassing position by the radicalness of their testimony, but there was no dissenting voice before the committee. Now, why did the tanners want it? They said:

We can not get the material to carry on our industry. Sixty per cent of all the hides in the country, and the best hides, come through the packing houses, and they tan their own hides and they will not sell them to us.

Not only 60 per cent goes through the packing houses, but at every little meat-distributing house all over this country the hides of the farmers' cattle are picked up, so that I have not the slightest doubt but that 80 per cent of the hides of this country are absolutely controlled by the four large packing concerns in Chicago, and the tanners are utterly unable to get material to carry on their business. I would have been perfectly willing to have voted——

Mr. POU. May I ask the gentleman, is it or is it not true that under the ruling of the Treasury Department all hides weighing under 25 pounds come in now free?

Mr. HILL. I do not care a straw; it is simply a question of maintaining or giving up the tanning industry in the United States, a surrender absolutely to the Chicago packing houses, or having free hides. That is all there is to it.

Mr. POU. I want to help the gentleman——

Mr. MANN. I am a free-hide man, but I think that is rank nonsense.

Mr. HILL. If you do——

Mr. MANN. And I am a free-hide man.

Mr. HILL. That is according to the testimony that was given to the committee. Now, I do not care whether you have free shoes or not. I did vote for a duty, because I believed it was fair and just that the duty should be in proportion to the reduction in the taking off of a duty on hides.

Mr. SCOTT. Then why does not the gentleman support this amendment, which would have that effect?

Mr. HILL. Not at all. If this is changed, you have got to work it out in its entirety on every feature of your schedule.

Mr. SCOTT. Why is it necessary?

Mr. HILL. You are taking saddlery and harness, where buckles are used, where metals are used, where woolen linings are used, and all dutiable at high rates, and you are putting a burden of 10 per cent on the hides, where we take it off.

Mr. SCOTT. Does not the gentleman think they can stand it?

Mr. HILL. I do not think they can stand it.

Mr. WEISSE. Mr. Chairman——

Mr. HILL. We worked upon that schedule weeks and weeks, and it is harmoniously adjusted; put a duty on the hides, and you have got to raise the whole thing. What you do will not only affect one paragraph, but affect the whole schedule.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. KEIFER. Mr. Chairman, I have already spoken, and I do not wish to take up time——

The CHAIRMAN. The Chair understands the gentleman from Ohio has already spoken.

Mr. KEIFER. Then I withdraw in favor of the gentleman from Texas——

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN of South Dakota. Mr. Chairman, it is, I think, quite ingeniously made to appear by those who are advocating free hides in this bill that it is in effect a controversy between the tanners on one side and the great packing houses on the other. It occurs to me that the interest of the man who really produces the hide and who wants to get this benefit is entirely overlooked in this debate.

The tanners and the packers really have a common interest. They are both purchasers of hides, and the cheaper they can buy them the better they are suited. Now, it is quite possible that the packers may obtain a benefit from the tariff on hides, and also that they may appropriate some other resources that ought to go to the farmer. That, from a Republican standpoint, is no excuse for failing to protect any legitimate American industry. For one I desire to say that if the packers, by means of a monopoly, are appropriating any part of the benefit that belongs to the other people of the American Republic, a proper enforcement of our wholesale antitrust laws ought to afford some relief against that. In the minds of the Committee on Ways and Means, apparently, that was no sufficient objection against a tariff revenue upon sugar.

And when I raised the question with the gentleman from West Virginia [Mr. GAINES] the other day he took the same position upon the sugar schedule that I take here. The real producer of that material is entitled to protection. If it is in the tariff laws, he may get it; if it is not there, he certainly will not get it.

Now, two arguments really are urged against a reasonable tariff on hides; and I may say, consistent with the general policy to reduce tariff rates, I am entirely agreeable that this rate should be reduced to 10 per cent instead of 15, keeping just about an equal adjustment of the duties in the Dingley bill upon leather products. Two arguments are advanced against any duty on hides. The first is, or was, when we heard the argument from the chairman of the Ways and Means Committee the other day, that it is a by-product; secondly, that it is raw material. I desire but a word or two upon both of these propositions before I take my seat, if my time allows. It is a mere begging of the question and avoiding of the argument to call hides a by-product and say, for that reason, that they ought not to be protected. It is illogical. About 65 per cent of the weight of the steer is meat. The balance is by-products, and no man who does not look after the proper value of his by-products can succeed in this busy industrial life at this time. It is a by-product, perhaps. It is a by-product of the farmer; it is a by-product of the stock raiser. He is entitled to a measure of protection upon that in any scheme of tariff protection. As to the other argument, it is said that hides are raw material. That depends entirely on the place where you take up the material. The grass and the corn are raw materials of the farmer and the stockman. The hide is a part of the raw material of the tanner. The leather is the raw material of the harness maker. The more finished leather is the raw material of the boot and shoe man; and the boots and shoes are the raw material of the merchant, if he has any raw material. The only raw materials that are entitled to be classed as such for purposes of tariff schedules are those that nature in her bounty has provided, and the moment you apply skill and labor to bring forth an article of production that moment you are bringing in the elements that remove it from the classification of raw material for the legitimate and proper purposes of a tariff measure. I am for a reasonable tariff upon hides; and in any schedule that is going to protect the articles that are made from hides, through the whole list of leather manufactures, I submit, on behalf of the western stock growers and farmers, that it is, from a Republican standpoint, illogical and a bad application of the protective principle to deny a measure of protection to the man who produces the hides. [Applause.]

Mr. SLAYDEN. Mr. Chairman, like the gentleman who has just taken his seat, I am, under existing circumstances, for a reasonable tariff upon hides. I want to say what was hinted at by the gentleman from Oklahoma [Mr. FERRIS], that if the gentlemen who are at the head of the great shoe industry in New England—who are now exporting six times as much of their manufactured products as they did twelve years ago, making the best article in their line produced anywhere in the world, producing it cheaper, and, if their prospectuses and advertisements tell the truth, making it out of the best materials in the world—are willing to meet us halfway, we will agree to abolish, so far as we can do it by our votes, all of the tariff on hides, merely requiring them to be equally generous and take the duty off of leather and leather products.

Mr. Chairman, I was born and brought up in what some people seem to think is the semicivilized South. I was an adult before I had the privilege of traveling in that section of the country which, by reason of its intellectual acumen, has for so long dominated, and always selfishly dominated, the legislation of this country.

When I first had the privilege of traveling through New England and compared the soil of that country and realized the disadvantages of the climate of that section with those from that part of the country from which I came, I marveled that they could accomplish what they had done. As an American I was proud of their achievement, though somewhat restive under the manner in which they had accomplished it. But now, sir, since I have had the privilege of serving for a few years on the same floor with a number of these gentlemen, and have observed their methods, have seen how unremittingly and aggressively selfish they are, have seen with what skill, with what ingenuity, and what persistence they can press upon the attention of the country legislation in the interest of their own industries, I am no longer surprised when I read the marvelous story of their savings-bank deposits, and I understand why on every rocky hill in New England there protrudes up toward the heavens a factory chimney.

These wise men tell us, and there are gentlemen on the floor of this House who will do it again before the day is gone, that there is nothing sectional in this legislation. A few days ago I met a distinguished Member from New England and had a talk with him. As it was a private conversation, I will not mention his name. He asked me how I would vote; whether I should vote for free wool. Remembering the interests he represented, I told him I would vote for free wool; then he asked me, "How will your colleagues vote?" I replied, "They also will all vote for free wool, provided you will vote for free woolen fabrics." [Laughter and applause.] You can imagine how that announcement was received. He grunted his disgust, and just now he has had the presumption to stand up here and advocate legislation specifically in the interest of the people and the industries of his section and against those of mine. Fur-

thermore, he and those like him have the audacity to tell us that we do not know our own interests or the interest of the people we represent.

Now, Mr. Chairman, I contend that the hide on every beef steer that is marketed is so much value, that it has been estimated in every transaction that is made in cattle, and it is nonsense to say that it is not. It is denied by every shipper in my part of the country, at least, that it is not reckoned and considered in fixing the value of his cattle. I appeal to gentlemen not to write laws purely in the interest of one section of the country. Let us fight for what the gentleman from South Dakota called a "reasonable tax" upon imported hides, thus broadening the basis of taxation and increasing the revenue.

I do not ask for a protective tariff on hides; I merely ask for a moderate tariff to raise revenue. I am willing to have a prorated tax on leather and leather products for the same purpose, although the revenue is hardly to be expected. But common justice demands that if we are to have free hides we should have free leather goods. And we will get it, Mr. Chairman. If not now, we will get it later. The South and the West are getting nearer and nearer together on economic questions, and New England should make the best of her present successes, for she will not command the situation much longer.

Mr. PAYNE. Mr. Chairman, gentlemen say we should not put hides on the free list for the reason that they are a by-product. Sulphite of ammonia is on the free list because it is a by-product and because 95 per cent of it goes to fertilize their soil; and that, gentlemen, is a provision in the interest of the farmer. When we come to hides, we find a reasonable excuse to take off this Populistic duty on hides, because it was put into the Dingley bill by the votes of the Populists, and not by Republican votes. It was always voted down by a Republican House. Why should there be a duty on hides? We put a duty on cattle almost prohibitory; we put a duty upon meat almost prohibitory, and we have put a duty upon everything the farmers raise upon their farms. I say to the gentleman from Oklahoma, we have put a duty upon his wool and to the gentlemen from Texas, we have put a duty on the Texas wool; and still they say that this bill is sectional because we refuse to have a duty on hides—a by-product, Mr. Chairman—not taking into consideration that no benefit will accrue to any farmer in the United States. If this duty is put on, where does it go? It goes to the packers, without any doubt, and they will not sell their hides to our tanners. They have opened tanneries themselves and are tanning hides. But what do our tanners do? The packers refuse to sell to them, and tell them that they can import their hides; this duty sends the foreign hides to Germany, and it has by this means taken business and industry that belongs to the tanners of the United States. Gentlemen say if you will take the duty off shoes and leather we will vote with you. The Committee on Ways and Means worked out this thing, reducing the duty on sole leather and belt leather from 20 per cent to 5 per cent, because of taking the duty off hides. Why did we leave the 5 per cent? In order to protect the chestnut industry in the South, with a larger duty on tanning extracts that are used in tanning leather. And so with other leather and with shoes.

This is not a sectional bill. There is not a sectional line in it. We have gone over the whole United States, and we have given adequate protection to every industry in the United States; we have given to the farmer his share; the largest share and benefit of this bill will go to the farming industry to the remotest corner in the United States. You will be able to build up your factories and do your business and set millions to work at American wages, and they will go to the farmer and buy meat, buy their provisions, buy everything they need, and the benefit goes to the farmers of the United States.

There is no logical foundation for a duty on hides; there is no justice in a duty on hides. It is not for the benefit of the farming interest, but it benefits only the great monopolies that control the packing industry of the United States, and so your farmer constituents will say to you gentlemen who vote for it when they discover that through your lack of wisdom or foresight you voted for this inexcusable duty on hides. [Applause on the Republican side.]

The CHAIRMAN. Debate on this amendment is exhausted. The question is on the amendment offered by the gentleman from Kansas [Mr. SCOTT].

The question being taken, on a division (demanded by Mr. SCOTT) there were—ayes 106, noes 166.

Accordingly the amendment was rejected.

Mr. SCOTT. In order to protect my rights in the House, I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 155, lines 13 and 14, strike out paragraph 581.

Mr. SCOTT. This provides simply for striking out the paragraph putting hides on the free list in case the House should vote in favor of my other amendment.

Mr. SLAYDEN. We could not hear the gentleman's amendment.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

Mr. MILLER of Kansas and Mr. CLARK of Missouri rose.

Mr. MILLER of Kansas. Mr. Chairman, I desire to offer the following amendment.

Mr. CLARK of Missouri. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. CLARK of Missouri. I rise for the purpose of offering an amendment.

The CHAIRMAN. The Chair has recognized the gentleman from Kansas to offer an amendment which he understands to be in order under the rule.

The Clerk read as follows:

Page 62, line 8, paragraph 227, strike out "fifteen" and insert "twenty-five."

Mr. CLARK of Missouri. Mr. Chairman, I wanted to offer an amendment about the very same thing that was then up.

The CHAIRMAN. About the hide question?

Mr. CLARK of Missouri. Yes; a product of hides.

Mr. MILLER of Kansas. I will withhold my amendment.

The CHAIRMAN. The gentleman from Kansas withholds his amendment.

Mr. CLARK of Missouri. I move to strike out paragraph 448; that is, leather and all products of leather—boots and shoes, harness, and everything else. [Applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, that is not a committee amendment, and therefore it is not in order.

Mr. CLARK of Missouri. Any amendment is in order.

Mr. PAYNE. I make the point that it is not in order, not being a committee amendment.

Mr. CLARK of Missouri. But it was decided this morning that we had a right to offer amendments that are not committee amendments.

Mr. PAYNE. This does not come within the rule.

Mr. CLARK of Missouri. I understand the rule as well as you do.

Mr. PAYNE. It is not within the rule—not a committee amendment.

Mr. CLARK of Missouri. This is part and parcel of the hide amendment.

Mr. PAYNE. Oh, no.

Mr. CLARK of Missouri. Of course it is. You can not play both ends against the middle.

Mr. DALZELL. If the gentleman will read the rule, he will find that the paragraphs subject to amendment are specifically named.

Mr. CLARK of Missouri. Of course you named certain ones specifically, but the Chair ruled that other amendments were in order. The gentleman from Minnesota [Mr. TAWNEY] offered an amendment on the subject of lumber, and so did I—offered two or three.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Missouri misunderstood the Chair, if he understood the Chair to say that any amendments were in order, except as provided in the rule or order adopted by the House yesterday and under which we are now acting. The Chair did state that when an amendment in order under the rule had been offered, a germane amendment to that amendment would be in order.

Mr. CLARK of Missouri. Then I will offer this amendment, and see if it is in order.

The CHAIRMAN. One moment. The amendment now before the committee, offered by the gentleman from Missouri, is not a committee amendment, and it applies to paragraph 448, which is not one of the preferential paragraphs specified in the rule, and so the amendment is out of order.

Mr. CLARK of Missouri. I do not want to consume time, but only to make one remark about it. This leather business—boots and shoes, harness, and so forth—is an essential part of the hide business.

The CHAIRMAN. A pair of shoes may be essential to a hide, or a hide may be essential to a pair of shoes, but a pair of shoes is not a hide. [Laughter.]

Mr. CLARK of Missouri. It is a part of the hide, and the biggest part of it. I offer another amendment.

The CHAIRMAN. The point of order is sustained. Now, the gentleman from Missouri offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend paragraph 581, page 155, by adding the words "leather and all products of leather."

Mr. PAYNE. I make the point of order against that that it is not germane.

Mr. CLARK of Missouri. That is unquestionably in order, because that is the paragraph that puts hides on the free list.

Mr. PAYNE. It is not germane.

Mr. CLARK of Missouri. It is germane, if you go to the meaning of the word germane.

Mr. PAYNE. It is no more germane than shoe strings would be.

Mr. CLARK of Missouri. It is germane, unless they are going to change the dictionary along with the tariff.

The CHAIRMAN. The Chair is prepared to rule. The special rule under which the committee is now proceeding provides that preference shall be given to amendments to certain paragraphs, numbering among others 581.

This amendment is offered to paragraph 581, and the point of order is made by the gentleman from New York that it is not germane to that paragraph. Paragraph 581 reads as follows:

Hides of cattle, raw or uncured, whether dry, salted, or pickled.

The amendment provides for adding thereto "leather and the products of leather." The Chair thinks the amendment is not germane, and sustains the point of order.

Mr. HENRY of Texas. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HENRY of Texas. Suppose there is no amendment offered or pending by an individual Member or by the Ways and Means Committee, as the special rule provides for; that neither one of the pending amendments is offered; then would it be in order for any Member to offer an amendment to the bill, the House being in Committee of the Whole House on the state of the Union and considering the bill under the five-minute rule?

The CHAIRMAN. When the amendments provided for in the rule and by it made preferential shall have been exhausted, the next thing in order, if the committee shall then be in session, will be the reading of the bill by paragraphs for amendment, and as any paragraph is reached amendments will be in order if germane thereto.

Mr. CLARK of Missouri. Mr. Chairman, I offer an amendment that I know is germane, and there can be no question about it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding to paragraph 581 the words "and all products of hides."

Mr. PAYNE. I make the same point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. CLARK of Missouri. Surely, products of hides belong to the hide family. [Laughter.]

Mr. MILLER of Kansas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 62, line 8, paragraph 227, strike out the word "fifteen" and insert "25," so as to read, "barley, 25 cents per bushel of 48 pounds."

Mr. ALEXANDER of New York. Mr. Chairman, I desire to offer a substitute for the amendment.

The CHAIRMAN. Does the gentleman from Kansas yield for that purpose?

Mr. MILLER of Kansas. I have no objection; I yield to the gentleman from New York for the purpose of offering his amendment.

The CHAIRMAN. Without objection, the amendment will be reported. Is that what the gentleman from Kansas desires?

Mr. MILLER of Kansas. I want to hear the amendment.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

In lines 8 and 9, page 6, paragraph 227, strike out the words "fifteen cents" and substitute therefor "10 per cent ad valorem."

Mr. MURPHY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURPHY. When will it be in order to offer a substitute for the amendment?

The CHAIRMAN. One substitute is already pending; it will be in order a little later.

Mr. MILLER of Kansas. Mr. Chairman, I recognize the fact that this is not a very good day for amendments, judging by the result of the recent votes that have been taken by the committee. I have offered the amendment, however, in the best of faith. The amount of duty on barley heretofore has been 30 cents a bushel, and the Committee on Ways and Means have reported in favor of 15 cents duty. This amendment provides that the duty shall be 25 cents instead of 15 cents, and the reason I did not move to restore it to 30 cents was the fact that 30 cents is more than necessary for the protection of barley in this country. I have talked with those interested especially in this product, and they admit that 25 cents a bushel is sufficient protection. I want to call attention of the committee to the reason why the amendment is offered.

This is a product of the great States of Montana, the two Dakotas, Nebraska, Minnesota, Wisconsin, and Michigan. Wisconsin and Minnesota probably produce more barley than any other two States in the United States.

Mr. TAWNEY. If the gentleman will pardon me, I want to say that the State of California produces more barley than any other State in the Union.

Mr. MILLER of Kansas. I will get to that point. The State of California is a great barley-producing State, but I am speaking of the barley that is used for the purpose of manufacturing beer. I am speaking of this barley and not of the kind raised in California, which is a feed barley. I am speaking of a barley produced by the great States that I have named—Minnesota, Wisconsin, Michigan, Iowa, North and South Dakota, Nebraska, Wyoming, and Kansas.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. MILLER of Kansas. Certainly.

Mr. SLAYDEN. What is barley used for principally?

Mr. MILLER of Kansas. Barley is used principally for making beer.

Mr. SLAYDEN. Malt to be used for making beer?

Mr. MILLER of Kansas. Yes.

Mr. SLAYDEN. Then, how in the world does it concern Kansas? [Laughter.]

Mr. MILLER of Kansas. I will tell you how it concerns Kansas. Kansas is one of the greatest producing States in this country. It is an agricultural State, and it raises barley. It asks that it shall be protected on this product the same as on other products of the farm.

I would like to have some gentleman on the Ways and Means Committee or some Member of this House give some reason why the duty on barley should be cut down and the duty on wheat and on rye and on corn and on other farm products of the Western States should remain as it is. There can be but one reason why it is done, and that is the reason that people interested—brewers probably more than any other people in this country—want it cut down. I stand here this afternoon for the purpose of protecting the farmers of this country and seeing that they get justice rather than that the brewers shall have added profits to the business in which they are engaged.

Mr. BARTHOLDT. Will the gentleman yield?

Mr. MILLER of Kansas. Yes.

Mr. BARTHOLDT. Can my friend from Kansas state the total amount in value of the importations of barley during the last year?

Mr. MILLER of Kansas. I desire to say in answer to the gentleman's question that I can not do that.

Mr. BARTHOLDT. About how much?

Mr. MILLER of Kansas. I can not tell. There are Members here from the barley-producing States who will be able to answer that question, I have no doubt.

Mr. HILL. Here are the statistics on that for the last fifteen years.

Mr. BARTHOLDT. Will the gentleman permit me to tell him?

Mr. MILLER of Kansas. Mr. Chairman, I can not yield. The gentleman will have plenty of time to put that in his speech. The great apostle of peace in this House will be heard before this question is voted upon, I have no doubt.

Mr. BARTHOLDT. Not at all. I do not propose to speak.

Mr. MILLER of Kansas. Very well.

Mr. BARTHOLDT. The importations of barley during 1908 were 11,915 bushels, amounting to $6,000. [Laughter.] Mr. Chairman, in one day one of my breweries will use that amount of barley.

Mr. MILLER of Kansas. Mr. Chairman, I want to call attention to the fact that right across the line from the northeastern section of this country there is a country where they produce barley in abundant quantities, and I want to protect the farmers of this country as against the farmers of Canada rather than to favor the brewers of the country by increasing their profits.

Mr. PERKINS. Mr. Chairman, I desire to speak in opposition to the amendment in the interests of the barley growers of the State of New York, in the sections from which I come. Fifteen years ago, Mr. Chairman, a large amount of barley,

amendment, which the Clerk will report.

Mr. CLARK of Missouri. It is a part of the hide, and the biggest part of it. I offer another amendment.

that this is not a very good day for amendments, judging by the result of the recent votes that have been taken by the committee. I have offered the amendment, however, in the tion to the amendment in the interests of the barley growers of the State of New York, in the sections from which I come. Fifteen years ago, Mr. Chairman, a large amount of barley,

which sold as barley No. 1, was raised in the State of New York, especially along the lake shore. It was the best barley raised. It was sold at the highest price. That barley was used in the manufacture of malt, and malt is used in making beer; but if we are to have beer at all, let us have the best, and the best material going into it. At Sodus, for instance, there was a large malt house built at an expense of $150,000, and the proprietors of that malt house bought the barley raised along the lake shore in New York and bought also the additional amount which it required from Canada. A duty of 30 cents a bushel was imposed on Canadian barley. What was the benefit to the farmer?

The result was that that malt house, purchasing hundreds of thousands of bushels, every year, was absolutely shut up and has been sold for 10 cents on the dollar. Is it any benefit, Mr. Chairman, to those who raise barley to have the houses where their barley could be used closed?

The object of a duty on barley, if it is to work advantageously, should be to raise the price of barley. Certainly it can be of no benefit to any farmer in any part of the country if the duty so operates that the price of barley at the chief markets is less than it was. In Buffalo, the great market for barley of a certain quality in our section of the country, before the passage of the bill, which imposed a tax of 30 cents a bushel on barley, the average price of barley sold for malt ran from 60 to 70 and 80 cents per bushel. Since the imposition of this tax, which has largely closed the market to Canadian barley, the average price of barley in Buffalo has been less than 50 cents.

Mr. Chairman, I stand here in behalf of the farmers of my section and all farmers. A tax has been imposed, doubtless thought to be in their interest, which has resulted in entirely cutting out of the country a certain class, and the best class, of barley. The result has been that where there were large malt houses in our section buying large amounts of barley——

Mr. GARNER of Texas. I will ask the gentleman what barley is worth a bushel now?

Mr. PERKINS. It sells for less than 50 cents in Buffalo. Certainly, Mr. Chairman, this has been injurious to the farmers to have the malt houses which consumed their barley closed. Now, what has been the influence upon the price of barley? The average price of barley in Buffalo since the imposition of this tax has been between 40 and 50 cents a bushel, instead of between 70 and 80 cents a bushel, as it used to be.

The result of the exclusion of Canadian barley has been the killing of the raising of No. 1 barley in this country, and, as I state, the best barley raised has been sold on an average for from between 40 and 50 cents a bushel. Now, has it been a benefit to the farmer to impose a tax, the result of which has been that barley is sold on an average at a lower price than it was before the tax was imposed? The reason was that by checking so large an amount of demand, by closing the malt houses, by preventing the entry of No. 1 barley for the making of the best class of malt, the demand has been diminished, and so now we have a less demand for a lower product at a lower price, and we have, as a result of that, a cheaper and poorer malt.

Mr. TAWNEY. Mr. Chairman, I would like to have the attention of the committee for a moment——

Mr. DAVIS. Mr. Chairman——

Mr. TAWNEY. If my colleague desires to speak now, he can do so.

Mr. STEENERSON. Mr. Chairman, I represent a State that produces more barley than any other State in the Union. My district probably produces more barley than any other district in the State of Minnesota. I ask that this amendment be adopted for the reason that it relates to one of the few items in this bill that affords genuine protection to the farmer. We produced last year in the State of Minnesota 32,500,000 bushels of barley—one-fifth of the total product of the whole United States—and of that more than 6,000,000 bushels was produced in my district. My district adjoins the Canadian border, where they produce barley, and we know that this duty is for the benefit of the farmer; we know that it enhances the price of the farmer's product.

Mr. CAMPBELL. Will the gentleman state the difference between the price in Minnesota and Canada?

Mr. STEENERSON. I can state that a year ago last fall, in 1907, there was paid duty on barley from Manitoba to the amount of over $5,000 in one cargo. Canada got 30 cents less in that instance, but the difference runs perhaps 15 to 20 cents per bushel.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question? Is farm labor any higher over in Manitoba or across the line in Canada than in your district?

Mr. STEENERSON. The cost of production is higher for the reason that it costs more to deliver the barley in the eastern market than from eastern Canada, that is, from the State of Minnesota, and that is an item in the cost of production. Now, the legislature of the State of Minnesota has unanimously passed a resolution in favor of this duty, basing it upon the theory that the farmers are contributing in everything else to the support of protection prices, and that this is one of the items which is of genuine benefit to them.

The situation on the border of northern Minnesota is especially important. We are engaged, especially in the frontier section, in the raising of wheat. We have not got far enough advanced to go into stock raising, and it is necessary to alternate and rotate the crop. The wheat exhausts the soil very rapidly, and we have to put in barley or let the land go fallow, and barley, being a profitable crop, gives us an opportunity to use the land every year. We can see no reason why the Canadian, who contributes nothing to the support of the army or the navy, who is not a taxpayer and does not bear the burden of our heavy prices under our tariff system, should have the same benefit, or practically the same benefit, given to our own people, who support the Government. This is no higher protection than is afforded upon all other farm products. The duty on wheat is 25 cents a bushel, and oats and all the products of the farm throughout the United States are given protection under present schedules.

The result of this tariff has been to stimulate production. Ten years ago Minnesota only produced 9,000,000 bushels, whereas we produced thirty-two and a half million bushels last year. In 1897, when we had low duty, we produced in the United States only 66,000,000 bushels, whereas in 1906 we produced 178,000,000 bushels, showing that this duty does tend to stimulate production and to bring returns to the farmer, who bears the largest share of the burdens in the payment of tariff duties, because they consume more than any other class of people. Now, in behalf of the people of my district, who are vitally interested in this, who produce, perhaps, 6,000,000 bushels of barley every year, I say to you if you leave this duty at 15 cents a bushel it will practically ruin the barley production of that district and of the whole country; and having supported this Committee on Ways and Means in all the other items, it seems to me you ought not to single out the one subject of barley and discriminate against the farmers in this way. [Applause.]

There is no object which so completely justifies the policy of protection as this. In 1896, before the enactment of the Dingley law, we only produced 66,000,000 bushels, whereas in 1906 we produced 178,000,000 bushels, an increase of nearly 300 per cent. The average farm price in 1896 was only 32 cents per bushel, whereas the average farm price in 1907 was 66 cents, and last year about 55 cents. The reason for this increase in price was the establishment of a good home market. Since 1897 the malting industry has grown immensely, so that now the center of it is west of Buffalo—in Chicago, Milwaukee, and Minneapolis. Formerly the export price fixed the domestic price, but not so during the last few years, for the establishment of the malting industry in the West has created a home demand and a home market sufficient to control the price.

Who is it that is responsible for this cut in the barley duty? We are reliably informed that it all comes from a desire of the eastern malting interests—principally those in Buffalo—not to get cheaper barley, but to get an undue advantage over their western competitors. They can get their barley from Ontario cheaper than Chicago or Milwaukee can from Kansas, Iowa, southern Minnesota, or South Dakota, and they will thus be able to dominate the malt market and to destroy that industry in the West. This demand for a reduced duty does not come from the consumer, but from maltsters of the East, who only produced 14,000,000 bushels of malt last year, as against 56,000,000 bushels produced by the maltsters west of Buffalo.

Is it fair and just to destroy this great home market west of Buffalo and thereby entailing a loss of millions upon the farmers of the West? The maltsters of Buffalo can continue to get their barley by way of the Great Lakes from Duluth, Superior, and other lake ports at a freight rate of 2½ cents per bushel, a rate even lower than that enjoyed by Chicago.

The wheat farmer gets very little benefit out of the duty on wheat, for, owing to the large proportion of that crop exported, the price in the domestic market is largely, if not entirely, controlled by the price abroad; but just now, when we have reached a point where this is not true of barley, you propose by cutting the duty in two to destroy the domestic market in the West and compel us to abandon barley production, which has grown up on the faith of the present tariff to such great proportions.

You will benefit no one in this country by this course, but you will injure many. We in the West have stood by the Republican party and its policy of protection believing it would be applied fairly and justly to the whole country alike and would develop every section and bring prosperity to all, and we

appeal to you, in the name of the millions of farmers of the West, not to perpetrate this injustice upon us now, but to treat us fairly and give us that measure of protection which is our due.

It has been said that this duty is more than the difference in cost of production at home and abroad with a reasonable profit. This I deny; but even if it was, there would be nothing in the argument, for this is one of the industries where combination into a trust or monopoly is impossible. There has never yet been a farmers' trust organized. Production of barley will go on increasing as long as the demand is greater than the supply, and when the supply overtakes the demand prices will fall and production decrease. The rule as to other commodities where combination is possible should be that the measure of protection should be as above indicated, but not as to products where monopoly is impossible.

As to these the home market should be preserved, and be so securely guarded that it can not be invaded by dumping upon it the unusual surplus of another country.

I venture to assert, however, that most of the schedules in this bill exceed the rate above referred to. There is hardly a single item of manufactured goods on the dutiable list where the duty does not exceed by 50 per cent the difference in the cost of production at home and abroad. So, even if this barley duty should exceed this difference, it would have plenty of company in this bill—you would only give the farmer the same measure you have given the manufacturers.

But considering that the western farmer is entitled to the market at the seaboard, from whence he obtains most of his manufactured goods, and considering transportation to this market as a part of the cost of production, this duty no more than fills the requirement for protection, and hardly that.

I hope, therefore, that you will be consistent, and that this amendment increasing the barley duty from 15 to 25 cents per bushel will prevail.

I have received from farmers in my district a petition in support of this amendment, extracts from which I will insert in the RECORD as a part of my remarks. I commend the reasons therein stated to your judgment and favorable consideration. [Applause.]

This bill provides for the reduction of the tariff on barley 15 cents per bushel, or from 30 cents, as provided in the Dingley law, to 15 cents per bushel.

This reduction was made at the solicitation of a few manufacturers of malt at Buffalo, N. Y., whose entire production represents less than 20 per cent of the malt produced in the United States, the bulk of the product being produced in the West, with Chicago, Milwaukee, and Minneapolis as the principal centers, where malt houses were erected within the last ten years at a cost of millions of dollars.

The reduction was sought by the Buffalo men, not for the purpose of relieving themselves from any burden, but for the sole purpose of securing an advantage over their western competitors. As Buffalo is adjacent to the good Canadian barley fields, the Buffalo maltsters see in free barley, or barley at a low rate of duty, a possibility of securing the Canadian barley, which by the nature of conditions could not be obtained by their competitors West. Hence it is their effort and intent to get their supply of raw grain, unobtainable by the others, at a cost that would not enable said western manufacturers to secure. Malt is used largely in the East, and to ship the barley West, then the product back, would be equal to paying double freights on the product to the consumer for the western manufacturer. Several things would work to dissipate the 15 cents duty, and place the Canadian barley ahead of the American-grown barley.

The following are some of the principal ones:

First. Low rate of freight from the barley fields of Canada to Buffalo.

Second. Low rate of freight from Buffalo to consumers.

Third. The Canadian barley fields produce more bushels per acre of barley, so Canadian growers could afford to accept less price per bushel than American farmers.

Fourth. Adjacent to Buffalo, in Canada, due to soil and climate, a better barley is produced, which in the malting process yields more malt.

Fifth. The Canadian malt brings a premium in price due to a higher yield in malt extract. The quality of the beer produced from Canadian barley malt is no better, however, than that made from American barley malt.

It is not a case of an appeal on the part of these Buffalo manufacturers to put themselves on an equality with the rest of the manufacturers West, but a case of wishing to secure an unfair advantage for the business at Buffalo. Under the Dingley tariff as many new plants have been built in Buffalo as in any other part of the country. In fact, within the last few years the largest plants that have been erected have been built at Buffalo. Does this indicate that that city is in need of the Canadian barley? That city now gets its raw material, barley, via the Great Lakes from Duluth, Minn., Superior, Green Bay, Manitowoc, and Milwaukee, Wis., at a cost of about 2½ cents per bushel, a lower cost than can be had by the great malting plants of Chicago and other malting centers, who must get their barley from the western barley fields of Wisconsin, the Dakotas, and Minnesota, via the railroads.

It costs less in freight to ship a bushel of barley via Duluth to Buffalo, there to be malted, thence as malt to New York, than from the same barley centers to New York via Chicago, or any other western malting center, so that Buffalo is voicing only a selfish scheme in asking for lower duties on barley.

* * * * * * * *

The great brewing and distilling interests of the Central, Western, and Southern States would be placed at great disadvantage with like industries of their own in the East if obliged to get malt from the East.

Buffalo would ask Congress to destroy the production of a farm product that brought to the farmers of the United States in the last ten years about $800,000,000, and which gave to the railroads upward of $80,000,000 in freight in hauling to market.

Barley is a special product of the farmer, and a product he did not raise largely until the gates were closed to Canadian barley. What barley he can raise adds its value to the farm revenue, which can not be secured in full by substituting anything else, as it must be remembered that wheat, corn, and oats are a world's market and that barley is the only grain for which the tariff creates a home market. Were he to raise 170,000,000 more bushels of wheat and none of barley he would increase the country's supply of that commodity and proportionately cheapen or lower the wheat value in the markets. This would also apply and affect any other commodity which he would substitute in place of barley. Hence barley raising in the United States is an "infant industry," created by the tariff for the American farmer, and in order to perpetuate it the barley of Canada must be kept out.

Will the Government enact a measure which now produces $100,000,000 annually of farm revenue to farmers? The framers of the McKinley, Wilson, and Dingley tariff laws saw the necessity of placing an absolutely prohibitive tariff on both barley and malt. They saw that barley growing added to created wealth of the United States an enormous sum of money, and that this wealth was an extra wealth to the farmer, hence the lawmakers put up the wall over which no barley came.

Barley raising twenty years ago in the United States was of little importance, but to-day about 170,000,000 bushels are raised annually. Prior to this Canada supplied the malting needs, then paying a large duty, and it would again on a 15-cent duty, as shown herein. The former tariff framers saw this and put 30 cents per bushel duty on barley. They saw that, owing to conditions herein enumerated, that what might appear to be a reasonable duty would not give any measure of protection at all.

It is fair to believe that the committee thought 15 cents would continue the protective policy, but the facts were apparently not before them, or they would not, it is thought, have made the proposed reduction. It could not be reasoned that said committee intended revenue should be secured at the expense of the United States farmers, and causing great injury to 80 per cent of the malt manufacturers, with benefit to only 20 per cent in one city of the United States. * * * The present duty on barley should be retained. All the barley States voted for a continuance of the protective policy, as did the country; a policy that should protect the farm and factory sufficiently, or equal to the difference between the cost of production, under like conditions, at home and outside our borders. On barley this policy is not observed by the bill.

Production of barley, 1908, government report.

	Bushels.	Acres.
Wisconsin	24,750,000	825,000
Minnesota	32,500,000	1,300,000
Iowa	13,500,000	500,000
North Dakota	18,350,000	940,000
South Dakota	24,592,000	928,000
Kansas	4,400,000	275,000
Nebraska	2,773,000	118,000
Michigan	1,785,000	70,000
Other Middle West States	8,632,000	262,000
California	25,427,000	1,082,000
Washington	5,185,000	170,000
Oregon	1,798,000	62,000
New York and all other Eastern States	3,084,000	114,000
Total	166,756,000	6,646,000

Malt production.

	Bushels.
West of Buffalo	56,000,000
Buffalo and east thereof	14,000,000
Total	70,000,000

Mr. HARRISON. Mr. Chairman, as I understand this amendment, it raises the tax upon barley from the proposed rate of 15 cents to a rate of 25 cents. I am opposed to that, both on account of the intrinsic question involved and because I am opposed to all raises of rates of taxation except upon luxuries. This is a raw material and as such, in my opinion, should be on the free list.

Mr. MILLER of Kansas. It is not a raise in the taxation. It is a reduction.

Mr. HARRISON. It is a proposed raise over the rate in the Payne bill.

Mr. MILLER of Kansas. It is a reduction of the original rate.

Mr. HARRISON. Until the time of the McKinley bill, the rate used to be only 10 cents a bushel.

Mr. MILLER of Kansas. The original rate was 30 cents a bushel, and this is 25 cents.

Mr. HARRISON. The rate in the Dingley bill was 30 cents, but before 1890 it was only 10 cents. I call your attention to the fact, moreover, that the imports before that time used to net us an annual revenue of over a million dollars. Now there is practically no revenue.

Mr. MILLER of Kansas. The rate now is 30 cents a bushel.

Mr. HARRISON. The rate now is 30 cents a bushel, and that is prohibitive. The proposed rate of 15 cents in the bill is still prohibitive, in my opinion, and this barley should be on the free list. I want to corroborate what my colleague from

New York [Mr. PERKINS] has said on the subject. This is a matter in which the farmers of New York State are very deeply interested. I have communications from the leaders of the State Grange and from several other active representatives of the farmers.

The curious part of this duty is this, and it seems to strike at the very root of the Republican theory of protection—that since the imposition in the McKinley bill of the 30-cent rate the actual value of a bushel of barley in the United States has diminished. Upon an average of seventeen years before 1890 barley sold for 63 cents a bushel, and upon an average of seventeen years since 1890 barley has sold for only 43 cents a bushel.

Mr. TAWNEY. Will the gentleman permit an interruption there?

Mr. HARRISON. With pleasure.

Mr. TAWNEY. Is the gentleman speaking of feeding barley or malting barley?

Mr. HARRISON. I mean all barley.

Mr. TAWNEY. Malting barley has increased in price since that duty went on.

Mr. HARRISON. All kinds of barley are less valuable under the prohibitive high tariff than they were before, which is a very curious thing under the Republican system of prohibitive protection.

Mr. Chairman, the farmers of my State have demanded that I voice their sentiments upon this floor. I do so when I say that I think barley should be on the free list. If you will not put it on the free list at least leave it where it is in the proposed Payne bill, namely, at 15 cents a bushel. I fear that even that will be prohibitive; but, at least, it will be some concession to common sense.

Mr. Chairman, I hope this committee will vote down the amendment of the gentleman from Kansas [Mr. MILLER].

Mr. ALEXANDER of New York. Mr. Chairman, I am somewhat surprised at the statements made by the gentleman from Minnesota, for I notice he has before him the statistics of the Agricultural Department which give the prices from which proper reasons——

Mr. TAWNEY. If the gentleman will give me time, I will put it in his speech, or in my own.

Mr. ALEXANDER of New York. Put it in your own, please.

Mr. TAWNEY. I did not suppose you wanted it in yours.

Mr. ALEXANDER of New York. Not as you had it before.

Mr. Chairman, I trust this amendment will not prevail. Fifteen cents makes the importation of Canadian barley prohibitory and 25 cents makes it doubly prohibitory. The distinguished chairman of the Ways and Means Committee said, in his speech published in the RECORD on March 23 (p. 158), that—

> When the duty was raised from 10 to 30 cents per bushel, it was about twice over prohibition of the importation of barley.

There is no justification for 25 cents or 15 cents. It does not add to the farmer's price. Prior to 1890 the duty was 10 cents a bushel, and under it ten or twelve million bushels were imported. At that time, for a period of fifteen years, the average price of barley per bushel was 61.6 cents. The farmers of New York raised large quantities of it, and the character of the barley was standard No. 1 and No. 2. Out of a few acres of it each one gathered a good profit, and the uses to which it was put gained in value and in excellence. Then came the McKinley tariff of 30 cents per bushel. This was prohibitory, and under it the New York farmer gradually gave up its production. It did not pay. Besides, the price kept going down, until the statistics show that for the past seventeen years the farmer has received an average of only 43.3 cents per bushel.

The reason for this decline is well known to the intelligent producer and user. By reason of its soil and careful husbandry Canada grows the best barley, grading in quality No. 1 and No. 2. This is particularly true of the Province of Ontario. Now, when the act of 1890 prohibited the importation of this grain, the standard was immediately lowered, superior seed could not be obtained, the Northwest began raising No. 3 in quality, and the price quickly dropped an average of 18.2 cents per bushel, being an annual loss on the 160,000,000 bushels raised in this country of over $29,000,000. Under the broad theory that a low-grade grain can not sell for as much as a higher one, the lower grade has steadily declined until the Northwest farmer must double his acreage and double his product to obtain as much as he received nineteen years ago.

Now, what is the remedy? Give the farmer an opportunity to improve the seed by placing a low duty, if a duty must be imposed, on Canadian barley, which will make its importation possible. Such a duty should not exceed 10 per cent ad valorem. This would make the commodity a revenue producer, would raise the standard of grade, and insure, with half the acreage, an increased profit to our farmers with half the work. A tax of 10 per cent would not bring a surplus of barley. The statistics of the Agricultural Department show that when the price of barley, prior to 1890, was at its highest, the Canadian importation did not exceed ten to twelve million bushels. Such an amount cuts no figure in regulating the price. Our own crop annually varies from ten to twenty million bushels. In 1901 and 1902 it reached 25,000,000 bushels, and yet the price paid the farmer during these two years differed only seven-tenths of 1 cent per bushel.

Barley at present is largely grown in Wisconsin, Minnesota, and the Dakotas. The crop each year is for the most part acquired by the grain and elevator companies of that section, which regulate the amount to be offered and the price. The malt manufacturer in the East must not only pay their price, but the cost of transportation, insurance, elevating, and storage charges to his plant, and the higher local rate on his product to his consumer, as compared with the cheaper through rate on the product of the western manufacturer.

Then, too, the eastern consumer is at a further disadvantage as to the quality of the barley purchased in the West, as he is at the complete mercy of the western shipper should shipments of inferior quality be made, as he has no competitive market in which to make purchases to secure the required grade for malting purposes. With Canadian barley admitted free, or at 10 per cent ad valorem, the eastern consumer would be placed on a parity with the western maltster to supply the eastern market.

Mr. BARTHOLDT. Mr. Chairman——

Mr. PAYNE. I should like to find out how long this debate is to be prolonged to-night—how many gentlemen want to speak?

Several MEMBERS. Rise! Rise!

Mr. PAYNE. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. ANSBERRY, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Charles S. McGirr, Fifty-second Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OLDFIELD: A bill (H. R. 6559) authorizing the construction of a bridge across Black River at Pocahontas, Ark.—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: A bill (H. R. 6560) to provide a fund for the traveling expenses of the President of the United States—to the Committee on Appropriations.

Also, a bill (H. R. 6561) to make October 12 in each year a public holiday, to be called "Columbus Day"—to the Committee on the Judiciary.

By Mr. HULL of Tennessee: A bill (H. R. 6562) to authorize the Secretary of War to continue and complete the locking and damming of the Cumberland River in Tennessee, above Nashville and to the Kentucky line, and in accordance with the plan heretofore authorized and adopted by river and harbor act of 1886, on or before July 1, 1914, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. HUBBARD of West Virginia: A bill (H. R. 6563) for the relief of West Virginia state troops—to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 6564) for the establishment of a fish-cultural station in the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. HUBBARD of West Virginia: A bill (H. R. 6565) to pension army teamsters—to the Committee on Invalid Pensions.

By Mr. DAVIS: Memorial of the legislature of Minnesota, urging the connection of Great Lakes and Mississippi River by canal—to the Committee on Railways and Canals.

Also, memorial of the legislature of Minnesota, relating to the clearing of channel of Minnesota River—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 6566) granting a pension to William Canaday—to the Committee on Pensions.

By Mr. BYRNS: A bill (H. R. 6567) granting an increase of pension to Ephraim M. McWhorter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6568) granting an increase of pension to James H. Webb—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 6569) granting an increase of pension to Horace W. Nungesser—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 6570) for the relief of the heirs of George W. Gardner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6571) for the relief of the heirs of Gladney, Gardner & Co.—to the Committee on War Claims.

Also, a bill (H. R. 6572) for the relief of the estate of John Linton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6573) for the relief of the estate of R. C. Bumpass, deceased—to the Committee on War Claims.

By Mr. CHAPMAN: A bill (H. R. 6574) granting an increase of pension to Phillip Muler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6575) granting an increase of pension to Robert D. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6576) granting an increase of pension to Joseph Wilson—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 6577) granting an increase of pension to Martin I. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6578) granting an increase of pension to Samuel Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6579) granting an increase of pension to Mitchell Therlac—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6580) granting a pension to Moses M. Fulk—to the Committee on Invalid Pensions.

By Mr. DUREY: A bill (H. R. 6581) granting an increase of pension to Marcus S. Burrus—to the Committee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 6582) granting a pension to Virginia Bringham—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 6583) granting an increase of pension to James L. Look—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6584) granting an increase of pension to Thomas Hefty—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 6585) granting a pension to Mary C. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6586) granting a pension to Curtis T. Waite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6587) to remove the charge of desertion from the record of William S. Foulks—to the Committee on Military Affairs.

Also, a bill (H. R. 6588) granting an increase of pension to B. F. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6589) granting an increase of pension to Gottworth Ellenstein—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6590) granting an increase of pension to James T. Sefton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6591) granting an increase of pension to Bartholamew Keating—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6592) granting a pension to J. K. Rainey—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 6593) granting an increase of pension to Isaac Kear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6594) granting an increase of pension to John M. Rhodes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6595) granting an increase of pension to Samuel Petrie—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 6596) to correct the military record of Louis Dunham—to the Committee on Military Affairs.

By Mr. HARRISON: A bill (H. R. 6597) to remove the charge of desertion and insubordination from the record of Michael J. Quirk, alias Joseph McDonough, and grant him an honorable discharge—to the Committee on Naval Affairs.

By Mr. HAYES: A bill (H. R. 6598) granting a pension to Mary Ann Leindecker—to the Committee on Pensions.

Also, a bill (H. R. 6599) granting an increase of pension to William L. McMillin—to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 6600) granting an increase of pension to John J. Burnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6601) granting an increase of pension to Thomas McClure—to the Committee on Pensions.

Also, a bill (H. R. 6602) granting an increase of pension to William P. Wade—to the Committee on Pensions.

Also, a bill (H. R. 6603) granting an increase of pension to Thomas Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6604) granting a pension to Mary E. Cornelius—to the Committee on Pensions.

Also, a bill (H. R. 6605) granting a pension to William Tanner—to the Committee on Pensions.

Also, a bill (H. R. 6606) granting a pension to H. Rowan Saufley—to the Committee on Pensions.

Also, a bill (H. R. 6307) granting a pension to Nancy Johnson—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 6608) for the relief of Edward W. Whitaker—to the Committee on Military Affairs.

By Mr. HULL of Tennessee: A bill (H. R. 6609) granting an increase of pension to John Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6610) granting an increase of pension to Walter C. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6611) granting an increase of pension to Martha J. McDuffy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6612) granting an increase of pension to Andrew F. Byers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6613) granting an increase of pension to Allen Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6614) granting an increase of pension to Dixon A. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6615) granting an increase of pension to Rufus K. Callahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6616) granting an increase of pension to Thomas Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6617) granting a pension to Henry M. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6618) granting a pension to Sallie C. Dowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6619) granting a pension to Hezikiah Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6620) granting a pension to William R. Chaffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6621) granting a pension to Samuel D. Houston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6622) for the relief of W. C. Willis—to the Committee on War Claims.

Also, a bill (H. R. 6623) for the relief of Martin L. Loftis—to the Committee on War Claims.

Also, a bill (H. R. 6624) for the relief of J. K. P. Davis, of Clay County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 6625) for the relief of heirs of Robert Wix, deceased, of Macon County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6626) for the relief of the heirs of John W. Malone, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6627) for the relief of the estate of William I. Longacre—to the Committee on War Claims.

Also, a bill (H. R. 6628) to remove the charge of desertion standing against Elijah Randolph—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 6629) granting a pension to Martin Walraven—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6630) granting an increase of pension to John Bokart—to the Committee on Invalid Pensions.

By Mr. NYE: A bill (H. R. 6631) granting an increase of pension to James E. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6632) granting an increase of pension to Sarah P. Tyrer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6633) granting an increase of pension to Joseph Robichaud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6634) granting an increase of pension to William Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6635) granting an increase of pension to Theophile Rainville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6636) granting an increase of pension to Mary J. Norton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6637) granting an increase of pension to William W. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6638) granting an increase of pension to Rufus R. S. Mayo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6639) granting an increase of pension to Hiram L. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6640) granting an increase of pension to Samuel B. McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6641) granting an increase of pension to John McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6642) granting an increase of pension to Darius T. Ludwig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6643) granting an increase of pension to Peter Loyall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6644) granting an increase of pension to Autimus King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6645) granting an increase of pension to Charles M. Hoag—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6646) granting an increase of pension to Hiram H. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6647) granting an increase of pension to John H. Hasty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6648) granting an increase of pension to Thomas Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6649) granting an increase of pension to Christian Bachman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6650) granting an increase of pension to Elliott C. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6651) granting a pension to Tony K. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 6652) granting a pension to Josiah G. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6653) granting a pension to Margaret Fowler Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6654) granting a pension to Patrick Magrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6655) granting a pension to Albert E. Longman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6656) granting a pension to Priscilla Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6657) granting a pension to Alice Fenton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6658) granting a pension to Patrick Fahey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6659) granting a pension to Richard D. Colbreath—to the Committee on Pensions.

Also, a bill (H. R. 6660) granting a pension to Mary S. Byrnes—to the Committee on Pensions.

Also, a bill (H. R. 6661) granting a pension to Berintha L. Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6662) for the relief of Wallace S. Winter—to the Committee on Military Affairs.

Also, a bill (H. R. 6663) for the relief of Sarah B. Schaeffer—to the Committee on Claims.

Also, a bill (H. R. 6664) for the relief of Andrew Erickson—to the Committee on Claims.

Also, a bill (H. R. 6665) for the relief of James and William Crooks—to the Committee on Claims.

Also, a bill (H. R. 6666) for the relief of Joseph Cameron—to the Committee on Claims.

Also, a bill (H. R. 6667) to correct the military record of Reginald Woollett—to the Committee on Military Affairs.

Also, a bill (H. R. 6668) to correct the military record of Silas Overmire—to the Committee on Military Affairs.

Also, a bill (H. R. 6669) to correct the military record of John Moran—to the Committee on Military Affairs.

Also, a bill (H. R. 6670) to correct the military record of Sylvester D. Foss—to the Committee on Military Affairs.

Also, a bill (H. R. 6671) to correct the military record of Robert Abernethy—to the Committee on Military Affairs.

Also, a bill (H. R. 6672) to remove the charge of desertion from the military record of Roswell W. Gould—to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 6673) granting a pension to Rachael C. Groves—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 6674) for the relief of Emil Meyer and others—to the Committee on the Judiciary.

Also, a bill (H. R. 6675) for the relief of Ellen Fields—to the Committee on the Judiciary.

Also, a bill (H. R. 6676) for the relief of Mrs. E. A. Magill, widow of William Magill—to the Committee on War Claims.

Also, a bill (H. R. 6677) for the relief of Mrs. James M. Jett, of Brownwood, Brown County, Tex.—to the Committee on War Claims.

Also, a bill (H. R. 6678) for the relief of Josepha Bara de Gonzales—to the Committee on the Judiciary.

Also, a bill (H. R. 6679) granting an increase of pension to John S. Churchill—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 6680) granting a pension to John C. Holcomb—to the Committee on Invalid Pensions.

By Mr. WANGER: A bill (H. R. 6681) granting a pension to Adeline Rue—to the Committee on Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 6682) granting an increase of pension to Darius H. Hotchkiss—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMSON: Petition of citizens of Columbus, Ga., against the proposed duty on hosiery and gloves—to the Committee on Ways and Means.

By Mr. ALEXANDER of New York: Petition of R. M. Skellen and others, favoring parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of the William Hengerer Company and others, of Buffalo, N. Y., against increase of duty on wrapping paper—to the Committee on Ways and Means.

By Mr. ANDRUS: Petition of citizens of the Nineteenth Congressional District of New York against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Yonkers (N. Y.) Lodge, No. 707, Benevolent and Protective Order of Elks, for a reserve in Wyoming for the American elk—to the Committee on the Public Lands.

By Mr. ANTHONY: Petition of citizens of Bancroft, Kans., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of Leavenworth Local Unions, Nos. 1429 and 1858, United Mine Workers of America, favoring a direct duty on crude petroleum—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Julien Emery, of Salisbury Cove, Me., for removal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BYRNS: Paper to accompany bill for relief of Ephraim M. McWhorter—to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of J. D. Crory, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Lanyon Zinc Company, of Iola and La Harpe, Kans., favoring zinc on the free list—to the Committee on Ways and Means.

Also, petition of National Wholesale Dry Goods Association, favoring reduction of duty on linoleum—to the Committee on Ways and Means.

Also, petitions of citizens of the Sixth Congressional District of New York, Sprague, Warner & Co., and National Tea and Coffee Association, of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of Chamber of Commerce of Watertown, N. Y.; Woodland Local, No. 146, International Brotherhood of Paper Makers; Dirigo Local, No. 84; Bellows Falls Local, No. 5; Kalamazoo Local, No. 52; Fitchburg Local, No. 12; Niagara Falls Local, No. 51; and Grand Rapids Local, No. 56, against reduction of the duty on print paper—to the Committee on Ways and Means.

By Mr. COOK: Petition of Pennsylvania State Association of the American Institute of Architects, favoring site of the Lincoln memorial at end of the Mall—to the Committee on the Library.

By Mr. DAVIS: Petition of legislature of Minnesota, for establishment of a national highways commission—to the Committee on Agriculture.

Also, petitions of business men of Arlington and Gaylord; F. J. Kotek and others, of Montgomery; Alson Brothers and others, of Nicollet; Hutchinson & Co., of Waterville; F. W. Rynda and others, of Le Sueur Center; S. P. Fluke and others, of Farmington; Frey & Gillis, of Morristown; and W. Trude & Sons, of Gibbon, all of the State of Minnesota, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of house of representatives of the State of Minnesota, against removal of the tariff on barley—to the Committee on Ways and Means.

By Mr. DENBY: Petition of citizens of the First Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FISH: Petition of sundry citizens of Hudson, Philmont, and Catskill, N. Y., against a duty on tea, coffee, cocoa, and spices—to the Committee on Ways and Means.

By Mr. FOSTER of Illinois: Petition of citizens of Carlyle, Vandalia, Effingham, Farina, Kinmundy, Sandoval, Centralia, Odin, and Patoka, all of the State of Illinois, against a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Petition of 286 employees of the Rockford (Ill.) Mitten and Hosiery Company, favoring duty on textile goods—to the Committee on Ways and Means.

Also, petition of citizens of Leland, Ill., against parcels-post and postal savings bank legislation (S. 5122)—to the Committee on the Post-Office and Post-Roads.

Also, petition of R. H. Shumway, of Rockford, Ill., concerning proposed duty on seeds, bulbs, etc.—to the Committee on Ways and Means.

Also, petition of W. F. Childs, of Chicago, Ill., against provisions of the tariff bill—to the Committee on Ways and Means.

Also, petition of Illinois Watch Company, of Springfield Ill., favoring increase of duty on watches—to the Committee on Ways and Means.

Also, papers to accompany bills for relief of Samuel Petrie, John M. Rhodes, and Isaac Kear—to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: Petitions of business men of Taylorville, Edinburg, Morrison, Raymond, Assumption, Auburn, Girard, Virden, Palmyra, Buffalo, Mechanicsburg, Illiopolis, Chatham, Pleasant Plains, and Dawson, all of the State of Illinois, against parcels-post legislation—to the Committee on the Post-Office and Post-Roads.

Also, petition of Walter Holderread, of Litchfield, Ill., for the Montgomery County Retail Druggists' Association, against a stamp tax on proprietary and toilet articles—to the Committee on Ways and Means.

Also, petitions of Martin Roth, of Springfield; Charles Tinlin, of Riverton; and Neff Brothers, of Illiopolis, all in the State of Illinois, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of E. A. Brown and 37 others, of Luverne, Minn., against reduction of duty on barley—to the Committee on Ways and Means.

Also, petition of Bicker & Robson and 12 others, of Heron Lake, Minn., against parcels-post and postal savings bank bills—to the Committee on the Post-Office and Post-Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against a reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of citizens of the Fourth Congressional District of Iowa, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petitions of citizens of Thornton, Rockwell, Dougherty, Swaledale, and Joice, all in the State of Iowa, against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Papers to accompany House bill granting an increase of pension to William L. McMillan—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Mary Ann Leindecker—to the Committee on Pensions.

Also, petitions of citizens of Morgan Hill and San Mateo, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. JOYCE: Petition of Zanesville (Ohio) Lodge, No. 114, Benevolent and Protective Order of Elks, for a reserve in Wyoming for the American elk—to the Committee on the Public Lands.

By Mr. KRONMILLER: Petition of citizens of Baltimore, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Petition of General U. S. Grant Camp, No. 5, Sons of Veterans, Division of Pennsylvania, favoring legislation to make Lincoln's birthday a national holiday—to the Committee on the Judiciary.

By Mr. McKINNEY: Petition of A. G. Abraham Company, of Moline, Ill., against a duty on cocoa beans—to the Committee on Ways and Means.

Also, petition of Fortnightly Club, of Monmouth, Ill., against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of C. C. Russell, of Monmouth, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. SABATH: Petition of citizens of Chicago, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of C. E. Jagger, against the proposed reduction of the tariff on patent leather for shoes—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Braid Manufacturers' Association of the United States, favoring increase of duty on silk braid—to the Committee on Ways and Means.

Also, petition of Edward & John Burke (Limited), favoring a drawback on container of malt liquor, where duty is specific—to the Committee on Ways and Means.

Also, petition of Auto Piano Company, against increase of duty on pianos—to the Committee on Ways and Means.

Also, petition of S. M. Flickinger & Co., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Retail Dry Goods Association of New York, against advance of duty on wrapping paper, and also against a tariff on hosiery—to the Committee on Ways and Means.

Also, petition of Edward Smith & Co., against a raise of duty on china nut oil, etc.—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops, against an advance of duty on crude cocoa beans—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of retail and wholesale merchants of Cairo, Ill., against the proposed tariff on gloves and hosiery—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petitions of G. M. Lockwood, Retail Grocers' Association, Burr Evans and A. J. Mider, Getz & Saettel and J. B. Maher, and the Dorman Grocery, all of Greenville, Ohio, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. WANGER: Protest of Cigarmakers' Local Union No. 402, of Quakertown, Pa., against the free importation of cigars into the United States from the Philippine Islands—to the Committee on Ways and Means.

By Mr. WILSON of Pennsylvania: Petition of W. J. Dale and 19 other residents of Williamsport, Pa., for removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Fenton L. Scheed and 30 other residents of Lock Haven, Pa., against imprisonment of Russian and Mexican political refugees—to the Committee on Foreign Affairs.

Also, petition of Thomas S. Hagerman and 76 other residents of Lycoming County, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 7, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 1438.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill, with Mr. OLMSTED in the chair.

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and all amendments be closed in twenty minutes.

The motion was agreed to.

Mr. BARTHOLDT. Mr. Chairman——

Mr. HUMPHREY of Washington. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri [Mr. BARTHOLDT] was recognized last evening just before the committee rose, and yielded for a motion that the committee rise. If there be no objection, the Chair will recognize him first this morning. For what purpose did the gentleman from Washington [Mr. HUMPHREY] rise?

Mr. HUMPHREY of Washington. To offer an amendment.

The CHAIRMAN. The gentleman will be recognized for that purpose later.

Mr. BARTHOLDT. Mr. Chairman, the author of the pending amendment is my friend from Kansas [Mr. MILLER], the same distinguished gentleman who, in official communications, addressed to the Members of this House, by the Prohibition party, has been designated as the official leader of that party on the floor of this House. I wonder if there is a connection between his efforts to increase the duty on barley and his position as the official Prohibition leader, and if this is a move for the protection of the barley growers or a move for prohibition. Let me see. The importations of barley have fallen off from 2,074,067 bushels in 1895 to 19,930 bushels in 1906, and the importations in 1907 amounted to only 11,815 bushels, representing a total value of $6,608. This proves conclusively that the present rate of duty is practically prohibitory, and a reduction from 30 cents to 15 cents a bushel, as provided for in the Payne bill, is in the interest both of the revenues of the Government and the health of the American consumers, inasmuch as Canadian barley is indispensable to the production of the better brands of beer. In other words, there is a superior kind of barley which must and should be imported, which, however, under present prohibitory rates, it is impossible to secure. As compared with the total consumption of barley the importations, even under the Wilson bill, were insignificant; hence even a prohibitory duty would not have, and has not had, the effect of enhancing the price of the home product. Therefore I believe that in proposing this amendment my friend is acting as the champion of the white-ribbon brigade rather than as the representative

of the barley growers of Kansas. This is a case, Mr. Chairman, where protection and prohibition do not mix. In fact, I may as well add that the interests of the barley grower and the prohibitionist are not only not identical, but are diametrically opposed to each other. If my friend wants to aid the barley growers, he must oppose prohibition, because if the rest of the country should follow in the wake of Kansas there would be no market for barley at all. If, on the other hand, he wants to aid prohibition, then he should move to prohibit both the importation and the raising of barley altogether. He can not eat the cake and keep it too. [Laughter and applause.] Of course, after the performance of my neighbors from Kansas on yesterday, we must not be surprised at anything they do.

First they were ready to desert their party and smash this bill unless they could get separate votes on lumber, hides, and barley. Then they voted for free lumber because their State does not produce any, and for a duty on hides because that was important to their pocketbooks. It reminds me strongly of the prayer of the middle-age peasant:

> Oh, Florian, saint with the patron's crown,
> Please spare my house; burn others down!

[Laughter.]

Their action proved that on the fertile prairies of Kansas there grow not only grasshoppers, prohibition, populism, and barley, but also large chunks of patriotic unselfishness. [Laughter.] But the barley amendment is the crowning evidence of their unselfish statesmanship. In their own State they have destroyed the industry which uses the barley of their farmers, and now they insist that the other more liberal States which buy this product from them shall pay them a tribute in doing so. I am sure that the committee will agree with me when I say that a better and more sincere way to aid the barley growers of the country would be to increase the demand for and the price of that product by encouraging the industry which buys it, an industry which, by the way, has done more for the cause of true temperance than all professional prohibitionists put together. [Applause.]

Mr. BURKE of South Dakota. Mr. Chairman, as a Republican and protectionist and in behalf of the people of my State and of the other great States in the agricultural West, I want to say a word in favor of the amendment offered by the gentleman from Kansas. I find that in the United States the production of barley for 1908 was somewhere about 167,000,000 bushels; that in the State of South Dakota we produced something more than 24,000,000 bushels; about 18,000,000 bushels were produced in North Dakota, 32,000,000 bushels in Minnesota, 24,000,000 in Wisconsin, 13,000,000 bushels in Iowa; making, with what Kansas and Nebraska produced, about 130,000,000 bushels of the whole amount that was produced in the United States in the year 1908.

The present tariff under the Dingley law is 30 cents a bushel, and by this bill it is proposed to reduce the duty to 15 cents per bushel. The distinguished gentleman from New York [Mr. PAYNE], chairman of the Committee on Ways and Means, gave as his reason for the reduction that 15 cents per bushel is sufficient to protect the industry. Mr. Chairman, the farmers of the West and Northwest do not believe this statement to be true. I have taken the pains to look up the hearings upon this subject to find who it was that appeared before the Committee on Ways and Means when this subject was before that committee. I find that Charles L. Feldman, of Buffalo, appeared before that committee on behalf of the Maltsters' Association of that city. I find that Henry V. Burns also appeared on behalf of that association. I also find a statement from that association, and a brief filed by one B. H. McLaughlin, and with the exception of these representatives and a delegation from the Chamber of Commerce of Oswego, N. Y., there was no one appeared before that committee asking for a reduction of the duty on barley.

I find in the brief filed by Mr. Burns for the Malt Manufacturers' Association, of Buffalo, N. Y., that he urged that barley be placed on the free list, and argued that the present duty is prohibitive so far as Canadian barley is concerned, and he asserted, and I quote from his brief, as follows:

> The growing of malting barley is more centralized, perhaps, than is the growing of any other cereal, for while most all of the States produce a certain amount for feeding purposes, the principal States producing malting barley tributary to the territory east of the Missouri River are Minnesota, Wisconsin, Iowa, and the Dakotas, and there is no section that has developed more rapidly and extensively as a farming country during the past few years than the States named above. Equal also in growth has been the country grain elevator, dotting each section along the main line and branches of each new railroad as soon as completed, until at present this vast territory is one complete network of grain elevators.

Mr. Chairman, it is to encourage this very condition and that it may continue throughout the West that I earnestly appeal to the Members of this House to vote to restore the duty on this product from the rate stated in the pending bill to 25 cents per bushel, which is 5 cents less than the duty under the existing law.

Mr. CLAYTON. Will the gentleman yield?

Mr. BURKE of South Dakota. No; I have not time. I want again to reiterate that those who are urging the reduction are the maltsters of the country, and no demand except from them was presented to the Committee on Ways and Means for this reduction. It is somewhat amusing to observe on the floor of this House our distinguished friend from New York [Mr. ALEXANDER] and our distinguished friend from Missouri [Mr. BARTHOLDT] opposing this amendment and urging the House to stand by the bill as reported, and hereafter, I presume, these distinguished gentlemen will be known in the House and throughout the country as the "farmers' friends."

I appeal to you, Mr. Chairman and gentlemen, not to reduce this tariff, and I hope that the amendment proposed by the gentleman from Kansas will prevail. [Applause.]

Mr. GRONNA. Mr. Chairman, I am somewhat amused to see the number of Representatives in this House who are interested in the farmer. I am not at all surprised that the farmer has succeeded so wonderfully during the last decade. We find that all these men from all over the country, New York lawyers and everyone else, seem to have a special interest in the farmer. A statement was made yesterday by the eminent gentleman from New York [Mr. ALEXANDER], who seems to know all about how to raise barley, that we import barley for the purpose of getting seed in the United States, and that we can not raise barley fit for seed in our country. I hope that he will not make that statement before a convention of farmers, because he would be ridiculed if he should make such a statement as that. I want to say, Mr. Chairman, that the barley that is being imported is used by the eastern importer for malting purposes. We are producing in North Dakota, as my friend from South Dakota [Mr. BURKE] has said, more than 18,000,000 bushels of barley. I am not here to say whether or not 25 cents a bushel is the duty needed to protect us on barley, but I do say that we are entitled to a duty that is prohibitive because we can raise more barley than we can consume. I want to say to my friends on the other side, considering the vote on the lumber schedule yesterday, that I congratulate you that you have seen the dawn of day, and that in the future we may expect to see at least some of you stand for protection instead of standing for free trade. Upon you rests the responsibility whether or not we are going to get free lumber. There were enough of us on this side who voted for free lumber yesterday when that schedule was considered to have placed it upon the free list. If you had practiced what you preach the farmers on our western prairies would in the future have that benefit, but 40 or more of you gentlemen on the other side voted for a protective tariff on lumber.

Mr. GAINES. May I ask the gentleman a question, Mr. Chairman?

Mr. GRONNA. Yes.

Mr. GAINES. Mr. Chairman, I would like to ask somebody who has the view the gentleman takes to explain why, on what theory, they believe that barley should carry a duty of more than twenty-six and a half per cent, when they believe that lumber should not have a duty of as much as 6 per cent?

Mr. GRONNA. Mr. Chairman, in reply to the gentleman, I would say that I find that in the schedule on gloves there is a duty of 594 per cent; and so we, as farmers, are claiming the right to adjust the duty on this one article at 25 or 30 cents per bushel. [Laughter.]

Mr. Chairman, we are using an acreage of about 6,600,000 in the United States in raising barley. We have 45,000,000 acres in North Dakota alone, and we can produce more barley than you can use in the United States. It is true, as my distinguished friend from Missouri [Mr. BARTHOLDT] has said, that we do not use barley in North Dakota for malt. We are a prohibition State, and we are proud of it. I hope we shall never see the day when we will go back to the time and look for a market in our State for the sale of malt for the manufacture of liquors. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HANNA. Mr. Chairman, I wish to say a few words in reference to the question of tariff on barley. There is no product in North Dakota, to my mind, at the present time, which is so vitally affected by the tariff as is barley. It is contemplated under the provision of the tariff bill which is now before us to reduce the duty on barley from 30 cents, as provided by the present law, and to make the duty 15 cents per bushel. The gentleman from Kansas has made a motion to increase the tariff as contemplated from 15 cents per bushel to 25 cents per bushel, and it would seem that his motion should prevail. It costs the farmers of North Dakota every cent of 15 or 20 cents

per bushel to put their barley into the markets of New York State and in New England. With this proposed reduction of the tariff, barley will come into the United States from Ontario in competition with the barley which is raised in the Northwest, and the American farmer of the Northwest will not be sufficiently protected if the tariff is made 15 cents per bushel as against the barley raised by the farmer in Canada. The production of barley in the United States under the Dingley law of 30 cents a bushel has gone up by leaps and bounds, and today we are raising in the Northwest barley sufficient for the needs of the whole country, and last year there was practically no barley imported into the United States. In the Northwest there are 500,000 farmers raising barley, and they are asking and sending petitions to us by the hundred that the tariff on barley shall be let alone and stay where it now is, and as near as I can find out there are only some half dozen men in the State of New York interested in the brewing and malt business who are asking for the reduction of tariff on barley and barley malt.

There are a number of reasons why the tariff should be let alone. One is that there is a low rate of freight from the barley fields of Canada to Buffalo, N. Y., and another the low rate of freight from Buffalo to the consumers. Since the transfer of barley raising from Canadian to American farmers prices have been satisfactory and remunerative to farmers; and, as a matter of fact, if the reduction of the tariff on barley should tend to stop the growing of barley in the Northwest, the great brewing interests in the central, western, and southern sections of the United States will be placed at a great disadvantage with like industries of their own in the East if obliged to get malt in the East and to ship it West. We ask Congress to protect the production of a farm product—barley—that has brought to the farmers of the United States in the last ten years about $800,000,000. We have a tariff upon wheat, upon corn, and upon other grain; but as long as we are exporting these grains out of the United States as we are doing, the tariff upon them does not affect and help us at all. But through the tariff on barley our farmers in the Northwest are receiving a direct benefit, because we are producing all of the barley that is used in our own country, and with the tariff as it now stands our farmers are receiving a good price for it; and if they are to continue to do this, the tariff wall should be kept where it is to keep the Canadian barley across the border and out of the United States. Only a few years ago barley raising was of little importance in the United States, and now we are raising in this country over 170,000,000 bushels a year.

The present duty on barley should be retained. Every one of the barley-producing States voted for a continuance of the protection policy, as did the country, a policy that should protect the farm and factory sufficiently to equal the difference between the cost of production under like conditions at home and outside of our borders. Twenty-four hours ago you took the tariff from hides and put them on the free list, which I believe was wrong and a great detriment to the farmers of the West. The cattle which are to-day on the prairies of North Dakota are worth $1,000,000 less than they were twenty-four hours ago. Now you seek to reduce the duty on barley. Last year we raised in North Dakota 18,000,000 bushels of barley, and the reduction of the tariff of 15 cents a bushel would make a loss of nearly $3,000,000 to the farmers of the State I represent alone. We come here and ask for a protection on barley, and believe that it should be granted. I am against the proposition to reduce the tariff on barley. I do not think that it is right. Men come here, from various States of the Union, to this Congress asking for a tariff on their products, and it is right that they should do so; and, as a rule, their requests are granted. The people of North Dakota and of the Northwest have the same right and should have protection upon the products which they raise. I sincerely hope that this amendment, which has been offered by the gentleman from Kansas [Mr. MILLER], raising the tariff as proposed in this pending bill from 15 cents to 25 cents will prevail. [Applause.]

Mr. PAYNE. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has five minutes.

Mr. PAYNE. Mr. Chairman, I yield two minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

> Strike out the words "25 cents per bushel of 48 pounds" and insert in lieu thereof the following:
> "Shall be admitted free of duty."

Mr. HUMPHREY of Washington. Mr. Chairman, on yesterday the gentleman from Minnesota [Mr. TAWNEY] demonstrated that there was no need for a protection on barley. He said that the wages over in Canada were just as high as in this country. If that be true, then there is no reason why we should protect barley. I thought that it would be a good thing to protect 300,000 people in my district who depend for their daily bread upon the lumber industry, but the gentleman from Minnesota says not.

Mr. TAWNEY. Mr. Chairman, can not the gentleman distinguish between the cost of producing one article and the cost of producing another?

Mr. HUMPHREY of Washington. Yes.

Mr. TAWNEY. I made no such statement.

Mr. HUMPHREY of Washington. The gentleman did make such statement by his vote, if not in words, and I feel fully justified in saying that he spoke as he voted. In reply to the gentleman's question, I answer that I can also distinguish the difference between a product that grows in the gentleman's district and one that grows in somebody else's district; and while I have no very great regard for Republicanism that is measured by the particular crop that grows in a man's district, yet if it is good for the whole country, as the gentleman argues, I think it is good for the first district of Minnesota. [Applause.]

Mr. MILLER of Kansas. Will the gentleman yield now for a question?

Mr. HUMPHREY of Washington. No; I will not.

Mr. MILLER of Kansas. All right. I simply wanted to ask the gentleman if he was dead sure that the duty would stay on lumber. That is all I wanted to ask. The lumber question is not settled yet.

Mr. HUMPHREY of Washington. I am not greatly enamored of the Republicanism of the gentleman from Minnesota [Mr. TAWNEY] as shown by his record in regard to the tariff question. But yesterday he favored a tariff on lumber. Then his district produced lumber. To-day he favors a high tariff on barley and free trade on lumber. His district no longer produces lumber, but it does produce barley. What he will want on the free list and what he will want protected to-morrow will be measured by the harvests that are reaped in his district. Republicanism dictated only by human selfishness in a sublime desire to profit at the expense of others does not command my respect.

The gentleman from Minnesota [Mr. STEENERSON] speaks of the nearness of the Canadian line to the raisers of barley. I beg to remind him and his colleagues that the Canadian line is no nearer to the farmer in Minnesota than it is to the lumber mills in Washington. He speaks of the disadvantage of the farmer in regard to freight rates, but this handicap is not as great with the farmer of Minnesota as it is with the lumbermen of Washington; and yet the Minnesota delegation is clamoring for free lumber, protected now only 5 per cent, and demanding an increase in the prohibitive tariff already on barley. Such selfishness ought to have an element of consistency. The gentlemen ought to assume to have some virtue in their arguments, even if they do not possess it. Every argument that they have made in favor of free lumber is applicable in a far greater degree as an argument in favor of free barley. I have long labored under the delusion that whenever 1,000 feet of lumber was bought in British Columbia, such transaction meant just that much work and that much wages taken from the American workman and given to the foreigner; but, according to the argument of both the distinguished gentlemen from Minnesota, this is a mistake. Such proceedings would benefit entirely the American. It would be of no benefit whatever to the foreigner. This being true in regard to lumber, of course it must be true in regard to barley. So that to benefit the men who labor at raising barley, the amendment I have offered to place barley on the free list ought to prevail.

It has been repeatedly urged by each side of the House that protection on farm products is a fraud. If this be true, why clamor for additional duty on barley? The lumberman buys more dollars' worth of protected products from the farmer, three to one, than the farmer buys lumber from him. Why should not the lumberman have farm products free if the farmer is to have free lumber? Never before in public life has there been a more complete example of inordinate local selfishness and utter disregard of the interests of the country at large than has been displayed here by certain gentlemen who have cried out for a duty on hides, an increased duty on barley, and then demand that lumber and everything else not produced in their districts shall go upon the free list. The opposition led by these men is responsible for the rule that has placed the great industry of lumber in jeopardy. They are responsible for delaying this bill for several days, which, according to the estimate of the Speaker and other prominent men, has meant a loss of many million dollars to the country. But for their opposition this bill would now be in the Senate. I admit that it is the right of any Member, if he wishes, to vote for any schedule or against any schedule; that it is his right to protect his own

interests; that it is his right to demand an increased protection upon his products. But I deny that it is the right of any man or any set of men to demand that they be taken care of, that they be given special privileges, at the expense of the other industries of the country. I deny that it is the right of any man to demand that everything his district produces be protected and everything that is bought by that district be placed on the free list. Men who make such demands are not following Republican principles—they are following personal interests. [Applause.]

The CHAIRMAN. The gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I am opposed to this amendment offered by the gentleman from Washington, and I am opposed to all these amendments, and I stand by the committee proposition—15 cents a bushel on barley. In the first place, I want to show these gentlemen that the farmers are not all agreed. I hold in my hand a letter from Mr. Norris, who stands very high up in the grange, and I have received another letter from the chief officer of the grange to the same effect. Mr. Norris says:

We are informed this day Mr. F. N. Godfrey, representing the New York State Grange as its master, has wired you that a tariff on barley higher than 15 cents a bushel will not be satisfactory to the grange and farmers of the State of New York.

The farmers in your district are uniting with the members of the granges in the Empire State in remonstrating against the raising of the tariff on barley above the schedule as fixed in your bill.

We petition you most earnestly to use your influence to keep the tariff down to or less than 15 cents per bushel.

Please cooperate with the farmers and satisfy this large constituency.

Sincerely and respectfully yours, ELLIOT B. NORRIS.

Mr. DAVIDSON. Will the gentleman yield?

Mr. PAYNE. I have only three minutes. I had not received that letter, which is dated April 3, when the committee fixed this rate upon barley of 15 cents per bushel, and, by the way, I think 15 cents per bushel is probably prohibitory to bringing in barley from Canada, on everything except the seed, which might be brought in from Canada. The committee looked over the duty on breadstuffs and they find that oats bore a duty of 15 cents, equal to 32.26 per cent ad valorem; rye, 10 cents, or 12.55 per cent ad valorem; corn, 15 cents, or 17.97 per cent ad valorem; wheat, 25 cents, or 28.85 per cent ad valorem; buckwheat, 15 cents, or 22.12 per cent ad valorem; barley, 30 cents, or 53.64 per cent ad valorem; and the motion was made to equalize the barley duty to the other duties on breadstuffs in the bill, not with the lowest but with the average of the other duties, and so we made it 15 cents per bushel, which is nearly 26 per cent on barley and higher than on most of the cereals. Now, the farmers in my district are interested in this bill, and the interest we have is to get barley seed from Canada to renew and regenerate our crops.

This duty was put up in 1890 to 30 cents a bushel, and it has cut off our farmers from raising barley. They can not get money enough in the spring to get seed barley from Canada to pay this high rate of duty, and they are not raising anything. That has been transferred to the West, and the people who use barley have to take the seed barley that comes from the West, and can not get that bright and beautiful barley from Canada, or in my State, which is superior to any barley grown in the United States. So it is that the farmers in my district and in my State, looking at this thing from an intelligent standpoint, want to get in their seed barley at 15 cents duty. Do not be alarmed about that. If it is 15 cents, it will prohibit the importation of everything except barley seed, and you will not be disturbed. You will have the same monopoly that you have in the market, except that my farmers can get some seed to furnish the best barley for the best brands. It will stop foreign importation that comes from Canada now. It will stop everything but the seed barley. It will still be prohibitive. Do not be worried about this bill or about your farmers or about their raising barley in the Northwest if it remains at the rate of 15 cents a bushel.

I ask for a vote, Mr. Chairman. [Applause.]

The CHAIRMAN. Without objection, the Chair will again ask the Clerk to report the amendment offered by the gentleman from Kansas [Mr. MILLER].

The Clerk read as follows:

Page 62, line 8, paragraph 227, strike out the "15" and insert "25."

The CHAIRMAN. Now the Clerk will report the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The Clerk read as follows:

Strike out the words "25 cents per bushel of 48 pounds" and insert in lieu thereof the following:

"Shall be admitted free of duty."

The CHAIRMAN. The Chair desires to state that the amendment offered by the gentleman from Washington [Mr. HUMPHREY] does not appear to be an amendment to the amendment offered by the gentleman from Kansas, but is an amendment to the bill itself, in part at least, and not in order until the amendment of the gentleman from Kansas is disposed of. The question, therefore, is upon the amendment offered by the gentleman from Kansas [Mr. MILLER].

Mr. HAWLEY. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HAWLEY. What became of the amendment offered by the gentleman from New York [Mr. ALEXANDER].

The CHAIRMAN. That is in the same class as the amendment offered by the gentleman from Washington [Mr. HUMPHREY]. The question is on the amendment offered by the gentleman from Kansas [Mr. MILLER].

Mr. TAWNEY. Mr. Chairman, I supposed there was an amendment pending to the amendment offered by the gentleman from Kansas. If there is none, I desire to offer an amendment changing it from 25 to 20 cents a bushel, the same as it was in the Wilson Democratic tariff bill.

The CHAIRMAN. Such an amendment will be in order, but is not debatable.

Mr. MILLER of Kansas. I have no objection to that amendment.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. TAWNEY] desire to offer an amendment?

Mr. TAWNEY. Yes.

The CHAIRMAN. The Clerk will report the amendment to the amendment, offered by the gentleman from Minnesota [Mr. TAWNEY].

The Clerk read as follows:

Amend the amendment of the gentleman from Kansas by striking out "25" and inserting in lieu thereof "20," so as to read, "20 cents per bushel."

The CHAIRMAN. The question is upon the amendment to the amendment, offered by the gentleman from Minnesota.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MILLER of Kansas. Division, Mr. Chairman.

The committee divided; and there were—ayes 83, noes 137.

So the amendment to the amendment was rejected.

Mr. MILLER of Kansas. Mr. Chairman, I desire to offer the following amendment.

Mr. STEENERSON. Regular order, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. MILLER].

The question was taken, and the amendment was rejected.

Mr. MILLER of Kansas. Now, Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, line 10, paragraph 228, strike out "20" and insert "40," so as to read:

"Barley malt, 40 cents per bushel of 34 pounds."

Mr. MANN. Mr. Chairman, I make the point of order that an amendment offered by the gentleman from New York [Mr. ALEXANDER] is pending.

The CHAIRMAN. The point is well taken. The Chair was about to suggest that. There is an amendment pending, offered by the gentleman from New York [Mr. ALEXANDER], which has not yet been disposed of, and which, if there is no objection, the Clerk will again report.

The Clerk read as follows:

In lines 8 and 9, page 62, paragraph 227, strike out the words "15 cents" and substitute therefor the words "10 per cent ad valorem."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ALEXANDER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. HUMPHREY], which the Clerk will report.

The Clerk read as follows:

Strike out the words "25 cents per bushel of 48 pounds" and insert in lieu thereof the following:

"Shall be admitted free of duty."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. If there are no further amendments to paragraph 227, the gentleman from Kansas is recognized to offer an amendment to paragraph 228, which the Clerk will report.

The Clerk read as follows:

Paragraph 228. Strike out "25" and insert "45," so as to read "barley malt, 45 cents per bushel."

Mr. MILLER of Kansas. Mr. Chairman, the amount of duty on barley malt was 45 cents per bushel. The committee in its report made it 25 cents per bushel. This amendment strikes

Mr. HUMPHREY of Washington. Mr. Chairman, on yesterday the gentleman from Minnesota [Mr. TAWNEY] demonstrated that there was no need for a protection on barley. He

this bill would now be in the Senate. I admit that it is the right of any Member, if he wishes, to vote for any schedule or against any schedule; that it is his right to protect his own

out 25 and inserts 45, so that it reads the duty on barley malt shall be 45 cents a bushel, as it was in the Dingley bill.

Mr. MANN. Will the gentleman yield for a question?

Mr. MILLER of Kansas. Certainly.

Mr. MANN. Is this amendment for the purpose of accomplishing prohibition or for the purpose of giving protection to American industries?

Mr. MILLER of Kansas. Mr. Chairman, in answer to the gentleman from Illinois, I desire to state that it is for the purpose of protecting American industry. I want to call the attention of the gentleman from Illinois to the fact that in this country to-day we are producing in abundant quantities barley malt, and if we had the protection that we are entitled to, or think we are entitled to, we could produce barley malt for the production of beer in Chicago, in the State of Illinois, so that the distinguished gentleman could get all the beer he wants from barley that was raised and malted in the United States. [Applause.]

Mr. MANN. Is it barley you are producing in the gentleman's State?

Mr. MILLER of Kansas. It is a product of the Western States, and they are as much entitled to protection as are the interests represented by the gentleman from Illinois. We are not discussing the temperance question or the prohibition question, but, as a Representative from an agricultural State, I am asking that there shall be given to this industry the same protection that is given to other industries.

I have no disposition at this time to enter into a discussion of the temperance question. This change in the law can have but one effect, and that is to give a larger profit to the brewers of the United States, and nobody else on earth will be benefited by it. The Members of this House who want to give an increased profit to the brewers can do it by voting against the amendment. Those Members who desire to protect an agricultural industry will vote for this amendment.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. MILLER of Kansas. I yield to the gentleman.

Mr. MADDEN. How did the gentleman vote on the lumber schedule?

Mr. MILLER of Kansas. Well, now, the gentleman from Illinois knows how the "gentleman from Kansas" voted on that proposition.

Mr. MADDEN. I am asking for information.

Mr. MILLER of Kansas. I voted against the lumber schedule, for the reason I believed that it was against the interest of the people to put rough lumber on the dutiable list. I voted for free lumber.

Mr. MADDEN. How about hides?

Mr. MILLER of Kansas. I voted for the amendment, for this reason: If the Committee on Ways and Means had reported in favor of putting hides on the free list and putting boots and shoes on the free list, I should have voted to put both on the free list. [Applause.] I voted for the duty on hides for the purpose of protecting an industry of my own and other great Western States. I am not ready yet to give over to New England the entire business of the country or the profits of it.

Mr. MADDEN. One more question. How much lumber does the State of the gentleman produce?

Mr. MILLER of Kansas. But very little lumber is produced in Kansas; not quite as much as in Illinois, but very close to it; but I must suggest to the gentleman from Illinois that the people in my State are getting very tired of paying tribute to the lumber trust.

Mr. MANN. Mr. Chairman, one of the curiosities, to my mind, as to the proposition offered by the distinguished gentleman from Kansas is that he has been one of the leaders, if not the leader, in the prohibition sentiment in this House, and that he should seek to incorporate an amendment in the bill for the protection of malt made out of barley. [Laughter.]

Mr. MILLER of Kansas. Will the gentleman allow me a question? I yielded to him for two questions.

Mr. MANN. Certainly.

Mr. MILLER of Kansas. I will have to take exception to the statement that I am a leader of an organization.

Mr. MANN. I did not say that the gentleman was a leader of an organization; what I did say was that he was a leader of a sentiment. Now, the gentleman's State is exceedingly moral, and it will not permit liquor to be sold in its limits; it will not permit beer to be manufactured in its limits; but it is quite willing to produce the substance out of which beer is made. [Laughter and applause.] What is the difference in theory between making barley into malt and making the malt into beer? Now, the people in the gentleman's State are raising barley out of which malt is made, knowing that it will be converted into beer somewhere else and then shipped into the gentleman's State for consumption by the gentleman's constituents. [Laughter and applause.]

Mr. SIMS. Will the gentleman yield for a question?

Mr. MANN. I have only five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. MANN. Mr. Chairman, yesterday the distinguished gentleman from Minnesota [Mr. TAWNEY] in discussing the barley amendment, said that it was introduced largely in the interest of the production of malt in the city of Chicago.

Mr. TAWNEY. I want to correct that statement.

Mr. MANN. Correct it in your own time.

Mr. TAWNEY. I said it was in the interest of the sale of barley in the Chicago market. I was not discussing barley malt at all.

Mr. MANN. The gentleman is always pleasing and sometimes correct. [Laughter.] The gentleman from Connecticut [Mr. HILL] had previously stated that the proposition concerning hides was in order to carry on and locate in Chicago the entire manufacture or conversion of hides by the tanning process into leather.

Mr. HILL. Oh, no; I said nothing of the kind.

Mr. MANN. I have noticed in the House that as a rule many of the gentlemen are urging the interests of their particular districts. If I should take the judgment of the gentleman from Connecticut and the gentleman from Minnesota, I would be false to the interests of my city in voting against the propositions for duty upon these articles. I do not take it to be an extra degree of patriotism that I vote in favor of free hides and against raising the duty on barley. I do not know whether it would increase the business in Chicago or not. We do not depend upon these little things for increasing our commercial supremacy. The whole world comes to Chicago to-day. It increases the business of the country at Chicago. Aye, even when the President desires to select his advisers, he takes from Chicago one Republican and one Democrat, because Chicago has become like Rome of old, the center of the universe. [Laughter and applause.]

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and amendments be closed in twenty minutes.

Mr. HUMPHREYS of Mississippi. Does the gentleman mean this paragraph and all amendments?

Mr. PAYNE. All amendments.

Mr. HUMPHREYS of Mississippi. I have an amendment that I would like to offer.

Mr. PAYNE. The gentleman can offer his amendment; I only move to close debate.

Mr. HUMPHREYS of Mississippi. But I want to have five minutes on it.

Mr. PAYNE. I have five minutes, and I will yield all but a half a minute to the gentleman.

The CHAIRMAN. The gentleman from New York moves that all debate on this paragraph and amendments be closed in twenty minutes.

The motion was agreed to.

Mr. SIMS. Mr. Chairman, we are appealed to to support the amendment of the gentleman from Kansas upon the idea that the reduction of the duty on barley in the bill is a benefit only to brewers or manufacturers of beer. I can not be moved in my action on this matter by an appeal to my temperance or prohibition sentiment. I think prohibition is an American industry just at this time, and very active and fairly productive.

Now, if we want to do something that will help the Treasury and also help along on the line of reducing the consumption of intoxicating liquors, put a tax on the beer and not on the material out of which it is manufactured.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a question?

Mr. SIMS. I will yield to the gentleman.

Mr. MOORE of Pennsylvania. I would like to know whether it would be satisfactory to the gentleman from Tennessee if the gentleman from Kansas would accept an amendment that all barley malt grown in Kansas should be used for medicinal purposes only? [Laughter.]

Mr. SIMS. I suppose the gentleman's question will answer itself. I am as much in favor of reasonable prohibitive liquor laws as anybody, but I want to get at it directly and not indirectly. If this 45 cents a bushel on barley malt as proposed in the pending amendment is passed, it does not bring a cent into the Treasury in the way of revenue. It is prohibitive of imports; and how can it affect the temperance movement? Not a particle. It does not help along the idea of restricting or preventing the sale of intoxicating liquors. It simply gives an additional inducement for the continuance of such manufacture, and the proposed great American industry to be built up by protection of barley, for its market must depend on the con-

Strike out the words "25 cents per bushel of 48 pounds" and insert in lieu thereof the following:

"Shall be admitted free of duty."

The CHAIRMAN. The Chair desires to state that the amendment offered by the gentleman from Washington [Mr. HUM-

Paragraph 228. Strike out "25" and insert "45," so as to read "barley malt, 45 cents per bushel."

Mr. MILLER of Kansas. Mr. Chairman, the amount of duty on barley malt was 45 cents per bushel. The committee in its report made it 25 cents per bushel. This amendment strikes

tinued use of intoxicating liquor made from barley. Therefore, being a Democrat that believes in revision downward instead of upward of everything in the bill, I will have to vote against the amendment offered by the gentleman from Kansas, and in doing so I do not understand that I am antagonizing any real temperance sentiment of the country. [Applause.]

Mr. SCOTT. Mr. Chairman, the gentleman from Illinois, Mr. MANN, with his accustomed readiness and keenness, attempts to convict my colleague from Kansas of inconsistency by suggesting that while he is the leader of the temperance sentiment on this floor, he is now seeking legislation which will make it possible for Kansas to grow more barley, which may be used to produce more beer. The suggestion meets with the cheap applause which can always be secured here when a gibe is made at Kansas because of her attitude on the temperance question. But, Mr. Chairman, I stand here to say that the gentleman's suggestion has no merit in logic or in fact. My colleague from Kansas is absolutely consistent when he insists from a temperance standpoint that the men engaged in the manufacture of beer shall be taxed at every turn in the road where it is possible to tax them; and we believe that one of the ways in which they may be properly taxed is in enhancing the cost of the material from which they manufacture their product.

We believe that if the duty on barley malt can be restored to where it stands in the present law, the malt will be enhanced in price, and the growers of barley, out of which this malt is made, will reap a more adequate profit, while the liquor industry will be taxed to that extent.

I want to say to you gentlemen of the Ways and Means Committee that the bill you have brought before the House is not without suspicion from the standpoint of temperance sentiment. [Applause.] You have reduced the duty on barley and you have reduced the duty on barley malt. Is there any pretense here that it is done for any other purpose than to give gentlemen engaged in the manufacture of beer cheaper raw material?

Mr. MADDEN. Will the gentleman yield?

Mr. SCOTT. I beg the gentleman's pardon, but I can not be interrupted now. You have failed to increase the tax on beer, notwithstanding the fact, if current publications may be credited, that your bill will fall $45,000,000 short of raising the revenue which has been claimed for it, and you are reaching out in every direction for additional revenue when here is your opportunity to obtain it without imposing any undue burden on any American industry and without doing injustice to any American consumer. [Applause.]

I want to say, Mr. Chairman, that this bill will smell much more sweetly in the nostrils of the people of this country if there can be written into it some of the changes that my colleague from Kansas [Mr. MILLER] has been recommending.

I understand how common it is and how easy it is to joke and jeer at Kansas because she has seen fit to write a prohibitory statute into her laws. But I want to say that out there on the wind-swept plains of that splendid State we are bringing up a citizenship that every American, wherever he hails from, may well be proud to recognize as brothers. [Applause.] We are bringing up a generation of men and women who do not know what a saloon looks like, and who never want to find out. We are bringing up a race of the clearest-headed, the keenest-witted, the most God-fearing, and most patriotic people on the face of the earth, and we are not getting any help from the men who are engaged in the brewery business. Kansas has no apologies to make for her attitude on the liquor question, and as one of her Representatives on this floor I do not intend to sit here and hear her maligned without a protest. [Applause.]

Mr. PAYNE. Mr. Chairman, I do not propose to go into the question of "What is the matter with Kansas?" [Laughter.] Nor do I intend to take up any kindred question. The committee did not put an additional tax on beer, because we are not trying to kill anybody's industry that we are trying to raise a revenue out of. This is a revenue bill and not a temperance measure.

Mr. STEENERSON. Will the gentleman yield?

Mr. PAYNE. No; I can not yield. I rose only to make one suggestion, and that is that this bill is properly balanced. Of course it would be of no value to put 15 cents duty on barley unless we put a protective duty on barley malt, because it would not help the farmer any to let the malt come in here free when the barley could not. With a duty of 15 cents on barley and 25 cents on malt, it is properly balanced. If the duty had gone up to 25 or 30 cents on barley, then this amendment would have been very proper, and I think the House would have voted for it and put an added protection on malt. That is all I desire to say. I now yield the balance of my time to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS of Mississippi. Mr. Chairman, if I can, under the rules that have been adopted, I shall try to perfect this bill so as to commend it to the favor of the gentleman from Kansas [Mr. MILLER] by providing that hereafter there shall be collected in lieu of the present tax of $1 a tax of $1.60 on all beer brewed from barley or barley malt or any other malt.

Mr. MURDOCK. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. I have but a moment.

Mr. MURDOCK. I will take only half a minute.

Mr. HUMPHREYS of Mississippi. I yield for a question.

Mr. MURDOCK. Is it not true that gentlemen here in this House precluded all chance of raising the tax on beer when they voted for the rule the other day? [Applause.]

Mr. HUMPHREYS of Mississippi. They certainly did; and I stated on Saturday to the gentlemen on the other side of the House that if I had an opportunity I would offer to this House a chance to vote to increase the tax on beer, and I told them then that if they were in earnest, if they meant what they said, to vote against the rule that was going to preclude that opportunity; and all those gentlemen who voted for that rule will understand now, and the country will understand, that they so voted with their eyes open, knowing that that vote meant that there shall be no vote in this House on this proposition. Now, in answer to the gentleman from New York [Mr. PAYNE], that this was not intended as a bill against the brewers, and that he did not want to indulge in any prohibition legislation here, I want to say that I do not, either. I do not believe the Federal Government has anything to do with the question of prohibition. It is a matter that ought properly to be left with the States, and, so far as I can, I shall insist that it shall always be left with the States; but as a revenue producer, I want to say that this amendment would increase the revenue $35,000,000 annually, and I assert, upon the authority of the official records of the Treasury, that the revenue increased when the tax was $2 a barrel on beer, instead of decreasing, as is so frequently claimed, and that the production of beer increased, rather than decreased. In 1899 the production was 36,581,114 barrels, and in 1900, with the tax at $2 a barrel, the production was 39,330,849 barrels. In 1902 the production was 44,478,832 barrels. The tax was then reduced to $1, and the production in 1903 was 46,650,730 barrels. In other words, from 1899 to 1900, with a tax of $2, the increase was 3,000,000 barrels a year, approximately. From 1902 to 1903, with $1 a barrel, the increase was less, so that when gentlemen say that to increase the tax on beer will reduce the revenue, they fly in the face of the facts as shown by the records of the Commissioner of Internal Revenue. Now, Mr. Chairman, I ask that my amendment be read in my time.

The Clerk read as follows:

Provided, That there shall hereafter be paid in lieu of the tax of $1 now imposed by law a tax of $1.60 on all beer, lager beer, ale, porter, and other similar fermented liquors brewed or manufactured in part from barley or barley malt, or other malt, and sold, or stored in warehouse, or removed for consumption or sale within the United States, by whatever name such liquors may be called, for every barrel containing not more than 31 gallons, and at a like rate for any other quantity or for the fractional part of a barrel authorized and defined by law; and section 3339 of the Revised Statutes is hereby amended accordingly: *Provided*, That the additional tax imposed in this section on all fermented liquors stored in warehouse, to which a stamp has been affixed, shall be assessed and collected in the manner now provided by law for the collection of taxes not paid by stamps.

Mr. PAYNE. Mr. Chairman, I make the point of order that that amendment is not in order under the rule, and it is not germane to the paragraph.

The CHAIRMAN. The Chair understands the gentleman from Mississippi to offer that at this time, or merely to have it read as showing his intention to offer?

Mr. HUMPHREYS of Mississippi. I want to offer it as an amendment to the original section at the proper time.

The CHAIRMAN. The Chair will then consider it as pending, to be disposed of after the pending amendments.

Mr. PAYNE. Mr. Chairman, but I make the point of order against it now.

The CHAIRMAN. But the amendment is not offered now. It is simply read for information, and when it is treated as offered the point of order will be considered.

Mr. BOUTELL. Mr. Chairman, I wish to remind the gentlemen of the committee that this is an economic and fiscal measure; and in voting on each one of these amendments changing rates of duty, however trivial they may seem to some, a correct understanding of the relation to each other of the different items in the bill is essential to the preservation of the integrity of the bill. In considering this amendment, therefore, it is necessary to throw open the doors of sectionalism, throw up the windows of prejudice, and clear out the mists, so that we can see clearly just what we are voting upon. I want to make one statement here at the outset in the interest of historic truth. An illustrious public citizen of Massachusetts wrote to a member of the Ways and Means Committee some two or three months ago quite willing to produce the substance out of which beer is made. [Laughter and applause.] What is the difference in theory between making barley into malt and making the malt into beer? Now, the people in the gentleman's State are raising barley out of which malt is made, knowing that it will be converted into beer somewhere else and then shipped into the imports; and how can it affect the temperance movement? Not a particle. It does not help along the idea of restricting or preventing the sale of intoxicating liquors. It simply gives an additional inducement for the continuance of such manufacture, and the proposed great American industry to be built up by protection of barley, for its market must depend on the con-

commenting on those who appeared in their own interests at the hearings. He spoke of those who came there asking for higher duties, with a beautiful and facile disregard of metaphor not usually characteristic of a Massachusetts scholar, as "tariff hogs, who were seeking licenses to steal." Now, while I do not agree with the gentleman from Massachusetts as to those who appeared before the committee, even from his own State, I do want to call attention to this fact in the interest of historic truth, that among those who came before the committee asking modifications of the present tariff two great industries, sir, were conspicuous by their absence, the packers of the United States and the brewers of the United States. No packer appeared before this committee urging any change in the tariff. He sent no brief to the committee, he sent no telegrams, he sent no letters. No brewer appeared before the committee, no brewer sent any telegrams, no brewer sent any letters.

Mr. MILLER of Kansas. Mr. Chairman, will the gentleman allow a question?

Mr. BOUTELL. I must decline to yield in my brief time.

Now, then, what are the facts about the case? The present duty on barley is 30 cents a bushel. The present duty on barley malt is 45 cents a bushel. These duties are not only prohibitive, Mr. Chairman, but they are excrescences. I have not the time to go into the legislative history of these duties in the present law. In the law of 1883 barley and rye were grouped together at 10 cents a bushel; other cereals at the same rate. In 1890 barley, by some process unknown to me, the legislative history of which would be interesting, was raised to 30 cents a bushel and barley malt to 45 cents. In the law of 1894—the gentleman from Minnesota [Mr. TAWNEY] was incorrect—barley was inserted at 30 per cent ad valorem. It went back again under the Dingley law to 30 cents and barley malt to 45 cents a bushel. In their wisdom, the committee, as the chairman has shown, equalized these rates on cereals by making not only a specific, but an ad valorem, duty on barley coincide and comport with the duty on other cereals, and fixed it at 15 cents a bushel. Think of that, Mr. Chairman and gentlemen. On an acreage of 50 bushels of barley a protection of seven and a half dollars an acre! Under the Dingley law there is a protection of $15 an acre on the raising of barley. That was, Mr. Chairman, an abnormality that was perfectly apparent to the committee, however it got there, and so in the Payne bill barley has been placed at 15 cents a bushel. Let me suggest to the members of the committee that 15 cents a bushel is prohibitive. Barley malt should have a duty bearing a relation and proper proportion to the duty on barley, and so we reduced the barley malt from 45 cents a bushel to 25 cents a bushel—still a prohibitive duty. Only once in the last ten years did the importation of barley malt reach the figure of 4,000 bushels, and the figures of 15 cents on barley, which we have agreed to; and 25 cents on barley malt is still not only protective, but prohibitive. They should stand as fixed by the committee and should not be raised.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. MILLER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. Does the gentleman from Mississippi [Mr. HUMPHREYS] desire to offer an amendment to this paragraph?

Mr. HUMPHREYS of Mississippi. Yes.

The CHAIRMAN. The gentleman from Mississippi now offers the amendment which was read for information. The Clerk will again report the amendment.

Mr. PAYNE. Mr. Chairman, I make the point of order against it that it is not in order under the rule.

The CHAIRMAN. The Chair will call attention to the fact that the order of the House under which we are now proceeding provides that committee amendments to any part of the bill shall be in order at any time, and also that preference shall be given to amendments to paragraphs 196, 197, 708 (lumber), 581, 447½ (hides), 227 (barley), and 228 (barley malt).

The paragraph now under consideration is 228, relating to barley malt. The rule specifically restricts the amendments which shall be made to barley malt. The amendment offered by the gentleman from Mississippi [Mr. HUMPHREYS] relates to beer, lager beer, ale, porter, and other similar fermented liquors brewed or manufactured in part from barley or barley malt. Although they may be made in part from barley malt and other ingredients, these articles do not any of them come within the designation "barley malt." The amendment is clearly not within the terms of the rule and therefore not entitled to be offered at this time as a preferential amendment.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I call the attention of the Chair to the fact that there is no other amendment now pending to the paragraph which has preference, and the question of preference or precedence does not enter into it at all.

The CHAIRMAN. The amendment is not in order at all at this time. When the preferential amendments under the order shall have been considered, it will be in order to read the bill from the beginning by paragraphs. When this particular paragraph is reached and read such an amendment may be in order.

The Chair expresses no opinion concerning that now. But as the paragraph to which it is offered has not been reached in due course, no amendment can be offered at this time except as provided in the special rule or order of the House.

Mr. HUMPHREYS of Mississippi. When the preferential amendments to the particular paragraph are concluded, then other amendments to that paragraph are in order?

The CHAIRMAN. The Chair thinks not. The whole tariff subject can not be considered in connection with one of these preferential paragraphs, particularly when the matter proposed in the amendment is not of the character specifically limited in the rule itself. The Chair sustains the point of order.

Mr. MANN. The amendment is not germane.

The CHAIRMAN. The Chair agrees with the gentleman from Illinois upon that, but had not felt it necessary to put its ruling upon that ground, although it might well rest there.

Mr. VREELAND. Mr. Chairman, I desire to offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Chair, understanding that there is no other gentleman wishing to offer an amendment to paragraph 228, recognizes the gentleman from New York [Mr. VREELAND] to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the proviso in section 637 of the bill and insert as a new paragraph, No. 36½, the following:

"Crude petroleum and its products, 25 per cent ad valorem."

Mr. NORRIS. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. Unless the gentleman from New York [Mr. VREELAND] yields the floor for that purpose, the Chair can not recognize the gentleman to offer an amendment now.

Mr. NORRIS. If the gentleman wants to occupy the floor now, I will offer the amendment after he has finished.

Mr. VREELAND. Mr. Chairman, many Members of the House were not present last week when the debate took place on the countervailing duty on oil which was carried in the bill. In order that I may bring some of the points of that debate to the attention of those who were not here, I ask unanimous consent that I may proceed for ten minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may proceed for ten minutes. Is there objection?

Mr. MURDOCK. I object.

The CHAIRMAN. The gentleman from Kansas objects.

Mr. VREELAND. Mr. Chairman, it was made clear last week in the debate here that the 25 or 30 men who represent districts which produce crude petroleum in the United States were acting as a unit for the 500,000 men who produce oil.

Not only did we represent here the 500,000 men engaged in the production of oil in 15 States of this Union, but we represented here the 70 independent refiners of oil in the United States—not the refiners of oil which are Standard refineries and appear under some other name, but 70 refiners of oil, who make yearly reports to this Government showing their ownership beyond a shadow of doubt.

Mr. Chairman, at that time we were advocating the retention of the countervailing duty in the bill, but I stated in my speech that we very much preferred to have a reasonable ad valorem duty put upon it. In the remarks which I made, in answer to the question by the gentleman from Missouri [Mr. CLARK] I stated:

That while it was too late to attempt the proposition in the House, changing from the countervailing to a reasonable ad valorem duty, we should attempt to do it at the other end of the Capitol.

The situation became such that we were able to satisfy those men on this side of this House who at that time were opposed to a countervailing duty by substituting this amendment, making a reasonable ad valorem duty of 25 per cent.

I want to say to gentlemen that we hope to follow up this amendment during the week by excepting from the drawback feature of this bill crude petroleum and its products. I stated at that time, in detail, that the oil producers of this country were not afraid of competition from any part of the globe except the newly discovered fields of Mexico. As men know, who keep track of the business, the independent refiners who were here last week are fearful of the great deposits which have been found in an adjoining State of Mexico, of low quality, but enormous in volume, the largest oil wells ever known in the world. The present countervailing duty imposed by the action of other governments is very large. The duty imposed against the United States by Russia, the next great petroleum-producing country in the world, and which by the effect of our countervailing law

under the rules that have been adopted, I shall try to perfect this bill so as to commend it to the favor of the gentleman here at the outset in the interest of historic truth. An illustrious public citizen of Massachusetts wrote to a member of the Ways and Means Committee some two or three months ago the question of preference or precedence does not enter into it at all.

States by Russia, the next great petroleum-producing country in the world, and which by the effect of our countervailing law

becomes our duty against Russia, is more than 200 per cent on crude and nearly 400 per cent on refined oil at present wholesale prices.

Now, there are gentlemen in this House who believe that if a small duty were levied Russia would be able to bring in oil and compete for the markets of this country. The producers of oil and the independent refiners do not believe that; but they are content to try it, and will substitute for this enormous duty of 300 or 400 per cent a reasonable ad valorem duty of 25 per cent. This shows the sincerity of the oil men in their position. Mexico, as I have said, is the only field which we fear as a competitor, but that is not what the producers of this country are afraid of. They are afraid that the Standard Oil Company, following out its policy throughout all its history, in exploiting the oil fields of other countries, will go into Mexico and obtain possession of that great field and use it as a basis for cheaper crude oil than we can sell them in this country, and not only use it in our market, but the markets of the world. I can state that the Standard at this moment has three refineries in Mexico; one at Tampico, one at Veracruz, and one at Mexico City.

The present countervailing duty against Mexico, on account of the duty which they levy against us, is over 400 per cent on crude oil. It is over 300 per cent on refined oil. And yet the producers and refiners are willing to strike out that prohibitive duty, the highest, perhaps, in the Dingley bill, and substitute in the place of it an ad valorem duty of 25 per cent. Why are they willing to do this? Because we know that the moment this great Mexican field is opened up, the moment that the Standard or some other great company, if there is any one that can compare with it, takes possession of that field the Mexican Government will take off that countervailing duty, because they will have no need for it, and that will give it free entry in our market.

Mr. DE ARMOND and Mr. NORRIS rose.

Mr. CLAYTON. Mr. Chairman, we are operating to-day in the Committee of the Whole House on the state of the Union and considering the tariff bill under a rule that I think not short of infamous, that denies the rights of Representatives here to offer amendments to this tariff bill, which amendments are in the interest of the people. Under this harsh rule it is probable that I will not be allowed at any time to offer amendments to put bagging and ties, in which the great cotton product of our country is baled for the market, on the free list. If I shall have the opportunity to offer these amendments, I shall offer one putting bagging on the free list, in the following words:

Strike out all of section 350, covering bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, and transfer the same to the free list.

Then I shall offer another amendment putting cotton ties for the baling of cotton on the free list, which is in the following language:

Strike out section 123, covering hoop or band iron, or hoop and band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton, and transfer the same to the free list.

Mr. Chairman, I elaborated what I had to say on this subject last Friday in the discussion of the pending tariff bill. I desire now to make a brief statement.

Under the Wilson tariff there were nine mills in this country making bagging for cotton. Under the Dingley bill the bagging trust reduced the number to three, and this trust now has a monopoly of the cotton-bagging business. The cotton farmer is compelled to pay a duty on 6½ yards of bagging per bale, a duty which is a tax of 4¾ cents on the bagging in each bale. Now, I ask that bagging be put upon the free list, because it is not an American product—the jute is raised in foreign lands—because it will benefit the great cotton industry of our country, and because it will tend to destroy the bagging trust.

There are about 100,000,000 yards of bagging consumed by the cotton growers in this country per annum. In 1897, 20,000,000 yards were imported before the Dingley law went into effect, paying a duty of $118,000, having a foreign unit value of 6½ cents a square yard. The three companies having a monopoly of this bagging business are located in New York, Boston, and Indiana.

The cotton farmer, I repeat, pays a duty on 6½ yards of bagging per bale, or 4¾ cents duty, and on cotton ties, which were free under the Wilson bill, the duty under the present bill is three-tenths of a cent per pound, instead of five-tenths of a cent per pound under the Dingley bill. There were imported into this country in 1907, 716,819 pounds of cotton ties, paying a duty of $3,584; 16,216,000 pounds came in in the last year of the Wilson bill. The Dingley bill favored the steel trust, and the pending bill still hands out favors to this and other monopolies.

If this Payne bill becomes a law, every cotton farmer must pay, under the guise of tariff taxation, but really for the benefit of the two trusts that I have mentioned, duties on:

	Cents.
6½ yards of bagging, per bale	4¾
Steel cotton ties, per bale	4½
Total	9¼

At 10 cents, 13,540,000 bales make $1,354,000 a year paid to the bagging and steel trusts, more than half of which is excess cost on bagging.

I appeal to the majority in this House to treat the cotton farmer of the South as fairly as they have treated the grain farmer of the West. You have given to the latter free binding twine, so necessary in harvesting his crop. I ask, with equal justice, that you give to the cotton grower, his bagging and ties free of taxation, and thus let this tribute which is now exacted from the cotton grower in behalf of the two great trusts that I have mentioned remain in the pockets of that cotton grower.

I call attention, Mr. Chairman, to what Mr. W. B. Thompson, president of the New Orleans Cotton Exchange, said a few days ago. I quote his language:

One hundred and twenty thousand dollars is the largest amount of duty on bagging for cotton received by the Government any year. Thus for maximum revenue of $120,000 to the Government the farmer pays over a million dollars, and the bagging trust gets the difference.

Mr. NORRIS. I desire to offer an amendment.

The CHAIRMAN. The Chair will ask if it is an amendment to the amendment?

Mr. NORRIS. It is.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amend the proposed amendment by striking out "25" and inserting in lieu thereof "1," so that the amendment will read: "Crude petroleum and its products, 1 per cent ad valorem."

Mr. DALZELL. I make the point of order that that is not in order.

Mr. VREELAND. I make the point of order that under the rule this one amendment is the only one that can be offered.

Mr. DALZELL. The only amendment that is in order under the rule is the one that is embodied in the rule.

Mr. CLARK of Missouri. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. Is that amendment so sacred that you can not touch it at all?

Mr. DALZELL. I think that is the situation.

Mr. CLARK of Missouri. Well, I will try it on, anyway. I move to strike from the amendment the words "twenty-five."

The CHAIRMAN. The amendment of the gentleman from Nebraska [Mr. NORRIS] is still pending, subject to the determination of the point of order.

Mr. CLARK of Missouri. I offer my motion as a substitute for his.

Mr. NORRIS. The point of order will have to be decided in either case.

Mr. JAMES. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JAMES. When the question of barley and barley malt was considered by the House just a few moments ago——

The CHAIRMAN. The question of barley and barley malt is not now before the House.

Mr. JAMES (continuing). The Chair allowed an amendment to be considered striking it off the taxed list and putting it on the free list. Now, why is not a like amendment in order in this case, when Standard Oil is affected, placing oil upon the free list?

The CHAIRMAN. The Chair will hear the gentleman from Nebraska briefly on the point of order.

Mr. NORRIS. Mr. Chairman, I believe that this motion is in order under the special rule that we have adopted. The special rule provides that the amendment offered by the gentleman from New York [Mr. VREELAND] may be offered. It seems to me there can be no doubt in the mind of any reasonable man that when that amendment is offered it then becomes subject to the ordinary rules of the House of Representatives. The special rule makes no provision that it shall not be amended, but simply provides that a certain amendment can be offered. When that amendment is offered, unless the special rule provides to the contrary specifically, I do not see how there can be any doubt, and why it would not be subject to the ordinary rules of the House. The five-minute rule, under which we are now laboring, applies to the amendment of the gentleman from New York, and therefore my amendment is in order.

It is true also that as to other amendments that have been offered the Chair has received amendments to change the rate and to put them on the free list. I can see no reason why this amendment, being properly before the House on account of the

special rule, is not the same as any other amendment under the five-minute rule. The special rule provides that this bill shall be considered under the five-minute rule. This rule provides for amendments such as I have offered. In fact, the very object of the rule is to permit such amendments. The amendment of the gentleman from New York is, by the special rule, to be considered under the five-minute rule, and therefore it follows that my motion is in order.

Mr. DALZELL. Mr. Chairman, the rule under which the House is now operating provides for three kinds of amendments, or, rather, for two kinds of amendments, more properly speaking, and an amendment. It provides that there shall be committee amendments; it provides that there shall be amendments permissible to certain paragraphs of the bill; and then it provides, not that an amendment may be offered to a paragraph of the bill, but that a certain amendment shall be voted upon, to wit, the amendment which is embodied in the rule itself. So that while the amendments that are committee amendments and the amendments that are to the paragraphs specified may be subject to the ordinary parliamentary law of amendment, it is specifically provided here that the House shall vote only on this amendment, not on any amendment to that amendment.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. Is it your position that we have got to vote for 25 per cent ad valorem, or vote to keep the countervailing duty in there, or not vote at all?

Mr. DALZELL. My position is that you must vote for or against this amendment submitted to the committee under the rule; not offered on the floor of the House, permission for which is not given to be offered on the floor of the House, but which is in explicit terms submitted by the rule to be voted upon.

Mr. MURDOCK. Mr. Chairman, it is true, as the gentleman from Pennsylvania states, that the oil rule occupies a peculiar relation to all the rest of the rule, but has the gentleman noticed that in drafting that rule, in enumerating the things which may be voted upon in the House after the committee has arisen, that oil as a general subject is mentioned, and does not the gentleman think that the fact that oil is included as a general subject opens up the rule that he sought to close?

Mr. DALZELL. No; I think, and the Chair would be bound to so hold, that on the vote in the House the vote would be confined to the amendments that were offered in Committee of the Whole. For instance, the vote in the House on the subject of lumber will be confined to the amendments that were offered on paragraphs 196, 197, and 708, specified in the rule. And so in respect to barley, and so in respect to hides, and so in respect to this particular amendment, which is submitted by the rule to the House to be voted upon. There is no doubt about what the intention of the rule was.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. GARDNER of Massachusetts. Mr. Chairman, "the gentleman from Massachusetts" calls the Chair's attention to the Chair's ruling yesterday, on page 957 in the CONGRESSIONAL RECORD, first column, two-thirds of the way down the page, in which the Chair says this:

The Chair has already stated that when an amendment in order under the rule has been offered, a germane amendment to that amendment would be in order.

Now, an amendment in order under the rule has been offered, and an amendment germane to that amendment has been offered, and under the ruling of the Chair yesterday it is in order.

Mr. DALZELL. Mr. Chairman, the gentleman from Massachusetts makes a mistake when he says that an amendment has been offered and calls attention of the Chair to his ruling of yesterday. This amendment is not offered by anybody on the floor of the House. It is suggested in the rule, not that there may be an amendment offered as in other cases to paragraph so and so——

Mr. GARDNER of Massachusetts. Mr. Chairman, I did not yield to the gentleman from Pennsylvania.

Mr. DALZELL. I beg the gentleman's pardon. I thought he had closed.

Mr. GARDNER of Massachusetts. Mr. Chairman, I call the Chair's attention to the rule under which the currency bill was considered last year. I think the Chair will find that the gentleman from Pennsylvania is again at fault. The currency bill provided for the offering and voting on a special substitute bill. It says, among other things:

The vote shall be taken without delay or intervening motion, first on the question of substitute H. R. 6713.

In other words, it was necessary to put in those words "without intervening motion," in order to show that that substitute was itself not amendable.

Now, in drafting the special rule under which we are operating, the Committee on Rules has by no means stated that this specified oil amendment must be voted upon without any superimposed amendment.

One thing more. On the 25th of June, 1906, Mr. Watson, of Indiana, was in the chair. We were considering a bill under a strenuous rule. I raised a point of order that a certain amendment offered was not germane to the section. It clearly was not germane to the section. But the gentleman from Indiana ruled that under exceptional circumstances, when a bill was being considered under a narrow rule, the broadest construction possible must be given to the rule. In other words, he gave us the old decision that "the letter killeth, but the spirit maketh alive." [Applause.]

Mr. MANN. Mr. Chairman, under the rules of the House the committee can not consider amendments to any paragraph in the bill until the bill has been read from the Clerk's desk under the five-minute rule. That would be the case now, except for the rule adopted by the House. Of course the committee is bound by the rule adopted by the House, which was a rule enlarging the power of the committee, and not restricting the committee's power.

The committee could proceed and read the bill and offer amendments as the paragraphs are reached. Now, the rule enlarging the power of the committee provided that the Committee on Ways and Means might offer amendments to any part of the bill at any time; that before they had that privilege it should be in order to amend certain paragraphs of the bill. When those amendments were offered, they were thrown open to the ordinary rules of the House and of the committee, and were subject to germane amendments. Those matters have all been disposed of by the House. Now, in addition, the rule provided that an amendment shall be voted on to section 637, to wit:

To strike out the proviso and insert as a new paragraph, No. 36½, the following.

The rule which binds the committee and which enlarged the powers of the committee simply provides as to this matter that it shall be in order now to vote upon an amendment striking out the paragraph, and inserting under the dutiable list the paragraph named in the rule. There can be no possible misconstruction of the rule; and even my distinguished friend from Massachusetts [Mr. GARDNER], who has made a special study of the rules of late, I think, in coolness would say that the rule itself is as plain as day. The cases which he cites have no relevancy to this rule or to the question now before the Chair.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. Mr. Chairman, I was not present when the gentleman from New York [Mr. VREELAND] began his speech. I am informed by a colleague from my State that the gentleman from New York himself presented the amendment and that the Chair announced an amendment offered by the gentleman from New York. If that be true, and it was so presented to the Committee of the Whole, the point of order comes too late, does it not, debate having begun?

The CHAIRMAN. There has been no point of order made against the amendment offered by the gentleman from New York.

Mr. COOPER of Wisconsin. If the pending amendment comes as an amendment by the gentleman from New York, then it does not come as the amendment provided by the rule. If the Chair put it to the Committee of the Whole as an amendment offered by the gentleman from New York, then it is an amendment offered by the gentleman from New York by the unanimous consent of the committee, and it is not the amendment named in the rule—the rule amendment.

The Chair, I think, under the rule, was himself bound to put the rule amendment, but this was not done; and there is now before the committee by unanimous consent an amendment offered by the gentleman from New York; and any objection such as is here being made that it violates or that a proposed amendment to it violates the rule comes too late, because debate upon it was in progress when I entered the Chamber, the gentleman from New York himself having the floor.

Mr. DALZELL. Mr. Chairman, it would be utterly without the power of either the Chairman or the gentleman from New York [Mr. VREELAND] by a simple system of words to change the effect of the rule. If the rule were not operating now, the gentleman from New York could not have offered any amendment, nor could the Chair have submitted any amendment on this subject to the committee. The amendment is before the committee by virtue of the rule, and nothing else is before it.

Mr. RICHARDSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICHARDSON. Under the rule which has been adopted, it is provided that an amendment shall be voted to section 637, to wit:

Strike out the proviso and insert a new paragraph, as follows: "Crude petroleum and its products, 25 per cent ad valorem."

Now, I desire to ask this question: If crude petroleum is not voted, is not passed by the Committee of the Whole, does it leave the countervailing provision in paragraph 637 still in effect, and will the Committee of the Whole have the right to vote upon that "countervailing" proviso in section 637 by striking out or amending?

The CHAIRMAN. The Chair will state that the effect of an amendment is not within the province of the Chair to decide in reply to a parliamentary inquiry. The Chair will state, however, that if any paragraph of the bill is reached, under the reading under the five-minute rule, when the bill is taken up from the beginning, it will be subject to any proper and germane amendment.

Mr. RICHARDSON. One further parliamentary inquiry. Suppose that the 25 per cent ad valorem is voted, will it be in addition to the proviso fixing a countervailing duty in section 637?

The CHAIRMAN. The Chair can not attempt to answer questions as to the effect of amendments. The Chair will hear the gentleman from Missouri [Mr. DE ARMOND] briefly on the point of order.

Mr. DE ARMOND. Mr. Chairman, as I understood the gentleman from Pennsylvania [Mr. DALZELL], his position is that a vote could be had on this proposition without the offering of an amendment. I think that can not be true. This provision of the rule is nothing more and nothing less than the allowance of an amendment. It is not really the submission of an amendment. Suppose nobody were to offer an amendment, and suppose somebody were to call for a vote without any amendment being offered, and the point were to be made that nothing is pending.

That point of order would undoubtedly be good. So, then, really, it is necessary that an amendment be offered; and, in fact, an amendment has been offered, has been read from the Clerk's desk, and the gentleman from New York, who offered it, has addressed himself to it. The gentleman, not being a member of the Committee on Ways and Means, Mr. Chairman, offered that amendment from the floor as a Member of this House. In that way his amendment came before the House, and thus it now is before the House, in the Committee of the Whole House. That being the case, and this oil schedule, and particularly this proviso, being under consideration, the question before the committee and before the Chairman is whether or not there can be an amendment offered by another Member of the House to the amendment offered by the gentleman from New York as an individual Member of the House and entertained by the committee.

Mr. DAVIS. A germane amendment.

Mr. DE ARMOND. The point is not made that the amendment is not germane, because it relates absolutely to the same matter, and merely would affect the amount of duty imposed, changing the rate from 25 per cent to 1 per cent, if I recall correctly the reading; so it is germane. It relates to the same subject-matter; it relates to a matter directly before the House; it does not interfere with a vote in the House upon the amendment offered by the gentleman from New York. It submits to the House, in Committee of the Whole House, the question of whether the committee or, later, the House shall vote upon an amendment in a direct form or shall vote upon the amendment in a different form, as proposed by the gentleman from Nebraska. Of course, the identity of phraseology makes no difference. The amendment offered by the gentleman from New York, in other phraseology and of the same meaning, would be an amendment in order. There are not special words prescribed. There is nothing thoroughly fixed in this rule in regard to the formula of words, so that some particular formula of words would be allowable and permissible and some other, having precisely the same meaning, would not be allowable or permissible.

Now, how ought the rule to be construed; how ought the rule to be applied? The one application and the one construction, a liberal and just one, I think, is toward increasing the opportunity of the House and of individual Members in the Committee of the Whole House; the other is a construction narrowing and restricting the powers and opportunities of the individual Member and of the Members in the aggregate. Now, the real question with reference to wholesome legislation ought surely to be upon general principles. What provision shall we put into this bill or keep in this bill with respect to petroleum and its products? Everybody, I think, will concede that is a sound general proposition. Now, should the rule be construed by the Chairman in ruling upon the point of order so as to narrow and restrict as far as possible, so as to be artificial and closely technical, with the effect of denying to the Members of the House opportunities which by general principles and according to the general course of legislation they would have, and which constitutionally they do have unless they deprive themselves of those powers and rights? Or should the construction be a liberal one, not a fanciful one, not a latitudinarial one without limit or without reason, but a liberal one, such a construction as might be given and was properly given yesterday and may properly be given to-day, that when a subject is brought up under the rule, when there is a consideration of that particular subject, an amendment, whether it be an amendment specified in the rule or not, if pertinent to that particular proposition, the general principles of legislative action and legislative procedure applying, shall be admitted? Germane amendments offered may be considered, with a view of the determination by the House in Committee of the Whole House by vote of the Members and not merely by a decision of the Chair, as to whether or not a particular amendment ought to be adopted.

Now, no wrong or harm can be done, no violence to correct principles; no violence to this rule, if the rule is meant to be at all fair, by allowing an amendment. On the other hand, to deny it, to deny the offering of a germane amendment, is simply a restriction to the fullest extent upon the rights of Members of the House. Now, certainly when the two constructions are offered, when the question of which shall be adopted, the construction that is liberal and fair to the general membership, and which may reasonably be made under the terms of this rule and under parliamentary law, ought to be the one adopted and announced, and not the other which would have to be made by a strained and narrowed construction.

If there be denied amendment to this amendment, when the amendment is germane, it must be denied upon the theory that the House expressly intended to deny to itself the opportunity for any and every vote upon this oil schedule, except a vote upon the proposition submitted in the amendment offered by the gentleman from New York [Mr. VREELAND]. Now, if that is a necessary and inevitable conclusion, then, of course, that conclusion should be arrived at; but if it is not necessary, if it is not inevitable, then all the principles that should govern, all the principles of fair play, all the principles of legislative action and legislative precedent and legislative rules unite in demanding the other ruling and the other decision. That, it seems to me, ought to be conclusive of the matter.

In the first place, to repeat, the gentleman from Pennsylvania was wrong when he said that there was no need to offer an amendment. But, even if he were right about it, the amendment has been offered, the amendment is pending; nobody objected to the offering of it; nobody objected to the pendency of it, and nobody objects now; and the mere question is, What shall be done with reference to it? A pertinent amendment, an amendment clearly germane, an amendment offered evidently in good faith, has been submitted by the gentleman from Nebraska [Mr. NORRIS]. Shall the rule be considered so narrowly, with such a prospective reading of it, such an application of it, as to deny to the House the opportunity to deal with this oil schedule, or shall there be a reasonable, broad, just, and liberal interpretation of the rule, which will not deprive the House of its power to deal with this subject? That is a simple question, and I think that the point of order ought not to be sustained, but ought to be overruled. [Applause on the Democratic side.]

Mr. SHERLEY. Mr. Chairman, while agreeing with the conclusion of the gentleman from Missouri [Mr. DE ARMOND], I can not agree that it was necessary for an amendment to have been offered. The rule itself expressly provides several things that do not require individual action by a Member. For instance, the rule declares that, immediately upon its adoption, the House shall resolve itself into Committee of the Whole. That did not require any motion, but of itself operated. Now, the rule also requires that this amendment shall be voted upon. It was the duty of the Chair, and it still remains the duty of the Chair, some time while the committee is considering the bill to present such an amendment, but in point of fact the gentleman from New York [Mr. VREELAND] presented an amendment in his own right as a Member. He then proceeded to discuss that amendment. No point of order was made against his amendment and, therefore, if it was subject to a point of order, and such point was not made, a point of order would not apply to any germane amendment to his motion. And even if the rule itself contemplated simply the presenting of the specific amendment named in the rule, inasmuch as the gentleman had obtained the floor, been recognized, and had made a motion without any point being made upon it, it was before the committee, and then it was too

late. The rule operates only in this particular. It does not change the ordinary practice of the House except to make preferential certain things. It does not deprive any Member of the right at any time to offer any amendment to any part of the bill, and if no objection is made to such an amendment, if no point of order is made, and it is entertained by the Chair and debate is had, the amendment is in order, and it is then too late to make the point. I insist the gentleman was not obeying simply the automatic provision of the rule which imposes an obligation on the Chair, but was in his own right offering an amendment to which exception was not made. [Applause.]

The CHAIRMAN. The Chair will ask the gentleman from Kentucky [Mr. SHERLEY] how the amendments specified in the rule would get before the committee unless some gentleman——

Mr. SHERLEY. Why, by the Chair saying that—

Under the rule the following amendment is for consideration of the Committee of the Whole.

And it is the duty of the Chair, under the provision of that rule, to present such a proposition to the Committee of the Whole House. Now, inasmuch as the Chair did not do it and some Member in his right did make a motion, the question now is simply that, no point of order having been made, his motion is in order and all germane amendments to it are in order.

Mr. DALZELL. The answer to the gentleman's proposition is that nobody could have offered this amendment except for the provision in the rule.

Mr. SHERLEY. I submit, Mr. Chairman, I could now, if I could obtain recognition from the Chair, offer an amendment to any part of the bill, and if the point of order was not made to it and the Chair entertained the motion and I discussed it, it would then be too late to make a point of order, and the matter would be before the Committee of the Whole House.

Mr. DALZELL. The Chair did not entertain it.

Mr. SHERLEY. The Chair did entertain it, and we are faced with that fact and not a theory.

Mr. MURDOCK. I want to point out to the committee and to the chairman this fact. There is no question about what the Committee on Rules intended the special rule should do, but I do not believe that it carries out that committee's intention. I believe the rule is faulty in this respect. The crude-petroleum alternative provision, as carried in this rule, reads:

That an amendment shall be voted on to sections 637, to wit: Strike out the proviso and insert as a new paragraph, No. 36¾, the following: "Crude petroleum and its products, 25 per cent ad valorem."

Now, there is no other reference to crude petroleum in that rule. But there is a provision later in the rule for a separate vote in the House; that is, after the committee has risen a separate vote may be had on the amendment relating to hides, lumber, oil, and so forth. Will it not then be in order in the House to move to recommit with instructions on the oil schedule? The Committee on Rules closed and restricted the Committee of the Whole House in one place, but opened the door to action later for the House itself, not in the Committee of the Whole. I wish to make that point to the Chairman.

The CHAIRMAN. The Chair is ready to rule.

Mr. MARTIN of South Dakota. Mr. Chairman, I would like to be heard a moment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MARTIN of South Dakota. There is one phase with reference to this rule that has not been brought to the attention of the Chair as fully as I think it should be, and I would like to call the attention of the Chair to it. The rule provides that at a certain time the House shall go into Committee of the Whole House for the consideration of the pending bill for amendment under the five-minute rule. It then provides that committee amendments to any part of the bill shall be in order at any time, and also a provision as to certain other preference amendments. Then it is provided that a vote upon a certain amendment must be had. What I desire to remind the Chair is that this rule provides generally that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of this bill, and does not state that only committee amendments and preference amendments can be considered. Operating under this rule, this amendment is offered. I undertake to say that the gentleman from New York might have risen in his place and under this rule offered an amendment to any pending provision in the bill and without objection proceed to debate it, and thereafter it would be too late to make a point of order against the amendment. The mere fact that the language of the amendment is identical with one set forth in the special rule does not change the parliamentary situation. That does not remove the fact that we are proceeding under the five-minute rule, and does not limit the number of amendments or the number of paragraphs to which amendments may be offered. Therefore an amendment being offered, no objection being made to it, discussion being had upon it, I suggest to the Chair whether it is not open to the usual procedure, by amendment or otherwise, which is customary in the deliberations of the committee.

The CHAIRMAN. The Chair is ready to rule. As to the merits of the rule or special order of the House under which we are proceeding, the merits of the propositions specified in the rule, or of the amendment to the amendment proposed by the gentleman from Nebraska the Chair has no right to determine. In the determination of a point of order the merits of a proposition can not properly be considered, nor the personal wishes of the occupant of the chair. The duty of the Chair is to pass upon the point of order—determine the parliamentary status, and nothing else. Now, it is undoubtedly true that if this paragraph, 637, were reached in due course in the reading of the bill under the ordinary practice by paragraphs for amendment under the five-minute rule, it would be subject to any germane amendment or amendment to an amendment which any gentleman might offer; and so, if any additional paragraph, to be numbered 36½, were to be offered, that would be subject to amendment. But this section has not been reached in the regular order of the reading of the bill, and it is amendable at this time only as provided in the special rule. We are proceeding under a special rule, or order of the House, which, so far as concerns this question, reads as follows:

Resolved, That immediately upon the adoption hereof general debate on H. R. 1438, "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall be closed, and the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of said bill for amendment under the five-minute rule; but committee amendments to any part of the bill shall be in order at any time, and also preference shall be given to amendments to paragraphs 196, 197, 708 (lumber), 581, 447½ (hides), 227 (barley), and 228 (barley malt).

That an amendment shall be voted on to section 637, to wit: Strike out the proviso and insert as a new paragraph, No. 36½, the following: "Crude petroleum and its products, 25 per cent ad valorem."

Now, it will be noticed that committee amendments are provided for; not any particular amendment; not just one single specified amendment, but amendments generally; also preferential amendments are permitted to certain specific paragraphs—196 and others. As to those matters, the preference is not given to any certain amendment. The rule says "amendments," which, of course, includes amendments to amendments, as the Chair has heretofore ruled. But when we come down to section 637 the rule does not permit of amendments. It declares than an amendment shall be voted on to section 637, to strike out certain things and insert to wit:

Crude petroleum and its products, 25 per cent ad valorem.

That is the rule; that an amendment shall be voted on, which amendment shall be:

Crude petroleum and its products, 25 per cent ad valorem.

The gentleman from New York [Mr. VREELAND] rose in his place and offered that amendment, thus bringing it before the committee. Any gentleman might have called it up perhaps at any time. Possibly the Chair itself might have called it up. The Chair treats the action of the gentleman from New York as simply calling the attention of the committee and the Chair, or bringing before the committee for its attention and action, the amendment which this rule provides shall be voted upon—

Crude petroleum and its products, 25 per cent ad valorem.

Now, the gentleman from Nebraska [Mr. NORRIS] proposes another amendment to be voted on, namely—

Crude petroleum and its products, 1 per cent ad valorem.

The effect of his amendment, if in order, would be to make it a preferential amendment—that is to say, while the rule itself gives a preference, and in fact declares that a vote shall be taken upon a certain specific provision—

Crude petroleum and its products, 25 per cent ad valorem—

the effect of recognizing as in order the amendment of the gentleman from Nebraska would be not only to amend the rule itself, but actually to give to his amendment a preference over and above the precise amendment which the rule specifies as the one, and only one, to be voted upon. It is not for the Chair to determine whether this duty ought to be 1 per cent, or 25 per cent, or no duty at all. The Chair must simply rule upon the parliamentary situation, the proper construction of the rule.

The gentleman from Massachusetts [Mr. GARDNER] called attention to a rule adopted on a former occasion, which provided for the taking of the vote upon a substitute amendment, providing that the vote "shall be taken without delay or intervening motion." That was a case in which motions for delay or intervening motions would have been in order without the rule, but this is just the reverse of that. This amendment itself would not be in order at this time except for the rule which makes it in order; while, as the Chair has stated, when this

paragraph is reached in regular course on the reading of the bill any amendment would be in order, no amendment is in order now out of order except the precise amendment specified in the rule itself:

Crude petroleum and its products, 25 per cent ad valorem.

The Chair must therefore sustain the point of order, and decline to entertain the amendment offered by the gentleman from Nebraska, which amendment proposes to change the terms of the rule or order of the House by striking out twenty-five and inserting one.

Mr. CLARK of Missouri. I appeal from the decision of the Chair.

The CHAIRMAN. From that decision the gentleman from Missouri appeals. The question then is, Shall the decision of the Chair stand as the decision of the committee?

Mr. RICHARDSON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. RICHARDSON. We could not hear the statement of the Chair. Is it not the effect of the ruling of the Chair that the Committee of the Whole have no right to vote on anything except the 25 cents—no more, no less?

The CHAIRMAN. Not so broadly stated as that. The ruling of the Chair is that when this paragraph is reached in regular order, or if it were now in regular order before the committee, any germane amendment would be in order, but that no amendment can now be recognized preferentially and out of the regular order except the particular amendment specified in the rule under which the committee is proceeding.

Mr. RICHARDSON. Will the Chair kindly allow me to call his attention to the phraseology of one part of that rule, in which it says that an amendment "shall be voted?"

The CHAIRMAN. That is exactly as the Chair has ruled. The Chair has ruled that that amendment and no other may properly be voted upon at this time.

Mr. RICHARDSON. Then the effect of that ruling is that this committee can not vote on any smaller amount than the 25 cents prescribed in the amendment; and if that is defeated, why, there is no other provision for amendment, and it may be that the 25 cents will be added to the countervailing duty.

The CHAIRMAN. The Chair will state, while it is perhaps not an answer to a parliamentary inquiry, that what is understood to be the countervailing duty is contained in the proviso which this amendment strikes out.

Mr. HITCHCOCK. Mr. Chairman, I would make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HITCHCOCK. Are we considering this bill under the five-minute rule?

The CHAIRMAN. We are considering this particular amendment under the special rule adopted by the House and requiring a vote to be taken upon it.

Mr. HITCHCOCK. That special rule provides that the bill shall be considered under the five-minute rule.

The CHAIRMAN. That special rule says that an amendment shall be voted on to section 637, to wit:

Strike out the proviso and insert as a new paragraph, No. 36½, the following: "Crude petroleum and its products, 25 per cent ad valorem."

And that is the matter now before the committee.

Mr. RANDELL of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANDELL of Texas. As I understand it, there is an appeal from the decision of the Chair?

The CHAIRMAN. That is correct.

Mr. RANDELL of Texas. If the House votes to sustain the Chair, it is the parliamentary situation that we can only have a vote on this amendment, as stated in the rule; and if we vote against sustaining the decision of the Chair they will have an opportunity to offer amendments.

The CHAIRMAN. The Chair has endeavored to make his ruling plain.

Mr. RANDELL of Texas. Is that the parliamentary situation?

The CHAIRMAN. When the paragraph is reached in the regular course of reading the bill amendments germane will be in order.

Mr. HENRY of Texas. A parliamentary inquiry. Would it be in order to submit a motion to strike out the figure 5?

The CHAIRMAN. Not while this appeal is pending. The question is, Shall the decision of the Chair stand as the decision of the committee?

The question was taken; and on a division (demanded by Mr. CLARK of Missouri) there were 162 ayes and 174 noes.

Mr. DALZELL. Tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed as tellers Mr. CLARK of Missouri and Mr. DALZELL.

The committee again divided, and the tellers reported that there were 136 ayes and 168 noes.

So the decision of the Chair was not sustained as the decision of the committee.

Mr. CLARK of Missouri. I offer the following substitute amendment.

The CHAIRMAN. The Clerk will first report the amendment offered by the gentleman from Nebraska.

The Clerk read as follows:

Amend the paragraph by striking out the words "twenty-five" and inserting in lieu thereof the word "one," so the amendment will read "crude petroleum and products, 1 per cent ad valorem."

Mr. CLARK of Missouri. Now, I offer a substitute for that.

The CHAIRMAN. The Clerk will report the proposed substitute offered by the gentleman from Missouri.

The Clerk read as follows:

Amend paragraph 637 by striking out all of line 20 after the word "refined," and also lines 21, 22, 23, 24, 25, and 26.

Mr. CLARK of Missouri. That is, strike out the countervailing duty.

Mr. KEIFER. Mr. Chairman, I want to make a point of order against the substitute.

The CHAIRMAN. Will the gentleman allow the Chair to find where this amendment applies? The Chair will reserve the gentleman's right.

Mr. CLARK of Missouri. Mr. Chairman, I will withdraw the proposed substitute and let a vote be taken on the amendment offered by the gentleman from Nebraska [Mr. NORRIS].

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Missouri will be considered as withdrawn.

There was no objection.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following substitute for the amendment offered by the gentleman from Nebraska.

The CHAIRMAN. The gentleman from South Dakota offers a substitute amendment, which the Clerk will report.

The Clerk read as follows:

Amend the pending amendment by striking out all after the word "proviso," so as to read: "Strike out the proviso."

Mr. NORRIS. I submit, Mr. Chairman, that that will not be in order until the other is first disposed of.

Mr. PAYNE. Let us have the amendment read again.

The CHAIRMAN. The Clerk will again report the amendment of the gentleman from South Dakota.

The Clerk again reported the amendment.

Mr. NORRIS. I submit that that would not be in order until the other motion is disposed of. It is not a substitute for the motion which I have made, and so shows on its face.

Mr. GARDNER of Massachusetts. And I make the point of order that it is not in order anyway.

Mr. NORRIS. At least, not at this time.

Mr. PAYNE. There is no such word as "proviso" in the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. NORRIS. Mr. Chairman, the effect of this amendment, if adopted, I think is apparent to all. It would simply change the proposed amendment provided for in the rule by striking out the words "25 per cent ad valorem" and inserting in lieu thereof "1 per cent ad valorem duty." Its practical effect would be to put oil on the free list. I do not care, Mr. Chairman, to go into a discussion of the question at this time, because it has been fully discussed under the general debate, and, as far as I am concerned, I am willing that the matter should be voted upon now. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

Mr. DE ARMOND. Mr. Chairman, I offer the following substitute for the amendment.

The Clerk read as follows:

Strike out the proviso in paragraph 630, page 159, which proviso is in these words, to wit:

"*Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country."

Mr. NORRIS. Mr. Chairman, I make the point of order against that amendment, first, that it is not a substitute, and second, that it is not in order under the rule.

Mr. DE ARMOND. Mr. Chairman, I would like to be heard upon that.

Mr. NORRIS. And it is in the third degree.

Mr. DE ARMOND. Mr. Chairman, it is a substitute for the two amendments, and of course it is in order. As I take it, it is of the third of the series.

The CHAIRMAN. The Chair is ready to rule. The amendment pending is a motion to strike out and insert. The amendment offered by the gentleman from Missouri [Mr. DE ARMOND] as a substitute is a motion to strike out only. Clause 7 of Rule XVI reads:

A motion to strike out and insert is indivisible; but a motion to strike out being lost, shall not preclude amendments by a motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under the color of amendment.

The amendment offered by the gentleman from Missouri makes practically a division of the pending amendment, which is to strike out and insert, and is, therefore, not in order at this time.

Mr. DE ARMOND. Mr. Chairman, then I offer the amendment in another form. I offer an amendment as a substitute for the amendment, to strike out that portion of the amendment offered by the gentleman from New York which provides for inserting for a new paragraph No. 36½.

Mr. NORRIS. Mr. Chairman, I submit that that would not be a substitute. It must be confined to my amendment.

The CHAIRMAN. Let the Clerk report the amendment.

The Clerk read as follows:

Strike out the words "crude petroleum and its products, 25 per cent ad valorem.

Mr. NORRIS. Mr. Chairman, I make the point of order that that is not a substitute and is not in order under the rules.

The CHAIRMAN. The Chair thinks that that amounts to a division of the question now pending, which is to strike out and insert, and such division of that question is not permissible under the rule already stated. The Chair, therefore, sustains the point of order.

Mr. MARTIN of South Dakota. Mr. Chairman, I desire to offer a substitute for the amendment of the gentleman from Nebraska; to amend the amendment of the gentleman from Nebraska by striking out the words "1 per cent ad valorem" and inserting "free of duty."

Mr. NORRIS. Mr. Chairman, I make the point of order that that amendment is in the third degree and is not in order.

The CHAIRMAN. Does the Chair understand the gentleman to offer his amendment as a substitute?

Mr. MARTIN of South Dakota. I offer it as a substitute for the amendment of the gentleman from Nebraska.

Mr. NORRIS. Mr. Chairman, how can it be a substitute when it is simply to strike out?

Mr. MANN. Mr. Chairman, I make the point of order that under the arrangement of the bill we can not put into the first section of the bill an item providing that it shall be free of duty, that being the dutiable list in the bill, and that that item, if it goes in at all, must come in the second section, because the first section provides that the duties named therein shall be collected.

Mr. FITZGERALD. But it does not provide that the duties not imposed shall be collected.

Mr. MANN. The second section of the bill provides for the free list. In making up a bill of this kind it is necessary to preserve some harmony and uniformity in the process of the manufacture of the bill, because without that it would be the easiest thing in the world to stick jokers into a bill and to play with the House, and the best parliamentary procedure is to the effect that in bills of this kind, where one section provides for articles upon the dutiable list, it shall be confined to paragraphs relating to articles upon the dutiable list, and another section providing for articles upon the free list shall be confined to articles upon the free list. Now, there is no difference here so far as the amount is concerned which "cuts any ice," to use a vernacular expression. The difference between 1 per cent and no per cent is of no consequence, but 1 per cent is in accordance with parliamentary law and no per cent is in violation, it seems to me, of parliamentary practice.

The CHAIRMAN. The Chair will state that the question arose yesterday. It was pointed out to the Chair that in sundry provisions in different parts of the bill there were articles on the free list, or at least declared to be free of duty, and after consideration of the matter the Chair admitted yesterday an amendment providing for putting lumber upon the free list.

Mr. MANN. The Chair, I think, is in error in regard to that. The proposition offered yesterday was not a proposition to insert a paragraph putting lumber on the free list in section 1 of the bill at all.

Nor were there any citations of paragraphs which put any articles on the free list, but the citations offered—for instance, wood pulp has a provision for a duty of one-twelfth of 1 cent a pound, with a proviso which puts it upon the free list under certain conditions—but here is a proposition in a clear paragraph by itself; no proviso, no limitation, no conditions, but a clear paragraph by itself. It is perfectly patent, Mr. Chairman, that if we propose to put an article on the dutiable list under certain conditions and then to put it on the free list under certain conditions, you must put it in one paragraph; but the proposition now offered by the gentleman from South Dakota is a clear proposition to put a distinct paragraph by itself upon the free list under a section providing for a dutiable list.

Mr. MARTIN of South Dakota. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MARTIN of South Dakota. I rise, Mr. Chairman, to withdraw my substitute and allow a vote to be had. [Applause and cries of "Vote!"]

Mr. CAMPBELL. Mr. Chairman, before the vote is taken I desire to address myself to the amendment before the House.

Mr. LIVINGSTON. Which one of them?

Mr. CAMPBELL. The one offered by the gentleman from Nebraska practically putting oil on the free list.

Mr. CLARK of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. Is not debate under the paragraph exhausted? It seems to me there has been more than ten minutes consumed.

The CHAIRMAN. There has been no debate whatever upon it except by the gentleman from New York [Mr. VREELAND].

Mr. CLARK of Missouri. Mr. Chairman, I move that all debate on it close in five minutes.

Mr. CAMPBELL. Mr. Chairman, I submit that I can not be taken off the floor for that purpose.

Mr. Chairman, the existence of the Standard Oil Company is most unfortunate for the independent oil industry of this country to-day. The independent and small oil industries of the country are about to be hit harder than they have ever been hit before, and the Standard will be unharmed, if not in the end greatly benefited. No one, I submit, will challenge the truth of the statement that if it were not for the Standard Oil Company there would be no substantial objection offered to a countervailing duty or a duty of 25 per cent ad valorem on oil. Now, as a matter of fact, I believe that gentlemen are sincere in their opposition to protecting the oil industry of this country in the belief that no one will be hurt but the Standard.

Mr. AUSTIN. Will the gentleman yield?

Mr. CAMPBELL. No; I can not yield; but I submit that I am as sincere in declaring now that it is just as important to the independent oil producers in this country, who for years have been fighting an unequal battle with the Standard Oil Company, to have their oil protected as it is to any other industry in the country. It is not important to the Standard Oil Company that it be protected. It needs no protection. It can take care of itself anywhere in the world. I stand here to-day appealing to you in behalf of the same people for whom I made an appeal four years ago—the independent oil producers and the independent oil refiners.

Then I asked you to aid the independent oil industry of the mid-continent oil field, and with a unanimous voice the vote of this House did what I asked. I stated then that the Standard Oil Company controlled the rates on oil; that under a maximum rate law passed by the State of Kansas, the fairness of which had not been contested, oil was shipped from the Kansas field to Kansas City, Kans., a distance of 123 miles, for 7 cents per hundred. The rate from the Kansas field to Kansas City, Mo., 126 miles—3 miles farther—on the same roads, without change, was 17 cents per hundred.

The Standard Oil Company has a refinery on Sugar Creek, at Kansas City, Mo., and by reason of this difference in freight rates was able to control the refined-oil trade in Kansas City, Mo., and its suburbs on the Missouri side of the line.

The freight rate from the Kansas field to Weber, Kans., a distance of 254 miles, was 10½ cents per hundred pounds. The freight rate to Superior, Nebr., on the same line of railroad as Weber and 7 miles farther, was 30 cents per hundred pounds. The increase of 7 miles in the distance increased the freight rate almost three times.

The rate on oil and its by-products from the Kansas field to Coolidge, Kans., a distance of 485 miles, was 15 cents per hundred pounds. The rate to Holly, Colo., 491 miles from the Kansas refineries, was 50 cents per hundred pounds. In this instance an increase in the distance of 6 miles nearly quadrupled the freight rate, and both rates over the same line of railway.

To-day I am glad to be able to tell the Members of this House that under the Hepburn law the independent refineries

have increased from less than half a dozen to more than a score, and that they are shipping their oil into the markets of the country. Within the last three months carload lots of oil from independent refineries in the mid-continent field have been sold in Detroit in competition with the product of the Standard's refineries. They are getting on their feet. They want a chance for an equal fight. They can not have it if this amendment is agreed to.

Of the 13,000 oil wells in the mid-continent field the Standard owns but 74. The independent producers have the value of 12,026 wells at stake, the Standard has the value of 74 wells at stake, in the question before the House.

If the amendment offered by the gentleman from Nebraska——

Mr. GRIGGS. Will the gentleman yield——

Mr. CAMPBELL (continuing). Is carried, the independent oil industry will be injured and the Standard will be unhurt.

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Georgia?

Mr. CAMPBELL. No; I can not yield; I have but a short time. If I had the time I would gladly yield. The fact is that the Standard Oil Company to-day has three refineries in old Mexico—one at Tampico, one at Veracruz, and one at the City of Mexico—and the vote you are about to take will give free admission into the United States to the product of the Standard's wells and to the product of its refineries in old Mexico. It can have its oil refined with the cheap labor of old Mexico, and will pay taxes on its property in old Mexico. If the independent oil industry of this country must meet the competition of the Standard Oil Company, I submit to you that that competition should be required only after the Standard has paid American labor to refine its oil and paid taxes upon its refineries and upon its properties in the United States. [Applause.]

Mr. HENRY of Texas. Will the gentleman yield?

Mr. CAMPBELL. I can not yield.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Missouri moves that all debate on this paragraph and amendments thereto close in five minutes.

Mr. COOPER of Wisconsin rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. I want to get an opportunity to address the House.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] was entitled to make that motion.

Mr. CLARK of Missouri. I will change the motion to ten minutes, and give the gentleman five minutes, and anybody else who wants time five.

Mr. FITZGERALD. Mr. Chairman, I would like five minutes to speak in favor of this amendment.

Mr. KAHN. Mr. Chairman, I would like time to address the committee.

Mr. CLARK of Missouri. I move, Mr. Chairman, that debate on this amendment close in ten minutes.

Mr. MADDEN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MADDEN. I wish to offer an amendment to the motion of the gentleman from Missouri [Mr. CLARK]. I move that debate upon the amendment close in thirty minutes.

Mr. CLARK of Missouri. I will compromise on fifteen minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois to the motion of the gentleman from Missouri.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MADDEN. Division, Mr. Chairman.

The committee divided; and there were—ayes 157, noes 173.

So the amendment was rejected.

Mr. MADDEN. I move to make it twenty minutes, Mr. Chairman, for debate on this question.

Mr. JOHNSON of South Carolina. Mr. Chairman, that is dilatory.

Mr. CLARK of Missouri. Mr. Chairman, I will compromise on fifteen.

Mr. MADDEN. Make it twenty minutes.

Mr. CLARK of Missouri. I will not.

The CHAIRMAN. The question is upon the amendment of the gentleman from Illinois [Mr. MADDEN].

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point that the amendment of the gentleman from Illinois is dilatory.

The question was taken on the amendment of the gentleman from Illinois [Mr. MADDEN], and the Chair announced that the noes appeared to have it.

Mr. MADDEN. Division, Mr. Chairman.

The committee divided; and there were—ayes 121, noes 176.

So the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri [Mr. CLARK] to close debate in ten minutes.

Mr. CLARK of Missouri. I am willing to accept fifteen minutes, if it will stop this.

The CHAIRMAN. Without objection, the Chair will put the question thus: The question is on the motion of the gentleman from Missouri [Mr. CLARK] that all debate on this paragraph and amendments thereto close in fifteen minutes.

The question was taken, and the motion was agreed to.

Mr. FITZGERALD. Mr. Chairman, for years I have been listening to the gentleman from Kansas [Mr. CAMPBELL] complaining against the operations of the Standard Oil Company. He has been beseeching Congress to take some action that would protect the people of his district against the exactions of this enormous trust. For three weeks I have stood silent while I have been accused of having been the subservient tool of this great corporation. I have made no response to the charge that I have been controlled or actuated in the discharge of my public duties because I desired to serve any improper interest, since I believed that those of my colleagues who have served with me during the past, as well as those who have honored me with repeated elections to this House, have been confident that I have in all my actions been guided solely by my own judgment as I conscientiously understood the questions before this body.

An amendment is now pending that, whatever else its effect will be, will, in the opinion of many who are informed on the subject, seriously cripple the abilities of this giant corporation to continue to fleece the American people. I am glad of this opportunity in my place as a Representative, discharging my duties in a conscientious manner, to express the hope that this amendment will be adopted by this House. [Applause.]

Mr. Chairman, it has never been my practice to pay attention to those vile calumniators who assail the integrity of men in public life because the attitude they take on public questions does not happen to harmonize with their views. I have never failed to meet any question that came before this House and to place myself squarely on record upon it. I have never attempted to place myself on record in the public press and then to dodge a record vote upon questions in this House.

Lest there should not be an opportunity to place ourselves upon record on this question, where it will be forever preserved in the permanent records, I desired this opportunity to let those who know me see that I have not deviated from that path which I have marked out since I have been a Member of this body, but that I honestly have endeavored to discharge my duties here as a representative of the people who have justly had confidence in my integrity. I wish to express the hope that, whatever else may be the effect of this amendment, if it will in any way cripple this giant monopoly against which so much complaint has been made, the House will not fail to take advantage of this occasion to restrain in some respects its operations.

Mr. Chairman, I repeat again, in order that it may be reiterated in the RECORD, that I am heartily in favor of this amendment, and I shall vote for it both in the committee, where there will be no record vote, and in the House, where I hope there will be a record vote, and so fling back the foul calumnies and insinuations that have been thrown at me through discreditable prints in this country by men who have not had the courage to make those statements to my face. [Loud applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, the rule under which we are operating is one of the most extraordinary that I have seen since I have been a Member of this House.

Mr. KAHN. Mr. Chairman, may I ask whether the gentleman is going to speak for the amendment or against the amendment?

The CHAIRMAN. The Chair is unable to state.

Mr. COOPER of Wisconsin. I am speaking for the amendment.

Mr. KAHN. Then I suggest that some one who is opposed should be recognized. I am opposed to the amendment, and desire recognition.

Mr. COOPER of Wisconsin. This will not be taken out of my time, will it, Mr. Chairman?

The CHAIRMAN. It will not be taken out of the gentleman's time.

Mr. COOPER of Wisconsin. Mr. Chairman, I was saying that the rule under which we are now operating is one of the most extraordinary I have ever known. Under it we are permitted to have a vote on the question of free hides; under it we are permitted to have a vote on the question of free lumber; under it we are permitted to have a vote on the question of free barley;

but under it we were gagged, so that we could not have a vote on the question of free Standard Oil. [Loud applause on the Democratic side.] And but for the gentleman from New York arising and offering that amendment as his individual amendment and being recognized, as he was, for that purpose, we would not have had the privilege of voting on the amendment to his amendment now before the Committee of the Whole.

The gentleman from Kansas [Mr. CAMPBELL] speaks of the independent oil producers. What influence was it that succeeded in getting into the existing Dingley law the proviso, which great newspapers have said—the Washington Post, in effect, in an editorial last week—was drawn by the Standard Oil Company, fixing the tariff on petroleum products at 99 per cent. [Great applause.] Was it the little independent oil producers who got that insurted in such a manner that practically nobody in the United States knew that it was in the law? I said on the stump, the gentleman from Kentucky [Mr. LANGLEY] said on the stump, the gentleman from Wisconsin [Mr. KÜSTERMANN] said on the stump, scores of Representatives in Congress said on the stump, the press of the country filled columns in saying that there was not a cent of tariff on petroleum or its products for years after it had been put on both.

Did the little independent oil producers, for whom the gentleman pleads in such piteous tones, succeed in getting in that proviso in that clandestine manner? No. I will name the influence that got it into the law. It was the influence that the United States Government at this hour, in the circuit court in St. Louis, is trying to smash—the Standard Oil Company. [Great applause.] Here is a newspaper synopsis of the brief of the United States Government in that case, filed by that great lawyer, Frank B. Kellogg, and the other government counsel, after months and months of the taking of testimony, showing all about these little competing companies and how the Standard Oil Company crushes competition. It shows how the company has practically controlled the prices and monopolized the commerce in the products of petroleum in the United States. The brief tells of how—

> It obtains secret information as to competitive business, largely through bribing railway employees and using their secret information to procure the countermanding of orders of independent producers and to facilitate the price-cutting policy; of the use of so-called "independent" companies—that is, companies held out by the Standard Oil Company as independent—which are engaged in price cutting, while the Standard Oil maintains the price through its well-known companies and other abusive competitive methods against the competitors.
>
> It does from 85 to 90 per cent of the business of the United States, leaving about 10 to 15 per cent for all its competitors.
>
> Its net earnings in 1906 were about 112 per cent on the capital stock actually paid in and about 100 per cent on a liberal valuation of the capital used.

The brief shows also that in almost every case the so-called "competing companies" charge only prices which the Standard Oil Company permits them to charge, and that they are not permitted to do business in any other way. They do their business to-day by sufferance and must "confine themselves to a small percentage of the trade." The United States Government says that this is the fact.

We were told during the general debate that the countervailing-duty clause in the existing Dingley law is all right because of the necessity of protecting some farmers in Illinois and elsewhere who produce crude oil. Now, under the Dingley law, the drawback clause provides that if crude oil be imported into this country and refined here and exported, that the exporter must identify the oil exported as being the same which was imported before he can secure a 99 per cent rebate or drawback of the tariff paid on the imported oil.

But under the pending bill the identification clause of the Dingley law is done away with, so that for the purposes of its export trade the Standard Oil Company can every year bring from those great wells in Mexico, which my friend from New York [Mr. VREELAND] so eloquently described, millions of barrels of oil to this country without it being identified, and practically free of duty, and so among other things knock down the price of crude oil to the independent oil-well men in the United States. [Applause.]

Mr. CANNON. Mr. Chairman, I trust I may have without interruption the five minutes allotted to me. I happen to be Speaker of the House, but am yet a Member of the House. Rarely does a Speaker take part in the debate. I am compelled at this time, as a Representative, to say a word. In my congressional district a new oil field has developed in the last four years, and also in the district of my Democratic colleague [Mr. FOSTER]. In that oil field there is being produced to-day more oil than everywhere else from Illinois to the Atlantic coast. There are said to be 3,000 owners of the soil receiving royalties. Eighty to 90 per cent of that production is by independents. The Standard Oil, I am informed, has a line from that field to Whiting, Ind. I am glad there is a line. My constituents would fight anybody who would tear up that line. I believe they would be glad to have two pipe lines. The iron in it does not know who owns it; and it is the only means, except the railway, that we have to get to market. Yet if you were to listen to some gentlemen upon this floor it would seemingly be a felony for anybody to ship a barrel of oil through that wicked company's pipe line or sell oil to its owners.

Now, what is this proposition? It is to put oil upon the free list. This bill is constructed, all along the line, to treat other countries as they treat us [applause]—the minimum protective, the maximum penalizing. This is the only exception. Well, now, passion—misrepresentation, perchance; I do not know or care—makes this exception. To punish whom? The wicked Standard Oil. Gentlemen, is it not well enough to see, when you seek to punish somebody whom you claim is bad, that you do not, like old Samson, pull down the pillars and have the temple fall upon yourselves? What is the proposition? Practically it is to put oil from Mexico and all the world upon the free list when it comes to our market. I have been told by various people that three refineries in that new field, belonging to the Standard Oil Company, are there now.

I have been told that there is a duty in Mexico of $2 a barrel upon our oil that goes there. Then there would be $2 duty here under the countervailing duty as to oil that comes to us from Mexico under the present law; but this amendment lets the Standard Oil, with their refineries in Mexico, ship not only the crude but the refined oil free into our market, with a nominal duty of 1 per cent ad valorem. Still the gentleman from Wisconsin [Mr. COOPER] and others flap their wings and crow, and crucify the people while they demagogue in denouncing this wicked Standard Oil. [Applause.] If the Standard Oil, a creature of the law, transgresses the law, the courts are open. If legislation in addition is needed, we are here to legislate, and no man can go further than I will go to properly regulate the common carriers engaged in interstate commerce. I have said as much as I have time to say. Speaking for that constituency that are interested in this great production, I have felt that I would not be justified in withholding speech for five minutes upon this matter. If you are to pass this amendment——

Mr. COOPER of Wisconsin. Mr. Chairman——

Mr. CANNON. I have but a moment.

Mr. COOPER of Wisconsin. The gentleman from Illinois is already two minutes over time.

The CHAIRMAN. The Chair is keeping the time carefully.

Mr. COOPER of Wisconsin. A parliamentary inquiry, that is all.

The CHAIRMAN. He has just thirty seconds remaining.

Mr. CANNON. In those thirty seconds, looking in the eye of the patriot, Mr. COOPER, who is always ready, as he confesses, to redress abuses, in Heaven's name, if you amend this, except the refined oil that you are legislating to let in free from the Standard Oil refineries in Mexico. [Applause.]

Mr. SMITH of California. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SMITH of California. To offer a substitute for the pending amendment.

The CHAIRMAN. The gentleman from California offers a substitute for the amendment, which the Clerk will report.

The Clerk read as follows:

> Strike out of lines 21 and 22, page 159, the words "or the products of crude petroleum;" also, in line 25, strike out "or its products."

Mr. SHACKLEFORD. I make a point of order against that.

Mr. GARDNER of Massachusetts. I raise the point of order that it is not an amendment to the amendment under the special rule.

The CHAIRMAN. The Chair is glad to see that the gentleman from Massachusetts sustains the Chair's former ruling. [Laughter.] The Chair will state that the amendment offered by the gentleman from California is an amendment to perfect the proviso which the amendment now pending proposes to strike out. It is therefore a preferential amendment and is in order.

Mr. SMITH of California. I should like to explain the amendment. [Cries of "Regular order!" "Regular order!"]

The CHAIRMAN. Under the order of the committee, debate is closed on this paragraph and all amendments.

Mr. SMITH of California. All amendments then pending?

The CHAIRMAN. All amendments to the paragraph. The amendment is in order, but debate is not. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Nebraska [Mr. NORRIS].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Missouri, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by striking out the word "section" before 637 and insert in lieu thereof the word "paragraph."

Mr. DE ARMOND. There is no section 637.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York.

Mr. DE ARMOND. And on that, Mr. Chairman, I ask for a division. A part of the amendment is to strike out and another part is to enact a new paragraph. They are entirely distinct, and we are entitled to a division on the question. I call the Chair's attention to clause 6, Rule XVI.

The CHAIRMAN. The Chair will call the attention of the gentleman to clause 7 of Rule XVI, which says, "A motion to strike out and insert is indivisible." This amendment is to strike out and insert. The question is on the amendment offered by the gentleman from New York as amended by the amendment of the gentleman from Nebraska.

The question was taken, and the amendment as amended was agreed to.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. As the law now stands, amended by the amendment of the gentleman from Nebraska, section 637 provides——

Mr. MANN. I make the point of order, Mr. Chairman, that the gentleman is not entitled to the floor, all debate having been closed.

Mr. JOHNSON of South Carolina. That would not prevent a Member from making a parliamentary inquiry.

The CHAIRMAN. The gentleman from Wisconsin rises to a parliamentary inquiry, and the gentleman will state it.

Mr. COOPER of Wisconsin. Under paragraph 637, the paragraph itself before the proviso begins, and just at the end, occurs the words "petroleum, crude or refined." That would put it on the free list.

The CHAIRMAN. The Chair thinks the gentleman is not stating a parliamentary inquiry.

Mr. COOPER of Wisconsin. What I want to ask is, Does not the Norris amendment providing that there shall be a duty of 1 per cent ad valorem contradict that provision?

The CHAIRMAN. If that provision becomes a law, it will be a question for the courts and not for the Chair.

Mr. MANN. That is Democratic legislation. [Laughter on the Republican side.]

Mr. BOUTELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Illinois offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 295, on page 73, strike out lines 17 to 20, inclusive.

Mr. SHERLEY. Mr. Chairman, I would like to inquire whether this is offered by the gentleman as a member of the committee or as an individual amendment?

The CHAIRMAN. The Chair will ask the gentleman from Illinois if this is offered as a committee amendment?

Mr. BOUTELL. It is offered as a committee amendment, and has the unanimous approval of the Committee on Ways and Means. Mr. Chairman, this amendment of placing tea back on the free list needs this much of explanation. It was placed on the dutiable list by the Ways and Means Committee for the purpose of raising eight or nine million dollars in revenue. Upon further reflection, and on account of the indebtedness to the general fund of the Treasury of the Panama bond-issue fund, the committee has felt justified in placing it back on the free list. But I wish to call attention of gentlemen of the committee to this, that the placing of tea on the dutiable list in the Payne bill has had this beneficial effect, that it has called the attention of the country emphatically to the rate at which our annual expenditures are increasing. Our predecessors, Mr. Chairman, the Members of the Sixtieth Congress, have already appropriated for the fiscal year ending June 30, 1910.

The detailed amount of their appropriations, in round figures, is ten hundred and forty-four millions of dollars; and without wearying the committee with any comparison of detailed figures, except those we can easily carry in our heads, let me say that in that ten hundred and forty-four millions of dollars is an item of thirty-four millions which should be paid out of the Panama bond issue. Ninety millions of dollars are in what is called the "permanent appropriation." Thirty millions of it relate to money for redeeming national-bank notes. This is paid by national banks. It carries an item also of $60,000,000 for redeeming our interest-bearing debt, the sinking-fund provision. This, where the condition of the country warrants it, may be passed over for future surplus into the Treasury. We may, therefore, deduct from the ten hundred and forty-four millions of dollars one hundred and twenty-four millions, leaving $920,000,000 to be paid for out of the annual revenue. From this fund should be deducted the average amount, 5 per cent, or $46,000,000, which will remain in the Treasury unexpended. This leaves a gross sum of $874,000,000, to be provided for out of our annual revenues. How are they to be made up? The estimates of the Treasury for the year 1910 give these figures: Internal revenue, two hundred and fifty million; miscellaneous revenue, including sales of public lands, public fees, and so on, sixty million; and the Post-Office, two hundred and thirty-five million, or a total of $545,000,000. This would leave the sum of $329,000,000 to be made up out of the customs revenues, to make up the fund of $874,000,000. This bill without the fee will raise three hundred millions of revenue. The available cash in the Treasury is amply sufficient to carry us to the beginning of the fiscal year 1911.

The revival of business under this new tariff law we confidently expect will raise the revenues under this bill to $350,000,000, and give us ample annual revenue, no doubt. For these reasons the committee deem it wise to place tea back upon the free list.

Mr. MANN. Will the gentleman yield for a question?

Mr. BOUTELL. Certainly.

Mr. MANN. This puts tea on the free list. I understand it is the intention to put coffee upon the free list. Now, I would like to ask in reference to chocolate and cocoa?

Mr. BOUTELL. Coffee is on the free list, with a countervailing duty.

Mr. MANN. Theoretically. It will be when we get through.

Mr. BOUTELL. It will be put on practically before we get through.

Mr. MANN. What I want to get at is this: I suppose the committee raised the duty on cocoa and chocolate because they raised the duty on coffee and tea. Is it the intention to offer a committee amendment on cocoa as well as on tea and coffee?

Mr. BOUTELL. So far the committee has deemed it wise to keep the increase on cocoa.

Mr. PAYNE. The committee will report an amendment reducing the duty on crude cocoa. The duty on cocoa was put in for a revenue duty.

Mr. MANN. It seems to me quite unfair to put all the burden on the people who happen to drink cocoa.

Mr. SHERLEY. Mr. Chairman, the figures given by the gentleman from Illinois [Mr. BOUTELL] were interesting, but I desire to call to the attention of the committee the fact that so far we have had no real estimate as to what the customs revenues will be under this bill. There has been a statement made by the clerk of the Committee on Ways and Means by which it was estimated that some $305,000,000 would be received from customs. Now, the method by which this sum was arrived at is very interesting. They took the year 1906, and the imports for that year. They discovered that of a given article the imports amounted to half a million dollars, and there was a 50 per cent ad valorem tax, resulting in customs dues of $250,000. They then estimated that if they increased that tax to 60 per cent, that there would be $50,000 more income. If they decreased it 10 per cent, they estimated that there would be $50,000 less income. Now, it requires only a moment's thought to see the absolute absurdity of such a way of reckoning. The increase or the decrease of the duty may result entirely in prohibiting importation, or in increasing importation where heretofore there has been none, and the figures presented by the committee as to what this bill will provide in the way of revenues are absolutely useless. I could name any number of schedules where there is at present a prohibitive rate, where, by lowering that rate, you will have importation, and thereby customs duties. There are other schedules where, by increasing the rate, instead of increasing your customs dues, you will absolutely curtail them by making the rate more or less prohibitive.

And so when the gentleman from Illinois [Mr. BOUTELL] tells us, as he did yesterday, that we must not vote to lower the duty on any particular schedule unless we provide some other means of revenue, I answer him by saying that so far as the country knows or this House knows we are absolutely ignorant as to what revenue this bill will produce. Personally, I hope that the bill will not produce a dollar more than we absolutely need. I

believe that a deficit is better for a country than a surplus. I believe that if you get your revenues very close to your expenditures it will curtail extravagance. The Government has no money of its own. It can not create any, but obtains what it obtains from the people, and if you have a large surplus it means an undue proportion taken from the people, and you have an invitation to extravagance—such an invitation as has been accepted in recent years whereby our appropriations have grown by leaps and bounds. If out of this revision we can bring now a condition where there will be no such temptation, and if the people will learn the salutary lesson that you can not have governmental activity without paying for it, our labor will not be entirely in vain. I should like to see some sort of direct tax upon the people, something that would enable them to know that they are paying federal taxes as they now know they are paying state taxes, and when that condition arises you will not find such a disposition to bring to the National Government every "ism" and every new theory under the sun. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be closed.

The CHAIRMAN. The gentleman from New York moves that all debate on the paragraph and amendments thereto be closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. BOUTELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Illinois offers the following amendment which the Clerk will report. The Chair will ask if this is a committee amendment?

Mr. BOUTELL. It is a committee amendment and supplemental to the one previously offered.

The Clerk read as follows:

Paragraph 687. On page 166, line 2, after the word "tea," insert the words "and tea," and after the word "plants," strike out the period and insert the following:

"*Provided*, That nothing herein contained shall be construed to repeal or impair the provisions of an act entitled 'An act to prevent the importation of impure and unwholesome tea,' approved March 2, 1907, and any act amendatory thereof."

Mr. UNDERWOOD. Mr. Chairman, when this bill was filed in the House, and it first came to the attention of the minority members of the Ways and Means Committee, we recognized the injustice of maintaining the present prohibitive rate on the great products of this country controlled by trusts and great manufacturing interests and at the same time attempting to raise revenue which should have been raised from the great products of wool, iron, steel, and cotton goods by reducing the prohibitive rates, by putting a direct per capita tax on the people, by import taxes on coffee and tea and incomes; and in our minority report to the House we suggested the injustice that was about to be done the people of this country in leaving this tax on tea and coffee and incomes while the Republican party stood pat in the interest of the great corporations of this country and refused to lower their prohibitive rates. Now, Mr. Chairman, it appears that the gentlemen on that side of the House seem to have heard a word of warning in the country. They have seemed to realize that the country will not submit to everything that they are willing to do, and I congratulate them now, when it is not too late, that they come here with amendments proposing to put tea back on the free list. In the committee they have voted an amendment to put coffee back on the free list; and I understand—I do not know that any action is taken yet, but it is in the air—that before the consideration of this bill is concluded they intend to come in here and repeal the tax that they have placed on inheritances. Are they awakening? Possibly before this bill is concluded we may have an honest tariff bill, not one that is being built in behalf of special interests.

But, if this bill could stay before the House for two weeks or a month longer, possibly they would levy a tariff for the purpose of revenue and not for the purpose of protecting the profits of trusts and corporations in this country.

The gentleman speaks of revenue. They estimated when they brought this bill before the House that they were $40,000,000 of revenue short. They were expected to make it up with the tea tax, coffee tax, and a tax on inheritances. If they wipe out those taxes, where will they get the money to make up the deficit in the bill? They can not possibly get it as the bill is written now. But if they will reduce the prohibitive rates on the great products protected in this bill, they can raise $500,000,000 of revenue instead of $300,000,000, as the gentleman from Illinois predicts. [Cries of "Vote!"]

Mr. CLARK of Florida. Mr. Chairman, it is said that "consistency is a jewel." On yesterday the gentleman from Texas [Mr. BURLESON], and I hope he is in the House, undertook to read me out of the Democratic party for my position on the tariff, and then the gentleman proceeded to advocate a duty on hides. The gentleman reminded the committee that in a former speech upon this subject he had stated that a duty on hides was a "gold brick" handed to the cattle growers of the West. The gentleman stated in his speech yesterday, and I shall read it, so as to be perfectly accurate—after stating that he would support the amendment offered by the gentleman from Kansas, he used the following language:

I would not be honest if I did not state my deliberate judgment to be that the principal beneficiary of the present tariff on hides is the packer, or, to speak plainly, the beef trust.

I simply desire to remind the cattle growers of the West that the gentleman is still engaged in handing them a "gold brick," and I want to congratulate the beef trust that the martial gentleman from Texas is here admitting that he is advocating a duty of which the beef trust is the principal beneficiary. [Applause on the Republican side.] Mr. Chairman, in my position I have been open on all these propositions, but God forbid that I should ever stand upon this floor knowingly, deliberately, and willfully taking a position which I myself declare is chiefly in the interest of the beef trust or any other trust in this country. [Applause.] I had thought that the Democratic party—and I believe he claims to be a leader—was opposing trusts in this country. I had thought from what these leaders had said that these bad men on the other side represented the trusts. But here is one of our conspicuous leaders, the warlike and martial gentleman from Texas, standing solely and alone on this floor as the sponsor for the beef trust, and I submit, if what he has said, and what everybody else has said on this side who assume to be leaders, be true, the gentleman now sits where he ought to be, namely, on the Republican side of the Chamber. [Laughter.]

Mr. Chairman, I withdraw the formal amendment.

Mr. BURLESON rose. [Applause on the Democratic side.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Chairman, in the first place I desire to disclaim any profession or claim to leadership in the Democratic party. In the second place, I deny that I have made an effort to read the gentleman from Florida [Mr. CLARK] out of the Democratic party. Mr. Chairman, it was wholly unnecessary for me to make such attempt, because the gentleman from Florida, by his own words and acts, had already placed himself without the Democratic party and beyond the pale of Democracy.

Neither am I responsible, Mr. Chairman, for the fact that the gentleman from Florida did not understand what I plainly said yesterday. I do not know whether this failure arises from his incapacity to comprehend or a determination upon his part not to understand what was said.

I distinctly stated that in this bill I stood for free hides; that I would be glad to vote against any tariff duty on hides if a concession could be secured on the leather schedule and on the boot and shoe schedule. As for supporting a trust, Mr. Chairman, I am more than willing to submit my record made in this House in comparison with the record of the gentleman from Florida, and let every honest man in this country, every intelligent Democrat in his district, and in mine as well, determine whether I have been the supporter of trusts or whether it is the gentleman from Florida who has given them aid and support. [Applause on the Democratic side.] Only yesterday I voted for free lumber——

Mr. CLARK of Florida. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas [Mr. BURLESON] yield to the gentleman from Florida?

Mr. BURLESON. Certainly.

Mr. CLARK of Florida. I would like to ask the gentleman if he did not vote for free lumber because he has not any lumber in his district?

Mr. BURLESON. It is true, Mr. Chairman, I have no lumber in my district, but I voted for free lumber because I stand upon a platform that pledged the people that Democrats would vote for free lumber, and I endeavored to honestly keep that pledge by casting my vote in favor of free lumber. [Applause on the Democratic side.]

Mr. CLARK of Florida. Will the gentleman answer another question?

Mr. BURLESON. So far as Florida and the State of Texas are concerned, Texas contains a timber region twice the size of the entire State of Florida [loud applause], and yet Texas

Democracy kept the faith and cast her vote against the trusts and in favor of free lumber. The gentleman can not say as much.

Mr. CLARK of Florida. Will the gentleman permit just one more question?

Mr. BURLESON. Oh, yes; but before yielding I would like to ask the gentleman how he voted a moment ago upon the proposition affecting the Standard Oil Company?

Mr. CLARK of Florida. I voted for the amendment of the gentleman from Nebraska. That is how I voted.

Mr. BURLESON. How did you vote on the other proposition?

Mr. CLARK of Florida. Which one?

Mr. BURLESON. On the proposition whether the Chair should be sustained in the ruling he had made.

Mr. CLARK of Florida. I voted not to sustain the Chair.

Mr. BURLESON. Ah, of course; and there was the crucial point. If the Chair could be sustained, the gentleman could have been relieved of the necessity of voting at all upon this proposition.

Mr. CLARK of Florida. I said to the gentleman, Mr. Chairman, I voted to overrule the decision of the Chair.

Mr. BURLESON. I beg the gentleman's pardon. I misunderstood him [laughter], and had been informed to the contrary, but——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURLESON. In conclusion, I will now say to the gentleman that I invite him to permanently occupy the seat on this side which I now vacate.

Mr. CLARK of Florida. And I invite the gentleman to come to Florida and discuss the question with me before my people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I offer the following committee amendment.

The Clerk read as follows:

Paragraph 533, page 150, in line 20, strike out, commencing with the word "*Provided*," down to and including line 25. The words proposed to be stricken out are:

"*Provided*, That if any country, dependency, province, or colony shall impose an export duty or other export tax or charge of any kind whatsoever, directly or indirectly, upon coffee exported to the United States, a duty equal to such export duty, tax, or charge shall be levied, collected, and paid thereon."

Mr. LARRINAGA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. PAYNE. I understand that the gentleman from Porto Rico desires to offer an amendment.

The CHAIRMAN. The gentleman from Porto Rico offers an amendment, which the Clerk will report.

The Clerk read as follows:

In page 150, paragraph 533, strike out the whole paragraph and insert the following:

"First. All coffees under standard No. 7 shall be free of duty.

"Second. Coffees classed as standard No. 7, Rio Santos or any other ports of Brazil, or any other country, which according to the decision of the Department of Agriculture should be classed as a strong coffee, shall pay a duty of 3 cents a pound.

"Third. Coffees classed as mild coffees, such as those from Venezuela, Colombia, Ecuador, Panama, Costa Rico, San Salvador, Nicaragua, Honduras, Guatemala, Mexico, the West Indies, and all foreign countries and possessions, such as Sumatra, Java, and all East India, Arabian, and African coffees, etc., shall pay a duty of 50 per cent ad valorem.

"*Provided*, That every package of coffee entering the United States shall be plainly marked on each container in permanent and easily legible form and in letters not less large and distinct than any other mark upon the package, with the name of the country and district thereof in which the coffee is grown, and every package of coffee entering into interstate commerce or sold in the District of Columbia or Territories of the United States or its possessions shall have plainly stated on the label the name of the country or countries in which said coffee was grown, and any failure to comply with these provisions shall be ascertained as provided for in the food and drugs act of June 30, 1906, and be punishable in the manner and by the penalties therein provided."

Mr. PAYNE. Mr. Chairman, in order to gratify the gentleman, I will not make the point of order on the amendment which he offers.

The CHAIRMAN. Does the gentleman desire to be heard?

Mr. LARRINAGA. Mr. Chairman, the object of this amendment is to put the poor man's coffee on the free list. The coffee that the poor man buys in this country for his use is under standard No. 7. The first provision of my amendment will give the poor man his free coffee for his free breakfast table. All coffees imported into this country above the denomination of standard No. 7 are the coffees that you gentlemen are buying at from 20 cents up.

The second provision, for 3 cents a pound, will have furthermore the object of giving the poor man the coffees that you are buying to-day for 20 or 25 cents at a much cheaper rate, because if you put 3 cents a pound on No. 7 it will be better for the man importing coffee to introduce it as No. 8 or 9, to come in free, than to introduce it as No. 7 and pay 3 cents, because the difference in price, as a rule, between two consecutive numbers is covered by the 3 cents. The second provision, which puts 3 cents on standard No. 7, will allow the poor man to buy No. 7, and perhaps No. 6 and No. 5, at the price that they are paying today for their cheap coffee, or 15 cents a pound.

The third provision of the amendment will have the effect that the richer people who pay the fancy prices—30, 35, and 40 cents per pound—will pay the duty. This is exactly in accordance with the ideas of every Member in this House, whether on that side or this, that the wealthy classes who buy luxuries and not simply commodities shall pay the taxes that will bring the revenue into the Treasury of the United States. By this amendment we will leave the poor man his free breakfast table untouched, and you will be bringing into the Treasury of the United States a revenue of $30,000,000 a year.

Mr. Chairman, much as I should like to, I have not the time to present the case of the poor men of my country, who seem not to be considered as poor, or even as men at all, when this question is treated in this House or outside of it; but if you do not put on that amendment your own poor people will continue to pay the Brazilian tax; and if you do not put on the fourth provision, which is a proviso to hinder the men in New York from continuing the Mocha and Java masquerade blends, your people will continue to be deceived as they have been deceived until this very day. [Applause.]

Mr. PAYNE. Mr. Chairman, I want to say just a single word. The committee put a tax on tea as a revenue duty. Since we have taken it off we have been receiving remonstrances against taking it off. One tea man wrote me this morning stating that he used to be opposed to any duty on tea, but now he is in favor of it. Since we took off the duty in the Spanish-war revenue act the Japanese have put the price up until they have got it up about 10 cents a pound, the amount of the duty that we took off. After we took this duty off a Japanese merchant came to me and proved by figures that Japan paid half the duty and our people paid the other half. But the committee have concluded we can get along without that revenue and have taken it off.

We put this countervailing duty on coffee in order that our people might not be obliged to pay the taxes of the South American governments, hoping that that would cure that outrage upon our people; but we found that some of the governments have pledged these duties for twenty years for the payment of a loan, and we could not put on this countervailing duty without crippling them, and so we concluded to report this amendment taking off that countervailing duty.

Mr. SLAYDEN. We could hear the arguments advanced by the Commissioner from Porto Rico [Mr. LARRINAGA], but we can not hear the argument of the gentleman, which I suppose is in opposition to that.

Mr. PAYNE. Oh, no; I have not said a word in opposition to what the gentleman from Porto Rico said. We did not put a duty on coffee, because we thought we could get along without the revenue from coffee.

Mr. SLAYDEN. Do you think so now?

Mr. PAYNE. We do not propose to put a protective duty on coffee for the small amount that can be raised in the possessions of the United States. I am sorry not to be able to accommodate my friend from Porto Rico, but we can not do it, in justice to the consuming public of the United States. One argument against putting any duty upon coffee, even for revenue, is that under it these people might put their money into coffee, and after a while on the strength of producing 15 or 20 per cent of the consumption in the United States, would come in and make a claim that they had invested their money relying upon this protection, and would remonstrate against taking the duty off.

Mr. HOBSON. I have not been able to hear the gentleman, and I wish to ask him if he is of the same opinion as the gentleman from Porto Rico—that the amendment offered by the gentleman from Porto Rico will not tax the poor man's breakfast table?

Mr. PAYNE. I am not. I think the duty on coffee, or a part of it at least, would be paid by the people of the United States. After a while, if we could get rid of the export duties charged by the South American Government, they might reduce the price of coffee, so that the whole duty might not be paid by the United States.

As I said, when we put a duty of 10 cents a pound upon tea, a Japanese merchant proved to me that Japan had paid one half of that duty and the tea merchant had paid the other half. I doubt if any consumer paid any more for his tea on account of that duty during the whole period that the tariff was on tea.

Mr. LARRINAGA. Is that the answer of the gentleman from New York to the question of the gentleman from Alabama? I

fail to see any answer to the question propounded by the gentleman from Alabama.

Mr. PAYNE. I am sorry that I can not make myself understood.

Mr. LARRINAGA. The gentleman from New York ought to be kind to a gentleman who speaks a foreign language.

Mr. PAYNE. Oh, it is my fault and not his.

Mr. LARRINAGA. Will the gentleman from New York give me the reason why he thinks the poor man is not going to get his coffee free?

Mr. PAYNE. As I understand, the gentleman's amendment is to put the duty on coffee.

Mr. LARRINAGA. On the higher priced coffee, such as the gentleman and myself drink. [Laughter.]

Mr. GAINES. Mr. Chairman, I want to say, in connection with this proposition, that I myself had as much as anyone to do with the original proposition of placing a duty upon coffee equal to the amount of export duty charged by the Brazilian Government. It seems to me the time has come when every Member of this body ought to know, even if the American people will not themselves take the trouble to find out, that the talk we frequently hear about free trade, about taking off the tariff from the necessities of life, about the untaxed breakfast table, is the talk of a visionary.

In the modern habit of collecting revenues—a habit which all countries in the world have—of collecting revenues from taxation on commerce, if the Government of the United States does not place an import duty on any article coming to our markets, if it be important enough the other countries which produce it put on an export duty. We are paying, it should be understood, a part of the Brazilian taxes by reason of the export tax which Brazil puts on coffee. We are paying millions of other Brazilian revenues by reason of the export tax that other Brazilian States put on raw rubber; the people of the United States are paying a large part of the taxes of Chile by way of the export duty which Chile levies on nitrates. We flatter ourselves that we are admitting nitrates free of duty, untaxed, for fertilizers. We are paying Sicilian taxes by way of an export duty on lemons, and we in the United States are paying Greek taxes because of an export duty on their filthy little Zante currants.

I hope—not now, for I am in favor of the proposition of keeping coffee on the free list—but I hope that at no distant day the representatives of the American people will give their attention to the question whether we shall permit other countries to make us pay their taxes by export duties. I submit that it is against what anybody thinks fair and right for the seller to charge the buyer for the opportunity of doing business with him.

No one would patronize a store which charged an admission fee. If we really want free tea, free coffee, free rubber for the rubber manufactories, and free nitrates for fertilizers, if we want many things untaxed, we must bring it about that foreign nations shall not charge an export duty.

So far as I am concerned, if the trade between our country and others is to have all the taxation placed upon it that the traffic will bear, I believe that sound statesmanship will require that the United States should collect those taxes, and not the people who desire to sell to the United States. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that all debate on this amendment and the paragraph close in seven minutes, five minutes to be occupied by the gentleman from Alabama [Mr. HOBSON] and two by the gentleman from Illinois [Mr. SABATH].

The CHAIRMAN. The gentleman from New York moves to close debate in seven minutes, the time to be occupied by the gentleman from Alabama and the gentleman from Illinois. Is there objection?

There was no objection.

Mr. PARSONS. Mr. Chairman, desiring to know the part that tea and coffee play in the household economy of the poor man and the extent to which he would pay any duty imposed upon either of them in case the duty is paid by the consumer, I asked the New York Association for Improving the Condition of the Poor, which is the largest relief-giving society in New York City, for such facts as it had, and received the following in reply:

THE NEW YORK ASSOCIATION FOR IMPROVING
THE CONDITION OF THE POOR,
New York, March 30, 1909.

Hon. HERBERT PARSONS,
House of Representatives, Washington, D. C.

DEAR MR. PARSONS: Complying with your request, I have had our supervisors make a study of the budgets of the families in our charge, with a view to determining the comparative amounts of tea and coffee consumed by the poor. This morning Mrs. Ingram, superintendent of relief, reported in behalf of the supervisors and visitors that, in our experience, the average poor family consists of five or six persons, and receives when its wage-earners are employed from $10 to $12 per week. The average weekly expenditure of such a family for food of all kinds is, approximately, $7. Of this $7, 25 cents is spent for 1 pound of coffee and 18 cents for ¼ pound of tea. Tea is used as a beverage among the poor quite as generally as coffee.

For the sake of additional clearness, I summarize these figures in tabular form.

The average "poor" family, 5 or 6 persons.

Average weekly earnings when head is employed	$10 to $12
Average weekly expense for food (all supplies)	$7.00
Amount of coffee used each week	1 pound
Cost of coffee used each week	25 cents
Amount of tea used each week	¼ pound
Cost of tea used each week	18 cents

Very truly, yours,

ROBERT W. BAUERE, *General Agent.*

Mr. HOBSON. Mr. Chairman, I have been impressed with the remarks of the gentleman from West Virginia [Mr. GAINES] that this country should, if possible, be placed in a position where it would not be compelled to pay the export duties levied by foreign governments. I believe upon consideration and investigation in the matter of the question of coffee it will appear clear to anyone that the only way on earth in which to become independent of Brazil is to develop within the United States and its dependencies the industry of coffee culture. I was present during the hearings on this question before the Ways and Means Committee. I listened carefully to the testimony, and I became convinced, having previously visited our tropical dependencies, that there is a prospect, a fair prospect, of developing a substantial coffee industry within our own control.

I believe that as a Congress we have not taken time sufficient in the past, as far as my observation has gone, to give full consideration to our dependencies. I believe that when a Delegate from one of those dependencies rises and gives full reasons for propositions that he makes on behalf of his own people, we ought to give those reasons careful consideration. The gentleman from Porto Rico [Mr. LARRINAGA] has stated that by his amendment the coffee that is used by the poor man, the cheap grades, will come in free and, therefore, that his amendment could not possibly increase the cost of living to the poor man. He has indicated that there is a chance to raise coffee in Porto Rico. We know that machinery which our American manufacturers send to Porto Rico is sold there at a higher price than it is sold to the competitors of Porto Rico in Jamaica and other islands of the West Indies, and our tariff prevents the Porto Ricans from securing machinery in Europe. They have been bearing the burdens of our tariff system without getting any of the benefits. The same considerations hold for Hawaii and the Philippine Islands. It is high time that we should give full consideration to the interests and claims of those peoples whose welfare and whose destiny are now confided to our keeping.

The amendment of the gentleman from Porto Rico appears to me wise and meritorious from every point of view. It would not only be in line with a just policy toward our insular possessions, but it would produce revenue for our Treasury without placing any burden upon the diet of the poor man. It would fulfill the object of legitimate protection by encouraging an infant industry, which would have a good prospect of large development until ultimately we would have a chance of becoming independent of the taxes imposed upon coffee by other Governments, a result that would insure cheaper coffee for all—poor man and rich man alike.

Mr. NICHOLLS. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. Yes.

Mr. NICHOLLS. I desire to say for the information of the gentleman and of the committee that the poor man, especially in my section of the country, and I one of them; miners, working in the mines, have paid 30 and 35 cents a pound for their coffee, and they are paying those prices now, and this amendment, if passed, would increase the cost to the poor man, whom I believe ought to get the best coffee as well as the rich.

Mr. HOBSON. I believe the gentleman will find that he is paying a high price for cheap coffee; that the coffee he is buying at the mines for 30 and 35 cents a pound comes under the provision of the amendment by which such coffee would be admitted free.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Mr. Chairman, it is gratifying to me that we on this side and public opinion have forced the Committee on Ways and Means to bring in this amendment to strike out the "joker" that would have placed a tax of about 4 cents a pound on coffee, and I shall with great pleasure and satisfaction vote for this amendment placing coffee on the free list. In connection with this matter I desire to inquire of the committee if they will not bring in an amendment reducing the 100 per cent increase they have placed on chicory and coffee essence? Your committee has seen fit to add 100 per cent duty on chicory, and, inasmuch as chicory is only used by the poorest of the poor as

a mixture or substitute for coffee, as they are not able in these Republican prosperous times even to buy the cheapest kind of coffee, I hope that an amendment will be brought in by the committee removing the increase, for I believe it is not the wish and desire of this House to increase such a necessity, that is only used by the poor people of this country, by 100 per cent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Porto Rico.

The question was taken; and on a division (demanded by Mr. HOBSON) there were—ayes 56, noes 74.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

Mr. SABATH. Mr. Chairman, before the Clerk reports that amendment, I desire to ask if it would be in order now to offer an amendment to reduce the tariff upon chicory?

The CHAIRMAN. Committee amendments only are in order at this time. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Page 1, strike out lines 3 to 12, inclusive, and on page 2, lines 1 and 2, and insert in lieu thereof the following:

"That on and after the day following the passage of this act, unless otherwise specially provided in this act, there shall be levied, collected, and paid upon all articles mentioned in the schedules contained in this section and imported into the United States and into any of its possessions, except the Philippine Islands, from any foreign country, province, dependency, or colony, the rates of duty which are by the schedules and paragraphs, respectively, in this section prescribed, whenever any such foreign country, province, dependency, or colony, respectively, is entitled under the provisions of section 4 of this act to minimum rates of duty."

Mr. PAYNE. Mr. Chairman, that simply transposes the language; that is all.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 1. On page 2, line 11, after the words "lactic acid," insert the words "containing not over 40 per cent, by weight, of actual lactic acid;" and in the same line, after the word "pound," insert "containing over 40 per cent, by weight, of actual lactic acid, 3 cents per pound."

Mr. PAYNE. Mr. Chairman, a word in regard to that. Lactic acid came in twelve years ago about 20 per cent in strength. Since, they have improved the process of manufacture so that they produce 80 per cent of strength. They import the 80 per cent strength lactic acid, bring it over, and then dilute it back to 20 per cent before they can use it. This amendment places the duty on that not exceeding 40 per cent 1 cent less per pound than the Dingley law, and above 40 per cent, 3 cents, the same as the Dingley law. I ask for a vote.

The question was taken, and the amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from Ohio offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 22. On page 7, line 12, strike out the words "20 per cent ad valorem" and insert in lieu thereof the words "2½ cents per pound;" and on the same page, line 12, strike out the comma after the word "pound" and insert after said word "pound" the words "and not above 35 cents per pound;" and on the same page, line 13, after the word "valorem" insert the words "valued above 35 cents per pound, 15 cents per pound and 20 per cent ad valorem."

The CHAIRMAN. Does the gentleman from Ohio desire to be heard?

Mr. LONGWORTH. Not unless some information is desired.

Mr. HARRISON. Mr. Chairman, I would like to ask the gentleman a question. This is practically a restoration of the Dingley rates, is it not?

Mr. LONGWORTH. That is the effect of this amendment.

Mr. HARRISON. Will the gentleman explain why the rates were first changed in the Payne bill and then changed back to the Dingley rates?

Mr. LONGWORTH. I think the committee acted in the first place without a very careful consideration of the imports during the period of the Dingley law.

Mr. HARRISON. The committee had extensive hearings on this subject and had much testimony before it.

Mr. LONGWORTH. Yes; but under the Dingley law, as the committee has found after a more careful consideration, the imports of this cheapest class of glue raised from 2,000,000 in 1896 to four million seven hundred thousand and odd pounds in 1907, and the ad valorem has never been very high, averaging not over 35 per cent, and the committee thought better——

Mr. HARRISON. Will the gentleman yield at that point?

Mr. LONGWORTH. Certainly.

Mr. HARRISON. Thirty-six per cent on ordinary glue and 42 on fish glue, which makes a considerable part of this item.

Mr. LONGWORTH. The principal part affected in this item is glue taxed 2½ cents a pound.

Mr. HARRISON. That is the old Dingley rate.

Mr. LONGWORTH. That is cheap glue made in this country——

Mr. HARRISON. That has been taxed at 36 to 42 per cent.

Mr. LONGWORTH. I beg the gentleman's pardon, 35 per cent.

Mr. HARRISON. I have the figures right here, and fish glue also comes in under this paragraph.

Mr. LONGWORTH. The fact is, Mr. Chairman, there are some hundred and odd factories engaged in the production of this cheapest class of glue. Their protection has only been an average of about 35 per cent. During the ten years, as I have said before, the Dingley bill has been in operation, the imports of that class of glue have increased from 2,000,000 to nearly 5,000,000 pounds. Under that state of facts it has hardly seemed justifiable to the committee to make a substantial reduction, and therefore the effect of this amendment is to restore the Dingley rates.

Mr. HARRISON. Mr. Chairman, I am opposed to the committee amendment. They originally did an act of virtue in reducing the duties under this paragraph to a fair revenue point. They reduced the duty, which ranged all the way from 36 to 42 per cent ad valorem, down to a 25 per cent ad valorem rate. After they did that, some influence or other has exercised their minds, and they now desire to raise the rates again to where they were in the Dingley bill. The chief hardship that will fall upon the consumers in this country in this connection is the fact that the cheaper grades of glue will still be held up at a price of 7 or 8 cents as against 3 or 4 cents, where they were before the Dingley bill. Now, glue is of interest not only to the people who use it in the ordinary arts and in commerce, but it is useful to a great many manufacturers. For some manufacturers glue is an important raw material.

The committee now proposes to raise the taxation upon this cheaper form of glue in order to hold up the price in favor of certain American manufacturers, chief among whom are the packing houses, which turn out about a million pounds of this cheaper class of glue every year. I am, therefore, opposed to this unnecessary raise in the rates, and I hope the committee will vote it down.

Mr. SCOTT. Will the gentleman answer a question?

The CHAIRMAN. Does the gentleman from New York [Mr. HARRISON] yield to the gentleman from Kansas [Mr. SCOTT]?

Mr. HARRISON. Yes.

Mr. SCOTT. I would like to ask the price per pound of the glue upon which this duty is levied?

Mr. HARRISON. The duty is fixed on a sliding scale—10-cent glue and under, 35-cent glue and under, and all over 35-cent glue—so I can not answer the gentleman's question categorically. But the glue that is chiefly affected is that valued at less than 10 cents a pound, and that is the glue which the packing houses turn out as a by-product. And I believe that this return to the Dingley rates from the original proposed Payne rates is chiefly in the interest of the packing houses; and on that ground, as well as on the others I have specified, I oppose it, and I hope the committee will vote it down.

Mr. HULL of Iowa. Mr. Chairman, it seems to me the gentleman from New York is mistaken when he charges that this increase in duty is in the interest of the packing houses. There are a great many independent glue concerns in the United States, many of them in the West, one of them in my town, which is just starting, and this glue manufacturer buys all the by-products of four packing houses in Iowa, in different parts of the State, evaporates it, and ships it to Des Moines to be made into glue. If the duty is reduced to the point that was originally fixed by the Payne bill, it means the closing up of every factory in Indiana, Iowa, and all through the West, at least.

The great competitor of the American manufacturer is located in Austria, and Austria levies a duty of 6 cents a pound flat on glue. They can dump their surplus on us as long as they have the absolute market of Germany and Austria and Europe for their product. These glue manufacturers in the United States are barely able to maintain themselves against the competition in the Old World under the Dingley rates. Reduced to what it was originally proposed in the Payne bill and you will close them all up on the cheap grades of glue.

Now, it seems to me it is good policy for our people here to use every part that they can of all these by-products in manufacturing something for the people of the United States. The price of glue is not regarded as excessive, not regarded as extortionate. There is no combination and no trust in the business. The independent manufacturers are situated in different localities in the United States and compete with each other.

Mr. HARRISON. The gentleman says the price of glue is not regarded as excessive. Does the gentleman realize that on these cheaper grades it is about twice as much as it was fifteen years ago?

Mr. HULL of Iowa. No; I do not realize anything about that.

Mr. HARRISON. That is the fact, I will say to the gentleman.

Mr. HULL of Iowa. I know this, that under the duty in the Dingley law we have scattered these manufactories all over the country, and they are using products that before that duty was put on were absolutely waste products. I know, further, that with the high duty in the Old World against our production, if you reduce our people here so that they can not retain control of our own markets, you will drive out of employment every man that is engaged in the industry and send the manufacturer across the water to open glue works there with cheap labor. And to-day many of our glue manufacturers have establishments in the Old World that are lying idle because they can manufacture here. If you reduce the duty they would start them up with their cheaper labor and deprive our people of the advantage in the manufacture of glue. So I am strongly in favor of the proposed amendment.

Mr. HARRISON. Will the gentleman permit me another interruption?

Mr. HULL of Iowa. Yes.

Mr. HARRISON. I have the figures of the production of the United States and the exportations. In 1904 we exported 2,800,000 pounds of glue. Now, why do you want any more protection except to hold up the price?

Mr. HULL of Iowa. Let me say, Mr. Chairman, that the countries of Austria and Germany are now protecting themselves against us more every year. The amount imported, even under the Dingley rates, has increased each year. We have got to protect ourselves in a reasonable way, and at least 2½ cents on glue is not an extravagant duty. To my mind the House will do a great injustice to that industry, which is not localized in any one part of the country, but extends wherever there is a packing-house interest, independent, or in Chicago, and uses a product that would otherwise go to waste. I hope the committee amendment will be adopted.

Mr. JOHNSON of South Carolina. Mr. Chairman, the tariff is a tax. Taxes are a burden. The Government has no right to lay taxes, except for the purpose of raising revenues sufficient to conduct it economically and efficiently. Democrats have always contended that import duties were finally paid by the consumer. Republicans always insisted that the import duties were paid by the foreigner in order to get his goods and wares into our markets. The founders of the school of protection favored laying import duties in order to protect infant industries until they could be firmly established. The promise was made that as soon as these industries were established, the protection could be and would be withdrawn. In this belief many patriotic Americans submitted to said taxation patiently, and many actively encouraged it in order that we might become a manufacturing as well as an agricultural people. Nobody will deny but that most industries are and have been for many years firmly established, but the protection under which they were fostered has not been withdrawn, nor even reduced. On the contrary, the rates of duty have increased from an average of 8½ per cent in the first tariff bill ever passed to more than 45 per cent in the bill now under consideration. As manufacturing industries became stronger in the commercial and manufacturing world, they also grew stronger in the political world. The early advocates of moderate protection never dreamed that giant industries would form into trusts and great combinations and control absolutely the output of many of the necessaries of life. It is almost incredible now that any respectable number of people will insist upon the highest rates of duty for combinations which they know are imposing upon the American people; such, for instance, as the sugar trust and the Standard Oil Company, both of which are well taken care of in the impending bill.

The Payne bill marks a radical departure from the theory of protection heretofore advocated by the Republican party. As I have already stated, they have always denied that the tariff is a tax. In the discussion of the present bill many of the individual Republicans have assumed that the reduction in the price of the finished products would be equal to the reduction in the tariff, and that the consumer would get the benefit of it. This is an admission that the tariff is a tax which is finally paid by the consumer. The party might not be bound by the declarations of individuals, but the party is bound by the principles enunciated in the bill itself. The bill recognizes this principle by placing many articles which enter into manufacture on the free list. It still further recognizes that the tariff is a tax by providing in section 29 for practically the free importation of any and all articles that may be needed for manufacturing purposes. Heretofore it has permitted manufacturers to import raw material and convert it into finished products, and upon the exportation of the finished product get back 99 per cent of the duty paid. It was necessary, however, for the particular article which was imported to be manufactured and exported. Under section 29 of the pending bill no identification of the imported article is necessary. The manufacturer can import any material he may need, and if within three years he shall export goods of equal value, whether made from foreign or domestic material, he can get back 99 per cent of the duties paid. I shall not stop to discuss this feature of the bill further than to emphasize that the Republican party admits in the strongest possible way that the tariff is a tax, and that in order to induce our manufacturers to export wares and merchandise, they are willing for the manufacturers to be relieved of such taxation.

Section 29 affords abundant food for thought along another line. In the early days of protection the whole contention was that the tariff should be levied in order to build up infant industries. When the infant industries became strong and were not willing to surrender the privileges which they enjoyed, another plausible reason was advanced for keeping up duties, viz, that the duties were laid for the benefit of the American workingman. Are any American workingmen engaged in producing the articles which you provide in section 29 that the manufacturer may import free of duty? What becomes of your concern for the workingman? Be it remembered that one man's raw material is another man's finished product. The wheat of the farmer is the raw material for the miller. Wool and cotton are raw materials for the manufacturers. I am not saying that these things ought to be protected. I am merely pointing out that the Republicans contend that all American laborers should be protected, and at the same time they practically place upon the free list any and all materials that manufacturers buy, provided they export within three years manufactured products made of similar material. You frequently accuse the Democrats of favoring the foreigner when it is proposed to reduce duties, yet you openly favor the foreigners at the expense of our own people, first, by letting the manufacturers buy raw material practically duty free, no matter how many of our people may be engaged in producing it, in order that the manufacturers may sell more cheaply abroad than at home. This is a severe condemnation of your protection theory, after half a century of high tariffs, which we were assured would establish manufactures and ultimately give us cheap products. We have for several years seen many kinds of manufactures sold cheaper abroad than at home. At first it was denied. Later it was admitted, with an explanation that it was only surplus stock.

Now it is to become the rule, recognized and provided for by law. Why not give our own people the benefit of cheaper goods instead of the foreigner? Protected industries sell cheaper in foreign countries than they do at home. Unprotected industries sell for more abroad than they do at home. Our surplus cotton sells from $5 to $10 per bale more in Liverpool than it does in the United States, while our surplus oil is sold cheaper in London than it is in this country.

Mr. Chairman, when the workingman will find out that the claim that protection is for his benefit is a fraud and a pretense, I do not know. He ought to stop some day to think about it. Wages are higher here than they are in other countries, but it is not on account of protection. It is so in spite of protection. Presidents of banks, insurance companies, railroads, and other corporations receive more than twice as much as like officials in England and Germany. Brick masons, carpenters, railway conductors and firemen, none of whom are engaged in protected industries, receive very much better wages than like classes in England or Germany. Protection is not the cause of our higher wage scale. Labor is not protected. Our doors are wide open to the laborers of all the world except the Chinese. It is admitted that wages are very much higher in England than they are in Germany, yet England is a free-trade country, while Germany has high protection. If protection makes high wages and free trade low wages, Germany would have higher wages than England. Then if the poor, deluded working man will stop to think he will discover that it is the manufacturer and not the laborer who has "cottages" at Newport and is able to pay fabulous prices for titles of nobility.

In this debate the panic of 1893 to 1896 is attributed to the Wilson bill. That panic was world-wide. The acute stage of the panic was passed in 1893, while the Wilson bill was not passed until August, 1894. The country has enjoyed a period of great prosperity, but it could not have been the result of the Dingley law, because during the same period Canada, Great Britain, Mexico, Germany, and Argentina had no Dingley law, but did have prosperity.

There is little in this bill for the consumers. All the people are consumers. Republicans in this debate have said that all are producers. Not so. For economic purposes the people may be divided into three classes: First, those who produce wealth; second, those who distribute wealth; third, the nonworking class, such as small children, the infirm, and so forth.

This bill carries no comfort to the cotton grower. He must pay heavy duties on his hardware and practically all that he buys. He must sell his product in the open markets of the world, in competition with the poorly paid labor of India and Egypt. This bill leaves a duty on bagging and ties for the benefit of the bagging trust and the steel trust. There will be no opportunity to amend these burdensome propositions. You give the manufacturer free raw materials to enable him to export his wares and bring in gold. The cotton farmer brings into this country more gold than any other class, but you tax heavily the covering in which he must export his cotton. In addition to this burden, which he has always borne and must continue to bear, this bill will increase the cost of his muriate of potash, which he must buy in large quantities to produce his crops.

It is useless, Mr. Chairman, to point out the many vices in this bill. It is mere idle talk. What boots it if the glove schedule, the hosiery schedule, the spool-cotton schedule, or any other is oppressive, when we are denied the right to amend, or even to offer amendment?

Mr. Chairman, the time will come, and godspeed its coming, when the people will come into their own. The Government has no favor to bestow. What it gives to the few it must necessarily take from all the people. Taxation is a burden. We can not make the people rich and prosperous and happy by taxing them. Instead of increasing their burdens, let us lighten them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. HARRISON. Division, Mr. Chairman.

The committee divided; and there were—ayes 152, noes 104.

So the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 40, page 10, line 3, strike out the words "seventy-five" and insert in lieu thereof the words "one dollar and fifty."

Mr. PAYNE. This amendment, Mr. Chairman, increases the duty on crude barytes from 75 cents to $1.50. There were extensive hearings on this matter. Those interested asked for an increase from 75 cents to $5, and rather prejudiced their case by their extravagant demands. The committee in reviewing this matter read again the evidence and came to the conclusion that they were fairly entitled to this increase, doubling the duty from 75 cents to $1.50. The duty on refined under the Dingley law is $5.25 a ton, and we have retained that duty.

Mr. MANN. What is the present law on the crude?

Mr. PAYNE. Seventy-five cents, and we have increased it to $1.50.

Fifty per cent of it is mined in Washington County, in the State of Missouri, by a number of small miners and people of small means. It is used as a mixture in paint. The United States Army officials have examined the subject through some experts and say that it is a valuable ingredient in paint, and, mixed with lead, it prevents the lead from blistering, and so forth, and so is valuable as a mixture.

Mr. HAMILTON. Where is it produced?

Mr. PAYNE. Oh, in the Southern States; some in Missouri, much of it in the Appalachian Range, and also in the State of Tennessee. It is wholly a southern industry; and, of course, the committee, looking after all sections of the country, have been peculiarly kind to the South in protecting their industries wherever the idea of protection could be legitimately advanced, and we thought that they ought to have an increased duty on this because of the importations under the duty of 75 cents a ton.

Mr. HAMILTON. Is it all mined as they mine it in Missouri, like a man digging a hole?

Mr. PAYNE. Well, it is in pockets.

Mr. HAMILTON. By simply digging holes?

Mr. PAYNE. They have got to go over the ground to find it. They prospect for every ton they get.

Mr. HAMILTON. Why is not 75 cents a sufficient protection?

Mr. PAYNE. Because it does not make up the difference in the labor cost of mining it here and mining it across the water. That answers the gentleman's question.

Mr. STEPHENS of Texas. Can the gentleman inform us what the value of it is?

Mr. PAYNE. Crude about $4 or $5 a ton and refined, $16 a ton.

Mr. STEPHENS of Texas. Does not the gentleman think that $1.50 is an exorbitant amount of tariff?

Mr. PAYNE. I think it is a very reasonable protective tariff to put it at $1.50 a ton.

Mr. STEPHENS of Texas. It does not cost much to operate it.

Mr. HAMILTON. It is ordinarily operated by a man digging a hole in the ground, as they get it in Missouri.

Mr. PAYNE. They have got to do more than that. Now, I yield the floor, and the gentleman from Missouri can take it.

Mr. HARRISON. Mr. Chairman, this amendment is an attempt on the part of the Republican party to pay one of their campaign expenses. I do not know that I would be such a dog in the manger as to object to that were it not that the people will pay the piper. The consumers of this country, and especially of the eastern seaboard, will have to pay to redeem this campaign pledge.

Barytes is a crude ore which is mined somewhat in the Southern States, but chiefly in the State of Missouri. About 52 per cent of the crude barytes production of this country comes from Washington County, Mo. The people of Missouri are unable to compete profitably with the foreigners in crude barytes. And how absurdly disproportionate the expense of mining and transporting to New York is from the two principal points of production, namely, Missouri and Germany, will be shown by the figures. A witness testified before the Ways and Means Committee that crude barytes costs about $5 a ton, delivered on the cars in the sidings in Missouri; that the freight rate to New York was about $4.65, making the cost in New York from Missouri $9.65.

The same witness said that the cost of production in Germany was about $2 a ton, 50 cents per ton freight across the Atlantic, because, as he claimed, it came chiefly as ballast, and 75 cents duty—in other words, a total of $3.25 a ton. Now, even the wildest protectionist must admit that the disproportion between the cost of production is so great that it is absurd for this Congress to attempt to put the American producer on a level with the German.

But, besides that, another witness said that for twenty years they had been producing barytes in Massachusetts at a profit, and that they needed no protection whatever upon the crude ore.

So the question is simply this: It is a matter of freight rates. The people of the eastern seaboard who consume immense quantities of barytes ore are to be called upon to pay the freight rates of the Missouri producers, so as to give them prohibitive control of the eastern markets. Now, to show you how important this ore is——

Mr. PAYNE. I should like to ask my colleague a question.

Mr. HARRISON. With pleasure.

Mr. PAYNE. If the people in the East can produce it without any duty upon it, how is it that they only control a very small percentage of the market, while the people in Missouri and the people in the Southern States control over 80 per cent of the market? Why do they not drive the Southern States and Missouri out if they can produce it without any duty?

Mr. HARRISON. Because the size of their barytes mines in New England is limited. That is the only reason; whereas in the western country the supply is unlimited.

Mr. PAYNE. That is the answer I expected.

Mr. HARRISON. The freight rate is the differential. That is what we will have to pay. The people in Massachusetts are able to get to the New York market because their freight rate is so much less, and you are now asking us in New York to pay the freight rate on the Missouri ore.

Barytes ore is used in the production of a new nonpoisonous paint called "lithopone"——

Mr. PAYNE. Does not the gentleman know that the barytes ore which is produced in Missouri is manufactured largely in Missouri, and that the southern ore is manufactured largely in the Southern States?

Mr. HARRISON (continuing). And over half of it comes from Washington County, Mo. Barytes is used in aniline lake colors, in tanning, in rubber manufacturing, in the manufacture of oilcloths and linoleum, and is also used in paper manufactur-

ing. It is of enormous importance to the manufacturers of the United States, and the sole effect of this increase in duty will be to make the consuming public pay this new tax in the interest of the Missouri barytes producer.

Now, Mr. Chairman, what it was that operated upon the minds of the committee to change this rate after they had reported the bill, I do not know. The attitude of the gentleman from New York [Mr. PAYNE], chairman of the committee, in speaking on the floor, is one of some levity about this subject. I do not know what the joke is, but I know it will be no joke to the consuming public of the eastern seaboard.

Mr. BARTHOLDT. Mr. Chairman, the differences between the gentleman from New York [Mr. HARRISON] and myself on this question can not possibly be reconciled, for the simple reason that the proposed amendment is proposed in the interest of protection to the American miner as against the miner in foreign countries. It is the difference between protection and free trade and between the Democratic party and the Republican party. We try to give employment to American labor, while if this amendment is not adopted we will use barytes mined by foreign labor. That is the difference.

Mr. LIVINGSTON. Are you not allowing hundreds of thousands of foreign laborers to come into this country every year?

Mr. BARTHOLDT. I want to say to the gentleman that the mines and mills in Missouri and in other States which produce barytes are now closed. The miners are idle, and the men who have invested their capital in that industry receive no return from it. In order to revive that industry, it is absolutely necessary that the Republican party should apply the principle of protection as it has been applied, through this very bill, to many other industries of the country.

Mr. LIVINGSTON. Will the gentleman yield?

Mr. BARTHOLDT. Yes.

Mr. LIVINGSTON. What is the difference between protecting foreign laborers in Germany and bringing them here and protecting them here?

Mr. BARTHOLDT. Oh, that is a question which touches an entirely different phase of national economy. I would rather manufacture in this country, I would rather have the foreign laborer come here and manufacture here, thus becoming American consumers, instead of having our products manufactured abroad and coming here as ballast in ships. Barytes is laid down in the port of New York cheaper than we can lay it down there from Missouri. Why? Because for the foreigner there is no cost of transportation to speak of, and, furthermore, the miners in Missouri receive living wages, while the miners abroad do not.

Mr. Chairman, this increase which the committee proposes, from 75 cents to $1.50, is hardly sufficient, but knowing that it would be futile to attempt to amend the committee amendment at this time, we will content ourselves with the proposal of the committee.

Mr. SLAYDEN. Will the gentleman allow a question?

Mr. BARTHOLDT. I will yield to the gentleman.

Mr. SLAYDEN. What actuated the committee in the original suggestion? Was it that they operated in the interest of the people, but, on reflection, they thought they would operate in the interest of the miners?

Mr. BARTHOLDT. No; the committee did what it did in a large number of cases—adopted the Dingley rate, ignoring one important fact, namely, that at the time the Dingley rate was made there was practically no importation of barytes to this country, and consequently there was no competition from abroad. But since that time the importation from abroad has reached nearly 50 per cent of the total output of that article. Consequently the time has come to protect ourselves and our American labor against that competition.

Mr. HAMILTON. Will the gentleman describe barytes mining in Missouri, as ordinarily carried on?

Mr. BARTHOLDT. For the details of that I would refer the gentleman to my colleague from Missouri [Mr. ELVINS], who represents the barytes district. I have seen it and been in the mills; but the mills are closed down at the present time.

Mr. HAMILTON. The gentleman has seen them mining barytes in Missouri?

Mr. BARTHOLDT. Yes; and I want to say that if you travel along the Iron Mountain Railroad south, you will see piles of barytes along the track, which can not be disposed of on account of the fact that the stuff is being brought in from foreign countries. [Applause.]

Mr. HILL. Mr. Chairman, I want to answer a question which was asked a moment ago by the gentleman from Texas [Mr. SLAYDEN], as to what actuated the committee in making this rate, and I desire to say for myself, and I believe representing the views of every man on the committee, that there was nothing in any rate that has been fixed, nothing whatever, that actuated any member of the committee, except what they believed to be for the best interests of the whole country.

I wish to say that, so far as any vote I have given during the last five months, it has not been governed by any political, sectional, or any other consideration except as it has been based on the statistics of the industry. [Applause.] And I want to call the attention of the Members of the House to the statistics in this case.

When the Dingley law was enacted making a rate of 75 cents a ton on barytes, we imported the first year, 1898, 1,000 tons. Last year we imported 12,000 tons—twelve times as much. We imported the first year of the manufactured article——

Mr. HAMILTON. Where did that imported barytes mostly come from?

Mr. HILL. The Tariff Notes will tell you where it comes from; and if you will take the trouble to take the book entitled "Tariff Notes" and this other book entitled "Imports and Duties" you will find the import value per unit, quantity and value of importations, duties collected, and ad valorem rates for each year since 1894; and as a general rule, unless in the case of luxuries, you will find that if the importations have very largely increased under the Dingley rates, the rates are either left unchanged or advanced; but if they have very largely fallen off, you will find the rates have been reduced, and that without any reference to sections, politics, or anything of the kind. The statistical position of this item demands an increase. [Applause.]

Mr. SLAYDEN. Will the gentleman yield?

Mr. HILL. Yes.

Mr. SLAYDEN. My information is, Mr. Chairman, that there is a great difference in the quality of barytes that is imported and that which is produced in this country, and that the imported article is the superior.

Mr. BARTHOLDT. That is not so.

Mr. SLAYDEN. The information comes from a gentleman sitting beside me, who uses a good deal. I want to ask the gentleman from Connecticut if he feels that he is justified in placing an additional tax upon all the manufacturing enterprises in this country like the manufactures of linoleum, wall paper, and other useful articles of that kind used in domestic life, in order to put a higher tax on a single importation of 12,000 tons?

Mr. HILL. What is the use of the gentleman asking me a question of that kind? I am a protectionist, and I believe in protecting the American industry. I believe if duties are too high that they ought to be cut down, and cut down on merit and not upon politics. [Applause on the Republican side.] I believe that if they are not high enough they ought to be raised in every case [renewed applause], and I do not propose to have my action governed by party or sectional considerations. I stand upon the economic principle.

Mr. SLAYDEN. Even though, as is manifest in this case——

Mr. HILL. And I am in favor of applying the rule fairly and raising or lowering the rate as the conditions may indicate, whether in steel, gloves, or barytes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STANLEY. Mr. Chairman, I am a Democrat. [Applause on the Democratic side.] I am for freer trade; but my district, Mr. Chairman, is about to produce barytes, and I must be for protection on barytes. [Laughter.] Mr. Chairman, one of the dearest friends I have on earth has written to me, telling me that he can make a fortune on barytes if it can just be hothoused. I do not know how I can turn that friend down. [Laughter.] They tell me that I will lose votes in my district if I am not for a tariff on barytes; and I must protect barytes, if Democracy goes to the "demnition" bow wows." [Laughter.]

Mr. Chairman, in all seriousness, some people in my district are interested in barytes. One-third of all the coal that is produced in Kentucky is produced in one county in my district.

The whole region is underlaid by the richest bituminous fields God ever buried in the bosom of the earth. I have looked into the faces of 5,000 coal miners and millions of money, and I have voted for free coal. [Applause on the Democratic side.] There are hills and valleys in my district still covered to-day with virgin forests, and I voted for free lumber. [Applause.] And by the same principle, and by the Eternal God, I shall vote for free barytes. [Applause.] I have never learned how to fight protectionism with my hand behind me. I am told by the gentleman from Florida [Mr. CLARK] that I live in the past. And in a way I do, Mr. Chairman; I do. I am proud of the memories of the past. The man who says that he is only against protection when it does not become profitable to him or his would feel strange, indeed, preaching such a selfish heresy as that in the presence of "those dead, but sceptered, sovereigns who still rule our spirits from their urns."

Mr. CLARK of Florida. Will the gentleman permit a question?

Mr. STANLEY. I have but five minutes.

Mr. CLARK of Florida. Just a question.

Mr. STANLEY. Yes.

Mr. CLARK of Florida. Has the gentleman from Kentucky been before the Ways and Means Committee or has he made any effort in this House to take the duty off mules and horses?

Mr. STANLEY. I would like to take the duty off mules for the sake of the gentleman from Florida. [Laughter.] A man who would make an argument of that kind must feel very sorry for a mule.

Mr. CLARK of Florida. And for the benefit of the gentleman from Kentucky, Mr. Chairman, I would like to put a duty on the father of the mule. [Prolonged laughter.]

Mr. STANLEY. Mr. Chairman, "I had rather be a doorkeeper in the house of the Lord than a dweller in the tents of wickedness," and I would rather be an honest ass than the gentleman from Florida. [Prolonged laughter.]

Mr. ELVINS. Mr. Chairman, unlike the gentleman from Kentucky [Mr. STANLEY] I am not a Democrat, but am a Republican of the protectionist brand, and therefore I am in favor of this increased duty upon barytes. The gentleman from New York [Mr. HARRISON] has just stated that 52 per cent of all of the barytes in the United States is produced in Washington County, Mo. Such is nearly the fact, and Washington County is in the district that I represent in this body, and I rise to urge this increase in tariff on her chief product that she may become a rose in the bouquet of general prosperity. I have today a letter from a constituent in that county, which will express the need for increased protection better than I could do so. He says in part:

I just returned from Potosi last night, and conditions are miserable. The barytes miners on our property are suffering for the bare necessities of life, and I think you will agree with me when I say that this condition is due to the fact that German barytes is being brought into this country, usually as ballast, and sold to the eastern consumer at a price cheaper than the Missouri ore can be mined, sold, and freighted. In fact, this mineral can be sold in New York at a price cheaper than it can be mined in Missouri. At the present price of crude mineral—and that price has been the same for over a year—the landowner can not afford to pay the miner enough to provide even a bare living, and, unfortunately, the barytes miner is fitted for nothing else. To-day there are several thousand tons of mineral which have been mined by the 200 families who live on our property and which we can not afford to pay for. These people have mined this mineral without encouragement from the owners, with the hope that we would be able to pay for it. Our people are doing what they can for these people and their families. We are furnishing them houses and fuel, and are hoping that we will be able to pay them for their mineral at an early date. I am afraid, however, that we will not be able to do anything unless we are afforded a reasonable protection. The barytes industry in Missouri is the most typical example of an infant and struggling industry that has come to my knowledge, and assuredly deserves protection.

Mr. Chairman, in further answer to the gentleman from New York, who said that barytes was used principally in the production of a new paint called "lithopone" and who so vehemently objects to this amendment, I want to say that the gentlemen who produce lithopone filed with the Ways and Means Committee during its hearings this statement, which statement from its very selfishness ought to convince this committee of the importance of this amendment. I will read it:

HON. SERENO E. PAYNE. NEWPORT, DEL., *November 11, 1908.*
Chairman Committee on Tariff Revision, Capitol, District of Columbia.

DEAR SIR: While considering the paint and chemical schedule, we beg to call your attention to the fact that barytes ore in the present tariff pays a duty of 75 cents a ton. It is in an absolutely crude condition as we get it, and, while we do not advocate radical changes in the tariff, we believe that all raw material used in the manufacture should come into the country free of duty.

Barytes, as this ore is called, is a very important raw material to us, as it, after different chemical treatments, forms one of the principal parts of the paint we manufacture, namely, lithopone.

Lithopone is a new paint that gradually but slowly is gaining a footing in this country. It is nonpoisonous and very effective, and as a baby industry we commend it to you for your protection.

Spelter is another material that we use in the manufacture of this article. Zinc ore, from which spelter is made, is now on the free list, but I am told that a determined effort will be made by the Missouri interests to secure some protection for zinc ores. Against this I vigorously protest, as it would decidedly handicap us were we to pay advanced prices for our spelter. Zinc ore, being a raw material, should be without protection, as it is in the present schedule, and we beg of you to see that it remains where it is.

Respectfully, yours,

KEBBS PIGMENT AND CHEMICAL CO.,
H. J. KEBBS, *President.*

He asks in one breath a protection for his "baby industry" of lithopone, which industry, by the way, is now and was then protected to the point of being prohibitive, and at the same time he talks against the protection of the chief ingredient of lithopone, which is barytes, or tiff, as we call it in Missouri.

Mr. Chairman, I want to say to the gentlemen on that side of the Chamber who are opposing this amendment that my predecessor in this House, who sat upon that side in the last Congress, offered House bill sixteen thousand and something [H. R. 16368], which provides for fixing a duty on crude barytes of $5 a ton. [Applause.] If it be a good proposition from a Democratic standpoint to put on a duty of $5 a ton, certainly no great objection ought to be made to the committee amendment, which gives only $1.50 a ton. [Loud applause.]

The lithopone people, like a lot of other misguided people in this country, raise the usual clamor for "free raw materials," purposely forgetting, of course, that while barytes is a raw material in the manufacture of lithopone, it is the finished product of the poor tiff digger of my district, and I fear, Mr. Chairman, that unless additional protection is given us it will become a "finished" industry in Missouri.

A study of the tariff hearings had before the Ways and Means Committee, of which the gentleman from New York [Mr. HARRISON] is a distinguished member, shows that other "baby industries" are opposed to the increased duty on tiff, or any duty at all, for that matter, and among these may be found the Standard Sanitary Manufacturing Company, of Pittsburg; and I beg anybody who has ever bought a bath tub or other article manufactured by this concern to bear witness to its magnanimity in making prices. Then come the Atlantic Terra Cotta Company and the Northwestern Terra Cotta Company and tearfully protest that their industry would be crippled by a raise, and yet on account of their own protection by law they have no competition from abroad. Next comes the Beckton Chemical Company, and admitting the protection on lithopone, which Mr. Krebs, by inference at least, tried to fool the committee into believing was unprotected, and it also protests against allowing us a tariff of one dollar and a half per ton on tiff, while it basks in the glorious protection of $25 per ton.

But, Mr. Chairman, I shall not take time to read their protests, but under consent given, will append their statements to my remarks in the RECORD, and also that of the wall-paper manufacturer, Mr. W. D. Uptegraff, who objects to a tariff on the tiff that goes into his wall paper, while he sits supinely behind a wall of protection on his own product to the tune of 35 per cent ad valorem.

None of these gentlemen has offered to put his product on the free list in case barytes is put on the free list, although it is his raw material. The labor is our "raw material," and we want it protected against the cheaper labor of Germany, which competes with us in the tiff market. If some of the wise legislators across the aisle or elsewhere will raise the daily pay of the tiff diggers of Germany and Newfoundland to the wage that is demanded and ought to be regularly had by the barytes miners of my district, I shall consent that barytes may go upon the free list, but I shall never consent that the wages of the miners of Washington County be cut down to an equality with those of the foreigners mentioned to please the fancy of raw-material men, free traders, or anybody else. [Loud applause.]

It has been suggested that the increase proposed in this amendment, from 75 cents to $1.50 a ton, 100 per cent, is the greatest increase in percentage in the schedule. That would have been equally true if the rate had been 1 cent per ton and had been increased to 2 cents per ton. The truth is, that while a tariff of $1.50 a ton may equal the difference in the cost of production at home and abroad, as was guaranteed to us by the Republican platform, yet, on account of the advantage which the Germans have over us in transportation facilities and charges, it is hardly adequate; but in view of the apparent sentiment for a revision of the tariff downward and the cry for free raw materials, I presume I shall have to be satisfied, and I urge all gentlemen to vote for the amendment.

Mine is a voice from Missouri, Mr. Chairman, and it is a voice that would not have sounded from this side of the Chamber had not the tiff diggers of Washington County seen the gleam of hope shine through the Republican banner. [Long and continued applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELVINS. I now submit those portions of the hearings heretofore referred to:

E. L. DAWES, GENERAL MANAGER STANDARD SANITARY MANUFACTURING COMPANY, PITTSBURG, PA., OPPOSES INCREASE OF DUTY ON BARYTES.

PITTSBURG, U. S. A., *November 9, 1908.*

Hon. JOHN DALZELL, M. C., *Washington, D. C.*

DEAR SIR: Inclosed find letter from Gabriel & Schall, of New York, through whom we purchase about 225 tons of carbonate of baryta a year. We would advise you that we do not see how it would be possible for us to continue the use of this material in our mixture if it would carry an advance duty on it. It is as high as we could well afford to pay. So far as we are aware, we have not been offered this material in this country at any time or at any price. The duty that is now

being collected on it, we believe, would be ample for the protection of any industry, and we trust that you will use your influence to keep the duty from being advanced.

Yours, truly,

E. L. DAWES,
General Manager Standard Sanitary Manufacturing Company.

GABRIEL & SCHALL, 205 PEARL STREET,
New York, November 7, 1908.

Mr. L. C. CORBUS,
Acting Purchasing Agent,
Standard Sanitary Manufacturing Company, Pittsburg, Pa.

DEAR SIR: Referring to the subject of our carbonate of baryta, which we have been importing for many years and which under the present tariff, while on the free list, has been and is being assessed a duty of 25 per cent, may come up for a further advance in duty before the Ways and Means Committee, which will be in session at Washington, beginning November 10, 1908. The schedule under which our carbonate of baryta appears we believe to be the first one to come up—that is, on November 10 and 11—and we know that about one year ago some interested parties in the West tried to put a bill through Congress to advance the duty on this product to $25 per ton, which would be an enormous increase over the rate of 25 per cent as now assessed, and would increase the cost of our material about $20 per ton.

We hope you will lay this matter before your Congressman and protest against such advance. Awaiting your favors, we remain,

Very truly, yours,

GABRIEL & SCHALL.
A. S. SCHALL.

J. W. COULSTON & CO., OF NEW YORK CITY, IMPORTERS AND MANUFACTURERS OF DRY PAINTS AND COLORS, PROTEST AGAINST ADVANCE OF DUTY ON CRUDE BARYTES.

NEW YORK, *November 28, 1908.*

HON. S. E. PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

SIR: We take the liberty of writing to you on the subject of paragraph No. 44, Schedule A, as follows:

"Baryta, sulphate of, or barytes, including barytes earth, unmanufactured, 75 cents per ton; manufactured, $5.25 per ton."

We import some of the goods, both unmanufactured and manufactured, that come under this paragraph, and write to you with reference to this paragraph and the request for higher duty that was held before you on the 11th of the month.

If the reports in some of the newspapers in New York were correct, some of the statements made by the speakers were incorrect. According to one speaker, he said that there were about 20,000 tons of foreign crude barytes imported from Germany and Newfoundland into this country during the year 1907; whilst, according to the statistics published by the Bureau of Statistics of the Department of Commerce and Labor, the importation of crude barytes during the fiscal year 1907 was 6,000 tons and 4,000 tons of the powdered, and the importations during the fiscal year ending 1908 were 9,000 tons of the crude and 2,750 tons of the powdered. The reason that there is such a large percentage of crude imported is that it is used in the manufacture of lithopone, or sulphide of zinc, which has materially displaced the importation of German lithopone. The manufacturers of these goods—lithopone, or sulphide of zinc—are all situated on the Atlantic seaboard, in the neighborhood of New York and Philadelphia, and in our opinion they would be seriously handicapped by an extra duty, as proposed by some of the gentlemen who advocated a duty of $5 a ton on the commodity.

Some of the speakers, especially the gentleman from Buffalo, were also exceedingly incorrect and "wild of the mark" with reference to the ocean freight on these crude barytes, as well as the cost of the German powdered barytes delivered in New York City or Philadelphia or the Atlantic seaboard. There is no such ocean freight from Germany as 50 cents per ton. The ocean freight for this year and for next year is about $2 per ton. Nor is the cost of the German barytes, powdered, $8 or $9 per ton. The material costs very much higher than this, and in fact we know, in a good many instances, that the cost of the German powdered barytes is higher than the domestic is now selling for in market, or was selling for in this market during the course of last year or the year 1906.

Yours, respectfully,

J. W. COULSTON & CO.

THE ATLANTIC TERRA COTTA COMPANY OBJECTS TO IMPOSITION OF DUTY ON CARBONATE OF BARYTA, OR WITHERITE.

NEW YORK, *November 24, 1908.*

To the COMMITTEE ON WAYS AND MEANS,
House of Representatives, Washington, D. C.

GENTLEMEN: This company, operating four factories in New York and New Jersey, is one of the largest consumers of imported carbonate of baryta in the United States.

We are large manufacturers of building or architectural terra cotta used in the construction of the exterior and interior walls of buildings. This terra cotta is clay baked at a high degree Fahrenheit.

Imported carbonate of baryta is used by us as a neutralizer of the sulphates in the clay. The domestic product, commonly referred to as "witherite," contains too many impurities and is not fine enough for our use in the making of terra cotta. Carbonate of baryta, or witherite, under the present tariff or Dingley Act is placed on the free list. Notwithstanding this provision, we have for some time past been obliged to pay the producers of carbonate of baryta a price to include an added duty of 25 per cent ad valorem levied by the customs authorities under a ruling of the department either obscure or not well defined.

The protests against this tax thus imposed in the face of the provision in the Dingley tariff have taken form in an action pending in the United States courts. This 25 per cent tax with which we as consumers are charged has added greatly to the cost of our finished material and operates as a burden and an injustice to all manufacturers of architectural terra cotta. During the first session of the Fifty-ninth Congress, about two years ago, a bill was introduced in the House of Representatives providing for a duty of $25 per ton on this imported carbonate of baryta, but the bill was not taken up for consideration.

We glean from the newspapers that certain interested persons have appeared before your committee and urged the adoption of the provisions of this bill.

If such were accomplished the cost of this material to us as consumers would be nearly double the present onerous expense, inasmuch as the increased tariff would be added to the high price now paid by us as users and consumers of a chemical indispensable in the manufacture of our product.

Hence we protest against the imposition of a duty or tax upon this witherite or imported carbonate of baryta and earnestly urge that it be continued, as in the Dingley Act, on the free list.

Respectfully submitted.

ATLANTIC TERRA COTTA CO.

THE NORTHWESTERN TERRA COTTA COMPANY, CHICAGO, ILL., WISHES NO DUTY ON CARBONATE OF BARYTA.

CHICAGO, *November 24, 1908.*

Hon. HENRY S. BOUTELL,
Washington, D. C.

DEAR SIR: We are informed that there is now a bill (H. R. 7599) before the Ways and Means Committee which will increase the duty on carbonate of baryta to $25 per ton.

We are large users of this material, perhaps the largest consumers in the country, but only one among many interested.

While under the present tariff it is on the free list, it has been and is being assessed a duty of 25 per cent. This is a product that is only produced in small quantities and of a very inferior quality in this country. Any advance in duty would be imposing hardship upon us, and we trust that you will see fit to make vigorous protest against any such advance.

Yours, very respectfully,

THE NORTHWESTERN TERRA COTTA COMPANY,
JOS. F. SHIPPEN, *Purchasing Agent.*

THE BECKTON CHEMICAL COMPANY, OF PHILADELPHIA, PA., MANUFACTURERS OF LITHOPONE, ASKS THAT DUTY ON CRUDE BARYTES BE NOT ADVANCED.

PHILADELPHIA, *December 3, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

DEAR SIR: We regret that not sufficient notice was given us of the hearing held in Washington on the 10th of November in reference to the schedule on barytes to enable us to be represented.

We are large importers and users of crude barytes, and are informed that arguments were presented on November 10 urging increased duty on crude barytes from present tariff of 75 cents per ton to $5 per ton.

We are manufacturers of lithopone, for which the prime raw material is the German crude barytes. Lithopone is a modern pigment consisting of a chemical combination of barytes and zinc. Its use has increased very rapidly in Europe, as it is an exceedingly white pigment of great opacity or covering power.

An important business in lithopone has already been established in this country. This business was at first confined to the imported lithopone. Our own was the first company to engage in its manufacture in this country, and within the last few years several other companies have started. The business is a rapidly growing one, and the American lithopone has now been brought to such a stage of perfection that it is replacing the German and English lithopones in the American market.

This business would be crippled, if not entirely destroyed, by such an advance in the duty on crude barytes as has been suggested—from 75 cents to $5 per ton.

The German crude barytes is of a higher quality, more suitable for the manufacture of lithopone than any American deposits so far developed, and it would be impossible to manufacture lithopone equal to the imported article or equal to the present standard of lithopone established by us from any crude barytes mined in America of which we have any knowledge. Moreover, the American is mined at interior points in Missouri and Tennessee, and freight rates would make it so costly that we could not use it, even if it were otherwise as suitable as the German, and compete with the German lithopone unless the tariff on the latter is proportionately increased.

We submit, finally, that the manufacture of lithopone in this country is a new and promising industry, which would be ruined by such an advance of tariff on crude barytes, and we petition, therefore, that the duty on crude barytes be either retained at the present figure or removed altogether, and that if this tariff is raised the tariff on lithopone should be raised in proportion.

Respectfully submitted.

THE BECKTON CHEMICAL COMPANY,
By T. S. HUBBARD, *President.*

THE BECKTON CHEMICAL COMPANY, PHILADELPHIA, PA., SUBMITS SUPPLEMENTAL BRIEF RELATIVE TO BARYTES.

PHILADELPHIA, PA., *December 17, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

SIR: We wish to protest against an advance in duty on crude barytes earth or barium sulphate ore over present duty of 75 cents per long ton.

Crude barytes earth is the crude ore just as taken from the mines; is shipped in bulk from abroad, principally from Germany. About 15,000 tons are imported annually as a raw material for the manufacture of lithopone. We know of no other use for this ore, as it is too far off color to be manufactured into powdered barytes pigment.

Lithopone is a very opaque, nonpoisonous, white pigment, manufactured and used to a considerable extent abroad, especially in countries where the use of white lead is prohibited. Chemically it is a combination between barium sulphate and zinc sulphide.

The manufacture of lithopone in the United States is a growing industry, with considerable competition both among the several domestic manufacturers and from abroad.

With the present duty of only 1¼ cents per pound on the finished product, the ability of the American manufacturer to compete with foreign-produced lithopone depends upon his ability to obtain his principal raw material, crude barytes earth, at a reasonable cost.

American barytes deposits are situated in the South and Middle West, with prohibitive freight rates to the East. The American ores, on account of their physical nature and attendant chemical impurities, are not suited to the manufacture of lithopone. Our company, the first manufacturers of lithopone in this country, have never found an American ore from which lithopone could be manufactured to compete with the foreign product.

An increase in the tariff on the raw material, without a proportionate protective increase on the finished product, would destroy the lithopone industry of this country.

We petition, therefore, that the duty on crude manufactured barytes earth suitable for lithopone manufacture be entirely removed, or at least not advanced beyond the present tariff.

Very truly, yours,

BECKTON CHEMICAL COMPANY,
By R. S. HUBBARD, *President.*

CAWLEY, CLARK & CO., NEWARK, N. J., PROTEST AGAINST ANY INCREASE OF DUTY ON CRUDE BARYTES.

NEWARK, N. J., *December 29, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee, Washington, D. C.

DEAR SIR: We beg to enter our earnest protest against the suggested duty of $5 per ton on crude barytes. The basic fact is that the industries dependent on a cheap and reliable source of crude barytes are vastly more important than the barytes mining interests of the United States. These interests are endeavoring (we hope unsuccessfully) to make the tail wag the dog. Their mines are either physically inferior to the German mines, and therefore impossible of economical exploitation, or they are so remote from the principal market as to render them relatively worthless. As intelligent men they should realize the handicap which nature (and to some extent unintelligent exploitation) has imposed upon them, and endeavor to find a market for what is, after all, a very cheap material in their own neighborhood; and they have such a market, and a good one, too; but not content with this, they desire to put an important group of industries at their mercy—industries, as above mentioned, vastly more important than their own.

Unpleasant as the task is, simple duty requires that reference be made to the communication of the W. D. Gilman Company, Sweetwater, Tenn. Every one of Mr. Gilman's characteristic statements are contrary to fact.

Firstly. The Beckton Chemical Company is an entirely independent concern and not "otherwise Harrison Brothers & Co.," as Mr. Gilman states.

Secondly. The price of Beckton white (lithopone) is not $100 to $150 per ton, as Mr. Gilman says, but about $70 only. It is true that when the United States were supplied from Germany mainly the price was $120 to $130 per ton, but when the Beckton Chemical Company (the pioneer concern) came into the market the price immediately fell; and now, owing to the keen competition of some half dozen domestic concerns, the price is $70 or under, or about 10 per cent higher than the stable price in Germany. Nevertheless the present duty should be maintained, if only to prevent "dumping" of the surplus German product on this market. It is almost certain that if, in the absence of protection, the Germans should again gain control of this market the American consumer would be paying at least as much for lithopone as he is now paying to the domestic manufacturer.

Thirdly. Mr. Gilman states that only 700 pounds of crude barytes is necessary for the production of 1 ton of lithopone. As a matter of fact, 1,900 to 2,000 pounds of German ore is required and about 2,300 to 2,400 pounds of the stuff Mr. Gilman used to supply.

Fourthly. Again, Mr. Gilman states that the Beckton Company highly approved of his product. The fact is that the writer, as responsible expert and general superintendent, always protested against its use as wasteful in the extreme. Unlike some of his associates, he was not subject to the somewhat relaxing influence of Mr. Gilman's eloquence.

Respectfully submitted.

CAWLEY, CLARK & CO. (INC.),
Color Manufacturers.
JOHN CAWLEY, *President.*

STATEMENT OF W. D. UPTEGRAFF, PITTSBURG, PA., WALL-PAPER MANUFACTURER.

PITTSBURG, PA., *November 11, 1908.*

Hon. JOHN DALZELL,
House of Representatives, Washington, D. C.

DEAR SIR: I notice in the papers that the Ways and Means Committee was to-day hearing the arguments of color manufacturers and manufacturers of crude barytes for increased tariff duties. All of these things are raw materials in the manufacture of wall paper, in which you know I am interested. Our other raw materials consist of all anilines, soda ash, alum, and print paper. Aniline colors especially should be on the free list, because they are not made in this country to any extent. As manufacturers of wall paper we naturally wish to object to any increase in the duties upon our raw materials.

Respectfully,

W. D. UPTEGRAFF.

Mr. CLARK of Florida. Mr. Chairman, I simply desire to say that the gentleman from Kentucky [Mr. STANLEY], who just addressed the committee, will have no difficulty on earth in having his wish gratified. It is utterly impossible for him to reach the standard of representation of the people's interests occupied by the "gentleman from Florida," but he will have no difficulty on earth in reaching the proud distinction of being an ass. [Laughter and hisses.]

Mr. GARRETT. Mr. Chairman, I call the gentleman to order.

The CHAIRMAN. The gentleman from Florida will proceed in order.

Mr. CLARK of Florida. Mr. Chairman, there are two animals, the old story goes, and only two, who hiss; they are the goose and snake. The gentleman from Kentucky has associated with mules, I dare say, all his life. The father of the mule, in which class the gentleman prefers to be placed, is a dull, patient, laborious animal, who always follows and never leads.

He also imitates and never initiates, and his chief weapon is not in front, but in the rear. [Laughter.] The gentleman has classed himself properly. [Laughter and applause.] And I am glad he has described himself to the House and to the country——

Mr. CRUMPACKER. Mr. Chairman, I make the point of order that the gentleman's remarks are against the dignity of this body. The gentleman from Florida is transgressing the rules of the House. [Applause.]

The CHAIRMAN. The Chair trusts the gentleman from Florida will so proceed as not to render his remarks subject to further objection.

Mr. CLARK of Florida. Mr. Chairman, I have no desire in the world to transgress the rules of the House. I respectfully submit to the House that I did not start this row, and I desire to say, in conclusion——

Mr. HAMER. Mr. Chairman, I desire to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Florida yield for a question?

Mr. CLARK of Florida. I do.

Mr. HAMER. I desire to ask if the mule is to be hereafter considered the emblem of the Democratic party?

Mr. CLARK of Florida. Perhaps the gentleman from Kentucky can answer that better than I can. [Laughter.] Mr. Chairman, in conclusion I want to say this, and I hope this will end this badgering so far as I am concerned: I shall permit no man on this floor or anywhere else to direct my course or to control my political convictions. I am the peer of any man on this floor, on this side or the other, and there is no man who will gainsay that proposition or will say that I do not represent as intelligent, able, conscientious, and patriotic a constituency as he does; and for whatever I say here in debate, desiring to transgress no rules, as I want to be a gentleman everywhere, still, I shall never hide behind my constitutional privileges for anything that I may say here.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from New York.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. HARRISON) there were—ayes 185, noes 123.

So the amendment was agreed to. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, before that motion is put I desire to ask the gentleman from New York if he would not print in to-morrow's RECORD the balance of the proposed amendments which are to be proposed by the committee. It seems to me that it would be of benefit to all of us if we could have them printed in the RECORD.

Mr. PAYNE. Oh, I do not think it is necessary. [Cries of "Regular order!"] I do not think it is necessary to make the clerks work at night in order to do that.

Mr. PAYNE. Mr. Chairman, I renew my motion that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. GRANT, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of J. A. Reagan, Fifty-ninth Congress, no adverse report having been made thereon.

Mr. SNAPP, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Sarah Jane Schafer, Sixtieth Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sarah Katherine Blue, administratrix of estate of Jesse M. Blue, and William Traughber, administrator of estate of David Blue, against the United States (H. R. Doc. No. 11) was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KENDALL: A bill (H. R. 6683) granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 6684) providing for the erection of a public building at Rolla, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. CREAGER: A bill (H. R. 6685) to authorize the establishment of an Indian home in the State of Oklahoma, and for other purposes—to the Committee on Indian Affairs.

By Mr. MAYS: A bill (H. R. 6686) to provide for the erection of a public building at the city of Marianna, in the State of Florida—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6687) to provide for the survey of Blackwater River and East and Pensacola bays, in the State of Florida—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6688) to provide compensation for carriers of rural free-delivery mail—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKE of South Dakota: A bill (H. R. 6740) affecting town sites, and for other purposes—to the Committee on Indian Affairs.

By Mr. DAWSON: A bill (H. R. 6741) authorizing the appointment of dental surgeons in the navy—to the Committee on Naval Affairs.

By Mr. LIVINGSTON: Resolution (H. Res. 55) to pay to Joseph B. Sparks a certain sum of money—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 6689) granting a pension to Charles J. Tribble—to the Committee on Pensions.

Also, a bill (H. R. 6690) granting a pension to Eliza T. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6691) granting a pension to Walter O. Hester—to the Committee on Pensions.

Also, a bill (H. R. 6692) granting a pension to Medicus F. Day—to the Committee on Pensions.

Also, a bill (H. R. 6693) granting an increase of pension to Harriet Powe Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6694) granting an increase of pension to Harry Horton—to the Committee on Pensions.

Also, a bill (H. R. 6695) granting an increase of pension to James Crombie—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 6696) granting an increase of pension to David M. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6697) granting an increase of pension to Theodore S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6698) granting a pension to Edward Goings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6699) granting a pension to Ada G. Northern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6700) granting a pension to Matilda Summers—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 6701) granting an increase of pension to Alfred Owen—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 6702) for the relief of the estate of J. M. Fortinberry, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6703) for the relief of Emily Donnelly or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 6704) for the relief of the estate of Capt. John Bolino, late of Pass Christian, Harrison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 6705) granting an increase of pension to John T. Lippincott—to the Committee on Invalid Pensions.

By Mr. COVINGTON: A bill (H. R. 6706) granting an increase of pension to William A. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6707) authorizing the Secretary of War to issue an honorable discharge to Norman S. Will, late of Company I, Twentieth Regiment Pennsylvania Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 6708) to equalize the pension of Edwin D. Bates from March, 1883, up to the time of the special act granting him $24 per month—to the Committee on Invalid Pensions.

By Mr. CREAGER: A bill (H. R. 6709) to authorize the Delaware tribe of Indians residing in Oklahoma to bring suit in the Court of Claims against the United States, and for other purposes—to the Committee on Indian Affairs.

By Mr. DENVER: A bill (H. R. 6710) granting an increase of pension to John McDonald Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6711) granting an increase of pension to Henry N. Bushnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6712) granting an increase of pension to Harvey Liggett—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 6713) granting a pension to James O'Rourke—to the Committee on Pensions.

Also, a bill (H. R. 6714) granting a pension to Anna G. Roth Baker—to the Committee on Pensions.

Also, a bill (H. R. 6715) granting an increase of pension to Gerard Holcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6716) granting an increase of pension to Robert D. Rector—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6717) granting an increase of pension to Martin L. Olmsted—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6718) granting an increase of pension to Clara T. Lyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6719) granting an increase of pension to William H. Williams—to the Committee on Pensions.

Also, a bill (H. R. 6720) granting an increase of pension to Thomas E. Kellogg—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 6721) granting an increase of pension to George W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6722) granting an increase of pension to James C. Boyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6723) granting an increase of pension to Albert S. Kinsloe—to the Committee on Invalid Pensions.

By Mr. HOWLAND: A bill (H. R. 6724) granting an increase of pension to Leonard P. Rice—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 6725) granting an increase of pension to Gustavus M. Cowger—to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 6726) granting an increase of pension to George W. Jenkins, alias Henry H. Seymour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6727) granting an increase of pension to Frank Oleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6728) granting an increase of pension to Alexander Cadotte—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6729) granting a pension to Lewis Coryell—to the Committee on Invalid Pensions.

By Mr. MORSE: A bill (H. R. 6730) granting an increase of pension to J. B. Vaughn—to the Committee on Invalid Pensions.

By Mr. REYNOLDS: A bill (H. R. 6731) granting an increase of pension to Sellers Raugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6732) granting an increase of pension to Daniel A. Lamberson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6733) granting an increase of pension to Dennis Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6734) granting a pension to Victor Schmidt—to the Committee on Pensions.

By Mr. SIMMONS: A bill (H. R. 6735) granting an increase of pension to William H. Cornell—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 6736) for the relief of Parker Burnham—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 6737) granting a pension to Alvira Kingcaid—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 6738) granting a pension to Caroline M. Cradit—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 6739) to pay Maj. Horace P. Williams amount found due him by Court of Claims—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURLEIGH: Petitions of S. N. Rich, of Sailsbury Cove, and the Smith & Schott Company, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. COOK: Petition of citizens of the Second Congres-

sional District of Pennsylvania against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CREAGER: Petition of Delaware Indians, etc., of Oklahoma, favoring $1,000,000 appropriation to secure at least two full sections of land within the limits of the State of Oklahoma—to the Committee on the Public Lands.

By Mr. DALZELL: Petition of many citizens of the Thirtieth Congressional District of Pennsylvania against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DAWSON: Petitions of George D. Barth and 18 other citizens, and C. M. Beene and 36 other citizens, of Marengo, and Henry H. Ruths and 100 other citizens, of Davenport, all of the State of Iowa, against a tax on tea and coffee—to the Committee on Ways and Means.

By Mr. FAIRCHILD: Petition of Ronan Brothers, M. E. Wilder & Son, and M. Gurney & Son, of Oneonta, N. Y., against the tax on oil cloth and linoleum—to the Committee on Ways and Means.

Also, petition of James R. Dart and others, of Roxbury, N. Y., removing casein and lactarene from the free list and imposing a duty on both—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Thomas F. Burns, of Belvidere, Ill., against increase of duty on hosiery and women's leather goods—to the Committee on Ways and Means.

Also, petition of Rockford (Ill.) Palace Furniture Company, against increase of duty on plate glass—to the Committee on Ways and Means.

Also, petition of citizens of Colvinpark, Ill., for removal of casein and lactarene from the free list and placing a certain duty thereon—to the Committee on Ways and Means.

Also, petition of Great Northern Seed Company, of Rockford, Ill., for specific duty on vegetable seeds, bulbs, etc.—to the Committee on Ways and Means.

Also, petition of committee on publicity of 70 dry goods houses of New York, concerning paragraphs 318 and 321 of cotton-goods schedule in Payne bill—to the Committee on Ways and Means.

Also, petition of Ernecke & Solmstein Company, of Chicago, Ill., against reduction of duty on spirit varnishes—to the Committee on Ways and Means.

By Mr. FORNES: Petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. GARDNER of Massachusetts: Petitions of Newry J. Pushane and others, of Peabody, and Bailey Sargeant and others, of Merrimac, Mass., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of job printers of Haverhill, Beverly, Peabody, Danvers, and Gloucester, Mass., against the practice of the Post-Office Department of printing return envelopes without extra charge—to the Committee on the Post-Office and Post-Roads.

By Mr. GARDNER of New Jersey: Petition of legislature of the State of New Jersey, against inheritance-tax provisions in the tariff bill—to the Committee on Ways and Means.

Also, petition of committee of section of New York County of the Socialist-Labor party, favoring impeachment of Judge Daniel T. Wright, of the United States court in the District of Columbia—to the Committee on the Judiciary.

By Mr. HUBBARD of West Virginia: Paper to accompany bill for relief of William H. Allison—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: Petition of many citizens of the Eleventh Congressional District of Texas, asking legislation that will prevent gambling in agricultural products—to the Committee on Agriculture.

By Mr. KAHN: Petition of many citizens of San Francisco and vicinity, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LAMB: Petition of manufacturers and dealers in furs in the United States, favoring Dingley-law rate of duty on furs—to the Committee on Ways and Means.

Also, petition of citizens of the Third Congressional District of Virginia, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of retail merchants of Richmond, against increase of duty on hosiery—to the Committee on Ways and Means.

By Mr. LAWRENCE: Petition of employees of the Reliable Knitting Company, of Great Barrington, Mass., favoring rates of duty on hosiery reported by the Ways and Means Committee—to the Committee on Ways and Means.

By Mr. LENROOT: Paper to accompany bill for relief of George W. Jenkins, alias Henry H. Seymour—to the Committee on Invalid Pensions.

By Mr. LOWDEN: Petition of citizens of Freeport, Ill., against a duty on tea, coffee, cocoa, or spices—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of Jackson Company, of Rome, N. Y., favoring modification of the tariff on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of Herkimer (N. Y.) Grange, No. 567, Patrons of Husbandry, favoring enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of various residents of Herkimer County, N. Y., praying for the imposition of a tariff on casein and lactarene—to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of Massachusetts Civil Alliance, against tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of Massachusetts State Board of Trade, opposing duty of 15 per cent on hides—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers' Shoe Company, asking that shoes be placed on free list—to the Committee on Ways and Means.

Also, protest of Charles Francis Adams, of Boston, against the great Washington trough—to the Committee on Ways and Means.

Also, appeal for free lumber; editorials from Boston Post and Transcript, with others from various ports of the United States—to the Committee on Ways and Means.

Also, petition of Minute Tapioca Company, of Orange, Mass., opposing duty on flake and pearl tapioca—to the Committee on Ways and Means.

Also, petition of C. E. Stryker Company, of Springfield, Mass., for reduction of duty on sugar—to the Committee on Ways and Means.

Also, petition of olive importers' committee, asking reduction of tariff on Spanish olives—to the Committee on Ways and Means.

Also, protest of Glidden, Hyde & Co., of Boston, Mass., against increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of Henry J. Bowen, of South Boston, Mass., for a free art schedule—to the Committee on Ways and Means.

Also, petition of Thomas Wood, of Boston, Mass., against tax on poor man's breakfast table—to the Committee on Ways and Means.

Also, petition of Hersey Manufacturing Company, of South Boston, Mass., asking for preferential duty on American machinery into Philippines—to the Committee on Ways and Means.

Also, petition of U. H. Dudley, of Boston, Mass., favoring reduction of duty on raw and refined sugar—to the Committee on Ways and Means.

Also, petition of the New England Dry Goods Association, against increase of the tariff on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of wholesale grocers, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Slattery Brothers, of South Boston, Mass., against admission of foreign-made goods by travelers returning without paying duty—to the Committee on Ways and Means.

Also, petition of National Shoe Wholesalers' Association of the United States, against a duty on hides—to the Committee on Ways and Means.

Also, petition of the fishing interests of Boston, Mass., for lower duty on fish—to the Committee on Ways and Means.

Also, petition of the Merrimack Chemical Company, for placing bauxite on the free list—to the Committee on Ways and Means.

By Mr. REYNOLDS: Petition of sundry citizens of the Nineteenth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SABATH: Petition of citizens of Cook County, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. STEVENS of Minnesota: Petition of many business firms in Minnesota, against an increase of the tariff on crockery—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of Minneapolis, Minn., against increase of the tariff on toys—to the Committee on Ways and Means.

Also, petition of E. A. Brown Company, of St. Paul, Minn., against increase of the duty on watches—to the Committee on Ways and Means.

By Mr. WALLACE: Petition of Crossett Lumber Company, against reduction of duty on lumber—to the Committee on Ways and Means.

SENATE.

THURSDAY, *April 8, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

Mr. ALBERT J. BEVERIDGE, a Senator from the State of Indiana, appeared in his seat to-day.

The Journal of the proceedings of Monday last was read and approved.

IRON ORE AND PIG IRON.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to Senate resolution No. 289, a letter from the Director of the Geological Survey, together with certain tables relating to iron ore produced and manufactured in the United States during the calendar year 1908 (S. Doc. No. 2), which, with the accompanying paper, was referred to the Committee on Finance and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of W. J. Sawyers *v.* United States (S. Doc. No. 3), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MAJ. PIERRE CHARLES L'ENFANT.

The VICE-PRESIDENT. Under the discretion conferred by Senate concurrent resolution No. 2, of the present session, giving authority to the Commissioners of the District of Columbia to use the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles L'Enfant from the Digges farm, Prince George County, Md., to the Arlington National Cemetery, under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives, the Chair appoints Elliott Woods, Superintendent of the Capitol Building and Grounds, to superintend the ceremonies in the Capitol to be held in connection with the removal of the remains.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of S. H. Knox & Co., of Jamestown, N. Y., praying for a reduction of the duty on toys, which was referred to the Committee on Finance.

He also presented the petition of Beckwith & Hiteman Brothers, of West Winfield, N. Y., and a petition of the Boot and Shoe Manufacturers' Association of Cincinnati, Ohio, praying for the removal of the duty on hides, which were referred to the Committee on Finance.

He also presented a petition of Local Union, International Brotherhood of Paper Makers, of Watertown, N. Y., praying for the retention of the present duty on print paper, which was referred to the Committee on Finance.

He also presented a petition of the Citizens' Association of Takoma Park, D. C., praying that the present date of the inauguration of the President of the United States be changed to a later period, which was referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of the United States, praying for the passage of the so-called "parcels post" and "rural mail delivery" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the National Live Stock Association, of South Omaha, Nebr., remonstrating against the removal of the duty on hides and wool, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, Indiana, Nebraska, Georgia, Ohio, North Carolina, Michigan, Maine, New Jersey, Virginia, Iowa, Illinois, and Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

Mr. GALLINGER presented memorials of St. Regis Local Union, No. 4, of Deferiet; of Local Unions Nos. 4 and 6, of Watertown, all of the International Brotherhood of Paper Makers, in the State of New York; of Local Union No. 146, of Woodland; of Dirigo Local Union, No. 84, of Augusta; and of Local Union No. 9, of Rumford, all of the International Brotherhood of Paper Makers, in the State of Maine, remonstrating against any reduction of the duty on print paper, which were referred to the Committee on Finance.

Mr. FRYE presented a petition of Highland Grange, No. 116, Patrons of Husbandry, of Bridgton, Me., praying for the repeal of the duty on raw and refined sugars, which was referred to the Committee on Finance.

Mr. BROWN presented a petition of the Commercial Club, of Omaha, Nebr., praying that an appropriation of $500,000,000 be made for the improvement of the rivers, harbors, and waterways of the country, which was referred to the Committee on Commerce.

Mr. BEVERIDGE presented petitions of the Board of Trade of Indianapolis; of the Indiana State Horticultural Society, of Indianapolis; of sundry citizens of Anderson, Columbus, Carbon, Fort Wayne, and of the Parsons & Scoville Company, of Richmond, all in the State of Indiana, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a petition of the Hoosier Mercantile Company, of Richmond, Ind., praying for the repeal of the duty on cotton and leather goods, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Peru; of the Merchants' Association of Indianapolis; of H. B. Sykes & Co., of Elkhart; of the Roeder Company, of Sandborn; and of the Bazaar Company, of Bourbon, all in the State of Indiana, praying for a reduction of the duty on hosiery and gloves, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Elkhart; of Branch & Rose, of Muncie; of S. Chaska Company, of Fort Wayne; and of George W. Williams Company, of Knightstown, all in the State of Indiana, praying for the repeal of the duty on hosiery and gloves, which were referred to the Committee on Finance.

He also presented a petition of the H. Lauter Company, of Indianapolis, Ind., and a petition of the Hawks Furniture Company, of Goshen, Ind., praying for a reduction of the duty on plate glass, which were referred to the Committee on Finance.

He also presented a memorial of the Live Stock Exchange of Indianapolis, Ind., remonstrating against any reduction of the duty on hides and wool, which was referred to the Committee on Finance.

He also presented a petition of the Wood-Mosaic Flooring and Lumber Company, of New Albany, Ind., praying for the repeal of the duty on rough lumber, which was referred to the Committee on Finance.

Mr. GAMBLE presented a petition of the Commercial Club of Aberdeen, S. Dak., praying for the repeal of the duty on lumber, which was referred to the Committee on Finance.

He also presented a memorial of the Ladies' History Club of Sioux Falls, S. Dak., remonstrating against any increase of the duty on gloves and hosiery, which was referred to the Committee on Finance.

Mr. SMITH of Michigan presented a memorial of 10,000 citizens of Grand Rapids, and memorials of sundry citizens of Comfort and Gourley, all in the State of Michigan, remonstrating against the proposed duty on tea and coffee, which were referred to the Committee on Finance.

Mr. SMITH of Michigan. I present a memorial signed by a number of members of the legislature of the State of Michigan, remonstrating against the removal of the duty on iron ore. I ask that the memorial be read and referred to the Committee on Finance.

There being no objection, the memorial was read and referred to the Committee on Finance, as follows:

LANSING, MICH., *March 24, 1909.*

Hon. WILLIAM ALDEN SMITH, Senator,
Washington, D. C.:

We, the undersigned representatives, representing the Upper Peninsula of Michigan in the legislature now in session at Lansing, respectfully urge your assistance in defeating that portion of the tariff bill placing iron ore on the free list. We consider the best interest of the State served by leaving the duty on iron ore as it is at present.

M. HARRIS,
LEWIS T. STERLING,
A. D. EDWARDS,
D. T. MORGAN,
C. R. MCCABE,
JOHN O. MAXBY,
WILLIAM R. OATES,
W. R. BURNS,
PETER JENSEN,
JAMES S. MONROE,
H. L. FULD.

Mr. SMITH of Michigan. I present a resolution adopted by the Shipmasters' Association, of Detroit, Mich. I ask that the letter and accompanying resolution be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the letter and accompanying resolution were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

SHIPMASTERS' ASSOCIATION, LODGE No. 7,
234 JEFFERSON AVENUE (OLD BIDDLE HOUSE),
Detroit, Mich., April 2, 1909.

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SIR: Inclosed you will find copy of a resolution passed by Detroit Lodge, No. 7, Shipmasters' Association, which will explain itself.

We most earnestly desire your cooperation in placing this resolution before Congress, and would ask that you do all in your power to assist us.

Yours, very respectfully, C. C. BALFOUR,
Chairman of Committee.

Whereas a bill is pending before Congress proposing the removal or the reduction of the tariff on iron ore: Therefore be it

Resolved, That it is the unanimous opinion of the Shipmasters' Association Lodge No. 7, Detroit, Mich., that the duty on iron ore entering this country should not be reduced or removed, inasmuch as there are large deposits of iron ore lying close to the boundary line between this country and Canada, near the north shore of Lake Superior, where it is easily accessible; and the removal or reduction of the tariff would make possible the bringing of this ore into the United States in foreign bottoms, which would injuriously affect the lake trade and be against the best interests of this organization.

Mr. BURNHAM presented the petition of Dyer & Chipman, of Manchester, N. H., praying for a reduction of the duty on raw and refined sugars, which was referred to the Committee on Finance.

He also presented a memorial of the Winnipiseogee mill, International Paper Company, of Franklin, N. H., remonstrating against any reduction of the duty on print paper and wood pulp, which was referred to the Committee on Finance.

Mr. JONES. I present telegrams in the nature of petitions, which I ask may be read and properly referred.

There being no objection, the petitions were read and referred to the Committee on Finance, as follows:

[Telegram.]

SEATTLE, WASH., *April 6, 1909.*

WESLEY L. JONES,
United States Senate, Washington, D. C.

Whereas Congress has now under consideration a revision of the tariff which involves among the many articles the duty on red-cedar shingles, which are so largely manufactured in the State of Washington as to constitute one of our principal industries; and

Whereas over $30,000,000 are invested in the 452 shingle mills in this State and 14,000 men employed (all white labor), representing an annual income of $16,000,000; and

Whereas owing to the inadequate protection of 30 cents per 1,000 under the Dingley Act, which has forced our mills to suspend operations from three to four months during each year for many years, on account of competition from British Columbia shingle mills employing oriental labor, and whose shipments to the United States last year amounted to nearly 1,000,000,000 shingles: Therefore be it

Resolved, That the Seattle Commercial Club, believing in the protection of our own industries, such as lumber and shingles produced in this State by American labor, and realizing that shingles are entitled to further protection than that set forth in the Payne bill: Be it further

Resolved, That we respectfully ask Congress to retain the existing duty on lumber and raise the duty on shingles from 30 cents to 60 cents, on the ground that the forests will be better conserved and steady employment be given our workmen, and that these resolutions be wired Hon. NELSON W. ALDRICH, Chairman Senate Finance Committee, and our Representatives and Senators in Congress.

Adopted March 6, 1909.

GEORGE E. BOOS, *Secretary.*

[Telegram.]

SPOKANE, WASH., *April 5, 1909.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

Lumber is one of the principal products of this district, and because of the tariff agitation the business is becoming demoralized, we earnestly urge the retention of the present duty on lumber for the protection of the financial interests of the Pacific Northwest.

SPOKANE CLEARING HOUSE ASSOCIATION,
By A. F. MCLAIN, *Vice-President.*
W. D. VINCENT, *Secretary Exchange National Bank,*
By THOMAS H. BREWER, *Vice-President.*
THE TRADERS' NATIONAL BANK,
A. KUHN, *President.*
THE FIDELITY NATIONAL BANK,
GEO. S. BROOKS, *President.*
NORTHWEST LOAN AND TRUST CO.,
ADOLPH GALLAND, *Vice-President.*
THE WASHINGTON TRUST CO.,
R. L. WEBSTER, *Secretary.*
SCANDINAVIAN AMERICAN BANK,
By R. A. JOHNSON, *President.*
OLD NATIONAL BANK,
D. W. TWOHY, *President.*

Mr. PILES presented a memorial of Schwabacher & Bros. Company (Incorporated), of Seattle, Wash., remonstrating against the proposed duty on raw cocoa, which was referred to the Committee on Finance.

Mr. STEPHENSON presented petitions of sundry citizens of Milwaukee, Watertown, and Shell Lake, all in the State of Wisconsin, praying for the removal of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Wisconsin, praying for the retention of the duty on iron ore and lumber, which was referred to the Committee on Finance.

He also presented a memorial of the Southern Wisconsin Cheese Makers and Dairymen's Association, of Monroe, Wis., remonstrating against any reduction of the duty on cheese and praying for the appointment of a tariff commission, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Kenosha, Wis., remonstrating against any discrimination in the duty on scrap iron, which was referred to the Committee on Finance.

He also presented a memorial of the Consumers' League, of Milwaukee, Wis., remonstrating against the proposed duty on hosiery and gloves, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Wisconsin, praying for an increase of the duty on lithographic products, which was referred to the Committee on Finance.

He also presented memorials of the Chamber of Commerce of Milwaukee and of sundry citizens of Orange and Waterloo, all in the State of Wisconsin, remonstrating against the repeal of the duty on barley and malt, which were referred to the Committee on Finance.

Mr. DEPEW presented a petition of Gansevoort Grange, No. 832, Patrons of Husbandry, of Saratoga County, N. Y., praying for the repeal of the duty on sugar, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York, praying for an increase of the duty on tea, which was referred to the Committee on Finance.

He also presented a petition of Oak Grange, Patrons of Husbandry, of Oswego, N. Y., and a petition of Local Grange No. 1141, Patrons of Husbandry, of Lake Placid, N. Y., praying for the passage of the so-called "rural parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Ontario County, N. Y., praying for the passage of the so-called "rural parcels post" and "postal savings bank" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the board of supervisors of Rensselaer County, N. Y., and a memorial of the common council of Watervliet, N. Y., remonstrating against any reduction of the duty on collars and cuffs, which were referred to the Committee on Finance.

He also presented a memorial of Local Union No. 311, Cigarmakers' International Union of America, of Auburn, N. Y., and a memorial of Local Union No. 2, Cigarmakers' International Union of America, of Buffalo, N. Y., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York, praying for the adoption of a more fair and equitable schedule relative to the duty on furs, which was referred to the Committee on Finance.

He also presented a petition of the Eastern New York Bee Keepers' Association, of Albany, N. Y., praying for an increase of the duty on honey imported from foreign countries, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, praying for an increase of the duty on lithographic products, which were referred to the Committee on Finance.

Mr. HALE presented a petition of Highland Grange, No. 116, Patrons of Husbandry, of Bridgton, Me., praying for the repeal of the duty on raw and refined sugars, which was referred to the Committee on Finance.

Mr. BULKELEY presented a joint resolution of the legislature of Connecticut, which was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY.
GENERAL ASSEMBLY,
January Session, A. D. 1909.

House joint resolution 362.

Resolution concerning the date of inauguration of the President of the United States.

Whereas the weather conditions obtaining at the inauguration of President Taft have again illustrated the wisdom of a change in the date for inauguration; and

Whereas many other valid reasons for such change exist: Therefore

Resolved by this assembly, That the Senators and Representatives in Congress from Connecticut are respectfully requested to favor and support the passage of legislation changing the date of inauguration to a time not earlier than the last week in April.

Resolved, That the secretary of the state is hereby instructed to transmit a copy of this resolution to each of said Senators and Representatives in Congress from Connecticut.

Passed house of representatives, State of Connecticut, March 24, 1909.

Passed senate, State of Connecticut, March 24, 1909.

STATE OF CONNECTICUT, *Office of the Secretary, ss:*

I, Matthew H. Rogers, secretary of the State of Connecticut, and keeper of the seal thereof, and of the original record of the acts and resolutions of the general assembly of said State, do hereby certify that I have compared the annexed copy of the resolution concerning the date of inauguration of the President of the United States with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

And I further certify that the said original record is a public record of the said State of Connecticut, now remaining in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State at Hartford this 6th day of April, 1909.

[SEAL.] MATTHEW H. ROGERS, *Secretary.*

Mr. PERKINS presented a joint resolution of the legislature of California, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Senate joint resolution 22, relative to a proposed federal collateral inheritance tax.

Whereas the new revenue bill reported by the Ways and Means Committee of the United States House of Representatives contains provisions for an inheritance tax, to be both collateral and direct; and

Whereas more than 30 States now have inheritance-tax laws, and among this number is the State of California, which will this year receive from this source about $1,000,000; and

Whereas for state governments and the Federal Government to depend for revenue upon the same subjects of taxation is not in accordance with sound financial principles, while the double taxation of inheritances would be burdensome and unjust to the persons who must pay the taxes: Therefore be it

Resolved by the senate and assembly of the State of California, concurring jointly, That it would be inexpedient for the Federal Government to impose inheritance taxes at this time, and that such action would be unfair to California and other States which already tax inheritances; and be it further

Resolved, That our Senators and Representatives in Congress be requested to oppose this feature of the pending tariff bill and to endeavor to have it stricken from the measure; and be it further

Resolved, That the secretary of the senate mail copies of these resolutions to our Senators and Congressmen.

THE CENSUS.

Mr. LA FOLLETTE. I am directed by the Committee on the Census, to whom was referred the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, to report it favorably with amendments, and I submit a report (No. 2) thereon.

The VICE-PRESIDENT. The bill will be placed on the calendar.

Mr. LA FOLLETTE. I desire to say that I will ask the Senate to take up the bill for consideration to-morrow immediately after the routine morning business.

HEARINGS BEFORE THE COMMITTEE ON THE CENSUS.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 22, submitted by the Senator from Wisconsin [Mr. LA FOLLETTE] on the 5th instant, to report it favorably without amendment, and I ask for its present consideration.

Mr. CULBERSON. Let the resolution be read.

The resolution was read, as follows:

Senate resolution 22.

Resolved, That the Committee on the Census, or any subcommittee thereof, be, and is hereby, authorized to employ a stenographer from time to time, as may be necessary to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings, bills, and such papers and documents as may be deemed necessary printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CULBERSON. Let the resolution go over until to-morrow.

Mr. KEAN. I trust the Senator from Texas will not insist on doing that. It is merely to pay for the expense of the hearings before the Committee on the Census.

Mr. CULBERSON. What hearings?

Mr. KEAN. The hearings that were had on the census bill which has just been reported.

Mr. CULBERSON. Hearings which have already been had?

Mr. KEAN. Hearings that have been already had.

Mr. CULBERSON. I have no objection to that. I thought it was a continuing resolution.

Mr. KEAN. Oh, not at all. It is not to employ an additional stenographer.

The resolution was considered by unanimous consent, and agreed to.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. FRYE:

A bill (S. 1372) for the relief of Marion B. Patterson; to the Committee on Claims.

By Mr. TALIAFERRO:

A bill (S. 1373) to provide for sittings of the United States circuit and district courts of the northern district of Florida at the city of Apalachicola, in said district; and

A bill (S. 1374) for the relief of C. M. Cox, and to confirm and legalize his acts while acting as United States commissioner; to the Committee on the Judiciary.

A bill (S. 1375) for the relief of James I. Griffin, his heirs and assigns; to the Committee on Public Lands.

A bill (S. 1376) to authorize the President of the United States to confer an additional grade on retired officers who have two or more recommendations for the medal of honor from corps and division commanders for gallantry in battle and who have thirty-one years of service, including four years in the civil war; to the Committee on Military Affairs.

A bill (S. 1377) for the establishment of a fish-cultural station on the St. Johns River, in the State of Florida;

A bill (S. 1378) to authorize the establishment of a fish-cultural and biological station on the Gulf of Mexico within the limits of the State of Florida; to the Committee on Fisheries.

A bill (S. 1379) to provide for a survey for a ship canal across the State of Florida from the Atlantic Ocean to the Gulf of Mexico, and making appropriation therefor;

A bill (S. 1380) to construct and place a light-ship opposite the entrance of St. Johns River, Florida; and

A bill (S. 1381) to provide for the construction of a revenue cutter of the first class for service in the waters of Key West, Fla.; to the Committee on Commerce.

A bill (S. 1382) to correct the naval record of William Henry Beehler and to authorize the President to appoint him a rear-admiral on the retired list; to the Committee on Naval Affairs.

A bill (S. 1383) to provide for the erection of a public building at the city of Apalachicola, State of Florida;

A bill (S. 1384) to provide for site and public building at Bartow, Fla.;

A bill (S. 1385) providing for the erection of a public building at the city of Live Oak, Fla., and for other purposes;

A bill (S. 1386) to provide for site and public building at St. Petersburg, Fla.;

A bill (S. 1387) providing for the erection of a public building at the city of Orlando, Fla., and for other purposes;

A bill (S. 1388) to provide for a site and public building at Lakeland, Fla.;

A bill (S. 1389) to provide for the erection of a public building for the use of the United States court, custom-house, and post-office in the city of Key West, Fla.; and

A bill (S. 1390) providing for the improvement, repair, and an addition to the public building at Pensacola, Fla.; to the Committee on Public Buildings and Grounds.

A bill (S. 1391) for the relief of the estate of F. C. Blackmer, deceased;

A bill (S. 1392) for the relief of Sarah R. Bexley, administratrix of the estate of the late Augustus R. Bexley;

A bill (S. 1393) for the relief of the heirs of J. L. F. Cottrell, deceased;

A bill (S. 1394) for the relief of Salvador Costa;

A bill (S. 1395) for the relief of the estate of Nathan A. Davis;

A bill (S. 1396) for the relief of Joseph De V. Hazzard;

A bill (S. 1397) for the relief of Emily Catherine Jones;

A bill (S. 1398) for the relief of Mariah L. Trowell, administratrix of the estate of Benjamin F. Trowell, deceased;

A bill (S. 1399) to carry into effect the findings of the Court of Claims in the case of St. John's Church, of Jacksonville, Fla.;

A bill (S. 1400) for the relief of the heirs of Fernando J. Moreno, deceased;

A bill (S. 1401) for the relief of Edward Nelson, Joseph A. McDonald, Z. T. Merritt, and E. L. White, or their legal representatives;

A bill (S. 1402) for the relief of William Minshew;

A bill (S. 1403) for the relief of William A. Chisolm;

A bill (S. 1404) for the relief of the estate of Alfred L. Shotwell; to the Committee on Claims.

A bill (S. 1405) granting a pension to Catherine R. Sable;

A bill (S. 1406) granting a pension to Anna Omweg;

A bill (S. 1407) granting a pension to Adolphus N. Pacetty;

A bill (S. 1408) to extend the provisions of the existing bounty-land laws to the officers and enlisted men and the officers and men of the boat companies of the Florida Seminole Indian war;

A bill (S. 1409) granting an increase of pension to William H. McCormick;

A bill (S. 1410) granting a pension to Zim C. Corbin;

A bill (S. 1411) granting an increase of pension to Edward L. Carrington;

A bill (S. 1412) granting an increase of pension to Volney J. Shipman;

A bill (S. 1413) granting an increase of pension to Martha Stewart;

A bill (S. 1414) granting a pension to George M. Richart;

A bill (S. 1415) granting an increase of pension to John A. Packard;

A bill (S. 1416) granting a pension to Anne Olive Erwin;

A bill (S. 1417) granting a pension to James A. Thomas;

A bill (S. 1418) granting an increase of pension to John B. Wood;

A bill (S. 1419) granting an increase of pension to John A. Tucker;

A bill (S. 1420) granting an increase of pension to Antoinette A. Durnall; and

A bill (S. 1421) granting an increase of pension to Henry Handrop; to the Committee on Pensions.

By Mr. BEVERIDGE:

A bill (S. 1422) for the relief of the legal representatives of Sewell Coulson, deceased (with the accompanying papers); to the Committee on Claims.

A bill (S. 1423) granting an increase of pension to Henrietta Jordan (with the accompanying papers); and

A bill (S. 1424) granting an increase of pension to Jemima Williams; to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 1425) to incorporate the Descendants of the Signers; to the Committee on the Judiciary.

By Mr. GUGGENHEIM:

A bill (S. 1426) granting a pension to Ella Nickerson;

A bill (S. 1427) granting an increase of pension to Abraham Rhodes;

A bill (S. 1428) granting an increase of pension to Christian R. Shirey;

A bill (S. 1429) granting an increase of pension to John C. Kennedy;

A bill (S. 1430) granting an increase of pension to William L. Switzer;

A bill (S. 1431) granting an increase of pension to George W. Spray; and

A bill (S. 1432) granting pensions to the surviving members and the widows of members of the Forsythe Scouts; to the Committee on Pensions.

A bill (S. 1433) authorizing a resurvey of the interior of the east half of township 3 south, range 86 west, from the sixth principal meridian, in Eagle County, State of Colorado; and

A bill (S. 1434) to encourage the sinking of wells on the western plains; to the Committee on Public Lands.

A bill (S. 1435) providing for prospecting, mining, and canal, ditch, and reservoir building on forest reserves and other public lands of the United States; to the Committee on Forest Reservations and the Protection of Game.

A bill (S. 1436) to authorize the President to appoint Brig. Gen. Frank D. Baldwin to the grade of major-general in the United States Army and place him on the retired list; and

A bill (S. 1437) to provide medals for certain volunteers of the war of the rebellion; to the Committee on Military Affairs.

A bill (S. 1438) to provide for instruction in forestry in the colleges of agriculture and mechanic arts established under the provisions of an act of Congress approved July 2, 1862, and for experiments in forestry in the agricultural experiment stations established under an act of Congress approved March 2, 1887; to the Committee on Agriculture and Forestry.

A bill (S. 1439) to establish a fish-hatching and fish station in the State of Colorado; to the Committee on Fisheries.

By Mr. WARNER:

A bill (S. 1440) authorizing the Secretary of War and the Auditor for the War Department to consider and settle the claim of Col. John D. Hall, United States Army, retired, for personal property destroyed in the earthquake at San Francisco, Cal. (with the accompanying papers); to the Committee on Claims.

A bill (S. 1441) to authorize the construction of a bridge across the Missouri River and to establish it as a post-road; to the Committee on Commerce.

A bill (S. 1442) granting a pension to Samuel L. Landers;

A bill (S. 1443) granting a pension to Jasper N. Meredith;

A bill (S. 1444) granting a pension to John W. Toppas;

A bill (S. 1445) granting a pension to Thomas Elwood Mason;

A bill (S. 1446) granting a pension to George W. Jennings;

A bill (S. 1447) granting a pension to James Standiford;

A bill (S. 1448) granting a pension to Allen Barnes;

A bill (S. 1449) granting a pension to John Robertson;

A bill (S. 1450) granting a pension to Arthur Eckert;

A bill (S. 1451) granting a pension to Wesley Smith;

A bill (S. 1452) granting a pension to Thomas J. Lamunyon;

A bill (S. 1453) granting a pension to Perry H. Hayes;

A bill (S. 1454) granting a pension to James R. Shultz;

A bill (S. 1455) granting a pension to Henry J. Stevens;

A bill (S. 1456) granting a pension to Levi Slinger;

A bill (S. 1457) granting a pension to Thomas R. Buxton; and

A bill (S. 1458) granting a pension to Lee W. Putnam; to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 1459) granting an increase of pension to William F. Bockhouse; to the Committee on Pensions.

By Mr. DEPEW:

A bill (S. 1460) for the relief of the legal representatives of Samuel Schiffer; to the Committee on Claims.

By Mr. HEYBURN:

A bill (S. 1461) to prevent fraudulent representations as to government guaranties of foods and medicines; to the Committee on Manufactures.

A bill (S. 1462) granting a pension to Lucy Soule; to the Committee on Pensions.

By Mr. DICK:

A bill (S. 1463) to establish a naval militia and define its relations to the General Government; to the Committee on Naval Affairs.

A bill (S. 1464) to create in the War and Navy departments, respectively, a roll to be known as the "civil war officers' annuity honor roll," to authorize placing thereon with pay certain surviving officers who served in the Volunteer or Regular Army, Navy, or Marine Corps of the United States in the civil war and who are not now on the retired list of the Regular Army, Navy, or Marine Corps, and for other purposes; to the Committee on Military Affairs.

By Mr. McENERY:

A bill (S. 1465) for the relief of the estate of Victor Falsons, deceased;

A bill (S. 1466) for the relief of the estate of Frederick Arbour, deceased;

A bill (S. 1467) for the relief of the estate of Antonio Pfister, deceased;

A bill (S. 1468) for the relief of Antonio Hook;

A bill (S. 1469) for the relief of the legal representatives of Francisco Deocurro, deceased;

A bill (S. 1470) for the relief of the heirs of Charles and Palmyra Barre, his wife (deceased); and

A bill (S. 1471) for the relief of the estate of John Carr, deceased; to the Committee on Claims.

By Mr. SHIVELY:

A bill (S. 1472) granting an increase of pension to James W McMurray;

A bill (S. 1473) granting an increase of pension to Stephen Thresher;

A bill (S. 1474) granting an increase of pension to Benjamin F. Simpson;

A bill (S. 1475) granting an increase of pension to Luther W. Whitbeck;

A bill (S. 1476) granting an increase of pension to George F Shoemaker; and

A bill (S. 1477) granting an increase of pension to Barney Stone; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 1478) granting an increase of pension to Josephine A. Barnard; and

A bill (S. 1479) granting an increase of pension to Elizabeth Streit; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 1480) to provide for the naturalization of aliens who have served or shall hereafter serve five years in the United States Navy or Marine Corps; to the Committee on Immigration.

A bill (S. 1481) to establish the status of officers who voluntarily resign from the army or navy of the United States; to the Committee on Military Affairs.

A bill (S. 1482) to provide for the establishment of a three-order revolving light and keeper's quarters at Point Firmin, seacoast of California;

A bill (S. 1483) to provide for the establishment of a fog signal and keeper's quarters at Point Loma, seacoast of California;

A bill (S. 1484) to provide for the establishment of a fog signal and keeper's quarters at Point Hueneme, seacoast of California;

A bill (S. 1485) to provide for the establishment of a light and fog signal on Anacapa Island, off the coast of California;

A bill (S. 1486) to provide for a fourth-order revolving light, fog signal, and keeper's quarters at Santa Barbara, seacoast of California; to the Committee on Commerce.

A bill (S. 1487) granting an increase of pension to William Quinlivan; to the Committee on Pensions.

By Mr. PILES:

A bill (S. 1488) providing for the appointment of an assistant treasurer of the United States at the city of Seattle, in the State of Washington; to the Committee on Finance.

A bill (S. 1489) authorizing the appointment and retirement as brigadier-generals of certain officers of the army below the grade of colonel who served during the war of the rebellion;

A bill (S. 1490) to remove the charge of desertion from the military record of William McCutcheon; and

A bill (S. 1491) authorizing the issuance of a certificate of merit to Mathew Kelley, William Houser, Mathew Roach, Jeremiah Sheridan, Frederick Bernaur, Hiram Smiley, and Robert Williams (with accompanying papers); to the Committee on Military Affairs.

By Mr. ELKINS:

A bill (S. 1492) granting an increase of pension to Thomas H. B. Dawson;

A bill (S. 1493) granting an increase of pension to Eli B. Riggs;

A bill (S. 1494) granting an increase of pension to G. W. Rutherford;

A bill (S. 1495) granting an increase of pension to Henry A. Skeens;

A bill (S. 1496) granting a pension to Bridget McIntire;

A bill (S. 1497) granting an increase of pension to Joseph B. Holesteine;

A bill (S. 1498) granting a pension to Samuel B. Swartz;

A bill (S. 1499) granting a pension to Hiram S. Shaban;

A bill (S. 1500) granting a pension to Julia A. Johnson;

A bill (S. 1501) granting an increase of pension to Alexander P. Hart;

A bill (S. 1502) granting a pension to Thomas F. Hebb;

A bill (S. 1503) granting an increase of pension to William Large;

A bill (S. 1504) granting an increase of pension to Arabella M. Probasco; and

A bill (S. 1505) granting an increase of pension to Thomas H. B. Dawson; to the Committee on Pensions.

A bill (S. 1506) granting an honorable discharge to Benjamin F. Helmick; and

A bill (S. 1507) granting an honorable discharge to Asher M. Phillips; to the Committee on Military Affairs.

A bill (S. 1508) for the relief of Mrs. C. A. Grose; to the Committee on Claims.

By Mr. JOHNSTON of Alabama (for Mr. BANKHEAD):

A bill (S. 1509) for the relief of William W. Callahan, administrator of the estate of Thomas Gibbs;

A bill (S. 1510) for the relief of Lewis Metz; and

A bill (S. 1511) for the relief of Salina E. Lauderdale; to the Committee on Claims.

By Mr. BURKETT:

A bill (S. 1512) granting an increase of pension to F. M. Uhler;

A bill (S. 1513) granting an increase of pension to John F. Early;

A bill (S. 1514) granting an increase of pension to E. N. Melton; and

A bill (S. 1515) granting an increase of pension to Alice E. Quillen; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 1516) granting an increase of pension to Louis Freeman; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 1517) granting an increase of pension to William M. Campbell; to the Committee on Pensions.

By Mr. BAILEY:

By request, a bill (S. 1518) for the relief of Daniel W. Dorris;

By request, a bill (S. 1519) for the relief of Parker Burnham;

By request, a bill (S. 1520) for the relief of Ophelia V. Worsham, sole heir of Mary E. Buchanan, deceased;

By request, a bill (S. 1521) for the relief of Mrs. Martha J. Couchman;

A bill (S. 1522) for the relief of the estate of J. W. Cumby, deceased;

By request, a bill (S. 1523) for the relief of the estate of James B. Ogletree, deceased; and

A bill (S. 1524) for the relief of Lemuel J. Ward; to the Committee on Claims.

By Mr. TALIAFERRO:

A bill (S. 1525) for the relief of Adam L. Eichelberger; to the Committee on Claims.

A joint resolution (S. J. R. 17) to provide for the removal of obstructions from the main ship channel, Key West Harbor, Florida; to the Committee on Commerce.

A joint resolution (S. J. R. 18) for the relief of P. J. McMahon; to the Committee on Naval Affairs.

By Mr. DICK:

A joint resolution (S. J. R. 19) providing for the erection of a statue of the late Hon. Edwin M. Stanton, Secretary of War under Presidents Lincoln and Johnson; to the Committee on the Library.

WITHDRAWAL OF PAPERS—MRS. MARTHA E. WEST.

On motion of Mr. CLAPP, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Mrs. Martha E. West (S. bill 125, Fifty-eighth Congress, first session), there having been no adverse report thereon.

THE BEET-SUGAR INDUSTRY.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 28), which was considered by unanimous consent and agreed to:

Senate resolution 28.

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to inform the Senate—

1. The number of beet-sugar factories in operation in the United States in 1896; also, the total United States production of beet sugar in the year 1896.

2. The number of beet-sugar factories which have been erected in the United States each year since 1896; also, the present approximate investment by American beet-sugar factories, including machinery, buildings, lands, irrigating systems, tools, implements, and working capital.

3. The annual production of beet sugar in the United States since 1896; also, the approximate amount received annually by American farmers from the sale of sugar beets from 1896 to date.

4. The effect which the establishment of American beet-sugar factories has had on values of surrounding farm land; also, on local business generally; also, on the local production of live stock; also, on the tonnage production of other crops raised in rotation with sugar beets; also, on the thriftiness, prosperity, and general cultural methods of American farmers engaged in the culture of sugar beets; also, as American farmers become familiar with beet culture are they, as a rule, more inclined or are they less inclined to engage in raising sugar beets?

5. The most recent available data regarding the retail price of sugar in Paris, Berlin, Vienna, Brussels, Amsterdam, Madrid, Rome, and other important cities of continental Europe.

6. The methods which have been pursued by the Department of Agriculture in order to determine the beet-sugar area of the United States; also, what States are now known to be adapted to the culture of sugar beets; also, what amount amount of beet sugar could be produced annually in the United States.

7. What pamphlets, bulletins, or other literature have been issued on this subject by the Department of Agriculture during the past twelve years.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. CLAPP submitted the following resolution (S. Res. 27), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 27.

Resolved, That the Committee on Indian Affairs or any subcommittee thereof be authorized to send for persons and papers, to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee; that the committee may sit during sessions or recesses of the Senate, in Washington or elsewhere; and that the expenses thereof be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON COMMERCE.

Mr. FRYE submitted the following resolution (S. Res. 26), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 26.

Resolved, That the Committee on Commerce or any subcommittee thereof be, and the same is hereby, authorized to employ a stenographer from time to time as may be necessary to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings, bills, and such papers and documents as may be deemed necessary printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

DUTIES ON SUGAR IN FOREIGN COUNTRIES.

Mr. CARTER submitted the following resolution (S. Res. 30), which was considered by unanimous consent and agreed to:

Senate resolution 30.

Resolved, That the Secretary of State be, and he is hereby, directed to inform the Senate—

The amount of duties and taxes per hundred pounds which are levied and collected on sugar in the following countries: Great Britain, Germany, France, Russia, Austria-Hungary, the Netherlands, Belgium, Spain, Italy, and Denmark; also, which of these countries grant tariff concessions on imports of sugar from their colonies.

STATISTICS RELATIVE TO SUGAR.

Mr. GUGGENHEIM. I submit a resolution, and ask for its present consideration.

The resolution (S. Res. 29) was read, as follows:

Senate resolution 29.

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, directed to inform the Senate—

1. The annual imports by the United States of full-duty-paid sugar from 1898 to date.

2. The annual imports by the United States of duty-free or concessionary sugar from Hawaii, Porto Rico, Cuba, and the Philippines from 1898 to date, classified as to origin; also, the amount of duty remitted on sugar imports from each of the above-mentioned islands in each of the above-mentioned years by reason of their sugars entering our ports at less than full tariff rates.

3. The total amount of sugar exported annually during the past ten years by the colonies or possessions of Great Britain, France, and the Netherlands, respectively; also, the amount of colonial sugar which was imported annually by each of the above-mentioned mother countries.

4. The total amount of duties and taxes levied and collected on imported and home-produced sugar during the latest year for which

figures are obtainable in each of the following countries: Germany, France, Austria-Hungary, Russia, the Netherlands, Belgium, Denmark, Spain, and Italy.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KEAN. I understand that the former resolution was addressed to the Secretary of State.

The VICE-PRESIDENT. The prior resolution was addressed to the Secretary of State.

Mr. KEAN. I do not object to this resolution.

The resolution was considered by unanimous consent and agreed to.

HEARINGS BEFORE THE COMMITTEE ON TERRITORIES.

Mr. BEVERIDGE submitted the following resolution (S. Res. 25), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 25.

Resolved, That the Committee on Territories, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, employ a stenographer, and report such hearings as may be had in connection with any subject which may be pending before said committee and have said hearings printed for the use of the committee, and that the expenses thereof be paid out of the contingent fund of the Senate.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 12 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 9, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 8, 1909.

PROMOTION IN PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Samuel C. Hotchkiss, of Ohio, to be assistant surgeon in the Public Health and Marine-Hospital Service of the United States, in place of W. W. Miller, deceased.

ASSISTANT SECRETARY OF THE TREASURY.

Charles D. Hilles, of New York, to be Assistant Secretary of the Treasury, in place of Louis A. Coolidge, resigned.

UNITED STATES ATTORNEY FOR CALIFORNIA.

Aloysius I. McCormick, of California, to be United States attorney for the southern district of California, vice Oscar Lawler, resigned.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF ARIZONA.

John H. Campbell, of Arizona, to be associate justice of the supreme court of the Territory of Arizona. A reappointment, his term having expired March 16, 1909.

UNITED STATES MARSHAL.

Thomas Cader Powell, of Alaska, to be United States marshal, second division, district of Alaska. A reappointment, his term having expired on January 23, 1909.

GOVERNOR OF ARIZONA.

Richard E. Sloan, of Arizona, to be governor of Arizona, vice Joseph H. Kibbey, term expired.

SECRETARY OF ARIZONA.

George U. Young, of Arizona, to be secretary of Arizona, vice John H. Page, resigned.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Lieut. Col. John V. White, Coast Artillery Corps, to be colonel from March 31, 1909, vice Anderson, retired from active service.

Maj. John C. W. Brooks, Coast Artillery Corps, to be lieutenant-colonel from March 31, 1909, vice White, promoted.

Capt. William R. Smith, Coast Artillery Corps, to be major from March 31, 1909, vice Brooks, promoted.

First Lieut. Arthur H. Bryant, Coast Artillery Corps, to be captain from March 31, 1909, vice Smith, promoted.

Second Lieut. James H. Cunningham, Coast Artillery Corps, to be first lieutenant from March 31, 1909, vice Bryant, promoted.

INFANTRY ARM.

Capt. Armand I. Lasseigne, Fourteenth Infantry, to be major from March 25, 1909, vice Fremont, Fifth Infantry, dismissed.

Maj. Arthur C. Ducat, Seventh Infantry, to be lieutenant-colonel from April 5, 1909, vice Moon, Twentieth Infantry, retired from active service.

Capt. James H. Frier, Twenty-third Infantry, to be major from April 5, 1909, vice Ducat, Seventh Infantry, promoted.

APPOINTMENT IN THE ARMY.

COAST ARTILLERY CORPS.

Carl Amos Lohr, of Michigan, late ensign, United States Navy, to be second lieutenant, with rank from April 6, 1909.

PROMOTIONS IN THE NAVY.

Lieut. Commander Webster A. Edgar to be a commander in the navy from the 2d day of March, 1909, vice Commander Thomas D. Griffin, promoted.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Halsey Powell,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr.,
James W. Hayward,
George M. Baum, and
Joseph D. Little.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Halsey Powell,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr., and
James W. Hayward.

Asst. Paymaster Franklin P. Williams to be a passed assistant paymaster in the navy from the 8th day of July, 1908, upon the completion of three years' service in the present grade.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 8, 1909.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. of Engineers Eugene Prescott Webber to be a senior engineer in the Revenue-Cutter Service.

UNITED STATES DISTRICT JUDGE.

Charles P. Orr to be United States district judge, western district of Pennsylvania.

UNITED STATES MARSHAL.

Harvey P. Sullivan to be United States marshal, third division, district of Alaska.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):

Prentiss P. Bassett,
Lawrence P. Treadwell, and
William H. Toaz.

The following-named lieutenants (junior grade) to be lieutenants:

Prentiss P. Bassett,
Lawrence P. Treadwell, and
William H. Toaz.

Second Lieut. William L. Burchfield to be a first lieutenant in the Marine Corps.

POSTMASTERS.

CALIFORNIA.

Cyrus F. Demsey at Mojave, Cal.

DELAWARE.

Delaware Clark at Newark, Del.

ILLINOIS.

Eugene A. Foster at Bradford, Ill.
George F. Tscharner at Okawville, Ill.

IOWA.

J. W. Colvig at Lake City, Iowa.

KENTUCKY.

Rezin B. Boulden at Millersburg, Ky.

MASSACHUSETTS.

Jesse W. Crowell at South Yarmouth, Mass.

MICHIGAN.

Arba N. Moulton at Decatur, Mich.

MINNESOTA.

George E. Kirkpatrick at Rushford, Minn.

MISSOURI.

Abner Barrow at Greenville, Mo.
Frank A. Stroup at Novinger, Mo.
Alonzo Turner at Billings, Mo.

NEBRASKA.

George A. Blackstone at Craig, Nebr.
Andrew Richmond at Orleans, Nebr.

NEVADA.

Katherine Cannon at Rawhide, Nev.

NEW YORK.

Benjamin A. Babcock at Brasher Falls, N. Y.
Edward V. Baker at Marcellus, N. Y.
Edward E. Boynton at Livonia, N. Y.
Charles H. Griffin at Oakfield, N. Y.
Benjamin E. Jones at Nunda, N. Y.
George E. Marcellus, at Le Roy, N. Y.
Frederic J. Merriman, at Madrid, N. Y.
Ambrose C. Montrose, at Larchmont, N. Y.

PENNSYLVANIA.

John B. Cox, at Sheridanville, Pa.
Helen P. Howell, at West Alexander, Pa.
Arthur H. Rider, at Freedom, Pa.

SOUTH CAROLINA.

James F. Hunter, at Lancaster, S. C.

WASHINGTON.

Guy C. Crow, at White Salmon, Wash.
Leonard S. Pendleton, at Port Orchard, Wash.

WISCONSIN.

Frank L. Davis, at Camp Douglas, Wis.
Jonathan Wiggins, at North Freedom, Wis.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 8, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

QUESTION OF PRIVILEGE.

Mr. CALDERHEAD. Mr. Speaker, I desire to make a motion to correct the RECORD of Monday, April 5. On page 1089, first column, I had a colloquy with the gentleman from Texas [Mr. HARDY]. He asked this question:

If protection is a righteous proposition, ought it not to prevail for every locality and in favor of every State?

To that I replied:

It does, without question.

When the manuscript was corrected he interpolated these words:

If the principle is right, is it not just as right if used to protect Texas and Wisconsin against New England as when used to protect New England against old England?

I had not noticed the interpolation in the manuscript and did not notice the RECORD itself until to-day. The interpolated words make me subscribe to the doctrine implied in them. When my answer was—

It does, without question—

I was answering the first question which the gentleman put to me, and not the interpolation which he has since made in the RECORD. I did not think that any Member of the House would so change the RECORD as to make me state what was evidently not true. I do not know whether the gentleman from Texas [Mr. HARDY] is present or not, but the reporter's manuscript is here and will show the gentleman's interpolation in pencil writing. For that reason I ask to have the words stricken out.

The SPEAKER. The gentleman from Kansas [Mr. CALDERHEAD] asks that the RECORD be changed by striking out the words indicated, leaving it as shown by the official reporter's notes.

Mr. SLAYDEN. Mr. Speaker, I can not hear the request of the gentleman.

Mr. BARTLETT of Georgia. Mr. Speaker, to whose speech is the gentleman referring?

The SPEAKER. The gentleman from Kansas states that when he was on the floor making a speech the gentleman from Texas [Mr. HARDY] asked him a question, and that he answered the question. He further states that, as shown by the notes of the official reporter, the gentleman from Texas interpolated something that was not said.

Mr. BARTLETT of Georgia. I do not dispute that the gentleman from Kansas is correct, and, of course, we have the right to correct the RECORD to conform to the reporter's notes, but the gentleman from Texas [Mr. HARDY] probably was not aware of what the practice is here.

Mr. SLAYDEN. With the permission of the gentleman from Kansas [Mr. CALDERHEAD] and the Chair, if the gentleman from Georgia [Mr. BARTLETT] will permit me, I will say that I am just trying to come to an arrangement with the gentleman from Kansas to wait a little while, until the gentleman from Texas is in his seat.

Mr. BARTLETT of Georgia. The reason I rose was that I could not hear what was going on.

Mr. HENRY of Texas. Mr. Speaker, I wanted to make the same request as that of my colleague [Mr. SLAYDEN].

Mr. PAYNE. Mr. Speaker, how long is this thing going to take? We want to get on with the tariff bill.

Mr. SLAYDEN. Mr. Speaker, I will say to the gentleman from New York that an assault has been made upon the integrity of the report of a speech made by a colleague of mine, who happens for the moment not to be here; and I think, as a matter of common courtesy, that the matter should not be disposed of until he comes.

Mr. PAYNE. That throws it over.

Mr. SLAYDEN. I hope the gentleman from New York will yield to that extent the courtesy I ask.

The SPEAKER. This is a matter of privilege regarding the RECORD, and, of course, gentlemen can accommodate the matter.

Mr. CALDERHEAD. Mr. Speaker, I am perfectly willing to let the matter go over until the gentleman from Texas [Mr. HARDY] is present. I want to state, however, that I endeavored to find him this morning, but could not.

The SPEAKER. The gentleman for the present withdraws the question.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 65, page 14, line 13, after the word "alcohol," insert the following:

"Not specifically provided for in sections 1 and 2 of this act."

Mr. PAYNE. Mr. Chairman, this simply differentiates these articles from toilet articles and toilet waters, and lets them come in at a lower rate of duty. I call for a vote.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BARTLETT of Georgia. Mr. Chairman, we could not hear what the amendment was.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. BARTLETT of Georgia. I did not hear what the gentleman said.

Mr. PAYNE. I stated to the House that this was merely correcting the language there, so that these waters did not come in as toilet articles, but at the less rate of duty. It brings it down to that, and lets them come in at the lower rate.

Mr. BARTLETT of Georgia. That is all right.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the further amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 83, page 16, line 24, after the word "plain," strike out the comma; page 16, line 25, after the word "ceramic," strike out the comma.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Another formal amendment.

The CHAIRMAN. The gentleman from New York offers another committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 84, page 17, line 12, after the word "in," strike out the words "this section" and insert in lieu thereof the words "sections 1 and 2 of this act."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I yield to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. I offer the following committee amendment. The Clerk read as follows:

Paragraph 88, page 18, lines 17, 18, and 19, strike out, after the word "spar," the words "crude, 50 cents per ton; crushed, ground, or otherwise treated or manufactured," and in line 19 strike out the word "seventy-five" and insert in lieu thereof the word "fifty."

Mr. BUTLER. I would like the gentleman from Illinois to explain the purpose of his amendment.

Mr. BOUTELL. Mr. Chairman, during the last few years fluor spar has been mined successfully in two counties of Illinois—Hardin and Pope counties. Fluor spar is a species of calcium mineral that can be used as a flux in place of limestone in certain manufactures of steel and in certain manufactures of glass. Until the successful working of the deposits of Illinois, all the fluor spar we used was imported from England. Large quantities of this spar have been left as useless at the mouth of some of the English tin mines, where it has lain for two of three centuries. A large quantity of this spar has come in during the last few years without the payment of any duties whatever. Some of it has been coming in as ballast. Some three years ago the subject of these fluor-spar deposits in Illinois were made the subject of a very interesting report by the Geological Department of the Government. These deposits in Illinois are now being mined, and there are deposits in Kentucky that can be mined if a duty is placed on the English spar. But the output comes in competition with the deposits taken from the mouth of the old English tin mines which are brought in here free of duty, or at 10 per cent ad valorem.

It may be interesting to know, particularly to some Members on the other side of the House, that in this report of the Department of Geology the first mining of fluor spar in Kentucky was done by a company headed by President Andrew Jackson in 1835.

These mines can with sufficient profit be again worked in Kentucky, and the Illinois mines are now being profitably developed. This will continue, provided we can prevent the introduction without duty of these deposits from the abandoned mines of England.

Mr. HARRISON. Will the gentleman yield for a question?

Mr. BOUTELL. Yes.

Mr. HARRISON. I do not wish to interrupt the gentleman's interesting historical description, but will he tell us what it is that has actuated the committee in raising the duty on this raw material from 50 cents to $1.50?

Mr. BOUTELL. I am coming to that. I thought it was worth while, as this was an entirely new article in any of our tariffs, to take at least three minutes to explain what it was. The committee therefore determined, upon the evidence submitted and upon the recommendations of the government appraisers, to place a duty of 50 cents a ton on the crude spar and $1.75 a ton on the manufactured or crushed or pulverized spar. After the bill had been reported the matter was taken before the Treasury Department, and it was the opinion of the experts that, on account of the character of the spar imported from these abandoned English mines, it could all come in under the 50-cent duty, and that the rate fixed on what was intended to be the manufactured article or the crushed article would not apply. The committee therefore thought it wise to lower the rate on the manufactured to $1.50 a ton and to strike out the duty referring to the crude, so that all the spar would come in at a uniform rate of $1.50 a ton.

Mr. HARRISON. But the effect of it is, I believe, to take the raw material from the free list and tax it at $1.50 a month.

Mr. BOUTELL. Not at all. The raw material has heretofore been coming in, if properly reached by the appraisers, at 10 per cent ad valorem for the crude and the other at 20 per cent ad valorem.

Mr. HARRISON. The committee amendment multiplies the rate on the raw material by three, does it not?

Mr. BOUTELL. It raises the rate on the crude $1 a ton and decreases the rate on the crushed 25 cents a ton. In other words, in accordance with the recommendation of the department, this change is necessary in order to reach the crushed spar that comes in. The amendment makes a flat rate of $1.50 a ton for all fluor spar.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, not having had the opportunity to address the committee at length, I avail my self of the leave accorded to every Member and place in the RECORD my views on some of the questions necessarily involved in the consideration of the pending measure.

It would be an useless consumption of time to discuss the underlying principles involved in the subject of the tariff. Nor need I repeat its history in our own country.

Generally speaking, Mr. Chairman, I am utterly opposed to the policy as well as the principle—if there be any in it—of protection. It is, in the first place, a perversion of the power of government to tax one man for the pecuniary benefit of another. No government can justify the power of taxation in any court of conscience for the purpose of building up the private interests of any of its citizens, and the contention that such a policy results in the good of the whole community is the most absurd proposition upon which any community ever took hold. No man has ever yet been lifted up by pulling on his own boot straps. This method of uplift is the doctrine of protection.

Another and a very serious objection to the doctrine of protection lies in the fact that the amount of taxes paid by the average citizen is concealed from him. It requires an expert to calculate how much tax the consumer pays to the Government, and how much profit by virtue of the tax the consumer pays to the manufacturer when he purchases an article either of comfort or necessity.

I firmly believe that if the American people could be brought face to face with the real facts and had before them the exact data showing the amount they annually pay to certain selected classes and special interests in this country, it would be only a question of the majority at the next election by which the party in power would be overthrown.

To carry out this policy of concealment, I find instances in the bill now before the committee in which the tax is, in terms, stated to be four times some other tax or some other figure. This requires an investigation of the tax upon the other article, all of which, it seems, would be entirely unnecessary. If the authors of the bill want to be fair with the people, they should, in plain terms and the simplest language, state the exact amount of the tax the people are to be called upon to pay.

In reading the bill I was particularly struck with the provision relative to wool hats, in which it is provided that the duty per pound is four times the duty imposed by the same section on 1 pound of unwashed wool of the first class, and, in addition thereto, 60 per cent ad valorem. It required some time to investigate the meaning of this language, as it was not only necessary to ascertain the duty on unwashed wool, but it was also necessary to determine what constituted unwashed wool of the first class. This is but a sample tending to show the only possible way in which the policy—for it is not a principle—of protection can be maintained. The people must be deceived, the people must be kept in doubt, or the difficulties must be made so great that the general public shall not be able to understand precisely what such a bill means. So-called "jokers" are found in every Republican tariff act; some have already been uncovered in the pending bill. How many remain time alone can disclose.

Our friends on the other side have attributed the so-called "panic of 1893" to the Wilson tariff bill. They have urged this so often until actually a great many people have come to believe it. As a matter of fact, it has been demonstrated upon the floor of this House and throughout the country that that panic began during a Republican administration, reached its zenith prior to the passage of the so-called "Wilson bill," and began to subside after its enactment into law. It is a matter of history that when Mr. Cleveland left the presidential chair, after serving his first term, the Treasury had a larger surplus than at any time during the history of our Government; whereas when he returned, after four years of Republican administration, he found the Treasury depleted and plates already prepared for the issuance of bonds necessary to preserve the credit of the Government. These historic facts are too well established to be now perverted.

The great interest, Mr. Chairman, which I represent is that of the cotton producer. The manner in which he has been ridden is a shame and a disgrace to all principles of fairness in the administration of government. Producing an article which has always been the means by which a favorable balance of trade has been preserved for this country, he has been required to purchase everything he needs in a protected and, consequently, a high-priced market, while he sells his product in a free-trade market.

The truth of the matter is that the cotton producer of the Southern States has for years and years done more than his share in taking care of the Government, and in addition has largely contributed to the support of those interests in the East which are claimed to be unable to take care of themselves. This may be one of the penalties of secession; but if it be, it seems to me, Mr. Chairman, that it is high time the statute of limitations be invoked against further prosecution.

Speaking specifically to the bill now pending before the committee, I desire to go on record as being opposed to its passage. I, of course, have not had the opportunity to examine this bill

in all its details, but I believe it is generally conceded that, taken as a whole, it levies a higher rate of taxation than did the Dingley bill, which has the record of being the highest protective tariff this country has ever known.

The Republican party during the last campaign promised a revision of the tariff. It was universally supposed—except perhaps by certain favored interests—that this revision was to be downward. Instead of that, the promises made the country in this regard have been broken. It is a great pity that the law of false pretense does not cover the breach of promise to do something in the future, rather than the false statement of an existing or past transaction. If this were true, then, should this bill become a law, the Republican party would be subject to indictment and conviction for false pretenses, and the country be freed from its iniquitous rule.

I, however, desire to congratulate the committee on the fact that the tax upon cotton ties has been reduced, and my only regret is that I can not still further congratulate it upon having placed cotton ties on the free list.

I find upon an examination of this bill that gloves and hosiery are made to bear a large increase in the tariff tax. This, Mr. Chairman, is a representative government. Every man who has the privilege of casting a vote not only votes for himself, but for all others who are deprived of this privilege, and this is especially true as to the man who represents in a legislative body the people of any particular district. Under most of the laws of this country the women and children are deprived of the right to vote. In some States the woman is given a limited and in others the full right of suffrage. But nowhere in any State, so far as my information extends, is the boy or the girl under 21 years of age qualified to cast a ballot. These articles are particularly essential to the comfort and the happiness of the women and children, and yet for the benefit of a small number of manufacturing interests they are required to bear this unnecessary and unjustifiable burden. I believe, if this bill should be passed, that every wife and every daughter in the land and every barelegged boy, who suffers from the biting frosts of winter, will remember the Republican party to its regret when the next election rolls around.

Now, Mr. Chairman, let me say further I have been very much interested during the progress of this debate to hear Representatives upon the floor of this House admit that they themselves have direct personal interests in the tariff upon certain articles specified in the pending measure.

I am not familiar with the history of parliamentary practice and procedure in this body, but upon examination of the rules I find that a Representative who has any direct personal or pecuniary interest in any pending measure is excused from voting. I find further, upon an examination of Jefferson's Manual—a part of the rules of this body—that such Representative not only is not entitled to vote, but shall withdraw from the House when the measure in which he is interested is being considered and determined.

This, Mr. Chairman, is not only a general principle of parliamentary law, but a principle of common right and simple justice, which common decency demands should not be overlooked on this occasion.

I know not, of course, whether these gentlemen expect to cast their ballots; but should there not be an investigation of different Members who have direct personal and pecuniary interests in the result of this legislation; and should not the rule excluding them not only from casting their votes but from the floor of the House while the measure is being considered be rigidly enforced?

I remember upon one occasion, when prosecuting attorney of my county, the court quashed an indictment because one of the grand jurors, who was a brother of the principal state witness and who was personally interested in the prosecution, had remained in the room of the grand jury while the vote was being taken, although he did not cast a ballot and more than the necessary 12 of the grand jury voted in favor of the bill. This, I think, was carrying the doctrine to its extreme limit; yet its principle is correct and I trust it will be invoked, at least when we come to vote upon the passage of this measure.

For a Member to stand upon this floor and boldly proclaim that he has a direct personal interest in a pending bill—that its passage will put money into his pocket—and then undertake to vote upon it places him in an indefensible position, and yet no one seems to be shocked at the idea. If a judge should sit, hear, and determine his own case, the whole country would rise up in arms at the appalling spectacle. Yet is there any difference between judge and legislator in this respect? Is it not equally wrong for a man to vote for a law for his own personal and pecuniary interest as it is for one to construe the law in his own case? Is it possible that the moral sense of the people has been blunted under the system of protection until it is no longer considered even bad taste for a Representative to forget his duty and vote for his own private interest?

I do not mean to cast any personal reflection upon any Member, but I think the attention of the country should be called to the rule mentioned before it is too late, and before a public injury has been inflicted.

I am inclined to the opinion that the rigid enforcement of this law will result in great good to the country, and certainly bring about the defeat of the pending measure.

The Republican party, Mr. Chairman, having failed to fulfill its pledges to the people during the preceding year—and this bill being no improvement, to say the least of it, on the present law—I believe it to be to the best interests of the country that a motion be made to strike out its enacting clause, and this extraordinary session be adjourned without day.

Mr. PETERS. Persistent rumors are current that the Committee on Ways and Means are considering bringing in an amendment to the bill placing on iron pyrites a duty. This makes it necessary to call attention to the danger and injustice of such a procedure.

Pyrites is used principally in the manufacture of sulphuric acid. It is the principal raw material of the whole chemical industry, and is essential to almost all chemical operations. The United States is relatively poor in deposits of pyrites, the domestic production in 1897 being 262,000 tons, while the importation was 656,000 tons, the domestic output at the present time being worth $500,000 to $600,000, as against the imported product, which is worth $3,500,000 to $4,000,000. Of the foreign product, substantially all comes from Spain.

Prior to 1890 sulphur-ore pyrites, or sulphate of iron, was dutiable at 75 cents per ton. In 1890 the McKinley Act placed on the free list after full consideration this important raw material, where it has since remained. The whole chemical industry in this country has been developed under the use of pyrites as a free raw material. In 1900 there were in the United States 4,591 establishments in the chemical industry, with an invested capital of $89,091,430 and 22,081 wage-earners. These establishments produced in 1900 sulphuric acid to the value of $14,247,185.

As great an authority as Humboldt has said that the best measure of the degree of civilization of any country is the extent of its use of sulphuric acid. The chemical industry in this country has in the last few years seen enormous development, which is regarded by those who know but as the beginning of its capabilities.

E. H. Rising, president of the General Chemical Company, says:

The country which at this stage of the world's progress should be placed at a disadvantage as regards other countries in the production of sulphuric acid would have no chance whatever in the struggle for industrial supremacy.

Absolutely essential to the cheap production of chemicals, pyrites has an almost infinitesimal bearing upon metals. Of the total iron ore imported, the contents of all the pyrite ore amounts to but 1 per cent of the iron mined in this country. The sulphur contents of the pyrite ore imported into this country constitute more than 70 per cent of the country's entire consumption of ore. That the United States at the present time is totally incapable of meeting by local production the demand for sulphuric acid can by no one be questioned. The absolute dependence of our chemical industry upon pyrites is apparent. In addition, sulphuric acid is essential to the production of fertilizer, and mixed with phosphate rock, each comprising three-tenths, forms a mixture which is used as a basis for all artificial fertilizer. Of all the sulphuric acid used, 60 to 70 per cent goes into the manufacture of fertilizer, and the remainder is used in the manufacture of articles consumed by the people at large. The development of scientific farming and fertilization is dependent largely upon this artificial fertilizer. A duty on pyrites therefore would place on the shoulders of every farmer an added burden.

The steel business, the refinement of oils, and many other businesses are dependent upon sulphuric acid for a large part of their raw material.

On the free list for eighteen years, iron pyrites was still left on the free list of the original bill as reported to this committee. A raw product in one of our great industries, an article used by all our people, and hitherto for years being free, it is a most astounding proposition that now at this eleventh hour rumor should say the Committee on Ways and Means consider the report of an amendment placing on this article a duty, and should this be attempted we wish to know the reason why the committee should change their minds and why iron pyrites should be placed under a duty, and should the committee so act what reasons have actuated it to shift from its position as indicated in the original bill.

Mr. CRUMPACKER. By direction of the Committee on Ways and Means I offer a committee amendment.

The CHAIRMAN. The gentleman from Indiana, by direction of the Committee on Ways and Means, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 89, on page 18, lines 20 to 23, inclusive, strike out the paragraph and insert in lieu thereof the following:

89. Mica, when unmanufactured or raw trimmed only, 5 cents per pound and 20 per cent ad valorem. Mica, cut or trimmed, mica plate or built-up mica or manufactures of mica, or of which mica is the component material of chief value, 10 cents a pound and 20 per cent ad valorem.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 91, page 19, line 7, after the word "gilded," insert the words "brown white lined."

The amendment was agreed to.

Mr. PAYNE. Also the following.

The CHAIRMAN. The gentleman from New York offers a further committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 92, page 19, line 14, after the word "white," insert the words "plain brown."

The amendment was agreed to.

Mr. PAYNE. Also the following, Mr. Chairman.

The CHAIRMAN. The gentleman from New York offers another committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 118, on page 28, line 11, strike out the word "six" and insert in lieu thereof the word "ter."

Mr. ROBINSON. I should like to have the gentleman explain the effect of that amendment.

Mr. PAYNE. This relates to Swedish iron, or charcoal iron. The committee reduced the duty from 12 cents to 6 cents. Subsequent investigation showed that we had put the duty on Swedish iron lower than on ordinary bar iron, and so we propose to increase it to $10 a ton, so that it will have an equal rate of duty with the ordinary bar iron. This is charcoal iron.

The amendment was agreed to.

Mr. PAYNE. I also offer the following committee amendment.

The Clerk read as follows:

Paragraph 120: On page 28, line 22, after the word "grooves," insert the following: "Valued at 1 cent per pound or less, three-tenths of 1 cent per pound; valued above 1 cent and not above 2 cents per pound, four-tenths of 1 cent per pound; valued above 2 cents and not above 4 cents per pound, seven-tenths of 1 cent per pound; valued at over 4 cents per pound."

Mr. PAYNE. This changes the ad valorem proposed in the bill to an equivalent specific duty.

Mr. SLAYDEN. Is it equivalent?

Mr. PAYNE. Yes.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The Clerk read as follows:

Paragraph 129: On page 32, line 15, after the word "at," insert the words "eight-tenths of," and in line 17, before the words "one cent," insert the words "eight-tenths of;" in line 17 strike out the word "four-tenths" and insert in lieu thereof the word "three-tenths;" line 19 strike out the word "four-tenths" and insert in lieu thereof the word "three-tenths."

Mr. MANN. Mr. Chairman, I would like at least a brief statement about a matter of that sort, that it is impossible to tell what its effect is by the reading of the amendment.

Mr. PAYNE. I think the gentleman is entirely correct about that. This paragraph includes ingots and billets, and also bars. Bars are a higher grade of manufacture, and cost to manufacture about $6 more per ton than ingots or billets; and they are all included in the paragraph and have been thus in the law a great many years.

Of course bars require a higher duty than ingots. That has heretofore been taken care of by the difference in value, as the House will see that the duty is graded according to the value of the article. The committee made a reduction of these duties from the present law all along the line. It turns out, however, that bars are selling at a lower price than when the Dingley law was enacted; and for that reason on the lower bracket bars would go in at a lower rate of duty and the same as ingots; and we have changed the bracket from 1 cent to eight-tenths of a cent, so that it reaches over or under the dividing line between bars and ingots, ingots coming in at eight-tenths of a cent and bars over eight-tenths and under 1 cent, in order that bars might have a differentiation in duty increasing the duty over that of ingots, and that is the reason of this change, and making a proper distinction between bars of a higher grade of manufacture and ingots.

Mr. HAUGEN. I did not catch the amendment. What is the effect of this?

Mr. PAYNE. The committee report shows a large reduction on the present law on both billets and bars, and as I explained to the House—I am sorry the gentleman from Iowa did not hear me—the bars are a higher grade of manufacture, costing about $6 a ton more than the billets, and the only way they are protected is by their value. It turns out there is a change in value since the Dingley law was enacted, and bars come in at less than a cent a pound, and in order to get the higher duty on the bars than there is on the ingots under our schedule with lower rates, it is necessary to make the dividing line eight-tenths a pound instead of 1 cent a pound in order that bars may have a greater duty than ingots.

Mr. HAUGEN. As I understand, this amendment has reference to the bars only and not to the billets.

Mr. PAYNE. It affects the bars.

Mr. HAUGEN. There is no increase on billets and rods.

Mr. PAYNE. No; billets and ingots, the gentleman means?

Mr. HAUGEN. I have reference to billets and rods out of which barbed wire is made. Has this any reference to billets and rods out of which we make the barbed wire?

Mr. PAYNE. I do not know that wire may not be made out of them. I do not think it affects that.

Mr. MANN. This does not affect the barbed wire at all.

Mr. HAUGEN. I just came in, and I did not quite catch the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. UNDERWOOD. Mr. Chairman, before the amendment is voted upon I wish to say this: The committee, in making this change, I think has very properly drawn a distinction between bars and billets. The steel billet corresponds to the pig in pig iron. It is the first stage of production. The bar is the second stage of production, and necessarily a properly adjusted bill should have the rate on bars higher than on billets. The committee, in its amendment, is attempting to correct the difference in the rate between bars and billets by reducing the duty levied on bars, and to that I have no objection; but I think there is this apparent objection to the entire paragraph, that the committee leaves billets higher than it does steel rails in the main. The committee has reduced steel rails in this schedule from seven-twentieths of 1 cent per pound to seven-fortieths of 1 cent per pound, cutting it in two. Under the schedule as it still stands, steel billets, out of which steel rails are manufactured, are in the main higher than the duty on steel rails. I think that is illogical, and there is no reason for it, and if we had an opportunity to go into these schedules and adjust them and offer anything except the committee amendment I think we ought to make a change in that schedule. Our hands, however, are tied under this rule. We have a rule brought in here where we can offer no amendments. The only amendments the House can consider are the amendments that the committee sees proper to lay before the House. Now, this paragraph is clearly out of adjustment. Steel rails carry the same duty as billets. That is an absurdity and it ought to be changed. It is apparent to all, however, when we come to consider a bill with our hands tied, when we are ordered by the Committee on Rules of this House——

Mr. SHERLEY. Mr. Chairman, I would suggest to the gentleman that these committee amendments are amendable, and that the gentleman ought to offer an amendment that would bring about the reduction that should be had in this schedule.

Mr. UNDERWOOD. Mr. Chairman, as I understand the rule, no amendments are in order excepting committee amendments.

Mr. SHERLEY. The gentleman is mistaken. An amendment to a committee amendment is in order, and the gentleman's amendment now would be in order to the amendment offered by the gentleman from New York [Mr. PAYNE].

Mr. UNDERWOOD. Mr. Chairman, I would say to the gentleman that if I had the opportunity—I can not do it on my feet now—I would prepare an amendment. My understanding of the rule has been when I read it, and for that reason I attempted to prepare no amendment, that we are limited to committee amendments. I could not intelligently sit down here in five minutes and prepare an amendment, I will say candidly, and that is the reason I do not offer it. I merely present this criticism to show that in the way this bill is presented to the House it is impossible for us to properly prepare these schedules.

Mr. RICHARDSON. The gentleman is a member of the Committee on Ways and Means. Is he not allowed, under what I understand to be the rule, as a member of that committee to offer a committee amendment without the approval of the Republican members of that committee?

Mr. UNDERWOOD. Oh, certainly not. A member of the Committee on Ways and Means has no more right here than any other Member.

Mr. RICHARDSON. According to the rule, they are given the additional right of being allowed to offer amendments and nobody else can do that.

Mr. UNDERWOOD. Not at all. No amendment is in order without the majority of the committee have brought it before the House.

Mr. RICHARDSON. Then, the Democratic members of the Committee on Ways and Means have no more rights than I have?

Mr. UNDERWOOD. No.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Paragraph 134. On page 34, line 14, strike out the word "one-half" and insert in lieu thereof the word "three-fourths."

Mr. CLARK of Missouri. Mr. Chairman, what is the amendment?

The CHAIRMAN. The amendment has been just reported, but without objection it will be reported again.

The amendment was again reported.

Mr. HITCHCOCK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York desire to be heard upon the amendment?

Mr. HITCHCOCK. I will be glad to hear the gentleman from New York, as I propose to insist upon some explanation of these amendments from now on.

Mr. PAYNE. Mr. Chairman, I will be very happy to explain. The committee on round iron and steel wire reduced the brackets one-fourth of a cent a pound until we came to this third bracket; I think it is smaller than No. 16 wire gauge. The gentleman from Michigan wants to know what I mean by brackets. I will illustrate: "Round iron or steel wire, not smaller than No. 13 wire gauge, 1 cent a pound." I call that one bracket. The next bracket is "smaller than No. 13 and not smaller than No. 16 wire gauge, 1¼ cents per pound." "Smaller than No. 16 wire gauge, 1½ cents per pound." Now, we reduced the duty on those given in the Dingley law one-quarter of a cent per pound on the first two brackets. The duty on the third bracket was 2 cents a pound, and we cut it to 1½ cents. We discovered that was too large a cut on the third bracket in proportion to the cuts made on the other two and this amendment is to make it 1¾ cents a pound so as to make it balance the bill. The gentleman will notice that as the brackets proceed, the wire gets smaller and, of course, there is more labor, more drawing for the smaller wire than on the larger.

Mr. HAMILTON. I desire to say to the gentleman from New York that I had a general knowledge of the meaning of the term "bracket," but I thought it had better go in the RECORD because that is the term the gentleman uses frequently in his explanations.

Mr. PAYNE. I am very much obliged to my friend for asking the question.

Mr. LIVINGSTON. Is that an increase or a decrease?

Mr. PAYNE. It is an increase from one cent and a half to a cent and three-quarters in the proposed bill, but it represents a decrease in the present law of a quarter of a cent a pound—from 2 cents to 1¾ cents.

Mr. LATTA. Mr. Chairman, that means $20 a ton on wire to the farmers, and we can not stand that.

Mr. PAYNE. Fence wire is in another bracket.

Mr. LATTA. This wire that the gentleman is speaking of is used by the chicken raisers and farmers all over our Nation for fencing in their chicken yards. It is used but little for farmyards, I admit, but you place this duty on No. 13 gauge, which is the wire that is used in the barbed wire our farmers and stockmen use all over the United States, and you place that at $20 a ton. That is prohibitory. [Applause on the Democratic side.] It is a mistake——

Mr. PAYNE. Now, Mr. Chairman, is the gentleman asking a question or is he making a speech; if so, he should do it in his own time.

Mr. LATTA. I want to call the attention of the gentleman——

The CHAIRMAN. One moment; the gentleman from New York has the floor unless he yields.

Mr. CLARK of Missouri. Mr. Chairman——

Mr. PAYNE. Now, Mr. Chairman, I want to say to the gentleman that he is entirely mistaken in his assertion. If he will turn to page 33, paragraph 133, he will find, "Wire rods: rivet, screw, fence, and other iron or steel wire rods"——

Mr. LATTA. Until you come to No. 6 wire and when you come to No. 6 wire——

Mr. PAYNE. That is wire used for making fences; this wire is used for making cables.

Mr. CLARK of Missouri. Mr. Chairman, I want to ask the gentleman——

Mr. PAYNE. The gentleman's zeal to make capital with the farmer has led him into an error.

Mr. CLARK of Missouri. I would like to ask the chairman of the Ways and Means Committee a question, whether we are making capital with the farmers or not.

Mr. PAYNE. I am not speaking of the gentleman from Missouri.

Mr. CLARK of Missouri. I know the gentleman is not. What we want to know is whether this amendment is a raise or a decrease?

Mr. PAYNE. It is a raise by a quarter of a cent a pound, from 1½ to 1¾, and is a decrease of a quarter of a cent a pound, from 2 cents to 1¾, in the present rates, and corresponds with the reductions we have made in the other brackets and the other size of wire.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, it is not my desire to take up much of the time of the House, nor do I deem it necessary for me to discuss at great length the various schedules in this proposed tariff bill.

It is the never-ceasing cry, especially in my own State among local Democrats who have no desire to offer any protection whatever to our industries as well as among those malcontents in our own ranks—or fusionists, otherwise more popularly known as "insurgents"—that the good old Commonwealth of Pennsylvania is the mother of trusts. I want to state that the State of Pennsylvania always has and it will continue to encourage its corporations. But what else does Pennsylvania do? She in turn taxes these same corporations, of course, and the result is to-day that the people are not taxed for the maintenance of our state government. These expenses are all paid out of the taxes received from these same corporations which we welcomed to us, which we assisted in starting. Our State appropriates annually many millions of dollars toward the support of institutions not under management of the State, such as hospitals, asylums, and all sorts of institutions for the relief of suffering humanity. And that is not all; from these revenues raised by taxation of corporations our State returns to the counties for support of common schools from three to four millions of dollars. In this connection, it is my opinion that some of the other States in the Union, aye, many of them, might do well to follow our example, instead of so heavily taxing its farmers and wage-earners generally.

I am for protection. I believe in protecting our industries with a view to continuing our present prosperous conditions, for in protecting them is not the country reaping the benefits by their employment of labor and the maintenance of our high wage scale and standard of living, the highest by far in all the world? It is our bounden duty to endow our citizens with every possible facility and advantage, and it is for that reason mainly that I am for a high protective tariff. It may not be lacking in interest here to state, Mr. Chairman, that under ordinary conditions the pay roll in my county, the little "State of Allegheny," is something over $1,000,000 a day. That is, I speak of conditions under a protective tariff. I remember, however, the distressing times that followed the passage of the Democratic free-trade Wilson bill; how the manufacturing industries throughout the country were paralyzed, factories closed down, employees thrown out of work; hard-working, honest men, who had never known the true meaning of idleness before, forced to tramp from city to city searching for work; soup houses established in every city in the land; and such distress throughout the country as had never before been witnessed. But this is ancient history, and I will not take up the time "in stirring up your pure minds by way of remembrance" of these harrowing scenes, that I trust will never be repeated—certainly not unless the Democratic party should be restored to power and attempt a repetition of their free-trade fallacies.

Remembering all these things, however, and desirous that our grand old party, that has stood like a rock for protection to American industries, should not falter and, under the guise of revision, make such heavy cuts as to require corresponding reductions in the wage scale, I am not altogether satisfied with this bill, as I consider the reductions—especially those in the iron and steel schedules—are heavier than necessary to an equitable revision. Who profits by this reduction—the people? Not a bit of it. Does the laborer or man of ordinary means use steel in the construction of his home? We will presume that there will result a slight reduction in the price of steel. Will

the people be benefited by this reduction? Will they be benefited in the possible resultant reduction in the cost of constructing a bridge, for instance, by a corresponding reduction in the charges for transportation? It will be the railroads and the large corporations who will profit thereby. And who will suffer? Why, the workers in the mills and their families, as has already been illustrated in the reduction of 10 per cent of the wages recently announced by the Jones & Laughlin Company, the largest independent steel company in the country.

I have not received any complaints from the steel people against the reduction on these duties, nor have I heard of any. And I think this substantiates the fact that it will not be the mills but those who work in them who will be the losers.

I am not satisfied with the plate-glass schedule. While I think the manufacturers can stand a reduction of from 35 to 22½ per cent upon large sizes, they certainly can not compete with Belgium, Germany, and other foreign countries on the smaller sizes. In those countries the rate of wage is from 60 to 75 cents per day, as against $2 and $2.25 paid in this country. To cover this great discrepancy in wages, the rate upon smaller sizes of plate glass should be the same as provided in the bill for the larger sizes, namely, 22½ per cent.

To the credit of the manufacturers be it said that, although competition has been so keen and profits cut so that our independent companies have suspended dividends, they have not as yet reduced wages. But if they fail in getting an equitable schedule from Congress, I am afraid the inevitable result will be a reduction in the wage scale of this industry also.

But I am in favor of placing hides on the free list. This may not sound consistent, but it is consistent, nevertheless. The admission of hides free of duty would mean, perhaps, a dollar per head less that the farmer or cattle raiser would receive for grown cattle. But we must not lose sight of the fact that it would, at the same time, result in cheaper shoes, cheaper harness, cheaper belting, and all other leather goods. But it can hardly be said that we raise our cattle primarily for hides, when we remember that every $50 hide necessitates the production of $50 worth of beef, at least. With this saving resultant from free hides, the cattle raiser can certainly increase the weight of his cattle and thereby increase the price for which he will sell, and make up the difference.

As I have said, I am for a high protective tariff, but it must be a protection to our industries. I have just shown how, from the placing of hides on the free list, no ill effect will be felt by our farmer and cattle raiser, but, on the contrary, it will be beneficial to them. I want now to show just what effect this action will have as a protection to American labor. It would give increased employment to the people on the larger quantities of leather that would be manufactured into shoes, harness, belting, furniture, upholstery, and other articles of domestic and export trade. I am receiving hundreds of petitions for free hides. In my own State there is tanned almost one-third of all the leather made in the United States, and this, with the shoe and harness industry, both in volume and value, is the next largest to steel and iron.

I have not the time to read them to the House, but I shall include in my remarks a few editorials and articles which express much better than I could the situation in detail:

THE FIGHT FOR FREE HIDES.

[Extract from Pittsburg Gazette Times, Sunday, March 28, 1909.]

There is one provision in the Payne bill, in the nature of revision downward, which is of universal interest. It permits the importation of hides free of duty, as against the 15 per cent schedule of the Dingley bill. This is an item which affects the price of shoes, harness, and all leather goods, and the independent tanners and packing interests of the United States are making an energetic campaign to prevent manipulation such as was employed in the conference on the Dingley bill. It is claimed with so much circumstantiality as to be convincing that the duty on hides is championed solely by the great packing concerns of the West, which are the prime beneficiaries, and that instead of stock raisers being injured by admitting hides free they would not suffer at all, whereas the consumer would reap direct advantage.

Tanners and manufacturers of shoes and leather products assert that the principal effect of the Dingley duty on hides has been to stimulate manufacturing abroad, to the injury of American users of hides. In other words, the leather and shoe trade of Europe has increased out of proportion while our own has languished, and this is actually being accomplished by our foreign cousins with American machinery and by American methods, the absence of duty and lower cost of labor giving competitors across seas undue advantage. The main objection to the hide duty is that it operates wholly to the benefit of that group of beef barons of the West which preys upon the public by brutal methods of price boosting in defiance of every effort of the Government to compel fair dealing. By means of an all-absorbing system of stock buying these packers in turn compel the cattle raiser to sell at the closest possible figure and force the tanner to buy hides at top prices or import his requirements and pay duty. It is to get away from this system that free hides are proposed. Mr. Blaine denounced a proposed duty on hides, as long ago as 1890, as "injurious in every phase and form." It is not the theory of a protective tariff that it should work hardship on any class of our people, and for this reason the Payne bill provides for free hides.

WARE THE PACKERS.

[Editorials from Pittsburg Post, March 29, 1909.]

In another column on this page will be found an article touching upon the duty on hides. It is not necessary to read far before one realizes that eternal vigilance is the price of free hides, when the disposition of the matter rests with a Republican Senate; and that even then it is sometimes unavailing.

The perfidy of the people's representatives in the United States Senate was never more painfully apparent than it was eleven years ago, when the 15 per cent duty on hides was first imposed. As at the present time the tariff bill, as it came from the House, made no provision for a duty on hides. But the packing interests wanted protection, and they got it, through the treachery of standpat Senators.

No voice was raised for a tax on hides, save that of the packers. They are the only persons who have profited by it. Because of a limited supply, tanners have been obliged to obtain their raw product from foreign countries, and at a great disadvantage on account of the duty. They can not fairly compete with the packers in the tanning business. The revenue from imports has been inconsiderable, and the Government, therefore, has not benefited. And every person who wears or uses articles fashioned from leather has been obliged to pay more for his goods.

If it is true that the beef trust is planning another such coup as that of 1897—and it would not be surprising, since it is among the most avaricious of monopolistic combines—the Senate will have to be closely watched during the next few weeks. Every influence should be brought to bear to prevent further outrages in the matter of hides.

HOW A DUTY ON HIDES WOULD AFFECT EVERY PERSON WHO WEARS SHOES.

The Pennsylvania Free Hide League, a branch of a national organization of tanners, shoe, harness, belting, and leather goods manufacturers, is making a desperate effort to the end that hides shall be admitted free of duty, as provided in the Payne bill. It is claimed that the great packing interests of the United States, which have gone extensively into the tanning business, are endeavoring to have the 15 per cent duty on hides retained.

The history of the Dingley bill is quoted to show the manner in which the beef trust is proceeding. Eleven years ago the Dingley bill passed the House carrying free entry for hides. Influence was brought to bear in the Senate, however, whereby a duty of 25 per cent was fixed, and this was reduced to 15 per cent only after the most vigorous of legislative battles. The packers, it is asserted, are now engaged in the same kind of tactics.

Literature disseminated by the Free Hide League shows in convincing fashion the absolute injustice of a tariff on hides. It is shown conclusively that the only element to profit through it is the packers. "On the other hand," to quote from this literature, "it has made every farmer pay more for his harness, and every rider pay more for his saddle, and every traveling man pay more for his grips, and every manufacturer pay more for his belting, and you and I pay more for our shoes for the last eleven years.

This duty of 15 per cent only added $2,000,000 a year to the revenues of the Government, but it has cost the American people untold millions; it has cut off thousands of men from employment, because with a 15 per cent duty on sole leather and no duty on any other sort of leather, the American shoemaker is no longer able to compete in the world markets for supremacy. He can now only finish the uppers of millions of dollars' worth of shoes which he is forced to send abroad, where they can put soles on them so much cheaper than we can, through savings of tariffs which he must pay, that the wages that would support thousands of our vast army of unemployed go into the pockets of Englishmen, Germans, Frenchmen, and Italians. Meanwhile, knowing that the Argentine Republic and other South American countries, which could supply us with enough hides for all purposes, are now handicapped, the beef trust has steadily advanced the price of sole leather.

Now, if you want to know how this has affected you individually, one example will give you a sharp enough jolt to make you realize that this is some of your business, and decidedly so. The duty on sole leather has made every pair of shoes in this country cost at least 15 per cent more at the factory. By the time a manufacturer has figured his profits on the finished product, a shoe that used to be sold to the retailer at $1 now costs him $1.15. This shoe used to cost you $1.25; now it costs you $1.50, because 10 cents is not enough profit for the retailer, and the average shoe store takes 25-cent jumps in price; so you pay a 50 per cent advance on your shoes.

With all hides on the free list, $22,000,000 worth of leather now exported to be finished into shoes will be finished at home; thousands of Americans will find employment; a bigger profit will come to the country through the heavier profit that we will be able to make out of the foreign countries by selling them manufactured articles out of this leather. We will not have to send out footwear to Europe to be finished; our shoes will cost so much less that every father of every family in America will benefit at least $4 or $5 every year, if not by lower priced shoes, by better value for the money, which means the purchase of fewer pairs of shoes and the saving, if not through reduction of price, at least through reduction of purchases. Our tanneries will be saved and kept out of the maw of a trust that has always been merciless, which has always taken advantage of every opportunity to increase the prime necessities of life.

THE HIDE SITUATION.

[Extract from Pittsburg Gazette-Times, March 30, 1909.]

"The production of hides," said William Flaccus, president of the William Flaccus Oak Leather Company, whose tanneries are on the North Side and at Buckhannon, W. Va., "is not an American industry; the making of leather is. No cattle are raised in this country for the hides, nor will any be raised for the hides, no matter what duty may be imposed. Hides are a by-product of the slaughtering industry. The cattle are raised for the food beef in them. The cattle grower sells his cattle for beef; the butcher buys them for beef. The price of hides enters not at all into the price that is paid for the steer. The hide is worth not more than 10 per cent of the value of beef in a steer. It is a comparatively small matter to the butcher. It is not taken into consideration when the price of the animal is fixed, so any statement that a duty on hides is a protection to the American farmer is false.

NOT ENOUGH HIDES.

"We raise beef for food for the world; that is, we can not consume all of the beef raised in the United States. We export prodigious quantities of beef, both refrigerated and canned. But the millions of hides

stripped from the carcasses that make this food supply are insufficient in number by many millions to supply the wants of American tanners. We must import hides. It is the same in every other civilized country; none raises all the hides it needs. The result is that every hide tanned in Europe is one less hide for American labor to work on. An American tariff wall against hides makes idle American workmen. Hides are raw material in the broadest sense of the term, and it is only by giving us all the hides we can handle that the American workman in the tanning industry is given that protection to which he is entitled. By just so much as foreign hides are kept out of America by an import duty, by just so much is American industry injured.

DUTY HELPS PACKERS.

"The only beneficiaries of the 15 per cent import duty on hides are the big western packers. That duty was written into the Dingley bill in conference as a compromise, at the demand, we believe, of the packers. Hides before that were free, and they were on the free list of the Dingley bill as it passed the House, just as they are on the free list in the Payne bill as written. Now the packers have become tanners; the beef trust is levying tribute on every consumer of leather in the United States, whether that leather be in shoes, harness, traveling bags, furniture, or other things into the manufacture of which leather enters. They simply add 15 per cent to the world price for hides when they sell their product to the independent tanners. When the world price is low they refuse to sell and tan the hides coming from their slaughter houses; when the world price is high, they tack on the 15 per cent and sell to us at the top of the market. The price they have paid for the cattle makes no difference in the price of hides. The only difference high-priced hides make to the farmer is that he must pay so much more for shoes and harness, and the farmers are greatest consumers of leather in the country.

PRICES ARTIFICIALLY FIXED.

"Statistics published by the United States Government prove that the price of beef on the hoof has no bearing on the price of hides. Hides often rise when beef on the hoof is declining, and vice versa. The prices of hides in American hides are kept up by the beef trust and the leather trust because the packers have a practical monopoly of the production of hides in this country, aided by the duty on imported hides. The whole tanning and leather industries, outside of trust circles, are united in favor of free hides, and they are working with all their might to prevent any changes in the Payne bill, so far as this item is concerned. Ask the shoe dealers what they think of it."

GOOD FOR SHOE TRADE.

W. M. Laird, of the Laird & Taylor Company, said he believed that so far as the shoe trade was concerned, the opinion was a wait for free hides. "It will not make so much difference in the price of shoes," Mr. Laird said, "but prices would remain stationary, and not fluctuate at the will and whim of the trusts. For instance, the price of shoes varies from 25 to 50 cents in two months, and without notice or apparent cause. We can not buy shoes for fall trade now, though common business principles would suggest such purchase; manufacturers and leather dealers can not quote more than a week ahead on prices. The most benefit from free hides will come to the workingman, for it is the workingman's shoes that are affected the most. When a man, working for $1.50 to $2 a day, comes suddenly face to face with an advance of 50 cents in the price of his shoes, he feels it keenly. In the better grade of shoes, the manufacturer is able to save in some other part than in leather, and the price of the shoes is unchanged. The buyer does not notice it, but he gets an inferior quality shoe, looking the same as the former one, for the same price."

Thomas R. Ray, another experienced wholesaler of shoes in Pittsburg, said: "Free hides will benefit the independent tanner and leather dealer. It will steady prices, and all of the retailers and wholesalers will know exactly what their stock will cost. It may mean the saving of from 5 to 15 cents a pair on shoes, depending upon their quality, but the actual gain will be in the unchangeable prices of footwear, and people will know what it means when they get a pair of shoes at a certain price."

FREE HIDES.

[Editorial from the Newport (Pa.) News, March 25, 1909.]

The new tariff bill is now under consideration by the House, which is expected to pass it, but certain of its provisions, especially free hides, will, in all probability, be vigorously attacked by the advocates of the continuation of the present high tariff on this article of raw material.

There is no good reason why hides should not be free. Only the large packers, as a general proposition, are advocating a tariff on hides, for purely mercenary and therefore entirely unpatriotic reasons, while the diversified tanning and leather interests of the whole country are opposing it.

The packers control the native hide market and, having their own tanners, arp, it is feared, endeavoring to destroy all opposition to their hide and tanning business by means of the proposed tariff on hides, which will prevent their importation and use by the independent tanners. By the term "independent tanners" is meant such tanners as the Elk Tanning Company, of this place, and C. A. Rippman & Sons, of Millerstown. It is said if hides are not placed on the free list and for the further reasons already given, both these concerns will find it very difficult, if not impossible, to continue in business.

Petitions are being numerously signed for presentation to Senators PENROSE and OLIVER requesting them to vote and use their influence in behalf of free hides. It is gratifying that party lines have been dissolved and that the petitions contain the names of both Democrats and Republicans.

The blessings of free hides to the people would be many, outside of aiding measurably one of the most important industries of the country.

By reason of the duty on hides every man pays more for his shoes, every farmer more for his harness, every owner of an automobile more for his machine, trunk, grip, saddle, pocketbook, hat, or suspenders, and every dollar of it goes to one set of men. These men control the hide supply, and they have so harrassed the tanners of America that many of them have either gone out of business, or sold out to the beef trust, or been forced to tan by the pound at whatever price the trust chose to give them. The tariff on hides was inserted in the Dingley bill by doubtful methods, and its baneful effects are seen in the high prices of leather and leather goods, in the destruction of more than 300 tanneries in twelve years, and in going far toward placing another great staple in the hands of less than half a score of men.

The argument that the farmer or other small producer of hides is benefited by the present tariff is entirely wrong.

A well-fed 3-year-old steer will weigh 1,400 pounds, and at this time will bring 6 cents per pound in Chicago. The hide on such an animal will weigh 70 pounds. The farmer, therefore, gets 6 cents per pound for the hide on the carcass, or $4.20. The packer takes off the hide and cures it at a trifling cost, and at the present time would sell it for 15 cents per pound, or 9 cents per pound more than it cost him.

A 70-pound hide at 15 cents per pound brings $10.50, showing that the packer cleared $6.30, which is a profit of 150 per cent. Does this look like the farmer or anybody else gets any benefit from the hide duty? A condition that enables any man or set of men to monopolise a business and make such an enormous profit needs revision, and the only way to revise it is to take the tariff off hides. This great Government can not afford to maintain any tariff item that helps but a half score of men at the expense of 80,000,000.

The packers are a beef trust, and by their advantages due to the Dingley tariff on hides they are fast becoming a leather trust. They now have 32 tanneries stocked and tanning for them, direct or by the pound. In the event of the present duty on hides being continued, they may drive out of business the balance of the independent tanners. Another important question or two arises in this connection: Where will the farmer sell the few hides he may have to sell, or where will he sell his bark if the independent tanner is forced to quit?

The News would, therefore, urge everybody, business men, farmers, mechanics, laboring men, professional men, women, and children, as well as the independent tanners, to ask our Senators and Representatives, by petition or in person, to use all their influence and vote for free hides.

Mr. HITCHCOCK. Mr. Chairman, the present proposition to increase now, by this amendment, the high schedule on steel as proposed in the Payne bill seems to me nothing more than outrageous in view of the facts that were placed before the Committee on Ways and Means when this bill was formed.

Mr. Chairman, the greatest beneficiary of the steel trust in the United States, Mr. Andrew Carnegie, said, and his testimony has never been disputed, that by using 10,000,000 tons of steel during the year 1907 the steel trust earned a profit of $133,000,000, or a profit of more than $13 per ton on all the steel that it manufactured. A more conclusive statement could not have been made that no tariff whatever is required to protect the steel products of this great monopoly. [Applause on the Democratic side.] Here, however, we have in this bill a tariff almost as high on many of the schedules as they have been under the existing Dingley bill, and now it is proposed by committee amendments to jerk up some additional items in the bill to practically the same point under which they have existed in the Dingley bill. My colleague from Nebraska [Mr. LATTA] has said that this particular item affects the farmer, and he is competent to speak for the farmers, I will tell the gentleman from New York, for he has been for more than forty years an active farmer in the State of Nebraska and knows whereof he speaks.

Mr. PAYNE. I would like to ask the gentleman a question. Does he know of any fence wire ever used under No. 16?

Mr. HITCHCOCK. I do not know the sizes of fence wire, but I will take the word of my associate from Nebraska [Mr. LATTA] against the word of an attorney from New York on that subject. I do not care, however, whether this particular wire is used by farmers or used by townspeople. It is a wire of general consumption in some form by the people of the United States, and a deliberate effort is now being made, as it has been made in other cases here, to increase the price of it by taxes.

Mr. PAYNE. Does not the gentleman understand——

Mr. HITCHCOCK. I want to refer to something the gentleman——

Mr. PAYNE. Does not the gentleman understand that this——

Mr. HITCHCOCK. I am not yielding. I have not the time.

I want to refer to something the gentleman said here yesterday, which reveals the whole situation. When the tariff was yesterday being discussed upon barley, the gentleman from New York assured his friends on the other side of the House that the 15 per cent per bushel tariff on barley was a prohibitory duty, and therefore they could afford to vote for it. And that is so in many of these schedules. The duty is not for revenue, but to shut out competition. It is particularly so in the schedules that cover the steel products of the United States, it is designed to enrich a monopoly, and it is a farce and a confidence game upon the people to call this a reduction in the interest of the people when many of the schedules are made not only as protective but as prohibitory as they have been during the last ten years. [Applause on the Democratic side.]

Mr. LATTA. Gentlemen of the committee, on this question of wire, the tariff that imposes a duty on it is prohibitory. Now, speaking for the wire that is used by the farmer, on all wire rods, rivets, screws, fencing, and other wire, down to No. 6 gauge, there is a duty of $8 a ton. They blind the public by saying one-quarter of 1 per cent per pound, which is $8 a ton. Wire smaller than No. 6 wire gauge shall be classed as wire, and from No. 6 up to No. 13 it shall be 1 cent a pound. What does that mean? Twenty dollars a ton. All the wire that is

used by the farmer in making his barbed-wire fence is made of No. 13 wire gauge. Every rod of woven wire is made from 13 gauge and larger down to No. 9. Twenty dollars a ton duty is the price of that.

Number 16 wire is used in the poultry fence and by the small gardeners and chicken raisers, and that is $30 per ton, 1½ cents a pound. It is misleading, gentlemen. You have stopped to figure this $30 per ton. Gentlemen, it is more than we can buy the wire for. If there was no duty on it, we could buy it at $30 a ton. Now, as to the covered wires, the duty is much higher, and this is an imposition on the farmer to have $20 a ton placed on wire that he uses to fence his farm. That is the size of the wire that is manufactured into fence, 13 gauge and larger, used by the farmer in fencing his farm in diversified farming, raising stock, and changing his crop. It is a burden and should be reduced. [Loud applause on the Democratic side.]

Mr. HAUGEN. Mr. Chairman, evidently the scheme now is to restore the Dingley rate on wire, billets, wire rods, rivets, and screws. The principle of protection is to protect every worthy and legitimate industry, capital, and labor. It does not include fraud and deception. Anybody who knows anything about the quality of wire that is furnished at the present time knows that it is inferior and that it is nothing but a fraud and deception. If anybody that is nothing but a statement, let him investigate for himself. Let him study the investigations made by the Agricultural Department.

Mr. Chairman, considering the poor quality of wire manufactured and sold to-day in this country, the present high tariff is nothing but a protection to fraud and enables the manufacturers to hold up the consumers and compel them to buy a worthless article. When in Panama last January, I observed that the roofs of buildings covered with corrugated iron, as all buildings built by the United States Government and the French company are down there, were in bad condition. Upon inquiry I was told by officers who knew that many of the roofs on the buildings were in bad condition. Upon further investigation I found that the corrugated iron covering the American-built buildings was rusted and in bad condition, while the corrugated iron laid by the French company was apparently in as good shape as when put on.

As you know, in the purchase from the French company, among other things, the purchase included 2,265 buildings in Panama, Colon, and along the line. These buildings were built from fifteen to thirty years ago. As you know, the French Government began its operation there about thirty years ago. The first blast at Culebra was discharged January 10, 1880, and some of the buildings were built before that time.

We began operations and the construction of buildings about five years ago. The canal treaty was signed November 18, 1903, and approved February 5, 1904. We did not begin building houses for some time after that, so the corrugated-iron roofs laid by the French people were laid from fifteen to thirty years ago, and are still in good condition, while the corrugated iron laid by our people, which is the very same gauge, has been laid for less than five years, and is not now in as good condition as that laid by the French company and which has served for twenty or thirty years. The better quality which was used by the French company was made abroad, or, if made here, under the old process; that used by us was made in the United States and by the modern process, which accounts for the difference in quality.

Five years ago I built several miles of welded and woven wire fence. I bought what was represented to be the best made welded and woven wire. In place of buying new barbed wire to put on top of the fence I used old wire that had been in service for twenty-five or thirty years, and to-day that old barbed wire is in better condition than the wire in the welded fence bought only five years ago. What has been my experience seems to have been the experience of everybody else. I have talked with many, and have received a large number of letters from farmers confirming my experience. I have talked with a number of manufacturers and have received many letters from manufacturers of fence wire, many admitting that the quality of the wire manufactured and sold to-day is much inferior to that manufactured and sold twenty or thirty years ago. Nobody, so far as I know, denies it; and if anybody will investigate he will find that the consumers of steel and iron, and especially of wire, are being imposed upon, and, I believe, can reach no other conclusion than that the high tariff on billets, rods, and wire is nothing less than robbery. If so, is it not high time that we take off this tariff on billets, rods, wire, corrugated iron, and other kinds of steel and iron which makes this hold up possible, or at least take off half of it?

Is this imposition to be continued? When the bill was first reported it proposed to reduce the duty. Now it is proposed to practically restore the duty.

Gentlemen, it is hardly fair for you, even if you have a majority vote, to put hides on the free list, to cut the duty on barley in two, which can only benefit the brewers, and at the same time not raise the tax on beer. You are imposing a duty of 594 per cent on one kind of gloves and about 40 per cent on wire, which will enable the steel trust to sell its worthless wire, and are putting many products of the farm on the free list. This is hardly giving us a square deal. If we are to have free trade in the products of the farmer, why not reduce the duty on the manufactured products in the same proportion?

If we are to reduce duties, why not reduce the duty on shoes, harness, and gloves? Why not cut out this differential duty in favor of the sugar trust, or at least cut it in two? Why not reduce the duty on wire, billets, and rods in the same proportion that is proposed in the case of hides and wheat? It is proposed to reduce the duty on hides 100 per cent and the duty on wheat 99 per cent. Hides are put on the free list and only 1 per cent is left on wheat. The duty on gloves has been increased in one instance to more than 500 per cent. It is proposed to reduce the duty on refined sugar from $1.95 to $1.90, a reduction of less than 3 per cent. Why not reduce the duty on the finished articles of leather which the manufacturer has to sell in the same proportion that you reduce the duty on the hide, the finished product which the cattle raisers sell?

Gentlemen, this can hardly be considered a square deal. Why this discrimination? Have the American brewers, the manufacturers of steel, the refiners of sugar and of oil, contributed or done more to maintain or perpetuate this great and splendid Government of ours—yes, to maintain the dignity and stability of this Government—than the tillers of the soil? My understanding is that nobody has responded more promptly or freely when our government institutions were in danger than have our farmers. They have always been found in the foremost ranks in our days of unpleasantness, marching on to victory in times of peace and war, and, generally speaking, have been loyal to the principles of protection. Why, then, should we now kick from under them the ladder, a ladder on which other great industries have climbed to success, at a time when it will serve as a protection to the farmers and add to the blessings, advantages, advancement, happiness, comfort of these people, a people which has contributed so much to this Nation's growth and greatness, dignity, prosperity, stability, peace, law, and order; and at a time when we impose a high tariff on manufactured articles—in my opinion an excessively high tariff on many manufactured articles, especially on billets, rods, and wire—which permits of the manufacture and sale of an inferior quality of the same? [Loud applause.]

I discussed the wire proposition somewhat at length some time ago, and will append to my remarks a part of what I then said.

Mr. Chairman, some time ago I introduced H. R. 16755, having for its object the taking off of duties on all plain and galvanized iron or steel wire, woven or welded into fencing or manufactured into barbed wire.

In offering this amendment to the present tariff laws the importance and value of a protective tariff to American industries, capital, and labor were not overlooked. After carefully considering the value and importance of our tariff system, as well as the importance of the measure and the present conditions, I believe that, as a protectionist and a Republican, I am fully justified in presenting this bill. I yield to nobody in admiration, loyalty, and appreciation of the principles of Republicanism and protection, and I trust that that party may forever cling to that sound and logical doctrine which I believe is so conducive to the welfare, advancement, and happiness of the American people, and which has contributed so much to our Nation's growth and greatness.

Republicans stand united for a protective tariff and denounce free trade as advocated by our Democratic friends. We believe in the upbuilding, encouragement, and advancement of American industries, and a tariff that will benefit labor and result in the common good of all our people. But, as before stated, that does not imply that there is anything sacred in any set of schedules and that they should not be changed or that the present law is perfect in all its details.

For years the Agriculture Department has carried on a careful and extensive investigation with a view to ascertaining the quality of wire fencing manufactured and sold. Anyone who will take the trouble to look up the reports and investigate will, I believe, reach the conclusion that the wire manufactured and sold at the present time in the United States is much inferior

to that manufactured and sold years ago. He will find that wire made under the present process, the Bessemer and open-hearth process, is much inferior to the wire made years ago by the puddling method. Wire manufactured and sold to-day has probably equally as much, if not more, tensile strength, but it cracks and breaks off under vibration, expansion, and contraction, and is less resistant to rust, corrosion, and deterioration. The trouble is it contains too high a percentage of manganese and other impurities. The excess quantity and unequal distribution of manganese and other impurities of course makes the wire less durable, and it lasts only about one-quarter or one-fifth as long as the wire made twenty years ago. The old wire, or the more durable wire, was made of wrought iron by the old process, the puddling method, where the impurities were oxidized or burnt off and the impurities more evenly distributed. The puddling method required more labor, and it is claimed that with the present high-priced labor it can not be expected that hand-worked metal can compete in price with that produced by modern methods. As a result, the steel wire generally made from fairly high carbon hard steel, has been substituted for the old and more durable wire made out of wrought iron by the old process—the puddling method—especially the woven wire. Therefore a much inferior quality of wire is being sold the farmers and consumers of wire, not because of the inability of the manufacturers to furnish the quality desired, but from avarice and greed for profits.

The same is true as to steel sheets used for roofing, smoke flues, locomotive flues, gas pipes, and so forth. Take, for example, roofs and sides which were covered with corrugated iron sheets of heavy gauge twenty years ago, where extensions have later been erected at periods of from five to fifteen years, and where steel sheets of the same gauge were used and subjected to the same conditions and treated the same. The roof sheets laid on the first part have been found in good order after twenty years, while the steel sheets laid later have lasted only four or five years. Those who have had experience with both kinds say that the present sheets last only one-fourth or one-fifth as long as the old ones.

Besides the investigation and information furnished by the department, I have received a large number of letters on the subject. I will not take up the time of the House to read all of them, but will read one. Here is a letter written by a gentleman I have known for thirty years. He is a practical, intelligent, and successful farmer, and what he says can be relied upon.

MANLY, IOWA, *February 21, 1908.*

Hon. G. N. HAUGEN.

DEAR SIR: Allow me to thank you for the splendid work you are doing, and especially for your bill putting fence wire on the free list.

I have some fence on my place that has been doing service for twenty years, and the wire is now in better condition than some that I erected five years ago. It is utterly impossible to obtain good wire now at any price. I know I am voicing the sentiment of the entire farming community when I urge the passage of your bill.

Sincerely, yours, M. PARKER.

Besides this I have had some experiences myself. I have bought and used fence wire for thirty years, and know that the fence wire manufactured and sold in recent years is much inferior to and shorter lived than that sold years ago.

I will also ask to have printed in the RECORD some of the correspondence with manufacturers of wire, and newspaper clippings, which give much light on the subject. I will also invite your attention to Farmers' Bulletin No. 239, by Allerton S. Cushman, who has carried on an extensive investigation for the Department of Agriculture.

These letters and clippings raise a very important question, that is, Should not the billets and rods be included and be put on the free list? The contention is, if not, we will drive the independent manufacturers—those who do not manufacture the partly finished article—out of business; that the trust dictates prices and controls the output, and that the independent manufacturers are now at its mercy. Nobody wishes to cripple or drive out of business any worthy or legitimate enterprise. I certainly have no such desire. To the contrary, I want to protect them.

The letter and clippings are of high authority, and I take it nobody will dispute the fact that the wire manufactured and sold to-day is much inferior to that manufactured and sold twenty or thirty years ago. Gentlemen, if this is true, and there is no doubt about it, and if by removing the duty a better quality of wire will be furnished by our domestic manufacturers, or can be imported and sold for the price the inferior domestic wire is now being sold for, then why not remove the duty? But you say that the duty is necessary to protect our home manufactures—that iron and wire is now being imported notwithstanding the high duty. That is true, but that is a special grade of wire, such as is not and can not be manufactured here. Barbed wire and wire fencing are not separately enumerated in the returns of imports rendered to the Department of Commerce and Labor by the collectors of customs, being included with other articles under general heads.

If you will turn to pages 41 and 42 of the report of the Department of Commerce and Labor, Bureau of Statistics, on imported merchandise entered for consumption in the United States and duties collected thereon in 1907, you will see by the table on page 42 that of the 569,250.95 pounds of wire not smaller than No. 13 gauge, 398,475.90 pounds was valued at more than 4 cents per pound, and paid a duty of 40 per cent plus 1½ cents per pound. Of the 149,132 pounds of wire coated with zinc, and so forth, 121,065 pounds was valued at more than 4 cents per pound, and paid 40 per cent duty, and 15,117 pounds of it was smaller than No. 13 wire gauge, and paid a duty of 2.2 cents per pound, while only 12,950 pounds was not smaller than No. 13 wire gauge, and paid 1.9 cents duty per pound. It will be seen, then, that the wire imported is of a very high grade, and does not come in competition with the fence wire manufactured and sold here.

If our manufacturers can and will not furnish the better quality of wire, why deprive the consumer of the privilege of buying it elsewhere? Will anybody contend that the manufacturers are entitled to this protection, or will anybody contend that our manufacturers or laborers need any protective tariff on this article against foreign manufacturers and labor, even with our high-priced labor? Certainly not.

I call your attention to page 7399 of the CONGRESSIONAL RECORD of May 24, 1906:

Mr. UNDERWOOD. Can the gentleman from Pennsylvania name me any steel mill in the world that can make steel rails cheaper than they are made at Pittsburg? Can the gentleman from Pennsylvania name me any iron furnace in the world that can make pig iron cheaper than Birmingham?

Mr. DALZELL. I think not.

Nobody will question this authority. Both are experts and represent districts where the largest manufacturers of these articles are located. If pig iron and steel rails can be made as cheaply here as any place in the world, of course wire can. A large amount of iron is being exported every year and sold in competition with the world, which also goes to show that it can be made as cheaply here as elsewhere. With our advantages in transportation, with our skilled labor, with our improved machinery, with our abundance of ore and fuel, our manufacturers of wire can and would produce wire equally as good and as cheaply as any other country without a protective tariff. They would make less money, as it costs more to manufacture the better quality, but they can make, and will have to make it, if the duty is removed, and that without any hardship to labor or anyone. Even if the trust has to squeeze a little water out of its stock, what of it? The trust has robbed the consumer by imposing on him high prices and furnishing a poor quality of wire, and the consumer is now entitled to some consideration.

More than 400,000 tons of this wire is manufactured and sold every year. The average price at the mills is estimated at about $52.21 per ton, the total value being $22,511,149.43. Add to this the cost of transportation and the charges and profits to the merchants and jobbers, and you will easily have $30,000,000. This means that if a superior quality of wire can be made here or imported and sold for the same price that the inferior wire is bought and sold for now, the farmers are taxed more than $20,000,000 every five years by reason of the fact that an inferior quality of wire is being sold them.

If our manufacturers can and will furnish us with a good quality of wire, I would not object to a duty on wire in order to protect them against foreign cheap labor, if such protection is needed; but if the manufacturers of wire have, and I understand many of them have, combined and formed a trust, watered their stock, and entered into a conspiracy to defraud the consumers by manufacturing and selling an inferior wire at a price equal to that which a good quality can be furnished for, then that is a different thing, and there can be no justification for it. Manufacturers have and can make as cheap and as good wire as manufacturers in other countries, and as good as was made here twenty years ago; and the purchaser is entitled to just as good wire as is made in other countries, especially if it can be made as good here as elsewhere. If the manufacturers insist on making and selling, at present prices, an inferior wire when a better quality can be made and sold as cheaply as imported wire can be made and sold, then they are not entitled to protection.

It has been the policy of the Republican party to encourage manufacturers by giving them a protective tariff, even if they were making an inferior quality and charging higher prices, but that was with a view of stimulating competition and encour-

aging industries and with the expectation that in time the articles might be perfected. This is entirely a different proposition. We know that the manufacturers know how to make a durable, serviceable, and economical article, but do refrain from doing so because the inferior article can be made cheaper, and because outside competition has been cut off by reason of a protective tariff, and because the farmers and consumers have to buy their make. This is, of course, unjust and indefensible. The same holds true to a large extent as to steel sheets, railroad irons, billets, rods, and various other irons.

Gentlemen, the iron and steel trusts and the iron and steel schedules need attention. What is true as to the quality of wire manufactured and sold is probably true as to all kinds of steel—sheets, wire and iron nails, construction and bridge iron, railroad iron, and other iron. This is undoubtedly the cause of so many accidents on railroads and a loss of so many lives. I have confined my amendment to wire fencing, as the investigation of the department was confined to wire fencing, and I did not feel justified in including items of which I had no special information.

The principle of protection, as before stated, is to protect American industries and American labor, but not to foster and protect fraud and deception, nor is it to build up or to foster an industry that is not or can not be made a success in this country, or one that has ceased to exist.

In conclusion let me say that I believe and contend that inasmuch as American wage-earners and American capital help to maintain and contribute to our national prosperity, growth, and greatness, they should be given protection against foreign manufacturers and producers who pay no taxes here, who pay less for labor, and who can afford to sell for a less price by reason of cheap labor. But that does not imply that there should be a tariff on all products, certainly not on those which do not need protection, or such as will foster and protect fraud, deception, trusts, monopolies, and combinations. Every Republican tariff act has contained a large list of articles on the free list. If you will turn to pages 194 to 203, volume 30, United States Statutes at Large, you will find that the Dingley Act contains a free list of more than 200 articles and classes of articles.

As before stated, I am a protectionist, but in view of the existing trusts, monopolies, combinations, high prices, and the conditions of our forests, I believe that the tariff schedules, such as billets, wire rods, steel sheets, lumber, wood pulp, and paper, should receive immediate attention and the duties modified if not totally removed. And until the trusts manufacture a fence wire and furnish the American consumer with a better quality, a more rust-resisting wire, a quality equally as good as that furnished by other countries, or as good as that manufactured here years ago, greater in efficiency and economy than that which it is now manufacturing and selling, I favor the admittance, free of duty, of wire suitable for this purpose.

Mr. GARDNER of New Jersey. Mr. Chairman, if this amendment affected the farmer, as my friend from Iowa seems to think——

Mr. HAUGEN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAUGEN. Is it in order to move to reduce the duty one-half?

The CHAIRMAN. The Chair will consider that question when an amendment is offered.

Mr. CLARK of Missouri. Mr. Chairman——

The CHAIRMAN. The gentleman from New Jersey has the floor.

Mr. GARDNER of New Jersey. The only thing, I apprehend, with which the House has to do for the moment is the amendment offered by the gentleman from New York, the chairman of the Committee on Ways and Means. That refers to the wire smaller than 16 gauge and smaller than 16 gauge only. It does not enter into the wire fences used by the farmers. If it enters into the building of a chicken fence, it is only after it has been manufactured otherwise, and is provided for in another schedule of this bill.

Mr. POINDEXTER. Will the gentleman yield to a question?

Mr. GARDNER of New Jersey. One moment. This wire is used for the purpose of making wire cables. It was understood, as I am informed, that the duty on wires should be reduced, the smaller wires, one-quarter of a cent a pound. It so happens that in the printed bill this particular size, on which there is the most reason to keep up the duty, is reduced half a cent a pound, while the others are reduced one-quarter. Now, the farmer is neither interested in nor harmed by this. This is a question of the importation of wire for the making of cables, and whether it shall be made in this country or some other.

Mr. LATTA. What gauge do they use in wire cables, please?

Mr. GARDNER of New Jersey. No. 16 and smaller.

Mr. LATTA. No, sir; they use Nos. 48 to 80 in the making of wire cables. Nos. 16, 18, and 20 would break in two hours' use. No. 16 and up to 30 is used for chicken wire, the kind that is used in fences.

Mr. GARDNER of New Jersey. The answer is that it does not do it.

Mr. LATTA. Nos. 48 to 80 gauge is what they use in making wire cables.

Mr. GARDNER of New Jersey. The tariff on this bracket should be made to correspond with the other. If one is 1 cent, another one and a quarter, and another one and a half, this should be one and three-fourths; and I repeat, the farmer is not interested in the matter.

Mr. LATTA. Are you a farmer?

Mr. GARDNER of New Jersey. Yes; that is my occupation.

Mr. LATTA. But you never built any wire fence.

Mr. POINDEXTER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Washington?

Mr. GARDNER of New Jersey. In one moment, Mr. Chairman. The gentleman from Nebraska [Mr. LATTA], in taking his seat remarked, "You have never built any wire fence." I will not take the time of the House to talk about that, but we will measure up mile for mile all the wire fence we have built and perhaps own at this moment, and there is a dinner on the result.

Mr. LATTA. I will meet you any time to measure up with you.

Mr. POINDEXTER. What is the cost of producing a ton of this wire that is affected by this amendment?

Mr. GARDNER of New Jersey. I do not know the cost of producing it, but what I do know is that under the present rate of 2 cents a pound enough of it is coming in from abroad to interfere with the labor of the United States which makes it.

Mr. POINDEXTER. If you pass a law reducing it a quarter of a cent, still more will come in.

Mr. GARDNER of New Jersey. And still more if it is reduced still further.

Mr. POINDEXTER. If you do not know what is the cost of producing it, how are you able to advocate an increase in the duty on it as being justifiable?

Mr. GARDNER of New Jersey. I am not advocating an increase.

Mr. POINDEXTER. This proposed amendment is an increase.

Mr. GARDNER of New Jersey. It is not. It is a reduction.

Mr. POINDEXTER. An increase of $2.50 per ton.

Mr. CLARK of Missouri. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend Mr. PAYNE's amendment by striking out of his amendment the word "one."

Mr. MANN. The gentleman's amendment does not have the word "one" in it.

Mr. CLARK of Missouri. Then I will offer this one.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn, and the gentleman from Missouri [Mr. CLARK] offers another amendment.

Mr. CLARK of Missouri. Amend the amendment by striking out "1¾ cents" and insert "one-half of 1 cent" as a substitute.

Mr. MANN. But the gentleman's amendment does not have——

Mr. CLARK of Missouri. I will settle that very suddenly, if the Chair will bear with me. In line 14, I move to strike out the words "one and one-half" and insert the word "three-fourths."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out of Mr. PAYNE's amendment the words "one and," so that it will read "three-fourths cent per pound."

Mr. CLARK of Missouri. That is all I want to say about it. This is what it does. It cuts this tariff down one-half, and if this amendment carries, then I will offer another.

Mr. HILL was recognized.

Mr. RANDELL of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentlemen will state it.

Mr. RANDELL of Texas. Is the committee amendment offered by the chairman to strike out the word "one-half" and insert "three-quarters," or is it to strike "one and one-half" and insert "one and three-quarters?"

The CHAIRMAN. Without objection, the amendment of the gentleman from New York will be again reported.

The Clerk again reported the amendment.

Mr. CLARK of Missouri. All my amendment does is to substitute for the amendment of the gentleman from New York the word "three-quarters." It strikes out "one and a half" and "one and three-quarters" and substitutes "three-quarters."

Mr. HILL. Mr. Chairman, I do not believe this House wants to begin now or at any other time to fix duties in this bill in the interest of any particular class, either in the interest of the banker, the clerk, the farmer, the manufacturer, or anybody else, but to do equal and exact justice to all people. And yet the claim is made boldly on this floor that this duty ought to be cut in the interest of the farmer.

Now, the farmer has nothing to do with this particular duty. If you are going to raise that claim, raise it on something else. The committee has not acted on that policy. Let me tell you some of the facts. On the question of the farmer's products you have duties like this: Wool, 60 per cent; starch, 61; plants and nursery stock, 63; potatoes, 57; honey, 55; hay, 55; eggs, 56; rice, 64; mules, which were the subject of discussion yesterday, 75 [laughter]; zinc, a western product, 100 per cent.

What is the duty on this product? Twenty-five to 40 per cent. Why is this amendment offered? Because, when the duty was scaled from the Dingley law on this paragraph, the purpose was to cut it a quarter of a cent a pound—$5 a ton. What did we do? We made a mistake. We cut the less valuable product $5 a ton and the next less valuable product $5 a ton, and this, the most valuable, $10 a ton. We made a mistake. On the first bracket, which we cut one-quarter of a cent a pound, the importation in 1898 was 1,000,000 pounds. In 1907 it was 1,600,000 pounds; it had only increased one-half in twelve years.

What on the next bracket? In 1898 it was 800,000 pounds, and the importation in 1907 was 2,245,000 pounds. But this is one on which you propose to put a lower rate than any other, and which ought to be higher than any of the three. The importations are as follows: Twelve years ago 600,000 pounds, and last year 2,200,000 pounds. The importations have increased nearly four times over, and the committee comes in and say they made a mistake and ask to have it put back on the same basis as the other two where the importations have not increased proportionately. Is it not fair, can not you divest yourselves of the idea that it is going to benefit any particular class and then do justice to this bracket on the basis of fact? [Applause.]

Mr. SCOTT. Will the gentleman state what the Dingley law provides?

Mr. HILL. Two cents, and if you pass the amendment it will still be $5 a ton below the Dingley law.

Mr. HAUGEN. Does not the gentleman think that the American consumer is entitled to as good a quality of wire as the foreigner?

Mr. HILL. Absolutely, and better. I was talking to a man last night who has factories in London and Berlin, where he uses large quantities of wire, and he told me that he was shipping wire from the United States to his factories, because the quality was better.

Mr. HAUGEN. Is not the gentleman aware of the fact that every independent manufacturer of wire admits that the quality of wire to-day is inferior, and is now asking for free billets and rods that they may be able to make better goods—a better quality?

Mr. HILL. I am aware that general statements do not count. I was in conversation all last evening with a constituent of mine from my district, who has a large factory in London and another in Berlin and two in the United States, where his raw material is wire, and he told me that he was shipping American wire to his English factory because it was better.

Mr. HAUGEN. Now, Mr. Chairman, I will put the statement of the Secretary of Agriculture and the statement of the experts in that department——

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. SLAYDEN. Mr. Chairman, I offer the following substitute for the amendment, which I send to the desk and ask to have read.

The CHAIRMAN. The Chair will state that there is already one substitute pending.

Mr. SLAYDEN. Then make this a substitute for the substitute.

The CHAIRMAN. It is not in order at this time.

Mr. RUCKER of Missouri. Mr. Chairman, I think the country may well be congratulated upon the fact that members of the Ways and Means Committee are now standing before the House seeking to correct some of the many mistakes they have made. When this bill was brought in, we were told in a two-days' speech of the arduous work performed by the committee. We were assured that exhaustive and extensive hearings were had, and that the Payne bill as reported was the result of the very best intellect, the very best judgment, and the very best patriotism to be found in the Republican party. To-day and yesterday we have seen some remarkable demonstrations.

Responsive to an overwhelming sentiment throughout the country, the leader has been driven to put tea and coffee back on the free list; but with those exceptions it seems to me that this committee is being moved and guided by influences from other sources. The gentleman from Connecticut [Mr. HILL], who has just taken his seat, states that even last night, and until a late hour in the night, he was in consultation with one of the manufacturers of wire in this country. We are advised by the press and by those who live in hotels in Washington that the hotels and boarding houses here are flooded to overflowing with people whose mission here is to advise the individual members of the Committee on Ways and Means of the mistakes made here and there in the bill as reported; and to-day we see a reflex of that influence. Every amendment produced is a contradiction of the statement which accompanied this bill proclaiming the great care with which it was prepared, and demonstrates that, notwithstanding the public hearings, the committee had not heard from all of the trusts and the monopolies of this country. To-day we are asked to increase the duties above those reported by the committee. I will say that, in my judgment, it is a crying shame and a disgrace, at a time when this town is flooded with lobbyists, that distinguished gentlemen will stand here responsive to the appeals of these lobbyists and move to increase the duties upon the necessities of life and articles of common use. I am opposed to all of these committee amendments. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I think that some of our friends are mistaken as to what this particular wire about which this amendment is offered is used for. I do not think this grade below 16-gauge wire is used for fencing, but in the same paragraph there is wire that is used for fencing that is entirely too high. I think this schedule, this particular amendment, makes this wire too high, and it ought to be reduced, and I think it is very unfortunate that the rules of the House do not let us take up this schedule on iron and steel and adjust it properly. I want to call the attention of the committee to schedule 134. The amount of production in the United States, as shown by the census reports, was $61,840,000 worth of wire under the schedule. The imports amounted to $496,000. In other words, the imports in the year 1905 were only five-sixths of 1 per cent. Now, this schedule includes the farmer's fence wire, and yet the tariff is so high on it that there is only five-sixths of 1 per cent imported into this country—practically no competition. There is a tariff wall built so high by this bill that competition is impossible. More than that, we exported to foreign countries in the year 1907, $8,482,000 worth of wire that is covered by this schedule. If we can take this wire and go into the markets of the world, where there is no protection—where there is no tariff wall to hold it up and maintain it—and compete in the open markets of the world with the world's commerce, where is the necessity for maintaining these prohibitive rates under this paragraph? [Applause on the Democratic side.] More than that, I want to call attention to a specific piece of testimony in reference to No. 13 gauge wire, which is net wire. When Judge Gary, the chairman of the United States Steel Corporation, returned his testimony to the Ways and Means Committee——

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Chairman, I regret that I have not time to finish this interesting story.

Mr. WOOD of New Jersey. Mr. Chairman, there seems to be a good deal of misunderstanding on the floor of the House in reference to this committee amendment, which has been reported by the gentleman from New York [Mr. PAYNE]. The purpose of the committee amendment is simply to correct an error that has crept into the bill as reported to the House. It is to make these wire schedules consistent and logical. The wires to which this amendment relates are the smaller kinds of wire known as "smaller than No. 16 wire gauge." The reduction in these sizes from the present rates is 25 per cent. In the larger sizes of wire the reduction from the Dingley rate is 16⅔ per cent and 20 per cent, respectively. The smaller the wire the greater amount of labor involved and the greater the protection necessary. This principle was inadvertently overlooked by the committee in this single item. When the matter was brought to the attention of the Ways and Means Committee, they cheerfully and promptly made the correction, and have reported it as a committee amendment.

I want to say, Mr. Chairman, that 46 per cent of all the wire that is made in this country is produced in my own city. There are two firms, the John A. Roebling Sons & Co. and the Trenton Iron Works. The Roebling firm employs between seven and ten thousand men.

And I would say they have also established what is called the "model factory town" of Roebling, located a few miles below the city of Trenton.

Mr. COX of Indiana. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New Jersey yield?

Mr. WOOD of New Jersey. Not just at present. I want to say, Mr. Chairman, 75 per cent of the business of the John A. Roebling Sons & Co. is in the smaller grades of wire, and this disproportionate reduction would work great injury to this industry, if not entire disaster. Thousands of workmen will be thrown out of employment, and conditions will probably be about the same or similar to those which prevailed before the Dingley act went into effect. At that time several of these departments were shut down and many of the buildings of this great establishment were used as storehouses and filled with foreign-made wire. I appeal, Mr. Chairman, for the support of this amendment, because it is in the interest of fair play. Let this work done by American workmen, in American shops, and at American wages, rather than by German workmen and in German shops.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. WOOD of New Jersey. Yes.

Mr. STEPHENS of Texas. Are not you already protected by 45 per cent ad valorem?

Mr. WOOD of New Jersey. But this will disconcert all the schedules, and there is no reason why there should be a reduction of 25 per cent in one schedule and 16⅔ per cent in another and 20 per cent in another. If you are going to do away with the whole schedule, that is one proposition; but there is no reason for this disproportionate decrease in the smallest-sized wire.

Mr. STEPHENS of Texas. Can the gentleman inform us whether barbed wire is charged the same 45 per cent and an additional rate of two-tenths of a cent per pound, and is it not a fact that this barbed wire is used by the farmers entirely?

Mr. WOOD of New Jersey. I do not understand this is used by the farmers at all. It is employed in the making of cables.

Mr. STEPHENS of Texas. Do not they call the wire in it "barbed wire?"

Mr. WOOD of New Jersey. Not that I am aware of.

Mr. PAYNE. Will the gentleman yield? I would like to move that debate be closed. Mr. Chairman, I move that all debate be closed on this paragraph and amendments thereto in ten minutes.

The CHAIRMAN. The gentleman from New York moves that all debate——

Mr. CLARK of Missouri. Make it fifteen minutes.

Mr. PAYNE. Very well; I will make it fifteen minutes.

The CHAIRMAN (continuing). Be closed in fifteen minutes.

The motion was agreed to.

Mr. COX of Indiana. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COX of Indiana. When this amendment is disposed of will it be in order to offer amendments to the remaining parts of the paragraph?

The CHAIRMAN. The Chair will answer that question when such an amendment is proposed.

Mr. RUCKER of Colorado. Mr. Chairman, it was far from the thought of the Chair that I was not recognized half an hour or more ago, but mainly because I was hidden behind the presence and voices of so many others seeking recognition. It appears that a new Member has more difficulty in being recognized—by the old Members—when seeking the floor than he does to be elected. And it creates little wonder in my mind that so many of the new Members are taking the places of the old.

Now, Mr. Chairman, if the gentleman from Nebraska [Mr. LATTA] or the distinguished chairman of the Ways and Means Committee are both right or greatly wrong, one claiming that the particular item under discussion includes fencing wire and the other that it has special reference to cable wire; and, again, upon the other hand, if the distinguished member of the Ways and Means Committee from Alabama [Mr. UNDERWOOD] is correct that the size and weight of this wire will take in at least chicken wire and baling wire, then my people, as well as myself, find that even the negro's coon trap which was set to catch the coon acoming and ageing was not quite complete, because he ought to have caught him sideways as well.

My State, Mr. Chairman, is a great agricultural Commonwealth and the greatest mining State of this Union. We raise, in connection with our agriculture, chickens, and we need wire to protect them against the coyotes, wolves, and polecats. We need wire for baling purposes, because we produce great crops of alfalfa. Of course there are but few here who know what that is. [Applause.]

Mr. MANN. Oh, we are not so ignorant as we look.

Mr. RUCKER of Colorado. But it may be that the gentleman does not know that we ship this product all over the United States, and a great part of it even goes to Europe. [Applause.]

Now, without questioning the opinion of any one of these gentlemen as to where this particular weight of wire will go or undertaking to get them out of their tangle, it goes without saying that this weight of wire will be included in what we use for chicken as well as baling wire. But Mr. Chairman, I am led to believe that it will also include fencing wire. We are engaged more largely to-day than any other State in this Union in fencing a large hitherto unoccupied domain. Our country is settling up rapidly, and we are deeply interested in this proposition for the purpose of aiding the new settler in fencing his home and aiding the old settler to repair his fences. [Applause.]

Then again, Mr. Chairman, we are a great mining section of the country. We produce more gold and silver, we sink deeper shafts, run longer tunnels, build more tramways, and use more derricks than any other State in the Union. And I will now ask the gentleman from Connecticut [Mr. HILL], and the chairman of the Ways and Means Committee [Mr. PAYNE], if it is not true that most of the cable wire is used in the mining industry?

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. RUCKER of Colorado. With pleasure.

Mr. STEPHENS of Texas. I wish to ask this question. I wish to ask the gentleman if he has discovered the "joker" in this provision here, beginning on line 25, as follows:

On iron or steel wire coated by dipping, galvanizing, or similar process with zinc, tin, or other metal, there shall be paid two-tenths of 1 per cent a pound in addition to the rate imposed on the wire of which it is made.

Now, is it not a fact that the galvanized wire, known as "barbed wire," used in the stock-raising country of the entire West, goes through this process; and is it not a fact that this will add two-tenths of 1 per cent to the rate imposed on the cattle raisers all over the country? [Applause.]

Mr. RUCKER of Colorado. If not in whole, at least in part, the gentleman from Texas is correct. Yet, I want to emphasize the fact that this wire, as used for fencing purposes, can be so reduced or enhanced in weight by the manufacturer in this country as to cut out competition. [Applause.]

Already, Mr. Chairman, the price of wire of all kinds is too high when it reaches us of the West and the Middle West. It becomes almost prohibitive in its use. The farmer, and especially the latest comer, the man of small means, hesitates, the one to repair his fences, and the other to build his fences, because of the uncertainty of his crop and the price he is going to get for it. He would like to build a fence such as would keep out the coyotes, wolves, and polecats all around his place, but with the present price of wire and the added price this bill would accomplish, he may not be able to build a fence that an elephant or a giraffe might not easily pass through, even though the one raised his snout, or the other bent his head.

The miner has been forgotten entirely so far as explosives are concerned and so far as his clothing is concerned, and this measure adds one more straw to his already overburdened back by compelling him to pay more for the cables used in his mining. [Applause.] And this is done despite the fact that the two greatest chieftains of the iron and steel industry have testified before the honorable members of the Ways and Means Committee that protection is not necessary to this production—the two men who have, more than all others combined, built the trade in the United States to its present tremendous proportions.

In view of this fact, I would like to inquire of the defenders of this exorbitant and in many cases prohibitive duty from whence comes the clamor for its imposition? [Applause.]

Mr. SLAYDEN. Mr. Chairman, I think that of all the obnoxious paragraphs in this bill none is a more flagrant and inexcusable effort to legislate in favor of great, strong corporations and against the interest of the masses of the people than paragraph 134, page 34, which covers the wire schedules. There has been some discussion here as to the quality and size of wire used by farmers on the ranches and farms in the West. No. 13 wire is very generally used in making ordinary barbed wire

that goes around, I suppose, 95 per cent of all the farms and ranches in the West. Two strands of No. 13 wire twisted together and containing barbs made from the same wire make the ordinary fencing barbed wire of commerce.

Now, Mr. Chairman, under this bill it is proposed to have that class of wire carry a duty of $20 per ton, or 1 cent a pound. And it is peculiar how persistently this committee insisted upon levying this duty as a pound rate, when everybody knows that fencing wire is never bought by the pound. It looks insignificant to say a cent a pound. It begins to loom up as important when you say $20 or $30 a ton.

Taking No. 13 as a basis, the farmers will be called upon under this bill, as proposed, to pay a tax of $3.20 a mile on each strand of wire that they use in their fences. Ordinarily four strands of wire are used in making the fences in my section of the country, and it makes the important tax of $12.80 a mile to be paid by the farmers.

Mr. Chairman, ties for baling hay ordinarily consist of Nos. 14 and 16, on which we are to pay $30 per ton duty. Now, it is possible that the farmers in the East, like our friend from New Jersey [Mr. GARDNER], do not have to spend a great sum of money for baling wire, but in the West and Southwest it is of vast importance. An incredible amount of it is used, and to ask the farmer to pay a tax of a cent and a half per pound, or $30 a ton, is entirely too much. It is all done in the interest of the strongest corporation in the United States, the greatest monopoly in the world.

Carnegie, who, until his testimony was recently impeached by gentlemen here, was supposed to know as much about steel making as any man in the world, declares that we make it cheaper than any people on earth.

Mr. CULLOP. Will the gentleman yield for a question?

Mr. SLAYDEN. If the gentleman will ask it quickly.

Mr. CULLOP. One of the gentlemen stated that these rates were for the benefit of the laboring men of the country; and another one that these same companies were exporting a large amount of this product to foreign countries. How could it be for the benefit of the laboring men, then?

Mr. SLAYDEN. I can not, in the time allowed me, answer the question of the gentleman, I am sorry to say. Judge Gary, the chairman of the board of the United States Steel Corporation, admitted that with the tariff taken off of steel his corporation could live and go on doing business, and I inferred from his remarks that he thought they could even more effectually dominate and control the market of the United States under free steel than they do now. He appeared, however, to be particularly solicitous for his only competitors, the small, independent producers.

Mr. Schwab, a man of large experience in the steel trade; a man who, I suppose, still keeps current knowledge of all that is to be known, and of all that it is important a manufacturer should know, in reference to the steel trade, in an interview published within a week has also declared that it is not a matter of importance whether the steel schedules proposed in this bill are enacted or not.

Yet the committee insists upon taxing products in common use by farmers, and by farmers only, thus conferring advantages upon corporate interests that do not need them, and denying them to that class which is most in need of the consideration of Congress.

The general condition of trade in steel manufacturing, as in all others, makes for prosperity or lack of prosperity.

Mr. PAYNE. Mr. Chairman, as I stated to the House, the wire that is mentioned in this bracket is not the class of wire that is used for fencing wire. I am glad to be confirmed in my statement by the statement made by the gentleman from Alabama, and I do not believe there is another Member of the House better posted in the products of iron and steel manufacture than that gentleman. He also stated that this wire was not fence wire, and I put that statement and my own information against the statement of the gentleman from Nebraska. The gentleman claims to speak as a farmer. I understand he has written himself down as a banker. I suppose he combines both banking and farming—both honorable occupations, and both occupations have bred truthful men, as undoubtedly he is.

Mr. LATTA. Is it any crime to be connected with a bank?

Mr. PAYNE. If the gentleman had listened to what I said, he would have heard me say that both farming and banking were honorable occupations.

Mr. LATTA. Thank you.

Mr. PAYNE. I hope the gentleman is not unduly sensitive.

Mr. LATTA. If there is anything I do know anything about, it is barbed wire and fencing materials.

Mr. PAYNE. Having settled that little dispute with the gentleman from Nebraska—and the unpleasantness of it seems to have been upon his side—I want to say, on the merits of the proposition, recognizing on this particular wire the committee cutting down, as they have, the iron and steel schedule from the beginning to the end, had made this cut a little too deep in this third bracket, they proposed to ask the House to remedy that, making it conform with the cut they made upon the other brackets, a cut of one-quarter of a cent a pound, or $5 a ton upon this particular class of wire, which, fortunately, does not affect the fences, but does affect those manufacturers who make wire cables and who make various manufactures of things in which this wire is used.

Having made that statement, Mr. Chairman, it would seem to me there is no use of all this flurry and all this eloquence, and still I am glad to hear it, when gentlemen think that some of their own interests are disturbed. I have no interest in the manufacture of wire; there is none in my district; it is not a monopoly, because there are a score of independent wire manufacturers. It is a process which any man can enter into. It is not monopolized by any one corporation. So, Mr. Chairman, I think that the committee have made a proper change in this particular amendment, which may have been overlooked, because the amendment offered by my friend from Missouri is on the mistaken idea that he was going to help the farmer by cutting this down. So I hope that the House will adopt the amendment proposed by the committee.

Mr. CULLOP. Will the gentleman allow me to ask him a question?

Mr. PAYNE. Certainly.

Mr. CULLOP. I will ask the gentleman if it is not a fact that 60 per cent of this product is manufactured by a trust in this country?

Mr. PAYNE. Well, I can not give the amount. But as well as I can, I think the United States Steel Corporation makes perhaps 50 per cent of it. I think probably that is true, but there are a number of other independent manufacturers.

Mr. HAUGEN. Will the gentleman allow me to ask him a question?

Mr. PAYNE. I yield to the gentleman.

Mr. HAUGEN. Does the gentleman contend that the wire furnished now by American manufacturers is equal to the quality furnished by other countries?

Mr. PAYNE. Why, Mr. Chairman, the manufactures of iron and steel in this country, and the manufactures of iron and steel of every description, wire or anything else, are equal to the best manufactures anywhere in the world. [Applause on the Republican side.] I am tired of hearing my friend, by that question, impugning his Americanism.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. HITCHCOCK. Division!

The House divided; and there were—ayes 145, noes 128.

Mr. PAYNE. I demand tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] and the gentleman from Missouri [Mr. CLARK] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 155, noes 146. [Applause on the Democratic side.]

Mr. HITCHCOCK. Mr. Chairman——

Mr. LIVINGSTON. Mr. Chairman——

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York as amended by the amendment of the gentleman from Missouri.

Mr. HITCHCOCK. Mr. Chairman, I offer this as a substitute.

The CHAIRMAN. A substitute for what?

Mr. HITCHCOCK. A substitute for the amendment as amended. I have the right to do that, as I understand.

Mr. PAYNE. Why, Mr. Chairman, the House has exhausted this amendment by amending the amendment.

The CHAIRMAN. The Clerk will first report the proposed substitute.

The Clerk read as follows:

Page 34, paragraph 134, amend line 11: Strike out "1" and insert "one-half of 1." Line 13——

The CHAIRMAN. This is not a substitute for the amendment and is out of order.

Mr. CLARK of Missouri. I appeal from that decision.

Mr. SHERLEY. The Chair has not even permitted the amendment to be read.

The CHAIRMAN. The Chair has heard enough to learn that it is not an amendment or a substitute.

Mr. SHERLEY. In good faith to the committee, the committee should have an opportunity to know what it is; to see if it desires to appeal.

The CHAIRMAN. Without objection, the entire amendment will be reported. The Chair was simply desiring to save time.

The Clerk read as follows:

Page 34, paragraph 134, amend line 11: Strike out "1" and insert "one-half of 1."
Line 13: Strike out "1½ cents" and insert "one-half of 1 cent."
Line 14: Strike out "1½" and insert "one-half of 1;" also strike the "s" from the word "cents."
Line 16: Strike out "40" and insert "20."
Line 24: Strike out "45" and insert "20."
Page 35, line 2: Strike out "2" and insert "1."
Line 8: Strike out "1½ cents" and insert "three-fifths of 1 cent."
Page 35, paragraph 134, line 12: Strike out "1" and insert "one-half of 1."
Line 13: Strike out "40" and insert "20."

Mr. PAYNE. I make the point of order against that amendment that it is not germane to the amendment before the House.

Mr. CLARK of Missouri. This amendment——

Mr. PAYNE. Will you allow me to make my statement?

Mr. CLARK of Missouri. I beg your pardon. I thought you had finished.

Mr. PAYNE. The gentleman should hold in his exuberance. He will get over it before the day is far spent.

Mr. CLARK of Missouri. I beg your pardon. I thought you had finished.

Mr. PAYNE. It seeks to amend various parts of the paragraph that are not open to amendment; and I do not know, but I should think it covered most of the iron and steel schedule.

Mr. SHERLEY. Upon the point of order I desire to be heard briefly.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky.

Mr. SHERLEY. Mr. Chairman, the rule that made a committee amendment in order to any part of the bill stops there. If the bill was being read under the five-minute rule and a paragraph was reached and an amendment was offered, the whole paragraph would be subject to amendment. Now, the only difference between that condition and the condition in which the committee now finds itself is this: That the rule under which we are operating gives to the members of the Ways and Means Committee the right to immediately offer an amendment to any particular paragraph; but when that amendment is offered to that particular paragraph, the committee is in the same position that it would be if the paragraph had been reached under the regular reading of the bill under the five-minute rule; and that being true, the whole paragraph is open to amendment by virtue of the action of the committee.

The CHAIRMAN. The Chair will ask the gentleman from Kentucky where he finds anything in the rule to substantiate that view of it?

Mr. SHERLEY. The rule provides:

But committee amendments to any part of the bill shall be in order at any time, and also preference shall be given—

And so forth. Now, the effect of that rule is simply to enable the Committee on Ways and Means to offer an amendment to a particular paragraph without waiting until that paragraph is reached under the five-minute rule. But the moment they do offer an amendment to that particular paragraph, so far as the Committee of the Whole is concerned, we deal with it just the same as if we had reached it under the five-minute rule.

The CHAIRMAN. Where does the gentleman find authority for that proposition?

Mr. SHERLEY. Why, simply in the logic of events. When there is any doubt about the construction of a rule, it must never be construed to restrict the powers of the House. The doubt must always be in favor of enlarging the power of the committee or of the House to deal with a subject. Now, the rule simply provides that the Committee on Ways and Means may come to a paragraph out of its order.

Mr. JOHNSON of Kentucky. And leave the other rules standing.

Mr. SHERLEY. Suppose, for instance, we were operating under the ordinary rules of the House, and a gentleman rose to ask unanimous consent to offer an amendment to a certain paragraph which had not been reached. No objection being made, the amendment is offered to that paragraph. Would it not be apparent that that paragraph then would be before the Committee of the Whole House for all amendments germane to it? That is the proposition that confronts the committee now.

Mr. MANN. Mr. Chairman, the rule provides that amendments offered by the committee shall be in order to any part of the bill at any time. I take it that an amendment offered by the committee is to be tested according to the ordinary rules of the House relating to amendments. If the gentleman from Kentucky had offered, when this paragraph was read in regular order, the amendment now offered by the gentleman from New York, no one would contend that it was in order as a substitute for that amendment to offer the amendment now offered by the gentleman from Nebraska. The simplest parliamentary principle would tell anybody that that could not be done in regular order. If the paragraph were reached for amendment in regular order, and the amendment of the gentleman from New York had been disposed of, it would then be in order for the gentleman from Nebraska to offer his amendment; but no one will contend that his amendment is a substitute, in fact, under the ordinary parliamentary law, for the amendment now pending as amended by the gentleman from Missouri.

Going even further, I should liken the case somewhat to a matter of conference between the two Houses. Suppose the House had passed a bill and the Senate had inserted as an amendment the amendment offered by the gentleman from New York and the matter was sent to conference. There are repeated decisions, all on one side, to the effect that the amendment of the Senate could be amended and that the text of the bill, which was not amended in the bill not in conference, could not be amended by the conferees.

Mr. HITCHCOCK and Mr. SHERLEY rose.

Mr. MANN. I will yield to the gentleman from Nebraska.

Mr. HITCHCOCK. Would not that be for the simple reason that both Houses having acted on the paragraph, the conferees had no jurisdiction whatever? Is it not now the fact that this Committee of the Whole House has all the powers that the Committee of the Whole always has to consider a bill under the five-minute rule, except such cases as are made by the special order adopted by the House, and this is not one of them?

Mr. MANN. The amendment in conference is subject to any germane amendment, and that is all an amendment ever is. The committee amendment is subject to a germane amendment; and the amendment in conference between the two Houses is subject to any germane amendment, and that is the reason I gave the illustration. I think it is upon all fours, so far as the parliamentary law is concerned. I will now yield to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. I do not now care to ask the question.

The CHAIRMAN (Mr. OLMSTED). The special rule or order of the House under which we are proceeding provides that committee amendments to any part of the bill shall be in order at any time. Without that special provision, the amendment offered by the gentleman from New York would not itself be in order at this time.

The Chair has heretofore ruled that when a committee amendment is offered it falls under the five-minute rule and is itself subject to any germane amendment; but this is not such an amendment. Here is a proposition offered by the gentleman from Nebraska as a substitute amendment to the amendment offered by the gentleman from New York. That amendment and the substitute amendment offered by the gentleman from Missouri and already voted upon, both relating to a single definite article or subject of duty in the pending bill, to wit, "smaller than No. 16 wire gauge, 1½ cents per pound," is the item in the bill to which the amendment is directed.

Now, as a substitute for that amendment, the gentleman from Nebraska offers some nine different amendments, or, if you choose, one amendment upon nine different subjects and to as many different places in the bill, and which would be divisible, if anybody demanded it, so as to require nine different votes, the first one applicable to an entirely different dutiable subject-matter, the second one relating to still another, the third to a different one, the fourth to a different one, the fifth to a different item in the bill, the sixth to a different item in the bill, the seventh to a different item in the bill, and so on. There is only one of all the provisions of the amendment of the gentleman from Nebraska that has any relation at all to the pending committee amendment offered by the gentleman from New York or to the item in the bill to which that amendment is offered. If in order on the demand of any Member, it would be divisible, and a separate vote would have to be taken on each of the different propositions, and they could only be voted upon one at a time.

None of these provisions, save one, are germane to the amendment offered by the gentleman from New York, or the amendment offered by the gentleman from Missouri, or to the particular item or subject-matter of the bill to which they are offered. Without reference to the special rule or order under which we are proceeding, the substitute amendment is not a substitute; it is not germane; it is not in order under the regular rules of the House nor general parliamentary law.

It amounts to nine different amendments to as many different parts of the bill, and is not in any event in order at this

time under the special rule which governs procedure upon this bill. If this paragraph of the bill were reached in regular order during the reading of the bill, of course it would be subject to amendment. Even then the amendment of the gentleman from Nebraska would have to be ruled out as an amendment to or substitute for the amendment of the gentleman from New York as not being germane. But the paragraph has not been reached and read in due course. The committee amendment itself is in order only because made so by the special rule. But that special rule does not open up to noncommittee amendments any part of the bill or paragraph not covered by the committee amendment. Independent of the special order, such an amendment was never in order in the history of the United States. The Chair sustains the point of order.

Mr. CLARK of Missouri. I most respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Missouri appeals; and the Chair entertains the appeal. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and there were 167 ayes and 138 noes.

Mr. CLARK of Missouri. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. CLARK of Missouri and Mr. PAYNE were appointed tellers.

The committee again divided; and the tellers reported—ayes 178, noes 139.

So the decision of the Chair stood as the judgment of the committee.

Mr. LIVINGSTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 30, paragraph 123——

Mr. PAYNE. Mr. Chairman, that has gone far enough to indicate that it is not in order at this time. That is an amendment to another paragraph.

Mr. CLARK of Missouri. Mr. Chairman, I wish to call the attention of the Chair to the fact that he has never yet put the question upon the amendment offered by the gentleman from New York [Mr. PAYNE] as amended by the amendment which I offered.

Mr. PAYNE. He has not yet had the opportunity.

The CHAIRMAN. The Chair supposed that the amendment offered by the gentleman from Georgia was an amendment to the amendment, but it seems it is not.

Mr. LIVINGSTON. I withhold that for the present, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York as amended by the amendment of the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. CLARK of Missouri) there were—ayes 126, noes 177.

So the amendment was rejected.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 150, page 40, line 1, strike out the words "made from plate metal" and insert in lieu thereof the following words: "tubes or flues made from plate metal and corrugated, ribbed, or otherwise reenforced against collapsing pressure."

Mr. PAYNE. Mr. Chairman, just a word in explanation of that. That relates to solid cylindrical furnaces made from plate metal. The committee wishes to confine it to certain furnaces by confining it to those that are corrugated or by some other method are reenforced so as to resist the pressure of the steam. The class is too large now for this rate of duty, which is 2 cents a pound, and we wish to restrict it or, in other words, to lower the rate. And, Mr. Chairman, I want to say one word further, and that is that we are not making as rapid progress on the bill this afternoon as we would if gentlemen upon this side of the House would stay here and attend to business. [Applause.] I want to state to the Members of this side of the House that the members of the committee worked early and late for five months. Now, can you not afford to stay here this afternoon and to-morrow morning in order to vote on the bill? [Applause.]

Mr. CLARK of Missouri. Mr. Chairman, I would like to have that amendment again reported.

There was no objection, and the Clerk again reported the amendment.

Mr. CLARK of Missouri. I would like to ask the chairman of the committee what it means.

Mr. PAYNE. Mr. Chairman, it restricts the class of these furnaces that come in at this rate of 2 cents a pound and refers them to another paragraph at a lower rate. We wanted to confine it to those that had the iron corrugated so as to reenforce by their shape the strength of the furnaces.

Mr. CLARK of Missouri. It has a tendency to reduce the rate?

Mr. PAYNE. It has a tendency to reduce the class on which this large rate is imposed.

Mr. CLARK of Missouri. Is the class that you put it into raising or lowering the rate?

Mr. PAYNE. It makes it lower. This is 2 cents a pound—a very high rate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I now offer the following committee amendment, Mr. Chairman, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 151, page 40, line 16, strike out the word "fifty" and insert in lieu thereof the word "twenty-five." On the same page, line 18, strike out the word "fifty" and insert in lieu thereof the word "twenty-five." On page 41, line 3, strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

Mr. PAYNE. Mr. Chairman, this is a change of the class——

Mr. HAUGEN. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman will be recognized when the gentleman from New York has yielded the floor.

Mr. PAYNE. Mr. Chairman, this is a change of the class, and to correct a mistake that was made in the printing of the bill—that is, in the copy of the bill that was taken from the previous print. It corrects it in three particulars, making it 25 instead of 50 cents, referring to the class under which these goods come. This is the cutlery schedule, and the rate of duty is high, because cutlery is largely a luxury. A good knife is always a luxury. A man can carry a poor knife as long as he desires to for the necessities of the case, or a cheap knife, but this higher class of knives is the class that should bring in a revenue to the Government. That is all I care to say at present.

Mr. HAUGEN. Mr. Chairman, I wish to offer an amendment.

Mr. CLARK of Missouri. Before the gentleman offers his amendment, I wish to make the point of order on this amendment. It has not been fifteen minutes since the Chair ruled that you could not do the identical thing the Chair is doing.

The CHAIRMAN. The Chair will state that debate having taken place the point of order of the gentleman is now too late.

Mr. CLARK of Missouri. It is never too late to do good. You are offering three amendments at one clip.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa, and the Chair will ask the gentleman from Iowa if it is offered as an amendment to the amendment?

Mr. HAUGEN. It is offered as a substitute.

The Clerk read as follows:

Strike out the word "four-tenths," in line 2, page 24, and insert the word "two-tenths"——

Mr. PAYNE. The Clerk has read far enough. The gentleman's amendment refers to page 34, and this is page 40, and I make the point of order against it.

Mr. HAUGEN. I trust the gentleman from New York will not make the point of order.

Mr. PAYNE. But the gentleman does.

The CHAIRMAN. The amendment offered by the gentleman from Iowa seems to be neither an amendment to the amendment nor a substitute. It does not even relate to the same paragraph of the bill. The pending committee amendment is to paragraph 151, "Penknives," and so forth. The amendment of the gentleman from Iowa is directed to the item of wire rods, in paragraph 133, and therefore is not in order at this time.

Mr. SHERLEY. Mr. Chairman, can we have the paragraph reported as proposed to be amended?

The CHAIRMAN. Without objection, it may be so reported. The Clerk will report.

The paragraph as proposed to be amended was reported.

Mr. RUCKER of Missouri. Mr. Chairman, I desire to ask the gentleman from New York if this proposed amendment would increase the tariff on this class of goods?

Mr. PAYNE. It would on some of these knives, slightly.

Mr. RUCKER of Missouri. May I ask the gentleman what information has recently come to his mind that suggests the necessity for a further increase on this particular line of goods?

Mr. PAYNE. Mr. Chairman, we intended to follow the old law, the present law covering these brackets. Through some mistake in printing the word "fifty" was inserted in place of the word "twenty-five," and this amendment is to carry out the original intention of the committee. The committee's intention was to keep this paragraph where it is in the present

law, so far as the present duty is concerned, because it is necessary for the protection of this industry.

Mr. RUCKER of Missouri. May I ask the gentleman one other question? I would like to know how your attention was directed to the fact that an error was made in this matter.

Mr. PAYNE. Well, it is a story. I will tell the gentleman, if he wants to know. In Notes and Comments, in the right-hand column, the mistake was made in the first place, printed some time ago, and printed at "fifty" instead of "twenty-five." When the Clerk came to make up this bill, he took that right-hand column instead of the left hand and placed it in the copy. The copy went to the Printing Office and it was printed in this way, and the committee did not discover it until the attention of the committee was called to it to know whether we meant to make that change. We did not intend to do so, and we offer this amendment simply to make the paragraph just what the committee thought it was when they put it in here and what they voted to do.

Mr. RUCKER of Missouri. I am glad, Mr. Chairman, that the Public Printer has made some mistakes and the Committee on Ways and Means did not make them all.

Mr. PAYNE. Mr. Chairman, there is no question that we sometimes make mistakes; none are infallible unless they come from Missouri.

Mr. RUCKER. I suppose the Public Printer called attention to the mistake.

Mr. PAYNE. No; the Public Printer, even, did not call attention to it.

Mr. RUCKER of Missouri. I did not know but what somebody had come here for the purpose.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask: The net result of this amendment is to raise the rate on all these articles named?

Mr. PAYNE. No; it raises it on some of them, not on many of them. It raises it on those between $1.25 and $1.50, if that is the size of it. It puts them where they are in the present law, all of them.

Mr. CLARK of Missouri. Here is the way you work it: You cut down the price——

Mr. PAYNE. No; we did not cut down this duty at all.

Mr. CLARK of Missouri. I know; but you cut the price down——

Mr. PAYNE. Yes.

Mr. CLARK of Missouri (continuing). So that the cheaper article got the higher rate.

Mr. PAYNE. Yes.

Mr. CLARK of Missouri. That is it. Well, I am "agin" it. [Laughter.]

Mr. PAYNE. Well, I am for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PAYNE].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Chairman.

The committee divided; and there were—ayes 158, noes 103.

So the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] offers a further committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 151, on page 40, line 21, after the word "provided," insert the following:

"That any of the foregoing knives or erasers, if imported in a condition of assembled, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon the value of finished knives and erasers of the same material and quality: *And provided further.*"

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. SHERLEY. I desire some information.

Mr. PAYNE. I want to say for the benefit of my friend from Kentucky [Mr. SHERLEY] that this is to correct a fraud on the revenue, nothing more and nothing less. They have been bringing in knives here that were fully completed—"assembled," to use the technical term—except one or more blades did not receive the final polish, which is a matter of very little cost and very little labor, and bringing them in as parts of knives at a lower rate of duty. It is a fraud against those who bring in honest knives fully completed, and this is simply to correct that irregularity or fraud upon the revenue.

Mr. CLARK of Missouri. Does it not require labor to finish these things?

Mr. PAYNE. Very little labor.

Mr. CLARK of Missouri. All of us want to give employment to American labor. Why do you not want to give this to them?

Mr. PAYNE. Now, that is the difference between the gentleman and myself. I would rather commence from the bottom—from the ore—and go on up, and make these knives, shape them, and everything else. The gentleman seems to think it would be better to bring them in here fully made, except lacking polish of a blade or two, and then give our laborers the benefit of the little labor on them.

Mr. CLARK of Missouri. The gentleman does not state the difference right. I wish everything that is used in the United States could be made in the United States [applause on the Republican side], and then we could substitute some reasonable and sensible system of taxation in this country for this system that no mortal man has sense enough to understand [applause on the Democratic side], not even the chairman himself.

Now, the situation about it is that these things that are being put in at this higher rate are unfinished articles. There is a gentleman here now who has in his pocket one of these unfinished knives. Nobody would want one of them, and every time one of them is brought in that way in an unfinished state, instead of being brought in in a finished state, it gives employment to American labor. There is no getting away from that proposition. Consequently, I am against this amendment.

Mr. PAYNE. The only question is whether we shall give a cent's worth of employment or half a dollar's worth.

Mr. CLARK of Missouri. You can not keep out certain fine cutlery until we learn how to make it.

Mr. PAYNE. We make just as good cutlery as they do in any country under the sun.

Mr. CLARK of Missouri. You do of some classes.

Mr. PAYNE. We do of all classes.

Mr. CLARK of Missouri. Wait a moment. I will jog the gentleman's memory here so that he will not forget it. The gentleman from New York [Mr. VREELAND] demonstrated before that committee, much to my surprise, that we can not compete in the razor-making business in this country with the foreigner.

Mr. PAYNE. And he also demonstrated that we made better razors than those which were imported. [Applause on the Republican side.]

Mr. CLARK of Missouri. That all may be. It is all right to applaud when you do not know what you are applauding about. [Laughter and applause.] But the gentleman from New York [Mr. VREELAND] did testify before that committee that most of the razors that are used in this country are made abroad because we can not make them under present circumstances, and it surprised me as much as anything that happened before that committee. Consequently, the statement of the chairman is not based on fact. It is simply one of those bluffs that might go on the stump, but it will not go here. [Laughter.]

The CHAIRMAN. The question is on the amendment.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CLARK of Missouri. Division!

The committee divided; and there were—ayes 151, noes 120.

So the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 182, on page 49, line 16, strike out the word "ferrophosphate" and insert in lieu thereof the word "ferrophosphorous."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 182, on page 49, line 15, strike out the word "ferromanganese;" and in line 17, strike out the word "ferrosilicon;" and in line 20, after the word "valorem," change the period to a semicolon and insert after said semicolon "ferrosilicon and ferromanganese, $4 per ton."

Mr. SHERLEY. Mr. Chairman, I would like to have the paragraph read as it is proposed to be amended.

The CHAIRMAN. Without objection, the paragraph will be read as proposed to be amended.

Mr. PAYNE. I object to reading the paragraph. Gentlemen have the bill before them, and they can see what it is.

Mr. SHERLEY. It is impossible to understand the changes that are made as the amendments are read.

Mr. GARRETT. I make the point of order on the amendment.

Mr. MANN. I would have no objection ordinarily to having a paragraph read as proposed to be amended, but out of respect for the jaws of the Clerk on this paragraph, I object to its being read. If the gentleman will look at it, he will see what I mean.

Mr. PAYNE. A gentleman has asked me to withdraw this amendment until to-morrow morning, if there is no objection.

Mr. SHERLEY. I shall not object.

Mr. PAYNE. I offer the following amendment:

Paragraph 194, page 54, line 1, strike out the words "apparatus and."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 194, page 54, line 5, after the words "lace-making machines," insert the following: "including machines for making lace and machines for making nets and netting;" and in line 7, after the words "lace-making machines," insert the following: "including machines for making laces and machines for making nets and netting."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Paragraph 198, page 55, lines 23, 24, and 25, strike out the words "briar root or briar wood and similar wood unmanufactured, or not further advanced than cut into blocks suitable for the articles into which they are intended to be converted;" and insert at the end of the paragraph on page 56, line 7, after the word "valorem," the following words: "briar root or briar wood, ivy or laurel root, and similar wood unmanufactured or no further advanced than cut into blocks suitable for the articles into which they are intended to be converted, 25 per cent ad valorem."

Mr. HARRISON. Will the gentleman please explain the reason for the imposition of this duty?

Mr. PAYNE. Yes; these are on the free list. The proposition is to let them pay a duty of 25 per cent for revenue. It appeared to the committee that briar root or briar wood was formerly produced, or rather gathered, in this country in large quantities for the purpose of making pipes. It was quite an industry in some of the Southern States, and regardful always of the interests of the Southern States we have put a protective tariff on this briar root and briar wood of 25 per cent ad valorem in order to revive that interest, so that the South may supply the American smoker in the matter of briar-root pipes instead of importing foreign wood for that purpose. It is to encourage this southern industry.

Mr. HARRISON. Then you have shifted from the revenue point to the protective point?

Mr. PAYNE. We have moved to the protective point and did not care for the revenue that that involved.

Mr. HARRISON. Do you consider this new rate prohibitive?

Mr. PAYNE. Oh, no; I think that we will still be importing briar wood, but the importations will grow less, I hope.

Mr. HARRISON. What has become of the revenue you had expected to raise?

Mr. PAYNE. The revenue in this particular item we will have to forego in the interest of a domestic industry of the South.

Mr. BARTLETT of Georgia. May I ask the gentleman a question?

Mr. PAYNE. Certainly.

Mr. BARTLETT of Georgia. The gentleman speaks of this industry of the South and protecting those industries. Does not the gentleman think he would do more to serve the great masses of the people of the South by taking the duty off cotton bagging and ties rather than making this change, which will be of no benefit to anybody?

Mr. PAYNE. Now, the gentleman is looking from his view point, not from mine. I believe in making the cotton ties in this country to bale the cotton produced in this country, and I am in favor of protecting them so that we can do the labor. I am like the gentleman from Missouri [Mr. CLARK]. I want to do all this labor in our country in the way of manufacture. I not only wish it, but I am directing my practical energies in that direction.

Mr. CLARK of Missouri. I want to congratulate the gentleman upon having come over to my platform. [Laughter.]

Mr. PAYNE. Yes; I should not have to come a long way, would I, to get onto the platform of desiring to produce everything in this country that our people need to use? Why, I was shouting that doctrine before I was 10 years old.

Mr. BARTLETT of Georgia. The gentleman knows he has put binding twine upon the free list, which is used by the farmers of the West. Is not the gentleman as much in favor of putting cotton ties, that bind the great crop of the South, upon the free list as he is of putting binding twine on the free list?

Mr. PAYNE. Let me point out to the gentleman from Georgia something that he has forgotten. We can make binding twine in this country in competition with the world, and do make it. Notwithstanding it is on the free list, we are able to make our binding twine. If it was necessary in order to have that industry here instead of abroad, I would vote for a duty on binding twine. I am not voting for class legislation on this business.

Mr. BARTLETT of Georgia. The effect of this bill is purely class legislation.

Mr. PARSONS. Does the committee intend to bring in a compensating increase to the manufacturers of articles from briar wood?

Mr. PAYNE. The committee concluded that 60 per cent on smokers' articles, including briar-wood pipes, was ample protection for the industry, and therefore did not add to that percentage.

Mr. PARSONS. Did the committee examine into the facts?

Mr. PAYNE. They did, and also examined some letters which have been received since, and the committee are amply satisfied that 60 per cent will take care of that business. If they had not been so satisfied, they would have put a larger percentage on these pipes.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN. As I understand, briar root is now on the free list.

Mr. PAYNE. Yes; and that kills the industry.

Mr. MANN. I notice there is not a very large amount imported—a little over $300,000 worth. Now, I am not a smoker of pipes, but I have smokers in my district, and I rise to the defense of the gentlemen in the House who use briar-root pipes. I do not see what object there is in putting 25 per cent duty on briar root when the importations scarcely amount to anything, solely for the benefit of someone who is producing it and now able to produce it without any duty at all.

Mr. PAYNE. The gentleman is somewhat mistaken in his statements.

Mr. MANN. Very likely. I took my figures from some of the gentleman's documents.

Mr. PAYNE. There was $46,000 worth imported in 1894 and $340,000 worth in 1907, and there has been a gradual increase from year to year of the importation of briar wood.

Mr. MANN. Oh, well, while there has been a gradual increase of importation of briar root, there has been a very rapid increase in the consumption of briar root, and the use of $300,000 worth of briar root does not go very far in providing the briar-root pipes that are used in this country.

Mr. PAYNE. Perhaps the gentlemen were mistaken who came before the committee, but they thought that none of it was produced here, that it was practically all imported. Now, I do not know. I am not in the pipe business.

Mr. MANN. I am not in the pipe business.

Mr. PAYNE. And I have no pipe dreams about it, either.

Mr. MANN. I think before we put that additional tax on the men who use briar-root pipes we ought to be sure that it is necessary.

Mr. COWLES. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. COWLES. The gentleman referred to the quantity of briar wood imported into this country. I have before me the figures given me by the Bureau of Commerce and Labor, and I find that briar wood or briar root and similar woods unmanufactured, the woods intended to be covered by this amendment, were imported to the amount of $499,687 worth in one year.

Mr. MANN. I want to ask the gentleman if the supply of briar wood in the United States is sufficient to furnish the demand for all briar-wood pipes?

Mr. COWLES. Yes; the material that this will cover will furnish material enough to make all the pipes in the world for years to come. I will further state for the gentleman's benefit, if he will permit me, that the McKinley bill placed a duty of 20 per cent ad valorem on briar wood, and during that time a number of factories sprung up in North Carolina, and perhaps in Virginia and Tennessee, manufacturing material from which pipes are made.

Mr. MANN. Now, if the gentleman will yield me a little of my time, I would like to make some remarks myself. I suppose it is only fair, if we are to increase the tax on ladies' stockings and gloves, that the men should pay a little more for the privilege of doing that which the ladies can not do—smoke briar-wood pipes. [Laughter.]

Mr. PARSONS. Mr. Chairman, this amendment will destroy the pipe-manufacturing industry in this country. At present that industry has a duty to protect it of 60 per cent under the duty on smokers' articles.

Mr. COWLES. Will the gentleman yield?

Mr. PARSONS. I will yield to the gentleman for a question.

Mr. COWLES. Was the pipe industry in this country destroyed during the operation of the McKinley bill?

Mr. PARSONS. It was not as great then as it is now.

Mr. COWLES. The country was not as great then as it is now, and they had a duty of 20 per cent.

Mr. PARSONS. On smokers' articles they had a duty higher than 60 per cent. In other words, under the McKinley bill the manufacturer was protected by a compensating duty equal to or greater than the 60 per cent which is now provided on smokers' articles. This 60 per cent duty has not prevented a tremendous increase in importation.

In 1899 the importations of smokers' articles was $237,000; in 1907 the importations were $954,000, an increase of 400 per cent, which shows very clearly that the manufacturing industry could not live if you put a duty on the wood of 25 per cent, and yet leave the duty on the finished article only 60 per cent.

There has been a 400 per cent increase on the importations with 60 per cent on the manufactured article, and the manufactured industry here will be wiped out if you reduce the compensating protection to only 35 per cent. Therefore I ask again the chairman of the committee whether the committee is not going to propose some compensating duty for the manufactured article? If not, I hope the amendment will be defeated.

Mr. SLEMP. Mr. Chairman, I want to say that I represent a congressional district that produces all the coal that is produced in Virginia, and yet coal has been placed on the free list. We furnish iron ore enough to run 14 furnaces, and yet iron ore is placed on the free list. We send out 57,000 cattle, and yet hides are put on the free list. Here is all that is left, the only free raw material to which I ask your attention. [Laughter.] I want to read in this connection a letter from the president of a railroad in my district on this subject. It is as follows:

SEPTEMBER 25, 1908.

Hon. C. BASCOM SLEMP,
Big Stone Gap, Va.

DEAR SIR: At the coming session of Congress I believe it would be worth your time and of value to your constituents to look into the matter of pipe blocks for making "French briar-root pipes." Formerly there was a large business in southwest Virginia and east Tennessee in the getting out and shipping of ivy roots for these pipe blocks, and one or two small plants in the same territory for cutting the roots into pipe blocks. The chief item of revenue was to the local people in the mountains in getting out, hauling, and selling these ivy roots. When the Wilson tariff bill was passed, as the writer is advised, these pipe blocks were put upon the free list, and since that they have been coming in from foreign countries cheaper than our people could get them out of the mountains, haul them to the railroad, and ship them. If there is an infant industry in the United States which needs a little protection and which would benefit the workingman and farmer, it is this pipe-block business.

I would suggest that it would be well for you to discuss this question with Mr. W. P. BROWNLOW, as it affects his district as well as yours.

Yours, very truly,

W. E. MINGEA.

Mr. PARSONS. Will the gentleman yield for a question?

Mr. SLEMP. I will yield to the gentleman from New York.

Mr. PARSONS. What good will protection do you if you do not protect the manufactured article?

Mr. SLEMP. I am in favor of protecting the manufactured article, and I am also in favor of protecting the raw material of the producer. It seems to me that it is the fundamental principle of the Republican party, which, in my judgment, has been violated in this bill. [Applause.] I want to say that I do not approve of the Payne bill in that feature; and yet I voted for the rule the other day, because I placed my Republicanism higher than my own personal interests. [Applause.] I know I took some chances in my district as to my political future in supporting the rule that brought in the Payne bill, but I did it because I believed it was for the interest of the Republican party to do it; and because I believe it will come back to the House in such shape that it will meet with my approval and the approval of the people of my district. Now, in answer to the gentleman's question, I am in favor of giving protection to all manufacturing interests, and also to all raw-material producers. While we are considering the ultimate consumer I do not want you to forget the primary producer; and I hope you gentlemen will give us this protection, at least. [Applause.]

Mr. GARRETT. Mr. Chairman——

The CHAIRMAN. The gentleman from Tennessee.

Mr. PAYNE. Mr. Chairman, will the gentleman yield for a moment until I can make a motion to close debate?

Mr. GARRETT. I will state to the gentleman from New York that I desire only about a minute and a half.

Mr. PAYNE. Mr. Chairman, I move that debate close on this paragraph and all amendments thereto in five minutes.

The CHAIRMAN. The question is on the motion of the gentleman from New York that all debate on this paragraph and amendments thereto be closed in five minutes.

Mr. HUGHES of West Virginia. Mr. Chairman, I would like the gentleman to amend that by inserting a provision, if the gentleman from Tennessee wants only a minute and a half, that the gentleman from North Carolina [Mr. COWLES] may have the remainder of that time.

Mr. PAYNE. I will state to the gentleman that he may have it.

The question was taken, and the motion was agreed to.

Mr. GARRETT. Mr. Chairman, I just want to suggest, in answer to the observation of the gentleman from New York [Mr. PAYNE], that this was for the encouragement of a southern industry; that we appreciate the fact that the gentleman from New York sometimes thinks of the South, and along his lines of peculiar thought seeks to do the people of that section of the country what he assumes will be a kindness. I wish to say, however, that that statement illustrates the fact that the gentleman from New York does not understand either the South or the briar business. The raising of briars is not an industry. Briars result from a lack of industry. [Applause on the Democratic side.]

Mr. COWLES. Mr. Chairman, I hope that the House will sustain the committee in this amendment. This amendment, if adopted, will inure to the benefit of a large class of people in this country who to-day live remote from factories and towns and railroads and who receive very little direct benefit from the protection that is guaranteed and given to the great industries of this country. In my district there are three counties into which no railroad enters. Not one mile of railroad is in those three counties. They have an abundance of laurel and ivy. If this amendment does what I think it will do—and if it does what the McKinley bill did—it will establish pipe-block factories in these counties and bring to them a large amount of money every year and give employment to hundreds of men and boys.

Mr. PARSONS. Will the gentleman yield for a question?

Mr. COWLES. Yes.

Mr. PARSONS. Does not the gentleman think that his protection would be made more accurate if an increased duty is put upon the finished article?

Mr. COWLES. There is already a duty provided of 60 per cent ad valorem upon the finished article.

Mr. PARSONS. But the importations of the finished article are 22 per cent now, and I suggest to the gentleman that if he lets the raw material come in at 25 per cent, then unless he protects the manufactured article in proportion the finished article will be imported from abroad and his protection will do him no good.

Mr. COWLES. Well, I do not know how that will be, but I know this, Mr. Chairman, that this little protection should be given to this industry. This protection should be given to revive this industry and thus give help to a people who deserve it. I hope the amendment will be sustained.

Mr. PARSONS. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Add at the end of the amendment the following:
"And articles into which they are converted, 80 per cent ad valorem."

Mr. PAYNE. Mr. Chairman, I make the point of order against that amendment to the amendment, that it is not germane.

The CHAIRMAN (Mr. CURRIER). The gentleman from New York makes the point of order that the amendment to the amendment is not germane. The Chair sustains the point of order.

Mr. FITZGERALD. Mr. Chairman, I move to strike out of the amendment the words "twenty-five" and insert the word "four."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from New York.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from New York [Mr. PAYNE].

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 202, page 56, line 20, strike out the word "oarlocks" and insert in lieu thereof the word "oarblocks."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 215, on page 59, line 19, strike out the words "25 per cent ad valorem", and insert in lieu thereof the words "50 cents per pound."

Mr. HARRISON. What is the ad valorem equivalent of 50 cents?

Mr. PAYNE. About 50 per cent.

Mr. HARRISON. That doubles the proposed duty, then.

Mr. PAYNE. It doubles that proposed in the bill.

Mr. HARRISON. Will the gentleman not admit that saccharine is a coal-tar derivative.

Mr. PAYNE. Coal tar is used in the preparation of——

Mr. HARRISON. It is made from toluine, a coal-tar derivative, and all other coal-tar derivatives are taxed under paragraph 15 at 20 per cent ad valorem. Will the gentleman explain why the rate on saccharine, a substitute for sugar, has been raised from 25 to 50 per cent ad valorem?

Mr. PAYNE. I was just about to explain it. The present law provides a duty on saccharine of $1.50 per pound and 10 per cent ad valorem——

Mr. HARRISON. Which was absolutely prohibitory.

Mr. PAYNE. I wish the gentleman would let me make my statement. I am much obliged for his help. (Continuing.) And ought to be prohibitory, as it amounted to some 200 per cent, and the committee cut it down to 25 per cent, largely, and I do not know but wholly, on the imports of the article and the statement of this book of imports. I do not think there is anything in the hearings upon the matter.

Mr. HARRISON. Mr. Chairman——

Mr. PAYNE. Mr. Chairman, I will sit down and let the gentleman make this statement.

Mr. HARRISON. I beg the gentleman's pardon. I thought he had stopped, and I was about to put a question.

Mr. PAYNE. No; I had no intention of stopping——

Mr. HARRISON. I am very glad, because I desire to get the information.

Mr. PAYNE. That is what I am trying to give. The gentleman and I are in pursuit of the same thing. Now, having cut it down to 25 per cent, we found that a large industry in this country was engaged in the manufacture of saccharine. It is not like ordinary coal-tar derivatives, on which we put a duty of 20 per cent. It is a business that requires a good deal of labor and a large amount of capital and skill and chemical knowledge, and when we looked the matter all over and got the facts we concluded that it needed the protection of 50 cents per pound, which is something less than 50 per cent ad valorem. So we concluded to change it from 25 per cent, which might have the effect of ruining that industry, and put it at 50 cents, or about 50 per cent ad valorem. Coal-tar dyes we have increased in another paragraph from 30 to 35 per cent. We had a very ample statement before the committee, a concern going so far as to lay open their books, showing that they had been engaged in the manufacture for a few years and put in about $2,000,000 capital, and they had not made any money during the whole time. We have given an increase from about 30 to 35 per cent and have given this protection to saccharine because we think it necessary to carry on that business in our Nation.

Mr. MANN. Will the gentleman yield for a question? We find in the large book this is a patented article. If it is a patented article, how does it come in competition——

Mr. PAYNE. I think that must be a mistake. I think it was a patented article, but the patent ran out, because they are making it here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Missouri. Mr. Chairman, I desired to ask the gentleman from New York a question before he resumes his seat. He has offered another amendment to his bill by which he proposes to exactly double the rate of duty which the committee, after great deliberation and careful consideration, wrote into the bill now before us, and which is a reduction of the rate in existing law.

I am curious to know if this amendment is also made necessary by reason of some blunder or carelessness on the part of the committee clerk or the Public Printer. So many mistakes have been admitted, all relating to reductions, that I am forced to the conclusion that every provision of this bill which is not in itself a palpable outrage is the result of a mistake of judgment on the part of the Republican members of the Committee on Ways and Means.

Mr. HARRISON. Mr. Chairman, it does not seem to me that the chairman of the committee has been entirely frank in informing the committee as to what actuated them in doubling the rate upon saccharine. He says that there was a great deal of testimony before the committee about coal-tar colors and coal-tar derivatives, but there is no specific testimony about saccharine. Had there been, the committee might have fixed upon some definite rate with some assurance that they were right; but since the printing of the Payne bill something has operated upon the minds of the majority of the Ways and Means Committee in connection with saccharine which they are evidently unwilling to disclose to the whole committee. What that may be is absolutely a mystery to me.

Saccharine is a substitute for sugar. It is 300 times stronger than sugar itself. To-day the American consumer of sugar pays about twice as much as the English and other foreign consumers of sugar, owing to the iniquitous tax in the sugar schedule. Under those circumstances the Ways and Means Committee might have permitted——

Mr. SCOTT. Will the gentleman yield?

Mr. HARRISON. I have not the time. The Ways and Means Committee might at least have enabled us to obtain cheaply the only substitute we know of for sugar, namely, saccharine.

Now, saccharine is made from a substance called "toluine," a coal-tar derivative. The Germans have encouraged synthetic chemistry to a point where they can reproduce nearly everything in nature by assembling by-products of other industries. This is one of them. I am sorry to say the Americans can not yet compete with the Germans in all these respects. The raising of the duty on saccharine will only have the effect of increasing the cost. We can not hope to get the whole market from the Germans until we have developed synthetic chemistry in this country to a point equal to that in Germany. I therefore hope the committee will vote down the proposed amendment.

Mr. GARDNER of Massachusetts. Is the gentleman making a serious argument?

Mr. HARRISON. I am trying to do so.

Mr. GARDNER of Massachusetts. To the effect that saccharine is something that comes into competition with sugar?

Mr. HARRISON. It is used instead of sugar, and I will——

Mr. GARDNER of Massachusetts. By diabetic patients, as the gentleman knows very well, and by persons who, on account of their health, or from one reason or another, must use it at times.

Mr. HARRISON. If the gentleman means obesity, he is better informed on the subject than I am.

Mr. GARDNER of Massachusetts. It is not the sugar of the poor man, and the gentleman knows it.

Mr. LONGWORTH. With regard to the price which the gentleman states would be increased by this duty, permit me to call his attention to the fact that the price per unit per pound when the Wilson bill was in operation was $47 a pound, and it is now 70 cents a pound.

Mr. HARRISON. The gentleman is aware of the fact that the whole coal-tar business has been developed, practically, since that day; the products become cheaper as the methods of production cheapen.

Mr. LONGWORTH. The price of saccharine has declined steadily throughout the entire period of the Dingley law, when the rates were more than three times as great as those now proposed.

Mr. HARRISON. And will continue to decline——

Mr. LONGWORTH. As it did under the beneficent operation of the Dingley law. Under the Wilson law it was $47 a pound, and now it is 70 cents a pound.

Mr. MANN. It is used in canning foods, and ought to be cheaper.

Mr. BARTHOLDT. Mr. Chairman, I want to call the attention of the committee to the fact—it may have been done before by some one else—that under the Dingley bill the duty was $1.50 a pound and 10 per cent ad valorem. Even if the amendment offered by the committee is adopted, it will amount to a reduction of the present duty on the article of 66⅔ per cent. In my district we have a saccharine factory, which we established against great odds. All efforts in this country to establish chemical factories are very difficult and laborious, as against competition from abroad. It is an infant industry, but there really is no reason why we should yield supremacy, with respect to drugs and chemicals, to any other country. We are now bringing to this country skilled chemists from all over the world, and we have the raw material for the manufacture of these very things that we are now importing. Unless this increase which has been asked for by the committee is granted that little factory in my district, to which a number of chemists have devoted ten years of effort, will be absolutely wiped out; and I satisfied myself of this fact only one week ago, when I personally visited that factory. The duty now proposed by the committee is not high enough, but we think we can live under it and, at least, continue to manufacture.

Mr. SCOTT. Will the gentleman allow me to ask him a question?

Mr. BARTHOLDT. Yes, sir.

Mr. SCOTT. The gentleman is a trained physician?

Mr. BARTHOLDT. I am not a physician.

Mr. SCOTT. I would like to ask him if saccharine is a food or a drug?

Mr. BARTHOLDT. It is a drug.

Mr. SCOTT. And can not be substituted for sugar?

Mr. BARTHOLDT. It can not be used as a food; it is used in making medicine which needs the addition of saccharine. I trust this amendment offered by the committee will be agreed to, as it tends to build up an American industry in drugs—saccharine and articles of a similar nature.

Mr. PARKER. Just one word. The chemicals used in making saccharine bear duties of 20 and 25 per cent. Twenty-five per cent on the product saccharine, as provided in the bill, is not sufficient for the manufacture as carried on in my city.

Mr. HARRISON. Is the gentleman sure that the materials bear these duties? My belief was that they are now on the free list.

Mr. PARKER. I am sure; I have a memorandum of the articles.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment:

The Clerk read as follows:

Paragraph 216, on page 60, lines 1, 2, and 3, strike out the words "biscuits, wafers, and similar articles if filled with or coated with chocolate or sugar, 50 per cent ad valorem," and insert after the word "merchandise," in line 6, the following: "biscuits, wafers, and similar articles if filled with or coated with chocolate or sugar, 50 per cent ad valorem," and in line 1 change the semicolon after the word "valorem" to a period.

The CHAIRMAN. The question is on the amendment.

Mr. CLARK of Missouri. Mr. Chairman——

Mr. PAYNE. This change in the language of the brackets or in the paragraph is made in order to get it out of the qualifying class of goods covered. It takes this out from that paragraph and moves it to the latter part, so that part of the paragraph will not operate.

Mr. CLARK of Missouri. What do you want to get it out of that for?

Mr. PAYNE. Why, to put it where we do in the paragraph now will take it out of the words "packing and covering," and the words "packing and covering" will not apply to this particular part of the paragraph. We put this after that clause.

The question was taken, and the amendment was agreed to.

Mr. HILL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 60, line 15, change the period after the word "pound" to a colon and add the following: "*Provided*, That on all filler tobacco produced in or imported from countries that prohibit the importation of tobacco from this country, the duty on said tobacco shall be, if unstemmed, 75 cents per pound; if stemmed, $1 per pound."

Mr. HILL. Mr. Chairman, this is a purely revenue proposition. It was presented by the gentleman from Virginia [Mr. SAUNDERS], who is thoroughly posted on this subject of Turkish tobacco. This tobacco comes from a country which prohibits the importation of our tobacco. It will practically amount to 40 cents a pound additional, over the rates proposed on the ordinary filler tobacco. Last year 8,000,000 pounds were imported into this country. It will probably give us two, three, or four million dollars of additional revenue; and I hope that every man on the floor, on both sides, Republicans and Democrats, will vote for this amendment as a revenue proposition.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment:

The Clerk read as follows:

Page 63, paragraph 239, strike out the word "Seminola" and insert in lieu thereof the word "Semelina."

The CHAIRMAN. The question is on the amendment.

Mr. CLARK of Missouri. I would like the gentleman to explain that.

Mr. PAYNE. I suppose they were not acquainted with "lina" [laughter], and afterwards they found out and they got it correct.

Mr. CLARK of Missouri. They did not know how to spell.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I offer the following committee amendment:

Page 64, paragraph 248, line 9, after the word "way," insert the following: "Any of the foregoing not specifically provided for under sections 1 and 2 of this act."

Mr. SHERLEY. What is the result of this amendment?

Mr. PAYNE (reading)—

Vegetables if cut, sliced, or otherwise reduced in size, or if parched or roasted, or if pickled, packed in salt, brine, oil, or prepared in any other way, any of the foregoing not specifically provided for under sections 1 and 2 of this act.

That is to make it clear.

Mr. SHERLEY. I suggest that the gentleman has not made it clear to the committee, however clear it may be to himself; and I would like some further explanation.

Mr. PAYNE. The purpose of it is not to include articles in other paragraphs, bulk vegetables and similar articles not included in this paragraph. That is the reason. I have not the language of the amendment before me, but it is so as to make this paragraph that it will apply only to those mentioned here and will not apply to any other products.

It is simply a correction of the language. If the gentleman had the whole business before him, he would understand it in a minute. The difficulty with me is I have not the amendment before me and I do not remember exactly the wording of it, but that is the object of it.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I think will be obvious to my friend from Kentucky from the reading of it.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 65, paragraph 258, line 6, strike out the word "thirty" and insert in lieu thereof the word "twenty-five."

Mr. BURLESON. That is a reduction.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 65, paragraph 260, lines 21 and 22, strike out the words "and evergreen seedlings."

Mr. PAYNE. That is for the purpose of transferring them in an amendment, which I shall offer in a moment, to the free list in case this is adopted, in order to encourage reforestation in this country.

The amendment was agreed to.

Mr. PAYNE. I also offer the following committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 664, on page 163, line 24, before the word "all," the next to the last word in said line, insert "evergreen seedlings."

Mr. PAYNE. That puts them on the free list. [Applause.]

The amendment was agreed to.

Mr. PAYNE. I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 266, page 67, line 11, strike out the words "when in undivided" and insert in lieu thereof the words "fish in."

The amendment was agreed to.

Mr. PAYNE. Also the following.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 275, on page 69, line 14, strike out the word "or" and insert in lieu thereof the following: "8 cents per cubic foot of the capacity of barrels or packages."

Mr. PERKINS. Will the gentleman explain the object of that?

Mr. PAYNE. Certainly. The committee, in their wisdom, changed the present Dingley law so far as the classification is concerned. The Dingley law provides for a duty on pineapples in packages or barrels, so much per cubic foot for the contents thereof, 7 cents a cubic foot and $7 a thousand in bulk. The committee increased that duty to $8 a thousand and provided only for pineapples by number, whether in bulk or in packages. This was done under the statement made to the committee that pineapples in boxes or barrels had the number marked on the barrel or box.

Mr. MANN. Or crate.

Mr. PAYNE. Or on the crate, and that it would be very easy to find out the number by counting the packages. But the committee were further informed in reference to that that the number in the packages varied considerably—sometimes from 20 to 50. They were assorted, and the smaller ones put in one crate and the larger ones in another; so that, as one gentleman said, if a whole cargo of pineapples should come to him, the boxes would cover the whole wharf in order properly to assort them and count out the boxes that had 20 or 30 or 50 as the case might be, and that it would be almost impossible of execution. The original rate was fixed at so much per cubic foot in the Dingley law after a very thorough investigation made by our genial friend from Ohio, Mr. Grosvenor, who was then a

Member of the House and on the committee, and whom I see on this side of the House now.

He went out and made an investigation in the various stores in this city and found out the cubic contents of a foot and the average number of pineapples in a cubic foot, and when he had ascertained that we put in the Dingley bill a rate of 7 cents per cubic foot in the package and $7 per thousand in bulk.

Mr. PERKINS. Now, in the amendment you offer you reestablish the method which was used in the Dingley bill.

Mr. PAYNE. Yes.

Mr. PERKINS. The only difference is that instead of 7 cents a cubic foot it will be 8 cents a cubic foot, and instead of $7 a thousand it will be $8.

Mr. PAYNE. That is right.

Mr. PERKINS. But under the amendment, if the pineapples are not brought in by the thousand, but in packages, they will be taxed, not by the thousand, but by the cubic foot.

Mr. PAYNE. And if they are brought in by bulk, and not in packages, they will be taxed by the thousand.

Mr. PERKINS. If brought in in packages, they will be taxed by the package and not by the thousand, as they are now. I concur in that amendment.

Mr. TALBOTT. Mr. Chairman, I offer the following amendment to the amendment offered by the gentleman from New York.

Mr. MANN. If the gentleman will allow me, I want to ask the gentleman from New York what is the increase?

Mr. PAYNE. From 7 to 8 cents a cubic foot and from $7 to $8 a thousand.

Mr. MANN. That is two rates of duty on the same thing. What is the reason for that?

Mr. PAYNE. I have explained, or tried to, that some come in in bulk. But they mostly come in packages, and we want to adjust the duty fairly between the bulk and packages. We tried to get evidence in regard to that when the Dingley bill was under consideration; and in the final result the gentleman from Ohio, Mr. Grosvenor, went out among the various fruit dealers and measured up the cubic feet of space occupied by the pineapples to get at the number, and arrived at a conclusion that 7 cents a cubic foot was on an equality with $7 a thousand.

Mr. MANN. Does the gentleman from New York mean to say that the great Ways and Means Committee now takes the opinion of General Grosvenor, gathered from two or three or four Italian dealers in this city, as to the amount of space occupied by pineapples?

Mr. PAYNE. General Grosvenor's investigation turned out to be in accordance with the evidence before the committee twelve years ago as to the number of pineapples per cubic foot. Relying upon the integrity and honesty of the investigation of General Grosvenor, the committee found that it coincided with the statement of people that came before it.

Mr. MANN. The statement is based on 10 pineapples to the cubic foot, and I venture to say that there is no one in the country that will take that position who knows anything at all about it.

Mr. PAYNE. I will say to the gentleman from Illinois, in all fairness, that this makes a lower duty on those in packages than it does by the thousand.

Mr. MANN. I am not specially concerned about that, but it seems to me incongruous to provide two rates of duty which do not jibe.

Mr. PAYNE. The gentleman will find, if he takes as much time to investigate this as he did the paper and pulp business, and does it as thoroughly, that this is pretty nearly right.

Mr. TALBOTT. Now, Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out of the amendment the word "eight" and insert the word "six," so that it will read: "6 cents per cubic foot."

Mr. TALBOTT. And I want to make it $6, instead of $8, a thousand.

The CHAIRMAN. That is not in the gentleman's amendment that he sent to the desk.

Mr. PAYNE. I make the point of order that the amendment is not germane to the amendment I offered.

Mr. TALBOTT. Then, I will move to insert the word "six" in the amendment of the gentleman from New York, instead of the word "eight," and then, when the paragraph is reached, I intend to offer an amendment making it $6, instead of $8 a thousand.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Maryland.

The Clerk read as follows:

Strike out of the amendment offered by the gentleman from New York the word "eight" and insert the word "six," so it will read: "6 cents per cubic foot of the capacity of barrel or packages."

Mr. TALBOTT. Now, Mr. Chairman, I want to be understood. In this Payne bill the paragraph says $8 per thousand, in bulk or in packages. When we reach that I want to amend it by making it $6 a thousand, in bulk or barrel.

Mr. PAYNE. And I make the point of order against that amendment.

The CHAIRMAN. The Chair understands that at the present time the gentleman from Maryland offers only one amendment, which is an amendment to the amendment offered by the gentleman from New York, and is to strike out the word "eight" and insert the word "six."

Mr. PAYNE. Mr. Chairman, that would totally unbalance the paragraph, and principally result in——

Mr. TALBOTT. Is the gentleman going to insist——

Mr. PAYNE. I am going to insist on all the rights I have. I insist it will not be in order to amend the rate of duty on pineapples by the thousand, and the only way the gentleman can get at it is to wait until we come to the paragraph under the five-minute rule.

Mr. SHERLEY. Mr. Chairman, I offer as a substitute for the amendment offered by the gentleman from Maryland [Mr. TALBOTT] to amend the paragraph proposed to be amended by striking out the word "eight" and substituting the word "six" wherever it occurs.

The CHAIRMAN. The Chair would like to know just what the amendment offered by the gentleman is. As the Chair understands it, that appears to be the amendment already offered by the gentleman from Maryland.

Mr. SHERLEY. No. If the Chair will permit, the amendment offered by the gentleman from Maryland simply amended the amendment of the gentleman from New York [Mr. PAYNE] by changing the word "eight" to "six" so far as it relates to cents, and did not relate to "dollars" per thousand. Now, I offer as a substitute for the paragraph as proposed to be amended to also strike out the word "eight," in line 15, and make it read "six."

Mr. PAYNE. I make the point of order against that that it is not germane.

Mr. SHERLEY. And on that I desire to be heard.

The CHAIRMAN. The gentleman from Kentucky, as he now announces his amendment, puts it in a different light from that offered by the gentleman from New York. The Clerk will report the amendment.

The Clerk read as follows:

Strike out of line 15, page 69, the word "eight" and insert the word "six," so that it will read "$6 per thousand."

Mr. PAYNE. I make the point of order against that amendment.

Mr. SHERLEY. Mr. Chairman——

Mr. PAYNE. May I not make my point of order?

Mr. SHERLEY. No; not until it has been properly reported. If the Chair will permit, my substitute was to make it read exactly, the whole paragraph, as proposed by the gentleman from New York, except that the word "six" takes the place of the word "eight."

The CHAIRMAN. If the Clerk is able to report the amendment from the gentleman's statement, he will do so.

The Clerk read as follows:

Substitute for the proposed amendment the following, to stand as paragraph 275 and to read:

"275. Pineapples in barrels and other packages, 6 cents per cubic foot of the capacity of the barrels or packages; in bulk, $6 per thousand."

Mr. PAYNE. Now, Mr. Chairman, I make the point of order against that amendment that it is not germane either to my amendment or to the amendment offered by the gentleman from Maryland.

Mr. TALBOTT. But the gentleman from Maryland stated that he proposed to do that.

Mr. PAYNE. And that he can not, under the rule, amend the balance of the paragraph.

Mr. SHERLEY. Mr. Chairman, upon that point of order I desire to submit the following: The Chair's recent ruling was that a substitute that undertook to relate to other items than the one embraced by the committee amendment was not in order, but the committee amendment of the gentleman from New York relates to the one item of pineapples and the rate of duty thereon. My substitute relates to the one subject of pineapples and the rate of duty thereon, and I submit, under the rulings of the Chair heretofore made, that it is in order.

Mr. PAYNE. Mr. Chairman, it is entirely on all fours with the amendment that was offered to the wire paragraph.

Mr. SHERLEY. Oh, no; not anything like it.

Mr. PAYNE. I amended one bracket, and they sought to amend three or four. Now I amend one bracket of this, and

they seek to amend the other. It is entirely on all fours, and the amendment is clearly out of order.

Mr. TALBOTT. One provision in the present bill is a duty on pineapples in bulk at $8 a thousand, and you offer the other as an amendment to that.

The CHAIRMAN. The Chair is ready to rule. The gentleman from New York [Mr. PAYNE] offers an amendment relating to pineapples in barrels and other packages. The gentleman from Maryland [Mr. TALBOTT] offers an amendment to that amendment, changing simply the rate of duty.

Now, the gentleman from Kentucky [Mr. SHERLEY] offers as a substitute for the amendment offered by the gentleman from Maryland [Mr. TALBOTT] an amendment which relates not only to pineapples in barrels and other packages, and which in that regard is the identical amendment offered by the gentleman from Maryland [Mr. TALBOTT], but the amendment offered by the gentleman from Kentucky [Mr. SHERLEY] goes further and applies to a different item or subject-matter of duty, to wit, pineapples in bulk. The Chair thinks that without any reference to the special order or rule of the House under which we are now proceeding that would not be properly a substitute and could not be entertained as a substitute either for the amendment offered by the gentleman from New York [Mr. PAYNE] or the amendment to the amendment offered by the gentleman from Maryland [Mr. TALBOTT].

Mr. TALBOTT. The Chair will remember that my motion is to insert "six" where "eight" occurs.

The CHAIRMAN. The Chair will further state to the gentleman from Kentucky that it is a substitute for an amendment to an amendment.

Mr. SHERLEY. Mr. Chairman, I desire to suggest to the Chair that if I understand the effect of the Chair's ruling it practically does this, that where one paragraph relates to one subject only and the rate of duty thereon, that if one word is stricken out designating the character of the package, that no amendment striking out any other word relating to the package or the article would be in order.

The CHAIRMAN. The ruling of the Chair, without any reference to the special rule or the order under which we are now proceeding, is that an amendment to one item——

Mr. SHERLEY. But how does the Chair make more than one item? The only item is pineapples.

The CHAIRMAN. No; the Chair thinks the gentleman is in error; and the Chair thinks pineapples in barrels and in boxes and pineapples in bulk——

Mr. TALBOTT. Section 275 says:

Pineapples, in barrels and other packages, or in bulk, $8 per thousand.

The CHAIRMAN. They are different items than under this amendment, and are subject to different duties; and the Chair sustains the point of order. The question is upon the amendment offered by the gentleman from Maryland to the amendment offered by the gentleman from New York.

Mr. SABATH. Mr. Chairman, what is the amendment?

The CHAIRMAN. It has been reported three or four times; but, if there is no objection, it will be again reported.

There was no objection.

The amendment was again reported.

Mr. TALBOTT. Mr. Chairman, I desire to have read for the benefit of the committee a communication from a packing company in Baltimore city, the same to come out of my time.

The Clerk read as follows:

THE BOOTH PACKING COMPANY,
Baltimore, March 23, 1909.

Hon. J. FRED. C. TALBOTT,
House of Representatives, Washington, D. C.

SIR: Supplementary to my letter of March 22, I beg to submit the following facts:

1. The largest canners of pineapples in the United States are located in the city of Baltimore, and are members of the Canned Goods Exchange, an incorporated body of merchants engaged in the canning industry. The membership earnestly solicit your interest and efforts to the end that fresh pineapples be admitted into the United States duty free.

2. About fifteen years ago a duty of $7 per thousand was laid upon fresh pineapples. The State of Florida had just then entered upon the cultivation of this fruit. It was thought at that time the State would be able to supply at least a quantity equal to that which was being imported from Cuba and the Bahama Islands. After an experiment of fifteen years the State of Florida has never yet grown near a sufficient quantity of pineapples to supply the demand of the United States, and at this time the importations from the island of Cuba alone exceed the Florida output by more than 50 per cent. The importations from the Bahama Islands are so infinitesimally small that it is known the only pineapples imported into the United States from these islands during the year 1908 came to the city of Baltimore; not a single cargo was landed in the city of New York.

3. There can be no dependence placed upon the Florida crop from one season to the other. The growing fruit is in continual danger from frosts and cold weather, which in previous years has practically ruined the entire crop. We learn also the area for cultivation is very small and can not be increased; besides which, the crop from Cuba, and whatever may be received from the Bahamas, have practically been harvested and gone into consumption before the Florida crop is received.

4. Fresh pineapples from the Hawaiian Islands can not be delivered with safety in the United States, except, perhaps, in the State of California. It can not be transported from Hawaii to interior points of the United States on account of its perishable nature. The manufacturers in the East are precluded from handling it on account of decay. But the manufacturer in California is allowed to import it free of duty, while the eastern manufacturer, depending solely upon the island of Cuba for his supply, must needs pay an exorbitant duty for the privilege of engaging in the same line of manufacture as his western competitor.

5. For manufacturing purposes we must needs depend upon Cuba for a full supply. Though the Bahamas furnish such a small portion of fresh pineapples, there is a large quantity of canned pineapples imported into the United States from these islands, the duty being reckoned at 25 per cent ad valorem. The present duty of $7 per thousand on Bahama and Cuban pineapples makes it extremely burdensome to the manufacturer in the United States, with the low rate of duty on canned pineapples from the Bahamas, which enters into direct competition with that the canners in the United States manufacture.

6. Since the present duty of $7 per thousand was imposed, the United States has added to her possessions the Hawaiian Islands and the Island of Porto Rico. From tabulated statistics it is ascertained that there is a larger quantity of canned pineapples coming into the United States from the Hawaiian Islands than all the manufacturers of the United States are able to produce from the island of Cuba. Besides this, Porto Rico also sends in its canned pineapples as well as its fresh pineapples; and against these tremendous odds the manufacturer or canner, in the production of his pineapples, is compelled to pay a duty of $7 per thousand, presumably for the purpose of competing, to all intents and purposes, with the foreign production. The large quantities of fresh pineapples annually grown in Hawaii and Porto Rico and the very low cost of labor required to produce the finished article (canned pineapple), makes it almost impossible for the Baltimore canner to compete with this pineapple of alleged foreign growth.

7. The proposed tariff bill now under consideration in the House of Representatives increases the duty on fresh pineapples from $7 to $8 per 1,000. The reasons above given, wherein the manufacturer in the United States is shown to be unable to compete with a duty of $7 per 1,000, are now intensified and accentuated by the increased duty to $8 per 1,000. If the present duty obtains, there is no hesitancy in saying that the manufacturer of canned pineapple in the United States will be most effectually done for, must give up any idea of packing pineapple, rendering the plants of the firms engaged in this industry utterly useless.

8. The imposition of duty on fresh pineapples, in our judgment, is not alone a protection to the Florida grower, but is an absolute bar to the manufacturer in the United States, and an ideal protection to the establishments in the Hawaiian Islands and the island of Porto Rico manufacturing canned pineapple and shipping it into the United States duty free.

9. I understand one of the purposes of a tariff to be the protection afforded to home manufacturers. I respectfully submit that the canners of the United States have patiently paid the duty of $7 per 1,000 on fresh pineapples to protect the Florida grower, without receiving any protection whatever to themselves; that they have built up a demand for the pineapple manufactured into cans; that they have paid out large sums for specially designed machinery to can the fruit; that Florida has not kept pace with the demand of the consumers of the United States for pineapple, and, in consequence, the manufacturer has been compelled to seek foreign fields for his supply.

That the manufacturer in one section of the United States can receive fresh pineapples admitted free of duty, and that the excessive demand for duty as required from the manufacturer of a different section is a menace so palpably wrong that their various plants will have to be dismantled and the packing and preparation of canned pineapple become a lost art unless the duty is entirely abolished and fresh pineapples are allowed to be imported into the United States entirely free.

10. The canners of pineapple in the United States—and Baltimore city, particularly—feel that they should be at least on a parity with the large importations of canned pineapple from points outside the immediate borders of the United States, which only lately were looked upon as foreign countries; that the canners should not be subjected to an extra cost of production by the payment of a duty which at once cuts him out from all competition.

The Canned Goods Exchange of Baltimore city therefore begs your consideration of the arguments advanced above, earnestly hoping said arguments will be so clear to you and are of so convincing a nature that your very best efforts will be directed toward the abolition of any duty whatever on fresh pineapples, and that they be allowed to come into the United States free.

Respectfully submitted.

HUGH S. OREM,
Chairman Legislative Committee,
Canned Goods Exchange of Baltimore.

During the reading of the above the time of the gentleman from Maryland expired and he was granted consent to print the balance of the letter in the RECORD.

Mr. SPARKMAN. Mr. Chairman, I would like to be heard on this.

The CHAIRMAN. The Chair desires to make a statement, and will ask the attention of the gentleman from Kentucky——

Mr. PAYNE. Mr. Chairman, I would like to know how much time gentlemen desire on this.

Mr. TALBOTT. Twenty minutes. I think twenty minutes ought to be allowed for debate—ten minutes on a side.

Mr. PAYNE. You have already had fifteen minutes on that side.

Mr. TALBOTT. We have not had any such thing.

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be concluded in ten minutes.

Mr. TALBOTT. Mr. Chairman, I move to amend that by making it twenty minutes.

The CHAIRMAN. Before putting the motion, the Chair desires to make a brief statement. In passing upon the amendment offered by the gentleman from Kentucky, the Chair was misled by the erroneous marking of the bill which he holds in his hand, and fell into a single error which the Chair desires to correct in justice to himself and to the gentleman from Kentucky. The Chair stated that the paragraph in the bill seemed to relate to two different subjects. The Chair finds, in looking at the proper copy, that paragraph 275 reads, "pineapples, in barrels and other packages, or in bulk, $8 per thousand." The Chair thinks the gentleman from Kentucky was correct in stating that there was in that original paragraph but one subject-matter, but the amendment offered by the gentleman from New York makes two subjects. That amendment relates only to pineapples in barrels and other packages, and puts a duty thereon. The Chair is still of the opinion that the amendment offered by the gentleman from Kentucky, relating to a different part of the paragraph and to pineapples not in barrels or packages, but in bulk, was not in order as a substitute to the amendment offered by the gentleman from New York.

Mr. SHERLEY. Mr. Chairman——

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be closed in ten minutes.

Mr. TALBOTT. I move to amend by making it twenty minutes.

Mr. PAYNE. The gentleman used fifteen minutes because gentlemen on the other side consumed all the time so far.

Mr. TALBOTT. We have not consumed it all.

Mr. PAYNE. We have two or three gentlemen in favor of the duty who want to be heard on this proposition. The gentleman from Maryland had a letter read that consumed seven minutes.

The CHAIRMAN. The Chair will put the question in a moment. The gentleman from Kentucky [Mr. SHERLEY] desires to make an observation.

Mr. SHERLEY. Simply that on yesterday the Chair did rule when there was a motion made to strike out a proviso that it was in order to amend that by perfecting that proviso.

Now, here was a case where there was a motion to insert in a paragraph relating to but one subject, and I offered an amendment to perfect that, and yet the Chair now holds that amendment not in order.

Mr. PAYNE. No one moved to strike out this paragraph.

The CHAIRMAN. A motion to insert and a motion to strike out are quite different. The amendment of the gentleman from Kentucky proposed to perfect not only what the amendment of the gentleman from New York proposed to insert, but also a subject in the original paragraph which the latter did not seek to strike out.

Mr. TALBOTT. I did state to the Chair that I proposed to offer an amendment to strike out "eight" where it occurred.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] moves to close debate in fifteen minutes, and the gentleman from Maryland [Mr. TALBOTT] amends the motion by asking that the debate close in twenty minutes.

Mr. PAYNE. I move, as an amendment to that, fourteen minutes.

The CHAIRMAN. What does the gentleman from New York state?

Mr. PAYNE. To make it fourteen minutes.

The CHAIRMAN. The question is on the proposition of the gentleman from New York to close debate upon this paragraph and all amendments thereto in fourteen minutes. The motion of the gentleman from New York [Mr. PAYNE] seems to be a kind of substitute for his own amendment, and the vote comes first——

Mr. PAYNE. Mr. Chairman, there is so much distinction and refinement made with reference to this that I will withdraw it and consent to twenty minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. TALBOTT] to extend the time to twenty minutes.

The question was taken, and the amendment was agreed to.

Mr. SPARKMAN. Mr. Chairman, neither one of these amendments should prevail. The rates on pineapples should be kept as the committee fixed them originally in the bill as they would be none too high. One of the purposes of this bill is to raise revenue; another is to give protection to American industries; and I would keep the rate as it is for both of these purposes. We would get more revenue and the growers of pineapples in the United States would reap a greater benefit. Besides, the increase over the old rates in the present law would hurt no one.

Mr. HUMPHREYS of Mississippi. How much revenue a year?

Mr. SPARKMAN. Oh, that could easily be figured out—probably sixty-five or a hundred thousand dollars; maybe not so much. The rate as increased originally in the bill over that in the present law would perhaps have added no less than sixty or seventy thousand dollars. I have made no estimate, but think it is about that. The rate in the old law was 7 cents per cubic foot of the capacity of barrels or packages, or $7 per thousand. The "per thousand" rate, however, has rarely if ever, been utilized, as the shipments usually came in in barrels or packages, or, rather, I should say, in crates, which were estimated at 2 cubic feet per crate, the duty on the crate being 14 cents. The rate as fixed in the bill is $8 per thousand, which would be the equivalent of about 24 cents per crate, as I make it.

Now, to cut down the rate as proposed by the committee amendment would reduce the rate per box to about 16 cents, while the amendment proposed by the gentleman from Maryland [Mr. TALBOTT] would, of course, reduce the charge per box still more. The cost of the production of pineapples in Cuba, the main competitor of the pineapple growers in Florida—and nearly all pineapples grown in the United States are produced in Florida—is about 20 cents per crate, while the cost of production in Florida is something like 70 cents per crate, in some instances running as high as 90 cents. So that one can readily see there is a great difference in the cost of production here and the cost of producing the same article in Cuba, which difference, under the principles under which this bill is supposed to have been framed, should be taken into account in fixing this duty.

Mr. CULLOP. Will the gentleman from Florida permit a question?

Mr. SPARKMAN. I hardly have the time.

Mr. CULLOP. What constitutes the difference in the cost between Cuba and the United States?

Mr. SPARKMAN. Oh, largely the labor, of course.

Mr. CULLOP. How much higher is the labor here than it is there?

Mr. SPARKMAN. Three or four times as great.

Mr. CULLOP. What are the wages in Cuba?

Mr. SPARKMAN. About 20 cents per day.

Mr. CULLOP. Just one other question. What is to prevent Cuban labor coming over to take the place of labor here?

Mr. SPARKMAN. The Cuban has never shown a disposition to leave his own country and go very far away. They do come over to my town and to Key West on account of the better wage inducements at these places, but that is about as far as they ever go in any great numbers. Besides, the labor they perform in these cities is a peculiar sort of work—that of cigar making—they being highly skilled in that particular kind of work.

But the labor cost does not tell the whole story. The freights by water from Cuba to New York, Baltimore, and all great centers into which shipments of fruit and vegetables from Cuba come are much lower than freights by rail from Florida, and particularly from that section where the most of the pineapples in Florida are at present produced. These rates are so great that the producers of pineapples can not compete successfully with the Cuban shippers, to say nothing of the much lower cost of production there. The freight rate from Cuba, for instance, to New York is about 32 cents, while that from Florida is about 75 cents per crate, making the entire cost of the Cuban-grown product, including the tariff, laid down in New York about $1.11, while to place a similar crate from Florida at the same market, counting labor, packing, freight, and so forth, costs about $1.80, or a difference of 69 cents. So it will readily be seen that in order to put the two products, the Cuban and the Florida grown, on an equal footing the tariff rate should be much higher than that contemplated in the present bill, to say nothing of the reduction contemplated in either one of these two amendments. Hence, I say the rate should be increased rather than reduced.

The proposed amendments are each in favor of the canneries in the United States, and there, Mr. Chairman, is where the trouble comes in. There is a fight between the farmer on one side and the manufacturer on the other. It is no new fight, but an old one; and if either one of these amendments prevails the usual result will follow, namely, gross discrimination in favor of the manufacturer as against the farmer.

There is entirely too much of this discrimination. The interests of the farming classes are too often lost sight of in an effort to benefit the manufacturer. Now, I submit that the former should be taken care of as well as the latter. Let us equalize the burdens of taxation in so far as we may be able.

There is another objection to each of these two amendments. Under the present law, as I have already stated, there were two rates provided for, one by the cubic foot when brought in in bar-

rels or packages; another rate when the article was imported in bulk, the rate on the former being 7 cents per cubic foot; on the latter $7 per thousand. Now, a crate really holds about 2½ cubic feet, and at 7 cents a crate the importer would have to pay for the extra half foot; but instead of this the Government has ignored the half foot and has been estimating the crate at 2 cubic feet, thus losing 3½ cents on each crate; so that, in my judgment, it would be much better for that reason, if for no other, to fix the rate at so much per thousand. Of course, this could be remedied, no matter how the tax is levied, but I know of no provision in this bill which undertakes to do so.

Now, Mr. Chairman, I trust that both of these amendments will be voted down, and that the rate will remain as fixed originally in the bill, though I would like to see it increased even beyond that. It would not hurt the canners to any great extent. I understand they are already making immense profits, and the only effect would be to cut down slightly these profits, while the producers would be greatly benefited.

Another thought and then I will close. Pineapples are essentially a luxury and should be taxed more highly than the necessities of life. That is the Democratic idea, and it is the theory of common sense.

As there are others desiring to speak and only a few minutes allowed, I will consume no more time.

Mr. MADDEN. Mr. Chairman, the gentleman from New York [Mr. PAYNE] yesterday presented a statement which appears in the RECORD to the effect that certain importing concerns in this country have establishments for the manufacture of gloves and stockings in Chemnitz, Germany; and his statement, I understand, was based on information furnished to him as chairman of the Ways and Means Committee by some concern importing goods from Germany, whose establishment is in New York. The people whose names the gentleman incorporated in his remarks are residents of Chicago. These people deny the statement made by the gentleman from New York, and in justice to them, as well as to the consumers of gloves and stockings, I beg to read the following communication, which is made under oath and addressed to Mr. PAYNE, as chairman of the Committee on Ways and Means. This statement seems to be conclusive and would seem to indicate that the information upon which the Committee on Ways and Means based its action increasing the tariff on gloves and hosiery is erroneous and misleading.

APRIL 8, 1909.

Hon. SERENO E. PAYNE,
Chairman Committee on Ways and Means,
House of Representatives, Washington, D. C.

DEAR SIR: There appeared in the CONGRESSIONAL RECORD of April 6, page 903, the report of your speech relating to the proposed tariff on gloves and hosiery.

We beg to state that the information upon which your speech was based is inaccurate; also to point out the great injustice done to honorable houses in that they were placed in an absolutely false position before the people.

We wish, as members of the organizations of Marshall Field & Co., of Chicago, and Francis T. Simmons & Co., of Chicago, to emphatically deny, and that under oath, that either of our houses, or, to the best of our knowledge and belief, any other house in kindred line of business in Chicago, are either directly or indirectly financially interested in any manufactory of hosiery or women's gloves in Europe. Furthermore, we deny that any advance of money of any kind is made upon any such merchandise partly made or entirely finished, or that any money is advanced on any raw material entering into the manufacture of hosiery or gloves; furthermore, that any payment is made on any European merchandise whatsoever until the bill of lading for such goods has been delivered and the goods are in the hands of the transportation company.

MARSHALL FIELD & CO.,
By KENNETH BARNHART, *Secretary.*
FRANCIS T. SIMMONS & CO.,
By FRANCIS T. SIMMONS, *Secretary and Treasurer.*

Subscribed and sworn to before me, a notary public in and for the District of Columbia, this 8th day of April, A. D. 1909.
[SEAL.] BENJ. VAIL, *Notary Public.*

The duty on these articles under the Dingley law is high enough. The duty proposed in the Payne bill is prohibitive. If the recommendation of the committee is enacted into law it will result in increasing the cost to the consumer. This is no time to increase the cost of living, and I hope the bill can be amended.

Mr. PAYNE. Mr. Chairman, I want to say to the gentleman that I have also received a telegram from the J. V. Farwell Company, and I want to put that in the RECORD. The telegram is as follows:

CHICAGO, ILL., *April 8, 1909.*

Hon. SERENO E. PAYNE,
Washington, D. C.:

We have no interest in hosiery or glove factory abroad, nor do we advance any money in advance of delivery of goods.

JOHN V. FARWELL COMPANY.

Mr. GILL of Maryland. Mr. Chairman, the proposition before the House is the original amendment offered by the gentleman from New York, the chairman of the Committee on Ways and Means, which proposes to increase the duty on pineapples which has been in existence since the passage of the Dingley bill, and which has been sufficient protection to the agricultural interests of Florida and has permitted them to increase their output of pineapples probably some two or three hundred per cent from what they were when that law was passed. On the other hand, Mr. Chairman, this amendment, if adopted, will absolutely destroy the great canning interests that are now engaged in this business in the State of Maryland, the State of New York, and in other parts of this country in preserving this product.

Mr. SPARKMAN. Will the gentleman yield for a question?

Mr. GILL of Maryland. Certainly.

Mr. SPARKMAN. What is the difference between the ad valorem rate on canned goods and what would be the ad valorem rate on imported pineapples?

Mr. GILL of Maryland. Well, all I can say to the gentleman is that the ad valorem rate on the preserved article is not sufficient under the present law, which protects fully the grower of pineapples.

Mr. SPARKMAN. What is it?

Mr. GILL of Maryland. If you are dealing with this subject as a matter of protection, you must give the protection to the preservers over and above the amount of protection that is given to the agricultural interests in Florida. That is necessary and essential in the canning interests in the State of Maryland and other States engaged in preserving this fruit are to be able to remain in existence.

I want to say one word in conclusion: That there are engaged in canning upward of 50,000 people, who are employed at a very small rate of pay, as against the few people that are employed in the State of Florida raising the pineapple. I therefore hope that the committee will not increase this duty, but, if anything, will decrease it. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I am opposed to this amendment; and representing a district which produced last year 640,000 crates of pineapples, I am in favor of the original provision contained in the Payne bill as reported to the House. I desire to put the House upon notice, Mr. Chairman, that the provision in the bill of $8 per thousand shipped in bulk might as well be stricken from the bill if this rate upon crates is to obtain, because no pineapples of any consequence are shipped into this country in bulk under the Dingley rates. They are being shipped here in crates much cheaper under the Dingley Act, and under the reciprocity agreement as to Cuba, the rate to this country being only twelve and a fraction cents per crate.

Under this provision of 8 cents a cubic foot—I am not now speaking of the amendment offered by the gentleman from Maryland—the rate would be 15 cents per crate, with this 20 per cent off. I want to call attention just for a moment to a letter which I received this morning from a gentleman in Connecticut who owns interests in Florida pineapples, Mr. K. W. Mansfield, of Norwalk. In a portion of his letter he uses this language:

I am interested in a pineapple plantation in your State and several of my friends are interested in kindred enterprises. However, many citizens of this community have been recently induced to invest money in pineapple growing in Cuba. Every dollar so invested hurts Florida, and I believe that our capital should remain in our own country and build up our own resources so far as is possible, and I have done my best to encourage my friends to invest their money in your State, which I believe can produce better fruit than Cuba or Central America, but not as cheaply.

This increase of duty—

Speaking of the increase in the original bill—

will help pay your citizens greater profits and better wages, and will induce northern capital to come in and build up your industries, while without the duty capital would tend toward Cuba, which, with money and cheap labor and modern methods, would soon swamp the business in Florida.

I want to call attention for a moment to the statement of Mr. Norman Fetter, of St. Paul, Minn., before the Ways and Means Committee. I do this because he states the whole question more succinctly, perhaps, than any other witness. He, too, is interested in Florida pineapples. He said:

The present duty is 7 cents per cubic foot, or 16 cents per crate (10 by 12 by 33 inches, or 2.29 cubic feet), less 20 per cent under the Cuban reciprocity act of December 17, 1903, or 12.8 cents net per crate.

To equalize conditions between the American grower and his Cuban competitor, taking into consideration the 20 per cent reduction which the latter enjoys, the following protective rates per cubic foot (as expressed in the language of the present act) are needed by the American grower:

(1) To cover 29¼ cents excess in transportation, 16 cents per cubic foot (16 by 2.29 less 20 per cent=29.31 cents).

(2) To cover 16 cents difference in labor, 9 cents per cubic foot (9 by 2.29 less 20 per cent=16.47 cents).

(3) To cover 40 cents extra cost of fertilizer, 22 cents per cubic foot (22 by 2.29 less 20 per cent=40.31 cents).

Total handicap on the American grower, 47 cents per cubic foot of packages.

I will also read from the statement of Mr. E. P. Porcher, a citizen of the State of Florida, who is a large grower and shipper of pineapples. Mr. Porcher is an authority on this subject. He said to the Ways and Means Committee, among other things, the following:

The matter of pineapples is the point that I want to touch on forcibly, although I may repeat, in part, statements that have been made. We produced last season on the east coast 690,000 crates, while the importations from Cuba were about 640,000 crates. In addition to that, we had importations from the Hawaiian Islands, which have not been mentioned at all. We had importations from Porto Rico, and we had importations from Jamaica to contend with.

The pineapple situation with us is such on the east coast that we produce, out of that 690,000 crates, 640,000 crates; in other words, all the rest of the State produces but 50,000 crates. That is produced now on the mainland, because the storm of a few years ago swept away the products of the keys. It is in a section of the country where it has been necessary to go to extreme expenditures in matters of not only preparing the land, which has been done, but in the cost of fertilization, which runs up as high as 4,000 pounds per acre per annum. In addition to that, with the increased cost of labor, the increased cost of crate material, we find that about an average of 90 cents, even running up to $1.10, according to other averages made, is the cost to produce a crate of pineapples and deliver it on board the cars. The pineapple industry is more subject to frost than oranges, and for a frost to get into an orange tree requires what we term a "freeze;" but a frost will get into the pineapples just as it would into a tomato plant, for it is a very tender plant.

As to the cost of production and getting to market the Florida pineapple, as well as the Cuban pineapple, I respectfully call the attention of the committee to the statement of Mr. F. G. McMullen, also a citizen of the State of Florida, and who is largely interested in the growing of Florida pineapples. Mr. McMullen in discussing this subject used this language to the Committee on Ways and Means:

Relative to the cost of production in Cuba, we have the statement of the Cuban Horticultural Society reports, which state that they can produce them for 20 cents a crate. We can not produce a crate of pineapples in Florida under 70 cents under the most favorable conditions, in the field, not packed, and on up to 90 cents. We strike an average of 75 or 80 cents. I will say that we ask for the same consideration in the tariff that the citrus fruits are getting to-day. It costs more to produce, in the field, a box of pineapples than it does a box of citrus fruit. We draw 14 cents a crate, and they draw 80 cents. Cuban pineapples, costing 20 cents to produce, and 35 cents to pack, we will say, 14 cents duty, 32 cents transportation to New York, and then add your 7 cents or 7½ cents or 10 cents—they can place them there for $1.11 f. o. b. New York. Florida pineapples will cost you $1.80.

I shall trespass upon the time of the committee far enough to call attention to the additional or supplemental statement of Mr. F. G. McMullen, of Florida, filed with the Ways and Means Committee, and beg the close attention of my colleagues, because in this statement he conclusively answers every objection and charge made by the importers of pineapples against the proposed increase of duty:

F. G. M'MULLEN, WALTON, FLA., FILES SUPPLEMENTAL STATEMENT RELATIVE TO CUBAN PINEAPPLES.

WALTON, FLA., *December 20, 1908.*

COMMITTEE ON WAYS AND MEANS,
Washington, D. C.

GENTLEMEN: Supplement to brief concerning tariff on pineapples, in answer to statements filed by John McCormick and Albert Merritt, importers.

The said statements filed by John McCormick and Albert Merritt are wrong in all particulars, viz:

First. A barrel of pineapples weighs 160 pounds, and a duty of 1 cent per pound would be a duty of $1.60 per barrel, instead of $3.50, as per their statement.

A crate of pineapples weighs 80 pounds, and 1 cent per pound duty means 80 cents per crate duty.

The average sale of Cuban pineapples during March, April, and May exceeds $5 per barrel, and often reaches $7.50 per barrel, and later lower prices are caused by overstocked markets, which also cause loss to the Florida producer.

Second. The cost to produce and deliver Cuban pineapples in bulk f. o. b. New York to-day is $23.35 per 1,000, with present duty paid. With present duty increased to $15 per 1,000, as per our request, the cost would be $33.35 per 1,000, leaving a profit of $19 per 1,000 at the lowest average selling price.

Third. The large profits in Cuban pineapples is not returned in American products. Cubans buy little or nothing in America to produce their crop of pineapples, and produce at home their main articles of food.

Fourth. Cuban pineapples could be imported with profit into this country and pay 2 cents per pound duty until active competition with Florida ruins the market. Hence, a duty of 1 cent per pound is not prohibitive, but merely places the American producer on an equal basis as to cost of delivery f. o. b. markets.

With 1 cent per pound duty Cuba can deliver pineapples f. o. b. New York for $1.74 per crate of 80 pounds, while Florida can not deliver its pineapples there for less than $1.80 per crate. This gives Cuba 6 cents advantage with the 1 cent duty, which we propose, and is positively not prohibitive.

Fifth. There would be no delay caused by tariff reading "by pound." For instance, all crates are estimated at 2½ cubic feet, and 80 pounds; barrels at 5 cubic feet, and 160 pounds. Therefore we request that all crates of 2½ cubic feet be estimated at 80 pounds, and barrels of 5 cubic feet at 160 pounds when collecting this tariff.

Sixth. We call your honorable body's attention to the importance of a pineapple importer. He creates no value, nor adds any to articles he handles. The said John McCormick and other importers never buy or invest one dollar in the pineapple business. They receive this merchandise on a commission basis, charging at least 10 per cent on the gross sales for disposing of same, and have not a dollar invested or at any risk of loss.

The said John McCormick has told his Florida customers that he would not oppose an increase of duty to 25 cents per crate, or one-half cent per pound, as this amount would equalize the difference in cost of transportation, but would not grant protection for the difference in cost of production.

Seventh. We would also call your particular attention to the fact that the Cuban pineapple does not come in serious competition with other fruits, having two months' free market, while the Florida producer must compete with Cuban pineapples at all times, and also has, in addition, cantaloupes and Georgia peaches, two very popular articles of food.

We submit the above facts for your consideration.

Respectfully,

INDIAN RIVER PINEAPPLE GROWERS' LEAGUE.
Represented by F. G. MCMULLEN.

Just one word now with reference to one statement made by these importers. They say, in substance, that practically all of the land in the State of Florida suitable for growing pineapples is now in cultivation, and that therefore our pineapple area can not be appreciably increased. The utter ignorance of some people as to the State of Florida, who profess to know all about it, is simply appalling. The State of Florida is the largest State in point of area, save one, east of the Mississippi River, and there are to-day thousands of acres of land in that State adapted to the growing of pineapples which are lying idle, but would be planted to pines if our own people could be placed upon an equality with the Cuban grower. We ask no advantage of the Cuban; we only ask a fair chance and a "square deal."

Mr. Chairman, the Democratic party has always insisted that the tariff should bear heaviest on the luxuries of life. Here is an article which is essentially a luxury, and it will be interesting at least to see if gentlemen who stand for a duty on corn—a necessity—intend to strike down the duty on pineapples—a luxury. This contest for a higher rate on pineapples is a contest between the farmers of Florida, Hawaii, and Porto Rico on the one side, and the canners and importers on the other. Where will the ancient friends of the much overworked "common people" line up? Where will those who have for years been howling from the housetops for heavy duties on luxuries and practically free trade in necessities take their stand? "By their fruits ye shall know them."

Mr. NEEDHAM. Mr. Chairman, I desire to say just a few words against the proposed amendment offered by the gentleman from Maryland. The sections of our country that are particularly interested in pineapples are Florida and Hawaii. At present the chief competing region is Cuba. Cuba now enjoys 20 per cent reduction in duty under reciprocity. If the pineapple industry is to be kept alive, we must give it some protection. At the present time, under Cuban reciprocity, pineapples from Cuba pay a duty equivalent to 15 per cent ad valorem. It is the lowest protection accorded any fruit interest in the whole schedule. It would be manifestly unfair to this industry to further reduce the rate. It seems to me it is in the interest of all our people that we should grow commercially, as far as possible, within our own country and our own possessions, this class of fruits, and I feel sure that it would utterly destroy the industry both in Florida and Hawaii if this amendment were to prevail.

I yield the balance of my five minutes to the gentleman from Ohio [Mr. LONGWORTH].

The CHAIRMAN. Without objection, the gentleman from Ohio [Mr. LONGWORTH] will be recognized for the remainder of the five minutes.

Mr. LONGWORTH. Mr. Chairman, I merely desire to say one word in opposition to the amendment of the gentleman from Maryland. In my judgment it would utterly destroy the pineapple-growing industry in the Hawaiian Islands.

Mr. Chairman, the pineapple industry in those islands is only a few years old. It is the poor man's industry. It is the one industry that can now be taken up with a comparatively small amount of capital. Most of the islands have been given up entirely to the sugar industry, which, as everyone knows, requires a tremendous capital and a tremendous amount of land. Pineapples can be cultivated there at a comparatively small outlay. The wages of labor are comparatively high, and most of that money goes to American labor. It is, in my judgment, our duty to do all that we can for the people of those islands. Personally I would be glad to see an even higher rate than this bill contains, but I think if the amendment of the gentleman from Maryland should pass, it would absolutely wipe out that industry. [Applause.]

Mr. BARNHART. Mr. Chairman, it is very unfortunate that I could not have had enough time allotted to me to make a showing on the imposition this bill inflicts upon users of

pineapples, and that is nearly everybody who lives in that section of the country in any way remote from the seacoast. The pineapples grown in this country are very high-priced fruit, and so the pineapple used on the table of the great majority of people is the fruit grown on islands adjacent to the United States, and which can not be uncrated, as this bill provides, without partial or absolute loss of the fruit, as it is very perishable, or without damaging it so to make it unpalatable by the time it reaches the consumer; but I thank you for the privilege of permitting me time to submit this brief in behalf of the amendment offered by the gentleman from Maryland.

Mr. Chairman, I am in favor of the amendment, and I will submit the following statement on behalf of the American importers of Cuban pineapples, the American canners, and the plain American consumers of Cuban pineapples:

STATEMENT OF PROPOSITION.

Amend section 275 to read: Pineapples in barrels and other packages, 8 cents per cubic foot of the capacity of barrels or packages.

Pineapples imported in crates, present duty 7 cents per cubic foot. Proposed change, $8 per 1,000 pineapples, regardless of size or weight.

Comparison of duties under present law and Payne bill will show an increase of 100 per cent.

Statistics show average size pineapples imported 36 to box.

Duty on small pineapples, 54 to box, will be increased from 14 cents to 0.3456.

Government will derive much less revenue.

Duty of $8 per 1,000 will require counting of all pineapples, which will mean prohibition of importation for all smaller sizes.

Reduction in quantity of fruit imported will increase price to consumer.

Nonimportation means destruction of present canneries and business in the United States.

Pineapples imported are wrapped in American paper and in American crates.

Pineapples are transported in American vessels.

Pineapples can only be raised in a small portion of Florida under artificial conditions.

Cuban pineapples come into the market at different times from Florida.

Hawaiian pineapples can not compete on account of long haul.

Higher price of Florida pineapples in part caused by excessive railroad rate in Florida.

Injustice to consumers in the United States, to importers, to men in industries engaged in transportation making crates, etc.

The different points named above are elaborated in the few pages following, which I trust will be read carefully.

BRIEF ON THE SUBJECT OF THE PROPOSED CHANGE IN INCREASE IN THE DUTY ON CUBAN PINEAPPLES, AND THE PROPOSED CHANGE IN THE MANNER OR METHOD OF APPLYING AND COLLECTING THAT DUTY.

STATEMENT OF PROPOSITION.

Section 268 of the Dingley law provides as follows:

Pineapples, in barrels and other packages, 7 cents per cubic foot of the capacity of barrels or packages; in bulk, $7 per thousand.

Page 63 of the comparison of the proposed tariff bill.

The Payne bill, section 275, reads as follows:

Pineapples, in barrels and other packages or in bulk, $8 per thousand.

Page 62 of the comparison of the proposed tariff bill.

Suggestion 1. That no duty should be placed on pineapples.

Suggestion 2. If it is thought that it is the part of wisdom to place a duty on pineapples, that section 275 of the Payne bill be amended to read as follows:

Pineapples, in barrels and other packages, 8 cents per cubic foot of the capacity of barrels or packages.

ARGUMENT.

First. All pineapples imported into this country from Cuba are packed in crates. There are practically no pineapples imported in bulk. These crates are of one standard size and measure and contain 2¼ cubic feet each. The present duty is 7 cents per cubic foot, less 20 per cent, and the duty now assessed by the Government on pineapples from Cuba in these crates amounts to 14 cents per crate regardless of the number of pineapples in each crate. Pineapples packed into these crates are packed in regard to size, the larger being packed 18 to the crate, the medium 24, 30, and 36 to the crate, and smaller 42, 48, and 54 pineapples to the crate. The Payne bill makes no difference in the duty for weight or size of pineapples. The pineapple that takes 18 to the crate it is proposed to assess at $8 per thousand, and the pineapples packed 54 to the crate it is proposed to assess at $8 per thousand.

Second. Comparison of duties as now paid and those that will result in case the Payne bill as it now stands is enacted as law:

Pineapples per crate.	Old rate of 7 cents per cubic foot, less 20 per cent.	New rate per 1,000 pineapples, less 20 per cent.
	Cents per crate.	*Cents per crate.*
18	14	11.52
24	14	15.36
30	14	19.20
36	14	23.04
42	14	26.88
48	14	30.72
54	14	34.56

Third. Statistics for several years immediately past show that the average number of pineapples per crate throughout the importing season to have been 36 pineapples in each crate. At the old rate the duty has been assessed at 14 cents per crate; at the new rate the duty will be 23 cents per crate of 36 pineapples.

Fourth. The larger pineapples, which the proposed law will allow to be imported at the rate of 11.52 cents, are used by the fancy trade and the people who can afford to pay the fancy prices. The smaller pineapples, packed 54 to the crate, used by the ordinary American citizen and the canners, under the proposed new law will pay a duty of 34.56 cents per crate.

Fifth. This increase in the duty on pineapples will operate against the importation into this country of pineapples for use smaller in size than those that are now packed 30 pineapples to the crate, with the result that the normal importation from Cuba of about 1,000,000 crates per annum will probably be reduced to 500,000 crates or less per annum. Under the Payne bill the revenue to the Government would probably amount to less than $100,000—based on crates containing 30 pineapples each at 19.20 cents per crate of 30 pineapples—while under the present tariff the duty to the Government in a million crates amounts approximately to $140,000. Under the Payne bill no pineapples smaller than 30 to the crate can be imported into this country.

Sixth. The Payne bill provides that the duty be assessed at the rate of $8 per thousand. All pineapples are packed in Cuba. In order to arrive at the number of pineapples in a crate and avoid fraud, for instance, not having a box marked 24 pineapples contain 54, it would undoubtedly be necessary to take these pineapples from their crates and count them. The average importing vessel carries a cargo of from 15,000 to 30,000 crates of pineapples. In case every crate should be opened and every pineapple counted, it would take an army of government employees to discharge the shipment and count the pineapples, resulting in an immense cost; and, in addition, pines are packed by experienced men who understand the packing, and it would require, in justice to the business, that practical men be employed as custom employees, otherwise the fruit would become bruised and made into seconds and damaged. The consumer would no doubt refuse to accept a large quantity of the fruit thus repacked. The shipments would be greatly delayed and much would become spoiled and rotten. This would naturally tend to increase the price of the balance to the consumer. It would discourage both the grower and the importer and would operate as a prohibition in the importation of Cuban pineapples.

Seventh. A reduction of 50 per cent in the quantity of the fruit imported would affect the price to the consumer, both of the fresh as well as of the canned pineapples, and would raise the price so high that the ordinary American consumer could not use any pineapples.

Eighth. The nonimportation of the smaller size of pineapples referred to, which are used principally in the manufacture of pineapple products and canned pineapples, means the destruction of the pineapple canning and preserving industries in the United States; a decrease in the revenues of the Government in the importation of this fruit and an increase in the expenses of the Government incident to the collecting of the duty thereon. It means the destruction of the business of importers of pineapples. (See petition of the Canned Goods Exchange, Baltimore, Md., submitted by Hon. ISIDOR RAYNER, p. 4062 of Tariff Hearings, Schedule G.)

Ninth. All pineapples imported from Cuba are wrapped in paper and crated before shipment. The paper and crates used for such purposes are manufactured in the United States and shipped to Cuba. The lumber is American lumber; nails are American nails; paper is American paper; all grown and manufactured in this country. The capital engaged in this business

is the capital of citizens of the United States. The adoption of the Payne schedule would decrease this branch of the business at least 50 per cent, and these interests certainly have a right to be considered.

Tenth. The transportation of fruit between the United States and Cuba is almost exclusively in American vessels, freight is paid to citizens of the United States, and the benefits of the business of transportation accrue to citizens of this country. A prohibition of importation means a loss to the citizens of this country, means the destruction of the business of the citizens of this country, and the throwing out of employment of a large number of men. In addition, the steamers that carry Cuban pineapples are always loaded on their way back to Cuba with the products of the American farm and factory. These goods are purchased by the Cuban growers of pineapples with the money received for their pineapples in this country, and a prohibition of the importation of pineapples, as will result from this 100 per cent increase in duty, and the manner of collecting the duty by counting the fruit, will destroy this trade between the product of American factories and farms and the growers of pineapples in Cuba.

Eleventh. The area of land within the United States suitable for the purpose of raising pineapples is very limited and is confined to the State of Florida alone, and the area within that State suitable for the purpose of raising pineapples is very small, and, with the present system of cultivation, can not be greatly enlarged. In addition, the climatic conditions in the State of Florida are such that frequently the temperature is so low as to produce freezing, and this condition could, and would, probably, ruin the whole pineapple crop of that State. Mr. F. G. McMullen and others, in their statement to the Ways and Means Committee (see Tariff Hearings, Schedule G, p. 4061), state:

The Florida pineapple is somewhat out of its natural element as to soil, and requires a large amount of fertilizer.

Mr. E. P. Porcher, in representing the Florida pineapple producers, in his statement to the committee (see Schedule G, p. 4052) says:

The pineapple situation with us on the east coast is such that we produce ont of that 690,000 crates 640,000 crates; in other words, all the rest of the State produces but 50,000 crates. That is produced now on the mainland because the storm of a few years ago swept away the products of the keys. It is a section of the country where it has been necessary to go to extreme expenditures in matters of not only preparing the lands, which has been done, but in the cost of fertilization, which runs up as high as 4,000 pounds per acre per annum. In addition to that, with the increased cost of labor, the increasing cost of crate material, we find that about an average of 90 cents, even running up to $1.10, according to other averages made, is the cost to produce a crate of pineapples and deliver it on board the cars. The pineapple industry is more subject to frost than oranges, and for a frost to get into an orange tree requires what we term a "freeze," but a frost will get into the pineapples just as it would into a tomato plant, for it is a very tender plant.

Mr. McMullen says, on page 4056 of Schedule G, in regard to Florida land now used for the growing of pineapples:

That land can not be applied to the growing of anything else, for it will not produce anything else. We have practically to produce our pineapples with fertilizer.

Mr. McMullen further says, in response to questions by Mr. BOUTELL as to what extent pineapples were canned in Florida, as follows:

Mr. BOUTELL. To what extent are you canning fruit in Florida?
Mr. McMULLEN. Not at all.
Mr. BOUTELL. Why not?
Mr. McMULLEN. It is on account of the price of labor; and then again, the supply of fruit is not sufficient to keep the canneries running. We have nothing to keep the industry going all the year round. The fruit comes in by itself, and it is in a territory by itself, and if we shipped we could not pay the local freight of 25 cents per crate.
Mr. BOUTELL. Then you can not have canned pineapples down there?
Mr. McMULLEN. No, sir.
Mr. BOUTELL. How are they eaten; are they eaten raw?
Mr. McMULLEN. Yes, sir.

Twelfth. Cuban pineapples do not, in any particular degree, conflict with the sale of Florida pineapples, for the reason that the Cuban pineapples begin to arrive in American markets about the 1st of April, and the Florida pineapples begin to reach the market on the last of May, about the time that the Cuban pines are exhausted. The position of the Florida growers is well stated by F. G. McMullen in his statement before the committee. (See Schedule G, 4063.)

The pineapple is in no sense a necessity, but is a luxury, and for this reason will be purchased by its regular consumers at a fair price; hence the amount of duty received by this Government if the present duty is increased to 1 cent per pound will be $640,000. This great benefit to the Government will impose no hardship and will be paid willingly, and at the same time protect a large American industry which consumes a large amount of American products in its production.

We submit that the pineapple is not a luxury, but has become a staple article of food for the plain American citizen, who certainly is entitled to be furnished this food at a reasonable cost.

Thirteenth. A protest has also been received from the Hawaiian Islands in regard to this matter. It is known, as a matter of common knowledge, that fresh pineapples from Hawaii can not be imported into the United States successfully, for the reason that Hawaii is so far away from the United States that the cost of getting the fruit here is very high as compared with the fruit imported from Cuba, and in addition to the distance being so far, the conditions of the climate are such that the fruit is not fit for use, especially for canning, when it reaches the United States. The canners of Hawaii are asking that a tariff to cover the difference in the cost of production and freight be put upon pineapples, so that they can start canneries and increase their present canneries in Hawaii. It seems manifestly unfair and unjust that the canneries for pineapples in this country, employing a large number of men, should be forced out of business in order to help establish canneries in Hawaii, and that the entire American consumers of pineapples should be forced to pay a price much greater than they should pay that this business may be built up for people in Hawaii under artificial conditions.

Fourteenth. The Florida growers charge that they are unable to compete with the Cuban growers of pineapples for the reason that the freight rates from Habana to the market are less than the freight rates from Florida to the market, and they show that they are charged from points in Florida to Jacksonville a rate of 25 cents per crate, which takes away from them the opportunity to make any profit on a crate of pineapples. We submit that it is not fair to raise and increase the cost of this article of food to all the thousands of consumers in the United States in order that the growers of Florida can contribute more than they should to a short line of 150 miles of railroad in Florida running through the pineapple district.

Fifteenth. We submit that the pineapples grown in Florida are grown under practically artificial conditions, where a freeze will be liable to stop the growth of pineapples for years, thus forcing all of the American people who use this fruit to pay a largely increased price for it. We submit that this is unfair to the American consumer. We submit that an increase in the tariff of 100 per cent, as will be the result of the proposed change, is manifestly unfair to the American consumer of pineapples, to the parties engaged in the manufacture of crates, to the parties engaged in hauling pineapples to this country, and to the importers of pineapples and to the canners of pineapples, and we submit that the method of applying the duty, at $8 per thousand, is such a process as will result only in the entire stoppage in the importation of the small pineapples used by the plain American citizens and the American canners. To say that you must levy a duty at so much per thousand, without regard to size, is unfair upon its face, and it would be just as well in levying the duty on apples or potatoes or beans to say that you must count every apple or potato or bean in a barrel. The result of this prohibition will be to ruin the business of the importers of Cuban pineapples, to deprive the American consumer of the use of this fruit except at exorbitant prices, and all for the benefit of a few growers on a narrow strip of land on the east coast of Florida and a few growers in the Hawaiian Islands who can only ship their product to this country in cans.

Mr. SULZER. Mr. Chairman, for years I have been trying to secure national aid in the building of good roads throughout the land. National aid for good roads is demanded by the people, and the question will grow more and more important as the seasons come and go until the demands of the people are granted by the National Government.

Good roads mean progress and prosperity, a benefit to the people who live in the cities, an advantage to the people who live in the country, and it will help every section of our vast domain. Good roads, like good streets, make habitation along them most desirable; they enhance the value of farm lands, facilitate transportation, and add untold wealth to the producers and consumers of the country; they are the milestones marking the advance of civilization; they economize time, give labor a lift, and make millions in money; they save wear and tear and worry and waste; they beautify the country—bring it in touch with the city; they aid the social and the religious and the educational and the industrial progress of the people; they make better homes and happier hearth sides; they are the avenues of trade, the highways of commerce, the mail routes of information, and the agencies of speedy communication; they mean the economical transportation of marketable products—the maximum burden at the minimum cost; they are the ligaments that bind the country together in thrift and industry and intelligence and patriotism; they promote social intercourse, prevent intellectual stagnation, and increase the happiness and the prosperity of our producing masses; they contribute to the

glory of the country, give employment to our idle workmen, distribute the necessaries of life—the products of the fields and the forests and the factories—encourage energy and husbandry, inculcate love for our scenic wonders, and make mankind better and broader and greater and grander.

The plain people of the land are familiar with the truths of history. They know the past. They realize that often the difference between good roads and bad roads is the difference between profit and loss. Good roads have a money value far beyond our ordinary conception. Bad roads constitute our greatest drawback to internal development and material progress. Good roads mean prosperous farmers; bad roads mean abandoned farms, sparsely settled country districts, and congested populated cities, where the poor are destined to become poorer. Good roads mean more cultivated farms and cheaper food products for the toilers in the towns; bad roads mean poor transportation, lack of communication, high prices for the necessaries of life, the loss of untold millions of wealth, and idle workmen seeking employment. Good roads will help those who cultivate the soil and feed the multitude, and whatever aids the producers of our country will increase our wealth and our greatness and benefit all the people. We can not destroy our farms without final decay. They are to-day the heart of our national life and the chief source of our material greatness. Tear down every edifice in our cities and labor will rebuild them, but abandon the farms and our cities will disappear forever.

Mr. Chairman, the report of the Country Life Commission, appointed by President Roosevelt to consider the condition of the farmers and recommend remedies for existing deficiencies in country life, was submitted to Congress on February 9, 1909, together with a message from the President. While the commission purposely avoided indorsing any particular bill now before Congress for national aid for good-road building, it does make certain specific recommendations.

"The demand for good highways," it says, "is general among the farmers of the entire United States. Education and good roads are the two needs most frequently mentioned in the hearings. Highways that are usable at all times of the year are now imperative, not only for the marketing of produce, but for the elevation of the social and intellectual status of the open country and the improvement of health by insuring better medical and surgical attendance. The advantages are so well understood that arguments for better roads are not necessary here. With only unimportant exceptions, the farmers who have expressed themselves to us on this question consider the Federal Government is fairly under obligation to aid in the work. We hold that the development of a fully serviceable highway system is a matter of national concern, coordinate with the development of waterways and the conservation of our native resources. It is absolutely essential to our internal development. The first thing necessary is to provide expert supervision and direction and to develop a national plan. All the work should be cooperative between the Federal Government and the States. The question of federal appropriation for highway work in the States may well be held in abeyance until a national service is provided and tested. We suggest that the United States Government establish a highway engineering service, or equivalent organization, to be at the call of the States in working out effective and economical highway systems."

Mr. Chairman, the report and recommendations of the commission are highly valuable, as its careful investigation, including personal visits to all sections of the country, and correspondence with 550,000 residents of the country districts as to the most pressing needs of the farmers for the improvement of their condition, shows that public sentiment is unanimous in favor of better roads as a practical means of supplying existing deficiencies in country life.

In his message to Congress accompanying the commission's report, President Roosevelt summarizes the conclusions arrived at by the commission, and states that as the result of its investigations the following three great general and immediate needs of country life stand out:

"First. Effective cooperation among farmers, to put them on a level with the organized interests with which they do business.

"Second. A new kind of schools in the country, which shall teach the children as much outdoors as indoors, and perhaps more, so that they will prepare for country life, and not as at present, mainly for life in town.

"Third. Better means of communication, including good roads and a parcels post, which the country people are everywhere, and rightly, unanimous in demanding."

Mr. Chairman, the satisfaction of the first two of these needs will be greatly facilitated by the adoption of a system of improved roads extending through all the farming sections of the country. Bad roads are the chief obstacle to cooperation among the farmers, and improved roads will make cooperation possible.

The need for a new kind of country schools can not be met so long as our dirt roads, which at certain seasons are almost impassable, prevent the attendance of the farmers' children at centralized schools where they could have all the advantages of a graded school in connection with a high school. Central schools of this kind are now being established in some sections of the country, where good roads permit the pupils of an entire township being transported to them daily from their homes, and with the extension of improved roads this school system would become general. It can thus be seen that of the three reforms which in the opinion of the president have been shown to be urgently desirable, road improvement is the most important, as it would aid in making the others practicable.

That highway improvement is the most important economic reform has long been urged by the farmers, who, through their principal organization, the National Grange, have been persistently agitating for the adoption of a policy of federal aid for good-road construction and maintenance. The declaration by the Country Life Commission that the establishment of a fully serviceable highway system is a matter of national concern, absolutely essential to our internal development, should serve to hasten the enactment of legislation providing for the creation of a national highways commission, and making liberal appropriations for carrying on its work.

The direct connection between good roads and the value of farm lands is shown in a striking manner in Bulletin No. 38 of the United States Department of Agriculture. This bulletin gives the results of an investigation by the Office of Public Roads of that department relating to public-road mileage, revenues, improved roads, and expenditures in the United States in the year 1904, and the information contained therein is of great importance in connection with the movement on behalf of the systematic improvement of the public highways.

The returns from various States show that in nearly every case the States having the highest percentage of improved roads have the largest population per mile of road, thus showing that better roads are a powerful factor in encouraging the settlement of unused lands, especially in sparsely populated sections of the country. Good roads are also an important influence in retaining in the farming districts the desirable elements who might otherwise drift into the towns and cities. As the price of farm lands depends on their productivity, accessibility to markets, and population engaged, or desiring to engage, in agricultural pursuits, it follows that road improvement, by attracting additional settlers, and giving them better facilities for reaching their markets, directly tends to increase the values of all farm lands within the radius of the roads improved.

A comparison of the percentage of the improved roads of the various States shows that the average percentage of the improved roads in all States where farm land is worth less than $20 per acre is only 1.8 per cent; whereas in the States where the acreage value is more than $20, improved roads constitute an average of 9 per cent of the total mileage.

While there may be minor causes of variations in the value of farm lands, it is an undoubted fact that as a general rule the higher values of certain States are largely due to their superior roads. Records on file in the Office of Public Roads show that farm lands have been known to advance in value from 50 to 500 per cent on account of the improvement of the roads connecting them with market towns.

When the facts secured by the Department of Agriculture become known to the farmers of the country, and they realize that the establishment of a complete system of properly constructed public roads will have the direct effect of greatly increasing the value of their farms, they will be the foremost advocates of a broad, comprehensive policy of public-road improvement by the Nation, States, counties, and townships.

Mr. Chairman, the farsighted wisdom of Julius Cæsar built from the imperial exchequer the magnificent roads that led in all directions to eternal Rome. The great Napoleon—Cæsar like—built the roads of France that center in Paris from the general funds of the Government; and these French roads have done more than any other single agency to encourage the thrift and increase the industry and insure the contentment of the people of France. Cæsar and Napoleon were the great road builders of ancient and modern times, and their foresight and their judgment and their work demonstrated the beneficent results that follow like the night the day the building of great governmental highways.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent to

print in the RECORD as a part of my remarks an address by the Hon. N. J. Bachelder, master of the National Grange.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the request is granted.

The address referred to follows:

THE DEMAND OF THE FARMERS FOR NATIONAL AID FOR HIGHWAY IMPROVEMENT.

ADDRESS BY THE HON. N. J. BACHELDER, MASTER OF THE NATIONAL GRANGE—NATIONAL CARRIAGE BUILDERS' ASSOCIATION, CHICAGO, OCTOBER 14, 1908.

The deplorable condition of the public roads in nearly all sections of the United States has for many years been the subject of careful consideration by the farmers, and they fully realize the great economic and social importance of substituting a scientific system of road construction and maintenance for the crude and old-fashioned methods that prevail to so large an extent at the present time. It may seem to outsiders that it has taken the farmers a long time to appreciate the benefits of improved roads, but in reality they have not been so backward as some of their critics suppose. As the chief sufferers from the rough dirt roads which constitute by far the greater mileage of the country's highways, the farmers have been foremost in favoring the general policy of road improvement, and have been using their influence to bring about a change in methods of road construction.

Up to a comparatively recent period the question of better roads was regarded as one that concerned only the districts in which the highways are located, and it was believed that the expense of road construction and improvement should be borne by such districts. As the result, very largely, of the persistent agitation by the farmers for better roads, the road problem has come to be considered from the wider point of view that bad roads affect not only the communities through which they run, but also the interests of the towns, cities, States, and Nation. There is now a general agreement that since the manufacturers, merchants, and workers of the country at large are all concerned with the prosperity of the farmers, the question of good roads, as a means of improving the condition of the farmers, is of direct interest to all other classes of our people.

I assert without fear of contradiction that the establishment of a complete system of improved public highways is the most important economic issue now confronting the American people. The conservation of our forests and other natural resources; the improvement of our rivers and harbors; railway and trust regulation; all these sink into insignificance in comparison with this question, in so far as it relates to the permanent welfare and prosperity of the Nation. Careful estimates of the loss in time, labor, and actual expenditure for marketing the country's enormous volume of farm products show that bad roads impose an annual burden of at least $125,000,000, the difference between the cost of hauling these products over the dirt roads, which constitute 95 per cent of our total road mileage, and the cost of hauling the same quantity over improved roads. This loss falls heaviest on the farmers, whose productive capacity is decreased because of the greater portion of their time that is spent in conveying their crops to market, but it also imposes the burden of higher prices on the consuming public generally. Manufacturing and business interests are affected through the fact that under present conditions the farmers produce less, and therefore consume less manufactured goods, than they would under more favorable conditions.

It is a truism that the prosperity of the whole country depends on the condition of our agricultural interests, yet this simple statement of fact is practically ignored in all discussions of how to restore and maintain prosperity. The dependence of our whole complicated system of manufacturing, transportation, and trade on the farmers of the country has been clearly illustrated during the past year, when Wall street, our great railway systems, and to a large extent our manufacturing and business interests generally, have been anxiously following the crop reports, in order to assure themselves of a more favorable outlook and the coming of another period of manufacturing, transportation, and business activity. But when it comes to appropriating money by Congress, how do we find the great basic agricultural industry treated? The statistics of the expenditures of the National Government during a period of ten years ending with 1906 show that out of appropriations of $6,309,742,632, collected, it must be remembered, by taxes paid in large part by the farmers of the country, only $47,000,817 was devoted to furthering the interests of agriculture; that is, three-quarters of 1 per cent of the total appropriations for the department of our National Government that is concerned with the advancement and welfare of the most important interest of the country.

Much attention has recently been given to the appointment of a national commission to study the needs and condition of the farmers, with a view to aiding in making farm life more attractive and desirable. The commission will doubtless receive many suggestions, but I am confident that when the real sentiment of the farmers of every section of the country, as to the reform which would confer the greatest benefit upon them, is expressed, it will be, "Give us good roads."

It is because of their earnest conviction that the improvement of our highways would be the most effective agency in promoting not only their own prosperity, but that of the entire country, that the farmers are now everywhere demanding larger appropriations by the States for road improvement, and for federal appropriations for the same purpose. They believe that a part of the money raised by the taxation of all the people of the United States should be devoted to assisting in the construction of better roads, and are taking action to secure the enactment of the necessary legislation by Congress.

The initiative in the movement for federal appropriations has been taken by the farmers through their principal organization—the National Grange—which has upward of 1,000,000 members, with local granges in all sections of the country.

The National Grange is organized to further the interests of the farmers in legislative matters, and has for several years favored the policy of national aid to road improvement. During the past year it has perfected plans for carrying on a widespread, systematic movement throughout the whole country, for the purpose of creating a public sentiment favorable to legislation by Congress creating a national highways commission and making liberal appropriations in aid of public road improvement. The grange believes that the proper method of securing legislative action on any subject is through first convincing the people that it is in their interest, and when this has been accomplished bringing the influence of the individual voters to bear on their Senators and Representatives; and it is with this view that they are conducting their educational campaign for good roads.

A bill embodying the principle of federal assistance was prepared by the grange legislative committee, and introduced in Congress at its recent session by the Hon. FRANK D. CURRIER of New Hampshire. This bill was carefully drawn so as to meet all objections raised against bills previously introduced for the same purpose. By decisions of the Supreme Court of the United States it has been held that the National Government has power to construct, maintain, or improve roads in the various States used in interstate commerce, and all roads leading into or connecting therewith. Under the grange bill it will be possible for the proposed highways commission to aid in the improvement of any road in any section of the country, since all roads connect with or lead into some other road which is used in interstate commerce. It is believed, however, that the greater part of such appropriations as may be made by Congress will be expended by the highway commissions or other road authorities of the various States.

It may be objected that in undertaking to assist in the improvement of our highways the National Government would be encroaching on the sphere of the States, and that the matter is one with which Congress has no concern. I would submit that the long neglect of the Nation to contribute toward the expenditures for road improvement is no reason why this mistaken policy should be continued. The chief obstacle, in fact, I might say the only difficulty, in the adoption of a general plan of highway improvement is the lack of the money necessary for the construction and maintenance of improved roads. The principle that the work of road improvement should be provided for more largely out of the public funds and less at the expense of the abutting owners is finding general acceptance as a matter of state policy, and in many States large amounts are being annually appropriated for the public roads. But there is a limit to the ability of the States to furnish the funds required, and it is for this reason that the farmers feel justified in urging that appropriations be made out of the revenues derived by taxing the people of the whole country for what is so clearly a matter of national importance.

The farmers have for a long time believed that the highways of the country are of greater importance than its waterways, and that every argument in favor of appropriations by Congress for the improvement of our rivers applies even more strongly to the improvement of the public roads. They also believe that they are not now receiving a fair share of the money taken from them as federal taxes, and that if Congress wishes to dispose wisely of the present large surplus in the Treasury it can not do better than to devote at least $50,000,000 to the work of road improvement.

The benefits which would follow the enactment of the legislation advocated by the National Grange are by no means to be measured by the mileage of improved roads that could be constructed with the appropriations made by Congress. The most effective argument for good roads is the object lesson of the improved road, as contrasted with the ordinary dirt road, and each new section of properly constructed road is an inducement for the municipal, county, and state road authorities to unite in placing the largest possible mileage of the highways within their jurisdiction in a similar condition.

Another great advantage resulting from federal appropriations expended under the general supervision of the proposed national highways commission would be the substitution for our present haphazard methods of road construction of a scientific system of road making. It is estimated that out of our annual expenditure for road construction and maintenance of about $80,000,000 at least one-half is wasted through unwise methods or the use of wrong materials. This waste would be to a large extent, if not entirely, avoided through bringing to bear on the subject the knowledge and experience of trained engineers, whose advice and services would be at the disposal of the various local road authorities. I may mention in this connection the example of France, which is admitted to have the best road system of the world. It is the opinion of experts who have given the subject careful consideration that the superiority of the French roads is chiefly due to the fact that the National Government of France not only contributes very largely to the construction and repair of the highways, but also maintains a staff of highly trained road experts, whose cooperation with the local road authorities has given the whole country an effective body of competent highway administrators.

The subject is of such magnitude and extends in so many directions that I have only been able to outline some of its phases. I am confident that when the attitude of the farmers is understood and the vital importance of the question realized that public sentiment will be practically unanimous in favor of this proposition, and that Congress will at an early date enact this most desirable legislation.

Mr. CALDER. Mr. Chairman, I offer a substitute for the pending amendment.

The CHAIRMAN. The gentleman from New York offers a substitute for the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out "8 cents" and insert "7 cents;" also, strike out "$8" and insert "$7."

Mr. PAYNE. I make the point of order that that is not germane.

Mr. TALBOTT. Why, yes, it is.

Mr. PAYNE. It has been offered half a dozen times.

The CHAIRMAN. The Chair will state that the amendment is open to the same objection as that offered before, and the Chair therefore sustains the point of order.

The question is on the amendment of the gentleman from Maryland to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. TALBOTT) there were—ayes 133, noes 141.

Mr. TALBOTT. Tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed as tellers Mr. PAYNE and Mr. TALBOTT.

The committee again divided; and the tellers reported that there were—ayes 120, noes 176.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 71, paragraph 288, line 3, strike out the word "four" and insert in lieu thereof the word "three."

Mr. PAYNE. Mr. Chairman, I want to say that this amends the duty on cocoa, reducing it from 4 cents to 3 cents a pound, and I ask for a vote. [Applause.]

Mr. MANN. If the gentleman from New York will permit me, in reference to the matter of tea and coffee and cocoa, may I ask whether there is likely to be a change in the tariff on chicory?

Mr. PAYNE. I have no amendment to that.

Mr. MANN. I may say to the gentleman, that I discovered the fact years ago that chicory was used very largely not as an adulteration for coffee, although it is sometimes used for that, but as a substitute for coffee, especially by a certain class of people who come here from abroad, and, as I understand the tariff on chicory is practically prohibitive, it seems to me it would be unjust to some of these people to retain the present duty.

Mr. PAYNE. I will give the gentleman's remarks prayerful consideration, but it is rather late now.

Mr. PERKINS. Mr. Chairman, I offer as an amendment to the amendment to strike out the word "three" and insert the word "two."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York as an amendment.

The Clerk read as follows:

Strike out "three" and insert "two," so as to read "2 cents per pound."

Mr. PAYNE. Before that is put, Mr. Chairman, I want to say that it will cut off $800,000 of revenue, and we want the revenue.

Mr. PERKINS. Mr. Chairman, I very much approve of the reduction of the duty on cocoa to 3 cents. I would be glad to see the duty further reduced, but for the present I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. FITZGERALD rose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I was endeavoring to be recognized to offer an amendment to the amendment of the gentleman from New York.

Mr. PAYNE. What is the gentleman's proposition?

Mr. FITZGERALD. I was endeavoring to be recognized, but the Chair could not see me.

Mr. PAYNE. The Chair ought not to recognize the gentleman until the next amendment has been read.

Mr. FITZGERALD. It was the other amendment that I wanted to offer an amendment to.

Mr. PAYNE. But that has been agreed to.

Mr. FITZGERALD. It was not when I was on my feet endeavoring to get recognition.

Mr. PAYNE. Was the gentleman asleep?

Mr. FITZGERALD. I am not as sleepy as the gentleman from New York.

The CHAIRMAN. Without objection, the action of the committee will be vacated.

Mr. MANN. I want to reserve the right to object.

Mr. PAYNE. I object.

Mr. FITZGERALD. I am not asking unanimous consent. I submit to the Chair that the Chair inadvertently omitted to recognize me when I was on my feet asking for recognition, and was entitled to recognition, and endeavoring to attract the attention of the Chair; but the Chair studiously refused to look in this direction——

Mr. PAYNE. Let me ask what the gentleman's amendment is?

Mr. FITZGERALD. I want to move to strike out "three" and insert "one-half."

Mr. PAYNE. I have no objection to the gentleman going back and doing that.

Mr. FITZGERALD. Then, Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Strike out "three" and insert "one-half."

Mr. FITZGERALD. Mr. Chairman, this is a duty upon "cocoa, or cacoa, crude, and leaves and shells of." It is the raw material, out of which all chocolate products are made. None is produced in this country whatever. It has been upon the free list, if my recollection serves me right, since about 1872. This duty is such that if it be enacted into law, it will not produce the amount of revenue anticipated by the members of the committee. For instance, in one part of the city of New York alone, in one borough, the annual business done by the sale of pieces of chocolate that sell for 1 cent each, amounts to $200,000 a year. If this duty be placed upon the raw product, it will be impossible to reduce the size of these pieces of chocolate which are sold for 1 cent, and equally impossible to increase the price to 2 cents, because that chocolate is sold largely through the penny slot machines.

The trade to which this trade is offered in this way will not be able to purchase it at 5 cents, the only other price at which it could be fixed; so that instead of bringing an additional revenue, as the committee anticipates, the result will be largely to curtail the manufacture of chocolate. This is but one illustration of the effect of the duty. More than that, Mr. Chairman, an examination of this bill shows that while 4 cents or 3 cents a pound might be proper, if a duty were placed upon tea and coffee, in order to balance the schedules, to place this duty on chocolate or cocoa, the raw material out of which the chocolate is made, when no duty is placed upon tea or coffee, is unduly to discriminate against a valuable food product which is used in practically every home in the country. I am opposed to placing a tax upon the raw material out of which a valuable, necessary, and extensively used food product is made, and for that reason, and not being able at this time under the rules controlling the consideration of this bill to offer an amendment that would restore this product to the free list, I have submitted this amendment that will reduce the duty to one-half a cent per pound, practically putting it upon the free list.

Mr. LIVINGSTON. Mr. Chairman, in this connection I desire to have read, as touching upon the amendment offered by the gentleman from New York [Mr. FITZGERALD], the following letter, which I send to the desk.

The Clerk read as follows:

HARRY L. SCHLESINGER,
Atlanta, Ga., April 5, 1909.

Hon. LON F. LIVINGSTON,
Washington, D. C.

FRIEND LIVINGSTON: I note in the new tariff bill, H. R. 1438, that there is to be a change or contemplated change of taking cocoa beans from the free list. As you know, cocoa beans are entirely imported, and I do not see why they should be taken from the free list, as it would work hardships to pay duty on something that we need in this country, which, as usual, the poor fellow would have to pay for. I know you will see the justice of this letter, and I will appreciate your efforts in keeping this on the free list.

Sincerely, yours, HARRY L. SCHLESINGER.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FITZGERALD] to the committee amendment offered by his colleague from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I want to say only a word. Our friends on the other side are for a tariff for revenue always, except when you come to put a tariff on anything for revenue, and then they are against it, because somebody will have to pay for it.

Mr. HARRISON. But we want free raw materials.

Mr. PAYNE. Every one of them on that side of the House will try to vote away this revenue, amounting to between two and three million dollars a year. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FITZGERALD] to the committee amendment.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 79, noes 113.

So the amendment to the amendment was rejected.

Mr. CALDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. PAYNE. Mr. Chairman, I object to that amendment now. I simply went back to allow my colleague from New York to offer his amendment.

The CHAIRMAN. The Chair thinks that is right.

Mr. PAYNE. Very well; let the gentleman proceed.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out "three" and insert "two."

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. CALDER) there were—ayes 81, noes 111.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs upon the original committee amendment offered by the gentleman from New York [Mr. PAYNE].

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 292, page 72, lines 22 and 23, strike out the words "and whether used for starching, sizing, or filling."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 294, page 73, line 8, strike out the words "cloves and clove stems."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 526½, page 150, between lines 6 and 7, insert the following: "526½. Cloves and clove stems, unground."

Mr. PAYNE. Mr. Chairman, that puts them on the free list.

Mr. MANN. Mr. Chairman, why this discrimination made in behalf of the fellows who drink?

Mr. PAYNE. I want to say that we make this change because they are used in making vanillin.

Mr. MANN. Then this is not merely to accommodate the gentlemen who come from States that are not prohibition States?

Mr. PAYNE. Not at all.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 294, page 73, line 13, after the word "valorem," insert the words "cloves and clove stems, ground, 2½ cents per pound."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 313, page 81, line 17, after the word "that," insert "on all the foregoing and."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 318, page 87, strike out lines 7 to 24, inclusive; and on page 88 strike out lines 1 to 11, inclusive, and insert in lieu thereof:

"318. The term 'cotton cloth' or 'cloth' wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton, in the piece or otherwise, whether figured, fancy, or plain, the warp and filling thread of which can be counted by unraveling or other practicable means."

Mr. UNDERWOOD. Mr. Chairman, I desire to ask the gentleman from New York a question. As I understand this amendment the gentleman's proposition is to restore the Dingley provision——

Mr. PAYNE. As to counting.

Mr. UNDERWOOD (continuing). Which amounts to really a lower duty than in the present bill.

Mr. PAYNE. On some cloths; yes. We take this method of counting in order to meet decisions in regard to the counting of cloths, but it was found, after inquiries, that it would advance the duties on some cloths by some 10 per cent; the experts disagreed in the particular amount; some went as high as 25 per cent. The committee has not sought to increase the duty by that method. If they wanted to increase the duty they would go in the open to do it, but this reduces it to the Dingley rate.

Mr. UNDERWOOD. In other words, the effect of the amendment is to restore the Dingley rates, and it is also a lower duty than maintained in the present paragraph?

Mr. PAYNE. Yes.

Mr. RICHARDSON. Mr. Chairman, I would like to ask the gentleman this question.

Mr. PAYNE. Certainly.

Mr. RICHARDSON. Is there not a difference in the Payne bill and in the Dingley bill as to the method of ascertaining or determining the duty? Under the Dingley bill were not the duties ascertained by the number of threads per square inch? Now, section 318 of this bill provides not only that each thread shall be counted, but that each ply of two or more ply threads shall be counted as a thread.

Mr. PAYNE. Mr. Chairman, we will have to have a little better order for me to hear the gentleman.

Mr. RICHARDSON. Mr. Chairman, I dislike very much to trouble the gentleman, but I am asking for information. This restores it to the Dingley rates, if I understood him correctly. The question I asked was——

Mr. PAYNE. This restores it to the Dingley method of counting.

Mr. RICHARDSON. What effect does this paragraph have, for instance, on cotton cloth, referred to in section 321, which reads—

On all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard.

Is not that an additional duty over and above that provided in the Dingley law?

Mr. PAYNE. Yes.

Mr. RICHARDSON. What does it amount to?

Mr. PAYNE. Mercerizing is a new process invented since the Dingley law was enacted and is only four or five years old; it makes a beautiful piece of goods resembling silk and requires additional labor, and the committee were at some pains to find out the necessary duty in order to make up the difference between the cost of the labor here and on the other side and fixed it at 1 cent per square yard.

Mr. RICHARDSON. I desire to ask the chairman another question. Is it not a fact that under the present Dingley law there is an ad valorem duty for cost of mercerization—any kind of luster, and all imported cotton goods have some luster? Then this simply means that all of the cotton cloths of the cheap grade will be transferred to the higher dutiable class.

Mr. PAYNE. No.

Mr. RICHARDSON. And is not this an additional tax?

Mr. PAYNE. There is nothing relating to it in the Dingley law at all; this is a new process that has arisen since.

Mr. RICHARDSON. What do you mean, then, by "subject to any similar process?"

Mr. PAYNE. Similar invention; that is all. I want to say to the gentleman that this is a process of dipping the cloth into some chemical compound, and after stretching it and drying it while stretched it leaves a beautiful luster upon the cloth. It was a process invented by a man by the name of Mercer, and hence is called "mercerizing." This additional part of the paragraph is to cover any similar invention or similar process to reach the same result.

Mr. RICHARDSON. Is it not true that 75 per cent of the imported cloth goods to this country now have a certain character of glaze upon them——

Mr. PAYNE. A good many of them do.

Mr. RICHARDSON (continuing). That range from 15, 20, or 25 cents a yard will be transferred into the higher class duties, and thereby a great decrease in revenue by reason of the duties on that class of cotton cloth will be prohibitive?

Mr. PAYNE. It is a cent a yard more. We put a cent more on that kind of cloth.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PAYNE].

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 324. On page 91, line 8, after the word "value," insert the following:

"And Jacquard figured goods, in the piece or otherwise, suitable for use as upholstered goods, or as draperies or covers, composed wholly or in piece value of cotton or other vegetable fiber, made in looms, dyed in the yarn."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WALLACE. Mr. Chairman, I wish to congratulate the gentlemen on the other side of the House in some effort occasionally to revise a schedule downward. When it comes to some of the cotton-thread schedules, one finds himself tangled in a mesh of threads like unto Gulliver when tied to the earth by the Lilliputs. Proceeding further, we find a veritable spider's web, in which the unwary consumer and producer may be eluded. I understand the rules under which we are proceeding deny all opportunity for amendment of the cotton schedules. I understand also that I have no time for any extended observation in the premises.

But, Mr. Chairman, I wish to submit as a part of my remarks a well-digested protest against the increase of the tariff

on hosiery and gloves by the New England Dry Goods Association, as follows:

A PROTEST AGAINST THE PROPOSED INCREASE IN THE TARIFF ON HOSIERY AND GLOVES.

The New England Dry Goods Association is a representative body of business men, over 500 in number, engaged in selling dry goods in retail and wholesale stores throughout New England. In every community a dry goods store is well known, and the dealer in serving a large clientage feels the pulse of the trade and learns the temper of the customers regarding the goods they buy. This experience enables them to know positively whether or not the public are satisfied with the goods and with the prices they have to pay.

The tariff has a most important influence both on the nature of the goods and their prices, and is therefore a matter of vital interest both to us, as dealers, and to our customers.

We believe that our experience enables us to form not only an intelligent opinion on that portion of the tariff relating to the merchandise we sell, but an unselfish one as well, for the following reason: We are essentially distributors of goods, either in a retail or wholesale capacity, and get a profit on the merchandise, whatever the price, whether it is increased or diminished by a greater or lesser tariff.

We believe that in general the Dingley tariff now in force is high enough to afford ample protection to manufacturers and a generous scale of wages to their employees; that any further increase in the rates would, first, exclude or greatly lessen the importation of merchandise that is now coming from abroad; second, the exclusion of such goods would deprive customers of merchandise they want, would force them to take inferior American substitutes, which they do not want, would deprive the Government of necessary revenue, would eliminate competition with the foreigner, which is beneficial to the American manufacturer; third, the importation of a fair amount of superior foreign goods—and they would not be imported unless they were superior at the price—forms a constant object lesson to the less experienced American manufacturer.

The presence of imported goods has been a great stimulus and is, in a large measure, responsible for the vast improvement in domestic manufactures. To eliminate or lessen this beneficial influence would be a detriment to the manufacturers themselves and would increase the cost of living for the masses, which is quite high enough to-day. It would tend to create a monopoly in some branches of manufacturing, bringing in its train all the baneful abuses characteristic of monopolies, which are too numerous to mention. This tendency toward monopoly is well manifested by the petition of certain groups of manufacturers, who, though their industry is amply protected by the present tariff, are asking for a still higher schedule, and whose action in so doing springs either from greed or fear that the existing rate may be lowered unless they ask for an increase. The manufacturers of hosiery and gloves may be taken to illustrate the above contention.

HOSIERY.

Some manufacturers of fashioned hosiery have petitioned for a general increase of 20 per cent over the present schedule. On page 4750 of the tariff hearings their state as follows: "A careful census of the hosiery mills of this country shows the desperate condition of this craft; almost without exception a week not exceeding four days is prevailing, and in many cases three days a week is the true state of affairs. You therefore can readily understand the serious necessities of the industry, due entirely to the low cost of labor and materials in Germany, the keenest competitor for American cotton-hosiery trade."

This statement is positively at variance with the fact, as the majority of hosiery mills throughout New England, and, indeed, the great majority of well-known hosiery mills of the country are working full time and with a full complement of help. Every industry has been affected by the recent depression, but to ascribe dullness in the hosiery trade to insufficient protection is an evidence either of an attempt to deceive, by taking advantage of a temporary calamity, to prove a general condition, or it is a manifestation of inexcusable weakness, that deserves the contempt and opposition of every fair-minded citizen in the land.

Although the Dingley tariff today gives the American manufacturers an advantage of about 65 per cent over the foreigner, yet their committee asks for an increase of between 15 and 20 per cent more, and justifies their position by making various assertions regarding this higher 20 per cent rate to give them the profit to which they are entitled. In other words, they want Congress to enable them to tax the American people 20 per cent for their hosiery to equalize the differential between the cost of manufacturing abroad and the cost of manufacturing in this country, or else they must "reduce wages," to use their own words. Can they explain why, in the face of such conditions, the production of hosiery in the United States between 1900 and 1905 increased 60 per cent, according to the official report of the Government Census Bulletin 74? The amount of men's half hose manufactured in 1900 was $11,031,244. In five years this increased 58 per cent—to $17,438,914. Ladies', children's and infants' hosiery in 1900 amounted to $16,205,372; in 1905, to $26,152,043, showing an increase of 61 per cent. In the words of Mr. Edward Stanwood, the government expert, "the product reached the prodigious number of 530,232,756 pairs in 1905."

Do such figures as these substantiate the assertion that the hosiery business is in a desperate condition? Does it seem plausible that an industry would thrive and increase at such a rate unless it is profitable to those engaged in it? Unfortunately the census can furnish no later figures than 1905; but were the report of the banner years 1906 and 1907 available, when no manufacturer in the country could meet the demands made upon him, we are confident that the figures would prove even more conclusively the marvelous growth of this already highly protected industry, and the futility of asking more aid from the American people in the shape of an extra tax of 20 per cent.

How have the imports of hosiery increased during this period from 1900 while the country was increasing in population? In 1890 the imports of foreign hosiery from Germany, which constitutes practically 95 per cent of all that is shipped to this country, amounted to $6,604,835. In 1900, $4,016,435. In 1908, $6,645,570.

These figures are from the official consular report. During twenty years there has been scarcely any increase in the amount of hosiery imported, while the growth of the domestic output has advanced at the rate of over 60 per cent. According to the government census, the percentage of foreign hosiery used in America amounted to 5.4 per cent of the total hosiery sold, and in 1905 it had decreased to 5.1 per cent.

We believe the American manufacturers need have little concern regarding the wages they must pay their operatives. The prosperity of their industry and the little competition they get from abroad, as shown by figures we cited, proves their capacity to pay good wages and derive a fair profit themselves. It may be safely left to the trades unions to secure good wages for the operatives, as they are not at all backward in this respect. We believe that if a census were taken of the hosiery mills—that a large number, in fact the majority, are entirely satisfied with the present tariff, and that the petition now before the Ways and Means Committee is the work of a few who are specially interested.

The official government figures prove that the American manufacturers are getting control of the entire domestic hosiery market, and the rapidity of their growth constitutes indisputable evidence that the tariff which favors them is more than ample.

We notice a very marked increase in the amount of domestic-fashioned hosiery used which is particularly in competition with German goods. The improvement in the American product is in a large part due to this very competition, which is both stimulating and instructive. It is a satisfaction to us to know that for the past eighteen years, while the output of American manufacturers has increased from $19,162,206 to over $50,000,000, as estimated by the manufacturers themselves, the importation of foreign hosiery has varied but little from year to year, and scarcely increased at all. Speaking for ourselves and our customers, we are positively opposed to any further advance in the tariff rates on hosiery.

GLOVES.

The demands of the glove manufacturers are as unjustifiable and outrageous as those of the hosiery manufacturers. They evidently want to exclude altogether foreign gloves, which we believe can never be made in this country on account of the hand work required. The sewing and finish is of the finest nature, being done in families and in convents by very expert help, who make a life study of the work, the trade being handed down from generation to generation. Machines can not do this work entirely, and American labor could never be induced to undertake it.

As a whole, the American manufacturers have 75 per cent of the market, as the last census figures of 1905 prove, the domestic product being $17,740,585, as compared with importations of $4,899,793. Yet in spite of this increase over the already high rates, duties are asked as follows: For schmaschen gloves, from 128 per cent to 390 per cent. For lamb gloves, 60 per cent to 200 per cent. For kid, 33 per cent to 184 per cent.

Under the present rates gloves not over 14 inches pay, in schmaschen, $1.75 per dozen; in lamb, $2.50; and in kid, $3. The enormous increase to $4 and $5.50 is asked for, which is prohibitive and intended to be so. Such a result would simply add one more indirect tax upon the American people and enable manufacturers, aided by the Government, to monopolize this market and enrich themselves from the public purse.

We likewise are opposed to any increase in the tariff on fabric gloves, as there is ample protection on these goods as well, the American manufacturer having control of the market. Gloves of all kinds are poor enough to-day, even at the high prices charged for them, and we are not in favor of aiding manufacturers to force upon the public a still poorer article at the same price, or compel them to pay a radical advance for merchandise that is none too good to-day. It is a common saying among all dealers that "Gloves are never sold;" meaning thereby that they are constantly being returned on account of poor-wearing qualities. No department in a retail store furnishes so much trouble, because customers must be satisfied, and require a glove that is guaranteed durable and free from imperfections. Our troubles in this respect will be doubled if there is any increase whatever in the tariff.

Indirectly to tax every man and woman in this country who wears hosiery and leather gloves, for the benefit of the already too highly protected domestic manufacturers, is an outrage that should not be tolerated. It will simply result in depriving the country of revenue, and turn into the pockets of a few manufacturers the equivalent of the import duties that would ordinarily go to the Government, plus the extra profit equal to the advance in the tariff. The revenue lost by the exclusion of foreign goods would have to be collected in another form, constituting a double tax.

The position of the dry goods merchants of New England can be summed up in the words of President Taft when he said in New York December 16, 1908, "I believe the way to stamp out trusts and monopolies is to avoid excessive rates which would tempt monopolies. It would be better to have no revision at all unless we are going, honestly and favorably, to revise the tariff on the basis promised by our party." We understand that revision to mean reduction of rates and not increases. We want the tariff treated as a great public measure, and not sacrificed to greedy private interests. We earnestly solicit Congress to heed our requests, made as they are in a spirit of justice for the welfare and prosperity of the community at large.

Respectfully,

THE NEW ENGLAND DRY GOODS ASSOCIATION.

P. S.—This petition was prepared by a representative tariff committee and read at a meeting of the association on March 16, when 295 members were present. It was unanimously adopted.

J. C. B. SMITH, *President*,
55 Bedford street, Boston, Mass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. GARRETT. What is the amendment?

Mr. PAYNE. From hearing it read I do not think you or any other man would understand it. It is to protect the manufacturers of cotton cloths the equal of which I did not think were produced in this country or in any other until the samples were presented to the committee. It is a cotton fabric for coverings for lounges, and for curtains, for upholstering, and so forth. They had a silk piece and a piece of cotton side by side, and no one could tell which was the silk and which was the cotton except by handling it. It was beautiful cloth, with beautiful figures in it, perfect in every respect, woven from colored yarns with Jacquard looms, costing a good deal to produce, and there was nothing in the law that would furnish it any more protection than ordinary cotton cloth.

This is something which has grown up since the enactment of the Dingley bill, and something that every man who is interested in our people making the best goods in the world in this

country ought to be willing to give adequate protection. From a study of the subject, the committee came to the conclusion that the protection provided for in this paragraph was the protection to which they were entitled if they are to continue the manufacture. There are several factories, located in Philadelphia and elsewhere, that are making these goods, so the committee recommended this amendment in order to give a fair protection only to these goods.

Mr. GARRETT. It adds a new item?

Mr. PAYNE. It is a new item, yes; new to this and to the Dingley bill.

Mr. GARRETT. Is it not covered by the ad valorem in the Dingley bill at present?

Mr. PAYNE. Yes; they come in there under one of the clauses of the Dingley law not designed to cover that class of goods, but coming under that item or that clause through a decision of the courts or the general appraisers. This takes them out and classifies them by themselves, and describes them and gives them a little raise in duty over what they would get under that general paragraph. They are not the ordinary cloths. They are entitled to more protection.

Mr. GARRETT. May I ask the gentleman if this will make it prohibitive?

Mr. PAYNE. Oh, no; not if the committee is right. It will simply make better protection, if their information is correct.

Mr. MANN. These mills in this country now in operation making this class of goods could build their plants and start work and conduct their operations profitably up to this time under the existing tariff. Now, why do they need a raise?

Mr. PAYNE. That is the very difficulty, they do not; they are not making money.

Mr. MANN. Oh, well; of course I never have met any establishment that made money, on its own showing, at a time when a tariff bill was made.

Mr. PAYNE. They are struggling to get along.

Mr. MANN. They are running.

Mr. PAYNE. Some of them are. [Cries of "Vote!"]

Mr. GARRETT. How many are there of these mills?

Mr PAYNE. Half a dozen, the gentleman from Pennsylvania says; and that corresponds with my recollection.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I offer the following amendment.

The Clerk read as follows:

Page 93, paragraph 328, line 7, strike out the words "lining for bicycle tires" and insert in lieu thereof the words "tire fabrics or fabrics suitable for use in pneumatic tires."

Mr. MANN. Mr. Chairman, I would like to have the gentleman very briefly state what that will cover.

Mr. PAYNE. I will state to the gentleman that under the present law——

Mr. MANN. I can understand what this means, but I would like to know the explanation.

Mr. PAYNE. I want to say under the present law the language is "lining for bicycle tires." Now, the court held that that applies only to those cut into strips. These are made out of long-staple cotton, a very strong piece of cloth. Samples of it were shown to the committee, and it is the heaviest cotton I have ever seen. Now, it was found that under that clause of the previous bill, under the duty, none of them came in as linings. They came in as various things, because they were fabrics and came in as duck, and not as fabrics for bicycle tires; so that we propose to make it fabrics woven for bicycle and pneumatic tires.

Mr. MANN. The reason I asked the gentleman was because I saw the suggestion in one of the papers that the amendment proposed was to put a duty on sea-island cotton. Of course the gentleman's amendment does not do it.

Mr. PAYNE. Not at all.

Mr. MANN. I wanted that impression corrected, which evidently had gone out.

Mr. PAYNE. It is an entire mistake. The committee has never voted for such an amendment as that.

Mr. MANN. That suggestion has been made.

Mr. LOVERING. I would like to state to the gentleman that the best pneumatic tires that are made are made from sea-island cotton. No other cotton makes as good an article as this does.

Mr. MANN. I understand; and this only puts the duty on the fabric, not on the cotton. The statement was made in the newspaper that the committee had agreed to this amendment for the purpose of putting a duty on the cotton, which, if it were correct, would be a duty of 50 cents a pound on sea-island cotton.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I offer the following amendment.

The Clerk read as follows:

Page 94, paragraph 330, line 9, before the word "manufactures," insert the following:

"Cotton, bleached, purified, whether medicated or not, 20 per cent ad valorem."

Mr. RICHARDSON. I would be very glad to call the attention of the chairman of the committee to an amendment that I would like to see made to paragraph 576, on page 155, and ask him if he will not consent to insert after the word "guano," the words "calcium cyanamide, lime nitrogen"? It is a fertilizer, and has been discovered since the Dingley bill was enacted some twelve years ago, and it has become, or will become in a few years, a very important fertilizer. It was passed upon by the appraiser of New York, as I understand, and was classed at the time by him as a dutiable article; afterwards, upon a hearing and investigation, it was held to be properly on the free list. I will ask if the gentleman's committee will put it on the free list, because it is nothing but a fertilizer. We all know what an important factor nitrogen is to plant as well as animal life.

Mr. PAYNE. Does the gentleman say the courts decided?

Mr. RICHARDSON. No; I can not say that the courts made the decision; and that is the reason I am asking this committee to classify it with fertilizers on the free list.

Mr. PAYNE. I want to say to the gentleman, as I understand the decisions of the courts, wherever a decision is in force at the time of the passage of a tariff bill, if that tariff bill adopts the same language, the courts construe it that Congress acted on the line of the decision of the language in the former act, and intended that the language should be carried under the present decision.

Mr. RICHARDSON. That is certainly true as stated by the gentleman from New York [Mr. PAYNE], but it is quite likely that the change of opinion about calcium cyanamide in placing the article on the dutiable list and afterwards placing it on the free list was confined to the appraiser alone. However, I am anxious to have any uncertainty as to the status of this fertilizer entirely removed by placing it on the free list. The nitrogen mines of the world are being rapidly exhausted. We all know the soil's supply of nitrogen in the support of plant life is drawn heavily upon in the production of crops, especially such as pea vines, clover, and other plants of that family. This fertilizer is produced by drawing nitrogen from the air by electrical powers. It is the cheapest fertilizer and requires the cheapest power for its production. It will be a vital ally in the development of water powers of our country. It is being produced now at Niagara Falls.

Mr. PAYNE. If the gentleman is correct, that would remain on the free list. Now, as to the practical question. The gentleman asks to put it on by name, I do not see how that can be done without a committee amendment, and I have no authority from the committee to do it. I think there is no doubt, if the gentleman's statement is correct, that it will continue to come in free of duty.

Mr. RICHARDSON. You know that it is a very recent discovery and a very important one, and they are beginning to manufacture it at Niagara Falls. It is of the greatest importance in the future development of this country.

Mr. PAYNE. I did not understand the exact name of it.

Mr. RICHARDSON. It is lime nitrogen or calcium cyanamide, discovered in Germany in the last three years.

Mr. PAYNE. I would not want to consent to that without the committee had a full chance to investigate the subject, because it may be used for a great many other purposes and might destroy some domestic industry.

Mr. RICHARDSON. It is the cheapest fertilizer that can be made.

Mr. HILL. Then it is free under this language.

Mr. RICHARDSON. It is a newly discovered fertilizer, and I want to make it certain.

Mr. MANN. We can make it here.

Mr. RICHARDSON. I would be glad if the chairman would let it go in that way.

Mr. PAYNE. I think there is a decision of the courts making it free. If that is so, it will remain free under this bill.

Mr. RICHARDSON. If that is true; but I think you go too far about the decision of the courts. I have kept up with the decisions.

Mr. PAYNE. If it is free and going to remain free, what is the use of discussing it further?

Mr. RICHARDSON. The gentleman will remember that I presented it to the Ways and Means Committee.

Mr. PAYNE. I will look it up for the gentleman.

Mr. MANN. If we can make it in this country, why should we not encourage its manufacture?

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following amendment.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] offers the following committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 94, paragraph 334, line 22, after the words "ad valorem," strike out the period and insert the following:

"Yarns made of jute, not otherwise specially provided for under sections 1 or 2 of this act, 35 per cent ad valorem."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. CLAYTON. Mr. Chairman, I rise to ask the gentleman from New York to propose an amendment in behalf of his committee. You have put binding twine for the grain grower on the free list. I ask that you put jute bagging on the free list. I have an amendment here to that effect.

Mr. PAYNE. I am very sorry, but I must decline.

Mr. CLAYTON. And yet the gentleman says this bill is not sectional.

Mr. PAYNE. I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following amendment, which will be reported by the Clerk.

The Clerk read as follows:

Page 96, paragraph 343, line 21, strike out the word "nine" and insert in lieu thereof the word "eleven;" and in line 23 strike out the word "nine" and insert in lieu thereof the word "eleven."

Mr. FINLEY. I would like to ask the gentleman from New York to explain the effect of this amendment.

Mr. PAYNE. Mr. Chairman, this relates to the width of oil cloth and linoleum. The dividing line in the present law is 12 feet in width. Below 12 feet in width a certain rate of duty is required, and above 12 feet a little higher rate of duty. The information before the committee was that in order to avoid the high rate of duty they were importing oil cloth and linoleum a little less than 12 feet in width, 11 feet and 11 inches and a fraction, thus escaping the higher rate of duty, although it answered the practical purpose of 12 feet in width. The information that came to the committee was that instead of making oil cloths either 6 or 12 feet or wider, they were dividing them up into yards, 3, 6, 9 feet, and so forth.

And so the committee made this dividing line at 9 feet, in order to cover the 11 feet 11 inches in width. Later information came to the committee that they made them 6, 7½, 9, 10½, and so forth. So in order to bring the 10½ into the lower paragraph, we offer this amendment making the dividing line 11 feet; all below 11 feet at a certain rate of duty and above 11 feet at a higher rate of duty. It is a reduction on those between 9 and 11 feet in width.

Mr. FINLEY. Will not the effect of this amendment be to increase the duty?

Mr. PAYNE. No; as I said before, it reduces the duty on that which is 10½ feet in width.

Mr. FINLEY. Does this raise the duty on those above 9 feet?

Mr. PAYNE. No; it does not.

Mr. DAWSON. If the gentleman will yield, it reduces the duty in the Payne bill on linoleum.

Mr. PAYNE. Certainly.

Mr. DAWSON. What comparison is there between the duties in the existing Dingley bill? Would the proposed amendment have the effect of reducing the duty in the existing law?

Mr. PAYNE. The narrow cloths are the same as in the Dingley bill; then on those 9 feet and over in width 12 cents per square yard and 15 per cent ad valorem in the present law. We make that now 11 feet and over 12 cents per square yard and 15 per cent ad valorem.

In the Dingley law all those linoleums 12 feet and over were 20 cents per square yard and 20 per cent ad valorem; so there is quite a material reduction.

Mr. VREELAND. Let me ask the gentleman from New York, is there not any danger that the duty on oilcloth will benefit the Standard Oil Company? [Laughter.]

Mr. PAYNE. I will refer that to some one posted on the Standard Oil Company; I do not know anything about it. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following amendment.

The Clerk read as follows:

Page 97, paragraph 344, lines 8 and 9, strike out the word "thirty-five" and insert in lieu thereof the word "forty-five." In line 9, same page, strike out the word "ten" and insert in lieu thereof the word "fifteen."

Mr. PAYNE. Mr. Chairman, we put back the Dingley rate on collars and cuffs made of cotton. The committee, acting through mistaken information, supposed that the consumption of collars and cuffs of this country was largely of linen and only a very small percentage of cotton. It turns out to be the very reverse of that, and more than 90 per cent, as I am informed, are made of cotton and the balance are made of linen.

In reducing this we are only reducing the paragraph on which there was more or less competition. When the bill was published we heard from Troy and other collar localities, and the gentlemen presented their briefs and their arguments, and also presented the statement that we would destroy an industry and destroy Troy.

We did not take so much stock in the destruction business, because we hear that cry too often. Unlike my friend from New York on the pipe question a while ago, we did not think 25 per cent on the raw material was going to ruin an industry that had 60 per cent protection on pipes.

So on collars and cuffs we did not take altogether as true that it was going to ruin the industry, but they gave us a good showing that they were entitled to have the present duty, and also a showing that there is an active competition in this country on collars and cuffs; that it is a great American industry, and that we are making collars and cuffs for all of our people, and that it employs a whole city full of people in Troy, a large city, as well as in other parts of the country. Therefore the committee was constrained to offer this amendment restoring the Dingley rates on collars and cuffs made of cotton, and I hope the amendment will prevail.

Mr. HARRISON. Mr. Chairman, it strikes me that this whole system of committee amendments is an outrage upon the House of Representatives. In spite of repeated demands that these proposed amendments should be printed, the chairman of the Committee on Ways and Means has interposed infantile objections to that proceeding.

Once in Committee on Ways and Means and again on the floor of this House the gentleman from Missouri [Mr. CLARK]——

The CHAIRMAN. The Chair thinks it is not in order to state anything that occurred in the committee.

Mr. HARRISON. I will state for the information of the Chair that it was expressly agreed in this same committee that all proceedings at that meeting should be made public.

The CHAIRMAN. The Chair thinks the committee has no right to make such an agreement.

Mr. CLARK of Missouri. But we did make the agreement.

The CHAIRMAN. The Chair thinks that is not binding upon the House.

Mr. CLARK of Missouri. I can not understand, to save myself, why 19 citizens could not make an agreement that would hold.

Mr. DALZELL. I want to say to the gentleman that the agreement was simply that the amendments agreed upon might be given to the newspapers.

Mr. HARRISON. Mr. Chairman, under the ruling of the Chair, I will withdraw the remarks of what took place in the committee; but I will state, for the benefit of the committee, that on the floor of the House the gentleman from Missouri [Mr. CLARK] requested the chairman of the Committee on Ways and Means to have the proposed amendments printed.

Again, the gentleman's colleague, the gentleman from New York [Mr. MICHAEL E. DRISCOLL], made the same request last night, and once more the chairman of the Committee on Ways and Means interposed the puerile objection that it would keep the printing clerks up late at night to print these proposed amendments in the RECORD, so that Members of the House might know what was coming before the committee. Accordingly, this has not been done, and these amendments spring from the jungle of printed words upon unsuspecting Members, who are unable to prepare themselves to present their pleas upon the floor of the committee.

Mr. Chairman, I am unable to understand how a party which has announced that it will give a revision of the tariff downward, and has made a great blare of trumpets about the reduction in duties, can thereupon, in almost all the rates other than those in which the reduction is useless and the rates still prohibitory, turn around and amend so as to raise the rates of duty.

I will remind the gentleman from New York that the phrase "collars and cuffs" has been heard before in tariff revision. That phrase is a stench in the nostrils of Democracy. Let him

have a care that it does not become so in the nostrils of Republicanism. I can not understand, for the life of me, what occult influences operating upon the minds of the majority of the Ways and Means Committee have induced them to abandon the reduction in the rates upon collars and cuffs, and in between the time of the printing of the proposed bill and the consideration of it in the House to restore the iniquitous rates of the Dingley bill. The gentleman had before him at the time the bill was framed all of the testimony necessary to make up his mind upon this point. Apparently he did so, but he has not told us just exactly what it is that has since worked this miracle in the minds of the majority of the committee. I have asked him in vain, upon nearly all of these raises in rates, what it is that actuated them.

Mr. Chairman, this is just another step in the fraud and imposition upon the American people. This is not a downward revision of the tariff. The rates that count anything are going to be left just where they were under the Dingley bill. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. HARRISON), there were—ayes 141, noes 121.

So the amendment was agreed to.

Mr. HILL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 116, paragraph 397, strike out lines 4 to 25, inclusive, and insert in lieu thereof the following:

"396½. Bandings, including hat bands, bindings, bone casings, braces, cords and tassels, garters, gorings, suspenders, tubings and webs and webbings, composed wholly or in part of silk, and whether composed in part of India rubber or otherwise, if not embroidered in any manner by hand or machinery, 50 per cent ad valorem.

"397. Laces, and articles made wholly or in part of lace, edgings, insertings, galloons, flouncings, nets, nettings, veils, veilings, neck ruffings, ruchings, braids, fringes, trimmings, ornaments, belts, beltings, ribbons, embroideries, and articles embroidered by hand or machinery, or tamboured or appliquéed, clothing ready-made, and articles of wearing apparel of every description, including knit goods, made up or manufactured in whole or in part by the tailor, seamstress, or manufacturer; all of the foregoing made of silk, or of silk and India rubber, or of silk, india rubber, and metal, or of which silk is the component material of chief value, not specially provided for in this section, and silk goods ornamented with beads or spangles, 60 per cent ad valorem: *Provided*, That articles composed wholly or in chief value of any of the materials or goods dutiable under this paragraph shall pay not less than the rate of duty imposed upon such materials or goods herein: *And provided further*, That tamboured or appliquéed articles or fabrics shall pay not less than the rate of duty to which they would be subject if not so tamboured or appliquéed.

Mr. HILL. Mr. Chairman, if the Members will look at the old law, paragraphs 389 and 390, they will find there articles substantially along the same line. Now, if you will look in the tariff notes you will find that the proposed language in capitals and in italics brings those two paragraphs together. The committee acted upon the consolidated paragraphs, but subsequently found that 389 was a 10 per cent lower rate than 390, and I move to strike out 389 and put it back to the old rate, 10 per cent less, so that the gentleman from New York [Mr. HARRISON], who just made the remark that this was a revision upward, will be glad, I know, to vote with me on this downward revision.

Mr. HARRISON. I should be delighted to agree with the gentleman about anything.

Mr. HILL. This is a reduction, rather than an increase, of 10 per cent.

Mr. FITZGERALD. This amendment of the gentleman restores the rates of the Dingley bill.

Mr. HILL. It restores the rates, and it was done by inadvertence.

Mr. FITZGERALD. So, as a matter of fact, it is not a revision downward at all.

Mr. HILL. Oh, the gentleman knows what I meant. He knows I meant it was a revision downward from the Payne bill.

Mr. FITZGERALD. Was the Payne bill reported, putting rates purposely too high in order that this amendment might be made, for the purpose of misleading the public?

Mr. HILL. Of course, the gentleman knows it was an inadvertence.

Mr. HITCHCOCK. Will the gentleman from Connecticut answer this question?

Mr. HILL. I will if I can.

Mr. HITCHCOCK. Will there be any use in including garters in this paragraph? Is not hosiery already so high in this bill that it will not be possible to come down? [Laughter and applause.]

Mr. HILL. I leave the gentleman from Nebraska to answer his own question about garters.

Mr. JAMES. I would like to ask the gentleman, are you making your revision downward——

Mr. GARRETT. Mr. Chairman, the confusion has been such that we could not hear well over here. Do I understand the gentleman to say he raises or lowers women's garters?

Mr. HILL. This lowers by 10 per cent every item in the paragraph.

Mr. JAMES. Was the purpose of this bill and the promises of the Republican party to lower the rate proposed upon the Payne bill or the Dingley bill?

Mr. HILL. Well, the purpose of this amendment is to correct a mistake.

Mr. JAMES. Oh, I know, and we all know, the Republican party is a mistake [laughter]; but what I am talking about is whether or not you are going into lowering duties upon the Payne bill, or whether your promises to the people were made to lower the duties upon the Dingley bill.

Mr. HILL. Well, Mr. Chairman, this is to correct a mistake, and in doing it it reduces the duty 10 per cent on every item carried in this paragraph.

Mr. SABATH. Will the gentleman yield? That applies, though, only to silks and articles manufactured out of silk; is not that true?

Mr. HILL. Yes; silk and India rubber.

Mr. SABATH. Silk mostly.

Mr. HILL. Does the gentleman wish it kept at 60 per cent?

Mr. SABATH. Will it benefit the poor laboring people by reducing it down? They do not wear silk. You raise woolens and you raise cotton, but you are willing to reduce on silks. [Applause on the Democratic side.]

Mr. FITZGERALD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FITZGERALD. I rise for the purpose of offering an amendment, when the gentleman has finished. I move to strike out "50 per cent" where it appears in the amendment and insert "20 per cent," and I move to strike out "60 per cent" where it appears and insert "20 per cent."

The CHAIRMAN. The gentleman from New York offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out "50 per cent" wherever it occurs and insert in lieu thereof "20 per cent," and strike out "60 per cent" wherever it occurs and insert in lieu thereof "20 per cent."

Mr. FITZGERALD. Mr. Chairman, I am particularly interested in the reduction of duties on articles in this section; not from the amount fixed in the Payne bill, but from the amount fixed in the Dingley Act. I assume that everybody in this House is anxious to have a reduction on these articles. I find enumerated here both garters and suspenders, and I submit that every Member of this House has some member of his family who uses either one or the other articles every day in the year. Mr. Chairman, I find that in my everyday life some of these articles are indispensable to my comfort. Some people might think they are not absolutely essential for public comfort. I should not like to attempt to picture what would happen if the rates on these articles were made so high on garters and suspenders that the Members of this House were unable to procure these useful articles of attire before they entered upon the performance of their duties. This, it seems to me, Mr. Chairman, is so necessary——

Mr. SABATH. Will the gentleman yield?

Mr. FITZGERALD. For a question?

Mr. SABATH. Yes.

Mr. FITZGERALD. I will yield.

Mr. SABATH. Does the gentleman from New York hold that this applies only to silk garters and silk suspenders?

Mr. FITZGERALD. I hope the gentleman from Illinois does not think that I do not wear silk suspenders.

Mr. SABATH. I did not know.

Mr. FITZGERALD. Mr. Chairman, I wish to say that so far as my personal knowledge goes every man in this House must at least wear silk suspenders. I do not suspect that Members of this House are going around with a rope about their waists instead of wearing silk suspenders. As this is the only time, perhaps, that I shall have an opportunity to offer an amendment to this bill that will reduce the price of suspenders, I am glad to take advantage of an opportunity that will give the people of this country, who heretofore have been compelled to wear cotton suspenders, because of the excessive duty on those of all other materials, an opportunity to wear silk suspenders, at least some time in their lives. This is not in the interest of any class. Every man, woman, and child is interested in the price of suspenders and in the price of garters. In the interest of all the American people, without regard to class distinctions, I hope we shall all be placed upon an equal footing and permitted to wear cheap silk suspenders and cheap silk garters,

Mr. CANDLER. I want to serve notice on the gentleman from New York [Mr. FITZGERALD] that I do not wear silk suspenders.

Mr. RUCKER of Colorado. Does the gentleman's amendment include garters as well as suspenders?

Mr. FITZGERALD. It includes everything mentioned in the two paragraphs. Let me suggest that if it were possible for me to know exactly what was in the two paragraphs to be inserted I might feel much more pleased than I am, but garters and suspenders must appeal to every Member of this House as articles so essential that no obstacle should be placed in the way of those who desire to obtain them.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from New York [Mr. FITZGERALD] to the committee amendment offered by the gentleman from Connecticut [Mr. HILL].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. FITZGERALD. Division, Mr. Chairman.

The Committee divided; and there were—ayes 90, noes 109.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Connecticut.

The question was taken, and the amendment was agreed to.

Mr. BROUSSARD. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 176, line 19, section 5, before the word "except," insert "except rice and."

And page 177, line 5, after the word "prescribe," insert the words "and upon rice."

Mr. PUJO. Mr. Chairman, this is a committee amendment, adopted by the committee and offered by Mr. BROUSSARD, a member of the committee. The effect of this amendment, in a few words, is to apply the present rate of duty on rice shipped from any foreign country into the United States, also against rice which might be shipped from the Philippine Islands; that is, as to this amendment, the Philippine Islands are placed upon the same footing as any foreign country. It has been my contention for more than two years that it was a matter of justice and a matter of right to those engaged in rice culture in the United States that such an amendment or such a provision should be enacted into law.

I want to express my thanks as a representative of the people of my district, and of the people largely interested in rice culture in the State of Louisiana, for the fair action on the part of the Committee on Ways and Means, in so far as this amendment is concerned. And I want to say to my good Democratic friends that you will suffer no embarrassment for supporting this measure.

Mr. SABATH. Will not your amendment increase the price of rice?

Mr. PUJO. It will not, in my judgment; but it will put an industry which has developed in the last ten or twelve years, confined solely to the people of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas, upon a footing of safety.

It will make those who have their money in it feel that they will not be subject to be flooded with rice from the Philippines.

Mr. SABATH. You are excluding the Philippine rice?

Mr. PUJO. Not at all. We are excluding no rice; but we say that rice shipped from the Philippines into the United States must pay a fair duty, because if this amendment were not adopted, rice wholly the product of the Philippine Islands could be shipped here and sold at a profit, for less than its cost to produce it in this country.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. PUJO. With pleasure.

Mr. MANN. Do I understand the position of the gentleman to be that there is danger that the Filipinos will raise rice and ship it here, and then, in order to supply the local consumption, import rice from other oriental countries?

Mr. PUJO. They imported 230,000,000 pounds of rice last year.

Mr. MANN. Did that take the place of any rice exported?

Mr. PUJO. Not at all; but it is possible that the rice grower of the Philippine Islands, who produces it under 2 cents a pound, could compete with Louisiana, Texas, or South Carolina rice growers, who have to pay 2.4 cents a pound to produce it.

Mr. MANN. I would like to get the gentleman's position. Does the gentleman believe there is danger the Filipino will raise rice and export it to this country, and then for local consumption import rice to take its place?

Mr. PUJO. I believe it is entirely possible, and very probable. Whether the Filipino does it or not, there is nothing to prevent capitalists in this country from buying that rice at 1.9 cents a pound, adding a quarter of a cent transportation, and then undersell the American rice grower.

Mr. Chairman, that is my position, and I believe it is our duty to safeguard the interests of those building up a great section of the country, and not to legislate for those away from home as against those who have invested their money, who are American citizens, and are contributing to internal development.

Mr. MANN. Does not the gentleman think also that if we force our goods on the Filipino free of duty, that we owe them a little duty on our side?

Mr. PUJO. In answering the gentleman, I would call to his attention the fact that the Filipinos themselves do not want free trade in rice with the United States, and both of their representatives here spoke against it the other day.

Mr. SLAYDEN. Is it not true that the Philippine assembly last week passed a resolution asking for closer commercial relations?

Mr. PUJO. That is true; and it has been true with a view of the nonretention of the archipelago.

Mr. MANN. But do they want goods imported from this country into the Philippines free of duty, and then require them to pay a duty on goods imported from the Philippines here? I heard both speeches, and heard no such suggestion.

Mr. JOHNSON of South Carolina. What is the rate of duty provided on rice?

Mr. PUJO. Two cents a pound for the clean rice and 1¼ cents for the uncleaned rice, and running on down the scale.

Mr. JOHNSON of South Carolina. Is this a revenue duty or for protection?

Mr. PUJO. It is primarily to produce revenue, but it is protective in the sense of preventing the bringing of rice into this country from any other country, which will absolutely destroy one of the greatest agricultural interests of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Louisiana be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PUJO. Pursuing the line of thought suggested a few moments ago, my colleague from Louisiana [Mr. BROUSSARD] has presented to me a copy of the resolution passed by the Philippine assembly, which I will read:

AGAINST THE PAYNE BILL.

AMENDMENTS SUGGESTED AT A MEETING OF MANILA MERCHANTS.

WASHINGTON, *April 5, 1909.*

Messrs. LEGARDA and OCAMPO, the Resident Philippine Commissioners, to-day received a cablegram from the president of the Filipino Chamber of Commerce, which they regard as a complete rebuttal of the statements issued from the insular Bureau that the business interests of the islands are favorable to the provisions of the Payne tariff bill. The text of the cablegram is as follows:

"The Filipino Chamber of Commerce, at a public meeting, attended by merchants and manufacturers, passed a resolution urging the following amendments to the Payne bill:

"The free entry into all ports of the Philippine Islands of agricultural and industrial machinery and implements, raw products not produced in the islands, and all material necessary for the construction and repairing of vessels.

"Free entry in all ports of the United States of Philippine sugar and tobacco, in conformity with letters A, B, and C of joint resolution No. 11 of the Philippine legislature, passed May 18, 1908.

"And with a view of protecting importations already on hand, we request that the bill, with amendments suggested above, should not be in force until six months after its passage.

"FERNANDEZ, *President.*"

The letters referred to in the cablegram relate to clauses limiting the yearly importations into the United States from the Philippines under the free list to 400,000 tons of sugar, 7,000,000 pounds of raw tobacco, and 150,000,000 cigars.

IN FILIPINO ASSEMBLY.

MANILA, *April 5, 1909.*

The insular commission resolution, relative to the Payne tariff bill, a full summary of which has been cabled to Washington, was presented to the Philippine assembly to-day. The measure was referred at once to the committee on financial relations. It is expected the house will report the resolution and extended conferences will follow between members of the commission and a committee of the popular branch of the legislature.

Mr. BROUSSARD. I suggest to my colleague there is no demand either on the part of the Board of Trade of the Philippine Islands at Manila or the legislature of those islands requesting the entry of free rice into this country, and that the Insular Bureau is not in favor of permitting this rice to come in from there, for the reason that they not only use it for consumption at home but they use it partially as money in the settlement of wages of labor employed in the cultivation of the fields of

sugar, rice, hemp, and other avenues of agriculture in the island.

Mr. PUJO. I very much appreciate the assistance of my colleague, and the manner in which he has spoken to the committee, and will, with permission, continue.

I want to speak particularly to my Democratic friends on this side of the Chamber, and state to them that, in my humble judgment, the adoption of this amendment will in one sense be a declaration on the part of the Congress of the United States that we may have some hope in the future concerning the independence of the archipelago.

The more you link us to the Philippine Islands, and the more closely trade and commercial relations become established by law, the harder you make it ever to permit those people to become a separate and independent nation. Therefore, I hope that there will not be great opposition to this measure. I believe it is fair. It is a revenue-producing amendment, for rice is a revenue-producing article. It is a great agricultural product, and the only interests in the United States threatened by the trade with the Philippine Islands are the agricultural interests in their various branches.

Mr. STAFFORD. Is the gentleman's amendment in consonance with the recommendations of the committee so far as sugar and tobacco are concerned? Both those products come into competition with American-grown products, and yet they limit the amount to which they may enter into competition. Now, the gentleman's amendment does not at all limit the amount to which Philippine production can enter into competition with the home production. Why should it not?

Mr. PUJO. This is not my amendment. This is the amendment of the committee.

Mr. STAFFORD. It is being supported by the gentleman.

Mr. PUJO. I am not charged with the duty of reconciling views of the Ways and Means Committee; but I would say that the ruling motive in the minds of the committee in voting for the amendment was to do justice to a great industry in the United States, and to place those who have invested their money, and the farmers engaged in this industry, upon a footing where they may not be destroyed by greedy capitalists in the United States.

Mr. SABATH. Do they take the consumer into consideration?

Mr. PUJO. When you destroy the origin of production—capital—the consumer will have nothing to consume, and we are not legislating for the people of India. For information I desire to direct attention to the phenomenal development of the rice industry in the United States since 1880:

Rice production in the United States by decades:

1880	pounds	111,868,990
1890	do	136,800,000
1900	do	253,139,200
1907	do	843,210,000

Rice imported for the year 1908: 87,619,202 pounds, valued at $2,543,417.

Rice flour, rice meal, and broken rice imported in the year 1908: 125,164,190 pounds, valued at $2,255,136.

Rice exported in the year 1908: 2,195,947 pounds, valued at $87,687.

Rice bran, meal, and polish exported in the year 1908: 26,248,468 pounds, valued at $236,070.

Rice shipped to Porto Rico during the year ending June 30, 1907: 102,081,938 pounds, valued at $4,165,330.

Rice bran, meal, and polish shipped to Porto Rico for the year ending June 30, 1907: 2,000 pounds, valued at $19.

Duty collected, 1907:

Cleaned rice, net	$536,910.11
Uncleaned rice	357,079.84
Paddy	11,158.71
Rice flour, meal, and broken rice	346,974.15
Total	1,252,122.81

The following figures are taken from testimony adduced before the Ways and Means Committee on hearings, in Schedule G, page 3671:

Estimated farm land	acres	1,500,000
In cultivation	do	650,000
Farms irrigated by wells	number	500
Canals and pumping plants	do	157
Aggregate investment due to rice industry, including works, stock, implements, improvements, and towns and capital entirely dependent on rice industry		$200,000,000
Value of annual product on farms		$18,000,000

Mr. MACON. Mr. Chairman, with due deference to the appeal of the gentleman from Louisiana [Mr. PUJO] to his Democratic colleagues and friends upon this side, I take pleasure in opposing any effort upon the Democratic side of the House to force protection upon the Democratic party as a Democratic principle. [Applause on the Democratic side.]

Mr. PUJO. Will the gentleman yield for a question?

Mr. MACON. Not just now. I have always understood, Mr. Chairman, that the Democratic party stood for a tariff for revenue only when the affairs of the Government were honestly and economically administered, and that under no circumstances did it favor the protection of a particular product or commodity because it happened to be grown or manufactured in some particular district which some one claiming to be a Democrat happened to represent upon this floor.

Sir, I have always understood that Americans were the proudest and bravest people on the face of the earth, the most resourceful people upon the face of the earth, but I have come to the conclusion from what I have seen on this floor during the last two weeks that we are the most contemptible and cringing pack of cowards that ever undertook to engage in business anywhere under the sun. [Applause on the Democratic side.] Every Member that I have seen rise in his place here to advocate a tariff proposition for his district has fairly held up his hands in holy horror for fear that some other country producing this or that article would produce it cheaper than we could produce it. And all of them contend that the tariff is the sole cause of the prosperity of this country. Sir, I have always understood that the United States of America had more natural resources for the production of wealth than any other country in the world, and hence that it needed less protection.

We can raise almost every product that the human mind can conceive of. We can raise the luxuries as well as the necessities; and, putting them together, we have a perfect monopoly as against the rest of the world which ought to satisfy the selfish greed of any people. England can not raise sugar, rice, cotton, or tropical fruits as we do, and she can not raise many other things that we raise in abundance. We can not only raise tropical fruits, sugar, rice, and cotton, but we can produce more wool, corn, wheat, hay, and meat than we can consume; and we can dig minerals enough out of our soil to make our own money, our agricultural implements, our machinery, and many other things that are necessary to enable us to produce cheaply and bountifully. We have the most genial sunshine and the most refreshing showers of any country in the world. Yet, in the face of the many natural blessings that we have, our friends stand here and appeal to us to vote to protect them and their constituents from some competitive harm that might come to them from some imaginary source.

Mr. ROBINSON. Does my colleague understand that the purpose and effect of this amendment is simply to strike out the discrimination contained in this bill in favor of the Philippine Islands, and that the bill provides a duty of 2 cents a pound on rice?

Mr. MACON. I understand that it is a protection for American-grown rice of 2 cents a pound.

Mr. PUJO. That has been the law for years.

Mr. MACON. I understand it to be improper and unjust treatment of the Filipinos by this country, whose commerce and trade with the rest of the world we have greatly injured, if not destroyed.

Mr. ROBINSON. Will the gentleman yield for a brief statement?

Mr. MACON. No; just for a question.

Mr. ROBINSON. Then I shall have again to ask the gentleman if he does not know that the bill under consideration provides a duty upon rice from every other country under the sun that he speaks of except the Philippine Islands?

Mr. MACON. Yes; I know that.

Mr. ROBINSON. Then I shall have to ask the gentleman if he is in favor of making a discrimination in favor of the Philippine Islands?

Mr. MACON. I most certainly am. I think the trade between the Philippine Islands and the United States ought to be as free as between Missouri and Arkansas. [Applause.] It ought to be as free as between Virginia and Maryland or as between the District of Columbia and Pennsylvania. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that all debate on the paragraph and amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from New York moves that all debate be closed in five minutes.

The question was taken, and the motion was agreed to.

Mr. FORDNEY. Mr. Chairman, my only reason for rising is in the interest of the amendment. I want to say to the House that under existing law all goods coming from the Philippine Islands into the United States, as every gentleman in the House knows, pays a duty, but the money is immediately returned to the Philippine government. Not one cent of it goes into the United States Treasury. The Philippine government is at the present time complaining about free trade between the Philippine Islands and the United States because, under the provisions of the Payne bill, the islands will lose three and one-half millions of dollars of revenue received in that way.

Now, it is possible for the people of the Philippine Islands to export to the United States not only its rice, but sugar as well, and purchase both abroad for consumption at home.

Sugar and rice imported into the Philippine Islands from a foreign country pays duty, and thereby the Philippine government could get some revenue on their imports, both on sugar and on rice, and send to the United States their domestic sugar and rice and obtain a better price for the same than they would have to pay for foreign rice.

One gentleman has said that it is about time we should do something for the Philippine Islands, and not ask to have our goods go into the islands free of duty and collect a duty on Philippine goods coming into this country.

I want to call attention of the gentlemen on that side of the House that last year the Philippine government exported $60,000,000 worth of her products and 25 per cent of it came to the United States. The Philippine people imported $30,000,000 worth of stuff and the measly sum of $5,000,000 came from the United States.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. FORDNEY. I will yield to the gentleman.

Mr. HUMPHREYS of Mississippi. If this amendment is agreed to and a tax of 2 cents goes on rice imported from the Philippine Islands, would that revenue go into the Federal Treasury, or into the treasury of the Philippine Islands?

Mr. FORDNEY. It will come into the Treasury of the United States. It will protect the rice industry in the United States, and will compel the Philippine people either to eat their own rice or pay a duty when they bring it to the United States.

Mr. MANN. There will be no rice come from there here.

Mr. FORDNEY. No rice will come from there under these conditions.

Mr. PUJO. Mr. Chairman, I want to state for the information of the committee that rice is shipped from foreign countries into the Philippine Islands and pays not a half a cent a pound duty. So, they can buy their rice from countries near there at 1.9 cents a pound, including duty, and then sell it here on a protected market without paying duty.

Mr. FORDNEY. The evidence is that the Filipino people can produce rice at 1.1 cents per pound, and the freight on that rice to the United States is but one-quarter of a cent per pound. By bringing their domestic rice into our markets under free trade they can undersell the rice of Louisiana, and therefore I am in favor of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

The question was taken; and on a division (demanded by Mr. MANN) there were—123 ayes and 75 noes.

So the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 398, page 117, line 7, after the word "section," insert the following: "and boxes or cases covered with or composed in chief of velvet or silk and velvet."

The amendment was agreed to.

Mr. PAYNE. I also offer the following amendment.

The Clerk read as follows:

Paragraph 401, page 118, line 18, strike out the words "of horse hair or."

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The Clerk read as follows:

Paragraph 402, page 119, line 8, after the word "government," insert the following: "being the product thereof."

Mr. CLARK of Missouri. Mr. Chairman, there is no such thing in nature as a product of a government.

Mr. PAYNE. It does not follow that that relates to the government.

Mr. CLARK of Missouri. If you change the word "government" to "country," it is all right.

Mr. MANN. It is all right now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 402, page 119, line 17, after the word "imported," insert "directly or indirectly."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 402, page 120, line 21, after the word "imported," insert "either directly or indirectly."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 407, page 122, line 25, strike out the word "twenty" and insert in lieu thereof the word "ten."

Mr. PAYNE. Mr. Chairman, that is a reduction from 20 to 10 per cent.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 408, page 124, line 14, strike out the words "two dollars and fifty cents" and insert in lieu thereof the word "eighty," so as to read "80 cents per pound."

The CHAIRMAN. The question is on the amendment.

Mr. UNDERWOOD. Mr. Chairman, I have an amendment which I desire to submit as a substitute for the amendment proposed by the gentleman from New York, which amendment I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 408, in line 9, strike out the word "eight" and insert the word "six;" and in line 12 strike out the word "ten" and insert the word "eight;" and in lines 16, 17, 18, and 19 strike out the words "any of the foregoing that are die cut or embossed shall pay 3 cents per pound in addition; but if both die cut and embossed they shall pay 6 cents per pound in addition."

Mr. PAYNE. Mr. Chairman, I make the point of order that that is not germane.

Mr. UNDERWOOD. Mr. Chairman, I understand that the gentleman is attempting to change the rate in this paragraph. I think the rates as provided in this bill are very excessive in this paragraph, and my effort is to reduce the rate. I understand the gentleman's amendment is an amendment in reference to the rate. It seems to me that I have the right to offer a substitute that reduces the rate; and as the rate does not appear identical in the same lines all the way through the paragraph, to reduce it it is necessary to reduce it in different places, but it refers all the time to the same rate on the same subject.

Mr. PAYNE. Mr. Chairman, the Chair has already ruled on that about half a dozen times, and the committee has sustained the Chair by vote on it once or twice.

Mr. UNDERWOOD. Mr. Chairman, the Chair has ruled this, that where there were several items appearing in one paragraph under different rates, as 13-gauge wire and 16-gauge wire, an amendment offered by the committee to 16-gauge wire did not bring before the Committee of the Whole the subject-matter of 13-gauge wire. But I did not understand the Chair to hold that when a subject-matter influenced by one set of rates is before the Committee of the Whole and the Ways and Means Committee attempts to amend that subject-matter that other amendments are not in order. Now, the gentleman has attempted to amend the same subject-matter and the same set of rates I am attempting to amend.

The CHAIRMAN. The amendment proposed by the gentleman from Alabama as a substitute amendment for the committee amendment offered by the gentleman from New York seems to the Chair to be standing upon the same plane as the amendment heretofore offered by the gentleman from Nebraska [Mr. HITCHCOCK], against which the point of order was sustained by the Chair. In this case the gentleman from New York has offered a committee amendment applying to line 14, on page 124, changing the rate on "decalcomanias, in ceramic colors, $2.50" to 80 cents. It applies only to those articles, reducing the duty from $2.50 to 80 cents. Now, the amendment offered as a substitute by the gentleman from Alabama applies to line 9, on page 123, a different page, to an item imposing a duty upon labels, flaps, and cigar bands, and so forth, 8 cents, proposing to reduce the duty on them to 6 cents. Then it proposes to amend certain other provisions, all of which are different from the subject-matter involved in the amendment offered by the gentleman from New York. The Chair thinks that the amendment could not in any event be entertained as a substitute for the amendment offered by the gentleman from New York. It is not germane thereto. It is not upon the same subject-matter. The Chair therefore sustains the point of order.

Mr. GORDON. Mr. Chairman, I desire to offer an amendment to section 407.

Mr. UNDERWOOD. Mr. Chairman, I desire to address myself to the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amend section 407, page 122, line 1, by striking out the words "4½ cents a pound" and inserting therefor the words "25 per cent ad valorem."

Mr. PAYNE. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. The Chair will state that the amendment was not intended to be reported. It is not offered at this time. The gentleman has not been recognized to offer it. The gentleman from Alabama has the floor.

Mr. UNDERWOOD. Mr. Chairman, I regret very much the ruling of the Chair prevented my offering the amendment which I desired to offer in relation to this paragraph. I want to call the attention of the committee to this fact, that this lithographic industry, including the making of cards, labels, and so forth, was very carefully considered at the time of the writing of the Dingley bill. It was stated at the hearings then before the committee that wrote the Dingley bill that if these rates were adopted that this great industry would thrive, flourish, and develop in the United States. The rates were adopted. At the time of their adoption there were $12,000,000 of this product produced in the United States. Now, I do not contend it was due to the adoption of the Dingley rates that the development of this industry took place, but it did develop, due to the growth and development of the American Continent and expansion of our trade relations and business contracts in the United States. It developed from $12,000,000 twelve years ago to $30,000,000 today. Now, under the Dingley bill there never has been a time when more than $5,000,000 of this product has ever been imported into the United States. It is to-day at a fair-revenue basis. The industry is developing, thriving, and pushing ahead every year under the present rate of duty. It is not languishing, it is going right ahead, and there is but one excuse in the world. I understand the increase of rate that is proposed in this Payne bill on this one item amounts to 123 per cent. There is no reason for it in the world except to make this rate of duty prohibitory; to give the American industry the absolute and entire control of the American market. It will deprive the Government of from half a million dollars to three-quarters of a million dollars revenue, and there is no reason for it in the world, so far as the development of the industry in America is concerned. It is merely an effort by certain home producers who do not control the entire American market to make a monopoly of it for themselves, and I think it is an outrage that under this rule under which this bill is being heard and considered that we have no opportunity to offer amendments to test the judgment of the House on this question. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the paragraph and amendments thereto be closed in five minutes.

Mr. GORDON. Mr. Chairman——

Mr. FITZGERALD. Mr. Chairman, I want to offer this amendment.

The CHAIRMAN. Does the Chair understand that the gentleman from New York [Mr. PAYNE] makes a motion?

Mr. PAYNE. That the debate close in five minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and all amendments thereto be closed in five minutes.

The motion was agreed to.

Mr. GAINES. I have no objection, Mr. Chairman, to having the amendment of the gentleman from New York reported first, if he so desires.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FITZGERALD] to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Add to the end of the amendment:

"*Provided*, That only 50 per cent of all the other rates of duty in this paragraph shall be collected for a period of ten years next ensuing after the date on which the act shall take effect."

Mr. GAINES. Mr. Chairman, I make a point of order.

Mr. FITZGERALD. What point of order?

The CHAIRMAN. What is the gentleman's point of order?

Mr. PAYNE. The gentleman from New York [Mr. FITZGERALD] ought to recognize the point of order.

Mr. FITZGERALD. It is not necessary to discuss the point of order, Mr. Chairman, until somebody advances at least one reason in favor of the point of order.

The CHAIRMAN. The Chair will be glad to have the point of order at least stated.

Mr. GAINES. May we hear the amendment reported again?

The amendment was again reported.

Mr. GAINES. Mr. Chairman, that is subject to the same point of order that has been sustained recently. It is not germane to the amendment offered by the gentleman from New York [Mr. PAYNE].

The CHAIRMAN. The Chair will hear the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, no argument has yet been made, and I do not know what the point of order is. I concede that it is new legislation, and even concede that it changes existing law. But unfortunately those questions are not involved in this amendment.

The CHAIRMAN. The Chair will ask the gentleman from New York [Mr. FITZGERALD] if his proposed amendment does not affect other rates of duty not referred to in the amendment of the gentleman from New York [Mr. PAYNE]?

Mr. FITZGERALD. It would hardly require any statement from the "gentleman from New York" to inform the Chair on that point, because I hope I have drawn an amendment that is so plain that not even a customs officer would have any difficulty in construing it. But, Mr. Chairman, the rulings of the Chair up to this time have not been such as would eliminate an amendment of this character.

The Chair has held that amendments which are offered specifically changing language in other portions of this bill or in the paragraphs under consideration would not be admitted under the rule. What the effect of this amendment is is not for the Chair to consider in ruling upon the question of order. Is it an amendment that is germane to this particular amendment that is pending? I submit that if the gentleman from New York [Mr. PAYNE] had offered this as a part of his amendment nobody could have successfully raised a point of order that his amendment was not germane to the paragraph, and that being so, it is clear that so long as the amendment is germane to the subject-matter of the provision of the bill that is before the committee it is in order at this time. Whether it is an attempt to do indirectly what might not be accomplished directly does not matter, because the Chair is familiar with the decisions that hold that the Chair can not take that into account in construing whether an amendment is germane.

I submit that the Committee on Ways and Means can not occupy, even under the special rule, a position which enables it to offer an amendment and then restrict other amendments to the same form on the ground that they are not germane amendments to mere figures. If it would be in order to change the substance of the particular thing to which these gentlemen here are offering their amendments, this is germane. What is before the committee? An amendment to change the rate of duty upon one of the things enumerated in this paragraph. This does not attempt to change the rate of duty on anything outside of the paragraph.

Mr. PAYNE. Mr. Chairman, I make the point of order against this attempt. It is purely dilatory. Here is a thing the Chairman has decided half a dozen times.

Mr. FITZGERALD. Whatever may be the opinion of my colleague, I submit that so long as the Chair has listened with the attention that he has, at least he has had the intelligence to appreciate this debate.

It is not dilatory on my part. It has been at the suggestion of the Chair. When the gentleman from New York gets into the chair, if he wishes to shut out the light he can do so; but he ought not to snuff out whatever intelligence there may be in the present occupant of the chair.

The CHAIRMAN. The Chair is ready to rule. The committee amendment offered by the gentleman from New York [Mr. PAYNE] applies only to the duty on decalcomanias in ceramic colors, and proposes to change the rate from $2.50 to 80 cents. Now, the amendment to the amendment, as offered by the gentleman from New York [Mr. FITZGERALD], does not relate to that item at all, but in express terms relates only to "all other" rates in the paragraph.

Mr. FITZGERALD. I modify the amendment, Mr. Chairman, by striking out the words "all other."

The CHAIRMAN. The Chair will first rule upon this amendment. This question is analogous to the question which was raised when the present occupant was in the Chair during the consideration of the Philippine tariff bill in 1906. The bill related only to sugar coming from the Philippine Islands.

An amendment was offered relating to sugar coming from all other countries. The present occupant of the chair ruled that the amendment was not germane. The bill and the amendment were subjects of great controversy and some feeling; an appeal was taken from the decision of the Chair, and the Chair was sustained by a vote of nearly two to one (5 Hinds' Precedents, 5857). The Chair has no hesitation in ruling that the amendment offered by the gentleman from New York is not germane to the committee amendment to which it is offered.

Mr. FITZGERALD. I modify it by striking out the words "all other," so that it will apply to the rates of duty in the

paragraph, which will make it clearly germane to the amendment, and it will apply to that as well as everything else.

Mr. GAINES. The gentleman was limited to one amendment.

The CHAIRMAN. The Chair will have to ask the gentleman from New York to submit his amendment in writing.

Mr. GAINES. Mr. Chairman, I have the floor, and I had better proceed with what I desire to say while the gentleman is preparing his amendment.

Mr. SABATH. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. The gentleman from Tennessee desired to offer an amendment some time ago.

The CHAIRMAN. The gentleman from Tennessee did rise to offer an amendment.

Mr. GORDON. I will ask the Clerk to read the amendment.

The Clerk read as follows:

Section 407, page 122, line 1, amend by striking out the words "4½ cents per pound" and insert in lieu thereof the words "25 per cent ad valorem."

Mr. PAYNE. The same thing again. That is not germane.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that his amendment is not even offered to the paragraph under discussion. It is not at all germane to the pending amendment and must be declared out of order at this time. It is not an amendment to the pending amendment, but is an amendment to an entirely different paragraph of the bill.

Mr. GORDON. It relates to the same subject-matter.

Mr. PAYNE. Why should we have this delay?

Mr. GAINES. Mr. Chairman, in reply to what was said by the gentleman from Alabama, I ought perhaps to say to the committee that these decalcomanias in ceramic colors are lithographs for the purpose of transferring impressions on pottery. Under the Dingley bill the rate was made as in the Payne bill, by the pound. At that time these decalcomanias were imported with backs on them. The importers, however, took advantage of the provisions of the law, and practically reduced the rate by stripping the backs off, reducing the weight of them and the duty so as to not give to the manufacturers of decalcomanias in this country the amount of protection which it was the intention they should enjoy when the Dingley law was passed. The amendment is a reduction, and a very large reduction, from the language in the Payne bill. The provision in the bill is $2.50 a pound, and the amendment proposes to change the rate to 80 cents a pound.

Your committee thought that the business of making these transfers in this country should have that degree of protection. There is this, however, to be said about such a line of manufacture in this country. Its origin is essentially artistic, and on that account it does not so readily respond to protection as if it were a merely mechanical process. When it comes to the mechanical process of reproduction, we can do that as well as it can be done in any other country, by paying, of course, higher wages to labor. We have not, however, developed the artistic skill to originate the designs, and the committee believe that the amendment proposed will give to the manufacturer of decalcomanias in ceramic colors the amount of protection which they had under the Dingley law, and that the rate of 80 cents a pound will be fair to them and not interfere with the pottery industry, which uses these decalcomania transfers.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add at the end of the amendment: "*Provided*, That only 50 per cent of the rates of duty in this paragraph shall be collected for a period of ten years next ensuing after the date on which this act shall take effect."

Mr. PAYNE. I make the same point of order, Mr. Chairman. It is clearly and obviously open to the same objection.

The Chair ruled before that the objection to this amendment was that it did not apply to the rates of duty in the pending amendment, but applied to things outside of that amendment.

Mr. PAYNE. This applies to every article in the paragraph. It is as clear as the sunlight——

Mr. FITZGERALD. That is what it is intended to do.

The CHAIRMAN. The Chair is ready to rule. This amendment, of course, applies to decalcomanias, but it also applies to everything else in the paragraph, and is not therefore properly a substitute for or germane to the committee amendment offered by the gentleman from New York [Mr. PAYNE].

Mr. FITZGERALD. I submit it is germane to this amendment, because it applies specifically to the duty the gentleman is attempting to fix.

Mr. PAYNE. On the contrary, it is not germane. Because an amendment may be germane as to one word or one item it does not still remain germane when it adds amendments to a whole lot of other provisions in the paragraph. Besides that, it opens up a number of other dutiable subjects in the paragraph which are not opened up by the committee amendment, and is therefore also obnoxious to the special rule under which we are proceeding.

The CHAIRMAN. The point of order is sustained. The question is upon the committee amendment offered by the gentleman from New York [Mr. PAYNE].

The amendment was agreed to.

Mr. PAYNE. I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers a further committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 408, page 123, line 17, strike out the words "3 cents" and insert in lieu thereof the words "one-half of 1 cent." On the same page, line 18, strike out the words "6 cents" and insert in lieu thereof the words "1 cent."

Mr. UNDERWOOD. Mr. Chairman, I think now that the amendment offered by the gentleman from New York [Mr. PAYNE] touches the same subject-matter as the amendment that I offered a while ago, and I renew my amendment.

Mr. GAINES. I make the point of order that it is not germane.

The CHAIRMAN. Let the Clerk first report the amendment.

The Clerk read as follows:

Paragraph 408, line 9, strike out the word "eight" and insert the word "six." Line 12, strike out the word "ten" and insert the word "eight." In lines 16, 17, 18, and 19, strike out the words "any of the foregoing that may be die cut or embossed shall pay 3 cents per pound in addition; but if both die cut and embossed, they shall pay 6 cents per pound in addition."

The CHAIRMAN. Upon that amendment the Chair understands the gentleman from West Virginia to make the point of order.

Mr. UNDERWOOD. If the Chair will hear me a moment——

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. UNDERWOOD. These articles are not finished until the last section down here comes into operation—that is, where it says "any of the foregoing that are die cut or embossed." That applies to the articles that are named in the 6, 8, and 10 cent rates above. That is the completion of these articles.

Therefore, the latter rate applies to the same articles that the rates above apply to, and an amendment to the lower section of the bill is identically the same with the upper section, and therefore my amendment, applying to the same subject-matter all the way through, as the amendment of the gentleman from New York [Mr. PAYNE], is germane and in order.

Mr. PAYNE. Mr. Chairman, there is no question——

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that the amendment is subject to the same objections that have heretofore been sustained by the Chair. The committee amendment offered by the gentleman from New York [Mr. PAYNE] strikes out the words "3 cents," in line 17, and inserts "one-half of 1 cent," and in line 18 strikes out the words "6 cents" and inserts in lieu thereof the words "1 cent." These proposed changes relate only to the additional duties on articles die cut or embossed.

Now, the amendment of the gentleman from Alabama applies to line 9, and again in line 12. Not to the additional duties upon articles die cut or embossed, but to the regular duties upon the various articles named in the paragraph, whether so treated or not. The Chair thinks that the amendment is subject to the same objection as heretofore, and without taking up time by further elaboration sustains the point of order.

Mr. UNDERWOOD. Then I will modify the amendment as follows:

In lines 16, 17, 18, and 19 strike out the words "any of the foregoing that are die cut or embossed shall pay 3 cents per pound in addition, but in both die cut and embossed they shall pay 6 cents per pound."

In other words, my amendment strikes out the language which the gentleman from New York [Mr. PAYNE] seeks to amend.

Mr. PAYNE. I do not understand the amendment, Mr. Chairman, but I will not make any point of order.

Mr. MANN. I make the point of order on that.

The CHAIRMAN. The Chair desires to say that when a motion is made to strike out a paragraph or proviso or any portion of a paragraph it is in order to perfect that part which it is proposed to strike out, and an amendment to that effect would take precedence of and be voted upon before the motion to strike out.

But here on an amendment which does not propose to strike out, but merely changes the rate, the gentleman from Alabama proposes to amend and strike out something not embraced in the amendment offered by the gentleman from New York, thus reversing the situation. Instead of seeking to perfect something proposed to be stricken out, the amendment of the gentleman from Alabama proposes to strike out what the amendment of the gentleman from New York proposes to perfect. The Chair thinks the amendment is subject to the point of order.

Mr. UNDERWOOD. What I propose to strike out is the very language which the gentleman from New York seeks to amend.

The CHAIRMAN. It is much more than that; the gentleman from New York seeks only to change "three" to a "half" and something else, and the gentleman proposes to strike out all about the articles being die cut and embossed.

Mr. UNDERWOOD. Which is the rate the gentleman seeks to change on articles die cut and embossed.

The CHAIRMAN. The gentleman from New York seeks to change the rate only, but the gentleman from Alabama seeks to amend the language in reference to the articles themselves.

Mr. UNDERWOOD. Then, Mr. Chairman, I move to strike out the rate entirely.

Mr. PAYNE. I make the point of order that the whole proceeding is dilatory. The gentleman is asking the Chair to rule over and over again on the same question.

Mr. UNDERWOOD. It is not the same question; it is a separate and distinct question.

The CHAIRMAN. The Chair would state that the amendment of the gentleman from New York proposes to strike out the rate and insert a new one. An amendment to strike out and insert is expressly declared not divisible in clause 7 of Rule XVI. The amendment offered by the gentleman from Alabama is simply the first part of the amendment of the gentleman from New York. It proposes, in substance, to divide that motion and require a separate vote upon the proposition to strike out, and therefore it is not in order. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I also offer the following committee amendment.

The Clerk read as follows:

Paragraph 411, page 125, line 21, strike out the word "thirty" and insert in lieu thereof the word "thirty-five."

Mr. PAYNE. I will explain that in a word. It increases the duty on wrapping paper under this bill from 30 cents to 35 cents. The reason of this is that the next bracket provides that all other paper shall pay 35 per cent in the same paragraph. Of course there would be a conflict as to what was wrapping paper and what was not, and constant litigation, and this is simply to bring the two brackets on the same plane, so as to avoid litigation.

Mr. CLARK of Missouri. Why not strike out the "thirty-five" and put in "thirty?"

Mr. PAYNE. Because the committee thought that 35 was the proper rate of duty on other paper.

Mr. MANN. If the gentleman will allow me, this would cover the ordinary Kraft paper now in American markets.

Mr. PAYNE. I think so.

Mr. MANN. I think it would be wise to put a higher rate of duty on wrapping paper. The Kraft paper now being made abroad is taking possession of the American market for wrapping paper, and is now used almost exclusively, in all the large department stores especially.

Mr. PAYNE. It only weighs about half as much as ordinary wrapping paper.

Mr. MANN. The paper is much more expensive per pound, but it is a much stronger paper. It is made by a process which, up to date, would not be permitted to be used in this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 418: On page 127, line 19, after the word "wholly," insert the words "or in chief value;" and on page 127, lines 24 and 25, and on page 128, lines 1, 2, and 3, strike out the words: "Braids, plaits, laces, and willow sheets or squares, if composed in chief value of straw, chip, grass, palm leaf, willow, osier, rattan, cuba bark, or manila hemp, suitable for making or ornamenting hats, bonnets, or hoods, 15 per cent ad valorem."

Mr. CLARK of Missouri. How does that change the duty?

Mr. PAYNE. Mr. Chairman, the bill reads "wholly of straw," and we found that some braids that were presented to us as samples had a single cotton thread, the rest composed of straw, and that that cotton thread would increase the duty, I do not remember how much—10 or 15 per cent—because of the language of the paragraph. We wanted to correct that and let those come in at the same rate that braids made wholly of straw would come in; and so we say now "wholly or in chief value of straw," so as to let them come in at the lower rate of duty.

Mr. CLARK of Missouri. The effect of that amendment is not to put up the price of hats and bonnets, and so forth, is it?

Mr. PAYNE. It is to put down the duty.

Mr. CLARK of Missouri. I am greatly obliged. [Laughter.]

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 425, page 130, lines 1 and 2, strike out the words "this section" and insert in lieu thereof the following: "Sections 1 or 2 of this act;" and in line 4 strike out the words "this section" and insert in lieu thereof the following: "Sections 1 or 2 of this act."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 427: On page 131, lines 9 to 16, inclusive, strike out the paragraph and insert in lieu thereof the following:

"427. Dolls, doll heads, toy marbles of whatever materials composed, and all other toys not composed of rubber, china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for in sections 1 or 2 of this act, 35 per cent ad valorem: *Provided*, That no articles shall be dutiable as toys except those made as playthings for children."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. HARRISON. Mr. Chairman, I will ask the gentleman to explain the purpose of this amendment. Does it change the rate of duty?

Mr. PAYNE. Mr. Chairman, the experts of the department attempted to change the wording to meet the decisions of the general appraisers and also of the courts, and in doing so they found it difficult to tell just exactly what rate of duty was provided. Some extravagant statement has been made that a toy horse would come in at the same rate of duty as the living animal. Of course that was not correct, but the doll's clothing would come in at a much higher rate than the committee intended. This duty on toys is a small ad valorem duty, and the committee had the experts of the department and representatives of the Board of General Appraisers at work on this paragraph, and this is the result, which we think corrects the defect in the original paragraph and lets all toys and dolls and playthings for children in at the lower rate of duty prescribed in this paragraph.

Mr. HARRISON. The rate of duty in the committee amendment is the same as the rate in the Payne and the Dingley bills, is it not?

Mr. PAYNE. Yes.

Mr. HARRISON. Is it true that most of the articles that were brought in in contravention of the law as toys were of a higher or lower rate of duty?

Mr. PAYNE. Well, there are several pages of decisions on this subject, some very interesting as matters of curiosity, and illustrating how great minds like those of our judges, when they come to operate on little things like toys, will sometimes make mistakes that the children never have made, in interpreting the language applying to toys, and it was to get rid of this confusion that this amendment was offered.

Mr. GAINES. Mr. Chairman, if my colleague will permit me, I think we imported, under the corresponding paragraph in the Dingley law, many small articles that were really works of art; for instance, an image of a horse or some animal that was really a work of art, and for grown people, for connoisseurs, under the name of toys. To avoid that fraud upon the revenue language was used, as the chairman has stated, which it was thought would make a toy horse bear the same duty as a live horse, and the purpose here is to leave the rate where it was and use language which will define toys as playthings for children.

Mr. GARRETT. Will the gentleman state what effect the amendment will have upon the exceedingly unattractive toy commonly known as the "Billy Possum?"

Mr. GAINES. Well, it is rather a fashionable animal at this time, and I think would not be included in this.

Mr. HARRISON. Does the gentleman know of any process by which American human beings can get their clothes as cheaply in proportion as these dolls?

Mr. GAINES. I ought to be more expert in the matter of dolls than the gentleman from New York, but I am not sure that I am.

Mr. HARRISON. I doubt very much if the gentleman has the advantage of me. Mr. Chairman, I do not propose to detain the committee on this proposed amendment. I will merely call attention to the fact that the rate under this bill is 35 per cent. It used to be only 25 per cent ad valorem under the last Democratic bill, the Wilson bill. The Payne bill, as a whole, in its taxes upon clothes and stockings and upon children's toys reminds me of the description of a massacre of a garrison by the Indians, where not even the women and children were spared. [Applause on the Democratic side.]

The CHAIRMAN. The question is upon the amendment.

The question was taken, and the amendment was agreed to.

Mr. NEEDHAM. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 433, on page 132, line 14, strike out the words "blasting caps" and insert in lieu thereof the words "cartridge shells empty;" and on same page, line 15, after the word "valorem," insert the following: "Blasting caps, $2 per thousand."

The question was taken, and the amendment was agreed to.

Mr. McCALL. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 439, page 134, lines 10, 11, 12, and 13, strike out the following words: "Manufactures of animal hair or of which such hair is the component material of chief value, not specially provided for in sections 1 or 2 of this act, 35 per cent ad valorem;" and on same page, line 10, after the words "ad valorem," change the semicolon to a period.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Paragraph 448, on page 137, lines 1 and 2, strike out the words "and leather shoe laces, finished or unfinished;" and on the same page, line 1, after the words "ad valorem," insert "leather shoe laces, finished or unfinished, 50 cents per gross pairs and 10 per cent ad valorem."

Mr. CLARK of Missouri. Mr. Chairman, I move to strike out that entire section as a substitute for the gentleman's amendment.

Mr. PAYNE. Mr. Chairman, I make the point of order against that.

Mr. CLARK of Missouri. You bring in an amendment to that section and that opens it to amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out section 448.

Mr. PAYNE. Mr. Chairman, I make the point of order that that is not germane to the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GARRETT. Mr. Chairman, do I understand this increases the duty on shoe strings?

Mr. PAYNE. It reduces it from the present law and increases it from the rate in the bill as it is before the House.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 478, page 143, line 12, after the word "gum," insert "gum kauri" and "gum copal."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. I also desire to offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 513, page 149, strike out all of line 15.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also desire to offer the following amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 528: On page 150, line 14, after the word "nitro-toluol," change the semicolon to a comma, and after the said word "nitro-toluol" insert the following: "naphtylaminsulfoacids and their sodium or potassium salts, naphtolsulfoacids and their sodium or potassium salts, amidonaphtolsulfoacids and their sodium or potassium salts, amidosalicylic acid, binitrochlorbenzol, diamidostilbendisulfoacid, metanilic acid, paranitranilin, dimethylanilin."

Mr. PAYNE. I do not think, Mr. Chairman, that needs any explanation. It is perfectly clear.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent that the amendment may be reported again.

Mr. HARRISON. I wish to speak in opposition to the proposed amendment.

Mr. PAYNE. Mr. Chairman, I was going to say, for fear some gentleman should not fully understand it, that these are coal-tar products, and they are used as raw material in manufacturing coal-tar dyes, and we are putting them on the free list instead of their coming in at 20 per cent ad valorem. That is all there is of it, and all you have got to do is to understand what these names mean.

Mr. GARRETT. I did not catch the fourth item that was mentioned.

Mr. BUTLER. Are these extracts in competition with anything in this country?

Mr. PAYNE. Except as to their names; that is all.

Mr. BUTLER. They can win on that, then. I ask unanimous consent that the amendment may be reported again.

Mr. McCALL. I object.

Mr. RUCKER of Colorado. You do not mean that it is a definition of the whole bill?

Mr. PAYNE. Ordinary people can understand it. Of course, a Member of Congress may not be able to do so.

Mr. HARRISON. Mr. Chairman, admitting my total inability to pronounce any of these names, and congratulating the Clerk upon his success in doing so, I wish to oppose the amendment. The subject of coal-tar colors and products has been up on this floor before to-day. It is complicated by the difficulty of pronouncing the names. I could have wished that we might have had the longest one of them, which looks like a centipede upon the typewritten page, labeled "Exhibit A," and I would like to refer to it as such.

The scheme of taxing coal-tax colors and their products, under paragraph 15 of the bill, will be totally upset by this proposed amendment of the chairman of the committee. Under the original scheme coal-tar raw materials were to be on the free list, sulfoacids and their salts were to be taxed at 20 per cent ad valorem, and the finished colors at 35 per cent ad valorem, which latter is a raise of 5 per cent over the rates of the Dingley bill.

Now, almost all of these unpronounceable substances may be classed under sulfoacids and the salts thereof, and instead of being raw material, as stated by the chairman of the committee, they are really finished products of the coal tar. They are not the highest form of products, which are the coal-tar colors, but they are intermediate products.

The fact is that they are so nearly wholly finished products that a man, if he imported them into our country, in order to assemble them has very little more to do than the veriest tyro in chemistry could accomplish. The work in manufacturing these products is done on the other side, and then it is proposed to bring them over free and assemble them here. If they were truly raw materials, I would be the last man upon this floor to oppose putting them on the free list, because I have consistently maintained that all raw material should be on the free list. The fact is, that the gentleman from New York, the chairman of the committee, is entirely mistaken. These are not raw materials. They are intermediate products, almost finished products, of coal tar, and the effect of admitting them free will be entirely fatal to the scientific arrangement of paragraph 15.

The ultimate effect, in my opinion, will be also to destroy entirely the revenue collected upon aniline or coal-tar colors. The revenue that we collected in 1907 upon coal-tar colors was $1,697,000, and upon coal-tar preparations, $184,000. Every one of these substances you now wish to put on the free list would otherwise come in under coal-tar preparations. Therefore that revenue will be done away with; and the fact is that aniline dyes will also be knocked on the head, because any man can import these intermediate products and assemble them. Any beginner in chemistry could probably accomplish that. The real purpose, I believe, of this amendment is to give the right to one coal-tar color manufacturer in the city of Buffalo to get his intermediate product free and destroy the aniline-color industry and to charge every textile manufacturer in the United States that makes use of coal-tar colors whatever price he sees

fit. It makes the rate on aniline dyes almost prohibitive, and therefore I oppose the amendment. [Loud applause.]

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. McCALL. I offer the following amendment.

Page 151, line 11, strike out the paragraph, and on page 5, between lines 15 and 16, insert a new paragraph as follows:

18½. Copperas and sulphate of iron, fifteen one-hundredths of 1 cent a pound.

Mr. HARRISON. Mr. Chairman, I very much regret imposing myself upon the committee again, but this happens to be another subject I have studied a little. I would like to ask the gentleman from Massachusetts, who submits the amendment, what is the reason for this seesawing back and forth, putting copperas on the free list and then upon the dutiable list?

Mr. McCALL. I would say, in reply to the gentleman, that copperas under the present law bears a duty of one-fourth of a cent a pound, I think it is. In some way, when the committee came to consider it, it was put entirely upon the free list. We very quickly discovered that there were a number of factories making copperas, some of them successfully, and we thought it was unfair to them to have their product upon the free list, on account of the difference in the cost of production. This amendment proposes a duty of fifteen-hundredths of a cent a pound, which is a little more than half that under the existing law, but we believe that is a sufficient cut upon this product.

Mr. HARRISON. Mr. Chairman, may I be heard in opposition to the amendment?

The CHAIRMAN. The gentleman from New York.

Mr. HARRISON. Copperas, or sulphate of iron, is used for a number of purposes. It is used in the manufacture of ink. It is used as a black dye. It is used in photographic reproduction, and in all kinds of chemical products. It is produced by the oxidation of pyrites or iron ore, and it is enormously produced from the refuse of the wire mills of the United States. There is no earthly excuse for any duty upon it. The wire mills of the United States can stand on their own feet, and can easily invade the markets of Europe if they see fit to do so. The only effect, in my mind, of any duty upon copperas or sulphate of iron is to enable them to hold the price up. This product was free under the Wilson bill, and the importations of 1897 were 991,000 pounds.

It was taxed under the Dingley bill at a quarter of a cent a pound. In 1907 the importations were 1,869 pounds. The production in the United States in the year 1904, which is the year for which we have the last figures, was 9,700,000 pounds. The imports for the same year were the ridiculous figure of 600 pounds. It is perfectly evident to anybody that the wire mills of the United States need no protection upon this article and, in my opinion, the sole purpose of putting it on is to enable them to hold up the price. This is another example of a mysterious influence working upon the minds of the majority of the committee, causing them to undo some of the few virtuous acts they performed in drafting the bill and to undo the reductions in duties. Mr. Chairman, I hope the committee will vote down the amendment.

The question being taken on the amendment, on a division (demanded by Mr. HARRISON) there were—ayes 85, noes 42.

Accordingly, the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 637, page 159, line 13, after the word "mace," insert the words "nut oil or oil of nuts not otherwise specially provided for in section 1 or 2 of this act."

Mr. PAYNE. This is the transfer of this from the dutiable list, at 25 per cent, to the free list.

The amendment was agreed to.

Mr. DALZELL. Mr. Chairman, I offer the following.

The CHAIRMAN. The gentleman from Pennsylvania offers the following committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 650, on page 161, lines 11, 12, and 13, strike out the words "and vases, retorts, and other apparatus, vessels, and parts thereof, composed of platinum, for chemical uses," and on line 11 change the comma after the word "scrap" to a period.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, the amendment which I hold in my hand is a substitute for section 3. There are some 21 pages in it. I ask unanimous consent to have it printed in the RECORD and to dispense with the reading of it, so that it may be acted upon in the morning when the committee meets.

Mr. STEVENS of Minnesota. What is it?

Mr. PAYNE. Section 3 is the maximum tariff.

The CHAIRMAN. The gentleman from New York offers an amendment and asks unanimous consent that it may be printed in the RECORD and called up in the morning, and to dispense with the reading of the amendment by the Clerk. Is there objection?

Mr. FINLEY. I wish to ask the gentleman from New York. Does this embody the paragraphs that will be taken out of section 3?

Mr. PAYNE. This is the maximum tariff.

Mr. FINLEY. Does the gentleman's substitute take any paragraphs out of section 3 that are now enumerated?

Mr. PAYNE. Yes; and the paragraphs that the gentleman is interested in, if I mistake not.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The amendment is as follows:

Strike out the whole of section 3, beginning on page 160, and insert the following:

"SEC. 3. That on and after sixty days after the passage of this act, unless otherwise specially provided for in this act, there shall be levied, collected, and paid upon all articles mentioned or referred to in this section, and imported into the United States or into any of its possessions (except the Philippine Islands), from any foreign country, province, dependency, or colony, whenever any such foreign country, province, dependency, or colony, respectively, shall not be entitled under the provisions of section 4 of this act to the rates of duty in sections 1 and 2 provided, the rates of duty which are in this section prescribed, namely:

"Upon each of the following articles enumerated in Schedule A, namely:

"Coal-tar dyes or colors, not specially provided for in this section; all other products or preparations of coal tar, not colors or dyes and not medicinal, not specially provided for in this section.

"Extracts and decoctions of logwood and other dyewoods, and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this section; extract of nutgalls; extract of Persian berries; chlorophyll; extracts of quebracho; extracts of hemlock bark; extracts of sumac, and of woods other than dyewoods, not specially provided for in this section; all extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, not containing alcohol and not medicinal, and not specially provided for in this section, the same rate of duty as prescribed in section 1; upon each and every other article enumerated in Schedule A the same rate of duty as prescribed in section 1, and in addition thereto, 20 per cent of said duty; upon each of the following articles enumerated in Schedule B, namely:

"Pumice stone, manufactures of pumice stone or of which pumice stone is the component material of chief value, not specially provided for in this section.

"Clays or earths, unwrought or unmanufactured, not specially provided for in this section; china clay or kaolin; limestone rock asphalt containing not more than 15 per cent of bitumen; asphaltum and bitumen, not specially provided for in this section; bauxite, or beauxite, crude, not refined or otherwise advanced in condition from its natural state; fuller's earth, unwrought and unmanufactured, wrought or manufactured; fluor spar, crude, crushed, ground, or otherwise treated or manufactured, the same rate of duty as prescribed in section 1 of this act; upon each and every other article enumerated in Schedule B the same rate of duty as prescribed in section 1 of this act, and in addition thereto 25 per cent of said duty; upon each of the following articles enumerated in Schedule C, namely:

"Iron in pigs, iron kentledge, and spiegeleisen; wrought and cast scrap iron and scrap steel; but nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel in such physical form as to be fit only to be remanufactured.

"Bar iron, square iron, rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick, round iron not less than seven-sixteenths of 1 inch in diameter.

"Round iron, in coils or rods, less than seven-sixteenths of 1 inch in diameter, and bars or shapes of rolled or hammered iron, not specially provided for in this section.

"Beams, girders, joists, angles, channels, car-truck channels, T T, columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, whether plain or punched, or fitted for use.

"Boiler or other plate iron or steel, except crucible plate steel and saw plates hereinafter provided for in this section, not thinner than No. 10 wire gauge, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves.

"Iron or steel anchors or parts thereof; forgings of iron or steel, or of combined iron and steel, but not machined, tooled, or otherwise advanced in condition by any process or operation subsequent to the forging process, not specially provided for in this section; antifriction ball forgings of iron or steel, or of combined iron and steel.

"Hoop, band, or scroll iron or steel, not otherwise provided for in this section; barrel hoops of iron or steel, and hoop or band iron or hoop or band, steel flared, splayed, or punched, with or without buckles or fastenings; steel bands or strips, untempered, suitable for making band saws, hack saws, or butchers' saws.

"Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity.

"Railway bars, made of iron or steel, and railway bars made in part of steel, T rails and punched iron or steel flat rails, railway fish plates or splice bars, made of iron or steel.

"Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel.

"All iron or steel sheets or plates, and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin plates, terne

plates, and taggers tin, and hereinafter provided for, when galvanized or coated with zinc, spelter, or other metals, or any alloy of those metals; sheets or plates composed of iron, steel, copper, nickel, or other metal with layers of other metal or metals imposed thereon by forging, hammering, rolling, or welding.

"Sheets of iron or steel, polished, planished, or glanced, by whatever name designated; plates or sheets of iron or steel, by whatever name designated, other than the polished, planished, or glanced herein provided for, which have been pickled or cleaned by acid, or by any other material or process, or which are cold-rolled, smoothed only, not polished.

"Sheets or plates of iron or steel, or taggers iron or steel, coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin plates, terne plates, and taggers tin.

"Steel ingots, cogged ingots, blooms, and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or beveled bars; mill shafting material; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; steel saw plates wholly or partially manufactured; hammer molds or swages of steel; gun-barrel molds not in bars; alloys used as substitutes for steel in the manufacture of tools; all descriptions and shapes of dry sand, loam, or iron-molded steel castings; sheets and plates and steel in all forms and shapes not specially provided for in this section.

"Round iron or steel wire; all iron or steel wire covered with cotton, silk, or other material, corset clasps, corset steels, dress steels, and all flat wires, and steel strips, strip steel, or steel in strips, twenty-five one-thousandths of 1 inch thick, or thinner, whether in long or short lengths, in coils or otherwise, and whether drawn through dies or rolls, and all other wire not specially provided for in this section; iron or steel wire coated by dipping, galvanizing or similar process with zinc, tin, or other metal; articles manufactured wholly or in chief value of any wire or wires.

"All iron or steel bars or rods of whatever shape or section which are cold rolled, cold drawn, cold hammered, or polished in any way in addition to the ordinary process of hot rolling or hammering; all strips, plates, or sheets of iron or steel, of whatever shape, other than the polished, planished, or glanced sheet iron or sheet steel hereinbefore provided for, which are cold rolled, cold drawn, cold hammered, blued, brightened, tempered, or polished in any way in addition to the ordinary process of hot rolling or hammering, and steel circular saw plates.

"Bolts, with or without threads or nuts, or bolt blanks, and finished hinges or hinge blanks, whether of iron or steel.

"Cast-iron pipe of every description.

"Cast hollow ware, coated, glazed, or tinned.

"Chain or chains of all kinds, made of iron or steel.

"Files, file-blanks, rasps, and floats, of all cuts and kinds.

"Cut nails and cut spikes of iron or steel.

"Horseshoe nails, hob nails, and all other wrought iron or steel nails not specially provided for in this section.

"Wire nails made of wrought iron or steel.

"Spikes, nuts, and washers, and horse, mule, or ox shoes, of wrought iron or steel.

"Cut tacks, brads, or sprigs.

"Rivets or studs, lathed, machined, or brightened, and rivets or studs for nonskidding automobile tires; rivets of iron or steel, not specially provided for in this section.

"Crosscut saws; mill saws; pit and drag saws; circular saws; steel band saws, finished or further advanced than tempered and polished; hand, back, and all other saws, not specially provided for in this section.

"Screws, commonly called wood screws, made of iron or steel.

"Wheels for railway purposes, or parts thereof, made of iron or steel, and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railway tires or parts thereof, wholly or partly manufactured; ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture; wheels for railway purposes, or parts thereof, of iron or steel, imported with iron or steel axles fitted in them, the wheels and axles together.

"Hooks and eyes, metallic, whether loose, carded, or otherwise, including weight of cards, cartons, and immediate wrappings and labels"—the same rate of duty as prescribed by the law in force prior to the passage of this act; upon each and every other article enumerated in Schedule C, the same rate of duty as prescribed in section 1 of this act, and in addition thereto 20 per cent of said duty; upon each of the following articles enumerated in Schedule D, namely:

"Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves.

"Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, sawed lumber, not specially provided for in this section; lumber of any sort planed or finished, planed on one side and tongued and grooved, or planed on two sides and tongued and grooved; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tongueing and grooving.

"Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods.

"Clapboards. The same rate of duty as prescribed by the law in force prior to the passage of this act; upon each and every other article enumerated in Schedule D, the same rate of duty as prescribed in section 1 of this act; upon each article enumerated in Schedules E, F, and G, the same rate of duty as prescribed in section 1 of this act and in addition thereto 20 per cent of said duty; upon each article enumerated in Schedule H, the same rate of duty as prescribed in section 1 of this act and in addition thereto 40 per cent of said duty; upon each article enumerated in Schedule I, the same rate of duty as prescribed in section 1 of this act and in addition thereto 20 per cent of said duty; upon each of the following articles enumerated in Schedule J, namely:

"Flax, hackled, known as 'dressed line.'

"Tow of flax.

"Hemp, and tow of hemp, $20 per ton; hemp, hackled, known as 'line of hemp.'

"Plain woven fabrics of single jute yarns, by whatever name known.

"Bags or sacks made from plain woven fabrics, of single jute yarns, not dyed, colored, stained, painted, printed, or bleached, and not exceeding 30 threads to the square inch, counting the warp and filling.

"Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed, not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces per square yard, the same rate of duty as prescribed in section 1 of this act; upon each and every other article enumerated in Schedule J, the same rate of duty as prescribed in section 1 of this act, and in addition thereto 20 per cent of said duty; upon each article enumerated in Schedule K, the same rate of duty as prescribed in section 1 of this act; upon each article enumerated in Schedule L, the same rate of duty as prescribed in section 1 of this act and in addition thereto 20 per cent of said duty; upon mechanically ground wood pulp, one-twelfth of 1 cent per pound, dry weight: *Provided, however*, That mechanically ground wood pulp shall be admitted free of duty from any country, dependency, province, or other subdivision of government, being the product thereof, which does not forbid or restrict the exportation of or impose any export duty, export license fee, or other export charge of any kind whatsoever, either directly or indirectly (whether in the form of additional charge or license fee, or otherwise), upon mechanically ground wood pulp or wood for use in the manufacture of wood pulp; upon each and every other article enumerated in Schedule M, the same rate of duty as prescribed in section 1 of this act and in addition thereto 20 per cent of said duty; upon each of the following articles enumerated in Schedule N, namely:

"Plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horse rakes, cultivators, threshing machines, and cotton gins, 25 per cent ad valorem; upon each and every other article enumerated in Schedule N, the same rate of duty as prescribed in section 1 of this act and in addition thereto 20 per cent of said duty; upon each of the following articles enumerated in section 2 of this act, namely:

"Alizarin, natural or artificial, and dyes derived from alizarin or from anthracin.

"Amber, and amberoid unmanufactured, or crude gum.

"Asbestos, unmanufactured.

"Beeswax.

"Birds, stuffed, not suitable for millinery ornaments.

"Bismuth.

"Bladders, and all integuments and intestines of animals and fish sounds, crude, dried or salted for preservation only, and unmanufactured, not specially provided for in section 1 of this act.

"Brass, old brass, clippings from brass or Dutch metal, all the foregoing, fit only for remanufacture.

"Camphor, crude, natural.

"Cork wood or cork bark, unmanufactured.

"Drugs, such as barks, beans, berries, balsams, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, gum resin, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, spices, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible and not specially provided for in section 1 or 2 of this act, and are in a crude state, not advanced in value or condition by refining, grinding, crushing, rasping, bleaching, steaming, or by any process or treatment beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture.

"Flint, flints, and flint stones, unground.

"Fruits or berries, green, ripe, or dried, not specially provided for in section 1 or 2 of this act.

"Furs, undressed.

"Gambier.

"Glass plates or disks, rough-cut or unwrought, for use in the manufacture of optical instruments, spectacles, and eyeglasses, and suitable only for such use: *Provided, however*, That such disks exceeding 8 inches in diameter may be polished sufficiently to enable the character of the glass to be determined.

"Gutta-percha, crude.

"Hair of horse, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially provided for in this section; and human hair, raw, uncleaned, and not drawn.

"Hide cuttings, raw, with or without hair, and all other glue stock.

"Hide rope.

"Hides of cattle, raw or uncured, whether dry, salted, or pickled.

"Hones and whetstones.

"India rubber, crude, and milk of, and scrap or refuse India rubber, fit only for remanufacture, and not ground or otherwise reduced in size.

"Indigo.

"Iron ore (except such as is used chiefly in the production of pigments and colors), including manganiferous iron ore, and the dross or residuum from burnt pyrites; basic slag, ground or unground.

"Ivory tusks in their natural state or cut vertically across the grain only, with the bark left intact, and vegetable ivory in its natural state.

"Junk, old.

"Kindling wood.

"Lac dye, crude, seed, button, stick, and shell.

"Lactarene, or casein.

"Lemon juice, lime juice, and sour orange juice, all the foregoing not containing alcohol.

"Licorice, extracts of, in paste, rolls, or other forms.

"Licorice root, unground.

"Lime, citrate of.

"Lithographic stones, not engraved.

"Magnesite, crude or calcined, not purified.

"Magnesium not made up into articles.

"Manganese, oxide and ore of.

"Manna.

"Mineral salts obtained by evaporation from mineral waters, when accompanied by a duly authenticated certificate and satisfactory proof, showing that they are in no way artificially prepared, and are only the product of a designated mineral spring.

"Needles, hand sewing and darning; but the coverings of these articles other than the plain wooden outside cases shall be dutiable at the same rate as if imported empty.

"Nuts: Palm nuts and palm-nut kernels; cocoanuts in the shell and broken cocoanut meat or copra, not shredded, desiccated, or prepared in any manner.

"Oils: Almond, amber, crude and rectified ambergris, aniline, aspic or spike lavender, cajeput, caraway, cassia, cinnamon, chamomile, civet, cocoanut, cotton seed, croton, fennel, ichthyol, juglandium, limes, mace, olive oil rendered unfit or incapable of use for food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him; palm, sesame or sesamum seed or bean, thyme, origanum, red or white, valerian; spermaceti, whale, and other fish oils of American fisheries; petroleum, crude or refined: *Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country.

"Paper stock, crude, of every description, including all grasses, fibers, rags (other than wool), waste, including jute waste, shavings, clippings, old paper, rope ends, waste rope, and waste bagging, including old gunny cloth and old gunny bags, fit only to be converted into paper.

"Pearl, mother of, and shells, not sawed, cut, polished, or otherwise manufactured, or advanced in value from the natural state.

"Rags, not otherwise specially provided for in this section.

"Rennets, raw or prepared.

"Sago, crude, and sago flour.

"Sausages, bologna.

"Seeds: Anise, caraway, cardamom, cauliflower, coriander, cotton, cummin, fennel, fenugreek, hemp, hoarhound, mangel-wurzel, rape, St. John's bread or bean, sugar beet, sorghum or sugar cane for seed; bulbs and bulbous roots, not edible and not otherwise provided for in sections 1 or 2 of this act; all flower and grass seeds; all the foregoing not specially provided for in this section.

"Shrimps and other shellfish.

"Skins of all kinds, raw (except sheepskins with the wool on), and hides not specially provided for in this section.

"Sulphur, flac or precipitated, and sulphur or brimstone, crude, in bulk, sulphur ore as pyrites, or sulphuret of iron in its natural state, containing in excess of 25 per cent of sulphur, and sulphur not otherwise provided for in this section.

"Tallow.

"Tapioca, tapioca flour, cassava or cassady.

"Tea and tea plants.

"Tobacco stems.

"Tonquin, tonqua, or tonka beans.

"Turpentine, spirits of.

"Turtles.

"Types, old, and fit only to be remanufactured.

"Wax, vegetable or mineral.

"Witherite.

"Wood: Logs and round unmanufactured timber, including pulp woods, firewood, handle bolts, shingle bolts, gun blocks for gunstocks rough hewn or sawed or planed on one side, hop poles, ship timber and ship planking; all the foregoing not specially provided for in this section.

"Zaffer."

There shall be levied, collected, and paid a duty of 20 per cent ad valorem; that each and every other article enumerated in section 2 of this act shall be admitted free of duty.

Mr. SHERLEY. I suggest to the chairman of the committee that he do the same thing as to the drawback provision and the patent provision, which are necessarily highly technical. It will be a great convenience if he will do so.

Mr. PAYNE. The amendment is to strike out the patent section entirely.

Mr. SHERLEY. How about the drawback section?

Mr. PAYNE. I will be very glad to put that in the RECORD.

Mr. Chairman, I ask unanimous consent to print in the RECORD the amendment to the drawback provision, section 29.

The CHAIRMAN. The gentleman from New York asks unanimous consent to print in the RECORD the amendment which he suggests. Is there objection?

There was no objection.

The amendment is as follows:

Section 29, on page 197, between lines 10 and 11, insert the following paragraph:

"No drawback shall be allowed upon the exportation of any article manufactured or produced in whole or in part of grain raised in the United States unless such article shall have been manufactured or produced in the same city or town as the article manufactured or produced from the imported grain, and only upon such articles as are manufactured or produced from grain harvested prior to such importation: *And provided*, That the exportation shall be made within twelve months after the importation of the grain used or checked against: *Provided further*, That no drawback shall be allowed under this section upon domestic material except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture."

Mr. STEVENS of Minnesota. What is that amendment?

Mr. PAYNE. It is the drawback provision.

Mr. STEVENS of Minnesota. The one that relates to grains?

Mr. PAYNE. Yes; they are both there. Now, Mr. Chairman, I want to say that in the opinion of the committee, meeting at 12 o'clock in the morning, with due diligence, we believe the Committee of the Whole can complete the amendments by 3 o'clock or thereabouts, and therefore I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1438, the tariff bill, and had instructed him to report that it had come to no resolution thereon.

QUESTION OF PRIVILEGE.

Mr. CALDERHEAD. Mr. Speaker, I want to renew my motion of this morning to strike from the RECORD an interpolation in a question by Mr. HARDY of Texas, if the gentleman from Texas is on the floor.

The SPEAKER. The gentleman from Kansas calls up the motion he made this morning to correct the RECORD as indicated.

Mr. CLARK of Missouri. Mr. Speaker, the gentleman from Texas is not here, and I think it ought to be postponed.

Mr. CALDERHEAD. I am willing that it should go over until morning.

The SPEAKER. The gentleman from Kansas informed the Chair that he thought the gentleman from Texas was present, but the gentleman consents that it may go over until morning.

Mr. PAYNE. Mr. Speaker, I object to that.

The SPEAKER. The gentleman from Kansas can call it up as a matter of privilege.

Mr. PAYNE. I do not think it is of any higher privilege than this tariff bill.

The SPEAKER. The Chair will rule upon that when it comes up.

Mr. PAYNE. Then I am going to ask unanimous consent to come in earlier. How long will this take?

Mr. CALDERHEAD. It will take me about three minutes.

Mr. RANDELL of Texas. Mr. Speaker, I understand the gentleman from Texas [Mr. HARDY] has made an agreement with the gentleman from Kansas as to what should go into the RECORD, and that the gentleman from Texas is to present it himself and there will be no trouble about it. Is that correct?

Mr. CALDERHEAD. The agreement was that he should present it at this time.

Mr. RANDELL of Texas. I think the gentleman from Texas is at lunch, not knowing that we were going to adjourn at this time.

Mr. PAYNE. I wish some accommodation could be made, so that the whole time will not be taken up by this matter.

Mr. CLARK of Missouri. Move to adjourn until 11 o'clock.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn. If the gentleman from Kansas wants to take the responsibility of delaying this bill, he can do so.

Mr. CALDERHEAD. I have no objection to taking the responsibility.

ADJOURNMENT.

The motion of Mr. PAYNE was then agreed to; accordingly (at 6 o'clock and 58 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WALLACE: A bill (H. R. 6742) to create a new division of the eastern judicial district of Arkansas, and to provide for terms of court at Camden, Ark., and for a clerk for said court, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 6743) appropriating the sum of $150,000 for locking and damming and otherwise improving Saline River between Warren, Ark., and where it empties into the Ouachita River, in Arkansas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6744) to provide for the repair and improvement of the post-office building at Camden, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6745) for the erection of mounds for the protection of human life and stock along the banks of the Mississippi River between the government levees and the river—to the Committee on Appropriations.

Also, a bill (H. R. 6746) to increase the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 6747) to provide for the erection of a public building at Warren, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6748) to provide for the erection of a public building at Arkadelphia, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6749) to provide for the erection of a public building at Hamburg, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6750) to provide for the erection of a public building at Prescott, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6751) to provide for the erection of a public building at El Dorado, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6752) to provide for the erection of a public building at Magnolia, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. BORLAND: A bill (H. R. 6753) to extend the time for the construction of a bridge across the Missouri River at Kansas City—to the Committee on Interstate and Foreign Commerce.

By Mr. DIEKEMA: A bill (H. R. 6754) to make Holland, in the State of Michigan, a support of entry, and for other purposes—to the Committee on Ways and Means.

By Mr. BATES: A bill (H. R. 6755) providing for the recognition of the military service of the officers and enlisted men of McLane's Erie regiment, Pennsylvania Volunteer Infantry, who served in the civil war—to the Committee on Military Affairs.

By Mr. MILLER of Kansas: A bill (H. R. 6756) amendatory of existing laws regulating the sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HINSHAW: A bill (H. R. 6757) providing for the establishment of a national park in Gage County, Nebr.—to the Committee on the Public Lands.

By Mr. BURKE of South Dakota: A bill (H. R. 6758) authorizing allotments to certain Indian women of the Crow, Creek, and Lower Brulé tribes of Indians in South Dakota—to the Committee on Indian Affairs.

By Mr. McKINLEY of Illinois: A bill (H. R. 6759) to increase the efficiency of the Army of the United States—to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 6760) to provide for the erection of a public building at Shelbyville, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. HIGGINS: Memorial of the legislature of Connecticut concerning the date of inauguration of the President of the United States—to the Committee on Election of President, Vice-President, etc.

By Mr. BURLEIGH. Memorial of the legislature of Maine relating to the proposed reduction of the duty on lumber, pulp, and paper—to the Committee on Ways and Means.

Also, memorial of the legislature of Maine in favor of free coal—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 6761) granting an increase of pension to Archibald Neff—to the Committee on Invalid Pensions.

By Mr. AIKEN: A bill (H. R. 6762) granting a pension to John L. Taggart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6763) granting a pension to Robert M. Jones—to the Committee on Pensions.

Also, a bill (H. R. 6764) granting a pension to Ernest Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6765) granting an increase of pension to James A. Caldwell—to the Committee on Pensions.

Also, a bill (H. R. 6766) for the relief of R. Q. Merrick—to the Committee on Claims.

By Mr. ANTHONY: A bill (H. R. 6767) for the relief of Charles A. Bess—to the Committee on Military Affairs.

Also, a bill (H. R. 6768) for the relief of De Mott Bishop—to the Committee on Claims.

Also, a bill (H. R. 6769) for the relief of James W. Morgan—to the Committee on Claims.

Also, a bill (H. R. 6770) granting an increase of pension to George F. Heustis—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 6771) granting an increase of pension to Horace E. Burroughs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6772) granting an increase of pension to George W. Eckert—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 6773) granting a pension to William H. Bender—to the Committee on Pensions.

By Mr. BARCLAY: A bill (H. R. 6774) granting an increase of pension to William C. Robbins—to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 6775) for the relief of John H. Hickey—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 6776) for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 6777) granting an increase of pension to Ebenezer Mather—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 6778) granting an increase of pension to Peter V. Gruesbeck—to the Committee on Invalid Pensions.

By Mr. DENBY: A bill (H. R. 6779) granting an increase of pension to Orville C. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6780) granting an increase of pension to Gilbert F. D. Wilson—to the Committee on Invalid Pensions.

By Mr. DIEKEMA: A bill (H. R. 6781) granting an increase of pension to Amos E. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6782) granting an increase of pension to Orlando J. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6783) granting an increase of pension to John C. Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6784) granting an increase of pension to Joseph Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6785) granting an increase of pension to Jacob W. Keyser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6786) granting an increase of pension to Matthias S. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6787) granting an increase of pension to James N. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6788) granting an increase of pension to Oren Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6789) granting an increase of pension to Susan M. Sumner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6790) granting an increase of pension to Frank Deming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6791) granting an increase of pension to William H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6792) granting an increase of pension to Charles A. Althouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6793) granting an increase of pension to Washington Ames—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6794) granting a pension to Alexander L. Smith—to the Committee on Pensions.

Also, a bill (H. R. 6795) granting a pension to Aaron M. Dalrymple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6796) granting a pension to Harriet Ballou—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6797) granting a pension to Frank Hiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6798) granting a pension to Lucinda J. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6799) for the relief of John W. McCrath—to the Committee on Claims.

Also, a bill (H. R. 6800) for the relief of James Conway—to the Committee on Military Affairs.

Also, a bill (H. R. 6801) for the relief of Benjamin W. Ehle—to the Committee on Military Affairs.

Also, a bill (H. R. 6802) for the relief of Medad Spencer—to the Committee on Military Affairs.

Also, a bill (H. R. 6803) for the relief of Alvah Clement—to the Committee on Military Affairs.

Also, a bill (H. R. 6804) for the relief of James W. Miles—to the Committee on Military Affairs.

Also, a bill (H. R. 6805) for the relief of Cornelius De Haas—to the Committee on Naval Affairs.

Also, a bill (H. R. 6806) for the relief of Peter Duchane—to the Committee on Military Affairs.

Also, a bill (H. R. 6807) for the relief of Chancy Boyce—to the Committee on Military Affairs.

Also, a bill (H. R. 6808) for the relief of Peter Shively—to the Committee on Military Affairs.

Also, a bill (H. R. 6809) for the relief of Warren Shepard—to the Committee on Military Affairs.

Also, a bill (H. R. 6810) for the relief of William A. Billings—to the Committee on Military Affairs.

Also, a bill (H. R. 6811) to remove the charge of desertion from the military record of Michael Coveny, alias Michael Dowling—to the Committee on Military Affairs.

Also, a bill (H. R. 6812) making an appropriation to pay to certain Chippewa Indians of Michigan moneys due them under former treaties—to the Committee on Indian Affairs.

By Mr. FLOYD of Arkansas: A bill (H. R. 6813) to correct the military record of James Fanning—to the Committee on Military Affairs.

Also, a bill (H. R. 6814) to correct the military record of John C. Fite—to the Committee on Military Affairs.

Also, a bill (H. R. 6815) granting an increase of pension to Samuel Foster—to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 6816) granting an increase of pension to Ernest Von Daniels—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 6817) granting an increase of pension to Samuel Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6818) granting a pension to Preston Eyre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6819) granting an increase of pension to Isaac B. Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6820) granting an increase of pension to George W. Ramsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6821) granting an increase of pension to Samuel Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6822) granting an increase of pension to Samuel Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6823) granting an increase of pension to Anna Litz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6824) granting an increase of pension to James Adams League—to the Committee on Invalid Pensions.

By Mr. GRANT: A bill (H. R. 6825) granting a pension to Marion T. Tankersley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6826) granting a pension to W. R. Dockery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6827) granting a pension to Richard S. Osteen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6828) granting a pension to James Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6829) granting a pension to James H. Arwood—to the Committee on Pensions.

Also, a bill (H. R. 6830) granting a pension to M. C. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 6831) granting a pension to Mary R. Ragsdale—to the Committee on Invalid Pensions.

By Mr. HAMER: A bill (H. R. 6832) granting an increase of pension to William Groves, alias Thomas Jackman—to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 6833) granting an increase of pension to John T. Starkey—to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 6834) granting an increase of pension to John Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6835) granting an increase of pension to Joseph Morehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6836) granting an increase of pension to George S. Swingle—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 6837) for the relief of Jacob Hough—to the Committee on War Claims.

By Mr. MARTIN of Colorado: A bill (H. R. 6838) granting an increase of pension to Robert G. Edgar—to the Committee on Invalid Pensions.

By Mr. MILLER of Kansas: A bill (H. R. 6839) granting a pension to Eliza P. Tagart—to the Committee on Pensions.

Also, a bill (H. R. 6840) granting a pension to Terressa Jane Hoyt—to the Committee on Pensions.

Also, a bill (H. R. 6841) granting an increase of pension to Henry Mott—to the Committee on Pensions.

By Mr. MORRISON: A bill (H. R. 6842) granting a pension to Louise Theobald—to the Committee on Invalid Pensions.

Also, a bill (H. R 6843) granting an increase of pension to Thomas F. Stockton—to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 6844) granting an increase of pension to Edward L. Hagon—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 6845) for the relief of the heirs of George Small—to the Committee on War Claims.

By Mr. A. MITCHELL PALMER: A bill (H. R. 6846) granting a pension to Phoebe A. Dixon—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 6847) for the relief of the heirs of Francisco Guilbeau, deceased—to the Committee on War Claims.

By Mr. SMALL: A bill (H. R. 6848) granting a pension to Tena Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6849) granting an increase of pension to Joseph Roughton—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 6850) granting an increase of pension to Herbert Chavous—to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 6851) granting an increase of pension to Benjamin Kelsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6852) granting an increase of pension to James C. Jennings—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 6853) for the relief of J. B. Maryman—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of committee of section of New York County of the Socialist-Labor party, praying for the impeachment of Judge Daniel T. Wright, of the United States court in the District of Columbia—to the Committee on the Judiciary.

By Mr. ANDERSON: Petition of Cigarmakers' International Union of America, opposing amount of cigars coming from Philippines under the Payne bill—to the Committee on Ways and Means.

Also, petition of A. C. Close and others, of Sandusky, Ohio, favoring removal of duty on fish—to the Committee on Ways and Means.

Also, petition of citizens of Marion, Ohio, opposing duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of C. A. Kuhn and others, of Bucyrus, Ohio, in favor of highway commission—to the Committee on Agriculture.

Also, petition of Grant Lott and others, of Tiffin, Ohio, favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BARCHFELD: Petition of citizens of the Thirty-second Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petitions of 31 citizens of the Sixth Congressional District of Georgia and 51 citizens of Macon, Ga., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of J. T. Dosier, superintendent of South Georgia Conference Orphan's Home, against tariff on the necessities of life—to the Committee on Ways and Means.

By Mr. BATES: Petition of citizens of the Twenty-fifth Congressional District of Pennsylvania, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Frank L. Andrews, of Eden, Me., asking removal of duty on raw and refined sugar—to the Committee on Ways and Means.

Also, petition of the legislature of the State of Maine, favoring passage of a law which shall permit the taxation by States of deposits in savings departments of national banks—to the Committee on Banking and Currency.

Also, petition of the legislature of the State of Maine, favoring the Sulzer bill for appropriation to remove the wrecked battle ship *Maine* from Habana Harbor—to the Committee on Appropriations.

Also, petition of citizens of the State of Maine, favoring provision for the use of wireless telegraphy on ships plying between Maine and Massachusetts—to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: Petition of fur dealers of the United States, for advance of duty on furs—to the Committee on Ways and Means.

Also, petition of George Staber, against increase of duty on paper—to the Committee on Ways and Means.

Also, petition of Manhattan Shoe Company, for placing hides on free list—to the Committee on Ways and Means.

Also, petition of F. B. Shipley, for reduction of tariff on cotton goods—to the Committee on Ways and Means.

Also, petition of W. J. Butterfield, of New York City, favoring a tariff on tea—to the Committee on Ways and Means.

Also, petition of P. K. Wilson & Son, against increase of duty on cotton goods—to the Committee on Ways and Means.

Also, petition of Lyon Brothers, of Baltimore, against increase of duty on matting—to the Committee on Ways and Means.

Also, petition of Lithographers' International Protective Association, for increase of the duty on lithographic products—to the Committee on Ways and Means.

Also, petition of tea jobbers of Boston, against a tax on tea—to the Committee on Ways and Means.

Also, petition of Dryden & Palmer, against increase of duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of J. H. Barker & Co., against increase of duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of American News Company, for a duty on post cards—to the Committee on Ways and Means.

Also, petition of Russell M. Rome, M. D., for a low duty on Guinness stout—to the Committee on Ways and Means.

Also, petition of Henry P. Walker, against a reduction of tariff on coal—to the Committee on Ways and Means.

By Mr. COCKS of New York: Petition of citizens of the

First Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of John Mulligan and others, favoring increase of duty on rattan ware—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of citizens of the Third Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of Cigarmakers' Union, No. 120, of Muscatine, Iowa, protesting against the reduction of the duty on cigars imported from the Philippines—to the Committee on Ways and Means.

Also, petition of Thomas L. Sharon, of Davenport, Iowa, protesting against the proposed duties on gloves and hosiery—to the Committee on Ways and Means.

By Mr. DODDS: Petition of citizens of the Eleventh Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of W. J. Butterfield and others, of New York City, favoring a duty on tea—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of the legislature of the State of Wyoming, favoring changes in reclamation law—to the Committee on Irrigation of Arid Lands.

Also, circular of enameled-ware industry of the United States, favoring specified changes in proposed tariff law—to the Committee on Ways and Means.

Also, petitions of the Courier Company, Henry G. Breed, Lithographers' Protective Association, and Gies & Co., all of the State of New York, opposing reduction of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, opposing tariff on glass—to the Committee on Ways and Means.

Also, petition of Roessler & Hasslacher Chemical Company, opposing changes in tariff on cyanide of potassium—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, of New York City, for a duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of the Republic Metal Ware Company, of New York City, for increase of duty on metal ware—to the Committee on Ways and Means.

Also, petition of Seggerman Brothers, of New York City, against tariff on chicory—to the Committee on Ways and Means.

Also, petition of Buffalo Branch of Butchers' Association, for reduction in tariff on various articles—to the Committee on Ways and Means.

Also, petition of Dubois Watch Case Company, for reduction in tariff on watch cases—to the Committee on Ways and Means.

Also, petition of Oronogo (Mo.) Circle Mining Company, for a tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, against change in tariff on nut oil and varnish gum—to the Committee on Ways and Means.

Also, petition of C. E. Robertson, of Baltimore, Md., favoring change in tariff on aluminum—to the Committee on Ways and Means.

Also, petition of E. J. Burke, against tariff on barrel lumber used for containers of malt liquors—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, against a tariff on China nut oil—to the Committee on Ways and Means.

Also, petition of Seneca Iron and Steel Company, of Buffalo, N. Y., favoring a duty on black and galvanized steel sheets—to the Committee on Ways and Means.

Also, petition of Paul Taylor Brown Company, against change in tariff on canned pineapple—to the Committee on Ways and Means.

Also, petition of Dast & Brandt and others, for reduction of tariff on parts of umbrellas—to the Committee on Ways and Means.

Also, petition of citizens of Buffalo, N. Y., opposing tax on tea and coffee—to the Committee on Ways and Means.

Also, petition of Buffalo Glove and Whip Manufacturing Company, of Buffalo, N. Y., favoring abolition of tariff on reeds—to the Committee on Ways and Means.

Also, letter from P. J. Rechin, of Buffalo, N. Y., favoring tariff on baskets and willows—to the Committee on Ways and Means.

Also, petition of Hubbs, Howe & Co., of Buffalo, N. Y., opposing higher duties on kraft and sulphite wrapping paper—to the Committee on Ways and Means.

Also, petition of M. H. Berge & Son, of Buffalo, N. Y., favoring an increase of tariff on wall papers—to the Committee on Ways and Means.

Also, petitions of Business Men's Association of South Norwalk, Conn.; Felix, Solomon & Co., of New York City; and Chamber of Commerce of Watertown, N. Y., opposing reduction of tariff on print paper—to the Committee on Ways and Means.

Also, petition of George F. Nye, of Niagara Falls, N. Y., opposing change of tariff on wood pulp—to the Committee on Ways and Means.

Also, petition of mechanical engineers, favoring tariff on embroidery—to the Committee on Ways and Means.

Also, petitions of New England Dry Goods Association, of Boston, Mass., and Lepper & Tisdall Company, of Buffalo, N. Y., opposing increase of tariff on hosiery and gloves—to the Committee on Ways and Means.

By Mr. ESCH: Petition of Milwaukee Printing Pressmens' Union, No. 7, favoring an increase of duty on postcards—to the Committee on Ways and Means.

By Mr. FISH: Petitions of sundry citizens of Germantown and Hudson, N. Y., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FORNES: Petition of importers and dealers of New York City, for reduction of tariff on house or cabinet furniture of wood—to the Committee on Ways and Means.

Also, petition of Hess Brothers, of New York City, favoring placing crude cocoa on free list—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, for specific duty on mattings—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Watertown, N. Y., for reduction of tariff on print paper—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, of New York City, for reduction of duty on varnishes—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, of New York City, for tariff on lactarene—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, of New York City, to place nut oil on free list—to the Committee on Ways and Means.

Also, petition of Manhattan Shoe Company, of New York City, for free hides—to the Committee on Ways and Means.

Also, petition of the Paul Taylor Brown Company, of New York City, against increase of duty on preserved fruits—to the Committee on Ways and Means.

Also, petition of Oronogo Circle Mining Company, of Oronogo, Mo., for tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of Metal Stamping Company, of New York City, for reduction of tariff on manufactured metal goods—to the Committee on Ways and Means.

Also, petition of R. G. Cantrell, of New York City, for low rate of tariff on Guinness stout—to the Committee on Ways and Means.

Also, petition of Columbus Industrial Alliance, of Columbus, Ohio, for tariff on iron and steel—to the Committee on Ways and Means.

Also, petition of Truman G. Palmer, for duty on beet sugar—to the Committee on Ways and Means.

Also, petition of Gifford Pinchot, for retention of tariff on lumber—to the Committee on Ways and Means.

Also, petition of W. S. D. Winnell, of Minneapolis, Minn., against a tariff on lumber—to the Committee on Ways and Means.

Also, petition of National Forest Conservation League, against a tariff on lumber—to the Committee on Ways and Means.

Also, petition of James W. Van Cleave, favoring a tariff commission—to the Committee on Ways and Means.

Also, petition of Max Lowenthal & Bro., of Rochester, N. Y., against tariff on wool save for revenue—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, against tariff on glass—to the Committee on Ways and Means.

Also, petition of Schorn & Brown, of New York City, against tariff on coffee—to the Committee on Ways and Means.

Also, petition of E. C. Knapp, of Milwaukee, Wis., for tariff on post cards—to the Committee on Ways and Means.

Also, petition of Jed. Frye & Co., of New York City, for reduction of tariff on pickled fish—to the Committee on Ways and Means.

Also, petition of Roy Watch Case Company, of New York City, for tariff on watch cases, movements, etc.—to the Committee on Ways and Means.

Also, petition of Leeds & Johnson, of New York City, to place barley and malts on free list—to the Committee on Ways and Means.

Also, petition of Coltens Publishing Company, of Minneapolis, Minn., for free lumber—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, of New York City, for tariff on casein and lactarene—to the Committee on Ways and Means.

Also, petition of Farm and Stock, of St. Joseph, Mo., against tariff on lumber—to the Committee on Ways and Means.

Also, petition of George Staber, of New York City, against increase of tariff for the benefit of the paper manufacturing industries—to the Committee on Ways and Means.

Also, circular favoring a tariff on tea and coffee as sources of revenue—to the Committee on Ways and Means.

Also, petition of committee of fur trade, favoring schedule in Dingley tariff on furs—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of skilled workmen of the American-Swiss File and Tool Company, of Elizabeth, N. J., against reduction of duty on files—to the Committee on Ways and Means.

Also, petition of lithographic workmen of Elizabeth, N. J., favoring higher duty on lithographic products—to the Committee on Ways and Means.

Also, petition of citizens of the Fifth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Phoenix Lodge, No. 315, International Association, of Elizabeth, N. J., against reduction of tariff on iron ore and machinery—to the Committee on Ways and Means.

By Mr. FULLER: Petition of H. W. Buckbee, of Rockford, Ill., in relation to duty on seeds—to the Committee on Ways and Means.

Also, petition of Rockford Watch Company, of Rockford, Ill., for increase of duty on watches, etc.—to the Committee on Ways and Means.

Also, petition of Rubin & Krause, of Rockford, Ill., against reduction of tariff on scrap iron—to the Committee on Ways and Means.

Also, petition of citizens of Genoa, Ill., favoring the removal of casein and lactarene from free list and placing a certain duty thereon—to the Committee on Ways and Means.

Also, petition of Federated Mines and Milling Company, of Chicago, Ill., concerning the proposed tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of Chicago, Ill., concerning the proposed tariff on toys, favoring ad valorem duty of 35 per cent—to the Committee on Ways and Means.

Also, petition of W. W. Hixon & Co., of Rockford, Ill., and their employees, favoring increased duty on lithographic products, etc.—to the Committee on Ways and Means.

Also, petition of C. H. Ronne, of Chicago, Ill., concerning the proposed tariff on sugar—to the Committee on Ways and Means.

Also, petition of citizens of Coal City, Ill., against duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Leland, Ill., against proposed parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HANNA: Petition of many citizens of North Dakota, against reduction of duty on barley—to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Petition of residents of Third Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Frank Curtis, of Lakehurst, N. J., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HOWELL of Utah: Petition of citizens of Utah, opposing duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOUSTON: Papers to accompany H. R. 3981, granting an increase of pension to William H. Colsher—to the Committee on Pensions.

By Mr. KEIFER: Petition of James S. Keen and 75 other citizens of the Seventh Congressional District of Ohio, opposing tax on tea and coffee—to the Committee on Ways and Means.

By Mr. LANGHAM: Petition of citizens of the Twenty-seventh Congressional District of Pennsylvania, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of Dryden & Palmer Company, of New York City, against the proposed duty on cocoa—to the Committee on Ways and Means.

Also, petition of the Wolfe Brothers' Shoe Company, of Columbus, Ohio, favoring placing shoes on the free list—to the Committee on Ways and Means.

Also, petition of J. E. Rhoads & Sons, of New York City, favoring free hides—to the Committee on Ways and Means.

Also, petition of the Standard Varnish Works, of New York, against any duty on China nut oil and varnish gum—to the Committee on Ways and Means.

Also, petition of the New York Fruit Exchange, favoring a reduction of duty on lemons—to the Committee on Ways and Means.

Also, petition of the common council of the city of Troy, N. Y., protesting against any change in the present tariff law on collars and cuffs—to the Committee on Ways and Means.

Also, petition of the Chamber of Commerce of the City of Watertown, N. Y., against any reduction in the existing tariff on print paper—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, against the proposed duty on toys—to the Committee on Ways and Means.

Also, petition of citizens of the Second Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Lockwood & Co., of Brooklyn, N. Y., against any duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Wallace & Co., of New York City, against any duty on cocoa—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops Company, of New York City, against a duty being placed on cocoa—to the Committee on Ways and Means.

Also, petition of J. H. Barker & Co., of New York City, against the proposed duty on cocoa—to the Committee on Ways and Means.

Also, petition of the National Coffee and Tea Association of New York, against any duty on tea—to the Committee on Ways and Means.

Also, petition of the legislature of the State of Wyoming, against any reduction of duty on wool and hides—to the Committee on Ways and Means.

Also, petition of citizens of the Second Congressional District of New York, favoring the passage of the paragraph in the Payne bill relating to lithographic post cards—to the Committee on Ways and Means.

Also, petition of the Lithographers' International Protective and Beneficial Association of New Jersey, against any reduction and for a higher rate of duty on all lithographic work—to the Committee on Ways and Means.

Also, petition of the National Coffee and Tea Association of New York, against any duty on coffee—to the Committee on Ways and Means.

Also, petition of the employees of the Sacket-Wilhelm Company, of Brooklyn, N. Y., favoring a higher import duty on lithographic work—to the Committee on Ways and Means.

Also, petition of the Owl Creek Coal Company, protesting against the removal of duty on coal—to the Committee on Ways and Means.

Also, petition of the importers and jobbers of Boston, Mass., against a tax on tea—to the Committee on Ways and Means.

Also, petition of W. J. Buttfield, of New York City, favoring a duty on tea—to the Committee on Ways and Means.

Also, petition of the general assembly of the State of Ohio, favoring free lumber—to the Committee on Ways and Means.

Also, petition of Edward Smith & Co., of New York City, against any duty on China nut oil and varnish gum—to the Committee on Ways and Means.

Also, petition of the American Plate Glass Company, favoring a higher duty on plate glass—to the Committee on Ways and Means.

Also, petition of Schmidt & Co. employees, of Brooklyn, N. Y., favoring a higher import duty on all lithographic post cards, etc.—to the Committee on Ways and Means.

By Mr. LOWDEN: Petition of citizens of Ashton, Ill., opposing tax on tea or coffee—to the Committee on Ways and Means.

By Mr. MANN: Petition of citizens of Chicago, Ill., against increase of duty on furs—to the Committee on Ways and Means.

Also, petition of dealers in leather gloves, against increase of duty on gloves—to the Committee on Ways and Means.

By Mr. MARTIN of Colorado: Petition of citizens of the Second Congressional District of Colorado, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MILLER of Kansas: Petition of certain citizens of Maplehill, Kans., for repeal of tariff on lumber—to the Committee on Ways and Means.

Also, petition of certain citizens of Scranton and Belvue, Kans., against changes of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. MORGAN of Missouri: Petition of Robert Johnson

and Rand Shoe Company and others, of St. Louis, Mo., for removal of tariff on hides—to the Committee on Ways and Means.

By Mr. MURPHY: Petition of ex-Soldiers and Sailors' Association, of St. James, Mo., favoring the bill to provide $1 per day pension for Union soldiers and sailors of the civil war—to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: Petitions of Bangor and East Stroudsburg (Pa.) Lodges, Nos. 1106 and 319, Benevolent and Protective Order of Elks, favoring a reserve for the American elk—to the Committee on the Public Lands.

By Mr. PAYNE: Petition of South Bristol (N. Y.) Grange, No. 1107, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. REEDER: Petition of citizens of Agra, Kans., for placing shoes on the free list—to the Committee on Ways and Means.

By Mr. SABATH: Petition of citizens of Cook County, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of D. E. Young and 35 others, of Newport, R. I., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SLAYDEN: Paper to accompany bill for relief of heirs of Francisco Guilbeau—to the Committee on War Claims.

By Mr. SMITH of Texas: Petition of citizens of Texas, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of Kansas zinc smelters, for a tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of the Flersheim Shoe Company and J. E. Rhoades & Sons, of New York City, for free hides—to the Committee on Ways and Means.

Also, petition of Common Council of the city of Troy, N. Y., against reduction of tariff on collars and cuffs—to the Committee on Ways and Means.

Also, petition of manufacturers and importers of furs, favoring Dingley schedule on furs—to the Committee on Ways and Means.

Also, petition of C. H. McLaughlin, favoring maintenance of the barley schedule—to the Committee on Ways and Means.

Also, petition of Lyon Brothers & Co., of Baltimore, against increase of tariff on matting—to the Committee on Ways and Means.

Also, petition of manufacturers of blueprint paper, against increase of duty on print paper—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petitions of residents of Marble, Minturn, and Carbondale, Colo., against a tariff on tea and coffee—to the Committee on Ways and Means.

By Mr. TAYLOR of Ohio: Petition of citizens of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of C. E. Trapp and many other citizens of Columbus, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TIRRELL: Petition of S. L. Parsons and others, for removal of duty on raw and refined sugar—to the Committee on Ways and Means.

By Mr. WANGER: Petition of R. Scheetz and 27 other citizens of Norristown, Pa., against the imposition of any tax or duty upon coffee—to the Committee on Ways and Means.

Also, petitions of A. B. Frank, of Pennsburg, and 40 other residents of Montgomery County, Pa., for the removal of casein and lactarene from the free list and imposing a duty of 2¼ cents per pound on unground casein or lactarene and 2½ cents per pound on ground casein or lactarene—to the Committee on Ways and Means.

By Mr. WEBB: Petition of Charles Gibson and other citizens of Mecklenburg County, N. C., for a parcels-post system—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. C. Faires, of Kings Mountain, N. C., against a tariff on raw and refined sugar—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of citizens of Fond du Lac, Wis., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of citizens of Milwaukee, Wis., for an increased duty on post cards—to the Committee on Ways and Means.

Also, petition of citizens of the Sixth Congressional District of Wisconsin, against reduction of the tariff on barley—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of citizens of the Twenty-eighth Congressional District of Pennsylvania, against a duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

FRIDAY, *April 9, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

Mr. ROBERT L. OWEN, a Senator from the State of Oklahoma, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the house of delegates of Porto Rico, which was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed in the RECORD, as follows:

HOUSE OF DELEGATES OF PORTO RICO,
San Juan, P. R., March 26, 1909.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: I have the honor to submit for the consideration of the Senate, through the Hon. TULIO LARRINAGA, Resident Commissioner for Porto Rico in Washington, the inclosed certificate on memorial to the Congress of the United States concerning the limitation of the jurisdiction of the federal court of Porto Rico, approved by the house of delegates of Porto Rico at its meeting held on February 24, 1909.

Very respectfully,

J. DE DIEGO,
Speaker, House of Delegates of Porto Rico.

A memorial to the Congress of the United States of America.

The house of delegates of Porto Rico, to the Congress of the United States, respectfully states:

That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," enacted by the Congress and approved April 12, 1900, by section 34 thereof provided "that Porto Rico shall constitute a judicial district, to be called 'the district of Porto Rico,'" and established the "district court of the United States for Porto Rico," with the ordinary jurisdiction of district and circuit courts of the United States.

That thereafter the Congress, in amending the aforesaid organic act, enacted another act, approved March 2, 1901, section 3 of which reads as follows:

"SEC. 3. That the jurisdiction of the district court of the United States for Porto Rico in civil cases shall, in addition to that conferred by the act of April 12, 1900, extend to and embrace controversies where the parties, or either of them, are citizens of the United States, or citizens or subjects of a foreign state or states, wherein the matter in dispute exceeds, exclusive of interests or costs, the sum or value of $1,000."

The house of delegates of Porto Rico has knowledge of the investigation made by the Committee on Insular Affairs of the House of Representatives in the year 1901 into judicial conditions in Porto Rico, and the said house of delegates deems it to be a fact that the enlarged jurisdiction conferred upon the district court of the United States for Porto Rico, as provided by section 3 of the act of March 2, 1901, hereinabove transcribed, was based on false, slanderous, and selfish reports of several lawyers, without any representation in Porto Rico and without any knowledge of the laws and of the courts of the island, who had but recently arrived to this country, with the sole ambition of getting the greatest wealth in the shortest time. Such slanderous reports against the Porto Rican courts could have been inspired only by malignant personal interests, and, as against the said reports, the Congress may take notice of the just praises bestowed upon our courts by subsequent governors of Porto Rico in their messages to the legislative assembly of Porto Rico and in their reports to the President of the United States, which are solemn documents that revindicate the prestige of the insular courts.

The judges of Porto Rico have always been men of exemplary honesty and wisdom, and if cases of most serious judicial corruption have occurred in the courts of the island, no Porto Rican officer has figured therein.

The inhabitants of the island, natives and foreigners, had and do have absolute confidence in the insular courts, and there was not then nor is there now any reason to warrant the invasion by the district court of the United States for Porto Rico, under section 3 of the aforesaid act of March 2, 1901, of the legitimate jurisdiction of our courts in our territory.

Under the said act the rights of Porto Ricans to administer to themselves their own justice in their own country, in matters that do not belong to the federal jurisdiction, was snatched from them; a doubt was cast upon the right of Spaniards residing in Porto Rico, which was granted under Article XI of the treaty of peace with which the United States and Spain brought to an end the war of 1898. The aforesaid Article XI of that international compact placed the Spaniards residing in Porto Rico under the jurisdiction of the courts of this country in the same manner and on the same terms as native citizens of Porto Rico; but, under section 3 of the act of Congress of March 2, 1901, the jurisdiction of the district court of the United States for Porto Rico is extended to embrace all cases wherein the matter in dispute exceeds the sum of $1,000, and where the parties, or either of them, are foreigners, without apparently differentiating foreigners from Spaniards, which latter have, in matters judicial, a special privilege established in circumstance of supreme consideration under the sovereign power of an inviolable treaty.

The house of delegates of Porto Rico, in objecting to the jurisdiction of the district court of the United States for Porto Rico, can not descend from its lofty moral place and political dignity to the low level of the charges preferred by certain attorneys, before the Committee on Insular Affairs of the House of Representatives, against the courts of Porto Rico; but, we will say now, after the thorough investigation made by the committee on legislation of the house of delegates, reproducing the words of an American lawyer before said committee, that the federal court has been a failure in Porto Rico.

Judges without the slightest knowledge of the language, the customs, and of the laws of Porto Rico have successively sat upon the bench

of the district court of the United States for this district; they did not learn, understand, or apply the laws of the country; the law relative to real property was unknown to said judges; they administered justice like the ancient pretors with the twelve tables, as if in our country there were not a modern system of codified law; they could not understand or appreciate, through the worst kind of oral translations, the testimony of Porto Rican witnesses in civil and criminal cases; and, with all this ignorance and confusion, such justice, administered as aforesaid by the district court of the United States for Porto Rico, was productive of the greatest surprises, the greatest contradictions, and the most insufferable tyranny in what is most delicate in civil relations.

The audacity of many litigants and the malice of some lawyers fed upon this evil of the judges and court. It was generally believed that, as the federal court was not subject to any law, any matter within or without the law could be successful in that court. Property owners and capitalists were involved in insidious litigations. The scandal as to certain relations of sexes and family was made a matter of exploitation, and under the auspices of such shadows weak-minded people live in fear of spoliation and dishonor.

Such grave causes would be sufficient to warrant the resolution of the house of delegates petitioning the Congress for the suppression of the district court of the United States for Porto Rico. Such resolution would not be against federal institutions, for, even supposing that Porto Rico is a Territory of the United States, there are territories without United States courts; but Porto Rico being nothing within American constitutional law, belonging to and not forming part of the United States, which has been held by the Supreme Court of the Republic, it is a judicial and political antinomy to have a court of the United States at a place which is not part of the United States.

But the house of delegates of Porto Rico, thoughtful and wise, does not ask for the suppression of the federal court. This could be interpreted, perhaps, as a protest against the sovereignty of the United States, and this house should declare and state in every one of its acts that, loving the sovereignty and the flag which the Porto Rican people should naturally have over themselves, it also loves the glory of the flag of the United States, and does not merge the vices of the system of government into the lofty and noble principles of the life and power of the Republic.

The house unanimously, representing the will of our people, simply and respectfully demands from the Congress to organize the district court of the United States for Porto Rico like any other district and circuit court of the United States in any other part of the United States.

We ask for the repeal of the act of March 2, 1901, and for the reestablishment of section 34 of the act of April 12, 1900, should it be that this autocratic and unjust act is to continue in force for some time longer oppressing the people of Porto Rico.

At any event, we petition the Congress to reorganize the district court of the United States for this island, with the jurisdiction of district and circuit courts of the United States, as provided under sections 563 and 629 of the Federal Statutes, with the limitation of saving the rights conferred upon Spaniards under Article XI of the treaty of Paris.

We so petition, trusting to the justice of Congress, being anxious to remedy a greatly felt necessity among the great and painful necessities of the Porto Rican people.

HOUSE OF DELEGATES OF PORTO RICO,
OFFICE OF THE SECRETARY,
March 26, 1909.

I hereby certify that the foregoing is a full, true, and correct copy of a memorial to the Congress of the United States, duly adopted at a meeting held on the 26th day of February, A. D. 1909.

JOS MUÑOZ RIVERA,
Secretary House of Delegates of Porto Rico.

The VICE-PRESIDENT presented a memorial of the house of delegates of Porto Rico, which was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

HOUSE OF DELEGATES OF PORTO RICO,
San Juan, P. R., March 26, 1909.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: I have the honor to submit for the consideration of the Senate, through the Hon. TULIO LARRINAGA, Resident Commissioner for Porto Rico in Washington, the inclosed certificate or memorial to the Congress of the United States soliciting tariff protection for coffee and praying that no measures will be passed which will injure the sugar and tobacco interests of Porto Rico, approved by the house of delegates of Porto Rico on March 3, 1909.

Very respectfully,

J. DE DIEGO,
Speaker House of Delegates of Porto Rico.

A memorial to the Congress of the United States of America.

The house of delegates of Porto Rico respectfully represents:

That when the change of the sovereignty took place in Porto Rico in the year 1898 the production of coffee was the chief source of our insular wealth, as much on account of the extensive area of coffee under cultivation, as well as for the good quality and remunerative price which said product brought in the open market; and, further, on account of the vast quantity exported, and more particularly on account of the many persons and families among whom the profits derived therefrom were distributed.

The aforesaid change of sovereignty, though inevitable, brought about a radical change, a great disturbance in the financial relations of Porto Rico with the markets consuming its coffee, because, by the application to our island of the Dingley tariff, the markets of Spain, France, Germany, Italy, and Austria were instantly closed almost completely to this product of ours.

And, at the same time that these markets were suddenly closed, the price of coffee in the markets of the world suffered an enormous decline; and as if such causes by themselves were not sufficient to depress what at that time and for many years previous thereto had been our chief source of wealth, the sad financial condition of Porto Rico was further aggravated by the terrible disasters occasioned by the cyclone of August, 1899, from the dire consequences of which, notwithstanding the time since elapsed, the island has not as yet been able to recover.

However, Porto Rico did always entertain the hope that such grave evils would find greater or lesser compensation by the opening for Porto Rican coffee of the natural market of its new metropolis, a hope which was further enhanced by the belief that Porto Rico, being already an integral part of the United States, the products of its soil would find in the territory and in the laws of the Nation—as it was only reasonable and just—that same protection and safeguard as provided for potatoes, rice, sugar cane, onions, citrus fruits, and other national products in the Dingley tariff, under which said products were and are still most decidedly protected against similar foreign products.

Almost ten years have passed since, by the application of the Dingley tariff to Porto Rico, the several European markets were closed to this island, which markets it had conquered through incessant and unabated efforts and, above everything else, through the undeniable superiority of its coffee in a noble and reasonable competition; and though since that time Porto Rico has been unremitting in its exertions to open the market of the United States, which is to-day the natural market for its products, yet it has not obtained anything up to this time, because foreign products, generally inferior in quality to the Porto Rican grain, offer strenuous competition under more advantageous conditions.

When the idea of revising the tariff became a final conclusion, the people of Porto Rico thought, and continue to think, that the hour of compensation had at last arrived, and that within the doctrine of protection for domestic products, which had always been the life and the financial development of the Nation, the representatives thereof would find it easy and logical to provide a duty on foreign coffees entering the markets of the United States; because, aside from the fact that such action would have a precedent, since up to the year 1870 there was a duty on coffee of 5 cents per pound, the reestablishment of such a duty would be in accord with the just demands for protection for coffee from Hawaii and Porto Rico, to-day integrant parts of the American Union.

And, notwithstanding the facts hereinabove set forth, only trustworthy news of opposition are received in this island against its just aspirations, which are entirely in accord with the principles that at all times have regulated the financial policy of the American people, and further coupled therewith there are also rumors of a possible and considerable reduction of the duties which are to-day imposed upon foreign sugars when entering the markets of the United States.

If that rumor, which up to the present time has only been given as a mere possibility, should attain a place in a bill and gain such a foothold as to be interesting to the heart and sentiments of the Representatives in Congress, rather than to their intelligence, then Porto Rico would soon see a decline in its sugar wealth, as it has seen a decline, to the point of agony, in the production of coffee. And the United States could surely feel proud for having raised to an enviable height the prosperity of foreign peoples, but they would have consented to ruin and misery devastating an integrant part of the national territory.

No; Porto Rico can not believe that such is the destiny which is reserved for it within the bosom of the North American Republic. And because it can not so think, because it can not accept as possible that the Congress of the United States, on beginning the work of revision of the tariff, forgetting the principles of protection on which their financial acts were always inspired, should sacrifice the interests of Porto Rico (which are to-day the interests of the American Nation) upon the altar of the altruist desire of benefiting foreign interests; therefore the house of delegates of Porto Rico does not hesitate in raising its voice to the National Congress in these supreme moments, sincerely stating its financial troubles and reclaiming the adoption of the proper remedies.

The house of delegates of Porto Rico appears before the Congress of the United States with the demand that on revising the customs tariff provision be made therein for the imposition of a duty of 5 cents per pound on foreign coffee upon its entrance into the American market; and that, as regards sugar and tobacco, such duties as are to-day imposed and collected under the present tariff be continued in force, as any other measure contrary to this would bring with it the disappearance of the sugar and tobacco wealth of our island.

And now, with abiding faith in the Almighty and placing our confidence on the history and the lofty spirit of justice of the American people, the house of delegates of Porto Rico trusts, confidently and calmly, that the resolutions of the Congress will not disappoint the legitimate aspirations of the Porto Rican people.

HOUSE OF DELEGATES OF PORTO RICO,
OFFICE OF THE SECRETARY,
March 26, 1909.

I hereby certify that the foregoing is a full, true, and correct copy of a memorial to the Congress of the United States duly adopted by the said house of delegates at a meeting held the 3d day of March, A. D. 1909.

JOSÉ NUÑOZ RIVERA,
Secretary of the House of Delegates of Porto Rico.

Mr. BULKELEY. I present a resolution of the general assembly of the State of Connecticut regarding an inheritance tax, which I ask to be printed in the RECORD without reading, and referred to the Committee on Finance.

Mr. KEAN. I should like to hear it read.

The resolution was read and referred to the Committee on Finance, as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY,
General Assembly, January Session, A. D. 1909.

Senate joint resolution 130.

Resolution concerning reservation of inheritance tax for state revenue.

Whereas the several States are now taxing inheritances with marked success, and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by this assembly:

First. That the taxation of inheritance should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That copies of this resolution be forwarded to the Senators and Representatives representing this State in the Congress of the

United States, and that they hereby are respectfully requested to support a properly drawn joint resolution when proposed for adoption by the two Houses of the Congress declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes, and to reserve this source of revenue for the exclusive use and benefit of the several States.

Passed senate, State of Connecticut, March 18, 1909.

Passed house of representatives, State of Connecticut, March 31, 1909.

STATE OF CONNECTICUT,
Office of the Secretary, ss.:

I, Matthew, H. Rogers, secretary of the State of Connecticut, and keeper of the seal thereof and of the original record of the acts and resolutions of the general assembly of said State, do hereby certify that I have compared the annexed copy of the resolution concerning reservation of inheritance tax for state revenue with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

And I further certify that the said original record is a public record of the said State of Connecticut now remaining in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State at Hartford this 7th day of April, 1909.

[SEAL.] MATTHEW H. ROGERS, *Secretary.*

Mr. BRISTOW presented a petition of Oak Grange, No. 665, Patrons of Husbandry, of Shawnee County, Kans., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DU PONT presented a memorial of the board of managers of the Wilmington Institute Free Library, of Wilmington, Del., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE WILMINGTON INSTITUTE FREE LIBRARY,
Wilmington, Del.

At a meeting of the board of managers of the Wilmington Institute Free Library, on Tuesday, February 16, 1909, the following resolutions were adopted:

"The board of managers of the Wilmington Institute Free Library have learned with deep regret that an effort is making to increase the duty now levied on books and other printed matter imported into the United States, and to remove from the free list all classes of books now included therein.

"The existing tariff imposes a duty of 25 per cent ad valorem on books, excepting, however, first, books printed wholly in foreign languages; second, books in English which have been printed more than twenty years; third, books imported for the use of the United States or the Library of Congress, or for the use of libraries, educational institutions, or societies of a literary or scientific character.

"An import duty on books differs entirely in its effect upon the manufacturer from other duties in that the copyright laws afford protection to authors and publishers quite apart from the tariff.

"The protection afforded, moreover, is extremely limited, affecting only such imported modern books and periodicals as are printed in English. So far as it goes, however, the duty is a tax on knowledge and education; an unwise tax in a republic, the existence of which must always depend on the intelligence of its citizens.

"The removal of books for public libraries from the free list will be distinctly a backward step, as the exemption as now existing has been the law for many years, and the result will be the imposition of a serious tax upon a class of institutions which have always been favored or supported by all enlightened governments.

"This board therefore respectfully protests against any diminution of the privileges that libraries now possess, and further expresses the opinion that all import duties upon books and other printed matter should be entirely abolished.

"*Resolved*, That an attested copy of the foregoing minute be sent to each member of the Committee on Ways and Means of the House of Representatives and to each Member of the House and Senate representing the State of Delaware."

WILLIAM P. TAYLOR, *President.*
FREDERIC H. ROBINSON, *Secretary.*

Mr. STONE presented a memorial of the Latin-American and Foreign Trade Association, of St. Louis, Mo., remonstrating against the commissaries maintained by the Isthmian Canal Commission in Panama entering into competition with the merchants of that country, which was referred to the Committee on Interoceanic Canals.

He also presented a petition of sundry citizens of Maryville, Mo., praying for the passage of the so-called "children's bureau bill," which was referred to the Committee on Education and Labor.

He also presented the memorial of Mrs. J. F. Cook and sundry other citizens of Lagrange, Mo., remonstrating against any increase of the duty on hosiery, gloves, and other wearing apparel, which was referred to the Committee on Finance.

He also presented a petition of the Latin-American and Foreign Trade Association, of St. Louis, Mo., praying for the ratification of the pending treaty between the United States and the Republic of Panama, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Southwestern Mercantile Association, of St. Louis, Mo., praying that an appropriation be made for the improvement of the public highways of the country, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Violet Lodge, No. 34, Brotherhood of Railway Carmen of America, of St. Louis, Mo., remonstrating against the decision of the supreme court of the District of Columbia in imposing a jail sentence on Messrs. Gompers, Mitchell, and Morrison, which was referred to the Committee on the Judiciary.

Mr. BURKETT presented a petition of sundry citizens of North Bend, Nebr., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on Woman Suffrage.

He also presented a petition of sundry citizens of Sutton, Nebr., praying for the enactment of legislation granting a per diem pension to the surviving soldiers and sailors of the civil and Mexican wars, which was referred to the Committee on Pensions.

Mr. PERKINS presented a memorial of sundry business firms of San Francisco, Cal., remonstrating against the imposition of a duty on raw cocoa, which was referred to the Committee on Finance.

He also presented a petition of the Merchants' Exchange of Oakland, Cal., praying that all foreign works of art, except when imported for commercial purposes, be admitted free of duty, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 1527) granting an increase of pension to Roland E. Neff;

A bill (S. 1528) granting an increase of pension to Cyrus S. Pitts; and

A bill (S. 1529) granting an increase of pension to Charles E. Wellman; to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 1530) to reorganize the corps of dental surgeons attached to the Medical Department of the Army (with accompanying paper); and

A bill (S. 1531) to grant medals to survivors and heirs of volunteers of the Port Hudson forlorn-hope storming party (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 1532) granting a pension to Henrietta M. Moore (with accompanying papers); and

A bill (S. 1533) granting a pension to Antietam Burnside Mann (with accompanying paper); to the Committee on Pensions.

By Mr. BURKETT:

A bill (S. 1534) granting an increase of pension to A. M. Enoch (with accompanying paper); to the Committee on Pensions.

By Mr. WARNER:

A bill (S. 1535) amending paragraph 14 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1883, and for other purposes," approved August 7, 1882; to the Committee on Appropriations.

A bill (S. 1536) providing for the transfer of certain names from the freedman roll to the roll of citizens by blood of the Choctaw and Chickasaw nations; to the Committee on Indian Affairs.

A bill (S. 1537) authorizing and directing the Secretary of the Treasury to pay to Angeline C. Burgert the sum of $157.72, the amount of her distributive share of the net proceeds of the sale of the Painesville and Youngstown Railroad, applicable to bond No. 209;

A bill (S. 1538) for the relief of the heirs or legal representatives of James B. Hassett, deceased;

A bill (S. 1539) for the relief of Margaret C. Montville; and

A bill (S. 1540) for the relief of the estates of J. W. Gunter and W. H. Gunter, both deceased; to the Committee on Claims.

A bill (S. 1541) to correct the military record of Otis B. Vanfleet;

A bill (S. 1542) authorizing the Secretary of the Treasury to prepare plans for the building of a memorial amphitheater at Arlington, Va., and for other purposes;

A bill (S. 1543) for the relief of Levi Mott;

A bill (S. 1544) authorizing the Secretary of War and the Auditor for the War Department to consider and settle the claim of Col. John D. Hall, United States Army, retired, for personal property destroyed in the earthquake at San Francisco, Cal.; and

A bill (S. 1545) to amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein, with

the dates of his enlistment and discharge; to the Committee on Military Affairs.

A bill (S. 1546) granting a pension to Charles Herold;

A bill (S. 1547) granting an increase of pension to Isaac Shields;

A bill (S. 1548) granting a pension to Henry Frederick Gieseke;

A bill (S. 1549) granting an increase of pension to Caleb Stone;

A bill (S. 1550) granting an increase of pension to William West;

A bill (S. 1551) granting an increase of pension to Jennie E. Lowell;

A bill (S. 1552) granting an increase of pension to John Whelan;

A bill (S. 1553) granting an increase of pension to Bedford B. Hulet;

A bill (S. 1554) granting an increase of pension to Ida L. du d'Huy;

A bill (S. 1555) granting an increase of pension to John Robertson;

A bill (S. 1556) granting a pension to Robert Devling;

A bill (S. 1557) granting an increase of pension to Sarah Dawson;

A bill (S. 1558) granting an increase of pension to Sarah F. Gillam;

A bill (S. 1559) granting an increase of pension to Marion Cunningham;

A bill (S. 1560) granting a pension to John A. Pollard;

A bill (S. 1561) granting an increase of pension to Abram M. Casteel;

A bill (S. 1562) granting an increase of pension to James E. Twitchell;

A bill (S. 1563) granting a pension to Edward T. Sutton;

A bill (S. 1564) granting a pension to John J. Shanks;

A bill (S. 1565) granting an increase of pension to Darwin W. Perkins;

A bill (S. 1566) granting an increase of pension to James C. Settle;

A bill (S. 1567) granting a pension to John W. Wilkerson;

A bill (S. 1568) granting a pension to Nora R. Willett;

A bill (S. 1569) granting an increase of pension to James A. Whitworth;

A bill (S. 1570) granting an increase of pension to Frederick W. Odell;

A bill (S. 1571) granting an increase of pension to Thomas C. Lyon;

A bill (S. 1572) granting an increase of pension to Phoebe A. Kent;

A bill (S. 1573) granting an increase of pension to Christopher S. Alvord;

A bill (S. 1574) granting an increase of pension to Harrison Ferguson;

A bill (S. 1575) granting an increase of pension to Marion Vest;

A bill (S. 1576) granting an increase of pension to John Whitaker;

A bill (S. 1577) granting a pension to Mary Florence King;

A bill (S. 1578) granting a pension to Sarah J. Boone;

A bill (S. 1579) granting a pension to Paris G. Strickland;

A bill (S. 1580) granting an increase of pension to Ellenor E. Wells;

A bill (S. 1581) granting an increase of pension to Andrew J. Fryatt;

A bill (S. 1582) granting an increase of pension to Belle F. Halstead;

A bill (S. 1583) granting an increase of pension to Ann M. Ellenberger;

A bill (S. 1584) granting an increase of pension to Maggie Olson;

A bill (S. 1585) granting an increase of pension to Charles W. Branson;

A bill (S. 1586) granting an increase of pension to Nathaniel Finley;

A bill (S. 1587) granting an increase of pension to John H. Herod;

A bill (S. 1588) granting a pension to Eliza J. Glover;

A bill (S. 1589) granting an increase of pension to William Kelly;

A bill (S. 1590) granting an increase of pension to William E. Julian;

A bill (S. 1591) granting an increase of pension to Jacob N. Ketcham; and

A bill (S. 1592) granting an increase of pension to Matthew Harris; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 1593) granting an increase of pension to James Haley;

A bill (S. 1594) granting a pension to Robert D. Walkinshaw;

A bill (S. 1595) granting a pension to Caroline Coleman; and

A bill (S. 1596) granting an increase of pension to Charles Sells; to the Committee on Pensions.

By Mr. McENERY:

A bill (S. 1597) granting an increase of pension to George Baldey (with accompanying papers); to the Committee on Pensions.

REFUND OF STAMP TAXES, ETC.

Mr. CULBERSON. I introduce a bill and ask its reference to the Committee on Finance.

With the indulgence of the Senate I will say that in 1898 an act was passed known as the "war-tax act," levying a tax on foreign bills of exchange. That tax was paid very generally. Subsequently it was declared to be unconstitutional, and on the 1st day of February of the present year an act was approved by the President authorizing the repayment of such taxes where the claims for such payment had been made prior to the 1st day of July, 1904. Since then cases have come under my observation where valid claims exist, but which were not presented by the persons prior to the 1st day of July, 1904.

The object of the bill which I introduce is to allow the presentation of such claims up to the 1st day of July, 1909, and their payment by the Secretary of the Treasury.

The bill (S. 1526) to amend an act entitled "An act to provide for refunding stamp taxes paid under the act of June 13, 1898, upon foreign bills of exchange drawn between July 1, 1898, and June 30, 1901, against the value of products or merchandise actually exported to foreign countries and authorizing rebate of duties on anthracite coal imported into the United States from October 6, 1902, to January 15, 1903, and for other purposes," approved February 1, 1909, was read twice by its title and referred to the Committee on Finance.

MARCIA A. TAYLOR.

Mr. DILLINGHAM submitted the following resolution (S. Res. 31), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 31.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Marcia A. Taylor, widow of George M. Taylor, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

THE CENSUS.

The VICE-PRESIDENT. The morning business is closed, and the calendar under Rule VIII is in order. The Secretary will state the first bill on the calendar.

The bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses was announced as first in order; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. KEAN. I do not see the Senator from Wisconsin [Mr. LA FOLLETTE] present.

Mr. GALLINGER. Let the bill be read.

Mr. KEAN. He has been sent for.

The Secretary proceeded to read the bill.

Mr. LA FOLLETTE. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read by sections for action on the amendments of the committee.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Wisconsin? The Chair hears none.

The reading of the bill was resumed.

The first amendment of the Committee on the Census was, in section 3, page 2, line 14, after the word "appointed," to strike out "without examination by the Secretary of Commerce and Labor upon the recommendation of," and insert "by," so as to make the section read:

SEC. 3. That after June 30, 1909, and during the decennial census period only, there may be employed in the Census Office, in addition to the force provided for by the act of March 6, 1902, entitled "An act to provide for a permanent Census Office," an assistant director, who shall be an experienced practical statistician; a geographer; a chief statistician, who shall be a person of known and tried experience in

statistical work; an appointment clerk; a private secretary to the director; two stenographers, and eight expert chiefs of division. These officers, with the exception of the assistant director, shall be appointed by the Director of the Census. The assistant director shall be appointed by the President, by and with the advice and consent of the Senate.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 18, before the word "dollars," to strike out "five hundred," so as to read:

That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,000.

Mr. DILLINGHAM. I should like to have the committee give the reasons why they make recommendations as to a change of salaries of the various officials as provided for in this section. I understand that the salary of the Director of the Census, which was taken ten years ago, was $7,500.

Mr. LA FOLLETTE. Mr. President, the Senator from Vermont is mistaken about that. The salary of the Director of the Census, taken in the year 1900, was $6,000. This is an increase of $1,000 over the salary paid at that time.

Mr. DILLINGHAM. With the Senator's permission, I will state I had the impression that by a subsequent act in 1900 the salary was changed to $7,500 and it was so applied during the taking of that census. I may be in error, however.

Mr. LA FOLLETTE. I think the Senator is mistaken. The salaries are reduced in this bill to conform to the salaries fixed by the census act of 1899 and the act of 1902, making the Census Office a permanent bureau.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 19, before the word "dollars," to strike out "two thousand five hundred" and insert "two thousand two hundred and fifty," so as to read:

The private secretary to the director, $2,250.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 20, before the word "dollars," to strike out "five thousand" and insert "four thousand," so as to read:

The assistant director, $4,000.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 21, before the word "dollars," to strike out "five hundred," so as to read:

The chief statisticians, $3,000 each.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 22, before the word "dollars," to strike out "three thousand" and insert "two thousand five hundred," so as to read:

The chief clerk, $2,500.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 23, before the word "dollars," to strike out "three thousand" and insert "two thousand five hundred," so as to read:

Disbursing clerk, $2,500.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 24, before the word "dollars," to strike out "three thousand" and insert "two thousand five hundred," so as to read:

The appointment clerk, $2,500.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 25, before the word "dollars," to strike out "three thousand" and insert "two thousand five hundred," so as to read:

The geographer, $2,500.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 1, before the word "dollars," to strike out "two hundred and fifty," so as to read:

The chiefs of division, $2,000 each.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 3, before the word "dollars," to strike out "two thousand" and insert "one thousand eight hundred," so as to read:

And the stenographers provided for in section 3 of this act, $1,800 each.

The amendment was agreed to.

The Secretary read the next section of the bill, as follows:

SEC. 6. That in addition to the force hereinbefore provided for and to that already authorized by law there may be employed in the Census Office during the decennial census period, and no longer, as many clerks of classes 4, 3, 2, and 1; as many clerks, copyists, computers, and skilled laborers, with salaries at the rate of not less than $600 nor more than $1,000 per annum, and as many messengers, assistant messengers, messenger boys, watchmen, unskilled laborers, and charwomen, as may be found necessary for the proper and prompt performance of the duties herein required, these additional clerks and employees to be appointed by the Director of the Census: *Provided*, That the total number of such additional clerks of classes 2, 3, and 4 shall at no time exceed 100: *And provided further*, That employees engaged in the compilation or tabulation of statistics by the use of mechanical devices may be compensated on a piece-price basis to be fixed by the director.

Mr. CURTIS. I should like to ask the chairman of the committee why the clerks in each class were not numbered, so that we could know the number of each class to be appointed, instead of leaving it in the hands of the Secretary or the director to employ as many as he may see fit to do the work.

Mr. LA FOLLETTE. There is a limitation.

Mr. CURTIS. Yes; to a hundred.

Mr. LA FOLLETTE. There is a limitation put on the number in each class. It was thought by the committee, after hearing the director, that it was prudent to give him the discretion which is conferred upon him in this section of the bill.

There were certain limitations provided in the census act of 1899 with respect to the three first classes of clerks—that is, it was provided that there should be 10 clerks of class 4, 15 clerks of class 3, and 20 clerks of class 2. But the director was invested with the widest discretion with respect to the employment of all other clerical help. Indeed, the provision from line 8 to line 15 in the section is almost identical with the provision of the act of 1899.

Mr. CURTIS. I should like to know whether the committee considered the advisability of limiting the number of each of these first three or four classes of clerks.

Mr. LA FOLLETTE. The number is limited by the proviso in lines 15, 16, and 17.

Mr. CURTIS. It is limited to 100.

Mr. LA FOLLETTE. Of all the three classes there are at no time to be employed more than 100 clerks. That is a larger number of clerks of those three classes than were employed under the act of 1900.

Mr. CURTIS. Yet they have now a permanent force that has been doing the very work that that class of clerks will be required to do. The point I want to make is whether the bill ought not to designate the number of clerks in class 1, whether 5, 10, 15, or 20, and the number of clerks in class 2 or class 3 that the director should have. It seems to me that with the number of clerks he has now and the work they have performed, the additional number is unnecessary. It puts in his hands the power of employing clerks up to 100 in either one of these classes.

Mr. LA FOLLETTE. No.

Mr. CURTIS. That is a power which does not exist as to all the classes.

Mr. LA FOLLETTE. The Senator is mistaken about that. The total number who can be employed in all three classes is but 100.

Mr. CURTIS. That is true.

Mr. LA FOLLETTE. That is as many as he indicates to be necessary. Of course in ten years the work has greatly increased.

Mr. CURTIS. That is true, but he may employ 18 clerks in one class, and then divide all the rest among the other classes.

Mr. LA FOLLETTE. That is true. It was the opinion of the committee that he should be invested with the very widest discretion in carrying forward this emergency work as to what classes he should take his clerks from; and with the limitation of 100 put upon him it is precisely in the form in which the bill passed the Senate at the last session of Congress.

Mr. CURTIS. If the committee considered that question, I am perfectly satisfied to be guided by them, but, in my judgment, it would be better to leave it the other way.

Mr. CARTER. Mr. President, I will state in reply to the inquiry of the Senator from Kansas, that in the operation of the census work under this phraseology as it stands, the cheaper grade of clerks will predominate in the beginning, and as excellence is developed promotions may occur. If, however, the various classes were rigidly confined to specific numbers, the director would thus be required in the beginning to appoint the specified number of high-grade clerks, whereas under the rule as prescribed by the proposed law the lower priced clerks of the classes may predominate, and thus normal promotions occur as points of excellence are developed in the clerical force.

Mr. CURTIS. Does not the Senator believe that the director at this time knows the number of clerks who may be necessary in each class?

Mr. CARTER. The director estimates that 100 will be an adequate number in all these classes, but he does not desire

that the number shall be equally divided in the beginning between the classes. That division will be made from time to time as efficiency records are developed, and thus the premium of promotion will be a constant incentive to better work.

If the phraseology should be changed so that 20 of the high-class clerks should be appointed in the beginning, thus filling up the quota, there would be no possibility of promotion from the lower to the higher grade throughout the entire period of service; stagnation would prevail in all the grades from the very beginning; whereas by allowing the latitude suggested, naming the aggregate number and leaving the director first to select all at the lower rate of salary, as I have heretofore suggested, he may secure better service by holding out the premium of promotion.

Mr. CURTIS. Does the Senator believe that the director will employ all the clerks at the lower grades and eventually promote them?

Mr. CARTER. The director will appoint to the lower grades, chiefly, in the beginning, and allow the course of the work and the excellence of performance to determine the number and the names of those entitled to higher rates of wages.

The VICE-PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed. The next amendment was, in section 7, page 4, line 22, after the word "employees," to strike out the following words:

Except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen.

Mr. LA FOLLETTE. I ask unanimous consent that section 7 be passed over informally. I have a committee amendment to offer to the section, and it is being prepared.

The VICE-PRESIDENT. Without objection, the section will be passed over as requested.

The reading of the bill was resumed. The next amendment was, in section 8, page 7, line 16, after the word "employee," to insert "and, if employee, whether or not employed at the date of enumeration and the number of months unemployed during the preceding calendar year;" and in line 22, after the word "deaf," to insert "and dumb," so as to make the paragraph read:

SEC. 8. That the Thirteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, number of years in the United States, citizenship, occupation, whether or not employer or employee, and, if employee, whether or not employed at the date of enumeration and the number of months unemployed during the preceding calendar year, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, and whether or not a survivor of the Union or confederate army or navy; and the name and address of each blind or deaf and dumb person; and, for the enumeration of institutions, shall include paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions.

The amendment was agreed to.

The next amendment was, in section 8, page 8, line 2, before the word "color," to strike out "and;" in the same line, after the word "color," to insert "and country of birth;" in line 3, after the word "farm," to insert "acreage of woodland and character of timber thereon;" and in line 7, after the word "crops," to strike out "as of the date of enumeration" and insert "planted and to be planted during the year of enumeration," so as to make the paragraph read:

The schedules relating to agriculture shall include name, color, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland and character of timber thereon, value of farm and improvements, value of farm implements, number and value of live stock on farms and ranges, number and value of domestic animals not on farms and ranges, and the acreage of crops planted and to be planted during the year of enumeration, and the acreage of crops and the quantity and value of crops and other farm products for the year ending December 31 next preceding the enumeration.

The amendment was agreed to.

The next amendment was, in section 8, page 9, line 13, after the word "manufactures," to strike out "the quantity of crude turpentine gathered;" in line 14, after the word "quantity," to insert "and quality;" in line 15, after the word "manufactured," to insert "and marketed;" and in line 16, after the word "industry," to insert "and business and how conducted," so as to make the paragraph read:

The inquiry concerning manufactures shall cover the production of turpentine and rosin and the report concerning this industry shall show in addition to the other facts covered by the regular schedule of manufactures, the quantity and quality of turpentine and rosin manufactured and marketed, the sources, methods, and extent of the industry and business and how conducted.

The amendment was agreed to.

The next amendment was, in section 9, page 10, line 11, after the word "President," to insert "by and with the advice and consent of the Senate," so as to read:

The supervisors shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the whole number of supervisors shall not exceed 330.

The amendment was agreed to.

The next amendment was, in section 15, page 15, line 22, after the word "exceed," to strike out "five" and insert "four," so as to make the section read:

SEC. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language, but no authorization shall be given for such employment in any district until due and proper effort has been made to secure an enumerator who can speak the language or languages for which the services of an interpreter would otherwise be required. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed $4 per day for each day actually and necessarily employed.

The amendment was agreed to.

Mr. BURKETT. Mr. President, I should like to ask a question of the Senator in charge of the bill. I have been following the reading and noticed back a section or two that there was provided a limitation of 330 on the number of the supervisors to be appointed. There was another provision that the territory assigned to each supervisor should conform as nearly as possible to the congressional districts. I take it from that that it is intended to conduct the next census along similar lines as in the past, about one supervisor being assigned to each district. I wish to inquire of the Senator how the committee arrived at the number 330. There are certainly more than 330 congressional districts in the country, and, providing as the bill does for a census of Alaska and Hawaii, it does seem to me that 330 supervisors will not reach around. I have examined the subsequent sections to see if there was any provision made for the consolidation of territory, but have not found it.

Mr. LA FOLLETTE. Mr. President, the number 330 was not determined upon to correspond to the number of congressional districts.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. In just a second. The estimate of the number required is based upon the experience of the last census. One supervisor for every congressional district is not required. The Census Office has found it more practicable and satisfactory, assuring more definite responsibility and uniformity of results, in the enumeration in cities to employ only one supervisor in a city, even large cities embracing congressional districts. Thus in New York City only one supervisor is employed, although there are about 17 congressional districts in that city. This practice is extended to all large cities, so that the number of supervisors required for the entire country is much less than the total number of congressional districts in the country.

Mr. GALLINGER. And, if the Senator will permit me, is it not likewise a fact that in the smaller States one supervisor covers the entire State?

Mr. LA FOLLETTE. I know that the director spoke of the State of Massachusetts especially.

Mr. GALLINGER. And New Hampshire, Vermont, and Rhode Island likewise.

Mr. LA FOLLETTE. I suppose that is true of New Hampshire.

Mr. GALLINGER. And that likewise reduces the number.

Mr. LA FOLLETTE. Yes.

Mr. KEAN. And there is only one supervisor for the State of New Jersey.

Mr. SMITH of Michigan. I should like to state to the Senator from Wisconsin that so far as I am able to find there has never been any provision for the employment of supervisors coextensive with the congressional districts. In the last census there were 300 supervisors.

Mr. LA FOLLETTE. That is the number. The Senator is correct.

Mr. SMITH of Michigan. There were 386 congressional districts, I believe, at that time.

Mr. BURKETT. Three hundred and fifty-six.

Mr. SMITH of Michigan. There were 356 congressional districts at that time, so that the number has only been increased in about the proportion that the congressional districts have increased. The number is proportionally the same as it was in the last census.

Mr. LA FOLLETTE. That is true. I think the number has been very carefully ascertained by the Director of the Census,

and I do not think that the Senator from Nebraska will be disappointed.

Mr. BURKETT. I have no disappointment about it and no concern about it further than, observing the provision in the line following the limitation that the supervisors should be apportioned, so far as practicable, I thought probably in view of the phraseology it would not be very practicable.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was in section 18, page 17, line 23, before the word "dollars," to strike out "four" and insert "three," so as to make the section read:

SEC. 18. That special agents may be appointed by the Director of the Census to carry out the provisions of this act and of the act to provide for a permanent census office, approved March 6, 1902, and acts amendatory thereof or supplementary thereto. The special agents thus appointed shall have like authority with the enumerators in respect to the subjects committed to them under this act, and shall receive compensation at rates to be fixed by the Director of the Census: *Provided*, That the same shall in no case exceed $6 per day and actual necessary traveling expenses, and an allowance in lieu of subsistence not exceeding $3 per day during necessary absence from their usual place of residence: *Provided further*, That no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work: *And provided further*, That the Director of the Census shall have power, and is hereby authorized, to appoint special agents to assist the supervisors whenever he may deem it proper, in connection with the work of preparation for, or during the progress of, the enumeration or in connection with the reenumeration of any district or a part thereof; or he may, in his discretion, employ for this purpose any of the permanent or temporary employees of the Census Office: *And provided further*, That the Director of the Census may, in his discretion, fix the compensation of special agents on a piece-price basis.

The amendment was agreed to.

The next amendment was, in section 33, page 27, line 9, after the word "the," to strike out "Director of the Census, under the supervision of the Secretary of Commerce and Labor," and insert "Secretary of the Treasury," so as to make the section read:

SEC. 33. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise, for the use of the Census Office, and for other governmental purposes, the site and buildings thereon, containing about 118,000 square feet of ground, and constituting the southern 350 feet, more or less, of square No. 574, in Washington, D. C., bounded on the north by a public alley, on the south by B street, on the east by First street, and on the west by Second street NW.: *Provided*, That not more than $450,000 shall be paid for the property herein referred to.

Mr. LA FOLLETTE. On behalf of the committee I have an amendment to offer, not only as a substitute for section 33, but for section 34 as well. I will ask, therefore, that section 34 be read, and then I will offer the substitute for both sections.

The VICE-PRESIDENT. The Secretary will read as requested.

The SECRETARY. In section 34, page 27, line 24, after the words "That the," it is proposed to strike out "said Director of the Census, under the supervision of the Secretary of Commerce and Labor" and to insert "Secretary of the Treasury;" so as to make the section read:

SEC. 34. That the Secretary of the Treasury is instructed to cause to be erected on such portion of the site as is not now occupied by buildings, a commodious and substantial building with fire-proof vaults, heating and ventilating apparatus, elevators, and approaches, for the use of the Census Office, and for other governmental purposes, the cost of such building not to exceed $250,000. A sum of money sufficient to pay for the property and the erection of the said building is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That no part of the said appropriation shall be expended until a valid title to the property referred to shall be vested in the United States.

Mr. LA FOLLETTE. I am directed by the committee to offer the amendment which I send to the desk as a substitute for sections 33 and 34.

The VICE-PRESIDENT. The Secretary will read the substitute proposed by the Senator from Wisconsin.

The SECRETARY. It is proposed to strike out sections 33 and 34, and in lieu thereof to insert as a new section, to be known as section 33, the following:

SEC. 33. That the Secretary of the Treasury be, and is hereby, authorized and directed to provide, upon land, the title to which is in the United States, or to acquire by purchase, condemnation, or otherwise, a suitable site, with or without buildings thereon, for the use of the Census Office and for other governmental purposes, and to remodel, rebuild, or construct thereon such building or buildings as may be necessary to provide substantial and commodious accommodations for the Census Office, on or before January 1, 1910. The sum of $750,000, or so much thereof as may be necessary to carry out the provisions of this section, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That no part of the said appropriation shall be expended until a valid title to any property acquired under the provisions of this section shall be vested in the United States.

Mr. LA FOLLETTE. Mr. President, this amendment slightly increases the appropriation provided in section 34 and invests the Secretary of the Treasury with a discretion which will enable him, if it is possible within the limits of this appropriation, to procure a better location than the present site of the Census Office.

The VICE-PRESIDENT. The question is on the substitute offered by the Senator from Wisconsin.

Mr. CLAPP. Mr. President, I should like to ask the Senator in charge of the bill a question. This is a matter with which I am not familiar. Is it contemplated that this additional building is necessary for the taking of the census provided for in this bill?

Mr. LA FOLLETTE. Mr. President, it would be impossible to care for the force necessary for the taking of the census without either renting, as was done in 1900, office rooms in other parts of the city, which is very expensive and very inconvenient, or erecting some additional rooms on or near the site occupied by the present census building which is under lease.

Mr. CLAPP. Mr. President, of course the committee undoubtedly has given this subject a great deal of attention, but it does seem to me that it is vesting unusual authority in the Secretary of the Treasury to authorize him to select the site for the proposed building, with no information to be first furnished Congress as to where the site is or the price of it. It may be that the exigencies of the case demand it. Nothing but that suggestion would warrant me in supporting such an extraordinary grant of authority.

Mr. LA FOLLETTE. Mr. President, I do not know what position the Senator from Minnesota took when this bill was before the Senate at the last session, but at that time the Senate and, indeed, Congress adopted the provision which is in the bill as reported originally by the committee, for which the proposed amendment is offered as a substitute. It was determined, after considerable debate in both Houses, determined after hearings by the committees of both Houses, that it was, so far as the subject-matter could be considered by both committees and both Houses, necessary to provide this additional room for the Census force, and that the best and most feasible plan for making that provision was presented by the bill as finally passed at the last session.

Some objection was made to the provision when the matter came up for debate here in the Senate, and this is with the view of meeting that objection and, if possible within the appropriation proposed, to secure a better site than the one then contemplated, leaving in the Secretary of the Treasury the discretion to make the selection.

Mr. CLAY. Mr. President, if I catch the language of the Senator, with his permission, I wish to say that the bill we passed, which was vetoed by the retiring President, confined the purchase to the present location and the adjoining land, if I understand it.

Mr. LA FOLLETTE. That is true.

Mr. CLAY. And the amendment offered by the committee at this time authorizes the Secretary of the Treasury to examine different sites and select such site as he may think suitable for that purpose?

Mr. LA FOLLETTE. Certainly.

Mr. CLAY. It does not confine the Secretary of the Treasury to the particular site where the Census Office now is or to any other location?

Mr. LA FOLLETTE. That is the scope and purpose of the amendment. It permits the Secretary of the Treasury to avail himself of any land which the Government may have at this time which may be a better site or to acquire some other site.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. Certainly.

Mr. CLAPP. When this subject was before the Senate at the last session I did not say anything, because I knew it was absolutely useless. I was certainly opposed to any such proposition. On the other hand, it does seem to me that the Senate, and, if not the Senate, at least the committee, ought to have in mind some location—different locations, if necessary—with the price, in order that the Senate, acting through the committee, might have some voice as to where this building should be located, the character of it, and the price to be paid for the land.

It will take some little time to erect a building, probably a year or two. If the Secretary should desire to erect one, in the meantime we would probably have to rent accommodations, anyhow. What suggests itself to my mind is the unusual proposition of turning over to any officer the authority to select a site and agree on the price without any previous information being furnished the Senate or its committee as to where the proposed site may be or what the land may cost. It may be that the exigencies require it. If they do, I certainly do not want to oppose it.

Mr. TALIAFERRO. I should like to ask the Senator from Minnesota a question. I ask if the policy of the Government generally is not to authorize the Secretary of the Treasury to select sites for government buildings, except perhaps in the case of buildings to be occupied by the Government in the District of Columbia?

Mr. CLAPP. Exactly. That is just the point I would make. When we come to authorize the erection of post-offices or custom-houses in cities distant from the capital, of course we leave it to the Secretary; but it would seem to me that when it comes to erecting buildings here in the city of Washington, where we would be inclined to bear in mind possibly the relation of one location to another, although not perhaps having a fixed plan, Congress ought to say something about where such buildings should be erected, unless there is a contingency which has arisen——

Mr. TALIAFERRO. There is a contingency and an emergency.

Mr. CLAPP. Then I do not wish to press the objection.

Mr. TALIAFERRO. The information presented to the committee was that this was the most economical time to make provision for the general census force. It has been represented to the committee, and the committee think, that the building ought to be in readiness for the force by the 1st day of January, and that date is fixed in the authorization to the Secretary of the Treasury to purchase the site and construct the building.

Mr. LA FOLLETTE. Just one word, Mr. President. Exactly this situation is presented: It is necessary to provide additional buildings properly to house the force that must compile the census during the census period. We have a limited time in which to do it. It may be that Congress has been negligent about it; it may be that the matter should have been taken up a year or two ago, when there was ample time to consider the whole proposition and provide for a building with reference to other buildings, but we are now confronted with a situation where we must increase very largely, by some two or three thousand, the employees of the Census Office. That must be done very soon. We either have to do that by making use of the buildings we have there and making additions to them, as contemplated by the bill as passed by the last Congress and as reported by your committee and as now presented to the Senate; or we must, if it can be done within the same appropriation, make selection of a better site and get the building completed within the same time. That seemed to the committee the wise thing to do. Upon further consideration, at a meeting of the committee held this morning, it was decided to report this substitute, so that in providing a building we shall not be limited to this one site, to which considerable objection has been made whenever the matter has been brought to the attention of the Senate.

Mr. CLAPP. Will the Senator from Wisconsin entertain a suggestion? I appreciate the situation, but I do not like the idea, when it comes to building permanent buildings in the District of Columbia, of leaving it to any one man. Would it appeal to the committee to incorporate in this amendment a provision leaving it to the Secretary, in conjunction with the Census Committees of the Senate and the House, so that it would be somewhat in the hands of the Senate, through its committee?

Mr. TALIAFERRO. The chairmen of each of those committees.

Mr. CLAPP. The chairmen of each of those committees; and if it meets with the approval of the Senator in charge, I would suggest that amendment. I do not think, when it comes to locating permanent buildings here in the District, we ought to have the views of more than one man.

Mr. LA FOLLETTE. It is hardly to be expected, with this amount of money, that a site can be acquired and a monumental building erected. We are simply making provision for an emergency which has arisen.

Mr. GALLINGER. Mr. President, I will ask the Senator in charge of the bill if it is in contemplation to purchase a site and erect a building for $750,000?

Mr. LA FOLLETTE. If there should be erected the building which was contemplated by the bill passed at the last session of Congress and by the bill as passed by the House of Representatives at this session of Congress, we would acquire a site and would erect a building upon a portion of that site, in addition to acquiring the buildings now standing there, for the sum of $680,000. Options have been secured upon the tract of land where the census building now stands and upon land adjoining it, upon a portion of which there is a building which is now in use by the Southern Railway Company, which the company will relinquish if the Government desires to exercise its option and buy that land.

Mr. GALLINGER. I can readily understand that if the present site is to be acquired the additional building could be constructed for $750,000; but the amendment contemplates the possibility of going outside and purchasing other land and erecting a building upon it, in which case I will suggest to the Senator that the sum of $750,000 will be utterly inadequate. We have had some experience in purchasing land in the city of Washington, and I will say unless the present site shall be acquired that the Secretary of the Treasury will be very fortunate, indeed, if he buys a foot of land in the District of Columbia except through condemnation; and that is a very expensive proceeding, as we happen to know.

Mr. LA FOLLETTE. I will say in reply to that, that I have no doubt the Senator is probably right in his assumption, and it is even probable that the Secretary of the Treasury, after looking over the entire situation, invested with the widest discretion under this amendment, will be compelled, in order to keep within the appropriation, to select the site of the present Census building. But it has been suggested by some Senators that there are sites already owned by the Government upon which the building might be erected. It is not contemplated that, within this appropriation, there will be erected a monumental building that will stand for a great period of time, but just a fireproof commercial structure which will house the employees and take care of the records of the bureau.

While I think it was the opinion of perhaps every member of the committee that the Secretary of the Treasury would possibly be driven ultimately to accept the present location, it was thought that if there was an opportunity to get a better location and keep within the amount that Congress can properly appropriate at this time, that discretion ought to be given.

Mr. GALLINGER. Mr. President, in addition I have simply a word to say. I quite sympathize with the Senator that if we are to have for the purpose of the Census Office a new building, a building that will stand for a long time, upon a site different from that upon which the building now stands, we ought to guard it a little better than it is guarded in this amendment so far as the authorization is concerned. But I will not urge that. I think the suggestion is a wise one, and I should like very much if the Senator from Wisconsin would agree to it—to add to the Secretary of the Treasury, for instance, the Director of the Census and the chairmen of the Committees on the Census of the Senate and House.

Mr. LA FOLLETTE. I do not know that there would be any objection to such an amendment. For my own part I should feel that I could be of very little service on such a committee.

I desire to say just one word further with respect to the suggestion made by the Senator earlier in his remarks, and that is this: It was proposed in the bill passed by Congress at the last session to erect a building on the present site, or adjoining the present site, for $250,000. It had been carefully estimated that there could be housed and cared for in that building, besides the records, some 1,500 clerks, which would be about equal to one-half the entire census force during this census period, when the largest number are employed in the Census Office.

Mr. President, if a suitable fireproof building of that size can be erected for $250,000, it might be possible to find a site more desirable than the present one at a cost which would enable the Secretary of the Treasury, within this appropriation of $750,000, also to erect such a building, say for $450,000, which would house all of the force of the Census Office.

The junior Senator from New York, in conversation upon the floor, yesterday called my attention to a site in the vicinity of the Corcoran Art Gallery, which is under contemplation and, I believe, under option, for an auditorium, by which the amount to be paid per square foot is only $2.50, if I remember rightly.

Mr. NEWLANDS. A little over $2.

Mr. LA FOLLETTE. A little over $2. It is possible that that site might be secured and a building erected there which would serve for census purposes during the census period and then be converted into an auditorium by partial reconstruction. Of that I do not know.

I simply wish to say, in conclusion, it was the view of the committee that it was wise not to confine the Secretary of the Treasury to this particular location, provided we could keep within about the same expenditure of money and secure what would meet the exigencies of this occasion and better provide for the accommodation of the Census Office.

Mr. BURKETT. Mr. President, I think, perhaps, if this provision is to be inserted, there should be some changes. I take it it has been hastily drawn with reference to its wording, but that can be attended to in conference.

But I am going to say what I do not know that anybody else has said. I should like to have the chairman of the

committee enlighten me, whether or not anybody else wishes to be enlightened, upon the advisability of building a structure here for the Census Bureau. I am frank to say I do not think it is a good business proposition. I do not believe that in the few months from now until we shall have to begin to take the census we have time to build a building suitable or at all satisfactory. We have always had more or less of this sort of discussion, but unfortunately we have waited until within a few months of the time for taking the census.

If we follow the same practice with reference to the appointment of this clerical force that was followed ten years ago, by the 1st of September we will have quite a large part of the clerks here in Washington; at least, by the 1st of next April we will have them practically all here. It leaves only a few months in which to prepare the plans, to enter into the contracts, and to erect the building and get it ready for the taking of the next census.

Now, the best that can be said is it will be a botch. It is not going to be what the Government wants. It is not going to measure up in any great degree to what the Government ought to have. I believe the Government ought to build some more departmental buildings. Anybody can see we must have one for the Department of Commerce and Labor. It seems to me that the better way would be to strike out all of this provision with reference to the erection of a building right now. There is the building down here that we used ten years ago. In addition to that we have thrown open practically all of the Maltby Building, and perhaps by reason of these two Office buildings some other rooms could be utilized. At this late hour, with less than six or seven months at hand, to start somebody out on the erection of a fireproof building here is a ridiculous proposition to me.

It seems to me, I will say frankly, from all this discussion and that at the last session of Congress also, that it is going to narrow itself down to this particular site. I have never been satisfied with that site for a government building. I doubt if we want to start any kind of a building down there. I would rather get a more desirable site, in harmony with the rest of our public buildings, and build a public building, and have it right for all time, taking the necessary time to build it and building it in a proper way.

This bill devolves upon some man already overcrowded with business the duty of buying land for a building; and he will turn it over to somebody else. Congress will not know anything about it. No provision is made for plans. The Supervising Architect is overrun with business. This requires him within a few months to build a building. We will in the end get something that is not satisfactory, a botch, as I say, in construction. It will not be finished and completed and dry enough in time to put the force of clerks into it.

For one, I would rather see this whole matter with reference to the erection of a building stricken from the bill and direct the authorities to rent whatever may be necessary, if it shall be necessary. I doubt if it shall be necessary. In my opinion, with the Maltby Building thrown open, as it is now, with the additional room that can be found in the Senate Office Building for temporary purposes, a building with a great amount of room for storage purposes, and which is under the control of the Senate, it is folly to start out at this time upon the erection of a building.

So far as concerns a fireproof building of any size for $250,000, that seems to me, from a somewhat limited knowledge of buildings, almost ridiculous. We will not get a fireproof building. We will get a building of which we will always be ashamed and that will stand there for a good many years. I do not think any of us have been satisfied with the building we have there, which has always been pointed out as a government building, and has not been satisfactory in any particular. Let us not continue this ridiculous method any longer. Let us go ahead and use that building, and the next time we get around to public buildings we will build a building which will house the Census Office and take care of it, by the time, in my opinion, that the next census shall be taken, and we will be better satisfied with it, and the Government will save money. I hope such an opportunity will be afforded. I think I will move to strike all of it out of the bill and see if there is anybody else who is of the opinion I am.

Mr. LA FOLLETTE. Mr. President, during the last census it was found necessary to rent rooms in different parts of the city for a large portion of the force. The force was scattered nearly all over the city as a matter of fact. It is exactly what we will be confronted with if we do not make some provision such as is embodied in the pending amendment. It is estimated that with the force scattered about the city in rented quarters it will cost something like $50,000 a year more in the way of delay of work, in carting records back and forth, and in the necessary additional expense of supervision than the cost with the force consolidated under one roof.

It would be a good deal better, if necessary, to make a botch of a building that would cost $250,000, than to make a botch of the census, which would cost ten or twelve or fourteen million dollars. By bringing this force together and putting $250,000 into a suitable, fireproof building, the plan of which has already been drawn, we can take care of the census in the emergency now upon us without a very great sacrifice of money.

Mr. CARTER. Mr. President, it seems appropriate to suggest, in reply to what the Senator from Nebraska [Mr. BURKETT] has said in reference to the Maltby Building, that that building has been condemned by the building department as unsafe on several different occasions. One member of the committee, whose office rooms were located in that building, desired to move into his rooms United States Supreme Court reports, for convenience, and was at once admonished that the building was in a precarious condition and that no additional weight could be placed in the building without imperiling the lives of the occupants, in consequence of which admonition he was required to send his books elsewhere.

The census records of a division placed in that building would probably result in startling the country in a very short time with such a loss of life as was witnessed when old Ford's Theater caved in and resulted in serious loss of life or permanent injury to many of the clerks who were employed there at that time.

I doubt if anyone would seriously consider placing any clerical force in a building which the building inspectors have at least twice warned the Congress that, occupied for office purposes, was insecure. I for one certainly would not willingly assent to any such proceeding, laden with responsibility as that assent would be.

Mr. NEWLANDS. Mr. President, it is clear to my mind that the work of the census must be concentrated, and it is also clear that whatever accommodations are provided must be provided within a year. Perhaps the easiest thing to do is to take the lot where the present Census building is located, to buy the adjoining property, and to put up a building costing $250,000, which, added to the existing building, will meet the requirements of the force. However, I have always been opposed to that site, not because I thought the price asked was unreasonable, not because I did not think the Government would ultimately acquire it as a part of its park-development scheme, but because I thought it inhuman to put 4,000 employees of the Government in a building in the very lowest part of the city, without sufficient air spaces about it to insure comparative comfort during the hot season. I think I am not mistaken when I say the entire force will be between 3,000 and 4,000; and in these days when we are confronted with the question of the proper housing of people, it seems to me we ought to give consideration to the housing of these employees of the Government, who are under great strain, and will be for a period of three years.

The question is, Where can we concentrate the buildings necessary for this purpose within a year? There is no question about it that the building proposed, costing $250,000, upon the lot adjoining the present site can be built within nine months or a year. The Senator from Nebraska [Mr. BURKETT] doubts that. But I think he can not be familiar with the extraordinary work that has been done by the great builders and constructors of the country in the great cities. The Senator has doubtless seen that magnificent building in New York, known as the "Stock Exchange," a building of very noble proportions, which was planned, designed, and finished within one year.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. NEWLANDS. I yield.

Mr. BURKETT. In the first place, we have not a year within which to build it; and in the second place, there is not a plan made for it. You probably could not get the steel made in time, if you ordered it now.

Mr. NEWLANDS. If that can not be done, then of course the Secretary of the Treasury under this amendment will purchase the existing site. But I have had some experience in buildings—a very wide experience in buildings, particularly since the fire and earthquake in San Francisco—and I have taken occasion to familiarize myself with the speed with which work of this kind can be conducted; and I assure the Senator that an entirely fireproof building, not only sufficient for all the requirements of this force, but pleasing to the eye, strong

in construction, and monumental in character, can be planned and put up within one year. I can refer the Senator to numerous instances in Chicago and New York and other great cities in which it has been done.

Mr. GALLINGER. Mr. President, can the Senator refer to any instance where the Government has ever done it?

Mr. NEWLANDS. I regret to say that I can not furnish such an instance, but I should expect that this amendment would put the Secretary of the Treasury and the Supervising Architect of the Treasury upon their mettle, and they would vie with private enterprise in the accomplishment of this work.

In a conversation with the Attorney-General two weeks ago he referred to the construction of the New York Stock Exchange building within a period of one year, and he referred to it as showing what could be done with a building dedicated to the Department of Justice, which, as we all know, has lagged for years. If this work should be put under the charge of the Attorney-General, familiar as he is with large enterprises in New York, connected as he has been with large corporations engaged in great constructive work, I will undertake to say that he would have the plans and the building finished all within one year.

Now, what is the nature of this construction? It is a very simple construction. It consists, first, of a steel frame and then simply filling in the steel frame. The spaces to be used are very large. The rooms will be perhaps from 40 to 50 feet wide and 100 feet long, or perhaps of greater length, for that is the modern way of such a construction.

The great delays in construction, the great cost in construction, come largely from the interior finish, the construction of partitions, the woodwork, and things of that kind. All these are unnecessary in this case. So far as the mere structure is concerned you put up the shell and fill in the spaces, and later on, if you want to make the building monumental in character, you can put on the columns, the marble, and the stonework that will give it character and dignity. There is no question about your being able, within a very limited time, to put up a building that will comfortably house these employees.

When the matter was last before the Senate I was impressed with this view; and after it passed I asked a noted architect of this city, who has done some of the best work in the city, who designed the Union Trust Company Building on H street, whether a building of this character could not be put up within a year. He sent me a letter of the George A. Fuller Company, stating that a building constructed according to a scale which Mr. Deming dashed off, but which is very attractive in appearance, of the dimensions required, could be constructed within a year for from 25 to 30 cents per cubic foot.

Here in this case the Census Office requires 200,000 square feet of surface. If you get a block containing, as most blocks do, 150,000 square feet, you will want to have a building only a little over one story high. Two stories would furnish one-half more than the space required.

The question is, Has the Government to-day within reach any space upon which this building can be constructed? We are all familiar with the fact that years ago the Government bought an entire block near the War Department for a Hall of Records building. That block, I believe, contains about 150,000 feet. The building has never been put up. It seems to me that it would be very much better to put the census force upon that salubrious site near the Mall, with large air spaces around it, and to put the future Hall of Records building on the site now occupied by the Census Office.

As everyone knows, the Hall of Records will not be filled with human beings; the building will be filled mainly with documents of the Government, and salubrity of site is not essential, whereas the Census Office is to be filled with between three and four thousand employees. So all you have to do is to devote the building indicated for the Hall of Records to this purpose, and, I should say, within nine months a suitable building could be constructed.

There is another site that is within reach, and that is the site referred to by the junior Senator from New York [Mr. ROOT], the site near the Corcoran Art Gallery, lying between it, I believe, and the building belonging to a patriotic organization of the country, and adjoining, I believe, the new building erected by Mr. Carnegie and dedicated to the American Republics. There is a block containing 160,000 square feet. I am told that an option has been obtained for the whole of it at the rate of a little over $2 a foot—less than the cost of the proposed site, the total cost being $350,000 for this site.

Citizens of Washington have been engaged in the enterprise of collecting funds to put upon that site an auditorium. It is a question as to whether private parties can carry through that enterprise, because it will be one probably without profit, and it is a question as to whether it ought to be a private enterprise, for there are numerous congresses, such as the tuberculosis congress that was held here some time ago, an international congress, and the international railway conference. Meetings of that kind are being held continually under the auspices of the Government, and some proper housing ought to be provided for them.

It is suggested by the Senator from New York that by cooperation in some way with the Citizens' Association this block might be turned over to the Government and a structure put upon it which would be suitable for the Census Office, and which could be dovetailed into and form a part of the future auditorium. Certainly the air spaces dedicated to the census force will be admirably adapted to large meetings. The census force will occupy the entire space for a period of only two or three years, and during the remaining seven or eight years the building will be very largely unoccupied. So it seems to me that this structure could be very well put to both uses.

The purpose of this amendment is to give the Secretary of the Treasury a free hand in this great exigency and emergency, to allow him, if in his judgment it is best, upon consultation with the census force, to purchase the existing site, and also to permit him, if it is thought best, to put up this structure upon the Hall of Records site, or to permit him by a negotiation with the citizens' organization to get control of the lot now proposed for a public auditorium.

I regret that the sum is placed at only $750,000, for I think that a building with 200,000 square feet of floor space will be a building, probably, of about two million and a half cubic feet, and at the price of 25 cents a cubic foot, for which such a building could be constructed, it would cost somewhere near $600,000, hardly leaving enough for the purchase of a site if the purchase of a site such as the auditorium site should be the best thing. I would much prefer that the amendment should increase the appropriation to a million dollars, and when we have done that we have placed it in the power of the Secretary of the Treasury to meet every phase of this question by proper negotiations.

Mr. ROOT. Mr. President, the fact that the Census Committee have proposed an amendment to the provision originally forming a part of the bill by which they ask the Senate to confer upon the Secretary of the Treasury discretionary power in regard to the selection of a site seems to indicate that the committee had become conscious of the fact that there were considerations which ought to receive weight and which they had not had the time or the opportunity to entertain as they ought to be entertained.

I can well see that there are such considerations. One is the question whether there may not be some plat of land already belonging to the Government upon which this temporary structure may be erected. Another is the question whether in view of the manifold needs of the Government for additional buildings there may not be some arrangement devised under which this structure may answer, in the first instance, the specific purpose of accommodating the clerks of the Census Bureau during the census period and afterwards be applied to other government uses.

I should much prefer to have those questions considered by the Congress itself; but if they have not been fully considered, as the action of the Census Committee seems to indicate, then it seems to me that we had better remit the consideration of them to a body which we can trust, so that they may be considered without delaying this pressing measure by consideration which we are not now prepared to give.

I must confess that the suggestion of the Senator from New Hampshire [Mr. GALLINGER] that there be an addition to the number of persons whom we call upon to exercise this discretion strikes me very favorably. I would rather see it put in the hands of a commission which can discuss the subject than in the hands of a single individual, greatly trusted as the Secretary of the Treasury is and ought to be.

I wish to suggest, however, to the Senator from New Hampshire that he make a further addition to the number of official persons whom he would include in such a commission. He mentioned, I believe, the chairmen of the Census Committees of the Senate and House and the Director of the Census as appropriate persons to add to the Secretary of the Treasury. It seems to me that the location and erection of a public building in the city of Washington is necessarily something more than a mere census question.

We are spending a great deal of money, and, I believe, properly and laudably spending it, to make Washington beautiful. If we erect a Census Office building, though we may call it a temporary building, no one can tell how long it will stand. It may

outlast any and all of us. It would be a pity to consider nothing but the accommodation of the clerks in the location and erection of such a building. It seems to me that the relation of the building to the general plan of Washington, the general character of its public buildings, and the development of the city in continually increasing beauty ought to be carefully considered, as well as the other matters to which I have referred.

I suggest that the chairmen of the Senate and House Committees on the Library should be added to the commission. They are much in the habit of considering just such subjects. They have for years been selecting sites and considering plans for public memorials and monuments of various kinds, so that they are competent to pass upon just such questions as I have referred to.

Mr. CLAPP. Mr. President, the suggstion of the Senator from New Hampshire, supplemented by the suggestion of the Senator from New York, would leave that body an even number. I would suggest that the Director of the Census be eliminated and that the body consist of the Secretary of the Treasury, the chairmen of the two Committees on the Census, and the chairmen of the two Committees on the Library. By dropping out the Census Director it would leave an odd number, and it might conduce to an agreement more readily.

Mr. BULKELEY. Mr. President, it seems to me this is a question that involves and should involve much more thought than could possibly be given to it in connection with the preparation of a bill for the taking of a census. The erection of public buildings in this city has been a matter of very careful study, not only from time to time by Congress, but by bodies of men who are familiar with the proper grouping of public buildings. We have in the Senate a committee that has charge of such business, the Committee on Public Buildings and Grounds. I should like to ask the chairman of the committee who has the bill in charge if the Committee on Public Buildings and Grounds has ever given any consideration to this matter?

Mr. LA FOLLETTE. I am not able to answer that. I am not a member of that committee, and can not speak for it.

Mr. SCOTT. Will the Senator from Connecticut allow me to answer the question?

Mr. BULKELEY. I would be glad to have it answered.

Mr. SCOTT. The Committee on Public Buildings and Grounds, I think, should be included in the proposition to erect a Census Office building or to add to the present building. I should think that it was a reflection upon the committee of which I am chairman to put it in the hands of the Committee on the Library. We have certainly given the subject a great deal of thought and consideration. The Senator from New York [Mr. ROOT] will remember, I think, that when he was serving as Secretary of State, and we were trying to acquire the block between Fourteenth and Fifteenth streets and Pennsylvania avenue and the Mall, we conferred with him and had communications from him on that subject. I do not want to inject my personality or that of my committee into whatever the Senate may think is best for the purpose of the Government, but I think if you would leave it to the Committees on Public Buildings and Grounds of the Senate and the House we could probably take care of it in a proper manner.

Mr. BULKELEY. There have been, I understand, very elaborate plans drawn from time to time for the beautifying of the city in connection with the erection of our public buildings. I think there is pending in the Senate at the present time a scheme to acquire large parcels of land on the south side of the avenue for the purpose of erecting on some general plan the buildings that will be adequate to the future demands of the Government.

It occurs to me that it would be vastly better to eliminate a scheme of this character, which can only be of a temporary nature and is only proposed to be of a temporary nature, for, I take it, that it would hardly comport with the dignity of the buildings we have heretofore erected for the Government to erect a permanent building for the Census or any other bureau that would be of such an inexpensive character as to cost but $250,000.

I hardly think that anybody would for a moment believe that for any such sum you are going to erect a building for any department of the Government that would answer the demands of the department or answer the criticisms that we would be likely to receive, in view of the elegant buildings that we have been constructing in the past few years.

I should much prefer to see, in accordance with the suggestions of the Senator from Nebraska [Mr. BURKETT], the whole item stricken out from the bill and left where, it seems to me, it properly belongs, and where it naturally would be considered and carefully considered by the Committee on Public Buildings and Grounds. I would suggest for the consideration of the Senate a proposition to strike out sections 33 and 34 of the bill in order that the provision may be considered in the regular way and not as a part of the census bill.

Mr. HEYBURN. I ask that the amendment under consideration may be read.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Secretary will read the amendment.

The SECRETARY. In lieu of sections 33 and 34 in the bill insert the following, to be section 33:

SEC. 33. That the Secretary of the Treasury be, and is hereby, authorized and directed to provide, upon land the title to which is in the United States, or to acquire by purchase, condemnation, or otherwise, a suitable site, with or without buildings thereon, for the use of the Census Office and for other governmental purposes; and to remodel, rebuild, or construct thereon such building or buildings as may be necessary to provide substantial and commodious accommodations for the Census Office on or before January 1, 1910. The sum of $750,000, or so much thereof as may be necessary, to carry out the provisions of this section is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That no part of the said appropriation shall be expended until a valid title to any property acquired under the provisions of this section shall be vested in the United States.

Mr. HEYBURN. Mr. President, it seems to me inappropriate to take up the consideration of the building or acquiring of a site for a building for any purpose in connection with this bill. During the Fifty-ninth and Sixtieth Congresses this body passed a bill and sent it to the other House providing for the purchase of the land south of Pennsylvania avenue as a suitable place to erect all necessary public buildings for a long time to come. Those who have taken an active part on behalf of that legislation have given necessarily a great deal of attention to the question of providing necessary buildings not only for to-day but for the future.

In my judgment, the Government should provide public buildings in this city for fifty years ahead of the present requirements. There should always be on hand extra rooms for extraordinary conditions that may arise. The Government should never be compelled to rent rooms in which to perform governmental functions. I am quite as strongly in favor of constructing public buildings, so much in each Congress, as I am of constructing war ships on the basis of so many in each Congress.

I think it quite as important to prepare for peace as it is to prepare for war. We are to-day paying rents in the city of Washington on the basis of about $16,000,000 in order to provide homes for government employees. To undertake in connection with the enactment of a measure such as this to provide for a building for this purpose merely because it has the same name does not seem to me at all necessary or wise.

We are apt to make this mistake. Before adopting a general policy for the location of these buildings we are apt to find that we have by dealing with it piecemeal scattered them around over the city. For instance, the Pension Office building is not located anywhere with relation to any other building. It is not according to any style of appropriateness at all. I am quite anxious to see a definite policy established at the earliest day so as to head off this irresponsible "spattering around" of buildings, if I may use such a term.

There is nothing in the amendment that determines where this building shall be located. Those designated by the act to locate it to-day may not be in sympathy with any system that Congress may have in view as to the location of public buildings. I feel called upon to protest against any provision being incorporated in the bill that will forestall an intelligent location of public buildings according to some recognized system.

It has been the declared policy of the Senate, twice expressed, that the public buildings should be on the south side of the Avenue. That is the position which the Senate has assumed on two occasions. I know of no reason for changing or anticipating a change of sentiment. Suppose, forsooth, that this commission—if that is to be determined on—were to conclude to erect a Census Office building off in some disassociated part of the city——

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. Certainly.

Mr. NEWLANDS. I suggest to the Senator from Idaho that whilst at all events most of us agree with him in his views regarding the south side of Pennsylvania avenue, it is utterly impossible within the limited time to secure a site, because the blocks there are in divided ownership and the negotiations would cover a considerable period. This building has to be provided, if it is provided at all, within nine months or a year.

Mr. HEYBURN. Mr. President, I think that is not a serious objection at all. The Government has now at its disposal that palatial building lying at the foot of the grade in which nearly

one-half of the Members of this body have been luxuriously and comfortably located for the last twelve or fifteen years, known as the "Maltby Building." It was good enough for Senators, and I suppose it is good enough for census takers. I would try it.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Nevada?

Mr. HEYBURN. Certainly.

Mr. NEWLANDS. Does the Senator realize that the employees of this bureau will number between three and four thousand?

Mr. HEYBURN. Well, we have more than that number; we have many thousands scattered around in rented buildings in this city. Does it occur to the Senator from Nevada that on the very eve of entering upon the taking of the census we should contemplate and undertake the erection of a building for that purpose? If you are going to provide a new building for the census, it should have been taken up five or six years ago. The idea of waiting until the hour of action, and then say, "Well, the first thing we have got to do is to build a house to cover us and shelter us while we take the census." No; that is not a conservative plan. I do not think it will appeal to the Senate upon mature deliberation that we should feel it necessary to construct a building before entering upon this work. What would we do with the building afterwards? Where would it be located? To what use would it be put? I think that every reference to the construction of a building should be eliminated from this bill. Let us, as soon as we can, carry out the broader plan of acquiring the land south of the Avenue which the Government does not already own, and provide for a harmonious construction of buildings that will be adequate for the present and for the future necessities of the Government.

I do not believe that all Members of Congress know that the Government already owns fully one-fourth of the land south of the Avenue, and has been allowing it to be used rent free and cost free by money-getting enterprises for a lifetime. The Government owned the land upon which the Pennsylvania Railroad Company's buildings were, but forgot it. It had allowed that company to use the land so long rent free that both the company and the Government thought the company owned it, and we actually made an appropriation to pay them $1,500,000 for land which we owned.

Mr. GALLINGER. We invited the company to occupy it, and Congress ratified it.

Mr. HEYBURN. Well, if you invite a man to come in and occupy a seat at your table, you do not thereby give him a fee simple in your household.

Mr. GALLINGER. Now, Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Yes.

Mr. GALLINGER. The trouble is that the Senator from Idaho has not made the proper investigation. The Government paid not one copper for that marble palace to which the Senator refers. The Government made a contribution toward the elimination of grade crossings in the District of Columbia, precisely what has been done by many other cities of the country.

Mr. HEYBURN. Was not money paid out of the Treasury, directly or indirectly, toward the construction of that depot?

Mr. GALLINGER. Not a copper.

Mr. HEYBURN. Not a copper?

Mr. GALLINGER. No, sir.

Mr. HEYBURN. I would ask the Senator how much money is the Government out by reason of the construction of that depot?

Mr. GALLINGER. Mr. President, I will answer the Senator from Idaho very promptly. The railroad companies were content to remain where they were, but Congress thought it very desirable to have a union station in the city of Washington. It was thought desirable to build a very expensive station—much more expensive than the present wants of the city required. That has necessitated on the part of the railroad corporations the expenditure up to the present time of more than $25,000,000. The Government of the United States and the District of Columbia, for the purpose of eliminating grade crossings in this District, made a contribution of something like $3,000,000, but not a copper was paid for the beautification of the city in the vicinity of the Union Station or for the construction of that building.

Mr. HEYBURN. I should like the Senator, while he is giving information, to state how much the Government paid the Pennsylvania Railroad for moving off of the Government's land at Sixth and B streets?

Mr. GALLINGER. Well, Mr. President, I will simply say that the Government and the District of Columbia, for everything connected with the removal of the Sixth Street Station, for the elimination of grade crossings, and for everything that has been done in the direction of giving us the Union Station—the finest station in the world—and the building of the tunnel and the elevating of the tracks from the north, contributed about $3,000,000. That is all I have got to say about that.

Mr. HEYBURN. Mr. President, I think it will be developed upon an inspection of the records that the Government Treasury is out a little over $6,000,000 in connection with the transfer from the old depot to the new one. So I think it will be found that my statement will be borne out by an examination of the facts.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. I do.

Mr. GALLINGER. I had something to do with that matter and think I am very well informed in regard to it. I shall be very much delighted, indeed, if the Senator will produce what he says are the facts, which, as a matter of fact, are pure fiction.

Mr. HEYBURN. Mr. President, it is a very convenient way to denominate a matter "fiction" when the construction upon which that conclusion is based is known only to the Senator who makes it. I was speaking, however, of the land which the Government now owns appropriately located for the purpose of erecting upon it buildings that are needed for the Government's use. It owns the land formerly occupied by the Pennsylvania Railroad by the grace of the payment of a million and a half dollars—a tip paid a parting guest. The Government owns the land upon which the Center Market stands. It owns the block lying beyond it. It owns ground enough there to erect buildings for many years to come.

Now, let us not take this thing by piecemeal and make what I may term, with a due regard for those who have introduced it, an irresponsible provision for an irresponsible building. There is neither time nor is the occasion appropriate for entering upon the construction of any such building for such a purpose. My own object in speaking upon the question at all is that I do not want a meritorious plan for the beautification of the city and the accommodation of the Government despoiled, as it has already been done in part.

Buildings have been set on Pennsylvania avenue with the corner to the street. One beautiful District building is set down in the ground until it looks like a man with his hat jammed down on his shoulders. Let us have no more of that. Let us be conservative, and let us deal with proprieties and the things that are appropriate in this matter and cut out from this bill any reference to the construction of a building. I repeat, let us now enter upon a policy that will anticipate the

growth of the Government for fifty years. Let us deal with the question as a man deals with his home. Let us have more room than we want to-day in anticipation of the necessities of some other day.

Mr. GALLINGER. Mr. President, simply a word. The Senator from Idaho is not the only Senator who is interested in the development or beautification of the city of Washington. The Senator has taken charge of this matter, it is true; but before he took charge of it there were some of the rest of us who had done something in that direction.

The Senator talks about acquiring all the land south of the Avenue. It is true that the Senate did pass a bill for that purpose. In that bill the sum of $10,000,000 was appropriated for the purchase of that land, when every Senator who had given that matter any consideration knew that $30,000,000 would not purchase the land.

I submit to the Senator that it will be some time in the future before the Government of the United States acquires all the land south of the Avenue. It may ultimately do so, and very likely it may be a good bargain for the Government to do it now; but the Government is not going to do it for some time to come.

I am not going to discuss the railroad question. That was discussed here before the Senator became a Member of this body; and a policy was settled upon by Congress that was considered fair and just as between the District, the Government, and the railroad corporations. It is ancient history, and it is idle to revive that controversy now.

The Senator speaks of land upon which the market building stands. Why, Mr. President, that building is there, it is true, by grace of the Government, but that company regularly makes contributions to the Public Treasury, which the Government accepts. Perhaps they are not sufficient, but the Government accepts them in good faith, and I do not think the market company ought now to be criticised because of the fact that they occupy government land.

I will say to the Senator from Idaho—and I say it upon knowledge—that when the time arrives for the company to vacate that land, under the agreement made with the Government, the company will be willing to vacate it upon the terms provided in the agreement. Hence that company should not be the subject of unfair or unkind criticism.

Now, Mr. President, recurring to the bill, my judgment is that it would be wise to accept the House provision to enlarge the present building that is now occupied by the Census Office. I think it would be an economical thing to do. I think it would answer every requirement of the Census Office in the taking of the next and the subsequent censuses; but some Senators around me do not agree to that proposition. They think it would be wise to defer the matter, and I am inclined to agree with those Senators that perhaps the best solution of the subject, so far as the present is concerned, is to strike out from the bill sections 33 and 34 and let the matter go to conference. Possibly the conferees may be able to adjust it better than we can adjust it to-day.

Mr. President, I do not think there is any occasion for heat. I do not think there is any occasion for denunciation. We are all trying to do the best we can do under the circumstances for the Government. We have got to make provision to take the next census. We can not erect an elaborate structure and have it in condition to occupy in nine or ten months, but we might be able to erect on the ground that is now occupied by the Census Office a temporary building that would answer for the time being. That is all we could do in the nine or ten months which remain.

Let us take this matter up calmly and dispassionately and solve the problem as best we can under the circumstances. As I have said before, if I had my way I would accept the House provision; but other Senators, perhaps wiser than I am, think otherwise, and if that is deemed a desirable thing I will unite with those Senators in casting my vote to amend the House provision or to eliminate from the bill all allusion to the new building and let the whole matter go to the conferees, who will have time to consider it and who will doubtless consider it more carefully and very likely more wisely than we can do to-day.

Mr. CLAPP. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Minnesota?

Mr. GALLINGER. Certainly.

Mr. CLAPP. I should like to ask whether the matter would be in conference if we simply strike out the entire section? The Senator is more familiar with that than I am.

Mr. GALLINGER. It would. The conferees could then agree upon a substitute provision, and they could create a commission if they chose to do so.

Mr. CLAPP. If that is true, I am in favor of it.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. GALLINGER. I have yielded the floor; but I yield to the Senator for a question, if that is his purpose.

Mr. HEYBURN. I will not put it in the form of a question, then, if the Senator has yielded the floor. I was going to suggest to the Senator, first, that he certainly was not laboring under the impression that I had spoken in heat or passion about anything.

Mr. GALLINGER. The Senator always speaks with a great deal of zeal and earnestness, and I think sometimes with a considerable degree of heat. [Laughter.]

Mr. HEYBURN. Well, Mr. President, it is hardly an occasion on which I feel called upon to define my personal feelings; but I may say appropriately that I have never spoken in public in heat or passion during my life, though I have spoken earnestly. I do not feel called upon to defend myself at all for the manner in which I speak. I may possibly be at times called upon to defend myself for the utterance, but not for the manner of it, I trust.

Mr. President, the Senator seems to think that I should not take notice of things because they are so ancient that they occurred before I came here—something over six years ago. I was dealing with questions that have arisen since I became a Member of this body. Mistakes do not gain dignity because of age. If mistakes were made, if the Government made a bad bargain with those people, such transactions are just as much subjects of criticism to-day as the day after they were made.

The Senator from New Hampshire says I have assumed to take charge of the matter. I have assumed this far: I am, by the grace of this Senate, a member of the appropriate committee to consider these matters. I was directed by that committee to report the measure to which reference has been made. I spoke in support of it upon this floor, as I may, perhaps, do again, and the Senate stamped the measure with its approval; so I do not feel called upon to apologize because I address the Senate on this subject. I have been placed in the responsible position where it is my duty to address the Senate upon this subject whenever the question arises. As a member of the Committee on Public Buildings and Grounds, I am directed to present this matter——

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from West Virginia?

Mr. HEYBURN. Certainly.

Mr. SCOTT. Was not the Senator appointed by the full committee a subcommittee to take this subject up?

Mr. HEYBURN. Yes, Mr. President; I was. I am glad the chairman of the committee called attention to it. I should not have done so; but I was appointed a subcommittee by the whole Committee on Public Buildings and Grounds to present this matter to the Senate, and I am doing no more than my duty. When I see introduced or urged measures that might interfere with the policy that has been adopted by that committee, whose spokesman I happen to be, I would be doing less than my duty if I were to sit idly here and allow this policy of public improvement to be nibbled here and there until there would be no form or substance left for the committee having the responsibility to act upon. I think it is appropriate to call the attention of the Senate to the fact that the matter is under consideration by a standing committee of this body, and that it proposes to act and to submit its action to this body for ultimate determination.

Mr. President, I sincerely trust that nothing will be attempted at this time that might either mar or defeat the plan of your committee to whom has been intrusted the duty of providing appropriate building sites and an appropriate plan of public improvement.

Mr. GALLINGER. Mr. President, I regret that the Senator has felt called upon to look at me in the tone of voice that he did a moment ago [laughter]——

Mr. HEYBURN. That was a dulcet tone.

Mr. GALLINGER (continuing). And to read a lecture to me on his duties and mine as Senators of the United States. The Senator does belong to the committee that has this matter in charge, and I am quite willing that that committee should perform its functions; yet some of the rest of us have had an interest in the matter that is so near the Senator's heart, and we expressed it on this floor before the honorable Senator became a Member of the Senate.

Mr. HEYBURN. Mr. President, again I must apologize for my youth.

Mr. GALLINGER. No; the Senator need not apologize for anything; the Senator is an apology in himself. [Laughter.]

Mr. HEYBURN. Mr. President, there are times——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. GALLINGER. I do not yield to the Senator now. I will give him all the time he wants after I get through.

Mr. HEYBURN. I was going to ask the Senator for a little more definite statement with regard to his last remark. I can do it, though, in my own time.

Mr. GALLINGER. The Senator will not, Mr. President, get up a heated controversy with me, because I always keep cool.

Mr. BAILEY. The Senator is never heated.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. The Senator from New Hampshire declines to yield.

Mr. HEYBURN. I am addressing the Chair again, and I should like a ruling as to whether I may be permitted to interrupt.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Idaho?

Mr. GALLINGER. Certainly; I yield to the Senator.

Mr. HEYBURN. I should like to inquire of the Senator just exactly what he means when he says I am an apology in myself? [Laughter.]

Mr. GALLINGER. Well, Mr. President——

Mr. HEYBURN. I am not at all inclined to have any heated controversy, nor am I inclined to submit for a moment to any innuendo from anybody anywhere.

Mr. GALLINGER. Well, Mr. President, that kind of language does not count with me at all. I will dismiss the Senator with the words of the old play, "And you, Oh, Polonius, you vex me but slightly." [Laughter.]

I will not enter into a heated or a disagreeable controversy with any Senator.

The Senator from Idaho talks about the right of the committee of which he is a member. He is correct in that; but he goes back seven or eight years to criticise a matter that was in the hands of another committee—the Committee on the District of Columbia—of which I chance to be chairman. If there is any unpleasant criticism in this controversy, it came from the Senator himself, and not from me.

I will apologize to the Senate if I have said anything in this debate that I ought not to have said; and, to my friend from Idaho, of whom I am personally very fond and whom I regard as one of the best Senators in this body, I will say that I have had no intention of being offensive to him in any way. The Senator sometimes is heated. The Senator sometimes in debate goes quite as far as I ever have gone in debate in criticising others. I will leave the personal matter exactly there.

The Committee on the District of Columbia has had an interest in all these matters. The Committee on the District of Columbia had charge of the bill that provided for the erection of the Union Station. I believe that committee acted with great wisdom. With the exception of one or two members on the committee, who took some exception to the final conclusions, the committee was united. I think that there is very little complaint made against that committee so far as the results are concerned. We have beautified the city by building that great Union Station, and when the grounds are completed it will be the joy not only of every citizen of this District, but of every citizen of this great country who has the privilege of observing it. I do not think it is wise, seven or eight years after that legislation has become an accomplished fact, to call in question the patriotism, the wisdom, or the good sense of the committee that had in charge that great work.

It was a labor of love, a labor that involved a great deal of time and care and thought; and I hope that some time there will be an end of the criticism of the work that was then done and the appropriations made for that purpose.

I want to repeat that the city of New York, the city of Boston, the city of Detroit, the city of Wilmington, and many other cities have made contributions of a larger per cent toward the elimination of grade crossings than were made for that purpose by the Government of the United States and the District of Columbia. That is all there is to the matter, so far as the appropriations which the Senator from Idaho criticised are concerned.

I do not care to weary the Senate in discussing the use by the railroad company of the ground on which the station that has recently been pulled down stood. I think it ought to have been removed and the Mall opened up. The railroad was there, it is true, by the courtesy of the Government; but the railroad had been invited to occupy that land, and if the railroad company itself had thought of abandoning that site until provision was made for a union station, the company would have been severely condemned

Mr. President, I do not think we ought to continue this controversy. I have no disposition to do it. I have no feeling but kindness for the Senator from Idaho, and whether or not he feels so toward me, I certainly shall continue to feel so toward him.

Mr. HEYBURN. Mr. President, I certainly have none but the kindest feelings of personal friendship and high regard for the Senator from New Hampshire. Nothing that he could say or would say could change that relation between us. Perhaps both of us sometimes, as he suggests, go pretty near the limit in our criticism of measures, not of men. When I criticise legislation that has been enacted by this body I do not criticise, and am not to be understood as criticising, the men who participated in it; but it would be intolerable that we should not criticise legislation for which no one Senator is responsible. When a matter becomes legislation every Senator is as much responsible as every other Senator.

Mr. GALLINGER. Responsible for his vote.

Mr. HEYBURN. What occurred before I came here I had no responsibility in connection with. Perhaps nearly half the Senate is new since I became a Member of it; so that responsibility is not very heavy at this time.

I have nothing further to urge in regard to this matter. I simply adhere to my statement that I think this bill should not deal with the measure at all.

Mr. LA FOLLETTE. Mr. President, this body adopted the provision for the erection of a building upon the ground adjoining the present Census building after full and thorough consideration. Whatever may be done by the Senate to-day in reference to the pending amendment, it is probable that when the matter is fully thrashed out we shall be driven to the position taken by the Senate at the last session of Congress upon this question, and if we do the wise thing for the present, it will be to provide a temporary building there to meet the exigency with which we are confronted.

Where the responsibility rests, or whether responsibility rests upon anybody for neglect in not providing a suitable building before we reached this emergency, I am not prepared to say. The Committee on the Census have nothing to do with that question, I am sure, except when charged with the responsibility of reporting with all possible haste a bill under which the next census shall be taken containing such a provision. The only reason why a substitute amendment was offered to-day for these two sections, which the Congress adopted last session, is that it might be possible to secure some location within the appropriation proposed better than that which is now occupied.

Mr. BURKETT. If it is in order, I desire to move to strike out those two sections.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the committee.

Mr. NEWLANDS. What is the question, Mr. President?

Mr. SCOTT. I think the vote now is on the amendment offered by the Senator from Connecticut to strike out sections 33 and 34.

The VICE-PRESIDENT. The committee amendments are first in order, by order of the Senate.

Mr. NEWLANDS. Mr. President, I hope the amendment offered by the committee will prevail. I sympathize with every word the Senator from Idaho [Mr. HEYBURN] has uttered regarding the need of a comprehensive plan and regarding the wisdom of providing long beforehand for our public buildings and for every public requirement, and I join with him in the condemnation, not of his committee, but of the inertia of Congress in this matter. We are all responsible for it.

But here is the situation. We are going to employ immediately between 3,000 and 4,000 people, who have to be housed in this city in the work of the census. We have to-day a property under lease, the lease of which will expire within a few months. That building, in my judgment, has always been unsuitable for the work, and yet more suitable than any building we could rent. It is absolutely necessary to add to the space at present occupied, and we must either build ourselves or get somebody else to build for us, for it is absolutely essential that this work should be concentrated. The showing of the Director of the Census is convincing upon that point. The scattering of this work over the city, as it has been customary to do with reference to many bureaus and works, would be very prejudicial to the service itself and would result in delay and a very much increased expense.

We have to take this place or else we have to authorize somebody to act for us promptly in the selection of another one, and we have to give that somebody the power and the authority to proceed immediately with the plans and the construction.

I agree to what the Senator from Minnesota said about the unwisdom of giving such extraordinary powers to a single official,

but the emergency is upon us. We can not exercise our judgment in reference to a site because that would mean delay. It would be unwise for us to create a large board, for time would be consumed in the meeting of the board. We must fix the responsibility upon some official. I should prefer to fix the responsibility upon the President himself, who can call in the Director of the Census, the Secretary of Commerce and Labor, the Secretary of the Treasury, the Supervising Architect of the Treasury; who can call in a competent architect from the outside who is accustomed to great work; who can call in a great constructor, and then settle the matter quickly. But outside of the President, certainly the Secretary of the Treasury, the official designated by this amendment, is the proper official, because in his department is the great bureau of architecture known as the "Office of the Supervising Architect," and that official is under his direction and control.

Now, what power do we give him? We give him the power of accepting this site which Congress, for lack of any better plan, approved in the bill that last passed. It gives him the power to put up a building costing $250,000, just as Congress gave the power at the last session of Congress; but it gives him an alternative and it gives him the power to make this expenditure upon another site which may be now in the possession of the Government—for the Government owns other land, notably this site to which I have referred, an entire block, which is intended for the Hall of Records—or gives him the power, if he can do so within the appropriation, to purchase a site and put up a building.

It is to be assumed, inasmuch as Congress can not act upon these matters of judgment, that the Secretary of the Treasury will act promptly and will act wisely under all the circumstances, and it seems to me the amendment offered by the committee meets the situation.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. BULKELEY. If it is in order, I move to strike out sections 33 and 34 of the bill as amended.

The VICE-PRESIDENT. Under the order of the Senate, the committee amendments must first be disposed of. All of them have not yet been concluded. The Secretary will resume the reading of the bill.

The Secretary resumed and concluded the reading of the bill.

The VICE-PRESIDENT. Section 7 was passed over.

Mr. LA FOLLETTE. For the committee, I am instructed to ask to recede from the amendment adopted by the committee and reported on page 2, line 14.

Mr. KEAN. Page 2?

Mr. LA FOLLETTE. As reported by your committee, the words "without examination" were recommended to be stricken out of the bill, and now the committee instructs me to recede from that proposed amendment. As we have passed that section, I ask unanimous consent to return to it.

Mr. KEAN. Section 3?

Mr. LA FOLLETTE. Section 3.

Mr. KEAN. Let it be read.

The VICE-PRESIDENT. If there be no objection, the Senate will return to section 3, and the Secretary will report the proposed action asked for by the Senator from Wisconsin.

Mr. LA FOLLETTE. Just the words "without examination."

The SECRETARY. On page 2, line 14, it was proposed to strike out the words "without examination."

The VICE-PRESIDENT. Those words were stricken out.

Mr. LA FOLLETTE. Those words were stricken out.

The VICE-PRESIDENT. The Senator from Wisconsin asks unanimous consent to reconsider the vote by which those words were stricken out. Is there objection? No objection is heard, and it is so ordered. The question is on agreeing to the amendment.

Mr. KEAN. That is, it leaves it with those words in.

Mr. GALLINGER. "Without examination."

Mr. CUMMINS. I suggest to the chairman of the committee that there is some misapprehension with regard to the motion just made by him. As I remember the action of the committee, those words were to be stricken out and the matter was to be cared for under section 7.

Mr. LA FOLLETTE. That is the amendment which I understand is about to be submitted to the Senate—to strike out the words "without examination."

Mr. CUMMINS. Yes.

Mr. LA FOLLETTE. And when that shall have been done, I will follow it with the proposal of the other amendments of the committee which the committee authorized me to offer.

Mr. CUMMINS. I understand these words have already been stricken out. They were to be stricken out, as I remember the action of the committee.

Mr. LA FOLLETTE. The pending proposition is to restore those words.

The VICE-PRESIDENT. The vote striking out those words has already been reconsidered by the Senate.

Mr. LA FOLLETTE. It has been reconsidered by the Senate.

Mr. SMITH of Michigan. I should like to ask the Senator from Wisconsin whether he thinks by restoring these words we will facilitate the work of taking the census?

Mr. LA FOLLETTE. Those words were stricken out by inadvertence by the committee. It was simply to make that correction, in order to perfect the section, that I offered the motion.

Mr. SMITH of Michigan. I did not understand that it was by inadvertence. I was prompted to make the inquiry because the Civil Service Commission have been so driven with the additional work put upon them that I have been in very serious doubt whether we could take the census at all next year if we left the preliminary arrangements for that purpose entirely with the Civil Service Commission. I thought perhaps it might facilitate the work of taking the census to follow the lead of the committee.

Mr. LA FOLLETTE. It was not intended by the committee that they should be stricken out.

Mr. SMITH of Michigan. For instance, I understand that the order requiring examinations for fourth-class postmasters, which put them into the classified service last November, and which was supposed to go into effect on the 15th of February, has as a matter of fact gone into effect, but the Civil Service Commission are so driven with work that not a single vacancy has been filled in fourth-class post-offices since the matter was left to the commission.

If by allowing these appointments to be made without a civil-service examination we will facilitate the taking of the census and eliminate entirely the question of party spoils, I shall make no objection. If I thought it operated otherwise, I should certainly object.

Mr. CUMMINS. Mr. President, I do not think it was the purpose of the committee to leave these officers, save the assistant director and the private secretary, without examination.

Mr. LA FOLLETTE. Without examination by the Civil Service Commission, if I understood the action of the committee.

Mr. CUMMINS. I may be permitted to remind the chairman of the committee that it was the sense of the committee, as I understood, in the amendment recommended by the committee that all the officers named in section 3, with the exception of the assistant director and the private secretary, should be included in the special-test examination provided for in section 7, which examination is to be conducted by the Civil Service Commission, but the test or rules are to be prescribed by the Director of the Census.

Mr. LA FOLLETTE. The test is to be prescribed by the Director of the Census. The Civil Service Commission is formally to conduct the examination.

Mr. CUMMINS. And therefore the words "without examination" should be stricken, in section——

Mr. LA FOLLETTE. In section 3.

Mr. CUMMINS (continuing). In section 3, and should be inserted, as I remember, in section 7, so that section 7 would read:

SEC. 7. That the additional clerks and other employees provided for in sections 3 and 6, excepting the assistant director and the private secretary, shall be subject to such special-test examination, etc.

Therefore, as it seems to me, the words "without examination" should remain stricken out of section 3.

Mr. LA FOLLETTE. That is the action which I understand is before the Senate.

Mr. SCOTT. Mr. President, as far as I am personally concerned, I would hope that the whole matter would go out, and that Representatives and Senators should be given the privilege to name good clerks to do this work. It was my portion to serve as Commissioner of Internal Revenue when the Dingley bill was put into force under the McKinley administration. It had to be put in force, as I recollect now, within sixteen days after its passage. There were a number of clerks to be appointed—I should say a thousand—all over the United States. It was left to the Commissioner of Internal Revenue. I asked Representatives and Senators to name to me clerks whom they thought would be suitable for those positions, assuring them that their recommendations would be given consideration, and that at the expiration of a temporary appointment of sixty days I reserved the right to dismiss them and have others selected.

I desire to say, Mr. President, that in my experience with those hundreds of clerks who were recommended by Representatives and Senators, not one of them did I have to dismiss. After a temporary appointment they were put on regularly.

Hundreds of those clerks since have been put under the classified service; and I say here, without fear of successful contradiction, that some of the best clerks in the Internal-Revenue Service of this country are persons who were recommended by Senators and Representatives for the positions they hold to-day.

Mr. President, in my experience as commissioner but once did I ask for a certification from the Civil Service Commission. I had certified to me a man who passed 99 per cent on his examination. He was assigned to a position in the Revenue Service in Philadelphia, and in a very short time he had to be dismissed for dishonesty; and we found that he had occupied a cell in a penitentiary previous to his taking the examination. Yet he passed at 99 per cent. I do not want it understood that I desire to turn back the hands of the clock, but I do believe if you will permit the Senators and Representatives of the United States, upon their honor and their dignity and their word, to name persons, they will name men and women suitable to do this work, and that you will get better clerks, more efficient clerks, clerks that will work more hours, than by going to the Civil Service Commission and having them certify persons to fill these places.

Mr. President, I am opposed to having them examined by the Civil Service Commission at all. Let the Director of the Census, Mr. North, if he is to be the director, prepare an examination and put the clerks who are recommended by Senators and Representatives through the test that he prescribes, giving to the old war veterans of 1861–1865 an advantage of 5 or 10 per cent, say, in their examination, and the Spanish-American war veterans 5 per cent. Let the director designate the line of examination, and let him be the judge as to who are the people that can best serve him in the work in producing the results we all desire.

Mr. President, I have stated my position. I doubt whether there is anybody who will agree with me, but I freely and frankly put myself on record that, in my judgment, this is the surest way to get the best results.

Mr. CLARK of Wyoming. Mr. President, a parliamentary inquiry. I understand, if the motion of the chairman of the committee prevails, it will have the effect of restoring the House provision.

The VICE-PRESIDENT. Restoring the two words.

Mr. CLARK of Wyoming. "Without examination?"

The VICE-PRESIDENT. "Without examination."

Mr. CLARK of Wyoming. I would ask if that is the understanding of the chairman of the committee, if his motion prevails it will be to restore the House provision, so that the two words, "without examination," will remain in the bill?

Mr. LA FOLLETTE. It is brought to my attention by another member of the committee that, while in the first place it was agreed by the committee to recede from the committee amendment striking out the words "without examination," in section 3, another amendment subsequently agreed to in section 7 requires that the amendment as reported be adhered to. The committee did not formally rescind its action in agreeing to recede from the former amendment, and, in the haste in which we proceeded, I had not noted that such was the effect of the subsequent amendment in section 7. The effect, therefore, of the committee amendments in sections 3 and 7 is to strike out all of section 3 after the word "division," in line 10, except the words—

These officers shall be appointed by the Director of the Census.

Mr. NEWLANDS. What page?

Mr. LA FOLLETTE. Page 2.

Mr. SCOTT. I ask the Senator in charge of the bill whether his amendment strikes out the words that have been stricken out in lines 14 and 15, page 2, or whether it restores them?

Mr. LA FOLLETTE. It strikes out those words and some other words additional to those words, leaving the section in that portion of it to read as follows:

These officers shall be appointed by the Director of the Census.

Mr. BACON. If I understand that——

Mr. LA FOLLETTE. That is to be stricken out; that is, if the action of the committee is to be adopted, and it is to be followed——

Mr. SCOTT. By what?

Mr. LA FOLLETTE. By a committee amendment to section 7, as soon as this is disposed of.

Mr. BACON. If I understand the meaning of the Senator from Wisconsin, if there is nothing prescribed with reference to the examination, it necessarily implies that the director has the power without examination. Therefore it is not necessary to specify. Am I correct?

Mr. LA FOLLETTE. I will say to the Senator from Georgia, it is proposed to follow that amendment with another which will provide for an examination, to be prescribed by the Director of the Census, for all these officers excepting the assistant director and the private secretary.

Mr. CLAY. The Senator desires to amend section 7, as I understand, so that not only the employees mentioned in section 7 shall stand the examination, but that the special employees of the director mentioned in section 3 shall stand the examination, except the Assistant Director of the Census.

Mr. LA FOLLETTE. The assistant director and the private secretary of the director.

Mr. CLAY. Section 3 provides for—

An assistant director, who shall be an experienced, practical statistician; a geographer; a chief statistician, who shall be a person of known and tried experience in statistical work; an appointment clerk, a private secretary to the director, two stenographers, and 8 expert chiefs of division.

Does the Senator think that those employees of the census ought to be under the Civil Service Commission?

Mr. LA FOLLETTE. This does not put them under the Civil Service Commission.

Mr. CLAY. If you amend section 7, as you say you will, it will place them under the Civil Service Commission.

Mr. LA FOLLETTE. It will require that they be examined by the Civil Service Commission, but the test will be fixed by the Director of the Census.

Mr. CLAY. Then, if I understand the Senator, under the provisions of this bill every single employee in the census work, including messengers and charwomen and higher employees, except the assistant director, will be under the Civil Service Commission and be appointed after having stood the examination.

Mr. LA FOLLETTE. After having passed an examination conducted by the Civil Service Commission, the examination having been prescribed by the Director of the Census.

Mr. CLAY. Then, this will not apply to the enumerators appointed by the supervisors in the different districts?

Mr. LA FOLLETTE. No; nor to the supervisors, nor to the special agents.

Mr. CLAY. If applied to the enumerators, I doubt if we would ever get the census taken.

Mr. CARTER. Mr. President, there seems to be some confusion in the minds of Senators as to the exact condition of the amendments proposed to section 3 and likewise to section 7. Permit me to say that these amendments are interdependent. The committee, in the course of the consideration of section 3, first struck out the words "without examination." It was thereupon suggested, at a later hour, that striking out those words in the text of the section left the officers referred to subject to the general civil-service examination. Desiring to avoid that as to those particular officers who constitute the executive staff of the director, in whose selection qualifications of an executive and technical character both must be considered, it was concluded that the words stricken out, thus referring the matter to the Civil Service Commission, should be restored, or that motion reconsidered, and as the chairman of the committee suggests, on a motion made by me, the action of the committee in that behalf was reconsidered.

At a later moment, however, in the deliberations, which were, as the chairman suggests, quite hastily conducted, owing to the short time at disposal, it was concluded that these officers should be made subject to the examination conducted on test questions prepared by the director, as provided in section 7.

Hence, in striking out the words "without examination," as the committee originally did, to prevent those officers from going into the general classified service, it was provided that the provisions of section 7 in reference to test examinations should likewise apply to the officers named in section 3. So, as the text amended originally by the committee stands, the words "without examination" are stricken out, and those officers are to be subject to the test examination provided in section 7. If the amendment agreed to originally by the committee as to section 3 is adopted, it will be necessary, then, to adopt the amendment in section 7 to prevent the general civil-service law from applying to section 3.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE]. The Chair will ask the Secretary to read the amendment again, if there be no objection.

The SECRETARY. As now modified, in section 3, page 2, line 13, after the word "officers," strike out the comma and all of the section down to and including the word "recommendation," in line 15, and insert "shall be appointed by," so that if amended the clause will read:

These officers shall be appointed by the Director of the Census,

Mr. DU PONT. I should like to ask the chairman of the committee if this amendment will not require the assistant director to be appointed by the Director of the Census?

Mr. LA FOLLETTE. The assistant director will then be appointed by the Director of the Census.

Mr. DU PONT. Is that the intention?

Mr. LA FOLLETTE. It is believed by the committee that the appointment should be given to the Director. It is a highly technical place.

Mr. DU PONT. That is the intention of the committee?

Mr. LA FOLLETTE. That was the intention of the committee. I ask unanimous consent to withdraw the previous amendment.

The VICE-PRESIDENT. The Chair understands that the amendment first offered by the Senator from Wisconsin was withdrawn.

Mr. LA FOLLETTE. Yes.

The VICE-PRESIDENT. Thereafter the Senator offered the amendment which the Secretary has just read, and the pending question is on the adoption of the amendment.

Mr. GALLINGER. Mr. President, before the amendment is voted on I wish to ask the Senator from Montana if I understood him to say that if the words "without examination" were stricken out, under some subsequent section there would be an examination provided for the 14 or 15 different employees designated in section 3.

Mr. CARTER. In section 7 it is provided "that the additional clerks and other employees" and so forth, "shall be subject to such special test examination as the Director of the Census may prescribe."

Mr. GALLINGER. That applies to those provided for in section 6.

Mr. CARTER. It does not include section 3. It is proposed to amend by adding section 3, so that all shall be included.

Mr. GALLINGER. That is satisfactory. I think all should be included.

The VICE-PRESIDENT. The Secretary will again read the pending amendment, because it is apparently misunderstood.

Mr. KEAN. I desire to know what words are stricken out in section 3.

The VICE-PRESIDENT. The Secretary will again read the amendment.

The SECRETARY. In section 3, page 2, line 13, after the word "officers," strike out the comma and the remainder of the section and insert the words "shall be appointed by the Director of the Census."

Mr. KEAN. Does that strike out lines 16 and 17?

The VICE-PRESIDENT. It does.

Mr. KEAN. It strikes out the provision that the assistant director shall be appointed by the President, by and with the advice and consent of the Senate.

The VICE-PRESIDENT. The assistant director is then to be appointed by the Director of the Census, as the Chair understands the amendment.

Mr. LA FOLLETTE. That is the purpose of the amendment.

Mr. KEAN. I think we ought to have some explanation of it.

Mr. SCOTT. Why will not the Senator in charge of the bill, the chairman of the committee, read us the bill as it will appear as he wants to have it amended? Let it be read clear through; then we can properly understand what we are voting on.

Mr. LA FOLLETTE. Does the Senator from West Virginia refer merely to the proposed amendment of this section?

Mr. SCOTT. I want to have the Senator explain the amendment in section 3, and then what it will provide further on, in section 7—what the bill will contain when we pass it, if we do pass it.

Mr. LA FOLLETTE. I think that is a pertinent inquiry, because those two amendments have reference to each other and ought to be considered together, perhaps.

After the word "division" at the end of line 12, in section 3, strike out the balance of the section and insert the following:

These officers shall be appointed by the Director of the Census.

That is the proposed amendment as to section 3. When that is disposed of, if the amendment is adopted, I am directed by the committee to move to amend section 7 by adding after the word "employees," in line 22, on page 4, the following:

Except the assistant director and the private secretary to the director.

And inserting before the word "six," in line 25, the words "three and," so that the first four lines of that section will read as follows:

SEC. 7. That the additional clerks and other employees, except the assistant director and the private secretary to the director, provided for in sections 3 and 6, shall be subject to such special test examination as the Director of the Census may prescribe.

Mr. DU PONT. I should like to ask the Senator in charge of the bill whether it is intended to put under civil-service regulations the unskilled laborers and charwomen and all that class of people? If so, that is a new departure, as the Senator knows, in the service of the Government.

Mr. LA FOLLETTE. By the action of the committee those words were stricken out of the bill as reported—that is, the words "except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen." That would subject such employees as are designated in those two lines to a test examination, to be prescribed by the Director of the Census.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. I do.

Mr. SMITH of Michigan. The act providing for the last census left the appointment of assistant director with the President, and fixed qualifications for that officer, that he should be a statistician of some reputation. Is it the desire of the Senator from Wisconsin to leave this appointment solely with the Director of the Census?

Mr. LA FOLLETTE. It was believed by the committee, after considering the matter, that, in view of the character of the work and the highly technical qualifications required by the assistant director, he should be a skilled statistician; that it would be best for the service to permit the Director of the Census to make the selection of that officer himself.

Mr. SMITH of Michigan. But the bill presented by the Senator from Wisconsin fixes no special qualifications for the assistant director.

Mr. GALLINGER. It does on page 2, line 8. It provides that he shall be an experienced statistician.

Mr. LA FOLLETTE. In lines 8 and 9 of section 3, as reported by the committee, that official is required to be an experienced, practical statistician.

Mr. SMITH of Michigan. That is practically the language of the last act.

Mr. LA FOLLETTE. Yes; I think it is the same language as that of the last act.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin to section 3.

The amendment was agreed to.

The VICE-PRESIDENT. The Senator from Wisconsin now offers an amendment to section 7, which will be read.

Mr. RAYNER. I should like to ask the chairman of the committee what appointments the Director of the Census is to make under the bill?

Mr. LA FOLLETTE. They are enumerated in section 3, in section 7, in the section with reference to supervisors and enumerators, and in the section with reference to special agents.

Mr. RAYNER. When the time comes I want to give the Senate a case which shows that the Director of the Census can not make the appointment; that it must be made by the head of a department. I am quite sure the Senator does not want to have the bill pass with a provision in violation of law. Some of these appointments can not be made. I will give the Senator the case in a few moments.

Mr. LA FOLLETTE. After the bill has been perfected in accordance with the recommendations of the committee or the committee amendments have been submitted and are passed upon by the Senate, the Senator from Maryland will have an opportunity to present the case to which he refers.

With reference to section 7, I am directed by the committee to offer an amendment. After the word "employees," on page 4, line 22, in section 7, I move to insert the words:

Except the assistant director and the private secretary to the director.

And to add the letter "s" after the word "section," the last word in line 24, making it read "sections;" and to insert before the word "six," where it occurs in line 25, the words "three and."

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Wisconsin.

The SECRETARY. In section 7, on page 4, line 22, after the word "employees," strike out the comma and the words "except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen" and insert "except the assistant director and the private secretary to the director."

Mr. LA FOLLETTE. That is not the amendment as I submitted it. The words "except messengers, assistant messengers, messenger boys," and so forth, were stricken out, as reported in the bill.

The VICE-PRESIDENT. Section 7 has not been acted upon at all as yet.

Mr. LA FOLLETTE. That is true. It was not acted upon when we went over the bill the first time.

Mr. CUMMINS. I suggest to the chairman of the committee that in our hurry this morning we omitted one word that ought to be inserted after the word "additional," in the first line, namely, the word "officers," so as to read:

That the additional officers, clerks, and other employees.

Employees are termed "officers" under section 3.

Mr. BAILEY. If they are officers, then the suggestion that the Senator from Maryland [Mr. RAYNER] has just made will create no end of trouble. If they are employees as contradistinguished from officers, then their appointment can be lodged with the Director of the Census. If they are officers within the meaning of the Constitution, the suggestion——

Mr. CUMMINS. They are termed "officers" in section 3. I am perfectly willing to make them employees.

Mr. BAILEY. I thought section 3 described them as "employees."

Mr. LA FOLLETTE. No; in line 13, on page 2, the Senator from Texas will see the second word in the line describes them as "officers." That is the form in which the House passed the bill and in which we considered it in committee. Perhaps the word "officers" should be changed to "employees."

Mr. RAYNER. By changing the word you can not change the character of officers. The change of a word does not make any difference.

Mr. BAILEY. Yes; it might make a very radical difference. If you describe a man as an "officer" you then express the view and the purpose of Congress as to his character. You can not cheat the Constitution by a change of nomenclature. Surely if you designate a man as an "officer" that is an expression of congressional purpose. I did not notice what the Senator calls my attention to. I only noticed that in lines 4 and 5 the language is, "there may be employed in the Census Office," and the verb "employed" is, of course, equivalent in meaning to the noun "employee." An employee is not an officer. That has been uniformly held.

Mr. LA FOLLETTE. The Senator from Texas will observe that in line 5 of section 3 reference is made to them as "employees"—that "there may be employed in the Census Office," and so forth—and then they are afterwards designated in line 13, "officers."

Mr. BAILEY. I discovered that.

Mr. LA FOLLETTE. If "officers" is changed to "employees" in line 13, it will harmonize with the designation in line 5.

Mr. BAILEY. I wish to say that as to the assistant director I think it reasonably certain that he is an officer. He is the man who in the absence of the director would have charge of the bureau. I hardly think an officer in charge of a bureau can fairly be described as an "employee." I suggest to the Senator that he had better look at that point.

Mr. CUMMINS. If the chairman of the committee will withhold the amendment to section 7 a moment, I move to strike out the word "officers" in line 13 on page 2, and to insert the word "employees."

The VICE-PRESIDENT. No other amendments are in order until the committee amendments are disposed of.

Mr. CUMMINS. Possibly the Senator from Wisconsin will adopt this as a committee amendment.

Mr. LA FOLLETTE. If I have the authority to do it and I have the floor to do it, I will offer it myself.

The VICE-PRESIDENT. Anybody has authority to offer it after the committee amendments are disposed of. Under the rule the Senate has adopted committee amendments must first be disposed of before other amendments are in order.

Mr. CUMMINS. Very well; I will let it go.

Mr. RAYNER. Mr. President, it might be out of order, but I think perhaps it will avoid some confusion if I give the Senate this case. I do not think we can vest the appointment of the assistant in the director, and while perfecting amendments you might look at this defect. If any of the appointees under the bill are officers of the United States, no matter what you call them, you can not confer upon the Director of the Census the right to appoint them. That question has been definitely passed upon, I think, by the Supreme Court. I give the Senate the case of the United States against Germaine, in Ninety-ninth United States Reports, page 508.

The defendant was appointed by the Commissioner of Pensions to act as surgeon, under the act of March 3, 1873. Here is the act:

That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the periodical examination of pensioners which are or may be required by law, etc.

I will not read the whole of the act.

Here is the opinion:

He was indicted in the district of Maine for extortion in taking fees from pensioners to which he was not entitled. * * *

The indictment being remitted into the circuit court, the judges of that court have certified a division of opinion upon the questions whether such appointment made defendant an officer of the United States within the meaning of the above act, and whether upon demurrer to the indictment judgment should be rendered for the United States or for defendant.

The counsel for defendant insists that Article II, section 2, of the Constitution, prescribing how officers of the United States shall be appointed, is decisive of the case before us. It declares that "the President shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they may think proper in the President alone, in the courts of law, or in the heads of departments."

The argument is that provision is here made for the appointment of all officers of the United States, and that defendant, not being appointed in either of the modes here mentioned, is not an officer, though he may be an agent or employee working for the Government and paid by it, as nine-tenths of the persons rendering service to the Government undoubtedly are, without thereby becoming its officers.

The Constitution, for purposes of appointment, very clearly divides all its officers into two classes. The primary class requires a nomination by the President and confirmation by the Senate. But foreseeing that when offices became numerous and sudden removals necessary, this mode might be inconvenient, it was provided that, in regard to officers inferior to those specially mentioned, Congress might, by law, vest their appointment in the President alone, in the courts of law, or in the heads of departments. That all persons who can be said to hold an office under the Government about to be established under the Constitution were intended to be included within one or the other of these modes of appointment there can be but little doubt. This Constitution is the supreme law of the land, and no act of Congress is of any validity which does not rest on authority conferred by that instrument. It is, therefore, not to be supposed that Congress, when enacting a criminal law for the punishment of officers of the United States, intended to punish anyone not appointed in one of those modes. If the punishment were designed for others than officers, as defined by the Constitution, words to that effect would be used, as servant, agent, person in the service or employment of the Government; and this has been done where it was so intended, as in the sixteenth section of the act of 1846, concerning embezzlement, by which any officer or agent of the United States, and all persons participating in the act, are made liable. (9 Stat., 59.)

As the defendant here was not appointed by the President or by a court of law, it remains to inquire if the Commissioner of Pensions, by whom he was appointed, is the head of a department within the meaning of the Constitution, as is argued by the counsel for plaintiffs.

That instrument was intended to inaugurate a new system of government, and the departments to which it referred were not then in existence.

And so on.

The word "department" in both these instances clearly means the same thing, and the principal officer in the one case is the equivalent of the head of department in the other * * *.

If we look to the nature of defendant's employment, we think it equally clear that he is not an officer. In that case the court said the term embraces the idea of tenure, duration, emolument, and duties, etc.

He was but an agent, and therefore they held that he was not liable. If there is any appointment here of an officer of the United States, you have no right to vest that appointment in the director. That is my suggestion. If he is an agent, there is no trouble. If he is an officer, you must follow the Constitution. What are the assistant director and chief statistician?

Mr. BACON. If the Senator will pardon me, I want to see if I correctly understand the case he has just read. As I understand the case, there was an indictment against one who was known as a civil servant, and he was indicted under a statute which made it an offense for an officer of the United States to do certain things. The defense is put in that he is not an officer, and the Supreme Court sustained that position upon the ground that he was not the appointee either of the President or of a court of law or the head of a department, and that therefore he was not amenable to the law which is directed against officers.

But there is nothing in that decision which involves the appointment, as it was made under the statute by the Commissioner of Pensions. The court does not say that his appointment is not valid; it simply says that the appointment did not make him an officer. Therefore, I suggest that by a proper construction of that decision of the Supreme Court it is within the competency of Congress to provide for the appointment of such a person as those who are enumerated in this section, and under the section they do not become officers.

Mr. RAYNER. Which section is the Senator speaking of?

Mr. BACON. Section 3. If the Senator will pardon me a moment, I was going on to state that when I say they do not become officers I mean they do not necessarily become officers; and I think the whole difficulty is cured by simply taking out the improper nomenclature which designates them as officers. One of them, the assistant director, is an officer and is intended to be an officer, but by simply taking out the words that designate these men as officers it seems to me the whole difficulty is cured. There are a class which you can properly have classi-

fied under the term "employees"—the geographers and other men who are to perform certain specific duties, and are not men vested with discretionary power such as is necessarily devolved upon those who are properly called "officers."

Mr. RAYNER. Mr. President, I think the assistant director is an officer of the United States.

Mr. BAILEY. I myself think——

The VICE-PRESIDENT. Does the Senator from Maryland yield to the Senator from Texas?

Mr. RAYNER. Certainly.

Mr. BAILEY. I myself think that he could fairly be considered as an officer. I did not know that the change had been made in the bill, and I myself suggested to the chairman of the committee that that probably would be held the construction; but the other employees are not officers and ought not to be considered such. My understanding—and I do not say that it is accurate—but my understanding is that the difference between an officer and an employee is that an officer must be commissioned.

Whoever is commissioned by the President, no matter how appointed, whether by a court of law or the head of a department or the President alone, or the President by and with the advice and consent of the Senate, if he is an officer of the United States he is so commissioned; but in the case of employees they are not commissioned and can not fairly be considered officers within that clause of the Constitution.

I am not so sure about the assistant director, for the reason that the director's position is an office so created and so recognized. Now, you appoint an assistant who is, as it were, a vice-director and in the absence of the director performs the duties of the director. If he is not an officer, I am not quite able to comprehend how he could perform the duties.

I think perhaps in that respect the Senator from Maryland has made a very useful suggestion, and I think it very much safer for the committee to take that into consideration. I think the suggestion that the Senator from Iowa [Mr. CUMMINS] makes to strike out when we get to it the words "officers" and insert "employees," relieves the bill of any construction that Congress intended to provide for officers instead of employees.

Mr. RAYNER. Mr. President——

Mr. SCOTT. May I ask the Senator in charge of the bill——

Mr. RAYNER. I think I have the floor.

The VICE-PRESIDENT. The Senator from Maryland is entitled to the floor. Does the Senator yield?

Mr. RAYNER. I desire first to finish what I have to say, and that is that the question whether a government employee is an officer or a servant or an agent is a very narrow question, and therefore I cited this case. Is not the chief statistician of this bureau an officer of the United States? He is not a clerk; he is not an agent. We are all well aware of the fact that agents and clerks are not officers, just as a surgeon was held, in the case to which I have referred, to be not an officer. If the chief statistician is not an officer of the United States, what is he? It is a very narrow question. I would not pretend to pass upon the question of whether he is an officer of the United States or not, but I do think the Assistant Director of the Census is an officer of the United States; that is certain. Why leave it in any doubt? Why give the appointment of an officer of the United States, if he is an officer, to the Director of the Census instead of putting it where the Constitution puts it—in the hands of the President—so that there can be no doubt about it? Why take any chance about making an invalid and unconstitutional appointment? I submit that just as a proposition to be considered.

Mr. BAILEY. Mr. President, that argument might have been made with reference to the very law which the Senator from Maryland has read. He might have contended then that the appointment of a surgeon was an appointment of an officer; but I think if the appointment had been made of a surgeon of the army probably he would have been a military officer, and then he could not have been appointed by the head of the bureau. But he was appointed to perform a certain service connected with that bureau, and I think it was competent to vest his appointment in the head of that bureau, inasmuch as he was to be a mere employee within it. The same suggestion might have been made in that case. Why leave that open? The Senator from Maryland knows that the President, if he is required to make these appointments, is under some obligation to know something as to the character and capacity of the appointee; and therefore if he is not to be required to so inform himself, he ought not be required to make the appointment; but as the employees under this bill are to perform their duties immediately under the supervision and control of the director, I think he ought to appoint them wherever he would be permitted under the Constitution to do so; and of course I think he ought to be permitted to appoint them without an examination.

One of the grotesque absurdities of this age is to require a charwoman to stand a civil-service examination. I shall have something to say about that when we reach the next section—section 7—of the bill. I despair, however, of being able to impress the Senate, seeing that the distinguished Senator from Michigan [Mr. SMITH], who has heretofore been such a sturdy advocate of partisanship, has now joined with the civil service and other reformers.

I suppose the Senator from West Virginia [Mr. SCOTT], whose practical experience guides him, and who follows his theories, and myself are perhaps to be the only ones left to lift a discordant note against this modern piece of hypocrisy, commonly known as the "civil service."

Mr. BACON. Why should the Senator be so despairing, when the Senate upon a yea-and-nay vote, when this bill was before it, voted directly in accordance with the sentiments now expressed by the Senator? It seems to me that he should be inspired with some little remnant of hope, in view of that recollection.

Mr. BAILEY. But if the Senator from Georgia had not been so much occupied with other things, such as the tariff and other matters, he would have discovered the marvelous conversion which was wrought by the veto message of the late President of the United States. He stigmatized Senators as professional politicians, and they are about to justify his description of them by accepting it meekly and passing under his rod.

Mr. BACON. The only thing I am objecting to, Mr. President, is that the Senator from Texas should assume himself and the Senator from West Virginia to be the only ones of consistency of purpose.

Mr. BAILEY. I thank the Senator from Georgia——

Mr. SCOTT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. Just a moment, while I correct myself and thank the Senator from Georgia for calling my attention to it. I hope we are to have others to join in opposition to this policy. I know that there are other Senators who agree with me and who can give even better reasons for the faith that is in them than I can, but I was at liberty, or at least I felt at liberty, only to classify myself and the Senator from West Virginia, who had already classified himself. I am gratified, however, to know that the Senator from Georgia, for whose judgment and for whose patriotism I have as much respect, and in whose Democracy I have as much confidence as I have for anybody's, is also of the same persuasion. I undertake to say, Mr. President, that a great many Senators have changed their positions on this question without having changed their minds. [Laughter.]

Mr. SCOTT. Mr. President, I am always delighted to hear the Senator from Texas, especially on this occasion, when he agrees with my views. Necessarily he must be correct in his views this time. [Laughter.]

Now, Mr. President, I want to go back. When I was Commissioner of Internal Revenue—and in what I am about to say I want to acquit the gentlemen who are now members of the Civil Service Commission of any responsibility, for not one of them was a commissioner at the time to which I refer—when, as the head of the greatest bureau, as I believe, of this Government—the Bureau of Internal Revenue, which collects more money to defray the expense of the Government than any other—I refused to recognize the Civil Service Commission in the appointment of storekeepers and gaugers and some other officers, what was the proposition of the then chairman of that commission to me? He came in person and told me that if I would send him the names of three gentlemen whom I wanted appointed and indicate that the first name was the man whom I wanted appointed, the commission would certify him back to me, if I would ask for the certification of the Civil Service Commission. I would not do it. That is the system we are laboring under to-day. It is just as the Senator from Texas [Mr. BAILEY] says—nothing but hypocrisy and deceit. The people of this country are being fooled. That is the whole secret of it, Mr. President.

If we had a civil service that meant civil service—that is, civil service pure and simple—I would favor it; but when there can be an order issued relieving one man from the operation of the law, or restoring another man in spite of the law, then I say that we have no use for that kind of a civil service.

Mr. President, I am not reflecting on the present Commissioners of the Civil Service, for I have had nothing to do with them at all; but I assert, without fear of contradiction, that such was the condition when I was Commissioner of Internal

Revenue, and such was the proposition made to me by the president of the commission at that time. While I am on my feet I want to ask the chairman in charge of this bill if he desires to eliminate the words beginning in line 16, in section 3? If I understand correctly, the words "the assistant director shall be appointed by the President, by and with the advice and consent of the Senate," have been stricken out. Do I understand that the Senator has had that sentence stricken out in that section?

Mr. LA FOLLETTE. That has been stricken out, I will say to the Senator.

Mr. SCOTT. I shall oppose that with all the vim that I have got when the time comes.

Mr. LA FOLLETTE. I think, in view of the decision that has been presented here and the views of Senators that it should be restored to the bill, and that the assistant director should be appointed by the President, I ask unanimous consent to perfect section 3 in that way.

Mr. SCOTT. By restoring those lines.

The VICE-PRESIDENT. Does the Senator from Wisconsin make that request now? Does he withdraw the other amendment?

Mr. LA FOLLETTE. I withdraw the other amendment for the time being.

The VICE-PRESIDENT. The Senator from Wisconsin withdraws the other amendment and asks unanimous consent to return to section 3. Is there objection? The Chair hears none.

Mr. LA FOLLETTE. On behalf of the committee, I move to reconsider the vote by which the amendment in lines 13, 14, 15, 16, 17, and 18 in section 3, page 2, was adopted.

The VICE-PRESIDENT. The Senator from Wisconsin asks unanimous consent that the Senate reconsider the vote by which the amendment in lines 13 to 18, inclusive, was adopted. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. LA FOLLETTE. Now I move to amend by striking out, in line 13, after the word "These," the word "officers," and inserting in lieu thereof the word "employees."

Mr. BACON. I want to suggest to the Senator, that will not be sufficient. In view of the change it would be somewhat inconsistent. You would have to strike out more than that, if my view is correct.

Mr. LA FOLLETTE. I expect to follow that——

Mr. BACON. I was going to suggest to the Senator that striking out the word "officers" would be equivalent to striking out the entire line after the word "these." Inserting the word "employees" would be inconsistent in view of the words which follow. The point to which I direct the attention of the Senator is this.

Mr. LA FOLLETTE. I see it.

Mr. BACON. That he makes a distinction between the officers. The assistant director is not an employee, and therefore to say "These employees, with the exception of the assistant director," would not be right.

Mr. LA FOLLETTE. I think those words should go out with the word "officers." I modify the amendment in that respect.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, line 13, after the word "These," it is proposed to strike out "officers, with the exception of the assistant director," and to insert "employees;" in line 14, after the word "appointed," to strike out "without examination;" and after the word "by," in the same line, to strike out "the Secretary of Commerce and Labor upon the recommendation of."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. GALLINGER. Let the amendment be read as it would read if amended.

The VICE-PRESIDENT. Without objection, the Secretary will read the provision as it will appear after the amendment is agreed to.

The Secretary read as follows:

> These employees shall be appointed by the Director of the Census. The assistant director shall be appointed by the President, by and with the advice and consent of the Senate.

Mr. GALLINGER. I will call the Senator's attention to the fact that in line 8 the words "assistant director" occur, and yet it is now proposed to say "These employees," which includes the assistant director. I think if the Senator will drop the word "These" and say "Employees shall be appointed" that it will meet the requirements of the case.

Mr. LA FOLLETTE. The word "These" would only refer to such as were employees and would embrace those that go before.

Mr. GALLINGER. It does embrace the assistant director necessarily.

Mr. LA FOLLETTE. It does not if he is an officer as distinguished from an employee.

Mr. GALLINGER. But you have got him in the list of employees. That is the trouble. However, I do not care anything about it. Let it go. The conferees will fix that.

The VICE-PRESIDENT. The question is on agreeing to the amendment as read by the Secretary.

The amendment was agreed to.

The VICE-PRESIDENT. Section 7 was passed over. Does the Senator from Wisconsin desire to renew the amendment which he offered?

Mr. LA FOLLETTE. I do.

The VICE-PRESIDENT. The Secretary will state the amendment heretofore offered and now again offered by the Senator from Wisconsin.

The SECRETARY. In section 7, on page 4, line 22, after the word "employees," it is proposed to strike out the comma and the words "except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen" and insert "except the assistant director and the private secretary to the director."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. GALLINGER. Mr. President, the original so-called "civil-service act" of 1883 placed the clerical force of the departments under that law, with which I find no fault. Since then great extensions of the law have been made, the Executive extending the law from time to time by orders, so that now almost every class of employees has been gathered into the classified service; but, if I am correctly informed, or if my recollection is correct, I think it has never gone to the extent of including unskilled laborers, messengers, and charwomen. I will ask the chairman of the committee if I am correct upon that point?

Mr. LA FOLLETTE. The Senator is mistaken. As I am informed, all the employees designated in the words proposed to be stricken out are within the civil service at the present time.

Mr. GALLINGER. Are charwomen?

Mr. LA FOLLETTE. They are.

Mr. GALLINGER. What is the form of examination for charwomen, I will ask the Senator, if he can tell me?

Mr. LA FOLLETTE. They are examined, in the first place, with respect to their ability to do that work. They are tested with respect to the conditions of their health. They are required to do some——

Mr. GALLINGER. Scrubbing? [Laughter.]

Mr. LA FOLLETTE. I think some strength test is applied. The examination is one, Mr. President, which is intended to, and I believe does, test their fitness to do the particular work for which they are examined.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Michigan?

Mr. GALLINGER. I will yield to the Senator.

Mr. SMITH of Michigan. If the Senator from New Hampshire will pardon me, I was going to suggest that I understand they have a "knee action" that is very accurate and very essential to that work. [Laughter.]

Mr. LA FOLLETTE. Mr. President, I know nothing about that. The Senator from Michigan is better informed than I am upon the details of the examination.

Mr. SMITH of Michigan. A knee-action test works very well.

Mr. GALLINGER. I recollect the fact——

Mr. LA FOLLETTE. I would suggest, if the Senator will permit me, that the examination which is proposed here is not necessarily the examination which the civil service now applies to positions of this character, because the Director of the Census will prescribe the examination in this case.

Mr. GALLINGER. Why not have the Director of the Census settle the matter? Why is it necessary for the Director of the Census to formulate a certain examination and send that up to the Civil Service Commission and have them use up their valuable time in making the examination?

Mr. LA FOLLETTE. I suppose the reason for framing the bill by the House committee in that form was that the Civil Service Commission is equipped to conduct such examinations and have a force to expedite the business and carry it out. The Census Office is not provided in any such way.

Mr. GALLINGER. But the House did not formulate the bill in that way. The House exempted the classes mentioned which the Senator now proposes to strike out, and removed the excepted classes from the examination requirement.

Mr. LA FOLLETTE. Yes; but it was very manifest from the language of the section, of those first three lines, that the pur-

pose of the exception, as doubtless intended by the House, would not be effectuated by the adoption of that language.

Mr. GALLINGER. Mr. President——

Mr. BAILEY. Will the Senator from New Hampshire yield to me?

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. GALLINGER. I yield to the Senator from Texas.

Mr. BAILEY. Mr. President, I simply want to say to the Senator from New Hampshire that if the civil-service regulations and system are to be preserved, it is useless to resist their application to even unskilled laborers. It will finally be made to cover everybody except Representatives and Senators. Congress will never apply it to those, because not one in ten of them can stand the civil-service examination. [Laughter.]

Mr. GALLINGER. I will agree with the Senator from Texas that not one in ten of them could make 25 per cent in such an examination. I have no idea they could do so.

Mr. BAILEY. And yet we practice before the country the absurdity of saying that these men are qualified to make the laws under which the people live and yet would not be qualified for a clerkship in the Treasury Department. There was never a grosser absurdity.

Mr. GALLINGER. I was about to say, Mr. President, that in my opinion civil service has run mad in this country—literally run mad; and when we come to a point where we are asking a great commission to examine charwomen as to the question of whether or not they can scrub floors and perform the other duties required of charwomen, and messenger boys as to whether or not they can carry messages or do that kind of work, it is an absurdity that no language of mine can properly characterize.

Now, let us look at this matter of the Civil Service Commission. They are loaded down with work. It is being piled on them day by day. By a recent executive order the fourth-class postmasters in a considerable portion of the country have been placed under their jurisdiction.

I had occasion to call upon the Civil Service Commission a while ago with a request that they should inform me what the rating was of a certain young man in my State who had taken an examination eight months before for the position of postal clerk. I was informed by that commission that they had not yet reached the papers for examination and could not tell me when they would be reached, but that as soon as they were reached and the rating ascertained I would have the necessary information conveyed to me.

Mr. SMITH of Michigan. Perhaps during that time he might have passed the age of eligibility.

Mr. GALLINGER. The Senator from Michigan suggests that during that time he might have passed the age of eligibility, which is true. But whether or not that is so, it is manifestly absurd that a young man who took an examination before any board or commission for a position in the government service should not be able to ascertain for approximately a year whether or not he had passed the examination.

I have heretofore put myself on record against certain phases of this system, and I am unwilling that the Senator from Texas [Mr. BAILEY] should to-day read me out of the list to which he considers he belongs.

The civil service of the Government is full of very serious faults. It would be interesting, if it could be ascertained, to learn the proportion of young men and young women who have taken examinations who have secured positions under the Government. I believe it to be a fact that the young men and the young women who leave their homes and go to the capitals of the several States, or elsewhere, to be examined probably spend on an average $10 each. Out of the number who take that examination a small proportion pass. The proportion who do pass are certified to the Civil Service Commission; they are placed upon the eligible list, and a very small proportion of those who are certified ever get an appointment. The money loss which comes to the young people of this country from that system would aggregate an amount that would be startling if it could be ascertained.

There is another fact. As a rule, after a young man has taken a civil-service examination and has reason to believe he has passed, he is not worth much to himself or anybody else, so far as employment is concerned, while he is waiting to get a government job. It is not universal, but it is true, as a rule. If he passes and is certified, then he indulges the belief that he will get an appointment, but in that he is frequently disappointed.

Mr. President, if we are to continue this system, it seems to me that it is an absurdity to submit messenger boys and charwomen to examination, loading down the commission with more work. They are to pass upon the question of whether a woman is capable of sweeping an office or scrubbing a floor; whether a messenger boy is capable of riding a bicycle or running an errand. I hope that the proposed amendment of the committee striking out those words will not prevail. Let us confine this bill, so far as examinations are concerned, to the clerical force. That is bad enough in itself. The young men who graduate from our colleges and our high schools can pass the examination, but young men who have infinitely more sense than they have and infinitely greater ability and experience to discharge the duties incumbent upon them in those positions are barred out.

Has it ever occurred to the Senate that all the business of this great country of ours, except the government business, is done outside of civil service? The government business is but a small fraction of the business that is done in this country, and yet no man at the head of a great corporation finds it necessary to appoint a commission to examine the men who are going to do the work in his great establishment. It is insisted, however, that any man who utters a word against the system that is in vogue so far as the government work is concerned is an enemy to good government, that he is a spoilsman, and that he wants to rob the Government and the people of something that properly belongs to them. For me, I am tired of that kind of talk.

I am not going to say that we ought not to have this examination so far as the clerical force is concerned, for we have in a way committed ourselves to that; but I do insist that we bring the matter into disrepute and make it a laughing stock to men who stop to think along practical lines when we ask that messenger boys and charwomen and employees of that class shall be subjected to an examination by a great commission; that they shall wait to hear from that commission until such time as it serves their purpose to give them an answer; that they shall go on an eligible list from which they may never be designated; and that the money of the Government shall be spent in that way.

Mr. SCOTT. Before the Senator takes his seat will he allow me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. SCOTT. Would it not be a greater expense to the Government to examine those messenger boys and charwomen than to pay those poor people their salaries for the short time they will be employed?

Mr. GALLINGER. Likely that is so. At any rate, whether that is so or not, I will repeat that I shall esteem it a great pleasure to vote against the proposed amendment, and I hope a majority of the Senate will vote against it.

Mr. CLAY. Will the Senator from New Hampshire permit me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. CLAY. I think the Senator is correct in what he has stated; I agree with his position; but suppose we except these messengers, assistant messenger boys, and charwomen; is it not true that under the civil-service law now in force the Census Office will be required to select these very employees from a list furnished by the Civil Service Commission? I have been informed that the head of the Civil Service Commission, Mr. Black, stated before the Census Committee that if the Director of the Census was not instructed to have this examination, then he would feel that he was directed by law to see that these employees had stood the examination under the general civil-service law. And if that be so, would the making of this exception be of any service at all?

I agree with the Senator; I think it is absolutely useless to have such examinations; but if we leave it out and have to go back to the general law, then we will accomplish no good whatever, if the premises be true.

Mr. GALLINGER. It occurs to me that if we specifically except them, the Civil Service Commission will be estopped from enforcing the examination.

Mr. CLAY. I am not a member of the Census Committee, but I have been informed that the chairman of the commission—I do not know how true it is; the chairman can speak for himself—said to the committee that every one of these employees—messenger boys and charwomen—will have to be selected from a list furnished by the Civil Service Commission, even if an exception is made.

Mr. BAILEY. Will the Senator from New Hampshire permit me?

Mr. GALLINGER. Certainly.

Mr. BAILEY. Irrespective of the contention of the Civil Service Commission, I am rather inclined to think that as a

matter of legal construction he is right about it. Will the Senator from New Hampshire give his attention for a moment to the language?

That the additional clerks—

We will read it as it passed the House.

That the additional clerks and other employees, except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen provided for in section 6 shall be subject to such special test examination, etc.

The effect of that language is to except messenger boys and charwomen from the special test provided for by this law; and the view of the chairman of the Civil Service Commission is that by excepting them from the operation of this law we simply throw them back under the operation of the general law, although I think it is perfectly obvious that the purpose of the House was not to subject these charwomen and messengers to a still wider examination than it was subjecting the employees provided for in this bill. But the effect of it—under a Civil Service Commission that wants more power, and so far as my experience goes all commissions want to extend their power—might be to embarrass.

Mr. GALLINGER. Mr. President, that puts a different phase upon the situation, I confess.

Mr. CARTER. I will state to the Senator from New Hampshire that the language referred to was stricken out on my motion and for the reasons pointed out by the Senator from Texas.

I think it is obvious upon close examination of the language that if these persons are excepted from the special examination they must inevitably be subjected to the general examination provided by the Civil Service Commission. The amendment was not perfected so as to carry forward through the bill the view that it was believed the House took, but the language was stricken out, at least as far as my intention extended, for the purpose of throwing the matter into conference, and for no other purpose.

Mr. GALLINGER. Mr. President, my purpose has been served, whether one construction or another is placed upon this language. My purpose has been served by saying upon my responsibility as a Senator that I think it is an absolute absurdity to waste the money of the people of the United States in placing under a great commission these inconsequential places for which, in the very nature of things, the qualifications can be ascertained by the head of a department or a bureau quite as well, if not better, than they can be determined by any examination that a commission can institute.

I do not believe in some matters that the Civil Service Commission are in the habit of insisting upon. I doubt very much whether even an executive order has placed under that commission the charwomen and the messenger boys who are in the several departments of the Government. I do not recall any such order; but if they have reached out and taken in those people, I suppose we have to submit to it and do the best we can under existing conditions.

But I wish to put myself on record as looking upon it as an unnecessary and an injudicious thing for the Civil Service Commission to do, and I believe we would have better service if the head of a department or a bureau was permitted to appoint such minor employees, dismiss them if they did not do their duty faithfully, and employ somebody else, just as business men do all over this country. The truth is, Mr. President, under existing conditions we can not get rid of an official of the Government who is there under civil service. Our departments are crowded with men and women who are of very little service to the Government, but no head of a department will dismiss them, and they will remain there, I suppose, until death calls them from their scene of action. We are building up a system of life tenure in the government service.

Two or three years ago I was in one of the departments, when my attention was called by the head of the department to a clerk who was absolutely doing no service for the Government, and the head of the department said to me: "There are 50 clerks in this department with respect to whom the Government would be better off if they remained at home and came in twice a month to draw their salaries." He said, "They are of no earthly consequence." I said, "Why do you not get rid of them?" He said, "Oh, we can not dismiss them."

Mr. DOLLIVER. I am interested in what the Senator says, because in one department of the Government an old friend of mine has been dismissed, or ordered dismissed, solely on the ground of old age, and what may be a helpless effort is being made to do what the Senator says prevailed in the case he cited.

Mr. GALLINGER. I stated precisely what occurred. Another matter occurred. I went to a great bureau of the Government to transact some business. A clerk came in, almost unable to walk. He dropped into a chair, and the man in charge of the bureau said to me, "Do you see that clerk?" I said, "Yes." "Well," he said, "two years ago you reported a bill increasing that man's pension from $30 to $60 a month; and if you will refer to the report you will see that you stated in your report that he was so incapicitated that he had to leave the public service. But he is drawing the increased pension and is still here drawing $1,800 a year." I said, "Why do you not dismiss him?" He said, "Oh, we can not do that; we can not dismiss any of these employees." I do not know where the real remedy is, Mr. President. It has been suggested that we ought to have a civil-pension roll, and I presume it will come to that after a while. But I have every reason to believe, and I get it from men who know the facts, that our departments are crowded with inefficient clerks, largely due to the fetich of civil service.

We talk about reducing government expenditures. In that connection I think it would be a good plan for some commission or committee to take up the question as to the clerical force of the Government, with a view of ascertaining whether or not we are getting efficient service.

Now, we are going to put two or three thousand clerks on temporary work in the Census Office. The bill, as it came from the House, provides that when that work is over, they shall be dismissed. They will not be dismissed; certainly not all of them. I apprehend a very small proportion will be dismissed. Every clerk who is under the civil service will immediately clamor to be placed in some one of the departments of the Government or be transferred.

Mr. LA FOLLETTE. If the Senator will permit me, the bill expressly provides that they shall not be subject to transfer.

Mr. GALLINGER. I understand; but notwithstanding that you will find a very considerable part of them continued, in some way or other, in the government service.

Mr. LA FOLLETTE. The Senator understands that they do not take the general civil-service examination, and are not within the classified service. There is a special examination provided for by this bill—a special test.

Mr. GALLINGER. The examination is made by the Civil Service Commission.

Mr. LA FOLLETTE. The bill provides that the Director of the Census is to prescribe the examination.

Mr. GALLINGER. Yes. The denatured-alcohol people were appointed for temporary work, but they are all in the departments now—every one of them.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Michigan.

Mr. GALLINGER. Certainly.

Mr. SMITH of Michigan. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] referred to a case that had come under his special knowledge where an applicant had waited eight or nine months for a rating and the papers had not even been taken up for consideration by the Civil Service Commission. I desire to point out for the information of the Senator the fact that the highways to Washington are literally crowded with applicants for places under the civil service. One hundred and sixty-seven thousand persons were examined during the year ended June 30, 1908, for positions in the public service. Ninety-two thousand nine hundred and twenty passed the required test, and 39,003 were appointed. The young men of this country are being lured from other walks of life, where they might help themselves and their families, by a false hope.

Mr. SCOTT. What does the commission cost?

Mr. SMITH of Michigan. Two hundred million dollars a year is spent in the executive civil service. I do not know what the commission costs. The salaries of the executive civil service amount to $200,000,000 a year. Merit must be the basis of public employment; but it should rest on merit, and not on favoritism or caprice of a petty chief. If I do not interrupt the Senator from New Hampshire, I wish to give my opinion, for whatever it may be worth, from fourteen years' observation, that the meanest, most contemptible, and petty politics in the United States are now carried on under the holy cloak of civil-service reform. Every department of this Government is so honeycombed with little department cliques that merit is no longer the basis of promotion, but abject subserviency and toadyism is a sure passport to favor.

I desire to give it as my opinion that few men or women can get a promotion in the civil service, as now administered, unless he or she will bow low or cringe and kotow to some little petty chief who shields himself behind the civil-service law. Get promotions on merit! I deny that merit rules in the civil service of our Government. The spoils system of Andrew Jackson had at least one merit—if the people did not like it they

could change the system by changing the representation; even Jackson did not enthrone a petty chief, with no obligations to party, State, or country, many of whom do not now vote and have no interest in the Government they serve.

Cabinet ministers do not manage their departments, willing and able as they may be; the departments manage the cabinet minister and lead him blindly through a maze of departmental politics, as mystifying as it is vicious and shocking to behold.

I know of cases where clerks have been slapped in the face and women humiliated in the presence of these petty autocrats, without reproof, where privilege and promotion go hand in hand.

Mr. President, in the interest of the dignity of the public service, in the interest of fairness to the thousands of men and women who have given the best years of their life to the Government, this system of tyrannical favoritism should cease, and if we are to have a merit system let it be fair and just to all sections and all people, otherwise I shall never vote to clothe these people with further authority.

My interest in this matter is not because I desire these places for my constituents; they are occupied in their own private pursuits. I have never been in the habit of seeking public patronage, but, mindful of the commission I bear and the responsibility I owe to the people of my State, I feel it necessary to call attention to this growing evil in our public service.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. The Senator from New Hampshire has the floor. Does he yield to the Senator from Nevada?

Mr. GALLINGER. I will yield in a moment, if the Senator from Nevada pleases.

Mr. President, the Senator from Michigan has called attention to a matter that I alluded to a little while ago without having the figures before me. He showed that during the past year 167,391 persons were examined and 39,003 were appointed, which leaves 128,000 young men and women who left home and traveled to the capitals of the several States, underwent the civil-service examination without result; and, as I said a while ago, it cost them an average of $10 apiece. I know some instances where it cost $15. They have to lose time, stay over night, and pay railroad fare. More than a million dollars was squandered by those young people in attempting to get places in the civil service of the Government. It is a very serious question, Mr. President, and I wish that some scheme might be devised that would mitigate the evil.

One other matter. Under the civil-service law there is a fiction that there shall be an equitable distribution among the States, according to population. It is a fiction; a pure fiction. If you would investigate the matter, you would find that some States have three or four times as many as they are entitled to and other States have not half as many as they are entitled to.

Mr. BACON. If the Senator will permit me, I should like to make a suggestion at this point.

Mr. GALLINGER. Yes.

Mr. BACON. It is even worse than the Senator now states. Upon investigation it will be found that there are clerks in some of the departments—unless they have since died; certainly it was so not very many years ago—whose appointments are attributed to certain States, when those appointees never saw those States; they have been appointed from other States and credited to certain States where they had never been.

Mr. GALLINGER. Oh, yes. New Hampshire has suffered in that way.

Mr. KEAN. So has New Jersey.

Mr. GALLINGER. We have institutions of learning in our State that attract boys from other States. Some boys from the West, and possibly from the South—about that I do not know—have qualified themselves by going to Phillips Exeter Academy and have received appointments which were charged up to New Hampshire, they claiming they once lived in New Hampshire.

But I have a greater grievance than that, so far as my State is concerned. Some years ago a young lady from New Hampshire took the civil-service examination. She made an average of considerably over 90. She had been a school-teacher.

She was a splendid girl—strong, able, intellectual. Her name went on the eligible list. She waited a year and was informed they would have to drop her name because the quota of New Hampshire was full. She took another examination, and again passed at an equally high average. She waited another year, and was dropped. She took a third examination, passed again, waited another year and was dropped.

I thought I would like to ascertain whether or not the quota of New Hampshire was really full, as was claimed. I introduced a resolution in the Senate, which was passed, calling upon the Civil Service Commission to report to the Senate the names of the employees in the civil service charged to the State.

In due time a list came in, and out of that list 45 per cent were not in the service at all. The clerk to my committee, who had formerly been in the classified service, but who had been my committee clerk for several years, was on the list. A gentleman practicing law in New Hampshire, formerly a clerk in the service, but who had been practicing law in the State for nine years, was also on the list. Several were dead. Forty-five per cent of the list returned were not in the service at all.

I sent my clerk to the Civil Service Commission to ask why it was that they returned a list of that kind, and he was told that they kept a record when clerks entered the service. What became of them afterwards was a matter of no concern, apparently, to the commission.

New Hampshire is to-day laboring under the handicap that her quota is full. I presume they continue to count the people who entered the service from 1883 to the present time. Notwithstanding it is claimed that our quota is full, they continue to hold examinations, thus adding to the eligible list names of persons who never can be appointed. What a farce that is!

Mr. President, the Senator from Montana [Mr. CARTER] suggests that the amendment to which I object has been stricken out, so that the conferees may consider the matter, inasmuch as it does not accomplish the result that was manifestly intended by the House. If that be so, I am quite content to have the amendment agreed to, with the expressed hope that the conferees on the part of the Senate will insist that if there is any way to exempt messenger boys and charwomen from the operation of the civil-service law that it will be done.

Mr. BACON. Before the Senator from New Hampshire takes his seat, in connection with the suggestion just made I suggest that the difficulty can be cured in this way: If the words "except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen" are left in—in other words, not stricken out, as proposed by the amendment of the committee—and then in line 19 make another proviso, to put the matter beyond doubt.

Before we get to the second proviso, I will state that this amendment is based upon the recognition of the fact that with the language as it would then appear the general law would apply, and the amendment which I now suggest is to take it out from that dilemma. Add these words as a second proviso, there being now one proviso in the bill:

Provided further, That messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen shall be appointed by the Director of the Census without an examination under either this act or under the general civil-service law.

That certainly will put it beyond the possibility of any doubt.

Mr. CARTER. Mr. President, this regular and unvarying assault on the civil service comes in the absence of the senior Senator from Massachusetts [Mr. LODGE] just as well as when he is present. In his absence I feel called upon to make an observation with reference to the discussion that has proceeded on this subject this afternoon.

In the twenty years I have observed legislative proceedings I have been a witness to these assaults and counter assaults, with the civil service as the battleground all the time. It is undoubtedly true that on both sides of this long controverted question little progress has been made because terms of acrimony have generally been employed. In the veto message which came to the Senate on the bill we now propose to pass in another form, the intention of Congress was, I think, unhappily denominated a design by "plunder-seeking politicians" or some such euphonious term.

The idea prevails throughout the ranks of the ardent advocates of civil service—and they are not inclined to conceal their thought—that all persons who suggest amendment of law or improvement of method are per se spoilsmen seeking a part in the distribution of public places. On the other hand, in both Houses of Congress, it has become common in every session when any opportunity to discuss the subject arises to engage in terms of denunciation and to hold up to ridicule the little peculiarities of a complex system which may be ridiculed when standing out singly or alone.

Now, as between these two unfair methods of discussion there is a common ground upon which all are agreed, and I think the Senator from Michigan may be included in the term "all," as I use it. I venture to say that there is not a Senator on this floor this afternoon who would, if he could, dismiss the army of employees in the executive departments of the Government to-night to the end that he might to-morrow participate in selecting their successors. The task would be intolerable. No Senator or Representative at all conversant with the burden it would impose would for a moment advocate the radical change.

The civil service provides, according to the law—the practice may be different—that there shall be a fair apportionment in the selection of public servants through all the States and congressional districts of the country. Is that unfair to any section? Not at all. It simply allows all sections, howsoever remote from the seat of government, a fair participation in the laudable work of performing a part of the public service.

I do not blame the boys and girls and women and the old men who seek to enter the public service, and I sympathize with them when they are disappointed in their aspirations. I am sorry that 165,000 took the examination in a year, with only 9,000 or thereabouts successful.

Mr. GALLINGER. Thirty-nine thousand.

Mr. CARTER. Thirty-nine thousand. Well, Mr. President, if 39,000 succeeded out of 165,000, that is a much better proportion of successful achievement than occurs with Senatorial candidates throughout the United States. [Laughter.] It is infinitely better than occurs in proportion to the number of candidates for the House of Representatives. I think the civil service, under the figures given, evolves a fairly just result and is encouraging to those who seek to enter the service.

I believe, Mr. President, that the civil-service method of selection may be perfected. I think its machinery may be defective. At the same time I as firmly believe that the system is not only inherently right but is indispensable to good administration in the clerical work of conducting the Federal Government.

Mr. CLAPP. Will the Senator pardon a question?

Mr. CARTER. I am glad to yield. No pardon is necessary.

Mr. CLAPP. I perhaps agree with the Senator that the system of selection might be perfected. I wish to ask the Senator if he believes it is possible for human ingenuity to develop a proper system covering the so-called "promotions" that will relieve matters the Senator from Michigan suggested but could not perhaps in public debate?

Mr. CARTER. Mr. President, in working out the various justice of each case there will always be some failure as long as human nature remains as it is and human methods remain imperfect. I have no doubt that there are cases of gross injustice in the matter of promotion. But let me ask, Mr. President, if you can eliminate that element of injustice by changing the method of selection from one of competition to one of continual exercise of outside influence? You can not get rid of that feature of injustice by changing the method of selection. You must change some of the elements of our human nature, and you must perfect methods in the departments whereby those who are entitled to promotion will secure it upon their record.

Many years ago I happened to be for a time in charge of one of the bureaus here as Commissioner of the General Land Office. There were six or seven hundred clerks employed down there. Occasionally one of them would become ill, and about the first notice I would receive of the illiness of the clerk would come from some one who appeared upon the scene and bowed pleasantly and said, "Good morning," and then announced that Mr. Jones was sick; that he hoped nothing would happen to Mr. Jones, but "if he should die I would like to get his place." That was a common occurrence.

The system was changed somewhat. A method of marking performance in that department was adopted. The record of each clerk's daily work was kept and entered in a book at the close of each day, and when a clerk came forward seeking promotion that record bore its mute testimony as to whether the promotion was due that clerk or not.

Mr. SCOTT. Will the Senator allow me? Has the Senator the slightest idea that that marking is correct, that it is done honestly, and that justice is done to the best clerk? If he is, I am sure he had better make a further examination.

While I am on my feet let me ask the Senator if he believes it was the intention of this Government, when we had a little falling out with Great Britain in the latter part of the eighteenth century, that we were going to create a life office-holding class of people in this country? Was not that a part of the complaint that brought on the rebellion against the mother country? We have reached a point when the head of a department will not dismiss an old clerk because of sympathy, and yet we know that he is not worth anything. They know that they are held in those positions by the act of the Civil Service Commission, and they will not perform half the labor of a clerk who knows he can be dismissed if he does not do his work.

Mr. CARTER. Mr. President, there are undoubtedly hundreds of very pathetic cases in the various departments. Persons who have grown old in the public service, have ceased relations with all business affairs on the outside, and are unable to engage in any new occupation to make a living.

But, Mr. President, will that situation be changed or cured if the clerks are held in place by the binding power of political influence exercised from day to day? Do you suppose that the Senator from West Virginia, virile, strong, and persistent as he is, would suffer a man from West Virginia to be discharged because of age or ill health or incapacity to keep up the standard?

Mr. SCOTT. No.

Mr. CARTER. No; not so, Mr. President. He would be right at the bat from morning until night, and would make it so hot for the fellow who discharged him that he would be glad to compromise by keeping him until the funeral occurred.

Mr. SCOTT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from West Virginia?

Mr. CARTER. Certainly.

Mr. SCOTT. I wish to say for the information of my friend from Montana that in the position of Commissioner of Internal Revenue, I was directed by the Secretary of the Treasury at that time to dismiss a number of old clerks, both male and female, who had passed the age of 75. Now, remember that age. I refused to do it. Why? They were not from my State; but probably some of them were from the Senator's State of Montana. They had been here a long time and possibly could not get home.

But I want to say that that is the great trouble. These heads of departments know that they have incompetent clerks. They know that they have men and women who are not physically able to do a clerk's duty and work; yet they will not dismiss them. The Senator knows that to be true.

Mr. CARTER. I know it; it is unquestionable; and my dread is that that state of affairs is destined to lead to a retiring pension or reduced pay after a certain period of time. If we do reach that period when we will have retirement pay or pension, this Government will be burdened as no one in years gone by anticipated it ever would be burdened by any class of people. The pension roll for the civil list would grow into stupendous proportions compared with the pension roll for old veterans of the wars.

I do not know what the solution of that perplexing proposition may be, but I do know that it does not rest in discarding selection by merit and changing to selection by whim or the recommendation of interested parties. I grant that there are in the civil-service list persons who have passed high lacking in judgment, lacking in discretion, lacking in many of the qualities that go to make up an excellent clerk or division chief.

But, Mr. President, admitting that, how can we improve it by changing it? Will we do better by making the lack of merit the test, or applying no test at all? I care not who makes the selection, whether by certification of the Civil Service Commission or on the recommendation of a Senator or Representative, the selection must be preceded by some kind of a test. I should have that test so impersonal and so uniform that the boy from the country, without a friend within a thousand miles to speak for him, would have just as good a chance as the man backed by the President of the United States.

Mr. GALLINGER. Mr. President——

Mr. CARTER. I believe in a merit system, Mr. President, but, at the same time, I will say to the Senator from New Hampshire that I am not to be taken in saying that as approving the methods or the law of the civil service, as now existing, as entirely perfect or unobjectionable.

Mr. GALLINGER. Mr. President, I rose simply to say to the Senator that he will never be able to reach that equality of opportunity to the boy in the country and the President of the United States, because under this most remarkable law of ours the President of the United States can put anybody into the civil service without an examination; and it has been done in a great many cases.

Mr. CARTER. I think it has been done in many cases that were entirely meritorious, and then I find at times that that privilege of the President was abused to some extent.

Mr. SCOTT. Will the Senator allow me just to supplement his remark? I can testify that the President, who vetoed our bill because it was too liberal, had appointed in the Department of Commerce and Labor a gentleman simply because he sent him a copy of a resolution that was passed, eulogizing him, and saying he was out of employment. The President ordered him to Washington, and he was put to work at $4 a day, and is now getting $7 a day; and I am glad of it, for he is a good fellow.

Mr. CARTER. The writing of that resolution and the manifestation of genius necessary to carry it through, and, further, his judgment in bringing it down to Washington indicated a high order of intelligence which entitled him to go through without any special examination. [Laughter.]

Mr. President, I think we would make more progress upon this civil-service question if we addressed ourselves to the perfection of the law, to the elimination of the absurdities by mandate of law, and that the examinations should be continued along more rational and less technical and trifling lines. I have read many of the lists of questions propounded by the Civil Service Commission, and I have often felt that they were drawn out to ridiculous and absurd degrees; that questions were propounded to skilled laborers that might better be addressed to skilled civil engineers. But that is not the fault of the principle under which they operate. It is the abuse of the system which leads to that. The merit system is inherently and eternally right in so far as clerical positions in the public service are concerned.

Mr. President, it may be made ridiculous by the manner in which the merit system is carried into effect. I hope that all Senators here will join me in perfecting the system, and let us put it upon a basis by common consent which will relieve it from ridicule and absurd connections.

Mr. KEAN. Does the Senator from Wisconsin desire to finish the bill to-night?

Mr. LA FOLLETTE. I do not believe that it will be possible to finish the consideration of the bill to-night. I wish to ask unanimous consent, if that is necessary, to have the bill reprinted as amended, in order that we may have a clean copy to work with to-morrow.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Wisconsin? No objection is heard, and it is so ordered.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 10, 1909, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate April 9, 1909.

APPOINTMENTS IN THE ARMY.

COAST ARTILLERY CORPS.

To be second lieutenants, with rank from April 7, 1909.

Laurence Tidd Walker, of Massachusetts;
Samuel Harrison Tilghman, of Maryland;
Otto Harry Schrader, of Illinois;
William James Turkenton, of the District of Columbia;
Creedy Collins Sheppard, of West Virginia;
Howard T. Clark, of Connecticut;
Halstead Powell Councilman, of Minnesota;
Arthur Haldane Dolg, of California;
Robert Elton Guthrie, of Nebraska;
George Elmer Nikirk, of Iowa;
William Robert Nichols, of Virginia;
Paul Henry Herman, of Maryland;
Oscar Caar Warner, of New York;
Frank Sheldon Clark, of Vermont;
Kelley Benjamin Lemmon, of Michigan;
William Skinner Fulton, of Louisiana;
Thomas Ogden Humphreys, of the District of Columbia;
Edwin Francis Barlow, of Tennessee;
Donald MacQueen Ashbridge, of Pennsylvania;
Hollis Le Roy Muller, of Vermont; and
Eli Elmer Bennett, of Maryland.

POSTMASTERS.

ALABAMA.

Henry R. Jordan to be postmaster at Collinsville, Ala. Office became presidential January 1, 1909.

COLORADO.

William F. Ordway to be postmaster at Dolores, Colo. Office became presidential April 1, 1909.

Nellie R. Summers to be postmaster at Gunnison, Colo., in place of Nellie R. Summers. Incumbent's commission expired March 1, 1909.

CONNECTICUT.

Arthur B. Calef to be postmaster at Middletown, Conn., in place of George I. Allen. Incumbent's commission expired June 24, 1906.

FLORIDA.

Homer R. Rainey to be postmaster at Wauchula, Fla., in place of Francis B. Rainey, resigned.

GEORGIA.

P. Brooks Ford to be postmaster at Sylvester, Ga., in place of Mary C. McWhorter, deceased.

ILLINOIS.

John F. Regan to be postmaster at Mount Sterling, Ill., in place of John F. Regan. Incumbent's commission expired November 17, 1907.

INDIANA.

Henry F. Radcliff to be postmaster at Pierceton, Ind., in place of Henry F. Radcliff. Incumbent's commission expired April 28, 1908.

IDAHO.

Alson H. Nihart to be postmaster at Buhl, Idaho. Office became presidential January 1, 1909.

KANSAS.

Nereus H. Mendenhall to be postmaster at Haviland, Kans. Office became presidential April 1, 1909.

LOUISIANA.

W. J. Behan to be postmaster at New Orleans, La., in place of Thomas J. Woodward. Incumbent's commission expired February 9, 1909.

Margarette L. Tatum to be postmaster at Gibsland, La. Office became presidential October 1, 1908.

MAINE.

Harlan P. Dennison to be postmaster at West Bethel, Me. Office became presidential April 1, 1909.

MICHIGAN.

Ora P. Gordon to be postmaster at Hopkins, Mich. Office became presidential January 1, 1909.

MONTANA.

George A. Tusler to be postmaster at Terry, Mont. Office became presidential April 1, 1909.

MISSOURI.

Andrew S. Munro to be postmaster at Cuba, Mo., in place of Edward D. Lowe. Incumbent's commission expired December 16, 1908.

NEW JERSEY.

Elbert Bradshaw to be postmaster at Greenloch, N. J. Office became presidential April 1, 1909.

William H. Kuhlthau to be postmaster at Milltown, N. J., in place of William H. Kuhlthau. Incumbent's commission expired January 9, 1909.

NEW MEXICO.

Leroy P. Loomis to be postmaster at Texico, N. Mex., in place of Albert S. Breeding, resigned.

NORTH DAKOTA.

William Berry to be postmaster at Page, N. Dak. Office became presidential October 1, 1908.

Mary C. Dwyer to be postmaster at Medina, N. Dak. Office became presidential July 1, 1908.

Emil O. Ellison to be postmaster at La Moure, N. Dak., in place of Emil O. Ellison. Incumbent's commission expired February 18, 1908.

H. A. Mayo to be postmaster at Walhalla, N. Dak., in place of Charles H. Lee. Incumbent's commission expired January 9, 1909.

Dolphy O. Ostby to be postmaster at Sheyenne, N. Dak. Office became presidential January 1, 1909.

Edward T. Pierson to be postmaster at Granville, N. Dak., in place of Edward T. Pierson. Incumbent's commission expired November 19, 1907.

J. W. Pratten to be postmaster at Milton, N. Dak., in place of Joseph Powles. Incumbent's commission expired January 11, 1908.

OREGON.

Anna G. Baskett to be postmaster at Freewater, Oreg., in place of Jesse N. Baskett, deceased.

C. B. Wilson to be postmaster at Newberg, Oreg., in place of Julius C. Hodson. Incumbent's commission expired March 18, 1909.

PENNSYLVANIA.

F. N. Boyle to be postmaster at Nicholson, Pa., in place of Fred M. Williams. Incumbent's commission expired January 14, 1909.

Arthur W. Briggs to be postmaster at Shinglehouse, Pa., in place of Scott Bancroft. Incumbent's commission expired January 21, 1909.

William F. Eckbert, jr., to be postmaster at Lewistown, Pa., in place of William F. Eckbert, jr. Incumbent's commission expired February 10, 1909.

Frank W. Leib to be postmaster at Pottsville, Pa., in place of Gustavus C. Schrink. Incumbent's commission expired January 7, 1908.

John C. Tullock to be postmaster at Moores, Pa. Office became presidential April 1, 1909.

SOUTH DAKOTA.

Charles N. Curtiss to be postmaster at Wessington, S. Dak. Office became presidential October 1, 1907.

Theophilus N. Kirkpatrick to be postmaster at Letcher, S. Dak. Office became presidential January 1, 1909.

A. W. Prewitt to be postmaster at Philip, S. Dak. Office became presidential October 1, 1908.

TEXAS.

Irvin W. Baker to be postmaster at Loraine, Tex. Office became presidential January 1, 1909.

Theophilus F. Berner to be postmaster at Henrietta, Tex., in place of Theophilus F. Berner. Incumbent's commission expired January 10, 1909.

Henry L. Sands to be postmaster at Alvord, Tex., in place of Henry L. Sands. Incumbent's commission expired February 9, 1909.

J. J. Staskey to be postmaster at Bremond, Tex. Office became presidential April 1, 1909.

Lottie E. Turney to be postmaster at Smithville, Tex., in place of Kittie L. Edwards. Incumbent's commission expired January 10, 1909.

W. F. Viereck to be postmaster at Sealy, Tex., in place of Clara I. Lockwood, resigned.

WASHINGTON.

Velosco J. Knapp to be postmaster at Anacortes, Wash., in place of Velosco J. Knapp. Incumbent's commission expired February 9, 1909.

Cornelius E. Legg to be postmaster at Chewelah, Wash., in place of Charles F. Legg, deceased.

George D. C. Pruner to be postmaster at Blaine, Wash., in place of George D. C. Pruner. Incumbent's commission expired January 21, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 9, 1909.

INDIAN INSPECTOR.

Z. Lewis Dalby to be an Indian inspector.

CHIEF JUSTICE SUPREME COURT, PORTO RICO.

José Conrado Hernandez to be chief justice of the supreme court of Porto Rico.

ASSOCIATE JUSTICE SUPREME COURT, PORTO RICO.

Emilio del Toro y Cuevas to be associate justice of the supreme court of Porto Rico.

REGISTER OF THE LAND OFFICE.

Jose Gonzales to be register of the land office at Las Cruces, N. Mex.

POSTMASTERS.

CONNECTICUT.

Arthur B. Calef, at Middletown, Conn.

GEORGIA.

James F. Dever, at Rockmart, Ga.

LOUISIANA.

Edson E. Burnham, at Amite, La.
Charles W. Lyman, at Rayne, La.

NEW JERSEY.

Frank Hill, at Dumont, N. J.

PENNSYLVANIA.

John P. Thomas, at Taylor, Pa.

SOUTH DAKOTA.

Lyman J. Bates, at Lake Preston, S. Dak.
Alexander B. Coutts, at Hudson, S. Dak.
Edward O. Bromwell, at Mount Vernon, S. Dak.
Frank E. Brown, at Iroquois, S. Dak.
Allie Lee, at Ashton, S. Dak.
Joshua F. Wood, at Doland, S. Dak.

TEXAS.

Maurice C. Kelly, at Lockhart, Tex.
William L. Yanger, at Iowa Park, Tex.

WITHDRAWAL.

Executive nomination withdrawn from the Senate April 9, 1909.

Thomas Cader Powell to be United States marshal, Division No. 2, District of Alaska.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 9, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PRIVILEGE.

Mr. HARDY. Mr. Speaker, on page 1089 of the RECORD is shown a colloquy between Mr. CALDERHEAD and myself. When the reporter's notes were handed me I hastily added a few words to what I had said in order to make it clearer without changing its meaning; but my attention is called to the fact that the words added by me seem to make the gentleman from Kansas declare or indorse the idea of a tariff between the States, which in fact he did not, and I did not intend to represent him as doing. The fact was he simply declared that protection applied to all the States, but not between the States. Neither the gentleman from Kansas nor myself wish anything but that a true record be made, having regard to the substance and not the form, and we both wish the RECORD corrected so that it shall read as follows:

Mr. HARDY. If protection is a righteous proposition, ought it not to prevail in every locality and in favor of every State?

Mr. CALDERHEAD. It does, without question. We make no law and have made none in forty-eight years that we have been responsible—

and so forth.

In other words, Mr. Speaker, my interlineation while not changing the meaning did put an erroneous inference upon the statement of the gentleman from Kansas which I did not notice at the time.

The SPEAKER. Both gentlemen concur in the correction of the RECORD?

Mr. HARDY. We agree.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that under the discretion conferred by Senate concurrent resolution No. 2, Sixty-first Congress, first session, giving authority to the Commissioners of the District of Columbia to use the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles l'Enfant from Digges farm, Prince George County, Md., to Arlington National Cemetery, under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives, the Vice-President had appointed Elliott Woods, Superintendent of the Capitol Building and Grounds, to superintend the ceremonies within the Capitol.

PRESENTING A PETITION.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that I may present in the open House a petition signed, I am informed, by 250,000 citizens of Chicago and its suburbs, protesting against the duties on wearing apparel, particularly leather gloves and cotton hosiery, as reported to the House in the Payne tariff bill.

The SPEAKER. Is there objection?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman how long it would take?

Mr. FOSS. A few moments.

Mr. PAYNE. Five minutes?

Mr. FOSS. Less than that.

Mr. PAYNE. I do not object to that if the gentleman from Pennsylvania [Mr. MOORE] is given time to make a statement.

Mr. MOORE of Pennsylvania. Mr. Speaker, I shall object unless some time is accorded to me to present statistics on the other side.

Mr. MANN. Mr. Chairman, we have three hours only in which to perfect this bill, and I object.

Mr. FOULKROD. I object, Mr. Speaker.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1438, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. PAYNE. Mr. Chairman, I offer the following amendment to section 3, which is found printed in the RECORD this morning at page 1234. Under the paragraph headed "iron ore," I move to

strike out the words "basic slag, ground or unground." I will say to the committee that this is a fertilizer, and it is the intention of the committee that no fertilizer shall bear any duty, even in the maximum tariff.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Mr. Chairman, as I understood the gentleman from New York, he now offers an amendment to the amendment which he proposes to offer to section 3.

Mr. PAYNE. That was offered last night. If the gentleman will examine the RECORD he will see that that amendment to section 3 was offered last night and is pending. I asked to have it done in that way to dispense with the reading of it, having it printed instead in the RECORD.

Mr. MANN. Well, Mr. Chairman, that was the parliamentary inquiry that I was addressing to the Chair, whether that amendment was now pending before the committee.

The CHAIRMAN. The Chair understands that the gentleman from New York last night offered an amendment and asked unanimous consent that instead of having it reported from the Clerk's desk it be printed in the RECORD. The Clerk will now report the amendment offered by the gentleman from New York.

The clerk read as follows:

Strike out the words "basic slag, ground or unground."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, under the paragraph headed "oils," last column on page 1234, I move to strike out the words "petroleum, crude or refined," and also the proviso for retaliatory duties which follows.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words: "Petroleum, crude or refined: *Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I would like at this time, because of the confusion in which the amendment of the Committee of the Whole House has left the petroleum paragraph in the original section 1, to ask unanimous consent that the committee report that paragraph 364 is disagreed to, that it be eliminated from the bill, and that the proviso under the free paragraph for oils, for retaliatory duties, be stricken from section 2, so that it will leave petroleum and its products upon the free list, and not have that duty of 1 per cent, according to the amendment offered and agreed to by the Committee of the Whole.

The CHAIRMAN. Is there objection?

Mr. GARDNER of Massachusetts. Mr. Chairman, before that is taken up, has not the gentleman just moved to strike out petroleum and its products and also the proviso?

Mr. PAYNE. That is in section 3. I am now asking to return for a moment to sections 1 and 2, and to leave them so that petroleum and all its products will be on the free list without any countervailing duty.

The CHAIRMAN. The gentleman asks unanimous consent, as he has stated. Is there objection?

Mr. HITCHCOCK. Mr. Chairman, reserving the right to object, I would like to understand what effect this has upon the products on the free list?

Mr. PAYNE. It puts them on the free list, where they were placed in the original bill, paraffin being mentioned by name.

Mr. HITCHCOCK. And this amendment proposes to strike out?

Mr. PAYNE. It strikes out the retaliatory provision, the countervailing duty, and leaves the products of petroleum upon the free list. That would be the effect of it.

Mr. HITCHCOCK. What is gained by this?

Mr. PAYNE. It simply gets rid of the amendment offered by the gentleman from Nebraska [Mr. NORRIS] and adopted by the committee, to put a duty of 1 per cent on petroleum and its products.

Mr. HITCHCOCK. Is this 1 per cent duty considered objectionable?

Mr. PAYNE. It strikes it out. That is the purpose of my amendment.

Mr. HITCHCOCK. Why do you want to get rid of it?

Mr. PAYNE. Because the sense of the House seems to be that petroleum should be upon the free list, and in order to conform to that and to avoid delay in the consideration of the bill, I make this request.

Mr. HITCHCOCK. I am trying to learn why the gentleman formerly favored a 99 per cent duty and now——

Mr. PAYNE. Oh, Mr. Chairman, I shall not take up any more time on the matter. If the gentleman wants to object, let him do so.

Mr. CLARK of Missouri. If this is agreed to, this settles the petroleum business, so far as we are concerned?

Mr. PAYNE. So far as the Committee of the Whole is concerned, entirely.

Mr. CLARK of Missouri. It settles it so far as the House is concerned also, does it not?

Mr. PAYNE. Yes; I hope it does.

Mr. CLARK of Missouri. So do I.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. MANN. Mr. Chairman, I offer an amendment to the amendment of the gentleman from New York.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 3. Amend the committee amendment offered by the gentleman from New York under articles enumerated in section 2, under the heading of "wood," by inserting after the word "timber" and before the word "including" the word "not," so as to read, "timber not including pulp wood."

Mr. MANN. That would be on page 1235, first column. Under an amendment offered by the committee——

Mr. PAYNE. Mr. Chairman, I have no objection to that being done. It is an oversight, or it would have been done.

Mr. MANN. I understood it was an oversight. This makes that read "not including pulp wood," so there will be no tariff on pulp wood.

Mr. PAYNE. I have no objection.

The question was taken, and the amendment was agreed to.

Mr. BARTLETT of Georgia. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

To amend the amendment by adding after the words "this act," in the last line, and before the word "shall," the following:

"And also hoop or band iron, or hoop or band steel, cut to lengths or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity;

"And bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed, not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces per square yard."

Mr. PAYNE. Mr. Chairman, I make the point of order against the amendment. It puts something on a maximum paragraph that is not germane to it. The article is not mentioned in that paragraph.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard upon the point of order?

Mr. BARTLETT of Georgia. Yes; briefly. Will the Chairman look at the amendment offered by the committee on page 1235 of the RECORD this morning, and he will see the following words:

There shall be levied, collected, and paid a duty of 20 per cent ad valorem; that each and every other article enumerated in section 2 of this act shall be admitted free of duty.

Now, Mr. Chairman, it is true that without this rule under which we are proceeding we could not add an amendment to the section until it is read; but the committee have brought in an amendment to section 3, which was the free list. Section 3 contained the articles upon the free list, and they specify certain particular articles which they say shall pay a certain duty of 20 per cent in addition to the maximum duty. Upon looking at page 1233, last column, you will find that—

Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated, etc.

The very language that is quoted in this amendment offered by myself is also in this amendment. And upon page 1234, last column, you will see:

Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, etc.

And further on the committee are not satisfied to declare that these particular articles which were under the bill in the free list shall pay a certain duty of 20 per cent, but it winds up its amendment by declaring and enumerating certain articles in section 2 shall be upon the free list in the language which I have quoted from the amendment. Now, the subject being brought before this House by the committee amendment itself, the question of the free list, why has not the House the right to add to that free list? Now, can it be said that we have arrived at that stage when nothing remains to the House except what

the Committee on Rules or the Committee on Ways and Means sees fit to submit to it?

Invoking the rule of a few days ago of the Chairman, I desire to say that this is germane in every way because it is dealing with the free list; it is dealing with articles which are in section 2; it is dealing with the free list; it is dealing with the same subject-matter with which the committee amendment deals.

Now, it is true, Mr. Chairman, that I add two articles to the free list; but how is that different from the committee saying that each and every other article incorporated in section 2 of this act shall be put upon the free list? Shall it be said that the Committee of the Whole declares that certain enumerated articles shall go upon the free list, and that this great article, which binds the cotton of the people of the South, which levies a tax of nearly 10 cents a bale upon that great product, a product which is exported in raw condition more than any other article in the United States, which brings into this country nearly $500,000,000 every year—and has done so for the last five years—of imports from abroad, shall not go upon the free list?

Shall the cotton farmers pay high duties and high taxes on everything they raise, on plows, and hoes, and such implements, and still have no benefit from this taxation? Mr. Chairman, it is in the interest of the producers of this great staple. These amendments will put cotton bagging and cotton ties on the free list.

Mr. PAYNE. Mr. Chairman, I make the point of order that the gentleman is discussing everything except the point of order.

The CHAIRMAN. The Chair does not care to hear the gentleman from Georgia [Mr. BARTLETT] further on the point of order, but would like to hear the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. This part of section 3 amends section 2, or refers to section 2, which is the free list under the minimum rate of duty. I do not know whether the gentleman proposes now to put these articles in free or whether with the tariff upon them. It is not germane to that paragraph.

The CHAIRMAN. The Chair desires to ask whether the articles mentioned in the amendment of the gentleman from Georgia [Mr. BARTLETT], namely, hoop or band iron, and so forth, are found in section 2?

Mr. PAYNE. They are found in section 1, and not in section 2.

The CHAIRMAN. The Chair, then, is clearly of the opinion that the amendment offered by the gentleman from Georgia is not germane.

Mr. CLAYTON. Before the Chair makes a final ruling I want to call the attention of the committee to the fact that at the instance of the ranking Democratic member of the Committee on Ways and Means [Mr. CLARK of Missouri] I prepared an amendment relating to the removal of the duty on bagging for cotton in the following words:

Strike out all of section 350, covering bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, and transfer the same to the free list.

And that I also, at his instance, prepared an amendment relating to putting cotton ties on the free list in the following language:

Strike out section 123, covering hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton, and transfer the same to the free list.

I ask further to say that these two amendments are printed in the RECORD of April 7, on page 1164, together with my remarks containing a partial summary of the facts relating to the two propositions and a brief argument in their support.

I am very glad that the able and vigilant gentleman, my friend from Georgia, has at this time offered amendments on the same subject. He has my hearty support. I hope the effort that he makes will be successful. If the amendments can not be adopted before the motion to recommit, then I hope the gentleman from Missouri will embody both amendments to which I have referred, and which are printed on page 1164 of the RECORD, in his motion to recommit the bill.

The CHAIRMAN. The Chair finds that the committee amendment offered by the gentleman from New York [Mr. PAYNE] proposes to amend section 2 of this act. The articles enumerated in the amendment offered by the gentleman from Georgia [Mr. BARTLETT] appear in the first section but not in the second section. The amendment of the gentleman from New York concludes in this language:

That each and every other article enumerated in section 2 of this act shall be admitted free of duty.

The amendment of the gentleman from Georgia adds hoop or band iron for baling cotton, as well as bagging for cotton, and so forth. None of these articles are found in section 2 at all. They are all found in section 1. In other words, it is proposed to amend section 1 by amending an amendment which relates, so far as this matter is concerned, to an entirely different section. The amendment is not germane. The point of order is sustained.

Mr. BURLESON. Mr. Chairman, I move to strike out of the amendment under consideration the words:

Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity.

Now, Mr. Chairman——

The CHAIRMAN. The Clerk will first report the amendment.

The Clerk read as follows:

Strike out the following:

"Hoop or band iron, or hoop or band steel, cut in lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity."

Mr. BURLESON. Mr. Chairman, as I understand it, the amendment to the amendment I have read and which I now offer is not subject to a point of order. This amendment, if adopted, will accomplish only in part what was intended to be accomplished by the amendments offered the other day by the gentleman from Alabama [Mr. CLAYTON], and which were ruled out of order. The particular amendment offered by the gentleman from New York [Mr. PAYNE] and now pending provides for a maximum and minimum clause in this bill, the maximum rate to become effective against the products of a country if any discriminations are practiced by that country against the products of this country; said maximum rate to apply only to such articles as are set forth in the pending amendment of the gentleman from New York [Mr. PAYNE], among which I find cotton ties.

Now, if this amendment I offer is adopted, the effect of it will be, and the only effect it can have will be, to relieve the cotton producer from paying the additional burdensome price for his cotton ties if the maximum clause should become operative against a country where ties are manufactured.

Mr. Chairman, the gentleman from New York the other afternoon, replying to an inquiry from this side, said that the duty on cotton ties was continued for the purpose of developing an industry in this country to manufacture cotton ties. In God's name, when will this hoary-headed infant become fully grown? Mr. Chairman, I want to direct attention to the fact that we have been growing cotton in this country for a hundred years, and it does strike me that the industry of making ties to bind the bale should by this time have been thoroughly developed.

Mr. Chairman, the truth is, this industry is more than fully grown. The hearings before the Ways and Means Committee disclose that almost the entire output of cotton ties is controlled by the United States Steel Corporation. The tariff tax on cotton ties under the present law, the Dingley law, is so high that it is prohibitive. No competition by foreign manufacturers is possible. What is the result? Ties are selling for about 95 cents per bundle, when, if this incubus could be lifted, the cotton farmer could get them for at least 25 per cent less.

Mr. Chairman, this burden should no longer be imposed on the southern cotton grower. The gentleman from New York has repeatedly said that this bill was not sectional—that the purpose of the majority members in framing it was to strip it of all sectional unfairness. Let us see if they have succeeded in that effort.

The farmers who grow wheat in the North are relieved from the burden of paying a tax upon the binding twine with which they bind their grain and on the wire with which they bale their hay, yet you continue to tax the cotton grower for his cotton ties. Therefore I ask, Why is this done, if this bill is not sectional? I do not charge you with purposely making it sectional, yet I would like to be told why you do not give the cotton producer the same relief you have for twelve years accorded the wheat grower.

Mr. Chairman, if gentlemen on the other side really desired to relieve this bill of sectional unfairness, if they wanted to accord equal, fair treatment to the people of the South with the people of the North, here was an opportunity to demonstrate that fact by giving the cotton grower of the South the same consideration they have given the wheat grower of the North by putting cotton ties on the free list.

Surely, Mr. Chairman, these gentlemen who claim to be so just and fair will not refuse the cotton grower relief from this

additional burden to be imposed on him if the maximum clause in this bill should become effective.

Mr. CLAYTON. May I interrupt the gentleman while I read a statement from Mr. W. B. Thompson, president of the New Orleans Cotton Exchange, made a few days ago? He says:

One hundred and twenty thousand dollars is the largest amount of duty on bagging for cotton received by the Government any year. Thus for maximum revenue of $120,000 to the Government the farmer pays over a million dollars, and the bagging trust gets the difference.

Mr. BURLESON. That telegram relates to bagging for cotton. I intend later to have something to say about that, and I hope my friend from Alabama will prepare an amendment relating to bagging and offer it after my amendment is disposed of. But I desire now to direct the attention of the committee to this: For twelve years the farmers of the South have borne this unjust burden. The tariff on cotton ties under the Dingley bill being prohibitory, all competition with foreign makers is stifled, and in consequence the farmer of the South has been forced to pay an unconscionably high price for his ties.

Mr. Chairman, I now desire, following the suggestion of my friend from Alabama [Mr. CLAYTON], to direct attention to another great injustice and wrong suffered by the southern cotton grower because of the Dingley tariff law. The price he pays for jute bagging in which to wrap his cotton is far in excess of what he ought to pay. It necessitates approximately 80,000,000 yards of bagging to meet the annual requirements of the cotton planter for this purpose. The tax on cotton begging fixed by the present law, which is continued without change in the pending bill, is so high that the maximum of importation for any one year during the life of the Dingley law has been sufficient to cover only about 20 per cent of the crop. Before the Dingley law there were a number of manufacturing establishments in this country engaged in the production of cotton bagging, but, sheltered behind this monstrous tariff, two concerns have driven all others out of business, buying up their plants, dismantling them, and selling the machinery for scrap. Since then the southern cotton farmer has been victimized year by year, exploited, and plundered by this grasping, greedy bagging trust.

Mr. Chairman, last year Mr. Roosevelt, then President of the United States, received a letter from a citizen of New York urging that bagging for cotton be placed on the free list. This letter contains some very interesting statements. It throws a flood of light on the situation, indicating just how the cotton farmer is robbed.

Hear the statement set forth in his letter, and then answer me, If cotton were grown north instead of south of Mason and Dixon's line, would this condition be allowed to continue?

Every yard of bagging used to cover the cotton crop of the United States is made by the American Manufacturing Company, 65 Wall street, and the Ludlow Manufacturing Company, at Ludlow, Mass., which concerns have the country districted, the American selling 82 per cent and the Ludlow 18 per cent, at an agreed price.

This business has been going on for many years, the two concerns in question having gradually crushed out or absorbed all others who attempted to make bagging.

They are protected by a tariff to such an extent that it keeps out the Dundee and Calcutta bagging. For it has been the rule for many years that whenever a consignment of any foreign bagging would come in, the combination (American and Ludlow) would promptly lower their prices in the market to which the foreign bagging came to a point below the cost of the foreign bagging, and would so advertise the fact and intimidate the trade as to discourage further importations.

It is a notorious fact that the American cotton bale is to-day, and has been for many years since the existence of this trust agreement, the most disreputable package which comes from any market of any commodity on earth.

The bagging is sold all the way from 3 to 4½ cents per pound, though made out of the lowest and cheapest grade of jute butts and rejections, worth in the market seven-eighths to 2 cents per pound.

It is loaded down with East River water, salt, oil, barytes, and other makeweights, and which makeweights it is estimated about cover the labor cost on the bagging.

It is made of very coarse, slazy slivers, and runs through the machines consequently at a rapid rate.

The above concerns have for many years seen to it, by maintaining the secret lobby in Washington, that the tariff on bagging is always kept up to the high-water mark, and they thereby fattened at the expense of every farmer and planter throughout the South who had a bale of cotton for market and who might otherwise present it at market in merchantable shipshape and at reasonable cost for his bagging.

Several years ago the American Manufacturing Company cut down its capital stock from $2,000,000 to $1,000,000, passing around the excess $1,000,000, the profits on bagging for two years, to its stockholders, saying it had no use for the extra capital.

The tariff on bagging should be removed entirely, and at once this would operate to encourage competition here or enable the foreign bagging, which is of a standard quality and integrity to come in.

In addition to the above combination between the American and Ludlow, they also maintain a chain of brokers or so-called "dealers" throughout the country who, though posing as independent, are in fact emissaries of these concerns, keeping them advised at all times of the conditions in the various markets regarding the status of foreign bagging, etc., and with suggestions as to "all the traffic will bear."

Mr. Chairman, I again say that we have heard repeatedly during the consideration of this bill from gentlemen on the other side that this bill was not sectional. If so, why do you not treat the farmer of the South as you have the farmer of the North? When you consider that this great staple brings to our country every year more than $400,000,000 in gold, serving to turn the balance of trade in our favor, it does strike me that the gentleman from New York, and gentlemen in charge of this bill, in shaping its schedules ought to be willing to put the cotton grower on the same plane with the wheat grower. The wheat grower pays no tariff tax on the particular appliances which he uses to prepare his wheat and hay for market.

Now, why should the cotton grower be compelled to pay a tariff tax on the particular appliances used by him to prepare his cotton for market? For the last twelve years, during which the wheat producer has enjoyed the benefit of free binding twine and baling wire, the cotton producer has staggered along under the burden of this unjust tax on his bagging and ties. I submit in all fairness to this committee that he ought to be relieved of this burden. The effect of the present law is simply to enable grasping monopolies to charge the cotton farmer higher prices for these hoops or bands of steel and iron, and for jute bagging, than he would otherwise have to pay. [Applause.]

Mr. Chairman, another discrimination practiced against the southern cotton producer is the continuance of the 25 per cent tax levied on arsenate of lead. I desire to submit to you a letter from Professor Herrick, of the Texas Agricultural College, showing why this should go on the free list. Yet, we are not even allowed the privilege of bringing the matter before this body for consideration, as under the special rule we are not allowed to offer an amendment to put it on the free list.

OFFICE OF STATE ENTOMOLOGIST,
TEXAS AGRICULTURAL AND MECHANICAL COLLEGE,
College Station, Tex., March 1, 1909.

Hon. ALBERT BURLESON,
House of Representatives, Washington, D. C.

MY DEAR SIR: I take the liberty of writing you regarding a matter which is of considerable importance to the cotton planters of the South, Texas and Louisiana particularly, and a matter in which I think you will take a hearty personal interest.

During the past two years a new arsenical insecticide, known as "powdered lead arsenate," has been developed. It is quite certain that this insecticide will replace Paris green for use in fighting cotton insects, particularly the cotton leaf worm and the cotton boll worm. It is barely possible that it will prove more or less effective against the boll weevil. Experiments in this direction are now being conducted, with promise of some success.

The powdered arsenate of lead is preferable to Paris green for use on cotton for the reason that it is cheaper and also for the reason that it contains no soluble arsenious oxide, while Paris green contains from 2 to 5 per cent soluble arsenious oxide. The high content of soluble arsenic in the Paris green causes it to injure and stunt cotton to which it is applied.

We understand that in the proposed revision of the tariff the committee will reduce the duty on Paris green and London purple to about 12½ to 15 per cent ad valorem, but that the tariff on powdered lead arsenate now stands at 25 per cent ad valorem. We think it would be a marked advantage to the southern cotton planters if Congress would reduce the tariff on powdered arsenate of lead to the same basis as that on Paris green and London purple. Much of the lead arsenate is manufactured abroad, and American manufacturers are certain to keep the price up so long as this high duty on the imported article remains in effect. The farmer will have to foot the bill.

In view of the usefulness to the farmer of this powdered arsenate of lead, and considering further that many of the cotton planters have already been reduced to a state of poverty by the ravages of cotton insects, particularly in Louisiana and eastern Texas, will you not make every possible effort in trying to get the committee to reduce this duty on the powdered lead arsenate?

Thanking you in advance for your kind consideration, of which I feel assured, I am,

Very respectfully, yours, GLENN W. HERRICK,
State Entomologist.

But this appeal avails nothing; the tax is continued. A compliance with this just demand would enable the cotton grower to produce more cotton, and surely you ought to be willing to see this done, in view of the fact that the woolen schedules in this bill and under the present law are so exorbitant that the poor of America are compelled to wear cotton garments during the winter as well as the summer season. Mr. Chairman, during the life of the Dingley law the people of the South have produced 124,730,795 bales of cotton, and as a result of these discriminations which I have pointed out have been mulcted of millions and millions of dollars.

And who has been the beneficiary? Has this money they have paid gone to the Government in the way of customs dues? Not at all; but, as was shown in the telegram read a moment since by the gentleman from Alabama [Mr. CLAYTON], a few beggarly thousands have gone into the Treasury, but the great bulk has gone into the coffers of these two trusts which I have named. [Applause on the Democratic side.] Mr. Chairman, how long will such outrages be permitted? How long will the American people continue to permit the pilfering of their pockets by these protected monopolists?

In my judgment, the day of reckoning is near at hand.

The pending bill shows that the effort of the majority members of the Committee on Ways and Means to prepare a tax measure strictly along protective tariff lines has resulted in

failure. At last the pernicious and indefensible policy of protection is about to break down of its own weight.

Every thoughtful man who has carefully looked over this bill knows that it will fail to raise revenue sufficient to meet the character of appropriations the Congress from year to year has been making. It falls by approximately $40,000,000, and the deficiency is to be met by the issuance and sale of interest-bearing certificates of indebtedness, a plan never before resorted to in the history of our country. The gentlemen who prepared the bill in effect confess it when they do that which was never before done in the history of this country, authorize, in a bill intended to raise revenue to support the Government, the issuance of bonds or certificates of indebtedness to meet the current necessities of the Government. Tell me, in the name of common sense, If you can not provide in this bill revenue sufficient for the Government's needs, how you are ever going to pay off these bonds or certificates and at the same time keep the Government going?

I do not believe that history affords a precedent for the action you are attempting. I believe you will search in vain the parliamentary proceedings of the civilized countries of the world without finding a parallel for this attempt.

Consider how ridiculous this performance really becomes. Here you are pretending to bring forward a tax measure to raise revenue to meet the expenses of the Government, and yet in the same bill, in time of peace, you authorize the issuance and sale of interest-bearing bonds or certificates of indebtedness to the extent of $250,000,000 to meet these expenses, in the event your bill fails to produce enough revenue. If it does fail, and bonds are sold, how are you at a future time going to provide in another measure for the payment of these bonds and at the same time provide the money to meet the expenditures of a Government which is year by year requiring increasing appropriations to keep it going? This is the problem with which you are brought face to face.

So long as the Republican party is in power it is idle to talk about cutting down appropriations. The gentleman from Minnesota [Mr. TAWNEY], the chairman of the committee dealing with this subject, has pleaded without avail during two Congresses for economy, for retrenchment, for reduction of appropriations, and what has been the result? Year by year the aggregate of appropriations has mounted higher and higher until we have reached the point where, instead of having a billion-dollar Congress, we are having billion-dollar sessions of Congress.

To repeat, you can not, or will not, reduce the expenses of government. You can not draw a bill along protective lines that will raise sufficient revenue to meet these appropriations. What are you going to do about it?

The tariff beneficiaries, the trusts, are becoming more rapacious day by day. They will not be satisfied with even what they formerly admitted was reasonable (?) protection. You are compelled to acquiesce in their demands; and if you do not in every particular, the Senate leaders will.

Mr. Chairman, it does not require a prophet to foretell that when this bill finally ripens into legislative enactment it will be found that there has been no genuine revision of the tariff.

It is more probable it will bear evidence that once more there has been a complete surrender to the trusts.

The masses of the people, who have been groaning under the increased cost of living, were led to believe last fall that the necessities of life would be cheapened—that they were to receive cheaper food, cheaper clothes, cheaper boots and shoes. What answer will you make these people when, outraged by the fact that instead of the burden being lightened you have made it heavier, they demand of you to know what influence led you to their betrayal? This answer must be made and you can not avoid making it.

Mr. PAYNE. Mr. Chairman, I move that all debate on the amendment and amendments thereto be closed in fifteen minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and amendments thereto be closed in fifteen minutes.

Mr. SHERLEY. I move to amend that by making it twenty-five minutes.

The CHAIRMAN. The gentleman from Kentucky moves to amend the motion by making it twenty-five minutes.

Mr. PAYNE. I will compromise on twenty minutes. We must get along with this bill.

Mr. SLAYDEN. I hope the gentleman will not insist on that. This is one of the most important parts of this bill.

Mr. PAYNE. Oh, it is not important at all.

Mr. SLAYDEN. The gentleman does not know what he is talking about.

Mr. PAYNE. The gentleman is both polite and distinguished.

Mr. SLAYDEN. The gentleman from New York is neither.

Mr. PAYNE. Praise from that source is praise indeed.

The CHAIRMAN. Does the gentleman from Kentucky insist on his amendment?

Mr. SHERLEY. I will accept the proposition of the gentleman from New York.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and amendments thereto be closed in twenty minutes.

Mr. DAVIS. Will this preclude any other amendment?

The CHAIRMAN. Not at all; but it will preclude debate.

Mr. DAVIS. I desire to offer an amendment.

The CHAIRMAN. The gentleman may offer any number of amendments if this motion carries, but they will not be open for debate.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Chairman, I offered an amendment a few minutes ago, which the committee adopted. I ask unanimous consent that the action of the committee may be vacated, and that the amendment which I now send up may be considered.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the action of the committee on the paragraph referred to be vacated for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Section 3, amend the committee amendment offered by the gentleman from New York under the articles enumerated in section 2, under the head of "Wood," by striking out, after the word "including," the words "pulp woods," and insert, after the word "planking," the words "but not including pulp woods."

Mr. PAYNE. There is no objection to that.

The question was taken, and the amendment was agreed to.

Mr. DAVIS. On page 1234 of the RECORD I find the following:

Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, etc.

The Clerk read as follows:

Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves.

Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, sawed lumber, not specially provided for in this section; lumber of any sort planed or finished, planed on one side and tongued and grooved, or planed on two sides and tongued and grooved; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods.

Clapboards. The same rate of duty as prescribed by the law in force prior to the passage of this act.

The CHAIRMAN. One moment. There was an amendment pending. The gentleman from Minnesota will suspend.

Mr. BURLESON. I make the point of order that my amendment is still pending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BURLESON. Division, Mr. Chairman.

The committee divided, and there were—ayes 142, noes 157.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Minnesota [Mr. DAVIS] offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out on page 1234 of the RECORD amendment, first column, the words:

"Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves.

"Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, sawed lumber, and specially provided for in this section; lumber of any sort planed or finished, planed on one side and tongued and grooved, or planed on two sides and tongued and grooved; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tongueing, and grooving.

"Paving posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods.

"Clapboards. The same rate of duty as prescribed by the law in force prior to the passage of this act."

Mr. DAVIS. Mr. Chairman, just a word. My understanding of the language that has been read by the Clerk, and which I seek to strike out, is this, that if this language remains in the bill, and becomes a law, then in case any government discriminates or places any duty upon any article which we export, the Dingley rates will become operative immediately upon all

classes of material mentioned in the language which I seek to strike out. If such is the case, I would like to have the House pass upon that question and see if they desire to have the Dingley rate restored upon any classes of lumber or timber.

Mr. FORDNEY. I should like to ask just what the sense of that amendment is. I did not quite get it. Is that to put all these articles named on the free list?

Mr. DAVIS. Oh, no; it will leave the articles as they now appear in the pending bill, but in case any government should discriminate against any product timber or otherwise, of this country, it would relieve it of the possibility of the Dingley rate being automatically enforced upon timber and the products mentioned herein.

Mr. FORDNEY. Your idea is to strike out the maximum, and that only?

Mr. DAVIS. To strike that out; that is all.

Mr. FORDNEY. I am not familiar with it, and do not understand that there is a maximum on some of these things. Therefore I am not in favor of the amendment, and I hope it will be voted down.

Mr. PAYNE. Mr. Chairman, I want to say a word right here in reference to this section. Not all the Members of the House seem to appreciate the fact that sections 1 and 2 provide minimum rates of duty, section 1 providing the duty on certain articles and section 2 providing what articles shall be upon the free list. Section 3 is for the purpose of compelling or persuading foreign countries to give us as favorable trade relations as they give any other country, and therefore the duty is raised in section 3 upon these articles enumerated in section 1 and certain articles are taken from the free list in section 2 and enumerated in section 3, and to bear a duty of 20 per cent. Now, if every gentleman is to get up here and put in an amendment providing that the articles enumerated one by one or schedule by schedule in section 3 are to be put upon the same rate of duty as in section 1, there is no use in having any section 3.

We might just as well deliver the American people bound hand and foot to the maximum tariffs which are exacted by foreign countries. But it is for the purpose of freeing our people from those maximum tariffs that we have section 3 and increasing the duty and creating a maximum tariff. Our maximum tariff does not increase the general tariff rate anywhere near to the proportion exacted by France or Germany or other countries. We have made moderate increases, generally of 20 per cent of the duty. It is not expected by the committee, and it is not expected by the American people who have taken the trouble to examine this bill, that we shall have to impose the maximum rates, because the nations of the earth will be glad to get their goods in at our minimum rates. From the very beginning everything coming from Great Britain will come in at the minimum rate, because Great Britain extends to us every trade facility that she extends to any other nation in the world. And that being so, Mr. Chairman, does any man here suppose that Germany or France is going to keep themselves and their people out of our markets by imposing an unjust rate upon us, by putting a maximum duty on imports coming from this country, or will they be swift to give us the benefit of the minimum rate, as low and as favorable as they extend to any other nation on earth? It is, Mr. Chairman, of no avail to gentlemen to come in here and offer this amendment if they are in favor, as they profess, of a maximum and minimum rate of duty. This lumber schedule, for instance, we have imposed as a maximum rate, not the actual rate of the Dingley bill, as in the first section, where we supposed there was the least possibility of any criticism upon the bill; but we have gone through these matters carefully. The bill has been published for weeks; and, Mr. Chairman, it seems to me that any fair-minded person examining this first section and this substitute is merely putting into words what is in the third section in order that there might be no misapprehension. It is no change in principle from the original section 3.

Mr. CLARK of Missouri. Why would not it be just as easy to make the rates in the Payne bill the maximum, and then trade down with the minimum, as it is to make the rates in the Payne bill and trade up?

Mr. PAYNE. That question comes pretty late. The gentlemen who framed the bill started out the other way; they started out to make a minimum rate that should be a fair rate to everybody—our people and the people abroad—and then put in a maximum rate increasing the rate of duty for trade purposes, in order that we might get every nation on the earth to give us favorable rates where we give it to them.

Mr. CLARK of Missouri. That is all very good, but the gentleman does not answer my question.

Mr. PAYNE. If the gentleman from Missouri had the other view, why has he not presented it before; what has he been doing?

Mr. CLARK of Missouri. I have been doing a great deal——

Mr. PAYNE. Why did not the gentleman make out a tariff bill with maximum rates?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SHERLEY. Mr. Chairman, those Members in favor of free lumber should be in favor of the amendment offered by the gentleman from Minnesota. Let nobody make a mistake as to that. There are plenty of items contained in the maximum rates by which we can punish foreign countries discriminating against us without punishing ourselves by putting a duty on lumber.

The effect of this amendment is simply this, that if in the House we put lumber on the free list and this amendment should carry here in the committee you will not be able, under the maximum schedule, to put a tariff back on lumber, and the American people will get some relief in the way of cheaper lumber. That is the common sense of it and the legality of the provision.

The gentleman from New York talks about it being necessary to have provisions in the maximum rates in order to prevent other countries discriminating against us. It may be, but it is not necessary to have every rate in there, and the gentleman has shown that by not putting every rate in section 3.

There are many items that are not put in the maximum section, and we who favor free lumber contend that lumber should not be one of the things put in. It is well to hit the other man if he deserves a lick, but it is well to be careful that the blow you strike does not hurt yourselves more than it hurts him. I want cheaper lumber, and this is a method toward that end. [Applause.]

Mr. BOUTELL. Mr. Chairman, the gentlemen on the other side of the House, in discussing this bill, have spoken of the words "protection," "prohibition," and "maximum rates" as though they were pure inventions of the Republican party and all made at this late day. I would like to call attention of the members of this committee to a report made to the House of Representatives by no less a Democrat than Thomas Jefferson, when, as Secretary of State, he was called upon to express his opinion in reference to the discriminations that were made against our commerce and our navigation. The report was sent to the House on December 16, 1793. It answers the very question asked by the gentleman from Missouri [Mr. CLARK]. It ought to have been added to his list of four great national documents on the tariff. Every line of it glows with the spirit of patriotic Americanism and rings with the spirit of protection.

I shall put it all in the RECORD, Mr. Chairman, as an appendix to my remarks; but before this vote is taken I wish the gentlemen on the other side to listen to these sentiments from the father of Democracy. After having outlined the discriminations that were made by other nations against our commerce, he says, among other things:

But should any nation contrary to our wishes suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

Again he says:

The following principles, being founded in reciprocity, appear perfectly just and to offer no cause of complaint to any nation.

1. Where a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs; first burdening or excluding those productions which they bring here in competition with our own of the same kind, selecting next such manufactures as we take from them in greatest quantity and which at the same time we could the soonest furnish to ourselves or obtain from other countries, imposing on them duties lighter at first, but heavier and heavier afterwards as other channels of supply open. Such duties, having the effect of indirect encouragement to domestic manufactures of the same kind, may induce the manufacturer to come himself into these States, where cheaper subsistence, equal laws, and a vent of his wares, free of duty, may insure him the highest profits from his skill and industry.

Again, he says:

It is true we must expect some inconvenience in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing when weighed against the loss of wealth and loss of force which will follow our perseverence in the plan of indiscrimination. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation by duties and prohibitions as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions or for our due share in the transportation of them, but to our own means of independence and the

firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before mentioned, perhaps not a commercial nation on earth, is without them.

Now listen, my Democratic friends, who want to return to Jeffersonian principles, and vote accordingly:

In our case one distinction alone will suffice; that is to say, between nations who favor our productions and navigation and those who do not favor them. One set of moderate duties, say the present duties for the first, and a fixed advance on these as to some articles and prohibitions as to others, for the last.

There, Mr. Chairman, is the original, historic doctrine of the maximum and minimum tariff. Let us see how many will show their approval of it by their votes on this bill. [Applause on the Republican side.]

APPENDIX.

[No. 68, first session, Third Congress.]

COMMERCIAL PRIVILEGES AND RESTRICTIONS.

Report of the Secretary of State on the privileges and restrictions on the commerce of the United States in foreign countries.

PHILADELPHIA, *December 16, 1793.*

SIR: According to the pleasure of the House of Representatives, expressed in their resolution of February 23, 1791, I now lay before them a report on the privileges and restrictions on the commerce of the United States in foreign countries. In order to keep the subject within those bounds which I supposed to be under the contemplation of the House, I have restrained my statements to those countries only with which we carry on a commerce of some importance, and to those articles also of our produce which are of sensible weight in the scale of our exports; and even these articles are sometimes grouped together, according to the degree of favor or restriction with which they are received in each country, and that degree expressed in general terms, without detailing the exact duty levied on each article. To have gone fully into these minutiæ, would have been to copy tariffs and books of rates of the different countries, and to have hidden, under a mass of detail, those general and important truths, the extraction of which, in a simple form, I conceived would best answer the inquiries of the House, by condensing material information within those limits of time and attention, which this portion of their duties may justly claim. The plan, indeed, of minute details would have been impracticable with some countries, for want of information.

Since preparing this report, which was put into its present form in time to have been given in to the last session of Congress, alterations of the conditions of our commerce with some foreign nations have taken place—some of them independent of the war, some arising out of it.

France has proposed to enter into a new treaty of commerce with us, on liberal principles; and has, in the meantime, relaxed some of the restraints mentioned in the report. Spain has, by an ordinance of June last, established New Orleans, Pensacola, and St. Augustine, into free ports, for the vessels of friendly nations having treaties of commerce with her, provided they touch for a permit at Corcubion, in Gallicia, or at Alicant; and our rice is, by the same ordinance, excluded from that country. The circumstances of the war have necessarily given us freer access to the West Indian islands, whilst they have also drawn on our navigation vexations and depredations of the most serious nature.

To have endeavored to describe all these would have been as impracticable as useless, since the scenes would have been shifting while under description. I therefore think it best to leave the report as it was formed, being adapted to a particular point of time when things were in their settled order, that is to say, to the summer of 1792.

I have the honor to be, &c. TH: JEFFERSON.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA.

The Secretary of State, to whom was referred, by the House of Representatives, the report of a committee on the written message of the President of the United States, of the 14th of February, 1791, with instruction to report to Congress the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he should think proper to be adopted for the improvement of the commerce and navigation of the same, has had the same under consideration, and thereupon makes the following report:

The countries with which the United States have their chief commercial intercourse are Spain, Portugal, France, Great Britain, the United Netherlands, Denmark, and Sweden, and their American possessions; and the articles of export, which constitute the basis of that commerce, with their respective amounts, are:

Breadstuff, that is to say, bread grains, meals, and bread, to the annual amount of	$7,049,887
Tobacco	4,349,567
Rice	1,753,796
Wood	1,263,534
Salted fish	941,696
Pot and pearl ash	839,093
Salted meats	599,130
Indigo	537,379
Horses and mules	339,753
Whale oil	252,591
Flaxseed	236,072
Tar, pitch, and turpentine	217,177
Live provisions	137,743
Ships	———
Foreign goods	620,274

To descend to articles of smaller value than these would lead into a minuteness of detail neither necessary nor useful to the present object.

The proportions of our exports which go to the nations before mentioned and to their dominions, respectively, are as follows:

Spain and its dominions	$2,005,907
Portugal and its dominions	1,283,462
France and its dominions	4,698,735
Great Britain and its dominions	9,363,416
United Netherlands and their dominions	1,963,880
Denmark and its dominions	224,415
Sweden and its dominions	47,240

Our imports from the same countries are:

Spain and its dominions	$335,110
Portugal and its dominions	595,763
France and its dominions	2,068,348
Great Britain and its dominions	15,285,428
United Netherlands and their dominions	1,172,692
Denmark and its dominions	351,364
Sweden and its dominions	14,325

These imports consist mostly of articles on which industry has been exhausted.

Our navigation depending on the same commerce will appear by the following statement of the tonnage of our own vessels entering in our ports from those several nations and their possessions in one year; that is to say, from October, 1789, to September, 1790, inclusive, as follows:

	Tons.
Spain	19,695
Portugal	23,576
France	116,410
Great Britain	43,580
United Netherlands	58,858
Denmark	14,655
Sweden	750

Of our commercial objects, Spain receives favorably our breadstuff, salted fish, wood, ships, tar, pitch, and turpentine. On our meals, however, as well as on those of other foreign countries, when reexported to their colonies, they have lately imposed duties of from half a dollar to $2 the barrel, the duties being so proportioned to the current price of their own flour as that both together are to make the constant sum of $9 per barrel.

They do not discourage our rice, pot and pearl ash, salted provisions, or whale oil; but these articles, being in small demand at their markets, are carried thither but in a small degree. Their demand for rice, however, is increasing. Neither tobacco nor indigo are received there. Our commerce is permitted with their Canary Islands, under the same conditions.

Themselves, and their colonies, are the actual consumers of what they receive from us.

Our navigation is free with the Kingdom of Spain, foreign goods being received there in our ships on the same conditions as if carried in their own, or in the vessels of the country of which such goods are the manufacture or produce.

Portugal receives favorably our grain and bread, salted fish, and other salted provisions, wood, tar, pitch, and turpentine.

For flaxseed, pot and pearl ash, though not discouraged, there is little demand.

Our ships pay 20 per cent on being sold to their subjects, and are then free bottoms.

Foreign goods (except those of the East Indies) are received on the same footing in our vessels as in their own or any others; that is to say, on general duties of from 20 to 28 per cent and, consequently, our navigation is unobstructed by them. Tobacco, rice, and meals are prohibited.

Themselves and their colonies consume what they receive from us.

These regulations extend to the Azores, Madeira, and the Cape de Verd islands; except that in these meals and rice are received freely.

France receives favorably our breadstuffs, rice, wood, pot and pearl ashes.

A duty of 5 sous the quintal, or nearly 4½ cents, is paid on our tar, pitch, and turpentine. Our whale oils pay 6 livres the quintal, and are the only foreign whale oils admitted. Our indigo pays 5 livres the quintal, their own 2½; but a difference of quality, still more than a difference of duty, prevents its seeking that market.

Salted beef is received freely for reexportation; but if for home consumption it pays 5 livres the quintal. Other salted provisions pay that duty in all cases, and salted fish is made lately to pay the prohibitory one of 20 livres the quintal.

Our ships are free to carry thither all foreign goods which may be carried in their own or any other vessels, except tobaccos not of our own growth; and they participate with theirs the exclusive carriage of our whale oils and tobaccos.

During their former government our tobacco was under a monopoly but paid no duties, and our ships were freely sold in their ports and converted into national bottoms. The first National Assembly took from our ships this privilege. They emancipated tobacco from its monopoly, but subjected it to duties of 18 livres 15 sous the quintal, carried in their own vessels, and 25 livres carried in ours, a difference more than equal to the freight of the article.

They and their colonies consume what they receive from us.

Great Britain receives our pot and pearl ashes free, whilst those of other nations pay a duty of 2 shillings and 3 pence the quintal. There is an equal distinction in favor of our bar iron; of which article, however, we do not produce enough for our own use. Woods are free from us, while they pay some small duty from other countries. Indigo and flaxseed are free from all countries. Our tar and pitch pay 11 pence sterling the barrel. From other alien countries they pay about a penny and a third more.

Our tobacco for their own consumption pays 1 shilling and 3 pence sterling the pound, custom and excise, besides heavy expenses of collection; and rice in the same case pays 7 shillings and 4 pence sterling the hundredweight; which, rendering it too dear as an article of common food, it is consequently used in very small quantity.

Our salted fish and other salted provisions, except bacon, are prohibited. Bacon and whale oils are under prohibitory duties; so are our grain, meals, and bread as to internal consumption, unless in times of such scarcity as may raise the price of wheat to 50 shillings sterling the quarter, and other grains and meals in proportion.

Our ships, though purchased and navigated by their own subjects, are not permitted to be used even in their trade with us.

While the vessels of other nations are secured by standing laws, which can not be altered but by the concurrent will of the three branches of the British Legislature, in carrying thither any produce or manufacture of the country to which they belong, which may be lawfully carried in any vessels, ours, with the same prohibition of what is foreign, are further prohibited by a standing law (12 Car. 2, 18, sect. 3) from carrying thither all and any of our own domestic productions and manufactures. A subsequent act, indeed, has authorised their Executive to permit the carriage of our own productions in our own bottoms, at its sole discretion; and the permission has been given from year to year by proclamation, but subject every moment to be withdrawn on that single will, in which event our vessels having anything on board stand

interdicted from the entry of all British ports. The disadvantage of a tenure which may be so suddenly discontinued was experienced by our merchants on a late occasion,* when an official notification that this law would be strictly enforced, gave them just apprehension for the fate of their vessels and cargoes dispatched or destined to the ports of Great Britain. The minister of that court, indeed, frankly expressed his personal conviction that the words of the order went farther than was intended, and so he afterwards officially informed us; but the embarrassments of the moment were real and great, and the possibility of their renewal lays our commerce to that country under the same species of discouragement as to other countries, where it is regulated by a single legislator; and the distinction is too remarkable not to be noticed that our navigation is excluded from the security of fixed laws, while that security is given to the navigation of others.

Our vessels pay in their ports 1 shilling and 9 pence sterling per ton light and Trinity dues more than is paid by British ships, except in the port of London, where they pay the same as British.

The greater part of what they receive from us is reexported to other countries, under the useless charges of an intermediate deposit and double voyage. From tables published in England, and composed, as is said, from the books of their custom-houses, it appears that of the indigo imported there in the years 1773, '4, '5, one-third was reexported; and from a document of authority we learn that of the rice and tobacco imported there before the war four-fifths were reexported. We are assured, indeed, that the quantities sent thither for reexportation since the war are considerably diminished, yet less so than reason and national interest would dictate. The whole of our grain is reexported when wheat is below 50 shillings the quarter, and other grains in proportion.

The United Netherlands prohibit our pickled beef and pork, meals and bread of all sorts, and lay a prohibitory duty on spirits distilled from grain.

All other of our productions are received on varied duties, which may be reckoned, on a medium, at about 3 per cent.

They consume but a small proportion of what they receive. The residue is partly forwarded for consumption in the inland parts of Europe, and partly reshipped to other maritime countries. On the latter portion they intercept between us and the consumer so much of the value as is absorbed by the charges attending an intermediate deposit.

Foreign goods, except some East India articles, are received in vessels of any nation.

Our ships may be sold and naturalized there, with exceptions of one or two privileges which somewhat lessen their value.

Denmark lays considerable duties on our tobacco and rice carried in their own vessels, and half as much more if carried in ours; but the exact amount of these duties is not perfectly known here. They lay such an amount to prohibitions on our indigo and corn.

Sweden receives favorably our grains and meals, salted provisions, indigo, and whale oil.

They subject our rice to duties of 16 mills the poundweight carried in their own vessels, and 40 per cent additional on that, or 22¼ mills, carried in ours or any others. Being thus rendered too dear as an article of common food, little of it is consumed with them. They consume some of our tobaccos, which they take circuitously through Great Britain, levying heavy duties on them also; their duties of entry, town duties, and excise being $4.34 the hundredweight if carried in their own vessels, and of 40 per cent on that additional if carried in our own or any other vessels.

They prohibit altogether our bread, fish, pot and pearl ashes, flaxseed, tar, pitch, and turpentine, wood (except oak timber and masts), and all foreign manufactures.

Under so many restrictions and prohibitions our navigation with them is reduced almost to nothing.

With our neighbors an order of things much harder presents itself. Spain and Portugal refuse to those parts of America which they govern all direct intercourse with any people but themselves. The commodities in mutual demand between them and their neighbors must be carried to be exchanged in some port of the dominant country, and the transportation between that and the subject State must be in a domestic bottom.

France, by a standing law, permits her West India possessions to receive directly our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice, and maize, and prohibits our other breadstuff; but a suspension of this prohibition having been left to the colonial legislatures, in times of scarcity it was formerly suspended occasionally, but latterly without interruption.

Our fish and salted provisions (except pork) are received in their islands under a duty of 3 colonial livres the quintal, and our vessels are as free as their own to carry our commodities thither, and to bring away rum and molasses.

Great Britain admits in her islands our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice and breadstuff, by a proclamation of her Executive, limited always to the term of a year, but hitherto renewed from year to year. She prohibits our salted fish and other salted provisions. She does not permit our vessels to carry thither our own produce. Her vessels alone may take it from us and bring us in exchange rum, molasses, sugar, coffee, cocoanuts, ginger, and pimento. There are, indeed, some freedoms in the island of Dominica, but under such circumstances as to be little used by us. In the British continental colonies, and in Newfoundland, all our productions are prohibited and our vessels forbidden to enter their ports. Their governors, however, in times of distress, have power to permit a temporary importation of certain articles in their own bottoms, but not in ours.

Our citizens can not reside as merchants or factors within any of the British plantations, this being expressly prohibited by the same statute of 12 Car. 2, c. 18, commonly called the navigation act.

In the Danish American possessions a duty of 5 per cent is levied on our corn, cornmeal, rice, tobacco, wood, salted fish, indigo, horses, mules, and live stock, and 10 per cent on our flour, salted pork, and beef, tar, pitch, and turpentine.

In the American islands of the United Netherlands and Sweden our vessels and produce are received, subject to duties, not so heavy as to have been complained of; but they are heavier in the Dutch possessions on the Continent.

To sum up these restrictions, so far as they are important:

First. In Europe—

Our breadstuff is at most times under prohibitory duties in England, and considerably dutied on reexportation from Spain to her colonies.

Our tobaccos are heavily dutied in England, Sweden, and France, and prohibited in Spain and Portugal.

Our rice is heavily dutied in England and Sweden, and prohibited in Portugal.

Our fish and salted provisions are prohibited in England and under prohibitory duties in France.

Our whale oils are prohibited in England and Portugal.

And our vessels are denied naturalization in England and of late in France.

Second. In the West Indies—

All intercourse is prohibited with the possessions of Spain and Portugal.

Our salted provisions and fish are prohibited by England.

Our salted pork and breadstuff (except maize) are received under temporary laws only, in the dominions of France, and our salted fish pays there a weighty duty.

Third. In the article of navigation—

Our own carriage of our own tobacco is heavily dutied in Sweden and lately in France.

We can carry no article, not of our own production, to the British ports in Europe. Not even our own produce to her American possessions.

Such being the restrictions on the commerce and navigation of the United States, the question is, In what way they may best be removed, modified, or counteracted?

As to commerce, two methods occur. 1. By friendly arrangements with the several nations with whom these restrictions exist; or, 2. By the separate act of our own legislatures for countervailing their effects.

There can be no doubt but that, of these two, friendly arrangement is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world; could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the number of mankind would be increased, and their condition bettered.

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation; since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue, by way of impost, on commerce, its freedom might be modified, in that particular, by mutual and equivalent measures, preserving it entire in all others.

Some nations, not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us, in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantage of another nature. Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessaries of life, or materials for manufacture, or convenient subjects of revenue; and we take in exchange either manufactures when they have received the last finish of art and industry or mere luxuries. Such customers may reasonably expect welcome and friendly treatment at every market. Customers, too, whose demands, increasing with their wealth and population, must very shortly give full employment to the whole industry of any nation whatever in any line of supply they may get into the habit of calling for from it.

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce, and navigation by counter prohibitions, duties, and regulations, also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

Our navigation involves still higher considerations. As a branch of industry it is valuable, but as a resource of defense, essential.

Its value, as a branch of industry, is enhanced by the dependence of so many other branches on it. In times of general peace it multiplies competitors for employment in transportation, and so keeps that at its proper level; and in times of war—that is to say, when those nations who may be our principal carriers shall be at war with each other, if we have not within ourselves the means of transportation our produce must be exported in belligerent vessels at the increased expense of war freight and insurance, and the articles which will not bear that must perish on our hands.

But it is as a resource of defense that our navigation will admit neither neglect nor forbearance. The position and circumstances of the United States leave them nothing to fear on their land board, and nothing to desire beyond their present rights. But on their seaboard they are open to injury, and they have there, too, a commerce which must be protected. This can only be done by possessing a respectable body of citizen-seamen, and of artists and establishments in readiness for shipbuilding.

Were the ocean, which is the common property of all, open to the industry of all, so that every person and vessel should be free to take employment wherever it could be found, the United States would certainly not set the example of appropriating to themselves, exclusively, any portion of the common stock of occupation. They would rely on the enterprise and activity of their citizens for a due participation of the benefits of the seafaring business, and for keeping the marine class of citizens equal to their object. But if particular nations grasp at undue shares, and, more especially, if they seize on the means of the United States to convert them into aliment for their own strength and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded; or it will be disarmed of its defense, its productions will lie at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce. The carriage of our own commodities, if once established in another channel, can not be resumed in the moment we may desire. If we lose the seamen and artists whom it now occupies, we lose the present means of marine defense, and time will be requisite to raise up others, when disgrace or losses shall bring to our feelings the error of having abandoned them. The materials for maintaining our due share of navigation are ours in abundance. And, as to the mode of using them, we have only to adopt the principles of those who thus put us on the defensive, or others equivalent and better fitted to our circumstances.

The following principles, being founded in reciprocity, appear perfectly just, and to offer no cause of complaint to any nation:

1. Where a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs; first burdening or excluding those productions which they bring

* April 12, 1792.

here in competition with our own of the same kind; selecting next, such manufactures as we take from them in greatest quantity, and which at the same time we could the soonest furnish to ourselves or obtain from other countries; imposing on them duties, lighter at first, but heavier and heavier afterwards, as other channels of supply open. Such duties having the effect of indirect encouragement to domestic manufactures of the same kind, may induce the manufacturer to come himself into these States, where cheaper subsistence, equal laws, and a vent of his wares, free of duty, may insure him the highest profits from his skill and industry. And here, it would be in the power of the state governments to cooperate essentially, by opening the resources of encouragement which are under their control; extending them liberally to artists in those particular branches of manufacture for which their soil, climate, population, and other circumstances have matured them; and fostering the precious efforts and progress of household manufacture by some patronage suited to the nature of its objects, guided by the local informations they possess, and guarded against abuse by their presence and attentions. The oppressions on our agriculture, in foreign ports, would thus be made the occasion of relieving it from a dependence on the counsels and conduct of others, and of promoting arts, manufactures, and population at home.

2. Where a nation refuses permission to our merchants and factors to reside within certain parts of their dominions, we may, if it should be thought expedient, refuse residence to theirs in any and every part of ours, or modify their transactions.

3. Where a nation refused to receive, in our vessels, any productions but our own, we may refuse to receive, in theirs, any but their own productions. The first and second clauses of the bill reported by the committee are well conformed to effect this object.

4. Where a nation refuses to consider any vessel as ours which has not been built within our territories, we should refuse to consider as theirs any vessel not built within their territories.

5. Where a nation refuses to our vessels the carriage even of our own productions to certain countries under their domination, we might refuse to theirs of every description the carriage of the same productions to the same countries. But, as justice and good neighborhood would dictate that those who have no part in imposing the restriction on us should not be the victims of measures adopted to defeat its effect, it may be proper to confine the restriction to vessels owned or navigated by any subjects of the same dominant power other than the inhabitants of the country to which the said productions are to be carried. And to prevent all inconvenience to the said inhabitants, and to our own, by too sudden a check on the means of transportation we may continue to admit the vessels marked for future exclusion, on an advanced tonnage, and for such length of time only as may be supposed necessary to provide against that inconvenience.

The establishment of some of these principles by Great Britain, alone, has already lost us in our commerce with that country and its possessions between eight and nine hundred vessels of nearly 40,000 tons burden, according to statements from official materials in which they have confidence. This involves a proportional loss of seamen, shipwrights, and shipbuilding, and is too serious a loss to admit forbearance of some effectual remedy.

It is true, we must expect some inconvenience in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing, when weighed against the loss of wealth and loss of force which will follow our perseverance in the plan of indiscrimination. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation by duties and prohibitions as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions, or for our due share in the transportation of them; but to our own firmness, independence and the firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before mentioned, perhaps not a commercial nation on earth, is without them. In our case, one distinction alone will suffice; that is to say, between nations who favor our productions and navigation and those who do not favor them. One set of moderate duties, say the present duties, for the first, and a fixed advance on these as to some articles, and prohibitions as to others, for the last.

Still, it must be repeated that friendly arrangements are preferable with all who will come into them; and that we should carry into such arrangements all the liberality and spirit of accommodation which the nature of the case will admit.

France has, of her own accord, proposed negotiations for improving, by a new treaty, on fair and equal principles, the commercial relations of the two countries. But her internal disturbances have hitherto prevented the prosecution of them to effect, though we have had repeated assurances of a continuance of the disposition.

Proposals of friendly arrangement have been made on our part, by the present Government, to that of Great Britain, as the message states; but, being already under a footing in law, and a better in fact, than the most favored nation, they have not, as yet, discovered any disposition to have it meddled with.

We have no reason to conclude that friendly arrangements would be declined by the other nations with whom we have such commercial intercourse as to render them important. In the meanwhile, it would rest with the wisdom of Congress to determine whether, as to those nations, they will not surcease ex parte regulations, on the reasonable presumption that they will concur in doing whatever justice and moderation dictate should be done.

TH. JEFFERSON.

The CHAIRMAN. Debate has closed on the amendment.

The question is on the amendment offered by the gentleman from Minnesota, being an amendment to the amendment of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. DAVIS) there were—ayes 134, noes 199.

Mr. DAVIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. DAVIS and Mr. PAYNE were appointed tellers.

The House again divided; and the tellers reported—ayes 134, noes 194.

So the amendment to the amendment was rejected

Mr. CLAYTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out the words beginning with the word "bagging" and ending with the word "act," just before the words "upon jute bagging and jute on the free list."

Mr. CLAYTON. Mr. Chairman, I will say that that is on page 1234 of to-day's RECORD, in the second column, and it seeks to remove the duty on bagging.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken.

Mr. CLAYTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. CLAYTON and Mr. PAYNE were appointed tellers.

The House again divided; and the tellers reported—ayes 130, noes 170.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York [Mr. PAYNE], as amended.

The question was taken, and the amendment was agreed to.

Mr. CUSHMAN. Mr. Chairman, I now offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 227, on page 62, line 8, strike out the word "fifteen" and insert in lieu thereof the word "twenty-four."

Mr. CUSHMAN. Mr. Chairman, this is an amendment which relates to the farm product of barley, and the effect of this amendment, if adopted, will be to raise the rate of tariff on barley from 15 to 24 cents a bushel. That is all I care to say, unless some gentlemen desire to ask some questions.

Mr. PERKINS. Mr. Chairman, I would like to say a word on this. This amendment certainly is a surprise. It was only yesterday that, in answer to the convincing eloquence of the chairman of the Committee on Ways and Means, showing the evident propriety and necessity that the duty on barley should not exceed 15 cents a bushel, that the majority, by adopting the views of the committee, made its obeisance to the wisdom of the chairman of that committee. This morning, after an interval of twenty-four hours, a motion is presented, not by the gentleman himself, but by one of his associates, again raising the duty to within 1 cent of the amount voted down on yesterday. I only wish to suggest to the members of the committee the argument suggested by my distinguished friend and colleague from New York, in which he said, and no one can contradict him, that the result of this duty has been to entirely destroy the barley industry of New York. My friend and my colleague alluded to the fact of the demands made upon him. They have been made upon me in like manner by the farmers of the State of New York, who say that this duty on Canadian barley, imposed with the idea of helping the farmer, has done harm to the farmer. They show that the malt houses, which are the only businesses which consume barley, have been closed as a result of this injudicious tax.

Mr. TAWNEY. Will the gentleman permit an interruption?

Mr. PERKINS. I have only five minutes.

Mr. TAWNEY. The question I desire to ask is, If this is not because they could not get the Canadian barley?

Mr. PERKINS. They closed because the production of New York barley was not enough to furnish the demand for the first-class malt, which must be made from No. 1 barley in order to produce No. 1 malt. I said that this certainly could be of no benefit to the farmer. Two things have resulted from the raising of this duty; One was that a large number of malt houses had been closed, and, therefore, the demand for barley had been diminished; another thing was that the average price of barley in Buffalo, which used to range from 60 to 70 cents, had for a period of ten years been between 40 and 50 cents.

Now, furthermore, Mr. Chairman, the House was influenced by consideration of the gentleman from Kansas, who believes that the consumption and the production of malt should cease, who claimed with pride that in all the State of Kansas no man knew what the inside of a saloon looked like and no man could drink a glass of beer. There is little reason that he should ask a duty the result of which would increase their power to sell a commodity, to wit, malt, which could only be used in the production of a thing which did harm to many. Certainly, Mr. Chairman, the law says that the receiver of stolen goods is quite as guilty as the man who steals. It does not lie in the mouth of my friend from Kansas to say that it is a pernicious thing that a glass of beer should be made or drank and then come before this House and try to drive, to keep out all of the barley

raisers of New York in order that he may raise in his State an article to be turned into this pernicious purpose. I hope, Mr. Chairman, that the House will still remember the arguments of the chairman of the Committee on Ways and Means, and will to-day, as it did on yesterday, vote in favor of that gentleman's argument.

Mr. HARRISON. Mr. Chairman——

Mr. PAYNE. Will my colleague yield for a moment for me to make a motion to close debate?

Mr. HARRISON. I shall only consume two or three minutes.

Mr. PAYNE. I would like to make a motion to close debate in five minutes. [Cries of "No; ten minutes!"]

Mr. PAYNE. Well, ten minutes.

The CHAIRMAN. The gentleman from New York moves to close debate on this amendment and all amendments thereto in ten minutes.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. HUBBARD of West Virginia. Division, Mr. Chairman.

The committee divided; and there were—ayes 192, noes 16.

So the motion was agreed to.

Mr. HARRISON. Mr. Chairman, this is an attempt to raise the rate on barley from 15 cents a bushel to 24 cents a bushel. I am opposed to the amendment. I shall not go into the matter deeply at this moment, because the matter has been thoroughly thrashed out already in the House of Representatives.

Mr. Chairman, this is a barefaced attempt to do under the crack of the party whip what these gentlemen were unable to do in the House day before yesterday. I hope that gentlemen on that side of the Chamber who voted against such a proposition two days ago will be independent enough to retain their own judgment upon this proposition and vote down this attempt to-day.

Mr. PETERS. Mr. Chairman, the amendment which has been offered which seeks to increase from the rate of 15 cents, as recommended in the pending bill, to 24 cents the duty on barley, I wish most vehemently to protest against. In addition, I wish to protest against the bringing in at this time of this amendment. The matter has already been considered thoroughly by the Committee on Ways and Means and by the Committee of the Whole House, and the opinion of both committees is expressed in the 15-cent rate. The rate has previously been 30 cents per bushel. So far as this change in the Payne bill is a reduction, Mr. Chairman, it meets my hearty approval, and for the same reasons that this amendment should fail I should be in favor, not of raising the duty on barley, but of abolishing it entirely.

Under the Dingley bill the importations of barley in 1908 were only 11,915 bushels, valued at the paltry sum of $6,000. The importations show a falling off from 1895, when the importations were 2,062,152 bushels. The insignificant amount of importations under the existing rate show that the 30-cent rate is practically prohibitive, and that the reduction to 15 cents might at least stimulate the importations and therefore be in the interests of the revenues of the Government.

Barley is used in a legitimate industry and one recognized in this country, the product of which is consumed by a large part of our people. It is an admitted fact that in Canada there is raised a higher quality of barley than is raised in this country. The reduction of the duty on this important staple would allow the importation and use of this higher grade, and its importation is therefore in the interest both of the revenues of the Government and the health of our people.

It can not be claimed that an increase in the rate suggested by this bill will be in the interest of the farmers of our country. On the contrary, such information as the committee has received from the representatives of the grange associations shows a strong feeling on the part of the farmers against any duty higher than 15 cents per bushel. It is important to recognize in this connection that the American farmer can not afford to buy even seed barley from Canada under the Dingley rate of 30 cents, so that the higher rate not only deprives the consumer of the best quality of article, but fails utterly to stimulate the growth of American barley. It is even argued that the 15 cents duty will not be low enough to encourage the importation of Canadian barley. I strongly urge, Mr. Chairman, that all restriction be removed from the importation of this valuable food product.

Mr. ALEXANDER of New York. Mr. Chairman, there is a humorous side to this proposition. The House on yesterday voted down a 25-cent duty on barley, and now my friend from Washington [Mr. CUSHMAN], representing the Ways and Means Committee, and in behalf of that committee, offers an amendment raising it to 24 cents without offering a single reason for so doing.

Mr. HUBBARD of West Virginia. Will the gentleman permit a question?

Mr. ALEXANDER of New York. Yes.

Mr. HUBBARD of West Virginia. Does he state that this is a committee amendment?

Mr. ALEXANDER of New York. This is a committee amendment.

Mr. HUBBARD of West Virginia. After the statements made on yesterday?

Mr. BUTLER. It only has the committee's indorsement; it does not mean anything.

Mr. ALEXANDER of New York. The gentleman from Washington [Mr. CUSHMAN] has not the temerity to present a reason for this sudden change of front. He simply said, "Change 15 to 24," and asked for a vote. There were good reasons presented yesterday showing that 15 cents was absolutely prohibitive. We have the word of the distinguished chairman of the Ways and Means Committee for that. Now, why does my friend from Washington, representing the Ways and Means Committee, ask that it be 24 cents? Why this change of front in a night? For what reason does he and his committee turn a somersault? What does he want?

Mr. MANN. Free lumber.

Mr. ALEXANDER of New York. No; he wants lumber protected. And if 15 cents on barley is prohibitive, why is he not satisfied? What joker is concealed in this amendment? What is the inducement that prompted him to do this thing? He may be satisfied to change his vote, but I challenge him to give a reason for the increase which will convince this committee that it must change its mind as expressed yesterday by an overwhelming vote.

Mr. CUSHMAN. Mr. Chairman, the gentleman complains because the rate of 15 cents will be prohibitive. If that is true, according to the gentleman's own logic, he is not injured by the raise in this bill.

Now, as a matter of fact, the existing Dingley law protects all agricultural products and, among others, the grain schedule. There was no other single cereal that was interfered with except this particular product of barley, and the men from the great West, who raise this product in their States, have come here and asked that the same measure of protection which we have granted in this bill to the gentleman's own beloved industries, be extended to this agricultural product.

Mr. ALEXANDER of New York. Will the gentleman yield for a question?

Mr. CUSHMAN. Now, then, I wonder why the gentleman did not raise his voice against the increase in the glove schedule, gloves being manufactured in his own State?

Mr. ALEXANDER of New York. Your committee gave me no opportunity if I had desired to do so.

Mr. CUSHMAN. It has been here for a number of days.

Mr. ALEXANDER of New York. I asked the gentleman if he would yield for a question.

Mr. CUSHMAN. When I get through; yes. Mr. Chairman, I do not pretend to talk for the entire committee, but I can state what my sentiments are. As I said on this floor the other day, I am a protectionist and a high protectionist, and I do not apologize for that. When I lift my voice for a high degree of protection on other articles, including manufactured articles, I am willing to extend that same degree of protection to agricultural products, and if it would relieve the gentleman's mind any, I might say that I made the motion in the committee to raise this rate on barley.

Mr. ALEXANDER of New York. Will the gentleman now yield for a question?

Mr. CUSHMAN. Yes, sir.

Mr. ALEXANDER of New York. Then I understand that your only reason for doubling the prohibitive tariff on barley is because the tariff on wheat and other agricultural products has not been increased.

Mr. CUSHMAN. Not by any sort of means.

Mr. ALEXANDER of New York. Have you any other reason? Let us have it. You have not given it yet.

Mr. CUSHMAN. The Members on the floor who have the right to speak for their constituents have pressed upon this committee the necessity, in their mind, for a further increase of the duty. Now, then, if they do not have knowledge sufficient to speak for the industries that they represent, that is their fault.

Mr. ALEXANDER of New York. But that is not a reason for doubling a duty already prohibitive. I ask the gentleman from Washington for his reason.

Mr. GRONNA. Have not the western members shown to the Ways and Means Committee that the duty of 15 cents per bushel on barley would not be prohibitive?

Mr. CUSHMAN. In my judgment it is.

Mr. ALEXANDER of New York. Then, if 15 cents is prohibitive, what is your reason for doubling it? Will the gentleman kindly tell us? Let us see how much you know about barley.

Mr. CUSHMAN. It has been insisted by gentlemen who are pressing this upon the committee that in lowering that rate from the Dingley rate we were endeavoring to favor the American brewer at the expense of the American farmer. [Applause.] Now, let us see on what side of that line you stand?

Mr. ALEXANDER of New York. I will answer the gentleman. I am speaking in the interest of the New York farmer. For the last ten years the duty on barley has cut off his privilege of securing seed from the Province of Quebec. I represent a district of 25 towns in which farmers reside, and I also speak for the farmers of my State who want barley for seed purposes.

Mr. CUSHMAN. I can see by looking at the gentleman that he is a farmer. [Laughter.]

Mr. ALEXANDER of New York. And if the gentleman had ever seen a farm, he would know more about barley.

Mr. GRONNA. I want to state to the gentleman from New York——

Mr. JAMES. Mr. Chairman, I make the point of order that the debate was to close in five minutes.

Mr. GRONNA. I want to state to the gentleman from New York that I am perfectly willing to furnish barley at the price that they can get it from Canada, and as good as they can.

The CHAIRMAN. The debate was limited to ten minutes, and the time has expired. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Several MEMBERS. Division!

The committee divided; and there were—ayes 163, noes 120.

So the amendment was agreed to.

Mr. CUSHMAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Paragraph 228, page 62, line 10, strike out the word "twenty-five" and insert thereof the word "forty."

Mr. CUSHMAN. This likewise, Mr. Chairman, refers to the subject of barley. It increases the duty on malting barley, the product of barley, from 25 cents to 40 cents per bushel.

Mr. PERKINS. For whose benefit is that?

Mr. CUSHMAN. For the benefit of the farmer.

Mr. PERKINS. How can this benefit the farmer?

Mr. CUSHMAN. It benefits the farmer through the increased price that he gets for his barley, and the malt is made out of the barley. What does the gentleman believe—that the doctrine of protection is general, but is not effective as to this?

Mr. PERKINS. It is for the benefit of those who change the barley into malt.

Mr. CUSHMAN. On the contrary, this amendment simply is for the benefit of the men who raise barley in this country, and it restores the relative rate between the barley and the malt. We have just adopted an amendment to raise the tariff on barley from 15 to 24 cents per bushel, and we ought now to adopt this amendment to raise the tariff on barley malt from 25 to 40 cents per bushel.

Mr. PARKER. I make the point of order on the parliamentary proceeding of this question that the committee voted on the subject of barley, and that having been settled by the committee, no further amendments to this section can be offered.

The CHAIRMAN. The subject having been debated, the point of order is too late.

Mr. PARKER. It was not too late when I rose.

Mr. FITZGERALD. Mr. Chairman, I am very much interested in the very peculiar situation which has arisen here. The day before yesterday the gentleman's colleague [Mr. HUMPHREY] offered an amendment to put barley on the free list. To-day the gentleman from Washington says that there is such a necessity for the protection of barley that he offers an amendment now to increase the duty from 15 to 25 cents per bushel. His colleague stated that he was anxious to have barley on the free list, in the interest of 300,000 persons in his district who used barley in their daily life. In whose interest, let me ask either of the gentlemen from Washington, is he so deeply interested that he should raise the rate of duty which the chairman of the committee himself has already confessed is prohibitive? I will watch with somewhat peculiar interest the vote upon that side of the House on the lumber schedule. [Applause.] I imagine, although I am not in the confidence of either gentleman from Washington, that not only will they vote to-day for the increased duty on lumber, but that they are tumbling over themselves to vote this concession to those who heretofore have been advocating free lumber. It illustrates, Mr. Chairman, the agility of the gentleman from Washington. He stands on one foot to-day, in favor of free barley, and shifts to the other foot, in favor of a higher protective tariff on barley, indifferent, as a matter of fact, to what the duty will be on barley, so long as his sacred lumber interests are protected. Never before in the history of a tariff legislation has the greed of the special interests been exhibited as they are right at this time in this House. [Loud applause on the Democratic side.] The gentleman is indifferent to those who consume barley in his district, all of the people, so long as that proportion who are enriching themselves at the expense of all of the people of the country are permitted to do so under this pernicious Republican tariff.

I am delighted—if that word is still in use in this country—that the gentleman has been so frank to concede that, overnight, in response to the fresh light that has broken from the heavens, he has been able to see that his people do not need cheap bread, so long as they are able to rob all of the people in enriching themselves; and I congratulate him upon the fact that he is so successful in bringing the people of his district into the ranks of the plutocrats of the country, who are indifferent to everybody else so long as their pockets are stuffed with the earnings extracted from the poor under the operations of such a bill.

Mr. Chairman, perhaps what I have said is sufficient to illustrate that I am opposed to this amendment. I can imagine the gentleman will say that I am opposed to it because I am speaking on behalf of the brewers. But let me say to him that whenever questions affecting taxes that may concern the brewers directly come before this House, I will not attempt by any secret midnight trades to protect any particular industry or any particular class at the expense of the great mass of the American people, and I will cheerfully go on record upon any question that may be presented to the House. I hope, Mr. Chairman, that the gentleman may be disappointed to-day and that lumber will go upon the free list in spite of the efforts to keep it highly protected. [Applause.]

Mr. SULZER. Mr. Chairman, I move to amend by striking out of the Payne tariff bill sections 19, 20, and 21, which read as follows:

SEC. 19. That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States, or which, being the production or manufacture of any foreign country not contiguous to the United States, shall come into the United States from such contiguous country; but this discriminating duty shall not apply to goods, wares, or merchandise which shall be imported in vessels not of the United States entitled at the time of such importation by treaty or convention to be entered in the ports of the United States on payment of the same duties as shall then be payable on goods, wares, and merchandise imported in vessels of the United States, nor to such foreign products or manufactures as shall be imported from such contiguous countries in the usual course of strictly retail trade.

SEC. 20. That no goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

SEC. 21. That the preceding section shall not apply to vessels or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

And insert in the place thereof the following:

"SEC. 19. That a rebate of duties shall be allowed and deducted on all foreign goods, wares, and merchandise to the extent of 5 per cent ad valorem in cases where the specific and ad valorem duties together amount to less than 25 per cent of the value of the articles, and to the extent of 10 per cent in cases where the specific and ad valorem duties together amount to more than 25 per cent of the wholesale value of the articles in the market of the port where the same may be brought in by a vessel of the United States.

"And in cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, a rebate shall be allowed and deducted to the extent of 2½ per cent ad valorem in cases where the specific and ad valorem duties together amount to less than 20 per cent of the value of the articles, and to the extent of 5 per cent ad valorem in cases where the specific and ad valorem duties together amount to more than 20 per cent of the wholesale value of the articles in the market of the port where the same may be brought in by a vessel of the United States.

"SEC. 20. That no other or higher duties than those imposed as regular by law shall be levied, collected, or paid on any goods, wares, or merchandise imported direct by a vessel of the country, its colony, or possession, which produced the same, or of a country through which said merchandise is necessarily passed to reach a market; but on all goods, wares, and merchandise imported direct by a vessel not of the United States and not belonging to the country, its colony, or possession, where said goods, wares, and merchandise were produced, an additional duty of 10 per cent ad valorem shall be levied, collected, and paid; and on all goods, wares, and merchandise imported in direct by a vessel not of the United States from any country, its colony, or possession, not that of the production and original exportation of said merchandise, the additional duty as aforesaid shall be 15 per cent ad valorem.

"And in cases where no duties are imposed by law on certain goods, wares, and merchandise imported, and the same have been brought in by a vessel not of the United States direct from its own country, colony, or possession where the same were produced, there shall be levied, collected, and paid a duty of 4 per cent ad valorem; but if such goods, wares, and merchandise shall be brought direct from a country to which the importing vessel does not belong, but which was the place of production, then the duty as aforesaid shall be 8 per cent ad valorem; but if such goods, wares, and merchandise so imported be brought from a country that did not produce the same, then and in that case the duty as aforesaid shall be 12 per cent ad valorem, valued in all cases in the market of the port of entry.

"And in cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, there shall be levied, collected, and paid full rates of duty, if the same shall be brought in by a vessel not of the United States or not of the reciprocating country from which such merchandise has been exported; or if the same, not being the growth, production, or manufacture of a country contiguous to the United States, shall be brought across the line from such country.

"And the additional duties imposed under this section shall apply also to all cases where goods, wares, and merchandise may have been transferred from a foreign vessel or land vehicle, at any place, to a vessel or land vehicle of the United States, for the purpose of convenience, or to evade the provisions of this section.

"SEC. 21. That a duty of 20 per cent ad valorem, in addition to the duties imposed by law as regular, and also to the additional duties required by the foregoing section, shall be levied, collected, and paid on all goods, wares, and merchandise imported by a vessel not of the United States from a country to which the importing vessel does not belong, unless the importation shall be the growth, production, or manufacture of a country at peace with the United States.

"That all goods, wares, and merchandise imported by a vessel not of the United States, that shall be admitted to storage in bonded warehouse with lawful tariff duties unpaid for a period exceeding five days, shall be charged and pay an additional duty of 15 per cent ad valorem, but a rebate of 5 per cent shall be allowed in all cases where such merchandise shall be reexported and cleared outward in a vessel of the United States. This section and the two preceding sections shall take effect in thirteen months after their passage."

Mr. Chairman, I urged the Ways and Means Committee when it was making up the Payne tariff-tax bill to do something for the restoration of our shipbuilding industry; to do something to recover our deep-sea trade along the lines of a graduated system of tonnage taxes on foreign ships, but I am sorry to say the committee has done absolutely nothing for these important industries. The sections I now move to strike out of the Payne bill are copied verbatim from the Dingley law, and during the twelve years they have been on the statute books they have done nothing for our merchant marine on account of the favored-nation clause in all existing treaties. If my amendment prevails, something will speedily be done to revive our languishing shipbuilding industries, restore our merchant marine, and secure for us our share of the deep-sea carrying trade of the world.

I am in favor of immediate action by Congress for the resumption of the shipping policy which prevailed under the first five Presidents of the Republic, and which brought forth and maintained the best merchant marine on the ocean without the cost of a cent to the American people. I denounce the Republican party for its willful neglect of our shipping in the foreign trade, having done nothing whatever for its revival since the civil war, except to connive at the passage of vicious subsidy bills, utterly useless for the object in view, and really in the interest of foreign nations.

I am willing to go as far as any man in this country to legislate for the restoration of the American merchant marine to all its former glory and to secure for the American people their just share of the over-seas carrying trade of the world. I know, and every man who has investigated this subject knows, that our loss of deep-sea commerce is due entirely to the iniquitous legislation and shortsighted policies of the Republicans in the National Legislature. If the American Congress would legislate intelligently regarding this subject, we could restore our merchant marine, increase our revenues, and secure nine-tenths of all our commerce on the high seas, exports and imports, without a ship subsidy and without taking a single dollar from the pockets of the taxpayers to give bounties to favored shipowners.

This whole subject is a very simple matter when reduced to an intelligent business proposition. We do not need to take a dollar out of the Treasury of the United States to revive our shipbuilding industries or restore our merchant marine. All we need to do is to legislate intelligently, repeal the restrictive laws against our deep-sea shipping now on our statute books, put in their place laws similar to the navigation laws that were enacted by the early statesmen of the country—laws that built up our merchant marine in those historic days, laws that placed our flag on the high seas and gave us nine-tenths of our entire over-seas carrying trade—and we would do it if it were not for the greed and the selfishness of the shipping trust.

Mr. Chairman, in the House of Representatives in 1794 James Madison said:

"As early as the year succeeding the peace (1784) the effect of the foreign policy (British) which began to be felt in our trade and navigation excited universal attention and inquietude. The first step thought of was an application of Congress to the States for a grant of power for a limited time to regulate our foreign commerce.

"This effort failing, the States next endeavored to effect their purpose by separate but concurrent regulations. Massachusetts opened a correspondence with Virginia and other States in order to bring about the plan. Here again the effort was abortive. Out of this experience grew the measures which terminated in the establishment of a Government competent to the regulation of our commercial interests and the vindication of our commercial rights."

The president of the Constitutional Convention was General Washington. In transmitting the Constitution to the Confederated Congress he remarked:

"The friends of our country have long seen and desired that the power of making war, peace, and treaties, that of levying money, and regulating commerce, and the corresponding executive and judicial authorities should be fully and effectually vested in the General Government of the Union."

One of the five principal objects of the "closer union" being the "uniform" protection of shipping, as thus declared, it was natural that this sentiment should be general in the convention. Every plan for a Constitution included the regulation of our commerce, by wise national laws in lieu of state statutes—unlike and conflicting. The only question raised and settled by debate was whether or not a "two-thirds vote" should be required for the passage of shipping bills. Mr. Gorham, of Massachusetts, Chairman of the Committee of the Whole, in closing the debate, submitted the ultimatum of New England as follows:

"If the Government is to be so fettered as to be unable to relieve the Eastern States, what motive can they have to join it, and thereby tie their own hands from measures which they could otherwise take for themselves? The Eastern States were not led to strengthen the Union by fear for their own safety. He deprecated the consequences of disunion, but if it should take place, it was the southern part of the continent that had the most reason to dread them. He urged the improbability of a combination against the interest of the Southern States, the different situations of the Northern and Middle States being a security against it. It was, moreover, certain that foreign ships would never be altogether excluded, especially those of nations in treaty with us."

Because of this ultimatum the motion for a two-thirds restriction was lost and the majority rule adhered to nem. con. In pursuance of this action, clause 3 of section 8 of Article I of the Constitution not only empowers, but its inclusion makes it the duty of Congress, in perpetuity, "to regulate commerce with foreign nations."

Necessarily, the several States were divested of power to continue their discriminating duties of tonnage and of tariff, either for revenue or for protection. (See sec. 10 of Art. I.) Thus was the protection of shipping given up by the States

and taken over by the General Government, on condition that the protection desired and necessary should always be given. The action of the convention was afterwards ratified by the States and the people through the adoption of the Constitution. By this adoption the States were relieved of their natural duty to protect a most important industry, and the United States, in virtue of the compact described, promised and undertook the stipulated duty with no right reserved ever to discontinue it.

Though the truth of this statement may be acknowledged, it will be well to offer some facts for its support.

The founding of our Government was not the simple thing imagined by many citizens of the present day. Thirteen sovereign States, varying greatly in territory and population, differing considerably in laws and institutions, had to be united under a general government in such a way as to merit and receive the assent of each and of all. Of necessity, the Government had to be founded in the confidence and affections of the people and be constructed so as to obtain the popular vote. Compromises had to be made on several perplexing questions, and in certain States only the utmost efforts of the friends of the Union, in the legislatures and before the people, were sufficient for its accomplishment. That we have trade regulations for ship protection provided in the Constitution is no wonder at all. The States had it and thought it vital to their commercial independence. The only object in turning it over to a general government was to increase its efficiency and to complete its power. From the debate in convention, especially from the closing speech, it is clear that the third "enumerated" power was one of the "bonds and conditions" of the Union, just as much as allowing each State—big or little—two Senators in Congress, or that reserving certain rights and spheres of government to the States, or that concerning the President's nativity, or that limiting his term of office—just as much, in fact, as any provision of a fundamental character. In fact, a charter for a national government would be incomplete without a power of industrial protection, such as that for the regulation of commerce. The first "enumerated" power—that authorizing the laying of duties on imports for revenue—contains no element for industrial protection, save as incidental. A power distinct from that of revenue, to enable the Government to exclude goods, or by duties to equalize home and foreign prices, or to cause preference for homemade articles, was deemed absolutely necessary for national development. The shipping trade is an industry that is highly susceptive of protection by tariff duties. Tonnage and tariff duties, taken together, were the means of ship protection in use by the States from 1785 to 1789. They were the means recognized in the compact, and applied by Congress in 1789. They are the only expedient, effective, and constitutional means at the command of Congress to-day. Had they been unprovided for, the Union could not have been effected.

There can be no doubt of this. Massachusetts had most shipping, but Pennsylvania, New York, Maryland, and Virginia had growing fleets in 1787 under protection of state regulations. As Mr. Gorham intimated, not one of these States would join a government unable to protect its marine, or that would protect it for a little while and then "suspend" it, as, in fact, the Federal Government did in 1828—to the gradual ruination of the vessel interest in the foreign trade. The people in this trade are now in this situation: The States can not protect their shipping, and the General Government has "suspended" its law for so doing. Had it been suspended also as to the domestic trade, that, too, would now be in a ruined state, not a vessel in building for it, but our entire water-borne commerce, an immense and vital interest, would have been placed to our detriment in the grasp of foreign nations. We would now be standing on the sea with both legs cut off, crippled for life in every part of the national body, as we are weakened in many parts now.

When the question of adopting the Constitution was before the States, no little of its merit was shown to be the power which Congress would have to regulate our foreign commerce. Madison, Hamilton, and Gouverneur Morris were eloquent on this line.

That the compact for the regulation of commerce was promptly acknowledged by Congress, through proper legislation, is a fact well known. The very first tariff bill, by Madison, contained protection not only for factories but for navigation. The first shipping regulation adopted in Committee of the Whole was that of Fitzsimmons of Pennsylvania. He moved a list of discriminating duties on Asiatic goods calculated to secure the trade of the Far East for American ships. He stated that under similar legislation by his State we were already commanding the direct commerce with China and India, and the General Government would, of course, continue the policy then so useful. On goods brought by foreign vessels or indirect (via Europe) the duties were nearly double the rates by American ships coming direct. Before this bill was passed it was amended to provide for a drawback of 10 per cent of the duty on all goods imported in American vessels. In 1794 this provision was changed to an extra duty of 10 per cent on goods by foreign ships. A separate bill for tonnage-tax discrimination soon followed the first tariff measure, and in 1804 the tonnage discrimination was varied from 44 to 94 cents per ton.

That the President, the House, and the Senate rightly interpreted the commerce-regulating clause is indisputable. President Washington had been the presiding officer of the convention; 7 Representatives and 9 Senators, 17 in all, had been delegates. They knew perfectly well all that was intended, expressed, and implied in the "regulation of commerce." They knew also of a certainty that their duty as Members of Congress was to carry out all the compacts of the Constitution. The proceedings of the convention were not made public while any of the delegates lived, but in various debates in Congress they could direct the majority. The debate on the "Madison resolutions" brought out clearly the purpose of the third "enumerated" power. Concerning this, in his work on the "Debates of Congress," Senator Thomas H. Benton remarked as follows:

"In the House of Representatives, 1794, occurred one of the most interesting and elaborate debates which our Congress has furnished. It grew out of the clause in the Constitution conferring power 'to regulate commerce with foreign nations,' and gives the interpretation of its authors, which is wholly different in its nature, and also distinct from the power to lay and collect import duties. The latter was to raise revenue, the former to make such discriminations in trade and transportation as to protect our merchants and shipowners from the adverse regulations and devices of our rivals. While the lack of power to regulate foreign commerce was a primary defect of the Confederated Government, and the necessity for its exercise so great as to form a chief cause for creating the Federal Government, it is singular that Congress has always overlooked it, or confounded it with the impost or revenue power. Though not now exercised, it is a power which has found a need for its exercise, and will find it again."

Mr. Chairman, Senator Benton wrote shortly before the civil war, when it was quite apparent that the suspension of our ship protection would ultimately prove ruinous. He could safely predict that the commerce power would find "a need" for its exercise "again."

That this proposition is true needs little argument. One of the bonds and conditions of the Union being the encouragement and protection of navigation, and the regulation of commerce being the specific provision therefor, it follows, necessarily, that there is no other way that can be taken. If this is not the case, why was the debate in the convention confined to trade regulations? Why were not other ways alluded to? Why was a specific way laid down? Clause 3 of section 8 of Article I of the Constitution was provided in answer to the demand for "navigation laws," which are enactments concerning vessels. The power is given for specific purposes; this logically and legally precludes all other methods of ship protection. This grant of power, for specific uses, vital to national integrity, industrial development, commercial independence, and strength upon the seas constituted a trust in perpetuity, and Congress has no more authority to "suspend" or discontinue its exercise than to pass a bill making a foreign prince eligible to the Presidency or to change the number of United States Senators from two to ten for the populous States. It is not loyalty to the Constitution that has destroyed our foreign-trade marine, and without honoring its compact for life-sustaining regulations our last ship is bound to perish in the course of time.

Sir, notwithstanding the ease with which we may resume the effectual protection of our shipping trade, we have those among us who accept the foreign sentiment, that we should forbear to do so and bear our ills a little longer, or, at the most, adopt a "subsidy" plan, as done abroad. I submit Congress should consider the following points:

(1) Our shipbuilding industry being essential to the survival of a marine in the foreign trade, we must return to our former policy or relinquish the sea.

(2) The equities, if any there were, in the "reciprocity conventions" for unprotection, now extant, have long since been dissipated by changes in conditions and no longer exist; the duty of the Government is, therefore, to terminate them and to resume our liberty as to ship business.

(3) The Federal Government is under a compact, more sacred than any "treaty," with the States that gave up to it their right to protect their shipping, on condition that it should do it, and fail not, through trade regulations. Congress should perform its duty, or else release the States from their obligation to

cease laying discriminating tonnage duties. (See sec. 10 of Art. I.)

(4) The Constitution—just as binding now as ever it was—confers no power to raise and appropriate money to "aid" the carrying trade or any other business. No such power has ever been pointed out as belonging to the Government. Its existence is in the States severally. Nor is it probable that they would ever consent to such an amendment of the Constitution as would be necessary to the adoption of a "ship-subsidy" policy.

Mr. Chairman, it is a fact, and a most deplorable fact, and every man who has investigated the subject knows it, that we have less registered tonnage for ocean carrying trade to-day than we had one hundred years ago. In 1806 the United States, with a population of less than 7,000,000 inhabitants, owned more registered tonnage for ocean carrying trade than the United States in 1909, with a population of over 85,000,000. The American tonnage in 1806 was over 900,000, and it is now less than 800,000, and, what is worse still, it showed an actual decrease of more than 6,000 tons last year. In 1806 American ships, flying the American flag and manned by American sailors, carried over 90 per cent of our deep-sea trade and a great part of that of all the countries of Europe. To-day we carry very little of our own trade and practically none of other countries, notwithstanding the fact that we should be the foremost maritime power in the world. More than nine-tenths of our once great and powerful deep-sea fleet has vanished, and not one new keel for an ocean-going ship is being laid to-day on either our Atlantic or Pacific coast, while the vessels of foreign nations throng our ports and monopolize more than nine-tenths of all our import and export commerce.

In 1806 over 92 per cent of our export and import trade was carried in American bottoms; in 1906 less than 8 per cent of our imports and exports were carried in American ships. The United States pays to the owners of foreign deep-sea vessels for conveying our freight and passengers over $200,000,000 a year, and much of this vast sum of money goes to the owners of foreign steamers which are regularly enrolled on the merchant cruiser lists of European governments, manned by naval-reserve officers and sailors, and available for immediate service against us in case of war. The British Empire has 14,800,000 tons of merchant shipping; Germany has 4,960,000 tons; France, 1,680,000; Norway, 1,460,000; and Italy, 1,280,000. The larger part of all these great deep-sea fleets is engaged in the ocean carrying trade, but the Government of the United States, which produces and exports more merchandise than any other nation on earth, has a fleet registry of deep-sea commerce of less than 800,000 tons.

Mr. Chairman, I see my time is nearly consumed and I must conclude; and in doing so I want to say that my amendment is not a makeshift. It is not a temporary expedient. It is not new. It is the plan and the policy of the fathers of the Republic, and should never have been abandoned. It is a permanent remedy, and again adopted and upon the statute books it would continue in favor for years and years to come, until the American people possessed the greatest merchant marine in all the world; and I therefore say in conclusion that from a careful study of the whole subject-matter I sincerely believe that the adoption of this amendment, in my opinion, will speedily restore our ocean carrying trade, revive our shipbuilding industries, give employment in our shipyards to thousands and thousands of men in all parts of the country, bring about an era of prosperity such as we have never known before in our shipping trade and deep-sea commerce, place our flag on ships on every ocean and in every port, and make the American sailor what he was in the historic days of the Republic—the pride of the American people and the master of the seas.

The CHAIRMAN. The time of the gentleman from New York has expired, and the amendment is out of order under the rule heretofore adopted.

Mr. SULZER. Mr. Chairman, all I want to say is that it seems to me too bad I can not get a yea-and-nay vote on this proposition; but sooner or later public opinion will compel legislation along these lines to restore the merchant marine and revive our shipbuilding industries. I ask unanimous consent to print as part of my remarks an amendment, somewhat similar to the one now offered by me, presented in the Senate on June 20, 1894, by Senator FRYE, of Maine, to the Wilson tariff bill, and his remarks thereon; also, copy of bill I have had pending in Congress for years for a revival of our merchant marine.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the request is granted.

THE FRYE AMENDMENT AND THE DEBATE IN THE SENATE JUNE 20, 1894, FOLLOWS:

Mr. FRYE. I desire to offer amendments to sections 14, 15, and 16. As the amendments have but one purpose, I shall offer them as one amendment after the three sections have been read.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

"SEC. 14. That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

"SEC. 15. That no goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

"SEC 16. That the preceding section shall not apply to vessels or goods, wares or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States."

Mr. FRYE. Mr. President, I offer the amendments which I send to the desk as one amendment, because together they effect one purpose.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. It is proposed to amend section 14 by adding thereto the following:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next."

To amend section 15 by inserting after the word "treaty," in line 2, the words:

"Hereafter made and ratified."

To amend section 16 by adding thereto the words:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December, 1894."

Mr. FRYE. Mr. President, section 14 of the pending bill provides for a discriminating duty of 10 per cent on certain goods which are brought in in American bottoms. It has been a provision of the law for a great many years, but is to-day of no earthly account because we have given away every advantage we ought to derive from it by reciprocal legislation and by treaties. Undoubtedly, I suppose, the Secretary of the Treasury to-day would say that he did not know of an instance in the last five years when such provisions as those contained in this section 14 had been applicable, and there had been a discriminating duty allowed.

The pending amendments if agreed to will have this effect: To give notice to all the nations of the earth of a discriminating duty of 10 per cent in favor of all goods brought into the country in American vessels; and that notice will abrogate all treaties hitherto made which to-day stand in our way, and repeal all reciprocal legislation; and it is for the purpose of making another attempt to revive our marine on the ocean that I offer these amendments.

The fathers seemed to understand this question perfectly, and in the first tariff act ever passed in the United States, approved July 4, 1789, the following discriminating duties were imposed on teas per pound imported in American vessels:

Teas imported from China or India bore duties as follows: Bohea, 6 cents; Souchong, 10 cents; Hyson, 20 cents; other green teas, 12 cents.

Imported from Europe: Bohea, 8 cents; Souchong, 13 cents; Hyson, 26 cents; other green teas, 16 cents.

If the teas were imported in American bottoms, these duties were imposed, but if they were imported in foreign-owned and foreign-built ships, then the duties were doubled, Bohea tea being 15 cents, Souchong 22 cents, Hyson 45 cents, and other green teas 27 cents, practically doubling the duties on teas imported here in foreign bottoms. On all other goods imported from China or India in foreign ships there was a 12 per cent ad valorem duty.

The same law provided a discount of 10 per cent on all duties on other goods imported in vessels built and owned in the United States as described above.

Thus there was a discrimination of 50 per cent on all teas, and a discrimination of 10 per cent on all other goods brought into the United States in American bottoms.

But that did not quite satisfy the fathers. In the act of January 29, 1795, instead of making a discount of 10 per cent of the duties, they provided for an addition of 10 per cent to all duties on goods imported in foreign vessels, except in cases where such additional duty had been before laid.

Again, the act of March 27, 1804, imposing more specific duties on certain articles, provided for 14 per cent additional ad valorem upon importations of such articles in foreign vessels. The same act also provided that a duty of 50 cents per ton, to be denominated "light money," should be levied and collected "on all ships or vessels not of the United States, which, after the aforesaid 30th day of June next, may enter the ports of the United States."

By the act of July 20, 1789, the following duties or taxes were imposed on all vessels:

On vessels built in the United States and belonging to citizens thereof, or built abroad and owned by such citizens on May 29 of that year, 6 cents per ton.

On all vessels thereafter built in the United States belonging to foreigners, 30 cents per ton.

On all other vessels, 50 cents per ton.

United States vessels in the coasting trade to pay tonnage but once a year and foreign vessels employed in our coasting trade to pay 50 cents per ton at each entry; which was an enormous duty.

What was the trouble which made the fathers provide all these discriminating duties for American ships? It was that in 1789, when the first law was passed, we had but 124,000 tons of shipping engaged in the foreign carrying trade; we carried only 17 per cent of our imports and 30 per cent of our exports; and the wise men of that day determined that we should carry our own imports and our own exports in American-built vessels. So they passed that law. What was the effect? In 1795 we had 529,500 tons of these ships, and carried 92 per cent of our imports and 88 per cent of our exports. In 1800

we had 667,000 tons. We then carried 91 per cent of our imports and 87 per cent of our exports. In 1810 our tonnage had reached 1,000,000, and we were carrying of our imports 93 per cent and of our exports 90 per cent.

The wise men of that day had done well. They had transferred from Great Britain the carrying trade of the United States, which when they entered upon this crusade was 85 per cent, and given it to us; and we carried 93 per cent of our own, and it was done by these laws discriminating in favor of American vessels and against foreign vessels; it was done by men who believed that they ought to look out for their own household first, who loved their own country more than any other and dared legislate as this love prompted.

How much tonnage have we to-day in the foreign carrying trade? In 1810 we had 1,000,000 tons, and were carrying 93 per cent of our exports and imports. To-day we have 938,000 tons, about 100,000 tons less than we had in 1810; and to-day, instead of carrying 93 per cent, we are carrying but 12 per cent of our own exports and imports, and are paying Great Britain $175,000,000 every year to do our own carrying trade for us.

Mr. LODGE. If it would not interrupt the Senator, I should like to ask him, in that connection, if Great Britain has not pursued by indirection the same methods—that is, by the rates on insurance at Lloyds, and by premiums on iron steamships—of discriminating in favor of her own tonnage down to the present day?

Mr. FRYE. Mr. President, the most persistent, continued effort on the part of Great Britain to prevent our vessels getting any of the carrying trade has been pursued always from the very beginning down to now. The Lloyds will rate our vessels second rate when they ought to be rated even above a first-rate British ship to-day, and the Lloyds control the entire marine insurance of the world, at any rate so far as that of Great Britain and the United States are concerned. Their companies are controlling all the marine insurance in our country, and are discriminating against our vessels.

Mr. PERKINS. It has been also shown to-day in debate that England will not permit salt to be carried from England to the East Indies from her own provinces in any other vessels except those of English build and flying the English flag.

Mr. PEFFER. Will the Senator allow me a question?

Mr. FRYE. Certainly.

Mr. PEFFER. The Senator from Maine is unquestionably as well informed upon this subject as any Member of this body. I wish he would give the Senate the benefit of his views as to how the United States can recover the lost carrying trade. What ought we to do?

Mr. FRYE. Mr. President, I have just offered an amendment to the pending bill which will beyond any manner of question, if it be adopted and the bill become a law, restore the American merchant marine to the old position it occupied in 1810.

Mr. PEFFER. I am to blame doubtless for not having heard the amendment.

Mr. FRYE. It provides a discriminating duty.

Mr. PEFFER. To what effect?

Mr. FRYE. In favor of all goods imported into the United States in American bottoms.

Mr. PEFFER. Another question, because this is a very important matter, and I hope the Senator will pardon me. Does the Senator believe that that policy would be sufficient to overcome the fact that ships, ship tackle, and shipping outfits are all regarded as property taxable under state laws? Then, further, will it not be necessary in the end for the United States in some way to relieve the shipping trade of state taxation?

Mr. FRYE. Mr. President, under the Constitution the United States can not relieve ships from state taxation; but I am happy to inform the Senator from Kansas that many of the States do now relieve them from this burden. New York does.

Mr. PEFFER. Does Pennsylvania?

Mr. FRYE. I do not know about Pennsylvania, but New York, of course, is the great important owner of ships. I think Massachusetts relieves them from taxation.

Mr. PEFFER. Another point. If the Government of the United States were to relieve American shipmasters and American ships from all other burdens except those which are necessarily thrown upon them by the difference in rates of interest on money prevailing in England and the difference in the rates of wages prevailing between the English seamen and ours, would that be sufficient to overcome the difficulty, or if we were to make ships and give them as a gift to American seamen and let them run them on the seas free of duty, free of all charges, either from the State or National Government, is there not enough of difference in the rate of interest of money in Great Britain and the United States and in wages of labor to run the American ships ashore and out of business?

Mr. FRYE. Mr. President, the Senator has opened up a pretty wide subject. The rate of interest is a small matter, and would not make any great difference. The difference in wages in the running of British and American ships is very important, I admit, and also the cost of living on board a British ship as compared with that on an American ship favors greatly Great Britain, and so of all foreign nations. But the most serious thing we have to contend with is that our ships on almost every line of the carrying trade are compelled to compete with foreign ships which are subsidized by Great Britain, Germany, France, Spain, and Italy. The result is that where it costs us to-day $7 or $8 a ton to carry goods, it does not cost them over $5. They have that advantage of us, and we have no advantages to offset. We are competing openly with them, left absolutely alone and unprotected and unencouraged.

The provisision which I offer is one of immense protection. I have no doubt it would revive our carrying trade upon the ocean. For twenty years I have been—

Mr. LINDSAY. I ask the Senator, with his permission, when these preferential laws in favor of American ships were repealed?

Mr. FRYE. We made treaties with Great Britain and with Sweden in 1815. We passed acts of Congress in 1817—in 1828, accepted by Great Britain in 1849—providing for reciprocity, by which all protection to our ships in the foreign trade was gradually removed and the right to again encourage by discriminating duties and tonnage taxes surrendered.

Mr. LINDSAY. I will ask the Senator, with his permission, another question, and that is, if the American shipowners did not maintain the supremacy of the American trade until about 1860?

Mr. FRYE. Just so long as the trade was carried on in wooden ships the United States could and did hold its own with the world, and that was the reason our wise fathers thought that in 1815, 1828, and 1828 they could give those privileges away, that we could compete with Great Britain even; and build ships for her. We were all right, we thought, just as Great Britain thought when she adopted free trade. She believed that she was in condition to stand it, and whether other nations could or not she did not care.

For twenty years I have been trying to restore this American shipping interest to the place to which it is entitled. We have here as powerful a Nation as there is in the world, as rich a Nation, and more seaboard than any other. We have as good sailors and shipbuilders and as energetic men as can be found anywhere. There is no earthly reason why our flag should not be seen in every port in the wide world, as it was fifty or sixty years ago.

I am not going into the question as to what has caused our decay, because that would necessitate a speech of two hours in length, and I do not propose to delay this bill by anything of the kind. I simply wish to get a vote on this proposition to discriminate—as section 14 recognizes the principle—against all nations in favor of American ships, and give them notice a year in advance that we intend to do so, and thus restore ourselves to our former condition.

I was remarking, when the Senator from Kentucky interrupted me, that for twenty years I have been making this fight. That we have gained immensely in that time there is no doubt, in some respects. We have relieved our ships from an enormous number of burdens, amounting to millions of dollars every year. We never have been able to go the one step further and do what other nations do, put them on an equality by subsidies or by bounties. The Democratic party in committed against bounties and subsidies, but by no vote anywhere committed against a discriminating duty. There is no Democratic vote in the whole history of the country where the party is committed against such a duty. Here is section 14, which provides for a discriminating duty, which has had the vote of every Senator on this floor.

Mr. President, I believe and have always believed that the true method of revival is through discriminating duties, that the fathers were right; but I have always been restrained by these treaties. Many of our treaties have done us immense harm. The Nicaragua Canal would have been to-day built if it had not been for the Clayton-Bulwer treaty, and if that spook had not been shaken in our faces here in the Senate; and the American merchant marine would have been where England's is to-day if it had not been for the treaties we have made with those countries and our accepted reciprocal legislation. A treaty is no more sacred than a law, and I am in favor of one more trial and of the Democratic party voting for discriminating duties, they having entered upon the race this very day in section 14, which they knew meant practically nothing.

Mr. CAFFERY. I should like to ask the Senator from Maine a question. I understood him to say that down to 1860 the United States maintained her supremacy in the carrying trade because she had good ships, and because she could build those ships cheaper than England built theirs. If the conditions were changed, and if the United States could build ships as cheap if not cheaper than the English, could she not regain by that the supremacy of the seas?

Mr. FRYE. No; she could not. I did not mean to say that we retained supremacy down to 1860. We did not. I did not notice the question which the Senator asked me. We maintained our supremacy for a good many years, but not down to 1860. We began to lose very largely our carrying trade along in 1856, 1857, and 1858, and during those years lost more than at any other time except during the war.

Of course we lost more then, for reasons any Senator can comprehend. During the war we could do nothing for our marine, and after the war for six or seven years we were powerless, because our currency was so disturbed, Great Britain had commenced building the iron steamships and had invented the triple and compound engines, and all that sort of thing, and away she went out of our sight. We let her stay there. We never have in earnest tried to catch her from that day to this.

Mr. STEWART. Before 1860, by subsidizing her mail ships on the ocean, England drove the American lines off.

Mr. FRYE. Oh, yes; her whole history has been one of subsidy.

Mr. BLACKBURN. Will the Senator from Maine allow me to ask him a question?

Mr. FRYE. With pleasure.

Mr. BLACKBURN. Did I understand the Senator from Maine to say a moment ago that we lost more heavily in foreign commerce during the four years of war than ever before?

Mr. FRYE. In our carrying trade.

Mr. BLACKBURN. Does the Senator mean to exclude or include the coastwise trade?

Mr. FRYE. Exclude it.

Mr. BLACKBURN. I should like to have the figures in support of that statement. Whilst it is true that the foreign carrying trade of this country was not increased from 1861 to 1865, it is equally true that it was substantially as heavy in tonnage in 1865 as it was in 1861. It did not shrink; it simply failed to increase.

Mr. FRYE. The Senator from Kentucky, I think, does not know quite so much about this as I do. Pardon the immodesty of the remark.

Mr. BLACKBURN. I am used to that from the Senator from Maine.

Mr. FRYE. We had tonnage, but where was it? It was tied up at the wharves, because British cruisers were crossing the ocean and capturing it wherever they could lay hands on it, and we did not dare go to sea. Our ships were tonnage, but they were not carrying freight. If the Senator from Kentucky will look at the reports, he will find that we lost in the four years of war 38 per cent of the carrying trade, and we lost before the war, in from 1856 to 1860, inclusive, about 15 per cent of the carrying trade. We have been losing from that time down to last year, and last year it improved just a trifle. But the tonnage does not tell the story, as the Senator will see. We were afraid of you. We feared you would capture our ships.

Mr. BLACKBURN. There was no occasion for that.

Mr. FRYE. We were afraid you would take our men, force them into your army, and make them fight us; and so we stayed at home, at our wharves.

Mr. SQUIRE. I should to ask the Senator from Maine a question before he yields the floor. Is it not true that one of the reasons for the failure to develop the American shipping is owing to the fact that the American people have been engaged in expending their energy and money in the great internal development of the country of the United States, by its immense railway systems? I desire to ask the Senator from Maine whether that is not a great reason for the failure to undertake exploiting the business of carrying the commerce of the world outside of the United States? Has not the enlarging of our railroad systems and methods of transportation in the United States, and the development of our far Western region been such as to occupy the capital and the energy of the people of the United States? But now, that having been done to the extent it has gone on, we are better

prepared than we have been before to undertake the business of carrying foreign commerce.

Mr. FRYE. The Senator from Washington is unquestionably right. The Senate will pardon me for not undertaking to go into these questions. I did not propose to make an argument or give a history of our decline in shipping. As the Senator understands, we are very limited in time. At some other time or on some other occasion I shall be very happy to discuss the question and go into it thoroughly. It is impossible to do it now. But the principal reason why we can not compete is that wages of foreign nations are lower than ours and that under the American flag an Italian or any other foreign sailor demands American wages. Another reason is that our sailors live 40 per cent better on board ship than any sailors on the face of the earth. Another reason is that every maritime nation on earth pays bounties or subsidies to its ships and ours pays none. We have allowed this to be done year after year without undertaking to save our own vessels except to a very limited degree two years ago in establishing a postal service.

Mr. HIGGINS. Mr. President, my extreme anxiety that the amendment of the Senator from Maine [Mr. FRYE] shall be adopted leads me to say a few words. I hope that the amendment will be considered by our friends on the other side of the Chamber as a matter apart from the general policy of the bill. I wish to call the attention of the members of the Finance Committee who sit on the other side and the Senators generally to a matter that was a great surprise to me, that the discriminating duty provided in sections 14 and 15 of the bill is no novelty. I was surprised to know that there was such a provision in the bill. But it is time honored. It has come down in our tariff statutes as an inheritance from the founders of the Government.

I presume it is the very language in which such a discriminating duty was put in the first statute of this country, and which contributed so much to the building up of our merchant marine. The language of section 14, in the first four lines, is as follows:

"That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States."

The remaining provisions of the section only supplement what is said there. It was under such a provision that our merchant marine was built up to its great extent before 1856 and 1857 and the disasters of the war. Great Britain finally accepted in 1849 the legislative offer which we had made them of a treaty to abandon those discriminating duties after they had in 1846 repealed the corn laws and gone to the principle of free trade. Then for the first time she abandoned her policy of holding for herself the trade of her own colonies, and also of maintaining discriminating duties in favor of her own ships. If she had done as we did, stopped there, the conditions in that respect between the two nations would have been equal, but when she and the United States together at the same time by treaty took off the discriminating duty against the ships of the other country, respectively, Great Britain, if she did not then begin, at least kept up and maintained, and has maintained from that time to this her system of bounties. We have not done so. We have therefore been playing against loaded dice.

We on this side thoroughly understand that the Democratic party is committed in its policy against the principle of bounties, and that a vote in favor of such a policy could not be had.

My object in saying anything at all is to ask our friends on the other side of the Chamber whether they can not restore to the sections, 14 and 15, their original broad character and application by adopting the amendment of the Senator from Maine authorizing the Executive to terminate these treaties by notice, and thereby vivify these sections and restore these great means of support to our marine in the future.

If that is done, I think we will have taken by far the longest step toward the restoration of the American merchant marine. It can not be restored simply by the ability to build ships cheaper. That alone will not do it. It will scarcely contribute toward doing it. Neither can we hope to equalize the conditions between the merchant ships of the two countries by any expectation that the American sailor will accept as low wages and as poor living as the foreign sailor. As I have already said, we can not hope for a bounty to meet the subsidies of foreign nations; but here is this good old American remedy against which the Democratic party is not committed, and by which they can give a great boon to the people of the United States, in all parts and in all sections, and to our whole country.

Mr. HAWLEY. Mr. President, I wish to touch upon a single feature of this case, and to call attention to a single consideration. I hear an implied reproach to this country is that it has not its proper numerical proportion of shipping. I am not troubled about it at all. The American Nation has used its capital and put forth its power where it could be done to the very best advantage.

The Senator from Washington [Mr. Squire] has referred to this. We are not upon the ocean in our numerical proportion, because in that we are following the free-trade doctrine—that is to say, we take where we can get a thing cheapest. The carrying can be done cheaper by Norwegians and Italians and other seamen, at a third of what Americans will work for, and the men who build those foreign ships are working for about one-half or two-thirds what the American shipbuilders will work for. So the ships are cheaper, the wages are cheaper, the food and clothing given sailors are cheaper, the officers are paid figures which make you ashamed when you ask them on shipboard what they get.

What have we done? Where are we using our power and our money in that general field of commerce? We have about 171,000 miles of railway. By Poore's Manual they are worth $11,000,000,000. The figures are beyond the capacity of the human intellect to properly grasp and appreciate. Say that our railways carry freight at twice the speed of a mercantile marine; I am told by Mulhall in his Dictionary of Statistics, by which I have just refreshed my memory, that British merchant steamships cost from £16 to £24 per ton. We will average it at $100 a ton. The ten thousand million dollars, then, divided by $100, gives us the money equivalent of 100,000,000 tons of shipping. Great Britain has 7,000,000 tons of shipping. Converting our railroads into shipping, we have fifteen times as much as the mercantile marine of Great Britain.

Mr. SQUIRE. In tonnage?

Mr. HAWLEY. In tonnage. Our railways represent in tonnage fifteen times as much and freight trains run twice as fast as the average merchant ships sail. Our railways represent practically thirty times the mercantile tonnage of Great Britain upon the seas. That is the reason we are not upon the seas with our ships; we are doing better. While we are worrying ourselves over the statistics of international commerce, much exploited and vastly magnified in importance, we are adding fifteen or eighteen millions of inhabitants to our population in this decade, and adding within ten years past from three to ten thousand miles of railway to our splendid system.

The United States is not fooling away its time in this country, sir. We are far and away the most powerful and magnificent Nation.

Mr. SQUIRE. If the Senator from Connecticut will allow me, I will ask him whether he does not think it is about time now for us to commence to agitate the question of going into foreign commerce?

Mr. HAWLEY. I should be very glad if we had more shipping; but you can not force the American when he is making 6 per cent in one pursuit to change to another and be satisfied with 3 per cent. Our time will come, probably, to take our share of international carrying. We could have a great deal more of it now if we followed the course of other nations, notably free-trade Great Britain, and protected our shipping by bounties and otherwise. Great Britain, as I have said many times, is the most violently protective country in the world when you come to properly understand her policy. In the matter of salt, I gave an example of it in previous remarks.

Mr. LODGE. Mr. President, there always seems to be in the popular conception of this subject great confusion between the shipbuilder and the shipowner. We hear it constantly said upon the stump that we have been giving protection to our shipping for all these years and yet see the manner in which it has declined. The remedy proposed on the other side, by the free trader, is to give us free ships, to allow us to buy ships wherever we choose.

Now, the shipbuilder is one person, the shipowner is another. We have always given protection to our shipbuilders. From that follows no protection to the shipowner, and we have given no protection to the shipowner. If you were to have free ships to-morrow it would not affect the shipowner particularly, because he would still have to compete with the high protection which is given by all other countries, and particularly by England, to the shipowners of their countries. When England entered upon her policy of free ships, which was a crude and merely nominal move, most of our tonnage was in wood, and the result of her free-ship policy at that time was to transfer very largely the building of ships to this country. I think that act was passed about 1849, and by 1852 60 per cent of the new English wooden tonnage was built in this country.

The question that is involved here is a wholly different one. It has nothing to do with shipbuilding or with free ships. It is a question whether we shall give to our shipowners the same advantages that all other countries give to theirs. We do protect them in the coastwise trade, and that trade is enormous. But aside from that we give our shipowners absolutely no protection, neither subsidy, discriminating duties, nor discriminating rates of insurance as Lloyds does, nor premiums on iron ships. We give them nothing. With the higher wages which they are obliged to pay to their seamen, they are simply driven from the sea. Here in the bill is a clause giving distinctly discriminating duties in favor of the American ship and the American shipowner.

Every man in the Senate will vote for that clause, and yet I suppose the Democratic party will decline to vote for the amendment of the Senator from Maine which alone can make that clause efficient or effective in any way. In other words, all of us, Democrats and Republicans, recognize the traditional principle of the country in that clause, and we do not allow ourselves to make it effective. The question of free ship or protected shipbuilding is one thing; the question of protecting shipowning is another. This involves the question whether we shall encourage our merchant marine as it has been the traditional policy of the country always to do.

The Senator from Maine [Mr. FRYE] pointed out how we began it in the beginning of our Government, and how the tonnage rose under it. After the war of 1812, which, of course, had the effect of breaking up our merchant marine very largely and breaking up our carrying trade, we returned to our old discriminating policy, and our proportion of the carrying trade rose by leaps and bounds again, just as it did after the Revolution. We had given it away by these treaties, and other countries, while they had given us the same thing by the treaties, had been very careful to provide similar discriminations for their own merchant marine by subsidies, by bounties, or by discriminations at Lloyds, which have already been pointed out by the Senator from Maine.

Mr. President, it seems to me that when all of us are prepared to vote for the principle, we ought also to be prepared to vote for the amendment which shall make the principle effective.

Mr. STEWART. Mr. President, I like the principle of this amendment. I believe there is no party committed against it. A similar proposition, precisely the same in effect, will be found in the acts of the First Congress of the United States. It worked well then, but we gave it away by treaties. These treaties have been substantially violated. We are under no obligation in consequence of those treaties, because all of the important nations which entered into them have subsidized their carrying trade, which is a violation of the principle, and we ought to take some notice of it at least.

I think the granting of a subsidy by foreign countries to their carrying trade is a violation of the treaties which were made to abrogate this differential duty, because it is the same in principle. They having taken another mode of reaching the same result, I think it is the duty of the United States to return to the original proposition. At all events, it ought to apply it at once, without regard to notice, to those nations which have subsidized their carrying trade and subsidized their shipping, because they have violated the treaty. It is another way of getting at it.

The carrying trade is a very important matter. It is very important to the country now. It amounts to about $200,000,000 a year, I suppose. I do not know the exact amount. We are paying now in this country a very large amount for carrying on our foreign commerce. If we are opposed to the principle of subsidies, it seems to me that we ought to return to the principle established in the First Congress of the United States, which worked well, and which we have given away by treaties of which foreign countries have taken advantage by subsidizing their lines. Our passenger ships running across the ocean a half century ago were driven off the line by British subsidies. The British have obtained and maintained control of the carrying trade, which is exceedingly important. Two hundred million dollars a year is a great drain on our people, and if it can be recovered by legitimate legislation I think it ought to be done.

No one will pretend that the fathers of the Constitution, many of whom were in the First Congress, would violate the spirit of that instrument. I think to return to the teachings of the fathers is a very good thing in many cases. I think the departure from the principles which they laid down in the beginning in the legislation they started has produced most of the calamities from which we are now suffering in many respects. If the Senator from Maine will modify his amendment so that it shall apply to all countries subsidizing the vessels con-

ducting their carrying trade it might go into effect at once. It is not in bad faith. It is bad faith in them, however, after we made treaties with them giving up the differential duty, to adopt another mode of obtaining an undue advantage. I hope the amendment will be adopted, but if it is not adopted as it is, I hope the Senator from Maine will modify it so that it shall apply to those countries which subsidize their carrying trade.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE].

Mr. CULLOM. I should be very glad to have the amendment stated again.

The PRESIDING OFFICER. The amendment will be again stated at the request of the Senator from Illinois.

The SECRETARY. At the end of section 14 add the following:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next."

In section 15, line 2, after the word "treaty," insert:

"Hereafter made and ratified."

At the end of section 16 add:

"Until after January 1, 1896; and notice of this provision shall be given all nations before the 31st day of December, 1894."

Mr. SHERMAN. I should like to have the sections read as they will read if amended.

Mr. FRYE. I will state to the Senator from Ohio that the amendment simply has one effect, and nothing more. It provides that the discriminating duty provided for in section 14 shall extend to all goods imported in foreign vessels, one year's notice being given for the purpose of terminating existing treaties in that regard. That is all there is to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE]. [Putting the question.] The noes appear to have it. The noes have it, and the amendment is not agreed to.

Mr. FRYE. I ask for the yeas and nays. I wish to say to the Senator from Ohio that there are very few treaties, indeed, to be affected; that the operation of treaties has been yielded by legislation. We enacted certain legislation which should become law when certain other nations accepted it. Great Britain accepted the final legislation in 1849, and the amendment provides a discriminating duty where no legislation or treaty prevents it.

The Senator from Ohio will not find many treaties to be affected. Then, I think it only gives notice for repealing this particular clause. After the vote has been taken, if the amendment is not adopted, and I suppose it will not be, I shall have the amendment go before the Committee on Foreign Relations.

The PRESIDING OFFICER. The Senator from Maine [Mr. FRYE] demands the yeas and nays on the amendment.

Mr. FRYE. I withdraw the request for the yeas and nays.

The PRESIDING OFFICER. The demand is withdrawn. The amendment has already been declared not adopted.

MR. SULZER'S BILL TO PROMOTE THE AMERICAN MERCHANT MARINE.

A bill to regulate commerce with foreign nations, so as to equalize the footing of American vessels with foreign, to make preference for the use of American ships in our own trade, to extend the postal service by American steamships, and to promote the commercial independence of the United States.

Be it enacted, etc., That the law relating to vessels, to the duties laid upon tonnage, and to the ocean mail service in force when this act shall be approved, be, and the same is hereby, supplemented and amended as follows:

PART 1.—TONNAGE DUTIES.

SECTION 1. That all vessels not of the United States arriving at any port under the jurisdiction of the United States, after this act shall take effect, shall be liable for, and shall pay, additional, or extra tonnage duties, except as provided in section 2, for the purpose of equalizing the footing of American ships with those of other countries, whose vessels, as a rule, cost much less to build and especially to navigate, that there may be fair and equitable commerce with all countries, proper competition between our own vessels and those of the nations with whom we trade, and a chance for the survival of the marine of the United States.

DIRECT TRADE.

SEC. 2. That no vessel coming direct from her own country, its colony or possession, not stopping at a port of another country, laden with the productions of its own country, or with passengers, in excess of one-third of her burden or capacity for freight or for passengers, to be landed in the United States, shall be charged with additional or extra tonnage duty, except in cases where the country to which she belongs and whence she sailed direct, charges additional or extra tonnage duty, or an equivalent thereof, to vessels of the United States; and in such cases, if any there be, the extra duty of the vessel's country so chargeable shall be added to the extra duty of the United States under this act, and the sum so found shall be the full charge per ton for additional or extra duty to be collected; but if the country to which the vessel belongs, so laden and coming, shall hold out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then, and in that case, three-fourths of the amount of the gratuity payable as aforesaid, shall be charged and collected as countervailing duty in addition to the regular and the extra duty otherwise chargeable and to be collected: *Provided, however*, That a steamer under postal contract, carrying the mails regularly, shall pay no extra tonnage taxes, unless her country charges such taxes to the mail steamers of the United States, or unless she comes indirect, or unless there be no mail steamers of the United States running to such country, in which cases an equivalent of such duty shall be charged up and collected from her, as additional or countervailing duty.

Clause 1. Every vessel not of the United States that shall arrive direct from her own country, its colony or possession, in ballast, or with merchandise produced there, or with passengers, in a less proportion than one-third of her burden or capacity for freight or passengers, as aforesaid, shall pay a duty on the gross admeasurement, in addition to the regular duty imposed by law, as follows: On all vessels not exceeding 4,000 tons, 25 cents per ton; on all vessels between the sizes of 4,000 and 8,000 tons, 50 cents per ton; on all vessels between the sizes of 8,000 and 12,000 tons, 75 cents per ton; on all vessels between the sizes of 12,000 and 16,000 tons, $1 per ton; on all vessels between 16,000 and 20,000 tons, $1.25 cents per ton; on all vessels exceeding the size of 20,000 tons, $1.50 per ton.

Clause 2. But if a vessel not of the United States shall arrive direct from her own country, its colony or possession, in ballast, or with merchandise of its production, or with passengers, in a less proportion than one-third of her burden or capacity for freight or passengers, as aforesaid, and the country of said vessel holds out to its shipowners by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then in addition to the regular and the additional duties found as provided in clause 1, there shall be added a countervailing duty, which shall amount to one-half the additional duty provided in clause 1.

Clause 3. Surveyors of tonnage shall ascertain and certify to the collector the proportion of carrying ability or capacity occupied by passengers, by freight, and by ballast of any kind, respectively, and no vessel so laden and coming shall be discharged of cargo, except upon acceptance of the report of the surveyor by the master or agent of the vessel.

Clause 4. Every vessel coming from her own country, but bringing cargo the whole or a portion of which has been produced in another or foreign country, shall be considered as engaged in direct trade, unless nine-tenths of her cargo, in weight or value, shall be of home production, and she shall be liable to payment of duties under the provisions of section 3, according to size by tonnage admeasurement.

INDIRECT TRADE.

SEC. 3. That a discriminating tonnage duty, based upon the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States that shall arrive with merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions where the said cargo, in whole or in part, was laden, but to which country, colony, or possession said vessel or vessels do not belong, as follows:

Clause 1. On all vessels exceeding 4,000 tons, the additional duty shall be $1.25 per ton until the 1st day of January, 1910, after which date it shall be $1.50 per ton until the 1st day of January, 1912, after which date it shall be $1.75 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be $1.50 per ton until the 1st day of January, 1910, after which date it shall be $1.75 per ton until the 1st day of January, 1912, after which date it shall be $2 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be $1.75 until the 1st day of January, 1910, after which date it shall be $2 per ton until the 1st day of January, 1912, after which date it shall be $2.50 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be $2.25 per ton until the 1st day of January, 1910, after which it shall be $2.75 per ton until the 1st day of January, 1912, after which date it shall $3.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be $3.50 per ton until the 1st day of January, 1910, after which date it shall be $4 per ton until the 1st day of January, 1912, after which date it shall be $5 per ton. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 4. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessel or vessels do not belong, as follows:

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be 75 cents per ton until the 1st day of January, 1910, after which date it shall be $1 per ton until the 1st day of January, 1912, after which date it shall be $1.25 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be $1 per ton until the 1st day of January, 1910, after which date it shall be $1.25 per ton until the 1st day of January, 1912, after which date it shall be $1.50 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be $1.25 per ton until the 1st day of January, 1910, after which date it shall be $1.50 per ton until the 1st day of January, 1912, after which date it shall be $1.75 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be $1.50 per ton until the 1st day of January, 1910, after which date it shall be $1.75 per ton until the 1st day of January, 1912, after which date it shall be $2 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be $2.50 per ton until the 1st day of January, 1910, after which date it shall be $3 per ton until the 1st day of January, 1912, after which date it shall be $4 per ton. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 5. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States, but of a country that holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States, from countries, colonies, or possessions to which said vessel or vessels do not belong, as follows: *Provided, however*, That in no case shall the additional duty amount to less than the bounty, subsidy, or subvention actually payable by the government of the country to which the vessel belongs.

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be $1 per ton until the 1st day of January, 1910, after which date it shall be $1.25 per ton until the 1st day of January, 1912, after which date it shall be $1.50 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be $1.25 per ton until the 1st day of January, 1910, after which date it shall be $1.50 per ton until the 1st day of January, 1912, after which date it shall be $1.75 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be $1.50 per ton until the 1st day of January, 1910, after which date it shall be $1.75 per ton until the 1st day of January, 1912, after which date it shall be $2 per ton.

Clause. 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be $1.75 per ton until the 1st day of January, 1910, after which date it shall be $2 per ton until the 1st day of January, 1912, after which date it shall be $2.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be $2.75 per ton until the 1st day of January, 1910,

after which date it shall be $3.50 per ton until the 1st day of January, 1912, after which date it shall be $3 per ton. Any vessel violating this section, or refusing to pay duties under its provisions as aforesaid, shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 6. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel not of the United States that shall arrive from a country to which it does not belong, whether with or without cargo, passengers, or mails, but under engagement to load cargo, passengers, or mails for another country than its own, or that shall effect such engagement after arrival at a time and while there shall be one or more vessels of American registry in port listed at the custom-house as ready and offering to engage for the same or a similar voyage, as follows:

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be $2 per ton until the 1st day of January, 1910, after which date it shall be $2.25 per ton until the 1st day of January, 1912, after which date it shall be $2.50 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be $2.75 per ton until the 1st day of January, 1910, after which date it shall be $3 per ton until the 1st day of January, 1912, after which date it shall be $3.25 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be $3 per ton until the 1st day of January, 1910, after which date it shall be $3.50 per ton until the 1st day of January, 1912, after which date it shall be $4 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be $3.25 per ton until the 1st day of January, 1910, after which date it shall be $3.75 per ton until the 1st day of January, 1912, after which date it shall be $4.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be $3.50 per ton until the 1st day of January, 1910, after which date it shall be $4 per ton until the 1st day of January, 1912, after which date it shall be $5 per ton.

Clause 6. But if, in addition to coming as aforesaid, under engagement or making it after arrival, as above, a foreign vessel shall have held out to her by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then, and in such case, a duty of 25 per cent over and above the rate per ton stated in clauses 1, 2, 3, 4, and 5 of this section shall be levied and collected: *Provided, however,* That if there be no vessels of American register listed at the custom-house at the time of arrival, or of engagement afterwards, as ready and willing to engage for the same or a similar voyage, then tonnage duty shall be payable under section 2, or 3, or 4, according to the circumstances described therein. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 7. That all vessels not of the United States, running under bounty, subsidy, or subvention of some sort, arriving at the Gulf ports of the United States from the Atlantic ports, or vice versa; or arriving at the Pacific ports of the United States from the Atlantic or Gulf ports, or vice versa; or arriving at any port of the insular possessions of the United States, or vice versa, in ballast and without freight or passengers, seeking cargo, shall pay additional tonnage duties for the privilege thus enjoyed, as follows: On arrival from Atlantic to Gulf ports, or vice versa, 30 cents per ton; on arrival from Atlantic or Gulf ports to Pacific ports, or vice versa, $1 per ton; on arrival from any port of the mainland to any port of the insular possessions of the United States, or vice versa, $2 per ton, gross measurement in all cases. No vessel, not of the United States, shall discharge or take in cargo or passengers without a permit from the collector in each and every case. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted or allowed by the collector to load cargo or passengers in a port of the United States.

SEC. 8. That a duty of 50 cents per ton on the gross admeasurement, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel that shall enter a port of the United States from a port of her own country, either with or without cargo, passengers, or mails, if she has not come direct, but has called or stopped on the way at a port of a country not her own and there, either in or off the port, has received merchandise, passengers, or mails, and the same shall be landed in the United States, unless said vessel has been built in the United States, or is owned by citizens of the United States, to the extent of 40 per cent, to be proved to the satisfaction of the collector and the district attorney of any United States court.

SEC. 9. That a tonnage duty, to be termed light tax, of 3 cents per ton on the gross admeasurement of every merchant vessel, not of the United States, that shall enter a port of the United States, shall be levied and collected, in addition to duties required by preceding sections, before clearance for sea, except in case such vessel shall clear in ballast, or may have made port in distress, or was built in the United States.

SEC. 10. That a tonnage duty, to be termed race tax, of 14 cents per ton on the gross admeasurement of every merchant vessel not of the United States, that shall enter a port of the United States and therein discharge merchandise, passengers, or mails, shall be levied and collected, in addition to the duties required by preceding sections, if such vessel, belonging to a country of Europe or America, shall be manned to an extent exceeding 10 per cent of the crew by persons belonging to any African or Asiatic country, or if said persons of the crew belong to a different race of men from the owners of such vessel.

SEC. 11. That the regular tonnage tax referred to in preceding sections shall be paid by all vessels in the foreign trade, whether American or foreign, and be hereafter collected on each and every entry at the custom-house and computed on the gross admeasurement. The present rates shall be increased from 6 cents to 10 cents per ton, and from 3 cents to 5 cents per ton, respectively. American steamers carrying mails shall pay tonnage tax but once a year.

PART 2.—EXPORT PREMIUMS.

SEC. 12. That all collections of tonnage duties and charges of every sort against vessels of every kind, whether regular, or additional, or countervailing duties, light, race, and immigrant tax, entrance and clearance fees, and penalties provided by this and former acts to be levied, collected, and paid at the custom-houses, and all fines, penalties, and forfeitures paid into the courts from violations of the navigation laws of the United States, or act included, shall, after the passage of this act, be set apart in the Treasury as a special fund from which to pay, first, for the support of marine hospitals for seamen sailing in vessels of the United States; and, second, for the payment of premiums to exporters of merchandise for giving preference in the employment of vessels to those of the United States not in fact owned by themselves. No part of this fund shall be covered into the General Treasury, but the unpaid portion of it shall be carried over from year to year.

SEC. 13. That on and after fifteen months from the passage of this act there shall be paid, out of the special fund in the Treasury provided for by section 12 of this act, to the bona fide owners and exporters of merchandise the growth, production, or manufacture of the United States, to foreign countries not adjoining the United States, in vessels of the United States registered pursuant to law and not owned in fact by themselves, as follows: A premium of one-fourth of 1 per cent on the cash valuation of each shipment direct to a port not less than 65 miles from the tidal or national boundary of the mainland of the United States; and a premium of one-half of 1 per cent on the cash valuation of each shipment direct to a port not less than 400 miles from the port of departure in the United States; and a premium of three-fourths of 1 per cent on the cash valuation of each shipment direct to a port not less than 1,000 miles from the port of departure in the United States; and a premium of 1 per cent on the cash valuation of each shipment direct to a port not less than 2,000 miles from the port of departure in the United States; and a premium of 1¼ per cent on the cash valuation of each shipment direct to a port not less than 3,000 miles from the port of departure in the United States; and a premium of 1½ per cent on the cash valuation of each shipment direct to a port not less than 4,000 miles from the port of departure in the United States; and a premium of 1¾ per cent on the cash valuation of each shipment direct to a port not less than 5,000 miles from the port of departure in the United States; and a premium of 2 per cent on the cash valuation of each shipment direct to a port not less than 6,000 miles and upward from the port of departure in the United States. These premiums to an exporter shall be payable to his order upon report of the clearance of the vessel, with a statement of the collector of the port fixing the value of the shipment, which must be sworn to by an appraiser for the United States, within ten days, according to such regulations as the Secretary of the Treasury shall prescribe, distances between ports to be determined by the Hydrographic Office of the Navy Department and stated in sea miles.

PART 3.—MAIL CARRIAGE.

SEC. 14. That the postal act approved March 3, 1891, be, and it is hereby, amended to provide and to read as follows:

Clause 1. That the Postmaster-General shall as often as once in each year advertise for informal proposals for the carriage of mails by sea in American vessels between such ports of our own and other countries as to exporters may seem advantageous. The advertisements shall be inserted four times weekly in a paper printed in Boston, New York, Philadelphia, Baltimore, New Orleans, Galveston, Norfolk, Charleston, Savannah, Mobile, San Francisco, Portland, and Seattle, describing the service as that of mail and naval vessels adapted to promote the postal, commercial, and naval interests of the United States and to subserve those of their owners as well. Proposers will state the size and speed of vessels, number of trips yearly, remuneration required, time when service could be begun, and such other particulars as may seem useful for the Government to consider.

Clause 2. That within one month after receipt of informal proposals, the Secretary of the Navy and the Postmaster-General shall together consider their contents, the wants of the navy and the needs of the postal service, and fix upon a schedule of requirements that will satisfy both interests. The Secretary of the Navy will control the plans for the vessels, and the Postmaster-General will decide the postal programme, and the two together shall advertise formally to let contracts for the running of the vessels required. Such advertisements shall be inserted in the same papers that called for informal proposals four times weekly, describing the route, the character of the vessels, the size and speed, the number of trips yearly, the times of sailing, and the time when the service shall begin. These requirements shall not be such that bidders can not be found. The Navy Department shall pay the cost of formal advertising. The letting of such contracts shall be the same as prescribed by law for the letting of inland mail contracts, so far as shall be applicable to vessels. Every contract must have the approval of the President, and none shall exceed the limit of thirty years; but the President may require improved service every ten years.

Clause 3. That the vessels employed under any contract made under this act shall constitute a line which shall have a sailing day or days, at most, as often as three times a week, but no line shall monopolize the carriage of mails to any foreign port.

Clause 4. That the owners of lines contracting for mail carriage may be persons or corporations, but if the latter, the contract must be with the individuals of the board of directors, who must be citizens of the United States and at all times prepared to swear that not more than 40 per cent of the capital stock of the corporation is held by aliens, and that a citizen manages the line, under penalty of forfeiture of the contract, which, in such case, the President of the United States is hereby authorized to declare. No line shall combine or consolidate with another, under the same penalty.

Clause 5. That the vessels employed under this act shall be commanded by citizens, and at least two officers and two engineers of each vessel shall also be citizens of the United States, and on each departure a portion of the crew, inclusive of firemen, shall owe allegiance to the United States, to wit: During the first year, one-eighth thereof; during the next two years, one-fifth; during the fourth and fifth years, one-fourth; during the sixth and seventh, three-tenths; during the remainder of contract time, one-third thereof. But no mail carrier shall be delayed in sailing to obtain a crew in above proportion until ten years after the passage of this act. It may be stipulated that mails may be brought from abroad, the foreign country paying for the service; also that passengers and baggage and freight may be carried both ways. After July 1, 1912, the mails shall be sent foreign by vessels of the United States and no others, without express consent of Congress; and in cases of need, when private enterprise fails to undertake or carry on the mail service at reasonable or lawful rates of remuneration, the Secretary of the Navy shall have authority, and it shall be his duty, to furnish suitable vessels of the navy in which to send mails foreign or bring them home, until the further order of Congress.

Clause 6. That all vessels in the postal service and hereafter built for it shall be prepared to receive arms for immediate use as cruisers, scouts, or transports in time of war; and in future their plans and specifications shall be agreed upon by and between the owners and the Secretary of the Navy, the strength and stability to be sufficient to carry armament required in naval service, and the materials of hull

and machinery to be such as will command the highest classification given by American inspection of vessels. And all such vessels hereafter built shall be constructed under the inspection of a naval officer detailed by the Secretary of the Navy, to whom he will report in writing the progress made monthly, whether or not the contract is being well performed, and when the trial trip may be made; and no vessel not approved by the Secretary as fulfilling the contract, as to hull and machinery, shall be accepted for the service.

Clause 7. That the compensation to be agreed upon and paid for such service as may be contracted for under this act shall be reasonable and as low as responsible bidders will perform the same, having regard to the encouragement to vessels provided by this act, to the commercial circumstances in each case, and to the rate of compensation for similar service paid by other countries. Where a bid may be deemed too high, the programme may be modified or the route readvertised, payment for services to be made at the end of each round voyage. If the contract shall fail to be fulfilled for six months, the President may declare it forfeited, and thereupon the route shall be readvertised and let to another bidder, but on no account shall the service be abandoned to other countries. Readvertising shall be done in a paper printed in Washington, D. C.

Clause 8. That upon each mail vessel the United States shall have transported, free of charge, one messenger, whose duty shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for himself and for the mails.

Clause 9. That officers of the navy may volunteer for service on mail vessels, and when accepted by the contractors be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without harm to the service, and while in said employment they shall receive furlough pay from the Government and such other compensation from the contractors as may be agreed upon: *Provided,* That they shall be required to perform only such duties as pertain to the service.

Clause 10. That said vessels shall carry as cadets one American boy under 21 years of age for each 2,000 tons gross measurement, who shall be taught the duties of the service as seamen or engineers, rank as petty officers, and receive reasonable remuneration from the contractors.

Clause 11. That said vessels may be taken and used by the Government as cruisers, scouts, or transports at any time, on payment to the owners of their fair, actual value at the time of the taking, either for service by the voyage, by the month, or year, or may be purchased outright; and if there shall be a disagreement as to the rental or value, then the same shall be settled by two appraisers, one appointed by each party, they selecting the third, who shall act in case the two disagree. In the event of breaking up a line by taking its vessels, the Government shall give the contractors the time necessary to provide other vessels for carrying out their contract when opportunity offers, or the contract may be terminated by mutual consent.

Clause 12. That all vessels, not of the United States, coming with passengers from a country to which said vessels do not belong, shall pay to the collector of the port where landed an immigrant tax of 10 cents for each nautical mile of distance from port to port, for each and every passenger brought from such country, who shall be landed with his or her effects.

PART 4.—GENERAL PROVISIONS.

SEC. 15. That marine underwriters or insurance companies of all countries, in person or through agencies in the ports of the United States, may issue policies on hulls or cargoes in conformity with state regulations, where such have been made, on voyages outward or inward; but any discrimination made by them or their agents, either in the clauses or policies, in the premium rates, or effected through inspection or classification of hulls or otherwise, which shall tend to favor the employment of foreign vessels or tend to disfavor, embarrass, or inhibit the engagement of vessels of the United States, shall be deemed a misdemeanor, punishable by a fine as a penalty in a district court of the United States. Said fine for the first offense shall not exceed $5,000 nor be less than $3,000; for a second offense said fine shall not be less than $10,000, and for the third offense and each one afterwards said fine shall be not less than $15,000 nor more than $25,000, and suits shall be prosecuted by the attorney of the court aforesaid for each and every violation of this section that may be brought to his notice. In any such suit it shall be no defense that the orders or directions of any person, or the rules and regulations of any association of underwriters, shipowners, merchants, marine surveyors, or their agents, whether citizens or aliens, or that the inspection or classification of any vessel by any person, society, or authority whatsoever, can be claimed to justify the discrimination that may have been the subject of complaint, and which is not to be justified on any grounds. A refusal to insure goods, wares, and merchandise under this act to be carried by American vessels shall forfeit the privilege of doing business in American ports, or make the parties finable as above, to be decided by the court, in a suit brought for the forfeiture of said privilege, which is to be enjoyed under this act only.

SEC. 16. That in a time of peace it shall not be lawful for any officer of the Government to receive tenders of service or to make contracts to be performed by vessels not of the United States, and in all contracts for the performance of public work it must be provided that water transportation shall be performed by vessels of the United States. And the transportation of passengers, mails, goods, wares, and merchandise between the United States, its Territories and possessions, and the ports and places of the Panama Canal Zone is hereby declared to be reserved for vessels of the United States under the coastwise laws.

SEC. 17. That in a time of war it shall not be lawful for vessels not of the United States to import or land anywhere in the United States, its Territories or possessions, any goods, wares, or merchandise, the growth, production, or manufacture of a country not at peace with the United States. And all goods, wares, and merchandise imported by a vessel not of the United States admitted to storage in bonded warehouse is hereby limited to a period of ten days, within which time the lawful duties and charges must be paid, whether entered for consumption or reexportation. In cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported there shall be levied, collected, and paid full rates of duty, notwithstanding any convention, if the same shall have been brought in by a vessel not of the United States, or not of the reciprocating country from which such goods, wares, or merchandise were exported; or if the same, not being the growth, production, or manufacture of a country contiguous to the United States, shall have been brought across the line from such country.

SEC. 18. That on and after the passage of this act it shall be lawful for the space of thirty months, but no longer, for any bona fide citizen, citizens, or domestic corporation engaged in, or intending immediately to engage in, the carriage of merchandise, mails, or passengers in the foreign trade of the United States, to import and enter at the custom-house, stating the foregoing facts under oath, for his or their own use, and that of no other person or persons in said trade, and not to be held for sale or sold to other citizens, and not to be employed in the domestic trade more than two months in the year, any vessel or vessels suitable therefor, of size not less than 2,000 tons gross, and of age not more than 5 years, and have the same duly registered as a vessel of the United States, but upon the following conditions, nevertheless, to wit, that all vessels imported in the first six months of the term of thirty months, as aforesaid, shall pay a duty of $4 per ton gross measurement; those imported in the second six months shall pay a duty of $5 per gross ton; those imported in the third six months shall pay a duty of $6 per ton; those imported in the fourth six months shall pay a duty of $7 per ton; those imported in the fifth six months shall pay a duty of $8 per ton gross measurement, on all vessels less than 1 year old. A deduction of duty may be made on all vessels according to age beyond 1 year, to wit, of 5 per cent on those between 1 and 2 years; of 10 per cent on those between 2 and 3 years; of 15 per cent on those between 3 and 4 years; and of 20 per cent on those between 4 and 5 years of age. The Treasury Department may allow credit on duties for imported tonnage to the extent of six and twelve months' time on secured notes of owners with interest at 2 per cent per annum. And it shall be unlawful upon penalty, as for a misdemeanor, punishable by fine of not exceeding $1,000 in a district court of the United States, for the master, owner, or agent of any foreign-built lighting vessel or yacht not duly registered, enrolled, or licensed to fly the flag of the Union from or abaft of the aftermost mast, spar, or pole, except as a signal of distress.

SEC. 19. That the making or offering to make a contract for the exclusive carriage of goods, wares, or merchandise, either to or from foreign countries, conditioned partly on the shipment of same in the future by no other vessel or line of vessels, and promising or making of payment of rebates of freightage thereon, in consideration of making such contract, by an owner or agent of any vessel or line of vessels, is hereby declared a misdemeanor, punishable by fine in a district court of the United States of not less than $3,000 or more than $10,000 on each conviction of such owner or agent of any such offending vessel or line of vessels, and if under foreign registry such vessel or line of vessels shall not thereafter be permitted either to land or to load cargo in the United States. Where it may become known to, or suspected by, the collector of any port that rebates of freightage are offered, promised, or paid in an endeavor to engross the carriage of export or import goods, wares, or merchandise, he shall forthwith place the facts, or his information and belief, before the district attorney, who shall take proper steps to ascertain the truth and to break up the practice. And for the prevention of frauds that might be attempted under this act in indirect carrying, foreign vessels not built in the country of registry shall undergo a probation of three years before being adjudged by the collector as belonging in good faith to the country of registration, unless built in the United States.

SEC. 20. That nothing in the act to regulate commerce, approved February 4, 1887, or in the act to protect commerce against unlawful restraints and monopolies, approved July 2, 1890, or in any act amendatory of either of said acts, shall hereafter apply to the establishment of railroad rates or to the changing or publication of the same with respect to foreign commerce, if carried in vessels of the United States; or shall prohibit any agreement or reasonable act with respect to interstate transportation that is not in restraint of commerce with foreign nations or among the several States; or shall hereafter authorize fines for any violation of such acts.

SEC. 21. That after the 1st day of January, 1910, it shall be unlawful to transport merchandise that has been imported, or that is designed for export, at a less rate than is charged between the same points for the transportation of domestic interstate commerce of like character, unless carried in vessels of the United States inward or outward.

SEC. 22. That after the passage of this act it shall not be lawful for any officer of the Government to issue a register, enrollment, or license for any vessel built abroad, except such as have been captured in war and condemned as prize, or such as have been forfeited for a violation of the laws and bought at marshal's sale, or may have belonged to a country that has come under the Government of the United States, or has become entitled to registry by compliance with this act.

SEC. 23. That the regular duties of tonnage, computed on the gross admeasurement in all cases, and the usual passenger tax shall be paid alike by vessels of the United States and foreign vessels on each and every arrival, in foreign trade, when entry of vessel is made. Immigrant tax shall be paid when permit is given for the landing of passengers from vessels, not of the United States, brought from countries to which said vessels do not belong. All additional tonnage duties and the light and race tax shall be paid before lading permit is issued, but if loading be delayed, then, at least, at the end of two months from date of entrance. American vessels carrying crews of which one-eighth the number are citizens, or owe allegiance to the United States, shall have rebate of tonnage tax to the extent of 20 per cent; if one-fourth of the crew be citizens, the rebate shall be 30 per cent; if three-eighths of the crew be citizens, the rebate shall be 40 per cent; if one-half the crew be citizens, the rebate shall be 50 per cent; if five-eighths of the crew be citizens, the rebate shall be 75 per cent; and if three-fourths of the crew be citizens, the rebate shall be 100 per cent. The United States shipping commissioner shall ascertain and certify to the collector the proportion of citizens or persons owing allegiance in each crew where rebate of tax may be demanded. Regular apprentices, as seamen or engineers, if citizens, shall count as men in computing rebate of tax. In trade to and from tropical countries, where it may not be practicable to find any but natives of such regions to fill vacancies in the crew of vessels, permits may be issued, on applications under oath of the owner or agent, by the Secretary of Commerce and Labor for one year, or while necessary, to carry a crew partly such as it may be practicable to engage in any given place. In all cases where vessels may be fined in accordance with the statutes, for infractions of law, it shall be unlawful for the Secretary of the Department to remit any portion thereof without an order of court duly recorded; and it shall also be unlawful for the Commissioner of Navigation to order refunds of tonnage taxes that have been paid to a collector without trial and judgment of the case by a court of the United States.

SEC. 24. That for twelve years from the passage of this act it shall be lawful for the judge of any district court of the United States to grant final papers of naturalization to any seaman of a country in Europe or America who can speak and read the English language on his taking the oath of allegiance prescribed by law, and swearing also that he has sailed one or more years in vessels of the United States,

naming them, and that he intends so to do in the future, naming the vessel that he will sail in next.

SEC. 23. That sections 12, 14, 15, 16, 18, 19, 20, 22, 24, and 25 of this act shall take effect upon its passage, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 17, 21, and 23 in one year and thirty days thereafter; and all acts or provisions of law in conflict herewith are hereby repealed; also any and all articles or clauses in existing maritime reciprocity conventions or in treaties, whose time fixed has expired, that are in contravention herewith, are hereby annulled and abrogated, in conformity with the stipulations and equities of said agreements and the rights of the United States; and the formal notice of the Congress of the United States is hereby given to all countries concerned that, in one year from the approval of this act by the President, all diplomatic agreements for the suspension of commercial regulations, or for the forbearance to enact them, so far as the aforesaid agreements are terminable by notice, are receded from on the part of the United States, and all enactments to carry out said agreements are by this act repealed. Any agreement, as above, not yet terminable by notice, may be observed until its term expires, but not longer.

Mr. PAYNE. I move that all debate on this amendment and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MANN. Mr. Chairman, I do not believe there is any trade or bargain between those who are in favor of a high tariff on barley and those who are in favor of free lumber, and I hope that the Members on this side of the House, as well as those on that side of the House, who have been in favor of free lumber will stand in favor of free lumber regardless of what position the House may take on the subject of barley.

Mr. Chairman, I deny that there is any trade on barley. I trace the origin of this amendment to another source. The other day the amendment was offered by my distinguished friend from Kansas [Mr. MINER] in behalf of prohibition. It is very evident that the prohibitionists have been exceedingly busy, and the distinguished gentleman from Washington [Mr. CUSHMAN], himself an example of the way beer makes men fat [laughter], is now proposing a fresh attack upon the beer industry. I know that he would not make a trade. He is only urging that the price of malt and beer be raised in behalf of the sentiment in the country in favor of prohibition and temperance. It would be idle to suppose that the gentleman's State is interested in the subject of barley. It would be idle to suppose that he had engaged in conversation with the insurgents of the House from the districts where they raise barley concerning the tariff on lumber or even the tariff on barley. The gentleman's sole motive is a temperance motive. Sordid considerations do not affect him.

Mr. CUSHMAN rose.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Washington?

Mr. MANN. Always, with pleasure and profit.

Mr. CUSHMAN. In all seriousness, I can state to the gentleman that no Member who has talked with me in relation to this barley schedule——

Mr. MANN. That is just what I said a moment ago.

Mr. CUSHMAN (continuing). Has talked to me in reference to the lumber schedule as connected with the barley schedule.

Mr. MANN. That is what I said. The gentleman bears out my words, and I am glad to see the gentleman serious for once on the floor of the House. [Laughter.]

Mr. CUSHMAN. I am not only serious, but sober. [Laughter.]

Mr. MANN. Mr. Chairman, it is not usual for the gentleman to be serious on the floor. I hope—I know—it is not unusual for him to be sober. [Laughter.]

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Washington [Mr. CUSHMAN].

The amendment was agreed to.

Mr. GAINES. I offer the following committee amendment.

The CHAIRMAN. The gentleman from West Virginia offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 182, on page 49, line 15, strike out the word "ferromanganese," and, in line 17, after the word "ferrosilicon," insert the words "containing more than 15 per cent of silica;" and, in line 20, after the word "valorem," change the period to a semicolon and insert after the semicolon "ferrosilicon containing not more than 15 per cent of silica, and ferromanganese, $4 per ton."

The amendment was agreed to.

Mr. HILL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 138, on page 37, lines 1, 2, 3, and 4, strike out the following words:

"Rolled, cold drawn, cold hammered, blued, brightened, tempered, or polished in any way in addition to the ordinary process of hot rolling or hammering," and insert in lieu thereof "hammered, blued, brightened, tempered, polished, or treated in any way in addition to cold rolling to size."

Mr. HILL. Mr. Chairman, that amendment simply corrects an erroneous classification and puts it back to the classification in the Dingley bill.

Mr. HARRISON. And it reduces the duty.

Mr. HILL. It reduces it from what it would be if it stayed in the wrong place.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Strike out section 4 and insert the following in lieu thereof:

"SEC. 4. Whenever any country, province, dependency, or colony admits each and every article imported into said country, province, dependency, or colony from the United States, or any of its possessions (except the Philippine Islands), the growth or product, in whole or in part, of the soil or industry of the United States or any of its possessions (except the Philippine Islands), upon payment thereon of duties, imposts, excises, or taxes which shall not be in excess of those levied upon like articles imported from any other country, province, dependency, or colony, and admits such articles on terms as favorable as those accorded to any article imported from any other country, province, dependency, or colony, there shall be levied, collected, and paid upon articles imported into the United States and any of its possessions (except the Philippine Islands) from such country, province, dependency, or colony, the growth or product of the soil or industry of such country, province, dependency, or colony, and whether such articles are shipped from the ports of such country, province, dependency, or colony, or from any other foreign port or ports, the rate of duty prescribed in section 1 of this act; and in like cases the articles mentioned in section 2 of this act shall be admitted free of duty.

"Whenever on or after sixty days after the passage of this act any country, province, dependency, or colony discriminates against any article imported from the United States, or any of its possessions (except the Philippine Islands), the growth or product, in whole or in part, of the soil or industry of the United States, or any of its possessions (except the Philippine Islands), by levying duties, imposts, excises, or taxes thereon in excess of those levied upon similar articles imported from any other country, province, dependency, or colony, or in any way fails to admit any article imported from the United States, or any of its possessions (except the Philippine Islands), on terms as favorable as those accorded to any article imported from, and the products of any other country, province, dependency, or colony, there shall be levied, collected, and paid upon all articles imported into the United States, or any of its possessions (except the Philippine Islands), the growth or product of the soil or industry of such country, province, dependency, or colony so discriminating against any article imported from the United States the rates of duty prescribed in section 3: *Provided however*, That these provisions for additional duties shall not apply to the cases where the preferential duties are those which are given by and between a province, dependency, colony, or the mother country only."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. GARRETT rose.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard?

Mr. GARRETT. No; I desire to hear the gentleman from New York.

Mr. PAYNE. Mr. Chairman, I offer an amendment to that amendment.

The Clerk read as follows:

Before the word "article," in the second paragraph of the amendment, insert the word "similar," so as to read, "any similar article imported from the United States," etc.

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

Mr. GARRETT. Mr. Chairman, this amendment as amended seems to me a repetition of words. I would like to ask the gentleman from New York what the effect of it is?

Mr. PAYNE. Due to a mistake in printing the original paragraph alluding to the United States, it said "or any territory belonging thereto." The committee substituted the words "or any of is possessions." They meant to substitute it all the way through, but in redrawing it it was left out, and this change is made to put it back again. Although the proviso was changed in the original section, it would probably except from the provision of this section concessions between the mother country and the colonies, and would not relate to those made by the colonies to the mother country and other divisions of government between themselves, and this makes it so that it excepts any relations between the mother country and any of its colonies and other forms of government, and between the colonies or other forms of government themselves belonging to the same country.

Mr. PERKINS. I notice that you have inserted the words "except the Philippine Islands." What is the object of that?

Mr. PAYNE. Because our tariff laws do not provide for importations into the Philippine Islands from foreign countries. We have a separate tariff law for such importations, which was passed three or four years ago, and so it was only fair to them to except them from the operation of this section.

Mr. LOWDEN. Mr. Chairman, I offer the following amendment to the amendment offered by the gentleman from New York, which I send to the desk. I offer to substitute the language which I send to the desk for the amendment.

The Clerk read as follows:

Whenever on or after sixty days from the passage of this act it shall appear to the satisfaction of the President that any country,

province, dependency, or colony is discriminating against any article exported from the United States, or any territory belonging thereto, the growth or product, in whole or in part, of the soil or industry of the United States or any territory belonging thereto, through the operation of duties, imposts, excises, taxes, or other restrictive measures; or that any country, province, dependency, or colony is, in effect, unfairly excluding by any means any article of commerce exported from the United States or any territory belonging thereto, he shall have the power, and it shall be his duty, to suspend by proclamation to that effect the imposition and collection of the rate of duties provided for in sections 1 and 2 of this act on such articles so exported to the United States from such country, province, dependency, or colony, and in such case and during such suspension there shall be levied, collected, and paid upon such articles so imported into the United States or any territory belonging thereto the growth or product of the soil or industry of such country, province, dependency, or colony maintaining such restrictions, the rates of duty prescribed in section 3 of this act.

Mr. MANN. Mr Chairman, will not the gentleman modify his amendment so as to use the same proviso that the gentleman from New York did?

Mr. LOWDEN. I was going to suggest that myself. The latter clause of that amendment may be stricken out, and then the language that is used by the chairman of the committee would take the place of it in that respect.

Mr. MANN. Strike out the proviso and amend down to the proviso of the amendment offered by the gentleman from New York.

Mr. LOWDEN. That is exactly what I suggest now.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. LOWDEN. Yes.

Mr. Chairman, the amendment involves the manner in which the maximum and minimum provisions of the Payne bill are to be applied. The Payne bill, with the amendment which has just been offered by the chairman of the committee, seeks to make the maximum and minimum provisions absolutely automatic, so as to dispense with the intervention in any way of the executive department of the Government. I want to call the attention of the committee to the fact that the very purpose of the dual tariff system, which we have adopted in this country for the first time, is to give us an opportunity to negotiate with foreign countries so as to get rid of unfair discriminations, whether those discriminations are in the schedules themselves or whether in the form of sanitary or other domestic regulations. The fact is that nearly every substantial discrimination which has been directed against us during the last few years by other nations has been a discrimination which would not be overcome in any way by the adoption of the provision submitted by the chairman of the Committee on Ways and Means.

To illustrate, Germany excludes in a large degree our meat products from her markets, but the adoption of this provision would not prevent a continuance of this practice on her part, for Germany does not upon the face of her tariff treat our meat products any differently than the meat products of other countries. She permits us to ship beef carcasses to her ports just as she does Belgium and other neighboring countries. She requires in all cases that such carcasses must be shipped with the viscera of the carcasses intact and in place. The effect of this is to absolutely exclude from her markets American beef in the carcasses, for though Belgium and other neighboring countries can comply with this regulation, it is, of course, practically impossible for American meats to be shipped such a distance in this condition, they being spoiled before they reach their destination. This discrimination, which does not appear upon its face to be such, is none the less a real and prohibitive discrimination against this form of beef exports from the United States. Germany need not change this regulation or any other in order to secure for herself the minimum duties provided for in the Payne bill. Of course I shall not have time to discuss this subject with anything like thoroughness. To those who are interested, I desire to call attention to a speech which I made during the general debate upon this provision of the bill and which can be found upon page 611 of the RECORD.

My amendment authorizes the President to put the maximum rates into effect as against any foreign government whenever he is satisfied that such foreign country, in effect, discriminates against some peculiarly American product, whether such discrimination is effected by schedules, rates, sanitary, or other domestic regulations or unfairly excludes by any means any article of commerce exported from the United States. My amendment simply applies the principle contained in section 3 of the McKinley law and section 3 of the Dingley law. It puts it in the power of the President to say, in effect, that until any foreign country shall have extended us equivalent concessions, such country can not expect from us the benefits of our lowest duties. You will recall that only two years ago, when we were threatened by Germany with a trade war, President Roosevelt had only section 3 of the Dingley law with which to avert that war. He sent a commission to Germany, and limited as was the number of articles upon which he was permitted to make concessions, he was enabled by an agreement to avert the injury threatened to American commerce.

I do hope, Mr. Chairman, the gentlemen of this committee will realize that we can not have an automatic maximum and minimum tariff which will take the place of negotiation by the executive department of the country. The world's way to trade peace is through trade agreements in which reciprocal concessions are given and received. We have declared for the principle of the dual tariff. Let us so provide for the administration of that tariff as to be able to accomplish this purpose. We can only do this by conferring upon the President the power to use the differences between our highest and lowest rates in negotiations with foreign powers.

Mr. SHERLEY. Will the gentleman yield for a question?

Mr. LOWDEN. Yes.

Mr. SHERLEY. Does the gentleman's amendment enable the putting into effect of a given number of the schedules in the maximum list, or does it require that all of them are to be put into effect?

Mr. LOWDEN. My amendment, as submitted, requires that all of them be put into effect, if any are. I should prefer that some way be found of authorizing the President to put any or all the maximum duties into effect unless we are granted equivalent concessions by those to whom we offer our minimum rates. I have found, however, that many eminent authorities doubt our power, under the Constitution, to confer this authority upon the President. The whole question is very elaborately discussed in the case of Field *v.* Clark (143 U. S.). While I have not been persuaded that this decision is authority for the constitutional objection, I do find that it is so regarded by many eminent lawyers. I have preferred, therefore, in framing this amendment to avoid any constitutional question; because with the adoption of my amendment we would have a situation where we could begin to negotiate; where we could begin to say, "If you expect our lowest duties, do not give us tariffs and sanitary regulations that upon their face are just as good as those extended to other countries, but which in effect are directed absolutely against American exports."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. PAYNE) there were—ayes 73, noes 126.

So the amendment was rejected.

Mr. RICHARDSON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RICHARDSON. I want to get some information from the chairman of the Committee on Ways and Means.

Mr. PAYNE. Before I yield, Mr. Chairman, I desire to offer another amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Before the word "article" and after the word "any," in the first paragraph, insert the word "similar," so as to read, "accorded to any similar article."

The CHAIRMAN. Does the gentleman from New York now yield to the gentleman from Alabama for a question?

Mr. PAYNE. Certainly.

Mr. RICHARDSON. Mr. Chairman, I want to call the gentleman's attention for information concerning an amendment which he offered yesterday to paragraph 324, page 91, as follows:

Paragraph 324. On page 91, line 8, after the word "value," insert the following:

"And Jacquard figured goods, in the piece or otherwise, suitable for use as upholstered goods, or as draperies or covers, composed wholly or in piece value of cotton or other vegetable fiber, made in looms, dyed in the yarn."

Now, that includes the certain character of goods which I hold in my hand, and I would be very glad for the chairman to state to the committee what the increase on those cotton goods is; and I desire, in this connection, Mr. Chairman, if you please, to read the following letter while the chairman is examining these samples.

The letter is as follows:

A. L. REID & CO.,
New York, April 6, 1909.

Hon. WILLIAM RICHARDSON.

DEAR SIR: The American manufacturers, who seem to be running things so successfully for the Ways and Means Committee in the House, I see by reports in paper have succeeded in introducing in paragraph 324, under cotton goods, the wording, "Jacquards, or all Jacquards, or Jacquard goods." This would put a duty of 50 per cent on all such goods as inclosed, known to the trade as "Jacquards" or "brocades," and used for women's wear.

These samples are mercerized goods, and we are now paying 4 cents a square yard on No. 325 and No. 39. It would certainly shut them out of the market if 50 per cent was asked. It would also affect bed quilts made in England and Germany, which now pay 25 per cent to 40 per cent, according to value and count. In these goods, it would, I believe, cut importations more than half. The American maker is well protected on these lines and has difficulty in filling orders.

The southern mills are not afraid of any bed quilts coming from Europe at present rates.

Yours, truly,

A. L. REID & Co.,
By A. L. REID.

Mr. PAYNE. Mr. Chairman, the difficulty is, the people who sent these samples in that communication had not read the amendment that was put into the bill. That amendment does not refer to these goods in the slightest particular.

Mr. RICHARDSON. You say "Jacquards."

Mr. PAYNE. But the others are made from chenille, those are——

Mr. RICHARDSON. These are marked in his samples as "Jacquards."

Mr. PAYNE. Oh, well, the Jacquard loom is used on silk, cotton, and various other things, for various kinds of goods. My amendment does not increase the duty on those goods a penny; not a farthing.

Mr. RICHARDSON. It is no addition to the Dingley law?

Mr. PAYNE. It does not increase them at all, except a cent a yard on the mercerized goods.

Mr. RICHARDSON. Is this true? I am asking for information without reflecting upon anybody now——

Mr. PAYNE. I do not take it that way.

Mr. RICHARDSON. I know you do not. Is it not true that the Dingley schedules on cotton cloth were expected to remain the same, even up to and after the Ways and Means Committee ceased its public hearings, and that it was upon the statement of the Arkwright Club, of Boston, after the hearings closed, that these duties were increased in the Payne bill?

Mr. PAYNE. The intention was and they do remain the same, substantially, in the bill before the House as they were in the Dingley bill. The addition to this is a cent a yard, because those goods were mercerized, a process which I described to the House the other day when we had more time, and the House was satisfied that that was a proper rate of duty for the new process.

Mr. RICHARDSON. Now, under section 321, which I called to your attention last night——

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is upon the amendment of the gentleman from New York as amended by his amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment to the drawback section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Section 29, on page 197, between lines 10 and 11, insert the following paragraph:

"No drawback shall be allowed upon the exportation of any article manufactured or produced in whole or in part of grain raised in the United States unless such articles shall have been manufactured or produced in the same city or town as the article manufactured or produced from the imported grain, and only upon such articles as are manufactured or produced from grain harvested prior to such importation: *And provided*, That the exportation shall be made within twelve months after the importation of the grain used or checked against: *Provided further*, That no drawback shall be allowed under this section upon domestic material except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture."

Mr. POU. Mr. Chairman, I offer a substitute for the section as amended—for the whole section as amended by the gentleman's amendment.

Mr. PAYNE. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. That is not in order at this time, the Chair thinks.

Mr. POU. Then I offer this amendment as an amendment to the gentleman's amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the last 19 words of the amendment, which words are as follows:

"Except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture."

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard?

Mr. POU. Mr. Chairman, I simply desire to say this: This is that famous section 29 which nobody understands, and if my amendment be adopted it eliminates domestic articles from the drawback clause. Mr. Chairman, this is really one of the most important sections in the entire bill. If adopted as reported by the committee, it will be difficult to compute the amount it will take from the Treasury, and if adopted I venture the prediction that the day will come when gentlemen who are responsible for this radical change in existing law will regret their action.

Mr. PAYNE. That is a very insidious amendment. It might be called a "joker" if it was applied to anything else except to this section and was not offered by the gentleman from North Carolina [Mr. POU] and he was allowed to name it. It nullifies the provision of the section and prevents getting any drawback on the manufactures manufactured from material bought in this country, although, under the provision of the section, the manufacturer had imported material equal in value for manufacturing, and so forth, and paid the duty on it and manufactured the foreign material to go into the domestic trade. In other words, it restores all the evils of the present drawback law, which is so hard to execute, and renders it so difficult to manufacturers to get back the duties which they have paid. They must keep separate accounts and keep separate the manufactures made from the domestic and from the imported articles.

Mr. POU. I merely want to say that if my amendment is adopted it leaves the drawback clause exactly like it was under the Wilson bill and under the Dingley bill, and I think that is broad enough.

Mr. GARDNER of Massachusetts. Will the gentleman from New York [Mr. PAYNE] allow me to ask him two or three questions?

The CHAIRMAN. Does the gentleman yield?

Mr. PAYNE. I do.

Mr. GARDNER of Massachusetts. I would like to ask the gentleman from New York this question: A great deal of unmanufactured tobacco is imported into this country which goes into manufactures. Presumably there will be a rebate check against it. We export a great many cigarettes. Do I understand that under this amendment and under the drawback clause, the amendment which I saw in the RECORD this morning, that any manufacturer of cigarettes, merely by proving that the tobacco he is checking against as a matter of fact actually entered into manufacture, can go and draw from the Treasury a drawback to the amount of duty on the cigarettes?

Mr. PAYNE. If he proves that he has imported the same amount in manufacturing value of tobacco and pays the duty on it and has manufactured the imported material to go into domestic consumption, he can get back 99 per cent of the duty he has paid upon exporting either the product of what he had imported or the product of domestic tobacco.

Mr. GARDNER of Massachusetts. Now, that is the way I understood it. I ask the gentleman if there are any figures from the Ways and Means Committee showing the enormous strain that this drawback provision as drawn is going to be on the revenues of the Government? Has it occurred to the gentleman, for instance, that a great deal of unmanufactured wood, or partially manufactured wood, is imported into this country, wood of the same quality that we put into furniture and into cars—of the "same manufacturing value," which I think are the words you use in the drawback clause? Now, if the law is enacted in its present shape, and the drawback certificates taken out, every manufacturer of cars—Pullman cars, or anything else—who uses wood in manufactures will buy those certificates. They will go to the Treasury and take that money out. Moreover, is it not going to be the same thing in the case of refined sugar and crude sugar? Is not every bit of the crude sugar that comes in here going to have a drawback certificate taken out on it; and then when it is exported in the form of refined sugar, or chocolate, or confectionery, or refined molasses, is there not going to be an enormous drain on the United States Treasury under this drawback provision?

Mr. PAYNE. I want to say to my friend from Massachusetts that, as the law is to-day, if they import sugar and manufacture it into confectionery and export the confectionery, they can get a drawback of 99 per cent of the duty paid.

Mr. GARDNER of Massachusetts. If they can identify it?

Mr. PAYNE. If they can identify it. That is the present law. It has worked satisfactorily in a great many cases, but it is found to be hard work, because a factory can not keep separate the domestic sugar—to use that as an illustration—and the sugar that is imported, and they are not able to get the drawback. Now, the whole theory of this law is that we may be allowed to get raw material from abroad without paying the duty, and have our people perform the labor and the manufacturing, and sell it abroad and so get into the markets of the world.

Mr. GARDNER of Massachusetts. I understand that perfectly well. I understand, of course, the difficulty which has arisen. It has arisen in the shoe trade in getting a drawback on sole leather.

The trouble is that if the law is enacted in its present shape it will put a premium on a man getting his raw materials abroad. Of course, if it is going to add just so much to our export trade, and will allow us to import so much additional raw material and export it in manufactured form, it might be different; but I am sure you are going to put a premium on men getting their raw material abroad if you pass the clause in its present shape. What is more, you are going to cut into the revenues to an extent of which the House has no suspicion.

Mr. PAYNE. I think the gentleman's apprehensions are ill-founded in this respect, because they can not get a drawback on this raw material unless they export the manufactured article. They have to do that; and that helps the laboring men in this country. They can not export any more than there is a market for abroad.

Mr. GARDNER of Massachusetts. Can not they import and get a drawback?

Mr. PAYNE. In that case they can import and manufacture the imported goods into domestic product and sell at home, and by manufacturing our domestic raw material, so to call it, and export it, they can get the drawback; but it only gives them a drawback on what they sell abroad.

Mr. GARDNER of Massachusetts. I understand.

Mr. PAYNE. It increases these manufactures to that extent.

Mr. GARDNER of Massachusetts. Well, in default of figures to the contrary, I anticipate a tremendous draft on our revenue if this clause goes into effect unamended.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from North Carolina desires to slightly modify his amendment. Without objection, it will be considered as modified, and the Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out, in the last three lines of the amendment, the words "except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture" and insert "Which is hereby specifically excepted from the operation of this section."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken, and the amendment was rejected.

Mr. HANNA. Mr. Chairman, I offer the following amendment:

Add, after the word "grain," wherever it occurs, the words "of flaxseed."

The CHAIRMAN. Does the gentleman desire to be heard on his amendment?

Mr. GRONNA. Mr. Chairman, I want to state to the committee that this proposed amendment simply is, that wherever the word "grain" appears that "flaxseed" shall be inserted after it. Flaxseed is not considered as grain. I think it has been so decided by the courts, and that is all that this amendment of my colleague does.

The question was taken, and the Chairman announced that the amendment was rejected.

Mr. BURKE of South Dakota. I demand a division.

The CHAIRMAN. A division is demanded.

Mr. HILL. Mr. Chairman, I hope the Members will accept the amendment of the gentleman from North Dakota, and include flaxseed as grain.

The CHAIRMAN. Without objection, the Chair will again put the question.

The question was again taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by inserting at the end of line 19, page 195, the following proviso:

"That no drawback shall be allowed or paid on account of duties on importations of live animals."

Mr. PAYNE. What is the necessity of that? Where is the manufacture of live animals?

Mr. MONDELL. Mr. Chairman, I know that some members of the committee are of the opinion that the drawback clause does not apply and would not apply to products such as might be produced or manufactured from imported live animals, but from a careful reading of the clause it seems to me that it is clear that the drawback clause would apply. It provides that it shall apply on exportations of articles "manufactured" in the United States, either in whole or in part of imported materials. Well, canned beef is a manufactured article on which the drawback might be claimed—"or exportations of articles 'produced' in the United States." Canned meats are produced in the United States. Carcasses exported are produced in the United States, so that both canned and preserved meats and fresh meats would clearly come within the provisions of the drawback clause. The result would be this: The duty on live animals, which now largely keeps the cheap cattle of Mexico out of Texas and all the range States, would be practically abrogated, and an enormous business would be built up by the packers importing live animals into Texas, finishing them in Texas and the northern range States, canning them at Omaha and Chicago, and demanding a drawback on the exportation of their canned meats and fresh meats whether produced from the imported cattle or not.

Now, if there be any question in regard to this, surely the law ought to be made clear; and there can be no harm in the acceptance of an amendment which makes clear the view of the committee, that the drawback clause does not apply to the duties paid on importations of live animals.

Mr. STEPHENS of Texas. Will the gentleman allow me to ask him a question?

Mr. MONDELL. Certainly.

Mr. STEPHENS of Texas. I desire to ask the gentleman what is the objection to the Mexican steer being brought into the United States for the purpose of finishing them by feeding them?

Mr. MONDELL. That involves the entire question of the tariff.

Mr. STEPHENS of Texas. It would be of great benefit.

Mr. MONDELL. They can raise calves cheaper in Mexico than you can in Texas or anywhere else.

Mr. STEPHENS of Texas. I am talking about the finishing of steers.

Mr. MONDELL. I do not care to discuss the question of the tariff with the gentleman. We have a duty on cattle, which duty ought to be protective, and that duty will be wiped out and done away with in effect, and the benefit will accrue to the packers' trust, if there be any such trust; and certainly there should be no objection to the acceptance of this amendment, which makes it clear beyond all question or controversy that the drawback clause does not apply to duties paid on importations of live animals.

Mr. PAYNE. Mr. Chairman, I do not think it makes any particular difference whether this amendment is in or out.

Mr. MONDELL. Let it go in, then.

Mr. PAYNE. I do not think this section provides anything of that kind, or that it would be possible to get a drawback.

Mr. MONDELL. Then I hope the gentleman will not object.

Mr. PAYNE. If it gratifies the gentleman, I will not object.

The question was taken, and the amendment was agreed to.

Mr. VREELAND. I offer the following amendment, Mr. Chairman.

The Clerk read as follows:

Provided further, That crude petroleum and its products shall be exempt from the provisions of this section.

Mr. VREELAND. Mr. Chairman, I wish to address the House upon this proposition briefly. I offer this amendment at this time as a matter of good faith.

Mr. SHERLEY. I reserve a point of order on the amendment.

Mr. VREELAND. Representing the producers of oil in the United States, and the 60 or 70 independent refineries, I have endeavored in this House to have an ad valorem duty of 25 per cent levied upon the importation of petroleum and its products. The House has decided otherwise, and has placed oil on the free list.

No intelligent reason has been offered by any advocate of this proposition as to how it will benefit the Standard Oil Company to have a duty on oil, or to refute the claim of the producers and of the independent refiners that it is a blow struck at their interests as competitors of the Standard Oil Company. The excuse has been made upon this floor that by reason of this clause in the drawback the Standard Oil Company could bring in oil from Mexico, could export it and receive back 99 per cent of the duty paid. That proposition is true.

During my remarks in this House last week I gave notice that I should offer this amendment when the proper time arrived. During my remarks in offering the amendment day before yesterday, I again stated to the House that I should offer this exemption feature, exempting petroleum from the drawback clause when the time came to offer it upon this floor, and I do it now as a matter of good faith, and to show the sincerity of the men whom I represent in their position. Any man on this floor could have offered this amendment if I failed to do so.

This House has decided as a blow to the Standard Oil Company, as they believe, that oil shall be put upon the free list. I am not criticising the action of the House. I am not assuming that it is not intelligent, but we believe that you are simply giving the Standard Oil Company the benefits of cheap raw material, which they will use in prefereuce to that produced in the United States. To-day the Standard Oil Company has three refineries in Mexico. You have put into their hands the power to refine that cheap Mexican oil, worth 5 or 10 cents a barrel, the greatest production ever struck on this globe, and to bring it into our market free and sell it here. You have put it into their hands to bring that crude oil from Mexico to their refineries in New York, Baltimore, and Philadelphia by ocean freight, mix it with our oils and export it, and to sell it in our markets. How can the independent refineries meet this competition? They have no refineries upon the seaboard. Their refineries are hundreds of miles inland. They would be compelled to stand the transportation by railroads in order to obtain the benefit of this free raw material.

This House might as well now proceed to attempt a blow at the sugar trust by giving them the right to bring in free raw sugar from Cuba, or by giving them the right to build refineries in Cuba to refine sugar there and to bring it into our markets free in the name of striking a blow at the American sugar trust. The only reason I have seen alleged for this action was in one of the morning papers of this city. It said that the secret of this proposition was in the by-products; that that was where the blow would be struck at the Standard Oil Company. It may interest these gentlemen to know that the Standard Oil Company refineries in Mexico within the last three months have been fully equipped with every facility for making all of the by-products that come out of crude oil, and to-day you have given them free entry into our markets.

Mr. SHERLEY. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Kentucky will state his point of order.

Mr. SHERLEY. The point of order is that the motion of the gentleman from New York is broader than the committee amendment, and therefore under the rule is not in order.

The CHAIRMAN. The Chair would ask the gentleman from Kentucky whether he does not think that instead of being broader it narrows the committee amendment?

Mr. SHERLEY. It is broader in a parliamentary sense, that it goes outside of the provision of the committee amendment.

Mr. VREELAND. I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn. The question now is upon the amendment offered by the gentleman from New York [Mr. PAYNE] as amended.

The amendment of Mr. PAYNE as amended was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

On page 232, section 41, strike out lines 24 and 25, and on page 236 strike out lines 1 to 5, inclusive.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the following as a substitute.

The Clerk read as follows:

That (a) before any letters patent shall be issued by the United States on any article, commodity, compound, device, mechanical appliance, or machine to be protected by patent, or (b) before any copyright shall be issued by the United States on any article, musical composition, musical instrument, or device for reproducing music or musical composition, or any picture, book, pamphlet, or any other work of literature or art to be protected by copyright, to any citizen of any foreign country, the applicant for such copyright registration or patent shall pay to the United States the same amount of copyright or patent fees, and subject himself to all the laws, conditions, restrictions, rules, limitations, and regulations that are imposed by the country of said citizen or subject upon a citizen of the United States for securing copyrights or obtaining and maintaining patents or for manufacturing and selling the patented article or article copyrighted in such foreign country, and the failure on the part of the foreign patentee to comply with this law shall operate as a forfeiture and cancellation of such copyright or letters patent: *Provided*, That citizens of any foreign country having no copyright or patent laws, or having such laws, do not permit copyrights or patents to issue to citizens of this country, shall not be entitled to copyrights or patents in the United States.

Mr. CURRIER. To that, Mr. Chairman, I reserve a point of order.

Mr. PAYNE. I reserve a point of order. It is not germane.

Mr. STEPHENS of Texas. Mr. Chairman, I understand the object of this bill is to raise revenue.

The CHAIRMAN. The amendment is not debatable at present. The Chair is trying to find out how the amendment applies.

Mr. PAYNE. Mr. Chairman, the section makes provision for patents by foreign citizens in the United States. This amendment proposes a whole code in regard to issuing patents and in regard to the copyright laws.

Mr. CURRIER. Mr. Chairman, this amendment applies not merely to patents but to copyrights, and under the rules of the House if any part of an amendment is subject to a point of order the whole amendment is.

Mr. STEPHENS of Texas. This amendment offered by me is broader by containing the word "copyrights," but the Chair will find that under the law copyright is carried through the statutes with patents in one general provision.

The CHAIRMAN. The amendment offered by the gentleman from New York proposes to strike out section 41. The amendment offered by the gentleman from Texas proposes as a substitute amendment to strike out section 41 and insert certain matter in lieu thereof. The original section 41 relates only to patents issued by the United States to subjects of foreign countries or, rather, to manufacture thereunder, which it makes subject to retaliatory conditions. That is the entire scope of the section. The amendment offered by the gentleman from Texas seeks to regulate the granting of patents by fixing the fees, and so forth. It controls the operation of the Patent Office, and in addition thereto applies to and regulates copyrights, which are not mentioned in the original section at all. It may be that patents and copyrights are both treated of in certain statutes heretofore enacted, but copyrights are not carried in section 41 of the bill. The point of order must be sustained. The amendment is not germane.

Mr. STEPHENS of Texas. Then I move to strike out the word "copyright" wherever it occurs and let the amendment apply to patents only.

Mr. PAYNE. I hope the gentleman's amendment will be reported.

The CHAIRMAN. The Clerk will report the amendment as modified by the gentleman from Texas.

The Clerk read as follows:

That before any letters patent shall be issued by the United States on any article, commodity, compound, device, mechanical appliance, or machine to be protected by patent, or to any citizen of any foreign country, the applicant for such patent shall pay to the United States the same amount of patent fees, and subject himself to all the laws, conditions, restrictions, rules, limitations, and regulations that are imposed by the country of said citizen or subject upon a citizen of the United States for patents or for manufacturing and selling the patented article in such foreign country, and the failure on the part of the foreign patentee to comply with this law shall operate as a forfeiture and cancellation of letters patent: *Provided*, That citizens of any foreign country having no patent laws, or, having such laws, do not permit patents to issue to citizens of this country, shall not be entitled to patents in the United States.

Mr. PAYNE. I make the same point of order, Mr. Chairman.

Mr. STEPHENS of Texas. Why, this is germane.

The CHAIRMAN. The Chair will hear the gentleman from New York, if he desires to be heard.

Mr. PAYNE. The paragraph in the bill simply relates to the working of the patents in this country after they obtain them, requiring that they shall comply with all the provisions of that country from which they apply. This amendment offered by the gentleman from Texas commences at the beginning and makes a patent law for those citizens from the beginning to the end.

Mr. CURRIER. Mr. Chairman, the paragraph in the bill refers solely to domestic manufacture of patented articles for a foreign citizen who obtains a patent here, and has no relation to anything else, and the amendment offered by the gentleman from Texas goes into the whole matter of fees.

Mr. STEPHENS of Texas. Mr. Chairman, it applies certainly to the obtaining of patents, and they could not be obtained unless fees should be paid. The foreigner never could have a patent in the United States unless it could be obtained by the payment of fees. The object of the amendment is to have reciprocity between foreign nations and the United States and to require foreigners to comply with our laws before they can obtain patents here to give them no greater benefits or rights than we have in other countries.

The CHAIRMAN. The Chair is ready to rule. Section 41, as it appears in the bill, relates entirely to manufacturing under patents granted by the United States to foreigners. The amendment offered by the gentleman from Texas [Mr. STEPHENS] does not, in its modified form, embrace copyrights, but is still much broader than section 41 and applies to different matters.

It applies to the regulation and granting of patents by the United States. It is not confined to the manufacture of articles under such patents. It provides for the fees to be paid for patents; declares that under certain conditions no patents shall be granted at all, and that in certain cases patents previously granted by the United States shall be canceled. The Chair, therefore, thinks it not germane and sustains the point of order.

Mr. PAYNE. Mr. Chairman, I think in justice to the committee that I ought to say a word about striking out this section. It was put in by the Committee on Ways and Means after great deliberation, and to cure an evil and an abuse, which is this: Some foreign countries provide that where our citizens obtain patents there and they do not work the patents—that is, manufacture within a certain number of years—then the countries can cancel the patents. It is usually left in the power of some officer to exercise his discretion in that direction—of course, we could not under our Constitution leave that to any official in the United States—and the result is that in some foreign countries the citizens are actually advertising for a chance for foreigners to come in there, citizens of the United States, and build factories, eligible sites, and so forth, in order that they may protect their patents by working them within the four years. After we had prepared this amendment with some care and had consulted with some Members of the House who had special knowledge of the subject, we were met by a reference to a convention held in 1882 by the principal powers of the world, in which it was mutually agreed that the rights, and so forth, of patentees in patented articles—aliens—should not be discriminated against in favor of the citizens of the country in their rights obtained under the patent, and we found we could not pass this without doing something in contravention of that convention of the powers to which we had subscribed in 1887. Therefore, Mr. Chairman, we are obliged to forego this, and the only way out of it would be to make this same provision apply to all future patents issued both to citizens of our own country and to foreign citizens. Of course, we were not prepared to take that step, but it is something which I hope the Committee on Patents will work out, and that at an early date that committee will bring a bill into this House which will cure the evil.

They will find in the hearings before this committee how widespread this evil is, and I do not think the doctrine of protection could be extended in any one direction with greater good to the manufacturers of the United States and the working people of the United States than to bring some sort of order out of this confusion, providing some sort of remedy by way of retaliation, if you choose to call it so, against those foreign countries which are thus able by their laws to exercise discrimination against the people of our own country.

Mr. STEPHENS of Texas. Mr. Chairman, I will ask the gentleman if he is opposed to the reciprocity idea involved in the amendment which I propose? It means nothing at all except reciprocity. It requires them to comply with the same laws that we have to comply with.

Mr. PAYNE. I will say to the gentleman that after having devoted some time to the study of this question, I am not willing to accept the amendment, or any amendment, offered by any gentleman on the floor of the House which I have not time to even hear read intelligently because of the confusion of the House, much less to form an opinion as to whether it conflicts with that convention, which I have not before me, or whether it will work more evil than good in the way of curing this difficulty.

Mr. Chairman, I ask for a vote.

Mr. CURRIER. Mr. Chairman, I desire to say that the Committee on Patents has had this matter under consideration, and we have gone far enough to know that this proposition is utterly unworkable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

SEC. 31. On page 198, line 15, after the word "correct," insert "complete and detailed;" and on page 198, line 16, after the word "merchandise," insert "and of the packages, wrappings, or other coverings containing it."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 11. On page 182, line 6, after the word "indicate," insert the words "the name of the maker and."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the same.

The Clerk read as follows:

SEC. 27. On page 191, line 19, after the word "bond," insert the following: "to foreign countries, or to the Philippine Islands."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 27. On page 191, line 25, after the word "vessel," insert the following: "*Provided*, That the waste material or by-products incident to the processes of manufacture in said bonded warehouse may be withdrawn for domestic consumption on the payment of duty equal to the duty which would be assessed and collected by law if such waste or by-products were imported from a foreign country.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 29. On page 196, line 17, after the word "warehouse," insert the words "and bonded manufacturing warehouse."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Section 37, on page 231, line 5, strike out the words "twenty-nine and thirty" and insert in lieu thereof "thirty-four, thirty-five, thirty-six, and thirty-seven."

The question was taken, and the amendment was agreed to.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent for the Clerk to read this short letter.

The CHAIRMAN. Would it suit the gentleman's purpose to have the letter inserted in the RECORD?

Mr. ADAMSON. Yes.

The letter referred to is as follows:

FARM LIFE,
Chicago, April 7, 1909.

Hon. WILLIAM C. ADAMSON,
Congress Hall, Washington, D. C.

DEAR SIR: I would like to call your careful attention to the inclosed editorial, which appears in the April number of Farm Life.

We have devoted a great deal of attention to this question of the lumber tariff and are convinced that the farmers are overwhelmingly in favor of free lumber, and we believe that the editorial states the argument for free lumber concisely and incontrovertibly.

In conclusion, we would warn Members of Congress against allowing themselves to be trapped into adopting a futile lumber schedule by permitting a discrimination between rough and finished lumber. Finished lumber is the only kind of lumber the individual consumer—the farmer—buys, generally speaking. To leave the duty prohibitive on finished lumber, as it is in the Payne bill, would be a revision fiasco.

Yours, very truly,

HERBERT H. BOWDEN, *Editor.*

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

SEC. 33. On page 221, strike out all of lines 14 to 24, inclusive, and insert in lieu thereof the following: "no packages of manufactured tobacco, snuff, cigars, or cigarettes prescribed by law shall be permitted to have packed or attached to or connected with them, nor affixed to, branded, stamped, marked, written, or printed upon them, any paper, certificate, or instrument purporting to be or represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, or any indecent or immoral picture, representation, print, or words; and any violation of the provisions of this paragraph shall subject the offender to the penalties and punishment provided by section 3456 of the Revised Statutes."

Mr. PERKINS. Mr. Chairman, we would like to have some explanation of this.

Mr. PAYNE. I can explain it in a word if it is desired. We amended the tobacco section in order to get an increased internal-revenue tax upon cigarettes for the sake of the revenue, and in amending it we copied the whole section, making the changes which were necessary for this increased tax, and in doing so inadvertently the law, which had been repealed, was put in as the last clause of the section, and the law as it has since been amended is in the language which I have offered now as an amendment. It simply makes it conform to the present law.

Mr. MANN. You strike out the provision which had been rejected.

Mr. TAWNEY. Mr. Chariman, I would like to be heard for a moment on the amendment offered by the gentleman from New York.

I am in favor of the provision in the Payne bill as it was reported by the Committee on Ways and Means. It may have been an inadvertence, as the chairman of the committee states, that this paragraph was included, but if it was it was in the interest of the independent tobacco manufacturers of the United States as against the tobacco trust. The law, to which the gentleman from New York refers, was enacted in 1902, since which time the American tobacco trust has been using the internal-revenue law as a medium for carrying on its gift enterprises, and thereby subjecting the independent manufac-

turer, who could not afford to manufacture his tobacco, and at the same time accompanying the package with a coupon redeemable in cash or redeemable in some article of merchandise. The paragraph which the gentleman from New York [Mr. PAYNE] seeks to strike out of his own bill was enacted in the Dingley law originally.

The tobacco companies made up a case, took it to the Supreme Court of the United States, and the Supreme Court of the United States sustained that law. It was then that Congress enacted this act, approved July 1, 1902, which enables the trust to carry on its ruinous competition, as it has been doing ever since the enactment of this law.

Now, the independent tobacco manufacturers have been contending against this competition for the last six years. Many of them have been driven out of business in consequence of the use of the internal-revenue laws which the tobacco trust has been making of those laws, for the purpose of carrying on the business of selling not only the taxed article in the package, but also carrying a coupon in the form of a prize, either in cash or otherwise.

The gentleman from New York claims that the union label could not be included in the package. If that is so, which I do not understand to be the fact, it will be very easy to correct this paragraph by amending it so as to include a proviso making definite and certain the fact that the union label will not be eliminated from the package. But in the interest of the independent tobacco manufacturers of the United States, who I know have suffered in consequence of the existing law and the practice of the tobacco trust under it, I sincerely hope that this committee will not strike out this paragraph, but will allow it to remain as the committee has reported it to the House.

Mr. LARRINAGA. Mr. Chairman, if the amendment of the committee to paragraph 275, relating to the duty on pineapples, is carefully studied it will practically come to this: That the duty on a box of pineapples, having approximately the same weight as a box of oranges, will be 16 cents; while the duty on a box of oranges, having practically the same weight, will be 80 cents a box, and for a box of lemons $1. Why this discrimination? If the oranges of Florida and California are to be protected with that duty, why should not the pineapples of Florida, Porto Rico, and the Hawaiian Islands be equally protected? Oranges are produced in trees like apples, and once the tree is in full bearing there is practically no other expense than the cost of picking them. Boxing is the same as in the case of pineapples, while these last have to be replanted every year. Why, then, should oranges and lemons be protected with a duty four and five times higher than that on pineapples? There is no reason whatever for such discrimination; and, in due justice to the pineapple producer, the duty should be at least equal to that on oranges or lemons, which is about 1 cent per pound. There is another reason why the American production of pineapples should be protected the same as the oranges. Cuba has the benefit of 20 per cent rebate on the duties on fruits. Cuba is much nearer than Porto Rico to the American markets, for these are practically within a few hours' distance and Porto Rico is 14 miles away. Cuba has all means and facilities for transportation, which is a very important and favorable circumstance in the case of the fruit industry.

Besides these facilities there are many others in favor of Cuba, such as the value of land, for while an acre of land suitable for pineapples in that island is worth from $15 to $40, in Porto Rico can not be bought for less than $100 to $150. Very little or no fertilizer is required in Cuba for the production of pineapples, which is not the case in Porto Rico. By virtue of the fact that Cuban fruit can be transported in foreign bottoms, competition is possible, and therefore cheaper rates of freight. The frequency of communications between Cuba and the American market, which practically is daily, is another very important item in the fruit business. The acreage used in the cultivation of pineapples represents already about $1,000,000, and this in American territory, and there is no doubt that in the next few years will increase many times that figure. A comparison of the shipments from Cuba with those from Porto Rico is remarkably in favor of the latter. In 1908 Cuba shipped some 750,000 boxes of pineapples, while Porto Rico shipped only 74,091. For the year 1909 Cuba's estimated yield is 1,200,000, while Porto Rico will ship about 561,800 boxes; in 1910 Porto Rico could ship, if this industry is properly protected, about one and one-half million boxes.

As to the possibility of Porto Rico, Florida, and the Hawaiian Islands producing all the pineapples necessary for the American market, within the next three years, there can be no doubt. A single glance at the following tabulations will show this.

Capitulation of acreage now planted and yield for 1909, with estimates of increase in acreage and yield for 1910, by districts, in Porto Rico.

District.	1909.		1910.	
	Acres now planted.	Approximate number boxes.	Increase in acreage.	Approximate number boxes.
Rio Piedras	1,201	257,050	1,153	525,200
Pueblo Viejo	123	27,800	213	73,800
Vega Baja Manati and Barceloneta	590	114,100	766	258,700
Bayamon	300	62,900	515	180,550
Mayaguez-Ponce	500	100,000	500	200,000
Total	2,714	561,850	3,147	1,238,350

Now, Mr. Chairman, that the coffee industry is doomed to die, as even my amendment leaving the coffee of the poor man on the free list was voted down two days ago on the floor of this House; now that misery and starvation will stare in the face a large part of our population with the ruin of our coffee industry, I hope that Congress will be willing, at least in this infant industry of the pineapple production, to remedy in some measure, although small, the great sufferings which this tariff will inflict on the people of the island of Porto Rico.

Mr. GAINES. Mr. Chairman, I move that the debate on this paragraph be now closed.

The CHAIRMAN. The gentleman from West Virginia moves that the debate on this paragraph be now closed.

The question was taken, and the motion was agreed to.

Mr. GARDNER of Massachusetts. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PAYNE].

The question was taken, and the amendment was agreed to.

Mr. TAWNEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAWNEY. Was the amendment of the gentleman from Massachusetts [Mr. GARDNER] offered to the paragraph or to the amendment of the gentleman from New York [Mr. PAYNE]?

Mr. GAINES. None was offered. Regular order, Mr. Chairman.

Mr. TAWNEY. Has the vote been taken on the amendment of the gentleman from New York?

The CHAIRMAN. Yes.

Mr. GARDNER of Massachusetts. I call for a division on the vote.

Mr. TAWNEY. Mr. Chairman, I want to ask for a division of the vote on the amendment offered by the gentleman from New York [Mr. PAYNE].

Mr. LOUDENSLAGER. It is too late now.

Mr. GAINES. Regular order!

Mr. TAWNEY. Mr. Chairman, in view of the fact that the gentleman from Massachusetts [Mr. GARDNER] had just offered an amendment, and nobody knew he had withdrawn it, I supposed the vote was on his amendment.

Mr. MANN. The gentleman from Massachusetts [Mr. GARDNER] did not offer an amendment. Anybody who was paying attention knew what was taking place.

The CHAIRMAN. The Chair will state the parliamentary situation. The gentleman from New York [Mr. PAYNE] offered an amendment. The gentleman from Massachusetts [Mr. GARDNER] stated that he was going to offer an amendment. He did not send it to the Clerk's desk. He did not offer it, and it was not reported. The Chair distinctly stated the question to be on the motion of the gentleman from New York [Mr. PAYNE]. Now, if the gentleman from Minnesota [Mr. TAWNEY] states that he was upon his feet and demanding a division, the Chair will recognize him now to demand a division.

Mr. TAWNEY. I was not demanding a division, because I did not know the amendment was voted on at all.

The CHAIRMAN. The Chair can not recognize a demand for division under those circumstances.

Mr. GARDNER of Massachusetts. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARDNER of Massachusetts. To demand a division.

The CHAIRMAN. It is too late to demand a division.

Mr. McCALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 221, after line 24, insert a new section to read as follows:

"SEC. 33½. That subdivision 9 of section 3244 of the United States Revised Statutes, as amended by section 69 of the act entitled 'An act

to reduce taxation, to provide revenue for the Government, and for other purposes,' approved August 28, 1894, is hereby further amended so as to read as follows:

"Every person whose business it is to manufacture tobacco or snuff for himself, or who employs others to manufacture tobacco or snuff, whether such manufacture be by cutting, pressing, grinding, crushing, or rubbing of any raw or leaf tobacco, or otherwise preparing raw or leaf tobacco, or manufactured or partially manufactured tobacco or snuff, or the putting up for use or consumption of scraps, waste, clippings, stems, or deposits of tobacco resulting from any process of handling tobacco, or by the working or preparation of leaf tobacco, tobacco stems, scraps, clippings, or waste, by sifting, twisting, screening, or any other process, shall be regarded as a manufacturer of tobacco: *Provided*, That unstemmed tobacco in the natural leaf and not manufactured or altered in any manner shall not be subject to any internal-revenue tax or charge of any kind whatsoever, and it shall be lawful for any person to buy and sell such unstemmed tobacco in the leaf without payment of tax of any kind: *Provided further*, That any person who sells natural-leaf tobacco to manufacturers of tobacco, snuff, or cigars shall be deemed and considered a dealer in leaf tobacco and become subject to all the provisions, rules, and regulations of subsection 6 of section 3244, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and also as amended by the act of March 3, 1883, and further, shall be subject to all the provisions of section 3360, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and of sections 3339 and 3391, United States Revised Statutes: *And provided further*, That farmers and growers of tobacco may sell leaf tobacco of their own growth and raising to manufacturers of tobacco, snuff, or cigars without being considered leaf dealers or manufacturers of tobacco and shall not be subject to the sections of the law and amendments thereof above named."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to. [Loud applause.]

The CHAIRMAN. The hour of 3 o'clock having arrived, the committee will now rise and report the bill to the House. [Loud applause.]

The committee accordingly rose, and the Speaker resumed the chair.

Mr. OLMSTED. Mr. Speaker, the Committee of the Whole House on the state of the Union instructs me to report that it has further considered the bill H. R. 1438, the tariff bill. While so considering it the hour of 3 o'clock having arrived, in pursuance of the resolution of the House governing its proceedings, the committee rose, and now, through its Chairman, reports to the House the said bill and sundry amendments thereto.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports from that committee the bill H. R. 1438, the tariff bill, with sundry amendments thereto. Under the terms of the special order made by the House the vote will be taken first upon the committee amendments, and the vote on the committee amendments under the order of the House will be taken in gross except upon certain specified amendments.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The committee amendment on the subject of barley and barley malt was agreed to.

The SPEAKER. But that is excepted by the special order of the House, if a separate vote is demanded.

Mr. MANN. That is what I understand; that is the reason why I directed the attention of the Chair to the fact that all committee amendments are not to be voted on in gross.

The SPEAKER. All are committee amendments save the excepted subjects contained in the special order.

Mr. MANN. I understand under the language of the special order that these special amendments are to be voted on separately, but that it requires a demand of some Members of the House to have the separate vote.

The SPEAKER. If a separate vote is demanded.

Mr. PERKINS. I wish to state——

The SPEAKER. The vote will first be taken on the amendments in gross that come under the special order and that do not require a separate vote.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays!

The yeas and nays were ordered.

Mr. NORRIS. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORRIS. The Chair has stated that this vote is on a committee amendment?

The SPEAKER. Excepting specified subjects in the general order.

Mr. CLARK of Missouri. Is the House entitled to a separate vote on each of the amendments?

The SPEAKER. On the excepted subjects, if it is demanded. That is on the excepted subjects under the special order; and the order specifies that a vote shall be taken upon the other amendments in gross.

Mr. CLARK of Missouri. I will withdraw the demand for the yeas and nays.

The SPEAKER. Without objection, the order for the yeas and nays is vacated.

There was no objection.

Mr. CLARK of Missouri. Then the amendments pertaining to barley malt, tea, and coffee are committee amendments, as I understand it?

The SPEAKER. They are specially excepted under the order under which we have been proceeding; and the Chair is putting the question only upon those specially referred to in the order on which the vote is to be taken in gross.

The question was taken on the amendments not specified, and they were agreed to in gross.

The SPEAKER. Is a separate vote demanded on any remaining amendment?

Mr. TAWNEY. Mr. Speaker, I offer an amendment under the rule to paragraph 708, the free list. Amend paragraph 708, page 167, by inserting after the word "wood," in line 16, the following:

Sawed boards, planks, deals, and other lumber of white wood, sycamore, and bass wood, and sawed lumber, timber hewn, sided, squared, and sawed, and round timber used for spars or in building wharves.

The SPEAKER. Well, the amendment can be reported after it is ascertained on what a separate vote is demanded. Is there any other separate vote?

Mr. HENRY of Texas. I demand a separate vote on hides.

The SPEAKER. Is a separate vote demanded on tea?

Mr. FORDNEY. The only vote that you can have on that paragraph is on the amendment offered by the gentleman from Minnesota, which is not in order, as it was voted on in the committee.

The SPEAKER. The Chair is trying to ascertain on which of these amendments a separate vote is desired.

Mr. SCOTT. Mr. Speaker, I desire to ask for a separate vote on the amendment relating to hides.

Mr. SHERLEY. I ask for a separate vote on oil.

The SPEAKER. A separate vote is demanded on lumber, hides, and oil.

Mr. SHERLEY. Barley and barley malt.

The SPEAKER. Barley and barley malt.

Mr. PERKINS. Do I understand——

Mr. FORDNEY. Mr. Speaker——

The SPEAKER. As a separate vote is not demanded on the amendments known as the "tea and coffee amendments," the vote will be taken upon those two amendments in gross.

Mr. HENRY of Texas. Mr. Speaker——

Mr. POINDEXTER. A parliamentary inquiry. In view of the fact that the vote has already been taken on the amendments in gross, and you are now proceeding to take a vote upon certain separate amendments, and there are certain other separate amendments not included in the vote in gross, and not included in this demand for separate votes, what disposition is to be made of them?

The SPEAKER. The Chair is not aware of any such amendments, except the tea and coffee amendments, and those articles are included, and the Chair was about to put the question. As a separate vote was not demanded upon the tea and coffee amendments, the Chair was about to put the question on agreeing to those amendments in gross.

Mr. HENRY of Texas. Mr. Speaker, I do not want to waive the point that I wished to make a moment ago in regard to the amendment on hides. I shall also demand a separate vote on an amendment offered to that amendment by the gentleman from Alabama.

The SPEAKER. That will come later, after these two amendments are disposed of. As many as favor agreeing to the amendments indicated will say "aye," those opposed "no."

The question being taken, the amendments were agreed to.

The SPEAKER. The first vote in order upon the bill is on lumber. That is because lumber is the first paragraph that is reached in the bill, and, proceeding through the bill regularly, the vote would come upon this amendment first.

Mr. TAWNEY. Mr. Speaker, I desire to make one suggestion which will affect the vote. If the vote is taken first on the amendment to paragraph 708, which is a part of the lumber vote, that will entirely dispose of the necessity of votes on the other two amendments. For that reason, I ask that the vote be taken first on the amendment to paragraph 708, the free list.

Several MEMBERS. Regular order!

The SPEAKER. The regular order is demanded. The Clerk will report the amendment.

Mr. FORDNEY. Mr. Speaker, I insist that the amendment offered first by the gentleman from Minnesota be voted on, if I am correct in my construction of the rules of the House.

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER. The Clerk will report the first amendment.

Mr. FORDNEY. I will withdraw my demand.

Mr. TAWNEY. The gentleman from Michigan has withdrawn his demand.

Mr. FORDNEY. Mr. Speaker, the gentleman from Minnesota says that if a vote on this paragraph is defeated, that will settle the question and he will not demand a vote on paragraphs 196 and 197, and no one else will, and that will end the lumber schedule if that is correct.

Mr. SABATH. The gentleman from Minnesota can not bind all the Members of the House.

Mr. FORDNEY. Then I demand the regular order.

The SPEAKER. The gentleman from Michigan demands the regular order.

Mr. JAMES. Mr. Speaker, I want to demand a separate vote on the lumber schedule on the De Armond amendment, which provides for free lumber, which was the first amendment offered in the Committee of the Whole, and the one first acted upon in the Committee of the Whole.

The SPEAKER. The first amendment that comes in order on the bill is in paragraph 197, page 54, an amendment offered by——

Mr. RANDELL of Texas. A point of order, Mr. Speaker.

The SPEAKER. The Chair thinks there is no better way to submit these amendments, unless by unanimous consent, than to begin at the paragraph which comes first, and that is paragraph 197.

Mr. FITZGERALD. One ninety-six, Mr. Speaker.

The SPEAKER. The amendment that was offered to paragraph 197, first reached upon the bill, was offered by the gentleman from Minnesota [Mr. TAWNEY].

Mr. FITZGERALD. I rise to a question of order.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Was not the first Tawney amendment knocked out on a point of order? I think I can state the case as it was.

The SPEAKER. The point of order amendments are not up to the House. The House has no knowledge of them.

Mr. CLARK of Missouri. That is what I am trying to explain to the Chair. Now, the situation was that the first amendment that was offered, I offered, and the gentleman from Minnesota raised——

The SPEAKER. The Chair——

Mr. CLARK of Missouri. I should like to explain the parliamentary situation.

The SPEAKER. But the Chair desires to explain, a moment. The Chair is not presumed to know, and, in fact, does not know the exact moment of time that these various amendments were offered, but by the report of the Chairman of the Committee of the Whole House on the state of the Union, the first one of these preferred amendments under the special order is one that seems to have been offered by the gentleman from Minnesota [Mr. TAWNEY], as determined by the order of the bill, the paragraph, and the lines in the paragraph. The Chair thinks that is the proper rule to adopt.

Mr. CLARK of Missouri. I was trying to enlighten the Chair as to what happened in the Committee of the Whole.

The SPEAKER. The Chairman of the Committee of the Whole is the only one that can enlighten the House upon what was done in the Committee of the Whole.

Mr. CLARK of Missouri. The RECORD itself will show.

The SPEAKER. The Chair follows the report of the Committee of the Whole House on the state of the Union as made by its Chairman, and has not other data to guide the Chair, except that report.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I understood the Speaker to say that section 197 was the first paragraph to which an amendment was offered. There was a motion made to amend paragraph 196, which comes before 197. If the Speaker is to take the paragraphs in the order in which they occur in the bill we would have to take first the motion to strike out paragraph 196 from the bill.

The SPEAKER. There seems to be no record of the motion spoken of by the gentleman from Illinois.

Mr. MANN. There was such a motion made—defeated, it is true. Ordinarily a defeated motion would have no standing before the House, but under the special rule the fact that the motion did not prevail makes no difference, and we are still entitled to a vote.

The SPEAKER. The Chair is causing inquiry to be made at the desk, and finds no such written motion reported by the chairman of the committee.

Mr. MANN. Mr. Speaker, I think there was no written motion, but there was a motion made, and is shown by the RECORD as having been made. Of course there is no journal of it, because it was a defeated motion.

The SPEAKER. The Chair has no knowledge of any such motion.

Mr. HENRY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HENRY of Texas. The Speaker stated that we can only receive information through the Chairman of the Committee of the Whole in regard to amendments voted upon. There were two amendments offered by the gentleman from Minnesota in the Committee of the Whole; which one of these amendments does the Speaker propose to submit?

Mr. TAWNEY. There were three amendments offered by "the gentleman from Minnesota."

Mr. HENRY of Texas. One was ruled out on a point of order made by the gentleman from New York [Mr. FITZGERALD]——

Mr. TAWNEY. That was reoffered on page 1129 of the RECORD.

Mr. HENRY of Texas. The first was on page 1126.

Mr. TAWNEY. That was the first, and then the next amendment was to strike out paragraph 196, and the third amendment was to transfer the one stricken out to paragraph 808, which is the free list.

Mr. Speaker, let me state, for the information of the Chair, that when the first vote was taken——

The SPEAKER. This is an exceptional condition the House finds itself in, operating under the special rule, and the Chair will call upon the gentleman from Pennsylvania [Mr. OLMSTED], Chairman of the Committee of the Whole House on the state of the Union, to make a supplemental report, if he so desires, as to the verbal amendment that was offered by the gentleman from Minnesota.

Mr. TAWNEY. The reason it does not appear in the RECORD is because I withheld my remarks that day for revision and have not published them.

The SPEAKER. But the Chair finds it on page 1139 of the RECORD. [Laughter.]

Mr. OLMSTED. Mr. Speaker, without having examined the RECORD carefully, or without having attempted to remember all the amendments that were offered, I have a distinct recollection that the first amendment offered was by the gentleman from Missouri. It was ruled out of order.

That was to paragraph 197, and, I think, also included some other matter. Then an amendment was offered by the gentleman from Minnesota [Mr. TAWNEY], which was ruled out of order. The first amendment actually voted upon, directed to paragraph 197, was offered by the gentleman from Minnesota [Mr. TAWNEY]. Afterwards the gentleman from Minnesota made an inquiry of the Chair, whether or not amendments not offered in committee could under the special order be voted on in the House. The Chair declined to answer that question, stating that he had a distinct opinion upon it, but that it was a question to be determined by the Speaker or by the House and not in Committee of the Whole House on the state of the Union. Thereupon the gentleman from Minnesota stated that in order to preserve his rights he proposed certain other amendments, including the one striking out section 196. He did offer such an amendment, and it was not agreed to by the committee. That is why it does not appear among the amendments reported from the committee. Nevertheless it is, under the special order, entitled to be voted on in the House.

Mr. MANN. That is the first paragraph which was amended?

Mr. DE ARMOND. Mr. Speaker, the gentleman from Pennsylvania [Mr. OLMSTED] is wrong about the first vote. The first vote was on an amendment offered by myself.

The SPEAKER. The Clerk will read as follows from the RECORD, supplementing the statement of the gentleman from Pennsylvania [Mr. OLMSTED], and the Chair presumes from what he says that he refers to the entry which the Chair has found in the RECORD, and which the Clerk will read.

The Clerk read as follows:

[Page 1139 of the RECORD.]

Mr. TAWNEY. Then, in order that there may be no question about it, I will offer amendments to strike out paragraph 196 and to amend paragraph 708.

The CHAIRMAN. The Clerk will report the amendment which the gentleman from Minnesota offers.

The Clerk read as follows:

"Page 54, strike out paragraph 196, being lines 16, 17, 18, and 19."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. So far as the Chair knows, that is the first amendment in order.

Mr. OLMSTED. Mr. Speaker, it is proper to add that the first amendment actually voted upon in Committee of the Whole House on the state of the Union was an amendment offered by the gentleman from Missouri [Mr. DE ARMOND] touching paragraph 197.

Mr. MANN. Mr. Speaker, no one disputes that.

The SPEAKER. To what paragraph of the bill?

Mr. MANN. That was the paragraph 197.

The SPEAKER. Paragraph 196 will first be disposed of.

Mr. RANDELL of Texas. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANDELL of Texas. Mr. Speaker, under the rule we are given the list of those subjects amendments on which can be voted upon separately, regardless of the action of the Committee of the Whole House on the state of the Union. I make the point of order that hides come first in that list, lumber second, oil next, and so forth, and that the rule does not follow the order in the bill, but varies from it. I make the point of order that the order of those subjects as contained in the rule should be followed in the House in taking the vote.

The SPEAKER. The Chair has fully considered that matter, and has ruled that under this special order the vote would come in the order of the paragraph in the bill, because the special order itself upon that matter is conflicting. The first part of the special order speaks first of lumber. The latter part of the special order speaks first of hides. The Chair, after considering the whole special order, has decided to follow the order of the paragraph in the bill.

Mr. HARRISON. Mr. Speaker, can we have the amendment again reported?

The SPEAKER. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Page 54, strike out paragraph 196, being lines 16, 17, 18, and 19.

Mr. CANDLER. Mr. Speaker, may we have paragraph 196 read?

The SPEAKER. Without objection, paragraph 196 will be read.

There was no objection, and the Clerk read paragraph 196 of the bill, as follows:

196. Timber, hewn, sided, or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

The SPEAKER. The question is on the amendment to strike out paragraph 196.

The question was taken.

Mr. TAWNEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 184, nays 198, not voting 6, as follows:

YEAS—184.

Adair	Davis	Hitchcock	Martin, S. Dak.
Aiken	Dawson	Houston	Miller, Kans.
Alexander, Mo.	De Armond	Howard	Miller, Minn.
Anderson	Dent	Howell, N. J.	Moore, Tex.
Ansberry	Denver	Howland	Morgan, Okla.
Anthony	Dixon, Ind.	Hubbard, Iowa	Morrison
Ashbrook	Driscoll, D. A.	Hughes, Ga.	Moss
Barnard	Driscoll, M. E.	Hughes, N. J.	Murdock
Barnhart	Esch	Hull, Iowa	Nelson
Bartlett, Ga.	Ferris	Hull, Tenn.	Nicholls
Bartlett, Nev.	Finley	Humphreys, Miss.	Norris
Beall, Tex.	Fitzgerald	James	Nye
Boehne	Flood, Va.	Jamieson	O'Connell
Booher	Floyd, Ark.	Johnson, Ky.	Oldfield
Borland	Fornes	Johnson, S. C.	Palmer, A. M.
Burgess	Foster, Ill.	Jones	Patterson
Burke, S. Dak.	Gallagher	Joyce	Perkins
Burleson	Garner, Tex.	Kelliher	Peters
Burnett	Garrett	Kendall	Pickett
Byrd	Gill, Md.	Kennedy, Iowa	Prince
Byrns	Gillespie	Kinkaid, Nebr.	Rainey
Campbell	Goldfogle	Kinkead, N. J.	Randell, Tex.
Candler	Good	Kitchin	Rauch
Cantrill	Goulden	Kopp	Reeder
Carlin	Graff	Korbly	Reid
Carter	Graham, Ill.	Küstermann	Richardson
Cary	Gronna	Latta	Riordan
Clark, Mo.	Hamill	Lawrence	Robinson
Clayton	Hamilton	Lenroot	Rothermel
Cline	Hamlin	Lindbergh	Rucker, Colo.
Collier	Hammond	Lindsay	Rucker, Mo.
Conry	Hanna	Lloyd	Sabath
Cooper, Wis.	Hardwick	Lowden	Scott
Covington	Hardy	McDermott	Shackleford
Cox, Ind.	Harrison	McHenry	Sharp
Cox, Ohio	Haugen	McKinney	Sheppard
Craig	Hay	Macon	Sherley
Cravens	Heflin	Madison	Sherwood
Creager	Helm	Maguire, Nebr.	Sims
Cullop	Henry, Tex.	Mann	Sisson
Davidson	Hinshaw	Martin, Colo.	Slayden
Smith, Iowa	Steenerson	Talbott	Underwood
Smith, Tex.	Stephens, Tex.	Tawney	Volstead
Splight	Sterling	Taylor, Colo.	Wallace
Stafford	Stevens, Minn.	Thomas, Ky.	Welsse
Stanley	Sulzer	Tou Velle	Woods, Iowa

NAYS—198.

Adamson	Elvins	Knowland	Poindexter
Alexander, N. Y.	Englebright	Kronmiller	Pou
Allen	Estopinal	Lafean	Pratt
Ames	Fairchild	Lamb	Pray
Andrus	Fassett	Langham	Pujo
Austin	Fish	Langley	Ransdell, La.
Barchfeld	Focht	Lassiter	Reynolds
Barclay	Foelker	Law	Roberts
Bartholdt	Fordney	Lee	Rodenberg
Bates	Foss	Lever	Saunders
Bell, Ga.	Foster, Vt.	Livingston	Sheffield
Bennet, N. Y.	Foulkrod	Longworth	Simmons
Bennett, Ky.	Fowler	Lorimer	Slemp
Bingham	Fuller	Lond	Small
Boutell	Gaines	Loudenslager	Smith, Cal.
Bowers	Gardner, Mass.	Lovering	Smith, Mich.
Bradley	Gardner, Mich.	Lundin	Snapp
Brantley	Gardner, N. J.	McCall	Southwick
Broussard	Garner, Pa.	McCreary	Sparkman
Brownlow	Gillett	McGuire, Okla.	Sperry
Burke, Pa.	Glass	McKinlay, Cal.	Sturgiss
Burleigh	Godwin	McKinley, Ill.	Sulloway
Butler	Goebel	McLachlan, Cal.	Swasey
Calder	Gordon	McLaughlin, Mich.	Taylor, Ala.
Calderhead	Graham, Pa.	McMorran	Taylor, Ohio
Capron	Grant	Madden	Tener
Chapman	Greene	Malby	Thistlewood
Clark, Fla.	Gregg	Maynard	Thomas, N. C.
Cocks, N. Y.	Griest	Mays	Thomas, Ohio
Cole	Griggs	Millington	Tilson
Cook	Guernsey	Mondell	Tirrell
Cooper, Pa.	Hamer	Moon, Pa.	Townsend
Cowles	Hawley	Moon, Tenn.	Vreeland
Crumpacker	Hayes	Moore, Pa.	Wanger
Currier	Heald	Morehead	Washburn
Cushman	Henry, Conn.	Morgan, Mo.	Watkins
Dalzell	Higgins	Morse	Webb
Denby	Hill	Mudd	Weeks
Dickson, Miss.	Hobson	Murphy	Wheeler
Dickema	Hollingsworth	Needham	Wickliffe
Dies	Howell, Utah	Olcott	Wiley
Dodds	Hubbard, W. Va.	Olmsted	Wilson, Ill.
Douglas	Huff	Padgett	Wilson, Pa.
Draper	Hughes, W. Va.	Page	Wood, N. J.
Durey	Humphrey, Wash.	Palmer, H. W.	Woodyard
Dwight	Johnson, Ohio	Parker	Young, Mich.
Edwards, Ga.	Kahn	Parsons	Young, N. Y.
Edwards, Ky.	Keifer	Payne	The Speaker
Ellerbe	Kennedy, Ohio	Pearre	
Ellis	Knapp	Plumley	

NOT VOTING—6.

Coudrey	Gill, Mo.	Russell	Willett
Crow	Rhinock		

So the amendment was rejected. [Applause.]

The SPEAKER directed that his name be called, and when it was called he answered "no." [Applause.]

The Clerk announced the following pairs:

Until further notice:

Mr. CROW with Mr. RUSSELL.

Mr. COUDREY with Mr. GILL of Missouri.

The result of the vote was announced as above recorded.

The SPEAKER. Does the gentleman from Missouri [Mr. DE ARMOND] demand a separate vote upon his amendment?

Mr. DE ARMOND. Yes.

The SPEAKER. A little later on we will come to the amendment of the gentleman from Missouri. The Clerk will report the next amendment to be voted upon.

The Clerk read as follows:

Page 54, after the figures "197," in line 20, strike out all down to and including the word "but," in line 24; also strike out the words "in addition to the rate herein provided," in line 25, page 54, and line 1, page 55, so that the paragraph will read:

"When lumber of any sort is planed or finished there shall be levied and paid for each side so planed or finished, 50 cents per thousand feet board measure; and if planed on one side and tongued and grooved, $1 per thousand feet board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving."

The SPEAKER. Is a separate vote demanded upon this amendment?

Mr. TAWNEY. It is, Mr. Speaker.

Mr. JAMES. Mr. Speaker, a parliamentary inquiry. I make the point of order that the amendment of the gentleman from Missouri [Mr. DE ARMOND] was acted upon in the Committee of the Whole House before that amendment was, and that it is now in order to consider the amendment of the gentleman from Missouri.

The SPEAKER. We will come to that.

The question was taken; and the Chair announced the noes seemed to have it.

Mr. TAWNEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 180, nays 200, not voting 8, as follows:

YEAS—180.

Adair	Driscoll, D. A.	James	Patterson
Aiken	Driscoll, M. E.	Jamieson	Perkins
Alexander, Mo.	Esch	Johnson, Ky.	Peters
Anderson	Ferris	Johnson, S. C.	Pickett
Ansberry	Finley	Jones	Prince
Anthony	Fitzgerald	Joyce	Ralney
Ashbrook	Flood, Va.	Kellher	Randell, Tex.
Barnard	Floyd, Ark.	Kendall	Rauch
Barnhart	Fornes	Kennedy, Iowa	Reeder
Bartlett, Ga.	Foster, Ill.	Kinkaid, Nebr.	Reid
Bartlett, Nev.	Gallagher	Kinkead, N. J.	Richardson
Beall, Tex.	Garner, Tex.	Kitchin	Riordan
Boehne	Garrett	Kopp	Robinson
Booher	Gill, Md.	Korbly	Rothermel
Borland	Gillespie	Latta	Rucker, Colo.
Burgess	Goldfogle	Lawrence	Rucker, Mo.
Burke, S. Dak.	Good	Lenroot	Sabath
Burleson	Goulden	Lindbergh	Scott
Burnett	Graff	Lindsay	Shackleford
Byrd	Graham, Ill.	Lloyd	Sharp
Byrns	Gronna	Lowden	Sheppard
Campbell	Hamill	McDermott	Sherley
Candler	Hamilton	McHenry	Sherwood
Cantrill	Hamlin	McKinley, Ill.	Sims
Carlin	Hammond	McKinney	Sisson
Carter	Hanna	Macon	Slayden
Cary	Hardwick	Madison	Smith, Iowa
Clark, Mo.	Hardy	Maguire, Nebr.	Smith, Tex.
Clayton	Harrison	Mann	Stafford
Cline	Haugen	Martin, Colo.	Stanley
Collier	Hay	Martin, S. Dak.	Steenerson
Conry	Heflin	Miller, Kans.	Stephens, Tex.
Cooper, Wis.	Helm	Miller, Minn.	Sterling
Covington	Henry, Tex.	Moore, Tex.	Stevens, Minn.
Cox, Ind.	Hinshaw	Morgan, Okla.	Sulzer
Cox, Ohio	Hitchcock	Morrison	Talbott
Craig	Houston	Moss	Tawney
Cullop	Howell, N. J.	Murdock	Taylor, Colo.
Davidson	Howland	Nelson	Thomas, Ky.
Davis	Hubbard, Iowa	Nicholls	Tou Velle
Dawson	Hughes, Ga.	Norris	Underwood
De Armond	Hughes, N. J.	Nye	Volstead
Dent	Hull, Iowa	O'Connell	Wallace
Denver	Hull, Tenn.	Oldfield	Weisse
Dixon, Ind.	Humphreys, Miss.	Palmer, A. M.	Woods, Iowa

NAYS—200.

Adamson	Ellerbe	Keifer	Pearre
Alexander, N. Y.	Ellis	Kennedy, Ohio	Plumley
Allen	Elvins	Knapp	Poindexter
Ames	Englebright	Knowland	Pou
Andrus	Estopinal	Kronmiller	Pratt
Austin	Fairchild	Küstermann	Pray
Barchfeld	Fassett	Lafean	Pujo
Barclay	Fish	Lamb	Ransdell, La.
Bartholdt	Focht	Langham	Reynolds
Bates	Foelker	Langley	Roberts
Bell, Ga.	Fordney	Lassiter	Rodenberg
Bennet, N. Y.	Foss	Law	Saunders
Bennett, Ky.	Foster, Vt.	Lee	Sheffield
Bingham	Foulkrod	Lever	Simmons
Boutell	Fowler	Livingston	Slemp
Bowers	Fuller	Longworth	Small
Bradley	Gaines	Loriner	Smith, Cal.
Brantley	Gardner, Mass.	Loud	Smith, Mich.
Broussard	Gardner, Mich.	Loudenslager	Snapp
Brownlow	Gardner, N. J.	Lovering	Southwick
Burke, Pa.	Garner, Pa.	Lundin	Sparkman
Burleigh	Gillett	McCall	Sperry
Butler	Glass	McCreary	Sturgiss
Calder	Godwin	McGuire, Okla.	Sulloway
Calderhead	Goebel	McKinlay, Cal.	Swasey
Capron	Gordon	McLachlan, Cal.	Taylor, Ala.
Chapman	Graham, Pa.	McLaughlin, Mich.	Taylor, Ohio
Clark, Fla.	Grant	McMorran	Tener
Cocks, N. Y.	Greene	Madden	Thistlewood
Cole	Gregg	Malby	Thomas, N. C.
Cook	Griest	Maynard	Thomas, Ohio
Cooper, Pa.	Griggs	Mays	Tilson
Cowles	Guernsey	Millington	Tirrell
Cravens	Hamer	Mondell	Townsend
Creager	Hawley	Moon, Pa.	Vreeland
Crumpacker	Hayes	Moon, Tenn.	Wanger
Currier	Heald	Moore, Pa.	Washburn
Cushman	Henry, Conn.	Morehead	Watkins
Dalzell	Higgins	Morgan, Mo.	Webb
Denby	Hill	Morse	Weeks
Dickson, Miss.	Hobson	Mudd	Wheeler
Diekema	Hollingsworth	Murphy	Wickliffe
Dies	Howard	Needham	Wiley
Dodds	Howell, Utah	Olcott	Wilson, Ill.
Douglas	Hubbard, W. Va.	Olmsted	Wilson, Pa.
Draper	Huff	Padgett	Wood, N. J.
Durey	Hughes, W. Va.	Page	Woodyard
Dwight	Humphrey, Wash.	Palmer, H. W.	Young, Mich.
Edwards, Ga.	Johnson, Ohio	Parker	Young, N. Y.
Edwards, Ky.	Kahn	Parsons	The Speaker

NOT VOTING—8.

Coudrey	Gill, Mo.	Rhinock	Spight
Crow	Payne	Russell	Willett

So the amendment was rejected.

The Clerk announced the following additional pair:

Until further notice:

Mr. PAYNE with Mr. WILLETT.

The result of the vote was announced as above recorded.

The SPEAKER. The next amendment offered in point of time was an amendment by the gentleman from Michigan [Mr. FORDNEY] to strike out the proviso to the lumber section, but the gentleman from Missouri [Mr. DE ARMOND] offered a preferential amendment to perfect the proviso. Therefore the vote would come first upon the amendment offered by the gentleman from Missouri, which the Clerk will report:

The Clerk read as follows:

Amend the proviso by striking out all after the word *"Provided,"* and insert in lieu of the words stricken out the following:

"That none of the duties imposed by this paragraph shall be levied upon any of the products of any country, subdivision, or dependency of North America, South America, or Central America, or any island of the Western Hemisphere, but all such products shall be admitted free of duty."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. DE ARMOND. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 133, nays 244, not voting 11, as follows:

YEAS—133.

Adair	De Armond	Hughes, Ga.	Peters
Adamson	Dent	Hughes, N. J.	Rainey
Aiken	Denver	Hull, Tenn.	Randell, Tex.
Alexander, Mo.	Dixon, Ind.	Humphreys, Miss.	Rauch
Anderson	Driscoll, D. A.	James	Reid
Ansberry	Ferris	Jamieson	Richardson
Ashbrook	Finley	Johnson, Ky.	Riordan
Barnhart	Fitzgerald	Johnson, S. C.	Robinson
Bartlett, Ga.	Flood, Va.	Jones	Rothermel
Bartlett, Nev.	Floyd, Ark.	Kellher	Rucker, Colo.
Beall, Tex.	Fornes	Kinkaid, Nebr.	Rucker, Mo.
Bell, Ga.	Foster, Ill.	Kinkead, N. J.	Sabath
Boehne	Gallagher	Kitchin	Shackleford
Booher	Garner, Tex.	Korbly	Sharp
Borland	Garrett	Latta	Sheppard
Burgess	Gill, Md.	Lindsay	Sherley
Burleson	Gillespie	Lloyd	Sherwood
Burnett	Goldfogle	McDermott	Sims
Byrd	Goulden	McHenry	Sisson
Byrns	Graham, Ill.	Macon	Smith, Tex.
Candler	Hamill	Madison	Spight
Cantrill	Hamlin	Maguire, Nebr.	Stanley
Carter	Hammond	Martin, Colo.	Stephens, Tex.
Clark, Mo.	Hardwick	Moore, Tex.	Sulzer
Clayton	Hardy	Morgan, Okla.	Talbott
Cline	Harrison	Morrison	Taylor, Colo.
Collier	Hay	Moss	Thomas, Ky.
Conry	Heflin	Murdock	Tou Velle
Covington	Helm	Nicholls	Underwood
Cox, Ind.	Henry, Tex.	Norris	Wallace
Cox, Ohio	Hinshaw	O'Connell	Weisse
Craig	Hitchcock	Oldfield	
Cravens	Houston	Palmer, A. M.	
Cullop	Howard	Patterson	

NAYS—244.

Alexander, N. Y.	Draper	Hill	Madden
Allen	Driscoll, M. E.	Hobson	Malby
Ames	Durey	Hollingsworth	Mann
Andrus	Dwight	Howell, Utah	Martin, S. Dak.
Anthony	Edwards, Ga.	Howland	Maynard
Austin	Edwards, Ky.	Hubbard, Iowa	Mays
Barchfeld	Ellerbe	Hubbard, W. Va.	Miller, Kans.
Barclay	Ellis	Huff	Miller, Minn.
Barnard	Elvins	Hughes, W. Va.	Millington
Bartholdt	Englebright	Hull, Iowa	Mondell
Bates	Esch	Humphrey, Wash.	Moon, Pa.
Bennet, N. Y.	Estopinal	Johnson, Ohio	Moon, Tenn.
Bennett, Ky.	Fairchild	Joyce	Moore, Pa.
Bingham	Fassett	Kahn	Morehead
Boutell	Fish	Keifer	Morgan, Mo.
Bowers	Focht	Kendall	Morse
Bradley	Foelker	Kennedy, Iowa	Mudd
Brantley	Fordney	Kennedy, Ohio	Murphy
Broussard	Foss	Knapp	Needham
Brownlow	Foster, Vt.	Knowland	Nelson
Burke, Pa.	Foulkrod	Kopp	Nye
Burke, S. Dak.	Fowler	Kronmiller	Olcott
Burleigh	Fuller	Küstermann	Olmsted
Butler	Gaines	Lafean	Padgett
Calder	Gardner, Mass.	Lamb	Page
Calderhead	Gardner, Mich.	Langham	Palmer, H. W.
Campbell	Gardner, N. J.	Langley	Parker
Capron	Garner, Pa.	Lassiter	Parsons
Cary	Gillett	Law	Payne
Chapman	Glass	Lawrence	Pearre
Clark, Fla.	Godwin	Lee	Perkins
Cocks, N. Y.	Goebel	Lenroot	Pickett
Cole	Good	Lever	Plumley
Cook	Gordon	Lindbergh	Poindexter
Cooper, Pa.	Graff	Livingston	Pou
Cooper, Wis.	Grant	Longworth	Pratt
Cowles	Greene	Lorimer	Pray
Creager	Gregg	Loud	Prince
Crumpacker	Griest	Loudenslager	Pujo
Currier	Griggs	Lovering	Ransdell, La.
Cushman	Gronna	Lowden	Reeder
Dalzell	Guernsey	Lundin	Reynolds
Davidson	Hamer	McCall	Roberts
Davis	Hamilton	McCreary	Rodenberg
Dawson	Hanna	McGuire, Okla.	Saunders
Denby	Haugen	McKinlay, Cal.	Scott
Dickson, Miss.	Hawley	McKinley, Ill.	Sheffield
Diekema	Hayes	McKinney	Simmons
Dies	Heald	McLachlan, Cal.	Slemp
Dodds	Henry, Conn.	McLaughlin, Mich.	Small
Douglas	Higgins	McMorran	Smith, Cal.

Smith, Iowa	Sulloway	Tirrell	Wickliffe
Smith, Mich.	Swasey	Townsend	Wiley
Snapp	Tawney	Volstead	Wilson, Ill.
Southwick	Taylor, Ala.	Vreeland	Wilson, Pa.
Sparkman	Taylor, Ohio	Wanger	Wood, N. J.
Sperry	Tener	Washburn	Woods, Iowa
Stafford	Thistlewood	Watkins	Woodyard
Steenerson	Thomas, N. C.	Webb	Young, Mich.
Sterling	Thomas, Ohio	Weeks	Young, N. Y.
Sturgiss	Tilson	Wheeler	The Speaker

NOT VOTING—11.

Carlin	Gill, Mo.	Rhinock	Stevens, Minn.
Coudrey	Graham, Pa.	Russell	Willett
Crow	Howell, N. J.	Sisson	

So the amendment was rejected.

The following additional pairs were announced:

Until further notice:

Mr. STEVENS of Minnesota with Mr. SISSON.

Mr. HOWELL of New Jersey with Mr. RHINOCK.

The result of the vote was then announced as above recorded.

The SPEAKER. The next amendment is one offered by the gentleman from Michigan [Mr. FORDNEY], striking out the proviso to paragraph 197, page 55, of the bill.

The question was taken, and the amendment was agreed to.

Mr. CLARK of Missouri. Now, Mr. Speaker, the next amendment was mine, at the bottom of page 946 of the RECORD.

The SPEAKER. What paragraph?

Mr. CLARK of Missouri. Paragraph 197. The motion was to strike it out.

The SPEAKER. Strike what out?

Mr. CLARK of Missouri. Strike the whole paragraph out.

The SPEAKER. Was the motion voted on?

Mr. CLARK of Missouri. Yes; it was voted on.

The SPEAKER. Will the gentleman please give the page of the RECORD?

Mr. CLARK of Missouri. It is at the bottom of the first column of page 946, and the vote is shown at the top of the next column: "Ayes 118, noes 157."

The SPEAKER. That is an amendment referred to by the Chairman of the Committee of the Whole House on the state of the Union, as the Chair recollects. The Clerk will report the amendment.

The Clerk read as follows:

Strike out paragraph 197.

The question was taken on the amendment, and the Speaker announced that the noes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 228, not voting 7, as follows:

YEAS—153.

Adair	Davis	Hughes, Ga.	Randell, Tex.
Adamson	De Armond	Hughes, N. J.	Rauch
Aiken	Dent	Hull, Tenn.	Reeder
Alexander, Mo.	Denver	Humphreys, Miss.	Reid
Anderson	Dixon, Ind.	James	Richardson
Ansberry	Driscoll, D. A.	Jamieson	Riordan
Anthony	Ferris	Johnson, Ky.	Robinson
Ashbrook	Finley	Johnson, S. C.	Rothermel
Barnard	Fitzgerald	Jones	Rucker, Colo.
Barnhart	Flood, Va.	Kellher	Rucker, Mo.
Bartlett, Ga.	Floyd, Ark.	Kinkaid, Nebr.	Sabath
Bartlett, Nev.	Fornes	Kinkead, N. J.	Scott
Beall, Tex.	Foster, Ill.	Kitchin	Shackleford
Bell, Ga.	Gallagher	Korbly	Sharp
Boehne	Garner, Tex.	Latta	Sheppard
Booher	Garrett	Lawrence	Sherley
Borland	Gill, Md.	Lindsay	Sherwood
Burgess	Gillespie	Lloyd	Sims
Burleson	Goldfogle	McDermott	Sisson
Burnett	Good	McHenry	Slayden
Byrd	Goulden	Macon	Smith, Tex.
Byrns	Graham, Ill.	Madison	Spight
Campbell	Gronna	Maguire, Nebr.	Stafford
Candler	Hamill	Martin, Colo.	Stanley
Cantrill	Hamlin	Moore, Tex.	Steenerson
Carlin	Hammond	Morgan, Okla.	Stephens, Tex.
Carter	Hanna	Morrison	Sterling
Clark, Mo.	Hardwick	Moss	Sulzer
Clayton	Hardy	Murdock	Talbott
Cline	Harrison	Nicholls	Taylor, Colo.
Collier	Haugen	Norris	Thomas, Ky.
Conry	Hay	O'Connell	Tou Velle
Covington	Heflin	Oldfield	Underwood
Cox, Ind.	Helm	Palmer, A. M.	Volstead
Cox, Ohio	Henry, Tex.	Patterson	Wallace
Craig	Hinshaw	Perkins	Weisse
Cravens	Hitchcock	Peters	
Cullop	Houston	Prince	
Davidson	Howard	Rainey	

NAYS—228.

Alexander, N. Y.	Bates	Broussard	Capron
Allen	Bennet, N. Y.	Brownlow	Cary
Ames	Bennett, Ky.	Burke, Pa.	Chapman
Andrus	Bingham	Burke, S. Dak.	Clark, Fla.
Austin	Boutell	Burleigh	Cocks, N. Y.
Barchfeld	Bowers	Butler	Cole
Barclay	Bradley	Calder	Cook
Bartholdt	Brantley	Calderhead	Cooper, Pa.
Cooper, Wis.	Grant	Lorimer	Pray
Cowles	Greene	Loud	Pujo
Creager	Gregg	Loudenslager	Ransdell, La.
Crumpacker	Griest	Lovering	Reynolds
Currier	Griggs	Lowden	Roberts
Cushman	Guernsey	Lundin	Rodenberg
Dalzell	Hamer	McCall	Saunders
Denby	Hawley	McCreary	Sheffield
Dickson, Miss.	Hayes	McGuire, Okla.	Simmons
Diekema	Heald	McKinlay, Cal.	Slemp
Dies	Henry, Conn.	McKinley, Ill.	Small
Dodds	Higgins	McKinney	Smith, Cal.
Douglas	Hill	McLachlan, Cal.	Smith, Iowa
Draper	Hobson	McLaughlin, Mich.	Smith, Mich.
Driscoll, M. E.	Hollingsworth	McMorran	Snapp
Durey	Howell, N. J.	Madden	Southwick
Dwight	Howell, Utah	Malby	Sparkman
Edwards, Ga.	Howland	Mann	Sperry
Edwards, Ky.	Hubbard, Iowa	Martin, S. Dak.	Stevens, Minn.
Ellerbe	Hubbard, W. Va.	Maynard	Sturgiss
Ellis	Huff	Mays	Sulloway
Elvins	Hughes, W. Va.	Miller, Kans.	Swasey
Englebright	Hull, Iowa	Miller, Minn.	Tawney
Esch	Humphrey, Wash.	Millington	Taylor, Ala.
Estopinal	Johnson, Ohio	Mondell	Taylor, Ohio
Fairchild	Joyce	Moon, Pa.	Tener
Fassett	Kahn	Moore, Pa.	Thistlewood
Fish	Keifer	Morehead	Thomas, N. C.
Focht	Kendall	Morgan, Mo.	Thomas, Ohio
Foelker	Kennedy, Iowa	Morse	Tilson
Fordney	Kennedy, Ohio	Murphy	Tirrell
Foss	Knapp	Needham	Townsend
Foster, Vt.	Knowland	Nelson	Vreeland
Foulkrod	Kopp	Nye	Wanger
Fowler	Kronmiller	Olcott	Washburn
Fuller	Küstermann	Olmsted	Watkins
Gaines	Lafean	Padgett	Webb
Gardner, Mass.	Lamb	Page	Weeks
Gardner, Mich.	Langham	Palmer, H. W.	Wheeler
Gardner, N. J.	Langley	Parker	Wickliffe
Garner, Pa.	Lassiter	Parsons	Wiley
Gillett	Law	Payne	Wilson, Ill.
Glass	Lee	Pearre	Wilson, Pa.
Godwin	Lenroot	Pickett	Wood, N. J.
Goebel	Lever	Plumley	Woods, Iowa
Gordon	Lindbergh	Poindexter	Woodyard
Graff	Livingston	Pou	Young, Mich.
Graham, Pa.	Longworth	Pratt	Young, N. Y.

NOT VOTING—7.

Coudrey	Gill, Mo.	Rhinock	Willett
Crow	Mudd	Russell	

So the amendment was rejected.

The Clerk announced the following additional pair:

Until further notice:

Mr. MUDD with Mr. RHINOCK.

The result of the vote was announced as above recorded.

The SPEAKER. Is an additional vote called for?

Mr. TAWNEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Is it the intention of the Speaker to consider the amendments in the order of the paragraphs or in the order in which the amendments were offered?

The SPEAKER. In the order of the paragraphs.

Mr. TAWNEY. Mr. Speaker, it has been suggested by gentlemen here that I ask unanimous consent, in order to finish the lumber schedule, that the vote be taken at this time on the amendment to paragraph 708.

The SPEAKER. The gentleman asks unanimous consent that the vote may be taken on the amendment to paragraph 708. Is there objection?

There was no objection.

The Clerk read as follows:

708. Wood: Sawed boards, planks, deals and other lumber of white wood, sycamore and bass wood and sawed lumber, timber hewn, sided, squared or sawed and round timber used for spars or in building wharves, logs and round unmanufactured timber, including pulp woods, firewood, handle bolts, shingle bolts, gun blocks for gunstocks rough hewn or sawed or planed on one side, hop poles, ship timber and ship planking; all of the foregoing not specially provided for in sections 1 and 2 of this act.

The SPEAKER. The motion is to strike out paragraph 708 and to insert what has been read.

Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry. Is the effect of this amendment to put upon the free list the articles enumerated in the paragraph read?

Mr. LANGLEY. That is not a parliamentary inquiry. It is a legal inquiry.

The SPEAKER. The Chair is informed that would be the effect of it.

Mr. TAWNEY. I did not hear the gentleman's question.

Mr. FITZGERALD. Is the effect of this amendment to put the articles enumerated on the free list?

Mr. TAWNEY. It is. The effect is to transfer the articles mentioned from the dutiable list to the free list.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. TAWNEY and Mr. COOPER of Wisconsin demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 181, nays 200, not voting 7, as follows:

YEAS—181.

Adair	Driscoll, D. A.	James	Peters
Aiken	Driscoll, M. E.	Jamieson	Pickett
Alexander, Mo.	Esch	Johnson, Ky.	Prince
Anderson	Ferris	Johnson, S. C.	Rainey
Ansberry	Finley	Jones	Randell, Tex.
Anthony	Fitzgerald	Joyce	Rauch
Ashbrook	Flood, Va.	Keliher	Reeder
Barnard	Floyd, Ark.	Kendall	Reid
Barnhart	Fornes	Kennedy, Iowa	Richardson
Bartlett, Ga.	Foster, Ill.	Kinkaid, Nebr.	Riordan
Bartlett, Nev.	Gallagher	Kirkead, N. J.	Robinson
Beall, Tex.	Garner, Tex.	Kitchin	Rothermel
Boehne	Garrett	Kopp	Rucker, Colo.
Booher	Gill, Md.	Korbly	Rucker, Mo.
Borland	Gillespie	Latta	Sabath
Burgess	Goldfogle	Lawrence	Scott
Burke, S. Dak.	Good	Lenroot	Shackleford
Burleson	Goulden	Lindbergh	Sharp
Burnett	Graff	Lindsay	Sheppard
Byrd	Graham, Ill.	Lloyd	Sherley
Byrns	Gronna	Lowden	Sherwood
Campbell	Hamill	McDermott	Sims
Candler	Hamilton	McHenry	Sisson
Cantrill	Hamlin	McKinney	Slayden
Carlin	Hammond	Macon	Smith, Iowa
Carter	Hanna	Madison	Smith, Tex.
Cary	Hardwick	Maguire, Nebr.	Spight
Clark, Mo.	Hardy	Mann	Stafford
Clayton	Harrison	Martin, Colo.	Steenerson
Cline	Haugen	Martin, S. Dak.	Stephens, Tex.
Collier	Hay	Miller, Kans.	Sterling
Conry	Heflin	Miller, Minn.	Stevens, Minn.
Cooper, Wis.	Helm	Moore, Tex.	Sulzer
Covington	Henry, Tex.	Morgan, Okla.	Talbott
Cox, Ind.	Hinshaw	Morrison	Tawney
Cox, Ohio	Hitchcock	Moss	Taylor, Colo.
Craig	Houston	Murdock	Thomas, Ky.
Cravens	Howard	Nelson	Tou Velle
Cullop	Howell, N. J.	Nicholls	Underwood
Davidson	Howland	Norris	Volstead
Davis	Hubbard, Iowa	Nye	Wallace
Dawson	Hughes, Ga.	O'Connell	Weisse
De Armond	Hughes, N. J.	Oldfield	Woods, Iowa
Dent	Hull, Iowa	Palmer, A. M.	
Denver	Hull, Tenn.	Patterson	
Dixon, Ind.	Humphreys, Miss.	Perkins	

NAYS—200.

Adamson	Ellis	Knapp	Pearre
Alexander, N. Y.	Elvins	Knowland	Plumley
Allen	Englebright	Kronmiller	Poindexter
Ames	Estopinal	Küstermann	Pou
Andrus	Fairchild	Lafean	Pratt
Austin	Fassett	Lamb	Pray
Barchfeld	Fish	Langham	Pujo
Barclay	Focht	Langley	Ransdell, La.
Bartholdt	Foelker	Lassiter	Reynolds
Bates	Fordney	Law	Roberts
Bell, Ga.	Foss	Lee	Rodenberg
Bennet, N. Y.	Foster, Vt.	Lever	Saunders
Bennett, Ky.	Foulkrod	Livingston	Sheffield
Bingham	Fowler	Longworth	Simmons
Boutell	Fuller	Lorimer	Slemp
Bowers	Gaines	Loud	Small
Bradley	Gardner, Mass.	Loudenslager	Smith, Cal.
Brantley	Gardner, Mich.	Lovering	Smith, Mich.
Broussard	Gardner, N. J.	Lundin	Snapp
Brownlow	Garner, Pa.	McCall	Southwick
Burke, Pa.	Gillett	McCreary	Sparkman
Burleigh	Glass	McGuire, Okla.	Sperry
Butler	Godwin	McKinlay, Cal.	Sturgiss
Calder	Goebel	McKinley, Ill.	Sulloway
Calderhead	Gordon	McLachlan, Cal.	Swasey
Capron	Graham, Pa.	McLaughlin, Mich.	Taylor, Ala.
Chapman	Grant	McMorran	Taylor, Ohio
Clark, Fla.	Greene	Madden	Tener
Cocks, N. Y.	Gregg	Malby	Thistlewood
Cole	Griest	Maynard	Thomas, N. C.
Cook	Griggs	Mays	Thomas, Ohio
Cooper, Pa.	Guernsey	Millington	Tilson
Cowles	Hamer	Mondell	Tirrell
Creager	Hawley	Moon, Pa.	Townsend
Crumpacker	Hayes	Moon, Tenn.	Vreeland
Currier	Heald	Moore, Pa.	Wanger
Cushman	Henry, Conn.	Morehead	Washburn
Dalzell	Higgins	Morgan, Mo.	Watkins
Denby	Hill	Morse	Webb
Dickson, Miss.	Hobson	Mudd	Weeks
Diekema	Hollingsworth	Murphy	Wheeler
Dies	Howell, Utah	Needham	Wickliffe
Dodds	Hubbard, W. Va.	Olcott	Wiley
Douglas	Huff	Olmsted	Wilson, Ill.
Draper	Hughes, W. Va.	Padgett	Wilson, Pa.
Durey	Humphrey, Wash.	Page	Wood, N. J.
Dwight	Johnson, Ohio	Palmer, H. W.	Woodyard
Edwards, Ga.	Kahn	Parker	Young, Mich.
Edwards, Ky.	Keifer	Parsons	Young, N. Y.
Ellerbe	Kennedy, Ohio	Payne	The Speaker

NOT VOTING—7.

Coudrey	Gill, Mo.	Russell	Willett
Crow	Rhinock	Stanley	

So the amendment was rejected.

Mr. STANLEY. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. STANLEY. I wish to say that if I had been in my seat I would have voted "aye."

Mr. LANGLEY. I am glad the gentleman was not in his seat. [Laughter.]

The result of the vote was then announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

Mr. HENRY of Texas. Mr. Speaker, I ask unanimous consent that the amendments be now taken up in the order in which they were offered in the committee.

Mr. PAYNE. The regular order.

The SPEAKER. The gentleman from New York demands the regular order, and the Clerk will report the next amendment.

The Clerk read as follows:

Page 62, line 8, strike out the word "fifteen" and insert in lieu thereof the word "twenty-four," so that it will read: "227. Barley, 24 cents per bushel of 48 pounds."

Same page, line 10, strike out the word "twenty-five" and insert in lieu thereof the word "forty," so that it will read: "Barley malt, 40 cents per bushel of 34 pounds."

The SPEAKER. The question is on agreeing to the amendment.

Mr. PERKINS and Mr. HARRISON called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 186, answered "present" 1, not voting 7, as follows:

YEAS—194.

Allen	Englebright	Kendall	Palmer, H. W.
Andrus	Esch	Kennedy, Iowa	Payne
Anthony	Estopinal	Kennedy, Ohio	Pearre
Ashbrook	Fairchild	Kinkaid, Nebr.	Pickett
Austin	Fassett	Knowland	Plumley
Barchfeld	Focht	Kopp	Poindexter
Barnard	Fordney	Kronmiller	Pratt
Barnhart	Foss	Küstermann	Pray
Bartholdt	Foster, Vt.	Langham	Prince
Bates	Foulkrod	Langley	Pujo
Bennett, Ky.	Fowler	Latta	Reeder
Bingham	Fuller	Lawrence	Roberts
Boutell	Gaines	Lenroot	Rodenberg
Bradley	Gardner, Mass.	Lindbergh	Rucker, Colo.
Broussard	Gardner, N. J.	Longworth	Scott
Brownlow	Garner, Pa.	Lorimer	Sheffield
Burke, Pa.	Garner, Tex.	Loud	Slemp
Burke, S. Dak.	Gillett	Loudenslager	Smith, Cal.
Burleigh	Goebel	Lovering	Smith, Iowa
Burnett	Good	Lowden	Smith, Mich.
Calderhead	Graff	Lundin	Snapp
Campbell	Graham, Pa.	McCall	Sperry
Capron	Grant	McCreary	Stafford
Cary	Greene	McGuire, Okla.	Steenerson
Chapman	Griest	McKinlay, Cal.	Sterling
Cocks, N. Y.	Gronna	McKinley, Ill.	Stevens, Minn.
Cole	Guernsey	McKinney	Sulloway
Cook	Hamer	McLachlan, Cal.	Swasey
Cooper, Wis.	Hamilton	McLaughlin, Mich.	Tawney
Cowles	Hammond	McMorran	Taylor, Colo.
Creager	Hanna	Madison	Tener
Crumpacker	Haugen	Martin, S. Dak.	Thistlewood
Currier	Hawley	Miller, Kans.	Thomas, Ohio
Cushman	Hayes	Miller, Minn.	Tilson
Dalzell	Henry, Conn.	Millington	Tirrell
Davidson	Higgins	Mondell	Tou Velle
Davis	Hill	Moon, Pa.	Townsend
Dawson	Hinshaw	Moore, Pa.	Volstead
Denby	Hollingsworth	Morehead	Vreeland
Denver	Howell, N. J.	Morgan, Mo.	Washburn
Diekema	Howell, Utah	Morgan, Okla.	Weeks
Dodds	Hubbard, Iowa	Morrison	Wickliffe
Douglas	Huff	Morse	Wiley
Draper	Hull, Iowa	Murdock	Wood, N. J.
Durey	Humphrey, Wash.	Needham	Woods, Iowa
Dwight	Johnson, Ohio	Nelson	Young, Mich.
Edwards, Ky.	Joyce	Norris	The Speaker
Ellis	Kahn	Nye	
Elvins	Keifer	Olmsted	

NAYS—186.

Adair	Cantrill	Fish	Heald
Adamson	Carter	Fitzgerald	Heflin
Aiken	Clark, Fla.	Flood, Va.	Helm
Alexander, Mo.	Clark, Mo.	Floyd, Ark.	Henry, Tex.
Alexander, N. Y.	Clayton	Foelker	Hitchcock
Ames	Cline	Fornes	Hobson
Anderson	Collier	Foster, Ill.	Houston
Ansberry	Conry	Gallagher	Howard
Barclay	Cooper, Pa.	Gardner, Mich.	Howland
Bartlett, Ga.	Covington	Garrett	Hubbard, W. Va.
Bartlett, Nev.	Cox, Ind.	Gill, Md.	Hughes, Ga.
Beall, Tex.	Cox, Ohio	Gillespie	Hughes, N. J.
Bell, Ga.	Craig	Glass	Hughes, W. Va.
Bennet, N. Y.	Cravens	Godwin	Hull, Tenn.
Boehne	Cullop	Goldfogle	Humphreys, Miss.
Booher	De Armond	Gordon	James
Borland	Dent	Goulden	Jamieson
Bowers	Dickson, Miss.	Graham, Ill.	Johnson, Ky.
Brantley	Dies	Gregg	Johnson, S. C.
Burgess	Dixon, Ind.	Griggs	Jones
Burleson	Driscoll, D. A.	Hamill	Keliher
Butler	Driscoll, M. E.	Hamlin	Kinkead, N. J.
Byrd	Edwards, Ga.	Hardwick	Kitchin
Byrns	Ellerbe	Hardy	Knapp
Calder	Ferris	Harrison	Korbly
Candler	Finley	Hay	Lafean

Lamb	Mudd	Richardson	Stanley
Lassiter	Murphy	Riordan	Stephens, Tex.
Law	Nicholls	Robinson	Sturgiss
Lee	O'Connell	Rothermel	Sulzer
Lever	Olcott	Rucker, Mo.	Talbott
Lindsay	Oldfield	Sabath	Taylor, Ala.
Livingston	Padgett	Saunders	Taylor, Ohio
Lloyd	Page	Shackleford	Thomas, Ky.
McDermott	Palmer, A. M.	Sharp	Thomas, N. C.
McHenry	Parker	Sheppard	Underwood
Macon	Parsons	Sherley	Wallace
Madden	Patterson	Sherwood	Wanger
Maguire, Nebr.	Perkins	Simmons	Watkins
Malby	Peters	Sims	Webb
Mann	Pou	Sisson	Wheeler
Martin, Colo.	Rainey	Slayden	Wilson, Ill.
Maynard	Randell, Tex.	Small	Wilson, Pa.
Mays	Ransdell, La.	Smith, Tex.	Woodyard
Moon, Tenn.	Rauch	Southwick	Young, N. Y.
Moore, Tex.	Reid	Sparkman	
Moss	Reynolds	Spight	

ANSWERED "PRESENT"—1.

Weisse

NOT VOTING—7.

Carlin	Crow	Rhinock	Willett
Coudrey	Gill, Mo.	Russell	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Page 136, after line 14, insert as a new paragraph, to be numbered 447½:

"447½. Hides of cattle, raw or uncured, whether dry salted or pickled, 10 per cent ad valorem."

Mr. UNDERWOOD. Mr. Speaker, I now ask the Clerk to report the amendment that I offered to that amendment.

The SPEAKER. The Clerk has not the amendment to which the gentleman refers, the Chair is informed.

Mr. HENRY of Texas. Mr. Speaker, it is on page 949 of the RECORD. This is the language used by Mr. UNDERWOOD:

Mr. Chairman, I offer the following amendment: Add, after the word "hides," the words "weighing more than 1 pound."

Mr. DALZELL. Mr. Speaker, I would make the point of order against that that it is not subject to a vote under the terms of the rule.

Mr. HENRY of Texas. Well, it was voted on in the Committee of the Whole.

Mr. DALZELL. I do not care if it was. It is not a committee amendment, and it is not an amendment provided for in the rule.

Mr. HENRY of Texas. It was an amendment to the amendment of the gentleman from Kansas, and the committee voted upon it and we have the right to vote upon it now.

Mr. UNDERWOOD. Mr. Speaker, I desire to be heard on the point of order made by the gentleman from Pennsylvania.

The SPEAKER. The Chair will ask the gentleman from Pennsylvania to state his point of order.

Mr. DALZELL. Mr. Speaker, the point of order is that this amendment is not a committee amendment and is not an amendment provided for in the rule. In the first place, I contend that the amendment offered by the gentleman from Alabama was not in order at the time it was offered—talk about a skin weighing a pound being a hide!

The SPEAKER. Almost anything sensible or not sensible under the terms of the special order, which was offered as an amendment and disposed of, seems to be in order. The Clerk will read the amendment to the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Add, after the word "hides," the words "weighing more than 1 pound."

The SPEAKER. The question is on the amendment to the amendment.

Mr. UNDERWOOD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 225, answered "present" 1, not voting 14, as follows:

YEAS—147.

Adair	Bowers	Carter	Dies
Adamson	Brantley	Clayton	Dixon, Ind.
Aiken	Broussard	Collier	Edwards, Ga.
Alexander, Mo.	Brownlow	Cowles	Edwards, Ky.
Anthony	Burgess	Cox, Ind.	Ellerbe
Ashbrook	Burke, S. Dak.	Craig	Elvins
Austin	Burleson	Cravens	Estopinal
Bartlett, Nev.	Burnett	Cullop	Ferris
Beall, Tex.	Byrd	Davis	Finley
Bell, Ga.	Byrns	Dawson	Flood, Va.
Boehne	Campbell	Dent	Garner, Tex.
Booher	Candler	Denver	Gillespie
Borland	Cantrill	Dickson, Miss.	Godwin

Good	Jamieson	Miller, Kans.	Saunders
Gordon	Johnson, Ky.	Mondell	Scott
Graff	Johnson, Ohio	Moore, Tex.	Sheppard
Graham, Ill.	Kendall	Murdock	Sisson
Gregg	Kennedy, Iowa	Murphy	Slayden
Griggs	Kinkaid, Nebr.	Nelson	Slemp
Gronna	Kopp	Norris	Small
Hamer	Latta	Oldfield	Smith, Iowa
Hamlin	Lee	Page	Smith, Tex.
Hammond	Lenroot	Pickett	Spight
Hanna	Lever	Poindexter	Stephens, Tex.
Hardy	Lindbergh	Pou	Sterling
Haugen	Livingston	Pratt	Taylor, Ala.
Heflin	Lloyd	Pray	Taylor, Colo.
Henry, Tex.	Lorimer	Prince	Thistlewood
Hinshaw	Loudenslager	Pujo	Thomas, N. C.
Hitchcock	Lowden	Randell, Tex.	Thomas, Ohio
Hobson	McDermott	Ransdell, La.	Tou Velle
Hollingsworth	McKinney	Rauch	Underwood
Howell, Utah	Macon	Reeder	Volstead
Hubbard, Iowa	Madison	Richardson	Webb
Hubbard, W. Va.	Maguire, Nebr.	Rodenberg	Wickliffe
Hull, Iowa	Martin, Colo.	Rucker, Colo.	Woods, Iowa
Humphreys, Miss.	Martin, S. Dak.	Rucker, Mo.	

NAYS—225.

Alexander, N. Y.	Fish	Kennedy, Ohio	Pearre
Allen	Fitzgerald	Kinkead, N. J.	Perkins
Ames	Floyd, Ark.	Kitchin	Peters
Anderson	Focht	Knapp	Plumley
Andrus	Foelker	Knowland	Rainey
Ansberry	Fordney	Korbly	Reid
Barchfeld	Fornes	Kronmiller	Reynolds
Barclay	Foss	Küstermann	Riordan
Barnard	Foster, Ill.	Lafean	Roberts
Barnhart	Foster, Vt.	Lamb	Robinson
Bartholdt	Foulkrod	Langham	Rothermel
Bartlett, Ga.	Fowler	Langley	Sabath
Bates	Fuller	Lassiter	Shackleford
Bennet, N. Y.	Gaines	Law	Sharp
Bennett, Ky.	Gallagher	Lawrence	Sheffield
Bingham	Gardner, Mass.	Lindsay	Sherley
Boutell	Gardner, Mich.	Longworth	Simmons
Bradley	Gardner, N. J.	Loud	Sims
Burke, Pa.	Garner, Pa.	Lovering	Smith, Cal.
Burleigh	Garrett	Lundin	Smith, Mich.
Butler	Gill, Md.	McCall	Snapp
Calder	Gillett	McCreary	Southwick
Calderhead	Glass	McGuire, Okla.	Sparkman
Capron	Goebel	McHenry	Sperry
Cary	Goldfogle	McKinlay, Cal.	Stafford
Chapman	Goulden	McKinley, Ill.	Stanley
Clark, Fla.	Graham, Pa.	McLachlan, Cal.	Steenerson
Clark, Mo.	Greene	McLaughlin, Mich.	Stevens, Minn.
Cline	Griest	McMorran	Sturgiss
Cocks, N. Y.	Guernsey	Madden	Sulloway
Cole	Hamill	Malby	Sulzer
Conry	Hamilton	Mann	Swasey
Cook	Hardwick	Maynard	Talbott
Cooper, Pa.	Harrison	Miller, Minn.	Tawney
Cooper, Wis.	Hawley	Millington	Taylor, Ohio
Covington	Hay	Moon, Pa.	Tener
Cox, Ohio	Hayes	Moon, Tenn.	Thomas, Ky.
Creager	Heald	Moore, Pa.	Tilson
Crumpacker	Helm	Morehead	Tirrell
Currier	Henry, Conn.	Morgan, Mo.	Townsend
Cushman	Higgins	Morgan, Okla.	Vreeland
Dalzell	Hill	Morrison	Wallace
Davidson	Houston	Morse	Wanger
De Armond	Howard	Mudd	Washburn
Denby	Howell, N. J.	Needham	Watkins
Diekema	Howland	Nicholls	Weeks
Dodds	Huff	Nye	Weisse
Douglas	Hughes, Ga.	O'Connell	Wheeler
Draper	Hughes, N. J.	Olcott	Wiley
Driscoll, D. A.	Hughes, W. Va.	Olmsted	Wilson, Ill.
Driscoll, M. E.	Hull, Tenn.	Padgett	Wilson, Pa.
Durey	Humphrey, Wash.	Palmer, A. M.	Wood, N. J.
Dwight	James	Palmer, H. W.	Woodyard
Englebright	Joyce	Parker	Young, N. Y.
Esch	Kahn	Parsons	
Fairchild	Keifer	Patterson	
Fassett	Keliher	Payne	

ANSWERED "PRESENT"—1.

Moss

NOT VOTING—14.

Carlin	Gill, Mo.	Mays	Willett
Coudrey	Grant	Rhinock	Young, Mich.
Crow	Johnson, S. C.	Russell	
Ellis	Jones	Sherwood	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. YOUNG of Michigan with Mr. JONES.

Mr. GRANT with Mr. JOHNSON of South Carolina.

Mr. ELLIS with Mr. CARLIN.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore (Mr. CAPRON). The question is now on the amendment proposed by the gentleman from Kansas, which the Clerk will report.

Mr. ROBERTS. Mr. Speaker, let us have the amendment again reported.

The Clerk read as follows:

Amendment offered by Mr. SCOTT: Page 136, after line 14, insert as a new paragraph to be numbered 447½:

"447½. Hides of cattle, raw or uncured, whether dried, salted, or pickled, 10 per cent ad valorem."

The SPEAKER pro tempore. The question is upon the amendment.

Mr. WEISSE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WEISSE. That amendment, as I understand it, is 25 pounds dry or green. Is that what it says? [Cries of "Regular order!"]

Mr. SABATH. Mr. Speaker, what is the amendment?

The SPEAKER pro tempore. Does the gentleman desire to have the amendment again reported?

Mr. SABATH. Yes.

The SPEAKER pro tempore. Without objection, the amendment will be again reported. [Cries of "Regular order!"]

The SPEAKER pro tempore. Regular order is demanded.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. SCOTT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 103, nays, 274, answered "present" 2, not voting 9, as follows:

YEAS—103.

Adair	Englebright	Kinkaid, Nebr.	Prince
Anthony	Gardner, N. J.	Kopp	Pujo
Austin	Garner, Tex.	Lenroot	Randell, Tex.
Bartlett, Nev.	Good	Lindbergh	Reeder
Beall, Tex.	Gordon	Lorimer	Rodenberg
Bennet, N. Y.	Graff	Loudenslager	Rucker, Colo.
Bennett, Ky.	Grant	Lowden	Scott
Borland	Gregg	McDermott	Sheppard
Brantley	Gronna	McGuire, Okla.	Slayden
Broussard	Hamer	McKinley, Ill.	Slemp
Burgess	Hamlin	McKinney	Smith, Iowa
Burke, S. Dak.	Hammond	McLachlan, Cal.	Smith, Tex.
Burleson	Hanna	McMorran	Steenerson
Burnett	Hardy	Madison	Stephens, Tex.
Campbell	Haugen	Martin, Colo.	Sterling
Chapman	Henry, Tex.	Martin, S. Dak.	Sturgiss
Cole	Hinshaw	Miller, Kans.	Taylor, Ala.
Cowles	Hollingsworth	Mondell	Taylor, Colo.
Cox, Ind.	Howell, Utah	Moore, Tex.	Thistlewood
Creager	Hubbard, Iowa	Morgan, Okla.	Volstead
Davis	Hubbard, W. Va.	Murdock	Wanger
Dawson	Hull, Iowa	Norris	Wood, N. J.
Dies	Johnson, Ohio	Pearre	Woods, Iowa
Edwards, Ky.	Keifer	Pickett	Woodyard
Ellis	Kendall	Poindexter	The Speaker
Elvins	Kennedy, Iowa	Pray	

NAYS—274.

Adamson	De Armond	Hardwick	McCreary
Aiken	Denby	Harrison	McHenry
Alexander, Mo.	Dent	Hawley	McKinlay, Cal.
Alexander, N. Y.	Denver	Hay	McLaughlin, Mich.
Allen	Dickson, Miss	Hayes	Macon
Ames	Diekema	Heald	Madden
Anderson	Dixon, Ind.	Heflin	Maguire, Nebr.
Andrus	Dodds	Helm	Malby
Ansberry	Douglas	Henry, Conn.	Mann
Ashbrook	Draper	Higgins	Maynard
Barchfeld	Driscoll, D. A.	Hill	Mays
Barclay	Driscoll, M. E.	Hitchcock	Miller, Minn.
Barnard	Durey	Hobson	Millington
Barnhart	Dwight	Houston	Moon, Pa.
Bartholdt	Edwards, Ga.	Howard	Moon, Tenn.
Bartlett, Ga.	Ellerbe	Howell, N. J.	Moore, Pa.
Bates	Esch	Howland	Morehead
Bell, Ga.	Estopinal	Huff	Morgan, Mo.
Bingham	Fairchild	Hughes, Ga.	Morrison
Boehne	Fassett	Hughes, N. J.	Morse
Booher	Ferris	Hughes, W. Va.	Mudd
Boutell	Finley	Hull, Tenn.	Murphy
Bowers	Fish	Humphrey, Wash.	Needham
Bradley	Fitzgerald	Humphreys, Miss.	Nelson
Brownlow	Flood, Va.	James	Nicholls
Burke, Pa.	Floyd, Ark.	Jamieson	Nye
Burleigh	Focht	Johnson, Ky.	O'Connell
Butler	Foelker	Johnson, S. C.	Olcott
Byrd	Fordney	Jones	Oldfield
Byrns	Fornes	Joyce	Padgett
Calder	Foss	Kahn	Page
Calderhead	Foster, Ill.	Keifer	Palmer, A. M.
Candler	Foster, Vt.	Kennedy, Ohio	Palmer, H. W.
Cantrill	Foulkrod	Kinkead, N. J.	Parker
Capron	Fowler	Kitchin	Parson
Carlin	Fuller	Knapp	Patterson
Carter	Gaines	Knowland	Payne
Cary	Gallagher	Korbly	Perkins
Clark, Fla.	Gardner, Mass.	Kronmiller	Peters
Clark, Mo.	Gardner, Mich.	Küstermann	Plumley
Clayton	Garner, Pa.	Lafean	Pou
Cline	Garrett	Lamb	Pratt
Cocks, N. Y.	Gill, Md.	Langham	Rainey
Collier	Gillespie	Langley	Ransdell, La.
Conry	Gillett	Lassiter	Rauch
Cook	Glass	Latta	Reid
Cooper, Pa.	Godwin	Law	Reynolds
Cooper, Wis.	Goebel	Lawrence	Richardson
Covington	Goldfogle	Lee	Riordan
Cox, Ohio	Goulden	Lever	Roberts
Craig	Graham, Ill.	Lindsay	Robinson
Cravens	Graham, Pa.	Livingston	Rothermel
Crumpacker	Greene	Lloyd	Rucker, Mo.
Cullop	Griest	Longworth	Sabath
Currier	Griggs	Loud	Saunders
Cushman	Guernsey	Levering	Shackleford
Dalzell	Hamill	Lundin	Sharp
Davidson	Hamilton	McCall	Sheffield
Sherley	Sperry	Thomas, N. C.	Weeks
Sherwood	Stafford	Thomas, Ohio	Weisse
Simmons	Stanley	Tilson	Wheeler
Sims	Stevens, Minn.	Tirrell	Wickliffe
Sisson	Sulloway	Tou Velle	Wiley
Small	Swasey	Townsend	Wilson, Ill.
Smith, Cal.	Talbott	Vreeland	Wilson, Pa.
Smith, Mich.	Tawney	Wallace	Young, Mich.
Snapp	Taylor, Ohio	Washburn	Young, N. Y.
Southwick	Tener	Watkins	
Sparkman	Thomas, Ky.	Webb	

ANSWERED "PRESENT"—2.

Moss. Olmsted

NOT VOTING—9.

Coudrey	Rhinock	Spight	Underwood
Crow	Russell	Sulzer	Willett
Gill, Mo.			

So the amendment was rejected.

Mr. SULZER. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. SULZER. In the negative?

The SPEAKER. The gentleman from New York is not recorded.

Mr. SULZER. I wish to vote "no," Mr. Speaker.

The SPEAKER. Well, but was the gentleman present when his name was called?

Mr. SULZER. I just came in now.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

Mr. TALBOTT. Mr. Speaker, I offered an amendment yesterday to reduce the duty on pineapples—paragraph 275. I would like to know if it is in order now to ask for a yea-and-nay vote on that proposition? Under the ruling of the Chair I think I am entitled to it.

The SPEAKER. The amendment is not privileged under the order of the House.

The question is on the engrossment and third reading of the bill.

Mr. CLARK of Missouri. Mr. Speaker, is there not a coal oil amendment?

The SPEAKER. The Chair is informed that there is not.

Mr. DALZELL. Mr. Speaker, by unanimous consent crude oil and its products were put on the free list.

Mr. CLARK of Missouri. I know; but I would like to have a roll call on it.

Mr. DALZELL. Does the gentleman want to amend that?

Mr. CLARK of Missouri. No; I do not want to amend it. I want a roll call on the Payne amendment, and on that I ask for the yeas and nays.

The SPEAKER. The Chair will ascertain from the report.

Mr. NORRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORRIS. Inasmuch as the vote in the Committee of the Whole was on the oil proposition, and has not been voted upon by the House, it would not be in the bill if we did not vote on it. We have taken no vote on that; and, no matter whether it is by unanimous consent or how, we must take a vote here or it will not be in the bill.

Mr. PAYNE. Mr. Speaker, the whole history is not in the RECORD. A vote was taken several days ago on the motion of the gentleman from Nebraska [Mr. NORRIS] to put oil at a duty of 1 per cent, as well as the products, and the proviso was stricken out of the paragraph. This morning, by unanimous consent, on my motion, the committee authorized the chairman to report an amendment to the bill striking out section 36½, which was voted in the other day, and also to strike out the proviso in the free list, leaving petroleum and all its products on the free list. That was the amendment.

Mr. CLARK of Missouri. That is what I want to vote on.

Mr. OLMSTED. That is correct, Mr. Speaker, and that is one of the amendments reported by the chairman to the House.

The SPEAKER. Now, then, the recommendation of the committee is that the Norris amendment should be stricken out, and that the proviso on page 159 be stricken out.

Mr. NORRIS. That was stricken out, Mr. Speaker, by my amendment.

The SPEAKER. Precisely. Now, then, the House wants to agree or disagree.

Mr. NORRIS. That is the idea exactly. That is what I was trying to impress upon the Chair.

The SPEAKER. Without objection, the vote will be taken upon both propositions at the same time.

Mr. CLARK of Missouri. The oil provision is in there, in section 3, as placed in the RECORD this morning, and that is what I think the gentleman from Nebraska [Mr. NORRIS] amended by his motion.

Mr. NORRIS. I think the Speaker stated the proposition correctly.

Mr. CLARK of Missouri. I wanted a vote on the Payne amendment. That swallows up the Norris amendment.

Mr. NORRIS. I agree with the gentleman from Missouri that the vote here should be on the Payne amendment. That covers and includes the whole matter.

The SPEAKER. But both amendments have to be disposed of. It is the recommendation coming from the Committee of the Whole House to strike out the matter which was inserted by the Norris amendment.

Mr. HITCHCOCK. Mr. Speaker——

Mr. CLARK of Missouri. Mr. Speaker——

Mr. HITCHCOCK. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. One moment.

Mr. MANN. Mr. Speaker, in order that we may have the record correct, as I understand the matter, the other day the Committee of the Whole adopted an amendment striking out the proviso where oil comes in the free list, inserting a provision as section 36½ with 1 per cent duty. Yesterday the gentleman from New York offered an amendment to the amendment to the section carrying it and the countervailing proposition with it.

This morning he asked unanimous consent to strike out that part of the section providing for the countervailing duty on oil and to strike out section 36½, so that oil would be on the free list on the maximum and also on the free list under section 2.

Mr. BURLESON. Petroleum and its products.

Mr. MANN. He also asked at the same time that it be removed to the place in this bill where these things are properly included, so that a vote upon the Payne amendment would cover the entire proposition.

Mr. NORRIS. It strikes me that would cover the whole proposition.

Mr. DALZELL. I would like to ask the gentleman from Missouri if what he wants is not that we should have a roll call on the last Payne amendment, putting oil on the free list?

Mr. CLARK of Missouri. That is it.

Mr. BURLESON. Oil and its products.

Mr. DALZELL. That is all the gentleman is asking for.

Mr. UNDERWOOD. Let the amendment be reported, and then we will know.

Mr. OLMSTED. That is the Payne proposition?

Mr. NORRIS. The Payne amendment that offers to amend section 3 is not now before the House. As I understand the parliamentary situation, that was disposed of with the proviso in the committee amendment; and the only amendment that is now before the House is the Payne amendment with reference to the provision on page 159 of the bill, which strikes out the proviso and puts oil and its products on the free list.

The SPEAKER. The difficulty arises from the multiplicity of amendments reported by the Chairman of the Committee of the Whole House on the state of the Union. The Chair is just trying to find what the report was; that is all. As near as the Chair has been able to ascertain, the amendment striking out the proviso to paragraph 637, on page 159, leaves oil and its products on the free list.

Mr. NORRIS. That is the amendment of the gentleman from New York.

The SPEAKER. That is the amendment offered by the gentleman from New York. And the amendment of the gentleman, which was amended in the Committee of the Whole House, making the duty 1 cent was stricken out by unanimous consent. So that his amendment and that amendment are parliamentarily as if they never existed; and the vote is to be taken upon the motion to strike out the proviso. If the House should concur in the recommendation of the committee, it would accomplish——

Mr. NORRIS. I think, Mr. Speaker, that is practically the parliamentary situation.

The SPEAKER. The question is on striking out the proviso.

Mr. UNDERWOOD. Let the amendment be reported.

Mr. KEIFER. We have to vote on the question of putting petroleum on the free list.

The SPEAKER. It was on the free list in the bill. The proviso is the countervailing duty. If the gentleman desires, it will be read.

Mr. FINLEY. I ask that it be read.

Mr. GAINES. I ask for order, Mr. Speaker; it is impossible to understand what is being done on account of the number of gentlemen down in front.

The SPEAKER. The Clerk will read the proviso that is to be stricken out.

The Clerk read as follows:

Strike out of paragraph 637 the following proviso:

"*Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country."

Mr. BURLESON. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. In order to accomplish what the gentleman's amendment sought to do, ought not there to be inserted, in line 20, after the word "crude," "and the products thereof?"

Mr. NORRIS. I think that was included in the amendment.

Mr. PAYNE. There is no such proposition before the House. Petroleum is on the free list.

Mr. POINDEXTER. Mr. Speaker, the language which the gentleman from Texas desires to retain is already incorporated in the words "petroleum, crude or refined." They will be left on the free list.

The SPEAKER. The question is on striking out the proviso, which has been read.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 322, nays 47, answered "present" 1, not voting 18, as follows:

YEAS—322.

Adair	Diekema	Hill	Morgan, Mo.
Adamson	Dies	Hinshaw	Morgan, Okla.
Aiken	Dixon, Ind.	Hitchcock	Morrison
Alexander, Mo.	Dodds	Hobson	Morse
Allen	Douglas	Houston	Moss
Ames	Draper	Howard	Mudd
Anderson	Driscoll, D. A.	Howell, N. J.	Murdock
Ansberry	Driscoll, M. E.	Howland	Murphy
Anthony	Durey	Hubbard, Iowa	Nelson
Ashbrook	Dwight	Hughes, Ga.	Nicholls
Barnard	Edwards, Ga.	Hughes, N. J.	Norris
Barnhart	Ellerbe	Hull, Iowa	Nye
Bartholdt	Ellis	Hull, Tenn.	O'Connell
Bartlett, Ga.	Elvins	Humphrey, Wash.	Olcott
Bartlett, Nev.	Esch	Humphreys, Miss.	Oldfield
Beall, Tex.	Estopinal	James	Olmsted
Bell, Ga.	Fairchild	Jamieson	Padgett
Bennet, N. Y.	Fassett	Johnson, Ky.	Page
Bingham	Ferris	Johnson, S. C.	Palmer, A. M.
Boehne	Finley	Jones	Parker
Booher	Fish	Joyce	Parsons
Borland	Fitzgerald	Keifer	Patterson
Boutell	Flood, Va.	Kellher	Payne
Bowers	Floyd, Ark.	Kendall	Pearre
Bradley	Focht	Kennedy, Iowa	Perkins
Brantley	Foelker	Kennedy, Ohio	Peters
Broussard	Fordney	Kinkaid, Nebr.	Pickett
Brownlow	Fornes	Kinkead, N. J.	Plumley
Burgess	Foss	Kitchin	Poindexter
Burke, S. Dak.	Foster, Ill.	Knapp	Pou
Burleigh	Foster, Vt.	Kopp	Pratt
Burleson	Foulkrod	Korbly	Pray
Burnett	Fowler	Kronmiller	Prince
Butler	Fuller	Küstermann	Pujo
Byrd	Gallagher	Lafean	Rainey
Byrns	Gardner, Mass.	Lamb	Randell, Tex.
Calder	Gardner, Mich.	Lassiter	Ransdell, La.
Calderhead	Garner, Pa.	Latta	Rauch
Campbell	Garner, Tex.	Law	Reeder
Candler	Garrett	Lawrence	Reid
Cantrill	Gill, Md.	Lee	Reynolds
Capron	Gillespie	Lenroot	Richardson
Carlin	Gillett	Lindbergh	Riordan
Carter	Glass	Lindsay	Roberts
Cary	Godwin	Livingston	Robinson
Chapman	Goldfogle	Lloyd	Rodenberg
Clark, Fla.	Good	Longworth	Rothermel
Clark, Mo.	Gordon	Loud	Rucker, Colo.
Clayton	Goulden	Loudenslager	Rucker, Mo.
Cline	Graff	Lovering	Sabath
Cocks, N. Y.	Graham, Ill.	Lowden	Saunders
Collier	Greene	Lundin	Shackleford
Conry	Gregg	McCall	Sharp
Cook	Griest	McDermott	Sheffield
Cooper, Pa.	Griggs	McHenry	Sheppard
Cooper, Wis.	Gronna	McKinley, Ill.	Sherley
Covington	Guernsey	McKinney	Sherwood
Cowles	Hamer	McLaughlin, Mich.	Simmons
Cox, Ind.	Hamill	McMorran	Sims
Cox, Ohio	Hamilton	Macon	Sisson
Craig	Hamlin	Madden	Slayden
Cravens	Hammond	Madison	Slemp
Crumpacker	Hanna	Maguire, Nebr.	Small
Cullop	Hardwick	Martin, Colo.	Smith, Iowa
Currier	Hardy	Martin, S. Dak.	Smith, Mich.
Cushman	Harrison	Maynard	Smith, Tex.
Davidson	Haugen	Mays	Snapp
Davis	Hawley	Miller, Kans.	Sparkman
Dawson	Hay	Miller, Minn.	Spight
De Armond	Heald	Millington	Stafford
Denby	Heflin	Moon, Tenn.	Stanley
Dent	Helm	Moore, Pa.	Steenerson
Denver	Henry, Tex.	Moore, Tex.	Stephens, Tex.
Dickson, Miss.	Higgins	Morehead	Sulloway

Sulzer	Thomas, Ky.	Wallace	Wilson, Ill.
Talbott	Thomas, N. C.	Wanger	Wilson, Pa.
Tawney	Tilson	Watkins	Wood, N. J.
Taylor, Ala.	Tirrell	Webb	Woods, Iowa
Taylor, Colo.	Tou Velle	Weisse	Young, N. Y.
Taylor, Ohio	Townsend	Wickliffe	
Thistlewood	Underwood	Wiley	

NAYS—47.

Alexander, N. Y.	Englebright	Kahn	Southwick
Andrus	Gaines	Knowland	Sturgiss
Austin	Goebel	Langham	Tener
Barchfeld	Graham, Pa.	Langley	Thomas, Ohio
Barclay	Grant	Lorimer	Vreeland
Bates	Hayes	McCreary	Washburn
Bennett, Ky.	Hollingsworth	McKinlay, Cal.	Weeks
Burke, Pa.	Howell, Utah	McLachlan, Cal.	Wheeler
Cole	Hubbard, W. Va.	Mann	Woodyard
Creager	Huff	Mondell	Young, Mich.
Dalzell	Hughes, W. Va.	Moon, Pa.	The Speaker
Edwards, Ky.	Johnson, Ohio	Needham	

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—18.

Coudrey	McGuire, Okla.	Scott	Swasey
Crow	Malby	Smith, Cal.	Volstead
Gardner, N. J.	Palmer, H. W.	Sperry	Willett
Gill, Mo.	Rhinock	Sterling	
Henry, Conn.	Russell	Stevens, Minn.	

So the amendment was agreed to.

The Clerk announced the following additional pair:

For the remainder of this day:

Mr. SCOTT with Mr. LEVER.

Mr. LEVER. Mr. Speaker, I desire to know if the gentleman from Kansas [Mr. SCOTT] has voted.

The SPEAKER. He has not.

Mr. LEVER. Then I desire to change my vote from "aye" to "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker's name, and he voted in the negative.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Was there not an amendment offered by the gentleman from New York [Mr. PAYNE] which in specific terms put petroleum and its products on the free list? I do not understand that the words "and its products" are in any amendment which we have voted on in the House.

The SPEAKER. The amendments are disposed of that were reported to the House.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. LINDBERGH. Mr. Speaker——

Mr. CLARK of Missouri. Mr. Speaker——

Mr. LINDBERGH. I move to recommit the bill with the following instructions——

The SPEAKER. The Chair will recognize the gentleman from Missouri.

Mr. CLARK of Missouri. I offer a motion to recommit, and want to ask the Speaker a parliamentary question before he puts that motion. Does the rule as adopted carry the previous question with it, or do I have to move the previous question, under the rule we are operating under?

Mr. PAYNE. I am entitled to recognition after he gets through, and I will move the previous question, if he makes the motion I expect him to make.

Mr. CLARK of Missouri. I will make the motion myself.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. I wish to inquire under what rule of practice in the House the gentleman from Missouri seeks recognition for the purpose of making a motion to recommit?

Mr. CLARK of Missouri. It has been that way for years.

The SPEAKER. Under the new rule adopted at the beginning of the session, popularly known as the "Fitzgerald amendment." [Laughter and applause.]

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry, and in good faith.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. The gentleman from Minnesota asked for recognition under the new rule. Was not he entitled to it?

The SPEAKER. The Chair in carrying out the new rule lately adopted feels that in fairness, following a fair construction of the rule, the gentleman from Missouri, a member of the minority of the Committee on Ways and Means, the leading opponent to the bill, should be recognized for the purpose of making the motion to recommit. [Applause.] And therefore the Chair recognizes the gentleman from Missouri [Mr. CLARK].

Mr. MURDOCK. Another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. I wish to call the Speaker's attention to the fact that the Fitzgerald amendment, or the new rule, does not specify a member of the minority as the one opposed to the bill.

The SPEAKER. The Clerk will read the rule.

The Clerk read as follows:

Amend Rule XVI by adding at the end of paragraph 4: "After the previous question shall have been ordered on the passage of the bill or joint resolution, one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution."

The SPEAKER. Now, the Chair, in fairness, as the Chair seeks to be in the construction of the rule, recognizes the gentleman at the head of the minority on the Ways and Means Committee and the leading opponent to the bill.

Mr. CLARK of Missouri. Mr. Speaker, I move the resolution to recommit and the previous question upon it.

The SPEAKER. The gentleman is recognized just as far as the rule empowers him.

Mr. CLARK of Missouri. I will modify that by moving to adopt the resolution to recommit.

The SPEAKER. The gentleman from Missouri moves to recommit. The Clerk will report the resolution.

Mr. PAYNE. Mr. Speaker, I call for order.

The SPEAKER. The Chair believes that gentlemen should all be seated and that we should have complete order, for the reason, among others, that there is no debate upon the motion to recommit, and therefore the Chair desires to hear and believes that every other Member should also listen.

The Clerk read as follows:

Resolved, That the bill H. R. 1438 be recommitted to the Committee on Ways and Means with instructions to amend the bill as hereinafter specified and report the same back to the House at as early a date as practicable:

First. Amend by reducing the duties carried by the bill to revenue rates, so as to raise the maximum of revenue with the minimum of burden of taxation upon the masses of the American people, so adjusting the rates of duty as to deal fairly with both producer and consumer, with due regard to the needs of the Government.

Second. Amend by making the rates of duty named in the bill the maximum rates, and provide for minimum rates below the said maximum rates that may be allowed foreign countries for like concessions on their part.

Third. Amend section 19 by providing that the discriminating duty of 10 per cent ad valorem therein provided for to be imposed on goods, wares, and merchandise imported in vessels not of the United States shall be so amended as to provide for a rebate of 10 per cent ad valorem of the duties provided for in the bill on all imports entering our ports from foreign countries in vessels of the United States in place of the discriminating duties now provided for in said section.

Fourth. Amend by inserting a new paragraph in said bill that will provide for a graduated tax to be levied on incomes.

Fifth. Amend as follows: Strike out all of section 350, covering bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, and transfer the same to the free list.

Sixth. Amend as follows: Strike out section 123, covering hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton, and transfer same to the free list.

Seventh. Amend by placing leather, harness, boots, shoes, and all other products of leather on the free list.

Eighth. Amend by placing articles entering into competition with trust-controlled products upon the free list.

Ninth. Amend by placing cocoa, or cacao, crude and fiber, leaves and shells of, on the free list.

Tenth. Amend section 23 by providing that vessels built in foreign countries, when purchased by citizens of the United States for use in the ocean carrying trade, may be given American registry under rules and regulations, providing the same shall be officered by American citizens.

Eleventh. Amend by cutting out all increases made in the Payne bill on hosiery and gloves, so as to materially decrease instead of materially increasing the Dingley law rates.

Twelfth. Amend by placing all agricultural implements on the free list.

Thirteenth. Amend by adding the following paragraph:

"Whenever the President of the United States shall be satisfied that the price of any commodity or article of merchandise has been enhanced in consequence of any monopoly or trust in the United States, he shall issue his proclamation suspending the collection of all customs duties or import taxes on like articles of merchandise or commodities brought from foreign countries. Such suspension shall continue as long as such enhancement in price of such commodity or article of merchandise exists and until revoked by the President."

Fourteenth. Amend by reducing and adjusting rates in all schedules so that the duties shall not exceed the difference in the cost of labor in America and abroad and shall be upon a basis to produce increased revenue for the Government and competitive prices for the American consumer.

Mr. PAYNE. Mr. Speaker, I move the previous question on the motion made by the gentleman from Missouri.

The previous question was ordered.

The SPEAKER. As many as are in favor of the motion made by the gentleman from Missouri will say "aye."

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 218, answered "present" 1, not voting 7, as follows:

YEAS—162.

Adair	Dickson, Miss.	Hughes, N. J.	Ransdell, La.
Adamson	Dies	Hull, Tenn.	Rauch
Aiken	Dixon, Ind.	Humphreys, Miss.	Reid
Alexander, Mo.	Driscoll, D. A.	James	Richardson
Anderson	Edwards, Ga.	Jamieson	Riordan
Ansberry	Ellerbe	Johnson, Ky.	Robinson
Ashbrook	Ferris	Johnson, S. C.	Rothermel
Barnhart	Finley	Jones	Rucker, Colo.
Bartlett, Ga.	Fitzgerald	Kellher	Rucker, Mo.
Bartlett, Nev.	Flood, Va.	Kinkead, N. J.	Sabath
Beall, Tex.	Floyd, Ark.	Kitchin	Saunders
Bell, Ga.	Fornes	Korbly	Shackleford
Boehne	Foster, Ill.	Lamb	Sharp
Booher	Gallagher	Lassiter	Sheppard
Borland	Garner, Tex.	Latta	Sherley
Bowers	Garrett	Lee	Sherwood
Brantley	Gill, Md.	Lindsay	Sims
Burgess	Gillespie	Livingston	Sisson
Burleson	Glass	Lloyd	Slayden
Burnett	Godwin	McDermott	Small
Byrd	Goldfogle	McHenry	Smith, Tex.
Byrns	Gordon	Macon	Sparkman
Candler	Goulden	Maguire, Nebr.	Spight
Cantrill	Graham, Ill.	Martin, Colo.	Stanley
Carlin	Gregg	Maynard	Stephens, Tex.
Carter	Griggs	Mays	Sulzer
Clark, Fla.	Hamill	Moon, Tenn.	Talbott
Clark, Mo.	Hamlin	Moore, Tex.	Taylor, Ala.
Clayton	Hammond	Morrison	Taylor, Colo.
Cline	Hardwick	Moss	Thomas, Ky.
Collier	Hardy	Nicholls	Thomas, N. C.
Conry	Harrison	O'Connell	Tou Velle
Covington	Hay	Oldfield	Underwood
Cox, Ind.	Heflin	Padgett	Wallace
Cox, Ohio	Helm	Page	Watkins
Craig	Henry, Tex.	Palmer, A. M.	Webb
Cravens	Hitchcock	Patterson	Weisse
Cullop	Hobson	Peters	Wickliffe
De Armond	Houston	Pou	Wilson, Pa.
Dent	Howard	Rainey	
Denver	Hughes, Ga.	Randell, Tex.	

NAYS—218.

Alexander, N. Y.	Estopinal	Kinkaid, Nebr.	Parsons
Allen	Fairchild	Knapp	Payne
Ames	Fassett	Knowland	Pearre
Andrus	Fish	Kopp	Perkins
Anthony	Focht	Kronmiller	Pickett
Austin	Foelker	Küstermann	Plumley
Barchfeld	Fordney	Lafean	Poindexter
Barclay	Foss	Langham	Pratt
Barnard	Foster, Vt.	Langley	Pray
Bartholdt	Foulkrod	Law	Prince
Bates	Fowler	Lawrence	Pujo
Bennet, N. Y.	Fuller	Lenroot	Reeder
Bennett, Ky.	Gaines	Lindbergh	Reynolds
Bingham	Gardner, Mass.	Longworth	Roberts
Boutell	Gardner, Mich.	Lorimer	Rodenberg
Bradley	Gardner, N. J.	Loud	Sheffield
Broussard	Garner, Pa.	Loudenslager	Simmons
Brownlow	Gillett	Lovering	Slemp
Burke, Pa.	Goebel	Lowden	Smith, Cal.
Burke, S. Dak.	Good	Lundin	Smith, Iowa
Burleigh	Graff	McCall	Smith, Mich.
Butler	Graham, Pa.	McCreary	Snapp
Calder	Grant	McGuire, Okla.	Southwick
Calderhead	Greene	McKinlay, Cal.	Sperry
Campbell	Griest	McKinley, Ill.	Stafford
Capron	Gronna	McKinney	Steenerson
Cary	Guernsey	McLachlan, Cal.	Sterling
Chapman	Hamer	McLaughlin, Mich.	Stevens, Minn.
Cocks, N. Y.	Hamilton	McMorran	Sturgiss
Cole	Hanna	Madden	Sulloway
Cook	Haugen	Madison	Swasey
Cooper, Pa.	Hawley	Malby	Tawney
Cooper, Wis.	Hayes	Mann	Taylor, Ohio
Cowles	Heald	Martin, S. Dak.	Tener
Creager	Henry, Conn.	Miller, Kans.	Thistlewood
Crumpacker	Higgins	Miller, Minn.	Thomas, Ohio
Currier	Hill	Millington	Tilson
Cushman	Hinshaw	Mondell	Tirrell
Dalzell	Hollingsworth	Moon, Pa.	Townsend
Davidson	Howell, N. J.	Moore, Pa.	Volstead
Davis	Howell, Utah	Morehead	Vreeland
Dawson	Howland	Morgan, Mo.	Wanger
Denby	Hubbard, Iowa	Morgan, Okla.	Washburn
Dickema	Hubbard, W. Va.	Morse	Weeks
Dodds	Huff	Mudd	Wheeler
Douglas	Hughes, W. Va.	Murdock	Wiley
Draper	Hull, Iowa	Murphy	Wilson, Ill.
Driscoll, M. E.	Humphrey, Wash.	Needham	Wood, N. J.
Durey	Johnson, Ohio	Nelson	Woods, Iowa
Dwight	Joyce	Norris	Woodyard
Edwards, Ky.	Kahn	Nye	Young, Mich.
Ellis	Keifer	Olcott	Young, N. Y.
Elvins	Kendall	Olmsted	The Speaker
Englebright	Kennedy, Iowa	Palmer, H. W.	
Esch	Kennedy, Ohio	Parker	

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—7.

Coudrey	Gill, Mo.	Russell	Willett
Crow	Rhinock	Scott	

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is upon the passage of the bill.

Mr. PAYNE. And upon that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 161, answered "present" 1, not voting 9, as follows:

YEAS—217.

Alexander, N. Y.	Fairchild	Knapp	Payne
Allen	Fassett	Knowland	Pearre
Ames	Fish	Kopp	Perkins
Andrus	Focht	Kronmiller	Pickett
Anthony	Foelker	Küstermann	Plumley
Barchfeld	Fordney	Lafean	Poindexter
Barclay	Foss	Langham	Pratt
Barnard	Foster, Vt.	Langley	Pray
Bartholdt	Foulkrod	Law	Prince
Bates	Fowler	Lawrence	Pujo
Bennet, N. Y.	Fuller	Lenroot	Reeder
Bennett, Ky.	Gaines	Lindbergh	Reynolds
Bingham	Gardner, Mass.	Longworth	Roberts
Boutell	Gardner, Mich.	Lorimer	Rodenberg
Bradley	Gardner, N. J.	Loud	Sheffield
Broussard	Garner, Pa.	Loudenslager	Simmons
Brownlow	Gillett	Lovering	Slemp
Burke, Pa.	Goebel	Lowden	Smith, Cal.
Burke, S. Dak.	Good	Lundin	Smith, Iowa
Burleigh	Graff	McCall	Smith, Mich.
Butler	Graham, Pa.	McCreary	Snapp
Calder	Grant	McGuire, Okla.	Southwick
Calderhead	Greene	McKinlay, Cal.	Sperry
Campbell	Griest	McKinley, Ill.	Stafford
Capron	Gronna	McKinney	Steenerson
Cary	Guernsey	McLachlan, Cal.	Sterling
Chapman	Hamer	McLaughlin, Mich.	Stevens, Minn.
Cocks, N. Y.	Hamilton	McMorran	Sturgiss
Cole	Hanna	Madden	Sulloway
Cook	Haugen	Madison	Swasey
Cooper, Pa.	Hawley	Malby	Tawney
Cooper, Wis.	Hayes	Mann	Taylor, Ohio
Cowles	Heald	Martin, S. Dak.	Tener
Creager	Henry, Conn.	Miller, Kans.	Thistlewood
Crumpacker	Higgins	Miller, Minn.	Thomas, Ohio
Currier	Hill	Millington	Tilson
Cushman	Hinshaw	Mondell	Tirrell
Dalzell	Hollingsworth	Moon, Pa.	Townsend
Davidson	Howell, N. J.	Moore, Pa.	Volstead
Davis	Howell, Utah	Morehead	Vreeland
Dawson	Howland	Morgan, Mo.	Wanger
Denby	Hubbard, Iowa	Morgan, Okla.	Washburn
Dickema	Hubbard, W. Va.	Morse	Weeks
Dodds	Huff	Mudd	Wheeler
Douglas	Hughes, W. Va.	Murdock	Wiley
Draper	Hull, Iowa	Murphy	Wilson, Ill.
Driscoll, M. E.	Humphrey, Wash.	Needham	Wood, N. J.
Durey	Johnson, Ohio	Nelson	Woods, Iowa
Dwight	Joyce	Norris	Woodyard
Edwards, Ky.	Kahn	Nye	Young, Mich.
Ellis	Keifer	Olcott	Young, N. Y.
Elvins	Kendall	Olmsted	The Speaker
Englebright	Kennedy, Iowa	Palmer, H. W.	
Esch	Kennedy, Ohio	Parker	
Estopinal	Kinkaid, Nebr.	Parsons	

NAYS—161.

Adair	Denver	Hughes, Ga.	Ransdell, La.
Adamson	Dickson, Miss.	Hughes, N. J.	Rauch
Aiken	Dies	Hull, Tenn.	Reid
Alexander, Mo.	Dixon, Ind.	Humphreys, Miss.	Richardson
Anderson	Driscoll, D. A.	James	Riordan
Ansberry	Edwards, Ga.	Jamieson	Robinson
Ashbrook	Ellerbe	Johnson, Ky.	Rothermel
Austin	Ferris	Johnson, S. C.	Rucker, Colo.
Barnhart	Finley	Jones	Rucker, Mo.
Bartlett, Ga.	Fitzgerald	Kellher	Sabath
Bartlett, Nev.	Flood, Va.	Kinkead, N. J.	Saunders
Beall, Tex.	Floyd, Ark.	Kitchin	Shackleford
Bell, Ga.	Fornes	Korbly	Sharp
Boehne	Foster, Ill.	Lamb	Sheppard
Booher	Gallagher	Lassiter	Sherley
Borland	Garner, Tex.	Latta	Sherwood
Bowers	Garrett	Lee	Sims
Brantley	Gill, Md.	Livingston	Sisson
Burgess	Gillespie	Lloyd	Slayden
Burleson	Glass	McDermott	Small
Burnett	Godwin	McHenry	Smith, Tex.
Byrd	Goldfogle	Macon	Sparkman
Byrns	Gordon	Maguire, Nebr.	Spight
Candler	Goulden	Martin, Colo.	Stanley
Cantrill	Graham, Ill.	Maynard	Stephens, Tex.
Carlin	Gregg	Mays	Sulzer
Carter	Griggs	Moon, Tenn.	Talbott
Clark, Fla.	Hamill	Moore, Tex.	Taylor, Ala.
Clark, Mo.	Hamlin	Morrison	Taylor, Colo.
Clayton	Hammond	Moss	Thomas, Ky.
Cline	Hardwick	Nicholls	Thomas, N. C.
Collier	Hardy	O'Connell	Tou Velle
Conry	Harrison	Oldfield	Underwood
Covington	Hay	Padgett	Wallace
Cox, Ind.	Heflin	Page	Watkins
Cox, Ohio	Helm	Palmer, A. M.	Webb
Craig	Henry, Tex.	Patterson	Weisse
Cravens	Hitchcock	Peters	Wilson, Pa.
Cullop	Hobson	Pou	
De Armond	Houston	Rainey	
Dent	Howard	Randell, Tex.	

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—9.

Coudrey	Lindsay	Russell	Sperry
Crow	Rhinock	Scott	Willett
Gill, Mo.			

So the bill was passed.

The Speaker directed that his name be called; and when it was called, he answered "aye," as above recorded.

The following additional pair was announced:

Mr. LEVER with Mr. SCOTT.

Mr. STANLEY. Mr. Speaker, how is Mr. SCOTT recorded on this roll? I wish to vote "present," because I am paired with Mr. SCOTT.

The SPEAKER. Mr. SCOTT is recorded as voting "present."

Mr. STANLEY. I now understand that Mr. LEVER is paired with Mr. SCOTT.

Mr. LEVER. I have a pair with Mr. SCOTT.

Mr. STANLEY. Then, Mr. Speaker, I desire to vote "no."

The result of the vote was then announced, as above recorded. [Loud and continued applause.]

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for a print of the bill, 1,200 copies, as it passed the House, and that in the printing the numbering of the paragraphs and sections be preserved.

The SPEAKER. Is there objection?

Mr. FINLEY. Will that put them in the document room?

Mr. PAYNE. I do not know where they will go.

Mr. FINLEY. I think they should go to the folding room. The gentleman ought to know; for if they go to the document room, Members will not get them. I move to amend by directing that they go to the folding room.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. CLARK of Missouri. If the gentleman from New York says they shall go to the folding room——

Mr. PAYNE. I am told they will go to the folding room.

Mr. CLARK of Missouri. All right.

The SPEAKER. The Chair hears no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MOON of Tennessee, indefinitely, on account of important business.

To Mr. JOHNSON of South Carolina, indefinitely, on account of important business.

To Mr. FINLEY, indefinitely, on account of business.

To Mr. MOSS, indefinitely, on account of important business.

DAYS OF MEETING.

Mr. DALZELL. Mr. Speaker, I offer the following resolution and move its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 58.

Resolved, That until further ordered the House shall meet only on Mondays and Thursdays of each week.

Mr. DALZELL. Mr. Speaker, it is perfectly manifest that the House has no business to do, and will not have any business at all until some report is made from the Senate. It will be perfectly useless to have all the Members of the House come up here day by day simply for the purpose of adjourning. The incidental business that we may likely be called upon to do can be done on Mondays and Thursdays, and if this resolution be passed by a quorum, and we certainly have a quorum here now, we will be relieved from the necessity of coming up every day to the House and agreeing to a motion to adjourn. The resolution is identical in terms with the one that was adopted in the Fifty-fifth Congress after the passage of the Dingley law when it went to the Senate.

Mr. CLARK of Missouri. Mr. Speaker, the only objection I have to it—I am not going to object—is that it is unconstitutional, as the House can not adjourn but three days at a time, and if the House will give unanimous consent for me to print some remarks on that subject I will not weary myself or the House with them now.

Mr. DALZELL. Mr. Speaker, I am sure they will. [Laughter and applause.]

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to.

Accordingly (at 8 o'clock and 20 minutes p. m.) the House adjourned until Monday, April 12, 1909, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of St. Andrews Bay, Florida (H. Doc. No. 12), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 6854) for the erection of a public building at Dayton, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6855) for the erection of a public building at Gallatin, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6856) making appropriation for the construction and equipment of a Weather Bureau observatory on Crab Orchard Mountain, Cumberland County, Tenn.—to the Committee on Agriculture.

Also, a bill (H. R. 6857) authorizing the Secretary of War to supervise the erection of monuments and markers and locate the route of "the great stage road," also known as the "Walton road"—to the Committee on the Library

By Mr. SIMMONS: A bill (H. R. 6858) for the erection of a public building at Batavia, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. AUSTIN: A bill (H. R. 6859) to authorize the Secretary of War to commence and complete the locking and damming of the Clinch River, in Tennessee, above Kingston and to Walkers Ford, and in accordance with the plan heretofore adopted—to the Committee on Rivers and Harbors.

By Mr. CAMERON: A bill (H. R. 6860) to amend section 2, chapter 1159, United States Statutes at Large, volume 32, part 1, page 405, and for other purposes—to the Committee on the Territories.

By Mr. BURKE of South Dakota: A bill (H. R. 6861) granting a condemned cannon to John A. Dix Post, Grand Army of the Republic, of Highmore, S. Dak.—to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 6862) for permanent consular improvement and commercial enlargement—to the Committee on Foreign Affairs.

By Mr. GRIEST: A bill (H. R. 6863) to amend a provision in the "Act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1882, and for other purposes," approved March 1, 1881—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: A bill (H. R. 6864) to levy and collect a tax on the gross receipts of all corporations, firms, or persons doing an interstate business—to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: A bill (H. R. 6865) to provide for the greater security of life and property on navigable waters, for the inspection of vessels, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. WALLACE: A bill (H. R. 6866) to extend the time for the construction of a bridge across the Ouachita River at or near Camden, Ark.—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: A bill (H. R. 6867) to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River—to the Committee on Interstate and Foreign Commerce.

By Mr. LORIMER: Resolution (H. Res. 56) providing additional compensation for the assistant foreman of the folding room—to the Committee on Accounts.

By Mr. LUNDIN: Resolution (H. Res. 57) authorizing the Speaker to appoint a select committee to make an investigation concerning old-age insurance—to the Committee on Rules.

By Mr. BURLEIGH: Memorial of the legislature of Maine, against the passage of any law by Congress imposing any tax on succession of inheritances—to the Committee on Ways and Means.

Also, memorial of the legislature of Maine, in favor of the enactment of a law creating a volunteer retired list—to the Committee on Military Affairs.

By Mr. HIGGINS: Memorial of the legislature of Connecticut, concerning reservation of inheritance tax for state revenue—to the Committee on Ways and Means.

By Mr. SPERRY: Memorial of the legislature of Connecticut, favoring a change in the date of the inauguration of the President and Vice-President—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial of the legislature of the State of Connecticut, favoring the reservation of inheritance tax for state revenue—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 6868) for the relief of R. Smith Bailey—to the Committee on War Claims.

By Mr. ASHBROOK: A bill (H. R. 6869) granting an increase of pension to Rachel A. Johnson—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 6870) granting an increase of pension to Leopold Bertsche—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 6871) granting an increase of pension to Christopher G. Bollman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6872) granting an increase of pension to Henry R. Tobias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6873) granting an increase of pension to David Copley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6874) granting an increase of pension to Phillip Wolfenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6875) granting an increase of pension to John M. Dorland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6876) granting an increase of pension to John W. Bentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6877) granting an increase of pension to Albert G. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6878) granting an increase of pension to William Shively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6879) granting an increase of pension to Henry H. Welrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6880) granting an increase of pension to Alfred Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6881) granting an increase of pension to Peter Spangler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6882) for the relief of William H. Richhart—to the Committee on War Claims.

Also, a bill (H. R. 6883) to remove the charge of desertion from the military record of George W. Dunlap and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 6884) for the relief of Edward Cahalan, and the heirs of Milton C. Espey, Edmund P. Wilcox, and Hampton L. Lee, deceased—to the Committee on War Claims.

By Mr. BENNET of New York: A bill (H. R. 6885) to reimburse the Gore-Duggan Engineering Company—to the Committee on Claims.

Also, a bill (H. R. 6886) granting an increase of pension to Terence N. Foley—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 6887) granting an increase of pension to John R. Carrol—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6888) granting an increase of pension to Richard A. Wood—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 6889) granting a pension to Newell Wolcott—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 6890) granting an increase of pension to Reubin Allred—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 6891) granting a pension to Horatio M. Jones—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 6892) for the relief of Mrs. M. A. Turner—to the Committee on War Claims.

Also, a bill (H. R. 6893) for the relief of the estate of Sandford Humphrey, deceased—to the Committee on War Claims.

By Mr. CARY: A bill (H. R. 6894) granting an increase of pension to Eugene Foot—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 6895) granting an increase of pension to Martin A. Didion—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 6896) granting an increase of pension to William Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6897) granting an increase of pension to John J. Alles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6898) granting a pension to Thomas Finney—to the Committee on Pensions.

Also, a bill (H. R. 6899) granting a pension to Thomas J. D. Pinnick—to the Committee on Pensions.

By Mr. CRAVENS: A bill (H. R. 6900) for the relief of the estate of Leroy Noble—to the Committee on War Claims.

By Mr. CREAGER: A bill (H. R. 6901) to provide for the honorable discharge of Platoff Bush—to the Committee on Military Affairs.

By Mr. DENVER: A bill (H. R. 6902) granting an increase of pension to William H. Few—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6903) granting an increase of pension to David Gough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6904) granting an increase of pension to James W. McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6905) granting an increase of pension to Phillip P. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6906) granting an increase of pension to Hill C. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6907) granting an increase of pension to Elijah Cowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6908) granting an increase of pension to Thomas L. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6909) granting an increase of pension to Frank L. Dunlap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6910) granting an increase of pension to William H. Everhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6911) granting an increase of pension to Alexander Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6912) granting an increase of pension to William J. Srofe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6913) granting an increase of pension to Samuel N. Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6914) granting an increase of pension to Silas W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6915) granting an increase of pension to Henry Babb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6916) granting an increase of pension to George W. Brookover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6917) granting an increase of pension to James Gaines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6918) granting an increase of pension to John Hiett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6919) granting an increase of pension to John N. McCollough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6920) granting an increase of pension to John W. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6921) granting an increase of pension to Mahlon C. Sween—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6922) granting an increase of pension to John Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6923) granting an increase of pension to Tilghman R. Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6924) granting an increase of pension to Mark D. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6925) granting a pension to Murray R. Marshall—to the Committee on Pensions.

Also, a bill (H. R. 6926) granting a pension to Samuel Wolf—to the Committee on Pensions.

Also, a bill (H. R. 6927) granting a pension to James I. Taylor—to the Committee on Pensions.

Also, a bill (H. R. 6928) granting a pension to Daniel E. Bavis—to the Committee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 6929) granting an increase of pension to Franklin Cozine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6930) granting an increase of pension to Joseph S. Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6931) granting an increase of pension to Daniel Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6932) for the relief of David F. Ragsdale—to the Committee on War Claims.

Also, a bill (H. R. 6933) for the relief of the heirs of Willis Potter, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6934) to remove the charge of desertion from the military record of Isaac H. Zolman—to the Committee on Military Affairs.

By Mr. FISH: A bill (H. R. 6935) for the relief of the Merchants' National Bank of Poughkeepsie, N. Y.—to the Committee on Claims.

By Mr. GRAFF: A bill (H. R. 6936) granting an increase of pension to William T. Boyd—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 6937) granting a pension to Almon Shibley—to the Committee on Pensions.

Also, a bill (H. R. 6938) to correct the military record of Peter Kenney—to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 6939) granting a pension to Francis W. Leeper—to the Committee on Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 6940) granting an increase of pension to William Carl—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 6941) granting an increase of pension to Milford Clemons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6942) granting an increase of pension to William W. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6943) granting an increase of pension to Louis M. Starring—to the Committee on Pensions.

Also, a bill (H. R. 6944) granting an increase of pension to Leonard W. Massey—to the Committee on Pensions.

Also, a bill (H. R. 6945) granting a pension to William Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6946) for the relief of M. J. Julian, of Putnam County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6947) for the relief of John Beasley, of Rhea County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6948) for the relief of the legal representatives of Z. Tate & Son—to the Committee on War Claims.

Also, a bill (H. R. 6949) for the relief of the legal representatives of Joseph Chipman—to the Committee on War Claims.

Also, a bill (H. R. 6950) granting pay to heirs of Tyre Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6951) for the relief of R. C. M. Cunnyngham and W. H. Cunnyngham, executors of the estate of Elvina Cunnyngham, deceased—to the Committee on War Claims.

By Mr. JOHNSON of Ohio: A bill (H. R. 6952) granting an increase of pension to John Dufour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6953) granting an increase of pension to Samuel Ewing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6954) granting a pension to Helen Canterbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6955) granting a pension to Barbara Trago—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6956) granting a pension to Lillie B. Dieterich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6957) granting a pension to Julia A. Dawley—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 6958) granting an increase of pension to Andrew T. Moonert, alias William Mayfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6959) granting an increase of pension to James M. Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6960) granting an increase of pension to Allen W. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6961) granting an increase of pension to John Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6962) to remove the charge of desertion from the military record of Theodore Reichel—to the Committee on Military Affairs.

Also, a bill (H. R. 6963) to remove the charge of desertion from the military record of Lorenzo F. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 6964) to remove the charge of desertion from the military record of John C. Whittin—to the Committee on Military Affairs.

By Mr. LOVERING: A bill (H. R. 6965) granting an increase of pension to Oliver A. White—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 6966) to remove the charge of desertion against James M. Neal—to the Committee on Military Affairs.

Also, a bill (H. R. 6967) to remove the charge of desertion from the military record of Richard Dove and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 6968) granting a pension to Ara A. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6969) granting a pension to William E. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6970) granting an increase of pension to Edward Hall Dell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6971) granting an increase of pension to James J. Spence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6972) granting an increase of pension to James R. Hooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6973) granting an increase of pension to Ephraim C. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6974) granting an increase of pension to Joel Cokely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6975) granting an increase of pension to John P. Hardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6976) granting an increase of pension to Sidney Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6977) for the relief of James B. Houston—to the Committee on War Claims.

By Mr. MORRISON: A bill (H. R. 6978) granting a pension to Angeline L. Swalm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6979) granting an increase of pension to Catherine L. Willis—to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 6980) granting an increase of pension to William Henry Hyde—to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 6981) granting an increase of pension to Daniel D. Mann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6982) granting an increase of pension to William N. Ash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6983) granting an increase of pension to William I. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6984) granting an increase of pension to Abraham G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6985) granting an increase of pension to Montville Benjamin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6986) granting an increase of pension to William Francis Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6987) granting an increase of pension to Thomas W. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6988) granting an increase of pension to James Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6989) granting an increase of pension to Catherine Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6990) granting an increase of pension to Miles P. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6991) granting an increase of pension to Edgar Durfee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6992) granting an increase of pension to H. F. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6993) granting an increase of pension to Samuel W. Dunham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6994) granting an increase of pension to C. Feckenscher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6995) granting an increase of pension to T. W. Gilbey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6996) granting an increase of pension to George W. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6997) granting an increase of pension to Martha Harrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6998) granting an increase of pension to Robert Hawthorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6999) granting an increase of pension to Andrew W. Holliday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7000) granting an increase of pension to Nelson Huxley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7001) granting an increase of pension to Deloss Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7002) granting an increase of pension to Samuel B. Hendricks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7003) granting an increase of pension to Oscar Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7004) granting an increase of pension to Paul C. G. Itsell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7005) granting an increase of pension to Isaac H. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7006) granting an increase of pension to Edward H. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7007) granting an increase of pension to Esther Lake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7008) granting an increase of pension to Edward Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7009) granting an increase of pension to Jennet F. Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7010) granting an increase of pension to Henry P. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7011) granting an increase of pension to James McCurdy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7012) granting an increase of pension to George W. Nicholson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7013) granting an increase of pension to William W. Pentlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7014) granting an increase of pension to John D. Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7015) granting an increase of pension to Horace A. Rexford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7016) granting an increase of pension to George Shiebel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7017) granting an increase of pension to C. H. Sedgwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7018) granting an increase of pension to Alfred Tichurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7019) granting an increase of pension to Elizabeth E. Ten Eyck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7020) granting an increase of pension to Benjamin F. Tifft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7021) granting an increase of pension to Albert A. Ingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7022) granting an increase of pension to Charles Van Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7023) granting an increase of pension to Julia Nolen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7024) granting an increase of pension to Peter Wager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7025) granting an increase of pension to John Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7026) granting an increase of pension to Isaac Wadsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7027) granting an increase of pension to Jerome C. Walton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7028) granting an increase of pension to R. C. Worthington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7029) granting an increase of pension to John Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7030) granting an increase of pension to Mary Smith Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7031) granting an increase of pension to Katie Weschke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7032) granting an increase of pension to Frank Chase—to the Committee on Pensions.

Also, a bill (H. R. 7033) granting an increase of pension to John B. Hanna—to the Committee on Pensions.

Also, a bill (H. R. 7034) granting an increase of pension to Samuel C. Parker—to the Committee on Pensions.

Also, a bill (H. R. 7035) granting an increase of pension to Charles L. Randall—to the Committee on Pensions.

Also, a bill (H. R. 7036) granting a pension to Oliver S. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7037) granting a pension to Charles N. Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7038) granting a pension to Lyman A. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7039) granting a pension to William L. Coryell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7040) granting a pension to Emory Denton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7041) granting a pension to William I. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7042) granting a pension to Morgan Gulick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7043) granting a pension to Lizzie J. Hoadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7044) granting a pension to James R. Hutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7045) granting a pension to Edward C. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7046) granting a pension to Theodore Pack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7047) granting a pension to J. C. Predmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7048) granting a pension to Albert Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7049) granting a pension to Oscar J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7050) granting a pension to William A. Sperl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7051) granting a pension to Milon Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7052) granting a pension to Orren Wakeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7053) granting a pension to William Daniels—to the Committee on Pensions.

Also, a bill (H. R. 7054) to correct the military record of Daniel D. Mann—to the Committee on Military Affairs.

Also, a bill (H. R. 7055) to correct the military record of George W. Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 7056) to correct the military record of William H. Barrett—to the Committee on Military Affairs.

Also, a bill (H. R. 7057) to correct the military record of Henry Berry—to the Committee on Military Affairs.

Also, a bill (H. R. 7058) to correct the military record of John Burke—to the Committee on Military Affairs.

Also, a bill (H. R. 7059) to correct the military record of Horace Clapp—to the Committee on Military Affairs.

Also, a bill (H. R. 7060) to correct the military record of Thomas Eagan—to the Committee on Military Affairs.

Also, a bill (H. R. 7061) to correct the military record of Edwin Horton—to the Committee on Military Affairs.

Also, a bill (H. R. 7062) to correct the military record of Henry P. Kinney—to the Committee on Military Affairs.

Also, a bill (H. R. 7063) to correct the military record of J. H. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 7064) to correct the military record of George W. Leaming—to the Committee on Military Affairs.

Also, a bill (H. R. 7065) to correct the military record of William Manning—to the Committee on Military Affairs.

Also, a bill (H. R. 7066) to correct the military record of George L. Patterson—to the Committee on Military Affairs.

Also, a bill (H. R. 7067) to correct the military record of Charles E. Potter—to the Committee on Military Affairs.

Also, a bill (H. R. 7068) to correct the military record of Clark G. Russell—to the Committee on Military Affairs.

Also, a bill (H. R. 7069) to correct the military record of Jefferson Vinton—to the Committee on Military Affairs.

By Mr. STURGISS: A bill (H. R. 7070) granting an increase of pension to Sanford S. Liller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7071) granting an increase of pension to Perry Metheny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7072) granting an increase of pension to Samuel Gould—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 7073) granting a pension to Jacob Both—to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 7074) granting an increase of pension to John Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7075) granting an increase of pension to Anthony Brown—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 7076) granting an increase of pension to Lemuel Thornell—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 7077) granting an increase of pension to William H. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7078) granting an increase of pension to Charles H. Kendall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7079) granting an increase of pension to Emily W. Tilley—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 7080) granting an increase of pension to John W. Stephens—to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 7081) granting a pension to W. W. Harris—to the Committee on Invalid Pensions.

By Mr. JAMIESON: A bill (H. R. 7082) granting an increase of pension to Leander Blair—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 7083) granting an increase of pension to Reuben Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7084) granting an increase of pension to Orson Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7085) granting a pension to Mary J. Prentice—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Rockford Mitten and Hosiery Company, Nelson Knitting Company, Burson Knitting Company, and Forest City Knitting Company, praying for an increase of the duty on hosiery as provided in the Payne bill—to the Committee on Ways and Means.

By Mr. AIKEN: Petition of citizens of the Third Congressional District of South Carolina, favoring a national highways commission—to the Committee on Ways and Means.

By Mr. ANDERSON: Petition of R. J. Cristy Company, of Fremont, Ohio, opposing duty on cold-rolled strip steel—to the Committee on Ways and Means.

Also, petition of Sterling Emery Wheel Company, of Tiffin, Ohio, requesting corundum on free list—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers, of Columbus, Ohio, in favor of shoes on free list—to the Committee on Ways and Means.

Also, petition of Fostoria Glass Specialty Company, of Fostoria, Ohio, against proposed duty on red lead and lithorage—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of Hide and Leather Association, for placing hides on the free list—to the Committee on Ways and Means.

By Mr. ASHBROOK: Paper to accompany bill for relief of Peter Everly and Rachel A. Johnson—to the Committee on Invalid Pensions.

By Mr. AUSTIN: Petition of employees of Rockwood Mills, at Rockwood, Tenn., for retention of paragraphs 325, 326, and 327 of the tariff bill—to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of Joseph Horne & Co., against increase of duty on toys—to the Committee on Ways and Means.

By Mr. BENNET of New York: Papers to accompany bill for the relief of Gore, Meenan & Co., engineering company—to the Committee on Claims.

Also, papers to accompany bill for the relief of Terence V. Foley—to the Committee on Invalid Pensions.

By Mr. BINGHAM: Petition of citizens of Philadelphia, Pa., through the Grocers and Importers' Exchange opposing duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BROUSSARD: Petition of Maison Blanche Company and others, against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Rumford (Me.) Local, No. 9, Brotherhood of Paper Makers, opposing reduction on print paper—to the Committee on Ways and Means.

By Mr. CALDER: Petition of Southwick Manufacturing Company and others, of Philadelphia, against reduction of duty on whiting and Paris white—to the Committee on Ways and Means.

Also, petition of Lyons Brothers, of Baltimore, against increase of duty on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of W. J. Butterfield, of New York, favoring tax on tea—to the Committee on Ways and Means.

Also, petition of the Florsheimer Shoe Company, against further reduction of tariff on shoes—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against reduction of tariff on paper—to the Committee on Ways and Means.

Also, petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Schiffisticker Union, No. 12768, of American Federation of Labor, of New York, favoring increase of tariff on lower grades of embroidery goods—to the Committee on Ways and Means.

Also, petition of F. D. Nott, favoring a duty on tea—to the Committee on Ways and Means.

Also, petition of George W. Bayliss, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Needham & Vallon, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Edward Smith & Co., against a duty on china nut oil—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of W. E. Dwinill, with criticism on Mr. FORDNEY's lumber speech—to the Committee on Ways and Means.

Also, petition of Harry T. Stuart, favoring increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of the New York Cordage Company, against a duty on hemp rope—to the Committee on Ways and Means.

Also, petition of National Lumber Manufacturers' Association, against decrease of duty on lumber—to the Committee on Ways and Means.

Also, petition of Seaboard Trading Company, favoring reduction of duty on salt fish—to the Committee on Ways and Means.

Also, petition of Clay Tobacco Pipe Makers' Union of the United States, for increase of duty on clay pipes—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, against a duty on cocoa beans—to the Committee on Ways and Means.

Also, petition of Butler Brothers, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of common council, city of Troy, against reduction of tariff on collars and cuffs—to the Committee on Ways and Means.

Also, petition of committee of manufacturers of blueprint paper, against increase of duty on blueprint paper—to the Committee on Ways and Means.

Also, petition of sundry citizens of the Sixth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CAPRON: Petitions of members of the Tabernacle Methodist Episcopal Church, of Providence; First Baptist Church of Hope Valley; Women's Christian Temperance Union of Trenton; Women's Christian Temperance Union of Washington; Second Presbyterian Church of Providence; and Broadway Baptist Church, all of the State of Rhode Island, favoring bill regulating shipment of liquors into prohibition territory—to the Committee on Interstate and Foreign Commerce.

Also, petition of R. H. Gladding Dry Goods Company, of Providence, R. I., against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William H. Carter and Charles H. Kendall—to the Committee on Invalid Pensions.

By Mr. CARLIN: Paper to accompany bill for relief of estate of Sandford Humphrey—to the Committee on War Claims.

By Mr. CARY: Petition of the F. H. Bressler Company, of Milwaukee, Wis., favoring placing art works on the free list—to the Committee on Ways and Means.

Also, petition of sundry citizens of the Fourth Congressional District of Wisconsin, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CONRY: Petition of citizens of the Twelfth Congressional District of New York, opposing tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of Lithographic International Protective and Beneficial Association, of Jersey City, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Dubois Watch Company, of Brooklyn, N. Y., favoring tariff on watches—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring tariff on coffee—to the Committee on Ways and Means.

Also, petitions of Wallace & Co., Hawley & Hoops, J. H. Booker, and Dryden & Palmer, all of New York City, against a duty on cocoa—to the Committee on Ways and Means.

Also, petition of Ernest J. King and 40 other lithographers of New York City, favoring increased duties on all supplies relative to trade—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwalk, Conn., favoring free raw printing material—to the Committee on Ways and Means.

Also, petition of Paul Taylor Brown Company, of New York City, for increased duty on canned fruits—to the Committee on Ways and Means.

Also, petitions of E. D. McCordley, Kreuser & Brown, and 40 other lithographers, of New York City, for protection—to the Committee on Ways and Means.

Also, petition of Roessler & Hasslacker Chemical Company, of New York City, against reduction of tariff on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of Oronogo Circle Mining Company, favoring increased tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of the Roessler & Hasslacker Chemical Company, of New York City, favoring increased duty on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of Industrial Agent, of Niagara Falls, N. Y., protesting against reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of Jed, Frye & Co., of New York City, favoring reduction of duty on salt and pickled fish—to the Committee on Ways and Means.

Also, petition of Knickerbocker Chocolate Company, of New York City, against duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Metal Stamping Company, of New York City, favoring reduction of duty on manufactured metal goods—to the Committee on Ways and Means.

Also, petition of C. R. Robertson, of Baltimore, Md., favoring reduction of duty on aluminum—to the Committee on Ways and Means.

Also, petition of E. & J. Burke Company, of New York City,

for increased duty on malt liquors—to the Committee on Ways and Means.

Also, petition of Metal Stamping Company, of New York City, for reduction of duty on metal goods—to the Committee on Ways and Means.

Also, petition of New England Dry Goods Association, of Boston, Mass., against increased duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, of New York City, for increase of duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, of New York City, for reduction of duty on oils, varnishes, etc.—to the Committee on Ways and Means.

Also, petition of Lyon Brothers & Co., of Baltimore, Md., favoring tariff equalization on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of Industrial Agent, of Niagara Falls, N. Y., against reduction of duty on pulp—to the Committee on Ways and Means.

Also, petition of New York State members of the American Paper and Pulp Association, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of Yellow Pine Manufacturers' Association, against removal of tax on lumber—to the Committee on Ways and Means.

Also, petition of Cattle Raisers' Association of Texas, for retention of duty on hides and cattle—to the Committee on Ways and Means.

Also, petition of Standard Trading Company, of New York City, against increased duty on packed fish—to the Committee on Ways and Means.

Also, petition of Felix Solomon & Co., of New York City, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of journeymen mechanical embroiderers of New York, against increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of salt and packed fish dealers of New York City, against increase of duty on salt fish—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, against increase of duty on glass—to the Committee on Ways and Means.

Also, petition of the Hampden Watch Company, of Canton, Ohio, for increase of duty on watches—to the Committee on Ways and Means.

Also, petition of Leggerman Brothers, of New York City, against duty on chicory—to the Committee on Ways and Means.

Also, petition of Materne & Hess, of New York City, against duty on spices and lentils—to the Committee on Ways and Means.

Also, petition of manufacturers of artificial marble, against increased tariff on Keene's cement—to the Committee on Ways and Means.

Also, petition of National Tea and Coffee Association, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, of New York City, against a duty on Chinese nut oil—to the Committee on Ways and Means.

Also, petition of E. Smith & Co., of New York City, against a duty on Chinese nut oil—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Watertown, N. Y., favoring existing tariff on paper—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers Shoe Company, of Columbus, Ohio, favoring shoes on free list—to the Committee on Ways and Means.

Also, petition of Benter Brothers, of New York City, favoring specific duty on matting—to the Committee on Ways and Means.

Also, petition of American Plate Glass Company, of Kane, Pa., favoring protection on glass—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, of New York City, favoring Chinese nut oil on free list—to the Committee on Ways and Means.

Also, petition of M. J. Florsheimer, favoring free hides—to the Committee on Ways and Means.

By Mr. COOK: Petition of Philadelphia Quartz Company, favoring retention of present duty on silicate of soda—to the Committee on Ways and Means.

Also, petition of Keystone Blue Paper Company, favoring decrease of duty on blueprint paper—to the Committee on Ways and Means.

Also, petition of John D. Glass, for retention of sulphate of ammonia on the free list—to the Committee on Ways and Means.

By Mr. COX: Petition of Otto Fambach and others, for increase of duty on post cards—to the Committee on Ways and Means.

By Mr. DODDS: Petition of sundry citizens of the Eleventh Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of Everett F. Jonnson and others, for increase of duty on post cards—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of sundry citizens of the Thirty-fifth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of wholesale grocers of New York City, for free sugar—to the Committee on Ways and Means.

Also, petition of the Courier, Times, and Enquirer, of Buffalo, N. Y., for free pulp—to the Committee on Ways and Means.

Also, petition of T. B. Shipley, for reduction of tariff on cotton—to the Committee on Ways and Means.

Also, petition of Charles F. Hubbs Company, of New York City, against increase of duty on paper—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of Buffalo (N. Y.) Oil, Paint, and Varnish Company, for placing Chinese nut oil on free list—to the Committee on Ways and Means.

Also, petition of John Strootman Shoe Company, of Buffalo, N. Y., for free hides—to the Committee on Ways and Means.

Also, petition of J. E. Rhodes & Sons, of New York City, for free hides—to the Committee on Ways and Means.

Also, petition of common council of Troy, N. Y., against reduction of duty on collars and cuffs—to the Committee on Ways and Means.

Also, petition of Alabama Marble Company, against reduction of tariff on marble—to the Committee on Ways and Means.

Also, petition of Yale Hat Stores, against increase of duty on hats—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Buffalo, N. Y., favoring free malt—to the Committee on Ways and Means.

Also, petition of Larkin & Co., of Buffalo, N. Y., against tariff on wools for carpets—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers' Shoe Company, of Columbus, Ohio, favoring placing shoes on free list—to the Committee on Ways and Means.

Also, petition of Dietzer Sale Lithograph Company, of Buffalo, N. Y., for protection for lithographic products—to the Committee on Ways and Means.

Also, petition of Theodore Hofeller & Co., of Buffalo, N. Y., favoring placing used rubber on the free list—to the Committee on Ways and Means.

Also, petition of Local No. 7, Cigar Makers' Union, of Buffalo, N. Y., against free cigars from Philippines—to the Committee on Ways and Means.

Also, petition of the Butler Company, of Buffalo, N. Y., favoring free coffee—to the Committee on Ways and Means.

Also, petition of Sprague, Warner & Co., of Chicago, Ill., favoring free coffee—to the Committee on Ways and Means.

Also, petition of M. J. Bernhard, of Buffalo, N. Y., favoring free lumber—to the Committee on Ways and Means.

Also, petitions of Burt-Lindler Company and Menker Candy Company, of Buffalo, N. Y., favoring free cocoa—to the Committee on Ways and Means.

Also, petitions of Hawley & Hoops and J. H. Barker & Co., of New York City, favoring free cocoa—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of sundry citizens of New York State, opposing tax on sugar—to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: Petition of A. C. Schlesenger, of Oakland, Cal., opposing reduction of duty on nails, etc.—to the Committee on Ways and Means.

Also, petition of H. Hutchison and others, opposing duty on lithographic products—to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens of Monroe County, Wis., against a duty on tea and coffee and other necessities—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Hide and Leather Association of New York and vicinity, for removal of duty on hides—to the Committee on Ways and Means.

By Mr. FOSTER of Vermont: Petition of Hon. H. F. Brigham and 5 other citizens of Vermont, for removal of duty on sugar—to the Committee on Ways and Means.

By Mr. FULLER: Memorial of house of representatives of the Illinois state legislature, in favor of a just and equitable duty on zinc ore—to the Committee on Ways and Means.

Also, petition of the Merchant Marine League of the United States, in favor of a ship subsidy—to the Committee on the Merchant Marine and Fisheries.

Also, petition of John J. Stangeland, of Fairfield, Ill., concerning the proposed duty on oils, roots, seeds, etc.—to the Committee on Ways and Means.

Also, petition of the Rockford Seed Company, of Rockford, Ill., concerning the proposed duty on vegetable seeds, bulbs, etc.—to the Committee on Ways and Means.

Also, petition of J. E. Broadie, C. G. McGlashan, J. T. Peters, V. R. Anderson, M. S. Brown, H. C. Porter, and D. B. Hutchins, directors of Rockford Merchants and Business Men's Association, of Rockford, Ill., in favor of reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of the Florsheim Shoe Company, of Chicago, Ill., in favor of placing hides on free list—to the Committee on Ways and Means.

Also, petition of Armstrong Paint and Varnish Company, of Chicago, Ill., concerning proposed duty on Chinese nut or wood oil—to the Committee on Ways and Means.

Also, petition of L. B. Duffey, of De Kalb, Ill., concerning the proposed duty on coffee and tea—to the Committee on Ways and Means.

Also, petition of manufacturers of blueprint papers of New York, concerning the proposed tariff on blueprint paper—to the Committee on Ways and Means.

Also, petition of Fred Biffar, of Chicago, Ill., for reduction of tariff on prime cartridge shells—to the Committee on Ways and Means.

Also, petition of Pasteur Vaccine Company, of Chicago, Ill., concerning the tariff on biological products—to the Committee on Ways and Means.

Also, petition of H. J. Pulling, of Chicago, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Edward Hines Lumber Company, of Chicago, Ill., for greater protection on lumber—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, concerning proposed duty on plate glass—to the Committee on Ways and Means.

Also, petition of Coalfield Company, of Coal City, Ill., against a higher duty on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Lyon & Co., of Baltimore, Md., against increase of duty on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of American Sheep Breeder, of Chicago, Ill., against reduction of tariff on wool—to the Committee on Ways and Means.

Also, petition of Charles H. Hulburd, president Elgin National Watch Company, against reduction of the tariff on watches—to the Committee on Ways and Means.

Also, petition of citizens of Kangley, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of S. P. Wetherill Company, of Philadelphia, Pa., for removal of copperas from the free list—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Milwaukee, Wis., against reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Pennsylvania cigar and tobacco dealers and manufacturers, opposing the free importations of Philippine cigars—to the Committee on Ways and Means.

Also, petition of Lancaster Dry Goods Association, against the proposed increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of Siver Gulleckson and 31 others, of Ihlen, Minn., against reduction on barley—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of North Dakota, against reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Thomas Matthews and 86 other citizens of San Jose and Santa Clara, Cal., favoring an effective exclusion law against all Asiatics excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of Francis W. Leeper—to the Committee on Pensions.

By Mr. JOYCE: Petition of Local Branch No. 55, of United Brotherhood of Leather Workers, of Marietta, Ohio, against return of Mexican refugees to Mexico—to the Committee on Foreign Affairs.

By Mr. KAHN: Petition of P. H. Pettinger and 10 other residents of San Francisco, Cal., favoring a reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. KELIHER: Petition of Hide and Leather Association, of New York, favoring free hides—to the Committee on Ways and Means.

By Mr. KINKEAD of New Jersey: Petition of citizens of the Ninth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LENROOT: Paper to accompany bill for relief of George W. Jenkins, alias Henry H. Seymour (H. R. 6762)—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of the Commercial Club of St. Cloud, Minn., against any reduction of duty on rough or manufactured granite—to the Committee on Ways and Means.

Also, petition of the Woman's Club of Onigum, Minn., against a duty on leather gloves and cotton hose—to the Committee on Ways and Means.

Also, petition of citizens of Brandon, Minn., and vicinity, against reduction of duty on barley—to the Committee on Ways and Means.

Also, petition of the Commercial Club of Brainerd, Minn., against removal of duty on iron ore—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of the New York City Federation of Women's Clubs, against the proposed duty on kid gloves and hosiery—to the Committee on Ways and Means.

Also, petition of the Hide and Leather Association of New York, favoring hides being placed on the free list—to the Committee on Ways and Means.

Also, petition of Mr. Louis Winkler, of Fonda, N. Y., against the proposed duty on essential oils, drugs, roots, seeds, barks, gums, etc., and kinds of spices—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, of New York, against any duty on crude cocoa—to the Committee on Ways and Means.

By Mr. McKINNEY: Memorial of house of representatives of the legislature of Illinois, for a duty on zinc ore—to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Nebraska, opposing duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of W. B. Wilcox, of Utica, N. Y., against removal of duty on watches, watch cases, etc.—to the Committee on Ways and Means.

By Mr. PAYNE: Petition of Rushville (N. Y.) Grange, No. 1137, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. STERLING: Resolutions by house of representatives of Illinois, requesting duty on zinc—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Hide and Leather Association of New York City and vicinity, in favor of removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Fred. J. Wright, editor Farm and Stock, in favor of free lumber—to the Committee on Ways and Means.

Also, petition of C. T. Chamberlain, secretary of Knickerbocker Chocolate Company, in favor of removal of duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, against reduction of duty on spirit varnishes—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, of New York City, for a duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of J. J. Bonneau Company, of New York City, against a duty on cabinet woods in the log—to the Committee on Ways and Means.

Also, petition of Frederick Huhn, of New York City, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Antiseptic Toothpick Company, relative to tariff on toothpicks—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of Dubois Watch Case Company, against reduction of tariff on watches—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of Beckwith-Chandler Company, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of A. Wittnauer Company, against increased duty on watches—to the Committee on Ways and Means.

Also, petition of National Wholesale Dry Goods Association, for reduction of duty on oilcloths and linoleum—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, against the duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Farm Life, for free lumber—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of Cairo Retail Grocers and Butchers' Association, opposing tax on oleomargarine—to the Committee on Ways and Means.

Also, resolutions of legislature of Illinois, urging tariff on zinc—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of citizens of Fond du Lac, Wis., opposing duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

SATURDAY, *April 10, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

On request of Mr. KEAN, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

The VICE-PRESIDENT. Without objection, the Journal is approved.

THE TARIFF.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, in which it requested the concurrence of the Senate.

Mr. ALDRICH. I ask that the bill from the House be laid before the Senate.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was read twice by its title.

Mr. ALDRICH. I ask that the bill be referred to the Committee on Finance and printed, and that 2,000 extra copies be printed for the use of the Senate document room.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? No objection is heard, and it is so ordered.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of sundry manufacturers of gloves of New York City, N. Y., praying for the imposition of a high rate of duty on all gloves imported into the United States, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, Massachusetts, Connecticut, Indiana, Illinois, Pennsylvania, Wisconsin, Michigan, Ohio, Minnesota, Rhode Island, Nebraska, Georgia, Iowa, New Jersey, and Texas, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented the petition of Cornelius Kahlen and George Staber, of New York City, N. Y., praying that a duty not to exceed 25 per cent ad valorem be placed on imitation onion-skin paper, calendared or uncalendared, which was referred to the Committee on Finance.

Mr. CULLOM presented a memorial of the League of Cook County Women's Clubs, of Illinois, remonstrating against the duties to be assessed under the new tariff bill, known as the "Payne bill," upon articles of wearing apparel, particularly leather gloves and cotton hosiery, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Crab Orchard, Chicago, Assumption, Monmouth, Wyanet, Carpenter, Mount Vernon, Jacksonville, Kangley, Ladd, Streator, and Freeport, all in the State of Illinois, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a memorial of the Business Men's Association of Jacksonville, Ill., remonstrating against the proposed increase of the duty on hosiery and gloves, which was referred to the Committee on Finance.

He also presented a memorial of the Live Stock Exchange of Chicago, Ill., remonstrating against the repeal of the duty on hides, which was referred to the Committee on Finance.

Mr. SHIVELY presented petitions of Local Lodges Nos. 625, 805, 471, 365, 826, 245, 500, 796, 143, 768, 1012, 446, and 576, of Hartford City, Huntington, Wabash, Peru, Bedford, Muncie, Valparaiso, Bluffton, Lafayette, Portland, Goshen, Tipton, Bloomington, and Noblesville, all of the Benevolent and Protective Order of Elks, in the State of Indiana, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. FRYE presented petitions of sundry citizens of Augusta, Manchester, Hallowell, Auburn, and Lewiston, all in the State of Maine, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

Mr. LODGE presented petitions of sundry citizens of Ware and Lawrence, in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Boston, Attleboro, Chelsea, Chestnut Hill, Holliston, Milford, Malden, New Bedford, Pittsfield, Stoneham, Upton, Holyoke, Lowell, Chicopee, Natick, Quincy, Somerville, Cambridge, Worcester, South Yarmouth, East Bridgewater, North Raynham, Fall River, Lawrence, Mansfield, Springfield, Chicopee Falls, Athol, Provincetown, Brookline, Haverhill, Everett, Hanover, Westfield, Baldwinsville, West Medford, East Wareham, Revere, Cliftondale, Rockport, Medford, Brockton, Nantucket, Lynn, Sharon, Palmer, Clinton, Fitchburg, Pigeon Cove, East Taunton, Orange, Indian Orchard, Salem, Ayers Village, North Andover, Concord, Yarmouth, Cheshire, Kingston, Ipswich, Dalton, Greenfield, Webster, Walpole, Newburyport, Peabody, Foxboro, North Attleboro, Newtonville, Taunton, Leominster, Barnstable, and North Adams, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were referred to the Committee on Finance.

Mr. BURKETT presented a petition of Local Lodge No. 604, Benevolent and Protective Order of Elks, of Grand Island, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Commercial Club of Omaha, Nebr., praying that an appropriation of $500,000,000 be made for the improvement of the inland waterways of the country, which was referred to the Committee on Commerce.

Mr. STEPHENSON presented a petition of Printing Pressmen's Local Union No. 7, American Federation of Labor, of Milwaukee, Wis., praying for an increase of duty on post cards, which was referred to the Committee on Finance.

Mr. DOLLIVER presented petitions of sundry citizens of Vinton, Iowa, praying for a reduction of the duty on dry goods, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Emmetsburg, Dubuque, Glencoe, and Waukon, all in the State of Iowa, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented petitions of Local Lodges Nos. 418, 290, 407, 428, 563, 531, of Charles City, Waterloo, Perry, Le Mars, Boone, and Council Bluffs, all of the Benevolent and Protective Order of Elks, in the State of Iowa, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Woman's Club of Council Bluffs, Iowa, praying for the passage of the so-called "children's bureau" bill, which was referred to the Committee on Education and Labor.

He also presented a petition of the Jobbers and Manufacturers' Association of Fort Dodge, Iowa, praying for the enactment of legislation granting to the shipper the right to route his own freight, and also granting to the Interstate Commerce Commission the power to stop, in its discretion, advances of rates, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Clinton, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. BROWN presented a petition of Local Lodge No. 604, Benevolent and Protective Order of Elks, of Grand Island, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SMITH of Michigan presented a memorial of sundry citizens of Allenville, Mich., and a memorial of sundry citizens of Holland, Mich., remonstrating against the imposition of a duty

on tea and coffee, which were referred to the Committee on Finance.

Mr. ROOT presented petitions of sundry citizens of Syracuse, Cooperstown, New York City, Brooklyn, Mount Vernon, New Rochelle, Port Chester, Oswego, Belfast, Constable, Waterport, Lyndonville, Perryville, Canandaigua, Fulton, Corning, Niagara Falls, Mexico, Staten Island, and Newburgh, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Troy and Waterville and of the board of supervisors of Rensselaer, all in the State of New York, remonstrating against any reduction of the duty on collars and cuffs, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York, praying for an increase of the duty on lithographic products, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York, praying for the retention of the proposed duty on bichromate of potash and bichromate of soda, which was referred to the Committee on Finance.

He also presented a memorial of E. H. Thompson Grocery Company, of Watertown, N. Y., remonstrating against the imposition of a duty on tea, which was referred to the Committee on Finance.

He also presented a memorial of Local Lodge, International Brotherhood of Paper Makers, of Watertown, N. Y., and a memorial of St. Regis Local Union No. 45, International Brotherhood of Paper Makers, of Deferiet, N. Y., remonstrating against the proposed reduction of the duty on print paper, which were referred to the Committee on Finance.

He also presented petitions of Local Grange No. 1137, Patrons of Husbandry, of Rushville; of Frank B. Monagle, of Rushville; of Local Grange, Patrons of Husbandry, of Canandaigua; and of Local Grange No. 542, Patrons of Husbandry, of West Parrishville, all in the State of New York, praying for the passage of the so-called "parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Rochester, N. Y., praying for a reduction of the duty on window and plate glass, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Hartwick, N. Y., praying that the duty on hops imported into the United States from foreign countries be increased from 12 to 20 cents per pound, which was referred to the Committee on Finance.

He also presented a memorial of Local Union No. 311, Cigarmakers' International Union, of Albany, N. Y., and of Local Union No. 2, Cigarmakers' International Union, of Buffalo, N. Y., remonstrating against the importation of cigars from the Philippines free of duty, which were referred to the Committee on Finance.

He also presented a petition of Local Grange, Patrons of Husbandry, of Ontario, N. Y., praying for the passage of the so-called "parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the American Travelers' League of New York City, N. Y., and a petition of the Travelers' Defense Association of Boston, Mass., praying for the adoption of an amendment to paragraph 697 of the present tariff law, allowing Americans returning to this country to bring in with them, free of duty, personal effects to the value of $500 or $600, which were referred to the Committee on Finance.

He also presented a petition of the Eastern New York Bee Keepers' Association, praying for an increase of the duty on honey imported into the United States, which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of New York City and Brooklyn, all in the State of New York, remonstrating against an increase of the duty on gloves, which were referred to the Committee on Finance.

He also presented a petition of sundry employees of Otto Yeisler Company's leather mill, of New York, praying for a duty of 20 per cent on leather used in the manufacture of gloves, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills were introduced, read the first and second times by unanimous consent, and referred as follows:

By Mr. DILLINGHAM:

A bill (S. 1598) granting an increase of pension to Greenleaf D. Farnum;

A bill (S. 1599) granting an increase of pension to Charles H. Miner (with the accompanying papers); and

A bill (S. 1600) granting an increase of pension to Edward M. Savage (with the accompanying papers); to the Committee on Pensions.

By Mr. PAYNTER:

A bill (S. 1601) to establish a fish-cultural station in the State of Kentucky, near the city of Frankfort; to the Committee on Fisheries.

By Mr. MONEY:

A bill (S. 1602) for the relief of the estate of John Fleming, deceased;

A bill (S. 1603) for the relief of the estate of George M. Coker, deceased; and

A bill (S. 1604) for the relief of Abner P. Bush; to the Committee on Claims.

By Mr. FRYE:

A bill (S. 1605) authorizing the appointment of Col. J. H. Gilman, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army (with the accompanying paper); to the Committee on Military Affairs.

By Mr. STEPHENSON:

A bill (S. 1606) granting a pension to Thomas Powers; to the Committee on Pensions.

A bill (S. 1607) to provide for the purchase of a site and the erection of a public building thereon at Fort Atkinson, Wis.; and

A bill (S. 1608) for the erection of a public building at Menomonie, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. GALLINGER:

A bill (S. 1609) for the extension of Albemarle street from Wisconsin avenue to the east line of Thirty-ninth street NW.; to the Committee on the District of Columbia.

A bill (S. 1610) granting an increase of pension to Margaret L. Graham (with accompanying papers); to the Committee on Pensions.

WITHDRAWAL OF PAPERS—EDWIN A. CHASE.

On motion of Mr. CURTIS, it was

Ordered, That there may be withdrawn from the files of the Senate the papers in the case of Edwin A. Chase (S. 5541, 60th Cong.), there having been no adverse report thereon.

THE CENSUS.

The VICE-PRESIDENT. The calendar, under Rule VIII, is in order. The Secretary will announce the first bill on the calendar, which is House bill 1033.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The VICE-PRESIDENT. The pending question is on the amendment to section 7.

Mr. SCOTT. I observe that the chairman of the committee is not in the Chamber. In fact, I do not see any member of the committee present.

Mr. CUMMINS. There is one member of the committee here.

Mr. KEAN. The Senator from North Dakota [Mr. MCCUMBER] and the Senator from Iowa [Mr. CUMMINS] are here.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the pending amendment?

The SECRETARY. In section 7, page 4, line 24, after the word "employees," it is proposed to strike out the words "except messengers, assistant messengers, messenger boys, unskilled laborers, and charwomen" and to insert "except the private secretary to the director," so as to read:

That the additional clerks and other employees, except the private secretary to the director provided for, etc.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The SECRETARY. On page 5, line 2, after the word "in," strike out "section" and insert "sections 3 and," so as to read:

Provided for in sections 3 and 6 shall be subject to such special test examinations as the Director of the Census may prescribe.

The amendment was agreed to.

The next amendment was, on page 5, line 15, after the word "rating," to insert the following proviso:

Provided, That hereafter all examinations of applicants for positions in the government service, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination.

The amendment was agreed to.

The next amendment was, on page 6, line 1, after the words "Provided, however," to strike out the following words:

That when the exigencies of the service require, preference may be given to eligibles who by reason of residence or other conditions are immediately available; and that preference may be given to persons having previous experience in census work whose efficiency records are satisfactory to the said director, who may, in his discretion, accept such records in lieu of said examination.

And in lieu thereof to insert:

That when the exigencies of the service require, the director may appoint for temporary employment from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available; and may also appoint persons having had previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and may accept such records in lieu of the civil-service examination.

The amendment was agreed to.

The next amendment was, on page 6, line 23, to strike out the words "Bureau of the" before the word "Census," and after the word "Census" to insert the word "Office."

The amendment was agreed to.

The VICE-PRESIDENT. This completes the amendments of the committee. The bill is still as in Committee of the Whole and open to other amendments.

Mr. BURKETT. In section 8, on page 7, after the word "Navy" in line 21, I move the amendment which I send to the desk. It is the same amendment that we put in the last bill in reference to the enumeration of deformed and crippled persons.

Mr. LA FOLLETTE. Has the Senator the reprint of the bill before him?

Mr. BURKETT. I have the print I had yesterday.

Mr. LA FOLLETTE. I suggest that he turn to the reprint of the bill, so that his amendment will conform.

Mr. BURKETT. It would be line 24, on page 7, in the reprint.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. On page 7, line 24, after the word "Navy," it is proposed to insert the words:

And if under 18 years of age whether ruptured, crippled, or deformed.

Mr. LODGE. I do not understand to what that applies.

Mr. BURKETT. This is the amendment the Senate put in when the bill was up before, with reference to enumerating crippled and deformed children. This schedule provides for the enumeration of certain persons, giving their condition, age, sex, and so forth. The amendment provides for the enumeration of crippled and deformed.

Mr. LODGE. Separately from the others?

Mr. BURKETT. Yes; separately. It is a new provision providing for that matter.

The amendment was agreed to.

Mr. CUMMINS. I wish to call attention to line 6, on page 10, in section 9, which escaped my attention in committee. It seems to me that the words "the Hawaiian Islands" ought to be stricken out. I understand that the Hawaiian Islands now constitute a Territory of the United States and are included in the word "Territory" in line 5. I therefore move to strike out the words "the Hawaiian Islands."

The VICE-PRESIDENT. The Secretary will read the amendment submitted by the Senator from Iowa.

The SECRETARY. On page 10, line 6, after the word "Alaska," it is proposed to strike out the words "the Hawaiian Islands."

Mr. KEAN. The same amendment, I think, should be made elsewhere.

Mr. CUMMINS. This is line 6, on page 10. I do not believe that there is any political subdivision of the United States known as the "Hawaiian Islands."

Mr. KEAN. I think the Senator is absolutely right. I asked the Senator from Wyoming [Mr. CLARK] also to look up the provision in regard to Porto Rico. I do not know whether he has done so or not. That island does not have a territorial form of government, I understand.

Mr. NELSON. Porto Rico is not in the condition that Hawaii is. It is not a full-fledged Territory under the statute.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. CUMMINS. The same correction ought to be made in lines 9 and 10, on page 10. I move to strike out the words "and the Hawaiian Islands" and to insert a comma after the word "Alaska," in line 9.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 10, line 9, after the word "Alaska," strike out the words "and the Hawaiian Islands."

Mr. KEAN. I do not understand that exactly.

Mr. LODGE. As I understand the provision—the chairman, I see, is engaged—it is to enable them to get these particular officers appointed early on account of the great distance of the islands under our jurisdiction.

Mr. KEAN. That is what I understood.

Mr. LODGE. It would delay the entire census in the islands. I call the attention of the chairman of the committee to the amendment, which is to strike out the words "and the Hawaiian Islands," on page 10, lines 9 and 10.

Mr. BAILEY. Mr. President, I desire to submit a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Texas will state his parliamentary inquiry.

Mr. BAILEY. I desire to ask what disposition has been made of section 7.

The VICE-PRESIDENT. All the committee amendments to that section have been disposed of. The bill is now as in Committee of the Whole for the consideration of any amendments.

Mr. BAILEY. Then, of course, I am still permitted to submit a motion to strike out section 7 and insert a substitute?

The VICE-PRESIDENT. Certainly.

Mr. BAILEY. That I propose to do.

Mr. CUMMINS. In order to meet the suggestion of the Senator from Massachusetts, I suggest that instead of the words "Hawaiian Islands" there be inserted the words "Territory of Hawaii."

The VICE-PRESIDENT. The Senator from Iowa withdraws his previous amendment and submits an amendment, which will be stated by the Secretary.

The SECRETARY. On page 10, lines 9 and 10, strike out the words "Hawaiian Islands" and insert in lieu the words "Territory of Hawaii."

Mr. LA FOLLETTE. I do not understand that that makes any delay at all. I understand that the Hawaiian Islands are now a Territory.

Mr. CUMMINS. That is exactly what I intended to describe by this substitution, making it read the "Territory of Hawaii," instead of the "Hawaiian Islands."

Mr. LA FOLLETTE. Under either phraseology the matter would be taken care of. I do not see any objection to the adoption of the amendment.

The amendment was agreed to.

Mr. DILLINGHAM. Mr. President, yesterday, when the amendment in line 18, on page 3, was reached, which struck out the words "five hundred" before the word "dollars," and which in effect reduced the salary of the director from $7,500 to $7,000, I called the attention of the chairman of the committee to what I thought was a fact, that the salary in the last census was $7,500. In reply he said that I was mistaken, and that the salary of the Director of the Census taken for the year 1900 was $6,000. This is an increase, he said, of $1,000 over the salary paid at that time.

I find, upon examination, that the impression I then expressed was well founded, because in the act of May 10, 1900, section 3, it was provided that the salary of the Director of the Census shall be $7,500 per annum. On inquiry I find that that salary was paid to the director.

Instead of increasing the salary of the director $1,000 over what it was in the last census, the amendment adopted by the Senate yesterday reduced it $500 from what it was then, the House having adopted precisely the same figure that was paid in that census.

I call the Senator's attention to it in the hope that he will ask to have reconsidered that amendment and leave the salary where it was before. I think it ought to be done, owing to the fact, which is undoubtedly true, that the population of our country has increased twelve or thirteen million souls since that time; that the amount of money to be disbursed now is greater than then; and that the cost of living is greater. Almost all salaries have been increased. Therefore it would seem to me that the salary of the director of this census should be at least what it was in the past. I hope the Senator will ask to have the amendment reconsidered and that the salary will be left as it was proposed by the House.

Mr. LA FOLLETTE. Mr. President, it is true that by a special act subsequent to the census act the salary of the Director of the Census was increased to $7,500 for the last census period. In stating yesterday that the salary had not increased I was guided by the salary as fixed in the general census act which was passed providing for the taking of that census. I was not aware, as I was not a Member of either the Senate or the House at the time, that a special act was passed later increasing the salary of the Director of the Census to $7,500.

But notwithstanding that, Mr. President, I do not believe that that increase should be made. From time to time in many of the departments here the work is very much increased. Those who are in important official position accept that as a part of their public service. There are times when the work falls off considerably. They do not expect to have their salaries diminished at such times.

My own opinion is that the salary of $6,000 per year is a reasonable salary to pay to the Director of the Census. It is increased by the bill for the census period to $7,000. We have in the other departments bureau officers whose work is from time to time very much increased by some special act of Con-

gress. Take, for instance, the Bureau of Corporations. From time to time by some special legislation or by some order of the Executive its work is, perhaps, doubled. But there is not any logical reason for making an increase in the salary for such a temporary increase in work. I believe that it is unreasonable to make more than this increase in salary for the Director of the Census.

Mr. President, if salaries are to be increased for Government employees because of the increase in the cost of living which has come upon all of us, I do not think that we ought in justice to begin at the top of the scale. It is the disposition of Congress, as shown by the legislation of the last session, to increase the salaries of those who, perhaps, would feel least of all in the government service the expense incident to the increased cost of living. If we are to revise the scale of salaries for all government employees as an incident to the increase in the cost of living that has come upon us, then, I believe, we should begin with those who are paid least and not with those who are paid most.

Mr. BAILEY. Mr. President, I move to strike out section 7 of the bill and to insert in lieu thereof the matter which I have marked in the document I send to the desk. It is the whole of section 7 in the act passed by both Houses in the last Congress.

The VICE-PRESIDENT. The Secretary will read the amendment offered by the Senator from Texas.

The SECRETARY. It is proposed to strike out section 7 of the bill and in lieu thereof to insert a new section, as follows:

SEC. 7. That the additional clerks and other employees provided for in section 6 shall be subject to such noncompetitive examination as the Director of the Census may prescribe, the said examination to be conducted by the United States Civil Service Commission: *Provided*, That they shall be selected without regard to the law of apportionment or to the political party affiliations of the applicants, and that preference may be given to persons having previous experience in census work whose efficiency records are satisfactory to the said director, who may, in his discretion, accept such records in lieu of said examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions of similar grade in any department without examination: *And provided further*, That during the decennial census period, and no longer, the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section 6 of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not thereafter be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

Mr. BAILEY. Mr. President, the difference, or at least the essential difference, between the bill as it stands and the bill as it would stand if this amendment should be adopted would be that the appointments would be withdrawn from the operation of the civil-service law. The purpose of the bill as it has been reported by the committee is to put all of these appointments under the civil-service regulations, beginning with the highest; that is, beginning with the expert statistician and the geographer, and going down through the list to messenger boys and charwomen.

The amendment I propose allows the Director of the Census to make these appointments upon such noncompetitive examination as he may prescribe. The advocates of the civil service will perhaps insist that the difference between the two propositions is the difference between a spoils system and what they are pleased to call the "merit system."

The mistake which the advocates of a civil-service examination have always made, and which they are still making, is that they assume that under the old system of selection and appointment men obtain their offices through political influence and without merit, whereas under the present system men obtain their offices through merit and without political influence.

Neither the first nor the second branch of that proposition is true. I venture to say that under the old system, when men were appointed, if you please to call it such, under a "spoils system," a vast majority of the men who obtained these offices were as well qualified, both by character and capacity, to discharge their duties as the people who have obtained them since then under a competitive examination.

It is true that many of those who were appointed in the old time could not stand the examinations which are now prescribed, but that does not signify that they were not qualified either by intelligence or by character for the work. If no man is qualified to discharge the duties of these offices except men who are able to stand these examinations, then, I inquire, what would become of the House of Representatives and the Senate of the United States? In this body are many scholarly men; they are men who have achieved great successes in every department and vocation of life; they were eminently successful in business, great at the bar, distinguished on the bench, esteemed by their fellow-citizens in every walk of life as worthy to wear the highest honors of the Republic; and yet not 10 Members of this body can to-morrow morning successfully pass a civil-service examination with a respectable average.

Yet you tell me that, though we are deemed fit to make the laws under which the people must live and work out their destiny, men of our qualifications are not fit to hold a clerkship in the Census Office. It is an absurdity that affronts the common sense of men.

I believe, Mr. President, in education. I believe in the maintenance of schools—common schools, high schools, and universities. I believe no blessing that a father can bestow on a son, except only the blessing of a good name, is comparable to the blessing of an education. And yet I am not so foolish or so narrow as to believe that men must be educated either to be great or to be successful. I have long since subscribed to the homely statement of Patrick Henry, who said on one occasion that "natural parts are worth all the learning in the world."

I would infinitely rather have a man of intelligence and sterling force employed about any business of this Government, though he did not enjoy the benefit of an education, than to have an educated man without intelligence and without force.

But, Mr. President, while I think the civil-service advocates are mistaken even in that view, even if they are not, it is altogether too narrow for us to decide this great question with reference to it alone. The civil-service advocate looks only to the mere question of filling a particular office; and while I doubt if he can fill it any better under his system than I could under the other one, I am willing to grant that he might do so, though I call the country to witness that the administration of the Government to-day is neither cleaner nor more efficient than it was in the older and better days. But, conceding that it is, that does not end the controversy.

What results grow out of this? Two results; and each result, in my opinion, is contrary to the essential principles and genius of free institutions. As certain as the world stands the civil-service system eventuates in a life tenure of office. There is no place in a free government like ours for life tenures, save and except only the judiciary, where the Constitution has ordained it. They put the judges beyond the reach of the populace and the politician, because they believed that he was to do a work the consequence of which would project itself through centuries to come, and they wanted them to do that work "unawed by power and unbribed by gain."

I do not quarrel with the wisdom of the Constitution that it has made the judges hold their offices for life, or, in the language of the Constitution, "during good behavior;" but I do quarrel with men who try to carry the principle of a life tenure in office beyond where the Constitution itself has established it.

Not only must the system eventuate in a life tenure, but it must likewise eventuate in an office-holding class, a class of people whose interest is apart from and sometimes in conflict with the great interest of the American people. The interest of men who eat the taxes is frequently contrary to the interest of men who pay the taxes.

Not only, sir, does it mean life tenure and an office-holding class, but those results lead inevitably to a civil-pension list. I came to Congress nearly twenty years ago, and one of the first speeches I delivered was to denounce what I believed then and I still believe is a sham and a humbug. I declared then that it would lead as unerringly as the night follows the day to a civil-pension list.

Nobody accepted that prediction as correct then. Everybody denounced it as a baseless fear; and yet, although I have not lived very long, I have lived long enough to see so distinguished and experienced a legislator as the Senator from Montana [Mr. CARTER], while defending this very system, admit that it means a civil-pension list; or else, he says, it means, and that is the same thing, that these aged and useless employees of the Government shall be left where they are with their salaries reduced. That is only another way of retiring them on a civil pension for life.

The Senator from New Hampshire [Mr. GALLINGER] says he sees no escape under it from a civil-pension list. There is not a Senator in this body to-day who expects to escape it if the policy is persevered in and extended.

Mr. President, our fathers—yes; almost our contemporaries—would have shuddered at the thought of establishing a system that in turn would establish an office-holding class, with a life tenure to be followed by a civil-pension list. The good which they expected to accomplish was to take the offices out of politics.

I am not one of the men who think politics so bad. I think you could not have a free government if you would take every-

body out of politics. There would be no contest over principles if there were no contests over offices. I have never yet been able to understand why a Senator should have a different rule applied to him when he wants this great office than one of his constituents should have applied to him when he wants a smaller office, because it happens generally that the man who seeks a smaller office seeks one in the same proportion as his intellect would bear to the intellect of the Senator who holds the higher office.

But, Mr. President, not only does this civil-service law produce these bad results to the country, but it produces a mischief to the very men who are the beneficiaries of it. It teaches them thriftlessness. It teaches them improvidence. It inculcates in them extravagance. There are very few men in this world with the providence to lay aside something out of their current earnings, even when they know that if they fail to do so they will suffer in their old age the bitter consequence of their folly.

Knowing that there is nobody to support them except themselves, how few men in the world are provident enough to subtract from their pleasures a part of their current earnings and lay it aside for their old age? Wise men fail to do it; a majority of the people fail to do it. How, then, can you expect a different method of procedure and a different habit on the part of those who have the Government's guaranty that as long as they live and reasonably behave themselves they can draw their salary from the Public Treasury? You can give a man, under the civil-service law, what salary you please, and he will spend it. If you doubt what these men will do with it, as a rule, see what the army and the navy do with theirs. They spend it because they have, written in the statute books of the country, the Government's solemn promise to take care of them when they are old and either unwilling or unable to work. There is not one man in many thousands who, assured of his support at the Government's hand, will think it worth his while to deny himself either comforts or luxuries in order to provide for his old age.

So, Mr. President, your civil-service system will breed a race of office-holding spendthrifts, and that is the inevitable result of it here and elsewhere.

Oh, but they say, if you go back to the old system you will have another saturnalia of politics. Well, the difference between that time and this is not very much of a compliment to this time. Then we had sturdy, thoroughgoing partisans, who were partisans because they believed that their party was best calculated to promote the welfare of their country. That is what made a man a Democrat or a Whig or a Republican. It was not merely that he wanted the office, but having fought the battles of his party and won a triumph, it was neither unreasonable nor unfair that he should ask to share in the fruits of a victory which he had helped to win. The very fact that these offices are open to men stimulates the interest of the citizens in every political contest, and from the very fact that the holder of the office knows that with a reversal of political control he must go back into the body of citizenship, he tries to keep touch with the citizens.

It is not so under this system. I am told—I do not know whether it is true or not, and perhaps I ought not to say it unless I know it, but it has come to me so directly that I do not doubt it—that these heads of bureaus, these petty chiefs now make it a matter of boast to tell the clerks and employees under them that Senators and Representatives are not permitted to influence their action.

I am told that they have a rule in these departments that threatens with discharge an employee upon whose appeal the Senator goes to the department to see why he was reduced in salary or in rank. I am told that they threaten every day that if our constituents appeal to us to secure just and fair treatment for them they imperil their position in the department. Was ever greater insolence than this exhibited under the old system? I think not. The difference, Mr. President, is that we have transferred the political boss into the department boss, and as between the two, I will take the political boss, who is here to-day and gone to-morrow.

Mr. President, one other thing, and I shall not further detain the Senate. I have little hope of accomplishing anything in this matter. I have been speaking against civil service ever since I have been here and I have frequently been able to get my views into a bill, but never able to keep them there. This provision was put in the other bill, but the President vetoed the bill. I want to show you what the President said about you.

Mark you, Mr. President, this question was thrashed out in both Houses of Congress. The distinguished Senator from Massachusetts [Mr. LODGE] exerted his great talents to have the civil-service law preserved in the bill which you then had under consideration. By a pronounced majority the two Houses of Congress framed that bill precisely as I am seeking to frame it now, because, in order to avoid extraneous issues, I have taken the old provision word for word from the law, or, rather, from the bill itself—the President never allowed it to become a law—just as it passed the two Houses; and yet because you did not take the advice of the Senator from Massachusetts and other gentlemen like him—for whom I have great respect, but with whom I have very little patience on this particular question—because you did not take his advice, here is what the President said about you:

> The evil effects of the spoils system and of the custom of treating appointments to the public service as personal perquisites of professional politicians are peculiarly evident—

This President, who was so incensed against the professional politicians, has more than once suspended the civil-service law to put particular individuals in an office.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Georgia?

Mr. BAILEY. Certainly.

Mr. BACON. I have seen the statement that such a thing was done 315 times by the President. I do not know whether that is absolutely accurate or not; and I have not examined the law lately; but I think there is no provision in the law which authorizes the President to make any such exceptions. He is authorized to classify people; but I do not think there is any provision of law which authorizes the President to select a certain individual and say that that man shall be put in office without the civil-service examination.

I remember that a good many years ago a similar issue was presented here, and there was some little colloquy upon the subject, and that the distinguished Senator, then representing in part the State of Connecticut, Mr. Platt, than whom there were few men better informed in the Senate, in response to a suggestion such as I now make, said that if the President had so appointed an individual in the classified service he had done so without warrant of law.

Mr. BAILEY. Mr. President, I am satisfied there is no provision of law which authorizes that procedure, and I am still better satisfied that there ought not to be one. I heard a circumstance related within the last forty-eight hours which illustrates the President's devotion to the civil-service law. I do not mean the present President, but the late President. A member of the legislature of a certain State had introduced a resolution pronouncing a fulsome eulogy on the President of the United States. When the legislature adjourned this solon found himself without employment, or, at least, without the kind of employment which he earnestly desired. So he had one of his friends take the resolution which he had introduced into the legislature of which he was a member, send it to the President of the United States, and ask for an office. The President of the United States sent word to one of the Cabinet officers to find him a place, and they found it at $7 a day. If any Senator thinks that story without foundation let him go and ask the Senator from West Virginia [Mr. SCOTT] whether or not it is true. That is the man who derides the whole Congress as professional politicians, seeking patronage for their own advantage, and yet he rewards the idle and shallow legislator who spends his time in framing fulsome eulogies upon the President.

I am not a spoilsman in the sense that I think Senators and Representatives ought to control these offices, and I am on record, Mr. President, as a Member of the other House against that system. I do not believe that appointments to office bear any resemblance to the legislative function except so far as the Constitution has committed the confirmation of appointments to the Senate; and that was a departure from all the established principles of civil government before our time. Except in so far as confirmation is concerned, the appointment to an office has absolutely no semblance to a legislative function. I have always believed that the legislature, or the members of it as such, ought not to participate in appointments. In pursuance of that view, when a Member of the House of Representatives I introduced a bill forbidding any Representative to seek, solicit, or recommend an appointment and forbidding a Senator to do so, except only in a case where the President had asked his advice. No Senator here knows better than I do the perplexity and vexation that arise out of the distribution of patronage. It is true I have not had much experience in that respect. We have only had one administration of my party since I have been in public life, and they took even the fourth-class post offices away from me before that administration was 12 months old.

During the latter part of the time if a man wanted a post-office in my district the surest and the easiest way to obtain it

was to impress the Post-Office Department with the idea that I was trying to keep him from getting it. [Laughter.] I declined to make any recommendations, doing so in a statement issued to my own people over my own signature, in which I declared that I had no influence with the department. I learned then that these things, like kissing, go by favor, and that a Senator or a Representative who possesses great influence at the departments must allow the departments to possess at least a certain degree of influence with him. The reason so many Senators from time to time are at odds with the administration is because the administration can not control them; and while the country thinks that whenever the administration issues a command all of the Members of the Senate belonging to that administration party obey it, I take pleasure in saying that that is not always true. I hope they are not going to obey the administration's command on this question. I hope that, having already voted against the application of the civil-service law to the taking of the census, they will have the firmness and the courage to repeat that vote, and that they will neither be driven by a vaccillating spirit nor by the persuasion of the Executive into surrendering their views and adopting his.

I have been told that the President would veto this bill if we do not provide in it for appointments under the civil-service rules. I do not know who is authorized to say that. I certainly have not been authorized by the President to deny it, but I want to say here and now that if the President of the United States thus early in his administration is undertaking to coerce the American Congress by threats, the experience of the last seven years will be a holiday compared with what the experience of the next four years will be.

I am one of the men who expect and who sincerely hope that the present President of the United States will distinguish himself in his great office. I fervently pray that his administration will be an unmixed blessing to all the people; yet, Mr. President, I do not hesitate to say here and now that no man who ever entered upon the duties of that great office had a less desirable preparation for it than the present occupant of it. He served on the federal bench, a place where the tendency is toward a certain kind of tyranny—and inevitably so. There is scarcely a federal judge—and there are many of them upright, honest, brave, and honorable men—in these United States of twenty years' service who has not become arbitrary, irritable, and sometimes tyrannical.

It is human nature that it should be so. A great heathen philosopher said two thousand years ago that irresponsible power would corrupt the heart of any man who lived. He did not mean, and I do not mean, that it will corrupt him in the sense that it will make him venal, but it will corrupt him in the sense that it teaches him to oppose his will against all obstacles and to insist upon the prevalence of his will even over the law itself upon occasion.

This distinguished gentleman went from the federal bench to the Philippine Islands, where, without the restraint of law and without the limitation of a constitution, his single word was the will of a conquered people. He deserves the highest eulogy that human language can frame or human lips pronounce if in those surroundings he still kept burning in his heart the love of constitutional liberty and a reverence for the law as it has been written. He came from the Philippine Islands, after his long and, I will say, distinguished service there, and passed into the War Department, with absolute control over the great work which we are constructing to the south of us. He took up the work of that canal, and that he has supervised its progress as well as any man could have done I bear cheerful witness, and yet his will, and not the statutes, has governed mostly there.

I grant you that in a work like that as large a freedom and as small a restraint as is compatible with a constitutional government is the proper theory, but still the man who lives under and executes that theory is subject to its influence a long time afterwards. So, Mr. President, I say that no man ever went to a worse school in which to learn to be President of the United States than did the present occupant of the White House.

I hope—and I do not express the hope without coupling with it a belief—that morally and intellectually he has been strong enough to shield and protect himself from that baleful influence; but that hope and that expectation will be disappointed if he is sending messages to Congress, except in the ordinary and constitutional way, and threatening us with his displeasure and his veto if we dare to do what we think ought to be done and not what he wants us to do.

The Constitution of the United States gives the President of this Republic the right to tell us what he thinks we ought to do. That same Constitution gives him the power to veto what he thinks we ought not to have done; and God knows that is power enough for any one man ever born of woman to possess over the laws and legislation of a free country like ours. Therefore, without any special knowledge, I take the responsibility of saying that the President of the United States has not indicated by any threat that he will veto the proposed legislation if we pass it, as we did pass it less than four months ago. But whether he does or not, Mr. President, I took an oath to do my duty as I see it and not as the President of the United States sees it, and I intend to do mine in my way and leave him to do his in his way.

Mr. LODGE. Mr. President, the Senator from Texas spoke with great kindness of me in referring to the part I had taken in this debate in the last session of Congress. He knows that I entirely reciprocate that kindness, and that no one appreciates more fully than I the great force and clearness with which he discusses any subject. He said he felt great respect for myself and for those who feel as I do on this question of the civil service, and I am sure I feel the same respect for him. But he said on this question that he often grew impatient with us. There I have the advantage, for I am entirely patient with the arguments made against the civil service, a patience born of an experience of twenty years in both Houses of Congress.

I have no time, Mr. President, to enter into the old field of discussion about the merits of the civil-service system. I am obliged to leave the Chamber in a moment, and I only want to say a few words in regard to the precise point involved in this debate. I have never thought for one moment that the present system of the classified service was an ideal system that never made mistakes. I try it by no such test as that. This is a comparative world, and the test by which I try the existing classified service is in comparing it with that which it has supplanted. I think in that regard it stands as a great improvement—an improvement of the service itself and a great improvement to the political life of the United States.

In the bill pending at the last session I discussed to the best of my ability the section which the Senator from Texas [Mr. BAILEY] has sent to the desk as an amendment to the pending bill. The Senate decided against the amendment which I then offered, and which embodied the principles which are contained in the section of the bill now reported. I opposed it, not only on general grounds, as likely to give us an inferior service and to lead, as all the professional testimony proved, beyond a doubt, to a greater increase of the expenditure of public money, but I opposed it on the selfish ground of the burden that it would put upon each one of us.

Personally I think it is a great relief to be free from the demands which necessarily fall upon every Senator when a number of offices, small or large, are thrown open to what is commonly called "patronage." My own belief is and my own feeling is that to be relieved of that is a great advantage to Members of the House of Representatives and to Senators alike. They are here for rather more important duties than scrambling in the anterooms of department officers to secure employment for constituents or others.

The bill containing that clause was vetoed by the President, and no attempt was made to pass it over the veto, probably for the very good reason that the House found it could not be passed over the veto. I watched with some interest and took some pains to observe the comment on the bill and the veto. Twenty-five years ago, when I first became familiar with this agitation, there was great support in the press for the view that what is now known as the "classified service" should not be introduced; but after that veto I looked in vain for any adverse comment on the action of the President. The press of the country has become satisfied that the classified service is an improvement upon what went before. This hostility to the classified service, this keen perception of its defects, this desire to improve our service by having these fine, forcible, energetic, sturdy persons, who can not pass an examination, is confined, I think, to the two Chambers of Congress.

The bill went to the President and was vetoed. It has been reintroduced, and, as passed by the House at this session, conforms to the views laid down in the President's message. It is in that form before us at this moment. The amendment of the Senator from Texas would bring it back to the precise condition of the bill which encountered a veto.

Mr. President, I have no earthly authority to speak for the President of the United States. It does not occur to me for a moment that he would ever threaten to veto any bill until it came before him in due course from the Congress of the United States; but it is impossible to be blind to the President's attitude, as shown in all his public career. It is impossible to forget what he has said upon this subject, and, most of all, it is impossible to forget that he established in the Philippine Islands a civil service more rigid in its requirements than the one

established in the United States. His opinions have been shown not only by words but by deeds; and it is well to remember that we are sending this bill to a President whose views on this subject have been expressed and exemplified for many years past in high executive positions. From what he has said and from what he has done, everyone is at liberty to draw his own conclusions. He holds what I believe to be sound views on the treatment of the great civil service of the United States.

I hope he agrees with the action of the committee. Whether he does or not will remain to be determined by the form of the bill which is finally sent to him; but I trust, Mr. President, that Congress will not again pass a census bill containing provisions which seem to me objectionable. I think that it was demonstrated in the debate, beyond any kind of question, that under the old system as applied to the previous census, the fact that the Director of the Census was compelled to take persons whom he did not consider fit caused a waste of money which one Director of the Census estimated at $2,000,000.

I have no time to rehearse the argument. I only ventured to take the floor for these few moments in order to express my earnest hope that the Senate will sustain the committee in the action which, I think, they have very wisely taken upon this subject.

Mr. NEWLANDS. Mr. President, when the census bill was before the Senate at the last session I supported the amendment offered by the Senator from Massachusetts [Mr. LODGE] bringing the employees of the Census Office within the provisions of the civil-service act. I am very glad to know that the bill that is now before us presents practically what was urged by that amendment.

I am opposed to the spoils system in patronage and the spoils system in projects; I am opposed to that form of the spoils system which turns over to Members of Congress, who come here to exercise the function of legislation, the additional function of aiding the appointing power in the selection of officers; I am opposed to that system of spoils in projects which sends men to the Congress of the United States to advocate the construction of a particular public building or the improvement of a particular river and harbor and to devote their entire energy to the carrying out of measures designed for the benefit of their districts alone, without view to general statesmanship. I believe that this spoils system dwarfs the statesmanship of Congress.

It is essential that somebody should pass upon the qualifications of those who intend to enter the civil service. We must all agree that the employees should possess the proper qualifications, and it is, therefore, necessary for some individual or some board to pass upon such qualifications. If we leave the thing adrift, it will result in the appointments being made by bureau officials, by heads of departments, by the President of the United States, with the active intervention of Members of Congress, for we know that under the old spoils system it was regarded as the duty of a Member of Congress to urge the claims of his constituents to positions in the civil service, and the man who did not discharge that duty was generally left at home. The result was that the energies of Members of Congress were largely employed in attendance upon the offices of officials seeking employment for their constituents, instead of in the functions of legislation. I favor the bill as it stands, therefore, because I would emancipate Congress from the necessity of attending to that kind of patronage.

I hope that in time we will go further and will absolutely abolish, or at all events mitigate, the evils of the spoils system in projects. We have done this to some extent already in connection with the canal service and in connection with the irrigation service. We determined to dig the Panama Canal, and we placed the canal service practically in the hands of the President and gave him full power of execution. Congress does not seek to interfere at all with either the appointments or the details of carrying out that great canal project.

The whole work is being done by experts appointed by the President, and these experts, possessed of all the qualifications and the experience necessary to carry out the work, are conducting it within the general lines mapped out by Congress, but without the action of Congress upon mere matters of detail and without interference in matters of appointment and employment.

When we came to the consideration of the reclamation act we took a similar course. It was, perhaps, forced upon us by necessity. When the sentiment of the country had been so educated in favor of irrigation that the country was ripe for legislation upon the subject, we men from the West found that we were divided in judgment as to the particular projects that should be entered upon, as to their relative importance, and as to the amount which should be expended upon each. We found that we were hopelessly divided upon these questions. Our first instinct was to have these great projects entered upon just as river and harbor projects had been entered upon for years—have each project presented to Congress, referred to a committee, passed upon by the committee, with the aid of a board of engineers, and then acted upon by Congress. But we found that we were so divided as to the localities in which the works should be constructed, as to the sequence in which they should be conducted, as to the expenditures which should be made, that we concluded to declare by law that the reclamation work should commence, to establish an ample fund for the purpose from the sales of the public lands, and to give the Secretary of the Interior the power to locate the projects, to expend whatever money, within the limits of the fund, he thought necessary for the purpose, the only limitation upon his power being that no contract should be entered into unless the money for the payment of the project was in the fund.

We of the arid and semiarid West have realized the great advance made in constructive work by that act. Members of Congress are not elected there to urge Congress with respect to particular projects. They are not expected by their constituencies to bring back legislation in favor of a particular project. All these things are determined by scientific men, trained engineers, constructors, and experts, appointed by the Secretary of the Interior and acting under his direction. All that the Committees on Irrigation of both House do is to require reports of these projects, reports of expenditures, reports of plans. They occasionally inspect projects. But, so far as the initiative regarding the projects themselves is concerned, so far as the plans of and the expenditures upon the projects are concerned, the Irrigation Committees have not yet found it necessary to act. The work has been conducted with quickness, with efficiency, and with economy to the entire satisfaction of 13 States and 3 Territories.

Contrast this with the system that has prevailed regarding rivers and harbors. Contrast it with the system that has prevailed with reference to public buildings. We all know that there every project is initiated by the action of some Member of Congress in the interest of his particular district. We know that upon both those committees men are placed who are desirous of serving there for the purpose of urging a particular project. Necessarily therefore these committees are composed of men not entirely disinterested, not taking the large view of a general benefit of the country, but intent upon individual action regarding their districts and disposed to make compromises in order to secure favorable action.

How can these projects be carefully scrutinized when each man has a project before his committee, when each man knows that the success of his project depends upon the good will of his neighbor, and that the good will of his neighbor upon the committee can be secured only by supporting the project of that neighbor? So it is that the construction of public buildings of the country has become a part of the spoils system of the country, belittling the dignity of legislative action and belittling the statesmanship of the country.

I trust the time will come before long when we will organize a great bureau of architecture and of arts; when we will ally art with construction in this great work; when we will organize in connection with such a bureau a commission of great constructors and artists and architects and sculptors, who will see to it that beauty is united with utility, and who will take hold of the work of public buildings in some comprehensive way, some scientific way; who will adapt the action of Congress not to the persistency or the vigor or the urgency of a particular Member of Congress, but to the wants of the Nation itself. When that is done; we can safely enter upon an era of public-building construction in this country that will warrant an expenditure of $25,000,000 or $30,000,000 annually, and perhaps more; and when it is done in a scientific way, with logic, with sequence, with consecutiveness, the entire country will approve of such construction, whereas the sentiment of the country today disapproves, I believe, of the system of spoils in connection with public buildings.

Mr. BACON. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Nevada yield to the Senator from Georgia?

Mr. NEWLANDS. Certainly.

Mr. BACON. I do not wish to ask the Senator a question on the direct point he is now discussing, but to recur to what he said some moments ago in reference to the proposition to adopt the pending amendment as one which he assumes is a recurrence to the spoils system.

The question I desire to ask the Senator is this: The Senator was in the Senate at the time the last census was provided for. If not, he was in the House, and is familiar with the system then adopted. Does the Senator regard the system adopted in the appointment of the clerical force of the census last time, which

was by a distribution, so far as could be practically accomplished, of the clerical force with some degree of uniformity throughout the whole country and without regard to political affiliation as pursuing the spoils system?

Mr. NEWLANDS. Mr. President——

Mr. BACON. Before the Senator answers, if he will pardon me, so that I may not interrupt him again unnecessarily, I understand the purpose of the pending amendment to be to inaugurate and put into practice a similar proceeding, by which there will be appointments of the clerical force which shall be distributed with reasonable uniformity throughout the country without regard to political affiliation or influence. Can that be said to be an advocacy of the spoils system?

Mr. NEWLANDS. I do not object, of course, to a geographical distribution of the employees in the census service, nor do I object to the selection of these officials regardless of their political affiliations. All that I do object to is the participation of Members of Congress in the selection of the employees; and unless we provide for some tribunal that is to pass upon the qualifications of the employees, if we leave the whole matter adrift, I am sure the necessary result will be that Members of Congress will be called upon by their constituents to use their influence with the Census Office for their appointment, and that in this way the spoils system will again be fastened upon Congress, and I would gladly avoid it.

Mr. BACON. I desire again to call the attention of the Senator, with his permission, to the fact that not only was the system in the selection of the clerical force ten years ago such as I have described, but there was also prescribed an examination to ascertain the qualifications. So it was not simply a matter of the arbitrary selection by a Senator or Representative. The applicants had to go before the board for examination.

Really, Mr. President, if the Senator will pardon me, the only difference between the system as it was followed ten years ago and that which is proposed in this amendment is this: Ten years ago the Civil Service Commission had no agency in the matter. The Director of the Census prescribed the examination which should be successfully passed by an applicant before he could be appointed, and he not only prescribed the examination, but he provided the machinery. Under the bill as it stands, and with the section which it is now proposed to amend, the Director of the Census again prescribes the examination, and the only agency of the Civil Service Commission is to provide the machinery for the examination. The Census Director prescribes what shall be the nature of the examination in the same way that he did ten years ago. He then not only prescribed the nature of it, but he provided the machinery. In this bill the only difference is that while he still prescribes the nature of the examination, it is enacted that the machinery for the examination shall be provided by the Civil Service Commission.

Mr. NEWLANDS. Am I to understand that under the present bill the Director of the Census can designate to the Civil Service Commission the men who are to appear before it for examination?

Mr. BACON. No; I do not say that.

Mr. NEWLANDS. It was possible, however, for him to designate them under the old system.

Mr. BACON. Yes.

Mr. NEWLANDS. Very well; that is what I object to, Mr. President. I object to the Director of the Census designating who are to appear for examination, whether that examination be conducted by a board appointed by him or whether it be conducted by the Civil Service Commission; and I object to his designating these men who are to appear before the board simply for the reason that the pressure of Members of Congress will be brought to bear upon him in the selection of the men designated. Thus we will be thrown back upon the old spoils system, which is a nuisance to Congress and a nuisance to the country.

Mr. BACON. It is a question of personal preference as to the method. The only object I had in interrupting the learned Senator was to suggest that possibly his accusation of the desire to return to the spoils system was not well founded if the system was such as was pursued ten years ago, where there was no political influence or affiliation taken into the equation.

Mr. NEWLANDS. I think we all know that ten years ago, under the old system, the services of Members of Congress were constantly called into play in the designation of employees in the census service; and it is that which I would avoid. I would emancipate Congress from that unpleasant duty. It is true there are many individuals here who would refuse to discharge that duty if they were called upon, but it is very difficult indeed to resist the importunities of constituents. It is almost impossible to do it. I am opposed to it for the principal reason that it involves Congressmen in a constant chase for petty offices.

So far as the Civil Service Commission is concerned, its methods may be wise or unwise; so far as that service is concerned, its examination may be as absurd, as they have been here characterized; but I think that all our legislation should be directed to the improvement of the method and not to the abolition of the service itself.

Mr. President, the question of the Senator diverted me from a question which I was considering, and that is the spoils system in projects. I was speaking at the time of the spoils system with reference to public buildings, which made the success regarding the construction of a public building in a particular place more dependent upon the energy, the ability, the persistency, and the negotiating power of the Member of Congress who represents the district than upon the merit of the project itself.

I wish to say a few words regarding the river and harbor system, which has been discredited before the country for years simply because of the spoils system. In every other civilized country waterway development has advanced. It has advanced throughout Europe, notably in France and Germany, and the waterways are used there in coordination and cooperation with the railways in aid of transportation, the waterways carrying the cheaper and bulkier products, in which speed of transportation is not so essential, and the railroads carrying the more expensive products, in which great value is condensed in a small space. We have indulged in desultory and spasmodic work upon the waterways of this country; and, though our expenditures have been large and individual localities have received the benefit of the expenditure of public funds, little has been accomplished of real benefit to the country at large. Public sentiment now demands that the waterways of the country shall be developed in some comprehensive way, and that that development should mean the coordination of all the services of the Government that relate to water—the cooperation of the Nation with the States, the Nation bearing its part of the work so far as it relates to navigation and irrigation of its public lands, and the States bearing their part of the work so far as it relates to the development of the system for other purposes—for the improvement of water for municipal supply, for the development of water power, and for the reclamation of swamp lands. All of these things can be considered in a great scheme for the development of our waterways, and the country is ripe for it; and yet we hesitate to create the machinery, as we have created it in connection with the Panama Canal, as we have created it in connection with the reclamation projects of the country, to carry out the development of our waterways under some broad and comprehensive plan.

I trust that before long the action of Congress will emancipate Congress from the spoils system which has been fastened upon the river and harbor improvements of the country and upon the construction of public buildings, and that we will put these works under the direction of great engineers and constructors and architects, with large powers of initiative as to particular projects and with a large and certain fund for expenditure, Congress simply marking out the general lines of action, retaining through its committees general authorization over plans and expenditures, and intervening when it sees that mistakes are being made or that extravagance is being indulged.

If we can only accomplish the emancipation of Congress from the spoils system in patronage and the spoils system in projects, the statesmanship of this body and the statesmanship of Congress in its entirety will, in my judgment, reach a higher plane.

Mr. DEPEW. Mr. President, I wish to say just one word to express my approval of the action of the committee. I do it from my own experience in this matter ten years ago. At that time a distribution was made in the way suggested by the amendment of the Senator from Texas. Under that distribution I received 12 appointments. As soon as it became known, I had 800 applications. I had no means of ascertaining by any sort of an examination the merits of the 800, so that out of them I might select 12 who could properly perform the duties of the places for which they were applicants.

But that was only the beginning of my trouble. The party organization in each one of the 61 counties of the State demanded its share of the 12 appointments. I then was confronted with the question how I could keep my party status with 61 counties and only 12 offices to assign. The net result of the whole matter was that I appointed 12 people.

When they got in office I discovered that they and their sponsors expected me to keep them there, whether or not they were efficient and competent, and when the census work was over I had the 12 on my hands, or, at least, 11 of them, for the next six months, sustaining them by various contributions while they were here in Washington, and I was besieging the various departments to find places in which they could be put with more permanence than they had had during the three years in the census.

I remember having a conversation prior to the convention of 1888 with the late Mr. Blaine. Mr. Blaine then announced to me—and he believed largely in this system of appointments to office by political considerations solely—that no President of the United States would ever be reelected, because with the constantly increasing population the offices did not grow in proportion, and therefore there would be more applicants every year than there were offices, in geometrical ratio, until the President would be overwhelmed by the defeated, who would be sufficiently strong in any election, if he succeeded in getting a renomination, to prevent his reelection by the defection they would cause in the party from the anger of themselves and of their backers.

The first sneer, I think, that I ever heard of against the civil service came from as distinguished a man as President Lincoln. I remember it very well, because we had no civil service or suggestion of it at the time, except in the army, and there the regular officers were sufficiently strong, especially after the defeats which had come from ignorant commanders, to have a sort of an examination. There was an officer who was recommended for a negro regiment, and Mr. Lincoln believed him thoroughly competent, because he had shown efficient service in the field. But the regular officers objected unless he passed an examination upon some West Point schedule, which Lincoln knew he could not succeed in passing. And so Lincoln said, with considerable acerbity:

> I intend to appoint this man as an officer without regard to whether or not he can pass a civil-service examination as to the color of Julius Cæsar's hair.

Now, since that time we have progressed very far and very rapidly. The first examinations of the civil service were absurd. The first steps in any new department, where officers are untrained, must necessarily be absurd.

But I think that now we have progressed to a point where there is a large degree of efficiency in the civil service, and the best part of it is the relief which Senators and Members of the House have from the duties which were imposed upon them as recently as when I entered the Senate, ten years ago. The Marble Room out there kept me at least one-half my time listening to the appeals of office seekers, no matter how long might be the session of the Senate, and I never had any leisure at home. These applicants were mostly people who were in distress. They had lost their places generally in firms or corporations, or they were dependent members of families in different parts of the country, who sent them down here to get jobs. I found, then, that it was understood all over the United States, where a breadwinner had died and where the adult members were girls and their support was falling upon their relatives, that the relatives should take this method of providing for them by sending them to Washington with letters from the local clergymen and the mayor of the town and the supervisor and the member of the legislature to the Senator, each one stating that the writer knew that if the Senator cared for him that place would be given to this most worthy applicant.

The amount of mental distress I suffered during that period from the misery of these unfortunate applicants made me more unhappy while it continued than I ever had been before in my life. I was utterly helpless. I was eternally hammering at the door of every Cabinet minister, eternally pestering and boring every head of a bureau, establishing a species of information bureau by which I could find out when a man died or a woman was discharged in order that I might get there first, so as to take care of an unfortunate and starving constituent.

Mr. President, that system has so far passed away it is very seldom now that I am called out into the Marble Room, which I call the "room of sighs," and stand upon its floor, bedewed with tears. I rarely am called out now, except on matters relating to legislation, especially during the present session of the Congress.

So, Mr. President, I hope that the committee's proposition, which I think is the result of the best experience of the last few years of the administration of our Government, will be adopted, that we may be relieved from this unnecessary work, where we can do no possible good, and the public service may be better and more efficient. Every one of us, if it were possible, would find a place in Washington under the Government for every boy or girl or man or woman who was recommended to us by our constituents. But as long as we know that there is only the possibility here and there at long intervals of a single place, and that a minor one; and when you have an army, all of whom are informed that you can get each one of them a place if you want to, to be relieved from that as a mere matter of peace of mind as well as ability to attend to your public duties, is a great gain in the public service.

I trust, therefore, Mr. President, that the proposition of the committee will be adopted.

Mr. CARTER. Mr. President, before the vote is taken, I deem it expedient to call the attention of the Senate to the difference between the bill and the bill as passed a few months since, the law as it was passed in 1899, and the provisions of the pending bill.

In the act approved in 1899 for the taking of the decennial census, section 5 made provision for such examination as was contemplated at that time. In so far as applicable, the section reads:

> Subject to such examination as the director may prescribe.

It is then provided that certain employees shall not be subject to any examination.

The bill as passed by the two Houses of Congress during the last session and subsequently vetoed by the President provides, in section 7:

> That the additional clerks and other employees provided for in section 6 shall be subject to such noncompetitive examination as the Director of the Census may prescribe, the said examination to be conducted by the United States Civil Service Commission: *Provided*, That they shall be selected without regard to the law of apportionment or to the political party affiliations of the applicants, and that preference may be given to persons having previous experience in census work, etc.

The bill as framed and now pending provides:

> That the additional clerks and other employees provided for in sections 3 and 6 shall be subject to such special-test examination as the Director of the Census may prescribe, the said examination to be conducted by the United States Civil Service Commission, the examination to be open to all applicants.
>
> And the law of apportionment shall apply.

It will be observed, Mr. President, that there is a difference between the section which we now propose to enact into law and the section of the bill vetoed by the President. It rests in this: The word "noncompetitive" was used in the vetoed bill to qualify the word "examination." For the word "noncompetitive" we substitute the two words "special test." There is no other difference in that respect.

But there is a difference in this regard, that while in both cases the examination, whatsoever it might be, is to be conducted by the Civil Service Commission, the examination provided for by the vetoed bill was not to be open to all comers, but only to those specially designated to take the examination. The bill as now pending before the Senate, reported by the committee, provides that the examination shall be open to all applicants. So if you will supply the words "special test" as a substitute for "noncompetitive" and interject the words "that the examination shall be open to all applicants," you have the only difference between the vetoed bill and the one pending here, except in this, that the law of apportionment shall be adhered to under the provisions of the bill as reported by the committee.

That law of apportionment, Mr. President, is a wise provision intended to secure to all the States and all the districts an equal participation in the work to be performed. The waiving of that rule of apportionment will necessarily result in giving the employment to the people nearest the capital.

But it is suggested in the President's veto that there might be justification for waiving the law of apportionment because of the temporary character of the service. That suggestion is made in view of the probability that persons from California, Washington, Oregon, and Montana might not desire to come here to work for the low wages for a short period of time. But, Mr. President, they ought to have the privilege of coming if they desire so to do. The pending bill gives them that privilege. If they do not desire to come, then a subsequent portion of the same section allows the Director of the Census to appoint in the exigency persons who from the location of residence and availability may be appointed to perform the work temporarily.

I think the law of apportionment, which the amendment of the Senator from Texas would waive, embodies the right, if a right can be regarded as attaching to a public office, each State has to equal participation in the activities of the Government.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. I do.

Mr. GALLINGER. I will ask the Senator from Montana if he has taken any means of ascertaining whether or not the law of apportionment is being observed to any considerable extent? In other words, does the Senator from Montana not know—he surely knows if he has examined the case—that the District of Columbia has six or seven times more than it would have if the law of apportionment was adhered to, and that certain other States, which I will not name, have two or three or four times more than their proportion?

Mr. CARTER. That presents a question with which the committee undertook to deal. I think it is true, at least it is alleged as a fact and alleged upon very excellent authority,

that the law of apportionment has not been adhered to. It is questionable whether the Civil Service Commission is seriously at fault for this departure from the law. It appears that the invasion of the law of apportionment occurs because persons who lived long, long ago in a distant State, having become connected with the civil service of the Government, have raised families here. The children have grown to manhood and womanhood, and when they desire to enter the civil service they assign the old-time residence of their parents in distant States as their residence, notwithstanding the fact that in many cases they have never even seen the borders of the State.

Mr. GALLINGER. It is a common habit.

Mr. CARTER. This is apparently a common habit. Then, undoubtedly in many cases aspiring persons desiring to enter the civil service and finding the quota of the State or district where they reside filled up, have passed through another State, mentally declare that they changed their residence, get a neighbor to certify that they lived for some time in a house at 302 Elm street, for instance, and thus acquire a residence in a State whose quota is not filled up, the whole thing being a fraud upon the law and probably upon the Civil Service Commission as well.

Now, Mr. President, in order to avoid any such invasion of that law in the future, the committee has submitted an amendment, which reads as follows:

Provided, That hereafter all examinations of applicants for positions in the government service, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination.

While that may not cure existing wrong, it will prevent the continuance of an abuse.

Mr. BEVERIDGE. Ought you not to add, after the word "State," the words "Territory or the District of Columbia?"

Mr. CARTER. If it is thought proper, let it read "State, Territory, or District of Columbia."

Mr. BEVERIDGE. Otherwise, it would exclude the District of Columbia.

Mr. GALLINGER. It ought to be added.

Mr. CARTER. It ought to be added, and I will make a note of the Senator's suggestion. I hope he will think of offering that amendment when the time arrives.

Mr. BEVERIDGE. I merely make the suggestion.

Mr. CARTER. Now, the Senator from Texas [Mr. BAILEY] presents the section as we passed it in February as a substitute for what we think is a better section, which provides for the specific points to which I have referred, and which, on principle, I think is founded upon that which is just and fair to all the States and to everyone desiring to secure employment in connection with the census.

Why should we close the door to any worthy person who wants to be examined with a view to entering this service? Why should any person be driven to see some other person in order to get a designation as a means of getting a job if qualified to fill the place? If we are to have these examinations at all, then everyone ought to have a fair show at the start and no favor should be shown.

The bill as we present it from the committee leaves the examination open to all persons, and I am sure the Senator from Texas [Mr. BAILEY], fair-minded, broad, and liberal as he is, will support that proposition and will be glad to have his amendment amended by incorporating it, because the amendment as he presents it requires an examination just as it is required here through the civil service, but it is to be noncompetitive. That means that it is to be an examination accorded by special favor. Upon what theory can such a thing be justified? I know that the Senator from Texas would have persons designated for the service without examination, upon his theory that the examination is not necessary and that in the long run it does not form a correct test as to capacity to perform service. But now he proposes in the amendment an examination——

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. I yield, of course; but the Senator will permit me to finish the sentence. My understanding of the Senator's position is that his amendment adheres to an examination, and that examination through the civil service, but it is to be noncompetitive; that is, not open to all persons.

Mr. BAILEY. The Senator from Montana is entirely right in saying that I am opposed to applicants being compelled to stand examination; and if I were drawing the amendment to express my views entirely and accurately, I would have drawn it that he should appoint them without examination; but in view of the fact that this provision had passed both Houses of Congress, I felt that it was wiser as a matter of procedure to adopt it than it would be to undertake to change it. I believe, however, I might just as well have offered it as an amendment that perfectly expressed my view, for I think there is no more chance of having this adopted than there would be of having the other adopted.

Mr. CARTER. Mr. President, I realize fully the constraint under which the Senator labored in offering the amendment. Having voted for the bill which has been vetoed both in committee and in the Senate, I have felt somewhat handicapped in the consideration of this bill from the beginning. I am perfectly free to say that if the bill had come to the desk, to be voted upon, I would have voted to override the veto of the President. But that opportunity was not afforded. The bill having come forward again for consideration, we have framed what we think is a better bill than that. I am not so anxious to embarrass the President as to wish to adhere to that which is faulty in order to secure the end.

I hope the amendment of the Senator from Texas will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas.

Mr. LA FOLLETTE. Mr. President, perhaps it is not necessary to offer any further observations upon the pending amendment. I want to say a few words, however, in addition to what the Senator from Montana [Mr. CARTER] has said with respect to the section under consideration.

Section 7 provides, first, that all employees except the assistant director, private secretary, supervisors, special agents, and enumerators "shall be subject to such special test examination as the Director of the Census may prescribe." Now, that section 7 it is proposed to strike out of the pending bill and it is proposed to substitute for it the section adopted by the last Congress which was the cause of the veto by the President.

This section makes another provision which I think important. The special examination which is to be held under the provision of the section is to be given by the Civil Service Commission. The examination is to be a competitive examination, open to all applicants without regard to political party affiliations and without reference to influence or political indorsement.

The fourth provision of the section requires that such examination shall be held at such places in each State as the Civil Service Commission shall designate. That offers an opportunity to those who desire to enter this service in every State to submit themselves to examination at places where it will be convenient for them. After the examination is held "copies of the eligible registers so established shall be furnished the Director of the Census by the Civil Service Commission." The next requirement provides that a selection from such list of eligibles shall be made by the Director of the Census, first, "in conformity with the law of apportionment," and, second, in the order of rating.

The next requirement of the section which is under consideration is that there are certain exceptions which are to be observed by the Director of the Census in the making of these appointments. First, persons who are afflicted with tuberculosis or who can not furnish a certificate from a physician as to general good health are not permitted to enter the service. It seems to me that that is a reasonable requirement, and one which ought to obtain in bringing into the service the three or four thousand clerks who are to work together in crowded quarters in the compilation of this census.

Second, when the exigencies of the service require, exception is provided in the section under consideration. It is that, for temporary appointment, the Director of the Census may, when such an exigency arises, depart from the apportionment rule of the civil-service law and select from the eligible list prepared by the Civil Service Commission as the result of the examination those who, by reason of residence or other conditions, are so situated as to be available to meet the requirements of that exigency.

Another exception provides that the director may appoint persons having previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and he may accept those efficiency records in lieu of the civil-service examination. That is, the force which will be required by the Census Office in the operation of mechanical appliances, such as tabulating machines, may be appointed, so far as available, upon records for efficiency which they have previously made, without passing any civil-service examination whatever.

The Director of the Census informed the committee when this section was under consideration that the force required for this character of work would be nearly one-half of all the office employees who will be taken into the Census Office during the

census period. About a thousand employees will be required for this character of service, and the committee thought it advisable to waive the examination test with respect to these employees and to permit the Director of the Census to employ, upon their efficiency record, those employees who had previously been in the office, if they applied for appointment and their records were satisfactory, without any examination, because no examination could be made that could so well test their efficiency as the record which they had previously made, unless the director chose to subject them to a test to see that they had not deteriorated since the time when they had made such efficient records.

There is one other exception that is made. Employees in the departments in the classified service who have had previous experience in census work may be taken into the Census Office for this work without being subjected to examination. Such appointees will be eligible to retransfer, when their census work is completed, to the positions from which they were taken in the different departments.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. It occurs to me that a little difficulty will grow out of this provision. Very likely the Senator can disabuse my mind of the impression. The transfer of clerks from the departments to the Census Office for two or three years it seems to me will necessitate the filling of those places by certification from the Civil Service Commission, and when this brief period has passed there will be no place in which to reinstate these men. Has that occurred to the Senator as a possibility?

Mr. LA FOLLETTE. I suppose that is a possibility, but I presume it is something which the applicants for transfer would take into consideration in asking to be transferred to the Census Office for this period.

Mr. GALLINGER. My thought was that very likely very few transfers would be made.

Mr. LA FOLLETTE. Of course, it is true that the work is increasing all the time in the various departments of the Government, and they may find positions open to them at the end of this census period; but I apprehend that none of them would be transferred without application for such transfer upon their part.

Mr. GALLINGER. I assume not.

Mr. LA FOLLETTE. And if they make such application, they take, of course, the chances of being retransferred to positions of like grade when the census period has passed by.

Mr. GALLINGER. Now, Mr. President, if it will not disturb the Senator——

Mr. LA FOLLETTE. Not at all.

Mr. GALLINGER. I should like to ask him a question on the point that he passed a moment ago—namely, that appointments are to be made in the order of rating. Does the Senator understand that to mean—as I think it ought to mean—that the person having the highest average will be selected, or will the system be followed that prevails now—it certainly used to prevail—of three names being certified at the same time and the appointing power having the privilege of selecting any one of those three? I have always thought that the appointment ought to be made of the person having the highest percentage in the examination. I should like to know what interpretation the Senator puts upon the language in this bill in that respect.

Mr. LA FOLLETTE. Mr. President, I understand that this provision makes no change in the civil-service law as it exists at the present time, and I suppose the Director of the Census will be required to select the highest applicant upon the list according to the law of apportionment.

Mr. GALLINGER. I think, if the Senator will pardon me, that the civil-service law does not deal with this question at all, but that in accordance with regulation or custom the Civil Service Commission certifies three names. I think it is a bad custom. I think the person at the head of the list should receive the appointment.

Mr. LA FOLLETTE. In this case, by the terms of the bill, the entire list would go to the director.

Mr. GALLINGER. Yes.

Mr. LA FOLLETTE. It is my understanding that the law would require the selection of the one highest on the list, subject to the rule of apportionment.

Mr. GALLINGER. I hope so.

Mr. LA FOLLETTE. The provisions of the bill require that the director shall make these appointments in the order of their place upon the lists under the rule of existing law. The entire eligible list established by the Civil Service Commission as a result of the competitive special census examination would be transmitted to the Director of the Census. He would be required to appoint from this list the eligibles standing highest on the list from those States first entitled by the law of apportionment to receive appointments.

Mr. President, it was probably not necessary for me to make this explanation with respect to section 7, following the very lucid explanation made by the Senator from Montana [Mr. CARTER]. I want to say a few words generally about the amendment proposed by the Senator from Texas [Mr. BAILEY], and I want to bring to the attention of the Senate, just for a moment, the character of the work for which we are here making provision. We are entering here upon a great piece of work for this Government. The work is to cover a period of about three years and involves an expenditure of some twelve to fourteen million dollars. The work is somewhat technical in its character. If it is to have any value at all, it must be so executed in a manner as to commend it to the business interests of this country, to commend it to the men who are accustomed to the study of statistics, and to men who are engaged in the study of social and economic questions, and in such a manner as to afford an intelligent and reliable basis for legislation concerning the subject-matters with which it will deal.

Can that work be best performed by employing men because of their merit and fitness for that work, or by employing men to suit the pleasure of Senators and Representatives in Congress? It seems to me that efficiency requires that men should be selected for that work first of all upon their qualifications.

I think, Mr. President, that there is another proposition involved in the consideration of the amendment now before the Senate, and that is that every citizen has an equal right, according to his ability, to employment in the public service. If these appointments are to be dictated by the influence of Senators and Representatives, that right is destroyed.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. Certainly.

Mr. CLAPP. It is in regard to the suggestion which the Senator has just made, and relates to an amendment that I desire to offer, if the committee amendment finally prevails against the amendment submitted by the Senator from Texas [Mr. BAILEY]. The committee amendment provides—

That when the exigencies of the service require, the director may appoint for temporary employment from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available.

I want to suggest to the Senator that inserting such a provision opens the door—I do not mean intentionally on the part of the committee, of course—but it opens the door to the very vice we are seeking to avoid, namely, the influence and persistent effort of Representatives and Senators to get appointments. It opens the door to temporary employment to persons who seek it, with the belief that it will be continued until some day it becomes a permanent employment and destroys, so far as it may be utilized—and is dangerous in that respect—the equality of apportionment to the States which the Senator and the committee have sought to effectuate. I desire to call the attention of the Senator to the matter at this time, though I had intended later to bring it up if the amendment of the Senator from Texas failed.

Mr. LA FOLLETTE. I am glad the Senator has directed my attention to that, and I will state very frankly the views of the committee, as I understand them, with respect to that particular provision. The work of the census must be done within a very short space of time, considering the amount of work to be accomplished, and the Director of the Census urged upon the committee the importance of having some discretion to appoint from the eligible list persons who live in the District of Columbia or in the near-by States, in case an exigency should arise in which there should not be immediately available to meet the needs of the office a sufficient number of eligibles from the States entitled to appointments under the apportionment rule.

Mr. President, when this provision was under consideration we had before the Committee on the Census the Director of the Census and the president of the Civil Service Commission, and the particular point which the Senator from Minnesota [Mr. CLAPP] makes came up for discussion.

The Director of the Census stated that he would never, under any circumstances, feel that he ought to exercise the option or discretion given him under that provision without submitting to the president of the Civil Service Commission and to the President of the United States the question whether such an exigency existed as warranted action under that provision. He

said further that he believed he could resist any pressure that might be brought to bear to cause him to make "exigency appointments" when a real exigency requiring such appointments in the interest of the service did not in fact exist. I am inclined to think that one who would undertake to persuade the present Director of the Census against his judgment that such an exigency existed in his office for the sake of securing an appointment would not meet with unqualified success in his undertaking. But, it is true, we have no assurance that the present director will be the director during the coming census period, and if he should not be we do not know who might be his successor.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. Certainly.

Mr. CLAPP. Without discussing the Director of the Census, for whom I have a very high regard, the trouble to-day with the civil-service system is not, in my judgment, a question of principle—for I believe that the present system is a great improvement over that which prevailed before we enacted the civil-service law—but lies in the exceptions to it and the arbitrary power that is exercised outside and beyond the law. The trouble is that whenever the point is reached where the influence of the personal equation enters in and there is no legal barrier to prevent, the system breaks down. I do not believe that any Director of the Census, I care not who the man is, will be strong enough to resist the pressure and importunities that will come to him in view of an open door of this character. I want to say, with all due deference to the director, that my brief and somewhat checkered experience here leads me to doubt that there will ever be a shortage of applicants for these positions. I believe we will always have enough to draw from unless it is made to appear, because of pressure and the influence of the personal equation, that there is an exigency which demands the invoking of this exception. I believe it is a dangerous proposition and is along the line where the principal objection to civil service arises by those who do object to it.

Mr. LA FOLLETTE. Mr. President, I can say that, personally, I quite agree with the Senator from Minnesota. I would be very glad to see every position created by this bill under the civil-service law and under the control of the Civil Service Commission. I think I am free to make that statement of my own personal views and my own personal position; but I recognize that the Director of the Census has had wide experience here, and the views which he presented to the committee induced the committee to adopt the provisions of the bill under discussion.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kansas?

Mr. LA FOLLETTE. Certainly.

Mr. BRISTOW. Under the provisions of the pending bill can the Director of the Census utilize the clerks that are now on the waiting list of the civil service?

Mr. LA FOLLETTE. No, Mr. President, he would not be able to do that. A special examination is to be held, the tests of which are to be prescribed by the Director of the Census. The examination is to be conducted by the Civil Service Commission and a new eligible list is to be constructed, based upon the examination held pursuant to the provisions of the bill, and the appointments that are to be made in this service are to be made from the eligible list so made.

Mr. BRISTOW. Would not a provision authorizing the Director of the Census to utilize those who are on the waiting list of the Civil Service Commission avoid any possibility of an exigency of the kind to which the Senator from Wisconsin refers?

Mr. LA FOLLETTE. Well, perhaps that is true; but I believe it was the view of the members of the committee—and I think it is a view in which perhaps Members of this body and of the House of Representatives would concur—that that waiting list is not a list which is fair to the different States. A good many people are found upon it who, upon any fair test, have no claim to residence in the States to which they are charged, and the list ought to be revised under some such provision as is incorporated in this bill.

Mr. President, I know of no better way of determining whether we get the best service for the public and for the Government under the existing law or under the system and methods employed prior to the adoption of the civil-service law—because the substitute offered by the Senator from Texas is practically for all purposes a return to that system—I know of no way in which we can better judge whether civil service will be beneficial applied to the Census Office than to take the testimony of the men who have been at the head of that office under the old system, men who are no longer personally interested in maintaining one system or another, and who will give their independent and unbiased judgment as to which system furnishes the best public service. Mr. Robert Porter, Director of the Census in 1890, has this to say of the system which prevailed at that time, which is substantially the method of making appointments proposed by the substitute offered by the Senator from Texas:

> In my judgment the efficiency of the decennial census would be greatly improved and its cost materially lessened if it were provided that the employee should be selected in accordance with the terms of the civil-service law. This would relieve the Director of the Census of the burden of giving a very large share of his time to matters of patronage and allow much more time for attention to the functions legitimately pertaining to this office.

Another excellent witness, an entirely disinterested witness, whose judgment may well be considered in the framing of legislation providing for the census, is Mr. Carroll D. Wright, who had charge of the Census Bureau after the census of 1890. Mr. Wright estimates that $2,000,000 and more than a year's time would have been saved if the census of 1890 had been brought into the classified service. He adds:

> I do not hesitate to say one-third of the amount expended under my own administration was absolutely wasted, and wasted principally on account of the fact that the office was not under civil-service rules. * * * In October, 1893, when I took charge of the Census Office, there was an office force of 1,092. There had been a constant reduction for many months, and this was kept up without cessation till the close of the census. There was never a month after October, 1893, that the clerical force reached the number then in office; nevertheless, while these general reductions were being made, and in the absence of any necessity for the increase of the force, 389 new appointments were made.

What reason was there for that? What explanation or excuse can be furnished for it? It was simply the operation of the system which is advocated by the Senator from Texas. Senators and Representatives appealed to the Director of the Census to appoint applicants in whom they were interested, and in response to that appeal experienced clerks in the office were dismissed and new and inexperienced and untried clerks were appointed.

The Director of the Census, Mr. North, says, with respect to this matter:

> A noncompetitive examination—
>
> Such as proposed by the Senator from Texas—
>
> means that every one of the many thousands who will pass the examinations will have an equal right to appointment, and that personal and political pressure must in the end, as always before, become the determining factor with regard to the great body of these temporary employments. I can not too earnestly urge that the Director of the Census be relieved from this unfortunate situation.

Mr. President, it seems to me that this array of testimony—three directors of this great work appealing to the Senate not to subject that office to the political pressure which comes under a law of appointment such as is proposed by the substitute amendment—ought to have some influence with this body.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. LA FOLLETTE. Certainly.

Mr. CLARK of Wyoming. I ask the Senator if he has anything from the Director of the Census who was in charge at the time when the law was as is now proposed by the amendment of the Senator from Texas—the Director of the Census of 1900?

Mr. LA FOLLETTE. I have just read from Mr. Porter——

Mr. CLARK of Wyoming. No; he was director in 1890.

Mr. LA FOLLETTE. I have not anything from the Director of the Census of 1900, but I have something which I will be glad to submit as answering quite as well, it seems to me, the Senator's question. I have a letter here by the Assistant Director of the Census at that time.

Mr. CLARK of Wyoming. If the Senator will allow me, I will say that my question was asked with a view of eliciting information as to the operation of that law, in the opinion of the then Director of the Census, and not in antagonism to the Senator's proposition.

Mr. LA FOLLETTE. I understand that, and I will give the Senate the best official information that I have upon the working of the appointment system at that census. I have here a letter from Mr. Frederick H. Wines, who was the Assistant Director of the Census of 1900. The letter is, I think, worth reading at length. It is addressed to Mr. John Joy Edson, of Washington, D. C., who is connected with a national civil-service organization. The letter is as follows:

BEAUFORT, N. C., *February 17, 1908.*

HON. JOHN JOY EDSON,
Washington, D. C.

DEAR SIR: I have your letter of the 11th instant, requesting, on behalf of the Civil Service Reform Association of the District of Columbia,

my opinion regarding the desirability of placing the Census Bureau under the jurisdiction of the United States Civil Service Commission.

I do not wish to embarrass the present Director of the Census, concerning whose views on the subject I am not informed, and I feel some hesitation in expressing my views on account of my previous connection with the Census Bureau as assistant director. Nevertheless, a sense of public duty, overruling purely personal considerations, impels me to give a frank reply to your inquiry.

Good public service implies three conditions: First, the appointment of competent employees; second, their retention in office so long as they give satisfaction; and third, their prompt and peremptory discharge whenever it appears that they are incompetent, inefficient, or disloyal.

It is evidently impossible to judge of the qualifications of applicants for clerical positions without a preliminary test in the form of an examination. The value of such examinations is, however, almost purely negative. Their principal importance consists in the fact that they erect a barrier against the admission to the public service of aspirants whose attainments and capacity do not come up to a fixed standard.

Whether this test is applied by the bureau itself or by the Civil Service Commission is apparently a matter of comparatively little moment if it is thorough and if the bureau is governed by it.

In the organization of the Twelfth Census the bureau conducted its own examinations.

I will say to the Senator from Wyoming that that is exactly what it is proposed to do in the substitute offered by the Senator from Texas. Doctor Wines says:

> I am free to admit that the result was—

I should like the attention of the Senator from Wyoming, because I am reading——

Mr. CLARK of Wyoming. The Senator from Wisconsin has it and has had it constantly.

Mr. LA FOLLETTE. I am very glad to have the attention of the Senator from Wyoming, but I will read a sentence or two again, in order to be certain that the Senator from Wyoming caught it:

> In the organization of the Twelfth Census the bureau conducted its own examinations—

Just as is proposed in the substitute amendment offered to conduct the examinations now—

> I am free to admit that the result was unsatisfactory, for the following, among other, reasons:
>
> (1) The examinations held were not free to the public. The permission of the director was an essential prerequisite to admission to them, and the obtaining of such permission was a matter of personal favor, depending upon "influence."
>
> (2) In making selections from the list of those who passed the examination, no attention whatever was paid to their comparative rating. It was a "pass" examination pure and simple, and a rating of 75, with proper political or other indorsement, was sufficient to secure an appointment, where a rating of 100 would count for nothing without it.
>
> (3) There were numerous instances in which an unsuccessful applicant was granted a second, third, or fourth trial, at the request of some Senator or Representative; and to the best of my knowledge and belief, it occasionally happened that the rating made by the examiner upon the papers filed was arbitrarily changed after they left his custody.
>
> (4) The general method of appointment may be described as follows: A mathematical scale was worked out, by which the number of "assignments" to each Senator and Representative was determined in advance, so many appointments to a Senator, a smaller number to a Representative, half as many to a Democrat as a Republican, and in Democratic States and congressional districts the assignments were made to the Republican state and district committees. The assignees named in the first instance the persons to be examined. They were afterwards furnished each with a list of those named who had "passed," and requested to name those who they desired to have appointed. Vacancies were filled in the same manner. This system was thoroughly satisfactory to the majority of the politicians interested, though there were a few who refused to have anything to do with it. The effect upon the bureau was, as may readily be imagined, thoroughly demoralizing.
>
> I am of the same theoretical opinion to-day which I held when the Twelfth Census was organized, namely, that all other things being equal, if the Director of the Census is free to appoint and discharge his employees without interference from the politicians on the one hand, or from the Civil Service Commission on the other, if he can hold his own examinations, make his own selections, and discharge at his own will, he will have a better force of clerks and better control over them. But the conditions are such that experience has convinced me that this ideal is unattainable, impracticable, visionary. The question is, therefore, Will the service gain or lose more if the aid of the commission is invoked by him as a safeguard against the aggression and tyranny of political influence? I believe that the restriction upon his freedom will be less harmful on the whole if the machinery of the civil service is set in motion for his protection and that of the bureau, and that if he obtains his clerks through the commission he can do better work at less cost.

Mr. President, I pause in my reading just a moment to say that the committee in reporting the bill concluded that a special examination devised by the Director of the Census and administered by the Civil Service Commission might be a better test of efficiency for this particular work than the regular civil-service examination; and for that reason they departed to that extent from the general requirements of the civil-service law.

To conclude Doctor Wines's letter:

> It must be remembered that the same pressure which forces upon him—
>
> the Director of the Census—
>
> unsatisfactory employees is also exerted to secure their promotion and retention. The increased cost of the Twelfth Census due to this circumstance can not be estimated; it was certainly far from inconsiderable.
>
> The next census year is also a presidential year, with every prospect of an unusually heated canvass. If the director is exposed to the pressure which may reasonably be anticipated in favor of the claims of the various candidates and their friends and supporters, he will be a remarkably strong and fearless man if he can withstand it.
>
> Without having seen the new census bill or the proposed amendment to it, I may and must say that as an ex-official of the census—in 1880, 1890, and 1900—I should favor competitive examinations for appointments in the Census Bureau, free to all applicants, to be conducted by the Civil Service Commission, with the proviso, of course, that the appointments be given to those standing highest on the list.

Mr. President, the Committee on the Census has returned here a bill for the consideration of the Senate drafted upon provisions in accordance with the suggestions and recommendations of directors of the census for the last thirty years and of other census officers who have been subjected to this strain of importunity and pressure of influence for appointments made under a system not protected by civil-service regulations.

In addition to the testimony which I have laid before the Senate, furnished by the directors of the census, I could cite other officials whose testimony was taken by the Census Committee of the last Congress and was before the census committees of both branches of Congress for their consideration at that time and since and is accessible to Members of the Senate. But I do not wish further to delay the consideration of this provision or a vote upon this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. BAILEY].

The amendment was rejected.

Mr. CLAPP. Mr. President, I was impressed this morning with the argument of the Senator from Texas [Mr. BAILEY]. He presented three weak points in civil service. First, that it created a life tenure, which is practically true under existing conditions, but which could be met by legislative enactment. Secondly, he presented the fact that the clerks make no provision for the future, which could be corrected by positive legislative enactment, placing before them the absolute certainty that at some time they will be obliged to retire from the service.

The other point which he made was that it was leading to a civil-pension list, which certainly does loom up before us. That, too, could be avoided by positive legislative enactment.

Another feature which he did not discuss, but which the Senator from Michigan [Mr. SMITH] so forcibly discussed, involved the subject of promotions, which I believe can also be cured by positive legislative enactment. In other words, aside from the primary question as to the advisability of the civil service at all, the vice of civil service is found to-day in the want of positive legislative enactment. It is found in the possibility of defeating the spirit of civil service, because of the latitude allowed somewhere. It was stated this morning, without any serious contradiction—I think none at all—that under the existing law men are placed in office without passing the examination.

The point I wish to make is this: I realize what the committee had to contend with, and if the committee does not incline favorably to these suggestions, I will not press them, for I know the difficulty that surrounds work in committee in formulating these bills. The letter which was read from Mr. Wines characterized as visionary a plan which placed the director where he could be independent of Congress on the one hand and independent of the commission on the other, and yet the committee have felt impelled, and perhaps wisely so, in view of the condition—I am not taking issue with that—to place in this bill two or three points where the attempt is made to vest the director with that authority and establish what Mr. Wines himself characterizes as a visionary proposition. First, in reference to taking people without regard to the ratio between the States; secondly, without any examination whatever, except upon records that no one has access to save those who act upon them, of placing men and women in this service upon their record of efficiency in the handling of mechanical devices connected with the taking of the census; and, thirdly, with reference to transferring from the temporary to the permanent list, only for three years, of course.

But here is the trouble that I want to impress upon the chairman of the committee: One other vice in civil service is the fact that every person in that service regards the civil service as genuine only so far as it prohibits his removal. Wherever there is opportunity for promotion, wherever there is a hope of continuing after a time which may have been fixed in the bill, they believe that in some manner there will be found some way to circumvent that limitation, and they seek these transfers, believing that what seems a temporary transfer will be a permanent transfer.

I simply make these suggestions——

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Wisconsin?

Mr. CLAPP. Certainly; with pleasure.

Mr. LA FOLLETTE. Upon that point I am rather at a loss to see why one who is already in the classified civil service should seek transfer to a work purely temporary. There may be exceptions, of course, where they might secure some slight advantage by the transfer——

Mr. CLAPP. Exactly.

Mr. LA FOLLETTE. But in doing so they would take the chance of going out of the service under the law as it will be enacted if this bill becomes a law.

Mr. CLAPP. They will seek a transfer upon the belief that when the time time comes, if they are from Wisconsin, if they are from Minnesota, or from New York, or whatever State they are from, they will be able to get their Representatives and Senators to take care of them. The vice of this whole thing is in holding out a hope that ought not to be held out in the bill.

Mr. LA FOLLETTE. I am not very experienced here as a Senator. I came to Congress two years after the civil-service law was enacted, in 1885, and remained only six years, and came back here to the Senate only quite recently. But I should like to ask the Senator from Minnesota if it is a fact that the offices of Senators are invoked now for the purpose of interfering with promotions under the civil service. I must say that I have not been much subjected to that sort of pressure since I came here.

Mr. CLAPP. I desire to congratulate the Senator from Wisconsin, and I think every other Senator, not only in the Chamber but in their committee rooms, will join in congratulating him.

Mr. LA FOLLETTE. Perhaps it may be because appointees from Wisconsin know somewhat my views upon the civil service; I do not know why it is; but I, myself, have not been subjected to many importunities of that sort; and, as I understand it, the law provides against that sort of thing and makes it a violation for any employee under the classified civil service to make application to any Senator or Representative for political influence in their behalf.

Mr. CLAPP. That is true.

Mr. LA FOLLETTE. I may be wrong about it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. CLAPP. With pleasure.

Mr. GALLINGER. I think both Senators are wrong about it. I do not think the law inhibits it, but it is a regulation of the departments.

Mr. LA FOLLETTE. Has not the regulation the effect of law?

Mr. GALLINGER. Possibly so; but I desire to join with the Senator from Minnesota, if he will permit me——

Mr. CLAPP. Surely; with pleasure.

Mr. GALLINGER (continuing). In extending felicitations to the Senator from Wisconsin when he says he is not importuned by employees in the civil service to secure promotions.

Mr. LA FOLLETTE. I am most happy to be the recipient of the felicitations. It is about the only opportunity I have had to receive felicitations in this body, and I am most happy to be the recipient of them this afternoon.

Mr. GALLINGER. I have no doubt that many of us will felicitate the Senator in the future, but he certainly occupies a unique position in that regard, because I feel sure that, notwithstanding the regulation prohibits it, almost every Senator is importuned in that direction. I know I am.

Mr. LA FOLLETTE. Perhaps if all the other Members of this body would join the civil-service reformers of this country, they would be exempt from such importunities, Mr. President.

Mr. GALLINGER. The difficulty——

Mr. LA FOLLETTE. They may not be willing to subscribe to all our views in order to escape these importunities of employees in the civil service.

Mr. GALLINGER. If the Senator will permit me, the difficulty about that is that the remedy would be worse than the disease. [Laughter.]

Mr. LA FOLLETTE. I presume it would be more radical, and would be a severe strain upon most of the Members of this body.

Mr. CLAPP. Mr. President, I have said, substantially, all that I care to say. I voted with the committee to sustain their report as against the proposed amendment, and I do think that this amendment in its present form opens the door to the very things that are pointed out as objectionable in the present administration of the civil service. Whether they can be remedied, whether it is wise at this time to undertake it, I would not press the matter with the committee.

Mr. LA FOLLETTE. Before the Senator takes his seat I wish to say just this: As chairman of the committee, I do not feel I am free to accept suggestions to change the form of the bill; but I do desire to say before the Senator sits down that, personally, I agree entirely with him, and I would be glad to see the bill made water-tight, so far as the civil-service regulations are concerned.

Mr. GALLINGER. Mr. President——

Mr. LA FOLLETTE. And I hope the Senator will feel at liberty to offer any amendment.

Mr. GALLINGER. I was about to offer an amendment.

Mr. CLAPP. In order to test the sense of the Senate, I offer an amendment. On page 6, beginning in line 7, after the word "examination," I move to strike out down to and including the word "further," in line 16.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "examination," in line 7, page 6, it is proposed to strike out all of the bill down to and including the words "Provided further," in line 16.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota. The Chair thinks the vote by which the amendment was agreed to ought to be reconsidered.

Mr. CLAPP. I was not in the Chamber at the time. Then I will first move to reconsider the vote by which the amendment was adopted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

Mr. CARTER. Mr. President, I doubt if the Senate, upon full consideration, will reconsider that amendment. It will be observed the amendment is a substitute for a part of the text of the bill as it came from the other Chamber. The language is merely recast in order the better to carry out the thought of the House, which was approved by the committee. The census will require the services of about 1,000 persons to handle what is known as the "punching machine" used in the tabulation process. It is conceded that the Civil Service Commission has no present means of applying tests such as may be necessary to determine the proficiency of persons in handling those machines.

Mr. CLAPP. Will the Senator from Montana pardon an interruption?

Mr. CARTER. I yield.

Mr. CLAPP. The bill expressly provides that the Director of the Census shall prescribe the test for the examination. He can prescribe any test he sees fit, including a mechanical test. The Civil Service Commission has nothing to do with this except to hold the examinations. The director prescribes the test.

Mr. CARTER. But that will mean simply, with respect to the persons who are to be tested with reference to the punching machines, the transfer of a number of machines, probably the entire equipment, if you please, from the present point where they are installed in the Census Office ready for business to some other room in the city, where a person little conversant with the task will determine whether or not the desired standard of proficiency obtains. It was intended——

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Kansas?

Mr. CARTER. As soon as I finish the sentence. It was intended by the committee, and obviously by the other House, that the persons who are known to be skilled in this line—and they are few in number, chiefly trained up in the Census Office—should be continued in employment rather than to have tests made all over the country in the futile effort to assemble people skilled in this work.

Mr. CLAPP. Will the Senator pardon me again? Is there anything that prevents that being done? If my two motions prevail, if they are already there, they are there. If they are in other departments, they can be transferred. This only applies to people who are not in the service, and permits their being brought in without any examination. It is just one more of those cases that has given rise to all of this criticism against the civil service.

Mr. CARTER. All of those who are proficient in the handling of these punching machines are not in the service now. A large number of them, with ratings and records still preserved in the Census Office, performed service during the last decennial census, and were dismissed from the service when the work was completed, say seven years ago.

Mr. CLAPP. If the Senator will pardon me, all that is necessary is for them to take the examination. If we are going to have the civil service, let us, so far as we can, proceed to perfect it and guard against the very vices that are complained of.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Kansas?

Mr. CARTER. I yield to the Senator from Kansas.

Mr. BRISTOW. I should like to inquire what kind of punching machines they use in this work. Is it the ordinary punching machine that is found in printing offices?

Mr. CARTER. The punching-tabulating machines used in the census are a special pattern, I think, and are not such as are in general use, because the class of work to be performed here varies and is somewhat different from any work which punching machines elsewhere are devoted to.

Mr. BRISTOW. If it is the ordinary punching machine used in tabulating it can be operated by any man of intelligence after twelve hours' experience.

Mr. CARTER. Some persons develop more proficiency than others in this line, just as some persons learn to play the piano better than other persons can play it with the same amount of experience. Some people have a particular adaptability to the work which other people do not happen to possess. When proficiency has been determined by experience extending over a series of years, it seems appropriate that the department should avail itself of that class of capacity or adaptability, if you please.

I wish before leaving that portion of the subject to make another observation. This work, the Senator from Minnesota well knows, is an emergency work. It requires the rapid assembling of a force which is within a short time to be with equal rapidity disbanded.

Mr. CLAPP. Does the Senator believe that it will be as rapidly disbanded as it is assembled?

Mr. CARTER. It was rapidly disbanded before, and it will be again. I have observed that in the taking of the census, from the initial step to the close, the director seeks to economize by having the work expeditiously done, thus economizing not only in time, which is a very important matter, but likewise in the expenditure of money placed at the director's disposal for the accomplishment of the task.

Mr. CLAPP. Will the Senator pardon me for a moment?

Mr. CARTER. Most assuredly.

Mr. CLAPP. Was the Senator in the Chamber when the Senator from Wisconsin read the letter of Mr. Wines, who was connected with the last census?

Mr. CARTER. I was not in the Chamber when the letter of Doctor Wines was read. I have read the letter of Doctor Wines, however, and know generally the views he expressed with reference to the last census.

I do not desire in any manner to reflect on Doctor Wines, who is a man of great erudition and has special aptitude for generalizations with figures; but everyone who had to do with the last census well knows that Doctor Wines is not a practical census man and that his work in connection with the census does not warrant the Congress in accepting his views concerning the administration of that great office. He is a doctrinaire rather than a practical administrator. The work the director will be required to execute is eminently practical.

Mr. CLAPP. Will the Senator pardon another interruption?

Mr. CARTER. I grant the interruption without any pardon connected with it.

Mr. CLAPP. Doctor Wines, supplemented by the statements of three ex-Directors of the Census and of the present director, was quoted for the purpose of showing the necessity of applying the civil-service rules to the taking of the census. That was the point I sought to make; and from each one of them comes a piteous plea against the imposition of conditions such as existed heretofore with reference to that work. So far as their testimony is of value as a reason why we should invoke the civil service with reference to taking the census, it stands as a reason why we ought to avoid the vicious phase of the civil service as administered through the exceptions and loopholes that exist to-day.

If there is any virtue in it we ought to apply it and we ought to seek to perfect it. We have decided to apply it and now we seek to perfect it.

Mr. CARTER. Mr. President, undoubtedly the Director of the Census may apply a special-test examination, and will apply that special-test examination to the persons who are assembled to handle these machines, whether we so specify or not. But the test will undoubtedly be applied right in the building where the machines are installed and are to be operated.

However, the Senator's amendment goes further still, and it would take out of the bill a part which is vitally essential to the success of this census-taking operation. A portion of that which he would strike out reads as follows:

> That when the exigencies of the service requires, the director may appoint for temporary employment from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available.

When the Senator reflects that in a previous part of the bill we have applied the law of apportionment the importance of this part of the bill becomes at once apparent.

Mr. CLAPP. Will the Senator yield to me for a moment?

Mr. CARTER. I shall be glad to yield.

Mr. CLAPP. The Senator was not in when this question was discussed. I seek to strike that out because it affords an opportunity for nullifying the very provision requiring equality of apportionment. It was that reason which prompted me to move this amendment. Under that provision the provision requiring equality can be nullified just as far as the director or his successor, if he should have one, may deem it advisable and necessary to do under the cover of exigency.

It is to prevent those things, as I have said before, that stand out subject to attack and criticism against the civil-service system that I would eliminate these exceptions and these opportunities for subverting the purpose of the bill in that respect.

Mr. CARTER. Mr. President, in his zeal to secure adherence to the law of apportionment, the Senator from Minnesota would render the taking of the census exceedingly difficult if not impossible within the period of time contemplated by the bill. This service is not like the routine service of a department. The word "emergency" can not be too clearly emphasized in all references to the service. In 1890 we had a census taken, the results of which were not published until the time we were called upon to consider the bill for the census of 1900. Through seven weary years the results of that census were involved in the meshes of the clerical force of the Census Office.

The value of the census, the return on the $14,000,000 we are to invest in the census, is dependent not only upon what ultimately may be collected together, but upon the expedition with which the results may become known. Of what avail is it to this country to have 65,000 enumerators scattered out for thirty days over the country collating figures that are not to be known until the next census period arrives? The great expense connected with the census will be incurred in the taking of the census through the enumerators and the special agents. When the data shall have been collected together the duty devolves upon this office force to quickly tabulate and arrange and publish the result.

The Senator would render nugatory all our previous efforts at expedition by affixing conditions to the clerical force that would render a prompt publication a matter of difficulty, if not of impossibility, within the three-year period we contemplate for this work.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. CARTER. Most assuredly.

Mr. CLAPP. It strikes me that the argument of the Senator should have been made earlier in the day. It should have been made in support of the amendment proposed by the Senator from Texas [Mr. BAILEY]. That amendment involved at the threshold the question whether it was wiser, whether it would tend to expedition and to all that may be desired in the taking of the census, to put the work under the civil service. He contended that it would not. Many of us contended that it would. The Senate finally decided to adopt civil service as applied to the taking of the census.

I undertake to say that it is a far cry to suggest that any State will fail to present its full quota in due time. There can be but one—I will not say object—but one danger in the application of this line of reasoning. Having decided that it will tend to expedition, economy, and good government to adopt the civil-service system, we now propose to provide a loophole here where the very provision that we fought for and won out on will be rendered absolutely of no use or purpose whatever.

Mr. CARTER. Mr. President, the Senator from Minnesota can not have read the text of the amendment he proposes to reconsider. The draft upon this list to be made in an exigency is not a draft upon the world at large, but upon the eligible list, which is evolved from the examination. Let that be clearly understood.

Mr. CLAPP. But without any reference to apportionment.

Mr. CARTER. To apportionment, of course. Let me express the opinion, knowing that the fact will be verified or found to be untrue, that since most, if not all, of these clerks will in the beginning enter the service at $50 per month, it is scarcely probable that anybody will come from a distant State to enter upon a government task at less than board and clothes will cost in the city of Washington. In the last analysis this force, in my judgment, will be drawn under this provision largely because of the failure of the States to supply their quota. There are no jobs open here with enticing salaries. There is drudgery through the summer and in the days of the early autumn at $50 per month. Who is coming from Cali-

fornia to take a position at $50 per month for an indefinite period, limited only by the fact that it is temporary and, at most, brief, when the amount of railroad fare from California to Washington and return, with the amount of absolutely necessary living expenses here, will exceed the total salary?

Mr. President, the quotas will not be filled up from the distant States; and if they are not filled up from the distant States, then, I ask the Senator, what particular predicament the Director of the Census will find himself in if he can not draw on the eligible list from near-by States?

Mr. CLAPP. If the Senator wants an answer, my answer would be this: The Senator asks if they are not filled, then what will happen? We know they always have been filled. It will be a strange revolution in human nature if they are not promptly filled.

Now, one word more and I am going to drop this subject. I listened to the Senator yesterday, and his argument appealed to me that on the one hand there are those who attack the civil-service system because of its weak points, and on the other hand those who characterize as politicians men who do not believe in it; and the Senator sought to point out that the happy solution was in the medium and in the correction of the evils as they exist. The first opportunity that has presented itself to correct some of those evils is in the proposed amendment to take away discretionary power, to prevent the opening of a door by which they can get around these provisions, and by legislative enactment try to perfect civil-service system as a policy.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. I yield to the Senator.

Mr. GALLINGER. I wish to inquire of the Senator from Montana upon what authority he makes the statement that these clerks will be paid only $50 a month?

Mr. CARTER. I state on the authority of the Director of the Census that about $50 per month will be the wages paid during the temporary service.

Mr. GALLINGER. Was that the case in the taking of the last census?

Mr. CARTER. It was.

Mr. GALLINGER. My experience with the very few appointments that I suggested—and they were not numerous—was that they received a higher rate of pay than that. I think the Senator is mistaken on that point.

Mr. CARTER. I think the Senator will find upon inquiry that the statement is correct. I do not make an exact, specific assertion.

Mr. GALLINGER. Then, again, I will ask the Senator if he heard the very thrilling speech of the senior Senator from New York [Mr. DEPEW] this morning?

Mr. CARTER. I heard the very illuminating speech of the Senator from New York.

Mr. GALLINGER. In that speech the Senator from New York depicted to us that he was chased about the Capitol and the District of Columbia and the city of New York by young men and young women who wanted to come to Washington and enter the service in taking the last census. I think the Senator is wrong in his suggestion that there will be any difficulty in getting enough young men and young women to come here from points at a considerable distance from the city of Washington.

If the Senator will permit me further, I will say that while I am not an admirer of the civil-service system, and I have made it known several times during my membership here, I think this bill is the worst hotch-potch so far as civil service is concerned that the ingenuity of man could devise. It is neither fish, flesh, nor fowl.

It is neither civil service nor the spoils system, as the Senator and others are pleased to denominate the system that once prevailed in this country, but it is a mixture. I take great pleasure in voting with the Senator from Minnesota [Mr. CLAPP] to take out of the bill this provision which the Senator from Wisconsin [Mr. LA FOLLETTE], if I understood him correctly this morning, stated would put 1,000 employees in the service without examination.

Mr. CARTER. Mr. President, in reference to the salary of $600 per year to which the Senator directed attention, I desire to request him to turn to section 8 of the bill, in which it will be found that these clerks shall be employed during the decennial census period and no longer, with a salary at the rate of not less than $900 nor more than $1,000 per annum. The director alleges that the major portion of the clerks would start in at the $600 salary as the minimum, to the end that there might be held out to each and to all the incentive to special endeavor, with promotion as the premium.

Mr. GALLINGER. Mr. President, I will say frankly to the Senator that I had not observed that fact, and I am glad the Senator called my attention to it, because I shall move an amendment making the minimum $720. I do not believe that the Director of the Census will be cruel enough, when he has $14,000,000 at his disposal, to ask any young man or young woman, in this period of the world's history, to take government employment at $50 a month. He ought not to be given that privilege.

Mr. CARTER. Mr. President, I can well recall the time when I felt that if I ever got $50 a month, I would be as well paid as I ever deserved or expected.

Mr. GALLINGER. But that was at a time when the Senator did not live in the city of Washington and prices were not what they are to-day.

Mr. CARTER. It would come nearer paying my expenses then than $600 a month does now.

Mr. GALLINGER. That is very likely.

Mr. CARTER. But, Mr. President, I do not wish the Senator from Minnesota to place me in the position of changing one hair's breadth from the position taken yesterday, nor can he do so in the resistance I offered to a reconsideration of the amendment. Permit me to read just what the Senator proposes to strike out:

> That when the exigencies of the service require, the director may appoint for temporary employment from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available.

That provides for a situation where clerks appointed or selected from distant States are tardy in arriving in the city. Any clerk who is available can be appointed temporarily, you must remember, not permanently, in the place, only to perform temporary service in an exigency, and not then from the crowd at large, but from the eligible list.

Mr. CLAPP. Mr. President, I should like to ask the Senator if he ever knew a permanent appointment to become temporary, and I should like to ask him if he has not known of a great many temporary appointments becoming permanent?

Mr. CARTER. I call the attention of the Senator to the fact that what I have quoted does not read "temporary appointment," but "temporary employment." The person appointed under this exigency provision would be appointed to perform temporarily until the place could be filled; in other words, according to the provision made for apportionment.

I am sure the Senator would not have the census work stopped pending the arrival of some eligible from a distant State, when it could be kept moving along in a regular way by the designation for the time being of an eligible who happened to be at hand. Yet that is exactly what the amendment of the Senator would do. There would be, from time to time, unavoidable suspensions of work awaiting the arrival of clerks from States, and without this provision the director would be absolutely helpless and unable to fill the places by any temporary employment of an available person.

I hope the amendment will not prevail, because it is obvious that it will limit and circumscribe the director so as to impair the expedition and efficiency of the service without accomplishing any good whatever for any person at all.

The VICE-PRESIDENT. The pending motion is to reconsider the vote by which the provision was stricken out and language inserted in its stead.

The motion to reconsider was agreed to.

Mr. CLAPP. Now, I move to strike out between the points indicated.

Mr. CARTER. What are the points indicated?

Mr. CLAPP. That would be after the word "however," in line 1, down to and including the word "further," in line 16, page 6.

The VICE-PRESIDENT. The Secretary will report the amendment.

Mr. CLAPP. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator will state it.

Mr. CLAPP. Is that portion of the House bill, commencing with the word "That," in line 1, and including the word "examination," in line 7, page 6, already stricken out?

The VICE-PRESIDENT. It is already stricken out.

Mr. CLAPP. Then I move to strike out, commencing with the word "That," in line 7, page 6, down to and including the word "further," in line 16.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. The Senator from Iowa will permit the Chair to correct his statement. The provision from line 1 to line 7 is not yet stricken out.

Mr. CLAPP. That is what I thought.

The VICE-PRESIDENT. It had been stricken out, but the Senate has now determined to reconsider the vote by which it was stricken out.

Mr. CLAPP. I move, taking the House bill with the Senate amendment, to strike out, commencing with the word "That," in line 1, page 6, down to and including the word "further," in line 16, which would strike out the House provision and also the committee provision.

Mr. LA FOLLETTE. Mr. President, I think the Chair is in error in stating that the motion to reconsider included the provision from line 1 to line 7. I think the motion made by the Senator from Minnesota to reconsider did not include that part.

The VICE-PRESIDENT. It had to include it. The motion that prevailed was to strike out and insert. The Senator from Minnesota moved to reconsider the amendment, which prevailed.

Mr. LA FOLLETTE. But he moved, by specific terms, to reconsider the language of the section between the word "examination," in line 7, and the word "further," in line 16.

The VICE-PRESIDENT. There is but one thing that could be reconsidered, and that is the action of the Senate.

Mr. CARTER. The committee amendment, as I understand it, consisted in striking out and inserting. When the action of the Senate approving the amendment became effective, it operated to strike out certain parts of the House bill and to insert new matter in lieu thereof. When the matter was reconsidered, it operated to restore the text of the House bill as stricken out.

Mr. CLAPP. Now, the motion is to strike out all.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. The Chair will hear the Senator from Iowa.

Mr. CUMMINS. I make a parliamentary inquiry. Is it not true that the vote having been reconsidered the question now before the Senate is upon the adoption of the committee amendment?

The VICE-PRESIDENT. It would be were another motion not made to intervene. The time has passed when committee amendments have had preference. The Chair thinks that as the matter now stands the first part of the provision which the committee proposed to strike out is still in the bill. No vote has been taken on that language, because the vote which struck it out has been reconsidered. Now, the Senator from Minnesota moves to strike out the portion which it was proposed to insert.

Mr. CUMMINS. That part was not yet in the bill. If the motion by which that part was incorporated in the bill has been reconsidered and the committee amendment is not before the Senate, then the Senator from Minnesota, I fancy, can not move to strike out a portion of the bill that has not yet been put into the bill.

The VICE-PRESIDENT. That is what the motion is.

Mr. CUMMINS. I therefore make the point of order that there is no such language in the bill as the Senator from Minnesota seeks to strike out.

The VICE-PRESIDENT. In the opinion of the Chair, the point of order is well taken.

Mr. BACON. I would suggest to the Senator from Minnesota that the easy way out of it is to move as an amendment that part which he does not wish to strike out. That would cover it.

The VICE-PRESIDENT. As the matter now stands, the Senate has reconsidered its action striking out and inserting, and has taken no action whatever on the amendment. Therefore the bill stands in the form in which it was before the Senate took any action.

Mr. CLAPP. Then, I move, Mr. President——

Mr. GALLINGER. The question is upon agreeing to the committee amendment.

Mr. CUMMINS. That is the suggestion I make.

The VICE-PRESIDENT. That is the pending question.

Mr. GALLINGER. Certainly.

Mr. CLAPP. I move to strike out, on page 6, from the word "That," in line 1, down to and including the word "examination," in line 7.

The VICE-PRESIDENT. There is pending an amendment to strike out and insert. The vote by which that amendment was agreed to having been reconsidered, it would seem to the Chair that it is first necessary to vote that amendment down before the motion of the Senator from Minnesota would be in order.

Mr. CLAPP. I will accept the ruling of the Chair on that.

Mr. NELSON. The Chair is undoubtedly right on that question. The original proposition was to strike out a paragraph and insert another one. That was adopted, and then the vote adopting it was reconsidered. The pending question, therefore, is on the motion to strike out and insert; and that motion has precedence over the other, I think. The Chair is undoubtedly right.

The VICE-PRESIDENT. The question, then, is on agreeing to the committee amendment to strike out and insert.

Mr. CLAPP. Mr. President, I desire to make a parliamentary inquiry. As I understand, the bill is now before us as though the language from the word "That," in line 1, down to the word "examination," in line 7, had not been stricken out. Am I correct in thinking that?

The VICE-PRESIDENT. That is correct.

Mr. CLAPP. Then I move to strike out that language.

The VICE-PRESIDENT. But the motion to strike out and insert has preference over a motion simply to strike out.

Mr. CLAPP. Then I ask for a separate vote, first, on the question to strike out, and then on the question of inserting.

Mr. GALLINGER. I suggest to the Senator, if he will permit me, that if the vote is taken on the proposed amendment of the committee, and that prevails, then the Senator can move to strike out the text of the House bill.

Mr. CLAPP. Then I make that motion.

The VICE-PRESIDENT. The question now is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. BURKETT. Now, if the Senator from Minnesota wants to strike that out, his motion to do so would be in order, it seems to me.

Mr. GALLINGER. That can be done in the Senate.

Mr. CLAPP. As I understand, the Chair has announced that the committee amendment is adopted.

The VICE-PRESIDENT. The committee amendment is adopted.

Mr. CLAPP. The only way we could get around it would be again to reconsider that vote.

Mr. GALLINGER. When the bill reaches the Senate, the Senator can make a motion and reach it in that way.

Mr. CLAPP. I can make the motion when the bill is reported to the Senate.

Mr. GALLINGER. On page 4, line 11, I move to strike out "six hundred" and insert the words "seven hundred and twenty."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 6, on page 4, line 11, at the end of the line, it is proposed to strike out "six hundred" and insert "seven hundred and twenty."

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 7, on page 5, line 25, after the word "physician," it is proposed to insert the following:

> *Provided, however*, That in no instance shall more than one person be appointed from the same family.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BURKETT. I offer an amendment to be known as section 26. I will say to the chairman of the committee that it is the same provision exactly that was in the law providing for the taking of the census some two or three decades ago.

Mr. LA FOLLETTE. I inquire if the proposed amendment is intended to be a substitute for section 26? There is a section 26.

Mr. BURKETT. No; it is not a substitute for section 26. If the amendment I propose is adopted, I will move to renumber the subsequent sections.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of section 25, at the bottom of page 23, it is proposed to insert, as a new section, the following:

> SEC. 26. The Superintendent of the Census shall also, in like manner, require and obtain from the owners, proprietors, or managers of every telegraph company the following facts, to wit: Name of corporation or company; terminal points connected; capital and capital paid up; length of lines, in miles; miles of wire; number of officers; number of persons engaged in general administration; number of persons engaged as telegraph operators; the number of messages transmitted by officers of the United States; the number of messages transmitted for the press; the number of messages transmitted for private parties; total number of messages transmitted; total receipts from messages; total expenditures of the company, exhibiting separately the amount expended for salaries, for repairs, and for general expenses.

Mr. GALLINGER. Mr. President, I will suggest to the Senator from Nebraska that if his amendment is to go in, manifestly, section 8, where the census is restricted to inquiry concerning certain matters, ought to be amended. The adoption of his amendment would, of course, enlarge the scope of the census. However, that section could be amended afterwards.

Mr. BURKETT. That could be amended afterwards, if necessary.

Mr. GALLINGER. I doubt whether it will be necessary.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska. [Putting the question.] By the sound, the "ayes" seem to have it.

Mr. GALLINGER. I ask that the question be again put.

Mr. BURKETT. Mr. President, if there is going to be any objection to the amendment, I desire to say a few words. This is a provision that was in the census act of 1880. It is copied exactly from that act. The Senate will recall that last year a resolution was passed asking for certain information with reference to telegraph companies. The department to which the resolution was referred was a long time getting that information, but, with a good deal of difficulty, they finally furnished some information, though perhaps it was not very complete. In the last census these statistics were not covered.

It occurs to me that this provision could very appropriately go in the law. I do not see any particular objection to it, and I did not suppose there would be any objection. At least, it might go in the bill and go to conference, in order that the conferees might secure more information from the Director of the Census on it to ascertain whether the objection is well founded. I have offered it for that reason.

Mr. LA FOLLETTE. Mr. President, I should like to ask the Senator from Nebraska if it is not a fact that this amendment is secured under the permanent census law? As I understand it, the information he desires is gathered by special agents under the permanent census law. The objection to the effort to secure this information through enumerators at this time, as I am informed, is that it requires really the services of special agents, and special agents are employed for securing the information under the permanent census law. The Census Office should not be burdened during the great pressure of the work of the decennial census period with a number of special investigations, since investigations conducted at such a time can not, under the circumstances, be prosecuted in the most thorough and satisfactory manner and are likely to lead to the publication of a mass of half truths and statistics, more or less unreliable, the publication of which would be more likely to do harm than good.

Mr. BURKETT. Mr. President, I have here a census report, Bulletin No. 17, upon the subject of telephones and telegraphs, and in the opening paragraph of this document is a statement that there has not been any provision for securing this information since the law of 1879. While some statistics have been gathered, they have been gathered, to be sure, by special enumerators, as would have to be done now.

I have always maintained that there has been too much organization and too much expense in connection with the government departments. The census extends over too long a period of time in all its work. I remember, a few years ago, I opposed somewhat vigorously, on account of the enormous expense, the creation of the Census Bureau under the organization planned in the law as a permanent bureau. From year to year this bureau has contrived, in some way or another, to grow more expensive. Yesterday one of the questions I asked the Senator in charge of this bill was, why there were 330 enumerators provided for. The bill appropriates $45,000 more for that purpose than was carried by the bill ten years ago. I am going to make a motion to strike out the word "thirty" as the result of information I received.

It seems to me that since provision is made in the bill for acquiring through special enumerators statistics as to certain manufactures, we could as well secure statistics concerning the telegraph and telephone companies at the same time, and get through with it all and not have it prolonged through the whole ten years, with the consequent retention of high-priced men in the service for so long a time. It is not a big job. The largest item is the expense of sending the men around. As special enumerators for manufactures and other industries are provided for in the section immediately preceding the place where my amendment is proposed to come in, it seems to me that the Census Bureau could utilize them for gathering statistics in regard to telegraph and telephone companies.

I will say to the Senator that I did not take occasion to present this to the committee, and if he has investigated it to the extent that he is not willing to let it go in, of course I realize the proposition could not get any consideration in conference, because if the committee has not favorably acted, it could not receive favorable consideration in conference. It occurred to me, however, if it had not been considered by the committee, that it could very well go into this bill for further consideration in conference, with a view of getting information from the Director of the Census.

Mr. LA FOLLETTE. Before the Senator takes his seat, I will say that this matter was not brought to the attention of the committee while they were considering this bill, at least not during the present session; but the Director of the Census stated that the general policy which the Census Office had found it necessary to adopt in the work of the decennial census period was to limit the inquiry as nearly as possible to the regular census work, because it is not possible in the brief time in which the enumerators are required to gather the census information—about thirty days—to procure the information embodied in such special inquiries as that proposed by the Senator from Nebraska. I only state that from the general observations made by the Director of the Census when he was before the committee. I understand that the very bulletin to which the Senator from Nebraska alludes is a bulletin prepared under the general or permanent census act, and that the Census Office is gathering this information through special agents between the decennial census periods when they are not compelled to collect and publish a vast amount of information in a very limited period of time.

Mr. BURKETT. Well, Mr. President, I am not certain that this information could be gathered in thirty days. I very much doubt, if the information which is provided for in section 24 could be gathered in thirty days, whether it would be of great value. I realize, of course, that at the time of the last census an effort was made to concentrate the work and reduce its amount; but I do not know that we greatly increased the value of it, or greatly dispatched the business. It seems to me that the same enumerators could be utilized in gathering the information in regard to the telegraph and telephone companies that are used in gathering the information with reference to manufactures.

The VICE-PRESIDENT. The Chair will again put the question. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. BURKETT].

The amendment was rejected.

Mr. BURKETT. I have another amendment to offer. In section 9, on page 10, line 14, after the word "hundred," I move to strike out the words "and thirty."

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. In section 9, page 10, line 14, after the word "hundred," it is proposed to strike out "and thirty," so as to read:

Provided, That the whole number of supervisors shall not exceed 300.

Mr. BURKETT. That will leave the number of supervisors as it was for the last census, Mr. President.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. LA FOLLETTE. Mr. President, I do not think that amendment ought to be adopted. The Director of the Census has carefully considered this matter and submitted it to the committees of both Houses. After very careful consideration, that number of supervisors has been accepted. The country has grown. We had only 300 supervisors for supervising the work of taking the census in 1900, and the addition of 30 supervisors at this time seems to me a reasonable accession to the number. I trust that the amendment may not be adopted.

Mr. BURKETT. Mr. President, I do not see that the country has grown any larger. If I knew some other place where I could get at the matter of adiministration, I would like to do so. My observation is always that in creating bureaus too much money is spent in the organization part of the work. You may go into every department of the government service and you will find, whatever the work is which they are going to undertake, that there is too large a per cent—a larger per cent than is ever devoted in private affairs—devoted to organization and superintendency or whatever you might call it, to organization work.

In my opinion 300 supervisors for the census of this country are quite enough. It was demonstrated that that number was sufficient ten years ago. The country to be covered is not greatly different from what it was ten years ago. There are a few more people, but the work relative to their enumeration will all be done by the enumerators. It is proposed to add 30 supervisors, necessitating an expenditure of $45,000 for salaries plus whatever additional expenses they may have.

I remember when we organized the census into a permanent bureau, and the fact was called to the attention of the House of Representatives of the enormous amount of organization that was in the proposition, of the higher salaries to men for doing practically nothing of the real work necessary to be done, the House was so astounded that it recommitted the bill with instructions at that time to make reductions along certain lines.

To be sure the Director of the Census has reported that it is desirable to have 330 supervisors; but I doubt whether his judgment is any better than the judgment of the Senate would be on

this matter unless there is some reason given why 300 men can not supervise the taking of the census. We have not included anything additional in the census; and I can not understand why we should add 10 per cent to the number of census supervisors.

The number of enumerators will undoubtedly need to be increased; but why should we add 10 per cent, one-tenth, to the number of supervisors, who, as the experience in taking the census demonstrates, have not had a great amount of work to do, except for a short time? The remainder of the time they are employed in checking up delinquencies on the part of the enumerators, checking up errors that have been made, and are not very busy. In the cities, and in the centers where considerable work is to be done, they have in connection with the census taking such assistant supervisors as are needed. It seems to me that unless there is some good reason for it, there is not any occasion for increasing the supervisors force 10 per cent over what it was ten years ago.

Mr. LA FOLLETTE. Mr. President, I do not desire to prolong the discussion. I wish merely to call attention to the fact that in the ten years' period we have added somewhat to the geographical limits to be covered by the census; we have added enormously to the wealth of the country in that period of time; and we have added enormously to the population. It seems to me, therefore, that the Senate will do wisely if it adopts the bill in relation to the number of supervisors.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Nebraska [Mr. BURKETT].

The amendment was rejected.

Mr. BULKELEY. Mr. President, during the discussion yesterday on the committee amendment I intimated that I desired to submit a motion to eliminate from the bill sections 33 and 34—one relating to the purchase of a site on which to erect a census building and the other providing an appropriation for the erection of a building on the proposed site. By the adoption of the proposed committee amendment, these two sections have been combined in a new section as section 33 in the reprint of the bill, which seems to me even more objectionable than the original provisions.

In the first place, Mr. President, I think that a provision for the purchase of a site and the erection thereon of a public building has no proper place in a bill providing for the taking of the census.

In the second place, the usual course in providing for the erection of public buildings for departments of the Government or for its bureaus has been by passing measures which have been considered by the committee of Congress usually having such matters in charge—the Committee on Public Buildings and Grounds—which, from time to time, has given a thorough consideration, I think, to the necessities of the Government and the desirability, from an architectural point of view, of grouping in some proper manner the public buildings erected in this city, with the design of pursuing some general plan for the development of our public buildings and grounds.

There is another objection to this proposed legislation. It seems to me, under the provisions of section 33, which require that the building shall be erected on or before January 1, 1910, there can be scarcely the time necessary for the acquirement of a site, particularly if any objections are offered or condemnation proceedings become necessary. There can be hardly time, it seems to me, in the next nine months to institute the necessary proceedings, prepare the necessary plans, and complete a building, if we are to erect one, such as the Government should erect.

As I said yesterday in the course of the discussion, there have been prepared, by gentlemen peculiarly capable of considering the question of future projects for the beautifying of this city and the grouping of buildings, very elaborate plans. They have not been adopted, it is true, but they are being seriously considered, as is the question of the purchase of large additional plats of land on the south side of Pennsylvania avenue for the future needs of government buildings.

For the reasons which I have suggested, I move that we reconsider the vote—if that is the proper motion—by which section 33 was inserted in place of sections 33 and 34; or, perhaps, the proper motion would be to strike out section 33 as reprinted in the bill.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Will the Senator permit the Secretary to state the motion of the Senator from Connecticut?

Mr. NELSON. Certainly.

Mr. BURKETT (to Mr. BULKELEY). Move to strike out section 33.

Mr. BULKELEY. I move to strike out section 33 as it appears in the reprint of the bill.

Mr. GALLINGER. If the Senator will permit me, the usual motion—and it is a better method—would be, when the bill reaches the Senate, to move to strike out that section. When the bill is reported to the Senate, the Senator can reserve a vote on that section.

Mr. BULKELEY. I want to conform to the practice. I do not know what that is.

Mr. GALLINGER. That is the practice.

The VICE-PRESIDENT. In Committee of the Whole sections 33 and 34, as originally reported, were stricken out and a new section 33 inserted in lieu. Now, in the opinion of the Chair, the only procedure would be to move to reconsider the vote by which that was done.

Mr. GALLINGER. That is undoubtedly a proper motion, and yet the other motion is the one usually made in the Senate.

Mr. BULKELEY. I move to reconsider the vote by which the amendment to strike out and insert was agreed to.

Mr. LA FOLLETTE. I hope we can have a vote upon this matter.

The VICE-PRESIDENT. The Senator from Connecticut moves to reconsider the vote by which the old sections 33 and 34 were stricken out and the new section 33 substituted in their place.

Mr. NELSON. Mr. President, I think my good friend from Connecticut [Mr. BULKELEY] is overlooking an important fact in connection with this matter. We have been paying an enormous rent for quarters for the Census Office. The rent we have been paying for quarters occupied by that office ever since we took the last census has been more than enough to pay for the building and grounds. It is now evident that even if we complied with the plans and suggestions which the Senator from Connecticut has in view, of constructing a building down on Pennsylvania avenue, a palace, in conformity with this enormous plan of improvement on the south side of that avenue, such a building could not possibly be completed in time for the next census. If we can get the property referred to in the bill at a reasonable figure and the Government can build a cheap temporary addition to it of a kind such as there is now on the ground, we will save that much rent.

In any event, we will own the ground and the building. Property is going up constantly here, and by the time we can get a census palace erected on the Avenue the rent that we should have paid would more than pay for the temporary building and the ground. In addition, we shall have that property to dispose of. The Government can then dispose of it and get more than what the building and land would cost us now.

That would not militate at all against the plan which the Senator from Connecticut has in view. We all concede that the present plan and programme is a temporary matter. It is simply a question of what is wise and good economy for the Government under the present circumstances. In nowise, Mr. President, will it militate against or interfere with the other plan of beautifying the Avenue, as it is called—of putting all the buildings on the south side of the Avenue—where in old times there was nothing but marsh and swamp. I stated at a former session of Congress when something akin to this was up, or when the former census bill was under consideration, that I was rather in favor of adopting this scheme of erecting a temporary building on the site proposed in the bill because it was in accord with the plan of putting buildings south of the Avenue. We get the same swamp ground and soft ground as on the south side of the Avenue, and having that kind of ground, there is no reason why we should not utilize it for temporary quarters for the census.

I do not know how many thousands of dollars we have paid out in rent for that building which we have occupied since we took possession—perhaps the Senator from Wisconsin can give me the figures—but I imagine we have already paid out more in rent for the property than it is worth to-day. The way things move here in Washington, when they erect these fine palaces like the Senate and the House buildings and the District of Columbia building, it takes years to complete them; and before they can get such a census palace as the Senator from Connecticut has in view, we will expend more in rent than this whole property would cost us and the additional temporary building. If we secure that property, when the time comes when we shall have erected such a census palace as the Senator from Connecticut has in view, we will have this property and can sell it for more than it cost us, and we will be that much ahead and will have saved that much for the Government.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Wisconsin?

Mr. NELSON. I will yield to the Senator from Wisconsin in a moment.

I am a member of this great committee that is to curtail the expenses of the Government and to look after the purse strings of Uncle Sam; and, being a member of that committee, I feel it incumbent upon me, as the Senator from Idaho did yesterday, being on the other committee, to look out for the welfare of the Government and see that no money is squandered.

Now I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I desire to say, in answer to the suggestion of the Senator from Minnesota, that we have paid out as rental during the Twelfth Census and since $218,500.

Mr. BULKELEY. Mr. President, I think the Senator from Minnesota [Mr. NELSON] is mistaken when he refers to any scheme or plan which I have in mind for the erection of a census building on the south side of the Avenue or in any other locality. The section, as now provided, does not locate the proposed census building in any place whatever, but leaves it arbitrarily to the Secretary of the Treasury to locate it where he pleases, provided he keeps within the expense limit of $750,000 for the site and building.

The proposed $750,000 is an increase of some $70,000 over the provisions of sections 33 and 34, which have been stricken from the bill, of $430,000 for the site and $250,000 for the building. It has rarely if ever, I think, been customary to intrust to any one individual the fixing of a site and the erection of a public building here in the city of Washington. I have before me two bills that were introduced during the Sixtieth Congress, one providing for a building for the Geological Survey, in which the location is fixed by Congress itself; and while the charge of purchase or condemnation of the land is left to the Secretary of the Treasury, the location is accurately described in the bill for the proposed building. The same conditions prevail in a bill which was introduced during the same session for the purchase of a site and the erection of a suitable building for the Supreme Court of the United States. While it was left to the Secretary of the Interior to carry out the provisions of the act, the location of the building, the site, was accurately described in the bill itself.

Section 33 of this bill provides not so much for a building of a temporary character, or for the Census Bureau, if you please, because the bill itself provides that it shall be for the use of the Census Office "and for other governmental purposes." So it is evidently more than a structure of a temporary character.

The first objection I made is a valid one, that in the few months, which will pass quickly, between now and the 1st of January next, there is hardly time—I am certain there is not time—to secure a site, particularly if other than governmental land should be selected and condemnation should possibly be necessary to secure the title to the land, prepare the necessary plans, and erect a building to cost $250,000 anywhere in the city of Washington that the Secretary of the Treasury may decide, and complete it by the 1st of January, 1910.

It is true we have spent for rental during the last ten years quite a large sum of money, but it is very probable that the interest on the proposed investment will more than exceed annually the rentals that have been paid during the last ten years, which were, on the average, about $21,000 a year. These proposed buildings are to cost somewhere from $750,000, estimated, to possibly a very much larger expense. We will call it $750,000. At a moderate rate of interest, 3 per cent, it would be a larger annual expense to the Government for interest alone, to say nothing of the care of the property, than the average annual expenditure for rental for the last ten years.

I trust the motion I have made to reconsider the vote on section 33 will prevail.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Connecticut.

The motion was rejected.

Mr. GALLINGER. Mr. President, I desire to offer an amendment simply to correct the verbiage of section 33. It reads:

That the Secretary of the Treasury be, and is hereby, authorized and directed to provide, upon land the title to which is in the United States, or to acquire by purchase, etc.

My amendment is, to insert after the word "provide," "a suitable building," so that it will read:

That the Secretary of the Treasury be, and is hereby, authorized and directed to provide a suitable building, upon land the title to which is in the United States, etc.

The Senator from Wisconsin, I think, will see the propriety of that. It is an omission.

Mr. LA FOLLETTE. I accept the amendment.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 23, line 14, after the word "provide" it is proposed to insert "a suitable building."

Mr. GALLINGER. That is right.

The amendment was agreed to.

Mr. CLARK of Wyoming. I should like to ask if any amendment has been made in line 6, on page 10?

The VICE-PRESIDENT. In that line the words "the Hawaiian Islands" were stricken from the bill.

Mr. CARTER. I offer the amendment I send to the desk.

The VICE-PRESIDENT. The Senator from Montana offers an amendment, which will be stated.

The SECRETARY. On page 5, after the word "service," in line 15, it is proposed to insert:

But without reference to the existing apportionment in the classified civil service.

Mr. GALLINGER. Will the Senator explain that, if he pleases?

Mr. CARTER. The amendment, if adopted, will provide for a separate list in every State, without reference to the standing of the quota of each State in the classified service; entirely independent of that.

Mr. GALLINGER. I think that is all right.

Mr. TALIAFERRO. Let the amendment be again stated.

The VICE-PRESIDENT. Without objection, the amendment will be again stated.

The SECRETARY. On page 5, line 15, after the word "service," it is proposed to insert:

But without reference to the existing apportionment in the classified civil service.

Mr. BAILEY. Mr. President, the purpose of that amendment is to cheat some of the States out of appointments to which without it they would be entitled. For instance, many States now, under this excellent and perfect system of civil service, have more than their fair proportion, while other States have less. It seems to me, while they are making 3,000 appointments they might compensate for these deficiencies and let the States that already have more than they are entitled to under the law stand aside until the States that have less than they are entitled to have been put upon an equality with them.

The effect of this is to let the States which have more than their quota not only retain the excess which they now enjoy, but to have their full quota under this bill. Without this amendment States whose quota is full could have no appointments under this service until the States having deficiencies had been supplied. I will ask the Senator from Montana if that is not a correct statement of it?

Mr. CARTER. Mr. President, that statement correctly represents the facts. I will send to the Secretary's desk to be read, if it is desired by the Senate, the exact state of the apportionment for the respective States as provided for by the bill and as the proposed amendment would provide.

Mr. BAILEY. I will be glad to have that printed, because it will confirm what I have just said and it will show, using my State for an illustration, that under the bill as it stands, we would be entitled to something like 150 or 160 appointments, and under the amendment we will be entitled to something less than 100, which is equivalent to saying that under this perfect and excellent system which does such exact justice to everybody, other States have 40 or 50 appointments to which the State of Texas is fairly entitled. Perhaps I ought not to complain about that, because our people are so busy with more useful and profitable employments that they have not been besieging the Government for offices.

The VICE-PRESIDENT. Without objection, the statement submitted by the Senator from Montana will be printed in the RECORD.

The matter referred to is as follows:

Statement showing number of appointments each State and Territory would be entitled to under the apportionment provision contained in the Thirteenth Census bill as passed by the House of Representatives, as compared with the number they would be entitled to under the proposed Senate amendment, on the assumption that 2,000 additional appointments will be made.

State or Territory.	Number under House bill.	Number under proposed amendment.
Alabama	101	47
Arkansas	68	34
California	51	39
Colorado	3	14
Connecticut	11	24
Delaware		5
Florida	17	14
Georgia	74	57
Idaho	4	4
Illinois	165	125
Indiana	59	65
Iowa	63	58

Statement showing number of appointments, etc.—Continued.

State or Territory.	Number under House bill.	Number under proposed amendment.
Kansas	34	38
Kentucky	77	56
Louisiana	77	36
Maine	8	18
Maryland		51
Massachusetts		73
Michigan	63	63
Minnesota	59	45
Mississippi	84	40
Missouri	109	80
Montana	4	6
Nebraska	30	28
Nevada		1
New Hampshire	5	11
New Jersey	26	49
New York	65	188
North Carolina	45	49
North Dakota	15	8
Ohio	45	108
Oklahoma	29	21
Oregon	18	11
Pennsylvania	64	163
Rhode Island	3	11
South Carolina	37	35
South Dakota	19	10
Tennessee	70	52
Texas	150	79
Utah	8	7
Vermont		9
Virginia		48
Washington	25	13
West Virginia	3	25
Wisconsin	81	54
Wyoming		2
District of Columbia		7
Alaska	8	2
Arizona		3
Guam		
Hawaii	16	4
New Mexico	9	5
Philippine Islands		
Porto Rico	112	25
Samoa		
Total	2,021	2,000

Mr. CUMMINS. I wish to ask the Senator from Texas whether he has carefully examined this text as it is now. If he has not, I would be glad to have him look it over and tell the Senate whether, in his opinion, the bill as it is does not accomplish the very thing which is sought to be accomplished by the Senator from Montana. In other words, the amendment offered by the Senator from Montana makes no difference whatever in the meaning and interpretation of the bill.

Mr. BAILEY. Mr. President, when the Senator from Iowa shall have known the Senator from Montana as long as I have known him he will find, in my opinion, that the Senator from Montana does not offer useless amendments.

But I will say, responding further to the Senator from Iowa, that I might be inclined to agree with him as to the meaning of the text except for the fact that those who are charged with the supervision of such matters have indicated their opinion to be that, under the language of the bill as reported by the committee, the apportionment would be made with reference to the present condition of the civil-service apportionment; and it was to avoid that construction that the amendment now proposed by the Senator from Montana was suggested to the committee.

The Senator from Iowa will permit me to say to him further that he and I, as lawyers, might perfectly agree as to the meaning of the statute; but, unfortunately, we can not get the Civil Service Commission into the courts to have the act construed. And they will be down there at the director's office before he comes from breakfast, just as they were down at the committee room before the committee were there, seeing that this special charge of theirs was respected at every stage.

I think probably—and I say it with all deference to the gentlemen who compose that commission, because they are men of intelligence and character, devoted, unduly, as I think, to their particular work—there is not a department of this Government so sensitive about aggressions on its domain as that same Civil Service Commission; and I want to record it here as my prophecy, that they will have these appointments made as they construe the law or else they will make trouble for the Director of the Census. The Civil Service Commission always has the willing and inclining ear of the President, and they get the President to take their side against any officer of this Government, because the President generally suspects that the officers who are charged with the duty of administering this law understand what a fraud it is.

Mr. CUMMINS. Having recently become chairman of the Committee on Civil Service and Retrenchment——

Mr. BAILEY. Will the Senator permit me?

Mr. CUMMINS. Certainly.

Mr. BAILEY. The Senator from Iowa, a sturdy partisan, illustrates what I am tempted to say is the malignant influence of a connection with the civil service, for just as soon as his colleagues made him chairman of the Committee on Civil Service he became a civil-service reformer.

Mr. CUMMINS. Quite true. I had very little sympathy with the workings at least of the civil service as I had observed them since I came to Washington until I became chairman of the Civil Service Committee. I immediately reached the conclusion that there was such an opportunity for reform in the civil service that I would ask the Senate not to enter upon that work of reform with respect to the census bill, but to leave me a free field and a fair opportunity for the future.

Mr. BAILEY. I will join the Senator in repealing the entire law.

Mr. CUMMINS. With respect to the amendment offered by the Senator from Montana, I will say I favor it. I believe in that interpretation of the bill. I asked the question I did of the Senator from Texas solely to advise the Senate, at least from my standpoint, that, even though the amendment were defeated, still this particular apportionment would be made without regard to the apportionment under the general classified service.

Mr. CARTER. Mr. President, I am unable to determine what a court would say with reference to the proper construction of the language of the bill as my amendment would leave it, and I will not venture to say what the Civil Service Commission's construction might be six months hence. But I am somewhat advised of the Civil Service Commission's construction at present. The language of the bill as it appears now is as follows, speaking of appointments:

And selections therefrom—

That is, from the eligible list. I read from page 5, line 12—

And selections therefrom shall be made by the Director of the Census, in conformity with the law of apportionment as now provided for the classified service, in the order of rating.

The Director of the Census and, I believe, the chairman of the Civil Service Commission entertain the view that the employment of the language I have just read will necessitate a consultation from day to day as to the condition of state representation in the classified service before making appointments in the census service, because we are acting in conformity with the law of apportionment as now provided for the classified service, in the order of rating. The amendment I have proposed will relieve the Director of the Census from the ascertainment, from time to time, of the apportionment of the States in the classified service.

Mr. BAILEY. It will also relieve some of the States of appointments to which they are fairly entitled.

Mr. CARTER. And add possibly to others more. I will read the list, which will show. The number the State of Alabama would be entitled to under the bill as passed by the House is 101; the number proposed by the amendment for that State would be 47. Arkansas would have 68 under the House bill; 34 under the amendment, if it is adopted. California would have 51 under the House bill; 39 under my proposed amendment. Colorado would have 3 under the House bill, and 14 under the amendment. Connecticut would have 11 under the House bill, and 24 under the proposed amendment. Delaware would have none under the House bill, and it would have 5 under the proposed amendment.

I am not reading these figures with a view to affecting votes in the Senate on my amendment [laughter], because I am sure no such result would obtain. It balances back and forth pretty well. The only purpose of the amendment, as far as my individual view is concerned, is to relieve the Director of the Census, who will have trouble enough in connection with this rush of work, from the necessity of constantly consulting the Civil Service Commission with reference to the state of appointments from the different States.

Mr. GALLINGER. Is the Senator going to finish the reading of the list? If not, I should like him to tell me how many New Hampshire is entitled to, the quota of which heretofore has been filled, I believe, by dead men.

Mr. CARTER. In view of the fact that the Senator has not committed himself on the proposed amendment, I can with perfect freedom read to him that New Hampshire would be entitled to 5 under the bill as it is——

Mr. GALLINGER. That is good.

Mr. CARTER (continuing). And 11 under my proposed amendment.

Mr. GALLINGER. That is first rate. [Laughter.]

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. CARTER].

The amendment was agreed to.

Mr. CLAY. I am inclined to think on this amendment, which is so unjust, we ought to have a yea-and-nay vote; and if the Senator from Montana insists upon it, I think I shall have to call for a yea-and-nay vote.

Mr. LA FOLLETTE (to Mr. CLAY). Take it in the Senate.

Mr. CLAY. Take it in the Senate?

Mr. NELSON. I suggest that the question be again put. I do not think it was fully understood.

Mr. CLAY. I am willing for the question to be again put. But the amendment, to my mind, is manifestly unjust and violates the principles and the spirit of the general civil-service law. This bill as it came from the House in that respect intended that the spirit of the general civil-service law should prevail in those appointments.

Mr. CARTER. I do not blame the Senator from Georgia. Georgia would have 74 under the House bill and only 57 under the amendment.

Mr. CLAY. I will say to the Senator that I do not think Georgia will have any under the House bill, or the Senator's amendment either, so far as I know.

The VICE-PRESIDENT. The Chair put the question, and declared that the amendment was carried. Without objection, the Chair will again submit the question, at the request of the Senator from Georgia. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

Mr. CLAY. We can have a yea-and-nay vote in the Senate, I believe, if we want it, when the bill gets there.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. Is a separate vote demanded on any particular amendment?

Mr. BAILEY. I suggest to the Senator from Wisconsin, in charge of the bill, that probably there will be one or two votes desired in the Senate. Probably the bill can not be completed to-night.

Mr. LA FOLLETTE. I trust we can dispose of the bill to-night.

Mr. CARTER. It is very desirable that the bill should be passed this evening, and I ask unanimous consent to withdraw the amendment I last offered, which was adopted. I will first ask that the vote be reconsidered.

The VICE-PRESIDENT. Is there objection to the request that the vote by which the last amendment was agreed to be reconsidered, and that the Senator have leave to withdraw the amendment? No objection is heard, and the order will be followed. Is a separate vote demanded on any amendment?

Mr. CLAPP. I ask for a separate vote on the amendment on page 6.

The VICE-PRESIDENT. Is a separate vote asked for on any other amendment? If not, the question is on concurring in the other amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. CLAPP. Since this matter came up the junior Senator from New York [Mr. ROOT] called my attention to the fact that when it comes to employees handling mechanical devices it might be difficult, if not practically impossible, to apportion them to the various States. Seeing the force of his suggestion, I now move to strike out on page 6, commencing with the word "That," in line 1, down to and including the word "further," in line 16, and to insert in lieu thereof the words which I send to the desk.

The VICE-PRESIDENT. But there is no line 16 in the bill.

Mr. CLAPP. It was so reported to the Senate.

Mr. BAILEY. There must be a line 16.

The VICE-PRESIDENT. The pending question is on concurring to the amendment to strike out from line 1 to line 7, inclusive, and to insert from line 7 to line 15, inclusive. The matter from line 7 to line 15, inclusive, is not yet in the bill. All the amendments save this one have been concurred in.

Mr. CLAPP. Then I move to strike out——

Mr. GALLINGER. Mr. President, a parliamentary inquiry. When the amendment was agreed to as a substitute for the House provision, did not that eliminate the House provision from the bill?

The VICE-PRESIDENT. The Senate, as in Committee of the Whole, agreed to it, but the Senate has not agreed to it. That is the question now before the Senate on which a separate vote is asked.

Mr. GALLINGER. Precisely; but what I am trying to get at, in rather an awkward way, perhaps, is whether it is necessary to take any action on the text of the bill as passed by the House, the Senate in committee having substituted language for the language of the House. I think all the Senator from Minnesota has to do is to deal with the amendment as agreed to in Committee of the Whole.

The VICE-PRESIDENT. It would seem to the Chair that the proper parliamentary procedure under the Senate rule would be to nonconcur in the amendment, and then to move to strike out the House provision and to insert whatever the Senate might desire to insert.

Mr. CLAPP. I ask that the amendment be nonconcurred in.

Mr. NELSON. Will my colleague yield to me for a moment?

Mr. CLAPP. With pleasure.

Mr. NELSON. I make this suggestion to him: Having already adopted the portion in italics in place of the part stricken out, that is the only portion of the bill to be dealt with. We have substituted that portion for the other portion. If we reject that portion in the Senate, it eliminates it. Then we have nothing in the bill. We have stricken out a paragraph and substituted another for it; and if we strike that out, it is out of the bill. If on the question of concurring in the amendment reported from the Committee of the Whole the amendment is not concurred in, the paragraph is out of the bill, as I understand it.

The VICE-PRESIDENT. The Senator is right in so far as the part from line 7 to line 16 is concerned, but that does not strike out the House provision. It would seem to the Chair that the proper procedure would be to negative this vote and then to move to strike out the House provision and insert whatever the Senator desires. Rule XVIII of the Senate would seem to indicate that as the proper procedure to be taken.

Mr. CARTER. It seems to me that the amendment adopted as in Committee of the Whole was to strike out and insert.

The VICE-PRESIDENT. Certainly.

Mr. CARTER. It was an indivisible amendment?

The VICE-PRESIDENT. Certainly.

Mr. CARTER. And it must be agreed to or rejected as a whole?

The VICE-PRESIDENT. Certainly. That is precisely what the Chair has stated.

Mr. CLAPP. I ask that the amendment be nonconcurred in.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was nonconcurred in.

Mr. CLAPP. I move as an amendment to insert the words I send to the desk in lieu of the House provision.

The VICE-PRESIDENT. The Senator from Minnesota moves to strike out the House provision and to insert what the Secretary will read.

The SECRETARY. On page 6, line 1, after the word "however," it is proposed to strike out all of line 1 and down to line 7, including the word "examination," and to insert:

> That the foregoing provisions as to apportionment, residence, and place of examination shall not apply to employees operating mechanical appliances.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Minnesota.

The amendment was agreed to.

Mr. BAILEY. Mr. President, I do not intend to offer an amendment, but I simply want to call attention to a provision in the bill which I think is beyond the power of Congress. It is that provision which undertakes to punish by fine and imprisonment a refusal to answer certain questions. That provision applies in the agricultural schedule. To my mind, it is plain that Congress has no power to pass a law to send a man to jail because he declines to tell the enumerator how many acres of land he cultivates or the product which he produces. In a following provision it is provided that an officer or director of a corporation who refuses to answer certain questions about its capital and business may be sent to jail, or may be fined, or may be punished in both ways.

My view is that the constitutional power of Congress is to enumerate the people of the United States, and the purpose of that enumeration is to enable Congress to apportion Representatives and direct taxes; that the constitutional power, so far as an independent and substantive power goes, ends there; and that while Congress may have the power to make an appropriation of the money and appoint people to gather this information, and while it may have the power to punish, as it does, the people who willfully make false answers to these questions, I have no doubt that we exceed our power when we provide that a man who declines to tell the census enumerator the secrets of his business or what concerns him only shall be punished. We go much beyond what the Constitution authorizes us to do.

Without divulging the secrets of the committee, I there moved to strike both those provisions out. I was voted down, and I assume I would be voted down here, but I am not willing to see the bill pass from a committee of which I am a member without putting it in the RECORD that in this respect I feel that the bill is a nullity, and that if any man in the United States refuses to answer those questions he is well within his constitutional rights, and Congress is without the power to punish him for that refusal.

The VICE-PRESIDENT. Will the Senator from Texas kindly give the Secretary the page and line?

Mr. BAILEY. I am not going to make any motion, because I regard it as a waste of time. I simply want to put this in the RECORD so as to save myself from the imputation that I was willing to put a man in jail because he would not supply information which the curious might desire about his business.

Mr. CARTER. Mr. President, it is true that no motion has been made; but I think a word may well be said on the subject presented by the Senator from Texas.

Undoubtedly if the Government relied upon the requirement of the Constitution that an enumeration of the people be made, there would be a want of constitutional warrant for the enforcement by any penalty for a refusal to answer many of the questions required to be answered by the bill. But there are other provisions of the Constitution than that requiring an enumeration of the people; and if it pleases Congress to subserve other public purposes in connection with the enumeration, I think it is clearly within the discretion of Congress so to do.

It will not be contended that Congress is prohibited from utilizing the enumerators for any other purpose than the enumeration of the people. For instance——

Mr. CLAPP. Will the Senator pardon a question?

Mr. CARTER. I hope the Senator will permit me to proceed for a moment. I will yield in the course of time.

For instance, Mr. President, the Constitution authorizes Congress to borrow money on the credit of the United States. The condition of the people of the United States in a material way might go far to advise Congress of the state of the Nation's credit or the basis of it. Congress is authorized to regulate commerce with foreign nations and among the several States and with the Indian tribes. Congress is warranted in asking any question of any citizen of the country at any time that may appertain to interstate commerce or any subject so related to that question as Congress might deem of importance.

Mr. CLAPP. Will the Senator allow an interruption now?

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. CARTER. I should like to finish just this line of thought, if the Senator will permit me a moment.

Mr. CLAPP. All right.

Mr. CARTER. It is provided in one of the prohibitory clauses of the Constitution that "no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken." Then, upon the basis of the "enumeration hereinbefore directed to be taken," Congress may levy a direct or capitation tax.

There are a great number of obligations placed upon Congress by the Constitution; and in order that Congress may intelligently discharge its duty in the matter of regulating commerce between the States, in maintaining and providing for armed defense, and a variety of questions, it is undoubtedly pertinent for Congress to direct that the citizens of the Republic shall answer all proper questions needful for a correct conclusion as to the state of the Union and its resources.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. I will first yield to the Senator from Minnesota.

Mr. CLAPP. I ask the Senator from Texas to proceed.

Mr. BAILEY. I was about to remind the Senator from Montana that in the levy of a direct tax all that Congress needs is to know the number of the people, because it has to levy that tax according to population—not wealth.

Now, if it had been written in the Constitution as it was originally proposed, that Congress was required to apportion Representatives and direct taxes according to wealth and numbers, then, undoubtedly, in taking the enumeration, we would have the right to require any answer that would advise us as to the wealth. But that part was eliminated.

Mr. CARTER. The Senator will pardon me for suggesting that I referred to that part of the section of the Constitution, because it prohibits the levy of a capitation or other direct tax; for instance, a tax on corporations——

Mr. BAILEY. It does not prohibit it. It prohibits the levy of it, except it be apportioned and according to numbers. Therefore, all you need to do is to know the number. There is no provision against the levy of a direct or capitation tax. There is a qualification of it.

Mr. CARTER. The capitation tax may not, of course, be levied, except as to numbers.

Mr. BAILEY. Neither can any other direct tax; but the number is all that Congress needs to know in order to levy either direct or capitation taxes. It does not need to be informed of the wealth, because Congress can not levy the tax according to wealth.

Mr. CARTER. Mr. President, Congress, in the exercise of its taxing power, often has recourse to what is called "internal-revenue taxation," a very prominent source of government income. I suggest to the Senator that any pertinent inquiry which may enable Congress in an enlightened manner to assess internal-revenue taxes may be put forward in the form of inquiries to be propounded by the enumerators.

Mr. BAILEY. Mr. President——

Mr. CARTER. It is true, the Senator did not make a motion; and I have only made the statements I have made to the end that the enumerators throughout the country may not be retarded in their work by an impression going forth that the position of the Senator from Texas is accepted as the view of the Senate.

Mr. BAILEY. "The Senator from Texas" will take the chance of being sent to jail on that whenever the enumerator asks him one of those questions. I regard it as an impertinent inquiry for the Government to call on me to inform Senators and Representatives how they ought to legislate by advising them of the state of my private business. That is almost as unreasonable as a search and seizure without warrant.

I ought to have said, Mr. President, that between the two provisions against which I complain there is a provision that requires a tavern keeper to disclose the names of the lodgers or boarders in his house. I think the Government has the power to require him to do that under the penalty of being sent to jail, because it might be very essential to the enumeration that they should learn exactly who occupied every house or who occupied every room in a public lodging place.

I make no question about that, but the other two provisions that would send a farmer to jail because he would not tell the enumerator the number of acres he cultivated or the quality of the soil or the character of his crop, I maintain are clearly beyond the power of Congress, and likewise it is beyond our power to make an officer or director of a corporation come and lay down before the enumerator all the business of his enterprise. If you can do that with a corporation, Mr. President, you can do it with an individual, because a corporation has often been held to be a person within those protection clauses of the Constitution. I am not willing to see it said that an enumerator, too often without judgment and discretion, can be sent into every home in this land with an impudent inquiry as to the private affairs of the citizen. Such a proposition twenty years ago would have brought every man in America to his feet. It would have been regarded as an invasion of the privacy of his home and his business. We have gone on extending and extending the power of the Government until now a proposition like this excites little comment, and does not even justify a sufficient hope of success for me to make a motion to strike it from this bill.

Mr. LA FOLLETTE. I hope we may now have a vote. I should like to say to the Senator from Texas that twenty years ago the enumeration made by enumerators under the census law of that time were much more extended than now.

Mr. BAILEY. But never a provision to send a man to jail because he refused to answer. I do not object to the question, if the citizen chooses to answer. I possibly would commend him for it. I think it would be better if none of us had any secrets which we were unwilling to divulge. But the millennium will have come when that time comes. I am not anticipating it; but if a man declines to answer, whether it is important or unimportant, it is his own affair, and the law has no right to prize his mouth open to make him speak when he chooses to keep his own counsel.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, April 12, 1909, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 10, 1909.

ASSISTANT SURGEON, MARINE-HOSPITAL SERVICE.

Samuel C. Hotchkiss to be assistant surgeon in the Public Health and Marine-Hospital Service.

POSTMASTERS.

NEW YORK.

James A. Johnston, at Marlboro, N. Y.

PENNSYLVANIA.

F. N. Boyle, at Nicholson, Pa.
Frank W. Leib, at Pottsville, Pa.

SENATE.

MONDAY, *April 12, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Vice-President being absent, the President pro tempore took the chair.

Mr. ANSELM J. McLAURIN, a Senator from the State of Mississippi, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal stands approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of Local Union No. 2566, United Mine Workers of America, of Denning, Ark., praying for the imposition of a duty on crude oil, which was ordered to lie on the table.

He also presented a petition of members of the Bar Association of the Territory of Hawaii, praying that in the appointment of judicial officers in the United States courts of that Territory none but residents be appointed, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented petitions of sundry citizens of New York, Missouri, Iowa, Virginia, Maine, Michigan, and Washington, D. C., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURNHAM presented a memorial of the city council of Berlin, N. H., remonstrating against any reduction of the duty on print paper, wood pulp, and lumber, which was ordered to lie on the table.

Mr. PERKINS presented a memorial of sundry business firms of San Francisco, Cal., remonstrating against any increase of the duty on bottle caps, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Santa Clara County, Cal., praying for the enactment of legislation to prohibit the immigration into the United States of all Asiatics except merchants, students, and travelers, which was referred to the Committee on Immigration.

Mr. GALLINGER. I present a resolution of the city council of Berlin, N. H., which I ask to have read and referred to the Committee on Finance.

There being no objection, the resolution was read and referred to the Committee on Finance, as follows:

Resolved by the city council of the city of Berlin, N. H., as follows: Believing that the removal or substantial reduction of the existing tariff rates on print paper, wood pulp, and lumber would work a serious and irreparable injury to two of our most important industries, upon which several thousand of our people depend for a living, and compel the stripping of our forests of all soft wood now usable for lumber or pulp, earnestly protest against the removal or reduction of the existing duties and ask our Senators and Members of the House of Representatives in Congress to do everything in their power to retain the duties upon print paper, wood pulp, and lumber as they now are.

Mr. CULLOM presented a petition of sundry employees of the Chester Knitting Mills, of Chester, Ill., praying for an increase of the duty on hosiery, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Decatur, Murphysboro, Chicago, Venice, Braidwood, Springfield, and Danville, all in the State of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. LA FOLLETTE presented a memorial of sundry citizens of Wisconsin, remonstrating against any reduction of the duty on print paper and wood pulp, and praying for the enactment of legislation to prohibit the sale of foreign articles in the United States at less than the selling price in the country in which they are manufactured, which was ordered to lie on the table.

Mr. NELSON presented sundry affidavits to accompany the bill (S. 629) granting an increase of pension to Laura M. Hoard, which were referred to the Committee on Pensions.

Mr. LODGE presented petitions of sundry citizens of Boston, Woburn, Fall River, Lawrence, Rockport, Holyoke, and Lowell, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Mattapan, Roxbury, Roslindale, Boston, and Jamaica Plain, all in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Presque Isle, Sprague's Mills, Sebasco, Portland, and Princeton, all in the State of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Rumford, Me., remonstrating against any reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

MARCIA A. TAYLOR.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 31, submitted by Mr. DILLINGHAM on the 9th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Marcia A. Taylor, widow of George M. Taylor, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

THE TARIFF.

Mr. ALDRICH. From the Committee on Finance, I report back favorably, with amendments, the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes. I will state that the report is made on behalf of the majority of the committee. It is my purpose, in a moment, to move that when the Senate adjourns to-day it adjourn to meet on Thursday, and I desire to give notice that at that time I shall ask the Senate to proceed to the consideration of the bill which I now report.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. ALDRICH. I move that when the Senate adjourns to-day, it be to meet on Thursday next.

Mr. DANIEL. Mr. President, before that motion is put, I desire to say——

Mr. ALDRICH. I withdraw the motion, if the Senator from Virginia desires to address the Senate.

Mr. DANIEL. That is not necessary.

Mr. ALDRICH. The motion is not debatable. I shall withdraw it for the time being.

Mr. DANIEL. I am very much in favor of the motion, and for the reason that the Democratic members of the Finance Committee, myself included, have as yet had no opportunity to read this bill, or to know anything about its contents. They have been virtually eliminated from their proper preliminary service of committeemen; that is, from any opportunity to know what has passed with the committee; what are its sources of information or its reliability, and from the benefit of the counsel of that committee in forming their own opinions. They would have much liked to have had that opportunity. Parliamentary law contemplates that it shall be given.

I have been told, and I will not deny the assertion, for I do not know, that this has been the custom of the Finance Committee of this body in regard to the tariff. If so, the maxim of the common law applies, malus usus abolendus est. It is a practice more honored in the breach than in its observance. It deprives a Member of this body who is appointed to perform a public function of the chance to do so in any reasonable way.

We had the opportunity to vote upon one question. I do not recall that at any time there was an opportunity to vote upon any other. It was the question whether or not this bill should be favorably reported. Of course, we voted "No," for we knew nothing about it, and had no chance to know.

I think it due to the Democrats of this body and to the country that it should be known that they have had no chance except such as was filtered to them through their Republican associations to form an opinion about the bill. Of course, everybody knows that the Republican party has been charged by the country with the majority rule in this body, and therefore not only has the right, but the apparent duty, to frame a tariff bill. We can not object to any source the individual Members may apply to for their information; we can not object that the administration should afford them every facility in

its power to be fully instructed as to the bearings of all questions which arise; but we do assert that a minority has the same right to all the facilities that are enjoyed by the Republicans, including that of being present and of hearing and cross-examining, if they so desire, any witnesses who may testify.

In their private character wheresoever they please they may assemble; they have the power to make a combine with themselves to rule out considerations that are introduced by others; but I respectfully submit that they have not the right to use the Government as their adjunct and not permit the Democrats to have the same adjunct of information in all particulars.

It is true, Mr. President, and I wish to acknowledge it, that certain experts have been sent to give us information. This was in the privacy of our own minority meetings, when some were present at one time and some at another. The most lucid and the most beneficial and satisfactory way of information that a committeeman can get is that afforded by conference with his colleagues. In this vast country we all see things from different standpoints, and the difference of standpoints is often the rationale of the act that eventuates from its statement.

It is therefore most important, Mr. President, to the country that in the molding of a measure like this there should be present representative men who may hear the details of it bearing upon things about which they are most concerned. I do not wish to use rough words, and I entertain no rough feeling to any member of the committee. I concede that they think they have done their duty. I can not think so. On the contrary, I regard the practice as oppressive, as tyrannous, and as an impediment to full and dutiable public service.

Mr. CULBERSON. Mr. President, I do not rise to the motion, but merely to inquire of the Senator from Rhode Island if a written report accompanies the bill.

Mr. ALDRICH. No; it never has been the habit in the Senate to make a written report of the committee's action on tariff bills. There is no writen report. It is my purpose when the bill is taken up on Thursday to make——

Mr. CULBERSON. I do not understand that it has been the practice of the Senate to report a bill without its having been considered in committee.

Mr. ALDRICH. It is my purpose on Thursday, or whenever the bill is taken up for consideration, to make a brief statement of the character of the bill and what it proposes to do. That has always been the practice.

Mr. CULBERSON. I should like to ask the Senator if the bill as reported by the committee was read in the full committee.

Mr. ALDRICH. I do not know that I am permitted to state what happened in committee, but I will state for the information of the Senator that if the bill had been read in committee and taken up for consideration in the committee by paragraphs, at least a month would have elapsed before any conclusion would have been reached.

Mr. CULBERSON. I will ask one further question.

Mr. ALDRICH. A majority of the committee, having in view the public interests of the country, decided that the discussion had better take place, in their opinion, upon the floor of the Senate rather than in committee.

Mr. CULBERSON. I should be glad if the Senator would inform the Senate whether the minority of the committee had an opportunity even to read the bill.

Mr. ALDRICH. I will make the motion, Mr. President, that when the Senate adjourns to-day it be to meet on Thursday next, to give the minority of the Senate a chance to read it if they are so disposed. I am not sure whether they are or not. The Senator from Texas can tell, perhaps, whether they are.

Mr. CULBERSON. As suggested by the Senator from Georgia [Mr. BACON], it would require a vote, I understand, on the proposition to report it favorably without having an opportunity to read it or know what is in it.

Mr. ALDRICH. The Senator from Texas is not a member of the committee.

Mr. CULBERSON. No; but I am a Member of the Senate, and interested in the report.

Mr. ALDRICH. It is not customary to discuss on the floor of the Senate what transpires in committees.

Mr. DANIEL. Can you not tell things that did not transpire in the committee?

Mr. ALDRICH. It might take a long time to tell things that did not transpire in the committee.

Mr. DANIEL. I have no doubt; but no reading of this bill took place in the committee.

Mr. ALDRICH. I ask that the question be put on my motion.

Mr. OVERMAN. I wish to inquire of the Senator from Rhode Island whether there is printed a table showing the decrease or increase in each item of the schedules, and whether there is anything to show Senators——

Mr. ALDRICH. The printed bill which the Senator has in his hand shows that in each case.

Mr. OVERMAN. Does it show the amount of revenue to be derived from each article?

Mr. ALDRICH. No; but the committee are having prepared a statement which will contain an estimate of the revenue to be derived from the bill, and I expect to submit it to the Senate on Thursday.

Mr. BAILEY. Mr. President, in view of the statement which the Senator from Rhode Island has just made to the Senate, that it is not customary to relate on the floor what transpired in the committee room, I think it proper here and now to say that the minority will reserve the right and do reserve the right to say to the Senate and to the country that the bill was not read to the committee this morning, and no consideration was given to the bill or to any item of it. It was reported without the minority having had an opportunity to read a line of it. I think that is a matter of proper comment.

Whether that has been the practice heretofore or not is a question to be taken into consideration when determining whether that was a proper procedure, but intending, as I do, at some subsequent stage of the proceeding to comment upon it, I do not want to be foreclosed by the statement that we are not permitted to say what happened or what did not happen in the committee room.

I perfectly understand the obligations of an executive session. I perfectly understand that it is not as a general rule permissible to state on the floor what transpired in a committee. But in this particular case the procedure was exceptional. Possibly it was no more exceptional this time than it has been heretofore, but, at any rate, it is so exceptional as to justify an exception to the general rule that forbids a discussion on the floor of the Senate of what occurred in the committee room.

Mr. ALDRICH. Mr. President, the people of the country understand as well as the Members of this body that there is no limitation under our rules and practices in the examination of bills and the discussion of bills; and the question whether the bill was read in the committee, it seems to me, has no practical application here. The bill is here. It is a bill reported by the majority of the committee upon their responsibility. The Senate, the minority of the Senate and the majority of the Senate, have ample opportunity, without any limitation whatever, to read it, to consider it, to discuss it, and to amend it.

Mr. BAILEY. The Senator from Rhode Island is not exactly accurate when he says it is a bill reported by a majority of the committee. We have no such practice as that in the Senate. It is a bill reported by the committee. No bill can come here except on a report from a committee. The minority have the right, and I think it is permissible under all the proprieties, to explain that they resisted the bill and that they wanted time, or whatever their reason for opposing the report of it at that particular meeting.

Mr. BACON. Mr. President, I marked with some interest the fact that when the Senator from Rhode Island presented the bill to the Senate this morning he pursued the unusual course of saying that he presented it on behalf of the majority of the committee. I was at a loss then to understand why the Senator should have pursued that unusual course. I think I now understand it. When a committee considers a bill the majority and also minority vote upon it; the majority in such case represents the committee, and it can, with perfect propriety, present that bill to the Senate as the action of the committee. But when there has been no consideration or opportunity for consideration by the committee as a whole, when the minority members have been excluded from the opportunity to even see the bill, it is entirely proper that when the Senator, representing a majority only of the committee, presents that bill to the Senate, he should make it appear, as he has done, that it is not the action of the committee, but the action of a part of the committee, which alone has had the opportunity to consider it or even to read the bill.

I therefore think the Senator from Rhode Island, with his usual discrimination and accuracy, was entirely justified in presenting this bill to the Senate as the views of the majority of the committee and not as the action of the committee.

Mr. BAILEY. As a matter of fact but not as a matter of practice under the rules of the Senate.

Mr. BACON. I do not suppose the Senator from Texas understood me as taking issue with his position?

Mr. BAILEY. I did not.

Mr. BACON. I was only emphasizing the character of the action of the majority of the committee.

Mr. ALDRICH. I do not think that the statement of the Senator from Georgia needs any response.

I move that when the Senate adjourns to-day it be to meet on Thursday next.

The motion was agreed to.

Mr. BACON. I desire to say to the Senator from Rhode Island that I quite agree with him that what I said needed no response from him, because I so thoroughly justified the Senator in presenting the bill as the action of the majority only that he certainly could take no issue with me. I was in that manner in agreement with the propriety of what he had done in characterizing it as the report of a majority only of the committee, unusual as that was.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 1611) for the relief of Parsey O. Burrough; to the Committee on Claims.

By Mr. BACON:

A bill (S. 1612) for the relief of the heirs of Richard Reynolds, deceased; to the Committee on Claims.

By Mr. CULLOM:

A bill (S. 1613) for the relief of William B. Payne; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 1614) prohibiting the printing of certain matter on stamped envelopes and the sale thereof; to the Committee on Post-Offices and Post-Roads.

By Mr. DIXON:

A bill (S. 1615) granting an increase of pension to David B. Todd;

A bill (S. 1616) granting an increase of pension to Joseph Sharpney;

A bill (S. 1617) granting an increase of pension to Benjamin F. Estes; and

A bill (S. 1618) granting a pension to Maria Hinchcliff; to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 1619) granting an increase of pension to Caroline S. Bushee (with the accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 1620) granting an increase of pension to Eleanor P. Bigler;

A bill (S. 1621) granting an increase of pension to Matthew Caldwell;

A bill (S. 1622) granting an increase of pension to John Duke;

A bill (S. 1623) granting an increase of pension to Philander C. Burch:

A bill (S. 1624) granting an increase of pension to Stephen Taylor;

A bill (S. 1625) granting an increase of pension to John V. Nelson, alias John Nelson;

A bill (S. 1626) granting an increase of pension to Hans Wickstrum; and

A bill (S. 1627) granting a pension to Luella A. Taylor; to the Committee on Pensions.

By Mr. GUGGENHEIM:

A joint resolution (S. J. R. 20) to restore the status of the Third Colorado Volunteer Cavalry, who served during the late civil war; to the Committee on Military Affairs.

REDUCTION OF EXCESS DUTIES.

Mr. NEWLANDS. I submit an amendment to the bill just reported by the Senator from Rhode Island. I give notice of it, and ask the opportunity of saying a few words regarding it after it has been read.

The PRESIDENT pro tempore. If there be no objection, the amendment submitted by the Senator from Nevada will be read.

The Secretary read the amendment, as follows:

Amendment intended to be proposed by Mr. NEWLANDS to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Insert the following:

"That in the case of all duties fixed by this act in excess of 45 per cent ad valorem, the excess of such duty over 45 per cent shall be reduced annually at the rate of one-tenth of such excess per annum until such duty is lowered to 45 per cent.

"That such reduction shall commence on the 1st day of July, 1910."

Mr. NEWLANDS. Mr. President, I desire to say in explanation of this amendment that the minority, of course, realize that it will be impossible for them to shape a tariff bill in accordance with their views; that all they can do will be to aid the majority in an endeavor to reduce the excessive duties imposed by the Dingley Act and perpetuated in this act.

I have had an analysis made of the duties collected under the Dingley Act and I find that the total imports of the country aggregated about $1,100,000,000; that of these imports about $600,000,000 in value were dutiable, the balance being admitted free of duty; that the average duty collected was about 45 per cent of the value of the dutiable articles; that many of the duties were less than 45 per cent and many of the duties in excess of 45 per cent, in some cases reaching 100 per cent and over. We are told by the distinguished author of the pending tariff measure that, although many duties have been diminished others have been increased, and that the general average of the duty on the dutiable articles is slightly in excess of 45 per cent.

This amendment is intended to reach these excessive duties and to reduce them progressively and gradually within a period of ten years so that the changes effected may not accomplish any violent readjustment.

The amendment therefore which I offer provides that wherever under this act the duties exceed 45 per cent, the excess shall be reduced annually at the rate of one-tenth per cent per annum until all the duties of this act in excess of 45 per cent are lowered to such percentage.

I ask that the amendment be printed and referred to the Committee on Finance.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NEWLANDS. I ask leave to publish in the RECORD, in connection with my remarks, a statement of imports and duties for the year 1908, showing merchandise on which the average ad valorem rate of duty was 45 per cent or more.

I will say that this statement was made up from such information and with such aid as I could secure; that I am not sure it is entirely accurate, but I believe it to be approximately accurate, and I ask that it be published in the RECORD with my remarks.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

Statement of imports and duties for the year 1908 showing merchandise on which the average ad valorem rate of duty was 45 per cent or more.

Article.	Value.	Duties collected.	Average ad valorem rate of duty.
	Dollars.	*Dollars.*	*Per cent.*
Sugar	82,805,235.04	49,984,995.90	60.36
Cotton, manufactures of	49,816,978.39	28,864,424.75	57.94
Wool, manufactures of	19,101,576.16	17,424,734.07	91.22
Tobacco, and manufactures of:			
Leaf	22,275,283.84	18,504,681.74	83.07
Manufactures of	4,219,959.47	3,665,408.00	86.62
Total	26,495,243.31	22,160,089.74	83.64
Silk, manufactures of	31,755,212.30	16,498,078.07	51.94
Spirits, wines, and malt liquors:			
Malt liquors	3,329,210.99	1,823,977.15	54.78
Spirits, distilled	6,249,469.79	7,686,985.37	123.01
Wines	10,269,894.28	5,185,372.74	50.49
Total	19,848,575.06	14,696,334.26	74.04
Earthen, stone and china ware	13,109,796.45	7,708,892.54	58.80
Glass and glassware not elsewhere specified	6,175,786.31	3,285,920.81	53.21
Carriages and other vehicles and parts of, automobiles and parts of	2,873,467.00	1,293,060.15	45
Oilcloths	2,054,310.50	1,092,514.10	52.67
Hops	1,911,602.00	1,036,343.02	54.21
Perfumery, cosmetics, and toilet preparations	1,091,574.36	628,845.53	57.61
Pipes and smokers' articles	1,052,276.51	607,984.14	57.73
Musical instruments or parts of, etc.	1,338,563.97	602,353.35	45
Jewelry	905,368.19	543,067.09	59.99
Explosives	891,111.99	542,853.13	60.92
Beads and bead ornaments	535,165.17	292,559.15	54.67
Buttons or parts of, etc., not elsewhere specified	581,887.84	281,485.95	48.37
Lead, and manufactures of	429,085.60	270,333.95	63
Salt	471,476.79	212,669.32	45.11
Fans not elsewhere specified	362,065.59	181,011.28	49.99
Grand total	263,626,203.62	168,203,540.31	63.80
Imports the average ad valorem rate of duty on which was less than 45 per cent	393,789,716.38	114,379,354.22	29.05
Total dutiable imports and duties collected in 1908	657,415,920.00	282,582,894.53	42.94
Imports free of duty in 1908	525,704,745.00		
Total value of all imports, 1908	1,183,120,665.00		
Percentage of imports free			44.43
Percentage of imports dutiable			55.57
Duty collected per capita	3.24		

TAX ON GROSS RECEIPTS OF CORPORATIONS.

Mr. DANIEL submitted an amendment intended to be proposed to House bill 1438, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. DANIEL to H. R. 1438, to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

All corporations engaged anywhere in the United States in the business of transporting passengers or freight, whether chartered by the United States, a State, Territory, the District of Columbia, or a foreign government, and whether occupied in a State, Territory, or the District of Columbia, shall pay an annual excise tax equivalent to one-fourth of 1 per cent of the gross receipts of its business.

All other corporations engaged in business in the United States, its Territories, or the District of Columbia, whether chartered by the United States or a State or Territory or the District of Columbia, shall pay an annual excise tax equivalent to one-fourth of 1 per cent of the gross receipts of its business.

This tax shall not apply to municipal or other public corporations; to religious, cemetery, educational, or eleemosynary corporations; or to Masonic or other like fraternities; or to building and loan associations which make loans only to their shareholders; nor shall it apply to the corporations whose chief business is the purchase and sale of commodities.

Mr. DANIEL. Mr. President, I should like to say one word about the amendment. It proposes a tax of one-fourth of 1 per cent on the gross receipts of the corporations of the country. I beg leave to commend it to the consideration of the committee, and especially the necessity of accumulating fuller and more accurate statistics upon the subject than I have been able to obtain. I am endeavoring every day to get statistics, but as yet I have not been able to do so. When those statistics are produced, it is possible that the amendment may commend itself to the Senate, and also the percentage. It may also be possible, and perhaps desirable, to make some changes in the present structure of the measure.

MONOPOLIZED ARTICLES ON FREE LIST.

Mr. CUMMINS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. CUMMINS to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Add to section 1 the following:

Provided, That if with respect to any article or commodity upon which an import duty is laid under the provisions of this act, substantial, effective, and actual competition as to extent of production, price for sale, or manner of distribution has ceased or shall in the future cease to exist among domestic producers or sellers or both, generally throughout the United States, or if the buyers, users, or consumers of any such article or commodity are now or shall hereafter be deprived, and without regard to the cause or causes of such deprivation, generally throughout the United States, of the benefits and advantages of substantial, effective, and actual competition with respect thereto, then, and so long as such conditions or either of them shall exist, all imports of such articles or commodities shall be admitted free of duty into all the ports of the United States.

The existence of such conditions, or either of them, shall be determined as follows, to wit: Any citizen of the United States may bring a suit in equity for injunction in the circuit court of the United States against the collector of customs of any port of entry in the district in which the port is situated. The bill in any such suit shall contain the requisite allegations showing the existence of such conditions, or one of them, and shall pray for an injunction to restrain the collector from levying or collecting a duty or duties upon such article or commodity. The procedure in any such suit shall be as now established for ordinary suits in equity. Immediately after the service of the subpœna the defending collector shall publish for three successive days a notice of the bringing of the suit, stating in general terms the allegations of the bill and setting forth the day upon which the defendant is required to appear, in at least five daily newspapers published in the United States of general circulation, no two of which are published in the same State, and the cost of such publication shall be allowed to the collector as a part of his expenses. Upon the day on which the defendant is required to appear, or at such later date as the court may fix, any person, copartnership, association, or corporation interested in the manufacture or sale of such article or commodity may appear and be made a defendant to said suit, with all the rights, privileges, and obligations of a party thereto. If no such person, copartnership, association, or corporation shall appear, the United States district attorney for the district may, if he is so advised by the Attorney-General, appear for the collector and make such defense as the case may warrant. If upon the final hearing of any such suit an injunction shall issue, the clerk of the circuit court shall at once certify a copy of the decree to the Secretary of the Treasury, and then and thereafter all imports of such articles or commodities from all foreign countries shall be admitted free of duty into all the ports of entry in the United States.

Provided further, That if the President of the United States shall at any time be of the opinion that such conditions or either of them exist, it shall be his duty to direct the Attorney-General to give notice to the person or persons, copartnership or copartnerships, association or associations, corporation or corporations responsible therefor that, at the end of thirty days from and after the service of such notice the said article or articles, commodity or commodities will be admitted free of duty in all the ports of the United States, unless a bill in equity is brought in the circuit court of the United States against a collector by such persons, copartnerships, associations, or corporations or some or one of them to restrain such free admission of imports. If there is a collector in the district of the residence of any such person, copartnership, association, or corporation, or in the district of the residence of one of them, the suit shall be brought in that district, otherwise in the district in which any collector has his principal office. If no such suit is brought within the thirty days hereinbefore specified, the President of the United States shall by proclamation suspend the duties imposed by this act upon any such article or articles, commodity or commodities, and they shall thereafter be admitted free of duty. If, however, a suit is brought as hereinbefore last provided, the bill shall show by its allegations that no such condition or conditions exist, and shall pray an injunction to restrain the collector from admitting such imports free of duty. The Attorney-General, or by his direction the United States district attorney for the district in which the suit is brought, shall appear for the collector and defend the suit, and the procedure shall be as now established for ordinary suits in equity. If, upon final hearing, the court shall refuse to issue the injunction and shall find in its decree that such conditions or either of them exist, the clerk of the court shall immediately certify the decree to the Secretary of the Treasury, and then and thereafter such article or articles, commodity or commodities shall be admitted from all foreign countries into the ports of the United States free of duty.

Provided further, That if, following a decree in either of the cases hereinbefore mentioned, any article or articles, commodity or commodities are admitted free of duty, then, after the period of one year of such free admission of any such article or articles, commodity or commodities, any citizen of the United States may file a supplemental bill in any such suit showing that after the entry of the decree the condition or conditions found by the decree had disappeared, and that substantial, effective, and actual competition existed; whereupon such notice as the court may direct shall be given to the parties to said suit, and the supplemental bill, with the issues made therein, shall proceed to final hearing, the Attorney-General or, by his direction, the district attorney appearing for the collector. No testimony shall be introduced upon any such supplemental bill to impeach the original decree, but all testimony shall be confined to a change in conditions occurring after the original decree was entered. If, upon any such supplemental bill, the court shall enter a decree finding that the conditions found to exist by the original decree had changed, and that substantial, effective, and actual competition existed, the clerk of the court shall at once certify the decree upon the supplemental bill to the Secretary of the Treasury, and then and thereafter and until affected by a subsequent proceeding, taken in accordance with the provisions hereof, the import duties specified in this act shall be levied and collected upon such imports.

RATIO BETWEEN IMPORTATION AND CONSUMPTION.

Mr. NEWLANDS. I offer a further amendment to House bill 1438, and after it has been read I will make a short statement regarding it.

The amendment was read, as follows:

Amendment intended to be proposed by Mr. NEWLANDS to the bill (H. R. 1438) to provide, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Insert the following:

"That the President shall at the end of each fiscal year, when it shall appear that the imports of any commodity during such fiscal year have not equaled one-tenth of the consumption of such commodity in the United States, reduce the duty upon such commodity at the rate of one-tenth thereof per annum until the imports of such commodity shall equal one-tenth of the total consumption in the United States, whereupon such reduction shall cease, such deduction to be renewed annually when the importations of such commodity shall be reduced below one-tenth of the total consumption thereof in the United States."

Mr. NEWLANDS. Mr. President, the purpose of this amendment is to prevent the tariff from being unduly prohibitory of importations. In some cases the duty is so high under the Dingley Act and under the proposed bill as to practically prohibit importations, and in that way destroy competition with the outside world, and thus the domestic factories producing such commodities inside of the tariff wall are enabled to combine to create monopolies and raise the domestic prices of such commodities. The purpose of this amendment is to lower the duty whenever it is so excessive that the imports of a particular commodity do not equal one-tenth of the entire consumption of the country, to enable the executive department to ascertain when the importations of a particular commodity do not equal one-tenth of the total consumption, and thereupon, under the authority of this amendment, to institute a gradual reduction of such duty at the rate of one-tenth per annum until the imports of the commodity do equal one-tenth of the total consumption, and then when such imports do reach that limit the reduction authorized by this amendment is to end.

The PRESIDENT pro tempore. Does the Senator from Nevada desire to have the amendment referred?

Mr. NEWLANDS. Yes; let it be referred to the Committee on Finance.

The PRESIDENT pro tempore. The amendment will be printed and referred to the Committee on Finance.

WITHDRAWAL OF PAPERS—JACOB SOUDER.

On motion of Mr. CULLOM, it was

Ordered, That there may be withdrawn from the files of the Senate the papers in the case of Jacob Souder (S. 3005), Sixty-first Congress, first session, there having been no adverse report thereon.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 12 o'clock and 47 minutes p. m.) the Senate adjourned until Thursday, April 15, 1909, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 12, 1909.*

The House met at 12 o'clock noon.

Prayer by Rev. Hiram D. Bacon, of Andover, N. Y.

The Journal of the proceedings of Friday, April 9, was read and approved.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the adoption of the following order.

The SPEAKER. The gentleman from New York [Mr. PAYNE] asks unanimous consent for the adoption of the following order, which the Clerk will report.

The Clerk read as follows:

House Order No. 1.

Ordered, That the Clerk be directed to request the Senate to return to the House the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

That when said bill shall have been returned the Clerk shall reengross the same with the following amendment:

"At the end of paragraph 637 of section 2 strike out the period after the word 'refined' and insert a comma and the words 'and the products thereof.'"

And when the said reengrossment shall have been completed the said bill shall be returned to the Senate.

The SPEAKER. Is there objection?

There was no objection.

So the order was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 1033. An act to provide for the Thirteenth and subsequent decennial censuses.

EXTRA-SESSION EXPENSES.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House joint resolution 45.

Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

Resolved, etc., That the following sums are hereby appropriated out of any money in the Treasury not otherwise appropriated for purposes as follows:

HOUSE OF REPRESENTATIVES.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners from Porto Rico and the Philippine Islands, at $125 each, $49,750.

For the following employees, from April 1 to June 30, 1909, inclusive: 46 pages, including 2 riding pages, 4 telephone pages, press gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each; 14 messengers in the post-office, at $100 per month each, and for 3 telephone operators, at $75 per month each; in all, $15,340.

For services of one additional messenger in the post-office from March 4 to June 30, 1909, inclusive, at $100 per month, $390.

For folding speeches, $1,000.

Mr. CLARK of Missouri. Mr. Speaker, this does not increase the number of employees at all?

Mr. MACON. Mr. Speaker, I reserve the right to object.

Mr. TAWNEY. Will the gentleman withhold his objection for a moment?

Mr. MACON. I will reserve it.

Mr. TAWNEY. I would say to the gentleman from Missouri [Mr. CLARK] that this does not provide for any new places at all. But in the last Congress no provision was made for paying the session employees of the House for the extra session of the Sixty-first Congress. There is no money now available to pay these session employees on the 1st of next month or for the remainder of this session. In addition to this there are 78 new Members of the House who have no stationery allowance at all. And it is for the purpose of meeting these necessary expenses incident to this extra session of Congress alone that this appropriation is offered.

Mr. CLARK of Missouri. These men named in the resolution do not get annual salaries?

Mr. TAWNEY. No, sir. They are not annual, but session, employees, and there are no funds available to compensate them for the services they have rendered and will render from this on to the close of this session.

The SPEAKER. Is there objection?

Mr. MACON. Mr. Speaker, I desire to ask the gentleman a question or two before I consent. I notice that the resolution carries a provision for $125 each for stationery for Members?

Mr. TAWNEY. Yes, sir.

Mr. MACON. That is to be paid to the Members for this extra session of Congress?

Mr. TAWNEY. Yes; that is for this session of Congress.

Mr. MACON. Now, about the money that is provided for in it for the folding of speeches. Is that absolutely necessary?

Mr. TAWNEY. I am informed by the Doorkeeper of the House, under whose control the force is employed in folding speeches of Members, that he will have over 2,000,000 copies of speeches to be folded for Members at this session of Congress, and that the appropriation made for that purpose for the fiscal year 1909 will not be sufficient to meet this demand—this increased demand and unexpected demand—for the folding of so large a number of speeches.

Mr. MACON. How many other employees are there mentioned in the resolution?

Mr. TAWNEY. They are all the session employees, for which there is no money available for the payment of their compensation for this session. We did not last session of Congress make provision for the payment of these employees for the extra session. The appropriation was made for the session employees for the first regular session, beginning December next, but no money has been appropriated for the session employees for this session of Congress.

Mr. MACON. Does this resolution carry a provision to pay janitors for committees that have not been appointed?

Mr. TAWNEY. It does not. There is no new position under the resolution at all. It provides only for the money necessary to compensate the session employees for this session of Congress.

Mr. BARTLETT of Georgia. Will the gentleman allow me? I do not desire to object, and shall not object, but that a wrong impression may not be obtained by the country, which wrong impression exists now in a great many localities, I notice that the gentleman speaks about appropriating money for folding speeches. The gentleman knows, and we all know, that the money paid for the folding of the speeches is finally paid by the Members that have their speeches printed. The folding of the speech is part of the expense of sending the speech out, and that when the Members have their speeches printed at the Government Printing Office the expense is paid by them. In other words, that Members here do not get the printing and the folding of their speeches that they send out free or paid by the Government, but that the Members themselves at last pay all the expenses, and, in my judgment, a much greater sum than they would pay if done outside of the Government Printing Office.

Mr. TAWNEY. I am obliged to the gentleman from Georgia for the interruption, and would say that while to-day the Doorkeeper of the House must necessarily have this money, with which to pay the men employed in folding the speeches, that money is reimbursed to the Treasury by the individual Members when they pay for the speeches which they themselves have had printed and folded.

Mr. BARTLETT of Georgia. That is what I wanted to draw out—that while the thousand dollars is to-day paid out of the Treasury, that it is part of the expenses returned by the Members individually that have their speeches printed.

Mr. TAWNEY. It is in the first instance paid out of the Treasury, but the amount, as I understand it, is included in the cost to the Member for the printing of his speeches.

Mr. MANN. Let us have no misunderstanding, gentlemen, about this.

Mr. HAUGEN. There is a percentage taken out that is applied that way.

Mr. MACON. Mr. Speaker, I will say to the gentleman that if he will amend his resolution so as to cut out the $125 for each Member for stationery I shall not object. I do not believe that an additional $125 each to the membership of the House for stationery ought to be given. We have already received $125 each for this year, and we will receive $125 next December for next year, and I am opposed to an additional $125 for stationery for the three or four months of this special session, and hence I object. If the gentleman will amend his resolution, striking out that provision, I will not object.

Mr. TAWNEY. Mr. Speaker, in answer to the gentleman from Arkansas [Mr. MACON], I will say, as I said a moment ago, there are about 78 new Members of this House who have received no part of the money heretofore appropriated for stationery, for the reason that the appropriation for stationery is

made for each session of Congress and is not an annual appropriation. The appropriation for stationery for the last session of the Sixtieth Congress is therefore exhausted, and the appropriation for the first regular session of the Sixty-first Congress will not be available before July 1 next. Therefore there is no appropriation available to meet the stationery allowance allowed by law for this, the extra session of that Congress. If the appropriation for stationery was an annual appropriation, covering the entire year, the position of the gentleman from Arkansas [Mr. MACON] would be correct; but it is not. It is an appropriation for each session. The expense of Members for stationery at this session is just as great as at any other session, and their right to it under the law is the same. The statute on the subject reads as follows:

For stationery, $15,000: *Provided*, That from any after the 3d day of March, 1868, no Senator or Representative shall receive any newspapers except the Congressional Globe, or stationery or commutation therefor, exceeding $125 for any one session of Congress.

Approved February 12, 1868. (Stat. L., vol. 15, p. 35.)

A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Would it be in order to move to suspend the rules and pass the resolution?

The SPEAKER. The Chair believes this is not suspension day. A demand for the regular order might, perhaps, enable the gentleman, a little later, to have the matter considered.

Mr. BURLESON. Regular order!

The SPEAKER. Regular order is demanded. The regular order is the call of committees.

The Clerk, proceeding with the call of committees, called the Committee on Accounts.

JANITORS.

Mr. HUGHES of West Virginia. Mr. Speaker, I desire to offer a privileged report from the Committee on Accounts.

The SPEAKER. The gentleman from West Virginia offers the following privileged report.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House for the services of janitors to care for the rooms of the following-named committees compensation at the rate of $60 per month from and including March 4, 1909, and during the remainder of the present session, to be appointed subject to the approval of the Committee on Accounts, namely:

One to the rooms of the Committee on Election of President, Vice-President, and Representatives in Congress and the Committee on Reform in the Civil Service;

One to the rooms of the Committee on Manufactures and the Committee on Expenditures in the Department of Agriculture;

One to the room of the Committee on Railways and Canals;

One to the room of the Committee on Pacific Railroads;

One to the rooms of the Committee on Coinage, Weights and Measures and the Committee on Expenditures in the Treasury Department;

One to the room of the Committee on Disposition of Useless Papers in the Executive Departments; and

One to the room of the Committee on Education.

Mr. HUGHES of West Virginia. Mr. Speaker——

Mr. MACON. Mr. Speaker, I reserve the right to object.

The SPEAKER. Well, the reservation of the right to object would not apply to this report. It is a report from the Committee on Accounts, which is privileged, and is before the House for consideration.

Mr. MACON. I did not know that the House was in session for the purpose of passing anything except the tariff bill.

The SPEAKER. Well, the Chair knows of nothing to prevent the House considering anything that is in order under the rules. The Chair is not aware of any constitutional provision which would prevent the House of Representatives doing any business that it might desire to do under the rules.

Mr. MACON. Then, Mr. Speaker, I would like to ask the chairman of the Committee on Accounts to yield me about three minutes when he gets through.

The SPEAKER. Does the gentleman from West Virginia yield to the gentleman from Arkansas?

Mr. HUGHES of West Virginia. I will, after I make my statement.

I will say for the information of the House that this provides for seven janitors, all of whom are in the Capitol building except two, namely, the Committee on the Disposition of Useless Papers, of which the gentleman from Pennsylvania [Mr. BATES] is chairman, and the Committee on the Election of President, and so forth, of which my colleague [Mr. GAINES] was chairman in the last Congress. The former has been appointed and is at work. The Committee on Election of President and Vice-President have a large committee room and no one to look after it. It is not cared for by the charwomen, as are Members' office rooms in the Office Building. None of the committee rooms located in the Office Building are cared for by charwomen. The Doorkeeper advises me that as far as the committee rooms in the Capitol building are concerned, there is no provision to clean them and take care of them; and while the chairmen of committees named in the resolution have not been appointed, the presumption is that they will be reappointed to their old committees, and they are using the rooms formerly occupied by them in preference to the rooms in the Office Building because they expect to be permanently located in their old quarters.

Therefore the rooms so occupied should receive the same care and attention as formerly. Besides, these janitors perform messenger service.

Mr. MADDEN. Does the gentleman wish to convey to the House the information that it is necessary to have a janitor for each one of these rooms?

Mr. HUGHES of West Virginia. I intend to convey to the House the information that it is necessary to have janitors for the rooms that are asked for. These janitors in some instances take care of more than one room each.

Mr. MADDEN. If they are to take care of more than one room each, why should they be specifically appointed for the purpose of taking care of the one room?

Mr. HUGHES of West Virginia. They are not. If the gentleman will permit me to say, it is specified in this resolution that one janitor shall take care of the room of the Committee on Election of President and Vice-President and Representatives in Congress and the Committee on Reform in the Civil Service. One janitor takes care of the rooms of these two committees.

Mr. MADDEN. Does the gentleman wish the House to understand that this is an economical administration of the affairs of the House?

Mr. HUGHES of West Virginia. Yes; it is a 50 per cent reduction. In the last Congress we had 14, and now we are asking for 7.

Mr. MADDEN. Do I understand the gentleman to say it is reducing the number of janitors who are required to take care of the rooms of these various committees——

Mr. NORRIS. That reduction is only temporary, I think.

Mr. MADDEN (continuing). Or is the gentleman asking for 7 additional janitors?

Mr. HUGHES of West Virginia. Oh, no; we had 14 in the last Congress, and we are asking for 7 here.

Mr. MADDEN. What were those 14 doing?

Mr. HUGHES of West Virginia. They were taking care of the different committee rooms to which they were assigned by a resolution passed in the last Congress.

Mr. MADDEN. Can the gentleman enumerate the committee rooms that they did take care of?

Mr. HUGHES of West Virginia. If the gentleman will refer to the resolution that I brought in a few days ago——

Mr. MADDEN. Where is that resolution to be found, so that it can be referred to?

Mr. HUGHES of West Virginia. It was published in the RECORD, and if the gentleman would read the RECORD he would get the information.

Mr. MADDEN. I would like to have the gentleman who presents the resolution read it.

Mr. HUGHES of West Virginia. I will find it for the gentleman. I now yield to the gentleman from Arkansas [Mr. MACON].

Mr. HAY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HAY. Has the Speaker appointed a Committee on Accounts for this Congress?

The SPEAKER. The Speaker has appointed, under the law during the last session of the last Congress, possibly on the 3d or 4th of March, a Committee on Accounts which, under the law, as the Speaker recollects, acts as a temporary Committee on Accounts to perform all the duties of that committee until the House is organized and the full committee is appointed. The Chair will cause the section to be read from the precedents which seem to refer to the law.

The Clerk read as follows:

The statutes provide that before the termination of the last session of a Congress the Speaker shall appoint from the Representatives-elect a temporary Committee on Accounts of three members, which committee shall have the same powers and perform the same duties in reference to payments made from the contingent fund of the House of Representatives as are authorized by law and the rules of the House. This said temporary Committee on Accounts begins to exercise its powers immediately upon the termination of the Congress and continues to exercise and discharge its duties until after the meeting and organization of the House of Representatives of the next Congress, and until the appointment of the regular Committee on Accounts. And all payments made out of the contingent fund of the House of Representatives upon vouchers approved by the temporary Committee on Accounts shall be deemed, held, and taken as, and are declared to be, conclusive upon all the departments and auditing officers of the Government.

Mr. BARTLETT of Georgia. Will the gentleman yield?

Mr. HUGHES of West Virginia. I have already yielded to the gentleman from Arkansas [Mr. MACON].

The SPEAKER. How much time does the gentleman yield?

Mr. HUGHES of West Virginia. I yield three minutes.

Mr. MACON. Mr. Speaker, under the ruling of the Chair the gentleman from West Virginia, it seems, brings in a privileged report, which, of course, does not require unanimous consent. A majority vote is sufficient to pass it. What I desire to do in the few minutes allotted to me is to enter a protest against this attempt to exploit the finances of the Treasury at a time when they are sorely in distress. We know that these committees have not been appointed by the Speaker, and hence the selection of janitors to serve them for the next six months will be a gratuity on the part of this body, taking the money from the Treasury of the United States and putting it in the hands of these janitors, who desire compensation, to please some friends of the chairmen of the committees who have not yet been appointed, in order to carry out some sort of a promise that has been made by them to some one.

It may be right, Mr. Speaker; but if so, I have never been able to understand what right is. I do not think it is right to call upon the taxpayers of the country to furnish the funds to pay for the services of employees of committees which are not yet in existence.

Of course, these gentlemen ought to have their rooms cleaned while Congress is in session, but we have a general appropriation to provide for the payment of charwomen who clean the offices in the House Office Building. The committee rooms are but little more trouble to clean than are the rooms of the members of the committees, and I can not understand why these charwomen that go right by the doors of the committee rooms, in order to clean up the offices of Members on each side of them, can not attend to cleaning up these particular committee rooms. It strikes me that that would be the proper thing to do. Mr. Speaker, I therefore enter my protest against this resolution, and I hope the House will not enter upon an exploitation of the revenues of the people at a time when they are running behind our extravagant expenditures—$150,000,000 a year, with a tariff bill that has just passed that will not meet the requirements and supply the deficiency; that will not provide funds sufficient to pay the expenses of the Government for the next year after it has been enacted into law.

Mr. HUGHES of West Virginia. I will now yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT of Georgia. Mr. Speaker, I do not desire to be understood as acquiescing in the proposition stated by the Speaker in reference to the powers of this temporary Committee on Accounts. I believe this resolution is privileged, Mr. Speaker, not by reason of the fact that it was reported from the Committee on Accounts, but by reason of the fact that there has now been a call of committees and the morning hour has not expired, and the House may control it and pass upon it as a matter of privilege. I merely rise for the purpose of saying that in my judgment, construing the statute which authorizes the Speaker in the act of 1909 to appoint a temporary, or ad interim, Committee on Accounts, to exercise simply the function of examining and approving expenditures out of the contingent fund during vacation, will not give that committee, composed of three, the right to pass upon resolutions introduced into this House which the full committee would have. In other words, if that were true, then the Speaker need not fill up the committee at all—need not have a full committee—but the whole business could be transacted by three men, whereas the committee has always heretofore consisted of nine.

As far as I am concerned, I am not now, by the vote I am going to cast for this resolution or its consideration, committing myself to the proposition that this temporary, ad interim committee has a right, until the full committee is appointed, to pass upon and decide and report any resolution with reference to the expenditure of money out of the contingent fund which the full committee when appointed would have.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. BARTLETT of Georgia. In a minute. I do not believe it ever was intended that a temporary Committee on Accounts, appointed for the special purpose of overlooking the expenditures from the contingent fund during the recess or vacation of Congress, should have the same power when Congress was in session that the full committee should have. Now, I yield to the gentleman from Mississippi.

Mr. HUMPHREYS of Mississippi. How long are these janitors provided for in this resolution; how long will they hold office?

Mr. BARTLETT of Georgia. During the session.

Mr. HUMPHREYS of Mississippi. Not during the recess?

Mr. BARTLETT of Georgia. These janitors are provided merely for the session of Congress, as I understand it.

Mr. HUGHES of West Virginia. During the session.

Mr. HUMPHREYS of Mississippi. Their time of service expires when this present session is concluded?

Mr. HUGHES of West Virginia. Yes.

Mr. BARTLETT of Georgia. Mr. Speaker, one word with reference to this particular resolution. These janitors provided for by this resolution are only 7 out of 14 that we had during the last session. They were session employees. I am informed by the officers who have these committee rooms in charge, or whose duty it is to overlook them, that they are absolutely necessary in order to take care of the rooms and to preserve the furniture and property of the United States. Therefore I shall vote for the resolution.

Mr. HAUGEN. Mr. Speaker, I wish to say for the information of the gentleman that the committee rooms in the Office Building are not provided with janitor service, and I have paid for janitor service out of my own pocket.

Mr. BARTLETT of Georgia. Then I shall try to get a janitor for the gentleman.

Mr. HAUGEN. I paid for janitor service the first half of last session.

Mr. BARTLETT of Georgia. I do not doubt that, and this is to prevent men who have these committee rooms, or who will have a right to them, from having to go into their own pockets to pay for service which the Government ought to pay for in order that its property may be properly taken care of and preserved, and for that reason the resolution ought to pass.

Mr. HUGHES of West Virginia. Mr. Speaker, for the information of the gentleman from Illinois [Mr. MADDEN] I desire to read the list of session janitors authorized in the last Congress:

One to the Committee on Education.
One to the Committee on Levees and Improvements of the Mississippi River and the Committee on Reform in the Civil Service.
One to the Committee on Mines and Mining and the Committee on Expenditures in the Department of Agriculture.
One to the Committee on the Election of President, Vice-President, and Representatives in Congress and the Committee on Expenditures in the Interior Department.
One to the Committee on Industrial Arts and Expositions and the Committee on Manufactures.
One to the Committee on Coinage, Weights, and Measures and the Committee on Expenditures in the War Department.
One to the Committee on Railways and Canals.
One to the Committee on the Militia and the Committee on Mileage.
One to the Committee on Expenditures on Public Buildings and the Committee on Ventilation and Acoustics.
One to the Committee on Expenditures in the Department of Justice and the Committee on Expenditures in the Post-Office Department.
One to the Committee on the Disposition of Useless Papers in the Executive Departments and the Committee on Alcoholic Liquor Traffic.
One to the Committee on Expenditures in the Department of Commerce and Labor and the Committee on Expenditures in the State Department.
One to the Committee on the Pacific Railroads.
One to the Committee on Private Land Claims.

In all, 14 for 24 rooms; and now this resolution which I have offered to-day curtails that number of janitors by one-half, who shall care for 10 rooms and act as messengers.

I now yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I think that if this resolution is enacted into law it will provide for a piece of reckless extravagance that ought not to prevail. There is no reason on earth why a janitor should be appointed to take care of the committee room occupied by the Committee on the Election of the Vice-President. What did that committee ever do?

Mr. HUGHES of West Virginia. I will say for the information of the gentleman that this resolution will not be enacted into law. It is simply a resolution to provide for these janitors during the present extra session of Congress.

Mr. MADDEN. I realize what it is; but you get them on the pay roll once, and they will never leave it.

Mr. HUGHES of West Virginia. They were on the pay roll last session, and they are off now.

Mr. MADDEN. Then you provide in this resolution for the appointment of a janitor to take care of the room of the Committee on the Election of Representatives in Congress. Who ever heard of that committee having a meeting?

Mr. BARTLETT of Georgia. Why, the gentleman is confusing the committees. It is all one Committee on the Election of the President, the Vice-President, and Representatives in Congress.

Mr. MADDEN. Then there is the Committee on Manufactures—a beautiful committee room down here in the Capitol building occupied by a number of distinguished gentlemen.

Mr. GAINES. Will the gentleman yield?

Mr. MADDEN. Oh, I have only two or three minutes.

Mr. GAINES. I only wanted to make one statement, and that is that the Committee on the Election of the President, Vice-President, and Representatives in Congress met as often during the last session as any other committee of this House.

Mr. MADDEN. I do not know what they had to do or what they could have. They may have had some social duties to perform.

Mr. GAINES. It is not the fault of the committee, but the fault of the gentleman, that he is not advised.

Mr. MADDEN. Oh, I am just as well advised as the gentleman from West Virginia. Then we have another distinguished committee for which it is sought to have a janitor appointed.

Mr. RUCKER of Missouri. Will the gentleman yield?

Mr. MADDEN. I can not yield. I have only half a minute. We have the Committee on Railways and Canals, a committee that never meets.

Mr. DAVIDSON. Oh, I beg to differ with the gentleman. [Laughter.]

Mr. MADDEN. Then we have the Pacific Railways Committee, another committee that never meets; Coinage, Weights, and Measures; Useless Papers; and Education. Whoever heard of those committees having anything to do or, if they ever had anything to do, who ever heard of their doing it? [Laughter.] I think it is unfair to the intelligence of the American people to offer a resolution seeking to appoint men—to do what? To sit around and wait on the chairmen of these distinguished committees. There is no reason why these committees should have men sitting at the door to answer the beck and call of the chairman of a committee that never meets. It is only for the purpose of giving somebody a chance to put a man on the pay roll, and I am opposed to it. We have too many men on the pay roll of the House organization now. We could get along with a quarter of the number we have, and we would have better service than we have. [Applause.] We are too free to spend the money of the American people without giving them any return for the expenditure that is made.

The business of this House should be conducted upon the same economical lines that the business of a manufacturing institution anywhere in this country is conducted. There is no reason, except the reason to give a place to somebody, why these places should be created, and that is not a good reason and ought not to be a potent reason, and these appointments should not be made. There is nothing for the men to do, and they ought not to be put upon the pay roll——

Mr. HUGHES of West Virginia. Will the gentleman yield for a question?

Mr. MADDEN. Oh, certainly.

Mr. HUGHES of West Virginia. Does the gentleman think that a janitor should be appropriated for for the committee room of the Committee on Appropriations? That committee has not been appointed.

Mr. MADDEN. The gentleman from Illinois is not saying what janitors should be provided, but the gentleman is saying what janitors should not be provided. I do not want to hit anyone. I have no personal interest in this, no personal animosity. I have no friends to reward and no enemies to punish. I am here to speak for an economical business administration of the affairs of this House. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I am opposed to the passage of the resolution in its present form, and I wish to call the attention of the House to my reasons. This resolution provides a janitor for the room of the Committee on Election of President, Vice-President, and Representatives in Congress and the Committee on Reform in the Civil Service. One of these committees is located in the House Office Building; the other committee is located in this Capitol building. I am opposed to a janitor for the Committee on Useless Papers in Executive Departments. That committee is located in the House Office Building. It has one room. As a member of the House Office Building Commission, I have endeavored to keep the number of employees there down to the number which can properly and economically take care of that building. Forty charwomen, at $20 a month, keep that building clean. It is proposed here, because one Member, who happens to be chairman of a committee which has one room, the same as every other Member who is not chairman of a committee, that a janitor shall be appointed to take care of his room at $60 a month. It may be that he should have a messenger, but it is preposterous to give him a janitor to take care of that one room. I submit also that of the committees which I have previously mentioned, the Committee on Election of President, Vice-President, and Representatives in Congress, if I be not mistaken, has one room in the House Office Building. A janitor is not needed especially to take care of that room. He will not take care properly of the room in the House Office Building and a room in this building at the same time. If either of those committees need a messenger, it would be proper to provide it with a messenger, but under the pretense of giving help to keep a room in proper condition to nominate these men as janitors at $60 a month, in my opinion, is absolutely indefensible. I wish to say, Mr. Speaker, that I propose to scrutinize carefully every resolution that comes providing for additional help in the House Office Building.

I have not approved so far, as a member of the commission, the employment of a single employee in that building that I have not been satisfied was necessary. I hope that this House will not at this time commence to authorize the employment of men there who are unnecessary. The result of such action will eventually result in that building being as heavily loaded down as this building is with useless employees. I shall vote against the resolution unless those committees with offices in the House Office Building, at least, are taken from it. What is necessary in this building—the Capitol—for janitor service, I am unable to tell. I do not know just in what shape the force is which takes care of the building. Many of the committees of this House require messengers and should have them. I am willing to give all the help reasonably or legitimately needed, not only by the committees of the House, but for the convenience and requirements of the Members of the House. But I am opposed to authorizing the appointment of employees whose appointment can not be justified upon any ground whatever. I hope the resolution will not be adopted.

Mr. HUGHES of West Virginia. I yield to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I do not wish to demagogue upon this matter. I have not been a cheese parer here, perhaps unfortunately, and the last man that I would want to strike at would be a janitor. But, Mr. Speaker, this is a proposition to appoint janitors for committees that do not exist. There is no Committee on Election of President and Vice-President. That committee is not going to have anything to do with the election of another President this session or pass upon the returns of an election this session. And then there is a Committee on Manufactures, the Committee on Railways and Canals, the Committee on Pacific Railroads, and a number of others; none of these have been or will be appointed this session. There is no service that a janitor will perform or can perform in the rooms occupied by those committees. Now, I suppose, of course, that the rooms in the Capitol will stand upon the same plane as the rooms that are in the House Office Building, and will be as well taken care of as were the individual rooms in the House Office Building. During last summer's vacation the rooms of the House Office Building were entirely cleansed, not only outside the desks, but inside the desks. There is not a single committee mentioned in this resolution, except perhaps one, which has been appointed or which will be appointed for this special session, and the purpose here in this resolution is to appoint janitors for committees that do not exist, that will not meet, that will never be called together during this special session, that will not exist during this special session, and the proposition is just a matter of pure and simple gift and charity.

Mr. HUGHES of West Virginia. Mr. Speaker, I yield one minute to the gentleman from Vermont [Mr. FOSTER].

Mr. FOSTER of Vermont. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from Vermont [Mr. FOSTER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of the resolution add the following:
"One to the rooms of the Committee on Expenditures in the Department of Commerce and Labor and the Committee on Expenditures in the Department of State."

Mr. BARTLETT of Georgia. Does that mean two?

Mr. FOSTER of Vermont. One janitor for the two committees—three rooms.

Mr. Speaker, it seems to me that the House, in its eagerness for reform this morning, does not desire to work any injustice. Take these two committees. In the former Congress the gentleman from Massachusetts [Mr. WEEKS] was chairman of one, and I was chairman of the other. Our rooms were here in the Capitol. A janitor was provided for these rooms by a resolution similar to the pending one. During this extra session the gentleman from Massachusetts [Mr. WEEKS] occupies the rooms which he occupied last session, and I occupy the room that I occupied last session. We have no janitor and no way to get one except by this resolution. There are three rooms occupied by these two committees.

Mr. SCOTT. Will the gentleman yield for a question?

Mr. FOSTER of Vermont. Certainly.

Mr. SCOTT. Does the gentleman mean to give the House the information that unless this resolution passes the rooms to which he refers will have no janitor service at all?

Mr. FOSTER of Vermont. That is exactly what I mean. We have made generous provision for janitor service in the new Office Building, and now we who remain here in the Capitol ask for decent treatment. I am sure that the Members of the House understand the situation. I am perfectly willing that the whole question of the patronage of the House should be overhauled. I am just as willing as any of you to enter upon a new era in the matter of the expenses and patronage of the House. But this has nothing to do with the question of adequate janitor service. Every one of you having a room in the Office Building has the benefit of a janitor service provided by Congress, but we who remain in the Capitol awaiting the decision of the Speaker as to our committee appointments are obliged to do our own janitor service. When we ask to be treated as our colleagues are treated, the gentleman from Illinois cries out for reform.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. FOSTER of Vermont. Certainly.

Mr. MADDEN. I do not know how true it is—there is, possibly, some gentleman who knows—but I would like to inquire if it is not a matter of fact that there are a number employed as janitors at $60 to $80 a month, and they employ men at $20 to do the work?

Mr. FOSTER of Vermont. I know nothing about that; I know nothing about the service of janitors, except in this one instance, I know with reference to the man that takes care of the janitor work in connection with these three rooms I have specified. These three rooms are attended to by this man, who was upon the pay roll last session and drew his salary of $60 a month, and under this resolution he would be on the pay roll and allowed $60 a month; and unless it is paid by the House, we are in honor bound to see that it is paid ourselves.

Mr. GARRETT. May I ask the gentleman where his committee room is?

Mr. FOSTER of Vermont. My committee room is on the floor below the restaurant floor.

Mr. GARRETT. Are they in this building?

Mr. FOSTER of Vermont. They are both in this building.

Mr. GARRETT. Let me ask the gentleman this question: Were you gentlemen who are chairmen of committees, where the committee room is left in this building, permitted to select offices in the Office Building?

Mr. FOSTER of Vermont. No.

Mr. GARRETT. You are excluded from selecting rooms over there?

Mr. FOSTER of Vermont. We had to stay here. In point of fact, when the extra session opened there were not rooms enough vacant in the Office Building for the new Members.

Mr. HUGHES of West Virginia. I yield one minute to the gentleman from Illinois [Mr. PRINCE].

Mr. PRINCE. Mr. Speaker, I desire to offer the following additional amendment, to add to the end of the resolution as follows.

The Clerk read as follows:

Add to the end of the resolution as follows:

"One to the room of the Committee on Levees and Improvements of the Mississippi River, and the Committee on Reform in the Civil Service."

Mr. FITZGERALD. The Committee on Reform in the Civil Service is already provided for. Do you want another?

Mr. PRINCE. The only reason I did that was, I was under the impression the chairman would amend his resolution, because the room of the Committee on Reform in the Civil Service is near by the committee room that I have had heretofore in this building, and the Committee on Election of President, Vice-President, and Representatives in Congress is now over in the Office Building, and I was asking that we have the same as last year. There are two rooms assigned to these committees, one on Levees and Improvements on the Mississippi River, and the other for the Committee on Reform in the Civil Service.

The gentleman from Vermont [Mr. FOSTER] has very plainly and frankly and squarely stated the condition that we are in who have been chairmen of little committees in the rooms in this old building. I trust and hope that the members of this committee and of the House will not treat us unfairly in this matter, but will favor these different amendments.

Mr. HUGHES of West Virginia. Mr. Speaker, in order to meet the objection, I want to make a change in the first paragraph, to strike out "Reform in the Civil Service" and insert "Expenditures in the Department of the Interior," so as to get the two committee rooms together. It was put in the other way by mistake.

The SPEAKER. The gentleman asks unanimous consent to modify his resolution. Is there objection?

Mr. FITZGERALD. Mr. Speaker, is this amendment pending?

The SPEAKER. This is not an amendment. The gentleman asks unanimous consent to modify his resolution. Is there objection?

There was no objection.

Mr. DAVIS. Mr. Speaker, will the gentleman yield to me two or three minutes?

Mr. HUGHES of West Virginia. I do not think it is necessary to prolong this discussion.

The SPEAKER. Let the modification be reported.

The Clerk read as follows:

Strike out "Reform in the Civil Service" and insert "Expenditures in the Department of the Interior," so that it will read "one to the rooms of the Committee on Election of President and Vice-President and Representatives in Congress, and the room of the Committee on Expenditures in the Department of the Interior."

Mr. MADDEN. I object.

The SPEAKER. Consent has already been given to the modification.

Mr. FITZGERALD. Let me call attention to the fact that the office of the Committee on Expenditures in the Department of the Interior is also in the House Office Building.

Mr. HUGHES of West Virginia. We understand that. We want to provide that both rooms shall be in the Office Building, and to take care of both those committees.

Mr. FITZGERALD. One charwoman, at $20 a month, takes care of 20 rooms and the corridors. Does the gentleman think those two committees should have a janitor at $60 a month to take care of two rooms?

Mr. HUGHES of West Virginia. Oh, well, Mr. Speaker, these janitors do messenger service, besides cleaning the rooms.

Mr. FITZGERALD. I do not know what messenger service a man could perform for the Committee on Expenditures in the Interior Department.

Mr. HAUGEN. Mr. Speaker, just a statement in reply to the gentleman from New York [Mr. FITZGERALD]. He stated that we have already employed, I believe, 40 or 20 charwomen, and that the committee rooms in the Office Building are cared for. I happen to have been the chairman of one of those committees, and I have paid money out of my own pocket for janitor service, not only since the adjournment of the Sixtieth Congress, but for the first half of the Sixtieth Congress——

Mr. FITZGERALD. In the House Office Building?

Mr. HAUGEN. In the House Office Building. We have made application——

Mr. FITZGERALD. If the gentleman did that, let me say to him that it was not because he could not get charwomen to do the work, but because he was anxious to have some particular man do his work.

Mr. HAUGEN. Oh, no; we have made application to the gentleman in charge——

Mr. FITZGERALD. The gentleman never made application to the House Office Building Commission, who, under the law, have control of the building, or he would have got a charwoman to do the work.

Mr. HAUGEN. I asked the gentleman in charge of the building.

Mr. FITZGERALD. I do not know whom the gentleman applied to personally, but I am speaking of what the law is.

Mr. HUGHES of West Virginia. I yield to the gentleman from Connecticut [Mr. HENRY] to offer an amendment.

The SPEAKER. The gentleman yields to the gentleman from Connecticut [Mr. HENRY] to offer the following amendment——

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry——

The SPEAKER. The Chair understands that the gentleman offers it as a substitute.

Mr. MADDEN. I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. I want to know how many times this resolution can be amended under the rules of the House.

The SPEAKER. This is an amendment in the third degree, which the gentleman can offer, if he chooses, by way of substitute.

Mr. MADDEN. This is the fourth amendment that has been offered to the resolution.

The SPEAKER. There is an amendment, an amendment to the amendment, and a substitute, which would be in order, and the Chair understands the gentleman offers this as a substitute.

Mr. MADDEN. In the first place the gentleman offered an amendment——

Mr. HENRY of Connecticut. Mr. Speaker, I will withdraw the amendment.

Mr. GAINES. Mr. Speaker, this resolution comprises several different propositions, and the gentleman was offering an amendment to one clause or paragraph of the resolution. Is it not in order to amend each paragraph of the resolution?

The SPEAKER. Not until the other amendments are disposed of. The gentleman has withdrawn his amendment.

Mr. HUGHES of West Virginia. The gentleman from Connecticut withdraws his amendment, and I will now move the previous question on the resolution and the amendments.

The previous question was ordered.

The SPEAKER. The first vote will come on the amendment offered by the gentleman from Illinois [Mr. PRINCE].

Mr. MADDEN. Mr. Speaker, I move to lay the resolution and all amendments on the table.

Mr. GAINES. I make the point of order that the gentleman is not entitled to make the motion while the House is taking a vote.

The SPEAKER. Volume 5, page 213, of Hinds' Precedents—and the Chair is quite sure that of these eight volumes of precedents there is not a Member on the floor of the House who is not perfectly familiar with each of them [laughter]—says:

Under both the earliest and latest practices a motion to lay on the table is not in order after the previous question is ordered.

That ruling dates as early in the history of the Republic as 1814. The question is on the amendment to the amendment offered by the gentleman from Illinois [Mr. PRINCE].

The question was taken; and on a division (demanded by Mr. HUGHES of West Virginia) there were 87 ayes and 86 noes.

Mr. MACON. I demand the yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands the yeas and nays. All those in favor of taking the yeas and nays will rise. [After counting.] Five gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. MACON. I make the point of order of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas makes the point of no quorum. The Chair will count. [After counting.] One hundred and ninety-seven Members present, a quorum, and the amendment is agreed to. The question now is on agreeing to the amendment offered by the gentleman from Vermont.

The question was taken; and on a division (demanded by Mr. HUGHES of West Virginia) there were 93 ayes and 81 noes.

So the amendment was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move to recommit the resolution to the Committee on Accounts.

Mr. HUGHES of West Virginia. I make the point of order that that motion is not in order at this time.

Mr. HENRY of Connecticut. Mr. Speaker, I would like to offer my amendment now.

The SPEAKER. It seems to the Chair that the previous question having been ordered, that will require unanimous consent.

Mr. HENRY of Connecticut. Then I ask unanimous consent.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to offer an amendment.

Mr. MADDEN. I object.

Mr. FITZGERALD. Now, I move to recommit the resolution to the Committee on Accounts.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were 86 ayes and 93 noes.

Mr. FITZGERALD. I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. FITZGERALD and Mr. HUGHES of West Virginia.

The committee again divided; and the tellers reported 89 ayes and 82 noes.

So the resolution was recommitted to the Committee on Accounts.

EXTRA SESSION EXPENSES.

Mr. TAWNEY. Mr. Speaker, I now offer the joint resolution which I send to the Clerk's desk, the same joint resolution that I offered this morning.

The Clerk read as follows:

Joint resolution No. 45, making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

The Clerk read the resolution.

Mr. TAWNEY. Mr. Speaker, I wish to say that this is the same resolution I offered at the opening of the session this morning and asked unanimous consent for immediate consideration. The resolution and its various provisions were fully explained at that time, and to avoid any further delay I ask the previous question on the passage of the resolution.

Mr. MACON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MACON. Is this resolution in order under the rules of the House?

The SPEAKER. No point of order has been made against it.

Mr. MACON. I was on my feet to reserve an objection.

Mr. TAWNEY. I make the point of order that the gentleman can not make that point of order now.

Mr. MACON. But I was on my feet.

Mr. TAWNEY. I am not asking unanimous consent for its consideration.

The SPEAKER. The Chair will take the statement of the gentleman from Arkansas. Why is it not in order?

Mr. MACON. I asked the Chair that question. He is here for the purpose of deciding such questions, but the "gentleman from Arkansas" is not.

The SPEAKER. The Chair is willing to hear the gentleman from Arkansas on the point of order.

Mr. MACON. The resolution not having been before a committee of the House, and not having been presented by a committee, and it not being privileged, and being a raid upon the Treasury of the United States, I make the point of order against it.

The SPEAKER. The Chair will state that the House, under the rules, has proceeded on the demand for the regular order to a call of the committees. The committees have been called.

Mr. MACON. But there is no Committee on Appropriations in existence to call.

The SPEAKER. The Chair understands that. The committees in existence have been called, and the order of business is finished, under the demand for the regular order, so far as the Chair is informed. That being the situation, what is there in the rules to prevent any Member from offering a joint resolution or a bill? The Chair overrules the point of order.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on the engrossment and third reading of the joint resolution.

The question was taken; and on a division (demanded by Mr. MACON) there were 134 ayes and 6 noes.

So the joint resolution was ordered to be engrossed and read a third time; and being engrossed, was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and on a division (demanded by Mr. MACON) there were—ayes 161, noes 17.

Mr. MACON. Mr. Speaker, I respectfully suggest that there is no quorum present.

The SPEAKER. Does the gentleman make the point of no quorum?

Mr. MACON. Yes.

Mr. TAWNEY. Mr. Speaker, I make the point of order that the point of no quorum is dilatory. The Chair has just counted a quorum a moment ago.

Mr. MACON. Mr. Speaker, several things have been done since the Chair counted a quorum.

The SPEAKER. The Chair having just counted, and a quorum evidently not being present——

Mr. MACON. Will the Chair hear me for just a moment?

The SPEAKER. One moment. It may not be necessary for the Chair to hear the gentleman. The Chair is of opinion, from the count of the House and the vote just taken, although the Chair does not base it upon the vote that was taken, that a quorum is not present. The point of no quorum is sustained. The Doorkeeper will close the doors, the Sergeant-at-arms will bring in absentees, those who favor the passage of the joint resolution will, as their names are called, answer "aye" and those opposed will answer "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 56, answered "present" 16, not voting 154, as follows:

YEAS—161.

Aiken	Carlin	Ellis	Gregg
Alexander, N. Y.	Carter	Englebright	Hamer
Allen	Cole	Estopinal	Hanna
Ansberry	Cook	Fitzgerald	Hardwick
Ashbrook	Cooper, Pa.	Floyd, Ark.	Harrison
Austin	Cowles	Foster, Vt.	Hangen
Barclay	Craig	Foulkrod	Hawley
Barnard	Cravens	Fowler	Hayes
Bartholdt	Creager	Gaines	Henry, Conn.
Bartlett, Nev.	Crumpacker	Gardner, N. J.	Henry, Tex.
Bates	Dalzell	Garner, Tex.	Higgins
Brantley	Davidson	Gillespie	Hill
Broussard	Dawson	Gillett	Hinshaw
Burgess	Denby	Glass	Howard
Burke, S. Dak.	Diekema	Good	Howell, Utah
Burleigh	Dodds	Gordon	Howland
Burleson	Draper	Graff	Hubbard, Iowa
Calder	Dwight	Grant	Huff
Calderhead	Ellerbe	Greene	Hughes, Ga.

Johnson, Ky.	McLaughlin, Mich.	Pou	Swasey
Joyce	McMorran	Pratt	Tawney
Kahn	Madden	Pray	Taylor, Ala.
Keifer	Mann	Prince	Taylor, Colo.
Kelher	Martin, Colo.	Pujo	Taylor, Ohio
Kennedy, Ohio	Martin, S. Dak.	Randell, Tex.	Tener
Knowland	Morehead	Ransdell, La.	Tilson
Kopp	Morgan, Mo.	Reid	Tirrell
Kronmiller	Morgan, Okla.	Richardson	Townsend
Langham	Morse	Robinson	Vreeland
Langley	Mudd	Rodenberg	Wallace
Lawrence	Murphy	Scott	Washburn
Lee	Needham	Sheffield	Weeks
Lenroot	Nicholls	Sherley	Wickliffe
Livingston	Norris	Sims	Wiley
Loud	Parsons	Smith, Cal.	Wilson, Ill.
Loudenslager	Payne	Smith, Mich.	Wilson, Pa.
Lowden	Pearre	Snapp	Woods, Iowa
McCall	Perkins	Sparkman	Young, Mich.
McKinlay, Cal.	Peters	Sperry	
McKinney	Pickett	Steenerson	
McLachlan, Cal.	Poindexter	Stevens, Minn.	

NAYS—56.

Alexander, Mo.	Cullop	Houston	Nelson
Barnhart	Davis	Hull, Tenn.	Rainey
Beall, Tex.	De Armond	Humphreys, Miss.	Rauch
Boehne	Dent	James	Rothermel
Booher	Dickson, Miss.	Jones	Rucker, Mo.
Bowers	Dies	Kinkaid, Nebr.	Saunders
Byrd	Dixon, Ind.	Korbly	Sheppard
Byrns	Edwards, Ga.	Lever	Sisson
Candler	Garrett	Lloyd	Smith, Tex.
Chapman	Hammond	McCreary	Sulzer
Clark, Mo.	Hardy	Macon	Thomas, Ky.
Clayton	Heflin	Maguire, Nebr.	Thomas, N. C.
Cline	Helm	Morrison	Tou Velle
Collier	Hollingsworth	Murdock	Watkins

ANSWERED "PRESENT"—16.

Ames	Boutell	Foster, Ill.	Hughes, W. Va.
Anthony	Bradley	Graham, Ill.	McDermott
Bartlett, Ga.	Campbell	Hamlin	Nye
Bell, Ga.	Finley	Hay	Smith, Iowa

NOT VOTING—154.

Adair	Flood, Va.	Knapp	Plumley
Adamson	Focht	Küstermann	Reeder
Anderson	Foelker	Lafean	Reynolds
Andrus	Fordney	Lamb	Rhinock
Barchfeld	Fornes	Lassiter	Riordan
Bennet, N. Y.	Foss	Latta	Roberts
Bennett, Ky.	Fuller	Law	Rucker, Colo.
Bingham	Gallagher	Lindbergh	Russell
Borland	Gardner, Mass.	Lindsay	Sabath
Brownlow	Gardner, Mich.	Longworth	Shackleford
Burke, Pa.	Garner, Pa.	Lorimer	Sharp
Burnett	Gill, Md.	Lovering	Sherwood
Butler	Gill, Mo.	Lundin	Simmons
Cantrill	Godwin	McGuire, Okla.	Slayden
Capron	Goebel	McHenry	Slemp
Cary	Goldfogle	McKinley, Ill.	Small
Clark, Fla.	Goulden	Madison	Southwick
Cocks, N. Y.	Graham, Pa.	Malby	Spight
Conry	Griest	Maynard	Stafford
Cooper, Wis.	Griggs	Mays	Stanley
Coudrey	Gronna	Miller, Kans.	Stephens, Tex.
Covington	Guernsey	Miller, Minn.	Sterling
Cox, Ind.	Hamill	Millington	Sturgiss
Cox, Ohio	Hamilton	Mondell	Sulloway
Crow	Heald	Moon, Pa.	Talbott
Currier	Hitchcock	Moon, Tenn.	Thistlewood
Cushman	Hobson	Moore, Pa.	Thomas, Ohio
Denver	Howell, N. J.	Moore, Tex.	Underwood
Douglas	Hubbard, W. Va.	Moss	Volstead
Driscoll, D. A.	Hughes, N. J.	O'Connell	Wanger
Driscoll, M. E.	Hull, Iowa	Olcott	Webb
Durey	Humphrey, Wash.	Oldfield	Weisse
Edwards, Ky.	Jamieson	Olmsted	Wheeler
Elvins	Johnson, Ohio	Padgett	Willett
Esch	Johnson, S. C.	Page	Wood, N. J.
Fairchild	Kendall	Palmer, A. M.	Woodyard
Fassett	Kennedy, Iowa	Palmer, H. W.	Young, N. Y.
Ferris	Kinkead, N. J.	Parker	
Fish	Kitchin	Patterson	

So the joint resolution was agreed to.

The Clerk announced the following pairs:

From April 10 to May 1:

Mr. AMES with Mr. O'CONNELL.

Until further notice:

Mr. OLCOTT with Mr. OLDFIELD.

Mr. MCKINLEY of Illinois with Mr. FOSTER of Illinois.

Mr. LOVERING with Mr. JOHNSON of South Carolina.

Mr. ANDRUS with Mr. MORGAN.

Mr. SOUTHWICK with Mr. HAMLIN.

Mr. CAMPBELL with Mr. DANIEL A. DRISCOLL.

Mr. COUDREY with Mr. GILL of Missouri.

Mr. STERLING with Mr. FERRIS.

Mr. NYE with Mr. PAGE.

Mr. HUGHES of West Virginia with Mr. HUGHES of New Jersey.

Mr. HULL of Iowa with Mr. SLAYDEN.

Mr. KOPP with Mr. LATTA.

Mr. FULLER with Mr. GRAHAM of Illinois.

Mr. SMITH of Iowa with Mr. STEPHENS of Texas.

Mr. CARSON with Mr. HAY.

Mr. MILLER of Kansas with Mr. CONRY.

Mr. KNAPP with Mr. LASSITER.

Mr. KENNEDY of Iowa with Mr. LAMB.

Mr. KENDALL with Mr. KITCHIN.

Mr. HUMPHREY of Washington with Mr. KINKEAD of New Jersey.

Mr. HOWELL of New Jersey with Mr. JAMIESON.

Mr. HAMILTON with Mr. HOBSON.

Mr. LAW with Mr. WILLETT.

Mr. LONGWORTH with Mr. WEISSE.

Mr. LAFEAN with Mr. WEBB.

Mr. KÜSTERMANN with Mr. UNDERWOOD.

Mr. HUBBARD of West Virginia with Mr. TALBOTT.

Mr. WOODYARD with Mr. STANLEY.

Mr. WHEELER with Mr. SPIGHT.

Mr. SULLOWAY with Mr. SMALL.

Mr. STURGISS with Mr. SHERWOOD.

Mr. STAFFORD with Mr. SHARP.

Mr. SLEMP with Mr. SHACKLEFORD.

Mr. SIMMONS with Mr. SABATH.

Mr. ROBERTS with Mr. RUCKER of Colorado.

Mr. REEDER with Mr. RHINOCK.

Mr. PLUMLEY with Mr. PATTERSON.

Mr. PARKER with Mr. A. MITCHELL PALMER.

Mr. OLMSTED with Mr. PADGETT.

Mr. MOORE of Pennsylvania with Mr. MOSS.

Mr. MOON of Pennsylvania with Mr. MOON of Tennessee.

Mr. MILLINGTON with Mr. MAYS.

Mr. MILLER of Minnesota with Mr. MAYNARD.

Mr. MALBY with Mr. MCHENRY.

Mr. MCGUIRE of Oklahoma with Mr. MCDERMOTT.

Mr. GRIEST with Mr. HITCHCOCK.

Mr. GRAHAM of Pennsylvania with Mr. HAMILL.

Mr. GOEBEL with Mr. LINDSAY.

Mr. GARDNER of Michigan with Mr. GOLDFOGLE.

Mr. FOCHT with Mr. GODWIN.

Mr. FORDNEY with Mr. GILL of Maryland.

Mr. FISH with Mr. GALLAGHER.

Mr. FASSETT with Mr. FLOOD of Virginia.

Mr. ESCH with Mr. COX of Ohio.

Mr. DUREY with Mr. COX of Indiana.

Mr. CROW with Mr. COVINGTON.

Mr. COCKS of New York with Mr. CLARK of Florida.

Mr. BURKE of Pennsylvania with Mr. CANTRILL.

Mr. BROWNLOW with Mr. BURNETT.

Mr. BRADLEY with Mr. GOULDEN.

Mr. BOUTELL with Mr. GRIGGS.

Mr. BINGHAM with Mr. BORLAND.

Mr. BARCHFELD with Mr. ANDERSON.

Mr. ANTHONY with Mr. ADAIR.

For the session:

Mr. WANGER with Mr. ADAMSON.

Mr. BENNET of New York with Mr. FORNES.

Mr. CURRIER with Mr. FINLEY.

Mr. TOWNSEND with Mr. RUSSELL.

From May 10 until further notice:

Mr. BUTLER with Mr. BARTLETT of Georgia.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WASHBURN). A quorum is present and the Doorkeeper will open the doors.

CENSUS BILL.

Mr. CRUMPACKER. Mr. Speaker, I call up from the Speaker's table the bill H. R. 1033, the census bill, and ask unanimous consent to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Indiana moves to disagree to the Senate amendments to the following bill, the title of which the Clerk will report, and to ask for a conference.

The Clerk read as follows:

H. R. 1033. An act to provide for the Thirteenth and subsequent decennial censuses.

Mr. MANN. Mr. Speaker, will the gentleman from Indiana yield for a question?

The SPEAKER. Does the gentleman yield to the gentleman from Illinois for a question?

Mr. CRUMPACKER. I yield to the gentleman from Illinois for a question.

Mr. MANN. Can the gentleman give any indication at all as to when this bill is likely to come before the House on a conference report or for final consideration?

Mr. CRUMPACKER. I can not. I assume if it goes to conference there will be probably an agreement within a comparatively few days. Some amendments were made to the bill that, on consultation with the Director of the Census, it occurred to me that the House could not afford to agree to, and it was decided best to put the bill in conference. I believe we can have those amendments modified so that an agreement may be had one day this week in all probability. Whether there will be a sufficient number of Members here to agree to the conference report I, of course, am unable to say. If there are not it will have to go over until about the time when the tariff bill is ready to be reported back from the Senate.

Mr. MANN. I take it that it is highly desirable to have the supervisors appointed before this session of Congress expires if they are to be confirmed by the Senate.

Mr. CRUMPACKER. Yes; but we hope that the Senate will agree to strike out the amendment that requires confirmation by the Senate. Those are such small petty offices that it is not customary to authorize or provide that the Senate shall confirm appointments of that character.

Mr. MANN. Of course they are small appointments that any ordinary body of dignified gentlemen throughout the country would not consider worth while quarreling about; but I would not undertake to say what would be done about this item.

Mr. CRUMPACKER. I hope to be able to have that Senate amendment stricken out of the bill.

Mr. MANN. May I ask the gentleman? I notice there is an amendment put into a section changing the civil-service law itself——

Mr. CRUMPACKER. Yes.

Mr. MANN (continuing). In a way which seems to me would be very detrimental.

Mr. CRUMPACKER. Well, aside from that I do not believe such an amendment ought to be incorporated in this bill.

Mr. MANN. The census bill?

Mr. CRUMPACKER. Yes. It should be made in the civil-service law and not in the census law. This is one amendment that is especially objectionable. Then the Senate reduced salaries all along the line, some of them possibly justly, but in one instance the salary is fixed at $300 a year below that which the officer is now drawing under the permanent census law.

Mr. TAWNEY. Will the gentleman yield?

Mr. CRUMPACKER. I yield to the gentleman from Minnesota.

Mr. TAWNEY. For a question. The gentleman from Indiana has stated, or from his statement it seems that he has in mind, the probability of this bill not passing and becoming a law until very nearly or about the close of this session.

Now, the bill does not carry the necessary appropriation for beginning and carrying on the work of taking the next census; and I want to suggest to the gentleman and to the House that it is very desirable that the bill should be passed before that time, in order that an appropriation bill can be prepared in accordance with the provisions of the new census law.

Mr. CRUMPACKER. Of course, I would like to have the bill passed at as early a date as practicable, and I think it ought to be passed as soon as it can be.

Mr. TAWNEY. Let me ask the gentleman right there: The only thing that would prevent its early passage, then, would be not having a quorum here for the purpose?

Mr. CRUMPACKER. That is the only thing.

Mr. TAWNEY. And if a quorum remains here, at least during this week, you will in all probability be able to agree in conference and have a conference report adopted?

Mr. CRUMPACKER. I hope so.

Mr. TAWNEY. That would afford ample time for the preparation of an appropriation bill.

Mr. CRUMPACKER. I will now yield to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT of Georgia. Mr. Speaker, I rose for the purpose of inquiring what the gentleman's motion was.

Mr. CRUMPACKER. The motion is to disagree to the Senate amendments and ask for a conference.

Mr. BARTLETT of Georgia. Now, I understand, Mr. Speaker, that the bill which the Senate has passed not only deals with matters relative to the taking of the census, the salaries of the officers and clerks, and how they shall be appointed, but they go out and provide for a building in which the forces of the Census Office shall be located. And they authorize not only the building in which the force is now located to be added to or built upon, but they authorize the Secretary of the Treasury to go out and buy new property for the purpose of building a Census Office.

Mr. CRUMPACKER. Yes.

Mr. BARTLETT of Georgia. Now, does the gentleman think that this bill, which is purely for the purpose of taking the census, for the purpose of apportioning the Representatives, and for the purpose of levying taxes, and that is the purpose for which it was originally taken, should come now with a proposition to spend $750,000 for a public building in the city of Washington?

Mr. HAY. I want to call my colleague's attention to the fact that that was provided for in the House bill—not the $750,000, but the building.

Mr. BARTLETT of Georgia. This bill did not provide for the purchase of a new site or leave it for the Secretary of the Treasury to investigate the question?

Mr. HAY. It vested that discretion in the Director of the Census.

Mr. BARTLETT of Georgia. How has the Senate amended that proposition?

Mr. HAY. By putting it in the hands of the Secretary of the Treasury.

Mr. BARTLETT of Georgia. And authorizing him to buy property elsewhere also?

Mr. HAY. Yes; but the understanding is that he is going to buy the same property.

Mr. BARTLETT of Georgia. I do not know whether we ought to agree to that or not.

Mr. CRUMPACKER. The House bill providing for the Thirteenth Census made provision for the accommodation of the census force. Now, the Senate amendment changes the House provision, and that is one of the things we desire to have in conference, with the view of either bringing the Senate to our view or securing some modifications to the Senate amendment upon that proposition.

Mr. BARTLETT of Georgia. The gentleman does not think that the speedy passage of this bill and putting it into law ought to be retarded or held back for the purpose of seeing hereafter whether we will build another building?

Mr. CRUMPACKER. Well, this is an amendment to the bill which we can hardly concur in or agree to, and the only way to get rid of it is to put it in conference.

Mr. BARTLETT of Georgia. I understand. I want to say that, while the gentleman has yielded me time, so far as I am concerned, I am in favor of improving that building or in favor of the Government having a suitable place for the housing of employees and the carrying on of this work. I think, with so prominent a department of the Government as this is, that where these employees and officers now work is not very creditable to the United States, and there ought to be a better place. But I do not want this bill to be retarded or loaded down with that sort of a proposition.

Mr. CRUMPACKER. We will be as expeditious as possible.

Mr. CARLIN. I want to suggest to the gentleman that perhaps the House is now willing to accept these amendments of the Senate. Have you any objection to taking a vote on them?

Mr. CRUMPACKER. I think it would be infinitely better to put the bill in conference. I do not think the House will agree, and I do not think the House ought to agree, to all of the Senate amendments. Some of them are probably wise, and I believe a number of them are unwise.

Mr. CARLIN. Why not take the sense of the House upon that by having a separate vote?

Mr. MANN. We can not do that.

Mr. CARLIN. We could disagree to what we could not agree to. We could see how many votes each would get.

Mr. CRUMPACKER. I believe the gentleman from Pennsylvania wants to ask me a question.

Mr. WILSON of Pennsylvania. Mr. Speaker, I have not been able to get a copy of the bill as it passed the Senate, but have a copy as it was reported. In the bill that came over from the Senate in the last session of Congress there was a clause providing for letting out some of the work of printing of the census reports to outside parties other than the Government Printing Office. I would like to ask the gentleman whether a clause of that character has been inserted by the Senate in this bill?

Mr. CRUMPACKER. It has not; and that kind of a provision can not be inserted in conference, because neither House has voted for it.

Mr. WILSON of Pennsylvania. There being no disagreement, a proposition of that character can not be inserted?

Mr. CRUMPACKER. The conferees would have no jurisdiction of such a proposition. I call for a vote, Mr. Speaker.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair announces the following conferees: Mr. CRUMPACKER, Mr. BURLEIGH, and Mr. HAY.

MAJ. PIERRE CHARLES L'ENFANT.

The SPEAKER. The Chair makes the following announcement:

The Clerk read as follows:

In concurrence with the Vice-President, the Chair appoints Mr. Elliott Woods to superintend the ceremonies within the Capitol on the occasion

of the removal of the remains of Maj. Pierre Charles l'Enfant from Digges farm, Prince George County, Md., to Arlington National Cemetery.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAMLIN, for fifteen days, on account of important business.

To Mr. NORRIS, indefinitely, on account of important business.

To Mr. MARTIN of South Dakota, indefinitely, on account of important business.

To Mr. CLARK of Florida, indefinitely, on account of important business.

To Mr. ASHBROOK, for four weeks, on account of inspection trip to Panama.

To Mr. Cox of Indiana, indefinitely, on account of illness.

To Mr. LATTA, for two weeks, on account of important business.

ADJOURNMENT.

Mr. DALZELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 15 minutes p. m.) the House adjourned until Thursday next.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting a recommendation in relation to the use of vaults for the storage of emergency currency (H. Doc. No. 13), was taken from the Speaker's table, referred to the Committee on Ways and Means, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BATES, from the Committee on Disposition of Useless Papers in the Executive Departments, to which was referred the reports of the heads of departments, reported the same, accompanied by a report (No. 5), which said reports were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 7086) requiring the United States Government to own its own post-office building in every county seat in the United States—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7087) to regulate the hours of work of post-office clerks employed in first and second class post-offices, and to grant thirty days' annual leave for clerks and carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 7088) to provide for the reduction of mileage to actual expenses of Representatives and Senators—to the Committee on Appropriations.

Also, a bill (H. R. 7089) to establish a mining experiment station at Knoxville, Tenn., to aid in the development of the resources of the United States, and for other purposes—to the Committee on Mines and Mining.

Also, a bill (H. R. 7090) to increase the compensation of rural letter carriers and granting them thirty days' leave per annum—to the Committee on the Post-Office and Post-Roads.

By Mr. SPARKMAN: A bill (H. R. 7091) providing for the marking and protection of the battlefield known as "Dade's massacre," in Sumter County, Fla., and for the erection of a monument thereon—to the Committee on Military Affairs.

Also, a bill (H. R. 7092) to provide for the construction of a revenue cutter of the first class for service in the waters of Key West, Fla.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7093) prescribing a punishment for conveying tools or appliances into a jail or prison to aid the escape of prisoners or rescuing prisoners therefrom—to the Committee on the Judiciary.

By Mr. SULZER: A bill (H. R. 7094) to regulate commerce with foreign nations, so as to equalize the footing of American vessels with foreign, to make preference for the use of American ships in our own trade, to extend the postal service by American steamships, and to promote the commercial independence of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRADLEY: A bill (H. R. 7095) authorizing the settlement of certain outstanding liabilities of the Government by the issue of new drafts upon the return of drafts heretofore issued representing said liabilities—to the Committee on Claims.

By Mr. MORSE: A bill (H. R. 7096) granting unsurveyed and unattached islands to the State of Wisconsin for forestry purposes—to the Committee on the Public Lands.

By Mr. KALANIANAOLE: A bill (H. R. 7097) to extend the provisions of the reclamation act to the Territory of Hawaii—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 7098) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900—to the Committee on the Territories.

Also, a bill (H. R. 7099) to fix the fees of jurors and witnesses in United States courts in the Territory of Hawaii—to the Committee on the Judiciary.

Also, a bill (H. R. 7100) to provide for a hydrographic survey in the Territory of Hawaii—to the Committee on Appropriations.

Also, a bill (H. R. 7101) to provide for a soil survey in the Territory of Hawaii—to the Committee on Agriculture.

Also, a bill (H. R. 7102) to establish a fish-cultural and biological station in the Territory of Hawaii—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 7103) to provide for the erection of a public building at Hilo, Island of Hawaii, Territory of Hawaii—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7104) for the establishment of a lighthouse on the island of Hawaii, Territory of Hawaii—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7105) to amend section 92 of an act to provide a government for the Territory of Hawaii—to the Committee on the Territories.

By Mr. KENDALL: A bill (H. R. 7106) to provide for service pensions for surviving volunteer soldiers of the Army of the United States—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 7107) to establish in the Department of the Interior a bureau to be known as the Children's Bureau—to the Committee on Expenditures in the Interior Department.

By Mr. DIXON of Indiana: A bill (H. R. 7108) granting pensions to widows of soldiers and sailors who served in the Army or Navy of the United States during the late war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7109) granting pensions to soldiers and sailors who served more than ninety days in the military or naval service of the United States in the civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7110) to provide for the purchase of a site and the erection of a public building thereon at Seymour, in the State of Indiana, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

By Mr. KINKEAD of New Jersey: A bill (H. R. 7111) to permit subordinate posts of the American Veterans of Foreign Service, a military organization of the United States of America, the use of Krag-Jörgensen rifles and cartridge belts now stored in the arsenals of the United States—to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT: A bill (H. R. 7112) to amend section 2337 of the Revised Statutes—to the Committee on Mines and Mining.

Also, a bill (H. R. 7113) appropriating money for the improvement of the entrance to Humboldt Bay, California—to the Committee on Rivers and Harbors.

By Mr. LEVER: A bill (H. R. 7114) to provide for the erection of a monument to Maj. Gen. Thomas Sumter—to the Committee on the Library.

Also, a bill (H. R. 7115) for the erection of a monument to the memory of Capt. James Butler and others for heroism during the Revolutionary war—to the Committee on the Library.

Also, a bill (H. R. 7116) to restore to certain citizens the proceeds arising from the sale of their lands under the several acts levying direct taxes, and for other purposes—to the Committee on War Claims.

By Mr. YOUNG of Michigan: A bill (H. R. 7117) to increase the efficiency of the Engineer Corps of the United States Army—to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 7118) to provide for the settlement of certain claims of officers and enlisted men of the army for the loss or destruction, without fault or negligence on the part of said officers and men, of property belonging to them in the military service of the United States—to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 7119) to provide for the erection of a public building for the use of the United States

court, custom-house, and post-office in the city of St. Petersburg, Fla.—to the Committee on Public Buildings and Grounds.

By Mr. DALZELL: A bill (H. R. 7120) to amend section 4919 of the Revised Statutes of the United States to provide additional protection for owners of patents of the United States, and for other purposes—to the Committee on Patents.

By Mr. PARSONS: A bill (H. R. 7121) to provide for the printing and publication of the rules and regulations of the executive departments and other branches of the Government—to the Committee on Printing.

By Mr. BATES: Resolution (H. J. Res. 44) granting certain naval officers permission to accept certain tokens from the Chinese Government—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 7122) granting an increase of pension to Levi Lichty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7123) granting a pension to Edward Kerns—to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 7124) granting a pension to Solomon Morris—to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 7125) granting an increase of pension to John W. Pray—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 7126) granting an increase of pension to Isaac H. Myers—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 7127) granting an increase of pension to John R. Craig—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 7128) granting an increase of pension to James M. Pulver—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 7129) granting an increase of pension to Lucien W. Dunnington—to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 7130) granting an increase of pension to Mary S. Zuck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7131) granting an increase of pension to Alonzo Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7132) granting an increase of pension to John Wikel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7133) granting an increase of pension to George W. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7134) granting an increase of pension to George P. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7135) granting an increase of pension to John A. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7136) granting an increase of pension to Samuel H. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7137) granting an increase of pension to Johnson White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7138) granting an increase of pension to Joseph Wayman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7139) granting an increase of pension to D. W. Tague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7140) granting an increase of pension to W. C. Trotter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7141) granting an increase of pension to Gotlieb Tosky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7142) granting an increase of pension to Oscar Trigg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7143) granting an increase of pension to Walter S. Twaddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7144) granting an increase of pension to Calvers Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7145) granting an increase of pension to Ezekiel M. Tomlinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7146) granting an increase of pension to Jefferson Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7147) granting an increase of pension to James M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7148) granting an increase of pension to Edward Smith—to the Committee on Pensions.

Also, a bill (H. R. 7149) granting an increase of pension to Louis Spicer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7150) granting an increase of pension to Henry C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7151) granting an increase of pension to Valeria Shook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7152) granting an increase of pension to Arnold Schafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7153) granting an increase of pension to Eugene E. Scherrer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7154) granting an increase of pension to William H. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7155) granting an increase of pension to Thomas C. Shewman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7156) granting an increase of pension to Henry C. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7157) granting an increase of pension to William Sauvain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7158) granting an increase of pension to John Shinolt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7159) granting an increase of pension to Harrison Stilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7160) granting an increase of pension to Allen G. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7161) granting an increase of pension to Francis R. Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7162) granting an increase of pension to William I. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7163) granting an increase of pension to David S. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7164) granting an increase of pension to Martha Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7165) granting an increase of pension to Charles W. Redman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7166) granting an increase of pension to John W. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7167) granting an increase of pension to Thomas A. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7168) granting an increase of pension to Samuel Roddey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7169) granting an increase of pension to Barton W. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7170) granting an increase of pension to Noah Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7171) granting an increase of pension to William M. Ruble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7172) granting an increase of pension to Manlabert C. Rawlison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7173) granting an increase of pension to Jasper Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7174) granting an increase of pension to Nelson Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7175) granting an increase of pension to Joseph P. Pullis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7176) granting an increase of pension to Isaac Pryor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7177) granting an increase of pension to James I. Prosser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7178) granting an increase of pension to James L. Prentice—to the Committee on Pensions.

Also, a bill (H. R. 7179) granting an increase of pension to Bruce Prindle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7180) granting an increase of pension to John Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7181) granting an increase of pension to Francis Petro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7182) granting an increase of pension to James M. Pardun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7183) granting an increase of pension to John Plummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7184) granting an increase of pension to Thomas A. Pearce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7185) granting an increase of pension to Montgomery Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7186) granting an increase of pension to George W. Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7187) granting an increase of pension to Joseph Neff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7188) granting an increase of pension to Dorious Neel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7189) granting an increase of pension to Henry C. Myrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7190) granting an increase of pension to Edward P. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7191) granting an increase of pension to David McClintic—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7192) granting an increase of pension to Samuel McIlroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7193) granting an increase of pension to William L. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7194) granting an increase of pension to Henry H. Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7195) granting an increase of pension to William Morton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7196) granting an increase of pension to William W. Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7197) granting an increase of pension to William Menke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7198) granting an increase of pension to Durbin M. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7199) granting an increase of pension to John C. Moncrief—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7200) granting an increase of pension to William Muster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7201) granting an increase of pension to John Montague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7202) granting an increase of pension to Louis C. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7203) granting an increase of pension to William H. Lamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7204) granting an increase of pension to Benjamin S. Lester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7205) granting an increase of pension to William Lockridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7206) granting an increase of pension to Mahlon M. Lucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7207) granting an increase of pension to George W. Louden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7208) granting an increase of pension to John H. Leasure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7209) granting an increase of pension to Julius Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7210) granting an increase of pension to Silas A. Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7211) granting an increase of pension to Thomas W. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7212) granting an increase of pension to William Luck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7213) granting an increase of pension to Hensley H. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7214) granting an increase of pension to Ezra Keeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7215) granting an increase of pension to Philip Kissel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7216) granting an increase of pension to Wiley Kinnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7217) granting an increase of pension to William H. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7218) granting an increase of pension to Stephen Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 7219) granting an increase of pension to Henry C. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7220) granting an increase of pension to Lewis Justis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7221) granting an increase of pension to Lewis H. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7222) granting an increase of pension to Robert B. Hoover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7223) granting an increase of pension to Lewis M. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7224) granting an increase of pension to Isaac Hougland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7225) granting an increase of pension to William H. Hook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7226) granting an increase of pension to George W. Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7227) granting an increase of pension to Silas W. Harding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7228) granting an increase of pension to Reuben Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7229) granting an increase of pension to Roderick Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7230) granting an increase of pension to William Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7231) granting an increase of pension to Hiram N. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7232) granting an increase of pension to Michael Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7233) granting an increase of pension to Samuel Holder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7234) granting an increase of pension to James G. W. Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7235) granting an increase of pension to Lucian Harbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7236) granting an increase of pension to Alexander Hancher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7237) granting an increase of pension to John A. C. Hazel—to the Committee on Pensions.

Also, a bill (H. R. 7238) granting an increase of pension to Moses Holgarth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7239) granting an increase of pension to Christopher C. Gourley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7240) granting an increase of pension to William G. Hutchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7241) granting an increase of pension to Nathaniel M. Gregg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7242) granting an increase of pension to Isaac M. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7243) granting an increase of pension to John M. Guley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7244) granting an increase of pension to Joshua D. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7245) granting an increase of pension to Edmund Gannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7246) granting an increase of pension to Augustus N. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7247) granting an increase of pension to Thomas N. Floyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7248) granting an increase of pension to Henry C. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7249) granting an increase of pension to Rebecca J. Forry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7250) granting an increase of pension to Michael Emig—to the Committee on Pensions.

Also, a bill (H. R. 7251) granting an increase of pension to Lafayette East—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7252) granting an increase of pension to John S. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7253) granting an increase of pension to Henry Daum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7254) granting an increase of pension to Harvey Deputy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7255) granting an increase of pension to James W. Dear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7256) granting an increase of pension to Jonathan C. Chasteen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7257) granting an increase of pension to Hiram E. Crouch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7258) granting an increase of pension to Samuel T. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7259) granting an increase of pension to Alexander Clements—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7260) granting an increase of pension to Nathan F. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7261) granting an increase of pension to Andrew Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7262) granting an increase of pension to Samuel C. Callon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7263) granting an increase of pension to Isaac Bush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7264) granting an increase of pension to Charles W. Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7265) granting an increase of pension to William H. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7266) granting an increase of pension to Herman Brunce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7267) granting an increase of pension to Frank J. Brolley—to the Committee on Pensions.

Also, a bill (H. R. 7268) granting an increase of pension to Gilbert W. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7269) granting an increase of pension to Newton W. Botts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7270) granting an increase of pension to John Bohland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7271) granting an increase of pension to Michael Bindhammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7272) granting an increase of pension to Frederick Binder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7273) granting an increase of pension to Curtis C. Bleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7274) granting an increase of pension to James Bergin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7275) granting an increase of pension to Henry Becker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7276) granting an increase of pension to John M. Battin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7277) granting an increase of pension to William N. Barnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7278) granting an increase of pension to Thomas H. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7279) granting an increase of pension to William Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7280) granting an increase of pension to John Baer, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7281) granting an increase of pension to James Arbuckle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7282) granting an increase of pension to William Arbuckle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7283) granting an increase of pension to Fielding Arbuckle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7284) granting an increase of pension to Joseph F. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7285) granting an increase of pension to James G. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7286) granting an increase of pension to John A. Allfie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7287) granting an increase of pension to Junius Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7288) granting an increase of pension to Joseph W. Bunker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7289) granting a pension to Rachel A. Woodmansee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7290) granting a pension to Alexander Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7291) granting a pension to Elymas F. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7292) granting a pension to George D. Wellons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7293) granting a pension to Harriet Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7294) granting a pension to John William Tungate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7295) granting a pension to Martha J. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7296) granting a pension to Amelia J. Sweeney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7297) granting a pension to Emily M. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7298) granting a pension to Isaac Stroude—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7299) granting a pension to James H. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7300) granting a pension to Mary E. Redd—to the Committee on Pensions.

Also, a bill (H. R. 7301) granting a pension to Nancy C. Setzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7302) granting a pension to James J. Shipley—to the Committee on Pensions.

Also, a bill (H. R. 7303) granting a pension to Hattie Rinearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7304) granting a pension to Eliza J. Mahurin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7305) granting a pension to Warren L. Malcolmb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7306) granting a pension to Charles A. Means—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7307) granting a pension to Celestine Marquis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7308) granting a pension to Mary McGowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7309) granting a pension to Frank L. Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 7310) granting a pension to Elhanan C. Goings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7311) granting a pension to Samuel C. Gildersleeve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7312) granting a pension to Josephine Dumont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7313) granting a pension to William H. Daly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7314) granting a pension to David Crouch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7315) granting a pension to Edwin A. Cobb—to the Committee on Pensions.

Also, a bill (H. R. 7316) granting a pension to Nancy Artz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7317) granting a pension to Hannah A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7318) granting a pension to Abigail Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7319) granting a pension to Elizabeth Broadhead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7320) granting a pension to Minnie M. Bowles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7321) granting a pension to Lillie A. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7322) to correct the military record of George Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 7323) to correct the military record of Jacob Lamont—to the Committee on Military Affairs.

Also, a bill (H. R. 7324) to correct the military record of John Chapin—to the Committee on Military Affairs.

Also, a bill (H. R. 7325) to correct the military record of Alonzo Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 7326) granting a medal to Mortimer S. Longwood—to the Committee on Military Affairs.

Also, a bill (H. R. 7327) to restore Lieut. James Hampton to the pension roll—to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 7328) granting an increase of pension to John B. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7329) granting an increase of pension to Cyrus D. Winner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7330) granting an increase of pension to Willard E. Waldron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7331) granting an increase of pension to Anson Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7332) granting an increase of pension to John Neebes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7333) granting an increase of pension to Orlando Manchester—to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 7334) to restore the status of the First Battalion, Mountaineers, California Volunteers, who served during the late war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7335) granting a pension to Joseph Younker—to the Committee on Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 7336) granting an increase of pension to Francis M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7337) granting an increase of pension to James M. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7338) granting an increase of pension to Andrew J. Beard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7339) granting an increase of pension to John Kringer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7340) granting an increase of pension to James K. Roney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7341) granting an increase of pension to Thomas G. Gambill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7342) granting an increase of pension to Charles Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7343) granting an increase of pension to Nathan W. Coggburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7344) granting an increase of pension to John B. Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7345) granting an increase of pension to David R. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7346) granting an increase of pension to James A. Paine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7347) granting an increase of pension to Sarah C. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7348) granting an increase of pension to William M. Sprinkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7349) granting an increase of pension to James W. Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7350) granting an increase of pension to Adam R. Gay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7351) granting an increase of pension to John G. Dale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7352) granting an increase of pension to Washington E. Carothers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7353) granting an increase of pension to John J. Hout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7354) granting an increase of pension to Jesse A. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7355) granting an increase of pension to James W. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7356) granting an increase of pension to James A. Laws—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7357) granting an increase of pension to George W. Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7358) granting an increase of pension to M. M. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7359) granting an increase of pension to Thomas Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7360) granting an increase of pension to William E. Kinman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7361) granting an increase of pension to Francis Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7362) granting an increase of pension to Joseph Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7363) granting an increase of pension to L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7364) granting a pension to William R. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7365) granting a pension to Lyda Decker—to the Committee on Pensions.

Also, a bill (H. R. 7366) granting a pension to Eliza Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7367) granting a pension to Florence E. Westerfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7368) granting a pension to Richard M. Gaddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7369) granting a pension to Annie Groves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7370) granting a pension to Ollie Arnold—to the Committee on Pensions.

Also, a bill (H. R. 7371) granting a pension to Lydia McKoin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7372) granting a pension to Mary A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7373) granting a pension to Nancy E. McKinley—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 7374) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of David Jameson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7375) to carry into effect the findings of the Court of Claims in the matter of the claim of the Germantown Baptist Church, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7376) to carry into effect the findings of the Court of Claims in the matter of the claim of the Baptist Church of Grand Junction, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7377) to carry into effect the findings of the Court of Claims in the matter of the claim of the First Baptist Church of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7378) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John J. Bailey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7379) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of James Boro, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7380) to carry into effect the findings of the Court of Claims in the matter of the claim of the city of Memphis, Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7381) to carry into effect the findings of the Court of Claims in the matter of the claim of the Methodist Episcopal Church South, of Saulsbury, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7382) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of J. J. Todd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7383) to carry into effect the findings of the Court of Claims in the matter of the claim of Julia Moore Selden—to the Committee on War Claims.

Also, a bill (H. R. 7384) to carry into effect the findings of the Court of Claims in the matter of the claim of Octavia P. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 7385) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Mathew Brown, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7386) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Elizabeth Burke, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7387) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of S. L. Carpenter, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7388) to carry into effect the findings of the Court of Claims in the matter of the claim of Hartwell B. Hilliard—to the Committee on War Claims.

Also, a bill (H. R. 7389) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Martha C. Cole, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7390) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John Krider, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7391) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Abner D. Lewis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7392) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of B. B. Neville, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7393) to carry into effect the findings of the Court of Claims in the matter of the claim of Annis Lawrence—to the Committee on War Claims.

Also, a bill (H. R. 7394) to carry into effect the findings of the Court of Claims in the matter of the claim of Octavia R. Polk—to the Committee on War Claims.

Also, a bill (H. R. 7395) to carry into effect the findings of the Court of Claims in the matter of the claim of Thomas D. Ruffin—to the Committee on War Claims.

Also, a bill (H. R. 7396) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John R. Pearson, deceased—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 7397) granting an increase of pension to Adam R. Eglin—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 7398) granting an increase of pension to Francis E. Gleason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7399) granting an increase of pension to John A. Wheeler—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 7400) granting an increase of pension to John W. Jordan—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 7401) granting an increase of pension to Richard C. Montgomery—to the Committee on Invalid Pensions.

By Mr. JONES: A bill (H. R. 7402) for the relief of William H. Howard and Oliver D. Lewis—to the Committee on Claims.

Also, a bill (H. R. 7403) for the relief of David R. Mister—to the Committee on War Claims.

Also, a bill (H. R. 7404) for the relief of John Henry Edwards—to the Committee on War Claims.

Also, a bill (H. R. 7405) for the relief of William J. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 7406) for the relief of Joseph T. Chance and the heirs of John R. Burton, deceased, late of Accomac County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7407) for the relief of John T. Spence or his legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 7408) for the relief of Thomas Johnson or his legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 7409) for the relief of the Potomac Steamboat Company—to the Committee on Claims.

Also, a bill (H. R. 7410) for the relief of the heirs of William Samuel Custis, deceased, late of Onancock, Accomac County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7411) for the relief of the heirs of Lemmis J. Spence, deceased—to the Committee on War Claims.

By Mr. KALANIANAOLE: A bill (H. R. 7412) granting a special pension to Samuel McKeague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7413) granting a special pension to Samuel McKeague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7414) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii—to the Committee on Claims.

Also, a bill (H. R. 7415) to correct the military record of Barkley S. Denison—to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 7416) granting an increase of pension to Henry Stichter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7417) granting an increase of pension to John W. Iler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7418) granting an increase of pension to David P. Dunkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7419) granting an increase of pension to Jane Bosworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7420) granting an increase of pension to Jesse W. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7421) granting an increase of pension to Charles W. Sackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7422) granting an increase of pension to Jacob Wilson Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7423) granting an increase of pension to George L. Van Auken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7424) granting an increase of pension to John Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7425) granting an increase of pension to Abraham R. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7426) granting an increase of pension to Thomas H. Olinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7427) granting an increase of pension to Patrick Turney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7428) granting an increase of pension to Mathias O'Blennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7429) granting an increase of pension to James P. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7430) granting an increase of pension to Andrew G. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7431) granting an increase of pension to Edwin J. Turton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7432) granting an increase of pension to George Reiffenoch—to the Committee on Pensions.

Also, a bill (H. R. 7433) granting an increase of pension to Philip Heiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7434) granting an increase of pension to Silas R. Nugen, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7435) granting an increase of pension to Toma E. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7436) granting an increase of pension to William Dalton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7437) granting a pension to Cornelius Hickey—to the Committee on Pensions.

Also, a bill (H. R. 7438) granting a pension to George I. Ribyn—to the Committee on Pensions.

Also, a bill (H. R. 7439) granting a pension to Jonah B. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7440) granting an increase of pension to John Hinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7441) granting a pension to Robert Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7442) for the relief of A. V. Coles—to the Committee on Claims.

Also, a bill (H. R. 7443) for the relief of Nathan Crutchfield—to the Committee on War Claims.

Also, a bill (H. R. 7444) for the relief of W. H. Heule—to the Committee on Claims.

By Mr. KINKEAD of New Jersey: A bill (H. R. 7445) to correct the military record of George W. Spencer—to the Committee on Military Affairs.

By Mr. LANGHAM: A bill (H. R. 7446) granting an increase of pension to Samuel M. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7447) granting an increase of pension to Lewis C. Edmonds—to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 7448) granting an increase of pension to James A. Lindsay—to the Committee on Invalid Pensions.

By Mr. LAW: A bill (H. R. 7449) to remove the charge of desertion from the military record of Oscar Hilton—to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 7450) granting an increase of pension to Simon P. Weed—to the Committee on Pensions.

Also, a bill (H. R. 7451) granting an increase of pension to Catherine Boykin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7452) granting a pension to David T. Kirby—to the Committee on Pensions.

Also, a bill (H. R. 7453) granting a pension to John N. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7454) granting a pension to Mary J. Wroe—to the Committee on Pensions.

Also, a bill (H. R. 7455) granting a pension to John B. McCravy—to the Committee on Pensions.

Also, a bill (H. R. 7456) granting a pension to Wade H. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 7457) granting a pension to T. P. Godfrey—to the Committee on Pensions.

Also, a bill (H. R. 7458) granting a pension to Charles G. Sontag—to the Committee on Pensions.

Also, a bill (H. R. 7459) granting a pension to Paul E. Ayer—to the Committee on Pensions.

Also, a bill (H. R. 7460) granting a pension to Margaret Hertel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7461) granting a pension to William H. Long—to the Committee on Pensions.

Also, a bill (H. R. 7462) granting a pension to H. P. Kohn—to the Committee on Pensions.

Also, a bill (H. R. 7463) granting a pension to Wade H. Rucker—to the Committee on Pensions.

Also, a bill (H. R. 7464) for the relief of Ann S. Elliott—to the Committee on War Claims.

Also, a bill (H. R. 7465) for the relief of the trustees of the German Lutheran Church of Orangeburg, S. C.—to the Committee on War Claims.

Also, a bill (H. R. 7466) for the relief of the legal representatives of Naloti Biraghi—to the Committee on War Claims.

Also, a bill (H. R. 7467) for the relief of the heirs of Adolphus Feininger—to the Committee on War Claims.

Also, a bill (H. R. 7468) for the relief of the estate of Lawrence M. Spann—to the Committee on War Claims.

Also, a bill (H. R. 7469) for the relief of the estate of Joseph Funderburk, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7470) for the relief of the heirs of Miles Busbee—to the Committee on War Claims.

Also, a bill (H. R. 7471) for the relief of W. P. Dukes, postmaster at Rowesville, S. C.—to the Committee on Claims.

Also, a bill (H. R. 7472) for the relief of Mary E. Stelling, sole heir at law of A. S. Frietas, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7473) for the relief of St. Stephen's Church—to the Committee on War Claims.

Also, a bill (H. R. 7474) for the relief of Ainsley H. Monteith, jr., administrator of the estate of William R. Herron, deceased—to the Committee on Claims.

Also, a bill (H. R. 7475) for the relief of the University of South Carolina—to the Committee on War Claims.

Also, a bill (H. R. 7476) for the relief of Powell S. Boatwright—to the Committee on War Claims.

Also, a bill (H. R. 7477) for the relief of Samuel S. Gardner—to the Committee on Military Affairs.

Also, a bill (H. R. 7478) for the relief of heirs of Micheal H. Brennen—to the Committee on War Claims.

Also, a bill (H. R. 7479) for the relief of George W. Newman, guardian of Joseph W. Newman—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 7480) granting an increase of pension to Juliet E. Stevens—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 7481) granting a pension to Willis R. Denney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7482) granting an increase of pension to John Gordon—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 7483) providing for the adjudication of the claim of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., by the Court of Claims—to the Committee on Claims.

By Mr. ROBINSON: A bill (H. R. 7484) for the relief of the heirs of Susan McCurley, deceased—to the Committee on War Claims.

By Mr. SHEFFIELD: A bill (H. R. 7485) granting an increase of pension to Sylvester C. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7486) granting an increase of pension to George A. Earle—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 7487) granting an increase of pension to Alanson B. Wheelock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7488) granting an increase of pension to Phoebe E. Sparkman—to the Committee on Pensions.

Also, a bill (H. R. 7489) granting an increase of pension to Marvin Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7490) granting an increase of pension to William R. Partridge—to the Committee on Pensions.

Also, a bill (H. R. 7491) granting an increase of pension to Lorin B. Ohlinger—to the Committee on Pensions.

Also, a bill (H. R. 7492) granting an increase of pension to Edward C. McGeachy—to the Committee on Pensions.

Also, a bill (H. R. 7493) granting an increase of pension to Duncan McCraney—to the Committee on Pensions.

Also, a bill (H. R. 7494) granting an increase of pension to William H. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7495) granting an increase of pension to Cornelia A. Mobley—to the Committee on Pensions.

Also, a bill (H. R. 7496) granting an increase of pension to William J. Meadows—to the Committee on Pensions.

Also, a bill (H. R. 7497) granting an increase of pension to William Leggett—to the Committee on Pensions.

Also, a bill (H. R. 7498) granting an increase of pension to George F. Hays—to the Committee on Pensions.

Also, a bill (H. R. 7499) granting an increase of pension to Myrtle L. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7500) granting an increase of pension to Georgia A. Driggers—to the Committee on Pensions.

Also, a bill (H. R. 7501) granting an increase of pension to David Crum—to the Committee on Pensions.

Also, a bill (H. R. 7502) granting an increase of pension to William R. Browne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7503) granting an increase of pension to William B. Bonacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7504) granting a pension to John Whidden—to the Committee on Pensions.

Also, a bill (H. R. 7505) granting a pension to Bennett Whidden—to the Committee on Pensions.

Also, a bill (H. R. 7506) granting a pension to James A. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7507) granting a pension to Annie A. W. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7508) granting a pension to Frank E. Saxon—to the Committee on Pensions.

Also, a bill (H. R. 7509) granting a pension to Robert E. Rawls, alias Robert E. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7510) granting a pension to George M. Richart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7511) granting a pension to Missouri L. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7512) granting a pension to Wells Murphy—to the Committee on Pensions.

Also, a bill (H. R. 7513) granting a pension to Serena Hancock—to the Committee on Pensions.

Also, a bill (H. R. 7514) granting a pension to Sindrilla Albritton—to the Committee on Pensions.

Also, a bill (H. R. 7515) granting a pension to Joseph H. Waters—to the Committee on Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 7516) for the relief of James R. Evans—to the Committee on War Claims.

By Mr. CHAPMAN: A bill (H. R. 7517) granting an increase of pension to Sarah E. Johns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7518) granting an increase of pension to Harrison Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7519) granting an increase of pension to Sherman Wharton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7520) granting an increase of pension to Priscilla McDonald—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Elmer Isch and others, of Doylestown, and 38 other citizens of Wayne County, Ohio, for repeal of the Dick military law—to the Committee on Military Affairs.

By Mr. BATES: Petition of 100 citizens of Corry, Pa., for retention of the present duty on lumber—to the Committee on Ways and Means.

Also, petition of Charles H. Jackson & Son Wholesale Grocery Company, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petition of employees of the General Knitting Mills, of Barnesville, Ga., favoring enactment of paragraphs 325, 326, and 327 of the Payne tariff bill into law—to the Committee on Ways and Means.

Also, petition of Macon Lodge, No. 23, Benevolent and Protective Order of Elks, for establishment of a park in Wyoming for care and maintenance of the American elk—to the Committee on the Public Lands.

By Mr. BURLEIGH: Petition of Woodlawn (Me.) Local, No. 140, Brotherhood of Paper Makers, for retention, at least, of present tariff on paper—to the Committee on Ways and Means.

By Mr. DODDS: Petition of C. A. Bugbee Drug Company and others, against a duty on proprietary medicines—to the Committee on Ways and Means.

Also, petition of R. H. Ellsworth, of Traverse City, Mich., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. FOSS: Petition of League of Cook County Women's Clubs, against increased duty on leather gloves and hosiery—to the Committee on Ways and Means.

By Mr. GILLESPIE: Petition of citizens of Fort Worth, Tex., favoring legislation to compel manufacturers and employers to use safety guards on saws and other dangerous machinery—to the Committee on Interstate and Foreign Commerce.

By Mr. HIGGINS: Petition of the Connecticut Valley Leaf Tobacco Board of Trade, against free trade with the Philippine Islands—to the Committee on Ways and Means.

By Mr. HUFF: Petition of citizens of Jeannette, Pa., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LORIMER: Paper to accompany bill for relief of Andrew T. Moonert, John Stephens, James M. Merritt, and Allen W. Cross—to the Committee on Invalid Pensions.

By Mr. ROBINSON: Petition of Sam Harper and others, J. B. Vinson and others, and Jacob Miller and others, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of Cumberland Lodge of the Amalgamated Association of Iron, Steel, and Tin Workers of Valley Falls, R. I., against the drawback provision of the Dingley law regarding tin plate—to the Committee on Ways and Means.

Also, petition of J. Samuels & Bro. and 4 other glove dealers of Providence, R. I., against raising the duty on gloves—to the Committee on Ways and Means.

By Mr. THOMAS of Kentucky: Petition of citizens of Kentucky, against a tax on sugar—to the Committee on Ways and Means.

Also, petition of citizens of Kentucky, for repeal of duty on hides—to the Committee on Ways and Means.

Also, petition of sundry citizens of Kentucky, favoring a national highways commission—to the Committee on Agriculture.

By Mr. YOUNG of Michigan: Petition of sundry citizens of the Twelfth Congressional District of Michigan, and citizens of Hancock and Sault Ste. Marie, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

THURSDAY, *April 15, 1909.*

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. Without objection, the Journal will stand approved.

TARIFF STATISTICS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to Senate resolution 275 of February 9, 1909, certain statistics relative to the aggregate value of, and the amount of duties collected upon, imports during the last fiscal year of articles of merchandise upon which specific duties only were imposed, etc. (S. Doc. No. 5), which was referred to the Committee on Finance and ordered to be printed.

DOMESTIC PRODUCTS IN FOREIGN MARKETS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to Senate resolution 21, of the 5th instant, certain information relative to American manufactured products which are sold in foreign markets at lower rates than in American markets (S. Doc. No. 6), which was referred to the Committee on Finance and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Lilly Davis White, widow of Henry W. Schaeffer, deceased, v. United States (S. Doc. No. 4); which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law and opinion filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel-schooner *Betsy*, Francis Bulkley, master (H. Doc. No. 15), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 45) making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CRUMPACKER, Mr. BURLEIGH, and Mr. HAY managers at the conference on the part of the House.

The message further requested the Senate to return to the House the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

THE CENSUS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LA FOLLETTE. I move that the Senate insist upon its amendments, that it agree to the request of the House for a conference, and that the Chair appoint the Senate conferees.

The motion was agreed to; and the Vice-President appointed Mr. LA FOLLETTE, Mr. HALE, and Mr. BAILEY conferees on the part of the Senate.

THE TARIFF.

Mr. ALDRICH. I ask that the message from the House of Representatives relative to the tariff bill be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

Ordered, That the Clerk be directed to request the Senate to return to the House the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

That when said bill shall have been returned the Clerk shall reengross the same with the following amendment:

"At the end of paragraph 637 of section 2 strike out the period after the word 'refined' and insert a comma and the words 'and the products thereof.'"

And when the said reengrossment shall have been completed the said bill shall be returned to the Senate.

Mr. ALDRICH. I move that the Senate comply with the request of the House of Representatives and return the bill referred to to that body.

The motion was agreed to.

EXPENSES INCIDENT TO PRESENT SESSION.

Mr. HALE. I ask the Chair to lay before the Senate House joint resolution No. 45.

The joint resolution (H. J. Res. 45) making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress was read the first time by its title and the second time at length, as follows:

House joint resolution 45.

Resolved, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for purposes as follows:

HOUSE OF REPRESENTATIVES.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners from Porto Rico and the Philippine Islands, at $125 each, $49,750.

For the following employees from April 1 to June 30, 1909, inclusive: Forty-six pages (including 2 riding pages), 4 telephone pages, press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each; 14 messengers in the post-office, at $100 per month each; and for 3 telephone operators, at $75 per month each; in all, $15,340.

For services of 1 additional messenger in the post-office from March 4 to June 30, 1909, inclusive, at $100 per month, $300.

For folding speeches, $1,000.

Mr. HALE. I ask that the joint resolution be put on its passage.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROPOSED INCOME TAX.

Mr. BAILEY. Mr. President, I offer an amendment which at the proper time I intend to propose to the tariff bill. I offer it this far in advance of the consideration and amendment of that bill because I desire to invite every Senator who feels interested in the subject to make any suggestion or to propose any amendment to it which in his judgment may seem proper.

With the permission of the Senate and occupying but a moment, I desire to say that the amendment is, in the main, the same as the law of 1894 with some important and some immaterial exceptions. Perhaps the most important exception is that I have raised the exemption from $4,000, as provided in the old act, to $5,000 in this amendment; and I have sought to supply what might have been a loss of revenue resulting from that change by increasing the rate of taxation from 2 per cent, as specified in the old act, to 3 per cent, as provided in this amendment. I have no doubt that 3 per cent on incomes above $5,000 will raise much more revenue than 2 per cent on incomes above $4,000 would provide.

I have also responded to the unanimous decision of the Supreme Court of the United States that Congress has no power to levy a tax upon the incomes derived from state, county, and municipal securities, and I have specifically exempted them. I regarded it as unfortunate when the old act was passed that they were then included. I thought it certain, then, that the court would decide—and I think that the court ought to have decided—that part of the old act unconstitutional.

In the early days of the Republic that court, in a decision, announced by its most illustrious member, declared that States, counties, and municipalities could not levy a tax upon Federal obligations, holding that to permit it would be equivalent to a permission for the States to lay a tax upon the operations and the instrumentalities of the Federal Government. I have always believed that decision wise and just; and if it is, then it necessarily follows that its reasoning applies with equal force against a federal tax upon the operations or instrumentalities of the States and their subdivisions. But even if I doubted that, I would have conformed the amendment to what was the unanimous judgment of the court.

I want to say, however, and perhaps it is due to the Senate and to the country that I should say here and now, that this far, and only this far, have I drawn this amendment for the purpose of meeting that decision. Except in that respect, no effort has been made to meet the requirements as announced in that judgment of the court. In all other respects, instead of trying to conform the amendment to the decision of the court, the amendment distinctly challenges that decision. I do not believe that that opinion is a correct interpretation of the Constitution, and I feel confident that an overwhelming majority of the best legal opinion in this Republic believes that it was erroneous. With this thought in my mind, and remembering that the decision was by a bare majority, and that the decision itself overruled the decisions of a hundred years, I do not think it improper for the American Congress to submit the question to the reconsideration of that great tribunal.

The administrative provisions of the amendment are largely a reprint of the administrative features of the old act.

At the proper time, which is not now, I shall lay before the Senate such reasons as occur to me in the support of this amendment. But I will say now—and it can not violate the proprieties of this occasion for me to say that much—that I do not offer this income-tax amendment simply because I desire to tax prosperous people. I regard all taxation as a necessary evil. I regard every tax as a burden, whether it be laid directly at so many mills on every dollar's worth of property, or whether it be laid indirectly, at such a per cent on every imported article. I regard every tax as a subtraction to that extent from either the comfort or the earnings of every man who must pay it, and if it were not necessary to levy and collect taxes in order to support the Government I would not myself propose or advocate a tax on any man.

But knowing, as we all do know, that it is necessary for the Government to raise a vast sum of money to support its administration, my judgment is that a large part of that money ought to be raised from the abundant incomes of prosperous people rather than from the backs and appetites of people who, when doing their best, do none too well.

I believe, myself, that there never was, and that there never will be, a juster or wiser tax devised than an income tax. I believe it is the only tax ever yet devised by the statesmen of the world that rises and falls with a man's ability to pay it.

The people who have incomes subject to tax under this amendment can not complain that we unduly burden them. The exemption of $5,000 leaves the man with an income of $10,000 to contribute, under the provisions of this amendment, only $150 to support the General Government; and surely a man whose abounding prosperity nets him an income of $10,000 a year may be fairly asked to contribute the moderate sum of $150 to the expenditures of this great Government.

Mr. President, I am tempted, but I shall not yield to the temptation, to present some reasons why I think that the court, upon a reconsideration of this question, will adjudge an income tax a constitutional exercise of power by Congress. That temptation addresses itself to me because I would like to have it so ordered that when we come to consider the question we could consider it upon its merits as an economic proposition apart from the legal perplexities. But to enter upon that would occupy very much more time than the Senate has the patience

at this time to accord, and I will wait for some more suitable occasion.

The VICE-PRESIDENT. Will the Senator from Texas indicate what disposition he would like to have made of the amendment?

Mr. BAILEY. I should like to have the amendment printed and lie on the table.

The VICE-PRESIDENT. If there be no objection, that order will be made. No objection is heard.

Mr. BACON. I would like to ask the Senator from Texas if he will not amend his suggestion to the extent of having the amendment printed in the RECORD?

Mr. BAILEY. Mr. President, I did not think it altogether modest to suggest that I was submitting a proposition worthy to place in the RECORD, but I would not object to it if the Senator from Georgia desires to make that request.

Mr. BACON. I hope that will be done.

The VICE-PRESIDENT. Does the Senator from Georgia make the request? The Senator from Texas does not so modify his request, the Chair understands.

Mr. BACON. I make it, if the Senator from Texas does not.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia that the amendment be printed in the RECORD?

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. BAILEY to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Insert the following:

SEC. —. That from and after the 1st day of January, 1910, there shall be assessed, levied, collected, and paid annually upon the gains, profits, and income received in the preceding calendar year by every citizen of the United States, whether residing at home or abroad, and by every person residing in the United States, though not a citizen thereof, a tax of 3 per cent on the amount so received over and above $5,000; and a like tax shall be assessed, levied, collected, and paid annually upon the gains, profits, and income from all property owned and of every business, trade, or profession carried on in the United States by persons residing elsewhere. The tax herein provided for shall be assessed by the Commissioner of Internal Revenue and collected and paid upon the gains, profits, and income for the year ending the 31st of December next preceding the time for levying, collecting, and paying said tax.

SEC. —. Such gains, profits, and income include all interest received upon notes, bonds, and all other forms of indebtedness, except the obligations of the United States, States, counties, towns, districts, and municipalities; profits realized within the year from the sales of real estate purchased within two years previous to the close of the year for which the income is estimated; the amount of all premiums on bonds, notes, or coupons; the amount received from the sale of merchandise, live stock, sugar, cotton, wool, butter, cheese, pork, beef, mutton, or other meats, hay, grain, vegetables, or other products; money and the value of all property acquired by gift, bequest, devise, or descent; and all other gains, profits, and income derived from any other kind of property, or from rents, dividends, interest, salaries, or from any profession, trade, business, employment, or vocation, carried on in the United States or elsewhere: *Provided, however*, That it shall be proper to deduct from such gains, profits, and income all expenses actually incurred in carrying on any business, occupation, or profession, including the amounts actually expended in the purchase or production of merchandise, live stock, and products of every kind; all interest, due or paid within the year, on existing indebtedness, and all national, state, county, town, district, and municipal taxes, not including those assessed against local benefits; all losses actually sustained during the year, incurred in trade or arising from fires, storms, or shipwreck, and not compensated for by insurance or otherwise; all debts ascertained to be worthless, and all losses within the year on sales of real estate purchased within two years previous to the year for which profits, gains, or income is estimated, but no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate; the amount received from any corporation, company, or association as dividends upon the stock of such corporation, company, or association if the tax of 3 per cent has been paid upon its net profits by said corporation, company, or association as required by this act: *Provided further*, That only one deduction of $5,000 shall be made from the aggregate income of all the members of any family composed of one or both parents and one or more minor children, or husband and wife, but guardians shall be allowed to make a deduction in favor of each and every ward, except where two or more wards are comprised in one family and have joint property interests, when the aggregate deduction in their favor shall not exceed $5,000.

SEC. —. It shall be the duty of all persons of lawful age having an income of more than $5,000 for the taxable year, computed on the basis herein prescribed, to make and render a list return, on or before the second Monday in March, in such form and manner as may be directed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to the collector or a deputy collector of the district in which they reside, of the amount of their gains, profits, and income as aforesaid; and all guardians and trustees, executors, administrators, agents, receivers, and all persons or corporations acting in any fiduciary capacity, shall make and render a list or return, as aforesaid, to the collector or a deputy collector of the district in which such person or corporation acting in a fiduciary capacity resides or does business, of the amount of gains, profits, and income of any minor or person for whom they act, but persons having less than $5,000 income are not required to make such report; and the collector or deputy collector shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return if he has reason to believe that the same is understated; and in case any such person having a taxable income shall neglect or refuse to make and render such list or return, or shall render a willfully false or fraudulent list or return, it shall be the duty of the collector or deputy collector to make such list, according to the best information he can obtain, by the examination of such person, or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a willfully false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a list or return, or of rendering a false or fraudulent return: *Provided*, That any person, or corporation, in his, her, or its own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that he, she, or his or her, or its ward or beneficiary, was not possessed of an income of $5,000, liable to be assessed according to the provisions of this act; or may declare that he, she, or it, or his, her, or its ward or beneficiary has been assessed and has paid an income tax elsewhere in the same year, under authority of the United States, upon all his, her, or its gains, profits, and income, and upon all the gains, profits, and income for which he, she, or it is liable as such fiduciary, as prescribed by law; and if the collector or deputy collector shall be satisfied of the truth of the declaration, such person or corporation shall thereupon be exempt from income tax in the said district for that year; or if the list or return of any person or corporation, company, or association shall have been increased by the collector or deputy collector, such person or corporation, company, or association may be permitted to prove the amount of gains, profits, and income liable to be assessed; but such proof shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the collector or deputy collector. Any person or company, corporation, or association dissatisfied with the decision of the deputy collector in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If dissatisfied with the decision of the collector such person or corporation, company, or association may submit the case, with all the papers, to the Commissioner of Internal Revenue for his decision, and may furnish the testimony of witnesses to prove any relevant facts, having served notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed. Such notice shall state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give: *Provided*, That the Government may at the same time and place take testimony upon like notice to rebut the testimony of the witnesses examined by the person taxed. The notice shall be delivered or mailed to the Commissioner of Internal Revenue fifteen days previous to the day fixed for taking the testimony, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness. Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit: *Provided further*, That no penalty shall be assessed upon any person or corporation, company, or association for such neglect or refusal or for making or rendering a willfully false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue, so as to give the person charged an opportunity to be heard.

SEC. —. There shall be assessed, levied, and collected, except as herein otherwise provided, a tax of 3 per cent annually on the net gains, profits, and income over and above $5,000 of all banks, banking institutions, trust companies, saving institutions, fire, marine, life, and other insurance companies, railroad, canal, turnpike, canal navigation, slack water, telephone, telegraph, express, electric light, gas, water, street railway companies, and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized, but not including partnerships. It shall be the duty of the president or other chief officer of every corporation, company, or association, or in the case of any foreign corporation, company, or association, the resident manager or agent thereof, to file with the collector of the internal-revenue district in which said corporation, company, or association shall be located or be engaged in business, a statement verified by his oath or affirmation, in such form as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, showing the amount of net profits or income received by said corporation, company, or association during the whole calendar year last preceding the date of filing said statement as hereinafter required, and the corporation, company, or association whose officers or agents shall fail to comply with the requirements of this section shall forfeit as a penalty the sum of $1,000 and 2 per cent on the amount of taxes due, for each month until the same is paid, the payment of said penalty to be enforced as provided in other cases of neglect and refusal to make return of taxes under the internal-revenue laws.

The net gains, profits, and income of all corporations, companies, or associations shall include the amounts paid to shareholders, or carried to the account of any fund, or used for construction, enlargement of plant, or any other expenditure or investment paid from the net annual profits made or acquired by said corporations, companies, or associations. But nothing herein contained shall apply to States, counties, or municipalities; nor to corporations, companies, or associations organized and conducted solely for charitable, religious, or educational purposes, including fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, or associations and dependents of such members; nor to the stocks, shares, funds, or securities held by any fiduciary or trustee for charitable, religious, or educational purposes; nor to building and loan associations or companies which make loans only to their shareholders; nor to such savings banks, savings institutions, or societies as shall, first, have no stockholders or members except depositors and no capital except deposits; secondly, shall not receive deposits to an aggregate amount, in any one year, of more than $1,000 from the same depositor; thirdly, shall not allow an accumulation or total of deposits, by any one depositor, exceeding $10,000; fourthly, shall actually divide and distribute to its depositors, ratably to deposits, all the earnings over the necessary and proper expenses of such bank, institution, or society, except such as shall be applied to surplus; fifthly, shall not possess, in any form, a surplus fund exceeding 10 per cent of its aggregate deposits; nor to such savings banks, savings institutions, or societies composed of members who do not participate in the profits thereof and which pay interest or dividends only to their depositors; nor to that part of the business of any savings bank, institution, or other similar association having a capital stock, that is conducted on the mutual plan solely for the benefit of its depositors on such plan, and which shall keep its accounts of its business conducted on such mutual plan separate and apart from its other accounts.

Nor to any insurance company or association which conducts all its business solely upon the mutual plan, and only for the benefit of its policy holders or members, and having no capital stock and no stock or share holders, and holding all its property in trust and in reserve for its policy holders or members; nor to that part of the business of any insurance company having a capital stock and stock and share holders, which is conducted on the mutual plan, separate from its stock plan of insurance, and solely for the benefit of the policy holders and members insured on said mutual plan, and holding all the property belonging to and derived from said mutual part of its business in trust and reserve for the benefit of its policy holders and members insured on said mutual plan. All State, county, municipal, and town taxes paid by corporations, companies, or associations shall be included in the operating and business expenses of such corporations, companies, or associations.

SEC. 7. That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, naval, or other employment or service of the United States, including Senators and Representatives and Delegates in Congress, when exceeding the rate of $4,000 per annum, a tax of 2 per cent on the excess above the said $4,000; and it shall be the duty of all paymasters and all disbursing officers under the Government of the United States, or persons in the employ thereof, when making any payment to any officers or deputy collector. Any person or company, corporation, or association dissatisfied with the decision of the deputy collector in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If dissatisfied with the decision of the collector such person or corporation, company, or association may submit the case, with all the papers, to the Commissioner of Internal Revenue for his decision, and may furnish the testimony of witnesses to prove any relevant facts, having served notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed. Such notice shall state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give: *Provided*, That the Government may at the same time and place take testimony upon like notice to rebut the testimony of the witnesses examined by the person taxed. The notice shall be delivered or mailed to the Commissioner of Internal Revenue fifteen days previous to the day fixed for taking the testimony, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness. Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit: *Provided further*, That no penalty shall be assessed upon any person or corporation, company, or association for such neglect or refusal or for making or rendering a willfully false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue, so as to give the person charged an opportunity to be heard.

SEC. 10. It shall be the duty of every corporation, company, or association doing business for profit to keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day, in regular order, and whenever a collector or deputy collector of the district in which any corporation, company, or association is assessable shall believe that a true and correct return of the income of such corporation, company, or association has not been made, he shall make an affidavit of such belief and of the grounds on which it is founded and file the same with the Commissioner of Internal Revenue, and if said commissioner shall, on examination thereof, and after a hearing upon notice given to all parties, conclude there is good ground for such belief he shall issue a request in writing to such corporation, company, or association to permit an inspection of the books of such corporation, company, or association to be made; and if such corporation, company, or association shall refuse to comply with such request, then the collector or deputy collector of the district shall make from such information as he can obtain an estimate of the amount of such income and then add 50 per cent thereto, which said assessment so made shall then be the lawful assessment of such income.

SEC. —. Every corporation, company, or association doing business for profit shall make and render to the collector of its collection district, on or before the first Monday of March in every year, beginning with the year 1895, a full return, verified by oath or affirmation, in such form as the Commissioner of Internal Revenue may prescribe, of all the following matters for the whole calendar year last preceding the date of such return:

First. The gross profits of such corporation, company, or association, from all kinds of business of every name and nature.

Second. The expenses of such corporation, company, or association, exclusive of interest, annuities, and dividends.

Third. The net profits of such corporation, company, or association, without allowance for interest, annuities, or dividends.

Fourth. The amount paid on account of interest, annuities, and dividends, stated separately.

Fifth. The amount paid in salaries of $4,000 or less to each person employed.

Sixth. The amount paid in salaries of more than $4,000 to each person employed and the name and address of each of such persons and the amount paid to each.

SEC. —. The taxes on gains, profits, and incomes herein imposed shall be due and payable on or before the 1st day of July in each year; and to any sum or sums annually due and unpaid after the 1st day of July as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied, in addition thereto, the sum of 5 per cent on the amount of taxes unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same becomes due, as a penalty, except from the estates of deceased, insane, or insolvent persons.

SEC. 5. Any nonresident may receive the benefit of the exemptions hereinbefore provided for by filing with the deputy collector of any district a true list of all his property and sources of income in the United States and complying with the provisions of section —— of this act as if a resident. In computing income he shall include all income from every source, but unless he be a citizen of the United States he shall only pay on that part of the income which is derived from any source in the United States. In case such nonresident fails to file such statement, the collector of each district shall collect the tax on the income derived from property situated in his district, subject to income tax, making no allowance for exemptions, and all property belonging to such nonresident shall be liable to distraint for tax: *Provided*, That nonresident corporations shall be subject to the same laws as to tax as resident corporations, and the collection of the tax shall be made in the same manner as provided for collections of taxes against nonresident persons.

SEC. 11. It shall be the duty of every collector of internal revenue, to whom any payment of any taxes is made under the provisions of this act, to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made such collector shall, if required, give a separate receipt for each tax paid by any debtor, on account of payments made to or to be made by him to separate creditors in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their respective demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor, to justify him in withholding the amount therein expressed from his next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid, and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

SEC. —. Sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return by any person or corporation, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof, to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law, any income return or any part thereof or the amount or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States, he shall be dismissed from office and be incapable thereafter of holding any office under the Government.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, in case of a special tax, on or before the 31st day of July in each year, in case of income tax on or before the first Monday of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, verified by oath or affirmation, to the collector or a deputy collector of the district where located, of the articles or objects, including the amount of annual income, charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath or affirmation by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post-office a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law, within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person on being notified or required as aforesaid shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is false or fraudulent, or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books, at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects liable to tax or the returns thereof. The collector may summon any person residing or found within the State in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State, he may enter any collection district where such person may be found, and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned.

"SEC. 3176. When any person, corporation, company, or association refuses or neglects to render any return or list required by law, or renders a false or fraudulent return or list, the collector or any deputy collector shall make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector, and on his own view and information, such list or return, according to the form prescribed, of the income, property, and objects liable to tax owned or possessed or under the care or management of such person, or corporation, company, or association; and the Commissioner of Internal Revenue shall assess all taxes not paid by stamps, including the amount, if any, due for special tax,

income or other tax, and in case of any return of a false or fraudulent list or valuation intentionally he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax. In case of neglect occasioned by sickness or absence as aforesaid the collector may allow such further time for making and delivering such list or return as he may deem necessary, not exceeding thirty days. The amount so added to the tax shall be collected at the same time and in the same manner as the tax unless the neglect or falsity is discovered after the tax has been paid, in which case the amount so added shall be collected in the same manner as the tax; and the list or return so made and subscribed by such collector or deputy collector shall be held prima facie good and sufficient for all legal purposes."

Mr. ALDRICH. Mr. President, can the Senator from Texas advise the Senate about the amount of revenue which would be derived from this amendment?

Mr. BAILEY. No more than the Senator from Rhode Island could now advise the Senate as to the amount of revenue that the tariff bill itself will raise.

Mr. ALDRICH. I expect to be able to make an estimate upon that subject at a very early day.

Mr. BAILEY. I expect to answer then the question which the Senator has just propounded.

But, Mr. President, this little jocularity aside, I will say to the Senator from Rhode Island that I have no kind of doubt that this amendment will raise at least $60,000,000. Of course it has been so long since the country levied and collected an income tax that an estimate is more or less speculative; but we know the net income of one of the most important business enterprises in the country, one class of which in 1907 had a net income of more than a billion dollars. Upon this amendment would raise $30,000,000. I think I could fairly and safely calculate that the total collections would not be less than $70,006,000.

If the Senator from Rhode Island and his associates are disturbed over the question where they will raise revenue to meet these enormous expenditures, I shall be glad to assist them out of their difficulty.

However, I want to say, Mr. President, speaking for myself alone, that I am not proposing this as a mere means of raising revenue for them, because my belief is that, coupled with this amendment, there ought to be a further proposal to reduce the duties on articles of common necessity. If the Senator's bill will raise $300,000,000 upon the consumption of this Republic, I would reduce that by $60,000,000, and conceding that $60,000,000 to the consumers of the land, I would lay it upon incomes exceeding $5,000.

THE TARIFF—ADJOURNMENT TO MONDAY.

Mr. ALDRICH. Mr. President, it had been my purpose this morning to ask the Senate to proceed to the consideration of House bill 1438, for the purpose of submitting some remarks with reference to some features of the bill reported from the committee. But, as the House of Representatives have recalled the bill from the Senate, and as certain tables and information in reference to the subject have not yet been completed, I shall move, if there is no other business that is likely to attract the attention of the Senate to-morrow, that when the Senate adjourns to-day it adjourn to meet on Monday next; and I give notice of my purpose to take up the bill immediately after the routine morning business on Monday. I will then submit some remarks with reference to the measure.

Mr. DOLLIVER. If it will not disturb the Senator, I should like to have some information as to what stage in the consideration of the tariff schedules named in the bill already reported the Senate will have possession of the committee's plan in respect to the reciprocity or retaliatory features that are contained in the bill as passed by the House, and also at what stage in the proceedings we are likely to have a statement of the committee's scheme for the drawback features that are contained in the bill as passed by the House.

Mr. ALDRICH. I should think that within ten days the committee would be able to report to the Senate such amendments as they shall agree upon with reference to both the matters to which the Senator from Iowa has alluded. The committee will proceed certainly with all possible dispatch in the consideration of these questions.

The VICE-PRESIDENT. The Senator from Rhode Island moves that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

PHILIPPINE TARIFF.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 14), which was read and, with the accompanying papers, referred to the Committee on the Philippines and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, inclosing one from the Chief of the Bureau of Insular Affairs, in which is transmitted a proposed tariff-revision law for the Philippine Islands.

This measure revises the present Philippine tariff, simplifies it, and makes it conform as nearly as possible to the regulations of the customs laws of the United States, especially with respect to packing and packages. The present Philippine regulations have been cumbersome and difficult for American merchants and exporters to comply with. Its purpose is to meet the new conditions that will arise under the section of the pending United States tariff bill which provides, with certain limitations, for free trade between the United States and the islands. It is drawn with a view to preserving to the islands as much customs revenue as possible, and to protect in a reasonable measure those industries which now exist in the islands.

The bill now transmitted has been drawn by a board of tariff experts, of which the insular collector of customs, Col. George R. Colton, was the president. The board held a great many open meetings in Manila, and conferred fully with representatives of all business interests in the Philippine Islands. It is of great importance to the welfare of the islands that the bill should be passed at the same time with the pending Payne bill, with special reference to the provisions of which it was prepared.

I respectfully recommend that this bill be enacted at the present session of Congress as one incidental to and required by the passage of the Payne bill.

WM. H. TAFT.

THE WHITE HOUSE, *April 14, 1909.*

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Falk Tobacco Company, of New York City, N. Y., praying for an increase of the duty on tobacco, which was ordered to lie on the table.

He also presented a petition of the Daniel Haas Company, of Gloversville, N. Y., praying for the imposition of a duty on ladies' gloves, which was ordered to lie on the table.

He also presented a memorial of sundry business men of New York City, N. Y., remonstrating against the proposed duty on imitation parchment wrapping paper, which was ordered to lie on the table.

He also presented a petition of the Westinghouse Electric and Manufacturing Company, of Pittsburg, Pa., praying for the imposition of a duty of 5 cents per pound and 20 per cent ad valorem on unmanufactured or thumb-trimmed mica, which was ordered to lie on the table.

He also presented a petition of the Newark Conference of the Methodist Episcopal Church of New Jersey, praying for an increase of the internal-revenue tax on whisky and beer, which was ordered to lie on the table.

He also presented a petition of the Horticultural Society of Porto Rico, praying for an increase of the duty on pineapples, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, Alabama, Arkansas, California, Maryland, New Hampshire, Massachusetts, North Carolina, Wisconsin, Maine, Missouri, New Jersey, Oregon, Tennessee, Virginia, Vermont, Washington, West Virginia, Rhode Island, Kentucky, Pennsylvania, Illinois, Kansas, Iowa, Louisiana, Minnesota, and Texas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. GALLINGER presented petitions of sundry citizens of New Hampshire, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Waldoboro, Me., remonstrating against the imposition of any duty on tea, which was ordered to lie on the table.

Mr. KEAN presented petitions of sundry citizens of New Jersey, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Newark Conference of the Methodist Episcopal Church of New Jersey, praying for an increase of the internal-revenue tax on whisky and beer, which was ordered to lie on the table.

He also presented a petition of sundry business firms of New Jersey, praying for a reduction of the duty on bichromate of potash and bichromate of soda, which was ordered to lie on the table.

He also presented memorials of Phoenix Lodge, No. 315, International Association of Machinists, of Elizabeth; of the Metal Trades Council, of Newark; and of the Essex Trades Council, of Newark, all in the State of New Jersey, remonstrating against any reduction of the duty on steel, iron ore, and machinery, which were ordered to lie on the table.

He also presented the memorial of James A. McFaul, bishop of the diocese of Trenton, N. J., remonstrating against the imposition of any duty on tea, coffee, or other food necessities, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New Jersey, praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

Mr. BURKETT presented a concurrent resolution of the legislature of Nebraska, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate file 136. Introduced by E. E. Howell.

A joint and concurrent resolution memorializing the Congress of the United States to provide by law for the improvement of the rivers, harbors, and waterways, and the issuance of bonds therefor.

Be it enacted by the legislature of the State of Nebraska:

Whereas the Government should immediately take in hand the improvement of the rivers, harbors, and waterways of the country, and that a large sum of money should be appropriated for that purpose; and

Whereas reservoirs for the storage of the flood waters of the rivers to be used primarily in the reclamation of arid lands are equally useful and essential in regulating the flow of such rivers for commercial purposes and preventing devastating floods in the lower course of such rivers, and the cost of such reservoirs are now charged to the funds of the Reclamation Service; and

Whereas it seems fair and right that future generations who will reap the great benefits should share a portion of the expense; and

Whereas the 2 per cent bonds of the Government sell readily at a premium and at the same time afford an attractive investment to certain classes of people who would otherwise hoard their money and keep it out of circulation; and

Whereas the National Rivers and Harbors Congress, which convened at Washington in December, 1908, composed of more than 3,000 representatives from all sections of the country, indorsed and recommended the expenditure of $500,000,000 by the General Government for these purposes and the issuance of 2 per cent bonds therefor, and similar action has been taken by other representative bodies: Therefore be it

Resolved by the legislature of the State of Nebraska, That the Congress of the United States be memorialized and earnestly urged to provide by law for the issuance by the Government of its 2 per cent bonds to the extent of $500,000,000 or more to carry forward the work which has already been approved by the engineers of the army and the Committee on Rivers and Harbors of the House of Representatives in the matter of the improvement of the rivers, harbors, and waterways of the country, and to carry forward such other new work as may be approved by the engineering department and Congress, and to pay the cost of construction and maintenance of all reservoirs constructed under the authority of the Reclamation Service for the storage of waters for the reclamation of arid lands: Be it further

Resolved, That a duly certified copy of this memorial be by the secretary of the senate forwarded to each Member of the Nebraska delegation in Congress.

STATE OF NEBRASKA, *ss:*

I, William H. Smith, secretary of the senate, hereby certify that the foregoing joint and concurrent resolution has passed the legislature of the State of Nebraska and been approved by the governor.

WM. H. SMITH,
Secretary of the Senate.

CAPITOL BUILDING, *Lincoln, March 2, 1909.*

Mr. DIXON presented a joint memorial of the legislature of Montana, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas it was the manifest intention of Congress when the Territory of Montana was admitted into the Union as a State to set aside and donate public lands to aid in the establishment of all public institutions, following a long established precedent; and

Whereas through oversight and inadvertence no donation was made on account of the state penitentiary, the state asylum for the insane, nor the orphan's home, as was the case in other States: Now, therefore, be it

Resolved, That we, your memorialists, petition and earnestly urge that there be set aside and donated out of and from the unappropriated lands of the United States lying and being within the borders of the State of Montana 150,000 acres in aid and on account of the state penitentiary of Montana; 150,000 acres in aid and on account of the asylum for the insane; and 150,000 in and on account of the orphan's home: Be it further

Resolved, That the secretary of state be, and is hereby, instructed to forthwith transmit copies of this memorial, properly authenticated, to the Secretary of the Interior and to our Senators and Representatives in Congress.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 10, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 10, 1909, at 2 o'clock p. m.
A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 5, enacted by the eleventh session of the legislative assembly of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 10th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. DIXON presented a concurrent resolution of the legislature of Montana, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 1.

Whereas the National Rivers and Harbors Congress has asked that provision be made for $500,000,000 to be expended for the development of the navigable waterways of the United States; and

Whereas it has been publicly announced by a high and well-informed official of the United States that a sum of about $275,000,000 has already been appropriated and authorized to be expended upon works now undertaken and to be hereafter completed on the rivers and harbors of the United States; and

Whereas none of said $275,000,000 is being expended on the sixteen hundred miles of the navigable Missouri River above Sioux City; and

Whereas the report of the board of engineers for rivers and harbors recommends the improvement of the Missouri River below Sioux City (which is concurred in by the United States Engineers), and its estimate provides for the general improvement of the Missouri River below Sioux City, Iowa, of which sum $2,000,000 is to be expended annually upon the Missouri River from Kansas City to St. Louis; and

Whereas no estimates have been made for the general improvement of the Missouri River above Sioux City, Iowa, or the Yellowstone River, or the Red River of the North; and

Whereas no money is being expended, nor has provision been made to expend any part of the aforementioned $42,500,000 within the States of North Dakota, South Dakota, and Montana; and

Whereas the United States Engineer's estimate, submitted to the Chief of Engineers and through him submitted to the present Congress, makes practically no provision for any expenditure for the improvement or snagging of the upper Missouri River above Sioux City or the Yellowstone River in North Dakota and Montana; and

Whereas commerce carried on these streams during the year 1908 in the localities mentioned exceeds that of the Missouri River below Sioux City: Now therefore be it

Resolved by the senate (the house of representatives concurring), That our Senators and Representative in Congress be requested to immediately obtain proper estimates, through the War Department, of the requirements for the permanent general improvement of the Missouri River between Sioux City, Iowa, and Fort Benton, Mont., and the Yellowstone River between its mouth and Terry, Mont., and on the Red River of the North between Fargo, N. Dak., and the international boundary line, and for the specific improvement and the revetment of the river banks at several points, namely: In the vicinity of Judith, Frazier, and Mondak, Mont., and other places where caving banks menace river craft and destroy the channel; and that they be requested to obtain suitable appropriations from the present Congress wherewith to make these specific improvements promptly, and in the event of there being no river and harbor bill, they be requested to secure adequate appropriations for these specific improvements through some other measure, so as to maintain the channel of these rivers for the purpose of protecting and providing for the present and continually increasing commerce thereon.

Resolved, That a certified copy of this resolution be sent to our Senators and Representative in Congress.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 8, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 6, 1909, at 3.30 o'clock p. m.
A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate concurrent resolution 1, enacted by the eleventh session of the legislative assembly of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 6th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana.

Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. DIXON presented a concurrent resolution of the legislature of Montana, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate substitute for house concurrent resolution 6.

To the honorable Senate and House of Representatives in Congress assembled:

Whereas a bill was passed by Congress providing for the classification of the mineral lands in the Northern Pacific land grant, and where a classification was pretended to be made by certain officials known as "mineral-land commissioners;" and

Whereas investigation of the work of such mineral-land commissioners by special field officials of the Interior Department discloses the fact that said former so-called "mineral-land classification" was unscientific, worthless, and made without full knowledge of the lands within the Northern Pacific land grant, and to the detriment of the Government and public; and

Whereas such investigation has shown such pretended classification to be inaccurate and devoid of merit;

Whereas as a result of an investigation by the Interior Department of less than 50 per cent of the complaints so far made nearly 20,000 acres of mineral land has been restored to the Government; and

Whereas a proper and just classification of the mineral land of Montana is of vital interest to the miners and prospectors of the State and involves mineral lands of untold millions of value: Now, therefore be it

Resolved by the legislative assembly of the State of Montana (the Senate concurring), That we humbly petition and request of the Na-

tional Congress that it pass an act providing for a just, honest, and thorough mineral reclassification of all lands of the State of Montana within the Northern Pacific land grant.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 4, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 4, 1909, at 11.05 o'clock p. m.

A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate substitute for house concurrent resolution No. 4, enacted by the eleventh session of the legislative assembly of the State of Montana and approved by Edwin L. Norris, governor of said State, on the 4th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 18th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. DIXON presented a joint resolution of the legislature of Montana, which was referred to the Committee on Post-Offices and Post-Roads and ordered to be printed in the RECORD, as follows:

Senate joint resolution 6.

Whereas the present postal divisions of the Railway Mail Service now established in the Northwest are of that size that proper and convenient consideration can not be given to all of the territory, the same being composed of part of the eighth and part of the tenth Railway Mail Service divisions, the headquarters of the former being at San Francisco, Cal., and the latter at St. Paul, Minn.; and

Whereas it appears from all of the evidence at hand that it would be extremely desirable that a third division be formed of portions of the said two divisions, to wit, Alaska, Oregon, Idaho, Washington, and Montana, the same to constitute Railway Mail Service Division No. 13:

Therefore, we, the senate (the house concurring), most earnestly and respectfully pray that an act of Congress be passed creating a new division of the Railway Mail Service, consisting of the States of Oregon, Washington, Idaho, and Montana, and the Territory of Alaska.

And the secretary of state of Montana is hereby directed to send a copy of this petition to the Congress of the United States.

W. R. ALLEN,
President of the Senate.
W. W. MCDOWELL,
Speaker of the House.

Approved March 6, 1909.

EDWIN L. NORRIS, *Governor.*

Filed March 6, 1909, at 2.20 o'clock p. m.

A. N. YODER, *Secretary of State.*

UNITED STATES OF AMERICA, *State of Montana, ss:*

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint resolution No. 6, enacted by the eleventh session of the legislative session of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 6th day of March, 1909.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1909.

[SEAL.] A. N. YODER, *Secretary of State.*

Mr. BURNHAM presented a petition of sundry citizens of Lakeport, N. H., praying for the retention of the proposed duty on hosiery, which was ordered to lie on the table.

Mr. DILLINGHAM presented petitions of sundry citizens of Vermont, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. GAMBLE presented petitions from sundry citizens of South Dakota, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented a memorial of sundry business firms of Washington, remonstrating against the proposed duty on raw cocoa, which was ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Bridgeport, Pa., and a petition of sundry citizens of Reading, Pa., praying for the retention of the proposed duty on hosiery, which were ordered to lie on the table.

Mr. JONES presented a memorial of sundry citizens of Chesley, Wash., remonstrating against the repeal of the duty on lumber, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Seattle, Wash., and a petition of sundry shingle manufacturers of Washington, praying for a duty of 60 cents per thousand on shingles, which were ordered to lie on the table.

Mr. STONE. I present sundry petitions signed by several thousand workingmen engaged in different leather industries in Missouri, praying that hides be placed on the free list. I move that the petitions lie on the table.

The motion was agreed to.

Mr. CURTIS presented petitions of sundry citizens of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the American Citizens' Club, of Manhattan, Kans., praying for a reduction of the duty on the common necessaries of life and also for the repeal of the duty on lumber, which was ordered to lie on the table.

He also presented a petition of Pressmen's Local Union No. 49, American Federation of Labor, of Topeka, Kans., praying for an increase of the duty on post cards, which was ordered to lie on the table.

He also presented a petition of the Cattle and Horse Protective Association, of central New Mexico, remonstrating against the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Iola, Gas, and La Harpe, all in the State of Kansas, remonstrating against the placing of a duty on zinc ore, which was ordered to lie on the table.

Mr. SHIVELY presented petitions of sundry citizens of Indiana, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Indiana, praying for the repeal of the duty on raw hides, which were ordered to lie on the table.

Mr. SIMMONS presented petitions of sundry citizens of North Carolina, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Rochester, N. Y., praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

He also presented a memorial of the Board of Trade of Niagara Falls, N. Y., and a memorial of Local Union, International Brotherhood of Paper Makers, of Watertown, N. Y., remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the common council of Troy, N. Y., remonstrating against a reduction of the duty on collars and cuffs, which was ordered to lie on the table.

He also presented a memorial of the Women's Christian Temperance Union of Pawling, N. Y., remonstrating against an increase of the duty on tea, coffee, hosiery, and gloves, which was ordered to lie on the table.

He also presented a petition of sundry business firms of the United States, praying for an increase of the proposed duty on tanning and dyeing extracts, which was ordered to lie on the table.

He also presented petitions of sundry hop growers of Milford, N. Y., and a petition of sundry hop growers of Hartwick, N. Y., praying for an increase of the duty on hops, which were ordered to lie on the table.

Mr. ROOT presented a petition of Local Lodge No. 860, Benevolent and Protective Order of Elks, of North Tonawanda, N. Y., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of sundry citizens of New York, praying for an increase of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Johnstown, N. Y., and a petition of sundry citizens of Gloversville and Johnstown, N. Y., praying for the retention of the proposed duty on leather gloves, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for the reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for the passage of the so-called "parcels-post" bill, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Livestock Association of East Buffalo, N. Y., remonstrating against a reduction of the duty on hides, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for a protective duty on post cards, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PERKINS presented petitions of sundry citizens of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Merchants' Exchange of Oakland, Cal., remonstrating against the repeal of the duty on wool, which was ordered to lie on the table.

Mr. LODGE presented petitions of sundry citizens of Worcester, North Wilmington, Fitchburg, Springfield, New Bedford, Fall River, Brockton, and Chatham, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Boston, Southboro, Newburyport, South Weymouth, and Mansfield, all in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. LA FOLLETTE presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution providing that the legislature institute measures leading to repairs of the Portage levee.

Whereas a part of the levee along the north bank of the Wisconsin River at Portage, to wit, about 3½ miles of the lower part of such levee, locally known as the "government levee," is in urgent need of immediate repairs; and

Whereas this part of the levee was built by the General Government in 1888 and maintained by the General Government until about 1900, since which time no repairs have been made; and

Whereas it is generally understood that the General Government still holds the right of way and has the legal control of this part of the levee, thus preventing the state, county, or local authorities from repairing or exercising control over the same; and

Whereas these facts were set forth in a report made by a committee of this legislature, which report appears in the journals of senate and assembly under date of June 24, 1907, and the same facts are now further confirmed by a communication from the state levee commission, consisting of three citizens of Portage, acting under state authority, which communication is in part as follows:

"The undersigned state levee commissioners respectfully inform you that the Wisconsin River since the inspection made by the legislative committee in 1907 has washed off all of the bank for a distance of nearly 300 feet and even slightly undermined the government levee at some places, which make repairs absolutely necessary to prevent a break." Such state commission further says: "We are firm and right in our belief, in which the whole community shares, that the government levee is a necessary protection to the government canal leading from the Wisconsin River to the Fox, as well as the improvements in the Fox River, in aid of navigation, both of which works have been done by the General Government at large expense and to protect which this levee was originally built; the damage done to the canal by the levee break of 1900 being in direct support of this contention;" and

Whereas not alone the important government works above mentioned need the protection of this levee, but the safety of several thousand of our citizens who have homes in the district that will be overflowed in case of a break in the government levee, as well as private property valued at several millions of dollars, and to a great extent all of the cities and villages, the vast manufacturing and farming interests along the upper Fox River above Lake Winnebago: Therefore be it

Resolved, That the foregoing facts be immediately brought to the attention of the Wisconsin Members of Congress; and further

Resolved, That the legislature urgently requests that measures be promptly instituted leading to the repair by the General Government of that part of the Portage levee herein referred to, such repairs being imperative, and conditions will not permit of delay; and further

Resolved, That if any question exists as to the legal ownership of the right of way and the right of supervision of this so-called "government levee," that the necessary investigation be made to determine such ownership, but that the needed repairs be not delayed during such investigation.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Wisconsin, remonstrating against the passage of the so-called "Payne tariff bill," which were ordered to lie on the table.

He also presented petitions of sundry citizens of Wisconsin, praying for a reduction of the duty on textiles, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Boyd, Allenton, Menomonie, Prescott, Oakridge, Coloma, Hancock, Hixton, River Falls, Thorpe, Blair, Hubertus, Richfield, Cushing, Elkhart, and Fairchild, all in the State of Wisconsin, remonstrating against a reduction of the duty on barley, wheat, and any other grains, which were ordered to lie on the table.

DISTRIBUTION OF DOCUMENTS.

Mr. SMOOT. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 38) repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909, to report it favorably without amendment, and I ask for its immediate consideration.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

USELESS PAPERS IN EXECUTIVE DEPARTMENTS.

Mr. SIMMONS, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, submitted the following report (S. Rept. No. 3), which was read and agreed to:

The Joint Select Committee of the Senate and House of Representatives, appointed on the part of the Senate and on the part of the House of Representatives, to which were referred the reports of the heads of departments, bureaus, etc., in respect to the accumulation therein of old and useless files of papers, which are not needed or useful in the transaction of the current business therein, respectively, and have no permanent value or historical interest, with accompanying statements of the condition and character of such papers, respectfully report to the Senate and House of Representatives, pursuant to an act entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," approved February 16, 1889, as follows:

Your committee have met and, by a subcommittee appointed by your committee, carefully and fully examined the said reports so referred to your committee and the statements of the condition and the character of such files and papers therein described, and we find and report that the files and papers described in the report of the Postmaster-General in House Document No. 3, Sixty-first Congress, first session, dated March 20, 1909, are not needed in the transaction of the current business of such departments and bureaus, and have no permanent value or historical interest.

Respectfully submitted to the Senate and House of Representatives.

F. M. SIMMONS,
J. H. GALLINGER,
Members on the part of the Senate.

ARTHUR L. BATES,
J. FRED. C. TALBOTT,
Members on the part of the House.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first and, by unanimous consent, the second time, and referred as follows:

By Mr. DANIEL:

A bill (S. 1628) for the relief of the heirs of J. H. McVeigh, deceased; to the Committee on Claims.

A bill (S. 1629) to provide for the construction of the Patent Office of the United States, including a hall of inventions, and for other purposes; to the Committee on Public Buildings and Grounds.

A bill (S. 1630) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property; to the Committee on the District of Columbia.

A bill (S. 1631) granting an increase of pension to V. A. Witcher;

A bill (S. 1632) granting an increase of pension to Mary S. Hollis;

A bill (S. 1633) granting an increase of pension to Sinnett A. Duling; and

A bill (S. 1634) granting a pension to Johanna Shelden; to the Committee on Pensions.

By Mr. BURKETT:

A bill (S. 1635) to provide for the purchase of a site and the erection of a public building thereon in the city of Central City, State of Nebraska; to the Committee on Public Buildings and Grounds.

A bill (S. 1636) granting an increase of pension to Norman A. Hamilton; and

A bill (S. 1637) granting a pension to Mary F. Grady; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 1638) for the erection of a monument over the grave of Brig. Gen. James Shields in St. Mary's Cemetery, Carrollton, Mo.; to the Committee on the Library.

A bill (S. 1639) for the relief of Elizabeth J. Bruce and others; to the Committee on Indian Affairs.

A bill (S. 1640) for the relief of W. H. De Long; and

A bill (S. 1641) for the relief of David H. Lewis; to the Committee on Post-Offices and Post-Roads.

A bill (S. 1642) for the relief of Thomas A. Scottes;

A bill (S. 1643) for the relief of H. F. Millikan;

A bill (S. 1644) for the relief of William T. Grady;

A bill (S. 1645) for the relief of Daniel W. Boutwell;

A bill (S. 1646) for the relief of Daniel W. Boutwell;

A bill (S. 1647) for the relief of Christ Schrey;
A bill (S. 1648) for the relief of Catherine Ratchford;
A bill (S. 1649) for the relief of Shadrack Sechresh; and
A bill (S. 1650) for the relief of Daniel M. Frost; to the Committee on Claims.
A bill (S. 1651) for the relief of William Hayes;
A bill (S. 1652) for the relief of Gustav A. Hesselberger;
A bill (S. 1653) for the relief of J. Ware Butterfield;
A bill (S. 1654) for the relief of Eric E. Walgen;
A bill (S. 1655) for the relief of A. R. Williams;
A bill (S. 1656) for the relief of Cumberlain Smith;
A bill (S. 1657) for the relief of Stephen Murphy;
A bill (S. 1658) for the relief of Andrew Jackson;
A bill (S. 1659) for the relief of Roughin Brown;
A bill (S. 1660) for the relief of Samuel Liverpool;
A bill (S. 1661) for the relief of James Chard;
A bill (S. 1662) for the relief of John Mitchell;
A bill (S. 1663) for the relief of James Barrett;
A bill (S. 1664) for the relief of William Harshberger;
A bill (S. 1665) for the relief of Patrick H. Wheat;
A bill (S. 1666) for the relief of William Davis;
A bill (S. 1667) for the relief of Kate Riling;
A bill (S. 1668) for the relief of Daniel G. Cormick;
A bill (S. 1669) for the relief of James Carroll, alias James Clingen;
A bill (S. 1670) for the relief of Thomas H. Barrett;
A bill (S. 1671) for the relief of Annie Catherine Mettier;
A bill (S. 1672) for the relief of John Birkett;
A bill (S. 1673) for the relief of Charles Goody, his heirs or assigns;
A bill (S. 1674) for the relief of Franklin Bannon;
A bill (S. 1675) for the relief of Henry C. Smith;
A bill (S. 1676) for the relief of William Martinson;
A bill (S. 1677) for the relief of Green Edmonson;
A bill (S. 1678) for the relief of Samuel D. Jarman; and
A bill (S. 1679) for the relief of James S. Risley; to the Committee on Military Affairs.
A bill (S. 1680) granting an increase of pension to Henry Austin (with the accompanying papers);
A bill (S. 1681) granting an increase of pension to Eli T. Rhea (with the accompanying paper);
A bill (S. 1682) granting a pension to Daniel Jarboe;
A bill (S. 1683) granting an increase of pension to Charles W. Lathrap;
A bill (S. 1684) granting an increase of pension to William Hemphill;
A bill (S. 1685) granting an increase of pension to James F. Bacon (with the accompanying paper); and
A bill (S. 1686) granting an increase of pension to Harriet H. Brady; to the Committee on Pensions.
By Mr. GORE:
A bill (S. 1687) granting an increase of pension to Daniel T. Rose; and
A bill (S. 1688) granting an increase of pension to George W. Butterfield; to the Committee on Pensions.
By request, a bill (S. 1689) to grant additional rights to homestead settlers on public lands; to the Committee on Public Lands.
By Mr. FRYE:
A bill (S. 1690) to authorize the appointment of delegates to the Twelfth International Anti-Alcoholic Congress at London, England, July 16 to 18, 1909; to the Committee on Foreign Relations.
By Mr. WARREN:
A bill (S. 1691) to make certain funds applicable in the payment of expenses of encampments of the organized militia (with the accompanying papers); and
A bill (S. 1692) to increase the efficiency of the veterinary service of the army; to the Committee on Military Affairs.
A bill (S. 1693) for the reimbursement of certain sums of money to certain enlisted men of the Philippine Scouts; to the Committee on Claims.
A bill (S. 1694) to provide for the purchase of a site and the erection of a public building thereon at Green River, in the State of Wyoming; to the Committee on Public Buildings and Grounds.
A bill (S. 1695) granting a pension to George L. Granbery (with accompanying papers);
A bill (S. 1696) granting an increase of pension to Cornelia M. Clagett;
A bill (S. 1697) granting an increase of pension to Nancy M. G. Achord;
A bill (S. 1698) granting a pension to Daniel Fallen;
A bill (S. 1699) granting an increase of pension to Henry Cooper;
A bill (S. 1700) granting an increase of pension to Elias H. Funk;
A bill (S. 1701) granting a pension to Mary A. Hubbell; and
A bill (S. 1702) granting an increase of pension to Alice D. Bainum; to the Committee on Pensions.
By Mr. McLAURIN:
A bill (S. 1703) granting an increase of pension to Jane C. Stingley; and
A bill (S. 1704) granting an increase of pension to Charles Martin; to the Committee on Pensions.
By Mr. GALLINGER:
A bill (S. 1705) granting a pension to Bernice A. Kent (with the accompanying papers); to the Committee on Pensions.
By Mr. LODGE:
A bill (S. 1706) authorizing the appointment of an assistant appraiser at the port of Boston; to the Committee on Finance.
By Mr. DU PONT:
A bill (S. 1707) granting a pension to Maud E. L. Pinder; and
A bill (S. 1708) granting a pension to Hannah Traynor; to the Committee on Pensions.
By Mr. McCUMBER:
A bill (S. 1709) authorizing the creation of a land district in the States of North and South Dakota and Montana, to be known as the Marmath land district; to the Committee on Public Lands.
By Mr. KEAN:
A bill (S. 1710) granting an increase of pension to William N. Furman (with the accompanying papers); and
A bill (S. 1711) granting an increase of pension to Frederick J. Garbanati (with the accompanying papers); to the Committee on Pensions.
By Mr. DICK:
A bill (S. 1712) prohibiting the wearing of the United States uniform by unauthorized persons; to the Committee on Military Affairs.
By Mr. FRAZIER:
A bill (S. 1713) to limit the effect of the regulation of commerce between the several States and Territories in certain cases; to the Committee on the Judiciary.
A bill (S. 1714) for the erection of a public building at Dayton, Tenn.;
A bill (S. 1715) for the purchase of a site and erection of a public building in the city of Covington, Tipton County, Tenn.;
A bill (S. 1716) to provide for the purchase of a site and the erection of a public building thereon at Lewisburg, in the State of Tennessee;
A bill (S. 1717) to provide for the purchase of a site and the erection of a public building thereon at Tullahoma, in the State of Tennessee;
A bill (S. 1718) to provide for the erection of a public building at Sparta, Tenn.;
A bill (S. 1719) to provide for the erection of a public building at Athens, Tenn.;
A bill (S. 1720) to provide for the erection of a public building at McMinnville, Tenn.;
A bill (S. 1721) to provide for the erection of a public building at Winchester, Tenn.;
A bill (S. 1722) to provide for the erection of a public building at Madisonville, Tenn.; and
A bill (S. 1723) to provide for the purchase of a site and the erection of a public building thereon at Fayetteville, in the State of Tennessee; to the Committee on Public Buildings and Grounds.
By Mr. DANIEL:
A bill (S. 1724) to protect the monuments already erected on the battlefields of Bull Run, Virginia, and other monuments that may be there erected; to the Committee on Military Affairs.
A bill (S. 1725) granting an increase of pension to Henry M. Trimble; to the Committee on Pensions.
A bill (S. 1726) for the relief of A. M. Randolph and other children and heirs of Robert Lee Randolph, deceased; to the Committee on Claims.
By Mr. ROOT:
A bill (S. 1727) to authorize the construction of a bridge across the Niagara River from a location in the city of Niagara Falls, in the county of Niagara, State of New York; to the Committee on Commerce.
By Mr. BRADLEY:
A bill (S. 1728) for the relief of the county court of Graves County, Ky.;

A bill (S. 1729) for the relief of the estate of William Claunch, deceased;
A bill (S. 1730) for the relief of Spencer Hudson, deceased; and
A bill (S. 1731) for the relief of D. B. Curd; to the Committee on Claims.
A bill (S. 1732) granting a pension to William Adams;
A bill (S. 1733) granting an increase of pension to Charles Allen;
A bill (S. 1734) granting an increase of pension to George T. Grinstead;
A bill (S. 1735) granting an increase of pension to Thomas Johnson;
A bill (S. 1736) granting an increase of pension to John L. Eblin;
A bill (S. 1737) granting an increase of pension to Franklin T. Noel;
A bill (S. 1738) granting an increase of pension to Lewis G. Johnson;
A bill (S. 1739) granting an increase of pension to Margaret J. Davis;
A bill (S. 1740) granting an increase of pension to Edward A. Short; and
A bill (S. 1741) granting an increase of pension to William H. Hasty; to the Committee on Pensions.
By Mr. JONES:
A bill (S. 1742) granting an increase of pension to Jervis E. Barber; to the Committee on Pensions.
By Mr. OLIVER:
A bill (S. 1743) to carry into effect the findings of the Court of Claims in the claims of Jones & Laughlin and others (with the accompanying paper); and
A bill (S. 1744) for the relief of Anna T. W. Albree, administratrix of James T. Wood, deceased, and the Safe Deposit and Trust Company, of Pittsburg, Pa. (with the accompanying paper); to the Committee on Claims.
A bill (S. 1745) to amend section 4919 of the Revised Statutes of the United States, to provide additional protection for owners of patents of the United States, and for other purposes; to the Committee on Patents.
A bill (S. 1746) granting an increase of pension to Lydia C. Rose (with the accompanying paper); to the Committee on Pensions.
By Mr. LA FOLLETTE:
A bill (S. 1747) to create a tariff commission and defining its powers and duties; to the Committee on Finance.
By Mr. GAMBLE:
A bill (S. 1748) granting to the State of South Dakota 25,000 acres of land, to aid in the maintenance of a school of forestry; to the Committee on Public Lands.
A bill (S. 1749) granting a pension to Charles H. Jackson; to the Committee on Pensions.
By Mr. WETMORE:
A bill (S. 1750) granting a pension to Louisa Thompson; to the Committee on Pensions.
By Mr. GUGGENHEIM:
A bill (S. 1751) to amend an act entitled "An act creating the Mesa Verde National Park," approved June 29, 1906; to the Committee on Public Lands.
By Mr. DIXON:
A bill (S. 1752) for the relief of Dr. Charles B. Miller; to the Committee on Military Affairs.
By Mr. BURNHAM:
A bill (S. 1753) granting an increase of pension to Michael E. Long; and
A bill (S. 1754) granting an increase of pension to Charles A. Gray; to the Committee on Pensions.
By Mr. BORAH:
A bill (S. 1755) for the relief of applicants for mineral surveys; and
A bill (S. 1756) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home; to the Committee on Public Lands.
A bill (S. 1757) providing for the erection of a federal building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.
A bill (S. 1758) providing for the dismissal of indictments in the case of failure to prosecute; to the Committee on the Judiciary.
By Mr. PERKINS:
A bill (S. 1759) for the relief of the heirs of Rear-Admiral Henry Glass, United States Navy, retired; to the Committee on Claims.
A bill (S. 1760) granting an increase of pension to Charles E. Pendleton; to the Committee on Pensions.
A bill (S. 1761) to provide for the establishment of a three-order revolving light at Point Arguello, seacoast of California; to the Committee on Commerce.
By Mr. WARNER:
A bill (S. 1762) for the relief of John H. Cole; to the Committee on Claims.
A bill (S. 1763) to establish and construct a national highway from the southern limits of the city of St. Louis to the national cemetery at Jefferson Barracks, Mo.;
A bill (S. 1764) to correct the military record of and issue to James Capehart an honorable discharge;
A bill (S. 1765) removing disabilities from the military record of Newman Tennison and granting him an honorable discharge;
A bill (S. 1766) removing the charge of desertion from the military record of James Carroll; and
A bill (S. 1767) for the relief of W. D. McLean, alias Donald McLean; to the Committee on Military Affairs.
A bill (S. 1768) granting an increase of pension to Jesse Moore;
A bill (S. 1769) granting a pension to John W. Toppas;
A bill (S. 1770) granting an increase of pension to Emma A. Porch;
A bill (S. 1771) granting an increase of pension to David F. Ragsdale;
A bill (S. 1772) granting a pension to Judson H. Streeter;
A bill (S. 1773) granting pensions to the teamsters who served the Government of the United States in the war with Mexico, and for other purposes;
A bill (S. 1774) granting a pension to Uriah Fosberg;
A bill (S. 1775) granting an increase of pension to James H. Cowan;
A bill (S. 1776) granting an increase of pension to John G. Bowers;
A bill (S. 1777) granting an increase of pension to David C. Hardy;
A bill (S. 1778) granting a pension to Caroline McKee;
A bill (S. 1779) granting an increase of pension to Perry H. Hayes;
A bill (S. 1780) granting an increase of pension to Marcus D. Warner;
A bill (S. 1781) granting an increase of pension to William N. Hyatt;
A bill (S. 1782) granting a pension to Abner Welch;
A bill (S. 1783) granting an increase of pension to Thomas R. Buxton;
A bill (S. 1784) granting an increase of pension to Sophrona Austin;
A bill (S. 1785) granting an increase of pension to Prince Albert Loveland;
A bill (S. 1786) granting an increase of pension to William T. Adkins;
A bill (S. 1787) granting a pension to Amelia C. Perry;
A bill (S. 1788) granting an increase of pension to Ferdinand Rubin;
A bill (S. 1789) granting an increase of pension to John Burton;
A bill (S. 1790) granting an increase of pension to Thomas Uptegrove;
A bill (S. 1791) granting an increase of pension to James A. Rutherford;
A bill (S. 1792) granting an increase of pension to John Hobart;
A bill (S. 1793) granting an increase of pension to Samuel Workman;
A bill (S. 1794) granting an increase of pension to Tobias McQuaid;
A bill (S. 1795) granting an increase of pension to George P. Sargent;
A bill (S. 1796) granting an increase of pension to Arthur Eckert;
A bill (S. 1797) granting an increase of pension to William Blair;
A bill (S. 1798) granting an increase of pension to James R. Rittenhouse;
A bill (S. 1799) granting an increase of pension to Joseph Blankenship;
A bill (S. 1800) granting an increase of pension to Ozen B. Nichols;
A bill (S. 1801) granting an increase of pension to Herman H. Richter;
A bill (S. 1802) granting a pension to James C. Tryon;

A bill (S. 1803) granting an increase of pension to Mary J. Voris;

A bill (S. 1804) granting a pension to Jonathan M. Ragner;

A bill (S. 1805) granting a pension to Alva Bird;

A bill (S. 1806) granting an increase of pension to George F. Blue;

A bill (S. 1807) granting an increase of pension to Jacob W. Truxel;

A bill (S. 1808) granting a pension to Benjamin Franklin Brown;

A bill (S. 1809) granting a pension to Patterson McGeehon;

A bill (S. 1810) granting an increase of pension to Jackson Donald;

A bill (S. 1811) granting an increase of pension to Elisha H. Wicker;

A bill (S. 1812) granting an increase of pension to David N. Heatherly;

A bill (S. 1813) granting an increase of pension to Thomas J. Craven;

A bill (S. 1814) granting an increase of pension to Michael C. Bratton;

A bill (S. 1815) granting a pension to Samuel Robinson;

A bill (S. 1816) granting an increase of pension to John Mulcare; and

A bill (S. 1817) granting a pension to George W. Wells; to the Committee on Pensions.

By Mr. BEVERIDGE:

A bill (S. 1818) granting an increase of pension to Gideon B. Thompson (with the paper accompanying); and

A bill (S. 1819) granting an increase of pension to Isaiah P. Watts; to the Committee on Pensions.

By Mr. GORE:

A joint resolution (S. J. R. 21) authorizing the rental of additional and necessary quarters for the accommodation of the Department of Justice; to the Committee on the Judiciary.

TARIFF COMMISSION.

Mr. BEVERIDGE. Mr. President, I introduce a bill which I ask to have referred to the Committee on Finance.

The bill (S. 1820) to create a tariff commission was read twice by its title and referred to the Committee on Finance.

Mr. BEVERIDGE. Mr. President, I crave the indulgence of the Senate for just a moment with reference to this bill. It is the bill referring to a tariff commission which I introduced last year, with only a few changes. It is not my purpose at the present time to offer the bill as an amendment to the tariff bill; nor at all, I hope, Mr. President, will that be necessary. I trust and believe that the Finance Committee will report to the Senate a measure which will sufficiently embody the necessary provisions which those people in this country who favor the tariff-commission idea deem necessary to doing the preparatory work of tariff legislation.

I wish now merely to call attention to two uncommon things with reference to this measure. The first is that it is demanded by a larger number of organizations of producers and commercial bodies than any measure relating to fiscal legislation in the last quarter of a century, and that it has more general support of the public press than any such measure has had since the civil war.

The second unusual thing is that notwithstanding the widespread discussion of this bill and the intense interest manifested in this subject among Senators and Representatives, yet to this day no man now in public life has made a single public argument against it. The objections made have been confined to the private conversations of Senators and Representatives among themselves and in the cloakrooms.

At some proper time before the debate upon the tariff bill shall conclude it is my purpose to submit to the Senate remarks in which I shall try to answer every one of the objections thus far privately made, but none of them publicly made, and also to condense in those remarks all of the affirmative reasons in support of this idea.

When I presented this bill at the last session I said then and I repeat now that I was not wedded to this or to any particular measure, but that I in common with the many hundreds of thousands of business men and producers throughout the country am determined only upon the idea, and although this bill was carefully drawn after mature consultation, and although it then and now meets the views of many experts and of many scores of these business men and producers throughout the country, it was introduced then and I introduce it now as a center and a source for suggestion and comment to the end that if improvements are devised they may be embodied in the final measure that our joint efforts may evolve; and, if not, that the bill as presented may be enacted into law. But some effective legislation to accomplish the purpose of this bill can no longer be delayed.

The interests of the country demand that the idea of a body of experts to do the preparatory work in aid of Congress in building our tariffs shall be now written into the statute books. The exigencies of the present situation in Congress italicize that demand.

At some time in the future before the debate shall close, I shall hope, with the indulgence of the Senate, to lay before this body not only what I think will be a complete answer to any objections which have been made or may be made, but also all of the affirmative reasons that exist for this necessary legislation.

I thank the Senate for its indulgence.

TAX ON TRANSFER OF PROPERTY.

Mr. BEVERIDGE submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

PUMICE STONE AND LUMBER.

Mr. BROWN submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

PHILIPPINE ISLANDS.

Mr. STONE. I present an amendment intended to be proposed to the tariff bill. It relates to that section of the bill which concerns commerce between the United States and the Philippines. At the proper time, and at an early day, I hope, I desire to address the Senate on the subject-matter, and in due course, when the appropriate section of the tariff bill is reached, I shall offer the amendment in its present form or in some modified form. I ask that it be printed, and that it be printed in the RECORD, and lie on the table.

The VICE-PRESIDENT. In the absence of objection, that order is made.

The amendment referred to is as follows:

Amendment intended to be proposed by Mr. STONE to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Strike out paragraph 471d, section 1 of this bill, and insert the following:

"471d. That it is hereby declared not to be the policy and purpose of the United States to maintain permanent sovereignty over the Philippine Islands, but to exercise authority in and over said islands only so long as it may be necessary, in the opinion of the Congress and the President of the United States, not to exceed fifteen years from and after the passage of this act; to organize and establish a native government capable of maintaining public order in said islands, and until such international agreements shall have been made between the United States and foreign countries as will insure the independence of said islands and the people thereof. Upon the organization of such native government, the organization of which shall be upon such terms and conditions as shall be prescribed by the United States, all authority, civil and military, of the United States, except as may be otherwise agreed upon between the Government of the United States and the government of the Philippine Islands, shall be withdrawn from said islands; and hereafter and until the provisions of this section shall be altered, amended, or repealed, all articles of whatever kind, being wholly the growth and product of the Philippine Islands, shall be admitted into the United States free of duty; and agricultural implements of all kinds, cotton and cotton manufactures of all kinds, books and publications of all kinds, and machinery for use in manufactures of all kinds, being wholly the growth and product of the United States, shall be admitted into the Philippine Islands free of duty: *Provided*, That this section shall not be in force and effect nor become operative until the existing legislative authority of the Philippine Islands shall, by joint resolution, duly enacted, consent to and approve the same. All acts and parts of acts inconsistent with the provisions of this section are hereby repealed."

RECIPROCAL TRADE WITH FOREIGN COUNTRIES.

Mr. CUMMINS. I offer an amendment intended to be proposed to the tariff bill. Inasmuch as it relates to a subject which has not yet been considered or reported upon by the Committee on Finance, I ask its reference to that committee.

The VICE-PRESIDENT. The proposed amendment will be referred to the Committee on Finance and printed.

WITHDRAWAL OF PAPERS—ROBERT G. RUTHERFORD, JR.

On motion of Mr. BURNHAM, it was—

Ordered, That there may be withdrawn from the files of the Senate the papers in the case of First Lieut. Robert G. Rutherford, jr. (S. 5130, 58th Cong., 2d sess.), no adverse report having been made thereon.

CLAIMS OF POSTMASTERS IN OHIO.

Mr. DICK submitted the following resolution (S. Res. 32), which was ordered to lie on the table and be printed:

Senate resolution 32.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to have audited and reported for payment to the Senate the salaries of those who served as postmasters at post-offices in the State of Ohio in biennial terms between July 1, 1864, and June 30, 1874, whose names and periods of service appear in applications before 1887 on file in the department, the salary of each former postmaster to be stated for each specified term of service by commissions and box rents, as shown by the registered returns of each former postmaster on file in the Sixth Auditor's Office, and to show the exact excess of the salary by commissions and box rents over the salary paid in every case where the paid salary is 10 per cent less than the salary by box rents and commissions; and to comply in all respects with the public order of the Postmaster-General of February 17, 1884, for stating such salary accounts of former postmasters under the act of March 3, 1883; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim.

EXECUTIVE SESSION.

Mr. KEAN. Mr. President, I inquire if morning business has closed?

The VICE-PRESIDENT. If there are no further concurrent or other resolutions, morning business is closed.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 1 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, April 19, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 15, 1909.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer William Hyde Doron, of New York, to be a third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

UNITED STATES DISTRICT JUDGES.

Robert S. Bean, of Oregon, to be United States district judge for the district of Oregon. An original vacancy, as provided by the act approved March 2, 1909 (Public No. 300).

Thomas R. Lyons, of Alaska, to be United States district judge, first division, district of Alaska, vice Royal A. Gunnison, whose term expired December 11, 1908.

UNITED STATES MARSHAL.

Daniel A. Sutherland, of Alaska, to be United States marshal for the first division of the district of Alaska, vice James M. Shoup, whose resignation has been accepted to take effect June 30, 1909.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Solomon W. Roessler, Corps of Engineers, to be colonel from April 11, 1909, vice Adams, retired from active service.

Maj. David Du B. Gaillard, Corps of Engineers, to be lieutenant-colonel from April 11, 1909, vice Roessler, promoted.

Capt. William J. Barden, Corps of Engineers, to be major from April 11, 1909, vice Gaillard, promoted.

First Lieut. Arthur Williams, Corps of Engineers, to be captain from April 11, 1909, vice Barden, promoted.

Second Lieut. William A. Johnson, Corps of Engineers, to be first lieutenant from April 11, 1909, vice Williams, promoted.

PROMOTION IN THE NAVY.

Major C. Shirley, a citizen of South Carolina, to be an assistant paymaster in the navy from the 12th day of March, 1909, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

CALIFORNIA.

Clarence Beckley to be postmaster at Santa Paula, Cal., in place of Charles H. Fernald, resigned.

COLORADO.

Davis H. Sayler to be postmaster at Cortez, Colo. Office became presidential April 1, 1909.

ILLINOIS.

Henry J. Faithorn to be postmaster at Berwyn, Ill., in place of Frederick W. Morrison. Incumbent's commission expired November 17, 1907.

Claude L. Stone to be postmaster at Mason City, Ill., in place of Samuel B. Roach, resigned.

INDIANA.

Russell W. Addington to be postmaster at Ridgeville, Ind., in place of James G. Stanley, removed.

George W. Kilmer to be postmaster at Wakarusa, Ind. Office became presidential January 1, 1909.

John P. Russell to be postmaster at Kewanna, Ind., in place of John P. Russell. Incumbent's commission expired January 9, 1909.

IOWA.

James P. Flick to be postmaster at Bedford, Iowa, in place of John J. Clark, resigned.

KANSAS.

Almond P. Burdick to be postmaster at Nortonville, Kans., in place of Robert D. Kirkpatrick, resigned.

Henry A. Platt to be postmaster at Overbrook, Kans. Office became presidential January 1, 1909.

MASSACHUSETTS.

Charles D. Streeter to be postmaster at Mount Hermon, Mass., in place of David D. Streeter, resigned.

OHIO.

James K. Allen to be postmaster at Greenwich, Ohio, in place of James K. Allen. Incumbent's commission expired December 14, 1908.

William T. Orton to be postmaster at West Unity, Ohio, in place of William T. Orton. Incumbent's commission expired March 3, 1907.

OREGON.

Mary E. Walker to be postmaster at Bandon, Oreg., in place of Robert Walker, deceased.

SOUTH CAROLINA.

William M. Floyd to be postmaster at Spartanburg, S. C., in place of Samuel T. Poinier, deceased.

TEXAS.

L. C. Burnecke to be postmaster at Wolfe City, Tex., in place of Hiram T. Andrews, removed.

Isidore Newman to be postmaster at Mexia, Tex., in place of Philpott Karner. Incumbent's commission expired March 2, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 15, 1909.

UNITED STATES ATTORNEY.

John H. Jordan to be United States attorney for the western district of Pennsylvania.

GOVERNOR OF ARIZONA.

Richard E. Sloan to be governor of Arizona.

SECRETARY OF ARIZONA.

George U. Young to be secretary of Arizona.

POSTMASTERS.

GEORGIA.

P. Brooks Ford, at Sylvester, Ga.

ILLINOIS.

John F. Regan, at Mount Sterling, Ill.

KANSAS.

J. M. Gibbs, at Oskaloosa, Kans.
Nereus H. Mendenhall, at Haviland, Kans.
E. T. Metcalf, at Colony, Kans.

NORTH DAKOTA.

William Berry, at Page, N. Dak.
Mary C. Dwyer, at Medina, N. Dak.
H. A. Mayo, at Walhalla, N. Dak.
Dolphy O. Ostby, at Sheyenne, N. Dak.
Edward T. Pierson, at Granville, N. Dak.
J. W. Pratten, at Milton, N. Dak.

PENNSYLVANIA.

Arthur W. Briggs, at Shinglehouse, Pa.
Leanus Schreiner, at Tower City, Pa.

TEXAS.

Irvin W. Baker, at Loraine, Tex.
Theophilus F. Berner, at Henrietta, Tex.
Henry L. Sands, at Alvord, Tex.
J. J. Staskey, at Bremond, Tex.
Lottie E. Turney, at Smithville, Tex.
W. F. Viereck, at Sealy, Tex.

WASHINGTON.

Velosco J. Knapp, at Anacortes, Wash.
Cornelius E. Legg, at Chewelah, Wash.
George D. C. Pruner, at Blaine, Wash.

INJUNCTION OF SECRECY REMOVED.

On April 15, 1909, the Senate removed the injunction of secrecy from an agreement between the United States and Germany for a full and more operative reciprocal protection of patents, designs, etc., signed at Washington on February 23, 1909. (Executive W, 60th, 2d.)

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 15, 1909.*

The House met at 12 o'clock m.
Prayer by the Chaplain, Rev. Henry N. Couden, D. D.
The Journal of Monday's proceedings was read and approved.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

PHILIPPINE TARIFF.

The SPEAKER laid before the House the following message from the President of the United States (H. Doc. No. 14), which was read, referred to the Committee on Ways and Means, and, with accompanying papers, ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of War, inclosing one from the Chief of the Bureau of Insular Affairs, in which is transmitted a proposed tariff-revision law for the Philippine Islands.

This measure revises the present Philippine tariff, simplifies it, and makes it conform as nearly as possible to the regulations of the customs laws of the United States, especially with respect to packing and packages. The present Philippine regulations have been cumbersome and difficult for American merchants and exporters to comply with. Its purpose is to meet the new conditions that will arise under the section of the pending United States tariff bill which provides, with certain limitations, for free trade between the United States and the islands. It is drawn with a view to preserving to the islands as much customs revenue as possible, and to protect in a reasonable measure those industries which now exist in the islands.

The bill now transmitted has been drawn by a board of tariff experts, of which the insular collector of customs, Col. George R. Colton, was the president. The board held a great many open meetings in Manila, and conferred fully with the representatives of all business interests in the Philippine Islands. It is of great importance to the welfare of the islands that the bill should be passed at the same time with the pending Payne bill, with special reference to the provisions of which it was prepared.

I respectfully recommend that this bill be enacted at the present session of Congress as one incidental to and required by the passage of the Payne bill.

WM. H. TAFT.

THE WHITE HOUSE, *April 14, 1909.*

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BYRD, indefinitely, on account of sickness in his family.

To Mr. BROUSSARD, indefinitely, on account of important business.

To Mr. ESTOPINAL, indefinitely, on account of important business.

To Mr. KENNEDY of Iowa, indefinitely, on account of important business.

To Mr. MILLER of Kansas (at the request of Mr. SCOTT), indefinitely, on account of important business.

OCEAN MAIL.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to print in the RECORD some remarks delivered by me last session on the ocean-mail bill, which were inadvertently omitted.

The SPEAKER. The gentleman asks unanimous consent to print some remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

TOBACCO TAX.

Mr. STANLEY. Mr. Speaker, I ask unanimous consent to insert in the RECORD a communication received from Mr. Weissenger with reference to the repeal of the 6 cents tax on tobacco. Mr. Weissenger's long and extensive experience as a tobacco manufacturer and his high standing in my State give his statements great weight. I regard this communication as of the greatest importance, and desire to give it the widest possible circulation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The communication is as follows:

WASHINGTON, D. C., *April 13, 1909.*

Hon. A. O. STANLEY, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: I notice in the papers an effort on your part to so amend the internal-revenue laws in relation to tobacco that the farmer or producer of tobacco may dispose of his crop without let or hindrance to all who may desire to purchase it. This is a very desirable amendment if it can be made effective. You will understand, of course, that the art of manufacturing tobacco was originally intended as a way to put up tobacco in a convenient shape for retail purposes. None of the elements of the tobacco were changed by the processes employed at an early time. Tobacco was simply stemmed and put up in plugs called "Cavendish," so-called because a man by the name of Cavendish invented the process. Subsequently tobacco was sweetened with sugar, licorice, and honey for the purpose of making it more palatable, but, notwithstanding all these evolutions, you might say, that have been made in the manufacture of tobacco, there is a large percentage of the people who would prefer to use tobacco just as it comes from the barn of the producer. Now, as a matter of fact, the revenue laws are such that the consumers of tobacco have no opportunity to procure that tobacco. For, while there is no direct tax on leaf tobacco, yet leaf tobacco must go through the hands of the dealer, and from the dealer to the manufacturer, and the consumer can not obtain the tobacco except through this circuitous route; and no matter how much he may desire to use this tobacco which has been subjected to the manipulation of the manufacturer, he is preempted from doing so by the revenue laws, and this amounts to a direct tax on the raw material in the hands of the farmer, because there is no way under the existing law for the consumer to get hold of the tobacco which has not gotten into the hands of the manufacturer. Under the law, it can not get out of his hands, and amounts to the payment of the 6 cents tax under the present law.

Now, it so happens at this time, because of this revenue law and the existence of combinations made possible by reason of this law, that there are but few manufacturers in the United States—I mean separate manufacturers. There are many manufacturers, but they are controlled by a combination, and hence the farmer must depend largely upon this combination for the purchase of his product. Now, it is necessary in order to relieve the farmer to so change the law that the farmer can reach the consumer with his product. It is not sufficient to allow the farmer the privilege of selling his product to neighborhood consumers, because there is no demand for it in the neighborhood where it is grown, as nearly every farmer in the neighborhood raises his own tobacco and John Smith has no reason to buy from Tom Jones; but if the former is permitted to dispose of his tobacco to the sections of the United States where the leaf is not grown and, in turn, the person to whom the farmer sells it is permitted to retail it out to those who wish to use it in its natural state, there will be competition on leaf tobacco that has never existed since the revenue was placed on the manufactured article and the sale of the raw material restricted, as it is and has been by the revenue laws either to dealers or to the manufacturers.

Now, you are well aware of the disorder that has existed in Kentucky. Certainly it does not spring from any natural liking for disorder by our people. The real cause, the fundamental cause, is found in the tax on manufactured tobacco and the restriction of sales in consequence of this tax on the producer of the leaf. The farmer does not understand legislation, but he has long since learned that a great wrong has been perpetrated; that he has not the same privilege of the wheat grower of Dakota, the corn grower of Illinois, or the woolgrower of the West, who can sell their product to any man who will buy it, regardless of the purpose for which its use may be intended, whereas with leaf tobacco, which, by the way, is the only great product of the soil of which I have any knowledge that answers all the purposes of the user in its original shape that it does when manufactured.

If a man wants to smoke and can not get tobacco ground up by the granulator, or cut with the cutting knife, he will very gladly take the raw material and granulate it with his fingers and put it in his pipe and smoke it; in fact, prefers it, for he knows then he is getting a pure article. Whereas with a man who wants to consume wheat, it must go through the flour mill. If he wants to drink whisky he is not satisfied with eating a pone of corn bread, but it must go through a process of distillation. It is not true with leaf tobacco, and the farmer, the grower of leaf tobacco in Kentucky and elsewhere where the lands and climate are especially adapted to its production, ought to have all the natural privileges that the production of the article entitles him. As you doubtless know, I was at one time a large manufacturer. I viewed matters then with the eye of a manufacturer. My object was to get all there was in the business out of it. I realized the fact that in proportion of the consumption to the raw material so would be the falling off of the consumption of the manufactured article. Hence the interest of the manufacturer was then, and is now, to prevent the sale of the raw material to the consumer, and hence the laws restricting the sale of manufactured tobacco. But this was a very unjust law. If operated to benefit the manufacturer at the expense of the great producer. In the early days of manufacturing, by reason of some inadvertence on the part of the lawmakers, leaf tobacco, for a short time, was permitted to be sold to the dealer, and by him to the consumer. There was a rapid increase in the sale of leaf tobacco. Dealers all over the country, and especially in the South, sought to purchase this tobacco in its leaf form and thus save the tax, and so rapid did that demand for leaf tobacco grow that we seriously contemplated abandoning the manufacturing business and confine ourselves to the sale of leaf, specially put in 50, 100, and 200 pound packages, to be shipped to the storekeepers in the country, who in turn would sell to the consumer.

But this privilege was very short lived, and before I could arrange matters accordingly the law was changed, and from that day to this it has been unlawful to sell leaf tobacco direct to the consumer. I simply mention these facts to show you that if the restriction on leaf is removed there will be a big outlet for the product of the farmer that does not exist to-day and which no combination could control. I do not pretend to argue that this will not involve a decrease in the internal revenue, but I maintain that it will greatly benefit the farmer, and if the Government confers this great benefit upon the farmer by permitting the free sale of the leaf, they can afford to submit to the curtailment of the revenue from this source and obtain it in some other way. It is not right, in fact it is fundamentally wrong, to oppress one large section of the United States for the sake of revenue for the whole people, when laws can be enacted obtaining this revenue by placing the tax that bears equally upon all the people.

I repeat that the fundamental cause of all the disorders that have occurred in Kentucky is found, if the whole question is fairly analyzed, in the tax of 6 cents a pound on manufactured tobacco, out of which grows the law restricting the sale of leaf tobacco, and while I do not hope at this time for a complete removal of the tax on manufactured tobacco, yet I am persuaded that if the people of this country understood it and were educated up to a knowledge of the oppression growing out of this tax, that some way would be found by which it could be removed.

Yours, truly, HARRY WEISSENGER.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned until Monday, April 19, 1909.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Betsy*, Francis Bulkley, master (H. Doc. No. 15), was taken from the Speaker's table, referred to the Committee on Claims, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SCOTT: A bill (H. R. 7521) to prohibit interference with commerce among the States and Territories and with foreign nations and to remove obstructions thereto—to the Committee on Agriculture.

By Mr. HAMILTON: A bill (H. R. 7522) to amend section 1 of an act approved January 30, 1897, entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes"—to the Committee on Indian Affairs.

By Mr. CULLOP: A bill (H. R. 7523) granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 7524) for the extension of Albemarle street from Wisconsin avenue to the east line of Thirty-ninth street NW.—to the Committee on the District of Columbia.

By Mr. HARDWICK: A bill (H. R. 7525) to provide for the use of the block system for all trains engaged in interstate commerce; to provide for the examination and license of all telegraph operators engaged in handling block signals and telegraphic orders affecting the movement of trains on such railroads; and to provide for the hours of labor to be required of such telegraph operators and their compensation—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7526) to prohibit any person from taking, receiving, or agreeing to receive, directly or indirectly, giving or agreeing to give to any person any money or other valuable consideration, directly or indirectly, to procure, aid in procuring, or attempting to procure, appointment to federal office, and to provide a punishment therefor—to the Committee on the Judiciary.

Also, a bill (H. R. 7527) to confer additional powers on the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7528) to limit the powers of certain courts of the United States—to the Committee on the Judiciary.

By Mr. BENNETT of Kentucky: A bill (H. R. 7529) extending the provisions of the act of June 27, 1890, to the Kentucky State Militia and the Provisional Kentucky Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7530) for the construction of two ice piers at Ashland, Ky.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7531) to establish a soldiers' home at or near Ashland, Boyd County, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 7532) providing for construction of an ice pier at Russell, Ky.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7533) providing for the purchase, for the use of the Library of Congress, of certain manuscript books formerly the property of John Marshall, late Chief Justice of the United States—to the Committee on the Library.

Also, a bill (H. R. 7534) granting additional compensation to surviving Union soldiers and marines who were prisoners of war during the civil war—to the Committee on War Claims.

Also, a bill (H. R. 7535) to establish a fish-hatching or fish-culture station in Greenup, Lewis, or Carter County, Ky.—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 7536) to amend an act providing when plaintiff may sue as a poor person, and when counsel shall be assigned by the court, as passed July 20, 1892—to the Committee on the Judiciary.

By Mr. MAYS: A bill (H. R. 7537) providing for the construction of a telephone and cable line between the quarantine station, Santa Rosa Island, Fla., and Forts Pickens and Barrancas, Fla., and for exchange service from Pensacola, Fla., to said Fort Barrancas—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7538) to provide for the repair, maintenance, construction, and preservation of the public works on the rivers and harbors, and for dredging of certain portions of the Apalachicola River and the harbors of Apalachicola and Carrabelle, in the State of Florida, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. KALANIANAOLE: A bill (H. R. 7539) to amend the laws concerning passenger transportation between ports of the Territory of Hawaii and other ports of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 7540) to amend an act to provide a government for the Territory of Hawaii—to the Committee on the Territories.

Also, a bill (H. R. 7541) providing for citizen labor on all federal public works in the Territory of Hawaii—to the Committee on the Territories.

By Mr. KENDALL: A bill (H. R. 7542) granting a pension to persons who have lost their hearing from causes originating in the military service of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7543) granting a pension to widows of honorably discharged volunteer soldiers of the Army of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7544) granting pensions to honorably discharged volunteer soldiers who served three months or more, between the 1st day of April, 1861, and the 1st day of August, 1865, in the Army of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7545) to provide pensions for prisoners of war—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 7546) to amend section 2 of an act approved June 27, 1890, entitled "An act granting pensions," etc.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7547) to amend section 4708 of the laws of the United States, granting pensions, etc.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7548) requiring radio-telegraphic equipment on certain ocean steamers—to the Committee on the Merchant Marine and Fisheries.

By Mr. EDWARDS of Georgia: A bill (H. R. 7549) providing for the erection of monuments, respectively, to Gens. Daniel Stewart and James Screven, two distinguished officers of the American Army—to the Committee on the Library.

By Mr. DOUGLAS: A bill (H. R. 7550) permitting citizens of Porto Rico under certain conditions to become citizens of the United States—to the Committee on Insular Affairs.

By Mr. BRANTLEY: A bill (H. R. 7551) regulating the appointment of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 7552) to repeal section 802 of the Revised Statutes, and to provide for the return of jurors to serve in the courts of the United States—to the Committee on the Judiciary.

By Mr. DAWSON: A bill (H. R. 7553) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains—to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS: A bill (H. R. 7554) to provide for the erection of a public building at Springfield, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 7555) to revise and amend the tariff laws of the Philippine Islands, and for other purposes—to the Committee on Ways and Means.

By Mr. GRIEST: A bill (H. R. 7556) to declare Lincoln's birthday a legal holiday—to the Committee on the Judiciary.

By Mr. HULL of Tennessee: A bill (H. R. 7557) authorizing and directing the Secretary of War to prepare a roster of all the armies engaged in the service of the United States in all its wars, except the civil war—to the Committee on Military Affairs.

By Mr. BRANTLEY: A bill (H. R. 7558) for the relief of the State of Georgia—to the Committee on War Claims.

By Mr. STURGISS: A bill (H. R. 7559) providing for an additional judge for the fourth judicial circuit—to the Committee on the Judiciary.

By Mr. AUSTIN: Joint resolution (H. J. Res. 46) proposing an amendment to the Constitution of the United States respecting the commencement and termination of Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. GORDON: Joint resolution (H. J. Res. 47) for the relief of the enrolled militia of Memphis and the western district of Tennessee—to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 48) for the relief of the enrolled militia of Memphis and the western district of Tennessee—to the Committee on Military Affairs.

By Mr. HARDWICK: Joint resolution (H. J. Res. 49) proposing an amendment to the Constitution by providing that all of section 2 of the fourteenth amendment except its first sentence shall be repealed—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 50) proposing to amend the Constitution by repealing the fifteenth amendment—to the Committee on the Judiciary.

By Mr. McCREARY: Resolution (H. Res. 59) for the relief of the estate of John R. Williams—to the Committee on Accounts.

By the SPEAKER: Memorial of the legislature of New Mexico, praying for an appropriation of money or land-grant scrip, for the relief of the counties of Santa Fe and Grant—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 7560) granting a pension to Thomas J. McMullen—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 7561) to grant a discharge to Benjamin F. Cheatham—to the Committee on Military Affairs.

By Mr. BARNHART: A bill (H. R. 7562) granting an increase of pension to Peyton Davisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7563) granting an increase of pension to Samuel Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7564) granting an increase of pension to W. H. H. Tilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7565) granting an increase of pension to W. C. Haymond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7566) granting an increase of pension to William H. Schearer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7567) to remove the charge of desertion from the military record of Charles Wilber and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 7568) granting an increase of pension to Charles R. Gray—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 7569) for the relief of Robert Galbreath—to the Committee on Naval Affairs.

Also, a bill (H. R. 7570) for the relief of John McGowan—to the Committee on Military Affairs.

Also, a bill (H. R. 7571) for the relief of George Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 7572) for the relief of John Mullens—to the Committee on Military Affairs.

Also, a bill (H. R. 7573) for the relief of Solomon Lunsford—to the Committee on Military Affairs.

Also, a bill (H. R. 7574) for the relief of Joseph Branham—to the Committee on Military Affairs.

Also, a bill (H. R. 7575) for the relief of Joseph A. Mayes—to the Committee on War Claims.

Also, a bill (H. R. 7576) for the relief of Thomas R. Hill—to the Committee on War Claims.

Also, a bill (H. R. 7577) for the relief of Margaret Moriarity—to the Committee on War Claims.

Also, a bill (H. R. 7578) for the relief of C. W. Norris—to the Committee on Claims.

Also, a bill (H. R. 7579) for the relief of Otho Adams—to the Committee on Claims.

Also, a bill (H. R. 7580) for the relief of Jeremiah Cracraft—to the Committee on Military Affairs.

Also, a bill (H. R. 7581) for the relief of W. H. Fritts and others—to the Committee on Military Affairs.

Also, a bill (H. R. 7582) for the relief of W. J. Meadows—to the Committee on Military Affairs.

Also, a bill (H. R. 7583) for the relief of A. J. Hanshaw—to the Committee on Military Affairs.

Also, a bill (H. R. 7584) for the relief of Travis Stull—to the Committee on Military Affairs.

Also, a bill (H. R. 7585) for the relief of Daniel McDowell—to the Committee on Military Affairs.

Also, a bill (H. R. 7586) for the relief of Daniel Porter—to the Committee on Military Affairs.

Also, a bill (H. R. 7587) for the relief of Allen Conley—to the Committee on Military Affairs.

Also, a bill (H. R. 7588) for the relief of Weaden T. Dailey—to the Committee on Military Affairs.

Also, a bill (H. R. 7589) for the relief of Daniel Vanover—to the Committee on Military Affairs.

Also, a bill (H. R. 7590) for the relief of D. E. Workman—to the Committee on Military Affairs.

Also, a bill (H. R. 7591) for the relief of James C. Brickley—to the Committee on Military Affairs.

Also, a bill (H. R. 7592) for the relief of Overton Turner—to the Committee on Military Affairs.

Also, a bill (H. R. 7593) for the relief of H. P. Elderman—to the Committee on Military Affairs.

Also, a bill (H. R. 7594) for the relief of Harriett Ann Crank—to the Committee on Military Affairs.

Also, a bill (H. R. 7595) for the relief of James H. C. Mann—to the Committee on Military Affairs.

Also, a bill (H. R. 7596) for the relief of Jeremiah Hunt—to the Committee on Military Affairs.

Also, a bill (H. R. 7597) for the relief of Enoch Edens—to the Committee on Military Affairs.

Also, a bill (H. R. 7598) for the relief of William G. Gardner—to the Committee on Military Affairs.

Also, a bill (H. R. 7599) for the relief of Robert Ross—to the Committee on Military Affairs.

Also, a bill (H. R. 7600) for the relief of James Black—to the Committee on Military Affairs.

Also, a bill (H. R. 7601) for the relief of Thomas Columbia—to the Committee on Military Affairs.

Also, a bill (H. R. 7602) for the relief of John A. Gribble—to the Committee on Military Affairs.

Also, a bill (H. R. 7603) for the relief of Henry Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 7604) for the relief of Francis McGuire—to the Committee on Military Affairs.

Also, a bill (H. R. 7605) for the relief of Samuel Ritchey—to the Committee on War Claims.

Also, a bill (H. R. 7606) for the relief of Nimrod Pratt—to the Committee on War Claims.

Also, a bill (H. R. 7607) for the relief of Tralucia Holladay—to the Committee on War Claims.

Also, a bill (H. R. 7608) for the relief of Susan Kennard—to the Committee on War Claims.

Also, a bill (H. R. 7609) for the relief of James H. Reeder—to the Committee on War Claims.

Also, a bill (H. R. 7610) for the relief of Delilah Dobbins—to the Committee on War Claims.

Also, a bill (H. R. 7611) for the relief of John W. Remy—to the Committee on War Claims.

Also, a bill (H. R. 7612) for the relief of Eliza J. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 7613) for the relief of William Large—to the Committee on War Claims.

Also, a bill (H. R. 7614) for the relief of Mrs. J. W. Yates—to the Committee on War Claims.

Also, a bill (H. R. 7615) for the relief of J. F. Burgess—to the Committee on War Claims.

Also, a bill (H. R. 7616) for the relief of the heirs of Samford H. Chamblee—to the Committee on War Claims.

Also, a bill (H. R. 7617) for the relief of G. W. Darnell—to the Committee on War Claims.

Also, a bill (H. R. 7618) for the relief of David Teager—to the Committee on War Claims.

Also, a bill (H. R. 7619) for the relief of Richard H. Meek—to the Committee on War Claims.

Also, a bill (H. R. 7620) for the relief of William A. Goble—to the Committee on War Claims.

Also, a bill (H. R. 7621) for the relief of Asa Day—to the Committee on War Claims.

Also, a bill (H. R. 7622) for the relief of John J. McGann—to the Committee on War Claims.

Also, a bill (H. R. 7623) for the relief of John S. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 7624) for the relief of Hiram Pope and William Pope—to the Committee on War Claims.

Also, a bill (H. R. 7625) for the relief of James T. F. Carney—to the Committee on War Claims.

Also, a bill (H. R. 7626) for the relief of J. A. Abbott—to the Committee on Claims.

Also, a bill (H. R. 7627) for the relief of Thomas J. Ewing—to the Committee on Claims.

Also, a bill (H. R. 7628) for the relief of W. S. Adams—to the Committee on Claims.

Also, a bill (H. R. 7629) for the relief of Emma F. Everman—to the Committee on War Claims.

Also, a bill (H. R. 7630) for the relief of Isaac Musser—to the Committee on Military Affairs.

Also, a bill (H. R. 7631) for the relief of Eli F. Prater—to the Committee on Military Affairs.

Also, a bill (H. R. 7632) for the relief of W. J. Flanery, jr.—to the Committee on Military Affairs.

Also, a bill (H. R. 7633) for the relief of Miles A. Hughes—to the Committee on Military Affairs.

Also, a bill (H. R. 7634) for the relief of George W. Ingram—to the Committee on Military Affairs.

Also, a bill (H. R. 7635) for the relief of Baldwin De Bell—to the Committee on Military Affairs.

Also, a bill (H. R. 7636) for the relief of Lewis Tacket—to the Committee on Military Affairs.

Also, a bill (H. R. 7637) for the relief of Dennis Adkins—to the Committee on Military Affairs.

Also, a bill (H. R. 7638) for the relief of James R. Pennington—to the Committee on Military Affairs.

Also, a bill (H. R. 7639) for the relief of W. P. Adkins—to the Committee on Military Affairs.

Also, a bill (H. R. 7640) for the relief of Joseph Segraves—to the Committee on Military Affairs.

Also, a bill (H. R. 7641) for the relief of James Cummins, alias Rhod Cummins—to the Committee on Military Affairs.

Also, a bill (H. R. 7642) for the relief of Francis L. Weaver, alias Francis Lyndenmyer—to the Committee on Military Affairs.

Also, a bill (H. R. 7643) for the relief of the Methodist Episcopal Church of Louisa, Lawrence County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7644) for the relief of members of the Fortieth Regiment Kentucky Mounted Infantry—to the Committee on War Claims.

Also, a bill (H. R. 7645) for the relief of Rowan County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7646) for the relief of Thomas H. Jones, administrator of William D. Jones—to the Committee on War Claims.

Also, a bill (H. R. 7647) for the relief of the estate of Ann S. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 7648) for the relief of the estate of Thomas K. Ball—to the Committee on War Claims.

Also, a bill (H. R. 7649) for the benefit of George W. Taylor's administrator—to the Committee on Claims.

Also, a bill (H. R. 7650) granting an honorable discharge to Robert D. Keffer—to the Committee on Military Affairs.

Also, a bill (H. R. 7651) granting an honorable discharge to Thomas J. George—to the Committee on Military Affairs.

Also, a bill (H. R. 7652) granting an honorable discharge to Haden Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 7653) granting a pension to Bridget Grimes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7654) granting a pension to Mary A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7655) granting a pension to Martha J. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7656) granting a pension to David W. Swarts—to the Committee on Pensions.

Also, a bill (H. R. 7657) granting a pension to Martha A. Ham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7658) granting a pension to Mary M. Hurd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7659) granting a pension to Andrew Cooksey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7660) granting a pension to Isaac C. Conley—to the Committee on Pensions.

Also, a bill (H. R. 7661) granting a pension to James W. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7662) granting a pension to Darkie Warren—to the Committee on Pensions.

Also, a bill (H. R. 7663) granting a pension to Eldella Weaver—to the Committee on Pensions.

Also, a bill (H. R. 7664) granting a pension to Joseph M. Wilburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7665) granting a pension to Frank Selmar—to the Committee on Pensions.

Also, a bill (H. R. 7666) granting a pension to H. Clay Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7667) granting a pension to Reuben Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7668) granting a pension to Charles Pratt—to the Committee on Pensions.

Also, a bill (H. R. 7669) granting a pension to Marion McKenzie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7670) granting a pension to Lewis McKinney—to the Committee on Pensions.

Also, a bill (H. R. 7671) granting a pension to Louis G. Murray—to the Committee on Pensions.

Also, a bill (H. R. 7672) granting a pension to Trave W. Myers—to the Committee on Pensions.

Also, a bill (H. R. 7673) granting a pension to Christian Lederer—to the Committee on Pensions.

Also, a bill (H. R. 7674) granting a pension to Ellen Kirkpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7675) granting a pension to George B. Kennard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7676) granting a pension to Alexander Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7677) granting a pension to Edward Heisler—to the Committee on Pensions.

Also, a bill (H. R. 7678) granting a pension to Frank H. Himes—to the Committee on Pensions.

Also, a bill (H. R. 7679) granting a pension to Henry C. Griffiths—to the Committee on Pensions.

Also, a bill (H. R. 7680) granting a pension to George L. Goodpaster—to the Committee on Pensions.

Also, a bill (H. R. 7681) granting a pension to John Endicott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7682) granting a pension to Gabrail J. Endicott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7683) granting a pension to Martin Dixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7684) granting a pension to Sarah J. Daugherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7685) granting a pension to Robert Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7686) granting a pension to Jacob R. Compton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7687) granting a pension to Samuel A. Berry—to the Committee on Pensions.

Also, a bill (H. R. 7688) granting a pension to Lydia Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7689) granting a pension to Reese Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7690) granting a pension to Green Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7691) granting a pension to Delia F. Pepper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7692) granting a pension to Tilden F. Skaggs—to the Committee on Pensions.

Also, a bill (H. R. 7693) granting a pension to William E. Day—to the Committee on Pensions.

Also, a bill (H. R. 7694) granting a pension to Charles A. Ward—to the Committee on Pensions.

Also, a bill (H. R. 7695) granting a pension to Henderson Ramey—to the Committee on Pensions.

Also, a bill (H. R. 7696) granting a pension to Peter H. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7697) granting a pension to Harvey T. Brown—to the Committee on Pensions.

Also, a bill (H. R. 7698) granting a pension to John Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7699) granting a pension to Henry H. Phelps—to the Committee on Pensions.

Also, a bill (H. R. 7700) granting a pension to Werts Riley—to the Committee on Pensions.

Also, a bill (H. R. 7701) granting a pension to Elijah W. Morgan—to the Committee on Pensions.

Also, a bill (H. R. 7702) granting a pension to Ferit E. Skaggs—to the Committee on Pensions.

Also, a bill (H. R. 7703) granting a pension to John A. Wells—to the Committee on Pensions.

Also, a bill (H. R. 7704) granting a pension to Biddy Lockwood—to the Committee on Pensions.

Also, a bill (H. R. 7705) granting a pension to John W. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7706) granting a pension to Emily Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7707) granting a pension to Allen Carroway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7708) granting a pension to John F. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7709) granting a pension to Jerry McLain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7710) granting a pension to Samuel E. Robb—to the Committee on Pensions.

Also, a bill (H. R. 7711) granting a pension to Charles Luman—to the Committee on Pensions.

Also, a bill (H. R. 7712) granting a pension to Frances Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7713) granting a pension to Thomas T. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7714) granting a pension to George N. Bishop—to the Committee on Pensions.

Also, a bill (H. R. 7715) granting a pension to Benjamin F. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7716) granting an increase of pension to Sylvester Damron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7717) granting an increase of pension to John H. Groves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7718) granting an increase of pension to John R. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7719) granting an increase of pension to Thomas Ruark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7720) granting an increase of pension to Pleasant Timberlake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7721) granting an increase of pension to Albert G. Roper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7722) granting an increase of pension to Israel T. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7723) granting an increase of pension to Alexander Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7724) granting an increase of pension to Wylder Branum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7725) granting an increase of pension to William H. Dobbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7726) granting an increase of pension to David W. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7727) granting an increase of pension to Jesse Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7728) granting an increase of pension to Thomas J. Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7729) granting an increase of pension to John H. Grisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7730) granting an increase of pension to James Vandivort—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7731) granting an increase of pension to William W. Hedrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7732) granting an increase of pension to William T. Tomlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7733) granting an increase of pension to James A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7734) granting an increase of pension to Carl F. Reickert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7735) granting an increase of pension to Nathan Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7736) granting an increase of pension to John W. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7737) granting an increase of pension to John PeSimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7738) granting an increase of pension to James F. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7739) granting an increase of pension to Andrew J. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7740) granting an increase of pension to M. E. McKellup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7741) granting an increase of pension to George W. Oldham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7742) granting an increase of pension to Joseph Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7743) granting an increase of pension to Lewis P. McBrayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7744) granting an increase of pension to Joseph Belford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7745) granting an increase of pension to Ferguson Logan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7746) granting an increase of pension to Stephen D. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7747) granting an increase of pension to David Osborne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7748) granting an increase of pension to Thomas Gilbride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7749) granting an increase of pension to Henry C. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7750) granting an increase of pension to Harry Chaffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7751) granting an increase of pension to William Glenn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7752) granting an increase of pension to Andrew W. Grimes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7753) granting an increase of pension to Fred W. Lange—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7754) granting an increase of pension to John M. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7755) granting an increase of pension to Joseph J. Voorheas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7756) granting an increase of pension to William Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7757) granting an increase of pension to Richard Swearingin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7758) granting an increase of pension to Peter Stamm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7759) granting an increase of pension to John Smallwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7760) granting an increase of pension to Joseph Renchen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7761) granting an increase of pension to John Pruett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7762) granting an increase of pension to George W. Nethercutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7763) granting an increase of pension to Gordon McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7764) granting an increase of pension to Faris McFarland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7765) granting an increase of pension to Henderson Medley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7766) granting an increase of pension to James Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7767) granting an increase of pension to Moses Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7768) granting an increase of pension to Morris Campnell Hutchins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7769) granting an increase of pension to George Hedge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7770) granting an increase of pension to John Holliday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7771) granting an increase of pension to James L. Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7772) granting an increase of pension to David M. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7773) granting an increase of pension to Simon B. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7774) granting an increase of pension to Johnson Everman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7775) granting an increase of pension to Daniel Dalton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7776) granting an increase of pension to Montville Cooksey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7777) granting an increase of pension to Harvey W. Cartee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7778) granting an increase of pension to William J. Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7779) granting an increase of pension to William Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7780) granting an increase of pension to John A. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7781) granting an increase of pension to William M. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7782) granting an increase of pension to James M. Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7783) granting an increase of pension to Perry G. P. Bruce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7784) granting an increase of pension to Robert H. Brammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7785) granting an increase of pension to Alvernous Barnhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7786) granting an increase of pension to Moses Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7787) granting an increase of pension to Horace Applegate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7788) granting an increase of pension to John E. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7789) granting an increase of pension to Major M. Virgin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7790) granting an increase of pension to James H. Tyree—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7791) granting an increase of pension to Isaac N. Slade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7792) granting an increase of pension to Clabon W. Stilmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7793) granting an increase of pension to Thomas Sperry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7794) granting an increase of pension to James H. Reeder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7795) granting an increase of pension to William H. Ryder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7796) granting an increase of pension to Byron Rudy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7797) granting an increase of pension to Edward K. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7798) granting an increase of pension to William Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7799) granting an increase of pension to George N. Picklesimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7800) granting an increase of pension to Noah L. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7801) granting an increase of pension to J. J. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7802) granting an increase of pension to William Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7803) granting an increase of pension to Joseph E. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7804) granting an increase of pension to William Nunley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7805) granting an increase of pension to John Nicholas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7806) granting an increase of pension to James McAllister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7807) granting an increase of pension to John McGinnis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7808) granting an increase of pension to George W. Milar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7809) granting an increase of pension to James McCue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7810) granting an increase of pension to William Lambert—to the Committee on Pensions.

Also, a bill (H. R. 7811) granting an increase of pension to Perry Kains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7812) granting an increase of pension to James K. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7813) granting an increase of pension to A. J. Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7814) granting an increase of pension to Richard M. J. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7815) granting an increase of pension to Cad Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7816) granting an increase of pension to Luther M. Ingraham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7817) granting an increase of pension to Don D. Hendershot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7818) granting an increase of pension to John Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7819) granting an increase of pension to Alexander Hammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7820) granting an increase of pension to James M. Howe—to the Committee on Pensions.

Also, a bill (H. R. 7821) granting an increase of pension to W. S. Hardin—to the Committee on Pensions.

Also, a bill (H. R. 7822) granting an increase of pension to William Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7823) granting an increase of pension to John Hanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7824) granting an increase of pension to Edward K. Gault—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7825) granting an increase of pension to Lucion Guy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7826) granting an increase of pension to John Dickinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7827) granting an increase of pension to Richard Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7828) granting an increase of pension to Amos Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7829) granting an increase of pension to Fernando Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7830) granting an increase of pension to James Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7831) granting an increase of pension to Levie H. Colburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7832) granting an increase of pension to John F. Campbell—to the Committee on Pensions.

Also, a bill (H. R. 7833) granting an increase of pension to Wilson Carver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7834) granting an increase of pension to James M. Cartee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7835) granting an increase of pension to William N. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7836) granting an increase of pension to John S. Copens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7837) granting an increase of pension to B. C. Crosthwait—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7838) granting an increase of pension to Lucy A. Casey—to the Committee on Pensions.

Also, a bill (H. R. 7839) granting an increase of pension to Marshall Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7840) granting an increase of pension to William H. C. Biggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7841) granting an increase of pension to Andrew J. Bow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7842) granting an increase of pension to Henry Braden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7843) granting an increase of pension to Allen Bocook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7844) granting an increase of pension to Allen W. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7845) granting an increase of pension to John H. Bayse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7846) granting an increase of pension to William Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7847) granting an increase of pension to George M. Adkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7848) granting an increase of pension to Fred Am—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7849) granting an increase of pension to Jerome B. Applegate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7850) granting an increase of pension to William T. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7851) granting an increase of pension to Daniel S. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7852) granting an increase of pension to James Back—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7853) granting an increase of pension to Nathaniel Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7854) granting an increase of pension to Robert H. Overly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7855) granting an increase of pension to Stephen Marcum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7856) granting an increase of pension to George W. Everman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7857) granting an increase of pension to David Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7858) granting an increase of pension to Edmond Ward, alias John Johnson—to the Committee on Pensions.

Also, a bill (H. R. 7859) granting an increase of pension to James M. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7860) granting an increase of pension to Charles W. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7861) granting an increase of pension to Stephen Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7862) granting an increase of pension to Francis A. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7863) granting an increase of pension to Newton King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7864) granting an increase of pension to George R. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7865) granting an increase of pension to James Seaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7866) granting an increase of pension to Thomas Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7867) granting an increase of pension to Joseph H. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7868) granting an increase of pension to Ephraim Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7869) granting an increase of pension to Francis Marion Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7870) granting an increase of pension to James Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7871) granting an increase of pension to John Blankenship—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7872) granting an increase of pension to John Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7873) granting an increase of pension to John Matney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7874) granting an increase of pension to Ross Ackley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7875) granting an increase of pension to Robert Fegan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7876) granting an increase of pension to William H. Rinehart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7877) granting an increase of pension to James Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7878) granting an increase of pension to Albert Haucke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7879) granting an increase of pension to James Bartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7880) granting an increase of pension to Joseph Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7881) granting an increase of pension to Smith Ackley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7882) granting an increase of pension to William H. Bagby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7883) granting an increase of pension to Charles B. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7884) granting an increase of pension to George W. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7885) granting an increase of pension to Charles Kirby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7886) granting an increase of pension to John McNeal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7887) granting an increase of pension to George W. Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7888) granting an increase of pension to Thomas M. Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7889) granting an increase of pension to Calvin Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7890) granting an increase of pension to James W. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7891) granting an increase of pension to William Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7892) granting an increase of pension to Allen H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7893) granting an increase of pension to S. V. Bocook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7894) granting an increase of pension to Rufus White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7895) granting an increase of pension to Aaron Arms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7896) granting an increase of pension to John A. Kees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7897) granting an increase of pension to William F. McKelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7898) granting an increase of pension to Henry C. Reeves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7899) granting an increase of pension to Charles E. Seaman—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 7900) for the relief of Thomas B. Pope—to the Committee on Military Affairs.

Also, a bill (H. R. 7901) granting an increase of pension to John Whritenour—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 7902) granting a pension to Marcus A. Moses—to the Committee on Pensions.

Also, a bill (H. R. 7903) granting a pension to Augustus L. Brack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7904) for the relief of the estate of Joseph Lippman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7905) for the relief of James I. Fountain, of Mt. Vernon, Montgomery County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 7906) for the relief of Nancy E. Latimer, executrix of the estate of D. R. Knoles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7907) to remove the charge of desertion from the military record of Henry Mitchelson and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 7908) granting an increase of pension to William R. Pleasant—to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 7909) granting an increase of pension to Hugh Friel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7910) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. CAMERON: A bill (H. R. 7911) granting an increase of pension to J. B. Hutton—to the Committee on Pensions.

By Mr. CREAGER: A bill (H. R. 7912) granting an increase of pension to Milon G. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7913) for the relief of J. Blair Schoenfelt, former United States Indian agent, Union Agency, Okla.—to the Committee on Claims.

By Mr. CULLOP: A bill (H. R. 7914) granting an increase of pension to Louis Soulney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7915) granting an increase of pension to George W. Holdson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7916) granting an increase of pension to Mathias Ingram—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 7917) for the relief of the estate of Josiah E. Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7918) for the relief of the estate of Mrs. C. L. Fogarty, late of Savannah, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 7919) for the relief of the heirs of Francis M. Stone, late of Savannah, Ga.—to the Committee on War Claims.

By Mr. FLOYD of Arkansas: A bill (H. R. 7920) granting an increase of pension to Louis Reinold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7921) granting an increase of pension to Minor Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7922) granting a pension to Kelley Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7923) granting a pension to Garfield Lay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7924) granting a pension to Francis J. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7925) granting a pension to Hiram N. Henry—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 7926) granting an increase of pension to John Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7927) granting an increase of pension to Daniel W. Meyers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7928) to remove the charge of desertion from the record of William S. Foulks—to the Committee on Military Affairs.

By Mr. GARDNER of Michigan: A bill (H. R. 7929) granting an increase of pension to Frank Hartwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7930) granting an increase of pension to Charles H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7931) granting an increase of pension to Taylor Hance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7932) granting an increase of pension to Stephen H. Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7933) granting an increase of pension to Mart H. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7934) granting an increase of pension to Hovey B. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7935) granting an increase of pension to Christian W. Abbadurka—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7936) granting an increase of pension to James H. Spring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7937) granting an increase of pension to Orlando G. Andrews—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 7938) for the relief of John B. Warren—to the Committee on War Claims.

Also, a bill (H. R. 7939) for the relief of S. R. McAlexander—to the Committee on War Claims.

Also, a bill (H. R. 7940) for the relief of the estate of Edmund Dillahunty, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7941) for the relief of the estate of John W. Hester, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7942) for the relief of the estate of James Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7943) for the relief of heirs of Evelina V. Busby, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7944) for the relief of the heirs of W. A. Rawlings, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7945) for the relief of heirs of Aulsey Dean, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7946) for the relief of heirs of Hiram Howell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7947) for the relief of heirs of W. H. Neel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7948) for the relief of heirs of D. C. Wells, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7949) for the relief of heirs of Jesse Hollis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7950) for the relief of the heirs of Wesley A. Shelton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7951) to correct the military record of C. H. Hare—to the Committee on Military Affairs.

Also, a bill (H. R. 7952) for the relief of George L. Whitmore or his legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 7953) for the relief of the Court Street Presbyterian Church, of Memphis, Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7954) for the relief of George L. Whitmore or his legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 7955) for the relief of the Overton Hotel Company, of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7956) for the relief of the Methodist Episcopal Church of Moscow, Tenn.—to the Committee on War Claims.

By Mr. GRAFF: A bill (H. R. 7957) granting an increase of pension to Serena Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7958) granting an increase of pension to William H. Bentley—to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 7959) granting a pension to Lizzie S. Engroff—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 7960) for the relief of the heirs of Russell W. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 7961) for the relief of the heirs of John Larr, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7962) for the relief of the estate of Willis Ramsey—to the Committee on War Claims.

Also, a bill (H. R. 7963) granting an increase of pension to Mary L. Walker—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 7964) for the allowance of certain claims reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker acts, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 7965) for the relief of Venila Browning, née Kinder—to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 7966) granting a pension to John M. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7967) granting a pension to Paul Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7968) granting a pension to Jane Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7969) granting a pension to Elizabeth Parham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7970) granting a pension to Joshua Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7971) granting a pension to Daniel Ladd—to the Committee on Pensions.

Also, a bill (H. R. 7972) granting a pension to W. H. Bush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7973) granting an increase of pension to James H. Carr—to the Committee on Pensions.

Also, a bill (H. R. 7974) for the relief of George A. Vandever—to the Committee on Military Affairs.

Also, a bill (H. R. 7975) for the relief of G. W. Brown—to the Committee on War Claims.

Also, a bill (H. R. 7976) for the relief of George W. Raney—to the Committee on Military Affairs.

Also, a bill (H. R. 7977) for the relief of the heirs of Kinch Exum, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7978) for the relief of the legal representatives of William A. Prewitt—to the Committee on War Claims.

Also, a bill (H. R. 7979) to remove the charge of desertion standing against Sherrod Delk, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 7980) granting arrears of pension to Julia P. Bate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7981) to carry into effect the findings of the Court of Claims in the matter of the claim of Cumberland University, of Lebanon, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7982) to carry into effect the findings of the Court of Claims in the matter of the claim of Howard Lodge, No. 23, Independent Order of Odd Fellows, of Gallatin, Tenn.—to the Committee on War Claims.

By Mr. JOYCE: A bill (H. R. 7983) granting a pension to Adam Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7984) granting an increase of pension to Ford P. Hoff—to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 7985) granting a pension to Ellen Murphy—to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 7986) granting an increase of pension to James N. Van Pelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7987) granting an increase of pension to William W. Blackley—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 7988) granting an increase of pension to Alvan W. Chapin—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 7989) granting a pension to Rachael N. Schmitz—to the Committee on Pensions.

Also, a bill (H. R. 7990) granting a pension to Henry Witt—to the Committee on Pensions.

Also, a bill (H. R. 7991) granting a pension to Anderson M. Beck—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 7992) granting an increase of pension to William T. G. Young—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 7993) granting an increase of pension to James L. Prouty—to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 7994) granting an increase of pension to John W. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7995) granting an increase of pension to Thomas E. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7996) granting an increase of pension to Franklin Spurgeon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7997) granting an increase of pension to Albert R. Glazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7998) granting an increase of pension to William Grayson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7999) granting an increase of pension to William Ferguson—to the Committee on Pensions.

Also, a bill (H. R. 8000) granting an increase of pension to George P. Uhl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8001) granting an increase of pension to Wesley Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8002) granting an increase of pension to Samuel C. Baxter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8003) granting an increase of pension to Robert Cheyne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8004) granting an increase of pension to Henry H. Swim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8005) granting an increase of pension to John W. Alyea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8006) granting an increase of pension to W. H. Riner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8007) granting an increase of pension to William Vanatta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8008) granting an increase of pension to Jacob Amberg—to the Committee on Pensions.

Also, a bill (H. R. 8009) granting an increase of pension to Xerxes C. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8010) granting an increase of pension to Joseph Southard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8011) granting an increase of pension to William McClain—to the Committee on Pensions.

Also, a bill (H. R. 8012) granting an increase of pension to Stainaker Marteney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8013) granting an increase of pension to Joseph W. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8014) granting an increase of pension to John M. Milhollen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8015) granting an increase of pension to James M. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8016) granting an increase of pension to Henry C. James—to the Committee on Pensions.

Also, a bill (H. R. 8017) granting an increase of pension to F. E. Hills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8018) granting an increase of pension to Oscar A. Ashbrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting an increase of pension to George A. Kingston—to the Committee on Pensions.

Also, a bill (H. R. 8020) granting a pension to William R. Mayfield—to the Committee on Pensions.

Also, a bill (H. R. 8021) granting an increase of pension to John Kizer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8022) granting an increase of pension to George S. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8023) granting an increase of pension to George B. Jenness—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8024) granting an increase of pension to Beden Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8025) granting an increase of pension to R. A. Dilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8026) granting a pension to Rice S. McCubbin—to the Committee on Pensions.

Also, a bill (H. R. 8027) granting a pension to Thomas Corey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8028) granting a pension to Mary J. Melson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8029) granting a pension to Winfield Castle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8030) for the relief of Benjamin F. Albright—to the Committee on Military Affairs.

Also, a bill (H. R. 8031) for the relief of Daniel F. Ritchie—to the Committee on Military Affairs.

Also, a bill (H. R. 8032) to remove the charge of desertion from the military record of Henry Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 8033) to remove the charge of desertion from the military record of James H. Painter—to the Committee on Military Affairs.

Also, a bill (H. R. 8034) to remove the charge of desertion from the military record of E. A. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 8035) removing the charge of desertion from the military record of Robert Ward—to the Committee on Military Affairs.

Also, a bill (H. R. 8036) removing the charge of desertion from the military record of George G. Banks—to the Committee on Military Affairs.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 8037) granting an increase of pension to William Henry Harrison Himes—to the Committee on Invalid Pensions.

By Mr. MAYS: A bill (H. R. 8038) granting an increase of pension to Thomas W. Crosby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8039) granting an increase of pension to John H. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8040) granting an increase of pension to Matthew D. Raker, jr.—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 8041) granting an increase of pension to William B. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8042) granting an increase of pension to Harmon M. Billings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8043) granting an increase of pension to James Fouch—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 8044) granting a pension to Abner Welch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8045) granting an increase of pension to Moses H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8046) granting an increase of pension to Thomas D. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8047) granting an increase of pension to George L. Clonts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8048) granting an increase of pension to Samuel F. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8049) granting an increase of pension to James P. Benson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8050) granting an increase of pension to William A. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8051) granting an increase of pension to Henry Shireman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8052) granting an increase of pension to Hiram D. Craft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8053) granting an increase of pension to Jesse B. Spradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8054) granting an increase of pension to John H. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8055) granting an increase of pension to Marian A. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8056) granting an increase of pension to Hezekiah Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8057) granting an increase of pension to Belfield Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8058) granting an increase of pension to Robert D. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8059) granting an increase of pension to James M. Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8060) granting an increase of pension to David C. Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8061) granting an increase of pension to James Nesbit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8062) granting an increase of pension to Milton H. Franks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8063) granting a pension to Florence Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8064) granting a pension to John W. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8065) granting a pension to Nancy M. Blackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8066) granting a pension to Samuel Whitsett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8067) granting a pension to P. B. Pulley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8068) granting a pension to Charles S. Davis—to the Committee on Pensions.

Also, a bill (H. R. 8069) to correct the military record of Jasper Dobson—to the Committee on Military Affairs.

Also, a bill (H. R. 8070) removing the charge of desertion from the military record of Samuel B. Richardson—to the Committee on Military Affairs.

Also, a bill (H. R. 8071) making an appropriation for Thomas A. Vernon—to the Committee on War Claims.

By Mr. PARSONS: A bill (H. R. 8072) granting an increase of pension to Hattie R. Fisher—to the Committee on Pensions.

By Mr. REEDER: A bill (H. R. 8073) granting an increase of pension to Hugh H. Mitchell—to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 8074) granting a pension to Misses M. E. and S. J. Gladney—to the Committee on Pensions.

By Mr. SHEPPARD: A bill (H. R. 8075) for the relief of the heirs of Jonas Sutton, deceased—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 8076) for the relief of Martin Gridley—to the Committee on War Claims.

Also, a bill (H. R. 8077) for the relief of James W. Glass—to the Committee on War Claims.

Also, a bill (H. R. 8078) for the relief of P. H. Hagler—to the Committee on War Claims.

By Mr. STEENERSON: A bill (H. R. 8079) for the relief of Eli Roscoe—to the Committee on Indian Affairs.

Also, a bill (H. R. 8080) for the relief of Frederick M. Loveless—to the Committee on Indian Affairs.

Also, a bill (H. R. 8081) granting an increase of pension to E. C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8082) granting an increase of pension to Otto E. D. Culbertson—to the Committee on Pensions.

Also, a bill (H. R. 8083) granting an increase of pension to Marie J. Blaisdell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8084) granting an increase of pension to Cornelius O'Neil—to the Committee on Invalid Pensions.

By Mr. STURGISS: A bill (H. R. 8085) granting an increase of pension to William H. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8086) for the relief of the heirs of Isaac Clifford, deceased—to the Committee on War Claims.

By Mr. THOMAS of Kentucky: A bill (H. R. 8087) granting an increase of pension to Evan D. Frogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8088) granting an increase of pension to J. B. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8089) granting a pension to Hester Vanmeter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8090) granting a pension to Kate C. G. Ewing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8091) granting a pension to Russella J. York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8092) granting a pension to Martha Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8093) to remove the charge of desertion from the military record of John H. Winkfield—to the Committee on Military Affairs.

Also, a bill (H. R. 8094) for the relief of the estate of Herman Whitney—to the Committee on War Claims.

Also, a bill (H. R. 8095) for relief of George M. Smith—to the Committee on War Claims.

Also, a bill (H. R. 8096) appropriating $4,500 to the heirs of Campbell Glover, deceased—to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 8097) granting an increase of pension to Benjamin Kelsey—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of citizens of Atchison, Kans., opposing increase of duty on hosiery, gloves, table linen, etc.—to the Committee on Ways and Means.

Also, petition of members of Leavenworth (Kans.) Local Union, No. 679, United Mine Workers of America, asking that a direct duty be imposed on all imported crude oil—to the Committee on Ways and Means.

Also, communications from Continental Cereal Company, of Leavenworth, Kans., asking an increase of duty on macaroni—to the Committee on Ways and Means.

By Mr. BATES: Petition of citizens of the Twenty-fifth Congressional District of Pennsylvania, opposing tax on tea or coffee—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petition of Newton-Carmichael Hardware Company, Buttrill Brothers (Incorporated), the Butts County Progress, McKibben Company, the Jackson Mercantile Company, and others, of Jackson, Ga.; and Dixon Williams, McCraw & Myrick, the Joseph Dry Goods Company, Bloodworth-Stembridge Company, and others, of Milledgeville, Ga., protesting against the enactment of any law to establish a parcels post as recommended by the Postmaster-General—to the Committee on the Post-Office and Post-Roads.

Also, petition of Dunlap Hardware Company, H. J. Lamar & Co., Joseph N. Neel Company, Wood-Peavy Furniture Company, the Dannenberg Company, S. S. Parmalee Company, Union Dry Goods Company, Lamar, Taylor & Riley Drug Company, G. Bernd & Co., Merritt Hardware Company, the Macon Telegraph, American National Bank, Fourth National Bank, the Waxelbaum Company, Taylor-Bayne Drug Company, J. F. Heard, president of chamber of commerce, and others, protesting against the establishment of a parcels post, as recommended by the Postmaster-General—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., against a duty on hides—to the Committee on Ways and Means.

Also, petition of citizens of the Thirtieth Congressional District of Pennsylvania, against a duty on tea—to the Committee on Ways and Means.

By Mr. FLOYD of Arkansas: Papers to accompany House bill for the relief of Minor Johnson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Lewis Reinold—to the Committee on Invalid Pensions.

By Mr. GRIEST: Petition of citizens of Quarryville, Pa., favoring a duty on casein and lactarene—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of N. T. Halverson and 31 others, of Hardwick; the Anchor Grain Company and 16 others, of Grogan; and 19 citizens of Hills, all in the State of Minnesota, against a reduction of duty on barley—to the Committee on Ways and Means.

Also, petition of O. E. Selnes and 18 others, of Windom, Minn., against parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of 6 citizens of Cottonwood County, Minn., favoring reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. HANNA: Petitions of citizens of North Dakota, against reduction of the duty on barley and favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of the Fifth Congressional District of California, opposing tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of citizens of the Fifth Congressional District of California, asking for increase of duty on post cards—to the Committee on Ways and Means.

Also, petition of George P. Steinhaur and 56 others, of Wilkes-Barre, Pa., favoring an effective Asiatic exclusion law against all Asiatics excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. KAHN: Petition of sundry citizens of San Francisco, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of C. Holz Kamp and 51 others, A. Morrison and 33 others, Mrs. Hannah L. Peters and 28 others, John Lackeman & Co. and 21 others, all of San Francisco, Cal., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LENROOT: Papers to accompany bill for the relief of George W. Jenkins, alias Henry H. Seymour—to the Committee on Invalid Pensions.

By Mr. PARSONS: Petition of International Photo-Engravers' Union, for increase of duty on postal cards, etc.—to the Committee on Ways and Means.

By Mr. PAYNE: Petition of Herman Taylor and others, of East Venice, N. Y., and Wolcott Grange, of New York, in favor of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTS: Petition of citizens of the Seventh Congressional District of Massachusetts, opposing tax on tea or coffee—to the Committee on Ways and Means.

By Mr. ROBINSON: Paper to accompany bill for relief of heirs of Susan McCurley—to the Committee on War Claims.

By Mr. SIMMONS: Petition of North Tonawanda Lodge, No. 860, Benevolent and Protective Order of Elks of the United States, for creation of a park for the American elk—to the Committee on the Public Lands.

By the SPEAKER: Memorial of the house of delegates of Porto Rico, praying for a reorganization of the United States district court of Porto Rico so that it may not conflict with the rightful jurisdiction of the insular courts of the island—to the Committee on Insular Affairs.

Also, memorial of the legislature of Hawaii, praying for protective duties on coffee—to the Committee on Ways and Means.

Also, memorial of the house of delegates of Porto Rico, praying for protective duties on coffee, and protesting against any legislation which would injure the sugar and tobacco interests of Porto Rico—to the Committee on Ways and Means.

Also, memorial of the house of representatives of the State of Illinois, praying for a duty on zinc ores—to the Committee on Ways and Means.

Also, memorial of Phillips Brothers, of Danville, Ill., protesting against the duty on tea and coffee—to the Committee on Ways and Means.

Also, memorial of Mrs. B. R. Shiners and 9 other citizens of Chicago and Sherman, Ill., protesting against the duty on gloves and hosiery—to the Committee on Ways and Means.

Also, memorial of the International Brotherhood of Paper Makers, of Watertown, N. Y., protesting against the reduction of the duty on print paper—to the Committee on Ways and Means.

Also, memorial of the National Live Stock Exchange, of South Omaha, Nebr., protesting against the reduction of the duty on hides and wool—to the Committee on Ways and Means.

Also, memorial of J. Polachick, of Chicago, Ill., protesting against the proposed duty on furs and skins—to the Committee on Ways and Means.

Also, petitions of R. W. Woodward and 19 others of Hackett, Ark.; of the Local Union of the United Mine Workers of Hughes, Okla., and other miners, praying for the enactment of a direct duty on crude oil—to the Committee on Ways and Means.

Also, petition of A. I. Bliss, of Wilgus, Pa., and other individuals, firms, and corporations in the United States, praying for the removal of the tax on sugar—to the Committee on Ways and Means.

Also, petition of P. M. Hain, of Hammon, Okla., and 17 others, praying for a constitutional amendment to enable women to vote—to the Committee on the Judiciary.

Also, memorial of Minnie Lee and 9 others, praying for the establishment of a national highways commission—to the Committee on Agriculture.

By Mr. STEENERSON: Petition of Covist V. Rud, of Viking, Minn., for repeal of duty on lumber—to the Committee on Ways and Means.

By Mr. STURGISS: Paper to accompany bill for relief of Isaac Clifford—to the Committee on War Claims.

By Mr. VREELAND: Petition of Manufacturers' Association of Jamestown, N. Y., against hostile and unjust legislation against railways—to the Committee on Interstate and Foreign Commerce.

Also, petition of employees of the Jamestown (N. Y.) Lounge Company, favoring suspension of legislation so that our industries may have an opportunity to recover their normal condition—to the Committee on Ways and Means.

By Mr. WANGER: Petition of 39 residents of Montgomery County, Pa., in favor of removing casein and lactarene from the free list and imposing a duty of 2½ cents per pound on unground casein or lactarene, and 2½ cents per pound on ground casein or lactarene—to the Committee on Ways and Means.

Also, petition of H. W. Gander and 9 other residents of Spring Mount, Montgomery County, Pa., for a reduction of the duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of 81 employees of Kaufman Knitting Mills at Bridgeport, Montgomery County, Pa., for the retention of the schedules of rates upon hosiery contained in the bill H. R. 1438 as passed by the House of Representatives—to the Committee on Ways and Means.

SENATE.

MONDAY, *April 19, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

JAMES P. CLARKE, a Senator from the State of Arkansas, and BENJAMIN R. TILLMAN, a Senator from the State of South Carolina, appeared in their seats to-day.

The Journal of the proceedings of Thursday last was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of the Deacons of the Missionary Baptist Church, of Franklin, Tenn., *v.* United States (S. Doc. No. 12);

In the cause of the Trustees of the Mount Olivet Methodist Episcopal Church South, of Nolensville, Tenn., *v.* United States (S. Doc. No. 9);

In the cause of the Trustees of the Christian Church of Warsaw, Mo., *v.* United States (S. Doc. No. 8);

In the cause of the Trustees of Grace Episcopal Church, of Berryville, Va., *v.* United States (S. Doc. No. 11); and

In the cause of the Trustees of the Methodist Episcopal Church South of Fairfax Court House, Va., *v.* United States (S. Doc. No. 10).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, in which the concurrence of the Senate was requested.

HOUSE BILL REFERRED.

H. R. 1438. An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was read twice by its title and referred to the Committee on Finance.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the general court of the Commonwealth of Massachusetts, remonstrating against the imposition by the Federal Government of a tax on inheritances, which was ordered to lie on the table.

He also presented a memorial of the Cigarmakers' International Union of America, remonstrating against the importation of cigars free of duty from the Philippine Islands, which was ordered to lie on the table.

He also presented the memorial of P. Rielly & Son, of Newark, N. J., relative to the duty on green salted hides, which was ordered to lie on the table.

He also presented a petition of the New York Silk Conditioning Works, of New York City, N. Y., praying that the duties on all wools imported in the grease should be levied at given rates upon the actual conditioned scoured weight, which was ordered to lie on the table.

He also presented a memorial of the National Wool Growers' Association, relative to the duty on wools, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, Ohio, Washington, Pennsylvania, Michigan, New Jersey, Georgia, Mississippi, Wisconsin, Texas, Massachusetts, Missouri, West Virginia, Maine, California, Nebraska, Virginia, Utah, Oklahoma, Kentucky, North Carolina, Arkansas, Illinois, Kansas, South Carolina, Minnesota, Louisiana, Colorado, and Indiana, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Typographical Union, No. 643, American Federation of Labor, of Waterville, Me., praying for a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Riley, Me., and a memorial of sundry citizens of Livermore, Me., remonstrating against the repeal of the duty on wood pulp and print paper, which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry business firms of Chicago, Ill., remonstrating against an increase of the duty on millinery, which was ordered to lie on the table.

Mr. GALLINGER presented petitions of sundry citizens of New Hampshire, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the New Hampshire forestry commission, remonstrating against the repeal of the duty on print paper, wood pulp, and lumber, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Enfield, Lebanon, Plymouth, and Warren, all in the State of New Hampshire, remonstrating against the duty on hosiery and gloves, which was ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Lithographing Company of Spokane, Wash., praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

Mr. SMITH of Michigan. I present a telegram, in the nature of a memorial, from the Battle Creek Industrial Association, of Michigan, relative to an income tax. I ask that the memorial be read for the information of the Senate, and that it be laid on the table.

There being no objection, the memorial was read and ordered to lie on the table, as follows:

[Telegram.]

BATTLE CREEK, MICH., *April 17, 1909.*

Senator WILLIAM ALDEN SMITH,
Washington, D. C.

The business men who were strong enough to hold the Republican national convention to an indorsement of the courts will insist that if any income tax be established it will apply to all incomes, whether from wages, salaries, business profits, rents, or interests. No one class shall be taxed to support another. Every man must bear his share of tax if he enjoys a share of government protection.

BATTLE CREEK INDUSTRIAL ASSOCIATION.

Mr. SCOTT presented petitions of sundry citizens of the United States, praying that an appropriation be made for a memorial to James Rumsey, to be placed in Statuary Hall, which were referred to the Committee on the Library.

He also presented a memorial of sundry citizens of Follansbee, W. Va., remonstrating against the drawback feature, pertaining to tin plates, in the so-called "Payne tariff bill," which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 79, Allied Printing Trades, of Wheeling, W. Va., praying for a reduction of the duty on paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Clarksburg, Hunton, Parkersburg, Farmington, Monongah, Willowton, and Oakville, all in the State of West Virginia, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CUMMINS presented a memorial of sundry citizens of Iowa, remonstrating against the proposed increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. WARNER presented petitions of sundry citizens of Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of Typographical Union No. 80, American Federation of Labor, of Kansas City, Mo., remonstrating against an increase of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Novinger, Mo., praying for a direct duty on crude oil of not less than the present countervailing duty, which was ordered to lie on the table.

Mr. BURNHAM presented a memorial of the New Hampshire Forestry Association, of Concord, N. H., remonstrating against the repeal of the duty on print paper, wood pulp, and lumber, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New London, Portsmouth, Stratham, Rye, Wolfeboro, and Berlin, all in the State of New Hampshire, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRADLEY presented petitions of sundry citizens of South Carrollton, Glasgow, Moorefield, Moorehead, Roseville, Williamsburg, Ashton, and Corydon, all in the State of Kentucky, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. JONES presented petitions of sundry citizens of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry lumber and shingle manufacturers of Washington, praying that the duty on shingles

be increased to 50 cents per thousand, which were ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRAZIER presented petitions of sundry citizens of Tennessee, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Tennessee, praying for a protective duty on hosiery, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Tennessee, remonstrating against an increase of the duty on hosiery and gloves, which were ordered to lie on the table.

Mr. LODGE. I present a concurrent resolution of the legislature of Massachusetts, relative to a tax on inheritances. I ask that it be read and referred to the Committee on Finance.

There being no objection, the concurrent resolution was read and referred to the Committee on Finance, as follows:

THE COMMONWEALTH OF MASSACHUSETTS.

Resolutions protesting against the imposition by the Federal Government of a tax on inheritances.

Resolved, That the general court of the Commonwealth of Massachusetts, believing that inheritances should not be made a subject for national taxation, but should be left to the respective States as a source of revenue, especially in times of peace, respectfully protests against the imposition by the Federal Government of a tax on inheritances.

Resolved, That certified copies of these resolutions be sent by the secretary of the Commonwealth to the presiding officers of both branches of Congress, and to each of the Senators and Representatives from Massachusetts.

In house of representatives, adopted April 5, 1909.
In senate, adopted in concurrence April 7, 1909.
A true copy.
Attest:

WILLIAM M. OLIN,
Secretary of the Commonwealth.

Mr. LODGE presented a concurrent resolution of the legislature of Massachusetts, which was referred to the Committee on Pensions, and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS.

Resolution relative to rolls of Revolutionary regiments and companies and to statements regarding Revolutionary pensioners.

Whereas the last soldier of the Revolution passed away years ago, and pensions based upon services of ancestors in the Revolution have almost ceased to exist, and further protection to the interests of the National Government by withholding from the people the details of Revolutionary pension cases or rolls of Revolutionary regiments and companies now in possession of the United States is unnecessary; and

Whereas Massachusetts furnished a large percentage of the soldiers of the Revolution, and the detailed facts of their service contained in said statements and rolls are of historic and genealogical value to the State and to their descendants living in Massachusetts, as well as to the large number of such descendants living in other States: Therefore be it

Resolved, That our Senators and Representatives in Congress are recommended to take early concerted action to bring about public access to the Revolutionary rolls and all documents pertaining to applications for Revolutionary pensions now in the possession of the United States, with the right to copy them in whole or in part under such conditions and regulations as may be necessary for their safety and preservation; and that a copy of this resolution be forwarded to each of the Senators and Representatives in Congress from this Commonwealth.

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy.
Attest:

JAMES W. KIMBALL,
Clerk House of Representatives.

Mr. LODGE presented petitions of sundry citizens of Boston, Lowell, and North Westport, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Clinton, Kingston, Chicopee, Fall River, South Orleans, Hingham, Framingham, Cambridge, New Bedford, Cohasset, and Somerville, all in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURKETT presented a petition of the Western Fruit Jobbers' Association, of Omaha, Nebr., remonstrating against a reduction of the duty on citrus fruits, pineapples, raisins, etc., which was ordered to lie on the table.

Mr. SIMMONS presented petitions of sundry citizens of North Carolina, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. NEWLANDS presented a petition of the National Board of Trade, praying for the enactment of legislation providing for the preservation and conservation of the forests of the country, which was referred to the Committee on the Conservation of National Resources.

Mr. BRISTOW presented petitions of sundry citizens of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DU PONT presented petitions of sundry citizens of Delaware, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the board of supervisors of Washington County, N. Y., remonstrating against a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Buffalo, N. Y., remonstrating against an increase of the duty on barley not to exceed 10 per cent ad valorem, which was ordered to lie on the table.

He also presented a petition of Huron Grange, No. 124, Patrons of Husbandry, of Wolcott, N. Y., praying for the repeal of the proposed duty on sugar, which was ordered to lie on the table.

He also presented a petition of sundry employees of Balch, Price & Co., of Brooklyn, N. Y., praying for the adoption of an equitable tariff schedule relating to furs, which was ordered to lie on the table.

He also presented a petition of Local Grange No. 348, Patrons of Husbandry, of Wolcott, N. Y., praying for the passage of the so-called "rural parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Board of Trade of Johnstown, N. Y., praying for the retention of the proposed tariff schedule relating to gloves, which was ordered to lie on the table.

He also presented a petition of the Live Stock Association of East Buffalo, N. Y., praying for a reduction of the duty on live stock, which was ordered to lie on the table.

He also presented a petition of sundry growers of hops, of Kobleskill, N. Y., praying for the imposition of a duty on imported hops, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 15, American Federation of Labor, of Rochester, N. Y., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. PERKINS presented petitions of sundry citizens of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Chamber of Mines of Los Angeles, Cal., praying for a protective duty on petroleum, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for an increase of the duty on asphalt, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Sonoma, Santa Clara, and San Bernardino counties, all in the State of California, praying for the repeal of the duty on sulphate and muriate potashes, which were ordered to lie on the table.

He also presented a petition of the Asiatic Exclusion League, of San Francisco, Cal., praying for the enactment of legislation to prohibit the immigration into the United States of all Asiatics, except merchants, students, and travelers, which was referred to the Committee on Immigration.

Mr. ROOT presented petitions of sundry citizens of New York, praying for a protective duty on post cards, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Kobleskill, N. Y., praying for a duty of not less than 20 cents per pound on all hops imported from foreign countries, which was ordered to lie on the table.

He also presented a petition of the Live Stock Association, of East Buffalo, N. Y., praying for a reduction of the duty on live stock, which was ordered to lie on the table.

He also presented a memorial of the Yellow Pine Exchange, of New York City, N. Y., remonstrating against a reduction of the duty on lumber, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 55, American Federation of Labor, of Syracuse, N. Y., praying for the retention of the proposed duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Port Leyden, N. Y., praying for the retention of the proposed duty on hosiery, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Buffalo, N. Y., remonstrating against an increase of the duty on cotton goods, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York, remonstrating against the repeal of the duty on millinery, which was ordered to lie on the table.

Mr. GUGGENHEIM presented a petition of the Chamber of Commerce of Denver, Colo., praying for the ratification of reciprocal trade relations with the Dominion of Canada, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Colorado Springs, Colo., and a petition of the E. C. Kropp Company, of Milwaukee, Wis., praying for an increase of the duty on post cards, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Colorado, praying that tea and coffee be placed on the free list, which were orderd to lie on the table.

He also presented a petition of the Henkel-Duke Mercantile Company of Pueblo, Colo., praying for the repeal of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a memorial of the board of county commissioners of Lincoln County, Colo., remonstrating against the repeal of the duty on wool, woolen goods, and hides, which was ordered to lie on the table.

He also presented a petition of Left Hand Grange, No. 9, Patrons of Husbandry, of Niwot, Colo., praying for the appointment of a nonpartisan tariff commission, which was ordered to lie on the table.

He also presented a memorial of sundry lead ore producers of Idaho, Utah, Colorado, and Nevada, remonstrating against a reduction of the duty on lead ore, pig lead, bars, and base bullion, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Maricopa County, Ariz., remonstrating against a reduction of the duty on sugar imported from the Philippine Islands, which were ordered to lie on the table.

Mr. NELSON presented an affidavit to accompany the bill (S. 629) granting an increase of pension to Laura M. Hoard, which was referred to the Committee on Pensions.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. RAYNER presented petitions of sundry citizens of Maryland, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DANIEL. I present the petitions of C. B. Camper, of Fincastle; The J. W. Rowe Company (Incorporated) of Hampton; C. J. Hedride, of Fincastle; H. K. Thompson, of Fincastle; M. A. Woodson, of Fincastle; W. N. Breckinridge, of Fincastle; F. D. Bolton, of Fincastle; Frank B. Perry, of Orange; R. H. Rawlings, of Orange; J. R. Grymes, of Orange; H. P. Jones, of Orange; L. Willis, jr., of Orange; Robert W. Sparks, of Orange; P. M. Watts, of Orange; R. C. Slaughter, of Orange; T. N. Sparks, of Orange; J. R. Long, of Orange; Kelly & Borum, of Norfolk; George W. Daugatry, of Norfolk; Spindle & Co., of Norfolk; Samuel A. Grimsley, of Culpeper; S. M. Newhouse, of Culpeper; T. E. Grimsley, of Culpeper; Thomas Wampler, of Culpeper; R. P. Rixey, of Culpeper; J. T. Wampler, of Culpeper; J. B. Stringfellow, of Culpeper; J. James Roberts, of Culpeper; H. C. Burrows, of Culpeper; S. D. Moore, of Charlotte Court House; V. V. Baugh, of Charlotte Court House; J. W. Hamlett, of Rough Creek; W. M. Roberts, of Rough Creek; W. M. Peak, of Rough Creek; W. T. Spencer & Son, of Fort Mitchell; M. D. Parrish, of Fort Mitchell; J. T. Newcombe, of Fort Mitchell; H. G. Fore, of Fort Mitchell; G. E. Thompson, of Fort Mitchell; R. C. Williams, of Fort Mitchell; E. F. Thomson, of Clarendon; J. E. L. Hughes, of Penn Laird; B. T. Suter, of Penn Laird; P. K. Baumat, of Lloyds; P. S. Hart, of Penola; M. L. Hargrove, of Penola; R. L. Lovey, of Penola; E. M. Coleman, of Penola; R. S. Hargrove, of Penola; Augustus J. Smith, of Manchester; B. O. Nunnally, of Manchester; W. C. Flinn, of Manchester; B. A. Nunnally, of Manchester; H. C. Beattie, of Manchester; Charles Stein, of Manchester; Eddie L. Kidd, of Manchester; M. A. Campbell, of Manchester; E. Slump, of Manchester; Lynchburg Steam Bakery, of Lynchburg; W. T. Blankinship, of Lynchburg; T. E. Griffith, of Lynchburg; E. P. Marable, of Lynchburg; A. B. Chewning, of Lynchburg; R. T. Capps, of Norfolk; W. B. Cochrane, of Norfolk; A. D. Doxey, of Norfolk; A. Hueffner, of Norfolk; R. J. Turner, of Galts Mills; S. J. Bailey, of Galts Mills; R. E. Faulkner, of Nasons; Lockett Jenkins Company, of Crewe; W. H. Haney, of Claremont; Davis & Atkins, of Richmond; John B. Winfree, jr., of Lynchburg; and of Whitehead & Yeatts, of Chatham, all in the State of Virginia; and of J. A. Edmondson & Son, of Baltimore, Md., praying for a reduction of the duty on raw and refined sugars.

I ask that one, as a sample, may be printed in the RECORD.

The petitions were ordered to lie on the table, and the petition ordered to be printed in the RECORD is as follows:

To the United States Senate, Washington, D. C.:

The undersigned respectfully ask for a reduction in the duty on raw and refined sugars, in the interest both of the 80,000,000 consumers of the country and the manufacturing industries in which it is an important material. This tax amounts to 2 cents per pound on refined sugar, equivalent to an 80 per cent ad valorem duty.

This exorbitant tax is not justified by the conditions relating to the production or refining of sugar in this country. Leading sugar refiners have testified that they need no tariff protection against foreign refiners, and there is no good reason why all the people should be heavily taxed in the interest of one industry.

The relatively high price of sugar operates to prevent its more general use in the manufacture of preserved fruits of all kinds, and by adding to the cost of these articles limits their consumption. While this is the greatest fruit-growing country in the world, our exports of jams, jellies, etc., are comparatively small, as we can not compete in neutral markets with countries like Great Britain, which have the advantage of cheap sugar. A reduction of the sugar tax would greatly increase domestic consumption of these articles and would give us a much larger share of the export trade. In many cases the canners would be enabled to buy and preserve fruits that are now wasted for lack of a market.

We believe that this is a matter which should be decided by Congress in favor of the policy which will benefit the greater number of the people, and that the interests of the consumers should receive the consideration to which they are entitled. The tax on sugar is paid wholly by the consumers and is an unnecessary burden on one of the principal articles of their food. A reduction in this tax would therefore be an unquestioned advantage to the people of the entire country.

C. B. CAMPER, *Fincastle, Va.*

APRIL 9, 1909.

REPORTS OF A COMMITTEE.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 1660) for the relief of Samuel Liverpool, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs, which was agreed to.

He also, from the same committee, to whom were referred the following bills, asked to be discharged from their further consideration and that they be referred to the Committee on Claims, which was agreed to:

A bill (S. 1651) for the relief of William Hayes;
A bill (S. 1654) for the relief of Eric E. Walgen;
A bill (S. 1667) for the relief of Kate Riling;
A bill (S. 1671) for the relief of Annie Catherine Mettler;
A bill (S. 1672) for the relief of John Birkett; and
A bill (S. 1673) for the relief of Charles Goody, his heirs or assigns.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FRYE:

A bill (S. 1821) granting an increase of pension to Charles E. Peabody; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 1822) granting a pension to Martha A. Cheyne (with the accompanying papers); and

A bill (S. 1823) granting a pension to Harriett Scott (with the accompanying paper); to the Committee on Pensions.

By Mr. McLAURIN:

A bill (S. 1824) for the relief of the heirs of J. H. Peeples;

A bill (S. 1825) for the relief of Emily Donnelly, widow of James M. Donnelly, deceased;

A bill (S. 1826) for the relief of the estate of Ellen Elizabeth Samuel, deceased (with the accompanying paper); and

A bill (S. 1827) for the relief of the heirs of John Linton, deceased; to the Committee on Claims.

By Mr. OVERMAN:

A bill (S. 1828) for the purchase of a site and the erection of a public building thereon at Rockingham, N. C.; and

A bill (S. 1829) for the erection of a public building at Burlington, N. C.; to the Committee on Public Buildings and Grounds.

A bill (S. 1830) for the relief of the estate of Stephen Johnson, deceased; to the Committee on Claims.

A bill (S. 1831) granting a pension to Zennie Stanton;

A bill (S. 1832) granting an increase of pension to Alfred Rector;

A bill (S. 1833) granting an increase of pension to John D. Capps;

A bill (S. 1834) granting an increase of pension to William Hess, alias William Smith;

A bill (S. 1835) granting an increase of pension to James J. Ballinger;

A bill (S. 1836) granting a pension to Caroline Beachboard;

A bill (S. 1837) granting an increase of pension to Stephen M. Buckner;

A bill (S. 1838) granting a pension to Wiley S. Roberts;

A bill (S. 1839) granting an increase of pension to Elijah P. Hensley;

A bill (S. 1840) granting an increase of pension to H. J. Edge;

A bill (S. 1841) granting an increase of pension to Smith F. Carroll;

A bill (S. 1842) granting an increase of pension to James B. Sprinkle;

A bill (S. 1843) granting a pension to Eliza Lawrence;

A bill (S. 1844) granting an increase of pension to Sophronia Roberts;

A bill (S. 1845) granting a pension to Seymour B. Wacaster;

A bill (S. 1846) granting an increase of pension to J. C. Albritton;

A bill (S. 1847) granting an increase of pension to Wilson Carter;

A bill (S. 1848) granting an increase of pension to John Smith;

A bill (S. 1849) granting an increase of pension to William L. Cressman;

A bill (S. 1850) granting an increase of pension to Chisley G. Hagan;

A bill (S. 1851) granting a pension to Daniel Skipper;

A bill (S. 1852) granting a pension to James Carroll;

A bill (S. 1853) granting an increase of pension to P. C. Monteiro;

A bill (S. 1854) granting an increase of pension to Edwin Stephens;

A bill (S. 1855) granting a pension to Timothy Edwards;

A bill (S. 1856) granting an increase of pension to Jane Henderson;

A bill (S. 1857) granting a pension to Joseph B. Voris;

A bill (S. 1858) granting an increase of pension to Wiley S. Roberts;

A bill (S. 1859) granting an increase of pension to Franklin B. Carland; and

A bill (S. 1860) granting an increase of pension to Henry A. White; to the Committee on Pensions.

By Mr. JOHNSTON of Alabama:

A bill (S. 1861) for the relief of the heirs of Gen. John A. Quitman; to the Committee on Claims.

By Mr. JOHNSON of North Dakota:

A bill (S. 1862) to prohibit selling of intoxicating beverages in Territory of Hawaii; to the Committee on Pacific Islands and Porto Rico.

By Mr. BRADLEY:

A bill (S. 1863) granting an increase of pension to Robert H. Clark; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 1864) to facilitate the use for manufacturing purposes of square No. 328 in the city of Washington, as authorized in the act of Congress of February 1, 1907 (with the accompanying paper); to the Committee on the District of Columbia.

By Mr. NEWLANDS:

A bill (S. 1865) granting a pension to Margaret Mackey; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 1866) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof; to the Committee on Public Lands.

By Mr. DICK:

A bill (S. 1867) for the relief of John C. Scantling, lieutenant-colonel, United States Army, retired; to the Committee on Military Affairs.

A bill (S. 1868) for the relief of Elizabeth F. Irvin; to the Committee on Claims.

A bill (S. 1869) granting a pension to Dana A. Smalley; to the Committee on Pensions.

By Mr. BURKETT:

A bill (S. 1870) authorizing the Secretary of the Interior to convey to Frank H. Young not to exceed 5 acres of land within the Santee Indian Reservation in Nebraska; to the Committee on Indian Affairs.

By Mr. GUGGENHEIM:

A bill (S. 1871) for a public building for the United States Geological Survey at Washington, D. C.; to the Committee on Public Buildings and Grounds.

A bill (S. 1872) setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.;

A bill (S. 1873) providing for free homesteads in the Ute Indian Reservation in Colorado;

A bill (S. 1874) allowing homesteaders on the Gunnison Tunnel project to leave their claims until water is available;

A bill (S. 1875) to provide for the granting and patenting to the State of Colorado of certain desert lands within the former Ute Indian Reservation in said State;

A bill (S. 1876) to aid the State of Colorado to support a school of mines; and

A bill (S. 1877) to grant certain lands in the town of Fruita, Colo.; to the Committee on Public Lands.

A bill (S. 1878) to reimburse the several States and Territories for expenses incurred in assisting the Government of the United States in raising, paying, organizing, supplying, and equipping troops for service in the war with Spain; and

A bill (S. 1879) for the relief of Pete Jelovac; to the Committee on Claims.

A bill (S. 1880) for the relief of Andrew B. Baird and James S. Baird, and to confirm all sales and dispositions heretofore made by the United States out of the confiscated land of the late Spruce M. Baird, their father, known as "Baird's ranch," in the Territory of New Mexico; to the Committee on Private Land Claims.

By Mr. CLARK of Wyoming:

A bill (S. 1881) granting an increase of pension to John Welch; to the Committee on Pensions.

By Mr. BULKELEY (by request):

A bill (S. 1882) for the relief of the estate of Antonia Sousa, deceased (with the accompanying paper); and

A bill (S. 1883) granting an increase of pension to Thomas S. Gilbert (with the accompanying papers); to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 1884) to extend the free transmission through the mails of official mail matter of the organized militia of the several States; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 1885) granting an increase of pension to Wilson M. Mayo; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 1886) granting an increase of pension to Martin J. Easland; and

A bill (S. 1887) granting an increase of pension to Charles Heathfield; to the Committee on Pensions.

By Mr. GUGGENHEIM:

A joint resolution (S. J. R. 22) authorizing and directing the Secretary of War to dispose of certain obsolete guns; to the Committee on Military Affairs.

AMENDMENTS TO TARIFF BILL.

Mr. BEVERIDGE. I submit an amendment to be offered to the tariff bill.

The proposed amendment was referred to the Committee on Finance and ordered to be printed.

Mr. PAYNTER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. PAYNTER to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

That subdivision 9 of section 3244 of the United States Revised Statutes, as amended by section 69 of the act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 28, 1894, is hereby further amended so as to read as follows:

"Every person whose business it is to manufacture tobacco or snuff for himself, or who employs others to manufacture tobacco or snuff, whether such manufacture be by cutting, pressing, grinding, crushing, or rubbing of any raw or leaf tobacco, or otherwise preparing raw or leaf tobacco, or manufactured or partially manufactured tobacco or snuff, or the putting up for use or consumption of scraps, waste, clippings, stems, or deposits of tobacco resulting from any process of handling tobacco, or by the working or preparation of leaf tobacco, tobacco stems, scraps, clippings, or waste, by sifting, twisting, screening, or any other process, shall be regarded as a manufacturer of tobacco: *Provided*, That unstemmed tobacco in the natural leaf and not manufactured or altered in any manner shall not be subject to any internal-revenue tax or charge of any kind whatsoever, and it shall be lawful for any person to buy and sell such unstemmed tobacco in the leaf without payment of tax of any kind: *Provided further*, That any person who sells natural leaf tobacco to manufacturers of tobacco, snuff, or cigars shall be deemed and considered a dealer in leaf tobacco and become subject to all the provisions, rules, and regulations of subsection 6 of section 3244, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and also as amended by the act of March 3, 1883, and further, shall be subject to all the provisions of section 3360, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and of sections 3359 and 3391, United States Revised Statutes: *And provided further*, That farmers and growers of tobacco may sell leaf tobacco of their own growth and

raising to manufacturers of tobacco, snuff, or cigars without being considered leaf dealers or manufacturers of tobacco and shall not be subject to the sections of the law and amendments thereof above named."

Mr. OVERMAN submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BRADLEY submitted four amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. DICK submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. BURKETT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BULKELEY submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

MRS. MARTHA E. WEST.

On motion of Mr. CLAPP, it was

Ordered, That the papers and files in case of Mrs. Martha E. West (No. 125, 58th Cong., 1st sess.) heretofore withdrawn by permission may be again filed with the Secretary of the Senate.

WITHDRAWAL OF PAPERS—GEORGE F. STEFFENS.

On motion of Mr. CLAPP, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of George F. Steffens (S. bill 1913, 60th Cong., 2d sess.), there having been no adverse report theron.

EMMA W. ADAMS.

Mr. PENROSE submitted the following resolution (S. Res. 33), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 33.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Emma W. Adams, widow of Milo R. Adams, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

THE CENSUS.

Mr. LA FOLLETTE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 16, 21, 36, 37, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed, insert the following: "These employees shall be appointed by the Director of the Census upon such examination as he shall prescribe;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out the matter proposed to be inserted by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the matter proposed insert the following: "That when the exigencies of the service require, the director may appoint for temporary employment from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available; and may also appoint persons having had previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and may accept such records in lieu of the civil-service examination;" and the Senate agree to the same.

ROBERT M. LA FOLLETTE,
EUGENE HALE,
J. W. BAILEY,
Managers on the part of the Senate.

EDGAR D. CRUMPACKER,
EDWIN C. BURLEIGH,
JAMES HAY,
Managers on the part of the House.

Mr. McCUMBER. Mr. President, I would ask the Senator from Wisconsin if he will not consent to let the report go over until to-morrow?

Mr. LA FOLLETTE. Mr. President, it is very desirable to get the bill through as soon as possible. The House is in session to-day and will not be in session again, as I am informed, until Thursday. If the report could be disposed of this morning and reach the House to-day, it might be disposed of there by unanimous consent. I hope there will be no objection to the adoption of the conference report to-day.

Mr. McCUMBER. I will say to the Senator that I do not expect to urge any particular objections to the conference report; but I do want to ask some questions that will necessarily need some explanation. It has been well known that the Senator from Rhode Island would to-day discuss——

Mr. LA FOLLETTE. If I may interrupt the Senator from North Dakota, I have just learned that the House has adjourned for the day, and if the Senate is to have a session to-morrow, and I suppose it is, I see no objection to the report going over.

Mr. McCUMBER. I thank the Senator from Wisconsin.

The VICE-PRESIDENT. Without objection, the report goes over until to-morrow. No objection is heard.

DUTIES ON SUGAR IN FOREIGN COUNTRIES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 7), which was read, and, with the accompanying papers, referred to the Committee on Finance and ordered to be printed:

To the Senate:

I transmit a report by the Secretary of State, with an accompanying statement, made in response to the resolution of the Senate of April 8, 1909, requesting information as to "the amount of duties and taxes per 100 pounds which are levied and collected on sugar in the following countries: Great Britain, Germany, France, Russia, Austria-Hungary, the Netherlands, Belgium, Spain, Italy, and Denmark; also, which of these countries grant tariff concessions on imports of sugar from their colonies."

WM. H. TAFT.

THE WHITE HOUSE, *April 19, 1909.*

THE TARIFF.

Mr. ALDRICH. I ask unanimous consent that House bill 1438 be now laid before the Senate for consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. ALDRICH. Mr. President, it is my purpose at the earliest possible moment to ask the Senate to consider the bill by paragraphs for amendment. I do not mean by this announcement that I shall try to stop what elsewhere is called "general debate" upon this subject. So far as the majority of the committee are concerned, and so far as I know, speaking for the friends of this measure, there will be no general discussion of the question of the wisdom or unwisdom of the protective policy. It is well understood, I assume, that the bill has been prepared along the declared lines of that policy. There will be no attempt, however, to restrict debate upon the other side of the Chamber. There will be no attempt by me or by any other member of the majority of the committee to explain in a lengthy speech the principles upon which the bill was constructed or the various provisions of its paragraphs. As these are reached in order the committee will be prepared to explain and defend their provisions.

Perhaps I should allude to a misapprehension which exists with reference to three items of the bill that were reported by the committee practically without recommendation. One is as to the provisions of the House bill on coal, putting it on the free

list, with reciprocal provisions; the other is in regard to news print paper and wood pulp; and the third is in regard to hides. It is not the purpose of the committee—and when I use the word "committee," I shall always mean the majority of the committee—to try to evade responsibility with reference to these items. As soon as the requisite data can be secured by the committee, they will report amendments which they will recommend to the Senate upon each of these three items.

Mr. President, I had intended to leave the question of estimating the amount of revenue to be derived from the pending bill until the consideration of the paragraphs had been completed in the Senate, but the character of the amendments which have been offered to the measure has led me to conclude that an earlier statement in this connection is desirable.

The practical question to which I shall ask your attention to-day is, Will the bill as reported from the Committee on Finance produce sufficient revenue when taken in connection with the internal-revenue taxes and other existing sources of revenue to meet the expenses of the Government without the imposition of additional taxes? I answer unhesitatingly, after a thorough and careful investigation of the facts and the conditions likely to surround the problem, that it will. I submit statements showing the receipts and disbursements, actual and estimated, of the Treasury for the fiscal years 1900 to 1911, inclusive.

Actual receipts and disbursements exclusive of Panama Canal for fiscal years 1900 to 1908, inclusive.

Fiscal year.	Receipts.	Disbursements.	Surplus.
1900	$567,240,851.89	$487,713,791.71	$79,527,060.18
1901	587,685,337.53	509,967,353.15	77,717,984.38
1902	562,478,233.21	471,190,857.64	91,287,375.57
1903	560,396,674.40	506,089,022.04	54,307,652.36
1904	540,631,749.40	532,237,821.31	8,393,928.09
1905	544,274,684.85	563,390,093.62	*19,065,408.77
1906	594,454,121.67	549,405,425.35	45,048,696.32
1907	663,140,334.05	551,705,129.04	111,435,205.01
1908	601,126,118.53	621,102,390.64	*19,976,272.11

* Deficit.

Estimated receipts and disbursements for fiscal years 1909 to 1911, inclusive.

Fiscal year.	Receipts.	Disbursements.	Surplus.
1909	$605,047,230.00	$674,509,680.00	*$69,462,450.00
1910	655,000,000.00	700,000,000.00	*45,000,000.00
1911	695,000,000.00	665,000,000.00	30,000,000.00

* Deficit.

Actual receipts, nine and one-half months, 1909	$468,042,873.28
Disbursements, nine and one-half months, 1909	533,986,815.88
Deficit, nine and one-half months, 1909	65,943,942.60

In these statements both the receipts and disbursements for the Panama Canal have been eliminated for obvious reasons. It is the policy of Congress, which I think has universal approval, that payments for the canal and its construction should not be made from current revenues, but met by the sale of bonds.

In the official statement of receipts and expenditures heretofore made by the Treasury, the proceeds of the sale of canal bonds have not been included in the receipts, while the disbursements for the purchase and construction of the canal have been included in the table of expenditures.

The figures I submit are all for the fiscal years ending on the 30th of June, and they include all receipts and disbursements except those of the Post-Office Department and the Panama Canal, but the postal deficiencies are included in all cases in the disbursements. The statement consists of the actual official figures of receipts and disbursements for the years 1900 to 1908, inclusive, and show that in these years the act of 1897 (existing law) produced a surplus of $428,656,221, an average yearly surplus of $47,628,469. The statement commences with the year 1900. The Spanish war followed the enactment of the act of 1897, and the revenues and expenses of the Government did not reach normal conditions until the year 1900.

From data which I will submit, secured in consultation with Treasury experts, I have made up the figures, partly estimated and partly actual, showing the probable receipts and disbursements for the fiscal years 1909, 1910, and 1911.

Estimates of the amount of future receipts and disbursements of the Government must, in the nature of things, have an element of uncertainty; but the trained men who have been watching for years the course of the income and expenditures of the Government can form a very close estimate of the probable results.

Taking the present fiscal year for examination, first, we have the actual figures for nine and one-half months, which are: Receipts, $468,042,873; disbursements, $533,986,815; showing a deficit of $65,943,942. I have taken the disbursements of $533,986,815 for nine and one-half months and estimated those for the succeeding two and one-half months on the same basis, reaching the result of $674,509,680 that I have indicated.

A considerable portion of the customs receipts for the remaining two and one-half months of the year 1909 will probably be collected under the terms of existing law.

In making the estimates of receipts of the year 1909, the actual receipts and disbursements for the first nine and one-half months being available, the figures for the remaining two and one-half months are based on these ascertained results, and indicate receipts for the year of $605,047,230. The figures, which must be very nearly accurate, show an estimated deficit at the end of the year of $69,462,450.

For the year 1910 the appropriations have already been made, and the amount which will be expended can be foretold with approximate accuracy.

In making the estimates for these expenditures I have taken the gross appropriations for the year, $1,044,000,000, and deducted the appropriations for the Post-Office Department, $235,000,000; the sinking fund, $60,000,000; the national-bank fund, $30,000,000; and Panama Canal expenses, $37,000,000, and have added the official estimate for the postal deficiency for the year, $20,000,000, showing a probable total of expenditures of $700,000,000. In fact, it is hardly possible that this total amount will be expended, as the total expenditures have never in any fiscal year equaled the gross appropriations.

If the pending bill should become a law before the 30th of June next, the customs revenues for the entire fiscal year of 1910 would be collected under its provisions, and the integrity of the probable results shown constitute the crucial point in our investigation.

For the purpose of ascertaining the relative revenue-producing qualities of the Senate bill and the act of 1897, the Committee on Finance has had prepared a statement, which is laid before the Senate this morning. It applies the rates of the Senate bill to the importations of 1907. In other words, it shows the revenue that would have been derived upon the importations made in 1907 if the Senate bill had been in force during that year.

We have selected the year 1907 for the comparison, as this was the last year in which the finances and business of the country were in a normal condition.

The statement shows that if the Senate bill had been in force in 1907 the customs revenue produced by it would have been $8,000,000 greater than those collected under the Dingley Act, the totals being $332,000,000 under the act of 1897 and $340,000,000 under the Senate bill.

This increase of revenue is due to advances in rates on a few articles of luxury, such as wine, spirits, and so forth. It is also due to the substitution made in the bill, in all cases where it was possible, of specific for ad valorem duties. This will prevent undervaluation and consequently increase revenues. This increase will be more marked in the silk schedule than elsewhere.

There are other changes which will be included in the bill that will affect the comparative revenues.

The changes which we propose to make in the administrative act include (1) new definitions of dutiable value and new methods in its proper ascertainment; (2) more efficient collection machinery; and (3) a provision for the creation of a customs court to insure uniformity of decisions in customs cases. The provisions suggested will, in the opinion of the committee, result in the collection of a certain percentage more revenue in the importation of the same articles than was collected under the act of 1897.

The extent of the undervaluations practiced under existing law is variously estimated at from 10 to 25 per cent of the revenue collection. If any considerable portion of this practice is corrected by the provisions I have alluded to, we can certainly safely add five millions to the estimate of revenue in the year 1910, making a total estimate of revenue for 1910, based upon the importation of 1907, $345,000,000. I have assumed that the importation of 1907 is the proper basis for comparison. We should not lose sight of the fact that there will be approximately 4,000,000 people more in the United States to be provided for in 1910 than in 1907, and if other conditions remain the same there will be a natural increase from this cause. The committee believe that the extent of importations will be greater in 1910 than in 1907.

Growing out of depressed business conditions which have existed since the autumn of 1907, there has been for a month a

large reduction in importations. Stocks of goods of all kinds in the country are now very small, and with the improved conditions that are sure to follow our action, we may expect larger importations in the fiscal year 1910 than in any year in our history.

Business activity and the movement for increased importations has already commenced. We can feel the change in the air. The customs receipts for the thirty-nine business days from March 1 to April 15, inclusive, increased, as compared with the corresponding days in 1908, $12,631,093.08, or an average daily increase of $261,545.50. If this rate of increase should continue throughout the next year, it would lead to an increase in the customs revenue for that year of $81,000,000. This increase, however, seems to be progressive, as the report for the last day which I have, April 16, shows receipts from all sources $2,072,071.86, as compared with receipts of $1,283,321.30 on the corresponding day of last year. The total receipts from customs for the first sixteen days of April were $15,976,106.67, against $11,039,277.15 in April of last year, and the statement of the 1st to the 16th of April—and I ask the Senate's careful consideration of these figures—shows an excess of receipts over expenditures this year of $312,929.92, as against an excess of expenditures over receipts of the corresponding period of last year of $6,618,925.88. There is no incentive for these enlarged importations except improved conditions of the country and reduced stocks of imported merchandise. The character of the legislation proposed furnishes no reason for accelerated imports, as there are practically no rates in either the House or Senate bill which are above the rates imposed by the act of 1897. It must be conceded that the era of prosperity which commenced the first part of March is likely to continue uninterruptedly with the enactment of wise tariff legislation.

Those who do not believe in this continued march of improvement have little knowledge of the recuperative powers of the American people and fail to measure correctly the force of the spirit of confidence which will accompany a guaranty of security and industrial peace.

The estimates which I have made of increased revenues growing out of this change in conditions are most conservative. The estimate I have made for the receipts from customs for the year 1910 is $345,000,000. The customs receipts in 1906 were $300,000,000; in 1907, $332,000,000; and in 1909 they will approximate $300,000,000. If the same rate of increase which has obtained since the 1st of March should be applied to the eight months of the next fiscal year not covered by the period of improvement in this year, we should then have an increase over the receipts for the present fiscal year, say $295,000,000, of $54,401,365, making a total of $349,401,000, without taking into account the additional sources of revenue provided for in the Senate bill.

It will thus be seen that by taking the importations of 1909 as a basis and making proper allowance for increases, we obtain practically the same figures as those based upon the importations of 1907, confirming the result of my first calculation.

For the year 1911 I have estimated an increase of revenues of $40,000,000 and a reduction of expenditures of $35,000,000, a consequent surplus of $30,000,000. This surplus would certainly continue under normal business conditions. There can be no reasonable question of the sufficiency of the Senate bill to provide adequate revenue.

If the statements I have submitted are approximately correct, the important question arises: In what way is the Treasury to take care of the deficiencies I have indicated for the present and the following fiscal year?

The Treasury has to-day, including the $74,681,275.89 which it is entitled to receive for reimbursement of canal expenditures, practically $100,000,000 of available surplus over a necessary working balance. This surplus is likely to be reduced, say, $6,000,000 between now and the 30th of June by additions to the deficiency for the current fiscal year. This would leave on the 30th of June an available surplus of $94,000,000. If the estimates which I have made for the year 1910 are accurate, the estimated deficiency of $45,000,000 in that year would still leave a surplus in the Treasury of $49,000,000, which would be increased from time to time in the subsequent years.

In estimating the Treasury surplus, I have assumed that what might be called "canal bonds" can be sold from time to time to an amount which will reimburse the Treasury for all payments on account of the canal, and that they are now available for that purpose. Further legislation will, however, be necessary in this bill to secure that result.

The Comptroller of the Treasury has held that $60,000,000 of the amount paid is not reimbursable under the provisions of existing law. This lack of authority will undoubtedly be remedied by a proper amendment.

Legislation will also be required in the pending bill to change the character of the bonds which may be issued. Existing legislation only authorizes the issue of 2 per cent bonds, which must be sold at not less than par. These could only be purchased by or for the national banks. It would not be possible to sell a considerable amount of bonds of this character at par. It will therefore be necessary to authorize the Secretary of the Treasury to sell bonds of a different class. Bonds redeemable at the pleasure of the Government after a few years could undoubtedly be sold at a rate not exceeding 3 per cent, and the necessary authority should be given in this bill for such issue.

In the estimates for the year 1911 which I have submitted, it will be observed that I have reduced the estimated disbursements for that year $35,000,000 below the estimated expenditures of 1910, the latter being based upon existing appropriations. I believe, however, that the expenditures for 1910 of $700,000,000 could also be materially reduced by executive or legislative action, or both.

I am well aware that the accomplishment of the reduction of expenditures I have suggested will be surrounded with great difficulties. The rapidity with which our national expenditures have increased within the last three years is a source of anxiety if not of alarm. Simultaneously with the reduction in receipts of $60,000,000 from 1907 to 1909, we have had an increase in expenditures of $120,000,000.

It is but fair to say that when the appropriations for the year 1908 were made the country had not been overtaken by the panic of 1907, and it is quite natural, perhaps, that appropriations should have been made upon the theory that the great prosperity of 1907, with its surplus revenues of $111,000,000, was to continue indefinitely.

But a different condition existed when the appropriations for the year 1910 were made. It is true that the bills making these appropriations were necessarily passed without careful consideration and without a general knowledge of Treasury conditions. The fact that the appropriations were less than the estimates does not relieve Congress from responsibility for their unprecedented extravagance. No excuse whatever can be found for similar legislation in the future.

The conditions under which appropriations are usually made by Congress are, perhaps, in part responsible for the inconsiderate waste of public money. Each department practically makes its own recommendations independently of all the others and without reference to the total amount of revenues which can be safely appropriated. The committees in charge of the various appropriation bills are required to consider only the needs of the respective departments for which they report appropriations and without reference to the total amount of money available.

It is important in the interests of the public service that a radical change in the procedure with reference to appropriations should be made, and the Senate is pledged to immediate reform in this regard. It should be the function of the Committee on Public Expenditures recently created to take into consideration, long before the appropriation bills are received from the House of Representatives, the estimates and needs of the various departments and report their recommendations to the Senate, in order that responsibility for future extravagancies may be clearly fixed. From an investigation more or less superficial I am myself satisfied that the appropriations made last year could have been reduced at least $50,000,000 without impairing the efficiency of the public service. There are periods in the life of a nation when the spirit of extravagance pervades the atmosphere and the public money is scattered right and left, often without reference to the results to be secured. I hope and expect to see a radical reform in this direction. We have within the past few years created many unnecessary bureaus and multiplied employees beyond the possibility of efficient work.

No one committee or official has been charged with the duty of attempting to coordinate expenditures with revenue, and extravagant and unwise appropriations have been made without reference to the economical administration of the Government.

In this work of necessary reduction in expenditure and in reform in methods of appropriation to which the Senate is pledged, I am authorized to say that we shall have the earnest support and active cooperation of the President and the administration.

I may be asked what would happen if it should be found that I have been oversanguine or wholly inaccurate in my statements of probable conditions and results. What shall we do if the revenues actually received are less than those I have anticipated, and large deficiencies are threatened? I answer with all the emphasis at my command that it would then be the imperative duty of Congress to reduce expenditures and make them conform to actual revenue conditions, and not to impose

new and onerous taxes. The legislative power of Congress over the revenues and expenditures will not end with the adoption of the pending bill. Congress will be in session again in December and again the following year. The President has the power to call us in special session at any time. The pending bill will, if enacted into law, provide all the necessary revenues required for public expenses upon a liberal scale. No further additional taxes are needed. The imposition of other taxes under these conditions would not only be unwise, but unjust and prejudicial to every interest of the great people we represent.

In the face of the record I have disclosed no political party can afford to place new and unnecessary burdens upon the industries and people of the United States, and I am confident that the party of which I am a member will not assume any such responsibility.

Mr. President, I was surprised on the morning on which this bill was reported to the Senate to have the senior Senator from Virginia [Mr. DANIEL] almost immediately arise in his place and offer an amendment to the bill which, if adopted, would impose from sixty to eighty million dollars a year upon the business and industries of the United States. The Senator from Virginia is the senior Democratic member of the Committee on Finance. His long service upon that committee; his great knowledge of all economic subjects; his position in his party, all make the action of that Senator significant.

The next day the distinguished Senator from Texas [Mr. BAILEY], also a member of the Finance Committee, offered another amendment supplementing the suggestions of the Senator from Virginia, proposing to impose a tax of $60,000,000 a year upon the incomes of the people of the United States.

Before the enacting clause of this bill was read, and when, by the confession of the two Senators I have named, they were entirely ignorant of its provisions, two Senators suggest adding $120,000,000 to the burdens which now rest upon the people of the United States. What a change was there, my countrymen.

Mr. President, I was brought up in a Democratic atmosphere. I remember well the lessons which my Democratic ancestors tried to instill into my mind as to the policies and the principles of the Democratic party. I shall not attempt to enumerate all of them, but the contention was always prominent that the party was the party of economy in expenses and always opposed to unnecessary taxation. In the Democratic platform for the year 1840, when Martin Van Buren was nominated for President, the following resolution appears:

Resolved, That it is the duty of every branch of the Government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the Government.

In 1846 Robert J. Walker, whom I conceive to be the ablest advocate of a tariff for revenue only this country has produced, announced as his platform the following principles:

That no more revenue should be collected than is necessary for the wants of the Government, economically administered.

That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

These ideas have been promulgated from every Democratic platform in this country from that time to this. The Republican party has been assailed from every stump and in every part of the United States for extravagance, for the imposition of unnecessary, and therefore unjust, taxes upon the people of the country. What do we now see? Not an attempt to secure greater economy by the Democratic leaders in the Senate, but propositions to impose $120,000,000 of additional taxes; and for what purpose? They can have no other purpose, or perhaps I should say they could have no other effect, than to promote and incite further extravagance in appropriations and in expenditures.

Mr. BAILEY. Mr. President, will the Senator from Rhode Island yield to me?

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. Yes; I yield.

Mr. BAILEY. Mr. President, I assume that the Senator from Rhode Island does not desire to misrepresent my attitude.

Mr. ALDRICH. I do not. I was coming to a statement which the Senator afterwards made in submitting his proposition.

Mr. BAILEY. Then I will refrain from further interruption until I see if the Senator from Rhode Island is as fair when he reaches that statement as he appears to be now.

Mr. ALDRICH. I will try to do so. It is true that the Senator from Texas qualified his statement about the $60,000,000 of revenue that would be obtained from an income tax by saying that it was his purpose, if that should be adopted, to reduce the taxes which are levied by the pending bill, or by existing law, upon other articles which might be designated as "articles in common use" or "necessaries of life." Is that a fair statement?

Mr. BAILEY. That is a fair statement. Not exactly, but in substance. If I were permitted to control the procedure, I would make the two propositions in one motion. I would provide for the reduction of the duties on articles of common necessity, and then I would supply the deficiency of revenue created by a remission of those duties to the people by the levy of an income tax. Of course, if I could not have my way, then I would vote for each proposition separately.

Mr. ALDRICH. I understood that to be the position of the Senator from Texas, and I desire very briefly to examine his proposition to reduce the taxes $60,000,000 below the amount which it is estimated will be raised by this bill or by existing law. How will it be done, as a matter of practical operation? Can anyone suggest to me any method by which it can be done?

Robert J. Walker, in giving his idea of a revenue tariff—and it is the idea of every man who has ever treated this question intelligently and from a logical standpoint—laid down the principle—

That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

Consider that, gentlemen—

That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

If duties should be reduced in the pending bill to that level, what would happen? You would increase the revenues, instead of reducing them, and your income tax would be more unnecessary than it is at this moment, because you would have a large surplus revenue——

Mr. BAILEY rose.

Mr. ALDRICH. I hope the Senator will let me proceed for just a moment longer.

Mr. BAILEY. I should like to have the Senator put in the RECORD another extract from Robert J. Walker's report.

Mr. ALDRICH. The Senator from Texas can put in the whole report later on if he likes.

Mr. BAILEY. I should like to see the two go in together, but I will take occasion to do that later.

Mr. ALDRICH. It must be patent to Senators that if we are to reduce the rates imposed by the pending bill to a revenue basis it means an absolute increase of revenue rather than a diminution. The only way the revenue can be reduced substantially is by adopting one of two courses—either by the adoption of prohibitory duties, which will stop the revenue, or by placing manufactured articles that compete with articles produced in this country on the free list. I suggest that the Senator from Texas give that proposition his attention. That is the only way that the revenues to be derived from this bill can be reduced. There is, it is true, another method, adopted in the construction of the Wilson bill, the only Democratic tariff with which this country has been cursed since 1846. What did that bill do? What was the effect of the legislation in that case? It did reduce revenues. How? By putting out the fires and the furnaces and stopping the machinery of production; by prostrating the industries of the United States and destroying the purchasing power of the American people. You can reduce expenditures by legislation which shall send this great and prosperous country into a state of decay and dissolution. Are you gentlemen upon the other side ready to do this?

Perhaps you would like to reduce the revenues for the purpose of imposing an income tax and thus taking the first steps for the destruction of the protective system. That attempt has been made before; in fact, every time there has been a Republican tariff measure before the Senate, within my recollection.

The traditions of your party, the interests of the great American people are all against this policy of yours. I shall be very curious to see what the Senator from Virginia and the Senator from Texas, with all of their ability and all of their ingenuity, can say in defense of the taxes—taxes which they seek to impose when there can be no necessity for their imposition.

I will ask to have printed as a part of my remarks the detailed tables I send to the desk.

The tables referred to follow on next page.

Statement of receipts and disbursements of the United States.
[By fiscal years 1897 to 1908, inclusive, and nine months of 1909.]

RECEIPTS.

	1897.	1898.	1899.	1900.	1901.	1902.	1903.
Customs	$176,554,126.65	$149,575,062.35	$206,128,481.75	$233,164,871.16	$238,565,455.99	$254,444,708.19	$284,479,581.81
Internal revenue:							
Spirits	81,847,927.23	90,158,802.80	98,285,548.04	110,692,847.66	115,078,617.15	121,773,239.20	131,327,431.76
Fermented liquors	32,471,736.99	39,515,421.14	68,640,153.64	73,550,754.49	75,669,907.65	71,988,902.39	47,547,856.06
Tobacco	30,716,190.88	34,230,522.37	52,484,113.56	59,355,084.89	62,481,907.13	51,937,925.19	43,514,810.24
Stamp taxes	.....	.....	43,837,929.66	40,963,811.53	40,194,641.27	14,174,101.54	.....
Other sources	1,658,919.24	4,995,895.18	10,189,386.59	10,765,478.19	13,755,590.57	12,005,953.78	8,420,026.09
Total internal revenue	146,688,774.29	170,900,641.49	273,437,161.51	295,327,926.76	307,180,663.77	271,880,122.10	230,810,124.17
Sales of public lands	824,561.41	1,243,129.42	1,678,246.81	2,836,882.98	2,965,119.65	4,144,122.78	8,926,311.22
Other miscellaneous	23,614,422.81	a 83,602,501.94	34,716,790.11	25,911,170.99	38,954,098.12	32,009,280.14	36,180,657.20
Aggregate receipts	347,721,905.16	405,321,335.20	515,960,620.18	557,240,851.89	587,685,337.53	562,478,233.21	560,396,674.40

	1904.	1905.	1906.	1907.	1908.	1909 (nine months).
Customs	$261,274,564.81	$261,798,856.91	$300,251,877.77	$332,233,362.70	$268,113,130.29	$216,926,093.56
Internal revenue:						
Spirits	135,779,720.54	135,234,711.29	148,168,779.80	157,782,395.38	286,206,268.03	104,095,580.60
Fermented liquors	49,063,458.77	50,334,259.40	55,574,006.45	59,342,450.20	59,807,542.22	41,502,716.93
Tobacco	44,655,801.86	45,699,189.28	48,721,734.62	51,302,777.91	49,862,755.01	37,613,145.30
Other sources	3,385,138.29	2,837,580.88	1,685,692.01	1,239,149.36	2,834,561.44	1,447,144.62
Total internal revenue	232,904,119.45	234,095,740.85	249,150,212.91	269,666,772.85	251,711,126.70	184,658,537.45
Sales of public lands	7,463,479.72	4,859,249.80	4,879,833.65	7,878,811.13	9,731,560.23	6,362,912.33
Other miscellaneous	38,999,585.42	43,520,837.29	40,172,197.34	53,361,387.37	53,570,801.31	33,014,471.88
Aggregate receipts	540,631,749.40	544,274,684.85	594,454,121.67	663,140,334.05	601,126,118.53	440,962,015.22

DISBURSEMENTS.

	1897.	1898.	1899.	1900.	1901.	1902.	1903.
CIVIL ESTABLISHMENT.							
Legislative:							
Congress	$4,358,147.94	$4,163,301.21	$4,506,229.21	$4,417,666.67	$4,430,578.99	$4,542,376.31	$4,682,324.33
Public Printer	3,543,918.37	3,894,609.48	4,124,673.87	4,730,211.11	5,812,387.69	6,166,256.37	5,917,410.11
Library of Congress	545,646.82	266,602.21	262,725.63	300,867.29	424,756.87	469,403.09	590,668.39
Miscellaneous	789,535.08	1,114,034.41	2,283,736.85	517,471.86	543,791.25	162,164.10	1,000,346.34
Executive office:							
Salaries and expenses	97,044.21	101,721.03	113,227.06	110,416.34	115,378.05	112,360.38	247,723.29
Civil Service Commission	96,950.13	97,429.87	97,365.76	97,408.61	97,932.59	101,224.84	99,928.94
Department of State:							
Salaries and expenses	138,684.81	138,975.25	247,594.17	141,371.22	156,015.39	186,467.44	178,098.28
Foreign intercourse	2,076,876.84	2,485,581.13	b 22,624,019.80	3,214,892.65	3,317,900.35	2,765,734.01	3,204,822.01
Treasury Department:							
Salaries and expenses	3,039,944.79	3,074,323.46	3,186,817.00	3,277,786.67	3,295,011.92	3,533,329.24	3,846,800.94
Independent Treasury	602,369.65	593,635.66	599,668.25	682,811.88	686,610.52	683,544.89	704,203.54
Mint establishment	1,176,516.13	1,128,172.18	1,488,270.92	1,479,646.25	1,996,475.17	1,535,656.00	1,436,220.57
Territories	194,277.86	92,591.56	161,634.17	89,923.95	224,241.84	165,734.85	261,591.08
Internal Revenue Service	8,678,929.54	4,902,511.15	4,499,146.87	4,991,677.41	5,990,282.72	8,596,348.58	10,603,813.60
Collecting revenue from customs	7,075,572.05	7,150,276.56	7,361,562.83	7,467,622.48	7,713,418.82	7,967,473.86	8,468,710.19
Refunds excess of deposits and drawbacks	3,728,144.36	4,928,412.97	7,628,992.95	10,387,538.85	12,976,038.25	10,690,417.26	9,596,844.77
Revenue-Cutter Service	945,180.93	1,066,478.04	1,040,594.64	1,229,337.57	1,256,556.61	1,203,637.12	1,441,614.26
Public Health and Marine-Hospital Service	620,506.90	709,248.04	788,043.21	982,495.77	1,240,192.37	1,234,264.51	1,356,455.57
Life-Saving Service	1,507,340.63	1,537,740.00	1,528,895.39	1,579,127.73	1,650,907.17	1,667,688.48	1,746,841.19
Coast Survey	380,865.52	478,007.84	659,412.43	528,156.05	753,298.04	858,832.07	c 865,215.78
Light-House Establishment	3,390,000.45	3,321,256.37	3,118,835.50	3,556,840.70	3,638,898.33	4,181,403.39	c 4,537,315.67
Bureau of Fisheries	428,827.27	465,070.66	433,211.42	520,309.90	516,857.56	540,491.17	c 580,751.59
Immigration Service	501,607.83	379,693.25	445,560.21	508,319.54	492,234.18	602,356.41	c 1,024,421.38
Steamboat-Inspection Service	339,561.18	340,009.04	331,678.33	316,140.85	354,929.90	344,490.06	c 418,605.88
Engraving and Printing	1,136,561.59	1,129,261.98	1,612,936.18	1,887,169.59	2,058,898.21	2,653,322.43	2,782,348.59
Public buildings—construction	3,758,795.67	3,769,684.57	3,861,194.30	6,346,657.85	6,781,932.78	4,919,574.17	7,679,721.24
Fuel, furniture, and expenses, public buildings	1,981,110.87	2,145,982.12	2,284,733.76	2,235,099.97	2,425,144.62	2,417,282.17	2,282,909.92
Expeditions	114,781.81	164,972.68	432,774.35	71,279.08	361,013.95	218,660.86	1,099,299.16
Miscellaneous	3,345,984.97	d 6,824,428.23	4,723,177.49	4,669,550.19	4,703,280.59	3,985,019.68	e 4,614,659.01
War Department:							
Salaries and expenses, civil	1,713,925.25	1,752,473.78	2,390,391.36	2,679,700.57	2,687,199.80	2,194,319.30	2,224,031.29
Public buildings and grounds in Washington	159,528.84	145,304.89	163,719.53	196,860.32	191,024.03	190,710.74	f 840,196.50
Navy Department:							
Salaries and expenses	416,983.43	426,496.99	412,630.60	425,234.66	478,325.56	498,897.02	498,762.44
Interior Department:							
Salaries and expenses	4,809,641.88	4,767,499.10	4,700,358.50	4,767,172.82	4,728,737.91	4,742,480.28	4,933,929.83
Public lands service	1,860,676.21	1,747,242.08	1,870,614.45	2,034,164.39	2,438,549.64	2,398,905.07	2,630,643.73
Geological Survey	422,806.82	440,004.96	498,330.80	555,389.75	697,320.49	740,121.53	897,866.44
National parks	40,158.88	20,747.76	25,298.89	24,422.07	35,161.22	73,609.68	101,118.32
Reclamation	594,758.06	488,993.97	465,422.35	494,001.00	593,501.03	681,321.53	1,235,578.74
Census	25,817.73	758.54	57,433.35	945,347.03	7,816,748.00	2,920,317.97	1,248,914.24
Colleges for agriculture	1,056,000.00	1,104,000.00	1,152,000.00	1,200,000.00	1,200,000.00	1,200,000.00	1,200,000.00
Reclamation Service	.....	.....	.....	.....	.....	.....	288,617.23
Miscellaneous	288,179.42	152,106.42	202,679.89	145,174.38	1,229,765.80	571,573.10	457,485.49
Post-Office Department:							
Salaries and expenses, department proper	991,267.84	869,966.13	887,946.90	928,557.99	966,574.57	1,031,488.29	1,391,393.00
Deficiency in postal revenues	11,149,268.13	10,504,040.42	8,211,570.08	7,230,778.79	4,954,763.21	2,402,152.62	2,768,919.20
Mail transportation, Pacific railways	1,569,153.38	857,797.45	587,545.31	598,976.18	606,534.08	592,682.31	701,648.23
Miscellaneous	1,646.98	514.88	54,271.13	2,863.00	1,917.01	22,161.50	48,105.87

a Includes $64,751,223.75 paid into the Treasury on account of indebtedness of Pacific railroads; and the miscellaneous receipts for subsequent years to June 30, 1908, include approximately four to six millions paid in each year on the same accounts.
b Includes $20,000,000 on account of "Treaty obligations between the United States and Spain.
c Transferred to Department of Commerce and Labor in 1903.
d Includes $4,549,368.30 payment in adjustment of Pacific railroad accounts.
e Includes $1,000,000 on account of bubonic plague, Territory of Hawaii.
f Includes $540,641 on account of repairs and new buildings at the Executive Mansion.

***Statement of receipts and disbursements of the United States*—Continued.**

DISBURSEMENTS—continued.

	1897.	1898.	1899.	1900.	1901.	1902.	1903.
CIVIL ESTABLISHMENT—continued.							
Department of Agriculture:							
Salaries	$290,566.97	$313,291.95	$316,955.30	$331,810.48	$318,788.11	$360,363.60	$450,664.69
Building	.....	.....	.....	.....	.....	5,000.00	1,000.00
Animal Industry	636,385.02	735,299.30	862,414.33	887,191.13	970,030.29	1,025,996.31	1,367,372.65
Purchase of seeds	145,673.02	127,193.26	118,689.38	136,412.76	148,569.58	272,383.49	263,137.62
Forest Service	12,402.75	25,510.58	17,366.72	40,750.89	80,674.62	114,811.95	224,634.75
Plant industry and cotton boll-weevil investigations	28,276.25	29,061.34	27,354.17	38,345.34	49,805.96	71,482.59	129,302.08
Agricultural experiment stations	746,730.13	756,016.96	757,224.02	767,744.08	777,153.69	785,723.69	796,670.01
Weather Bureau	848,949.64	968,814.39	1,039,000.60	989,776.42	1,003,244.00	1,156,773.60	1,259,121.70
Miscellaneous	316,496.24	298,120.01	353,610.17	433,819.44	555,231.42	769,351.29	840,302.30
Department of Commerce and Labor:a							
Salaries and expenses	.....	.....	.....	.....	.....	.....	34,473.84
Bureau of Labor	150,698.76	179,772.26	170,902.08	173,009.74	169,921.35	176,232.49	182,681.49
Department of Justice:							
Salaries and expenses, proper	317,675.06	371,145.58	386,132.50	436,783.03	435,608.17	473,903.04	589,144.39
Salaries and expenses, United States courts	6,344,797.27	6,760,165.32	6,281,525.66	5,937,592.38	6,294,006.71	6,288,840.13	7,350,740.51
District of Columbia:							
Salaries and expenses	6,508,539.34	6,319,725.84	6,735,039.22	7,108,581.57	8,748,323.04	9,363,742.00	8,584,037.32
	95,968,325.72	.....	.....	.....	.....	.....	.....
Less repayments to Pacific Railroad sinking funds	5,567,057.90	.....	.....	.....	.....	.....	.....
Total civil establishment	90,401,267.82	96,520,505.17	119,191,255.90	105,773,190.16	122,282,003.10	113,469,323.91	124,934,304.74
MILITARY ESTABLISHMENT.							
National defense	.....	7,034,112.30	8,889,291.81	1,269,546.58	900,233.00	.....	192,801.69
Emergency fund	.....	.....	3,000,000.00	1,040,383.70	360,583.08	42,362.20	76,187.43
Pay Department	13,723,582.86	21,443,090.19	69,588,579.42	31,961,856.59	38,243,279.21	36,915,284.17	28,615,763.10
Extra pay, war with Spain	.....	.....	3,005,000.00	940,321.37	249,324.61	82,558.85	157,191.75
Subsistence Department	1,406,430.12	5,922,441.36	17,203,367.69	10,407,631.76	12,764,977.27	6,420,827.28	5,419,793.20
Quartermaster's Department	6,720,465.60	18,831,850.56	81,782,869.78	48,234,609.92	48,222,948.50	31,725,860.32	30,822,802.69
Medical Department	790,628.25	494,287.34	2,186,283.86	2,837,594.09	2,553,168.24	850,602.41	1,320,023.99
Ordnance Department	7,702,888.08	10,786,774.65	19,396,663.76	10,790,926.13	11,631,915.70	11,155,777.83	10,637,105.75
Engineer Department	575,283.93	774,589.07	1,315,086.04	836,993.09	841,094.75	758,091.75	1,082,265.56
Rivers and harbors	13,682,704.81	20,783,049.96	16,082,541.42	18,718,864.82	19,544,473.71	14,947,980.74	19,590,062.21
Military Academy	234,974.80	280,085.70	161,771.89	199,902.66	398,891.67	257,104.92	490,980.17
Military posts	352,947.33	399,190.37	352,919.12	804,972.73	648,919.77	1,053,242.45	1,824,432.09
National homes	2,330,801.20	2,286,943.73	3,055,783.18	2,849,631.39	3,276,708.85	3,236,434.40	3,938,294.04
Reimbursing States and Territories, expenses of troops, Spanish war	.....	.....	1,281,878.07	1,131,881.04	964,186.77	599,431.34	217,852.35
Refunding to States expenses incurred in raising volunteers	.....	.....	.....	.....	.....	1,053,652.42	6,364,609.31
Panama Canal	.....	.....	.....	.....	.....	.....	9,985.00
Miscellaneous	1,629,511.41	2,953,585.06	2,539,298.13	3,041,011.91	4,014,992.07	3,176,025.00	b 7,869,334.82
Total military establishment	48,950,267.89	91,992,000.29	229,841,254.47	134,774,767.78	144,615,697.20	112,272,216.08	118,629,505.15
NAVAL ESTABLISHMENT.							
National defense	.....	20,622,415.20	6,197,701.02	1,045,064.40	208,895.74	24,999.72	1,572,734.22
Emergency fund	.....	.....	9,856,203.95	612,406.39	555,395.72	114,019.42	175,132.01
Increase of the navy	14,539,911.36	10,738,888.73	10,277,217.89	14,398,254.94	15,202,578.53	19,798,144.29	26,067,104.25
Yards and docks	1,575,829.90	1,774,571.02	2,449,408.54	4,476,759.21	5,294,178.98	5,701,780.29	6,404,410.50
Equipment	1,455,594.46	1,843,121.78	4,682,491.03	3,329,324.20	4,060,522.73	5,144,548.32	5,439,182.18
Navigation	168,002.80	174,406.11	292,372.45	418,617.24	473,590.51	586,547.94	862,062.11
Construction and repair	2,292,056.16	3,008,220.42	7,371,269.70	5,781,245.81	7,810,405.49	6,998,825.98	7,783,546.78
Ordnance	887,139.00	1,652,754.44	4,271,101.46	3,659,208.82	3,997,203.27	2,549,009.51	3,474,681.63
Steam engineering	1,130,229.12	1,496,417.86	3,445,043.35	2,531,549.71	3,542,627.02	3,253,231.78	3,613,724.40
Supplies and accounts	1,971,560.31	3,349,543.07	5,703,607.97	3,518,421.26	3,573,119.61	3,997,819.29	5,701,472.94
Medicine and surgery	311,329.48	300,661.05	340,441.61	286,798.93	403,893.29	415,870.92	541,577.20
Marine Corps	1,053,676.64	1,174,974.32	1,830,463.57	1,798,871.61	2,018,064.18	2,718,621.95	2,246,698.47
Naval Academy	203,759.45	228,485.32	286,170.05	400,092.31	725,725.03	872,098.13	1,320,552.57
Pay of navy	8,311,599.25	9,067,558.07	11,927,034.50	11,363,099.11	13,245,775.37	13,017,036.61	14,969,881.86
General account of advances	.....	2,258,701.75	118,624.69	.....	.....	1,905,889.92	17,634.10
Miscellaneous	590,858.26	1,123,736.16	892,892.47	1,632,768.78	.....	755,090.17	527,688.66
Total naval establishment	34,561,546.29	58,823,984.80	63,942,104.25	55,953,077.72	60,506,978.47	67,803,128.24	82,618,034.18
Indian Service	13,016,802.46	10,994,667.70	12,805,711.14	10,175,106.76	10,896,073.35	10,049,584.86	12,935,168.08
Pensions	141,053,164.63	147,452,363.61	139,394,929.07	140,877,316.02	129,323,621.99	138,488,559.78	138,425,646.07
Interest	37,791,110.48	37,585,655.22	39,896,925.02	40,160,333.27	32,342,979.04	29,108,044.82	28,556,348.82
Aggregate disbursements	365,774,159.57	443,368,582.80	605,072,179.85	487,713,791.71	509,967,358.15	471,190,857.64	506,096,400.04

	1904.	1905.	1906.	1907.	1908.	1909 (nine months).
CIVIL ESTABLISHMENT.						
Legislative:						
Congress	$4,683,840.49	$4,841,274.41	$4,877,902.26	$5,684,349.09	$6,684,980.40	$6,198,856.16
Public Printer	6,501,562.40	6,369,108.52	5,746,177.00	5,895,278.71	6,394,810.82	4,327,004.63
Library of Congress	575,993.29	607,796.41	589,317.81	586,428.36	613,609.68	542,801.58
Miscellaneous	106,268.03	91,837.29	88,643.90	96,368.04	95,485.52	192,614.60
Executive Office:						
Salaries and expenses	133,406.03	133,953.08	142,350.98	152,031.43	166,460.95	130,372.32
Civil Service Commission	166,579.60	172,484.24	236,430.58	235,363.48	238,062.55	192,034.80
Department of State:						
Salaries and expenses	182,618.15	191,580.09	196,950.07	455,268.12	444,345.07	448,570.52
Foreign intercourse	4,191,884.86	2,621,815.18	2,342,300.13	3,250,592.71	3,301,217.55	2,449,825.43
Treasury Department:						
Salaries and expenses	3,564,094.95	3,776,151.14	3,894,449.24	3,973,673.22	4,057,952.02	3,100,885.11
Independent Treasury	753,853.15	746,793.05	750,302.58	771,749.46	819,404.88	600,350.43
Mint establishment	1,401,372.74	1,299,100.68	1,279,898.08	1,317,511.77	1,476,745.33	1,037,253.68
Territories	181,336.18	254,106.25	192,643.04	372,807.73	c 5,417,326.62	175,728.85
Internal-Revenue Service	6,329,699.71	5,034,922.00	5,747,860.69	5,490,360.71	5,825,010.87	4,077,080.63
Collecting revenue from customs	8,665,636.37	9,115,499.44	8,997,669.41	9,436,752.68	9,580,628.28	7,609,523.06

a Organized by act of February 14, 1903.
b Includes $3,000,000 for relief of distress in the Philippines.
c Includes $5,000,000 on account of "public schools, Oklahoma.

Statement of receipts and disbursements of the United States—Continued.

DISBURSEMENTS—continued.

	1904.	1905.	1906.	1907.	1908.	1909 (nine months).
CIVIL ESTABLISHMENT—continued.						
Treasury Department—Continued.						
Refunds excess of deposits and drawbacks	$8,483,693.53	$9,303,551.62	$9,427,500.64	$8,785,524.08	$10,297,062.41	$6,847,397.40
Revenue-Cutter Service	1,524,763.53	1,610,812.54	1,469,595.17	1,582,040.10	1,714,487.20	2,477,690.68
Public Health and Marine-Hospital Service	1,424,362.73	1,290,092.32	1,200,098.80	1,441,298.16	1,575,829.60	1,138,316.52
Life-Saving Service	1,779,443.69	1,840,565.21	1,843,012.24	1,795,481.66	2,009,149.79	1,748,754.26
Engraving and Printing	2,756,163.65	2,866,340.62	2,914,726.84	3,347,859.93	3,302,400.27	2,276,174.71
Public buildings—construction	10,188,592.82	10,934,783.10	8,736,004.19	9,361,486.62	9,341,364.55	9,359,858.97
Fuel, furniture, and expenses, public buildings	2,289,456.71	2,681,669.33	3,472,755.29	3,015,560.35	3,244,273.68	2,631,296.56
Expositions	10,037,267.18	641,086.10	132,421.09	283,838.65	205,165.13	78,971.88
Miscellaneous	2,261,581.14	3,016,863.62	3,012,599.01	4,792,201.17	5,334,718.72	4,750,073.78
War Department:						
Salaries and expenses, civil	2,237,622.56	2,118,650.01	2,190,282.55	1,866,353.42	1,878,565.33	2,108,397.67
Public buildings and grounds in Washington	252,135.06	260,595.33	301,093.35	365,661.37	301,871.51	
Navy Department:						
Salaries and expenses	559,148.60	695,264.34	692,519.95	738,359.95	743,136.14	575,770.34
Interior Department:						
Salaries and expenses	4,992,867.41	5,070,856.72	4,984,280.59	4,990,590.95	4,900,797.54	3,833,837.44
Public-lands service	2,762,991.91	2,554,245.85	2,420,448.82	3,514,587.50	3,064,621.48	2,933,243.36
Geological Survey	917,231.33	982,166.16	999,687.05	1,030,718.52	881,568.93	724,050.13
National parks	114,204.06	59,522.18	56,001.14	80,789.91	118,641.32	102,179.84
Beneficiaries	1,157,658.37	571,372.65	671,227.01	633,503.34	673,149.69	610,476.66
Colleges for agriculture	1,200,000.00	1,200,000.00	1,200,000.00	1,200,000.00	1,500,000.00	1,750,000.00
Reclamation Service	1,611,650.19	3,882,020.53	7,256,926.75	12,795,346.80	11,126,042.02	7,172,926.57
Buildings for Senate and House, and power plant	756,452.05	933,690.42	1,160,914.87	1,575,035.20	2,960,746.06	1,898,185.58
Miscellaneous	505,421.89	513,930.90	380,769.11	257,448.68	249,845.74	258,962.27
Post-Office Department:						
Salaries and expenses, department proper	1,404,466.87	1,444,537.48	1,505,203.27	1,510,410.71	1,627,471.55	1,246,402.97
Deficiency in postal revenues	6,502,530.86	15,065,257.00	12,673,294.39	7,629,382.81	12,888,040.94	17,930,059.70
Mail transportation, Pacific railways	738,706.12	740,641.75	741,182.43	773,253.05	761,789.45	187,411.51
Miscellaneous	7,896.18	34,086.45	103,237.68	184,725.33	14,277.86	228,562.51
Department of Agriculture:						
Salaries	458,575.06	475,154.02	792,099.55	846,806.27	920,421.82	812,594.18
Building	28,496.32	101,000.00	368,055.10	533,000.00	460,154.25	21,970.40
Animal industry	1,250,558.47	1,363,997.29	1,566,222.94	676,711.59	939,515.86	1,226,141.59
Meat inspection				2,015,630.62	2,629,699.71	2,158,522.21
Purchase of seeds	257,904.13	286,209.94	238,717.82	217,622.43	282,166.08	231,077.52
Forest Service	328,927.58	593,345.33	1,110,893.10	1,701,222.55	3,377,123.84	3,631,839.21
Plant industry and cotton boll weevil investigations	77,706.45	279,350.17	175,304.53	563,635.66	665,013.08	686,510.06
Agricultural experiment stations	809,923.26	809,126.52	794,036.95	1,330,737.78	1,253,013.75	1,033,066.93
Weather Bureau	1,227,147.57	1,334,877.66	1,375,298.80	1,342,388.31	1,317,310.71	1,190,883.87
Miscellaneous	1,175,167.66	1,351,403.58	1,203,059.05	1,254,437.70	1,616,345.30	1,546,310.00
Department of Commerce and Labor:						
Salaries and expenses	289,356.98	522,063.94	566,441.89	569,558.23	865,048.94	701,694.16
Bureau of Labor	185,082.61	175,256.13	185,319.75	161,397.66	175,297.66	121,900.43
Bureau of Standards	160,378.61	190,158.64	155,866.90	155,745.16	189,166.87	184,880.15
Census Office	1,219,765.38	1,410,870.02	1,166,379.30	1,228,878.31	1,239,264.25	875,251.45
Coast Survey	744,675.23	926,412.61	854,060.31	853,147.25	962,745.89	712,443.99
Light-House Establishment	4,904,134.63	4,449,658.25	4,349,840.93	4,941,920.50	6,870,052.52	4,237,281.02
Bureau of Fisheries	593,449.47	660,079.96	684,283.84	616,983.66	757,474.72	642,873.08
Immigration Service	1,844,796.59	2,126,355.15	2,066,728.38	2,021,200.80	3,175,854.78	2,790,382.31
Steamboat-Inspection Service	389,741.73	396,260.49	462,115.24	439,213.28	570,631.49	393,872.73
Miscellaneous	253,211.64	36,038.06	39,922.19	35,880.36	41,991.35	36,779.02
Department of Justice:						
Salaries and expenses, proper	635,139.78	688,025.03	704,548.62	829,562.25	861,330.40	744,013.15
Salaries and expenses, United States courts	7,477,527.13	7,664,275.53	7,899,348.47	8,619,928.44	8,232,515.88	6,157,643.63
District of Columbia:						
Salaries and expenses	9,392,025.10	11,678,356.49	11,487,249.80	11,370,801.55	12,184,505.10	12,430,997.03
Total civil establishment	136,602,202.92	143,033,728.82	142,894,471.46	153,045,913.13	175,420,408.57	145,413,775.18
MILITARY ESTABLISHMENT.						
National defense	63,225.22	12,958.60	44,437.34	9,997.51	3,693.52	13,754.85
Emergency fund		46,717.07	1,665.49	682,502.84		20,204.21
Pay Department	27,418,380.58	31,372,083.65	28,566,749.23	32,195,042.68	32,982,606.10	33,876,034.05
Extra pay, war with Spain	275,800.00	584,985.40	370,928.55	350,600.40	131,427.94	11,560.60
Subsistence Department	5,446,558.73	5,541,892.65	5,549,338.18	5,540,021.18	6,439,915.89	5,883,513.55
Quartermaster's Department	28,958,225.61	29,972,958.41	29,008,111.29	30,491,412.05	34,068,199.13	30,401,720.94
Medical Department	1,338,716.28	1,138,701.55	1,668,499.12	1,012,927.44	1,455,816.15	1,869,860.09
Ordnance Department	12,815,736.42	14,001,722.11	12,391,843.85	11,457,263.51	11,547,508.63	9,975,740.78
Engineer Department	1,824,384.97	2,280,947.00	2,397,746.05	2,658,722.43	4,568,593.89	4,201,472.35
Rivers and harbors	22,546,655.34	22,813,864.53	25,955,402.28	23,309,760.85	30,157,649.01	26,784,432.88
Military Academy	414,712.72	477,890.39	993,073.09	1,013,237.14	1,602,185.74	1,121,198.97
Military posts	3,118,087.68	2,846,933.82	1,908,624.10	1,548,193.43	1,912,635.75	2,160,272.91
National homes	4,404,270.09	3,907,685.26	3,715,785.05	4,114,534.31	3,945,098.33	4,895,377.45
Reimbursing States and Territories expenses of troops, Spanish war	39,305.72	200,060.93	218,065.23	260,815.85	562,710.50	45,543.95
Refunding to States expenses incurred in raising volunteers	2,534,633.51	1,103,853.83		65,624.24	97,466.02	
Panama Canal	[a]50,164,500.00	3,918,819.83	19,379,373.71	27,198,618.71	38,093,495.29	22,520,377.74
Miscellaneous	3,837,316.51	5,871,524.04	5,256,428.52	[c]7,866,809.63	[d]8,271,521.10	2,616,555.49
Total military establishment	165,199,910.58	126,093,894.07	137,326,066.08	149,775,084.20	175,840,452.99	146,397,619.91
NAVAL ESTABLISHMENT.						
Emergency fund	91,752.40	13,749.44	157.12	15,009.16	31.08	
Increase of the navy	39,638,188.84	47,418,091.03	42,606,067.50	29,588,340.88	27,468,655.76	5,858,342.32
Yards and docks	7,696,779.34	8,911,207.78	6,405,556.52	5,491,561.61	5,772,637.50	1,493,570.19
Equipment	6,429,908.79	5,893,851.37	7,211,690.00	5,999,183.54	10,386,602.83	3,030,077.13
Navigation	1,499,495.59	1,758,711.20	1,706,961.12	2,348,547.31	3,742,246.86	891,372.76
Construction and repair	8,512,234.78	7,944,886.71	7,932,792.75	7,804,943.36	7,192,521.87	2,601,566.22
Ordnance	3,795,316.37	3,940,574.96	4,116,891.42	4,882,305.37	8,030,376.41	3,597,051.82
Steam engineering	3,763,322.61	4,143,684.10	4,555,273.64	5,094,072.99	5,549,055.84	1,937,211.62
Supplies and accounts	6,317,737.24	6,198,930.26	6,160,003.15	6,880,001.71	8,617,939.45	2,428,483.64
Medicine and surgery	717,814.56	796,419.42	832,267.33	799,402.41	1,453,106.66	482,856.38
Marine Corps	3,796,984.05	3,944,263.22	4,153,707.32	5,002,328.48	5,598,670.77	1,071,689.82
Naval Academy	1,880,997.40	2,748,867.07	1,812,850.66	1,366,029.78	980,628.45	213,500.02
Pay of navy	17,858,964.77	18,264,719.47	21,770,803.17	21,692,616.32	25,492,613.45	7,411,160.09

[a] Organized by act of February 14, 1909.
[b] Includes $60,000,000 for the property of the New Panama Canal Company and $10,000,000 to the Republic of Panama.
[c] Includes $2,927,895 for relief and replacing military stores at San Francisco.
[d] Includes $1,031,442 for roads in Alaska, cyclone sufferers, and improvements at Soldiers' Home.

Statement of receipts and disbursements of the United States—Continued.

DISBURSEMENTS—continued.

	1904.	1905.	1906.	1907.	1908.	1909 (nine months).
NAVAL ESTABLISHMENT—continued.						
General account of advances		$3,164,400.51			$6,778,385.23	$53,881,903.49
Miscellaneous	$954,603.31	2,410,951.64	$1,209,232.70	$168,820.44	973,724.80	1,305,936.17
Total naval establishment	102,956,101.55	117,550,308.18	110,474,264.40	97,128,469.36	118,067,097.15	86,265,771.67
Indian service	10,458,350.09	14,236,073.71	12,746,859.08	15,163,606.41	14,579,755.75	12,786,162.64
Pensions	142,559,266.36	141,773,964.57	141,034,561.77	139,329,514.31	153,892,467.01	123,504,072.67
Interest	24,646,489.81	24,590,944.10	24,308,576.27	24,481,158.34	21,426,138.21	16,014,114.61
Aggregate disbursements	582,402,321.31	567,278,913.45	568,784,799.06	578,903,747.75	659,196,319.68	530,281,516.08

NOTE.—The disbursements from the Treasury for the "Naval establishment" are charged primarily under the law to the account "General account of advances" created by act of June 19, 1878 (20 Stat. L., 167). While the total of the naval disbursements is shown in this statement, of which $53,881,903.49 stands in "General account of advances," the charges against the detailed heads shown herein can be determined only after final adjustment by the Auditor for the Navy Department of the accounts involved in the advances made from "General account."

TREASURY DEPARTMENT,
DIVISION OF BOOKKEEPING AND WARRANTS,
April 15, 1909.

Customs receipts March 1, 1909, to April 15, 1909, inclusive, compared with same period of 1908.

	1909.	1908.	Daily increase in 1909.
March 1	$1,009,331.32	(a)	$1,009,331.32
March 2	783,544.78	$768,144.13	15,400.65
March 3	1,506,111.34	1,040,902.64	465,208.70
March 4	(b)	177,419.58	[c] 177,419.58
March 5	1,507,442.35	1,481,711.30	25,731.05
March 6	1,809,249.24	799,571.38	1,009,677.86
March 7	(a)	1,037,889.33	[c] 1,037,889.33
March 8	958,697.18	(a)	958,697.18
March 9	898,430.51	736,238.52	162,191.99
March 10	1,316,566.95	806,302.44	510,264.51
March 11	1,217,485.19	1,053,511.40	163,973.79
March 12	974,726.68	850,172.46	124,554.22
March 13	912,174.51	710,056.40	202,118.11
March 14	(a)	600,229.99	[c] 600,229.99
March 15	1,493,983.06	(a)	1,493,983.06
March 16	1,118,384.62	660,005.21	458,378.41
March 17	1,289,658.78	990,452.32	299,206.46
March 18	1,131,632.04	980,398.67	151,233.37
March 19	982,016.56	811,076.32	170,940.24
March 20	963,447.73	822,849.60	140,598.13
March 21	(a)	498,103.28	[c] 498,103.28
March 22	702,461.47	(a)	702,461.47
March 23	890,271.78	840,670.27	49,601.51
March 24	1,206,602.60	860,148.50	346,454.10
March 25	1,009,108.20	870,760.72	138,347.48
March 26	722,411.15	750,503.40	[c] 28,092.25
March 27	974,831.11	827,099.45	147,731.66
March 28	(a)	723,280.50	[c] 723,280.50
March 29	1,078,671.34	(a)	1,078,671.34
March 30	934,887.58	673,312.84	261,574.74
March 31	1,256,008.40	788,636.27	469,372.13
April 1	940,043.52	855,504.69	84,538.83
April 2	1,186,515.50	667,860.81	518,654.69
April 3	1,172,371.11	750,615.34	421,755.77
April 4	(a)	629,147.33	[c] 629,147.33
April 5	1,217,551.92	(a)	1,217,551.92
April 6	1,109,648.86	753,430.48	356,218.38
April 7	1,710,078.91	943,902.10	766,176.81
April 8	1,001,244.02	847,426.00	153,818.02
April 9	1,719,683.44	684,958.29	1,034,725.24
April 10	984,355.75	830,556.30	153,797.45
April 11	(a)	902,290.05	[c] 902,290.05
April 12	802,178.18	(a)	802,178.18
April 13	981,113.66	851,369.83	129,743.83
April 14	1,106,345.49	662,783.90	443,561.50
April 15	1,044,812.84	1,031,811.64	13,031.20
Total	43,607,709.67	31,576,616.59	

[a] Sunday. [b] Holiday. [c] Deficit.

Net increase in 1909 for the period $12,031,093.08
Average daily increase 261,545.50

TREASURY DEPARTMENT,
DIVISION OF BOOKKEEPING AND WARRANTS,
April 15, 1909.

Panama Canal, proceeds of bonds issued for the work and disbursements by fiscal years 1903 to 1908, inclusive, and for nine and one-half months of fiscal year 1909.

		Proceeds of bonds issued.	Disbursements.
1903			$9,065.00
1904			50,164,500.00
1905			3,918,819.83
1906			19,379,373.71
1907, proceeds of bonds:			
Principal of bonds	$30,000,000.00		
Premium	1,210,817.95		
		$31,210,817.95	27,198,618.71
1908, proceeds of bonds:			
Principal of bonds	$24,631,980.00		
Premium	735,788.67		
		$25,367,768.67	$28,098,929.04
1909 (9½ months), proceeds of bonds:			
Principal of bonds	30,000,000.00		
Premium	731,608.21	30,731,608.21	23,225,644.43
Total		87,309,594.83	161,990,570.72

Panama Canal, proceeds of bonds issued, etc.—Continued.

The disbursements shown herein contain:

Payment for property, New Panama Canal Company	$40,000,000
Payment to Republic of Panama	10,000,000
Toward the project of the canal	10,000,000
Total	60,000,000

Which sums have been construed by the Comptroller of the Treasury as not reimbursable by bonds.

Mr. DANIEL. Mr. President, a deficit in our revenue confronts us. After a period of flush times, of extravagant expenditures, of enormous revenues, and of great lakes of surplus, the question of finance, now demanding attention, is brought to a focus by a deficit. The chairman of the Committee on Finance, who has just spoken, thinks the deficit which he does not provide for is some sixty-nine or seventy million dollars. He might find a very good opening at that deficit, which he has not provided for, by looking at the suggestions of some of his Democratic colleagues. He would feel then as if he was going home, for he tells us that he was raised in a Democratic atmosphere, in which rigid economy was advised, with no more revenue to be raised than would be measured by the economical expenditures of the Government. I am afraid he has forgotten that teaching so long that it will be a surprise to behold him advising the people to consider it.

BOND ISSUES.

The last Congress, which ended March 4 of the present year, appropriated no less than $1,044,359,260.30. Buckle and tongue no longer meet. It is realized by everybody that something must be done, and done at once, to cure the evil and meet the future. Issuing bonds and thereby piling up greater expenses upon the future has often been resorted to. You may look out for bonds nowadays, whether in a bill raising revenue or in an appropriation bill to dispose of it. The last Congress put a hundred million of certificates to raise money in an appropriation bill, commonly called the "sundry civil bill," which is to cover the expenses of the officials of the Government, and for other purposes. The House bill, which is now before us, offers to raise $150,000,000 more of money. This is palatable food for the Government, but not very wholesome for finance. I am glad to know that the Finance Committee has erased this provision from its recommendations, no doubt after reading the wise suggestions of Robert J. Walker.

It leaves, however, $150,000,000 to provide more than the House bill provides for. At present we may cast the question of bonds out of consideration, and in that I thoroughly agree with the chairman, the Senator from Rhode Island.

REDUCTION OF EXPENSES AND RAISING OF REVENUE INDISPENSABLE.

Another way, and one that commends itself to all as to the future, is to reduce expenses. It is the first time I ever heard that shibboleth from that direction, but I welcome it, and again I will go down the line arm in arm with the distinguished re-

cruit who has just joined us. This is the imperious mandate of the situation, and it has already commanded certain dignified attention from "the powers that be" in the Senate, and it will no doubt have general cooperation from all of their Democratic associates, even if they were not permitted to join in the councils from which the evolution came. It is indispensable now to provide such revenues for the Government as will be sufficient for the obligations that have been imposed upon it. We would not only be in default, but in disgrace without it.

Our Government is greater than any party, old or new, and greater than any platform, old or new. No man who serves it truly should permit any projection of view from his own lips or from other lips to stand in the way of this sovereign and commanding obligation. A time may come when individual views may be permitted to predominate with justice and service to the people, but we can serve the people no better now than by square and honest discharge of the obligation that is present with us. Let us, therefore, consider the items of this bill when we come to them, without favor to items that prohibit and prevent revenue, and with favor to those which produce it measurably and proportionately to the great object of good faith.

REPUBLICAN PANIC OF 1907.

Our recent history is advisory and instructive. Not yet two years ago, in 1907, in the midst of boasted prosperity and a magnificent surplus, in the high noon of the highest protective tariff that this country has ever produced, a financial panic burst forth, widely pervasive and more desolating than any that ever swept over us. While the Senator is looking both to the past and the present to animadvert upon Democratic derelictions, let us, in this place of our innocence, proclaim that we had nothing to do in producing the panic, nothing to do in making the laws that brought it about, but have simply been at all times ready to join those who would do something to relieve it. That panic succeeded upon a period of unsurpassed extravagance, both of governmental expenditure and in the style of American living.

HIGH TARIFF AND SURPLUS REVENUE NOT PREVENTIVE OF DEPRESSIONS.

One fact remains in conspicuous view and abides in many painful memories. It is this: That a protective tariff, however high, a great surplus, however enormous, do not prevent trade revulsions, and do not protect the masses of the people from the hardships of depressed condition, either in manufacture or in commerce. It is no panacea for many, and certainly not for all, the ills that man is heir to. An aftermath of that panic is not overpassed. I concur with my distinguished friend in his American optimism. We down South have been living on optimism for forty years, and are glad to live on it still with all the additions that have come thereto from the hard and continuous work of our people.

But it is not to be overlooked that thousands and tens of thousands of workingmen, to whom the distinguished Senator has made no allusion, whether they be clerks, artisans, or manual laborers, remain out of employment. The great cities are congested with many who want work and find it not, and society is yet affected by the inevitable lowered condition on the public weal.

HIGH EXPENSE OF LIVING CONTINUES.

Another conspicuous fact has been revealed to us, that the expenses of living have not fallen, but, on the contrary, show a firm and ascending scale of prices for the necessaries and luxuries of life. The Government of the United States has increased the salaries of its high officials, and of many less high officials, to assist in smoothing their way in the encounter with high prices. But hotels, apartment houses, and public houses of entertainment maintain or increase their prices. Market places and grocery stores are out of affinity with pocketbooks, and those who go to their salaries for their domestic supplies find the breach as between the resources of finance and those of the stall and counter still existing and still enlarging. That higher tariffs which will prevent or depress trade will be administered for correction is a surprising prescription. What shall we eat? What shall we drink? Wherewithal shall we be clothed? These are questions to be answered. It is impressing the housekeepers and the family caretakers of this country more and more as they look around the domestic circle to be provided for. These are two features of the conditions under which we are about to levy the approximate of a billion of dollars of annual taxes upon the whole people of the country.

NO ADMINISTRATION AGAINST EXTRAVAGANCE.

Still another remarkable fact is to be noted. This Government not until recently, and then but lightly, paid regard to the admonitions of the times. We had none from the distinguished committee that is now going into distant generations to find something about the party we represent of which to make cavil. In fact, until recently aroused those who applaud extravagant protective views regarded economy as too coarse and too common a thing for statesmen to pay much attention to. But the wisest have been startled into the resumption of their studies, and a certain sober-mindedness is taking the place of careless confidence and of hurrahing glorification.

LAST SESSION OF CONGRESS THE MOST EXPENSIVE SINCE 1865.

It may not be assuring to note that at the late session, which opened in December last and adjourned March 4, more money was appropriated by this Congress, which opened its suggestions with the deriding of Robert J. Walker, than was ever before appropriated in a single session in the history of our Government except in the year 1865, when flagrant war had reached the top notch of expenditure.

Receipts and expenditures of the United States from 1861 to 1867, inclusive.

	Net ordinary.	
	Receipts.	Expenditures.
1861	$41,476,299	$66,650,213
1862	51,919,261	469,570,242
1863	112,094,946	718,734,276
1864	243,412,971	864,909,101
1865	322,031,158	1,295,999,290
1866	519,949,564	519,022,356
1867	462,846,680	346,729,326

CHAIRMAN TAWNEY'S STATEMENT OF EXPENSES.

Let me read here, too, what Mr. TAWNEY, the chairman of the House committee which considered this bill in that body, has to say on the subject of expenses:

The increase in national expenditures may be attributed to several causes, but the two primary causes leading to this result have been, first, the popular and executive demands upon Congress for appropriations from the Federal Treasury for the exercise of rights and functions belonging exclusively to the States, and, second, the abnormal and unnecessary war expenditures in time of peace. This I shall endeavor to prove later on in my remarks.

So says Chairman TAWNEY, of the House committee. This is a candid, public confession that our enormous extravagance has come from the popular and executive demands upon Congress. There was no Democrat in executive control, and if any benefit can be derived from this assertion, let the people receive it.

The appropriations—

He continues—

made at the last session of Congress were larger than those made in any other session, and the appropriations carried in the several appropriation bills passed at this session of Congress are very considerably in excess of what they were at the last session. Yet in both sessions of Congress they are far below the amount estimated by the executive departments for public expenditures during both fiscal years.

Then comes something excusatory:

The responsibility for this can not be charged to the Congress of the United States. If the estimates submitted during the past two or eight years had been appropriated for, and if the amounts proposed in bills introduced and demanded by public sentiment had passed, which amounts carried in bills now pending before this House exceed a half billion dollars, the deficit, instead of being in the neighborhood of $150,000,000, would exceed $500,000,000. Had it not been for the Congress and the conservative element in that body, we would have long since been meeting these enormously increased expenditures from the proceeds of the sale of bonds. That the people have thus far been saved from that unfortunate situation is not due to any effort or recommendation of the executive branch of the Government, but to the Congress of the United States.

The excuse of the Republican Congress is not unlike that of Clive, when he returned from India—that there was so much that he could have taken and did not, that what he was surprised at was his moderation. No matter whether it was little or whether it was much, it was Republican, and I do not say this in order to carry a political dispute into a financial consideration.

But my friend on the other side was never more happy in his brief statement of conditions than in looking around for something in the Democratic party to find fault with, spurred, perhaps, because he could find nothing in this situation to lay at their doors. The Republican party has always been fond of monopoly, and I congratulate my distinguished friend that he enjoys a monopoly of representing those in this situation who are wholly responsible for it.

MILITARISM.

There is a feature of this enormous expenditure, Mr. President, which I will leave others to point out, whose testimony will be more acceptable to the majority in this Chamber.

In the course of his remarks Mr. TAWNEY showed that it was our extravagant militarism that has added more to these expenditures than anything else. We are a military nation, and ought to be. All nations ought to be prepared to fight for themselves if necessary. But they ought not to have absurd scares, such as the Japanese scare of recent fashion, to plunge them into too speedy and too great expenditures for the military side of our public service. I do not think there are broad Americans who are well informed anywhere in this country in any respectable number who ever were afraid or are now afraid of having Japan overrun and take this country. Those who fancied they thought or who did think so have never deigned to give us the reason of the thought that was in them.

Abraham Lincoln said in the olden times that all the nations of the earth could never get a drink out of the Ohio River. I do not think there are many of them who are compelled to take a drink out of any California river, and if they did they would certainly very promptly and unmistakably get the quickest, the completest, and the most conclusive setback that they were ever introduced to in all their history. There is no European nation, neither is there any eastern nation that has so little sense as to want to pick a quarrel with the United States of America. If there were such, there are a good many Americans who could advise them that they had better take a second sober thought before trying it.

Now, let us hear what Chairman TAWNEY, of the House, has said about our military expenditures:

By far the greater part of our national expenditures are for the military side of our Government, on account of wars that have occurred or in preparing for wars that may come. Considering the subject from the standpoint of appropriations made at this session, from which expenditures are to be made, we find that five great annual supply bills are devoted solely to these expenses, as follows:

Army	$101,197,470.34
Fortifications	8,170,111.00
Military Academy	2,531,521.33
Navy	136,935,199.05
Pension	160,968,000.00

In addition, the sundry civil, the legislative, executive, and judicial, and even the District of Columbia bills carry considerable sums chargeable to military expenditures, and under the chapter of "Permanent appropriations" there are also large amounts directly chargeable to war, or the results of war, including interest and sinking-fund charges on account of our civil war debt. These sums, together with the amount for the army and navy in the general deficiency act, all amounting to about $116,000,000, added to the amount carried by the five bills I have mentioned, bring the total of these appropriations that are chargeable to this session of Congress up to the enormous amount of $525,742,301.72, which, deducted from $1,044,014,298.23, the whole apparent sum of appropriations for the session, leaves only about 50 per cent of our total proposed expenditures to be devoted to civil government.

The growth of appropriations for military purposes, including only those for the military and naval establishments carried in the army and navy acts, and without reference to the large sums for pensions, fortifications, and other incidents of war to which I have referred, for the eight-year period prior to the Spanish war, contrasted with the eight-year period ending with the fiscal year 1910, affords a startling exhibit, and one that I commend to the thoughtful consideration of my countrymen.

Army appropriations.

1891–1898.

1891	$24,206,471.79
1892	24,613,529.19
1893	24,308,499.82
1894	24,225,639.78
1895	23,592,884.68
1896	23,252,608.99
1897	23,278,402.73
1898	23,129,344.30
Total	190,607,380.38

Average annual appropriations, $23,825,922.54.

1903–1910.

1903	$91,730,136.41
1904	77,888,752.83
1905	77,070,360.88
1906	70,396,651.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
1910	101,197,470.34
Total	664,117,287.54

Average annual appropriations, $83,014,660.84.

Naval appropriations.

1891–1898.

1891	$24,136,035.53
1892	32,541,054.78
1893	23,543,385.00
1894	22,104,061.38
1895	25,327,126.72
1896	29,416,245.31
1897	30,562,660.95
1898	33,003,234.19
Total	220,634,403.86

Average annual appropriations, $27,579,300.48.

1903–1910.

1903	$78,856,363.13
1904	81,876,791.43
1905	97,505,140.94
1906	100,336,679.94
1907	102,091,670.27
1908	98,958,507.50
1909	122,663,885.47
1910	136,935,199.05
Total	819,224,237.73

Average annual appropriations, $102,403,029.71.

Mr. TAWNEY says:

It will be seen from these figures that the average annual appropriations for the army have leaped from less than $24,000,000 per annum for the eight-year period immediately preceding the Spanish war to an average of more than $83,000,000 for the eight-year period ending with the appropriations made by this Congress, and that during the same periods the annual average for naval appropriations has increased from a little more than $27,500,000 to more than $102,400,000.

The increase in appropriations for the army for the periods named exceeds $473,000,000, a sum sufficient to cover the whole cost of constructing the Panama Canal, on the basis of the latest estimates for that gigantic work, and with nearly $150,000,000 to spare.

The increase in the sums Congress has voted for the navy for these same periods amounts to $598,589,333.87, a sum greatly in excess of the total appropriations for the support of the whole Government for any fiscal year prior to that of 1898.

The combined excess for the army and navy, thus exhibited for the eight-year periods named, amounts to $1,072,090,741.03, a sum exceeding by more than $158,000,000 the total interest-bearing debt of the United States. So immense has this cost of militarism grown in these last eight years over the eight-year period ending scarce ten years ago that the sum of the excess is greater even than the stupendous sum of all of our appropriations made at this session of Congress.

SENATOR HEMENWAY'S STATEMENT OF EXTRAVAGANT ESTIMATES.

The Hon. James A. Hemenway, of Indiana, who, after serving with credit in the House of Representatives, was elected to this body by his State and served with equal credit as a member of the Committee on Finance, closed his term on the 4th of March last. The day before he submitted the following statement, which I reprint from the RECORD. It shows to congressional credit the reduction of executive recommendations in the last eight years of $274,127,413.05. He said:

The press of the country, in view of the alarming deficit which the Treasury reports show from day to day and month to month, is filled with editorials criticising Congress for its extravagance, and, with no defense made by Congress, the people of the United States are led to believe that Congress alone is responsible for the large appropriation and expenditure of money.

I show by the statement which follows that Congress in the last seven years reduced the estimates sent to us by the Executive over $274,000,000.

Mr. CLARKE of Arkansas. Will the Senator read it? I should like to hear it.

Mr. HEMENWAY. It is a short statement. I will read it:

Estimates for expenses of the Government submitted to Congress by the Executive, including supplemental and deficiency estimates, and appropriations made thereunder for the fiscal years 1903–1910.

Year.	Estimates.	Appropriations.	Reduction of estimates.
1903 [a]	$826,478,318.47	$800,624,496.55	$25,853,821.92
1904	767,456,776.30	753,058,506.02	13,398,270.28
1905	830,974,206.79	781,172,375.18	49,801,831.61
1906	835,260,367.21	820,184,634.96	15,075,732.25
1907 [b]	907,144,696.87	879,589,185.16	27,555,511.71
1908	940,190,643.68	920,798,143.80	22,392,499.88
1909	1,070,446,298.96	1,008,397,543.56	71,051,745.40
1910 [c]	1,100,000,000.00	1,050,000,000.00	50,000,000.00
Total	7,287,954,298.28	7,013,824,885.23	274,129,413.05

[a] Includes $50,130,000 in estimates and appropriations for purchase and to begin construction of the Panama Canal.

[b] Includes $26,348,281.40 submitted in special document for the Panama Canal.

[c] Estimated.

DEMOCRATS EXCLUDED FROM COMMITTEE MEETINGS.

This, Mr. President, is a prodigious bill. It contains 302 pages and carries about a million dollars a page.

The Democratic Members of this body never saw it or heard it read, for it was not read at the one meeting of the Finance Committee which they attended. It was not brought here until April 12, when it was reported by the chairman of the Finance Committee with over 300 amendments. None of these amendments were we permitted to see before they were presented here, and not one of them did we have the opportunity to vote upon before they were brought here with the committee's

approbation. Many witnesses appeared, as stated, before the Senate Finance Committee. We heard not one of them. Not one of them were we permitted to cross-examine. There were some of them, if the press be correct, whom I should like very much to have had the opportunity to cross-examine. I should like to have asked some of them, especially those interested in iron and steel, why one of the committee, after their departure, put a duty on sulphate of ammonia, which is the food for the plants of this country, and is a specific burden upon all our farmers. But it was a closed shop.

I can not regard the method pursued as either good or fair government. Each one of us has at home constituents who are as much interested as any other constituent body of any Senator. Besides, we are all Americans. We are all as anxious for justice to be done to all of our country as any of those who assume the prerogative of excluding us from the opportunities of which they avail themselves most elaborately. It is a disadvantage to the whole public, for, having the desire to do the right thing and so far as we may the wise thing, we not only wish, but need, all the light than can be found upon these important matters to guide us through these labyrinthian schedules. The indignity of such a course is toward the people of the United States. It is also toward the Senate of the United States. We have the honor to be Members of the only body in this country where there remains free debate and where the Members in their rules and in their conduct have in nothing more distinguished themselves in the minds of the American people than by creating the reputation that here everybody would be heard. We must be heard in committee as well as upon the floor, and the invitation of our colleagues for light in all things except in their exclusive conduct, that we could go into the Senate and thrash these things out, is an invitation which we are forced to accept from having been denied a share in their councils.

The organization of the House of Representatives as an American institution does not permit any kind of free range to the Members, as of old was the custom of the fathers of this country and of their descendants for many generations. It is not permitted in that body for a Member to offer an amendment to a bill levying upon his constituents with others $300,000,000, and to ask and get a vote upon it. I shall not forget the proper rule of the Senate that one House must not indulge in disrespectful allusions to another. But the facts of the organization of each House are upon an open page of American history, and I may advert to the existence of those facts and admonish and advise my people as to what their Representatives have to encounter under this free Constitution of the United States.

I introduce a witness from that House. He is the chairman, or was the chairman at one time, of the Democratic organization there—the Hon. CHAMP CLARK, of Missouri. This is what he has to say as to conditions in that body:

> The Democratic Members did as much work during the "hearings" as did the Republican Members, and were as patriotic and conscientious as they. In such a joint labor nobody would have placed in the bill all he wanted. Nor is it at all probable that even a single Republican Member of the committee or of the House is entirely satisfied with the Payne bill as reported, to say nothing of the Democratic Members. In such a joint labor there could have been no danger of our outvoting them. If the whole committee could have united on a bill, either in whole or in part, under the peculiar circumstances in which we find ourselves, it would have greatly expedited the passage of the bill, thereby relieving the country of the long and wearisome weeks, perhaps months, of business uncertainty and suspense. If there is delay in the passage of the bill and business stagnates by reason thereof and financial loss results from it, let the blame be placed where it properly belongs, upon the head of the Republican party.
>
> Having spent nearly three months in framing their bill, they graciously called in the Democratic Members, and in precisely twelve minutes reported it back to the House without one moment's discussion, without changing a word, without even reading the title—an astounding demonstration of the fact that we live in a fast age and are traveling at a rapid gait.
>
> This happened on March 18, and no member of the minority had ever seen the bill or any paragraph thereof till noon on Wednesday, the 17th of March, and had not the remotest idea of its provisions except by the merest guesswork. In fact, it was currently reported in the public press that so fearful were the Republican Members that the Democratic Members or some other American citizen might secure some knowledge of the contents of the Payne bill that its authors not only kept it under lock and key, but employed armed guards to keep watch and ward over their precious bantling—an absolutely superfluous performance, as many parts of it are utterly incomprehensible even after careful study. And yet this bill, which was too sacred for any eyes except the 12 majority Members and a few of their trusted friends, contains 234 large pages and deals with tariff taxes on about 4,000 articles of everyday consumption, influencing the interests, prosperity, and happiness of 90,000,000 American citizens and involving our trade relations with the whole world. We have had only five days in which to consider and report upon a bill which they spent nearly three months in preparing.

No gentleman ever cares for the association of other gentlemen when his presence is not welcome. There is not a man in this House, I am sure, who would ever obtrude himself upon any assemblage. We are neither so vain nor so unreasonable as to conceive that the exclusion in this body or in the other had any application to the personality excluded. For what reason that can be proclaimed did the Senate committee exclude its Democratic confrères from holding meetings with that body? It was not from any disrespect of them. It was not that they do not practice the amenities, the civilities, and the proprieties of life in all companionship. What could it have been done for—that they wished to derive some information that they did not wish to impart to others? But I will not probe the matter further. It was certainly not for the convenience of this body. It may have served for the nonce the convenience of some of those members; but I can not think that those gentlemen would appropriate and monopolize to themselves for their own sake conveniences and benefits that they would not readily share with their colleagues, whether Democratic, Republican, or what not.

Therefore it is impossible to conceive of any motive save of some advantage to be gained, either in debate upon this subject or in its result, and as I am no further concerned with it, I leave it as it stands, but commend the matter to the consideration of a body which was planned by the Constitution of this country to extend equality to every Member, which made that equality basic in the organic law. That equality sends here from New England 12 Senators to exercise properly those conferred faculties. They would not possess them in proportion to inhabitants, but do rightly possess and energetically employ them. These facts should remind them, while in the enjoyment of their privileges, that a Senator in this body from the smallest State, whether in territory, whether in wealth, or whether in political influence or not, whether in the fashion of the times or not, has exactly the same right that any other and every other Senator has. When any one of those Senators takes away from me or my people, or from any other Senator in this body, the right of equal communication, of equal opportunity, and of equality in all respects which belongs to the positions which we occupy, it is a thing that should receive proper notice.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Texas?

Mr. DANIEL. With pleasure.

Mr. CULBERSON. I do not think the proposition of the Senator from Virginia needs any support in authority, strong as it is in itself, and yet if he will permit me I will read a short paragraph from Jefferson's Manual, which is published by the Senate as a part of its rules:

> A committee meet when and where they please, if the House has not ordered time and place for them, but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

PRIMAL NECESSITY OF REVENUE TO AVOID QUANDARY OF DEFICITS.

Mr. DANIEL. Mr. President, I thank the Senator from Texas for reading so apposite an illustration and declaration of the law of the matter to which I have referred. But, Mr. President, the average American has studied, and if not studied has observed by instinct, the fundamental principles of fair play and square deal. We need not go to any law book to find the vindication of my assertion. It is instinctive to the American man, and I leave it to his contemplation.

This measure is styled "An act to provide revenue, to equalize duties, and encourage the industries of the United States." "To provide revenue." That is, of course, the first declared purpose of the bill. It is its primal and its essential purpose. Revenue is the paramount word we have to deal with. It is indispensable and controlling. We should vote first of all to raise revenue, and wherever there was a fitting place for revenue to be placed, there I would place it. A deficit existing at this time would require this, if there might be at other times a different disposition. I shall also vote, Mr. President, to relieve every burden of taxation of the people that can be eliminated with just regard to the conditions in which we legislate. I would conserve and not destroy any of the plants and industries which have upon their foreign competitors already existing tariffs which raise reasonable revenues which we need. If we do not do this and if we are won away from it by the fascination of the word "free," which always captivates the ears of the American, we shall find ourselves in a quandary of deficits, with interest-bearing bonds quickly upon their heels.

DEMOCRATIC PLATFORM CALLS FOR GRADUAL REDUCTIONS.

Our declarations and our conditions alike require something more than this. The Democrats at Denver have declared for a gradual reduction of the schedules of the protective tariff.

Those words "gradual reductions" show that every Democrat who used them had an intelligent view of our situation, and that none of them either contemplated or desired that there should be a wholesale removal of the present, or prostration of the entire, protective system. Nothing more than this would be possible without a declaration. Nothing more than this gradual process is possible with a declaration, whether the Democrats had the majority or the Republicans. It is an economic truth. It is also a historical truth. It is sometimes overlooked by the speaker when addressing assemblies, and when speaking ideals rather than realities; but it is true that when a great and widespread system of any kind has been established all over a country, of many years' duration, no man but a madman would attempt to leap out of it by one spring or bound, or to deal with it otherwise than by those patient degrees which are the absolute dictates of both patriotism and wisdom.

If we determine to go downstairs at all, we can not get downstairs by leaping off the roof to the ground, but we must go down one step at a time, just as we went up, otherwise we destroy things rather than help them and bring general catastrophe.

We must respect labor. There is no idea in the American heart, whether it beats in a Democratic breast or a Republican, than that we must respect the men who toil. The parties have both been willing to add to the tariff the labor difference in cost of production between this and European countries, and such a tariff would not oppose the American people anywhere, but conserve the interests of everyone. The farming classes as well as mechanical classes would alike share to a degree in this provision, and those who did not share would be glad to contribute their share for the welfare of our whole people. These ideas are Democratic from the root up. They belong to patriotism, and all refer to labor.

GENERAL CONDITIONS OF GREAT NATIONS.

Now, Mr. President, let us glance, if I may be permitted to do so, at the general conditions which we confront in the affairs of other nations. They are different from any that any previous Congress has ever confronted. The great nations of the world are protecting and developing their own resources behind high-tariff walls. I except England. The industries of the nations are intrenching themselves behind high trust walls. The railroad systems are already consolidated or consolidating in vast continental lines behind the walls of combination or amalgamation. The individuals who are in business everywhere are organizing themselves in small numbers as corporations, and frequently consolidating into trusts. All units of power that participate in the intelligent affairs of life are growing and expanding. Great powers have been organized in the republics of the world, as well as in the monarchies, that are greater and more influential than those who occupy the highest public stations. Great cities are growing greater and greater. Their immense buildings contain the numbers of large towns under one roof and those roofs climb, year by year, higher up in the sky.

These processes are universal. William Draper, a student, a philosopher, and an author, said that "when the iron rail was laid the bones of the giant grew." When the steam engine went forth upon the iron rail the greatest materialistic evangel of peace and plenty and of concord that ever went forth on this earth started upon its journey.

I may add to this that when the telegraph came along the nerves of the giant grew.

When the telephone came the voice of the giant grew vaster in volume and farther in range.

When Marconi invented his wireless signal system behold a miracle like that of the whispering wind, which carries the thought, the voice, and the heart of man as it listeth.

No man or set of men, Democratic or Republican, American or foreigner, can altogether change these conditions. They belong to a period of human development; and, like atmosphere and climate, they belong to the world which we inhabit. But even these may be modified by the genius of man. Sanitation and healthfulness may be established where there was poison and death. Equalization must be measurably made to displace disparity. There is a process of gravity in business, and in systems, as there is in the natural world. Graduated steps as recognized in the Democratic platform must be taken in reforms.

The pioneers and skirmishers of science are exploring and conquering the air. Ere long the heavens will be filled with commerce, and both peace and war will look over the earth and its vast concerns from an aerie in the skies. Guns to shoot upward at the flying fleets are already invented and lying in waiting. But tariffs will have a new question to deal with as well as war.

I love to look forward, as in our dreams we may fancy better things than have happened, and I believe that in time unshackled trade will come to all the children of man. That time is not yet. The great nations with tariff barriers are building battle ships and molding long-range guns while they talk of peace to satisfy their philosophic cravings and go occasionally to The Hague and hold conventions. The great Russian Empire made a proclamation through its Emperor inviting the nations to disarm. The next phase was the Russo-Japanese war and a wind up with America as the conciliator and the scene of conciliation, a matter of which she may well be proud.

The great truth still abides with us. Deplore it as we may, "the dream of the world is peace, but the history of the world is war."

THE AMERICANS ARE CLOSER TOGETHER THAN HERETOFORE.

The great fact that should now give hope and comfort us as we look out upon a world of armament with eyes glancing as if they discerned war in the distance, is the fact that the American people are more together, not only in established systems, but in unison of thought and purpose, than they have ever been in all their history. It is easy to talk of good times that have gone; it is easy to talk of good times that will come. Do we not often overlook good things that are present; that carry on them the seeds of betterment to come.

There is no man living in America to-day, whether he comes from North, South, East, or West, who would not rather live here than anywhere else; and if he has had disadvantages at times, he takes them as the accidents of life that fall to all people and looks just as hopefully to the future as if he had been every time a winner.

Our people are alike in their local institutions; and they have become alike in their national aspirations. The subject of commerce taxation now before us is a subject upon which their widest differences have been exhibited throughout many decades of contention.

But, Mr. President, it was illustrated this morning in an accidental way that we are getting closer and closer together, though we do not all the time notice it, when the Republican leader of the Senate made as his invocation a quotation from Robert J. Walker, to which he invited our attention, and when, Walker like, he tuned his harp in Democratic phrase and held out to the people how economy would bring prosperity again to pass. It was illustrated notably in the last campaign by the speeches of President Taft on the necessity of revision.

While debate here will always disclose contentious tongues, it is, nevertheless, a national fact that the underlying thoughts of both the Republican and Democratic parties are more alike than has been the case since 1856, when the Republican party first spread out its banner. You must look at the platforms of the parties to discover what they were thinking about when they wrote them. The shortest platforms are always the safest, the wisest, the truest, and the best, but in this age, when the parties have gotten into making encyclopedias and catalogues of platforms, you are more apt to find some inept expressions.

But look at the platforms for last year, and observe some of the elements which are moving in the same channel. Look at the Democratic platform. It is not radical on the tariff. It wants a few more things on the free list than the Republicans; but the Republican committee will put more things on the free list than were there before.

MR. BRYCE'S COMMENT ON AMERICA.

Mr. Bryce, who is a great commentator on our institutions, says of the United States a wise thing. "America," he says, "is a country where things turn out better than they ought to." That is true. We have often proclaimed the ruin of everybody who did not agree with us at that particular time. We have done things that challenged ruin and that seemed to expedite it. Come around next year. The sun is shining, the birds are singing; the world has not run off of its axis, and is still whirling round and moving on.

Mark Twain made an observation which I think must have been inspired after reading a tariff debate. "This country," he says, "is a country where every parallel of latitude wants to be the equator." Just at this particular moment the equator is exhibited on the political maps as the point in tariff adjustment where an American citizen can get the highest protection on everything he wants to sell and can find the freest trade on everything he wants to buy.

This bill shows that. Look at the raw materials that are put on the free list and then look at the raw materials that are taxed. You discover as soon as you read the list—which the hour of the day and the temperature alike forbid that I should read to you now, but you will have time to study it and dwell

with it—the things that are on the free list are those things which many people in this country who have large influence in this equatorial region want to buy, and hence they immediately see the beauties of free trade. Then look on those that are taxed. Those who support them argue that what they have to sell will get a greater consideration in the market when foreigners are taxed to bring them here. A great many Republicans and Democrats will be found before this debate is over insisting on some of their things being taxed for protection, and insisting that some other things shall be left untaxed for free trade and for protection also, and vice versa, North and South.

There will be on those lines sometimes a union of logical thought and sometimes a union produced by the fact that on some of these articles there is a tariff now which yields revenue and puts it into our Treasury, and also is not extravagant.

No man, let him be Democrat of the strictest sect, or let him be Republican of the strictest sect, who looks at an empty treasury, but will be moved by necessity toward measures and items which reasonably, justly, and fairly will make its contribution to that treasury.

I am consoled by the fact that this tendency is a just one and moves both Democrats and Republicans. I am not of the protection school, but I recognize the fact, as all must, that all protection can no more be removed in a lump than a mountain range could be so moved. Everybody who thinks must recognize this, whether he likes it or not. None know it better than the Democrats at Denver knew it, and they indicated it by pointing to gradual reductions while they were looking forward.

You may move a log cabin with a horse and a man or two, but try to move a stone-and-iron skyscraper, with 2 stories underground and 10 to 20 stories above ground and a tower in the sky. That is another matter. In some cases it is before us in this tariff.

SHERMAN, GARFIELD, ALLISON, AND WEBSTER.

Some general thoughts, familiar to Republican as well as to Democratic thinkers, are pertinent. Let me read, and let my distinguished friend from Rhode Island hear some words of John Sherman. To quote him would seem no stranger from me than the quotation from Robert J. Walker by the chairman of the Finance Committee, nor as much so. Here is a Roland for his Oliver:

JOHN SHERMAN'S VIEWS ON THE INCIDENTAL PROTECTION OF LARGE TARIFF REVENUE.

It is simply an absurdity to talk now about a free-trade tariff, and to talk about a protective tariff; unnecessary, because the wit of man could not possibly frame a tariff that would produce $140,000,000 in gold without amply protecting our domestic industry.

What a consolation it must be to our Republican friends to know that in framing a tariff for over $300,000,000 a year they could not strip themselves of that protection which they so sincerely love.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Virginia yield to the Senator from Rhode Island?

Mr. DANIEL. I yield to an interruption.

Mr. ALDRICH. What was the date of that statement?

Mr. DANIEL. Eighteen hundred and sixty-seven. It was a general truth.

Mr. ALDRICH. He changed his mind afterwards.

Mr. DANIEL. I have known gentlemen who did that every day. I do not think, however, that a change of mind is by any means a reproach to anyone if it be honest. If one discovers he is in error about anything, he should always change his mind. The time when a man gets so old that he can not change his mind the good Lord removes him to another world. [Laughter.]

I have not changed my mind on what I have said. I am trying to apply it to conditions which I took no part in creating and would deal with in the best practicable way. I have not said anything inconsistent that I know of, but I do not consider that I am a bit different from other men in desiring to vote for the things that the conditions and environments require.

JAMES A. GARFIELD ON A COMPETITIVE TARIFF AND EXTREME MEN.

Now let us hear from Hon. James A. Garfield. He was one of the most learned men that ever occupied the presidential chair. He wrote essays that will rank with some of the finest British essays. He was also a business man, who was at the head of the Ways and Means Committee of the House of Representatives.

Here is what he said about the extreme men. We have them on both sides. They are just the same now as they were then:

We have seen that one extreme school of economists would place the price of all manufactured articles in the hands of foreign producers by rendering it impossible for our manufacturers to compete with them, while the other extreme school, by making it impossible for the foreigner to sell his competing wares in our market, would give the people no immediate check upon the prices which our manufacturers might fix for their products. I disagree with both these extremes.

I hold—

And here is the doctrine that he taught the people who ere long made him their President:

I hold that a properly adjusted competition between home and foreign products is the best gauge by which to regulate international trade. Duties should be so high that our manufacturers can fairly compete with the foreign products, but not so high as to enable them to drive out the foreign article, enjoy a monopoly of the trade, and regulate the prices as they please. This is my doctrine of protection. If Congress pursues this line of policy steadily, we shall year by year approach more nearly to the basis of free trade, because we shall be more nearly able to compete with other nations on equal terms. I am for a protection which leads to ultimate free trade.

This is philosophic. It is close to Democratic teaching; it is practicable; it looks forward, and not back; it looks up, and not down; and it lends a hand. It keeps the stream of revenue running into the Treasury and preserves the tariff for revenue, which is Democratic. It quickens competition, the life of trade, and it abjures monopoly. Again Democratic. Were this doctrine pursued, it would lead the nations to break the hard and fast congestion of tariffs and trusts.

There are some things on the free list, others that I hope and believe will go there; but the free list is often for protection, as well as very high tax rates are. Else why do Republicans favor many raw materials on the free list, such as iron and coal?

Some things you are bound to protect because they have hold of you and you can not let them go. They are tongued and grooved with so many affinities in trade, they are interfibered with so many other affairs that include both direct and collateral interests which only time can remove, that a patriot who did not think more of them than of himself is not in the right mind or mood to deal justly with the intricacies of this subject. But it is not necessary, neither does it tend to freer or fairer trade, for protection to go so high up in the air as so many of these schedules of duty do, piling Ossa upon Pelion.

It is pleasing to consider, Mr. President, that however much we tie the hands of man in one generation, nature is always relaxing the bonds, and even after the severest conflict, so sweet are the charms of peace that war becomes the guardian of peace in its right relations, and produces peace even though its processes are those of destruction.

Any man who gets wedded to any set of theories will sometimes let them run off with him. We become partisan not from the levity of our opinions, but from the sincerity and depth of them; and when we collide with men who are wholly opposed to us we see the best that is in each man brought out by the fierce contention. But when we legislate for a great Nation like this we should not forget the multitude of differences that this country has, which come to head at this place. We have all kinds of climate; we have all kinds of productions; we have all kinds of people. The old Americans, wherever you find them, are very homogeneous. Though they may differ crosswise, they can perfectly understand each other; and if there is any basis of friendship they will quickly find it. But we are too rapidly and inconsiderately introducing all manner of men into this country—many excellent, some indifferent, some bad—and we have got to act, if we represent the country in its wholeness, with regard to all the conditions which we have to contend with.

There is much good now in the Democratic party—a deficiency of numbers occasionally, some jostlings and inconveniences in lining up occasionally; but the heart of the old Democratic party has a great deal of honest and noble human nature in it. It has got one thing about it which will command the respect of those who least agree with it. It has got a spirit that does not take to dying; that never dies unless it dies hard, and if it does die, leaps up into being out of the natural instinct and love of freedom and liberality of the American Nation, and quickly puts on the robes of resurrection. I have seen it time and again infinitely worse off than it is now, and yet I have seen in this Chamber a spectacle which every one of you, no matter how northern you are, no matter how Republican you are, ought to be as proud of as I am.

I have seen more Senators in this Chamber who were ex-Confederates sitting at one time in this body than could have sat in the confederate senate. No star on our flag lost a bit of its luster; there was no man here who did not trust them as readily and as fully as if he had slept in the same house with them, with each of them, for the last forty years. He knew the stuff that they were made of; he knew that they did not speak with deceitful speech; and if he did not concur in what he regarded as their aberrations, he knew also that there was a reason for their being, and in their own hearts at least a justification of their record. Not one of them ever was ashamed of

it. If you want to find where men meet men with equal appreciation, see an old Confederate when he goes to a Grand Army reception and looks to-day in the faces of men who felt it the first duty of their lives to slay him, and he will nowhere else on earth receive a more respectful or more cordial welcome or a more thorough testimonial of American brotherhood, amity, and regard.

Such is life as we live it, and if I could order this tariff—which I know I can not—I would urge all parties to get together. If you would lock them up like a jury until they agreed the outcome would be such a fair tariff and such a concessive tariff that the average common-sense American man would indorse it, and say, "Under all circumstances, that is right."

WEBSTER—"AGRICULTURE, COMMERCE, AND MANUFACTURES."

Mr. President, let me reach beyond Garfield and Allison and Sherman, and quote you something from a man who is generally recognized as of colossal intellect and of clear perceptions. I turn to Webster. He had his changes of opinion—no man can live in a moving scene such as we live in in this world, and not modify or change his opinion—but his mind was certainly in a clear and philosophic state when he said this:

Sir, that is the true American policy which shall most fully employ American capital and labor and best sustain the whole population. With me it is a fundamental axiom; it is interwoven with my opinions; the greatest interests of the country are united and inseparable; agriculture, commerce, and manufacturing will prosper together or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the others.

"Agriculture, commerce, and manufactures"—this was the noble trinity of industry for which Webster spoke.

"The whole population"—it was for that that Webster aimed to serve.

FAIRNESS AND JUSTICE.

Mr. President, I come from a people who have been largely engaged in pastoral things for the greatest part of the history of this country. They have not had many factories, as New England has had; but they have factories to-day, and they are advancing on the inevitable line of modern progress. What is my duty as a Democrat and as a United States Senator? I think I should be thoroughly fair and just to them and vote for nothing that is well for them that I would not vote as readily for if it benefited Oklahoma or California or Massachusetts or New Hampshire. That is my idea. I will live up to that as closely as I may; and I will ask no man to vote for anything because I think it will be a benefit to my State unless, interchangeably, I would do the same with him. If I do not preserve this equanimity and justness of opinion, I shall lose my balance.

There are many temptations about this bill; there are many begullements in it; but if we set our compass right we stand a better chance of reaching the haven we have sought than otherwise. I believe it would be a great benefit to this country if we could have at this time a generally low, diffusive, and Democratic tariff, with "revenue" as the watchword. I do not think it possible that we can get such a tariff now. That impossibility is self-evident. The Republican party are against it. They have now the majority, derived from the people; they ought to control, and they will. But there is something more than that. You can not destroy at once by waving a wand of any kind of doctrine, good or bad in itself, an order of things that is pervasive, that is everywhere, that is the fruit of years of constructiveness of thought, and that has interlaced itself in the general affairs of men.

"There is nothing," said Sir Isaac Newton, "that you can not answer but a fact. That is a fact; if you do not answer it, it will attend you." So, appreciating these conditions, I think it is the duty of each one of us to adjust himself to them for now and for as long as their controlling and rightful situations require. "Now" is pretty much all we have got in this world to deal with anyway. The past is gone. Nobody can change anything whatever about it. The future is almost as misty as the past. We can only live for duties in sight of reasonable contemplation to-day; we can only legislate for the "now;" but if we deal wisely for to-day, the future will lead us gently on in the kindly light that Heaven sends to guide us.

The tariff of 1846, although confessedly and professedly a tariff for revenue, was, so far as regards all the great interests of the country, as perfect a tariff as any we have ever had.

WILLIAM B. ALLISON'S VIEWS OF A DEMOCRATIC TARIFF.

Now, let me read something from William B. Allison. We have had no colleague in this body who was more liked and honored than William B. Allison. He was a broad man; he was a profound man; he was an unobstrusive and a fair man.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Rhode Island?

Mr. DANIEL. With pleasure.

Mr. ALDRICH. Will the Senator give us the date of that speech?

Mr. DANIEL. It was in 1870. I will have it looked up.

Mr. ALDRICH. The Senator from Virginia must be aware, for he was probably present, that Mr. Allison on many occasions stated that at that time he occupied an entirely different position and had entirely different opinions upon the tariff than he had during the latter part of his life.

Mr. DANIEL. It did not prevent him from stating the truth as he saw it. The tariff of 1846 was the same tariff that it was when he spoke. He told history. His words were well weighed; and whether or not he changed his opinions, there they are. I prefer this edition of Mr. Allison to the one which I have not seen, to which the Senator from Rhode Island refers.

If any interest was depressed under the tariff of 1846, it was the iron interest. I do not believe that this interest, as compared with other interests, had sufficient advantage under that tariff—

This is a criticism; but behold the steel trust, and hear Mr. Carnegie, and read this bill now.

GROWTH OF THE COUNTRY UNDER THE WALKER TARIFF.

Hear Mr. Allison qualify his criticism and describe the growth of the country under the Walker Democratic tariff bill—a golden age.

Yet—

Says Mr. Allison—

Yet when we compare the growth of the country from 1840 to 1850 with the growth of the country from 1850 to 1860—the latter decade being entirely under the tariff of 1846, or the amended and greatly reduced tariff of 1857—we find that the increase in our wealth between 1850 and 1860 was equivalent to 126 per cent, while it was only 64 per cent between 1840 and 1850, four years of which decade were under the tariff of 1842, known as a "high protective tariff," but the average rate of which was about 70 per cent below the existing rate, or 27 per cent under the tariff of 1842 as against 44 per cent upon all importations under the present tariff. Our industries were generally prosperous in 1860, with the exception, possibly, of the iron interest. This was the statement of Mr. Morrill, of Vermont, on this floor during the discussion of the tariff of 1864. With regard to the condition of the steel industry in 1860, the steel manufacturers in 1866, memorializing Congress for increase of duties on steel, stated that—

"It was reserved for Pittsburg to bring about the first substantial and enduring success in the year of 1860; and encouraged by our example numerous establishments have sprung into existence, as already indicated in this paper."

And here, Mr. President, is an important fact Mr. Allison adds. I commend it to consideration:

This shows that under the revenue tariff of 1857, which imposed only an ad valorem duty of 12 per cent on steel, a substantial success was achieved in the steel manufacture in 1860.

AGGREGATES OF DOLLARS AND BATTLE SHIPS NOT STANDARDS.

There is nothing, Mr. President, in Democratic history that can discourage anyone who is looking for a wise tariff from believing that under lower tariffs this country will not prosper. A nation can not make its standard of prosperity the number of dollars that it owns; nothing is more fleeting. See the vanished surplus. A nation can not make as its standard of prosperity and well-being the number of battle ships that she puts upon the waves.

We had no battle ships when James Monroe, with Adams, of Massachusetts, sitting by his side, taught all the world a lesson and warned the autocrats of the European alliance to keep their hands off the South American Republics, which became free under the patronage of the United States of America. It is the plucky people, who know how to maintain their own rights, that teach all nations the lessons worthy to be learned.

It may be that if you had had the tariff of 1846 or its Democratic likeness in vogue all through these times you would not have had such mountainous prosperity in some places as you now possess. It may be you would not have received annually at our ports millions upon millions of heterogeneous strangers, many of them without our language, many of them knowing nothing of our laws, many of them indigestible elements in the American Commonwealth. It may be you would not have had as many millionaires spending their declining years in apprehension that they will or will not die poor; but you would have had a more homogeneous population; you would have had more independent men living upon their own land and imbued with the American principles which made this country free; you would not have had such great cities as you have now with such stranded populations.

The gloomiest thing that a man can behold in all this earth is one of the great cities, with its squalid degradation crowding around the palaces. A man who wants to get a wholesome sight of life, to get the aroma of fresh air, to breathe amongst

the trees, to raise his children as worthy and virtuous American citizens proud of their country, has to go away from the city and out into the more sparsely settled portions of the country, where the sun shines and where every man and woman has opportunity to educate their children in the way they should go.

The fountain of patriotism is the home. When the people live in pigeon boxes, crowded story upon story above them, nameless to the looker-on, without whereon to lay their heads, except in some place that they would like to escape from, that nation is either going too fast or is overlooking the safe, plain ways of life.

If we continue to build up men and great congested cities in disproportionate wealth; if we frame our laws so as to make richer those who have already become rich and to keep poor those who are poor, we will overlook the fundamental conditions of stable, permanent, enduring, and grand prosperity.

But, Mr. President, let me hasten on with these generalizations. The estimated revenues under this tariff bill and the percentages have just this morning been laid upon our tables. None of us have had a half hour to read them. I have not gone into the discussion of schedules; neither did the distinguished Senator who presides over the Committee on Finance. In conclusion, in this tariff bill I would ask that you stay with the land and stay with the people who make their homes upon the land. Do not turn the batteries of your powerful laws against the man who makes his fortune or is content with a scanty living by sending the plow through the furrow and taking as his reward the plants that grow out of the land of his home.

There is one such plant in my State. It is "the ugly duckling" of every farmyard, and there is no bird of any feather that does not seek to pull a feather out of it. It is tobacco. Go to Turkey. The Sultan will have none of it. No matter how much his people want it, not an ounce is permitted to go there. Go to England. Seventy-six cents a pound must be laid down before an Englishman will touch it. Then he makes a fortune in manufacturing it. Our New England friends have taken care of Connecticut and Connecticut Valley tobacco. I do not blame them. Get our tobacco ready to be sold. What do you say to the farmer? "You shall not sell it to a manufacturer without paying to do so." There is not another citizen in the United States who is denied by an act of Congress the right to sell freely the thing that he made by his own hands out of the land that he owns. Put that thing in your pipe and smoke it.

A Kentucky planter, a Virginia planter, a Pennsylvania planter can not take his own tobacco, for which he asks you nothing, but which he tenders in a trade, and sell it as he pleases without first paying a tax. You talk about Kentucky Night Riders. I am a man of law. I take the side of law whenever it has an encounter. But, gentlemen, we have had the need of rebels in this country to teach law, and the lessons that they have taught this Nation have been its wisest and most enduring. I do not mean by that in the slightest degree to encourage, to approve, or to recognize the right, or the propriety of any man to take the law into his own hands. But whenever you find men in this country who manifest a desire to take the law in their hands, you should also scrutinize your own conscience and your own conduct and see to it that you did nothing to provoke it.

It is the man who produces conflict, whether by speech, whether by law, or otherwise, who is more to be blamed for conflict than anyone else.

"WOE UNTO HIM BY WHOM OFFENSE COMETH."

The farmers of this country, Mr. President, have done more for the country and have got less of favor back from the country than any other element of our population. On that statement I challenge contradiction. The favors that flow back from a liberal and a magnanimous government seldom flow over the old homestead and seldom go down to the farms. The farmer is getting rural free delivery now—a new benefaction, a wise benefaction, a thing for which he may justly thank this generous and this progressive people. But the more he gets of the intelligence of the world, the more he discerns that the world has cared less for him than it has for those who are nearer the throne and more favored.

I will be answered back that you have given empires to the farmer. True. No nation was ever more generous in that respect. I will be told that you have irrigated land which had been abandoned to the desert. True. It is justly to your credit. But observe this: You do not add to the prosperity, to the wealth, or to the bettered condition of any farmer by giving other people farms. They set up in rivalry with him. They take those farms instead of buying his. They add to the production of the things which compete with his, and while he does not oppose it, for it is the natural course of progress, you have done nothing for the old farmer because you have got new lands and irrigated them for the new farmer.

Neither are you doing anything for American labor when the steamships are all occupied in bringing foreign laborers to our markets and shores. It is a difficult and hard thing to handle, I know, but you are not benefiting the workingmen, and that is the point we have to consider. You have great factories. You have a certain number of mechanics who are employed there, and while they are employed there, here comes a new steamer with poverty-stricken people from all the regions of Europe, who are ready to work for anything, and take the jobs out of their hands. Both farmer and workingman have had their attention called to these things. Do not forget them when you fashion the shape of your tariff and the legislation that will be consequent thereon, and never lower the countenance to contemplate other ideals of our country than those which the fathers have instilled in our hearts—ideals which will survive as long as their sons honor wisdom and patriotism and virtue.

I close my remarks with the words of truth of Andrew Jackson. He was an heroic man in both civic and military life. He never permitted to die out in his mind the grounded principles of our Republic. He never abandoned a friend or flinched before a foe. In his public measures he aimed always at the ends of his country, of which he regarded freedom and independence as the chief. He has been discounted by some who thought him too rough about the banks and about military discipline. No doubt he made mistakes sometimes, for all men do who make anything; but whatever mistakes he made he hewed to the line of his great endeavors, and their accomplishment left the country better that he had lived, and more united. From an orphan boy in the South and West he climbed by dint of energy and honor from one place to another until he rose to the highest place that the people could confer upon him. He never lost either his heart or his head as he pressed forward, and no one felt or knew better than he did that it is from the thoughts and daily lives, ambitions and habits of the people who earn their livelihood in their own homes that are derived the purest instincts of patriotism and the most truthful suggestions of wisdom. He was teaching what the working and achieving commonalty had taught when he said:

> It is not in a splendid government, sustained by powerful monopolies and aristocratic establishments, that the people will find their rights protected and their principles secure, but in a plain government devoid of pomp, protecting all, granting favors to none, dispensing its blessings like the dew of heaven, unseen and unfelt, save in the harmony and beauty it contributes to produce.

Mr. ALDRICH. Mr. President, the distinguished Senator from Virginia [Mr. DANIEL] seems to be still troubled about the action of the majority of the committee in the management of this bill and its report, and the distinguished Senator from Texas [Mr. CULBERSON] seems to fear that the Constitution is being violated.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. Certainly.

Mr. CULBERSON. The Senator ought to perceive, and he will as soon as I call his attention to the fact, that the Senator from Texas was not in fear of a violation of the Constitution in that respect, but he invited the attention of the Senator to what he ought to have known before—that it is in violation of the rules of the Senate, not of the Constitution of the United States.

Mr. ALDRICH. I will send to the desk and ask to have read the discussion which took place in the Senate of the United States on the 21st day of February, 1894, and I request the special attention of those two Senators to that debate. The Senator from New Hampshire, Mr. Chandler, known to all of you, was asking the Senator from Indiana, Mr. Voorhees, who was chairman of the Committee on Finance at that time, about the conduct of the committee and what the committee were doing in the preparation of the tariff bill, and the answers of Mr. Voorhees and Mr. Vest and the observations of Senator Sherman are extremely interesting in view of present conditions. I ask that they may be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the CONGRESSIONAL RECORD, February 21, 1894.]

Mr. CHANDLER. * * * I am asking the Senator from Indiana whether the acting member of that committee to-day and now is the Senator from Texas or the Senator from New Jersey, or whether both of those Senators are acting? Is not that a fair inquiry to make?

Mr. VOORHEES. Mr. President, I have no disposition to give the Senator from New Hampshire a short answer, as he knows personally; but we are doing our business in our own way, which is none of his business. He is not a member of that committee, nor charged with any of

the duties connected with it. We are hard at work transacting the business intrusted to our hands to the best of our ability. If the Senator is not satisfied with that answer, he may introduce a resolution of inquiry as to what we are doing, who is doing it, and how it is being done; and then we shall investigate it. That is all the answer I have to make to the Senator.

Mr. CHANDLER. I beg leave to say to the Senator from Indiana that it is my business to know what the committee is doing. * * *

Mr. VOORHEES. Mr. President, I am not to be betrayed into a loss of temper. I have nothing but feelings of personal kindness toward the Senator from New Hampshire, and I told him in tones of courtesy, I thought, that the RECORD showed who constitute the committee. * * * I ventured to say that we were doing our work in our own way, that it was our business and not the Senator's business, and that if he wanted a further answer, aside from what the RECORD shows as to who are on the committee, he could introduce a resolution and investigate. We can stand investigation right well, strange as that may seem.

* * * * * * *

Mr. MANDERSON. * * * Rumor has it, the newspapers say, that the bill has been referred to a committee of five, three of the majority and two of the minority party on the committee. Their names have been published in the newspapers, but not in the RECORD, and I think we ought to know. * * *

Mr. SHERMAN. * * * It is said that, in pursuance of a custom which has sprung up within the last few years—or at least it has been said to me—the bill should be referred, in the first instance, to a subcommittee of the Committee on Finance favoring the bill as sent to us from the House of Representatives. I believe that rule or that custom is being pursued now by our Democratic friends. Certain it is that no member of the Committee on Finance who is classed as a Republican has been called into consultation with respect to the action upon the bill. I do not know but, upon the whole, that is probably the best way to consider the question.

* * * * * * *

Mr. VEST. * * * There has never been any subcommittee on the tariff upon the Democratic side of the Finance Committee, and such a statement has grown out of the active and prolific imagination which characterizes the modern newspaper reporter. * * *

* * * * * * *

Mr. BUTLER. There are but six Democratic votes in the committee.

Mr. VEST. As a matter of course there are only six Democratic votes in the committee, and there can be but six. It should not make any difference to our distinguished friends on the other side of the Chamber whether the work on the tariff bill be done by three or five or six of us. Without using the words of the Senator from Indiana [Mr. Voorhees], I submit in the kindest and most parliamentary sense that it can hardly be any of their business affecting the direct result in this case. The work that we have done has been done by those of us who are willing and able to do it, not under any appointment, but because we appreciate the great public necessity which requires that the bill shall be reported to the Senate as soon as possible. * * *

* * * * * * *

There has been no star-chamber about it. We have had no public hearings, because we deliberately resolved not to have them. We have listened, as far as we could, to the extent of human ability and endurance, to all who have come to us; and what a task it has been will be known only to those who have been afflicted in that regard. * * * This is a small matter, Mr. President. When we bring the bill before the Senate there will be time enough for the eloquence and logic which have been so unsparingly used here to-day. As to the modus operandi, so long as we do not violate the rules of the Senate or the laws or the Constitution, I respectfully submit that we ought to be permitted to do this work in our own fashion, submitting it, of course, afterwards to the full Finance Committee, and then reporting it to the Senate for their action upon it.

* * * * * * *

Mr. VOORHEES. * * * Now, so far as the question of a subcommittee is concerned, I think it matters nothing to Senators on either side of the Chamber whether the bill is considered by a subcommittee technically or by men who have been named as a subcommittee. The fact is that a majority of a committee which is charged with framing a bill must necessarily, before it is considered by the full committee, put their case in shape on paper. Every Senator on the other side of the Chamber knows what I say to be true. Every Senator there knows when they had the majority and brought forward the tariff measure of 1883, and notably of 1890—the McKinley bill—for weeks (I am tempted to say months, for it was a long time) none of the minority of the committee, then belonging to this side of the chamber, was in consultation with them. We abided our time. We knew it was their right to make their bill to suit themselves before they submitted it to us or to the country.

* * * * * * *

Mr. VOORHEES. * * * I repeat, Mr. President, the only logical and reasonable and proper method of legislation on a subject of this kind is for the party in the majority, who are responsible for legislation, to put it in such shape as many be satisfactory to them, and then put it before the Senate and the country and take the consequences. Private discussion, prolonged and protracted debate between man and man, between eleven people—six on one side predetermined, five on the other—is simply a ruthless consumption of time, while the interests of the country are demanding speed, rapidity of action. * * * Those who plead for delay, for long hearings, for technicalities, for Finance Committee discussions between man and man, will be known before the country as the advocates of delay in an hour when it is important to the business interests to know what is to happen to them.

Mr. ALDRICH. I can add nothing to the words which have just been read on this subject.

Mr. President, I ask what is the present status of the bill?

The VICE-PRESIDENT. The bill has been referred to the Committee on Finance.

Mr. ALDRICH. I report back the reengrossed copy of the bill with amendments.

The VICE-PRESIDENT. The Senator from Rhode Island reports from the Committee on Finance, with amendments, a bill, the title of which will be read.

The SECRETARY. A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The bill will go to the calendar.

Mr. ALDRICH. I ask that it be made the unfinished business.

The VICE-PRESIDENT. The Senator from Rhode Island asks that the bill the title of which has just been read be made the unfinished business. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 3 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 20, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 19, 1909.

COLLECTOR OF CUSTOMS.

George W. Huntley, of Ohio, to be collector of customs for the district of Miami, in the State of Ohio, in place of Joseph C. Bonner, whose term of service expired by limitation March 6, 1909.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Thomas C. Dawson, of Iowa, now envoy extraordinary and minister plenipotentiary to Colombia, to be envoy extraordinary and minister plenipotentiary of the United States of America to Chile, vice John Hicks.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. Albert R. Dillingham, Eighteenth Infantry, to be captain from April 5, 1909, vice Frier, Twenty-third Infantry, promoted.

First Lieut. William R. Gibson, Third Infantry, to be captain from April 13, 1909, vice Fealy, Second Infantry, retired from active service.

PROMOTIONS IN THE NAVY.

Lieut. Commander Joseph W. Oman to be a commander in the navy from the 11th day of March, 1909, vice Commander Richard T. Mulligan, promoted.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Paul E. Dampman,
Edson C. Oak,
Arthur H. Rice,
Clarence A. Richards, and
David W. Bagley.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Paul E. Dampman,
Edson C. Oak,
Arthur H. Rice,
Clarence A. Richards, and
David W. Bagley.

Midshipman Roy Le C. Stover to be an ensign in the navy from the 13th day of September, 1908, to fill a vacancy existing in that grade on that date.

The following-named citizens to be assistant surgeons in the navy from the 14th day of April, 1908, to fill vacancies existing in that grade on that date:

John G. Ziegler, a citizen of Pennsylvania;
Glenmore F. Clark, a citizen of Kentucky;
William M. Kerr, a citizen of New York;
George A. Riker, a citizen of New York; and
Tharos Harlan, a citizen of the District of Columbia.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 19, 1909.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer William Hyde Doron to be a third lieutenant of engineers in the Revenue-Cutter Service.

ASSISTANT SECRETARY OF THE TREASURY.

Charles D. Hilles to be Assistant Secretary of the Treasury.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF NEW MEXICO.

Ira A. Abbott to be associate justice of the supreme court of New Mexico.

UNITED STATES ATTORNEY.

Aloysius I. McCormick to be United States attorney for the southern district of California.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. George W. Goode to be major.
First Lieut. Douglas McCaskey to be captain.

INFANTRY ARM.

Maj. Arthur C. Ducat to be lieutenant-colonel.
Capt. James H. Frier to be major.
Capt. Armand I. Lasseigne to be major.
First Lieut. Walt C. Johnson to be captain.
First Lieut. J. Millard Little to be captain.
First Lieut. John L. Bond to be captain.
First Lieut. Josephus S. Cecil to be captain.
First Lieut. Edward R. Stone to be captain.
Second Lieut. Horatio K. Bradford to be first lieutenant.
Second Lieut. Charles H. Mason to be first lieutenant.
Second Lieut. Nicholas W. Campanole to be first lieutenant.
Second Lieut. John G. Macomb to be first lieutenant.
Second Lieut. L. Worthington Moseley to be first lieutenant.

COAST ARTILLERY CORPS.

Lieut. Col. John V. White to be colonel.
Maj. John C. W. Brooks to be lieutenant-colonel.
Capt. William R. Smith to be major.
First Lieut. Arthur H. Bryant to be captain.
Second Lieut. James H. Cunningham to be first lieutenant.

APPOINTMENTS IN THE ARMY.

COAST ARTILLERY CORPS.

To be second lieutenants.

Carl Amos Lohr,
Laurence Tidd Walker,
Samuel Harrison Tilghman,
Otto Harry Schrader,
William James Turkenton,
Creedy Collins Sheppard,
Howard T. Clark,
Halstead Powell Councilman,
Arthur Haldane Doig,
Robert Elton Guthrie,
George Elmer Nikirk,
William Robert Nichols,
Paul Henry Herman,
Oscar Czar Warner,
Frank Sheldon Clark,
Kelley Benjamin Lemmon,
William Skinner Fulton,
Thomas Ogden Humphreys,
Edwin Francis Barlow,
Donald MacQueen Ashbridge,
Hollis Le Roy Muller, and
Eli Elmer Bennett.

PROMOTIONS IN THE NAVY.

Lieut. Commander Webster A. Edgar to be a commander.
The following-named ensigns to be lieutenants (junior grade):
Halsey Powell,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr.,
James W. Hayward,
George M. Baum, and
Joseph D. Little.
The following-named lieutenants (junior grade) to be lieutenants:
Halsey Powell,
Abram Claude,
Nathan W. Post,
Harry A. Stuart,
William F. Halsey, jr., and
James W. Hayward.
Asst. Paymaster Franklin P. Williams to be a passed assistant paymaster.

POSTMASTERS.

COLORADO.

William F. Ordway, at Dolores, Colo.
Nellie R. Summers, at Gunnison, Colo.

FLORIDA.

Homer B. Rainey, at Wauchula, Fla.

IDAHO.

Alson H. Nihart, at Buhl, Idaho.

ILLINOIS.

Claude L. Stone, at Mason City, Ill.

LOUISIANA.

Margarette L. Tatum, at Gibsland, La.

MICHIGAN.

Ora P. Gordon, at Hopkins, Mich.

MINNESOTA.

James A. Gillespie, at Carlton, Minn.

MISSOURI.

Andrew S. Munro, at Cuba, Mo.

MONTANA.

George A. Tusler, at Terry, Mont.

NEBRASKA.

Lou W. Frazier, at Fairmont, Nebr.

NEW JERSEY.

Elbert Bradshaw, at Greenwich, N. J.
William H. Kuhlthau, at Milltown, N. J.

NEW MEXICO.

Leroy P. Loomis, at Texico, N. Mex.

OHIO.

Charles M. Trace, at New Concord, Ohio.

PENNSYLVANIA.

Martin B. Allen, at Honesdale, Pa.
William F. Eckbert, jr., at Lewistown, Pa.
Sallie P. Gillingham, at Langhorne, Pa.
John C. Tullock, at Moores, Pa.

SOUTH DAKOTA.

Charles N. Curtiss, at Wessington, S. Dak.
Theophilus N. Kirkpatrick, at Letcher, S. Dak.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 19, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Thursday, April 15, 1909, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LA FOLLETTE, Mr. HALE, and Mr. BAILEY as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 45. Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress; and

H. J. Res. 38. Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909.

THE TARIFF ON COTTON BAGGING AND TIES.

Mr. BARTLETT of Georgia. Mr. Speaker, I desire to discuss briefly the matter of the tariff on cotton bagging and ties. At the present rate of duty upon these articles the tariff tax upon the cotton farmer amounts to about 10 cents per bale for bagging and ties.

The western farmer who uses binding twine has no tariff tax to pay upon that article, but it is admitted free; and not only is the binding twine admitted free, but the grasses and other material from which it is made are admitted free.

The provisions of the law relating to "drawbacks" have been so construed as to permit the exporters of products in imported

bags or bags made from imported material to receive the drawback. But this is not all of the discrimination against the cotton farmer. Upon investigation I find that the Treasury Department has for years been paying to the exporters of cotton baled in round bales the duties paid on the bagging imported for the purpose of baling cotton in round bales; but no such rule is applied to cotton exported in square bales. The baling of cotton into round bales is in the hands of a combination or trust, and up to this time the southern cotton producers have been able to prevent their control of the ginning and baling of the cotton crop. Only about 200,000 bales of cotton were in round bales last year, whereas over 13,000,000 were packed in square bales.

As illustrating this condition, I call attention to the following correspondence:

HOUSE OF REPRESENTATIVES,
Washington, April 14, 1909.

The SECRETARY OF THE TREASURY,
Washington, D. C.

DEAR SIR: Will you kindly have furnished me the following information on the subject of bagging, commonly known as "cotton bagging," which is made from jute and imported into the United States, and used for baling cotton, a description of which will be found in paragraph 344 of the Dingley tariff law, and upon which an import duty is laid:

Whether or not under the present law bagging for cotton and fabrics of this kind suitable for covering cotton is subject to the drawback provisions of the law?

Whether drawbacks have been permitted on bagging imported under this section and used for baling cotton, where the cotton thus baled has been exported, and, if so, whether the drawback has been allowed to those who use imported bagging to cover round or square bales of cotton?

In other words, I desire to know whether—if a drawback has been allowed in this particular—it has been allowed to those who exported round or square bales of cotton, and also the amount of such drawbacks that have been paid by the United States, and to whom paid.

Also, what is the amount of revenue received by the Government during 1908 from duties collected on bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, as provided for in the section of the Dingley law referred to above.

If the department has rendered any decisions on the subject of granting drawbacks to those who export cotton covered with imported bagging and put up in round bales, I would be glad to have a copy of such decisions or to know where I can find them.

Your early attention will greatly oblige me.

Very truly, yours, C. L. BARTLETT.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, April 16, 1909.

Hon. C. L. BARTLETT,
House of Representatives.

SIR: In reply to your letter of the 14th instant, I have the honor to advise you that during the fiscal year ended June 30, 1908, 16,349,696 square yards of bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton were imported valued at $1,076,351.81, and dutiable at $99,098.16. There was paid during the same year as drawback at the port of New York $88.62 on the exportation of articles manufactured from 14,953 square yards of this imported bagging. This data is compiled by the Bureau of Statistics, Department of Commerce and Labor, and the articles exported are not specifically designated, but it is presumed that they comprise coverings for cotton bales.

There was also imported during the fiscal year ending June 30, 1908, 311,463,391.25 pounds of burlaps, valued at $23,187,801, on which duty was collected amounting to $5,841,535.93. Four hundred and thirty thousand three hundred and eighty-seven dollars and forty-six cents of this duty was refunded as drawback on the exportation of bags manufactured from the imported burlaps. It is probable that the round bale bags may be included in the bags on which this drawback was paid. I am therefore unable to advise you accurately the amount of drawback paid on the exportation of round bale bags.

On March 1, 1904, Treasury Decision 25076, the Department provided for the allowance of drawback on round bale bags manufactured by the American Cotton Company, of New York, from imported burlaps. This decision was extended on January 2, 1907, Treasury Decision 27809, to cover similar bags manufactured by Reagan Round Bale Company, of Houston, Tex., and on December 28, 1907, Treasury Decision 28646, it was further extended to cover round bale bags manufactured by the Alabama-Mississippi Round Bale Company, of Montgomery, Ala.

On January 28, 1903, Treasury Decision 24192, the Department established regulations for the allowance of drawback on round bale bags manufactured by Remis Brothers Bag Company, of St. Louis, Mo., wholly from imported burlaps, said bags being sewed on one side, and having at each end a hem containing a shirring string. These decisions may be found in the bound volume of the Treasury Decisions. No drawback has been allowed on covering for square bales.

Respectfully,

J. B. REYNOLDS,
Assistant Secretary.

The following statement was made before the Ways and Means Committee, and will be found on page 2840 of the hearings, of date November 30:

STATEMENT OF MR. C. LEE M'MILLAN, OF NEW ORLEANS, LA.

Mr. MCMILLAN. I have been sent here by the New Orleans Cotton Exchange to ask this committee to place upon the free list jute bagging used for the covering of cotton. We think that it is entitled to be so placed. At present the duty paid amounts to a very small matter to the Government, and the farmer of the South we consider is entitled to have the privilege of wrapping his cotton free, just the same as the farmer of the West gets his binder twine free. For fourteen years binder twine has remained upon the free list, and during those fourteen years there has been this tax on cotton bagging. The tax on cotton bagging is six-tenths of a cent, as you will see there, per square yard, amounting to nearly three-quarters per running yard of 44 inches, and amounting to 4¾ cents per bale on every bale of cotton grown in America.

Through the courtesy of the chairman I was informed on Friday that I might at the same time address you gentlemen in connection with cotton ties, which occupy the same position to the cotton planter as does jute bagging. Cotton ties for the past few years have not been imported at all, the duty being prohibitive. You will find that the duty is half a cent per pound, 22½ cents per bundle, amounting to 4½ cents on each bale produced in this country. We think that on cotton ties the same thing applies as to the farmer who raises wheat or anything else where binder twine is used, and that he is entitled to get his cotton ties free.

The steel mills of this country, I think, are amply able to compete with the foreigner. I have been in the rolling mills in England, and they do not compare with any of ours in this country. The improved machinery here will enable the American to still have a very fair share of the business, and perhaps only the ports like New Orleans, Savannah, or Galveston will amount to anything on the importing.

I also call attention to the following statement made by the same witness before the Ways and Means Committee, which will be found on pages 4826–4827 of the hearings:

NEW ORLEANS, *December 8, 1908.*

Hon. SERENO E. PAYNE,
Chairman of Committee on Ways and Means,
Washington, D. C.

DEAR SIR: In addition to my statement made before your committee on the 30th ultimo, I now ask to be allowed to submit the following in connection with the subject of jute bagging for covering cotton, which I requested you to place upon the free list.

The American makers, say, three in number, consisting of the American Manufacturing Company, of New York; the Ludlow Manufacturing Associates, of Boston; and the Peru Bagging Manufacturing Company, of Peru, Ind., own and control every mill in America now engaged in making new bagging for cotton.

The first two corporations agree at the beginning of each season upon a price to open the market at, and the small Peru company follows. An arbitrary list, showing differentials throughout the entire cotton belt, is strictly followed, and the price named any given point by the American Manufacturing Company is exactly same as the one quoted same point by the Ludlow Company.

Some years ago there were several independent mills engaged in this business, but the ones now surviving managed to drive the others entirely out by selling bagging below price at which the independents could make same at, and in the end the American Manufacturing Company bought such independent mills as the one in New Orleans, in Louisville, Ky., and in Galveston, Tex., and then dismantled same, shipped such machinery as was wanted to Brooklyn and St. Louis, and breaking up and selling for scrap the balance of the machinery. I think that the same process was followed when the American Manufacturing Company bought out their New York and Brooklyn rivals. When additional machinery has been required by the Americans, they have either had it made in this country, or they bought it secondhand in Dundee and imported same free of duty.

There can be no doubt about the profits of the above-named concerns being very large (see how they have grown), and I ask you to take into consideration the great amount of low-grade jute butts and the vast amount of secondhand jute bagging they buy and make into yarns when you compare their cost with that of the Calcutta maker, who uses a much higher quality of raw material.

I beg to call your attention to the fact that during the past eight or ten years the American Manufacturing Company, through its various agents, have imported into this country from Calcutta the major part of all of this kind of cloth made in Calcutta, and I have known seasons when they bought every yard that Calcutta mills could furnish. It is reported upon what I consider the best authority that the American Manufacturing Company, through its agents, has already secured from three of the Calcutta mills all of the bagging they can make from September, 1908, to August, 1909, and offers have been made to the remaining Calcutta mills by the American Manufacturing Company to take their output for the coming season. Portions of the above-mentioned purchase have already arrived here and same is being held by the local selling agent of the American Manufacturing Company.

The writer has never known of any combination existing among the Calcutta mills, and whenever I have cabled out there for prices no two mills ever named me the same figure upon any given date. If bagging was placed upon the free list to-day, I think the American makers would still be amply able to compete. As a matter of fact, the American Manufacturing Company turned out early this year 2-pound 45-inch bagging, at 6½ cents per yard at the ports, while all that came from Calcutta cost about 1¾ cents per yard more, or, say, about 8 cents landed, duty paid.

The largest revenue I remember as being paid the Government on jute cotton bagging during any one year did not exceed $120,000, while the cotton farmer pays about one and one-quarter million dollars annually to the bagging and steel trusts, because of the present rate of duty on the articles he requires, which occupy the same position exactly as does binder twine, which is admitted free of duty.

Respectfully submitted.

Yours, faithfully, C. LEE MCMILLAN.

Mr. Speaker, under the rule adopted by the House under which the tariff bill was considered and passed, it was decided by the chairman who presided that no amendment was in order looking to placing bagging and ties on the free list. The only hope for relief is that the Senate may take the matter up and consider it. With some hope that the Senate may take up the question and give the farmers of the South the relief they are so plainly entitled to, I have addressed the following communication to the Finance Committee of the Senate:

HOUSE OF REPRESENTATIVES,
Washington, April 16, 1909.

Hon. NELSON W. ALDRICH,
Chairman Committee on Finance, United States Senate.

DEAR SIR: As a Representative from one of the cotton-growing States and a State that raised 2,000,000 of the 13,500,000 bales raised, I respectfully call your attention to the matter of what is called "cotton bagging" and "ties."

Cotton bagging and ties are used exclusively by the farmers of the South in baling their cotton and preparing it for market. The cotton crop, without the by-products of cotton seed and cotton-seed oil, is valued at $650,000,000. Sixty-five per cent of the raw cotton raised by the South is exported and brings into the United States from abroad over $400,000,000 annually.

Under the Dingley tariff law and under the pending tariff bill a duty is imposed upon these articles, which, in the case of cotton ties, is almost prohibitory, being, under the present law, five-tenths of 1 cent per pound, which the pending bill reduces to two-tenths of a cent per pound. But, owing to the fact that the manufacture of cotton ties in this country is in the hands of a few corporations, the proposed reduction would be of little benefit. Under the present law and under the pending bill the duty on cotton bagging is fixed at six-tenths of a cent per pound.

In baling the cotton crop there are used 80,000,000 ties, which weigh about 4 pounds each, and 95,000,000 yards of bagging, weighing about 1 pound to the yard, and the duty on bagging and ties amounts to about 10 cents per bale.

The present law and the proposed law admit free of duty binding twine used by the farmers of the West in binding their wheat and other crops. It also admits free of duty the grasses from which binding twine is made, and even jute and jute butts, out of which cotton bagging is made, is admitted free for binding twine. Besides, bagging made out of burlaps and other material in which wheat is exported is subject to the drawback provisions of the tariff law.

I therefore urge upon you and your honorable committee the consideration of the question of placing hoop or band iron or steel used for baling cotton, as contained in paragraph 123 of the pending bill, and bagging for cotton, etc., as contained in paragraph 350 of the bill, on the free list. In the event you can not do this much in the interest of the producers of this great staple, which, in a great measure, clothes the world, I respectfully urge that you so frame the bill as to extend the drawback provisions of the law to the bagging and ties used on exported cotton. I am informed by the Secretary of the Treasury that certain exporters of what is known as "round-bale cotton" are entitled to the benefits of the drawback provisions of the tariff law; but the vast number of bales of cotton exported is packed in square bales, and the exporters of cotton packed in square bales are not allowed the benefits of the drawback provisions.

I inclose, as a mere suggestion, an amendment to the bill in this regard which would be of great benefit to the cotton producers, and would give them at least 65 per cent of their bagging and ties free of duty.

On this subject I beg to call your attention to the testimony before the Ways and Means Committee contained in the Tariff Hearings on Schedule J, pages 4933–4941, being the testimony of Mr. McMillan on the subject. I also call your attention to a letter from Mr. McMillan on the same subject, on pages 4950–4953.

In 1907 the duty collected on imported bagging amounted to about $118,000, and the duty collected on imported ties amounted to $85.

Asking that this matter be given the consideration its importance merits, I am,

Very respectfully, C. L. BARTLETT.

Mr. STANLEY. Mr. Speaker, our Democratic "daddies" started out with the Constitution as a handbook. Jefferson Davis spent two years on his brother's plantation studying constitutional law and in kindred reading before entering public life.

The timely warning of an able historian and philosopher to his own generation might well apply to this:

Do we not show too great a disposition to be governed by considerations of the present with too little regard to the past and the future? It may be safely asserted that the statesman who, in shaping his political theories, shall disregard the landmarks offered by the past will never prove a safe counselor for the state.

Conditions change; principles never do. For instance, nations, like individuals, are at different times addicted to different vices, but we do not hunt for a new decalogue to fit the case of the fellow who is guilty of some original brand of devilment.

The Democracy of Jefferson is a complete system, and was once a kind of political decalogue. Statesmen attempted to understand and expound it; new conditions made it necessary to put special emphasis upon one and then another fundamental principle of government as enunciated by the sage of Monticello.

Democracy should never, like Paul's Athenian mob, go hunting for some new thing which will do to catch votes at the next election.

There never was a better time to stop and think. A time-tried, old-fashioned Democratic platform—Jeffersonian Democracy without the trimmings—will carry the next House and the Presidency in 1912.

The fundamental conditions which made Democracy dominant for sixty years after the inauguration of Thomas Jefferson exist now, and they, strange as it may seem, exist now, to a degree just as they did then, for the first time in half a century.

The old Federalists were essentially the party of caste and special privilege, always considering the people good things to exploit and to fool. Pretty good standpatters they were.

In the language of their admirer and historian, Von Holst:

The Republicans (Democrats) were far inferior to the Federalists in the number and the ability of their leaders, and, moreover, the moneyed interests of the Northern States were the corner stone of the Federal party. These were two elements which might well keep them in power a while longer, even if the majority of the people were in reality more attached to the principles of their antagonists.

But they were not a support on which they could establish lasting rule. In a Democratic republic the political influence of the moneyed interests, when they have not attained the immense influence they have in America to-day, is, as a rule, very limited, etc. (Von Holst's Constitutional History of the United States, vol. 1, p. 179.)

The overweening and all-important question of the form of the Government having been settled and Hamilton's "penchant" for nobility and a monarchy disguised as a republic having been repudiated utterly and forever, it was the natural, if not the inevitable thing, that he should write his Report on Manufactures.

His followers were the class to be benefited by a system of special privilege and legalized plunder, and neither he nor his party had any compunction about fooling or fleecing the planters of the South and West, or making the Government fetch and carry for their benefit.

Having failed to get "Uncle Sam" to issue patents for a ready-made set of lords and ladies to take care of the people who were unable to take care of themselves, they determined by juggling with import duties and the taxing power to create an oligarchy of wealth.

If anybody thinks I am too hard on the Federalists in their latter days, let him read the proceedings of the Hartford convention.

That convention did not succeed in disrupting the Union, but it played havoc with the Federalist party, and it should have done it.

This party did not die without making its will; it left a dog-eared copy of Hamilton's Report on Manufacturers to the new Whig party.

In the days of the Federalist and the Whig there was no Mason and Dixon's line; it was the children of the fellows who turned a lucky penny in the slave trade, importing naked Africans from Dahomey and the Gulf of Guinea and selling the frightened, chattering wretches to the cotton planters of the South, and not the slave traders themselves, who in the fifties began to throw moral "conipiion fits" about the brutality of southern slave drivers.

The Historian Ormsby, born in Vermont, a New England Whig, flays abolition and defends the holding of slaves by an appeal to history—to natural and divine law.

The one distinct, eternal, and paramount issue between the Democrats and Whigs was the question of so-called "protection" to infant industries. The fellows who from choice or necessity made a living by labor took no stock in protection; those who lived by their wits or the other fellow's labor—that is, capitalists and manufacturers and sugar planters, who saw a chance to get a "little on the side" by operation of law—found this second-hand edition of Hamilton's Report mighty interesting reading.

Says Ormsby:

These parties (Whig and Federal) have continued from their origin until a recent date, both occasionally changed as to names, adherents, leaders, and principles, and alternately in their ascendency in the government of the country, as the Federal was in reality the parent of the Whig party. (Ormsby's History of the Whig Party, p. 46.)

In speaking of the Democratic party of that date, the author, a generous foe, is forced, in justice to truth, to pay it this deserved tribute:

They (the Democrats) were patriots, warmly devoted to the cause of human liberty, and willing to perish in the defense of their country. This party was no sectional organization, but was and ever has been intensely national. Jefferson, the founder of American Democracy, was in heart and soul a lover of freedom. The watchword of the party that formed around him was "Liberty."

There exists to-day an absolutely false and untenable impression that Democracy is local, provincial, sectional, and it springs from the confounding of two entirely different things—Democracy and the "solid South."

No historian or statesman who sees beyond his nose will conclude that the principles of Democracy were written for a southern political sect, simply because a half century after the death of Jefferson, as an inevitable result of the war, the lines of Democracy were forced for a time within the boundaries of a dozen Southern States.

The character of the men who at a given time maintain a political theory does not inevitably prove that their doctrine is not suited to the needs of other men and other sections.

The Christian religion was at one time professed only in Palestine, and preached by a handful of Jewish fishermen.

Should the Turks again overrun all Europe, except England, that would not make the Christian religion English. Southerners are generally Democratic, but Democracy is neither northern nor southern.

The tariff is a local issue only from a Republican or protectionist standpoint. Protectionism is necessarily local in its operation and limited in the number of its beneficiaries. This is the essence of special privilege, and special privilege is the genius of Republicanism. Democracy, seeking the greatest good for the greatest number, and logically the party of the consumer and of the producer in an open and unprotected market, is national; because the interests of consumers and such producers

everywhere, whether cotton planters in Alabama or growers of corn in Illinois or wheat in Dakota, are identically the same.

The old Whig leaders possessed one quality absolutely unknown to the modern standpatter—intellectual integrity. They did not dismiss every political economist, from Adam Smith down, with debonair contempt. They not only had intellectual integrity, but they had moral courage, and met the issue squarely. Clay, Calhoun, Webster, and their confrères never maintained for a second that you could force ten cotton planters to contribute into a common fund in order to help one fellow grow cane or beet sugar and then sell it to these same cotton planters at a higher price than they could buy it for under natural rather than artificial conditions, and in that way make the other nine cotton planters rich. They never maintained that you could force a man to give his money to some beneficiary or special pet of legislation and give him so much that after he got rich he would return more than he received. The old Whigs admitted that protection was a tax upon the consumer and a hardship upon the producer whose product was not enhanced in value by the tax, but they claimed that the fostering of infant industries and the necessities of war justified this interference in favor of the manufacturer on the part of the Government.

The beauty about the old tariff issue, as presented by the Whigs, was its honesty, its transparent honesty. As a result, the cotton planter in the South was no more Democratic than the farmer in the corn belt of southern Illinois or the wheat grower in Wisconsin and Iowa. Each saw at a glance that this system increased the price of the things that he had to buy and did not affect in the slightest degree the articles that he had to sell, and he was necessarily a Democrat. So candid and transparent was the issue that where the interests of a community changed, its politics changed with them. As long as Massachusetts was engaged in commerce and shipping she was antiprotection; becoming a great manufacturing State after the war of 1812, she turned Whig. Sugar made Louisiana Whig, and hemp has, to an extent, dominated the politics of Kentucky. Republican Iowa, raising corn, and Democratic Louisiana, raising sugar and rice, are political anachronisms.

A glance at the old returns from presidential elections before the war demonstrates at a glance the nationalism of the two parties. Prior to the slavery issue there was not a semblance of sectionalism. In 1844 James K. Polk carried Illinois, Indiana, Maine, Michigan, New Hampshire, New York, and Pennsylvania. Henry Clay saved Kentucky, Maryland, North Carolina, and Tennessee to the Whigs. In 1848 Lewis Cass, Democrat, carried Illinois, Indiana, Iowa, Maine, Michigan, New Hampshire, Ohio, and Wisconsin, and lost to his Whig opponent Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, North Carolina, and Tennessee.

In 1856 James Buchanan carried California, Illinois, Indiana, New Jersey, and Pennsylvania. In 1856, as a result of the abolition agitation, Kentucky, Maryland, North Carolina, and Tennessee went Democratic for the first time in sixteen years; and for the first time in a generation, Illinois and New Hampshire lined up on the other side. Indiana, Illinois, Iowa, Maine, New Hampshire, Ohio, Wisconsin, Connecticut, New Jersey, New York, Pennsylvania, Rhode Island, Wisconsin, and Maine, some of them part of the time and most of them all of the time, were to be found in the Democratic column. On the other hand, Kentucky, Maryland, North Carolina, Tennessee, Delaware, Florida, Georgia, and Louisiana were, during the same period, usually found in the camp of the Whigs.

The civil war did not change the opinions of people North or South upon the question of protection. They simply quit thinking about the tariff. They had more vital and absorbing interests. The old Whig map of the United States was literally inundated in that deluge of blood and carnage called "the rebellion." The northern Democrat had little patience with the institution of chattel slavery. He was passionately devoted to the Union. He regarded the man who would plan to dissever it as a traitor, and the man who would carry that plan into effect by force of arms was a rebel. The southern Whig believed in the sovereignty of the States as absolutely as he did in a protective tariff, and he thought more about the title to his property than either. The abolitionist was at once to him a crank and a thief—the biggest sort of a crank and the meanest sort of a thief. He was more interested in saving his "nigger" than in lowering the price of his shirt.

It was not long, under the stress of war and the suffering, outrage, and humiliation of reconstruction, until the southern Whig—for the time being, at least—abandoned his old protection proclivities, because the same doctrine had been preached for ten years by "an infernal abolitionist and a Yank." The northern Democrat ceased to talk about free trade, because free trade had become a hobby with the southern Whig, who was, in his eye, a slaveholding brute before the war and a rebel and a traitor after it.

For thirty years men north and south were unable to look at a business proposition as colorless as a pane of plate glass and as passionless as the multiplication table, because they could not see it distinctly through the red haze of war, and they could not discuss it without recalling the bitter and bloody memories of Bull Run and Appomattox, or the still sadder story of eleven States outraged, pillaged, and dishonored in their destitution and helplessness.

The old Democrat in the Northwest, who had been a Democrat from principle, was now an inveterate Republican from passion, and the old Whig in the South, who had been a Whig from conviction, became a Democrat, not because of any change in his ideas about the tariff, but from long years of suffering and sympathy with those who did not agree with him on the tariff.

TARIFF THE BEST ASSET OF A RATIONAL AND NATIONAL DEMOCRACY.

And so it went through the troubled or turbulent administrations of Grant, Hayes, Garfield and Arthur, Harrison, and Cleveland, and last but not least, the strenuous Theodore. The bitter memories of the war were softened by time, though not obliterated. The wounds no longer bled, but the cicatrix was an unpleasant reminder, and each fellow remembered the maker of his scars. The first really honest talk about a new Nation and a new South was in the South; but no matter how forgiving the vanquished might be, there could be no genuine or permanent reconciliation until the victor himself ceased to discuss and no longer remembered the civil war, and the victor, be it remembered, was the Grand Army of the Republic, and the Grand Army of the Republic is the biggest asset the Republican party possesses, with the possible exception of the negro.

William Howard Taft is the first Republican President—he is the first real big Republican in or out of office—who has honestly and earnestly attempted a genuine reconciliation between the sections, a reconciliation based not upon mutual forgiveness, but upon absolute oblivion so far as the issues arising from the civil war are concerned. He has gone to the right place to preach his doctrine—the South, to the city of Atlanta, the very spot where the backbone and the heart of the confederacy were broken; where the Army of the Tennessee, through the fatuity of Hood, was crushed, then scattered like chaff by the winds, literally obliterated, not enough left of the "orphan brigade" to bury its dead; the spot from which Sherman started on his fateful march to the sea. And when all the rest of the South shall blossom like the rose, here and there in the wake of that swath of havoc and fire the historian will still discover a live coal hot and angry, "like a blood-red carbuncle upon the ashen breast of barbarism." When the memories of the civil war no longer embitter the hearts and fire the minds of southerners, in the city of Atlanta, the work is done. Taft has done that work. He has literally and forever buried the "bloody shirt," and he has buried it in Atlanta, paradoxical as it may seem, buried it amid the unmarked graves of countless southern slain.

Now, there is one thing that never occurred to Mr. Taft. He can not bury the "bloody shirt" in Atlanta and nail it to his flagstaff in Duluth or Des Moines. That is one peculiar thing about the "bloody shirt." If you bury a part of it, you have not buried any of it. You can not save any souvenirs from that detested garment. For the first time in two generations, western planters are beginning to study the tariff simply as a matter of business.

The so-called "insurrection" in the House—the Cummins idea, the western cry for tariff reduction—is not a new thing. It is not a fad or tidal wave. It is the inevitable result of the burying of that same shirt. The insurgents are but the evidence of a condition which they did not produce, which, in fact, produced them in spite of themselves. These so-called "insurgents" are enthusiastically supported by their constituency. They are politicians, like other Congressmen. No politician would deliberately make war upon the czar of the House of Representatives—the "Iron Duke" from Illinois—just for the fun of the thing, or from personal spite or resentment. They were literally hurled at JOE CANNON by the force of public opinion, as from a catapult.

We have said that the old Whig map of the United States was submerged in a troubled sea of blood. In the Tropics, especially in the volcanic regions, it is not unusual for a whole archipelago to sink beneath the surface almost in a night, submerged by some gigantic seismic convulsion. When the unknown force ceases to act, and the subterranean lava is cooled and the imprisoned gases have escaped from the flaming throat of some volcano, normal nature reasserts herself.

The force of gravity slowly and silently lifts the same islands once more to the surface of the sea. Superficial scientists look for a cataclysm and regard the reappearance of these new islands as the evidence of some subterranean convulsion. By and by the geologist digs beneath the drying ooze of the sea and finds evidence of human habitation. Those islands were the Pompeii and the Herculaneum of the deep. It is probable the ancient mariner caught glimpses of their fronded palms, and Phœnician sailors once, perchance, rested beneath their grateful shade.

Tariff revision now and free trade to-morrow in Iowa, Minnesota and Kansas is not a tidal wave. It is a rock against which tidal waves shall break in vain. It is the reappearance of the old Whig map, for forty years submerged in a boiling sea of gore. They mark the sky line of the political sea just as it greeted the eye of "Hickory" Jackson and Henry Clay. The Cummins idea is not a discovery; it is an evolution. CUMMINS got that idea from his great grandfather, and he does not know it, and he proclaims it for the same reason that his grandfather did—because protection is robbery to the producer in a free-trade market, and the Iowans, like all other agriculturists in this country, are producers in a free-trade market.

Tariff revision, old-fashioned, bottom-rock, common-sense, straight-from-the-shoulder Jeffersonian Democracy, maintained and proclaimed like Paul preached the Christian religion—Christ only and Him crucified—will sweep the West like a holocaust, like a prairie fire, and it will sweep it because the people in the West, no longer blinded by the passion of war, once more see clearly their own interests, and their own interests are radical, effective, immediate tariff revision, not tariff tinkering, but tariff abolition to the point of tariff for revenue only.

It may be suggested that where one door opens another shuts, what we gain in the West we will lose in the South, and that by making the tariff and the tariff only the paramount and sole issue Florida with her pineapples and sea-island cotton, and Alabama with her iron, and Louisiana with her sugar, and southern Texas with her hides will be lost to Democracy for the same reason and by virtue of the same conditions.

Nay, verily, Louisiana, sugar or no sugar, rice or no rice; Florida, with her sea-island cotton; Alabama, with her iron ore, shall stay right where they are—in the solid South, Democratic from necessity if not from conviction.

It is not the memory of a past war, but the existence of an ubiquitous and ever-present "nigger" that will keep those States in line. "Nolens volens," no matter how anxious her Representatives may be to serve a few special interests, the South does not dare to sacrifice her civilization to her selfishness. Over 50 per cent of its population is black. Unrestricted suffrage means that the black man will vote and vote for a black man, and that spells negro domination, and negro domination spells havoc with the property of men and the honor and safety of women in the South. There are perchance to-day several prominent southern statesmen sitting solitary and somewhat uncomfortable in the Democratic band wagon, casting a longing eye to another vehicle loaded with luscious pie called a "Republican band wagon." But they can not climb down out of the Democratic band wagon and cross the road to take their places in the other concern; they are afraid a "nigger" will catch them on the way. That is the situation in a nutshell.

Consider for an instant a Republican Mississippi; 59 per cent of her population is black. Suppose the white men in Mississippi become Republicans, vote for Republican Congressmen, and a Republican governor. Mr. Negro comes along and asks the privilege of doing the same thing. They tell him he is a thick-skulled and kinky-headed fool and has not sense enough to vote. A cornfield darky would have the sense to reply that it looked a little hard that it took his intelligent white master forty years to learn how to vote like a "fool nigger" who had been pining for the privilege of casting his ballot for that same Republican candidate for forty years. Strange kind of intelligence it would be, that was forty years behind the brutal intuitions and animal instincts of a "Guinea nigger," and yet the "Guinea nigger" and his white master would, after all, have reached a common conclusion, guided by a common impulse—greed for gain. Bourke Cockran has well said that "Democracy is a faith, Republicanism an appetite." And the white gentleman from Louisiana or Florida has no advantage over the African from Dahomey when it comes to appetite.

Suppose, on the other hand, the white Republican should refuse to allow his black Republican brother to vote for the same candidate he supports, not because he was politically wrong, but just simply because he was a negro. The proud scions of the Saxon race, the once aristocratic and patrician Democracy of the Southern States, would find themselves excluded from every national Republican convention at the command of the black barbers and waiters from Indianapolis and Cincinnati. The negro is the balance of power in Ohio, Indiana, Illinois, and West Virginia, and he is the only hope of Republicanism in Missouri, Kentucky, Tennessee, and Maryland; and the negro would rise in revolt; the Brownsville affair would be only an episode. A Republican Mississippi is a moral and political impossibility on any issue, so long as the fatuitous absolute domination of the negro is at last the source and secret of Republican power in the United States. We have all to gain and nothing to lose by the burial of the "bloody shirt" and the forcing of the tariff to the forefront, and William Howard Taft is unwittingly lending us aid and comfort at both ends of the line.

ANNEXATION OF CUBA.

Mr. HELM. Mr. Speaker, I ask unanimous consent to send the following resolution to the desk, and to have it read by the Clerk.

The SPEAKER. Does the gentleman ask unanimous consent for consideration of the resolution?

Mr. HELM. No, sir; I ask to have it read at the Clerk's desk. I offer the resolution and ask to have it read.

Mr. PAYNE. I should like to know what it is.

Mr. HELM. It is a resolution relative to the annexation of Cuba, which I propose to introduce.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to have the resolution read at the Clerk's desk. Is there objection?

Mr. PAYNE. I think it is safe to object.

Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, under the order heretofore agreed to, the House (at 12 o'clock and 5 minutes p. m.) adjourned until Thursday, April 22, 1909.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TAWNEY: A bill (H. R. 8098) making appropriations for the expenses of the Thirteenth Decennial Census for the fiscal year 1910, and for other purposes—to the Committee on Appropriations.

By Mr. KINKAID of Nebraska: A bill (H. R. 8099) to amend an act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands"—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 8100) authorizing reinstatement of commutation certificate for homestead entries when canceled for lack of residence if entryman had resided continuously on entry the eight months preceding the making of proof—to the Committee on the Public Lands.

By Mr. MORGAN of Oklahoma: A bill (H. R. 8101) for the purchase of a site and the erection of a public building in the city of Woodward, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8102) to provide for the purchase of a site and the erection of a public building thereon at El Reno, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8103) to provide for the purchase of a site and the erection of a public building at Anadarko, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8104) to provide for the purchase of a site and the erection of a public building thereon at Alva, Okla.—to the Committee on Public Buildings and Grounds.

By Mr. MACON: A bill (H. R. 8105) appropriating the receipts from the sale and disposal of public lands in certain States to the construction of works for the drainage or reclamation of swamp and overflowed lands belonging to the United States, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 8106) to prohibit the receipt, delivery, or transmission of interstate or foreign messages, or other information to be used in connection with, and to prohibit interstate and foreign transactions of every character and description that in any wise depend upon margins as a part thereof, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES of West Virginia: A bill (H. R. 8107) to provide rebate of the duty on wheat—to the Committee on Ways and Means.

By Mr. ALEXANDER of Missouri: A bill (H. R. 8108) to provide for the purchase of a site and the erection of a building thereon at the city of Liberty, in the State of Missouri—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8109) to provide for the purchase of a site and the erection of a building thereon at the city of Cameron, in the State of Missouri—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8110) to provide for the purchase of a site and the erection of a building thereon at the city of Excelsior Springs, in the State of Missouri—to the Committee on Public Buildings and Grounds.

By Mr. WASHBURN: A bill (H. R. 8111) to aid in the erection of a monument to Pocahontas at Jamestown, Va.—to the Committee on the Library.

By Mr. SIMS: A bill (H. R. 8112) to erect a post-office building in the city of Huntingdon, State of Tennessee—to the Committee on Public Buildings and Grounds.

By Mr. CARTER: A bill (H. R. 8113) authorizing the donation of the United States jail at McAlester, Okla., to Pittsburg County, Okla.—to the Committee on the Judiciary.

By Mr. HUBBARD of West Virginia: A bill (H. R. 8114) providing for an additional judge in the fourth judicial circuit—to the Committee on the Judiciary.

By Mr. RUCKER of Missouri: A bill (H. R. 8115) providing for the erection of a public building at Brookfield, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8116) providing for the erection of a public building at Trenton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8117) to extend the provisions of the pension act of June 27, 1890, to the Enrolled Missouri Militia and other militia organizations of the State of Missouri that cooperated with the military or naval forces of the United States in suppressing the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8118) providing for the erection of a public building at Chillicothe, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. HOUSTON: A bill (H. R. 8119) to prohibit the issuance of federal license to sell liquors in States or counties where the local laws forbid the sale of intoxicating liquors—to the Committee on Ways and Means.

By Mr. HELM: Concurrent resolution (H. C. Res. 15) regarding the possible annexation of Cuba—to the Committee on Foreign Affairs.

By Mr. CLARK of Missouri: Resolution (H. Res. 60) of inquiry touching sale of Tennessee Coal and Iron Company—to the Committee on the Judiciary.

By Mr. FOSTER of Vermont: Resolution (H. Res. 61) to suspend payment of salaries to clerks, assistant clerks, and janitors to certain committees of the House of Representatives—to the Committee on Accounts.

By Mr. ANDREWS: Memorial of the legislature of the Territory of New Mexico, urging an appropriation of money or land scrip for the purpose of relieving the counties of Santa Fe and Grant from public indebtedness—to the Committee on the Territories.

By Mr. WASHBURN: Memorial of the legislature of Massachusetts, protesting against the imposition by the Federal Government of a tax on inheritances—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 8120) granting a pension to Elizabeth Morrison and her heirs—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of New York: A bill (H. R. 8121) granting an increase of pension to Charles Baker Strout—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 8122) for the relief of St. John Lumber Company, of Portland, Me.—to the Committee on Claims.

By Mr. AUSTIN: A bill (H. R. 8123) granting an increase of pension to Bruce Clifton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8124) granting an increase of pension to Samuel B. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8125) for the relief of Henry Jones—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 8126) granting an increase of pension to Charles L. Crane—to the Committee on Pensions.

By Mr. BOEHNE: A bill (H. R. 8127) granting an increase of pension to Henry M. Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8128) granting an increase of pension to M. M. Angleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8129) granting an increase of pension to William M. Myers—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 8130) granting a pension to Andrew M. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8131) for the relief of Tusculum Church—to the Committee on War Claims.

Also, a bill (H. R. 8132) to remove the charge of desertion from the military record of Ed. Pruett and grant him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 8133) to remove the charge of desertion from the military record of George A. Easterley and grant him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 8134) for the relief of the legal representative of the estate of A. L. P. Green—to the Committee on War Claims.

Also, a bill (H. R. 8135) for the relief of the trustees of the Cumberland Presbyterian Church of Clarksville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8136) granting arrears of pension to William H. Willett—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 8137) granting a bounty to Ira Bacon—to the Committee on War Claims.

Also, a bill (H. R. 8138) granting an increase of pension to Parmenas Roush—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 8139) granting a pension to Hannah M. Batt—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 8140) to correct the military record of Tyler Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 8141) for the relief of Willis Mahon—to the Committee on Military Affairs.

Also, a bill (H. R. 8142) granting an increase of pension to Price Castle—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 8143) granting an increase of pension to Allen Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8144) granting an increase of pension to John McMillin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8145) granting a pension to Phillip H. Smith—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 8146) granting an increase of pension to Alrena Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8147) granting an increase of pension to Edward G. Rockhold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8148) granting an extension of Letters Patent No. 473019 to William J. Plecker—to the Committee on Patents.

By Mr. GRANT: A bill (H. R. 8149) to correct the military record of Levi Jones—to the Committee on Military Affairs.

By Mr. GRIEST: A bill (H. R. 8150) to remove the charge of desertion standing against the military record of Henry Dimler—to the Committee on Military Affairs.

By Mr. HIGGINS: A bill (H. R. 8151) granting an increase of pension to James M. Strickland—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 8152) granting an increase of pension to Almon Woodworth—to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 8153) granting an increase of pension to George L. Van Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8154) granting an increase of pension to Oliver H. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8155) granting an increase of pension to John W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8156) granting an increase of pension to Franklin Klingensmith, alias Franklin Clingsmith—to the Committee on Invalid Pensions.

By Mr. McHENRY: A bill (H. R. 8157) granting an increase of pension to Joseph L. Frame—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8158) granting an increase of pension to Oliver P. Barr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8159) granting a pension to Martin Purcell—to the Committee on Invalid Pensions.

By Mr. MCKINNEY: A bill (H. R. 8160) granting an increase of pension to John Vandiver—to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 8161) removing the charge of desertion from the name of George A. McKenzie, alias William A. Williams—to the Committee on Military Affairs.

By Mr. MORGAN of Oklahoma: A bill (H. R. 8162) granting an increase of pension to Joel Benham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8163) granting an increase of pension to Welcome N. Bender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8164) granting a pension to Frank Delaney—to the Committee on Pensions.

Also, a bill (H. R. 8165) granting a pension to Margaret D. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8166) to remove charge of desertion against Jacob Mull—to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 8167) granting an increase of pension to Sidney Rinck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8168) granting an increase of pension to Henry Roam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8169) granting an increase of pension to Charles M. Skinner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8170) granting an increase of pension to Oliver W. Shockley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8171) granting an increase of pension to Jabez Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8172) granting an increase of pension to Robert A. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8173) granting an increase of pension to James Kinsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8174) granting an increase of pension to Francis M. Kittrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8175) granting an increase of pension to T. M. Laughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8176) granting an increase of pension to Joseph A. Nimmo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8177) granting an increase of pension to John A. Pond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8178) granting an increase of pension to William H. Burgess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8179) granting a pension to James R. Shelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8180) granting a pension to Hannah Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8181) to remove the charge of desertion from the military record of Eckhard Woener—to the Committee on Military Affairs.

Also, a bill (H. R. 8182) for the relief of J. M. Rodgers—to the Committee on Claims.

Also, a bill (H. R. 8183) to correct the military record of V. B. Gatewood—to the Committee on Military Affairs.

Also, a bill (H. R. 8184) to amend and correct the records of Company I, Fourth Regiment Missouri Volunteer Infantry, by including the name of William J. Elmer therein, with the dates of his enlistment and discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 8185) to amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein, with the dates of his enlistment and discharge—to the Committee on Military Affairs.

By Mr. RUCKER of Missouri: A bill (H. R. 8186) granting an increase of pension to Charity Breeding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8187) granting an increase of pension to Logan A. Tallman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8188) granting an increase of pension to Simeon McKinstray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8189) granting an increase of pension to James Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8190) granting an increase of pension to Fannie Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8191) granting an increase of pension to William T. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8192) granting an increase of pension to Samuel C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8193) granting an increase of pension to Jasper N. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8194) granting an increase of pension to William H. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8195) granting an increase of pension to Elijah G. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8196) granting an increase of pension to Cornelius Buckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8197) granting an increase of pension to George W. Sorrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8198) granting an increase of pension to John R. Pickens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8199) granting an increase of pension to Hannah J. Farr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8200) granting an increase of pension to Cassius M. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8201) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8202) granting an increase of pension to Frederick W. Odell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8203) granting an increase of pension to John C. Schnelle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8204) granting an increase of pension to William H. Cummings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8205) granting an increase of pension to Josiah Stoneburner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8206) granting an increase of pension to Joseph G. Banning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8207) granting an increase of pension to George W. Brookover, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8208) granting an increase of pension to John C. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8209) granting an increase of pension to John T. Burriss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8210) granting an increase of pension to Joseph W. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8211) granting a pension to Thomas Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8212) granting a pension to John Carrol—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8213) granting a pension to Mary P. Crampton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8214) granting a pension to Martha Eyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8215) granting a pension to Jackson Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8216) granting a pension to Archibald Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8217) granting a pension to Taylor Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8218) granting a pension to Nancy B. Ruberson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8219) granting a pension to Robert T. McElhiney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8220) granting a pension to Myra E. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8221) for the relief of McCarty & Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8222) granting relief to Charles Aholt and others—to the Committee on Claims.

Also, a bill (H. R. 8223) to correct the military record of John Loney—to the Committee on Military Affairs.

Also, a bill (H. R. 8224) to correct the military record of John P. Griffith—to the Committee on Military Affairs.

Also, a bill (H. R. 8225) to remove the charge of desertion against Lewis Jenkins—to the Committee on Military Affairs.

Also, a bill (H. R. 8226) to remove the charge of desertion against Charles W. Miller, alias Charles Nowack—to the Committee on Military Affairs.

By Mr. STURGISS: A bill (H. R. 8227) granting an increase of pension to Nelson B. Miller—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 8228) granting an increase of pension to Thomas A. Nally—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petition of Buffalo Photo Engravers' Union, Local No. 4, favoring duty on post cards—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Dirigo Local, No. 84, Brotherhood of Paper Makers, of Augusta, Me., against reduction of the tariff on print paper—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of citizens of Syracuse, Euclid, Hamilton, and Clay, N. Y., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Central City Electrotyping and Engraving Company, favoring duty on post cards—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Lancaster (Pa.) Board of Trade, against legislation tending to reduce the lawful earnings of railroad corporations and to aggravate popular hostility against them—to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of Alfred F. Boad and 17 other citizens of San Francisco, favoring duty on post cards—to the Committee on Ways and Means.

Also, petition of Asiatic Exclusion League, favoring enactment of an effective exclusion law against all Asiatics other than merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. MURPHY: Petitions of Farmers' Unions, No. 761, of Simmons; No. 786, of Embree; No. 754, of Wright County; No. 763, of Hartshorn; and No. 807, of Mahan, all of the State of Missouri, favoring a parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. NEEDHAM: Petition of Chamber of Commerce of Los Angeles, against reduction of tariff on products of California agriculture and horticulture and against repeal of countervailing duty on petroleum—to the Committee on Ways and Means.

Also, petitions of Chamber of Commerce of Wilmington and Chamber of Commerce of San Diego County, Cal., favoring a government freight and passenger line of steamships for principal ports on Pacific coast and Panama—to the Committee on the Merchant Marine and Fisheries.

Also, petition of D. Ollivier Brothers, Carriage and Wagon Builders' Association, and others, of San Francisco, for repeal of tariff on hides—to the Committee on Ways and Means.

Also, petition of lithographic employees, against reduction of tariff on lithographic products—to the Committee on Ways and Means.

Also, petition of Merchants' Exchange of Oakland, Cal., against reduction of duty on wool—to the Committee on Ways and Means.

Also, petition of grain producers of Pacific coast, against a duty on grain bags—to the Committee on Ways and Means.

Also, petition of J. M. Hicks and others, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Mrs. H. Cartledge, against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Woodland Local, No. 146, International Brotherhood of Paper Makers, against reduction of duty on print paper—to the Committee on Ways and Means.

Also, petition of hop growers of California, favoring an increase of duty on hops—to the Committee on Ways and Means.

Also, petition of Asiatic Exclusive League, for enactment of an effective Asiatic-exclusion law save against merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of board of trustees of Stockton Chamber of Commerce, favoring rebuilding of jetties at the entrance of Humboldt Bay, California—to the Committee on Rivers and Harbors.

Also, petition of Marine Engineers' Beneficial Association No. 35, approving work and policies of the National River and Harbor Congress—to the Committee on Rivers and Harbors.

Also, petition of mayor of the city of San Francisco and members of the senate and house of representatives of California, against appropriating the encroachment on the Hetch Hetchy Valley for water-storing privileges—to the Committee on the Public Lands.

Also, petition of business men of Gonzales, Salida, Reedley, and Salinas, Cal., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Chamber of Commerce of San Francisco, favoring immediate occupation of the new immigrant station on Angel Island—to the Committee on Immigration and Naturalization.

By Mr. PRINCE: Petition of L. M. Lawler and others, of Galesburg, Ill., against increase of duty on hosiery—to the Committee on Ways and Means.

By Mr. ROBINSON: Paper to accompany bill for relief of G. A. Joyner (H. R. 1173)—to the Committee on Pensions.

By Mr. THOMAS of Ohio: Petition of citizens of the Nineteenth Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. WASHBURN: Petition of sundry citizens of Worcester, Mass., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

SENATE.

TUESDAY, *April 20, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

MAJ. PIERRE CHARLES L'ENFANT.

The VICE-PRESIDENT laid before the Senate the following communication from the president of the Board of Commissioners of the District of Columbia, which was read, and, on motion of Mr. GALLINGER, referred to the Committee on the District of Columbia:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, April 17, 1909.

To the Senate of the United States:

The Commissioners of the District of Columbia have the honor to invite the Members of the Senate of the United States to attend the ceremonies in honor of Maj. Pierre Charles L'Enfant in the Rotunda of the United States Capitol at 10.30 o'clock on the morning of April 28, 1909, in connection with the transfer of his remains from Green Hill, Maryland, to the Arlington Cemetery. The Vice-President of the United States and the ambassador of France will make addresses.

Very respectfully,

HENRY B. F. MACFARLAND,
President Board of Commissioners of the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. HALE. I present a very important petition, and I ask that, without the names, it may be printed in the RECORD with the accompanying statement, and that it lie on the table.

There being no objection, the petition and accompanying statement, omitting the names, were ordered to lie on the table and to be printed in the RECORD, as follows:

To the Committee on Finance:

The undersigned, engaged in the manufacture or sale of woolen goods, recognizing the unfairness to a large portion of the woolen industry in the method of collecting the duty on wool on a specific basis, request that in the revised tariff bill the duty on wool be collected on an ad valorem basis, unless, however, a specific duty can be made on a basis more just and equal according to the value of the different grades of wool; also that we are not in favor of reducing the duty on wools as a general proposition.

Mr. CHAIRMAN: Wool clothing is essential to the existence of civilized man in temperate and cold climates. The better he is provided with wool clothing, the better able is he to ward off disease and death. We appear here in behalf of the most important of the two great branches of wool manufacturing, that known as the carded woolen industry. It is the most important in respect to the number of operatives employed, wages paid, and the capacity to provide the people with durable and warm clothing at a low price. The Dingley tariff law places the carded woolen industry at a serious disadvantage in performing this essential service for the people, and at the same time that law confers important special favors upon the other branch of wool manufacturing, known as the "worsted industry." This discrimination against the one and the favors conferred on the other will be made clear by a brief outline of the technical conditions.

Worsted is made by combing, which separates the long fibers from the shorter, and then converting these long fibers into yarn and cloth. On the other hand, carded woolen goods are made by carding the wool without separation of the short fibers from the long and then converting the carded wool into yarn and cloth. In the nature of things, the longer stapled wool is used for worsteds, the shorter wools for carded woolen goods. As a result of these conditions worsted is, as a rule, more expensive than carded woolens. Worsted is adapted more particularly for high-priced clothing, carded woolens for the less expensive clothing. Now, the wools suited for carded woolen goods carry a large amount of grease and dirt as they come from the sheep's back, a much larger amount of grease and dirt than the worsted wools ordinarily carry. It is by no means unusual to find the wool suited for carded woolen goods with four pounds of grease and dirt to every pound of wool, and wool suited for worsted with no more than 1 pound of grease and dirt to every 4 pounds of wool. Hardly two lots of wool can be found that shrink the same by scouring, but the bulk of the shorter wools suited for carded woolen goods is heavy shrinking, while the bulk of the worsted goods is light shrinking.

The Dingley duty on grease wools of classes 1 and 2, which is the same in the Payne bill, is specific, 11 and 12 cents a pound, respectively. It is plain that this specific duty on grease wools is, in fact, much higher on the scoured weight of heavy-shrinking wool than on the scoured weight of light-shrinking wool. Applying the 11-cent duty to the two cases just cited, this duty would be equal to 55 cents a scoured pound for the heavy-shrinking wool and only 12¾ cents a scoured pound for the light-shrinking wool. The price of heavy-shrinking wool per scoured pound for carded woolen goods is usually less than that of worsted wools. These two factors in the problem, the greater quantity of grease and dirt on which the specific duty must be paid, and the lower price of wool for carded woolen goods result in extremely wide variations in the ad valorem equivalents of the Dingley wool duties. An application of the Dingley duty to 60,000,000 pounds of wool sold at London two months ago showed that the ad valorem equivalent of that duty was as low as 23 per cent on light-shrinking and high-priced lots of unwashed wool, and as high as 650 per cent on heavy-shrinking and low-priced lots. The result is that the importations of wool into the United States are confined to the light-shrinking higher priced grades suited for worsted, while the heavy-shrinking and lower priced wools suited for carded woolen goods are excluded from the United States as effectually as if the law made it a capital crime to import them.

This condition is well illustrated by the fact that the average ad valorem equivalent of the Dingley duty on 80,000,000 pounds of wool recently offered for sale in the leading foreign markets was 94 per cent, while the ad valorem equivalent of the Dingley duty on the wool actually imported into the United States last year (1908) was only 44 per cent, because of its light shrinkage.

ADVANTAGES UNDER CLASS 2.

A great many of the wools imported for worsted uses are dutiable under class 2, and aside from the advantage the worsted manufacturer has under a general application of a specific duty he has under this class a further concealed advantage. The terms of this class are: "Unwashed and washed, 12 cents per pound duty; scoured, three times the duty of unwashed."

Note that wools washed under this class can be imported at the same rate as unwashed; or, in other words, the users of these wools can import them in a partly clean condition, with the bulk of the dirt and grass removed, at the same rate as if they were in their natural condition. It is understood that washed means wools washed on the sheep's back. This gives the worsted manufacturers a decided advantage, as they are heavy users of this wool, while carded manufacturers, who use mainly wools in class 1, are obliged to pay a duty on washed wools equal to twice the duty on unwashed. In one case the washed wools are imported at 12 cents per pound, while in the other at 22 cents per pound, a very decided advantage.

It is these conditions from which the carded-woolen manufacturers ask relief. We care not what form that relief takes so long as it is effective, but relief must be given by the Government if the carded-woolen industry, whose function it is to provide warm and durable clothing for the people at a moderate price, is not to be starved to death.

We ask for no reduction in the duty on wool. We ask that as long as wool is imported into this country, the tariff be framed so that it will bear equally on the carded woolen industry and on the worsted industry, so that it will permit the importation of wool suited for warm, durable, and low-price clothing for the masses with no greater proportionate tax than what may be imposed on wool suited for the high-priced clothing. We ask for relief and leave the form of that relief to the lawmakers. We suggest to you, however, that the value of grease wool is based on the value of scoured wool obtained from it, and that in view of the wide fluctuations in the shrinkage in the weight of wool by scouring, there is no escape from the conclusion that the fairest method of levying a duty on wool is in the form of a percentage of its value—that is, by an ad valorem tariff, made effective by a stringent customs administrative law.

Now, we want you to understand clearly the facts. The present 11-cent duty on grease wools admits into this country the light-shrinking long-stapled worsted wools at a low rate per scoured pound that is not more than one-half of that tariff tax contemplated by the framers of the law as a protection to the domestic woolgrowers. On the other hand, the 11-cent duty on heavy-shrinking wools results in a tariff many times that contemplated as protection for the woolgrowers. The effect of the equalization of wool duties which we ask for would be to raise this present low duty on light-shrinking wools to a higher level, at which all wools would bear the same tariff tax.

We are especially favored to-day in illustrating the burden on our industry by the fact that the Payne bill threatens a branch of worsted manufacturing with a burden arising from the same cause, namely, a specific duty on wool of widely varying shrinkages. We refer to the 39-cent duty imposed by the Payne bill on worsted tops. That duty would annihilate the fine-tops industry in this country, just as the 11-cent duty on grease wool of heavy shrinkage is slowly annihilating the carded woolen industry. The working of this Payne duty on worsted tops is illustrated by its application to these four lots of worsted wool combed in American mills.

No. 88.—Coarse quarter-blood wool.

	Duty.
10,000 pounds grease wool, at 11 cents	$1,100.00
6,680 pounds top, at 39 cents	2,605.20
Protection to top maker	1,505.20

No. 230.—Crossbred Australian.

10,000 pounds grease wool, at 11 cents	1,100.00
5,655 pounds top, at 39 cents	2,205.45
Protection to top maker	1,105.45

Passaic.—Fine Australian.

10,000 pounds grease wool, at 11 cents	1,100.00
3,925 pounds top, at 39 cents	1,530.75
Protection to top maker	430.75

Hartley.—Fine merino territory.

10,000 pounds grease wool, at 11 cents	1,100.00
2,173 pounds top, at 39 cents	847.47
Discrimination against top maker	252.53

These tests show that the 39-cent rate on tops gives a very high protection to the makers of tops from light shrinking wools, while the same 39-cent rate means the withdrawal of all protection from the maker of tops from heavy shrinking wool. In the latter case, the duty on the tops is actually less than the duty on the wool, and, as a result, the wool will be combed in foreign countries, imported into the United States in the form of tops, and this branch of top making will be destroyed in this country. We believe that this inequality of rates with which the Payne bill threatens the tops industry should be corrected. We advocate and urge this correction just as we advocate the removal of the same burden that is oppressing the carded-woolen industry. We can not believe that you will grant relief to the worsted industry and refuse it to the carded-woolen industry.

BY-PRODUCTS.

The injustice of the present tariff law, however, is not confined entirely to the schedules on wool. Equally flagrant and unjust inequalities exist in the schedules on by-products. While we are generous enough to believe that these injustices were created unwittingly on the part of our legislators, yet, if there had been a concerted effort made to render it impossible for the carded-woolen manufacturer to procure raw material of any kind with which to produce his goods in competition with the worsted manufacturer, no law could have been made to better bring about the desired result. It was not enough to place a discriminating duty on wools so the worsted manufacturer could get his wools at better value by importing them at a lower rate of duty, but it was deemed wise to place a further prohibitive duty on worsted wastes, nolls, etc., so that we are prevented from getting even these products, except at exorbitant prices, to substitute for the wool we can not get. Does this not look like a clever scheme to hamper us in producing our goods at competing prices? If values are inflated on our raw materials and depressed on their raw materials, how can we be expected to compete with them?

In referring to wool substitutes we do not wish you to get the impression that these are usd for the purpose of cheapening our goods to gain greater profits for ourselves, nor that they make goods that are unserviceable or impractical for the people to wear. They are, on the contrary, one of the greatest agents for practical economy, and are the salvation of the masses in their efforts to get good, serviceable cloth at reasonable prices. The Dingley duties on these by-products are prohibitory, and the Payne bill gives no relief, because the rates, although slightly less, are still prohibitory. The worsted spinner can not use his nolls. They can be converted into cloth only by the carded woolen mills. As a result, however, of the prohibitory duty on nolls, the carded woolen manufacturer does not dare to use them to the extent warranted by their value as a raw material, because any material increase in the demand for nolls would send the price up to the full amount of the duty paid. An increase in the use of nolls could not injure the woolgrower, because he supplies only a small part, about 40 per cent, of the wool consumed by the people. The only effect of an increase in the use of nolls under a fair duty would be to give the consumer a warmer and more serviceable garment in place of the cheap shoddy mixtures and cotton worsteds that the present high duties on by-products force him to wear.

In conclusion, gentlemen, I want to state that we have nothing to conceal. We invite and welcome the closest scrutiny of our case, confident that the more closely it is examined the more convinced you will become that our requests should be granted.

GORDON DOBSON,
President National Association of Carded Woolen Manufacturers.

WASHINGTON, D. C., *April 7, 1909.*

Mr. FRYE presented petitions of sundry citizens of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a resolution of the legislature of Ohio, favoring the enactment of more stringent immigration laws, which was referred to the Committee on Immigration.

Mr. GALLINGER presented petitions of sundry citizens of Gorham, N. H., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BROWN presented petitions of sundry citizens of Nebraska, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Commercial Club of Scotts Bluff, Nebr., remonstrating against a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Grand Rapids, Wis., remonstrating against a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Milwaukee, Wis., praying for an increase of the duty on lithographic products, which were ordered to lie on the table.

Mr. McLAURIN. I present a joint resolution of the legislature of the State of Ohio relative to the enactment of more stringent immigration laws. I ask that it be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the joint resolution was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

House joint resolution 15.

Joint resolution petitioning our Senators and Representatives in Congress to enact more stringent immigration laws.

Whereas the dumping of a million immigrants into the United States annually is a fact for which the world offers no precedent and is a menace to American institutions, the American home, and the American laborer; and

Whereas there are now many bills before the Congress of the United States for the better regulation of immigration and the revision of the tariff; and

Whereas the regulation of foreign immigration is a necessary supplement to the tariff, an essential element in the protection of America from ruinous competition by cheap labor at home, ruinous in our endeavor to establish an American industrial democracy; and

Whereas a protective tariff without proper immigration regulation is a travesty on the industrial problem: Therefore be it

Resolved by the general assembly of the State of Ohio, That we respectfully ask our Senators and Representatives in Congress to enact more stringent immigration laws to protect our people, both native born and naturalized, against wholesale immigration from foreign lands.

GRANVILLE W. MOONEY,
Speaker of the House of Representatives.
FRANCIS W. TREADWAY,
President of the Senate.

Adopted March 12, 1909.

OHIO, UNITED STATES OF AMERICA,
Office of the Secretary of State:

I, Carmi A. Thompson, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office, and in my official custody as secretary of state, as required by the laws of the State of Ohio, of a joint resolution adopted by the general assembly of the State of Ohio on the 12th day of March, A. D. 1909.

In witness whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, this 15th day of April, A. D. 1909.

[SEAL.] CARMI A. THOMPSON,
Secretary of State.

Mr. GAMBLE presented a memorial of the Woman's Christian Temperance Union of Seneca, S. Dak., remonstrating against an increase of the duty on hosiery, gloves, shoes, and other wearing apparel, which was ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. ELKINS presented petitions of sundry citizens of Wick and Bert, in the State of West Virginia, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

REPORT OF A COMMITTEE.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 1884) to extend the free transmission through the mails of official mail matter of the organized militia of the several States, asked to be discharged from its further consideration, and that it be referred to the Committee on Post-Offices and Post-Roads, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FRYE:

A bill (S. 1888) granting an increase of pension to Elbridge P. Wardwell; to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 1889) for the relief of Daniel B. Roberts, late private, Company E, Ninth New Hampshire Volunteer Infantry; to the Committee on Military Affairs.

A bill (S. 1890) granting a pension to Addie A. Robinson; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 1891) granting an increase of pension to George H. Wheeler (with the accompanying papers); to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 1892) for the relief of James F. Curley; to the Committee on Military Affairs.

By Mr. WARNER:

A bill (S. 1893) providing for the payment of expenses of judges of the United States courts; to the Committee on the Judiciary.

A bill (S. 1894) authorizing the Secretary of the Treasury to appoint tariff experts to report upon schedules of duty, and for other purposes; to the Committee on Finance.

A bill (S. 1895) authorizing the appointment of a vice-admiral in the navy; to the Committee on Naval Affairs.

A bill (S. 1896) to correct the date of muster of Company F, Pacific Battalion, Missouri Home Guards;

A bill (S. 1897) to correct the military record of William L. M. Patterson;

A bill (S. 1898) to regulate the retirement of certain veterans of the civil war;

A bill (S. 1899) to provide for the payment of a bounty of $100 to soldiers who enlisted in the military service of the United States under the act of July 22, 1861, and who were discharged by reason of surgeon's certificate of disability, or for promotion, before the expiration of two years, and who have not received $100 bounty; and

A bill (S. 1900) for the relief of Richard A. Hodges; to the Committee on Military Affairs.

A bill (S. 1901) for the relief of Charles Yust;

A bill (S. 1902) to carry into effect the findings of the Court of Claims in the matter of the claim of Karoline Mulhaupt; and

A bill (S. 1903) for the relief of August Gloeser; to the Committee on Claims.

A bill (S. 1904) granting an increase of pension to Josiah U. Luyster;

A bill (S. 1905) granting a pension to Daniel Barks;

A bill (S. 1906) granting a pension to Elizabeth C. Cox;

A bill (S. 1907) granting an increase of pension to James A. McCoy;

A bill (S. 1908) granting an increase of pension to Joseph Proffitt;

A bill (S. 1909) granting an increase of pension to David Bartlett;

A bill (S. 1910) granting a pension to Joseph D. Britton;

A bill (S. 1911) granting a pension to Mary E. Campbell.

A bill (S. 1912) granting an increase of pension to William W. Scott;

A bill (S. 1913) granting an increase of pension to Patrick O'Brien;

A bill (S. 1914) granting a pension to Emily Hendricks;

A bill (S. 1915) granting an increase of pension to Reuben M. Elliott;

A bill (S. 1916) granting an increase of pension to Miles J. Williams;

A bill (S. 1917) granting an increase of pension to Charles McIntyre;

A bill (S. 1918) granting an increase of pension to William G. Parrish;

A bill (S. 1919) granting an increase of pension to James A. Warren;

A bill (S. 1920) granting an increase of pension to William H. Brown;

A bill (S. 1921) granting an increase of pension to Louise Spiers;

A bill (S. 1922) granting an increase of pension to Martha W. Smith;

A bill (S. 1923) granting an increase of pension to Martha J. Rowland;

A bill (S. 1924) granting an increase of pension to Jonas Fulmer;

A bill (S. 1925) granting an increase of pension to Fannie E. Brown;

A bill (S. 1926) granting an increase of pension to James S. Anderson;

A bill (S. 1927) granting an increase of pension to Archibald W. Mayden;

A bill (S. 1928) granting an increase of pension to Jane E. Hagaman;

A bill (S. 1929) granting an increase of pension to Samuel E. Barber;

A bill (S. 1930) granting an increase of pension to Charles Middaugh;

A bill (S. 1931) granting an increase of pension to Alfonzo Meyers;

A bill (S. 1932) granting an increase of pension to George W. King;

A bill (S. 1933) granting an increase of pension to Catherine E. Tralle;

A bill (S. 1934) granting an increase of pension to Calvin C. Leaming;

A bill (S. 1935) granting an increase of pension to Andrew Alyea;

A bill (S. 1936) granting a pension to William Bruening;

A bill (S. 1937) granting an increase of pension to Caleb S. Bigham;

A bill (S. 1938) granting a pension to John A. Johnson;

A bill (S. 1939) granting an increase of pension to Mary V. Eveland; and

A bill (S. 1940) granting a pension to Matthew N. Brown (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BRISTOW submitted three amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

IMPORTS OF TOBACCO.

Mr. DANIEL submitted the following resolution (S. Res. 34), which was considered by unanimous consent and agreed to:

Senate resolution 34.

Resolved, That the Secretary of State be, and he is hereby, directed to inform the Senate what duties per pound on imports of tobacco are levied and collected by other nations on imports thereof from the United States, and what countries prohibit importation thereof, or exercise government monopoly in the purchase of tobacco from other countries.

AFFAIRS IN VENEZUELA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 13); which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate:

I transmit herewith, for the information of the Senate in connection with the Senate's resolution of February 26, 1908, a

are inflated on our raw materials and depressed on their raw materials, how can we be expected to compete with them?

[SEAL.] Seal, at Columbus, this 15th day of April, A. D. 1909.

CARMI A. THOMPSON,
Secretary of State.

report by the Secretary of State, with accompanying papers, showing the settlement of the controversies which existed with the Government of Venezuela with respect to the claims against that Government of the Orinoco Steamship Company; of the Orinoco Corporation and of its predecessors in interest, The Manoa Company (Limited), The Orinoco Company, and The Orinoco Company (Limited); of the United States and Venezuela Company, also known as the "Crichfield claim;" of A. F. Jaurett; and of the New York and Bermudez Company.

WM. H. TAFT.

THE WHITE HOUSE, *April 20, 1909.*

THE CENSUS.

The VICE-PRESIDENT. The morning business is closed.

Mr. LA FOLLETTE. If I can have the attention of the Senator from North Dakota [Mr. MCCUMBER], I ask that the conference report on House bill 1033 be taken up.

The VICE-PRESIDENT. The Chair lays before the Senate the conference report.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The VICE-PRESIDENT. The report was read in full yesterday. The pending question is on the adoption of the report.

Mr. MCCUMBER. Mr. President, a census bill was reported from the House at the last session and passed by the Senate. The amendments of the Senate, few as they were, were concurred in and the measure went to the President for his signature. The bill was vetoed upon the ground that it contravened the spirit of the civil-service law.

At the present session the House passed another bill. The Senate considered it and made some amendments to it and it went back to the House and then into conference. Some of the more important amendments, which were for the purpose of making it conform to the spirit of the civil-service law, were eliminated in conference. I should like to ascertain what reasons actuated the committee of conference in striking out some of these important provisions and wherein the bill differs materially from that which was vetoed at the last session.

I think I understand the general idea of the chairman of the Committee on the Census. If I understand aright, he is a believer in the civil-service requirements, and he desires to see an honest enforcement of the civil-service law. It is that the Senator from Wisconsin, who is chairman of the committee, may explain it that I rose to my feet to-day to express my opinion on one or two of these points and to seek the proper information.

I had inserted an amendment before the committee, which was adopted by the Senate. The amendment in substance provided that hereafter all applicants for entry into positions under the civil service should not only declare the State from which they claimed their residence, but should be actual bona fide residents, and should have resided or been actually domiciled in the State or Territory from which they claimed residence for at least one year prior to such examination.

Now, there was an object that I had in asking that this provision should be inserted as affecting the general law, and the object was to carry out what is, I think, the spirit of the civil-service law. As the last bill was vetoed because it contravened the spirit of that law, I am justified in asking why this provision, which is to carry out the spirit as well as the words of the old law, should have been surrendered by the Senate conferees.

I want to have read, or to read myself, a few remarks from one of our city papers. In reading these remarks in editorial and other forms I wish to say that I do not criticise the attitude of the paper, which naturally feels kindly disposed toward the citizens of the city of Washington and is always desirous of looking after their special welfare, even though their interests may conflict with those of some other sections of the United States.

Some time after this amendment was inserted the matter was taken up by the press. The first article that I saw on the subject was one from the Boston Advertiser, which, it seems to me, properly stated the object and purpose of the law. It reads as follows:

It is a reasonable contention that applicants for positions within the general classified service of the Government should be compelled by law to take their examinations in the States to which they are accredited as legal residents. The amendment to the census bill to that effect, reported by Senator LA FOLLETTE as chairman of the Committee on the Census, is, on the face of it, proper and timely. The practice of living in one State and claiming legal residence for reasons of political or financial advantage in another—in a State in which the claimant has never had actual residence—is mischievous.

I am reading this especially for the benefit of the Senator from South Carolina [Mr. TILLMAN] and the Senator from West Virginia [Mr. ELKINS].

Mr. TILLMAN. Mr. President, if the Senator will permit me, I beg his pardon if any little conversation with my friend here has interfered with the progress of his speech. I will try to listen hereafter, and if he has anything for my special benefit I am sure to listen.

Mr. MCCUMBER. I know the Senator will take an interest in this matter, and that is why I want to direct the attention of the Senator to it.

Mr. ELKINS. I want to say that I was paying the strictest attention to what the Senator said, and I do not know why he referred to me. I am delighted to listen to the Senator.

Mr. TILLMAN. I shall be delighted to hear every word.

Mr. MCCUMBER. I am delighted to have the Senator listen to this:

The practice of living in one State and claiming legal residence for reasons of political or financial advantage in another—in a State in which the claimant has never had actual residence—is mischievous, and is an evasion of the direct purpose of the civil-service regulations, made use of to skirt the edges of the civil-service requirements. The proposed amendment appears to have the excellent purpose of forcing adherence to the exact intent of these civil-service rules. If the spirit of the civil-service law is correct, the law should be so worded, directly or by amendment, as to be capable of exact application.

It is difficult for the true friend of the real merit system to understand why state boundary lines should be drawn in restriction of the men and women who seek employment under the Government. No corporation in search of workers asks the candidate the place of his birth or residence. It ascertains what he knows, what his qualifications are; his habits and his aptitude for improvement. It takes the best and most promising men it can find and expects them to adjust themselves as to residence and ways of living to its requirements.

It might have added, also, that the corporation employs its own men and it passes judgment upon those men. There is not a board composed of outsiders to select the men and pass upon their acquirements and say to the corporation: "You shall take these men, and no one else, whether you want them or not; they are the persons who, we say, are particularly fitted for your class of business." But that is the system we are working under in giving employment to those who seek government service.

I especially desire to call the attention of the Senator from Wisconsin [Mr. LA FOLLETTE] to what I am now about to read. The article says further:

A Massachusetts man is no less capable of discharging the duties of a position in the Census Office if he takes the examination across the line in New Hampshire. Nor is a Rhode Islander better fitted to do Uncle Sam's work if he slips over the boundary and appears before the examiners in Massachusetts. Why Massachusetts should have a "quota" of patronage seven times as great as New Hampshire is explainable only in terms of spoils, not brains, despite the tradition of the abnormal intelligences produced in the Bay State.

I leave that particular proposition to be answered by any Senator from Massachusetts who desires to answer it. The proposition against which I am contending, and which is against the idea of the papers of this city, is that the city of Washington should be accorded all of these positions. I hold that we should not seek to deprive the different States of their quota of these positions.

One of these papers goes so far as to say that, as a rule, the Washingtonians will be found to be better qualified for these positions than those from the outward States, inasmuch as they live in the atmosphere of the particular kind of work. For myself, I am inclined to think that a resident of Wisconsin is as well qualified to fill these official positions as a resident of the city of Washington.

During my service here I have often had to employ those in the city, and I would not be justified in saying that those persons are better qualified than those from my State or from any other State in the Union.

The whole question is a question whether or not the apportionment under the civil service, which is accorded to the several States according to their population, is a good law or whether it is a bad law. If it is a bad law, we ought to get rid of it now and have nothing more to do with it. If it is a good law, it ought not to be avoided by a fraudulent system that has been in vogue ever since this civil-service law has been imposed upon the American people.

I wish to call the Senator's attention to information which I received but a short time ago, to show the working of this law. I maintain that 90 per cent of the officials or those holding clerkships in the departments in the city of Washington are residents of this city, and that the other 10 per cent may fairly be said to be some of all the balance of the United States. If we were to follow the rules of the civil-service law, Washington might have 2 per cent and the balance of the United States possibly the rest of the official places here in the city. As I said, if the law is not a good one I am in favor of repealing it, but if we ought to accord to each of the States its proper quota in the departments, then I insist that the provision which I asked to have inserted in the bill should have been enacted into a law.

Here is one of the sections, the section of manufactures, containing nine people, in the Census Office, the office that we are dealing with.

When I came here ten years ago I selected four people for positions in the Census Office. Three of them, I believe, have gone out. They attended the night schools. One became a physician, another learned some other profession, and they are now doing well in their professions. They got the benefit of that law, and they were entitled to come here. Under this new provision you have practically to cut out all representation from the States and employ those on the new census who may have worked a week or ten days on the previous census, and who have had some qualifications in punching cards. This, which is a privilege as well as a benefit which has been accorded to the citizens of the several States, is to be denied them under this bill.

Now I want the Senate to listen to this one report from a single section containing nine persons. They happen to be all women. One who has employment there is the wife of a secretary to a Congressman. Two of them are wives of officials in the War Department. One is the wife of a prominent person in the Treasury Department; one is the wife of a traveling man; another is a married woman—married lately. I do not know that her husband is in the government service. The others are three widows who have to take care of themselves and families. The promotions seem to be given almost wholly to the women who have husbands in the departments.

Now, I ask candidly if that is a fair construction of the civil-service law?

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Will the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. MCCUMBER. Certainly.

Mr. GALLINGER. It is a well-known fact, Mr. President, that in all the departments two, and in some cases three, persons from the same family are employed. There are husbands and wives employed at large salaries to my knowledge. I have always felt that that ought not to be permitted.

With a view of minimizing the evil, so far as this bill is concerned, I moved an amendment reading as follows:

Provided, however, That in no instance shall more than one person be employed from the same family.

That is, in the taking of the census. The committee of conference in its wisdom receded from that amendment and it has gone out of the bill. So the Senator from North Dakota may well understand that in addition to the fact that husbands and wives are employed in the departments, the sons and daughters of those people will be employed in the Census Office, and we will have almost whole families employed in the government service, residents of the city of Washington.

I remember that in an investigation I had something to do with a good many years ago the fact was disclosed that in one instance a husband and wife, two children, and three or four nephews and nieces were employed in the government service. I do not know that there is any way to obviate the difficulty, but I had hoped that the simple little amendment, which upon my motion went into the bill, would have been retained by the conferees. However, in that respect I am disappointed.

Mr. MCCUMBER. Mr. President, not only is the statement correct as given by the Senator from New Hampshire, but, as a matter of fact, this is growing to be a city of official families holding positions under the Government. Here is a man who, perhaps, passed through New Hampshire thirty or forty years ago or lived there that long ago, got a position in the city of Washington, and has remained here ever since. He has never been back to New Hampshire. He has raised a family of children and grandchildren. All of his children are in the public service here, and all his children and grandchildren are claiming to be residents of the State of New Hampshire. Some kindly disposed notary public, who is acquainted in some way with somebody who knows the family, certifies that they have been residents of that State, because residence is a question of intent, and if a person believes that he lives in such a place and claims that that is his home, though he never lived there, he can get any number of people to certify that it is his home, because he claims it as his home.

Now, according to the view point of the papers of this city, that is what ought to be the case. I read from the Star of April 13 for the benefit of the Senator from Wisconsin, in which, speaking of the citizens here, it says:

Yet, they are particularly well qualified for that service, living, as they do, in the atmosphere of departmental duties and routine. In many cases their parents have been employed by the Government, and they are acquainted with the traditions and the requirements of the federal work. In the circumstances they are ideally equipped to render the most effective service to the United States, and it is altogether likely that in a free-for-all competition for departmental appointment, without geographical or political restrictions, the local residents would prove themselves more efficient than the majority of their rivals.

That may be the case, Mr. President, but I am a little inclined to think that if you will examine into the sick leaves you will find there are very few of these extra capable residents of the city who have not always taken their full thirty days' sick leave, as well as their full thirty days' leave of absence besides; and I think you will probably find that the outsiders will take as few days, both of sick leave and of vacation, as those who reside in the city.

But whether they are as well qualified or not, I insist that as long as the Government pays, and it does pay, almost double the salaries for like service that is paid by private corporations or individuals, it ought to extend its favors fairly throughout the Union and to those people who support the Government.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. MCCUMBER. With pleasure.

Mr. TILLMAN. The Senator kindly directed his remarks to me a moment ago, saying that he was going to read something for my special benefit. I have been listening very carefully ever since my attention was called, and I at last have arrived at the conclusion that the Senator is complaining of the Civil Service Commission and its working. Am I correct?

Mr. MCCUMBER. I thought, Mr. President, that, the Senator being a strict states-rights man, he would find something in this matter that would interest him.

Mr. TILLMAN. But I asked the Senator the question.

Mr. MCCUMBER. Therefore I called his attention to the fact that all the States are absolutely deprived of their rights under the working of the civil-service law.

Mr. TILLMAN. Is the Senator complaining of the Civil Service Commission and its working?

Mr. MCCUMBER. I am complaining, Mr. President, because——

Mr. TILLMAN. That is not the question. Will the Senator give me a direct answer? Is he complaining of the Civil Service Commission's administration of the law?

Mr. MCCUMBER. The Civil Service Commission do not seem to administer the law.

Mr. TILLMAN. Then what does the Senator propose?

Mr. MCCUMBER. I propose an amendment requiring every applicant for an examination not only to be a resident of the State in which he claims residence but to prove his residence, and that he shall have had an actual domicile in that State for at least one year previous to the examination.

Mr. TILLMAN. When was that amendment offered?

Mr. MCCUMBER. That amendment was offered and agreed to before the bill passed the Senate.

Mr. TILLMAN. What has become of it?

Mr. MCCUMBER. The amendment went to conference and it was disagreed to by the conferees.

Mr. TILLMAN. And now we are to pass on it by a vote, and declare whether we will sustain the Senator or sustain the conferees?

Mr. MCCUMBER. That is the very question that I desire to have passed on.

Mr. TILLMAN. I want to get at the true inwardness of the situation.

Mr. MCCUMBER. I know that the Senator has been sick and absent.

Mr. TILLMAN. I have been absent, not sick.

Mr. MCCUMBER. And therefore he is not acquainted with all that has been going on. I am assuming that he has read what has been doing in the Senate, and I did not think it necessary for me to go over all the questions.

Mr. TILLMAN. I have not read all that has gone on, because there has been little going on except adjourning from day to day, and I did not think it worth while to read the CONGRESSIONAL RECORD.

Mr. MCCUMBER. If the Senator will read the CONGRESSIONAL RECORD, he will find that something has been going on upon the report of the Census Committee.

Mr. TILLMAN. Will we have an opportunity to vote with the Senator on this question?

The VICE-PRESIDENT. Will the Senator address the Chair?

Mr. TILLMAN. Mr. President, I beg the President's pardon. I hope that he will hold all others to the same rule.

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. I yield, Mr. President.

Mr. TILLMAN. I hope the Senator will give us an opportunity to go on record as to whether we want his system of appointments carried out or whether we are going to allow the Civil Service Commission to ignore the law, as it has been doing.

Mr. McCUMBER. I hope that after the Senator from Wisconsin and those on the conference have explained their views on this subject we may have a vote upon it, unless they show that it would be wholly useless to have a vote at this time.

But I want to call the Senator's attention again to a paragraph in the Star of the 13th, in which we find these words:

> This paragraph requires that persons appointed to position in the new service under the apportionment of offices law must have been bona fide residents of the States to which they are accredited for at least one year.

They object to their being compelled to say that they are bona fide residents. They say:

> This virtually deprives the people who live in the District of all chance of appointment to places in the departments.

The reason is, it has been suggested, that their quota has not only been filled, but it has been filled several times over.

Now, I wish to call the Senator's attention to an article in the Star of April 16 in which, after complimenting the conferees very highly for their work in striking out this provision, it says:

> This action of the conferees will enable residents of the District who claim legal residence—
>
> Not who have legal residence, but who claim legal residence—
>
> in the State or Territory from which they originally hailed or from which their parents come to enjoy the opportunity which they enjoy at present to obtain employment not only in the Census Office during the taking of the Thirteenth Census, but in all other government offices. If the Senate amendment had become law, the people of the District would have been cut out entirely, for the District quota of government employees under the civil-service law is always filled to overflowing.

Mr. President, the whole question, as I have stated, is whether or not the several States are entitled to their apportionment. Every Senator here knows that the States have been robbed of apportionment under the operation of this law, and the way they have been robbed is by a claim of a legal residence where no residence was actually obtained or had ever been obtained by the applicants. Many young men throughout the several States of the Union are anxious to come to this city and work for a few years in government service, and then, after getting an education at the night schools, to return to the States from which they came. That opportunity ought not to be denied them. That opportunity is denied them. In these appointments, as I have shown, whole families are taken in; and not only whole families, but, as I have shown here, in one little subdivision the wife in one instance is taking care of the husband, and in the other instances six out of nine are married women, and the husbands are also in employment in other branches of the Government. While this is going on, and while these families are drawing two salaries, people in your State and in my State are being denied the right that the law gives them and that the rules give them.

I asked General Black, who is at the head of the Civil Service Commission, when before the committee the other day, if there would be any difficulty whatever in securing from the several States a proper quota. He said there would be none in the world. We have examinations every six months in every State and Territory in the United States, and the quota could be filled with good and competent people.

I hoped that this provision might be adopted that would shut off the fraudulent practices. I am not much of an admirer of the civil-service law, Mr. President. I believe in it so far as an examination is concerned. I believe in it so far as securing the best ability is concerned. But I do not believe in it when we carry it to the extent of saying that when once in government position it shall be a life position.

So I believe in a proper civil service; and while I do not agree with the rules that have been laid down in holding incompetent persons in official position, I do think that those rules which give to a State its proper quota will prevent a few of the abuses, and I feel as though that provision ought to have been retained.

Mr. LODGE. Mr. President, I think the amendment that was offered by the Senator from North Dakota and adopted by the Senate strikes at a very real and a very grave abuse. It is perfectly idle to say, as is said in the newspaper article which the Senator read, that such a provision would exclude the inhabitants of the District from a fair representation. They are entitled to their quota, as every State is entitled to its quota in the service, and nothing would deprive them of it. But in practical working they get many times their quota. Persons who have lived in the District, whose connection with a State is purely nominal, whose children have been born and brought up here, claim residence in the State and are put down to the State's quota. The result is gross injustice to the States. The quotas are not real. A State apparently gets its quota, but, as a matter of fact, it does not gets its quota. A large part of it is made up of people who have no real connection with the State at all, people who never go there to vote, and who take no interest in the State or its affairs.

I am very sorry, Mr. President, that it was thought necessary to abandon this clause. Possibly the reason is that it was too sweeping, that it should have been confined to the census; but the evil is as broad as the civil service.

I am glad this debate has arisen, so that we can call attention to this evil, which undoubtedly exists and which nullifies the intent of the law and the arrangement of quotas, which means to distribute the offices under the classified service fairly throughout the Union. That is not done now. There ought to be some way of testing the right of any man or woman to claim a place on a State's quota. There is no such test now that I am aware of.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. LODGE. I do.

Mr. CARTER. Mr. President, the civil-service law appears to vest in the commission quite extensive jurisdiction in the matter of promulgating rules and regulations. As the Senator aptly states, the law now contemplates an equal apportionment according to population amongst the several States. But it is asserted that the law is in practice nullified by virtue of subterfuges employed with reference to residence.

I ask the Senator if it is not clearly within the power of the Civil Service Commission to prevent such violation of the law by indirection through the mere promulgation of a rule which will require evidence of actual residence in a State in lieu of the subterfuge which is now accepted as evidence?

Mr. LODGE. Mr. President, I think the powers of the Civil Service Commission are very extensive in the way of rules and regulations. I have not inquired into the matter lately, but my impression is that they require affidavits, the certification of a notary public, and similar things to prove residence. The trouble is that those are not honestly given. They do not get at the real residence, the real domicile of the person. There ought to be some provision of law which should make the practice to which the Senator from Montana [Mr. CARTER] alluded impossible.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. LODGE. I do.

Mr. CARTER. Mr. President, the laws of the respective States fix certain periods as necessary for a residence prior to casting a legal vote in the State. May not the Civil Service Commission exact from the applicant for an examination, or an appointment thereafter, evidence that such person is, if a male inhabitant of the State, a qualified elector, and, if a female, possessed of the length of residence necessary to qualify a person to vote in the State?

I understand that actual residence within the State is essential, and I can not perceive how the Civil Service Commission can be relieved from responsibility in exacting such proof as may be necessary to secure compliance with the letter and spirit of the law. I think it is known to the members of the Civil Service Commission—bright, intelligent, and observant, as they are; conversant with every violation of the law, and quick to resent it—that this matter of residence is being trifled with; that perjury obtains, that false certificates are given, and that the law is openly and notoriously evaded and violated. That commission, it seems to me, is accountable to the country and the Congress for permitting violations of the law, and it does seem that the Congress should not be required, after expressing its intent in the most clear and specific way, to come forward with additional conditions in order to require or secure, if you please, proper execution of the law by the commissioners, who are generally very vigilant in seeking out those who violate its provisions.

Mr. LODGE. Mr. President, I have made no special inquiry recently, but my impression is very strong that the commission does take what appears to be reasonable precautions requiring, as I have said, certificates, witnesses, and all that

sort of thing. But, as a matter of fact, the abuses continue; as a matter of fact, the States are deprived of their quotas by indirect methods, such as have been described on this floor. If it is within the power of the Civil Service Commissioners to regulate this and to prevent it, then they ought to do it. But I had the impression that additional legislation would probably be needed. I merely wish to say, as one who has taken a great deal of interest in the law, that I think there is a grave abuse there, and that it is unfortunate that the other House has proved unwilling to take any steps toward remedying it.

Mr. LA FOLLETTE. I think, Mr. President, that the abuse, so called, of this provision of the law is somewhat exaggerated. A list of the appointees in the civil service charged to any State will no doubt disclose some names of people who are known not to have been recently domiciled within that State. With respect to the law of apportionment, perhaps this ought to be first said: That nearly one-third of all the employees in the classified civil service at the present time did not come into the civil service through examination and subject to the law of apportionment at all. About 75,000 of the employees within the classified civil service at the present time were classified in under executive order or were covered into the classified service by the passage of the law. So that at least one-third of those who are now serving are not subject to the provisions of the civil-service law which require apportionment. It seems to me that if any criticism can be fairly lodged anywhere for neglect, it lies against the Congress and not against the commission. The commission at present requires proof of residence. Of course it is not possible for them to institute a special investigation with respect to each particular applicant for examination to test the validity of the claim of residence and the proof of residence offered by the applicant.

Furthermore, I think it will be found that a large number of the people who are holding these positions and living in the District of Columbia are actual legal residents of the States, although, according to the popular understanding of that term, they would not be regarded as residents of the States. For instance, some head of a family in the public service here locates his family in Washington, but maintains his residence in the State from which he came twenty-five years ago. He maintains a legal residence there; he is only temporarily a resident of this District. He goes home possibly from time to time to exercise his right as an elector of that State——

Mr. HEYBURN. Mr. President——

Mr. LA FOLLETTE (continuing). Or he may never go home to exercise that right.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. In just a moment.

But if it is his intention to return to the State in which he was domiciled at the time he received his appointment; if he never has abandoned that intention, although he may not have returned to that State for many years, he still retains a legal residence within that State. Now, I will yield to the Senator from Idaho.

Mr. HEYBURN. Mr. President, I would like to inquire of the Senator from Wisconsin whether or not, in his judgment, that right of continuous citizenship in the State from which the man comes is transmitted to any other member of his family?

Mr. LA FOLLETTE. In my opinion the children take the residence of the father.

Mr. HEYBURN. Mr. President, the exception comes always from direct provision of law, either constitutional or legislative. I will call attention to one, which may be taken as a fair example of practically all of the provisions in regard to suspended citizenship in the United States. It reads thus:

> For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of this State, or of the United States, nor while engaged in the navigation of the waters of this State or of the United States, nor while a student of any institution of learning, nor while kept at any almshouse or other asylum at the public expense.

That applies only to a single person as affecting his residence. Would the Senator hold that a son, who is born in the District of Columbia during the incumbency of his parent in office, upon coming of age could go to the State of his parent and vote under that provision?

Mr. LA FOLLETTE. I have not any doubt of it, Mr. President.

Mr. HEYBURN. That seems to me to enter very largely into the question.

Mr. LA FOLLETTE. And I know that that right is exercised by the sons of people who have long resided in this District and who never were actually domiciled within the States to which they go to vote.

Mr. McCUMBER. Will the Senator from Wisconsin allow me to ask the Senator from Idaho another question right along the line on which he is speaking?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. LA FOLLETTE. Certainly.

Mr. McCUMBER. I should like to ask the Senator from Idaho whether or not he believes when a man has left a State to go into government or other employment and has no intention of ever returning to the State from which he came, that his family would thereby always remain residents of that State, there being no intention of ever returning, they having no home or no place of domicile in that State?

Mr. HEYBURN. Mr. President, I think the proper answer to that question is obvious. Of course the intent governs, subject to legal limitations.

Mr. McCUMBER. And if there is no intent to return—and in the case of 99 per cent of the people who are holding these life positions here they never expect to return—then their children and their children's children are not residents of the State from which they emigrated?

Mr. HEYBURN. Mr. President, I should like, with the permission of the Senator from Wisconsin, if I may interrupt him a little longer, inasmuch as I presume he is now answering all that has been said with the intention of closing the debate——

Mr. LA FOLLETTE. No; I was just speaking in reference to one point.

Mr. HEYBURN. Then, I will wait and submit what I have to say in my own time.

Mr. LA FOLLETTE. Mr. President, I do not apprehend that an appointee in the government service here from any State would be found to have expressed or to have formed any fixed intention of abandoning his residence in the State from which he was appointed, no matter how long the period of his absence may be from that State. He could scarcely expect, if he went out of the government service, to remain in Washington, for he could not find employment here in any other service, and if he had no fixed intention of abandoning his residence in the State from which he was appointed, even though he might remain here temporarily, or for a long period of time, his legal residence would still be within that State. So I say, Mr. President, in that respect I do not believe that any criticism of the Civil Service Commission is justified. I do think that there is room for remedial legislation, and if anybody has been remiss, I think it has been Congress.

I will say to the Senator from North Dakota [Mr. McCUMBER] that personally I was, and am still, in entire sympathy with the purpose of his amendment. I do not think that it was altogether perfect. After the matter went to conference, my attention was called to one feature of that amendment, or to an omission from it, which, I think, made it very objectionable.

Mr. McCUMBER. I think I know to what the Senator refers, but I will ask the Senator if that could not have been obviated by a very slight amendment?

Mr. LA FOLLETTE. I was going to state very briefly to what I referred.

Mr. McCUMBER. I want to say right here, if I may, that there seems to be a misunderstanding as to the object of that provision. I do not think it applied to anyone except those who were entering the service, and not for examination for promotion or transfer after they had been in the service.

Mr. LA FOLLETTE. I agree with the Senator that that was the construction that should have been given to that provision of the amendment. I think, however, that it could have been more clearly worded in that respect. That, however, was not the matter to which I wanted to call his attention, for I hope that the Senator will put his amendment into a bill, introduce it, and let it go to the Committee on Civil Service and Retrenchment, where it will receive consideration and from which committee I have little doubt that it will be favorably reported, for I say that, so far as I am concerned personally, I agree with the purpose generally of the amendment. I think that the legislation is actually necessary if this defect in the law is to be remedied. It can not be done by construction or by the promulgation of rules by the Civil Service Commission.

I do think that the amendment was defective in one respect. It should have provided an exception to the general rule, and that exception ought to be—and I should like the attention of the Senator from North Dakota, because I am saying what little I say largely in response to what he has offered here this morning——

Mr. McCUMBER. I am listening to the Senator.

Mr. LA FOLLETTE. I think an exception should be made to the rule laid down in the Senator's proposed amendment, and that those who are to be examined for scientific and technical

service ought to be excepted from the requirement of being examined in the States of their domicile. In that limited field, it seems to me, the Government ought to be permitted to make its selection from the widest possible area; but, so far as the greater part of all the civil-service appointments are concerned, I believe that one State can offer quite as competent candidates for positions as another State, and it seems to me that, without interfering at all with the operation of the merit system, the appointees can be fairly apportioned among the several States.

But, Mr. President, we had to deal with the Representatives of the House in conference upon this subject. There is every reason in the world why this census bill should become a law just as soon as possible. The Director of the Census will be pushed to the limit to provide for the housing of the large additional force that is to be made to the census force within the time limit, and he will be driven hard to complete the census within the period fixed by this bill. So we were obliged to make some concessions in order to arrive at an agreement in the conference committee and bring this legislation to a speedy conclusion.

The House members of the conference committee were able to urge with a good deal of force that it was an amendment of the general civil-service law; that it had not fairly any place upon a bill simply to provide for the taking of the decennial census; that the general civil-service law perhaps required amendment in many other directions, and that a bill ought to be introduced, taken up by the proper committee, and reported at an early day covering the whole field. Acting as best we could to carry out the purpose of the Senate, holding fast to as many as possible of the provisions that the Senate wrote into this bill, yet in order to get a report before this body and the other body as speedily as we could we were obliged to make some concessions, and this among others.

I want to say with respect to the criticism generally that only the appointees provided for in section 3 of the bill as passed by the Senate are taken out of the classified service by the agreement which the conferees arrived at and are left to appointment by the Director of Census, with such examination as he chooses to prescribe. With respect to all other appointees provided for in the bill, except operatives of mechanical appliances who have had previous experience in census work, all of the clerical force, messengers, assistant messengers, and so forth, are required to be appointed upon a competitive examination given by the Civil Service Commission upon tests to be prescribed by the Director of the Census.

So that, in so far as concerns the preservation of the civil-service features, the absence of which was the cause of the veto of the previous bill by President Roosevelt, I think the conference report is above reproach and fairly meets and more than meets the criticisms of that veto.

Mr. McCUMBER. Mr. President, I wish to say to the Senator, in answer to his suggestion that the matter might be postponed and be taken up in a special bill, that I think it is particularly pertinent now, when the question of the civil service is being discussed and more or less being modified in the particular bill before us, to modify it in another direction that will bring about greater justice in the administration of that law. Such an amendment can be secured, if at all, probably as well by another conference as in any other possible way. I wish the Senator would consent to allow the matter to go into conference for one day more, so as to see if he can not so amend that section, if he thinks there is anything objectionable in it, and that the House may agree to it.

It has been suggested in the article which I read—I did not read the whole of it—that this provision was adopted without due consideration being given to it. Consideration has been given, at least in this debate, to the principle involved, and I should like a vote of the Senate upon the question whether or not it is the belief of the Senate that each State should have its quota in the government employment. If it should, we ought to disagree to the conference report, let the bill go back to conference again, and make one attempt, at least, along the line that has been suggested. If an agreement can not be had to-morrow, certainly I would not further obstruct; but I hope that we may have a yea-and-nay vote upon that question, so that we may have the sense of the entire Senate upon the simple proposition.

Mr. HEYBURN. Mr. President, I should like to inquire of the Senator from North Dakota if his objection in any way affects the employees of the Census Bureau outside of the city of Washington, or is any class affected by it outside of the employees in Washington?

Mr. McCUMBER. To some extent I have no doubt that possibly citizens living in one State, having really a home in one State, often claim residence in another State whose quota is not filled; but the main objection is to those living here in the District of Columbia claiming a residence where an uncle or aunt or some relative of that kind lived thirty or forty years ago.

I want to call the attention of the Senator to one case that I found when I first came down here. I met a man who was running an elevator, I think, and he told me he was from my State. I asked him from what portion of the State he came, but he could not remember the name of the place. He said he had a son-in-law who took a claim out there once and that he had visited him at one time. Upon the strength of that visit and the residence of his son-in-law he claimed a residence in that State, and was awarded a position as a resident of that State. I want to meet such conditions as those and to prevent that character of fraud.

Mr. HEYBURN obtained the floor.

Mr. BAILEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Texas?

Mr. McCUMBER. I yield to the Senator. I am through.

Mr. BAILEY. I thought the Senator from Idaho had merely taken the floor to make an inquiry.

Mr. HEYBURN. I will only retain it for a moment.

Mr. BAILEY. All right.

Mr. HEYBURN. Mr. President, as I understand the situation—and I have given some little attention to it—it affects only about 4,000 employees of the Census Bureau—that is, those who will be employed in Washington City. Their right to this patronage is what you might call an "inherited right." They inherited it by virtue of having come to Washington as a part of the civil-service machinery, which is practically an appointment for life to the service of the Government. I have frequently wished that we might have the civil-service question squarely before the Senate for consideration. There are very great evils existing under it, which I do not now propose to take up for any extended consideration; but I hope to see the day when the civil-service law will carry with it a limited tenure of office. The evil grows out of the fact that once in always in, without regard to the result of age or conditions that may disqualify a person who is once appointed, until—while I respect and honor gray hairs—if you will look down some of the aisles in some of our great departments, you will see a sort of snow-drift of age, respectability, and former competency, to be estimated and dealt with. We have got to meet it either by a pension law for those who have become unable to render the service for which they are paid, or to establish a limited tenure of office. I do not think anyone should be called upon to serve the Government under the civil service for more than ten years. If within ten years they have not by their frugality laid a sufficient foundation to enable them to go back to the part of the country from which they came and take up the burden of individual citizenship, then there is something wrong with them. I do not believe in the habit of office holding. I believe in a limited tenure, say of ten years, that would rotate and afford just as effective and able a service as we have to-day, and which would eliminate a number of objectionable features from it.

I merely wanted to make the suggestion in connection with this matter more because we so seldom have the question of the civil service before us. Frequently bills are introduced intended to mitigate the evil, but they never reach action. We are face to face with it now. We are providing that about 4,000 employees of the Census Bureau may be appointed from the city of Washington by the ordinary methods of the Civil Service Commission. That is a small proportion of the employees. I understand that there are to be something like 70,000 enumerators, and, taking them all together, something like 120,000 employees. This is a very small proportion, and I would not think it worth while to make any serious controversy about it. But one of these days we must take up this civil-service question and arrive at a wiser conclusion regarding it than that with which we are confronted to-day.

Mr. HALE. Mr. President, the committee of conference found itself confronted with a serious difficulty. The positions taken upon different parts of this bill by the two bodies were directly opposed. We found, for instance, a very strong feeling on the part of the House, as represented by its conferees, that the supervisors, who have charge of the census in the different States, should not be subject to the scrutiny of the Senate, but that the appointments should be given by the President outright; that, as the phrase is used, he should have a free hand.

We found serious controversies with reference to the housing, the accommodation, of the census, and that the Senate had taken one position and the House another. We found differences between the two Houses upon the salaries, where the Senate had

reduced. We found, Mr. President—and it was a matter of serious moment to the conference—that every day's delay embarrasses this great work, and that it ought to have been set afoot and been in operation before this.

Under these conditions the result of the report was concession upon both sides. The amendment offered by the Senator from North Dakota and adopted by the Senate commended itself to the Senate conferees, as it had to the Senate. It was not perfect, but sought to accomplish a good purpose. But the Senate conferees found the House conferees obdurate upon this, and it was claimed by them that here in a census bill, devoted to census purposes, an amendment to the general civil-service law, applicable to residence in States and the appertionment of appointments, had been put on; and the House conferees declared that they could not agree to it. Under these conditions, with all these things standing before us, the report was made up by mutual concessions.

Mr. President, the Senate can reject the report. The House has sessions only twice a week. If so, it has all got to go back. In the meantime the tariff debate is pushing and pressing, and there is the gravest danger, Mr. President, if this report is not adopted, although it does not please everybody, that the whole business will be turned aside, and not only days, but weeks, may pass before anything is done or can be done in the condition of the business of the two Houses.

It is for the Senate to say. We have done the best we could. We have made concessions—important concessions; the other side has made concessions—important concessions. The bill in itself, in its provisions, is a good one. It does not contain everything that everybody wants, but it is the result of a fair and open conference between the two Houses, and I have never known, under such circumstances, the Senate without consideration to turn it aside and reject the report. I hope it will not be done now.

Mr. BAILEY. Mr. President, as one of the conferees of the Senate, I sought, of course, to sustain its action with reference to this particular amendment, though I made no concealment there and I make no concealment here that the amendment is subject to a very sound objection. Not that the amendment itself, or that the purpose which it seeks to serve, may not be desirable; but it is always a bad practice to incorporate general legislation in a bill relating to a particular and a single matter, and had I been on the floor of the Senate when the question was taken I would have voted unhesitatingly against this effort to perfect a law which the Senator from North Dakota knows to be a humbug and a sham, as well as I do.

I have found some satisfaction in these discussions because they illustrate how this just and perfect law has been made to cheat communities as well as individuals. I want to say that I am not yet persuaded, as a matter of principle, that men are to participate in this Government according to their education any more than I am that they should according to their locality, although other things being equal I should prefer to vote for a man from a State which had not been fortunate enough to secure its fair quota of the public offices.

But if your civil service has any merit in it at all and if education is to be the test, then the man with the best education, no matter where he comes from, ought to have the office. In other words, if you establish an educational qualification, and if you are to judge men by the grade which they can make upon an examination, then the man who makes the highest grade, though he come from the State of Maine, should have preference over the man of lower grade, though he come from the State of North Dakota. They concede that their educational requirement is not perfect, because they provide that the apportionment among the States shall be made, and thus the applicants from a certain State are only required to compete with the other applicants from that State. But here again these well-meaning people commit a palpable and frequent fraud by putting in men whose State's quota is already more than full as compared with other States.

But all that aside, if I believed in the principle of the civil-service law and if I believed that the general civil-service law ought to be amended on this particular bill, I should still have felt constrained to yield to the House contention, as I understand it. If I am wrong, the Senator from Maine will correct me; and he may probably, in the moment that my attention was diverted, have stated this himself. But if he has not, I will; and if I misstate it, the Senator will correct me.

My understanding is that the rule is well-nigh universal that when either body incorporates a provision of general law upon a bill relating to a particular subject, the body doing it is the one to recede in case of a firm disagreement between the two Houses. Is that generally true?

Mr. HALE. So far as I know that is the rule generally observed.

Mr. BAILEY. It is not only the general rule, but it is a general rule founded in common sense as well as justified by long and continuous practice. If either House could defeat particular and necessary legislation by incorporating into these particular bills a provision for the amendment of a general law, then either House could be prevented from expressing its independent judgment upon the general question.

Mr. LODGE rose.

Mr. BAILEY. The Senator from Massachusetts rises.

Mr. LODGE. I merely wish to ask the Senator a question in this connection. Undoubtedly the practice is just as the Senator from Maine has stated it. But this bill, as it originated in the House, amends the general law.

Mr. BAILEY. This bill as it originated in the House may amend the general law, but the Senate has made no objection to that amendment or to those amendments. Therefore they pass, no one protesting; and so it would be if the House did not object to this amendment to the general law incorporated in the bill by the Senate—it would pass.

I do not dispute the right of either House—though I do question the wisdom of the practice—to seize upon any particular bill and to force, if it can, an amendment to the general law. All I state is that under the practice the House, incorporating an amendment to the general law upon a particular bill, must yield if the other House resists. I repeat that is not only the long practice, but it is the sensible practice, or otherwise one House could say to the other, "Unless you amend the general law, you shall not pass this particular bill." So I think that, all things considered, the report ought not to be sent back with a command to the Senate conferees that they demand of the House to yield on an amendment to the general law against which they protest.

I have no authority to speak for the conferees of the House; I have no right to divulge what passed in the conference committee room; but I think it reasonably certain that they will not yield to this provision, and I may be permitted to state, without assuming to state what they think about it, that in a work like the census work, to be done rapidly, to be done almost as an emergency work, it is practically impossible to hold these examinations in the distant States and bring people here to do this work. One of two things would inevitably happen: Either you must keep many men here on a waiting list, at the Government's expense or at their own expense, or else you must send for them, and you must delay the work which an emergency requires until they can set their houses in order and make the journey to Washington. That will certainly mean days, weeks, and perhaps it will be months.

Mr. President, I have not had such a long and such a minute experience as has the Senator from North Dakota, but I have recently had called to my attention a very great hardship worked under the civil-service law.

A bright young girl from my own State was brought here under one of these examinations. She passed the probationary period. She was given a permanent appointment. Four months after she was given her permanent appointment she was notified that on the 1st of July she would be dismissed; and thus this young girl, brought from a distant State at an enormous expense—enormous compared to her ability to meet it—stays here less than eight months in that position when she is notified that she is to be dismissed. I think it has been no advantage to her to be brought here and serve in that fashion.

I am not perfectly certain that we do our constituents a service if we bring them from our States to locate them here, because they cease to be citizens, or at least, according to the contention here, they cease to be citizens. They are almost aliens under their own flag. They are not permitted to exercise the right of suffrage here, and if the doctrine we have heard this morning is to be put in force they will not be permitted to exercise suffrage in the States from which they came. I am not prepared to think that a due participation in the offices which are to be filled here at Washington is a very valuable right.

I am of the opinion that in the average case we do a bright young man an injury, a positive injury, to withdraw him from the activities of his State, a useful business or professional career, and bring him here and set him down in one of these offices, even if the tenure is long and the salary certain. But whether that be right or wrong, whether these offices under what you are pleased to call the "merit system" shall be apportioned among the States or not, you can not successfully apply that rule to an emergency work.

Mr. President, it was stated before the committee that it took them six months at one time under the civil-service law to procure an assistant engineer in one of the departments. They stood the examination, and three names were certified, probably; they selected one, and that one did not want to accept the

place. Then they appointed another, and he had gone away from where he was. Perhaps they could not find him. They then appointed the third man, and he said he wanted time to make his preparations to come here.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. It may be interesting to the Senator from Texas to know that it has taken nearly as long as that to get a fourth-class postmaster in a town where the post-office pays only $100 salary, since the civil-service law was made to cover those offices. I understand there have been a great many vacancies which could not be filled, and that there are post-offices to-day with no official and responsible head, awaiting designation for appointment under the civil-service law.

Mr. BAILEY. The Senator from Michigan is speaking, of course, within his knowledge. I have no doubt there are many instances like that which could be found, but when you want work done at once you want a man to come. He can not leave the next day. If he is fit to serve the Government, he is making a living, working either for himself or for somebody else. If he works for himself, he can not close his shop and inconvenience his customers. If he is working for somebody else and is an honorable man, he can not lay down his tools when he receives a message from Washington and walk out and leave his employer with nobody to take his place. He must be fair to those for whom he has worked or with whom he has worked. He must give them sufficient notice to obtain somebody to take his place. Must the great and rapid work of the census wait upon that slow process? It is impossible to apply this rule to a work that must be done with dispatch; and the Congress of the United States will, in my judgment, make a serious mistake if it refuses to allow the Director of the Census, when this work is required to be done in so brief a time, to employ the best talent he can find, and wherever he can find it, for a work that will not wait for somebody to come from a distant Commonwealth to do it.

Mr. NEWLANDS. Mr. President, I am surprised to find that the conference report states that the Senate receded from Senate amendment No. 37, relating to the housing of the Census Office, for I was led to believe from the newspaper report which I saw yesterday that this particular amendment had been accepted.

The Senate will recall that the House provision was that the Government should purchase the present site occupied by the Census Office, at a cost of $430,000, and should add a new building, at a cost of $250,000 more, and that the Senate's action gave the Government the alternative either of pursuing this course or of purchasing a new site and of erecting a building upon it or of erecting a building upon some site now in the ownership of the Government, such as the site intended for the Hall of Records, all of course within the limits of an appropriation of $750,000.

I should like to ask the Senator from Wisconsin, the chairman of the committee, who is in favor of this amendment, whether any considerations were presented in the conference which led him to doubt the wisdom and justice of this amendment?

Mr. LA FOLLETTE. I will say, in answer to the Senator from Nevada, that my own personal judgment has not changed with respect to the wisdom of the Senate amendment but, as the Senator well understands, we were confronted with differences of opinion which had to be adjusted if a conference agreement was to be reached at all.

Mr. NEWLANDS. Whilst there is much in the contention, so far as concerns the amendment urged by the Senator from North Dakota, that the Senate should yield regarding an amendment, covering general legislation, to a bill devoted to a particular subject, yet that argument can not be applied to this amendment, for this belongs to this particular bill, and it relates to the housing of this great force of three or four thousand people who are to do the work called for by this bill.

I see no reason why the Senate should recede from this amendment. I see no reason why it should not insist upon it. This amendment does not involve necessarily the rejection of the House provision, for it was included within it. The Government, under this amendment, can, if it deems it wise and just, purchase the existing site and building and put up the construction called for by the House bill. But under this amendment of the Senate the Government can also, if it deems it unwise and injudicious and inhumane to put 4,000 employees upon an insalubrious site, in a place ill adapted for this important work, either buy a site or utilize another as yet unutilized site in the ownership of the Government to which these objections do not apply, and can within the limits of an appropriation of $750,000 provide for these 4,000 employees in a manner becoming to common humanity.

I have heard no one contend that the present location of the Census Office is a proper one. We all know that during the taking of the last census the employees suffered severely from the inconveniences of that location. The chairman of the Census Committee himself informed me that at the hearing evidence was given to the effect that during the heated season it was a daily occurrence for seven or eight of the employees to be removed from the building in a state of utter prostration, caused by the intense heat. We know that a large portion of that building is covered by a skylight, through which the sun beats with great intensity, and that in these rooms human beings are crowded; that the site is insanitary, the lowest in the city, right over the old Tiber Creek, and they have been compelled at that site to have a force of nurses to take care of the people who have been made ill by reason of existing conditions. Yet the House refuses even to let the Government exercise its judgment regarding the situation.

I presume the statement will be that this will mean loss of time. The census is to be completed within three years from next January. How much time will it take the Secretary of the Treasury, under the Senate amendment, to come to a conclusion? He can summon before him immediately the Director of the Census, the Supervising Architect of the Treasury, a great architect like Post, of New York, or Burnham, of Chicago, the great Fuller Construction Company, and determine within three hours whether it is possible to put up such a building as is intended for census purposes within a period of from nine months to one year, and, if it is impossible to do it, can he not then accept the existing site under the Senate amendment?

Is there any doubt that such a building can be constructed within nine months or a year? I had here the other day a letter from the Fuller Construction Company, which has put up most of the great buildings of the country, certifying that they can complete such a building within ten months. Do we not all know that the great Stock Exchange Building of New York, a magnificent building, monumental in character, was planned and constructed and completed within one year? Are we not to give the Government at least one opportunity of indicating that it can do a businesslike thing in a businesslike way? Does the House fear to submit to the Secretary of the Treasury the opportunity, within a few hours' conference, of calling together the big architects and the big constructors of the country and determining this question?

When we witness the great constructions of the country, the marvelous celerity with which the great White City of Chicago was constructed, the great celerity with which buildings were put up at Buffalo and St. Louis, what reason have we to doubt that this can be completed within one year? It involves simply the construction of a structure of large spaces, rooms 50 feet wide and 100 feet long, and we all know that the great time that is taken in the construction of some buildings is in the interior finish, in the finishing of small rooms—bathrooms and things of that kind—whereas here it is the construction of large spaces. A great architect can design an attractive building, one that will please the eye, with all these spaces, within a week; he can do it within three days, for he has only to follow models that are within his actual experience. A great constructor can take up this work, and if necessary pursue it night and day.

Why should we not give the Government a chance to exercise its judgment, and if in its judgment it is possible, to do this desirable thing, when the health and the safety of 4,000 employees are concerned, regarding whose interests Congress has not been so considerate as it should be?

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. NEWLANDS. Certainly.

Mr. BACON. I should like to inquire for my information if the Senator knows to whom this property belongs.

Mr. NEWLANDS. It belongs to an estate. I can not recall the name of the estate. I have no reason to doubt that the amount is reasonable.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly.

Mr. LA FOLLETTE. If the Senator will yield a moment I will state that it belongs to the estate of M. G. Emery.

Mr. NEWLANDS. Mr. Emery was a banker here.

Mr. LA FOLLETTE. I can not say who he was except that he is dead. I do not know who he was.

Mr. NEWLANDS. Mr. Emery was a prominent citizen and banker.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. I will state to the Senator that Mr. Emery was an old resident of Washington, that he came from my own State, and he was mayor of the city of Washington at one time. He was a man of the highest personal and business integrity, and, from the information I get, his property is being sold without any middlemen or without any rake off to anybody. Beyond a doubt, it is very cheap property at the price at which it is offered to the Government.

Mr. NEWLANDS. Mr. President, I have no reason to doubt the good faith of the transaction or the reasonableness of the price.

Mr. BACON. With the permission of the Senator, I will say that I did not intend to be understood as casting any reflection on anybody. I asked in good faith, because I did not know; I desired to know, I was entitled to know, and I am glad now that I do know.

Mr. GALLINGER. I can assure the Senator from Georgia that I had no thought he asked the question in any other spirit than that of getting information.

Mr. NEWLANDS. Mr. President, I wish to say that I have no reason to doubt the good faith of the transaction so far as the owners of the property are concerned, and I have no reason to doubt the reasonableness of the price, but I do question the suitableness of the location. I believe that the Government should at some time acquire the block in question as a part of the great project of improving the city and improving the grounds about the Capitol, but I do not believe that this property should be acquired for this purpose.

I believe humanity demands that the Senate of the United States should adhere to this amendment, reasonable as it is, and permit the Government to exercise the judgment, which necessarily we can not exercise here, to inquire into the facts and come to a speedy conclusion, whether that conclusion be the acceptance of the present site or the construction of a proper building upon some other site to be selected by the Government. For that reason I shall oppose the adoption of the report.

Mr. McCUMBER. Mr. President, I wish to correct one error that seems to be quite prevalent here, and that is that the amendment which I offered and which was adopted by the Senate, and which the conferees agreed should go out, was in conflict in any way with the provision in the census bill allowing the director to select anyone who is qualified by previous work without this examination. It is not in conflict with it, as one would think by the argument that was made by the Senator from Texas.

I want to speak with reference to another matter also, and that is as to this being general legislation. The House sent here a bill in which they repealed a part of the general legislation relating to the civil service. The House is in no position, therefore, if we adopt their clause which repeals a part of the civil-service law for the benefit of this bill, to object if we should also ask to add to the civil-service law a provision which may be called "general legislation." In other words, if they by a bill affect general legislation by an amendment, then they can not object to our affecting general legislation also by an amendment, the one adding to, the other taking away. That is the only difference in the world.

The Senator from Texas stated that it was an injury to any of these people to come from the States and go into this government employment. If it is an injury that he wants to prevent, is it not equally an injury to those who are in the city here who are put into government employment, and remain there the whole length of their lives, and have to be generally supported by the Government or by some charitable institution when they get through?

All the Senators who have spoken upon this question have agreed with me that the legislation is right and along proper lines, while they may say that it ought to be amended in some little particular. That could be done in conference. Every one of them also agrees that the injustice that is practiced under the present law is enormous. Every one of them will agree that this will to a considerable extent be remedial legislation against such injustice.

That being the case, I can see no reason why the report may not go back to the conferees and let the conferees see if they can not make such a modification as would be agreeable both to the Senate and the House. If that could not be done, the Senate will be in session to-morrow, and I would make no objection against the adoption of the report.

Mr. MONEY. Mr. President, I heard with a great deal of interest the remarks of the Senator from Nevada [Mr. NEWLANDS]. It happened that during the taking of the last census I was in the city, in a very heated term. I do not now recollect why I was here. I recollect that I heard through the papers that seven ladies had fallen prostrated at their desks in the building down there, overheated or overworked or something. I went down there and interviewed Governor Merriam, who was the superintendent, a most excellent gentleman in every respect. He was kind enough to go over the building with me, and I found that it was a veritable hothouse. The superintendent had very pleasant rooms and so had the important clerks; but the mass of the women, who labor in tabulating statements and making out cards and I do not know what else, labor there under difficulties that would prostrate a dray horse.

It is not humane, it is not decent, to have the employees of this Government at work in such a place. The men can take care of themselves somehow, but these women can not. They are not at work for the Government for their health or for anything but the stress of hard circumstances that compel them to work for the Government, and they are entitled to good pay and they are entitled to good quarters. The health of those people ought to be considered. I do not care how much delay it takes or how much money it costs, we ought to suffer the delay and undertake the expenditure in order to secure the comfort and the health and the lives of these people. They do not forfeit their right as citizens and human beings because they become employees of the United States Government.

I have been through other places in this city where other employees were at work, because I wanted to see for myself what I had so often heard, and the conditions have been such that they would be incredible to one who had not undertaken to look for himself.

As this is an opportunity to rectify what I consider an enormous wrong, I shall agree with the Senator from Nevada to disagree to this report and let it go back in order that the Senate may insist upon its amendments.

I have nothing to say about the civil-service scheme and the work in the civil service except to say that I think the civil service itself is the biggest fraud and sham and humbug in this whole country. I do not believe in it, because I know how it works. I know that the greatest apostles and the greatest preachers of this new doctrine are those who violate it every day of their lives. The men who make the loudest professions are continually in the breach of the law.

I also know that when I was informed in the last census that I could make twelve temporary appointments for six months I did not ask anybody to come from Mississippi. I would not ask anybody to come here for six months' employment and spend three months of it in coming here and going back home, and risk the chances of the examination. So I appointed only three, whom I found here, who wanted the places. Most of the others I never saw in my life before or since, but they were people, I believe, who belong here generally in the District.

There are thousands of poor women in this District to-day who live, God only knows how, who are trying to keep the wolf from the door, some of them with the responsibilities of aged parents, some of them widows with children, who would be very glad to get these crumbs that fall from the master's table occasionally. I do not see why they should not have it. Why should any Senator insist upon dragging people two or three thousand miles to come here to do six months' service or a year's service? I quite agree with the Senator from Texas when he said, a while ago, that it was a cruel kindness to a young man to bring him from home and put him in public employment here. There he is an individual, and here he is a number. He loses his individuality, he loses his initiative, and he loses his citizenship. It is almost impossible, I suppose, to get along altogether with women in these minor clerical positions, but in such service I would take every man out of government employment as far as it could be done.

I hope that the Senate will disagree to the report and insist upon this humane amendment.

The PRESIDING OFFICER (Mr. KEAN in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. HALE. I ask that the bill be informally laid aside.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the unfinished business be informally laid aside. The Chair hears no objection.

Mr. HALE. I hope that we may have a vote on the conference report very soon, and that the Senate may then proceed with the unfinished business.

Mr. NEWLANDS. Mr. President, the suggestion comes to me from quite a number that I should make some amendment that would enable the judgment of the Senate to be taken upon this particular question with reference to the housing of the Census Office, but, as I understand it, the rules prevent that, and it is only possible to express our opinion regarding that particular amendment by rejecting the report. May I inquire if that is the case?

The PRESIDING OFFICER. The Chair so understands.

Mr. NEWLANDS. So all who stand for the humane housing of the Census Office will necessarily have to vote for the rejection of the report.

Mr. BACON. Mr. President, I desire to say only a word. I have no doubt, as stated by Senators on the floor, that the proposition for the sale and purchase of this particular lot is one beyond criticism, but I confess my curiosity was excited by the fact that the extraordinary position should be taken that that locality should be selected, and that alone, and that the slight opportunity for the Government to exercise any discretion was peremptorily denied. That is a strange thing to me. If the proposition were one which rejected that locality there might be some reason in the contention of those who oppose the Senate amendment; but when the Senate amendment recognizes the ability in the last resort to take that locality if it should be found necessary, and simply gives the opportunity to select some more desirable locality if it shall be found to be practicable, I can not see upon what condition such a position is assumed.

I do not desire to detain the Senate further than to say that, in common with other Senators, during the ten years since that building has been occupied it has frequently been my duty to visit it, and I have never visited it but what I have been impressed by the fact that in the whole city of Washington there is not a locality more unfit for the purposes to which it is put, owing to the circumstance that there have to be congregated there several thousand people, subjected to all the inconveniences and, to more than inconveniences, the inhumanities which are necessarily found there in the heated season of the year, when they must be at work. I have personally known of instances such as that narrated by the Senator from Mississippi [Mr. MONEY], where delicate women have succumbed under the conditions, which are sufficient to overcome strong men.

The PRESIDING OFFICER. The question is on agreeing to the conference report. [Putting the question.] The noes appear to have it.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BEVERIDGE. I should like to have the exact proposition upon which we are to vote reported to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. BEVERIDGE. I am aware of that perfectly; but what I want to know before I vote, and several other Senators also, is exactly the proposition in the legislative form in which it appears in the bill before we vote. We can not vote upon what we may gather from a debate, more or less necessarily discursive. At least I shall not vote without knowing upon what I am voting.

Mr. HALE. This is a case that comes up every day in the Senate. It is simply the question whether the report shall be accepted.

Mr. BEVERIDGE. I am aware of that.

Mr. HALE. The report has been made, it has been read and printed, and the question is simply upon its adoption. Its reading can not be called for again, because it has already had its reading.

Mr. BEVERIDGE. I am perfectly aware that it is the customary question that comes before the Senate, as to whether a report shall be agreed to or not. I am also aware that not in one case in a hundred, on the question of agreeing to a conference report, are the yeas and nays called for. There have been two propositions of some kind or other debated here at considerable length. Those two propositions are told in a few brief words in the bill. So far as I am concerned, before I vote I want to know exactly the legislative form in which they are put. I think that is a reasonable request to make before voting.

Mr. HALE. The question is always on the adoption of the report.

Mr. BEVERIDGE. I know the question is on adopting the report.

Mr. NEWLANDS. Will the Senator from Indiana permit me to suggest that so far as I have heard the debate objection is made only as to two amendments?

Mr. BEVERIDGE. Yes; and I want to have those amendments read.

Mr. NEWLANDS. One amendment relates to the civil service, the amendment in which the Senator from North Dakota [Mr. MCCUMBER] is interested. The other relates to the housing of the Census Office, which is amendment No. 37. The two amendments are numbered 15 and 37. As I understand it, no disagreement has been expressed upon the floor of the Senate as to the action of the conferees regarding any other amendments.

Mr. BEVERIDGE. The two amendments, 15 and 37, could have been reported to the Senate in far less time than the discussion has occupied.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the conference report.

The Secretary called the roll, and the result was announced—yeas 32, nays 43, as follows:

YEAS—32.

Aldrich	Clarke, Ark.	Fletcher	La Follette
Bailey	Crane	Frye	Martin
Briggs	Crawford	Gallinger	Nixon
Bristow	Cullom	Gamble	Perkins
Brown	Cummins	Guggenheim	Richardson
Burrows	Curtis	Hale	Root
Carter	Dillingham	Heyburn	Stone
Clapp	Elkins	Kean	Taliaferro

NAYS—43.

Bacon	Daniel	Jones	Piles
Bankhead	Dick	Lodge	Rayner
Borah	Dixon	McCumber	Scott
Bradley	du Pont	McLaurin	Smith, S. C.
Brandegee	Flint	Money	Stephenson
Bulkeley	Foster	Nelson	Sutherland
Burkett	Frazier	Newlands	Taylor
Burnham	Gore	Overman	Tillman
Chamberlain	Hughes	Owen	Warner
Clark, Wyo.	Johnson, N. Dak.	Page	Wetmore
Clay	Johnston, Ala.	Paynter	

NOT VOTING—16.

Beveridge	Davis	Oliver	Smith, Md.
Bourne	Depew	Penrose	Smith, Mich.
Burton	Dolliver	Shively	Smoot
Culberson	McEnery	Simmons	Warren

So the report was rejected.

Mr. BAILEY. I want to submit a parliamentary inquiry. The vote just taken, as I understand, sends the bill back to conference?

The PRESIDING OFFICER. The Chair so understands.

Mr. BAILEY. Does it send it back to the same conferees?

The PRESIDING OFFICER. The Chair so understands.

Mr. BAILEY. Then I ask to be excused from service on the conference committee. In view of my opinion and the vote of the Senate, it is clearly improper that I should serve on the committee, and so I ask to be excused.

Mr. ALDRICH. The bill does not go back to the same committee, unless some motion is made upon the subject.

The PRESIDING OFFICER. The Chair so understands.

Mr. ALDRICH. It is usual for the Senator who has the bill in charge to make the motion.

Mr. LA FOLLETTE. I was not aware of the practice, Mr. President. This is my first performance on a conference committee. I submit the motion that the Senate further insist upon its amendments disagreed to by the House of Representatives and ask for a further conference with the House on the disagreeing votes of the two Houses, the conferees on the part of the Senate to be appointed by the Chair. I trust that the Senator from Texas will consent to serve.

Mr. BAILEY. Mr. President, I have expressed the opinion that that amendment was a bad one and that it ought to be yielded. Entertaining that opinion when the Senate entertains the opposite opinion, I do not believe, in justice to the Senate or in justice to myself, that I can consent to serve, and I will not.

The PRESIDING OFFICER. The Senator from Wisconsin moves that the Senate insist upon its amendments, ask for a further conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate. Is there objection? The Chair hears none.

The Chair appoints as conferees on the part of the Senate——

Mr. LA FOLLETTE. I ask to have substituted the name of the Senator from Florida [Mr. TALIAFERRO] for that of the Senator from Texas [Mr. BAILEY] as one of the conferees on the part of the Senate.

The PRESIDING OFFICER. The Chair appoints as conferees on behalf of the Senate the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Maine [Mr. HALE], and the Senator from Florida [Mr. TALIAFERRO].

THE TARIFF.

Mr. ALDRICH. I ask that House bill 1438 be now laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CLAY. With the permission of the Senator from Rhode Island, I desire to make an inquiry before we proceed with the discussion of the tariff bill.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. ALDRICH. Certainly.

Mr. CLAY. On April 1, 1909, I introduced a resolution, which I do not desire to take up the time of the Senate in reading. It called upon the Secretary of the Treasury to give to the Senate certain information in regard to sugar. I think the information is valuable in the discussion of the bill. That resolution was adopted unanimously. I desire to ask the Chair if that resolution has been answered?

The PRESIDING OFFICER. The Chair is informed that it has not been.

Mr. CLAY. It strikes me, Mr. President, that a resolution of that nature and character, adopted on April 1, 1909, ought to have been answered by this time.

Mr. ALDRICH. I am sure that I heard read a communication from the President transmitting some information in regard to the sugar schedule. I do not know what it was.

Mr. CLAY. I do not think this resolution has been answered. I have inquired of the Secretary of the Senate, and he informs me that no answer has been made. Doubtless the Secretary of the Treasury has some good reason for not answering; but I desire to discuss the sugar schedule on the floor of the Senate, and the resolution seeks information that I think will be valuable.

Mr. ALDRICH. What was the information sought for?

Mr. CLAY. I can read the resolution, but it is long. It sets forth four or five different questions propounded to the Secretary of the Treasury.

Mr. ALDRICH. The communication to which I have reference was received on the 19th of April, in response to a resolution of the Senate of April 8.

Mr. CLAY. That resolution has been answered, and the answer was placed upon the desks of Senators this morning. This resolution, I think, was the first one introduced upon that subject. I desire simply to call attention to the resolution, and doubtless the Secretary of the Treasury will answer it at an early day.

Mr. ALDRICH. I have just been informed that the Treasury Department have a large force at work getting the statistics which the Senator desires.

Mr. CLAY. That is satisfactory. I desire the information at the earliest possible day, so that I may use it in discussing the sugar schedule.

Mr. SMOOT. Mr. President, in answer to the Senator from Georgia, I will state that I desired to secure the same information from the department, and referred particularly to the resolution offered by the Senator from Georgia, but was informed that there were four or five men working on it daily and that as soon as the information is prepared it will be sent to the Senate.

Mr. CLAY. I desire to say that I am glad to know that the Secretary of the Treasury is seeking to give the information. I felt that he did not desire to keep it from the Senate. I was simply anxious to receive it at as early a date as possible.

Mr. STONE. Mr. President, I send to the desk, and request the Secretary to read, an amendment which I intend at the proper time to propose to the pending bill. I desire to make it the basis of some observations.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. It is proposed to strike out paragraph 471 d, section 1, and insert the following:

471 d. That it is hereby declared not to be the policy and purpose of the United States to maintain permanent sovereignty over the Philippine Islands, but to exercise authority in and over said islands only so long as it may be necessary, in the opinion of the Congress and the President of the United States, not to exceed fifteen years from and after the passage of this act, to organize and establish a native government capable of maintaining public order in said islands, and until such international agreements shall have been made between the United States and foreign countries as will insure the independence of said islands and the people thereof. Upon the organization of such native government, the organization of which shall be upon such terms and conditions as shall be prescribed by the United States, all authority, civil and military, of the United States, except as may be otherwise agreed upon between the Government of the United States and the government of the Philippine Islands, shall be withdrawn from said island; and hereafter and until the provisions of this section shall be altered, amended, or repealed, all articles of whatever kind, being wholly the growth and product of the Philippine Islands, shall be admitted into the United States free of duty; and agricultural implements of all kinds, cotton and cotton manufactures of all kinds, books and publications of all kinds, and machinery for use in manufactures of all kinds, being wholly the growth and product of the United States, shall be admitted into the Philippine Islands free of duty: *Provided*, That this section shall not be in force and effect nor become operative until the existing legislative authority of the Philippine Islands shall, by joint resolution duly enacted, consent to and approve the same. All acts and parts of acts inconsistent with the provisions of this section are hereby repealed.

Mr. STONE. Mr. President, in due time, in the course of the consideration of the pending bill and at the proper place, I shall propose what has just been read, either in its present or in some modified form, as an amendment. I have had it read, as I have said, to make it the basis of some observations that I desire to make regarding our relations with the Philippine Islands.

Mr. President, one section of the pending bill provides for absolute and unrestricted free trade between the Philippines and the United States on all articles wholly the growth and product of the respective countries, with this exception, viz, that a restriction is placed upon the importation from the Philippines of sugar and tobacco to this extent—that not over three hundred thousand gross tons of sugar, three hundred thousand pounds of wrapper tobacco, three million pounds of filler tobacco, and one hundred and fifty million cigars shall be imported free in any given fiscal year. The section provides that any amount of either of said articles imported in excess of the limit prescribed shall be subject to the ordinary duty imposed on like products from other foreign countries. I am opposed to this provision, and my purpose in rising is to state my reason for that opposition. I wish to say, Mr. President, that I do this with greater doubt and hesitancy than I would otherwise feel because of the fact that this provision is earnestly approved by President Taft. Perhaps no American is more familiar with the Philippine people and with conditions prevailing in the Philippine Islands than the President. He was long a resident in the islands as the head of the government there, and while there he performed a great, unselfish, and patriotic service of high credit to his own country and of immense benefit to the native population. For the President, personally, I entertain the highest respect, and in the sincerity of his convictions upon public questions I have the greatest confidence. Because of my regard for the President and for his opinion I would be more than glad if I could see my way clear to support his view of this question. I regret I can not bring myself into accord with him, and that for the reasons I am about to state.

Mr. President, in considering this measure the first question which presents itself to my thought concerns the relation existing now, and which is to exist, between the United States and the Philippine Islands. Are these islands a territory of the United States, a part of our national domain, and therefore under our sovereignty, or is the jurisdiction the United States is exercising over the islands only a temporary jurisdiction, which we were compelled to assume as an incident of the Spanish war, and which we are exercising after the manner of that we exercised over Cuba, with the ultimate purpose of turning the islands over to their people? Upon the solution of this question Congressional legislation affecting the Philippines should largely depend. Unfortunately this question is not free from doubt. Up to the close of the Spanish-American war the Kingdom of Spain was the power universally recognized as holding sovereignty over the Philippine Archipelago. While I concur in the belief of many that that sovereignty was, in 1898, more nominal than real, and that on the very day that Dewey won his place among the naval heroes of America the Filipinos were close upon the verge of casting off the enfeebled and relaxing grasp of Spain, the fact remains that Spain still assumed to exercise sovereignty over the islands, and that the world recognized the validity of her claim. At the close of the war, and as a result of the war, Spain, by the treaty of Paris, ceded the Philippines and Porto Rico to the United States. Whatever title Spain had to these islands she ceded to the United States, and the United States took possession of the islands and ever since has assumed to exercise a jurisdiction over them. As between Spain and the United States the title of the latter to the islands is complete. But as between the islands themselves and the United States—that is another question. Soon after the Paris treaty this question as to the status of Porto Rico and the Philippines in their relation to the United States was judicially raised, and it was carried to the Supreme Court of the United States. Instead of making the question clear and settling it, the court was, unhappily, so divided in opinion as to leave it in confusion.

DIVERSITY OF OPINION.

The relation which the Philippine Islands sustain to the United States, if not an open and disputed question, is at least still a question which has not been settled to the satisfaction of the bench, the bar, or the country. Judicially speaking, it is still involved in doubt. I have read the insular cases, so called, but after reading them I am, possibly by my own fault, little wiser than before. I suppose what are known as the De Lima, the Downes, and the so-called Diamond rings cases are the leading cases among those involving this relationship; at least they fitly illustrate the judicial contention on the subject. The most casual comparison of these decisions will show how irreconcilable they are.

The De Lima case (182 U. S.) grew out of this state of facts: In the autumn of 1899, after the treaty of Paris had been ratified, De Lima imported a cargo of sugar from Porto Rico. This importation was before the passage of the Foraker Act, providing for temporary revenues and a civil government for that island. At the time of this importation the only law imposing duties on imports into the United States was the Dingley Act. The Foraker Act relating to Porto Rico had not been passed at that time. The Dingley Act, which was passed before the Paris treaty, levied duties on imports from all *foreign* countries into the United States. The question before the court was whether this sugar imported by De Lima would be subject to the duty levied by the Dingley Act, as upon goods coming from a "foreign country;" in other words, the question was whether Porto Rico, having been ceded to the United States, was a "foreign country" within the meaning of the tariff laws. A majority of the court, namely, Justice Brown (who delivered the opinion), Chief Justice Fuller, and Justices Harlan, Brewer, and Peckham, held that Porto Rico was not a foreign country, but was a domestic territory. Four of the justices—Shiras, White, Gray, and McKenna—dissented. Mr. Justice Brown, speaking for the court, said that—

By the ratification of the treaty of Paris the island of Porto Rico became territory of the United States, although not an organized territory, in the technical sense of the word. * * * A country ceases to be foreign—

He said—

the instant it becomes domestic.

He contended that the contrary theory—

presupposes that territory may be held indefinitely by the United States; that it may be treated in every particular, except for tariff purposes, as domestic territory; that laws may be enacted and enforced by officers of the United States sent there for that purpose; that insurrections may be suppressed, wars carried on, revenues collected, taxes imposed; in short, that everything may be done which a government can do within its own boundaries, and yet that the territory may still remain a foreign territory; that this state of things may continue for years, for a century even, but that until Congress enacts otherwise, it still remains a foreign country.

And then he said he could find no warrant for any such theory in the Constitution.

The position of the four dissenting justices was stated by Justice McKenna in these words:

That Porto Rico occupies a relation to the United States between that of being a foreign country absolutely and of being domestic territory absolutely.

Although this case arose on an importation from Porto Rico, the questions discussed and the principles at that time involved would of course have been in all particulars equally applicable if the imported cargo had come from the Philippine Islands. In this case five of the justices held that Porto Rico was a domestic territory, and therefore not subject to the existing general law imposing tariff duties on articles imported from foreign countries. Four of the justices, dissenting from that view, held Porto Rico was neither foreign nor domestic, but occupied an undefined, if not undefinable, position somewhere "betwixt and between" the two. In other words, it was in the twilight zone between home and nowhere.

The Downes case (182 U. S.) arose on this state of facts: Downes imported oranges from Porto Rico in November, 1900, after the Foraker Act had passed and gone into effect. That act imposed a duty on articles imported from Porto Rico. The principal difference between the Downes case and the De Lima case was that in the De Lima case the importation occurred before the passage of the Foraker Act, while in the Downes case the importation occurred after the passage of that act. In the Downes case Mr. Justice Brown joined, or partly joined, the four justices who dissented in the De Lima case, and held that Congress had the power by *special enactment* to impose tariffs on products coming from a territory into the United States, although still maintaining that articles coming from a territory into the United States would not be subject to duties imposed by a *general law* on importations from "foreign countries." Justices Shiras, Gray, White, and McKenna agreed with Justice Brown in the result, but they did not agree with him in the reasons upon which he based his opinion. All these learned judges expressed widely different opinions as to the principles of law involved. Mr. Justice Brown concluded his separate opinion in the Downes case as follows:

We are therefore of opinion that the island of Porto Rico is a territory *appurtenant* to and belonging to the United States, but not a part of the United States within the *revenue clauses* of the Constitution; that the Foraker Act is constitutional so far as it imposes duties upon imports from such islands, and that the plaintiff can not recover back the duties exacted in this case.

Mr. Justice White, with whom Justices Shiras and McKenna concurred, held that—

It is lawful for the United States to take possession of and hold in the exercise of its sovereign power a particular territory without incorporating it into the United States.

But he held that over territory so possessed by the United States *the Congress might terminate the American occupation and sovereignty at will.* Mr. Justice Gray concurred for the most part, but not wholly, with the opinion of Mr. Justice White. He concluded a separate opinion in these words:

So long as Congress has not incorporated the territory into the United States, neither military occupation nor cession by treaty makes the conquered territory domestic territory in the sense of the revenue laws. But those laws concerning "foreign countries" remain applicable to the conquered territory until changed by Congress. * * * If Congress is not ready to construct a complete government for the conquered territory it may establish a temporary government, which is not subject to all the restrictions of the Constitution.

Chief Justice Fuller and Justices Harlan, Brewer, and Peckham adhered to the position they took in the De Lima case and dissented from the opinions and conclusion of the majority. The Chief Justice in his opinion said, among other things:

Mr. Justice Harlan, Mr. Justice Brewer, Mr. Justice Peckham, and myself are unable to concur in the opinion and judgment of the court in this case. The majority widely differ in the reasoning by which the conclusion is reached, although there seems to be concurrence in the view that Porto Rico belongs to the United States, but nevertheless, and notwithstanding the act of Congress, is not a part of the United States, subject to the provisions of the Constitution in respect of the levy of taxes, duties, etc.

The concurring opinion recognizes the fact that Congress, in dealing with the people of new territories or possessions, is bound to respect the fundamental guaranties of life, liberty, and property, but assumes that Congress is not bound, in those territories or possessions, to follow the rules of taxation prescribed by the Constitution. And yet the power to tax involves the power to destroy, and the levying of duties touches all our people in all places under the jurisdiction of the Government. The logical result is that Congress may prohibit commerce altogether between the States and Territories, and may prescribe one rule for taxation in one Territory and a different rule in another. That theory assumes that the Constitution created a government empowered to acquire countries throughout the world, to be governed by different rules than those obtaining in the original States and Territories, and substitutes for the present system of republican government a system of domination over distant provinces in the exercise of unrestricted power.

And against this view the Chief Justice strongly protested.

Mr. Justice Harlan, in his separate opinion, among other things said:

It is said (by the majority of the court) that new territory, acquired by treaty or conquest, can not become *incorporated* into the United States without the consent of Congress. What is meant by such incorporation we are not fully informed, nor are we instructed as to the precise mode in which it is to be accomplished. * * * I am constrained to say that this idea of "incorporation" has some occult meaning which my mind does not apprehend. It is enveloped in some mystery which I am unable to unravel. * * * If Porto Rico, although a Territory of the United States, may be treated as if it were not a part of the United States, then New Mexico and Arizona may be treated as not parts of the United States, and subject to such legislation as Congress may choose to enact without any reference to the restrictions imposed by the Constitution. The admission that no power can be exercised under and by authority of the United States except in accordance with the Constitution is of no practical value whatever to constitutional liberty if, as soon as the admission is made, the Constitution is so liberally interpreted as to produce the same results as those which follow from the theory that Congress may go outside of the Constitution in dealing with newly acquired territory, and give them the benefit of that instrument only when and as it shall direct. * * * In my opinion, Porto Rico became, at least after the ratification of the treaty with Spain, a part of and subject to the jurisdiction of the United States in respect of all its territory and people, and Congress could not thereafter impose any duty, impost, or excise with respect to that island and its inhabitants which departed from the rule of uniformity established by the Constitution.

As I understand these several decisions, Mr. Justice Brown, in this latter case, held that Porto Rico was not a foreign territory, but a territory appurtenant to the United States (whatever that may be), and that Congress had the constitutional power, by *special enactment*, though not by general law, to impose a tariff duty on articles coming from the territory into the States. Mr. Justices White, Shiras, and McKenna held that Porto Rico was neither foreign nor domestic, but was merely possessed, subject to the will of Congress to hold it or give it up; still that it was for the time being sufficiently foreign to be subject to duties laid on imports by either a special or general law. Mr. Justce Gray strongly intimated, if he did not hold, that the island was still a foreign country. The other four justices adhered to the opinion they had formerly expressed, that Porto Rico was a domestic Territory and a part of the United States.

Mr. President, so indefinite and indecisive, so confusing and unsatisfactory was this contention that the Reporter appended a note in the Downes case, in which, among other things, he said:

There is no opinion in which a majority of the court concurred. Under these circumstances I have, after consultation with Mr. Justice Brown, who announced the judgment, made headnotes of each of the separate opinions, and placed before each the names of the justice or justices who concurred in it.

A little later on what is known as the Fourteen Diamond Rings case (183 U. S., p. 176) arose in the United States district court for the northern district of Illinois. The facts of that case were as follows: A soldier from North Dakota, serving in the Philippines, was discharged from that service in September, 1899, and returned to the United States. While in Luzon he became the owner of fourteen diamond rings. The possession of these diamonds came to him after the ratification of the treaty of Paris had been proclaimed in April, 1899. On his return to this country he brought the rings with him, and subsequently they were seized by a customs officer in Chicago as having been imported contrary to law and without the payment of the duty prescribed, and thereupon an information was filed to enforce a forfeiture. That proceeding in due course came to the Supreme Court of the United States, and the question was whether the diamonds were subject to the duty levied under the Dingley Act. There had been no special statute enacted at that time fixing duties on imports from the Philippine Islands to this country. Therefore, if the diamonds in question were subject to taxation, they were so subject to it because of the general law. Five justices of the court held that they were not subject to the payment of a duty. The Chief Justice, who delivered the opinion of the court, after reviewing the De Lima case, said:

No reason is perceived for any different ruling as to the Philippines. By the third article of the treaty Spain ceded to the United States "the archipelago known as the Philippine Islands," and the United States agreed to pay to Spain the sum of $20,000,000 within three months. The treaty was ratified; Congress appropriated the money; the ratification was proclaimed. The treaty-making power, the executive power, the legislative power concurred in the completion of the transaction.

The Philippines thereby ceased, in the language of the treaty, "to be Spanish." Ceasing to be Spanish, they ceased to be foreign country. They came under the complete and absolute sovereignty and dominion of the United States, and so became territory of the United States, over which civil government could be established. The result was the same, although there was no stipulation that the native inhabitants should be incorporated into the body politic, and none securing to them the right to choose their nationality. Their allegiance became due to the United States, and they became entitled to its protection.

From this reasoning and upon the result Justices Gray, Shiras, White, and McKenna dissented, for the reasons severally stated by them in the De Lima case. Mr. Justice Brown concurred in the result announced by the Chief Justice, but still adhered to the view that Congress could levy import taxes on goods coming from the Philippines by a *special* law.

CHIEF JUSTICE RIGHT.

Mr. President, following my own construction of the Constitution, and following also what I believe to be our traditional policy and the true American conception of constitutional government, I would not hesitate to accept the view promulgated by the Chief Justice and those concurring with him, provided it should be universally agreed by our Government and people that the islands in question belong absolutely to the United States, and that it is the fixed policy of the United States to retain them. To me it seems perfectly plain that if foreign territory is ceded to the United States, and if the United States accepts it with the intention of exercising a perpetual or indefinite sovereignty over it, that territory becomes a part of the United States; and to me it is inconceivable that the Constitution does not extend over Territories which are embraced in our national domain and which are a part of it. Wherever the flag is permanently raised the Constitution should be operative. Any other theory is abhorrent to my conception of the American plan of government. To hold that an American Territory, permanently under our sovereignty, is not within the Union and under the Constitution is to admit into our governmental economy the monarchical idea, intolerable to me, of colonial establishments and dependencies. It is to say that we may by force hold Territories and peoples subject to our jurisdiction while denying to them, to whatever extent and for whatever time we please, the benefits and blessings guaranteed by the Constitution. That, Mr. President, would open the road to oppression and make possible the very tyranny against which our fathers revolted. Chief Justice Taney declared a sound doctrine many years ago when, in a celebrated case, he said:

There is certainly no power given by the Constitution to the Federal Government to establish and maintain colonies bordering on the United States, or at a distance, to be ruled and governed at its own pleasure, nor to enlarge its territorial limits in any way except by the admission of new States. That power is plainly given, and if a new State is admitted it needs no further legislation by Congress, because the Constitution itself defines the relative rights and powers and duties of the State and the citizens of the State and the Federal Government. But no power is given to acquire a territory to be acquired and held permanently in that character.

That is, it can not be held permanently as a territory, much less a colonial dependency. Criticising this declaration of Chief Justice Taney, Mr. Justice Brown, in his opinion in the Downes case, lamented that the Chief Justice, in view of the excited political condition of the country at that time, felt compelled to discuss the question then before the court upon its merits.

Mr. President, I would dislike to believe, and I will not assert, that the exigencies of party politics had aught to do with changing or modifying the opinion of Mr. Justice Brown as expressed in the De Lima case, yet I can not refrain from saying that the circumstances with which the learned justice was environed should have kept him silent on that subject.

But long before the Dred Scott case, from which the extract quoted from Chief Justice Taney is taken, Chief Justice Marshall, in Loughborough *v.* Blake (5 Wheat.) said:

It will not be contended that the modification of the power (to tax) extends to places to which the power itself does not extend. The power, then, to lay and collect duties, imposts, and excises may be exercised, and must be exercised, throughout the United States. Does this term designate the whole or any portion of the American empire? Certainly this question can admit of but one answer. It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania; and it is not less necessary, on the principles of our Constitution, that uniformity in the imposition of imposts, duties, and excises should be observed in the one than in the other. Since, then, the power to lay and collect taxes, which includes direct taxes, is obviously coextensive with the power to lay and collect duties, imposts, and excises, and since the latter extends throughout the United States, it follows that the power to impose direct taxes also extends throughout the United States.

If the law of this case, which was a direct tax case, be good law still, and if the Philippine Islands are a fixed part of our national domain, then the Government has power, which it can and might exercise at will, of levying direct taxes upon the people of those islands. It would be an anomalous situation indeed to treat these islands as foreign with respect to our tariff laws, but domestic with respect to direct taxation. If the construction placed upon the Constitution by three of our great Chief Justices—Marshall, Taney, and Fuller—be correct, then the Philippine Islands are a part of the United States and under our Constitution, provided, always, as I view it, that the United States accepted the cession with the intention of exercising, and still intends to exercise, absolute and permanent sovereignty over them.

Mr. President, let me be correctly understood. I am not contending, I am not striving to prove, that the Philippine Islands are in fact and absolutely a part of our national domain; nor am I striving to prove that the Federal Constitution is in fact operative in the islands as it is in the States. That is not my belief. But I am contending that if the islands are to be treated as American territory, and if it be the policy of our Government to hold them as conquered territory under our sovereignty, without limitation upon the exercise of that sovereignty or limitation upon its duration, then the islands are a part of the United States, and the Constitution is over them as a shield. The islands are either foreign or domestic. It seems impossible to me that they could be both foreign and domestic. It rests with the United States to say whether they are or shall be the one or the other. The circumstances are peculiar, and under the circumstances the status of the islands must depend upon the intention, will, and public policy of the United States. This view is not predicated so much on principles of right as between the people of the United States and the Filipinos, nor yet so much upon principles of national honor and justice, as it is upon the power of this Government to declare whatever policy it pleases and to enforce it. Assuming that it is our policy to permanently hold the islands under our absolute sovereignty, and assuming, for argument's sake, that they are being so held—a theory I stoutly oppose—then, as I construe the Constitution, which I am sworn to support, the products of the Philippine Islands have a right to enter through all American ports and into all American markets on terms of equality with the products of any State. If the islands are American territory, then Congress, in my opinion, is without constitutional authority to discriminate against their products by levying tariffs upon them. So intense is my conviction that this view is correct that

Justice Brown in the result, but they did not agree with him. Four justices adhered to the opinion they had formerly ex-

I can not recede from it, nor for one moment accept a different theory, at least until a majority of the Supreme Court shall unequivocally decide that a tariff may be imposed on the products of a territory confessedly American when brought into the States. That was not done in the insular cases, for, while in those cases a majority held that Congress might by *special law* impose a tariff on imports coming from Porto Rico or the Philippines, the justices who so decided were hopelessly divided in opinion as to the relation the islands bore to the United States. Moreover, I can not understand how the Congress can constitutionally do something by means of a special law which it can not constitutionally do by a general law. Holding these views of the whole matter, Mr. President, and until the status of the islands with respect to the United States is definitely determined, I could not cast a vote which would seem to recognize the constitutional right of Congress to impose a duty on imports from any of our Territories into the States.

PHILIPPINES NOT A TERRITORY.

Mr. President, so much for that view. I come now to the other, and I think more correct, view of this subject. I do not believe the Philippine Islands are a Territory of the United States. I have said that the question as to whether they are to be held as a Territory is a question which depends upon the will of the United States. It is a question of power rather than of right. The United States have the power to do in this behalf whatever they may will to do. But while that is physically true, it is also true that the United States can not will to hold the Philippine Islands forever as a Territory subject to our sovereignty without an act of bad faith. To now determine to hold the islands permanently would be to change the original purpose and policy of this Government, and to now declare and execute a new policy upon that line would be an arbitrary exercise of power, inconsistent with right and national honor.

Mr. President, during the first session of the Fifty-ninth Congress, while the fortifications bill was under consideration here in the Senate, our relations with the Philippines was made the subject of a brief debate. In the course of that debate the Senator from West Virginia [Mr. ELKINS] declared that the United States would never surrender the Philippines. He said "the Philippine Islands constitute a part or portion of the territory of the United States." He said they would "furnish a base for operations in the East, where we must extend our commerce and protect American interests," and added that they "will prove of great advantage to the United States." "Give them up!" he cried, "surrender to whom, how, when, and for what? * * * It does not belong to Anglo-Saxon blood to give up land under any circumstances." And then he declared, with the assurance of one speaking by authority, that whatever the Democratic party may do, "the Republicans will declare and say they will never surrender our possessions and give them up for nothing, possessions that have cost us money and blood."

Mr. President, that is commercialism rampant. That is an unblushing espousal of the doctrine that might makes right. Under that doctrine the moral obligations of the nation have only a feather's weight when thrown into the scale against national cupidity. It is not primarily true, Mr. President, that we poured out blood and treasure to conquer the Philippines. Ten years ago the great body of our people were little more than barely conscious that the Philippines existed. We did not declare or wage war to reduce the Philippines. The war we waged was for liberty and humanity—so we said—and we should not permit our victory to bear the bitter fruit of oppression. We should not tarnish our achievement by lowering it to the level of a mere land-grabbing transaction. To whom shall we surrender the islands? the Senator asked. Mr. President, we should surrender them to the people of the islands, to whom they belong.

NATIONAL PROMISES.

At the date, and before the date, of our declaration of war against Spain the Filipino people were in arms, struggling for liberty and independence. Victory was hovering over their banners, and even before that memorable day when the American flag appeared in Manila Harbor on the flagstaffs of our war ships, it seemed as if at last the boon for which they had struggled intermittently for a century was about to be won. The Filipino army welcomed our soldiers and sailors and fought by their side against the common enemy. There can be no doubt—at least there is none in my mind—that the Filipinos believed that the overthrow of the Spanish régime would result in their independence. Moreover, I have never doubted that that belief was founded on assurances given by our representatives during the progress of the struggle. The Filipinos never dreamed that they were merely exchanging one foreign master for another. But however that may be, it is indisputable that the possession of the islands was not the object, even in a remote degree, of the war. On the contrary, our occupation of the islands was only an incident, an unexpected incident, of the war. During the war period neither the American Government nor the American people ever for a moment thought of permanently possessing the islands and incorporating them in any form into our body politic. Any thought of that kind, by whomsoever entertained, was an afterthought. While the Paris treaty was pending before the Senate, at least before the exchange of ratifications, the Senator from Louisiana [Mr. MCENERY] proposed a joint resolution declaring the purpose of the United States toward the Philippine Islands. That resolution is as follows:

Joint resolution declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

That resolution was adopted by the Senate, which is a part of the treaty-making power. In plain terms it declared that it was not the intention of the United States to incorporate the inhabitants of the Philippine Islands into the citizenship of the United States, nor to permanently annex the islands to the territory of the United States. What the United States did ultimately intend to do was not set forth with precision, but what they did not intend to do was made perfectly plain. That resolution has not, of course, the force of a law, but it was expressive of the deliberate judgment of the Senate. Moreover, I believe it was expressive of national sentiment, and to that extent of a national purpose.

Mr. BACON. Mr. President, will the Seantor permit me, without undue interruption, to call his attention to the fact that there was an amendment offered to the joint resolution which he has just read which did declare the purpose, and that there was a tie vote on it in the Senate and it was defeated by the casting vote of the presiding officer of the Senate at that time, Vice-President Hobart, the only tie vote, I will say, which has occurred since I have been in the Senate.

With the permission of the Senator I should like to read this resolution in order that it may be in juxtaposition, and I will not interrupt him further.

Mr. STONE. I have no objection. I am familiar with the resolution.

Mr. BACON. It is in view of the fact that the Senator has commented upon the absence of a declaration of a purpose that I want to call attention to the fact that the Senate came that near declaring a purpose. There was a tie vote, and it was lost by the negative vote of the presiding officer of the Senate. The favor an immediate declaration of the nation's purpose to give to the Filipinos, first, a stable form of government; second, independence, and third, protection from outside interference such as has been given for nearly a century to the republics of Central and South America.

In 1904 the Democratic platform contained this declaration:

We insist that we ought to do for the Filipinos what we have already done for the Cubans, and it is our duty to make that promise now, and upon suitable guaranties of protection to citizens of our own and other countries resident there at the time of our withdrawal—set the Filipino people upon their feet free and independent to work out their own destiny.

In 1908 the Democratic platform contained this declaration:

We condemn the experiment in imperialism as an inexcusable blunder that has involved us in an enormous expense, brought us weakness instead of strength, and laid our nation open to the charge of abandoning a fundamental doctrine of self-government. We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us as we guarantee the independence of Cuba, until the neutralization of the islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases.

Mr. President, these declarations embody not only what I hold to be correct principles, but they outline the wisest policy this Government could pursue. It would be the height of unwisdom, the acme of national folly, for us to annex these islands even if we could do so with honor. To hold them will involve us in ever-increasing entanglements, almost without the hope of profit, and bring upon us endless perplexities that can only bode ill to the Republic. But, Mr. President, beyond saying this I do not care to dwell at this time upon this aspect of the subject—that is, the danger to us in holding the islands—although it is of tremendous and far-reaching importance. This particular phase of the Philippine question has been so often elab-

dependency and to force the millions living on the islands into an eternal state of unwilling vassalage? Can any man find warrant in the Constitution or in our history for a thing like that? Rather, Mr. President, was not that declaration a statement of the American policy, that our occupation of the islands was only temporary, and that it would be terminated when order was established and the conditions would make it prudent for us to leave them? Aye, Mr. President, was not that declaration in the nature of a promise made by the Senate of the United States, so far as it could make such a promise, that at some time, whenever the conditions would permit, the government of the islands would be turned over to their people?

Mr. President, I can not say what those in authority now mean to do; but in good faith it should be the policy, the avowed and unquestioned policy, of the United States to ultimately withdraw their jurisdiction over these islands and to deliver them to their own people just as we did with Cuba. While it is true that the grant or cession under which we occupied Cuba was different in its terms from that under which we occupy the Philippines, yet, in all good conscience, the obligation which rested upon us in the one case is not greatly dissimilar from that which rests upon us in the other. In the case of Cuba we were under a double obligation. By the terms of the treaty our occupation of that island was to be temporary, and hence we were obligated to Spain to evacuate it as soon as that could be done with safety to public order. In the case of the Philippines there was no obligation of that kind to Spain imposed upon the United States by the treaty. But, Mr. President, with Spain out of the question, and independent of our obligations to that monarchy, we were under obligations to the people of Cuba; and in like manner we are under obligations to the people of the Philippine Islands. After all that was said and done by Congress and the President, and after all that occurred between our people and their representatives on the one side and the people of Cuba and their representatives on the other, we could not have held that island under our sovereignty without a shameful breach of national good faith. Neither can we hold the Philippines without a breach of national good faith. As between ourselves and the Philippine people (and this without regard to Spain) we hold our title to the islands not as a sovereign, but in trust. Undoubtedly we have the power to repudiate that trust and ignore the obligations it imposes, but we can do that only by lowering the standard to which this great nation, dedicated to liberty and free institutions, should conform its ideals of justice and honor. If we are in good faith to discharge that trust, then we should do nothing inconsistent with it.

DEMOCRATIC POLICY.

Mr. President, in what I have said I am but giving voice to the policy of the Democratic party, in whose ranks I have fought for a generation, as enunciated in three of its national platforms. In 1900 the Democratic national platform contained this declaration:

We favor an immediate declaration of the nation's purpose to give to the Filipinos, first, a stable form of government; second, independence, and third, protection from outside interference such as has been given for nearly a century to the republics of Central and South America.

In 1904 the Democratic platform contained this declaration:

We insist that we ought to do for the Filipinos what we have already done for the Cubans, and it is our duty to make that promise now, and upon suitable guaranties of protection to citizens of our own and other countries resident there at the time of our withdrawal—set the Filipino people upon their feet free and independent to work out their own destiny.

In 1908 the Democratic platform contained this declaration:

We condemn the experiment in imperialism as an inexcusable blunder that has involved us in an enormous expense, brought us weakness instead of strength, and laid our nation open to the charge of abandoning a fundamental doctrine of self-government. We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us as we guarantee the independence of Cuba, until the neutralization of the islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our Government should retain such land as may be necessary for coaling stations and naval bases.

Mr. President, these declarations embody not only what I hold to be correct principles, but they outline the wisest policy this Government could pursue. It would be the height of unwisdom, the acme of national folly, for us to annex these islands even if we could do so with honor. To hold them will involve us in ever-increasing entanglements, almost without the hope of profit, and bring upon us endless perplexities that can only bode ill to the Republic. But, Mr. President, beyond saying this I do not care to dwell at this time upon this aspect of the subject—that is, the danger to us in holding the islands—although it is of tremendous and far-reaching importance. This particular phase of the Philippine question has been so often elaborated that I do not now care to amplify upon it. Besides, I think the strong native common sense of our people is bringing them to the conclusion that the highest American interests will be best conserved by the speediest practicable severance of political relations with the archipelago. The one thing I am now endeavoring to press upon the Senate is this: That our occupancy of the islands is, and of right ought to be, temporary or provisional, not perpetual or absolute, and that we hold them in trust for the people to whom they belong and not as a sovereign in our own right.

Mr. President, why should not the Congress and the President now, in this very legislative act, declare the policy and purpose of the United States with reference to the Philippines, and thus set this most vexed of questions at rest? If it be our purpose to give liberty and independence to these people, why not say so, and thus give answer to the universal prayer that comes over the sea from these fair islands to America? Why not fix a date for this gracious act, which, while bringing universal happiness to the natives of the islands, will at the same time crown the American name with imperishable renown and glory? Why not fix a date for Philippine independence as a gift from America, and, looking to that end, begin now to arrange international agreements with the leading powers to insure that independence by the neutralization of the islands? At all events, Mr. President, I desire to take the judgment of the American Senate, and of American Senators individually, upon this question.

THE TARIFF.

But in answer to this contention it may be said that even if it should be admitted that our occupancy of the islands is only temporary and that our title to them is in the nature of a trust, we might still pass this Philippine tariff section as it appears in the bill without violence to that theory. But to that I can not lend my assent. Under the existing Philippine tariff law a duty equal to 75 per cent of the Dingley rates is laid upon all imports, with one or two exceptions, from the islands to the United States. The duties collected upon these imports are paid, not into the Treasury of the United States, but into the treasury of the Philippine government. At this time sugar and tobacco constitute substantially all there is of dutiable imports coming from the Philippine Islands into the United States. The effect of this measure, if it be enacted, would be to admit these articles free of duty up to certain prescribed limits, and to exact the current duty imposed on like foreign importations on any excess above those limits.

Mr. President, I believe in the Democratic doctrine of a tariff for revenue, and I am opposed to the Republican policy of imposing tariffs for the primary purpose of preventing or restricting importations, so as to give a practical monopoly of the American markets to American manufacturers at a vastly greater cost to consumers. I believe that tariffs should be levied primarily to raise revenue, with protection as an incident, instead of levying tariffs primarily for protection, with revenue as the incident. Hence, if the question of reducing tariff rates, and thus cheapening somewhat to consumers some of the necessaries of life, was the only question involved in this provision of the bill as it now stands, the situation would be different from what it is, and it might then well appeal to Democrats. But that is not the only question, nor the most important question involved in this consideration.

I have said the Philippine Islands must be of necessity either a foreign territory or an American territory; they are bound to be the one or the other. If they are a domestic territory, then no tariff at all, present or contingent, should be laid on their products, for, as I interpret the Constitution, the Congress can lay duties on importations from foreign countries only. The very fact that we impose a duty on importations from the Philippine Islands is, from my point of view, an admission that the islands are outside the domain of the United States, and therefore are not American. If it is not our purpose to hold the islands, then the mere fact that we are exercising a temporary jurisdiction over them does not, in the circumstances of the situation, make them a domestic territory any more than our occupancy of Cuba made that island a domestic territory. Tariffs, Mr. President, are collected on the imported products of foreign countries to raise a public revenue, and since our own people pay the duties the revenue derived from the payment should go into the Treasury of the United States. I do not believe either in the right or the policy of this Government, now and for a long time followed, of imposing taxes upon our people to support some other government than our own. I no more believe in that than I believe in our right to impose taxes on another people to support this Government. Under the law as it stands—and this bill proposes no change in that respect—any taxes collected from American consumers on importations from the Philippine Islands do not go into the Treasury of the

master for another. But however that may be, it is indis-

territory, how can we hold them at all? Will it be contended that it was, or is, our purpose to hold them as a semiforeign

it is of tremendous and far-reaching importance. This particular phase of the Philippine question has been so often elab-

any taxes collected from American consumers on importations from the Philippine Islands do not go into the Treasury of the

United States, but are diverted to the Philippine treasury for the support of that government. As I view it that law is indefensible in principle and imposes a wrongful burden upon our people, and I can not vote for a measure that recognizes that policy or that would make its continuance possible under any circumstances for a single day. Moreover, Mr. President, the Philippine Archipelago is extensive in area and is populated by millions. Its resources are diverse and opulent. If the government there should be administered with due simplicity, economy, and wisdom, there is no reason why adequate revenues could not be provided for the proper conduct of public affairs without reaching out a mendicant hand for alms.

I admit that while we are administering the high trust we have accepted we should do whatever we can to promote the well-being of the islands and their people, and we should do whatever we can to qualify the people there as speedily as possible to administer their own affairs; and, Mr. President, while most regrettable things have occurred, it will not be denied that we have done and are doing a great work in that respect. We aided them to shake off the despotism of Spain; we have sent them teachers to instruct their people; we have restored to the public use vast areas of fertile lands held by religious bodies; we have aided them in building railroads and in developing their resources; we have preserved the peace, protected the rights of property and of person, and established order in the islands; we have aided them to organize a government and given them object lessons in public administration; we have paid millions directly out of our Treasury, in addition to tariff taxes collected from our people, for their support. All these things and others we have done for them. In so far as this has been done within the scope of constitutional limitation I have no criticism to make. If in the end we keep faith with the people there, then, notwithstanding our errors, the sum of it all will no doubt redound to our credit. But, Mr. President, if these islands are foreign to us, if they are not a part of our territory, and if the inhabitants are not a part of our people living under the protection of the Constitution, then I protest we go too far when we undertake to tax the people of the United States to support a foreign government. But it may be said that as the people of this country are now paying duty on different articles imported from the Philippines, it can not harm our people to reduce the burden of that tax. Of course, the removal or reduction of the tax would not of itself probably harm our people, at least from my point of view, but I protest on principle against the proposition of taxing our people in any amount, and that whether the tax be immediate or contingent. No such tax should be levied at all, or any condition created under which the payment of any such tax by American citizens should become obligatory.

FREE TRADE.

Again, Mr. President, even if it were proposed to establish unrestricted free trade between the United States and the Philippines, I would doubt the wisdom of that policy. Free trade at this time and under existing circumstances with the Philippines does not entirely commend itself to my judgment. In the first place, it would be of little, if any, value to the great mass of our people. It might encourage the growth of sugar and tobacco in the islands and increase the importation of those articles, particularly of sugar, to this country. But here in America who would that benefit? The importations of sugar would not be of refined sugar fit for consumption, but sugar in a raw state. It is everywhere agreed that for unrefined sugar there is but one purchaser in the United States—the sugar trust. It is the sole purchaser of raw sugar, and it alone refines it. Freedom of trade between this country and the Philippines might open for the sugar trust the way to a greater supply of the raw product, but since the trust has an indisputable and undisputed monopoly he must be a credulous optimist who believes that this would result in materially lowering prices on refined sugar to the consumers. The sugar trust, and possibly the tobacco trust, might derive some benefit from free trade with the Philippines, but I can not see the likelihood of that resulting in any advantage to American consumers.

Free trade might also be of advantage to the Filipinos themselves, and to Americans and foreigners who might go there to engage in the growing of sugar and tobacco, by giving to them a greater market for their productions. But, Mr. President, should we encourage, do we wish to encourage, American investments in Philippine industrial enterprises in a way calculated to beget future complications that might hinder or embarrass the final execution of our national policy? If it be our policy to cut loose from the Philippines and leave them to themselves, then large investments of American capital in the islands would likely give rise to obstacles not now existing to the execution of that policy. If under existing circumstances free trade should be entered upon between the United States and the Philippines, it would be done without consulting the people of the islands, but solely upon our initiation and in the exercise of arbitrary power. The Philippine people themselves, speaking through their chosen representatives here at Washington, have declared themselves opposed to this bill in its present form, and opposed to unrestricted free trade between the islands and the States. So far as the Philippine people are concerned the proposed policy would be compulsory. Again, whether it should be so or not, it is well known that free trade with foreign countries is not the policy of our Government, but the contrary. Therefore, if we should arbitrarily establish free trade between the United States and the Philippines, might it not with reason be asserted that we had dealt with the islands as if they were for all purposes a territory of the United States? It would at least be an act on our part which would comport with the idea of a permanent sovereignty. It would be inconsistent with the theory that the islands are foreign. Would not American investors find some justification for their view if in future they should come to protest against the severance of our relations with the islands? If it be our purpose to restore the islands to their own people, it would be unwise to foster a different impression. But if we adopt policies intended or calculated to encourage Americans to make investments and to become identified with the industries of the islands, we will thereby build up powerful influences that may seek to thwart a separation. They might well come to Washington claiming, not without reason, that we led them to believe that the United States intended to hold the islands indefinitely; that we offered inducements for the investment of American capital in developing the islands, and it will be insisted, no doubt with fervid eloquence, that if the United States should withdraw from the islands and turn them over to the native population it would result, sooner or later, in the destruction of every American interest. A propaganda would at once be launched against ever surrendering the islands to their people. Mr. President, I can not escape the conviction that, from every point of view, it would be wiser and better to deal with the Philippines as a foreign country temporarily under our occupancy. Expenses should be cut down and kept down to the lowest level consistent with orderly administration, and the Filipinos themselves should be required to pay the cost of their own government. We may reduce the tariff on their imports to this country if we will, but whatever the rate their importations should come as importations ordinarily come from other countries.

OTHER GROUNDS OF OPPOSITION.

Mr. President, some Senators oppose this section for reasons much narrower than those which influence me. As I understand, they, or some of them, oppose this provision, because they believe to open our doors to the free importation of sugar and tobacco from the Philippines would be disastrous to the growers of tobacco and the growers of sugar beets and cane in this country without any corresponding benefit to consumers. I confess I have been considerably impressed by this contention, but my opposition to this section is not based upon that objection. To what extent free trade with the Philippines would really result in promoting the growth of sugar and tobacco in the islands is problematical, but I have no doubt that if American capital should be largely invested, and if approved modern methods should be applied, as they would be under American guidance, the volume of sugar and tobacco produced would be enormously increased. If this increase should equal or even approximate the increase apprehended in sugar production, the importation of that staple into this country under free trade would soon displace Cuban sugar, and then it would come into direct competition with the products of the American beet field and cane plantation. This competition might prove to be so great as to justify the fear that it would be injurious to the American farmer. But, Mr. President, I do not indulge that apprehension to the extent others indulge it, and being fundamentally opposed to a protective tariff for the mere sake of protection, I would not antagonize this measure solely for the sake of protection, although if we are to have a tariff for the sake of protection I see no good reason why its supporting arm should be first withdrawn from the American farmer, especially when done without profit to any American interest outside the sugar trust. At this time beet planting, which is one of the most profitable branches of agriculture, is being rapidly expanded in many of the States of the West and Northwest. Free trade with the Philippines, it is asserted, would so alarm those interested in the development of that industry as to check its expansion. Whether after events would silence that alarm and so restore confidence as to make progress possible, no man can foretell. Mr. President, aside from the tariff question and independent of that, and treating

the Philippines as essentially a foreign country, we might well pause to inquire whether it would be wise for the American Congress to enact laws and to encourage the employment of American capital to build up the industries of a foreign country to the possible detriment of our own. That is something to be thought of wholly outside the tariff question. It may contribute to our pride, and it may be our duty, to aid the Filipinos, and I am sure I do not object to extending to them every legitimate aid in our power; but I protest we should not aid them to the injury of our own people at home. Moreover, I question whether it is wise for us to rush headlong and at our own expense into the benevolent project of building up a foreign commercial power, not only to compete with us at home, but which may in the not distant future compete with us for the markets of the world.

Mr. President, however others may regard it, it seems to me that Democrats ought to oppose this section of the bill as it now stands. At all events, I can not give to it my sanction or support. I can not do so, because—

First, if the islands are to be regarded as an American Territory, then they are within the Union, and their products should have free access to all our ports without restriction or limitation;

Second, if our occupancy of the islands is intended to be only temporary, and if it be our policy to surrender them to their own people, then we should pass no law which would tend to create such commercial or political conditions between the islands and this country as might delay or embarrass the final completion of our purpose; and

Third, we are under no such obligations to the Philippine people as to make it our duty to support their government or to build up their industries at the expense of our own.

I prefer, Mr. President, to stand squarely upon the Democratic platform, and do for the Filipinos what we have already done for the Cubans—set them upon their feet and leave them free to work out their own destiny.

CONCLUSION.

In conclusion, Mr. President, I desire to say a few words respecting the amendment I have proposed. My purpose is to strike out that section of the bill relating to the Philippines and insert a provision declaring it to be the policy of the United States to terminate their occupancy of the islands, and to withdraw all civil and military authority over them whenever the natives of the islands have, in the opinion of the Congress and the President, organized a stable government capable of maintaining public order, and that this withdrawal shall occur not later than fifteen years from the passage of this act. The amendment provides that the Congress shall prescribe the terms and conditions upon which the United States shall vacate the islands, and in the meantime it is further declared to be the policy of the United States to negotiate agreements with other powers for neutralizing the islands, and thus further secure their independence and safety. It is further provided that in the meantime, and until this policy shall be fulfilled, and as long as this law remains unamended and unrepealed, all articles, being wholly the growth and product of the Philippine Islands, shall be admitted free of duty into the United States; and that in consideration thereof agricultural implements and machinery, cotton and cotton manufactures, books and publications, and machinery for use in manufactures of all kinds, being wholly the growth and product of the United States, shall be admitted free into the Philippine Islands, provided, that this section shall not become operative until it has been first approved by the existing legislative authority of the Philippine government. A provision of this nature would at once remove the purpose and policy of the United States with reference to the Philippines from the realm of doubt and uncertainty, and our position would become at once well defined and established.

We have held possession of these islands now for ten years, and if we should hold them for another period of fifteen years we would then have had the people of the islands under our tutelage for a quarter of a century. That would be substantially the lifetime of a generation. Children born since we unfurled our flag at Manila, and thousands of boys and girls then living there, have all grown to manhood and womanhood, having been educated in the modern schools we established, and having had all the benefits accruing from their experiences and association with Americans and American methods. If these people under such circumstances would not then be qualified to administer an orderly government of their own, then they could never be fitted for that task. The one long prayer of the Philippine people is for independence, and if the Congress of the United States should make a declaration such as I have indicated it would serve as an inspiration to them to strive after progress and for better things to the utmost limit of their capacity. The tariff feature of the amendment would be in the nature of a reciprocal trade relation established by agreement. During this period of fifteen years there would not be, in my opinion, any great increase in Philippine importations to the United States, and certainly not to any dangerous degree.

I am sure of it. The production of sugar in the Philippines does not exceed half the aggregate production of the islands when our occupancy began and the Spanish control ended. They lost largely in their markets and were discouraged on that account. Their trade with our country did not compensate for what they lost. Our tariffs were enforced against them for a long time. Then came that terrible epidemic, the rinderpest, which swept the islands like a blast and destroyed the greater number of the animals they were obliged to depend upon to conduct their agricultural operations.

Mr. President, the farmers who plant cane in the islands are small farmers, patch farmers. They could not, in my judgment, in the nature of things, poor as they are, develop that industry so as to restore, within the period of fifteen years, anything approximating the amount of sugar they produced when we took possession of the islands.

Of course if we were to open them to free trade, with a declared permanent sovereignty by the United States over the islands, foreign capital might go in and develop their industries, and, applying modern American methods in the culture of sugar and tobacco and other things, it might be that in a few years a great change might be made; but not so if we fix a limit upon the time when free trade shall continue to exist, and that after that limit the islands shall go to the people themselves.

In fifteen years, in my opinion, there would not be any great increase in Philippine importations to the United States. On the other hand, with free entry into the Philippines of the articles named in the amendment, I have no doubt that our exports would exceed our imports. The articles for which we would provide free entry into the Philippine ports are all articles of prime necessity to the Filipinos, whether viewed from the standpoint of comfort or from the standpoint of moral and material progress. Both countries would be benefited by exchanges along the line suggested. If the phraseology of the amendment is not satisfactory, I have no objection whatever to changing it, so that the substance is retained. I propose, Mr. President, at the proper time, to ask the judgment of the Senate by a record vote upon the principles involved in this amendment.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After six minutes spent in executive session the doors were reopened, and (at 4 o'clock and 24 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 21, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 20, 1909.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Elliott Northcott, of West Virginia, to be envoy extraordinary and minister plenipotentiary of the United States of America to Colombia, vice Thomas C. Dawson, nominated to be envoy extraordinary and minister plenipotentiary to Chile.

UNITED STATES ATTORNEYS.

George H. Gordon, of Wisconsin, to be United States attorney for the western district of Wisconsin, vice William G. Wheeler, resigned.

Harold A. Ritz, of West Virginia, to be United States attorney for the southern district of West Virginia, vice Elliott Northcott, resigned.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Lieut. Col. Cunliffe H. Murray, Fourth Cavalry, to be colonel from April 18, 1909, vice Augur, Tenth Cavalry, deceased.

Maj. Frederick W. Sibley, Thirteenth Cavalry, to be lieutenant-colonel from April 18, 1909, vice Murray, Fourth Cavalry, promoted.

Capt. John C. Waterman, Seventh Cavalry, to be major from April 18, 1909, vice Sibley, Thirteenth Cavalry, promoted.

COAST ARTILLERY CORPS.

Capt. Henry H. Whitney, Coast Artillery Corps, to be major from April 14, 1909, vice Barroll, detailed as paymaster.

First Lieut. Willis G. Peace, Coast Artillery Corps, to be captain from April 14, 1909, vice Whitney, promoted.

Second Lieut. Youir M. Marks, Coast Artillery Corps, to be first lieutenant from April 14, 1909, vice Peace, promoted.

POSTMASTERS.

FLORIDA.

Fannie Adams to be postmaster at Paxton, Fla., in place of F. A. Florence, resigned.

ILLINOIS.

G. B. Bushee to be postmaster at Buda, Ill., in place of Nehemiah J. Knipple. Incumbent's commission expired February 23, 1909.

Clark M. Piper to be postmaster at Bridgeport, Ill. Office became presidential January 1, 1909.

INDIANA.

Albert Boley to be postmaster at National Military Home, Ind., in place of Alexander Abernathy, removed.

H. D. Moore to be postmaster at Moores Hill, Ind. Office became presidential October 1, 1908.

Samuel Morris to be postmaster at Eaton, Ind., in place of Moses E. Black. Incumbent's commission expired March 2, 1909.

IOWA.

S. H. Carhart to be postmaster at Mapleton, Iowa, in place of Charles E. Carmody, resigned.

A. W. Hakes to be postmaster at Rock Valley, Iowa, in place of Frank A. Large, resigned.

KANSAS.

William J. Waterbury to be postmaster at Haven, Kans. Office became presidential April 1, 1909.

MISSOURI.

James D. Bush to be postmaster at Marceline, Mo., in place of James D. Bush. Incumbent's commission expired March 1, 1909.

Benjamin F. Guthrie to be postmaster at Milan, Mo., in place of Benjamin F. Guthrie. Incumbent's commission expired February 23, 1909.

John W. Moore to be postmaster at California, Mo., in place of Godfrey Haldiman. Incumbent's commission expired January 14, 1909.

NEBRASKA.

John A. Schleef to be postmaster at Overton, Nebr. Office became presidential January 1, 1909.

NEW JERSEY.

Peter Hall Packer to be postmaster at Sea Bright, N. J., in place of Ebenezer S. Nesbitt. Incumbent's commission expired December 9, 1906.

NEW YORK.

Albert S. Harris to be postmaster at New Hartford, N. Y., in place of Albert P. Seaton. Incumbent's commission expired December 14, 1908.

Samuel P. Poole to be postmaster at Hicksville, N. Y., in place of Samuel P. Poole. Incumbent's commission expired December 13, 1908.

NORTH DAKOTA.

Sarah A. Barry to be postmaster at Hettinger, N. Dak. Office became presidential January 1, 1909.

Anton Berger to be postmaster at Milnor, N. Dak., in place of James D. McKenzie, deceased.

OHIO.

William D. Archer to be postmaster at Pleasant City, Ohio. Office became presidential January 1, 1908.

Edson B. Conner to be postmaster at Bremen, Ohio. Office became presidential April 1, 1909.

SOUTH DAKOTA.

William A. Abbott to be postmaster at Waubay, S. Dak., in place of William A. Abbott. Incumbent's commission expired February 1, 1909.

TENNESSEE.

Andrew N. Brown to be postmaster at Woodbury, Tenn. Office became presidential April 1, 1909.

TEXAS.

W. K. Davis to be postmaster at Gonzales, Tex., in place of Anderson L. Davis. Incumbent's commission expired April 27, 1908.

WEST VIRGINIA.

A. S. Overholt to be postmaster at Marlinton, W. Va., in place of Nathan C. McNeil. Incumbent's commission expired January 9, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 20, 1909.

ASSOCIATE JUSTICE SUPREME COURT OF ARIZONA.

John H. Campbell to be associate justice of the supreme court of the Territory of Arizona.

APPOINTMENT IN THE NAVY.

Maj. C. Shirley to be an assistant paymaster.

POSTMASTERS.

COLORADO.

Davis H. Sayler, at Cortez, Colo.

ILLINOIS.

Henry J. Faithorn, at Berwyn, Ill.

IOWA.

James P. Flick, at Bedford, Iowa.

LOUISIANA.

W. J. Behan, at New Orleans, La.

NORTH CAROLINA.

Albert Richardson Kirk, at Albemarle, N. C.

OKLAHOMA.

James L. Admire, at Fairview, Okla.
Charles C. Archer, at Antlers, Okla.
A. M. Brixey, at Mounds, Okla.
John Coyle, at Rush Springs, Okla.
Paul Gilbert, at Fort Cobb, Okla.
Charles B. Ramsey, at Davis, Okla.
Hugh Scott, at Waukomis, Okla.
Howard E. Wallace, at Spiro, Okla.

TEXAS.

L. C. Burnecke, at Wolfe City, Tex.
Isidore Newman, at Mexia, Tex.

SENATE.

WEDNESDAY, *April 21, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FOREIGN PRODUCTS IN DOMESTIC MARKETS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, in response to the resolutions of the Senate of April 5, 1909, copies of reports relating to the practice of selling foreign manufactured goods in this country at a price lower than the domestic prices, etc. (S. Doc. No. 16), which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

STATISTICS RELATIVE TO SUGAR.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to the resolution of the 8th instant, certain statistics relative to the annual imports by the United States of sugars, etc. (S. Doc. No. 15), which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented petitions of sundry citizens of Ohio, Virginia, Pennsylvania, New York, Mississippi, Alabama, Georgia, Wisconsin, Minnesota, Kentucky, Indiana, North Carolina, Illinois, Louisiana, Michigan, Florida, Iowa, and New Jersey praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. McLAURIN. I present a joint resolution of the legislature of Pennsylvania, relative to the enactment of more stringent immigration laws. I ask that it be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the joint resolution was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
STATE OF PENNSYLVANIA,
March 22, 1909.

Joint resolution petitioning our Senators and Representatives in Congress to enact more stringent immigration laws.

This is to certify that the following is a true and correct copy of a resolution passed the above date:

Whereas the dumping of a million immigrants into the United States annually is a fact for which the world offers no precedent and is a menace to American institutions, the American home, and the American laborer; and

Whereas there are now many bills before the Congress of the United States for the better regulation of immigration and the revision of the tariff; and

Whereas the regulation of foreign immigration is a necessary supplement to the tariff, an essential element in the protection of America from ruinous competition by cheap labor at home, ruinous in our endeavor to establish an American industrial democracy; and

Whereas a protective tariff without proper immigration regulation is a travesty on the industrial problem: Therefore be it

Resolved by the house of representatives of the State of Pennsylvania, That we respectfully request our Senators and Representatives in Congress to enact more stringent immigration laws to protect our people, both native born and naturalized, against wholesale immigration from foreign lands.

THOMAS H. GARVIN,
Chief Clerk House of Representatives.

Mr. FRYE presented petitions of sundry citizens of Greenville and Strong, in the State of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Bartlett and Courtland, in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Seattle, Wash., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CURTIS presented petitions of sundry citizens of Scranton, Kans., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of Clayton, Fort Covington, and Poplar Ridge, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 55, American Federation of Labor, of Syracuse, N. Y., praying for the retention of the proposed duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of sundry business firms of New York City, N. Y., remonstrating against the repeal of the duty on millinery, which was ordered to lie on the table.

Mr. STONE presented a memorial of the German-Austrian Benevolent Society of St. Louis, Mo., remonstrating against the enactment of legislation to prohibit the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of St. Louis, Mo., and a petition of Typographical Union No. 80, of Kansas City, Mo., praying for a reduction of the duty on wood pulp and print paper, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Missouri, praying for the reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

EMMA W. ADAMS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution No. 33, submitted by Mr. PENROSE on the 19th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 33.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Emma W. Adams, widow of Milo R. Adams, late a messenger of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. FRYE:

A bill (S. 1941) to increase the efficiency of the Pay Department, United States Army (with the accompanying paper); to the Committee on Military Affairs.

By Mr. GALLINGER:

A bill (S. 1942) for the establishment of a probation and parole system for the District of Columbia; to the Committee on the District of Columbia.

By Mr. BRISTOW:

A bill (S. 1943) granting an increase of pension to Jacob Sands; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 1944) for the retirement of employees in the classified civil service; to the Committee on Civil Service and Retrenchment.

By Mr. BOURNE:

A bill (S. 1945) granting an increase of pension to William J. R. Beach (with the accompanying paper); and

A bill (S. 1946) granting an increase of pension to Joseph E. Gaunyan (with the accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 1947) granting an increase of pension to Richard Butler (with the accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 1948) to provide for the issuance of medals of honor to Jesse F. Snow and other volunteer soldiers of the civil war; to the Committee on Military Affairs.

A bill (S. 1949) granting a pension to Antoinette C. Constant;

A bill (S. 1950) granting an increase of pension to Jesse F. Snow; and

A bill (S. 1951) granting an increase of pension to Samuel M. Hill (with the accompanying papers); to the Committee on Pensions.

By Mr. DICK:

A joint resolution (S. J. R. 23) making the 12th day of February a legal holiday; to the Committee on the Library.

TRAVELING EXPENSES OF THE PRESIDENT.

Mr. GUGGENHEIM. I submit an amendment intended to be proposed to the bill (H. R. 8098) making appropriations for expenses of the Thirteenth Decennial Census for the fiscal year 1910, and for other purposes, which I ask to have read and referred to the Committee on Appropriations.

The proposed amendment was read, ordered to be printed, and referred to the Committee on Appropriations as follows:

Amendment intended to be proposed by Mr. GUGGENHEIM to the bill (H. R. 8098) making appropriations for expenses of the Thirteenth Decennial Census for the fiscal year 1910, and for other purposes, viz, insert the following:

Traveling expenses of the President of the United States: There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for or on account of the traveling expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, for the fiscal year ending June 30, 1910, the sum of $25,000.

REPORT OF ROBERT J. WALKER, IN 1845.

Mr. BACON. I ask that the report of the Secretary of the Treasury, Mr. R. J. Walker, on the state of the finances, and so forth, made to Congress December 3, 1845, be printed as a Senate document (S. Doc. No. 14). I will state the fact that it is extremely difficult to get this document. It is only to be found in some few compilations of executive papers.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia?

Mr. KEAN. What is the request?

The VICE-PRESIDENT. The Senator from Georgia will please restate his request.

Mr. BACON. The request is that the report of the Secretary of the Treasury made to Congress in 1845, the Secretary then being Mr. R. J. Walker, shall now be printed as a Senate document, the reason being that it is exceedingly difficult to get a copy of it.

Mr. KEAN. I believe that at the last session of Congress we had printed the report of Alexander Hamilton, and so on, and I see no objection to printing this report.

Mr. BACON. I will state further that at the last session of Congress, at the request of the Senator from Rhode Island [Mr. ALDRICH], all the reports made upon the various tariff bills were printed, back to the date of the Mills bill, I think, and this report therefore was not included. It is important that it should be printed.

Mr. KEAN. I think some passages of it are good reading.

Mr. BACON. That remark applies not only to some passages, but as to its totality.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That the report of the Hon. Robert J. Walker, Secretary of the Treasury, on the state of the finances, dated December 3, 1845, Twenty-ninth Congress, be printed as a Senate document (pp. 1 to 20, both included).

CIVIL-SERVICE EMPLOYEES FROM NEW HAMPSHIRE.

Mr. GALLINGER. I submit a resolution and ask for its present consideration.

The resolution (S. Res. 35) was read, as follows:

Senate resolution 35.

Resolved, That the Civil Service Commission is hereby directed to communicate to the Senate, at the earliest practicable day, a list of the names of those now in the service charged to the State of New Hampshire, including the city or town and the county which each clerk or other employee claims as his or her residence; also a statement as to the number to which said State is entitled under the provisions of the civil-service law.

Mr. TILLMAN. I hope the Senator from New Hampshire will permit South Carolina to be included in the resolution, as an amendment.

Mr. GALLINGER. I am always delighted to be associated with the Senator in any good work, but I think the Senator had better introduce a separate resolution for that purpose.

Mr. TILLMAN. Of course, if the Senator from New Hampshire objects to including South Carolina in a good work—and he says this is a good work—I shall not intrude on him.

Mr. GALLINGER. I think the Senator had better introduce a separate resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution submitted by the Senator from New Hampshire?

Mr. SMITH of Michigan. I should like to ask that the resolution be read again.

The VICE-PRESIDENT. Without objection, the Secretary will again read the resolution.

Mr. GALLINGER. Before it is read, I desire to modify it so as to insert "and the date of his or her appointment."

Mr. WARREN. May I ask the Senator from New Hampshire if we have anything in print now that purports to give the names and residences of the employees from all the States?

Mr. GALLINGER. Not that I am aware of, so far as the classified service is concerned.

Mr. WARREN. There is no general publication?

Mr. GALLINGER. None, so far as the classified service is concerned, I think.

The VICE-PRESIDENT. The Secretary will read the resolution as modified.

The Secretary read the resolution as modified, as follows:

Resolved, That the Civil Service Commission is hereby directed to communicate to the Senate, at the earliest practicable day, a list of the names of those now in the service charged to the State of New Hampshire, including the city or town and the county which each clerk or other employee claims as his or her residence, and the date of his or her appointment; also a statement as to the number to which said State is entitled under the provisions of the civil-service law.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

PROPOSED INCOME TAX.

Mr. CUMMINS. Mr. President, I desire to present an amendment to the pending tariff bill, and after it has been stated, I ask the indulgence of the Senate for a few moments in respect to it.

The VICE-PRESIDENT. The Secretary will state the proposed amendment.

The SECRETARY. An amendment providing for fixing duties on certain incomes.

The VICE-PRESIDENT. The amendment will be printed. Does the Senator prefer to have it referred to the committee, or to lie on the table?

Mr. CUMMINS. Let it lie on the table.

The VICE-PRESIDENT. The amendment will lie on the table.

Mr. LA FOLLETTE. I should like the Senator from Iowa to request, or if I may properly do so I request, that the proposed amendment be printed in the RECORD.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Wisconsin that the amendment be printed in the RECORD?

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. CUMMINS to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Insert the following:

SEC. —. That for the calendar year 1909, and for each calendar year thereafter, duties shall be assessed, levied, collected, and paid upon the incomes herein specified received in such calendar year by every citizen of the United States, whether residing at home or abroad, and by every other person as to an income received from any property, business, trade, occupation, profession, or employment, situated or carried on within the United States. The dutiable incomes shall be those in excess of $5,000, and from every such dutiable income the sum of $5,000 shall be deducted in order to ascertain the amount upon which the duty shall be assessed, levied, and collected. The rate of duty upon dutiable incomes shall be as follows, to wit: Upon incomes not exceeding $10,000, 2 per cent; upon incomes not exceeding $20,000, 2½ per cent; upon incomes not exceeding $40,000, 3 per cent; upon incomes not exceeding $60,000, 3½ per cent; upon incomes not exceeding $80,000, 4 per cent; upon incomes not exceeding $100,000, 5 per cent; upon all incomes exceeding $100,000, 6 per cent.

SEC. —. That the incomes upon which the duties hereinbefore specified are to be assessed and levied shall be incomes received during the calendar year and derived as follows, to wit:

First. Salaries, wages, or compensation for personal labor or service of whatever kind and in whatever form paid or received: *Provided*, That there shall be excluded the compensation of the existing President of the United States during the term for which he has been elected, and of the judges of the supreme and inferior courts of the United States now in office; and there shall be also excluded the salaries and compensation of all officers and employees of a State or any political subdivision thereof.

Second. Earnings in any profession, after deducting the expense actually incurred in conducting such profession.

Third. The gains or profits of any trade, vocation, or business.

Fourth. The gains or profits of all sales or dealings in property, whether real or personal, provided that the gains and profits from sales of real estate purchased more than two years prior to the close of the year for which the income is being ascertained shall not be included.

Fifth. Any other gains or profits growing out of the ownership of or interest in real or personal property, or the transaction of any lawful business carried on for gain or profit.

Sixth. The amount received as dividends upon corporate stocks, together with the proportionate share of the undivided profits of corporations issuing such stocks, the amount received as interest upon bonds, obligations, or other evidences of indebtedness: *Provided*, That interest upon the bonds or other obligations of a State or any political subdivision thereof, and interest upon the bonds or obligations of the United States, exempt by their terms from taxation, shall not be included.

SEC. —. That incomes or parts of incomes derived from any business, trade, vocation, or profession carried on wholly within a foreign country, or derived from property situated in a foreign country, shall not be included in the return hereinafter required.

SEC. —. That it shall be the duty of every person of lawful age having an income of more than $5,000, computed upon the basis herein prescribed, for the year 1909 and for each year thereafter, to make and render a return on or before the first Monday of March, 1910, and on or before the first Monday of March of each year thereafter, in such form and manner as may be directed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, to the collector or deputy collector of the district in which he or she resides, of the amount of his or her income computed as aforesaid; and every guardian, trustee, executor, administrator, agent, receiver, and every person or corporation acting in any fiduciary capacity shall make and render a return, as aforesaid, to the collector or deputy collector of the district in which such person or corporation acting in a fiduciary capacity resides or does business, of the amount of the income of any minor or person for whom they act whose income exceeds $5,000. The collector or deputy collector shall require every return to be verified by the oath or affirmation of the person rendering it, if it be an individual, or the proper officer or officers of a corporation, if it be a corporation. If the said collector or deputy collector has reason to believe that any return understates the income therein reported, he may increase the amount subject to the appeal hereinafter provided; and in case any such person having a dutiable income shall neglect or refuse to make and render such return, or shall render a willfully false or fraudulent return, it shall be the duty of such collector or deputy collector to make or correct such return from the best information he can obtain, either by the examination of such person or by any other evidence, and to add 50 per cent as a penalty to the amount of the duty in all cases of willful neglect or refusal to make or render a return, and in all cases of a willfully false or fraudulent return to add 100 per cent as a penalty to the amount of the duty ascertained to be due; the duty and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a return or of rendering a false and fraudulent return. Any person aggrieved by the decision of the deputy collector in either of the cases above mentioned may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If dissatisfied with the decision of the collector, originally or on appeal, such person may submit the case with all papers to the Commissioner of Internal Revenue for his decision and may furnish the testimony of witnesses to prove any relevant facts, having served notice to that effect upon the Commissioner of Internal Revenue as herein prescribed. Such notice shall state the time and place at which and the officer before whom the testimony will be taken, the name, age, residence, and business of the proposed witnesses, with the questions to be propounded to each witness and a brief statement of the substance of the testimony he is expected to give: *Provided*, That the Government may at the same time and place take testimony upon like notice to rebut the testimony of the witnesses examined by the person against whom the collector rendered decision. The notice shall be delivered or mailed to the Commissioner of Internal Revenue a sufficient number of days previous to the day fixed for taking the testimony to allow him after its receipt at least five days, exclusive of the period required for mail communication with the place at which the testimony is to be taken, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness or witnesses. Whenever practicable the affidavit or deposition of a collector or deputy collector of internal revenue shall be taken, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit. No penalty shall be assessed upon any person for such neglect or refusal or for making or rendering a willfully false or fraudulent return except after reasonable notice of the time and place of hearing to be prescribed by the Commissioner of Internal Revenue, so as to give the person charged an opportunity to be heard.

SEC. —. That the duties on incomes hereby imposed shall be due and payable on the 1st day of July, 1910, for the year 1909, and on the 1st day of July of each succeeding year for the duties assessed and levied upon the incomes of the preceding year, and if the duty on any income remains unpaid after the 1st day of July as aforesaid and after ten days' notice and demand thereof and therefor by the collector, there shall be collected as a penalty for such nonpayment the sum of 5 per cent on the amount of duty unpaid, and also interest at the rate of 1 per cent per month upon said duty from the time it becomes due. The Commissioner of Internal Revenue is authorized to relieve the estates of deceased, insane, or insolvent persons from the aforesaid penalty if the failure to pay at maturity was without fault of the person or persons in charge of said estates.

SEC. —. That if at any time after the duty upon any income is paid, or, becoming due, is unpaid, the Commissioner of Internal Revenue ascertains that the person returning the said income for duty knowingly made a false return respecting the same, the amount of dutiable income so concealed shall be assessed for the year in which the discovery is made and there shall be collected for and on account of any such concealed income double the duty prescribed in this act.

SEC. —. That at any time after September 1 in each year the internal-revenue collector in any district shall proceed to enforce by distraint upon any property belonging to any person upon whose income a duty has been assessed and levied and which duty or any part thereof remains unpaid, and all the property of any such person wherever situated subject to execution shall be liable to distraint for the collection of the unpaid duty.

SEC. —. That it shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or make known in any manner whatever not provided by law to any person any information obtained by him in the administration hereof concerning the amount or source of income, profits, losses, expenditures, or any particular thereof set forth or disclosed in any income return by any person or corporation, or permit any income return or copy thereof or any book containing any abstract or parts thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return or any part thereof or the amount or sources of income, profits, losses, or expenditures appearing in any income return. Any offense against the foregoing provisions shall be a misdemeanor and punished by a fine not exceeding $1,000, or by imprisonment for a period not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States, he shall be dismissed from office and be incapable thereafter of holding any office under the Government.

SEC. —. That every internal-revenue collector shall, from time to time, cause his deputies to proceed through every part of his district and to inquire after and concerning all persons therein who may be in receipt of dutiable incomes hereunder, and concerning all persons or corporations having the care and management of property which may produce such income, and to make a list of such persons or corporations and to enumerate said properties.

SEC. —. That only one deduction of $5,000 shall be made from the aggregate income of all the members of any family composed of one or both parents and one or more minor children or husband and wife. No penalty shall be assessed upon any person, corporation, or association for a neglect or refusal to make return or for making or rendering a willfully false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue, so as to give the person charged with such neglect or refusal, or charged with such false or fraudulent return, an opportunity to be heard.

SEC. —. That in the event that any person with a dutiable income fails to make the return prescribed in section — hereof to the collector or deputy collector, and the person shall be absent from his or her residence or place of business at the time the collector or deputy collector shall call for such annual return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business with some one of suitable age and discretion, if there be such person present, otherwise to deposit in the nearest post-office, a note or memorandum addressed to such person requiring him or her to render to such collector or deputy collector the return required by law within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person, on being notified or required as aforesaid, shall refuse or neglect to make such return within the time required as aforesaid, or delivers any return which, in the opinion of the collector, is false or fraudulent or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person or any other person having possession, custody, or care of books of account containing entries relating to the business of such person or any other person he may deem proper, to appear before him and produce such books at a time and place named in the summons, and to give testimony or answer interrogatories under oath respecting any subjects which will tend to disclose the true income. The collector may summon any person residing or found within the State in which the district lies; and when the person intended to be summoned does not reside and can not be found within such State, he may enter any collection district where such person may be found and there make the examination herein authorized. And to that end he may there exercise all the authority which he might lawfully exercise in the district for which he is commissioned. This procedure shall apply to all cases of failure to make return and to all cases in which the collector shall be of opinion that the return is incorrect, false, or fraudulent.

SEC. —. That when any person, corporation, or association refuses or neglects to render any return required by law, or renders a false or fraudulent return, the collector or any deputy collector shall make, according the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector and on his own view and information, such knowledge as he can obtain, a return according to the form prescribed of the income derived by any person under the care or management of such person, corporation, or association, and the return so made and subscribed by such collector or deputy collector shall be held prima facie good and sufficient for all the above purposes.

SEC. —. That every corporation or association organized under the law of the United States or of any State or Territory doing business for profit shall make and render to the collector of the district in which its principal office is situated, on or before the first Monday of March in every year, beginning with the year 1910, a full return verified by oath or affirmation, in such form as the Commissioner of Internal Revenue may prescribe, of all the following matters for the whole calendar year last preceding the date of such return—

First. The gross profits of such corporation or association from all kinds of business of every name and nature.

Second. The expenses of such corporation or association exclusive of interest, annuities, and dividends.

Third. The net profits of such corporation or association without allowance for interest, annuities, and dividends.

Fourth. The amount paid on account of interest, annuities, and dividends, with a list showing the names and post-office addresses of the persons to whom any such interest, annuities, and dividends were paid, stating the amount paid to each of such persons separately.

Fifth. The amount paid in salaries of $5,000 or more to each person employed, giving the amount of the salary paid to each person and his name and post-office address.

Sixth. If the net profits mentioned in the third paragraph of this section were not wholly divided, then to state the amount which would have been paid to each person if the said profits had been wholly divided, giving the name of each such person and the amount of his distributed share and his post-office address.

SEC. —. That it shall be the duty of every such corporation or association doing business for profit to keep full, regular, and accurate books of account, upon which its transactions shall be entered from day to day in regular order, and whenever a collector or deputy collector in the district in which any such corporation or association has its principal office shall believe that a true and correct return as hereinbefore provided has not been made, he shall make an affidavit of such belief, and of the grounds on which it is founded, and file the same with the Commissioner of Internal Revenue, and if said commissioner shall, on examination thereof and upon full hearing of notice given to all parties, conclude that there is a ground for such belief, he shall issue a request in writing to such corporation or association to permit an inspection of the books of such corporation or association to be made, and if such corporation or association shall refuse to comply with such request, then the Commissioner of Internal Revenue shall take such action as will enforce the duty herein imposed upon such corporation or association.

Mr. CUMMINS. Mr. President, this amendment proposes duties upon certain incomes. I intend at a later time in the consideration of the pending bill to address the Senate with respect to the wisdom and the justice, the history, and the validity of income duties. Until very recently it was not my purpose to accompany the amendment with any observations whatever; but in view of the statement with respect to the expenditures and the revenues of the Government made by the Senator from Rhode Island [Mr. ALDRICH] on Monday morning, and in view of the comments of certain newspapers with respect to the motives of the Republican Senators who favor raising a portion of our revenue by a duty on incomes, I have been tempted to depart from my original intent and to enter at this moment upon a very brief discussion of the subject.

First, with regard to the amendment itself. It differs in two important particulars from the amendment offered by the Senator from Texas [Mr. BAILEY]. The first essential difference is that the duty laid upon incomes is a graduated duty instead of a flat duty. According to the terms of this amendment the duty begins with incomes not exceeding $10,000, those under $5,000 being exempt, attaches to such incomes a duty of 2 per cent, and finally reaches incomes of $100,000 or more, upon which there is imposed a duty of 6 per cent.

In this connection I may be permitted to state as a mere conjecture and opinion that this amendment, if it became a part of the law, would raise substantially $40,000,000, a greatly less sum than would be raised, according to the estimate of the Senator from Texas, upon the amendment presented by him.

The second important particular in which this amendment differs from the amendment already before the Senate is that it is confined to individual incomes; that is to say, the duty is not imposed upon corporate incomes. The reasons that moved me in preparing the amendment in this wise are that the policy of an income law, the policy indeed in almost every kind of law, is to exempt those who are least able to bear the burden from the burden. An income duty imposed upon the aggregate income of a corporation rests with equal weight upon those persons who derive some income from a corporation and yet have an aggregate income below the minimum fixed by the statute and those large incomes upon which it is the policy of the Government to attach a duty.

Further than that, I regard a graduated income duty as impossible if levied upon the incomes of corporations. The reason is obvious. This amendment, for instance, imposes a duty of 2 per cent in the case of an income not exceeding $10,000 upon that part of such income exceeding $5,000. It imposes a duty of 6 per cent upon all incomes in excess of $100,000.

I will take the instance which is in every mind the very moment a corporation is mentioned, namely, the United States Steel Corporation. It had last year, according to its report, an income, not deducting the rewards upon its capital, of $91,000,000. Under any logical or scientific system of graduated tax this income would bear the highest rate, and yet, as we know, there are twenty-five or thirty million dollars of the stock of the United States Steel Corporation held by employees of the corporation whose incomes will average less than $1,200 per year. Therefore, if a graduated tax be accepted and the duty is imposed upon the aggregate income of corporations, the stockholders whose incomes are below the minimum fixed by the amendment would bear the highest rate of duty attached to the largest income. In my opinion, such a result would not only be unjust, but it would destroy the essential and fundamental principle that underlies an income duty.

There is another reason of a legal character which led me to attach these duties to individual incomes only. The very moment that you include a corporation within the scope of an income tax, that moment you must begin a classification of corporations. The law of 1894 excluded from its operation a great number of corporations, and properly excluded them. But this classification had a tendency, in the opinion of the Supreme Court, both of its majority members and its minority members, to destroy the uniformity which the Constitution requires shall inhere in an indirect tax.

I do not suggest, Mr. President, that the amendment I have presented removes all the objections found to such a law in the decision of the Supreme Court in the Pollock case. I recognize that it challenges that opinion in one particular, but I believe that it removes all the points of collision save one. That is this: Is a tax levied upon an income derived from an investment in either real or personal property a direct tax? That

question is one so broad and fundamental, that, in my opinion, it is utterly impossible to frame any income-tax law that will not run counter to the opinion expressed by a majority of the members of the Supreme Court. If that opinion is to stand in its full scope and with its full vigor, then the United States must abandon for all time, or until the Constitution be amended, the exercise of a power and authority which had been recognized for a hundred years before the opinion was announced.

Therefore, in these two particulars, or, broadly speaking, in this one particular, the amendment I have presented challenges the opinion of the Supreme Court in just the same manner that the amendment offered by the Senator from Texas does.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. With pleasure.

Mr. BURKETT. It seems to me that there is another challenge which it must make. If I understand it aright, this income tax is either a direct tax or it is an indirect tax. A direct tax must be apportioned. If it is an indirect tax, it must be uniform.

Of course, I have not read the Senator's amendment to the bill, for it has not yet been printed, but I take it, from what he says, it is not attempted to make an apportionment. It seems to me that it also must attack the other proposition of uniformity, which was one of the questions, if I remember correctly, that was raised in the Pollock case. I have not read that opinion for some years, but if I remember aright, the question was raised in the Pollock case whether there might be a different rate of tax upon different incomes or the tax on some incomes eliminated; for example, a limitation of $4,000, as there was, if I remember correctly, in the act of 1894.

If the Senator has not conformed to the requirement of a direct tax and an apportionment, would not his amendment also run counter to the decision in the Pollock case in not conforming to the other requirement—that of uniformity in the case of an indirect tax?

Mr. CUMMINS. Mr. President, as I suggested in the beginning, it has been my purpose at a later time to consider this question from the constitutional standpoint. But in answer to the inquiry of the Senator from Nebraska, I beg to say that in the Pollock case the question of uniformity related to the classification of corporations, not to the graduation of the tax, for the reason that there was no graduation of duties under the law of 1894. It is quite true that in both the majority opinion and the minority opinion in the Pollock case there was some criticism with respect to the exemption of incomes below $4,000. That criticism, however, did not lead, as I remember, any judge uttering it into the opinion that therefore the law was unconstitutional.

Mr. President, I believe it to be the bounden duty of Congress at this time to again invoke the deliberate reexamination of this question by the Supreme Court. The decision in the case to which I have referred is so serious an invasion upon federal power and it so vitally restricts federal authority that we ought not to permit a single moment longer than necessary to pass without again asking for an examination of this power upon the part of the Government of the United States.

It is true that we are not in the midst of war; but there is no Senator so keen in his prophecies as to attempt to declare the moment in which we may become involved in war, and then, at least, there will be the same imperious necessity for invoking this authority that there was in 1861.

Do not misunderstand me. I am not contending that we ought to enter upon this experiment as a mere experiment. If we do not need the revenue that would be produced by an income tax, then I agree that it would be the height of folly to collect money in any manner whatsoever not needed for the reasonable expenditures of the Government. But if we do need this revenue, or if this revenue can be substituted for another still more burdensome, then there never was a moment in which it became more imperatively the duty of the American Congress to set in motion this power than at the present time.

So much, Mr. President, with regard to the amendment that I have presented.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. I do.

Mr. RAYNER. Without committing myself in any way to any of these propositions of an income tax, for or against, I respectfully call the attention of the Senator from Iowa to the proposition that the suggestion of the Senator from Nebraska [Mr. BURKETT] has been completely answered in the case of Knowlton v. Moore (178 U. S.), in which the Supreme Court held that "uniformity" meant geographical uniformity and not individual uniformity.

I think the Senator from Iowa even goes too far when he says that there could not be a classification of corporations. There could undoubtedly be a classification of corporations if the taxes operate uniformly throughout the United States. In this case the proposition was discussed, and the Supreme Court said:

> The two contentions, then, may be summarized by saying that the one asserts that the Constitution prohibits the levy of any duty, impost, or excise which is not intrinsically equal and uniform in its operation upon individuals, and the other that the power of Congress in levying the taxes in question is by the terms of the Constitution restrained only by the requirement that such taxes be geographically uniform.
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> * * * * * * *
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> Thus it is apparent that the expression "uniform throughout the United States" was at that time considered as purely geographical, as being synonymous with the expression "general operation throughout the United States," and that no thought of restricting Congress to intrinsic uniformity obtained, since the powers recommended were absolutely in conflict with such theory.

Mr. CUMMINS. I agree with the Senator from Maryland perfectly. The difficulty about classification to which I referred was not that the Constitution inhibited the classification of corporations, but that the classification must not be arbitrary; it must be founded upon some reason, and it is exceedingly difficult to classify the corporations of the United States.

However, the chief reason which leads me to present an amendment levying duties upon individual incomes alone is the inequality and the injustice which must necessarily result to the smaller stockholders, the men whose incomes derived from that source and from others do not reach the point fixed by the law for duties.

Mr. President, I shall recur to some phase of this subject at a later time; but I am now prompted to call to the attention of the Senate some comments that I have read within the last two or three days with regard to the income-tax measure, especially relating to the motives of those Republican Senators who believe that a substantial part of the burdens of our country should be borne through a revenue raised in this manner. It is said that it is a Democratic proposition, a Democratic doctrine. If it were, Mr. President, that would not deter me from accepting it, if it commended itself to my conscience and my judgment. We are long past that era in the world's affairs when men repeat that old inquiry, "Can any good thing come out of Nazareth?" I am willing to accept a wholesome, sound, and just principle, no matter what its origin may be.

But, Mr. President, it is not a Democratic doctrine; it is not a Democratic principle in any other sense than that the Democratic party shares with all other political organizations a belief in the fundamental principles of society. The last campaign, from the Republican standpoint, was full of pledges of fidelity and loyalty to an income-tax law; and, more than that, it will not be forgotten that the most successful and the most effective income-tax law ever passed by Congress or administered by an Executive was an income-tax law passed by a Republican Congress and administered by a Republican Executive.

The only difference between those conditions and the ones which surround us is that, in 1861, we levied an income tax to meet the demands of the Government in the most critical moment of its existence—in the time of war. But the demands of peace may be just as imperative as the demands of war. If it was constitutional in 1861 to levy an income tax to support the Government of the United States, it is constitutional in 1909 to levy an income tax to support the Government of the United States. War may make a great difference with respect to the extent of the revenue required; but granting that in a time of peace we need the revenue, it is just as constitutional now, it is precisely as just now, as it was in 1861.

I congratulate the Senate and the country upon the happy and fortunate fact that we can consider this subject without tinge of partisan bias, without tinge of partisan color. I congratulate you and your constituents upon the fortunate conditions that enable us to debate and to decide this question without any regard whatsoever to any party and without any obligation save that which we owe to a common country.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. Certainly.

Mr. RAYNER. We have not had an opportunity of reading the Senator's amendment. I ask the Senator the question: Does the amendment exempt all corporations in the United States from the payment of an income tax?

Mr. CUMMINS. It levies an income tax solely upon the incomes of individuals.

Mr. RAYNER. Then you have an amendment providing for an income tax which practically exempts every corporation in the United States from paying an income tax? That is the point.

Mr. CUMMINS. Just exactly as the law of 1894 did. The law of 1894 provided that the income derived by the individual from a corporation that had paid an income tax should be deducted from his individual income, and this amendment reaches precisely the same result in, I think, a much more satisfactory and equitable way.

Mr. RAYNER. This amendment, in my judgment, does not at all reach the same practical result. What I want to get at is this: Under the law of 1894, corporations paid taxes on their incomes, while under the Senator's amendment no corporation in the United States would pay a dollar to the Government of the United States except in a roundabout way in which the Senator figures it out that it comes out of the pockets of individuals who get dividends from corporations.

Mr. CUMMINS. The Senator from Maryland is too good a lawyer and is too intelligent a man, I am sure, to put a misconstruction upon this amendment. I ask him again to recur to the point. The steel corporation——

Mr. RAYNER. What I want to ask the Senator is this: When you are imposing an income tax—I am not arguing the income tax at all—why not put the income tax on corporations and exempt whatever corporations you think are proper from the operation of the income tax, provided it is a geographically uniform tax? Why not put a tax on corporations? Why do you exclude corporations from the tax? We have not read the amendment; and I should like to hear some reason for such a provision.

Mr. CUMMINS. I will answer the Senator with pleasure.

Mr. RAYNER. We are after the corporations also, and I thought you were, too.

Mr. CUMMINS. I am after justice; I am not after the corporations.

Mr. RAYNER. No; I am after equal justice, but you are letting the corporations out.

Mr. CUMMINS. I favor an amendment which will accomplish justice throughout the United States. I answer the Senator from Maryland further in this way: The amendment which I have offered provides that the tax shall be levied upon all the dividends received from corporations. It is to be levied not only upon all the dividends received from corporations, but it is to be levied upon all undivided surplus or undivided profits of corporations. In that way it reaches every penny that is accumulated by a corporation in the way of net income.

Now, mark you, the reason that I prefer to reach the individual directly rather than the corporation is the one I have so repeatedly expressed. If you tax the corporation alone, or if you tax the corporation upon its entire net income, suppose that I were receiving from that corporation and from other sources an income of $100,000—a most impossible hypothesis, but I nevertheless assume it for the moment—and the Senator from Maryland was receiving an income from all sources, partially from the dividends of corporations, of $5,000——

Mr. RAYNER. That is impossible.

Mr. CUMMINS. Which is no impossible hypothesis——

Mr. RAYNER. It is impossible to myself in the same sense that it is as to the Senator.

Mr. CUMMINS. But do you not see the immediate injustice of it? The Senator would pay an income tax of 6 per cent on the income that he received from that corporation, although his entire income was less than the taxable amount, and I would be taxed also 6 per cent, being in the enjoyment of an income taxed at the highest rate. I am sure that if you once indorse a graduated income tax you must agree that it should be levied in the way that I have suggested, because in the end, I repeat, the income tax reaches the earnings of every corporation in the land and at the same time it does absolute justice among individuals.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. With pleasure.

Mr. SMITH of Michigan. I should like to ask the Senator from Iowa just how he proposes to reach this net income—whether in the form of surplus or undivided profits, where the advantage to the stockholder is in the book value of his stock, or in a suspense account that may not even take the form of surplus? Does the Senator propose to reach that value by some inquisitorial means?

Mr. CUMMINS. Mr. President, it will be necessary for the Senator from Michigan to define what he means by the word "inquisitorial." In a sense every taxing process is inquisitorial.

Mr. SMITH of Michigan. I use it in that way, and not as a criticism.

Mr. CUMMINS. And this amendment is not relieved of that character. But I will answer the Senator from Michigan, anticipating somewhat a full discussion of this measure. This amendment provides that the individual having an income of more than $5,000 shall make a report just as the law of 1894 and just as the law of 1861 provided.

Mr. SMITH of Michigan. That is, the individual citizen?

Mr. CUMMINS. Just wait a moment. Precisely; the individual citizen. It provides that every corporation shall make a report showing its gross income and its net income, showing the amounts that it has paid in the way of interest, in the way of dividends, showing what the amount of the undivided profits of the year are, and also showing the distributive share of each stockholder in the undivided profits, and that is added to the income of the individual precisely as the income that he has actually received in money.

Mr. SMITH of Michigan. Then, Mr. President, the proposition is to assess this income in the hands of the individual stockholder?

Mr. CUMMINS. It is, whether he is a stockholder or not—the individual.

Mr. SMITH of Michigan. In the hands of the individual stockholder. Then if you propose to do it in that way, how are you going to reach the individual stockholder who is not a resident of the country, who lives abroad, and over whose person you have no jurisdiction whatever?

Mr. CUMMINS. We shall reach that individual in precisely the same way he has always been reached; by just the same process as was employed in 1861, and just the same process as was employed in 1894.

Mr. SMITH of Michigan. Will the Senator from Iowa point that out?

Mr. CUMMINS. I pointed it out just a moment ago. We reach it by providing that a corporation must return all its earnings, its gross income, its net income, the names of its stockholders, and those persons, in so far as it knows them, to whom it pays dividends. If those persons be citizens of the United States residing abroad, their income is thus ascertained, just as it was in 1894. If they be aliens and residing in their own countries, then their incomes are reached precisely as under the law of 1894. There is no difference.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. The foreigner, then, is to be reached by some process under our law. He may also be reached by some process of similar nature in the country in which he resides. Is that the situation that we find him in?

Mr. CUMMINS. I do not know what situation the Senator from Michigan would find him in. I am reaching the property precisely as it was sought to be reached in 1894. We might not be able to find the property of those nonresident aliens upon which to levy a distress warrant.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield further?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. Then, if you did not find his property, he would escape paying his proportion, notwithstanding his participation in American dividends.

Mr. CUMMINS. Oh, no.

Mr. SMITH of Michigan. For instance—if I do not interrupt the Senator against his wish——

Mr. CUMMINS. Not at all. Although I had not intended at this time to enter upon any such detailed discussion of this measure, I am willing to answer any inquiry.

Mr. SMITH of Michigan. The Senator's remarks are very interesting; but I think it is a well-known fact that much stock in American corporations is held abroad; that there are many stockholders and bondholders in American enterprises who live abroad subject to the jurisdiction and laws of their own countries. Now, it is just a little beyond my ability to comprehend how the Senator is going to reach that class of stockholders unless he puts his tax upon the corporation itself.

Mr. CUMMINS. Mr. President, I will delay making a full answer to that question until the Senator from Michigan has had an opportunity to read the amendment. He will find, however, that there is just as effective a way of reaching the income of the individual whom he has in mind as there was in the law of 1861 or the law of 1894.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. Certainly.

Mr. SMITH of Michigan. I sincerely hope that that is so.

Mr. CUMMINS. If that is not so, the Senator from Michigan can amend the amendment.

Mr. SMITH of Michigan. No. I sincerely hope that the scope of the Senator's amendment is such that its operation and effect will not be to make it convenient or desirable for dummy holders in American corporations to have their residence abroad. If we are to have an income-tax law, it should be uniform, and it should apply to all people alike, whether natural or artificial, and in proportion to their incomes.

But I do not hesitate one moment to say that there is a large part of the stock and securities of prosperous American corporations held abroad in the leading financial centers of the world. I do not understand why these corporations should be relieved of this additional burden or the exactions by the Government, unless it is as a favor to them and not as a right.

Mr. CUMMINS. Mr. President, with the general sentiment expressed by the Senator from Michigan I am in entire accord, and I think that he does not mean to be understood as accusing me of any desire to favor corporations.

Mr. SMITH of Michigan. No.

Mr. CUMMINS. There is a history behind every man which either approves or condemns his course in any such respect as that; and I have a history which, I think, relieves me of any such imputation.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. With that history I am very familiar. I am well aware of the consistent record of the Senator from Iowa in his desire to have all property, whether corporate or personal, bear its just proportion of the expenses of the Government. I have no criticism to make upon him; in fact, I have nothing but praise for him, and I am listening to what he has to say with a great deal of interest. I regret very much that he seems by force of circumstances to be obliged to speak so briefly this morning, for I had hoped to hear him more at length, and shall examine his amendment with a great deal of care. My respect for the Senator from Iowa is such that I acquit him promptly of any desire to furnish immunity to corporations.

Mr. CUMMINS. Mr. President, I did not believe for a moment that the Senator from Michigan entertained a thought of that character. I said what I did only to prevent the possibility of misapprehension on the part of others. In this amendment I have used all the ingenuity I possess to reach the very persons to whom he has referred. If I have failed in that respect, I can not doubt that before the discussion has gone far in a tribunal of this character that defect will be remedied.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. Certainly.

Mr. SUTHERLAND. If I will not disturb the Senator from Iowa. I should like to ask him a question for my own information. I did not have the opportunity of hearing the amendment read.

Mr. CUMMINS. It has not been read.

Mr. SUTHERLAND. But if I understand what the Senator has said, his amendment proposes to tax the incomes of individuals only; it makes an exemption of incomes under $5,000, and entirely relieves the incomes of corporations from the tax, provided it has been paid in the shape of dividends. Am I correct about that, I will ask the Senator?

Mr. CUMMINS. The Senator is correct.

Mr. SUTHERLAND. Let me ask the Senator this question: Suppose we have a corporation which distributes dividends amounting to $100,000. It has 50 shareholders, and we will assume that each shareholder has an equal amount of stock, so that each shareholder would receive $2,000 in dividends. Under the Senator's proposed amendment none of those shareholders would pay any tax at all, as I understand.

Mr. CUMMINS. I have not so said.

Mr. SUTHERLAND. Well, then, the Senator did not——

Mr. CUMMINS. If the Senator will permit me, I will correct him just at that point.

Mr. SUTHERLAND. I will be glad to have the Senator do so.

Mr. CUMMINS. In the case that he has imagined, if the $2,000 received as dividends on stock in the corporation constitutes the only income received by the shareholders, then that income would be exempt. If, on the other hand, the income from other sources raises the income of the individual to $5,000 or more, then this tax would fall upon him.

Mr. SUTHERLAND. Mr. President, I did not misunderstand the amendment, only I did not put my supposition quite far enough. We will suppose, then, that the 50 shareholders receive an equal amount of the dividend, $2,000 each, and that no one of them has an income from any other source, so that the $2,000 represents the entire income. In that case not one of those shareholders would pay a cent of tax. That is correct, is it not?

Mr. CUMMINS. That is true.

Mr. SUTHERLAND. And, notwithstanding the fact that the corporation had an income of $100,000, the corporation would pay no tax?

Mr. CUMMINS. That is true—no income tax.

Mr. SUTHERLAND. So that there is an income of $100,000 of the corporation upon which no tax at all is paid? Is that the result?

Mr. CUMMINS. That would be the result in the particular instance the Senator has given. But, Mr. President, I am not to be terrified by any such result. I do not believe that an individual with an income of $2,000 derived from a corporation should be taxed any more than an individual receiving $2,000 by way of a salary. I am attempting to reach the aggregate, the ultimate, the final result. The corporation is simply the instrumentality for the enrichment of its stockholders, and if that instrumentality results in conferring upon its stockholders an income above the minimum fixed by the amendment, then it should be taxed; but if that income is below the minimum, there is no more reason for imposing a tax upon it than there would be if it were derived as a salary or as profit in a real-estate transaction or as the profits of a farm.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. Certainly.

Mr. RAYNER. We have not had an opportunity to look at the Senator's amendment. I should like to give the Senator a concrete, but at the same time a supposititious, case. Let us take the case, for instance, of Mr. Carnegie. That merely exemplifies hundreds of cases, because there are hundreds of people living abroad who draw their income and dividends from domestic corporations. There is no doubt about that. Now, suppose that Mr. Carnegie to-day was getting an income of $500,000 a year in the way of dividends from the Bethlehem Steel Company. The Senator's amendment does not touch the steel company, and there is no way on the face of the earth to collect an income tax from him unless he has property in the United States that you can distrain on.

Mr. CUMMINS. The Senator has not read the amendment.

Mr. RAYNER. You can not make an amendment to cover that case.

Mr. CUMMINS. Very well.

Mr. RAYNER. If the man has no property, how will you collect an income tax if he lives abroad?

Mr. CUMMINS. It is evident the Senator does not desire to ask me a question, and I will yield at the proper time to any argument that he may desire to make.

Mr. RAYNER. I ask the Senator how he would get that tax?

Mr. CUMMINS. The Senator says it can not be done.

Mr. RAYNER. If I may be permitted to ask a question, How does the Senator propose to collect an income tax in such a case as I have given?

Mr. CUMMINS. I propose that the corporation shall pay that tax.

Mr. RAYNER. Does the amendment of the Senator say that the corporation shall pay it?

Mr. CUMMINS. As I understand, the duty could be collected from the corporation, but I will strengthen it in that particular.

Mr. RAYNER. I have not read it. I should like the Senator to point that clause out. It is a very important feature if it says so. The Senator from Michigan [Mr. SMITH] and myself both think that it does not cover that case.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I do not wish to annoy the Senator from Iowa.

Mr. CUMMINS. The Senator does not annoy me at all.

Mr. SMITH of Michigan. The suggestion of the Senator from Utah [Mr. SUTHERLAND] impressed me very much, and the answer given by the Senator from Iowa, it seems to me, leads to this, that under his amendment you can not reach an individual income until it exceeds $5,000. Is that correct?

Mr. CUMMINS. Yes.

Mr. SMITH of Michigan. Then, if the income of $2,000 from a given corporation, as suggested by the Senator from Utah, is the income of the head of a house, until it reaches the $5,000 mark you can not touch it, and it is not the Senator's desire to reach it. Is that correct?

Mr. CUMMINS. That is correct.

Mr. SMITH of Michigan. Now, suppose the income gets to be $10,000 for the same individual, that he has five children in his family, and that each one of the children is given an equal share in the dividend-producing stock, how are you to reach it? I should like to know whether the amendment of the Senator will reach such an income as that?

Mr. CUMMINS. Mr. President, the amendment provides that there is to be but one exemption of $5,000 in such a case as that suggested by the Senator from Michigan.

Mr. SMITH of Michigan. That is, in the family?

Mr. CUMMINS. In the family.

Mr. SMITH of Michigan. Well, does that include the collateral family, in which distant relatives have a share?

Mr. CUMMINS. I do not know, Mr. President, what a collateral family is. It is supposed to be against good morals to maintain a collateral family. [Laughter.]

Mr. SMITH of Michigan. I congratulate the Senator from Iowa heartily that he does not know what a collateral family is. [Laughter.]

Mr. CUMMINS. In turn, if the Senator from Michigan has any experience about that——

Mr. SMITH of Michigan. I have a very large experience.

Mr. CUMMINS. I suppose we will hear of it later on.

Mr. SMITH of Michigan. Probably; but my experience grows out of the fact that my name happens to be "Smith." [Laughter.]

Mr. CUMMINS. I again congratulate the Senator.

Mr. President, I am sure the Senate will acquit me of any original intent to delay the regular order of the Senate by such an extended discussion. I am not at all blamable, I think. I rose simply to make some observations with regard to an income tax generally. The details of the amendment I have offered will be better understood and more intelligently debated after the amendment shall have been printed and after Senators shall have carefully considered it.

But I was rather entertained this morning in reading a newspaper containing the suggestion that it was the purpose of Republican Senators who favor an income-tax law to invade in some way the system of protection—that it was an insidious attack upon this fundamental principle of the Republican organization. I desire to disclaim any such purpose upon my part. There is no Senator who yields allegiance to the Republican party who is more firmly wedded to the doctrine of protection than I. I understand that I came into the Senate with some suspicion respecting my soundness upon the policy of protection. I frankly admit, if I am to be measured by the test imposed by that association of selfishness and slander known as the "Protective League," that I am not sound upon the doctrine of protection; but if I may be measured by Republican platforms, by the utterances of McKinley and of Garfield and of Allison and of Blaine, then I am as sound as any Senator who marches under the political banner to which I yield my loyalty.

I am not in favor of an income tax for the purpose of destroying the efficiency of the system of protection, and if it be true that an import-duty law can not be adjusted so as to afford ample and adequate protection to American industry without foreclosing the opportunity for the operation of an income-tax law, then I abandon the income-tax provision, for I have no desire to invade by a hair's breadth the established and long-continued policy of the party to which I belong of giving full and ample protection to the American as against every other man on the face of the earth.

I have heard it said—and I think it was first said by a very distinguished Democrat—that an income tax was a Populistic doctrine. If it be Populistic, if it be the emanation of that party that we know as the Populist party, then we owe that party a deep and abiding obligation.

But, again, I must call your attention to history. It is of ancient origin, for when the forefathers were fighting the Revolutionary war, the mother country was levying an income tax; and when the Constitution of the United States was adopted more than one of the colonies was raising its revenues in this manner. It is, so far from being what is ordinarily accepted as Populistic, a long-established and almost universally recognized principle of political economy.

I shall say no more upon that subject; and I come immediately to the phase which I think most interests Republican Senators, and to which I intended when I rose to devote my principal attention. It is this: If we do not need the revenue that would be derived from an income tax, then there ought to be an end of the discussion. The Senator from Rhode Island [Mr. ALDRICH] on Monday morning stated in substance, as I understood him, that we did not need more revenue than will be received at the custom-houses, and that, if the adjustment of the import duties presented by the committee is disturbed, we will have either too large a revenue or too little protection. This, in effect, was the statement made by the distinguished chairman of the Committee on Finance. If these conclusions are sound, I for one abandon my proposal for an income tax, for I say without hesitation that if in securing adequate protection a revenue is necessarily raised that will meet the reasonable expenditures of the Government, then, from my standpoint, it would be an economic crime to impose a tax on incomes. Therefore let us examine the validity of the conclusion.

I take up, first, the expenditures for the year ending June 30, 1910. Do not understand me to oppose my inexperienced and immature judgment upon those matters which fall within the scope and within the learning of the chairman of the Finance Committee against his. There are some things upon which I yield to him an immediate superiority; but there are some things involved in the statement made by the Senator from Rhode Island on Monday morning concerning which every Senator in this Chamber, no matter how brief his service may have been, is just as good a judge as is the Senator from Rhode Island.

As I have said, I take up, first, the expenditures for the year ending June 30, 1910. Congress has already appropriated $1,044,000,000 for those expenditures. The Senator from Rhode Island first adds $20,000,000 for the postal deficit of the year. I take no issue with him with respect to that item. It makes the total expenditures for the coming year $1,064,000,000. He then deducts appropriations for the Post-Office Department, $235,000,000; the sinking fund, $60,000,000; the national-bank fund, $30,000; and the Panama Canal expense, $37,000,000. The result, to be entirely accurate, is a probable expenditure of $702,000,000. The reason for the deduction of the Panama Canal expense is obvious, but the reason for the elimination of the sinking fund of $60,000,000 is not so clear, at least to me, unless the Senator contemplates an abandonment of all effort to reduce the national debt, and proposes to establish it as a permanent institution.

I shall not, however, at this time inquire into the wisdom of eliminating the sinking fund, and shall assume, in accordance with the judgment of the Senator from Rhode Island, that a prudent Congress will make provision for a revenue to at least the extent of $702,000,000, without impairing seriously our present surplus.

I turn now to his statement with respect to the receipts for the year ending June 30, 1910. His estimate is $655,000,000, leaving a deficit, upon his own showing, of $47,000,000. While I am willing to accept implicitly the conclusions of the Senator from Rhode Island growing out of the application of any given schedule to any given importation, I am not willing to accept his estimate of the probable receipts at the custom-houses for the coming year. He assumes that the importations for 1910 will equal the importations of 1907, and, applying the duties recommended by the committee, he estimates that the receipts will be $340,000,000 at the custom-houses, and to this he adds $5,000,000 for better administration of the law, making a total of $345,000,000.

My skepticism with respect to this conclusion does not arise from any lack of confidence in the skill of the Senator from Rhode Island in applying rates to importations. It arises because I do not believe we will reach in 1910 the enormous volume of business done in 1907.

It required nine years of extraordinary conditions, nine years of such prosperity as the American people never before knew to reach the climax of 1907. The severity of the depression which began in October of that year is just fairly dawning upon our minds, and I can not concede that for the year beginning now in two months and ending on the 30th of June, 1910, importations will reach the wonderful volume of that unparalleled year, 1907. It seems to me it would have been more prudent—and I submit it to you, Senators, whose judgments are better than mine—to take the average of 1907 and 1909 or the average of 1906 and 1907——

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. RAYNER. I was only going to ask the Senator a question for information.

Mr. CUMMINS. I do.

Mr. RAYNER. Am I correct in the statement that in 1907 the importations ran from fifty to a hundred and fifty million dollars more than they did for any of the years from 1900 to 1906?

Mr. CUMMINS. You are.

Mr. RAYNER. What is giving me trouble about the statement is this: The Senator from Rhode Island takes the importations from the 1st of March to the 15th of April and shows by actual figures that there was a $12,000,000 increase between the 1st of March and the 15th of April. Then he makes the calculation that if the increase in 1910 is at the same ratio, we will, in that year, equal the importations of 1907. Does the Senator from Iowa propose to take up that part of the statement which the Senator from Rhode Island submitted to the Senate?

I will make it clearer. I have not the figures before me now. He stated that the importations from the 1st of March to the 15th of April increased, as compared with the corresponding days in 1908, $12,000,000. That is correct, is it not?

Mr. CUMMINS. I do not distinctly hear the figures given by the Senator from Maryland.

Mr. RAYNER. I will give the figures in a moment. Here is the statement. The Senator from Rhode Island said:

> Business activity and the movement for increased importations has already commenced. We can feel the change in the air—

That is the only place where we will feel it, I am afraid—

> The customs receipts for the thirty-nine business days from March 1 to April 15, inclusive, increased, as compared with the corresponding days in 1908, $12,031,093.08, or an average daily increase of $261,545.50. If this rate of increase should continue throughout the next year, it would lead to an increase in the customs revenue for that year of $81,600,000.

I understand the Senator takes that showing and proves by it that we will have the importations that we had in 1907, and while there will be a deficiency of about $45,000,000 in 1910, which he proposes to pay from what he calls the "surplus" in the Treasury—I call it the cash balance, but call it surplus or what you will—there will be a surplus of revenue in 1911. Has the Senator from Iowa examined the statement to which I have referred, to see whether it would carry out the conclusion the Senator from Rhode Island said it would, and that we would in all probability in 1910 have receipts running up to $663,000,000 as we did in 1907?

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. ALDRICH. I did not understand the last remark of the Senator from Maryland.

Mr. RAYNER. I will read the balance of it.

Mr. ALDRICH. No; that is not necessary; but I do not understand the last statement about $663,000,000. What does the Senator refer to?

Mr. RAYNER. Those were the receipts for 1907—six hundred and sixty-three million one hundred and forty-odd thousand dollars.

Mr. ALDRICH. That is not from customs.

Mr. CUMMINS. That is the entire revenue.

Mr. ALDRICH. The entire revenue.

Mr. RAYNER. I understand it is. The customs receipts were three hundred and odd million dollars.

Mr. CUMMINS. Three hundred and thirty-two million dollars.

Mr. RAYNER. Three hundred and thirty-two million dollars. The Senator from Rhode Island says this, and I thought he might make a further explanation of it.

> I am not attacking these figures. I have simply risen for the purpose of information. I am very frank to say I am opposed to this bill and I shall vote against it, and in a few days I hope to address the Senate against it. I should like to see this bill or such a bill framed as will raise sufficient revenue.

The Senator from Rhode Island says:

> It will thus be seen that by taking the importations of 1909 as a basis and making proper allowance for increases, we obtain practically the same figures as those based upon the importations of 1907, confirming the result of my first calculation.

Mr. ALDRICH. I will explain that in this way: I think the Senator from Maryland will see in a moment what I was trying to get at in that sentence. The customs revenue for the current year will be $300,000,000, approximately. It can not vary more than three or four million dollars from that sum. If we add to that the increased ratio which has already taken place—that is, from the 1st of March until the 15th of April—we shall have more than $320,000,000, or approximately $350,000,000, of revenue, exclusive of the added amounts of revenue which will be derived from the Senate bill, as compared with existing law.

Mr. RAYNER. One moment, before the Senator takes his seat.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. I yield. I assume the Senator is asking a question of the Senator from Rhode Island.

Mr. RAYNER. Yes.

Mr. CUMMINS. I say the Senator is asking the Senator from Rhode Island.

Mr. RAYNER. I will ask it of you.

Mr. CUMMINS. I yield.

Mr. RAYNER. I will ask the Senator from Iowa. I suppose he will answer it.

Mr. CUMMINS. I yield.

Mr. RAYNER. Is this increase in duties largely derived, and almost entirely derived, from the increase in the wine schedule and the change from ad valorem to specific duties on silks?

Mr. ALDRICH. Almost entirely.

Mr. CUMMINS. In this very interesting colloquy I have really failed to catch the question desired to be put to me by the Senator from Maryland. Will he restate it?

Mr. RAYNER. The question which "the Senator from Maryland" wanted to ask the Senator from Iowa is whether or not he agrees with the Senator from Rhode Island that the increase from the 1st of March to the 15th of April will keep on, so that we will have the importations we had in 1907? I only want the Senator's opinion upon that point.

Mr. CUMMINS. I will reach that in a moment.

At the time I was interrupted by the Senator from Maryland I was dealing with the comparison instituted by the Senator from Rhode Island with respect to the probable importations for the year 1910. It was his opinion, inasmuch as we were recovering from the depression of 1907, the volume of business for the coming year would be as great as for the year 1907, and it was with regard to his judgment or opinion upon that point that I ventured the dissent. I do not believe that Congress can safely proceed upon that hypothesis, and I desire especially to impress it upon Senators. We can not in 1910 attain that high point either in consumption or in production which we enjoyed in 1907, and I was suggesting that it would have been more prudent to have combined the revenues of two years, say of 1906 or of 1909 with the revenue of 1907, and ascertain in that way what will probably be gathered at the custom-houses for the year ending June 30, 1910. I have done so, and the result, adding the eight millions that the Senator from Rhode Island says, and I accept his judgment upon that point, will be added to our revenues upon the same importations, will be that our revenues for the year 1910, gathered at the custom-houses, will be approximately $342,000,000.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. ALDRICH. Will the Senator yield to me for a moment?

Mr. CUMMINS. I do.

Mr. ALDRICH. The average increase of revenue for the thirty-nine business days between the 1st of March and the 16th of April was $261,000 per day. I have just before me the receipts for the period from the 17th to the 20th day of April. They have just reached me this morning. The average is $261,000 a day. For the 20th of April the customs receipts were $1,040,000, against $570,000 a year ago, being an increase on this day of $462,000 against an average of $261,000 for the total period from March 1 to April 15.

Mr. CUMMINS. I was about to reach that point in the comparison. I take it for granted, then, that if there had been no increase within the last few days, as compared with similar days in 1908, even the Senator from Rhode Island would hesitate to affirm that the revenues from the custom-houses in the year 1910 would exceed $324,000,000. He supplements, strengthens, and corroborates that conclusion by a reference to the dealings at the custom-houses within the last month or so.

Mr. ALDRICH. As we are discussing now the probable revenues for the year 1910, will the Senator allow me to put into the RECORD a statement made by the Chief of the Warrant Division of the Treasury? I prepared these figures and estimates by myself, after having consulted with the various experts of the Treasury Department. After they were prepared, I asked the Chief of the Warrant Division of the Treasury Department, who is recognized as a better authority than any other man in the country, to give me his idea as to what the revenue would be in the year 1910; and if the Senator will bear with me, I will be glad to read his statement.

Mr. CUMMINS. I shall be very glad to yield for that purpose.

Mr. ALDRICH. It was received by me after my own computation had been made. He says:

> Considering the growth of population, with its future demands, and noting the increase of revenue now coming to the Treasury, indicating renewal of business activity, it seems most probable that the customs receipts will show material gains in the ensuing year over the increase commenced in February, 1909.
>
> Therefore, the receipts for 1910 should be at least $340,000,000, or an average of twenty-eight and one-half millions a month.

This does not take into consideration the increase in revenue which would necessarily follow the enactment of the Senate bill of about $9,000,000 over the present law, the Dingley rates. That would bring the estimated receipts, upon the basis of this estimate, to $350,000,000, which is $5,000,000 more than my own estimate. I feel that I ought to put in this statement in justice to the officials of the Treasury Department, who have given this matter careful attention.

Mr. CUMMINS. The statement just read by the Senator from Rhode Island, in so far as I am concerned, adds nothing whatsoever to the weight or force of the conclusions announced by the Senator Monday morning. I will accept the opinion of the chief of any department—a man of skill, a man of experience—with regard to the application of the law to a given business; but in attempting to determine what the business of the United States will be in the coming year, how rapidly we will recover from the depression we have suffered, I would vastly rather have the opinion of the Senator from Rhode Island, with his wide observation, with his years of experience, than the opinion of any official of any department of the Government; and I am asking the Senators to weigh the judgment of the Senator from Rhode Island, expressed, I have no doubt, with absolute honesty and entire sincerity. But his conclusion and the conclusion of the chief of the Treasury Department are based upon the hypothesis that the American people will do as much business in 1910 as they did in 1907. I dissent from that hypothesis. I do not believe we will so speedily recover, and I can not think it prudent for the American Congress to adjust its affairs—affairs of so vital moment—upon the opinion of any man, if you please, with respect to the recovery from a financial and industrial depression.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I do.

Mr. NEWLANDS. May I ask the Senator from Iowa what revenue he expects to obtain from the measure he has introduced?

Mr. CUMMINS. The revenue that would be obtained from an income-tax law, as I have suggested, is conjectural. There are no statistics, at least at my command, that will enable me to answer that question save approximately. I believe that if the bill were in operation it would produce during a calendar year from forty to forty-five million dollars of revenue.

Mr. NEWLANDS. Will the Senator indulge me further?

Mr. CUMMINS. I will for a question. I feel exceedingly reluctant to consume the time of the Senate contrary to my original intention. If the Senator desires to ask a question, I will gladly yield.

Mr. NEWLANDS. I wish to ask a question, but a short statement will be necessary before I put it.

Mr. CUMMINS. I can not yield for the interjection of an argument.

The VICE-PRESIDENT. The Senator from Iowa declines to yield.

Mr. NEWLANDS. Very well. Then I will ask the Senator a question. Does the Senator believe that the entire constructive work of the country, such as the work on the Panama Canal, the work which we anticipate entering upon regarding the improvements of rivers and harbors, aggregating some $50,000,000 annually, the work which we expect to enter upon in the construction of public buildings upon some comprehensive plan, involving an expense of from thirty to fifty million dollars annually, should come entirely out of bond issues, or does he think it wise to provide additional revenue in order to meet those expenditures?

Mr. CUMMINS. In answer to the Senator from Nevada I will state, although my judgment may not be of great value upon that point, that in my opinion the expense connected with the construction of the Panama Canal ought to be borne entirely from the proceeds of an issue of bonds.

With regard to the other public improvements suggested in the question, I believe they ought to be borne out of the general revenues of the Government; and it is one of the purposes of this amendment so to enlarge those revenues that the improvements can be carried forward.

Mr. NEWLANDS. I will state that I am entirely in sympathy with the Senator from Iowa in that purpose——

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Nevada?

Mr. CUMMINS. I will yield, though I have answered the question. However, recurring again to a point which it seems difficult to pass, if you will take the two years, 1907 and 1908 or 1907 and 1909, and combine the customs revenues of those two years and apply the very same rule that has been applied by the Senator from Rhode Island, you will have a revenue from the custom-houses of $324,000,000, that being $21,000,000 less than the amount estimated by the Senator from Rhode Island; and, added to the deficit which it is acknowledged will exist in the year 1910, we have a deficit of $66,000,000 instead of a deficit of $44,000,000.

I now come for a moment to the comparison instituted of the work done in the last few weeks.

I decline to accept the results of importations since we entered upon the composition of the tariff bill as any index of the importations throughout the year. At their best, a few days or a few weeks do not furnish sufficient basis for any prudent conclusion. But least of all do the days and weeks through which we have passed now for a month furnish the evidence upon which you would act in determining whether importations will grow as rapidly as suggested in the comparison. I can not think that in determining what revenues we ought to have, a wise and a prudent Congress will assume that the importations will be accelerated and multiplied as they have been during the last few days.

I have now suggested everything I desire to say with regard to the expenditures of 1910. I pass over now to 1911, that being the last period covered by the Senator from Rhode Island. In ascertaining our condition at the close of the year 1911, he assumes that the customs revenues will increase $40,000,000 over and above his estimate for the year 1910. I can not think that it is in harmony with what we know about the business of this country to assume that in 1911 our customs revenues will exceed the revenues of 1910 by $40,000,000.

Mr. ALDRICH. The Senator does not take into consideration any other source of revenue.

Mr. CUMMINS. I assume that you do not expect any great addition in any other revenues than the customs.

Mr. ALDRICH. I do expect——

Mr. CUMMINS. There has not yet been pointed out, so far as I know, any increase in revenue other than at the custom-houses of the country.

Mr. KEAN. If the Senator will allow me——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New Jersey?

Mr. CUMMINS. I do.

Mr. KEAN. For the month so far the internal-revenue receipts are $12,000,000, while last year they were $11,521,000, being half a million dollars more.

Mr. CUMMINS. I understand perfectly the point made by the Senator from New Jersey; but if I were estimating a revenue for the United States, especially a revenue derived by a tax upon liquor, I would conclude that within the immediate future the result of that tax would be diminished rather than increased, for I believe it to be true, and I hope it is true, that there will be, under the vast, overwhelming development of sentiment sweeping now over this country, a marked diminution in the consumption of this seductive article.

Mr. KEAN. I will say to the Senator that my information is that the increase in internal revenue was not on liquors, but on tobacco.

Mr. ALDRICH. And beer.

Mr. KEAN. And beer.

Mr. CUMMINS. Let me ask, Is there any proposal to increase the duty on beer? I did not know that there was any such suggestion. I am heartily in favor of an increase in the duty on beer of half a dollar a barrel, but I did not understand that the Finance Committee had reported any such measure. Is it not true that the duty remains the same in the bill as reported?

Mr. ALDRICH. It does, as far as the committee is concerned. Of course I do not know what is in the mind of the Senator from Iowa.

Mr. CUMMINS. I can not blame the Senator for not knowing. He has made no effort to ascertain.

So, Mr. President, it is hardly prudent to assume that the receipts of 1911 will be increased $45,000,000 over those of 1910. I refer now to the very last item that has been under consideration. In reaching the conclusion that no further rere-

nues were needed, the Senator from Rhode Island assumes that in the year 1911 the appropriations made by Congress for conducting the Government of the United States will be $35,000,000 less than are now appropriated for the management of our affairs in 1910. I will join the Senator from Rhode Island in reducing the expenditures of this country to the very lowest point of efficiency. Here is a matter of judgment for every Senator. Do you believe that we will be able when we come to make our appropriations for 1911 to reduce those appropriations below the limit of 1910?

I grant you that there is abundant room for reform; I grant you that large sums of money can be saved by a prudent revision of some of our departments; but do you not believe that it will require all the strength and all the virtue held by the Congress to limit for the year 1911 our expenditures to the sum appropriated for 1910?

If when we consider the growth of this country, the rapidity with which the Government takes on new functions, we can hold our expenditures to the amount appropriated in 1910, we will have done more than most of the optimistic and sanguine Senators believe can be done. If this country grows in its importations, if it grows in its internal revenues, it will also grow in its demands upon the Government in the exercise of duties and of functions not now provided by law, and if we will join hands in the effort to prevent the increase of the aggregate amount appropriated for this year in the coming year, we will have served the people whom we represent faithfully and well.

If I am right with respect to these things, Senators, we need the revenue that will be raised by an income-tax provision. We need it for the wise and economical and efficient administration of a government like ours. We may differ with regard to the propriety of an income-tax law. Some of you may prefer an inheritance-tax law; some of you may prefer some other form of adding to the revenues of the Government; but I hope that the merits of the measure which I have offered will be considered not upon the assumption that it creates a useless, unnecessary revenue, but that it will be considered in comparison with other proposals for adding to the revenue of the United States, and when so considered I can not doubt that a wise, just, and honest result will be attained.

Mr. BACON. Before the Senator takes his seat I desire to ask him a question, with his permission.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. With pleasure.

Mr. BACON. I have listened with very great interest to the Senator's speech from beginning to end, and my inquiry is prompted by the fact that I have failed to hear from the Senator an allusion to a certain phase of this question. I understand the distinguished and learned Senator to base his support of the proposition for an income tax solely upon the ground that the bill as proposed by the committee will not yield, in all probability, a sufficiency of revenue for the support of the Government. I understood the Senator further to say that if he was wrong in that contention, he abandoned his advocacy of the income tax. Am I correct in that understanding?

Mr. CUMMINS. The Senator from Georgia does not state my meaning, at least with perfect accuracy.

Mr. BACON. I shall be very glad to be corrected, then.

Mr. CUMMINS. I will restate it. I said that if I must choose between an adequate and complete protection to the industries of the United States and an income-tax law, I unhesitatingly would choose the former.

Mr. BACON. I understood the Senator to say that; but what I understood him to advocate was the adoption of his amendment or some kindred proposition exclusively upon the ground that the bill as proposed would, in his judgment, not yield a sufficiency of revenue, and the Senator did not base his advocacy of it upon any other ground.

Mr. CUMMINS. It is my opinion, answering the Senator from Georgia, Mr. President, that the bill as reported by the Senate committee will not yield sufficient revenue for the fair and economical administration of the concerns of the United States, and that an income-tax law is the fairest and justest supplement that can be added to create the necessary revenue.

Mr. BACON. Then I will put the question to the Senator in another form. If the Senator can be satisfied that he is not well justified in the apprehension which he has expressed this morning as to the insufficiency of the revenue to be raised under the bill to meet the demands of the Government, that he is wrong in that particular, and that the Senator from Rhode Island is, on the contrary, correct, does the Senator from Iowa then abandon his advocacy of an income tax as an amendment to this bill?

Mr. CUMMINS. I do not——

Mr. BACON. That is what I wanted to find out from the Senator, because——

Mr. CUMMINS. If the Senator will allow me to conclude my answer——

Mr. BACON. Certainly.

Mr. CUMMINS. I do not, because I believe that the bill as reported by the Senate committee can be so readjusted as to decrease the revenue and still afford adequate protection, and for that diminution I would prefer a revenue raised by an income tax.

Mr. BACON. That is the point upon which I wished to hear the Senator, and I listened with very great interest and attention to his speech from the beginning to the end to see if the Senator would touch upon that which I regard as the vital consideration in connection with the advocacy of an income tax.

Now, Mr. President, as the Senator has concluded his speech, and I have not completed my inquiry of him, I ask him to pardon me for being a little more prolix than I would otherwise be if he were in the delivery of his address. I have purposely omitted interrupting him pending that time, my object being to have a little more opportunity to make myself plain and clear in the inquiry which I desire to make of the Senator.

From my standpoint, believing as I do in the policy and propriety of the laying of an income tax, the important consideration in connection with it is not based upon the apprehension which has so disturbed the Senator from Iowa, that there may not be sufficiency of revenue, because I have great confidence in the judgment of my learned and distinguished friend from Rhode Island [Mr. ALDRICH] in regard to that matter, but my trouble is this: If I have understood correctly the demand which has come up from the American people for a revision of the tariff law, it is a demand so loud that the Republican party itself could not turn a deaf ear to it, and was unwilling to go into the campaign until it had made a pledge upon that subject.

My understanding of the cause of that demand was that the burden of taxation rested so heavily upon the great masses of the people of the United States; and when I say that, I am not speaking of those who are poverty stricken, but of the masses of the people who are in moderately good circumstances, people who live by salaries and who live by wages, and people who live from incomes in small business. The burden upon them was so great as to become intolerable, and the people of the United States desired that the tariff law should be revised in order that that burden might be decreased and that they might be put in a more tolerable condition in the bearing of the expense of comfortable living. In other words, the great masses of the people of the United States were in a condition where food cost them too much, where raiment cost them too much, and where the expense of every incident of life necessary for a comfortable living was in excess of that which they could reasonably supply from ordinary incomes.

Now, the point of the inquiry which I desire to make——

Mr. ALDRICH. Mr. President——

Mr. BACON. If the Senator from Rhode Island will pardon me a moment, my point is this: Does the Senator from Iowa believe that the bill which has been reported from the committee will relieve the great masses of the people of this country of the burden of the excessive cost of living? Will it enable them to get their food cheaper? Will it enable them to get their raiment cheaper? Will it enable them to put shoes upon the feet of their children and hats upon their heads and coats upon their backs cheaper than has been the case heretofore?

Mr. President, of course all this matter is to be thrashed out during the debate on this bill. I do not propose now to enter upon a discussion of the details, but I wanted to bring the attention of the Senator from Iowa to the fact that, with some of us a least, the ground upon which we base the advocacy of an income-tax law is not that there shall be an increase of revenue, as was suggested by the Senator from Rhode Island in his speech on Monday, but that even if there should be no increase of revenue it may be so readjusted through the enactment of an income-tax law that a large part of the burden of the revenue may fall where it does not now rest, upon the wealth of the country, and that it may be taken off where it now rests in such an intolerable burden, from the masses of the people, destroying their efforts to secure a comfortable living for themselves and their families.

Mr. ALDRICH. Will the Senator allow me?

The VICE-PRESIDENT. The Senator will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. The suggestion which I wish to make to the Senator from Georgia is this: I am very glad that he has asked this question in the form he has, because if I did not misunderstand the Senator from Iowa he agrees substantially with what the Senator from Georgia is now saying. There may be a question of degrees, perhaps, between himself and the Senator from Georgia, but I would be glad to have this matter thoroughly understood. I am glad the Senator from Georgia has asked the question, because if I did not misunderstand the remark of the Senator from Iowa a moment ago he is desirous of reducing the taxes imposed by the pending bill.

Mr. BACON. I suppose the Senator from Iowa would have given that assurance if the Senator from Rhode Island had not kindly relieved him of the trouble or necessity of doing so.

Mr. CUMMINS. I did not hear the Senator's remark.

Mr. BACON. I am glad to have the assurance that such is the desire of the Senator from Iowa, even if it has been given through the medium of his distinguished leader, the Senator from Rhode Island.

Mr. ALDRICH. I understood the Senator from Iowa himself to say it.

Mr. BACON. I suppose so, and I said that I had no doubt the Senator from Iowa would say it if the Senator from Rhode Island did not anticipate it and say it for him.

Mr. CUMMINS. Mr. President——

Mr. BACON. But I want to say this, if my distinguished friend from Iowa will permit: As the Senator has said in the course of his remarks, he has a history, one which was known to many of us before he came to this Chamber, at least in part. We had marked the very active and efficient advocacy by the then distinguished governor of Iowa, not only in his official utterances, but in his addresses before the people, his great concern, his well-founded concern, and most admirably expressed concern at, I will not use the word "iniquities," but the oppression of the tariff, and in the injustice which was imposed by it upon the consumers of the country.

I confess that when the Senator from Iowa rose in his place this morning to advocate an income tax, I expected to hear a most instructive and, to me, a most gratifying disquisition upon the suggestion that the income tax was one which should be laid and which should have its greatest foundation in the great necessity to shift the burden of taxation from the shoulders of the ordinary consumers, those who are so little able to bear it, and should rest it in part, at least, so far as the machinery and the constitutional power of this Government may permit, upon the shoulders of those who have the great wealth of the country and who, under our peculiar system of government, bear no appreciable part in the support of the Government, the entire support of the Government resting upon consumers and being almost per capita, regardless of the wealth and ability of the respective citizens to bear each his part.

Therefore, I desired to ask the Senator from Iowa whether or not, in his judgment, the ground for the imposition of the income tax in this particular juncture was rested upon the necessity for an additional revenue, or whether it was rested upon the importance of shifting the burden of taxation from the great masses of consumers, so far as we may be able to do it, to rest it in part, at least, upon the shoulders of those who have the wealth of the country. I wanted to know which, in the opinion of the Senator from Iowa, is the more important consideration, he having given his entire time to the one and having entirely omitted the other.

Mr. CUMMINS. Mr. President, in answer to the question of the Senator from Georgia, I must remind him that it was not my purpose when I rose this morning to present the amendment respecting an income tax to say everything that I think with regard to the tariff. I shall hope as the discussion proceeds to disclose my views with regard to certain duties that are reported in the bill now before the Senate.

I am a protectionist. I believe in protecting the American markets against unfair competition from other countries. I believe, however, that upon many of the articles which are found in the schedules of the bill reported by the Finance Committee the duties are higher than are necessary to accomplish that result, and I expect, as time goes on, to vote for such reductions as I believe ought to be made, but never for any reduction that will open unfairly the American market to the foreign producer.

I want that to be so distinctly understood that hereafter there can be no possible misapprehension about it. My complaint about the tariff law as it now exists, my complaint about the report as it is now before the Senate, is that it attaches duties that are too high to a great many of the articles which are fairly within the scope of a tariff law. I believe, as I said before, that I could, if I had the power, produce tariff schedules that would give to the American producer his due protection, that would diminish the revenues that are derived from the necessaries of life, to which the Senator from Georgia has referred, and that would give more ample room than now exists for the operation of an income-tax law.

But my purpose this morning was simply to show that even upon the bill as presented by the Finance Committee, with the revenues that could fairly be expected from such a law, we shall still need the income-tax law to supply the deficiencies of revenue.

Mr. BACON. If the Senator will pardon me, I still do not understand him, even with the assistance of the learned Senator from Rhode Island, to have entirely answered the question which I propounded, which is, If the Senator were satisfied that the Senator from Rhode Island is correct in his judgment that the bill will raise a sufficiency of revenue, would the Senator then be in favor still of an income-tax law?

Mr. CUMMINS. I would.

Mr. BACON. I would be glad to have the Senator state on what ground.

Mr. CUMMINS. Simply because if I could change the situation I would so rearrange and readjust these schedules as to decrease the revenue derived from the custom-houses and place it where it should belong—upon those fortunate people who enjoy large incomes.

Mr. BACON. Now, the Senator has stated exactly the thing I wanted him to state.

Mr. CUMMINS. I am very glad that I have at last made myself understood.

Mr. ALDRICH. Mr. President, I have heard too many discussions in the Senate over terms, as to whether a man was a protectionist or otherwise, to be anything but sanguine that sooner or later the Senator from Georgia and the Senator from Iowa will reach a satisfactory conclusion upon this question.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. I ask that the reading of the bill be proceeded with; that the reading be by paragraphs, with the understanding that no paragraph or no amendment suggested by the committee shall be acted upon about which there is any contention, and with the further understanding that we may go back at any time and take up any of the provisions of the bill which have been passed over.

Mr. BACON. I suggest to the Senator from Rhode Island that his motion possibly was not anticipated by the Senate, and——

Mr. ALDRICH. It was anticipated by the minority members of the committee, and the request is made on a full understanding with the minority members.

Mr. BACON. The Senator did not hear me through. I was simply suggesting that it might be well to have Senators now put upon notice of the fact that the motion is being called up which is now made by the Senator from Rhode Island.

Mr. ALDRICH. It is not a motion. The bill is now before the Senate.

Mr. BACON. Very well. I simply wish that Senators may be in their seats; that is all; and I think it very important.

Mr. ALDRICH. Does the Senator suggest the absence of a quorum?

Mr. BACON. I did not myself desire to make any suggestion, but I thought perhaps the Senator from Rhode Island would make it.

Mr. ALDRICH. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARTER in the chair). The Senator from Rhode Island suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Hughes	Piles
Bacon	Clay	Johnson, N. Dak.	Rayner
Bailey	Crane	Johnston, Ala.	Richardson
Beveridge	Cullom	Jones	Root
Borah	Cummins	Kean	Scott
Bourne	Depew	La Follette	Smith, Md.
Bradley	Dick	Lodge	Smith, Mich.
Brandegee	Dillingham	McCumber	Smith, S. C.
Bristow	Dolliver	McLaurin	Stephenson
Brown	du Pont	Money	Stone
Bulkeley	Elkins	Newlands	Sutherland
Burkett	Fletcher	Nixon	Taylor
Burrows	Flint	Oliver	Tillman
Burton	Frye	Overman	Warner
Carter	Gamble	Page	Warren
Chamberlain	Guggenheim	Payster	Wetmore
Clapp	Hale	Penrose	
Clark, Wyo.	Heyburn	Perkins	

Mr. BAILEY (when Mr. SHIVELY's name was called). The Senator from Indiana [Mr. SHIVELY] is detained at his rooms by illness.

Mr. CLARKE of Arkansas. My colleague [Mr. DAVIS] is detained at home on account of the recent death of his wife, and will probably not be here during the present session.

Mr. OVERMAN. I desire to announce that the Senator from Louisiana [Mr. FOSTER] is detained at home by sickness.

The PRESIDING OFFICER. Seventy Senators have answered to their names. A quorum is present.

Mr. ALDRICH. I ask that the reading of the bill be proceeded with.

The PRESIDING OFFICER. The Senator from Rhode Island requests that the reading of the bill by paragraphs be proceeded with.

Mr. NEWLANDS. Before we proceed with the reading of the bill, I should like to ask the Senator from Rhode Island whether there is any table which shows, with reference to each article covered by the bill, the amount of such article that is imported into this country and the amount of such article that is produced in this country, so that we can judge whether or not the duties imposed are either prohibitory or unduly restrictive of importations?

Mr. ALDRICH. Mr. President, the Senator from Nevada has upon his table, I assume, or he has had it, a statement of the amount of importations for the year 1907. The Census Office printed a report of the production in the United States of manufactured articles in the year 1905. There has been no statement made since that time. The Senator can easily procure a copy of that statement by sending to the Census Office.

Mr. NEWLANDS. Mr. President, I should like to ask the Senator from Rhode Island whether the committee could not direct such a table to be prepared?

Mr. ALDRICH. It is already prepared.

Mr. NEWLANDS. But I mean a table which will show in parallel columns, with reference to each article, just the amount—not the value, but the amount—in tons or pounds or yards of the article imported, and in another column the amount of the article produced in this country, so that we can have them in relation to each other.

Mr. ALDRICH. The Senator can himself, easily enough, put them in relation if he so desires, by sending to the Census Office and getting a copy of their report for 1905. There is also a statement published, called "Notes on Tariff Revision," printed by the House of Representatives, which contains all of this information in a connected and very short form, as short as could possibly be had. If the Senator desires, we shall order an additional edition of that publication. The Senator can easily get a copy of it by sending to the folding room for it.

Mr. NEWLANDS. I would suggest to the Senator that he would greatly facilitate the work of the Senate if he would have some of the experts in the employ of his committee make such a table as I have suggested.

Mr. ALDRICH. It has already been prepared. I hold a statement of that kind in my hand. If the Senator will send to the document room and get the work called "Notes on Tariff Revision," he will have it all together.

Mr. NEWLANDS. I have seen that book, but it does not cover my inquiry, in my judgment.

Mr. ALDRICH. It covers——

Mr. NEWLANDS. I have no doubt, I may say right here, that each Senator can, by an inspection of the statistical works of the country, by going over the statistical documents which have been presented in the House of Representatives, make up for himself such a table, but it would be a very laborious work, involving much labor by each Senator, whereas it seems to me that this work can be undertaken by some of the experts employed by the Committee on Finance, and Senators be relieved of this burden. What I suggest is, that this information should be placed in parallel columns, side by side. I shall look over the documents to which the Senator refers, which I am sure will not satisfy my suggestion for the convenience of the Senate, and I shall renew the suggestion hereafter.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary proceeded to read the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which had been reported from the Committee on Finance with amendments.

The first amendment of the Committee on Finance was, on page 1, beginning in line 3, to strike out all down to and including line 13, and to insert:

That on and after the day following the passage of this act, except as otherwise specially provided for in the second section of this act, there shall be levied, collected, and paid upon all articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands) the rates of duty which are by the schedules and paragraphs of the dutiable list of this section prescribed, namely.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Finance, which has been stated.

Mr. DOLLIVER. Mr. President, I have no particular objection to omitting the reading of the language of the House bill, but I desire to call the attention of the Senate to the fact that it will be very difficult to give a final determination on the rates of duty imposed until the Senate is in possession of that part of the scheme of this legislation which relates to the reciprocity and retaliatory features of the law, to the drawback provisions of the law, and especially those features of administration which will determine the standard upon which the valuation of imported merchandise shall be made. These rates, or most of them, will be changed by the maximum and minimum provisions; they certainly will all be affected by them. Many of them will be affected by the drawback provisions that are to be provided; and if a change is made, as the other House suggests and as I understand the Senate committee intends, by which the basis of valuation shall be transferred from the market in which the goods are purchased to the market here in which they are sold, it is obvious that a fundamental variation will be made in all the rates arising out of those provisions.

I want to call the attention of the Senate to these facts, because it appears to me that we ought to have this whole scheme together when we start on fixing these duties.

Mr. ALDRICH. Mr. President, the effect of this amendment is to simply put all the dutiable and free provisions of the bill in one section, instead of having them in two. That is the sole effect of the suggested amendment. It seemed to the committee better to have them in one section than in two.

Mr. McLAURIN. Mr. President, I think it would be better to read each of the House provisions which it is proposed to strike out before reading the amendment which is offered to it, so that the Senate can consider the two together—the provision for which the amendment is to be made and the amendment itself. I simply make that suggestion.

The PRESIDING OFFICER. At the request of the Senator from Mississippi, the provision proposed to be stricken out by the Committee on Finance will first be read.

The SECRETARY. After the enacting clause, beginning in line 3, on page 1, it is proposed to strike out as follows:

That on and after the day following the passage of this act, unless otherwise specially provided in this act, there shall be levied, collected, and paid upon all articles mentioned in the schedules contained in this section, and imported into the United States and into any of its possessions (except the Philippine Islands) from any foreign country, province, dependency, or colony, the rates of duty which are, by the schedules and paragraphs respectively in this section prescribed, whenever any such foreign country, province, dependency, or colony, respectively, is entitled under the provisions of section 4 of this act to minimum rates of duty.

And in lieu thereof to insert:

That on and after the day following the passage of this act, except as otherwise specially provided for in the second section of this act, there shall be levied, collected, and paid upon all articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands) the rates of duty which are by the schedules and paragraphs of the dutiable list of this section prescribed, namely:

Mr. CLAY. Mr. President, I presume I hold before me the statement referred to by the Senator from Rhode Island [Mr. ALDRICH]. I find in that statement the value of our imports for the year 1907; the quantity that came into this country; that is, the rate fixed on each article by the present law. I find, then, the rate fixed by the Senate bill, but I do not find in the statement any reference to the rate fixed by the House bill. Take, for instance, phosphate of ammonia. The present rate, under the Dingley law, is 25 per cent; in the Senate bill it is 25 per cent, but in the Payne bill my recollection is that it is on the free list. Has any statement been printed giving the rate fixed by the Dingley law, the rate fixed by the House bill, and the rate fixed by the Senate bill?

Mr. ALDRICH. The document which the Senator has before him shows the different rates.

Mr. CLAY. Does the Senator mean this large book [indicating]?

Mr. ALDRICH. That is the book.

Mr. CLAY. But it is very difficult to keep informed by reference to this volume.

Mr. ALDRICH. There are also several different prints of the bill.

Mr. CLAY. The one I have before me is the comparison of H. R. 1438——

Mr. ALDRICH. That is simply the "estimated revenues."

Mr. CLAY. Then, I understand the Senator to say there is a statement which gives the rate fixed by the Dingley law, the rate fixed by the House bill, and the rate fixed by the Senate bill.

Mr. ALDRICH. The document which I have here [indicating].

Mr. CLAY. That large book?

Mr. ALDRICH. Yes; and also the bill itself shows the rates fixed in the House bill.

Mr. CLAY. The bill itself ought to show what the House rates were and what changes the Senate committee made.

Mr. ALDRICH. That is all done.

Mr. CLAY. But if we had right before us one statement showing the Dingley law, the House bill, and the Senate bill, Senators could readily keep up with it.

Mr. ALDRICH. If the Senator will take this green book and turn to the different paragraphs, he will find that that precise thing is done, and that it contains altogether the text of the House bill, the changes suggested by the Senate committee, and the terms of the present law.

Mr. BEVERIDGE. Mr. President, I wish to direct the attention of the Senator from Georgia to this suggestion which I make to the chairman of the Finance Committee, who has the bill in charge. Would there be any objection, for the convenience of Senators, to having the experts in the employ of the Finance Committee make a list—there are several thousand items in the bill, as reported to the Senate, in the present law, and in the House bill—to make a list of the items, with the duties provided in the present law, and in another column the same items with the duties in the House bill, and in a third column the items with the duties proposed by the Senate bill? That would show at a glance the differences. Is there any objection to that?

Mr. ALDRICH. None whatever.

Mr. BEVERIDGE. Then I would suggest that it be done. It will save Senators a great deal of labor. I have examined the House notes pretty carefully, the two bills, and the very large and valuable volume that the Finance Committee has had laid before us for our convenience. Of course all these facts are there, but it is a practical impossibility—not an impossibility, but a practical impossibility—to see at a glance the difference in the items and the rates. I make that suggestion because I imagine that, as we go on, the question will come up, and, if it be agreeable to the chairman of the Finance Committee, I suggest that it be now agreed, Mr. President, that that be done. That will present the whole thing in compact form.

Mr. CLAY. That is correct.

Mr. BURKETT. Let me suggest to the Senator that he can remedy his difficulty a good deal more quickly than anybody else can remedy it for him, in my opinion.

Mr. BEVERIDGE. It is a difficulty of all Senators.

Mr. BURKETT. I find, in getting up information, that nobody can ever quite prepare a statement that readily catches the eye and the understanding of others. If the Senator will take the bill, as reported to the Senate, it will show two of the items that he suggests—the House rate and the Senate rate. If he will take a lead pencil and get the other volume that he has there, giving the Dingley rate—and the items come right along in the same order—in about thirty minutes he can mark in the Dingley rate, which is less time than you could get it from the Printing Office or your clerk could do it, and get it in just the form you want it.

Mr. BEVERIDGE. Mr. President, I did not mean to discuss my own feeble efforts to do this very thing, but I suppose a good many Senators have done just exactly what I am going to tell Senators I tried to do. I took a great big piece of paper, put on it the rate under the present law, under the House bill, and under the Senate bill, beginning right at the first schedule. To put down each one and the rate of duty is an interminable task for any Senator to undertake. The other plan—and if the chairman of the Finance Committee has no objection, I can not imagine why the Senator from Nebraska should have any objection—is to present in parallel columns the items covered by the present law, the House bill, and the Senate bill, with the rate of duty fixed upon each item, so that at a glance at the sheet you can see it.

Mr. BURKETT. That is what I am trying to show to the Senator——

Mr. BEVERIDGE. I have had this very thing before me. I have done it, and the Senator could not do it in thirty minutes nor thirty hours nor thirty days. If he has done it, I will be glad to have his paper.

Mr. ALDRICH. Take the book entitled "Estimated Revenues." That book shows the rate upon each item under the present law and under the Senate bill. It will be easy to have printed at the Government Printing Office—in twenty-four hours, probably—the rates under the House bill in the next column, so that the Senate will have the three together in parallel columns.

Mr. BEVERIDGE. I have not the slightest objection to that. I merely made the suggestion to facilitate the work of the Senate and of Senators.

Mr. ALDRICH. We will have the order given at once.

Mr. BEVERIDGE. Very well, then, let the order be given at once.

The PRESIDING OFFICER. The Senator from Indiana requests——

Mr. ALDRICH. It is not necessary that the Senate order the printing. The committee have authority to do it.

Mr. BEVERIDGE. That is perfectly satisfactory.

Mr. ALDRICH. The order will be given immediately.

Mr. CLAY. I did not catch the suggestion of the Senator from Rhode Island. As I understand, he agrees to have printed in parallel columns the present duty under the Dingley law on each item, the duty on each item under the Payne bill as passed by the House——

Mr. BEVERIDGE. In another column.

Mr. CLAY. And then follow that immediately by the duty fixed by the Senate bill.

Mr. BEVERIDGE. In another column.

Mr. CLAY. Which will enable Senators to keep the rates of the three bills before them.

Mr. BEVERIDGE. Exactly so.

The PRESIDING OFFICER. That is within the province of the committee. The question is on agreeing to the amendment.

Mr. NEWLANDS. Mr. President, let me say to the Senator from Rhode Island that he can carry out the suggestion that I made a few moments ago by taking this book "Estimated Revenues" and putting a column next to the first column, which gives the quantity of imports for consumption, giving the amount of the same article produced in the United States, so that we will have before us at a glance the amount imported from abroad and the amount produced in the United States for purposes of comparison. Thus we shall be able to judge and to form an opinion as to whether the duties imposed are prohibitory or unduly restrictive. Would the Senator object to having that suggestion carried out?

Mr. ALDRICH. I would not; but that might delay the preparation of the table.

Mr. BEVERIDGE. Let that be done later.

Mr. ALDRICH. That can be done later. I think the first suggestion——

Mr. NEWLANDS. I would not wish to delay at all, of course, the execution of the suggestion of the Senator from Indiana, but if the Senator from Rhode Island will later on carry out the other suggestion, I am sure it would greatly aid in the consideration of the bill.

Mr. ALDRICH. I hold in my hand a report of the Director of the Census which was made to the Committee on Ways and Means of the House of Representatives, which contains, to a very large extent, the information suggested by the Senator from Nevada. As soon as it can possibly be prepared and printed, I will have that incorporated with the other statement.

Mr. BAILEY. I suggest to the Senator from Rhode Island, in view of the understanding that has just been reached, and in view of the fact that each Senator, as the several items are reached, would like to have that information—the agreement indicates that it is desirable, at least, to have such information—that he let the bill go over until to-morrow, as it is generally understood in the Senate that it is to be taken up by paragraphs.

Mr. ALDRICH. I would suggest to the Senator that we go on with the reading of the bill, with the understanding that any paragraph can be passed over or be subject to amendment or to change when Senators, upon their information, desire to take such action. The information will be here to-morrow morning, and the Senate can rely upon the committee, or some member of the committee, giving them any information that may be desired upon any of the items in the chemical schedule.

Mr. BAILEY. I think the Senate may rely upon the facts as stated by the committee, but not upon the judgment of the committee.

Mr. ALDRICH. No; I will not ask the Senator from Texas to do that.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SCOTT. May I ask the Senator in charge of the bill if the reading now is for amendments of the committee and that the bill is not open for general amendment?

Mr. ALDRICH. The bill is open to amendment. I have not made any suggestion at this time in regard to any amendment. The only thing I have asked is that the reading of the bill be proceeded with by paragraphs, and if any Senator has any suggestion to make or any change to propose, the paragraph will be passed over, my purpose being to have the unobjectionable amendments of the committee disposed of, with the understanding also that at any time we may go back and take up any paragraph which has been passed over.

Mr. BEVERIDGE. Upon that point, I ask if it is not true that, as we are now in Committee of the Whole, the bill is open for amendment by any Senator at any time, either now or in the Senate?

Mr. ALDRICH. Yes.

Mr. BEVERIDGE. Even immediately before the passage of the bill any Senator might offer an amendment. It is open to amendment at all times, as I understand, and no Senator is foreclosed.

Mr. ALDRICH. That is correct.

Mr. NELSON. I desire to ask the Senator from Rhode Island a question. I notice that the second section of the bill has been stricken out. That is the provision regarding the maximum tariff. I want to know whether the committee have abandoned that scheme or intend to bring it in in a subsequent amendment?

Mr. ALDRICH. I assume the Senator from Minnesota was not present when I stated on Monday last that the committee are now preparing a scheme of maximum and minimum duties, which is quite unlike that of the House. The first draft has been made, and I hope to be able to present it to the Senate within the next week. The administrative features, or the changes suggested to the administrative features, are all now in print and have been practically acted upon by the full committee, subject to the inspection of each individual member. I expect to be able to report these amendments within two or three days, at the outside.

Mr. NELSON. Has the committee come to any conclusion on the drawback provision?

Mr. ALDRICH. No; except to this extent: I think it is the unanimous feeling of the committee that it will not do to adopt the House provision, and I think I can say, without violating any confidence, that the committee will probably recommend the restoration of the drawback provisions of the present law. I think every member of the committee, so far as I know, is opposed to the provision of the House bill.

Mr. NELSON. Is the Senator prepared to give an outline of what the scheme of maximum tariff will be?

Mr. ALDRICH. Not at this moment, because——

Mr. NELSON. Is it anything akin to what is in the bill now?

Mr. ALDRICH. No; I think I could hardly say so. It proceeds upon an entirely different proposition and a different method. I hope that it will be satisfactory to the Senator from Minnesota.

Mr. BRANDEGEE. Mr. President, I should like to inquire if I understood correctly that it is agreed by unanimous consent that at any time any Senator can ask to return to any paragraph in the bill?

Mr. BEVERIDGE. That is a Senator's right in any event, without unanimous consent.

The PRESIDING OFFICER. There is no agreement with reference to that, as the Chair understands.

Mr. ALDRICH. That is a Senator's right, of course.

The PRESIDING OFFICER. That is a Senator's right. The question is on agreeing to the first amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, on page 2, line 8, to insert the heading "Dutiable list;" in Schedule A, on page 2, line 22, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 26, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the clause read:

DUTIABLE LIST.

SCHEDULE A.—CHEMICALS, OILS, AND PAINTS.

1. Acids: Acetic or pyroligneous acid, not exceeding the specific gravity of 1.047, three-fourths of 1 cent per pound; exceeding the specific gravity of 1.047, 2 cents per pound; acetic anhydrid, 2½ cents per pound; boracic acid, 2 cents per pound; chromic acid, 2 cents per pound; citric acid, 7 cents per pound; lactic acid, containing not over 40 per cent by weight of actual lactic acid, 2 cents per pound; containing over 40 per cent by weight of actual lactic acid, 3 cents per pound; oxalic acid, 1 cent per pound; salicylic acid, 5 cents per pound; sulphuric acid or oil of vitriol not specially provided for in this section, one-fourth of 1 cent per pound; tannic acid or tannin, 35 cents per pound; gallic acid, 8 cents per pound; tartaric acid, 5 cents per pound; all other acids not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 3, line 4, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 5, before the words "per centum," to strike out "forty-five" and insert "twenty-five," so as to make the paragraph read:

2. Alcoholic compounds, including all articles consisting of vegetable, animal, or mineral objects immersed or placed in, or saturated with, alcohol, not specially provided for in this section, 60 cents per pound and 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 3, line 6, before the word "distilled," to strike out "Alkalis, alkaloids" and insert "Alkaloids."

The amendment was agreed to.

The next amendment was, on page 3, line 7, after the word "oils," to insert "extracted resins, and oleoresins."

Mr. DOLLIVER. These two articles appear to be new. I should like to inquire of the chairman of the committee what they are—extracted resins and oleoresins. They seem to be, according to the people who have communicated with me, articles that have hitherto been available in the manufacture of soap. I should like to inquire what the occasion is for putting them on the dutiable list.

Mr. ALDRICH. The question whether they are dutiable or free is now a contested question. The experts in the custom-house in New York think they ought to be dutiable, and they have so contended before the courts, and I think the courts have decided in their favor. If there is any suggestion of objection, however, I shall be very glad to have the amendment passed over for the present.

Mr. BEVERIDGE. I wish to ask one question. "Tannic acid or tannin, 35 cents a pound." I do not know whether my information is correct, but I understand that the material out of which tannic acid is made has very much diminished in this country and will probably further diminish, and that the most of our material for that substance is now imported. Is that correct? And, if it is correct, is this duty a revenue duty—I can readily understand it might be a revenue duty—or is it protective? Which is it?

Mr. ALDRICH. It is a revenue duty. I think there is no large amount of tannic acid now imported. I do not think there ever has been.

Mr. BEVERIDGE. Is it not increasing in its importation?

Mr. ALDRICH. I think not. I can tell the Senator——

Mr. SMOOT. The importations in 1907 amounted to $3,190.83.

Mr. BEVERIDGE. Will the Senator from Utah tell me—I have myself forgotten—the materials out of which it is made? Are not we confined to a certain section of the country, and is not the material rapidly disappearing?

The PRESIDING OFFICER. Senators will please speak so that they can be heard at the desk.

Mr. BEVERIDGE. It is a revenue duty and not a protective duty?

Mr. ALDRICH. It is a small revenue duty. The present rate is 50 cents a pound. There are no considerable importations. So far as I know, there has been no disposition on anybody's part to increase the rate.

Mr. BEVERIDGE. Then, of course, if there is no importation to amount to anything, it is not a revenue duty.

Mr. OVERMAN. We on this side can not hear a word.

The PRESIDING OFFICER. Senators will be in order, and will please speak so that the Reporter and Senators can hear them. The question is on agreeing to the amendment.

Mr. BAILEY. What amendment do I understand is before the Senate?

The PRESIDING OFFICER. On page 3, line 7.

Mr. BEVERIDGE. The committee amendment.

Mr. BAILEY. I thought the chairman of the committee asked that the amendment, including the two oils about which the Senator from Iowa inquired, should be passed over.

Mr. ALDRICH. Let it be passed over.

The PRESIDING OFFICER. The Senator from Rhode Island did not request that it be done, but stated that if objection was made the amendment might be passed over.

Mr. BAILEY. Then, I will ask that it be passed over.

The PRESIDING OFFICER. Objection being made, it will be passed. The Secretary will resume the reading of the bill.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Finance was, in line 10, page 3, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 14, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in the same line, after the word "section," to strike out "60 cents per pound and 25 per cent ad valorem" and insert "55 cents per pound, but in no case

shall any of the foregoing pay less than 25 per cent ad valorem," so as to read:

3. Alkaloids, distilled oils, essential oils, expressed oils, rendered oils, and all combinations of the foregoing, and all chemical compounds, mixtures and salts, and all greases not specially provided for in this section, 25 per cent ad valorem; chemical compounds, mixtures and salts containing alcohol or in the preparation of which alcohol is used, and not specially provided for in this section, 55 cents per pound, but in no case shall any of the foregoing pay less than 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to strike out:

4. Alumina, hydrate of, or refined bauxite, one-half of 1 cent per pound; alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, and alum in crystals or ground, one-fourth of 1 cent per pound.

And insert:

4. Alumina, hydrate of, or refined bauxite, containing not more than 64 per cent of alumina, five-tenths of 1 cent per pound; containing more than 64 per cent of alumina, seven-tenths of 1 cent per pound. Alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, containing less than 15 per cent of alumina and more than three-tenths of 1 per cent of iron oxide, one-fourth of 1 cent per pound; alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, containing more than 15 per cent of alumina, or less than three-tenths of 1 per cent of iron oxide, one-half of 1 cent per pound. Potash alum and ammonia alum, one-half of 1 cent per pound.

Mr. DU PONT. I ask that the paragraph may go over.

The PRESIDING OFFICER. At the request of the Senator from Delaware, the paragraph will be passed over.

The next amendment of the Committee on Finance was, on page 4, after line 7, to strike out:

5. Ammonia, carbonate of, 1½ cents per pound; muriate of, or sal ammoniac, three-fourths of 1 cent per pound; liquid anhydrous, 5 cents per pound; aqua ammonia, 10 per cent ad valorem.

And insert:

5. Ammonia, carbonate of, 1½ cents per pound; sulphate of ammonia, two-tenths of 1 cent per pound; muriate of, or sal ammoniac, three-fourths of 1 cent per pound; liquid anhydrous, 5 cents per pound.

Mr. SMITH of South Carolina. I ask that the paragraph be passed over. I wish to offer an amendment, and to submit some remarks.

Mr. ALDRICH. The Senator, as I understand, is interested in the duty on sulphate of ammonia.

Mr. SMITH of South Carolina. Yes.

Mr. ALDRICH. I do not think it necessary to have the other articles passed over. I myself was about to suggest that sulphate of ammonia be passed. I think the Senator has no objection to the other articles.

Mr. SMITH of South Carolina. It is in reference to sulphate of ammonia. I wish to have this stricken from the bill, so that the House paragraph will obtain.

Mr. ALDRICH. The paragraph can go over, of course.

The PRESIDING OFFICER. At the request of the Senator from South Carolina the paragraph will be passed over.

Mr. DU PONT. It was my intention to ask that the paragraph containing sulphate of ammonia be passed over.

Mr. LODGE. That is not the one the Senator from Delaware asked to have passed over.

Mr. DU PONT. Then I withdraw the request that paragraph 4 be passed over. I misapprehended it.

Mr. LODGE. Let that paragraph be disposed of.

The PRESIDING OFFICER. The Senator from South Carolina made the request.

Mr. LODGE. That relates to paragraph 5.

The PRESIDING OFFICER. The question is on agreeing to the amendment to paragraph 4, concerning which the Senator from Delaware has withdrawn his objection.

Mr. DOLLIVER. I notice that the paragraph is a very great departure from the provisions of the House bill. It seems to divide these articles into two classes, imposing upon one a half cent a pound, and on the other one-fourth of a cent a pound. I should like to inquire what effect, as relating to this House provision, the Senate amendment has on increasing or decreasing the rate proposed in the House bill.

Mr. ALDRICH. This amendment was suggested by the chemical examiners in the New York custom-house for the better classification of the articles included in it, which are very large in number. They undertake to define the various alums and alumina products by a definite provision, to avoid litigation and uncertainty. The general effect of the provision is to retain the rates of the present law.

Mr. BACON. I hope the Senator from Rhode Island will speak a little louder, because we desire to hear everything; and if there is the least conversation, we can not hear anything.

Mr. ALDRICH. The classification is a very great improvement on existing law or the provisions of the House bill. It defines accurately and clearly the difference between the various articles which are covered by this paragraph. The general effect of the provision is to maintain the rates as they are in the existing law or in the House provision. On some they are lower and on some a little higher, but to make them bear equitably upon the various products covered by the paragraph.

Mr. MONEY. Mr. President, before we go further with this bill I am led to believe that I do not correctly understand the agreement. I notice that several Senators have requested that certain paragraphs be passed over. Under the agreement that is not necessary. According to the agreement, as I understand it, when the bill proceeds and any Senator finds that something has been passed to which he objects, he has a right to go back, whether he has requested that it be passed over or not——

Mr. BEVERIDGE. That would be his right without any agreement.

Mr. MONEY (continuing). Even though the Senate should have considered the bill and passed it with the proposed paragraph.

Mr. ALDRICH. That is my understanding.

Mr. MONEY. If in the progress of the debate and consideration of the bill any Senator finds something has been passed to which he desires to recur, he can go back without filing a formal request.

Mr. ALDRICH. That is my understanding.

Mr. MONEY. I should like to know if I am correct?

Mr. BAILEY. I think there is no doubt that is true; but, perhaps, at the same time the other is a good practice. If a Senator does not want an amendment adopted, rather than to go back and move to reconsider it, he simply asks that no action be taken and that the paragraph be passed over. That is what the Senator from South Carolina did a moment ago.

Mr. BEVERIDGE. That is a matter of convenience.

Mr. MONEY. I understand that very well, but I want it understood that we are not foreclosed because nobody has requested that a paragraph be passed over. Of course a Senator has a right to signify a paragraph to which he will make objection hereafter.

Mr. BEVERIDGE. The request is made as a mere matter of convenience, but, as I understand, in practice it is the right of any Senator to do as the Senator has suggested without any agreement—absolutely his right, here or in the Senate.

Mr. GALLINGER. Mr. President, in that event a motion to reconsider would be necessary, while if it is passed over by consent there is no further action except to go back to it.

Mr. BEVERIDGE. It is his right.

Mr. GALLINGER. If it is passed over. But if the Senate has acted upon it, it is not his right, and a motion to reconsider is necessary.

Mr. BEVERIDGE. He can reach it at any time, either by amendment here or in the Senate.

Mr. GALLINGER. I will say to the Senator he could not reach it in that way.

Mr. DU PONT. Mr. President, as has been pointed out, it is the undoubted right of every Senator to go back to any amendment; yet it seems to me it would save a good deal of time to pass over amendments that are objected to, and then take them up in order, seriatim. It seems to me it would be economy of time.

Mr. DOLLIVER. Mr. President, I do not desire to delay the matter. The House for some good reason—the reason appeared good to them—very greatly reduced the duties on alumina and these alumina salts as compared with the existing law. The existing law is practically restored. I understand that these salts of alumina are widely used in the country in processes of dyeing and in the tanning of leather, and in other widely scattered industries. I, for one, should like to have some definite information, besides the reference to the desire of the appraiser or the expert in the custom-house to reclassify the schedule, why the rate of the House, which acted upon evidence taken from the industries interested and reduced these duties, should not be followed by the Senate. In other words, I should like to know something about the production of these articles, and the necessity for continuing the rates of the Dingley law, which, in some of the classifications, have been practically prohibitory.

Mr. ALDRICH. Paragraph 4?

Mr. DOLLIVER. Yes.

Mr. ALDRICH. I will ask that this paragraph go over. I am perfectly certain that the Senator from Iowa, when he gets the facts before him, will accept the action of the committee.

The VICE-PRESIDENT. Is there objection to passing over the item? No objection is heard.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, on page 4, line 17, after the words "ad valorem," to strike out "tartars and lees crystals,

or partly refined argols, and tartrate of soda or potassa, or Rochelle salts, 3 cents per pound" and insert "tartars and lees crystals, or partly refined argols, containing not more than 90 per cent of bitartrate of potash, and tartrate of soda or potassa, or Rochelle salts, 3 cents per pound; containing more than 90 per cent of bitartrate of potash, 4 cents per pound," so as to make the paragraph read:

6. Argols or crude tartar or wine lees crude, 5 per cent ad valorem; tartars and lees crystals, or partly refined argols, containing not more than 90 per cent of bitartrate of potash, and tartrate of soda or potassa, or Rochelle salts, 3 cents per pound; containing more than 90 per cent of bitartrate of potash, 4 cents per pound; cream of tartar and patent tartar, 5 cents per pound.

The amendment was agreed to.

The next amendment was, on page 4, line 25, after the word "kinds," to strike out "25 per cent ad valorem" and insert "and," so as to make the paragraph read:

7. Blacking of all kinds and all creams and preparations for cleaning or polishing boots and shoes, 25 per cent ad valorem.

The amendment was agreed to.

The reading was continued to the end of paragraph 8, line 4, page 5.

Mr. BURROWS. Let paragraph 8 be passed over for the time being.

The VICE-PRESIDENT. Paragraph 8 will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 5, line 8, before the word "bone," to insert "Charcoal in any form, not specially provided for in this act;" and in the same line, before the word "char," to strike out "Bone" and insert "bone," so as to make the paragraph read:

10. Charcoal in any form, not specially provided for in this act; bone char, suitable for use in decolorizing sugars, and blood char, 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 5, line 12, after the word "section," to strike out "containing more than 36 per cent of anhydrous boracic acid, 1½ cents per pound; borates of lime, soda, or other borate material not otherwise provided for in this section, containing not more than 36 per cent of anhydrous boracic acid, 1 cent per pound," and insert "1½ cents per pound," so as to make the paragraph read:

11. Borax, 2 cents per pound; borates of lime, soda, or other borate material not otherwise provided for in this section, 1½ cents per pound.

The amendment was agreed to.

The next amendment was, on page 5, line 18, after the word "refined," to strike out "or" and insert "and;" and in the same line, after the word "synthetic," to insert "camphor," so as to make the paragraph read:

12. Camphor, refined, and synthetic camphor, 6 cents per pound.

The amendment was agreed to.

The next amendment was, on page 5, line 24, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

13. Chalk, when ground, bolted, precipitated naturally or artificially, or otherwise prepared, whether in the form of cubes, blocks, sticks, or disks, or otherwise, including tailors', billiard, red, or French chalk, 1 cent per pound; manufactures of chalk not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 6, line 2, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 4, before the words "ad valorem" to strike out "thirty-five" and insert "thirty;" and in line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

15. Coal-tar dyes or colors, not specially provided for in this section, 30 per cent ad valorem; all other products or preparations of coal tar, not colors or dyes and not medicinal, not specially provided for in this section, 20 per cent ad valorem.

The amendment was agreed to.

The reading was continued to the end of paragraph 16, line 8, page 6.

Mr. SMOOT. Let paragraph 16 be passed over, too.

The VICE-PRESIDENT. Paragraph 16 will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 6, line 17, before the word "cents," to strike out "fifty" and insert "sixty-five;" and in line 18, before the words "per cent," to strike out "twenty" and insert "twenty-five," so as to make the paragraph read:

17. Collodion and all compounds of pyroxylin or of other cellulose esters, whether known as collodion or by any other name, 40 cents per pound; if in blocks, sheets, rods, tubes, or other forms, not polished, wholly or partly, and not made up into finished or partly finished articles, 65 cents per pound; if polished wholly or partly, or if in finished or partly finished articles, of which collodion or any compound of pyroxylin or of other cellulose esters is the component material of chief value, 65 cents per pound and 25 per cent ad valorem.

Mr. DOLLIVER. I should like to inquire the reason for amending the House text in this particular. I think if it is consistent with the prosperity of the industry we should follow the House reduction which has been suggested, it would be a good thing.

Mr. ALDRICH. The Senator from Iowa will not object to stating what he knows about it.

Mr. DOLLIVER. I know nothing about it; but I know the House committee took testimony upon it, and I desire to find out something if I can.

Mr. SMOOT. I will answer briefly. The present law is 40 cents a pound. On the manufactured article we restore the present Dingley rate, for this reason: At the present time in Japan they are establishing two large factories. They have come over here and taken the very best men we had in the United States to go into Japan for the purpose of manufacturing these celluloid articles, and the evidence presented to the committee convinced it beyond a doubt that it was absolutely necessary to restore the Dingley rates in order to protect that industry. I believe that was the proper thing to do, and I have no hesitation in saying that if the rates were left as the House reported them, with the cheap labor in Japan, this business would be transferred from the United States to Japan. That is the reason why we restored the House rates on the manufactured articles.

Mr. ALDRICH. The present rate is 65 cents a pound and 25 per cent ad valorem. Under that law the importations in 1906 were $207,000; in 1907, $870,000; in 1908, $1,868,000.

Now, here are a few of the reasons why the manufacturers of these goods ask to have the intervention of Congress:

Eighty per cent of all camphor imported is used in this industry.

Japan controls the camphor production of the world, save about 10 per cent, which is produced in China.

All users of camphor are obliged to purchase from the Camphor Monopoly Bureau of Japan, through its selling agents for the world, Mitsui & Co.

Mitsui & Co. are building one of the pyroxylin factories at Sakai, Japan.

Two others are now approaching completion in Japan.

Japan's policy is to foster home industries.

The pyroxylin manufacturers of Japan will undoubtedly be given an advantage over all the world in the price of camphor.

Unless the duty is restored this industry will be destroyed in the United States. Those are the reasons given.

Mr. BACON. The Senator from Rhode Island has stated the amount of the imports. Can the Senator tell us what is the domestic product?

Mr. ALDRICH. The value of the total production in the United States in 1905 was $2,600,000, as against $870,000 imports in 1907. If there could be a stronger case for the protection of any article than this, I do not know where it is.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BRIGGS. I ask that it may go over.

The VICE-PRESIDENT. It will go over, at the request of the Senator from New Jersey.

Mr. ALDRICH. I assume the Senator from New Jersey wants a higher rate. I suggest he make his amendment later on, and that he let this be adopted.

Mr. KEAN. Let this amendment be agreed to.

The VICE-PRESIDENT. Does the Senator from New Jersey withdraw his objection?

Mr. BRIGGS. Yes.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Committee on Finance.

The amendment was agreed to.

The next amendment was, on page 6, after line 20, to strike out:

18½. Copperas, or sulphate of iron, fifteen hundredths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 6, line 24, after the word "roots," to strike out "excrescence" and "excrescences;" on page 7, line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 8, after the word "by," to strike out "refining, grinding, crushing, rasping, bleaching, steaming, or;" and in line 9, after the word "treatment," to insert "whatever," so as to make the paragraph read:

19. Drugs, such as barks, beans, berries, balsams, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums and gum resin, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, spices, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible, and not specially provided for in this section, but which are advanced in value or condition by any process or treatment whatever

beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, one-fourth of 1 cent per pound, and in addition thereto 10 per cent ad valorem: *Provided*, That no article containing alcohol, or in the preparation of which alcohol is used, shall be classified for duty under this paragraph.

The amendment was agreed to.

The next amendment was, on page 7, line 17, after the word "ethers," to strike out "oils;" and in line 19, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

20. Ethers: Sulphuric, 8 cents per pound; spirits of nitrous ether, 20 cents per pound; fruit ethers, or essences, $1 per pound; ethers of all kinds not specially provided for in this section, 50 cents per pound; ethyl chloride, 30 per cent ad valorem: *Provided*, That no article of this paragraph shall pay a less rate of duty than 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 8, line 1, after the word "nutgalls," to insert "aqueous;" in line 4, after the word "quebracho," to strike out "not exceeding in density 28° Baumé, one-half of 1 cent per pound; exceeding in density 28° Baumé, seven-eighths" and insert "one-half;" in line 8, after the word "bark," to insert "and of mangrove bark;" in line 10, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 14, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

21. Extracts and decoctions of logwood and other dyewoods, and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this section, seven-eighths of 1 cent per pound; extract of nutgalls, aqueous, one-fourth of 1 cent per pound and 10 per cent ad valorem; extract of Persian berries, 20 per cent ad valorem; chlorophyll, 20 per cent ad valorem; extracts of quebracho, one-half of 1 cent per pound; extracts of hemlock bark and of mangrove bark, one-half of 1 cent per pound; extracts of sumac, and of woods other than dyewoods, not specially provided for in this section, five-eighths of 1 cent per pound; all extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, not containing alcohol and not medicinal, and not specially provided for in this section, 15 per cent ad valorem.

Mr. BRANDEGEE. I ask that the whole paragraph be passed over without action.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 8, line 22, before the words "per cent," to strike out "twenty-five" and insert "2½ cents per pound and fifteen;" in line 25, after the word "sheets," to strike out "or otherwise, but not made up into articles, and manufactures of gelatin," and insert "emulsions, or any other form, and all manufactures of gelatin, or of which gelatin is the component material of chief value;" and on page 9, line 4, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

22. Gelatin, edible, and glue, isinglass or fish glue, including agar-agar or Japanese isinglass, and all fish bladders and fish sounds other than crude or dried or salted for preservation only, valued at not above 10 cents per pound, 2½ cents per pound; valued at above 10 cents per pound and not above 35 cents per pound, 2½ cents per pound and 15 per cent ad valorem; valued above 35 cents per pound, 15 cents per pound and 20 per cent ad valorem; other gelatin in sheets, emulsions, or any other form, and all manufactures of gelatin, or of which gelatin is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem; glue size, 25 per cent ad valorem.

Mr. ALDRICH. I ask that the first amendment be passed over.

The VICE-PRESIDENT. The amendment will be passed over.

Mr. KEAN. Let the whole paragraph be passed over.

The VICE-PRESIDENT. Shall the paragraph or simply the amendment be passed over?

Mr. ALDRICH. The whole paragraph, perhaps, had best be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 9, line 17, after the words "per pound" where they occur the second time, to insert "carbonate of magnesia, technical, not medicinal, 25 per cent ad valorem," so as to make the paragraph read:

29. Magnesia and carbonate of, medicinal, 3 cents per pound; calcined, medicinal, 7 cents per pound; carbonate of magnesia, technical, not medicinal, 25 per cent ad valorem; sulphate of, or Epsom salts, one-fifth of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 10, line 5, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

30. Alizarin assistant, sulpho-ricinoleic acid, and ricinoleic acid, and soaps containing castor oil, any of the foregoing in whatever form, in the manufacture of which 50 per cent or more of castor oil is used, 30 cents per gallon; in the manufacture of which less than 50 per cent of castor oil is used, 15 cents per gallon; all other alizarin assistants and all soluble greases used in processes of softening, dyeing, or finishing, not specially provided for in this section, 30 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 10, after line 15, to insert as a new paragraph the following:

35½. Nut oil or oil of nuts, 8 cents per gallon.

Mr. KEAN. Let this paragraph go over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 10, line 17, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

36. Olive oil, not specially provided for in this section, 40 cents per gallon; in bottles, jars, kegs, tins, or other packages, containing less than 5 gallons each, 50 cents per gallon.

The amendment was agreed to.

The next amendment was, on page 10, line 23, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

38. Seal, herring, whale, and other fish oil, not specially provided for in this section, 8 cents per gallon.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the word "composition," to insert "dried, powdered, or otherwise;" in line 6, after the word "alkaloids," to strike out "or salts of opium" and insert "of opium, and salts and esters thereof;" and in line 8, before the words "per ounce," to insert "and fifty cents," so as to read:

39. Opium, crude or unmanufactured, and not adulterated, containing 9 per cent and over of morphia, $1.50 per pound; opium of the same composition, dried, powdered, or otherwise advanced beyond the condition of crude or unmanufactured, $2 per pound; morphia or morphine, sulphate of, and all alkaloids of opium, and salts and esters thereof, $1.50 per ounce; aqueous extract of opium, for medicinal uses, and tincture of, as laudanum, and other liquid preparations of opium, not specially provided for in this section, 40 per cent ad valorem; opium containing less than 9 per cent of morphia, $6 per pound; but preparations of opium deposited in bonded warehouses shall not be removed therefrom without payment of duties, and such duties shall not be refunded.

The amendment was agreed to.

The next amendment was, on page 11, after line 20, to strike out the subhead "Paints, colors, and varnishes."

The amendment was agreed to.

The next amendment was, on page 11, line 23, before the word "cents," to strike out "one dollar and fifty" and insert "seventy-five," so as to make the paragraph read:

40. Baryta, sulphate of, or barytes, including barytes earth, unmanufactured, 75 cents per ton; manufactured, $5.25 per ton.

Mr. CLAY. I ask the Senator from Rhode Island to allow this paragraph to go over. I have some facts which I desire to present regarding it.

The VICE-PRESIDENT. This paragraph will be passed over.

The next amendment was, on page 12, line 5, after the word "white," to strike out "or" and insert "and;" and in the same line, after the word "lime," to strike out "three-eighths" and insert "one-half," so as to make the paragraph read:

42. Blanc-fixe, or artificial sulphate of barytes, and satin white, and artificial sulphate of lime, one-half of 1 cent per pound.

Mr. BRANDEGEE. I ask that the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 12, line 14, before the word "cents," to insert "and one-half," so as to make the paragraph read:

44. Chrome yellow, chrome green, and all other chromium colors in the manufacture of which lead and bichromate of potash or soda are used, in pulp, dry, or ground in or mixed with oil or water, 4½ cents per pound.

The amendment was agreed to.

The next amendment was, on page 12, line 16, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

45. Ocher and ochery earths, sienna and sienna earths, and umber and umber earths, not specially provided for in this section, when crude or not powdered, washed, or pulverized, one-eighth of 1 cent per pound; if powdered, washed, or pulverized, three-eighths of 1 cent per pound; if ground in oil or water, 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 12, line 23, before the word "cents," to strike out "two and seven-eighths" and insert "three and three-eighths," so as to make the paragraph read:

46. Orange mineral, 3⅜ cents per pound.

Mr. DOLLIVER. I will ask that the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 12, line 24, before the word "cents," to strike out "three-eighths" and insert "seven-eighths," so as to make the paragraph read:

47. Red lead, 2⅞ cents per pound.

Mr. DOLLIVER. I make the same request as to this paragraph.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 12, line 3, before the word "cents," to strike out "and three-fourths," so as to make the paragraph read:

48. Ultramarine blue, whether dry, in pulp, or mixed with water, and wash blue containing ultramarine, 3 cents per pound.

The amendment was agreed to.

The next amendment was, on page 12, line 4, after the word "japan," to strike out "25 per cent ad valorem;" and in line 5, after the word "varnishes," to strike out "25 per cent ad valorem" and insert "and," so as to make the paragraph read:

49. Varnishes, including so-called gold size or japan, spirit varnishes, and enamel paints made with varnish, 35 per cent ad valorem.

Mr. BURROWS. Let the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 13, line 11, before the word "cents," to strike out "four and one-half" and insert "five," so as to make the paragraph read:

50. Vermilion reds, containing quicksilver, dry or ground in oil or water, 10 cents per pound; when not containing quicksilver but made of lead or containing lead, 5 cents per pound.

Mr. DOLLIVER. I make the same request as to this paragraph.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 13, line 14, before the word "cents," to strike out "three-eighths" and insert "seven-eighths," so as to make the paragraph read:

51. White lead, and white pigment containing lead, dry or in pulp, or ground or mixed with oil, 2¾ cents per pound.

Mr. LA FOLLETTE. I ask that paragraph 51 be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 13, line 15, after the word "dry," to strike out "one-eighth" and insert "one-fourth;" and in line 16, after the word "putty," to strike out "one-half" and insert "three-fourths," so as to make the paragraph read:

52. Whiting and Paris white, dry, one-fourth of 1 cent per pound; ground in oil, or putty, three-fourths of 1 cent per pound.

Mr. BEVERIDGE. I wish to ask any member of the committee why it was that the Senate committee changed the rates in paragraph 52?

Mr. ALDRICH. Because the committee had the very best evidence for thinking that the House rates are too low.

Mr. BEVERIDGE. I ask that the paragraph be passed over for the present.

The VICE-PRESIDENT. Paragraph 52 will be passed over.

The Secretary read the next paragraph, as follows:

53. Zinc, oxide of, and white pigment containing zinc, but not containing lead, dry, 1 cent per pound; ground in oil, 1¼ cents per pound; sulfid of zinc white, or white sulphide of zinc, 1¼ cents per pound; chloride of zinc and sulphate of zinc, 1 cent per pound.

Mr. CULLOM. Let paragraph 53 also be passed over.

Mr. KEAN. Yes; let paragraph 53 be passed over.

The VICE-PRESIDENT. Paragraph 53 will be passed over.

The next amendment was, on page 13, line 25, after the word "powder," to insert "dryers for paint;" on page 14, line 4, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 5, after the words "ad valorem," to insert "all glazes, fluxes, enamels, and colors used only in the manufacture of ceramic, enameled, and glass articles, 30 per cent ad valorem," so as to make the paragraph read:

54. All paints, colors, pigments, including oxide of iron pigment and oxide of iron polishing powder, dryers for paint, stains, lakes, crayons, including charcoal crayons or fusains, smalts and frostings, whether crude or dry or mixed, or ground with water or oil or with solutions other than oil, not otherwise specially provided for in this section, 30 per cent ad valorem; all glazes, fluxes, enamels, and colors used only in the manufacture of ceramic, enameled, and glass articles, 30 per cent ad valorem; all paints, colors, and pigments, commonly known as artists' paints or colors, whether in tubes, pans, cakes or other forms, 30 per cent ad valorem.

The amendment was agreed to.

Mr. BACON. I am well aware of the fact, of course, that by reference to the Statistical Abstract and all that one can get the desired information, but I should like to inquire of the chairman of the committee whether the committee has had put in convenient form such information as will enable us to judge as we go on of the propriety of these changes. For instance, I should like to know, when a particular article is under consideration, what has been the amount of the importation, and what has been the fact with reference to the revenue which has been derived from it. We have nothing in the world to guide us, and must just take it on faith. Of course those of us who are not on the committee have had no opportunity to acquaint ourselves with this detail; and it is only by having some table which would show, as each article is reached, what is the amount of the product in this country, the amount of importation, and the amount of revenue derived from it, that we can judge whether or not the proposed changes are proper.

Mr. ALDRICH. What is the particular item to which the Senator refers?

Mr. BACON. To no item in particular, but I make the inquiry more with reference to my guidance in the future than with reference to any particular item.

Mr. ALDRICH. In the paragraph just passed over, the articles which are named in the paragraph are now coming in at a much less rate of duty than that imposed by this provision, and they are coming in improperly classified. Many of them contain leads and very valuable products, and it is important to have a correct classification.

As to lead, as we passed over 10 or 15 items of lead products, I ought, perhaps, to make a general explanation. The existing law puts a duty of 1½ cents a pound on lead ore. The House maintained that rate, but reduced the duty upon all products from one-half to three-fourths of a cent a pound below the existing law. The result of this legislation would be, if it should become a law, to have all the lead that is used in the United States imported in manufactured form and destroy the business of the lead producers of the United States.

Mr. BACON. I desire to say that since I made the inquiry of the Senator from Rhode Island my attention has been called to the estimated revenue, which I did not have before me at the time. It does not show, however, as suggested to me by the Senator from Nevada [Mr. NEWLANDS], the domestic products, which it is important for us to know, it seems to me.

Mr. ALDRICH. If the Senator will send for the document entitled "Imports, Exports, and Domestic Manufactures," arranged according to paragraphs of tariff law of 1897, compiled by the Director of the Census for the Committee on Ways and Means of the House of Representatives, he will get the information he desires.

Mr. NEWLANDS. The bill is being read so rapidly that it is really impossible to look over the different items in the estimate. I will state to the Senator from Georgia that the chairman of the committee has agreed to produce at an early date a table showing side by side with the importations the production of similar articles in this country.

The VICE-PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was continued.

The next amendment was, on page 14, line 14, before the word "cents," to strike out "two and seven-eighths" and insert "three and one-fourth;" in line 15, before the word "cents," to strike out "one and seven-eighths" and insert "two and one-fourth;" in line 16, before the word "cents," to strike out "one-eighth" and insert "one-half;" and in line 17, before the word "cents," to strike out "one-fourth" and insert "three-fourths," so as to make the paragraph read:

56. Lead: Acetate of, white, 3½ cents per pound; brown, gray, or yellow, 2½ cents per pound; nitrate of, 2½ cents per pound; litharge, 2¾ cents per pound.

Mr. LA FOLLETTE. I ask that the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 14, after line 18, to strike out the subhead "Potash."

The amendment was agreed to.

The next amendment was, on page 14, line 20, after the word "of," to insert "potash;" and in line 21, before the word "cents," to strike out "one and one-half" and insert "two and one-fourth," so as to make the paragraph read:

58. Bichromate and chromate of potash, 2¼ cents per pound.

Mr. DU PONT. I ask that the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 14, line 22, after the word "of," to insert "potash," so as to make the paragraph read:

59. Caustic, or hydrate of potash, refined, in sticks or rolls, 1 cent per pound; chlorate of, 2 cents per pound.

The amendment was agreed to.

The next amendment was, on page 14, line 24, after the word "of," to insert "potash," so as to make the paragraph read:

60. Hydriodate, iodide, and iodate of potash, 25 cents per pound.

The amendment was agreed to.

The next amendment was, at the top of page 15, to strike out the following paragraph:

61. Nitrate of, or saltpeter, refined, one-half of 1 cent per pound.

Mr. KEAN. Let that paragraph go over.

Mr. DOLLIVER. I observe that that article goes back to the free list. It appears to be dutiable under the existing law. I should like to inquire on what theory it goes on the free list?

Mr. ALDRICH. The Senator from New Jersey has asked to have it passed over. Otherwise I would be very glad to state the reason why.

The VICE-PRESIDENT. The paragraph will be passed over.

The Secretary read paragraph 62.

Mr. CRAWFORD. We are getting a little confused here. What was done with paragraph 61?

The VICE-PRESIDENT. It was passed over.

Mr. BACON. I should like to make an inquiry of the Senator from Rhode Island. Where there is no amendment by the Senate Committee of the House provision, and where in the House provision there has been eliminated a certain duty—in other words, it has been put on the free list—at what point in the stage of the consideration of the bill will it come up? Will it come up properly in the consideration of the paragraph from which it has been stricken, or will it come up when we come to consider the free list?

Mr. ALDRICH. When it is reached in the free list.

Mr. BACON. I will state to the Senator that my inquiry is suggested by the fact that I think certain oils, including cotton-seed oil, which are now dutiable at the rate of 4 cents a gallon, I think, have been transferred to the free list.

Mr. ALDRICH. Not by the Senate bill.

Mr. BACON. There is no such amendment proposed by the Senate committee.

Mr. ALDRICH. Not by the Senate bill.

Mr. BACON. I will call the attention of the Senator to it. I may misunderstand it. There is no amendment by the Senate committee to the House provision—in other words, the Senate takes the bill as it comes from the House—but underneath there is a note stating that these oils have been transferred to the free list.

Mr. ALDRICH. If the Senator will turn to paragraph 637 on page 212, he will find that the Senate committee struck croton oil and cotton-seed oil from the free list. They would then go under the paragraph providing for distilled oils and expressed oils on the dutiable list at 25 per cent.

Mr. BACON. They have been put in at a different place from where they are under the existing law?

Mr. ALDRICH. Yes; they have been stricken from the free list and go into the general paragraph for all distilled and expressed oils at 25 per cent ad valorem. In other words, cotton-seed oil, under the provision of the bill before the Senate, would pay a duty of 25 per cent ad valorem.

Mr. McLAURIN. What paragraph is that?

The VICE-PRESIDENT. It is on page 212.

Mr. LODGE. It is omitted from the free list of oils at page 212, paragraph 637. That throws it into the basket clause for expressed oils at a duty of 25 per cent.

Mr. ALDRICH. It is paragraph 3 of the Senate print of the bill.

Mr. McLAURIN. I have here page 212, and I find paragraph 315.

Mr. ALDRICH. Page 212, paragraph 637. Look at the top of the page.

Mr. McLAURIN. I understand it now.

Mr. ALDRICH. There is no doubt whatever but that under the Senate committee's bill cotton-seed oil will pay a duty of 25 per cent ad valorem. Under the bill as passed by the House it was on the free list.

Mr. BEVERIDGE. May I ask the Senator from Georgia a question that is pertinent right here? I understand the Senator from Rhode Island to say that the House placed cotton-seed oil on the free list.

Mr. ALDRICH. It did.

Mr. BEVERIDGE. And the Senate committee fixes a certain duty.

Mr. ALDRICH. Twenty-five per cent ad valorem.

Mr. BEVERIDGE. Which does the Senator from Georgia recommend?

Mr. BACON. I am sure I do not know. I want some information from the committee. I do not know whether there is any importation of it. I do not think there is.

Mr. BEVERIDGE. I understand the Senator does not know at this time whether he is in favor of free cotton-seed oil or not.

Mr. BACON. It depends a good deal on circumstances. There are circumstances under which I would not favor it. If there is no cotton-seed oil imported, I see no reason why it should not be on the free list.

The next amendment was, on page 15, line 3, after the word "of," to insert "potash;" and in line 5, after the words "ad valorem," to strike out "cyanide of sodium, 12½ per cent ad valorem," so as to make the paragraph read:

62. Prussiate of potash, red, 8 cents per pound; yellow, 4 cents per pound; cyanide of potassium, 12½ per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 15, after line 6, to strike out the subhead "Preparations."

The amendment was agreed to.

The next amendment was, on page 15, line 10, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 15, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 19, after the word "whether," to insert "or not;" in line 20, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 21, before the word "and," to strike out "or not," and on page 16, line 2, after the word "by," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

63. Medicinal preparations containing alcohol or in the preparation of which alcohol is used, not specially provided for in this section, 55 cents per pound, but in no case shall the same pay less than 25 per cent ad valorem; calomel and other mercurial medicinal preparations, 35 per cent ad valorem; all other medicinal preparations not specially provided for in this section, 25 per cent ad valorem: *Provided*, That all alkaloids, balsams, chemicals, drugs, extracts, medicinal substances, oils, salts, or similar substances whatever, used for medicinal purposes, whether or not specifically provided for in this section, and whether on the dutiable list or the free list, if containing alcohol, or in the preparation of which alcohol is used, or if imported in capsules, pills, tablets, lozenges, troches, or similar forms, or if ready for the use of the apothecary or the physician, or requiring only a solvent or a diluent to be ready for such use, shall be dutiable at not less than the rate or rates imposed by this section on medicinal preparations.

The amendment was agreed to.

Mr. ALDRICH. I have information now in regard to cotton-seed oil, and I think I will bring it to the attention of the Senator from Georgia.

The importations of cotton-seed oil for the year 1908 were 202 gallons, valued at $81, upon which a duty of $8.38 was collected.

Mr. BACON. I think it had better be put on the free list, then.

Mr. ALDRICH. Does the Senator suggest that it go on the free list?

Mr. BACON. I will wait until we get to it, though I see no objection to its going there.

Mr. ALDRICH. Every man in the South who produces cotton or who produces cotton-seed oil is extremely anxious that it shall not go on the free list. It was told the committee——

Mr. BEVERIDGE. How much was imported?

Mr. ALDRICH. Two hundred and two gallons.

Mr. BEVERIDGE. Will the Senator let me put a question to the Senator from Georgia?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. The Senator from Georgia says——

Mr. BACON. I am not making any suggestion in regard to it, except from the practical standpoint of those who are interested in it.

Mr. BEVERIDGE. The Senator from Georgia said in view of the fact that there were only 202 gallons imported he was willing that it should go on the free list. I will ask him if 2,000,000 gallons were imported, would he be willing to have it go on the free list?

Mr. BACON. I would not, because we would get a revenue from it.

Mr. BEVERIDGE. And because it is produced in Georgia.

Mr. ALDRICH. It was stated to the committee that in view of the increasing production of cotton in other parts of the world producing cotton-seed oil, if the duty were removed there would be very large importations of cotton-seed oil, which would largely reduce the price in this country.

If the Senators upon the other side of the Chamber, who are better acquainted with this industry than I am, desire to have it go on the free list, I presume that they could secure the acquiescence of Senators sitting upon this side.

Mr. SIMMONS. Mr. President, I have just come into the Chamber, and I should like to inquire of the Senator from Rhode Island if it is proposed to act upon this amendment at this time?

Mr. ALDRICH. It has already been acted upon.

Mr. SIMMONS. By the Senate?

Mr. ALDRICH. Yes.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. The Senator from North Carolina [Mr SIMMONS] has the floor.

Mr. SIMMONS. I do not understand that the Senate has adopted the amendment.

Mr. ALDRICH. The Senate has adopted the third paragraph in this bill, which imposes 25 per cent ad valorem on all expressed and distilled oils not otherwise provided for. Of course, we have not yet acted upon the free list, but so far as the committee is concerned, we have already stricken it from the free list.

Mr. SIMMONS. I have just come in, and I do not understand exactly the situation of it; but I did not understand that it was proposed to act upon an amendment specifically that provides that the duty on cotton-seed oil——

Mr. ALDRICH. Yes; that has been acted upon, but not the amendment which strikes it from the free list.

Mr. BEVERIDGE. Mr. President, I think that a great deal of time can be saved, in view of the statements made by the Senator from Georgia [Mr. BACON] and the Senator from Rhode Island [Mr. ALDRICH], if it be now agreed—I am sure this side of the Chamber will agree to it—that cotton-seed oil shall go upon the free list.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from North Carolina?

Mr. BEVERIDGE. Certainly.

Mr. SIMMONS. I hope there will be no disposition to act upon that. I desire to submit some remarks on that particular item. I do not hesitate to say that, so far as I am concerned, I am not in favor of putting it on the free list.

Mr. BACON. The Senator from Rhode Island [Mr. ALDRICH] and the Senator from Indiana [Mr. BEVERIDGE] both indicate that for one to be in favor of any rate of duty would be rather a committal, I presume, to the doctrine of protection. I certainly do not admit the correctness of any such proposition; and I want to say to Senators on the other side that I am in favor generally of the imposition of proper rates of duty on almost all articles except those of prime necessity, essential to the living of those who can not afford to pay any duty.

Mr. BEVERIDGE. Especially those produced in Georgia. Human nature is everywhere the same.

Mr. BACON. There is no "especially" about it; no more "especially" in Georgia than in Indiana.

Mr. BEVERIDGE. Not at all. I am not insisting upon that; but I am rather serious; and in view of what the Senator from Rhode Island said, it seems to me we might eliminate a great deal of debate, in view of what the Senator from Georgia said, by agreeing now that cotton-seed oil go on the free list.

Mr. NEWLANDS. Mr. President——

Mr. McLAURIN. Will the Senator from Indiana allow me to ask him a question?

The VICE-PRESIDENT. The Senator from Nevada [Mr. NEWLANDS] has the floor.

Mr. NEWLANDS. I should like to ask the chairman of the Committee on Finance whether he regards this duty of 25 per cent upon cotton-seed oil as a duty for revenue or a duty for protection?

Mr. ALDRICH. A duty for protection pure and simple, and for no other purpose.

Mr. NEWLANDS. Do I understand, then, that this duty will absolutely prohibit the importation of cotton-seed oil from other countries?

Mr. ALDRICH. Did the Senator hear the statistics which I read upon the subject?

Mr. NEWLANDS. I did not. However, I understood the Senator to say that the production of cotton in other parts of the world was increasing and that some of the people of the South feared that cotton-seed oil would come into this country and be used. The question I address to the Senator, however, is whether that duty is intended to be prohibitory or whether it is intended to be productive of revenue?

Mr. ALDRICH. Mr. President, the Senator from Nevada seems to be interested at times in production in this country. There was produced in 1905 in the United States 133,817,772 gallons of cotton-seed oil, valued at $31,341,912. The present duty upon cotton-seed oil is 8 cents per gallon, which is prohibitory. The duty now suggested is 25 per cent ad valorem, which is put on this article as a protective duty to prevent the importation into the United States of cotton-seed oil produced in Egypt or in any other country that is now producing cotton, and which, so far as I am concerned, I will defend against all comers. I think it is an important American industry. It is an industry which should be protected, and, so far as I know, the producers of cotton-seed oil in the South desire to have it protected.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. NEWLANDS. After I give point to one question to the Senator from Rhode Island. I inquired of the Senator whether he regarded this duty of 25 per cent as absolutely prohibitory of importations. I understood him to state that he did. I would pursue that inquiry by asking how it is that in many cases a duty of 100 per cent is imposed, when a duty of 25 per cent in this case is absolutely prohibitory of importations? Is it the purpose of the committee to always impose such a duty as will be prohibitory of both importations and revenue?

Mr. ALDRICH. The Senator from Nevada, I assume, does not seriously expect me to follow him in the flights of his imagination as to the four or five or ten thousand articles that are included in this bill.

Mr. NEWLANDS. The Senator recognizes the fact, however, I believe, that there are duties as high as 100 per cent and some in excess of 100 per cent in this bill. Is not that a fact?

Mr. ALDRICH. I think that borax and some of the other products of Nevada are protected to that extent under the existing law. [Laughter.] We have, however, reduced the protection a little in this bill.

Mr. NEWLANDS. I will state to the Senator from Rhode Island that I will gladly cooperate with him in reducing any duty that equals 100 per cent. I simply wish to inquire how it is that any duty is 100 per cent, unless the purpose is to absolutely prohibit the importation of the article covered by the duty? Is there any such difference between the wages and the labor cost in this country as compared with other countries producing any of these articles as would warrant the imposition of a duty of 100 per cent in order to accomplish the protection of that article?

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. In answer to the Senator from Nevada, I wish to say, that as to a great many articles manufactured, the difference in wages between the United States and Germany and other foreign countries would justify the imposition of a duty of 100 per cent. It is not so as to by-products, such as oil from cotton seed, because there is very little labor in that; but it is so in the case of highly manufactured articles of a cheap product, manufactured perhaps into needles, watch springs, or something of that kind, or even lithographing work. In such cases the wages in this country to-day are four times greater than those in Germany.

Mr. NEWLANDS. And the Senator——

Mr. ALDRICH. If the Senator from Nevada will permit me, I should like to correct my statement about borax. I find that I was mistaken in the rate of importations for 1908. The rate was 144.78 per cent, and the year before it was 150.76 per cent.

Mr. NEWLANDS. I will state to the Senator from Rhode Island that I regard that duty as entirely too high, and I will gladly cooperate with him in its reduction.

Mr. ALDRICH. We have reduced it in this bill.

Mr. NEWLANDS. I simply wish to get at the principle which controls the Finance Committee in the imposition of these duties. I find that in many cases the duty is placed at 25 per cent, and that that is prohibitory, and in others it is placed at 100 per cent, and it is not prohibitory.

Mr. ALDRICH. I will answer the Senator from Nevada promptly. The principle upon which the committee proceeded in the preparation of this bill was to extend a proper protection to every American industry, whether in South Carolina, in Nevada, or elsewhere.

Mr. BEVERIDGE. That needed it.

Mr. ALDRICH. That needed it.

Mr. NEWLANDS. But the intention of the Senator in some cases is to make that duty absolutely prohibitory and in other cases a producer of revenue. I should like to know the reason for the distinction upon these commodities.

Mr. ALDRICH. There is no such purpose of the committee, and no such purpose is expressed in the bill.

Mr. NEWLANDS. I understood the Senator from Rhode Island to state that the duty on cotton-seed oil was prohibitory of importations. I therefore assumed that it was the purpose of the committee to make it prohibitory.

Mr. ALDRICH. Mr. President, there are many duties imposed by this bill the effect of which has been to stop importations. The reduction of that duty, even to the extent of 10 per

cent, might bring about a state of affairs which would destroy every American industry. I do not mean to say that the cotton-seed oil industry would be destroyed if the duty were reduced below 25 per cent, but I see no reason—and I trust the Senators upon the other side see no reason—why we should make an experiment and reduce the duty on cotton-seed oil below the protective rate.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. NEWLANDS. I yield, but I should like to hold the floor.

Mr. TILLMAN. The Senator may hold the floor. I want to say that I know a little something about cotton and cotton seed and cotton-seed oil, and that any pretense that there is any protection in any duty whatever on it is a humbug and a falsehood. We produced this year over 13,000,000 bales of cotton, and the amount of seed which goes into cotton-seed oil—I am not prepared at the moment to say how much—is very great, and from this quantity of seed the oil is pressed and largely exported; but the cotton-seed oil producers do not want any protection on it.

Mr. ALDRICH. I dislike very much to repeat a private conversation; but I think that what I am about to allude to is so pertinent that the Senator from South Carolina will forgive me if I mention it.

Mr. TILLMAN. Surely.

Mr. ALDRICH. The Senator from South Carolina brought to me three gentlemen yesterday or to-day——

Mr. TILLMAN. Yes.

Mr. ALDRICH. To talk to me about the rate on some oil products.

Mr. TILLMAN. No; they wanted to talk to you about a rate on oleostearin, which is a by-product of the slaughter of beef cattle, and is used in the manufacture——

Mr. ALDRICH. It is an oil product.

Mr. TILLMAN. It is used in the manufacture of compound lard; and the cotton-seed oil people want it to go on the free list.

Mr. ALDRICH. I understand all that; but one of those gentlemen represented the largest producers of cotton-seed oil in the United States; and we have on record with the Committee on Finance the strongest possible protest from two of the gentlemen that the Senator presented to me against reducing the duty on cotton-seed oil or putting it on the free list.

Mr. TILLMAN. That may be. It is because they, along with others of the South, imagine that there is some protection to American industry—for instance, in the manufacture of cotton. We have got factories in South Carolina whose product was almost wholly exported to China until the rebellion over there several years ago, which disrupted the commercial relationship; and those people were in favor of a protective duty on cotton, but the people of the South do not want it.

Mr. ALDRICH. Mr. President, I wanted to bring to the attention of the Senator from South Carolina by witnesses of his own production the fact that the producers of cotton-seed oil in the South do object to having it put upon the free list and insist upon having a duty imposed upon it.

Mr. TILLMAN. That may be, but I do not represent any such people. [Laughter.]

Mr. NEWLANDS. Mr. President, I would ask the Senator from Rhode Island whenever it appears that under a duty imposed in the existing Dingley law there are no importations whatever of the article upon which the duty is imposed, whether he would favor a reduction of such a duty?

Mr. ALDRICH. Mr. President, I know that the Senator from Nevada is an intelligent man, and I know that he understands as well as I do that whether there were any importations in a certain year has nothing whatever to do with the question whether a rate is protective or not. Circumstances and conditions might be such that a particular rate would be prohibitive one year or one month, and another year or another month, under some other conditions, there might be large importations.

Mr. NEWLANDS. Suppose for a series of years it should appear that there were no importations.

Mr. ALDRICH. That has not appeared for a series of years, and I suggest to the Senator——

Mr. NEWLANDS. Will the Senator say that that has not appeared with reference to any of these duties?

Mr. ALDRICH. I am talking about cotton-seed oil.

Mr. NEWLANDS. I am not talking about cotton-seed oil; I am talking generally.

Mr. ALDRICH. What is the Senator talking about, if he is willing to enlighten us?

Mr. NEWLANDS. I did not hear what the Senator said.

Mr. ALDRICH. I asked the Senator what particular thing he is talking about, if it is not cotton-seed oil?

Mr. NEWLANDS. I am talking about the principle that controls regarding the adjustment of these duties.

Mr. ALDRICH. Mr. President, the Senator must be aware that what would be a fair ad valorem duty upon one article might be absolutely unfair as to another article. There is no mathematical level to be assumed in regard to these matters. On some articles rates of 10 per cent are sufficiently protective and in other cases 95 per cent might be required. The schedules are not made upon any mathematical basis, and they can not be made upon any mathematical basis at all. There is no such intention or purpose on anybody's part.

Mr. NEWLANDS. Mr. President, the Senator has not answered my inquiry, and that is, whether, if it should appear that for a given year or for a series of years there had been no importations of an article upon which a duty was imposed, he would deem it wise to make a reduction of that duty?

Mr. ALDRICH. I might be inclined to make a reduction of that duty, but I should first take into consideration all the surrounding conditions and circumstances.

Mr. NEWLANDS. Let me ask the Senator another question. If it should appear that during a series of years upon numerous articles covered by this tariff the importations had not equaled one-tenth of the total production of this country or of its consumption, and that the duty was over 100 per cent, would he not deem it wise to make a reduction in that duty? I am curious to know what principle controls. The Senator says this is not reached by any mathematical process. What process does control, except the influence of the particular interests that are affected by these duties?

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. NEWLANDS. I yield to the Senator.

Mr. CARTER. Mr. President, I desire to ask the Senator whether, if diamonds were not imported to the extent of over 10 per cent of the home production, he would regard it as important to reduce the duty on diamonds; or if, in his judgment, the importations of champagne were not quite sufficient to justify the imposition of so great a duty, would he believe it wise to reduce the duty on champagne, and thereby reduce the revenues and encourage the importation of that article?

I take it that the Senator omits to consider the suggestion, so oft repeated by the Senator from Rhode Island, to the effect that each duty must be considered with relation to all the circumstances and conditions surrounding the article imported or produced. I take it for granted that there is no pretense that this country produces a champagne which will at all compete with the French brands of champagne, and yet no man can be heard to insist upon a reduction of the duty on imported champagne. Let those with champagne appetites pay the duty imposed by the bill, and I doubt if it is high enough now.

So with diamonds, Mr. President. We produce very few diamonds in this country. A great many people insist upon wearing diamonds, but I take it that the Senator from Nevada will not undertake to encourage the importation of diamonds by reducing the duty on diamonds. The contrary might be the effect with reference to cotton-seed oil or with reference to some article of food or some article in common use amongst the people in the line of production.

I think the Senator from Rhode Island has made it clearly manifest that the duty upon each article should be considered in relation to all the facts and circumstances connected with the production and consumption of that particular article, and that therefore no general principle can be announced that will obtain with unvarying regularity with reference to all classes and conditions of importations. It appears from the question propounded by the Senator from Nevada that he would have the Senator from Rhode Island announce a certain basic principle upon which the committee would act, and ask the Senator to act, with reference to every pound or ton of merchandise imported into the country, without any reference whatever to the quality, the uses to which the article is put, the extent to which it enters into competition with American products, or the benefit or use the article might be to the country at large.

Mr. NEWLANDS. Mr. President, in answer to the Senator from Montana, I will say that he instances diamonds, a commodity which is not produced in this country; and what he says with reference to that article has no relation whatever to commodities that are produced in this country and that are also imported from foreign countries.

I quite agree with the Senator that if the principle of protection to American industries is to control, and the exclusion,

either entire or partial, of foreign products entering into competition with them, it is necessary to take into consideration the circumstances surrounding the production of each article, both abroad and at home. One of the faults that I have to find with the statistics furnished us here is that while we have a statement of the amount of each commodity imported, we have not a statement of the production in this country of each article upon which a duty is placed. That, I understand from the Senator from Rhode Island, will be remedied.

So far as a revenue duty is concerned, the task is an easy one. It is to impose a duty that will yield revenue and so to distribute and fairly apportion the duties upon the different commodities as not unduly to discriminate in favor of or against either one or the other, not to have in view a prohibitive duty upon one article and a very low duty upon another.

But, with reference to protection, my inquiry was simply made in good faith, with a view to ascertaining the principle that controls the majority of the Finance Committee in the regulation of these duties. Here we are called upon to consider in a Senate of 92 Members the duties upon I do not know how many thousand articles. We have already, within the space of two hours, considered the duties upon about 50 articles. I was anxious to know whether there was a general principle that controlled the duty upon all, or whether there was no principle whatever, and whether we must take into consideration the special circumstances surrounding the production of each article. If the latter is to control—and I am told by the Senator from Montana [Mr. CARTER] that it is to control—then we certainly are not proceeding with the deliberation and the circumspection that ought to attend a proceeding of this kind.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. NEWLANDS. I will get through my statement in a moment.

We have had no statement whatever, except when it was asked for, of the imports of a particular article, of the production of a particular article, of the labor cost in other countries, and the labor cost in this country. Here we are, claiming to have the capacity, as a business body, to act upon this matter, utterly ignoring the creation of any scientific body to sift this question and reach a conclusion, and yet passing on these schedules in this speedy way, without any inquiry into circumstances and conditions. So that, as a matter of fact, it simply means that this body is not deliberating at all upon the subject, and that the only part of this body which has deliberated upon it is the majority of the Committee on Finance, without the participation of the minority, and that the great mass of this body accept their conclusions without question and without inquiry into the conditions and circumstances that have controlled their judgment.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. NEWLANDS. Certainly.

Mr. CARTER. Mr. President, I believe I observed accurately that the Senator from Nevada finds confusion as to a principle in the one case and as to a rule in the other. He rose to inquire what rule had been controlling throughout the formation of this bill—why percentages did not obtain uniformly as to all productions, regardless of the conditions or circumstances surrounding them. I undertook merely to repeat in my own way what I understood to be the statement of the Senator from Rhode Island, that no inflexible rule could be employed where conditions were varied and constantly varying.

Now, as to a principle, the Senator from Nevada presents a different question. I understand it to be distinctly understood, and not questioned anywhere, that this bill is framed upon a principle clearly announced and well understood throughout this country, to wit, that such duties shall be imposed upon importations as will make up the difference between the cost of labor and production abroad and the cost of labor and production at home.

Mr. GALLINGER. With a reasonable profit.

Mr. CARTER. The application of that principle results in a 25 per cent imposition of duty in one case, 150 per cent in another, and no duty at all in another.

Mr. BACON. Mr. President, I do not think the Senator correctly quotes his own platform.

Mr. CARTER. The substance of it, I think.

Mr. BACON. No, sir; the platform is not simply to cover the difference in wages, but it adds "a reasonable profit" besides, which is a very elastic provision.

Mr. CARTER. O, Mr. President, a reasonable profit goes with production. No one will undertake to invest capital without compensation; and capital, the accumulated earnings of the world, is entitled to its daily and annual wage just as is the individual who works with his brawn and brain from morning until night. To undertake to conduct manufacturing operations or transportation operations or farming operations without the investment of capital is impossible, and to undertake to conduct such operations without any profit is simply Utopian. Of course, it is understood that the capital employed shall be accorded reasonable profit. That is one of the legitimate costs of production.

Mr. LODGE. Mr. President, I was called from the Senate Chamber when paragraph 17 was disposed of. I desired to have it passed over.

Several SENATORS. It has been.

Mr. LODGE. I was told it had not been.

The VICE-PRESIDENT. Paragraph 17 has not been passed over. The Senator from Massachusetts now asks that it be passed over.

Mr. LODGE. I desire to have it passed over.

Mr. PENROSE. The Senator from New Jersey asked to have it passed over.

Mr. LODGE. The Chair has just stated that it has not been passed over.

The VICE-PRESIDENT. The junior Senator from New Jersey requested that it be passed over, and afterwards withdrew the request.

Mr. LODGE. As I say, I was absent, and I desire to have it passed over. I should have asked that it go over if I had been here. Therefore, I ask that the vote by which the paragraph was agreed to be reconsidered, and that it shall then be passed over.

The VICE-PRESIDENT. Without objection, that order will be entered. No objection is heard. The paragraph is passed over.

Mr. NEWLANDS. Mr. President, the Senator from Montana [Mr. CARTER] declared that, whilst it was impossible to state the rule by which these duties were determined, it was possible to state the principle, and that is the principle of protection; and yet I venture to say that the Senator has not, during this inquiry in the Senate or at any time, with reference to any of the 46 articles considered, for himself entered into an inquiry as to whether the principle of protection justifies these duties. He must submit, as almost the entire majority must submit, and the Senate itself must ultimately submit, to the judgment of six or seven men on the Committee on Finance, with the probability that the judgment of those six or seven men is almost entirely deferential to the judgment of the chairman of the committee.

So far as I am concerned, I do not believe in free trade. I do not believe in a radical reduction of the tariff.

Mr. ALDRICH. Mr. President——

Mr. NEWLANDS. If the Senator will permit me for a few moments, I will yield to him later.

I realize the fact that we have gone a long way from the proper principle which should control, but the abuses that have sprung up have become so thoroughly interwoven with our entire industrial system that to radically change them in a moment of time would produce industrial paralysis. I realize that we can not immediately return to correct principles; that we can not return in a year; that we can not return in five years; that we may not be able to return in ten or twenty years. But I believe that the demand of the country, the demand of the Republican party itself, is that we should gradually return; and so far as any reduction in excessive duties is concerned, the Democrat who believes as a matter of principle in a tariff for revenue can join with a progressive Republican who believes in a reduction of duties in ascertaining some rule for gradual, progressive reduction in the duties of the country which, without paralysis to business, without violent readjustments, without exciting alarm or business disturbance, will gradually in a course of years bring us to normal conditions.

If we can accomplish this in ten years we will do well, for what is ten years in the life of the Nation? If we can do it in twenty years we will do well, for what is twenty years in the life of the Nation? For fifty years we have now been contending over the tariff. The Morrill tariff was the highest protective tariff that this country had produced up to that time, and it was producing so large a surplus that there was an agitation for the reduction of duties, and a commission was organized by the Republican party for the purpose of reducing those duties. A conflict of interests, however, arose in the Senate and House which prevented their acceptance of the judgment of a commission organized by the Republican party itself; and so that movement, commenced forty years ago by the Republican party for the reduction of excessive duties imposed as a matter perhaps

of war necessity, ended in the McKinley Act, the highest tariff on the statute books of the country up to that time.

The movement of the Republican party for reform and reduction thus ended in increasing existing duties and exaggerating the abuses of the protective system. There was then a revulsion of public sentiment and the Democratic party came into power; and yet I am told that the Wilson tariff, which they produced, was in excess of the duties of the Morrill tariff—the Republican tariff—which the Republicans themselves set about to reform and reduce. Why? Because these abuses had grown into and formed a part of the entire industrial system of the country, and the Democrats were obliged to recognize them; and they could not, without violent readjustment, make as big reductions as the principle to which they were devoted demanded. And then the Democratic party went out of power, having passed the Wilson bill, and the Republican party, which had started out years before upon the lines of reform and reduction, regarded the victory at the polls as a warrant from the country to increase the excessive duties of the McKinley bill; and so we had the Dingley bill, the highest bill of all.

There has been a movement recently throughout the entire country, a movement not simply upon the part of the Democratic party, but a movement upon the part, I believe, of the majority of the Republican party, demanding a return, gradual though it be, to just principles.

I am solicitous that the tariff should be taken out of politics. I do not believe it is to the advantage of the country to have so serious an economic question as this is the subject of political discussion every four years, the subject of political action every four years, with the resulting alarm, apprehension, and disturbance of business; and I believe that that is the sentiment of the Republican party, that it is the sentiment of the majority of the people of this country, that they want either a tariff commission organized, acting under a rule imposed by Congress, which will force a gradual reduction of these duties, or they want Congress itself to take such action.

I wish to join—for the Democratic party of course will find it impossible to record upon the statute books its judgment—with the progressive element of the Republican party in an honest effort to reduce these duties, and though their reduction either now or in the future may not reach the limit which I would urge, yet I am prepared to go on with them along the line of reform, in the pathway of reform, though perhaps they may not be willing to go as far as I may, and though perhaps hereafter we may be compelled to part.

So I trust that the progressive element of the Republican party, represented in this body, that progressive element so ably represented by the Senator from Wisconsin and the Senator from Iowa, will take heart and realize that though they may be in the minority on this floor so far as their own party is concerned, they have the power, by the addition of Democratic votes, to put upon the statute books that which they wish.

I would encourage them in standing against the men who for twenty years have represented not the real interests of this country, but every abuse in it, and if they are earnest in their desire for reform, I ask them to present some rule for progressive reduction which we can accept, and if they will produce it, we will put it upon the statute books and the country will sustain it.

Mr. ALDRICH. Mr. President, I have sometimes had doubts whether the Senator from Nevada [Mr. NEWLANDS] had any authority to represent either the Democratic party or any progressive element of the Republican party. He is anxious about principles. I wish he would illumine the Senate briefly, if he can, as to what are the joint principles of the gentlemen to which he has alluded. What would they do in a concrete case? For instance, take the duty on borax at 150 per cent ad valorem. What would the Senator suggest as a practical question about borax? Would he assume from the fact that there is 150 per cent ad valorem upon it, it ought to be put upon the free list? Would he suggest that the duty should be reduced so low that the mines and the borax producers in Nevada should be wiped out completely and the foreigners should be given the benefit of the great market of this country? What are the joint principles of this new coalition which the Senator from Nevada is going to lead?

I hope they will be disclosed, that the Senate and the people of the country may know upon what principles this combination is to be held together.

Mr. LODGE. Mr. President, I merely wish to ask one other question, as the Senator from Nevada is speaking about the principles of this new party. What was the rule or principle adopted by the party to which the Senator now belongs, in its caucus, in regard to the reduction of duties in the schedules? What general rule did the Democratic caucus adopt? That would give us a starting point.

Mr. NEWLANDS. Mr. President, I shall not initiate the Senator from Massachusetts into the secrets of the Democratic caucus.

Mr. LODGE. There is no need to do so.

Mr. NEWLANDS. I shall content myself——

Mr. BACON. I suppose the Senator from Massachusetts, in saying it is unnecessary to initiate him, refers to a period some thirty-five years ago when he was in affiliation with them.

Mr. LODGE. No. Mr. President, I never supposed before that the Senator from Georgia was guilty of so much imagination. I never was in a Democratic caucus in my life.

Mr. BACON. I may be mistaken, but I have always understood that the Senator from Massachusetts supported Mr. Greeley.

Mr. LODGE. No, Mr. President, I voted for General Grant. But even if I had, I do not think it would alter what we are getting at now, which is the general principle of action; and when I referred to information about the Democratic caucus being unnecessary, it was because, it seemed to me, it had all been confided to the newspapers, where we could all read it.

Mr. NEWLANDS. So far as the remarks of the Senator from Rhode Island are concerned, I realize, of course, that he is endeavoring to make a personal argument against myself regarding the duty upon borax, because borax happens to be produced in my State. I wish to say that so far as the imposition of that duty is concerned, I know nothing definite. I have no definite knowledge regarding the principles which regulate that duty. If, as he says, the duty is 150 per cent, I have no hesitation in saying it ought to be radically reduced.

Mr. GALLINGER. To what point?

Mr. NEWLANDS. The Senator asks me to what point. I tell him that at this time I am unable to state to what point. I lack the same information that almost every other Senator lacks with reference to these matters.

The Senator inquires what are the principles of the coalition which I would suggest. I suggest no coalition.

Mr. ALDRICH. Will the Senator permit me? I understood the Senator to suggest that the rule and principle ought to be applied without information.

Mr. NEWLANDS. I imagine that rules are always based upon information and that principles are always based upon information, and I lack some confidence, I may say, in action which has neither a rule nor a principle which can be expressed regarding it.

The Senator inquires what are the principles of this new coalition. I suggest no coalition. I suggest that the Democratic party will aid and follow the progressive part of the Republican party in any honest effort which they will make to reduce excessive duties; and if the Senator inquires what principle shall control us, I will say the principle of a gradual and a progressive reduction of excessive duties, and men who are in favor of that can act together, whether they be protectionists, or whether they be free traders, or whether they be for a tariff for revenue, for any reduction in excessive duties meets, in part at least, the existing demands of all. The only thing we have to determine is whether the duties are excessive.

Mr. ALDRICH. Will the Senator permit me?

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. I will be very glad to ask him a question which I fear may perhaps be rather personal. The Senator from Nevada has introduced a bill to reduce certain duties progressively for a period of years.

Mr. NEWLANDS. Yes.

Mr. ALDRICH. I should like to ask him whether that bill has the support of the Democratic party or of the progressive Republicans to any extent that he knows of?

Mr. NEWLANDS. I will state that I have not consulted the Democratic party or the progressive Republicans with reference to that measure beyond merely calling attention to its provisions in a few remarks. I simply presented it as a tentative amendment to the pending bill with a view to promoting consideration and inquiry.

I am not altogether satisfied as yet whether the principle of the amendment which I have offered is correct or not, but the amendment is before the Senate, and I trust will receive consideration. I would be very glad to hear from the Senator from Rhode Island regarding it.

I have introduced two amendments, one which provides that all duties in excess of 45 per cent, which is the general average of the protective duties imposed by this bill, should be gradually

reduced at the rate of one-tenth of the excess until 45 per cent is reached. Under that process it would take ten years to reduce what may be regarded as the excessive duties of the tariff to the average duty of 45 per cent; and I have assumed that a duty which adds to the cost of an imported article nearly 50 per cent will be sufficient to protect the production of such commodity in this country.

I have also offered an amendment which provides that whenever it shall be found and ascertained that the importations of any article do not equal one-tenth of the total consumption of the country, the duty shall be reduced at the rate of one-tenth per annum until the importations do amount to one-tenth; for I assume that no wise man wishes to shape a bill which will absolutely prohibit the importation of all foreign products, or of any, and that the importation of one-tenth only of our total consumption will be a regulator against monopoly instead of involving the destruction of any American industry.

I realize that we on the Democratic side can not have our way. I realize that in our amendments to this bill, if we expect to have them incorporated into law, we must accommodate ourselves to the protection principle in order to secure the support of such progressive Republicans as the Senator from Iowa and the Senator from Wisconsin; and therefore, as a sensible, practical thing, I do not urge here for immediate action legislation which would be regarded as seriously impairing the protective principle, but only such reasonable legislation as the progressive Republicans may themselves be willing to concur in. And these are the principles which regulate my action regarding this bill.

Mr. MONEY. Mr. President, I do not want this discussion to close without saying something in reply to what has been said about cotton-seed oil on the taxed list. I do not know who has been before the committee to advocate a tax upon cotton-seed oil. It is a very large product of my State, and the exclusive product of the Southern States. But I desire to say that there is not a single Democratic Senator that I have ever heard of who has asked for any such tax, and I have inquired to find if anyone wanted the tax put on. We have no competitor that I am aware of in the production of cotton-seed oil. I suppose about $20,000 worth came in last year. We do not want any protection on it. Why it was put on the taxed list I do not know, because there is no revenue in it, and there is no protection in it.

I heard the Senator from Rhode Island, the distinguished chairman of the committee, say, in reply to a question put by the Senator from Nevada, that the controlling principle in the making of this bill was to give protection to every American manufacturer or producer who needed it. I suppose in this case "principle" is a synonym of "purpose" or "object." He stated it very fairly and very neatly, and I am very glad he did it, so that there may be no misunderstanding about it whatever anywhere.

But I do object to having it said here or elsewhere that anybody on this side of the Chamber has ever asked for a duty of any sort on cotton-seed oil, as it can not protect anybody and it can not bring in any revenue. Why it is in the schedule at all, I do not understand. It was stricken out in one place and put in in another, among other oils, expressed, distilled, and so forth.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Rhode Island?

Mr. MONEY. Certainly.

Mr. ALDRICH. I think the Senator from Mississippi was not in the Chamber when I made the statement which I did. It was not that the Senators upon the other side of the Chamber had asked me to put a duty on cotton-seed oil, but I said the representatives of the producers of cotton-seed oil had requested that it be put upon the dutiable list and removed from the free list; and I can submit to the Senator, if he so desires, a number of briefs from the manufacturers of cotton-seed oil in the South making that request very strongly.

Mr. MONEY. Of course I have not seen these briefs, but I want to say that two gentlemen representing large cotton-seed oil producing mills were in my office this morning, and they did not ask anything of the sort. They only asked that olene and stearin should be put on the free list. Nobody said a word to me about a tax on cotton-seed oil. It is totally unnecessary, as I said, from either point of view—the protective or the revenue point.

Mr. ALDRICH. I think the Senator from Mississippi will agree that they would be more likely to speak to me about it than to him.

Mr. MONEY. I think it is quite likely they would. But I want to say now and here, and I will say it again, that no man from Mississippi need come to me for a protective duty on anything. I would no more protect an interest in Mississippi than I would one in Rhode Island or Massachusetts or anywhere else. Why? Because there is no authority in this Congress to levy a tax upon the people of the United States for the purpose or upon the principle of protecting manufacturers or any other American interest. There is not——

Mr. ALDRICH. Mr. President——

Mr. MONEY. One moment, if you please, and I will yield to you with pleasure. There is, in my opinion, no authority in this Congress to tax any citizen except to defray the expenses of the Government. When we do anything else it is ultra vires. It is not only unconstitutional, but it is immoral, because it is taking from one man and giving it to another, without any compensation whatever to the former.

I do not say you have not the power by a majority vote to do what you please with this matter, and long ago it was decided by the first Chief Justice, and one of the greatest, John Marshall, that the power to tax was the power to destroy; and I suppose the inverse of that proposition is to be received here as good public policy—that you can build up by taxation one set of private enterprises and individuals at the expense of a great many other people who are working without any such aid.

I am glad the Senator has stated the principle so plainly. It was not misunderstood, however. But a declaration of that sort clears the atmosphere a little bit, and I want to clear the atmosphere in regard to this product, which you put upon the tax list at 25 per cent. It is not wanted and it is not needed, and I do not want it charged to the South that they are being protected in this bill upon the product of cotton seed.

Mr. ALDRICH. Mr. President, I acquit the Senator from Mississippi of inconsistency. He is a survivor—I will not say the only survivor, and it is not upon the doctrine of the survival of the fittest that I make the statement—but he is a survivor of the old-fashioned Democratic doctrine of supporting a tariff for revenue only, and he has never, so far as I know, been inconsistent in the advocacy of that doctrine.

Mr. MONEY. I am very much obliged to the Senator for this tribute to my consistency and my Democracy, and my constitutionality also. I want to say that the other day, when the distinguished Senator from Rhode Island read what he said was the principle of his ancestors, of his own father, it was the straight Democratic principle which I have just announced, and I felt gratified that he had such a father, but I did not feel proud that his father had such a son. [Laughter.]

I want to say, with the greatest esteem and most kindly feeling for that Senator, distinguished as he is, that when I thought of his childish ignorance of the principles upon which a bill of this sort should be framed, of his childhood days and his full knowledge as a man, knowing that he has grown in stature but not in grace politically, I was reminded of the beautiful little poem by Tom Hood, when the old man, speaking of the scenes of his childhood, said:

I remember, I remember
The fir trees dark and high—
I used to think their slender tops
Were close against the sky:
It was a childish ignorance;
But now 'tis little joy
To know I'm farther off from heav'n
Than when I was a boy!

[Laughter.]

Mr. SCOTT. Mr. President, I wish to ask the Senator from Mississippi if I understood him to say that he is not in favor of protecting any article in the bill? I wanted the Senator to help me on lumber. I was very sorry, indeed, to hear him say that he is not in favor of protecting anything.

Mr. MONEY. Will the Senator permit me to say that I am not in favor of protecting lumber, but I will announce later that I am in favor of raising revenue. I am here representing the United States Government in a bill which ought to be framed to raise revenue, and we have no right to frame a bill for any other purpose, according to my opinion.

The Senator says it might be the survival of the fittest. But what is the survival of the fittest? The fittest for what? The fittest to join in what old Sam Cox used to call the "mutuality of rascality," as shown in all these bills? No; I am not a survival of that sort. Put one of these people of the Far East who can live upon 2 or 3 cents a day and live in a squalid manner and wear cheap, common clothes, alongside of an American citizen on the same farm, and the survival of the fittest will be the oriental; he will survive when the other man will have been in his grave for many years. The survival of the fittest is the fittest for that particular thing. He is the

fittest in a general sense; he is not the best man, not the noblest man, not the purest man, but the best man for that particular thing, whatever it may be.

I want to say to the Senator from West Virginia that he must not be discouraged because I announce this principle. I am for a tax on lumber, not for the protection of lumber, but because it produces a very handsome revenue.

Mr. SCOTT. I am obliged to the Senator for his support.

Mr. MONEY. I would tax everything that produces revenue, except those things that enter into the composition of fertilizers, because fertilizers, to speak both figuratively and literally, go to the root of all things. When the distinguished Senator took sulphate of ammonia from the free list in the Payne bill, which is one of the principal ingredients in the fertilizers of the country, it was put on the tax list, not at the request of the millions of farmers throughout the country who use it, but of the men who produce it. The man whose interest is being protected is the manufacturer. He is the man who wants protection on the blood and tankage which furnishes nitrogen, which is the principal ingredient in the fertilizers, and he does not want a competitor such as sulphate of ammonia to enter in except with a tax.

I will vote to put a duty on anything that will make a tariff revenue until I have an assurance that the point has been reached where the expenses of the Government will be properly met. Then I will stop. In the meanwhile, I would extend this burden everywhere, that it might be as lightly borne as possible. I would extend it for the general benefit to every man, because there is an incidental benefit that is to be distributed as well as the other, but I would not have a revenue bill framed for the purpose of protecting anybody on earth. Why? Because, in the first place, it has been pronounced against too often.

It is not constitutional. The Supreme Court here has said so. It has said, in substance, that whenever, under the law, you take money from a man and bestow it upon a private person doing a private business for his benefit you have committed a robbery in the form of law. That is pretty harsh language. I am not speaking except in quotations, because I would not offend the sensibilities of any Senator on the other side by using harsh language, but that is what the court said. The court goes on and says that it is not legislation, but a legislative decree.

This is not the time to discuss that. I only want to set the Senate and the country right on the fact that we have not asked for the protection of cotton seed. If any of my constituents have approached the Committee on Finance on the subject, it was not through me or by me, but for his purpose. I think myself that the Senator from Rhode Island is quite right, and he had better go to him and not to me.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The next amendment was, on page 16, line 17, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 18, before the words "per cent," to strike out "twenty" and insert "twenty-five," so as to make the paragraph read:

65. Perfumery, including cologne and other toilet waters, articles of perfumery, whether in sachets or otherwise, and all preparations used as applications to the hair, mouth, teeth, or skin, such as cosmetics, dentifrices, including tooth soaps, pastes, including theatrical grease paints and pastes, pomades, powders, and other toilet articles, all the foregoing; if containing alcohol, or in the manufacture or preparation of which alcohol is used, 60 cents per pound and 50 per cent ad valorem; if not containing alcohol, or in the manufacture or preparation of which alcohol is not used, 60 per cent ad valorem; floral or flower waters containing no alcohol, not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 16, line 20, before the words "per pound," to strike out "50 cents" and insert "$1," so as to make the paragraph read:

66. Santonin, and all salts thereof containing 80 per cent or over of santonin, $1 per pound.

Mr. BACON. Will the Senator from Rhode Island pardon me if I ask him what is "santonin?"

Mr. ALDRICH. It is the active principle of santonica, obtained from worm seed, the seed of a species of southern wood.

Mr. BACON. And that is the reason why the duty is raised to $1?

Mr. BEVERIDGE. What is it used for?

Mr. TILLMAN. I wish to suggest to the Senator from Rhode Island that the word "south," while in the United States applies to a certain section of our country, it also geographically applies to half of the world, and that this wood is not grown down there that I know anything about. If it is one of the things the South has, I want it taken out right here.

Mr. ALDRICH. I will suggest to the Senator that it is a medicine which is used as a vermifuge.

Mr. BEVERIDGE. Let the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 16, after line 20, to strike out the subhead "Soap."

The amendment was agreed to.

The next amendment was, on page 16, line 25, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

67. Castile soap, 1½ cents per pound; fancy, perfumed, and all descriptions of toilet soap, including so-called medicinal or medicated soaps, 20 cents per pound; all other soaps not specially provided for in this section, 20 per cent ad valorem.

Mr. SMOOT. Let the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 17, after line 2, to strike out the subhead "Soda."

The amendment was agreed to.

The next amendment was, on page 17, line 6, after the word "soda," to strike out "three-fourths" and insert "five-eighths," so as to make the paragraph read:

68. Bicarbonate of soda, or supercarbonate of soda, or saleratus, and other alkalies containing 50 per cent or more of bicarbonate of soda, five-eighths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 17, line 9, before the words "per pound," to strike out "1 cent" and insert "1¾ cents," so as to make the paragraph read:

69. Bichromate and chromate of soda, 1¾ cents per pound.

Mr. DU PONT. I ask that this paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 17, line 16, after the word "soda," to strike out 30 per cent ad valorem" and insert "three-eighths of 1 cent per pound," so as to make the paragraph read:

71. Hydrate of, or caustic soda, one-half of 1 cent per pound; nitrite of soda, 2 cents per pound; hyposulphite and sulphide of soda, three-eighths of 1 cent per pound.

Mr. DICK. I ask that the paragraph may go over.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. DU PONT. Was paragraph 70 passed over?

The VICE-PRESIDENT. It was not.

Mr. DU PONT. I ask that it be passed over.

The VICE-PRESIDENT. Paragraph 70 was read. It will be passed over.

The next amendment was, on page 18, line 5, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

77. Sponges, 20 per cent ad valorem; manufactures of sponges, or of which sponge is the component material of chief value, not specially provided for in this section, 30 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 18, after line 9, to strike out:

79. Sulphur, refined or sublimed, or flowers of, $6 per ton.

The amendment was agreed to.

The next amendment was, on page 18, after line 11, to insert:

79. Sulphur, refined or sublimed, or flowers of sulphur; and sulphur or brimstone advanced beyond the original condition as mined, by melting, refining or any process whatever by means of which impurities or extraneous matter, wholly or in part, have been removed, $6 per ton.

Mr. ALDRICH. I ask that the amendment be disagreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BEVERIDGE. I supposed that the amendment was for purposes of classification.

Mr. ALDRICH. It is a mistaken classification, we found.

Mr. HALE. It restores the House provision.

Mr. BEVERIDGE. I understand what it is, perfectly. I was wondering why it was that the committee placed——

Mr. ALDRICH. I suppose the Senator from South Carolina wants to have the House rate restored, also.

Mr. TILLMAN. No; I want to have the article of sulphur placed on the free list. It is an important part of fertilizers.

Mr. ALDRICH. That is what would happen if the amendment is disagreed to.

Mr. TILLMAN. I thought the House placed a duty of $6 a ton on sulphur.

Mr. ALDRICH. This is refined sulphur.

Mr. TILLMAN. All right. I understood, a little while ago, that it was the policy of the Senator from Rhode Island to admit free all ingredients which are used in the manufacture of fertilizers.

Mr. ALDRICH. That is right.

Mr. TILLMAN. This is one of the principal ingredients, because sulphuric acid is absolutely essential in mixing the phosphates dug in Tennessee, Florida, and South Carolina.

Mr. ALDRICH. The Senator from South Carolina wants to vote with us in disagreeing to this amendment.

Mr. SMOOT. Mr. President——

Mr. BACON. What effect does that have upon the action of the House?

The VICE-PRESIDENT. The Senator from Utah was recognized.

Mr. BEVERIDGE. I was on the floor and had not completed my remarks.

The VICE-PRESIDENT. The Senator from Utah was recognized before the Senator from Indiana rose.

Mr. BEVERIDGE. The RECORD will show the reverse was the case, but I do not insist.

Mr. SMOOT. I will yield to the Senator from Indiana.

Mr. BEVERIDGE. Not at all.

Mr. NELSON. Will the Senator——

The VICE-PRESIDENT. The Senator from Utah is recognized by the Chair.

Mr. NELSON. Will the Senator yield to me for a minute?

Mr. SMOOT. I yield to the Senator from Minnesota.

Mr. NELSON. The amendment proposed by the Senate is in the nature of a motion to strike out and insert. If that amendment is rejected, it seems to me that the House provision remains.

Mr. SMOOT. That is true.

Mr. NELSON. You want to have the House provision remain?

Mr. ALDRICH. Yes.

Mr. SMOOT. Perhaps I had better explain how the Senate committee came to make the amendment. There has been a great deal of sulphur of late discovered in Japan. It is formed by hot water running from the mountains, coming out in crude sulphur, almost pure. That sulphur comes into this country now free. It is 99.7 per cent pure sulphur, but it comes in the shape of mats, and has been always allowed to come here free.

There are a great many sulphur mines in Wyoming and Utah that come in direct competition with this product. We thought by the wording of the amendment that we could eliminate the Japanese sulphur and still not interfere with the Sicilian sulphur that comes here in the East and is manufactured in sulphuric acid and fertilizer, used in wood pulp, and a thousand other things. But we found that it was impossible to do that.

So we are now perfectly willing to go back to the Dingley rate and let the sulphur come in as it did. It is crude sulphur that comes in mats, and it does not interfere at all with the Japanese sulphur.

Mr. BACON. If I understand the Senator correctly, the present rate of duty is only on the refined or sublimate of sulphur.

Mr. SMOOT. Yes.

Mr. BACON. It does not affect the crude sulphur?

Mr. SMOOT. It does not affect the crude sulphur.

Mr. BACON. So, if the law is permitted to stand as it is now, crude sulphur will come in free of duty.

Mr. SMOOT. Crude sulphur will come in free of duty.

Mr. TILLMAN. The Senator from Florida has just informed me that a certain portion of Louisiana is interested in this sulphur schedule, and as the Senators from Louisiana are not present, I suggest to the chairman of the Committee on Finance to let the paragraph go over until we can hear from Louisiana. Perhaps there is something down there that they would like to get a little protection for.

Mr. SMOOT. I will inform the Senator from South Carolina that Louisiana to-day is not interested in the tariff on sulphur in any way. Louisiana can produce sulphur cheaper than any country on earth.

Mr. TILLMAN. They just go and dig it out of the ground and shovel it into a sack and ship it here?

Mr. SMOOT. They do not even dig it out of the ground. They pump the hot water, and it runs out sulphur. I understand that Louisiana is in such a position to-day that they have even gone so far as to go to Sicily and tell the authorities there if they import sulphur into this country, they will flood their own markets with sulphur. I have seen the statement made that they can produce sulphur in Louisiana to-day for $3.56 a ton. Louisiana controls the sulphur market of the world.

The VICE-PRESIDENT. The Senator from South Carolina asks that the paragraph be passed over. It will be passed over.

The next amendment was, on page 18, line 18, before the word "cents," to strike out "fifteen" and insert "twenty-five," so as to make the paragraph read:

81. Vanilla, 25 cents per ounce.

The amendment was agreed to.

The next amendment was, in Schedule B, on page 18, after line 19, to strike out the subhead "Brick and tile."

The amendment was agreed to.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 22, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 21, 1909.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

H. Percival Dodge, of Massachusetts, now envoy extraordinary and minister plenipotentiary to Salvador, to be envoy extraordinary and minister plenipotentiary of the United States of America to Morocco, vice Samuel R. Gummeré.

RECEIVER OF PUBLIC MONEYS.

William C. Blair, of Lake City, Colo., to be receiver of public moneys at Montrose, Colo., vice Gordon Kimball, term expired.

REGISTER OF THE LAND OFFICE.

William H. Batting, of Wallace, Idaho, to be register of the land office at Coeur d'Alene, Idaho, vice Robert N. Dunn, resigned.

SURVEYOR-GENERAL.

Edward P. Kingsbury, of Washington, to be surveyor-general of Washington, his term having expired March 1, 1909. (Reappointment.)

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Elbert E. Persons, Medical Corps, to be major from January 1, 1909, vice McCaw, promoted.

Capt. William N. Bispham, Medical Corps, to be major from January 1, 1909, vice Kean, promoted.

INFANTRY ARM.

Second Lieut. Albert B. Hatfield, Eighteenth Infantry, to be first lieutenant from March 25, 1909, vice Stone, Thirtieth Infantry, promoted.

Second Lieut. Reginald H. Kelley, Fourth Infantry, to be first lieutenant from April 3, 1909, vice Kinzie, Twentieth Infantry, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 21, 1909.

MINISTER TO CHILE.

Thomas C. Dawson to be envoy extraordinary and minister plenipotentiary of the United States of America to Chile.

UNITED STATES ATTORNEY.

Cornelius D. Murane to be United States attorney, third division, district of Alaska.

POSTMASTERS.

KANSAS.

Almond P. Burdick, at Nortonville, Kans.
Henry A. Platt, at Overbrook, Kans

MAINE.

Harlan P. Dennison, at West Bethel, Me.

MASSACHUSETTS.

Charles D. Streeter, at Mount Hermon, Mass.

SENATE.

THURSDAY, *April 22, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented petitions of sundry citizens of Illinois, Missouri, Oklahoma, Minnesota, Maine, Texas, Ohio, North Carolina, New York, New Jersey, Arkansas, California, Wisconsin, Pennsylvania, Indiana, Tennessee, and Michigan, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. SCOTT presented petitions of sundry citizens of Berkeley Springs, Sherry Run, and Morgan County, all in the State of West Virginia; of Illinois, Texas, Missouri, Colorado, and Connecticut, praying that a suitable memorial to James Rumsey be placed in Statuary Hall of the Capitol building, which were referred to the Committee on the Library.

Mr. FRYE presented petitions of sundry citizens of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. NELSON presented an affidavit to accompany the bill (S. 634) granting an increase of pension to Daniel W. Ingersoll, which was referred to the Committee on Pensions.

Mr. BURROWS presented a petition of Local Lodge No. 429, Benevolent and Protective Order of Elks, of Adrian, Mich., and a petition of Local Lodge No. 632, Benevolent and Protective Order of Elks, of Manistique, Mich., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of sundry citizens of Michigan, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. OVERMAN presented petitions of sundry citizens of Red Springs, N. C., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. JONES. I present a resolution adopted by the Chamber of Commerce of Spokane, Wash., which I ask may be read and lie on the table.

There being no objection, the resolution was read and ordered to lie on the table, as follows:

SPOKANE CHAMBER OF COMMERCE.

Resolved by the board of trustees of the Spokane Chamber of Commerce, That we recommend to our Senators and Congressmen the removal of the duty on works of art from foreign countries, as advocated by the American Free Art League of Boston, Mass.

BOARD OF TRUSTEES,
By F. E. GOODALL, *President.*

Attest:
[SEAL.] L. G. MONROE, Secretary.
Adopted Tuesday, April 6, 1909.

Mr. JONES. I present a resolution adopted by the Chamber of Commerce of Spokane, Wash., which I ask may be read and referred to the Committee on Commerce.

There being no objection, the resolution was read and referred to the Committee on Commerce, as follows:

SPOKANE CHAMBER OF COMMERCE.

Resolved by the board of trustees of the Spokane Chamber of Commerce, That we would favor the establishment by the National Government of a line of steamships between the Isthmus of Panama and the Pacific coast ports of the United States similar to the line of government ships maintained on the Atlantic seaboard.

BOARD OF TRUSTEES,
F. E. GOODALL, *President.*

Attest:
[SEAL.] L. G. MONROE, Secretary.
Adopted Tuesday, April 13, 1909.

Mr. JONES presented a petition of sundry shingle manufacturers of Washington, praying for the imposition of a duty of 50 cents per thousand on shingles, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 614, American Federation of Labor, of North Yakima, Wash., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. CULLOM presented a petition of sundry citizens of Chicago, Ill., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DOLLIVER presented petitions of sundry citizens of Iowa, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Commercial Club, of Fort Dodge, Iowa, remonstrating against an increase of the duty on asphalt, which was ordered to lie on the table.

He also presented a memorial of the Maria Mitchell Club, of Mason City, Iowa, remonstrating against an increase of the duty on leather gloves and cotton hosiery, which was ordered to lie on the table.

He also presented a petition of sundry zinc-mining operators of Iowa, Wisconsin, and Illinois, praying for the imposition of a duty of 1½ cents per pound on zinc ores, which was ordered to lie on the table.

Mr. BURNHAM presented petitions of sundry citizens of Munsonville, N. H., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BOURNE. I present resolutions adopted by the Chamber of Commerce of Portland, Oreg., relative to the establishment of a government line of steamers from the Pacific coast ports to Panama. I ask that the resolutions be read and referred to the Committee on Interoceanic Canals.

There being no objection, the resolutions were read and referred to the Committee on Interoceanic Canals, as follows:

Whereas the Government is now operating a line of steamers from New York to Colon in connection with the Panama Railroad; and

Whereas a line so operated can not be of general service or use or secure the freight necessary to its successful operation; and

Whereas the commercial necessities of the Pacific coast demand the extension of this service to all points on the Pacific coast: Now therefore be it

Resolved by the Chamber of Commerce of the City of Portland, Oreg.:

First. That we favor the extension at as early a date as possible of the service now established to Colon to all Pacific coast points, in order that relief may be afforded to the manufacturers, merchants, and producers of the Pacific coast.

Second. That we respectfully ask our Senators and Representatives in Congress to lend all the support they consistently can to the measure introduced in Congress by Congressman MCLACHLAN to create and establish a line of steamships between Atlantic and Pacific coast ports.

Third. That in the event this is found impracticable or that there will be unusual delay, then we favor the early establishment of a privately owned line, to be assisted by the department of the General Government in all lawful ways.

Fourth. That a copy of these resolutions be sent to each of our Senators and Representatives in Congress and the Secretary of War.

Passed at a meeting of the board of trustees of the Portland Chamber of Commerce, held March 13, 1909.

Mr. PERKINS presented petitions of sundry citizens of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of San Joaquin County, Cal., remonstrating against an increase of the duty on imported stockings and gloves, which was ordered to lie on the table.

Mr. HALE presented petitions of sundry citizens of Pittsfield, Madison, and Lisbon, all in the State of Maine, praying for a readjustment of the wool schedule which will remedy the inequalities detrimental to the carded woolen industry, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

THE TARIFF.

Mr. SCOTT. I present a communication, which I ask to have read. I will state that it is from one of the largest steel plants, outside of the United States Steel Corporation, in the United States. It is a corporation in my State, but the letter is addressed to me from Steubenville, Ohio, where a part of the plant is located.

There being no objection, the communication was read, as follows:

LA BELLE IRON WORKS,
Steubenville, Ohio, April 20, 1909.

MY DEAR SENATOR: Senator Whitaker has asked me to put before you certain facts regarding the proposed tariff rates on sheet products, and while he very earnestly requested me to go to Washington and see you, I have decided that I can write you and give you this data as well, probably, as I could do it in person.

I have already furnished you through the Senator copy of a brief on this subject submitted to the Ways and Means Committee some months since. By reference to this brief you will note, if you please, that we have shown the cost price of sheets made in this country and delivered to coast points, as against the English selling prices delivered at the same points, and we believe that if this comparison indicates anything it is that even under present conditions it is possible for the English manufacturer to reach some of our important ports of entry, provided he goes about it in the right way. Certainly, with any considerable reductions in present tariff rates, the encouragement to the Englishman to secure a foothold in the markets of this country, or use this market as a dumping ground for his surplus production, will be very great indeed.

The committee who prepared the brief referred to, and reflecting the impressions of at least 90 per cent of the independent sheet producers of the country, suggested certain reduction limits in the Dingley rates, but for some reason the Ways and Means Committee thought best to recommend greater reductions, and which action on their part has not only been approved by the House of Representatives, but by the Senate Finance Committee as well. As the matter stands to-day, it appears that the sheet manufacturers' interests have suffered, either through discrimination or neglect, as the reductions proposed in the sheet rates are greater proportionately than those applying to other steel articles.

In order to bring out this point, your attention is invited to the following comparisons:

	Dingley rates.	Proposed rates.	Reduction.
	Cents per pound.	*Cent per pound.*	*Per cent.*
Sheets thinner than No. 10, but not thinner than No. 20	0.7	0.5	28½
Sheets thinner than No. 20, but not thinner than No. 25	.8	.6	25
Sheets thinner than No. 25, but not thinner than No. 32	1.1	.8	27
Sheets thinner than No. 32	1.2	.9	25

This shows an average reduction of over 26 per cent, as against a reduction on tin plate of 20 per cent; beams, girders, channels, etc., of 20 per cent; and on ingots, blooms, billets, slabs, etc., of 25 per cent, notwithstanding the fact that even under the Dingley measure sheets are not accorded as much protection, relatively speaking, as these other steel articles. The inconsistency of these new rates is very apparent when you consider that the protection on the finished sheet product, with its high labor cost, has been reduced more relatively than is the case on the raw material, with its low labor cost—that is, ingots, blooms, billets, etc.—and all in face of the fact that the Republican party has always claimed that the tariff rates should provide ample protection to labor.

You will please understand that I am not contending that the protection afforded steel articles other than sheets is too much, but rather the protection on sheets is too little.

One of the principal items of cost in the manufacture of sheets is wages, and, as an illustration of what this means, we invite your attention to the following.

The hot-mill labor cost in the manufacture of a ton of sheets is approximately:

On No. 20 gauge	$10
On No. 27 gauge	14
On No. 32 gauge	20
Lighter than No. 32 gauge	20 to 24

The above amounts cover only what is termed the "hot-mill labor"—that is, the labor from the slab or bar (raw material) to the finished black sheet—and does not cover the labor involved in the mining of the coal and other indirect charges which, in the aggregate, is considerable.

It would therefore appear that if ingots, blooms, billets, slabs, etc. (the sheet maker's raw material), is accorded protection at the rate of three-tenths of 1 cent per pound, or $6 per ton, the finished product, say No. 20 gauge, should have protection of more than $10 per ton, as the labor cost on the finished article is relatively much greater than the difference in the amount of protection afforded the two materials.

Furthermore, if a large structural section, such as a beam or girder, weighing 50 to 75 pounds per linear foot and produced almost altogether by automatic machinery on mills capable of rolling 1,000 tons or more per day, is entitled to protection at the rate of $8 per ton, certainly sheets, say, No. 20 gauge, weighing 1¼ pounds per square foot and produced on a hand-operated mill capable of turning out only 5 tons per day, are entitled to more than $10 per ton protection. The fact that the Senate bill increased the protection on the structural from $6, as proposed by the Payne bill, to $8 is an indication that the Finance Committee regarded $6 as being less than was necessary to protect the home manufacturer as against foreign structural goods, and in this we quite agree with them.

It would appear that in fairness to the sheet interests and in order to accord sheet products the same relative protection as that obtaining on other steel products, section No. 125 of Schedule C of the Payne bill should be amended to read as follows:

"Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel, valued at 3 cents per pound or less, thinner than No. 10 and not thinner than No. 20 wire gauge, six-tenths of 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, seven-tenths of 1 cent per pound; thinner than No. 25 wire gauge and not thinner than No. 32 wire gauge, nine-tenths of 1 cent per pound; corrugated or crimped, nine-tenths of 1 cent per pound. All the foregoing valued at more than 3 cents per pound, 30 per cent ad valorem: *Provided*, That all sheets or plates of common or black iron or steel not thinner than No. 10 wire gauge shall pay duty as plate iron or plate steel."

In conclusion, would say that I heartily agree with you that a revision of the tariff at this time is a very grave mistake, and that no good and much harm will follow the inauguration of the new rates, the whole trouble being brought about seemingly by agitation on the part of so-called "reformers," who never have and never will be able to suggest anything for the betterment of the country at large, and had more of the influential men of our party followed your lead and refused at the proper time to even consider the question of a revision we would all now be operating our plants to full capacity and disposing of our product at prices that would show profit to the owners and render it unnecessary for employers to be constantly considering the advisability of reducing the wages of their workmen.

So far as sheets are concerned, I very much fear that the danger point has been reached, and if the rates as now proposed by the Finance Committee go through it will result in demoralization to the sheet business unless we can reduce our workmen to a point that will enable us to compete with the foreigner.

Trusting that you may see your way clear to take up the cudgel in our defense, and thanking you in advance for such assistance as you can render at this time, I am,

Respectfully,

ISAAC M. SCOTT, *President*.

To Senator NATHAN B. SCOTT,
Washington, D. C.

The VICE-PRESIDENT. Does the Senator from West Virginia desire to have the communication laid on the table?

Mr. SCOTT. Let it lie on the table.

The VICE-PRESIDENT. It will lie on the table.

Mr. CULBERSON. Mr. President, I trust I may be pardoned a suggestion in view of this communication. I note that the writer of this letter expresses a fear that English manufacturers will get a foothold in the United States. I want to call attention to the fact, particularly in this connection, that the total value of the output in 1907 of the steel trust amounted to something like $757,000,000. Of like articles imported into this country in 1907 the value was only $34,000,000. So that practically——

Mr. ALDRICH. Is the Senator from Texas speaking on the communication or on the bill?

Mr. CULBERSON. I am speaking on the communication, and I am not going to speak on it except to call attention to a fact in connection and immediately in connection with the communication.

I wish to repeat that the total output of what was mined and manufactured by the steel trust in 1907 in value amounted to $757,000,000 in round numbers. The total importations of the same kind of articles in 1907 amounted to only $34,000,000, or about 4.4 per cent.

FREE TRADE WITH CUBA.

Mr. GALLINGER. I present and ask to have printed as a Senate document a letter on Cuba and Cuban sugars, written November 30, 1908, to Representative SAMUEL W. MCCALL, of Massachusetts, by Gen. James H. Wilson, of Wilmington, Del., and also an address by General Wilson, March 27, 1899, at a meeting in Philadelphia, held under the auspices of the American Academy of Political and Social Science.

I do not agree with all the opinions expressed by General Wilson, but all he may say on a subject so important is worthy of attention. These papers at this time should be made readily accessible to Congress, and I ask that they be printed as a document (S. Doc. No. 17).

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

FLATHEAD INDIAN RESERVATION.

Mr. DIXON. I present a compilation of the acts relating to the Flathead Indian Reservation, in the State of Montana, providing for the opening of this reservation to settlement, the construction of irrigating systems, and the disposal of the timber lands. I move that the compilation be printed as a document (S. Doc. No. 18).

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK of Wyoming:

A bill (S. 1952) to amend section 486 of the Code of Law of the District of Columbia; to the Committee on the Judiciary.

By Mr. GUGGENHEIM:

A bill (S. 1953) authorizing the appointment of James Moynahan to the rank and grade of major on the retired list of the United States Army; to the Committee on Military Affairs.

By Mr. WETMORE:

A bill (S. 1954) granting an increase of pension to Van Buren Kinney; to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 1955) granting a pension to C. Augusta Shurly (with the accompanying paper); to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 1956) granting an increase of pension to Auguste E. Bourquin (with the accompanying paper); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 1957) granting a pension to William Robinson (with the accompanying paper); to the Committee on Pensions.

By Mr. BRIGGS:

A bill (S. 1958) granting an increase of pension to Helen Lydia Ruger; to the Committee on Pensions.

By Mr. McLAURIN:

A bill (S. 1959) to correct the military record of James H. Shannon; to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 1960) granting an increase of pension to Edward R. Edmonds; to the Committee on Pensions.

By Mr. DOLLIVER:

A bill (S. 1961) granting an increase of pension to Henry H. Baldwin;

A bill (S. 1962) granting an increase of pension to Forest H. Kennedy; and

A bill (S. 1963) granting an increase of pension to William Myers (with the accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. FRYE submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. SCOTT submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. DU PONT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. PILES submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. BRADLEY submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed.

Mr. ALDRICH. I ask that House bill 1438 be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. I ask that the reading may be proceeded with.

Mr. OVERMAN. I notice that the little book of estimates prepared by the Committee on Ways and Means in the House, when compared with the book upon our desks prepared by the Committee on Finance, causes some confusion. I notice that there is a comparison on calculations upon the ad valorem valuation payment in 1906 in the House of Representatives, when, in the Senate, it is for 1907. I should like to inquire of the chairman of the committee why that was done. Was it because the prices were lower in 1907 than they were in 1906? Why the difference? What is the reason for it? The House committee made one calculation predicated upon the prices in 1906, and the Senate committee has made a calculation predicated upon the prices in 1907.

Mr. ALDRICH. The Senator probably was not in the Senate when I made an explanation upon that subject several days ago. I am sorry the Senator is confused by these various statements. We have been trying to provide the number the Senator has asked for, and if they are confusing I am very sorry.

Mr. OVERMAN. That is a clear statement the Senator has made. I ask the Senator the reason for it, whether the calculations were so made because the prices in 1907 were lower than they were in 1906?

Mr. ALDRICH. I have no information on the subject. Perhaps the Senator from North Carolina can inform the Senate on that question.

Mr. OVERMAN. No; I am asking the Senator from Rhode Island.

Mr. BRISTOW. I should like to inquire of the Senator from Rhode Island if there has been any estimate made as to the amount of revenue that would be produced by the Senate bill, based upon the importations in 1906?

Mr. ALDRICH. The value of the importations of 1906 would be about $29,000,000 less than those based upon the importations in 1907, and if an earlier year had been taken the disproportion would have been much greater. If we had taken 1904, or 1903, or 1901, or 1900, the disproportion would have been much greater.

Mr. BAILEY. The real fact, Mr. President, is that they took 1907 in order to make as good a showing as possible against a deficit. The importations in 1907 were so much larger than they were in the other years that calculating the duties on those importations would reduce the deficit and make a better revenue showing for the bill.

Mr. ALDRICH. There seems to be a disposition on the other side of the Senate to know why we took the year 1907. I stated in the remarks which I submitted on Monday that we took the year 1907 because that was the last year with normal conditions in this country, and in the opinion of the committee it was the proper year to take.

Mr. BAILEY. I am not unmindful of that statement, and I am not unmindful either of the fact that a panic, which the Senator from Rhode Island once remarked on this floor was the most acute and disastrous in its effects ever witnessed by this country, occurred in 1907. But it is still true that in the ordinary progress of events those disturbances come from time to time. While our friends on the other side are in the habit of saying that they only come under Democratic administrations, the history of the country bears ample witness that that is not true, and that they come under all administrations, and frequently come without any close connection with any governmental policy.

But it still stands true that if the Senator from Rhode Island had taken the average of the importations for five years, or if he had taken them for the last year, his bill, instead of providing for the expenditures of the Government, would still have left a deficit staring the administration in the face. The only way to escape was the way the Senator from Rhode Island, with his usual sagacity, has adopted, and the only way this bill can fulfill his promise of a sufficient, not to say an abundant, revenue is that the importations in the years to come will keep pace with the importations of 1907.

Mr. BRISTOW. If the Senator from Rhode Island will pardon me, I should like to inquire whether there has been any published estimate as to the revenue that would be derived from the Senate bill, based on the importations of 1906?

Mr. ALDRICH. There has been no published statement to that effect.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

Mr. LA FOLLETTE. I ask unanimous consent to reconsider the vote by which the amendment to paragraph 58 was adopted, and that paragraph 58 be passed over.

Mr. ALDRICH. It was passed over.

The VICE-PRESIDENT. Paragraph 58 was passed over on the request of the Senator from Delaware [Mr. DU PONT.]

Mr. LA FOLLETTE. I had not so noted it. I did not hear it.

Mr. STONE. I desire to ask whether paragraph 59 was passed over?

The VICE-PRESIDENT. It was acted upon.

Mr. STONE. Is it necessary to take the course indicated by the Senator from Wisconsin and to reconsider the action of the Senate on that paragraph?

Mr. ALDRICH. If the Senator from Missouri desires to have that paragraph passed over, there is no objection to it.

Mr. STONE. I should like to have it passed over.

The VICE-PRESIDENT. The amendment to paragraph 59 having been agreed to, in the opinion of the Chair it is necessary to reconsider that vote.

Mr. ALDRICH. I ask that it may be reconsidered.

Mr. STONE. I ask unanimous consent that it may be reconsidered.

The VICE-PRESIDENT. And that the paragraph be passed over. Is there objection?

Mr. CLARKE of Arkansas. Mr. President, we might as well understand now as later what the agreement entered into yesterday meant. My understanding is that notwithstanding a certain amendment may be adopted by a vote or by a failure to interpose an objection, it still remains open for a reconsideration without a formal vote to reconsider. Is that not the understanding of the Senator in charge of the bill?

Mr. ALDRICH. I am quite willing to have that understanding.

Mr. CLARKE of Arkansas. I think it would simplify matters to have that understanding, because there might be some difficulty about getting recognition otherwise for the purpose of presenting a formal motion to reconsider. If the matter should be left open to be dealt with at the suggestion of any Senator, it would meet the same end and it would be a much simpler way. I am very glad that the Senator from Rhode Island in charge of the bill consents that that may be done. I ask unanimous consent that that may be the understanding.

The VICE-PRESIDENT. The Senator from Arkansas asks unanimous consent that the understanding be that at any time there may be a return to any paragraph.

Mr. CLAPP. I understand the Senator's proposition is that it may be returned to and acted upon without the formality of a reconsideration.

The VICE-PRESIDENT. That is the understanding of the Chair. The Chair hears no objection. Paragraph 59 is then passed over upon the request of the Senator from Missouri.

The reading of the bill was continued.

The next amendment of the Committee on Finance was, on page 19, line 1, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

82. Fire-brick, weighing not more than 10 pounds each, not glazed, enameled, ornamented, or decorated in any manner, $1.25 per ton; glazed, enameled, ornamented, or decorated, 35 per cent ad valorem; weighing more than 10 pounds each and not specially provided for in this section, not glazed, enameled, ornamented, or decorated in any manner, 30 per cent ad valorem; glazed, enameled, ornamented, or decorated, 35 per cent ad valorem; brick, other than fire-brick, not glazed, enameled, painted, vitrified, ornamented, or decorated in any manner, 25 per cent ad valorem; if glazed, enameled, painted, vitrified, ornamented, or decorated in any manner, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 19, line 10, after the word "Tiles," to strike out "including quarries or quarry tiles, so called;" in line 15, after the word "tiles," to insert "and tiling, by whatever name known," and in line 19, after the words "ad valorem," to insert "so-called quarries or quarry tiles, 35 per cent ad valorem; mantles, friezes, and all other articles of every description, composed wholly or in chief value of tiles or tiling, 60 per cent ad valorem," so as to make the paragraph read:

83. Tiles, plain unglazed, one color, exceeding 2 square inches in size, 4 cents per square foot; glazed, encaustic, ceramic mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamental, hand painted, gold decorated, and all other earthenware tiles and tiling, by whatever name known, except pill tiles, valued at not exceeding 40 cents per square foot, 8 cents per square foot; exceeding 40 cents per square foot, 10 cents per square foot and 25 per cent ad valorem; so-called quarries or quarry tiles, 35 per cent ad valorem; mantles, friezes, and all other articles of every description, composed wholly or in chief value of tiles or tiling, 60 per cent ad valorem.

Mr. PENROSE. I ask that the amendment be passed over.

The VICE-PRESIDENT. The amendment or the paragraph?

Mr. PENROSE. The amendment and also the paragraph.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 19, after line 22, to strike out the subhead "Cement, lime, and plaster."

The amendment was agreed to.

The next amendment was, on page 20, line 3, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

84. Roman, Portland, and other hydraulic cement, in barrels, sacks, or other packages, 8 cents per 100 pounds, including weight of barrel or package; in bulk, 7 cents per 100 pounds; other cement, not otherwise specially provided for in this section, 20 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

85. Lime, 5 cents per 100 pounds, including weight of barrel or package.

Mr. JONES. Let the paragraph be passed over.

The VICE-PRESIDENT. The Senator from Washington asks that paragraph 85 be passed over. It will be passed over.

Mr. BEVERIDGE. I was just going to ask a question. The clerks are reading very rapidly. I notice that in lines 20, 21, and 22, on page 19, "mantles, friezes, and all other articles," and so forth, are placed at 60 per cent ad valorem.

The VICE-PRESIDENT. That paragraph was passed over.

Mr. BEVERIDGE. I know, but I want to ask a question about it, if I may, because we want to understand it. I notice by looking at the schedule which has been prepared by the Finance Committee, according to the agreement yesterday, that there was no duty whatever either in the House bill or in the present law, and that a duty of 35 per cent has been placed by the Senate bill on one part and a duty of 60 per cent on the other part. I do not know whether it is true or not, but it appears on this parallel column that that was not provided for either in the present law or in the House bill.

Mr. ALDRICH. They are not provided for specifically. Tiles are imported as brick.

Mr. BEVERIDGE. This is "mantles, friezes, and all other articles of every description composed wholly or in chief value of tiles or tiling," 60 per cent ad valorem.

Mr. ALDRICH. That character of construction was heretofore supposed to have been dutiable at 60 per cent. These are very different articles, being friezes and decorations.

Mr. BEVERIDGE. It is a matter of improved classification?

Mr. ALDRICH. That is right.

Mr. BEVERIDGE. It was not specifically provided for before, but paid duty under a different classification.

Mr. ALDRICH. Some of the articles did and some did not.

Mr. FLINT. It was the endeavor to cover articles not covered in the other schedules.

Mr. BEVERIDGE. Then it is not a matter of classification, as I supposed it was. It ought to be thoroughly looked into.

Mr. FLINT. It is a matter of classification.

Mr. BEVERIDGE. Not if the Senator from California is right and a part of it did not pay duty at all.

Mr. FLINT. It did pay duty, but at a lower rate.

Mr. ALDRICH. Some things did and some things did not.

Mr. CURTIS. I ask unanimous consent that paragraph 86 be passed over.

The VICE-PRESIDENT. Paragraph 86 will be passed over. Paragraph 85 has already been passed over.

Mr. BROWN. I ask that paragraph 87 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. BURTON. I ask that paragraph 88 be passed over.

The VICE-PRESIDENT. Paragraph 88 will be passed over.

Mr. BURTON. I wish to call attention especially to that paragraph.

Mr. KEAN. Let the paragraph be read.

The VICE-PRESIDENT. The Secretary will read the paragraph, and after the paragraph is read the announcement will be made. Paragraph 86 has been passed over, and paragraph 87 has been passed over.

The next amendment was, on page 20, after line 18, to strike out the subhead "Clays or earths."

The amendment was agreed to.

The next amendment was, on page 20, line 21, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 23, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" on page 21, line 3, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 8, before the word "bauxite," to strike out fifteen one-hundredths of 1 cent per pound on the bitumen content contained therein" and insert "crude, if not dried, or otherwise advanced in any manner, $1.50 per ton; if dried or otherwise advanced in any manner, $3 per ton;" and in line 12, after the word "spar," to insert "crude, or crushed, ground, or otherwise treated or manufactured;" so as to make the paragraph read:

88. Clays or earths, unwrought or unmanufactured, not specially provided for in this section, $1 per ton; wrought or manufactured, not specially provided for in this section, $2 per ton; china clay or kaolin, $2.50 per ton; limestone rock asphalt containing not more than 15 per cent of bitumen, 50 cents per ton; asphaltum and bitumen, not specially provided for in this section, crude, if not dried, or otherwise advanced in any manner, $1.50 per ton; if dried or otherwise advanced in any manner, $3 per ton; bauxite, or beauxite, crude, not refined or otherwise advanced in condition from its natural state, $1 per ton; fuller's earth, unwrought and unmanufactured, $1.50 per ton; wrought or manufactured, $3 per ton; fluor spar, crude, or crushed, ground, or otherwise treated or manufactured, $1.50 per ton.

The VICE-PRESIDENT. The Senator from Ohio has asked consent that paragraph 88 be passed over, and it is passed over.

The next amendment was, on page 21, line 15, before the word "trimmed," to strike out "rough" and insert "thumb," so as to make the paragraph read:

89. Mica, unmanufactured, or thumb trimmed only, 5 cents per pound and 20 per cent ad valorem; mica, cut or trimmed, mica plates or built-up mica, and all manufactures of mica or of which mica is the component material of chief value, 10 cents per pound and 20 per cent ad valorem.

Mr. SCOTT. I desire to know——

Mr. PENROSE. Let the paragraph be passed over.

The VICE-PRESIDENT. At the request of the Senator from Pennsylvania the paragraph will be passed over.

Mr. SMOOT. I believe we can explain the paragraph so that it will be absolutely satisfactory to the Senator from Pennsylvania and also to the Senator from West Virginia.

Mr. KEAN. I should like to have it explained to my satisfaction.

Mr. SMOOT. And as well to the satisfaction of the Senator from New Jersey. The Senate Committee on Finance desire to recede from their amendment and allow the word "rough" to remain as in the bill as it came from the House.

Mr. PENROSE. That is entirely right.

Mr. KEAN. It is entirely satisfactory to me.

Mr. CRAWFORD. I ask that the paragraph be passed over, because I want to investigate it.

The VICE-PRESIDENT. The Senator from South Dakota asks that the paragraph be passed over.

Mr. PENROSE. Do I understand that the amendment of the committee has been disagreed to, and that the paragraph has been passed over?

The VICE-PRESIDENT. It has not been agreed to.

Mr. SMOOT. I ask that it be passed over.

The VICE-PRESIDENT. The amendment will be passed over.

The next amendment was, on page 21, after line 20, to strike out:

EARTHENWARE AND CHINA.

90. Common yellow, brown, or gray earthenware, of common clay and strictly one color; plain, embossed, or salt-glazed, strictly one color common stoneware, and crucibles, all the foregoing not decorated in any manner, 25 per cent ad valorem; Rockingham earthenware not decorated, 40 per cent ad valorem.

And to insert:

90. Common yellow, brown, or gray earthenware, plain, embossed, or salt-glazed common stoneware, and crucibles, all the foregoing not decorated in any manner, 25 per cent ad valorem; Rockingham earthenware, 40 per cent ad valorem.

Mr. SCOTT. Unless the Senate wants to have the paragraphs read, I ask that paragraphs 90, 91, and 92 be passed over. They relate to the pottery and china industry.

Mr. ALDRICH. I suggest to the Senator from Virginia we might adopt the phraseology which has been prepared, and then let the paragraph go over as to rates.

Mr. SCOTT. I will hear the amendment.

Mr. ALDRICH. I think there is no trouble about the phraseology. Everybody, I think, understands it.

The VICE-PRESIDENT. The amendment of the committee will be stated.

Mr. BAILEY. Mr. President, I doubt the wisdom of dealing with this in piecemeal. If it is to go over at all, I think it ought to go over entirely. I ask that it may go over, and that we dispose of it all at once.

The VICE-PRESIDENT. Paragraph 90 will be passed over. The Senator from West Virginia asks that paragraph 91 be passed over.

Mr. SCOTT. Paragraphs 91 and 92, all pertaining to the same subject. The chairman of the committee suggests that the wording could be changed. That is all I ask.

The VICE-PRESIDENT. The Senator from Texas asks that it be passed over without acting upon the amendments. The Secretary will state the next amendment.

The next amendment was, on page 23, line 8, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

93. Articles and wares composed wholly or in chief value of earthy or mineral substances, or carbon, not specially provided for in this section, whether susceptible of decoration or not, if not decorated in any manner, 35 per cent ad valorem; if decorated, 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 23, line 12, after the word "retorts," to strike out "$3 each" and insert "30 per cent ad valorem," so as to read:

94. Gas retorts, 30 per cent ad valorem.

Mr. BAILEY. I should like to know what is the difference between "$3 each," as provided in the House bill, and "30 per cent ad valorem," as provided in the Senate bill?

Mr. ALDRICH. Mr. President, gas retorts have been recently imported into the United States in several sections and completed afterwards. The specific rate of $3 is not acceptable as to those. As to the small ones, they were covered by the existing rate, which would be sufficient as to those; but a rate of $3 on a machine worth several hundred dollars is simply ridiculous.

Mr. BAILEY. That is generally true of specific rates.

Mr. ALDRICH. Oh, no.

Mr. BAILEY. An ad valorem rate of duty of $3 on an article worth $300, as compared with a duty of $3 on an article worth $30, is not more out of proportion than some of the other specific rates which find a place in nearly all tariff bills; but still, Mr. President, that does not answer my question as to the relative rate. Of course the committee has information about the value of these gas retorts, and I should like to know how much people who are compelled to use them are compelled to pay for these devices?

Mr. ALDRICH. An ad valorem duty of 10 per cent, as the Senator will see, on an article manufactured of iron and steel, as compared with the other duties imposed in the bill, would be very ridiculous.

Mr. BAILEY. Not ridiculous, but low.

Mr. ALDRICH. Not perhaps ridiculous from the Senator's standpoint, but ridiculous from the standpoint of protection.

Mr. BAILEY. Still, Mr. President, I do not get the information which I seek. I want to know what is the relative proportion as between the $3 fixed in the House bill and the 30 per cent as fixed in the Senate bill. Is it an increase?

Mr. McCUMBER. I can answer that right here. I will state to the Senator from Texas that under the old bill the duty was 10.20 per cent and under this bill it is 30 per cent.

Mr. BAILEY. In other words, it is——

Mr. McCUMBER. Nearly three times as much.

Mr. BAILEY. In other words, it multiplies the duty by three; and, of course, the Senator will not——

Mr. McCUMBER. It is equivalent to simply 30 per cent ad valorem.

Mr. BAILEY. And, of course, the Senator would not object to giving to the Senate the reason why this Republican Congress multiplies by three a duty levied by a preceding Republican Congress, and especially in a tariff bill that was to be "revised downward."

Mr. ALDRICH. It is the purpose of the bill to correct the defects in the existing law. That is one of the principal purposes. It is the purpose of the committee to impose protective duties in each case that will equalize the cost of production between this and competing countries. In carrying out this purpose, this provision was changed. If it should hereafter appear that any rate was not covered by that description, it will be the duty of this side of the Chamber to correct such error.

Mr. BAILEY. The Senator from Rhode Island then intends for the Senate and the country to understand that in each case the committee have attempted to equalize the protection, and that——

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. NELSON. I want to call the attention of the Senator from Texas to what appears in this book, Notes on Tariff Revision, prepared by the House, which shows that of gas retorts during the year 1907 there were only 55 imported, at a total value of $1,619; that the duty was $165; and the ad valorem rate was 10.20. That duty seems to be absolutely prohibitive, because there were practically no imports. I can not see any reason why we should increase that duty 200 per cent, from 10.20 to 30 per cent, when the duty, as is manifest from the records and books of the Treasury Department, is shown in its practical operations to be absolutely prohibitive. Why should we increase it threefold in this bill? Is that a proper revision of the tariff? Is that the kind of a bill that the American people have a right to expect?

Mr. BAILEY. And is that the kind of a bill that the Republican party promised the country?

Mr. ALDRICH. It is, absolutely, in this case.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Pennsylvania?

Mr. BAILEY. I do.

Mr. PENROSE. Mr. President, I think I can perhaps throw a little light on this amendment, because, if I recollect aright, it was inserted at my suggestion.

The amendment has been made necessary on account of the character of gas retorts imported in recent years. When the duty was first fixed, as I understand, these retorts were but a few feet in dimensions, while now they are imported up to 20 and 30 feet in length. The duty was made at this ad valorem rate to meet that condition. I do not understand that it is practically any increase as an ad valorem proposition, but the $3 rate, which was a proper protective rate on a small retort, became a ridiculous rate on a retort reaching the dimensions of the magnitude I have mentioned.

I have not at hand the correspondence on the subject. If the Senator from Texas wants further light on the subject, however, I suggest that the matter may pass over until I can get a little more specific data; but the reason which I have stated is the reason for this change, which is not an increase in any way.

Mr. BAILEY. Mr. President, the Senator from Pennsylvania [Mr. PENROSE] and the Senator from North Dakota [Mr. McCUMBER] are each members of the Finance Committee and belong to that section of the Finance Committee which prepared this bill and which stands responsible for it. It is, therefore, somewhat singular that the Senator from North Dakota admits that this is an increase of 300 per cent, and the Senator from Pennsylvania denies that it is any increase at all.

Mr. PENROSE. It is an apparent increase, but practically not an increase at all. It is only to meet a new condition in the character of gas retorts.

Mr. BAILEY. Mr. President, that explanation, while I have no doubt it is made in all sincerity by the Senator from Pennsylvania, will scarcely satisfy the country, because the country will turn to the very enlightening statement made by the Senator from Minnesota [Mr. NELSON] and discover that even under the provision of the old law, which is one-third of the rate of duty imposed by the Senate bill, there was but a meager 65 of these gas retorts imported at a value of something like $1,600 and a revenue of less than $200. Mr. President, if a duty one-third of that now proposed was sufficient to give the American market to the manufacturers of this particular device, I will be amazed if the American people are willing to accept as a satisfactory explanation of this increase some supposed necessity of equalizing the duty. Under the old duty, none or practically none were imported; under the new duty not one can be imported, and the American people must be still further taxed for light—not such light as Senators give on the items of this bill, but for light necessary to their comfort and their convenience.

Mr. ALDRICH. Mr. President, it is very evident that the Senator from Texas has not given the attention to this item which he does usually to tariff items. One would suppose from his statement that gas retorts were used everywhere throughout

the United States for supplying gas for common consumption. I assume that the Senator from Texas has not made any inquiry as to what gas retorts are. Under the Wilson bill the rate was 20 per cent ad valorem, and figured upon the lines of the Senator from Texas, that doubles the rates which were imposed under the Dingley law. The Senator says that there were none imported. There were 640 imported in 1904, and in 1905 there were 660 imported. That is a good many gas retorts. They are for holding gas—compressed gas usually—that is used on railway trains, and has nothing to do with ordinary consumption.

Mr. BAILEY. They are used for domestic purposes?

Mr. ALDRICH. I never heard of one of these retorts being so used. They are not used at all for domestic purposes. They were formerly imported in small machines or small retorts, but now they are being imported 25 or 30 feet long. Under these circumstances $3 is a ridiculous rate.

Mr. BAILEY. Now, the Senator from Rhode Island says they are being imported, and, instead of replying to the statement in the book on the desks of Senators, prepared under his supervision, which shows that they were not imported to any extent during the last year, he returns to several years before that. What explanation does the Senator from Rhode Island offer to the Senate for the fact that they were not imported last year?

Mr. ALDRICH. I will tell the Senator very plainly why they did not appear to have been imported. They were imported last year, but they were classified, under a decision of the general appraisers in New York, as "manufactures of iron and steel not otherwise provided for." Those cases are still in court, awaiting a decision as to whether they should be classified as gas retorts or as articles of iron and steel not otherwise provided for; and while they do not appear here, the importation of gas retorts has gone on just the same. It is a better classification to take them out of a class where they certainly do not belong and put them into a class where they do belong.

Mr. BAILEY. Mr. President, with respect to the item which we are now dealing with there is absolutely no change of classification. It is a change purely and simply in rate, a change from a specific rate of $3 each on these gas retorts to an ad valorem rate of 30 per cent. So the Senator from Rhode Island has not been giving his usual exact attention to what he states.

Mr. President, there is no dispute that these gas retorts have been imported as gas retorts. The Senator from Rhode Island states that there were more than 600 imported in 1904 and 1905. They stand on the statute books as gas retorts now, and subject to a duty one-third of what it is proposed to impose by this bill. Consequently there can be no excuse, or certainly there can be no sufficient excuse, for any officer of the Government permitting them to be imported under a classification which cheats the Government, because they have been imported under the present designation in the old law. They are imported now; they were imported last year; they have been imported almost every year; and still the Senator from Rhode Island says they are being brought in under another classification or under another designation. If it be the purpose of the Senator to correct that, why change the rate? Why multiply it by three? Why not provide that gas retorts shall not be imported under the classification or description which he seeks to prevent? Oh, no; Mr. President, the fact that the Government is being defrauded by the importation of these articles under another, a different and an improper name, does not either explain or justify an increase in the duty when they are brought in under their honest name. There must be, and there should be, an amendment which would prevent their improper classification, and you ought not to impose an increased duty on the honest men who bring them in under their proper name.

Mr. ALDRICH. The gas retorts that are now imported weigh in the neighborhood of a ton each. They are made of very high-priced steel, with a great deal of labor. The existing law imposes a duty of $3 a ton on the very highest kind of steel, with the added amount of labor which, in view of the fact that we propose to put $2.50 on pig iron, is, as I say again, a ridiculous rate. At the time this rate was imposed these retorts were not more than 5 or 6 feet in length. They have multiplied the length of them for the purpose of evading the duty, and some of them, as has been suggested, are now 30 feet long. Is the Senate precluded from rectifying a manifest error in the act of 1897, and must they retain a duty which is one-half of the rate imposed by the Wilson law? Is any such obligation as that resting upon anybody on either side of this Chamber? I think not.

Mr. DOLLIVER. Mr. President, I should like to ask the Senator from Rhode Island, if these retorts are manufactured of iron and steel, how they appear in the earthenware schedule?

Mr. SCOTT. I will say to the Senator from Iowa that they are lined with German fire clay or with English fire clay, the same material that we use in pots at the glass factories.

Mr. DOLLIVER. Is the retort made of clay, or is the clay put in afterwards?

Mr. PENROSE. As I understand, Mr. President, the retorts are composed chiefly of clay, with a binder or casing of steel.

Mr. SCOTT. That is right.

Mr. PENROSE. They are used in some of the zinc industries of the State of Colorado, as I am informed by the Senator from Colorado [Mr. GUGGENHEIM], and are 60 feet in length. This is an effort to provide for a duty on the importation of articles 60 feet in length, the original duty contemplating only a small retort a few feet in dimensions. If the bill is to be criticised for an honest effort to meet changes in commercial conditions, the sooner we resume legitimate criticism the better it will be for the American public.

Mr. BAILEY. Mr. President——

Mr. ALDRICH. I ask that the item may go over.

The VICE-PRESIDENT. Does the Senator from Texas yield further to the Senator from Rhode Island?

Mr. BAILEY. Mr. President, none of us understand what these retorts are. I think we must get an expert to teach us. I do not pretend to know, the Senator from Rhode Island evidently does not know, and the Senator from Pennsylvania, who represents a great steel-producing State, and who is as attentive as any Senator to the interests of his particular and immediate constituents, does not seem to know, and it would be a wise thing to pass the item over.

Still, Mr. President, I do not need to know the exact character of a commodity or a device to know that when you levy a tax in this bill three times as great as the one in the old law, you have not kept your promise to the American people to revise the tariff in the interest of the consumer, or downward, or to revise it.

Mr. ALDRICH. Mr. President, where did we ever make a statement that we would revise the tariff downward?

Mr. BAILEY. I did not say that. I made three statements. I said whether you would revise it downward or revise it in the interest of the consumer or revise it. I was trying to cover the Democratic and Republican statement, too; and certainly the Senator must have perceived that, when I said it in three different forms. I will ask the Senator if his party did not pledge themselves to revise the tariff?

Mr. ALDRICH. They agreed to revise the tariff upon the basis of rates which would equal the difference in cost of production between this country and abroad, with a reasonable profit.

Mr. BAILEY. Yes; and there never was anything more absurd, Mr. President, than for a great political party to pledge itself that men engaged in any business shall have a profit. Who guarantees to the American farmer that he shall have a profit upon his land or his labor? Who guarantees to any other people in this Republic that they shall have a profit or that they shall be permitted by law to charge a price for commodities or services that insures a profit? There never was anything more absurd than that.

But that is not the particular matter which I now have in mind. The Republican party promised to revise the tariff. Now, I put the question to the Senator from Rhode Island: If they had told the American people that they intended to increase the duties imposed by the Dingley bill, does he believe they would have been given power at the other end of the Capitol to have made this bill at all?

Mr. ALDRICH. Does the Senator want an answer?

Mr. BAILEY. There is not a Senator here, there is not an intelligent man in this country, who will venture to say that if the Republican party had affirmed its belief that the present law levied duties too low and that they intended to revise it and to increase those duties—there is not a man in this Chamber who will stand up and say he believes that the American people would have elected a Republican majority to the other House of Congress.

Mr. ALDRICH. The people of the United States, if the Senator will permit me, understood very well when the recent election took place that the Republican party was a party of protection——

Mr. BAILEY. That is true.

Mr. ALDRICH (continuing). That it was bound to revise the tariff from a protective standpoint, and to make rates in every case to equalize the difference in the cost of production in this country and in competing countries abroad, plus a reasonable profit. If there is any item in this bill as reported by the Finance Committee that exceeds that rule or does not come up to it, it ought to be made to conform to the rule.

The Republican party holds the commission of the people of the United States to revise the tariff upon those lines, and upon no other; and I should consider myself recreant to my trust if I did not follow implicitly those lines, let them strike wherever they may. If there is a rate of duty in this bill that does not give to the American producer of an article which is entitled to protection a guaranty of the difference in the cost of production, I am for amending the bill whether the rate is the established rate or another.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. BAILEY. Certainly.

Mr. LA FOLLETTE. I merely wish to ask the Senator from Rhode Island at this point, if he will state to the Senate what portion of the duty provided in this paragraph measures the difference in the cost of production in this and in other countries, and what portion of duty is fixed as the measure of the reasonable profit, which he states was guaranteed by the Republican platform?

Mr. ALDRICH. I shall be glad to furnish the Senate later with those precise facts. I have not them before me now, but they have been submitted to the committee. Certainly it can not be more than 30 per cent difference, as the Senator from North Dakota [Mr. MCCUMBER] suggests, because there is only a 30 per cent duty. But I will ask that this matter go over.

Mr. BAILEY. Mr. President, I do not complain that the Republican party revises the tariff on the lines of protection. I recognize that, while there were other elements entering into and determining the result, the American people at the last Presidential election not only authorized, but directed, the Republican party to revise the tariff; but, Mr. President, that commission must be read and must be interpreted in the light of the condition which was well known to exist throughout the length and breadth of this land, and that condition, well known to every Senator, was a well-nigh universal belief that under the existing tariff law duties were too high, and the demand for the revision of the tariff proceeded from that part of the American people that believed the rates of the present law too high. There was no such demand from the Senator from Rhode Island; there was no such demand from the ardent protectionists in any section of the country. The demand came from such Republicans—without making any invidious distinction—as the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Iowa [Mr. CUMMINS], and the Republicans whom they represent and for whom they speak. That demand represented practically the entire Republican party in the West, who, while protectionists, are not extortionists; and the country understood—and the Republican party intended for the country to understand—that the promised revision of the tariff meant a revision downward.

I fully realize that if the Republican party, when coming to a revision of the tariff on protective lines, should find a particular article imported to such an extent as to exclude the domestic article, they would feel authorized, indeed they would feel commanded, to raise the tariff rate so that at least that article of domestic manufacture might fairly compete in the American markets with the foreign article; but, sir, it is neither a full nor a fair redemption of the Republican pledge to the country when they find an existing duty sufficient practically to exclude the foreign article from the American market that they shall treble the present duty.

The explanation of the Senator from Rhode Island does not explain. He says that they changed the rate in this instance from $3 each in the House bill to 30 per cent ad valorem in the Senate bill; but, sir, it was not necessary to make it an ad valorem as against a specific duty. All the Senator had to do was to provide an ad valorem duty equal to that of the existing law, and the American manufacturer would have been protected in the sole and exclusive possession of the American market.

The fact that the gas retorts formerly imported were of short length and that those now imported are longer, the fact that those formerly imported were worth $30 and those now imported are worth $300, is, I grant you, an ample reason for changing a specific duty of $3 each, because it is absurd to charge an American citizen as much for the privilege of importing $30 worth of merchandise as his neighbor pays for the privilege of importing $300 worth of merchandise of the same kind. But when you come to eliminate that injustice and to substitute an ad valorem for a specific duty, why were you not content to leave the duty as it stands in the present law, and allow these devices to be imported at that rate, which certainly is none too low, for under that rate as it stands in the law to-day the importation of these devices is practically prohibited?

While I am on this subject, Mr. President, I will make this general observation, that I will be the last Senator to complain, here or elsewhere, of the substitution of an ad valorem for a specific duty. I believe—and the party to which I have the honor to belong has always taught—that men ought to pay according to the value of that which they import, just as men ought to pay direct taxes, according to the value of their property. That is the sensible arrangement, and I will never complain of the substitution of an ad valorem for a specific duty; but I do criticise the committee, when it comes to make that sensible and proper change, that it conceals in the change an increase of the duty as compared with the present law of more than 200 per cent.

Mr. ALDRICH. Mr. President, I have before me now a statement which enables me to answer the suggestion of the Senator from Wisconsin [Mr. LA FOLLETTE]. About 30 or 40 manufacturers of gas retorts in the United States join in this statement. It says:

> The schedule embracing these products compiled by the United States Treasury Department shows an average cost of importations of about $12 per ton. American products of the same class cost about $18 per ton at seaboard.

Mr. BAILEY. Will the Senator from Rhode Island tell me from what volume that is taken?

Mr. ALDRICH. That is from the House hearings.

Mr. LA FOLLETTE. I was not able to hear at this distance. The Senator did not read loud enough.

Mr. ALDRICH. The foreign cost is $12 a ton and the domestic cost of production is $18 a ton.

Mr. LA FOLLETTE. What portion of that duty measures to the producers in this country a reasonable profit?

Mr. ALDRICH. That is not profit at all; that is the difference in the cost between this and foreign countries.

Mr. LA FOLLETTE. I understand that that is the case, but I understood the Senator from Rhode Island to say that the tariff was being revised with a view of carrying out a pledge made by the Republican party to make the duty sufficiently high to make up the difference in the cost of production and to add a reasonable profit. I wanted to know with respect to this particular duty what portion of it measured the difference in the cost of production and what portion of it was a fair measure of a reasonable profit?

Mr. ALDRICH. There was nothing said in the statement about profit on goods produced in this country. They say the cost of production abroad is $12 a ton, as against $18 in the United States.

Mr. LA FOLLETTE. Let me say to the Senator——

Mr. ALDRICH. They furnish the details. If the Senator will read the statement he will see——

Mr. LA FOLLETTE. Let me ask the Senator a question before he takes his seat. Did the Senator take the statement of these interested parties as to the difference in the cost of production between this country and the competing country without making any further investigation to ascertain whether it was a true statement or not?

Mr. ALDRICH. That is an investigation made by the Ways and Means Committee.

Mr. LA FOLLETTE. I understand; but I assume from the Senator's having quoted it that the Finance Committee acted upon that information as reliable.

Mr. ALDRICH. We acted upon that information and a great variety of other information which was submitted to us in other forms.

Mr. LA FOLLETTE. But the Senator has quoted that as the information. If he has other information upon which he acted in fixing this duty, in addition to that which he has read from the House hearings, I am sure I should like to be enlightened by it, and I believe other Senators would.

Mr. ALDRICH. I assume the Senator from Wisconsin would not expect me to rehearse here, on every item in this bill, all the information which has been presented to the committee in various forms upon any of these subjects. The Senator asks me if I took the statement of these manufacturers. I have no inclination myself to reject the statements of reputable American manufacturers, unless there is some evidence to the contrary of their statements. If the Senator from Wisconsin, or any other Senator, has any reason to suppose that these statements are untrue, the Senate undoubtedly would be very glad to hear them.

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. The Senator from Wisconsin still has the floor. Does he yield to the Senator from New York?

Mr. LA FOLLETTE. Certainly.

Mr. ROOT. Mr. President, I perceive that we are discussing this subject upon a rather disproportionate basis. It is true that, on the basis of the importations for 1907, the specific duty of $3 upon these articles amounted to but a little over 10 per cent ad valorem, but on examining the figures for the last fourteen or fifteen years I find this to be the case: In 1894 the duty of $3 was imposed, and that amounted at that time to an equivalent ad valorem duty of 20 per cent—nearly 21 per cent. The Wilson bill substituted 20 per cent ad valorem for the then equivalent specific duty. In 1897, when the $3 rate had been restored, upon the importations of that year the $3 rate was equivalent to an ad valorem duty of 20.70 per cent. So it continued in 1890—$3 was equivalent to an ad valorem duty of 20 per cent.

But that relation has been gradually changing, owing undoubtedly to the greater size and cost of the articles, as indicated by the Senator from Pennsylvania, until now, with the duty of $3 upon each retort, we have a duty equivalent to only a little over 10 per cent ad valorem.

It is perfectly plain upon this history of the importation of these articles and upon the action taken by both the Republican and the Democratic parties in regard to them that the duty ought to be put back to at least 20 per cent ad valorem. There can be no question whatever as between the two parties regarding that being a proper change, to meet the conclusions of both parties as applied to the changed conditions of importations. So the only thing we have to consider here is whether the duty shall be 20 per cent ad valorem or 30 per cent ad valorem, and upon that question the only figures of which I know are the figures that were produced upon the formal hearing before the Ways and Means Committee of the House. If any Senator who thinks the duty ought not to be more than 20 per cent has any facts to produce leading to a different conclusion from the testimony before the Ways and Means Committee, I think the facts ought to be laid before the Senate; and if no Senator has any such facts in his possession, I think we should pass on to the next paragraph in the schedule.

Mr. McCUMBER. Mr. President, I did not understand when we were considering this particular item that there was any raise over the Dingley rates as applied when the old bill was enacted. It was stated to us that the size and character of these retorts were such as to make them in reality about three to four times as valuable as they were before—at the time of the Dingley rates. Therefore, when the Dingley rates were upon a specific duty of $3, the rates to-day would not be more than about the equivalent of that upon the value. In other words, that the Dingley rates were at that time about 30 per cent. If the rate now is but 30 per cent on the ad valorem, there is no change. Of course there is a change between the Dingley rates as applied now and the article upon which those rates are applied and the present rate, but I do not believe there is in reality any addition. In connection with the fact of the only testimony which is before us, that the difference between the cost of production abroad and at home is 33 per cent, we have given a duty of 3 per cent less than full protection.

There may be other reasons why these are not imported; but, assuming that the cost of production in the old country has the same relation to the cost of labor, as it certainly has, and that the cost of production in this country has the same relation to the cost of labor, it is fair to presume that the basis upon the difference between the cost of labor in the old country and the cost of labor on this side of the ocean has been followed in fixing these duties upon the basis of an ad valorem, which is 30 per cent, and which, in fact, does not raise the duty above the Dingley duty at the time the Dingley bill was enacted.

Mr. SCOTT. Mr. President, the lining of these retorts is made of clay, and that clay, for the purpose of holding properly, has to be prepared the same as we prepare clay for building a pot to melt glass in a glass furnace. The clay has to be strictly pure—without a particle of impurity in it. It is washed, then run through pug mills, and then turned and tramped by men with their bare feet for months before the clay is in proper condition to be used for the lining.

As I understand this bill, we are trying to protect the American workman, the American laborer, as well as the other classes of our citizens. The largely increased sizes of the retorts necessarily must take a great deal more labor to prepare the clay and line the steel jackets than it did when they were only small retorts; that did not amount to anything.

Mr. President, in my opinion the increase in this item is not too much, because of the increased size and the increased amount of labor that will necessarily be given to the workmen of this country to prepare the clay for lining these retorts. I think the increased duty is a justifiable one in the interest of the laborer of this country as against the poorly paid laborer of Germany and other countries where similar clay is prepared.

Mr. BAILEY. Mr. President, I have just this answer to make to all that has been said here; and I particularly want to make it to the observation of the Senator from New York [Mr. ROOT]:

I can see no better or more potential reason against increasing this duty, even from the standpoint of a protectionist, than the fact established by the record before every Senator, that the old duty of 10 per cent was sufficient to prevent serious and hurtful competition against the American manufacturer of this article during the last year. This report establishes the fact that but 55 of these retorts were imported, that the value of those 55 aggregated something like $1,600, that the revenue collected was $165; and yet, with the American market so completely possessed by the American manufacturer, with American labor so completely supplying the demand for this device, without any reason except the greed of the men who manufacture it, appearing before the committee and declaring that the cost here as compared with the cost abroad requires this increase, the increase is made.

But I come back to the main proposition—and no man can ever escape it—that any duty which is sufficient to exclude the foreign article from the American market is high enough even for the most ardent and honest protectionist; and whenever a duty, already sufficient to exclude the foreign competitor and give the American market to the American manufacturer, is increased, it is increased not for the purpose of protecting the American workmen, but it is increased purely and only for the purpose of increasing the already enormous profit of the American manufacturer.

The VICE-PRESIDENT. The paragraph is passed over. The Secretary will resume the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, on page 23, after line 18, to strike out the subhead "Glass and glassware."

Mr. LODGE. I do not understand that the whole paragraph was passed over; only the amendment.

The VICE-PRESIDENT. The Chair understood that the suggestion of the Senator from Texas was to pass the paragraph.

Mr. LODGE. There is another amendment in the paragraph which I think can be disposed of.

Mr. ALDRICH. I ask that the paragraph be read.

The VICE-PRESIDENT. It can be disposed of, but the special rule provided that where a request was made that a paragraph be passed over, it should be passed over.

Mr. ALDRICH. I ask that the paragraph be read.

The VICE-PRESIDENT. Without objection, the paragraph will be read.

The SECRETARY. On page 23, line 12, after the word "retorts," it is proposed to strike out "$3 each" and insert "30 per cent ad valorem;" and in line 14, after the word "lighting," to strike out "35 per cent ad valorem" and insert "70 cents per 100 feet," so as to read:

94. Lava tips for burners, 10 cents per gross and 15 per cent ad valorem; carbons for electric lighting, 70 cents per 100 feet; filter tubes, 35 per cent ad valorem; porous carbon pots for electric batteries, without metallic connections, 20 per cent ad valorem.

Mr. BAILEY obtained the floor.

The VICE-PRESIDENT. May the Chair inquire of the Senator from Texas whether he intended to ask that the entire paragraph be passed over or simply the amendment?

Mr. BAILEY. No, I did not; and I did not request that any of it should be passed. That request was made by the Senator from Rhode Island.

I merely want to call the attention of the Senate to the fact that in the first line they strike out a specific and substitute an ad valorem duty, and in the fourth line in the same paragraph they strike out an ad valorem and substitute a specific duty.

Mr. ALDRICH, Mr. LODGE, and Mr. SMOOT addressed the Chair.

Mr. BAILEY. That must be an easy question to answer, because this is the first time, I believe, that three Senators on the other side are eager to answer one question; and without further comment I will hear what the Senator from Massachusetts has to say about it.

Mr. LODGE. Mr. President, there is nothing mysterious about the fact that in one case it is an ad valorem duty and in another case a specific duty has been substituted. In one case—the first case—a specific duty was grossly unfair and unjust. In the second case, the specific duty, which is a better form of duty wherever it can be used, is the fair duty to impose. Under the Wilson bill there was a duty of 30 per cent imposed on carbon for electric lighting. We had at that time in this country 10 per cent of the production of the carbons used. It

did not increase under the 30 per cent ad valorem. When the Dingley bill was passed, a duty of 90 cents per hundred was imposed. It did not say "per hundred feet" or "per hundred pieces," but simply "per hundred." The intent undoubtedly was to put a duty of 9 mills on each carbon, the commercial size of which then was about 11 inches. It amounted to not quite a cent a foot. Under the Dingley duty the industry sprang up in this country; it developed very largely, and produced some 70 per cent of the total consumption, which I think, from my protectionist standpoint, was a good thing. A new industry was created, more opportunity for labor was given, an industry entered into a new field.

But there occurred this doubtful language of "90 cents per hundred," and our ingenious German competitors proceeded to bring in carbons 2 or 3 or 4 or 5 feet long as one piece, and cut them into suitable lengths in this country. That was sustained in the courts. The result under this foreign competition was the reduction of our production from 70 per cent of the total to something like 50 per cent. Last year over 8,000,000 carbons for electric lighting were imported, and there was $73,000 of revenue collected upon them.

Now, what the Senate committee has done, desiring that that industry should not be put out of existence as it is being put out under the present law, which amounts to 45 per cent ad valorem, is to give them not what the Dingley rate gave, but 70 cents per hundred feet, which makes a duty impossible of avoidance.

Mr. WARREN. May I ask the Senator what is the diameter?

Mr. LODGE. The diameter is not given.

Mr. WARREN. Was there no consideration of the diameter?

Mr. LODGE. No; and it does not figure in the calculation. The length is all that is necessary.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. LODGE. Certainly.

Mr. McLAURIN. I desire to ask a question for information. How much revenue did the Government receive when 50 per cent of the consumption was of domestic manufacture?

Mr. LODGE. Under the development of domestic manufacture the importation fell as low as two million four hundred thousand, with a revenue of $21,000. That is, when the American production had taken three-quarters of the market. After the change in the court, the next year it rose to six million; then, in 1907, it was eight million; this year, which has been a depressed year, it is seven millions and a half.

Mr. McLAURIN. As I understand, then, when the American article was at its greatest consumption in this country, the revenue derived from this article was smallest.

Mr. LODGE. It was, naturally.

Mr. McLAURIN. When the American production was the least, the revenue derived was the largest?

Mr. LODGE. When the American production was the least, the revenue was the greatest. Of course, there were fluctuations, according to the demands of business.

Mr. McLAURIN. Then the people were paying this tax to the manufacturers when 75 per cent of the consumption of this country was produced here, and were paying it to the Government when a less per cent was of domestic manufacture. Is not that true?

Mr. LODGE. Yes; the poor consumers, who in this case consist of the Westinghouse Company and the General Electric Company and the street railway companies and the street lighting companies—those poverty-stricken consumers—were paying more, undoubtedly.

Mr. McLAURIN. It may be that they were wealthy consumers, but, whoever they were, they were paying a tax to the manufacturer of this article instead of a tax to the Government.

Mr. LODGE. I do not care to enter into an economic question which has been thrashed over a great many times. Of course, I do not agree with the proposition of the Senator from Mississippi.

Mr. McLAURIN. One word. I thought the Senator did agree with me.

Mr. LODGE. I agree that the revenue was least when the American production was the highest.

Mr. McLAURIN. Yes.

Mr. LODGE. But with the deduction the Senator draws, I do not agree in the least.

Mr. McLAURIN. It follows, in my judgment, as the night follows the day.

Mr. BAILEY. I want to ask if the Senator from Massachusetts intends for us to understand that the only concerns interested are rich, prosperous companies?

Mr. LODGE. I do not think I used the words——

Mr. BAILEY. I have heard that one of them went into the hands of a receiver.

Mr. LODGE. I do not think I used the words "rich and prosperous." I said "great companies." I said "the poor consumers"——

Mr. BAILEY. But the emphasis on the word "poor" plainly indicated that the Senator from Massachusetts did not think that the consumer was entitled to any sympathy, and without intending to discuss in the Senate Chamber the private affairs of any individual or corporation, I am under the impression that one of the corporations to which he referred has passed through a receivership, even under the prosperous times of a Republican tariff.

Mr. LODGE. That is undoubtedly true of the Westinghouse Company, and if the purpose is to help them out by letting them import cheap German carbon, the argument is complete. The carbon is used in the arc lights. The carbons are used by street railway companies. They are of course manufactured exclusively here of American material. They are manufactured in great quantities, and are individually of small value. We have made a duty 20 cents less than the Dingley rate, and we have given what appears to me only a fair protection to an American industry, because it has been shown that under the Wilson rate the industry did not exist, and under the present rate it has been declining.

Mr. BAILEY. And this is another increase as compared——

Mr. LODGE. This is an increase over the House bill and a reduction on the Dingley Act.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. BAILEY. I do not desire to interrupt the Senator from Massachusetts. I thought he was through.

Mr. LODGE. No; I have not quite finished.

This industry does not exist in my State, nor, so far as I know, in New England. My attention was drawn to it when it was taken up before the committee. It seemed to me—and I looked into it with some thoroughness—that if there ever was a case where a protective duty was reasonably justifiable, it was in this case, and where the duty asked or the duty given by the Senate committee was an entirely reasonable and proper duty. I do not think there is anything I can add to the figures, but the Senator from Ohio [Mr. BURTON], in whose State, I think, some of the principal factories in this industry are, no doubt could add to what I have given, as he knows the subject better than I do.

Mr. LA FOLLETTE. Before the Senator from Massachusetts takes his seat I should like to ask how many establishments there are engaged in producing these carbons in this country, if he has that information?

Mr. LODGE. I have it not here under my hand. There are a number of factories, I do not know how many. I was informed, but it has escaped me for the moment. There are a considerable number scattered through the country. I dare say the Senator from Ohio [Mr. BURTON] can inform the Senator from Wisconsin, and has the details before him.

Mr. BURTON. I will state that I have not the exact details. The largest establishment is in Cleveland. There are others in New Jersey, and also in Indiana and Illinois.

Mr. LA FOLLETTE. I should like to inquire if the only one is not that of Cleveland?

Mr. BURTON. Oh, no; by no means.

Mr. LODGE. As far as Cleveland goes, I should state that the manufacture of carbon is only 15 per cent of its business. I took occasion to ask the president of the company when he was here, and he said it was about 15 per cent of their business. It does not affect them very vitally, but it is much more important to many of the other factories.

Mr. BAILEY. Mr. President, a moment only. I want the Senator from Rhode Island to hear this. A moment ago we had some slight disagreement as to the meaning of the pledge which the Republican party made with respect to a revision of the tariff. I stated what I understood that pledge to mean, and I further stated that I thought the country understood it to mean what I did. I suppose the Senator could be excused for refusing to accept my interpretation of a Republican pledge, and I suppose he might be excused for doubting the accuracy with which I might determine the country's opinion with respect to it, but he will hardly question the right of the President of the United States, elected on that platform, to interpret it. On the 4th of March, standing here in this presence, he took the oath of office and delivered an address in which he placed his construction upon the pledge which the Republican

party had made the country. I desire to put it in the RECORD and submit it for the enlightenment and information of the Senator from Rhode Island. Here is it:

It is thought that there has been such a change in conditions since the enactment of the Dingley Act drafted on a similarly protective principle, that the measure of the tariff above stated will permit the reduction of rates in certain schedules and will require the advancement of few, if any.

So, Mr. President, I was not without warrant in saying that the Republican party meant, or at least it desired the country to understand that it meant, that the tariff revision which it promised the people was a revision toward the bottom and not toward the top.

Mr. ALDRICH. Mr. President, I was a protectionist before the adoption of the Chicago platform. I expect to remain a protectionist as long as I shall live, because I believe that that policy is the only correct policy for the people of the United States to adopt and to maintain.

Mr. BAILEY. Mr. President, will the Senator permit me?

Mr. ALDRICH. Certainly.

Mr. BAILEY. Of course, I recognize the Senator's right——

Mr. ALDRICH. I should like to yield only for a question. I do not want to yield further than that.

Mr. BAILEY. I just wanted to remind the Senator that he told the Senate the other day that he remembered the time, as I understood it, when he was a Democrat.

Mr. ALDRICH. No; never.

Mr. BAILEY. Well, I thought you said you remembered when your Democratic ancestors——

Mr. ALDRICH. Democratic ancestors, but I never cast a vote prior to 1861, when I became a member of the Union Army, and from that time to this I have never ceased to be a Republican in every part of my nature, and a protectionist.

Mr. BAILEY. Membership in the Union Army did not necessarily make a man a Republican.

Mr. ALDRICH. I think it did, if he lived north of Mason and Dixon's line——

Mr. BAILEY. Mr. President, that is an affront to many thousands of brave men who were Democrats before the war and Democrats after its smoke had cleared away. Except for the northern Democrats there would have been a different story to write about that bloody conflict. When the Senator from Rhode Island——

Mr. ALDRICH. There were Democrats, many of them, thousands, hundreds of thousands, who were Democrats up to 1861, who in all the dark hours between 1861 and 1865 voted with the Republicans and forgot their party for patriotism's sake. I agree to that perfectly.

Mr. BAILEY. They did not follow the example of the Senator from Rhode Island and forever after vote the Republican ticket.

Mr. ALDRICH. Many of them did.

Mr. BAILEY. I think the Senator——

The PRESIDING OFFICER. The Chair understands that the Senator from Rhode Island yielded for a question. The stenographers are unable to take down a conversation when the two Senators are talking at the same time.

Mr. ALDRICH. I think I will ask the Senator from Texas to wait for a moment before he interrupts me further.

Mr. BAILEY. I will certainly wait, but I shall have something to say about that.

Mr. ALDRICH. The Senator has referred to the interpretation of the Chicago platform given by the President of the United States. I agree fully with that interpretation. A majority of the members of the Committee on Finance agree fully with that interpretation. The number of advances in the bill now before the Senate above the rates now in force are very few. The Senate to-day has been considering two of them in one paragraph? Why? Because conditions have been changed. To use the language of the President, conditions have changed since the act of 1897 was passed, which makes the revision in this paragraph necessary. The Senator will find very few examples in the bill of any increases of rates above the act of 1897.

The Senator asked me about the free list. We have put upon the free list several articles that were not in the act of 1897. Taken as a whole, the bill incorporates large reductions throughout its length below the existing law, and if this revision becomes a law, as I certainly hope it will, it will be an answer to the pledge of the party to which I belong and an answer to the demands, as I understand them, of the American people.

Mr. BAILEY. Mr. President, I had little thought a moment ago of giving any sectional turn to this debate. I think when the Senator from Rhode Island looks at the stenographer's notes he will regret having said that membership in the Union Army was a sufficient reason for voting the Republican ticket. We have long since passed beyond the time for that appeal, either to men in the North or to men in the South. In both those great armies, beneath whose mighty tread this continent trembled, there were men of opposing political convictions. There was scarcely a Southern State that withdrew from the Union except over the protests of many respectable Union sympathizers. There was scarcely a State that adhered to the Union that did not send among its quota of troops some as brave and as loyal Democrats as any who lived in the South or in any other section of this Union.

If it took the Republican party to qualify a man for service in the Union Army, then, sir, as I said a moment ago, the story of that conflict might be written in a different way. Your greatest general and your bravest private soldiers were Democrats before that war, and many of them have been Democrats since that time.

In this period when we of the South are being flattered with suggestions that we embrace the doctrines of the Republican party, it is a strange sound to fall from the lips of the Republican leader of the Senate to have this appeal to a sectionalism which ought to have been buried a quarter of a century ago.

Does the Senator expect to justify these departures not only from his own profession, but the professions of his party made before the country, by an appeal like that? It was no answer for the Senator from Rhode Island, in testifying to his continual error, to stigmatize the memory of the Democrats who fought, and bravely fought, in the Union Army. He had a right to say that he never voted until he entered the army, and he had a right to say that he had voted the Republican ticket from that day to this, because it is every man's individual right to begin wrong and to persevere in being wrong. I do not question that. But it comes with bad grace for him to lay upon the memory of as brave a lot of men as ever marched to battle the imputation that Republicanism and Unionism were synonymous. They were not.

Mr. President, I have supposed that in this time, instead of an appeal to prejudices which I rejoice to say no longer exist among the intelligent and patriotic people in the North, a different appeal is to be made to the South. I have heard it said and I have seen it printed that the present administration aims as one of its chief accomplishments to disrupt the solid South, and the means which they are to employ is to flatter the weak men amongst us who can be seduced from their party allegiance by the social blandishments of the White House or a seat at the patronage counter. They will appeal as vainly to the southern men on that line as the Senator from Rhode Island now appeals to the northern men upon the other line.

I freely admit that there were many men in the South opposed to secession, opposed to the war, and some of them as good, as just, as true, and as brave as others who favored secession; and I insist that there were Democrats in the North as loyal to the Union, as serviceable to it in its darkest hour, as the Senator from Rhode Island or any of his illustrious Democratic ancestors, of whom he spoke the other morning in his speech.

But the men of the South who held the Union sentiment, and some of whom refused to serve in the confederate army, are above the small temptations with which they now assail our political fidelity. This administration might as well apply itself to other questions if it supposes for a moment that either by flattery or by bribery—and by bribery, of course, I mean only appointment to public office—it can make any inroads upon the Democratic party of the South. Your only hope there, and you are not without hope, is an appeal to the intelligence and conscience of your countrymen in the Southern States. Men of brains and men of character there agree with your policies, and may organize both a respectable and a formidable Republican party; but it can never be done by the smaller men who fawn upon and flatter official power.

The President wastes his time and strength in giving heed to those men who tell him that they can disrupt the South. There is in the South, as there was before the war, a sentiment that is not Democratic. In the other time they were Whigs, and in this time they are Republicans, though some of them. I grant you, are ashamed to own it. They are not ashamed of you, but they are ashamed of some of their associates down there. Sectional and race prejudices in some places will give way to an agreement upon great public questions, but not to such treatment as you have accorded to them in this bill.

This bill, as I will proceed to show a little further on, is full of sectional discriminations. You put the western farmer's binding twine on the free list, and still you compel the southern cotton planter to pay a duty on his bagging and his ties. Do you think it right to allow the people of one section to have the material for wrapping and marketing their crops without a

duty, and yet charge the people of another section a duty upon the material with which they must prepare their crops for market? If there is any difference, or if any difference can be stated and justified, it would call for free cotton bagging and free cotton ties rather than free binding twine, because the cotton from the Southern States supplies you annually with more than 30 per cent of your exports. It is due to the cotton crop exported from the Southern States that the balance of trade for any decade is in favor of these United States. To a people as worthy and industrious as they, to a people who not only create this immense wealth which they add to the wealth of their country, but create a fabric that makes men and women comely and comfortable; to a people who produce that one article of export that accounts for the balance of trade which we enjoy, the Republican party says that when they come to market and prepare their crop they must pay a tax upon the article with which they fit it for the foreign trade. Do you believe that right? I do not. And to your conscience and in your judgment you can not justify it. It costs the cotton growers of the South each year more than a million dollars, and that burden ought to be lifted from their shoulders, even if every factory of the cotton-bagging trust should be compelled to close.

So, gentlemen, if you want to find a way to the favor and the confidence of our people, do not flatter them. They despise it. But treat them justly. They will understand that and appreciate it.

Mr. ALDRICH. Mr. President, the Senator from Texas is quite as well aware as I am that I have made no statement prejudicial to the South or to northern Democrats in the civil war. I should like to restate to him what I did say, and amplify it somewhat. I cast my first vote, in 1864, for Abraham Lincoln. I was, as a voter, confronted with a choice between Abraham Lincoln and George B. McClellan. The Democratic platform declared the war for the Union a failure. Do you think that I could have voted, under those circumstances, for anyone but Abraham Lincoln?

I did not suggest that there were no Democrats in the Union Army. The first Rhode Island soldier who fell upon the battlefield of Bull Run was Col. John S. Slocum, a Democrat. One of the leading soldiers from my State was General Burnside, my predecessor in this body. There were very few of those men, however, who voted in 1864 for McClellan and for a declaration that the war was a failure.

I have been a Republican from that day to this because I believe and have always believed in the policies of the Republican party. I believe that the supremacy of that party is necessary for the welfare and well-being of the American people.

What happened at that time in the South? The Senator from Texas, I take it, was not old enough in 1864 to have voted for President.

Mr. BAILEY. No; I belonged to the infantry then. [Laughter.]

Mr. ALDRICH. I presume so. There was a large Whig element in the South prior to the civil war. What became of them when the war broke out? They, or most of them, voted the Democratic ticket. Southern Whigs and Republicans were practically eliminated from the political field in the South. They voted the Democratic ticket because they were loyal to the South, and what they believed to be her interests, and most of them have been voting the Democratic ticket ever since. These conditions were not discreditable to southern Whigs. I made no suggestion in this connection except the fact that as a soldier in the army I could not cast my first vote for a party that declared the war to be a failure and against the greatest man our country had produced.

Mr. BAILEY. Mr. President, I simply want to invite the Senator from Rhode Island to send for the stenographer's report, and he will find that he made the mistake of saying to me that a Union soldier could not be other than a Republican. If the Senator did not mean that——

Mr. ALDRICH. I did not mean to say any thing of the kind, and do not think I did; and I appeal to the RECORD.

Mr. BAILEY. I will ask the stenographer to give me the notes of what the Senator said, and if he did not say it, then the Senator will hear my apology. If he did say it, I want him to apologize to the northern Democrats.

Mr. ALDRICH. I will apologize if I said anything of the kind, because certainly it would be impossible for me to say anything which could possibly be construed as a slur upon the memory of the men—Democrats all of them—now dead who were my associates nearly fifty years ago.

Mr. BAILEY. The Senator from Rhode Island sometimes says things he does not think, I am inclined to believe. I know he said that, because it struck me for the moment as not only such an ungracious but unfounded attack upon his own neighbors and personal friends that I was amazed; and it recalled to me the old days when men sought to answer difficult questions by an appeal to sectional prejudice.

Mr. ALDRICH. I had no purpose whatever except to express my own personal experience.

Mr. BAILEY. I recall to the Senator from Rhode Island just how the matter arose, and I think he will not need the stenographer's report. The Senator was proclaiming that he had always been a Republican and always expected to be, and I interrupted him with the suggestion that he was, perhaps, a Democrat, according to his statement the other day; at any rate, he was talking like a Democrat when he told us about his Democratic ancestors, who had taught him the virtue of economy in governmental affairs. Then it was that the Senator said he had voted his first Republican ticket when he entered the Union Army and had always been a Republican since. I suggested that the fact that he was a Union soldier did not necessarily make him a Republican. To that he replied that no one in the Union Army could be other than a Republican——

Mr. ALDRICH. Oh, no.

Mr. BAILEY. Or in substance.

Mr. ALDRICH. I could not have said that, because, as I have already said——

Mr. BAILEY. You ought not to have said it.

Mr. ALDRICH. I could not have said it, because it was not true.

Mr. BAILEY. I think it is not true myself, but the Senator said it.

I hope, Mr. President, that I am mistaken. I hope the time has passed when a Senator of his distinction and his standing would use such an expression in the Senate. I shall be more than glad if, when the stenographer's notes come to me, I find that I misunderstood him.

Mr. ALDRICH. I am sure the Senator is mistaken. I could not have said that, in view of the fact that many of my best friends in my own State were Democrats, and they were among the most loyal and patriotic citizens of that State in 1861. Many of them were the first to give their services to their country.

The VICE-PRESIDENT. The question is on agreeing to the amendment in line 15 on page 23.

Mr. LA FOLLETTE. I should like to ask that the paragraph be passed over.

The VICE-PRESIDENT. Paragraph 94 will be passed over.

The next amendment was, on page 23, to strike out the heading "Glass and glassware," in line 19.

The amendment was agreed to.

The next amendment was, on page 24, line 15, after the word "operations," to strike out the following proviso:

And provided further, That in determining and assessing the duty on bottles filled with merchandise that is free of duty or subject to specific duties only, except when such bottles are expressly exempted from duty by this act, the value of corks, caps, crown seals, capsules, labels, envelopes, packing charges and all similar incidentals shall be added to the value of the bottles, and the value thus ascertained shall be the dutiable value of the bottles.

The amendment was agreed to.

The next amendment was, at the top of page 25, to strike out:

96. Glass bottles, decanters, or other vessels or articles of glass, cut, engraved, painted, decorated, ornamented, colored, stained, silvered, gilded, etched, sand-blasted, frosted, in any manner, or ground (except such grinding as is necessary for fitting stoppers), opal, porcelain, and blown glassware, and any articles of which such glass or glassware is the component material of chief value, or in which such glass or glassware is mounted with or set in metal; and articles and manufactures composed wholly or in chief value of paste not specially provided for in sections 1 or 2 of this act; all the foregoing, filled or unfilled, and whether their contents be dutiable or free, 60 per cent ad valorem.

And to insert:

96. Glass bottles, decanters, and all articles of every description composed wholly or in chief value of glass, ornamented or decorated in any manner, or cut, engraved, painted, decorated, ornamented, colored, stained, silvered, gilded, etched, sand blasted, frosted, or printed in any manner, or ground (except such grinding as is necessary for fitting stoppers or for purposes other than ornamentation), and all articles of every description, including bottles and bottle glassware, composed wholly or in chief value of glass blown either in a mold or otherwise; all of the foregoing, filled or unfilled, and whether their contents be dutiable or free, 60 per cent ad valorem.

Mr. NELSON. Let those two paragraphs be passed over.

Mr. HALE. To what paragraphs does the Senator from Minnesota refer?

Mr. NELSON. I refer to the two paragraphs marked "96." One of the paragraphs is really a substitute for the other.

The VICE-PRESIDENT. The Senator from Minnesota asks that paragraph 96 and the substitute for it be passed over.

Mr. STONE. Does that request cover paragraph 95?

the Senator from Rhode Island looks at the stenographer's notes he will regret having said that membership in the Union

says things he does not think, I am inclined to believe. I know

you think it right to allow the people of one section to have the material for wrapping and marketing their crops without a

Mr. STONE. Does that request cover paragraph 95?

The VICE-PRESIDENT. Paragraph 95 has been disposed of; at least, it has been read without any request being made that it should be passed over.

Mr. STONE. Mr. President, I rise at this time to make an inquiry of the Senator in charge of the bill. I am just in receipt of a letter from very considerable manufacturing establishments in St. Louis engaged in making bottles of different kinds, in which it is stated that during the last fiscal year something like 41,000,000 bottles containing malt liquors, mineral waters, champagne, still wines, and articles of that kind came in without paying duty in any form and were subsequently refilled and used in this country. Can the Senator tell me whether bottles containing liquors of that kind do come in without the payment of any tax?

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. Certainly.

Mr. SMOOT. Mr. President, I suppose the letter which the Senator has received refers more to mineral waters than to others. That matter will be found in section 369 of the bill. It is desired that a duty be placed upon bottles. It is a long story, and if the Senator will let it rest until section 309 is reached, I shall be glad to explain it to him.

Mr. STONE. I had no idea of taking time at this point in a discussion of it. I want to know the fact simply whether bottles of that description are admitted without the payment of any duty.

Mr. SMOOT. Under the exact wording of the law you can not say how much the duty is on the mineral water and how much on the bottles containing it; but we are asked to advance the rate of $1.60 on a case of pints of mineral water to $3.60, or an increase of 92 per cent, it being stated that that is to cover the bottle. When we reach that paragraph, however, I shall be very glad to explain the matter to the Senator.

Mr. STONE. Very well.

Mr. GALLINGER. Mr. President, I suggest that the next paragraph be passed over.

The VICE-PRESIDENT. Paragraph 96 is passed over. The Senator from New Hampshire now asks that paragraph 97 be passed over. That paragraph will be passed over.

Mr. CRAWFORD. Was paragraph 95 passed over?

The VICE-PRESIDENT. Paragraph 95 has been disposed of.

Mr. CRAWFORD. Has it been agreed to?

The VICE-PRESIDENT. It has been.

Mr. HALE. What became of paragraph 96?

The VICE-PRESIDENT. It was passed over at the request of the Senator from Minnesota [Mr. NELSON].

Mr. NELSON. Mr. President, in many respects this bill reported by the Committee on Finance meets with my approval, and I think that the committee deserve great credit for many of the changes they have made in it. I realize the fact that it is no easy task to revise the tariff, and I think we Republicans are all agreed about one principle, which is, that those industries which need protection should have a reasonable amount of protection, sufficient, at all events, to enable them successfully to compete with foreign producers and to control, as far as possible, the home market. Whenever you go beyond that figure, Mr. President, you build up what is called in common parlance in this country a "trust;" you enable parties who get extraordinary protection to levy tribute upon the American people beyond the necessities of business.

To my mind—perhaps I may be a heretic on this subject—whenever we offer an industry a higher rate of protection than that industry is fairly entitled to have, we enable that industry to levy tribute upon the American people; and indirectly we do a great wrong. We are all opposed, or supposed at all events to be opposed, to trusts and monopolies levying tribute on the American people. While that is the creed of all of us, we ought in its practical application to do what we can to prevent the formation, directly or indirectly, of such trusts and monopolies; we ought to prevent any class of men, no matter in what calling or profession, from getting more than their just due and their just protection.

While I think in some respects the Committee on Finance have done exceedingly well, especially in the iron and steel schedule—and I want to congratulate them on that—let us take other schedules. I read from the Statistical Abstract of 1907, in which there is given, on pages 506, 507, 508, 509, 510, 511, and 512, the amount of imports, each class being classified and the ad valorem rate given upon the class. I read this, as it is very instructive:

On animals the ad valorem rate was 20.82 per cent; on breadstuffs, 34.54 per cent; on chemicals and drugs, 24.88 per cent; on cotton and the manufactures of cotton, 53.38 per cent; on earthen, stone, and china ware, 58.56 per cent.

Coming down, now, to fibers, textile grasses, and so forth, unmanufactured raw material, the duty is 10.67 per cent; on the manufactured goods it is 35.03 per cent; on fish it is 18.13 per cent; on fruits and nuts it is 34.09 per cent.

Mr. HALE. Is the Senator giving the rates under the Dingley law?

Mr. NELSON. I am giving the rates under the Dingley law. I am giving the ad valorem rates taken from the Statistical Abstract of 1897.

Furs and manufactures of furs, 21.36 per cent; glass and manufactures of glass, 53.22 per cent; iron and steel manufactures, 28.83 per cent.

That is really one of the lowest schedules under the existing law, taking the iron and steel schedule as an entirety, and yet the Committee on Finance have been good enough to cut down that in many respects, in some items like steel rails about 50 per cent.

Now, coming to jewelry and precious stones—and here is a curiosity—the average rate is only 11.94 per cent.

Mr. ALDRICH. The Senator must be mistaken as to that.

Mr. NELSON. No; I am not. I have the figures here, and certainly there is no mistake in them.

Mr. ALDRICH. The duty on diamonds is 10 per cent.

Mr. NELSON. This includes diamonds. It is averaged in this statement—jewelry and diamonds combined.

Mr. ALDRICH. The duty on diamonds is 10 per cent, and on jewelry 50 per cent.

Mr. NELSON. Jewelry and precious stones are all in one class, and the duty of 11.94 per cent is the average rate on those articles.

Mr. CULBERSON. Mr. President——

Mr. NELSON. The imports for 1907 amounted to $32,000,000, and the average rate was only 11.94 per cent.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Texas?

Mr. NELSON. Certainly. The Senator from Texas will pardon me. I did not know that he was asking me a question until the fact was called to my attention by the Chair.

Mr. CULBERSON. I simply rose, Mr. President, to ask the Senator from Minnesota a question for information. I understood him to be reading from the Statistical Abstract that the average ad valorem duty on cotton manufactures was 53 per cent.

Mr. NELSON. On cotton and manufactures of cotton, 53.38 per cent.

Mr. CULBERSON. There seems to be some discrepancy there.

Mr. NELSON. How?

Mr. CULBERSON. In the estimated revenues furnished us by the committee the average rate on cotton manufactures is 44.68 per cent, and the committee has increased that to 47.04 per cent.

Mr. NELSON. I am reading from the Statistical Abstract for 1907.

Mr. BEVERIDGE. The Senator is reading from the present law.

Mr. NELSON. Take the year 1907, a most prosperous year, the year which the Senator from Rhode Island [Mr. ALDRICH] has made the basis for his comparison as to rates.

Mr. CULBERSON. I was calling the attention of the Senator to the discrepancy between the figures which he reads and those furnished us by the committee.

Mr. BEVERIDGE. I think the Senator from Minnesota is reading from the present law.

Mr. NELSON. I am reading from the statement for the fiscal year 1907.

Mr. CULBERSON. I am reading from what purports to be the present law, and the average rate is 44.68 per cent on cotton manufactures under the Dingley law, and 47.04 is the duty under the proposed bill, showing an increase by the proposed bill, and not only an increase, but a discrepancy between the figures furnished us by the committee and those read by the Senator from Minnesota.

Mr. SMOOT. Mr. President——

Mr. NELSON. I read from the Statistical Abstract for 1907.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. NELSON. I will after I have read this:

The average rate for the fiscal year ending 1907 on all importations of manufactures of cotton was 53.38 per cent.

The VICE-PRESIDENT. Does the Senator from Minnesota now yield to the Senator from Utah?

Mr. NELSON. Certainly. I meant to state that I was reading from the Statistical Abstract for 1907, though, perhaps, I may have misstated the year. I refer, however, to the fiscal year 1907.

Mr. SMOOT. I was just going to call the attention of the Senator to the fact that it was the year 1907, rather than the year 1897, as he stated.

Mr. NELSON. That was a mistake.

Mr. SMOOT. Yes.

Mr. NELSON. I trust the Senator will not make an argument because of a slip of the tongue.

Mr. SMOOT. No; not at all. I was simply going to call the attention of the Senator from Minnesota to the fact that the figures that were quoted by the Senator from Texas [Mr. CULBERSON] were for the fiscal year ending 1906, and those quoted by the Senator from Minnesota——

Mr. NELSON. I can give the Senator from Utah the statement of the ad valorem rates if that is what the Senator wants. They were a trifle higher because prices of goods were a little higher. The rate was 54 per cent, and in 1907 it was 53.38 per cent.

These are the statistics annually prepared by the Bureau of Statistics. Oftentimes it takes almost a year before the statements are completed. They are carefully prepared and are more reliable than the statement which has been prepared for this particular emergency on the spur of the moment.

The duty on jewelry and precious stones is 11.94 per cent; on leather and manufactures of leather, 30.93 per cent; meat and dairy products, 33.45 per cent; on malt liquors, 54.32 per cent; spirits, distilled, 121.74 per cent; wines, 51.60 per cent. Then on the combination of wines, spirits, and malt liquors, 73.14 per cent; on oils of all kinds, 30.44 per cent; on paints, pigments, and colors, 31.18 per cent; on paper and manufactures of paper, 25.46 per cent; on rice, 31.73 per cent; on silk and manufactures of silk, 52.68 per cent; on sugar, confectionery, and molasses, 65.03 per cent; on tobacco and manufactures of tobacco, 87.19 per cent; on toys, dolls, and so forth, 35 per cent; on vegetables, 34.17 per cent; on wool and manufactures of wool, ordinary duty, 14.21 per cent; on wool, unmanufactured, 40.93 per cent; on manufactures of wool, 89.42 per cent.

I will insert the entire statement, taken from the Statistical Abstract of 1907, in my remarks for convenience of reference.

The statement referred to is as follows:

Average ad valorem rate, 1907.

	Per cent.
Animals	20.82
Breadstuffs	34.54
Chemicals, drugs, etc	24.88
Cotton and manufactures	53.38
Earthen, stone, and china ware	58.56
Fibers, textile grasses, etc., unmanufactured	10.67
Fibers, textile grasses, etc., manufactured	35.03
Fish	18.13
Fruits and nuts	34.09
Furs and manufactures	21.36
Glass and manufactures	53.22
Iron and steel and manufactures	28.83
Jewelry and precious stones	11.94
Leather and manufactures	30.93
Meat and dairy products	33.45
Malt liquors	54.32
Spirits, distilled	121.74
Wines	51.60
Spirits, wines, and malt liquors, combined	73.14
Oils of all kinds	30.44
Paints, pigments, and colors	31.18
Paper and manufactures	25.46
Rice	31.73
Silk and manufactures	52.68
Sugar, confectionery, and molasses	65.03
Tobacco and manufactures	87.19
Toys, dolls, etc	35.00
Vegetables	34.17
Wool and manufactures, ordinary duty	14.21
Wool, unmanufactured	40.93
Manufactures of wool	89.42

Mr. NELSON. Mr. President, there has been practically no reduction in rates. In a few instances there have been trifling cuts; in a few other instances there have been slight increases. Take these schedules: Cotton and manufactures of cotton, 53.38 per cent; earthen, stone, and china ware, 58.56 per cent; glass and manufactures of glass, 53.22 per cent; manufactures of wool, 89.42 per cent. Of all the schedules of this bill the highest by all odds in every way, taking them in the aggregate and in detail, are these four schedules—cotton; earthen, stone, and china ware; glass; and the manufactures of wool.

I am well aware, Mr. President, that it is easier to criticise than it is to build up, but I can only say——

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Nevada?

Mr. NELSON. I will yield to the Senator in a moment, when I have finished my sentence.

I can only say to the members of the Committee on Finance that I am greatly disappointed that they have made no effort in any respect to effect any particular reduction in the four schedules to which I have referred. These industries, of cotton manufacturing, woolen manufacturing, glass manufacturing, and earthen, stone, and china ware manufacturing, have been under high protection for years. The statistics show that they practically control the market. There were in 1907 twenty-two million dollars' worth of woolen goods imported into this country, practically showing that we have a complete monopoly of the home market. That is all right; but why should we continue this excessive duty? The paragraph that I have asked to have passed over provides an ad valorem rate of 60 per cent.

It seems to me, Mr. President, after all these years of protection, after all these years of a complete control and monopoly, as it were, of the home market, that some of these industries ought, by and by, to be satisfied with less protection. Why should these four industries—cotton manufactures, glass, woolen goods, and earthenware—be given an advantage over others? There are no other duties provided for in the bill that are higher or as high as the duties on these articles, unless it be those on malt liquors, distilled spirits, wines, and so forth. The duty on malt liquors is practically not any higher than that on glass, but the duties on distilled spirits and cigars are somewhat higher. But, Mr. President, with the exception of the duties on the three articles I have named, which here, as in all other countries, are considered fair objects of revenue—malt liquors, spirits, and tobacco—there are no duties that are so monstrously high as those in the four schedules to which I have referred.

I speak as a Republican. I need not come here like the Senator from Iowa [Mr. CUMMINS] and the Senator from Rhode Island [Mr. ALDRICH] and speak of my political lineage or anything of that kind. I do not know much about it. Very likely my ancestors were Norwegian pirates. [Laughter.]

I wish, however, to say to the Senator from Rhode Island that I have fought as many hard battles for the Republican party in the State of Minnesota as he has ever fought in Rhode Island or in any part of New England; and I think that a man, no matter where he may live, who stands for a higher rate of duty than is justified by the fair and just principles of protection is a greater enemy to the Republican party than any enemy you can possibly find on the other side of the Chamber. That is the reason I asked that this schedule be passed over.

I trust that some reduction will be made in the schedules I have mentioned. It is curious, Mr. President, to see how the high-protected manufacturers always crawl behind the laboring man. They forget that it is the law of supply and demand that governs the matter of labor. The laboring man is not protected. This country can be flooded with emigrants from the Old World and the labor market overcrowded. The laboring man has no protection. His wages are based upon the law of supply and demand. Have you not evidence of that fact in the panic of 1907? Before that panic occurred wages were perhaps higher than they had ever been in this country in recent years. During the past year there has been a general reduction in wages. All this occurred under the same tariff law—the Dingley law—which was in force in 1907, the same as in 1908. Why the reduction in wages? The reduction in wages came because there was a superabundance of labor and a comparative scarcity of work. You can not, however, charge that condition to any tariff legislation. The panic that came in 1907 had as its storm center Wall street, and it had no connection with our protective tariff. It arose there; the first visible spark grew out of the copper corner, and the raid upon the Heinze bank there, and then it spread like a prairie fire set by a hunter or a trapper or an Indian. I apprehend that the men who started that fire have lived to regret what they had done.

We have all had to suffer for it; but we are not suffering for the lack of protective duties. Prices in some cases have gone down slightly within the last year, but that has been because of the diminished demand.

The only way we can build up our country again, the only way we can make the American people a happy and contented people, is to give a fair and reasonable protection to every industry that needs it, but not one particle more. Give them all they fairly need; but when you step beyond that point you have no justification.

Why should the four classes of manufactures I have mentioned be protected to the extent provided in this bill? If you travel around the country, you will not find millionaire farmers; you will not find millionaire cattle raisers. Where do you find the millionaires? I do not find any fault because men become millionaires; I do not envy them; I do not criticise

them; but I call attention to the fact that it is in the protected industries more than any other that you find millionaires.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. Certainly; I yield for anything.

Mr. GALLINGER. I want to ask the Senator if he has reached a conclusion as to how great a cut, for instance, should be made in the duty on wool and woolens?

Mr. NELSON. I called attention to the duty on woolens. If the Senator from New Hampshire will bear with me, I will say that I think the duty on raw wool, on scoured wool, and on washed wool could well bear a fair reduction; but just how much I do not know. What I criticise more particularly—and I call the attention of the Senator from New Hampshire to the fact—is the duty on woolen manufactures. The protection on raw wool is only 40.93 per cent, whereas the protective duty on manufactures of wool is 89.42 per cent, almost 50 per cent more duty on manufactured wool than on the raw material.

Mr. GALLINGER. Well, Mr. President, that discrepancy, I think, will be found in every schedule. I want to say to the Senator that we all remember the agitation for reduced duties on wool that occurred a few years ago. We had a very great reduction made in the woolen schedule. It was hailed with joy all over the country as an improvement in our tariff legislation, and it was claimed in Democratic circles that it would greatly redound to the benefit of the working people.

Mr. NELSON. I want to remind the Senator that that is exactly the same spirit that actuates New England now in asking for free hides. They want free raw materials.

Mr. GALLINGER. The result of that agitation and that legislation, Mr. President, was that every woolen mill in New Hampshire closed its doors, and every workingman in those mills was out of employment. I do not know that the Senator wants a reduction equal to what was made in the Wilson tariff law.

Mr. NELSON. Let me ask the Senator if he does not think that the manufactures of woolen goods can bear a reduction from the present duty of 89.42 per cent?

Mr. GALLINGER. I do not know how that may be; I have not made a very careful inquiry into it. I know, however, that the woolen industry is not very prosperous at the present time in New England, notwithstanding the Senator may think to the contrary. But I do know that we had disaster, so far as the woolen industry was concerned, and so far as the sheep-raising industry was concerned, under the agitation for low duties on wool and woolen goods from 1894 to 1897, and we do not want to see that condition repeated.

Mr. NELSON. You can lay a good deal to the tariff of 1894. It was not altogether the tariff of 1894 that brought about the hard times. They came largely from the financial panic that occurred in 1893. Let us be fair and candid. While the tariff cut some figure, it was the panic in 1893 that brought stagnation, just as in the case of the panic of 1907, from which we are still suffering. Can you ascribe that suffering and what occurred in the panic of 1907 to the tariff law? The Dingley law has been in force during all that time.

Mr. GALLINGER. Mr. President, conditions were very different. The Senator himself said that the panic of 1907 was a financial panic, and I understood him to suggest that it originated in Wall street. It is a pretty well-known historical fact that the conditions that existed from 1894 to 1897 were due to the tariff law that was put on the statute book by the Democratic party.

Mr. NELSON. Not wholly. We had a panic in 1893, a monetary panic, more acute in some respects and lasting longer than the panic of 1907, growing out of the silver issue.

Mr. GALLINGER. And when that panic occurred it was well understood that we were to have a Democratic tariff law, which we had and which brought about the condition I suggested.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. NELSON. Let me answer the Senator from New Hampshire. While I do not justify the law of 1894, I want to be fair enough and manly enough to say that all of the stagnation that prevailed during those dreary years from 1893 to 1897 and 1898 was not altogether owing to that law. It was more owing to the vicious conditions under which our currency existed. It was on account of that as much as on account of the tariff.

Mr. GALLINGER. Mr. President——

Mr. NELSON. Let me answer the Senator from New Hampshire further. I would no more think of charging the Dingley tariff with the panic of 1907 than would the Senator from New Hampshire. You can not charge that. Would you charge the panic of 1907 to the Dingley tariff law?

Mr. GALLINGER. The Senator said it was a Wall street panic; that it had no reference to our——

Mr. NELSON. I am putting the Senator from New Hampshire on the stand.

Mr. GALLINGER. I will take the Senator's statement on that point. He probably knows what he is talking about. He says it was precipitated by Wall street—for the purpose of the millionaires of Wall street. I do not know.

Mr. NELSON. What is the Senator's opinion?

Mr. GALLINGER. I have no opinion about it.

If the Senator will permit me, I wish to call his attention to the fact that the stagnation which he admits existed from 1894 to 1897 very rapidly disappeared when we passed the Dingley tariff law and men were given employment. Then our mills were opened. Every woolen mill in New Hampshire and throughout New England began giving employment to men.

Mr. NELSON. That helped us.

Mr. GALLINGER. Yes.

Mr. NELSON. But in the meantime we disposed of the silver question by the election of McKinley.

Mr. GALLINGER. Yes.

Mr. NELSON. We had buried forever the doctrine of free silver, and that more than anything else—more than tariff legislation—restored confidence to the American people.

Now, let the Senator from New Hampshire be a little candid. The facts were that the business world in 1894, 1895, and 1896 was afraid of silver monometallism. The money of the country went into hiding—was put away in old stockings and bureaus, and not put into active use—because the men who held the money had the fear that if Bryanism and free silver prevailed, they would have to take the money back in depreciated dollars.

Mr. GALLINGER. But, Mr. President——

Mr. NELSON. But as soon as it was announced that McKinley had been elected, and that we would stamp out the silver heresy and settle upon a sound financial basis, prosperity began to come to the country, even after election day, six months before we enacted our law.

Mr. SCOTT. The Senator is surely aware that the silver question was not an issue in 1892, 1893, and 1894.

Mr. NELSON. I say in 1896.

Mr. SCOTT. We had the panic before that; that is, one panic. That disposes of your argument in that respect.

Mr. GALLINGER. If the Senator will permit me—and that is the only observation I care to make—it is to my mind a new theory which the Senator evolves, that our troubles from 1893 to 1897 were due to the agitation of silver monometallism. I think it had as much to do with it as the last eclipse of the moon.

Mr. NELSON. What about the moon? [Laughter.]

Mr. GALLINGER. I will repeat it for the Senator's benefit. I think the silver question had as much to do with the depression in business, after the enactment of the Wilson tariff bill, as the last eclipse of the moon, and nothing more.

The truth is, and history bears it out, that our rates of duty were reduced beyond the protective point. Our industries went out of existence; our workingmen were thrown out of employment; and we had disaster such as I think the Senator does not want to see repeated.

What I rose in the first place to ask the Senator—and I did ask the Senator—was whether he had made a very careful calculation as to what rate of duty on woolen goods, for instance, would be an adequate protective tariff? I am satisfied to take——

Mr. NELSON. Has the Senator from New Hampshire made up his mind that it must be 89 per cent?

Mr. GALLINGER. Will the Senator let me answer him?

Mr. NELSON. Yes; and has the Senator from New Hampshire made an exact——

Mr. GALLINGER. The Senator's impetuosity interrupts my speech. I wish to say to the Senator that I am willing to take the combined wisdom of the Republican members of the Committee on Finance. They know more about it than I do. I think they know as much about it as the Senator from Minnesota does, and I accept their conclusion, believing it just about right.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. NELSON. Certainly. I am ready to yield to everybody.

Mr. McLAURIN. The time has passed, but because of the statement made by the Senator from New Hampshire as to the tariff on wool in the Wilson bill in 1894, I wanted to interject

the remark that when the tariff bill of 1894 was before the Senate, the strongest advocate of free wool in the Senate was understood by me, and I think by the country generally, to be the largest sheep raiser in the United States—Senator Vest, of Missouri.

Mr. SCOTT. He got over it.

Mr. McLAURIN. Never, till he died.

Mr. SCOTT. Mr. President, the Senator from Minnesota, in attacking this bill, includes in his remarks the duties that the committee has placed upon glass. I desire to ask the Senator from Minnesota if he can remember the time when his good old mother, if living in this country, paid as much as $4 for a glass pitcher; and it was set away and brought out only on the Sabbath, to be exhibited to visitors who might be calling at the house?

Mr. NELSON. I am ready to answer the question. My mother is still living, but I doubt whether we could afford the luxury of a glass pitcher in those days.

Mr. SCOTT. I want to say that the Senator's mother and the Senator himself to-day can afford the luxury of a glass pitcher. I will show him why; and it is through the workings of a protective tariff.

When I first became interested in the glass business there was no duty upon glass. What was the result? We had men in the factories who were working from ten to twelve hours a day, and they got what? One dollar; and if we had the money, we paid them. If we did not have, we gave them an order on the store. When we got a protective tariff on glass, what did we do? We brought the price of $4 for an individual pitcher down to $1.25 for a dozen. Why? Because of the protective tariff of 60 per cent, and nothing else.

I will show you about the wage. The day for doing that same work to-day is eight hours a day. Take a man who works in my factory at home, and what does he get? He gets from $2.25 to $4 a day, as the case may be; and we have 60 per cent. Why? The Senator said we were demagogues in saying we were doing this for the workingman. I say when he makes that charge he does not know what he is talking about.

I have employed labor in the glass business ever since the civil war. If I know anything about any particular thing in the world, it is the glass business. It was the protective tariff put on in this country which enabled us to pay the man double wages for less hours and to reduce the price of glass.

The very goblet the Senator uses in his home, which probably cost him from a retail dealer a dollar a dozen, we sell at the factory for 35 cents a dozen, and before we had a tariff on it we had to sell them at $2.25.

Mr. President, what is the use of Senators talking here about something they know absolutely nothing about? The tariff is not a tax. The tariff——

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. SCOTT. Certainly.

Mr. DOLLIVER. Recognizing that the Senator from West Virginia knows a great deal about glass, I should like to ask him what effect the improvement in machinery and the use of cheaper fuel have had on the cost of glass production in the United States?

Mr. SCOTT. I will answer the Senator that in the cheaper classes of tumblers, for putting up jellies, it has been reduced; but they are selling at 17 cents a dozen. The Senator could not want them much less than that, when the amount of labor in producing a piece of glass to-day is 85 or 90 per cent.

Mr. DOLLIVER. I do not desire to suggest—certainly not now—any change in these duties, but I have heard from the fathers in the Republican party that improved methods of production would gradually enable us to produce the articles at such a reduced price that the time might come when some reduction of the duties could be made. I have visited glass factories in the natural-gas regions of the West and in Pennsylvania, and it occurred to me that the industry was not on exactly the same basis that it was twenty years ago.

Mr. SCOTT. I should like to ask the Senator from Iowa if he wants a greater reduction?

Mr. DOLLIVER. I appreciate, as well as the Senator does, the improvements made in the glass industry, and I have given special attention to it. I admit freely that the protection of the industry has been a magnificent success in the United States.

Mr. SCOTT. One word more, and I do not propose to discuss this matter further at the present time.

In cut glass the great injustice that has been done the American manufacturer has been, of course, not in the workings of the protective tariff on that article, but by the rascally importers. For instance, take a tumbler or a pitcher or a dish—it matters not what—and you are going to make a cut article out of it. The first thing that is necessary is to blow a blank. Of course that is Dutch to some of you, at least. Then, when you want to cut it, it is put on a wheel and roughed—what we call "roughed" after the pattern is marked out. Then it is taken to another wheel, and there the sand mark of the outline of the cutting is taken out. From that it goes through another process—what we call "smoothing" or on a crag-leaf stone. From that it goes to an additional wheel, called the "smoothing wheel," which polishes it, and then it goes to the glass cutter's putty wheel.

While there was a classification of common glass at a less rate of duty, the importer in New York would have that article roughed; he would have it put on the second stone; he would have it put on the third stone. There it was, 90 per cent of the cutting done upon that article. He would bring it in as common glass, take it to a glass cutter, polish it, and have a finished article. That was the great injustice done to the manufacturers of this country; and I am glad that this provision of the bill is just as it is, and it is only right and only fair, not only to the manufacturers of glass, but to the consumer, Mr. President.

I appeal for justice to the consumer, because that enables us to produce and to give them an article at a lower rate than if we did not have that protection.

Further along, Mr. President, I shall perhaps have something else to say on this subject.

Mr. DOLLIVER. Mr. President, I do not wish to be put in the attitude of criticising the earthenware and glass schedule. Within my own lifetime those industries have been built up in the United States, and nothing has more completely illustrated the practical wisdom of our theory of protection than these industries. I have been especially glad to see them grow because of two things. In the first place they deal with a very crude and primitive material, everywhere abundant in the United States. The entire business is a labor proposition; and then again they are in a sense manual industries. I do not think very much progress has been made in the substitution of automatic machinery for the old-fashioned methods of producing glass and pottery. The industries have grown in the United States, and they ought to grow, because there is hardly a part of our country which is not filled with an abundance of this material.

Seeing that the industry has been established, seeing that it has grown up and fulfilled all the prophecies that we have made with respect to it, seeing that we make now, out of the common clay, earthenware and pottery useful and ornamental and beautiful, and seeing that this glass industry has gone into nearly every section in the United States, the only question I have had is whether we might not with wisdom and without damaging the protective doctrine remit somewhat these duties, if for no other purpose than to give an advertisement of the influence and effect of our protective system and philosophy.

I do not think the tariff doctrine gains any strength from an ironbound application, generation after generation, of the same schedules, unless it can be shown that the same conditions prevail. I have thought that within the last twenty years this industry might, in some parts of the glass schedule at least, submit to some reduction without damaging the industry in the United States at all.

Mr. SCOTT. Will the Senator allow me for a moment?

Mr. DOLLIVER. Certainly.

Mr. SCOTT. How would the Senator suggest to take care of the skilled workmen of this country, in comparison with the wages paid to the glass blower of Germany, for the glass blower in Germany gets 4 marks for working from fourteen to sixteen hours a day, when in the United States we pay for the same class of work $2.25 to a man who works eight hours a day.

Would the Senator, in his reduction of the duty, compel me to reduce the wages of the men in my factory to a parity with the wages paid by the manufacturer in Germany, who, for working longer hours, pays less than half of the price we pay?

Mr. DOLLIVER. I made no suggestion of that sort.

Mr. SCOTT. If we reduce the duty and this cheaply made article from England and Germany and Austria comes in, what will be the result?

The Senator from Minnesota talks about reduced wages. We have not reduced wages in my factory. On the contrary, some of the men have been increased. If you reduce the tariff, wage reduction is as inevitable as that water will run down hill.

Mr. DOLLIVER. I will say to the Senator from West Virginia that I would certainly regret the reduction of wages, and I would certainly regret any damage to the industry. I like these schedules on the whole, because in practically every para-

graph there appears to be a reasonable competition with other countries. I am a firm believer in the Republican doctrine that the duties ought at least to be high enough to bring the importer and the manufacturer together in our market place on terms of fair competition. That appears to be accomplished in the earthenware and glass schedule.

But I had in mind certain machinery, automatic in its character, which has been put into operation in some departments of glass manufacture in the United States, which I thought might introduce new elements into the labor problem.

I had also in mind the fact that since the Dingley law was enacted, in many sections of the country, the production of glass has been greatly reduced in cost by the introduction of cheap fuel. I was in Pennsylvania some time ago and had the opportunity of dedicating, with a good Republican speech, the largest window-glass manufactory existing, I think, in the United States; and the thing that interested me was that there was a mountain of sand, with the limestone immediately at hand, and for fuel they simply bored a hole in the ground. I have wondered whether it might not be possible, seeing the improved status of the industry in the United States, to wisely reduce these duties without affecting either the profits of the manufacturer or the wages of labor.

I do not desire to see the earthenware industry injured, and I believe that the best piece of work in this bill is the fact that existing duties on most of these schedules have been preserved, because the earthenware industry is practically a manual industry, and as long as men work with their hands, with the same material, we will have to guard the gap between wages here and in other countries; and I want to be one of those who guard it faithfully.

Mr. SUTHERLAND. I should like to ask the Senator from Iowa and the Senator from West Virginia a question with reference to new machinery in this country, and that is whether Germany and the other countries which are competing with us have not the same sort of improved machinery, so that, so far as the improvements of machinery are concerned, we still stand upon an equality?

Mr. DOLLIVER. My information is that the machinery of the American Window Glass Company is not even shared with the independent manufacturers of window glass in the United States. So I doubt very much whether the Germans have been able to get hold of it.

Mr. SUTHERLAND. I am asking information.

Mr. SCOTT. It is covered by patents.

Mr. DOLLIVER. Yes.

Mr. SCOTT. I should like to say to the Senator from Utah, if the Senator from Iowa will allow me, that a company with which I was connected twenty-five years ago shipped from fifty thousand to seventy-five thousand dollars' worth of goods to Germany and other European countries, because our appliances, such as molds and processes, were not known specially to the German people; but as soon as the shrewd Germans and other foreigners were informed of what we were able to do by these improved appliances, the shrewd Yankees who had produced these appliances were unable to export goods, and they went over to that country and sold their molds and their processes and their appliances for making glass over there. Then, as soon as the foreigners had those appliances, they could send the goods back to us if it was not for the protection given by the Republican party through the protective tariff.

Mr. DOLLIVER. I am all the less disposed to be critical about the earthenware schedules, because the rate of duty is on the basis of value and does not in many cases exceed what appears to be a reasonable protection. I do not, however, altogether agree with the chairman of the committee as to the general scheme upon which the tariff revision ought to be made. We are here in an extraordinary session of Congress. That very fact indicates that something was expected to be done. The country at large was divided into two groups of people within the Republican party, what some vulgarly called the "progressive element" and the "standpatters." I have taken a certain satisfaction in my efforts to moderate all such contentions within the Republican party. I have always felt a certain pride in being a Republican of the old school.

The radical element, if they may be so called, were arduous in their efforts to secure an agitation of the tariff question. I regret very much to say that many good people who now appear to be more conservative than anybody else—good people in Massachusetts—were responsible in a larger measure than any other Republicans for the agitation of the tariff question in these recent years. I regret to say that some of them desired to admit to their factories on more attractive terms the raw materials which they use. Others desired to get cheaper food for their employees, and I believe the tariff agitation in the United States spread largely from New England, some of whose people desired to get butter and eggs and other articles of food unburdened by the Dingley tariff rates, and to secure, free, articles for their manufacturing industries upon which a duty is now laid, like the hides of certain kinds of cattle. I believe these people are more responsible than anybody else for the general dissatisfaction that gradually grew up against the old Dingley tariff act.

I was not unaware in those years of the difficulties of revising the tariff. I have been a very humble observer of that operation at least three times in the last twenty-one years, and I knew then as well as I know now that a tariff bill when once passed is not any man's bill. It is the result of compromises and inadvertencies and extraordinary skill in the adjustment of the language with which nearly everybody, either in Congress or out of it, is unfamiliar. I knew it would be a year after the tariff bill was revised before even those who were skillful students of it would know all that had been involved in the revision.

So I have not been one of those who sought to push the country, and certainly not my own party, forward to a revision of the tariff. But I can not refrain from entering an individual dissent from the proposition that it was the purpose of the President in calling this Congress, or the purpose of the party in practically ordering the Congress to be called together, in its platform of last year, either to leave the Dingley tariff act as it is or to increase its rates.

I have an opinion that the American people expect us, if it can be done, to reduce the schedules of the Dingley tariff act somewhat. I do not believe that any Republican desires to sacrifice any American industry in that particular or the wages of American labor. But there are millions of people in the United States who agree with my honored friend the Senator from Minnesota that some of these schedules ought to be revised.

I undertake to say that a careful study of the textile schedules, which have been reported by the committee, will suggest to nearly any unprejudiced mind the fact that we have the protective rates so high as to be unnecessary to the manufacturer and a perpetually bad advertisement for the Congress, and especially for the Republican party. Therefore it is my intention to ask my honored friend the chairman of the committee to see if it is not possible that some of these rates, many of them alluded to by my friend the Senator from Minnesota, should be reconstructed.

I should like at least to see them so reconstructed that the average man could understand them. I know it will be a favorite thing in the Senate in the course of the next few weeks, probably, to disparage fairly good people because they do not know about particular things. I intend to exercise my right to inquire about them, and I hope the flow of information will be a patient one and a friendly one, because I feel a certain duty to my people, twenty-five hundred thousand people, who have little or no interest in this business except that indirect interest which arises from the prosperity of the American market place.

I shall feel it my duty to inquire into these matters and to suggest amendments. I shall do it in a kindly way, in a spirit that grants to everybody the same freedom of judgment that I should like to exercise myself. But nevertheless, I propose, if the opportunity arises, to have a thorough explanation of some of these schedules, because I have it on mighty good authority that the number of people who understand them is very small.

The testimony taken before the House committee indicated that in 1897 the number of people who understood the woolen schedule was reduced so remarkably that the sickness of a single man made it almost impossible for the committee to proceed with the schedule. Testimony was produced before the committee in the House of Representatives that men like my former venerable colleague, Senator Allison, and men like Senator Platt of Connecticut, with intellects as acute as we ever had in the Senate Chamber, were not able to understand the schedule that had been presented for their indorsement by the American Wool Manufacturers' Association. In view of that I shall not regard it as a disparagement either of my industry or of my intelligence if I seek certain information in respect to these schedules.

I believe the woolen schedule ought to be reduced. I am not willing to go so far as to say that it will very materially affect the price of clothes, but I undertake to say that for twenty years it has been a bad advertisement for the Republican party; and I undertake to say that audiences which once listened with patience while we tried to explain it in a campaign are now out of patience and will want to know more details than have ever heretofore been laid before the American people.

I therefore suggest what I intend to do myself, if I have the strength and the grace, and that is to so vote as to adhere as far as possible to every reduction in the Dingley rate that was

made by the House committee, and to adhere as far as possible to every reduction that has been made by the Senate committee. Wherever I find a rate in the bill pending here that goes beyond the Dingley rate of 1897 I shall exercise the right to inquire with very great care into the question whether, after twelve years of prosperity, with every industry apparently satisfied, with every industry multiplying its output and increasing its capital and going on in an uninterrupted prosperity—whether after twelve such years of industrial progress it might not be possible, merely for the sake of the advertisement and our popular repute in the United States, to scale some of these duties, so that when we come to read the history of this extraordinary session of Congress we will not be compelled to say that it was called not to reduce the duties, but to confirm duties that had been in existence for twelve years.

I have gone through this bill with a good deal of care; and while it may be that there are only a few increases and quite a number of reductions, I venture the suggestion that when we are through with it it will be so nearly like the Dingley tariff law, unless we examine it with great care, that many men will wonder what was the extraordinary occasion which called Congress into session. It certainly was not called into session to increase the tariff. There was not a voice raised upon that proposition. It certainly was not called into existence to let the tariff stand exactly as it did, because an extraordinary session of Congress was not necessary for that purpose.

My judgment is that we ought to set our thought and purpose steadfastly to reducing the duties in the Dingley schedules, wherever it can be done without sacrificing an American industry.

The very increases that were under debate here this morning I do not know whether I can support or not; but if it can be shown that there is one industry in the United States, however small, that is fighting a hard fight with foreign competition and is being pressed to the wall by people who do not live in the United States, I will be willing to increase that duty high enough to give the business to people who live in the United States. That is as far as I will go. But I do not propose to swallow without inquiry and without criticism these schedules that have been built up during the last twenty years and have grown so complex that nobody in Congress or out can tell what the duties actually laid by the bill are to be.

Take, for example, the cotton schedule. My friend the chairman of the House committee said to the country in a report on his bill that he made no changes in the cotton schedule, and he believed it. He is not a man who would misstate the situation, either to the House or to the public. Yet hidden away in that cotton schedule was a new definition of cotton cloth, and that new definition of cotton cloth changed effectively every rate in the cotton schedule from one end of it to the other.

Governor Dingley in 1897 gave a brief and perfect definition of cotton cloth. He said it consisted of a woven fabric, composed of cotton that could be analyzed by unraveling the threads, and the duty was based upon the density of the cloth; that is to say, the number of threads to the square inch. Somebody comes to the committee room of the House of Representatives and suggests that that definition ought to be modified; and so we have a new definition of cloth, by which in counting the threads upon which all the duties are based, not only the threads are to be counted, but every filament of cotton, whether known by the name of a thread or otherwise; and not only that, but when there is more than one filament of cotton in a thread, then the thread itself should be taken apart and the pieces counted; and if there had been a little figure imposed on the cotton by clipping the thread so as to conform to the figure intended, the thread in that imposed piece of figure work should be counted. When you got through with that schedule, there was not a man living among men who could tell what any single cotton rate would be. There was not a merchant in the United States who could anticipate upon what basis he might import merchandise and conduct his business. When the chairman of the committee found it out, he just quietly dropped it out. But when the Senate committee makes a report, it is back.

Mr. ALDRICH. Mr. President——

Mr. DOLLIVER. In a mild form.

Mr. ALDRICH. It is not back in any form, and I am sorry to hear the Senator make that statement.

Mr. DOLLIVER. If my honorable friend will permit me, it is back there in this form, that in counting these threads account shall be taken of all the thread whether ordinary or other than ordinary.

Mr. ALDRICH. That is the law now.

Mr. DOLLIVER. I beg the Senator's pardon. That seems to be in italics in your bill.

Mr. ALDRICH. It is the law now.

Mr. DOLLIVER. It is a regulation of the Treasury Department possibly, and that is exactly what I complain about. It is put in a vague way so that the Treasury Department can make any regulation and any decision in respect to it that it pleases.

One of the very strongholds of abuse in the American tariff system is the fact that there is a board of appraisement, who are liable any day to make the tariff law of the United States ridiculous before the world. I have a Treasury report in which a blanket made entirely of cotton, with a woolen thread around its edges to hold the thing from unraveling, was assessed at the compound woolen-cloth duty—22 cents a pound and 30 per cent ad valorem; and that proposition is the law to-day.

I know a case where a chair larger than those we sit in, with silk cloth upon the bottom with a few woolen threads in it, was assessed by the appraisers as woolen goods—goods composed partly of wool—and assigned the duty applicable to woolen cloth.

Though I find in this bill language which nobody can understand who is not a technical expert in the business, I think it is our duty to reduce it within the common understanding of the people so that men will know what the duties are.

I hold in my hand here the report of the probable revenue that will be derived from this bill. I find in the cotton schedule, in some articles of very moderately priced cloth, the present rate of a cent and a quarter a pound has been skillfully raised without saying a word about the raising to 7 cents a pound.

Mr. ALDRICH. What are the articles?

Mr. DOLLIVER. The article is a cotton cloth. In fact, there are a great variety of articles, because the italics seem to run in as to all of Governor Dingley's schedules.

Mr. ALDRICH. I would be glad to have the Senator call my attention to it.

Mr. DOLLIVER. I will be very glad to call the Senator's attention to it, because I think we have a common interest to secure in this matter. I refer to paragraph 313, to cotton cloth, bleached. The duty at present is practically prohibitory, only $5,000 worth having come in. It is on page 72. I wish to follow this out as a curiosity. Paragraph 313, bleached cotton cloth. There were imported 31,000 yards.

Mr. ALDRICH. I thought the Senator was talking about the rates. I should be glad to have him point out the provision.

Mr. DOLLIVER. There is no provision at all in your bill as to the rates. It is an indirect provision as to the rates that I have had to calculate, and I was delighted to find that my calculation corresponded exactly with the calculation of the experts of the Finance Committee, because they say that the present law is 1¼ cents a yard, and they say that the Senate bill is 7 cents per yard. There is an increase of about 500 per cent, and my honored friend from Rhode Island puts it down as liable to produce a very substantial addition to the revenue.

Mr. ALDRICH. I suppose the Senator from Iowa knows how these tables were prepared. I have never seen a table in regard to cotton cloth.

Mr. DOLLIVER. This table is prepared correctly in this particular.

Mr. ALDRICH. I suggest to the Senator from Iowa that there is no such change. I do not intend now to undertake to defend or explain the cotton schedule, but when the schedule is before the Senate I will be able to explain it to the intelligent understanding of every man in the Senate. There is no such change as the Senator from Iowa suggests in the bill.

Mr. DOLLIVER. I would not have believed it if it had not confirmed the calculation which I myself made, with the aid of experts, on these schedules, because that is not the only raise that has been made. There is not a word in the bill indicating that any change has occurred, but a mere question of phraseology about yards and density. The present rate on 50 threads to the square inch——

Mr. BEVERIDGE. May I ask the Senator who prepared the phraseology about the density and number of threads and so forth? Where did it come from?

Mr. DOLLIVER. That phraseology was prepared in 1894.

Mr. BEVERIDGE. I mean the phraseology which results in this most extraordinary and startling rule. I have been very much interested in what the Senator has been saying, and I have been wondering how it got before the House committee.

Mr. DOLLIVER. I will give the Senator from Indiana a little history of the phraseology.

Mr. BEVERIDGE. I would be glad to hear it.

Mr. DOLLIVER. The whole scheme of assessing these cotton duties and the count of thread, at least so far as my investigation goes, is as old as 1894. I have seen in the handwriting of the late Governor Dingley a statement that it was put into the Wilson bill by the cotton manufacturers themselves; and it was

his opinion that they, having framed it in all its details, should be satisfied with it in 1897. So it was perpetuated, and it has so stood until now, when, as I will undertake to show when the time arrives when a man can more properly discuss the cotton schedule, it is all put at sea by new definitions of cloth which affect every rate that has been fixed in the Dingley law.

Mr. BEVERIDGE. Now, there is a new definition which the Senator calls attention to. Does the Senator know what was the origin of that definition, which the Senator says results in an increase of practically 600 per cent of duty?

Mr. DOLLIVER. I do not know, and I would not probably want to publish such a matter if I did. I understand that it has been customary, and a very proper custom, for the tariff committees to consult the manufacturers. Nobody else knows the details of these great textile industries except people who live in them. A man would be a very great fool who would undertake to arrange a tariff schedule without close consultation with somebody who knew the technical details. So it is not surprising that the cotton, wool, and silk, and every textile schedule has come to the committees of both Houses from experts representing the manufacturers themselves.

Mr. BEVERIDGE. That being true, does not the Senator think it necessarily follows that in addition to the committee very properly having the information coming from the experts of the manufacturers who are interested in this thing, they should also have the information of experts, equally expert and impartial, employed by the Government for that particular purpose?

Mr. ALDRICH. If the Senator will permit me just there upon that point, no manufacturer has been before the Committee on Finance in regard to this schedule. Every change that was made in it was made upon the recommendation of the government experts and nobody else; and it is now defensible and will be defended by the members of that committee whenever the schedule is reached.

Mr. BEVERIDGE. I sincerely hope so, and of course I believe that that is true.

Mr. ALDRICH. It is absolutely true.

Mr. BEVERIDGE. Nevertheless, the Senator from Iowa has called attention to a situation here which, if verified, is more or less startling; but whether so or not, it certainly does point to the fact that in addition to information derived from an ex parte and partial source, the Senate and Congress should have it verified by further information. I did not intend to take time to discuss this matter now and am much obliged to the Senator from Iowa for letting me have the floor at all; but, for instance, attention was this morning called to the fact that the committee took—and I do not blame it for taking it, it was all it could take—the statement of manufacturers as to the difference between the cost of production here and abroad.

Mr. ALDRICH. Mr. President——

Mr. BEVERIDGE. That was all right.

Mr. ALDRICH. Right there——

Mr. BEVERIDGE. But it should be properly verified. It would be in the Senator's own business. Why not in the Government's business?

Mr. ALDRICH. The Senator from Indiana is entirely mistaken about that particular item.

Mr. BEVERIDGE. I said what was stated here this morning. I listened to the debate very carefully.

Mr. ALDRICH. The change was made in those articles, as the Senator from North Dakota well said, upon the advice of the experts of the Treasury Department.

Mr. FLINT. I wish to make this statement: There is no schedule in the bill that was not placed there by the approval or at least upon information furnished by experts of the Government.

Mr. BEVERIDGE. I want again to thank the Senator from Iowa, and then I will not take any more time, because I merely want to make the point that two Senators have said this, and I want to ask the Senators what they know as a fact, whether or not the experts of the Government gave evidence before them as to the accurate cost of production here and abroad? Have they examined any witnesses? Have they put them under oath? Have they opened books? How do they know and how does the committee know what the facts are?

One Senator said that the recommendations were made by experts. Then, what knowledge did the experts have? That they might have some as to classification is clear; but when the Senator tries to conclude the whole question upon the information furnished either by interested parties or by experts who have themselves given no testimony under oath and, what is more important, taken no testimony, I think that even he would admit that that is not sufficient information upon which he can recommend a tariff bill.

Mr. ALDRICH. Every appraising officer of the Government is bound to have knowledge not only of the domestic but the foreign cost of these articles. That is his duty. It is his plain duty under the law.

Mr. BEVERIDGE. How does he get it?

Mr. ALDRICH. He gets it by information from different parties, through the consular officers of the United States; through special agents who are sent to foreign countries; through invoices which are before him every day; through evidences of all kinds; the evidence of importers in the United States; of manufacturers in the United States; of manufacturers abroad; of exporters abroad. He is bound to make, if he follows out his duties, an absolutely full and accurate investigation of the cost of production in foreign countries and in this country; and if he does not do that he is not discharging his duty.

I want to say further that we have as capable a force of experts in this country upon all those questions as there has ever been. I think there is no member of the committee who is not entirely satisfied of that fact.

Mr. BEVERIDGE. I will defer this to another time, because I have already intruded too much upon the time of the Senator from Iowa.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I suppose I would be trespassing upon the time of the Senator from Iowa to give an explanation of this paragraph and this particular class of cloth, but I want to say to the Senate that when the explanation is given, it will appear so plain to every man in the Senate that there will be no reason whatever for an objection to the increase of the rate. I will say that it applies to a class of goods in this country not known at the time of the Dingley schedules. I will content myself by making that statement.

Mr. BEVERIDGE. Is it true, as the Senator from Iowa startled me by asserting, that the change as to that one classification changes the whole rates of the entire cotton schedule?

Mr. ALDRICH. It does not.

Mr. SMOOT. It does not.

Mr. BEVERIDGE. Then the Senator from Iowa is mistaken?

Mr. ELKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. DOLLIVER. Certainly.

Mr. ELKINS. I imagine that one of the difficulties that confronts the Senate just now is that the testimony of these experts is not accessible. The Senator from California says the expert says so and so, as I believe does the Senator from Utah. It may appear to them so and so, but if we had the expert's opinion right here before us, we could judge better for ourselves. If it is down in print or reported, that is one thing; but certainly the members of the committee, able as they are, can not carry in their heads all that the experts said about these various schedules. A member of the committee could not sit up with one of them a whole week and understand this cotton business. It is no authority to me, and it is no satisfaction to me to tell me that the experts said so and so.

Mr. ALDRICH. Will the Senator from West Virginia allow me to suggest that the glass schedule is now under consideration, and perhaps he knows more about that than the cotton schedule?

Mr. ELKINS. What schedule?

Mr. ALDRICH. Glass.

Mr. ELKINS. Well, I am just remarking, as a general proposition, that we have no expert information here except as given to us by the chairman of the committee and his colleagues. What I want to get at is a printed report of these hearings, so that we may read them for ourselves. It satisfies the Senator from California [Mr. FLINT] to remark, "This is what the experts say;" and it satisfies the Senator from Rhode Island [Mr. ALDRICH] to say, "The experts said this." That is their memory of it or their understanding of it. I do not say that they would misrepresent what the experts said, but I say it would be impossible for them to carry in their minds particularly, definitely, and carefully what the experts did say. If they have it printed or in accessible shape, let us read what the experts said. Senators' statements in such a case are not evidence, as they are merely second-hand evidence. Such statements are not real evidence when they are retailed around from two or three sources.

Mr. ALDRICH. The Senator from West Virginia has been before the committee several times, and has made a great many

statements about various articles in which he is interested. We never have had them taken down. We do not remember everything the Senator said; we can remember some things he has said, but he would not expect us to remember all that he has said, I assume.

Mr. ELKINS. I am no expert, either, Mr. President.

Mr. FLINT. We do remember the rates the Senator fixed on coal.

Mr. ELKINS. No; you do not. You have not fixed them yet.

Mr. BEVERIDGE. The Senator from California does not mean to say that the Senator from West Virginia fixed the rates on coal?

Mr. FLINT. He suggested a rate.

Mr. ALDRICH. Yes; he suggested a rate.

Mr. ELKINS. Yes; and the highest I could get, Mr. President. [Laughter.]

Mr. DOLLIVER. Mr. President, what I have been afraid of is that we are playing a part that will ultimately become a mere comedy. I have seen the course of tariff agitation once or twice, and I know some points of the performance. We have rates put forward—in themselves comparatively insignificant to attract the lightning of public wrath and opinion, to which we respectfully bow. We have controversies of all sorts to which we are expected to yield our attention. We have already been advised——

Mr. NELSON. Will the Senator yield to me for a couple of questions?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. I do.

Mr. NELSON. Does the Senator believe that we were called together in this extraordinary session to reenact the Dingley tariff law?

Mr. DOLLIVER. I have already intimated that it is hardly credible to me that that was in the mind of the President.

Mr. NELSON. Does the Senator believe that the President and the American people wanted us to meet here and increase the rates of the Dingley tariff law?

Mr. DOLLIVER. I am not familiar with the literature of that demand.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Yes.

Mr. SMOOT. In paragraph 408 there will be found an item of postal view cards, on which the rate was 5 cents a pound. Would the Senator, if we could prove to him that it was absolutely necessary to save that industry from absolute destruction to increase the rate 400 per cent, vote for such an increase?

Mr. DOLLIVER. I would investigate it with very great care.

Mr. SMOOT. I will ask the Senator, if, after he had made a full investigation, with very great care, he found that it was absolutely necessary to so increase the rate, would he then vote for it?

Mr. DOLLIVER. I would hesitate a while. [Laughter.]

Mr. BEVERIDGE. Mr. President, will the Senator from Iowa permit me to ask a question of the Senator from Utah?

Mr. DOLLIVER. Yes.

Mr. BEVERIDGE. How would the Senator from Utah prove that?

Mr. SMOOT. Mr. President, we can certainly prove it by the absolute cost of the production of postal view cards in Germany.

Mr. BEVERIDGE. And here?

Mr. SMOOT. Yes.

Mr. BEVERIDGE. How would the Senator prove the cost of such cards there and here?

Mr. SMOOT. I can bring the Senator, if he so desires, from 50 to 100 invoices of these very postal view cards of Washington City that have been made in Germany, and they are flooding this country from one end of it to the other.

Mr. BEVERIDGE. Valued where?

Mr. SMOOT. Valued in New York City.

Mr. BEVERIDGE. The point, Mr. President, of all these questions, of course—I will not pursue it further—clearly is to show that when you use the legal word "proof," you have no such proof before you. You have ex parte testimony, and that is the best you can have. I make no quarrel about it, because up to this time that is the only kind of proof we have had. That does not apply to this case more than it does to others.

Mr. SMOOT. I want to say——

Mr. BEVERIDGE. What the country wants are the facts.

Mr. SMOOT. I want to say that a manufacturer in Germany will not continue to sell the goods at a loss for a period of four or five years; and if the actual invoice of the German manufacturer and the American purchaser is not evidence as to what they sell those postal cards for, I do not know where on earth you would find it.

Mr. BEVERIDGE. Where would you find evidence as to the cost here?

Mr. DOLLIVER. If we have an industry here that requires a protection of four or five hundred per cent, I believe it would be cheaper, unless the industry is very large and involves a great multitude of people, to send some detective over there to see how they manage the thing.

Mr. SMOOT. I do not know whether the Senator desires me to answer that; but I can tell him one thing as to how they manage it. They manage it, in the first place, by paying the laboring man one-fourth of what he is paid in this country.

Mr. DOLLIVER. I have in my mind all the statistics on that subject. In other matters we do not regard it as necessary to put on a rate of four or five hundred per cent for such a reason.

Mr. ALDRICH. Will the Senator permit me to ask him a question?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator has criticised, with more or less severity——

Mr. DOLLIVER. Not intentional severity——

Mr. ALDRICH. With mild severity, the provisions reported by the Senate committee with regard to the duties upon imported woolen goods. The Senator from Iowa was a member of the committee that prepared the schedules of the act of 1897, the Dingley Act. Did he give that schedule then his support, and did he vote for it in the House of Representatives?

Mr. DOLLIVER. Mr. President, I voted for it, after having vainly tried to get people to explain it to me. I supposed that I was dull and unfit for the business, and probably I was; and I was never encouraged on that point until I read a letter from the secretary of the American Woolen Manufacturers' Association to the president of that association about that time, when the same bill was pending in the Senate, in which he said that it was entirely impossible to explain the matter to Senator Allison and to Senator Platt of Connecticut. [Laughter.]

Mr. ALDRICH. The question then under consideration was in regard to the duty upon wool tops, and not the duty upon woolen cloths. The duty on woolen cloths in this bill is identical with the duty in the schedule on woolen cloths that was prepared by a committee of which Mr. Dingley was chairman and of which the Senator from Iowa was a member. Those schedules came to us from the House of Representatives in the form that they went into the Dingley bill and in the form in which they are now in the law, and now in the report of the Committee on Finance.

Mr. DOLLIVER. I will say to my honored friend from Rhode Island that while I do not now claim any expert knowledge on these difficult subjects, I have in the last twelve years, by casual attention as matters arose, acquired a little larger insight into those technicalities than I had at that time, although even then I wondered, and could get no satisfaction, why a man bringing woolen cloth into the United States should be assessed four times the duty upon an unwashed pound of wool on each pound of cloth when, in point of fact, there was no wool in the cloth which he was bringing in.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I do.

Mr. SMOOT. The case of which the Senator speaks is not the case as to which we legislated. I have been a woolen manufacturer for now nearly a quarter of a century. I have taken the wool as it came from the sheep's back——

Mr. DOLLIVER. Mr. President, I thought my friend desired to ask me a question.

Mr. SMOOT. I shall not now further interrupt the Senator.

Mr. DOLLIVER. I would not want to precipitate now an explanation of the woolen schedule, because I do not want just now to involve the Senate in the mysteries which surround it. I prefer to wait until that subject is properly before the Senate.

Mr. SMOOT. There is no mystery about it.

Mr. ALDRICH. If the Senator will permit me, I will ask, Has the Senator at any time, in committee or in the House of Representatives, criticised any of these provisions?

Mr. DOLLIVER. If my friend will permit me, I was then in a position constraining me to acquiesce in what was done.

Mr. HALE. The Senator was a member of the committee?

Mr. DOLLIVER. Yes; I was a member of the committee. Every Republican member of the committee this year responded in reporting the bill and voting for it, although many voices were silent that have heretofore been eloquent upon the tariff

subject. I did join in the report. It was not then fashionable to file a minority report upon a party measure when the House had only a modest majority with which to transact business. We had a good deal of moral pressure to bear in that House before we secured that solidarity of action which enabled us to put the Dingley tariff bill through; and I have no apologies to make for that, for the case was even more acute in the Senate.

Mr. HALE. Has the Senator ever hesitated to defend that law?

Mr. DOLLIVER. Oh, no; I have defended it in almost every State of the Union. But the audiences are growing weary of the old defenses, and it is impossible now to convince the American people that the protective system in the United States requires a duty, rising in some cases to 150 per cent, upon the clothes that are worn upon their backs.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator from Iowa was a Member of the House of Representatives in 1890, as I recollect, when the McKinley bill was passed, though I think he was not then a member of the committee which framed it. The rates upon woolen cloths were substantially identical in the McKinley Act with what they are in the Dingley Act and what the rates reported by the Senate committee are.

The criticisms in which the Senator has just now indulged were heard from every Democratic Member of the House practically, and every Democratic Member of the Senate; but I have never heard that the Senator from Iowa raised his voice in accord with those criticisms, or that he had done anything else except to defend and vote for those schedules with which he has recently discovered so much fault.

Mr. DOLLIVER. On the contrary, my discovery of faults has not been recent, if my honorable friend will permit me. For many years it has been a growing conviction with me that the protective-tariff system, in order to be perpetuated in the United States, must be made more reasonable; and when I first entered the Senate, now nearly nine years ago, I ventured to express that modest conviction, although it was "a voice crying in the wilderness."

Mr. ALDRICH. May I again interrupt the Senator?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. Both the McKinley bill and the Dingley bill came to the Senate from the House of Representatives with substantially the rates in them which I have indicated.

Mr. DOLLIVER. Now, if my friend will allow me——

Mr. ALDRICH. Just a word. They were taken up here by a committee of which the former Senator from Iowa was a member. If there was any man who ever understood the woolen schedule, it was the late Senator from Iowa, Mr. Allison, and while there was an "Iowa idea" in regard to the tariff, and there were certain people in Iowa who did not agree with the former Senator from Iowa, I never classed the present Senator from Iowa in that category.

Mr. DOLLIVER. Mr. President, if my honored friend will permit me, I get into trouble here once by commenting upon the views and opinions of a man who had passed out of the noise of our controversies, but if I never in this world have any other sin to answer for than the sin of ignoring the judgment and opinions of my former colleague in this House, I shall stand acquitted on the last day. I shall not discuss his views, but I undertake to say that in the last twenty years, while he was compelled by the very situation in which he was placed to cooperate in the preparation of these tariff schedules, his opinion was that we had managed in some way to get the duties on woolen cloths on a scale entirely too high for the welfare of the protective-tariff system.

Mr. ALDRICH. Mr. President, I will put my information on that subject against that of the Senator from Iowa. I was associated with the late Senator Allison for twenty-seven years as a member of the Finance Committee of this body. I was closely associated with him in the preparation of every tariff bill which was ever reported to the Senate during that time, and no political exigency of the hour ever caused him to change his opinion upon this question.

Mr. DOLLIVER. Mr. President, even if it were true, as I shall undertake to dispute on a subsequent occasion, that Senator Allison was heartily in favor of these high rates on woolen goods, I would not regard that as binding either upon my conscience or upon my judgment. I propose here, without asperity either in heart or in speech, to state my own views and my own convictions in respect to this matter. I shall undertake when the woolen schedule is properly before us not only to criticise it but to offer the Senate an opportunity to correct what I regard as damaging inequalities that have grown into it.

Nor is it necessary to quote what happened in 1897 or in 1890. My honored friend could have gone further. The fabric of the protection of woolen merchandise was built long before 1890. I am told that it appeared here in 1861; it is certain that the exact framework of our present schedules applicable to woolen cloths appeared in 1867. So far as I can find out, although I am not an acute student of the hidden things of history, a meeting was held in the Senate between the shepherds and the woolen manufacturers, and, the shepherds being extremely anxious for substantial rates, it was after a while agreed between them that each should take what he wanted; but the public was not present in the conference, so far as the record discloses. I propose in this session of the Senate—I may fail; I do not know how that will be—but I propose to reopen that conference and introduce into it an element which was not present when the original fabric of these schedules was devised.

Mr. WARREN. I did not exactly catch all that the Senator said. In connection with what tariff and in what year was the meeting between the shepherds and the woolen manufacturers to which he refers?

Mr. DOLLIVER. I think it was in 1867.

Mr. WARREN. I have only a word to say. While it is evident that that was before my day in the Senate, it was not before my day in the sheep business or in the wool business, and it was not before my day of meeting with other shepherds. If there was an agreement of that kind, I never heard of it; and I know I was down here fighting for better protection for the woolgrowers, and that we were not satisfied with what we got.

Mr. DOLLIVER. I may have been deceived by a myth and a tradition, but if I have, it has deceived a good many other people. I will say to my friend from Wyoming that I am not here complaining about the duties on wool. I know that, while we have not succeeded in producing all the wool we need, we have succeeded in conferring a very substantial benefit upon a portion of the country somewhat unsuited to ordinary agriculture; and I have never grudged the mountain States the advantage which has come to them from our laws in respect to the tariff upon wool.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I suppose the Senator from Iowa is aware that he is not the original investigator along these lines. The statement which he has just made has been made, iterated and reiterated over and over again in this Chamber and in the other Chamber, by every orator who has spoken against the duties on woolens or wool. It is simply reiterating to-day the Democratic claims which have been current in this country for a generation.

Mr. DOLLIVER. That may be; but it is not important. It is enough to say that the woolgrower has a certain duty, and has insisted upon it for many years, and that a large part of the duty on woolen cloth arises out of the fact that it has been thought necessary to compensate the woolen manufacturer for the loss which he sustains by reason of the advantage which the law gives to the wool producer. I am, for one, willing to compensate him. I recognize that the tariff on wool has put the American manufacturer at a disadvantage in the making of cloth.

I have read the speeches of my honored friend from Rhode Island for many years, and I assent to many of his conclusions. There is no man who has a warmer respect for him or a more generous recognition of the wisdom and the skill with which he has studied these affairs. I was convinced by him that it was necessary to compensate the woolgrower, to give him four times the duty upon an unwashed pound of wool for each pound of cloth that is brought into the country, although I must confess that I share with very able and eminent men, who are not Democrats, in certain doubts as to the mathematical accuracy of that calculation. When the Senator from Rhode Island said, as he did once in the Senate, that in order to make the chain strong at all points, to protect all interests, to guard against extreme cases, it was necessary to select four as the multiple, I consented to that. The only thing that has worried me is that that multiple is made use of through the whole woolen schedule wherever it seems to be advantageous, not only when cloth is manufactured out of wool, but whatever it is manufactured out of.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. DOLLIVER. Certainly.

Mr. HEYBURN. That is the second time the Senator from Iowa has referred to that feature of this bill. That feature is contained in the existing tariff act.

Mr. DOLLIVER. Exactly.

Mr. HEYBURN. It was not a decision of the Treasury Department or by anybody else. It was the language contained in the act which the courts have interpreted. At the end of section 391, in the existing tariff act, there is this proviso:

> That all manufactures, of which wool is a component material, shall be classified and assessed for duty as manufactures of wool.

Mr. DOLLIVER. Exactly.

Mr. HEYBURN. That changed the existing law. The decision of the United States Supreme Court in the Hartranft case, involving this question, held otherwise; but it was because the law was different; and the United States court only last year, in interpreting this proviso, held that the proviso controlled the language of the section itself, which had stated in regard to it:

> All manufactures of silk, or of which silk is the component material of chief value, including * * * 50 per cent ad valorem.

Then follows the proviso. The contention of the Government was that the body of the section controlled, and the decision of the court was that the proviso controlled and modified the body of the section.

Mr. DOLLIVER. I have tried to familiarize myself with the statute and with the decisions which have been made upon it. Now, what I want to inquire into is, whether it is not possible in some way to avoid a situation which renders that particular schedule open to criticism?

Mr. SCOTT. Mr. President, will the Senator allow me to interrupt him a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. DOLLIVER. Certainly.

Mr. SCOTT. Does the Senator from Iowa know how much duty he actually pays under the Dingley law on a suit of clothes composed entirely of wool?

Mr. DOLLIVER. Yes.

Mr. SCOTT. How much is the actual duty?

Mr. DOLLIVER. I do not know as to a particular suit of clothes, but I know the legal tariff rates.

Mr. SCOTT. One dollar and twenty-five cents, according to the weight of the wool it takes to make an average man a suit of clothes. Now, when the Senator pays $60 for a suit of clothes, the difference is for labor. Ninety per cent of the cost is for the labor.

Mr. DOLLIVER. That is elementary. I am not prepared to dispute it.

Mr. SCOTT. It is a fact.

Mr. DOLLIVER. I am not complaining about that. I said at the beginning that I am not sure that the suggestions I make will operate to reduce materially the cost of woolen goods or of cloth. I understand, as well as anybody else in this Chamber, that the organization of our mercantile system in the United States is such that it is very hard to find, when you go to buy a suit of clothes, either a moral or an economic relation between the value of it and the price of it. I understand that as well as anybody.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I am sure the Senator from Iowa does not want to make a statement that is not justified by the facts. He said a few moments ago, when speaking of woolen cloths, that the duties levied upon woolen cloths are four times the duty on wool.

Mr. DOLLIVER. Not upon all. In the higher grades the multiple is 4, and in the lower grades, I believe, the multiple is 3.

Mr. ALDRICH. I did not so understand the Senator.

Mr. BEVERIDGE. If the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I am very much interested in just what the Senator did say. I understood him to say that by a change of phraseology the rates in the entire schedules would be affected. Is that correct?

Mr. DOLLIVER. I did not say that as to the woolen schedule.

Mr. BEVERIDGE. What schedule was it?

Mr. DOLLIVER. It was the cotton schedule.

Mr. BEVERIDGE. The cotton schedule. It would be perfectly immaterial whether it was the cotton schedule or any other schedule, because that is extremely important.

Mr. DOLLIVER. Mr. President, just another matter, and I will apologize for taking up the time of the Senate.

Mr. GALLINGER. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. DOLLIVER. Certainly.

Mr. GALLINGER. I understood the Senator to give it as his opinion that any reasonable reduction that might be made in the woolen schedule would probably not benefit the "ultimate consumer," about whom we hear so much.

Mr. DOLLIVER. I said I was not sure of that.

Mr. GALLINGER. Now, Mr. President, under Schedule K, wool and woolens, we imported last year $62,000,000 worth of goods that were manufactured abroad.

Mr. DOLLIVER. Wool and woolens?

Mr. GALLINGER. Wool and woolens.

Mr. DOLLIVER. My recollection is that we imported $22,500,000 worth of woolen goods.

Mr. GALLINGER. Under the entire schedule, wool and woolens, we imported $62,000,000 worth. Now, if no benefit is to come to the consumer, or if the Senator can not satisfy his mind that any benefit is to come to the consumer, who is to be advantaged by the importation of more of those goods, and will it not result in depriving the American workingman of just that much labor and the increment of his labor?

Mr. ALDRICH. On the farm.

Mr. GALLINGER. Wherever he labors.

Mr. DOLLIVER. I do not think the present schedules for common woolen cloth are such as to permit of material importations. The importations of the common grades of woolen manufactures, such as people generally consume, are only $330,000, with a total home production of $400,000,000.

Mr. GALLINGER. If the schedule is changed and larger importations result, and the Senator is not sure that the consumer will get the benefit from it, who is to get the benefit?

Mr. DOLLIVER. There is a good deal of controversy as to who gets the benefit when the duties are changed. I used to suppose that a tariff beneficially favored a man who was producing the article upon which it was levied, but I have been taught this year by eminent statesmen from New England that a tariff levied upon an agricultural product is absorbed by a trust in Chicago. I have eminent friends in New England who think that the farmers and cattle raisers of the United States are less able to protect themselves against the beef trust than the shoemakers are against the sole-leather trust.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator talks about people from New England. To whom does he refer? Is he referring to matters that have taken place in the Senate or outside?

Mr. DOLLIVER. I refer to the manufacturers of shoes.

Mr. ALDRICH. I do not know anything about the manufacturers of shoes. I supposed the Senator was talking about the New England sentiment, as represented by Senators upon this floor.

Mr. DOLLIVER. I do not know what the sentiment is; it has not been developed yet; but I should not be surprised if it were pretty generally understood in New England that a little protection of the cattle raisers in this country is of no importance to them whatever.

Mr. GALLINGER. A little while ago when the Senator was asked to correct himself, in his very delightful way he criticised New England on the ground that they wanted to get rid of the duty on agricultural products.

Mr. DOLLIVER. I would not put my friend the Senator from New Hampshire in that category.

Mr. GALLINGER. I am very happy that the Senator does not.

Mr. DOLLIVER. He stands conspicuous for absolute fidelity to the whole protective-tariff system.

Mr. ALDRICH. The Senator can not point to any vote of mine or any speech of mine against——

Mr. DOLLIVER. I would also except my honored friend the Senator from Rhode Island, who is not even suspected of infidelity. There are men wise enough to understand that the protective-tariff system requires an adequate protection of all industries in every part of the Nation, without regard to the size of the industry, and there are those who desire, so it appears to

me, to obtain the benefits of the system, while excluding from its operation large areas and large business interests.

Mr. McCUMBER. If the Senator from Iowa will yield to me as one being on the committee representing wholly an agricultural State, I possibly may enlighten him upon one sentiment of New England. Nearly every agricultural product I asked to have raised there, and New England Senators stood with me for a raise upon those agricultural products. I do not know that they will do so when it comes to the matter of free hides, but whether they do or not——

Mr. DOLLIVER. What do you think about it?

Mr. McCUMBER. I am inclined to think some of them will stay with me upon that proposition, although others may not. But I want to acquit them of anything provincial in the matter of agricultural products.

Mr. ALDRICH. If the Senator from Iowa will pardon me for a moment, as he is speaking of the duty on hides, I suppose I am responsible for the present duty on hides. After the Dingley bill had been considered by the subcommittee of which I was chairman and of which the late Senator from Iowa, Mr. Allison, was a member, the late Senator from Iowa said to me——

Mr. BORAH. We over here can not hear, and we are very much interested in the question of hides.

Mr. ALDRICH. The subcommittee had passed over the House provision, which had put hides upon the free list. After we had got through the consideration of the bill, the late Senator from Iowa, Mr. Allison, said to me: "Really, you ought to vote with me for a duty on hides. The people of my State are very much in favor of a duty on hides, and I will consider it a great personal favor if you will put it in the bill, and report it in that way."

I could not resist the argument which he made to me as a protectionist, and it was my vote that put the duty on hides in the existing law; and the bill was so reported to the Senate, and was concurred in by the House of Representatives. So I think my record is pretty clear upon the question of a duty on hides.

Mr. DOLLIVER. By some means that duty, which seems to have operated fairly well, has disappeared.

Mr. ALDRICH. It has not disappeared—not from this body and not from this bill.

Mr. DOLLIVER. But it does not come into this body indorsed by the wisdom and judgment of the committee.

Mr. ALDRICH. I have stated in the hearing, I am sure, of the Senator from Iowa—because he must have been here, I take it—that the committee will report amendments to each one of the three items; and while I am not gifted with the power of prophecy, I believe that the committee will report the present law on hides.

Mr. DOLLIVER. I beg the pardon of the Senate for having trespassed, when I did not intend to do so, upon the discussion which I intend to take up at a later time in reference to the textile schedules. I shall take it up in the broadest spirit of charity and good will toward everybody, because I certainly shall take it up with a firm confidence in our Republican doctrine, and if I go astray it will be not for the want of fidelity to our faith, but for a want of the wisdom that is necessary to apply our doctrine to practical affairs.

Mr. WARREN. Mr. President, I feel sure from what the Senator from Iowa has said that he expects to protect all interests, and certainly those of the people engaged in agriculture.

Mr. DOLLIVER. Wool raising is the sixth agricultural industry of our people, and I certainly would never be found wanting in an honest interest in its welfare. I feel the same way toward the factory, although I am sorry to say the manufacturer of woolen goods, if I have correctly interpreted his present complaint, feels that he is being ground to pieces in the intricacies of the present Dingley tariff schedules.

Mr. WARREN. I wish to say that I hope and believe the Senator wishes to protect both the grower and the manufacturer. Certainly I do. While neither the woolgrowers nor the manufacturers have been entirely satisfied with the Dingley Act and will not be with any bill at any time, naturally, because there are diverse interests in subdivisions, more particularly of the manufacturers, I think it is the duty of those engaged in growing wool to see that the duties for the manufacturer are sufficient, so that first these duties can continue for the grower and that the manufacturer can be as successful in the management of his business as other manufacturers.

I take it for granted the Senator is not going to be swayed by the individual opinions or grievances of some one class of manufacturers, but is going to consider what is said by all the manufacturers—take the carpet men, the worsted men, the woolen men, the "carpet-wool" men, so called—before he finally determines what amendment or amendments he wishes to offer.

Mr. DOLLIVER. I will do the best I can.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

The Secretary resumed the reading of the bill, beginning on page 26, line 19, paragraph 98.

Mr. NELSON. Let the paragraph be passed over.

The VICE-PRESIDENT. Paragraph 98 will be passed over.

Mr. ALDRICH. I suggest that the paragraph be read. It will have to be read at some time. Let it be read now.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read paragraphs 98 and 99.

Mr. SMITH of Michigan. Let paragraph 99 go over.

The VICE-PRESIDENT. It will be passed over at the request of the Senator from Michigan.

The Secretary proceeded to read paragraph 100.

Mr. OVERMAN. Let the paragraph go over.

Mr. KEAN. Let it be read.

Mr. SCOTT. Yes; let it be read.

The VICE-PRESIDENT. It will be read, and then the request be complied with.

The Secretary read paragraph 100.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. SMITH of Michigan. Does that go over?

The VICE-PRESIDENT. It is passed over at the request of the Senator from North Carolina.

The Secretary read paragraph 101.

Mr. KEAN. The junior Senator from Minnesota [Mr. CLAPP], who has just left the Chamber, asked me to have this paragraph go over.

The VICE-PRESIDENT. The paragraph will be passed over at the request of the Senator from New Jersey, on behalf of the junior Senator from Minnesota.

The Secretary read paragraphs 102, 103, 104, and 105.

The next amendment of the Committee on Finance was, on page 29, line 12, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

106. Opera and field glasses, telescopes, microscopes, photographic and projection lenses and optical instruments, and frames or mountings for the same; all the foregoing not specially provided for in this section, 45 per cent ad valorem.

The amendment was agreed to.

Mr. GORE. Has the paragraph relating to microscopes been reached? I intended to offer an amendment to the paragraph.

The VICE-PRESIDENT. Does the Senator ask that it be passed over?

Mr. GORE. Yes.

The VICE-PRESIDENT. The Senator from Oklahoma asks that it be passed over.

Mr. ALDRICH. What paragraph is it?

The VICE-PRESIDENT. Paragraph 106.

Mr. KEAN. In regard to microscopes.

The VICE-PRESIDENT. Paragraph 106 will be passed over, at the request of the Senator from Oklahoma.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 29, line 17, after the word "manufactures," to insert "of glass or paste or;" in the same line, after the word "glass," to insert "or paste;" and in line 19, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

107. Stained or painted glass windows, or parts thereof, and all mirrors, not exceeding in size 144 square inches, with or without frames or cases, and all glass or manufactures of glass or paste or of which glass or paste is the component material of chief value, not specially provided for in this section, 45 per cent ad valorem.

Mr. STONE. I desire to offer an amendment to the paragraph.

The VICE-PRESIDENT. Does the Senator from Missouri ask that the paragraph go over?

Mr. STONE. Yes.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Missouri.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 29, line 21, after the words "ad valorem," to insert "opal or cylinder glass tiles or tiling, 60 per cent ad valorem," so as to make the paragraph read:

108. Fusible enamel, 25 per cent ad valorem; opal or cylinder glass tiles or tiling, 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 29, after line 23, to strike out the subhead "Marble and stone, and manufactures of."

The amendment was agreed to.

Mr. PILES. I ask that paragraphs 109 and 110 be passed over.

The VICE-PRESIDENT. They will be passed over after they shall have been read.

The next amendment of the Committee on Finance was, on page 29, line 25, paragraph 109, after the word "marble," to strike out "or limestone susceptible of polish and ordinarily used for interior work" and insert "breccia, and onyx;" on page 30, line 1, after the word "foot," to strike out "onyx in block, rough or squared, $1 per cubic foot;" in line 3, after the word "marble," to insert "breccia, and;" in the same line, after the word "onyx," to strike out "or such limestone;" in line 5, after the word "marble," to insert "breccia, or;" in the same line, after the word "onyx," to strike out "or such limestone;" in line 7, after the word "thickness," to strike out "ten" and insert "eight;" in line 9, after the word "thickness," to strike out "twelve and one-half" and insert "ten;" in line 11, after the word "thickness," to strike out "fifteen" and insert "twelve and one-half;" in line 14, after the word "marble," to insert "breccia, or;" in the same line, after the word "onyx," to strike out "or stone;" in line 15, after the word "loose," to strike out "one-half" and insert "one-fourth," and in line 17, before the word "cents," to strike out "ten" and insert "five," so as to make the paragraph read:

109. Marble, breccia, and onyx, in block, rough or squared only, 65 cents per cubic foot; marble, breccia, and onyx, sawed or dressed, over 2 inches in thickness, $1 per cubic foot; slabs or paving tiles of marble, breccia, or onyx, containing not less than 4 superficial inches, if not more than 1 inch in thickness, 8 cents per superficial foot; if more than 1 inch and not more than 1½ inches in thickness, 10 cents per superficial foot; if more than 1½ inches and not more than 2 inches in thickness, 12½ cents per superficial foot; if rubbed in whole or in part, 2 cents per superficial foot in addition; mosaic cubes of marble, breccia, or onyx, not exceeding 2 cubic inches in size, if loose, one-fourth of 1 cent per pound and 20 per cent ad valorem; if attached to paper or other material, 5 cents per superficial foot and 35 per cent ad valorem.

The next amendment was, on page 30, after line 18, to strike out:

110. Manufactures of alabaster, jet, limestone susceptible of polish, malachite, marble, or onyx, including clock cases, with or without movements, not specially provided for in sections 1 or 2 of this act, 50 per cent ad valorem.

And insert:

110. Marble, breccia, onyx, alabaster, and jet, wholly or partly manufactured into monuments, benches, vases, and other articles, or of which these substances or either of them is the component material of chief value, and all articles composed wholly or in chief value of agate, rock crystal, or other semiprecious stones, except such as are cut into shapes and forms fitting them expressly for use in the construction of jewelry, not specially provided for in this section, 50 per cent ad valorem.

The VICE-PRESIDENT. Paragraphs 109 and 110 will go over at the request of the Senator from Washington.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Finance was, on page 31, after line 8, to strike out:

112. Freestone, granite, sandstone, and other building or monumental stone, except marble, onyx, and limestone susceptible of polish and ordinarily used for interior work, unmanufactured or undressed, not specially provided for in sections 1 or 2 of this act, 6 cents per cubic foot; if hewn, dressed, or polished, 50 per cent ad valorem.

And insert:

112. Freestone, granite, sandstone, Hauteville, Istrian, and similar limestones, and all other monumental or building stone, except marble, breccia, and onyx, not specially provided for in this section, hewn, dressed, or polished, or otherwise manufactured, 50 per cent ad valorem; unmanufactured, or not dressed, hewn, or polished, 12 cents per cubic foot.

The amendment was agreed to.

The next amendment was, on page 31, after line 21, to strike out:

113. Monuments, basins, benches, statues, fountains, vases, and all other articles of stone, not specially provided for in sections 1 or 2 of this act, 50 per cent ad valorem.

Mr. CLAY. I should like to ask what is inserted in lieu of paragraph 113?

Mr. HALE. The previous paragraph.

Mr. ALDRICH. They all go into the previous paragraph.

Mr. CLAY. The previous paragraph?

Mr. ALDRICH. Yes.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 32, after line 2, to strike out the subhead "Slate."

The amendment was agreed to.

The next amendment was, on page 32, line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

115. Slates, slate chimney pieces, mantels, slabs for tables, roofing slates, and all other manufactures of slates, not specially provided for in this section, 20 per cent ad valorem.

The amendment was agreed to.

Mr. ALDRICH. I suggest that the clerks have authority to amend the bill wherever this particular amendment or similar amendments occur. It will save considerable time.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that wherever a provision like that in lines 6 and 7, or similar amendments are encountered, they be considered agreed to. Is there objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. I wish to request the Senator from Rhode Island to have a reprint of this document laid upon the table of Senators to-morrow morning, and to include in it—it will take but little trouble to make the addition—two additional columns taken from the census—the value of the manufactured articles produced in this country and the wages paid.

Mr. ALDRICH. That is impossible.

Mr. LA FOLLETTE. Those columns can be added——

Mr. ALDRICH. I think it would take six months at least to get the data.

Mr. LA FOLLETTE. It is in the document upon the Senator's table.

Mr. ALDRICH. Oh, no.

Mr. LA FOLLETTE. Oh, yes. It simply necessitates making the additions to this table as already prepared.

Mr. ALDRICH. There is not in existence the comparative wages, so far as I know anything about it.

Mr. NELSON. Is it not in the last return of the Census Office on manufactures?

Mr. ALDRICH. Oh, no.

Mr. NELSON. I think the Senator will find it there.

Mr. LA FOLLETTE. The value of the manufactured product is given in the little pamphlet which the Senator holds in his hand, and I am informed that from the tabulations made in the Census Office the wages paid in each of those industries can be furnished at once and added to this schedule, and it would be a very material and helpful addition for the information of the Senate. I hope the Senator from Rhode Island will consent that that be done.

Mr. ALDRICH. I will consent to its being done as soon as it can be. We stated on yesterday that we would have this information as soon as we could get it together. But it will be a pretty difficult task. It will be prepared as soon as possible, but I do not know how soon.

Mr. LA FOLLETTE. As the Senator was addressing the other portion of the Senate, on the other side of the Chamber, I was not able to hear whether he consented that this might be done.

Mr. ALDRICH. I do consent as soon as the information can be got together. If it is already in existence——

Mr. LA FOLLETTE. Of course if it can not be furnished, that is the end of it; but if it can be done, I ask that it be done as an addition to the table.

Mr. NEWLANDS. I wish to ask the Senator from Wisconsin whether he desires the value of the domestic production of each article or the quantity? Yesterday it was understood the chairman of the committee, at my suggestion, stated that a column would be added, giving the quantity of each.

Mr. LA FOLLETTE. I think it would be well to have both quantity and value as given in this little pamphlet from the census. It would make three additional columns to the page, each corresponding in number to the paragraph in the bill.

Mr. NEWLANDS. I should like the attention of the Senator from Minnesota [Mr. NELSON] for a moment. In stating the percentage of duty on the wool tariff, I understood him to say that the average percentage was about 87. In looking over Schedule K of wool manufactures and wool, on page 53, I find that the average is stated to be 58.19 per cent. I do not know whether the percentage stated by the Senator from Minnesota was confined simply to manufactures of wool or whether it included also raw wool. I can understand that if it did not include raw wool, the percentage might be higher than that stated in the statistics furnished to us by the chairman of the committee. Can the Senator——

Mr. NELSON. Replying to the Senator from Nevada—and I ought to have replied to him before, and I owe him an apology for not answering his question or giving him an opportunity to ask it before—I got my figures from the Statistical Abstract of 1907.

Mr. NEWLANDS. It is impossible to hear the Senator.

The VICE-PRESIDENT. The Senator from Minnesota will please speak a little bit louder.

Mr. NELSON. I got my figures from the Statistical Abstract of 1907, the annual statistical abstract, the last one published. It gives the ad valorem rate on unmanufactured wool at 40.93 for the fiscal year 1907, and for the manufactures of woolen goods it gives 89.42 per cent ad valorem. These are ad valorem rates. The Senator will find the figures on page 512 of the Statistical Abstract of 1907.

Mr. NEWLANDS. I should like to ask the Senator from Rhode Island how this average percentage is obtained. I find that on page 51 of the wool schedule there are hardly any duties below 40 per cent, and most of the duties are above 100 per cent.

Mr. ALDRICH. What page?

Mr. NEWLANDS. Page 51; and on the following page, 52, I find that all the duties are in excess of 70 per cent, and almost all in excess of 100 per cent; and on page 53 I find that none of the duties are below 60 per cent, and that most of them are above 70 per cent. I can not understand how this calculation of the average percentage of 58 is made under those conditions, for whilst I have not made the computation, it would strike me that the average would be higher than that stated at the close of the computation.

Mr. ALDRICH. I have no doubt that the computations are mathematically correct. The figures in this statement include both wool and woolens.

Mr. NEWLANDS. I understand that; but if the Senator will look over these duties, item by item, I think he will come to the conclusion that the percentage is much higher than 58 per cent.

Mr. SMOOT. If the Senator will look on page 51, he will find the revenues under the present law $9,904,985. That is on the third line. There is an average of 44.52 per cent. Then if he will turn to the next page, he will find a duty of 128 per cent on $27,399 and 71 per cent on $21,204. It is a fair average. That is the reason why the average of the whole is as reported.

Mr. NEWLANDS. I understand.

The next amendment was, in Schedule C, on page 32, after line 8, to insert:

115¼. Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites, 25 cents per ton: *Provided*, That in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.

Mr. DU PONT. I ask that paragraphs 115½ and 116 be passed over when read.

The VICE-PRESIDENT. The Secretary will read paragraph 116.

The next amendment was, on page 32, line 19, in paragraph 116, before the word "but," to strike out "iron in pigs, iron kentledge, and spiegeleisen, $2.50 per ton; wrought and cast scrap iron, and scrap steel, 50 cents per ton," and insert "Iron in pigs, iron kentledge, spiegeleisen, ferro-manganese, wrought and cast scrap iron, and scrap steel, $2.50 per ton," so as to make the paragraph read:

116. Iron in pigs, iron kentledge, spiegeleisen, ferro-manganese, wrought and cast scrap iron, and scrap steel, $2.50 per ton; but nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel in such physical form as to be fit only to be remanufactured.

The VICE-PRESIDENT. The paragraphs will be passed over, at the request of the Senator from Delaware.

Mr. SIMMONS. I wish to ask what was done with paragraph 115¼?

The VICE-PRESIDENT. Paragraphs 115¼ and 116 are passed over, at the request of the Senator from Delaware.

The next amendment was, on page 32, line 23, after the word "iron," to insert "muck bars;" and on page 33, line 2, after the word "diameter," to strike out "four-tenths" and insert "three-tenths," so as to make the paragraph read:

117. Bar iron, muck bars, square iron, rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick, round iron not less than seven-sixteenths of 1 inch in diameter, three-tenths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 33, line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 13, after the word "billets," to strike out "or sizes or shapes of any kind" and insert "slabs or loops;" and in line 15, before the word "dollars," to strike out "ten" and insert "eight," so as to make the paragraph read:

118. Round iron, in coils or rods, less than seven-sixteenths of 1 inch in diameter, and bars or shapes of rolled or hammered iron, not specially provided for in this section, six-tenths of 1 cent per pound: *Provided*, That all iron in slabs, blooms, loops, or other forms less finished than iron in bars, and more advanced than pig iron, except castings, shall be subject to duty of four-tenths of 1 cent per pound: *Provided further*, That all iron bars, blooms, billets, slabs, or loops, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of $8 per ton.

The amendment was agreed to.

The next amendment was, on page 33, line 19, after the word "steel," to strike out "whether plain or punched, or fitted for use" and insert "but not assembled, or manufactured, or advanced beyond hammering, rolling, or casting," so as to read:

119. Beams, girders, joists, angles, channels, car-truck channels, T T, columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, but not assembled, or manufactured, or advanced beyond hammering, rolling, or casting.

The amendment was agreed to.

The next amendment was, on page 33, line 22, paragraph 119, after the word "casting," to strike out "three-tenths" and insert "four-tenths," so as to read "four-tenths of 1 cent per pound."

Mr. CRAWFORD. I ask that the amendment be passed over.

The VICE-PRESIDENT. Without objection, the amendment will be passed over, at the request of the Senator from South Dakota. Does the Senator request that the paragraph or simply the amendment be passed over?

Mr. CRAWFORD. The amendment, in line 22.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 33, line 25, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to read:

120. Boiler or other plate iron or steel, except crucible plate steel and saw plates hereinafter provided for in this section, not thinner than No. 10 wire gauge, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves, valued at 1 cent per pound or less, three-tenths of 1 cent per pound.

Mr. PENROSE. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Pennsylvania.

The next amendment was, on page 34, line 16, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 17, after the words "ad valorem," to strike out "antifriction ball forgings of iron or steel, or of combined iron and steel," and insert "antifriction balls, ball bearings, and roller bearings, of iron or steel or other metal, finished or unfinished," so as to make the paragraph read:

121. Iron or steel anchors or parts thereof, 1 cent per pound; forgings of iron or steel, or of combined iron and steel, but not machined, tooled, or otherwise advanced in condition by any process or operation subsequent to the forging process, not specially provided for in this section, 30 per cent ad valorem; antifriction balls, ball bearings, and roller bearings, of iron or steel or other metal, finished or unfinished, 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 34, line 23, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to read:

122. Hoop, band, or scroll iron or steel, not otherwise provided for in this section, valued at 3 cents per pound or less, 8 inches or less in width, at less than three-eighths of 1 inch thick and not thinner than No. 10 wire gauge, three-tenths of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, four-tenths of 1 cent per pound; thinner than No. 20 wire gauge, six-tenths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 35, line 10, after the word "made," to strike out "steel bands or strips, untempered, suitable for making band saws, hack saws, or butchers' saws, 1½ cents per pound and 20 per cent ad valorem; if tempered, or tempered and polished, 3 cents per pound and 20 per cent ad valorem," so as to make the proviso read:

Provided, That barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared, splayed, or punched, with or without buckles or fastenings, shall pay one-tenth of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

Mr. OLIVER. Let that be passed over.

The VICE-PRESIDENT. The Senator from Pennsylvania asks that the amendment be passed over. It will go over.

The Secretary read paragraph 123, as follows:

123. Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity, three-tenths of 1 cent per pound.

Mr. SIMMONS. I ask that paragraph 123 be passed over.

The VICE-PRESIDENT. It will be passed over.

Mr. McLAURIN. Mr. President, it was my intention to ask that that paragraph be passed over——

The VICE-PRESIDENT. The Senator from North Carolina has already made that request.

Mr. McLAURIN. I know, but I wish to make one suggestion in reference to it.

The tariff is reduced in this paragraph from five-tenths of 1 cent per pound to three-tenths of 1 cent per pound. I intend at a later day to offer an amendment to strike out the paragraph, and put this article on the free list—that is, ties and bagging.

I notice that the tax on ties has produced $3,584.10. It is estimated that under this law it will produce $2,150.46. So it can not be for the purpose of raising revenue. It can only be for the purpose of "protection," so called. It really is not protection, but it is an extortion upon the cotton producers of this country. The cotton farmers of the country have no protection in the world. They can not have any protection of their cotton, because there is no cotton of any considerable quantity raised anywhere else. They are not protected, as was stated yesterday, by a tariff on cotton-seed oil, for you may take the tariff off of cotton-seed oil and there will be no considerable amount of cotton-seed oil that can be imported into this country. So there is no competition between the producers of cotton-seed oil in this country and any foreign producers of that product.

As I have said, this duty raises no revenue. It is a tax upon the farmers who produce cotton of something like $6,000,000 a year. The tax is taken out of the pockets of those men. I see some gentleman here shaking his head. I know a little more about it, probably, than he does. I live in a section where cotton is being produced, and I do not care what the experts say about it, I know something on this question myself individually; and every Senator here from the cotton-producing States knows that it adds about 50 cents a bale to the cost of bagging and tying cotton.

There are about 12,000,000 bales of cotton produced every year. I do not think, if it is the intention to benefit the cotton producers of the South, that you can benefit them better than by taking off the tariff on bagging and ties. It can not benefit them, as I have already said, by putting a tariff on cotton-seed oil. It does not protect them.

I shall at a later day, when I introduce the amendment, make some further observations on the subject.

Mr. HALE. What would the Senator desire, then—that this be put on the free list?

Mr. McLAURIN. On the free list.

Mr. HALE. The Senator will move that?

Mr. McLAURIN. I will. I think the Senator himself ought to agree that it is not right to tax the producers of this staple something like $6,000,000 a year. And it does not go into the Treasury of the United States, because on the ties alone we get something like $3,580 and on the bagging $118,000.

Mr. KEAN. Does the Senator desire also to have cotton bagging put on the free list?

Mr. McLAURIN. I do; bagging and ties.

Mr. KEAN. If on the free list, what does the Senator think the price would be if none were manufactured here?

Mr. McLAURIN. The price of what?

Mr. KEAN. Of cotton bagging.

Mr. McLAURIN. I think it would be far less than it is. We have now to pay about 50 cents a bale on all the cotton produced in the cotton-producing States, amounting to about $6,000,000.

Mr. KEAN. In other words, if none is manufactured in the United States, you think you could buy it cheaper?

Mr. McLAURIN. There are about 156,000,000 pounds, I think, of ties manufactured in the United States.

Mr. KEAN. I refer to cotton bagging.

Mr. McLAURIN. I can give the Senator a statement of the factories that produce cotton bagging in the United States. Georgia has 4 factories, Indiana 1, Kentucky 1, Louisiana 2, Maine 2, Massachusetts 1, Michigan 1, Missouri 1, New Hampshire 1, New York 4, North Carolina 4, Pennsylvania 1, South Carolina 1, Tennessee 3, and Virginia 3. As to the cotton-bale ties, Alabama has 1 establishment manufacturing it, Connecticut 1, Illinois 3, Maine 1, and Pennsylvania 5.

Mr. KEAN. There is some cotton bagging manufactured in New Jersey also.

Mr. McLAURIN. I hope the Senator from New Jersey does not want to impose a tax upon our people to keep up factories——

Mr. KEAN. Certainly not; I want your cotton to be grown and to be marketed in the easiest manner possible.

Mr. McLAURIN. Yes; and I want it to be grown and to be marketed for the benefit of the people who labor to produce it, because it takes about thirteen months in the year to produce cotton.

Paragraph 124 was read, as follows:

124. Railway bars, made of iron or steel, and railway bars made in part of steel, T rails and punched iron or steel flat rails, seven-fortieths of 1 cent per pound; railway fish-plates or splice-bars, made of iron or steel, two-tenths of 1 cent per pound.

Mr. SCOTT. What became of paragraph 122?

The VICE-PRESIDENT. The amendment was passed over.

Mr. SCOTT. I want to have the entire paragraph passed over.

The VICE-PRESIDENT. Very good; it will be passed over.

Mr. SIMMONS. Mr. President, yesterday when the Senate had under consideration the question of a duty upon cotton-seed oil, I came into the Senate just at the conclusion of a colloquy between the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Georgia [Mr. BACON]. The Senator from Rhode Island, it appears from the RECORD, had read the amount of imports of cotton-seed oil for the year 1908, showing that there was imported into this country during that year only about 200 gallons of oil, and that the duty amounted to only about $8, I think. I was not present at the time the Senator read these statistics, having entered the Chamber just in time to hear the response of the senior Senator from Georgia to an inquiry made by the Senator from Rhode Island as to whether he was willing that this article should go upon the free list.

The Senator from Georgia expressed the opinion that if the statistics of imports given by the Senator from Rhode Island, which I had not heard, were true, it would seem that it ought to go upon the free list. I interrupted the colloquy at this point and stated, as Senators will recall, that I should like to have that paragraph go over, that I wished possibly to make some remarks upon it, and that, so far as I was concerned, I was not willing that this article should be put upon the free list.

Afterwards I learned that the Senator from Rhode Island had quoted the statistics of imports for the year 1908. I had not myself examined those statistics—that is, for 1908—and I supposed at the time of my interruption that the Senator had given the statistics of 1907, with which I was familiar, because I recalled that when the Senator from Rhode Island presented the bill and made his statement to the Senate, he explained to the Senate that his bill was framed upon the basis of the imports of 1907, and the Book of Estimates prepared under the direction of the Finance Committee, and furnished each Senator for use in the consideration of this bill, is based on the imports of the year 1907 and not for 1908.

I do not know why the Senator from Rhode Island, under these circumstances, selected the imports of this article for the year 1908 instead of the year 1907, as the basis of his statement.

Mr. ALDRICH. I had before me, if the Senator desires an answer, a statement of all the importations, including 1908. The importations for 1908 are not in any printed form, but I had the statement, and I took the last year. I did not intend to make any unfair comparison.

Mr. SIMMONS. I do not mean to suggest that the Senator intended any unfair comparison. I am referring to this merely to show that I thought at the time I made the statement referred to above that the Senator had quoted the statistics for 1907, and I did not discover the contrary until afterwards. If I had known at that time that he had read the statistics for 1908, I should have brought to the attention of the Senate the imports of 1907, and have made a statement as to the probable cause of the falling off of those imports during the past year. I do not know, of course, positively what caused this decline in imports, but I imagine it was the result of market conditions of this country, brought on by the panic. It is probable that the supply was so great that the price was depressed, and there was no inducement to importation.

I wish now to call the attention of the Senate to the importations of this product during the year 1907. The amount coming in that year was not very great, but it did produce some revenue, and I have reason to believe that it is the beginning of a sharp competition in this product as soon as normal business conditions are restored which will result in constantly increasing importation and constantly increasing revenues.

Before I read the figures, however, I wish to say that I did not mean when I stated that I was opposed to this article going upon the free list that I was in favor of the 25 per cent ad valorem duty imposed in the pending bill. I think that duty entirely too high. Nor did I intend to say that I was in favor of the 15 per cent duty imposed by the Payne bill. I think that duty is too high. Nor did I mean that I was in favor of the duty of 4 cents per gallon imposed in the Dingley bill. I think that duty too high. I simply meant that I was in favor of a small duty as against putting this article upon the free list. I think for the present 2 or 3 cents per gallon would be sufficient. That amount would not interfere with importations, and if the anticipation of the cotton-seed oil manufacturers and my own are realized as to future competition in this product between our mills and those of Germany, it would bring in a reasonable amount of revenue.

Now let me give the importations for 1907. The amount of cotton-seed oil imported into this country in 1907 was 26,131 gallons, valued at $9,342.

The duty collected during that year was $1,049. It is estimated that the duty imposed by the present bill will yield a revenue of $2,325 during next fiscal year.

Mr. President, the Senator from Rhode Island stated yesterday that a number of manufacturers of cotton-seed oil had appeared before the Finance Committee and asked that a higher duty be imposed upon this article. That fact shows an apprehension on the part of manufacturers of cotton-seed oil in the South that those importations will increase in the next few years, and I think the facts justify that apprehension, though I do not think there is any need for an increase in the present duty.

We raise in this country about three-fourths of all of the cotton consumed in the world. The balance of it is raised in other countries. The people of other countries are using these seed for the purpose of making oil just as we are. Germany is at present manufacturing this oil and is preparing to greatly expand its operation and output by importing seed from this country.

A large manufacturer of this product stated to me this morning in the presence of a delegation of oil manufacturers that Germany is preparing right now to do with respect to cotton seed and cotton-seed oil exactly what Germany and certain other European states have for some time been doing with respect to wheat and flour. We all know that certain European countries are discriminating in their tariffs on wheat and flour, so as to keep out our flour and let in our wheat; that they admit wheat free; and that they impose a heavy duty upon flour in order that their own mills instead of ours may make the flour, not only to supply their domestic demand, but to be sold in the rest of the world in competition with our flour.

I have had many letters from the owners of flour mills in my State calling my attention to this fact, and expressing serious apprehension of injury to their business on account of the lower cost at which Germany seems to be able to manufacture this product. Now, the gentleman referred to a while ago stated to me, and I am advised from other sources that the statement is true, that the German tariff discriminates between cotton seed and cotton-seed oil just as it does between wheat and flour; and with the same object in view, it admits the seed free and imposes a duty of 30 per cent on the oil.

He also stated to me that before the end of this year Germany would have completed and ready for operation cotton-seed oil mills with a capacity of 500,000 tons of cotton seed per year. This is a mere beginning. What does it mean? It means that Germany intends—and her example will probably be followed by other European countries—to become an importer of our cotton seed just as she is an importer of our raw cotton, and a manufacturer of cotton-seed oil just as she is a manufacturer of cotton goods, and that she intends to enter into the same competition with us in our own markets and the balance of the world in cotton-seed oil as in cotton goods.

It is said that because we have three-fourths of the cotton seed of the world we need not fear competition with Germany in the production of cotton-seed oil. We produce the same proportion of the total supply of cotton seed as we do of the total supply of raw cotton. Germany, France, and England buy our raw cotton, manufacture it, and sell it in competition with us, not only in the world, but in our own markets. In fact, we impose a high duty upon cotton goods to keep them from underselling us in our own markets. What is there to differentiate the case of cotton-seed oil from cotton goods? If they can buy our raw cotton and manufacture cotton goods so much cheaper than we can that they can undersell us in our own markets, why can they not do the same with respect to cotton-seed oil?

We do not make tariff bills every day, nor every year. There may have been a time when we thought we were secure against competition with European cotton goods made out of our raw cotton, but we found we were not. The same thing may occur, and I believe it will occur, with respect to our cotton-seed oil. Why not be prepared with a moderate duty and derive such revenue as that duty may produce and extend to the home industries such incidental protection as it may afford?

Mr. President, that there is a probability of large increases in importations of cotton-seed oil from abroad, and that foreign mills are now ready for competition with us, is also shown by the demand of the manufacturers of soap who use cotton seed oil in their product that this article be put upon the free list. There is printed in the hearings before the Ways and Means Committee of the House a very significant letter from the great soap-manufacturing concern of Colgate & Co. They earnestly appeal to have the duty taken off cotton-seed oil, and the reason they give is that they use it largely in the manufacture of soap, and that the American price fluctuates and is sometimes too high. They say in effect if this duty is taken off they will be able to buy this material from abroad at a lesser price, creating the impression that in that way they will be able to cheapen the price of soap. I refer to this simply to show that we may expect importations of this product, and I see no reason why we should not derive some revenue from it.

Mr. President, I repeat, I do not ask for an increase of the rate of duty upon it. I think there is absolutely no justification for the increase of the present duty. The present ad valorem duty is about 11 cents, I believe. The Payne bill as passed by the House raised it to 15 per cent, and the bill now before the Senate raises it to 25 per cent. As I stated before, I think that even the old duty might be reduced. I am opposed to putting the article absolutely on the free list.

The truth is, Mr. President, I do not take kindly to the free list as a rule. There are two lists in our tariff bills of late years which I do not fancy—one not much and the other not at all. I do not believe in a large free list. The ablest advocate of a revenue tariff this country has ever known was the great author of the Walker tariff. He was not friendly to a large free list. He believed that the best way to distribute the burdens of tariff taxation was to extend, not to contract, the dutiable list. Besides, Mr. President, the free list at this time is generally a cover for higher duties to those who enjoy the benefits of protection. It is one of the favorite ways of indirectly increasing the protection given the favored beneficiaries of that system. Having secured a large rate of protection upon his product, the manufacturer too often seeks to add to that rate by having his raw material put upon the free list. The farmer is chiefly the man who supplies the raw material, and the effect of a large free list tends to increase his tariff burdens without giving him any of its compensating benefits. It not unfrequently happens that putting the manufacturer's raw material on the free list converts a protective duty into a prohibitory duty. In a very practical sense it may be said that the free list, when used in this way, together with a prohibitory list, becomes one of the mainstays and props of the protective system.

In the States, when we tax, we tax everything, upon the theory that all property ought to bear its equal burden in raising the revenue necessary to support the Government. If anything is exempt it is exempt by reason of special considerations which must be shown in order to take it out of the general rule, which is that all property must bear its part of taxation.

Mr. President, in my judgment, in raising revenue to support the Government by import duties, we ought to apply, as far as possible, the rule of taxation of the States so as to distribute the burdens and benefits, if any, of government. The dutiable list should be the rule, the free list the exception. Everything should go on the dutiable list and bear its part of the burdens and benefits of tariff taxation, unless some good and sufficient reason can be shown, as in the case of the States, why it should be relieved of the burdens, or why it should not participate in the benefits of the system.

The Senator from Rhode Island [Mr. ALDRICH] suggests that his committee might be disposed to allow southern Senators to have their way about this schedule, and let it go on the free list if they desired. I suspect, Mr. President, that there are a great many people inside and outside this Chamber who have no objection to allowing the products of the South to enjoy the blessings of going on the free list. It is to the advantage of certain interests to have some of our products on the free list, while theirs are protected. For instance, Colgate & Co. would like free oil to make soap, but they do not want free soap. We appreciate the tentative offer of the Senator from Rhode Island to allow us to exercise our pleasure with regard to this article. I hope the Senator from Rhode Island will be equally considerate of us when we come to fix the duties upon the other products in which we may, as a section of the country, be especially interested, such as lumber, for instance.

Mr. President, I simply desire to add that my only purpose in taking the floor was to put the facts with reference to this matter before the Senate, feeling that the facts given by the Senator from Rhode Island on yesterday might lead to a misunderstanding both as to importations of this product and of my position with respect thereto.

Mr. McLAURIN. Mr. President, I am glad the Senator from North Carolina has advised us of the fact that the Government of Germany admits free of duty cotton seed, and that probably, as I understand the Senator from North Carolina, the manufacturers of that country will take something like 500,000 tons of cotton seed.

Mr. SIMMONS. I do not know whether I understand the observation of the Senator. What I did say was that I was advised by a gentleman in the delegation that Germany was now constructing, or had partly constructed, mills for the manufacture of cotton-seed oil that would have a capacity of 500,000 tons a year.

Mr. McLAURIN. I understood the Senator to say that they would ship that amount of cotton seed from this country to Germany. That is a very gratifying statement to me, and, so far from complaining of it, I am glad of it. It opens another market for the cotton producer of the South.

Mr. SIMMONS. I wish to say to the Senator that I join with him in rejoicing over that fact; but it was not that fact to which I was specially calling attention.

Mr. McLAURIN. Then I did not understand the Senator from North Carolina, for I understood him to complain that there was another market.

Mr. SIMMONS. The Senator misunderstood me wholly if he understood me as doing that. I was endeavoring to show that there was real danger that the southern producer of cotton-seed oil would some day or other in the near future be met with competition from the oil mills of Germany. My statement in that connection was that those mills in Germany were now preparing to enter largely into the manufacture of cotton-seed oil, and that they would probably draw their cotton seed from this country and sell their oil to us in return.

Mr. McLAURIN. Mr. President, that danger carries no alarm to me. It has no terror so far as I am concerned, for it would be a benefit to the producer of cotton, and a benefit to the producer of cotton is not dangerous to my section of the country.

Mr. SIMMONS. But the Senator can see, I imagine, that that would bring the American producer of cotton-seed oil in competition with the German producer of cotton-seed oil.

Mr. McLAURIN. Mr. President, I am equally as interested in the producer of the cotton seed in the South, the farmer of the South, as I am in the producer of the cotton-seed oil from the product of the farm. The farmer who produces the cotton and produces the cotton seed appeals to me certainly as much as the man who manufactures his cotton seed into oil; and if he can get a market for 500,000 tons of his cotton seed, I am very desirous that he should do so. I apprehend no danger to the cotton-seed oil manufacturers of the South from any importations into this country, because I have an idea that the Germans could not transport from this country 500,000 tons of cotton seed, manufacture it into oil, and ship that oil back here, paying freight both ways, and compete with the cotton-seed oil manufacturers of this country.

I am glad to know that there is an opportunity to open another market for some of the cotton products of the cotton producers of this country. We have in the other branch of this Congress a Representative from a district in the State of Mississippi, Judge BYRN, who has been devoting his time ever since he has been a Member of the House of Representatives to an effort to procure markets for the cotton and the cotton products of our country. I am glad to see that his effort is fructifying, and that it is likely to produce a market that has been suggested by the Senator from North Carolina. I am glad to say that I see no danger to our people in the opening of this new market to the products of the cotton raisers of the country.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

The Secretary resumed the reading of the bill, and read paragraph 125, as follows:

125. Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel, valued at 3 cents per pound or less, thinner than No. 10 and not thinner than No. 20 wire gauge, five-tenths of 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, six-tenths of 1 cent per pound; thinner than No. 25 wire gauge and not thinner than No. 32 wire gauge, eight-tenths of 1 cent per pound; thinner than No. 32 wire gauge, nine-tenths of 1 cent per pound; corrugated or crimped, eight-tenths of 1 cent per pound; all the foregoing valued at more than 3 cents per pound, 30 per cent ad valorem: *Provided*, That all sheets or plates of common or black iron or steel not thinner than No. 10 wire gauge shall pay duty as plate iron or plate steel.

Mr. SCOTT. Let that go over, Mr. President.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from West Virginia.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 36, line 23, before the words "per cent," to strike out "forty-five" and insert "forty," so as to make the paragraph read:

126. All iron or steel sheets or plates, and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin plates, terne plates, and taggers tin, and hereinafter provided for, when galvanized or coated with zinc, spelter, or other metals, or any alloy of those metals, shall pay two-tenths of 1 cent per pound more duty than if the same was not so galvanized or coated; sheets or plates composed of iron, steel, copper, nickel, or other metal with layers of other metal or metals imposed thereon by forging, hammering, rolling, or welding, 40 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 37, line 4, before the word "cents," to strike out "three-fourths" and insert "one-half;" in line 7, after the word "than," to insert "is imposed by this section on;" and in line 8, after the word "steel," to strike out "of corresponding gauge or value," so as to make the paragraph read:

127. Sheets of iron or steel, polished, planished, or glanced, by whatever name designated, 1½ cents per pound: *Provided*, That plates or sheets of iron or steel, by whatever name designated, other than the polished, planished, or glanced herein provided for, which have been pickled or cleaned by acid, or by any other material or process, or which are cold-rolled, smoothed only, not polished, shall pay two-tenths of 1 cent per pound more duty than is imposed by this section on common or black sheets of iron or steel.

The amendment was agreed to.

The next amendment was, on page 37, line 17, after the word "shafting," to strike out "material;" in line 24, after the word "steel," to strike out "in all forms and shapes;" in line 25, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" on page 38, line 1, after the word "at," to strike out "eight-tenths" and insert "three-fourths;" in line 3, after the word "above," to strike out "eight-tenths" and insert "three-fourths;" in line 17, before the word "cents," to strike out "two" and insert "one and nine-tenths;" and in line 21, after the word "above," to strike out "30 cents per pound, 4.6 cents per pound; valued above 30 cents per pound, 15 per cent ad valorem" and insert "24 cents per pound, 4.6 cents per pound; valued above 24 cents and not above 32 cents per pound, 6 cents per pound; valued above 32 cents and not above 40 cents per pound, 7 cents per pound; valued above 40 cents per pound, 20 per cent ad valorem," so as to make the paragraph read:

129. Steel ingots, cogged ingots, blooms, and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or beveled bars; mill shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; steel saw plates wholly or partially manufactured; hammer molds or swaged steel; gun-barrel molds not in bars; alloys used as substitutes for steel in the manufacture of tools; all descriptions and shapes of dry sand, loam, or iron-molded steel castings; sheets and plates and steel not specially provided for in this section, all of the above valued at three-fourths of 1 cent per pound or less, seven-fortieths of 1 cent per pound; valued above three-fourths of 1 cent and not above 1.3 cents per pound, three-tenths of 1 cent per pound; valued above 1.3 cents and not above 1.8 cents per pound, five-tenths of 1 cent per pound; valued above 1.8 cents and not above 2.2 cents per pound, six-tenths of 1 cent per pound; valued above 2.2 cents and not above 3 cents per pound, eight-tenths of 1 cent per pound; valued above 3 cents per pound and not above 4 cents per pound, 1.1 cents per pound; valued above 4 cents and not above 7 cents per pound, 1.2 cents per pound; valued above 7 cents and not above 10 cents per pound, 1.9 cents per pound; valued above 10 cents and not above 13 cents per pound, 2.3 cents per pound; valued above 13 cents and not above 16 cents per pound, 2.7 cents per pound; valued above 16 cents and not above 24 cents per pound, 4.6 cents per pound; valued above 24 cents and not above 32 cents per pound, 6 cents per pound; valued above 32 cents and not above 40 cents per pound, 7 cents per pound; valued above 40 cents per pound, 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 39, line 5, after the word "shavings," to strike out "40 per cent ad valorem" and insert "11 cents per pound, including the weight of wrappers and coverings," so as to make the paragraph read:

130. Steel wool or steel shavings, 11 cents per pound, including the weight of wrappers and coverings.

The amendment was agreed to.

The next amendment was, on page 39, after line 7, to strike out:

131. Diamond steel, steel grit, diamond grit, iron form, iron sand, chilled-iron sand, and similar articles by whatever name known, 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 39, after line 10, to strike out:

132. The terms iron plates, steel plates, plate iron, and plate steel, as used in this act, shall be restricted to such articles having plane surfaces which may, however, be checkered, corrugated, or ribbed, for use as parts of constructions, but not as tools or implements in manufacturing.

The amendment was agreed to.

The next amendment was, on page 39, after line 15, to strike out the subhead "Wire."

The amendment was agreed to.

The next amendment was, on page 39, line 20, after the word "pound," to strike out "four-tenths" and insert "three-tenths;" and in line 21, after the word "pound," to strike out "three-fourths" and insert "six-tenths," so as to read:

133. Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, flat, or square, or in any other shape, and nail rods, in coils or otherwise, valued at 4 cents or less per pound, three-

tenths of 1 cent per pound; valued over 4 cents per pound, six-tenths of 1 cent per pound: *Provided*, That all round iron or steel rods smaller than No. 6 wire gauge shall be classed and dutiable as wire: *Provided further*, That all iron or steel wire rods which have been tempered or treated in any manner or partly manufactured shall pay an additional duty of one-half of 1 cent per pound.

Mr. McCUMBER. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from North Dakota.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 40, line 7, before the word "cents," to strike out "one-half" and insert "three-fourths;" in line 9, after the word "at," to strike out "the rate of" and insert "not less than;" in line 10, after the words "ad valorem," to strike out "all iron or steel wire" and insert "all wire composed of iron, steel, or other metal except gold or silver;" in line 14, after the word "strips," to strike out "twenty-five one-thousandths of 1 inch thick or thinner" and insert "not exceeding 10 inches in width;" in line 18, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 19, before the words "per cent," to strike out "forty-five" and insert "forty;" on page 41, line 4, after the word "that," to insert "wire cable;" in line 6, after the word "thereto," to insert "three-fourths of;" in line 8, after the word "article," to insert "made from or;" and in line 9, after the words "ad valorem," to insert "telegraph, telephone, and other wires and cables composed of metal and rubber, or of metal, rubber, and other materials, 45 per cent ad valorem," so as to make the paragraph read:

134. Round iron or steel wire, not smaller than No. 13 wire gauge, 1 cent per pound; smaller than No. 13 and not smaller than No. 16 wire gauge, 1¼ cents per pound; smaller than No. 16 wire gauge, 1½ cents per pound: *Provided*, That all the foregoing valued at more than 4 cents per pound shall pay duty at not less than 40 per cent ad valorem; all wire composed of iron, steel, or other metal except gold or silver, covered with cotton, silk, or other material, corset clasps, corset steels, dress steels, and all flat wires, and steel strips, strip steel, or steel in strips, not exceeding 10 inches in width, whether in long or short lengths, in coils or otherwise, and whether drawn through dies or rolls, and all other wire not specially provided for in this section, shall pay a duty of not less than 40 per cent ad valorem; on iron or steel wire coated by dipping, galvanizing, or similar process with zinc, tin, or other metal, there shall be paid two-tenths of 1 cent per pound in addition to the rate imposed on the wire of which it is made: *Provided further*, That articles manufactured wholly or in chief value of any wire or wires provided for in this paragraph shall pay the maximum rate of duty imposed in this section upon any wire used in the manufacture of such articles and in addition thereto 1¼ cents per pound, except that wire cable, wire rope, or wire strand shall pay the maximum rate of duty imposed in this section upon any wire used in the manufacture thereof and in addition thereto three-fourths of 1 cent per pound: *And provided further*, That no article made from or composed of wire shall pay a less rate of duty than 40 per cent ad valorem; telegraph, telephone, and other wires and cables composed of metal and rubber, or of metal, rubber, and other materials, 45 per cent ad valorem.

Mr. McCUMBER. I ask that that paragraph be also passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from North Dakota.

Mr. ALDRICH. Mr. President, paragraphs 135, 136, 137, and 138, which follow and which appear as stricken out, are merely transposed in the correction of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 41, after line 12, to strike out:

GENERAL PROVISIONS.

135. No allowance or reduction of duties for partial loss or damage in consequence of rust or of discoloration shall be made upon any description of iron or steel, or upon any article wholly or partly manufactured of iron or steel, or upon any manufacture of iron or steel.

136. All metal produced from iron or its ores, which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron or its ores, by the crucible, Bessemer, Clapp-Griffith, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by a combination of two or more of the processes, or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable iron castings, shall be classed and denominated as steel.

137. No article not specially provided for in this act, which is wholly or partly manufactured from tin plate, terne plate, or the sheet, plate, hoop, band, or scroll iron or steel herein provided for, or of which such tin plate, terne plate, sheet, plate, hoop, band, or scroll iron or steel shall be the material of chief value, shall pay a lower rate of duty than that imposed on the tin plate, terne plate, or sheet, plate, hoop, band, or scroll iron or steel from which it is made, or of which it shall be the component thereof of chief value.

138. On all iron or steel bars or rods of whatever shape or section which are cold rolled, cold drawn, cold hammered, or polished in any way in addition to the ordinary process of hot rolling or hammering, there shall be paid one-eighth of 1 cent per pound in addition to the rates provided in sections 1 or 2 of this act on bars or rods of whatever section or shape which are hot rolled; and on all strips, plates, or sheets of iron or steel, of whatever shape, other than the polished, planished, or glanced sheet iron or sheet steel hereinbefore provided for, which are cold hammered, blued, brightened, tempered, or polished in any way in addition to the ordinary process of hot rolling or hammering, there shall be paid one-eighth of 1 cent per pound in addition to the rates provided in this section on bars or rods of whatever section or shape which are hot rolled; and on all strips, plates, or sheets of iron or steel of whatever shape, other than the polished, planished, or glanced sheet iron or sheet steel hereinbefore provided for, which are cold hammered, blued, brightened, tempered, or polished by any process to such perfected surface finish or polish better than the grade of cold rolled, smoothed only, hereinbefore provided for, there shall be paid four-tenths of 1 cent per pound in addition to the rates provided in this section upon plates, strips, or sheets of iron or steel of common or black finish; and on steel circular-saw plates there shall be paid one-fourth of 1 cent per pound in addition to the rates provided in this section for steel saw plates.

The amendment was agreed to.

The next amendment was, on page 44, after line 11, to insert:

137. No allowance or reduction of duties for partial loss or damage in consequence of rust or of discoloration shall be made upon any description of iron or steel, or upon any article wholly or partly manufactured of iron or steel, or upon any manufacture of iron or steel.

The amendment was agreed to.

The next amendment was, on page 44, after line 16, to insert:

138. All metal produced from iron or its ores, which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron or its ores, by the crucible, Bessemer, Clapp-Griffith, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by a combination of two or more of the processes, or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable-iron castings, shall be classed and denominated as steel.

The amendment was agreed to.

The next amendment was, on page 45, after line 4, to strike out the subhead "Manufactures of iron and steel."

The amendment was agreed to.

The next amendment was, on page 45, line 8, before the word "cents," to strike out "seven-eighths" and insert "five-eighths," so as to make the paragraph read:

139. Anvils of iron or steel, or of iron and steel combined, by whatever process made, or in whatever stage of manufacture, 1¾ cents per pound.

The amendment was agreed to.

The next amendment was, on page 45, after line 8, to strike out:

140. Automobiles and parts thereof, bicycles and parts thereof, and motor cycles and parts thereof, 45 per cent ad valorem.

And insert:

140. Automobiles, bicycles, and motor cycles, and parts of any of the foregoing, including tires, axles, and ball bearings, 45 per cent ad valorem.

Mr. BULKELEY. I ask that the paragraph may go over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Connecticut.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 45, line 17, after the word "manufacture," to insert "not otherwise provided for in this section;" and in line 19, before the word "cent," to strike out "one" and insert "three-fourths of a," so as to make the paragraph read:

141. Axles, or parts thereof, axle bars, axle blanks, or forgings for axles, whether of iron or steel, without reference to the stage or state of manufacture, not otherwise provided for in this section, valued at not more than 6 cents per pound, three-fourths of a cent per pound.

The amendment was agreed to.

The next amendment was, on page 45, line 25, before the word "cents," to strike out "one-half" and insert "three-eighths," so as to make the paragraph read:

142. Blacksmith's hammers and sledges, track tools, wedges, and crowbars, whether of iron or steel, 1¾ cents per pound.

The amendment was agreed to.

The next amendment was, on page 46, line 3, before the word "cents," to strike out "one-fourth" and insert "one-eighth," so as to make the paragraph read:

143. Bolts, with or without threads or nuts, or bolt blanks, and finished hinges or hinge blanks, whether of iron or steel, 1¼ cents per pound.

The amendment was agreed to.

The next amendment was, on page 46, after line 3, to strike out:

144. Card clothing not actually and permanently fitted to and attached to carding machines or to parts thereof at the time of importation, manufactured from tempered steel wire, 45 cents per square foot; all other, 20 cents per square foot.

And insert:

144. Card clothing not actually and permanently fitted to and attached to carding machines or to parts thereof at the time of importation, when manufactured with round iron or steel wire, 45 cents per square foot; when manufactured with plated wire or other than round iron or steel wire or with felt face, wool face, or rubber face cloth containing wool, 45 cents per square foot.

The amendment was agreed to.

The next amendment was, on page 46, line 20, after the word "iron," to strike out "eight-tenths of 1 cent per pound" and insert "valued at not more than 2 cents per pound, one-half of 1 cent per pound; valued at more than 2 cents per pound, 35 per cent ad valorem," so as to make the paragraph read:

146. Cast-iron anditons, plates, stove plates, sadirons, tailor's irons, hatter's irons, and castings and vessels wholly of cast iron, valued at not more than 2 cents per pound, one-half of 1 cent per pound; valued at more than 2 cents per pound, 35 per cent ad valorem. All castings of iron or cast-iron plates which have been chiseled, drilled, machined, or otherwise advanced in condition by processes or operations subsequent to the casting process but not made up into articles, shall pay two-tenths of 1 cent per pound more than the rate imposed upon the castings of iron and cast-iron plates hereinbefore provided for.

The amendment was agreed to.

The next amendment was, on page 47, line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 7, before the word "of," to strike out "nine-tenths" and insert "seven-tenths," so as to make the paragraph read:

147. Castings of malleable iron not specially provided for in this section, seven-tenths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 47, line 21, after the word "steel," to strike out "boiler;" in line 25, before the word "cents," to strike out "one-half" and insert "three-fourths;" on page 48, line 3, after the word "gas," to strike out "or;" in the same line, after the word "liquids," to insert "or other material, whether full or empty;" in line 5, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 12, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

150. Lap-welded, butt-welded, seamed, or jointed iron or steel tubes, pipes, flues, or stays, not thinner than No. 16 wire gauge, if not less than three-eighths of an inch in diameter, 1 cent per pound; if less than three-eighths of an inch and not less than one-fourth of an inch in diameter, 1¼ cents per pound; if less than one-fourth of an inch in diameter, 2 cents per pound; cylindrical or tubular tanks or vessels, for holding gas liquids, or other material, whether full or empty, 30 per cent ad valorem; flexible metal tubing or hose, not specially provided for in this section, whether covered with wire or other material, or otherwise, including any appliances or attachments affixed thereto, 30 per cent ad valorem; welded cylindrical furnaces, tubes, or flues made from plate metal, and corrugated, ribbed, or otherwise reenforced against collapsing pressure, 2 cents per pound; all other iron or steel tubes, finished, not specially provided for in this section, 30 per cent ad valorem.

Mr. PENROSE. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. ALDRICH. I ask the Senator from Pennsylvania, as long as we have an understanding to go back at any time to consider the different paragraphs, if he will not allow it to go through now?

Mr. PENROSE. I think there is an error in the committee amendment, to which my attention was called, and I want it corrected.

Mr. ALDRICH. It can be rectified hereafter. I do not care, but I make that suggestion——

Mr. PENROSE. Is it the thought of the Senator that none of these paragraphs should be passed over?

Mr. ALDRICH. There is no particular reason for passing them over, because we have agreed that everybody shall have the right to go back and take them up if he wants to.

Mr. PENROSE. I was merely following the precedent. I withdraw the request, if the Senator from Rhode Island suggests it.

The VICE-PRESIDENT. The request is withdrawn.

Mr. CRAWFORD. I renew the request.

The VICE-PRESIDENT. The Senator from South Dakota asks that the paragraph be passed over.

Mr. LA FOLLETTE. I ask unanimous consent that paragraph 129 may be passed over.

The VICE-PRESIDENT. The Senator from Wisconsin asks that paragraph 129 may be passed over. Is there objection? The Chair hears none, and it is passed over.

Paragraph 150 is passed over at the request of the Senator from South Dakota. The Senator from Pennsylvania withdrew the request and the Senator from South Dakota renewed it.

Mr. SIMMONS. I wish that paragraph 149 may be passed over, also.

The VICE-PRESIDENT. The Senator from North Carolina asks that paragraph 149 be passed over.

Mr. ALDRICH. I suggest to the Senator from North Carolina that the understanding is we can go back and take up any of these paragraphs, and that no particular good is gained by having it passed over. He has the same right——

Mr. SIMMONS. It is perfectly satisfactory to me. I was simply following the custom.

Mr. ALDRICH. We have made an agreement.

Mr. SIMMONS. If it is not necessary to reserve my rights——

Mr. ALDRICH. Not at all.

Mr. SIMMONS (continuing). Of course, I will not insist upon it.

The VICE-PRESIDENT. Does the Senator from North Carolina withdraw his request?

Mr. SIMMONS. On that statement, Mr. President.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 48, after line 13, to strike out the subhead "Cutlery."

The amendment was agreed to.

The next amendment was, on page 48, line 17, before the word "and," to strike out "knives or razors for cutting corns;" in line 19, after the word "this," to strike out "act" and insert "section;" in line 20, before the word "valued," to strike out "which have folding or other than fixed blades or attachments;" in line 23, after the words "ad valorem," to strike out "all such cutlery, or parts thereof, wholly or partly manufactured;" and, on page 49, line 8, after the word "*Provided*," to strike out "That any of the foregoing knives or erasers, if imported in the condition of assembled, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers of the same material and quality: *And provided further*, That blades, handles, or other parts of either or any of the foregoing articles imported in any other manner than assembled in finished knives or erasers, shall be subject to no less rate of duty than herein provided for the knives and erasers mentioned herein valued at more than 50 cents and not more than $1.25 per dozen. Razors and razor blades, finished or unfinished, valued at less than $1.50 per dozen, 50 cents per dozen and 30 per cent ad valorem; valued at $1.50 per dozen and less than $3 per dozen, $1 per dozen and 30 per cent ad valorem; valued at $3 per dozen or more, $1.75 per dozen and 30 per cent ad valorem," and insert:

That any of the foregoing knives or erasers, if imported in the condition of assemble, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers valued at more than $3 per dozen: *Provided*, That blades, handles, or other parts of any of the foregoing knives or erasers shall be dutiable at not less than the rate herein imposed upon knives and erasers valued at more than 50 cents per dozen and not exceeding $1.25 per dozen; razors, finished, valued at less than $1 per dozen, 45 per cent ad valorem; valued at $1 and less than $1.50 per dozen, 6 cents each and 40 per cent ad valorem; valued at $1.50 and less than $2 per dozen, 10 cents each and 40 per cent ad valorem; valued at $2 or more per dozen, 12 cents each and 50 per cent ad valorem: *Provided*, That blades, handles, and unfinished razors shall pay no less duty than that imposed on finished razors valued at $2 per dozen: *Provided further*, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade.

So as to make the paragraph read:

151. Penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, manicure knives, and all knives by whatever name known, including such as are denominatively mentioned in this section, valued at not more than 40 cents per dozen, 40 per cent ad valorem; valued at more than 40 cents per dozen and not exceeding 50 cents per dozen, 1 cent per piece and 40 per cent ad valorem; valued at more than 50 cents per dozen and not exceeding $1.25 per dozen, 5 cents per piece and 40 per cent ad valorem; valued at more than $1.25 per dozen and not exceeding $3 per dozen, 10 cents per piece and 40 per cent ad valorem; valued at more than $3 per dozen, 25 cents per piece and 40 per cent ad valorem: *Provided*, That any of the foregoing knives or erasers, if imported in the condition of assemble, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers valued at more than $3 per dozen: *Provided*, That blades, handles, or other parts of any of the foregoing knives or erasers shall be dutiable at not less than the rate herein imposed upon knives and erasers valued at more than 50 cents

per dozen and not exceeding $1.25 per dozen; razors, finished, valued at less than $1 per dozen, 45 per cent ad valorem; valued at $1 and less than $1.50 per dozen, 6 cents each and 40 per cent ad valorem; valued at $1.50 and less than $2 per dozen, 10 cents each and 40 per cent ad valorem; valued at $2 or more per dozen, 12 cents each and 50 per cent ad valorem: *Provided*, That blades, handles, and unfinished razors shall pay no less duty than that imposed on finished razors valued at $2 per dozen: *Provided further*, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade. Scissors and shears, and blades for the same, finished or unfinished, valued at not more than 50 cents per dozen, 15 cents per dozen and 15 per cent ad valorem; valued at more than 50 cents and not more than $1.75 per dozen, 50 cents per dozen and 15 per cent ad valorem; valued at more than $1.75 per dozen, 75 cents per dozen and 25 per cent ad valorem.

Mr. STONE. I observe that a part of the paragraph as it came from the House has been stricken out.

Mr. LODGE. The general provisions—135, 136, and 137.

Mr. STONE. Paragraph 151 I am speaking of.

Mr. LODGE. Oh!

Mr. STONE. It is stricken out here.

Mr. ALDRICH. There is a new description inserted in line 2, page 50.

Mr. STONE. I do not find it in the new matter.

Mr. ALDRICH. On the next page there is a new description.

Mr. STONE. I see that. Can the Senator point me to the line of the new matter which covers the article to which I allude?

Mr. KEAN. Line 18.

Mr. ALDRICH. Line 18.

Mr. KEAN. "*Provided*, That blades, handles," and so forth.

Mr. LODGE. In the amendment on page 50, line 18.

Mr. KEAN. Beginning with the words "blades, handles, and unfinished razors."

Mr. STONE. I will examine it. It does not seem, however, to be quite what I had in mind.

Mr. LA FOLLETTE. I ask that paragraph 151 be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 51, after line 7, to strike out:

152. Sword blades, and swords and side arms irrespective of quality or use, in part of metal, 50 per cent ad valorem.

And insert:

152. Swords, sword blades, and bayonets, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 52, line 1, after the word "*Provided*," to strike out "That no cutlery other than that provided for in sections 1 or 2 of this act at ad valorem rates of duty shall pay a less rate of duty than 40 per cent ad valorem," and insert "That none of the above-named articles shall pay a less rate of duty than 45 per cent ad valorem," so as to make the paragraph read:

153. Table, butchers', carving, cooks', hunting, kitchen, bread, butter, vegetable, fruit, cheese, carpenters' bench, curriers', drawing, farriers', fleshing, hay, tanners', plumbers', painters', palette, artists', and shoe knives, forks and steels, finished or unfinished; if imported with handles of mother-of-pearl, shell, ivory, silver, nickeled silver, or other metal than iron or steel, 14 cents each; with handles of deerhorn, 10 cents each; with handles of hard rubber, solid bone, celluloid, or any pyroxyline material, 4 cents each; with handles of any other material than those above mentioned, 1 cent each, and in addition, on all the above articles, 15 per cent ad valorem; any of the knives, forks or steels enumerated in this paragraph, if imported without handles, 40 per cent ad valorem: *Provided*, That none of the above-named articles shall pay a less rate of duty than 45 per cent ad valorem.

Mr. LA FOLLETTE. I ask that the paragraph may go over.

The VICE-PRESIDENT. The Senator from Wisconsin asks that it be passed over.

Mr. BULKELEY. I ask that it may go over.

The VICE-PRESIDENT. Paragraph 153 is passed over.

The Secretary read paragraph 154.

Mr. KEAN. Let it be passed over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from New Jersey.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 52, after line 8, to strike out the subhead "Firearms."

The amendment was agreed to.

The next amendment was, on page 53, line 7, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the proviso read:

Provided, That all double-barreled sporting breech-loading shotguns and rifles imported without a lock or locks or other fittings shall be subject to a duty of $6 each and 35 per cent ad valorem; single-barreled breech-loading shotguns, or parts thereof, except as otherwise specially provided for in this section, $1 each and 35 per cent ad valorem; pistols, automatic, magazine, or revolving, or parts thereof, 75 cents each and 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 53, after line 11, to strike out:

157. Sheets, plates, wares, or articles of iron, steel, or other metal, enameled or glazed with vitreous glasses, 40 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 53, after line 14, to strike out the subhead "Nails, spikes, tacks, and needles."

The amendment was agreed to.

The next amendment was, on page 53, line 17, before the word "of," to strike out "five-tenths" and insert "four-tenths," so as to make the paragraph read:

158. Cut nails and cut spikes of iron or steel, four-tenths of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 53, line 19, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 21, after the word "pound," to insert "horseshoe calks and parts thereof, finished or unfinished, of iron or steel, $7.50 per thousand," so as to make the paragraph read:

159. Horseshoe nails, hobnails, and all other wrought iron or steel nails, not specially provided for in this section, 1½ cents per pound; horseshoe calks and parts thereof, finished of unfinished, of iron or steel, $7.50 per thousand.

The amendment was agreed to.

The Secretary read paragraph 160.

Mr. OLIVER. Let paragraph 160 be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 54, line 5, after the word "steel," to strike out "one-half" and insert "three-fourths," so as to make the paragraph read.

161. Spikes, nuts, and washers, and horse, mule, or ox shoes, of wrought iron or steel, three-fourths of 1 cent per pound.

Mr. CRAWFORD. I ask that it be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 54, line 11, after the word "knitting," to strike out "or;" in the same line, after the word "sewing," to insert "or embroidery;" in line 12, after the word "dollar," to insert "and twenty-five cents;" and in line 18, before the word "shall," to strike out "act" and insert "section," so as to make the paragraph read:

163. Needles for knitting, sewing, or embroidery machines, including latch needles, $1.25 per thousand and 25 per cent ad valorem; crochet needles and tape needles, knitting and all other needles, not specially provided for in this section, and bodkins of metal, 25 per cent ad valorem; but no articles other than the needles which are specifically named in this section shall be dutiable as needles unless having an eye, and fitted and used for carrying a thread. Needle cases or needle books furnished with assortments of needles or combinations of needles and other articles, shall pay duty as entireties according to the component material of chief value therein.

Mr. CRAWFORD. Let it be passed over.

The VICE-PRESIDENT. Just the amendment?

Mr. CRAWFORD. Yes, sir; just the amendment.

Mr. NELSON. Let paragraph 163 be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 54, after line 23, to insert:

163½. Fishhooks, fishing rods and reels, artificial flies, artificial baits, snelled hooks, and all other fishing tackle or parts thereof, not specially provided for in this section, except fishing lines, fishing nets, and seines, 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 55, line 6, before the words "per centum," to strike out "twenty" and insert "twenty-five," so as to make the paragraph read:

164. Steel plates engraved, stereotype plates, electrotype plates, and plates of other materials, engraved or lithographed, for printing, 25 per cent ad valorem; plates of iron or steel engraved or fashioned for use in the production of designs, patterns, or impressions on glass in the process of manufacturing plate or other glass, 25 per cent ad valorem.

Mr. CRAWFORD. I ask that it be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 55, line 11, after the word "Rivets," to strike out "or;" and in the same line, after the word "studs," to insert "and steel points," so as to make the paragraph read:

165. Rivets, studs, and steel points, lathed, machined, or brightened, and rivets or studs for nonskidding automobile tires, 45 per cent ad valorem; rivets of iron or steel, not specially provided for in this section, 1½ cents per pound.

The amendment was agreed to.

The next amendment was, on page 55, after line 15, to strike out the subhead "Saws."

The amendment was agreed to.

The next amendment was, on page 55, line 25, before the word "and," to strike out "two" and insert "three;" on page 56, line 2, before the word "cents," to strike out "four" and insert "five;" in line 4, before the word "cents," to strike out "six" and insert "eight;" and in line 5, before the word "cents," to strike out "eight" and insert "twelve," so as to make the paragraph read:

167. Screws, commonly called wood screws, made of iron or steel, more than 2 inches in length, 3½ cents per pound; over 1 inch and not more than 2 inches in length, 5 cents per pound; over one-half inch and not more than 1 inch in length, 8 cents per pound; one-half inch and less in length, 12 cents per pound.

Mr. CRAWFORD. Let the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from South Dakota.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 56, line 8, after the word "otherwise," to strike out "35 per cent ad valorem" and insert "and;" and in line 9, before the words "per cent," to strike out "thirty-five" and insert "fifty," so as to make the paragraph read:

168. Umbrella and parasol ribs and stretchers, composed in chief value of iron, steel, or other metal, in frames or otherwise; and tubes for umbrellas, wholly or partially finished, 50 per cent ad valorem.

Mr. DOLLIVER. I should like to make an inquiry about the paragraph. I notice that it seems to be a raise in the duty as compared with the provisions of the House bill. My attention was some time ago called to the fact that there are scattered all over the United States small manufacturers of umbrellas and parasols who use this half-made material; and an interview with one of them at a little city in Iowa not long ago led me to believe that there ought to be some relief to these scattered umbrella manufacturers, because he informed me that the manufacture of these materials, ribs and handles, out of which they are manufacturing umbrellas and parasols, had been consolidated into a single institution and that they were driven to very great loss in the rise in the price of those materials, being compelled to wind up their affairs.

It struck me as very wise that the House had made a very slight reduction in these particular articles.

Mr. SMOOT. The umbrella ribs and stretchers are sold to these very manufacturers at 7 cents apiece, and it is claimed that it would absolutely ruin the business if we reduced the duty to 35 per cent ad valorem.

Now, the difference between the 35 per cent and 50 per cent is only 15 per cent, and on 7 cents, the wholesale price, it amounts to a cent apiece. So an umbrella manufacturer could simply take the manufactured ribs and stretchers and put the cloth over them, and he could not be hurt very much.

Mr. DOLLIVER. Would it disturb the Senator from Utah if I would inquire whether my information is correct, that the distribution of these materials is now consolidated into a single hand?

Mr. SMOOT. I asked that question, and I was informed that it was not true.

Mr. PENROSE. I can answer that inquiry from personal knowledge. These industries are about 15 in number, located in Pennsylvania, New Jersey, and New York. They manufacture the frames. The manufacturer of the finished product has no complaint whatever to make concerning his relations with the manufacturer of frames. The frames are sold to the manufacturer of the umbrella for from 7 to 12 cents, and they are threatened by cheap labor from Japan. They are in no sense in any combination or trust.

Mr. DOLLIVER. I appreciate, of course, the great variety of dangers we are under from Japan. I am going to ask that the paragraph be passed over until I can examine it.

The VICE-PRESIDENT. That has already been done.

The reading of the bill was resumed.

The next amendment was, on page 56, after line 22, to strike out the subhead "Miscellaneous metals, and manufactures of."

The amendment was agreed to.

The next amendment was, on page 56, line 24, before the word "and," to insert "aluminum scrap;" and on page 57, line 2, after the word "pound," to insert "barium, calcium, magnesium, sodium, and potassium, and alloys of which said metals are the component material of chief value, 3 cents per pound and 25 per cent ad valorem," so as to make the paragraph read:

170. Aluminum, aluminum scrap, and alloys of any kind in which aluminum is the component material of chief value, in crude form, 7 cents per pound; in plates, sheets, bars, and rods, 11 cents per pound; barium, calcium, magnesium, sodium, and potassium, and alloys of which said metals are the component material of chief value, 3 cents per pound and 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 57, line 6, after the word "metal," to strike out "three-fourths of 1 cent per pound" and insert:

One and one-half cents per pound; antimony ore, stibnite and matte containing antimony, 1 cent per pound on the antimony contents therein contained: *Provided*, That on all importations of antimony-bearing ores and matte containing antimony the duties shall be estimated at the port of entry, and a bond given in double the amount of such estimated duties for the transportation of the ores by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores at such establishment, they shall be sampled according to commercial methods under the supervision of government officers, who shall be stationed at such establishment, and who shall submit the samples thus obtained to a government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample, and report the result to the proper customs officers, and the import entry shall be liquidated thereon, except in case of ores that shall be removed to a bonded warehouse to be refined for exportation as provided by law, and the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

So as to make the paragraph read:

171. Antimony, as regulus or metal, 1½ cents per pound; antimony ore, etc.

Mr. CRAWFORD. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 58, line 8, after the word "metallics," to insert "valued at not over 20 cents per pound, 6 cents per pound; valued at over 20 cents per pound," so as to make the paragraph read:

173. Bronze powder, brocades, flitters, and metallics, valued at not over 20 cents per pound, 6 cents per pound; valued at over 20 cents per pound, 12 cents per pound; bronze, or Dutch-metal or aluminum, in leaf, 6 cents per 100 leaves.

The amendment was agreed to.

The next amendment was, on page 58, after line 17, to strike out the subhead "Gold and silver."

The amendment was agreed to.

Mr. OVERMAN. Mr. President, are we going to stay here all night? We have got another day. I move that the Senate adjourn. It is 6 o'clock.

Mr. ALDRICH. If the Senator will be a little patient, we will finish this particular schedule very soon and then we will adjourn. I hope the Senator will withdraw his motion.

The VICE-PRESIDENT. Does the Senator from North Carolina insist on his motion?

Mr. ALDRICH. I hope the Senator from North Carolina will not insist upon it.

Mr. OVERMAN. I withdraw the motion.

The VICE-PRESIDENT. The Senator from North Carolina withdraws his motion.

The Secretary continued the reading of the bill.

The next amendment was, on page 59, line 7, after the word "threads," to insert "10 cents per pound and," so as to make the paragraph read:

177. Tinsel wire, lame or lahn, made wholly or in chief value of gold, silver, or other metal, 10 cents per pound; bullions and metal threads, made wholly or in chief value of tinsel wire, lame or lahn, 10 cents per pound and 30 per cent ad valorem; fabrics, laces, embroideries, braids, galloons, trimmings, ribbons, beltings, ornaments, or other articles, made wholly or in chief value of tinsel wire, lame or lahn, bullions, or metal threads, 10 cents per pound and 60 per cent ad valorem.

The amendment was agreed to.

The Secretary read paragraph 178, as follows:

178. Hooks and eyes, metallic, whether loose, carded, or otherwise, including weight of cards, cartons, and immediate wrappings and labels, 4 cents per pound and 15 per cent ad valorem.

Mr. BULKELEY. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Connecticut.

The next amendment was, on page 59, line 21, before the word "*Provided*," to strike out "Lead dross, including all dross containing lead, lead bullion or base bullion, lead in pigs or bars, old refuse lead run into blocks or bars, and old scrap lead fit only to be remanufactured, lead in any form not specially provided for in sections 1 or 2 of this act, and the lead contents contained in lead-bearing ores of all kinds; all the foregoing, 1½ cents per pound," and to insert "lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein," so as to read:

179. Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein.

Mr. DOLLIVER. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Iowa.

The next amendment was, on page 60, after line 14, to strike out "180. Lead in sheets, pipe, shot, glaziers' lead, and lead wire, 1¼ cents per pound," and to insert:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 2½ cents per pound; lead in sheets, pipe, shot, glaziers' lead, and lead wire, 2½ cents per pound.

Mr. CARTER. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Montana.

Mr. STONE. I ask what is the present tariff on pig lead? Is it a cent and a half a pound?

Mr. ALDRICH. No; paragraph 180 is the present tariff.

Mr. STONE. On pig lead?

Mr. ALDRICH. Yes; 2½ cents per pound.

The next amendment was, on page 61, line 1, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

181. Metallic mineral substances in a crude state, and metals unwrought, whether capable of being wrought or not, not specially provided for in this section, 20 per cent ad valorem; monazite sand and thorite, 4 cents per pound.

The amendment was agreed to.

The next amendment was, on page 61, after line 3, to strike out:

182. Chrome or chromium metal, ferrochrome or ferrochromium, ferromolybdenum, ferrophosphorus, ferrotitanium, ferrotungsten, ferrosilicon containing more than 12 per cent of silica, ferrovanadium, manganese metal, molybdenum, titanium, tantalum, tungsten, or wolfram metal, 15 per cent ad valorem; ferrosilicon containing not more than 15 per cent of silica, and ferromanganese, $4 per ton.

And insert:

182. Chrome or chromium metal, ferrochrome or ferrochromium, ferromolybdenum, ferrophosphorus, ferrotitanium, ferrotungsten, ferrosilicon containing more than 15 per cent of silicon, ferrovanadium, molybdenum, titanium, tantalum, tungsten, or wolfram metal, valued at $200 per ton or less, 25 per cent ad valorem; valued at more than $200 per ton, 20 per cent ad valorem; ferrosilicon containing not more than 15 per cent of silicon, $4 per ton.

Mr. BURTON. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Ohio.

The Secretary read paragraph 183, as follows:

183. Nickel, nickel oxide, alloy of any kind in which nickel is a component material of chief value, in pigs, ingots, bars, rods, plates, sheets, and strips cut from sheets, but not rolled or drawn, 6 cents per pound.

Mr. BRANDEGEE. I ask that paragraph 183 be passed over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Connecticut.

The next amendment was, on page 62, after line 2, to strike out:

185. Penholder tips, penholders or parts thereof, and gold pens, 25 per cent ad valorem; fountain pens, stylographic pens, and ink pencils, or parts of any of them, 30 per cent ad valorem: *Provided*, That pens and penholders shall continue to be classified separately for duty purposes, but so-called combination penholders, comprising, besides a penholder, a pencil, rubber eraser, automatic stamp, or similar attachments, shall be assessed for duty as entireties according to the component material of chief value thereto.

And insert:

185. Penholder tips, penholders and parts thereof, 25 cents per gross and 25 per cent ad valorem; gold pens, 25 per cent ad valorem; fountain pens, stylographic pens, 30 per cent ad valorem; combination penholders, comprising penholder, pencil, rubber eraser, automatic stamp, or other attachment, 45 per cent ad valorem: *Provided*, That pens and penholders shall be assessed for duty separately.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, at the top of page 64, to strike out:

189. Watch movements, whether imported in cases or not, if having not more than 7 jewels, 70 cents each; if having more than 7 jewels and not more than 11 jewels, $1.35 each; if having more than 11 jewels and not more than 15 jewels, $1.85 each; if having more than 15 jewels and not more than 17 jewels, $1.25 each and 25 per cent ad valorem; if having more than 17 jewels, $3 each and 25 per cent ad valorem; watch cases and parts of watches, including watch dials, chronometers, box or ship, and parts thereof, clocks and parts thereof, not otherwise provided for in this section, whether separately packed or otherwise, not composed wholly or in part of china, porcelain, parian, bisque, or earthenware, 40 per cent ad valorem; all jewels for use in the manufacture of watches or clocks, 10 per cent ad valorem: *Provided*, That all watch movements and cases of foreign manufacture shall have the name of the manufacturer and of the city, town, or village, and country of manufacture cut, engraved, or die sunk conspicuously and indelibly on the plate of the movement and the inside of the case, respectively, and the movements shall also have marked thereon by one of the methods indicated the number of jewels and adjustments, said number to be expressed both in words and in Arabic numerals; and none of the aforesaid articles shall be delivered to the importer unless marked in exact conformity to this direction.

And insert:

189. Watch movements, whether imported in cases or not, if having more than 7 jewels, 65 cents each; if having more than 7 jewels and not more than 11 jewels, $1.35 each; if having more than 11 jewels and not more than 15 jewels, $1.85 each; if having more than 15 jewels and not more than 17 jewels, $1.25 each and 25 per cent ad valorem; if having more than 17 jewels, $3 each and 25 per cent ad valorem; clock movements having jewels in the escapement, and clocks containing such movements, $1 each and 40 per cent ad valorem; all other clocks and parts thereof not otherwise provided for in this section, whether separately packed or otherwise, not composed wholly or in part of china, porcelain, parian, bisque, or earthenware, 40 per cent ad valorem; all jewels for use in the manufacture of watches or clocks, 10 per cent ad valorem; enameled dials for watches or other instruments, 60 per cent ad valorem: *Provided*, That all watch and clock dials shall have indelibly painted or printed thereon the country of origin, and, if attached to movements, in addition to the country of origin shall have the name of the maker or makers of such watch or clock movements indelibly painted or printed thereon, and that all watch movements, lever clock movements with jewels in the escapement, and cases of foreign manufacture shall have the name of the manufacturer and country of manufacture cut, engraved, or die sunk conspicuously and indelibly on the plate of the movement and the inside of the case, respectively, and the movements shall also have marked thereon by one of the methods indicated the number of jewels and adjustments, said number to be expressed both in words and in Arabic numerals; and none of the aforesaid articles shall be delivered to the importer unless marked in exact conformity to this direction.

Mr. LODGE. I merely want to correct a typographical error. In line 4, after the word "having," there should be inserted the word "not," so as to read: "having not more than seven jewels."

The VICE-PRESIDENT. Without objection, the amendment will be agreed to.

Mr. LA FOLLETTE. I ask that the paragraph may go over.

The VICE-PRESIDENT. It will be passed over.

The next amendment was, on page 66, line 15, after the word "zinc," to strike out "content," so as to make the paragraph read:

190. Zinc ore and calamine, 1 cent per pound on the zinc contained therein: *Provided*, That on all importations of zinc-bearing ores the duties shall be estimated at the port of entry, and a bond given in double the amount of such estimated duties for the transportation of the ores by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores at such establishments they shall be sampled according to commercial methods under the supervision of government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample, and report the result to the proper customs officers, and the import entries shall be liquidated thereon, except in case of ores that shall be removed to a bonded warehouse to be refined for exportation as provided by law. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

Mr. BURTON. I ask that paragraph 190 be passed over, and also paragraph 191.

The VICE-PRESIDENT. Paragraph 190 will be passed over.

The Secretary read paragraph 191.

The VICE-PRESIDENT. This paragraph will be passed over, at the request of the Senator from Ohio.

The reading of the bill was resumed.

The next amendment was, on page 67, after line 14, to strike out:

192. Alloys and other mixed metals in lumps, pigs, blocks, bars, cakes, sheets, or powder, not specially provided for, 20 per cent ad valorem.

And insert:

192. Cans, boxes, packages, containers, trays, signs, and similar articles, composed wholly or in chief value of tin plate, terne plate, or iron or steel sheets, if lacquered, enameled, or printed by any process of lithography whatever, all the foregoing, filled or unfilled, and whether their contents be dutiable or free, 4 cents per pound and 35 per cent ad valorem: *Provided*, That none of the foregoing articles shall pay a less rate of duty than 55 per cent ad valorem.

The amendment was agreed to.

The next amendment was, at the top of page 68, to strike out:

193. Bottle caps, if not colored or embossed in color, 45 per cent ad valorem; if lacquered, enameled, lithographed, or embossed in color, 55 per cent ad valorem.

And insert:

193. Bottle caps, if not colored, waxed, lacquered, enameled, lithographed, or embossed in color, 45 per cent ad valorem; if colored, waxed, lacquered, enameled, lithographed, or embossed in color, 55 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 68, line 10, after the word "registers," to strike out "electrical machinery, jute manufacturing machinery;" and in line 16, after the word "all," to strike out "embroidery machines and lace-making" and insert "Lever or Goughrough lace," so as to make the paragraph read:

194. Cash registers, linotype and all typesetting machines, machine tools, printing presses, sewing machines, typewriters, and all steam engines, 30 per cent ad valorem; embroidery machines and lace-making machines, including machines for making lace curtains, nets, or nettings, 45 per cent ad valorem: *Provided, however*, That all Lever or Goughrough lace machines, including machines for making lace curtains, nets, or nettings, imported prior to July 1, 1911, shall be admitted free of duty.

Mr. ALDRICH. In line 15, after the word "curtains," I move to strike out "nets, or nettings"; in line 17 to strike out "Lever or Goughrough" and insert "levers or gothrough"; and in line 18, after the word "machines" to strike out the words "including machines for making lace curtains, nets, or nettings".

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 68, line 21, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

195. Articles or wares not specially provided for in this section, composed wholly or in part of iron, steel, lead, copper, nickel, pewter, zinc, gold, silver, platinum, aluminum, or other metal, and whether partly or wholly manufactured, 45 per cent ad valorem.

The amendment was agreed to.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 23, 1909, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 22, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of Monday, April 19, 1909, was read and approved.

CREDENTIALS AND SWEARING IN OF A MEMBER.

The Speaker laid before the House the following credentials. The Clerk read as follows:

UNITED STATES OF AMERICA,
STATE OF LOUISIANA.

Be it remembered, That on this day, we, the undersigned, Jared Young Sanders, governor of the State of Louisiana, Walter Guion, attorney-general of the State of Louisiana, and John T. Michel, secretary of state of the State of Louisiana, by virtue of and in obedience to act No. 152 of the general assembly of the State of Louisiana, approved July 14, 1898, and act No. 132, of 1900, approved July 11, 1900, providing for the time and manner of holding elections in the State of Louisiana, and providing for the compilation of returns of election of Representatives in Congress, did proceed to the executive office, in the State capitol, in the city of Baton Rouge, the seat of government of the State of Louisiana, in order to ascertain the number of votes cast for each candidate for Representative in Congress from the Second Congressional District of the State of Louisiana, composed of the parishes of Orleans (wards 1, 2, 10, 11, 12, 13, 14, 16, and 17), Jefferson, St. Charles, St. James, and St. John the Baptist, to the Sixty-first Congress of the United States of America (to fill vacancy caused by the death of the Hon. Robert C. Davey), as shown by the returns of the said election held therein on Tuesday, the 30th day of March, 1909, agreeably to the constitution and laws of this State, and pursuant to the proclamation of the governor of this State, dated the 4th day of January, 1909, which returns are on file and of record in the office of secretary of state for the State of Louisiana, and from which it appears that the following was the result of the vote cast at said election in each parish of said congressional district, and which we do hereby officially declare and announce to be as follows, to wit:

Congressional vote, March 30, 1909, second district.

SAMUEL L. GILMORE, DEMOCRAT.

Orleans:	
Ward 1	623
Ward 2	1,028
Ward 10	962
Ward 11	864
Ward 12	314
Ward 13	491
Ward 14	347
Ward 16	155
Ward 17	181
Jefferson	233
St. Charles	38
St. James	91
St. John the Baptist	208
Total	5,535

Witness our official signatures at the city of Baton Rouge this 15th day of April, A. D. 1909.

J. Y. SANDERS,
Governor of Louisiana.
WALTER GUION,
Attorney-General of Louisiana.
[SEAL.] JOHN T. MICHEL,
Secretary of State.

STATE OF LOUISIANA,
Baton Rouge.

I, Jared Young Sanders, governor of the State of Louisiana, do hereby certify that the foregoing is a true and correct copy of the compilation of the vote cast in the Second Congressional District of Louisiana for one Representative in the Sixty-first Congress of the United States of America, to fill the vacancy caused by the death of the Hon. Robert C. Davey for the term expiring March 4, 1911; and I further certify that the Hon. SAMUEL L. GILMORE was duly and legally elected to represent the said Second Congressional District of Louisiana in the said Sixty-first Congress of the United States for the term expiring March 4, 1911. All of which appears from the certificate on file and of record in the office of the secretary of state of the State of Louisiana, and of which certificate the foregoing is a true and correct copy.

Witness our official signatures at the city of Baton Rouge this 15th day of April, 1909.

J. Y. SANDERS,
Governor of the State of Louisiana.

By the governor:
[SEAL.] EUGENE J. MCGEYNEY,
Assistant Secretary of State.

Thereupon Mr. GILMORE, accompanied by his colleague, Mr. PUJO, appeared at the bar of the House and the oath of office was administered by the Speaker.

ENROLLED BILLS SIGNED.

The SPEAKER. The Chair lays before the House the following bills, which have been signed by the Speaker. These bills are certified to by the Clerk of the House as truly enrolled instead of by the Committee on Enrolled Bills. The Speaker has signed the same and now lays them before the House.

The Clerk read as follows:

House joint resolution 38.

Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909.

House joint resolution 45.

Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses, and had further insisted upon its amendments, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LA FOLLETTE, Mr. HALE, and Mr. TALIAFERRO as the conferees on the part of the Senate.

COMMITTEE ON ENROLLED BILLS.

The SPEAKER announced the following appointment of the Committee on Enrolled Bills.

The Clerk read as follows:

WILLIAM W. WILSON, of Illinois; J. HAMPTON MOORE, of Pennsylvania; DANIEL R. ANTHONY, of Kansas; POLITTE ELVINS, of Missouri; HENRY T. RAINEY, of Illinois; LINCOLN DIXON, of Indiana; and WILLIAM WILLETT, Jr., of New York.

CELEBRATION OF FIRST INAUGURATION OF GEORGE WASHINGTON AS PRESIDENT OF THE UNITED STATES.

The SPEAKER laid before the House the following communication.

The Clerk read as follows:

WASHINGTON MONUMENT ASSOCIATION OF ALEXANDRIA, VA.

Speaker CANNON AND MEMBERS OF
THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

Mr. SPEAKER AND GENTLEMEN: You are cordially invited to Alexandria, Va., on the afternoon of April 30, to participate in the celebration of the one hundred and twentieth anniversary of the first inauguration of Gen. George Washington as President of the United States.

Very respectfully,

WASHINGTON MONUMENT ASSOCIATION,
By J. Y. WILLIAMS, *Acting Secretary.*

APRIL 15, 1909.

Mr. CARLIN. Mr. Speaker, on the 30th of April, 1789, Gen. George Washington was inaugurated in New York President of the United States. It is the purpose of the citizens of Alexandria, Va., to celebrate the one hundred and twentieth anniversary of that event on the 30th of the present month by appropriate public ceremonies, and they have commissioned me to deliver the invitation which has just been laid before the House by the Speaker.

It is peculiarly appropriate that Alexandria should celebrate this occasion. Alexandria was the headquarters of Washington's business operations. His home at Mount Vernon was only a few miles away. His office, which he designated his workshop, was in that city, and the busiest hours of his life were spent there. He was master of the Masonic lodge, was the civil engineer who laid off the streets of the city, and the principal residence street bears his name. The church in which he worshiped is there, and the pew he occupied is still preserved. It was in this churchyard that the American Republic was born. If history be true, one Sabbath morning, after services in that little church, Washington and his associates held a conference and determined upon revolution. That meeting shook the British throne and established this Republic, now numbering 90,000,000 souls. The greatest boon that God has given to man—namely, human liberty—was breathed into existence that Sunday morning. [Applause.] History has recorded, with some degree of certainty, the subsequent events in the career of

Washington, but I do not believe that any event, either in his history or the history of this country, could have been fraught with more good, more hope, and yet more uncertainty, than his first inauguration.

The city of New York, in which he took the oath of office, then numbered less than 30,000 people. It was a great city even at that date. Washington's journey from Mount Vernon to New York, with the quaint method of travel which was in vogue at that time, was fraught with scenes and incidents showing the real depth of affection of the American people for this man, which scenes have never been excelled in the civilized world. The ancient city of Alexandria has every year since the death of Washington celebrated the anniversary of his birth, and the 22d day of each succeeding February since 1799 has witnessed in that city some appropriate celebration in honor of his birth. These occasions, like the one to which you are invited on the 30th of this month, have been free from commercial and industrial associations, and have been designed not only to do honor to the first citizen of America, whose home was in their midst, but for the purpose of inspiring in the youth of the land a patriotic devotion to country and to home. I have hoped to live to see the day when the ideals of Washington shall be realized and our people will be cemented together, with no thought of any foe, save from other lands. That there may be no North, no South, no East, nor West, but one grand, glorious America for us all. [Loud applause.] There are no people with a higher conception of duty, with higher ideals of manhood, nor more splendid womanhood, than the people of the city of Alexandria, all their ambitions and hopes being based upon a splendid and a patriotic past.

This invitation is extended to you as the Representatives of the people of America, and in effect invites you to come and join in doing honor to the foremost citizen of the world—the man whose magic sword brought into life human liberty and human rights, the man whose character furnishes an example and inspiration for the youth of the ages which are to follow, and whose performances are matchless, and whose memories are immortal. [Applause.] I hope it will be the pleasure of this House to accept the invitation. [Applause.]

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, this is a welcome invitation and comes at an opportune time, when we are waiting and counting the days until the Senate concludes its preliminary consideration of the tariff bill. We are not at present overworked and have a little leisure for relaxation and entertainment. The weather is delightful, and by the 30th of this month Alexandria, Mount Vernon, and the surrounding country will be fully enrobed in the freshness of spring beauty; and a visit to that old and historic city, with the privilege of participating in the anniversary exercises of President Washington's first inauguration, will be an entertaining and enjoyable occasion.

The first inauguration of the Father of His Country took place in the city of New York, but the Empire State gracefully yields to the Old Dominion the honor of celebrating the one hundred and twentieth anniversary of that great event. I trust this invitation will be unanimously accepted.

Mr. Speaker, I offer the following resolution, and move its adoption:

The Clerk read as follows:

House resolution 62.

Resolved, That the Speaker and the House of Representatives accept with cordial thanks the invitation so graciously extended to them by the Washington Monument Association, of Alexandria, Va.

The SPEAKER. The question is upon the resolution.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYNE. Is that an acceptance of an invitation to attend officially, as the House of Representatives, this function, or simply that the individual Members of the House accept the invitation?

The SPEAKER. The Chair does not know. That is hardly a parliamentary inquiry.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, the invitation is extended to the Members, and the purpose of the resolution of acceptance is that the Members shall attend as individuals.

Mr. LIVINGSTON. Then why does not the gentleman say so?

Mr. MICHAEL E. DRISCOLL. I understand that the invitation is extended to the Speaker and to the Members of the House of Representatives.

The SPEAKER. The question of the gentleman from New York [Mr. PAYNE] is whether that invitation and acceptance of the same would take the House as an organized body, or is the acceptance by the Speaker of the House and the Members of the House individually.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, I take it to be an invitation to the Speaker and to the Members individually, and the acceptance will be by the Speaker and by the Members individually.

Mr. KEIFER. Mr. Speaker, then I suggest that the gentleman modify his resolution so as to make the acceptance that of the Speaker and of the Members of the House.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, I am willing to make that correction.

The SPEAKER. Without objection, the Clerk will report the amendment and the resolution as amended.

The Clerk read as follows:

Amend by inserting after the word "and" the words "the Members of the," so as to read:

Resolved, That the Speaker and the Members of the House of Representatives accept with cordial thanks the invitation so graciously extended to them by the Washington Monument Association of Alexandria, Va.

The SPEAKER. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken, and the resolution was agreed to.

MAJ. PIERRE CHARLES L'ENFANT.

The SPEAKER laid before the House the following communication:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, April 17, 1909.

To the House of Representatives of the United States:

The Commissioners of the District of Columbia have the honor to invite the Members of the House of Representatives to attend the ceremonies in honor of Maj. Pierre Charles L'Enfant in the Rotunda of the United States Capitol at 10.30 o'clock on the morning of April 28, 1909, in connection with the transfer of his remains from Green Hill, Maryland, to the Arlington Cemetery. The Vice-President of the United States and the ambassador of France will make addresses.

Very respectfully,

HENRY B. F. MACFARLAND,
President of the Board of Commissioners of the District of Columbia.

Mr. OLCOTT. Mr. Speaker, I move that the invitation be accepted, with thanks to the Commissioners for so graciously extending it to us.

Mr. PAYNE. Is that accepting it by the Members of the House as individuals?

Mr. OLCOTT. The invitation is given to the Members of the House.

The SPEAKER. The question is on the motion of the gentleman from New York.

The question was taken, and the motion was agreed to.

PANAMA CANAL.

Mr. WANGER. Mr. Speaker, by permission of the House, two editorials from the Engineering News were printed as House Document No. 10. They related to the lock type of the canal at Panama. The Engineering News of April 1 has an article which is really a complement, or a supplement and conclusion, to the former articles, and I ask unanimous consent that it, with the illustrations, be printed as a supplement (part 2) to House Document No. 10.

The SPEAKER. Is there objection?

Mr. GARRETT. What is that, pictures?

Mr. WANGER. There are two or three pictures in it, besides a number of plates showing the lines, contours, elevations, and depressions.

Mr. GARRETT. The request of the gentleman is to print it in the RECORD?

Mr. WANGER. No; it is to print it as a House document, a supplement to House Document No. 10.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

THE TARIFF.

Mr. MURPHY. I only desire to insert in the RECORD an editorial which appeared in the Irish World of April 17, 1909, as follows:

THROWS UP THE SPONGE.

The London Times, in an article dealing with the new tariff bill now before Congress, virtually acknowledges that the fight between free trade and protection has gone against the policy which England has so stoutly championed ever since she set herself to the task of capturing the markets of the world. The London Times tells its readers that England's present fiscal policy, compared with that adopted by protectionist countries, is about equal to the advantages Nelson's fleet would have against a squadron of *Dreadnoughts*. "Other nations," the London Times bewails, "are clearly determined not to interfere with our one monopoly of Cobdenite theory."

The result is that whilst the United States, Germany, and other protectionist countries are prosperous, free-trade England is sinking deeper and deeper into the slough of despondency. We are told that English free traders can not understand the situation. They refuse to abandon their theories, which they insist should bring increase of wealth to any country adopting them. And this they do despite the ugly facts, like

the steady growth of English pauperism, which stare them in the face. The London Times, in describing the attitude of these unconverted Cobdenites, says that antifree trade countries "are all very prosperous; they are all increasing in wealth, and none of them has such a burden of pauperism to carry as that which afflicts ourselves. It really looks as if they knew something of business and the sources of the wealth of nations. But we are still asked to believe that they know nothing at all about the matter, and are wandering in the mazes of economic superstition, happily dissipated for us by the science that illuminated our path some sixty years ago. In these days of ironclads we are expected to go to battle in unprotected ships, because somebody once proved at great length that when no other nation had ironclad ships our wooden ones did extremely well, and that they are cheaper to build and to maintain than monsters encumbered with thousands of tons of iron."

In this way does the London Times throw up the sponge. In times past free trade had no more noisy and hectoring champion than the English organ from which we have quoted the above confession of the defeat of Cobdenism. Protection has stood the test of experience; free trade has not, and consequently it has become discredited even in the land of its origin.

ANNEXATION OF CUBA.

Mr. HELM. Mr. Speaker, on last Monday I introduced House concurrent resolution No. 15. I have received a great many inquiries as to the import of that resolution, and I now ask unanimous consent to have the resolution printed in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to print in the RECORD the resolution, the title of which the Clerk will report.

The Clerk read as follows:

House concurrent resolution No. 15, relating to the annexation of Cuba.

Mr. PAYNE. I object to that, Mr. Speaker.

The SPEAKER. Objection is heard.

CENSUS BILL.

Mr. CRUMPACKER. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments to House bill No. 1033, and agree to the conference asked.

The SPEAKER. The gentleman from Indiana moves that the House do further insist upon its disagreement to the Senate amendments to the bill indicated, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.

The SPEAKER. And to assent to the request of the Senate for a conference.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. Is not the parliamentary status of this bill, now that the Senate has disagreed to the conference report, the same as it was when the bill was originally reported from the Senate with amendments?

The SPEAKER. The Chair understands that the conference report was rejected by the Senate, from the message that has been received from the Senate, which leaves the House bill pending now in the House with the Senate amendments thereto.

Mr. LANGLEY. Mr. Speaker, at the proper time I desire to make a motion for instructions to the conferees to insist on disagreement to certain Senate amendments to which the former House conferees agreed, and I desire to ask whether that is in order now?

The SPEAKER. Instructions to the conferees would come after the motion of the gentleman from Indiana is disposed of.

Mr. LANGLEY. All right. I simply desire to make that motion at the proper time, and to give notice now that I am going to do so.

Mr. SIMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SIMS. Does the motion to concur in a particular amendment take precedence over a motion to send to conference?

The SPEAKER. It does.

Mr. SIMS. Well, Mr. Speaker, I happened to be present and heard the discussion in the Senate of this conference report, which was rejected almost altogether upon the question of an amendment by the Senate requiring the appointment of clerks and other employees from the respective States with reference to the requirement of actual residence in the several States for a period of twelve months prior to examination for appointment. I heard the discussion in the Senate on both sides, and I think, in order that the sense of the House may be taken on that question, we ought to have a vote upon that particular amendment, in order that the Senate may be informed just how the House stands on this matter.

Mr. HAY. There is no quorum here now.

Mr. SIMS. That question has not been discussed in the House; we sent it to conference heretofore without any discussion upon that particular feature of it, and, Mr. Speaker, in order to have this matter brought up, I will move that the House agree to that Senate amendment, in order that we may have the voice of the House on it.

Mr. HULL of Iowa. Is that the amendment in regard to the appointment of clerks?

The SPEAKER. Does the Chair understand that the gentleman from Tennessee [Mr. SIMS] demands a separate vote on certain Senate amendments—one or two? The Clerk will report the amendments.

The Clerk read as follows:

Page 5, line 9, after "rating" insert:

"*Provided*, That hereafter all examinations of applicants for positions in the government service, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examinations."

Mr. SIMS. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. The Chair calls the attention of the gentleman to the fact that there is another amendment following, in section 7, that apparently has reference to the one that has just been read. However, the Chair is not sure about it.

Mr. SIMS. If it does have reference to it, of course I move to concur in all amendments that carry out the idea suggested in amendment 15.

Mr. HAY. Will the gentleman from Tennessee yield for a moment?

Mr. SIMS. Certainly.

The SPEAKER. Does the gentleman from Indiana [Mr. CRUMPACKER], who controls the time, yield to the gentleman from Virginia [Mr. HAY]?

Mr. CRUMPACKER. I yield.

Mr. HAY. I desire to say to the gentleman from Tennessee [Mr. SIMS] that if his motion prevails, to concur in Senate amendment No. 15, a motion ought also to be made to concur in the other amendment. The other two amendments relating to amendment 15 are not so shaped as that they will cover the appointees under amendment 15, and in order that that shall be done it is necessary that the other two amendments shall be amended so that they shall apply to all positions in the civil service. As they are now drawn they will only apply to those to be appointed under this bill, whereas the positions under amendment 15 apply to all positions in the civil service.

The SPEAKER. Does the gentleman demand a separate vote on the three amendments?

Mr. HAY. I do not demand a separate vote at all, Mr. Speaker, because there is no quorum here, and it will just defeat the whole thing.

Mr. CRUMPACKER. I hope the gentleman from Tennessee [Mr. SIMS] will not make the motion. I would much rather have it come in the form of an instruction to the conferees later on, because this amendment is palpably ill considered and imperfect. Senators admitted in the discussion of the conference report that it would not do to incorporate the amendment in the bill as it is written, and if the gentleman's motion prevails it will be a part of the law. I know the attitude of the conferees. I know the amendment that it is proposed to offer to perfect the provision. The gentleman said, it is true, that there has been no discussion of this question in the House. There has been no intelligent discussion of this question anywhere. There has been no such consideration of this important amendment as to justify its adoption. It is not confined to the Census Bureau at all; in fact, it does not apply to the temporary census service, but is a general amendment of the civil-service law. It has not been considered by any committee, and it is too important to be adopted at random.

I read all of the debate of the Senate and, of course, I feel that it would be a grave mistake for the House now to concur in the amendment, which is confessedly imperfect, and might possibly result in the ultimate defeat of the bill.

Mr. KEIFER. I want to call attention to the fact that it seems that this amendment, if adopted, would not only be applicable to the taking of the census, but it would be an amendment to the general law with reference to civil-service examinations.

Mr. CRUMPACKER. It will not apply to the census force at all, but it will apply to the Railway Mail Service and to all other departmental service. It is simply injecting into the bowels of the census bill a proposition to amend the general civil-service law without any sort of thought or consideration. That is what it is. It does not apply to the decennial census service, because that service is temporary, and under the rules and regulations of the Civil Service Commission the rule of geographical apportionment does not apply to the temporary service.

But the House put a provision in this bill, and it is still in the bill, and it will remain there, requiring the rule of geographical apportionment to apply to the force in the Census Office for the temporary service. This proposition has no relation to the census service; it was not intended to affect the census service, but was intended to reach the general departmental service, intended as a vital amendment to the civil-service law.

Mr. HULL of Iowa. Will the gentleman yield for a question?

Mr. GAINES. I wish to ask the gentleman whether this amendment relates to the residence of the applicant for appointment, or merely to the place where the examinations are to be held?

Mr. CRUMPACKER. It relates to both. The amendment requires the examination to be had in the States from which the applicants apply. If the applicant for an appointment is a resident of the State of West Virginia, he must be examined in the State of West Virginia.

The applicant must also, in addition to his legal residence, have been actually domiciled in the State for at least a year prior to the examination. That may be a good amendment to the civil-service law. I do not know. I am not familiar with the civil-service law. It never has been considered by the Civil Service Commission or by the Committee on Reform in the Civil Service in either House. Nobody knows what effect it would have upon the service. It applies to charwomen, to messengers, to watchmen, and unskilled laborers. Now I yield to the gentleman from Iowa.

Mr. HULL of Iowa. Mr. Speaker, I would like to ask the gentleman from Indiana if the bill providing for taking the census does not contain the provision he referred to, that the appointments shall be of applicants from the States, as provided for civil-service employees?

Mr. CRUMPACKER. Yes.

Mr. HULL of Iowa. Now, the gentleman says this provision would not apply to the census. If the rule of the Civil Service Commission is now to permit anybody in Washington to be accredited to any State he may desire to claim to be from, would not the same rule apply to the census employees, and would not the same difficulty come up by allowing those that live in Washington the first chance for the examination and appointment? In other words, is it not a good time now for the Congress of the United States to try to preserve as much of the rights of the States to fill these offices as it possibly can? Because the States are being constantly edged out. I would like to ask the gentleman to explain why it is not a good time for us to take care of that evil.

Mr. CRUMPACKER. I understood the gentleman was merely going to ask me a question. The gentleman's plea that this peculiar service should be under the rule of the geographical apportionment is void of business judgment. Of course, if we are providing for the decennial census chiefly for the purpose of creating jobs, then the geographical apportionment is the proper thing.

Now, the attitude of the House in incorporating in the bill the provision the gentleman referred to, the one that he advocated very strongly, has already required an amendment increasing the minimum pay of these employees from $600 to $720, or a total of $350,000. If that is legislation in the interest of the public service, in behalf of the people of the country, the House did a wise thing in providing geographical apportionment.

Mr. HULL of Iowa. Just one more question.

Mr. CRUMPACKER. When I get through with this statement. We were required to increase the minimum of pay allowed to these clerks from $600 to $720, in order to make it some inducement for the constituents of the gentleman from Iowa and others to come here and accept service if they take the examination.

Mr. HULL of Iowa. Just one more question. The old census was taken by apportionment of the appointees among the different districts in the country, and that, according to the statement of the Director of the Census, was as economically taken as any census has ever been taken, and the work was as well done as it ever had formerly been done.

Why not have the same rule apply, except, possibly, that the applicants must be selected under the civil-service law? They would be apportioned to the various districts, and every district would get its full share, instead of having these appointments limited to the city of Washington and certain States near, which now get four-fifths of the appointments. It is not a job. It is for the benefit of the public service. Certainly a man should not be disqualified because he does not live in the District of Columbia.

The SPEAKER. To whom does the gentleman yield? Does the gentleman yield to the gentleman from Ohio?

Mr. CRUMPACKER. I yield to the gentleman from Georgia, who first addressed me.

Mr. LIVINGSTON. The gentleman objects to the Senate ingrafting into the bill an amendment that is not germane and not important to the census bill. Will the gentleman please tell us when this House or the Senate has ever had an opportunity to amend the civil-service law?

Mr. CRUMPACKER. I do not know that it has had an opportunity, but that is no reason for incorporating this extraneous matter in the census bill.

Mr. LIVINGSTON. It has never had and never will have.

Mr. CRUMPACKER. That is possible.

Mr. LIVINGSTON. I hope the House will take this opportunity now, while we have it, to put this provision in.

Mr. CRUMPACKER. We might as well put an income-tax provision in the bill.

Mr. LIVINGSTON. That is all right.

Mr. BURLESON. I wish we could do that.

Mr. CRUMPACKER. There is just as much reason for it. Now I will yield to the gentleman from Ohio [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. Speaker, I want to ask the gentleman from Indiana——

Mr. WALLACE. Mr. Speaker, I make the point that there is no quorum present in the House.

The SPEAKER. The gentleman from Arkansas makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and forty-three Members present; not a quorum.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. LANGLEY. Pending that motion, Mr. Speaker, I want to ask unanimous consent——

Mr. PAYNE. There is no quorum present, and the unanimous consent can not be given.

The SPEAKER. Nothing can be done. Even personal requests on the Speaker's desk can not be submitted.

The motion of Mr. PAYNE was agreed to.

Accordingly (at 12 o'clock and 41 minutes p. m.) the House adjourned until Monday, April 26, 1909.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OLCOTT: A bill (H. R. 8229) for the relief of officers of the navy retired for disability incident to the service, employed on active duty—to the Committee on Naval Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 8230) to incorporate the Cult of the Aryans—to the Committee on the District of Columbia.

By Mr. MACON: A bill (H. R. 8231) to prevent the use of the mails, the telegraph or telephone lines, and the railroads, by any company, corporation, etc., for purposes of interstate or foreign commerce where the aggregate value represented by their stocks, bonds, etc., exceeds the aggregate physical value of the property, or the reasonable value of the business, privilege, or franchise that they are issued to represent the value of, and for other purposes—to the Committee on the Judiciary.

By Mr. ALEXANDER of Missouri: A bill (H. R. 8232) granting pensions to the teamsters who served the Government of the United States in the war with Mexico, and for other purposes—to the Committee on Pensions.

Also, a bill (H. R. 8233) authorizing the Secretary of War to furnish two condemned bronze or brass cannon or fieldpieces and cannon balls to the city of Gallatin, in the State of Missouri—to the Committee on Military Affairs.

By Mr. CAMERON: A bill (H. R. 8234) amending an act to create a customs district of the Territory of Arizona, approved April 29, 1890—to the Committee on Ways and Means.

By Mr. ANDREWS: A bill (H. R. 8235) for the purchase of a site and the erection of an electrical power plant for irrigation purposes in Deming, N. Mex., or vicinity—to the Committee on Irrigation of Arid Lands.

By Mr. NEEDHAM: A bill (H. R. 8236) to create a United States Court of Customs Appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 8237) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands"—to the Committee on the Public Lands.

Also, a bill (H. R. 8238) to provide for continuation of investigations of the rivers and water resources of the United States—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8239) to amend section 6 of an act entitled "An act to regulate commerce," approved February 4, 1887, and acts amendatory thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: A bill (H. R. 8240) to increase the appropriation for a public building at Florence, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. KENNEDY of Ohio: A bill (H. R. 8241) for the erection of a public building at the city of Salem, in the State of Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8242) for the enlargement of the post-office building at Canton, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Illinois: A bill (H. R. 8243) to authorize the Indiana Harbor Belt Railroad Company to construct a bridge across the Little Calumet River, in Thornton Township, in the county of Cook and State of Illinois—to the Committee on Interstate and Foreign Commerce.

By Mr. HAY: Resolution (H. Res. 63) as to number of employees in the classified civil service—to the Committee on Reform in the Civil Service.

By Mr. SHEFFIELD: Memorial of the general assembly of the State of Rhode Island, urging uniform recognition of American passports—to the Committee on Foreign Affairs.

By Mr. ROBERTS: Memorial of the legislature of Massachusetts relative to rolls of Revolutionary regiments and companies and to statements regarding Revolutionary pensioners—to the Committee on Pensions.

Also, memorial of the legislature of Massachusetts, protesting against the imposition by the Federal Government of a tax on inheritances—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 8244) granting a pension to Martha J. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8245) granting a pension to Phillip Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8246) to correct the military record of Harrison R. Crecelius—to the Committee on Military Affairs.

Also, a bill (H. R. 8247) to correct the military record of Anderson Creason—to the Committee on Military Affairs.

Also, a bill (H. R. 8248) for the relief of Robert Griffin—to the Committee on Military Affairs.

By Mr. ALEXANDER of New York: A bill (H. R. 8249) granting an increase of pension to Oliver Brewer—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 8250) granting an increase of pension to James S. Yarnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8251) granting an increase of pension to Gilbert Zachary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8252) granting an increase of pension to Celina Wilhite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8253) granting an increase of pension to George R. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8254) granting an increase of pension to Celina Wilhite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8255) granting an increase of pension to Lewis M. Wester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8256) granting an increase of pension to David U. Weagley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8257) granting an increase of pension to William H. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8258) granting an increase of pension to James Vandergriff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8259) granting an increase of pension to Albert Varnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8260) granting an increase of pension to William P. Tutterow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8261) granting an increase of pension to James W. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8262) granting an increase of pension to Alex B. Tadlock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8263) granting an increase of pension to Samuel M. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8264) granting an increase of pension to Nancy Sexton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8265) granting an increase of pension to William Roach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8266) granting an increase of pension to James Richey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8267) granting an increase of pension to Lewis M. Medlin—to the Committee on Pensions.

Also, a bill (H. R. 8268) granting an increase of pension to William McLane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8269) granting an increase of pension to Luther Lively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8270) granting an increase of pension to John M. Letsinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8271) granting an increase of pension to Robert N. Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8272) granting an increase of pension to Benjamin F. Houston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8273) granting an increase of pension to Cyrena M. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8274) granting an increase of pension to Prior P. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8275) granting an increase of pension to Alford Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8276) granting an increase of pension to Charles S. Ashton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8277) granting an increase of pension to Absalom P. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8278) granting an increase of pension to Thomas Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8279) granting an increase of pension to Benjamin St. Clair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8280) granting an increase of pension to Caswell Seamore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8281) granting an increase of pension to John A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8282) granting an increase of pension to David C. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8283) granting an increase of pension to Joseph M. Squibb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8284) granting an increase of pension to Andrew T. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8285) granting an increase of pension to William N. Sexton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8286) granting an increase of pension to Joseph Shields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8287) granting an increase of pension to Christian Shores—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8288) granting an increase of pension to Thomas Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8289) granting an increase of pension to William G. Selvidge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8290) granting an increase of pension to Mary E. Spangle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8291) granting an increase of pension to William T. Sims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8292) granting an increase of pension to Levi Summay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8293) granting an increase of pension to John B. Schroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8294) granting an increase of pension to Joseph M. Squibb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8295) granting an increase of pension to Theodore S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8296) granting an increase of pension to Malinda C. Summers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8297) granting an increase of pension to Joseph Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8298) granting an increase of pension to Jesse J. Riggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8299) granting an increase of pension to Henry Rigsby—to the Committee on Pensions.

Also, a bill (H. R. 8300) granting an increase of pension to Thomas M. Rankin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8301) granting an increase of pension to Joseph J. Ricketts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8302) granting an increase of pension to Alga S. Roach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8303) granting an increase of pension to Thomas M. Rankin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8304) granting an increase of pension to Thurman H. Rodebeaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8305) granting an increase of pension to John Ridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8306) granting an increase of pension to Benjamin R. Ricketts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8307) granting an increase of pension to William G. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8308) granting an increase of pension to George W. Qualls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8309) granting an increase of pension to Calvin Patterson—to the Committee on Pensions.

Also, a bill (H. R. 8310) granting an increase of pension to Robert A. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8311) granting an increase of pension to John Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8312) granting an increase of pension to Lycurgus Peltier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8313) granting an increase of pension to John A. Proulse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8314) granting an increase of pension to Thomas G. Pardue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8315) granting an increase of pension to A. J. Pedigo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8316) granting an increase of pension to James A. Ogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8317) granting an increase of pension to Robert Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8318) granting an increase of pension to Delos Odell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8319) granting an increase of pension to Robert Orr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8320) granting an increase of pension to Wesley Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8321) granting an increase of pension to William L. Northern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8322) granting an increase of pension to Emanuel Netherway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8323) granting an increase of pension to Adam R. Northern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8324) granting an increase of pension to Luvernia Newport—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8325) granting an increase of pension to John Marney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8326) granting an increase of pension to Lewis M. Moses—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8327) granting an increase of pension to Eli B. Miner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8328) granting an increase of pension to George H. S. Messer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8329) granting an increase of pension to Lemuel Main—to the Committee on Pensions.

Also, a bill (H. R. 8330) granting an increase of pension to William M. Murrin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8331) granting an increase of pension to William Mooney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8332) granting an increase of pension to Josiah D. Mater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8333) granting an increase of pension to William N. Mabry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8334) granting an increase of pension to Louise Meyers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8335) granting an increase of pension to William Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8336) granting an increase of pension to Barzilla T. Monday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8337) granting an increase of pension to Annie Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8338) granting an increase of pension to William A. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8339) granting an increase of pension to Henry McMahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8340) granting an increase of pension to James C. McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8341) granting an increase of pension to James McCulley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8342) granting an increase of pension to John A. McKelvey, alias Jackson Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8343) granting an increase of pension to James M. Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8344) granting an increase of pension to John Lobach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8345) granting an increase of pension to Fletcher Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8346) granting an increase of pension to John M. Letsinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8347) granting an increase of pension to Charlotte J. Triplett Lewis—to the Committee on Pensions.

Also, a bill (H. R. 8348) granting an increase of pension to Alexander R. Long—to the Committee on Pensions.

Also, a bill (H. R. 8349) granting an increase of pension to Joseph Livsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8350) granting an increase of pension to James Key—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8351) granting an increase of pension to Andrew J. King—to the Committee on Invalid Pensions.

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Also, a bill (H. R. 8357) granting an increase of pension to Isaac M. W. Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8358) granting an increase of pension to Andrew G. Kitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8359) granting an increase of pension to Andrew J. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8360) granting an increase of pension to Elizabeth Hughett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8361) granting an increase of Pension to Samuel Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8362) granting an increase of pension to Hugh Hubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8363) granting an increase of pension to William A. Hutcheson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8364) granting an increase of pension to John A. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8365) granting an increase of pension to William H. Hubble—to the Committee on Pensions.

Also, a bill (H. R. 8366) granting an increase of pension to Spencer H. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8367) granting an increase of pension to Thomas W. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8368) granting an increase of pension to James W. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8369) granting an increase of pension to Samuel Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8370) granting an increase of pension to Henry Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8371) granting an increase of pension to James A. Hickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8372) granting an increase of pension to John Hayden—to the Committee on Pensions.

Also, a bill (H. R. 8373) granting an increase of pension to Joseph Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8374) granting an increase of pension to Jerome B. Hendricks—to the Committee on Pensions.

Also, a bill (H. R. 8375) granting an increase of pension to Andrew Goddard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8376) granting an increase of pension to Nathaniel T. Gourley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8377) granting an increase of pension to Charles Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8378) granting an increase of pension to Robert H. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8379) granting an increase of pension to Robert W. Gibbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8380) granting an increase of pension to James M. Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8381) granting an increase of pension to John W. Fielden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8382) granting an increase of pension to Linsey H. Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8383) granting an increase of pension to Henry Finger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8384) granting an increase of pension to James F. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8385) granting an increase of pension to William G. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8386) granting an increase of pension to John W. Fielden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8387) granting an increase of pension to John N. Fagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8388) granting an increase of pension to John Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8389) granting an increase of pension to John A. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8390) granting an increase of pension to Ferguson Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8391) granting an increase of pension to Mary A. Edington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8392) granting an increase of pension to Alexander Eckel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8393) granting an increase of pension to James Eldridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8394) granting an increase of pension to James Eldridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8395) granting an increase of pension to Barnard J. Irwin—to the Committee on Pensions.

Also, a bill (H. R. 8396) granting an increase of pension to Andrew J. Dupes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8397) granting an increase of pension to John Daly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8398) granting an increase of pension to William W. Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8399) granting an increase of pension to John Daugherty, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8400) granting an increase of pension to John J. Duff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8401) granting an increase of pension to George C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8402) granting an increase of pension to John W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8403) granting an increase of pension to Joel Dotson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8404) granting an increase of pension to Thomas L. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8405) granting an increase of pension to Samuel Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8406) granting an increase of pension to J. R. Doty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8407) granting an increase of pension to Thomas W. Devaney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8408) granting an increase of pension to Alfred M. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R 8409) granting an increase of pension to Richard Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8410) granting an increase of pension to Andrew Covington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8411) granting an increase of pension to John A. Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8412) granting an increase of pension to John C. Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8413) granting an increase of pension to Sylvester Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8414) granting an increase of pension to John W. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8415) granting an increase of pension to Robert Crudgington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8416) granting an increase of pension to John Coppock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8417) granting an increase of pension to John B. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8418) granting an increase of pension to John W. Cheatham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8419) granting an increase of pension to Elijah Cates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8420) granting an increase of pension to George W. Carney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8421) granting an increase of pension to John T. Chiles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8422) granting an increase of pension to Hugh L. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8423) granting an increase of pension to Sarah S. Conway—to the Committee on Pensions.

Also, a bill (H. R. 8424) granting an increase of pension to John H. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8425) granting an increase of pension to Richard Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8426) granting an increase of pension to Adam T. Cottrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8427) granting an increase of pension to Thomas C. Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8428) granting an increase of pension to Henry Blevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8429) granting an increase of pension to Stephen Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8430) granting an increase of pension to Matthew Bunch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8431) granting an increase of pension to Isaac B. Beals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8432) granting an increase of pension to Alexander Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8433) granting an increase of pension to Thomas W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8434) granting an increase of pension to Julian Barger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8435) granting an increase of pension to Peter O. Benham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8436) granting an increase of pension to Thomas J. Bales—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8437) granting an increase of pension to William M. Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8438) granting an increase of pension to Alexander Bright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8439) granting an increase of pension to Thomas C. Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8440) granting an increase of pension to Joseph A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8441) granting an increase of pension to Hazlewood A. C. Bradfute—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8442) granting an increase of pension to Julia E. Angel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8443) granting an increase of pension to Alexander Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8444) granting an increase of pension to George W. Aldridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8445) granting an increase of pension to James Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8446) granting an increase of pension to George W. Arms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8447) granting a pension to George Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8448) granting a pension to Mary E. Witt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8449) granting a pension to Elihu Wilburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8450) granting a pension to Benjamin Wardell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8451) granting a pension to George A. Walker—to the Committee on Pensions.

Also, a bill (H. R. 8452) granting a pension to E. L. Watkins—to the Committee on Pensions.

Also, a bill (H. R. 8453) granting a pension to George A. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8454) granting a pension to Robert G. Tindle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8455) granting a pension to Jane Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8456) granting a pension to Martha Talley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8457) granting a pension to William H. Shillings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8458) granting a pension to Martha Smithers—to the Committee on Pensions.

Also, a bill (H. R. 8459) granting a pension to Sarah J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8460) granting a pension to Elizabeth Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8461) granting a pension to Sabra Shootman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8462) granting a pension to Mary A. Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8463) granting a pension to Alonzo Shootman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8464) granting a pension to Annie Roseboro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8465) granting a pension to Nancy A. Robbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8466) granting a pension to George W. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8467) granting a pension to Jane Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8468) granting a pension to Jesse L. Riggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8469) granting a pension to Alice Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8470) granting a pension to Martha C. Rayfield—to the Committee on Pensions.

Also, a bill (H. R. 8471) granting a pension to Nancy Ann Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8472) granting a pension to Frank Romines—to the Committee on Pensions.

Also, a bill (H. R. 8473) granting a pension to Isaac B. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8474) granting a pension to John W. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8475) granting a pension to Martha Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8476) granting a pension to Francis M. Oglesby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8477) granting a pension to Polly Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8478) granting a pension to James W. Mitchell—to the Committee on Pensions.

Also, a bill (H. R. 8479) granting a pension to John T. Mockabee—to the Committee on Pensions.

Also, a bill (H. R. 8480) granting a pension to Frank Medlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8481) granting a pension to Alfred McCarter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8482) granting a pension to Sampson McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8483) granting a pension to Nancy Lay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8484) granting a pension to Thomas P. A. Leonard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8485) granting a pension to Harriet J. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8486) granting a pension to Thomas Kehoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8487) granting a pension to Swanzy N. Kennedy—to the Committee on Pensions.

Also, a bill (H. R. 8488) granting a pension to John L. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 8489) granting a pension to Addie Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8490) granting a pension to Mallissa C. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8491) granting a pension to Tirza E. B. Hendricks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8492) granting a pension to Joshua Good—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8493) granting a pension to J. S. Grubb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8494) granting a pension to Frank C. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8495) granting a pension to Helen Grant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8496) granting a pension to Serelda Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8497) granting a pension to Henrietta E. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8498) granting a pension to Thomas E. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8499) granting pensions to the minor heirs of Elisha Darity—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8500) granting a pension to Sarah Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8501) granting a pension to William Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8502) granting a pension to James C. Claxton—to the Committee on Pensions.

Also, a bill (H. R. 8503) granting a pension to J. T. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8504) granting a pension to Daniel Cahill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8505) granting a pension to Daniel Best—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8506) granting a pension to Sarah Brimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8507) granting a pension to Andrew Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8508) granting a pension to Sarah J. Blair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8509) granting a pension to Thomas Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8510) granting a pension to Daniel Burkett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8511) granting a pension to Joseph A. Bray—to the Committee on Pensions.

Also, a bill (H. R. 8512) granting a pension to Victoria Blanton—to the Committee on Pensions.

Also, a bill (H. R. 8513) granting a pension to Othello T. Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8514) granting a pension to Zack Amis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8515) granting a pension to Samuel H. Thacker—to the Committee on Pensions.

Also, a bill (H. R. 8516) granting a pension to Rachel M. McNeilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8517) granting a pension to Catherine Hartly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8518) granting a pension to Cleopatra Henshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8519) granting a pension to John Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8520) granting a pension to William G. Blanton—to the Committee on Pensions.

Also, a bill (H. R. 8521) for the relief of Mrs. Martha V. Jones—to the Committee on War Claims.

Also, a bill (H. R. 8522) for the relief of Susan J. Jones—to the Committee on War Claims.

Also, a bill (H. R. 8523) for the relief of T. J. Wear—to the Committee on War Claims.

Also, a bill (H. R. 8524) for the relief of Mrs. Clarissa H. Tipton—to the Committee on War Claims.

Also, a bill (H. R. 8525) for the relief of J. J. Starnes—to the Committee on War Claims.

Also, a bill (H. R. 8526) for the relief of William Spears—to the Committee on Claims.

Also, a bill (H. R. 8527) for the relief of Joe S. Shipe—to the Committee on War Claims.

Also, a bill (H. R. 8528) for the relief of Eli Sharp—to the Committee on War Claims.

Also, a bill (H. R. 8529) for the relief of James J. Sellers—to the Committee on War Claims.

Also, a bill (H. R. 8530) for the relief of F. A. R. Scott—to the Committee on War Claims.

Also, a bill (H. R. 8531) for the relief of Mrs. Lucy Mynatt—to the Committee on War Claims.

Also, a bill (H. R. 8532) for the relief of Mary A. Mynatt—to the Committee on War Claims.

Also, a bill (H. R. 8533) for the relief of David H. Marney—to the Committee on War Claims.

Also, a bill (H. R. 8534) for the relief of R. M. Magill—to the Committee on Claims.

Also, a bill (H. R. 8535) for the relief of George T. Larkin—to the Committee on Claims.

Also, a bill (H. R. 8536) for the relief of Samuel Lewis—to the Committee on War Claims.

Also, a bill (H. R. 8537) for the relief of Lee T. Kitts—to the Committee on Claims.

Also, a bill (H. R. 8538) for the relief of Mrs. James Kennedy—to the Committee on War Claims.

Also, a bill (H. R. 8539) for the relief of James W. Holt—to the Committee on War Claims.

Also, a bill (H. R. 8540) for the relief of Charles J. Harvey—to the Committee on War Claims.

Also, a bill (H. R. 8541) for the relief of George Marion Gaut—to the Committee on War Claims.

Also, a bill (H. R. 8542) for the relief of George Marion Gant—to the Committee on War Claims.

Also, a bill (H. R. 8543) for the relief of Capt. James H. Galbraith—to the Committee on Claims.

Also, a bill (H. R. 8544) for the relief of Jeremiah Campbell—to the Committee on War Claims.

Also, a bill (H. R. 8545) for the relief of Sarah E. Cox—to the Committee on War Claims.

Also, a bill (H. R. 8546) for the relief of Harry A. Claiborne—to the Committee on War Claims.

Also, a bill (H. R. 8547) for the relief of Calvin L. Childress—to the Committee on War Claims.

Also, a bill (H. R. 8548) for the relief of Mrs. Amanda M. Brown—to the Committee on War Claims.

Also, a bill (H. R. 8549) for the relief of W. L. Brown—to the Committee on War Claims.

Also, a bill (H. R. 8550) for the relief of Charles Baum—to the Committee on War Claims.

Also, a bill (H. R. 8551) for the relief of M. E. Hall and the estate of James B. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8552) for the relief of the legal representatives of Jacob S. Fritts, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8553) for the relief of the personal representatives of Mitchell J. Childress, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8554) for the relief of the legal representatives of Jacob G. Carmichael, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8555) for the relief of the personal representatives of Horace L. Bradley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8556) for the relief of the legal representatives of William C. Blalock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8557) for the relief of Margaret Emma Brown, Kate D. Jarnagin, John Jacob Hubbard, and Georgia B. Teague, heirs of Mary Jane Hubbard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8558) to grant an honorable discharge to T. J. Murphy—to the Committee on Military Affairs.

Also, a bill (H. R. 8559) to correct the war record of G. W. Swanay—to the Committee on Military Affairs.

Also, a bill (H. R. 8560) to correct the war record of George Washington Pevyhouse—to the Committee on Military Affairs.

Also, a bill (H. R. 8561) to correct the war record of Samuel Braden—to the Committee on Military Affairs.

Also, a bill (H. R. 8562) to remove the charge of desertion standing against Henry Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 8563) to remove the charge of desertion against George Washington—to the Committee on Military Affairs.

Also, a bill (H. R. 8564) to remove the charge of desertion against John C. White—to the Committee on Military Affairs.

Also, a bill (H. R. 8565) to remove the charge of desertion against Elihu Wilburn—to the Committee on Military Affairs.

Also, a bill (H. R. 8566) to remove the charge of desertion standing against Hugh Washam—to the Committee on Military Affairs.

Also, a bill (H. R. 8567) to remove the charge of desertion standing against Gilbert C. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 8568) to remove the charge of desertion standing against Mark Seiber—to the Committee on Military Affairs.

Also, a bill (H. R. 8569) to remove the charge of desertion against Samuel Robbins—to the Committee on Military Affairs.

Also, a bill (H. R. 8570) to remove the charge of desertion standing against George W. Mabry—to the Committee on Military Affairs.

Also, a bill (H. R. 8571) to remove the charge of desertion against William Lawson—to the Committee on Military Affairs.

Also, a bill (H. R. 8572) to remove the charge of desertion against Ben Graves—to the Committee on Military Affairs.

Also, a bill (H. R. 8573) to remove the charge of desertion standing against Jerry Fritts—to the Committee on Military Affairs.

Also, a bill (H. R. 8574) to remove the charge of desertion standing against Samuel S. Caldwell—to the Committee on Military Affairs.

Also, a bill (H. R. 8575) to remove charge of desertion against David J. Collins—to the Committee on Military Affairs.

Also, a bill (H. R. 8576) to remove the charge of desertion standing against Derious O. Bibee—to the Committee on Military Affairs.

Also, a bill (H. R. 8577) to remove the charge of desertion standing against John W. Bennett—to the Committee on Military Affairs.

Also, a bill (H. R. 8578) to remove the charge of desertion against Pleasant M. Chapman—to the Committee on Military Affairs.

Also, a bill (H. R. 8579) for the relief of the heirs of Benjamin Prater—to the Committee on War Claims.

Also, a bill (H. R. 8580) for the relief of the heirs of John W. Harle—to the Committee on War Claims.

Also, a bill (H. R. 8581) for the relief of the heirs of John Gates, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8582) for the relief of the estate of Noah C. Wenger—to the Committee on War Claims.

Also, a bill (H. R. 8583) for the relief of the estate of William F. Sharp—to the Committee on War Claims.

Also, a bill (H. R. 8584) for the relief of the estate of David Pangle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8585) for the relief of the estate of John North, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8586) for the relief of the estate of Nelson Mynatt—to the Committee on War Claims.

Also, a bill (H. R. 8587) for the relief of the estate of William Kennedy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8588) for the relief of the estate of William M. Goforth—to the Committee on War Claims.

Also, a bill (H. R. 8589) for the relief of the estate of Joseph Galbraith—to the Committee on War Claims.

Also, a bill (H. R. 8590) for the relief of the estate of D. Froneberger and firm of D. Froneberger & Co., of Knoxville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8591) for the relief of the estate of John Chesney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8592) for the relief of the estate of Dr. Thomas J. Coward—to the Committee on War Claims.

Also, a bill (H. R. 8593) for the relief of the estate of Lemuel Cox, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8594) to correct the military record of William H. Shillings—to the Committee on Military Affairs.

Also, a bill (H. R. 8595) to correct the record of Roadman V. Burleson, Company H, Third Tennessee Mounted Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 8596) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Isaac Tipton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8597) to carry into effect the findings of the Court of Claims in the matter of the claim of John G. Henson, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 8598) to carry into effect the findings of the Court of Claims in the matter of the claim of Warham Easley—to the Committee on War Claims.

By Mr. BARCLAY: A bill (H. R. 8599) granting an increase of pension to Thaddeus C. Rumbarger—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 8600) granting a pension to Margaret A. Shaner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8601) granting an increase of pension to Elkana Tester—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 8602) granting an increase of pension to Charles V. Richards—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 8603) granting an increase of pension to Bert O. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8604) granting an increase of pension to Alice I. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8605) for the relief of Dr. Warren E. Day—to the Committee on Claims.

Also, a bill (H. R. 8606) granting certain lands in the San Francisco Forest Reserve in Arizona for observatory purposes—to the Committee on the Public Lands.

By Mr. CANNON: A bill (H. R. 8607) granting an increase of pension to D. P. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8608) granting an increase of pension to Ezra R. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8609) granting an increase of pension to Alva C. Garrison—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 8610) granting a pension to H. T. C. Hough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8611) granting a pension to Joseph T. Foltz—to the Committee on Pensions.

Also, a bill (H. R. 8612) granting an increase of pension to Israel G. Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8613) granting an increase of pension to Mary A. Davis—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 8614) granting an increase of pension to William A. Harvey—to the Committee on Invalid Pensions.

By Mr. GILL of Missouri: A bill (H. R. 8615) granting an increase of pension to George B. Sheridan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8616) granting an increase of pension to Thomas Welstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8617) granting a pension to Edward Dodsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8618) granting a pension to Joseph Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8619) granting a pension to Mary E. Le Roy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8620) to correct the military record of Edward Dodsworth—to the Committee on Military Affairs.

Also, a bill (H. R. 8621) to remove the charge of desertion against Aaron B. Van Pelt and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 8622) to place the name of Charles A. Coulson upon the muster-in roll of Company H, Twenty-first Regiment Missouri Volunteer Infantry—to the Committee on Military Affairs.

By Mr. GUERNSEY: A bill (H. R. 8623) granting an increase of pension to Thomas J. Calligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8624) granting an increase of pension to Jedediah S. Cronkhite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8625) granting an increase of pension to Thomas J. Rockwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8626) granting an increase of pension to Andrew P. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8627) granting an increase of pension to James F. Read—to the Committee on Invalid Pensions

By Mr. HAWLEY: A bill (H. R. 8628) granting an increase of pension to Rufus Thompson—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 8629) granting an increase of pension to John G. Tally—to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 8630) granting an increase of pension to John T. Whetzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8631) granting an increase of pension to John R. Bungard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8632) granting an increase of pension to Mary A. Biggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8633) granting an increase of pension to Willis T. Brannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8634) granting an increase of pension to Enoch L. Waugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8635) granting an increase of pension to James H. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8636) granting an increase of pension to Calvin C. Shank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8637) granting an increase of pension to Silas Simms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8638) granting an increase of pension to Benjamin F. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8639) granting an increase of pension to Adeline Summerville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8640) granting an increase of pension to Mary E. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8641) granting an increase of pension to Hugh Neeper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8642) granting an increase of pension to Caleb Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8643) granting an increase of pension to Margaret E. Marple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8644) granting an increase of pension to Josiah Monroe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8645) granting an increase of pension to Mahala C. Lydick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8646) granting an increase of pension to D. B. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8647) granting an increase of pension to Mary E. Huey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8648) granting an increase of pension to Hugh A. Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8649) granting an increase of pension to William R. Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8650) granting an increase of pension to Samuel H. Gebhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8651) granting an increase of pension to Thomas L. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8652) granting an increase of pension to Benjamin F. Dunlap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8653) granting an increase of pension to Wilford Drummond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8654) granting an increase of pension to George Crider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8655) granting an increase of pension to William E. Cornwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8656) granting an increase of pension to Duncan Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8657) granting an increase of pension to James A. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8658) granting a pension to John W. Vandine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8659) granting a pension to Julia A. Smalley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8660) granting a pension to Amanda C. Swiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8661) granting a pension to Eliza Peel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8662) granting a pension to Sarah J. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8663) granting a pension to Edgar D. Musgrave—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8664) granting a pension to Margaret Miner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8665) for the relief of J. H. Willis—to the Committee on War Claims.

Also, a bill (H. R. 8666) for the relief of W. D. Catlett—to the Committee on Claims.

Also, a bill (H. R. 8667) for the relief of Larnie Dean and James Dean—to the Committee on Claims.

Also, a bill (H. R. 8668) for the relief of J. Walter Duncan—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 8669) for the relief of the estate of James H. Hardesty, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8670) for the relief of the heirs of Lucinda Muse Thomas—to the Committee on Claims.

Also, a bill (H. R. 8671) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased—to the Committee on Claims.

Also, a bill (H. R. 8672) for the relief of the personal representatives of the late John M. Doddridge—to the Committee on War Claims.

Also, a bill (H. R. 8673) making an appropriation to reimburse the Fort Henry Club, of Wheeling, W. Va., for loss occasioned by proceedings by the United States for the condemnation of property of said club and the subsequent abandonment of such proceedings—to the Committee on Claims.

By Mr. HUFF: A bill (H. R. 8674) granting an increase of pension to Frederick Ulery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8675) granting an increase of pension to George W. Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8676) granting an increase of pension to Samuel D. Aultman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8677) granting an increase of pension to Josiah E. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8678) granting an increase of pension to Jeremiah E. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8679) granting a pension to Grace Olive Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8680) granting a pension to Aroline Jack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8681) to correct the military record of Henry L. Keaggy—to the Committee on Military Affairs.

By Mr. HULL of Iowa: A bill (H. R. 8682) granting an increase of pension to George W. Banickman—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 8683) granting an increase of pension to Louis Hebert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8684) granting an increase of pension to John B. Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8685) granting a pension to H. R. Lett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8686) granting a pension to Andrew J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8687) granting a pension to J. K. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8688) granting a pension to George A. Womack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8689) granting a pension to George Stephens, sr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8690) granting a pension to Amos Vaughan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8691) granting a pension to Jackson W. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8692) granting a pension to John S. Draper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8693) granting a pension to William Fidler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8694) to remove the charge of desertion standing against John Downs—to the Committee on Military Affairs.

Also, a bill (H. R. 8695) to remove the charge of desertion standing against James Wilkey—to the Committee on Military Affairs.

Also, a bill (H. R. 8696) to remove the charge of desertion standing against J. T. Bandy—to the Committee on Military Affairs.

Also, a bill (H. R. 8697) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Josiah Anthony, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8698) granting arrears of pension to Newton Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8699) authorizing the Secretary of War to recognize William Mitchell, deceased, as having been a member of Company C, First Regiment Tennessee Volunteer Mounted Infantry, civil war—to the Committee on Military Affairs.

By Mr. JOYCE: A bill (H. R. 8700) granting an increase of pension to William W. Sparks—to the Committee on Pensions.

Also, a bill (H. R. 8701) granting an increase of pension to William Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8702) granting an increase of pension to George B. Erven—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8703) granting an increase of pension to Joseph Flanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8704) granting a pension to David E. Tipple—to the Committee on Pensions.

By Mr. KEIFER: A bill (H. R. 8705) granting an increase of pension to Hiram Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8706) granting an increase of pension to Frederick Markgraff—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 8707) granting an increase of pension to John A. Pinegar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8708) granting an increase of pension to Thomas J. Stafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8709) granting an increase of pension to Hiram Gosnell—to the Committee on Invalid Pensions.

By Mr. KENNEDY of Ohio: A bill (H. R. 8710) granting an increase of pension to Josiah V. Dickinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8711) granting an increase of pension to Edward F. Reeves—to the Committee on Pensions.

Also, a bill (H. R. 8712) granting an increase of pension to James A. Morrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8713) granting an increase of pension to Jefferson Milbourn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8714) granting an increase of pension to John Q. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8715) granting an increase of pension to Thomas W. Quine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8716) granting an increase of pension to George M. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8717) granting an increase of pension to Samuel Witter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8718) granting an increase of pension to Margaret B. Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8719) granting an increase of pension to David Bash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8720) granting an increase of pension to John W. Manning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8721) granting an increase of pension to W. E. Lowary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8722) granting an increase of pension to George W. Welsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8723) granting an increase of pension to Jacob Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8724) granting a pension to Lois A. Bentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8725) granting a pension to Nellie Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8726) granting a pension to Charles Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8727) granting a pension to Alban E. Bentley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8728) granting a pension to Mary C. McCaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8729) granting a pension to Aaron Roderick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8730) holding and considering William Mullally to have been honorably discharged—to the Committee on Military Affairs.

Also, a bill (H. R. 8731) holding and considering James Perrott, alias James Parrott, to have been honorably discharged—to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 8732) granting an increase of pension to Joseph Dickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8733) granting an increase of pension to Jonathan Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8734) granting an increase of pension to John Sears—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 8735) granting an increase of pension to William H. Stallman—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 8736) granting an increase of pension to Marion J. Green—to the Committee on Invalid Pensions.

By Mr. MILLER of Kansas: A bill (H. R. 8737) granting an increase of pension to Jacob Holden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8738) granting an increase of pension to Margaret Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8739) granting an increase of pension to Evi T. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8740) granting an increase of pension to Emerson O. Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8741) granting an increase of pension to Joseph Lynn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8742) granting an increase of pension to William H. Shields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8743) granting a pension to Augusta M. Kelley—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 8744) granting an increase of pension to Sarah McKee—to the Committee on Pensions.

Also, a bill (H. R. 8745) granting an increase of pension to George Berry—to the Committee on Pensions.

Also, a bill (H. R. 8746) granting an increase of pension to Albert J. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8747) granting an increase of pension to Wilber F. Sinkhorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8748) granting an increase of pension to William Sproul—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 8749) granting an increase of pension to Isaiah Clarke Steele—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8750) granting an increase of pension to Willis Blackwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8751) to correct the military record of John R. Cox—to the Committee on Military Affairs.

Also, a bill (H. R. 8752) to correct the military record of William C. Looper—to the Committee on Military Affairs.

Also, a bill (H. R. 8753) for the relief of William H. Shannon—to the Committee on Military Affairs.

Also, a bill (H. R. 8754) for the relief of Martin Jeffries—to the Committee on War Claims.

Also, a bill (H. R. 8755) for the relief of Peter Van Valer—to the Committee on Military Affairs.

Also, a bill (H. R. 8756) for the relief of John Wesley Young—to the Committee on Military Affairs.

Also, a bill (H. R. 8757) for the relief of the estate of Vicente Gomez, deceased—to the Committee on War Claims.

By Mr. PUJO: A bill (H. R. 8758) for the relief of Mrs. Octave Simoneaux, of Alexandria, parish of Rapides, La.—to the Committee on War Claims.

Also, a bill (H. R. 8759) for the relief of the heirs of Jabez Tanner, deceased—to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 8760) granting an increase of pension to John C. Langford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8761) granting an increase of pension to Edward Leahy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8762) granting an increase of pension to George W. Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8763) granting an increase of pension to Alonzo M. Hannaford—to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 8764) granting an increase of pension to Cyrus Carlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8765) granting an increase of pension to Volney Mudge—to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 8766) granting an increase of pension to George M. Ross—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 8767) granting an increase of pension to George P. McClellan—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 8768) granting an increase of pension to Joseph R. Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8769) granting an increase of pension to Hezekiah R. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8770) to remove the charge of desertion from the military record of James M. Mulcahy—to the Committee on Military Affairs.

Also, a bill (H. R. 8771) to remove the charge of desertion from the military record of Timothy Crowley—to the Committee on Military Affairs.

Also, a bill (H. R. 8772) to remove the charge of desertion from the military record of John A. Curry—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of Anderson Creason, Phillip Gentry, and John G. Hearn—to the Committee on Invalid Pensions.

By Mr. ANDERSON: Petition of R. E. Sweigard and certain citizens of Carey, Ohio, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ANSBERRY: Petition of W. H. Frank and others, of Defiance, Ohio, against a tariff on certain necessities of life—to the Committee on Ways and Means.

Also, petition of David Lichty, of Pandora, Ohio, for removal of duty on hides—to the Committee on Ways and Means.

By Mr. BARTLETT of Georgia: Petition of J. T. Edwards & Son, of Flovilla, Ga., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Maine Woolen Manufacturers' Association, by Robert Dobson, president, in favor of changing tariff on woolens—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Western Newspaper Union, against the Government printing return addresses on envelopes—to the Committee on Post-Office and Post-Roads.

Also, petition of Chicago Allied Printing Trades Council, of Chicago, Ill., against denying second-class rates on publications in towns where printed—to the Committee on the Post-Office and Post-Roads.

Also, petition of American Varnish Company, of Chicago, Ill., for placing China nut oil on free list—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Works, of New York, relative to duty on unscoured wool—to the Committee on Ways and Means.

Also, petitions of Fred A. Sluzer, of Paxton; Arthur Buren, of Lincoln; and D. E. Travis, of Saybrook, all in the State of Illinois, against proposed duty on essential oils—to the Committee on Ways and Means.

Also, petition of La Salle (Ill.) Commercial Association, against proposed increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Charles Prouty, of Spencer, Mass., for repeal of duty on hides—to the Committee on Ways and Means.

Also, petition of Henry P. Walker, against placing coal on the free list—to the Committee on Ways and Means.

Also, petition of citizens of Garden Prairie, Ill., favoring removal of casein and lactarene from free list—to the Committee on Ways and Means.

Also, petition of Forest City Furniture Company, of Rockford, Ill., against increase of duty on cast and polished plate glass—to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of Springfield (Ill.) Lodge, Benevolent and Protective Order of Elks, for creation of a national park for American Elks—to the Committee on the Public Lands.

Also, petition of Bode, Lee, Taylor & Co., of Springfield, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of Buffalo, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. GRIGGS: Petition of citizens of Second Congressional District of Georgia, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HAYES: Petition of the Asiatic Exclusion League, of San Francisco, Cal., favoring an effective exclusion law against all Asiatics, excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of citizens of San Francisco, Cal., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Petition of Farmingdale Grange, No. 157, of Farmingdale, N. J., for removal of the duty on sugar—to the Committee on Ways and Means.

By Mr. HUFF: Papers to accompany bill granting an increase of pension to Jeremiah B. Williams, Samuel D. Aultman, Josiah E. Lyon, and Aroline Jack, invalid daughter of David H. Jack, deceased—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Grace Olise Jones, Frederick Ulery, and George W. Beck—to the Committee on Invalid Pensions.

Also, papers to accompany bill to correct the military record of Henry L. Keagy—to the Committee on Military Affairs.

By Mr. KELIHER: Petition of legislature of Massachusetts, against imposition of a federal inheritance tax—to the Committee on Ways and Means.

Also, memorial of legislature of Massachusetts, relative to rolls of Revolutionary regiments and pensions—to the Committee on Pensions.

By Mr. LOWDEN: Petition of citizens of Dakota, Ill., for a duty on casein and lactarene—to the Committee on Ways and Means.

By Mr. NEEDHAM: Petition of employers and members of the International Photo Engravers' Union of North America, for a duty on post cards—to the Committee on Ways and Means.

Also, petition of tanners, glove manufacturers, and citizens of California, asking for removal of duty on hides—to the Committee on Ways and Means.

Also, petitions of citizens of Fresno, Clovis, and other cities of the Sixth Congressional District of California, opposing any tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of grain producers of the Pacific coast, asking for removal of import duty on jute, grain bags, and burlap cloth—to the Committee on Ways and Means.

Also, petition of board of directors of State Agricultural Society, of California, opposing any modification of present tariff on wool, hides, or other items affecting the live-stock industry—to the Committee on Ways and Means.

By Mr. MACON: Petition of citizens of Greene County, Ark., against passage of the Payne tariff bill—to the Committee on Ways and Means.

By Mr. MORGAN of Missouri: Petition of citizens of the Fifth Congressional District of Missouri, against a tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of Joplin Printing Pressmen and Assistants' Union, favoring a duty on post cards—to the Committee on Ways and Means.

By Mr. RAINEY: Petition of 46 members of the Jacksonville (Ill.) Business Men's Association, against proposed duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of J. E. Thompson and 10 other citizens of Murrayville, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of Woman's Christian Temperance Union of Newport, R. I., against shipment of liquor into prohibition territory—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rhode Island State Federation of Woman's Clubs, against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. WANGER: Petition of 55 residents of Montgomery County, Pa., for the removal of casein and lactarene from the free list and imposing a duty of 2¼ cents per pound on unground casein or lactarene and 2½ cents per pound on ground casein or lactarene—to the Committee on Ways and Means.

Also, protest of Norristown (Pa.) Union, No. 446, Cigar Makers' Union of the United States of America, against free trade to any extent in cigars made in or from tobacco grown in the Philippine Islands—to the Committee on Ways and Means.

Also, petition of 9 residents of Morrisville, Bucks County, Pa., and vicinity, for a reduction in the duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. YOUNG of Michigan: Petition of Brotherhood of Locomotive Engineers of Marquette, Mich., against free iron ore—to the Committee on Ways and Means.

Also, petition of citizens of Manistique, Mich., against a tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of common councils of Marquette and Norway, Mich., and citizens of fifth ward of Ishpeming, Mich., against free iron ore—to the Committee on Ways and Means.

Also, petition of citizens of Manistique, Mich., against a tariff on tea and coffee—to the Committee on Ways and Means.

SENATE.

FRIDAY, *April 23, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FLATHEAD INDIAN RESERVATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, certain information relative to the reservation of all land within the Flathead Indian Reservation, in the State of Montana, valuable chiefly for power or reservoir sites, etc. (S. Doc. No. 19), which was referred to the Committee on Indian Affairs and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Lewis D. Crenshaw, administrator de bonis non of Lewis D. Crenshaw, deceased, v. United States (S. Doc. No. 20), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

ENROLLED JOINT RESOLUTIONS SIGNED.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled joint resolutions, and they were thereupon signed by the Vice-President:

H. J. Res. 38. Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909; and

H. J. Res. 45. Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the International Brotherhood of Paper Makers of Watertown, N. Y., remonstrating against a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. FRYE presented the petition of A. H. Weymouth, of East Millinockee, Me., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented memorials of sundry citizens of New Castle, Pa., remonstrating against the retention of the proposed drawback feature in the so-called "Payne tariff bill" relative to tin plates, which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 7, American Federation of Labor, of Pittsburg, Pa., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Bradford, Pa., praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. CULLOM. I present a joint resolution of the legislature of Illinois, which I ask may be read and referred to the Committee on Finance.

There being no objection, the joint resolution was read and referred to the Committee on Finance, as follows:

STATE OF ILLINOIS,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, James A. Rose, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution No. 16, of the forty-sixth general assembly of the State of Illinois, filed April 21, 1909, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of state.

Done at the city of Springfield this 21st day of April, A. D. 1909.

[SEAL.] JAMES A. ROSE,
Secretary of State.

Senate joint resolution 16.

Whereas the several States are now taxing inheritances with marked success and need all the revenue that can properly be drawn from this source; and

Whereas double taxation of inheritances would be unwise, and as the Federal Government can readily raise additional revenue, when required, from other sources: Therefore be it

Resolved by the senate (the house of representatives concurring therein), That it is the sense of the general assembly of the State of Illinois that the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit; and be it further

Resolved, That the secretary of state send a certified copy of these resolutions to the Members of the Congress of the United States from Illinois.

Adopted by the senate March 11, 1909.
Concurred in by the house April 15, 1909.

Mr. CULLOM presented petitions of sundry citizens of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. OWEN. I present resolutions adopted by the Commercial Club of Tulsa, Okla., relative to the improvement of inland waterways. I ask that the resolutions be printed in the RECORD for the information of the Senate, and that they be referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD as follows:

THE IMPROVEMENT OF INLAND WATERWAYS.

Resolutions adopted by the Tulsa Commercial Club, Tulsa, Okla.

Whereas the railroads of the Mississippi Valley, even under normal conditions, are unable to handle the products of this wide region without delay and congestion; and

Whereas the immediate future gives promise of even greater prosperity for the United States than has ever been known in the past; and

Whereas the completion of the Panama Canal will result in a vastly increased tonnage for the already overloaded railway lines that parallel the Mississippi River and its tributaries, particularly the Arkansas; and

Whereas the immediate improvement of our inland waterways is absolutely necessary to enable them to handle their part of the increased tonnage of this vast region: Therefore be it

Resolved by the Commercial Club of Tulsa, Okla., That we ask the President-elect to bring to the attention of Congress, in his call for a special session, the imperative need of a comprehensive inland waterways improvement plan which shall be adequate and permanent; and that we ask him to urge an appropriation of not less than $50,000,000 for carrying it into effect; and be it further

Resolved, That we ask each of our Senators and Members of Congress from Oklahoma to cooperate in this restoration of our waterways, and to do everything in his power to further the long-neglected work of making our great river, the Arkansas, again navigable, from its ancient head of navigation at the mouth of Little River, thence down across southern Kansas, through Oklahoma and Arkansas to the Mississippi and the Gulf, that the products of Oklahoma's farms, mines, and factories may be given additional outlet every way in keeping with their growing importance in the commerce of the Nation.

Adopted in regular session this February 19, 1909.

M. H. MOSIER, *President.*

Attest:
ERWIN CORRY, *Secretary.*

Mr. OWEN. I present resolutions adopted by the board of directors of the Commercial Club of Muskogee, Okla., which I ask may be printed in the RECORD for the information of the Senate and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolutions.

Whereas the National Waterways Commission has announced its intention of making a personal inspection directly after the adjournment of the present Congress of various water courses of the United States with a view to recommending to the next Congress a policy looking to the improvement, for the purposes of navigation, of such streams so inspected as appear to said commission to warrant the expense of improvement; and

Whereas the Arkansas River is a navigable stream, as has been demonstrated by years of practical and profitable navigation of its waters and by the reports of the Government's engineers; and

Whereas navigation of the Arkansas River has fallen into disuse through neglect of the ordinary means of providing for and protecting it; and

Whereas by proper effort the Arkansas River may be made an asset of incalculable benefit to the State of Oklahoma and may be made the agency for solving in a large measure the question of traffic rates and freight transportation, one of the most vexatious questions now confronting the people of this Commonwealth, and may be made to promote immeasurably the common welfare of the people of Oklahoma; and

Whereas the Muskogee Packet Company is the owner of the *City of Muskogee*, a boat of 150 tons' capacity, which is available to the Commercial Club for the use hereinafter proposed, which boat is now moored near Muskogee on the Arkansas River; and

Whereas it is believed that much good in the interest of Arkansas River improvement may be accomplished by prevailing on the National Waterways Commission to inspect said river, so that it may be included in the general scheme to be reported to the next session of Congress: Be it hereby

Resolved by the board of directors for and on behalf of the Commercial Club of Muskogee, That it is earnestly desired that the National Waterways Commission inspect the Arkansas River from its mouth to the confluence of said river with the Verdigris and Grand rivers; and be it further

Resolved, That the Commercial Club offer to said commission the *City of Muskogee* to convey them from the mouth of the Arkansas River to its confluence with the Verdigris and Grand rivers and back to the mouth of the Arkansas River without cost to said commission; and be it further

Resolved, That the Oklahoma delegation in Congress be, and they hereby are, earnestly requested, for and on behalf of this club, to make said tender to the National Waterways Commission, and to request of said commission that they inspect the Arkansas River as proposed, and that they do all in their power which they may properly do to secure from said commission the acceptance of this invitation; and be it further

Resolved, That a copy of this resolution be sent to each Senator and Congressman from Oklahoma.

D. N. FINK, *President.*

Attest:
R. D. SANGSTER, *Secretary.*

MUSKOGEE, OKLA., *April 9, 1909.*

Mr. JONES presented petitions of sundry citizens of Spokane, Wash., and of Owasso, Okla., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Igloo, No. 1, Pioneers of Alaska, of Nome, Alaska, praying for the enactment of legislation to restrict the locations of mineral ground in that Territory to individual locators, which was referred to the Committee on Public Lands.

Mr. LODGE presented petitions of sundry citizens of Boston, Gloucester, Holyoke, South Hadley Falls, Chicopee Falls, South Essex, Springfield, Roxbury, and Willimansett, all in the State of Massachusetts, and of Bristol, in the State of Connecticut, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented a petition of the Chamber of Commerce of Spokane, Wash., praying for the repeal of the duty on works of art, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Spokane, Wash., praying for the enactment of legislation to establish a line of steamships between the Isthmus of Panama and the Pacific coast ports of the United States, which was referred to the Committee on Commerce.

Mr. BRANDEGEE presented petitions of sundry citizens of Winsted, Northfield, and Waterville, all in the State of Connecticut, praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

He also presented a memorial of the New England Tobacco Growers' Association of Hartford, Conn., remonstrating against the importation of tobacco free of duty from the Philippine Islands, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New Haven, Thompson, and Norwich, all in the State of Connecticut, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. ROOT presented petitions of sundry citizens of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 167, American Federation of Labor, of Schenectady, N. Y., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of the State Council of the International Reform Bureau of New York, praying for the passage of the so-called "Burkett-Foeker antigambling race bill," which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens, of the board of supervisors of Washington County, and of the International Brotherhood of Paper Makers of Watertown, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for a protective duty on imported post cards, which were ordered to lie on the table.

He also presented a memorial of sundry members of the legislature of New York of Albany, N. Y., remonstrating against a reduction of the duty on gypsum, which was ordered to lie on the table.

He also presented the petition of John G. Bahret, of Poughkeepsie, N. Y., and a petition of Chapel Corners Grange, No. 872, Patrons of Husbandry, of Poughkeepsie, N. Y., praying for the passage of the so-called "rural parcels-post" bill, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. SIMMONS presented petitions of sundry citizens of Moyock, Kenly, Bushy Fork, Bath, George, Red Springs, Rural Hall, Dillard, Lillington, Pine Hall, and Conover, all in the State of North Carolina, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented a petition of Igloo No. 1, Pioneers of Alaska, of Nome, Alaska, praying for the enactment of legislation to restrict the locations of mineral ground in that Territory to individual locators, which was referred to the Committee on Mines and Mining.

BILLS INTRODUCED.

Bills and a joint resolution were read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. FRYE:

A bill (S. 1964) granting an increase of pension to Elbridge P. Wardwell; to the Committee on Pensions.

By Mr. RICHARDSON:

A bill (S. 1965) to provide for the erection of a monument to mark the location of the De Vries Dutch settlement near Lewes, Del.; to the Committee on the Library.

By Mr. OLIVER:

A bill (S. 1966) to amend section 4919 of the Revised Statutes of the United States, to provide additional protection for owners of patents of the United States, and for other purposes; to the Committee on Patents.

By Mr. OWEN:

A bill (S. 1967) to provide against the reversal of judgments in civil and criminal cases upon technicalities immaterial to the ends of substantial justice; to the Committee on the Judiciary.

A bill (S. 1968) to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Public Health and National Quarantine.

A bill (S. 1969) granting a pension to M. L. Williams; to the Committee on Pensions.

A bill (S. 1970) for the relief of Sabini Jones;

A bill (S. 1971) for the relief of Manuel Medril;

A bill (S. 1972) for the relief of Mrs. Candelaria L. de Lepoint, administratrix of the estate of Don Blas Lucero, deceased;

A bill (S. 1973) for the relief of Pablo Ciriaco Baca;

A bill (S. 1974) for the relief of the estate of Matias Baca, deceased, and his son, Juan Rey Baca, of Belen, N. Mex.;

A bill (S. 1975) for the relief of Joseph B. Tucker;

A bill (S. 1976) for the relief of the estate of Guadalupe Lujan de Fuentes, deceased; and

A bill (S. 1977) for the relief of the estate of Fritz Eggert, deceased; to the Committee on Claims.

A bill (S. 1978) providing for the enrollment of certain persons as members of the Osage tribe of Indians;

A bill (S. 1979) to authorize the Delaware tribe of Indians residing in Oklahoma to bring suit in the Court of Claims against the United States, and for other purposes;

A bill (S. 1980) to amend section 1 of an act approved January 30, 1897, entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes;"

A bill (S. 1981) to amend section 1 of an act approved January 30, 1897, entitled "An act to prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes" (with the accompanying paper); and

A bill (S. 1982) to authorize the Kaw tribe of Indians residing in the State of Oklahoma to bring suit in the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. WARREN:

A bill (S. 1983) to grant certain lands to the city of Cheyenne, Wyo.; to the Committee on Public Lands.

By Mr. DICK:

A bill (S. 1984) to regulate the retirement of certain veterans of the civil war; to the Committee on Military Affairs.

By Mr. DIXON:

A bill (S. 1985) for the relief of Henry Kirn (with the accompanying papers); to the Committee on Finance.

By Mr. OWEN:

A joint resolution (S. J. Res. 24) empowering the Court of Claims to ascertain the amount of the "civilization fund" paid by the Osages and applied to the benefit of other Indians, and for other purposes; to the Committee on Indian Affairs.

AMENDMENTS TO THE TARIFF BILL.

Mr. GUGGENHEIM submitted five amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. ROOT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

TARIFF STATISTICS.

Mr. LA FOLLETTE submitted the following resolution (S. Res. 36), which was considered by unanimous consent and agreed to:

Senate resolution 36.

Resolved, That the Secretary of Commerce and Labor be, and he hereby is, directed to cause to be compiled for the information and use of the Senate a comparative table of tariff duties levied in the United States, Germany, and France on pottery, glass bottles, plate glass, iron ore, pig iron, steel rails, structural iron, cutlery, machinery, tin plate, watch movements, raw and refined sugar, wheat, corn, flour, meats, lard, wool, woolen yarn, woolen cloth, knitted articles of wool, cotton yarn, cotton thread, cotton cloth, knitted articles of cotton, ready-made clothing, corsets, plush, hosiery, print paper, writing paper, hides, leather, leather gloves, shoes, paints and colors, and where more than one rate of duty is provided for different kinds or grades of the same article the highest and lowest rates be given. That the rates may be made strictly comparable, they shall be reduced, in so far as possible, to an ad valorem basis.

STENOGRAPHER FOR CENSUS COMMITTEE.

Mr. LA FOLLETTE submitted the following resolution (S. Res. 37), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 37.

Resolved, That the Committee on the Census be, and the same is hereby, authorized to employ a stenographer, to be paid from the contingent fund of the Senate, at the rate of $1,200 per annum until otherwise provided for by law.

THE TARIFF.

The VICE-PRESIDENT. The morning business is concluded.

Mr. ALDRICH. I ask that House bill 1438 be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The reading of the bill will be resumed on page 69, Schedule D—Wood and manufactures of.

Mr. BRISTOW. Mr. President, I was very much interested yesterday in regard to the duty on glass, especially in the remarks of the Senator from West Virginia [Mr. SCOTT]. I should be glad to know what process resulted in the reduction of the price of glass pitchers from $4 to 12½ cents.

Mr. SCOTT. If the Senator is addressing his remarks to me, I can not hear him.

The VICE-PRESIDENT. The Senate will please be in order.

Mr. BRISTOW. I was very much interested in the remarks of the Senator from West Virginia yesterday in regard to the reduction in the price of glassware. He stated that the price of a glass pitcher had been reduced from $4 to $1.25 a dozen.

Mr. SCOTT. That is the manufacturer's price. You can buy a good pitcher for $1.25 a dozen at the factory.

Mr. BRISTOW. This result was attained, I understood the Senator to say, because a duty of 60 per cent had been imposed. I should like to know what were the various processes of the reduction in price. How did the duty apply in the manufacture? How was it that the protection resulted in the reduction?

Mr. SCOTT. Mr. President, I do not believe that I understand the Senator fully. If I should go into a discussion of the glass question in its manifold forms and shapes and varieties there would be a good many technicalities that I am sure the Senator, without being familiar with the manufacture of that article, would not understand.

I base the reduction principally upon the difference in the wages paid in Europe and the hours glass blowers are required to work in foreign countries as compared with the wages a man receives and the hours he is compelled to work in this country. The result in the glass business was brought about the same as it was brought about by the protection that was put on tin. When a glass pitcher cost $4 it was an imported pitcher, because there were scarcely none made in this country. We could not make them because of the lack of protection, on account of the wages paid here.

Mr. BRISTOW. I probably misunderstood what the Senator said yesterday. My understanding was that the cost of a glass pitcher in the United States had been reduced from $4 to $1.25 a dozen. I did not understand that all the pitchers were imported and that none were made in the United States.

Mr. SCOTT. There were scarcely any made here. They were nearly all imported and they cost anywhere from $3.50 to $4.

As I stated before, if the Senator goes to a manufacturer making pitchers he can buy a dozen of them, if he is a dealer, at $1.25 per dozen.

Mr. BRISTOW. Is that the same kind of a pitcher that was formerly imported.

Mr. SCOTT. I do not know that it would be at all enlightening to go into the quality. Some factories make a better quality of glass than others. I am speaking in a general way.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

Mr. McCUMBER. Mr. President, I have a pending amendment proposing to place all of the articles from paragraph 196 to paragraph 204 upon the free list. I wish to discuss the subject at some time when we reach those paragraphs for final determination. In order that I may not ask specifically that each paragraph be passed over, I will ask that they be passed over as they are read.

Mr. ALDRICH. I suggest to the Senator from North Dakota that, with the understanding we have, it is not necessary to have them passed over. He can go back and make a motion at any time without having them passed over. I ask that the paragraphs may be read before any action is taken.

Mr. McCUMBER. I simply ask that they be passed over; that is all.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

SCHEDULE D.—WOOD AND MANUFACTURES OF.

196. Timber, hewn, sided, or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

The VICE-PRESIDENT. The Senator from North Dakota asks that this paragraph be passed over. Yesterday the Senate determined that there could be a return to any paragraph without a Senator having asked that it be passed over. Does the Senator, with that understanding, still ask that it be marked as passed over?

Mr. McCUMBER. I will not ask that paragraph 196 be passed over, but I ask that paragraphs 197 to 205, inclusive, be marked "passed over" as they are read.

The VICE-PRESIDENT. The Senator does not ask that paragraph 196 be passed over?

Mr. McCUMBER. I do not ask that it be passed over.

Mr. NELSON. I ask that paragraph 196 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Minnesota.

The next amendment was, in Schedule D, on page 69, line 9, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

197. Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, 50 cents per thousand feet board measure; sawed lumber, not specially provided for in this section, $1 per thousand feet board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided there shall be levied and paid for each side so planed or finished, 50 cents per thousand feet board measure; and if planed on one side and tongued and grooved, $1 per thousand feet board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

Mr. SIMMONS. I ask that this paragraph be passed over.

The VICE-PRESIDENT. The Senator from North Dakota [Mr. McCUMBER] has already asked that it be passed over. The paragraph will be passed over.

The next amendment was, on page 69, after line 19, to strike out:

198. Woods: Cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all forms of cabinet woods, in the log, rough, or hewn only; sticks of partridge, hair wood, pimento, orange, myrtle, bamboo, rattan, India malacca joints, and other woods not specially provided for in sections 1 or 2 of this act, in the rough, or not further advanced than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes; all of the foregoing, 5 per cent ad valorem; briar root or briar wood, ivy or laurel root, and similar wood unmanufactured, or not further advanced than cut into blocks suitable for the articles into which they are intended to be converted, 25 per cent ad valorem.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 70, line 15, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

199. Sawed boards, planks, deals, and all forms of sawed cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods not further manufactured than sawed, 15 per cent ad valorem; veneers of wood, and wood unmanufactured, not specially provided for in this section, 20 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from North Dakota.

Mr. ALDRICH. My attention was diverted when paragraph 198 was read. The action suggested by the committee is to put those articles on the free list. I suppose that agrees with what the Senator from North Dakota has in view.

Mr. McCUMBER. I have no objection to that.

Mr. LODGE. Those woods have always been on the free list.

Mr. ALDRICH. They are not produced in this country.

The VICE-PRESIDENT. The Senator from North Dakota does not ask that paragraph 198 be passed over. The question is on agreeing to the amendment of the committee striking out that paragraph.

The amendment was agreed to.

Paragraph 200 was read, as follows:

200. Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, 10 per cent ad valorem.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from North Dakota.

The Secretary read paragraph 201, as follows:

201. Clapboards, $1 per thousand.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. SIMMONS. My attention was diverted, but my colleague calls my attention to the fact that the Senator from North Dakota withdrew his objection to passing over the lumber schedule.

The VICE-PRESIDENT. He withdrew his objection to striking out paragraph 198, and that paragraph was stricken out. He has not withdrawn his request to have the other paragraphs passed over.

Mr. SIMMONS. I do not have in mind the number of the paragraph, but I desire to ask that the whole matter covering the lumber schedule shall go over.

Mr. LODGE. I do not think the Senator can want to have paragraph 198 passed over. It simply restores to the free list certain hard woods which are not grown in this country at all and have always been on the free list.

Mr. SIMMONS. I have no objection to that.

The VICE-PRESIDENT. That is what was done.

The next paragraph was read, as follows:

202. Hubs for wheels, posts, heading bolts, stave bolts, last blocks, wagon blocks, oarblocks, heading blocks, and all like blocks or sticks, roughhewn, sawed or bored, 20 per cent ad valorem.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. RAYNER. I should like to ask if, where a Senate committee amendment is agreed to, we can recur to it?

The VICE-PRESIDENT. The Chair understands that that is the rule the Senate made yesterday, and that it can be returned to at any time.

Mr. RAYNER. Even where the Senate committee amendment has been agreed to?

The VICE-PRESIDENT. The Chair so understands.

Paragraph 203 was read, as follows:

203. Laths, 20 cents per 1,000 pieces.

The VICE-PRESIDENT. The paragraph will be passed over.

Paragraph 204 was read, as follows:

204. Pickets, palings, and staves of wood, of all kinds, 10 per cent ad valorem.

The VICE-PRESIDENT. The paragraph will be passed over.

Paragraph 205 was read, as follows:

205. Shingles, 30 cents per thousand.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 71, line 6, before the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

206. Casks, barrels, and hogsheads (empty), sugar-box shooks, and packing boxes (empty), and packing-box shooks, of wood, not specially provided for in this section, 30 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. LODGE. I understood the request of the Senator from North Dakota to be to pass over the paragraphs to paragraph 205.

The VICE-PRESIDENT. That is correct.

Mr. McCUMBER. That is correct, Mr. President.

The VICE-PRESIDENT. But the Chair understood the Senator from North Carolina [Mr. SIMMONS] to request that all these paragraphs be passed over. The Chair would be glad to be advised if that is correct.

Mr. SIMMONS. With the explanation of the Senator from Massachusetts, I withdrew that objection, so far as it applies to hard woods and these various manufactured products.

Mr. LODGE. My statement referred only to paragraph 198. We have now reached paragraph 206. I was not aware that there was any objection to that.

Mr. SIMMONS. I have none.

Mr. ALDRICH. There is no objection to that paragraph.

Mr. SIMMONS. My objection goes to paragraph 197.

The Secretary read paragraph 207, as follows:

207. Boxes, barrels, or other articles containing oranges, lemons, limes, grape fruit, shaddocks or pomelos, 30 per cent ad valorem: *Provided*, That the thin wood, so called, comprising the sides, tops, and bottoms of orange and lemon boxes of the growth and manufacture of the United States, exported as orange and lemon box shooks, may be reimported in completed form, filled with oranges and lemons, by the payment of duty at one-half the rate imposed on similar boxes of entirely foreign growth and manufacture; but proof of the identity of such shooks shall be made under regulations to be prescribed by the Secretary of the Treasury.

Mr. TALIAFERRO. Let that paragraph go over.

The VICE-PRESIDENT. The Senator from Florida asks that paragraph 207 be passed over. It will be passed over.

The next amendment was, on page 71, line 20, after the word "reeds," to strike out "and reeds from rattan," so as to make the paragraph read:

208. Chair cane wrought or manufactured from rattans or reeds, 10 per cent ad valorem; osier or willow, including chip of and split willow, prepared for basket makers' use, 25 per cent ad valorem; manufactures of osier or willow and willow furniture, 45 per cent ad valorem.

Mr. CLAY. Do I understand that those items are on the free list?

Mr. ALDRICH. They are on the free list now, and this proposition is to restore them to the free list.

Mr. CLAY. The bill as it passed the House took them from the free list and the bill as reported from the Senate committee restores them to the free list.

Mr. ALDRICH. Yes.

Mr. CLAY. I am in favor of the Senate committee amendment.

Mr. OVERMAN. I desire to inquire of the chairman of the committee why it is proposed to strike out "and reeds from rattan."

Mr. ALDRICH. They go on the free list.

Mr. LODGE. They go back to the free list.

The amendment was agreed to.

Mr. BURTON. I ask that paragraph 208 be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 72, line 11, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

211. House or cabinet furniture wholly or in chief value of wood, wholly or partly finished, and manufactures of wood or bark, or of which wood or bark is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was continued to the end of section 213 in Schedule E—Sugar, molasses, and manufactures of.

Mr. PILES. I ask that paragraph 213 be passed over.

The VICE-PRESIDENT. It will be passed over.

The Secretary read paragraph 214, as follows:

214. Maple sugar and maple sirup, 4 cents per pound; glucose or grape sugar, 1½ cents per pound; sugar cane in its natural state, or unmanufactured, 20 per cent ad valorem.

Mr. McLAURIN. I ask that that paragraph may go over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Mississippi.

The next amendment was, in Schedule E, on page 73, line 20, before the word "cents," to strike out "fifty" and insert "seventy-five," so as to make the paragraph read:

215. Saccharine, 75 cents per pound.

Mr. BRISTOW. I should like to have paragraph 215 passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 73, line 22, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and on page 74, line 6, after the word "merchandise," to strike out "biscuits, wafers, and similar articles if filled with or coated with chocolate or sugar, 50 per cent ad valorem," so as to make the paragraph read:

216. Sugar candy and all confectionery not specially provided for in this section, valued at 15 cents per pound or less, and on sugars after being refined, when tinctured, colored, or in any way adulterated, 4 cents per pound and 15 per cent ad valorem; valued at more than 15 cents per pound, 50 per cent ad valorem. The weight and the value of the immediate coverings, other than the outer packing case or other covering, shall be included in the dutiable weight and the value of the merchandise.

Mr. McLAURIN. I should like to have paragraph 216 passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, in Schedule F, on page 74, line 16, after the word "this," to strike out "act" and insert "section;" and in line 17, after the word "pound," to strike out "*Provided*, That on filler tobacco, produced in or imported from countries that prohibit the importation of tobacco from this country, the duty on such tobacco shall be, if unstemmed, 75 cents per pound; if stemmed, $1 per pound," so as to make the paragraph read:

217. Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $1.85 cents per pound; if stemmed, $2.50 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

Mr. PAYNTER. I ask that paragraph 217 be passed over.

The VICE-PRESIDENT. The Senator from Kentucky asks that the paragraph be passed over. It will be passed over.

The reading was continued to paragraph 218.

Mr. BEVERIDGE. Let the tobacco schedule go over.

Mr. HALE. Let it all be read.

Mr. BEVERIDGE. Very well.

The next amendment was, on page 74, line 22, after the word "this," to strike out "act" and insert "section," so as to read:

218. The term wrapper tobacco, as used in this section, means that quality of leaf tobacco which is suitable for cigar wrappers, and the term filler tobacco means all other leaf tobacco. Collectors of customs shall not permit entry to be made, except under regulations to be prescribed by the Secretary of the Treasury, of any leaf tobacco, unless the invoices of the same shall specify in detail the character of such tobacco, whether wrapper or filler, its origin and quality. In the examination for classification of any imported leaf tobacco, at least one bale, box, or package in every ten, and at least one in every invoice, shall be examined by the appraiser or person authorized by law to make such examination, and that at least ten hands shall be examined in each examined bale, box, or package.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 75, line 13, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

219. All other tobacco, manufactured or unmanufactured, not specially provided for in this section, and scrap tobacco, 55 cents per pound.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph will be passed over.

Paragraph 220 was read, as follows:

220. Snuff and snuff flour, manufactured of tobacco, ground dry, or damp, and pickled, scented, or otherwise, of all descriptions, 55 cents per pound.

The VICE-PRESIDENT. The paragraph will be passed over.

Paragraph 221 was read, as follows:

221. Cigars, cigarettes, cheroots of all kinds, $4.50 per pound and 25 per cent ad valorem, and paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was continued.

The next amendment was, in Schedule G, "Agricultural products and provisions," on page 76, after line 1, to strike out the subhead "Animals, live."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 76, line 17, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 18, before the words "per cent," to strike out "twenty" and insert "twenty-five," so as to make the paragraph read:

226. All other live animals, not specially provided for in this section, 25 per cent ad valorem.

Mr. McLAURIN. I should like to have paragraph 226 go over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Mississippi.

The next amendment was, on page 76, after line 18, to strike out the subhead "Breadstuffs and farinaceous substances."

The amendment was agreed to.

The next amendment was, on page 76, line 20, before the word "cents," to strike out "twenty-four" and insert "thirty," so as to make the paragraph read:

227. Barley, 30 cents per bushel of 48 pounds.

Mr. McLAURIN. I should like to have that paragraph go over.

The VICE-PRESIDENT. It will go over.

The next amendment was, on page 76, line 22, before the word "cents," to strike out "forty" and insert "forty-five," so as to make the paragraph read:

228. Barley malt, 45 cents per bushel of 34 pounds.

Mr. McLAURIN. I should like to have that paragraph go over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was continued.

The next amendment was, on page 77, line 3, before the word "cents," to strike out "fifteen" and insert "twenty," so as to make the paragraph read:

231. Corn or maize, 20 cents per bushel of 56 pounds.

Mr. McLAURIN. I ask that that paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading was continued as follows:

232. Corn meal, 40 cents per 100 pounds.

233. Macaroni, vermicelli, and all similar preparations, 1½ cents per pound.

Mr. BURROWS. I ask that paragraph 233 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Michigan.

The next amendment was, on page 77, line 8, before the word "cents," to strike out "fifteen" and insert "twenty," so as to make the paragraph read:

234. Oats, 20 cents per bushel.

Mr. McLAURIN. I ask that paragraph 234 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

Paragraph 235 was read, as follows:

235. Oatmeal and rolled oats, 1 cent per pound; oat hulls, 10 cents per hundred pounds.

The next amendment was, on page 77, line 15, after the word "sieve," to strike out "to be" and insert "of a kind," so as to make the paragraph read:

236. Rice, cleaned, 2 cents per pound; uncleaned rice, or rice free of the outer hull and still having the inner cuticle on, 1¼ cents per pound; rice flour and rice meal, and rice broken which will pass through a No. 12 wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.

The amendment was agreed to.

Mr. ALDRICH. I should like to call the attention of the Senator from Mississippi to paragraph 236, which seeks to have omitted from his vision this morning the paragraph fixing the rates on rice.

Mr. McLAURIN. Mr. President, if the Senator from Rhode Island intends to be humorous, I want to say to him that there is nothing that requires me to interpose now, because we can return to that paragraph at any time. It was the adoption of amendments raising the tariff on articles to which I objected. We can go back at any time to this matter of rice without any trouble, but I did not want the amendments that were offered by the committee to be adopted without a protest. So there is nothing at which the Senator can allow his risibles to rise.

Mr. ALDRICH. There are no rates in any of the paragraphs to which the Senator has objected as high as the rates on rice, and I thought that that paragraph might have escaped his attention.

Mr. McLAURIN. But there is no proposition to amend anything that comes from the House, in paragraph 236.

Mr. McCUMBER. I should like to say to the Senator that we can make a proposition, if he wants, and put rice on the same line with other agricultural products.

Mr. McLAURIN. That is very humorous, but it is not as ridiculous as a great many of the tariff schedules in this bill. I propose to exercise my right as a Senator and to ask that these paragraphs be passed over, and to object to any amendment which I think improperly raises the tariff rates in the bill as it came from the House. If there is anything ridiculous, it is in the bill and not in my objection to increasing the tariff rates.

Mr. GALLINGER. I ask that paragraph 236 be passed over.

Mr. McLAURIN. I am glad of that.

The VICE-PRESIDENT. Paragraph 236 will be passed over, at the request of the Senator from New Hampshire.

The next amendment was, on page 77, line 19, before the word "cents," to strike out "10" and insert "20," so as to make the paragraph read:

237. Rye, 20 cents per bushel; rye flour, one-half of 1 cent per pound.

Mr. McLAURIN. I ask that paragraph 237 be passed over. Probably that will be gratifying to the Senator from Rhode Island and also to the Senator from North Dakota.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 77, line 21, before the word "cents," to strike out "25" and insert "30," so as to make the paragraph read:

238. Wheat, 30 cents per bushel.

Mr. McLAURIN. I ask that paragraph 238 be passed over, further to accommodate those Senators.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, at the top of page 78, to strike out the subhead "Dairy products."

The amendment was agreed to.

The reading of the bill was continued, as follows:

241. Butter, and substitutes therefor, 6 cents per pound.

242. Cheese, and substitutes therefor, 6 cents per pound.

Mr. LA FOLLETTE. Let paragraph 242 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Wisconsin.

The reading of the bill was continued.

The next amendment was, on page 78, line 9, after the word "pound," to insert "casein, 25 per cent ad valorem," so as to make the paragraph read:

244. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; casein, 25 per cent ad valorem; sugar of milk, 5 cents per pound.

Mr. ALDRICH. I withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn.

Mr. LA FOLLETTE. I ask that paragraph 244 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 78, after line 10, to strike out the subhead "Farm and field products."

The amendment was agreed to.

The next paragraph was read, as follows:

245. Beans, 45 cents per bushel of 60 pounds.

The next amendment was, on page 78, line 13, after the word "beets," to strike out "including sugar beets;" and in line 14, after the words "ad valorem," to insert "sugar beets, 10 per cent ad valorem," so as to make the paragraph read:

246. Beets, 25 per cent ad valorem; sugar beets, 10 per cent ad valorem.

The amendment was agreed to.

Mr. NELSON. May I ask the Senator from Rhode Island what became of the amendment to paragraph 244?

Mr. ALDRICH. It was withdrawn by the committee.

Mr. LODGE. It goes back to the free list.

The reading of the bill was resumed.

The next amendment was, on page 78, line 24, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

248. Vegetables, if cut, sliced, or otherwise reduced in size, or if parched or roasted, or if pickled, or packed in salt, brine, oil, or prepared in any way; any of the foregoing not specially provided for in this section, and bean stick or bean cake, miso, and similar products, 40 per cent ad valorem.

The amendment was agreed to.

Mr. JONES. I ask that paragraph 248 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Washington.

The reading of the bill was resumed.

The next amendment was, on page 79, line 4, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

249. Pickles, including pickled nuts, sauces of all kinds, not specially provided for in this section, and fish paste or sauce, 40 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 79, line 7, before the word "cents," to strike out "two" and insert "three," so as to make the paragraph read:

250. Cabbages, 3 cents each.

The amendment was agreed to.

The next amendment was, on page 79, line 9, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

252. Eggs, not specially provided for in this section, 5 cents per dozen.

The amendment was agreed to.

The next amendment was, on page 79, line 17, before the word "cents," to strike out "twelve" and insert "fifteen," so as to make the paragraph read:

256. Hops, 15 cents per pound; hop extract and lupulin, 50 per cent ad valorem.

The amendment was agreed to.

The Secretary resumed the reading of the bill, as follows:

257. Onions, 40 cents per bushel; garlic, 1 cent per pound.

258. Pease, green, in bulk or in barrels, sacks, or similar packages, 25 cents per bushel of 60 pounds; seed pease, 40 cents per bushel of 60 pounds; pease, dried, not specially provided for in this section, 30 cents per bushel; split pease, 45 cents per bushel of 60 pounds; pease in cartons, papers, or other small packages, 1 cent per pound.

Mr. BURROWS. Let paragraph 258 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Michigan.

Mr. TALIAFERRO. I ask that the Secretary may read paragraph 258 again.

The VICE-PRESIDENT. Paragraph 258 has just been read, and the Senator from Michigan has asked that it be passed over.

Mr. TALIAFERRO. Very well.

The reading of the bill was resumed.

Mr. McLAURIN. I ask to return to paragraph 216. I withdraw my request that it be passed over. I desire that the amendment in that paragraph, which I did not have time to examine, and which I have just scanned hastily, be adopted.

The VICE-PRESIDENT. Without objection, the Senate will return to paragraph 216, and the amendment to it will be stated by the Secretary.

The SECRETARY. On page 73, line 22, paragraph 216, after the word "in," it is proposed to strike out the words "sections 1 or 2 of this act" and to insert "this section;" and on page 74, line 6, after the word "merchandise," to strike out "biscuits, wafers, and similar articles if filled with or coated with chocolate or sugar, 50 per cent ad valorem."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 80, line 21, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

260. Stocks, cuttings or seedlings of Myrobolan plum, Mahaleb or Mazzard cherry, 3 years old or less, $1 per thousand plants; stocks, cuttings or seedlings of pear, apple, quince, and the St. Julien plum, 3 years old or less, $1 per thousand plants and 15 per cent ad valorem; rose plants, budded, grafted, or grown on their own roots, 2½ cents each; stocks, cuttings and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines, manetti, multiflora, and brier rose, and all trees, shrubs, plants, and vines, commonly known as nursery or greenhouse stock, not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The Secretary read paragraph 261.

The next amendment of the Committee on Finance was, on page 81, line 3, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 5, after the word "bushel," to strike out "but no drawback shall be allowed upon oil cake made from imported seed, nor shall any allowance be made for dirt or other impurities in any seed; seeds of all kinds not specially provided for in sections 1 or 2 of this act, 30 per cent ad valorem" and insert "mushroom spawn, and spinach seed, 1 cent per pound; beet, except sugar beet, carrot, parsnip, radish, turnip, and ruta-baga seed, 4 cents per pound; cabbage, collard, kale, and kohl-rabi seed, 8 cents per pound; eggplant and pepper seed, 20 cents per pound; seeds of all kinds not specially provided for in this section, 10 cents per pound," so as to make the paragraph read:

262. Seeds: Castor beans or seeds, 25 cents per bushel of 50 pounds; flaxseed or linseed and other oil seeds not specially provided for in this section, 25 cents per bushel of 56 pounds; poppy seed, 15 cents per bushel; mushroom spawn, and spinach seed, 1 cent per pound; beet, except sugar beet, carrot, parsnip, radish, turnip and ruta-baga seed, 4 cents per pound; cabbage, collard, kale and kohlrabi seed, 8 cents per pound; eggplant and pepper seed, 20 cents per pound; seeds of all kinds not specially provided for in this section, 10 cents per pound.

Mr. BURKETT and Mr. NELSON. Let that paragraph be passed over.

The VICE-PRESIDENT. It will be passed over.

Mr. BURKETT. Mr. President, in going over this bill rapidly, and I fear we shall not get back to this matter later as to paragraph 260, I should like to have some explanation as we go over it. The matter had not attracted my attention before, and as there is a considerable increase in some of the items, especially as it occurs to me that some of these articles are in the nature of seeds or nursery stock to improve the forests, I should like to know why there is such an increase as that proposed.

Mr. ALDRICH. In what item?

Mr. BURKETT. In paragraph 260. I will say to the Senator from Rhode Island that I have not sooner had my attention called to this. I do not know whether it is right or wrong, but I should like to know why the rate is increased.

Mr. ALDRICH. In which particular item?

Mr. BURKETT. In paragraph 260, which begins in line 12, on page 80. For some reason the rates there seem to be doubled, from 50 cents a thousand plants to $1 a thousand plants.

Mr. ALDRICH. This increase was made in the House and the Senate accepted it. I suppose the Senator is aware of that.

Mr. BURKETT. Yes; I understand that; but has there been any investigation on the part of the committee as to why the increase should be made?

Mr. ALDRICH. We looked into it as far as we could. We took the usual testimony; and it seemed to be a proper increase.

Mr. CULBERSON. Mr. President, we are unable to hear the Senator from Rhode Island [Mr. ALDRICH] on this side of the Chamber.

Mr. ALDRICH. The Senator from Nebraska can go back to this paragraph at any time.

Mr. BURKETT. I understand that; but it is quite likely that we shall never get back to a paragraph of this sort; and where there has been such an increase as that in the other House, it seems to me that we should have some explanation of it, some little discussion of it. I do not know that this rate is too high. I have not had time to read any of the evidence in the House investigation; in fact, I have not had the matter called to my attention, as I have already stated, as to this increase. If there are other paragraphs which are similar to this, it seems to me, in hurrying over them, we may leave some rates increased without really knowing what they are.

Mr. ALDRICH. The present rate is 50 cents a thousand and 15 per cent ad valorem, which is made $1 a thousand. There is practically no difference in the rate.

Mr. PENROSE. Mr. President, I should like to state, for the information of the Senator from Nebraska [Mr. BURKETT], that I intend to call the attention of the Senate to this paragraph later on and to suggest numerous amendments to it. I will now call the attention of the chairman of the committee to the fact that the words "three years old or less" ought to be changed so as to come after "evergreen seedlings," so as to qualify "evergreen seedlings," together with the other products mentioned in the paragraph.

Mr. ALDRICH. If the Senator will look at the bill, he will find that the words "evergreen seedlings" do not appear in the bill as it comes to us from the other House. They are on the free list. It is a typographical error which appears in the green bound volume which Senators have on their desks.

I think the Senator from Nebraska will find that the difference between the present rate of 50 cents a thousand and 15 per cent ad valorem is substantially the same as a dollar a thousand, which is in the bill now before the Senate.

Mr. NELSON. As I understand "15 per cent" is stricken out of the bill reported by the Senator from Rhode Island.

Mr. ALDRICH. Yes.

Mr. NELSON. So that it leaves it as before.

Mr. ALDRICH. Yes.

Mr. NELSON. That is about the same as the other rate.

Mr. ALDRICH. Yes.

Mr. DU PONT. Mr. President, my attention was diverted for a moment. I meant to ask that paragraph 261 be passed over. I now make that suggestion.

The VICE-PRESIDENT. Paragraph 261 will be passed over, at the request of the Senator from Delaware.

Mr. NELSON. Mr. President, I ask to have paragraph 259 marked as passed over.

The VICE-PRESIDENT. It will be so marked.

The Secretary resumed the reading of the bill and read to the end of paragraph 265.

The next amendment of the Committee on Finance was, on page 81, line 19, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

265. Vegetables in their natural state, not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 81, after line 20, to strike out the subhead "Fish."

The amendment was agreed to.

The next amendment was, on page 81, line 22, before the word "known," to insert "by whatever name;" and in the same line, after the word "known," to strike out "or labeled as anchovies, sardines, or by any other name whatever;" and on page 82, line 13, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

266. Fish (except shellfish) by whatever name known, packed in oil or otherwise, in bottles, jars, kegs, tin boxes, or cans, shall be dutiable as follows: When in packages containing 7½ cubic inches or less, 1½ cents per bottle, jar, keg, box, or can; containing more than 7½ and not more than 21 cubic inches, 2½ cents per bottle, jar, keg, box, or can; containing more than 21 and not more than 33 cubic inches, 5 cents per bottle, jar, keg, box, or can; containing more than 33 and not more than 70 cubic inches, 10 cents per bottle, jar, keg, box, or can; if in other packages, 30 per cent ad valorem; when in other tin packages, 30 per cent ad valorem; fish in packages, containing less than one-half barrel, and not specially provided for in this section, 30 per cent ad valorem; caviar, and other preserved roe of fish, 30 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 82, line 16, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

267. Fresh-water fish not specially provided for in this section, one-fourth of 1 cent per pound.

The amendment was agreed to.

The reading of the bill was resumed, and paragraph 268 was read, as follows:

268. Herrings, pickled or salted, one-half of 1 cent per pound; herrings, fresh, one-fourth of 1 cent per pound.

Mr. LODGE. In paragraph 268, page 82, line 19, after the word "salted," I move to insert the words "smoked or kippered." Under the language of the bill as it came from the House, herring of that class would be placed under a higher duty than they ought to be.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 82, paragraph 268, line 19, after the word "salted," it is proposed to insert the words "smoked or kippered" and a comma.

Mr. BACON. Mr. President, it is impossible as we go along, of course, for those of us not familiar with the subject to refer to the various items of the bill——

Mr. LODGE. I can explain the reason for my amendment, if the Senator from Georgia cares to have me do so.

Mr. BACON. The Senator from Massachusetts is possibly mistaken in thinking he can anticipate what I propose to address my remarks to.

Mr. LODGE. I beg the Senator's pardon. I thought he was going to ask something about the paragraph under consideration.

Mr. BACON. I was simply going to ask Senators who are familiar with the subject if they can briefly, without occupying too much time of the Senate, give us some idea of the imports of fish under this schedule and the revenue derived therefrom. Of course, I know in the matter of sardines there are very considerable importations.

Mr. ALDRICH. On pages 30 and 31 of the document which the Senator from Georgia has before him, he will find all the figures. It takes time to read them.

Mr. BACON. I only wanted the Senator to give some general idea. I am not myself informed on the subject.

Mr. ALDRICH. There were imports of this article in 1907 to the amount of about $1,950,000.

Mr. LODGE. There were $1,649,415.41 worth of the smallest size of can, yielding a duty under the present law of $495,854.57; of the next size there were imported $615,672.54 worth.

Mr. BACON. From what page does the Senator read?

Mr. LODGE. I am reading from page 30. I am giving the imports.

Containing more than 21 cubic inches and not more than 33 cubic inches, $12,991; containing more than 33 and not more than 70 cubic inches, $6,148; and of other packages, $105,452.50.

Mr. ALDRICH. The Senator from Georgia will find all this information in this volume.

Mr. BACON. I knew I could find it there, but I thought that the Senator could give it in round figures. Of course it is apparent to the Senator that it is impossible, as the reading progresses, to keep up with these matters of information.

Mr. LODGE. Of course, in all these matters in the Treasury reports the imports are given under each item; but the imports are very large under this schedule and the revenue is also very large.

Mr. BACON. That was the point I was after. I was not referring to the particular item the Senator had in mind, but I wanted Senators who are familiar with the subject to give us some idea in a general way as to the extent of these importations and the amount of revenue derived therefrom.

Mr. LODGE. They are very large; and I will give the Senator, in a moment, the revenue in detail under the fish schedule, if he desires to have it.

Mr. BACON. That is all I wanted to get at.

The VICE-PRESIDENT. Without objection, the amendment proposed by the Senator from Massachusetts [Mr. LODGE] is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 82, line 23, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

269. Fish, fresh, smoked, dried, salted, pickled, frozen, packed in ice or otherwise prepared for preservation, not specially provided for in this section, in bulk or in undivided packages containing 100 pounds or more, three-fourths of 1 cent per pound; fish, skinned or boned, 1½ cents per pound; mackerel, halibut, or salmon, fresh, pickled, or salted, 1 cent per pound.

The amendment was agreed to.

Mr. JONES. I ask that that paragraph be passed over.

The VICE-PRESIDENT. At the request of the Senator from Washington the paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 83, after line 3, to strike out the subhead "Fruits and nuts."

The amendment was agreed to.

The next amendment was, on page 83, line 10, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 21, after the word "juice," to strike out "not having sugar, spirits, or molasses added thereto," so as to make the paragraph read:

270. Apples, peaches, quinces, cherries, plums, and pears, green or ripe, 25 cents per bushel; berries, edible, in their natural condition, 1 cent per quart; cranberries, 25 per cent ad valorem; all edible fruits, including berries, when dried, desiccated, evaporated, in brine, or prepared in any manner, not specially provided for in this section, 2 cents per pound; comfits, jellies, sweetmeats, and fruits of all kinds preserved or packed in sugar, or having sugar added thereto, or preserved or packed in molasses, spirits, or their own juices, if containing no alcohol, or containing not over 10 per cent of alcohol, 1 cent per pound and 35 per cent ad valorem; if containing over 10 per cent of alcohol and not specially provided for in this section, 35 per cent ad valorem and in addition $2.50 per proof gallon on the alcohol contained therein in excess of 10 per cent; pineapples preserved in their own juice, 25 per cent ad valorem.

Mr. TALIAFERRO. Mr. President, let that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Florida.

The reading of the bill was resumed, and paragraph 271 was read, as follows:

271. Figs, 2½ cents per pound; plums, prunes, and prunelles, 2 cents per pound; raisins and other dried grapes, 2½ cents per pound; dates, 1 cent per pound; currants, Zante or other, 2 cents per pound; olives, in bottles, jars, kegs, tins, or other packages, containing less than 5 gallons each, 25 cents per gallon; otherwise, 20 cents per gallon.

Mr. RICHARDSON. Let that paragraph be passed over, Mr. President.

The VICE-PRESIDENT. At the request of the Senator from Delaware, the paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 84, line 7, before the word "cents," to strike out "one-fourth" and insert "one-half," so as to make the paragraph read:

273. Lemons, 1½ cents per pound; oranges, limes, grape fruit, shaddocks, or pomelos, 1 cent per pound.

Mr. DEPEW. I ask that paragraph 273 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from New York.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 84, line 15, before the word "cents," to strike out "eight" and insert "seven;" and in line 16, before the word "dollars," to strike out "eight" and insert "seven," so as to make the paragraph read:

275. Pineapples, in barrels or other packages, 7 cents per cubic foot of the capacity of barrels or packages; in bulk, $7 per thousand.

Mr. TALIAFERRO. Mr. President, I ask that paragraph 275 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Florida.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 84, after line 16, to strike out the subhead "Nuts."

The amendment was agreed to.

The next amendment was, on page 85, line 2, after the word "in," to strike out "sections 1 or 2 of this act," and insert "this section," so as to make the paragraph read:

279. Nuts of all kinds, shelled or unshelled, not specially provided for in this section, 1 cent per pound; but no allowance shall be made for dirt or other impurities in nuts of any kind, shelled or unshelled.

The amendment was agreed to.

The next amendment was, on page 85, after line 4, to strike out the subhead "Meat products."

The amendment was agreed to.

The next amendment was, on page 85, line 6, before the word "cents," to strike out "four" and insert "five," so as to make the paragraph read:

280. Bacon and hams, 5 cents per pound.

The amendment was agreed to.

The next amendment was, on page 85, line 8, before the word "cents," to strike out "one and one-half" and insert "two," so as to make the paragraph read:

281. Fresh beef, veal, mutton, pork, and venison and other game, except birds, 2 cents per pound.

The amendment was agreed to.

Mr. LODGE. Mr. President, in that paragraph, after the word "mutton," I think the word "lamb" ought to be inserted. I move that amendment.

The VICE-PRESIDENT. The Secretary will state the amendment offered by the Senator from Massachusetts.

The SECRETARY. On page 85, line 7, after the word "mutton," it is proposed to insert "lamb."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 85, line 11, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

282. Meats of all kinds, prepared or preserved, not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 85, line 13, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

283. Extract of meat, not specially provided for in this section, 35 cents per pound; fluid extract of meat, 15 cents per pound, but the dutiable weight of the extract of meat and of the fluid extract of meat shall not include the weight of the packages in which the same is imported.

The amendment was agreed to.

The next amendment was, on page 85, line 19, before the word "cents," to strike out "one and one-half" and insert "two," so as to make the paragraph read:

284. Lard, 2 cents per pound.

The amendment was agreed to.

The next amendment was, on page 85, line 23, after the word "grease," to strike out "Wool" and insert "Tallow, one-half of 1 cent per pound; wool;" and on page 86, line 2, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

286. Tallow, one-half of 1 cent per pound; wool grease, including that known commercially as degras or brown wool grease, crude and not refined, or improved in value or condition, one-fourth of 1 cent per pound; refined, or improved in value or condition, and not specially provided for in this section, one-half of 1 cent per pound.

The amendment was agreed to.

The next amendment was, on page 86, after line 3, to strike out the subhead "Miscellaneous products."

The amendment was agreed to.

The next amendment was, on page 86, after line 4, to strike out:

287. Chicory root, raw, not dried, nor ground, 2½ cents per pound; chicory root, dried, burned or roasted, ground or granulated, or in rolls, or otherwise prepared, and not specially provided for in sections 1 or 2 of this act, 5 cents per pound.

And in lieu thereof to insert:

287. Chicory root, raw, dried, or undried, but unground, 1 cent per pound; chicory root, burnt or roasted, ground or granulated, or in rolls, or otherwise prepared, and not specially provided for in this section, 2½ cents per pound.

Mr. BURROWS. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Michigan.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 86, line 15, before the word "and," to strike out "cocoa, or cacao, crude, and leaves and shells of, 3 cents per pound; chocolate" and insert "chocolate;" in line 16, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 18, before the word "and," to strike out "five" and insert "two;" in line 20, before the word "and" where it occurs the first time, to strike out "five" and insert "two;" in line 22, before the word "cents," to strike out "seven" and insert "five;" and on page 87, line 3, before the word "cents," to strike out "nine" and insert "five," so as to make the paragraph read:

Chocolate and cocoa, prepared or manufactured, not specially provided for in this section, valued at not over 15 cents per pound, 2½ cents per pound; valued above 15 and not above 24 cents per pound, 2½ cents per pound and 10 per cent ad valorem; valued above 24 and not above 35 cents per pound, 5 cents per pound and 10 per cent ad valorem; valued above 35 cents per pound, 50 per cent ad valorem. The dutiable weight of the foregoing merchandise shall include all coverings, except plain wooden, but the dutiable value shall include all coverings, including plain wooden; powdered cocoa, unsweetened, 5 cents per pound.

Mr. LA FOLLETTE. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Wisconsin.

Mr. SMOOT. Mr. President, my attention was diverted at the time we reached paragraph 256. The committee reported an amendment to that paragraph, and I promised that when it was reached I would ask that it go over. I now ask that the paragraph be passed over.

The VICE-PRESIDENT. The amendment to paragraph 256 was agreed to. The Senator from Utah now asks that it be passed over. It will be passed over with the amendment agreed to.

Mr. BACON. Mr. President, we have acted on paragraphs 280 and 281, but I wish to ask that they be passed over for further consideration.

The VICE-PRESIDENT. Paragraphs 280 and 281 will be passed over. There was an amendment in each of those paragraphs, which was agreed to. The paragraphs will be passed over with the amendments agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 87, line 5, before the word "and," to strike out "five" and insert "three," so as to make the paragraph read:

289. Cocoa butter or cocoa butterine, including all substitutes for cocoa butter, 3½ cents per pound.

The amendment was agreed to.

The next amendment was, on page 87, line 9, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 10, before the word "cents," to strike out "four" and insert "two and one-half," so as to make the paragraph read:

290. Dandelion root and acorns prepared, and articles used as coffee, or as substitutes for coffee not specially provided for in this section, 2½ cents per pound.

The amendment was agreed to.

The Secretary read paragraphs 291, 292, and 293.

Mr. GUGGENHEIM. I ask that paragraphs 292 and 293 be passed over.

The VICE-PRESIDENT. The paragraphs will be passed over, at the request of the Senator from Colorado

Mr. BACON. I ask that paragraph 291 may be passed over.

The VICE-PRESIDENT. Paragraph 291 will be passed over, at the request of the Senator from Georgia.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 88, after line 8, to strike out:

294. Spices: Mustard or mustard seed, unground and not prepared in any manner, 30 per cent ad valorem; if ground or prepared in bottles or otherwise, 10 cents per pound and 30 per cent ad valorem; paprika, capsicum, or red pepper, or cayenne pepper, cassia, cassia vera and cassia buds; cinnamon and chips of; mace, nutmegs, pepper, black

or white, pimento, and spices not specially provided for in this section; all the foregoing when unground, 30 per cent ad valorem; if ground, 2½ cents per pound and 30 per cent ad valorem; cloves and clove stems, ground, 2½ cents per pound; ginger root, unground and not preserved or candied, 30 per cent ad valorem; if ground or otherwise prepared, 2½ cents per pound and 30 per cent ad valorem; sage, 1 cent per pound.

And in lieu thereof to insert:

294. Spices: Mustard, ground or prepared, in bottles or otherwise, 10 cents per pound; capsicum or red pepper, or cayenne pepper, 2½ cents per pound; sage, 1 cent per pound; spices not specially provided for in this section, 3 cents per pound.

Mr. JONES. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Washington.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in Schedule H, on page 89, after line 8, to strike out the subhead "Spirits."

The amendment was agreed to.

The next amendment was, on page 89, line 12, before the word "cents," to strike out "twenty-five" and insert "sixty," so as to make the paragraph read:

297. Brandy and other spirits manufactured or distilled from grain or other materials, and not specially provided for in this section, $2.60 per proof gallon.

The amendment was agreed to.

The next amendment was, on page 90, line 12, after the word "Cordials," to insert "including ginger wine or ginger cordial and vermuth;" and in line 16, before the word "cents," to strike out "twenty-five" and insert "sixty," so as to make the paragraph read:

300. Cordials, including ginger wine or ginger cordial and vermuth, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits and not specially provided for in this section, $2.60 per proof gallon.

Mr. ALDRICH. I desire to modify that amendment by omitting the words "and vermuth."

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. On page 90, line 12, after the word "Cordials," it is proposed to insert "including ginger wine or ginger cordial;" and in line 16, before the word "cents," to strike out "twenty-five" and insert "sixty."

The amendment as modified was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 90, line 25, before the word "cents," to strike out "fifty" and insert "seventy-five," so as to make the paragraph read:

301. No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of first proof, and all imitations of brandy or spirits or wines imported by any names whatever shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than $1.75 per gallon.

The amendment was agreed to.

The next amendment was, on page 91, line 3, before the word "cents," to strike out "fifty" and insert "seventy-five," so as to make the paragraph read:

302. Bay rum or bay water, whether distilled or compounded, of first proof, and in proportion for any greater strength than first proof, $1.75 per gallon.

The amendment was agreed to.

The next amendment was, on page 91, after line 4, to strike out the subhead "Wines."

The amendment was agreed to.

The next amendment was, on page 91, line 8, after the word "pint," to strike out "eight dollars" and insert "nine dollars and sixty cents;" in line 10, after the word "dollars," to insert "and 80 cents;" in line 11, after the word "dollars," to insert "and 40 cents;" in line 13, after the word "to," to strike out "eight dollars" and insert "nine dollars and sixty cents;" and in line 15, after the word "of," to strike out "two dollars and fifty cents" and insert "three dollars," so as to make the paragraph read:

303. Champagne and all other sparkling wines, in bottles containing each not more than 1 quart and more than 1 pint, $9.60 per dozen; containing not more than 1 pint each and more than one-half pint, $4.80 per dozen; containing one-half pint each or less, $2.40 per dozen; in bottles or other vessels containing more than 1 quart each, in addition to $9.60 per dozen bottles, on the quantity in excess of 1 quart, at the rate of $3 per gallon; but no separate or additional duty shall be levied on the bottles.

The amendment was agreed to.

The next amendment was, on page 91, line 18, after the word "wines," to strike out "including ginger wine or ginger cordial, vermuth;" in line 22, before the word "cents," to strike out "forty" and insert "forty-five;" in line 24, before the word "cents," to strike out "fifty" and insert "sixty;" on page 92, line 3, before the word "cents," to strike out "sixty" and insert "eighty-five;" and in line 5, before the word "cents," to strike out "five" and insert "six," so as to read:

304. Still wines and rice wine or sake, and similar beverages not specially provided for in this section, in casks or packages other than bottles or jugs, if containing 14 per cent or less of absolute alcohol, 45 cents per gallon; if containing more than 14 per cent of absolute alcohol, 60 cents per gallon. In bottles or jugs, per case of 1 dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or 24 bottles or jugs containing each not more than 1 pint, $1.85 per case; and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 6 cents per pint or fractional part thereof, but no separate or additional duty shall be assessed on the bottles or jugs.

Mr. ALDRICH. I desire to modify the amendment in line 18, page 91, to conform to the modification in paragraph 300, by omitting the word "vermuth" from the words stricken out.

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. On page 91, line 19, it is proposed to strike out the words "including ginger wine or ginger cordial."

The amendment as modified was agreed to.

The next amendment was, on page 92, line 25, before the word "cents," to strike out "forty" and insert "forty-five;" and on page 93, line 2, before the word "cents," to strike out "twenty" and insert "twenty-three," so as to make the paragraph read:

305. Ale, porter, and beer, in bottles or jugs, 45 cents per gallon, but no separate or additional duty shall be assessed on the bottles or jugs; otherwise than in bottles or jugs, 23 cents per gallon.

The amendment was agreed to.

The next amendment was, on page 93, line 4, before the word "cents," to strike out "twenty" and insert "twenty-three;" in the same line, before the word "cents," to strike out "forty" and insert "forty-five;" and in line 5, before the words "per cent," to strike out "forty" and insert "forty-five," so as to make the paragraph read:

306. Malt extract, fluid, in casks, 23 cents per gallon; in bottles or jugs, 45 cents per gallon; solid or condensed, 45 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 93, line 10, before the word "cents," to strike out "sixty" and insert "seventy;" and in line 12, before the word "cents," to strike out "sixty" and insert "seventy," so as to make the paragraph read:

307. Cherry juice and prune juice, or prune wine, and other fruit juices, and fruit sirup, not specially provided for in this section, containing no alcohol or not more than 18 per cent of alcohol, 70 cents per gallon; if containing more than 18 per cent of alcohol, 70 cents per gallon and in addition thereto $2.07 per proof gallon on the alcohol contained therein.

The amendment was agreed to.

The next amendment was, on page 94, after line 5, to strike out:

309. All mineral waters and all imitations of natural mineral waters, and all artificial mineral waters not specially provided for in this section, in bottles or jugs containing not more than 1 pint, 20 cents per dozen bottles; if containing more than 1 pint and not more than 1 quart, 30 cents per dozen bottles; if imported in bottles or in jugs containing more than 1 quart, 24 cents per gallon; if imported otherwise than in bottles or jugs, 8 cents per gallon; and in addition thereto, on all of the foregoing, duty shall be collected upon the bottles or other containers at the same rates that would be charged thereon if imported empty or separately.

And insert:

309. All mineral waters and all imitations of natural mineral waters, and all artificial mineral waters not specially provided for in this section, in green or colored glass bottles, containing not more than 1 pint, 20 cents per dozen bottles. If containing more than 1 pint and not more than 1 quart, 30 cents per dozen bottles. But no separate duty shall be assessed upon the bottles. If imported otherwise than in plain green or colored glass bottles, or if imported in such bottles containing more than 1 quart, 24 cents per gallon, and in addition thereto duty shall be collected upon the bottles or other covering at the same rates that would be charged thereon if imported empty or separately.

Mr. BRANDEGEE. Let it be passed over.

The VICE-PRESIDENT. Paragraph 309 is passed over, at the request of the Senator from Connecticut.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in Schedule I, on page 95, line 9, after the word "cotton," to insert "crochet, darning, and embroidery cottons;" in line 10, after the word "for," to strike out "in this section;" in line 18, after the word "thirty," to insert *"Provided*, That none of the foregoing shall pay a less rate of duty than 20 per cent ad valorem;" in line 20, after the word "dyed," to strike out "mercerized;" in line 24, after the word "cotton," to insert "crochet, darning, and embroidery cottons;" in line 25, after the word "for," to strike out "in this section;" and on page 96, after the word "hundred," to strike out "cotton card laps, roping, silver, or roving, 30 per cent ad valorem," and insert "cable-laid yarns or threads, made by grouping or twisting two or more grouped or twisted yarns or threads together, not colored, bleached, or dyed, four-tenths of 1 cent per number per

pound; colored, bleached, or dyed, nine-twentieths of 1 cent per number per pound: *Provided further*, That said threads and yarns, colored, bleached, dyed, combed, advanced beyond the condition of singles, and cable-laid yarns or threads, as hereinbefore provided, shall not pay a less rate of duty than 25 per cent ad valorem: *And provided further*, That all of the foregoing threads and yarns as hereinbefore provided, when mercerized, shall pay in addition to the foregoing specific rates of duty one-twentieth of 1 cent per number per pound; cotton card laps, roping, sliver, or roving, 35 per cent ad valorem. Cotton, cotton waste and flocks, manufactured or otherwise advanced in value, 20 per cent ad valorem," so as to make the paragraph read:

310. Cotton thread and carded yarn, warps or warp yarn, in singles, whether on beams or in bundles, skeins, or cops, or in any other form, except spool thread of cotton, crochet, darning, and embroidery cottons, hereinafter provided for, not colored, bleached, dyed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, 2½ cents per pound on all numbers up to and including No. 15, one-sixth of a cent per number per pound on all numbers exceeding No. 15 and up to and including No. 30, and one-fifth of a cent per number per pound on all numbers exceeding No. 30: *Provided*, That none of the foregoing shall pay a less rate of duty than 20 per cent ad valorem; colored, bleached, dyed, combed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, whether on beams, or in bundles, skeins, or cops, or in any other form, except spool thread of cotton, crochet, darning, and embroidery cottons, hereinafter provided for, 6 cents per pound on all numbers up to and including No. 24, and on all numbers exceeding No. 24 and up to No. 80, one-fourth of 1 cent per number per pound; on No. 80 and up to No. 200, three-tenths of 1 cent per number per pound; on No. 200 and above, 60 cents per pound, and one-tenth of 1 cent per number per pound additional for every number in excess of No. 200; cable-laid yarns or threads, made by grouping or twisting two or more grouped or twisted yarns or threads together, not colored, bleached, or dyed, four-tenths of 1 cent per number per pound; colored, bleached, or dyed, nine-twentieths of 1 cent per number per pound: *Provided further*, That said threads and yarns, colored, bleached, dyed, combed, advanced beyond the condition of singles, and cable-laid yarns or threads, as hereinbefore provided, shall not pay a less rate of duty than 25 per cent ad valorem: *And provided further*, That all of the foregoing threads and yarns as hereinbefore provided, when mercerized, shall pay in addition to the foregoing specific rates of duty one-twentieth of 1 cent per number per pound; cotton card laps, roping, sliver, or roving, 35 per cent ad valorem. Cotton, cotton waste and flocks, manufactured or otherwise advanced in value, 20 per cent ad valorem.

Mr. NELSON. I ask that it may be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 97, line 1, before the word "crochet," to strike out "including;" in line 2, before the word "darning," to strike out "and;" in the same line, before the word "and," to strike out "cotton;" in the same line, before the word "cottons," to insert "embroidery;" in the same line, after the word "cottons," to strike out "for embroidery;" in line 3, after the word "reels," to strike out "cones, tubes;" in line 4, after the word "reel," to strike out "cone, tube;" in line 6, after the word "reel," to strike out "cone, tube;" in line 8, after the word "reels," to strike out "cones, tubes;" in line 9, after the word "skeins," to strike out "or otherwise than on spools, reels, cones, tubes, or balls" and insert "containing less than 600 yards each;" in line 12, after the word "thereof," to strike out "or any skein or section measuring less than 100 yards;" in line 15, after the word "reels," to strike out "cones, tubes" and insert "skeins;" and in the same line, after the word "balls," to insert "*And provided further*, That none of the foregoing shall pay a less rate of duty than 25 per cent ad valorem," so as to make the paragraph read:

311. Spool thread of cotton, crochet, darning, and embroidery cottons, on spools, reels, or balls, containing on each spool, reel, or ball, not exceeding 100 yards of thread, 6 cents per dozen; exceeding 100 yards on each spool, reel, or ball, for every additional hundred yards or fractional part thereof in excess of 100, 6 cents per dozen spools, reels, or balls; if in skeins containing less than 600 yards each, one-half of 1 cent for each 100 yards or fractional part thereof: *Provided*, That in no case shall the duty be assessed upon a less number of yards than is marked on the spools, reels, skeins, or balls: *And provided further*, That none of the foregoing shall pay a less rate of duty than 25 per cent ad valorem.

The amendment was agreed to.

Mr. NELSON. Let the paragraph be passed over.

The VICE-PRESIDENT. The Senator from Minnesota asks that paragraph 311 be passed over. With the amendment agreed to, the paragraph is passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 97, after line 17, to strike out:

312. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.

The amendment was agreed to.

The next amendment was, on page 97, line 25, before the word "not," to strike out "exceeding fifty and;" on page 98, line 6, after the word "yard," to insert "valued at over 7 and not over 9 cents per square yard, 2¼ cents per square yard; valued at over 9 and not over 10 cents per square yard, 3 cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4⅜ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 cents per square yard, 7 cents per square yard, but not less than 25 per cent ad valorem;" in line 21, after the word "yard," to insert "valued at over 9 and not over 11 cents per square yard, 2¾ cents per square yard; valued at over 11 and not over 12 cents per square yard, 4¼ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5¼ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 25 per cent ad valorem;" on page 99, line 12, after the word "yard," to strike out "*Provided*, That on all the foregoing and on all cotton cloth not exceeding 100 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard, 25 per cent ad valorem; bleached, valued at over 9 cents per square yard, 25 per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 30 per cent ad valorem" and insert "valued at over 12 and not over 12½ cents per square yard, 3¾ cents per square yard; valued at over 12½ and not over 15 cents per square yard, 5¼ cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 30 per cent ad valorem," so as to make the paragraph read:

313. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1¼ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 1½ cents per square yard; exceeding 9 square yards to the pound, 1¾ cents per square yard; valued at over 7 and not over 9 cents per square yard, 2¼ cents per square yard; valued at over 9 and not over 10 cents per square yard, 3 cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4⅜ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 cents per square yard, 7 cents per square yard, but not less than 25 per cent ad valorem; If bleached, and not exceeding 6 square yards to the pound, 1½ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 1¾ cents per square yard; exceeding 9 square yards to the pound, 2¼ cents per square yard; valued at over 9 and not over 11 cents per square yard, 2¾ cents per square yard; valued at over 11 and not over 12 cents per square yard, 4¼ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5¼ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 25 per cent ad valorem; If dyed, colored, stained, painted, or printed, and not exceeding 6 square yards to the pound, 2¼ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 3¼ cents per square yard; exceeding 9 square yards to the pound, 3¾ cents per square yard; valued at over 12 and not over 12½ cents per square yard, 3¾ cents per square yard; valued at over 12½ and not over 15 cents per square yard, 5¼ cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 30 per cent ad valorem.

Mr. DOLLIVER. Let it be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The Secretary proceeded to read paragraph 314.

Mr. DOLLIVER. Let it be passed over.

The VICE-PRESIDENT. The paragraph will be passed over when read.

The Secretary resumed and concluded the reading of the paragraph.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 103, line 2, after the word "yard," to insert ", valued at over 10 and not over 12½ cents per square yard, 4⅜ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem;" in line 20, after the word "yard," to insert ", valued at over 12 and not over 15 cents per square yard, 5¼ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem;" on page 104, line 10, after the word "yard," to strike out "*Provided*, That on all cotton cloth exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, not bleached, dyed,

colored, stained, painted, or printed, valued at over 10 cents per square yard, 35 per cent ad valorem; bleached, valued at over 12 cents per square yard, 35 per cent ad valorem; dyed, colored, stained, painted, or printed, valued at over 12½ cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent ad valorem" and insert "; valued at over 12½ and not over 15 cents per square yard, 6 cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem," so as to make the paragraph read:

315. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, and not exceeding 3½ square yards to the pound, 2 cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 2¾ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 3 cents per square yard; exceeding 6 square yards to the pound, 3½ cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4⅜ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem; If bleached, and not exceeding 3½ square yards to the pound, 2¾ cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 3½ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 4 cents per square yard; exceeding 6 square yards to the pound, 4½ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem; If dyed, colored, stained, painted, or printed, and not exceeding 3½ square yards to the pound, 4¼ cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 4½ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 4⅞ cents per square yard; exceeding 6 square yards to the pound, 5 cents per square yard; valued at over 12½ and not over 15 cents per square yard, 6 cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem.

Mr. DOLLIVER. I desire to be understood as objecting to the amendments of the Senate committee to this paragraph. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The Secretary read paragraph 315.

The VICE-PRESIDENT. Does the Senator from Iowa desire to have this paragraph passed over?

Mr. DOLLIVER. I do.

The VICE-PRESIDENT. It is passed over.

The Secretary read paragraph 316.

The VICE-PRESIDENT. The paragraph is passed over, at the request of the Senator from Iowa.

The Secretary read paragraph 317.

The VICE-PRESIDENT. The paragraph is passed over, at the request of the Senator from Iowa.

The Secretary read paragraph 318.

The VICE-PRESIDENT. Does the request of the Senator from Iowa include this paragraph?

Mr. DOLLIVER. It does.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Iowa.

The Secretary read paragraph 319.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Iowa.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 111, line 17, after the word "uncut," to insert "whether or not the pile covers the entire surface," so as to read:

323. Plushes, velvets, velveteens, corduroys, and all pile fabrics, cut or uncut, whether or not the pile covers the entire surface; any of the foregoing composed of cotton or other vegetable fiber, not bleached, dyed, colored, stained, painted, or printed, 9 cents per square yard and 25 per cent ad valorem; if bleached, dyed, colored, stained, painted, or printed, 12 cents per square yard and 25 per cent ad valorem.

Mr. DOLLIVER. I should like to inquire of the chairman of the committee to what kind of fabrics this paragraph applies.

Mr. ALDRICH. It refers to a class of fabrics——

Mr. LA FOLLETTE. We are entirely unable to hear the inquiry. We should like to participate in the proceedings.

The VICE-PRESIDENT. The Senator from Iowa will repeat his inquiry, so that Senators may hear it.

Mr. DOLLIVER. I desire to inquire of the Senator from Rhode Island to what class of fabrics the amendment in line 17, paragraph 323, refers?

Mr. ALDRICH. Certain pile fabrics have been recently made with a figure stamped upon them by a press. The pile is still there, but the pile is pressed down. It simply provides that that class shall pay the same duty.

Mr. SMOOT. They used to be cut, and now they use a die and press the pile upon the velvet or plush, and it does not take near the amount of work.

Mr. DOLLIVER. Let the paragraph be passed over.

Mr. NELSON. I should like to have paragraph 321 marked "passed."

The VICE-PRESIDENT. It will be passed, at the request of the Senator from Minnesota.

The reading of the bill was resumed, and the Secretary read paragraphs 324 and 325.

Mr. JONES. Let paragraph 325 be passed over.

Mr. ALDRICH. I think the Senator from Washington must have in mind the next paragraph. I think there can be no objection to this one.

Mr. JONES. I have that in mind, too.

Mr. ALDRICH. The next one is a reduction.

Mr. JONES. I have both in mind.

Mr. ALDRICH. The Senator does not desire the reduction——

Mr. JONES. I want these two paragraphs passed over.

Mr. DOLLIVER. I would be gratified, if it would not inconvenience the chairman, to have him state the difference between the House provision that is struck out and the provision inserted by the Senate committee in paragraph 326.

Mr. ALDRICH. Paragraph 326 is the present law, and the House provision is an advance of about 20 cents a dozen pairs, on the average.

Mr. DOLLIVER. I had my attention called to the fact that the factories in the United States, especially those in the neighborhood of Philadelphia, engaged in making these cheaper grades of cotton hosiery are very hard pressed at present by competition arising from the cotton districts of Germany; that the industry is in a bad way; and the testimony taken before the House committee seemed to indicate that fact. I should like to inquire upon what theory the committee has left these people with inadequate protection?

Mr. ALDRICH. When this paragraph is reached in order, I will try to explain it to the satisfaction of the Senator from Iowa.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 112, after line 23, to strike out:

326. Stockings, hose and half-hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless stockings, hose and half-hose, and clocked stockings, hose and half-hose, all of the above composed of cotton or other vegetable fiber, finished or unfinished, valued at not more than $1 per dozen pairs, 70 cents per dozen pairs; valued at more than $1 per dozen pairs, and not more than $1.50 per dozen pairs, 85 cents per dozen pairs; valued at more than $1.50 per dozen pairs, and not more than $2 per dozen pairs, $1 per dozen pairs; valued at more than $2 per dozen pairs, and not more than $3 per dozen pairs, $1.50 cents per dozen pairs; valued at more than $3 per dozen pairs, and not more than $5 per dozen pairs, $2 per dozen pairs; and in addition thereto, upon all the foregoing, 15 per cent ad valorem; valued at more than $5 per dozen pairs, 55 per cent ad valorem.

And insert:

326. Stockings, hose and half-hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless stockings, hose and half-hose, and clocked stockings, hose or half-hose, all of the above composed of cotton or other vegetable fiber, finished or unfinished, valued at not more than $1 per dozen pairs, 50 cents per dozen pairs; valued at more than $1 per dozen pairs, and not more than $1.50 per dozen pairs, 60 cents per dozen pairs; valued at more than $1.50 per dozen pairs, and not more than $2 per dozen pairs, 70 cents per dozen pairs; valued at more than $2 per dozen pairs, and not more than $3 per dozen pairs, $1.20 per dozen pairs; valued at more than $3 per dozen pairs, and not more than $5 per dozen pairs, $2 per dozen pairs; and in addition thereto, upon all the foregoing, 15 per cent ad valorem; valued at more than $5 per dozen pairs, 55 per cent ad valorem.

The amendment was agreed to.

Mr. JONES. I ask that the paragraph be passed over.

Mr. NELSON. The paragraph was to be passed over.

The VICE-PRESIDENT. The Senator from Washington asks that it be passed over. It will be passed over.

Paragraph 327 was read, as follows:

327. Shirts and drawers, pants, vests, union suits, combination suits, tights, sweaters, corset covers, and all underwear of every description made wholly or in part on knitting machines or frames, or knit by hand, finished or unfinished, not including stockings, hose, and half-hose, composed of cotton or other vegetable fiber, valued at not more than $1.50 per dozen, 60 cents per dozen and 15 per cent ad valorem; valued at more than $1.50 per dozen and not more than $3 per dozen, $1.10 per dozen, and in addition thereto 15 per cent ad valorem; valued at more than $3 per dozen and not more than $5 per dozen, $1.50 per dozen, and in addition thereto 25 per cent ad valorem; valued at more than $5 per dozen and not more than $7 per dozen, $1.75 per dozen, and in addition thereto 35 per cent ad valorem; valued at more than $7 per dozen and not more than $15 per dozen, $2.25 per dozen, and in addition thereto 35 per cent ad valorem; valued above $15 per dozen 50 per cent ad valorem.

Mr. NEWLANDS. I should like to inquire of the Senator from Rhode Island why it is that in the last three articles of this paragraph, which are classed as luxuries, there should be such a varying duty. On the first item it is 64 per cent, on the second item 59 per cent, and on the third item 50 per cent.

Mr. ALDRICH. What is the Senator's question?

Mr. NEWLANDS. I wish to inquire as to the items in paragraph 327. The last three items are classed as luxuries, the percentage being, in the first item 64 per cent, in the second 59 per cent, and in the third 50 per cent. What is the reason for so wide a divergence in the duties upon those three articles?

Mr. ALDRICH. The last one is an ad valorem rate, and the others are specific.

Mr. NEWLANDS. But is there any careful calculation with reference to these duties that warrants that difference, as between 50 per cent on the third item of luxury and 64 per cent on the first? Is there any such difference in the labor cost?

Mr. ALDRICH. When this paragraph is reached I shall be very glad to explain it to the Senator.

Mr. NEWLANDS. There is another inquiry I should like to make regarding it. The first three items in the paragraph are put down, I imagine, as necessaries; they are low-priced articles, and yet the duties there are as high as on the following three items, which are classed as luxuries, the duties being 50, 60, and 64 per cent, respectively. I will ask the Senator whether it is not the intention of the committee to make the duties on the necessaries of life very much less than those upon the luxuries, and why, if that is the case, the rule was departed from in this instance?

Mr. ALDRICH. The classification which the Senator is reading from is not a part of the law. It is merely an arbitrary classification.

Mr. NEWLANDS. I understand that these percentages are not a part of the law, but I understand that they are the estimates of the committee as to the percentage that will be afforded by each one of these duties.

Mr. ALDRICH. I shall be very glad to discuss this paragraph with the Senator when it is reached for real consideration.

Mr. NEWLANDS. May I inquire when it will be reached for real consideration? Is it not before the Senate for consideration now?

Mr. ALDRICH. It is now apparently being read only. I trust it will be reached for serious consideration at an early day.

Mr. LA FOLLETTE. I ask that paragraph 324 be passed over.

The PRESIDING OFFICER (Mr. KEAN in the chair). It will be passed over.

The next amendment was, on page 115, line 11, after the word "made," to insert "wholly or in part;" in line 12, after the word "and," to strike out "india rubber, or of which cotton or other vegetable fiber is the component material of chief value," and insert "whether composed in part of india rubber or otherwise;" in line 23, after the word "made," to insert "wholly or in part;" in line 24, after the word "fiber," to insert "and whether composed in part of india rubber or otherwise;" on page 116, line 3, after the word "made," to insert "wholly or in part;" and in line 4, after the word "fiber," to strike out "and india rubber, or of which cotton or other vegetable fiber is the component material of chief value," and insert "and whether composed in part of india rubber or otherwise," so as to make the paragraph read:

328. Hose casings, garters, tire fabric or fabric suitable for use in pneumatic tires, suspenders and braces, and tubing, any of the foregoing articles made wholly or in part of cotton or other vegetable fiber, and whether composed in part of india rubber or otherwise and not embroidered by hand or machinery, 45 per cent ad valorem; spindle banding, woven, braided, or twisted lamp, stove, or candle wicking made of cotton or other vegetable fiber, 10 cents per pound and 15 per cent ad valorem; loom harness, healds or collets made of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, 50 cents per pound and 25 per cent ad valorem; boot, shoe, and corset lacings made wholly or in part of cotton or other vegetable fiber, and whether composed in part of india rubber otherwise, 25 cents per pound and 15 per cent ad valorem; labels, for garments or other articles, composed of cotton or other vegetable fiber, 50 cents per pound and 30 per cent ad valorem; belting for machinery made wholly or in part of cotton or other vegetable fiber, and whether composed in part of india rubber or otherwise, 30 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 116, line 11, after the words "ad valorem," to strike out "cotton duck, 35 per cent ad valorem," so as to make the paragraph read:

329. Cotton table damask, 40 per cent ad valorem; manufactures of cotton table damask or of which cotton table damask is the component material of chief value, not specially provided for in this section, 40 per cent ad valorem.

The amendment was agreed to.

Mr. LA FOLLETTE. I ask that paragraph 329 be passed over.

The PRESIDING OFFICER. It will be passed over.

The next amendment was, on page 116, line 15, before the word "manufactures," to strike out "Cotton, bleached and purified, whether medicated or not, 20 per cent ad valorem," and insert "All articles of cotton cloth, whether finished or unfinished, and all;" and in line 17, after the word "section," to insert "except such as are composed in part of flax, hemp, or ramie," so as to make the paragraph read:

330. All articles of cotton cloth, whether finished or unfinished, and all manufactures of cotton, or of which cotton is the component material of chief value, not specially provided for in this section, except such as are composed in part of flax, hemp, or ramie, 45 per cent ad valorem.

The amendment was agreed to.

Mr. NELSON. Let paragraph 330 be passed over.

The PRESIDING OFFICER. It will be passed over.

Mr. LA FOLLETTE. I ask that paragraph 327 be passed over.

Mr. ALDRICH. That has already been done, I think.

The PRESIDING OFFICER. Paragraph 327 goes over.

The next amendment was, in Schedule J—Flax, hemp, and jute, and manufactures of, on page 116, after line 21, to insert:

330a. Flax straw, $5 per ton.

The amendment was agreed to.

The next amendment was, on page 116, after line 22, to insert:

330b. Flax, not hackled or dressed, 1 cent per pound.

The amendment was agreed to.

Mr. ALDRICH. I wish to call the attention of the Senator from Minnesota [Mr. NELSON] to this paragraph. He is very much interested in it.

Mr. NELSON. I have noticed this part of the schedule. If the Senator will ask to have it passed over I will discuss it with him.

Mr. ALDRICH. No; I do not care to have it passed over. I only want to call the attention of the Senator to it. This is quite a large increase of rate.

Mr. GALLINGER. I will ask that it be passed over.

Mr. NELSON. Flax is given the same rate as in the Dingley Act.

Mr. ALDRICH. I think so.

Mr. GALLINGER. I ask that paragraphs 330a and 330b be passed over.

The PRESIDING OFFICER. Without objection, they will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 117, line 6, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

334. Single yarns made of jute, not finer than 5 lea or number, 1 cent per pound and 10 per cent ad valorem; if finer than 5 lea or number, 30 per cent ad valorem; yarns made of jute, not otherwise specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

Paragraph 335 was read.

Mr. PAYNTER. I ask that paragraphs 333, 334, and 335 be passed over.

The PRESIDING OFFICER. The paragraphs will be passed over.

The next amendment was, on page 117, line 18, after the word "number," to strike out "five-eighths" and insert "three-fourths," so as to make the paragraph read:

336. Threads, twines, or cords, made from yarn not finer than 5 lea or number, composed of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, 10 cents per pound; if made from yarn finer than 5 lea or number, three-fourths of 1 cent per pound additional for each lea or number, or part of a lea or number, in excess of 5.

The amendment was agreed to.

Mr. NELSON. I should like to inquire of the chairman of the committee or the Senator from North Dakota what provision is made for binding twine? I do not find it here.

Mr. ALDRICH. It is on the free list.

The next amendment was, on page 117, line 25, after the words "ad valorem," to insert "any of the foregoing other than in the gray, 45 per cent ad valorem;" and on page 118, line 2, after the words "ad valorem," to insert "ramie sliver or roving, 35 per cent ad valorem," so as to make the paragraph read:

337. Single yarns in the gray, made of flax, hemp, or ramie, or a mixture of any of them, not finer than 8 lea or number, 6 cents per pound; finer than 8 lea or number and not finer than 80 lea or number, 40 per cent ad valorem; any of the foregoing other than in the gray, 45 per cent ad valorem; single yarns, made of flax, hemp, or ramie, or a mixture of any of them, finer than 80 lea or number, 15 per cent ad valorem; ramie sliver or roving, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 118, line 4, after the word "Flax," to insert "and cotton," so as to make the paragraph read:

338. Flax and cotton gill nettings, nets, webs, and seines shall pay the same duty per pound as is imposed in this schedule upon the thread, twine, or cord of which they are made, and in addition thereto 20 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 118, line 25, after the word "Hydraulic," to insert "or flume," so as to make the paragraph read:

341. Hydraulic or flume hose, made in whole or in part of cotton, flax, hemp, ramie, or jute, 15 cents per pound.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 119, line 8, before the word "feet," to strike out "eleven" and insert "nine;" and in line 10, before the word "feet," to strike out "eleven" and insert "nine," so as to make the paragraph read:

343. Oilcloth for floors, plain, stamped, painted, or printed only, and linoleum, corticene, and all other oilcloth (except silk oilcloth) and fabrics or coverings for floors, made in part of oil or any similar product, if under 9 feet in width, and not specially provided for herein, 8 cents per square yard and 15 per cent ad valorem; 9 feet and over in width, 12 cents per square yard and 15 per cent ad valorem; any of the foregoing of whatever width, the composition of which forms designs or patterns whether inlaid or otherwise, by whatever name known, and cork carpets, cork mats, and linoleum mats, 20 cents per square yard and 20 per cent ad valorem; waterproof cloth, composed of cotton or other vegetable fiber, whether composed in part of india rubber or otherwise, 10 cents per square yard and 20 per cent ad valorem.

Mr. CUMMINS. I ask that paragraph 343 be passed over.

Mr. ALDRICH. I will ask that the amendment may be agreed to, if there be no objection.

Mr. NELSON. I wish to have the paragraph passed over in its entirety, for the reason that there is a new provision in the last part of it. There is a change from the old law after line 10.

Mr. CUMMINS. I ask that the whole paragraph be passed over.

Mr. NELSON. We had better leave the amendment to be acted on later.

The PRESIDING OFFICER. The paragraph will be passed over.

Paragraph 344 was read, as follows:

344. Shirt-collars and cuffs, composed of cotton, 45 cents per dozen pieces and 15 per cent ad valorem; composed in whole or in part of linen, 40 cents per dozen pieces and 20 per cent ad valorem.

Mr. FLINT. I ask that the paragraph may go over.

The PRESIDING OFFICER. It will be passed over.

The next amendment was, on page 120, line 9, before the word "scalloped," to insert "or;" in the same line, before the word "by," to strike out "or hemstitched;" in line 10, after the word "machinery," to strike out "or stitched in any manner for the purpose of ornamentation or embellishment;" in line 12, after the word "produce," to insert "ornamental;" in line 13, after the word "work," to insert "except hemstitching;" in line 14, after the word "in," to strike out "chief value" and insert "part;" in line 15, after the word "fiber," to strike out "or of cotton, flax, or other vegetable fiber, and india rubber, or of cotton, flax, or other vegetable fiber, india rubber, and metal" and insert "and whether composed in part of india rubber, metal, or otherwise;" in line 21, after the word "of," where it occurs the first time, to strike out "any" and insert "one or more;" in line 22, after the word "paragraph," to strike out "or of a combination of such materials or goods;" in line 23, after the word "than," to strike out "that" and insert "the highest;" in line 24, after the word "this," to strike out "paragraph" and insert "section;" in line 25, after the word "article," to strike out "of any description" and insert "or fabric of any description, composed of flax or other vegetable fiber, or of which these materials or any of them is the component material of chief value;" and in line 4, after the word "in," to strike out "any schedule of," so as to make the paragraph read:

345. Laces, lace window curtains, and all other lace articles; handkerchiefs, napkins, wearing apparel, and all other articles made wholly or in part of lace or laces, or in imitation of lace; nets, nettings, veils, veilings, neck ruflings, ruchings, tuckings, flutings, quillings, embroideries, trimmings, braids, edgings, insertings, flouncings, galloons, gorings, bands, bandings, belts, beltings, bindings, cords, ornaments, ribbons, tapes, webs, and webbings; wearing apparel, handkerchiefs, and other articles or fabrics embroidered in any manner by hand or machinery, whether with a plain or fancy letter, initial, or monogram, or otherwise, or tamboured, appliquéed, or scalloped, by hand or machinery, or from which threads have been drawn, cut, or punched to produce ornamental openwork, excepting hemstitching; all of the foregoing, composed wholly or in part of cotton, flax, or other vegetable fiber, and whether composed in part of india rubber, metal, or otherwise, and not elsewhere specially provided for in this section, 60 per cent ad valorem: *Provided*, That no article composed wholly or in chief value of one or more of the materials or goods specified in this paragraph shall pay a less rate of duty than the highest imposed by this section upon such materials or goods: *And provided further*, That no article or fabric of any description, composed of flax or other vegetable fiber, or of which these materials or any of them is the component material of chief value, when embroidered by hand or machinery, or having hand or machinery embroidery thereon, shall pay a less rate of duty than that imposed in this section upon any embroideries of the materials of which such embroidery is composed.

The amendment was agreed to.

The next amendment was, on page 121, line 21, after the word "known," to strike out "not exceeding 60 inches in width;" and on page 122, line 2, after the words "ad valorem," to strike out "any of the foregoing exceeding 60 inches in width, 35 per cent ad valorem," so as to make the paragraph read:

347. Plain woven fabrics of single jute yarns, by whatever name known, weighing not less than 6 ounces per square yard and not exceeding 30 threads to the square inch, counting the warp and filling, five-eighths of 1 cent per pound and 15 per cent ad valorem; if exceeding 30 and not exceeding 55 threads to the square inch, counting the warp and filling, seven-eighths of 1 cent per pound and 15 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 122, line 4, after the word "fabrics," to insert "whether or not the pile covers the entire surface, composed of flax, or;" and in line 6, after the word "and," to strike out "articles and manufactures composed wholly or in chief value thereof, not specially provided for in this section" and insert "all articles and manufactures made from such fabrics, not specially provided for in this section," so as to make the paragraph read:

348. All pile fabrics, whether or not the pile covers the entire surface, composed of flax, or of which flax is the component material of chief value, and all articles and manufactures made from such fabrics, not specially provided for in this section, 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 122, line 13, after the word "bleached," to insert "(except for purposes of identification)," so as to make the paragraph read:

349. Bags or sacks made from plain woven fabrics, of single jute yarns, not dyed, colored, stained, painted, printed, or bleached (except for purposes of identification), and not exceeding 30 threads to the square inch, counting the warp and filling, seven-eighths of 1 cent per pound and 15 per cent ad valorem.

Mr. ALDRICH. I ask that the amendment be not agreed to. I withdraw the amendment. Perhaps that is the best way.

The PRESIDING OFFICER. Without objection, the amendment of the committee will be withdrawn.

Mr. SMITH of South Carolina. I should like to ask the chairman of the Committee on Finance if the whole of paragraph 350 does not relate entirely to cotton bagging?

Mr. ALDRICH. It relates to cotton bagging, and it also relates to bagging that may be used for other purposes.

Mr. SMITH of South Carolina. The point I want to make is, that in view of the use in the cotton-growing States of this material, and also in view of the fact that free twine has been given to the wheat grower, this paragraph should be stricken out if it relates entirely to cotton bagging.

Mr. ALDRICH. It does not relate entirely to cotton bagging.

Mr. SMITH of South Carolina. The preceding paragraphs seem to take in the other fabrics made of jute. In reference to this particular paragraph, I should like to state to Senators present that the importations of jute bring in very little revenue, and there is scarcely any at all that comes in on cotton ties.

I should like to have the Senate understand that we are not asking for any protection on any of the articles that people use; and in view of the tremendous revenue that comes to the Government through the exportation of raw cotton and the vast amount of money that is invested in the manufacture of cotton in my State and the other Southern States, and in the New England States, it seems to me that the bagging and ties we have to put on our cotton are entitled to be placed on the free list.

I will state another reason. The balance of trade in this country is dependent upon the exportation of raw cotton. According to statistics that lie on my desk, an average of over $400,000,000 annually comes into this country through the exportation of raw cotton.

Not only do we have to buy the bagging and ties and pay this duty upon them, but in addition to that the tare is fixed by Liverpool; and there is a system of classification which deducts the weight of the bagging and ties and the price is fixed net. So the farmer not only pays for his bagging and ties and pays the duty on them, but under the deduction of 6 per cent gross for his covering, which is deducted from the tare, he pays in addition to the legitimate price the duty price and then gives it to the man who buys his cotton. So he actually gives to the purchaser of his cotton the right to take his bagging and ties. They sell them back to him again, and

they have positively worn the old bagging and ties out by selling them to him.

I think all Senators here will agree, that in view of having produced such great wealth in the form of raw material it is the part of economy to give us our material not only for making it, but for preparing it for the markets of the world, and to give us every showing possible; for we not only produce a part of the food of the world, but we produce that article which clothes the entire world in the cheapest form.

It does seem to me that if the western wheat grower is entitled to free twine, as he makes the food, we should be entitled to a free covering for our commodity, because we produce the clothes of the world. At the proper time, when we revert to this paragraph, I shall move to strike out this clause and place bagging upon the free list. I have some statistics which I should like to offer at that time.

Mr. ALDRICH. The paragraph had better go over. The Senator from Kentucky [Mr. PAYNTER] gave notice this morning that he desired an increase of duties on the products of hemp, and I think he had better be present when it is considered.

The PRESIDING OFFICER. The paragraph will be passed over after it has been read.

Mr. JONES. I did not notice whether paragraphs 347 and 349 were passed over or not. I desire to have those paragraphs passed over.

The PRESIDING OFFICER. They were not passed over. They will be passed over.

Mr. BRISTOW. I should like to ask that paragraph 345 be passed over.

The PRESIDING OFFICER. It will be passed over.

The next amendment was, on page 122, line 20, after the word "printed," to insert "(except for purposes of identification)," so as to make the paragraph read:

350. Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed (except for purposes of identification), not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces per square yard, six-tenths of 1 cent per square yard.

Mr. JOHNSTON of Alabama. Did I understand that objection was made, and that the paragraph went over?

The PRESIDING OFFICER. It was asked to be passed over, but it could not be passed over until after it was read. It will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 123, line 6, after the word "fabrics," to strike out "or" and insert "and;" in line 9, after the word "value," to insert "and woven fabrics and articles composed in part of cotton and in the other part of flax, hemp, or ramie" in line 23, after the word "articles," to insert "or fabrics;" in line 24, after the words "ad valorem," to strike out "Woven" and insert "Plain woven;" in line 25, after the word "fabrics," to insert "not including articles, finished or unfinished;" and on page 124, line 4, after the word "yard," to strike out "and containing more than 100 threads to the square inch, counting the warp and filling;" and in line 6, after the words "ad valorem," strike out "; weighing less than 4½ ounces per square yard and containing not more than 100 threads to the square inch, 30 per cent ad valorem," so as to make the paragraph read:

352. Woven fabrics and articles not specially provided for in this section, composed of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value, and woven fabrics and articles composed in part of cotton and in the other part of flax, hemp, or ramie, weighing 4½ ounces or more per square yard, when containing not more than 60 threads to the square inch, counting the warp and filling, 1¾ cents per square yard; containing more than 60 and not more than 120 threads to the square inch, 2¾ cents per square yard; containing more than 120 and not more than 180 threads to the square inch, 6 cents per square yard; containing more than 180 threads to the square inch, 9 cents per square yard, and in addition thereto, on all the foregoing, 30 per cent ad valorem: *Provided*, That none of the foregoing articles or fabrics in this paragraph shall pay a less rate of duty than 50 per cent ad valorem. Plain woven fabrics, not including articles, finished or unfinished, of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value, including such as is known as shirting cloth; weighing less than 4½ ounces per square yard, 35 per cent ad valorem.

Mr. LA FOLLETTE. Let the paragraph go over.

The PRESIDING OFFICER. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 124, line 10, after the word "All," to insert "woven articles, finished or unfinished, and all," so as to make the paragraph read:

353. All woven articles, finished or unfinished, and all manufactures of flax, hemp, ramie, or other vegetable fiber, or of which these substances, or any of them, is the component material of chief value, not specially provided for in this section, 45 per cent ad valorem.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 124, after line 14, to strike out:

354. Ramie sliver or roving, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 124, after line 16, to strike out:

355. Vegetable fibers, dyed, dressed, treated, or manufactured in any manner, and not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, in Schedule K, on page 128, after line 11, to strike out:

366. The duty upon wools of the third class and upon camel's hair of the third class shall be as follows: If valued at not more than 10 cents per pound, 3 cents per pound; if valued at more than 10 cents per pound and not more than 16 cents per pound, 3 cents per pound and in addition thereto one-half of 1 cent per pound for each 1 cent per pound the value exceeds 10 cents; if valued at more than 16 cents per pound, 7 cents per pound.

And in lieu thereof to insert:

366. On wools of the third class and on camel's hair of the third class the value whereof shall be 12 cents or less per pound, the duty shall be 4 cents per pound. On wools of the third class, and on camel's hair of the third class, the value whereof shall exceed 12 cents per pound, the duty shall be 7 cents per pound.

The amendment was agreed to.

The next amendment was, on page 129, after line 5, to strike out:

368. Top waste and roving waste, 25 cents per pound; slubbing waste, ring waste, and garnetted waste, 20 cents per pound.

And in lieu thereof to insert:

368. Top waste, slubbing waste, roving waste, ring waste, and garnetted waste, 30 cents per pound.

Mr. LA FOLLETTE. Let that go over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over, at the suggestion of the Senator from Wisconsin.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 129, line 11, before the word "cents," to strike out "twenty" and insert "twenty-five;" and in line 14, before the word "cents," to strike out "eighteen" and insert "twenty," so as to make the paragraph read:

369. Shoddy, 25 cents per pound; noils, wool extract, yarn waste, thread waste, and all other wastes composed wholly or in part of wool, and not specially provided for in this section, 20 cents per pound.

Mr. BRISTOW. Let that be passed over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over, at the request of the Senator from Kansas.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 129, line 15, before the word "cents," to strike out "six" and insert "ten," so as to make the paragraph read:

370. Woolen rags, mungo, and flocks, 10 cents per pound.

Mr. BRISTOW. I should like to have that paragraph passed over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 129, after line 16, to strike out:

371. Tops shall be subject to the same duty imposed upon the scoured wool of which they are made and 6 cents per pound in addition thereto.

The amendment was agreed to.

The Secretary read paragraph 372 as follows:

372. Wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this section, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this section.

Mr. NELSON. Let that paragraph be passed over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 130, line 2, after the word "class," to strike out "and in addition thereto 25 per cent ad valorem;" and in line 7, after the word "thereto," to insert "upon all the foregoing;" so as to make the paragraph read:

373. On yarns made wholly or in part of wool, valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class; valued at more than 30 cents per pound, the duty per pound shall be three and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, 40 per cent ad valorem.

Mr. NELSON. Let that paragraph be passed over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over.

The reading of the bill was resumed, and the Secretary read paragraph 374, as follows:

374. On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided for in this section, valued at not more than 40 cents per pound, the duty per pound shall be three times the duty imposed by this section on a pound of unwashed wool of the first class; valued at above 40 cents per pound and not above 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, 50 per cent ad valorem; valued at over 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class and 55 per cent ad valorem.

Mr. JONES. I ask that that paragraph go over, Mr. President.

The PRESIDING OFFICER. The paragraph will be passed over, at the request of the Senator from Washington.

The reading of the bill was resumed, and the Secretary read paragraph 375, as follows:

375. On blankets, and flannels for underwear composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem. On blankets composed wholly or in part of wool, valued at more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem. Flannels composed wholly or in part of wool, valued at above 50 cents per pound, shall be classified and pay the same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section: *Provided*, That on blankets over 3 yards in length the same duties shall be paid as on cloths.

Mr. GORE. Mr. President, I should like to have that paragraph passed over.

The PRESIDING OFFICER. The paragraph will be passed over, at the request of the Senator from Oklahoma.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 131, line 26, after the words "ad valorem," to insert "*Provided*, That on all the foregoing, weighing over 4 ounces per square yard, the duty shall be the same as imposed by this schedule on cloths," so as to make the paragraph read:

376. On women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character of which the warp consists wholly of cotton or other vegetable material with the remainder of the fabric composed wholly or in part of wool, valued at not exceeding 15 cents per square yard, the duty shall be 7 cents per square yard; valued at more than 15 cents per square yard, the duty shall be 8 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing, weighing over 4 ounces per square yard, the duty shall be the same as imposed by this schedule on cloths.

Mr. NELSON. I ask that that paragraph go over.

The PRESIDING OFFICER. The paragraph will be passed over, at the request of the Senator from Minnesota.

The reading of the bill was resumed, and the Secretary read paragraph 377, as follows:

377. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character composed wholly or in part of wool, and not specially provided for in this section, the duty shall be 11 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing weighing over 4 ounces per square yard the duty shall be the same as imposed by this schedule on cloths.

Mr. BRISTOW. I ask that that paragraph be passed over.

The PRESIDING OFFICER. The paragraph will be passed over, at the request of the Senator from Kansas.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 132, line 15, after the word "description," to strike out "wool hats" and insert "including," so as to make the paragraph read:

378. On clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 60 per cent ad valorem.

Mr. GORE. Mr. President, I should like to have that paragraph go over.

The PRESIDING OFFICER. The paragraph will be passed over.

Mr. BRISTOW. As I understand, the request of the Senator from Oklahoma [Mr. GORE] was that all of these paragraphs be passed over.

The PRESIDING OFFICER. He did not request that paragraph 379 be passed over.

Mr. BRISTOW. I ask that paragraph 379 be passed over.

The PRESIDING OFFICER. Paragraph 379 will be passed over, at the request of the Senator from Kansas.

The reading of the bill was resumed, and the Secretary read paragraphs 380, 381, and 382.

Mr. JOHNSTON of Alabama. I ask that paragraph 382 be passed over.

The PRESIDING OFFICER. Paragraph 382 will be passed over, at the request of the Senator from Alabama.

The reading of the bill was resumed, and the Secretary read paragraphs 383, 384, 385, and 386.

Mr. JOHNSTON of Alabama. I ask that paragraphs 384, 385, and 386 be passed over.

The PRESIDING OFFICER. Paragraphs 384, 385, and 386 will be passed over, at the request of the Senator from Alabama.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 135, after line 8, to insert:

391½. Woven fabrics, and manufactures thereof, composed of animal hair combined with either cotton or other vegetable fiber, silk, or wool, shall be classified and dutiable as manufactures of wool.

Mr. NELSON. I ask that every paragraph from paragraph 368 to paragraph 391½, inclusive, be passed over in the woolen schedule.

The PRESIDING OFFICER. At the request of the Senator from Minnesota the paragraphs referred to will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in Schedule L, on page 135, after line 13, to strike out:

392. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 35 cents per pound.

The amendment was agreed to.

The next amendment was, on page 135, after line 16, to strike out:

393. Thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk threads or yarns of every description, except spun silk, 30 per cent ad valorem; spun silk in skeins, cops, warps, or on beams, valued at not exceeding $1 per pound, 20 cents per pound and 15 per cent ad valorem; valued at over $1 per pound and not exceeding $1.50 per pound, 30 cents per pound and 15 per cent ad valorem; valued at over $1.50 per pound and not exceeding $2 per pound, 40 cents per pound and 15 per cent ad valorem; valued at over $2 per pound and not exceeding $2.50 per pound, 50 cents per pound and 15 per cent ad valorem; valued at over $2.50 per pound, 60 cents per pound and 15 per cent ad valorem; but in no case shall the foregoing articles pay a less rate of duty than 35 per cent ad valorem: *Provided*, That in no case shall the duty be assessed on a less number of yards than is marked on the spools, skeins or reels.

The amendment was agreed to.

The next amendment was, on page 136, after line 12, to strike out:

394. Velvets, velvet or plush ribbons, chenilles, or other pile fabrics, cut or uncut, composed of silk, or of which silk is the component material of chief value, not specially provided for in this section, $1.50 per pound and 15 per cent ad valorem; plushes composed of silk, or of which silk is the component material of chief value, $1 per pound and 15 per cent ad valorem; but in no case shall the foregoing articles pay a less rate of duty than 50 per cent ad valorem: *Provided*, That all pile fabrics of whatever material made, having a pile not exceeding one-sixth of an inch in length, shall be classified and dutiable as velvets: *Provided further*, That manufactures wholly or in chief value of any of the foregoing fabrics shall pay not less than the rate of duty herein imposed upon such fabrics and in addition 10 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 137, after line 2, to strike out:

395. Woven fabrics in the piece, not specially provided for in this section, weighing not less than 1½ ounces per square yard and not more than 8 ounces per square yard, and containing not more than 20 per cent in weight of silk, if in the gum, 50 cents per pound, and if dyed in the piece, 60 cents per pound; if containing more than 20 per cent and not more than 30 per cent in weight of silk, if in the gum, 35 cents per pound, and if dyed in the piece, 80 cents per pound; if containing more than 30 per cent and not more than 45 per cent in weight of silk, if in the gum, 90 cents per pound, and if dyed in the piece, $1.10 per pound; if dyed in the thread or yarn and containing not more than 30 per cent in weight of silk, if black (except selvedges), 75 cents per pound, and if other than black, 90 cents per pound; if containing more than 30 and not more than 45 per cent in weight of silk, if black (except selvedges), $1.10 per pound, and if other than black, $1.30 per pound; if containing more than 45 per cent in weight of silk, or if composed wholly of silk, if dyed in the thread or yarn and weighted in the dyeing so as to exceed the original weight of the raw silk, if black (except selvedges), $1.50 per pound, and if other than black, $2.25 per pound; if dyed in the thread or yarn, and the weight is not increased by dyeing beyond the original weight of the raw silk, $3 per pound; if in the gum, $2.50 per pound; if degummed wholly or in part, or dyed in the piece, or printed, $3 per pound; if weighing less than 1½ ounces and more than one-third of an ounce per square yard, if in the gum, or if dyed in the thread or yarn, $2.50 per pound; if weighing less than 1½ ounces and more than one-third of an ounce per square yard, if degummed wholly or in part, $3 per pound; if dyed or printed in the

piece, $3.25 per pound; if weighing not more than one-third of an ounce per square yard, $4.50 per pound; but in no case shall any of the foregoing fabrics in this paragraph pay a less rate of duty than 50 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 138, after line 18, to strike out:

396. Handkerchiefs or mufflers composed wholly or in part of silk, whether in the piece or otherwise, finished or unfinished, if not hemmed or hemmed only, shall pay the same rate of duty as is imposed on goods in the piece of the same description, weight, and condition as provided for in this schedule; but such handkerchiefs or mufflers shall not pay a less rate of duty than 50 per cent ad valorem; if such handkerchiefs or mufflers or hemstitched or imitation hemstitched, or revered or have drawn threads, or are embroidered in any manner, whether with an initial letter, monogram, or otherwise, by hand or machinery, or are tamboured, appliquéed, or are made or trimmed wholly or in part with lace, or with tucking or insertion, they shall pay a duty of 10 per cent ad valorem in addition to the duty hereinbefore prescribed, and in no case less than 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 139, after line 9, to strike out:

396½. Bandings, including hat bands, bindings, bone casings, braces, cords, cords and tassels, garters, gorings, suspenders, tubings, and webs and webbings, composed wholly or in part of silk and whether composed in part of india rubber or otherwise, if not embroidered in any manner by hand or machinery, 50 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 139, after line 15, to strike out:

397. Laces, and articles made wholly or in part of lace, edgings, insertings, galloons, flouncings, nets, nettings, veils, veilings, neck ruffings, ruchings, braids, fringes, trimmings, ornaments, belts, beltings, ribbons, embroideries, and articles embroidered by hand or machinery, or tamboured or appliquéed clothing ready made, and articles of wearing apparel of every description, including knit goods, made up or manufactured in whole or in part by the tailor, seamstress, or manufacturer; all of the foregoing made of silk, or of silk and india rubber, or of silk, india rubber, and metal, or of which silk is the component material of chief value, not specially provided for in this section, and silk goods ornamented with beads or spangles, 60 per cent ad valorem: *Provided*, That articles composed wholly or in chief value of any of the materials or goods dutiable under this paragraph shall pay not less than the rate of duty imposed upon such materials or goods herein; *And provided further*, That tamboured or appliquéed articles or fabrics shall pay not less than the rate of duty to which they would be subject if not so tamboured or appliquéed.

The amendment was agreed to.

The next amendment was, on page 140, after line 9, to strike out:

398. Jacquard figured goods in the piece, of which silk is the component material of chief value, made on looms, dyed in the yarn, and containing two or more colors in the filling that show on the face of the fabric, and all manufactures of silk, or of silk and india rubber, or of which silk is the component material of chief value, not specially provided for in this section, and boxes or cases covered with or composed in chief value of silk or velvet, 50 per cent ad valorem: *Provided*, That all manufactures which would otherwise be dutiable under Schedule L of this act shall, if containing wool as a component material, be classified and dutiable under the appropriate provision of Schedule K of this act.

The amendment was agreed to.

The next amendment was, on page 140, after line 21, to strike out:

399. In ascertaining the weight of silk under the provisions of this schedule, the weight shall be taken in the condition in which found in the goods, without deduction therefrom for any dye, coloring matter, or other foreign substance or material.

The amendment was agreed to.

The next amendment was, on page 141, after line 2, to strike out:

400. Yarn of artificial or imitation silk, by whatever name known or process made, 30 per cent ad valorem. All articles and manufactures composed wholly or in chief value of such yarn shall be classified and dutiable under the respective provisions of Schedule L under which they would be classified and dutiable if composed wholly or in chief value of silk; but woven fabrics of artificial or imitation silk or of artificial or imitation horsehair shall pay a duty of 50 per cent ad valorem: *Provided*, That all woven fabrics composed wholly or in part of artificial or imitation silk or of artificial or imitation horsehair, imported into the United States, shall be marked at or near the edge of said fabric, at intervals not exceeding 1 yard apart, in legible English, the words "artificial silk" or "artificial horsehair," as the case may be. Said marking shall be as nearly indelible and permanent as the nature of the article will permit. Until such article is so marked, no delivery of the same shall be made to the importer. The Secretary of the Treasury shall prescribe the necessary rules and regulations to carry out this provision.

The amendment was agreed to.

The next amendment was, on page 141, after line 22, to strike out:

401. Artificial or imitation horsehair not made up into articles, 30 per cent ad valorem; manufactures of artificial or imitation horsehair, in which artificial or imitation horsehair is the component material of chief value, not specially provided for in sections 1 or 2 of this act, 50 per cent ad valorem; braids and plaits composed wholly or in chief value of artificial or imitation horsehair, 60 per cent ad valorem; hats, bonnets, and hoods, trimmed or untrimmed, composed wholly or in chief value of horsehair, or of artificial or imitation horsehair, 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 142, after line 9, to insert:

392. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 35 cents per pound.

The amendment was agreed to.

The next amendment was, on page 142, after line 12, to insert:

393. Spun silk or schappe silk yarn, valued at not exceeding $1 per pound, whether in singles or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, 35 cents per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, in the gray, in skeins, warps, or cops, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 45 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 45 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 50 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 50 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, in the gray, on bobbins, spools, or beams, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 55 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 55 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 60 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, colored, bleached, or dyed, in skeins or warps, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 55 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 55 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 60 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, colored, bleached, or dyed, on bobbins, cops, spools, or beams, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 65 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 65 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 70 cents per pound, and in addition thereto ten one-hundredths of a cent per number per pound; on all numbers exceeding No. 205, 70 cents per pound, and in addition thereto fifteen one-hundredths of a cent per number per pound. In assessing the duty on all spun silk or schappe silk yarn, the number shall be that indicating the size of the yarn according to the metric or French system, and shall, in all cases, refer to the size of the spun single, of which said yarn may be composed: *Provided*, That in no case shall the duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams, but in no case shall any of the goods enumerated in this paragraph pay less rate of duty than 37½ per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 145, after line 17, to insert:

394. Thrown silk in the gum, if singles, 50 cents per pound; if tram, 75 cents per pound; if organzine, $1 per pound; if ungummed, wholly or in part, or if further advanced in manufacture in any way, in addition thereto, 50 cents per pound.

Sewing silk, twist, floss, and silk threads or yarns of any description made from raw silk, not specially provided for in this act, if in the gum, $1 per pound; if ungummed, wholly or in part, or if further advanced in manufacture in any way, $1.50 per pound: *Provided*, That in no case shall the duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams.

The amendment was agreed to.

The next amendment was, on page 146, after line 5, to insert:

395. Velvets, chenilles, or other pile fabrics, not specially provided for in this act, cut or uncut, composed of silk, or of which silk is the component material of chief value, weighing not less than 5¾ ounces per square yard, $1.50 per pound; if weighing less than 5¾ ounces per square yard, but not less than 4 ounces, if having more than 150 picks per inch, or if all the filling is not of cotton, $3.20 per pound; if having 150 picks per inch or less, and if all the filling is of cotton, $2.50 per pound; if weighing less than 4 ounces to the square yard, $4 per pound. Plushes, cut or uncut, composed of silk, or of which silk is the component material of chief value, if weighing not less than 9½ ounces per square yard, $1 per pound; if weighing less than 9½ ounces per square yard, $2.40 per pound. Measurements to ascertain widths of goods for determining weight per square yard of the foregoing articles shall not include the selvedges, but the duty shall be levied upon total weight of goods, including the selvedges. In distinguishing between "plushes" and "velvets," the length of the pile shall be considered. Such goods, in the above classification, shall be considered as "plushes" in which the length of the pile is one-seventh of an inch or more. Such goods shall be classed as "velvets" in which the length of the pile is less than one-seventh of an inch. The distance from the bottom of the first binding pick to the extreme end of the

pile shall be considered as the length of the pile. Velvet or plush ribbons, or other pile fabrics not over 12 inches in width and not less than three-quarters of an inch in width, cut or uncut, of which silk is the component material of chief value, not specially provided for in this act, if containing no silk except that in the pile and selvedges; if black, $1.60 per pound; if other than black, $1.75 per pound; if containing silk other than that in the pile and selvedges, if black, $2 per pound; if other than black, $2.25 per pound. If less than three-quarters of an inch in width in addition to above rates for each one-quarter of an inch or fraction thereof less than three-quarters of an inch in width, 40 cents per pound: *Provided*, That manufactures wholly or in chief value of velvets, plushes, velvet or plush ribbons, shall pay not less than the rate of duty herein imposed upon such fabrics, and in addition one-fifth of such duties. Woven fabrics in the piece, composed wholly or of chief value of silk, not specially provided for in this act, if weighing not more than one-third of an ounce per square yard, $4 per pound; if weighing more than one-third of an ounce, but not more than two-thirds of an ounce per square yard, if in the gum, $3 per pound; if ungummed, wholly or in part, $3.25 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.50 per pound; if weighing more than two-thirds of an ounce, but not more than 1 ounce per square yard, if in the gum, $2.65 per pound; if ungummed, wholly or in part, $3 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.25 per pound; if weighing more than 1 ounce, but not more than 1¼ ounces per square yard, if in the gum, $2.50 per pound; if ungummed, wholly or in part, $2.85 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.10 per pound; if weighing more than 1¼ ounces, but not more than 2 ounces, and if containing not more than 20 per cent in weight of silk, if in the gum, 70 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 85 cents per pound; if containing more than 20 per cent in weight of silk, but not more than 30 per cent, if in the gum, 85 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing more than 30 per cent in weight of silk, but not more than 40 per cent, if in the gum, $1.05 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.25 per pound; if containing more than 40 per cent of weight in silk, but not more than 50 per cent, if in the gum, $1.25 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.50 per pound; if containing more than 50 per cent in weight of silk, or if wholly of silk, if in the gum, $2.50 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3 per pound; if weighing more than 2 ounces per square yard, but not more than 8 ounces, and if containing not more than 30 per cent in weight of silk, if in the gum, 57½ cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 70 cents per pound; if containing more than 20 per cent in weight of silk, but not more than 30 per cent, if in the gum, 75 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 90 cents per pound; if containing more than 30 per cent in weight of silk, but not more than 40 per cent, if in the gum, 90 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing not more than 40 per cent in weight of silk, but not more than 50 per cent, if in the gum, $1.10 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.30 per pound; if containing more than 50 per cent in weight of silk, or if wholly of silk, if in the gum, $2.25 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture, or otherwise, or if dyed or printed in the piece, $2.75 per pound. Woven fabrics in the piece, composed wholly or of chief value of silk, if dyed in the thread or yarn, and if weight is not increased in dyeing beyond the original weight of raw silk, if containing not more than 45 per cent in weight of silk, $1.75 per pound; if containing more than 45 per cent in weight of silk, $3 per pound; if weight is increased in dyeing beyond the original weight of raw silk, if weighing more than one-third of an ounce, but not more than 1 ounce, per square yard, if black (except selvedges), $2.25 per pound; if other than black, $3 per pound; if weighing more than 1 ounce, but not more than 1¼ ounces per square yard, if black (except selvedges), $2 per pound; if other than black, $2.75 per pound; if weighing more than 1¼ ounces, but not more than 1⅝ ounces per square yard, if black (except selvedges), $1.80 per pound; if other than black, $2.50 per pound; if weighing more than 1⅝ ounces, but not more than 2 ounces per square yard, if black (except selvedges), $1.65 per pound; if other than black, $2.25 per pound; if weighing more than 2 ounces, but not more than 8 ounces per square yard, and if containing not more than 30 per cent in weight of silk, if black (except selvedges), 75 cents per pound; if other than black, 90 cents per pound; if containing more than 30 per cent in weight of silk, but not more than 40 per cent, if black (except selvedges), $1.10 per pound; if other than black, $1.30 per pound; if containing more than 45 per cent in weight of silk, or if composed wholly of silk, and if having not more than 220 single threads to the inch in the warp, if black (except selvedges), $1.50 per pound; if other than black, $2 per pound; if having more than 220 single threads to the inch in the warp, but not more than 300, if black (except selvedges), 1.65 per pound; if other than black, $2.25 per pound; if having more than 300 single threads to the inch in the warp, but not more than 380, if black (except selvedges), $1.80 per pound; if other than black, $2.50 per pound; if having more than 380 single threads to the inch in the warp, but not more than 460, if black (except selvedges), $2 per pound; if other than black, $2.75 per pound; if having more than 460 single threads to the inch in the warp, if black (except selvedges), $2.25 per pound; if other than black, $3 per pound; if printed in the warp and if weighing not more than 1¼ ounces per square yard, $3.50 per pound; if weighing more than 1¼ ounces, but not more than 2 ounces per square yard, $3.25 per pound; if weighing more than 2 ounces per square yard, $2.75 per pound. But in no case shall any goods made on Jacquard looms, or any goods containing more than one color in the filling, including such as have india rubber as a component material, or any of the goods enumerated in this paragraph, pay a less rate of duty than 50 per cent ad valorem.

Mr. BACON. I should like to ask the Senator from Rhode Island a question of a general character. Of course no one except an expert can understand the silk schedule. I simply desire to ask the Senator from Rhode Island whether the amendment proposed by the Senate committee is calculated to increase or decrease the revenue from these imports?

Mr. ALDRICH. The rates are supposed to approximate existing rates. I think we shall receive more revenue on account of the substitution of specific for ad valorem rates.

The amendment was agreed to.

The next amendment was, on page 153, after line 14, to insert:

396. Handkerchiefs or mufflers composed wholly or in chief value of silk, finished or unfinished, if cut, not hemmed or hemmed only, shall pay 50 per cent ad valorem; if such handkerchiefs or mufflers are hemstitched or imitation hemstitched, or revered, or have drawn threads, or are embroidered in any manner, whether with an initial letter, monogram, or otherwise, by hand or machinery, or are tamboured, appliquéed, or with tucking or insertion, they shall pay 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 153, after line 23, to insert:

397. Ribbons, bandings, including hathands, beltings, bindings, all of the foregoing not exceeding 12 inches in width, and if with fast edges, bone casings, braces, cords, cords and tassels, garters, gorings, suspenders, tubings, and webs and webbings, and which are composed wholly or in part of silk, and whether composed in part of india rubber or otherwise, if not embroidered in any manner, by hand or machinery, 50 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 154, after line 6, to insert:

398. Laces, edgings, insertings, galloons, flouncings, neck ruffings, ruchings, braids, fringes, trimmings, ornaments, nets or nettings, veils or veilings, and articles made wholly or in part of any of the foregoing, or of chiffons, embroideries and articles embroidered by hand or machinery, or tamboured or appliquéed, clothing ready made, and articles of wearing apparel of every description, including knit goods, made up or manufactured in whole or in part by the tailor, seamstress, or manufacturer; all of the foregoing made of silk, or of silk and india rubber, or of silk, india rubber, and metal, or of which silk is the component material of chief value, not specially provided for in this act, and silk goods ornamented with beads or spangles, 60 per cent ad valorem: *Provided*, That articles composed wholly or in chief value of any of the materials or goods dutiable under this paragraph shall pay not less than the rate of duty imposed upon such materials or goods by this section: *Provided further*, That tamboured or appliquéed articles or fabrics shall pay no less rate of duty than that imposed upon the material if not so tamboured or appliquéed.

Mr. BACON. I should like to ask the Senator from Rhode Island a question in regard to the paragraph. Does it relate solely to silk fabrics? The reason I ask is that there is language——

Mr. ALDRICH. It does. This particular paragraph refers to silk manufactures.

Mr. BACON. Only?

Mr. ALDRICH. Only.

Mr. BACON. The reason I ask the question is that in line 12 the term "clothing ready made," between two commas, might be construed otherwise.

Mr. ALDRICH. In line 15 the Senator will find——

Mr. BACON. I am reading from this large book.

Mr. ALDRICH. "All of the foregoing."

Mr. BACON. Yes; I noticed that. That is the reason I made the inquiry. I should so construe it myself.

Mr. ALDRICH. That is the intention of the committee, certainly.

Mr. BACON. It relates solely to articles of silk?

Mr. ALDRICH. Certainly.

The amendment was agreed to.

The next amendment was, on page 155, after line 2, to insert:

399. All manufactures of silk, or of which silk is the component material of chief value, including such as have india rubber as a component material, not specified in this act, 50 per cent ad valorem: *Provided*, That all manufactures which would otherwise be dutiable under this schedule of this act shall, if containing wool as a component material, be classified and dutiable under the appropriate provision of Schedule K of this act.

The amendment was agreed to.

The next amendment was, on page 155, after line 10, to insert:

400. In ascertaining the weight of silk under the provisions of this schedule, either in the threads, yarns, or fabrics, the weight shall be taken in the condition in which found in the goods, without deductions therefrom for any dye, coloring matter, or other foreign substance or material. In ascertaining the number of single-warp threads to the inch under the provisions of this schedule, double-warp threads shall be counted as two single threads, triple-warp threads as three single threads, and so on.

The amendment was agreed to.

The next amendment was, on page 155, after line 19, to insert:

401. Yarns, threads, filaments, or imitation silk or imitation horsehair, by whatever name known, and by whatever process made, if in the form of singles, 45 cents per pound; if in the form of tram, 50 cents per pound; if in the form of organzine, 60 cents per pound: *Pro-*

cided, That in no case shall any yarns or threads of artificial silk or imitation horsehair, or any yarns or threads made from waste of such materials, pay a less rate of duty than 30 per cent ad valorem; braids, bacas, embroideries, galloons, neck ruchings, ruchings, fringes, trimmings, beitings, cords, tassels, ribbons, or other articles or fabrics composed wholly or in chief value of yarns, threads, filaments, or fibers of imitation silk or imitation horsehair, by whatever name known, and by whatever process made, 45 cents per pound, and, in addition thereto, 60 per cent ad valorem.

Mr. BURTON. I ask——

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. BURTON. I yield.

Mr. BACON. I simply wish to ask a question of the Senator from Rhode Island in regard to the schedule generally. As I said before, it is a matter which is a sealed book to any except experts. I desire to ask the Senator whether the rates of duties, generally speaking, imposed upon imports under this schedule are rates which the committee recognize as the rates which will most conduce to revenue?

I will state to the Senator that I myself do not care how high the rates of duty are on articles of this kind, provided the rates are so apportioned as to produce the greatest revenue.

Mr. ALDRICH. My own judgment is that all of the articles which have been imported, manufactures of silk, will continue to be imported, and that under this schedule, as it now stands, the revenue will be considerably increased.

Mr. BURTON. I ask that paragraph 401 be passed over.

The VICE-PRESIDENT. Paragraph 401 will be passed over.

Mr. KEAN. Has the amendment in paragraph 401 been agreed to, and was the paragraph then passed over?

The VICE-PRESIDENT. Paragraph 401 is passed over without agreeing to the amendment. All of the other amendments are agreed to.

The Secretary resumed the reading of the bill, and read paragraph 402, under the schedule "Pulp, papers, and books."

Mr. ALDRICH. The committee hope, within a very few days, to report an amendment to the paragraph.

Mr. CLAPP. Mr. President——

Mr. HALE. Let it be passed over.

Mr. BACON. Will not the Senator——

The VICE-PRESIDENT. The Senator from Maine asks that the paragraph be passed over. It is passed over.

Mr. CLAPP. I call the attention of the committee——

Mr. HALE. Let it be passed, then.

The VICE-PRESIDENT. The paragraph will be passed over, at the suggestion of the Senator from Maine.

Mr. CLAPP. I call attention to the fact, not only with reference to this item, but other items, that it strikes me we are going to get into difficulty by using the word "province." I simply call attention to it now, so that the committee may consider it.

Mr. ALDRICH. We are confronted with this condition on our northern border. The Dominion of Canada is divided into Provinces. These Provinces are essentially independent. For instance, some of them forbid the exportation of pulp wood and some do not, and we have to deal with those Provinces by themselves, I think.

Mr. CLAPP. The difficulty with that—I am not now speaking with reference to pulp wood, although that is an illustration—is that a Province which has mills may pursue one policy which would give this entire market to the little Province having the mills, while the other Provinces, pursuing a different line, would shut us out from all of the country north of us except the particular Province that had the mills and refused to place an export duty.

Mr. ALDRICH. I am not sure but that the Senator from Minnesota is right, and that we ought to provide with respect to the Dominion or any Province or portion of the Dominion and hold the Dominion government responsible always for whatever is done in any of the Provinces.

Mr. CLAPP. I do not care to discuss it now; but, in view of the fact that the Senator said the matter was under consideration by the committee, I wished to call the attention of the committee to this matter, not only with reference to wood pulp, but as to all the relations between this country and Canada.

Mr. SUTHERLAND. I should like to ask the chairman of the committee why it is necessary to use the words "dependency, province, or other subdivision of government" at all? Why would not "country" cover it all? I notice in the first section of the bill the provision as proposed by the House has been amended by striking out the words "province, dependency, or colony," so that it reads, "upon all articles when imported from any foreign country." It seems to me that would cover everything, without using the additional words.

Mr. ALDRICH. I am not sure but that the Senator is correct. We will take that up later.

Mr. BRISTOW. I regret that I could not hear what the Senator from Rhode Island said.

The VICE-PRESIDENT. Will the Senator from Rhode Island give his attention to the Senator from Kansas?

Mr. BRISTOW. I wanted to ask if the change suggested by the Senator from Rhode Island would not place a duty on the importation of wood pulp from Canada? Are there not Provinces in Canada which now have an export duty on pulp wood and wood pulp; and if the word "country" be used, would it not impose the same duty on all importations of wood pulp or pulp wood from any part of Canada the same as might be carried as the result of an export duty from a single Province?

Mr. ALDRICH. That is one of the questions involved in this whole problem which is before the committee, and the committee will try to present something later on that will cover the case as well as they can.

Mr. HALE. In the meantime, I ask after the reading of these paragraphs that they may be passed over.

Mr. ALDRICH. It has been done.

Mr. HALE. It has been done with respect to one.

The VICE-PRESIDENT. All under schedule M?

Mr. HALE. No; paragraph 402.

The VICE-PRESIDENT. Simply paragraph 402, or the other paragraphs? Four hundred and two has been read and passed over.

Mr. HALE. When paragraph 405 is reached, after being read I ask that it may be passed over.

The VICE-PRESIDENT. That will be done.

The Secretary read paragraphs 403, 404, and 405.

The VICE-PRESIDENT. Paragraph 405 will be passed over, at the request of the Senator from Maine.

Mr. NELSON. Mr. President, the chairman of the committee will pardon me a moment if I call his attention to the paragraph where it relates to other countries or provinces. I think it will be found on examination that in the Provinces of Canada lying to the north of us—New Brunswick, Nova Scotia, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia—they have a somewhat different rule, and therefore I think the distinction you have in the bill ought to be kept up, so that in the case of any timber or pulp or paper from any Province which imposes no restriction, no duty, or anything in the shape of an export duty, there shall be no restriction. Where a Province, either of the maritime Provinces or any other, has a restriction, it is proper enough.

I will put a case. It would not do, because the Province of New Brunswick, we will say, for instance—I do not know what the conditions there are, but the Senator from Maine would know—has restrictions, that we should apply the rule to all the other Provinces of Canada. That would not be fair and just to our people, and it would not be fair and just to them.

The Provinces in Canada are akin to our States. They are separate, independent governments of the Dominion of Canada, with the exception of Newfoundland, I think; and I am not quite sure about that. The Senator from Maine would know better whether Prince Edward Island is outside. But all the other Provinces are, as it were, States. They have governments of their own, with a legislative assembly, a lieutenant-governor, and a responsible ministry, patterned after the Dominion and the British system of government.

Now, in respect to these different Provinces, we ought to retain the distinction contained in the bill. I make these remarks because of the fact that the chairman of the committee stated that the committee had these provisions under advisement. I hope the distinction between the different Provinces that is now in the bill will be maintained.

Mr. ALDRICH. I suggest to the Senator from Minnesota one consideration in this connection. The Province of Ontario forbids the exportation of wood. That is a serious matter for the paper manufacturers of Wisconsin and Minnesota.

Mr. NELSON. Will the Senator allow me? I do not intend to break in on the matter, but, as I understand, that applies to unmanufactured wood sold under the Dominion licenses or timber privileges. There is no restriction on the export of the manufactured product.

Mr. ALDRICH. No.

Mr. NELSON. The pulp; but there would be on the logs.

Mr. ALDRICH. There is a restriction of that kind, which works to the very great disadvantage of the paper manufacturers of Wisconsin and Minnesota. But if we confine the arrangement merely to the Provinces, there will be very great difficulty, probably, to get the Province of Ontario to change its laws. If it applied to the whole of the Dominion of Canada,

the Dominion having absolute control over legislation if it sees fit to exercise it, it might be easy to persuade the Province of Ontario to be not unreasonable about the matter and to remove its prohibition.

Mr. NELSON. But I want to call the attention of the Senator from Rhode Island to the fact that a large number of these timber licenses or privileges are already out, executed, with that restriction in them, and those could not very well be changed by the government. They could not very well be changed where the government has sold what they call "timber areas" under a given form of license with that restriction in it, which amounts to a contract, which could not be affected by legislation. I ask the Senator to take that fact into consideration.

Mr. HALE. Mr. President, it is rather a complicated question—when you come to deal with Canada and its diverse Provinces upon questions relating to tariffs and duties—whether the ultimate responsibility must be placed upon the entire Dominion, and whether any amendments reported by the committee should adopt as the theory that all Canada as a whole shall be responsible for the act of any Province, or whether in detail an amendment should be framed dealing with the acts of each Province.

I am bound to say that at the present time, so far as I have examined into the matter, and with a large interest in the subject on the part of my constituents, I am not yet certain how the amendment which the committee will report regulating it should be framed, but as the chairman has indicated, all of these conditions will be considered and the committee will try in framing its amendment to secure our rights against either all Canada or any Province of Canada.

Mr. PILES. Mr. President, I think the Senator from Minnesota is clearly right about the legislation in certain Provinces of Canada. They are somewhat similar in that respect to the States of the Union, but their powers are larger than those of our States. They may legislate with respect to national affairs, so to speak.

As I understand the paragraph as it reads now, if every Province in Canada except British Columbia should restrict the importation of wood pulp into this country, then it might be admitted from British Columbia. That is the point I wish to call the Senator's attention to when he considers this matter.

Mr. NELSON. I might say that my understanding is that except for the limitations, or whatever you might call them, contained in those leases, under the general tariff law of the Dominion unmanufactured timber comes in free. I have a copy of the Canadian tariff law, which I will bring up if the committee has not got it.

Mr. HALE. Rough lumber?

Mr. NELSON. No; unmanufactured, logs.

Mr. HALE. That is what I say, rough.

Mr. NELSON. No; not rough lumber, but unmanufactured.

Mr. HALE. What I mean is the original tree, the log.

Mr. NELSON. Yes; that comes in free of duty, except in cases where it is limited by those leases.

The VICE-PRESIDENT. Paragraph 405 will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 159, after line 8, to strike out:

407. Papers with coated surface or surfaces, not specially provided for in this section, 5 cents per pound; if wholly or partly covered with metal or its solutions (except as hereinafter provided), or with gelatin or flock, or if embossed or printed, 5 cents per pound and 20 per cent ad valorem; papers, including wrapping paper, with the surface decorated or covered with a design, fancy effect, pattern, or character, whether produced in the pulp or otherwise, but not by lithographic process, 4½ cents per pound; if embossed, or wholly or partly covered with metal or its solutions, or with gelatin or flock, 5 cents per pound and 20 per cent ad valorem: *Provided*, That paper wholly or partly covered with metal or its solutions, and weighing less than 15 pounds per ream of 480 sheets, on a basis of 20 by 25 inches, shall pay a duty of 5 cents per pound and 25 per cent ad valorem; parchment papers, and grease-proof and imitation parchment papers which have been supercalendered and rendered transparent, or partially so, by whatever name known, 2 cents per pound and 10 per cent ad valorem; all other grease-proof and imitation parchment papers, not specially provided for in this section, by whatever name known, 2 cents per pound and 10 per cent ad valorem; bags, envelopes, printed matter other than lithographic, and all other articles composed wholly or in chief value of any of the foregoing papers, not specially provided for in this section, and all boxes of paper or wood covered with any of the foregoing paper, 5 cents a pound and 20 per cent ad valorem; albumenized or sensitized paper, or paper otherwise surface coated for photographic purposes, 30 per cent ad valorem; plain basic papers for albumenizing, sensitizing, baryta coating, or for photographic or solar printing processes, 3 cents per pound and 10 per cent ad valorem.

And to insert:

407. Surface-coated papers not specially provided for in this section, 2½ cents per pound and 15 per cent ad valorem; if printed, or wholly or partly covered with metal or its solutions, or with gelatin or flock, 3 cents per pound and 20 per cent ad valorem; parchment papers, 2 cents per pound and 20 per cent ad valorem; plain basic photographic papers for albumenizing, sensitizing, or baryta coating, and basic papers for solar and other light printing, 3 cents per pound and 10 per cent ad valorem; albumenized or sensitized paper or paper otherwise surface coated for photographic purposes, 30 per cent ad valorem: *Provided*, That paper wholly or partly covered with metal or its solutions, and weighing less than 15 pounds per ream of 480 sheets, on a basis of 20 by 25 inches, shall pay a duty of 5 cents per pound and 30 per cent ad valorem.

Mr. BROWN. I ask to have that paragraph passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Nebraska.

Mr. BROWN. And also the proposed amendment.

The VICE-PRESIDENT. Yes; the request covers both the original paragraph and the amendment of the committee.

The next amendment was, on page 161, after line 6, to strike out:

408. Pictures, post cards, calendars, cards, labels, placards, and other articles composed wholly or in chief value of paper, lithographically printed in whole or in part from stone or metal (except music, and illustrations when forming part of a periodical or newspaper, or of bound or unbound books, accompanying the same, not specially provided for in this section), if other than labels, flaps, and cigar bands and not exceeding eight one-thousandths of 1 inch in thickness, 25 cents per pound; exceeding eight one-thousandths of 1 inch and not exceeding twenty one-thousandths of 1 inch in thickness, and not exceeding 400 square inches cutting size in dimensions, 10 cents per pound; exceeding 400 square inches cutting size in dimensions, 35 per cent ad valorem; exceeding twenty one-thousandths of 1 inch in thickness, 8 cents per pound; any of the foregoing that are die cut or embossed shall pay one-half of 1 cent per pound in addition, but if both die cut and embossed they shall pay 1 cent per pound in addition: *Provided*, That in the case of articles hereinbefore specified in this paragraph, the thickness or the thickness and size which shall determine the rate of duty to be imposed shall be that of the thinnest material found in the article, but for the purposes of this paragraph the thickness of lithographs mounted or pasted upon paper, cardboard, or other material shall be the combined thickness of the lithograph and the piece on which it is mounted or pasted. Labels and flaps, if printed in less than eight colors (bronze printing to be counted as three colors), but not printed in whole or in part in metal leaf, 25 cents per pound; cigar bands of the same number of colors and printings, 30 cents per pound; labels and flaps printed in eight or more colors, but not printed in whole or in part in metal leaf, 35 cents per pound; cigar bands of the same number of colors and printings, 40 cents per pound; labels and flaps printed in whole or in part in metal leaf, 50 cents per pound; cigar bands printed in whole or in part in metal leaf, 55 cents per pound; labels, flaps, and cigar bands, if embossed, shall pay 5 cents per pound in addition to the foregoing rates. Decalcomanias, in ceramic colors, 80 cents per pound; if backed with metal leaf, 70 cents per pound; all other decalcomanias, 45 cents per pound. Books of paper or other material for children's use, not exceeding in weight 24 ounces each, and all booklets and fashion magazines or periodicals, any of these printed in whole or in part by lithographic process or decorated by hand, 8 cents per pound.

And to insert:

408. Pictures, calendars, cards, labels, flaps, cigar bands, placards, and other articles, composed wholly or in chief value of paper lithographically printed in whole or in part from stone, metal, or material other than gelatin (except boxes, or music, and illustrations when forming part of a periodical or newspaper, or of bound or unbound books, accompanying the same, not specially provided for in this section), shall pay duty at the following rates: Labels and flaps, printed in less than eight colors (bronze printing to be counted as three colors), but not printed in whole or in part in metal leaf, 25 cents per pound; cigar bands of the same number of colors and printings, 30 cents per pound; labels and flaps printed in eight or more colors, but not printed in whole or in part in metal leaf, 30 cents per pound; cigar bands of the same number of colors and printings, 35 cents per pound; labels and flaps, printed in whole or in part in metal leaf, 50 cents per pound; cigar bands, printed in whole or in part in metal leaf, 55 cents per pound; booklets, 7 cents per pound; books of paper or other material for children's use, not exceeding in weight 24 ounces each, 6 cents per pound; fashion magazines or periodicals, printed in whole or in part by lithographic process, or decorated by hand, 8 cents per pound; booklets, decorated in whole or in part by hand or by spraying, 15 cents per pound. Decalcomanias in ceramic colors, $1 per pound; if backed with metal leaf, 65 cents per pound; all other decalcomanias, 40 cents per pound. All other articles than those hereinbefore specifically provided for in this paragraph, not exceeding eight one-thousandths of 1 inch in thickness, 20 cents per pound; exceeding eight and not exceeding twenty one-thousandths of 1 inch in thickness, 7 cents per pound; exceeding twenty one-thousandths of 1 inch in thickness, 6 cents per pound: *Provided*, That in the case of articles hereinbefore specified the thickness which shall determine the rate of duty to be imposed shall be that of the thinnest material found in the article, but for the purposes of this paragraph the thickness of lithographs mounted or pasted upon paper, cardboard, or other material shall be the combined thickness of the lithograph and the foundation on which it is mounted or pasted.

Mr. BROWN. I ask that the same order be made in regard to that paragraph.

The VICE-PRESIDENT. The Senator from Nebraska asks that the paragraph be passed over.

Mr. DEPEW. I rose to make the same request.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 164, after line 17, to strike out:

409. Writing, letter, note, handmade, drawing, ledger, bond, record, tablet, typewriter, and onionskin and imitation onionskin paper, calendered or uncalendered, weighing 6½ pounds or less, but not exceeding 15 pounds per ream, 2½ cents per pound and 10 per cent ad valorem; weighing more than 15 pounds per ream, 3½ cents per pound and 15 per cent ad valorem; but if any such paper is ruled, bordered, embossed, printed, or decorated in any manner, it shall pay 10 per cent ad valorem in addition to the foregoing rates: *Provided*, That in computing the duty on such paper every 180,000 square inches shall be taken to be a ream.

And to insert:

409. Writing, letter, note, handmade paper and paper commercially known as handmade paper and machine handmade paper, Japan paper and imitation japan paper by whatever name known, and bond, record, tablet, typewriter, manifold, and onionskin and imitation onionskin papers, calendered or uncalendered, weighing 6½ pounds or over per ream, 3½ cents per pound and 15 per cent ad valorem; but if any such paper is ruled, bordered, embossed, printed, lined, or decorated in any manner, other than by lithographic process, it shall pay 10 per cent ad valorem in addition to the foregoing rates: *Provided*, That in computing the duty on such paper every 180,000 square inches shall be taken to be a ream.

Mr. BROWN. I ask the same order as to that paragraph.

The VICE-PRESIDENT. Paragraph 409 will be passed over, at the request of the Senator from Nebraska.

The next amendment was, on page 165, after line 18, to strike out the subhead "Manufactures of paper."

The amendment was agreed to.

The next amendment was, on page 165, line 21, after the word "section," to insert "folded or flat;" and in the same line, before the words "per cent," to strike out "thirty" and insert "twenty," so as to make the paragraph read:

410. Paper envelopes not specially provided for in this section, folded or flat, if plain, 20 per cent ad valorem; if bordered, embossed, printed, tinted, decorated, or lined, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 166, line 1, before the words "per cent," to strike out "fifty" and insert "thirty-five;" in line 3, before the words "per cent," to strike out "thirty" and insert "twenty-five;" in line 6, before the words "per cent," to strike out "thirty-five" and insert "twenty-five;" in the same line, after the word "That," to strike out "paper combined with other material, whether the same be known as paper or not, and;" in line 11, after the word "boxes," to insert "plain or printed but not lithographed;" and in line 12, after the word "section," to strike out "shall be dutiable at not less than the rate imposed by this section upon manufactures of the material of which they are made" and insert "35 per cent ad valorem; articles composed wholly or in chief value of paper printed by the photogelatin process and not specially provided for in this act, 3 cents per pound and 25 per cent ad valorem;" so as to make the paragraph read:

411. Jacquard designs on ruled paper, or cut on Jacquard cards, and parts of such designs, 35 per cent ad valorem; press boards or press paper, valued at 10 cents per pound or over, 35 per cent ad valorem; paper hangings wholly or in chief value of paper, 25 per cent ad valorem; wrapping paper not specially provided for in this section, 35 per cent ad valorem; paper not specially provided for in this section, 25 per cent ad valorem: *Provided*, That paper embossed, or cut, die-cut, or stamped into designs or shapes, such as initials, monograms, lace, borders, bands, strips, or other forms, or cut or shaped for boxes, plain or printed but not lithographed, and not specially provided for in this section, 35 per cent ad valorem; articles composed wholly or in chief value of paper printed by the protogelatin process and not specially provided for in this act, 3 cents per pound and 25 per cent ad valorem.

The amendment was agreed to.

Mr. BURROWS. Let paragraph 411 be passed over.

The VICE-PRESIDENT. Paragraph 411 will be passed over with the amendment agreed to.

The next amendment was, on page 166, line 24, after the words "ad valorem," to strike out "post cards not specially provided for in this section, if wholly of paper, 5 cents per pound and 25 per cent ad valorem; all other, 45 per cent ad valorem," so as to make the paragraph read:

412. Books of all kinds, bound or unbound, including blank books, slate books and pamphlets, engravings, photographs, etchings, maps, charts, music in books or sheets, and printed matter, all the foregoing wholly or in chief value of paper, and not specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 167, after line 5, to strike out:

414. All boxes made wholly or in chief value of paper or papier mache, and all boxes (except metal), lacquered, or covered, trimmed or decorated with shells, 45 per cent ad valorem.

And insert:

414. All boxes made of paper, or of which paper is the component material of chief value, if covered with surface-coated paper, 45 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 167, line 18, before the words "per cent," to strike out "forty" and insert "thirty-five," so as to make the paragraph read:

416. Manufactures of paper, or of which paper is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, in Schedule N—Sundries, on page 167, line 20, after the word "kinds," to insert "including imitation pearl beads;" in line 26, after the word "in," where it occurs the second time, to strike out "part" and insert "chief value;" on page 168, line 4, after the word "in," to strike out "part" and insert "chief value;" and in line 7, before the word "articles," to insert "such," so as to make the paragraph read:

417. Beads of all kinds, including imitation pearl beads, not threaded or strung, 35 per cent ad valorem; strung loosely on thread for facility in transportation only, 35 per cent ad valorem; fabrics, nets or nettings, laces, embroideries, galloons, wearing apparel, ornaments, trimmings, curtains, fringes, and other articles not specially provided for in this section, composed wholly or in chief value of beads or spangles made of glass or paste, gelatin, metal, or other material, but not in part of wool, 60 per cent ad valorem: *Provided*, That no article composed wholly or in chief value of beads or spangles made of glass, paste, gelatin, metal, or other material shall pay duty at a less rate than is imposed in any paragraph of this section upon such articles without such beads or spangles.

The amendment was agreed to.

The next amendment was, on page 168, line 9, before the word "composed," to strike out "if;" in line 12, after the words "ad valorem," to strike out "if bleached, dyed, colored, or stained, 20 per cent ad valorem;" in line 14, after the word "composed," to insert "wholly or in chief value;" in line 16, after the word "osier," to strike out "or;" and in the same line, after the word "rattan," to insert "cuba bark or manila hemp," so as to make the paragraph read:

418. Braids, plaits, laces, and willow sheets or squares, composed wholly or in chief value of straw, chip, grass, palm leaf, willow, osier, rattan, cuba bark, or manila hemp, suitable for making or ornamenting hats, bonnets, or hoods, not bleached, dyed, colored, or stained, 15 per cent ad valorem; hats, bonnets, and hoods composed wholly or in chief value of straw, chip, grass, palm leaf, willow, osier, rattan, cuba bark, or manila hemp, whether wholly or partly manufactured, but not trimmed, 35 per cent ad valorem; if trimmed, 50 per cent ad valorem. But the terms "grass" and "straw" shall be understood to mean these substances in their natural form and structure, and not the separated fiber thereof.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

419. Brushes, brooms, and feather dusters of all kinds, and hair pencils in quills or otherwise, 40 per cent ad valorem.

Mr. BURROWS. Let the paragraph be passed over.

The VICE-PRESIDENT. Paragraph 419 will be passed over, at the request of the Senator from Michigan.

The reading of the bill was resumed.

The next amendment was, on page 169, after line 8, to strike out the subhead "Buttons and button forms."

The amendment was agreed to.

The next amendment was, on page 169, after line 9, to strike out paragraph 422, in the following words:

422. Button forms: Lastings, mohair, cloth, silk, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, 10 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 169, line 15, after the word "the," to strike out "rates herein specified for the respective buttons, the line-button measure being one-fortieth of 1 inch, namely" and insert "following rates, the line button being one-fortieth of 1 inch, namely;" on page 170, line 6, after the word "gross," to strike out "snap fasteners or clasps, or parts thereof, by whatever name known, 50 per cent ad valorem; buttons of metal, embossed with a design, device, pattern, or lettering, 45 per cent ad valorem;" and in line 11, after the word "studs," to insert "composed wholly of bone, mother-of-pearl, or ivory," so as to make the paragraph read:

423. Buttons or parts of buttons and button molds or blanks, finished or unfinished, shall pay duty at the following rates, the line-button measure being one-fortieth of 1 inch, namely: Buttons known commercially as agate buttons, metal trousers buttons (except steel), and nickel bar buttons, one-twelfth of 1 cent per line per gross; buttons of bone, and steel trousers buttons, one-fourth of 1 cent per line per gross; buttons of pearl or shell, 1½ cents per line per gross; buttons of horn, vegetable ivory, glass, or metal, not specially provided for in this section, three-fourths of 1 cent per line per gross, and in addition thereto, on all the foregoing articles in this paragraph, 15 per cent ad valorem; shoe buttons made of paper, board, papier-mache, pulp or other similar material, not specially provided for in this section, valued at not exceeding 3 cents per gross, 1 cent per gross; buttons not specially provided for in this section, and all collar or cuff buttons and studs composed wholly of bone, mother-of-pearl, or ivory, 50 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

424. Coal, bituminous, and coal slack, or culm, and shale, 67 cents per ton of 28 bushels, 80 pounds to the bushel; compositions used for fuel in which coal or coal dust is the component material of chief value, whether in briquettes or other form, 20 per cent ad valorem; coke, 20 per cent ad valorem: *Provided*, That any of the foregoing, when imported from any country, dependency, province, or colony which imposes no tax or duty on like articles imported from the United States, shall be imported free of duty: *Provided further*, That on all coal imported into the United States which is afterwards used for fuel on board vessels propelled by steam and engaged in trade with foreign countries, or in trade between the Atlantic and Pacific ports of the

United States, and which are registered under the laws of the United States, a drawback shall be allowed equal to the duty imposed by law upon such coal, and shall be paid under such regulations as the Secretary of the Treasury shall prescribe.

Mr. ALDRICH. The committee will suggest an amendment to this paragraph later on.

The VICE-PRESIDENT. The Senator does not suggest that it be passed over?

Mr. CLARK of Wyoming. I suggest that it be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, on the suggestion of the Senator from Wyoming.

The next amendment was, on page 171, line 13, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 15, after the word "manufactures," to insert "wholly or in chief value;" and in line 17, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

425. Cork bark cut into squares, cubes, or quarters, 8 cents per pound; manufactured corks over three-fourths of an inch in diameter, measured at larger end, 15 cents per pound; three-fourths of an inch and less in diameter, measured at larger end, 25 cents per pound; cork, artificial, or cork substitutes, manufactured from cork waste or granulated cork, and not otherwise provided for in this section, 6 cents per pound; manufactures wholly or in chief value of cork, or of cork bark, or of artificial cork or cork substitutes, granulated or ground cork, not specially provided for in this section, 30 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 171, after line 21, to strike out:

427. Dolls, doll heads, toy marbles of whatever materials composed, and all other toys not composed of rubber, china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for in sections 1 or 2 of this act, 35 per cent ad valorem: *Provided*, That no articles shall be dutiable as toys except those made as playthings for children.

And to insert:

427. Dolls, and parts of dolls, doll heads, toy marbles of whatever materials composed, and all other toys, and parts of toys, not composed of china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for in this section, 35 per cent ad valorem.

Mr. BURKETT. The Senator from West Virginia [Mr. SCOTT] was called out of the Chamber, and requested me to have some of these paragraphs passed over. I ask that paragraph 427 be passed over.

Mr. ALDRICH. I think an amendment has been prepared to meet the views of the Senator from West Virginia. However, I do not object to its going over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Nebraska.

The next amendment was, on page 172, line 9, after the word "grains," to insert "and;" and in the same line, after the word "emery," to strike out "and corundum," so as to make the paragraph read:

428. Emery grains and emery, manufactured, ground, pulverized, or refined, 1 cent per pound; emery wheels, emery files, and manufactures of which emery or corundum is the component material of chief value, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 172, after line 13, to strike out:

429. Firecrackers of all kinds, bombs, rockets, Roman candles, and fireworks of all descriptions, 8 cents per pound; the weight to include all coverings, wrappings, and packing material.

And insert:

429. Firecrackers of all kinds, 8 cents per pound; bombs, rockets, Roman candles, and fireworks of all descriptions, not specially provided for in this section, 12 cents per pound; the weight on all the foregoing to include all coverings, wrappings, and packing material.

Mr. DOLLIVER. I ask that the paragraph be passed over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from Iowa.

The next amendment was, on page 172, after line 22, to strike out:

430. Fulminates, fulminating powders, and like articles, not specially provided for in this section, 30 per cent ad valorem.

And insert:

430. Fulminates, fulminating powders, and like articles suitable for miners' use, 20 per cent ad valorem; all other not specially provided for in this section, 30 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 173, line 11, before the word "cents," to strike out "eight" and insert "six;" and in line 13, after the word "each," to insert "three-fourths of," so as to make the paragraph read:

432. Matches, friction or lucifer, of all descriptions, per gross of 144 boxes, containing not more than 100 matches per box, 6 cents per gross; when imported otherwise than in boxes containing not more than 100 matches each, three-fourths of 1 cent per 1,000 matches.

The amendment was agreed to.

The next amendment was, on page 173, after line 14, to strike out:

433. Percussion caps, cartridges, and cartridge shells empty, 30 per cent ad valorem; blasting caps, $2 per thousand; mining, blasting, or safety fuses of all kinds, 35 per cent ad valorem.

And insert:

433. Percussion caps and cartridges, 30 per cent ad valorem; blasting caps, $2 per thousand; mining, blasting, or safety fuses of all kinds, 30 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 174, line 1, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 8, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 11, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

434. Feathers and downs of all kinds, including bird skins or parts thereof with the feathers on, crude or not dressed, colored, or otherwise advanced or manufactured in any manner, not specially provided for in this section, 20 per cent ad valorem; when dressed, colored, or otherwise advanced or manufactured in any manner, including quilts of down and other manufactures of down, and also dressed and finished birds suitable for millinery ornaments, and artificial or ornamental feathers, fruits, grains, leaves, flowers, and stems or parts thereof, of whatever material composed, not specially provided for in this section, 60 per cent ad valorem; boas, boutonnieres, wreaths, and all articles not specially provided for in this section, composed wholly or in chief value of any of the feathers, flowers, leaves, or other materials or articles herein mentioned, 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 175, in line 12, to strike out "Furs dressed on the skin, but not dyed, sewed, repaired, or advanced in any manner further than dressed, 20 per cent ad valorem; articles of wearing apparel of every description, made up or manufactured, wholly or in part, composed of fur or of which fur is the component material of chief value, but not in part of wool, 35 per cent ad valorem; manufactures of fur or of which fur is the component material of chief value, not composed in part of wool and not specially provided for in sections 1 or 2 of this act, 35 per cent ad valorem: *Provided*, That furs dressed on the skin, when dyed, repaired, sewed, or advanced in any manner further than dressed, shall not be classified for duty at a lower rate than that herein imposed upon manufactures of fur" and to insert "Furs dressed on the skin, but not advanced further than dyeing and repairing, 20 per cent ad valorem; manufactures of furs, further advanced than dressing, dyeing, and repairing, when prepared for use as material, including plates, linings, and crosses, 35 per cent ad valorem; articles of wearing apparel of every description, partly or wholly manufactured, composed of or of which fur is the component material of chief value, but not in part of wool, 50 per cent ad valorem," so as to make the paragraph read:

435. Furs dressed on the skin, but not advanced further than dyeing and repairing, 20 per cent ad valorem; manufactures of furs, further advanced than dressing, dyeing, and repairing, when prepared for use as material, including plates, linings, and crosses, 35 per cent ad valorem; articles of wearing apparel of every description, partly or wholly manufactured, composed of or of which fur is the component material of chief value, but not in part of wool, 50 per cent ad valorem. Furs not on the skin, prepared for hatters' use, including fur skins carroted, 20 per cent ad valorem.

Mr. DOLLIVER. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The Senator from Iowa asks that the paragraph be passed over. It will be passed over.

Mr. FLINT. I ask that paragraph 433 be passed over. The Senator from Connecticut [Mr. BRANDEGEE] asked me to have it passed over.

The VICE-PRESIDENT. The amendment was agreed to. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 175, line 21, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

438. Hair, human, if clean or drawn but not manufactured, 20 per cent ad valorem; manufactures of human hair, or of which human hair is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 175, after line 22, to strike out:

439. Hair, animal, other than that directed by this act to be classed as wool; if dyed or otherwise advanced, 20 per cent ad valorem.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 176, line 5, after the word "cloth," to insert "any of the foregoing not composed of wool," so as to make the paragraph read:

441. Haircloth, known as "crinoline" cloth, 8 cents per square yard; haircloth, known as "hair seating," and hair press cloth, any of the foregoing not composed of wool, 20 cents per square yard.

The amendment was agreed to.

The next amendment was, on page 176, after line 6, to strike out:

442. Hats, bonnets, or hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than $4.50 per dozen, $1.50 per dozen; valued at more than $4.50 per dozen and not more than $9 per dozen, $3 per dozen; valued at more than $9 per dozen and not more than $18 per dozen, $5 per dozen; valued at more than $18 per dozen, $7 per dozen; and in addition thereto, on all the foregoing, 20 per cent ad valorem.

And insert:

442. Hats, bonnets, or hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than $5 per dozen, $1.25 per dozen; valued at more than $5 per dozen and not more than $10 per dozen, $2.25 per dozen; valued at more than $10 per dozen and not more than $20 per dozen, $4 per dozen; valued at more than $20 per dozen, $5.50 per dozen; and in addition thereto, on all the foregoing, 15 per cent ad valorem.

Mr. LODGE. Let that be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Massachusetts.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 177, line 9, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

443. Indurated fiber ware and manufactures of pulp, not specifically provided for in this section, printed or unprinted, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 177, line 13, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

444. Jewelry and parts thereof, finished or unfinished, and articles not specially provided for in this section, used to be worn upon the person or carried in the hand for purpose of adornment or utility, made in part of metal, including chain purses and bags, of gold or silver wire or imitations thereof, portmonnaies, watch charms and guards, precious stones and corals set, and pearls set or strung, and cameos in frames, 60 per cent ad valorem.

Mr. ALDRICH. Mr. President, the committee have under consideration an amendment to this paragraph providing for specific duties, which they will submit within a day or two.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 177, after line 19, to strike out:

445. Diamonds, emeralds, rubies, and sapphires irrespective of size, and precious stones of other varieties when not exceeding 1 inch in any one dimension; any of the foregoing advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, and not set, 10 per cent ad valorem; imitations of precious stones, coral, and pearls, composed wholly of glass or paste, not exceeding 1 inch in any one dimension, and not engraved, painted, ornamented, or decorated, and not mounted or set, 20 per cent ad valorem.

And insert:

445. Pearls and parts thereof, drilled or undrilled, but not set or strung, 10 per cent ad valorem; diamonds and bort, coral, rubies, cameos, and other precious stones and semiprecious stones, cut but not set, and suitable for use in the manufacture of jewelry, 10 per cent ad valorem; imitation precious stones for use in the manufacture of jewelry, doublets, artificial, or so-called synthetic or reconstructed pearls, rubies, or other precious stones, 20 per cent ad valorem.

Mr. BACON. Mr. President, I should like to inquire of the chairman of the committee if this low rate of duty is put upon these articles because it is believed they will yield the most revenue at that rate?

Mr. ALDRICH. The experience of the country has shown that this rate is the highest point at which a duty can be fixed and practically collect any revenue at all.

Mr. BACON. I made the inquiry because that, of course, is the only thing which would justify so low a rate of duty. They are articles which ought to bear the highest rate of duty which is consistent with the desired amount of revenue from them, and I suppose that that must be the case, and that is the reason I made the inquiry of the Senator, and that the rate here proposed is deemed to be the rate at which the greatest revenue can be derived from this class of articles.

Mr. ALDRICH. We have tried, I think, twice to impose a 25 per cent ad valorem duty on such articles, and the result has been that no dutiable importations were made and no revenue raised.

Mr. BACON. I suppose the fact is that a high rate of duty is too great an inducement to smuggling an article that is easily smuggled.

The VICE-PRESIDENT. In the absence of objection, the amendment will be agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 178, after line 13, to strike out:

446. Coral, articles of, advanced in condition or value from their natural state by cutting or any other process, when not exceeding 1 inch in any one dimension, not beads and not set, 50 per cent ad valorem; articles or manufactures of coral, except jewelry and beads, not specially provided for in sections 1 or 2 of this act, 50 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 178, after line 20, to strike out:

447. Pearls; in their natural state, 10 per cent ad valorem; drilled, half, sawed, or split, or otherwise advanced, 20 per cent ad valorem; collections of pearls selected, matched, or graded shall be dutiable as jewelry.

The amendment was agreed to.

The next amendment was, on page 178, line 25, after the word "Band," to insert "bend;" in the same line, after the word "leather," to insert "rough leather;" on page 179, line 3, after the word "finished," to strike out "chamois and;" in line 5, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 6, after the words "ad valorem," to insert "chamois skins, 20 per cent ad valorem;" in line 8, after the words "ad valorem," to strike out "patent, japanned, varnished, or enameled leather, 20 per cent ad valorem" and to insert "patent, japanned, varnished, or enameled leather weighing not over 10 pounds per dozen hides or skins, 27 cents per pound and 15 per cent ad valorem; if weighing over 10 pounds and not over 25 pounds per dozen, 27 cents per pound and 8 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem;" and in line 17, after the word "leather," to strike out "and glove leather," so as to make the paragraph read:

448. Band, bend, or belting leather, rough leather, and sole leather, 5 per cent ad valorem; dressed upper and all other leather, calfskins tanned or tanned and dressed, kangaroo, sheep, and goatskins (including lamb and kid skins) dressed and finished, other skins and bookbinders' calfskins, all the foregoing not specially provided for in this section, 15 per cent ad valorem; chamois skins, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 5 per cent ad valorem; patent, japanned, varnished, or enameled leather weighing not over 10 pounds per dozen hides or skins, 27 cents per pound and 15 per cent ad valorem; if weighing over 10 pounds and not over 25 pounds per dozen, 27 cents per pound and 8 per cent ad valorem; if weighing over 25 pounds per dozen, 20 cents per pound and 10 per cent ad valorem; planoforte leather and planoforte-action leather, 20 per cent ad valorem; leather shoe laces, finished or unfinished, 50 cents per gross pairs and 10 per cent ad valorem; boots and shoes made of leather, 15 per cent ad valorem: *Provided*, That leather cut into shoe uppers or vamps or other forms, suitable for conversion into manufactured articles, and gauffre leather, shall be classified as manufactures of leather and pay duty accordingly.

Mr. DIXON. I ask that that paragraph be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 180, line 2, after the word "jewelry," to insert "and manufactures of leather, or of which leather is the component material of chief value, not specially provided for in this section;" and in line 5, after the words "ad valorem," to strike out "any of the foregoing permanently fitted and furnished with traveling, bottle, drinking, dining, or luncheon and similar sets, 50 per cent ad valorem; manufactures of leather, or of which leather is the component material of chief value, not specially provided for in sections 1 or 2 of this act, 30 per cent ad valorem. Articles and manufactures of rawhide, or of which rawhide is the component material of chief value, not specially provided for in sections 1 or 2 of this act, 50 per cent ad valorem," so as to make the paragraph read:

449. Bags, baskets, belts, satchels, cardcases, pocketbooks, jewel boxes, portfolios, and other boxes and cases, made wholly of or in chief value of leather, not jewelry, and manufactures of leather, or of which leather is the component material of chief value, not specially provided for in this section, 40 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 180, after line 14, to strike out:

450. Gloves made wholly or in part of leather, whether wholly or partly manufactured, shall pay duty at the following rates, namely: On gloves not exceeding 14 inches in length, $4 per dozen pairs; on gloves exceeding 14 inches in length, $4 per dozen pairs and 35 cents per dozen pairs in addition for each inch or major portion thereof in excess of 14 inches; the length in each case being the extreme length of the glove when stretched to its full extent.

And insert:

450. Gloves made wholly or in part of leather, whether wholly or partly manufactured, shall pay duty at the following rates, the lengths stated in each case being the extreme length when stretched to their full extent, namely:

450a. Women's or children's "glace" finish, schmaschen (of sheep origin), not over 14 inches in length, $1.75 per dozen pairs; over 14 inches and not over 17 inches in length, $2.25 per dozen pairs; over 17 inches in length, $2.75 per dozen pairs; men's "glace" finish, schmaschen (sheep), $3 per dozen pairs.

450b. Women's or children's "glace" finish, lamb or sheep, not over 14 inches in length, $2.50 per dozen pairs; over 14 and not over 17 inches in length, $3.50 per dozen pairs; over 17 inches in length, $4.50 per dozen pairs; men's "glace" finish, lamb or sheep, $4 per dozen pairs.

450c. Women's or children's "glace" finish, goat, kid, or other leather than of sheep origin, not over 14 inches in length, $3 per dozen pairs; over 14 and not over 17 inches in length, $3.75 per dozen pairs; over 17 inches in length, $4.75 per dozen pairs; men's "glace" finish, kid, goat, or other leather than of sheep origin, $4 per dozen pairs.

450d. Women's or children's, of sheep origin, with exterior grain surface removed, by whatever name known, not over 17 inches in length, $2.50 per dozen pairs; over 17 inches in length, $3.50 per dozen pairs; men's, of sheep origin, with exterior surface removed, by whatever name known, $4 per dozen pairs.

450e. Women's or children's kid, goat, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, not over 14 inches in length, $3 per dozen pairs; over 14 inches and not over 17 inches in length, $3.75 per dozen pairs; over 17 inches in length, $4.75 per dozen pairs; men's goat, kid, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, $4 per dozen pairs.

Mr. BACON. Mr. President, I should like to inquire of the committee why there is not an ad valorem rather than a specific duty on gloves? There is certainly a very great and wide range in quality and in prices of gloves which are imported. A great many of them are high-class gloves, which are used by people of wealth, and a great many of them are inferior gloves, which are low in price and which are used by people of more moderate means.

Mr. ALDRICH. I will say to the Senator from Georgia that it is the policy of the committee to recommend specific duties wherever they can be levied. In this particular case the duties are ad valorem, and the duties contained in these paragraphs are the same as those imposed by the Dingley Act.

Mr. BACON. I understand the Senator to say that these are ad valorem duties. Take gloves on which a duty of $4.50 a dozen pairs is imposed——

Mr. ALDRICH. These are compound duties.

Mr. BACON. Compound, yes. I recognize, of course, that there are instances in which specific duties are important to prevent undervaluation and other methods by which the Government is defrauded of its revenue; but there is a very wide difference in the value of different classes of gloves. As I said before, some of them are of very high grade, very expensive, and used by people of wealth; others are very much cheaper; and yet the system of the imposition of duty in this case, while there is some little difference by reason of the element of ad valorem, which enters into it, the larger duty is a specific duty, and this makes the burden fall upon the consumers of the common class of gloves as heavily as it falls upon the consumers of the very highest and most expensive classes.

I suppose, of course, there is a good reason why there should be that distinction, and I do not, in making the inquiry, make it in the way of criticism of the committee, but I should like to know the reason for it. It seems to me, Mr. President, that this is one item where the comfort of the great masses of the people is so largely involved that, unless there is some good reason for it, the people who use the cheaper classes of gloves ought not to be required to pay as large duty as those who use expensive gloves.

Mr. ALDRICH. I think that when the paragraph is regularly reached for consideration I shall be able to explain it to the Senator satisfactorily.

Mr. BACON. I understand from what the Senator from Rhode Island has said that this part of the schedule is considered as passed over and that he intends to give an explanation of it when it comes up.

Mr. ALDRICH. I meant when it was regularly reached. It is the purpose of the committee to take up the bill on Monday for consideration by paragraphs for actual disposition. When this paragraph is reached in order I will be very glad to make the explanation.

Mr. BACON. Do I understand the chairman of the committee to mean that on Monday we will take up each paragraph of the bill, or only those which have been passed over?

Mr. ALDRICH. Those which have been passed over.

Mr. BACON. For that reason I suggested that this amendment ought to be classed among those passed over.

Mr. ALDRICH. Very well; let the amendment be passed over.

Mr. CLAY. Is it not true that this entire glove schedule is simply a reenactment of the Dingley law?

Mr. ALDRICH. It is.

Mr. CLAY. As I understand—I have taken the bill and gone through it—there has not been a change in it.

Mr. ALDRICH. None whatever.

Mr. CLAY. I understand the House raised the rates considerably and the Senate committee has fixed the rates exactly as they were in the Dingley law.

Mr. ALDRICH. The Senator accurately describes the situation.

Mr. BACON. I recognize that, of course; but if there is any defect in the law as it stands I think it ought to be corrected.

Mr. SMOOT. I call the attention of the Senator from Georgia to the fact that if he will read paragraphs 450a, 450b, and 450c, he will find the rates are different upon the same lengths of gloves. The three paragraphs describe the gloves as to their value; that is, the description of the glove is virtually the value of the glove.

Mr. BACON. That is true, so far as that value is indicated by the length of the gloves.

Mr. SMOOT. No; it is the material that is in the glove, the way the material is finished, that constitutes the value of the glove.

Mr. BACON. Mr. President, of course I am not so familiar with the matter as the Senator from Utah, because he has had opportunities from which I have been debarred; but take, for instance, paragraph 450a:

450a. Women's or children's "glace" finish, schmaschen (of sheep origin), not over 14 inches in length, $1.75 per dozen pairs.

Mr. SMOOT. "Schmaschen," which is spoken of in paragraph 450a, means a glove made from stillborn skin. They are the lowest-priced gloves. The duty provided on this quality of gloves not over 14 inches long is $1.75 per dozen pairs.

Mr. BACON. That is true; that is one class.

Mr. SMOOT. Then turn to paragraph 450c, which reads:

450c. Women's or children's "glace" finish, goat, kid, or other leather than of sheep origin, not over 14 inches in length, $3 per dozen pairs.

So the duty on one kind of gloves is $1.75 per dozen pairs and on the other is $3 per dozen pairs.

Mr. BACON. There is a difference in the classification, as indicated by the Senator, but doubtless there are great differences in gloves, even among those several classes.

Mr. SMOOT. I do not believe there is any difference as to the cost of making the glove, and that is what we are providing for here.

Mr. BACON. I will not pursue the matter now. The Senator from Rhode Island has promised that there shall be an explanation of it.

The VICE-PRESIDENT. As the Chair understands, paragraph 450 is passed over, at the request of the Senator from Georgia.

Mr. BACON. Paragraph 450 and paragraphs 450a, 450b, and 450c.

The VICE-PRESIDENT. Paragraph 450 includes the paragraphs 450, 450a, 450b, 450c, 450d, and 450e. It is all one amendment, and will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 182, after line 17, to strike out:

451. In addition to the foregoing rates there shall be paid the following cumulative duties: On all gloves wholly or in part of leather: On gloves lined with cotton, silk, woolen, or other textile fabric, $1 per dozen pairs; on gloves lined with fur or skin, $2.50 per dozen pairs; on pique or prix seam gloves, 40 cents per dozen pairs; on hand-sewn gloves, $1 per dozen pairs; on gloves having "crow's feet" stitched, sewn, or silked on the backs thereof, or having points stitched, sewn, embroidered, or silked on the backs thereof, each point being produced with more than a single row or line of stitching, sewing, embroidery, or silking, whether the same be continuous or otherwise, 40 cents per dozen pairs.

And insert:

451. In addition to the foregoing rates there shall be paid the following cumulative duties: On all leather gloves, when lined, $1 per dozen pairs; on all pique or prix seam gloves, 40 cents per dozen pairs; on all gloves stitched or embroidered, with more than three single strands or cords, 40 cents per dozen pairs.

Mr. NELSON. Paragraph 451 ought to be passed over with the other paragraphs of the glove schedule, because it gives coloring to the other amendments and is an addition to the rates prescribed in the other paragraphs.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Minnesota.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 183, line 15, after the word "saddlery," to strike out "and whips or parts thereof," so as to make the paragraph read:

453. Harness, saddles, saddlery, in sets or in parts, finished or unfinished, 35 per cent ad valorem.

Mr. DIXON. Let paragraph 453 be passed over.

The VICE-PRESIDENT. Paragraph 453 will be passed over, at the request of the Senator from Montana.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 183, line 21, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

454. Manufactures of amber, asbestos, bladders, catgut or whip gut or worm gut, or wax, or of which these substances or any of them is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 183, line 26, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" on page 184, line 1, before the words "per cent," to strike out "thirty" and insert "thirty-five;" and in line 4, after the word "thereof," to strike out "sponges made of rubber, 40 per cent ad valorem; combs, composed of horn and metal, 40 per cent ad valorem," so as to make the paragraph read:

455. Manufactures of bone, chip, grass, horn, india rubber, palm leaf, straw, weeds, or whalebone, or of which these substances or any of them is the component material of chief value, not specially provided for in this section, 35 per cent ad valorem; but the terms "grass" and "straw" shall be understood to mean these substances in their natural form and structure, and not the separated fiber thereof.

The amendment was agreed to.

The next amendment was, on page 184, line 11, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

456. Manufactures of gutta-percha, ivory, vegetable ivory, mother-of-pearl and shell, plaster of Paris, papier-maché, and vulcanized india rubber known as "hard rubber," or of which these substances or any of them is the component material of chief value, not specially provided for in this section, and shells engraved, cut, ornamented, or otherwise manufactured, 35 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 185, after line 3, to strike out:

461. Violin rosin, in boxes or cases or otherwise, 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 185, line 7, after the word "and," to strike out "statuary" and insert "sculptures."

The amendment was agreed to.

The next amendment was, in the same paragraph, in line 8, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section;" in line 9, before the words "per cent," to strike out "twenty" and insert "fifteen;" in the same line, after the word "term," to strike out "statuary" and insert "sculptures;" in line 11, after the word "such," to strike out "statuary as is" and insert "as are;" in line 13, after the word "as," to strike out "is" and insert "are;" in line 14, before the word "sculptor," to strike out "statuary or;" and in line 17, after the word "process," to strike out "*Provided*, That any of the foregoing which are proved to the satisfaction of the Secretary of the Treasury, under rules prescribed by him, to have been in existence more than twenty years prior to their importation shall be admitted free of duty," so as to make the paragraph read:

462. Paintings in oil or water colors, pastels, pen and ink drawings, and sculptures, not specially provided for in this section, 15 per cent ad valorem; but the term "sculptures" as used in this act shall be understood to include only such as are cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as are the professional production of a sculptor only, and the term "painting" as used in this act shall be understood not to include such as are made wholly or in part by stenciling or other mechanical process.

Mr. BURKETT. I will ask to have paragraph 462 go over without adopting the amendments.

The VICE-PRESIDENT. One amendment has already been adopted.

Mr. BURKETT. I will, however, ask that it go over without the adoption of the amendment.

The VICE-PRESIDENT. Paragraph 462 will be passed over. The first amendment was agreed to.

Mr. BACON. I would suggest that whenever a paragraph is passed over, it ought to be passed over without reference to any action which has been had on any amendment before the request was made, because it is going to be extremely awkward to take up a paragraph after one or two amendments have been acted upon; and there is nothing in the documents which we have which will indicate to us that there has been such action until the time comes for final action. I supposed that that was the case when a request was made to pass a paragraph over. Is not that the understanding of the chairman of the committee?

Mr. ALDRICH. No.

The VICE-PRESIDENT. The Chair has repeatedly stated, when a request has been made, that a paragraph be passed over after amendments have been agreed to, that the paragraph is passed over with the amendments agreed to; and therefore the Chair is desirous that it shall be understood now whether the amendments shall be considered as agreed to or not agreed to.

Mr. ALDRICH. But it is also understood that the Senate can go back and make any amendments they please to the text.

Mr. CULBERSON. I was going to make the statement made by the Senator from Rhode Island.

Mr. BACON. I understand that; but I think confusion would be avoided by adopting the course I have suggested.

Mr. BURKETT. We are going along pretty rapidly here. I was trying to get up before any amendment to the paragraph was adopted to ask that the paragraph be passed over.

The VICE-PRESIDENT. Then it will be understood that the paragraph will be passed over without any of the amendments to it being agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 185, line 23, after the word "wood," to strike out "or other material not metal;" and in line 25, before the word "cents," to strike out "fifty" and insert "forty-five," so as to make the paragraph read:

464. Pencils of paper or wood, filled with lead or other material, and pencils of lead, 45 cents per gross and 25 per cent ad valorem; slate pencils, covered with wood, 35 per cent ad valorem; all other slate pencils, 3 cents per 100.

The amendment was agreed to.

The next amendment was, on page 186, line 3, after the word "wood," to strike out "10 per cent ad valorem" and insert "or other material, black, 1½ cents per ounce; colored, 2 cents per ounce; copying, 3 cents per ounce," so as to make the paragraph read:

465. Pencil leads not in wood or other material, black, 1½ cents per ounce; colored, 2 cents per ounce; copying, 3 cents per ounce.

Mr. DOLLIVER. I ask that paragraph 465 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Iowa.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 186, line 8, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

466. Photographic dry plates or films, not otherwise specially provided for in this section, 25 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 186, line 16, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

467. Pipes and smokers' articles: Common tobacco pipes and pipe bowls made wholly of clay, valued at not more than 40 cents per gross, 15 cents per gross; other tobacco pipes and pipe bowls of clay, 50 cents per gross and 25 per cent ad valorem; other pipes and pipe bowls of whatever material composed, and all smokers' articles whatsoever, not specially provided for in this section, including cigarette books, cigarette book covers, pouches for smoking or chewing tobacco, and cigarette paper in all forms, 60 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 186, line 23, after the words "ad valorem," to strike out "*Provided*, That any of the foregoing, when imported from any country, dependency, province, or colony which imposes no tax or duty on like articles imported from the United States, shall be imported free of duty," so as to make the paragraph read:

468. Plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines, and cotton gins, 15 per cent ad valorem.

Mr. CRAWFORD. I ask that paragraph 468 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from South Dakota.

Mr. CLAY. Mr. President, with the permission of the Senator from Rhode Island, I believe that the House bill placed agricultural implements, plows, tooth and disk harrows, harvesters, reapers, agricultural drills and planters, mowers, horserakes, cultivators, thrashing machines, and cotton gins on the free list, and the Senate bill places a duty upon them of 15 per cent. Is that correct?

Mr. ALDRICH. No; not quite correct. This is the same as the provision of the House bill with the proviso of the House bill stricken out.

That proviso reads:

Provided, That any of the foregoing, when imported from any country, dependency, province, or colony which imposes no tax or duty on like articles imported from the United States, shall be imported free of duty.

There is no country of that kind on the face of the globe, so far as I know.

Mr. CLAY. Then the Senate committee bill imposes a duty of 15 per cent ad valorem; is that correct?

Mr. ALDRICH. The House bill imposes a duty of 15 per cent.

Mr. CLAY. Does not the Senator think that those articles ought to be on the free list?

Mr. ALDRICH. I can see no reason for it at this moment.

Mr. CLAY. Take agricultural implements. The whole country is vitally interested in them. Let that paragraph go over, Mr. President.

The VICE-PRESIDENT. The paragraph has already gone over, at the request of the Senator from South Dakota [Mr. CRAWFORD.]

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 187, line 8, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

471. Waste, not specially provided for in this section, 10 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 187, after line 9, to insert:

471a. Upon any foreign-built yacht, pleasure boat, or vessel not used or intended to be used for trade, purchased after the passage of this act by a citizen of the United States there shall be levied and collected a duty of 35 per cent ad valorem, to be payable at the time of the first arrival of said yacht within the jurisdiction of the United States after said purchase if said yacht was purchased outside the jurisdiction of the United States, or at the time of the purchase if said yacht was purchased within the jurisdiction of the United States, but this duty shall not be levied more than once on the same yacht. Any yacht upon which the duty has been paid as above prescribed shall be entitled to all the privileges and shall be subject to all the requirements prescribed by sections 4214, 4215, 4217, and 4218 of the Revised Statutes and acts amendatory thereto in the same manner as if said yacht had been built in the United States, and shall be subject to tonnage duty and light money only in the same manner as if said yacht had been built in the United States. So much of section 5 of chapter 212 of the law of 1908, approved May 28, 1908, as relates to yachts built outside the United States and owned by citizens of the United States shall not be applied to yachts on which duty has been paid as prescribed in this section.

The amendment was agreed to.

The next amendment was, on page 188, after line 11, to insert:

471b. That there shall be levied, collected, and paid on the importation of all raw or unmanufactured articles, not enumerated or provided for in this section, a duty of 10 per cent ad valorem, and on all articles manufactured, in whole or in part, not provided for in this section, a duty of 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, on page 188, after line 17, to insert:

471c. That each and every imported article, not enumerated in this section, which is similar, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this section as chargeable with duty, shall pay the same rate of duty which is levied on the enumerated article which it most resembles in any of the particulars before mentioned; and if any nonenumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable, there shall be levied on such nonenumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest rate of duty; and on articles not enumerated, manufactured of two or more materials, the duty shall be assessed at the highest rate at which the same would be chargeable if composed wholly of the component material thereof of chief value; and the words "component material of chief value," wherever used in this section, shall be held to mean that component material which shall exceed in value any other single component material of the article; and the value of each component material shall be determined by the ascertained value of such material in its condition as found in the article. If two or more rates of duty shall be applicable to any imported article, it shall pay duty at the highest of such rates.

The amendment was agreed to.

Mr. HEYBURN. I should like to ask a question of the Senator from Rhode Island with respect to paragraph 471b. Is not that language broad enough to impose a duty of 10 per cent on every possible article? It says everything not enumerated. There are a great many things which are not enumerated.

Mr. ALDRICH. Not enumerated or provided for. That is the existing law and always has been.

Mr. HEYBURN. The inclusion would take in everything.

Mr. ALDRICH. It is supposed to include everything that is not otherwise provided for either on the free list or on the dutiable list.

Mr. HEYBURN. And that every article—if they have overlooked anything and not provided for it—without consideration of the merits as to that article, must pay this duty.

Mr. ALDRICH. I think that is all right.

Mr. HEYBURN. It is pretty sweeping.

Mr. ALDRICH. It is a pretty small duty.

Mr. HEYBURN. We might overlook some pretty large articles.

Mr. ALDRICH. I think the Committee on Finance is not likely, judging from the applications which have come to it from every direction, to omit anything.

Mr. HEYBURN. I think they have not omitted much, but still it is a very sweeping proposition.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 189, after line 16, to insert a new paragraph, 471d.

Mr. FOSTER. I ask that 471d be passed over.

Mr. ALDRICH. Let it be read.

The VICE-PRESIDENT. It will be passed over after it shall have been read.

The amendment of the Committee on Finance was, after line 16, on page 189, to insert as a new section the following:

471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles the growth, product, or manufacture of the Philippine Islands coming into the United States from the Philippine Islands shall hereafter be admitted free of duty, except rice, and except, in any fiscal year, sugar in excess of 300,000 gross tons, wrapper tobacco and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco in excess of 300,000 pounds, filler tobacco in excess of 1,500,000 pounds, and cigars in excess of 150,000,000 cigars; and there shall be levied, collected, and paid on the excess of each of said articles in any fiscal year, the same being the growth, product, or manufacture of the Philippine Islands, which excess shall be determined by the Secretary of the Treasury under such rules and regulations as he shall prescribe, and upon rice, a rate of duty equal to the duty provided upon the importation of like articles from foreign countries other than Cuba into the United States: *And provided further*, That the aforesaid exemptions of tobacco and cigars from duty shall become effective when and continue only so long as there shall be levied, collected, and paid upon tobacco and cigars imported into the Philippine Islands from any foreign country the same duties as are required by this act to be levied, collected, and paid upon tobacco and cigars imported into the United States from any foreign country; and shall become effective when and continue only so long as duties shall be levied, collected, and paid upon sugar imported into the Philippine Islands from any foreign country, as follows: Upon sugar not above No. 16 Dutch standard in color, $1.68½ per 100 pounds, and upon sugar above No. 16 Dutch standard in color, and upon all sugar which has gone through the process of refining, $1.90 per 100 pounds: *And provided further*, That, under rules and regulations to be prescribed by the Secretary of the Treasury, preference in the right of free entry of sugar to be imported into the United States from the Philippine Islands, as provided herein, shall be given to producers of less than 500 tons in each fiscal year: *And provided further*, That all articles wholly the growth, product, or manufacture of the Philippine Islands admitted into the ports of the United States free of duty under the provisions of this act, and coming directly from said islands to the United States for use and consumption therein, shall be hereafter exempt from any export duties imposed in the Philippine Islands: *Provided, however*, That in consideration of the rates of duty aforesaid, all articles the growth, product, or manufacture of the United States, shall be admitted to the Philippine Islands from the United States free of duty: *And provided further*, That there shall be paid upon articles of merchandise of Philippine Islands manufacture coming into the United States under the provisions of this section a tax equal to the internal-revenue tax imposed in the United States upon the like articles of merchandise of domestic manufacture; such tax to be paid by internal revenue stamp or stamps to be provided by the Commissioner of Internal Revenue and to be affixed in such manner and under such regulations as he, with the approval of the Secretary of the Treasury, shall prescribe; and such articles of Philippine Islands manufacture mentioned in this proviso shall be exempt from payment of any tax imposed by the internal-revenue laws of the Philippine Islands: *And provided further*, That there shall be paid upon articles of merchandise manufactured in the United States and going into the Philippine Islands a tax equal to the internal-revenue tax imposed in the Philippine Islands upon the like articles of merchandise when manufactured in the Philippine Islands; such tax to be paid by internal-revenue stamps or otherwise as provided by the laws in force in the Philippine Islands upon the like articles; and such articles manufactured in the United States mentioned in this proviso and going into the Philippine Islands shall be exempt from payment of any tax imposed by the internal-revenue laws of the United States: *Provided further*, That from and after the passage of this act, all internal revenues collected in or for account of the Philippine Islands shall be paid into the insular treasury and shall only be paid out therefrom in accordance with future acts of the Philippine legislature, subject, however, to section 7 of the act of Congress approved July 1, 1902, entitled "An act for the government of the Philippine Islands."

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Louisiana.

Mr. NEWLANDS. I should like to make an inquiry of the chairman of the committee, and that is what the total of the revenue remitted to the Philippine Islands under this arrangement is likely to amount to?

Mr. ALDRICH. It is impossible to say without knowing what the importations will be. You could easily figure the maximum importations that could come in, but it is impossible to say what importations will come in under these provisions.

Mr. NEWLANDS. There is a maximum importation, I believe, only in the case of sugar and tobacco and cigars.

Mr. ALDRICH. And cigars.

Mr. LODGE. Tobacco and the manufactures of tobacco.

Mr. NEWLANDS. Is the Senator prepared to state what amount will be remitted upon tobacco and cigars?

Mr. ALDRICH. That is easy of computation, although I have not the figures before me.

Mr. LODGE. We can get it.

Mr. ALDRICH. We will have it here if the Senator desires it.

Mr. NEWLANDS. I should like it; also on sugar.

Mr. LODGE. It is a very small amount.

Mr. NEWLANDS. I believe it is easy of computation on sugar. I believe the duty amounts to $35 a ton on 300,000 tons,

which would make about $10,000,000 which would be taken out of the Federal Treasury and turned over to the producers of sugar in the Philippine Islands. Am I correct in that statement?

Mr. LODGE. No such amount or sugar as 300,000 tons has ever been imported into this country from the Philippines, or anything approaching it.

Mr. NEWLANDS. But as I understand it is expected——

Mr. LODGE. The whole crop there is only 160,000 tons.

Mr. NEWLANDS. The whole crop there is about 160,000 tons?

Mr. LODGE. Yes.

Mr. NEWLANDS. Of which, I believe, a considerable portion has been admitted to this country——

Mr. LODGE. Only a very small amount. Most of it goes to China.

Mr. NEWLANDS. I assume, however, that if this duty is remitted, it will advance the value of Philippine sugar in the American market from $40 a ton, which the Philippine planter now gets, to about $75 a ton, and that if that increased price stimulates the production of sugar in the Philippine Islands and increases it 300,000 tons, and those 300,000 tons come into the United States, as they will come under the stimulus of so radical an increase of price, the Federal Treasury will lose by that operation $35 a ton on 300,000 tons, which would amount to about $10,000,000, and that the Philippine producers of sugar will gain that $10,000,000.

Mr. LODGE. Hardly that, because they now receive the duties that we collect on Philippine sugar.

Mr. NEWLANDS. I did not catch the remark of the Senator.

Mr. LODGE. We pay to them the duties we collect on Philippine sugar.

Mr. NEWLANDS. Under the present arrangement, but as I understand, it now goes into the Philippine treasury.

Mr. LODGE. It does.

Mr. NEWLANDS. Whilst under this change it would go to the producers of sugar in the Philippine Islands and not to the Philippine treasury.

Mr. LODGE. There will not be any duty at all. If there is no duty, no revenue will go into the Philippine treasury.

Mr. GALLINGER. Or anywhere else.

Mr. LODGE. Or anywhere else.

Mr. NEWLANDS. I understand; but the increase in the value of the Philippine sugar over the world's price of $40 a ton, to the protective price in America of $75 a ton, would give the producers of sugar in the Philippine Islands $35 a ton more than they are now receiving, which on 300,000 tons would mean $10,000,000.

I assume that the 300,000 tons of sugar will be sugar which under other conditions would pay to the United States a duty of $35 a ton, and under those conditions the $10,000,000 would go into the National Treasury. The Senator says under the existing tariff law the Philippine treasury receives the duty which the United States Government imposes upon Philippine sugar, and I believe this is true. The difference, however, is that under this stipulation the planters in the Philippine Islands would get the money which now, under existing law, is turned over to the Philippine treasury for the expense of government.

Mr. HEYBURN. Mr. President, I wish to ask a question of the Senator from Rhode Island. This question is one of more importance, perhaps, to the State I represent than almost any other question. We are the third largest beet-sugar producing State in the Union. Which invoice is to be counted in making up this arrangement? Is it the order of shipment? Do the first shippers get the benefit, and after the limit has been reached will those remaining have to pay the duty?

Mr. ALDRICH. I do not see any other rule that could be adopted.

Mr. HEYBURN. I do not, but it seems to me there should be some rule stated in the bill by which the particular importer should be designated. Of course it does provide that those producing only a limited amount shall be first entitled to this exemption from duty.

Mr. DU PONT. Will the Senator permit me?

Mr. HEYBURN. Certainly.

Mr. DU PONT. Can it not be left to the Philippine government? I think they can adjust that far better than we.

Mr. HEYBURN. The difficulty is that the shipment and sale of merchandise constitute purely a personal question, and one with which government can not interfere. They can not say that one man shall be allowed to ship his sugar and not another.

As suggested by the Senator from Rhode Island, it would seem to me that the bill could only be interpreted that those who are fortunate enough first to ship their sugar will receive the benefit, and that after that those who have sugar to ship will have to submit to the duty.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Certainly.

Mr. SMOOT. In answer to the Senator from Idaho I wish to say that at present there are 1,037 producers of sugar in the Philippine Islands, and the largest producer of sugar in those islands to-day produces a little less than 1,500 tons. So the proviso is made in the bill that the preferential right shall be given to the producers of less than 500 tons. It is to be under the regulations of the Secretary of the Treasury, and it would seem that that is as far as the regulations of shipments could go with any consistency. Other than those regulations, of course, the shipper who will first get his product into America will receive the benefit.

Mr. HEYBURN. I understand that under existing conditions the necessity of answering my question, perhaps, would not arise, but it is said that those islands are capable of producing very much more than the limited amount prescribed in this bill. That time will probably come before we again revise the tariff, and it would need some legislation to determine which of these shippers should be entitled to the preference given in the bill. I desired to point this out at the present time because it seems to me it is a business proposition.

Mr. ALDRICH. We will consider the matter and perhaps report something on the subject.

Mr. BACON. Before we pass from the slight consideration we are now giving to the matter of Philippine sugar, I do not think the chairman of the committee and those who are cooperating with him fully answered the suggestion made by the Senator from Nevada [Mr. NEWLANDS].

It is true, if I read the paragraph correctly, that no money will be directly taken out of the Treasury of the United States, as no duty is collected upon Philippine sugar. But if, as is suggested by the Senator from Nevada, the product shall be increased to 300,000 tons, the amount of duty which would be practically remitted by this provision, if the rate of duty shall remain as it is now, would amount to $10,000,000 a year.

The Senator from Massachusetts replies that nothing is taken out of the Treasury. But the situation, as I understand it, would be this: A certain amount of sugar is produced in this country, but not nearly enough for the consumption of the country. Therefore all sugar necessary to supplement that domestic production is imported. If, now, 300,000 tons are admitted free of duty from the Philippine Islands, there will necessarily be 300,000 tons less imported. Therefore there will be the duty on 300,000 tons which will not be collected, and which will not go into the Treasury, and it is exactly the same as if $10,000,000 in bounty—if 300,000 tons shall be produced—were taken out of the Treasury of the United States each year and paid to the sugar producers in the Philippine Islands.

Mr. SMOOT. Mr. President, if there was only one thing to be taken into consideration in this whole transaction, the statement made by the Senator from Georgia would, perhaps, be correct, provided there were produced in the islands 300,000 tons of sugar. But, of course, to-day there is none coming from those islands. It all goes to China.

Mr. BACON. It does not come here because there is a high duty.

Mr. SMOOT. There is not, I will say, in the whole islands more than 160,000 tons produced. It is proposed, under the provision in this bill, to let that sugar into this country free. But we must remember that all of the products of this country under the bill go into the Philippine Islands free. We are taking away from them their chance of collecting duties upon the products of this country, and so it is not all one sided. We here get the advantage from the articles produced in this country entering into the Philippine Islands free, and in return for that we allow 300,000 tons of sugar to come into this country free.

Mr. CLAY. Will the Senator allow me to ask him a question?

Mr. SMOOT. Certainly.

Mr. CLAY. If we should get 300,000 tons of raw sugar from the Philippine Islands, does the Senator think refined sugar would become any cheaper in this country by reason of those importations?

Mr. SMOOT. I would not care to express an opinion on that point; but if I were going to do so, I would say I hardly think it would.

Mr. CLAY. Then, if that be true, our sugar schedule is very defective, because under the present law, if I remember correctly, raw sugar pays a duty of $1.68½ per hundred pounds.

Mr. SMOOT. That is right.

Mr. CLAY. Since we passed the Dingley bill we have provided by a treaty that Cuban sugar coming into this country shall have a reduction in duty of 20 per cent, and my recollection is that we to-day import from Cuba 1,400,000 tons of sugar, and that reduction on raw sugar has not reduced the price of refined sugar in any way whatever. My recollection is that we get about 225,000 tons of raw sugar from Porto Rico. It comes free. It does not pay any duty. Neither has there been any reduction on granulated sugar to the American people by reason of that free sugar.

Mr. SMOOT. Mr. President——

Mr. CLAY. Just one other word. We are receiving from the Sandwich Islands over 400,000 tons of free raw sugar, and notwithstanding the fact that the sugar-refining company—for one company practically controls them all—has this sugar free, and the reduction made on Cuban sugar, it continues to sell granulated sugar in the United States at the same price; and to-day, if I understand the markets correctly, granulated, or refined, sugar is bringing $2.70 per hundred pounds in London and $4.96 per hundred pounds in New York. The English workingman pays $2.70 per hundred pounds for his sugar, and the American workingman pays nearly $5 per hundred.

Mr. President, in my judgment, with the reduction on raw sugar, with one sugar-refining company controlling the refining of sugar in the United States, you will find that the reduction on raw sugar does nothing but allow the refining company to make greater profits. It will be absolutely necessary to reduce the duty on refined sugar before any substantial benefit can come to the masses of the American people.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. CLAY. Certainly.

Mr. ALDRICH. I will not ask the Senator to yield. I thought he was through.

Mr. CLAY. I know the Senator wants to get along the bill and get through with it.

That question occurred to me. It is true that in the United States the consumer of sugar to-day is paying a retail price of 5 cents a pound, when the retail price of the same sugar in England is not quite 3 cents per pound; and the American people are paying to-day $181,000,000 for the sugar they consume annually, when the same sugar would cost them less than $100,000,000 if it were not for the tariff duties.

You take our importations. My recollection is that only 219 tons of refined sugar came to this country during the last fiscal year. You talk about your differentials—the difference between the tariff on refined sugar and on the raw sugar, placing it at $1.68½.

Mr. President, we forget the concessions that have been made in the Sandwich Islands, that have been made in Porto Rico, that have been made in Cuba, and history teaches us that not one cent reduction has been made by the American Sugar Refining Company. If you will examine the history of that enterprise, you will find that it invested $7,000,000 the first year, and made $12,000,000.

I do not desire to discuss it now, but I will do so when the matter is taken up regularly.

Mr. ALDRICH. Mr. President, I am extremely anxious to conclude the reading of the bill to-night. If it is concluded, it is my purpose to move that the Senate take an adjournment until Monday. I ask that the reading may be proceeded with.

Mr. PERKINS. I desire to ask the chairman of the committee a question bearing upon this subject-matter. Did the committee consider the advisability or expediency of compelling this sugar to be shipped in ships of American register? The Hawaiian Islands are subject to the coastwise laws of the United States. I find nothing in this bill which provides that it shall be shipped in ships of American register.

Mr. NEWLANDS. Mr. President, I wish to take only one moment more, for the purpose of presenting some statistics to be printed in the RECORD regarding sugar production and sugar importation. I desire to state, before I offer these statistics, that the United States consumes about 3,000,000 tons of sugar per annum; that the duty on sugar is about $35 a ton; that that duty on sugar is added to the world's cost of sugar, and thus makes the sugar cost the consumers of this country $105,000,000 more per annum than if they were permitted to obtain sugar at the world's price.

Of the $105,000,000 of additional cost imposed upon the American people by the sugar duty only $50,000,000, or about $50,000,000, goes into the National Treasury. The other $55,000,000 goes as subsidy partly to our domestic producers, but largely to insular producers. Of this $55,000,000, $12,000,000 goes to the planters of Hawaii; $10,000,000, under the reciprocity treaty goes to the planters of Cuba; and if this amendment carries, $10,000,000 more will go to the planters of the Philippine Islands. So to the three islands—Cuba, Hawaii, and the Philippines—will go $30,000,000 of the $105,000,000 imposed as additional cost for sugar upon the consumers of this country by the existing duty, and that $30,000,000 will not go into the National Treasury.

I shall not at present show how this subsidy will tend to tie the Philippines for all time to the United States by building up artificially powerful American interests in those islands that will be opposed to separation.

I will content myself now with offering these statistics regarding sugar production and consumption in this country, and ask that they may be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Philippine statistics—Comparison of the years 1904 and 1908.

IMPORTS.

	1904.	1908.	Increase (+) and decrease (−).
From the United States	$4,633,216	$5,079,487	+ $446,271
From other countries	28,587,545	25,838,870	−2,748,675
Total imports	33,220,761	30,918,357	−2,302,404

EXPORTS.

To the United States	$11,102,775	$10,323,233	− $779,542
To other countries	19,147,852	22,493,334	+3,345,482
Total exports	30,250,627	32,816,567	+2,565,940

REVENUE AND EXPENDITURES.

Gross revenue	$15,476,233	$17,698,559	+$2,222,326
Gross expenditures	15,040,691	17,735,051	− 2,694,360
Excess of revenue	435,542		
Excess of expenditures		36,492	

EXPORTS OF SUGAR.

	1904.		1908.		Increase.	
	Tons.	Value.	Tons.	Value.	Tons.	Value.
To the United States	11,443	$354,144	48,698	$2,036,697	37,255	$1,682,553
To other countries	62,534	2,314,363	100,625	3,627,969	38,092	1,313,606
Total exports	73,977	2,668,507	149,323	5,664,666	75,347	2,996,159

Cuban statistics—Comparison of the years 1904 and 1908.

	1904.	1908.	Increase (+) and decrease (−).
Imports from the United States	$27,377,465	$47,161,306	+$19,783,841
Exports to the United States	$76,083,418	$83,284,692	+ $6,201,274
Exports of sugar to the United States (long tons)	1,256,731	1,030,888	− 227,843

Sugar statistics—Comparison of the years 1904 and 1907.

DOMESTIC PRODUCTION.

	1904.	1907.	Increase (+) and decrease (−).
Beet sugar ... long tons	214,825	431,796	+216,971
Cane sugar ... do	231,084	221,719	− 9,365
Total domestic	445,909	653,515	+207,606

IMPORTATIONS.

	1904.	1907.	Increase.
From Cuba ... long tons	1,258,731	1,444,842	186,111
From the Philippines ... do	11,443	112,220	100,877
From Porto Rico ... do	115,727	182,209	66,482
From Hawaii ... do		366,970	
Total sugar imported (including Cuba and the Philippines, but not Hawaii or Porto Rico) ... long tons	1,652,064	1,960,642	308,578
Total sugar consumed ... do	2,767,192	2,993,979	226,817
Consumption per capita ... pounds	75.3	77.2	1.9

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the subhead "Free list," on page 193, after line 3, to strike out:

SEC. 2. That on and after the day following the passage of this act, unless otherwise specially provided in this act, all articles mentioned in the paragraphs contained in this section, and imported into the United States or into any of its possessions (except the Philippine Islands), from any foreign country, province, dependency, or colony, whenever any such foreign country, province, dependency, or colony, respectively, is entitled under the provisions of section 4 of this act to the minimum rates of duty, shall be exempt from duty.

And insert:

That on and after the day following the passage of this act, except as otherwise specially provided for in this act, the articles mentioned in the following paragraphs shall, when imported into the United States or into any of its possessions (except the Philippine Islands), be exempt from duty.

The amendment was agreed to.

The next amendment was, on page 193, line 18, before the word "carbolic," to strike out "benzoic," so as to make the paragraph read:

472. Acids: Arsenic or arsenious, carbolic, fluoric, hydrochloric or muriatic, nitric, phosphoric, phthalic, picric or nitropicric, prussic, silicic, and valerianic.

Mr. JONES. I ask that the paragraph be passed over.

The VICE-PRESIDENT. Paragraph 472 will be passed over, at the request of the Senator from Washington.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 193, line 24, after the word "in," to strike out "section 1 of this act" and insert "this section," so as to make the paragraph read:

476. Albumen, not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 194, after line 5, to strike out:

480. Ammonia, sulphate of.

Mr. SMITH of South Carolina. I ask that the paragraph may be passed over.

Mr. LODGE. Let it be passed.

Mr. BACON. I understood this was included in the agreement to pass a preceding section relating to the same matter.

Mr. ALDRICH. Certainly.

Mr. SMITH of South Carolina. I want to have paragraph 480 passed over.

Mr. ALDRICH. It has already been passed over.

Mr. LODGE. It has been passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 194, line 8, after the word "imported," to strike out "by a citizen of the United States," and in line 9, after the word "free," to strike out "whether intended to be so used by the importer himself or for sale for such purpose," so as to read:

482. Any animal imported specially for breeding purposes shall be admitted free.

Mr. DOLLIVER. Mr. President, I desire, before asking to have the paragraph passed over, to say a word about it.

The cattle people for many years tried to get a modest protection on the importation of live cattle and other animals from other countries. They succeeded in 1897 in doing so; but they seem to be beset by a good many indirect disadvantages, and among those disadvantages are provisions such as those contained in the free list, which provide that animals imported for breeding purposes shall be admitted free, and then go on to state that animals straying into a foreign country or taken there for pasturage may be returned within six months. The cattle people have found themselves confronted by a variety of the most astounding Treasury decisions that can be found as applying to any part of these schedules; and I desire to call the attention of the committee to it, because I think it ought to be corrected.

The Treasury Department holds that a herd of cattle taken into a foreign country when they are young can be kept there an indefinite period of time and brought back as articles of American production, exported abroad, and returned to the United States unimproved in their condition, no addition made to them.

Mr. KEAN. This act provides that it shall be within a period of six months.

Mr. DOLLIVER. No.

Mr. KEAN. I beg the Senator's pardon.

Mr. DOLLIVER. There is another paragraph which provides that "articles the growth, produce, and manufacture of the United States when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means," shall be admitted free.

It would amaze anybody to suppose that a herd of sheep kept in Mexico for more than a year could be reintroduced into the United States free under the provisions of that statute.

Mr. HALE. As a manufactured product?

Mr. DOLLIVER. An article the growth, produce, or manufacture of the United States.

Yet there is somebody in the Treasury Department, and it would be a good scheme for the Secretary of the Treasury to identify him, if possible, who has so construed that law that a herd of cattle taken into a foreign country when calves may be kept there three or four years and brought back free of duty, possibly without any means of identification, on the ground that they are a product of the United States and exported and returned without any addition to their value or improvement in their general condition. That is done under a Treasury decision, which I shall take the liberty to insert in the RECORD in connection with these remarks.

The matter referred to is as follows:

CATTLE STRAYING OR DRIVEN ACROSS BOUNDARY LINE.

Decisions and interpretations.—In G. A. 6759 (T. D. 28976, April 24, 1908), in the matter of 2,045 sheep from Mexico entered at the port of San Diego and assessed by the collector at the rate of $1.50 per head under the specific provision for sheep in paragraph 221 of the tariff, which sheep, it appeared from the record in the case, had been exported from San Diego and driven across the border into Mexico for pasturage purposes, on or about July 2, 1906, and returned about May 4, 1907, the board sustained the claim of the importer that the sheep were entitled to entry free of duty under paragraph 483. Said paragraph reads in part as follows:

"483. Articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means."

The Government contended that paragraph 483 is not intended to cover property of this nature by reason of the following provision in paragraph 473:

"473. * * * Cattle, horses, sheep, or other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back to the United States within six months free of duty, under regulations to be prescribed by the Secretary of the Treasury."

As to this point the opinion says:

"We think there is some force in this claim; but that paragraph 483 does apply seems to have been conceded by the board and the courts, and its application recognized by the department for a number of years before the enactment of the present law. Note T. D. 28462. It being a question as to which paragraph should apply and the interpretation above indicated having been so long accepted, we do not deem it advisable to exclude the importation in this case by reason of the provision in paragraph 473."

Comments and suggestions.—This decision is inexplicable. That as between the statutory provisions quoted above, the one known as "paragraph 473" is far more restricted and specific in the class of merchandise it covers and the conditions it imposes than is the general provision for American goods returned contained in paragraph 483 is so obvious as to require no argument.

Special provision for the free entry of animals which had strayed or been driven across the boundary line appeared for the first time in tariff law in the act of 1894, and the restriction of admission free of duty to such animals when "brought back to the United States within six months" was an amendment added by the tariff law of 1897. Consequently, the circumstance adverted to in the opinion that the application of paragraph 483 to such merchandise was "recognized by the department for a number of years before the enactment of the present law" is immaterial. Only rulings made under the provisions of the present law have any pertinence, and the printed reports of these show that the conclusion announced in the present ruling is inconsistent with those that preceded it.

In G. A. 4249 (T. D. 19984, August 29, 1898), it was specifically held that cattle driven across the boundary line from Texas into Mexico by the owner for temporary pasturage purposes must be brought back to the United States within six months from the date of exportation in order to be entitled to free entry. The ruling under discussion is in direct conflict with, overrules in effect, but does not mention, this decision. In a decision dated March 22, 1906 (abstract 10618, T. D. 27244), the board ruled that certain cattle from Canada, owned by a Montana corporation, were free of duty under paragraph 473, having first made a finding from the evidence presented that the cattle had been returned to the United States within six months from the time of exportation.

T. D. 28462, referred to in the portion of the opinion quoted above, was a letter of the Treasury Department to a special agent expressing the opinion that the natural growth of exported and reimported American cattle while in a foreign country was not an advance in value or improvement in condition within the meaning of paragraph 483. There is nothing in the letter, however, to indicate that the cattle were such as came within the purview of paragraph 473, namely, cattle that had strayed or been driven across the boundary line.

That the Treasury Department has recognized that the two paragraphs have two different fields of operation is sufficiently shown by the circumstance that the Secretary has issued regulations by virtue of the authority conferred on him in paragraph 473 (T. D. 18215; article 504, Customs Regulations of 1899; articles 655 to 658, Customs Regulations of 1908), which are entirely separate and distinct from and differ in terms and requirements from the regulations prescribed by him under paragraph 483 (article 483 et seq., Customs Regulations of 1899; article 568 et seq., Customs Regulations of 1908).

No amendment to paragraph 473 which would make it any more explicit than it is can be suggested, but if it be desired to insure continuance of the present restriction, it might be advisable, in view of G. A. 6759, supra, to insert in paragraph 483 the phrase, "not otherwise (or specially) provided for in this act." (Notes on Tariff Revision, p. 486.)

Mr. DOLLIVER. There is another thing to be taken into account while the committee has the matter under consideration. The American Cattle Growers' Association seems to be afraid that their little duty, already subject to such troubles as that, is about to be entirely destroyed, as it would undoubtedly be by the House drawback provision, the House providing that if anybody imports an article into the United States and pays the duty on it, and afterwards manufactures either that article or any other article of the same kind in the next three years and exports that product, he will get his money back, which anybody sees would immediately nullify the cattle duty for all practical purposes.

Mr. SMOOT. I suppose the Senator knows that the committee has not finally passed upon this paragraph.

Mr. DOLLIVER. I have no doubt the committee will give attention to it, so that if we are going to have the duty preserved on cattle it will not be nullified by unwarranted and most astounding decisions of the Treasury Department, or by any provisions of the drawback scheme proposed in this bill.

I ask that it go over.

The VICE-PRESIDENT. The amendment or the paragraph?

Mr. DOLLIVER. The paragraph.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 195, line 24, before the word "and," to strike out "roucou, rocou, or orleans," so as to make the paragraph read:

484. Annatto, and all extracts of.

The amendment was agreed to.

The next amendment was, at the top of page 196, to strike out:

485. Antimony ore.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. GUGGENHEIM. I ask that paragraph 488 be passed over.

The VICE-PRESIDENT. Paragraph 488 is passed over.

The reading of the bill was resumed.

The next amendment was, on page 196, after line 6, to insert:

489½. Articles in a crude state used in dyeing or tanning not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 197, line 15, to strike out "Articles when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, bottles, flasks, carboys, bags, and other vessels exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such bags as may be imported by the exporter thereof, and if any such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded" and insert "Articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; also quicksilver flasks or bottles, of either domestic or foreign manufacture, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof, and if any such articles are subject to internal-revenue tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded; photographic dry plates or films of American manufacture, exposed abroad, whether developed or not, and films from moving-picture machines, light struck or otherwise damaged, or worn out, so as to be unsuitable for any other purpose than the recovery of the constituent materials, provided the basic films are of American manufacture, but proof of the identity of such articles shall be made under general regulations to be prescribed by the Secretary of the Treasury: *Provided*, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed; or to any article manufactured in bonded warehouse and exported under any provision of law: *And provided further*, That when manufactured tobacco which has been exported without payment of internal-revenue tax shall be reimported it shall be retained in the custody of the collector of customs until internal-revenue stamps in payment of the legal duties shall be placed thereon.

Mr. DOLLIVER. In paragraph 490 I desire to offer an amendment, in line 23, in the second line of the paragraph, after the words "United States," to insert the words "not including animals."

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment, on page 196——

Mr. CULBERSON. Are we considering amendments proposed by individual Senators?

Mr. ALDRICH. No; but this is a mere verbal amendment. I think there can be no objection to it.

The VICE-PRESIDENT. It can be done only by unanimous consent.

Mr. CULBERSON. It is not the understanding that amendments by individual Senators would be considered at this time.

The VICE-PRESIDENT. It was not the intention. It can be done by unanimous consent.

Mr. ALDRICH. If there is any objection, of course it will not be pressed.

Mr. CULBERSON. We do not know what it is. We have not had time to consider it.

Mr. CULLOM. It would be better to let it go over.

The VICE-PRESIDENT. The Secretary was about to state the proposed amendment to the amendment. Does the Senator from Texas object to having it stated?

Mr. CULBERSON. I believe, without expressing any opinion about the amendment, because I have none, it had better take the regular course.

Mr. ALDRICH. Let it go over.

Mr. BURKETT. The whole amendment ought to go over.

Mr. ALDRICH. Yes; that is right.

The VICE-PRESIDENT. The Chair supposed the Senator from Iowa was about to ask for that anyway. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 198, after line 9, to strike out:

492. Ashes, wood and beet root; lye of wood ashes.

And insert:

492. Ashes, wood and lye of, and beet-root ashes.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 198, after line 15, to insert:

495½. Baryta, carbonate of, or witherite.

The amendment was agreed to.

The reading of the bill was continued.

Mr. BACON. I shall ask that paragraph 497, relating to binding twine, may go over, in order that we may seek to amend it by adding bagging.

The VICE-PRESIDENT. Paragraph 497 will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 199, line 8, after the word "in," to strike out "section 1 of this act" and insert "this section," so as to make the paragraph read:

502. Bladders, and all integuments and intestines of animals and fish sounds, crude, dried or salted for preservation only, and unmanufactured, not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 199, line 10, after the word "in," to strike out "section 1 of this act" and insert "this section," so as to make the paragraph read:

503. Blood, dried, not specially provided for in this section.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. DU PONT. I ask the Senator in charge of the bill about the word "exclusively" in paragraph 508. Do I understand that a work in German, containing a few words in English, that might make it more definite, would come within this paragraph? I can conceive a ruling that would nullify this whole provision.

Mr. ALDRICH. No; the courts have held that that did not make it dutiable.

Mr. DU PONT. I ask that paragraph 508 may be passed over, because I intend at the proper time to move an amendment striking out the word "exclusively."

The VICE-PRESIDENT. Paragraph 508 will be passed over, at the request of the Senator from Delaware.

Mr. HALE. Why does not the Senator move his amendment now?

Mr. DU PONT. I would do so, but some objection has been made on the other side of the Chamber. However, I will move that the word "exclusively" be stricken out in the first line of paragraph 508.

Mr. HALE. That is right.

The VICE-PRESIDENT. The Secretary will state the amendment if there is no objection.

Mr. CULBERSON. Mr. President, I insist on the regular order.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The reading of the bill was resumed.

The next amendment was, on page 200, line 21, after the word "countries," to insert "or citizens of the United States returning therefrom," so as to make the paragraph read:

510. Books, libraries, usual and reasonable furniture, and similar household effects of persons or families from foreign countries, or citizens of the United States returning therefrom, all the foregoing if actually used abroad by them not less than one year, and not intended for any other person or persons, nor for sale.

The amendment was agreed to.

Mr. BACON. I desire to make an inquiry of the Senator in regard to that paragraph. Do the words "and reasonable furniture" apply to anything except furniture for libraries, or do they mean general household furniture?

Mr. LODGE. General household furniture, it has been interpreted.

Mr. BACON. The question I wish to ask is this: We know the law limits the amount which anyone coming into the United States can bring for his own use to $100 worth. Does this item enlarge that, so that in addition to that anyone may bring in furniture without limit?

Mr. LODGE. I understand it applies only to persons who have lived abroad continuously for a year. It refers to furniture. It has been in the bill for a great many years.

Mr. BACON. I say it applies to persons living abroad and returning therefrom.

Mr. LODGE. But they have to be abroad and in the use of it not less than one year.

Mr. ALDRICH. Actual use.

Mr. LODGE. It has to be in actual household use. It applies only to furniture. It does not touch wearing apparel.

Mr. BACON. The construction of the department does not limit it to wearing apparel. When a person comes in from abroad they allow him $100 worth of personal effects. They do not limit it to wearing apparel.

Mr. ALDRICH. Household effects; not personal effects.

Mr. LODGE. The wearing-apparel clause is different.

Mr. BACON. I do not know what it is in this bill; but I know that under the existing law it is so construed by the custom-house officers as to permit an incoming passenger, a citizen of the United States, to bring with him $100 worth of personal effects. It is not limited to wearing apparel. It may be that the law says wearing apparel, but I am certain that that is the construction put upon it by the custom-house officers and that there is a limitation of $100 worth.

It is true that in this particular case there could be practically no abuse of it, because it is limited to a case where it has been in use. I only mentioned the other matter because of the suggestion of a Senator that it is limited to wearing apparel.

The reading of the bill was resumed, the last paragraph read being as follows:

524. Chromate of iron or chromic ore.

Mr. GUGGENHEIM. I ask that paragraph 524 be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 201, after line 16, to strike out:

526½. Cloves and clove stems, unground.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 201, line 25, after the word "nitro-toluol," to strike out "naphtylaminsulfoacids and their sodium or potassium salts, naphtolsulfoacids and their sodium or potassium salts, amidonaphtolsulfoacids and their sodium or potassium salts, amidosalicylic acid, binitrochlorbenzol, diamidostilbendisulfoacid, metanilic acid, paranitranilin, dimethylanilin," so as to make the paragraph read:

528. Coal tar, crude, pitch of coal tar, and products of coal tar known as dead or creosote oil, benzol, toluol, naphthalin, xylol, phenol, cresol, toluidine, xylidin, cumidin, binitrotoluol, binitrobenzol, benzidin, tolidin, dianisidin, naphtol, naphtylamin, diphenylamin, benzaldehyde, benzyl chloride, resorcin, nitro-benzol, and nitro-toluol, all the foregoing not medicinal and not colors or dyes.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 202, after line 9, to strike out:

532. Cocoa fiber, crude.

And to insert:

532. Cocoa, or cacao, crude, and fiber, leaves, and shells of.

The amendment was agreed to.

The next amendment was, on page 202, line 14, after the word "silver," to strike out "and;" and after the word "copper" to insert "and other metal," so as to make the paragraph read:

534. Coins, gold, silver, copper, and other metal.

The amendment was agreed to.

The next amendment was, on page 202, in line 19, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

536. Copper ore; regulus of, and black or coarse copper, and copper cement; old copper, fit only for remanufacture, clippings from new copper, and copper in plates, bars, ingots, or pigs, not manufactured or specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 202, line 21, after the word "the," to strike out "composition" and insert "component;" and in line 23, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

537. Composition metal of which copper is the component material of chief value, not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 202, after line 23, to insert:

538. Copperas, or sulphate of iron.

The amendment was agreed to.

The next amendment was, on page 203, in line 2, after the word "flocks," to insert "not advanced in value or condition by any process of manufacture," so as to make the paragraph read:

541. Cotton, and cotton waste or flocks, not advanced in value or condition by any process of manufacture.

Mr. BACON. I ask that paragraph 541 may be passed over.

The VICE-PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 203, after line 8, to insert:

545½. Cutch.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 203, in line 18, after the word "broken," to strike out "and bort; any of the foregoing," so as to make the paragraph read:

549. Miners' diamonds, whether in their natural form or broken, not set, and diamond dust.

Mr. BURNHAM. I ask that paragraph 549 be passed over.

The VICE-PRESIDENT. It will be passed over.

Mr. BACON. I should like to inquire of the Senator from Rhode Island why uncut diamonds are admitted free. I understand why there is a low rate upon cut diamonds, but why should uncut diamonds come in free?

Mr. ALDRICH. For the benefit of the diamond cutters of the United States.

Mr. BACON. What amount of revenue comes to the Government from that source?

Mr. ALDRICH. None whatever. At a duty of 10 per cent they would all be cut abroad.

Mr. BACON. The amount of revenue, of course, depends upon the rate imposed. I suppose the Senator can inform me, and I should like to know, about what is the value of the importations of uncut diamonds that come in thus free. I understand that to be the law now. Is it not?

Mr. ALDRICH. I suggest that we would not get any revenue with a duty, because they would not come in that form. Of rough or uncut diamonds last year the importations were $4,000,000 worth; the year before, $10,700,000 worth.

Mr. BACON. I suppose that last year was not a fair criterion.

Mr. ALDRICH. No.

Mr. BACON. The amount was about $10,000,000 in 1907.

Mr. ALDRICH. Ten million dollars' worth were imported in 1907, $10,000,000 worth in 1906, and $10,000,000 worth in 1905.

Mr. BACON. Therefore, if there were a duty of 25 per cent upon it, it would yield two and a half million dollars of revenue to the Government.

Mr. LODGE. Twenty-five per cent would not yield any revenue at all.

Mr. BACON. That is a matter of opinion. I ask that the paragraph be passed over, at any rate.

The VICE-PRESIDENT. Paragraph 548 will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 203, after line 21, to strike out:

552. Drugs, such as barks, beans, berries, balsams, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, gum resin, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, spices, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible and not specially provided for in sections 1 or 2 of this act, and are in a crude state, not advanced in value or condition by refining, grinding, crushing, rasping, blenching, steaming, or by any process or treatment beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture: *Provided*, That no article containing alcohol, or in the preparation of which alcohol is used, shall be admitted free of duty under this paragraph.

And insert:

552. Drugs, such as barks, beans, berries, balsams, buds, bulbs, and bulbous roots, excrescences, fruits, flowers, dried fibers, and dried insects, grains, gums, and gum resin, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, and stems, spices, vegetables, seeds aromatic, and seeds of morbid growth, weeds, and woods used expressly for dyeing; any of the foregoing which are drugs and not edible and are in a crude state, and not advanced in value or condition by refining or grinding, or by other process, and not specially provided for in this act.

The amendment was agreed to.

The next amendment was, on page 205, line 1, after the word "further," to strike out "that the Secretary of Agriculture shall have the power to authorize the importation of eggs of game birds, for purposes of propagation, and he shall prescribe all necessary rules and regulations governing the importation of eggs of said birds for such purposes" and to insert "That the importation of eggs of game birds for purposes of propagation is hereby authorized, under rules and regulations to be prescribed by the Secretary of the Treasury," so as to make the paragraph read:

553. Eggs of birds, fish, and insects (except fish roe preserved for food purposes): *Provided, however*, That the importation of eggs of game birds or eggs of birds not used for food, except specimens for scientific collections, is prohibited: *Provided further*, That the importation of eggs of game birds for purposes of propagation is hereby authorized, under rules and regulations to be prescribed by the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, on page 205, in line 9, after the word "corundum," to insert "or crude artificial abrasives," so as to make the paragraph read:

554. Emery ore and corundum, or crude artificial abrasives.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 205, after line 22, to strike out:

562. Flax, not hackled or dressed.

The amendment was agreed to.

The next amendment was, on page 205, after line 23, to strike out:

563. Flax straw.

The amendment was agreed to.

The next amendment was, on page 206, line 3, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

566. Fruits or berries, green, ripe, or dried, not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 206, line 9, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

569. Fur skins of all kinds not dressed in any manner and not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 206, after line 22, to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

573. Grasses and fibers: Istle or tampico fiber, jute, jute butts, manila, sisal grass, sunn, and all other textile grasses or fibrous vegetable substances, not dressed or manufactured in any manner, and not specially provided for in this section.

The amendment was agreed to.

Mr. PAYNTER. At the request of my colleague [Mr. BRADLEY], who is absent, I ask that the paragraph be passed over.

The VICE-PRESIDENT. Paragraph 573 will be passed over, at the request of the Senator from Kentucky.

The reading of the bill was resumed.

The next amendment was, on page 207, line 4, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

575. Grease, and oils (excepting fish oils), such as are commonly used in soap making or in wire drawing, or for stuffing or dressing leather, and which are fit only for such uses, and not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 207, line 7, after the word "manure," to insert "including basic slag, ground or unground," so as to make the paragraph read:

576. Guano, manures, and all substances used only for manure, including basic slag, ground or unground.

Mr. BACON. I wish to inquire of the Senator from Rhode Island if I correctly understand that that paragraph, taken in connection with the action of the committee in striking out paragraph 592, is intended to restore to the free list that part of paragraph 592 which relates to basic slag. Is that the purpose of it?

Mr. ALDRICH. Yes.

Mr. BACON. That is all right.

Mr. BURKETT. At the request of the Senator from West Virginia [Mr. SCOTT], I ask that paragraph 576 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over.

The next amendment was, on page 207, line 11, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

578. Hair of horse, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially provided for in this section; and human hair, raw, uncleaned, and not drawn.

The amendment was agreed to.

The reading of the bill was resumed, the last paragraph read being as follows:

581. Hides of cattle, raw or uncured, whether dry, salted, or pickled.

Mr. DIXON. I ask that paragraph 581 be passed over.

The VICE-PRESIDENT. Paragraph 581 will be passed over.

Mr. WARREN. Let paragraphs 578, 579, 580, and 581 all go over.

The VICE-PRESIDENT. Paragraphs 578, 579, and 580 will be passed over, at the request of the Senator from Wyoming. Paragraph 581 will be passed over, at the request of the Senator from Montana.

Paragraph 582 was read as follows:

582. Hones and whetstones.

Mr. KEAN. Let that paragraph be passed over.

The VICE-PRESIDENT. It will be passed over, at the request of the Senator from New Jersey.

Mr. BACON. I wish to call the attention of the Senator from Rhode Island to paragraph 576. I shall ask that that go over for the purpose of endeavoring to get the word "only" eliminated.

The VICE-PRESIDENT. That paragraph has already gone over.

Mr. BACON. Very well. I want to eliminate the word "only," which changes the entire character of the purpose which we have in view.

Mr. ALDRICH. That is the existing law, I will say to the Senator from Georgia.

Mr. BACON. That does not make any difference. If sulphate of ammonia is used for other purposes than the making of manure, it would not be on the free list.

Mr. ALDRICH. If sulphate of ammonia is to be admitted free of duty, it ought to be put on the free list in terms, of course.

Mr. BACON. Well, if used only for manure, basic slag is on the free list.

Mr. LODGE. That is on the free list by name, specifically.

Mr. BACON. Sulphate of ammonia?

Mr. LODGE. No; basic slag; and if sulphate of ammonia goes on the free list by name, the word "only" has nothing to do with it.

Mr. BACON. I know; but the Senator will observe that paragraph 576 says:

And all substances used only for manure, including basic slag, ground or unground.

Sulphate of ammonia is used for manure, but it is also used for other purposes than for manure. It is included in the same class with basic slag.

Mr. LODGE. But if basic slag is mentioned, of course it goes on the free list.

Mr. ALDRICH. Striking out the word "only" would answer the objection made by the Senator from Georgia.

Mr. BACON. I am not sure about that; but, as the paragraph goes over, I will examine it. I understand the purpose of the committee is to put sulphate of ammonia on the free list; but I am afraid this language would not accomplish that end.

The reading of the bill was resumed.

The next amendment was, on page 208, in line 1, after the word "remanufacture," to strike out "and not ground or otherwise reduced in size," so as to make the paragraph read:

587. India rubber, crude, and milk of, and scrap or refuse india rubber, fit only for remanufacture.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 208, after line 8, to strike out:

592. Iron ore (except such as is used chiefly in the production of pigments and colors), including manganiferous iron ore, and the dross or residuum from burnt pyrites; basic slag, ground or unground.

Mr. DU PONT. Mr. President, I should like that paragraph to go over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Delaware.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 209, line 1, after the word "Lactarene," to strike out the comma and the words "or casein," so as to make the paragraph read:

604. Lactarene.

Mr. ALDRICH. I think that amendment had better be disagreed to.

Mr. LODGE. That amendment should be disagreed to in conformity with the withdrawal of an amendment in the early part of the bill.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 209, line 5, after the word "foregoing," to strike out "not containing alcohol" and insert "containing not more than 2 per cent of alcohol," so as to make the paragraph read:

607. Lemon juice, lime juice, and sour orange juice, all the foregoing containing not more than 2 per cent of alcohol.

The amendment was agreed to.

The next amendment was, on page 209, after line 6, to strike out:

608. Licorice, extracts of, in paste, rolls, or other forms.

Mr. BURROWS. Mr. President, I ask that paragraph 608 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Michigan.

The reading of the bill was resumed, and continued to the end of paragraph 618, as follows:

618. Manganese, oxide and ore of.

Mr. GUGGENHEIM. I ask that paragraph 618 be passed over, Mr. President.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Colorado.

The reading of the bill was resumed.

The next amendment was, on page 210, line 7, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

625. Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 210, line 15, after the word "arts," to strike out "including patterns for machinery, not molds," so as to make the paragraph read:

627. Models of inventions and of other improvements in the arts, including patterns for machinery, not molds, to be used exclusively as models and incapable of any other use.

The amendment was agreed to.

The next amendment was, on page 210, line 18, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

628. Moss, seaweeds, and vegetable substances, crude or unmanufactured, not otherwise specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 210, line 22, after the word "darning," to strike out "but the coverings of these articles other than the plain wooden outside cases shall be dutiable at the same rate as if imported empty," so as to make the paragraph read:

631. Needles, hand sewing and darning.

The amendment was agreed to.

The next amendment was, on page 211, line 8, after the word "Nuts," to strike out "Palm" and insert "Brazil nuts, cream nuts, palm," so as to make the paragraph read:

633. Nuts: Brazil nuts, cream nuts, palm nuts and palm-nut kernels; cocoanuts in the shell and broken cocoanut meat or copra, not shredded, desiccated, or prepared in any manner.

Mr. DICK. Let that paragraph be passed over, Mr. President.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Ohio.

The reading of the bill was resumed.

The next amendment was, on page 211, after line 14, to strike out:

637. Oils: Almond, amber, crude and rectified ambergris, aniline, aspic or spike lavender, cajeput, caraway, cassia, cinnamon, chamomile, civet, cocoanut, cotton seed, croton, fennel, ichthyol, juglandium, limes, mace, nut oil or oil of nuts, not otherwise specially provided for in sections 1 or 2 of this act, olive oil rendered unfit or incapable of use for food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him; palm, sesame or sesamum seed or bean, thyme, origanum, red or white, valerian; spermaceti, whale, and other fish oils of American fisheries; petroleum, crude or refined.

And insert:

637. Oils: Almond, amber, crude and rectified ambergris, anise or anise seed, aniline, aspic or spike lavender, bergamot, cajeput, caraway, cassia, cinnamon, cedrat, chamomile, citronella or lemon grass, civet, cocoanut, fennel, ichthyol, jasmine or jasmine, juglandium, juniper, lavender, lemon, limes, mace, neroli or orange flower, enfleurage grease, orange oil, olive oil prepared solely for mechanical or industrial purposes by denaturing or process rendering it unfit for any edible use and valued at not more than 60 cents per gallon, attar of roses, palm, rosemary or anthoss, sesame or sesamum seed or bean, thyme, origanum, red or white, valerian; and also spermaceti, whale, and other fish oils of American fisheries, and all fish and other products of such fisheries; petroleum, crude or refined.

Mr. OLIVER. I ask that that paragraph go over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Pennsylvania.

The reading of the bill was resumed, and the Secretary read paragraph 638, as follows:

638. Orange and lemon peel, not preserved, candied, or dried.

Mr. LODGE. Let that go over, Mr. President.

The VICE-PRESIDENT. The paragraph will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 214, line 7, after the word "crude," to insert "or refined," so as to make the paragraph read:

652. Potash, crude, or "black salts;" carbonate of potash, crude or refined; hydrate of, or caustic potash, not including refined in sticks or rolls; nitrate of potash or saltpeter, crude or refined; sulphate of potash, crude or refined, and muriate of potash.

Mr. DU PONT. Mr. President, I ask that paragraphs 651 and 652 both be passed over.

The VICE-PRESIDENT. Those paragraphs will be passed over, at the request of the Senator from Delaware.

The reading of the bill was resumed.

The next amendment was, on page 215, line 7, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

656. Rags, not otherwise specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 216, after line 5, to strike out:

663. Sausages, bologna.

The amendment was agreed to.

The next amendment was, on page 216, in line 7, after the word "Anise," to insert "canary;" in line 9, after the word "mangel-wurzel," to insert "mustard;" in line 12, before the word "all," to strike out "sections 1 or 2 of this act" and insert "this section;" and in line 14, after the word "in," to strike out "sections 1 or 2 or this act" and insert "this section," so as to make the paragraph read:

664. Seeds: Anise, canary, caraway, cardamom, cauliflower, coriander, cotton, cummin, fennel, fenugreek, hemp, hoarhound, mangel-wurzel, mustard, rape, St. John's bread or bean, sugar beet, sorghum or sugar cane for seed; bulbs and bulbous roots, not edible and not otherwise provided for in this section; all flower and grass seeds; evergreen seedlings; all the foregoing not specially provided for in this section.

The amendment was agreed to.

The reading of the bill was continued to the end of paragraph 665, as follows:

665. Sheep dip, not including compounds or preparations that can be used for other purposes.

Mr. RAYNER. I ask that that paragraph go over, Mr. President.

The VICE-PRESIDENT. Paragraph 665 will be passed over.

The reading of the bill was resumed, and the Secretary read to the end of paragraph 667, as follows:

667. Shrimps and other shellfish.

Mr. PILES. I ask that paragraph 667 go over.

The VICE-PRESIDENT. The paragraph will go over, at the request of the Senator from Washington.

The reading of the bill was resumed.

The next amendment was, on page 216, after line 20, to strike out:

668. Silk, raw, or as reeled from the cocoon, but not doubled, twisted, or advanced in manufacture in any way.

And insert:

668. Silk, raw, in skeins reeled from the cocoon, or rereeled, but not wound, doubled, twisted, or advanced in manufacture in any way.

The amendment was agreed to.

The next amendment was, on page 217, in line 5, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

672. Skins of all kinds, raw (except sheepskins with the wool on), and hides not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 217, after line 10, to insert:

674½. Spices: Cassia, cassia vera, and cassia buds; cinnamon and chips of; cloves and clove stems; mace; nutmegs; pepper, black or white, and pimento; all the foregoing when unground; ginger root, unground and not preserved or candied.

Mr. TILLMAN. I should like to ask the chairman of the committee if it is understood that the articles now being enumerated on the free list are not all that will go on it? The Senate, of course, can amend the free list just as it can amend any other part of the bill.

Mr. ALDRICH. Undoubtedly.

Mr. TILLMAN. I just wanted to find out if that was the status, otherwise I wanted to propose some amendments right now.

Mr. DU PONT. I ask to have paragraph 674½ passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Delaware.

The reading of the bill was resumed.

The next amendment was, on page 218, line 2, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

678. Stone and sand: Burrstone in blocks, rough or unmanufactured; cliff stone, unmanufactured; rotten stone, tripoli, and sand, crude or manufactured, not otherwise provided for in this section.

The amendment was agreed to.

The next amendment was, on page 218, line 7, after the word "stone," to strike out "crude, in bulk, sulphur ore as pyrites, or sulphuret of iron in its natural state, containing in excess of 25 per cent of sulphur, and sulphur not otherwise provided for in sections 1 or 2 of this act" and insert "not specially provided for in this section, sulphur ore as pyrites, or sulphuret of iron in its natural state, containing in excess of 25 per cent of sulphur," so as to make the paragraph read:

681. Sulphur, lac or precipitated, and sulphur or brimstone, not specially provided for in this section, sulphur ore as pyrites, or sulphuret of iron in its natural state, containing in excess of 25 per cent of sulphur.

Mr. ALDRICH. I ask that the Senate disagree to that amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment was, on page 218, after line 23, to strike out:

683. Tallow.

The amendment was agreed to.

The reading of the bill was continued to the end of paragraph 685.

Mr. BURTON. I ask that paragraph 685 be passed over.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Ohio.

The reading of the bill was resumed and continued to the end of paragraph 692.

Mr. GAMBLE. Recurring to paragraph 691, I ask that it be passed over.

The VICE-PRESIDENT. Paragraph 691 will be passed over, at the request of the Senator from South Dakota.

Mr. BACON. Mr. President, recurring to paragraph 681, I should like to ask the Senator from Rhode Island whether the limitation at the end of that paragraph, "containing in excess of 25 per cent of sulphur," is intended to refer to and include the importation of sulphur ore as pyrites?

Mr. ALDRICH. The duty on pyrites is fixed by the amount of sulphur contained in it. An iron ore not containing 25 per cent of sulphur goes on the dutiable list and this remains on the free list.

Mr. BACON. It would not, then, interfere with the importation of what is known as "crude pyrites?"

Mr. ALDRICH. Oh, no.

The reading of the bill was resumed.

The next amendment was, on page 220, after line 20, to strike out:

707. Witherite.

The amendment was agreed to.

The next amendment was, on page 221, line 1, after the word "in," to strike out "sections 1 or 2 of this act" and insert "this section," so as to make the paragraph read:

708. Wood: Logs and round unmanufactured timber, including pulp woods, firewood, handle bolts, shingle bolts, gun blocks for gunstocks rough hewn or sawed or planed on one side, hop poles, ship timber and ship planking; all the foregoing not specially provided for in this section.

The amendment was agreed to.

The next amendment was, on page 221, after line 2, to insert:

708½. Woods: Cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all forms of cabinet woods, in the log, rough, or hewn only; briar root or briar wood and similar wood unmanufactured, or not further advanced than cut into blocks suitable for the articles into which they are intended to be converted; sticks of partridge, hair wood, pimento, orange, myrtle, bamboo, rattan, india malacca joints, and other woods not specially provided for in this section, in the rough, or not further advanced than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes.

The amendment was agreed to.

The next amendment was, on page 222, after line 22, to strike out:

711. Works of art, the production of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution, or to any state or municipal corporation, or incorporated religious society, college, or other public institution, except stained or painted window glass or stained or painted glass windows; but such exemption shall be subject to such regulations as the Secretary of the Treasury may prescribe.

And insert:

711. Works of art, productions of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution, except stained or painted window glass or stained or painted glass windows, and except any article, in whole or in part, molded, cast, or mechanically wrought from metal within twenty years prior to importation.

The amendment was agreed to.

The next amendment was, on page 223, after line 15, to insert:

711¼. Works of art, including paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches, etchings and engravings, and sculptures, which are proved to the satisfaction of the Secretary of the Treasury under rules prescribed by him to have been in existence more than twenty years prior to the date of their importation, but the term "sculptures" as herein used shall be understood to include professional productions of sculptors only, whether round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal; and the word "painting," as used in this act, shall not be understood to include any article of utility nor such as are made wholly or in part by stenciling or any other mechanical process; and the words "etchings" and "engravings," as used in this act, shall be understood to include only such as are printed by hand from plates or blocks etched or engraved with hand tools, and not such as are printed from plates or blocks etched or engraved by photochemical processes. Works of art, collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced more than one hundred years prior to the date of importation, but the free importation of such objects shall be subject to such regulations as to proof of antiquity as the Secretary of the Treasury may prescribe.

Mr. BURKETT. Let that paragraph go over. I think it ought to have some consideration.

The VICE-PRESIDENT. The paragraph will be passed over, at the request of the Senator from Nebraska.

The reading of the bill was resumed.

The next amendment was, to strike out the remainder of the bill, beginning with section 3, page 224, line 17.

The amendment was agreed to.

ADJOURNMENT TO MONDAY.

Mr. ALDRICH. That concludes the reading of the bill. I now move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, April 26, 1909, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 23, 1909.

MINISTER TO COLOMBIA.

Elliott Northcott to be envoy extraordinary and minister plenipotentiary of the United States of America to Colombia.

REGISTER OF THE LAND OFFICE.

William H. Batting to be register of the land office at Coeur d'Alene, Idaho.

POSTMASTERS.

CALIFORNIA.

Clarence Beckley, at Santa Paula, Cal.

FLORIDA.

Fannie Adams, at Paxton, Fla.

ILLINOIS.

G. B. Bushee, at Buda, Ill.
Clark M. Piper, at Bridgeport, Ill.

IOWA.

S. H. Carhart, at Mapleton, Iowa.
A. W. Hakes, at Rock Valley, Iowa.

KANSAS.

William J. Waterbury, at Haven, Kans.

MISSOURI.

James D. Bush, at Marceline, Mo.
Benjamin F. Guthrie, at Milan, Mo.
John W. Moore, at California, Mo.

NEBRASKA.

John A. Schleef, at Overton, Nebr.

NEW JERSEY.

Peter Hall Packer, at Sea Bright, N. J.

NEW YORK.

Albert S. Harris, at New Hartford, N. Y.
Samuel P. Poole, at Hicksville, N. Y.

NORTH DAKOTA.

Sarah A. Barry, at Hettinger, N. Dak.
Anton Berger, at Milnor, N. Dak.

OREGON.

Anna G. Baskett, at Freewater, Oreg.
Lee Rowell, at Sheridan, Oreg.
Mary E. Walker, at Bandon, Oreg.

SOUTH CAROLINA.

William M. Floyd, at Spartanburg, S. C.

WEST VIRGINIA.

A. S. Overholt, at Marlinton, W. Va.

SENATE.

MONDAY, *April 26, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of the proceedings of Friday last was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the Rome Brass and Copper Company, of Rome, N. Y., remonstrating against the proposed duty of 1 cent per pound on zinc contents of ore, which was ordered to lie on the table.

He also presented the petition of R. A. Magly, general manager of the Bessie Ferro-Silicon Company, of Columbus, Ohio, and sundry other manufacturers of ferrosilicon in the United States, praying for an increase of the duty on that commodity, which was ordered to lie on the table.

He also presented a petition of the American Newspaper Publishers' Association, praying for a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented a memorial of the American Paper and Pulp Association, remonstrating against a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Tacoma, Wash., praying for the enactment of legislation to establish a line of steamships between the Pacific coast ports and Panama, to be operated in connection with the Panama Railroad, which was referred to the Committee on Commerce.

He also presented a petition of certain citizens of Porto Rico, praying for a settlement of their claims for property taken by the United States, and remonstrating against the compulsory order from the commander of the naval station requiring them to remove or destroy their buildings on this property by the 1st of August without any indemnification or payment of damages, etc., which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a joint resolution of the legislature of Pennsylvania, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
STATE OF PENNSYLVANIA,
March 22, 1909.

Joint resolution petitioning our Senators and Representatives in Congress to enact more stringent immigration laws.

This is to certify that the following is a true and correct copy of a resolution passed the above date:

Whereas the dumping of a million immigrants into the United States annually is a fact for which world offers no precedent and is a menace to American institutions, the American home, and the American laborer; and

Whereas there are now many bills before the Congress of the United States for the better regulation of immigration and the revision of the tariff; and

Whereas the regulation of foreign immigration is a necessary supplement to the tariff, an essential element in the protection of America from ruinous competition by cheap labor at home, ruinous in our endeavor to establish an American industrial democracy; and

Whereas a protective tariff without proper immigration regulation is a travesty on the industrial problem: Therefore be it

Resolved by the house of representatives of the State of Pennsylvania, That we respectfully request our Senators and Representatives in Congress to enact more stringent immigration laws to protect our people, both native born and naturalized, against wholesale immigration from foreign lands.

THOMAS H. GARVIN,
Chief Clerk House of Representatives.

Mr. CUMMINS presented petitions of sundry citizens of Iowa, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against the retention of the proposed drawback feature of the so-called "Payne tariff bill" relative to tin plates, which was ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Chicago Association of Commerce, of Chicago, Ill., praying for the appointment of a permanent tariff commission, which was referred to the Committee on Finance.

He also presented a memorial of the Live Stock Exchange of Chicago, Ill., remonstrating against the repeal of the duty on hides and wool, which was ordered to lie on the table.

Mr. DU PONT presented a petition of Rural Grange, No. 10, Patrons of Husbandry, of Cheswold, Del., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. OLIVER presented a memorial of sundry citizens of Bradford, Pa., remonstrating against the repeal of the duty on petroleum and its by-products, which was ordered to lie on the table.

He also presented a petition of Pomona Grange, Patrons of Husbandry, and of the Farmers' Association of Franklin County, Pa., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

Mr. CLARKE of Arkansas presented petitions of sundry citizens of Arkansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. HALE presented the memorial of Mrs. Henry A. Appleton and sundry other citizens of Bangor, Me., remonstrating against the proposed increase in the duty on gloves and hosiery, which was ordered to lie on the table.

Mr. JONES presented a petition of the Chamber of Commerce and Board of Trade of Tacoma, Wash., praying for the enactment of legislation to establish a line of steamships between the Pacific coast ports and Panama, to be operated in connection with the Panama Railroad, which was referred to the Committee on Commerce.

Mr. LODGE presented petitions of sundry citizens of Webster, Whitinsville, Beverly, Salem, Merrimac, and Haverhill, all in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FLETCHER presented petitions of sundry citizens of High Springs, Fla., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented a petition of the Napanoch Knife Company, of Napanoch, N. Y., and a petition of the Elster Knife Company, of Ellenville, N. Y., praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. CURTIS presented petitions of Jennings and Plainville, in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Seattle, Alderton, and Harrington, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Typographical Union No. 202, American Federation of Labor, of Seattle, Wash., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Tacoma, Wash., praying for the enactment of legislation to establish a line of steamships between the Pacific coast ports and Panama to be operated in connection with the Panama Railroad, which was referred to the Committee on Commerce.

Mr. LA FOLLETTE. I present a resolution adopted by the common council of Portage, Wis., relative to the improvement of the levee along the north bank of the Wisconsin River. I ask that the resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolution 72. Adopted by the common council of the city of Portage, Wis.

Whereas a part of the levee along the north bank of the Wisconsin River at Portage, to wit, about 3½ miles of the lower part of such levee, locally known as the government levee, is in urgent need of immediate repairs; and

Whereas this part of the levee was built by the General Government in 1888, and maintained by the General Government until about 1900, since which time no repairs have been made; and

Whereas it is generally understood that the General Government still holds the right of way and has the legal control of this part of the levee, preventing the state, county, or city authorities from repairing or exercising control over the same; and

Whereas said levee is a necessary protection to the government canal leading from the Wisconsin River to the Fox, as well as the improvement in the Fox River in aid of navigation, both of which works have been done by the General Government at large expense, and to protect which this levee was originally built; and

Whereas not alone the important government works above mentioned need the protection of this levee, but the safety of the residents of the upper Fox River valley, and particularly that of a large portion of the city of Portage depend upon it; and

Whereas the city of Portage is utterly unable, from a financial standpoint, to make the repairs which are immediately needed on said levee.

Resolved, That the common council of the city of Portage urgently requests that measures be promptly instituted leading to the repair, by the General Government, of that part of the government levee herein referred to, such repairs being imperative and conditions not admitting of delay; and

Resolved, That a copy of this resolution be immediately sent to each of the Wisconsin Members of Congress.

M. J. DOWNEY, *Mayor.*
FRED F. GOSS, *City Clerk.*

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 1987) granting an increase of pension to Hiram W. Foss (with the accompanying paper);

A bill (S. 1988) granting an increase of pension to Rudolph Kremming; and

A bill (S. 1989) granting a pension to Sadie M. W. Likens; to the Committee on Pensions.

By Mr. RAYNER:

A bill (S. 1990) granting an increase of pension to Junius Thomas Turner; to the Committee on Pensions.

(By request) A bill (S. 1991) for the relief of Thomas Fahey (with the accompanying paper); and

A bill (S. 1992) for the relief of the heirs of T. L. P. Cronmiller, deceased (with the accompanying paper); to the Committee on Claims.

By Mr. SMITH of Maryland:

A bill (S. 1993) granting a pension to M. Tryphena Phelps; to the Committee on Pensions.

A bill (S. 1994) to place James Clayland Mullikin on the retired list of the United States Army with the rank of colonel of infantry, to date from the 27th day of May, 1905; to the Committee on Military Affairs.

A bill (S. 1995) for the relief of John H. Cox, surviving partner of John H. Cox and John H. Ford, copartners, trading as Ford, Cox & Co.; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 1996) to authorize the Secretary of War to furnish two cannons to the George McKenley Post, No. 92, Cannon Falls, Minn.; to the Committee on Military Affairs.

By Mr. PERKINS:

A bill (S. 1997) to limit and fix the compensation of certain officials in the customs service at the port of San Francisco; to the Committee on Finance.

By Mr. TALIAFERRO:

A bill (S. 1998) granting an increase of pension to Edward J. Murphy (with the accompanying paper); to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 1999) granting an increase of pension to Joseph A. Root; to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 2000) granting a pension to Lottie I. Brown (with the accompanying paper); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 2001) granting an increase of pension to Lucy A. Graves; to the Committee on Pensions.

MANNING OF RAILWAY TRAINS.

Mr. BORAH introduced a bill (S. 1986) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains, which was read twice by its title and referred to the Committee on Education and Labor.

Mr. KEAN. The Committee on Commerce has, I think, generally considered that matter.

The VICE-PRESIDENT. The Senator from Idaho requested that the bill be referred to the Committee on Education and Labor, and therefore the Chair made that reference.

Mr. GALLINGER. It ought to go to the Committee on Interstate Commerce.

Mr. BORAH. I think it should properly go to the Committee on Education and Labor.

Mr. KEAN. The Committee on Interstate Commerce has had charge of all the safety-appliance legislation that has ever been passed here.

Mr. BORAH. This does not refer alone to the question of safety appliances, but to the question of manning trains, and I think it very properly goes to the Committee on Education and Labor.

Mr. KEAN. I understand that the Senator from Idaho is chairman of that committee and desires to have the bill referred to it. I think it properly belongs to the Committee on Interstate Commerce, but I will make no further objection.

AMENDMENTS TO THE TARIFF BILL.

Mr. DU PONT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BURTON submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. PILES submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. TALIAFERRO submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United

States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. ELKINS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

INCREASED HEAD TAX ON IMMIGRANTS.

Mr. OVERMAN. I submit an amendment intended to be proposed by me to House bill 1438, the pending tariff bill. I ask that it be read and referred to the Committee on Finance.

The amendment was read and referred to the Committee on Finance, as follows:

Amendment intended to be proposed by Mr. OVERMAN to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz:

Add after paragraph 11, to be numbered paragraph 11½, the following:

"There shall be levied, collected, and paid a tax of $10 for every alien entering the United States, in the manner and under the rules and regulations provided in section 1 of the act of February 20, 1907, entitled 'An act to regulate the immigration of aliens into the United States.'"

Mr. OVERMAN. Mr. President, at some future time during the course of this debate I desire to make some remarks in favor of the adoption of this amendment. I beg now to state that if it is the intention at this extra session of Congress to provide revenue and at the same time to protect American labor this amendment will go further toward the latter and toward a just provision of the former than any provision in the pending tariff bill. I estimate that under its operation there would be collected an annual revenue of at least nine or ten millions of dollars.

In 1882 there was imposed a "duty" of 50 cents upon the transportation companies for every passenger "not a citizen of the United States" brought here by water. A test case was made and it went to the Supreme Court and was held to be constitutional in the Head Money cases (112 U. S., 580). Twelve years later, in 1894, by a rider on an emergency act this "duty" of 50 cents was designated as a "head tax" and increased to $1, further increased to $2 in 1903, and still further increased in 1907 to $4.

From the annual reports of the Commissioner-General of Immigration I have had prepared a table, which I ask to have printed in the RECORD as a part of my remarks.

The table referred to is as follows:

Table showing immigration, emigration, debarred, and condition of the immigrant fund for the last ten years.

[Compiled from annual reports of Commissioner-General of Immigration.]

Year ending June 30—	Immigrant alien arrivals.[a]	Nonimmigrant alien arrivals.[a]	Total alien arrivals.[a]	Total alien departures.[b]	Debarred aliens.[a]	Head tax per capita.[a c]	Immigrant fund.[h] Head-tax receipts.[a d]	Expenditures, etc.[a]	Annual surplus.[a]	Annual deficit.[a]
1899	311,715	45,000	356,715	172,837	3,798	[e] $1.00				
1900	448,572	65,635	514,207	206,351	4,246					
1901	487,918	74,950	562,868	209,318	3,516					
1902	648,743	82,055	730,798	229,103	4,974					
1903	857,046	64,269	921,315	247,559	8,769	[f] 2.00				
1904	812,870	27,844	840,714	332,019	7,994		$1,599,472.25	$1,486,211.93	$113,261.32	
1905	1,026,499	33,256	1,059,755	385,111	11,879		2,082,873.50	1,631,232.05	451,641.45	
1906	1,100,735	65,618	1,166,353	356,257	12,432		2,290,901.56	1,670,708.56	620,193.00	
1907	1,285,349	153,120	1,438,469	431,306	13,064	[g] 4.00	2,782,103.68	2,163,825.95	618,277.73	
1908	782,870	141,825	924,695	714,828	10,992		2,500,000.00	5,028,598.22		[i] $2,528,598.22
Total	7,762,317	753,572	8,515,889	3,275,589	81,574					

[a] Official government statistics.
[b] Statistics furnished to the Government by steamship companies.
[c] The first head tax was a "duty of 50 cents" levied by the immigration act of August 3, 1882, "on all passengers not citizens brought to the United States by steam or sail vessel," and was held constitutional by the United States Supreme Court in 112 U. S. 580.
[d] "Head-tax receipts" include rentals and other payments of money received for the commissary, the money changing, and the other privileges at the various immigration stations, which offset refunds of head taxes paid erroneously, drawbacks on "aliens in transit" leaving the country, etc.
[e] By rider on an emergency act of 1894.
[f] Immigration act March 3, 1903.
[g] Immigration act of February 20, 1907.
[h] The sundry civil appropriation act of March 3, 1909, abolishes the immigrant fund as a special fund July 1, 1909, and directs all receipts to be covered into the general or miscellaneous receipts of the Treasury.
[i] This deficit reduced the balance on hand at the beginning of the last fiscal year ($3,079,515.26) to $550,917.04.

This table shows some astonishing and startling facts. From this table, covering the last ten fiscal years, it will be seen that 8,515,889 aliens, immigrant and nonimmigrant, have come to this country, and nearly half that number, 3,275,589, aliens have gone back. I have here a financial statement, taken from the last annual report of the Commissioner-General, to which I beg to call the attention of the Senate.

Financial statement, immigrant fund, for fiscal year ended June 30, 1908.

DISBURSEMENTS.	
Special appropriations not heretofore deducted	$1,334,529.13
Special appropriations, current year (1908)	1,718,677.14
Miscellaneous and regular expenditures (1908)	1,975,391.95
Total disbursements for 1908	5,028,598.22
ASSETS.	
Receipts for 1908	2,500,000.00
Deficit for 1908	2,528,598.22
Balance in immigrant fund, July 1, 1907	3,079,515.26
Deficit for 1908	2,528,598.22
Balance on hand July 1, 1908	550,917.04

For the fiscal year ending June 30, 1908, the expenditures for the Immigration Service out of the immigrant fund exceeded the receipts from head taxes, rentals, and privileges by $2,528,598.22, the receipts being $2,500,000 and the expenditures being $5,028,598.22. Of course the actual excess of Immigration Service expenditures over Immigration Service receipts was $1,607,680.28, as the actual receipts were $3,420,967.94, only $2,500,000 of which, under the immigrant fund limitation provision contained in the act of February 20, 1907, being specially credited to the immigrant fund, the balance, $928,967.94, being converted into the miscellaneous receipts of the United States Treasury.

During the previous fiscal year (1907) the receipts ($2,782,103.68) of the immigrant fund only exceeded the expenditures ($2,163,825.95) by $618,277.63, even though that year was the banner immigration year in the history of our country, 1,438,469 aliens (immigrant and nonimmigrant) entering the United States. There is a great need of enlarging existing immigration stations, providing better hospital and other quarters for the care and treatment of detained aliens, building new stations throughout the South and West, as well as along the border, and especially for enforcing the law and detecting smuggling. Not only is additional revenue from an increased head tax needed for meeting the needs at our ports of entry, but this source of raising revenue should be utilized to help defray the General Government expenses.

Mr. President, taking the testimony of experts who appeared before the Industrial Commission a few years ago, I think I can demonstrate that the immigrants who have departed from this country in the last ten years have taken back to the countries from which they came nearly a billion dollars. Last year there left this country during the panic over 700,000 aliens, and it is estimated that they took from this country the enormous sum of from $200,000,000 to $500,000,000.

Mr. President, this tax is constitutional and it is a just tax. I say if an immigrant can not pay $10 he ought not to be allowed to come here. Such an amendment as this means not only revenue to the Treasury, but it means a more select class of immigrants, and therefore the protection of American labor and everything American.

It will go far toward equalizing the steerage rates from European points to this country and putting us on a footing of equality with other countries. At present the steerage rates to the United States are from $8 to $60 less than to other countries, consequently the present enormous everincreasing alien influx. Last year's ebb is but the harbinger of another flood tide, running much higher than the last, and has, in fact, already set in with the very first signs of industrial revival.

The present class of immigrants, in the main, come here like birds of passage, to pick up what they can find and bear it away, and will not go as did the immigrants of the olden time out into the West and onto the frontier. They share in the blessings and privileges of this great Government, often supplanting the American—native or naturalized—who has a home and family and pays taxes. They share its opportunities and benefits, undertake none of its burdens, and contribute nothing to its support. Granting that all of it falls on the newcomer, which I deny, why should not a tax of $10 be collected of them for the purposes of defraying all the Immigration Service expenses, contributing something to the support of the Federal Government, and by way of keeping out the more shiftless, less industrious and less frugal?

An increase in the head tax to $10 is needed for each and every one of these purposes. The steerage rates to this country are cheaper than to any other country, making it the cheapest country in the world for Old World emigrants to reach. It is no wonder that it is the only dumping ground for the surplus populations of every foreign country. I have some astounding figures here. I have a table which I wish to incorporate in my remarks, showing the comparatively small number of European immigrants that go to other countries, like South America, Africa, Canada, and Australia, as follows:

Table comparing the immigration and emigration of certain other countries with that of the United States.

[Compiled from official immigration reports, consular reports, Monthly Bulletin of South American Republics, etc.]

Year.	United States. Total alien arrivals.	United States. Total alien departures.[c]	Canada. Alien arrivals from Old World.	Canada. Alien arrivals from United States.	Australia. Alien immigration.	Australia. Alien emigration.	Peru. Alien immigration.	Brazil. Alien arrivals.	Brazil. Alien departures.	Argentine Republic. Alien arrivals.	Argentine Republic. Alien departures.
1899	356,715	172,837	[a] 32,508	[a] 11,945			1,107	85,130		31,784	25,070
1900	514,207	206,351	15,352	8,543			1,663	29,121		29,922	22,932
1901	562,868	209,318	31,162	17,987			1,014	23,292		39,541	29,767
1902	730,798	229,103	40,901	26,388	274,105	243,507				21,488	28,629
1903	921,315	247,559	78,891	49,473				18,161	36,410	21,579	24,776
1904	840,714	332,019	85,101	45,229				27,751	32,179	33,259	23,925
1905	1,059,755	385,111	102,594	43,693						50,541	23,895
1906	1,166,353	356,257	[b] 54,780	[b] 30,971							

[a] First six months of 1900; change made from calendar to fiscal year.
[b] First nine months fiscal year 1906.
[c] These particular statistics furnished voluntarily by the steamship companies, but required so to do beginning July 1, 1907, by immigration act of February 20, 1907.

An increase in the head tax will bring us a better and more desirable class of immigrants. If the steamships can not fill their steerage with the less desirable, they will fill them with the more desirable. As a general rule, the possession of some money and the willingness to pay something to get into this country is certainly some test of a man's fitness for the struggle for existence, of his ability to take care of himself, of his likeliness not to become a public charge, of his industry, frugality, sobriety, and of the probability of his adding to the wealth, industry, and further upbuilding of this great country.

The steamship companies at present, according to the testimony of their officials before the Industrial Commission, fix the steerage rates on the principle of monopoly price, charging the traffic what it will bear, being associated together in pools, and having entered into agreements for that specific purpose. Therefore I believe that the present head tax of $4 is borne entirely by these foreign transportation companies. They pay practically no taxes here. Judging from the continual construction of larger and better ocean flyers and the frequent establishment of new lines, the business must pay handsomely.

They promote this immigration. They send out their agents, like insurance and book agents, and employ subagents, all over Europe to induce any and all kinds of immigrants to make the journey here. They will pay the larger part, if not the whole, of this tax. The immigrant to-day knows nothing of the existence of the present tax, and would probably bear little, if any, of an increase of $6, or even much more.

During the past thirty years steerage rates have doubled. The steamship lines running to the United States are foreign companies, owned by foreign corporations, operated by foreigners, paying taxes abroad, and contributing practically nothing in the way of revenue, directly, to the support of this Government. It is estimated by Mr. Prescott F. Hall that the direct cost to the steamship companies of bringing an immigrant to the United States is $1.50 for food per passenger. Mr. Hermann Schultels, a member of the United States commission which investigated the subject thoroughly abroad during the nineties, estimated the immediate cost for food, and so forth, at $1.70. Other experts have estimated the total cost at not more than $7 per steerage passenger. It is true that some of the steamship lines have not paid dividends recently, but others have paid as high as 17 per cent, according to testimony before the Industrial Commission eight years ago. An investigation into the capitalization of the International Mercantile Marine shows its total capital to be over $194,000,000, with only 132 boats of all descriptions afloat. In view of such an injection of water it is no wonder that its surplus was only $4,033,730.92 January 1, 1908.

An increase in the head tax would perhaps be divided between the alien and the foreign steamship companies, neither of which, as a rule, directly contribute anything at present to our state or national treasuries in the way of taxes. The average alien now coming in as a result of the profit-making steamship companies shifting the source of our foreign immigration recently from northwestern Europe to southeastern Europe and western Asia, comes to this country merely to stay for a while, picking up whatever he can find and carry it back to his foreign land. During the past ten years 8,515,889 aliens, "immigrant" and "nonimmigrant," have entered the United States and 3,275,589 aliens, almost one-half of the arrivals, have left this country, taking with them millions of dollars; and to my mind this exodus, with its bags of gold, the parsimonious savings of one or two years, is largely responsible for our recent financial stringency. Mr. W. H. Allen, a financial writer of Brooklyn, N. Y., in testifying before the Industrial Commission, estimated that foreigners took out of the country fully $118,000,000 in one year. Mr. John J. Quinlan, a contract-labor inspector, testified before the Industrial Commission that he had examined personally groups of Italians leaving the country and found that they had all the way from $200 to $1,000 apiece.

Mr. Adolfo Rossi, the Royal Commissioner of emigration of Italy, is reported, by Mr. Herbert F. Sherwood, special correspondent of the Liberal Immigration League, a propagandist society of New York City, who accompanied the Immigration Commission on its trip abroad two years ago, to have said, in speaking of the recent emigration from Italy to the United States:

This large emigration is the ruin of the small land proprietors, as they can not cultivate their land. It has provided a good market for their land and made it more valuable, however, because many of the returning emigrants have had the money and the desire to buy parcels for themselves. Many emigrants come back with $2,000 or $3,000 and buy land.

Further on in his report to the Liberal League, Mr. Sherwood, who was with the Immigration Commission, says:

From what I can gather, Austria is passive in her attitude toward emigration in view of a yearly influx of $10,000,000 a year from America because of it. On the contrary, Hungary is looking upon it with some alarm, notwithstanding an annual augmentation of her capital of more than $20,000,000 due to it.

But, further on, Mr. Sherwood says:

For instance, one man who ought to know says that at the present time the Hungarian Government has no specific agreement with the Cunard Line. Another, who ought to be equally well informed, de-

clared that it has. However that may be, it is evident that the authorities have a definite understanding of some sort with the English company.

Mr. Sherwood here refers to a secret contract which United States Immigrant Inspector Marcus Braun discovered on his European tour of inspection in 1904, and by which the Hungarian Government agreed to furnish, and the Cunard Line agreed to carry away, a minimum of 30,000 steerage passengers per year.

Such a scandalous condition of affairs ought to be corrected by drastic legislation, and I hope that the Immigration Commission, when it reports next session, will propose effective remedies in line with the urgent needs of the alarming situation.

Mr. President, I have resolutions here from state legislatures, farmers' unions, labor unions, patriotic societies, representative organizations, societies, and the statements of representative prominent persons clearly showing the keen, decided, universal interest in the question and great demand for legislation, some of which I ask to have printed in the RECORD at the conclusion of my remarks and to which I beg to call the attention of every Member of the Senate.

To show the outrageous way in which foreign steamship lines are making use of the United States and the urgent need of legislation along this line, I wish to read two paragraphs from the official report of a special immigrant inspector sent abroad several years ago and still in the service of the Department of Commerce and Labor, and then I am through. It is House Document No. 384, 1st session, 59th Congress. In it United States Immigrant Inspector Marcus Braun says:

Immediately upon my arrival on the European Continent I noticed a feverish activity among the various steamship agents with reference to the business from Hungary. I saw tons of enticing literature shipped to that country, and I learned that enormous commissions were being offered to subagents.

* * * * * * * * *

These conditions, coupled with the arrogant and widespread assumption that this country is but an asset of a large number of Europeans, subject only to their desires and orders, is such that if universally known in this country it would drive the blood of humiliation into the face of every good American, and a description of which would defy the pen of a Macaulay.

Therefore, Mr. President, I have submitted this amendment, and I earnestly ask the committee to give it their "earnest and careful consideration." I believe it will raise at least nine or ten million dollars of revenue, from sources at present contributing comparatively nothing to the support of the Federal Government, and will certainly tend to give us, in addition, a better class of immigrants. As shown by the statistics in the first table, the vast majority of the present alien influx come here simply for the purpose of finding temporary employment, living on practically nothing, only a few years later to carry away to foreign lands their miserly savings. They pay no taxes and either take or send their money back to their native lands, intensifying financial stringencies and constantly draining our resources, undermining the standards of living of American workingmen, our cherished institutions, and our very civilization itself.

The matter ordered to be printed in the RECORD at the conclusion of the Senator's remarks is as follows:

House joint resolution 15.

Joint resolution petitioning our Senators and Representatives in Congress to enact more stringent immigration laws.

Whereas the dumping of a million immigrants into the United States annually is a fact for which the world offers no precedent and is a menace to American institutions, the American home, and the American laborer; and

Whereas there are now many bills before the Congress of the United States for the better regulation of immigration and the revision of the tariff; and

Whereas the regulation of foreign immigration is a necessary supplement to the tariff, an essential element in the protection of America from ruinous competition by cheap labor at home, ruinous in our endeavor to establish an American industrial democracy; and

Whereas a protective tariff without proper immigration regulation is a travesty on the industrial problem: Therefore be it

Resolved by the general assembly of the State of Ohio, That we respectfully ask our Senators and Representatives in Congress to enact more stringent immigration laws to protect our people, both native-born and naturalized, against wholesale immigration from foreign lands.

GRANVILLE W. MOONEY,
Speaker of the House of Representatives.
FRANCIS W. TREADWAY,
President of the Senate.

Adopted March 12, 1909.

OHIO, UNITED STATES OF AMERICA,
Office of the Secretary of State:

I, Carmi A. Thompson, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office and in my official custody as secretary of state, as required by the laws of the State of Ohio, of a joint resolution adopted by the general assembly of the State of Ohio on the 12th day of March, A. D. 1909.

In witness whereof I have hereunto subscribed my name and affixed my official seal at Columbus this 15th day of April, A. D. 1909.

[SEAL.] CARMI A. THOMPSON,
Secretary of State.

HOUSE OF REPRESENTATIVES,
STATE OF PENNSYLVANIA,
March 22, 1909.

This is to certify that the following is a true and correct copy of a resolution passed the above date:

"Whereas the dumping of a million immigrants into the United States annually is a fact for which the world offers no precedent and is a menace to American institutions, the American home, and the American laborer; and

"Whereas there are now many bills before the Congress of the United States for the better regulation of immigration and the revision of the tariff; and

"Whereas the regulation of foreign immigration is a necessary supplement to the tariff, an essential element in the protection of America from ruinous competition by cheap labor at home, ruinous in our endeavor to establish an American industrial democracy; and

"Whereas a protective tariff, without proper immigration regulation, is a travesty on the industrial problem: Therefore be it

"*Resolved by the house of representatives of the State of Pennsylvania*, That we respectfully request our Senators and Representatives in Congress to enact more stringent immigration laws to protect our people, both native born and naturalized, against wholesale immigration from foreign lands."

THOMAS H. GARVIN,
Chief Clerk House of Representatives.

Joint resolution to oppose in every possible manner the influx into Virginia of immigrants from southern Europe.

Resolved by the senate of Virginia (the house of delegates concurring), That our representatives in both Houses of Congress be, and they are hereby, requested to oppose in every possible manner the influx into Virginia of immigrants from southern Europe, with their Mafia and Black Hand and murder societies, and with no characteristics to make them with us a homogeneous people, believing as we do that upon Anglo-Saxon supremacy depends the future welfare and prosperity of this Commonwealth, and we view with alarm any effort that may tend to corrupt its citizenship.

Agreed to by general assembly of Virginia February 14, 1908.

JNO. W. WILLIAMS,
Clerk House of Delegates and Keeper of Records of Virginia.

Whereas it is proposed to distribute and divert foreign immigrants to the agricultural districts of the South and West; and

Whereas a federal bureau has been established and state immigration bureaus are proposed for that purpose; and

Whereas we are unalterably opposed to such and to the present enormous alien influx as detrimental to the best interests of the farming communities and the welfare of our whole country: Therefore be it

Resolved, That the *Farmers' Educational and Cooperative Union of America* in national convention assembled, at Memphis, Tenn., this 8th day of January, 1908, and representing 2,000,000 of farmers, urge upon Congress the immediate abolition of the federal bureau of distribution and the speedy enactment of laws substantially excluding the present enormous alien influx by means of *an increased head tax*, a money requirement, the illiteracy test, and other measures; and that we call upon our public and especially our state officials to prevent the agricultural section from becoming a dumping ground for foreign immigrants.

Whereas foreign immigration is being advocated for southern and western farming communities; a United States immigration commission is investigating the subject and a federal bureau is being established for the purpose of distributing and diverting foreigners; and

Whereas the present flagrantly lax enforcement of existing laws and the urgent need of additional restrictive legislation will soon result in the agricultural sections of the South and West being made a dumping ground for undesirable southeast European and Asiatic population: Therefore be it

Resolved, That the *Farmers' Educational and Cooperative Union of America* in its third annual convention at Fort Worth, Tex., this 3d day of September, 1908, and representing over 2,000,000 of farmers, hereby adopts the immigration resolutions passed last January at the annual rally in Memphis, calling for federal and state legislation abolishing immigration bureaus and substantially excluding the present alien influx from southeast Europe and western Asia, and urge upon our federal officials the vigorous enforcement of all immigration laws in order to properly protect the country's welfare and to preserve its institutions, safeguard its citizenship, and preserve its Anglo-Saxon civilization for posterity; and be it further

Resolved, That a copy of these resolutions be sent to each Member of Congress by the chairman of the national legislative committee, with the request that they be printed in the CONGRESSIONAL RECORD, and to the Immigration Commission with the request that they be incorporated in its report; and be it further

Resolved, That the state presidents and lecturers emphasize this one question with a view to having members take it up in conference and by letter with their Congressmen and Senators.

Whereas much of the greatness of the United States is due to the energetic, industrious, and patriotic immigration which came to this country during the past century; and

Whereas a strict execution of the present laws makes it possible to keep out the worst of the pauper and diseased elements of our present European and Asiatic immigration, but these laws admit large numbers of immigrants who are generally undesirable because unintelligent, of low vitality, of poor physique, able to perform only the cheapest kind of manual labor, tending to become a burden upon our large cities, and not available for supplying the need for agricultural laborers; and

Whereas the coming of these undesirable aliens tends not only to lower the standards of American citizenship but also to prevent the coming of immigrants who would be valuable workers in the country districts and who would readily assimilate with our population: Therefore be it

Resolved, That the *Farmers' National Congress* urges upon the Senators and Representatives of the United States the importance of further judicious regulation of immigration, and in particular demands the enactment of a law *raising the present head tax* upon immigrants to at least $10, and excluding absolutely immigrants of poor physique and those who are unable to read in some language.

Adopted September 14, 1905, at Richmond, Va., and still the attitude of the Farmers' National Congress.

GEO. W. WHITAKER,
National Secretary.

APRIL 19, 1909.

Whereas the foreign steamship companies are making this country the only dumping ground for the Old World's least desirable peoples; and

Whereas our public domain is exhausted, population has begun to recoil upon itself, congesting in the large cities and industrial centers, where hundreds of thousands are out of employment and suffering for the common necessities of life; and

Whereas the present class of immigrants is quite detrimental to the best interests of the country's welfare; and

Whereas a Federal Immigration Commission was created over two years ago to investigate the immigration problem; and

Whereas our existing utterly inadequate immigration laws have been notoriously and scandalously relaxed by the recent Secretary of Commerce and Labor's administration of them; and

Whereas a Federal Bureau of Information was created in 1907, which has developed into an advertising device for the stimulation of foreign immigration: Therefore be it

Resolved by the Maryland State Council of the Junior Order of American Mechanics in annual session at Frostburg, this 21st day of April, 1909, That we urge upon Congress the abolition of the Division of Information, the immediate report of the Immigration Commission, the vigorous enforcement of the immigration laws, and the enactment of additional legislation *increasing* the head tax to $25, fining the steamship companies $300 for bringing here any deportable or excludable alien whose condition might have been ascertained at the time of sailing, requiring the possession of visible means of support, excluding persons unable to read in a European language, as is required in South Africa, Australia, and other civilized countries, and such other requirements and tests as will substantially exclude the present undesirable alien influx, protect the country's welfare, and preserve its institutions and civilization.

Resolutions adopted by the *Patriotic Order Sons of America*, assembled at Hazelton, Pa., August 27, 1908.

Whereas the *Patriotic Order Sons of America* has labored consistently for the enactment of laws relating to the regulation of immigration of aliens to the United States. We would therefore record our pleasure at the progress already attained and herein evidence our appreciation of the services of the national committee on legislation of our order and pledge them our continued cooperation in their work.

While recognizing that at present, owing to the prevailing financial stringency, a large number of foreigners are returning to Europe, we should not relax our efforts in legislative matters, as a return of prosperity to the country will again witness the overwhelming influx of aliens to this land: Therefore be it

Resolved, That we reaffirm our belief in the need of *an increased head tax* and a properly applied educational test in the reception of the foreign born to American shores and American citizenship.

Resolved further, That we oppose any change in the steamship airspace provision of our present law, and insist that a thorough trial of said provision be made before any change be seriously considered by Congress.

C. E. REBECKER,
Secretary National Legislative Committee P. S. O. A.

At a Labor Conference on unemployed and other matters, called by and held in the office of Mr. Oscar S. Straus, the then Secretary of Commerce and Labor at Washington, D. C., February 10–11, 1909, John Mitchell, second vice-president of the American Federation of Labor, said: "What the labor organizations and the laboring men of the country have asked for is that there shall be an increase in the head tax, that there shall be an educational test, that immigrants shall be excluded because of illiteracy. We ask that there be a diminution in the number of people coming to this country, and that the decrease be brought about through the enactment of such amendments to the immigration laws as will keep out the men who are most undesirable. That is what I should like to have done; that is really fundamental to the whole question of unemployment. I make this statement so that the position of the labor unions, so far as it is to have expression through the American Federation of Labor or its affiliated unions, and I believe also through the organizations of the railway brotherhoods, may be understood. The matter of chief concern is the welfare of the men who are now here—either the man who was born in our country or who has already been admitted to our country. It is not the best thing for our country and for its future that the man born here or the man who has been here for years, shall be on the street, and the man who arrived on the ship yesterday shall have a job." (P. 67, Proceedings of the Conference with the Representatives of Labor held in the office of the Secretary of Commerce and Labor, Hon. Oscar S. Straus, February 10 and 11, 1909.)

Mr. Frank Morrison, secretary of the American Federation of Labor, at the same Labor Conference on unemployed said: "Yesterday my position was that I was opposed to the division; I gave my reasons. Now, what I have in mind is that to assist the unemployed we should recommend here to the Secretary that he should recommend certain amendments—I think the department would have that power—to the immigration law. The Federation has taken three very distinct positions. In 1905 it adopted the following, which I will read. It is not as full as what was passed upon by the executive council. It said:

"'A further check should be put upon assisted immigration,'" etc.

Secretary STRAUS. I think that is practically the fact now.

Mr. GOMPERS. That is the law now.

Mr. MORRISON. That is the law now?

Secretary STRAUS. Yes.

Mr. MORRISON. Well, that was one of the points, but in accordance with the views they recommended that there should be an educational test and an *increase in the per capita tax paid* (p. 100).

Mr. Frank P. Hawley, president of the Switchmen's Union of America, said: "I was raised in the anthracite-coal regions, and began working at 12 years of age, and have been working ever since. I recall distinctly when the miner was paid $6 or $7 a day in the anthracite-coal mines, and his helper about $3.50 or $4. But the condition related by Mr. Powderly followed—the importation of foreigners—the pushing out of the American workman. This place has been taken by those foreigners. Go with me to McKeesport, Homestead, Duquesne, Pittsburg, Youngstown, Niles, Cleveland, Lorain, Buffalo, South Chicago, or any other place where they have the Steel Corporation's institutions, and what do you find? A large population composed entirely of foreigners. Go there to-day and you may become acquainted with every one of those laborers. Go away and return five years hence, and you do not know a single one of them—but still they are foreigners. They have accumulated enough money to take them back and live in affluence. That, in my judgment, is a menace to American labor, and should be overcome; and my opinion is that in time the propositions advocated by the American Federation of Labor as explained by Mr. Mitchell this morning will have to be adopted as a protection to the American wage-earner—namely, to put a tax upon those people when they come here, and demand educational requirements. I ask, Is it just to American institutions to bring here such a class of men as that?" (P. 98.)

Whereas the agricultural class of the State of Louisiana, having thoroughly considered every phase of the problem of immigration, see in the promiscuous importation of an undesirable class of citizens in our State a deterioration in the standard of its farming element:

Resolved, That we, the Farmers' Educational and Cooperative Union of America and State of Louisiana, ask our legislators and Senators to express themselves publicly on this issue.

Resolved, That we use our influence with the powers of the State to secure the enactment of such laws as will restrict or prohibit this wholesale importation of a lower class of immigrants.

G. D. DUPREE, *Chairman.*

Attest:

Adopted at Louisiana Farmers' Union state convention, July 31, 1908.

Whereas the distribution of aliens from northern cities and their diversion from abroad to the South is being agitated; and

Whereas the United States Immigration Commission is now investigating the attitude of the South toward these proposals, and there is need of the farmers of Mississippi making known their wishes: Therefore be it

Resolved, That the Farmers' Educational and Cooperative Union of the State of Mississippi is irrevocably opposed to the present tide of undesirable immigration now pouring into this country from sections of Europe, Asia, and Africa which until recently sent us no immigrants, and that we urge all our officials and legislators, both state and national, to use their influence in every possible way to make clear our opposition and to secure reports and legislation that will exclude the present alien influx, which is detrimental to our best interests and to the welfare of our country: And be it further

Resolved, That a copy of these resolutions be sent to our Congressmen and Senators and to the Immigration Commission at Washington: Be it further

Resolved, That the state presidents and lecturers emphasize this one question, and that copies of this resolution be furnished the press.

Adopted at the Mississippi Farmers' Union state meeting, July 8, 1908.

Whereas foreign immigration is proposed for the agricultural sections of the South; and

Whereas the Federal Government is especially investigating the attitude of southern planters toward the distribution and diversion of the present alien influx to the South; and

Whereas the farmers of Georgia are unalterably opposed to such, and are in favor of the substantial exclusion of the classes now pouring into this country: Therefore be it

Resolved, That the Farmers' Educational and Cooperative Union of the State of Georgia, representing over 100,000 farmers, in annual convention assembled in Macon, Ga., this 29th day of July, 1908, do hereby express our opposition to foreign immigration, and urge our state and national officials to use their utmost influence in every possible way to secure the substantial exclusion of the present foreign influx and to prevent Georgia being made the dumping ground for foreign immigration; and be it further

Resolved, That a copy of these resolutions be sent to the Immigration Commission and the Commissioner-General at Washington, D. C., and to the Georgia general assembly, and to our Congressmen and Senators, and that the local presidents and lecturers make a special point of this question in their own work.

Whereas foreign immigration is being advocated for the South; and

Whereas a United States Immigration Commission is investigating the attitude of the South, and particularly the attitude of the agricultural classes: Therefore be it

Resolved, That the Farmers' Educational and Cooperative Union of South Carolina make known its opposition to the inducement, distribution, and diversion of the present alien influx from southern Europe and western Asia, and urge our state and national officials, especially Congressmen and Senators, to prevent the Southland being made a dumping ground for foreign immigration; and be it further

Resolved, That the local presidents and lecturers emphasize this question; that copies of this resolution be sent to the Immigration Commission at Washington, D. C., to our Congressmen, and to the press.

Resolved, by the Farmers' Educational and Cooperative Union of America in and by the State Union of South Carolina now in session, Do hereby memorialize and demand that our next session of the general assembly abolish the state immigration bureau, and request that every candidate for the same declare himself upon the stump in the present campaign.

Adopted at Columbia, S. C., July 23, 1908.

Resolution adopted at Tampa, Fla., February 13, 1908, by the immigration convention, composed of delegates from other States representing organized labor, associations, private corporations or interests, and railroads.

Resolved, That the several States carefully consider the question of foreign immigration as a national question, and that our Representatives in Congress be asked to urge upon Congress the *enactment of such federal legislation as will effectively stem the tide of undesirable immigration now pouring into this country through the great ports of entry* and such laws as will look to the careful examination of applicants for admission at the ports of departure.

Your committee, appointed to submit resolutions relative to the questions of immigration referred to in the general master workman's address, would respectfully submit the following:

We are heartily in accord with the views expressed in the abuses of the immigration laws in turning the bureau of the Department of Commerce and Labor into an advertising agency and an employment bureau for obtaining employment for incoming immigrants, who are thus being furnished better opportunities for securing employment than citizens and residents of this country: Therefore be it

Resolved, That the General Assembly of the Knights of Labor condemn that clause of the present law known as "section 40 of the act of Congress approved February 20, 1907," entitled "An act to regu-

late the immigration of aliens into the United States," and urges upon Congress the immediate repeal of that section of the law, coupled with the abolition of the bureau of information and distribution, which is working grave injury to labor generally in this country.

Resolved, That we urge upon Congress the retention of section 42 of the said act, and the adoption of such further restrictions as will prevent this country from being made the dumping ground of hordes of foreign immigrants for commercial purposes and to the injury of American labor.

Adopted by the National General Assembly of Knights of Labor November 9, 1908.

JOHN W. HAYES,
General Master Workman.
I. D. CHAMBERLAIN,
General Secretary-Treasurer.

Whereas a movement has recently begun in Georgia and other Southern States to promote immigration to the South, and particularly to Georgia; and

Whereas as such efforts to stimulate immigration will result in the settlement in the South, and in Georgia, of a class of foreigners who are unassimilative elements, who may hereafter become citizens of our Republic, thus inevitably tending to modify and even transform social and industrial conditions, revolutionizing and transforming the laws and form of our Government: Therefore be it

Resolved by the Georgia Federation of Labor in convention assembled, That we deplore and earnestly protest against the admission of such immigrants and against the ill-advised efforts of those whose course in soliciting immigrants will, in our opinion, result in the flooding of the South and Georgia with a population composed of the scum of Europe, a people in nowise in sympathy with the spirit of our institutions and form of government, and whose presence in our midst will foment race troubles and tend to destroy the cherished ideals of every loyal Southerner, putting us on a plane with the Northeast, with its tenements crowded with unassimilative pauper labor.

Resolved further, That we call upon our governor-elect, the honorable commissioner of agriculture, the members of the state senate and house of representatives, and our Representatives in the United States Senate and the National House of Representatives, and all other of our public officials who have the interest of the State at heart to use all honorable means within their power to discourage the movement to increase immigration; and that our Representatives in Congress be requested to support such additional legislation as will further restrict immigration, such legislation, in our opinion, making for the preservation of liberties and forms of government which our forefathers fought and died for.

We urge that our Representatives in Congress support such legislation as will require American consuls to examine the records of intending immigrants, and grant certificates to those who are able to read and write their own language, are possessed of a sufficient sum of money to support themselves and their families for a period of at least six months, and whose moral character and health are such as to entitle them to citizenship; that those who reach our shores without such certificates be deported, thus barring from our country anarchists, nihilists, paupers, criminals, the illiterate, and contract laborers.

Resolved further, That we regard the unrestricted importation of labor as calculated to inevitably cause a deterioration of the standard of American citizenship and as inimical to the interests of the members of the Georgia Federation of Labor.

Resolved further, That a copy of these resolutions be forwarded by our secretary to Governor-elect Hoke Smith, the commissioner of agriculture, the Farmers' Cooperative Union, and our Senators and Representatives in Congress.

Unanimously adopted July 21, 1907.

Be it resolved by the national council, Junior Order of United American Mechanics, that:

Whereas the coming of people of anarchistic tendencies and others opposed to established government, of assisted, illiterate, and pauper immigrants, and of Chinese, Japanese, and Korean laborers, endangers the peace and good order of every locality within the United States, and is a menace to American labor, American civilization, and the American standard of living: Therefore be it

Resolved, That we request all the Members of the Senate and House of Representatives to take such measures as may seem wisest to continue and perfect the policy of the United States aiming at the exclusion of all Mongolian laborers. Be it further

Resolved, That we request our Representatives as aforesaid to enact laws to exclude the illiterate, degenerate, pauper, and assisted immigrants and to substantially reduce the number of immigrants coming to our country from European and other countries. Be it further

Resolved, That we protest against special immigration immunity being granted to state officials to foster the growth of immigration under the false plea, "scarcity of labor." Be it further

Resolved, That we request our Representatives aforesaid to enact laws to lengthen to ten years the period of probationary citizenship and to require all aliens to read, speak, and understand the English language before the issuance of final certificate of citizenship and conferring upon them the elective franchise. Be it further

Resolved, That we invite the cooperation of all labor organizations, patriotic societies, and all patriotic people, and urge them to use all honorable means to secure the votes of Senators and Congressmen who will vote for the protection of our country and its institutions against the incoming of millions of people from European and Asiatic countries by the early enactment of proper immigration, exclusion, and naturalization laws; be it further

Resolved, That the national council secretary forthwith transmit a copy of these resolutions to all Members of the Senate and House of Representatives of the United States, to the officers of the executive and legislative departments of all labor organizations and patriotic societies, and to the recording secretary of each council Junior Order United American Mechanics; be it further

Resolved, That all the officers of the national council, state councils, and councils Junior Order United American Mechanics be directed to labor in accordance with the views outlined in the foregoing resolution.

JESSE TAYLOR.
MYRON G. MCCLINTON.

Attest:
MARTIN M. WOODS,
National Secretary.

Whereas the Republican party platforms of 1896 and 1900 contained planks favoring the further restriction of immigration; and

Whereas the representatives of that party have been in complete control of the Congress of the United States for the past ten years and have failed to carry out these pledges: Therefore be it

Resolved by the Brotherhood of Railway Trainmen, in seventh biennial convention assembled, at Buffalo, N. Y., this 15th day of May, 1905, That we criticise the representatives of the Republican party in Congress for their failure to make good their pledges with regard to legislation for a further restriction of immigration.

Plank from the Republican national platform of 1900: "In the further interest of American workmen, we favor a more effective restriction of cheap labor from foreign lands."

Mr. TALIAFERRO. Mr. President——

Mr. KEAN. I should like to ask the Senator from North Carolina a question. What head tax does he propose on immigrants?

Mr. OVERMAN. Ten dollars.

Mr. KEAN. I call the attention of the Senator from North Carolina to the Constitution of the United States.

The VICE-PRESIDENT. The Senator from New Jersey will suspend for a moment. The Senator from Florida has been recognized to present the credentials of his colleague.

SENATOR FROM FLORIDA.

Mr. TALIAFERRO. I present the credentials of my colleague, Hon. DUNCAN U. FLETCHER, who has been elected a Senator from the State of Florida for the term beginning the 4th of March last. I ask that the credentials be read.

The credentials were read and ordered to be filed.

Mr. BURROWS. In view of the fact that Senator FLETCHER has already qualified as a Member of this body and a certificate of election is now presented, I feel that I ought to state the history of this matter.

At the opening of this Congress Mr. FLETCHER presented the certificate of the governor of the State of Florida designating him to supply a vacancy in the Senate from that State under that provision of the Federal Constitution which declares that—

If vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof my make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

It has recently been decided by the Senate, and I think correctly, that the executive of a State, under the general power to fill a vacancy happening during the recess of the legislature, has no power to make an appointment at the expiration of a term, but a new term must be inaugurated by the legislature itself. The federal statute of 1886 provides that the legislature last chosen before the expiration of a term shall make the choice of a successor. The case in this instance is peculiar. The legislature of Florida elected last November—I believe that was the time——

Mr. TALIAFERRO. November.

Mr. BURROWS (continuing). Did not convene before the expiration of the term and not until the present month, and therefore the legislature last chosen had no opportunity to make a choice of a Senator. In view of the fact that the primary in Florida had already indicated by a decisive vote that Mr. FLETCHER was the choice of the State, and the legislature not meeting until April—until after the expiration of the term—I thought, as chairman of the Committee on Privileges and Elections, it fair and just to allow the appointment to go without question, and trusting the action of the legislature to confirm the appointment.

I may state in this connection that the State of Florida and the State of Georgia are the only States which do not conform to the statutes of the United States by having a meeting of their legislatures some time before the expiration of a term. I thought I ought to say this much in explanation.

Mr. TALIAFERRO. My colleague is present, and I ask that the oath be administered to him.

The VICE-PRESIDENT. The Senator-elect from Florida will present himself at the desk and take the oath of office.

Mr. FLETCHER was escorted to the desk by Mr. TALIAFERRO; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

HEARINGS BEFORE THE COMMITTEE ON THE JUDICIARY.

Mr. CLARK of Wyoming submitted the following resolution (S. Res. 38), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 38.

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said

committee, and to have said hearings printed for the use of the committee; that the committee may sit during the sessions of the Senate, and that the expenses thereof be paid out of the contingent fund of the Senate.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed.

Mr. ALDRICH. I ask that House bill 1438 be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BURROWS. Mr. President, I am requested by the junior Senator from West Virginia [Mr. SCOTT], who has been unexpectedly called from the Senate, to state that he would address the Senate to-morrow, after the routine morning business, upon the pending measure.

Mr. ALDRICH. I ask that the paragraphs which have been passed over may now be taken up for consideration. I ask for the reading of the first paragraph which has been passed over.

The VICE-PRESIDENT. The Senator from Rhode Island asks for the reading of the paragraphs which have been passed over in their order. The Secretary will read the first paragraph.

The SECRETARY. On page 3, line 6, paragraph 3, strike out "Alkalies, alkaloids" and insert "Alkaloids."

Mr. ALDRICH. For the committee, I withdraw the amendment offered by the committee in line 7, page 3, inserting the words "extracted resins and oleoresins."

The VICE-PRESIDENT. The Senator from Rhode Island withdraws the committee amendment.

Mr. BACON. I desire to say in the beginning that unless the buzz of conversation both on the floor and in the galleries can be suppressed it is impossible for us to hear accurately what is going on. I do not know, for instance, the number of the paragraph. I do not suppose it is important in this case, but I only make the suggestion.

Mr. ALDRICH. It is paragraph 3.

The VICE-PRESIDENT. The Chair thinks the suggestion of the Senator from Georgia is well timed. The Chair trusts that those on the floor who desire to converse will do so in as low a tone as possible, and the occupants of the galleries are requested to refrain absolutely from conversation.

Mr. BACON. What is the number, I ask, of the paragraph?

The VICE-PRESIDENT. May the Chair have the attention of the Senator from Rhode Island? The Secretary's record shows that the amendment to which he refers has been agreed to by the Senate, in which case, of course, the Senator can not withdraw the amendment.

Mr. ALDRICH. I ask that the action be reconsidered and that the committee be permitted to withdraw the amendment.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island?

Mr. CULBERSON. What paragraph is it?

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 3, line 6, paragraph 3, the Senate agreed to strike out the words "Alkalis, alkaloids" and to insert the word "Alkaloids."

Mr. LODGE. That was agreed to.

The VICE-PRESIDENT. It was agreed to.

Mr. LODGE. That is not the one that is withdrawn. It is the amendment inserting "extracted resins and oleoresins."

Mr. ALDRICH. I was not paying attention.

Mr. LODGE. The first amendment in the paragraph was agreed to, and of course there is no objection to that. This, as the chairman stated, is the amendment inserting "extracted resins and oleoresins."

Mr. ALDRICH. I stated clearly, I thought, the amendment which I desired to withdraw. It is the words "extracted resins and oleoresins."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 7, paragraph 3, after the word "oils," the Committee on Finance reported to insert "extracted resins, and oleoresins."

The VICE-PRESIDENT. This amendment has not been agreed to.

Mr. ALDRICH. It was my understanding that it had not been agreed to.

The VICE-PRESIDENT. The Secretary did not hear the Senator plainly. The amendment is now withdrawn.

Mr. TALIAFERRO. I ask the Senator in charge of the bill why he proposes to withdraw this amendment?

Mr. ALDRICH. There seemed to be a disposition to discuss it the other day when the matter was before the Senate. It is simply a matter of classification, a better classification, and if there is any desire to have these words out the committee is quite willing to withdraw the amendment. These resins will take care of themselves.

Mr. TILLMAN. Will the chairman of the Finance Committee explain what oleoresin is?

Mr. ALDRICH. It is not an oleostearin.

Mr. TILLMAN. That is what I wanted to find out. I want to ask the Senator in this connection whether it would be necessary to strike out the words "expressed oils" or to insert the words "except cotton-seed oil" in order to accomplish what some of us want to accomplish here?

Mr. ALDRICH. Cotton-seed oil can be put in by itself or it can be inserted in the free list, if the Senator desires.

Mr. TILLMAN. I want it to go on the free list, and I give notice that I shall so move.

Mr. ALDRICH. When the free list is in order.

Mr. TILLMAN. When we get to that. I simply did not want "expressed oil" to go by here without knowing that it is not cotton-seed oil.

Mr. ALDRICH. There are several other expressed oils besides.

Mr. TILLMAN. I want to have cotton-seed oil excepted, or to put cotton-seed oil on the free list somewhere else.

Mr. TALIAFERRO. The committee inserted this amendment and I have not heard yet why they have decided to withdraw it, unless it be that there is some idea that it has some relation to a southern product and they wish to make sure in getting them all on the free list.

Mr. ALDRICH. These oils are used for flavoring. They are not resins of the character which the Senator from Florida is interested in at all. They are dutiable in the opinion of all the experts at 25 per cent now. It was thought desirable that they should be inserted by name, so that there should be no more litigation or question about it. But if there is any desire here to discuss it, the committee thought it more desirable that the amendment should be withdrawn, as the articles are dutiable at 25 per cent under any circumstances.

Mr. TALIAFERRO. No; Mr. President, I do not propose to discuss it. The Bureau of Chemistry, however, defines oleoresin as spirits of turpentine, and as spirits of turpentine it is placed on the free list. I wanted to inquire why the Senator having put this item supposed to be related to a southern industry in the protective list, or in the revenue-paying list, he now wishes to withdraw it?

Mr. ALDRICH. I do not know to whom the Senator refers, but the expert chemists of the Treasury Department in New York say that gingerine and capsicine are two of the articles covered by this description. They are used for flavoring and are now dutiable under one interpretation at 25 per cent, which I think is correct; but there has been some litigation and some doubt about it, and to remove those doubts and prevent litigation these experts of the Treasury Department thought that these words ought to be inserted. They pay 25 per cent anyhow, whether in here by name or not.

Mr. TALIAFERRO. It could not pay 25 per cent if it meant spirits of turpentine.

Mr. ALDRICH. They have nothing to do with spirits of turpentine.

Mr. TALIAFERRO. The Senator evidently has not examined the dictionary as to the meaning of the word.

Mr. ALDRICH. I have before me the statement of Doctor Moore, of New York, the chemical examiner at that port, who is one of the best practical chemists in the United States.

Mr. CUMMINS. Mr. President, I rise simply to make a parliamentary inquiry. As I understand it, it was the order of the Senate that any Senator might have the Senate return to any item in the bill, without specifically asking that the item be passed over at the time the bill was read for action on the committee amendments.

The VICE-PRESIDENT. That is correct.

Mr. ALDRICH. That is correct.

Mr. CUMMINS. If now the Senate takes up the paragraphs that were passed over and acts upon the committee amendments, does the order of the Senate still hold as to those paragraphs, and can they be reserved?

The VICE-PRESIDENT. The Chair so understands.

Mr. CUMMINS. In respect to a paragraph passed over and now reached, the Senate can return to the paragraph after the committee amendment has been disposed of?

The VICE-PRESIDENT. The Chair so understands.

Mr. ALDRICH. If the amendments are adopted by the Senate after consideration, then a reconsideration would be necessary. Otherwise, as to the other paragraphs, it is certainly in order to return to them at any time; but after the Senate has voted to adopt an amendment, then a reconsideration would be

necessary before any other amendments could be offered as in Committee of the Whole.

Mr. CUMMINS. I do not quite understand the Senator. When we have disposed of the paragraphs that were passed over, do they stand in exactly the same position as those paragraphs to which there was to be a recurrence?

The VICE-PRESIDENT. The Chair understands that the Senate has now determined to go through the bill and consider first those amendments which have been passed over by request, but it does not abrogate the order in reference to returning to other paragraphs of the bill.

Mr. CUMMINS. But as to those paragraphs which were passed over, if the Senate now concurs in the amendment of the committee, in order to reach them again it would be necessary to have a reconsideration.

Mr. ALDRICH. Unquestionably.

The VICE-PRESIDENT. Yes; so far as the amendment is concerned.

Mr. CULBERSON. On this side of the Chamber we were unable to hear the Senator from Rhode Island. I should be glad if the Chair would state what the rule is, because, from what little we heard, the statement of the Senator from Rhode Island did not seem to us to agree with what was actually determined by the Senate the other day.

Mr. ALDRICH. I will restate my understanding about it. I understand that any paragraph of this bill is now open to amendment by any Senator.

Mr. CULBERSON. Irrespective of what has previously been done?

Mr. ALDRICH. Irrespective of whether it was passed over formerly or not. But now we are taking up the paragraphs that have been formerly passed over, with the view of acting upon committee amendments. After those committee amendments are adopted, if they should be—of course if they are rejected, that is the end of it——

Mr. CULBERSON. At this time?

Mr. ALDRICH. At this time—so far as those amendments are concerned, it would require a reconsideration by the Senate to take any other action. I think that has always been done.

Mr. BACON. Mr. President, in that connection I desire to suggest to the honorable Senator from Rhode Island the importance, whenever he offers an amendment, that he should explain to us the reason for the amendment, without putting us to the necessity of challenging it or asking for an explanation.

Mr. ALDRICH. So far as I am concerned, I shall be very glad to do that.

Mr. BACON. I think the Senator, as each paragraph comes up where there is a change or where there is an amendment, ought to tell us the reason for it, without requiring us to interrupt to ask for an explanation.

Mr. ALDRICH. I certainly shall myself, or some member of the committee will, explain every paragraph.

Mr. BACON. I want to illustrate. I think the Senator's explanation of the paragraph now under consideration, so far as I am concerned, has not been sufficient to inform me of the reasons for the action of the committee. I understood the Senator from Rhode Island to say that he had had a communication from certain chemists in New York, in which two particular extracts were designated as those which were used in flavoring. If the language which it is proposed to change only embraces those two extracts, then the explanation of the Senator is satisfactory; but if it be true that there are multitudes of other extracts, then the simple fact that two particular extracts now may be of the class designated by him does not explain the reason for the general change. I may be entirely wrong about it. As the Senator well knows, except the majority of the committee, we have had no opportunity whatever to obtain any information in regard to these schedules and, more particularly, as to the information which has influenced the committee to make the changes; and it is only when you give us the information now that we are enabled to judge whether or not the proposed changes are such as we would approve.

Mr. ALDRICH. Mr. President——

Mr. CRAWFORD. I merely desire to make an inquiry, and that is to see if the situation is understood. As I understand from the statement of the Chair, a motion to reconsider is necessary only so far as a particular amendment is concerned.

The VICE-PRESIDENT. Certainly.

Mr. CRAWFORD. But the general paragraph may be attacked by amendment at any time afterwards.

The VICE-PRESIDENT. The Chair understands that to be the rule heretofore adopted by the Senate.

Mr. FLETCHER. Mr. President, it must be borne in mind that on the reading of the bill no objection was made to the committee amendments to this paragraph. They were adopted as offered. The only reason for reconsidering, which has been stated by the Senator from Rhode Island, is that the items mentioned in this paragraph are unnecessary to be mentioned in the bill, as they are covered by the present law. He concedes, however, as I understand, that if these articles are set forth in this particular paragraph, the paragraph becomes more certain and more definite, and, therefore, there can be no harm in leaving them just as they are. I wish to submit that there is no occasion to reconsider the action heretofore taken by the Senate, and that the paragraph ought to stand as it has been acted on.

Mr. BEVERIDGE. Mr. President, the Senator from Rhode Island stated a moment ago—at least, I so understood him—that in case any amendment is adopted by the Senate, there could be no further amendment upon that subject in Committee of the Whole.

Mr. ALDRICH. Unless on reconsideration of that particular amendment.

The VICE-PRESIDENT. As to that particular amendment, but not necessarily to that particular paragraph?

Mr. ALDRICH. No; not to the paragraph.

Mr. BEVERIDGE. But even as to a new amendment. I think that it is quite important that we should know—I did not so understand it—that after a committee amendment had been adopted by the Senate, then any Senator could not offer an amendment to that amendment in Committee of the Whole.

Mr. GALLINGER. He could do it in the Senate.

Mr. ALDRICH. Yes; he could do it in the Senate.

Mr. BEVERIDGE. It is very well that we clearly understand that now. It amounts to this: If a committee amendment is adopted by the Senate, so far as that amendment is concerned the subject is closed until we are in the Senate.

Mr. GALLINGER and Mr. ALDRICH. Except on reconsideration.

The VICE-PRESIDENT. Except on reconsideration.

Mr. ALDRICH. And there would be no objection on the part of the committee to the reconsideration of any paragraph where there is a reason for it.

Mr. BEVERIDGE. Of course the Senator from Rhode Island will be the judge of "the reason for it."

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. That amounts to a matter of judgment, and not of right.

Mr. ALDRICH. So far as these two articles are concerned, they were inserted here upon the recommendation of the Board of General Appraisers of New York and the experts and examiners of drugs in the New York custom-house for the purpose of better classification. There was a contention that some of these articles were dutiable at a quarter of a cent a pound and 10 per cent ad valorem as drugs which had been advanced in value, and, for better classification, these two words were inserted. Of course, the committee desire that they shall remain, but in order to avoid discussion I thought it better to strike them out. If the Senate desires to have them retained, I will change my motion and allow them to remain. I would ask that the Senate may vote upon the question. I make that motion.

The VICE-PRESIDENT. The Senator, therefore, withdraws the amendment?

Mr. ALDRICH. Yes.

The VICE-PRESIDENT. The Secretary will state the committee amendment.

Mr. TALIAFERRO. Mr. President, the Senator from Rhode Island will understand, of course, that I have made no request for the retention of these words in the bill. I simply wished to know why, after having considered the subject and inserted the words in the bill, the Senator had come in this morning and asked that they be stricken from the bill. I have no request whatever to make upon the subject.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 3, line 7, after the word "oils," it is proposed to insert "extracted resins and oleoresins."

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

The amendment was agreed to.

Mr. HEYBURN. Mr. President, I should like to inquire whether or not paragraph 1, Schedule A, is considered as having been passed over or adopted at the time it was read?

Mr. ALDRICH. At the time it was read.

Mr. HEYBURN. Are we going to proceed through the bill for the consideration wholly of committee amendments now?

Mr. ALDRICH. Oh, no.

Mr. HEYBURN. I desire, as to paragraph 1, to make a suggestion, and, if we are going through the bill regularly, I wish to present it now, and to raise the questions which I desire to raise. I should like to inquire why the duty on boracic acid should be reduced from 5 cents a pound to 2 cents a pound?

Mr. ALDRICH. It was the opinion of the House, evidently, that 2 cents a pound would be a sufficient duty upon boracic acid. The Senate committee had reported the House provision without giving the matter any special investigation. If the Senator from Idaho has any information upon the subject, I should be glad to hear what he has to say.

Mr. HEYBURN. Mr. President, that is the substance which has been so much criticised and so much in evidence in connection with the doctoring of spoiled meat and fish. During the consideration of the pure-food bill boracic acid was on every man's mind. Nothing should be done to encourage the importation of that article. It is not used in any quantity for legitimate purposes, and, of all things, the duty, I think, should not have been reduced upon it. Doubtless the attention of the House was not called to it.

Mr. GALLINGER (to Mr. HEYBURN). Take it up later.

Mr. HEYBURN. I would consent to have it taken up later if I could be assured that I should not be foreclosed.

Mr. ALDRICH. The junior Senator from Nevada has called our attention to the fact that this reduction is too great, and we have promised to hear him on the subject. He desires to present some arguments to the committee to show why the duty of 2 cents a pound ought to be increased.

Mr. HEYBURN. I think that rate should be increased to the extent of prohibiting the importation of that article.

Mr. OVERMAN. If the Senator from Rhode Island would raise his voice a little, perhaps we could hear what he has to say on this side of the Chamber.

Mr. ALDRICH. I think the Senator from Idaho can not be aware of the fact that boracic acid has a great many very proper uses. It is used very largely for medicinal purposes, and is used to a very great extent in a great many ways besides those suggested by him. But if the Senator will permit the matter to rest where it is now, later on we shall perhaps be able to satisfy him that this rate ought to stand, or that an increase ought to be made.

Mr. HEYBURN. I should be very glad indeed to pass the matter over so long as I am not to be considered as foreclosed on it, because I have some information that I obtained on other occasions in regard to it.

Mr. SMOOT. I should like to call the attention of the Senator to the fact that this is reducing the duty on borax. The present rate of duty on borax is 5 cents. That has been reduced to 2 cents; and therefore we should reduce the rate on boracic acid in proportion.

Mr. HEYBURN. That is a very good reason for not reducing it. When the acid is made in this country we have a record of it, we know of it, where it is used, and to what extent it is being used. What I desire is to exclude the acid entirely from import, if possible, because it has no legitimate use in this country. Of course borax is used in welding iron and for many domestic purposes, but that has no application to this product, which is brought into this country for the express purpose of being illegitimately used.

Mr. BACON. I ask the attention of the Senator from Rhode Island. The general practice in the Senate has been to take up a bill and act first on Senate committee amendments. I understood the suggestion——

Mr. ALDRICH. I should prefer to have that done now.

Mr. BACON. I should think undoubtedly that that would be the better course to pursue. Otherwise we shall have endless confusion.

Mr. ALDRICH. Then, I ask that the Senate committee amendments be first disposed of as the paragraphs are reached.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the paragraphs passed over may first be considered in their order in the bill. Is there objection?

Mr. BURTON. I did not understand that to be the request.

Mr. ALDRICH. My request was that the committee amendments be acted upon first.

The VICE-PRESIDENT. Those that have been passed over?

Mr. ALDRICH. In the paragraphs as they are reached.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island?

Mr. TILLMAN. Mr. President, I want to ask the Senator, for I see no way by which we can reach information otherwise, whether or not there has been a reprint of the bill showing just what amendments were adopted last week and what amendments are still in controversy, or hung up, as it were?

Mr. ALDRICH. Under the agreement the whole bill is open in every paragraph, whether amended or not.

Mr. TILLMAN. But there seems to be confusion in the minds of Senators as to the status. The Senator said, I think, a few moments ago that the committee amendments that were agreed to have to be reconsidered, while those that were suspended or passed over are still open. I want to know if there is a reprint of the bill showing us just what has been agreed to and what has not been.

Mr. ALDRICH. Mr. President, I do not think it is necessary to have a reprint. The Secretary's record shows, of course, what amendments have been agreed to.

Mr. TILLMAN. I know that; but some of us who could not pay much attention to that would perhaps be hunting up some ammunition, or, rather, getting some information, if we knew just the controverted points.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Maryland?

Mr. TILLMAN. Certainly.

Mr. RAYNER. Just a word. We did not at all understand the agreement over here in the way the Senator from South Carolina understands it. We understood, and it was so announced by the Chair, that we could return to the committee amendments that have heretofore been agreed to without a motion to reconsider, but, as to the committee amendments which were agreed to this morning, there would have to be a motion to reconsider. Is that correct?

Mr. ALDRICH. That is correct.

The VICE-PRESIDENT. That is correct.

Mr. McLAURIN. Mr. President, before leaving paragraph 3, I intended, previous to the unanimous-consent agreement to consider first the committee amendments, to offer an amendment in line 11, on page 3. Under the agreement that has just been entered into I can not now do that; but would the chairman of the committee in charge of the bill agree to an amendment in line 11, on page 3, after the word "section," to insert the words "except cotton-seed oil?"

Mr. ALDRICH. That would not put cotton-seed oil upon the free list. I suggest to the Senator that when the free list is reached, it will be easy for him to move to insert cotton-seed oil on the free list, if he so desires.

Mr. McLAURIN. I would also ask to except oleo stearin. I do not think, however, it is in this paragraph.

Mr. ALDRICH. It is not; but when the bill——

Mr. McLAURIN. I merely wanted to know if that would be agreeable to the chairman of the committee.

Mr. ALDRICH. The question can best be raised, both as to cotton-seed oil and oleo stearin, when the free list is reached.

Mr. McLAURIN. But this trouble will come up about that: Under this paragraph cotton-seed oil would be taxed at the rate of 25 per cent ad valorem.

Mr. ALDRICH. Exactly.

Mr. McLAURIN. Then, if you put it on the free list you have it in one part of the bill taxed and in another part of the bill on the free list; which could be obviated by using the words I have indicated after the word "section," in line 11, of page 3.

Mr. ALDRICH. They are not needed at all. Only those oils which are "not specially provided for in this section" are dutiable at 25 per cent ad valorem. Any oil on the free list would not be dutiable under this provision.

Mr. BACON. Mr. President, the request just made by the Senator from Mississippi [Mr. McLAURIN] brings a suggestion to my mind as to a complication that may result unless we now have an understanding about it. The agreement has been reached, as I understand, that no amendment which is now adopted can be hereafter amended unless the vote by which the amendment was agreed to be reconsidered. I will illustrate by the present case. Under that rule, if the Senator from Mississippi, after we had proceeded to the consideration of paragraphs subsequent to the paragraph which he desired to amend, had desired to insert the words which he now suggests, it would be necessary to reconsider the vote by which the amendment to that paragraph was adopted.

Mr. ALDRICH. Oh, no.

Mr. GALLINGER. It is a separate amendment.

Mr. BACON. I quite agree with the Senator that that would not be a correct mode of procedure; but if he be sure that an amendment once adopted could not thereafter be amended unless the vote had been reconsidered, the result would follow that I have suggested. Therefore, it seems to me, it ought to be understood that when we return for individual amendments offered by Senators any part of a paragraph can be amended, whether it be the original text or the amended text.

Mr. ALDRICH. Mr. President, I think the Senator is mistaken. But as to the question of point, I will say that I have already been advised by the Senator from North Carolina that when we——

Mr. BACON. I am not referring to that feature at all; I am not speaking about cotton-seed oil. I am just speaking about a general rule that we are to pursue in reference to offering amendments, not to this particular paragraph—I only used that for illustration; but the question is this: When we have agreed to a committee amendment, which, of course, amends the paragraph, and we pass to other paragraphs, and subsequently amendments to be offered by Senators are in order, will it be necessary, if an amendment adopted by the Senate on the motion of the committee is the one which is sought to be amended, to reconsider the vote by which it was agreed to before an amendment can be offered to it?

Mr. ALDRICH. Undoubtedly.

Mr. BACON. Very well. The Senator, then, will see the difficulty. I illustrate it simply by the particular question which is now before us. I am not asking that any action be now taken upon the cotton-seed oil question; I am only using it for illustration. The Senator from Mississippi [Mr. McLAURIN] sought to amend an amendment of the committee by the insertion of the words which he mentioned.

Mr. ALDRICH. No; it was an original amendment.

Mr. LODGE. Mr. President, the distinction is one that exists on every appropriation bill that we pass. When committee amendments are disposed of the whole bill is open to amendment in the Senate by every Senator. He can offer an amendment to an amended paragraph, provided it is not to the amendment itself that has been adopted. That is the rule we operate under every day in the year.

Mr. BACON. If it is an addition to the amendment itself—an amendment to it.

Mr. LODGE. But the amendment of the Senator from Mississippi was not an addition to any amendment.

Mr. ALDRICH. I will say to the Senator from Georgia, taking this very case for illustration, that if the Senate should decide by a vote subsequent to this time to put cotton-seed oil on the free list, in that particular case no modification of this paragraph would be necessary; but if they should adopt an amendment to some paragraph that necessitated the modification of an amendment which had been passed over, I would certainly ask the Senate to reconsider its action and make the modification.

Mr. BACON. I understand the Senator's proposition to be this: If the amendment of the committee is of a substantive character, and the amendment offered to it is one which destroys that amendment, then the Senator considers that a reconsideration would be required?

Mr. ALDRICH. That is right.

Mr. BACON. In that case I entirely agree with him, but if it is an addition, for instance, it would not be.

Mr. ALDRICH. Not necessarily. It would depend entirely upon the character of the amendment.

Mr. TALIAFERRO. Mr. President, there is a paragraph in the bill as it came from the House which has been amended by the Senate committee, and I want to present an amendment to both propositions. Now, if the Senate amendment is adopted without my interposing when the paragraph is taken up, what will be my course of procedure under the rule laid down?

Mr. ALDRICH. When an amendment of the committee is before the Senate it is quite competent for the Senator from Florida or any other Senator to move to amend the amendment of the committee. That is always done.

Mr. BACON. That is all right.

The VICE-PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. On page 3, after line 17, it is proposed to strike out:

4. Alumina, hydrate of, or refined bauxite, one-half of 1 cent per pound; alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, and alum in crystals or ground, one-fourth of 1 cent per pound.

And insert:

4. Alumina, hydrate of, or refined bauxite, containing not more than 64 per cent of alumina, five-tenths of 1 cent per pound; containing more than 64 per cent of alumina, seven-tenths of 1 cent per pound. Alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, containing less than 35 per cent of alumina and more than three-tenths of 1 per cent of iron oxide, one-fourth of 1 cent per pound; alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, containing more than 35 per cent of alumina, or less than three-tenths of 1 per cent of iron oxide, one-half of 1 cent per pound. Potash alum and ammonia alum, one-half of 1 cent per pound.

Mr. ALDRICH. Mr. President, it was the purpose of this amendment to secure better classification of these articles and not to increase the rate. The amendment as reported does slightly increase the rate, and I propose to modify the amendment so that every rate shall be the same. I propose to modify the amendment in line 23 by striking out "five-tenths" and inserting "four-tenths;" in line 25, by striking out "seven-tenths" and inserting "six-tenths;" in line 5, on page 4, by striking out "one-half" and inserting "three-eighths;" and in line 6, by striking out "potash alum and ammonia alum, one-half of 1 cent per pound." That makes the average rate the same as in the House bill.

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. On page 3, line 23, at the end of the line, strike out the word "five-tenths" and insert in lieu "four-tenths;" in line 25, after the word "alumina," strike out "seven-tenths" and insert "six-tenths;" on page 4, line 5, at the end of the line, strike out "one-half" and insert "three-eighths;" and in line 6 strike out the words "potash alum and ammonia alum, one-half of 1 cent per pound."

Mr. KEAN. How about line 2, page 4? Does that remain the same—one-fourth of 1 cent per pound?

Mr. ALDRICH. Yes.

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The next amendment passed over was, on page 4, after line 7, to strike out:

5. Ammonia, carbonate of, 1½ cents per pound; muriate of, or sal ammoniac, three-fourths of 1 cent per pound; liquid anhydrous, 5 cents per pound; aqua ammonia, 10 per cent ad valorem.

And insert:

5. Ammonia, carbonate of 1½ cents per pound; sulphate of ammonia, two-tenths of 1 cent per pound; muriate of, or sal ammoniac, three-fourths of 1 cent per pound; liquid anhydrous, 5 cents per pound.

Mr. SMITH of South Carolina. Mr. President, the only change in this amendment, as I understand, is the introduction of sulphate of ammonia, which is taken from the free list, where it appeared in the Payne bill, and put in the dutiable list in the Senate draft. This is one of the principal ingredients of fertilizer as used throughout the United States. There is no more expensive article that enters into the fertility of our soil than nitrate. The United States has exhausted every means possible to increase the importation and the home production of this necessary ingredient to renew our rapidly depleted soil. Our sources of ammonia are very limited. We have, in this country, sulphate of ammonia which comes from gas retorts, from tankage, and the packing houses. We have also the Chilean nitrate beds. Last year there were imported into this country 330,000 tons of nitrate of soda. That importation would have doubled itself had it not been that the price was almost prohibitive to the farmer. That price was made possible by the duty that is placed upon the other forms of ammonia. The combinations taking charge of the nitrate beds and taking advantage of the necessity of the agriculturists, raised the price of nitrate of soda to where it was on a parity with protected articles here at home. The result was that the price of nitrate of soda went up to such a point that it was almost prohibitive. Now, I have an article here from one of the——

Mr. BURKETT. The Senator from West Virginia [Mr. SCOTT] has been called to the White House, and he told me he was very much interested in paragraph 5; and since there is going to be some discussion, perhaps I had better prefer his request at this time. He asked me to request the Senate, when paragraph 5 was reached, that it should go over temporarily until he could be in the Chamber; and I thought perhaps the Senator from South Carolina would be willing, if the chairman of the committee would consent that the paragraph should go over, to withhold his remarks until the Senator from West Virginia may be here to listen to them. I do not know what his wishes are——

Mr. SMITH of South Carolina. I have no objection to suspending the argument on this matter and let it go over, but I would be glad to have action taken to-day, for the reason that I shall be compelled to be absent from the meetings of the Senate for two or three days, and it is of prime importance to the country at large that this essential element shall be given as free as possible or absolutely free to the agricultural interests of the country.

Mr. BURKETT. I do not know anything about what position the Senator from West Virginia takes.

Mr. SMITH of South Carolina. You do not know whether he is in favor of or against it? However, if we can have it up again to-day——

Mr. ALDRICH. Perhaps the Senator from South Carolina had better finish his remarks, and we can have an understanding that the matter shall not be disposed of until the Senator from West Virginia can be present.

Mr. SMITH of South Carolina. That will be perfectly agreeable to me. With that understanding, I will suspend my remarks, and we will dispose of the pargaraph when the Senator from West Virginia is present.

Mr. BAILEY. Mr. President, from the beginning, and throughout the history of this Republic, the question of taxation has excited the deepest interest and provoked the widest differences of opinion among our people. From time to time other questions have arisen and overshadowed it, but one after another they have passed, and it has always reasserted its right to the first place in our public discussions. More than once it has seemed that all differences concerning it had been adjusted, and that an agreement had been reached with respect to its principles and their application; but none of those adjustments have ever survived a single generation of voters, and the question divides the people of this country to-day by a line of cleavage more distinct, perhaps, than any other. I am aware, of course, that certain doctors of political economy insist that all of this is true because we have allowed it to become the subject of political contention, and they assure us that if we will withdraw it from the domain of partisan politics and commit it to a board of their selection, they will give us a law so just and so perfect that we will never again be disturbed by a controversy over it. I am not convinced that these well-meaning men could accomplish half of what they promise even if we were to grant them the power which they solicit; because I know that this same question of taxation has vexed every government in the world, and although the greatest intellects of every age and of every land have applied themselves with diligence to its consideration, they have never been able to evolve a system acceptable to all nations, or acceptable to all the people of any one nation. But, sir, if they could fully perform what they are so ready to promise, they would work vastly more harm than good to our people and to this Government.

I can easily understand how much patriotic men regret that an important law made by a Congress chosen according to political preferences must unavoidably express in some of its aspects the result of a conflict between political parties; but that, sir, is an infirmity which inheres in the nature of all free governments, and it is a milder injury than that which would be inflicted upon us by eliminating any great question from popular discussion and settling it apart from the people's representatives. The question of taxation has always appealed directly to the voters of this country, thus serving to stimulate their personal interest in public affairs, and if it were withdrawn from their attention and confided to a body of men under no direct responsibility to them, the average citizen would lose one of his strongest incentives to an active participation in the politics of his country. I can not sympathize with any proposal or with any policy which will tend to abate the interest of our people in the making and administration of their laws, because what so many are pleased to call the "turbulence of politics" seems to me the very best safeguard for our free institutions. Of course, it would cost the people less time and less effort to allow these great questions to be settled by a select number of highly disinterested patriots, but if they should once become accustomed to such a course, they would soon lapse into a state of political indifference, and it would be very difficult, if not impossible, to arouse them to that "eternal vigilance" which is said to be the price of a people's freedom. I abhor as much as any man the cunning and duplicity which politicians so often practice, and I would rejoice as much as any man to see all such driven from the public service; but, sir, we will avert one evil only to bring a greater one upon us if, in order to escape the politicians, we commit the affairs of this Republic to a board of political eunuchs who are so impartial that they cherish no prejudice against what is bad and entertain no preference for what is good. I do not believe that they would make better laws than the people's representatives will make, but even if they could and would, I am not willing to pay their price. I believe that in the long flight of the years to come it will be infinitely better for the peace of this country and for the happiness of these people that we shall live under imperfect laws, made according to the best judgment of our representatives, than that we should abdicate our sovereign power and permit it to be exercised by those who esteem it a patriotic virtue to disregard the deliberate will of the American people.

The chief difficulty in dealing with that phase of the tax question presented by this bill arises out of the fact that tariff duties are imposed by the party now responsible for legislation not only for the purpose of raising revenue to support the Government, but also as a means of regulating our commerce with foreign nations, developing domestic enterprises, maintaining the wages of labor, and insuring the profits of manufacture. It would, therefore, be necessary in a thorough discussion of a measure like this to consider it in many phases—so many, indeed, that it would be utterly impossible to dispose of them all in a single afternoon. For this reason, I shall not, on this occasion, address myself to the latest Republican declaration that tariff duties shall be levied for the purpose of maintaining wages and insuring profits; but on some later day of this session, if I feel that the patience of my colleagues will indulge me that far, I may endeavor to demonstrate, as I think I can, the folly of guaranteeing profits by law and the injustice of increasing the cost of living to the millions who labor in all lines of employment in order to add a small fraction of what is taken from the whole to the wages of the part employed in particular enterprises. Nor shall I ask you to hear me at this time debate the question of free trade; because however desirable it may be, free trade is impossible in this country. I do not hesitate to declare that I believe in taxing wealth instead of consumption, and I would compel all men to contribute toward the Government's support according to what they own rather than according to what they want. I do not shrink from saying that if our Constitution would permit us to levy a direct tax in proportion to wealth instead of requiring it to be levied in proportion to population, I would favor the abolition of all customs duties, and I would support the General Government by the same system of ad valorem taxation which now prevails in our several States and in their subdivisions. This would not only be more equal and more just, but it would strongly tend, in my opinion, to insure that economy in governmental expenditures which is necessary to the strength and simplicity of a republic.

FREE TRADE IMPOSSIBLE.

But, sir, it is a waste of time for men charged with the practical duty of providing revenue for the Federal Government to talk about free trade under our Constitution as it stands to-day, and as it will stand, in all human probability, to the end of time. We can not dispense with tariff duties, because without them we could only raise sufficient revenue by resorting to direct taxation, and under the constitutional rule of apportionment that is so obviously unjust that the people will never submit to it except in a time of extraordinary emergency. I do not need to illustrate the inequality and the consequent injustice of a direct tax before the Senate, because every Senator understands it as well as I do; but in the hope that what I say may be read by some with less information than Senators possess, I venture to recite one example of how a direct federal tax would operate. If this Congress should levy a direct tax, it would be required to apportion to the State of Arkansas one-sixth of the amount apportioned to the State of New York. But while the population of New York is only six times as great as the population of Arkansas, its wealth is more than twenty times as great, and therefore a citizen of New York would be required to pay less than one-fourth as much upon every dollar's worth of his property subject to the tax as the citizen of Arkansas would be required to pay. That is such a manifest and gross inequality that no man will attempt to defend a tax which produces it.

All men admit the inequality and injustice of a direct tax under the Constitution as it reads to-day, but many of them insist that the Constitution ought to be amended so as to obviate that objection. I am not myself prepared to advocate such an amendment, because this rule apportioning representatives and direct taxes among the several States according to numbers was one of the compromises which made it possible for the convention of 1787 to agree upon a Constitution, and without that compromise the people of the original thirteen States would never have established this Republic. I have often heard it said, and I have frequently read it in books and documents which ought to have been more accurate, that this particular provision of the Constitution was adopted as a compromise between the Southern and Northern States upon the slavery question; and it is urged that as slavery has been abolished, and the reason for the rule no longer exists, the rule itself ought to be repealed. The men who advance that argument lack accurate information about the history of our early days, and even though I thus contradict what has been spoken and written so often, I declare without the slightest hesitation that it was not the slavery question which brought the members of the federal convention to the compromise under which representatives and direct taxes are apportioned according to population. That provision was a compromise, I grant you; but it was a compromise between the larger and the smaller States. The larger States insisted on a representation in both branches of Congress based on population or, as it was sometimes expressed, based on population and wealth, while the smaller States contended that sovereigns must always and everywhere be equal, and they insisted upon an equal suffrage both in the House of Representa-

tives and in the Senate. These differences were so pronounced and were asserted with such vehemence that they threatened to disrupt the convention.

The wisest and the most patriotic of the delegates were on the very verge of despair, and it was at this juncture in their proceedings that the venerable Benjamin Franklin, in a beautiful and touching address, proposed that the divine blessing should be invoked upon their deliberations, and moved that each session should thereafter be opened with prayer. The convention itself was so hopelessly divided, and each faction was so inflexible in its demand, that an adjournment seemed imminent; but under a sense of the great responsibility which rested on them and unwilling to fail without testing every expedient for success, a committee was finally appointed and the question was referred to it. It is unnecessary to follow that committee into its room, nor is it needful now to explain a second reference of the question to a smaller committee. It is sufficient to say that after mutual concessions it was finally agreed that the larger States should enjoy the advantage of their numbers in the House of Representatives, and that the smaller States should have the security which they sought through an equal representation in the Senate. I do not mean, of course, to say that the slavery question was not a perplexing one in that convention, nor do I forget that there were some intemperate speeches with reference to it; but it was adjusted without any serious difficulty, according to the rule of contribution which had existed under the Articles of Confederation. If we should now attempt to rescind the compromise of that day, we would provoke the same violent dissensions which existed in the other time. The larger States would contend as resolutely as their grandfathers did for a representation in both Houses based on numbers, and the smaller States would hazard another war before they would surrender their equal representation in this Chamber.

With Congress thus forbidden to levy direct taxes except according to the harsh rule of apportionment, we must continue to collect large sums through our custom-houses; and I perfectly understand that even a purely revenue duty affords an incidental protection. Whether that result is to be regretted or desired is purely an academic question; because whether desirable or regrettable, it is absolutely unavoidable. Not only do I recognize that Congress must levy tariff duties, but I recognize its right and its duty to arrange them in such a manner as will best serve the ends of justice and promote the general welfare. To lay the same duty upon articles of common necessity as upon luxuries would be a blind and senseless performance, and in making the one duty high while making the other low, we follow the sound and fundamental principle which requires that the highest taxes shall be laid upon those who can bear them without inconvenience, and that lightest taxes shall be laid on those whose income will permit the least subtraction.

THE ISSUE.

The practical question, therefore, between us and our adversaries, when fairly stated, is simply this: "Shall tariff duties be imposed for the purpose of raising revenue to support the Government, or shall they be imposed for the purpose of protecting certain classes of our people against foreign competition?"

The advocates of the protective system have always enjoyed a great advantage in defending it because the very terms which they have invented and employed flatter the sentiment and the patriotism of the country. Every American rejoices in the progress of each American industry, and he is more than ready to prefer his fellow-citizen in any contest against a foreigner. In this way it has happened that every man who does not examine the question readily gives his adhesion to a policy professing to limit or exclude foreign competition; and if that were the whole case, protection would command from none a more ardent support than I would give it. But when I analyze the policy, and understand its operation, I revolt against it because I readily perceive that under the guise of protecting some of our people against foreign competition, it robs the many to enrich a few. The purpose of protection is, as its firmest supporters assert, to give the American producer an advantage over his foreign competitor, but the effect of it is to tax the American consumer for the benefit of the American manufacturer; for to the dullest mind it must be self-evident that any law which enables one man to obtain more for his goods when he sells them must compel another man to pay more for those goods when he buys them, and in this fact lies the unanswerable and fatal objection to the policy of protection. It is not fair, and in the early days of this Republic nobody attempted to justify it as a matter of fairness. They justified it only upon the plea of necessity. They recognized that the tariff is a tax, but they averred that the patriots of the young Republic should be willing to bear its burden in order to insure the establishment of those enterprises which would render us independent of foreign nations. They admitted its injustice as between man and man, but said that the people ought cheerfully to submit to it for the sake of the danger from which it would deliver us in a time of war. That argument was used with great effect, and when it was no longer appropriate to our condition the selfish interests, which had grown rich and powerful under this governmental favor, invented a new one, which I shall not, as I said in the beginning, attempt to answer at this time, for I have another purpose more immediately at hand and closer to my heart.

But before I pass to that other topic, I want to ask this question: Upon what principle can you distinguish between a law which compels me to pay my neighbor more for the goods which I must buy from him and a law which would compel me to pay into the public treasury an increased tax which the Government would afterwards distribute among such industries as it might seek to foster? In other words, Mr. President, I am not able to perceive any difference in principle between a tariff and a bounty. I have endeavored to find a difference between them, but I have never been able to do so. If you summon me to the tax collector's office and compel me to make my contribution, and then take a part of what I have contributed and hand it over to my neighbor to add to the profits of his enterprise, you do me no greater injustice and I suffer no greater loss than under a law which enables my neighbor to extort from me a higher price for his goods when I buy them. The difference, and the only difference, is that one is a direct and the other is an indirect way of taking what I have earned and giving it to another man who has no honest claim upon it. Such legislation is so outrageously unjust that I marvel at the patience with which it has been endured by an intelligent and justice-loving people. To mitigate this injustice in some slight degree, and to the end that Congress may emancipate consumption from some part of the great burden which it has borne for so many years, I have prepared, and at the proper time I shall offer, an income-tax amendment to the pending bill.

I hope in this way to lift $80,000,000 annually from the stooping shoulders of those whose toil nets them only a modest return at best and to lay it upon those who can pay this tax without sacrificing a single comfort. This relief will mean much to men of moderate circumstances, and yet it will not be felt by those from whose abundant incomes we will supply the loss of revenue. I further hope to reduce the indirect bounty which consumption now pays to privilege, by more than $500,000,000 every year, and leave that vast sum with those who earn it instead of transferring it to those who have been collecting it for four decades. It will not satisfy the thoughtful men of this country, and even the reasonable protectionists will not permit you, to say that consumption can not be relieved from burdensome taxation, because a reduction in duties will close American factories and put out the fires of American furnaces, for they do not believe that these struggling infants, now grown into colossal combinations, need the high protection which this bill gives them. They understand that all of these great corporations could have prospered even beyond the dreams of avarice with lower duties; and it is this widespread belief among the people that has aroused an intense prejudice against the enormous fortunes of this day. I feel no prejudice against any man because he is rich, though I do despise the means by which many of them have acquired their riches; and I affirm that taking the money of other men through the favoritism of the law is but little less dishonest than taking it by force or fraud. The apologists of special privilege may continue to cry aloud against the dangerous and leveling doctrines of Socialism, but I tell them here and now that the best way to eradicate Socialism is to renew the people's faith in the justice of their Government. The best way to make the poor respect the rights of the rich is to make the poor understand that the rich respect their rights.

Realizing that the present political complexion of Congress renders the abandonment of the protection policy impossible, we are not asking that it shall be abandoned, and the reductions which we propose will still leave the American manufacturer in full possession of the American market, because there is hardly a highly protected industry on this continent to-day that could not realize a splendid profit under a tariff 33⅓ per cent lower than this bill proposes——

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. Does the Senator from Texas recognize the difference which exists between the wages of labor in Europe and in our own country, and, if he does, would not lower

duties operate to lower wages here by stimulating the use of foreign-made goods?

Mr. BAILEY. Mr. President, of course I recognize that there is a difference in the scale of wages existing in this country and abroad, but the Senator from Michigan must know that when estimated according to the value of its product, American labor is no better compensated to-day than the labor of Germany and Great Britain; and when you take into account the increased cost of living in consequence of these tariff duties, it is not so well rewarded.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield further to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. Would the Senator from Texas undertake to compare favorably the surroundings of the foreign workingman, the discomforts of his home, with the comforts and conveniences of the American workingman in his home?

Mr. BAILEY. No more than I would undertake to compare the comforts and conveniences of the average American farmer with the average foreigner who cultivates the soil of other countries. The difference is very much more one of men and natural resources than of tariff. But even if that were not true, I can not forget that there are 17,000,000 people in this country engaged in employments that are not and can not be protected; and I do not think it just and fair to tax that seventeen million in order to increase the income of the two and one-half million employed in protected industries. Do you think it right to increase the cost of living to every man under the flag in order to increase the wages of a few? That would be bad enough if it were all; but that does not state the whole case, for when you remember that the wage-earner generally expends his entire wages, then you must know that the increase in the cost of all he buys is equal to the increased wages which your protective tariff may give to those who work in protected industries. I understand perfectly well, and I understand it as well as any protectionist in the world, that if a manufacturer sells his goods for a higher price, he can afford to pay the laborer who produces them a higher wage. But will he do it? Not unless he is compelled to do it.

Mr. SMITH of Michigan. Has he not done it, Mr. President?

Mr. BAILEY. Only because he was compelled to do it.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. Is he not still compelled to do it?

Mr. BAILEY. He is compelled to do it by competition and by labor organizations.

Mr. SMITH of Michigan. Does the Senator from Texas admit that the American wage-earner is better paid and will continue to be better paid, and can live better and happier and more comfortably under the principle of protection than under the principle he advocates?

Mr. BAILEY. I do not admit any such absurdity as that. [Applause in the galleries.]

Mr. SMITH of Michigan. Will the Senator indicate——

Mr. BAILEY. Here is what I admit——

The PRESIDING OFFICER. Applause is not permitted in the Senate.

Mr. SMITH of Michigan. The Senator, if I may be permitted——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. The Senator has already admitted part of the absurdity, namely——

Mr. BAILEY. It is the part I did not admit which makes the absurdity.

Mr. SMITH of Michigan. That wages are higher here. He has already admitted, I think, that the American wage-earner lives better than the foreign laborer. That is the second part of the absurdity. Now, if he does live better and does get a better wage, is it the height of absurdity to say that he is happier and more contented here? In fact, Mr. President, if the Senator from Texas will but linger around the ports of this country he will find millions of foreigners seeking this ideal wage and these ideal comforts, and he may linger long——

Mr. BAILEY. I can not yield for an oration.

Mr. SMITH of Michigan. I thank the Senator from Texas. I did not know that my remarks had attained any such height in his judgment. But, Mr. President, I will not interrupt the Senator further than to say that he may linger long around the ports of every other country in the world and he will not have the satisfaction of seeing Americans, accustomed to our mode of living, going to those countries to live.

Mr. BAILEY. That is as true of the Americans who are not employed in a protected industry as it is of those who are so employed. Therefore your protection does not explain it. Mr. President, except that I dislike to trespass upon the patience of the Senate, I would open a kindergarten for the benefit of such protectionists as the Senator from Michigan. [Laughter.]

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I will withdraw that remark if it offends the Senator.

Mr. SMITH of Michigan. It does not offend me. I was simply going to state——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. I was going to suggest that there would have to be a higher order of protection ability shown before I could be tempted into that school. [Laughter.]

Mr. BAILEY. The Senator from Michigan repeats my statement that the scale of wages is higher here than in other countries, taking special care, however, to omit my other statement that according to the value of the product—and that is the principal factor in every wage scale of the world—the American laborer is not any better paid than the laborers of Germany and Great Britain. If the Senator from Michigan desires more information than I have time now to furnish, let him examine a table printed in the hearings which were held by the House Committee and he will find how little the wages of labor enter into the price of many of these protected commodities.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I will.

Mr. SMITH of Michigan. Not to interrupt the Senator, I am bound to observe that it is quite evident the Senator from Texas has been viewing the tables. Mr. President, I have viewed the laborer in his home in many countries of Europe, and there I have learned the lesson that he is not only poorly paid, poorly housed, poorly clothed, and uninterested in much of the affairs of life, but that he can not be compared from any point of view with the splendid life and character of the American citizen.

Mr. BAILEY. Mr. President, all of that is easily explained in other and better ways. This is a better country than those to which the Senator refers. The soil is more fertile, the Government is freer, men are more equal, intelligence is more generally diffused, inventive genius is more active, and labor has more skill. Do all these factors count for nothing? When an American citizen traveling abroad finds the serfs of Europe groveling in their misery and their poverty, does he not understand that there are other causes for the difference between them and us than merely that we have and they do not have a protective tariff? Mr. President, the Senator from Michigan must know that the period when every man and every industry in this Republic was most abundantly blessed was during the low tariff of 1846.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I do.

Mr. SMITH of Michigan. Mr. President, I do not want to annoy the Senator from Texas.

Mr. BAILEY. The Senator from Michigan could not annoy the Senator from Texas.

Mr. GALLINGER. Mr. President, let there be order.

The PRESIDING OFFICER. The Senator from Michigan will kindly suspend for a moment. The Chair wishes to call the attention of the occupants of the galleries to the fact that it is necessary for them to preserve order. The Chair hopes there will be no further occasion to admonish them of this fact.

Mr. SMITH of Michigan. I greatly enjoy the argument of the Senator from Texas, as I always do. I think that he and I are perhaps about the same age, and the period to which he alludes was a little back of my time.

Mr. BAILEY. The Senator from Michigan can read, however.

Mr. SMITH of Michigan. Yes; and the Senator from Texas can experience. The Senator from Texas and myself, happening to be Members of the same body at about the same time, have witnessed low-tariff legislation in this country bring the greatest disaster to the country, when the principal business of the country was the soup house. The Senator from Texas knows very well that even though we may have enjoyed luxury and comfort under low tariff, the American people have seen great distress under low tariff, with which the Senator from Texas

and myself are most familiar, and for which he was responsible more than I.

Mr. BAILEY. Mr. President, I have no thought of being drawn from the discussion upon which I was about to enter into a discussion of these other questions; but I want it to appear in the RECORD that the only answer which I now deem it necessary to make to the observation of the Senator from Michigan about the difference between the people of this country and the people of other countries is that the difference is just as great in those countries with a protective tariff as it is in those countries without a protective tariff. In other words, the wages of the American artisan and laborer are just as much greater than the wages of the German artisan and laborer as they are above those of Great Britain. In Germany they have a protection that would suit the Senator from Michigan [Mr. SMITH]; in Great Britain they have free trade. If our people are as much superior to the one as to the other, you can not account for the difference between them or either of them upon the policy of protection. In reply to the Senator's last statement, I only need to say that periods of distress and disaster have occurred under high Republican as well as under low Democratic tariffs.

Mr. SMITH of Michigan. Will the Senator yield to me now?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. BAILEY. I will.

Mr. SMITH of Michigan. I want to be sure that I understand the Senator from Texas correctly. Surely he does not intend to compare the relative industrial strength of Germany with that of England; certainly he does not pretend to compare the condition of the workingman in England with the condition of the workingman under a protective system in Germany. Unless I very seriously misunderstood him——

Mr. BAILEY. The Senator instituted a comparison between the condition of the workingmen in the Old World and our workingmen. He can not, therefore, complain if I follow his example.

Mr. SMITH of Michigan. But the Senator from Texas was inclined to the opinion that we have a fairer land for opportunity and enterprise to assert itself.

Mr. BAILEY. Yes.

Mr. SMITH of Michigan. Mr. President, it was my privilege not many months ago to go through Ireland, as fair a land as the sun shines upon, with a soil as fertile as the soil of any country on earth, with water power competent to drive the machinery of Great Britain to a high point of industrial prosperity, where the climate is like the climate of California, where generous nature has filled the mines with ores and minerals rich as those of any other country in the world. Ireland, Mr. President, enjoys the blissful luxury of free trade, and it is about the highest exemplification of unwisdom that I know of anywhere in the world. That Ireland is not prosperous, the Senator from Texas must admit; that it is in a sad state of demoralization, people all over the world recognize. I am sure that the Senator from Texas can not, if he stops to think of it, account for our wonderful development solely by our natural location.

Mr. BAILEY. Mr. President, there are many elements which determine a nation's or a people's progress, and it is unsafe to ascribe their condition to any single influence. Wide differences exist between neighboring nations, both pursuing the same fiscal policy, and it will generally be found that wages always fall as nations descend in the scale of civilization. The Senator from Michigan does himself an injustice when he fails to take these considerations into account; and he must know—because he reads history, if he does not attempt to write it—that Ireland's condition to-day is no worse, indeed it is better, than it was before England repealed the corn laws and abolished the protection which existed there for so many years.

Mr. ELKINS. Mr. President, before the Senator from Texas leaves that point, I wish to ask if he will permit an interruption?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I do.

Mr. ELKINS. If I understood the Senator from Texas correctly, he stated that protection discriminated against a certain class of wage-earners in the United States. Now, I should like the Senator to state what class of wage-earners is discriminated against, if he stated that.

Mr. BAILEY. Mr. President, no Senator in this Chamber knows better than the Senator from West Virginia that protection, in the nature of things, can only protect those laborers employed in the protected industries. The Senator from West Virginia understands as well as anybody that protection can not protect the agricultural laborers in the United States, or——

Mr. ELKINS. Every farmer in this country is protected in his products, and that enables him to extend his protection to farm laborers. It is in that way that the farm laborers in this country are better paid than are the farm laborers in foreign countries, as I understand.

Mr. BAILEY. The Senator from West Virginia, with all deference to him, does not think that.

Mr. ELKINS. I do not think the Senator from Texas has met the question I asked with that candor and fairness and ability with which he has conducted debate here in the Senate. I fail yet to see where protection discriminates against particular wage-earners or against any class of wage-earners in this country. I do not think the Senator from Texas has answered me. He mentioned the farmers. I have made answer, I think, to his explanation. You may extend it into all the branches of industry, and directly or indirectly every wage-earner in the United States is protected as against foreign labor.

Mr. BAILEY. The Senator from West Virginia is so good a student of the tariff question that it is difficult for me to believe that he is serious in making that statement. I may hereafter enter upon a full and detailed discussion of that phase of the tariff question, but my purpose this afternoon is to devote myself to a proposition which is intended to alleviate the sufferings of the people under tariff duties, and I must leave such questions as the Senators from Michigan and West Virginia have raised for another occasion.

OBJECTION TO AN INCOME TAX.

The Senator from Rhode Island [Mr. ALDRICH] objects to an income tax on the ground that it will raise unnecessary revenue. That objection which the Senator from Rhode Island [Mr. ALDRICH] now makes is not the one which it was his habit formerly to make, for there was a time when he denounced an income tax as a Populistic, Socialistic, Democratic plan of redistributing fortunes. He will not repeat that during this debate, because the Senator from Rhode Island, like all the rest of us, learns something as he grows older. [Laughter.]

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. Certainly.

Mr. ALDRICH. Mr. President, I have never at any time or anywhere expressed any such opinion as that which the Senator from Texas now attributes to me.

Mr. BAILEY. The Senator from Rhode Island ought to have the CONGRESSIONAL RECORD corrected if he did not say that. I will have the RECORD brought here, but before it comes I will recall the matter to the Senator's mind. I think it was during the speech of Senator Hill, of New York, or perhaps the speech of the Senator from Nebraska, Mr. Allen, that the Senator from Rhode Island made use of almost the identical expression which I have just repeated, and which he denies having uttered.

Mr. ALDRICH. Whenever the income tax proposition has appeared in this body—if this will be of any service to the Senator—it has appeared here advocated by Populists or by others who sympathized with them in a desire to redistribute the wealth of the United States by this method.

Mr. BAILEY. Was it supported only by such?

Mr. ALDRICH. At the time which I mentioned, I think I can say it was supported only by such.

Mr. BAILEY. But not now?

Mr. ALDRICH. Not now, I think.

Mr. BAILEY. Mr. President, I now have before me the CONGRESSIONAL RECORD of the 21st of June, 1894, from which I will read:

> Mr. ALDRICH. Does he not understand that the income tax is supported by the Socialist party, by the Populist party, and by the Democratic party with a few honorable exceptions, simply as a means for the redistribution of wealth?

Mr. ALDRICH. That is what I said.

Mr. BAILEY. But the Senator from Rhode Island said he did not say it.

Mr. ALDRICH. I repeated the same thing a moment ago. I said that it was supported at that time.

Mr. BAILEY. All right; I did not read the whole of it. Now, listen:

> I have heard no other argument advanced on the part of any advocate of this scheme except that it is in part a proper redistribution of the wealth of the country.

Not from Populists or Socialists or Democrats, but the Senator had never heard any other argument advanced by *any advocate of an income tax* except that it was a scheme to redistribute fortunes. Does the Senator say that now?

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. I think the statement made by me at that time was absolutely accurate as a historical statement, and I should make the same statement now as to conditions which then existed.

Mr. BAILEY. But the Senator said a moment ago that he had never, at any time or in any place, characterized an income tax as a Populistic, Socialistic, Democratic plan to redistribute fortunes. But I leave that aside to ask what the Senator thinks of the statement made by the present President of the United States, in his speech accepting the Republican nomination, in which he says he believes in an income tax? Is he a Socialist? Is he a Populist? Is he a Democrat? [Laughter.]

Mr. ALDRICH. I would be glad if the Senator would read that statement.

Mr. BAILEY. I have reread it within the last three days. I thought I had the last Republican campaign book in my desk, and I did have it here yesterday; but some one seems to have taken it away.

Mr. ALDRICH. That is a dangerous thing to have.

Mr. BAILEY. It is always dangerous to hold company with error. [Laughter.]

Mr. President, I agree, of course, with the Senator from Rhode Island, that it is worse than folly for Congress to levy and collect taxes not needed for an economical administration of the Government, although I must confess that it sounded rather novel to hear him denounce unnecessary taxation as the mother of extravagance. I sincerely regret that we have not heretofore had the benefit of his great influence in resisting the shameful waste of the public money; but I welcome him, even at this late hour, to the ranks of those who believe that a simple, frugal, economical government is the best. I can not forget, however, that the Senator from Rhode Island has never protested against this extravagance until we had reached a point where we were about to lay the burden of it on the shoulders of the rich, and then he suddenly becomes a convert to governmental economy. [Laughter.] But, Mr. President, whatever the cause of his conversion, I rejoice in it, and I cordially commend his recent speech in that respect. I will do the Senator from Rhode Island the charity to believe that a solicitude for the rich has not reversed his attitude, and I prefer to think that he believes in economy now because he perceives where extravagance is leading us and knows that it not only increases the burden of all taxpayers but that it breeds governmental vices of every kind.

The Senator from Rhode Island does not, however, answer us by saying that the bill which he has reported will raise sufficient money to support the Government and therefore the income tax amendment which I propose is unnecessary. Conceding that his bill as he has reported it will raise revenue enough to defray all public expenses—a concession which I only make for the purpose of this reply—we would then reduce the duties which his bill imposes. Always resourceful in debate, and never at a loss for an argument against doing what he does not want to do, the Senator from Rhode Island replies to that suggestion by saying, and he made an impression on the minds of many Senators by the statement, that to adopt an income tax and reduce tariff duties at the same time, would culminate in a double evil; because, he declares, that in addition to the money collected through a tax on incomes, a reduction of tariff duties would increase our revenue, thus accumulating a dangerous surplus in the National Treasury. This proposition is a paradox, for it implies that the less our people pay, the more our Government collects. But even if this statement were correct, we can easily obviate that difficulty by transferring to the free list some of the necessaries of life, thus lifting these tariff taxes from those who can ill afford to pay them and laying this income tax upon those who can well afford to pay it.

HOW LOWER DUTIES AFFECT THE REVENUE.

But, Mr. President, the Senator's doctrine that lower duties bring more revenue is not correct. I have here a book of Professor Taussig, which he calls "The Tariff History of the United States," and on page 115, referring to this very matter, he makes this statement:

> The act of 1846 remained in force till 1857, when a still further reduction of duties was made. The revenue was redundant in 1857, and this was the chief cause of the reduction of duties. The measure of that year was passed with little opposition, and was the first tariff act since 1816 that was not affected by politics. It was agreed on all hands that a reduction of the revenue was imperatively called for, and, except from Pennsylvania, there was no opposition to the reduction of duties made in it.

Mr. BAILEY. On the next page——

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. Certainly.

Mr. ALDRICH. I trust the Senator remembers that I made a statement following the one that he has quoted, in which I said that duties can be reduced so low, and have been reduced so low, as, for instance, in 1857, as to destroy the industries of the United States and place all of its people in a state of pauperism.

Mr. BAILEY. The Senator from Rhode Island can not now divert me to a discussion of that kind; but he understands perfectly well that there is just the same dispute about what produced the depression of 1857 as there will be twenty years from now about what produced the panic of 1907.

Mr. ALDRICH. Mr. President, the Senator from Texas will agree with me in the statement that under the tariff of 1857 the Treasury of the United States in 1860 was in a bankrupt condition, and not only was the Treasury in a bankrupt condition, but the borrowing power of the United States had been destroyed.

Mr. BAILEY. Mr. President, that was due to the great financial crisis that came in 1857, followed, as such crises are usually followed, by a period of stagnation, and aggravated by the menacing state of American politics. But whether the act of 1857 was wise or unwise is not the question that I am now discussing. I am simply attempting at this time to show that lower duties do not mean greater revenue.

In a footnote on page 117 Professor Taussig again asserts:

> No doubt high duties were one cause of the Government's surplus, and thereby aided in bringing about the crisis, so that this view, incomplete as it is, has more foundation than Carey's explanation.

Carey's explanation was the one that the Senator from Rhode Island has just offered. He was the dean of the protectionists, and he ascribed all the ills that the American people had ever suffered to the lack of protective duties.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. I think the Senator from Texas perhaps correctly characterizes Mr. Carey. The authority from which the Senator is now reading, Professor Taussig, is the authority and dean of free traders, a man who is a free trader with courage.

Mr. BAILEY. And with sense. [Laughter.] In his annual message of 1855, Franklin Pierce, then President of the United States, referring to the duties collected under the act of 1846, a Democratic low-tariff act, it is true, but still high enough to raise a surplus, said:

> The principle that all moneys not required for the current expenses of the Government should remain for active employment in the hands of the people, and the conspicuous fact that the annual revenue from all sources exceeds by many millions of dollars the amount needed for a prudent and economical administration of public affairs can not fail to suggest the propriety of an early revision and reduction of the tariff of duties on imports.

The remedy which Franklin Pierce recommended for a surplus of revenue was a reduction of tariff duties. The modern doctrine is that the remedy would be an increase of duties. It is true—and I would not attempt to conceal it—that the Committee on Ways and Means of the House, to which that message was referred, submitted a report challenging the President's view as announced in the passage I have read; but that report was prepared by the honorable Mr. Campbell, of Ohio, who was then a protectionist, though he was elected to Congress after the war as a Democrat. But, Mr. President, whether President Pierce or Congressman Campbell was right is not material in this connection, because we do not hope to approach a point when any reduction of the duties, as recommended in this bill, could possibly increase the revenues of the Government. It is perfectly true that if you reduce the duty on an article until you make it possible to sell the imported article below the cost of the domestic article, you would drive the domestic article from the market and so greatly increase the importation of the foreign article as to augment the revenue. It is also true that by reducing a prohibitory duty to a revenue or a protective rate, you would certainly increase the revenue. But there is not the remotest possibility of increasing the revenue, even if we should be able to reduce the duties of this bill by as much as 33⅓ per cent.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. ALDRICH. I do not like to disturb the thread of the Senator's argument.

Mr. BAILEY. The Senator is welcome to interrupt me.

Mr. ALDRICH. What does the Senator expect to accomplish by reducing rates of duty? Does he expect to increase importations or decrease them?

Mr. BAILEY. In my opinion, an average reduction of 33⅓ per cent in the duties imposed by the present law would not greatly increase our importations, and the chief effect of such a reduction would be to compel the American manufacturer to abate a portion of his present unconscionable profit.

Mr. ALDRICH. If it did not increase the importations, it could have no effect upon the American market, I assume.

Mr. BAILEY. Oh, yes.

Mr. ALDRICH. In what way?

Mr. BAILEY. A reduction might still leave the duty so high that the foreign article could not enter and compete.

Mr. ALDRICH. Then no change would take place.

Mr. BAILEY. A change in domestic prices would take place. That would occur in this way—under the reduced duty the imported article might be sold below the former domestic price, and it would be necessary to reduce the domestic price to prevent that.

Mr. ALDRICH. Does the Senator mean that American manufacturers and producers can reduce their prices 33⅓ per cent and still make a profit?

Mr. BAILEY. Some of them could.

Mr. ALDRICH. That is a very extravagant statement.

Mr. BAILEY. I repeat that some American manufacturers could reduce their price 33⅓ per cent and still make a fair profit on their actual investment. That, however, was not the statement which I made and to which the Senator from Rhode Island took exception. My statement was that a reduction of 33⅓ per cent in the duties imposed by the pending bill would not greatly increase our importations; and the Senator from Rhode Island understands, of course, that a reduction of 33⅓ per cent in duties does not involve, by any means, a reduction of 33⅓ per cent in price. Many of these protected industries, however, could easily prosper under a 33⅓ per cent reduction in profits. The United States Steel Corporation, for example, took properties worth less than $350,000,000 and capitalized them at more than a billion dollars, and they are netting an annual profit of about 7 per cent on that fictitious capitalization. Obviously, that corporation could reduce its profits 33⅓ per cent and still make more than a legitimate profit upon the fair value of its property.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. The United States Steel Company has perhaps, say, 40 or 45 or possibly 50 per cent of the steel production of the United States. Does the Senator from Texas think that all the other steel producers in the United States could reduce their prices 33⅓ per cent to-day and still make a profit?

Mr. BAILEY. If I may be permitted to judge by the size and velocity of their automobiles, or by the size and equipment of their yachts, or by their other thousand extravagances which they flaunt in the faces of American consumers who are taxed to pay for them, I should say they could. They might not be able to go to Europe every summer; they might be compelled to curtail their self-indulgences; but both they and the American people would be better off for that.

Mr. ALDRICH. Does the Senator think that the average profits of the people who are engaged in production in the United States—I mean to include them all, great and small—is more than 33⅓ per cent annually, regularly?

Mr. BAILEY. Of course not. The census shows that the annual increase in our wealth under the Democratic tariff of 1846 was over 10 per cent; but under Republican tariff it has never been over 8 per cent. That is the general average increase; but many specially favored industries have increased several times that much. Though not professing to be an expert, I know enough about manufacturing conditions to warrant me in declaring that the protected industries of this country could net their stockholders a fair profit and sell their goods under a tariff reduction of 33⅓ per cent.

Mr. TILLMAN. Will the Senator from Texas allow me?

Mr. BAILEY. Certainly.

Mr. TILLMAN. I misunderstood the reasoning of the Senator from Rhode Island in his speech the other day if he did not confess or mean to confess that a reduction in tariff meant an increase in revenue. I took it to mean that he acknowledged that so many duties were prohibitive that there were no imports, and therefore no revenue, whereas a reduction would mean that there would be imports and an increase in revenue.

Mr. BAILEY. The Senator from South Carolina correctly construes the statement of the Senator from Rhode Island, and he makes, in stating what he understood, a very proper criticism against this bill. The statement of the Senator from Rhode Island was undoubtedly equivalent to saying that this bill fixes the duty so high as to prevent importations, and that to reduce these duties would permit the introduction of imported articles.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. Whenever I am ready to interpret this bill and to express my opinion of the Democratic doctrine of tariff for revenue only as enunciated by the fathers, I will give my own interpretation and shall not feel bound by any interpretation made by the Senator from Texas or the Senator from South Carolina.

Mr. BAILEY. Nor by your own previous interpretations.

Mr. ALDRICH. I think I shall.

AN INCOME TAX.

Mr. BAILEY. I now come to state, and I shall state them as briefly as I can, the reasons which have induced me to believe that an income tax ought to be adopted as a settled and permanent part of our fiscal policy. The extraordinary increase in our public expenditures during the last twenty years has rendered it necessary for us to collect in every year a sum of money so great as to almost confuse the human mind; and, of course, the people must supply this money in some way. In searching for that way I could find no better plan for raising a part of this stupendous aggregate than the one which I am proposing. Under any circumstances an income tax is more equitable than a tax on consumption. It is more just as between the different classes, and it better conforms to that sound canon of taxation which enjoins upon us to lay all taxes on those who can bear them with the least inconvenience; and this general advantage is emphasized by our present condition, for the cost of living has increased so enormously during the last few years that the plainest dictates of humanity require some abatement in the taxes on articles of necessary and daily use.

I have laid this tax on no one whose income does not exceed $5,000; and certainly no truthful man can look his neighbor in the face and say that with an income of more than $5,000 he will be seriously embarrassed by the payment of a moderate tax to the General Government. Under my amendment an income of $10,000 would only be required to contribute $150 to the General Treasury.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. Certainly.

Mr. ALDRICH. I should like to have the Senator state, if it is not objectionable to him, by what process he arrives at $5,000 as the correct sum for which a man should be taxed, and not a lower sum? Why not $4,000 or $3,000 or $2,000?

Mr. BAILEY. That is an easy question to answer. Under the Republican policy of protection a man is taxed on almost everything he consumes, and I have fixed the exemption at $5,000 on the theory that an income of that amount is consumed, and having paid a tax to the Government, or a tribute to its favorites, in spending it, I thought it simple fairness not to tax him when he was earning it. In other words, I let him take it in without a tax because I knew he had to pay a tax when he paid it out; and assuming that a $5,000 income was a consumable one, I exempted it from the tax. But that is not all. I was following the rule of laying a tax on those who can bear it with the least inconvenience, and I fixed the exemption at $5,000 so that no man could complain that the Government is taking something from him which he needs.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. BURKETT. I observe there are two rates. In some instances the minimum is $4,000.

Mr. BAILEY. The Senator is mistaken.

Mr. BURKETT. That is as I recall it. I was interested in knowing why the Senator distinguished between $5,000 and $4,000.

Mr. BAILEY. The old act fixed the exemption at $4,000 and levied a rate of 2 per cent. I have raised the exemption to $5,000 and the rate to 3 per cent, actuated in both cases by the

same general principle. I wanted to lift the burden from every man who could fairly complain that the tax subtracted from his comfort, and I wanted to lay it on those who can bear it without giving up anything that an American citizen must have.

Mr. BURKETT. But I understand as the Senator's bill is now drawn it leaves two minimums, one class with an income of $5,000, another class $4,000.

Mr. BAILEY. Oh, no. The Senator has probably been misled by the fact that when I had the administrative features of the old law copied, there was no change made in that part of it which required corporations to report the earnings of employees not below $4,000. But that is a clerical error, easily corrected and certain to be corrected. In that part of the amendment which levies the tax and which fixes the exemption, the change was properly made, because I drew that myself, whereas I instructed my secretary to copy the administrative features of the old law, and it was sent in that form to the printing office and without the proper correction.

Mr. BURKETT. It is an error?

Mr. BAILEY. Merely a clerical error in the administrative provisions.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. Certainly.

Mr. ALDRICH. I understand that the Senator from Texas assumes that $5,000 is the average amount consumed by the people of the United States.

Mr. BAILEY. I assume it for the purpose of this bill.

Mr. ALDRICH. The average earnings of the wage-earners of the United States we will assume, for the purpose of this argument, is less than $1,000 a year. Of course those people do not consume $5,000, and to them a $2,000 income is the income of a privileged class, and I see no reason why those people should not pay an income tax as well as the man who has $5,000—I mean proportionately.

Mr. BAILEY. It is not easy to draw a line below which no tax should be levied, and any minimum must be an arbitrary one. I know the information which the Senator seeks. I know what he wants me to admit, and I will oblige him. I fixed this at $5,000 for the further reason that I wanted to affect as few people as possible, so that it might provoke as little opposition as possible among the people. Is the Senator satisfied?

Mr. ALDRICH. In other words, the Senator wants to enact legislation that is distinctly class in its character——

Mr. BAILEY. Oh, no.

Mr. ALDRICH. For the purpose of getting popular support or votes.

Mr. BAILEY. Oh, no. I had first fixed it according to a rule which I believe just and wise, and which the Senator from Rhode Island will not impeach. Perhaps I have no right to say he will not, but I will see if he will. Does the Senator from Rhode Island agree to the rule that all taxes ought to be laid upon those best able to bear them with the least inconvenience?

Mr. ALDRICH. Certainly.

Mr. BAILEY. Then the Senator has no right to say that I am trying to establish a class distinction, because I am levying a tax where its burden will be least felt, and in accordance with a rule which the Senator himself has just approved.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield further to the Senator from Rhode Island?

Mr. ALDRICH. But the Constitution of the United States and every code of ethics or morals that I know of proposes that taxes shall be levied with uniformity. I do not mean with exact uniformity as to all people, or according to the means of the people to pay; and I think it is doubtful whether we have any right, either constitutionally or any other way, to impose taxes upon one class of people and exempt another class.

Mr. BAILEY. That is a rather serious criticism against the Republican party, because under the leadership and during the Presidency of Abraham Lincoln they levied an income tax that exempted some people while taxing others. It is true they did not make the exemption so great as I have made it, but it is likewise true that the scale of living was not then so high as it is to-day.

I did not forget, Mr. President, that in our larger cities a man must have an income of well nigh $5,000 to live in comfort and educate his children, and I do not want any man to have a right to say that in taking this tax for the Government's support I have either taken from his wife a comfort or taken from his children the priceless blessing of an education; and no man can say either under this exemption of $5,000. The Senator from Rhode Island knows as well as I do that in a large family the education of the girls and boys costs almost half an income of $5,000. Maybe it ought not to be so, and let us hope that it will not always be so; but it is so, and I was dealing with conditions as I found them and not as I would like to have them.

Mr. ALDRICH. The great masses of the laboring people in this country are to-day competing with labor which is paid 6 cents a day, 25 cents a day, 60 cents a day, or an income of say from fifty to three or four hundred dollars a year. The average earnings of the laboring people of this country are, as I have already stated, less than a thousand dollars a year, or about $700, as I remember them. Now you are suggesting to those men that you will not tax to any extent the man who earns two, three, four, five, or ten times as much as they do, a hundred times as much as the people who compete with them in the various industries in which they are engaged, and that you propose to levy those taxes upon the higher class of earnings in the United States, for the purpose of reducing the protection which by law and by the declared policy of our party we now give them.

Mr. BAILEY. I would be glad to join the Senator from Rhode Island in a real protection to the American laborer by making it impossible, through our immigration laws, for that cheap labor about which he speaks to come here and compete with an American citizen of any condition or station in life. [Applause in the galleries.] That is the kind of protection I would give the American laborer.

The VICE-PRESIDENT. The Senator from Texas will suspend. Occupants of the galleries must not indulge in signs of approval or disapproval.

Mr. ALDRICH. As I understand the Senator from Texas, he would prohibit the importation into this country of cheap laborers of other countries, but he is only too willing to reduce the duties upon articles, so that the products of that cheap labor can come in here in competition with our own.

Mr. BAILEY. The Senator states that as his conclusion, but it is very far from being correct. Still, I will not be drawn into that discussion now.

Mr. President, the laboring man who receives only $700 a year, has no right to complain because we do not tax the man who receives seventeen hundred. If we taxed him and exempted somebody else, then he would have a full right to condemn us for that discrimination, but so long as we lay no tax on him, he has no right to complain because we do not begin to tax the others until we pass the point which the highest comfort seems to require; and the laboring men of the United States have not authorized the Senator from Rhode Island to lay any such complaint as that against my amendment. He will find small audiences in labor centers when he comes to complain to those people because I did not tax somebody else, for the intelligent laboring man will tell him that I began the taxation where it ought to begin, which is at the point where it will subtract nothing from the comfort of men and women or from the education of girls and boys. That is the line which I have followed, and that is the line which, mark my words, the American people will command all men to follow in the years to come.

Mr. OWEN and Mr. ALDRICH addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Texas yield?

Mr. BAILEY. To the Senator from Oklahoma first, and then to the Senator from Rhode Island.

Mr. OWEN. I suggest that the sensibilities of the Senator from Rhode Island with regard to the complaint of the laboring man against the income tax that does not descend below $5,000 might be met by a further amendment of this proposed measure of the Senator from Texas by providing a rate of 5 per cent on incomes exceeding $1,000,000, which would make amends for the neglect of these smaller incomes.

Mr. ALDRICH. I am sure the Senator from Texas does not need the added ingenuity of the Senator from Oklahoma to find new methods of imposing taxes. Mr. President, what the laboring men of this country would have a right to complain about in the proposition of the Senator from Texas, stated as he does in a bold way, is this: They would have a right to complain about the imposition of an income tax when its purpose, as announced by its author and by three-quarters of its supporters, is to reduce the protection which the law affords to them in competition with the cheap labor of other countries, when the proposition has, in the words of the Senator from Texas, that avowed and distinct purpose.

Mr. BAILEY. That, of course, is apart from the particular phase of the question to which I am now addressing myself. Having explained to my own satisfaction, and I hope to the satisfaction of those who agree with me on the main question, my

purpose in exempting all incomes up to $5,000, I will now endeavor to justify the tax imposed on all above that sum.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. BAILEY. I do.

Mr. BURKETT. I wish to make a suggestion to the Senator right there. In connection with what was said a moment ago this brings up a point which perhaps he is going to discuss. The exemption that has been suggested here has never troubled me quite so much as several of the exemptions, for example, that the Senator in his amendment makes specifically. If there is one exemption that has impressed me more than another it is the exemption that you necessarily must make. The Senator recognizes them, and he exempts those who hold United States bonds, those who hold state bonds, and some other classes of bonds. Now, take the real estate proposition. I have not looked up the matter, I will say to the Senator, with a view of making a speech, and I have not the exact dates, but as I remember all the decisions from the beginning to the last have practically held that land taxes and capitation taxes are direct taxes. They have been decided by all, as I remember the decisions, to be direct taxes. As I remember the decisions—perhaps there are some that I do not recall—they have never disputed the proposition that when you assess the income from the land you are assessing the land.

Mr. BAILEY. There was no case in the books which held that, until the Pollock case.

Mr. BURKETT. As I said, I do not recall any decision that holds you can assess the income from land, however that may be derived. What I was going to get at is this, and this is my question. The unfairness of the law has never disturbed me, because we can make the limit. If $5,000 is too much we can reduce it. But how are you ever going to get over the unfairness in the case of the man who has his million, say, invested in county, state, municipal, district, and United States bonds? The Senator specifically excepts them. How are you ever going to make the law fair in the case of that kind of a man, who, in my opinion, contributes the least to society and the least to the Government of any other man on earth? The man who simply buys bonds and goes and hides himself away and clips his coupons is the man who contributes the least to society. Yet the Senator recognizes in his own measure that we must except that man from the provisions of the bill. That has been the phase of it, I will say to the Senator, which has given me more concern than any other feature.

Mr. BAILEY. The Senator from Nebraska ought not to allow himself to be troubled by any doubt on that point, because their exemption proceeds upon the uniform decision of the court that a tax on the income from such bonds is a tax on the operation and instrumentalities of the Government. These exemptions are made imperative by the rule that the Federal Government can not tax the instrumentalities of a State, nor can a State tax the instrumentalities of the Federal Government.

It is impossible for me to comprehend how any man with an income above $5,000 can reconcile with his patriotism an objection to the payment of this tax. If the Government could be administered without taxing anybody, then I could easily understand that a prosperous citizen would rebel against it as an effort to punish him for his prosperity; but knowing that somebody must contribute the money which the Government spends, it would seem to me that the self-respect of every man would inspire him not only to pay his part, but to insist upon paying it as a privilege of American citizenship. Will any Senator here or will any citizen elsewhere contend that it is right and just to compel the man without property and whose daily toil must supply his daily wants to bear a greater portion of the common expense than is borne by the man of fortune? And yet that is precisely what happens under our present system. Many rich men contribute nothing toward the Federal Government's support, but there is not one among all the laborers of this land who does not pay, and in many instances he is compelled to pay, much more than his proper share. I have in my mind now an instance which I am sure is familiar to many Senators. There is in the city of New York a property valued, I am told, at many million dollars owned by an expatriated American. I shall not call his name, because it would not be consistent with the dignity of this place for me to name a private person; but I can with propriety use his case to emphasize my argument. With several million dollars' worth of well-selected real estate in the city of New York, this man does not contribute a farthing to the General Government's support. He does not assist even in the emergency of war to pay the expense of raising armies and equipping navies to protect his property from the guns of a hostile fleet.

When Congress was called upon to provide for the cost of that war with Spain, I sought to reach fortunes like his, but a Republican majority denied my motion, and they raised the millions which were spent in that unfortunate and unnecessary conflict from consumption rather than from wealth. They refused to lay a tax on incomes then, but they did not hesitate to tax articles of such common use as tobacco; and the poorest laborer in Rhode Island, with nothing but his patriotism to serve, contributed more to the expenses of that Spanish war when he bought a plug of cheap tobacco than did this expatriated millionaire on his ten millions' worth of real estate. Will any Senator contend that this was right? Not only, sir, was this Rhode Island laborer, when he purchased a plug of cheap tobacco, compelled to contribute more money toward the war than this expatriated millionaire, but that Rhode Island laborer was also subject to his country's call to arms, while the millionaire was far beyond the reach of danger or privation. I denounce it as a grotesque absurdity to say that this Government can call the laborer from his shop, the farmer from his field, the merchant from his store, the lawyer from his office, the husband from the bosom of his family, and the son from his widowed mother's side and send them forth to fight the battles of our country, and yet it can not compel this expatriated millionaire to contribute one dollar toward purchasing the arms and ammunition with which our patriots must defend his property. I do not believe in any system of taxation which lays a heavy hand upon the poor and lets the rich go free, and I do not believe that our fathers limited, or intended to limit, this Government in such a manner as to compel it to perpetrate that injustice.

Mr. ALDRICH. Will the Senator permit me?

Mr. BAILEY. I will.

Mr. ALDRICH. How does the Senator expect to reach the expatriated millionaire who has $10,000,000 worth of real estate in the city of New York?

Mr. BAILEY. I would tax its income.

Mr. ALDRICH. Notwithstanding the decision of the Supreme Court of the United States?

Mr. BAILEY. There are four other decisions contrary to that one, and two of them expressly sustained a law exactly like this which I have drafted.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. Certainly.

Mr. SUTHERLAND. I understand the Senator from Texas to say that the decision of the Supreme Court in reference to the income on land was dissented from by four of the justices.

Mr. BAILEY. I did not say that, but it is true.

Mr. SUTHERLAND. I understood the Senator to say that four had dissented.

Mr. BAILEY. No; I did not advert to that, but it is a fact.

Mr. SUTHERLAND. That four had voted differently.

Mr. BAILEY. I said there were four other decisions.

Mr. SUTHERLAND. I misunderstood the Senator. But the Senator does say now, as I understand him, that four of the justices dissented from that holding. As I remember the decision of the Supreme Court, upon the first hearing the decision was 6 to 2, and that decision was——

Mr. BAILEY. I do not understand that to be true. It is true—and, I suppose that is the way the Senator derives the impression—that there were but two of the justices who wrote dissenting opinions; but I think nobody can read Justice Brown's dissenting opinion in the rehearing and doubt that he voted with Justice Harlan and Justice White in the original case.

Mr. SUTHERLAND. Then, the Senator from Texas must admit there were at least 5 to 3.

Mr. BAILEY. The Senator from Texas does not know that, though he thinks it is true.

Mr. SUTHERLAND. If I may remind the Senator of that decision, I think he will see that it must be true. The first decision, as I recall it, was only upon the question of the income arising from land, and the majority decision of the Supreme Court was that the income derived from land partook of the nature of the realty, and therefore was not subject to an income tax.

The court then proceeded to say that upon the other question the court was equally divided, 4 to 4. Therefore upon that question the court must have been divided, as I have stated, at least 5 to 3. So there never were four judges who dissented, as I understand the decision, upon that particular question.

Mr. BAILEY. I assume that to be true as to the first decision; but as we know nothing about the secrets of the conference room, it might be that one judge took no part in the decision. It is one of those unfortunate cases where a change of opinion on the rehearing has brought the whole matter into something of a scandal. There is no doubt, however, that on the rehearing four justices denied the correctness of that doctrine.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Will the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. NELSON. If my recollection is correct, on the rehearing there were four judges dissenting, and every one of them read an opinion dissenting from the majority of the court. On the final hearing there was only one opinion, that of Chief Justice Fuller, against the law, and each of the four dissenting judges read an opinion. Judge Jackson was in poor health and read a very short opinion, but the other judges read complete opinions and three of the judges who sided with the majority never read any opinion at all from first to last.

Mr. BAILEY. That is true, Mr. President. It will be remembered by the lawyers who are familiar with the case that Mr. Justice Jackson rose from a sick bed to participate in it and went back to that sick bed, never again, as I recall it now, taking an active part in any decision. The Senator from Utah states correctly that the original decision confined the invalidity of the law to the income from real estate. But the subsequent opinion delivered upon a rehearing contradicts, as I will attempt to show, that first opinion. But, Mr. President, I am not going to begin with that case when I come to discuss the constitutionality of an income tax. I will start with the first case, in 1794.

Not only is an income tax more equal than any other as between all taxpayers, but it is more just as between every taxpayer and the Government, or at least it can be paid more conveniently.

Under the system of ad valorem taxation a citizen's property might be assessed at $100,000—it might be a magnificent building filled with tenants, at good rents and of prompt pay. That building might yield $15,000 per annum when occupied; but, if the day after the assessment became operative, a destructive fire should gather it in its hot embrace and lay it down a mass of charred and blackened ruins, under a system of ad valorem taxation the owner would be compelled to pay the same taxes on it, though it would bring him nothing that year, as he would have paid had it escaped the conflagration and yielded him a revenue of $15,000 a year. It is not so under an income tax, which rises and falls with each man's ability to pay it. If the property that last year fetched the owner $15,000 should be destroyed or be vacant the better part of this year, and the income should shrink to $3,000, the taxes would shrink with it. Under the $15,000 income, he would enjoy his $5,000 exemption and pay 3 per cent only on his $10,000 excess, which he could well afford to pay, but under a condition where it netted him only $3,000, his income from it would not reach the limit of exemption, and he would not pay a farthing toward the Government's support. An income tax is only exacted when the citizen is able to pay, and the exaction is measured by his ability to pay.

WILL MAKE A NATION OF LIARS.

But to all of this our opponents answer that the tax is inquisitorial and will make us a "nation of liars." Even if what they say in that regard is true, it is not more true of this than it is of every other law that levies taxes. Every tax law inquires closely into our financial condition, and some men will swear a lie to evade any tax; but this is chargeable against the nature of taxation and against the depravity of man, and not against this particular kind of a tax. It no more violates the privacy of your business affairs to compel you to state your income and the sources of it than it does to compel you to list every piece of your property, including the personal ornaments and jewelry of your wife, as you are now required to do in all the States. Not only are all taxes inquisitorial, but they must be so, or otherwise the honest men would pay them and the dishonest men would cheat the law. I do not like to have a tax assessor ask me for an inventory of my property, but I give it without objection, and I would state my income as freely as I would describe the property from which I derive it. I have sought in this amendment—and to that extent it is a copy of the other laws—to guard the business of every citizen against the idle curiosity of gossips, and I have made it a crime for any officer or employee of the Government to divulge, except under proper conditions, the return which a citizen must make to the internal-revenue collector. This is a protection which is not extended in all the States.

Why should an income tax make us "a nation of liars" any more than our tariff or our present internal-revenue taxes? There is nothing about an income which it is so necessary to conceal, and certainly an income tax is not more difficult to pay because it is never demanded from a citizen unless his business shows a profit. It calls none to the collector's office except those who have enjoyed a prosperous year, and surely a man whose enterprises have yielded him a profit will not commit a perjury to save a moderate tax. I feel as certain as I do of any event which is yet to come that the income tax will be paid as honestly and as promptly as other taxes are, and I repel as a libel on the American character this oft-repeated assertion that our prosperous people will perjure themselves to avoid its payment. That some of them will do so, I have no doubt, because I know that they evade their present taxes; but no honest man will swear a lie in order to keep the money which belongs in justice and in law to the Government. I hate a liar of every degree, but if one could be more despicable than another, the worst of all is the man of fortune who will commit a perjury in order to shift a burden which belongs to him to the backs and the appetites of the poor, and I would so frame the law as to double his taxes through penalties prescribed for such misconduct. Indeed, I would hunt him down, and I would take from him tenfold as much as I would require an honest man to pay, and then I would brand him forever as a perjurer and a tax dodger.

I hold no brief to defend the rich men of America, but I think better of them than some of them think of themselves, for while many of them say they will lie to escape this tax, I believe that is true of only a small portion of them. I have known some men who would defraud the Government out of a thousand dollars in taxes and then pay $5,000 for an automobile; but surely the American Congress will not be asked to desist from passing a just and equal law because some men are so low as that. There are ripe scholars who say that the history of all nations attests that after the wealth of men has reached and passed a certain point it makes them more selfish and less patriotic. I have never subscribed to that philosophy and I hope that my experience will never convince me of its truth; but if it be true that an income tax will make this "a nation of liars," then I must admit that wealth debases human nature. With every income of $5,000 or less exempt, no man can be tempted to tell a lie for the sake of giving to those he loves what they are bound to have, and it is a fearful indictment of our people to say that the most prosperous of them are so dishonest. Will any millionaire consider it a compliment to him that you refused to pass an income tax law because you thought it would make a liar out of him? Do you think that such an explanation will flatter his self-respect or increase his pride?

Mr. President, I would hate to think that wealth engenders crime, for I was taught that integrity is a virtue of the mind and not of a condition. I have always despised the men who have sought to incite class hatred and I have never felt any tolerance for the demagogue who is always declaiming against the rich. It has been enough for me to believe that a man is a man whether rich or poor, and I want to live and die in that belief. I know the poor man does his duty by his country and though he may have no property on which to pay a tax, his strong arm and his brave heart are always at his Government's command. He has no magnificent castles over which great armies and mighty navies stand in sullen guard, but he responds with eager step whenever his country calls him to its defense. He knows that a battle may cost his life, or what is worse than death, may leave him a captive of the enemy, but he does not stop to count those perils when the summons comes. The poor enjoy no favor from the Government except the protection which it affords them and for this they pay by protecting the Government in every crisis. They perform its jury service in times of peace, and fight its battles in times of war. They seldom ask to be excused from one, and never hire a substitute to perform the other service. Will the rich men of this land admit themselves so inferior to the poor that from their millions they will not give a paltry sum while the poor give freely of their blood?

The chief expense of every government is incurred in the protection of property and in the maintenance of order, in which the rich are so immediately concerned; and will they confess before their countrymen that they will not give even a small part of their incomes to a government whose protection they are so ready to invoke and which follows them in every land through which they travel, protecting them from insult and oppression? If I were counsel for the rich, the first advice

that I would tender them would be to advocate a law like this and thus testify to all their countrymen that they are more than ready to bear their part of the burden of this Government. If they would do that, it would do more to silence the envious voice of anarchy than all the benefactions and the charities which they can do. Let it be understood at once and for all time to come that the rich are willing at least to do justice to the poor by relieving them from a burden which they ought not to bear and let us hear no more of this insulting doctrine that a prosperous American citizen will perjure his soul rather than to pay his taxes.

But, Mr. President, we are told that even if the income tax is as just and as equal as we claim, and if it did not cultivate the odious vice of lying, this Congress has no power to pass such a law, because the courts have held it to be a direct tax and therefore unconstitutional unless apportioned according to population. It is to that question which, with the permission of the Senate, I shall now proceed.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield further to the Senator from Utah?

Mr. BAILEY. I do.

Mr. SUTHERLAND. Before the Senator passes to a discussion of the law of the question, I wanted to ask him a question with reference to the merits of the proposition.

Mr. BAILEY. Very well.

Mr. SUTHERLAND. I understood the Senator to eulogize somewhat extravagantly this form of taxation as being perhaps the most perfect form. I understand that this form of taxation is open to all the States of the Union as well as to the Federal Government, as claimed by the Senator, and I also understand that there is but one State in the Union, namely, Massachusetts, where this form of taxation is indulged in. Has the Senator any opinion upon the question as to why the various States of the Union have not resorted to this form of taxation if it is as perfect a form as the Senator thinks?

Mr. BAILEY. I have. It is simply because States do not readily alter their methods of taxation, and the reasons for a change are not so potential there as here.

Mr. BACON. May I suggest to the Senator from Texas that there is an additional reason? In the States taxes are levied ad valorem, and the men pay taxes in proportion to their ability, in a large degree, not as perfectly as under the income tax, but certainly much more perfectly than under the indirect tax through the medium of a tariff upon imports.

Mr. BAILEY. That is true, Mr. President, and I thank the Senator for adding it to what I have said. That is what I meant by saying that the reasons were not the same. If the States had been confined to a tax on consumption or remitted to a tax on incomes, they would have taxed incomes long ago.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. BAILEY. I do.

Mr. BURKETT. I think the statement which seems to have been agreed on here might be somewhat corrected. There are more States than Massachusetts that have an income tax. I think Pennsylvania has one; and as I recall it, Louisiana has some sort of an income tax. Both the Carolinas, I think, have some sort of an income assessment. I think there are at least half a dozen States that have some form of an income tax.

Mr. BAILEY. My impression is that there are three States with income taxes. But I did not choose to go into that. The Senator from Utah [Mr. SUTHERLAND] stated that there is but one, and I did not challenge it, though my impression is different, because it was apart from my argument, and what I must say will occupy too much of the Senate's time.

Before entering upon an examination of the law, I desire to say that I understand as well as anybody the delicacy of discussing in the Senate a decision of the Supreme Court; and especially do I understand the delicacy of assailing its correctness. I shall observe the proprieties of my position and of this place sufficiently to govern what I say by a fair discretion, but I do not think that any American citizen or that any American Senator is precluded from a just and respectful criticism of the action of any department of this Government. I am willing, sir, to stand uncovered in the presence of the Supreme Court, but I am not willing to be silenced by its decision. I reject the slavish doctrine that because the judges have spoken, all men must receive their speech in silence. The judgment of that court will always govern me in each particular case, and I will submit to the execution of its decrees with decorum and without resistance; but the opinion of that court as to the constitutional power of Congress is no more controlling with me than would be the well-considered opinion of a Senator or a private citizen of equal character and ability.

Under the Constitution the power to decide what is the law must rest somewhere, and I believe that it has been wisely confided to that great tribunal. It ought not to rest with those who make a law to judge whether that law be consistent with the Constitution; nor should it rest with him upon whom we fix the responsibility of executing the laws after we have made them, because to vest in him the power to say whether or not a law be valid would subject the legislation of our country to judgment of a Chief Executive who might not be a lawyer. I therefore readily agree to that decision which withholds from us and withholds from the Executive the right to determine what is and what is not the law when tested by the Constitution. I freely agree that the court shall have that power and that its decision in each particular case is as supreme as the sovereignty of this Government can make it; but I utterly deny that I must concur in their opinions whenever given and to whatever effect they be. The decision of that court can no more control me when I come to exercise my function and my right as a legislator than my decision in making a law should control them in construing it. What we do here, as was well said by Justice Chase, is persuasive there, and what they say there is almost conclusive here, but not quite so, or, at least, it ought not to be, and I sincerely trust that it will never be. I intend to discuss the income-tax case respectfully, but I intend to discuss it plainly. I intend to say, and I think I am justified in saying, that there were some arguments advanced in that first opinion which would be described as pettifogging if a lawyer had addressed them to the court.

Having said this much, I want to say one thing more. I have no patience with the insinuation which I have heard whispered in many places that the decision in the Pollock case was tainted with corruption. I do not believe it; I do not believe there is a justice on that bench now, and I do not believe that one ever sat there whose judgment could be purchased at any price. I do not believe that all the gold that miners have ever dug from the bowels of the earth and all the treasures that conquering armies have laid at the feet of their royal masters could tempt the smallest of them to sell his judgment. But while I utterly repudiate the suggestion that these judges were corrupt, I do not embrace the equally unfounded notion that they are infallible. They may err as well as other men, and their errors are not made sacred against protest and discussion because they happen to be judicial. Having said this much, I shall speak with greater freedom about the court's decisions, which I shall now proceed to consider.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. I do.

Mr. CLAPP. Mr. President, I suggest that the Senator from Texas has now been speaking for some time, and I think I observe some evidence, perhaps, of weariness. I do not believe he can get through with the legal phases of his argument to-day, and I think it would be much better if the legal argument should be now postponed and concluded to-morrow by the Senator, if that meets his approval.

Mr. BAILEY. I would really prefer that course. I think myself that the legal argument should be made as distinct and as separate as possible, because I am of the opinion that the only opposition to this amendment, as it will be expressed, will be predicated upon invalidity of such a law; and, if it meets the views of the Senate, I shall be very glad to suspend now and to conclude the legal argument to-morrow, if it suits the Senate to hear me then.

EXECUTIVE SESSION.

Mr. ALDRICH. I am glad to conform to the wishes of the Senator from Texas, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 27, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 26, 1909.

CONSULS.

Edward I. Nathan, of Pennsylvania, now consul of class 9 at Patras, to be consul of the United States of America of class 8 at Mersine, Turkey, vice A. Donaldson Smith, nominated to be consul of class 9 at Patras.

A. Donaldson Smith, of North Carolina, now consul of class 8 at Mersine, to be consul of the United States of America of class 9 at Patras, Greece, vice Edward I. Nathan, nominated to be consul of class 8 at Mersine.

UNITED STATES DISTRICT JUDGE.

Edward E. Cushman, of Washington, to be United States district judge, third division, district of Alaska, commencing July 1, 1909, under the provisions of the act of Congress approved March 3, 1909 (public, No. 322).

CIVIL SERVICE COMMISSIONER.

James Thomas Williams, jr., of North Carolina, to be a Civil Service Commissioner, vice Henry F. Greene, resigned.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from April 22, 1909.

Dr. Arthur Freeborn Chace, of New York.
Dr. Edward Elisha Dorr, of Iowa.
Dr. John William Keefe, of Rhode Island.
Dr. John Johnson Kyle, of Indiana.
Dr. Lewis Linn McArthur, of Illinois.
Dr. Charles Mayrant Rees, of South Carolina.

To be first lieutenants, with rank from April 23, 1909.

Dr. Adolphe Manger Giffin, of South Dakota.
Dr. Samuel C. Gurney, of Michigan.
Dr. James Adams Hayne, of South Carolina.
Dr. William Seagrove Magill, of New York.
Dr. Arlington Pond, of Vermont.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Nathaniel H. Wright,
Roland R. Riggs,
Edward F. Greene,
Isaac C. Johnson, jr., and
Richard P. McCullough.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Nathaniel H. Wright,
Roland R. Riggs, and
Edward F. Greene.

Passed Asst. Surg. Charles N. Fiske to be a surgeon in the navy from the 1st day of September, 1907, vice Surg. Corbin J. Decker, retired.

Asst. Surg. Howson W. Cole to be a passed assistant surgeon in the navy from the 5th day of October, 1908, upon the completion of three years' service in present grade.

Surgs. Robert E. Ledbetter and Charles St. J. Butler to be surgeons in the navy from the 19th day of September, 1908, and the 11th day of October, 1908, respectively, to correct the dates from which they take rank caused by the failure of an officer senior to them to qualify for promotion.

Second Lieut. William L. Burchfield to be a first lieutenant in the Marine Corps to fill a vacancy made on September 28, 1908, by the appointment of First Lieut. Logan Tucker as an assistant quartermaster, and to take rank from July 16, 1908, the date of the expiration of his one year's loss of numbers on account of his failure to qualify for promotion and suspension therefrom, to correct the date from which he takes rank as confirmed on April 8, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 26, 1909.

UNITED STATES DISTRICT JUDGE.

Learned Hand to be United States district judge, southern district of New York.

UNITED STATES DISTRICT ATTORNEYS.

George H. Gordon to be United States attorney for the western district of Wisconsin.

Harold A. Ritz to be United States attorney for the southern district of West Virginia.

RECEIVER OF PUBLIC MONEYS.

William C. Blair to be receiver of public moneys at Montrose, Colo.

SURVEYOR-GENERAL.

Edward P. Kingsbury to be surveyor-general of Washington.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Solomon W. Roessler to be colonel.
Maj. David Du B. Gaillard to be lieutenant-colonel.
Capt. William J. Barden to be major.
First Lieut. Arthur Williams to be captain.
Second Lieut. William A. Johnson to be first lieutenant.

INFANTRY ARM.

First Lieut. Albert R. Dillingham to be captain.
First Lieut. William R. Gibson to be captain.
Second Lieut. Albert B. Hatfield to be first lieutenant.
Second Lieut. Reginald H. Kelley to be first lieutenant.

CAVALRY ARM.

Lieut. Col. Cunliffe H. Murray to be colonel.
Maj. Frederick W. Sibley to be lieutenant-colonel.
Capt. John C. Waterman to be major.

COAST ARTILLERY CORPS.

Capt. Henry H. Whitney to be major.
First Lieut. Willis G. Peace to be captain.
Second Lieut. Youir M. Marks to be first lieutenant.

MEDICAL CORPS.

Capt. Elbert E. Persons to be major.
Capt. William N. Bispham to be major.

POSTMASTERS.

INDIANA.

Russell W. Addington, at Ridgeville, Ind.
Charles H. Bell, at Ossian, Ind.
Albert Boley, at National Military Home, Ind.
George Clevenger, at Parker, Ind.
Henry L. Connelly, at Rosedale, Ind.
George W. Kilmer, at Wakarusa, Ind.
James E. Leonard, at Gas City, Ind.
H. D. Moore, at Moores Hill, Ind.
Samuel Morris, at Eaton, Ind.
Henry F. Radcliff, at Pierceton, Ind.
John P. Russell, at Kewanna, Ind.

NORTH DAKOTA.

James M. Bunker, at Ellendale, N. Dak.

OHIO.

James L. McDonald, at Wellsville, Ohio.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 26, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Thursday, April 22, 1909, was read and approved.

SWEARING IN OF A MEMBER.

The SPEAKER laid before the House the credentials of Mr. JAMES H. CASSIDY, a Representative-elect from the twenty-first district of Ohio, which were read.

Mr. CASSIDY appeared at the bar of the House and took the oath of office.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAWLEY, for eight days, beginning May 3, 1909, on account of important business.

To Mr. THOMAS of North Carolina, indefinitely, on account of sickness in family.

To Mr. COWLES, for one week, on account of important business.

To Mr. KOPP, until May 2, on account of trip to Panama.

To Mr. ADAMSON, indefinitely, on account of sickness.

ENROLLED JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolutions:

H. J. Res. 45. Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress; and

H. J. Res. 38. Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. RUCKER of Missouri, on behalf of Mr. BORLAND, withdrew from the files of the House, without leaving copies, the papers in the case of Charles Sells, Sixtieth Congress, no adverse report having been made thereon.

the well-considered opinion of a Senator or a private citizen of equal character and ability.

9 at Patras, Greece, vice Edward I. Nathan, nominated to be consul of class 8 at Mersine.

Maj. David Du B. Gaillard to be lieutenant-colonel.
Capt. William J. Barden to be major.

leaving copies, the papers in the case of Charles Sells, Sixtieth Congress, no adverse report having been made thereon.

PANAMA CANAL.

Mr. WILEY. Mr. Speaker, I ask unanimous consent to have printed as a supplement to the document which the gentleman from Pennsylvania [Mr. WANGER] had leave to print an article appearing in the Outlook of this week by Hon. John R. Freeman, engineer of the Panama Canal.

The SPEAKER. Is there objection?

Mr. WANGER. Mr. Speaker, I think it will promote the general convenience if the article referred to by the gentleman from New Jersey be printed with the matter that I got leave a few days ago to print as a supplement to House Document No. 10.

Mr. WILEY. That is my request, Mr. Speaker.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Then, on motion of Mr. PAYNE (at 12 o'clock and 8 minutes p. m.), the House adjourned until Thursday, April 29, 1909.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Smithsonian Institution, transmitting a statement, with accompanying documents, relating to default in the contract for the new building for the National Museum (H. Doc. No. 16)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for payment of a judgment in favor of J. Henry Harper, trustee (H. Doc. No. 17)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for providing safe-keeping for emergency currency notes (H. Doc. No. 18)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for salary of the Treasurer of the United States (H. Doc. No. 19)—to the Committee on Appropriations and ordered to be printed.

A letter from the treasurer of the National Academy of Sciences, submitting inquiry as to reimbursement for certain expenses (H. Doc. No. 20)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a report as to reservations of land within the Flathead Indian Reservation, Mont. (S. Doc. No. 19)—to the Committee on Indian Affairs and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DWIGHT: A bill (H. R. 8773) to provide for traveling expenses of the President of the United States—to the Committee on Appropriations.

By Mr. WOODS of Iowa: A bill (H. R. 8774) to amend an act relating to soldiers' and sailors' homesteads—to the Committee on the Public Lands.

By Mr. AUSTIN: A bill (H. R. 8775) requiring the flag of the United States to be displayed at educational institutions to which officers of army or navy are assigned, at agricultural colleges or experiment stations receiving government aid, and at ambassadors', ministers', consuls', and consular agents' offices—to the Committee on Military Affairs.

Also, a bill (H. R. 8776) to reimburse depositors of the late Freedman's Savings and Trust Company—to the Committee on Banking and Currency.

Also, a bill (H. R. 8777) to furnish ex-soldiers medals of honor—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 8778) to amend an act entitled "An act granting an increase of pension to soldiers of the Mexican war in certain cases," approved January 5, 1893—to the Committee on Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 8779) to pension bridge builders and railroad repairers who were in actual service of the United States during the late war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8780) to amend the pension laws by increasing the pensions of soldiers and sailors who may have served in any war prior to 1866, and of widows and orphans of such soldiers and sailors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8781) to provide for the purchase of a site and the erection of a public building thereon at Moundsville, W. Va.—to the Committee on Public Buildings and Grounds.

By Mr. RUCKER of Colorado: Memorial of the legislature of Colorado, protesting against a federal inheritance tax—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 8782) granting a pension to John McGhee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8783) granting a pension to Cynthia A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8784) granting a pension to Katherine Vines—to the Committee on Pensions.

Also, a bill (H. R. 8785) granting a pension to David M. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8786) granting an increase of pension to Joseph A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8787) granting an increase of pension to Joseph A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8788) granting an increase of pension to James Smiddy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8789) to correct the war record of Calvin Fielden—to the Committee on Military Affairs.

Also, a bill (H. R. 8790) for the relief of George T. Larkin—to the Committee on Claims.

Also, a bill (H. R. 8791) granting a pension to George Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8792) for the relief of W. J. McGhee—to the Committee on War Claims.

Also, a bill (H. R. 8793) for the relief of estate of Henry Sessler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8794) to remove the charge of desertion against Sampson Carroll—to the Committee on Military Affairs.

Also, a bill (H. R. 8795) to remove the charge of desertion now standing against Thomas Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8796) to remove the charge of desertion standing against Samuel McKamey—to the Committee on Military Affairs.

Also, a bill (H. R. 8797) to remove the charge of desertion standing against William A. Morgan—to the Committee on Military Affairs.

By Mr. BARCHFELD: A bill (H. R. 8798) for the relief of the heirs of the late John W. Massey—to the Committee on Claims.

By Mr. BROWNLOW: A bill (H. R. 8799) granting an increase of pension to Silas Hopper—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 8800) to correct the military record of Levi Conright—to the Committee on Military Affairs.

By Mr. BYRNS: A bill (H. R. 8801) for the relief of James A. Tucker—to the Committee on War Claims.

Also, a bill (H. R. 8802) for the relief of Walker W. Winstead—to the Committee on War Claims.

Also, a bill (H. R. 8803) for the relief of the Fykes Grove Primitive Baptist Church, Sulphur Fork, Robertson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8804) granting an increase of pension to Matthew Brisbo—to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 8805) granting an increase of pension to Uriah Bickers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8806) granting an increase of pension to Samuel Maxberry, alias Samuel Logan—to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 8807) for the relief of James K. Hamblen—to the Committee on War Claims.

Also, a bill (H. R. 8808) for the relief of Martha S. Carmichael—to the Committee on War Claims.

Also, a bill (H. R. 8809) for the relief of Mattie J. and W. P. Horn, heirs of Preston A. Horn—to the Committee on War Claims.

Also, a bill (H. R. 8810) for the relief of William D. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 8811) for the relief of J. E. Whittington—to the Committee on War Claims.

Also, a bill (H. R. 8812) for the relief of Charlotte Spears—to the Committee on War Claims.

Also, a bill (H. R. 8813) for the relief of Frank Harris, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8814) for the relief of Smith Summers, administrator of John Waters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8815) for the relief of R. R. McMullen, administratrix of Thomas J. McMullen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8816) for the relief of John L. McClendon, administrator of the estate of Joel McClendon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8817) for the relief of the legal representatives of Benjamin Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8818) for the relief of W. W. Warren, administrator of the estate of Jackson Warren, deceased, of Canton, Madison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8819) for the relief of Frank Roberts and the heirs of Ida Roberts McNeil, deceased, of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8820) for the relief of the heirs of Mrs. C. M. J. Williamson—to the Committee on War Claims.

Also, a bill (H. R. 8821) for the relief of the heirs of Hiram G. Robertson and Charlotte G. Robertson, deceased, late of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8822) for the relief of the heirs of John H. McCutchen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8823) for the relief of the heirs of J. L. W. Bullock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8824) for the relief of heirs of Samuel W. Lancaster, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8825) for the relief of the estate of Jesse Mabry, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8826) for the relief of the estate of J. J. Galtney, deceased, late of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8827) for the relief of the estate of J. B. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8828) for the relief of the estate of Thomas J. Gibson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8829) for the relief of the estate of Jane N. Gibson, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8830) for the relief of the estate of Wesley Crisler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8831) for the relief of the estate of R. T. Brown, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8832) for the relief of the estate of Thomas S. Maben, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8833) for the relief of the estate of W. T. Collins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8834) for the relief of the estate of George M. Coker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8835) for the relief of the estate of B. V. McGuffee, deceased, late of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8836) for the relief of the estate of Elizabeth Hemphill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8837) for the relief of the estate of Dr. J. P. Davis, deceased, late of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8838) for the relief of the estate of R. H. Hoffman—to the Committee on War Claims.

Also, a bill (H. R. 8839) for the relief of the estate of Ann M. Meehan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8840) for the relief of the estate of Calvin Tilley—to the Committee on War Claims.

Also, a bill (H. R. 8841) for the relief of the estate of Stephen Herren—to the Committee on War Claims.

Also, a bill (H. R. 8842) for the relief of the estate of Samuel D. Kelley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8843) for the relief of the estate of R. A. Myrick, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8844) for the relief of the estate of W. A. Booth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8845) for the relief of the estate of Benjamin Magruder, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8846) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Sarah G. Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8847) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of S. N. Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8848) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of James A. Foard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8849) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of William Freeman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8850) to carry into effect the findings of the Court of Claims in the matter of the claim of Elizabeth Johnson—to the Committee on War Claims.

Also, a bill (H. R. 8851) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Vernon H. Johnston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8852) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Emma S. Lewis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8853) to carry into effect the findings of the Court of Claims in the matter of the claim of Mrs. Harriett Miles—to the Committee on War Claims.

Also, a bill (H. R. 8854) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of William O. Moseley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8855) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Mary Ann Nagle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8856) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John Read, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8857) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Charles Baker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8858) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Royall Chambers, deceased—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 8859) granting an increase of pension to Albert O. Gifford—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 8860) granting an increase of pension to Louisa Pitts—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 8861) granting an increase of pension to Alrena Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8862) granting an increase of pension to Anna Litz—to the Committee on Invalid Pensions.

By Mr. GRANT: A bill (H. R. 8863) for the relief of Dr. J. A. Reagan—to the Committee on War Claims.

Also, a bill (H. R. 8864) for the relief of the estate of George Hodge, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8865) granting a pension to James C. Rymer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8866) granting a pension to Columbus Lankford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8867) granting a pension to James A. Anderson—to the Committee on Pensions.

Also, a bill (H. R. 8868) granting a pension to Moses F. Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8869) granting a pension to Franklin B. Carland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8870) granting a pension to Francis M. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8871) granting a pension to Feemster Penland—to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 8872) granting an increase of pension to Edward P. Redford—to the Committee on Pensions.

Also, a bill (H. R. 8873) granting an increase of pension to George Hobbs—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 8874) granting an increase of pension to Samuel Gooding—to the Committee on Pensions.

Also, a bill (H. R. 8875) granting an increase of pension to John Seals—to the Committee on Pensions.

Also, a bill (H. R. 8876) granting an increase of pension to Joshua Dewees—to the Committee on Pensions.

Also, a bill (H. R. 8877) granting an increase of pension to John N. Hanna—to the Committee on Pensions.

By Mr. HOWLAND: A bill (H. R. 8878) granting an increase of pension to James Field—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8879) granting an increase of pension to Rodney Jameson—to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 8880) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Methodist Episcopal Church South, of Clarksburg, W. Va.—to the Committee on War Claims.

By Mr. LINDSAY: A bill (H. R. 8881) granting an increase of pension to Robert McGuire, alias Robert W. Smith—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 8882) to carry out the findings of the Court of Claims in the case of Catharine Kelton—to the Committee on War Claims.

Also, a bill (H. R. 8883) to carry out the findings of the Court of Claims in the case of Julia A. Crusells—to the Committee on War Claims.

Also, a bill (H. R. 8884) to carry out the findings of the Court of Claims in the case of G. W. Aycock—to the Committee on War Claims.

Also, a bill (H. R. 8885) to carry out the findings of the Court of Claims in the case of Albert Godbee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8886) to carry out the findings of the Court of Claims in the case of A. G. McDonald, administrator of the estate of Robert H. Green, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8887) for the relief of the heirs of Thomas Carter, deceased—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 8888) granting an increase of pension to George T. Butterfield—to the Committee on Invalid Pensions.

By Mr. MADISON: A bill (H. R. 8889) granting an increase of pension to Morris B. McKeever—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8890) granting an increase of pension to David A. Clowes—to the Committee on Invalid Pensions.

By Mr. MARTIN of South Dakota: A bill (H. R. 8891) granting a pension to James W. South—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8892) granting a pension to George C. Stearns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8893) granting a pension to Charles Hotgdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8894) granting a pension to William H. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8895) granting an increase of pension to James L. McWilliams—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 8896) granting an increase of pension to Robert Glover—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 8897) granting an increase of pension to William Corkran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8898) granting an increase of pension to Charles B. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8899) granting an increase of pension to Abel Inman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8900) granting an increase of pension to Henry Dye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8901) granting a pension to Harriet L. Westerfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8902) granting a pension to Wilson M. Jones—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 8903) granting an increase of pension to Henry C. Sprague—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 8904) for the relief of John Hogan, postmaster at Wagstaff, Kans.—to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 8905) for the relief of Harry T. Herring—to the Committee on Military Affairs.

By Mr. VREELAND: A bill (H. R. 8906) granting a pension to Lafayette Taylor—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 8907) granting a pension to Sadie M. Lowell—to the Committee on Pensions.

Also, a bill (H. R. 8908) granting a pension to Harriet M. Beaman—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of 40 men, requesting an amendment to the Constitution of the United States to permit women to vote—to the Committee on the Judiciary.

By Mr. BARTLETT of Georgia: Petitions of P. W. Ethridge, W. H. Bolton, W. H. Williams, J. J. Fisher, and L. Holmes, of Milner, Ga., and T. J. Biles, of Orchard Hill, Ga., asking a reduction of the duty on raw and refined sugar—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Lewiston and Auburn Merchants' Association, for removal of duty on hides—to the Committee on Ways and Means.

By Mr. GRIEST: Protest of the Lancaster Leaf Tobacco Board of Trade, against free entry of Philippine tobacco as detrimental to the interests of the tobacco growers, packers, dealers, and jobbers, and to cigar manufacturers and bench workers—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Los Angeles Chamber of Commerce, against a national consular school—to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Papers to accompany bills for relief of Joshua Dewees, Francis W. Leeper, Samuel Gooding, John N. Hanna, George W. Pitner, and John Seals—to the Committee on Pensions.

Also, petition of C. W. Criss Brothers, Steubenville, Ohio, for reduction of tariff on sugar—to the Committee on Ways and Means.

By Mr. LIVINGSTON: Paper to accompany bill for relief of heirs of Thomas Cater—to the Committee on War Claims.

By Mr. MURPHY: Petition of various farmers' unions of Texas County, Mo., for a parcels-post law—to the Committee on the Post-Offices and Post-Roads.

By Mr. NEEDHAM: Petition of Los Angeles Chamber of Commerce, against establishment of a national consular school—to the Committee on Foreign Affairs.

By Mr. ROBINSON: Paper to accompany bill for relief of heirs of Mrs. Marguerite E. Dennis—to the Committee on War Claims.

By Mr. SHEFFIELD: Petition of Joseph E. Caldwell and 90 other lithographers, of Providence, R. I., for higher duty on lithographic products—to the Committee on Ways and Means.

By Mr. SULZER: Petition of wholesale dry goods merchants of New York, against increase of duty on cotton goods—to the Committee on Ways and Means.

Also, petition of Darling & Co., of Long Island City, N. Y., against reduction of tariff on glue—to the Committee on Ways and Means.

Also, petition of National Industrial News, of New York City, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Lord & Taylor and others, against increase of duty on hosiery goods—to the Committee on Ways and Means.

Also, petition of Charles Morningstar & Co., favoring reduction of duty on potato glucose—to the Committee on Ways and Means.

Also, petition of Standard Importing Company, against increase of duty on kippered herrings—to the Committee on Ways and Means.

Also, petition of Thomas & Thompson Company, of Baltimore, Md., for a duty on sheep dip—to the Committee on Ways and Means.

Also, petition of National Tea and Coffee Association, against a tariff on tea—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Works, favoring same duty on raw as scoured wool—to the Committee on Ways and Means.

Also, petition of Rev. H. F. Adams, of New York City, for establishment of a federal national children's bureau—to the Committee on Labor.

By Mr. WASHBURN: Paper to accompany bill for relief of Sarah M. Lowell and Hattie M. Beaman—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *April 27, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

CIVIL-SERVICE EMPLOYEES FROM NEW HAMPSHIRE.

The VICE-PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 21st instant, a list of the names of persons now in the civil service charged to the State of New Hampshire, etc. (S. Doc. No. 21), which, with the accompanying paper, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of sundry citizens of Los Angeles, Cal., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on Woman Suffrage.

He also presented petitions of sundry citizens of New York, Pennsylvania, Tennessee, Arizona, Missouri, Louisiana, Georgia, Indiana, Texas, North Dakota, Iowa, Washington, South Carolina, Arkansas, Kentucky, Alabama, Minnesota, Ohio, New Mexico, Maine, Oklahoma, Illinois, Nebraska, Wisconsin, West Virginia, and Maryland, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Cisne, Hoopeston, and Pocahontas, all in the State of Illinois, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry manufacturers and dealers in leather goods of Chicago, Ill., and St. Louis, Mo., praying for the repeal of the duty on hides, which was ordered to lie on the table.

Mr. DU PONT. I present a petition of the Board of Trade of Wilmington, Del., relative to a change of the date of the inauguration of the President of the United States. I ask that the petition be printed in the RECORD and referred to the Committee on Privileges and Elections.

There being no objection, the petition was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

Whereas experience has shown that weather conditions are, as a rule, very unfavorable at the date set for the inauguration of the President of the United States at the beginning of the presidential term, viz, March 4, and this fact was particularly emphasized by the fierce storm that prevailed at the recent inauguration of President Taft; and

Whereas in consideration of these facts, together with the further fact that a later date in the calendar year would likely prove more propitious: Therefore be it

Resolved by the Board of Trade of the City of Wilmington, Del., That the Senators and Representatives in Congress from this State be, and they are hereby, requested to exert themselves for a change in the existing law whereby the inauguration of the President will be celebrated hereafter later in the spring.

Passed unanimously by the Wilmington Board of Trade April 6, 1909.

Attest:

[SEAL.] GEO. H. MCGOVERN, *Secretary.*

Mr. DU PONT presented petitions of sundry citizens of Delmar, Del., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Imes and Elbing, Kans., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. JONES presented petitions of sundry citizens of Castle Rock, Tacoma, Tracyton, Turnwater, Barry, Sanderson, Davenport, and Startup, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Teachers' Association of Walla Walla, Columbia, and Benton counties, all in the State of Washington, praying for the passage of the so-called "children's bureau bill," which was referred to the Committee on Education and Labor.

Mr. PILES presented petitions of sundry citizens of Buckley and Turnwater, in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BULKELEY. I present resolutions adopted at a meeting of the directors of the New England Tobacco Growers' Association, held at Hartford, Conn., April 20, relative to the duty on tobacco imported from the Philippine Islands. I ask that the resolutions lie on the table and that they be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

HARTFORD, CONN., *April 20, 1909.*

At a meeting of the directors of the New England Tobacco Growers' Association the following resolutions were unanimously adopted:

Whereas the present tariff measure which is now before the United States Senate, known as the "Payne bill," is a menace to the tobacco-growing industry of the New England States on account of allowing a certain portion of the product of the Philippine Islands to enter this country free of duty, thereby compelling the tobacco growers of the United States to enter into competition with the cheap labor of the Filipino;

Whereas we believe that if the present tariff measure now before Congress becomes a law that part of the bill which relates to the free entry of the Philippine tobacco will be used as an entering wedge for a greater quantity to come into this country free of duty in the near future;

Whereas we, the directors of the New England Tobacco Growers' Association and the growers of Connecticut tobacco, strongly reiterate our former action on this subject and strenuously object to any measure in the proposed tariff bill which may become a hardship to the producers of leaf tobacco in this country:

Resolved, That Mr. Marcus L. Floyd and Joseph G. Mitchelson, of Tariffville, Conn., are hereby duly appointed as delegates to represent the New England Tobacco Growers' Association at Washington, D. C., and are requested to use every honorable means in their power to defeat this proposed legislation;

Resolved, That we fully concur in any action which they may take in our behalf; be it further

Resolved, That we, the directors of the New England Tobacco Growers' Association, appreciate the efforts which have been made by our Senators and Congressmen to protect our interests, and that it is the sense of this meeting that a copy of the above resolutions be forwarded to them.

The above is a true copy.

Attest:

W. K. ACKLEY,

Secretary pro tempore New England Tobacco Growers' Association.

Mr. PERKINS presented a memorial of California Harbor, No. 15, American Association of Masters, Mates, and Pilots, of San Francisco, Cal., remonstrating against a reduction of the duty on lumber, which was ordered to lie on the table.

He also presented a memorial of the board of directors of the Chamber of Commerce of Los Angeles, Cal., remonstrating against the establishment of a national consular school, which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of San Jose and Lake City, Cal., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRANDEGEE presented a memorial of Local Union No. 407, Cigar Makers' International Union of America, of Norwich, Conn., remonstrating against the repeal of the duty on tobacco and cigars imported from the Philippine Islands, which was ordered to lie on the table.

He also presented petitions of the Challenge Cutlery Corporation, of Bridgeport; of the Thomaston Knife Company, of Thomaston; and of the Miller Brothers Cutlery Company, of Meriden, all in the State of Connecticut, praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. KEAN presented a petition of sundry citizens of Paterson, N. J., and a petition of Typographical Union No. 195, International Typographical Union, of Paterson, N. J., praying for a reduction of the duty on wood pulp and print paper, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Jersey City, N. J., praying for the appointment of a tariff commission, which was referred to the Committee on Finance.

He also presented a memorial of the executive board of the State Federation of Labor, of Hoboken, N. J., remonstrating against a reduction of the duty on steel and iron, which was ordered to lie on the table.

HEARINGS BEFORE THE COMMITTEE ON THE JUDICIARY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution No. 38, submitted yesterday by Mr. CLARK of Wyoming, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 38.

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee, and to have said hearings printed for the use of the committee; that the committee may sit during the sessions of the Senate, and that the expenses thereof be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BULKELEY:

A bill (S. 2002) to establish a fish-cultural station in the State of Connecticut; to the Committee on Fisheries.

By Mr. JONES:

A bill (S. 2003) granting a pension to Jesse H. Arnold; and

A bill (S. 2004) granting a pension to Emsley P. Canutt; to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 2005) granting an increase of pension to Emma M. Selmer; to the Committee on Pensions.

By Mr. PAYNTER:

A bill (S. 2006) for the relief of the county court of Allen County, Ky.; and

A bill (S. 2007) for the relief of the county court of Owen County, Ky.; to the Committee on Claims.

By Mr. BURROWS:

A bill (S. 2008) authorizing the President of the United States to select from the retired list of the army an officer not above the rank of brigadier-general, who may have distinguished himself during the civil war, throughout twenty-five years of Indian wars, through the Spanish-American war, and the insurrection in the Philippine Islands, and to appoint, by and with the advice and consent of the Senate, the officer so selected to be major-general, United States Army, with the pay and allowances established by law for officers of that grade on the retired list; to the Committee on Military Affairs.

By Mr. KEAN:

A bill (S. 2009) granting a pension to Julia Beach; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 2010) granting an increase of pension to Susan J. Tukey (with the accompanying papers); to the Committee on Pensions.

A bill (S. 2011) for the relief of Charles E. Currier; to the Committee on Claims.

By Mr. WARREN:

A bill (S. 2012) for the relief of persons who have conveyed lands to the United States under certain conditions; to the Committee on Public Lands.

By Mr. CLAPP:

A bill (S. 2013) granting an increase of pension to D. F. Gallup (with the accompanying paper); and

A bill (S. 2014) granting an increase of pension to William De Wolf Pringle (with the accompanying paper); to the Committee on Pensions.

INCOMES AND INHERITANCES.

Mr. BROWN. I introduce a joint resolution, which I ask be read at length.

The joint resolution (S. J. R. 25) to amend the Constitution relative to incomes and inheritances was read the first time by its title and the second time at length, as follows:

Senate joint resolution 25.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following section be submitted to the legislatures of the several States, which, when ratified by the legislatures of three-fourths of the States, shall be valid and binding as a part of the Constitution of the United States:

"The Congress shall have power to lay and collect taxes on incomes and inheritances."

Mr. BROWN. Mr. President, I desire to have the joint resolution printed and lie on the table.

The VICE-PRESIDENT. Without objection, that order will be made.

Mr. BROWN. I also desire to state that, with the indulgence of the Senate, to-morrow morning after the routine business I shall make a few remarks upon the subject.

AMENDMENT TO THE TARIFF BILL.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed.

Mr. SCOTT rose.

Mr. LODGE. I ask that the tariff bill may be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SCOTT. Mr. President, we are engaged, and have been for some time, considering a revision of the tariff. The so-called "Payne bill," as passed by the House of Representatives, has been seen, examined, and studied by the American people. Since then I have received letters by the score asking that this or that provision in the bill be changed, and I presume this has been the experience of every other Senator. It does not seem, from the communications I receive, at least, that there is any one schedule in the bill that is satisfactory to the people as a whole. I am glad, though, to see changes in the measure as reported by the Finance Committee. Of course, Mr. President, I have no doubt that ultimately we will pass a bill, but why, Mr. President, all this excitement and the upsetting of the business interests of the country? For, when we are through with it, we will not have nearly so good a bill, in my judgment, as the present Dingley law.

I hail from a section of the country which has profited greatly from tariff and will profit more in the future. New England, for instance, profited in the past. Now she is ready for a downward revision of the tariff and free coal, if she can get it. But the Southland sees ahead of her nothing but prosperity under a protective tariff. In the past thirty years she has made marvelous strides. She has developed more rapidly in manufactories than any other portion of our country. Right in the midst of the great raw material of the United States, notwithstanding the fact that the large majority of her statesmen have spent days and nights opposing protection, she has developed, and will soon be the great manufacturing section of this country. Despite the doctrines of free trade and tariff for revenue only; despite the fact that in the past she has accepted the fads of other localities even after they were tested and abandoned elsewhere; despite the fact that she has been used to great disadvantage by other sections, she has prospered and developed and soon will be as insistant on a tariff as New England once was. At no distant day you will find the people of the South sending to Congress Members who will be the strongest protectionists this country has ever produced.

You remember that Blaine, in his Twenty Years in Congress, referred to the fact that Webster was a free trader until conditions changed in Massachusetts. As it became evident it was going to become a manufacturing State, he then changed to a strong protectionist. On the other hand, Calhoun, believing that the South was going to be a manufacturing part of our country, was a strong protectionist; but when he found the South had turned to agriculture and New England to manufacture, he also changed his position and became a free trader. Blaine says:

> The American protectionist does not seek to evade the legitimate results of his theory. He starts with the proposition that whatever is manufactured at home gives work and wages to our own people, and that if the duty is even put so high as to prohibit the import of the foreign article, the competition of home producers will, according to the doctrine of Mr. Hamilton, rapidly reduce the price to the consumer.

Further on he says:

> Free traders do not, and apparently dare not, face the plain truth—which is that the lowest priced fabric means the lowest priced labor. On this point protectionists are more frank than their opponents; they realize that it constitutes, indeed, the most impregnable defense of their school. Free traders have at times attempted to deny the truth of the statement, but every impartial investigation thus far has conclusively proved that labor is better paid and the average condition of the laboring man more comfortable in the United States than in any European country.

Mr. President, I do not desire to discuss in detail the question of protection, free trade, or a tariff for revenue only. My position is well known. Before this honorable body some years ago I gave in full the reasons for the faith I hold. It is sufficient to say that I am a protectionist. I believe in the doctrine from the protective standpoint. I only desire on this occasion to discuss this tariff bill now before the Senate from the standpoint of its effect on the South in general and West Virginia in particular. In so doing, I desire to state that the protection I would extend to West Virginia and her products I stand ready to extend, so far as my vote is concerned, to any other State and its products. I know that protection works alike everywhere. To reach the conclusions I desire, I must refer briefly to the growth of the South under protective tariff, and of West Virginia particularly.

The growth of that entire part of the United States lying south of Mason and Dixon's line since 1880 has been most remarkable. And here I desire to have printed from the Manufacturers' Record, without reading, figures to show the wonderful development of the South as a whole since that year—a development which has come under a protective tariff, a measure which the large majority of this section opposed.

I ask that certain figures may be inserted as a part of my remarks, without reading.

The VICE-PRESIDENT. Without objection, the statement will be printed in the RECORD.

The matter referred to is as follows:

Population, from 16,369,960 to 26,834,705, or by 10,464,745, equal to 63.9 per cent.

True value of property, from $7,505,000,000 to $20,073,686,216, or by $12,568,686,216, equal to 167 per cent.

Capital in manufactures, from $257,244,564 to $2,100,000,000, or by $1,842,755,436, equal to 716.6 per cent.

Products of manufacturers, from $457,454,777 to $2,600,000,000, or by $2,142,545,223, equal to 468.9 per cent.

Capital in cotton mills, from $21,000,000 to $266,500,000, or by $245,500,000, equal to 1,169 per cent.

Active spindles in cotton mills, from 667,754 to 10,443,761, or by 9,776,065, equal to 1,646 per cent.

Active looms in cotton mills, from 14,323 to 222,539, or by 208,216, equal to 1,453 per cent.

Cotton used, from 108,094,880 pounds to 1,059,519,893 pounds, or by 950,825,004 pounds, equal to 875 per cent.

Capital in cotton-oil mills, from $3,800,000 to $90,000,000, or by $86,200,000, equal to 2,268 per cent.

Pig iron produced, from 397,301 tons to 3,445,221 tons, or by 3,047,920 tons, equal to 767 per cent.

Coke made, from 372,436 tons to 9,289,471 tons, or by 8,917,035 tons, equal to 2,394 per cent.

Value of lumber products, from $39,000,000 to $365,000,000, or by $326,000,000, equal to 836 per cent.

Lumber cut, from 3,410,294,000 feet to 19,303,983,000 feet, or by 15,893,689,000 feet, equal to 466 per cent.

Value of farm products, from $660,000,000 to $2,225,000,000, or by $1,565,000,000, equal to 237 per cent.

Bales of cotton raised, from 5,723,934 to 10,582,966, or by 4,859,032 bales, equal to 85 per cent.

Value of the cotton crop, not including seed, from $312,303,000 to $614,034,000, or by $301,731,000, equal to 96 per cent.

Corn, wheat, and oats raised, from 577,328,440 bushels to 818,318,000 bushels, or by 240,789,560 bushels, equal to 41 per cent.

Value of mineral products, from $13,817,930 to $286,818,347, or by $273,000,417, equal to 1,976 per cent.

Coal mined, from 6,657,003 tons to 94,829,835 tons, or by 88,792,832 tons, equal to 1,470 per cent.

Iron ore mined, from 842,454 tons to 6,316,027 tons, or by 5,473,573 tons, equal to 649 per cent.

Petroleum produced, from 179,000 barrels to 27,239,057 barrels, or by 27,060,057 barrels, equal to 15,118 per cent.

Phosphate mined, from 190,763 tons to 2,253,198 tons, or by 2,062,435 tons, equal to 1,081 per cent.

Railroad length, from 20,612 miles to 67,181 miles, or by 46,459 miles, equal to 221 per cent.

Exports from southern ports, from $264,905,753 to $648,098,715, or by $383,192,962, equal to 145 per cent.

Aggregate resources of national banks, from $171,464,172 to $1,100,117,838, or by $928,653,666, equal to 541 per cent.

Capital of national banks, from $46,688,930 to $162,558,230, or by $115,869,300, equal to 248 per cent.

Individual deposits in national banks, from $64,733,249 to $531,277,537, or by $466,544,288, equal to 721 per cent.

Deposits of state banks, savings banks, private banks, and loan and trust companies, from $83,444,576 to $624,752,437, or by $541,307,861, equal to 649 per cent.

Expenditures for common schools, from $9,796,040 to $37,687,615, or by $27,891,575, equal to 285 per cent.

Mr. SCOTT. Mr. President, what a marvelous record these figures show. What a wonderful future lies before the Southern States!

West Virginia, the State which I have the honor in part to represent in this Chamber, has been wiser than some of her sisters in the South. As a State, she is 46 years old this coming June. For years ignored by the eastern portion of the "Old Dominion," the western part was looked upon as a mountain wilderness. Now the world knows West Virginia.

The value of her coal can scarcely be estimated. Ten thousand miles of her territory is underlaid with this mineral. This gives only a faint idea to the general mind of the immensity of this deposit. To say that there are over 6,000,000 acres of West Virginia in coal land gives but a little better idea. When it is stated, however, that the coal of this State could supply the markets of the United States for two hundred years with bituminous coal at the present rate of production, some idea can be gained.

Her wealth in petroleum is unknown, and what the future of this product may be no one can tell. Last year the oil output was valued at over $20,000,000. She is also rich in natural gas, and the value of the production of that article last year amounted to over $8,000,000. But in these three items, each great in itself, only a portion of our wealth is known. New gas wells and new oil wells are being found every day and new coal territory is being developed.

In addition to these there is other great material wealth. Sandstone of almost any size and texture can be quarried. An abundance of good potter's and fire clay is found, and West Virginia ranks fourth in its production of pottery products and has the largest individual factory in the world. Good grits for grindstones and valuable iron ore are located in many of its hills, and one county of the State furnishes a white sand of exceptional purity, about the best found in the United States for glass making.

Our forests now standing are superior, especially as regards hard woods. By far the larger portion of the uncleared lands is still in forests. Except in California, where the redwood trees attain tremendous size, no finer timber can be found within the confines of the Union than that which grows in West Virginia. Tremendous onslaughts have been made upon these forests, but yet we still have an abundance of hard wood, and some of the largest tanneries of the country are located within our borders.

With all this great mineral wealth, we are proud of our farms, for West Virginia is an agricultural State. The blue grass of Kentucky is equaled by that of Greenbrier and adjoining counties near the center of the State, and the stock raised there brings the highest price of any meat that is brought into the New York markets. Sheep roam on a thousand hills, and their wool is among the best produced.

Thus blessed by nature, West Virginia has possessed from the beginning, and still possesses, the two great elements of success for manufacturing—cheap and abundant raw material and cheap and abundant fuel. As I have said before, nowhere else in the world are these two essentials of manufacturing life more abundantly found, and I believe, and the great majority of the people of West Virginia believe, and in fact know, that the raw material and cheap fuel would still be lying undeveloped in our mountains and valleys had it not been for a protective tariff. It would have been absolutely impossible, without our protective tariff, to have established in this State the iron and pottery industries, enabling us to make the finest wares produced anywhere. There would have been no steel manufactories, of which we are so proud; there would have been no development of iron mines, and of our oil fields and gas wells, which are pushing our State to the very front ranks. There would have been no such development of our agricultural lands or of our lumber interests. I hesitate even to try to imagine what would be the condition of West Virginia to-day were it not for a protective tariff. I do not have to guess as to what has been the result. It is before us. In West Virginia all we have to do is to look on all sides and see the actual realization of what a protective tariff has brought to us.

The census of 1870 was the first to schedule in any way the material interests of West Virginia, and all comparison as to growth must be based on that. In that year our population was 424,000; to-day it is 1,250,000. Of these 800,000 are over 10 years of age, and among them are only 80,000 illiterates. In 1870 we had only eleven millions of capital employed in manufacturing; now we have over 5,000 manufacturing establishments with upward of eighty millions of capital invested, and finished product worth one hundred and twenty-five millions. In 1870 we had only 1,527 miners, with an annual wage of $800,000. Now we have, in round numbers, a thousand mines in operation with over 60,000 wage-earners, with annual wage amounting to thirty millions. In 1870 the product of our mines was valued at only two and one-half millions, while now it is valued at over fifty millions. In 1870 the value of our farms was only one hundred millions; now it is more than double.

Compared with our conditions since we became a State, we have doubled in population, while in wealth and wage-earning capacity we have increased over fourfold. In other words, in our ability to buy, to possess the necessaries and luxuries of life, to enjoy the advantages of work in the factories and mines and on the farm, with a consequent joy of the home and fireside, we are twice as well off as we were thirty years ago. All this I believe, and a very great majority of the people of West Virginia believe, has come to us through the benefits of a protective tariff. Without it we fear we would still be the wilderness west of the Allegheny Mountains.

With such interests as these it is not to be wondered at that the Representatives of West Virginia in this Chamber have been overwhelmed with requests to see that at least the Dingley rates on most articles are retained. I had the honor during the winter just closed of addressing the legislature of my own State, and told that body that unless I received instructions from it I was a "standpatter" on tariff; that I favored the retention of the present law, and that the best interests of the country would be conserved by not tinkering with it. That great body of West Virginians indorsed my stand, and I feel that in appealing to this Senate for rates that will amply protect the industries of West Virginia, and of the entire country, I have behind me the official support of the representatives of the citizens of West Virginia. So I stand here ready, to the best of my ability, to battle for what I think is to their interests and what they have said they know is for their own interest.

COAL.

Perhaps the largest industry in our State is that of mining bituminous coal. Three great railroads have traversed our State for several years, and within the past month or so a fourth has been opened for traffic. The papers of our land have been filled with accounts of the completion of this great project, since one of the shining literary lights of our country was the guest of honor on this memorable occasion. Experts declare that the section of the State through which this new road runs will yet become the richest bituminous field known in the world. When mines along this road have been opened, and are in full working order, West Virginia's output of coal will be greatly increased. And it must be remembered that this road was built, and these coal properties were opened up, under the knowledge that there was a protective tariff on coal and with the belief that this tariff would remain. In the year 1907 the total bituminous-coal production in the United States amounted in round numbers to 395,000,000 tons. Of this enormous amount of coal West Virginia furnished in round numbers 50,000,000 tons, nearly one-seventh of the total output. With the development along the new road, which has just been opened to traffic, these figures may be swelled in the near future, if the tariff is retained, perhaps 15,000,000 tons. In mining this amount of coal over 60,000 miners are employed, and on their labors depend directly over 300,000 people. The railroads which haul it employ thousands of men, and these men, with their families, are all directly interested. These figures do not take into account the many millions of dollars invested in the operations.

In addition to the proposed change in tariff rates West Virginia is threatened with a traffic arrangement almost shutting it out of the market. Lying almost halfway between the Lakes and the seaboard, Ohio and Illinois on the north, and Pennsylvania on the east, can reach either of these shipping points with a shorter haul than can West Virginia. Several years ago when the "railroad rate bill" was before Congress I took occasion in the Senate to point out the danger that this country was drifting toward in the matter of the governmental regulation of freight rates. I suggested then that it was only a question of time, if the policy being inaugurated were followed, until a fixed charge per ton per mile would be the established rate in this country. I fear that we are rapidly approaching this condition. So with freight discrimination and tariff discriminations

can it be wondered at that my State is up in arms and that I am besieged by letters and telegrams begging for relief? I stand against discrimination and will stand against it as long as I have strength.

I do not propose, if my efforts can prevent it, if my vote counts for anything, that one section of the country shall benefit at the expense of the State which I in part represent in this honorable body. The millions of dollars invested in the coal business of West Virginia; the hundreds of thousands of men, women, and children whose livelihood, happiness, and prosperity depend on this great industry, are as dear to me as are the interests of other people in other sections to the Senators who represent them. But I believe that this great country is one, as much one as a man is a unit, and that one section can not be dwarfed or retarded in its development to help another any more than in the man, for one member can not be dwarfed at the expense of another.

Mr. President, the provision of the Payne bill placing the rate at 67 cents a ton is a small duty. That this provision includes culm and coal slack is only the barest justice. But that the ton is made the long ton, and a countervailing duty provided, is wrong—totally and forever wrong. I am utterly and absolutely opposed to a countervailing duty. I think an American Congress is able to pass an American law to govern an American industry. Further than that, this countervailing or reciprocal clause is an illusion and snare; it is in the interest of a few coal operators located near the Canadian border and the New England States; the remainder of the entire country would suffer, and very grievously. It takes no stretch of the imagination to figure what would happen to the great coal industry of this country were the tariff rates charged on imports left to the whims, the caprice, or the fancy of a Canadian cabinet minister. This is a great country of ours and it takes care of its own. When the great earthquake devastated that beautiful city of San Francisco only a short three years ago the then President of the United States courteously, but kindly, declined the offers of outside assistance by saying that we could take care of our own. That was right; we can take care of our own, and we intend to take care of our own. But I am told that during the late coal famine in some of the Western States lying along the Canadian border, when every effort was being made to get coal trains in this country through, the Canadian officials were ordered to save their coal for their own people, and not to send it over into the United States, and the Canadian railroad officials put up their rates—this when a great coal famine was on, when citizens of the United States were suffering from cold. Yet we are to give to these people the right to say when our duties shall come off or how long they shall remain on. Not while I have a voice and a vote.

The arguments which apply to West Virginia and to its relation to the coal traffic apply with equal force over the entire country.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Oklahoma?

Mr. SCOTT. I prefer that the Senator would wait until I have concluded my remarks.

The VICE-PRESIDENT. The Senator from West Virginia prefers not to yield.

Mr. SCOTT. Removing the duty on coal would render a half dozen of our Western States dependent on a foreign country for a necessity of life; would close down coal mines in many States; would depopulate many towns dependent upon this industry; would ruin numbers of American coal operators; would cut wages, and would be no benefit to the American consumer. I believe in charity which begins at home. So I stand for a tariff that will protect the coal industry of West Virginia and of the entire United States. We will aid the manufacturer, because he gets a better quality of coal; we will give to thousands of workingmen better wages; we will offer to thousands of children better opportunities for education and advancement; we will give to the merchant more customers, to the farmer more consumers, and to the railroads more tonnage.

LUMBER.

The South is rich in timber, and West Virginia is not behind any of her sister States of this section in the production of this product. In the year 1905, 900,000,000 feet b. m. of timber were cut and sawed at a value of nearly $14,000,000. From 15,000 to 20,000 wage-earners were employed and wages paid to the amount of over $5,000,000. With such forests and products, with so many wage-earners, it can readily be seen that West Virginia is vitally interested in the tariff on lumber.

Yet the tariff on lumber is cut from what it was in the Dingley bill. Why? Will it mean cheaper lumber and cheaper building? Will the Western States, which are crying for cheaper lumber, get it? These are questions which Senators may well ponder and may well study carefully before answering. I can tell them now that it will not.

Even under a protective tariff, such as we have in the Dingley law, Canada exported to the United States four times as much lumber as the United States exported to Canada. Forty-eight per cent of all the lumber manufactured in the United States annually is produced in the South. And the South is the section alone that stands half the loss, or that is affected to the extent of one-half of the cut made in lumber. On that one-half West Virginia must stand her proportionate share. Many reasons are given why West Virginia should not be thus affected. I have mentioned some of them before in the questions which I propounded as to cheaper prices. With many the cry for the reduction in the tariff on lumber, or even for it being placed on the free list, is that thereby we can conserve our forests. Why, Mr. President, that argument alone should damn the entire effort made to have lumber on the free list, or even to have a revised tariff. Of course if lumber is put on the free list Canada will come in and we open up to her a market such as she never dreamed of. Already she is preparing to take advantage of the situation, which she thinks is coming, and is reaching out for her share. Listen to what a wide-awake Canadian wood trade paper says. In a letter sent to the Everglade Cypress Lumber Company, of Parkersburg, W. Va., this paper urges our West Virginia people to immediately begin to arrange for the importation of Canadian lumber. It says:

> The Payne tariff bill now before the United States Congress will either result in free lumber or a 50 per cent reduction in the present $2 import duty. This will give a further impetus to lumber imports. If you are not now handling Canadian lumber, doubtless you will be in the near future.

Is not this alone evidence enough of what will happen should the present rate on lumber not stand or should it go on the free list? My constituents ask me to fight against such a rate, and I am here to do so.

But would our forests be conserved under the Payne bill rate or by lumber being put on the free list? Listen to what a lumberman says. I know him personally. This gentleman whom I am about to quote has been a member of our state legislature. He is a young man who has grown up in the woods of West Virginia; he has made them a study, and he talks as one having authority. He says:

> I notice that there has been some strong argument brought to bear along the line of forest preservation as to why the tariff should be removed from lumber, but as one who has been raised, as you might say, in the woods and having given a lifetime study to the lumber industry I wish to call your attention to the following brief statements of the facts as I see them:
>
> First. Any reduction on the tariff schedule will tend to affect the entire lumber industry of the Southern States and also cripple the business with us.
>
> Second. A reduction in the tariff will not preserve the forests any more nor as much as the present tariff rate, because the depreciation in price in the lower grades will make it, considering the advanced price of labor, cost of stocking, equipments, and material and food supplies, so that a majority of the lower grades will either be left in the woods or burned at the mill because it will not justify the cost of production.
>
> Third. I notice that some are claiming that it will cheapen the price of lumber to the consumer by reducing the tariff, which in my mind is a misconstruction of the condition, because the manufacturer to-day is receiving no more profit on his lumber than he did some years ago. The cost of production at the mill has more than doubled in the past ten years. We are to-day paying $10 to get lumber taken from the stump on board a car a distance of 2 miles, while ten years ago white pine was cut from the forests here, driven on the river 60 miles, and put on board a car for $7. At that time we hired men at 75 cents and $1 per day, while we are paying to-day from $1.75 to $3 for the same class of help.
>
> Now, the position resolves itself into this, that the lumberman will either be compelled to shut down his operation, leaving part of his lumber in the woods, or else cut the price of labor. Neither of the three things are consistent with the views of the lumberman or Republican policies.

You notice, Mr. President, that this young lumberman—this young man, who possessed the esteem and confidence of his fellow-citizens to a sufficient degree to be chosen to represent them in our state legislature—emphasizes two facts, first, that to-day lumbermen are paying $10 to get lumber taken from the stump on board a car a distance of 2 miles, while ten years ago white pine was cut from the forests in the same locality, driven on the river for 60 miles, and put on board a car for $7. He emphasizes the fact that at that time men were hired for 75 cents and $1 per day, while at the present time for the same class of labor $1.75 to $3 per day is being paid.

The second point that he emphasizes is that if this tariff is reduced, or placed on the free list, there is nothing left for the American lumbermen but to cut wages. Mr. President, this young man is a wage-earner himself; he sees the inevitable. Are we ready to say to the lumbermen all over the country the Republican party stands for a cut in their wages of 50 or 60 per cent?

I might extend these illustrations and examples to an extent that would become wearisome to this body. All these statements come from men who are vitally interested—the manufacturer as well as the wage-earner; men who know what they want and what a reduction means. They are men of my own State, and their expression is only the sentiment of the entire South, for to me have come resolutions expressing similar views passed by lumbermen and chambers of commerce all over the Southland. I can only say as I said on the coal tariff, and reiterate it more strongly—I can stand for no reduction in the tariff on lumber. I shall work against it and I shall vote against it.

IRON AND STEEL.

In approaching this subject I find it to be one of great interest, not only to my State, but to my home city. It must be remembered that our fuel has made it possible for West Virginia to take part in nearly every form of manufacturing known to the United States. In the matter of iron and steel, in Wheeling alone there are establishments employed in the manufacture of iron in 55 different forms. It runs from the Bessemer foundry and pig iron, steel ingots, billets, and nail plates down to hammock hooks, cotton, box, and floor hooks, and kettle bails. It is plain, then, that West Virginia feels a most vital interest in this metal schedule. When the matter of tariff was before the Committee on Ways and Means of the House, a meeting of the sheet-iron and sheet-steel manufacturers, exclusive of the United States Steel Company, was held, and a special committee on tariff appointed to present to that honorable body such information as the manufacturers had to give. Now, Mr. President, I know the gentlemen forming this association. I have seen their business enterprises grow from small beginnings until now some of them represent the largest independent plants in the world. I have met these gentlemen in business circles and socially; I know them to be men of the highest character; men whose word is as good as their bond; patriotic citizens, ready to meet the call of their country at any time. Knowing these gentlemen as I do, knowing that many of them have come up "from the ranks," started in the business as workmen where they are now part owners, I can not for one moment doubt the statements which they make and by which they stand. Such statements coming from them in a similar manner would be accepted in any court of justice, and it is not for me to question the integrity of every declaration they make, nor shall I stand idly by and permit anyone else to question them. These gentlemen represent an industry which sustains an annual pay roll of over $30,000,000, not all of it in Wheeling, but wherever their interests are located. In no branch of the manufacturing business are the workmen more intelligent and better paid. The approximate rate per day is $3, including men and boys. In their process of manufacturing, a highly skilled class of workmen is absolutely necessary, and nowhere than in the steel business is a larger percentage of English-speaking workmen employed.

I will not attempt to enter into details of the manufacturing of sheet iron and steel, of the domestic mill cost and freight, or of the foreign selling price and freight. It is sufficient for me to know that these gentlemen, whose integrity is above question, inform me that only a slight reduction in the Dingley tariff rates would be required to enable the foreign manufacturer to use our American markets for a dumping ground for his surplus production, thus displacing tonnage that otherwise would be made in this country. Should this be done, what is the result? Plain as day. It would be necessary for the domestic producer to make a reduction in his cost. What does that mean? Undoubtedly lower wages; not only of the workingmen employed directly in the mills, but those employed in the production of materials and supplies made by these sheet manufacturers. These manufacturers, concerning whom I am now speaking, are independent operators; men who are outside of the great United States Steel Corporation; one of these companies, as shown in a petition printed in the RECORD of April 22, starting as far back as 1852, and the proposed reduction in this bill seriously menaces all their interests. They have not facilities for the conversion of the raw material like the larger corporations, and it is a question of great moment whether independent operators will have an annual pay roll of over thirty-one millions of dollars or be forced into a situation involving most probably the life of their business. I insist, Mr. President, that these gentlemen know more about the cost of manufacturing sheet iron and sheet steel; know more about the profits; know more about the wages paid workmen; know more about the details of their business than any Member of this honorable body, and I stand to aid them if I can. It is better to leave well enough alone in this as well as in other things. The sheet-iron and sheet-steel business would be booming were it not for this tariff legislation. These gentlemen do not know what to do. It is true that facing a situation that may probably menace the life of the entire business they are willing to accept a reduction; they do not want it; they pray us not to give it to them; but if they must have a reduction they do not want such a reduction as the present bill gives. I have introduced an amendment, such as they are willing to take, and shall do my best to have it adopted.

But there is another feature in this metal schedule to which I desire to call attention. I am heartily thankful that the Finance Committee of the Senate has seen fit to change the duty on pig iron and scrap iron as it came to us in the House bill. It has done the only reasonable and sensible thing it could do in placing pig and scrap iron upon an equality. I do not stand for free iron ore and am glad to see a duty placed on it by the Finance Committee. Only a few furnaces would benefit from free iron ore, while the great majority would suffer. The price of pig iron is not governed by the furnaces near tidewater, but by the competition of various other furnaces in various other regions having the raw material near. We are not only interested in West Virginia because we have iron ore, but because we furnish coal to the furnaces which reduce this ore.

HIDES.

Mr. President, I have been dealing with subjects which affect the manufacturer and the workingman. I now come to one which is of exceeding importance to the farmer, not only of my State, but of the country. I stand for the farmer and for his products. He labors, and he should be rewarded; he should be protected; he is a part of the body politic and should grow as the rest of us grow. I do not want to see the cattle raisers of the United States in direct competition with South America and Mexico, where cattle and hides are produced by cheap labor on cheap land, by placing hides on the free list. So long as the tariff on leather shoes and manufactured articles of leather is retained no benefit can accrue to the consuming public by placing hides on the free list. A careful calculation of the additional cost added to the price of a pair of shoes on account of a duty on hides places it at less than 3 cents, so I am told. Suppose hides go on the free list, will this 3 cents be taken from the cost of a pair of shoes? To me the question seems preposterous. The answer is, No. As the years go by and our country is more densely settled the cost of raising cattle increases. It costs more to-day to raise cattle than it did fifty years ago, excepting, of course, where there were expenses of war times. Fifty years from now it will cost more to raise cattle than it does to-day.

I am told by conservative farmers and cattle raisers in West Virginia that should hides go on the free list it would amount anywhere from two to four dollars loss on every beef they put on the market. One cattle raiser who ships to our large home centers a great many cattle from one county alone in West Virginia advises me that if hides are put on the free list his loss alone, when shipping time comes this fall, will not be less than twelve hundred dollars.

And by the way, Mr. President, I want to digress for a moment and speak of the cattle raisers of Kanawha County. They are a most progressive class of men. One of them yearly exports to Great Britain some of the finest cattle that country receives, and I am told that such beef is considered a luxury when it is put upon the table of King Edward himself. These cattle are known throughout the British Empire and are sought in every British market.

Mr. President, is it not reasonable to suppose that such men as these know what they are talking about? With such testimony before me from such a class it is useless to argue that the farmer does not receive the benefit of a protective duty laid on hides. No one can force me to believe that the packers of the country are the only persons who benefit; no one can force me to think for one moment that the cattle raiser, the farmer, is not paid for his hides when he sells his cattle; no one can make it plain enough for me to understand that this Kanawha County man, this West Virginia cattle raiser, does not know his business, and is not right when he says that with hides on the free list he will experience a loss of $1,200 on his next shipment of cattle.

I do not suppose, Mr. President, that there is any occupation or profession in this country where more labor is exerted for a smaller net profit than in that of the occupation of agriculture. It is perfectly true that we have to pay large prices for the farmer's products in the markets in the city, but very little of this enormous price ever reaches the farmer. This is especially true of a farm State like West Virginia. We have there no great stretches of prairie land rolling for miles and miles and lifting up to the sunshine its acres ladened down with corn, wheat, and other agricultural products; we are in the mountains and we have to make the best of the advantages we have. So

I stand for the principle of protection in this as in the case of other articles, and if the duty is put back on hides I should say the duty on leather, in strict justice, should be treated with equal fairness.

WOOL.

During the last campaign it was my pleasure, as well as honor, to travel extensively through the State of West Virginia. The journeys I made were by rail, automobile, and in carriages. As I journeyed from one place to another over the hills and mountains of our great State, I was struck with the number of sheep I saw grazing on the hillsides. How different from a similar journey I took through the State in the years when Mr. Cleveland for the last time was President of this great Nation, when the so-called "Wilson tariff" was in effect. Then the hills were bare of sheep; so were the meadows. In fact, they were bare of almost everything else. In the years since the "Dingley bill" went into effect West Virginia has grown in its wool raising by leaps and bounds, and to-day one of the greatest sources of income to her farmers are the sheep literally on thousands of hills. As reported to the Senate by the Finance Committee, the "Payne bill" contains the Dingley schedule on tariff without changing "the dotting of an i or the crossing of a t." This satisfies me and satisfies my constituents. Before the measure was reported from the Senate Committee on Finance I was deluged with visits and with communications protesting against any change. The subject itself was one with which I was very familiar, and even I was surprised at the outburst of protests that came from all sections.

Three hundred woolgrowers of one county alone in West Virginia met in convention and passed resolutions urging me to vote against any reduction in wool. One hundred woolgrowers from another county petitioned to the same effect. And in similar tone from other associations in other counties, though many of the hills are covered with forests and catacombed with coal mines, came the prayer "Let the Dingley bill stand."

Should the wool schedule remain as it now is West Virginia will become one of the great wool-producing States. The wool it now produces is not of a cheap grade, but is of the best to be found anywhere. The sheep industry is now by no means what it should be, and as our forests are cut away it will be necessary to cover our hillsides with bluegrass and sheep in order to save them. We want the Dingley tariff rates. And not only is this the case with West Virginia, but it is the case with other States throughout the Union. From as far west as Wyoming has come to me, as undoubtedly to other Senators, petitions and communications asking us to leave well enough alone. We do not want another "Wilson bill" with its destructive woolen schedule; we want what we have now and want it badly.

OIL.

Mr. President, the longer I look into the schedules of this bill the more I see how closely interested West Virginia is in most of those dealing on large products. I am unable to go further without taking up the question of a duty on oil—a duty on petroleum. The people of West Virginia, and they are as intelligent as any class of citizenship in the country, think and demand that there should be a duty on oil. They do not hold that the Standard Oil Company is a great monster devouring alike the living and the dead. They see the development this corporation has brought to the State of West Virginia, and they desire that it shall be fairly treated. Look at it for a moment, Mr. President. To-day there are 13,000 oil wells in West Virginia being operated and as many wells dry, exhausted, and abandoned. These 13,000 wells are producing 25,000 barrels of oil per day at a value of $1.78 a barrel. In round numbers, that means seventeen millions come annually to West Virginians. To-day, under the assessment laws of my State, $76,000,000 worth of oil land is paying taxes; 9,000 men are directly employed in this business, and they are the livellest, the most wide-awake, and progressive citizens we have in the State of West Virginia.

Mr. President, again I must ask whether the united testimony of 9,000 active, intelligent West Virginians, irrespective of party, is not worth more than the testimony of men who would scarcely know an oil well if they saw one? Do they not know where their oil goes, how it is handled, and who refines it? Why are these men appealing to me by letter, by telegram, and in person to help save this important industry from ruin and destruction? Are they, I repeat, Mr. President, to be given no standing in court? They know that the Standard Oil Company buys their oil. There the transaction begins and there it ends. They know that the Standard Oil Company is in the market to buy the best grade of oil at the cheapest figures wherever it can. They know that it makes but little, if any, difference to the Standard Oil Company whether there is a duty on oil or not. And they know, these independent oil operators, that the placing of crude oil on the free list means death and destruction to their business. Think of it, Mr. President! In West Virginia alone the 13,000 wells which are now in operation were drilled at an average cost of $7,500, amounting to nearly $100,000,000. Is this great investment to be swept away in the unthinking desire to punish a corporation? Remember that it is not this capital alone that is destroyed, but it is the livelihood of 9,000 men and their families which is also threatened. This, Mr. President, only in the State of West Virginia.

Sixteen States of this Union have an oil production. The Standard Oil Company is the largest factor in the oil trade. The market value of its stock to-day is $650,000,000; one-half of this, though, is absorbed in foreign plants handling American products in foreign lands; the remainder is invested in pipe lines and refineries. But remember that the Standard Oil Company produces less than 10 per cent of the crude oil of this country; the independent operators produce the remainder—the independent oil operators, a class of men made up of such individuals as I have described before. Remember that the aggregate value of the plants—the wells, if you choose to call them so—of the independent oil operators of the United States aggregate over $13,000,000,000. Remember to-day, Mr. President, that there are over 95,000,000 barrels of crude oil stored ready for use, the suplus production of the last few years, enough oil to keep the Standard Oil Company busy for over three years if not another gallon of oil was produced or another gallon of oil imported. This alone spells disaster to the independent operators of this great country. For three years their plants can be absolutely shut down. For three years not a gallon of their oil need be bought. For three years not a workman need be paid. For three years not a single cent of interest would be drawn on an invested capital. Is not this situation itself enough to cause every independent operator in West Virginia to appeal to his Senators to help save him from financial desiruction and loss for three years?

But that feature, the three years of ruination, is pleasant compared to what will happen if oil is kept on the free list. To-day Mexican oil is pumped from wells drilled in cheap land, operated by cheap labor and of a quality that can be more cheaply refined. It lies right across our southern border; it is within the easy reach of water transportation. What, then, would be the result? The oil wells of West Virginia never again to flow; the hundreds of millions of capital swept out of existence; the thousands of workmen and their families forced to find the necessities of life somewhere else. Senators, this should give us pause! We should hesitate before passing a law which will bring such widespread destruction.

But the oil men alone do not suffer. All through West Virginia the banks and the business men are carrying oil securities. The ruin would be widespread. There is an old saying that it is better that "ninety-nine guilty men escape than one innocent one suffer." It may be the Standard Oil Company, the great octopus, that great corporation whose success has placed the entire land in danger, as so often claimed—it may be, I say, that it should be punished. If it has done anything wrong, if it has broken the laws, punish it; but do not ruin the independent oil operator of West Virginia and of the United States in an attempt to reach the Standard Oil Company.

Mr. President, I do not propose to let any populistic howlings influence me in what I conceive to be my duty in regard to taking care of the independent oil producers of my State. I have no way of knowing upon which side of the question the Standard Oil people stand. But I do know that the good Lord put oil under the rugged hills and valleys of West Virginia, and its production has ground, and is grinding out, good incomes for thousands of our people, enabling them to build comfortable homes, educate their children, and surround themselves with comfort. And I am for the producer, the actual producer, of oil in my State.

POTTERY.

I can not pass by another industry in my State and in the territory surrounding it, namely, pottery. The "Payne bill," as it was reported to the House, does not meet the necessities of this trade. As reported from the Finance Committee to the Senate, it has been changed for the better, but more changes are needed. The pottery manufacturers desire amendments to section 90 and a provision attached to sections 91 and 92, in Schedule B, providing that the ad valorem duty shall not be an amount less than a certain specific duty per pound. Why do they ask this and why do I most urgently second their request? Because, Mr. President, it is necessary for the very life of this great industry. Because, Mr. President, in my own home city one of the largest potteries in the country has been forced into bankruptcy on account of low duties and undervaluations on

imports. In earthenware and heavy chinaware the potters have been able, though working under very many disadvantages, to hold their own, so it is especially upon the white and decorated china that they ask for an increased duty, either specific or with such a provision as I have spoken of, added to sections 91 and 92. This has been necessary from the low labor cost of making this china abroad and the resulting low valuations at our ports of entry. The insignificant duties paid permit the importer to lay down German china, for illustration, at his warehouse in New York at about the actual cost of making American earthenware. Some special articles, such as sugar bowls, salads, and so forth, in German china, are freely marketed in this country at less than the first cost of producing to our American potteries. The two principal items of cost in all manufactured articles are labor and raw material. Between American and foreign raw material there is very little difference in the cost of same, but there is a great difference in the cost of labor. Figures which have been presented by the potters show that in a West Virginia pottery the average wages paid was $13.30 for one week, while the corresponding average wage in a German factory was $4.90. It has been shown that, taking the wages paid in America at $100, the average rates paid in England, Germany, and Austria, respectively, on the same article, were $60, $44, and $40.

In addition to this disadvantage, the potter of the United States labors under the added burden of never knowing with what he has to compete. Under an exclusively ad valorem schedule the duty on any given article will vary according to the scale of wages paid in the country where produced. For example, on a dozen cups and saucers may be paid a duty of 50 cents if made in England, while a dozen of the same identical value may pay but 40 cents if made in Germany, and only 25 cents if made in Japan. The duty is not fixed; it goes up and down as wages go up and down, and to me no other argument is needed. As to undervaluations, the Government in the past made every reasonable effort to verify values. Now the values seem to depend only on the conscientious respect the importer entertains for our tariff laws. I can do no better in this connection and on this subject than to quote the language of the president of the largest pottery in the world. It is located in the State of West Virginia. He says:

> The importer practically returns his own values for tariff taxation, and whether undervaluation is practiced to any considerable extent I am not going to positively assert. But the door is wide open; the opportunity is broad enough for a flexible conscience, and the temptation to at least evade the exact spirit of the law is probably greater than human nature is likely to resist in every case. It may be because it might be done so easily that we suspect so much. At all events, that suspicion is deeply seated and seems to be justified by the results of a good many test cases. However, it is not intended to specially accuse anyone, but rather to express the conviction that the majority of importers are conscientious in this respect. Yet we believe there are enough who are not conscientious to practically defeat the intent of the law.
>
> It is clearly desirable to reduce that opportunity and temptation to undervalue to a minimum, and that may be partly accomplished by assessing a part of the duty upon a specific basis.

So, Mr. President, I have endeavored to point out some of the changes in this bill the business interests of the country demand. The business interests of West Virginia are identical with the business interests of other States. These are anxious to go ahead. Factories must be in operation, the mills must be running full, the farmer planting or reaping his crops, in one State as in all. All these benefits would be ours now had it not been for the uncertainty regarding this tariff bill. This is why I object to any revision. It is anticipation of cuts in duties that has upset our business conditions. The question of revision came up in 1905, and the demoralization of trade soon followed. It always does follow tariff tinkering. After this measure becomes a law I fear trade conditions will be unsettled for many months. Everyone will be waiting to see the effect it will have on different commodities; how the reduction will affect steel, iron, and all the great industries I have mentioned, and until this is known we can not look for the prosperity that we otherwise would have had.

The panic of 1907, it has been claimed, was responsible for a greater number of business failures than in any one of the years 1893–1895, during the Democratic administration, when that party had all branches of the Government. True, perhaps, in one sense, but the 1907 was a rich man's panic, and they were the losers, while the 1893, 1894, and 1895 was the poor man's panic, as he could not get work or anything to eat. It was the anticipation of the fact that the Democratic party was going to pass a new tariff bill in those years that brought this condition on the country.

I can not close my remarks without saying that I fear this bill will not be as satisfactory a tariff measure as the present law. We know what the Dingley tariff has done; we do not know what this will do. If it shall do as well, business and the country can be thankful. During the operations of the Dingley tariff bill there was not one idle man in America who was not voluntarily so. Labor was employed at a wage higher than any rate ever recorded in the annals of human history. Industrial enterprise was limited alone by the ability to secure men and materials. That labor received its fair measure of reward is shown by the increase in savings-bank deposits, which increased at a ratio never before known in any nation in any epoch. Until talk of tariff revision made it seem an assured certainty in legislation, there was not an idle factory, an idle wheel, or an idle man in the United States (summer of 1907). There was not an idle freight car in the Federal Union. Traffic was congested, and the railroads cursed by shippers because of lack of cars to move the manufactured products demanded by the people.

To-day the last reports show about 240,000 idle cars on side tracks waiting the word from Congress to set them in motion.

During the operations of the Dingley tariff the increased balance of trade in favor of the United States went by leaps and bounds, until, for the six years prior to this agitation for tariff revision, the balance of trade in our favor was greater in any six months than the entire favorable balance of trade in all the years from the Declaration of Independence down to the passage of the Dingley bill added up together (viz, that is, six months of favorable balance exceeded in amount the total of all previous years).

Prior to the passage of the Dingley bill our exports were confined chiefly to the products of agriculture. Under the Dingley bill we sent from American factories to foreign lands more than $500,000,000 in a single year, until the exports of our factories rivaled the exports of our farms.

With but 5 per cent of the world's population we furnish 32 per cent of the food products of the entire world. Who shall say, viewing the advancement of our industrial progress, that the same results were not working out in manufacturing supremacy? To my mind, tariff revision can serve no useful purpose except to check and hinder national development. To be useful you must revise so low that the foreign product can come in and displace the American products. Who dares demand this? In 1890 we made no tin plate, the high tariff on McKinley tin was ridiculed. To-day American tin-plate mills use more than three-eighths of all the block tin produced on the globe. The tariff lowers in the end the cost to the ultimate consumer and eventually cheapens the cost of every necessity of life.

Mr. GORE. Mr. President, I desire to ask a question of the Senator from West Virginia. I was very much impressed with his remark that a reduction of the duty on coal would shipwreck that industry, not only in West Virginia, but in four or five States of the country. I am certain that no Senator on this side, and that no Senator on either side, desires to wreck any industry in any State or section of this country. The dominant party in their platform last summer promised to revise the tariff on the principle that the rate should cover the difference in the cost of production in this country and in the other commercial countries of the world, plus a reasonable profit to the manufacturer. I do not subscribe to that principle, nor did the Republican party ever proclaim the latter part of that principle prior to their last platform; but that was the sovereign decree of the American people, and I have been willing to cooperate in good faith with Senators on the other side in an effort to redeem that pledge.

It seems to me that the only way to proceed in accordance with their platform is to ascertain not merely the difference in the rate of wages here and abroad—for that is not the true standard—but to ascertain the difference in the labor cost of the various articles comprised in these tariff schedules.

As I remember, the prevailing duty on coal is 67 cents. As I am informed, the Pocahontas mines, in the Senator's State, are the greatest mines not only in West Virginia, but in the United States. Our navy uses the coal produced in those mines, and that coal is used as the standard for testing the heat-producing capacity of all other coals in this country. As a practical matter, I should like to know what are the prevailing rates of wages in the Pocahontas mines to-day?

Mr. SCOTT. Mr. President, I can not offhand give the information the Senator desires, but I will promise him that I will do so at a very early day.

Mr. GORE. Mr. President, I would say that I was conversing with a mine expert a few days ago who is familiar with conditions in that section and in those mines. He advised me that the rates of wages paid now in the Pocahontas section are 75 cents per car, consisting of about 3 tons, making the wages in the neighborhood of 27 cents a ton. The duty on foreign

coal is 67 cents per ton. I was merely wondering whether that was sufficient to protect the miners in the State of West Virginia.

Mr. SCOTT. Oh, Mr. President, the Senator is mistaken and his informant was entirely incorrect in making a statement of that kind. I appeal to my colleague [Mr. ELKINS], who is himself a producer of coal, in regard to the price paid for wages.

Mr. GORE. I should like very much to hear the senior Senator from West Virginia, as I have no desire to misstate the facts.

Mr. ELKINS. Mr. President, if the Senator from Oklahoma will allow me. I will say that the mining of coal is generally paid for by the ton or by the wagon, as the Senator says. I take it the mine to which he refers is the Pocahontas mine, in Virginia.

Mr. GORE. The town is in Virginia, but the mines, as I understand, are in West Virginia.

Mr. ELKINS. We have a great many mines in West Virginia in the Pocahontas region. The miner makes about 50 cents a ton, generally. In some localities, where the vein is very thick and easily mined, the rate is less. It might be as low as 40 cents a ton for digging the coal, or breaking it down in the mine. In estimating the cost of mining per ton there must be added the expense of getting the coal from the mine to the railroad car that takes it to market. This will average 30 to 35 cents per ton.

Mr. SCOTT. Where there is a 12-foot vein the rate is less than for a 1-foot vein.

Mr. GORE. That measures the wages. I understand that in certain parts of West Virginia the wages are 50 cents and even as high as 56 cents; but in the best mines—and I take it that my authority is pretty reliable, especially as the Senators from West Virginia do not remember——

Mr. ELKINS. I want to answer the Senator more definitely. I think I am familiar with the subject. The usual wages to the miner is, say, 50 cents a ton, but that is not all the cost of mining.

Mr. GORE. I understand that; but I am driving at the wage.

Mr. ELKINS. The labor of hauling and getting the coal from the mine after it is loaded on the mine car to the mouth of the mine and then dumped into the railroad car must be added to that. This is all added to the cost of mining. The cost of mining is 80 to 87½ cents per ton, and often a dollar a ton, at the mine. Usually in West Virginia the cost of mining is from 87½ cents to $1 per ton; in Pennsylvania and other States more.

Mr. GORE. I will ask the Senator from West Virginia what is Pocahontas coal selling at now?

Mr. ELKINS. It is owing to where you sell it. Does the Senator mean at the mine?

Mr. GORE. Yes, sir.

Mr. ELKINS. I think in these dull times it is bringing not more than a dollar to a dollar and 10 cents at the mine. In these hard times and general stagnation the coals of West Virginia are not bringing $1 per ton at the mines. For two years the coal operators have made nothing.

Mr. GORE. My understanding is it is less than a dollar.

Mr. ELKINS. Coal from the Pocahontas region is the best coal probably in the country or as good as any produced anywhere. The usual profit of mining to the operator is 12 to 15 cents a ton. The cost of mining in this country is almost double what it is abroad—double what it is in Great Britain and nearly three times the cost of mining in Belgium or Germany.

Mr. GORE. In this connection I should like to ask the Senator——

Mr. SCOTT. If the Senator will allow me for a minute, he can readily understand that the rate per ton for mining coal varies in different localities. For instance, where you have a 12-foot seam the rate is very much less than where you have a 4-foot seam; and then again where you have a strip of slack or fire clay dividing the veins of coal the price becomes higher. I should say that the cost of mining coal in Virginia varies anywhere from 40 cents to 90 cents.

Mr. GORE. I am perfectly aware that the rate varies, and that there are many other elements in the cost of the production of coal; but I repeat, for the present at least, that I am reliably informed that the rate of wages paid for producing the best coal in this country is much less than that paid in Nova Scotia or England, and I merely suggest that because it is the basis from which we ought to figure and upon which we ought to revise the tariff, and it is the only basis upon which we can revise the tariff and redeem the pledges made during the past campaign. I shall——

Mr. ELKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from West Virginia?

Mr. ELKINS. I thought the Senator from Oklahoma had finished his remarks.

Mr. GORE. I will have occasion to allude to that later.

Mr. ELKINS. I wish to correct an error into which the Senator has fallen. The cost of mining in Nova Scotia is less than in West Virginia and Pennsylvania. The same is true of the cost of coal in British Columbia and Vancouver.

Mr. GORE. Does the Senator mean the rate of wages?

Mr. ELKINS. The rate of wages in British Columbia and Vancouver is less than in the United States. There it is often Chinese, Hindoo, and cooly labor.

Mr. GORE. What is the rate of wages there, and what is the rate of wages in the Pocahontas country? That is what I am alluding to.

Mr. ELKINS. They are from 30 to 50 per cent less in British Columbia and Vancouver than in the United States. In Nova Scotia the labor is nearly the same; probably 15 per cent less than in West Virginia. But to this must be added the cost of transportation to the market. The Nova Scotia mines are very near to New England and located near the sea. Their haul to the sea is only about 12 miles from many mines—the largest mines. The water freight is 40 cents per ton to Boston, while railroad freight from the mines to the sea is only about 15 cents per ton, making the total freight about 65 cents.

Mr. President, the average haul from the West Virginia mines to New England is 400 miles by rail and 600 to 700 miles by water. We have to pay $1.40 railroad freight and 70 cents water freight. This is $2.10 added to the cost of mining. Suppose the cost in Nova Scotia of mining a ton of coal were the same—80 or 90 cents, as in West Virginia. The transportation by rail and water is about 65 cents or 70 cents, as against $2.10 for West Virginia's coal. Call mining in Nova Scotia 80 cents per ton; transportation, 65 cents; and the cost of a ton of coal in Boston would be about $1.45, while West Virginia coal would be about $3 per ton in Boston. From this you can imagine what would be the result of having free coal between the United States and Canada. The removal of the 67 cents tariff would flood New England with Nova Scotia coal. Already we are importing large quantities of coal, notwithstanding the duty of 67 cents. Nova Scotia mines 5,500,000 tons of coal, and a great part of its importation, seven or eight hundred thousand tons into New England, comes in as slack and pays only 15 cents a ton.

Mr. SCOTT. The bulk of it.

Mr. ELKINS. The larger part of it. The Nova Scotia mines are not opened and developed yet. They have just recently been exploited. In ten or fifteen years the production of the Nova Scotia mines, right across the border from New England, will be fifteen or twenty million tons; and my judgment is that if the tariff is removed, owing to the difference in the cost of mining and transportation, the market for West Virginia and eastern Pennsylvania coal will be taken away from us and go to Nova Scotia. The Nova Scotia mines furnish now all the coal used in Canada east of Montreal, about 5,000,000 tons, which is all they can mine, and these mines are in their infancy. The coal is better than people think. It is used for domestic purposes, and by the railroads, factories, mills, and plants. They get all their coal from Nova Scotia mines. If this coal is good enough for Canada, why is it not for New England? Already purchasers are waiting for free coal to buy coal lands in Nova Scotia.

Mr. GORE. I merely wish to make one observation, because I do not desire to have the issue confused. I am perfectly aware of the difference in wages between this country and foreign countries. There is a great deal of coal mined in Oklahoma, and the prevailing wage there is 72 cents a ton. The rates in West Virginia, as I understand, vary from 27 cents to about 50 or 56 cents per ton. There are also many other elements to be considered. But the standard set for the revision of the tariff is the difference between wages here and abroad, plus a reasonable profit, and I am still of the opinion, until the Senator cites authoritative statistics showing the exact wage per ton in Nova Scotia and in England, that the ruling rate in the Pocahontas region is less than the ruling wage in those countries.

Mr. ELKINS. The Senator ignores the transportation feature there, and he is too low in the cost. Pocahontas coal in West Virginia costs from 75 cents to $1 a ton at the mouth of the mine. That is authentic. If the Senator desires, I will get letters from the operators to prove what I say.

Mr. GORE. You do not mean——

Mr. ELKINS. Pocahontas coal is not all the coal of West Virginia. I know of my own knowledge from every day's business that coal in West Virginia costs 90 cents to $1 per ton to mine. Under the most favorable circumstances it costs 85 cents.

Mr. GORE. You do not mean that the wages are 85 cents a ton?

Mr. ELKINS. I am talking of what enters into the cost. First is the mining, then what we call "outside labor," and the operation of the machinery, engines, tipples, etc. The cost of mining or digging the coal is from 50 to 60 cents a ton, and all the other items bring it up to 85 cents and more.

Let me tell the Senator what a miner gets in West Virginia: If he is industrious and works hard and reasonable hours only, he makes from three to four dollars a day. If he has a boy with him as an assistant, he often makes $6 a day. It is the best paid labor that I know of. When you consider it from the standpoint I have just stated, it is three times as much as the miners get in Europe and largely greater than is paid in Nova Scotia or any part of Canada.

Mr. GORE. Mr. President, that is the ordinary sophistry with which this question is discussed. The Senator suggests that the miners make from five to six dollars a day, and that is exactly why the American laborer receives higher wages than the European laborer—because he does more work and earns more pay. The superior wages paid to the laborer in this country are due to his superior intelligence, his superior skill, and his superior efficiency, and are not due to the rate of tariff tax; and it is a discredit to the American laborer to ascribe his superior wages to a protective tariff or to the Republican party when those wages and his prosperity are due to his own energy and his own intelligence. He earns more pay, and that is the reason why he receives more pay. [Applause in the galleries.]

The VICE-PRESIDENT. Occupants of the galleries are again admonished that they must indulge neither in signs of approval or disapproval of anything said on the floor of the Senate.

Mr. SIMMONS. Mr. President, I desire to give notice that at an opportune time to-morrow I wish to submit some remarks upon the wood schedule, especially on the subject of lumber.

Mr CLARK of Wyoming. Mr. President, it is not my purpose to attempt to enter into any discussion of the coal schedule. However, I can but have the reflection that a fair consideration of the schedule must not depend upon what may or may not be the prevailing rate of wage in a particular field or mine. I am unable, from my own knowledge, to state what is the rate of wages in the Pocahontas field. I have, upon the one hand, the distinct statement of men upon this floor who are closely associated with that business and who ought to know. I have, upon the other hand, the statement of government experts, which the Senator from Oklahoma well cites. But I am perfectly conscious of the fact that of all the wild guessing that is done on the cost of production in this country, the wildest guesses are made by government experts.

But I want to call the attention of the Senator from Oklahoma to the fact that in gauging the coal schedule or any other, it should depend upon the industry as a whole. I will say to the Senator from Oklahoma what I think he well knows, that in the State which I represent in part upon this floor an important product is that of coal, and in that young State we pay the highest rate of wage to the digger of coal that is paid in any State the sun shines upon, and I do not want to see those wages reduced.

I will say further to the Senator that if the Payne bill as it came to this House should become the law, it would put out of commission one-half of the mines in the State of Wyoming. I am speaking of the local situation there. I do not assume that it alone shall govern this body, but I assume that the Senator from Oklahoma and others in considering the coal schedule will judge the necessities of the case by a broader view than that of any particular field or mine.

Mr. McCUMBER. Mr. President, the Senator from Oklahoma [Mr. GORE] expatiated to a considerable extent upon the superior skill and workmanship of the American miner, and attributed the higher wages of the American miner entirely to the fact of superior workmanship. I think the facts are, and that he will find them to be, that from one-half to two-thirds of the miners are of foreign birth. When did those people become so wonderfully more expert, so wonderfully more intelligent than they were before they crossed the ocean? Is it the wonderful intelligence they got in crossing 3,000 miles from Russia, from Roumania, from Italy; or is it the conditions in this country that enable them to receive the higher wage for a given amount of expended energy?

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. Certainly.

Mr. GORE. Does the Senator from North Dakota mean to intimate that under the reign of the Republican party the pauper labor of Europe, from Russia, from Roumania, have been allowed to come here and occupy our mines when the only purpose of the Republican party in politics and the only apology for its existence are to protect the American laborer against the pauper labor of the Old World? Am I to understand that?

Mr. McCUMBER. Since this became a free government our gates have always swung inward. We have never turned those gates against an honest man, against a competent man, let him come from whatsoever country he sees fit if he is of the Caucasian race. Under our laws we have allowed about a million foreigners to come here yearly. Those men come here and in a short time they become, as a rule, good American citizens. They have increased the population of the country. They have helped to develop the country. They become as good American citizens in a few years as the old stock. We welcome the good to-day, as we did forty and fifty years ago; and I do not think the Senator from Oklahoma is in favor of saying that this country shall now take the position that the Caucasian race, as well as the yellow race, shall be prohibited from entering into the citizenship of this great country. The very best of our population have come from northern Europe. We can not make one law for one country and another law for another country. We get a superior citizenship, in my belief, from the northern part of Europe than we do from the southern part of Europe, but if we had adopted any policy which said to the Scandinavian, to the German, to the Irishman, or to the Scotchman, "You are not welcome to this country," we would have retarded a great deal the development of this country.

Mr. President, the only point I desired to make in answering the proposition of the Senator from Oklahoma was that it is not the superior intelligence of the American laborer per se, but it is the superior opportunity of the American laborer to earn a good salary.

Mr. GORE. Mr. President, I am unwilling that the Senator from North Dakota should place me in the position of opposing foreign immigration of a desirable character. We are an exotic people. Our ancestors had their homes in the Old World, and they sought refuge in the New World. This country has always been and this country should always be a house of refuge for the persecuted of every creed and the oppressed of every clime. Our gates have always stood ajar to receive the foreigner who comes to our shores to identify his interests with our interests and to share the prosperity and the glory of our institutions. Such immigrants have always been and such immigrants should always be as welcome, I may say, as the flowers of springtime and as welcome as the fruits of summer. But, sir, the opening of foreign prisons and foreign brothels to sweep the offscourings of the earth into the lap of this glorious Republic should not be permitted, and for my part I would discriminate between the desirable and the undesirable immigrants. I would say to certain Europeans, as we say to certain Asiatics, and as we ought to say to all Asiatics, "Thus far shalt thou go, and no farther."

The Senator from North Dakota has stated one of the reasons for the superior wages in the United States. It does depend in great measure—and I wonder if the Senator will deny it—upon the superior skill, superior intelligence, and superior efficiency of the American laborer. Is the Senator from North Dakota willing to stand here and deny that the superior wages in this country are due to the superior fitness and efficiency of our laborers?

Mr. President, he states another reason why wages are higher in the United States than in foreign countries.

Mr. McCUMBER. Will the Senator yield to me right at this point?

Mr. GORE. Certainly.

Mr. McCUMBER. I will ask the Senator from Oklahoma if we did not have the same superiority of American labor from 1894 to 1897 that we have had since that time, and is it not a fact that notwithstanding the superiority of that labor, one-third of them were tramps upon the face of the earth and the other two-thirds were receiving only a sufficient amount to live from hand to mouth? Is not that the fact; and had the superiority of American labor anything to do with the situation at that time?

There was just one thing, and that was the Wilson-Gorman tariff bill, which immediately sent one-third of our mills down to dust and closed the doors of half of the others; that gave labor one-half the opportunity and earning power that it had before; and then American skill and American intelligence counted for nothing. They did not help labor in tramping about the country seeking labor.

Mr. GORE. Mr. President, I have listened to that inquiry from the Senator from North Dakota with mingled feelings of gratitude and disappointment. The Senator from North Dakota is one of my favorites, if I may be allowed to discriminate, in

the membership of this splendid body. I have heard much upon the stump and little in the Senate with reference to the distress and adversity that prevailed in the early nineties. Sir, I hardly expected to hear that argument from the usually candid Senator from the State of North Dakota.

Now, sir, he ascribes, as many Republican stump orators ascribe, the distress in those times to the Wilson-Gorman bill. I have never been diposed to deny that the Republican party was able to work miracles. I am willing to admit that it can repeal the law of supply and demand; nay, more, sir; that it can reverse the fundamental canons of logic and can make the effect precede the cause. Now, sir, when did the Wilson tariff bill become a law? The 28th of August, 1894. When did the panic occur? On the 12th of May, 1893, it began in this country. There is nothing astounding, Mr. President——

Mr. SCOTT. Will not the Senator admit that anticipation of the action of his party in the revision of the tariff brought it about?

Mr. GORE. I am willing to follow that Senator and all other Senators when they quit the realm of fact and speed away into the heavens of speculation. I am willing to admit that if the Senator is willing to admit that the panic of 1907 was attributable to the same cause. I am willing to admit that if the Senator from West Virginia is willing to admit that the panic of 1873 was due to the same cause, a panic which occurred under a Republican President and under a Republican protective tariff.

Mr. President, that is speculation. It is unfounded, but fortunately it can be disproved. The panic of 1893 was not local to the United States. It affected all the commercial nations of the earth at practically the same time and in varying degrees. It is not so strange that a Democratic measure passed in August, 1894, should have precipitated a panic in the United States in May, 1893; but it is passing strange that a Democratic measure passed in August, 1894, should have precipitated a panic in Australia in January, 1893. One year and eight months before the enactment of the law in this country the first climax occurred in the distant Commonwealth of Australia. It had been gathering force and strength for two or three years preceding.

Mr. President, we had a stringency in 1890 under which many millions of clearing-house certificates were issued, and during the presidency of President Harrison.

The coil was gradually tightening. It explains why, in 1890, the dominant party returned only 88 Members to the lower House in the congressional election. The coil was gradually tightening, which explains why, in 1892, such stalwart Republican States as Wisconsin and Illinois were swept into the Democratic column. Plates were prepared for the issuance of bonds, about which we have heard so much eloquence from the other side of the Chamber, during the presidency of Mr. Harrison. He was prevailed upon by his friends not to make the issue. When Harrison came into office, succeeding Cleveland, he found a surplus of something like $100,000,000. When, four years later, Harrison turned over the administration to Cleveland, we had practically an empty Treasury. The crisis had already commenced. The stringency was felt not only here, but in all the commercial nations of the earth. We shared in that depression, and it was in no measure attributable to the Wilson bill, which was to be enacted some year and a half later; and I had almost said that nobody except the Senator from West Virginia and the Senator from North Dakota would ascribe the stringency to the prospective enactment of the Wilson bill. That is the sophism with which they have enlightened the people of this country during the years gone by.

Mr. President, I had not intended to precipitate myself into this discussion, but there is one other point which I must make in this connection. I am justified, in my opinion, as to the superior wisdom of the Senator from North Dakota. He says it is the superior opportunities in the United States which are in great measure responsible for the high wages. I rejoice that he has made that admission. It explains the prosperity here. Other Senators and Republican speakers generally have ascribed all of our prosperity to the talisman of the tariff.

The Senator from North Dakota correctly ascribes it in some measure to our superior opportunities; to the fact that we are a new country, that our resources are varied, are opulent, and are undeveloped; to the fact that the demand for labor is great relatively and the supply of labor is relatively small. That law is as universal as the principle of eternal truth. Combined with our superior intelligence, the superior wages paid here, as compared with the wages paid in other countries, is thus explained.

Other Senators have indicated that resources count for nothing, that development counts for nothing, that intelligence counts for nothing, that taxes are omnipotent, and that our blessings increase with our burdens. That has been the philosophy of the Republican party.

Why does Germany, with her pauper labor, feel constrained to protect herself against the higher paid labor of the United States?

Mr. President, only about one twenty-ninth of the laborers in the United States are employed in protected industries. I make that statement not upon my own responsibility, but upon the authority of Edward Atkinson, than whom this country has known or acknowledged no greater statistician. Twenty-nine million people were engaged in gainful pursuits by the census of 1900, and one million were engaged in those pursuits which derive some benefit, direct or indirect, from a protective tariff. We tax 29 laborers to pay the higher wages, under their theory, of 1 laborer.

Mr. President, according to the official report of Carroll D. Wright, carpenters in the United States receive about twice as much wages as in England, about three times as much wages as in France, and about four times as much wages as in Germany. Is there any tariff upon carpenters? The same is true of stone masons and bricklayers. Is there any duty on stone masons or bricklayers? It is not only true in those lines, but it is true in all lines in the case of those who receive no protection, either directly or indirectly, from this glorious and beneficent protective tariff.

Our superior opportunities, our great diversified resources, our progressive and enlightened labor constitute the reasons for our superior wages; and the Republican party is not a wet nurse to the laborers of this country. Neither is the protective tariff the fountain from which all blessings flow. Ascribe the credit where it belongs.

Mr. SCOTT. Will the Senator allow me to interrupt him?

Mr. GORE. Surely.

Mr. SCOTT. I should like to ask the Senator if he has a copy of the speech he made in 1894, when he was a Populist? I would like to have him rehearse a part of it.

Mr. GORE. Mr. President, I have a copy of that speech, and I refer to it with a great deal of pride and gratification. It reminds me that with increasing years I have grown wiser. [Laughter.] And I trust it is not too late for the junior Senator from West Virginia to profit with his accumulating years.

I criticised Mr. Cleveland's administration then and, Mr. President, I criticise it now. I have never yet commended the Democratic party when that party was wrong, and I have never condemned the Republican party when that party happened to be right, and I never shall. Higher principles and loftier purposes should guide every man in his political policies and in his duties to the people of this country.

That was a good speech. In that speech I criticised the Wilson tariff measure, but not for the same reason as the Senators on the other side. They condemned it as a free-trade measure. I condemned it because the reductions were not sufficient. I was honest in my criticism then, as I am of this measure, and I reserve to myself the liberty of criticising every party when that party is wrong. I commend to the junior Senator from West Virginia the same disinterested policy.

Mr. President, as I said, I had not intended to embark upon this discussion, but I shall take occasion to allude to these subjects hereafter.

Mr. ELKINS. Mr. President, I wish to correct the Senator from Oklahoma as to a matter of fact. In the first Cleveland administration it is true that there was substantial prosperity; we had a Republican Congress, and no hostile legislation could be enacted. In fact, in the way of passing any new legislation he was entirely powerless. In the second administration of Mr. Cleveland, when bonds were sold, there was a Democratic President and a Democratic Congress. The Democratic party was in full control of the Government and both Houses of Congress, with all sorts of threats and rumors about free trade and changes of policies. It was then the Wilson free-trade bill was passed.

The charge that the Harrison administration at its close was bankrupt is not sustained by the facts. At the close of the Harrison administration business began to suffer and languish because of the fact that this country had elected a Democratic President upon a free-trade platform or with free-trade tendencies, and the Congress chosen was Democratic, on the same platform. This filled the business world with alarm, and general stagnation set in before Harrison went out of office. This alarm began to empty the Treasury even before Cleveland got in. It continued at such a pace that bonds had to be sold by Mr. Cleveland in the beginning of his administration, and I am sorry to say that United States bonds which sold in the market for 113 and 114 were sold at 104 by Mr. Cleveland under

a private contract with bankers to provide funds to pay the ordinary expenses of the Government and replenish the Treasury. In the Senate, because of a resolution introduced by myself, and passed, President Cleveland was prevented from selling another issue of $200,000,000 of bonds at private sale, but sold them, after due advertisement, at public sale, and 113 was realized for those bonds, which a short time before sold under a private contract made by Mr. Cleveland for 104, a difference of nine points, or $9, on every hundred dollars of bonds sold, the bankers making on the transaction about $6,000,000 commission. This was a great loss to the Government, and one of the great mistakes of the Cleveland administration.

I make this statement in order that the matter may be placed in history and before the country in a way that is right and absolutely true. The Harrison administration was prosperous and successful up to and until the time when it was known that Cleveland and a Democratic Congress were elected; then the trouble in the business world began and continued. Harrison never sold a bond, and no Republican President had ever sold a bond, to meet the ordinary expenses of the Government. Mr. Buchanan was the only Democratic President before Mr. Cleveland, a lapse of forty years. I have not language at my command to describe as strongly as he did the disasters, the misfortune, and the ruin that came upon the country under his administration. The great panic of 1857 occurred in the beginning of his administration and lasted until our great war.

The administration of President Harrison was one of the most successful in our history, and he was one of the wisest, purest, and ablest Presidents the country has ever known.

Mr. BAILEY and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from North Dakota?

Mr. McCUMBER. Will the Senator from Texas yield to me for just a moment? I know the Senator is desirous of going on with his address, and I shall take only one moment.

Mr. BAILEY. Very well.

Mr. McCUMBER. Mr. President, I always love to hear the Senator from Oklahoma [Mr. GORE] express his views upon any subject. I know the sincerity of his nature, and I have confidence that everything he says comes entirely from his heart.

Nothing is more gratifying than to have the Senator say that he has grown wiser from year to year; that he stepped out of the Populistic party and into the Democratic ranks. I admit, Mr. President, that that was a good long step in advance. As the Senator has shown his ability to advance onward and upward, I think we can look only a few years ahead when he will take the next great advance step and come entirely into the Republican party. [Laughter.]

I wish to say only one word about the two panics. The history of this country shows that panics arise from two principal causes. One cause is the dire poverty of the people. That was the cause of the panic in 1893. The other cause comes from overspeculation, which always results from very prosperous conditions. This country has never seen in its history a condition of prosperity that would equal the years from 1897 until 1907. Under the influence of those prosperous conditions speculation ran riot, and we expanded beyond any reasonably justifiable hope of the future ever responding to the advancement and expansion during that period. In those conditions we borrowed heavily. A time of payment must come. That time of payment did come, and found us unable to meet the conditions of the wonderful expansion at that period.

The crisis of 1907 came upon us when every mill was working at its full capacity. The crisis of 1893 and up until 1897, because it was a continuous crisis, was when one-third of our mills were closed and the other two-thirds were producing only about one-half of their annual output.

The Senator says that this condition was a world-wide condition, and he says that it did not happen until 1894, after the Wilson-Gorman tariff law. Mr. President, when the polls were closed in November, 1892, the American people knew what they were coming to, and we immediately began to feel the results of that condition. We never got out of that condition until we elected a Republican Congress and the policy of the Nation was outlined in the period which preceded that election; and the moment that we adopted the new tariff bill we saw a prosperity, as I have said, that the whole world had never seen before.

Now, was the condition from 1893 to 1897 world-wide? Mr. President, Great Britain was more prosperous during those four years than she had been for the four years preceding that time. Why? Simply because in 1892, the last year of Harrison's administration, the balance of trade between Great Britain and the United States was $343,000,000 in our favor. The very next year after the Wilson-Gorman bill that was reversed and the balance in her favor was $126,000,000 in her dealings with the United States, or a difference of about $500,000,000. That $500,000,000 in the trade of Great Britain with this country in her favor made her prosperous. That $500,000,000, a half a billion dollars, against us, made our laborers paupers. That was not a world-wide condition by any means.

Now, Mr. President, I think the Senator must in all candor yield his proposition that the superior earning capacity of the American laborer depends entirely upon his superior skill and intelligence, and, I may add, to be perfectly candid with the Senator, as he expressed it, the superior opportunities in this country. There were the same mills, there were the same undeveloped resources in this country from 1892 to 1896 that there have been since that time, and yet, notwithstanding his superior intellect, if I may agree with the Senator, and his superior workmanship, the American laborer was a vagabond on the face of the earth.

Mr. President, I hope the Senator will not insist that we can make the American laborer well to do unless we give him the opportunity to develop those resources of the country, which opportunity we have given him in the last few years.

I can call the Senator's attention to another fact in my own part of the country. I can remember when upon our farms in 1893 oats were sold for 10 cents a bushel, delivered in the elevators or on the cars. The average price of our wheat was from 35 cents to 60 cents a bushel out on the farms. Our corn was worth from 25 cents to 30 cents a bushel. We did not raise, on the average, any more during those four years than we have raised upon the average during the last eleven years, and yet we have almost doubled the value of every one of those products. It is not due entirely to the question of foreign demand, because when I look over the statistics I find that from 1893 to 1896 the average consumption per capita of the American people of wheat was less than 4 bushels, and I find that in the last ten years the average has been about 6 bushels, or almost twice as much. That has had very much to do with the price of our products since that time. So I can take up every other farm article that has been produced in the United States.

The whole question is a question between prosperity and stagnation. A low tariff, a tariff that is not a sufficient protection, gives us stagnation. The other gives us a reasonable degree of prosperity. That is the only distinction there is between Democratic and Republican policies.

Mr. GORE. Mr. President, I should like to remind the Senator from North Dakota that we have had during the history of this Republic a number of intervals of high tariff and intervals of tariff for revenue only, and during each and every period the advancement of this country has been practically uninterrupted. Wages in the United States have been as much superior to European wages during our low-tariff epochs as during our high-tariff epochs.

I cite as high authority as Mr. Blaine for the statement that during the decade from 1850 to 1860, or, rather, during the ten years following the enactment of the Walker tariff law, this country enjoyed unexampled progress and prosperity. Mr. McKinley makes the same admission, and seeks to find other causes than the tariff for revenue only. I remind the Senator that from 1850 until 1860 our population increased only 35 per cent, and our national wealth increased 126 per cent during the "ruinous and disastrous free-trade policy." I believe that no decade has shown an equal measure of progress, prosperity, and increase in national wealth as the decade following the enactment of the Walker tariff law.

Now, if free trade or if a tariff for revenue only is an unfailing cause for hard times and distress, how does the Senator explain that epoch of abounding good times and prosperity? He has failed to explain the panic of 1873, and again I present it before his eyes.

Let me observe that the stringency in England did occur somewhat previous to the panic in 1893 in the United States, and I must challenge his record of her golden prosperity. The Baring Brothers failed in England, I believe, in November, 1890, and for several years following stagnation prevailed in the United Kingdom. The shock was universal; every commercial nation felt the shock resulting from the failure of the Baring Brothers. It broke out in violence, as I have already observed, in Australia in January, 1893, prior to its occurrence in the United States. Prosperity returned to the other commercial nations, but not exactly at the same moment. The prosperity which has abounded here during the last ten years has, with only occasional interruptions, abounded throughout the commercial world, and the stringency which occurred in October, 1907, had its response and its sympathy throughout all the commercial and enlightened nations of the world.

Mr. President, I would say to the Senator that wages in the United States, where wages were paid during the disastrous

times of 1893 and 1894, were superior to the wages in England, Germany, and France. That panic occurred while the McKinley tariff law was in full force and effect—the very perfection of a protective tariff. And I would say to the Senator, and to other Senators who have alluded to the topic, that the deficit in the Treasury occurring during those times in 1893 was attributable largely to the McKinley tariff law. The avowed object of the McKinley tariff law was to dispose of the accumulation of the surplus and to reduce the revenues of this country. The title of the McKinley law was "An act to reduce the revenue." It succeeded far beyond the hopes and expectations of its authors, and precipitated this country in a panic, the responsibility for which has been laid upon the doorsteps of the Democratic administration.

The Senator alludes to low prices for wheat and oats. If my recollection is right, corn sold lower in the United States in 1889 or 1890 than it ever did before or than it ever did since.

Senators on the other side allude with much pleasure to the smoke appearing from the smokestacks of this country during the prosperity under Republican administration. That smoke from the chimneys of the distressed farmers in Kansas bore the odor of burning corn, because they were unable to purchase fuel and unable to sell the products of their farms for a sufficient price to purchase the absolute necessaries of life.

The Senator says that the price of oats and wheat was low in 1893, under the McKinley tariff law. I have forgotten the figures, but I have heard the Senator say, if I remember correctly—and I have great respect for his authority upon the subject of agriculture—that the price of agricultural products in the United States is fixed by the price of the surplus sold in the markets of Europe.

Was the tariff law enacted in 1894 responsible for the state of the market in Liverpool in the fall of 1893? Shall we be held accountable for all the sins of all the earth? High prices, he says, have prevailed during the last ten years, and I rejoice in these golden prices. Has not the state of the foreign market had something to do with the higher prices? Is his party, is his tariff, responsible for high wages and high prices? Do they ascribe to themselves the bounties of nature and the generosity of Providence? Have the state of the foreign markets, foreign laws, foreign prosperity nothing to do with the condition of the people in the United States?

I am sorry, I say again, to have been drawn precipitately into this discussion.

Mr. BAILEY. Mr. President, when I yielded yesterday afternoon for a motion to adjourn, I was about to enter upon the task of vindicating, so far as I am able to do so, the constitutionality of an income tax levied without apportionment among the several States. Whether such a tax is valid or not must depend, of course, upon whether or not it is a direct tax within the meaning of the Constitution. The men who framed our Constitution perfectly understood that there was a distinction between direct and indirect taxation. Indeed, they understood it so well that the word "direct" was inserted upon a second thought and to meet an objection to which the provision would otherwise have been amenable. But, sir, I am well within the truth of history when I say that while there may have been some delegates in the convention of 1787 who could have classified the objects of direct and indirect taxation, there was not one of them who attempted to do it.

It will not do to say that the question was so plain that nobody attempted to explain it, for we know that it was a matter of doubt to at least one conspicuous member of that assembly. The Hon. Mr. King asked what was a direct tax, and we have it on the authority of Mr. Madison that no delegate attempted to answer the question. There is not one sentence in all of those debates which will distinctly aid us in deciding what is a direct tax within the meaning of the Constitution, and we must depend on such historical evidence as we can find outside of that convention and upon the conclusions of those who have gone before us. It has always seemed to me that the history of the contributions made by the Colonies and States would help us in arriving at the truth. At first the tax, or rather the contribution, of each colony was regulated according to the value of its lands and houses, but many became dissatisfied with that method, and it was abandoned. Immediately after the Declaration of Independence had been adopted and promulgated, the Congress took up the question of how supplies should be obtained and how the Colonies should vote in the Continental Congress. Both questions evoked a spirited debate, and it is one of the curiosities of history that the position of the northern and southern men with respect to the standard of contributions, so far as it touched the slavery question, was exactly reversed when they reached the constitutional convention and took up the question of representation. In the Continental Congress the northern men insisted that contributions should be apportioned according to population and that all slaves should be included in the count. John Adams supported that rule. The Madison Papers contain the following:

> Mr. Chase moved that the quotas should be paid not by the number of inhabitants of every condition, but by that of the white inhabitants. He admitted that taxation should be always in proportion to property; that this was in theory the true rule, but that from a variety of difficulties it was a rule which could never be adopted in practice.

In reply to this, Mr. Adams observes that—

> The numbers of people were taken by this article as an index of the wealth of the State and not as subjects of taxation.

And he insisted that every State should make its contribution, counting the slave precisely as it counted the white freeman.

Doctor Witherspoon participated in the debate, and expressed the opinion that—

> The value of lands and houses was the best estimate of the wealth of a nation, and that it was practicable to obtain such a valuation. This is the true barometer of wealth. The one now proposed is imperfect in itself and unequal between the States.

But in spite of the protest of Mr. Chase and the suggestion of Doctor Witherspoon, the Continental Congress adopted the rule that contributions should be made according to population, and that to the white or free population three-fifths of all the others should be added; but when they reached the constitutional convention our northern friends—and I relate it purely as a historical incident and without the slightest sectional feeling—completely reversed their position and contended that the slave should not be counted at all for the purpose of representation. But here the wise men made another compromise and counted the slave for the purpose of representation as equal to three-fifths of a freeman, just as they had done in the Continental Congress for the purpose of contribution.

Mr. President, I have recited this episode in our history for the purpose of showing that our patriot fathers at one time treated lands and houses as the correct standard of taxation or contribution for federal purposes, and it has always seemed to me that this circumstance strongly supports the view that when they were joining taxation with representation they had in their minds the character of taxation to which they had been accustomed. I am confirmed in this opinion by both the legislative and judicial construction of the Constitution as made by the men who had helped to frame it.

THE CARRIAGE TAX.

In 1794 Congress enacted what has since been known as the carriage tax. That statute levied a tax of varying amounts upon carriages of the several kinds. It did not, however, pass without a contest. James Madison was then a Member of the House, and denounced it as unconstitutional. Nor did he stop with opposing it in Congress. He followed it into the forum of the people, and even took pains to have a criticism which Edmund Pendleton had written against the law printed in the newspapers for the purpose, as he afterwards admitted in his private correspondence, of allowing the justices to have the benefit of Pendleton's argument before they decided the case. I understand the weight which attaches and which ought to attach to the opinion of Mr. Madison on any question with respect either to the history or the meaning of the Constitution. He did, perhaps, as much as any other man in framing that great instrument, and certainly he did more toward its framing and adoption than any other man, for, in addition to his work in the convention, those memorable papers which he and Hamilton published exerted a greater influence than any other agency in procuring the adoption of the Constitution. The papers written by Madison are not as strong as those by Hamilton, and, perhaps, the best work of The Federalist was done by the latter; but in the convention the influence of Madison greatly surpassed that of Hamilton. This was not due to Madison's superior ability, but it was due to the fact that Hamilton differed widely from the great body of those delegates as to the form of government which ought to be adopted. He was a royalist and believed the government of Great Britain superior to any republic which could be devised. For that reason, and notwithstanding his great ability, Hamilton had less to do with shaping the Constitution than Madison. But while that is true, Hamilton, perhaps, understood even better than Madison all the legal questions, and he believed the carriage tax was constitutional. We thus find two men who had both been conspicuous members of the convention which had framed the Constitution, and who had done more than any other two men in securing its adoption by the people, differing about the constitutionality of this carriage tax. As between the two, I would not hesitate to take the opinion of Hamilton on a question like this, because, while I utterly reject all of his theories of government, I know he was a great lawyer, and Mr. Madison was not. Fortunately, however, for us we are not left to decide the question according to the view of Mr. Madison or of Mr. Hamilton, for we have an impartial and dispassionate judgment, which must be better than either.

Though Congress had passed that law over the protest of Madison, and it had been approved by Washington, it was contested in the courts, and properly enough the contest was instituted in old Virginia. A citizen of that State refused to pay the tax, and the Government proceeded to collect it. The facts were not in dispute, and upon an agreed statement it was brought to the Supreme Court. The court for the Virginia circuit had been divided and the public interest in the question was intense. In both Houses of Congress and throughout the country the subject was discussed. Alexander Hamilton had been the Secretary of the Treasury when that carriage tax law was passed, and, though he had retired from that great office to resume the practice of his profession, he appeared in behalf of the Government to defend a law passed under his administration of the Treasury Department and upon his recommendation. It was of such absorbing interest that the court room was crowded as it had never been before up to that time, and as it seldom has been since that time. Members of the House and of the Senate deserted their respective halls to attend the argument. In addition to the argument of Hamilton, the Attorney-General of the United States appeared on the Government's behalf, and opposed to them were lawyers of high standing and splendid ability. The attorney-general of Pennsylvania felt sufficient interest in the case to appear on behalf of the plaintiff in error and it is said by one of the commentators on the Constitution that John Marshall, afterwards Chief Justice, took part in the argument. It does not seem from the report of the case that Marshall appeared in the Supreme Court, though I have no doubt that Mr. Tucker was not without warrant for what he said, and I therefore have no doubt that Marshall assisted in preparing the argument. At any rate, there can be no question about the thoroughness with which that case was presented to the court; and, after a most exhaustive argument, the court unanimously decided that a tax on carriages was not a direct tax, and that the law was constitutional.

I am not unmindful that you can find those who will minimize the importance of that decision. You will hear some great lawyers say that it was not well considered, and you will hear others say that it is important only in its *obiter dicta;* but against those loose expressions I oppose the fact that from the day it was decided down to this good hour it has been respected by the courts, accepted by every text writer upon our Constitution since that day as conclusive, and even in the Pollock case the court did not expressly overrule it or say that it had been decided wrong. The opinions delivered in that case would be entitled to our respect for the strength and clearness of their reasonings, but even beyond all that is the fact that two of the men who decided it were conspicuous members of the Constitutional Convention. Nor is that all. A third member of the court, who did not deliver an opinion and who, it is true, did not participate in the decision, because he became chief justice on the very morning when that opinion was announced, was likewise a member of that Constitutional Convention, and it is not within the range of probability that Ellsworth would have permitted that decision to pass unchallenged had he disagreed with it. It is not possible to suppose that he was not familiar with the question, for he was a member of the Senate when that carriage tax bill was before it, and he knew the objections which had been urged against it. Therefore I can safely say that three of the five men who concurred in the opinion that a tax on carriages is not a direct tax had been members of the Constitutional Convention and ought to have known, if anybody could know, what the fathers meant by direct taxation. These judges delivered their opinions seriatim—Chase, Patterson, Iredell, and Wilson—Cushing taking no part, because an illness had prevented him from attending the argument, and Ellsworth taking no part for the reason which I have stated.

Mr. President, it is perfectly true that so far as the decision undertakes to say what is not within the meaning of the term "direct tax" it is in large part *obiter dicta;* and if the Supreme Court of the United States when it held the act of 1894 unconstitutional had confined its decision to the grounds announced in the first opinion the Hylton case would only be persuasive on account of what the judges said by way of illustration and argument; but when, under the reargument, the court went beyond its first decision and held that a tax on the income of personal property is, in law, a tax on the personal property itself, and that a tax on personal property is a direct tax within the Constitution, they fell under the condemnation not merely of the argument in the Hylton case, but of the decision itself. That case decided that Congress has the power to lay a tax on personal property, or, if that be preferred, I will say that it decides that Congress has the power to levy a tax on carriages. But the form of stating it does not alter the substance of the decision, for a carriage is personal property.

It has been said that the court did not decide that this was a tax on the carriage itself, but that it was a tax on the use of the carriage, and Chief Justice Fuller made that mistake in the Pollock case when in summing up the Hylton case he said the court had decided there that the tax in question was a tax on the use of the carriage. That court decided no such thing; and it intimated no such thing. It is unfortunate that the Chief Justice was not more accurate in the use of words. The only intimation in that case which could by any stretch of the imagination justify that statement was that Justice Chase said by way of argument that the tax on carriages was a tax on *expense.*

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. CLAPP. Mr. President, it has been a great many years since I have read that case. Did that law provide for an ad valorem tax or a tax upon each particular kind of carriage?

Mr. BAILEY. It provided for a specific tax of so much per carriage, with differing amounts on the different kinds.

Mr. President, Justice Chase said—and that is evidently the basis of the Chief Justice's statement that the court decided that this was a tax on the use of the carriage—that he considered it a tax on expense. But a tax on expense and a tax on the use of an article might, within the contemplation of the law, be very different things. A tax on the keeper of a livery stable according to the number of vehicles used in his business might well be held to be an excise tax upon his occupation, and that is exactly the argument that one of the attorneys made in the first case that assailed the income-tax law of 1864. He insisted that it was apparent that Hylton was engaged in the livery business, or else in the stage-line business, because he said it was not supposable that a private citizen could have one hundred and twenty-five chariots. But in the statement of the case as it appears in the opinion of the court it was agreed that all of the chariots upon which the Government had sought to levy a tax were owned by Hylton and kept by him exclusively for his personal and private use, and not for hire to other persons.

It was no more a decision when the judge said it was a tax on expense than it was a decision when he said that no tax except a tax on land or a capitation tax was subject to the constitutional rule of apportionment. But let us suppose that the court decided that the carriage tax was sustainable upon the ground that it taxed a citizen's expense. That will not militate against our position, for if a tax on expense is not a direct tax, a tax on income can not be. Is it not of necessity true that you have the same right to tax what comes in as you have to tax what goes out? That is fundamental; that is elementary. If Congress can levy a tax on expenses, then surely it can levy a tax on receipts, for the principle is essentially the same in both cases.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. NELSON. If the Senator will allow me in connection with his argument, I wish here to quote the statute, so as to show that this was a direct tax. It is the act of June 5, 1794, entitled "An act laying duties upon carriages for the conveyance of persons."

> SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be levied, collected, and paid, upon all carriages for the conveyance of persons, which shall be kept by or for any person, for his or her own use, or to be let out to hire, or for the conveying of passengers, the several duties and rates following, to wit:

Then it specifies the duties, showing clearly it was a tax upon the carriage, and not a tax upon the use of the carriage.

Mr. BAILEY. I think that is too clear to need further elucidation.

Mr. BORAH. I only want to say, in connection with the reading of this statute, that it should not be forgotten that the only portion of the statute involved in the decision was the portion of the statute which levied a tax upon carriages for personal use and not the portion which levied a tax upon carriages for hire or for use to a party. And that was one of the distinctions which was made in the argument.

Mr. SUTHERLAND. Will the Senator from Texas permit me?

Mr. BAILEY. Certainly.

Mr. SUTHERLAND. Does the Senator think, under the language of the statute from which the Senator from Minnesota has now read, that the tax could have been levied and collected upon a carriage kept for sale? The language is a carriage kept for use—for his or her own use—or for hire to others.

Mr. BAILEY. I think it clear from the language that it was intended to exclude carriages kept for sale, either in a store or in a carriage factory, from the operation of the law, and, therefore, under a fair construction of the statute they could not have been taxed.

Mr. SUTHERLAND. Precisely. Therefore the tax, when we get to the last analysis, is a tax upon the use of the carriage and not upon the carriage itself.

Mr. BAILEY. That inference does not follow, and it is not true according to the history of the time. I did not care to introduce any inquiry as to the motive of Congress, but I will do so now since the Senator has made it material. We know that Madison's statement was that the opponents of luxury had joined with advocates of the principle to pass the carriage tax. In other words, Mr. Madison complained that they were trying to make prosperous people pay a tax then just as we are trying to make them pay a tax now. That was the reason they imposed the tax upon those who had the carriages for use and not upon those who had them for sale. It did not necessarily follow that a man who wanted to sell one could afford to pay the tax. Besides, there would have been no justification for a tax upon people who were engaged in the carriage business without a tax upon people who were engaged in other kinds of business. The object of the law was to reach a particular kind of property, because that particular kind of property denoted by its possession the ability of the owner to pay the tax. That was the whole of it.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Maryland?

Mr. BAILEY. Certainly.

Mr. RAYNER. Without committing myself to this income tax, either for or against, I should like to ask the Senator from Texas whether I understand him. Outside of the decisions, does the Senator think that when the constitutional convention said a "direct tax" it meant only a capitation tax, a tax on land, and a tax on slaves? Does the Senator think that completes the definition? Will he give me his own opinion?

Mr. BAILEY. I think that was all that the constitutional convention definitely intended to include; but I am not so clear in that opinion as I would like to be; and it is barely possible that they also contemplated an assessment upon all the property of the citizen, real and personal. That was Hamilton's view as expressed in his brief, the Senator will remember.

Mr. RAYNER. With the Senator's information upon that subject, I expected that answer. There is just one other question. Does the Senator think there was at that time any accurate or comprehensive definition of what a direct tax meant?

Mr. BAILEY. I am absolutely certain there was not, for if any man could have given an accurate and comprehensive answer, the question of Mr. King would have been answered.

Mr. RAYNER. I was going to call the attention of the Senator to the fact that in a convention where Madison and Wilson and Martin and others sat, Mr. King asked "What is a direct tax?" and not a man in the convention answered him; and not a man in the convention knew what it meant.

Mr. BAILEY. That is probably true, but I refer it back to the early methods of contribution, and it was their familiarity with contributions according to lands and slaves that has led me to the conclusion that lands and slaves—lands of course including all appurtenances—were the objects of direct taxation which the convention had in mind.

Mr. President, whatever might have been my doubt about it, those doubts must have disappeared under the uniform construction of the Constitution, both by Congress and by the Supreme Court.

Mr. HEYBURN. Will it interrupt the Senator if I ask him a question?

Mr. BAILEY. It will not.

Mr. HEYBURN. I should like to inquire what, in his judgment, is the significance of the fact that in section 8 of Article I the word "taxes" is not included within the limitation. Was there a special purpose to recall it?

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties—

Mark it—"taxes" is omitted—

but all duties, imposts, and excises shall be uniform throughout the United States.

Was it intended that taxes should not come within the rule requiring uniformity?

Mr. BAILEY. That opinion was expressed in the Hylton case, and it was said that there may be taxes not direct and yet not falling within the definition of imposts, duties, and excises. The fact that the Constitution uses "taxes" followed by "imposts, excises, and duties," and then seems to divide taxes into direct and other taxes, would seem to imply that there may be taxes which are not direct and which do not fall within the terms imposts, duties, or excises.

Mr. HEYBURN. Not within the limitation?

Mr. BAILEY. Not within the limitation. And therefore, as was said in the Hylton case, governed by the will of Congress, and not subject to the rule of apportionment, as a direct tax, nor to the rule of uniformity, as excises, imposts, and duties are, nor by the rule of apportionment as direct taxes are.

Mr. HEYBURN. Did the first Congress which passed a revenue law—and it was the first act enacted by any Congress of the United States—intend to consider the exception when it provided:

On every coach, chariot, or other four-wheel carriage, and on every chaise, solo, or other two-wheel carriage, or parts thereof, fifteen per centum ad valorem.

That is the first enactment of the carriage tax law, and it was in the first bill. Now, did they not intend, or is it not a fair presumption that they intended, that that tax should be outside of the limitation contained in the provision of the Constitution?

Mr. BAILEY. Of course the Senator understands that the Hylton case arose, not under the act which he has just read, but under the act which the Senator from Minnesota read a few moments ago.

Mr. NELSON. I want to remind the Senator of the fact that that which the Senator from Idaho cited was a duty levied on imported carriages and not in the shape of the other tax which he has been discussing, and therefore it has no application.

Mr. BAILEY. I so understand.

Mr. NELSON. I wish further to add in this connection before I sit down that one of the judges of the Supreme Court—I can not now recall which one, but I am inclined to think it was Chief Justice Fuller—made a statement that there may be other taxes besides the direct tax and imposts and duties, but that so far Congress has been unable to discover such a subject of taxation.

Mr. BAILEY. Evidently the Chief Justice intended to negative that idea, because he said it had been suggested that there may be others, though Congress searching for objects of taxation through a hundred years has never found one.

Mr. HEYBURN. If the Senator will permit me, the application of my suggestion was to the argument of the Senator from Texas and not to the statute referred to by the Senator from Minnesota.

Mr. BAILEY. If the Senate rejects my income tax amendment, I shall draw a bill just like that old carriage tax, substituting automobiles for carriages and readjusting the rates; and I will see if we can not make these devotees of luxury pay some sort of tax.

THE HYLTON CASE DECIDED.

I am willing to admit that what was said about land and capitation taxes only being direct taxes was *obiter dicta*, for I can safely rest this debate on the unassalled and unassailable fact that the Supreme Court of the United States by a unanimous judgment has said that the Congress can levy a tax on personal property without apportioning it. It will, however, be instructive to read some extracts from these opinions.

Judge Chase said:

The Constitution evidently contemplated no taxes as direct taxes, but only such as Congress could lay in proportion to the census. The rule of apportionment is only to be adopted in such cases where it can reasonably apply, and the subject taxed must ever determine the application of the rule.

If it is proposed to tax any specific article by the rule of apportionment, and it would evidently create great inequality and injustice, it is unreasonable to say that the Constitution intended such tax should be laid by that rule.

I am inclined to think, but of this I do not give a judicial opinion, that the direct taxes contemplated by the Constitution are only two, to wit, a capitation or poll tax, simply, without regard to property, profession, or any other circumstance, and a tax on land. I doubt whether a tax, by a general assessment of personal property within the United States, is included within the term "direct tax."

Judge Patterson said:

Whether direct taxes, in the sense of the Constitution, comprehend any other tax than a capitation tax, and tax on land, is a questionable point. If Congress, for instance, should tax, in the aggregate or mass, things that generally pervade all the States in the Union, then, perhaps, the rule of apportionment would be the most proper, especially if an assessment was to intervene. This appears by the practice of some of the States to have been considered as a direct tax. Whether it be so under the Constitution of the United States is a matter of some difficulty; but as it is not before the court, it would be improper to give

any decisive opinion upon it. I never entertained a doubt that the principal, I will not say the only, objects that the framers of the Constitution contemplated as falling within the rule of apportionment were a capitation tax and a tax on land.

Justice Iredell said:

There is no necessity or propriety in determining what is or is not a direct or indirect tax in all cases.

Some difficulties may occur which we do not at present foresee. Perhaps a direct tax, in the sense of the Constitution, can mean nothing but a tax on something inseparably annexed to the soil—something capable of apportionment under all such circumstances.

A land or a poll tax may be considered of this description.

The latter is to be considered so particularly, under the present Constitution, on account of the slaves in the Southern States, who give a ratio in the representation in the proportion of 3 to 5.

Either of these is capable of apportionment.

In regard to other articles, there may possibly be considerable doubt. It is sufficient, on the present occasion, for the court to be satisfied that this is not a direct tax contemplated by the Consitution in order to affirm the present judgment, since, if it can not be apportioned, it must necessarily be uniform.

I am clearly of opinion this is not a direct tax in the sense of the Constitution, and, therefore, that the judgment ought to be affirmed.

It thus appears that while there were some intimations of doubt in those opinions, these great and upright judges all inclined to the belief that a direct tax as contemplated by the Constitution included only a tax on land with its improvements and a capitation tax, and their opinion has been followed by all judges since then, and accepted by all text-writers of repute until the Pollock case.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Utah?

Mr. SUTHERLAND. Will the Senator permit me to ask him a question right here?

Mr. BAILEY. Certainly.

Mr. SUTHERLAND. The language of the constitutional provision, as I recall it, is that no capitation or other direct tax shall be laid, except in accordance with the rule of apportionment. As I understand the Senator's position now it is that, in using the words "direct tax," the Constitutional Convention intended to include but one form of tax, namely, a tax upon land or the improvements upon land.

Mr. BAILEY. I did not say that, because clearly, and within the very words of the Constitution, a capitation tax is a direct tax.

Mr. SUTHERLAND. I do not think I misstate it, because provision is already made for a capitation tax. The language is "no capitation or other direct tax." The capitation tax has already been covered in express terms. So I repeat that what the Senator understands, as I understand him, by the use of the words "direct tax" in the Constitution is that it was intended to include but one kind of tax, namely, a tax upon land. The question I desire to ask the Senator is this——

Mr. BAILEY. That is not a safe predicate for the Senator's question, because it does not exactly express my view. I said land and its improvements, and, of course, that leaves the question open as to whether the slave was a part of the land or not. It was held by many of the States in which slavery existed that he was part of the land. The slave, however, was clearly subject to a direct tax under the capitation clause. Now I will hear the Senator.

Mr. SUTHERLAND. The Senator has now stated the matter differently from the way I understood him originally. The question I was going to put to the Senator is this: If the Constitutional Convention intended to include but that one form of tax, namely, a tax upon land and improvements, in the Senator's opinion why was it that the Constitutional Convention did not plainly say a capitation tax and a tax upon land and improvements, which would have made it absolutely clear, instead of using an expression which seems to include a great deal?

Mr. BAILEY. They were making a constitution, and were necessarily confined to the use of general terms. The Senator does not forget the eloquent tribute which Marshall paid to the Constitution in that respect; and if these enumerations and restrictions had been used in one clause, the absence of them would have raised a doubt in other clauses, thus making our Constitution less admirable than it is.

Mr. SUTHERLAND. And yet, if the Senator will permit me, they did use the word "capitation" when, according to the Senator's contention, if I understand him, the word "capitation" is embraced in the words "direct tax." They enumerated it to that extent.

Mr. BAILEY. The Senator from Utah quotes the Constitution correctly, but he has overlooked the fact that the words "or other direct" were added without explanation or debate. It originally read, and as first agreed to by the convention it was, that "no capitation tax shall be laid except in proportion to the census or enumeration hereinbefore directed to be taken;" and upon the suggestion of some delegate the words "or other direct" were added out of an abundant caution. I think that circumstance sufficient to explain why they did not attempt a definition as the Senator suggests.

LEGISLATIVE CONSTRUCTION.

Mr. President, now let us see what has been the legislative construction of the Constitution. Of course, I understand that legislative precedents are not entitled to the same weight and do not possess the same authority as judicial ones, but they are certainly not without some value. Within two years after the opinion in the Hylton case Congress strongly indicated its full agreement with the court. On the 14th of July, 1798, Congress levied a direct tax of $2,000,000, and apportioned it among the several States. Did it treat personal property as an object of direct taxation? No, sir. That $2,000,000 of direct taxes was levied on land, houses, and slaves. It is inconceivable that if Congress had not understood and accepted the decision of the Supreme Court in the Hylton case, they would have levied that entire two million dollars of taxes—an enormous sum in that day, though it seems a mere trifle to us in this time when we spend so many millions—upon real property, the very species of property about which the people were most sensitive and would have exempted all personal property from the levy. It was only in pursuance of the well-settled opinion which then prevailed throughout the country, and in obedience to the decision in the Hylton case, which had held that personal property was not the subject of a direct tax, that Congress apportioned two millions among the several States and levied it upon lands and slaves—the slaves per capita, the land per acre.

In 1813 Congress passed a second direct tax law providing for $3,000,000; and in accordance with the doctrine of the Hylton case, which had been universally accepted by the statesmen of that generation, this tax was laid on land and slaves. James Madison was then President of the United States and though he had denounced the carriage tax of 1794 as unconstitutional he approved the act of 1813, thus evidencing his acquiescence in the court's construction of the Constitution.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. Certainly.

Mr. NELSON. I wish to call the Senator's attention to the fact, in connection with the laws which he cites, that in the law of 1798, levying a direct tax of two millions, in the law of 1813, levying an additional tax of two millions, and in the law of 1815, levying a tax of six millions, the levy was made upon the valuation of the land, and in none of them was there ever any attempt to levy upon the rent, or the income of the land.

Mr. BAILEY. That is true, and it forcibly illustrates that the rent of the land was not considered real estate in that day.

Mr. SUTHERLAND. The Senator, of course, is aware of the fact that before the first act imposing a direct tax was passed by Congress the whole matter was submitted to the Secretary of the Treasury, then Mr. Oliver Wolcott, jr., who gave an elaborate opinion to Congress upon the subject of the various plans that had been suggested; and in that opinion he discussed at great length the two propositions, first as to whether or not any direct tax should be imposed upon the various things which were the subject of taxation in the various States, or whether it should be limited to the land tax; and after discussing both propositions he gave it as his opinion that it would be more convenient for the reasons which he stated to impose it upon land.

I wish to ask the Senator whether he does not think, in view of that, that the first Congress proposed a direct tax upon land as a matter of convenience and not because it believed it to be the only subject of a direct tax.

Mr. BAILEY. I do not. The law providing that first direct tax was passed two years after the decision in the Hylton case and while it was fresh in the public mind. Under its authority they could not have laid a direct tax on personal property; or certainly they could not have laid it on all personal property, for whatever was subject to the tax imposed by the act of 1794 could not have been subjected to the tax imposed by the act of 1798; and it was not the recommendation of the Secretary of the Treasury, but it was the decision of the court in the Hylton case to the effect that personal property was not the subject of direct taxation which controlled Congress.

Mr. BEVERIDGE. Before the Senator leaves the Hylton case, will he please tell us—I have forgotten myself—how soon after that decision the carriage tax was repealed?

Mr. BAILEY. My recollection is that it was to expire by its own terms, and that it was repealed before its expiration.

Mr. BEVERIDGE. It was repealed, was it not, almost immediately after the enactment?

Mr. BAILEY. I am not sure of that, but I am sure of the general proposition that in that day they repealed every tax as soon as they could dispense with collections under it. I know that Congress repealed that tax, but I would not undertake to say without examination when it was repealed.

In 1815 Congress for a third time levied a direct tax, apportioned it among the several States, and provided for its assessment on lands with their improvements and slaves. This act called for $6,000,000 and, like the one of 1813, was approved by Mr. Madison. The fourth and the last direct tax was levied by Congress in 1861. It provided for $20,000,000, apportioned it among the several States, and directed its assessment upon lands and their improvements. There was no provision in that act for taxing slaves, because slavery did not exist in any State where that tax could be collected. The Congress of 1861 gave a most direct and positive proof that it did not consider personal property subject to a direct tax by omitting it, and it gave a still more direct and striking proof of its opinion that an income tax is not a direct tax by incorporating into that law a provision for a tax on incomes precisely in language and effect like that which I shall offer to the pending bill. It is not supposable that Congress would have separated the direct tax from an income tax if they had believed that the latter could have been included in the former. The Union then was about to engage in a desperate struggle for its life, and those charged with its preservation were seeking revenue from every source. They decided to tax, and they did tax, both real estate and incomes of every kind, but they taxed the one under the constitutional provision which governs direct taxation, and they taxed the other as an indirect tax, not requiring to be apportioned.

DECISIONS OF THE COURT.

This, Mr. President, is the legislative history of these several acts, and it makes it perfectly manifest to my mind that each of the Congresses through which they passed entertained the view for which I am contending. If this legislative history stood alone, the opponents of my proposition might affirm with some show of reason that it does not close the controversy; but, sir, fortunately for the cause of truth and justice, it does not stand alone, and the courts have repeatedly construed one of those acts. The first case which reached the Supreme Court involving the precise question of whether an income tax is a direct tax arose under the act of 1864, and is reported in Seventh Wallace, under the style of the Pacific Insurance Company *v.* Soule. The insurance company did not originally dispute the validity of the law, but made its return under it and offered to pay its tax, amounting to more than $5,000. The income of that company had been received in gold, and the tax collector demanded that it should be measured in currency, which would have made the tax $7,365 instead of $5,376. The people of California never looked with much favor on the legal-tender acts, and the notes issued under them never circulated very freely in that State. Even after the war had closed, and we described in nearly all of the other sections the difference between gold and greenbacks as a premium on gold, the people of California always described it as a discount on paper.

The insurance company tendered, as I have already stated, to the officer of the Government the amount of its tax as it claimed a right to discharge it, but the officer refused to accept it and demanded more than $1,900 above the amount which had been tendered. This was the difference which sent the disagreeing parties to court; but as it always happens when a lawyer is compelled to go into the court to defend his client, he raises every issue which offers him any hope of winning his case, and following that lawyer's habit they attacked the validity of the law itself as well as the construction of the statute. The attorneys for the insurance company filed an elaborate brief containing substantially every argument which was afterwards made in the Pollock case. But the court rejected them all without hesitation and without division.

The question presented was thus stated in the opinion:

> The sixth question is:
> Whether the taxes paid by the plaintiff, and sought to be recovered back in this action, are not direct taxes, within the meaning of the Constitution of the United States.

The court then proceeds to recapitulate the constitutional provisions relating to the subject, and after reviewing the Hylton case, concludes its opinion in these words:

> To the question under consideration it must be answered that the tax to which it relates is not a direct tax, but a duty or excise; that it was obligatory on the plaintiff to pay it.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Idaho?

Mr. BAILEY. I do.

Mr. BORAH. I simply want to suggest to the Senator from Texas that in the facts which were presented to the court in the case to which he has just referred, it was shown that the income derived in part in that case was derived from real estate, and that matter was particularly impressed upon the court at the time of the presentation of the case.

Mr. BAILEY. That is true; and I intended, without stopping to read them, to put some of those statements in the RECORD. I will, however, now take the time to read that part of the syllabus which says:

> The income tax or duties laid by sections 105 and 120 of the act of June 30, 1864, and the amendment thereto of July 13, 1866, upon the amounts insured, renewed, or continued by insurance companies upon the gross amounts of premiums received, and assessments made by them, and also upon dividends, undistributed sums, and income is not "a direct tax," but a duty or excise.

I might add that Mr. Evarts was the Attorney-General of the United States, and in arguing this case, relied entirely on the Hylton case as to the character of the tax.

The question of what is a direct tax was next presented to the court in the case of the Veazie Bank *v.* Fenno, reported in Eighth Wallace, and the court reaffirmed the Hylton and the Insurance Company cases. This case was argued for the bank, as I remember, by Reverdy Johnson, one of the great lawyers of the American bar; and it was argued on behalf of the Government by Mr. Hoar, who was the Attorney-General under Grant's administration and, as I remember it, a brother of the venerable Senator from Massachusetts who was so long an honored Member of this body.

Again, the case upon which the Government relied was the Hylton case, fortified by the Pacific Insurance Company case, which I have just cited, and in reply to the argument of the Attorney-General, Mr. Johnson declared that "the dicta of the judges made it obvious that the great question of direct taxes was crudely considered." How did the court answer that criticism of the Hylton case? Here it is, and, to save my voice, I will ask the Secretary to read from page 541, where the pencil mark begins, to the pencil mark on page 544.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

> Much diversity of opinion has always prevailed upon the question, What are direct taxes? Attempts to answer it by reference to the definitions of political economists have been frequently made, but without satisfactory results. The enumeration of the different kinds of taxes which Congress was authorized to impose was probably made with very little reference to their speculations. The great work of Adam Smith, the first comprehensive treatise on political economy in the English language, had then been recently published; but in this work, though there are passages which refer to the characteristic difference between direct and indirect taxation, there is nothing which affords any valuable light on the use of the words "direct taxes" in the Constitution.
>
> We are obliged, therefore, to resort to historical evidence, and to seek the meaning of the words in the use and in the opinion of those whose relations to the Government and means of knowledge warranted them in speaking with authority.
>
> And, considered in this light, the meaning and application of the rule as to direct taxes appears to us quite clear.
>
> It is, as we think, distinctly shown in every act of Congress on the subject.
>
> In each of these acts a gross sum was laid upon the United States, and the total amount was apportioned to the several States, according to their respective numbers of inhabitants, as ascertained by the last preceding census. Having been apportioned, provision was made for the imposition of the tax upon the subjects specified in the act, fixing its total sum.
>
> In 1798, when the first direct tax was imposed, the total amount was fixed at $2,000,000; in 1813 the amount of the second direct tax was fixed at three millions; in 1815 the amount of the third at six millions, and it was made an annual tax; in 1816 the provision making the tax annual was repealed by the repeal of the first section of the act of 1815, and the total amount was fixed for that year at $3,000,000. No other direct tax was imposed until 1861, when a direct tax of $20,000,000 was laid and made annual, but the provision making it annual was suspended, and no tax except the first laid was ever apportioned. In each instance the total sum was apportioned among the States by the constitutional rule, and was assessed at prescribed rates on the subjects of the tax. These subjects in 1798, 1813, 1815, 1816 were lands, improvements, dwelling houses, and slaves, and in 1861 were lands, improvements, and dwelling houses only. Under the act of 1798 slaves were assessed at 50 cents on each; under the other acts, according to valuation by assessors.
>
> This review shows that personal property, contracts, occupations, and the like, have never been regarded by Congress as proper subjects of direct tax. It has been supposed that slaves must be considered as an exception to this observation, but the exception is rather apparent than real. As persons, slaves were proper subjects of a capitation tax, which is described in the Constitution as a "direct tax;" as property, they were, by the laws of some, if not most, of the States, classed as real property, descendible to heirs. Under the first view, they would be subject to the tax of 1798 as a capitation tax; under the latter, they would be subject to the taxation of the other years as realty.
>
> That the latter view was that taken by the framers of the acts after 1798 becomes highly probable when it is considered that in the States where slaves were held much of the value which would otherwise have attached to land passed into the slaves. If, indeed, the land only had been valued without the slaves the land would have been subject to much heavier proportional imposition in those States than in States where there were no slaves, for the proportion of tax imposed on each State was determined by population, without reference to the subjects on which it was assessed.
>
> The fact, then, that slaves were valued, under the acts referred to, far from showing, as some have supposed, that Congress regarded personal property as a proper object of direct taxation under the Constitution, shows only that Congress after 1798 regarded slaves for the purpose of taxation as realty.
>
> It may be rightly affirmed, therefore, that in the practical construction of the Constitution by Congress direct taxes have been limited to taxes on land and appurtenances and taxes on polls, or capitation taxes.
>
> And this construction is entitled to great consideration, especially in the absence of anything adverse to it in the discussions of the convention which framed and of the conventions which ratified the Constitution.

Mr. BAILEY. Could anything be more directly in point than this? Let me repeat one paragraph of it:

> It may be rightly affirmed, therefore, that in the practical construction of the Constitution by Congress, direct taxes have been limited to taxes on land and appurtenances and taxes on polls, or capitation taxes.

And again, beginning on page 546, the court says:

> The tax under consideration is a tax on bank circulation, and may very well be classed under the head of duties. Certainly it is not, in the sense of the Constitution, a direct tax. It may be said to come within the same category of taxation as the tax on incomes of insurance companies, which this court at the last term, in the case of Pacific Insurance Company *v.* Soule, held not to be a direct tax.

I am certain that the concluding sentence of that extract has not escaped the special attention of the Senate, but it will not be amiss for me to read it again and emphasize it:

> It may be said to come within the same category of taxation as the tax on incomes of insurance companies, which this court at its last term, in the case of Pacific Insurance Company *v.* Soule, held not to be a direct tax.

The next case to reach that court was that of Scholey *v.* Rew, reported in Twenty-third Wallace. It involved the tax on inheritances, which was resisted on the ground that—

> It is within the prohibitions of the Constitution, which ordain that—"Direct taxes shall be apportioned among the several States * * * according to their respective numbers."

The court sums up the contention against the law and dismisses it in these words:

> Whether direct taxes in the sense of the Constitution comprehend any other tax than a capitation tax and a tax on land is a question not absolutely decided, nor is it necessary to determine it in the present case, as it is expressly decided that the term does not include the tax on income, which can not be distinguished in principle from a succession tax such as the one involved in the present controversy.

And thus this court declares that a succession tax is in principle the same as an income tax, and sustains the succession tax, which was assailed in the Scholey case, upon the same ground that it had sustained the income tax in the insurance company case.

The next case, Mr. President, that came to the court is that of Springer *v.* The United States. There are Senators here who served in the House of Representatives with the distinguished defendant in that case below. The late William M. Springer, a citizen of Illinois, and for years a Member of the House from that State, refused to pay the income tax assessed against him, declaring that the law directing the assessment was unconstitutional and void. The Government of the United States levied on his homestead in the city of Springfield, sold it, purchased it at execution sale, and brought an action of ejectment against him. It was on that action of ejectment that this case came to the Supreme Court of the United States. Here was a direct, positive, unequivocal attack upon the constitutionality of an income-tax law, just such as I am proposing now. I doubt if any brief ever filed in the Supreme Court of the United States on this question was more elaborate than the brief of Springer. It is said that he prepared it for himself, and he exhausted the learning on the subject. He called to his aid every political economist who had ever touched upon the question, and many of them have discussed it. He searched the debates of the federal convention. He searched the debates of the state conventions that ratified the Constitution. He left nothing unsaid that could be said.

The great lawyers who tried the Pollock case added nothing new to what had been said in the Springer case. It was heard by a full bench and decided unanimously, just as the other cases to which I have referred were decided, except in the case of the Veazie Bank *v.* Fenno, and the dissent of Justice Nelson and Justice Davis in that case did not touch the question which I am now discussing. They dissented upon the ground that the law involved in that was an attempt by the Federal Government to destroy an institution which the States in the exercise of their sovereign power had a full and perfect right to create. Except in that case and upon that question, irrelevant to this discussion, every one of these cases has been decided by a unanimous court. The opinion in this Springer case was delivered by Justice Swayne, and here is the way he states the question presented for the court's decision:

> Was the tax here in question a direct tax? If it was, not having been laid according to the requirements of the Constitution, it must be admitted that the laws imposing it and the proceedings taken under them by the assessor and collector for its imposition and collection were all void.

He then proceeded to argue the question, and this is the conclusion of the whole matter. Hear it, Senators. It could not be more directly, more distinctly, and more unequivocally expressed:

> Our conclusions are that direct taxes, within the meaning of the Constitution, are only capitation taxes, as expressed in that instrument, and taxes on real estate; and that the tax of which the plaintiff in error complains is within the category of an excise or duty.

What was the tax of which the plaintiff in error complained? It was an income tax drawn almost word for word as the amendment which I have offered; and that unanimous judgment of the court, pronouncing in favor of the validity of that law, stripped this American citizen of his homestead.

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from South Dakota?

Mr. CRAWFORD. Only for a question.

Mr. BAILEY. I do.

Mr. CRAWFORD. I am very much interested in the Senator's argument. In connection with the Springer case, the distinguished Senator may develop this point, and if he has it in his mind he will pardon me for making it here.

In the opinion in the Pollock case I think Mr. Chief Justice Fuller undertakes to distinguish that case by saying that the income of Springer was to quite a large extent a professional income—he was a practicing lawyer—and therefore it was an excise, and the case could be sustained on that ground, eliminating that part of it which was derived from real estate.

Mr. BAILEY. That is one of the inconsistencies between the first and second opinions in the Pollock case which I intend to discuss at some length when I reach the second opinion. But in orderly sequence I must first consider the original opinion.

Senators will, of course, recall that on the original hearing the court decided that a tax on the income derived from real estate is, in law, a tax on the real estate itself, and therefore a direct tax, which Congress does not possess the constitutional competence to levy except by apportioning it among the several States according to their population. In other words, the court decided that an income derived from real estate is real estate, and to establish that doctrine the Chief Justice, speaking for the court, relied upon an ancient and undisputed rule of the feudal law which declares that—

> If a man seized of land in fee by his deed granteth to another the profits of those lands, to have and to hold to him and his heirs, and maketh livery secundum formam chartæ, the whole land itself doth pass.

That is true, but it was not relevant to that case, because there the owner did not grant, nor did the law demand, the profits of any man's land forever. It took but a fraction of the rent, and took that only from year to year; and the exaction might have been released at any time that Congress saw fit to repeal the law. Not only was this quotation from the common law inapt and insufficient to support the decision if there had been no adjudications upon that point, but that very question has passed under review more than once in the highest courts of several States. I shall, however, leave the examination and discussion of those cases to the Senator from Idaho, who, as I happen to know, has given that subject special attention; and I leave them to him in the full confidence that he can present them to the satisfaction of the Senate.

Before dismissing this first decision, however, I desire to submit some practical arguments which seem to me both applicable and conclusive against it. If I should lease my plantation to a tenant, agreeing to take as rent one-fourth of the cotton that he might raise, will any man assert that after he had picked the cotton and delivered it to me it is real estate? As long as the cotton plant is growing, or as long as the cotton is still on the plant, it forms a part of the land, and if I should sell the plantation, the cotton in that state would pass with the land itself; but after it has been picked and ginned all connection between it and the soil upon which it was grown has been completely severed and it is personal property both in fact and in law. Let me analyze the proposition in another form: Suppose I rent my farm to a tenant for a thousand dollars per annum; he pays me the money and I place it in the bank to my credit and use it to meet my current expenses. Does any man suppose that I am spending real estate when I spend that money? Will any layman say it as a matter of fact, or will any lawyer say it as a matter of law? And yet this decision says it. When a western landowner rents his farm to be used for growing wheat and agrees to take his pay in money or in a part of the crop, does he consider that it is real estate when he has received the wheat or money and sold the one or spent the other? The learned Chief Justice when writing that opinion overlooked the fundamental and essential distinction between the right to receive rent and the proceeds of that right after reduced to possession.

It is true that the right to rent is what the law calls an "incorporeal hereditament," and when that right has been violated or denied, a real-estate action was the proper remedy at common law; but when the rent has once been delivered to the landlord it bears no relation to the land for the use of which it has been paid. But while the court ignored that distinction, the law did not, because the statute levies no tax upon any income from land until after it had been paid by the lessee and received by the lessor. And under a law so worded the income received from land can not be considered real estate in law any more than it can in fact. Let me test the soundness of the court's reasoning by one more illustration.

The distinguished Senator from Mississippi [Mr. MCLAURIN] who sits before me is a great criminal lawyer—one of the greatest in all this country. I knew him in my native State of Mississippi, where I have seen him in the courts, and if my life were at stake I would rather have him to defend me than any man I have ever known; and I put this question to him: Does he think that a conviction could be secured under an indictment, charging the theft of land, by proving that the defendant had stolen money which had been collected from a tenant as rent? And yet, Mr. President, in order to hold the law of 1894 invalid the court was compelled to decide that rent after it had been reduced to the landlord's possession and applied to the landlord's use was still real estate.

In this first decision the court held the tax on incomes from real estate invalid, but was unable to reach a decision on the other questions, because on those other questions the judges were equally divided. Those questions were—

First, Whether the void provision as to rents and income from real estate invalidated the whole act;

Second, Whether as to the income from personal property, as such, the act is unconstitutional as laying direct taxes; and

Third, Whether any part of the tax, if not considered as a direct tax, is invalid for want of uniformity on either of the grounds suggested.

With these grave questions plainly involved in the case and left undecided, it was not surprising that a motion for a rehearing was filed and granted; and upon that rehearing the court decided the second question, which had been left in doubt by the first decision, and the first question, of course, followed a decision of the second. While I think that the court was wrong in holding that the law was unconstitutional in so far as it levied a tax on the income from real estate and from personal property, I have no doubt that after so deciding they ought to have nullified the entire law, because I think it certain that Congress would never have taxed incomes derived from brain and muscle while leaving the incomes from vast accumulations of property untouched. The third question was not discussed in the second opinion, because the other two questions disposed of the case; but as nothing was said concerning it, we are left to assume that four of the judges still adhered to the opinion that the law was void for a lack of uniformity.

THE SECOND POLLOCK DECISION.

I have now reached the rehearing, and I will proceed at once to answer the suggestion of the Senator from South Dakota [Mr. CRAWFORD]. In order that I may answer it fairly both to the court and to the Senate, perhaps I ought to state it in the exact language of the opinion, which is this:

> The statement of the case in the report shows that Springer returned a certain amount as his net income for the particular year, but does not give the details of what his income, gains, and profits consisted in. The original record discloses that the income was not derived in any degree from real estate, but was in part professional as attorney at law and the rest interest on United States bonds. It would seem probable that the court did not feel called upon to advert to the distinction between the latter and the former source of income, as the validity of the tax as to either would sustain the action.

That attempt to distinguish the Springer case from the case then at bar was made in the first opinion and might be treated as possessing some merit if the second opinion had not followed. I mean to say, that as in the first opinion the court merely invalidated the tax on incomes received from real estate and left all other provisions of the law to stand, it was permissible to say that the tax in the Springer case could have been sustained as a tax on professional income. But when in the second opinion the court went further and, holding the tax on incomes from personal property also unconstitutional, declared the entire law void and of no effect, it rendered the distinction drawn in the first opinion utterly ridiculous.

The law under which Springer's home was sold and which he resisted as unconstitutional levied a tax on incomes of every kind, specifically enumerating rents, and including in a blanket provision incomes derived from every other source. If therefore the entire law under consideration in the Pollock case was unconstitutional and void, as was decided upon the reargument and stated in the second opinion, then it must necessarily follow that the law of 1864 was also void in toto and a tax on Springer's professional income could not have been sustained. In other words, and in plain words, it is simply absurd to say that a professional or any other kind of an income can be taxed under a law which is unconstitutional and void; and I am sure that if Chief Justice Fuller had known when he was writing his first opinion that the case would be reheard and decided according to the second opinion he would never have attempted the distinction to which the Senator from South Dakota has alluded. The act of 1864 was substantially identical with the act of 1894, and if the latter was unconstitutional the former could not have been a valid law, and a tax on professional incomes could not have been collected under it. Will any Senator contend that any kind of tax could have been assessed and collected under the act of 1894 after the court's second decision? Plainly it could not, for after deciding that its tax on the incomes from real estate and personal property was unconstitutional, it held the statute void from the enacting clause to the conclusion, and it could give no right to any officer nor impose any burden on a citizen.

If that decision is sound in law and logic, then certainly Springer could not have been compelled to pay any tax under the act of 1864, and this Republic despoiled him of his property without the shadow of a right and in violation of our organic law. The first decision in the Pollock case did leave, I grant you, the right to tax incomes derived from professional services as well as the incomes derived from personal property, and under that decision the distinction between the Springer and the Pollock cases might have been maintained; but it taxes our charity too much to ask us to believe that the justices who subscribed to the second decision in the Pollock case could not have been entirely candid in making the distinction between the Springer and the Pollock cases in their first opinion.

Not only is the second decision in the Pollock case in direct and irreconcilable conflict with the Springer case, but it is inconsistent with the first opinion in the Pollock case. It is true enough that the court equally divided on the question as to whether a tax on the income of personal property is a direct tax, and the four judges who voted to affirm that doctrine in the first case are not embarrassed by the decision upon the rehearing; but in the opinion, Chief Justice Fuller, speaking for his brothers who agreed with him, excused them for refusing to hold that a tax on the income from personal property was direct after they had decided that an income on real estate was a direct tax. This is his language:

> We admit that it may not unreasonably be said that logically, if taxes on the rents, issues, and profits of real estate are equivalent to taxes on real estate, and are therefore direct taxes, taxes on the income of personal property as such are equivalent to taxes on such property, and therefore direct taxes. But we are considering the rule stare decisis, and we must decline to hold ourselves bound to extend the scope of decisions—

Thus, Mr. President, the court in that first opinion conceded that the uniform decisions had been that a tax on the income of personal property is not a direct tax; but one of the justices had now changed his opinion, and these cases were to be reversed.

Mr. RAYNER. Will the Senator allow me?

Mr. BAILEY. Certainly.

Mr. RAYNER. Does not the Senator think that Justice Brown changed his views between the first and the second case? Can you read his opinion in the second case without coming to that conclusion?

Mr. BAILEY. I feel perfectly sure that it was not Justice Brown.

Mr. RAYNER. I am not talking about the second change of opinion. If the Senator recollects, in the first case there were two dissenting opinions—one by Justice Harlan, the other by Justice White. I think that is right.

Mr. BAILEY. Justice Harlan concurred in the dissenting opinion of Justice White, and added a further statement of his own.

Mr. RAYNER. And Justice Brown, according to the record, stood with the majority.

Mr. BAILEY. I think the Senator will find there is nothing in the record to that effect.

Mr. RAYNER. There is no dissenting opinion of Justice Brown in this case.

Mr. BAILEY. That is true.

Mr. RAYNER. No one can read the dissenting opinion of Justice Brown in the second case without coming to the conclusion that he changed his mind between the argument of the first case and the argument of the second case on the whole proposition, both as to real and personal property.

Mr. BAILEY. It is generally supposed, and it has been frequently said, that Justice Shiras was the justice who changed his opinion, though I have information which leads me to think otherwise.

Mr. RAYNER. If the Senator will allow me, I am not speaking of that. Of course, there is a difference of opinion there.

Mr. BAILEY. I understand now. I thought the Senator was alluding to the other change of opinion.

Mr. RAYNER. Not at all. I want to call attention to this, because it is a matter of some importance. There has been a question whether Justice Shiras or Justice Gray changed in the second case, but what I want to get at is this: In reading Justice Brown's dissenting opinion in the second case I arrive at the conclusion that he made up his mind to dissent from the majority in the first case.

Mr. BAILEY. I feel sure that if Justice Brown had so far changed his opinion that he felt it incumbent upon him to write a dissenting opinion on the rehearing he would have been candid enough to have said so. That is the reason I am not able to believe he changed his opinion. I do not say it was Justice Shiras who changed his opinion; for I have it from very reputable men who were close to him that he was not the man; and I have heard it said that it was Justice Gray. I understand the rule which forbids the judges to discuss in public or elsewhere what takes place in their conference room, and I do not propose to discuss it here. It is enough for me to know that some justice changed his opinion, because in the first opinion the court expressly stated that on the three questions which I have specified the court was equally divided. Between the first and the second argument or between the first and the second opinion Justice Jackson rose from a sick bed to take part, and if they had still been 4 and 4 Justice Jackson, coming into the case for the first time, would have given a majority in favor of the law's validity as to personal property. But notwithstanding the fact that Justice Jackson, who had been sick and absent when the court stood 4 to 4, appeared and participated, somebody changed; and the court, with Justice Jackson present, then stood 5 to 4.

Mr. RAYNER. Will the Senator allow me to read just a few lines?

Mr. BAILEY. Certainly.

Mr. RAYNER. I suppose my suggestion is understood—that Justice Brown must have changed his opinion in the first case. As I recollect it, there were two dissenting opinions, one opinion by Justice White and the other by Justice Harlan. That is correct, is it not—two dissenting opinions? That left the court ostensibly 6 to 2, Justice Jackson being sick at the time. It left six judges apparently upon the record with the majority and two with the minority. Now, Judge Brown gave no dissenting opinion, and therefore under the record stood with the majority. Let me read a few lines from his dissenting opinion in the second case, which shows beyond all question that he changed his mind if he was with the majority in the first case:

> But, however this may be, I regard it as very clear that the clause requiring direct taxes to be apportioned to the population has no application to taxes which are not capable of apportionment according to population. It can not be supposed that the convention could have contemplated a practical inhibition upon the power of Congress to tax in some way all taxable property within the jurisdiction of the Federal Government for the purposes of a national revenue. And if the proposed tax were such that in its nature it could not be apportioned according to population, it naturally follows that it could not have been considered a direct tax, within the meaning of the clause in question.

Mr. BAILEY. All of that is excellent, but it merely repeats in somewhat varying form the argument originally made by Justice Chase in the Hylton case. I do not know what justice changed. I regret that anyone did so, but I know that the wisest and the most honest men change their opinions, and I do not hesitate to say that when an honest man changes his opinion he ought to change his position, and I will never criticise him for doing so.

Mr. RAYNER. I merely want to suggest to the Senator—perhaps I have not made myself understood—that he has one more judge in his favor than the record shows. My opinion is—I may be entirely wrong—that Justice Brown was with the majority really in the first case. May I ask the Senator a question for information?

Mr. BAILEY. Certainly.

Mr. RAYNER. I wish to ask the Senator's opinion, outside of the decisions, as to the construction of the clause in the Constitution. Does the Senator think that a tax on personal property—I am not now speaking of a tax on the income of personal property—is a direct tax?

Mr. BAILEY. I do not. Under the decisions and under the legislation of Congress I think we are bound, so far as precedents and authority can bind us, to conclude that the only direct tax within the meaning of the Constitution is a capitation tax and a tax on land with its improvements. As an original matter I might, as I have said before, have found some difficulty in reaching that conclusion, but in the light of the uniform and unvarying legislation of Congress, thus expressing its opinion, and in the light of the uniform and unvarying decisions of the court up to the Pollock case, I do not think the matter is left open to a doubt.

Let me say, and perhaps it does not become a Senator to say it, that I do not undervalue what is called the "legislative construction of the Constitution." I know it will always happen that in every Congress there are many lawyers as upright and as wise as those who sit upon the Supreme Bench. They are not under the same solemn and high obligation, I grant you, to study and understand the law, but there are in every Congress a number of men exceeding the number who constitute the Supreme Court equal to them as lawyers and superior to many of them.

I stated yesterday afternoon that I have never doubted the honesty of the Supreme Court or of any justice of it, but I have doubted their wisdom very often. I know they are honest, but I do not think that they are infallible, and this legislative construction is quite as persuasive to me when acquiesced in a long time as any other interpretation. It is such as Andrew Jackson declared ought to bind the Executive's conscience and control his judgment. He said, and others have repeated it since his time, that any construction of the Constitution generally received and acquiesced in for a long time ought to be accepted, and for that reason, if for no other, I accept the construction of the Constitution, which excludes everything but a capitation tax and a real-estate tax from the operation of the rule which requires them to be apportioned.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Texas yield to the Senator from Utah?

Mr. BAILEY. Certainly.

Mr. SUTHERLAND. I will not interrupt the Senator unless he is quite willing.

Mr. BAILEY. I am perfectly willing to answer the Senator from Utah.

Mr. SUTHERLAND. The Senator has been discussing again the legislative construction of this provision of the Constitution. I understood him to say in an earlier part of his argument that the Congress of the United States, in providing for this direct tax, was following the Hylton decision. I called attention to the fact that the first imposition of a tax of this character was only a year or two after the Hylton decision. I called the Senator's attention then to the report which had been requested by Congress of the then Secretary of the Treasury, and I have now before me the language of the resolution of the House submitting these questions to the Secretary of the Treasury, as follows:

> The duty enjoined is to "report a plan for laying and collecting direct taxes by apportionment among the several States agreeably to the rule prescribed by the Constitution, adapting the same as nearly as may be to such objects of direct taxation and such modes of collection as may appear by the laws and practice of the States, respectively, to be most eligible in each."

Evidencing, as I claim, the intention on the part of Congress to submit to the Secretary of the Treasury the question whether or not the direct tax should be imposed upon the various things which were the subject of direct taxes in the various States, which included not only lands, but incomes upon lands and personal property.

Mr. BAILEY. Those of us who are familiar with methods of legislation know how unsafe it would be to draw any important inference from the form of a resolution that might be passed here and addressed to the head of any department. The Senator from Utah is himself a careful legislator and attentive, and yet how often do we pass resolutions here without his knowing even the subject-matter of them! Resolutions asking for information can do no harm, and consequently they seldom or never provoke any thorough discussion; and few, if any, Senators outside of the particular committee which reports them or the individual Senator who has proposed them ever attends closely to their phraseology. For that reason I attach little importance to that resolution. But I do attach importance to the fact that when the Congress came to raise money by a system of taxation, they adopted as a criterion the one intimated partly, and partly decided, in the Hylton case, and followed from that time until the Pollock case.

Now, let me put this question to the Senator. The first act was passed in 1798, while John Adams was President. John Adams was an illustrious character, who wrote learnedly about our institutions in every respect. That act levied a tax on land and slaves. Now, according to the northern view rather than according to the southern view, slaves were personal property, though in almost every one of the Southern States they descended the same as real property. But is it thinkable that the southern men would have consented to a tax on slaves if

other kinds of personal property had been considered subject to a direct tax?

I do not say they could have prevented it, because then, as afterwards, they were in a minority, but I do say that if the southern statesmen of that generation—and they embraced men of the highest character and the greatest ability—had supposed that all kinds of personal property were subject to that direct tax, is it to be supposed that they would have occupied their seats without a protest and allowed the personal property of their people to be taxed when no tax was levied upon the personal property of their compatriots in other sections of the Union?

Mr. SUTHERLAND. They may have considered it a capitation tax.

Mr. BAILEY. That could not have been the reason, because if it had been laid as a capitation tax Congress would have been compelled to lay it in Rhode Island and Massachusetts, the same as in Mississippi, for you must apportion a capitation tax according to the census, precisely as you must apportion any other direct tax. So that explanation does not explain.

The only conceivable explanation is that the men who occupied seats in Congress at that day believed then, as I believe now, that the only direct tax was on real property or per capita, and the reason they levied a tax on the slave was that they treated him as real property under the law of almost every State where slavery existed.

With this unbroken line of decisions, Mr. President; with this unanimous opinion in every case up to the very last, is it asking too much of the American Congress to demand, on behalf of the American people, that this matter be resubmitted to the Supreme Court? It was decided by a vote 5 to 4; and I can say, without intending any invidious comparison, that however great the men who constituted the majority were, they did not outweigh in brain and character the men who made up the minority. With the scales of justice so evenly trembling in the balance, is it too much to ask that there shall be a reconsideration? The lawyers who protested against the tax and represented private greed exercised the right of petitioning that great court for a rehearing of the case. They obtained it, and on that rehearing one justice changed his mind and gave the court's decision against the people. I do not say this to impeach the integrity of that judge, or to bring reproach upon the court; I state as a reason for my hope that on the next rehearing several upright judges may change their minds, and that the next time the change will be in behalf of justice toward all the people and not to help the greedy rich escape the law's just tribute.

Mr. President, I thank the Senate for its long and patient attention; and I am done.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 28, 1909, at 12 o'clock meridian.

SENATE.

WEDNESDAY, *April 28, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. NELSON presented memorials of sundry retail jewelers of St. Paul, Duluth, and Minneapolis, all in the State of Minnesota, remonstrating against an increase of the duty on imported watches, which were ordered to lie on the table.

He also presented sundry affidavits to accompany the bill (S. 1479) granting an increase of pension to Elizabeth Streit, which were referred to the Committee on Pensions.

Mr. CULLOM presented petitions of sundry tanners, jobbers, manufacturers, and dealers in leather goods, of Chicago, Ill., praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. LA FOLLETTE presented a petition of Local Union No. 23, International Typographical Union, of Milwaukee, Wis., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Milwaukee, Cudahy, Trade Lake, and St. Francis, all in the State of Wisconsin, praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Milwaukee, Wis., praying for the removal of the duty on hides, which was ordered to lie on the table.

Mr. BROWN presented petitions of sundry citizens of Spalding, Lebanon, and Waco, all in the State of Nebraska, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented sundry affidavits to accompany the bill (S. 989) granting a pension to Nellie A. Getchell, which were referred to the Committee on Pensions.

He also presented an affidavit to accompany the bill (S. 551) granting an increase of pension to Asa J. Clothier, which was referred to the Committee on Pensions.

Mr. DICK presented petitions of the Business Men's Association of Barberton; of the Chamber of Commerce of Akron, Ohio; and of the National Grange, Patrons of Husbandry, of Concord, N. H., praying that an appropriation be made for the improvement of the public highways of the country, which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of George E. Hibbard, of Chicago, Ill., praying for the enactment of legislation to provide for the temporary government of the Isle of Pines, Cuba, which was referred to the Committee on Foreign Relations.

He also presented petitions of Local Lodges Nos. 668, 441, 1013, 1114, 730, 177, 68, 94, 376, 285, 477, 833, and 147, of Xenia, Massillon, Bellevue, Zanesville, Norwalk, Ironton, Canton, Tiffin, Barberton, Coshocton, Sandusky, Marietta, Troy, and Defiance, all of the Benevolent and Protective Order of Elks in the State of Ohio, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Board of Trade of Niles, Ohio, and a petition of the Board of Trade of Middleport, Ohio, praying that an appropriation be made for the improvement of the national waterways of the country, which were referred to the Committee on Commerce.

He also presented petitions of the American Ceramic Society, of Columbus, Ohio, praying that an increased appropriation be made for the technological branch of the United States Geological Survey, at Pittsburg, Pa., for the purpose of testing the clay industry, which were referred to the Committee on Appropriations.

He also presented a petition of the Council of Jewish Women, of Cincinnati, Ohio, praying for the passage of the so-called "children's bureau bill," which was referred to the Committee on Education and Labor.

He also presented a memorial of the Cooperative Trades and Labor Council, of Hamilton, Ohio, remonstrating against the decision of the Supreme Court of the District of Columbia in imposing a jail sentence on Messrs. Gompers, Mitchell, and Morrison, which was referred to the Committee on the Judiciary.

He also presented a petition of the Society of Architects, of Columbus, Ohio, praying that the Lincoln Monument be erected on the site near the Union Station, Washington, D. C., as recommended by the Park Commission, which was referred to the Committee on the Library.

He also presented a memorial of sundry employees of the tin-plate mills of Martins Ferry, Ohio, remonstrating against the drawback feature contained in the so-called "Payne tariff bill" relative to tin plates, which was ordered to lie on the table.

He also presented petitions of sundry lithographers of the United States, praying for an increase of the duty on lithographic products, which were ordered to lie on the table.

He also presented a petition of sundry employees of the Novelty Cutlery Company, of Canton, Ohio, praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

He also presented a petition of Local Union No. 601, of Coshocton, Ohio, and a petition of Local Union No. 364, of Warren, Ohio, International Typographical Union, praying for a reduction of the duty on wood pulp and print paper, which were ordered to lie on the table.

He also presented a petition of sundry employees of the Williams Shoe Company, of Cincinnati, Ohio, praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented memorials of sundry importers of millinery and straw goods of Cleveland, Cincinnati, and Columbus, all in the State of Ohio, remonstrating against the repeal of the duty on millinery, which were ordered to lie on the table.

He also presented a memorial of sundry iron and steel roofing workers of Youngstown, Ohio, and a petition of the Iron and Steel Roofing Company of Youngstown, Ohio, remonstrating against a reduction of the duty on sheet iron and steel, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Defiance County, Ohio, remonstrating against the imposition of a duty on essential oils, drugs, etc., which was ordered to lie on the table.

He also presented petitions of sundry shoe and harness dealers of Piqua, Ohio, praying for the repeal of the duty on hides, which were ordered to lie on the table.

He also presented a memorial of sundry importers and jobbers of tea of Boston, Mass., remonstrating against the imposition of a duty on tea, which was ordered to lie on the table.

He also presented a joint memorial of the legislature of Wyoming, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 3, relating to homestead laws.

Memorial to the Senate and House of Representatives of the United States.

Be it resolved by the house of representatives of the legislature of Wyoming (the senate concurring):

Whereas it has been demonstrated that the homestead act providing for the entry and settlement of 160 acres of public land by a qualified entryman does not cover the needs and reach all the conditions in the arid and semiarid sections of the West, owing to soil and climatic circumstances not considered when the homestead law was passed;

Whereas in the higher altitudes of the Rocky Mountain West the moisture rarely exceeds 12 inches, the seasons are short and the precipitation variable in quantity and uncertain during the growing season;

Whereas these facts render it necessary to conserve according to the most scientific methods all the moisture that falls in winter, spring, and summer, thus requiring that at least one-half of the tillable area lie fallow each alternate season; and

Whereas the farmer who undertakes to establish a home and make a living for himself and family in a region in which the greatest natural obstacles must be overcome, can not with safety depend alone on his crops, but must have some grazing land: Now, therefore, be it

Resolved, That the house and senate of the Wyoming legislature, by joint memorial, do hereby indorse and approve the 320-acre homestead bill of Hon. FRANK W. MONDELL, and urge the honorable Congress of the United States to enact the same into law at its present session.

Resolved, That a copy of this memorial be sent to each Member of the Senate and House of Representatives at Washington, D. C.

Approved February 17, 1909.

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I Wm. R. Schnitger, secretary of state of the State of Wyoming, do hereby certify that the annexed has been carefully compared with the original enrolled house joint memorial No. 3, and is a full, true, and correct copy of same, and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 18th day of February, A. D. 1909.

[SEAL.] WM. R. SCHNITGER,
Secretary of State.

Mr. DICK presented a joint resolution of the legislature of Wyoming, which was referred to the Committee on the Conservation of the National Resources, and ordered to be printed in the RECORD, as follows:

House joint resolution 4, relating to creating forest reserves.

Be it resolved by the house of representatives (the senate concurring):

Whereas the people of the State of Wyoming are oppressed by the present policy of the National Government in withdrawing large areas of the State from the operation of laws enacted by Congress, thus adding to the expense of maintaining law and order and protecting life and property; and

Whereas the creation of large forest reserves has taken from the State areas which contain many other natural resources aside from timber which must be properly utilized if the State is to develop and become a prosperous Commonwealth among those of the Union; and

Whereas our people are living under a code of rules and regulations prescribed by the Forest Service rather than under acts of Congress; and

Whereas development is greatly retarded because those responsible for such rules and regulations are unacquainted with conditions; and

Whereas the Forest Service and other bureaus at Washington maintain at government expense advertising agencies which mislead the people as to the purpose and work of such bureaus; and

Whereas the people of the State of Wyoming are fully aware that the best and highest use of natural resources is not being made under the supervision of these bureaus and that great waste now occurs which might easily be prevented by a more localized control: Therefore be it

Resolved by the senate and house of representatives of the State of Wyoming in legislature assembled, That Congress be, and it is hereby, petitioned to enact such laws as may be necessary for the control of natural resources, and to provide an administration of these laws, in order that direct acts of Congress may operate rather than rules and regulations prepared and enforced by an absent landlord; and be it further

Resolved, That Congress be petitioned to take such steps as will place the control and management of natural resources in the hands of the people of States as rapidly as those States prepare for the responsibility; and be it further

Resolved, That a copy of these resolutions be sent to each Member of Congress and to the chief administrative officers of the Interior and Agricultural departments.

Approved February 17, 1909.

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I, William R. Schnitger, secretary of state of the State of Wyoming, do hereby certify that the annexed has been carefully compared with the original enrolled house joint resolution No. 4, of the tenth state legislature of Wyoming, and is a full, true, and correct copy of same, and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 18th day of February, A. D. 1909.

[SEAL.] WM. R. SCHNITGER,
Secretary of State.

Mr. WETMORE presented a petition of the Medical Society of Newport, R. I., praying for the enactment of legislation to create a national department of public health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of the Rhode Island Horticultural Society, praying for the enactment of legislation to establish a quarantine against the importation and interstate traffic in infected honey and bees, which was referred to the Committee on Agriculture and Forestry.

Mr. BRANDEGEE presented a petition of sundry employees of the Humason & Beckley Manufacturing Company, of New Britain, Conn., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

Mr. PAGE presented a petition of sundry citizens of Plymouth, Vt., and a petition of sundry citizens of Waterville, Vt., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FLINT presented a memorial of sundry citizens of Los Alamitos, Cal., remonstrating against a reduction of the duty on sugar, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Pasadena, San Francisco, Riverside, Los Angeles, and San Diego, all in the State of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry employees of the Case Brothers Cutlery Company, of Little Valley; of the New York Knife Company, of Walden; of the Carrier Cutlery Company, of Elmira; and of the Cattaraugus Cutlery Company, of Little Valley, all in the State of New York, praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 106, Cigar Makers' International Union, of Ogdensburg, N. Y., remonstrating against the repeal of the duty on imported cigars, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Batavia, West Winfield, and Bridgewater, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry importers, manufacturers, and dealers in military supplies and equipment, of New York City, N. Y., praying for a reduction of the duty on military supplies and equipment, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 89, Cigar Makers' International Union, of Schenectady, N. Y., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was ordered to lie on the table.

ALCOHOL AND OTHER NARCOTICS.

Mr. GALLINGER. I present certain papers read at the semi-annual meeting of the American Society for the Study of Alcohol and Other Narcotics, held in the city of Washington March 17, 18, and 19, 1909. I move that the papers be referred to the Committee on Printing.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 2015) to reimburse A. J. Caufman, Girard, Erie County, Pa., in the sum of $300, together with interest thereon from October 16, 1862, for soldier furnished United States, being the amount paid by him to one Charles Morton as a substitute; and

A bill (S. 2016) for the relief of the heirs of Michael Haak, deceased; to the Committee on Claims.

A bill (S. 2017) to grant an honorable discharge to George W. Hopkins; to the Committee on Military Affairs.

A bill (S. 2018) granting an increase of pension to William O'Brien;

A bill (S. 2019) granting an increase of pension to Theodore G. Stoner;

A bill (S. 2020) granting an increase of pension to Henry Wren;

A bill (S. 2021) granting an increase of pension to John M. Rhoads;

A bill (S. 2022) granting an increase of pension to Elizabeth S. Reess;

A bill (S. 2023) granting a pension to Louisa W. Benade;

A bill (S. 2024) granting a pension to Eliza A. Miller Bradley;

A bill (S. 2025) granting an increase of pension to Frank E. Bickford;

A bill (S. 2026) granting an increase of pension to Gertrude Smith; and

A bill (S. 2027) granting a pension to John L. Penwell; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2028) to create in the War and Navy departments, respectively, a roll to be known as the "civil-war officers' annuity honor roll," and for other purposes; to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 2029) for the relief of the Absentee Shawnee Indians in the State of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. BURROWS:

A bill (S. 2030) granting an increase of pension to Lewis B. Moon (with the accompanying paper); to the Committee on Pensions.

By Mr. CULBERSON (by request):

A bill (S. 2031) for the relief of the heirs of Francisco Guilbeau, deceased (with the accompanying paper); to the Committee on Claims.

By Mr. BEVERIDGE:

A bill (S. 2032) to amend an act entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," approved May 30, 1908; to the Committee on Education and Labor.

By Mr. WARREN:

A bill (S. 2033) for the exchange of certain lands situated in the Fort D. A. Russell Military Reservation, in the State of Wyoming, for lands adjacent thereto, between the city of Cheyenne, a municipality organized and existing under the laws of the State of Wyoming, in the State of Wyoming, and the Government of the United States; to the Committee on Military Affairs.

A joint resolution (S. J. R. 25) to establish in the State of Wyoming a winter game reserve (with the accompanying paper); to the Committee on Forest Reservations and the Protection of Game.

AMENDMENT TO THE TARIFF BILL.

Mr. PAYNTER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

INCOMES AND INHERITANCES.

The VICE-PRESIDENT. The morning business is concluded.

Mr. BROWN rose.

Mr. ALDRICH. I ask that House bill 1438 be laid before the Senate.

The VICE-PRESIDENT. Without objection, the bill will be laid before the Senate.

Mr. ALDRICH. I am told by the Senator from Nebraska [Mr. BROWN] that he would like to have the joint resolution which he introduced yesterday laid before the Senate as a part of the morning business, and I am quite willing that shall be done.

The VICE-PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution introduced yesterday by Mr. BROWN, as follows:

A joint resolution (S. J. R. 25) to amend the Constitution relative to incomes and inheritances.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following section be submitted to the legislatures of the several States, which, when ratified by the legislatures of three-fourths of the States, shall be valid and binding as a part of the Constitution of the United States:

"The Congress shall have power to lay and collect taxes on incomes and inheritances."

Mr. BROWN. Mr. President, I have no intention at this time to detain the Senate with a discussion on the merits of the several income-tax amendments pending before this body. It is sufficient for the purpose that I have in mind this morning to say on that subject that I am in full accord with the proposition of laying some of the burdens of taxation upon the incomes of the country; but I rise this morning for the purpose of challenging the attention of the Senate to the fact that the Constitution of our country stands to-day in need of an amendment upon this subject if we are to have an income-tax law at all about the validity of which there can be no question.

Mr. President, the history of the income-tax proposition in the United States, both as written by the economists of the country and as written and discussed by the framers of the Constitution and as interpreted by the courts of the country, has been given to the Senate during this discussion in the last two days. It occurs to me that my distinguished friend from Texas [Mr. BAILEY] undertook to keep faith with the Senators when he told us that he intended to demonstrate that under the Constitution as it stands to-day an income-tax law ought to be sustained. In other words, he undertook to demonstrate that the decision of the courts of the country as last pronounced was wrong. I want to suggest to the Senate this afternoon just briefly that if we take everything as true as stated by the Senator from Texas, and if we accept his conclusion as absolutely right, that the decision of the court in the Pollock case was wrong, I ask you, Senators, of what avail that would be to the country or with what satisfaction could it be received? Suppose it be true that we are convinced as Senators that the decision of the court was a mistake, does it help us? Does it help to place the burdens of taxation upon those who are earning the large incomes of the country?

Mr. President, we may have the satisfaction this hour of knowing that the opinion of the court, in our own minds, was not only not sustained by the law for a century, but was contrary to the law for a century. However, I call the attention of Senators to the fact that though we may be satisfied as to what the law is we are not on the bench of this country. We do not have the right to enter a judgment. We have no power to pronounce a decree. We have no power to write our opinions in the court records of the country, which may become a basis for any execution to enforce them.

But let us go a step further. Suppose we are not only convinced that the court made a mistake on its last decision, but we are so fully convinced of that fact that we undertake and succeed here at this extraordinary session of Congress to amend this proposed law by attaching an income-tax amendment, what have we accomplished? We have carried out our judgment and written into the statute our judgment, but when the law is passed and reaches the White House and is signed by the President, it yet must come to the door of that court which very recently vetoed legislation of that character. Let it be remembered, Senators, that when a veto comes from the White House we have the power, constitutionally, if we have the votes, to override it, but when a veto comes from the court, that veto overrides us—it is final.

We then have given again to the court an opportunity to adhere to its last opinion, declaring us without power to pass such a law or to declare the reverse. I want to inquire if there is a Senator in this Chamber who is willing to stand up and tell us that he has any reason to suppose that the court has changed its mind on the law of this question. I have always been taught the good old doctrine that when the courts have spoken it is the law of the land. I have always believed in that precept which the fathers had in their hearts when they wrote the Constitution, that the legislative branch of Government was vested with the power to write laws, and that another branch of Government, the courts of the country, were vested with the power to interpret them and the Constitution upon which they were based.

But suppose, Mr. President, that not only we pass the law and it is signed by the President, but it reaches the court of last resort and we get an opinion the reverse of the last one. The law is sustained. Those of us who believe in the principle of levying taxes on incomes are satisfied, are we? The country that to-day believes in the principle of taxing incomes will be satisfied, will it? Yes, Mr. President and Senators, it will for the time being; but tell me how long will that decision stand? Our courts have demonstrated a faculty to change their opinions on this question, for they have decided it at different times different ways, and while we might hope and believe that that decision would be permanent, no man can justify a conclusion with any certainty that it would be permanent.

It is for that reason, Senators, that I present to you to-day the imperative and commanding necessity for an amendment to the Constitution which will give the court a Constitution that can not be interpreted two ways. I undertake to say that the people of the United States have a right to have an opportunity to amend the Constitution and to make it so definite and so certain that no question can ever be raised again of the power of Congress to legislate on the subject.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. BROWN. Certainly.

Mr. RAYNER. In looking at the joint resolution I see that it reads "The Congress shall have power to lay and collect taxes

on incomes." It has that power now. Congress has the power now to lay and collect taxes on incomes and on inheritances.

I will just call the Senator's attention to the fact that unless you change the clause of the Constitution which provides for apportionment the joint resolution would not repeal that clause. The two clauses would stand in pari materia together and you would still have an apportionment.

The resolution proposes to say that Congress shall have power to lay and collect taxes on incomes and inheritances. The Supreme Court has held in Noble *v.* Moore that we have the right to tax inheritances. I merely take the liberty of calling the Senator's attention to the fact that if this amendment to the Constitution were to go through, it would not affect the prior article and there would still have to be an apportionment.

Mr. BROWN. I am very glad to have the Senator shed light on this subject. I had never become so beside myself that I dreamed that my resolution in all particulars would satisfy the critical judgment of the Senator from Maryland. I want to say to the Senator that I am aware that under the law and the Constitution now Congress has the power to tax incomes, and if he had been able to possess his soul in patience long enough he would have found out that, in my judgment, when Congress was granted that power, limited, however, to apportionment according to population, it in effect denied the right of Congress to levy taxes on incomes.

On that branch of the subject I expect to be heard briefly in a moment.

Mr. President, if there can be any doubt about the language of the proposed resolution carrying into effect the purpose of it, I think the Committee on the Judiciary, to which it must go, and of which the distinguished Senator from Maryland is a member, will be able to clarify the literature of the resolution.

Now, then, to follow out my suggestion, I want to appeal first to those of us who believe in passing a law which shall reach the luxurious incomes of this country and ask them to help pass this resolution that the Constitution may have in it a section that can not be misunderstood. When we have an income-tax law passed, we want the law to be enforceable and to be operative.

Mr. PAYNTER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Nebraska yield to the Senator from Kentucky?

Mr. BROWN. Certainly.

Mr. PAYNTER. In order to give the Senator some hope that the courts will always be glad to correct an error, I will ask his permission to allow me to give an instance in which the court did do it.

Mr. BROWN. With pleasure.

Mr. PAYNTER. I was a member of the Kentucky court of appeals when the question arose as to whether the banks of Kentucky had an irrevocable contract with the State with reference to taxation. The banks claimed that they were permitted, under a contract which they alleged they had with the State, to pay a certain sum in lieu of all state, county, and municipal taxes, the effect of which was to deprive the counties and the municipalities of Kentucky of a large sum of money each year.

That court, in June, 1895, decided that the banks had that contract. In March, 1897, that court with a great deal of pleasure took back the previous opinion and held that the banks did not have an irrevocable contract. A dissenting opinion delivered in its first case was made the opinion of the court in the last named. I know of another instance in that same court where the same thing occurred. I mention it here to give the Senator hope that the Supreme Court of the United States may on this question as in other cases—including income-tax cases—change its opinion upon important questions.

Mr. BROWN. I want to say to the Senator that I am in full accord with the proposition to give the court an opportunity to correct the last judgment. I am so strongly in favor of the proposition to tax incomes that it is immaterial to me which one of the several measures now pending meets the approval of this Congress. I have my preference among those measures, but I would rather see any one of them become a law than to see them all defeated. I am anxious and willing that the court shall have an opportunity to pass again upon this proposition. But, Mr. President, the people of this country are entitled to something more than an opportunity.

They are entitled to have a Constitution, if they see fit to adopt it, as to which, when the opportunity does come to the court to pass again on this question, there will be no doubt about what the decision will be. Nothing has been illustrated more in the last two days than the examples given by my friend from Kentucky.

Mr. PAYNTER. If the Senator will allow me, I will also add to what I said, that the Supreme Court sustained the second opinion of the court of appeals, and the second opinion was simply the dissenting opinion that was delivered in the previous case.

Mr. BROWN. It illustrates that courts as well as men change their minds. It recalls the history that we heard yesterday and the day before as to Madison, one of the framers of the Constitution, one of the men who helped to write into the Constitution this very provision under which the court first held that Congress could pass an income-tax law, and later, in the Pollock case, held that it could not. Madison, one of the framers of that provision, took the stand as an American citizen when the case was before the court that it did not confer upon Congress this power, and yet afterwards, when Madison became President, he not only changed his opinion upon the subject as a man and a citizen, but as a President of this country signed a bill embodying that very principle. Courts change their minds, like men, and they have a right to do it. But when the people of this country find that courts are changing their minds on a subject in which they are interested and which they want to have settled, then I contend that it is the duty of Congress to give them an opportunity to settle it themselves by amending the Constitution.

Now, then, I want to speak one moment to those Members of this body who are opposed to any income tax at all. I want to appeal to them, standing as they do to-day ready to vote against the proposition to levy and collect taxes on incomes, that they join the friends of this measure in an effort to amend the Constitution so that if the Nation ever does require in their judgment an exercise of the power of collecting taxes from incomes, we may be permitted to do it. There is not an enemy of the income-tax law proposition on this floor who will tell the Senate that the time will never come when he would be in favor of collecting taxes upon those who earn incomes.

Let me emphasize the effect of the decision of the court in the Pollock case. Unless it is remedied by a reversal of that decision or by an amendment to the Constitution, it leaves this Republic in a position far below that of any other enlightened nation on the face of the earth.

Let me just call your attention briefly, Senators, to the words of Justice Harlan upon the effect of conceding Congress to be without power to levy a tax upon incomes. I wish to say, in passing, that I am willing to concede there are men on the floor of the Senate able to make most exhaustive and convincing and persuasive arguments showing that the decision of the court in the Pollock case was wrong. But I want also to stand on the proposition that no man upon this floor or elsewhere will ever be able to present an argument to that end as clear and as strong as was presented to that court by Justice Harlan in his dissenting opinion. Now, as to the effect, I want to read the words of Justice Harlan:

> In my judgment, to say nothing of the disregard of the former adjudications of this court and of the settled practice of the Government, this decision may well excite the gravest apprehensions. It strikes at the very foundations of national authority, in that it denies to the General Government a power which is or may become vital to the very existence—

Mark you—

> and preservation of the Union in a national emergency.

Senators, we had a national emergency in this country once. I want to call the attention of the country and of Senators to the fact that it was the tax upon incomes that equipped and helped to maintain the men engaged in that controversy. Justice Harlan may have been moved to these words by the fact that he had seen service in that crisis.

> It tends to reestablish that condition of helplessness in which Congress found itself during the period of the Articles of Confederation, when it was without authority by laws operating directly upon individuals, to lay and collect, through its own agents, taxes sufficient to pay the debts and defray the expenses of government, but was dependent, in all such matters, upon the good will of the States and their promptness in meeting requisitions made upon them by Congress.

Why—

Says the justice—

> do I say that the decision just rendered impairs or menaces the national authority? The reason is so apparent that it need only be stated. In its practical operation this decision withdraws from national taxation not only all incomes derived from real estate, but tangible personal property, "invested personal property, bonds, stocks, investments of all kinds," and the income that may be derived from such property. This results from the fact that by the decision of the court all such personal property and all incomes from real estate and personal property are placed beyond national taxation otherwise than by apportionment among the States on the basis simply of population. No such apportionment can possibly be made without doing gross injustice to the many for the benefit of the favored few in particular States. Any attempt upon the part of Congress to apportion among the States, upon

the basis simply of their population, taxation of personal property or of incomes would tend to arouse such indignation among the freemen of America that it would never be repeated.

Now, listen to the justice—

When, therefore, this court adjudges, as it does now adjudge, that Congress can not impose a duty or tax upon personal property, or upon incomes arising either from rents of real estate or from personal property, including invested personal property, bonds, stocks, and investments of all kinds, except by apportioning the sum to be so raised among the States according to population, it practically decides that, without an amendment of the Constitution—two-thirds of both Houses of Congress and three-fourths of the States concurring—such property and incomes can never be made to contribute to the support of the National Government.

This is the trouble that confronts the Nation. Unless we have a Constitution about which courts will not disagree, giving Congress the power to pass this legislation which we favor, Congress is without power to levy the taxes on this vast volume of property, even though Congress might desire to pass such a law.

Mr. President, it ought to make the blood run to our faces when we stop to think that there is not another enlightened nation on the face of the earth that does not have and exercise the power to levy taxes on this kind of property except ourselves. What is there about this Republic that it should not be clothed with all the rights and powers and prerogatives enjoyed by every other sovereign nation on the face of the earth?

Mr. President, I come now for a moment to the proposition raised by the Senator from Maryland. Upon that question I simply want to demonstrate to him, as well as to the Senate, that as construed now the power of Congress to levy taxes on incomes by apportioning them according to population amounts practically to a denial of the power of Congress to levy such taxes. In the dissenting opinion of Mr. Justice Brown this was shown conclusively. Similar illustrations were made in the arguments to the court. There was shown mathematically the practical impossibility, tested by any measure of approximate justice, to apportion those taxes, and this illustration of the learned justice has never been impeached by word or intimation by anybody disagreeing with him in his general conclusions. On page 608, the justice makes an application of the law according to population. He says:

By the census of 1890, the population of the United States was 62,622,250. Suppose Congress desired to raise by an income tax the same number of dollars, or the equivalent of $1 from each inhabitant. Under this system of apportionment, Massachusetts would pay $2,238,943. South Carolina would pay $1,151,149. Massachusetts has, however, $2,903,645,447 of property, with which to pay it, or $1,252 per capita, while South Carolina has but $409,911,303 of property, or $348 to each inhabitant. Assuming that the same amount of property in each State represents a corresponding amount of income, each inhabitant of South Carolina would pay in proportion to his means three and one-half times as much as each inhabitant of Massachusetts. By the same course of reasoning, Mississippi, with a valuation of $352 per capita, would pay four times as much as Rhode Island, with a valuation of $1,459 per capita. North Carolina, with a valuation of $361 per capita, would pay about four times as much, in proportion to her means, as New York, with a valuation of $1,430 per capita; while Maine, with a per capita valuation of $740, would pay about twice as much. Alabama, with a valuation of $412, would pay nearly three times as much as Pennsylvania, with a valuation of $1,177 per capita. In fact, there are scarcely two States that would pay the same amount in proportion to their ability to pay.

Mr. President, no man in this Chamber need have any doubt about how the apportionment proposition would work. All we need to do to be satisfied is to recall what would happen in our own States if the tax were to be distributed between the counties according to population or between the wards of the cities according to population. It is the theory of the friends of the income-tax proposition that property should be taxed and not individuals. I do not believe the fathers ever contemplated that income taxes must be apportioned according to population, but the courts have said that they did. I am here to-day presenting an amendment to the Constitution which will compel the courts to announce the contrary doctrine.

Mr. President, I ask to have the joint resolution referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The joint resolution will be so referred.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the Senator from Rhode Island has asked that House bill 1438 be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SIMMONS. Mr. President, in the remarks which I desire to submit to the Senate to-day I shall confine myself almost entirely to a discussion of the schedule with reference to woods and the manufactures of woods, especially lumber. I shall address myself particularly to the two amendments, one offered by the Senator from North Dakota [Mr. McCUMBER], proposing to put lumber upon the free list, and one by the Senator from Washington [Mr. PILES], proposing to raise the duty specified in the bill to $2, the rate prescribed in the present law.

Mr. President, I am reminded by the Senator from Maryland [Mr. SMITH] who sits at my side that the Senator from West Virginia [Mr. ELKINS] has introduced an amendment similar to that introduced by the Senator from Washington.

The bill under consideration reduces the duty upon rough lumber—that is, sawed board—from $2 to $1 per thousand feet. The equivalent ad valorem rates are, respectively, about 11 per cent and 5½ per cent.

I am opposed to this reduction and in favor of retaining the present duty upon lumber, because the present rate is upon a revenue basis, and because the proposed reduction will probably not reduce the price of lumber to the farmer and the home builder, or, if at all, only slightly and in a comparatively limited area, while it would work great hardship to the lumber industry and the sections of the country in which this industry is conducted, by enlarging the market zone of Canada for this product.

Lumber, Mr. President, is one of the greatest industries in this country. With one exception, it is the greatest manufacturing industry in this country, iron and steel alone being greater. Lumber is the principal industry in 12 States of this Union. More than a thousand cities and towns of our country are directly dependent upon this industry for their prosperity.

The present law and the proposed bill catalogue all of the dutiable products of this country into 12 great schedules, and woods and manufactures of woods are at the bottom of those schedules with reference to the amount of duties imposed upon them. The duty imposed upon wood as a whole is 15 per cent ad valorem; that imposed upon lumber, as distinguished from woods in general, is about 4 per cent less, or 11 per cent.

The other duties comprised in these great schedules run all the way from 20 per cent ad valorem to 87 per cent. Under the present law, the average ad valorem upon all the dutiable products of the country is about 44.16 per cent, while that upon lumber is about 11 per cent, or only about one-fourth the average. In the proposed bill the average ad valorem upon all of the dutiable products of the country is substantially unchanged. It is about 44 per cent, while the ad valorem proposed upon lumber is only about 5½ per cent, or a little less than one-seventh of the general average.

Mr President, in considering the question of the removal, or the reduction of the duty on lumber, two things ought to be taken into consideration:

First, the fact that labor constitutes a larger element in the cost of producing lumber than of any other manufacturred product. The raw material of lumber is the tree standing in the forest. As it stands there, where God planted it, it is worth probably less than $3 a thousand feet. When it has been converted into boards, there has been expended upon it eight or ten dollars; and nearly every item in this "bill of cost," so to speak, is represented either by labor or by labor's products. At least 75 per cent of the cost of lumber—I mean at the mill, before the element of transportation has entered into it, before it has started upon its mission of distribution—75 per cent of the cost of lumber is labor.

Another essential element that must be taken into consideration in reaching a just conclusion on this subject is the fact that almost, if not every, item in this "bill of cost" is protected under the present law, and will be protected under the proposed law, by a high rate of duty. Labor, which constitutes such a large part of the cost of production, is professedly protected by all of the schedules of the present and the proposed tariff acts. The ax and the saw which fell the tree in the forest, the log carriage that hauls the tree to the station, the locomotive, and the steel rails over which the locomotive runs in transporting it to the sawmill, the machinery, and even the belts that connect the machinery and put it in motion are protected under the present law and in this bill at an ad valorem rate ranging from 30 to 40 per cent.

By reason of these tariff duties upon the things which enter into the cost of its manufacture the cost of the production of lumber in this country is increased over 30 per cent. Not only is nearly everything that enters into the cost of manufacturing lumber protected by this high duty of over 30 per cent, but lumber itself is a competitor of some of the chief articles which add to the cost of its production. Iron, steel, and cement, all entering into the cost of manufacturing lumber, in the form of machinery and structural material, are among the chief competitors of lumber in the construction of homes and houses and for many other purposes for which both are used.

Mr. President, I submit that there can be no more cruel repression of an industry than by adding 30 per cent to the cost of its product by your tariff laws, while it is exposed to competition, on the one hand, with a foreign product which, on account of the difference in the labor, stumpage, and transportation cost, can be produced at 30 per cent less than it can and while, on the other hand, it must compete with products of our own country the price of which has been advanced 30 per cent by your tariff laws.

It is obvious if under these circumstances lumber is placed on the free list, that a double handicap will be imposed upon it.

Mr. DIXON. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. SIMMONS. Certainly.

Mr. DIXON. I am very largely in sympathy with what the Senator from North Carolina is now saying regarding the equity of a duty on wood and lumber products, but I want to inquire at this time how he squares his advocacy of a tariff on lumber with the declaration of the Democratic national platform adopted at Denver a year ago, when that platform declared:

We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that these articles be placed upon the free list.

Understand, I am in sympathy with what the Senator is now saying.

Mr. SIMMONS. Yes; I understand that. Mr. President, the Senator's question does not embarrass me. The Senator has simply read one of the declarations of the Democratic platform. There were other declarations. That was a specific declaration; but there was a general declaration in favor of a reduction of import duties upon all articles, with the ultimate end of placing the whole system of tariff taxation in this country upon a revenue basis; and this specific declaration must, of course, be taken in connection with the general declaration and interpreted as a part of the whole. That platform declared if the Democrats were given power they would so revise the tariff as to put the whole system upon a revenue basis. The declaration with reference to lumber must be construed in connection with this general purpose in regard to the tariff. If we had been successful, we would, I assume, have revised the tariff along the lines indicated. Iron and steel and such other structural materials as either directly or indirectly compete with lumber or enter as an element in its cost of manufacture would have been put upon the free list, or the duty on them have been reduced to a revenue basis. As it is impossible for us to carry out our general declaration, the conditions upon which our declaration with regard to lumber was predicated do not exist.

The proposed tariff bill, like the McKinley and Dingley tariffs, is a highly protective measure. Did the Democrats mean to promise free lumber without regard to the character of the general measure of which it was to be a part, or without regard to the discrimination that would necessarily result if that measure covered with highly protective or prohibitory duties other articles in the same general classification? I think not. To give the declaration in question that construction would be holding to the letter of that promise while disregarding its spirit. At least that is my view of the matter, and upon that interpretation and construction I am willing to stand. If I am satisfied, why should the Senator from Montana object to it, as he says he is in sympathy with my position as to lumber?

If the Senator from Montana will consent to put in operation that general declaration of the Democratic platform in favor of a revenue tariff, if he will consent to take off all of the prohibitory and protective elements of the rates prescribed in the bill which has been presented here and reduce those rates to a revenue basis from beginning to end, then he may put lumber and hides and coal and iron ore on the free list if he desires to do so.

Mr. President, returning to my argument at the point where I was interrupted by the Senator from Montana, let me ask, Why single out for discrimination this great industry, an industry which to-day is giving employment to between seven and eight hundred thousand men—not men, women, and children, but men—which to-day is feeding and clothing between three and four millions of laboring people; an industry the output of which is about equal to that of cotton; an industry the output of which is nearly $100,000,000 more than that of our wheat crop; an industry which furnishes a larger volume of the tonnage of transportation than any other, with the possible exception of one, and is of all our industries the largest consumer of farm products; which is the principal industry of 12 States of this Union, and upon which more communities are dependent for the business prosperity they are now enjoying than any other industry in our great country? I repeat, Why single out this great industry for discrimination and slaughter? Why place these high duties upon coal and iron and wool and leather, while placing lumber, the greatest product of the South and Pacific coast, upon the free list? Why place upon it these great burdens of the tariff while denying it any of its benefits?

Mr. President, this unfair and discriminatory treatment of this industry can not be justified, in my opinion, except upon grounds of extreme necessity or overwhelming urgency; and I think no such reasons exist. I have heard but three arguments, and I think but three general reasons can be assigned, in support of the proposition that the duty on lumber ought to be either reduced or removed. One of them is a political argument. It is used only by Democrats who are in favor of free trade in lumber. Their objection to the duty on lumber, either that in the present law or the small duty proposed in the pending bill, is that it is a protective duty. I want to examine and analyze that argument, because there are many Democrats who would not feel, whatever might be its effect upon an industry in their section, like supporting a proposition imposing a distinctively protective duty. I assert here—and I think, if my strength holds out and the patience of the Senate does not become exhausted, I can show—that the rate of duty which I am advocating is not in any sense a protective duty as contradistinguished from a revenue duty. On the contrary, Mr. President, I assert, and I think I can show, that the duty of $2 imposed in the present law, which I am in favor of retaining, is not only a revenue duty, but that it is a better revenue-producing duty than the rate which it is proposed to substitute for it.

The McKinley law of 1890, as Senators will recall, imposed a duty of only $1 upon lumber of hemlock and white pine. That is the kind of lumber that is imported into this country from Canada, and practically all the lumber that is imported into this country comes from Canada. There was imported into this country under the McKinley tariff of $1, during the last three years of the operation of that law, from 1891 to 1893, inclusive, 1,341,000,000 feet of lumber. The law of 1897, the Dingley Act, as we all know, imposes a duty of $2 upon lumber. The importation into this country under this tariff of $2, from 1906 to 1908, inclusive, was 2,448,892,000 feet; in other words, there has been imported into this country under the $2 rate of the Dingley law, in the last three years of its life, 1,000,000,000 feet more lumber than was imported during the last three years of the McKinley Act under the $1 rate. So that the $2 rate of the present law has proved twice as good, nay, more than twice as good, a revenue producer as the $1 rate under the McKinley Act. The amount of revenue actually derived by the Government was nearly three times as much under the $2 rate as under the $1 rate. The $2 rate is therefore a better revenue rate than the $1 rate.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. CARTER in the chair). Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. Certainly.

Mr. CLAPP. While the argument just made of course applies to the volume of revenue, yet, as bearing upon the question of the necessity for protection, it might be important to know the relative increase, and I ask the Senator if he has at hand the increase in the home production during the same time, so that we may compare with that the increased importation?

Mr. SIMMONS. I have, unfortunately, not in my possession the figures as to the increase in the home production.

Mr. CLAPP. I did not know but that the Senator had the information convenient.

Mr. SIMMONS. But I will say to the Senator, that when the Dingley Act went into operation the annual imports of lumber into this country were only about 500,000,000 feet. Last year, under the operation of that law, there was imported about 900,000,000 feet, showing—and I am arguing the point as to its revenue-producing capacity—that the $2 rate does not operate to check importations, but that importations under this very law have in seven years multiplied nearly 300 per cent.

Mr. SMITH of Maryland. Three hundred per cent in eight years.

Mr. SIMMONS. Yes, sir; 300 per cent in eight years, and that establishes the fact for which I am contending, namely, the present rate is a revenue and not a protective duty.

Mr. CLAPP. Mr. President, I understood the Senator to take the position that the present tariff was necessary as a protective measure, and that to reduce that tariff would be to imperil this industry.

Mr. SIMMONS. I did not say it was necessary as a protective measure.

Mr. CLAPP. Then I misunderstood the Senator.

Mr. SIMMONS. I did not say that; but I do say that the incidental protection which accrues to lumber as the result of this revenue duty has been very beneficial to it, and it would be very hurtful to remove from it that incidental protection. To protect lumber as this bill protects shoes and iron and steel, for instance, would require not a duty of two, but of four or five dollars per thousand feet.

Mr. President, right at this point I want to say there are two ways of raising revenue to defray the expenses of the Government by customs taxation. One of those methods is to impose duties upon articles not produced in this country. That is free trade. No protection would be afforded to any product of this country as the result of such a duty. The other method is by imposing duties upon the importation of articles produced in this country. Whether duties upon articles produced in this country are imposed primarily for protection or primarily for revenue, the effect in both cases is necessarily protective.

I am not in favor of free trade. I am not in favor of levying duties to raise revenue only upon articles not produced in this country, because that would expose the products and the industries of this country to unrestricted foreign competition, and, very frequently, ruinous foreign competition. I am not in favor of that. I am in favor, Mr. President, of raising the revenues necessary to support the Government by imposing duties upon articles produced in this country as well as upon those not produced here, and I am also in favor of so adjusting those duties as to afford the greatest incidental protection to those things which most need to be protected against unequal foreign competition, to the end that the industries and products of this country may be fostered and encouraged. That is my creed, and I think that is the creed of the Democratic party. If that is not what Jefferson and Madison and Monroe and Andrew Jackson stood for, then I have failed to understand their position upon this subject.

Mr. President, during the last hundred years we have had a great many different kinds of tariffs in this country. We have had Democratic tariffs, Whig tariffs, Republican tariffs, revenue tariffs, and protective tariffs. The duty imposed by these various tariff laws has varied; but during the last hundred years there has not been a year when the average ad valorem rate imposed upon all the dutiable products of this country was less than 18 per cent, or nearly twice the average rate imposed upon lumber in the present law, and nearly four times the rate it is proposed to impose upon lumber in the pending bill. During the eight years of Mr. Jefferson's administration I think the average ad valorem rate was about 22 per cent; during Madison's time it was about 30 per cent; during Monroe's time it was 37 per cent; and during Jackson's time it was between 37 and 43 per cent; under Cleveland, during the operation of the Wilson bill, between 35 and 40 per cent.

Does anybody contend that these Democratic tariff measures imposing duties from 22 per cent to 35 per cent were protective measures? Necessarily they afforded, when levied upon imports of articles produced in this country, a greater or less degree of protection, and I think no one will deny that in many instances they were adjusted to accomplish this end, but they were levied primarily for the purpose of raising revenue.

There has been no time during all these years when the incidental protection arising from these revenue duties did not afford the industries of this country more or less protection.

Of all these Democratic tariff laws the Walker tariff carried the lowest ad valorem rate. The average rate under that law was about 19 per cent. The bill carrying that rate was prepared by a committee of the House of Representatives of which a distinguished North Carolinian was the chairman—the Hon. J. J. McKay. One of the Democratic Senators from North Carolina—Senator Haywood—having been instructed to vote for that bill and not being willing to do so because it bore such a low rate, resigned his seat and retired from public life.

This bill, this Democratic bill, bearing the name of the greatest advocate of tariff for revenue known to our history, carried an average rate four times as great as it is proposed by this bill to place upon lumber.

More than that, Mr. President, the Walker tariff act, the most distinctly revenue-tariff act in our history, carrying a rate of duty so low that our opponents have characterized it as a free-trade measure, imposed a duty of 20 per cent ad valorem upon lumber, a little more than 1 per cent in excess of the average rate which it imposed upon all dutiable products, and about twice as much as I now advocate, and about four times as much as the pending measure provides for. And yet there are Democrats who claim that this small duty on lumber, about one-half the rate imposed by the Walker Act, and which in recent years has actually produced twice as much revenue as a still smaller duty, is not a revenue, but a protective duty. I want to say, Mr. President, that, in my opinion, Democrats who, in the face of these facts, make that contention are free traders, though they may not know it.

Mr. President, if a 20 per cent duty upon lumber in a law carrying an average of only 19 per cent was a revenue duty, how can 11 per cent, the duty I ask for lumber, be an un-Democratic duty and a protective duty in a bill carrying 44 per cent?

I can understand the reasoning of a Democrat or Republican who opposes this duty upon the broad ground that lumber is a necessity, or raw material, and ought not to be taxed for that reason; but I can not understand the reasoning of a Democrat who opposes this duty upon the ground that it is protective, as contradistinctive from a revenue duty, and therefore in conflict with the Democratic theory of the tariff.

I repeat that I can not resist the conviction that a Democrat who honestly takes that position is a free trader without knowing it. The logic of his position is that all revenues should be raised from articles not produced in this country, and that every duty upon an article produced in this country is a protective duty, because you can not impose any duty upon a product produced here without to that extent protecting it against foreign competition.

I know, Mr. President, it is said that lumber was on the free list in the Mills bill and in the Wilson bill. That is true; but it was not put on the free list in either one of those bills because 11 per cent was a protective duty, for both of those bills carried an average of over 30 per cent. It was put on the free list in those bills because at that time there was but very little competition between lumber in this country and Canada. We were still cutting our virgin forests, using only the first and second cuts and allowing the other three or four cuts to rot in the woods.

It was a class and character of lumber that did not then, as it does not now, come in competition with the kind of lumber Canada then and now imports here, and there was therefore but little, if any, necessity for a duty upon lumber at that time. To-day it is very different. In addition to our longleaf pine, the finest structural material ever grown, we are cutting our shortleaf and loblolly pines. We do not only cut, as then, the two lower cuts, but the three upper cuts, cutting away the limbs and using the trunk almost to the very top. As a result, a large part of the timber which we are now manufacturing in the South, as well as, I understand, on the Pacific coast, is low-grade timber and comes directly in competition with the class of lumber with which Canada is now more or less flooding our markets.

In the second place, Mr. President, lumber was put on the free list in those bills because the basic principle upon which they were framed was free raw materials; and an absurd—no; I will not say absurd, but a strange idea seemed to prevail then and seems to obtain in some quarters now, that lumber is a raw material. Under the dominating influence of Mr. Cleveland, who was an eastern man, imbued to a large extent with the eastern idea of fostering foreign markets for our manufactures by giving our manufacturers free raw material, the Democratic party temporarily adopted the Henry Clay theory of free raw materials, and it became the cardinal principle of those measures. Those bills, largely for that reason, not only placed lumber upon the free list, but hides and wool as well. And I might say, in this connection, as will be remembered, that Mr. Cleveland was dissatisfied with the Wilson bill because coal was not likewise put upon the free list.

It has been said in my State that the two great Senators who represented my State in this Chamber when the Mills and Wilson bills were framed stood for free lumber. If it be meant by that statement that they supported free lumber in those bills upon the idea that 11 per cent duty upon lumber was not a revenue, and therefore not a Democratic duty, my answer is that that can not be true, because these bills carried an average ad valorem rate of from 30 to 40 per cent.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Maine?

Mr. SIMMONS. Certainly.

Mr. HALE. Right in line with what the Senator is so well saying, does he not remember, as an actual fact, resulting from the provisions for free lumber in the Gorman-Wilson bill, that lumber from the Canadian eastern Provinces—New Brunswick and Nova Scotia—flooded not only the ports and market places in New England, but, extending farther south, into the ports of the Chesapeake and maybe lower than that, came in and took the place of the American product during the operation of that act?

I remember specifically the statement of the master of a coaster, a lumber schooner from Maine, that in the wharves of

Boston, Chelsea, and the other ports where lumber was imported, he waited until twenty-odd Nova Scotia and New Brunswick schooners dumped their cargo. And the result—I do not know so well what it was in the South, but the Senator will remember that; he has been interested in this matter for years—with us was the complete prostration of the lumber industry for the benefit of the Canadian producer of that article.

Mr. SIMMONS. In reply to the statement of the distinguished Senator from Maine, I wish to say that a small duty upon lumber, such as $1 or $2, has but little effect upon foreign importations when the business of the country is in a normal condition of prosperity. When the prices of lumber in this country rule high, as they did during the three or four years prior to the panic of 1907, a duty of that rate is but little, if any, impediment to importation. But when business conditions are such as now obtain, and the price of lumber rules low; when there is but little margin between the market price and cost of production, as now and as during the years to which the Senator has referred, beginning in 1893 and continuing until 1898, a duty of this amount would be effective in substantially checking foreign importations and protecting the domestic market against the disastrous effect of overproduction and congestion.

Mr. President, the second argument in favor of removing or reducing this duty is that lumber is a necessary of life and that the price is too high. In other words, the demand for a reduction of this duty or a total repeal is in the interest of cheaper lumber for the consumer.

Mr. President, that contention must, of course, be based upon the proposition that the price of lumber is too high, because the contention that the price of a product which is already reasonably low ought to be further reduced in the interest of anybody can not be sustained, certainly not under conditions such as we have in this country.

Now, Mr. President, is the price of lumber unreasonably high in this country to-day or has it been so in recent years? I know it is said that great syndicates of rich men have bought up the stumpage of the country at nominal prices and are holding it at extortionate prices, and that lumber is controlled by a trust. I submit, Mr. President, that the evidence does not sustain either of these charges. Undoubtedly there are some large holdings of timber, but the great bulk of the timbered lands in this country, not held by the Government, is to-day owned by farmers and small landowners and by the owners of small mills. For every man owning immense areas of timber lands there are 500 owning timber in small tracts. A few thousand men may own 20 per cent of the timber lands, but the other 40 per cent held in private ownership is owned largely by three or four million farmers and mill men.

I do not myself sympathize with the argument that because a few men of great foresight may have bought large holdings of timber when timber was abnormally low, and as a result have become very rich, therefore their investments should be treated differently from those of others. They should not be punished because they have made a good bargain, because they had the foresight to buy when stumpage was abnormally cheap and to hold until it advanced in value.

The assault made upon the price of stumpage on the ground that it has advanced in recent years more rapidly than other property is not justified by the facts. The increase in price of stumpage has been more apparent than real. For a long time lumber sold for less than it was worth, because there was so much of it and because there was so little demand for it. The present price of stumpage compared with its price twelve or fifteen years ago may appear to be high, but as a matter of fact it is selling to-day for no more than it is worth. Stumpage is cheaper in this country than in any other country equally as developed as ours. It is not so cheap as in Canada, but that is because Canada is an undeveloped country with only about 6,000,000 people, with forest resources almost half as great as ours; and there is, therefore, but a limited domestic demand for its lumber. But compared with any of the countries of Europe, stumpage here seems not only low, but almost ridiculously so.

But, Mr. President, you can not legislate value out of the stumpage of these rich men without legislating it at the same time out of the stumpage of these 3,000,000 farmers and small lumbermen who hold it, scattered from one end to the other of this great country of ours. And surely no Senator wants to do that.

I deny that the manufacturer's price of lumber is now or has at any time been unreasonably high in this country. I know that great fortunes have been made in buying timber at a low value and holding it, but I deny that any great fortunes have been made in manufacturing lumber, and certainly none are being made now. I know there are some bureau statistics that tend to show that during the ten years preceding the panic the per cent of increase in the price of lumber was greater than that of other things.

But that statement was issued during a political campaign just before election. It undertook to compare the increases in the cost of wages and living with certain other things, one of which was lumber, and worked it out, as these ante-election statistics generally do, in the interest of the dominant party. Senators will recall that these statements as to the comparative increases in the cost of labor and necessaries were so absurd and so thoroughly contradicted by the common experience of the employers of labor and of shop women, and of market women, that the country laughed the statistics to scorn.

I do not deny that there had been up to the time of the panic a considerable increase in the price of lumber; but, thank God, there had been a considerable increase in the price of everything else—in the price of labor, in the price of all the products of the factory, the mines, and of the farm, as well as those of the forest.

I assert that at no time in all our history would a bushel of corn or of wheat or a barrel of pork or a ton of hay purchase in the open markets of this country as many feet of lumber as to-day. The same statement is true with respect to the relative value of these products during the five years preceding the panic.

Since that time we have passed through great tribulations in this country. The prices of farm products have stood it pretty well. Wheat is selling in Chicago to-day at over $1.25 a bushel, hogs over $7.50 a hundred, and corn is so high that even the negroes in my country can hardly afford any longer to eat corn bread. The lumberman has not fared quite so well as the western farmer and as many other manufacturers have. From the very day of that panic the bottom began to fall out of lumber, and to-day lumber is selling in this country at from 30 to 35 per cent less than it was selling for eighteen months ago.

The manufacturers of lumber in my State and in the South generally—and I think that it is true of the country as a whole—are to-day selling lower grades of their lumber, that which they make out of the tops and defective parts of the log, wherever they can find a market, and they are glad if they can get the actual cost of production.

Mr. SMITH of Maryland. Will the Senator from North Carolina pardon me?

Mr. SIMMONS. Certainly.

Mr. SMITH of Maryland. I will say it does not constitute the lumber that is made out of tops.

Mr. SIMMONS. I said the defective pieces.

Mr. SMITH of Maryland. Nor the defective portions, either.

Mr. SIMMONS. The Senator is right about that. I was a little inaccurate in my statement. As a matter of fact, a part of the best log is low grade.

Mr. SMITH of Maryland. I will say to the Senator that of all the lumber manufactured in the South 80 per cent is of low grade——

Mr. SIMMONS. That is true.

Mr. SMITH of Maryland. Eighty per cent of all the lumber manufactured in the South is of low grade or box lumber; and I can say, further, that that lumber to-day, 80 per cent of the entire product of the lumber manufactured in the South, is barely bringing cost.

Mr. SIMMONS. Undoubtedly, Mr. President, that is true. Our manufacturers are making a little something upon the higher grade lumber, but it is a fact that 80 per cent of the total is low grade. Much of this low-grade stuff is actually being sold to-day in the zone of Canadian competition at less than it costs to lay it down there. The manufacturer must sell it for what he can get for it or stop his mill and incur all the losses and results which the suspension of a costly plant and equipment involves. Where 80 per cent of the timber is low grade, he can not run his mill on high-grade material alone. And so he must make this low grade and sell it at a loss or stop. The truth is, Mr. President, if it were not for the little profit the lumberman makes on his high-grade lumber, there would be to-day a general instead of a partial suspension of the sawmills of the South.

But it is said that lumber is controlled by a trust, and I think a great deal of the sentiment in this country in favor of free lumber, probably a good deal of the sentiment that stood behind that platform declaration with which the Senator from Montana confronted me a little while ago, is the result of an impression in this country that lumber is controlled by a trust. It grew out of the newspaper agitation in connection with the alleged trust in wood pulp and print paper. Probably—I do not make the charge, but there are reasons to believe that—a number of rich timber speculators in this country have gone over into Canada and, taking advantage of the lower rates of stumpage over there, have laid in a big supply of cheap Cana-

dian timber, and want free lumber in the interest of these foreign holdings. If they have organized a press bureau for this purpose, it is not the only time speculators have subsidized a part of the press to fire the country with a false sentiment in order to advance their selfish schemes.

However that may be, Mr. President, an impression more or less general that lumber was controlled by a trust has had a great deal to do with the crusade against that industry, for that is what it is—nothing more nor less. Mr. President, there is no truth in the charge that lumber is controlled by a trust. When that charge was first made to the Department of Justice, we had a trust buster in the White House eager for the plaudits of the multitude and who sought and found popularity in pursuing and prosecuting certain of the trusts. Under his inspiration, the Department of Justice dispatched its agents, inspectors, secret-service men, and spies in every direction throughout this broad land to ferret out evidence to convict the great lumber trust. What was the result, Mr. President? A pitiable failure. No sufficient evidence was found. Then, when the matter came up for investigation before the Ways and Means Committee of the other House, certain gentlemen outside of Congress, some of them very much interested it is alleged in timber holdings in Canada, for three months exerted themselves to the utmost limit to prove in the hearings before that committee that lumber was in a trust.

Yet, Mr. President, anyone who will read that testimony—I am not going to bother the Senate with it—can not resist the conclusion that a case in court never so dismally failed as did this attempt to convict the manufacturers of lumber of being in a trust. But, Mr. President, there is one fact in the situation which can not be wiped out, which proves conclusively that the lumber industry in this country is not controlled by a trust. It is the fact that in thirty days after the panic came the price of lumber dropped from 30 to 35 per cent from one end of the country to the other.

Mr. CLAPP. What per cent?

Mr. SIMMONS. About 30 or 35 per cent. It is selling for 30 or 35 per cent less to-day than it was selling when the panic came.

Mr. CLAPP. You refer to the panic of 1907?

Mr. SIMMONS. I refer to the panic of 1907. I say that since that panic 35 per cent has gone out of its value, measured by the market price in this country.

Now, a trust that can not control prices any better than that is no trust at all. Has it been that way with iron and steel?

Confessedly, iron and steel are controlled by a trust. What happened to the prices of iron and steel? While the prices of other things were dropping and falling, did they not remain as fixed as the Pyramids until, in recent months, as a matter of business policy, the steel trust decided to reduce them? So it has been with the other trust-controlled products.

Mr. President, an appeal is made for cheaper lumber in the interest of cheaper homes for the farmer, the mechanic, and the laboring man. If lumber is too high, I would welcome anything that would reduce it to a legitimate margin of profit; but when you come to reducing the prices of articles by tariff legislation because they are necessaries, then I insist that you apply the same rule to every necessary of life the price of which is enhanced by your tariff.

Lumber is a necessity in the sense that men have to have houses in which to live, and the people build houses chiefly of this material. But clothes are also necessities. The clothes of the people are made chiefly of cotton and of wool, and of course they have to have shoes made of leather. Each one of these articles, cotton, wool, leather, shoes, is taxed in this bill at a rate ranging from 15 per cent upon woolen and cotton goods, upon shoes up to about 60 per cent upon woolen and cotton goods.

There is no law that requires a man to live in a house, but in every State of this Union there is a law that requires both men and women to wear clothes. If the duty upon lumber should be reduced because it is necessary for men to have houses to live in, then I contend that the duty upon clothes should for the same reason be reduced, because it is necessary and it is commanded that the people shall wear clothes.

I want to ask our friends from the prairie and treeless States, where they raise chiefly grain and stock, where they have great ranches feeding thousands and millions of sheep, when they demand that the duty be taken off of lumber in order that its price may be reduced to them so that their people may have cheaper materials for building homes, if they are willing to apply the same rule to wool, so that the people of my section and the whole country may have cheaper clothes?

Mr. President, there have been times when men got along without either houses or clothes. There are some countries in the world to-day, they tell me, where both men and women do without houses or clothes. But there never has been a time in the history of the world when men could do without something to eat.

The chief food product of the masses is corn, wheat, and meat. These articles are taxed by the present law and in the proposed bill at an average of about 30 per cent. Are the Senators from the great corn and wheat growing and stock-raising prairie and treeless States of the West and Middle West, who are demanding that value be legislated out of the lumber of the South and the Pacific coast in the interest of cheaper homes for their people, willing that the duty shall be taken off of corn, wheat, and meat, that the people of the South and the whole country may have cheaper food?

Mr. President, the South admittedly is the greatest lumber-producing section of this country. Forty-five per cent of all the lumber produced in this country is manufactured there. The South does not produce probably more than two-thirds of what it consumes in the way of corn, wheat, meat, and hay. Where does it get it? From the Western States. It gets it from the very section of country that is demanding that value be legislated out of our products so that they may buy it cheaper from Canada. We buy their wheat and corn and meat and hay by thousands of bushels, pounds, and tons every year. Are they willing to reduce the duty on these things that our people may get them cheaper, or do they demand that the principle that the necessaries of life should be cheapened to the people shall apply only to the necessaries which we produce and sell to them and not to those which they produce and sell to us?

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. I will yield in a minute. Let me say to the West that the best purchaser in the South of its corn and its wheat and its meat is the man who labors in the sawmill. Those 800,000 men, who have to feed 3,000,000 mouths and clothe 3,000,000 backs, are the best purchasers that they have for their corn and their wheat and their meat; and if they succeed in their present assault upon lumber, if the Canadians shall as a result drive the southern lumber manufacturers out of their markets and they shall thereby secure their lumber at cheaper rates, which I do not think they will do, they will get this reduction by paralyzing the purchasing power of the best customer they have for their wheat and their corn and their hay and their meat.

I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I am greatly interested in the discussion of this question by the Senator from North Carolina. He is following a course of thought that has occurred to me more than once. The section of country from which I come has some interest in lumber as well as the South. New England does not raise a bushel of wheat and produces very little meat. We purchase from the great West practically all our foodstuffs.

If it be true that reducing the duty on lumber, or removing it entirely, will give to a certain section of the country cheaper homes, it follows, as a matter of fact, that reducing the duty on the products of the farms, covering wheat and corn and meat, will give us in New England cheaper foodstuffs. So I think the Senator is entirely justified in making the appeal he is making to those who are demanding free lumber—that they are standing, possibly, in their light in demanding high rates of duty on their products when at the same time they are willing to strike down the industry the Senator's State is so greatly interested in and which affects very greatly some States in New England.

Mr. SIMMONS. I thank the Senator very much for aiding me in my contention with his approval and with his very strong, intelligent, and pertinent statement.

Mr. President, the only additional reason under the sun that can be assigned for treating this product differently from the other products covered by the bill is that this proposed legislation is in the interest of forest conservation. There is no man who has greater sympathy than I have with the movement now on foot and far advanced in this country in favor of conserving all our natural resources, especially our timber supply. But I can not believe that the way to conserve our timber supply is to make our forests not worth conserving.

If reducing the duty on lumber or putting it on the free list would tend to the conservation of our timber supply, I would regard that as a strong argument in that behalf, but I am convinced as a result of my studies that so far from its having that effect it would have just the contrary effect. If you want to conserve your timber the way to do it is to make it more valuable. The Government can do much in the direction of conservation, but in the end the greatest conservation work must

be done by the individual owner, and his efforts both in growing and saving timber will increase in proportion as it becomes more profitable to grow and save it.

When timber was cheap in the South, we cut it ruthlessly. We cut down a fine $2 pine tree to get a hundred fence rails; to get new fields, we cut down forests worth twice as much as the land itself, and cleared away the timber by burning it, and let our waste land out to grow up in pines. When they got up to merchantable size, supposing the land to be replenished in fertility for agriculture, we cleared them away by cutting them down and burning them.

Every summer we would set fire to the woods and burn away millions of dollars' worth of magnificent timber so as to afford a little better grazing for a few scrubby cattle. We cut it for firewood; we cut it for rails; we regarded it of no value and destroyed it as a thing not worth preserving.

Now, Mr. President, that our timber has become valuable, that every tree—pine, oak, hickory, or what not—standing in the forests represents so many dollars, every man in the South, no matter what his grade of intelligence, guards and protects that tree just to the same extent he would guard any other valuable property. We have as much litigation in my part of the country to-day with mill men because of violations of the contract in cutting timber so as to injure and not sufficiently protect the young and growing timber as we do about any other question.

There is not a State, I think, in the South to-day that has not passed laws looking toward the conservation of its forests, looking toward their protection from fires, looking toward the punishment of trespassers, looking toward the introduction of better and more intelligent cultural methods. It has come about as the result of the increased value of timber. And now the strange proposition is presented to us that in order to conserve the forests we have to make lumber less valuable and invite foreign countries to come in here and help us supply the demand.

Mr. President, would our timber supply be conserved by inviting Canada to assist us in supplying our present great demand for lumber? I think every man familiar with the lumber situation in this country will answer that question in the negative.

The zone of competition between the lumber of the South and that of Canada is largely the territory lying south of the Lakes, with New York on the east, the Ohio on the south, and the Mississippi on the west. The bulk of the lumber sold in that section by the South, and practically all of that sold by Canada, is low-grade lumber. Fully 80 per cent of all the lumber now manufactured in the South is low-grade lumber, and 60 per cent of this is sold in this zone of competition, not over 10 or 12 per cent being used at home, so to speak.

Practically the whole of the lumber imported into this country from Canada is of the same grade—Canada sells her high-grade lumber to England. This is shown by the fact that the price of the lumber sold here by Canada ranges from $11 to $20 per thousand feet; $20, I believe, being the highest price, the average ranging around $17. Canada sells her high-grade lumber to England at something over $28, making a difference between the price of the lumber she sells us and the mother country of between $11 and $12.

Now, if the great lumber-consuming markets of this section are turned over to Canada where will the South find a market for its low-grade lumber? If it can not find a market, what will it do with that class of lumber? Is it not obvious that the lumbermen of the South will have to do with it exactly what they did years ago—that is, cut only the best part of the tree and leave the balance in the woods?

Mr. President, there are great lumber plants in the South; millions of dollars are invested in them. We can not afford to let these mills remain idle; they must be operated. If we can not find a market for the lumber made from the upper cuts of the tree, then we must supply these mills with the lower cuts, and that means, of course, that we will have to cut twice as many trees in order to secure the necessary amount of timber to keep the mills going as we would have to cut if we should use the whole tree.

If this should happen—and this would inevitably happen if the South were to lose these markets for its low-grade lumber or if the price of lumber in these markets were to fall below the cost of production, and for that reason our lumbermen should be compelled to stop manufacturing these low-grade cuts—for every thousand feet of lumber contributed by Canada toward supplying our national demand for lumber there would be a waste of 10,000 feet of our own, which would otherwise be utilized. The result would be forest destruction and waste instead of forest conservation.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. Just let me finish this sentence.

Mr. CLAPP. I merely want to ask a question.

Mr. SIMMONS. Let me finish this sentence, and then I will yield.

Mr. CLAPP. All right.

Mr. SIMMONS. We will have to let it remain in the woods to rot.

Now I will hear the Senator from Minnesota.

Mr. CLAPP. What I wanted to ask was a question just for information, and not in the way of criticising the Senator's argument.

Mr. SIMMONS. Certainly. I shall be very glad to hear the Senator.

Mr. CLAPP. The Senator said the South consumes 12 per cent of the cheap lumber.

Mr. SIMMONS. I do not think it is quite that much. I think I overestimated it. It is probably not over 8 or 10 per cent.

Mr. CLAPP. What proportion of the remaining 80 or 90 per cent goes abroad, if any?

Mr. SIMMONS. We export some. I can not say how much. I am sorry I am not able right now to give the Senator the figures.

Mr. BACON. If the Senator will pardon me, while I do not profess to have accurate statistics, I have information which I deem reliable, that for the two States of Georgia and Florida, which are the principal yellow-pine producing States, very nearly two-thirds of the product goes to Northern States.

Mr. SIMMONS. That is true, I think, of North Carolina also.

Mr. BACON. Then the portion indicated by the Senator from North Carolina is consumed at home and the remainder goes abroad.

Mr. SIMMONS. Yes. We consume at home only about 8 or 10 per cent, and most of the balance we sell in other States. We ship only a small part across the water. That is what I meant by my statement.

Mr. BACON. I do not know how it is in North Carolina and Mississippi, which are also yellow-pine bearing States, and in South Carolina.

Mr. MONEY. If I may contribute something to this debate, by the permission of the Senator——

Mr. SIMMONS. I shall be delighted to have the help of the Senator from Mississippi.

Mr. MONEY. The State of Mississippi does produce a very large amount of longleaf pine.

Mr. SIMMONS. I know; it is one of the largest producers in the country.

Mr. MONEY. It is one of the largest producers, I believe. I have no knowledge of the amount that goes north, but it seems to me that we are pretty well cut off from competition, because the rate from Mississippi is about $8 a thousand to Buffalo, Cleveland, Toledo, Chicago, and so on. But from Gulfport, which is my post-office, there are exported abroad about 300,000,000 feet, perhaps a little more, and from the port of Pascagoula, 30 miles east of my place, there is probably sent as much more. Of that sent from Gulfport, somewhere between 85 and 90 per cent goes to Argentina and Banda Oriental, and some to Bremen, some to Havre, and a little to Cuba.

I do not know the proportion that goes north, but that which goes to Canada is a kind of lumber that they call "pole lumber," because it is of a character which requires some rigidity, some flexibility, and great tensile strength, with lightness. It is something for which neither hickory nor oak nor spruce nor white pine will answer at all, such as car sills, for instance, and great timbers for the building of iron bridges and other structures where they have to have tall pieces with great tensile strength and some rigidity.

Mr. CLAPP. The Senator from Mississippi said it went to Canada. Did the Senator mean that?

Mr. MONEY. Oh, yes; I do mean it. It is a kind of lumber that they do not have there. They can not produce it, because they have nothing in their forests that will make it.

Will the Senator from North Carolina allow me a moment further?

Mr. SIMMONS. Certainly.

Mr. MONEY. I do not know much about this matter. The Senator from North Carolina is making such a magnificent speech on this subject I dislike to intrude at all. He knows a hundred times more than I do about it; but as to this one item, the class of timber we send to Canada and some other parts of the world, longleaf pine, I can recall now that a good many years ago, when the Northern Pacific was in construction,

they ordered from a friend of mine six pieces of timber that were to be 75 feet long. I have forgotten how much it squared, but it was the same square all the way through. He charged $900 for those six pieces. The six pieces could not have been found elsewhere. They sent him back a check and asked him if he could furnish any quantity of it. They wanted more.

He declined to furnish more because of the difficulty of felling a tree of that length and having a bed to break the fall. He had to prepare a bed for every tree that he cut. Of course he did not lose the lumber, because he sawed it up into other things. I am sure this is a character of timber which is indispensable in some business, and it can be procured nowhere else that I know of except perhaps on the Pacific coast, with which I am not acquainted.

Mr. SIMMONS. I thank the Senator very much.

Mr. MONEY. I am very much obliged to you.

Mr. SIMMONS. I thank him for the assistance which his statement has given me.

I will state to the Senator from Minnesota that a part of the lumber which we produce in the South, in North Carolina, and I suppose in all the States of the South, is exported. The exports from this country to Canada, however, if that is what he had in his mind, are very small. I believe only about $4,000,000 worth is exported from this country into Canada.

I want to say to the Senator that the price at which that lumber is invoiced shows that it is a very high grade of lumber. It is a kind of lumber which Canada must have in her railroad construction and in the other great works that she is now fortunately developing, and she has not got it. It is a well-known fact the longleaf yellow pine has a tensile strength that no other class of pine has. I do not believe the best timber on the Pacific coast compares with it in strength. The point I wish to make in answering the Senator's inquiry is that the lumber which Canada buys from us is lumber of a kind that she does not herself produce, while the kind of lumber that we buy from Canada is of a kind that we do produce, and she produces it at a less cost than we can produce it. The export prices will, I think, show that the lumber Canada buys from us sells at an average of eight or ten dollars per thousand feet more than that which she sells us. The grade is altogether different.

Mr. CLAPP. Mr. President——

Mr. SIMMONS. I yield to the Senator.

Mr. CLAPP. No; I do not like to interrupt the Senator so much.

Mr. SIMMONS. I have no objection.

Mr. CLAPP. I know you have not.

Mr. SIMMONS. Mr. President, the most important question in connection with this branch of the subject is, What will be the effect upon the price of lumber to the consumer if the duty is removed or reduced? Will he get cheaper lumber with which to build his home? Will the appeals which have been made in behalf of cheaper schoolhouses, cheaper churches, cheaper cabins, and cheaper homes be met and answered?

There are two facts which the evidence before the Ways and Means Committee put beyond dispute.

First. The competition between Canadian and American lumber is confined, as I have before endeavored to show, to the lower grades of lumber—what is known to the trade as Nos. 3 and 4, made mostly out of the upper cuts of the tree.

Second. That this competition is confined within certain territorial limits, as I have before stated, chiefly along the coast of the Lakes.

I do not think it can be, or is, seriously contended that the reduction or removal of this duty will affect the price of lumber in this country in the immediate localities where it is produced unless as the result of overproduction and consequent congestion caused by the delimitation of our markets; and no one, I take it, will contend that cheapening this or any other product by congestion is a desirable thing.

I have here a speech delivered in another body by a distinguished North Carolinian, strenuously advocating free lumber. In this speech he expresses the confident opinion that putting lumber on the free list will not cheapen lumber at all in the South. He contends that its only effect will be to cheapen lumber in certain sections of the Middle West.

I will read one or two extracts from this speech. It was regarded as one of the greatest speeches made in the great debate upon the lumber schedule which took place in the House. I do not read the speech to criticise it, because I agree with what is said with respect to the effect upon the price of lumber to the North Carolina and southern consumer. I simply read it as an authoritative statement of the contention of the advocates of free lumber as to the effect of this legislation upon its cost to the ultimate consumer. He was asked:

Before the gentleman proceeds further, I would like to ask if the removal of the tariff on lumber will not result in reducing the price of lumber, how will that removal aid the home builders, to whom the gentleman refers, to build cheaper homes?

To this question he replied:

It is quite evident that the gentleman did not hear the first part of my talk. I said in the beginning, that while it would be a great blessing to millions of people in the West and Middle West, as I shall show later, it would not affect a single one of the southern mills.

Asked whether it would make lumber any cheaper, he replied:

It will not make lumber in the South, especially on the Atlantic seaboard, any cheaper—I wish it would—or affect us in the South, because in the section of Canada that will compete with us; that is, where the freight rates would allow competition with the southern mills—even if Canada had the timber—lumber is just as scarce as it is in the South and just as high as it is in the markets to which we ship.

After another interruption, he said:

In the great West, in the great consuming States of Illinois, Indiana, Iowa, Minnesota, Wisconsin, and Nebraska, and all out in that western section, removal of the tariff will make lumber cheaper to the consumer and will take the hand of the timber monopolists from the necks of millions of our western people, and I shall show it before concluding.

* * * * * * *

Again, Mr. President, he was asked:

If the gentleman thinks there will be no lumber imported into this country, how does he think there will be any relief to the consumer by placing lumber on the free list?

To which he replied:

I will gladly answer all questions, if my time may be extended; and I will show this House by the evidence of the tariff advocates themselves that, while it will not affect the South or any southern lumber, it will relax the grasp of the stumpage syndicates and lumber monopolists in the West from the throats of millions of our western people. While it will not help my people, I would be unworthy of my seat here if I were unwilling to help people who live out of my State.

Mr. President, in that latter sentiment I join him. I am ready, with him and with any other man on either side of this Chamber, to extend the same treatment to every article and every product embraced in this bill, I do not care in what section of the country it is located. All I ask is that there be uniform treatment; that there be no discrimination. I am willing to take a broad view of it.

Mr. PILES. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. SIMMONS. In just a moment. I am willing to look beyond my State and beyond my section and cover in my vision the horizon of the whole country; but, Mr. President, I want the remainder of the country to also take into consideration the section in which I live.

Mr. PILES. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. SIMMONS. I do.

Mr. PILES. I simply want to call the Senator's attention to the fact that the argument advanced by the gentleman in the other House, from whose speech the Senator has been reading, proceeds upon this line: He was endeavoring to show to the people of the South that the removal of the duty on lumber would not injure the people of North Carolina, for instance, but that it would injure the people of the Pacific coast and the people of New England, who are also engaged in the lumber business. In other words, he was perfectly willing to convince the people of North Carolina or of Georgia or of those other sections of the southern country that they were not going to be injured, and that all the injury would fall upon the people of the Pacific coast and the other sections of country where lumber is produced in very large quantities.

Mr. SIMMONS. He contended that the removal of this duty would not injure anyone in the South; that it would not injure those engaged in that industry, or the owners of timber in the South. I think he is mistaken in that contention, but it is not to that part of his contention that I am now addressing myself. I am discussing only that part of his contention with which I agree, and that is the contention that the farmer, the mechanic, and the laborer in the South who buy lumber will get no benefit from this legislation in the way of reduced price.

Mr. President, I think it is undoubtedly true, as stated by this able advocate of free lumber from whom I have just read, that putting lumber on the free list will not reduce to the extent of a penny the price of lumber to the consumer in North Carolina or the South. In all that vast region designated as the "South," inhabited by nearly 30,000,000 of people, this legislation will afford no relief to the consumer of lumber; lumber for the schoolhouses, for the churches, and the cabin and cottage will cost the same in North Carolina and in the South

whether the duty on lumber is reduced or not. It may cripple this great industry of that section by turning over their best markets to their Canadian competitors, and it may check the growth and prosperity of many hundreds of cities and towns and small communities, but the consumer of lumber, whether rich or poor, in this section will not get his lumber any cheaper.

I think, Mr. President, it may be accepted as an admitted fact—admitted by both sides to this controversy—that the reduction or removal of the duty upon lumber will not affect the price of lumber to the consumer of lumber in any part of this country, except possibly in the prairie States lying within the area south of the Lakes and which may be designated as the "Middle West." It is contended that they will get lumber at a cheaper price if Canada is permitted unrestricted access to their markets.

Now, as to the question raised by the Senator from Washington as to the effect of this reduction of duty upon the industry in his section and in my section, I think the owners of the 28,000 sawmills scattered broadcast over the South and the Pacific coast know better about that than I do. I have met many of them from the Pacific coast as well as the South. They are all intelligent men; they understand their business. Not one of them has spoken to me upon the subject of this legislation except with apprehension. There are more than 1,400 of these mills located in my State, and they are owned by among the best and most intelligent business men of my State. I have had some sort of communication, by letter or wire, with nearly all of them since this agitation began, and I want to state that not a lumberman from my State has written or wired or spoken to me upon this subject who did not express grave apprehension as to the effect of this legislation upon his industry. Not only the lumbermen but many bankers and merchants of the lumber section of my State and the South have written me, and not a single one of them has written asking me to vote for the removal or reduction of this duty; neither has any farmer or consumer of lumber, as far as I now recall, in that section asked me to vote for it.

Now, Mr. President, let me get to the last question I wish to discuss in connection with this branch of the subject under consideration, and that is, Is it true that the consumers of lumber in the Middle West will get lumber cheaper as the result of the removal or reduction of the duty on lumber? Now, as I stated before, Canada is only selling us her low-grade stuff; she has a use and demand at home and in the mother country for all of her high-grade lumber. The kind of lumber she is now selling us, and the kind of lumber she will sell us after this bill is passed, is not the kind used in building houses for homes. No prudent farmer or mechanic or laborer will build a house out of this class of lumber. It decays rapidly and is, for that reason, unsuited for that purpose.

Some of it is used for sheeting—"double weatherboarding," as we call it—in between the laths and the outer weatherboarding, and that is used mainly by the rich, by people who live in cities, generally. The home builder does not use it—at least, only to a limited extent. The bulk of the lumber now supplied us, and which will be supplied us, by Canada is not used in building houses and barns and stables, but it is used for manufacturing boxes, crates, and that sort of stuff.

Mr. SMITH of Maryland. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Maryland?

Mr. SIMMONS. In a moment. The chief beneficiary, if there should be a reduction of the price as a result of the removal of this duty, or its reduction, would not, therefore, be the home builder nor the struggling farmer, but the great, rich box factories that are located along the Lakes.

Mr. SMITH of Maryland. If the Senator will pardon me, I will state that from 200,000,000 to 300,000,000 feet of this common lumber is used for export purposes, for boxes in which to export the products of this country. There is one concern alone, I may say, which uses 200,000,000 feet of this lumber. It does not go into the manufacture of houses, but goes into the manufacture of boxes for carrying the manufactured products of this country.

Mr. SIMMONS. I believe the Senator is a large owner of timber, he owns some in my State, and he is a practical manufacturer of lumber. I want to ask the Senator to tell the Senate whether I am not within bounds when I say that at least 80 per cent of the timber that we sell in competition with Canada is the low-grade stock which he has just said is used for manufacturing boxes.

Mr. SMITH of Maryland. If I wanted to be entirely accurate I would say that more than 80 per cent of all the lumber manufactured in the South is low grade; in fact, in some sections of the South there is not 5 per cent of some of the timber that is cut that is above what is known as "box grade," and at least 80 per cent or more of the lumber that is manufactured in the South is what is known as "box-grade" quality. I can say, for the benefit of the Senate, that to-day that lumber is barely bringing what it costs to manufacture it; in fact, I hardly think it is bringing what it costs to manufacture it. I know as a fact that in Norfolk about the lowest price that logs are bringing is $11 per thousand, and that you can buy box-edge boards at that price to-day. Of course, there is other lumber that brings a little more—stock lumber—but so far as the box-edge lumber is concerned it is not bringing what the log itself costs.

Mr. BEVERIDGE. According to that, the Senator would be in favor of increasing the tariff on lumber, would he not?

Mr. SMITH of Maryland. No, sir.

Mr. BEVERIDGE. Then in maintaining the present rates of duty?

Mr. SMITH of Maryland. I want to say to the Senator from Indiana that, so far as I am concerned, I am in favor of a proper adjustment of the tariff. I recognize the fact that we must have revenue; I recognize the fact that we revenue is to be obtained by a tariff; I recognize the fact that on account of the tariff there is incidental protection; and, so far as I am concerned, I want the people that I represent and the people of the South generally to have their share of that incidental protection.

Mr. BEVERIDGE. I thought that was the Senator's position. The Senator will therefore vote——

Mr. SMITH of Maryland. I am not asking for protection to benefit monopolies.

Mr. BEVERIDGE. Just incidental protection.

Mr. SMITH of Maryland. I say that if we have to have protection, which we must have on account of the tariff, I want the section that I represent to have their portion of it, because they pay their portion of the taxes.

We on this side represent 30,000,000 people, who pay one-fourth of the taxes of this country. Taxes, I recognize, are an evil, but a necessary evil; and if we have to pay our portion of the taxes, we want our portion of the incidental protection.

Mr. DIXON and Mr. BURKETT addressed the Chair.

The VICE-PRESIDENT. Does the Senator from North Carolina yield, and to whom?

Mr. SIMMONS. I yield to the Senator from Montana [Mr. DIXON].

Mr. DIXON. The Senator from Maryland is in favor of a tariff on lumber, as I understand his statement?

Mr. SMITH of Maryland. I am, sir, as incidental protection for the purpose of raising revenue.

Mr. DIXON. How does the Senator square his present profession and belief with the last Democratic national platform?

Mr. SMITH of Maryland. What is that?

Mr. DIXON. I ask, How does the Senator from Maryland square his present belief and assertions with the last national Democratic platform, which declared specifically that lumber should go on the free list?

Mr. SMITH of Maryland. So far as the last Democratic platform is concerned, the platform asked for the reduction of the tariff generally. If you reduce the tariff all the way along the system, then the Senator from Maryland is willing to take his portion of the reduction for the section that he represents.

Mr. DIXON. But the Democratic national platform declared specifically that lumber should immediately go on the free list.

Mr. SMITH of Maryland. But the platform went on further and declared that there were other things that should be reduced, too.

Mr. DIXON. But it mentioned specifically lumber.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. I am very glad to yield. I am somewhat tired, but am not quite through.

Mr. CLAPP. I want to correct the Senator from Maryland. The Democratic platform does not go on further and declare that other things should be reduced; but after saying that they believed the tariff should be reduced as soon as practicable to a revenue basis, the Democratic platform then goes on and demands the immediate repeal of the lumber tariff.

Mr. SMITH of Maryland. If you want me to speak of that from an individual and personal standpoint, I will say that if we must have revenue, I think a part of the revenue might as well be gotten in that way.

Mr. BEVERIDGE. Mr. President, I may be permitted to say, in connection with what the Senator from Minnesota [Mr. CLAPP] has said, that, in view of the position of Senators upon

the other side, or some of them, it does not make very much difference what the Democratic platform said upon this question. [Laughter.]

Mr. SMITH of Maryland. That is a matter about which the Senator from Indiana can draw his own conclusions.

Mr. BEVERIDGE. I do.

Mr. SIMMONS. I said, in reply to the Senator from Montana [Mr. DIXON], in the beginning of my speech all I care to say upon the subject of the Democratic declaration about lumber.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Nebraska?

Mr. SIMMONS. Certainly.

Mr. BURKETT. Let me suggest to the Senator that I have sat and listened to the speeches that have been made by the Democrats, and I am getting a little nervous. In the campaign that we made out in Nebraska last year the Democrats——

Mr. SIMMONS. I presume, if the Senator will let me interrupt him, that he is very nearly as much troubled about getting that declaration of the Republican platform with reference to the postal savings bank system acted upon as we are with reference to lumber. [Laughter.]

Mr. BURKETT. I did not understand the Senator's question.

Mr. SIMMONS. I said I presumed the Senator was having about as much difficulty in getting the Republican declaration in regard to the postal savings bank system made into law as we are having over this little declaration about lumber.

Mr. BURKETT. The Senator from Nebraska admits that he has not been quite so successful in that direction as he hoped he might have been, but the Senator from North Carolina will acquit the Senator from Nebraska of any lack of effort on his part to get the postal savings bank system carried out.

Mr. SIMMONS. The Senator has been doing his best to overcome the opposition on his side of the Chamber to the declaration of his platform on this subject, but with little success.

Mr. BURKETT. But what I was about to say to the Senator was, that in the campaign last fall I recall that one of the particular planks that caused Republicans in the State of Nebraska and throughout the Mississippi Valley generally the most trouble was that which the Democrats wrote upon the lumber tariff. I think there was not a single speech made by any Democrat in our State in which he did not read that specific section of the Democratic platform and did not appeal to our people to vote for the Democratic ticket and for Democratic Congressmen, on the theory that if they would send Democrats down here they would join the Democracy of this country and give them free lumber or, at least, reduce the rates on lumber. On every single platform where we spoke we had to answer that proposition; in fact, we had to answer a good many statements that had been made with reference to various declarations in the Democratic platform.

But, finally, after a long, hard struggle, during which we promised them as Republicans that lumber should be made as cheap as possible, recognizing that it was one of the great necessaries of the American people, and that for the protection of our forests, for the protection of the home builder and all the other people to whom the Senator from North Carolina has adverted, we stated we would agree to help the Democracy of this country to reduce somewhat the tariff upon lumber. Now, I say it is rather disappointing to me, I confess, to find every Senator, so far as I have been able to observe and so far as I have followed this debate, who has arisen to speak upon the other side of the House, take a position in behalf of a protective tariff upon lumber. I said that this was very embarrassing to me, because the way the thing is going on it appears to me there will only be a few of us who live out there in the Mississippi Valley, and Republicans at that, who will try to get cheaper lumber for the people of this country.

Mr. SIMMONS. I hope the Senator will not inject a set speech into my argument.

Mr. BURKETT. I would not do that.

Mr. HEYBURN. Mr. President, will the Senator from North Carolina permit me for a moment?

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. SIMMONS. I should be glad to yield to the Senator, but I would first like to say just a word in reply to the Senator from Nebraska.

Mr. HEYBURN. I only intended to speak a word of admonition to the Senator from Nebraska.

Mr. SIMMONS. Very well.

Mr. BURKETT. Let me say to the Senator from Idaho that it is most embarrassing——

Mr. SIMMONS. I think the Senator from Idaho can admonish him better than I can, and that he will take the admonition more kindly.

Mr. BURKETT. Let me anticipate the Senator from Idaho by saying that it was as embarrassing to have to make any promise to follow the Democratic tariff ideas in a campaign as it is, I suspect, for Senators on the other side to meet the proposition of their platform at this time.

Mr. HEYBURN. I sincerely trust that the Senator from Nebraska will not be too energetic in reminding Senators on the other side of their declaration upon this question, inasmuch as the Republican platform is along the lines now being contended for by Senators upon the other side.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Maryland?

Mr. HEYBURN. In a moment. Their inadvertent declaration upon the lumber schedule in their platform has evidently taken a new phase. I am very much gratified that it is so, and I would not have a word come from this side of the House which would discourage them from their reformation in that particular.

Mr. RAYNER. Mr. President, before the Senator from Idaho takes his seat I will ask him what does he mean by "Senators on this side?" I hope the Senator himself and the Senate will take the declarations of Senators as they come from them, and not consider because one particular Senator may be in favor of protection or in favor of what he calls "a revenue duty," which is equivalent to protection generally upon a proposition of this sort, that all Senators on this side are in favor of it.

I hope the Senator from Idaho will wait until each Senator on this side expresses his opinion upon this bill. So far as I am concerned, I have been waiting here for several days to make a few observations upon this subject. I want the Senator from Idaho to understand that I am in favor of a constitutional tariff for revenue and for no other purpose, and I propose to stand strictly upon the Democratic platforms that have enunciated that doctrine for the last quarter of a century. I hope the Senator will not in speaking of "Senators on this side," without criticising the Senator at all, because his view may be correct, conclude, because one Senator expresses his opinion upon one particular schedule out of 4,000, that all of the rest of the Senators agree with him upon the principles and propositions he announces.

Mr. HEYBURN. Mr. President, just a word. I used the expression "Senators upon the other side" in strict conformity with the parliamentary custom in this body. It is quite usual to refer to the Senators on that side of the Chamber as a whole when one of their number is speaking, from the party standpoint I assume, for the Senators on that side.

Mr. RAYNER. The Senators who have spoken, especially my distinguished colleague from my State, may be perfectly right about this proposition. I am not discussing that question. But let the Senator from Idaho wait until he hears from Senators on this side and not take it for granted that we all agree with any particular Senator who may be speaking upon any particular subject. I do not mean in the slightest degree to criticise anything that any Senator has said upon this subject——

Mr. ALDRICH. Will the Senator from Maryland allow me to interrupt him?

Mr. RAYNER. Yes; I will.

Mr. ALDRICH. Does not the Senator from Maryland expect that a majority of the Senators sitting upon the other side of the Chamber will vote for a lumber tariff?

Mr. RAYNER. I do not know how anyone else will vote. I know I shall not vote for it. Of course I can speak only for myself. I do not pretend to criticise the vote of any Senator who may vote that way; and he may be right, and I may be wrong; but I propose in a very brief address, when I have the opportunity, to present my views, not only on lumber, but upon everything else, to stand upon a constitutional tariff for revenue. The Senator from North Carolina and the Senator from Maryland are assuming the proposition that this is a tariff for revenue. I am not criticising that proposition.

Mr. BEVERIDGE. And incidental protection.

Mr. SMITH of Maryland. Just one moment.

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the junior Senator from Maryland?

Mr. SIMMONS. Certainly. I will yield for a brief statement, but I will yield to nobody else for a speech.

Mr. SMITH of Maryland. I will not be three minutes in what I have to say. So far as I am concerned, I am for a constitutional tariff for revenue. I did not say "constitutional," but I said a tariff for the raising of revenue for the expenses of the Government. It might be inferred from what

my colleague from Maryland has said that I go further than that. I do not believe the Senator from North Carolina made any argument contrary to that. I stand as he stands, and I did not go beyond that in anything I have said.

The Senator seems to insinuate that I or the rest of us have said something that would imply that we went beyond a constitutional tariff for revenue. I want to say to the Senator that I did not say that I went beyond that; but I did say that inasmuch as this revenue had to be raised by a tariff, and that there was incidental protection growing out of the tariff, I wanted it properly adjusted, and that all the people should share whatever might come out of it. I am not in favor of anything but a constitutional tariff for revenue.

Mr. RAYNER. Mr. President——

Mr. SIMMONS. I decline to yield, Mr. President.

Mr. RAYNER. Will the Senator allow me——

Mr. SIMMONS. I decline to yield any further. I think I have been sufficiently patient.

Mr. RAYNER. He might allow me a moment, considering that he has been speaking for two hours. I do not think the Senator will object to it.

Mr. SIMMONS. If the Senator from Maryland puts it upon that ground, of course I will not object, if is a matter of urgency.

Mr. RAYNER. I do put it upon that ground.

Mr. President, I made no criticism. I made no charge whatever. I understand the position of the Senator from Maryland, and I think it is a perfectly consistent one. He is in favor of a tariff on lumber because he believes it to be a tariff for revenue. The only reason I rose was this: I do not want the Senator from Idaho or anyone else to conclude me upon any proposition until I have the liberty and the privilege of being heard before this body. That is all. I am responsible for my own opinion. No one is bound to agree with me at all; and, while I criticise no one, I stand upon the Democratic doctrine of a constitutional tariff for revenue, enunciated in every Democratic platform for the last quarter of a century.

Mr. SIMMONS. Mr. President, I utterly decline, as I did in the early stages of my argument, to be drawn into a political controversy about this matter. I am willing to state the broad fact that I am in favor of the retention of the present duty on lumber. I am willing to rest that, as a Democratic position, upon the argument which I have made here for the purpose of showing that it is a revenue tariff, and a good revenue-producing tariff.

Now, so far as the platform is concerned, I have said just as much about that platform declaration as I intend to say about it. When we are framing a bill based upon the principle of protection—and the highest protection bill, probably, that has ever been framed in this country—I am not going to treat a particular item in such a bill as I would if we were framing a bill based upon the principle of a tariff for revenue on a low basis. I do not consider that our platform declarations, taken in good faith, require me to do so.

Mr. ALDRICH. Will the Senator from North Carolina allow me?

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. Certainly.

Mr. ALDRICH. It seems to me we are in a fair way to compose all our differences. A large majority of the Senators upon this side are in favor of keeping the duty on lumber as a protective duty. A large majority, I will assume——

Mr. SIMMONS. If the Senator will permit me to interrupt him, I have not, although several Senators have referred to me as advocating this as a protective duty——

Mr. ALDRICH. Oh, no. I am speaking about this side.

Mr. SIMMONS. I have not done that. On the contrary, I have insisted that the present rate which I want retained is a better revenue-producing duty than the old rate.

Mr. BEVERIDGE. "A rose by any other name would smell as sweet." It does not make any difference whether it is called for protection or for revenue.

Mr. BACON. Mr. President——

Mr. ALDRICH. I have not finished my sentence. Will the Senator permit me to finish my sentence?

Mr. BACON. Certainly.

Mr. ALDRICH. I said a large majority of the Senators upon this side of the aisle are in favor of a duty upon lumber as a protective duty. A considerable portion, I think a majority, on that side of the aisle are in favor of a duty on lumber as a revenue duty. Now let us agree that so far as this bill is concerned we shall waive the question of names. We are both for the same thing under different names.

Mr. SIMMONS. I should like, before the Senator from Rhode Island takes his seat——

Mr. BACON. Mr. President——

Mr. SIMMONS. I will yield to the Senator from Georgia in a moment, after I address this inquiry to the Senator from Rhode Island: Is it possible to levy an import duty upon an article produced in this country, whether for revenue or for protection, which does not in effect protect it against foreign competition to the extent of that duty?

Mr. ALDRICH. It certainly is. A protective tariff and a revenue tariff are absolutely and diametrically opposed to one another.

Mr. BACON. Will the Senator permit me for just a moment? The Senator from Rhode Island made a suggestion, which is one upon which we may act practically, and that is, that we compose our differences; and the lumber tariff being the particular item which has suggested that possibility to his mind, I want to meet him and suggest that I am perfectly ready to meet the Senators on the other side of the Chamber by composing our differences upon the basis of this particular tariff. The tariff upon lumber is about 10 per cent ad valorem. It is a revenue tariff. It yielded last year nearly $4,000,000 upon Canadian lumber which was imported.

The Senator from Rhode Island, being the chief architect of the present bill, has seen fit to put knit underwear and various other articles which are very peculiar to the particular section from which he comes at a most extravagant increase over the present law. I propose that we compose the present differences by bringing knit wear and those other articles down to 10 per cent. Will the Senator agree to that?

Mr. ALDRICH. The Senator has shown that he is not acquainted with this bill, or with the provisions of the duties upon underwear.

Mr. BACON. What is the duty on underwear?

Mr. ALDRICH. He is now stating a different proposition entirely.

Mr. BACON. Oh, yes; of course it is different; but I want to make it the same. I want you to come down to 10 per cent.

Mr. ALDRICH. The Senator from Georgia does not like to be confined to the question of the duty on lumber. He wants to be able to say to the country that he is in favor of a duty on lumber as a revenue duty.

Mr. BACON. Yes.

Mr. ALDRICH. I have been in the Senate long enough to have heard that argument many, many times. Every Senator who wants to dodge behind a party platform or something else supports a revenue duty. It is the same thing whether you call it a protective or a revenue duty. It is levied for the protection of American interests.

Mr. BACON. Speaking of dodging, I want to see if the Senator will dodge his own proposition. When one speaks about composing differences, it means people getting together. I am pointing to the fact that the particular item which called forth the suggestion from the Senator was one which bears 10 per cent duty, and I called attention to the fact that that Senator in his particular section has duties which are way above 50 per cent.

Mr. ALDRICH. Will the Senator vote for 10 per cent?

Mr. BACON. I will vote to bring them down.

Mr. ALDRICH. The Senator says it is 10 per cent duty. Will he vote for a 10 per cent duty on lumber?

Mr. BACON. I will.

Mr. ALDRICH. Ten per cent ad valorem?

Mr. BACON. Absolutely. That will be the better plan on which to put it. Will the Senator vote for 10 per cent upon the New England products that I have mentioned?

Mr. ALDRICH. I am a protectionist——

Mr. BACON. Yes.

Mr. ALDRICH (continuing). And I have the courage to say I am a protectionist. I am a protectionist as much in Georgia as in New England; I am for protection all along the line; and I am willing to call it protection. I am not dodging behind a proposition of a revenue tariff or anything else. I am for protection, and whether it is 10 per cent or 20 per cent or 30 per cent or 40 per cent or 50 per cent, whatever it may be, I am for it.

Mr. BACON. Very well. I want to say this to the Senator: The Senator says he is for protection. I wish to say with equal positiveness that I believe protection to be a most vicious and unjust system of taxation, and before the session closes I hope to have the opportunity to state my reasons plainly. There will be no dodging on my part. But everybody must recognize the fact that there must be a tariff for the support of the Government.

But, without pursuing that, I am bringing the Senator back to his particular proposition. The Senator, in a most generous spirit, suggested, in view of the fact that some on this side were willing to have a duty of 10 per cent on lumber, that there was a most gratifying opportunity to compose differences. The difference I am proposing particularly to compose, in response to the suggestion of the Senator, is that the 10 per cent duty on lumber shall be composed with the 60 or 75 or 80 per cent duty upon the products of the particular section the Senator represents—underwear, clothing, and other necessary articles—by bringing those 60, 70, and 80 per cent duties down to 10 per cent. Will the Senator agree to it?

Mr. ALDRICH. My suggestion was a composition of the differences upon names.

Mr. BACON. We have the authority of the distinguished Senator from Indiana [Mr. BEVERIDGE] that names make no difference. He even went so far as to quote Shakespeare upon that subject. I am asking something more than names. I am not here to bandy words. We are here for the purpose of fixing duties. We on this side—at least I am—are in favor of a 10 per cent duty on lumber, which is a low revenue duty. The Senator himself, with a generosity which so generally characterizes him, proposed that we compose our differences, and I am calling attention now to the differences to be composed—10 per cent for a southern product, 80 per cent upon a Rhode Island product—and I am asking the Senator if he will meet me, not by going halfway, not by raising the duty on lumber, and then coming down to that point when it is raised——

Mr. ALDRICH. What about rice?

Mr. BACON (continuing). But by letting lumber stay where it is——

Mr. ALDRICH. Will the Senator agree to a duty of 10 per cent on rice?

Mr. BACON. I will say this about rice: I am in favor of reducing the tariff upon all the necessities of life. I do not know exactly what is the percentage on rice; but if the percentage on rice is high, I am in favor of reducing it.

I believe that the great need of this country is that the tariff should be reduced upon all the great necessities of life; and Senators upon that side who are in favor of keeping the tariff up to that enormous height are trying to take courage and comfort to themselves when there is the least recognition on this side of the propriety of a duty which is strictly within revenue lines, and endeavor to ascribe to Senators upon this side a desire to have the advantage of a protective tariff while they deny their allegiance to such a doctrine.

I utterly repudiate it. I say to the Senator there is not a single article produced in the South as to which I will not vote for a reduction of the tariff if you can show it is above a legitimate revenue tariff. Can the Senator desire any more plain proposition than that? I repeat it—that upon any product North or South I will vote for a reduction of the tariff duty if it can be shown that it is above a legitimate revenue basis.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. I do.

Mr. BEVERIDGE. It is simply for a question. The Democratic platform specifically declares for free lumber. Does the Senator think that platform right or wrong in that particular?

Mr. BACON. That platform, like all platforms, is probably written by the committee at midnight, and when reported by the committee on resolutions it is scrutinized by the convention, in the main, as to the enunciation of general principles and not so particularly as to minor details. The Senator from Indiana has been in national conventions, and almost every Senator who is within hearing of my voice has been in national conventions, and we know how that is. Upon a question of the policy of the party, as to whether or not it shall be in favor of a protective duty or a revenue duty, it is binding upon us all. But when a particular article among a hundred others is picked out and it is said that it should go on the free list, that is an expression of opinion by the committee which is, perhaps, not particularly considered by the convention while its attention is engrossed by more important matters.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. To whom does the Senator from North Carolina yield?

Mr. BACON. I am occupying the floor by the courtesy of the Senator from North Carolina.

Mr. SIMMONS. I thought I had the floor.

Mr. BURKETT. I rise to a question of privilege.

Mr. SIMMONS. I do not wish to be discourteous. I think I have been sufficiently patient and that I might be allowed to finish my speech.

Mr. BURKETT. I will say to the Senator from North Carolina that I have risen to a question of privilege. However, I will not interrupt him. Of course the time of the day or night when the platform was written, it seems to me, is somewhat a reflection upon the hours that the people in Nebraska observe. As I understand their platform, it was not made at night——

Mr. SIMMONS. The statement the Senator from Nebraska is making will lead to another statement from the Senator from Georgia [Mr. BACON], and then the Senator from Indiana [Mr. BEVERIDGE] will have a word, you know, and that will bring him to his feet——

The VICE-PRESIDENT. The Senator from North Carolina declines to yield further.

Mr. SIMMONS (continuing). And I shall not have an opportunity to finish my speech to-day.

Mr. BURKETT. I should like to tell the Senator when the platform was written, and where.

The VICE-PRESIDENT. The Senator from North Carolina indicates that he does not care to hear it now.

Mr. SIMMONS. If the Senator was addressing that remark to me, I can state that I know all about it—where it was written and when it was written.

Mr. BURKETT. I have no doubt the Senator from North Carolina does, but evidently the Senator from Georgia does not.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. SIMMONS. I want to be courteous to Senators, and I think I have been, and I trust the Senator from Oklahoma will let me go on with my speech.

The VICE-PRESIDENT. The Senator from North Carolina will proceed.

Mr. SIMMONS. Mr. President, there is only one other matter in connection with the lumber schedules that I wish to bring to the attention of the Senate, and that is the final question of what will be the effect of the removal or reduction of the duty as proposed in this bill upon the industry itself and the communities in which it is located and the interests with which it is affiliated.

The question is not, in my judgment, a question of increased or decreased cost. I do not believe, as I have tried to show, that the price of lumber will be materially affected, certainly not except in a comparatively small area. It is not a question of price, but of market. The question is whether the American producer shall have the zone of his market within his own country enlarged or decreased. Whether he shall hold the markets he now has or surrender a part of them to the Canadian producer. That in turn is largely a question of transportation.

There are three great timber supplies from which the people of the United States draw their lumber. One of them is located in the South. One of them is located on the Pacific coast. The other is in Canada. There is a limited supply in Minnesota and Michigan and around the Lakes, but these are the three great sources from which the people of the United States draw their lumber supply.

It may be said in a very real sense that each one of these timber regions has what I may designate as its "natural market zone," and then along the lines which separate these zones there will be a neutral zone in which competition will be very sharp and very acute, and is very sharp and very acute.

Mr. President, I maintain that anything which gives the lumbermen of one of these sections a material advantage in the cost of production or transportation of his lumber over his competitor in the other two sections, gives him not only an advantage in his own zone, but enables him to that extent to extend his natural zone into the zone of his competitor just to the extent that that advantage, whatever it is, whether it is $1 or $2 or $3, will pay the transportation rates upon a thousand feet of lumber.

The Canadian producer of lumber has an advantage in the cost of production over the American producer both in labor and in stumpage; but he has a still greater advantage in the less cost of transportation. I am speaking especially with reference to the southern situation. I am not so familiar with the Pacific situation. The competition of our southern section is with the Georgian Bay section of Canada; that bay is an arm of the lake which enables the manufacturers of lumber along its winding course to reach by water about a dozen of the very largest consuming cities in this country.

I say he has three advantages. The first of these is in cheaper labor. I do not contend that the difference in labor cost between the Georgian Bay section, which I say competes with our southern lumber, and the labor cost on this side is very great.

I do not think it is anything like so great as it is between the American Pacific coast and British Columbia; probably not one-fifth so great as that is. But still it is a difference in labor cost that materially affects the question of competition.

I am not disposed, Mr. President, to weary the Senate or take up its time in trying to establish that proposition by the evidence in the hearing, though it is conclusive. I do not think I ought to have to make an argument to the Senate to show that the labor cost of making a thousand feet of lumber is less in Canada than it is in the United States. Certainly I ought not to be required to make an argument to any Republican. They ought all to admit that. If that is not true, what becomes of the arguments, the fervent, eloquent orations that we hear in this Chamber when a tariff is under discussion, and upon the hustings during the campaign, about the cheaper cost of the necessaries of life in other countries, and about the lower standards of wages and living in other countries?

If it be true that in Canada the necessaries of life are just as high as they are here, if it be true that in Canada wages are just as high as they are here, and the standard of living just as high as it is here, then the proud Republican boast that the wage standard and the standard of living is higher here than anywhere else in the world is a fiction and a pretense. If the standard of wage in the lumber camps and sawmills of Canada is as high as here, and the wage rates as high in this industry there as here, then I assume that the standard of wage in the other industries of Canada, whether in factory or on farm, is also as high as here; and if that be true, pray tell me why it is necessary, from a Republican standpoint, from your standpoint, for us to protect anything that is produced in Canada and imported to this country? It will not do to say——

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. For a question?

Mr. SMOOT. Just for a question. I should like to ask the Senator if he has any figures in his possession showing the difference between the cost of labor in Canada and in the United States?

Mr. SIMMONS. I confess that I have not. I have read a great deal of the testimony before the House committee, which tends to show that the difference is only 15 or probably 20 per cent.

Mr. SMOOT. The Senator, then, believes there is that difference?

Mr. SIMMONS. I believe there is that difference. I say there is that difference, and it is a distinct advantage to the Canadian in this competition.

Mr. President, the Canadian has also a very great advantage over the lumberman of my section of country in the less cost of stumpage in Canada. I am not going into that question. It is said that stumpage is outrageously high in this country. If it is not lower in Canada, it must also be outrageously high there. I think the evidence before the Ways and Means Committee shows conclusively that stumpage is very materially less in Canada than it is in this country.

Mr. HALE. Is not that probably the largest factor?

Mr. SIMMONS. Except transportation. I think transportation is probably a larger factor.

Mr. HALE. That I understand; but as to the product?

Mr. SIMMONS. As to the product it is decidedly the largest.

Mr. HALE. Is not that a very marked distinction?

Mr. SIMMONS. It is a very marked distinction, I think. I am inclined to believe that there is a difference of $1 or $2 a thousand.

Mr. SMOOT. Is it not true that stumpage in Canada is not quite one-half the cost of stumpage in the United States?

Mr. SIMMONS. I think it is true. Stumpage in the South is on an average of about $3 or $3.50. But, Mr. President, if there was no difference in the actual cost of stumpage in Canada and the United States, the difference in the method of buying and holding timber in Canada would make a difference of $1.50 or $2 a thousand.

Mr. HALE. Fully that.

Mr. SIMMONS. Fully that much, I am confident.

A Canadian manufacturer of lumber buys and cuts his timber just as he needs it. He is not at any loss of interest; he does not have to pay any taxes; he takes none of the risks of storms or of fire. In this country we all very well know that no prudent man will invest the large sums that are necessary to establish these great lumber plants. No prudent business man, I say, would make an investment of that sort without being secure in his supply of timber to meet the demand of supplying his mill for many, many years in the future; and in order to do that it is necessary for him to invest large sums of money, in addition to the cost of his plant in the purchase of timber, not to be used to-day nor to-morrow, nor this year, nor next year, and probably a part of it not to be used in a quarter of a century. This necessarily entails a loss in interest, there is also a very heavy loss in taxes, and there is a loss in the way of fire and storm risk, and all that sort of thing.

But, as I said a little while ago, I think the chief difference consists largely in the difference in the cost of transportation. We can not get the lumber from my section of the country delivered at any of the points in this zone of competition at less than from $4 to $8 a thousand. Yet the Canadian, by reason of his cheap water transportation, can get his lumber to any of the 12 great distributing and consuming cities along the Lakes for an average of not over $2, making a difference in the cost of transportation in this competition in favor of the Canadian of at least $2 to $6.

Mr. President, I am satisfied that in this competition between the Canadian and the southern lumbermen there is a difference in all of these things—labor, stumpage, transportation—of between $2 and $6.

Now, what has the American to offset these disadvantages? What has the southern manufacturer of lumber to offset this manifest disadvantage? Nothing, except this $2 import duty. That does not serve him any very good purpose when lumber is very high, because the Canadian pays it and brings in his lumber, and he does not feel it. But when the price of lumber is low it tends to equalize conditions. It is the only offset, at least, that the southern lumberman has to the natural and artificial advantages which Canada has over him.

Now, what will be the effect if you remove that duty? Remove that duty and the effect will be that the Canadian will take the amount that is thus remitted to him and do one of three things with it. He will either put it in his pocket in the way of dividends or he will use it for the purpose of giving his American customer cheaper lumber, or he will use it for the purpose of extending his markets in this country just as far into the natural market zone of his competitor in the South and on the Pacific coast as that remitted money, $2, will pay the transportation upon a thousand feet of lumber.

Of course, if the Canadian takes a selfish view of it, he will either put the money in his pocket and pay it out in dividends to his stockholders, if it is a corporation, or he will use it to extend his markets. In either case, the American consumers will not get cheaper lumber. In either case, the poor farmer and the laboring man and the mechanic in the Middle West will get none of the benefits of cheap lumber that have been promised them by those who advocate the removal of the duty upon lumber.

If, however, the Canadian takes the philanthropic view of it and gives the American consumer the advantage of a lower price of lumber, what will be the effect? The effect will be that while our friends in the Middle West will get their lumber a little cheaper their southern customer will have his market restricted. His purchasing power will be restricted, and the best customer that the West has for its supplies of wheat and corn and hay and meat will be paralyzed.

Mr. President, I have detained the Senate much longer than I expected.

Mr. HALE. Mr. President, is it not a fact, precisely in the line of reasoning the Senator is pursuing, that with our industries in lumber manufacturing in the East, in the South, and in the West, we have all that we can do to maintain ourselves against the present inroad of Canadian lumber? The importations into this country to-day under the present duties on lumber from Canada amount to nearly $21,000,000, affording a revenue to the Government of nearly $4,000,000 in duties. Here is an attempt to take away, as the Senator has so well said, the only protection that his industries and ours in the East and those on the Pacific coast have of the $2 duty, leaving us entirely at the mercy of the Canadian lumbermen.

Mr. SIMMONS. As I have said before, Mr. President, and I do not think it necessary to repeat it, what the Senator says would be undoubtedly the result, and is the result, when the price of lumber is as low in this country as it is just at this time. Just at this time, if it were not for the duty of $2, it would be utterly impossible for the lumber producers of my section of the country to sell lumber in the market that they have heretofore used for their surplus, in the East and along the Lakes.

Mr. President, I do not desire to detain the Senate any longer. I regret very much that my remarks have been broken into in the manner in which they have. I have spoken in behalf of a great industry in my section, the largest industry in my State.

More towns and cities, more communities, more people are dependent upon this industry in that State than upon any other industry.

I have never known those people to be quite as much interested in any public question as they are in the fate of this particular item in the bill. If I should say I have had letters and telegrams by the hundred from the people of my State protesting against putting lumber upon the free list, I would not misstate the fact. I have had no letter to the contrary.

It is said that the farmers are demanding cheaper lumber and expecting to get it. I have had not a single letter, so far as I now recall, from a farmer of my State asking me to vote to have this duty removed or reduced. All I ask for the industry is fair treatment. All I ask is that it shall not be discriminated against.

You say I am asking for protection while professing not to be a protectionist. I say here to the Senate, Mr. President, that I am opposed to a protective tariff. It is a bad thing. I am opposed to free trade. That is a bad thing. But I regard a mixture of free trade and protection as infinitely worse than either. If you are going to frame your bill on protection lines, apply that principle honestly and fairly to all sections, and do not come and tell representatives of a section that advocates a revenue tariff that their industry is not entitled to go in this bill upon the same principle that any other industry is entitled to go into it; that as to their industries you will make the bill a free-trade measure.

If we were framing here a Democratic measure, I should insist that the principle of a tariff for revenue should apply to that bill from the top to the bottom of it. You are framing a bill based professedly upon the principle of protection. Inequality is a vice inherent in the protective system. If you mix that principle with free trade; if you frame one-third of that bill upon the protection principle and one-third upon the principle of free trade and one-third upon a different principle, then you will have a mixture that will bring about greater inequalities than a protective-tariff system, without any of the compensating benefits which a protective system carries.

All I demand, Mr. President, for this industry, is that it shall have fair treatment. I have no right to expect that you will frame your bill upon different principles than those declared in your platform, but I have a right to demand that you do not discriminate against the industries of my section or any section of the country.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. SIMMONS. I am about through. I hope the Senator will let me finish.

Mr. CRAWFORD. I do not want to interrupt the Senator now, but before he sits down I should like to ask him a question or two if he has no objection. However, if the Senator is nearly through and it will interrupt him, I will wait.

Mr. SIMMONS. As the Senator has interrupted me, I will stop. I will not say anything more. I was about through, anyhow.

Mr. CRAWFORD. I would rather wait until the Senator concludes his remarks, and then ask him a question.

Mr. SIMMONS. It will suit me to have the Senator ask it now; and I will be glad to answer it if I can.

Mr. CRAWFORD. Your chief competitor, I understand, is and will be Canada. The Dominion of Canada will be your chief competitor, and is now, in the lumber business.

Mr. SIMMONS. Canada is our chief foreign competitor. We have some domestic competitors as well as foreign.

Mr. CRAWFORD. I am referring, of course, to foreign competitors. I did not hear any statistics, if the Senator gave them. I was here during all of the Senators argument, except a few moments when I was out at luncheon. I wish to ascertain whether the Senator makes the claim, and if he does whether he has any figures to sustain it, that the wages paid in Canada and the standard of living in Canada among the men engaged in this business are lower than in North Carolina?

Mr. SIMMONS. I have no statistics. I have read the hearings before the House committee. A good many witnesses who professed to be familiar with the labor conditions there and here testified that there was a difference in behalf of Canada. I confess that there are some who testified that there was not any very great difference except perhaps on the Pacific coast. But that the cost of food and clothes and the wage scale, as well as the general standard of living, is lower in Canada than in the United States I think no one will doubt.

Mr. CRAWFORD. That is, the Senator maintains that in Canada they have a lower wage.

Mr. SIMMONS. That in this country we have not only now but for years have had a different wage scale, a different standard of living, and that that wage scale and that standard of living are higher here than anywhere else under God's sun.

Mr. CRAWFORD. The Senator says that is true?

Mr. SIMMONS. I say that is the Republican contention.

Mr. CRAWFORD. Would the Senator say it as a matter of fact?

Mr. SIMMONS. I say, while I do not subscribe to it stated quite as broadly as that, in the main I believe it is true.

Mr. CRAWFORD. The Senator says it is true as a matter of fact to-day as between, for instance, North Carolina and Canada, your chief competitor?

Mr. SIMMONS. I think labor is cheaper in Canada, from what I have heard, than it is in North Carolina. I want to say to the Senator right there that there are statistics. Of course, I do not claim to be familiar with the cost of labor in Canada.

Mr. CRAWFORD. That is what I wanted to get at.

Mr. SIMMONS. I do not claim to be familiar with the cost of producing lumber in Michigan, Minnesota, or on the Pacific coast, but from reading the evidence I am disposed to think that it costs about as much to produce a thousand feet of lumber in North Carolina as it does either upon the Pacific coast or along the Lakes.

Mr. CRAWFORD. Has the Senator any statistics to show that?

Mr. SIMMONS. I have none immediately at hand. If the Senator will read the hearings before the Committee on Ways and Means in the House, he will get a good deal of light on that subject. It takes a great deal of labor to do it, but if the Senator wants light, I commend to him that he pore over those hearings, as I have done.

Mr. JONES. Will the Senator allow me to make a suggestion?

Mr. SIMMONS. Certainly.

Mr. JONES. I think there will be no trouble about showing the Senator from South Dakota that there is a difference in the cost of production on the Pacific coast anyhow, owing to the different conditions of labor there, not so much the white labor, but on account of the employment of large numbers of oriental laborers on the British side. We shall show that to be the fact when we come to consider this schedule.

THE BEET-SUGAR INDUSTRY.

Mr. ALDRICH. Mr. President, I understand that a communication from the Secretary of Agriculture is on the Vice-President's table. I suggest that it be laid before the Senate at this time.

The PRESIDING OFFICER (Mr. McCUMBER in the chair) laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the Senate of the 8th instant, certain information concerning the beet-sugar industry in the United States.

Mr. SMITH of Michigan. I should like very much, if the Senate is willing, that the communication be read, and then I would ask that it be referred to the Committee on Printing with a recommendation that it be printed.

Mr. KEAN. It will be printed, as a matter of course.

The PRESIDING OFFICER. Does the Senator from Michigan ask for the reading of the communication?

Mr. SMITH of Michigan. Yes.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

THE DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., April 26, 1909.

To the President of the Senate:

In pursuance of the resolution considered and agreed to in the Senate on the 8th instant, asking for information concerning the beet-sugar industry in the United States, I have the honor to transmit herewith a report containing the data asked for so far as it has been possible to secure the same. Nearly all the information has been compiled from the records and publications of this department, the census figures being used only where this department had no authentic information.

I have the honor to be, sir,
Your obedient servant,
JAMES WILSON,
Secretary.

The PRESIDING OFFICER. The communication will be printed and referred to the Committee on Finance.

Mr. BURROWS. Let it be printed and lie on the table.

The PRESIDING OFFICER. In the absence of objection, the map will also be printed.

Mr. BURROWS. Let the communication and accompanying papers and map be printed as a document.

Mr. SMITH of Michigan. I should like to inquire how many copies will be printed without any resolution or direction of the Senate?

Mr. KEAN. The usual number.

The PRESIDING OFFICER. In answer to the Senator, the Chair would say that 1,180 copies will be printed.

Mr. SMITH of Michigan. Would it be proper to ask that the communication be referred to the Committee on Printing for the purpose of having the number increased?

Mr. KEAN. It is not necessary now.

Mr. BURROWS. An additional number can be printed at any time.

The PRESIDING OFFICER. The communication, with the accompanying papers and map, will be printed as a document (S. Doc. No. 22) and referred to the Committee on Finance.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. Mr. President, the members of the Committee on Finance have a number of amendments which they are considering to the pending bill, and perhaps it is not desirable to go on further to-night. I desire to give notice that to-morrow, after the routine morning business, I will ask for the consideration of the bill by paragraphs. I now move that the Senate——

Mr. MONEY. I did not hear the Senator. If he will pardon me, I should like to have him repeat his statement or request, whatever it was.

Mr. ALDRICH. I simply stated that it was my purpose to-morrow to ask the Senate to proceed to the consideration of the bill by paragraphs.

Mr. MONEY. As I understand, the unanimous-consent agreement does not preclude any Senator from speaking upon the general principles of this bill whenever he chooses.

Mr. ALDRICH. It does not. I had no intention of establishing any such rule.

Mr. MONEY. I wanted to have it clear, that is all.

Mr. NEWLANDS. I should like to ask the Senator from Rhode Island what progress has been made with reference to the preparation of the table showing the production and the consumption in this country of each of the articles imported?

Mr. ALDRICH. I think it will be in print to-morrow morning.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 3 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 29, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 28, 1909.

UNITED STATES DISTRICT JUDGE.

George W. Woodruff, of Pennsylvania, to be United States district judge for the Territory of Hawaii. An original vacancy created by the act approved March 3, 1909 (public, No. 322).

ASSOCIATE JUSTICE OF THE SUPREME COURT OF HAWAII.

Antonio Perry, of Hawaii, to be associate justice of the supreme court of the Territory of Hawaii, vice Sidney M. Ballou, resigned.

JUDGE OF THE CIRCUIT COURT OF HAWAII.

William L. Whitney, of Hawaii, to be second judge of the circuit court of the first circuit of the Territory of Hawaii, vice Alexander Lindsay, jr., resigned.

PROMOTION IN THE ARMY.

CHAPLAIN.

Chaplain John A. Randolph, Sixth Infantry, to be chaplain with the rank of major from April 22, 1909.

POSTMASTERS.

ALABAMA.

George W. McFall to be postmaster at Sheffield, Ala., in place of Charles Doud, resigned.

ARKANSAS.

B. D. Muzzy to be postmaster at Carlisle, Ark. Office became presidential January 1, 1909.

CALIFORNIA.

Mason M. Cochran to be postmaster at Dinuba, Cal., in place of Percy B. Fulton, resigned.

ILLINOIS.

Edwin A. Mead to be postmaster at Hebron, Ill. Office became presidential January 1, 1909.

William L. Tohill to be postmaster at Flat Rock, Ill. Office became presidential April 1, 1909.

MASSACHUSETTS.

Henry K. Bearse to be postmaster at Harwich, Mass., in place of David L. Small, resigned.

MICHIGAN.

John V. Wright to be postmaster at Coloma, Mich., in place of Abner B. Stevic. Incumbent's commission expired November 19, 1907.

MISSISSIPPI.

John L. McCoy to be postmaster at Richton, Miss. Office became presidential April 1, 1909.

MISSOURI.

Frank McNew to be postmaster at Bloomfield, Mo., in place of Carl Weber, resigned.

NEVADA.

Alice F. Langwith to be postmaster at Golconda, Nev., in place of Eugene L. Dutertre, resigned.

NEW JERSEY.

Edgar I. Vanderveer to be postmaster at Freehold, N. J., in place of James W. Danser, deceased.

NEW MEXICO.

Ignacio Lopez to be postmaster at Las Vegas, N. Mex., in place of Miguel A. Senecal, resigned.

NEW YORK.

George A. Case to be postmaster at Honeoye Falls, N. Y., in place of Marion O. Martin. Incumbent's commission expired January 30, 1909.

Clarence A. Stone to be postmaster at Elbridge, N. Y. Office became presidential January 1, 1909.

Catherine Wiggins to be postmaster at Cape Vincent, N. Y., in place of Clarence E. Wiggins, deceased.

OHIO.

Solomon Rousculp to be postmaster at Thornville, Ohio. Office became presidential April 1, 1909.

Peter Schatzman to be postmaster at Glendale, Ohio, in place of Peter Schatzman. Incumbent's commission expired January 14, 1907.

PENNSYLVANIA.

Clara Brown to be postmaster at Linesville, Pa., in place of William E. Brown, deceased.

SOUTH DAKOTA.

Frank E. McLaughlin to be postmaster at Geddes, S. Dak., in place of William A. Lyons, resigned.

Sumner E. Wood to be postmaster at White, S. Dak. Office became presidential January 1, 1909.

WISCONSIN.

Ernest S. Mottram to be postmaster at Markesan, Wis., in place of Ernest S. Mottram. Incumbent's commission expired December 12, 1908.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 28, 1909.

UNITED STATES DISTRICT JUDGE.

Robert S. Bean to be United States district judge for the district of Oregon.

UNITED STATES MARSHAL.

Daniel A. Sutherland to be United States marshal for the first division of the district of Alaska.

PROMOTIONS IN THE NAVY.

Lieut. Commander Joseph W. Oman to be a commander.

The following-named ensigns to be lieutenants (junior grade):

Paul E. Dampman,
Edson C. Oak,
Arthur H. Rice,
Clarence A. Richards, and
David W. Bagley.

The following-named lieutenants (junior grade) to be lieutenants:

Paul E. Dampman,
Edson C. Oak,
Arthur H. Rice,
Clarence A. Richards, and
David W. Bagley.

ENSIGN.

Midshipman Roy Le C. Stover to be an ensign.

APPOINTMENTS IN THE NAVY.

The following-named citizens to be assistant surgeons:
John G. Ziegler, a citizen of Pennsylvania;
Glenmore F. Clark, a citizen of Kentucky;
William M. Kerr, a citizen of New York;
George A. Riker, a citizen of New York; and
Tharos Harlan, a citizen of the District of Columbia.

POSTMASTERS.

FLORIDA.

Charles S. Williams, at Key West, Fla.

OHIO.

James K. Allen, at Greenwich, Ohio.
William T. Orton, at West Unity, Ohio.

TENNESSEE.

Andrew N. Brown, at Woodbury, Tenn.

SENATE.

THURSDAY, *April 29, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

STATISTICS RELATING TO SUGAR.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to Senate resolution No. 19, of the 1st instant, certain information relative to the amount of sugar consumed by the people of the United States for the fiscal year 1908, etc. (S. Doc. No. 24), which, with the accompanying paper, was ordered to lie on the table and be printed.

TARIFF STATISTICS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to Senate resolution No. 36, of the 23d instant, a table of rates of duty in the United States, Germany, and France on pottery, glass bottles, plate glass, iron ore, etc. (S. Doc. No. 23), which was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented petitions of sundry citizens of Metz, Mannington, Morgantown, and Rosbys Rock, all in the State of West Virginia, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Gillett, Tex., and of St. Louis, Mo., praying for the enactment of legislation providing for the erection of a suitable memorial in Statuary Hall to the memory of James Rumsey, which were referred to the Committee on the Library.

Mr. PILES presented petitions of sundry citizens of Alderton, Tumwater, Everett, and Kennewick, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Clarks Green, Uniontown, Gastonville, and Meadville, all in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of 278 citizens of Pennsylvania, remonstrating against the drawback feature contained in the so-called "Payne tariff" bill, relative to tin plates, which was ordered to lie on the table.

He also presented a petition of sundry employees of the Madeira and Wannery Hosiery Mill, of Fleetwood, Pa., praying for the retention of the proposed duty on hosiery, which was ordered to lie on the table.

He also presented a petition of Pomona Grange, No. 52, Patrons of Husbandry, of Rasselas, Pa., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of sundry employees of the Union Razor Company, of Titusville, Pa., praying for the retention of the proposed duty on imported razors, which was ordered to lie on the table.

He also presented a petition of the Schatt & Morgan Cutlery Company, of Titusville, Pa., and a petition of sundry employees of the Schatt & Morgan Cutlery Company, of Titusville, Pa., praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. GAMBLE presented the petition of W. A. Hopkins and sundry other citizens of Hayes, S. Dak., praying for the repeal of the duty on hides, which was ordered to lie on the table.

Mr. FRYE presented a petition of White Oak Grange, Patrons of Husbandry, of Warren, Me., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Maine, remonstrating against an increase of the duty on gloves, which was ordered to lie on the table.

Mr. SMITH of Michigan. I present a telegram from the secretary of the American Newspaper Publishers' Association and ask that it may be read for the information of the Senate.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

[Telegram.]

NEW YORK, *April 22, 1909.*

HON. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

The American Newspaper Publishers' Association, at its annual meeting in New York to-day, with the largest attendance in the history of the organization, comprising representatives of 290 daily newspapers, has instructed me as its secretary to telegraph and write to you that the association, by a rising vote, with only three dissenters, earnestly urges the confirmation by the Senate of the action of the House of Representatives in the matter of pulp and paper. I am sending by mail full text of minutes adopted by association.

E. H. BAKER, *Secretary.*

Mr. ELKINS presented a memorial of the thirty-eighth legislative assembly of the Territory of New Mexico, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

TERRITORY OF NEW MEXICO,
OFFICE OF THE SECRETARY.

Certificate of comparison.

I, Nathan Jaffa, secretary of the Territory of New Mexico, do hereby certify that there was filed for record in this office, at 11.55 o'clock p. m., on the 18th day of March, A. D. 1909, council joint memorial No. 7, Mr. President; and, also, that I have compared the following copy of the same with the original thereof now on file, and declare it to be a correct transcript therefrom and of the whole thereof.

Given under my hand and the great seal of the Territory of New Mexico, at the city of Santa Fe, the capital, on this 26th day of March, A. D. 1909.

[SEAL.] NATHAN JAFFA,
Secretary of New Mexico.

Council joint memorial 7. Mr. President.

Memorializing Congress for an appropriation of money or land scrip for the purpose of relieving the counties of Santa Fe and Grant, in the Territory of New Mexico, from the burden imposed upon them respectively by former congressional statutes confirming and validating certain bonds of each of the said counties issued without lawful authority.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas the county of Santa Fe, N. Mex., is overburdened and distressed by the weight of a bonded indebtedness now approximating in amount $1,000,000, based or illegal railroad-aid bonds, converted into illegal refunding bonds, which although such bonds could not be successfully enforced in the courts after the decision of the Supreme Court of the United States in the Pima County case, below more particularly referred to, were, in avoidance of that decision, confirmed and validated by Congress in and by an act entitled "An act approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory, and for other purposes;" the same having become a law, without the approval of the President, January 16, 1897 (see Stat. L., vol. 29, pp. 487, 488, and 489; chap. 30);

Whereas the said indebtedness originated in the following manner and under the following circumstances, to wit:

1. The said indebtedness results, to an amount exceeding one-half thereof, from the issue by the county of Santa Fe, in February, 1880, of bonds in the principal sum of $150,000, bearing interest at the rate of 7 per cent per annum, payable semiannually, in aid of the construction of the New Mexico and Southern Pacific Railroad (now part of the "Santa Fe route"), so far as that railroad extends in the said county, including a branch line of about 20 miles in territorial length from Lamy Junction to the city of Santa Fe, and the remainder of the said indebtedness results from the issue by the said county, at a later date, of bonds in the principal sum of $150,000, bearing interest at the rate of 6 per cent per annum, payable semiannually, in aid of the construction of the Texas, Santa Fe and Northern Railroad (now part of the Denver and Rio Grande Railroad system), from the city of Santa Fe to Espanola, the southern termination at that time of the railroad of the late Denver and Rio Grande Railway Company.

2. The total assessed valuation of the property subject to taxation in the county of Santa Fe is about $2,200,000.

3. All the aforesaid railroad-aid bonds, with one judgment for interest on a part of the said first bond issue, were, before the rendering of the decision in the Pima County case (Oct. 29, 1894, Lewis v. Pima County, 155 U. S., 54), refunded under the provisions of a territorial refunding act (chapter 79 of the session laws of 1891, found in the compiled laws of New Mexico of 1897 as sections 340 to 348, both inclusive), which refunding act, it is evident, does not authorize the refunding of bonds void on their face.

4. Over and above the said railroad-aid indebtedness the said county has a legitimate interest-bearing bonded indebtedness of about $200,000.

5. All of the said railroad-aid bonds were issed under the supposed authority of chapter 30 of the New Mexico session laws of 1872, still found in the said compiled laws as sections 3898 to 3901, both inclusive, which statute of 1872 could, under the doctrine announced in the Pima County case, no longer legally operate after the passage of the act of Congress, approved June 8, 1878 (20 Stat. L., p. 101), which prohibited every "municipal corporation" in a Territory from incurring "any debt or obligation other than such as shall be necessary to the administration of its internal affairs."

6. The bonds in aid of the New Mexico and Southern Pacific Railroad Company were, under the belief that the said territorial act of 1872 was still in force, and pursuant to its provisions, voted for on the 4th day of October, 1879, in two concurrent elections, one upon the proposition to aid to the extent of $71,000 in the construction of the main line crossing the said county, and the other upon the proposition to aid to the extent of $79,000 in the construction of a branch line connecting the city of Santa Fe with the main line at Lamy Junction.

The votes cast on the first proposition numbered only 259, of which 192 were in the affirmative and 67 in the negative; and the total vote cast on the second proposition numbered only 266, of which 190 were in the affirmative and 76 in the negative.

8. At that time—1879—the total number of voters qualified to vote in the county of Santa Fe at general elections, including resident owners of taxable property as well as residents not such owners, exceeded 1,000, but by the terms of the said railroad-aid statute of 1872 very few of the general electors were qualified to vote at the special elections believed to be thereby authorized, because such elections were determined under that statute by the votes exclusively of "the electors of the various precincts of said county who own taxable property." (New Mexico Compiled Laws of 1897, p. 3899.)

Under the exemption statutes in force at the time of the said railroad-aid elections, respectively, every resident was immune from taxation of property to the amount of $300, not to speak of other exemptions from taxation more specific in character, and the great majority of such residents at the time of each of the said special elections had severally no property subject to taxation. This fact, taken in connection with the general ignorance then prevailing in the county of the English language and of the method of American corporate business, accounts for the apparent passivity of the great majority of its residents on the occasions of the special elections concerning the said railroad aids. Railroads were still unsolved mysteries to the great majority of the territorial population. Most of those of Mexican ancestry were characteristically simple in their habits, confiding in their nature, attentive to religious duties, and devoted to pastoral and agricultural pursuits after the ancient manner of their forefathers. The first influence of the incoming railroads was prejudicial a generation ago to the native population of New Mexico, for it diminished by eastern competition their accustomed home markets, and was subversive of old-time social conditions.

This first influence of the railroads was felt conspicuously by the county of Santa Fe. The main line of the "Santa Fe Route" did not come nearer to the city of Santa Fe than 20 miles, although from time immemorial that city had been the emporium and distributing point of New Mexico, and, under the Spanish, Mexican, and American rule, the seat of an important and money distributing military, as well as civil, government. The advent of the first railroad destroyed the "Santa Fe trail" and the commerce which over that trail had centered in Santa Fe for generations. Santa Fe's importance was temporarily impaired, her old trade distributed among other places more favored by railroad communication, and yet, as consideration for the burden of the first aid by the county bonds, voted at the two-headed election of 1879, she was, in respect of railroad transportation, accorded only the small favor of the railroad branch from Lamy Junction, and even that supposed benefit was conditioned on the county's contribution to the construction of the main line, a contribution not, it is believed, exacted of any other county since the main line was to be built, at all events.

9. In fact, it was a great detriment to the city of Santa Fe to be thus sidetracked on a branch line of railroad, and naturally her commercial residents looked forward to the advantages apparently in prospect from the incoming of the main line of the old Denver and Rio Grande Railway Company under its chartered right and duty to construct its main line into New Mexico, as far south as Santa Fe, conformably to the acts of Congress requiring such construction to be completed as early as June 10, 1882. But, although chartered and subsidized by Congress, the old Denver and Rio Grande Railway Company failed to meet that statutory requirement, and even entered into a compact with its rival, the Atchison, Topeka and Santa Fe Railroad Company—the indirect beneficiary of the said first railroad aid—by which, early in 1880, further construction of the Denver and Rio Grande Railway south of Espanola was inequitably pretermitted for the period of ten years from that date. In view of this new disappointment, and for the immediate purpose of bridging the gap in railroad communication between the city of Santa Fe and the Denver and Rio Grande Railway at Espanola—from which point that railway was in operation to the north through Pueblo, Denver, and other business centers—the Texas, Santa Fe and Northern Railroad Company was incorporated and the second county aid voted as aforesaid.

10. But notwithstanding these efforts for amelioration of the evil conditions flowing from the innovation of railroads in a community accustomed to the simple life of the old Spanish and Mexican days the property and business interests of the inhabitants of the county became almost stagnant, and so continued for a whole generation. It was absolutely impossible for the county to pay the interest on the railroad-aid bonds, still less any part of the principal. Indeed, the accumulated interest is now a heavier burden than the principal and is subject to increase by compounding under judgments and future refundings, because Congress has confirmed and validated the county's void indebtedness.

11. All these railroad-aid bonds appear to have been negotiated by the respective companies concerned and to have come into the hands of purchasers for value, and, since their conversion into refunding bonds, the county is confronted by present holders of the new bonds, who bought them in reliance on the confirmatory acts of Congress.

12. In the year 1887 the board of county commissioners of the county of Santa Fe was sued upon a large number of interest coupons clipped from the bonds issued as aid to the New Mexico and Southern Pacific Railroad Company, and there followed in that and collateral legal proceedings a most energetic litigation, finally resulting in a decision of the supreme court of New Mexico, August 12, 1891, adjudging the validity of the coupons, which decision is reported in 6 New Mexico Reports (Gild.), 88.

13. Prior to this decision, the legislative assembly of New Mexico passed said chapter 79, of the session laws of 1891, looking to the refunding of all outstanding valid indebtedness of counties and municipalities.

14. After that decision of the supreme court of New Mexico, not only the judgment in which the interest coupons involved were merged (with interest compounded on those coupons), but also the outstanding principal indebtedness evidenced by the railroad-aid bonds, and all arrears of interest, not merged in that judgment, and, furthermore, the principal and interest evidenced by the aid bonds and coupons issued to the Texas, Santa Fe and Northern Railroad Company, all coming within the doctrine so announced by the supreme court of New Mexico, were converted into refunding bonds of the county under the said chapter 79.

15. It is true that in a dissenting opinion in that case Mr. Justice Freeman took the ground that all the said railroad-aid bonds were void ab initio under a proper construction of the said act of Congress of June 8, 1878 (20 Stats., 101). But it was then the opinion of the majority of the justices, as well as of some of the leading lawyers of the Territory, that the congressional prohibition could not be extended to a county, although governed by a board of county commissioners, by any proper interpretation of the words "or other municipal corporation." Therefore the county failed to sue out a writ of error from the Supreme Court of the United States for review of the said judgment, and took it for granted that no relief could be had in the courts from the burden of the railroad-aid indebtedness.

16. However, in the year 1894 the Supreme Court of the United States, in the above-mentioned Arizona case, Lewis v. Pima County (155 U. S., 54), distinctly held, without any dissent, that the prohibition in the act of Congress above cited extends to railroad-aid bonds issued by counties in the Territories, although so issued strictly in conformity with the provisions of a general act of the territorial legislative assembly. For that reason the Pima County bonds involved in that case were held to be void.

17. Later, Congress, in view of the Pima County case, passed the aforesaid act of 1897, expressly validating all bonds of the county of Santa Fe which had been refunded under the terms of the above-cited chapter 79 of the New Mexico Session Laws of 1891. This confirmatory act of Congress, by its broad terms, absolutely excluded the county of Santa Fe from any relief whatever in the courts from the oppression of the said railway-aid indebtedness, no matter how great its original invalidity, and thus the present generation of Santa Fe County's inhabitants, including numerous worthy settlers recently from the East, are face to face with a demon of poverty for whose invocation they are in no respect responsible.

18. Notwithstanding the failure of the county of Santa Fe to secure, within the space of time allowed by law, a writ of error from the Supreme Court of the United States for a review of the aforesaid decision, Congress probably had, in its tutelar relation to the Territories, constitutional power, even after the promulgation of the decision in the Pima County case, to authorize a review by that high tribunal of the New Mexico judgment. At all events, that territorial decision could not debar a review by the Supreme Court of the United States of future territorial decisions affecting railroad-aid indebtedness for the principal or for later maturing interest coupons of any such railroad-aid bonds, or resulting county refunding bonds.

19. That territorial judgment could not, in any view, be deemed res judicata, except as to those privy to the litigation, and there were many outstanding bondholders, including all holders of bonds issued in aid of the Texas, Santa Fe and Northern Railroad Company, who were in no sense whatever entitled to invoke that judgment as an estoppel.

The want of power in the county to issue the railway-aid bonds, as declared in the Pima County case, was constructively imputable to every holder of such bonds, since the bonds all originated after the prohibitive act of Congress considered in that case, every purchaser of a municipal bond issued either in a State or in a Territory, being put on inquiry as to the power of the municipality to issue it, and no recital saving him from the duty of such inquiry.

20. Again, until the passage in 1897 of the confirmatory act of Congress before mentioned, every holder of a refunding bond which showed on its face that the debt funded was absolutely void in its inception and, whatever the form of the refunding bonds, every original refunder and every original purchaser of a refunding bond who knew that the indebtedness refunded by that bond was within the class of municipal indebtedness denounced by the act of Congress of 1878, discussed in the Pima County case, was powerless to enforce such bond in the courts, notwithstanding the most "binding" recitals appearing on its face.

21. But in 1897, before the county of Santa Fe was advised of its right and opportunity, under the decision of the court of last resort in the Pima County case, Congress passed the above cited confirmatory act, which operated, on the one hand, to protect every holder of the void railroad-aid bonds as refunded, and on the other hand, to deprive the county of Santa Fe of its right of defense against the bondholders, and almost of its right to exist on a political plane comportable with the civic merit of its citizens and worthy of its ancient dignity as the capital of the vast sunkingdom out of which the States of Colorado, Utah, and Nevada have since in great part sprung—New Mexico and Arizona only remaining as Territories.

Whereas the county of Grant, N. Mex., is aggrieved and burdened in like manner, although not so egregiously, by the validation by the said act of Congress of her void railroad-aid indebtedness; and

Whereas it is the sense of this legislative assembly that on the eve of New Mexico's emergence out of the territorial condition into the full dignity of statehood Congress ought, on grounds of political equity, to relieve the county of Santa Fe from the hard plight in which it has been left by adverse national legislation in which the Territory of New Mexico had no representative vote: Therefore be it

Resolved by the legislative assembly of the Territory of New Mexico, That the Congress of the United States is hereby requested by an appropriation of money or assignable land script to enable the counties of Santa Fe and Grant, N. Mex., to compromise, satisfy, and discharge so much of their respective bonded indebtedness (principal, with accrued and accruing interest), validated and confirmed by the act of Congress of January 16, 1897, as was originally embraced in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid

bonds issued to the New Mexico and Southern Pacific Railroad Company and in the judgment mentioned in the said act of 1897, as well as in the refunding by the county of Santa Fe of the principal and interest of its railroad-aid bonds issued to the Texas, Santa Fe and Northern Railroad Company, and also as was originally embraced in the issue by the county of Grant of its railroad-aid bonds under the supposed authority of the territorial railroad-aid act of 1872, but after its repeal by the act of Congress of 1878; and be it further

Resolved, That the secretary of the territory be, and hereby is, directed to make and transmit seven copies of this memorial to our Delegate in Congress, one for himself and the others to be transmitted by him, one to the President of the Senate, one to the Speaker of the House, one to Senator ELKINS, two to the Senators from Colorado, respectively; two to the chairmen, respectively, of the proper Senate and House committees.

CHAS. A. SPIESS,
President of the Council.

WM. F. BROGAN,
Chief Clerk Council.

E. A. MIERA,
Speaker House of Representatives.

E. H. SALAZAR,
Chief Clerk House of Representatives.

Approved this 18th day of March, 1909.

GEORGE CURRY,
Governor of New Mexico.

Filed in office of secretary of New Mexico, March 18, 1909, 11.55 p. m.

NATHAN JAFFA, *Secretary.*

Mr. JONES presented petitions of sundry citizens of Okanogan, Kent, and Everett, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. STONE presented petitions of sundry citizens of Chesterfield, Trenton, Doniphan, Napier, Forest City, Richwood, Meadville, Faucett, Dickens, Taneyville, Keytesville, Milo, Cadmus, and Wesco, all in the State of Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Farmers' Union of Laclede County, Mo., praying that an appropriation be made for the maintenance of the Country Life Commission, which was referred to the Committee on Appropriations.

He also presented a memorial of the Century Club, of Monroe City, Mo., remonstrating against an increase of the duty on gloves, hosiery, and other wearing apparel, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Silex, Mo., remonstrating against the passage of the so-called "postal savings banks" bill, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DEPEW presented a petition of the American Oriental Society, of New York City, N. Y., praying for the admission free of duty of imported scientific books dealing with foreign languages, which was ordered to lie on the table.

He also presented petitions of sundry employees of the Walden Knife Company, of Walden; of the Geneva Cutlery Company, of Geneva; of Foster Brothers & Chatlion, of Fulton; and of the Schrade Cutlery Company, of Walden, all in the State of New York, praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. ROOT presented petitions of sundry citizens of New York, praying for an increase of the duty on lithographic products, which were ordered to lie on the table.

He also presented a memorial of sundry wholesale merchants of New York City, N. Y., remonstrating against an increase of the duty on cotton goods, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for an increase of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Troy, Hastings-on-Hudson, Cherry Creek, Elmira, Waverly, Turin, Fish Creek, Vloesville, Flatbuck, Patterson, Brooklyn, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry employees of the Robeson Cutlery Company, of Perry; the Carrier Cutlery Company, of Elmira; the Warwick Knife Company, of Warwick; the Case Brothers Cutlery Company, of Little Valley; the George W. Korn Razor Manufacturing Company, of Little Valley; the Napanoch Knife Company, of Napanoch; the Ulster Knife Company, of Ellenville; the Cattaraugus Cutlery Company, of Little Valley; the New York Knife Company, of Walden; the Foster Brothers & Chatlion, of Fulton; the Geneva Cutlery Company of Geneva; the Schrade Cutlery Company, of Walden; the Walden Knife Company, of Walden; and of sundry merchants and citizens of Walden, all in the State of New York, praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

Mr. HALE presented petitions of sundry citizens of East Corinth, Troy, Portland, Unity, Bar Harbor, Augusta, Winthrop, Pittsfield, South Penobscot, Bangor, Lubec, Bridgewater, and Stetson, all in the State of Maine, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McLAURIN:

A bill (S. 2034) granting an increase of pension to Charles R. Knox; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 2035) granting an increase of pension to Jacob H. Wolcott; to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 2036) to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River; to the Committee on Commerce.

By Mr. OLIVER:

A bill (S. 2037) referring the claim of Robert Munroe, surviving partner of Watson & Munroe, to the Court of Claims; to the Committee on Claims.

A bill (S. 2038) granting a pension to Isaac Wise;

A bill (S. 2039) granting a pension to Jacob B. Scheid (with the accompanying paper); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 2040) to amend an act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances," approved March 23, 1906; to the Committee on the District of Columbia.

By Mr. BULKELEY:

A bill (S. 2041) to establish a light-house on East Reef, near Thimble Islands, Long Island Sound; to the Committee on Commerce.

By Mr. DU PONT:

A bill (S. 2042) granting an increase of pension to George W. Tilghman; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 2043) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home; to the Committee on Public Lands.

By Mr. BANKHEAD:

A bill (S. 2044) granting a pension to Janie Atnip; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 2045) for the relief of John B. Lord, owner of lot 86, square 723, Washington, D. C., with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia; to the Committee on the District of Columbia.

By Mr. WETMORE:

A bill (S. 2046) granting an increase of pension to Mary E. Ball (with the accompanying paper); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 2047) amending section 5240 of the Revised Statutes of the United States; to the Committee on Finance.

A bill (S. 2048) to amend the act approved July 2, 1890, entitled "An act to protect trade and commerce against any unlawful restraints and monopolies;" and

A bill (S. 2049) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Michigan; to the Committee on the Judiciary.

A bill (S. 2050) to provide for the completion of the park surrounding the filtration plant in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 2051) to provide for the erection of a public building at Agricultural College, Mich., and the establishment of a Weather Bureau station therein; to the Committee on Agriculture and Forestry.

A bill (S. 2052) to grant an honorable discharge to Cornelius De Haas; and

A bill (S. 2053) to tranfer Capt. John Clarke Wilson from the retired list to the active list of the navy; to the Committee on Naval Affairs.

A bill (S. 2054) to provide for the purchase of a site for a public building at Big Rapids, Mich.; and

A bill (S. 2055) to provide for the purchase of a site for a public building at Charlotte, Mich.; to the Committee on Public Buildings and Grounds.

A bill (S. 2056) naturalizing Charles W. Hilliker;

A bill (S. 2057) naturalizing George Drought; and

A bill (S. 2058) naturalizing Charles Walkley LaDu; to the Committee on Immigration.

A bill (S. 2059) for the relief of Sophie M. Guard;

A bill (S. 2060) for the relief of I. Winslow Ayer;

A bill (S. 2061) for the relief of Orlando B. Willcox and certain other army officers and their heirs or legal representatives;

A bill (S. 2062) for the relief of Clarence A. Rendt; and

A bill (S. 2063) for the relief of John W. McCrath; to the Committee on Claims.

A bill (S. 2064) to quiet title to certain land in Dona Ana County, N. Mex.; and

A bill (S. 2065) to authorize the sale of dead, down, and injured timber in Alpena and Roscommon counties, Mich.; to the Committee on Public Lands.

A bill (S. 2066) for the establishment of a light-house and fog signal at the easterly end of Michigan Island, Apostle Group, westerly end of Lake Superior, Wisconsin;

A bill (S. 2067) to make Holland, in the State of Michigan, a subport of entry, and for other purposes; and

A bill (S. 2068) to make Petoskey, in the State of Michigan, a subport of entry, and for other purposes; to the Committee on Commerce.

A bill (S. 2069) to correct the military record of Capt. Daniel H. Powers (with the accompanying papers);

A bill (S. 2070) authorizing and directing the Secretary of War to enter on the roll of the Third Regiment Michigan Volunteer Cavalry the name of William J. Shirley;

A bill (S. 2071) to remove the charge of desertion from the military record of William T. Lang;

A bill (S. 2072) to remove the charge of desertion from the military record of John Reed;

A bill (S. 2073) granting an honorable discharge to Benjamin W. Eble;

A bill (S. 2074) to remove the charge of desertion from the military record of David Houk;

A bill (S. 2075) to remove the charge of desertion from the military record of Joseph Neveau;

A bill (S. 2076) granting an honorable discharge to Glenn Bennett;

A bill (S. 2077) granting an honorable discharge to Adam D. Shriner;

A bill (S. 2078) granting an honorable discharge to Henry S. Hunter;

A bill (S. 2079) to correct the military record of Clark G. Russell;

A bill (S. 2080) to regarrison Fort Mackinac and maintain the same as a military post;

A bill (S. 2081) to remove the charge of desertion from the military record of John Esseltine;

A bill (S. 2082) to remove the charge of desertion from the military record of Earl Hoisington, jr.;

A bill (S. 2083) to remove the charge of desertion from the military record of Henry Fuller;

A bill (S. 2084) to remove the charge of desertion from the military record of Andrew Martin; and

A bill (S. 2085) to remove the charge of desertion from the military record of James Malloy; to the Committee on Military Affairs.

A bill (S. 2086) granting an increase of pension to Peter Boyer;

A bill (S. 2087) granting an increase of pension to Francis G. Bourasaw;

A bill (S. 2088) granting a pension to Almira J. Sterling;

A bill (S. 2089) granting an increase of pension to Josiah M. Rice;

A bill (S. 2090) granting an increase of pension to John A. Battenfield;

A bill (S. 2091) granting a pension to Rachel F. Prince;

A bill (S. 2092) granting an increase of pension to Silas Wright;

A bill (S. 2093) granting a pension to George Seward;

A bill (S. 2094) granting an increase of pension to Martha F. Turner;

A bill (S. 2095) granting an increase of pension to Isaac R. Jameson;

A bill (S. 2096) granting a pension to W. H. Rugg;

A bill (S. 2097) granting a pension to Allen B. Be Dell;

A bill (S. 2098) granting an increase of pension to Albert L. T. Bush;

A bill (S. 2099) granting a pension to Alvena Wiggins;

A bill (S. 2100) granting a pension to Emma L. Parker;

A bill (S. 2101) granting an increase of pension to Sidney M. Smith;

A bill (S. 2102) granting an increase of pension to Martin Selak;

A bill (S. 2103) granting an increase of pension to Benjamin Morse;

A bill (S. 2104) granting a pension to Agnes Hunt (with the accompanying paper);

A bill (S. 2105) granting an increase of pension to Lewis Philbrick;

A bill (S. 2106) granting an increase of pension to Charles Moulton;

A bill (S. 2107) granting an increase of pension to George Alexander;

A bill (S. 2108) granting an increase of pension to Benjamin S. Whitman;

A bill (S. 2109) granting a pension to Lydia A. Brigham;

A bill (S. 2110) granting an increase of pension to Charles R. Moore;

A bill (S. 2111) granting an increase of pension to Elias Riegle;

A bill (S. 2112) granting a pension to William Cordes;

A bill (S. 2113) granting an increase of pension to Marshall H. Burnham;

A bill (S. 2114) granting an increase of pension to Alice M. S. Duryea;

A bill (S. 2115) granting an increase of pension to Jane A. Ecker;

A bill (S. 2116) granting an increase of pension to Charles A. Norris;

A bill (S. 2117) granting an increase of pension to John M. Randell;

A bill (S. 2118) granting an increase of pension to George M. Peaslee;

A bill (S. 2119) granting a pension to Margaret A. Barker;

A bill (S. 2120) granting a pension to George W. Derby;

A bill (S. 2121) granting a pension to Elizabeth F. Houghton;

A bill (S. 2122) granting a pension to Mary Caroline Douglas;

A bill (S. 2123) granting a pension to Emma R. Walters;

A bill (S. 2124) granting a pension to Louisa E. Lawrence;

A bill (S. 2125) granting a pension to Sarah Elsie Green;

A bill (S. 2126) granting an increase of pension to Caroline E. Sweet;

A bill (S. 2127) granting a pension to Lucinda W. Van Hyning;

A bill (S. 2128) granting an increase of pension to Renselarr B. Ransom;

A bill (S. 2129) granting an increase of pension to Gardner B. Clark;

A bill (S. 2130) granting an increase of pension to George A. Brown;

A bill (S. 2131) granting a pension to Elizabeth A. Stebbins;

A bill (S. 2132) granting an increase of pension to Frank D. Newberry;

A bill (S. 2133) granting an increase of pension to Benjamin Golding;

A bill (S. 2134) granting an increase of pension to Lyman G. Willcox;

A bill (S. 2135) granting a pension to Mary E. Smith;

A bill (S. 2136) granting a pension to Annie B. Jackson;

A bill (S. 2137) granting an increase of pension to Mary E. Gaylord;

A bill (S. 2138) granting a pension to Hiram S. Millis;

A bill (S. 2139) granting a pension to Emma J. Pride;

A bill (S. 2140) granting a pension to Anna E. Warden;

A bill (S. 2141) granting a pension to Cynthia A. Slayton;

A bill (S. 2142) granting an increase of pension to David Collins;

A bill (S. 2143) granting an increase of pension to Joseph Barton;

A bill (S. 2144) granting an increase of pension to Eunice C. Wickware;

A bill (S. 2145) granting an increase of pension to Charles W. Morrow;

A bill (S. 2146) granting an increase of pension to George W. Mulliken;

A bill (S. 2147) granting an increase of pension to Benjamin Stroup;

A bill (S. 2148) granting a pension to Archie H. Wright;

A bill (S. 2149) granting an increase of pension to William S. Dailey;

A bill (S. 2150) granting an increase of pension to Artemus Ward;

A bill (S. 2151) granting a pension to Eliza Bracelin;

A bill (S. 2152) granting an increase of pension to Jacob R. Riblet;

A bill (S. 2153) granting an increase of pension to Geraldine Tift;

A bill (S. 2154) granting an increase of pension to Henry O. Briggs;

A bill (S. 2155) granting an increase of pension to James Malloy;

A bill (S. 2156) granting a pension to Sarah J. Fitzgibbon;

A bill (S. 2157) granting a pension to Sarah J. Fix;

A bill (S. 2158) granting a pension to Jennie Dunn;

A bill (S. 2159) granting a pension to Verona H. Coon;

A bill (S. 2160) granting a pension to Lucy Ann Palmer;

A bill (S. 2161) granting a pension to Frankie Esselstyn;

A bill (S. 2162) granting an increase of pension to George M. Horton;

A bill (S. 2163) granting a pension to John C. Hurst;

A bill (S. 2164) granting a pension to Helen Mirrin;

A bill (S. 2165) granting an increase of pension to Francis M. Forman;

A bill (S. 2166) granting a pension to Samuel Limenstall;

A bill (S. 2167) granting a pension to Leonard C. Wiswell;

A bill (S. 2168) granting an increase of pension to Charles S. Vahue;

A bill (S. 2169) granting an increase of pension to Robert R. Marsh;

A bill (S. 2170) granting a pension to Emeline C. Seger;

A bill (S. 2171) granting an increase of pension to Wharton R. Marsh;

A bill (S. 2172) granting an increase of pension to Benjamin Wiggins;

A bill (S. 2173) granting a pension to Mary A. Dawes; and

A bill (S. 2174) granting an increase of pension to Charles H. Sedgwick; to the Committee on Pensions.

Mr. McCUMBER. Before we pass from those bills, I wish to ask if they were all introduced by one Senator?

The VICE-PRESIDENT. They were all introduced by the Senator from Michigan [Mr. SMITH].

Mr. McCUMBER. Then I should like to ask the Senator from Michigan, so as to guide to a certain extent the Committee on Pensions, the number of surviving soldiers in the State of Michigan, and how that number compares with the number of bills he has just introduced.

Mr. SMITH of Michigan. Mr. President, I refer the distinguished Senator to the records of the Grand Army of the Republic in the State of Michigan, and he will find his question answered.

Mr. McCUMBER. It is evidently true that the Senator knows what the records are and the number. I do not myself know, and therefore I ask him.

Mr. SMITH of Michigan. I know that these bills represent a very small proportion of the gallantry the State of Michigan furnished.

Mr. CULBERSON. I should like to know how many of these pension bills have just been introduced by the Senator from Michigan, in view of the inquiry of the Senator from North Dakota.

The VICE-PRESIDENT. The Chair has not counted them. The Secretary will count them, if the Senator desires. There are quite a number.

Mr. McCUMBER. I understand that the Senator from Michigan has not had time to count them.

Mr. CLAPP. I should like the attention of the Senate for a moment in this connection. The Senate passed a rule two or three years ago providing that pension bills, private claims bills, and other bills of that kind, may be filed with the clerks and recorded as introduced. The fact is, that either the rule has been forgotten or, in the case of those who may have come in since the rule was adopted, it has not been called to their attention, because every morning we go through the same ceremony of the introduction of bills and gain nothing by it, when most of them might be filed with the clerks, put in the RECORD, and credited to the Senator filing them.

By Mr. TALIAFERRO:

A bill (S. 2175) granting a pension to Mollie Brantley (with the accompanying papers);

A bill (S. 2176) granting an increase of pension to Peter F. Pellicer (with an accompanying paper);

A bill (S. 2177) granting an increase of pension to Cassinovo Masters (with an accompanying paper); and

A bill (S. 2178) granting an increase of pension to Peter C. Masters (with an accompanying paper); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 2179) to authorize and empower J. L. Hankinson, N. B. Dial, and their associates, successors, and assigns, to construct a dam; to the Committee on Commerce.

By Mr. SMITH of Michigan:

A joint resolution (S. J. R. 27) granting condemned cannon for a statue to Gen. George A. Custer, of Michigan;

A joint resolution (S. J. R. 28) granting to the State of Michigan permission to use for its own purposes unused portions of condemned cannon granted to that State by joint resolution of June 23, 1906; to the Committee on Military Affairs.

A joint resolution (S. J. R. 29) appropriating $275,000 for immediate and necessary work on the harbor of refuge, Harbor Beach, Mich.;

A joint resolution (S. J. R. 30) providing for an examination and survey of White Lake Harbor, Michigan; and

A joint resolution (S. J. R. 31) directing an examination of Pigeon River, at Port Sheldon, Mich.; to the Committee on Commerce.

AMENDMENTS TO THE TARIFF BILL.

Mr. OLIVER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GAMBLE submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BURTON submitted three amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. GUGGENHEIM submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

CARE OF DEPENDENT CHILDREN.

Mr. OWEN. I submit a resolution, and ask for its present consideration.

The resolution (S. Res. 39) was read, as follows:

Senate resolution 39.

Resolved, That there be printed 6,000 copies of Report of the Conference on the Care of Dependent Children (S. Doc. 721, 60th Cong. 2d sess.), of which 1,000 copies shall be for the use of the Senate and 5,000 copies shall be for the use of the conference.

The VICE-PRESIDENT. The Senator from Oklahoma asks for the present consideration of the resolution.

Mr. GALLINGER. I ask the Senator if he has ascertained the cost of the printing?

Mr. OWEN. I was just going to state that I have ascertained the cost, and it is within the limit of $500.

Mr. GALLINGER. Mr. President, notwithstanding that, it seems to me that the resolution ought to go to the Committee on Printing. I move that it be referred to the Committee on Printing.

The motion was agreed to.

SUGAR IMPORTATIONS.

Mr. BRISTOW submitted the following resolution (S. Res. 40); which was considered by unanimous consent and agreed to:

Senate resolution 40.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate—

First. The amount of raw sugar imported into the United States during the fiscal year ending June 30, 1908, by each sugar refinery in the United States.

Second. The countries from which these refineries imported such raw sugar, the amount imported from each country, and the price at American port of the sugar imported from each country during the fiscal year ending June 30, 1908.

THE TARIFF.

Mr. ALDRICH. I ask that the Senate proceed to the consideration of House bill 1438.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. RAYNER. Mr. President, my remarks will be brief, and I will kindly ask not to be interrupted. If any of my party colleagues should disagree with me in any statement that I may make, I will ask them to wait until I have finished, because I am almost sure that they will agree with me in the conclusions that I have reached.

I have risen mainly for one purpose, and that is to try and find out where I am in this bewildering confusion upon the subject before us. I want to locate myself, if possible, in this wild night of tumult and commotion, and see if there is any light upon the horizon that will lead me to an anchorage out of the gloom.

Where am I and what am I? These are the momentous problems that are surging in upon me. I have never had the slightest difficulty before in solving them. What is there in this perplexing hour to entangle me in uncertainty and doubt? The Senator from Rhode Island proclaimed the other day that our party had practically abandoned the principles for which it contended so hard not many years ago, and that it was no longer in favor of a tariff simply for revenue, but it had become a convert to the doctrine of a tariff for protection. I respectfully deny that statement, but even if it were so, simply speaking for myself, now, where do I stand? Am I in favor of a tariff for revenue with incidental protection or of a tariff for protection with incidental revenue? Am I a Democrat, for instance, on free hides and a Republican on groundnuts? Am I a protectionist on zinc ore and pig iron and a revenue reformer on citrons and pineapples?

And where do I stand when the faith of my fathers strikes the subject of raw materials? What has become of the epic poem that we chanted during the Cleveland administration of free wool and other kindred products? At that time the air was charged with these incantations, and if my memory is not in error an entire presidential message was devoted to these beautiful melodies. Now, what is a raw material? It appears that wool, for instance, is not a raw material at all. That has been demonstrated in recent debates upon the topic. Even sheep are not a raw material. They are a manufactured product. In a great oration that was lately delivered upon this theme a gentleman asks, "Are mules raw materials? Well, if mules are not raw materials why are sheep raw materials?" In a controversy that took place here a few weeks ago, and to which I have already referred in previous remarks, the Senator from West Virginia protested against New England taking his manufactured products and calling them raw materials.

I could not at that time understand why Massachusetts should depredate upon the holdings of the Senator from West Virginia, because West Virginia had not at all invaded the possessions of the Senator from Massachusetts. Massachusetts is rich enough. Everybody is comfortable in Massachusetts except, perhaps, the operatives and laborers who make the profits for her factories and mills. It is entirely different in West Virginia. There are only a few people in West Virginia who have saved a few million dollars, say from fifteen to twenty million dollars apiece, and they are absolutely dependent upon their income for a living, and, all their investments being in raw materials, I thought at the time that it was a shame for the Senator from Massachusetts not only to take a place upon the committee himself, but practically to exclude the Senator from West Virginia from the committee, and in distributing the benefits of protection to deprive the Senator from West Virginia of his raw materials, upon which he is entirely dependent for a living. I am glad now that this controversy is on the eve of adjustment. I predicted that it would be, but I am more than gratified at the happy result. Massachusetts said to West Virginia, "We want free Nova Scotia coal," and West Virginia replied to Massachusetts, "We want cheaper Massachusetts shoes and woolens." "That will not do," said the Senators from Massachusetts, "because that is a violation of the New England doctrine of tariff reform, whose motto is 'The cheapest market in which to buy and the dearest market in which to sell.'"

Some of our friends thought when we heard the philippic of the Senator from West Virginia that he was arranging to come over to our side, and that there was a chance perhaps of nominating him for the next Democratic President upon a raw-material platform.

While he seemed to be in dead earnest, and while his invective was magnificent, I did not think at the time that it meant war. I felt that the Republican party, under the masterly leadership of the Senator from Rhode Island, would come to the conclusion that it is better to keep West Virginia in the Republican column than to give New England Canadian coal.

In this connection I want to avail myself of the opportunity to congratulate the Senator from Rhode Island upon the tremendous work that he has accomplished. I do not believe that in the whole history of tariff legislation such an amount of labor has ever devolved upon a single individual. There is not that man nor combination of men living who can frame a tariff bill to suit the conflicting interests of the United States. That conflict is growing instead of diminishing, and what the commercial interests of this country demand now is a settlement of this harassing question.

We are in a condition now that is worse than a panic, because the business community is in a state of uncertainty and suspense that is detrimental to our prosperity, and without intimating that we are hastily to conclude this legislation, if we can intelligently accelerate it to a speedy determination I am sure that such action will meet with the unstinted approbation of our constituents. Without indulging in any violent denunciation, it is simply my purpose now to enter my protest against this bill, against substantially its entire framework and against the entire process and methods that underlie its construction.

The Senator from Rhode Island, in a brief discussion that took place a few weeks ago over the practice that obtained before the Finance Committee, boldly stated in this presence that a tariff for revenue and free trade were identically one and the same thing. This is the first time that I have ever heard the proposition thus announced. I have never come across a passage upon the pages of political economy; I have never heard a practical expert or statistician treat the subject from this standpoint. I have always considered that free trade between this country and other countries meant the abolition of custom-house duties, and, if I am permitted to say so, I think that the Senator confuses fair competition with free trade.

To tell me that a government that should propose upon a revenue basis to collect about $300,000,000 a year by placing a duty upon about 4,000 articles of importation is a free-trade country is a proposition so startling that it is impossible to comprehend it. The Senator, who is always courteous and kind in his intercourse with every Member of this body, although he has had enough to make him irritable and disagreeable for the balance of his life, in the performance of this work that has so largely devolved upon him, complimented me the other day in saying that he thought I was capable of framing a tariff bill. I beg to differ with him. I tried it once. In one of my hotly contested congressional campaigns a well-intentioned friend of mine approached me and said he thought that I knew all about the tariff and that I certainly would be successful if I wrote a book upon it and distributed it through my district. In an evil hour I took his advice. I wrote the book, and it was well distributed. It was a fine work. There was a great demand for this book. It was a work of 160 pages. I was defeated just 160 votes [laughter], and I have always thought that if the book had been a thousand pages I might have been defeated a thousand votes. [Laughter.] My district at that time was evidently a protection district. This has been over twenty years ago, and I have never published a second edition of this work. It is therefore with some degree of diffidence that I even venture to make any suggestions upon this exasperating subject.

What annoys me now worse than anything else is that for years and years I have studied the perplexing details of these bewildering schedules. I accumulated volume after volume in every living language and from every author, either dead or living, upon the captivating theme of the tariff, because I then had the idea that every youthful and ambitious tariff reformer has—that Providence had endowed me with the special faculty of once and forever settling this mighty question. I was encouraged in this belief because, under the Cleveland administration, I was associated in the House of Representatives with a body of tariff reformers who were, each of them, respectively, possessed of the same conceit and laboring under the same delusion. We passed a bill. The Senator from Rhode Island knows what became of it. The Senator will recall it, because he was in the fire of that fight, and when the bill came back from the Senate it was like the counterfeit presentment of two brothers, resembling our beneficent measure about as much as this bill resembles its progenitor in the House of Representatives, and about as much as the conference bill will resemble either of these bills.

Notwithstanding all these retarding experiences which I have had, I must summon up the courage to again venture a few suggestions, and that is all at this present moment, in reference to this bill which have passed through my mind as I have studied its provisions. I do not propose now to enter upon any particular schedule. I shall do that hereafter. The moment you do that you lose sight, to some extent, of the principles that are involved. It is time enough to enter upon such a discussion when the various schedules are reached. A particular schedule is largely a matter of justice or injustice in the dis-

tribution of protection, and does not reach, to my mind, the fundamental proposition that is involved in the entire construction of this bill.

I am not criticising anyone at all in any views that he may entertain upon this bill. Everyone is entitled to his own judgment, and as we are all equally honest about it, it might be just as well for each of us, respectively, to announce his own opinion without commenting upon those who differ with him. I have not the slightest fault to find with anyone who may disagree with me. He may be right and I may be wrong. I would be an arrant coward, however, if I stood here and hesitated honestly and conscientiously to give expression to my thoughts upon this subject.

The Senator from Rhode Island, although he said it, as is always his custom, in the most urbane and courtly manner, did not terrify me the other day when he hurled against me the time-worn and tawdry epithet of "free trade." There have been free traders in this country and plenty of them. Frank Hurd, one of the most eloquent men who ever made his entry into the House of Representatives, was an out-and-out free trader. I have never believed in free trade between this country and other countries. I think from every practical standpoint it is perfectly preposterous to talk about it. I think the country would vote such a proposition down almost with practical unanimity. I believe in custom-house taxation, and I do not believe any other system will ever take its place to the satisfaction of the American people. Free trade is not the question before us, and no amount of reproach and adjectives will deter me from stating what the question really is. If there were a resolution now boldly before the Senate in favor of the entire abolition of tariff duties, I do not believe that the doctrine of free trade would receive a single vote upon our side of the Chamber. Let me now read, in this connection, several extracts, very brief, from Democratic platforms, upon one of which Mr. Tilden was nominated for President, and upon the other of which Mr. Cleveland was nominated. I only want to refresh my memory now with these declarations of party policy so as to find out exactly where I am, as I said in the beginning of these remarks.

In 1876 the platform upon which Mr. Tilden was nominated declared:

> We denounce the present tariff, levied upon nearly 4,000 articles, as a masterpiece of injustice, inequality, and false pretense.
> * * * We demand that all custom-house taxation shall be only for revenue.

In 1892 the platform upon which Mr. Cleveland was nominated proclaimed:

> We denounce Republican protection as a fraud—a robbery of the great majority of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purpose of revenue only.

As I understood at that time, these tariff planks were written, respectively, by the Democratic leaders whose names I have mentioned, and they embody, in my judgment, our party axiom, and that is that we have no constitutional power to collect tariff duties except for the purpose of revenue. That has been the battle cry of Democracy for over a quarter of a century. During the half of a century we have twice elected a Democratic President upon a platform that planted itself upon this cardinal principle of our institutions. We have never yet trailed our banner in the dust that bore the party emblem of a constitutional tariff for revenue, and, as the junior Senator from Texas proclaimed the other day, if we were in power we would undoubtedly put that doctrine into practical execution. If we abandon that issue now, I can not see what other issue there is between the parties. Of course, Mr. President, if we are wrong, let us abandon it; if with industrial development we have concluded that it is best now to change the traditions of our faith and levy a tariff for protection, let us say so. I shall find no fault with those who have arrived at this conclusion. Tempora mutantur et cum illis mutamur.

This brings me, Mr. President, to my objections to the present bill, and I shall state them concisely. In the first place, it being a bill to provide revenue, it fails to provide it. It is entitled "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." If the title has anything to do with the subject-matter, it ought to be entitled "A bill to encourage the industries of the United States, and for no other purpose."

The chairman of the Committee on Appropriations in the House of Representatives has stated that the deficit for the fiscal year 1909 will be in the neighborhood of $150,000,000. You can study this bill by night and by day, and it is utterly impossible under this bill to make up this deficit, even if you deduct from this amount the sums that come under the head of "Permanent appropriations"—the fund for the redemption of national-bank notes and the sinking-fund provision. Taking a normal year as a basis, I doubt very much whether it will add any appreciable amount to our present collections. In all of the arguments and presentations that have been made upon the subject I have discovered no estimate, except guesswork and conjecture, that pretends to cover this amount. I have examined it carefully by comparison in this respect with the best help that I can procure upon the subject, and it is impossible for me to arrive at the results reached by the Senator from Rhode Island by any figuring or computation that I can make. With what light, therefore, that I can gather, I pronounce this bill to be an utter failure in so far as providing the necessary amount of revenue is concerned.

This brings me to the next objection, and that is that it does not provide the additional revenue simply because its main object is to furnish protection and not revenue. The whole framework of the bill is protection first and revenue afterwards, and with great deference to the Senator from Rhode Island and the committee, I think that it would have been far better to have allowed the matter to stand as it was upon the Dingley bill without attempting any revision at all. Of course the revision was promised, and some sort of a revision had to be made, and you will understand me that I do not criticise or censure the Republican party for making the attempt at least to fulfill its political obligations, but if such a promise had never been made, then, in my judgment, it would have been far better for the consuming public of America if no tariff legislation had been attempted at this session and the Dingley bill had stood intact in all of its provisions, as much as I am opposed to it.

Now, our proposition would be, if we had the power to exercise it, to frame a bill for revenue, which is the very opposite of this bill, because this bill is formulated upon the principle of protection, with incidental revenue, if you can possibly get it. Protection, and not revenue, runs through every paragraph and bracket of this measure. It was an easy task to supply revenue if you left protection for the time out of consideration. It becomes a task utterly impossible of accomplishment if, with almost every schedule outside of the free list, protection and not revenue is the objective point.

Now, the question will be asked, How could the necessary revenues have been obtained without destroying, or at least impairing, American industries? I will answer that by saying that if I had a hand in the framing of a tariff bill I would be guided by the following process: Summoning to my aid the best practical experts that I could procure, I would take the schedules and divide and apportion them in this manner: I would separate the schedules into four divisions; in the first place, I would take the necessities of life and place them in a separate column; in the next place, I would take the luxuries and do likewise; in the next place, I would take the lawful industries and enterprises that are represented in the list; and in the last column I would place the monopolies that are practically controlling the American output and are commanding their own prices in the American market. I would levy the lowest tax possible upon the necessities of life and the highest tax possible upon the luxuries, and I would make reductions so as to maintain at all times the standard of American wages. Mr. Cleveland wrote into the platform of 1884 these words upon this particular detail, and they can not be improved upon:

> From the foundation of this Government taxes collected at the custom-house have been the chief source of federal revenue. Such they must continue to be. * * *
> The necessary reduction and taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Throughout the whole of the bill I would look out for the consumer. You may examine this bill, outside of the free list, and it is almost impossible to discover the consumer in any of its complicated schedules.

Analyze Schedule B and see how protection will continue to maintain its excessive prices in the furnishing and equipping of every home in the country, and then when you come to Schedule C, from iron ore up, look at what perfectly trifling changes have been made in these oppressive duties. In Schedule I a change was made from the Payne bill back again to the Dingley bill, and that only after a united protest and clamor arose from the consuming public against the iniquity of increased duties upon articles of necessary consumption. In Schedule J, in its principal provisions, instead of reducing duties they have been raised, to give unreasonable profits to a few manufacturers grouped together principally in a single State of the Union. Schedule K is an insult, as it has always been to the American people, and challenges their right to live except with the permission of the interests that have dictated their own excessive figures, and all through the unclassified sections of Schedule N we look in vain for any

relief from this system of ravenous rapacity that does not seem willing to leave open a single avenue of escape from its penalties and inflictions.

It is true that the bill makes reductions, but in the large number of reductions the duty is either still prohibitive or sufficiently protective so as to confer no benefit upon the consumer whatever. This is where the ingenuity that was at work in the composition of the bill becomes apparent. I will not use the words "artifice" or "design," because I want to be conservative in any statements that I make; but I do say this, that both in the Payne bill and in this bill, upon a critical analysis, you can easily discern the delicate touch of a fine Italian hand, or, rather, two hands, one of them reducing duties and the other still keeping them up to such a figure that the reduction will be of no actual benefit to the American consumer. That constitutes the genius of the bill. It was a difficult task to perform, to reduce duties and still not to reduce them; but God seems to have given the Republican party the brains to perform this paradoxical maneuver. Under the magic touch of the architects of this bill the American consumer will have exhibited before him a large number of reductions in the tariff, and he will be delighted pro tanto, and the industries that are furnishing the articles upon which the duties are reduced will at the same time fully realize that the reducing still enables them to command their own prices, and they will be more than delighted.

I make this prediction: That the bill will not, and it does not, in any substantial degree lower prices to the consumer; and I make another prediction, and that is that this bill will not in any substantial degree affect the inordinate profits that the protected industries are now receiving through custom-house taxation. I congratulate the chairman of the Ways and Means Committee of the House and the chairman of the Finance Committee of the Senate and their colleagues and the Republican party, and particularly the American Protective Tariff League, that they have carried out their promise in revising the tariff to suit themselves and that the American people have again been fooled, and that they will be fooled to all eternity until and unless this whole subject of federal taxation is rescued from the contaminating touch of politics and these great combinations of fabulous dimensions that to-day practically own the Government of the United States are told that the hour has come when they must dissolve and retire and make way for the people, so that legitimate American enterprise, upon the broad avenues of competition, can resume its time-honored vocation and reassert its ancient rights.

Mr. President, I am not a demagogue. I hate a demagogue. I could not be one if I wanted to. I am the friend, the ardent friend, of every lawful business enterprise in this land. My colleague and myself represent not only a farming and agricultural constituency and a constituency of intelligent mechanics and laboring men, but we represent a great city whose heart is throbbing with activity and enterprise, a metropolis with as fine facilities as any on the globe and with a line of merchants and manufacturers whose unbroken record of honor and integrity has made our business establishments and great banking and counting-houses famous at every commercial center of the world. From time immemorial we have borne this reputation, ever since the Baltimore clippers sailed the sea, the pride and the glory of the American merchant marine, until this day, when upon the bosom of our waters there is transported and imported from almost every land and clime the commerce of mankind. In the closing observations, therefore, that I am now about to make, it will be understood that I intend no reference to any lawful business pursuit conducted anywhere within the broad domain of this land. Upon a careful examination of this bill, I now assert that I can not find within any of its provisions any change that will relieve us from the exactions and oppressive tribute that have been levied upon the American people by the combinations of centralized wealth that are known under the name of "trusts."

This word "trust" is a misnomer. It means nothing, but as it conveys a certain idea to the public mind in our vernacular, I shall use it for want of a better phrase. If these combinations were a benefit to the country, I would favor the immediate withdrawal of all opposition to them and would give them the broadest latitude within which to extend their operations. If by combining the resources of capital they lowered the prices of consumption; if by creating new enterprises they enlarged the field of employment; if they increased the wages of labor; if they contributed in any manner to the prosperity or welfare of the country, I would let them advance with steady step and plant their acquisitions in every Commonwealth over the undisputed territory of the Union. But they do no one of these things. They raise prices, they limit production, they lower wages, they contract the demand for labor, they throttle competition, they monopolize the wealth of the land, they withdraw it from the channels of circulation, and when they are driven from one State they obtain their franchises in another and then return with insolence to pursue their calling in the place from which they are banished. I can look around in my own State and observe that whenever a new enterprise is started that comes in conflict with them they sweep down upon it as the cormorant does upon his prey, and that their rapacity is never appeased so long as a spark of vitality is left in any competitor that crosses their path.

I do not find within this bill a line or a sentence that weakens their grasp upon the commerce of the country. On the contrary, they show their hateful front in almost every schedule of this bill, principally in Schedule B, the glassware schedule; under the subtitle of "Manufactures of iron and steel," in the metal schedule; in the wool and woolen duties under Schedule K; in the flax, hemp, and jute schedule; in the sugar and oil schedules; and in the general provisions of the bill in the duties imposed upon the implements of husbandry and the utensils of the farm.

As against them, if I had the opportunity in the framing of a tariff bill I would open the ports of entry of this Republic. I would bring them in competition with the markets of the world. It is said that if we do this, we will interfere with other industries that are competing with them. There is hardly a word of truth in that statement, because they tolerate no rivalry and permit no interference.

One of the greatest blessings that could be conferred upon this country would take place if they could be made to resolve themselves into their constituent and component parts.

They have raised prices to such an inordinate figure that it is almost impossible for persons in moderate circumstances to procure the comforts of life; worse than this, they have deteriorated the products and supplies that they sell and have imposed upon the public articles of inferior grade and quality, and laying the whole country under tribute to their exactions and extortions, I think I voice the sentiment of the country when I say that I would follow them from schedule to schedule, and, as against them, would open up the highways of the ocean to the commerce of mankind.

The law does not seem to reach them, and I am frank to confess that I would like to see a tariff bill so constructed in its primary purpose that whenever their particular schedules are reached the duties should be so reduced that they would no longer be able to bankrupt and crush individual enterprise, and would no longer be able to dictate in commanding terms the price of almost every article of absolute necessity at the home and fireside of the American consumer, so that, compelled through free and fair competition to unclasp the fetters that enslave American commerce, the rights of their victims would thus be recognized, and the American people would be liberated and disenthralled.

Mr. NELSON. Mr. President, I shall ask the indulgence of the Senate for a short time this morning to discuss briefly some of the features of the lumber schedule of the pending bill; and, in order that I may not occupy too much of the time of the Senate, I shall be glad if I be not interrupted until the close of my remarks. Senators who have served with me here know that I do not generally object to interruptions and can, as a rule, take care of myself. So it is not on account of any fear of interruptions that I now ask this indulgence of the Senate, but rather to save time.

Mr. President, in order to know where we stand on this lumber schedule, I desire, first, to call attention to some preliminary matters. First as to paragraph 196, relating to square timber, etc., there is an apparent reduction of 50 per cent. The duty is apparently reduced from 1 cent per cubic foot to half a cent per cubic foot; but on examination it will be found to be nominal and rather an increase than a reduction in rate. When this tariff bill first saw the light in the other body it had in it what have been termed two or three "jokers." In reference to a tariff bill, I understand a "joker" to be where a provision on one hand professes to give a reduction and on the other hand undermines and destroys that reduction. I might say, before I proceed, that one of the greatest of these jokers was finally eliminated from the bill in the House. I refer to that part of the bill which contained the proviso in the provision reducing the tariff on sawed lumber from $2 a thousand to $1 a thousand, in paragraph 197. That proviso, had it not been eliminated, would have rendered the apparent reduction entirely nugatory. But there are two other minor jokers in the bill; and I want to call the attention of the Senate to these. The first one is in paragraph 196. That paragraph in the bill reads:

> Timber hewn, sided, or squared, otherwise than by sawing (not less than 8 inches square), and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

They raise prices, they limit production, they lower wages, they contract the demand for labor, they throttle competition, they

than 8 inches square), and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

There is injected into this provision the words:

Otherwise than by sawing—

Not found in the Dingley law of 1897.

The phrase "otherwise than by sawing" practically eliminates all squared timber from paragraph 196 for, as a matter of fact, all the squared timber which is used in this country is sawed timber. I know of no case in my section of the country where anybody uses hewn squared timber, except in the case of a small farmer, where he has a bit of oak timber on his land and wants to build a barn or something of that kind, he may go out into the woods and hew some sills; otherwise all squared timber—I might say over 90 per cent of the squared timber of the country—is sawed timber.

What is the effect of injecting into this paragraph the words "otherwise than by sawing?" The effect is practically to put all sawed square timber in the class of "sawed lumber not specially provided for, and so forth," in paragraph 197, where it would be subject to a duty of $1 per thousand feet board measure.

A cubic foot of squared timber contains 12 feet board measure. At $1 a thousand that amounts to 1 cent and 2 mills; in other words, while the Dingley law placed a duty of 1 cent a cubic foot on squared timber and while the bill as it comes here professes to reduce it to one-half a cent, yet by putting those words in that paragraph the duty is made higher than it is under the Dingley Act, practically making the duty on squared timber 1 cent and 2 mills per cubic foot, an increase of 2 mills over the Dingley law. Senators can figure it out for themselves and can ascertain that the figures I have stated are absolutely correct.

There is to my mind another "joker" in the bill, in paragraph 212, to which I want to call your attention.

The first part of this paragraph reads as follows:

"Any wood *or articles or forms of wood*, except those provided for in paragraphs *two hundred and six to two hundred and eleven, inclusive*, of this section, shall, if subject to duty, *pay five per centum ad valorem in addition to such duty*, ——."

"squared timber," "sawed boards," and "sawed lumber" are "articles or forms of wood," and are not in the excepted paragraphs, and are "subject to duty," hence are liable to "pay five per centum ad valorem in *addition to such duty*."

In other words, you have a cumulative duty of 5 per cent in addition to the duties in paragraphs 196 and 197. The residue of that paragraph, which is as follows, does not apply:

"and shall, *if otherwise free of duty*, pay a duty of five per centum ad valorem, whenever any such wood or articles or forms of wood are painted, polished, grained, stained, printed, or creosoted, or prepared or treated for fireproofing or waterproofing."

The cumulative duty of 5 per cent in the first part of paragraph 212 added to the duty in paragraphs 196 and 197 would nearly double the duties in the present bill on "squared timber," "sawed boards," and "sawed lumber," etc.

There are other provisions of this bill in reference to cumulative duties in other schedules to which I shall later call the attention of the Senate. I shall now confine myself to the lumber schedule. What are the present rates on lumber, and what are the rates proposed by the pending bill? I have already explained the present and proposed rates under paragraph 196, so shall confine myself to the classes and rates in paragraph 197. Under this paragraph the rate on unfinished "sawed boards, and so forth," is reduced from $1 to 50 cents per thousand, with the 5 per cent "joker" attached to which I have already referred, and on "sawed and unfinished lumber, and so forth," from $2 to $1 per thousand. The differential or cumulative duties of the Dingley law on planed and grooved boards and lumber are retained. The duties on planed and matched "boards," under the Dingley law and this bill, are as follows, per thousand:

	Under Dingley law.	Under bill H. R. 1438.
Boards planed one side	$1.50	$1.00
Boards planed two sides	2.00	1.50
Boards planed three sides	2.50	2.00
Boards planed four sides	3.00	2.50
Boards planed one side and grooved	2.00	1.50
Boards planed two sides and grooved	2.50	2.00
And on sawed lumber, etc., as follows:		
Sawed lumber planed one side	2.50	1.50
Sawed lumber planed two sides	3.00	2.00
Sawed lumber planed three sides	3.50	2.50
Sawed lumber planed four sides	4.00	3.00
Sawed lumber planed one side and grooved	3.00	2.00
Sawed lumber planed two sides and grooved	3.50	2.50

Over 90 per cent of the boards and lumber sold and used is planed or dressed lumber, usually dressed on two sides and often on three and four sides. In fact, in many places it is impossible to buy or secure undressed and unplaned lumber, and, of course, ceiling, flooring, and drop siding are always not only planed, but also grooved or matched.

I shall show later on, Mr. President, that the cost of planing and grooving lumber does not as a rule in well-equipped modern mills exceed 50 cents per thousand, and in none of them over 60 cents per thousand, and that the railway freight on a thousand feet of planed and dressed lumber is 15 per cent less than on the rough and unplaned lumber, and this explains why the lumbermen as a rule only ship planed and dressed lumber.

Mr. President, since my brief remarks the other day some Senators on this side have privately taken me to task and said that I am a free trader. Well, I do not mind that insinuation coming from an obdurate "standpatter." As expressive of my sentiment and as a warrant for my attitude with respect to this subject, I beg leave to quote as a text the following portions of the remarks of President Taft on December 16, 1908, in a speech delivered in New York. This is what President Taft said:

> I believe that the way to stamp out trusts and monopolies is to avoid excessive rates which tempt monopolies. It would be better to have no revision at all unless we are going honestly and fairly to revise the tariff on the basis promised by our party.

Mr. President, for several years the people of the great Northwest—the upper Mississippi Valley—the very heart of this continent, have been looking forward to a revision of the tariff; and whenever they referred to a revision of the tariff, they meant a revision downward and never a revision upward. What endeared Mr. Taft to the people of the Northwest, what made him so strong among our people, was the fact that even a year before he received the nomination for President, in a speech he made somewhere in the East—I do not now recall the place—he came out squarely in favor of a revision and a reduction of the tariff. Our people in the Northwest accepted that as his gospel, and that fact, more than anything else, made Mr. Taft near and dear to the people of the upper Mississippi Valley.

Mr. President, my objection to the duties levied upon lumber rests upon the fundamental fact that it is fostering and building up one of the greatest and worst monopolies in this country. We have heard much of the Standard Oil monopoly, how it has reached out and frozen out all its competitors in this country. So it has. By unjust rebates and discriminations it has succeeded in acquiring practically a monopoly of the oil industry. But this much can be said to the credit of that great monopoly, that it has from time to time made reductions in the price of its products.

How has it been with this great timber combination which practically controls the lumber supply of this country? It is estimated—and I think it is somewhere near correct—that about 20 per cent of all the available timber supply is now in forest reserves. Pretty much all the timber of any merchantable value that the Government owns is now in forest reserves, and as a result of that all the balance of the timber supply is in the hands of private owners, and it has gravitated into the hands of great monopolies. A comparatively small number of men control the timber supply of the country. We in the Northwest know something about it. When the lumbermen in Michigan and Wisconsin and Minnesota had to a large extent despoiled the forests of those States and denuded them, destroyed the supply of timber practically, except in Minnesota, they went out to the West and to the South and secured immense holdings of timber. In Minnesota there are three or four leading firms which control millions of acres on the Pacific coast. The Weyerhaeuser syndicate, with all its numerous subsidiary and affiliated corporations, to which Mr. Hines, president of the American Lumber Association, belongs, and who has been here laboring for a high tariff on lumber. The Weyerhaeuser syndicate has secured a large body of fine timber on the Pacific coast—upward of 2,000,000 acres of some of the best timber land on the Pacific coast. Then there is Mr. Walker, of Minnesota, who has secured in the neighborhood of 600,000 acres of the finest timber land in California, known as western pine. Then there is the firm of C. A. Smith & Co., of Minnesota, which has secured another large body of timber on the Pacific coast, also the firm of Shevlin & Co., and a number of other large firms from Wisconsin, Michigan, and other points have secured large bodies of timber land on the Pacific coast, so that these comparatively few syndicates and firms practically have a monopoly of the stumpage in that western country. They own or control upward of 4,000,000 acres of valuable timber lands in that section, and it is estimated by Mr. Hines that most of that land will run from twenty to fifty thousand feet board measure to the acre (see House hearings, p. 2945). How did they acquire it and at what cost? Weyerhaeuser acquired over a million acres in one lump from the Northern Pacific Railway Company at an average of 15 cents a thousand. The other concerns acquired most of their holdings at an equally low rate.

A large portion of the land Mr. Walker owns and controls he acquired by so-called forest reserve scrip, costing from $5 to $6 an acre; and a large portion he acquired by transfers from stone and timber entrymen—who paid the Government $2.50 per acre, and whose title he acquired at an average cost of not exceeding $5 per acre—so that his stumpage on the average did not cost him to exceed 15 cents per thousand feet. Nearly all of his holdings he acquired under these two methods. As with Weyerhaeuser and Walker, so with the other syndicates, corporations, and concerns. They all acquired most of their holdings in the same way as Mr. Walker and their stumpage stands them at the same low figure. These big syndicates to which I have referred own or control more than half of the timber supply on the Pacific coast not included in Government forest reserves—and they have picked out the best timber, too. Now this is not all. These great lumbermen have not only gone there and monopolized the stumpage of the Pacific coast, but they have gone into the Southern States. These same gentlemen control the bulk of the yellow pine in the South. The House hearings show this. How have they treated the American people, after getting control of all this timber, north, west and south—after getting control practically of the timber supply of the country? From 1898, the year following the enactment of the Dingley tariff law, up to 1907, they more than quadrupled the price of their stumpage, and more than doubled the price of lumber. House Hearings, Schedule D, show these facts. The price of lumber during this period increased on most grades over 100 per cent, and on some grades as high as 150 per cent. I have here a bulletin issued by the Census Office. It was printed in 1908. It gives the lumber cut for 1907. The title of it is "Forest Products, No. 2. The Lumber Cut of the United States, 1907. Compiled in cooperation with the Department of Agriculture: Forest Service." I have examined this pamphlet, and I want to call your attention to what it shows. Of the various classes of lumber I have segregated seven of the highest classes which together constitute over 80 per cent of the total cut of lumber in the country for 1907. In 1907 the total cut was 40,256,154,000 feet. Let me read the figures of the total cut of these seven classes, and the prices. Yellow pine is at the head of the list. The total cut of this class in 1906 was 11,661,077,000 feet. In 1907, 13,215,185,000 feet. Now what are the prices? I quote the mill prices from the report at the price per thousand feet, board measure. The price of this class of lumber in 1900 was $8.51 a thousand; in 1904, $10.10; in 1906, $13.02; and in 1907, $14.02, an increase from 1900 up to 1907 of the difference between $8.51 and $14.02 a thousand.

The next great class of lumber is what is known as the Douglas fir, the chief timber of the Pacific coast. The total cut in 1906 was 4,969,843,000 feet. In 1907 it was 4,748,872,000. The price at the mill in 1900 was $8.67 a thousand; in 1904, $9.51; in 1906, $14.20; and in 1907, $14.12 per thousand. So that this class of lumber has gone up from $8.67 a thousand since 1900 to $14.12 a thousand in 1907.

The next great class of lumber is white pine. The total cut in 1906 was 4,583,727,000; in 1907, 4,192,708,000. The supply is diminishing.

The average mill price of white-pine lumber in Michigan, Wisconsin, and Minnesota was, in 1900, $12.69 per thousand. In 1904, $14.93; in 1906, $18.32; and in 1907, $19.41. These figures are the average prices—the general average of mill prices.

The next great class of lumber is oak. The total cut in 1906 was 2,820,393,000 feet. In 1907 it was 3,718,760,000 feet. The price at the mill in 1900 was $13.78 a thousand; in 1904, $17.50; in 1906, $21.76; and in 1907, $21.23. Thus it appears that oak lumber advanced from $13.78 a thousand in 1900 to $21.23 a thousand feet in 1907.

Hemlock is the next great class of lumber. The total cut in 1906 was 3,537,329,000 feet and in 1907 3,373,016,000. The average mill price per thousand was, in 1900, $9.98; in 1904, $11.91; in 1906, $15.31; and in 1907, $15.53.

The next great class is spruce. The total cut in 1906 was 1,644,987,000; in 1907, 1,726,797,000. The average mill price per thousand of this lumber was, in 1900, $11.27; in 1904, $14.03; in 1906, $17.33; and in 1907, $17.26.

The next and final class of the seven referred to is western pine—the so-called sugar pine of California. The cut of this in 1906 was 1,386,777,000; in 1907, 1,527,195,000 feet. The average mill price was, in 1900, $9.70; in 1904, $11.29; in 1906, $14.01; and in 1907, $15.76.

Taking all these seven groups that I have named, the cut or output in 1907 amounts to 32,502,533,000 feet out of an aggregate cut of all kinds of 40,256,154,000, or 80 per cent. I have compiled all these figures from the report and will recapitulate them. Yellow pine in 1900, $8.51 per thousand; in 1907, $14.02 per thousand, an increase of 65 per cent. Douglas fir in 1900, $8.67 per thousand; in 1907, $14.12 per thousand, an increase of 63 per cent.

Mr. PILES. I hope the Senator from Minnesota will let me interrupt him right here, because his speech really carries a false impression. The lumber which sold for $14.20 in 1906 and 1907 is now selling for $8.

Mr. NELSON. I am not referring to that now, and the prices since the panic have no bearing on what transpired before.

White pine, in 1900, was $12.69 a thousand; in 1907, $19.41, an increase of 53 per cent. Oak lumber increased from $13.78 to $21.23, an increase of 54 per cent. Hemlock from $9.98 to $15.53, an increase of 55 per cent. Spruce from $11.27 in 1900 to $17.26 in 1907, an increase of 53 per cent. Western pine, that is the California pine, in 1900 sold at $9.76; in 1907, at $15.76. Taking these seven classes that I have recapitulated, the average of them is as follows: The average price in 1900 was $10.66 a thousand; and in 1907, $16.74 a thousand, an increase of over 57 per cent in these years—from 1900 to 1907.

I have looked over the tables of wages contained in the report of the House hearings, and compared the increase of wages as given there from 1900 to 1906, the year of highest wages in the white-pine region of Minnesota, Michigan, and Wisconsin, and find the increase in wages of mill men about 20 per cent, and of men in the woods about 11.6 per cent, or an average for both classes of about 16 per cent, as appears from the following table taken from the House hearings.

WHITE PINE.

Average price at mill per M, 1900, $12.69; average price at mill per M, 1907, $19.41. Increase, $6.72=53 per cent.

Increase in wages from 1900 to 1907, 16 per cent.

Comparative average wages paid by pine sawmills of Wisconsin, Minnesota, and Michigan.

[Sawmill employees, day rate.]

	1895.	1898.	a 1900.	1902.	1904.	b 1906.	1908.
Foremen	$3.19	$3.85	$4.50	$5.00	$6.00	$7.00	$6.50
Millwrights	2.55	2.88	3.50	3.75	3.80	4.00	3.25
Engineers	2.55	2.80	3.50	3.50	4.00	4.50	4.00
Sawyers	3.50	4.50	5.25	5.50	6.00	6.50	6.00
Setters	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Edger men	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Trimmer men	2.00	2.50	2.60	2.60	2.75	2.80	2.50
Graders	2.25	2.50	3.00	3.00	3.25	3.25	2.50
Tallymen	2.00	2.25	2.25	2.40	2.50	2.60	2.25
Piers	1.55	1.75	1.90	2.00	2.15	2.25	2.15
Blacksmiths	2.00	2.50	3.00	3.00	3.00	3.25	2.75
Laborers	1.25	1.75	1.80	1.85	1.90	2.00	1.75
Sorters	1.50	1.80	1.90	2.00	2.25	2.50	1.95
Boom men	1.50	1.65	2.00	2.15	2.25	2.50	2.25

a Average for year 1900, $2.90.
b Average for year 1906, $3.49=20¼ per cent increase.

Wages paid for woods work in Minnesota, Wisconsin, and Michigan.

[Monthly wage, including board.]

	1896.	1898.	1899.	a 1900.	1901.	1902–4.	b 1906–7.	1907–8.
Teamsters	$16	$20	$24	$26	$30	$35	$38	$30
Swampers	13	20	24	25	30	30	40	35
Choppers	14	20	24	26	30	30	40	35
Loaders	20	25	20	32	35	35	40	35
Sawyers	14	20	24	26	30	32	35	32
Graders	13	18	20	24	30	30	25	30
Chain tenders	16	18	20	24	30	30	35	25
Blacksmiths	25	45	50	55	60	60	65	55
Cooks	40	45	50	55	65	65	70	50

Average increase of wages in mill and woods about 16 per cent.

a Average for year 1900, $32.55.
b Average for years 1906–7, $36.33=11.3 per cent increase.

This shows as I have stated that the average increase in wages for mill men during that period was a trifle over 20 per cent, and of the men in the woods a trifle over 11 per cent; not quite 12 per cent. Taking the two together, the average of the mill men and the average of the loggers, we find the increase on the average was about 16 per cent in the white-pine industry during that period. In Bulletin 77 of the Forestry Bureau they do not claim that the increase has been over from 20 to 25 per cent, as I recall it.

I have referred to these figures for the purpose of showing that while wages have increased in round numbers about 16 per cent for all classes of labor, or, if you please, 20 per cent, which is a liberal estimate, the prices of lumber within this period—from 1900 to 1907—have increased and advanced over 57 per cent. If we go back to 1898, the year following the enactment of the Dingley law, we find that from that year up to 1907 the average rates on lumber have increased over 100 per cent; in many instances up to 150 per cent.

What is true of lumber is in a measure true of shingles. The same bulletin from which I have quoted shows that the average price of shingles of all kinds in 1900 was $1.56 a thousand. This is the mill price, Mr. President. In 1906 it was $2.04 a thousand, in 1907 $2.55 a thousand, and shingles are to some extent a by-product. And what is true of shingles is also true of laths. The same bulletin shows that while the cost of laths in 1900—and that is wholly a by-product, the refuse you may say—was $1.96 a thousand, in 1907 it had advanced to $2.85 a thousand, an increase of a trifle under a dollar a thousand.

These prices I have quoted are the mill prices. I further desire to call attention to the fact, with which we were all conversant in the Northwest, that the lumbermen had been so increasing the prices of lumber from 1898 to 1907—they had raised them so abnormally and outrageously high that even before the panic came on, in the fall of 1907, the lumber industry had become stagnant, because of overproduction and because of the excessive prices charged. This was apparent in the spring and summer of 1907. I know the farmers of Minnesota had begun to stint themselves in every way in consequence of the high prices. If a farmer had a bit of large poplar, or oak, or cherry, or any other kind of large timber on his farm which under ordinary conditions he never thought of making into lumber, he would cut down the trees, take the traction engine of his thrashing machine and a small portable sawmill into the woods and saw his own lumber from his own trees, and if he had any surplus lumber would sell it to his neighbor at reasonable rates, and thus many of them sought to evade the lumber trust. They say there is no lumber trust. Mr. President, we can not show that they have any written agreement among themselves, but we who are the consumers of lumber know that whether you seek to deal with one or another it is all the same. There is no difference in prices. They held them up as steady as the steel trust did before the panic.

A good deal is said about the difference in wages here and in Canada. What are the facts in respect of wages? Along the boundary line the loggers and millmen travel back and forth to work on whichever side they can get employment at the best wages, wholly governed by the law of supply and demand. Our lumber workers go into Canada from Minnesota and come back from Canada. The prices are practically the same. When the Canadians need our men they pay a little more, and when we need theirs we pay a little more. The prices are practically the same all throughout the country, with the exception, perhaps, of New England. In New England conditions are different. They have a different class of labor in Canada from that of Maine; but even there the law of supply and demand will no doubt govern in the lumber industry as in the wool and cotton factories.

New England gets its great supply of factory labor in the cotton and wool industry from Canada. If prices are higher in New England than in Canada the laborers will go to New England.

The expenses of logging on the Pacific coast, in Washington, it is claimed, are higher than in British Columbia. This is not so; the conditions in the woods and the cost of labor are practically the same. I have one witness here on that subject whose testimony, to my mind, is perfectly decisive on this point. I refer to Mr. Lamb. I read from the hearings in the House of Representatives, pp. 2980 and 2981. Mr. Lamb, of Washington, appeared before the Committee on Ways and Means in the interest of the retention of the present duties on lumber. He states, among other things:

> I have come 3,000 miles, apparently to be sheared, and I am willing to take the medicine. I represent the Lamb Timber Company and the Washington Logging Brokerage Company. Both of those companies are engaged in logging * * *. Some ten years ago I took up a timber claim, etc. * * *. Since then I have gone into logging work * * *. On the Pacific coast logging is an entirely separate industry from sawmilling * * *. Therefore I know nothing regarding lumber, etc.

Now, what does Mr. Lamb say on the question of wages? I read from page 2981 of the hearings:

> The question of wages as an item of logging cost has been gone into very fully, but I simply wish to state that, in my opinion, the difference in cost of wages between British Columbia and Washington is very small. For a good many positions we pay the same wages. For railroad construction and the cheaper labor it is possible for the British Columbians to employ alien or foreign labor, which we can not do. The cost of supplies in British Columbia—machinery and tools—as has been stated here, is somewhat higher on certain articles, as I happen to know, as I am manufacturing them for the British Columbia market. On the other supplies, such as wire rope, railroad material, etc., the British Columbians can buy cheaper than we can. So that, on the whole—

I want to call the attention of Senators to this—

> So that, on the whole, so far as regards the actual cost of labor, there is very little difference.

Here we have the testimony of a man who came before the committee in favor of the retention of the present duty—a logger, a man engaged in the business of logging in the State of Washington—and who stated expressly before the committee in his sworn testimony that the cost of logging in the State of Washington was practically no higher than in British Columbia.

In this connection I will also read another statement, and call the attention of the Senate to the testimony of Mr. Lynch in these hearings, pages 2881, 2882, 2883, and 2884:

> I am not well enough posted on lumber conditions on this side of the line to give much information concerning the cost of lumber here. I can tell you a good deal of the cost of production, the cost of stumpage, the cost of erecting sawmills and of operating them, and the price of labor on the other side of the line. I am now, and have been for several years past, one of the principal owners of two of the largest mills in western Canada, namely, the Red Deer Lumber Company, at Barrows, Saskatchewan, in the spruce district, and of the Elk Lumber Company, at Fernie, British Columbia, in what is known as the mountain district in British Columbia.
>
> Each of these mills has a capacity of about 35,000,000 feet per annum. Each of these mills, with their planing mills, yards, logging equipment, and other necessary improvements, cost us about $400,000. This is exclusive of the cost of our standing timber.
>
> I have been told by men who own similar mills on this side that their plants and equipment here cost about $250,000. The difference in cost is accounted for by the tariff charged by the Canadian government on the American machinery with which our mills are equipped.

In other words, Mr. President, those lumbermen in Canada have to come to this country and get our machinery, for they have none of their own, and when they get it there they have to pay a duty of from 20 to 30 per cent, making their plant in the first instance cost them from 25 to 40 per cent more than a plant costs on this side of the line.

Now, here is the testimony of Mr. Lynch in reference to the price of logs:

> Our logs at the Red Deer mill, where we are sawing spruce exclusively, cost us at the mill $7 per thousand. Our stumpage at this mill, together with the royalties paid to the Canadian government, costs us about $3 per thousand.

I will not take up further time to read it, but will incorporate in my remarks the matter from page 2880 to the foot of page 2883.

The matter referred to is as follows:

> At the Elk mill, where we saw cedar, fir, and spruce, our logs cost us $6 per thousand. Our stumpage at this mill, together with the royalties paid to the government, costs us $1.50 per thousand. Our cost of manufactering, including the cost of surfacing, piling, loading, selling, insurance, interest, and taxes at each point is about the same, viz, $5 per thousand.
>
> We employ no oriental labor in any capacity or place. Most of our employees are Americans. All of our highly skilled employees, including our manager and superintendents, learned their trades or business on this side of the line. They went to Canada for us because we were willing to pay them higher wages than they were receiving here. We were willing to pay these wages because these men were more efficient workmen than we could get on the other side and would do not less and better work than the Canadian workmen. They were cheaper by is than Canadian workmen at lower wages, but were no more than the thousands of American workmen employed on this the American mills, and who, I believe, receive lower wages than we are paying these men.
>
> Mr. LYNCH. I have a statement here showing the average wages paid at the mills of the Elk Lumber Company, at Fernie, British Columbia, and of the Red Deer Lumber Company, at Barrows, Saskatchewan. Perhaps you would not care to have me read this table, and if not, I will pass that and continue my statement.
>
> The CHAIRMAN. Do you mean wages by the day, hour, or how?
>
> Mr. LYNCH. By the day.
>
> The CHAIRMAN. State the number of hours.
>
> Mr. LYNCH. Based upon ten hours a day.
>
> The CHAIRMAN. And how many days in a week?
>
> Mr. LYNCH. Six days in a week.
>
> The CHAIRMAN. No half holidays?
>
> Mr. LYNCH. No half holidays.
>
> The CHAIRMAN. You have not a statement of the wages paid in the American mills, have you?
>
> Mr. LYNCH. I have not; no, sir. I will file this statement.
>
> Mr. GAINES. How long is the statement?
>
> Mr. LYNCH. It is somewhat less than a page.
>
> The CHAIRMAN. I think perhaps you had better read it.
>
> Mr. LYNCH (reads):

Average wages paid at the mills of the Elk Lumber Company, at Fernie, British Columbia, and of the Red Deer Lumber Company, at Barrows, Saskatchewan, for the years 1903 to 1907, inclusive.

	Per day.
Band sawyers	$7.50
Gang sawyers	4.50
Tail sawyers	2.50 to 3.00
Edger men	3.00 to 3.75
Trimmer men	3.25
Setters	3.75
Carriage riders	3.00
Helpers on trimmer	3.00
Transfer men and laborers	2.00 to 2.60
Band filer	8.50

	Per day.
Round saw and gang filer	$7.00
Millwrights	4.00
Engineer	4.00
Fireman	3.00
Blacksmith	3.75
Machinists	3.75
Boom men	3.25
Laborers	2.50
Watchmen	2.50
Grader	2.75
Sorters and transfer men	2.25
Lumber piliers	2.25 to 2.75
Laborers in yard and loading cars	2.25
Oilers in mill and planing mill	2.75
Planing mill:	
Machine feeders	2.50 to 3.50
Helpers	2.25
Teamsters	2.50
Carpenters	4.00
Helpers	2.50
Manager	*4,000.00
Mill foreman	*1,500.00
Yard foreman	*1,500.00
Bookkeeper	*1,200.00
Timekeepers and clerks	*60.00 to 85.00

During the same period the same mills have paid wages to their men in the woods, they doing all of their own work and doing no logging through contractors.

	Per day.
Loaders	$2.80
Swampers	1.85
Sawyers	2.25
Teamsters	2.35
Railroad men	2.50
Stable boss	2.60
Hook men	2.25
Blacksmith	3.40
Filer	3.00
Camp tender	2.25
Railroad laborers	2.05
Cook	3.40
Cookees	2.25
River men	3.00
Clerks	3.00
Foreman	4.25
Teams without drivers	3.00

The superintendent receives $1,600 to $2,000 per annum.

All men working in the bush are paid so much per month and their board. The figures given above for their day labor is the amount which they would receive per day, figuring twenty-six working days to the month and adding the cost of their board, averaged in nine different camps, to the daily wage paid to them.

Mr. FORDNEY. How do those wages compare with the wages paid now?

Mr. LYNCH. Those are the same wages that we are paying now. Those are the figures up to July 1, 1908.

I do not think that the wages which we pay are much, if any, higher than those paid by our Canadian competitors. Our scale may be higher in some instances, but it is made up by the increased efficiency of the workmen we employ. I think these wages are higher than those paid by most American plants and are only equaled by a very few of the best inland empire mills.

In the matter of stumpage and its cost on the Canadian side, I would say that it varies greatly, as it does on this side, according to its nearness to market, the facility with which it can be logged, the character of the timber, and the danger of fire. All of the timber in Canada, however, carries a minimum royalty to the government of 50 cents per thousand, board measure (this is equal to about 70 cents per thousand, log scale), and from that up to $6 per thousand in royalty in some of the eastern provinces. In British Columbia the prevailing royalties are 50 and 60 cents per thousand. To these royalties, to find the cost of stumpage, must be added the bonus which is paid to the Dominion government when the license to cut the timber was issued by the government, and which amounts, according to the competition which prevailed when the timber was sold by the government, to from 15 cents to $2 per thousand. This bonus is paid to the government in cash when the timber is sold, while the royalty is paid to the government when the timber is sawed. We also pay a royalty to the government on all of our by-products, including laths and shingles.

The item of taxes varies in the different Provinces and on different classes of timber, but runs from $5 per square mile, which is the lowest annual rental on timber in the prairie Provinces, to $140 per square mile on the heavy timber in British Columbia, west of the Cascade Mountains. This tax or rental is paid annually and is an addition to the local or business taxes which may be paid. Most of our holdings are east of the Cascades, in British Columbia, in the mountain district, where we pay a tax of $115 per square mile per annum. On the amount of timber which we hold this tax amounts to about 6 cents per thousand per annum. This is treble the tax paid by us on our holdings on this side of the line. The fee of the land does not go with this. That is always retained by the Crown.

I do not know of any expense item which goes to make up the cost of lumber which is not as heavy or heavier upon the Canadian manufacturer than it is upon the American manufacturer. They are certainly closer to the consumer in the United States than the Canadian mill would be. This would imply lower freight rates and better service for the American mills.

It would appear to me, in view of the foregoing facts, that the American manufacturer will have little fear from the removal of the tariff, unless he raises his prices much above the present level. If his cost of manufacture advances, the cost will also advance to his competitor. If the price of the log on the stump is increased much beyond the present level, the owner of the stumpage will have to compete with the Canadian timber owner, unless he should also advance the price of his stumpage. This, I do not believe he will do. The open competition which would be brought about by the removal of the tariff would not be an evil to the general public.

Mr. NELSON. Mr. Lynch gives the figures. I have compared these figures given with the wages on this side of the line, as given in the House hearings, and I want to say that, taking the labor cost on the whole, with the exception perhaps of the State of Maine, both as regards the white-pine territory and the lumber of the Pacific coast, the wages on the Canadian side are equal to the wages on our side and the cost of production is fully as much.

When you come to the matter of labor in the yellow-pine country we all know, and the House hearings show it, that on an average labor in the Southern States, where the yellow pine is produced, is cheaper than it is in the North and in Canada. They employ a large share of colored labor there, which is very cheap, and a good deal of their white labor, except what you may call the expert labor, is cheaper than with us. So, on the whole, if you rest upon the question of wages, there is no occasion to put on a tariff duty between our country and Canada.

Now there is another matter, Mr. President. The lumbermen claim that they have not been making any money recently. They have not made money perhaps since the panic. There are many industries that have not made any money since then. I have given evidence as to the cost of logging in Washington and British Columbia, and I have equally good evidence as to the question of profits in the lumber business.

Many years ago the great transcontinental lines—the Great Northern, the Northern Pacific, and the Union Pacific—fixed a lumber rate for the shipment of lumber from the Pacific coast to the East—Mississippi and Missouri River points. They made a 40-cent rate per hundred to St. Paul, a little more to Chicago and other eastern points.

In the fall or early winter of 1907 the railway companies undertook to raise these rates. They did raise them. A controversy was brought on over it before the Interstate Commerce Commission and there was a hearing before that commission. I have here a copy of the testimony of ex-Governor Clough, formerly of Minnesota, one of the witnesses who appeared before the Interstate Commerce Commission and gave testimony as to the profits in the lumber business. He organized a company called the Clark-Nickerson Lumber Company, composed partly of Michigan men, partly of Minnesota men, to engage in the manufacture and sale of lumber at Everett, in the State of Washington, on Puget Sound. The company began its business there in the fall of 1899, I think, or in 1900, and constructed one of the finest and best lumber mills in that section of the country. There may be larger mills, but I think it is as well equipped as any mill in that section. They started in with a paid-up cash capital of $100,000, and in the course of their business from 1900 down to 1907 they borrowed $300,000. By the fall of 1907, after paying their stockholders a yearly dividend of 6 per cent right along, they had earned enough to pay up the interest and the principal of the $300,000 they had borrowed, and to reimburse the stockholders for all the money they had put into the enterprise. So that their stock at the time practically cost them nothing, and they had a fine mill and a lot of lumber on hand. I may add here that Governor Clough was the general manager of the company during all the time referred to.

Let me read you his testimony. This is his sworn testimony taken before the Interstate Commerce Commission. I have taken only a part of it. The testimony is voluminous. It is not in print, but I had a copy made by a clerk in the office of the Interstate Commerce Commission. Mr. Kerr is the attorney asking questions. He asked Governor Clough:

> What have been the prices that you have paid for logs?

I want to say that this Clark-Nickerson Company owned a very little stumpage of their own, but they did not resort to that. All the logs that they manufactured into lumber they bought. They bought the logs; they did not do their own logging. The logs were brought there partly by water. Most of them were towed in, some of them Canadian logs no doubt, for they can come in free if they were not cut on Dominion or provincial land. All the logs sawed they bought, and they manufactured those logs into lumber and sold it.

Page 1250:

> Mr. KERR. What have been the prices that you have paid for logs during the operations?
>
> Mr. CLOUGH. Well, different prices; but our average price for five years, commencing January 1, 1902, up to January 1, 1907, averaged $6.72 per thousand.
>
> * * *
>
> "Per thousand" are my words, but that is what it means.
>
> Mr. KERR. What has been the range of the price of logs during that period of time?
>
> Mr. CLOUGH. Oh, when we first went there logs of course were very cheap. The first logs we ever bought in the State of Washington, number twos, we paid $4; merchantable was $6, and flooring was $7.
>
> Mr. KERR. What has been the highest price?
>
> Mr. CLOUGH. In the year 1906 our logs averaged us $7.78.

This is the year before the collapse. "Our logs averaged us," in the most prosperous year in the lumber trade, "$7.78."

* Per year.

* Per month.

Mr. KERR. Was that the highest year?

Mr. CLOUGH. That was the highest year.

Page 1254:

Mr. KERR. What has been your cost of producing lumber from the time you commenced operations?

Mr. CLOUGH. About $3.75 a thousand.

Mr. KERR. Has that price increased or decreased, or is that about the average?

Mr. CLOUGH. Well—

Here is his answer—

we are trying to cheapen the cost a little every year, and we have, a little mite. There has been no material difference in the cost, but we are trying to cheapen it a little every year, regardless of the little increased cost of labor and material.

Mr. KERR. How have you done that, and how are you able to do it?

Mr. CLOUGH. By putting in some new improvements, improving our mill. For instance, this summer we put in $20,000 in permanent improvements. We took out a single band—

He refers to the saw—

we had and we put in a double-cut band in its place. That increased our cutting capacity about 20,000 a day, with no extra expense—the same number of men.

Mr. KERR. Has the cost or efficiency of labor been affected during these years you have been there?

Mr. CLOUGH. What is that?

Mr. KERR. Has the price of labor changed?

Mr. CLOUGH. It has increased.

Mr. KERR. The price has increased; how about the efficiency?

Mr. CLOUGH. The better the times the poorer the men seem to be. We get less work out of men when times are good than we do when they are bad.

Mr. KERR. How have you been able to offset this increase in the price of labor?

Mr. CLOUGH. As I have told you, by improving our mill in every possible way, increasing the cut of our mill.

Page 1258:

Mr. KERR. Please state to the Commission the amount of your investment and the extent of your operations, generally.

Mr. CLOUGH. Our investment we capitalized for $100,000. What other money we needed the general manager—and I am the general manager—borrowed, and paid 6 and 7 per cent interest on it; but, thank the Lord, it has all been wiped out, and it has been paid back from our profits. Would you like to know the profits?

Mr. KERR. Yes, the whole situation of the investment and the profits?

Mr. CLOUGH. Our capital stock is $100,000; that is all we ever had. That has all been paid back to the stockholders. There is no stockholder in our company who has 1 cent of money in the business. They have always received, from first to last, a dividend of from 6 to 7 per cent per annum.

Commissioner COCKRELL—

A member of the Commission—

In addition to the principal?

Mr. CLOUGH. They have always been paid their dividend of 6 per cent per annum every year, and have already been paid back their principal. No stockholder in the Clark-Nickerson Lumber Company has a cent in the business; and we owe no man a cent, except the monthly expenses. We pay off our help and our bills the 10th of every month. On the 10th of every month we pay our labor and our bills for the previous month. When I came down here I had not our profits exactly; I knew about what they were, but I did not have them exactly. I could remember about the report of the different years, but I did not have the figures exact, and so, after listening here for several days, and seeing that you are quite exact in the matter of figures, I thought I would have my figures exactly, and so I wired to our office yesterday, asking them to wire me our profits or losses for each year since we have been in business. I received a reply to my message this noon, and I can read it to you. There is no guesswork about this. We built our mill in 1900——

Mr. ABEL. Are you reading from the wire that you received to-day?

Mr. CLOUGH. No; because I copied it off here so as to have it in handy shape. I will let you see the original message, if you want to [handing witness the original telegram]. You can take that message. I took it off on a piece of paper here, but it is exactly like the original message.

Mr. ABEL. We will check it.

Mr. CLOUGH. You can check everything I have or say. We commenced to build our mill in February—February 26, 1900. We started the mill then and sawed a log September 15 of the same year. We merely started. We did the most of the sawing from that time until December 30 for ourselves, but we did ship a few cars of lumber, and that year—I have not got that off on here. What is that last figure on that telegram? [Addressing Mr. ABEL.]

Mr. ABEL. $1,634.

Mr. CLOUGH. The first year our profits were $1,634. We commenced business the best we could. Of course we went there as old lumbermen, but we were new men in the country. We found we had a great deal to learn. We had to establish ourselves in business, and we did so. Our profits were not as large as they are now.

Now, listen to this:

In 1901 our profits were $29,267, which was 29 per cent and a little over on our investment.

In 1902 our profits were $96,759, or 96 per cent and a little more on our investment.

In 1903 our profits were $55,721, or 55 per cent and a little over on our investment.

In 1904 I am ashamed to tell that, as that was a bad year. In that year we made a loss of $3,358.

In 1905 our profits were $72,186.

In 1906 our profits were $193,06[illegible].

That is the boom year, before the panic.

In 1906 our profits were $193,06[illegible].

There is evidently a mistake in punctuation; it should read $193,060.

In 1907 we do not know just exactly what they will be. We have not figured up what they will be; we do not figure up until the 1st of January; but I do know that I have sent this year to our stockholders, which I am authorized to do whenever we have any surplus money—to send it to our stockholders pro rata according to our stock—I have this year—

1907—

already distributed among stockholders $130,000. We certainly have made that $130,000, or I could not have distributed it among the stockholders. We haven't borrowed any money. We do not owe a cent of money, and the best of it is we put in $20,000 this year in permanent improvements, and they have been paid for.

Another thing that pleases me is that on January 1, 1907, we had piled in the yard about 6,600,000 feet of lumber. We were closed down for a little repairing about three weeks ago. So we took account of stock, and we had in the yard about 12,600,000 feet—and that after distributing among our stockholders $130,000.

For 1907. Then he winds up by saying:

That is about all there is to our profits. This telegram is a telegram that anyone can look at, or keep, if anyone wants it.

Mr. KERR. It may be submitted to the opposition.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Certainly.

Mr. McCUMBER. I do not know whether the Senator intends to go further upon that line, but I especially want him to call attention to the profits upon the shingle industry in the same period.

Mr. NELSON. I am coming to that.

Mr. SCOTT. May I ask the Senator a question?

Mr. NELSON. Certainly.

Mr. SCOTT. I wish to ask the Senator if he does not think the majority of those logs were cut on the Canadian side to make these enormous profits.

Mr. NELSON. No; most of them were cut on our side. They get some logs on the Sound from British Columbia. But you must remember——

Mr. SCOTT. Without paying for them?

Mr. NELSON. Oh, no; you must remember that most of the timber in that country is held under government licenses. I have a copy of them here. Under that system, where they obtain timber in that way, they are required to manufacture it on that side of the line. It is only logs that are cut on private lands, not on the Provincial or Dominion lands, that can be shipped into our country.

Mr. PILES. Will the Senator yield to me for a moment?

Mr. NELSON. Certainly.

Mr. PILES. Did the Senator examine the testimony of any other lumbermen in the State of Washington except that of Governor Clough.

Mr. NELSON. No, I did not.

Mr. PILES. Is not he the only man in the whole State of Washington who testified along the line presented by the Senator?

Mr. NELSON. I do not know; I have not examined the other testimony in the case. I happened to know about his testimony and so took occasion to have a copy of it.

Mr. PILES. If Governor Clough's testimony is correct and that is the general rule throughout the whole lumber district, of course every man in the United States ought to go into the lumber business. But every man in the State of Washington who testified——

Mr. NELSON. The Senator is referring to what has occurred since the panic. I am talking about the time prior to the panic of 1907.

Mr. PILES. That is exactly what I am talking about. I am talking about what occurred prior to the panic. Every lumberman in the State of Washington engaged in it with the exception of Governor Clough, testified before the Interstate Commerce Commission that they could not make a profit on the rate which the railroad companies sought to increase.

Mr. NELSON. And that was only an increase of 10 cents a hundred.

Mr. PILES. Governor Clough has his mill situated on the line of two railroads—the Great Northern and the Northern Pacific—and every——

Mr. NELSON. So has Weyerhaeuser. Weyerhaeuser has his mill right there at Everett.

Mr. PILES. Every other lumberman in the State of Washington testified that he could not make a profit.

Mr. NELSON. I yielded for a question, but I do not yield for a speech. When the Senator comes to discuss the matter he can make his own speech. I say that in the utmost Christian spirit. [Laughter.] Mr. Kerr proceeds:

I understood you to say that you borrowed some $300,000 in the beginning. Has that been paid back?

Mr. CLOUGH. Yes, sir; every cent of it.

Mr. KERR. Have you ever engaged in the manufacture of shingles, and if so, when?

Mr. CLOUGH. Well, early this year——

That is, 1907—

some of my associates and myself imagined that we wanted to build another sawmill. My associates liked the business, and we talked it over, and I told them I thought we had better build a shingle mill. I wanted to see how much money there was in the shingle business. So we decided to build a shingle mill. Well, they said that they didn't know, they thought perhaps this increased rate was going to be put into effect, which was spoken of then, and "they wanted to know how much money I thought there was in the shingle business, and I told them that I thought we could get 50 per cent on the money we invested, and if the rate was increased it would make a difference of 16 cents a thousand;" there would be that much less in our profits, that is all, and we had better build a shingle mill.

So we went on and built a shingle mill, and that mill had a capacity of 600,000 a day. That is not the Clark-Nickerson Co.; that is the Clough-Hartley Co., located half a mile away from the Clark-Nickerson Co. We built a mill, and we ran it a little over two months, and while we ran it we made a profit of about 100 per cent on our capital; but of course we could not always do that. Shingles were very high this fall, as you all know—very high.

Mr. KERR. What two months were those that the mill was running?

Mr. CLOUGH. On November 1 we closed down, because there wasn't any sale for our shingles.

Mr. KERR. Are you more or less familiar with the price of logs that have been manufactured into shingles in the year past?

Mr. CLOUGH. Well, I don't know about cedar logs as I do fir logs until this fall, while we were in the——

Mr. KERR. What was the price of cedar logs while you were buying them for your shingle mill?

Mr. CLOUGH. Well, we paid all prices. We paid all the way from $11 to $18. We bought a few for $18, and all the way from $11 up to $18.

Mr. KERR. Were you at all familiar with the price of cedar logs when you came into the country?

Mr. CLOUGH. No, sir; I was not.

Mr. KERR. What was the cost of manufacturing shingles during these two months when you were operating?

Mr. CLOUGH. It cost Clough-Hartley—that is, including insurance and taxes and everything—about 70 cents a thousand to manufacture shingles, to keep up our mill.

Mr. KERR. That does not include the cost of the timber?

Mr. CLOUGH. No, sir.

Mr. KERR. You have given the price of logs. How many shingles will a thousand feet of cedar logs make?

Mr. CLOUGH. Ten.

In other words, a thousand feet of logs board measure will make 10,000 shingles.

We have in this another piece of evidence, Mr. President, of how prosperous the lumber industry is. I admit it is not prosperous now; partly on account of the panic and partly on account of the excessive price that had been charged for the lumber. But Senators must remember that we have had the same tariff law in 1908 and 1909 that we have had in 1905, 1906, and 1907.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Maine?

Mr. NELSON. Certainly.

Mr. HALE. Does not the Senator think the remarkable man who has been making these statements about the inordinate profits that nobody else has made has been able to make more sums of money during the last year or two than anybody else has?

Mr. NELSON. I think within the last year he has not made any money.

Mr. HALE. Having the power and the ability to make such a remarkable scale of profits, when nobody else in his neighborhood made it, I do not see why he has not been able to continue to make an enormous profit.

Mr. NELSON. The market for lumber has slackened up and become stagnant.

Mr. HALE. Does the Senator think that the statement of this remarkable man is a fair statement of the lumbering conditions there?

Mr. NELSON. As it existed out in that country under those conditions and at that time.

Mr. HALE. In the State of Washington?

Mr. NELSON. I want to be fair. I want to say that the mill was operated under more favorable conditions than many other mills for two reasons. I have been at the mill. There are other mills there. On one side of his mill he could load into vessels and on the other side he could load into the cars. I admit that mills in the interior away from such transportation facilities could not make the profit that he did, but it serves to give color to the enormous profits and enormous prices maintained in the lumber business.

Mr. HALE. I think the statement this man has made is the most remarkable I have ever heard in relation to the lumber industry anywhere in the last half dozen years.

Mr. NELSON. Unfortunately——

Mr. HALE. I hope that the representatives of the State of Washington who know about the conditions there and about this industry will give us their light on this subject, and not such remarkable statements as are made in the testimony of this man.

Mr. NELSON. This man has lived out there in that country since 1900.

Mr. WARREN. Will the Senator yield to me for a question?

Mr. NELSON. Certainly.

Mr. WARREN. Is there anything additional in the testimony as to one point made by the witness, that when they double the sawing capacity the adding of saws added nothing to the expense, because they needed to employ no more men? What was the power? Was it steam or water?

Mr. NELSON. Steam.

Mr. WARREN. Would it not cost more to run two saws with steam than one?

Mr. NELSON. Both saws were put up into the same frame. The two were side by side, instead of one, and they could practically run both with the same power.

Mr WARREN. The power would naturally be for two saws instead of one, and it would practically be twice as much power. So I conclude that the statement that it costs no more would be subject to some qualification at least.

Mr. NELSON. Very little. The Senator knows what fuel they use at the sawmills.

Mr. WARREN. I do.

Mr. NELSON. The fuel practically costs them nothing.

Mr. WARREN. On the other hand——

Mr. NELSON. It is refuse material which they can not dispose of for any other purpose.

Mr. WARREN. It is not sufficient, and they have to buy fuel in addition.

Mr. NELSON. They do not in those great mills.

Mr. WARREN. There is another thing. I notice that in the logs purchased for shingles sometimes they paid $18 and sometimes $11. Are there any questions or answers preceding or succeeding the testimony which the Senator has read which may explain that difference?

Mr. NELSON. I suppose there were different varieties of logs and there were different prices. The highest was $18—the price ran from $11 to $18.

Mr. WARREN. Would there be a natural range in the price of cedar shingle logs from $11 to $18?

Mr. NELSON. There might be.

Mr. WARREN. Legitimate?

Mr. NELSON. They use a lot of stuff for shingles that they can not use for anything else.

Mr. WARREN. That is true; but the Senator is speaking of the purchase of logs. I want to know if the Senator has pursued that subject so as to be able to give us any explanation. Of course if this statement was in some magazine article or written in a dime novel we would understand that the promoter had put in all the good side and none of the bad.

Mr. NELSON. What does the Senator mean by a magazine article or a promoter?

Mr. WARREN. I mean a written subject.

Mr. NELSON. There is no occasion to be sarcastic. I have stated that this testimony was given under oath before the Interstate Commerce Commission.

Mr. WARREN. When a man makes a statement about his business, that in one year when the general business of the country was prosperous he loses $3,000, and another year makes one hundred and ninety-odd thousand dollars, if sarcasm is not permissible at least a question is, and I am only asking a question. I want to know, if the Senator will be kind enough to inform me, whether there is an explanation in the evidence before us, or, rather, if he can explain why in that one year, when the business of the country was usually prosperous, they lost $3,000, and the next year made one hundred and ninety-odd thousand dollars? What was there peculiar about the facts to explain the difference in results in those two years?

Mr. NELSON. The sawmill here is on the Sound. It is a steam sawmill. The fuel is the refuse. It is a big, complete mill. I am not prepared to say whether it is the biggest mill on the Sound, but I think in equipment it is as good as any other mill. I understand the Weyerhaeuser Company has a mill right close by; I think in a stone's throw, or perhaps a little farther. I have been in the Clark-Nickerson mill and I have seen it myself. It is a fully equipped mill—mill on the Sound, where vessels can be loaded on one side and cars on the other side. The one year referred to the lumber business was generally dull, the other years referred to good.

Mr. WARREN. We do not doubt that. I submit the Senator has introduced a character of evidence that we ought to observe; we ought to notice and we ought to weigh it.

Mr. President, it is often said that figures will not lie. But liars will figure. It is also said. I do not accuse this man of lying. I could not do that. He is a prosperous and no doubt a truthful and prominent man. But it is in evidence now, and when a man says in his business the first year he made a thousand dollars, that he sawed out lumber for his own work and sawed a few carloads for sale, and the next year——

Mr. NELSON. No; it was that same year he made it. He sawed only a little in the fall of the first year, most of it for his own use in the mill, sold only a few carloads.

Mr. WARREN. I understood that that was in the following year.

Mr. NELSON. Oh, no. It was the first year.

Mr. WARREN. When he says that the next year he made $29,000, the next year he made $96,000, the next year he lost $3,000, the next year he made $196,000, I agree with the Senator from Maine that it is a most remarkable statement. I should like to know if there is anything to explain it in the testimony which the Senator has before him.

Mr. NELSON. If the Senator discredits that testimony——

Mr. WARREN. I do not discredit it. I only wish, if I can get it, some explanation.

Mr. NELSON. If the Senator is prepared to discredit it, let him discredit it.

Mr. WARREN. I only discredit it by applying the rules of business that any business man would apply, and the judgment of a business man. I submit to any man in this country who is a business man that that is a remarkable statement. I do not doubt its veracity, but I should like an explanation of it, if there is any to be made.

Mr. NELSON. Will the Senator doubt the explanation?

Mr. WARREN. I have said I do not doubt it.

Mr. NELSON. I have the testimony here, and if the Senator can make an explanation that will explain it let him do it.

Mr. WARREN. It will need somebody to make an explanation, surely.

Mr. McCUMBER. May I ask the Senator from Minnesota a question?

Mr. NELSON. Certainly.

Mr. McCUMBER. I should like to ask the Senator a question. The profits were, the Senator stated, $196,000. I think that the Senator's print is in error. I have $19,306. The Senator has got the profit too large for that year.

Mr. NELSON. What year does the Senator refer to?

Mr. McCUMBER. If I may just recapitulate it, in 1901 it was $29,000. I am giving the round numbers. In 1902 it was $96,000; in 1903, $55,000; in 1904, a loss of $3,258; in 1905, a profit of $72,000; and in 1906, a profit of $19,306, or 19 per cent.

Mr. NELSON. That is wrong; it is $193,000 in my copy.

Mr. McCUMBER. I think there is some mistake in the print.

Mr. NELSON. Possibly there may be. This is the copy furnished me by a clerk of the Interstate Commerce Commission. There is probably a mistake in punctuation and that the correct reading is as the Senator from North Dakota suggests—$19,306.

Mr. HALE. I hope the Senator will not undertake to cut down his remarkable figures in this way. I think he had better take them to their whole extent.

Mr. SMITH of Michigan. I would like to ask the Senator a question. This is the testimony of Governor Clough, as I understand it.

Mr. NELSON. Yes, sir; the manager of the Clark-Nickerson Lumber Company.

Mr. SMITH of Michigan. The Clark-Nickerson Lumber Company. Mr. Clark, the president of the company, is from my State. I know him.

Mr. NELSON. I think he is—there are one or two Michigan men in the company.

Mr. SMITH of Michigan. Yes; but does the Senator know whether Mr. Hovey Clark is a member of that firm?

Mr. NELSON. I can not say. I think he is; but I am not sure.

Mr. SMITH of Michigan. Does the Senator know, or has he any data before him, to show whether a profit is derived from exports or from domestic sales?

Mr. NELSON. From both.

Mr. SMITH of Michigan. I think, as a matter of fact, that they are exporting large quantities of heavy timber to the Orient, and that they have had a very continuous demand from that source.

Mr. NELSON. Mr. President, coming to another question—and I will not dwell on it at great length—all of those mills have had a great export trade. The export trade on the Pacific coast, as appears from the following tables in the House hearings, has been immense, especially since the San Francisco disaster and that at Valparaiso, in South America. They have a big trade by water to various foreign countries, as the tables show.

House hearings, Schedule D, page 3100, Exhibit C.

Shipped from—	Foreign.							
	Australia.	South America.	China and Japan.	Mexico and Central America.	United Kingdom and Europe.	Africa.	Other foreign ports.	Total foreign.
	Feet.	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*
Washington	28,313,923	21,818,502	4,578,026	6,090,633	6,685,718	5,765,419	3,709,763	76,961,984
British Columbia	6,115,095	12,595,886	2,670,396	2,370,560	8,753,019	.....	1,757,593	34,262,549
Totals, 1894	34,429,018	34,414,388	7,248,422	8,461,193	15,438,737	5,765,419	5,467,356	111,224,533
Washington and Oregon	43,755,751	32,139,555	12,632,650	6,716,288	5,504,544	28,092,765	2,214,264	131,055,817
British Columbia	5,874,958	6,103,311	4,868,154	5,367,032	5,558,711	9,548,324	3,424,780	40,745,270
Totals, 1895	49,630,709	38,242,866	17,500,804	12,083,320	11,063,255	37,641,089	5,639,044	171,801,087
Washington and Oregon	44,821,574	34,617,208	22,499,767	13,007,364	9,485,450	11,242,086	9,579,665	145,153,109
British Columbia	17,861,699	11,002,786	15,560,324	1,523,140	9,686,917	3,834,830	3,084,216	62,543,912
Totals, 1896	62,683,273	45,519,989	38,060,091	14,530,504	19,172,367	15,076,916	12,663,881	207,697,012
Washington and Oregon	46,242,383	25,973,758	35,991,494	9,345,469	16,788,593	8,488,531	10,849,559	153,679,787
British Columbia	22,049,732	6,972,620	12,998,963	3,400,000	8,212,156	8,010,667	649,038	62,288,176
Totals, 1897	68,292,115	32,946,378	48,985,457	12,745,469	25,000,749	16,499,198	11,498,597	215,967,963
Washington and Oregon	37,147,070	19,215,654	17,940,132	7,864,463	2,265,361	9,142,345	13,318,016	106,893,041
British Columbia	24,993,799	5,928,008	7,755,827	4,890,000	4,408,800	5,886,004	1,272,165	55,134,603
Totals, 1898	62,140,869	25,143,662	25,695,959	12,754,463	6,674,161	15,028,349	14,590,181	162,027,644
Washington and Oregon	40,877,578	24,989,909	34,658,624	8,201,082	7,409,871	12,041,828	9,070,096	137,228,990
British Columbia	17,990,322	5,399,924	14,901,607	286,136	907,546	6,238,470	3,408,308	49,132,308
Totals, 1899	58,867,900	30,389,833	49,560,231	8,487,218	8,317,417	18,290,298	12,478,401	186,361,298
Washington and Oregon	56,902,139	34,556,276	33,448,227	9,488,801	8,433,967	12,284,414	4,828,839	159,942,663
British Columbia	31,783,542	8,739,125	4,092,212	105,301	24,676,987	5,117,672	466,724	74,981,513
Totals, 1900	88,685,681	43,295,401	37,540,439	9,594,102	33,110,904	17,402,086	5,295,563	234,924,176

House hearings, Schedule D, page 3100, Exhibit C—Continued.

Shipped from—	Foreign.							
	Australia.	South America.	China and Japan.	Mexico and Central America.	United Kingdom and Europe.	Africa.	Other foreign ports.	Total foreign.
	Feet.	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*	*Feet.*
Washington and Oregon	85,428,427	39,675,154	46,762,371	12,898,321	7,473,299	21,793,210	14,370,573	198,401,355
British Columbia	22,922,452	14,648,804	12,702,692	82,599	10,121,532	3,926,620	3,081,391	67,486,090
Totals, 1901	78,350,879	54,323,958	59,465,063	12,980,920	17,594,831	25,719,830	17,451,964	265,887,445
Washington	38,578,962	38,159,699	19,658,317	9,701,520	6,277,973	27,145,177	10,563,946	150,085,594
Oregon	2,089,411	2,193,265	28,613,841	3,095,625	.....	3,839,737	290,977	40,122,856
British Columbia	20,631,920	9,284,552	4,614,192	.....	9,168,616	9,830,463	2,155,265	55,685,008
Totals, 1902	61,300,293	49,637,516	52,886,350	12,797,145	15,446,589	40,815,377	13,010,188	245,893,458
Washington	72,230,804	53,972,673	34,679,762	6,522,877	14,569,040	37,069,332	2,943,777	223,989,265
Oregon	2,346,465	6,003,723	35,708,590	.....	1,792,083	7,828,145	2,083,308	55,822,314
British Columbia	5,155,175	10,118,027	6,965,831	275,345	14,653,600	22,104,484	2,956,232	62,228,694
Totals, 1903	79,732,444	70,155,423	77,354,183	8,798,222	31,014,723	67,001,961	7,983,317	342,050,273
Washington	50,946,307	11,768,443	16,930,822	6,632,564	4,602,020	10,699,800	84,565,039	186,144,995
British Columbia	7,699,076	11,373,793	5,705,361	.....	8,076,286	.....	322,728	33,177,244
Oregon	4,530,981	.....	22,031,811	.....	.....	2,638,652	2,971,292	29,172,736
Totals, 1904	63,176,364	23,142,236	44,667,994	6,632,564	12,678,306	13,338,452	87,859,059	248,494,975
Washington	40,622,367	66,797,905	47,489,889	14,830,875	17,181,161	14,108,392	3,216,706	201,030,589
British Columbia	13,910,784	11,970,963	4,838,004	.....	14,781,264	4,156,980	153,935	49,811,930
Oregon	8,838,578	4,195,477	32,795,225	.....	3,153,832	7,075,976	1,795,102	57,854,190
Totals, 1905	63,371,729	82,964,345	85,123,118	14,830,875	35,116,257	25,341,348	5,165,743	308,696,709
Washington	62,269,733	87,580,794	81,598,172	17,850,130	10,225,575	7,784,498	3,047,814	221,351,716
British Columbia	22,937,218	26,623,607	4,595,753	.....	9,413,870	8,604,204	6,002,210	* 79,176,862
Oregon	23,069,027	5,556,644	69,766,171	201,856	9,533,073	.....	4,460,147	112,526,918
Totals, 1906	110,275,978	119,761,045	105,895,096	18,051,986	29,172,518	16,388,702	13,510,171	413,095,496
Washington	59,621,663	109,098,714	35,282,855	35,954,438	9,355,806	3,297,710	10,109,350	262,720,586
British Columbia	24,336,690	20,687,819	5,617,248	559,022	9,209,422	1,595,076	5,187,932	67,193,208
Oregon	31,529,600	7,482,290	56,963,238	2,205,096	2,471,228	.....	.....	100,651,452
Totals, 1907	115,487,953	137,268,823	97,863,341	38,718,556	21,036,556	4,892,785	15,297,282	430,565,296
Grand total 14 years' water shipments	996,425,205	787,185,853	747,836,548	188,466,537	280,838,370	319,191,810	227,920,753	3,547,711,155

* Panama and New York shipments included.

The idea that the lumbermen of Washington and Oregon can not compete with the lumbermen of British Columbia is extremely ridiculous when you look at these figures, which show that they have practically a monopoly of the export trade from the Pacific coast.

I have the hearings before the committee of the House of Representatives, and I desire to read from page 3100 on the lumber schedule.

Mr. PILES. The Senator from Minnesota began his speech by stating that he did not wish to be interrupted. I do not wish to interrupt him in view of that statement, but, if he desires an interruption, I think I can explain that matter entirely to his satisfaction.

Mr. NELSON. I am willing to answer any question, but if it involves an explanation on the Senator's part——

Mr. PILES. It does.

Mr. NELSON. Then the Senator had better explain it in his own time.

Mr. PILES. Very well.

Mr. SMITH of Michigan. I should like to say to the Senator from Minnesota——

The VICE-PRESIDENT. Does the Senator from Minnesota yield further?

Mr. NELSON. I will yield for a question.

Mr. SMITH of Michigan. Do I understand this is the firm of Clark-Nickerson Company?

Mr. NELSON. It is an incorporated firm—the Clark-Nickerson Lumber Company. I do not know the names of all the stockholders.

Mr. SMITH of Michigan. I think Mr. Hovey Clark, of Michigan, is the head of that concern; I feel quite sure about it; and I want to say to the Senator from Minnesota [Mr. NELSON] and for the benefit of the Senator from Wyoming [Mr. WARREN], that he is a man of the highest character, that he is not speculative nor a dreamer, and that he is a success from every point of view.

Mr. HALE. Evidently.

Mr. SMITH of Michigan. And I think it will be generally admitted that that statement is absolutely correct.

Mr. WARREN. Mr. President, the amended statement is certainly a little more practical than the one first made. I should like to ask, if the Senator is willing to answer, and if he has the information—he, I think, remarked that this firm is not making money now—did he mean that it is now making no profit at all?

Mr. NELSON. I do not know what they are making. I understood that there, as in our State, matters have been largely at a standstill in the lumber trade.

Mr. WARREN. For how long?

Mr. NELSON. Stagnation began in the lumber industry, as the Senator would have learned if had listened to me, for I am not here pettifogging——

Mr. WARREN. I understand that.

Mr. NELSON. The stagnation of the lumber industry began in the spring of 1907.

Mr. WARREN. Well.

Mr. NELSON. It began because the prices had got so abnormally high and the prosperity in 1906 had been so great that there was, as it were, an overproduction. Stagnation had set in to a limited extent before the panic in the fall of 1907. When that panic occurred matters were brought to a standstill all over the country, more or less, and especially in such industries as the lumber industry, where they had been inflating prices for a series of years.

Mr. WARREN. I will say to the Senator that I am not accusing him of pettifogging. I think perhaps I was out of the Chamber when he made the statement about stagnation, and so forth, but I wanted to get, if I could, some information; and the Senator seems abundantly able to give it. As to this dullness, what has been its extent? Has it been that the lumbermen have been losing, or have been at a standstill? The reason why I ask the question is because as to myself and many of those——

Mr. NELSON. Let me ask the Senator——

Mr. WARREN. Let me finish the sentence.

Mr. NELSON. Has the panic affected your industry out in Wyoming?

Mr. WARREN. I was just coming to that, if the Senator had waited. I want to say that as to the price of lumber—and I and those connected with me have been buyers continually—the

prices have not reflected any dullness on the part of the lumber manufacturers of late years. I am asking the question for information, not to detain the Senator, and I want him, if he can, to give some explanation why there should have been such enormous profits made at that time and no profits or perhaps losses are ensuing now, while those of us who are buying lumber seem to be paying as much, or even more for it, now than when these immense profits were being made?

Mr. NELSON. It is difficult to explain to the Senator, because I see he is in an obtuse state of mind this afternoon.

Mr. WARREN. Is the Senator able to explain it to himself? I will ask another question.

Mr. NELSON. Certainly.

Mr. WARREN. I will ask why the concerns that then made so much, under the same tariff and the same Government and under a state of business that had been fairly profitable, are losing now or making nothing?

Mr. HALE. I think the Senator from Wyoming himself misunderstands the Senator from Minnesota. The Senator from Minnesota does not mean to say that the otherwise universal prosperous condition of business has arrested the triumphal march of this wonderful man, who makes money when nobody else makes it. Has it stopped him from making money during the last two years?

Mr. NELSON. Mr. President, without intending to be personal, I want to say to the Senator from Maine, in all seriousness, that he is a master of the art of sarcasm.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Certainly.

Mr. McCUMBER. I think I can partially answer the question of the Senator from Wyoming [Mr. WARREN]. The Senator indicates that there has been no particular change in the price of lumber in his section of the country during the last year.

I assume the Senator speaks from the standpoint of the retailer, rather than from the standpoint of the wholesaler. If the Senator, however, had looked at the quotations of November, 1907, and then looked at the quotations of January and February, 1908, he would have seen that there was a drop of more than 30 per cent, in many cases up to 50 per cent, in the wholesale price of lumber. The retailers were already stocked up pretty well, and everybody knows that the retailers have combinations of their own. When they were stocked with lumber at a certain price, they intended to continue the sale of that lumber upon the basis of the old price just as long as it was possible, and until they could sell out the lumber that had been purchased at the price of 1907, they would continue the retail prices of 1907, and they have continued them pretty well since that time.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I am speaking in the time of the Senator from Minnesota [Mr. NELSON], and not in my own time.

The VICE-PRESIDENT. Does the Senator from Oklahoma desire to question the Senator from North Dakota or the Senator from Minnesota?

Mr. GORE. I desire to question the Senator from North Dakota.

The VICE-PRESIDENT. Will the Senator from Minnesota yield to the Senator from Oklahoma for that purpose?

Mr. NELSON. Certainly.

Mr. GORE. I want to ask the Senator from North Dakota if the tariff was as high in January and February, 1908, as it was in November, 1907?

Mr. McCUMBER. I think the Senator does not need to ask that question.

Mr. GORE. I hope the Senator will answer it.

Mr. McCUMBER. Mr. President, I do not think the question needs an answer. I think the Senator well knows that there has been no change in the tariff schedules during that time.

Mr. GORE. I desire to ask this further question: If a high tariff is the cause of high wages and high profits, why was not the same high tariff a guaranty of the same high prices in wages and profits in January and February, 1908, as in November, 1907?

Mr. McCUMBER. I think the Senator from Minnesota [Mr. NELSON] has already thoroughly answered that question when he stated that there was an overstocking in the lumber business even prior to the panic of 1907, and that panic, then operating upon the lumber conditions as they were, immediately forced down the price about 30 per cent from the original wholesale price. I may go further and say that I believe even after they had lowered the price 30 per cent they were still selling at a profit and were not selling at a loss. In other words, I do not believe that during the months of January and February, when the wholesalers had dropped 30 per cent of the original wholesale price, they were doing business just for the pleasure of doing business or for the pleasure of losing money.

Mr. GORE. The point I was getting at was that general business conditions affect wages and profits; that they are not exclusively due to a high or a low tariff, and that under one administration or another prices would fall from 30 to 50 per cent without any reference to a threatened revision of the tariff.

Mr. WARREN. Will the Senator from Minnesota permit me to ask a question of the Senator from North Dakota?

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Wyoming?

Mr. NELSON. Certainly.

Mr. WARREN. I understood the Senator from North Dakota said that the price of lumber had fallen some 30 per cent as between the manufacturer and the wholesaler and as between the wholesaler and the retailer, but that in some way the retailer charged about the same. Was that correct?

Mr. McCUMBER. No.

Mr. WARREN. He charged about the same prices and retained nearly the same profit?

Mr. McCUMBER. Not as between the wholesaler and the retailer, but as between the retailer and the customer the prices remained about the same.

Mr. WARREN. Business had been dull, and there had not been as much lumber sold. Now, I want to ask the Senator how far that logic goes in our economic structure, that when business is dull and there are small sales the prices are kept up, notwithstanding the cost to the wholesaler and to the retailer is very much less? That the retailer can best keep up his prices in dull times is a new phase of trade with which I never have been acquainted. To say that when business is dull for the retailer and he buys his stock for far less than he does when business is good he continues to retail at the old price is a new proposition to me.

Mr. McCUMBER. Mr. President, the answer presupposes a stock of goods on hand by the retailer, and that was the condition. There is more or less of a close relation between the wholesaler or the manufacturer and the retailer, and in most instances the manufacturer is himself the wholesaler. There is such a relation as will justify possibly the manufacturer in assisting the retailer in disposing of the stock of goods he has on hand at the old price before he will ask him to take additional amounts at the lower price.

Mr. NELSON. Mr. President, I hardly know where I am, after all this interruption. I am almost in the position that the Senator from Maryland [Mr. RAYNER] described himself to be in this morning. No doubt, by and by, when the other side of this case is presented you will have your attention called to some pictures which have been reproduced in the House hearings, showing Japanese and Chinamen working in the mills in British Columbia. As an offset to these pictures produced in the hearings, I have some pictures here [exhibiting] of Chinamen and Japanese in the mills at Port Blakeley, in the State of Washington; so that you can offset the pictures in one case against those in the other.

Mr. PILES. Mr. President——

Mr. NELSON. These were taken on the 20th of March last.

Mr. PILES. I should like to ask the Senator——

Mr. NELSON. And they are fine-looking Japanese and Chinamen, as the Senator from Washington will see if he will come over here and examine them.

Mr. PILES. What mills are they from? I should like to say to the Senator from Minnesota that he can find but two mills in the State of Washington that employ oriental labor out of 110,000 white men that are toiling in that industry in that State to-day, and there are 14,000 men working in the shingle industry, who have their protest on file here in the Senate appealing to this body to give them relief against oriental labor, and who say that they are idle from three to six months in a year and can not make a living in the shingle industry.

Mr. NELSON. The figures say that out of 40,000 employed in British Columbia, less than 4,000 belong to the Japanese race.

Mr. PILES. What figures say that?

Mr. NELSON. They are in the hearings. I can not now turn to the exact place.

In British Columbia and in the Province of Ontario most of the timber is cut under licenses from the government. The land is not sold, simply the right to cut timber on what are

known as "crown lands." The government does not sell the land. It sells the timber at public sale. The minimum upset price is 50 to 60 cents a thousand feet. Recollect that the big lumber men on the Pacific coast acquired most of their timber at from 15 to 20 cents a thousand. The Canadian timber is put up at auction, as I have said, at an upset price of 50 cents a thousand feet. The bidders have to pay that in royalty and as much more as the highest bid may be. Whatever the bid is, over and above the royalty, they have to pay in cash immediately, and the royalty of 50 cents a thousand they pay as they cut the logs. I have here the printed form of one of those licenses. There is a time limit fixed, and in all those licenses there is a provision which I will read:

This license is issued and accepted on the understanding that no Chinese or Japanese shall be employed in connection therewith.

So that oriental labor is absolutely cut off from logging. They do employ a few in the State of Washington and a few in British Columbia in the mills, but they employ them in both cases more as a matter of necessity than because they are regarded as cheaper labor. It is true that nominally their wages are a little less; but when you consider their efficiency as laborers, they are as expensive as any set of labor; and Mr. Lamb, of the State of Washington, who is engaged in the logging business, and who came on here and appeared before the Committee on Ways and Means to give his testimony in favor of a reduction of the present tariff, in his testimony which I have quoted, was candid enough to admit that there was practically no difference in the cost of logging on our side of the line and on the British Columbia side.

The truth of the matter is—and that is the most important question involved in this whole case, although the Senator from Maine and the Senator from Wyoming sneered at the figures—that outside of a few railroad men, the wealthy men, the millionaires in Minnesota, Wisconsin, and Michigan, are the lumbermen. They are the men who have made fortunes. The Senator from Michigan well knows there are lumbermen in that State who are millionaires, and I know the State of Wisconsin has some millionaire lumbermen. You can sneer at this testimony, but it is a remarkable thing that the men who are engaged in the lumber industry in the course of a few years get to be millionaires, while in few other industries are there millionaires unless they have been engaged in stock watering in connection with some corporation. Mr. WARREN has——

Mr. WARREN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Wyoming?

Mr. NELSON. Certainly.

Mr. WARREN. Mr. President, the Senator is mistaken if he thinks that I am sneering at anything in the subject that he is discussing——

Mr. NELSON. Oh, I meant it in a polite way, not in an offensive way.

Mr. WARREN. Except that I did perhaps discredit to some extent the figures, which the Senator has already withdrawn.

Mr. NELSON. I have not withdrawn them.

Mr. WARREN. There is a difference between $196,000 profit in a year on a capital of $100,000 and $19,000 profit.

Mr. NELSON. I have not withdrawn them.

Mr. WARREN. The statement made by the Senator from North Dakota——

Mr. NELSON. That is his statement; it is not mine.

Mr. WARREN. Are they the figures the Senator wishes to stand?

Mr. NELSON. I have not withdrawn them.

Mr. WARREN. Well, then, the Senator wishes to stick to the figures and approves the statement that the profit was $196,000?

Mr. NELSON. There is no use in quibbling about this. It is a matter of record in the files of the Interstate Commerce Commission; it is not printed, but it is in typewritten shape. I went down there and read it, and asked them to furnish me a copy. The son of one of the commissioners supplied me with this copy. Whether it is absolutely exact or not I do not know. If the Senator doubts it he can go down and examine the record. It is, in fact, as I quoted it, but I am inclined to think there was a mistake in punctuation in the copy furnished, and that the correct figure is $193,000. The Senator is evidently hanging a good deal on this probable error in punctuation for want of something more substantial to attack.

Mr. WARREN. I wish to be entirely respectful about this. First, I want to say to the Senator that I represent in part here a State that buys a great deal of lumber, and, so far as I know, sells none outside of its boundary lines. I am in a position to be as easily for free lumber as for protected lumber so far as the local interests of my State are concerned, and probably I could be for free lumber more easily.

Mr. NELSON. But let me ask a question——

Mr. WARREN. Wait a moment.

Mr. NELSON. Let me ask the Senator, does he not think as to the matter of free lumber that his judgment is warped by hides and by the duty on wool? [Laughter.]

Mr. WARREN. Mr. President, neither the hide nor the wool of any animal or any man, so far as I know, has ever warped my judgment; but I want to say to the Senator that as a protectionist I am always anxious to be convinced that any commodity which has been under protection should be made free before I vote to make it free, and I have asked of the Senator in good faith the question stated.

Mr. NELSON. I have tried to answer them.

Mr. WARREN. Now, I want to say to the Senator that I do doubt that the concern to which he has referred, or any other concern, under regular business management, made $196,000 clear profit in one year on $100,000 capital, when in the year before, under the same conditions throughout the United States, they lost $3,000. I submit that to the candid judgment of the Senator.

Mr. NELSON. In the first place it was not the year before when the $3,000 loss occurred. In the next place I can account for the great profit of the years 1906 and 1907, and I will explain it. That year—1906—when they made so much was the year of the San Francisco earthquake followed by the disaster further south at Valparaiso. The result of those disasters was that there was an abnormal demand for lumber in San Francisco and at the other point. Instead of shipping the lumber eastward by rail to the Dakotas, Minnesota, and the Mississippi Valley, they shipped it to San Francisco. They could not supply the demand there fast enough and they got whatever figures they had a mind to ask. Does not the Senator know those facts?

Mr. WARREN. I understand that, but does the Senator propose to predicate his argument for free or reduced lumber tariff rates upon the occurrence of an earthquake that happens, perhaps, once in a lifetime? Does he suggest that the conditions that existed following that earthquake shall guide us in our legislation as to the future, when we do not expect, and pray to God we shall not have, earthquakes every year?

Mr. NELSON. I have never thought that even an earthquake would affect the Senator from Wyoming at all on the tariff. [Laughter.]

Mr. WARREN. I thank the Senator for his compliment.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Maine?

Mr. NELSON. Certainly.

Mr. HALE. Does the Senator think that in the year he has given for this most remarkable profit, which was paid out to the stockholders of the corporation referred to, the earthquake at San Francisco and the calamity at Valparaiso enabled any other business concerns in the Northwest to make any such inordinate profit as the Senator claims for this particular concern? Does the Senator wonder that the statement is so remarkable, as brought out by the criticism of the Senator from Wyoming, that other Senators doubt—not the sincerity of the Senator from Minnesota, because we have summered and wintered with him and know that he is always sincere—but he is under a wrong impression and he has been deluded.

Mr. NELSON. That is the way I feel about the Senator from Maine and the Senator from Wyoming. [Laughter.]

Mr. HALE. Undoubtedly the Senator feels that way.

Mr. NELSON. Yes; both of you seem so utterly deluded that you refuse to see the truth when it is presented to you.

Mr. HALE. I am not alone in this matter. The statement of the Senator from Minnesota was so remarkable, was so opposed to the experience and observation of everybody connected with this business, and disclosed what was such an apparent extravagant profit, that it discredited the entire statement. I am wrong entirely if I am not justified in saying that the impression conveyed to other Senators was that the statement made by the Senator from Minnesota could not be depended upon—not his sincerity—but he has either gotten the figures all wrong, as the Senator from North Dakota indicates, or he has been misinformed.

Mr. WARREN. Mr. President, I did not rise to contradict either the opinions of the Senator or his sincerity of statement. I did doubt, and I still doubt, whether the statement can be maintained that a business conducted, as I suppose that was, in a legitimate way, could vary from $3,000 below par to $196,000 above par in net yearly profits on a capital of $100,000.

ing upon the lumber conditions as they were, immediately forced down the price about 30 per cent from the original wholesale the timber is cut under licenses from the government. The land is not sold, simply the right to cut timber on what are a State that buys it great deal of lumber, and, so far as I know, sells none outside of its boundary lines. I am in a position to be as easily for free lumber as for protected lumber so far as

Mr. NELSON. And $300,000 of borrowed money.

Mr. WARREN. It might vary in a number of years, but hardly to the extent the Senator suggests. I want to ask, When was the earthquake in San Francisco? When were the largest profits of that concern realized, and does the Senator connect them? If so, I wish he would tell me. I am asking in good faith, because, as I say, I have made no declaration as to how I am going to vote upon this schedule, but to a business man who has done business in dollars and cents all his life the statements of the Senator's witness seem so remarkable that I think I ought to be excused for seeking further light and asking the Senator in good faith whether he had noticed what preceded or followed in the testimony of the witness from whom he quoted, or whether the Commission put the questions which would have occurred to me, and I assume occurred to them, to ascertain the reasons for that abnormal condition which, with small capital, should enable a business concern to make that enormous profit in one year, and bring about a net loss in one year right in between two profitable years. I am asking these questions in good faith.

Mr. NELSON. I am sorry for the Senator. I want to say, in the first place, that I regard it as utterly hopeless to attempt to convert the Senator from Wyoming or the Senator from Maine. That is not the purpose of my remarks. I regard those Senators as utterly incorrigible, and I shall feel complimented if they continue to doubt. I expect nothing else.

Mr. WARREN. Is the Senator willing to put himself on record as saying that that statement is correct?

Mr. NELSON. I am ready to put myself on record that it is a copy of the testimony furnished me from the Interstate Commerce Commission.

Mr. WARREN. That is another thing.

Mr. NELSON. The Senator can go down and examine the files, and if he can find a mistake he can make the most of it.

Mr. WARREN. I thought perhaps the Senator himself might discover it.

Mr. NELSON. How do you know it is a mistake? You are assuming that.

Mr. WARREN. I do assume it, and I wish to be recorded in that way.

Mr. NELSON. All right. I can not help in what violent presumptions the Senator indulges.

Mr. WARREN. If it is a violent presumption, I am willing to submit to the judgment of the Senate and the country, which has the more abnormal judgment—the man who swallows wholly a proposition from a business concern, so abnormal and so unreal as that indicated by the figures the Senator has quoted, or the man who believes that there has been some mistake in copying, and that the Senator himself, when he reviews the case, will desire to correct himself as to those figures.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. NELSON. Certainly.

Mr. GORE. Either I misunderstood the Senator from Minnesota, or else the Senator from Wyoming misunderstood him. The Senator from Wyoming represents that he said there was a loss of $3,000,000 one year and the next year a profit of $193,000,000——

Mr. NELSON and others. Oh, no.

Mr. GORE. Thousands. A profit of $193,000 the next year. That is as I remembered the statement of the Senator from Minnesota. I merely wanted to be correct. I was in error.

Mr. DICK. Will not the Senator print, in his remarks, the form of contract?

Mr. NELSON. Certainly.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. NELSON. Certainly.

Mr. GORE. I merely wish to ask the Senator from Minnesota to restate the results for the three years, including the loss of $3,000 and the two succeeding years. I think the Senator from Wyoming misunderstood him, or else I have misunderstood him. I wish the record to be correct on the proposition.

Mr. NELSON. I will read the figures again, Mr. President. It began in the fall of 1900, and most of the sawing was done for themselves.

Mr. GORE. 1904, 1905, 1906.

Mr. NELSON. I will read it:

The first year of our profits were $1,634.

* * * * * * *

In 1901 our profits were $29,167, which was 29 per cent and a little over on our investment.

In 1902 our profits were $64,729, or 60 per cent and a little more on our investment.

In 1903 our profits were $55,721, or 55 per cent and a little over on our investment.

In 1904 I am ashamed to tell that, as that was a bad year. In that year we made a loss of $3,358.

In 1905 our profits were $72,186.

In 1906 our profits were $193,06.

It should be and was meant for $193,060.

He states further that he did not know exactly what the profits were for 1907, but that he had already distributed among the stockholders $130,000.

Mr. KEAN. Will the Senator yield to me for a moment? I think if the Senator from Minnesota will look at that statement, the last one, of $193.06, he will find it is the only one that is given in cents, and I think he will find that the punctuation is wrong, and that it is nineteen thousand and odd dollars.

Mr. WARREN. I think the Senator will find there should be six figures, numerals and ciphers. However, the Senator from Minnesota is sure he is right.

Mr. NELSON. It is possible there may be a mistake as to this one year. I will show the Senator from Wyoming the original figures, as I have them here. But whether there is a mistake as to this one year or not, one fact stands out clear; the company started with a cash capital of $100,000. It borrowed $300,000, and in the course of seven years it has paid a yearly dividend of 6 per cent to the stockholders, paid up all borrowed money with interest, and repaid to the stockholders all the capital they originally invested, and after all this is left with a fine sawmill and several million feet of lumber. The quibbling over one year's profit does not destroy these hard facts or the aggregate result.

Mr. PILES. I think the Senator from Minnesota is right. I knew great comment was made all over the Pacific coast at the time this matter came up. The testimony is that in 1905 they made a profit of seventy odd thousand dollars, according to his statement. In 1906, the banner year, of course they must have made more than $72,000, according to his statement. Everybody in that whole country was very much astonished when the statement came out that this one mill, the only mill upon the Pacific coast, had been able to make anything like this sort of profit. I do not think the Senator is mistaken in his figures. I think that is exactly as he will find them.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Certainly.

Mr. McCUMBER. I think there is no question about any of the figures, except the very last item. There is evidently an error in the punctuation mark there.

Mr. HALE. A small error!

Mr. McCUMBER. It is an error.

Mr. HALE. Of how much?

Mr. McCUMBER. It is an error; that is sufficient; and of course the difference would be between thousands and hundreds of thousands.

Mr. HALE. Between nineteen thousand and a hundred and ninety thousand.

Mr. McCUMBER. That would be my conclusion, undoubtedly. Otherwise it would be $193.06, which of course was not intended.

Mr. HALE. It reduces the absurdity of the statement so much.

Mr. McCUMBER. The Senator found it equally absurd in all the prior figures of $96,000 and of seventy odd thousand for others years; and there is no mistake about that.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from California?

Mr. NELSON. Certainly.

Mr. FLINT. I think there can be no question that on the Pacific coast during the year 1906 very large profits were made by those engaged in the lumber industry. As a matter of fact, after the earthquake in San Francisco, which took place in April, 1906, the conditions were such that they could not find enough lumber schooners or vessels to carry the lumber. Extravagant prices were charged in San Francisco and along the entire coast, and during that year the lumber men were charged with having a combination and with having charged excessive prices; and there can be no question that they did make very large profits during that year.

Mr. NELSON. That vindicates what I said a moment ago. It verifies it. That is precisely the case. Those mills on the coast took advantage of the conditions prevailing in San Francisco, when the whole city was in ruins and the people were anxious to rebuild as fast as possible, and the mills could scarcely meet the demand fast enough.

Mr. PILES. I wish to refute that statement in behalf of the mill men of the State of Washington. Taking the figures the Senator himself quoted that the price of lumber at the mills

in the State of Washington was $14.02 a thousand, how can it be said that those mill men, who sold their lumber to the intermediate men on Puget Sound, were holding up the people of San Francisco or at any other point?

Mr. NELSON. They shipped their products, and the Senator from California knows the price which was there paid. The average figures I gave from the government report was the average price for the entire country.

Mr. FLINT. I want to correct that statement, if I gave the impression that it was because of a combination of the lumber men. The Senator from Washington [Mr. PILES] has called my attention to the fact. I wish to correct it. In my opinion it was not a combination of the lumber men in the Northwest, but a combination of those engaged in the business in San Francisco, and they not only charged extravagant prices for lumber, but for all other kinds of material, so that the people were aroused there and stopped building in order to meet that condition. I am convinced that the lumber men in the Northwest did not receive those high prices. The labor situation, as is suggested to me, was just as bad as the material situation.

Mr. NELSON. At the request of the Senator from Ohio, I will ask to have the form of Canadian timber license incorporated in my remarks.

The matter referred to is as follows:

BRITISH COLUMBIA—LAND ACT AND AMENDMENTS—TIMBER LICENSE.

In consideration of ——— dollars now paid, and of other moneys to be paid under the said acts, and subject to the provisions thereof, I, W. S. Gore, deputy commissioner of lands and works, license ——— to cut, fell, and carry away timber upon all that particular tract of land described as follows:

———

———

———

The duration of this license is for ——— year from the ———, 190 .

The license does not authorize the entry upon an Indian reserve or settlement, and is issued and accepted subject to such prior rights of other persons as may exist by law, and on the undertaking that the government shall not be held responsible for, or in connection with, any conflict which may arise with other claimants of the same ground, and that under no circumstances will license fees be refunded.

N. B.—This license is issued and accepted on the understanding that no Chinese or Japanese shall be employed in connection therewith.

Deputy Commissioner of Lands and Works.

LAND AND WORKS DEPARTMENT,
Victoria, B. C., ——— ———, 190 .

Mr. NELSON. As bearing on the question of prices and on the question of wages, I ask to have the Secretary read the letter which I send to the desk.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

SAUK RAPIDS, MINN., *April 19, 1909.*

Hon. KNUTE NELSON,
Washington, D. C.

DEAR SENATOR: Inclosed I am sending you a clipping from the Pioneer Press of the 18th inst., which states your position on the tariff on lumber. I am sure you are right on this proposition.

I am sure that every farmer and laborer of your home State thinks you are right and will back you to the finish; though the rest of your colleagues may call you an insurgent your home people will be with you. I am glad that Senator McCUMBER is with you. Senator CLAPP ought to fall in line.

Perhaps I do not know very much about the lumber business, but I spent about fifteen years of my life driving on the river and working in the sawmills, so I have had some experience as a workman.

I have stood at my machine year after year and saw lumber advance dollar after dollar per thousand, and have never yet seen the boss come in and say, "Boys, lumber has gone up; we are going to raise your pay."

I know that our little mill here, which saws about 50,000 feet per day, is only a drop in the bucket as compared with the great lumber industry of the United States, but I do know that it is a straw that shows which way the wind blows.

I do know that Thos. Shevlin and his Co. is the owner of this mill, and that his company is one of the big companies operating in this State; and what his big mills are doing elsewhere our little mill here is following suit. I know that common laborers in 1906 here received $2 per day, and this year they are only receiving $1.65. I know that No. 1 flooring in 1903 was worth *$28 per M.* and to-day it is held at *$36 per M.*

I know the lumberman's argument, that pine stumpage is worth more to-day that it was six or eight years ago. I think they are right in this contention. The law of supply and demand must prevail, but *they* ought to understand this law thoroughly.

The men who make it possible for them to manufacture their raw material into a marketable product are also subject to the law of supply and demand; their families need just as much to-day and more than they did years ago, because has not our late President, Mr. Roosevelt, promulgated the fact that we must look out for race suicide. Our families are larger, our living expenses are greater, and our wants are as many.

We are looking to you to make the burden lighter. We do not wish to make your burden harder. We only know that we have a Senator that we all can love and obey.

Very friendly yours, CHESTER A. CODORN.
Per C. G.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Will the Senator from Minnesota yield to his colleague?

Mr. NELSON. Certainly.

Mr. CLAPP. I expect before this discussion ends to take part in it and to advocate the reduction, if not the abolition, of the duty on lumber. In view of the reference in this letter, I would not want it at that time to seem that there had been any following in this matter. There are Senators on this floor who will recall that, almost two years ago, I urged upon them the importance of taking the duty off of lumber. I have not believed for five years that the duty on lumber bore any earthly relation to the price or production, and when I come to discuss the question I will take the position and urge it, that if Congress had done this two years ago, upon its own motion, we would not to-day be in the frenzy and hysteria of tariff revision.

Mr. NELSON. I believe in always being candid with Senators. I think the big owners of pine stumpage who have succeeded in capturing nearly all of the timber of this country, with the exception of little odd fragments here and there, are at the bottom of this whole difficulty. I know that in the State of Minnesota—and we are still the main white-pine lumber State—the only lumbermen who are insisting upon a high tariff, and the only men who have urged me to vote for it, are the men who bought these millions of acres of stumpage on the Pacific coast. A representative of the Weyerhaeuser Company called on me and wanted to spend an hour with me to discuss this question. I told him it was a useless task; that there was no use wasting any of his precious time on me. I have had letters from other gentlemen, but the only lumbermen in Minnesota who have asked me to stand by the high tariff of the Dingley Act are the men who have bought all this immense amount of pine stumpage on the Pacific coast—in Oregon, in California, and in Washington—and the yellow pine of the South. They have a monopoly of it just as the steel trust has of the iron ore of this country; and what are they after? They are marking up their stumpage, and what they want us to do—and they are here through their representatives—is to keep up a stiff tariff in order that they can hold up the stumpage prices. Are we to use the legislative power of this country to enable men to speculate in stumpage? That is the question at the root of this matter. Are you going to arm them and equip these great men, who practically monopolize the lumber supply of this country, with the power of levying tribute on the American people and with the power of making any price they see fit?

Mr. PILES. Mr. President——

Mr. NELSON. Wait until I get through. You will have time. If you examine the figures you will find—and I want to treat the mill men fairly—that the greatest increase has not come from labor or from the expenses of the mill men or their profits. The greatest increase has been brought about by the men who own the stumpage. They have been marking it up from year to year, from month to month. They have marked it up from 15 and 20 cents a thousand to a dollar, two dollars, and three dollars a thousand, and in some cases, eight and nine dollars.

These gentlemen have control of, practically, the timber supply of the country, outside of what is in Government reservations; and it is a remarkable thing that the timber men, these big men, have patted Mr. Pinchot on the back. They have been so glad that he has taken so much land into forest reserves. The more he took, the closer the corporation and the bigger the monopoly for them. Now, are we going to make ourselves the servants and creatures of such a great monopoly? Unfortunately we can not do what our Canadian friends on the North have done. I read from their tariff law. Unfortunately we can not legislate in this way, under our constitutional limitations. I read from their customs tariff act of 1897:

Whenever the governor in council deems it to be in the public interest—

The governor in council, I may say, is the governor with his cabinet. It is practically the cabinet; the ministers of that country—

Whenever the governor in council deems it to be in the public interest to inquire into any conspiracy, combination, agreement or arrangement alleged to exist among manufacturers or dealers in any article of commerce to unduly promote the advantage of the manufacturers or dealers in such article, at the expense of the consumers, the governor in council may commission or empower any judge of the supreme court, or of the exchequer court of Canada, or of any superior court or county court in Canada, to hold an inquiry in a summary way and report to the governor in council whether such conspiracy, combination, agreement or arrangement exists.

The judge may compel the attendance of witnesses and examine them under oath and require the production of books and papers, and shall have such other necessary powers as are conferred upon him by the governor in council for the purpose of such inquiry.

Now, mark you! If the judge reports that such conspiracy, combination, agreement, or arrangement exists in respect of

[illegible] cent on our investment.

In 1903 our profits were $[illegible], or 90 per cent and a little more on our investment.

Mr. PILES. I wish to refute that statement in behalf of the mill men of the State of Washington. Taking the figures the Senator himself quoted that the price of lumber at the mills

The VICE-PRESIDENT. Will the Senator from Minnesota yield to his colleague?

Now, mark you! If the judge reports that such conspiracy, combination, agreement, or arrangement exists in respect of

such articles, the governor in council may admit the article free of duty, or so reduce the duty thereon as to give to the public the benefit of reasonable competition in the article if it appears to the governor in council that such disadvantage to the consumer is facilitated by the duties of customs imposed on a like article.

Unfortunately we can not engraft such a provision on our tariff law under our constitutional limitations, but we can do this: We can by our tariff legislation cease to arm and equip these men with the power to levy tribute on the American people. Think of the rise of more than a hundred per cent in the price of lumber from 1898 to 1907—a hundred to a hundred and fifty per cent! Think of the prices and then look! I have not the time and will not take the time of the Senate to read from the hearings in the House, but I ask gentlemen to look at the figures there and see how these gentlemen have been marking up their pine stumpage all over the country. Are we to make ourselves the creatures of these speculators and aid them to levy tribute upon the American people?

I desire to call the attention of the Senate to another feature of this bill—the duty on planed and grooved boards and lumber. While the bill reduces the duty on unplaned boards and lumber 50 per cent, the differential or cumulative duty on planed and grooved lumber of the Dingley law is retained. Although I am in favor of free lumber, yet by way of compromise I might bring myself to agree to a flat rate of $1 per thousand on all classes of lumber, whether planed or unplaned. There is no good reason for the high duty on planed and grooved lumber, as I shall show you beyond any doubt or peradventure. This bill provides that in addition to the $1 per thousand on unplaned lumber, where it is planed on one side it shall pay in addition 50 cents, planed on two sides an extra dollar, planed on three sides a dollar and a half extra, planed on four sides two dollars extra, and planed on one side and matched, as we call it, or grooved one dollar and a half, planed on two sides two dollars and a half.

Now, what are the facts? I desire to call your attention to them. First of all I want to show you what the cost of planing and grooving is. The old style of planing in the old obsolete mill was to put a piece of lumber through once for every side you planed. You put it through once to plane it on one side, then put it through again to be planed on the other side, and then put it through to be matched, or grooved, as it is called in the bill. I read from a letter of the Brooks-Scanlon Company, of Minneapolis, Minn., one of our large lumber concerns:

We understand the lumber schedule will be considered in the near future by the Senate and that the Payne measure provides for a very heavy duty on finished lumber coming into this country on the presumption that it is a protection to the American laborer. This is a very erroneous idea. We are operating one large sawmill in this State that has been cutting 100,000,000 feet, and two sawmills in the State of Louisiana that have been cutting 100,000,000 feet annually. The cost of finishing lumber at the planing mill at Scanlon, Minn., for 1908 was $0.487 per thousand feet and $0.458 per thousand feet at the Kentwood, La., plants. This cost includes repairs and supplies and covers all lumber sent through the planing mill, but does not include lumber shipped in the rough. The cost at our Scanlon plant is high, as practically all of the low grades are shipped to the cargo trade via the Great Lakes in the rough. This leaves the high-grade stock to be finished at the planing mill, and the average cost per thousand feet would be very much less if we were to sell our product to the retail dealers the same as the average lumberman does. Our cost in Louisiana is very much higher than it would be in Minnesota, due to the fact that 45 per cent of the yellow pine lumber is cut up into 4-inch strips, while lumbermen in the Northern States make it a practice to saw their lumber as wide as possible because wider widths command higher prices, while the reverse is true in the South. The cost of planing narrow lumber is very much greater than it would be for wide widths, as usually only one piece is put through the machine at a time. Why the duty should be higher on lumber whether surfaced one, two, three, or four sides is a mystery to us, as it is not necessary to put a piece of lumber through a machine more than once to dress it on all four sides, and it seems ridiculous to increase the duty on that account. Many years ago, with the old style planing-mill machinery, it was necessary to put a piece of lumber through the machine as many times as you had sides to dress, but that type of machine is obsolete, and we do not think there are any in use at any of the mills in this country now.

* * * * * * *

BROOKS-SCANLON LUMBER CO.

Thus it appears that you can run a board through the planing mill, have it planed on both sides, and grooved or matched all in one operation at a cost not exceeding 50 cents per thousand feet. There is another saving, too, in the matter of dressed lumber, and that is in the matter of transportation—the freight. Lumber is shipped by weight, at so much per hundred pounds. There is a great difference in the weight of a thousand feet of unfinished lumber and of dressed lumber. The following statement, compiled from the House hearings, illustrates the difference:

TRANSPORTATION CHARGES, ROUGH AND FINISHED LUMBER, PER THOUSAND FEET.

According to statement in brief of W. S. Dwinnell, pages 3074–3075: Rough yellow pine weighs 2,700 pounds per thousand feet. Finished yellow pine weighs 2,300 pounds per thousand feet.

According to brief of National Lumber Association, page 8071: Rough lumber weighs 2,500 to 3,000 (average 2,750) pounds per thousand. Finished lumber weighs 400 pounds per thousand less.

Accepting Mr. Dwinnell's statement and assuming a freight rate of 50 cents per hundred pounds freight rate, transportation on rough lumber costs $13.50 per thousand feet. Transportation on finished lumber costs $11 per thousand feet.

Accepting National Lumber Association figures and same rate, transportation of rough lumber costs $13.75 per thousand feet, and transportation of finished lumber costs $11.75 per thousand feet.

In consequence of the differences very little rough lumber is shipped by rail. Hence free rough lumber by itself will not help interior points much. They need free or reduced tariffs on finished lumber.

The foregoing statement shows that it costs 15 per cent less to ship 1,000 feet of dressed than undressed lumber, and hence that is the lumber that is sold and shipped, as I have already pointed out. Over 90 per cent of the lumber sold and used is dressed lumber, and undressed lumber is sold at a higher rate than dressed lumber on account of the higher cost of transportation.

Mr. HEYBURN. I should like to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. NELSON. Certainly.

Mr. HEYBURN. Is it not a fact that lumber is not shipped by actual weight, but by estimated weight, and that the basis upon which finished lumber is shipped is entirely different from that upon which rough lumber is shipped?

Mr. NELSON. No; that is not always true. The railways may not weigh every car, but they get at an average by sample weighings. By weighing, a rule as to weight of rough and finished lumber is established at so much per thousand. To verify the statements I have made I ask the attention of Senators to page 24 of this statistical document laid on our desks. Turn to paragraph 197. You will notice that undressed lumber is $17.02. You see the figures. Seventeen dollars and two cents a thousand is the average price of undressed lumber. Planed or finished on one side the average price is $12.50 a thousand, as the figures show. Planed or finished on two sides the average price is $17.40 a thousand, a difference of only 38 cents. Planed or finished on four sides, $18.93. Planed on one side and tongued and grooved, which is flooring, $15.71, over a dollar a thousand cheaper than the undressed lumber. Planed on two sides and tongued and grooved, $17.26 a thousand. These figures, compiled by experts, verify what I have pointed out, and show there is no ground for a higher rate of duty on the dressed than the undressed lumber.

Mr. McCUMBER. I wish to call the Senator's attention to something that will corroborate his statement. In the schedules of the prices of two lumber companies——

Mr. NELSON. I have the same, and I was about to quote them.

Mr. McCUMBER. The Senator can quote them.

Mr. WARREN. If the Senator will allow me, the statement of the paragraph he read is interesting, but I did not catch it clearly. Will he tell me the number of the paragraph from which he has been reading?

Mr. NELSON. It is paragraph 197, page 24. You will find the total amount of imports; you will find the quantity, the thousand feet; you will find the price; and you will find the average value.

Mr. WARREN. I wish to ask the Senator if he has looked up the market price, so as to reach an average of the market price at different points or at some one point.

Mr. NELSON. That is furnished by the statistics.

Mr. WARREN. I agree with the Senator that dressed lumber in some markets is lower than the same lumber in the rough. I agree with him in that statement. It is owing, I suppose, to transportation.

Mr. NELSON. To transportation. Wherever the lumber has to be transported any distance, either by rail or water, that is true. Look at the figures.

Mr. WARREN. The Senator, in quoting, did not quote lumber from the Philippines.

Mr. NELSON. No; that has no relevancy, as the Senator can see; but the Senator can see the figures there and the average price, which is verified to a very large extent. I have two business circulars here which verify it further. Those who say there is no lumber trust ought to look at these to see how alike they are. One is the price list of William Buchanan, manufacturer of band and gang sawed yellow-pine lumber, Texarkana, Ark.

Mr. BEVERIDGE. Will the Senator allow me?

Mr. NELSON. I ask the Senator to wait a moment. The other is the price list on yellow pine of the W. F. Ferguson Lumber Company, of St. Louis. They are just alike in form, print, ink, and rates. The points, Texarkana and St. Louis, are over 400 miles apart. It shows how they work in harmony. Now I yield to the Senator from Indiana.

Mr. BEVERIDGE. I wish to ask about the figures which the Senator quoted from the record, rough lumber seventeen dollars and something a thousand, and lumber planed on one side twelve dollars and something a thousand. That is a remarkable statement, and I myself do not know about it. I should like to have the Senator, or some member of the Finance Committee, give an explanation of it. It seems inconceivable that lumber on which so much work has been done, planed on one side, should be $5 cheaper than the other. I do not know what the explanation is, and I should like to hear it.

Mr. NELSON. The explanation I have already given, in my blunt way. I showed, in the first place, that it costs less than 50 cents a thousand to plane and groove lumber. I have shown that there is a difference of at least $2, if not more, a thousand, in favor of finished lumber in the matter of freight. It costs $2 a thousand less to ship a thousand feet of dressed and planed lumber than it does a thousand feet of undressed lumber, any considerable distance.

Mr. WARREN. If the Senator will pardon one other question; in reading paragraph 197, I see "sycamore and basswood." I have not looked through, but I will ask the Senator if pine is given there anywhere.

Mr. NELSON. I have just taken those figures that the Committee on Finance has given us.

Mr. WARREN. Possibly I may ask the chairman of the Committee on Finance whether pine lumber is given.

Mr. NELSON. To ease the Senator's conscience, and still further to verify it, as he seems to be in a doubting mood to-day about everything I have said——

Mr. WARREN. I think the Senator is rather more sensitive than usual.

Mr. NELSON. Oh, no.

Mr. WARREN. I am in entire harmony with his statement that oftentimes dressed lumber is cheaper than rough lumber. I want to get closer. I want to agree further with the Senator if I can.

Mr. NELSON. I fear the Senator will have hard work to agree with me.

Mr. WARREN. I agree with the Senator on that point.

Mr. SCOTT. Will the Senator allow me?

Mr. WARREN. I should like to know——

Mr. NELSON. If the Senator from West Virginia will yield to me a moment I will then yield to him. I want to make it easy for a "doubting Thomas" now. [Laughter.]

Mr. WARREN. Will the Senator allow me right there?

Mr. NELSON. I ask the Senator to come here and look at these price lists in my hand, and to which I have already referred. These price lists both quote in red ink rough lumber at from $1.75 to $2.25 per thousand higher than dressed lumber. Come and examine these figures. You can see from an inspection of those two circulars sent out to the trade that they ask from $1.75 to $2.25 per thousand more for the rough and undressed lumber than they do for the dressed. Why should they not do it?

Mr. WARREN. I have admitted that.

Mr. NELSON. Why should they not do it, because they are even then ahead in the cost of transportation?

Mr. WARREN. I have admitted that, Mr. President, but I want to call the Senator's attention to this: He was good enough to invite me over a few moments ago to verify a statement that a concern had made one hundred and ninety-six thousand and some dollars in a year, and upon the statement he showed me, and I challenge him to contradict it, the typewritten figures showed $196.06.

Mr. NELSON. Mr. President, I am surprised to see the Senator still quibbling about that. Those figures put him into a state of nightmare, and he has not gotten over it yet.

Mr. WARREN. I fear along the line of the statement the Senator is making, or rather is avoiding, I may not get over it. I asked him whether that was the rate on pine and common lumber. The Senator has not answered me.

Mr. NELSON. I have the figures just as the Senator has before him. I took those figures just as they were. The Senator has the same information that I have in the statistical book before him, compiled by experts under the direction of the Committee on Finance.

Mr. SCOTT. Will the Senator allow me?

Mr. NELSON. I owe an apology to the Senator from West Virginia.

Mr. SCOTT. I owe an apology to the Senator from Minnesota for interrupting him. I want to ask the Senator whether a few years ago Minnesota did not have a great deal of lumber, and if the Senator did not in 1897 vote for a duty on lumber?

Mr. NELSON. I voted for the bill, but everybody who knows me in Minnesota and everybody here knows that I was against the duty on lumber. I believed then, as I do now, that the lumbermen were in such a dominating position and had acquired stumpage at such cheap rates, and that they had complete control of the home market, and that as against Canada the control of the foreign market too; in short, that they had such complete control of the situation that they had no need of protection. An industry that has practically become and shown itself to be a most exacting monopoly should have no tariff protection.

Mr. DU PONT. Mr. President——

The VICE-PRESIDENT. Will the Senator from Minnesota yield to the Senator from Delaware?

Mr. NELSON. Certainly.

Mr. DU PONT. I should like to ask the Senator from Minnesota whether he thinks protective duties on lumber are equally protective of American forests, and if, on the contrary, high duties on lumber do not lead to an undue devastation of our forests?

Mr. NELSON. Certainly. The Senator is right, and I am much obliged to him for calling my attention to that feature of the case.

Looking not from the standpoint of the stumpage owner and the lumber manufacturer as these selfish lumbermen do, but looking to the future welfare of our country, as a man who is interested in its future development and prosperity, I emphatically say, preserve our own forests as long as possible. We should preserve and save our timber supply as long as possible, for at the rate we are going the evil day will come before many years when the supply of timber in this country will be scarce and much less plentiful than it is to-day.

I know we are all creatures of our environment. I have lived in Minnesota among our lumbermen since 1871. I have never owned a pine tree or an acre of pine land. So far as lumber is concerned, I have been merely a lumber consumer. But I have lived in the midst of those lumbermen. Most of them got that valuable white-pine timber in Minnesota for a mere nominal price. They got for a dollar and a quarter an acre the most valuable pine stumpage in the country. A part of it was taken with agricultural college scrip that cost them less than a dollar an acre. Part of it was taken with other scrip at a very low figure. It did not average them 10 cents per thousand. But that is not the worst of it. The most lamentable part of it was the manner in which they carried on their logging operations. They were not content with proceeding in a rational way and cutting only the mature timber as they ought to have done, but they slashed and cut every tree, big and small, and left the débris scattered about, a nursery for forest fires. Had they spared the young trees these would have grown and furnished the seed for more trees. As it was, and has been, they left a barren waste in the wake of their logging operations. In short, they ruthlessly destroyed every tree within reach, and left the refuse and rubbish undisposed of, so that when fires came into the country it resulted in great destruction of property and in preventing the reforestation of the pine. The great fire that we had up in the iron range country last fall was aggravated in its dire results by the fact that the lumbermen had stripped and denuded the land and left the débris, refuse, and rubbish undisposed of and uncared for.

And what are they still doing? They still cut every tree, big or small, in reach, even trees that will make nothing but lath and pickets, and even tamarack poles and jack pine. Where logging has been carried on it is as though a tornado had passed over the ground.

But those gentlemen ought to be protected—protected by a good round duty, they say. Fellow Senators, our hearts ought to go out to those poor lumbermen who have made their millions and who have ruthlessly stripped our lands of the timber and reduced us to the conditions I have described. But, seriously, ought we not to take a broader and more patriotic view of the case and have an eye to the future welfare of our country, and not make ourselves the mere instruments of the god of Mammon of the lumbermen and the stumpage exploiters, who want our help to still further enhance and inflate the value of their holdings? It is a matter of pure speculation with them. They push a few of the mill men forward as skirmishers and wage their crusade behind this cover, with a cry about American labor. What do these big stumpage holders care for the laboring man? They care as little for him as for the American consumer. In Minnesota the men that are so insistent upon tariff protection are the men who have secured so much stumpage in the South and on the Pacific coast—the Weyerhaeusers and their affiliated companies—Walker, who has got most of the California pine, C. A. Smith & Co., and a few others. These are the men who are so clamorous for tariff protection, and who claim to be suffering for the want of a protective duty.

Why, you will send these unfortunate men to the poorhouse unless you continue the tariff on lumber.

As I said some time ago, all legislation is to some extent a compromise. If the bad amendment in paragraph 196—the words "other than sawed"—that joker, as I call it, is eliminated, and the cumulative duty is taken out of paragraph 212, I should be disposed to consent to a flat rate of $1 per thousand for finished and unfinished lumber alike.

Mr. ALDRICH. Will the Senator from Minnesota permit me?

Mr. NELSON. Certainly.

Mr. ALDRICH. As far as paragraph 196 is concerned, that paragraph, as I understand it, applies only to timber used for spars or in building wharves. It was only intended to apply to timber of that kind. The law prior to 1897 provided for sawed timber separately and for spar wood separately.

The Senate committee have under consideration an amendment to paragraph 196 to make the meaning absolutely plain. I had not expected that this schedule would come up for discussion to-day. The committee had intended, when the paragraph was reached, to suggest an amendment. I think the Senator from Minnesota is right, that it is susceptible of a double meaning, and it is the intention of the committee to suggest an amendment that will make the meaning clear.

Mr. NELSON. You mean paragraph 212?

Mr. ALDRICH. No, 196. As to paragraph 212, I think the Senator is mistaken as to the meaning of that paragraph. It only means that woods, such as hard woods, which have been put upon the free list—lignum vitæ and all those woods—coming into the United States in a polished condition, when partially manufactured, that then they shall have an additional duty of 5 per cent ad valorem. That is the whole purpose of that paragraph, and if it has any other purpose, or any other meaning, the committee have not yet been able to discover it.

Mr. NELSON. I want to say to the Senator in respect to that that I can not agree with him, but at all events it can be made clear and certain by excepting paragraphs 196 and 197.

Mr. ALDRICH. I have no objection to that.

Mr. NELSON. If that exception is made I shall be satisfied as to that paragraph.

Mr. ALDRICH. I thought it due to the committee that I should make an explanation about paragraph 196, that we intend to offer an amendment to make the meaning of that paragraph perfectly clear when it is reached in the Senate.

Mr. NELSON. Mr. President, this hue and cry about the danger of Canadian competition is utterly groundless and hysterical. The Canadians, especially in British Columbia, are in mortal terror of our competition, as the following resolutions show:

COPY OF RESOLUTION ADOPTED BY MOUNTAIN LUMBER MANUFACTURERS' ASSOCIATION, AT ANNUAL MEETING, NELSON, BRITISH COLUMBIA, JANUARY 29, 1909.

Whereas the lumber interests of British Columbia and western Canada are still suffering from the unfair competition of rough lumber coming into Canada free of duty;

Whereas railway companies are still placing orders for lumber on the American side, such railway companies having been heavily subsidized by the Canadian people, of which subsidies British Columbia has to pay her proportion;

Whereas large quantities of lumber are waiting sale and mills are idle, which lumber was produced with protected machinery and protected supplies;

Whereas the manufacturers of western Canada have to-day in stock as much lumber as they have ever marketed in the best year heretofore experienced and have increased their manufacturing capacity to such an extent that they are now able to supply at least three times greater in any one year that sold in the best year so far experienced, viz, 1906;

Whereas the Hon. Mr. Fielding assured the lumber manufacturers of this district some years ago that the dumping clause would give us ample protection from American lumber, which is not the case, for the reason that during the past eighteen months the American market has been so demoralized that their mills have been selling lumber for less than two-thirds of its cost, and consequently exporters to Canada are willing to make affidavits that the price at which they are dumping lumber into this country is the fair market value if sold for home consumption;

Whereas the mills of this district were unable to operate one-fourth of their ten-hour capacity during 1908, throwing out of work thousands of men and causing millions of dollars of invested capital to remain unproductive;

Whereas owing to our excessive capacity to produce lumber it is important to preserve to Canadian mills our entire market;

Whereas the product of the Mountain mills is from 75 to 85 per cent common lumber, the unfairness should be manifest of allowing American mills to dump into Canada their surplus low-grade material, which represents by far the largest portion of our output;

Whereas the most vital industry in the welfare of this province is the only great industry on the American Continent which is not afforded reasonable protection, and as there seems to be no just grounds to continue to sacrifice our interests:

It is therefore resolved, That the Dominion government be urged to give this matter prompt investigation for the purpose of verifying the claims advanced in this petition, and to place a duty of $2 per M on rough fir, cedar, spruce, larch, and pine lumber, and of 30 cents per M on shingles, at the earliest possible date.

OTTO LACHMUND, *President*.
W. A. ANSTIE, *Secretary*.

Mr. President, I have occupied the time of the Senate longer than I intended. That is always the case where one is subject to interruptions. I started out with a view of limiting myself by saying that I would decline to yield. But Senators feel they have a right to ask questions and I have felt that it was hardly proper for me to refuse to yield for that purpose.

I am thankful for the indulgence that has been shown me. When we afterwards come to this schedule I may perhaps go into it a little further, but I think I have satisfied every fair-minded Senator here, whether he is the most radical protectionist or otherwise, that there ought not to be a higher rate of duty on dressed and planed lumber than on the rough lumber.

Mr. ELKINS. Mr. President, I do not intend at this time to discuss the lumber schedule. I want to refer to what I consider some mistakes made by the Senator from Minnesota in the very able speech he has just made. As far as I can learn, there is no lumber trust in this country. As I am informed, the large holders of timber do not own more than 3 per cent of the timber lands of the United States. This is the result of my investigation on the subject, and I state as a fact that timber lands are no more held by a trust or combination than farm lands.

The business of lumbering is of a temporary nature, and the people who enter into it are entitled, if they can make it, to a reasonable profit. Of late years I believe that the lumber interests of the country have made some profit, and for my part I am glad they have.

But, Mr. President, there is another feature. The expenses of making lumber are much greater than in the ordinary occupations; of late timber lands have increased from $5 to $30 per acre and the item of interest is considerable. The wages are higher than in many other industries, and range from $2 up to $7 a day. There is the renewal of the mills. There is also the improved machinery which must be bought and which must be taken into account. All these and other items enter into the cost of lumber. Then, again, railroad rates on lumber have been higher in the last ten years.

The Senator from Minnesota said he took his text from a statement made by the President in New York, with which I am heartily in accord. I want to call his attention, however, to the fact that this is a bill, among other things, to "equalize duties." This is the second purpose of the bill. In his State the farmers own and enjoy not for one, two, or three years, but, I hope, for a long number of years, for hundreds of years, a soil that yields large and profitable returns; and these farmers have been highly prosperous for the past ten years under the present tariff, and I rejoice that they have, and under the present bill the duties on their products have in some cases been increased. Let me read the list of the chief products of the Senator's State and the duties on the same. Standing at the head of this list is wheat, on which there is 30 cents a bushel; on vegetables, 40 per cent ad valorem; on corn, 25 per cent ad valorem; on barley, 30 cents per bushel; on cattle, $2 a head; on meat, 25 per cent ad valorem; on beef, 2 cents a pound; on cabbage, I do not know whether the Senator's State produces cabbage, but the duty is 3 cents a head; on hay there is a duty of $4 a ton; on flax, $5 a ton; and on oats, 20 cents a bushel. These products all have a duty, some of them a high duty. I fail to find any product on the free list.

Mr. President, these are the chief articles the State of Minnesota produces, and they enjoy liberal protection. Therefore, I think, if duties are to be equalized—in other words, if there is to be a fair revision of the tariff—the duty on these products might be reduced and lumber not be made free. On the basis of equalizing duties, the great lumber industry of the country ought to receive some protection and not be made free. This would not be equalizing duties and would not be fair. As lumber stands in the bill now, the duty of $1 per thousand is equal to about 5 or 6 per cent ad valorem. Under the Dingley law it was about 12 per cent, and was reduced one-half. That is lower by one-half than the duties upon the products of the State of Minnesota. Why should the products of the State of Minnesota be favored with protection and high duties, while the products of my State are made free?

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. ELKINS. Certainly.

Mr. CLAPP. Has the Senator heard any insistence upon the part of the Senators from Minnesota for a tariff upon those products of that State at the rate reported by the committee? The attitude of the Senators from Minnesota will be that all these duties should be placed at a point where they will fairly, and no more than fairly, amount to a protection upon a given commodity. I think I can voice the sentiment of my colleague when I say that we do not ask for any 30 cents a bushel upon wheat. We expect, when it is reached, that the duty upon wheat will be dealt with as we desire to deal with the duties upon other commodities, namely, put to a point where it will have only no more than reasonable protection.

I do not intend that those who are insisting upon raising the duties in the bill in other sections shall do it upon the theory that they have thrown us the proposition of 30 cents a bushel upon wheat when we know and they know that no such duty as that on wheat is needed.

Mr. ELKINS. Mr. President, I have not heard that the Senators from Minnesota have protested against the high duties reported in the bill on the products of their State. Now, I should like to ask the Senator, because I may be in error, if he advocates free lumber? I supposed his colleague favored free lumber, but I was very glad to hear him say at the end of his admirable speech that he would agree to a rate of $1 on a thousand feet, and if the mistake, as he supposed it was, on dressed lumber or finished lumber was agreed to, that would be satisfactory. This statement gave me great pleasure. Now, I ask the junior Senator if he is for free lumber or against free lumber, because I believe him to be a protectionist.

Mr. CLAPP. As a friend of the protected industries of this country, I would reduce the rate upon every article to the point of fair protection. As I understand the lumber question to-day, I have not observed for five years that the duty on lumber bore any relation whatever to its price, its protection or its reduction, and two years ago the duty could have been taken off without any serious opposition from the lumbermen. Believing that, I should vote, in the first place, to put lumber on the free list. If that could not be accomplished, I should vote to place a flat rate of $1 a thousand on lumber, on the dressed as well as the rough. If that could not be accomplished, I would then try to get some reduction on lumber and some reduction upon every other item in this bill that will bring it to a fair protective basis.

Mr. ELKINS. Mr. President, I regret that the Senator from Minnesota [Mr. CLAPP] is not as liberal toward the products of my State as is his colleague [Mr. NELSON].

Mr. FLINT. I should like to ask the Senator from Minnesota a question. I want to ask the Senator if it can be shown from the testimony that the difference in the price of labor in Canada and in the United States makes it necessary to have a duty of $2 on lumber to equalize conditions in this country with those in Canada, whether he would vote for a duty of $2?

Mr. CLAPP. Mr. President, if it cost me my seat in this Senate I would not consciously vote to strike down a single American industry. I would not limit the inquiry to whether there could be shown a difference. I believe, sir, we have a right to take into consideration our general knowledge and observation of the condition of these various industries; that we have a right to take into account the question of the relative importation as against domestic production as to whether a tariff is necessary or not necessary. If I did become convinced that a $2 duty was necessary on lumber or a $7 duty was necessary on steel rails, I would vote for that duty if it retired me to private life.

I will say the same of the products of the South and of the East. When I get to it, I propose to show, or to try to show, that in a spirit of fairness, lifting ourselves above the frenzy of this occasion, which by our own delay in initiating progressive legislation we have brought upon us, we should calmly look over this entire subject and bring to our aid our general knowledge and observation of how these various industries have prospered, how they have resisted the foreign importation with present duties, as bearing upon the practical effect of a reduction of those duties, and then, whether it be the sugar of the South, the lumber of the South, or the textiles of the Northeast, or the crops of the Northwest, try to reach a duty with reference to every one of these things that will be fair to those industries, and fair, not upon the theory that in fostering an industry we only help the men engaged in that industry, but that in giving those men remunerative wages, we are fostering and aiding all the industries and all the productive faculties of this country.

I have been obliged, sir, by the question of the Senator from West Virginia [Mr. ELKINS] to somewhat extend my remarks beyond the mere "yes" or "no" answer to a categorical question, and he must pardon me for this intrusion upon his time.

Mr. ELKINS. I will pardon the Senator this time.

Mr. President, the Senator has just stated that he was going to be just and fair, and, from his known ability and character for fairness and square dealing, I believe he will. But, Mr. President, the Senator is too general in his statement. Burke says generalities prove nothing. This is true, and when I put to the Senator the categorical question, Is he for free lumber? in his reply he does not seem to be so clear and fair. In his generalities he was very fair.

Now, I want to ask the Senator what rate of duty would he agree to on wheat?

Mr. CLAPP. I think——

Mr. ELKINS. Are you for free wheat?

Mr. CLAPP. No.

Mr. ELKINS. Are you for free barley?

Mr. CLAPP. No.

Mr. ELKINS. Are you in favor of a 50 per cent reduction on the barley rate?

Mr. CLAPP. I think a reduction of duty from 25 cents to 20 cents would be abundant upon wheat. I may differ in that respect from other Senators from wheat-raising regions of the country. I will, however, discuss my relation to each one of these schedules when we get to the individual schedule. I believe that the duties in nearly all of them ought to be reduced.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. McCUMBER. While the Senator from West Virginia is discussing and answering questions about the comparative tariffs on different articles, I ask him how the tariffs on different agricultural products measure up in percentages with the tariff on iron manufactures of different kinds in the United States?

Mr. ELKINS. I think that 30 cents a bushel on wheat is a high duty, a long way higher than free wheat.

Mr. McCUMBER. On wheat worth $1.25 a bushel?

Mr. ELKINS. It is 25 per cent.

Mr. McCUMBER. That would not be 20 per cent.

Mr. ELKINS. About 20 per cent.

Mr. McCUMBER. But you have got articles here that go up to even 40 and 50 per cent.

Mr. ELKINS. Barley is up to about 70 cents now.

Mr. McCUMBER. Let us suppose it is 25 per cent. I am asking the Senator generally how this compares with the tariffs on manufactured goods that are made in the State of West Virginia? That is, merely a general statement. I do not suppose the Senator can give particularly just what they would be.

Mr. ELKINS. Probably on the manufactured articles that we produce they might be fair, but I want to ask the Senator this question: Why is it he stands here and advocates free lumber and asks for high duties on the products of his State?

Mr. McCUMBER. I am mighty glad the Senator from West Virginia asks me that question, because I can answer it. We can raise a bushel of barley this year, we can raise it again next year, and we can raise it the year after, but you can not raise a hundred-year-old tree in a year. When you cut down that hundred-year-old tree, you can not produce it again for another hundred years. If you can establish the fact that you can produce that tree year after year, you will get as strong a protection as I am capable of giving it.

I want to say further to the Senator that a tax upon lumber to-day is a duty paid by the consuming public for the extinction of the American forests. The very principle—if the Senator will allow me to go one step further—of your protection is that we may develop the industry. Can you develop the industry of lumber in this country when, at the present rate, even the most extreme will say that you will exhaust the lumber supply in less than thirty years, and the chances are that with the development of the population in this country, with its increase, you will, in less than twenty years, denude every forest in this country that is not held by the strong arm of the Government. I can see the difference between an ear of corn that you may raise this year and a tree that it takes all the way from one hundred to two hundred years to raise.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. ELKINS. I will, provided the Senator is not going to make a speech.

Mr. GALLINGER. I never make speeches.

Mr. ELKINS. I will not trust the Northwest to ask a question any more. [Laughter.] They are given too much to oratory and speeches.

Mr. GALLINGER. I want to say, in response to a suggestion of the Senator from North Dakota [Mr. McCUMBER], that when he says that a duty on lumber is going to destroy our forests and that free lumber is going to preserve them, he puts himself in direct antagonism to the views of Mr. Pinchot, of the forester of my own State, and of the forestry experts throughout the United States.

Mr. McCUMBER. And in direct harmony with many other experts.

Mr. GALLINGER. And then, again, I want to suggest that I think the fact that they can raise a crop of wheat or a crop of barley every year in North Dakota is no reason why it should be protected as against lumber, which can not be produced every year. I think we ought to protect the industry that has got to struggle through a hundred years to produce a tree.

Mr. ELKINS. The Senator from New Hampshire has answered the Senator from North Dakota very well and properly. The contention of the Senator from North Dakota is that because the lumber industry, although valuable, one of the leading industries of the United States, and especially of the South, must disappear, in the nature of things, probably in one hundred years or two hundred years—and that is dependent on whether we plant or replant and restore our forests—that because of its temporary character and because of its infirmity in this regard it must not be taxed, but must be free. The money which is invested in timber lands and the lumber industry is just as sacred as the money which is invested in your farm and is entitled to as much consideration. Because you probably exhaust one before the other is no reason why it should be treated differently, unjustly, and unfairly. Because the forests may be exhausted is no argument why the great lumber industry of the country should not be treated as fairly as the products of other States. Let me say to the Senator, following the experience of other States—New York, Ohio, and others I might name—some day the soil of his State will be exhausted and not produce wheat and barley. Is this a good reason why wheat and barley should not be treated as liberally as other products? In time everything will fail, and therefore we should not take care of the present and provide for the future?

Mr. McCUMBER. Will the Senator permit me to ask him one question right there?

Mr. ELKINS. Is it a question?

Mr. McCUMBER. Yes; a question.

Mr. ELKINS. Very well.

Mr. McCUMBER. Does the Senator believe that with the rate of consumption, say, 5 per cent yearly of our lumber, the price is going down? If we are exhausting it at that rate, will not the price be bound to go up, tariff or no tariff?

Mr. ELKINS. Mr. President, suppose the price does go up. Does not the price of the land in his State go up every year, and will not these same lands be exhausted and fail to produce?

Mr. GALLINGER. And of wheat.

Mr. ELKINS. And wheat is going up, and going up because we are going to produce less wheat and not enough soon for our own supply. So, there is no argument in that. The argument is absurd, if the Senator will allow me to say it, that just because here is an industry which has $600,000,000 invested in it and employs 600,000 people in the United States, which may pass away soon, or within fifty years or a hundred years, or is passing away, that it must not have the benefit of protection the same as other industries and products. And yet the Senator claims to be a protectionist. Tried by his own rule, is he a sound protectionist?

Mr. GALLINGER. It employs 800,000 people.

Mr. ELKINS. Yes. That argument will not do. I am willing to extend to the Senator's State reasonable protection upon every product which they produce; but why can not the Senator be as liberal toward industries of other sections and other States as he is to his own? The Senator wants this duty of 30 cents per bushel on wheat; he wants a duty of 30 cents on barley. They are the highest kind of protected industries in his State; yet he is unwilling to grant the same protection to other States. I submit to him whether that is fair and just, and whether this is equalizing duties and a fair revision of the tariff. I am opposed to duties and protection in spots. All American industries should be treated fairly. This can not be done by protecting some and putting others on the free list. There is enough money to be raised for the needs of the Government if the duties are laid and distributed justly to protect every American industry needing protection. We can never make a tariff if we protect the industries and products of some States and put the products of others on the free list.

Mr. McCUMBER. The Senator will excuse me. We are going to vote for 60 and 70 per cent upon your iron manufactures.

Mr. ELKINS. But not upon our lumber.

Mr. McCUMBER. No.

Mr. ELKINS. We are discussing lumber now. When we come to iron we will discuss that. Why can you not agree to the 5 per cent ad valorem, if you please, which the Senator from Minnesota [Mr. NELSON] is willing to allow on lumber. I understand that his colleague is willing to allow a duty of $1 on a thousand feet.

Mr. McCUMBER. I will answer that, if the Senator asks me the question. I will never vote to give $1 to protect the lumber industry in the United States and then tax the people $10 to reforest the country. That is the reason.

Mr. ELKINS. I do not believe the Senator ever will, Mr. President. He need not argue that feature of it any further. I think he is committed to unadulterated free trade in the things which his State does not produce. That is what I believe about his attitude, and he need not argue that question with me any further.

I have, however, not quite finished with the Senator from Minnesota [Mr. CLAPP], who made a speech in my time.

Mr. McCUMBER. If the Senator will find one thing outside of those articles that I will vote for and will not vote for as strong a protection as is necessary, then I will yield that his position is correct.

Mr. ELKINS. I do not know what this everlasting prejudice that the Senator has against the lumber industry means. I do not know what the lumber industry has done to him; perhaps something which we can not understand. [Laughter.]

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from South Dakota?

Mr. ELKINS. Just for a question?

Mr. CRAWFORD. Just for a question.

Mr. ELKINS. I am not discussing this schedule at this time.

Mr. CRAWFORD. Does the Senator from West Virginia claim that the tariff in the pending bill upon rough lumber and upon finished lumber represents the difference in the cost of production, including labor in lumber in Canada, where the chief competition is, and the United States?

Mr. ELKINS. I believe it approximates it, but I believe that labor is cheaper in Canada than it is in the United States.

Mr. CRAWFORD. Has the Senator any figures or statistics to establish that claim?

Mr. ELKINS. Yes, sir; I have them in the hearings before the House; but I will not take the time of the Senate now to read them.

Mr. CRAWFORD. I should like to hear them.

Mr. ELKINS. The Senator from Minnesota, in making his speech, quoted from the House hearings the testimony of one witness. I want to call his attention and that of the Senator from North Dakota to pages 2902, 2922, 2949, 2960, 2966, and 2976 of the House hearings, all contradicting the theory of the Senator from Minnesota and many of the alleged facts stated in this debate by the free-lumber advocates.

Mr. CRAWFORD. Will the Senator permit one other question?

Mr. ELKINS. Yes, sir.

Mr. CRAWFORD. What is the minimum wage that the hearings before the House committee show to be paid anywhere in lower Canada or in British Columbia for labor?

Mr. ELKINS. Mr. President, I know that Japanese labor, cooly labor, Hindoo labor, and the labor generally of Canada is lower than that of the United States. Right here I happen to open these hearings as to the average wage paid by the mills of some lumber company. I do not know where the mills are located, but the wages in the United States are from $2 to $7 a day. Now, there may be for skilled labor in some of the mills in Canada high wages, but the wages of labor is cheaper there than here. That goes without saying.

Mr. President, I did not want to precipitate any debate upon this question at this time. We know the effects of free lumber in the United States, because we have tried it. As a fellow said once: "Honesty is the best policy." He had tried both sides. [Laughter.] If we had not tried free lumber and experienced all of its disastrous effects, I would not be so confident.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. ELKINS. I thought he was my friend and would not make a speech. [Laughter.]

Mr. McLAURIN. I certainly am a friend of the Senator from West Virginia, but there is a little matter that distresses my mind about this labor subject that I would like to have the Senator from West Virginia explain. As to the cooly labor, of which he has spoken, of course it can not come across to this country, and there can not be any great amount of such laborers in Canada. If right across the line in Canada labor is so much cheaper than it is right across the line in the United States, how is it that those Canadian laborers do not come over here and labor where they can get so much better wages? I would like to have that explained. I am not a protectionist; but I should like to understand that.

Mr. ELKINS. We get a great number of our low priced wage-earners from Canada.

Mr. McLAURIN. I did not catch the answer of the Senator.

Mr. ELKINS. We get a great many wage-earners from Canada to work in our country, especially in the lumber plants.

Mr. McLAURIN. Would not that strip the Canadian mills altogether?

Mr. ELKINS. They get American wages when they get here. We do not pay them Canadian wages. They would not take them; they know too much for that. If they were content with Canadian wages, they would not come to the United States.

Mr. McLAURIN. It would seem that some Americans are going to Canada.

Mr. ELKINS. I never heard of one going to Canada, England, Belgium, or Italy. No; the Senator knows they do not go that way.

Mr. McLAURIN. The Senator does not know that.

Mr. ELKINS. They come this way.

Mr. McLAURIN. I see in papers published up in that section of the country articles saying that there are thousands, many thousands——

Mr. ELKINS. Going to Europe?

Mr. McLAURIN. No; going into Canada from this country. They may be Republican papers and not reliable, but I have read such statements in the papers.

Mr. ELKINS. They are farmers and go to take up farms there.

Mr. McLAURIN. I have read that they go up there to work in the mills.

Mr. ELKINS. No. I should like, if the Senator can find an instance of that kind that is authentic, to refer me to it.

Mr. McLAURIN. I think I may find one of them up there without a search warrant.

Mr. GALLINGER. Mr. President, if the Senator from West Virginia will permit me, I have some knowledge on this subject. Americans are going to British Columbia to take up farms. They have gotten rich in Iowa, Minnesota, and Nebraska because they took up land at $1.25 an acre which is now worth from $75 to $100. But now they are selling it and going over to Canada, where they can buy virgin land for from $8 to $10 an acre. It is a good business proposition. Now, the Senator suggests that if labor is cheaper in Canada than in this country it is rather remarkable that Canadians do not come to this country to find work. New England is flooded with Canadian laborers in our forests, in our mills, in our brickyards, in all our industries, and they come there because they get better wages than they get in Canada. Immediately after they come across the line they demand American wages.

Mr. McLAURIN. For whom do they work when they come over from Canada?

Mr. GALLINGER. In our mills, in our forests, in our brickyards.

Mr. McLAURIN. As I understand, the tariff is for the purpose of protecting the laborers and to give them better wages. I have never heard anybody advocate a tariff to benefit the man who gets the money from the tariff. I have been here for some time and I have yet to hear any protective-tariff man advocate a protective tariff to give it to the man who gets it, but it is always for the benefit of labor. Now, do not those laborers who come across into this country and who are employed by these protected industries come in competition with labor that is already here?

Mr. GALLINGER. They do not, because we need additional labor.

Mr. McLAURIN. Well——

Mr. GALLINGER. Yes. Has the Senator grasped the idea? Does it penetrate his mind?

Mr. McLAURIN. Is it not a fact, Mr. President, that the more labor you have the cheaper the labor is?

Mr. GALLINGER. Not always.

Mr. McLAURIN. If two laborers are running after one employer, it makes labor cheaper than for——

Mr. GALLINGER. That is not true under Republican administration in New England.

Mr. McLAURIN. A Republican administration probably reverses all the rules of arithmetic and economy, but my understanding is that two laborers running after one employer make labor cheap; but if two employers run after one laborer, it makes labor high.

Mr. GALLINGER. That was under the Wilson tariff law.

Mr. McLAURIN. The Wilson tariff did not produce the panic of 1893; that was under the McKinley tariff.

Mr. ALDRICH. Oh, no.

Mr. GALLINGER. The Senator is mistaken about that.

Mr. McLAURIN. The Senator is not mistaken about that. The Senator may be mistaken about things that he reads in Republican newspapers on the borders of Canada, but he is not mistaken as to things that occur in current history that he knows something about.

Mr. GALLINGER. The Senator from New Hampshire is going to protect himself to the extent of saying that he is not deluded by what he reads in the Democratic newspapers on the borders of Canada or anywhere else.

Mr. McLAURIN. If Republicans would read Democratic papers and believe them more, it would be better for the interests of the country. [Laughter.]

Mr. ELKINS. Now, Mr. President, I want to finish.

Mr. ALDRICH. Will the Senator from West Virginia yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I shall have to yield to the chairman of the committee.

Mr. ALDRICH. This seems to be an experience meeting. I should like to ask the Senator from Mississippi if he is still for a duty on lumber or for free lumber?

Mr. McLAURIN. I am not for any protective duty on lumber. I will state to the Senator that, so far as I am concerned, if you undertake to raise the tariff on lumber above the rate in the House bill I will vote against it, and I shall not say that I will not vote against free lumber.

Mr. ELKINS. I was going to ask the Senator that question, but I was a little afraid, because I did not want him to commit himself. I am laboring with him and trying to get him to agree to at least $1 a thousand, not that I am willing to compromise on a dollar, but I thought if we start in at that figure it would be a good thing to do. I am for the present duty of $2 a thousand feet. It is just and fair, and it is a low duty, about 12 per cent, especially when the average of duties in this bill is from 44 to 45 per cent. Why not cut down some of the high duties instead of maintaining them and putting some products on the free list? Let all products have some duties.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. ELKINS. Certainly.

Mr. McLAURIN. While I do not want to compromise with the Senator, I want to know something definite.

Mr. ELKINS. We better not compromise here in the open Senate. We will talk out in the hall. [Laughter.]

Mr. McLAURIN. Let us talk it right here, where everybody can hear it. I have been told by Senators who advocate a duty of $2 a thousand on lumber that that is only 12 per cent ad valorem. I never would consent to go above a dollar a thousand. I would not consent to give any higher duty on dressed lumber than I would on rough lumber. Mr. President, if $2 a thousand is 12 per cent ad valorem, $1 a thousand would be 6 per cent ad valorem. Now, let us agree upon a bill that will make it 6 per cent ad valorem on lumber.

Mr. ELKINS. I would not agree because it is not in my hands; and I look toward my friend, the distinguished Senator from Rhode Island, the chairman of the committee. We are not through with this question and many other questions. We have got a month to talk about this and other items.

Mr. McLAURIN. The Senator from Rhode Island does not represent West Virginia, I hope.

Mr. ELKINS. I am trying to do that.

Mr. McLAURIN. I say the Senator from Rhode Island does not.

Mr. ELKINS. No; and he does not elect me and my colleague to the Senate. [Laughter.] He does nearly everything else.

Mr. McLAURIN. Let the Senator from West Virginia and myself agree on an ad valorem duty of 6 per cent.

Mr. ELKINS. I would rather say twelve.

Mr. GALLINGER. Would the Senator make the same proposition in regard to rice?

Mr. McLAURIN. Let us cut down the duty on rice one-half, if the Senator wants.

Mr. GALLINGER. Why not 6 per cent on rice?

Mr. McLAURIN. The present and proposed tariff on rice is 2 cents a pound. Let us cut it down to 1 cent. The Senator can not strike at me on that.

Mr. ELKINS. If I could agree with the Senator on 12 per cent ad valorem, I would do so. That is just what it is in the Dingley law.

I want to conclude what I have to say. I want to cite the experience of West Virginia and sections of the country with which I am familiar when we had the Wilson bill and free lumber. I state it as a fact that free lumber under the Wilson bill closed 90 per cent of our mills and the grass grew in the roads leading up to them; and in the New York markets they took Canadian lumber to build grain elevators and supply the

derstand that his colleague is willing to allow a duty of $1 on a thousand feet.

Mr. McLAURIN. The Senator is not mistaken about that. The Senator may be mistaken about things that he reads in

like to have that explained. I am not a protectionist; but I should like to understand that.

took Canadian lumber to build grain elevators and supply the

general market there that West Virginia before and under the McKinley bill was furnishing. That is an actual fact.

There is another feature about this free-lumber proposition. Already alert American capitalists are buying timber lands in Mexico and getting ready to build railroads to bring lumber into the United States. They have bought lands for $2 an acre, some for a dollar and less, and are waiting for lumber to be put on the free list. They have got their friends here now working for free lumber, and there are some timber owners from Canada, too, wanting and working for free lumber. Why? Because then they can carry on the lumber business profitably in Mexico and Canada, having cheap lands and low wages. These are the dangers that surround us, the breaking down of a great and leading industry of this country by the reduction of the duty on lumber or putting it on the free list.

Mr. SCOTT. Will my colleague allow me to ask him a question?

The VICE-PRESIDENT. Does the senior Senator from West Virginia yield to the junior Senator from West Virginia?

Mr. ELKINS. Yes, sir.

Mr. SCOTT. I wanted to ask my colleague if the duty were taken off of lumber whether or not it would result in one farthing of reduction to the consumer? For my part, I do not believe it would ever reach the consumer at all. We had a great man once in this country who said the tariff question was a local question, and from the discussion here to-day and that which we shall undoubtedly have, it strikes me it is very local. It is a little like Artemus Ward, who, when asked where was the best place to have a boil, replied on one of his wife's relations. That is the way with Senators in this Chamber. They are willing to reduce the tariff on everything that somebody else has, but they are not willing to reduce the tariff on their own manufactures or on articles produced in their own States.

Mr. ELKINS. Mr. President, I have nothing more to say at this time. When the time comes to discuss the lumber schedule, I am going to discuss it at length.

Mr. GALLINGER. Mr. President, just a word. I want to call the attention of the Senator from Minnesota [Mr. NELSON], who made a most admirable speech on the wrong side of the question, to the fact that while finished lumber can be conveyed to Minnesota perhaps for less than unfinished lumber, as I understand very little unfinished lumber does go into Nebraska, Minnesota, and other States in that region.

Mr. NELSON. If the Senator will allow me——

Mr. GALLINGER. Yes.

Mr. NELSON. I want to say that over 90 per cent of the lumber we buy is dressed lumber.

Mr. GALLINGER. Yes.

Mr. NELSON. And very little rough lumber is used.

Mr. GALLINGER. I agree to that. I presume that is so; but I wanted to call the Senator's attention to the fact that he is much farther away from the source of supply than some of the rest of us. The States of New England, New York, and other States bordering on Canada do not have to pay such high rates for transportation. It would be very unjust to us if the finished lumber was simply sent across the border and the duty on it was no more than on the unfinished lumber. So that there is a little difficulty there, but perhaps it can be adjusted.

Mr. NELSON. Does not the Senator remember the trip he took with me to the reservoir and headwaters of the Mississippi, and did not he see the pine logs and timber we had there?

Mr. GALLINGER. Oh, yes.

Mr. NELSON. We have it as near to us as you have it.

Mr. GALLINGER. You have some.

Mr. NELSON. We have a good deal.

Mr. GALLINGER. But you are more dependent, of course, upon the supply from other parts of the country than we are. I merely wanted to call attention to the fact that there would be an injustice to the States bordering on Canada if the Senator's contention, that there should be no greater duty on the finished lumber than on the unfinished lumber, should prevail. Perhaps it is a matter that can be adjusted; but there is some trouble along that line, and I wanted to put the statement in the RECORD.

Mr. ALDRICH. Mr. President, I would like to say just a word, if my friend the junior Senator from Mississippi [Mr. McLAURIN] will permit me, in commendation of the spirit which he shows upon the lumber schedule. Now, I understand that the Senator is willing to vote for a duty of 6 per cent on lumber for the general purpose of equalizing conditions between the lumber producers in Michigan and those in Canada.

Mr. McLAURIN. I ought to be permitted to state my own position on that.

Mr. ALDRICH. That is what I understood.

Mr. McLAURIN. Any duty that I will vote for will be a revenue duty only. I am not a protectionist in any sense. I never have believed, I do not believe now, and I hope I never will believe that it is just or fair to take by tariff law one man's money and give it to another.

Mr. ALDRICH. But being in favor of a revenue duty on lumber, he desires, I assume, in the interest of the people of the State he represents, that the revenue duty should be equal to the difference in conditions between Canada and his own people.

Mr. McLAURIN. I never have thought of the question about equalizing the difference between the price of an article from a foreign country and in this except for this purpose, and that is for the purpose of ascertaining how much of the commodity or article will likely be imported into this country under that particular rate of duty and how much revenue will be derived by the Government therefrom.

Mr. ALDRICH. But if the Senator thought that a pure revenue duty of 6 per cent would be fair to the lumbermen of Mississippi and would allow them to go on and do their business without hindrance, and that a duty of 5 per cent would be destructive of the interests of the lumber people of Mississippi, that it would subject them to unfair competition with the lumbermen of Canada, for instance, would he vote for 5 or for 6 per cent?

Mr. McLAURIN. As I have just said and tried to make myself understood by the Senator from Rhode Island, it never enters into my mind when I am voting on a question of tariff what effect it will have, excepting in the production of revenue. It has never occurred to me that any tariff duty ought to be for the purpose of making any consumer pay a higher price for anything he purchases. I do not think it is right. I never have thought it was right.

Mr. ALDRICH. Mr. President——

Mr. McLAURIN. If the Senator will allow me, before I conclude, so far as concerns the people of the State of Mississippi and the lumber mills there, I do not believe a duty of $1 or $2 a thousand on lumber would ever affect the mills or the consumers of lumber in the State of Mississippi. The railroad rates on lumber from Mississippi, and especially from the section of Mississippi where the lumber is principally produced, to Chicago is so high that you might put $2 or $2.50 or $3 a thousand on lumber and the mills of Mississippi, although our lumber is superior to almost any other lumber, could not pay the freight and compete with the Canadian lumber or with the people in that section.

The lumber from Mississippi is principally shipped to foreign countries. It is shipped to Germany, to South Africa, to South America, to Mexico, and to other foreign countries. It goes by the million from Gulfport, Pascagoula, Biloxi, Bay St. Louis, and other points on the coast of Mississippi to foreign countries for the reason that I have stated, that the rates on the railroads are so high that it can not be shipped in competition with Canada; and no amount of tariff that has ever been laid on lumber could cut the Canadian competition from our people, because if you could have free lumber, the Canadian people could not compete with the sawmills of the State of Mississippi, in the southern part of the State where pretty nearly all the sawmills are.

Mr. ALDRICH. If the Senator from Mississippi was considering revenue alone, $2 a thousand on lumber has produced $4,000,000 of revenue. One dollar a thousand, which he says he is for, will produce $2,000,000 of revenue, unless the importations should increase. It would require twice as many imports, of course, at $1 a thousand as at $2 a thousand to raise the same amount of revenue.

I imagine the Senator from Mississippi does not consider that desirable, because whatever may be done with Mississippi lumber, at some point it comes in competition with Canadian lumber, perhaps not directly, but the territory which will be reached by Mississippi's lumber would be restricted if the importations were doubled from Canada into this country. So if a pure revenue question was considered, it seems to me the Senator from Mississippi ought to be for $2 a thousand.

I said that I wanted to commend the spirit of the Senator from Mississippi. I believe the Southern States have already entered upon an era of development and prosperity which will surprise the world; and, as far as I am concerned, in every vote I give upon this bill I intend to do everything I can as a legislator to encourage and increase that degree of prosperity and development to which I have alluded.

I am glad to see that Senators upon the other side recognize this fact and are willing to cooperate with us in giving such protection—I care not what you call it—such encouragement, if you please, to this development as will make your country

what it ought to be, a country which will blossom as the rose compared with the wilderness which existed there twenty-five years ago.

Mr. McLAURIN. Mr. President, if the Senator from Rhode Island can ever convince me that the best revenue duty for lumber is 12 per cent instead of 6 per cent, I will always favor that which is the best, fairest, and just revenue-producing rate. The Senator has taught me that often a reduction of the tariff rate increases the revenue. I hope the Senator will give attention to what I am going to say now, because if he is a friend of the South—and I believe he is a friend of the South——

Mr. ALDRICH. I am.

Mr. McLAURIN. I believe it, because I believe he is a friend to the whole country. I believe he is a patriot, and I take his word when he says so. I want to say to the Senator right here, if he wants to benefit the South, he can do so by changing this bill so as to take off what he says is not only a protective duty, but is a prohibitive duty, on cotton-seed oil, for it can do us no good at all; take it off the dutiable list and put it on the free list, and then give us instead of that, not a tariff to protect any of our products, but take off of us the heavy hand of a tariff that robs one of our products; give us free bagging and ties in place of it. We will swap you the duty on cotton-seed oil, and let that be put upon the free list, for free bagging and ties.

Our cotton producers are not benefited in any particular by any tariff. You can not benefit them by a tariff on cotton-seed oil. You can not benefit them in any way by a tariff, because a tariff on cotton could not help our cotton-producing people, for the reason that there is no appreciable amount of cotton raised in any other part of the world. The cotton of the world is raised in the South. Why put upon the people who raise that cotton a tax of four, or five, or six million dollars a year in the way of a tariff upon bagging and ties? Give us free bagging and ties if you want to help the South, and that will leave in the hands of the producers of it the money they have produced; and that is all we ask with reference to cotton.

Mr. CARTER. Mr. President, the discussion of the lumber schedule has brought forth certain statements which I think should be emphasized for the special consideration of the Senators who feel that the House rates on finished lumber should be maintained as reported. I am one of those who in this Chamber voted, in 1897, for a $1 duty on lumber. I believed at that time in the forecasts then made that the white-pine lumber would be exhausted in the normal course of events, considering the consumption, within ten years. More than ten years have passed and yet the stock of white-pine lumber is not exhausted, but is apparently about as well proportioned to the needs of the country as it was at that time.

This fact has led me to view with much doubt the speculative forecasts with reference to the exhausting of the forest life of the country. In the midst of such pessimistic views we forget that the trees are always growing and that, happily, within the last few years the attention of the country has been properly directed not only to the preservation of the forests now existing, but to the expansion of forest growth.

I have been somewhat perplexed in considering the lumber schedule to reconcile the position of the Forestry Service with the interest of forest preservation. I concede that to me it is a paradox to say that we should appropriate $5,000,000 annually to protect the forests and then place a duty of $2 a thousand in the way of a premium on cutting the forests down. It may be susceptible of explanation. I only suggest that it is obscure as a proposition, in my mind, at this moment.

But I did not rise——

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. CARTER. I yield with pleasure. I do not intend to make extensive remarks, but only wish to emphasize one point.

Mr. CLAPP. In regard to the fact that the pine has not been exhausted so rapidly as it was anticipated, I have made a considerable study of that question in looking into the growth of trees and the size of the logs that have been cut in Minnesota in the last ten or twelve years; and I am thoroughly satisfied that perhaps 50 per cent of all the timber that has been cut in Minnesota in ten years has grown from the seeds since they commenced logging in Minnesota, which accounts for the fact that we have not depleted the forests within the time that it was some years ago anticipated they would be. Of course that will not apply in the future if they go on with the same rapidity.

I simply made that suggestion because I thought it might be of interest, having really spent a good deal of time studying the time required for the growth of the trees and the character and size of the logs cut in the last few years.

Mr. CARTER. Mr. President, the Senator from Minnesota no doubt is correct, but in conflict, I submit, with the statement made some ten or twelve years ago when discussing the white-pine schedule in the present law. It was then asserted over and over again and, so far as I know, not challenged, that white pine would not reproduce itself; but that when the white pine was cut down a species of inferior growth would supplant it and the white pine cease to be a growth on that particular soil.

Mr. NELSON. Will the Senator allow me to interrupt him?

Mr. CARTER. I will be glad to.

Mr. NELSON. The Senator is correct, but there is this qualification to it: The lumbermen, when they strip the land of timber, leave the tops and the refuse matter. A fire goes in and destroys the seed of the forests, and there being no trees to furnish seed for the future there grows up other stuff. That is true except in one little case, where the Government has a reservation and reserves 5 per cent of the standing trees for the purpose of seed, and they keep the fire out. But the lumbermen do not keep out the fire and do not leave any timber for seeding purposes.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. CARTER. I am glad to yield to the Senator.

Mr. SMOOT. I wish to call the attention of the Senator to the fact that in the last twelve years the change in the use of lumber has been very marked indeed. Twelve years ago white pine was used in almost every building from one end of this country to the other. Now, in many cases, other materials are substituted for it, and to-day they are not using white pine as they did at that time. That is one reason. There has been that change in the use of that particular class of lumber. We are using other material for which they used to take white pine.

Mr. CARTER. The explanations are instructive, but do not go directly to the point I desire very briefly to make.

Mr. LODGE. If the Senator will allow me, he states that white pine is as plentiful as ever. It is almost unobtainable in my part of the country. It has almost gone out of existence.

Mr. CARTER. It was unobtainable in New England——

Mr. LODGE. I do not mean for the purpose of cutting it; I mean, to buy it. It is not found in our market. Other woods have been forced into the market which we never had. There is no white pine to be had when one asks for it.

Mr. CARTER. It is a question of price; and let me make this suggestion on the subject——

Mr. LODGE. The price would not be higher unless it was scarcer.

Mr. CARTER. I do not know that that follows. I assert as a fact that there is no direct relation between the cost of producing a thousand feet of lumber in the State of Washington and the price at which the thousand feet of lumber is disposed of in the State of North Dakota. I do not think the lumbermen have made unconscionable profits; but for some reason, which, perchance, the Department of Justice should ascertain or, perchance, the state legislatures should reach by appropriate laws, there has been an abnormal increase in the retail price of lumber all over this country.

The Senator from Minnesota cited the case of two independent concerns, apparently, one doing business in Arkansas and the other doing business in St. Louis, 500 miles distant, and their selling prices were identical, and although the names of the companies are different and the localities supplied are different, the remoteness of each from the point of supply of rough lumber does not seem to be taken into account at all.

The lumber producer, the man who cut the saw log into lumber, is charged with the sins of those who retail the lumber in some combination to the actual consumer.

A lumberman in the western part of Montana took sufficient interest in this peculiar phase of the situation to send an observant man into North Dakota for the purpose of ascertaining, if he could, how it happened that lumber was selling at retail in North Dakota for more than double the cost at the mill and the freight added. He could not discover why it was, but he discovered that it was so, and that abnormal condition continues to this day. No tariff bill can correct any such combination as seems to have been formed by the jobbers who retail the lumber to the consumer. We can not reach that difficulty by a high tariff or a low tariff or no tariff. It is an abnormal and monstrous condition in the channels of trade, permitting individuals handling a commodity to make an unconscionable profit out of the mere handling of it.

Mr. MONEY. Will the Senator from Montana permit me?

Mr. CARTER. I yield to the Senator from Mississippi.

position on that.

protection—I care not what you call it—such encouragement, if you please, to this development as will make your country

and size of the logs cut in the last few years.

Mr. MONEY. I merely wish to say to the Senator right at this point that a few days ago the supreme court of Mississippi found a lumber trust, certain retail dealers in lumber in Mississippi, guilty of violating the law, and I presume that that combination extends elsewhere.

Mr. CARTER. It seems to be a disease universal over the country.

Mr. HEYBURN. I can add something perhaps to the information in regard to the reason why lumber is sold at what seems to be an abnormal price in the Dakotas. I inquired of a lumber dealer, selling there the products of the forests of Montana—because that is where he bought the lumber when the Dakota price seemed to be so much in excess of what lumber was selling for in Montana—why it was. He said:

> We do not sell enough there to justify us in holding to the narrow margin of profit that they do in that country. We are compelled because of the smallness of the sales to make a larger profit.

And that was not very long ago.

Mr. CARTER. I am inclined to think that the volume of sales is greatly diminished by the extravagance of the prices demanded.

Mr. HEYBURN. That may be.

Mr. SMOOT. I agree perfectly with the Senator from Montana where the fault lies, and I want to state here that it is not only in lumber, but applies to every business in the United States. I hope some time during the discussion of the tariff question to have the people of the United States understand that the retailer of this country is making an unreasonable profit.

For instance, I have a case before me now where a manufacturer in the United States sells at wholesale razors at $3.95 a dozen. They are wholesaled in St. Louis by the jobber at $9. They are retailed for $2 apiece. The manufacturer in this country gets only $3.95 a dozen and the consumer pays $2 apiece.

Mr. CLARK of Wyoming. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Wyoming?

Mr. CARTER. I yield to the Senator from Wyoming.

Mr. CLARK of Wyoming. The Senator from Montana just made what occurred to me to be a remarkable statement; and I want to be sure that I understand it. I understood him to say that investigation had proven to his satisfaction that Montana lumber in North Dakota was selling at a price which was more than double the total price at the mill, with freight added.

Mr. CARTER. I said the investigation had satisfied my informant, and I accept his statement as worthy of attention and belief.

But I desire to call the special attention of Senators interested in the high duty on lumber to the statements cited by the Senator from Minnesota from the letter of Mr. Scanlon, a copy of which I received. That statement was to this effect: That it does not cost more to surface lumber on four sides than it does to surface lumber on one side, and that statement is borne out by a recitation of the facts with reference to the process.

Mr. Scanlon says that in former times, with imperfect machinery, the boards passed through the planing mill once for each surface made; if it was to be surfaced on both sides, the plank must be passed through the machine twice; if it was to be surfaced on both sides and squared up on the ends or tongued and grooved, it formerly required four passages of the plank through the planer, whereas to-day, with perfected machinery, the plank is passed through the planing mill but once.

Mr. NELSON. That is true.

Mr. CARTER. And by that one passage it is surfaced on both sides, tongued and grooved, or finished, as may be desired.

If that statement conforms to or squares with the actual fact, it is obvious to my mind that the allowance of 50 cents per thousand for surfacing on one side and 50 cents for surfacing on the other and 50 cents for tonguing and grooving constitute a piling up of the rate to offset the cost of labor, when it is but a single act of pushing the plank through the mill in any one of the cases cited.

Mr. SMITH of Maryland. Will the Senator from Montana allow me just one word?

Mr. CARTER. I will be glad to.

Mr. SMITH of Maryland. I want to say to the Senator that that statement is not correct in one sense. Lumber when it is surfaced on one side is usually surfaced in the width as it comes from the tree, as it is sawed. Lumber that is surfaced on one side and plowed and grooved is usually surfaced in boards that are cut about 3 inches wide or 4 inches wide for flooring. Therefore whilst it may be true, if you surface the lumber to its full width, that you can do that, when you rip this lumber into boards and cut it into flooring widths, it takes three times as much time and labor to do it, probably, as it does to surface a board on one side as it comes from the log. I know something about it. I have had experience in the business. I have been in the business for thirty-nine years. The lumber that is surfaced on one side and plowed and grooved is lumber that is cut up into what you may say "strips," that go on floors; and it takes about three times as much labor as lumber that is surfaced on one side to the full width of the board. That is a fact which can not be gainsaid.

Mr. CARTER. The answer of the Senator from Maryland, based on his long experience, bears fruit to my endeavor to secure some light upon the statement of Mr. Scanlon.

Mr. SMITH of Maryland. If the Senator will pardon me, I will say furthermore that if you surface it on four sides, even if you do not rip it, you can not surface it as cheap as you can on one side, because you can not put it through the machine with the same rapidity as you can when you surface it on one side.

Mr. CARTER. Mr. Scanlon's letter, read by the Senator from Minnesota, seemed to apply to lumber cut into narrow strips in the South—in Louisiana. As I recall the statement, it was to the effect that the cost was somewhat greater in Louisiana, because the lumber was cut into these small strips, whereas in Minnesota broader or wider boards were surfaced. But in that relation the testimony of the Minnesota man is to the effect that the cost of tonguing and grooving in Louisiana in the narrow strips adds only about 2 cents per thousand feet to the surfacing of the raw board in the State of Minnesota.

Mr. SMITH of Maryland. If the Senator will pardon me, I will say that it increases the cost in proportion to the number of strips that you get out of the board. If you take a board that is 10 inches wide and rip it into three boards of 3 inches, you will take more than three times the labor, because you have the expense of ripping the lumber besides the expense of surfacing it and tonguing and grooving.

I make the assertion, further, that you can not run a board through a planer and tongue and groove it as fast as you can run it through a planer and surface it on one side. It is a different kind of work. The lumber that is tongued and grooved for flooring and partitions will cost three times as much as that you just run through the planer in its natural width and surface it on one side.

Mr. CARTER. This presents a direct issue between the Senator from Minnesota and the fact as stated by his correspondent and the statement made by the Senator from Maryland. The Senator from Maryland, through broad experience, alleges that the statement made by the Senator from Minnesota is inaccurate, and I am glad that the matter has reached this point of consideration.

Mr. SMITH of Maryland. I am not contradicting the Senator from Minnesota. I merely state what I know to be the fact. We all know that, as far as that goes, flooring or partitioning is in very narrow strips of from 2 to 3 inches, and we all know that when you rip that up you can put only one piece through at a time; you can not put the board through. You put it through as fast as you can on one side and tongue and groove it. We all know that if a rough board it takes three times as long to run it through the planer.

Mr. CARTER. Far be it from me to take issue with the statement of the Senator from Maryland. He has experience and I have not. I am glad, however, that this issue has been brought up for the benefit not only of the committee but of the Senate. If there is a difference of 50 cents per thousand in the process of planing on each side, of course the schedule as arranged in the House text is correct. If, however, as contended by the correspondent of the Senator from Minnesota, that statement is not correct, then of course this continual addition of 50 cents per thousand for each side planed, tongued, or grooved should be corrected.

Mr. CRAWFORD. Mr. President——

Mr. CARTER. I will yield in just a moment. I wish to have it understood with both the Senator from Maryland and the Senator from Minnesota that I do not understand that one Senator is contradicting the other. We are attempting in the course of a discussion here on a very important matter to elucidate the truth, to get at the facts; and the contribution of both Senators raises an issue that requires light on this subject.

Mr. McCUMBER. Will the Senator from Montana allow me to ask a question of the Senator from Maryland right there?

Mr. CARTER. I will yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to ask the Senator from Maryland a question. Here is a plain board as it comes from the saw, neither planed on the one side nor on the other. Here is another board that comes from the saw, and we will say it is planed on

one side. I want to ask the Senator if it costs 50 cents a thousand more to plane it on one side than the rough lumber costs?

Mr. SMITH of Maryland. I will say to the Senator that I do not know what it costs other people, but in the business I have been connected with it costs more than that.

Mr. McCUMBER. The average, as I get it——

Mr. SMITH of Maryland. I do not mean just to run it through; but if you should handle the lumber, transport it to the planing mill, carry it through, and all that, it costs a good deal more than 50 cents a thousand to plane it.

Mr. McCUMBER. In all the great mills it is planed in the same mill. As it passes through the saw the same lumber is taken up and planed. It can be planed on one side or it can be planed upon two sides.

Mr. SMITH of Maryland. Does the Senator undertake to tell the Senate that you take green lumber from the saw and carry it through the planing mill at one and the same time?

Mr. McCUMBER. When I speak of its coming from the saw it is rough lumber——

Mr. SMITH of Maryland. The lumber has to be carried to dry kiln and dried.

Mr. McCUMBER. But it is the same lumber that comes from the saw. It has not changed itself in any way, shape, or manner. It is the rough lumber when it comes from the saw. I put a straight proposition, and I did not try to mislead in the slightest way. It is the rough lumber that comes from the saw. What I want to know, admitting now that it goes into the kiln and is dried and the moisture is taken out of it, is whether it costs 50 cents more to plane it upon one side. The duty here is 50 per cent higher. Then I want to know if it costs another 50 cents a thousand to plane and edge. The bill here calls for another half dollar a thousand.

Then I want to know if it costs another 50 cents a thousand to run the other edge on. The bill here asks for another 50 cents a thousand. Then I want to know if it costs still another to plane the other side, making it in all $2 a thousand more for planing.

The evidence I have is that the planing on one side will not average 15 cents a thousand more, and when you plane both sides practically at the same time the amount is still less in proportion; and when you tongue and groove it at the same time, as in this piece of lumber, the percentage is less. Of course it takes longer; it is slower perhaps as it goes through the planing mill, where you plane both sides, than if you planed one side; but the proposition I desire to make is that planing the whole four sides would not make a dollar's difference on the average, and here we are giving a difference of $2 and $2.50 and $3 upon the average.

Mr. SMITH of Maryland. I should like to say to the Senator that I am satisfied he has seen very few lumber mills.

Mr. McCUMBER. I want to say to the Senator that I have seen a great many of them and I have seen their workings.

Mr. SMITH of Maryland. I want to say to the Senator that he is not posted as to the cost of manufacturing lumber.

Mr. McCUMBER. I want to say that I take my figures as they are given here by the manufacturers of lumber themselves. A manufacturer of lumber has given me the figures upon every one of those articles.

Mr. SMITH of Maryland. When the Senator says that lumber is brought from the saw and carried through the planer, and it ought to cost only about 15 cents a thousand to plane it instead of 50 cents, I do not think that he has accurate information.

I want to say that when lumber is manufactured from the saw that lumber has to be transported to a dry kiln. It is carried there and after it is put in there and dried it is piled. The planing mills are not located in sawmills. They are located at some distance from sawmills, and necessarily so. The lumber is then taken from those piles and loaded on cars or wagons, whatever it may be, and carried to the planing mill. I am speaking in the first place of lumber, dressed and sawed. There is the expense of taking it from the pile and carrying it to the planing mill; there is the expense of running it through the machinery. After that, there is the expense of taking it out and running it back again. If the Senator asserts that you can do that for 15 cents, I do not hesitate to say that he knows nothing about the business. I do not care who he is.

Now, in regard to tonguing and grooving and dressing lumber as it comes from the log, that is one proposition, but after the lumber is tongued and grooved and dressed on one side you have got to fit it for the purpose for which it is to be used. The lumber that is tongued and grooved and dressed on one side is used for flooring or wainscoting or something of that kind and is cut up into strips, as it were. Probably you run a 10-inch board through a planer. You cut that board up into three strips and you tongue and groove it afterwards. I say it will cost three times as much to do it as to run the lumber through and dress it on one side. You have to put the lumber in a condition where it will sell, and the market requires that it shall be manipulated and manipulated in a way that costs this extra expense.

Mr. CARTER. Mr. President, I desire to ask the Senator from North Dakota if I understand he takes issue with the witness cited by the Senator from Minnesota? I understood it to be the statement of Mr. Scanlon, whose letter was read by the Senator from Minnesota, that it did not cost any more to surface lumber on two sides and size and tongue and groove it than to run it through a planer and surface it on the one side. In cutting short, narrow strips, however, as in the case of the Louisiana lumber, it costs 48 cents a thousand more; possibly 49. Now, I understand the Senator from North Dakota to admit that it costs probably 15 cents a thousand additional to plane the respective sides. Did I correctly understand the Senator?

Mr. McCUMBER. On the average, according to my information, it will cost, we will say, additional about 15 cents per thousand for the mere planing on one side; and the planing of all sides, the tonguing and grooving, at the greatest figure, would not reach above 50 cents. That 50 cents would be a very full estimate of the additional cost. The range is from 15 cents for the first to 50 cents for all the work that is done.

Mr. CARTER. That is, for planing both sides, squaring one, and tonguing and grooving the other?

Mr. McCUMBER. Yes, sir.

Mr. NELSON. If the Senator will allow me, I do not know what the conditions are in preparing lumber in the South, but I want to describe the modus operandi in our State. After the lumber is sawed, they "size" it, as they call it—they strip it up into proper sizes. Then they run it into the dryer; that is, if they want to plane it, where they dry it in order to make it easier for planing and in order to reduce the weight. Then they take it from the drier and they put it through the machine and plane it. There is an immense saving in the matter of freight by the mere drying and the operation of planing. When you come to the matter of planing the cost is not any bigger in one case than the other. There may be a little difference.

In the matter of stripping the lumber up from the size that it is originally cut in at the mill, they always size it as it is put through. They size ordinary boards when they saw them. Sometimes they can even do that in the same operation. In the most improved mills it is done in the operation of sawing. They size them and cut them up into the size they want.

Mr. CARTER. I yield to the Senator from Vermont [Mr. PAGE].

Mr. PAGE. Mr. President, I have listened with a good deal of interest to the remarks of the Senator from Maryland [Mr. SMITH] in regard to the cost of planing lumber. He is right in regard to the lumber which they have at Baltimore; but if he will go into the northern country, he will find that the cheaper grades of lumber are oftentimes sawed and run through the planer, the planer standing exactly in front of the saw, and the green lumber is surfaced for what we call "siding."

This is especially true in regard to hemlock. It is also true in regard to what we call the "stock length" of spruce. It is run through a machine which surfaces it and tongues and grooves it at the same time. It goes directly into the stack and is air dried, and that drying is sufficient for the usual New England manufacturer.

I understand that in Baltimore they use a class of lumber which is stripped into 2, 3, and 4 inch strips, and in that case the statement is absolutely correct. I think, in regard to the expense. The expense of passing lumber through a machine is very large. You can not take up a thousand feet of lumber, which weighs from two to three thousand pounds, and move it from one to another without its costing more than 15 cents. You must add, of course, to the expense of running the board through the mill the cost of transporting it from the place where it is cut up to the machinery.

In our State our lumber is largely now, I am sorry to say, No. 2 siding. The flooring, which constitutes, perhaps, one-fifteenth of our lumber, is, as the Senator from Maryland suggests, transported to the dry kiln. After being dried it is brought back to the dressing machine and there it is planed or "planed and jointed" or "planed and matched," as the terms are. I do not understand that the planing of the two sides is much more expensive than the planing on one side, because the same machine is used. The process is a little slower in feeding through the machine and the cost is really but a trifle more.

The 15 cents a thousand proposition, I would say to the Senator from Maryland, is where the planer stands immediately in front of the saw and the lumber is run through the planer.

Mr. SMITH of Maryland. If the Senator will pardon me, he is talking about something I know nothing about. I have seen a great many of the higher character of mills. I speak more particularly of the best. Of course, the Senator knows what they do at the North. I have seen mills that manufacture hundreds of thousands of feet, and I have never yet seen any mill where they had a planer following the sawing of the lumber and putting the lumber through the planer to plane. If that is done, it must be some lumber for very inferior purposes, for a purpose that probably amounts to very little. In the first place, you can not take lumber from a saw and dress it properly or with any degree of accuracy. Think of trying to put a piece of flooring through a planer right from the saw! It would be absolutely worthless. You would ruin the lumber. I have seen mills that cut hundreds of thousands of feet, but I have never seen a mill that took a board from a saw and carried it green through a planer. I have seen a great many, but I have never yet seen that. It is something I have to learn. I have no doubt it is true, if the Senator says so.

Mr. PAGE. I was not brought up in a sawmill, but I came pretty near it. I know that that is done to a very large extent.

Mr. SMITH of Maryland. I have never seen anything of that kind. It is something I have yet to learn.

Mr. PAGE. I want to say to the Senator from Maryland that the lumber in our section of the Union is now of a poorer character than it was twenty years ago, and a large per cent of that which is sawed in the State in which I live is used for the cheap class of siding and is dressed in the way described by the Senator from North Dakota.

Mr. CARTER. Mr. President, I think it is manifest to every Senator that the question of the necessity for adding 50 cents per thousand for planing on one side and 50 additional cents or a dollar for planing on two sides and $1.50 per thousand where the lumber is tongued and grooved is a debatable question. I desire to vote, when this schedule is reached, for such duty as will make up the difference in the cost of labor employed in thus finishing lumber here and in the competing country. If it costs only 50 cents per thousand to plane, tongue, and groove, I shall not vote for $1.50 per thousand for that purpose.

Mr. CRAWFORD. If the Senator will permit me, I think I might give him some help at this particular point.

Mr. CARTER. I am glad to yield to the Senator from South Dakota.

Mr. CRAWFORD. I notice from the statement on page 24, in Schedule D, that under the old tariff sawed lumber at the old rate came in and paid a duty of $1,718,679.33, and in quantity it amounted to 859,339.61 feet. When you compare that item of import with the very much smaller item, when planed on one side or on both sides, or grooved, it seems to me it is conclusive evidence of the disproportion and the unfair advantage that the old rate gives to the finished lumber, the planed lumber, and the tongued and grooved lumber, because when we come to those items, take, for instance, planed or finished on one side, the quantity imported is only 19,176.90 feet, and planed or finished on two sides, only 2,777.80 feet, and the duty is inconsequential.

The reduction seems to be on the rough lumber. The $1 per thousand is on the rough lumber, not on the finished lumber.

Mr. CARTER. The Senator's view of the subject, I think, is pertinent. I desire to have it understood that those thoroughly familiar with the processes and cost of manufacture shall be prepared when this schedule is reached, to show what it costs to surface lumber on one side or on two sides, and to tongue and groove the lumber; and they can not certainly ask us to vote a duty exceeding the total cost of performing the work, assuming that it costs nothing to perform it elsewhere.

Mr. NEWLANDS. Mr. President——

Mr. CARTER. I shall be glad to finish just a sentence here, if the Senator from Nevada will permit me.

Mr. NEWLANDS. Very well.

Mr. CARTER. There is another feature connected with the statement of the Senator from Minnesota which requires attention and which must be met. It is said that the process of planing reduces the weight of a thousand feet of lumber substantially one-seventh; or, in other words, where a thousand feet of lumber in the rough would weigh 2,800 pounds, a thousand feet of the same lumber when planed and surfaced properly will weigh 400 pounds less. The Senator avers that the freight is levied or the tariff is fixed by the pound, and that no difference is made in the charge for carrying a finished pound over the rate charged for carrying a pound in the rough.

The average cost probably of transporting lumber from the mill to the point of consumption in this country would be a little less, say, than $7 per thousand. If a thousand feet of finished lumber can be transported for $6 where it costs $7 to transport the rough lumber, it is manifestly to the interest of the individual having rough lumber to surface it, if that surfacing can be done at 50 cents per thousand feet, because he thereby would save 50 cents per thousand feet on the freight after surfacing the lumber. This proportion, if correct, would seem to make it necessary to place a higher duty on rough lumber than on the finished article at the mill, because, evidently, the expenditure of what Mr. Scanlan says is the total cost of surfacing on two sides and tonguing and grooving, less than 50 cents a thousand feet, would result in saving a dollar a thousand in freight.

I do not pretend to aver that these statements are according to the absolute facts. The discussion has led to some difference of opinion on that subject; but the difference of opinion which has arisen here indicates that before this schedule can be intelligently voted upon the exact facts with reference to the relation of weight in finished and rough lumber and the exact cost of finishing the rough lumber must be ascertained or we shall vote without sufficient information.

I repeat, that I believed in 1897, and I believe to-night, that a dollar a thousand on rough lumber is ample protection to the sawmill men of the United States, and I shall certainly be subject to a mighty change of thought, and the figures necessary to bring about that change must be presented, before I alter the position I then took after a pretty careful investigation of the subject.

Mr. GALLINGER. The Senator is doubtless aware of the fact that under the $2 rate we imported a very large quantity of rough lumber—thirty times as much as all grades of finished lumber combined. We ought not to lose sight of the fact that rough lumber gave employment to American workingmen, while the finished lumber, of course, deprived American workingmen of just that much labor. So that I think we ought to be careful in fixing the rates, not to have them so arranged that the finished lumber can come in to the detriment of American workingmen in the sawmills of the United States. The fact I have stated, that under the $2 rate we have imported thirty times as much rough lumber as we have of all kinds of finished lumber combined, is, to my mind, very significant, and ought not to be lost sight of.

Mr. CARTER. Mr. President, I understand the rates in the House bill as to finished lumber are substantially the same as those in the Senate bill. It therefore follows that, if the foreign manufacturer of lumber is required to pay 50 cents for surfacing on each side and 50 cents per thousand for the tonguing and grooving process, he must import the lumber in the rough, because the duty on the finished article is practically prohibitive. If the whole of the work can be done in the United States for 50 cents per thousand, how could the importer pay a duty of a dollar and a half extra on the finished product?

Mr. GALLINGER. Mr. President, I have no idea that it can be done for 50 cents a thousand. I have no technical knowledge on that point; but I am not distressed over the fact that we are compelling Canada to send us unfinished lumber here to give employment to American workingmen. That does not distress me in the least.

Mr. CARTER. Mr. President, when the compulsion results in carrying in 400 pounds of waste in every 2,800 pounds of material, I doubt if we are doing very much for our workmen. The shavings, of course, are of some value to burn, but they are scarcely worth their weight in money, as we pay it out for the processes of finishing. I shall be glad to support, on both the rough lumber and on the finished lumber as well, a duty that represents the difference between the cost of producing it here and the cost of producing it beyond the Canadian border.

Mr. McCUMBER. Mr. President, I do not intend to take up the lumber schedule this evening. When we reach that point, I hope to discuss it at some length. I only rise now to say that it is gratifying to me to know that, no matter how much any one of us may know, or thinks he knows, about the lumber business, there is always something that we can learn. When the Senator from Maryland [Mr. SMITH] assumed that I had said something, at least, that I did not intend to say, and that I necessarily knew nothing about the lumber business, he found a Senator here in this room who had ascertained that lumber was often taken from the saw immediately to the plane. It was something, of course, that the Senator had never heard of before. So we are likely in the discussion of this subject to run across things that none of us has ever heard of.

When I said that a certain piece of lumber as it came from the saw went to the planing mill I did not intend to convey the idea necessarily that it came directly from the saw without the intervention of the usual machinery and without being taken over to the drying kiln and from there back to the planing mill; but I intended to express the idea that a particular piece of lumber in the form that it came from the saw went into the planing mill, and the same mill that planes on one side can also plane upon the other side in the same process practically and can also groove, if necessary.

But, Mr. President, what I did wish to bring out in that discussion was the fact that a difference between the $1 duty upon rough lumber and the duty of $2 and $2.50 upon the finished lumber was not a difference that was based upon the actual cost of transforming the rough into the finished lumber in any of the mills that I know anything about.

I believe that in the southern mills, as a rule, it costs really more to manufacture lumber than it does in the northwestern country; that probably the mills themselves in the great Northwest are more modern, for the most part, at least, and they can handle this lumber more economically than some of the other mills. Any knowledge that I may have, although it may be imperfect, is based almost wholly upon the northern and northwestern mills.

I want to say another thing before I close. I know it is late, and I will only take a moment—in answer to a suggestion that was made by the junior Senator from Minnesota [Mr. CLAPP], stating that the mills in his section of the country were now manufacturing into lumber trees that had grown from the seeds since they had commenced to manufacture lumber in that State. That is in the neighborhood of about from forty-five to fifty years. It is true that some trees may have grown during that time, but what are they? They are nothing but saplings to-day, and why are saplings being cut to-day? Simply because the extreme price of lumber makes it profitable to cut almost anything that will make a lath, as has been suggested by the Senator from Minnesota, and convert it into lumber. That is true all over the State of Minnesota.

I want to call the Senator's attention to the fact that I have been over my native State to some extent. Only about a year ago I took a trip from Minneapolis to Duluth, going over one road and returning over another, and in all of that distance of over 100 miles, or about that number of miles, as I remember, just as far as you could see there was nothing but a wilderness of black stumps, without a pine tree and without any other kind of a tree, except little willows and the poplars that are growing up and taking the place of the majestic pines of a few years ago.

I have been over other portions of northern and central Minnesota, and I find practically the same situation there. I have driven for more than 30 miles north of the main line in a country that was once covered by majestic forests, and I could find nothing but burnt stumps, a few willows, a few poplars, and possibly, in some instances, tamaracks. Two years ago I was over in Oregon and followed along one of the great valleys there—the valley of the McKenzie, that once had been well timbered. I saw the work of destruction of the timber baron there. You can travel for mile after mile, and along the hillsides there is not even any brush left. Every vestige of timber has gone. But when you get away from there into the government reserves and see there majestic trees, whose tops seem almost to kiss the stars at night, you can not help but thank God that you live when you see nature as it is, and as it should be, protected, in this country.

Mr. President, I looked at one of those trees. I sat down upon the stump of an old cedar that was some 9 or 10 feet in diameter. It had been sawed off for several years, so that the check marks and the year rings had begun to manifest themselves. I took out my penknife and started to check off the number of those rings. I started from the center, and when I had counted up to about 500 they had become so fine that they could not be seen by the naked eye. Probably that tree had grown there for fully a thousand years; I have no doubt that it was at least a thousand years old. You can not produce such trees in forty years or fifty years.

You will never produce them again in this country. But what we can do is to preserve our forests just as long as it is possible to preserve them. We know the influence of the forests upon the navigable streams; we know their influence upon the floods of the country; we know their influence upon the farms that are adjoining which may be swept away by a flood in a single night; we know their influence upon the climate; and we know, Mr. President, if we have got any scintilla of feeling for the future and for our children's children, that it is our duty to maintain proper conditions as nearly as possible. We can not go upon the theory that we can reproduce in thirty or forty years that which it has taken the Almighty four thousand years to produce. But I intend to discuss this subject, Mr. President, when I meet it upon the schedules.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 30, 1909, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 29, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Monday, April 26, was read and approved.

THE TURKISH EMPIRE.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the grateful appreciation of the American people be, and hereby is, expressed and the President requested to convey the same to the people of the Turkish Empire that the revolution they have just effected assures to them the precious safeguards of constitutional government and freedom, and that the triumph is unmarred by the execution of the venerable Abdul Hamid or any wholesale slaughter of residents of Constantinople, and of our best wishes for their peace and prosperity and enjoyment in largest measures of all the blessings of civilization.

2. That the President be further requested to inform His Imperial Majesty Mohammed V of the friendly regard of the Government and people of these United States for him, his Government, and people, and our earnest hope and firm confidence that among the earliest achievements of his reign will be the prompt restoration of order throughout his realm and elimination of the appalling atrocities upon Christian missionaries and other non-Moslems which thrill with horror the civilized world.

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object——

Mr. MACON. Mr. Speaker, this is a little too sudden; I object.

The SPEAKER. Objection is heard.

Mr. WANGER. Mr. Speaker, I assume the resolution will be printed in the CONGRESSIONAL RECORD.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

CONGRESSIONAL DIRECTORY.

Mr. RANDELL of Texas. Mr. Speaker——

Mr. PAYNE. Does the gentleman rise for the purpose of debating this resolution?

Mr. RANDELL of Texas. Mr. Speaker, I would like to ask the gentleman from New York to withhold his motion for a moment. I desire to make a correction in reference to the issuance of the Congressional Directory. It will only take a moment.

Mr. PAYNE. Mr. Speaker, I withhold the motion.

Mr. RANDELL of Texas. Mr. Speaker, there have been a number of publications made with reference to the delay in the issuance of the Congressional Directory which have been not altogether in accordance with the facts, and I wish to correct the matter. One paper, for instance, stated:

Because Mr. RANDELL of Texas was down in the new issue of the Congressional Directory as "Randell of Tennessee" that same RANDELL had 8,000 copies of the Directory thrown away. Everybody around the Capitol was wondering why the Directories were so long in coming out. A few had been issued and there was a stop. Departments made inquiries. Newspaper offices yelled with vigor. Congressmen wanted to know why—and there wasn't any information on the subject forthcoming—

And so forth.

Another paper said:

The state pride of CHOICE B. RANDELL, Representative of the fourth Texas district, has been a source of great inconvenience in the last ten days to 392 Members of the House, 90 Senators, and a large number of officials and civilians. In the first edition of the Congressional Directory of the Sixty-first Congress Mr. RANDELL was listed as being from Tennessee, and he was so aggrieved at this mistake that the entire edition had to be returned to the Government Printing Office and another edition printed. Besides causing a delay in the distribution of the directory, the error and Mr. RANDELL's insistence that it be rectified have cost the Government a tidy sum of money—

And so forth.

I would not have paid any attention to the matter in the House, but the papers giving the statement out having failed to correct it, I wish to state here that nothing of the kind occurred, and I shall ask the Clerk to read a letter which was handed to me by Mr. A. J. Halford, the compiler of the Directory, which will set the matter straight.

The SPEAKER. Without objection, the letter will be read.

There was no objection.

The Clerk read as follows:

UNITED STATES SENATE,
JOINT COMMITTEE ON PRINTING,
CONGRESSIONAL DIRECTORY,
Washington, D. C., April 27.

Hon. C. B. RANDELL,
House of Representatives.

DEAR SIR: Recurring to our conversation of to-day, I desire to state:

1. That the distribution of the first edition of the Congressional Directory was held up in order to make some changes in the organization

of Senate committees necessitated by the appointment of new committees, clerks, and messengers.

2. The postponement was made without suggestion from you and without your knowing that it had been made.

3. These changes having been directed by the Committee on Printing, the error crediting you to the State of Tennessee instead of Texas was corrected. But no delay in the issue of the Directory was made on account of this correction, and no copies of the book were destroyed because of it. Regretting that the matter should have caused you any annoyance, I am,

Yours, sincerely, A. J. HALFORD, *Compiler.*

PANAMA CANAL.

Mr. WANGER. Mr. Speaker, on Monday the House gave leave, upon the request of the gentleman from New Jersey [Mr. WILEY], to print an article by Mr. John R. Freeman on the Panama Canal appearing in the May number of the Outlook. I see by referring to that able journal that following the article of Mr. Freeman is an article by Mr. Bunau-Varilla, and a very able editorial review of the two articles. I now ask that the other article and editorial review may also be printed as a part of the supplement to House Document No. 10.

Mr. DAWSON. Mr. Speaker, reserving the right to object, as I understand the article by Mr. Bunau-Varilla is a criticism of the present lock-dam canal?

Mr. WANGER. It is.

Mr. DAWSON. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 11 minutes p. m.) the House adjourned to meet on Monday next.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting estimates of appropriation for the Deposit Savings Association of Mobile, Ala., E. J. Reed, and J. N. Newkirk (H. Doc. 21), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HILL: A bill (H. R. 8909) to provide for the purchase of a site and the erection of a public building thereon at Stamford, in the State of Connecticut—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan: A bill (H. R. 8910) for an appropriation for enlarging the government building at Lansing, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: A bill (H. R. 8911) to prevent and punish the desecration, mutilation, or improper use of the flag of the United States of America—to the Committee on the Judiciary.

By Mr. TOU VELLE: A bill (H. R. 8912) granting pensions to all enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 8913) to provide for the time and places for holding of the regular terms of the United States circuit and district courts for the western district of the State of Oklahoma, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 8914) to open to settlement and entry under the general provisions of the homestead laws of the United States certain lands in the State of Oklahoma, and for other purposes—to the Committee on the Public Lands.

By Mr. BRADLEY: A bill (H. R. 8915) to provide for the acquisition of a site and the erection of a public building thereon at Port Jervis, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. BYRNS: A bill (H. R. 8916) to authorize the Secretary of War to procure lock and dam sites for Locks B, C, D, E, and F to be located in the Cumberland River below Nashville, State of Tennessee, and to erect and put in operation locks and dams at said sites, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. MORGAN of Missouri: A bill (H. R. 8917) to amend an act entitled "An act to create a new division in the western judicial district of the State of Missouri," approved January 24, 1901—to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 8918) for the extension of Seventeenth street NW., from Crescent place to Florida avenue—to the Committee on the District of Columbia.

By Mr. MACON: A bill (H. R. 8919) for the improvement of the navigation of the St. Francis River in Arkansas—to the Committee on Rivers and Harbors.

By Mr. STEVENS of Minnesota: A bill (H. R. 8920) to establish a subtreasury at the city of St. Paul, Minn.—to the Committee on Ways and Means.

By Mr. KINKAID of Nebraska: Joint resolution (H. J. Res. 51) to amend the Constitution relative to incomes and inheritances—to the Committee on the Judiciary.

By Mr. HILL: Memorial of the legislature of Connecticut, in relation to the inheritance-tax provision in the Payne tariff bill—to the Committee on Ways and Means.

Also, memorial of the legislature of Connecticut, regarding date of the inauguration of the President of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. McKINNEY: Memorial of the legislature of Illinois, protesting against the levying of a federal inheritance tax—to the Committee on Ways and Means.

By Mr. FULLER: Memorial of the legislature of Illinois, against proposed inheritance tax in the Payne tariff bill—to the Committee on Ways and Means.

By Mr. PRINCE: Memorial of the legislature of Illinois, against the proposed inheritance tax in the Payne tariff bill—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 8921) granting an increase of pension to William E. Gault—to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 8922) granting an increase of pension to Thomas W. Hall—to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 8923) granting an increase of pension to Samuel Snoke—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 8924) granting an increase of pension to William Henry Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8925) granting an increase of pension to Haydon Watson—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 8926) granting a pension to Christina Brown—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 8927) granting an increase of pension to William R. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8928) granting an increase of pension to Joseph C. Kimsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8929) to pay Lewis J. Blair, late lieutenant-colonel of the Eighty-eighth Regiment Indiana Volunteer Infantry, amount found due him by the Court of Claims—to the Committee on War Claims.

By Mr. CULLOP: A bill (H. R. 8930) granting a pension to Lewis Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8931) granting a pension to Charles W. Lovell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8932) granting a pension to Richard Hogan—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 8933) granting a pension to Birdie Brenock—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 8934) granting a pension to W. H. Elmore—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 8935) granting an increase of pension to Marie Mische—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 8936) granting a pension to James Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8937) granting an increase of pension to Joseph Nester—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 8938) to correct the military record of Daniel D. May—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 8939) granting an increase of pension to George D. Salyer—to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 8940) granting a pension to Mary C. Gillespie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8941) granting an increase of pension to John E. Davis—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 8942) for the relief of the Bolivar Troop Chapter, United Daughters of the Confederacy, of Cleveland, Miss.—to the Committee on Claims.

By Mr. JOYCE: A bill (H. R. 8943) granting an increase of pension to William J. Seevers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8944) granting an increase of pension to Benjamin F. Mossgrove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8945) granting an increase of pension to John Moore—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 8946) granting an increase of pension to Isaac Adkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8947) granting an increase of pension to Mary H. Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8948) granting an increase of pension to Elijah Bayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8949) granting an increase of pension to William H. Begley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8950) granting an increase of pension to Turner Branham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8951) granting an increase of pension to Solomon Cassell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8952) granting an increase of pension to Andrew J. Charles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8953) granting an increase of pension to James H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8954) granting an increase of pension to Morgan Clark—to the Committee on Pensions.

Also, a bill (H. R. 8955) granting an increase of pension to Reuben Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8956) granting an increase of pension to Thomas F. Clutts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8957) granting an increase of pension to Jeremiah H. Combs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8958) granting an increase of pension to Spencer Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8959) granting an increase of pension to Milton Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8960) granting an increase of pension to William W. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8961) granting an increase of pension to Eli R. Dials—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8962) granting an increase of pension to B. F. Dorsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8963) granting an increase of pension to Robert Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8964) granting an increase of pension to William J. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8965) granting an increase of pension to John W. Faulkner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8966) granting an increase of pension to William W. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8967) granting an increase of pension to Charles Franklin—to the Committee on Pensions.

Also, a bill (H. R. 8968) granting an increase of pension to James Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8969) granting an increase of pension to George F. Gose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8970) granting an increase of pension to Lewis W. Gose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8971) granting an increase of pension to Wesley Hager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8972) granting an increase of pension to Benjamin Hammon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8973) granting an increase of pension to William Hobbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8974) granting an increase of pension to Benjamin F. Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8975) granting an increase of pension to S. G. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8976) granting an increase of pension to William Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8977) granting an increase of pension to Thomas Hutt—to the Committee on Pensions.

Also, a bill (H. R. 8978) granting an increase of pension to Peter Jagers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8979) granting an increase of pension to James Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8980) granting an increase of pension to Elijah King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8981) granting an increase of pension to Hostin Litteral—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8982) granting an increase of pension to Morrison T. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8983) granting an increase of pension to Edwin McPherson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8984) granting an increase of pension to Samuel F. May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8985) granting an increase of pension to Decatur Maynard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8986) granting an increase of pension to John P. Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8987) granting an increase of pension to William Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8988) granting an increase of pension to James W. Mollett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8989) granting an increase of pension to Daniel Munsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8990) granting an increase of pension to W. H. Nesbitt—to the Committee on Pensions.

Also, a bill (H. R. 8991) granting an increase of pension to Henry C. Norton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8992) granting an increase of pension to John Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8993) granting an increase of pension to William H. Overly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8994) granting an increase of pension to William Pack—to the Committee on Pensions.

Also, a bill (H. R. 8995) granting an increase of pension to Ella Q. Parrish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8996) granting an increase of pension to Irvin Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8997) granting an increase of pension to James H. Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8998) granting an increase of pension to William Pinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8999) granting an increase of pension to Peter Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9000) granting an increase of pension to Sanford Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9001) granting an increase of pension to John F. Sebastian—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9002) granting an increase of pension to Floyd M. Sellards—to the Committee on Pensions.

Also, a bill (H. R. 9003) granting an increase of pension to John C. Smallwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9004) granting an increase of pension to Hurom Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9005) granting an increase of pension to Milton Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9006) granting an increase of pension to William Snowden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9007) granting an increase of pension to Henry C. Soward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9008) granting an increase of pension to James A. Stamper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9009) granting an increase of pension to James A. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9010) granting an increase of pension to John Townsend—to the Committee on Pensions.

Also, a bill (H. R. 9011) granting an increase of pension to Dale Treadway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9012) granting an increase of pension to John P. Vaughan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9013) granting an increase of pension to John Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9014) granting an increase of pension to James Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9015) granting an increase of pension to William H. Weddington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9016) granting an increase of pension to John M. Willoughby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9017) granting an increase of pension to J. D. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9018) granting a pension to Mollie Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9019) granting a pension to Bud Adkins—to the Committee on Pensions.

Also, a bill (H. R. 9020) granting a pension to George W. Adkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9021) granting a pension to George Amerine—to the Committee on Pensions.

Also, a bill (H. R. 9022) granting a pension to Milley Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9023) granting a pension to Clay Brandenburg—to the Committee on Pensions.

Also, a bill (H. R. 9024) granting a pension to William R. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9025) granting a pension to Georgia A. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9026) granting a pension to George W. Brown—to the Committee on Pensions.

Also, a bill (H. R. 9027) granting a pension to William Caldwell—to the Committee on Pensions.

Also, a bill (H. R. 9028) granting a pension to Caleb Chenault—to the Committee on Pensions.

Also, a bill (H. R. 9029) granting a pension to Delilah Colley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9030) granting a pension to Frank P. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9031) granting a pension to John A. Combs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9032) granting a pension to Winston Conley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9033) granting a pension to James Crum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9034) granting a pension to Patrick Daly, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9035) granting a pension to Christopher Alonzo De Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9036) granting a pension to Reuben P. Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9037) granting a pension to Rufus F. Diamond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9038) granting a pension to Lucy Douthett—to the Committee on Pensions.

Also, a bill (H. R. 9039) granting a pension to Louie E. Downard—to the Committee on Pensions.

Also, a bill (H. R. 9040) granting a pension to Robert Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9041) granting a pension to Thompson Farmer Frisby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9042) granting a pension to James H. Gilley—to the Committee on Pensions.

Also, a bill (H. R. 9043) granting a pension to Greenville R. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9044) granting a pension to John Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9045) granting a pension to J. M. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9046) granting a pension to John P. Hazlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9047) granting a pension to Ellen Holbrook—to the Committee on Pensions.

Also, a bill (H. R. 9048) granting a pension to Jasper Jenkins—to the Committee on Pensions.

Also, a bill (H. R. 9049) granting a pension to Thomas Jent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9050) granting a pension to Lemuel Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9051) granting a pension to Ursla Joseph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9052) granting a pension to Caroline Kidd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9053) granting a pension to David B. Kimbrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9054) granting a pension to William Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9055) granting a pension to John M. Linvell—to the Committee on Pensions.

Also, a bill (H. R. 9056) granting a pension to Lewis Lyon—to the Committee on Pensions.

Also, a bill (H. R. 9057) granting a pension to Simpson Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9058) granting a pension to Harriet Maupin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9059) granting a pension to William X. May—to the Committee on Pensions.

Also, a bill (H. R. 9060) granting a pension to George C. Middaugh—to the Committee on Pensions.

Also, a bill (H. R. 9061) granting a pension to Sylvester B. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9062) granting a pension to George W. Music—to the Committee on Pensions.

Also, a bill (H. R. 9063) granting a pension to Alex Owsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9064) granting a pension to John W. Puckett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9065) granting a pension to Frank Risner—to the Committee on Pensions.

Also, a bill (H. R. 9066) granting a pension to William T. Romes—to the Committee on Pensions.

Also, a bill (H. R. 9067) granting a pension to N. E. Rowland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9068) granting a pension to William B. Senieur—to the Committee on Pensions.

Also, a bill (H. R. 9069) granting a pension to McKinley Sewell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9070) granting a pension to Laura Sowards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9071) granting a pension to Emily Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9072) granting a pension to James Stafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9073) granting a pension to Isaac Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9074) granting a pension to James B. Strong—to the Committee on Pensions.

Also, a bill (H. R. 9075) granting a pension to Demia T. Stump—to the Committee on Pensions.

Also, a bill (H. R. 9076) granting a pension to A. H. Sympson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9077) granting a pension to Mariba Tackett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9078) granting a pension to Freelin Taylor—to the Committee on Pensions.

Also, a bill (H. R. 9079) granting a pension to Albert Thomson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9080) granting a pension to Nace Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9081) granting a pension to Frances Turner—to the Committee on Pensions.

Also, a bill (H. R. 9082) granting a pension to Morgan J. Treadway—to the Committee on Pensions.

Also, a bill (H. R. 9083) granting a pension to Susan Webb—to the Committee on Pensions.

Also, a bill (H. R. 9084) granting a pension to Palo Alto Westerfield—to the Committee on Pensions.

Also, a bill (H. R. 9085) granting a pension to Fannie Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9086) restoring to the pension roll the name of Henry Blankenship—to the Committee on Pensions.

By Mr. LANGHAM: A bill (H. R. 9087) granting an increase of pension to William Wiley—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 9088) granting a pension to Sadie E. Colt—to the Committee on Pensions.

Also, a bill (H. R. 9089) for the relief of James F. Curley—to the Committee on Military Affairs.

By Mr. LOWDEN: A bill (H. R. 9090) granting an increase of pension to Oscar M. Town—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 9091) granting an increase of pension to John Flanigan—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 9092) granting a pension to Antonio Feldman—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 9093) granting an increase of pension to Hiram Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9094) granting an increase of pension to Jacob Barrow—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 9095) granting an increase of pension to John R. McMasters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9096) granting an increase of pension to Joseph M. Payton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9097) granting a pension to John S. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9098) granting a pension to Charles A. Yager—to the Committee on Pensions.

Also, a bill (H. R. 9099) granting a pension to Potenciana Soriano Ziegenbein—to the Committee on Pensions.

Also, a bill (H. R. 9100) making an appropriation for Lizzie Kenamore—to the Committee on War Claims.

By Mr. NEEDHAM: A bill (H. R. 9101) to grant title to certain public land to the city of Santa Cruz, in the State of California, to be used for street purposes—to the Committee on the Public Lands.

By Mr. PATTERSON: A bill (H. R. 9102) granting an increase of pension to R. A. Sisson—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 9103) granting an increase of pension to George Perry—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 9104) for the relief of John I. Conroy and others—to the Committee on Claims.

Also, a bill (H. R. 9105) for the relief of R. B. Whitacre & Co.—to the Committee on Claims.

Also, a bill (H. R. 9106) for the relief of Lydia Mahoney—to the Committee on Claims.

Also, a bill (H. R. 9107) for the relief of Edward H. Ozmun—to the Committee on Claims.

Also, a bill (H. R. 9108) for the relief of A. M. Darling and F. C. Darling—to the Committee on War Claims.

Also, a bill (H. R. 9109) for the relief of the heirs of Eldred Nunnally, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9110) for the relief of Lieut. Col. Edward Simonton—to the Committee on Military Affairs.

Also, a bill (H. R. 9111) granting a pension to Jacob Hinkel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9112) granting a pension to T. B. Maloney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9113) granting a pension to Regina Ebert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9114) granting a pension to Mary Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9115) granting a pension to Isaac Labissoniere—to the Committee on Pensions.

Also, a bill (H. R. 9116) granting a pension to Benjamin Brown—to the Committee on Pensions.

Also, a bill (H. R. 9117) granting an increase of pension to A. P. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9118) granting an increase of pension to Eliza A. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9119) granting an increase of pension to Charles F. Stark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9120) granting an increase of pension to John J. Buckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9121) granting an increase of pension to Theophilus G. Brunson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9122) granting an increase of pension to Peter Therien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9123) granting an increase of pension to Louis Westhauser—to the Committee on Pensions.

Also, a bill (H. R. 9124) granting an increase of pension to William Willige—to the Committee on Pensions.

Also, a bill (H. R. 9125) granting an increase of pension to John G. MacNamara—to the Committee on Pensions.

Also, a bill (H. R. 9126) to correct the military record of Charles Kostohryz—to the Committee on Military Affairs.

Also, a bill (H. R. 9127) to correct the military record of Lieut. Col. James P. Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 9128) to correct the military record of Frank E. Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 9129) to correct the military record of Lieut. Col. Horace P. Rugg—to the Committee on Military Affairs.

Also, a bill (H. R. 9130) to correct the military record of Andrew J. Weidle—to the Committee on Military Affairs.

Also, a bill (H. R. 9131) providing for the retirement of Dr. James B. Ferguson, of the army—to the Committee on Military Affairs.

By Mr. TENER: A bill (H. R. 9132) granting an increase of pension to John Pattison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9133) to correct the military record of Patrick H. McGee—to the Committee on Military Affairs.

Also, a bill (H. R. 9134) to correct the muster of Thomas S. Vale—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Petition of J. Harriman and others, of Marion, Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CARY: Petition of Medford Advancement Association, against a duty on hides—to the Committee on Ways and Means.

Also, petition of common council of Portage, Wis., for appropriation to repair levee at Portage, on Wisconsin River—to the Committee on Rivers and Harbors.

By Mr. CLINE: Petition of Fort Wayne Engraving Company, for duty on post cards—to the Committee on Ways and Means.

Also, petition of Elkhart (Ind.) Carriage Company and others, for removal of duty on hides—to the Committee on Ways and Means.

By Mr. CONRY: Petition of Farm Life, of Chicago, Ill., favoring free lumber—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, of New York, favoring free cocoa—to the Committee on Ways and Means.

Also, petition of Hide and Leather Association of New York, favoring free hides—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of C. Elias & Bro., of Buffalo, N. Y., favoring protective reduction duty on lumber—to the Committee on Ways and Means.

Also, petition of Hide and Leather Association of New York City, favoring reduction of duty on hides—to the Committee on Ways and Means.

Also, petition of Montgomery Brothers & Co., of Buffalo, N. Y., urging duty on lumber—to the Committee on Ways and Means.

Also, petition of East Buffalo Live Stock Association, urging changes in new tariff bill affecting cattle—to the Committee on Ways and Means.

Also, petition of National Wool Growers' Association, favoring free wool—to the Committee on Ways and Means.

Also, petition of New York City Silk Conditioning Works, favoring revision of tariff on wool—to the Committee on Ways and Means.

Also, petition of Thomas & Thompson Company, of Baltimore, Md., urging revision of tariff on disinfectants—to the Committee on Ways and Means.

Also, petition of Isaac Prouty & Co., of Spencer, Mass., favoring free hides—to the Committee on Ways and Means.

Also, petition of E. & J. Burke, of New York, favoring reduction of tariff on malted liquors—to the Committee on Ways and Means.

By Mr. FULLER: Petition of The Farmers' Review, of Chicago, against a duty on fertilizers—to the Committee on Ways and Means.

Also, petition of the Alston Lucas Paint Company, of Chicago, Ill., against a proposed duty on wood oil—to the Committee on Ways and Means.

Also, petition of the Thomas & Thompson Company, of Baltimore, Md., against a duty on sheep dip—to the Committee on Ways and Means.

Also, petition of wholesale merchants of New York, against increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of Tousey Varnish Company, of Chicago, favoring retention of duty on China wood oil—to the Committee on Ways and Means.

Also, petition of Connell Brothers, of Elgin, Ill., favoring duty on casein and lactarene—to the Committee on Ways and Means.

By Mr. GARRETT: Papers to accompany bill granting an increase of pension to W. H. Elmore—to the Committee on Invalid Pensions.

By Mr. GOULDEN: Petition of Metal Stamping Company, requesting reduction of duty on manufactured metal goods—to the Committee on Ways and Means.

Also, petition of Castle Braid Company, requesting hearings on braid tariff—to the Committee on Ways and Means.

Also, petition of Charles N. Prouty & Co., of Spencer, Mass., protesting against a duty on hides—to the Committee on Ways and Means.

Also, petition of Mr. Theo. E. Tack, of New York, against free oil—to the Committee on Ways and Means.

Also, petition of lithographers of New York City, urging protection of the industry—to the Committee on Ways and Means.

Also, petition of Phillip Storninger, of New York City, advocating repeal of duty on live cattle and dressed meats—to the Committee on Ways and Means.

Also, petition of New York Federation of Women's Clubs, opposing duty on gloves, hosiery, and linens—to the Committee on Ways and Means.

Also, petition of Braid Manufacturers' Association of the United States, urging changes in classification of braids, etc., in tariff bill—to the Committee on Ways and Means.

Also, petition of Charles S. Hopper, jr., urging tax on stocks, bonds, and financial paper—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring a tariff on sugar and coffee—to the Committee on Ways and Means.

Also, petition of President Van Cleave, of St. Louis, favoring a tariff commission—to the Committee on Ways and Means.

Also, petition of Charles H. Schmitz, of New York City, favoring duty on lithographic supplies—to the Committee on Ways and Means.

Also, petition of Luytles Brothers, favoring amendment to the tariff bill to encourage the sale and exportation of articles of domestic manufacture—to the Committee on Ways and Means.

Also, petition of the Columbus Industrial Alliance, favoring protection along certain lines—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops, protesting tax on cocoa beans—to the Committee on Ways and Means.

Also, petition of National Manufacturers' Association, protesting reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of W. Van Lupken, favoring removal of duty on sugar—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring duty on coffee, sugar, and tobacco—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwalk, Conn., for placing paper on free list—to the Committee on Ways and Means.

Also, petition of Cattle Raisers' Association of Texas, for retention of duty on hides—to the Committee on Ways and Means.

Also, petition of Fred Gutman & Co. of New York, for reduction of duty on safety matches—to the Committee on Ways and Means.

Also, petition of Yellow Pine Exchange, favoring a bill to remove discriminations against American sailing vessels in the coasting trade—to the Committee on the Merchant Marine and Fisheries.

By Mr. HANNA: Petition of many citizens of North Dakota, favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HARRISON: Paper to accompany bill for relief of Joseph Nester and James Tucker—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition of American Masters, Mates, and Pilots, of California Harbor No. 15, against reduction of tariff on lumber—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of citizens of Kensington and Howard Lake, Minn., against proposed reduction in tariff on barley—to the Committee on Ways and Means.

Also, petition of Commercial Club of Omaha, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. MORGAN of Missouri: Petition of Samuel Miller, W. A. Joslin, L. S. Thurman, and other citizens of the Fifteenth Congressional District of Missouri, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MURPHY: Petition of various farmers' unions of the Sixteenth Congressional District of Missouri, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON: Petitions of J. P. Wait and others, of Altheimer; L. H. Morphew and others, of Stuttgart; Murphey Martin Drug Company, of Pine Bluff; Grand Rapids Transfer Company, of Hot Springs; Globe Shoe and Clothing Company, of Malvern, all in the State of Arkansas, protesting against the establishment of a parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. SABATH: Paper to accompany bill for relief of Charles E. Malin—to the Committee on Claims.

Also, petition of Stereotypers' Union, No. 4, of Chicago, and Chicago Mailers' Union, No. 2, favoring same postage rates on second-class mail in town where papers are printed as out of town—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of Arthur Folk, of New York, against an increase of duty on tobacco and upholding action of the Senate committee—to the Committee on Ways and Means.

Also, petition of the Durbrow & Hearne Manufacturing Company, of New York, against increase of duty on embroidery machines and needles for the same—to the Committee on Ways and Means.

SENATE.

FRIDAY, *April 30, 1909.*

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of Alice H. Pierce, widow of Allen W. Pierce, deceased, *v.* The United States (S. Doc. No. 25); and

In the cause of Herbert Harlan and William Beatty Harlan, administrators cum testamento annexo of the estate of David Harlan, deceased, *v.* The United States (S. Doc. No. 26).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented house joint resolution No. 9, of the general assembly of Iowa, which was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

STATE OF IOWA,
SECRETARY OF STATE.

I, W. C. Hayward, secretary of state of the State of Iowa, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 9, as passed by the thirty-third general assembly and approved by the governor April 12, A. D. 1909, as the same appears of record in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of the secretary of state of the State of Iowa.

Done at Des Moines, the capital of the State, April 24, 1909.

[SEAL.] W. C. HAYWARD,
Secretary of State.

House joint resolution 9.

Joint resolution of the thirty-third general assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Whereas we believe that Senators of the United States should be elected directly by the voters; and

Whereas to authorize such direct election an amendment to the Constitution of the United States is necessary; and

Whereas the failure of Congress to submit such amendment to the States has made it clear that the only practicable method of securing submission of such amendment to the States is through a constitutional convention, to be called by Congress upon the application of the legislatures of two-thirds of all the States: Therefore be it

Resolved by the general assembly of the State of Iowa:

SECTION 1. That the legislature of the State of Iowa hereby makes application to the Congress of the United States, under Article V of the Constitution of the United States, to call a constitutional convention for proposing amendments to the Constitution of the United States.

SEC. 2. That this resolution, duly authenticated, shall be delivered forthwith to the President of the Senate and Speaker of the House of Representatives of the United States, with the request that the same shall be laid before the said Senate and House.

Approved April 12, A. D. 1909.

The VICE-PRESIDENT presented a memorial of the congress of the Knights of Labor of Albany, N. Y., remonstrating against a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented a petition of sundry employees of the Case Cutlery Company, of Kane, Pa., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, Massachusetts, Georgia, Illinois, Indiana, Kentucky, Minnesota, Maryland, South Carolina, Arkansas, Michigan, Oregon, Texas, Virginia, Oklahoma, Nebraska, North Dakota, Idaho, Tennessee, West Virginia, Indiana, Maine, Ohio, Wisconsin, Washington, Idaho, Louisiana, and Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. SHIVELY presented petitions of sundry citizens of Indianapolis, Boswell, Fishers, Evansville, and Fairlance, all in the State of Indiana, praying for the repeal of the duty on raw hides, which were ordered to lie on the table.

Mr. DILLINGHAM presented petitions of sundry citizens of East Bethel, Newbury, West Woodstock, and Burlington, all in the State of Vermont, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Norwood, Lane, Hunter, Winfield, Ellsworth, Zurich, Caldwell, Canton, Garnett, Burns, and Argonia, all in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Argyle and Riverton, Me., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRANDEGEE presented petitions of sundry citizens of Meriden, New Haven, Danbury, Stonington, New London, Watertown, Ansonia, Franklin, Hartford, and Willimantic, all in the State of Connecticut, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Local Union No. 100, International Typographical Union, of Norwich, Conn., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. PILES presented a petition of Local Union No. 202, International Typographical Union, of Seattle, Wash., and a petition of Local Union No. 65, International Stereotypers and Electrotypers' Union, of Seattle, Wash., praying for a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a petition of sundry coal and coke companies of Seattle, Wash., praying for the retention of the present duty of 67 cents per ton on coal, which was ordered to lie on the table.

Mr. LODGE presented petitions of sundry citizens of East Bridgewater and New Bedford, in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of East Bridgewater, Mass., remonstrating against the imposition of a duty on tea, which was ordered to lie on the table.

Mr. WARNER presented a joint resolution of the legislature of Missouri, which was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

JEFFERSON CITY, MO., *April 27, 1909.*

Senator WILLIAM WARNER,
Washington, D. C.

DEAR SIR: I have the honor to inform you that the following resolution has been introduced into and adopted by the Missouri senate and concurred in by the Missouri house of representatives:

"Joint resolution of the two houses of the general assembly of the State of Missouri memorializing Congress to authorize the United States Pension Bureau to accept the length of service of certain troops, known as the 'Missouri Home Guards,' as shown by the muster rolls in the office of the adjutant-general of Missouri instead of the service as shown by the report of the Hawkins-Taylor Commission.

"Whereas Gen. Nathaniel Lyon and his successor, Gen. John C. Fremont, acting under authority of a letter dated June 13, 1861, from the then Secretary of War Simon Cameron, granted to certain persons the rights to organize regiments, battalions, and independent companies of troops, known as the 'Missouri Home Guards;' and

"Whereas it was through the loyalty and service of the Missouri Home Guards that this fair State was saved to the Union; and

"Whereas the Hawkins-Taylor Commission was appointed by the President in accordance with a joint resolution by the Senate and House of Representatives of the United States of America in Congress assembled, approved July 12, 1862, and revised by the joint resolution, approved February 16, 1863, reported on the time of 'actual military service of Missouri Home Guards in the field, as distinguished from services in organizing, drilling, recruiting, and in camp;' and

"Whereas the report of the said Hawkins-Taylor Commission in a number of cases shows a less number of days of service than is shown by the muster rolls in the office of the adjutant-general of Missouri, thereby making it impossible for many deserving and truly worthy soldiers to obtain pensions; and

"Whereas these troops were of great service to the Union cause and exhibited much gallantry when brought into contact with the enemy, were organized for continuous service, and should have credit for the time from enlistment to disbandment: Therefore be it

"*Resolved by the senate and house of representatives of Missouri in general assembly convened,* That our Senators and Representatives in Congress be requested to take such steps as may be necessary to have the Pension Bureau accept the muster rolls in the office of the adjutant-general of Missouri Home Guards in lieu of the Hawkins-Taylor Commission.

"*Resolved,* That a copy of these resolutions, duly authenticated, be forwarded by the secretary of state to each of our Senators and Representatives at Washington, D. C."

Given under my hand and the great seal of the State of Missouri this 27th day of April, A. D. 1909.

Respectfully submitted.

[SEAL.] CORNELIUS ROACH,
Secretary of State.

Mr. LA FOLLETTE presented petitions of sundry citizens of Tavera, Hewitt, Amherst, Potosi, Marshfield, Oconto, Greenleaf, Antigo, Osseo, Barton, and Excelsior, all in the State of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Milwaukee and Stanley, Wis., praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. GAMBLE presented petitions of E. Hunter and sundry other citizens of Wessington Springs, S. Dak., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CURTIS. I present a memorial adopted at a meeting of the Independent Oil Producers and Refiners, held in the city of Washington, April 21, 1909. I ask that it lie on the table and be printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table, and to be printed in the RECORD, as follows:

Memorial adopted by the meeting of Independent Oil Producers and Refiners at Washington, D. C., April 21, 1909.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Be it remembered that we, the undersigned representatives of the independent producers and refiners of petroleum and its products this day assembled, do most respectfully represent to your honorable bodies the following facts and conclusions, and thereby show the necessity for your action, and most respectfully request that by proper enactment you impose upon the importation of crude petroleum and products thereof an ad valorem duty of not less than 50 per cent.

The facts showing the necessity for such a duty as adequate protection to the continuance and maintenance of the present interests in the production, refining, and marketing of petroleum and its products in the United States of America are as follows:

The production of crude petroleum in the United States amounts to 600,000 barrels per day, valued at $400,000, a yearly addition to the wealth of this country of $146,000,000. Five hundred thousand men are engaged in this industry, representing a population of 2,500,000. The Dingley law, now in effect, provides a countervailing duty. The duty imposed on our exports are as follows:

Country.	Crude, per gallon.	Refined, per gallon.
	Cents.	*Cents.*
Austria (Galicia)	4.967	14.36
Germany		7
Roumania	1.14	2.84
Burma (India)	1.66	1.63
Russia	2.816	16.505
Mexico	4.86	13.27
Canada	Free.	2.083
Java (Dutch East Indies)	(a)	.37
Japan	(b)	4.785

[a] 5.19 per cent ad valorem.

[b] 20 per cent ad valorem plus 20 per cent for sundries.

The Payne bill recently passed by the House of Representatives removes all duty.

Recent developments in Mexico reported from governmental as well as private investigation point to this Republic as having the largest production of petroleum in the world. Surface indications are found on both coasts. Millions of acres have been secured by large syndicates of capital on the eastern coast from the northern border to Yucatan for immediate development. Her daily production is now 10,000 barrels, and her possibilities unmeasured. A phenomenal well near Tampico, known as "Dos Bocas," is estimated to have produced 10,000,000 barrels, all of which has been destroyed by fire. This is but an indication of what may be developed at almost any point. Both high and low grades of oil are produced. Three large refineries belonging to the Waters-Pierce Oil Company are located at Mexico City, Vera Cruz, and Tampico; and a larger one at Minatitlan, near Coatzacoalcos, by an English syndicate controlled by Pearson & Son. The latter have contracted for production at 10 cents a barrel at the wells. The production lies coastwise and near tide water. Transportation by tank steamers is one of the cheapest methods of transportation, and these Mexican cities lie as near the Atlantic coast cities as Port Arthur, Tex., through which the Mid-Continent field conveys its oil to seaboard and abroad.

The possibilities of Mexico in the production of petroleum menaces the life of the older and settled production of the United States whose fields are all interior at a distance of from 400 to 500 miles from seaboard.

Monopoly controls both the price of production and consumption within the States and in the markets of the world. This monopoly can avail itself of the Mexican situation and destroy what competition has been able to survive in our domestic markets. It is impossible for independent producers and refiners to participate in the advantages presented in Mexico.

The loss from shutting down unprofitable production in the United States will fall upon the independent producers who own 89 per cent of such production. The discontinuance of production in the developed fields of the States will necessarily destroy all independent refining interests. The Standard can still operate its refineries and marketing equipment by importing the cheap Mexican crude, by transferring the same through its pipe lines which connect the seaboard with interior points. It has refineries located at New York Harbor, Baltimore, Philadelphia, Pittsburg, Franklin, Olean, Rochester, Buffalo, Cleveland, Lima, Parkersburg, Whiting, East Alton, Sugar Creek, Neodesha, Corsicana, Port Arthur, and on the Pacific coast; a system of pipe lines connecting all these refineries except Corsicana and Port Arthur and the refineries on the Pacific coast with each other.

Profits of the Standard Oil Company from 1882 to 1906 are shown in testimony in the recent action of the Government against them to be $638,783,783.16, $348,102,078.31 being earned in the last five years. It is established in testimony that in all territory where it has no competition its prices are excessively high. With the advantage to be gained from the Mexican field free of duty, its monopoly of domestic markets could be completed.

A duty of 50 per cent ad valorem will not prohibit the importation of crude from Mexico, but will be sufficient to sustain domestic competition and keep alive the large amount of property in the hands of independent investors, producers, and manufacturers, and thereby sustain what competition still exists, and will add materially to the revenue of the Government, and that without burden upon the people.

The Pearson syndicate have contracted Mexican production at 10 cents at the wells. Twenty cents at seaboard would therefore be a maximum price for Mexican production. A duty of 50 per cent would make the cost of Mexican crude only 30 cents a barrel.

The cost of Mid-Continent crude at the wells is 41 cents a barrel. The cost of transporting it to Port Arthur, its point of export, is 54 cents, making the cost at point of export 95 cents per barrel.

The cost of transportation from Port Arthur or the Mexican ports to New York of 65 cents a barrel, while Pennsylvania oil delivered at seaboard commands a price of $2.08 a barrel.

The Standard Oil Company in the past has deliberately sought to monopolize the petroleum interests, not by producing, leaving the burden of chance upon individual interests, but by buying established refining and merchandising interests to the extent of over 200 in the past, and at one time having reduced the number of competitive refineries to less than 10.

Under the recent enactments of Congress—the Elkins law, the anti-trust law, and the interstate-commerce law—independent competition has increased, and if protected and kept alive will continue to increase, extending advantage to the consuming public in nearly all the States similar to that now enjoyed in such States as Ohio, Pennsylvania, Kansas, and Oklahoma.

Possibility of production exists in nearly all the States of the Union, but no encouragement for further development will be found against the enormous possibilities of Mexico without adequate protection. And it will be entirely sufficient if the duty asked is limited to the crude produced upon the American Continent, as the matter of duty against oil-producing countries across the sea has heretofore been and is now a matter of indifference to American producers and refiners.

No Senator or Member of Congress should be deceived with the idea that the importation of cheap Mexican crude would ultimately decrease the price to the consuming public in the States. The Standard monopoly only are in position to bring the Mexican product into the United States, to mingle it with the better quality of crudes produced in the States, to transport it cheaply to the interior, to refine and dispose of it after it is imported; while the cost of production, transportation, manufacturing, and distributing would be less to them than possible to anyone else owing to the facilities they have of tank steamers and pipe lines for transportation, refineries located at various points in the interior for manufacture, and their complete avenues of distribution. Experience has shown that when such advantages are in the hands of monopoly their products are no longer cheap to the people. They have been charged with being a system that takes the last dollar. Investigations of the Government have shown that to be true. The Commissioner of Corporations, in his report on the petroleum industry, part 2, page 669, says:

"The conclusion is therefore irresistible that the real source of the Standard's power is not superior efficiency, but unfair and illegitimate practices. The Standard has failed to give the public any of the advantage of such superior efficiency as it does possess, but, on the contrary, by unfair methods, it has been able to extort profits over and above all the savings due to its efficiency."

It must not be forgotten that owing to the high cost of production in all of the fields of the States as compared with the production in Mexico the introduction of large quantities of Mexican crude would close down and destroy the productive fields of this country; that the Standard are interested in such production to only a small per cent of their values, and would therefore not be materially affected by the shrinkage and destruction of American production; that, on the other hand, the value of their refineries, pipe lines, tank steamers, tank cars, tank stations, and tank wagons would be of equal utility and, consequently, of unimpaired value to them, whether running the oils of the Appalachian, Illinois, or Mid-Continent fields, or the fields of Mexico, while the immediate and direct result of a suspension of production in the States would be to close every independent refinery and render their entire investments valueless.

It is this condition that joins the protest of producers and refiners in this memorial to your honorable bodies; and it is for this reason that individually and collectively we are petitioning you to give us relief by fixing a duty of not less than 50 per cent ad valorem. Such a duty will necessarily be a basis of revenue to the Government, will be the means of sustaining the only hope of lower prices by independent competition, will be a partial shield against the establishment of absolute monopoly of the oil business by the Standard Oil Company within our States.

Respectfully submitted,

Thomas W. Phillips, Newcastle, Pa., independent producer; Joseph A. Scofield, Warren, Pa., independent producer and refiner; T. B. Westgate, Titusville, Pa., independent producer and refiner, director of Pure Oil Company; C. D. Chamberlain, Cleveland, Ohio, secretary National Petroleum Association, representing 100 different independent refiners and manufacturers of oil; Lewis Emery, jr., Bradford, Pa., producer and refiner, representing 600 miles of pipe lines of his own in the fields; J. S. Scully, Pittsburg, Pa., independent producer; Thomas Gartland, Parkersburg, W. Va., independent producer; George W. Barnes, Muskogee, Okla., independent producer, member of committee from the Midcontinent Oil and Gas Producers' Association of Oklahoma, producer of oil and shipper of oil, representing personally 300 oil wells; Howard A. Foreman, Buffalo, N. Y., independent producer, vice-president and manager of the Eastern Oil Company, producing in West Virginia, Ohio, Pennsylvania, Illinois, and Oklahoma; W. R. Tallom, Haymarket, Va., independent oil producer; O. C. Hutchinson, Haymarket, Va., independent oil producer; J. H. McEwen, Wellsville, N. Y., vice-president of the Independent Refinery and a producer; George Forbes, Olean, N. Y., independent producer, Indiana, Oklahoma, and Pennsylvania; C. A. Farnum, Wellsville, N. Y., independent producer, producing in New York and Oklahoma; Jerome B. Fischer, Jamestown, N. Y., independent producer and representing independent producers in Pennsylvania, West Virginia, Ohio, and Illinois; M. McCormick, Nowata, Okla., independent producer of Oklahoma, representing the Midcontinent Oil and Gas Producers' Association; George White, Marietta, Ohio, independent producer, representing southeastern Ohio producers; James Bradley, Bolivar, N. Y., independent producer; George Bradley, Bolivar, N. Y., independent producer of New York, Pennsylvania, and Oklahoma; A. J. Hastings, Olean, N. Y., independent producer and representing independent producers operating in New York, West Virginia, Ohio, Illinois, and Oklahoma; W. E. Page, Olean, N. Y., independent producer; M. G. Fitzpatrick, Olean, N. Y., representing Norfolk Oil Company, independent producers operating in Ohio, Indiana, and Oklahoma; A. C. Hawkins, Bradford, Pa., independent producer, Pennsylvania, West Virginia, and Illinois; J. W. Hampsher, Bolivar, N. Y., independent producer of New York, Pennsylvania, and director of independent refinery; W. R. Truby, Pittsburg, Pa., independent producer in Pennsylvania, Virginia, and Illinois; J. F. Guffey, Pittsburg, Pa., independent producer, Pennsylvania, West Virginia, and Illinois; Benjamin E. Phillips, Butler, Pa., independent producer; John A. Bell, Pittsburg, Pa., independent producer in Illinois, Oklahoma, and Pennsylvania; E. H. Jennings, Pittsburg, Pa., independent producer in all producing States and director of the Pure Oil Company; W. H. Mauris, Tulsa, Okla., independent producer in Pennsylvania, Illinois, and Oklahoma, representative of the Midcontinent Oil and Gas Producers' Association; J. P. Herrick, Bolivar, N. Y., independent producer in Pennsylvania, New York, and director independent refinery and independent pipe line; E. W. Moore, Pittsburg, Pa., representing Federal Oil and Gas Company of Oklahoma and independent producers of Pennsylvania; George S. Davison, Beaumont, Tex., representing the Gypsy Oil Company, independent producer in Oklahoma, J. M. Guffey Petroleum Company, independent producer in Texas, Gulf Refining Company of Louisiana, independent in Louisiana, Gulf Pipe Line Company, Gulf Refining Company of Texas, independent refiner; A. T. Fancher, Bartlesville, Okla., independent producer in Oklahoma, Illinois, Indiana, and Pennsylvania, and one of the representatives of the Midcontinent Oil and Gas Producers' Association; Franklin D. Locke, Buffalo, N. Y., representing the Eastern Oil Company of Buffalo, N. Y., operating in all the fields; H. W. Kiskaddon, Pittsburg, Pa., independent producer in Pennsylvania, representing the Crown Petroleum Company, Independent Tradesmen Oil Company, and independent interests in Oklahoma; C. A. Holton, Beaver, Pa., representing Kelly Brothers and Kepper, independent operators; Charles E. Baker, Washington, Pa., independent producer; W. W. Tarbell, Philadelphia, Pa., treasurer Pure Oil Company, representing the Pure Oil Company and its subsidiary companies, consisting of the Quaker Oil and Gas Company of Oklahoma, the Pure Oil Producing Company of Pennsylvania and West Virginia, the Pure Oil Operating Company of Illinois, the Producers' and Refiners' Oil Company (Limited), the United States Pipe Line Company, the Pure Oil Company Pipe Line Company, pipe-line systems from the eastern oil fields to the seaboard at Marcus Hook, Pa., together with refineries, bulk tank steamers, and marketing organizations, domestic and foreign; J. C. Trees, Caddo, La., large producer in Louisiana and representing the Louisiana producers; J. K. Tener, Charierol, Pa., Member of Congress from Pennsylvania; E. V. Vreeland, Salamanca, N. Y., Member of Congress from New York; George C. Sturgiss, Member of Congress from West Virginia; H. B. Martin, Pennsylvania, independent producer, independent oil-well tool manufacturing; W. E. Ryan, Washington, D. C., geologist, examining in the prospective oil fields of Virginia; Victor Speer, Buffalo, N. Y., independent producer representing eastern oil companies; N. V. V. Franchot, Olean, N. Y., former president, now chairman, of the Washington committee of the Midcontinent Oil and Gas Producers' Association of Oklahoma and Kansas, the association representing 87½ per cent of the independent producing interests of those two States; J. A. Graham, Los Angeles, Cal., independent producer; C. P. Craig, St. Marys, W. Va., independent producer, representing independent producers; W. S. Allen, Parkersburg, W. Va., independent producer; H. C. Woodyard, Member of Congress from West Virginia; Jos. Williams, St. Marys, W. Va., independent producer; Lyman Stewart, California, president Union Oil Company; L. K. Hyde, New Jersey, vice-president Pure Oil Company; W. W. Dashiel, New York, president New York Lubricating Oil Company; W. L. Parmenter, Lima, Ohio, independent producer; L. G. Neely, Ohio, independent producer; L. Levick, Crew-Levick Company, Philadelphia, independent refiner; H. R. Worthington, Union Petroleum Company, Philadelphia, independent refiner; W. N. Fehsenfeld, Baltimore, Md., president Red "C" Oil Manufacturing Company, independent refiner; C. R. Dallam, Baltimore, Md., president Pittsburg Oil Refining Company, independent refiner; Frank B. Tetter, Cleveland, Ohio, secretary National Refining Company, independent refiner; E. O. Emerson, jr., Telasutt, Pa., independent producer; George Canfield, Cleveland, Ohio, president Canfield Oil Company, independent refiner; A. P. McBride, Independence, Kans., independent producer; Doctor Rood, Bartlesville, Okla., independent producer; Homer Preston, Bartlesville, Okla., independent producer.

WASHINGTON, D. C., *April 21, 1909.*

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2180) to amend sections 1, 2, and 3 of chapter 3298, Thirty-fourth United States Statutes at Large, with reference to the drainage of certain Indian lands in Richardson County, Nebr.; to the Committee on Indian Affairs.

A bill (S. 2181) granting an increase of pension to John Rosswork (with the accompanying papers);

A bill (S. 2182) granting a pension to Catherine Kelly (with the accompanying papers);

A bill (S. 2183) granting an increase of pension to Maria Van Kleek;

A bill (S. 2184) granting an increase of pension to George W. Patton;

A bill (S. 2185) granting an increase of pension to Mary J. Cook;

A bill (S. 2186) granting an increase of pension to John P. Miller;

A bill (S. 2187) granting an increase of pension to Milton I. Woodard;

A bill (S. 2188) granting a pension to Lydia A. Holmes; and

A bill (S. 2189) granting an increase of pension to Thomas A. Peironet; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 2190) granting a pension to Libbie Gift;

A bill (S. 2191) granting an increase of pension to Simon Burris;

A bill (S. 2192) granting an increase of pension to Joshua F. Spurlin;

A bill (S. 2193) granting an increase of pension to John W. Edwards; and

A bill (S. 2194) granting an increase of pension to Daniel Dempsey; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 2195) to provide for the enlargement of the federal building at Salina, Kans.; to the Committee on Public Buildings and Grounds.

A bill (S. 2196) to remove the charge of desertion against George W. Collins, alias George C. Jones; to the Committee on Military Affairs.

A bill (S. 2197) granting an increase of pension to George Wolf (with accompanying papers); to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 2198) to remove the charge of desertion from the military record of Samuel Goozee (with the accompanying paper); to the Committee on Military Affairs.

By Mr. PILES:

A bill (S. 2199) granting an increase of pension to Elwood D. Harold (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 2200) to refund internal-revenue taxes paid by owners of private dies; to the Committee on Claims.

By Mr. WARNER:

A bill (S. 2201) for the relief of John R. Adams;

A bill (S. 2202) for the relief of John P. Bell, treasurer of State Hospital No. 1, of Fulton, Mo.;

A bill (S. 2203) to carry into effect the findings of the Court of Claims in the matter of the claim of Nannie H. Cogswell and others;

A bill (S. 2204) for the relief of Joseph Hemmerback; and

A bill (S. 2205) for the relief of William McDaniel; to the Committee on Claims.

A bill (S. 2206) to provide for the purchase of a site and the erection of a public building thereon at Chillicothe, in the State of Missouri;

A bill (S. 2207) to provide for the purchase of a site and the erection of a public building thereon at Aurora, in the State of Missouri;

A bill (S. 2208) to provide for the purchase of a site and the erection of a public building thereon at Brookfield, in the State of Missouri;

A bill (S. 2209) to provide for the purchase of a site and the erection of a public building thereon at Trenton, in the State of Missouri; and

A bill (S. 2210) providing for the establishment of a public park in the District of Columbia; to the Committee on Public Buildings and Grounds.

A bill (S. 2211) to remove the charge of desertion from the military record of John Ziegler;

A bill (S. 2212) for the relief of John O'Connor;

A bill (S. 2213) for the relief of John N. Neal;

A bill (S. 2214) for the relief of Charles W. Howard; and

A bill (S. 2215) to change the date of commission of Col. John L. Chamberlain, Inspector-General, United States Army; to the Committee on Military Affairs.

A bill (S. 2216) granting a pension to William Whisler;

A bill (S. 2217) granting an increase of pension to James W. Coker;

A bill (S. 2218) granting an increase of pension to Pete T. Murphy;

A bill (S. 2219) granting an increase of pension to Archibald T. Stewart;

A bill (S. 2220) granting an increase of pension to N. B. Petts;

A bill (S. 2221) granting a pension to Robert D. Walkinshaw;

A bill (S. 2222) granting an increase of pension to Nathaniel E. Murphy;

A bill (S. 2223) granting an increase of pension to Archibald Goodwin;

A bill (S. 2224) granting an increase of pension to William A. Graham;

A bill (S. 2225) granting an increase of pension to Theodore M. Burge;

A bill (S. 2226) granting an increase of pension to Christine Lusk;

A bill (S. 2227) granting an increase of pension to Sophrona Watts;

A bill (S. 2228) granting an increase of pension to Thomas M. Skaggs;

A bill (S. 2229) granting a pension to Jacob Scott;

A bill (S. 2230) granting an increase of pension to Eli Fish;

A bill (S. 2231) granting an increase of pension to Peter A. Teachout;

A bill (S. 2232) granting an increase of pension to William P. Brown;

A bill (S. 2233) granting an increase of pension to Josiah Tilton;

A bill (S. 2234) granting an increase of pension to Richard H. L. Crumbaugh;

A bill (S. 2235) granting an increase of pension to Richard E. Lewis;

A bill (S. 2236) granting an increase of pension to Lucien W. Dunnington;

A bill (S. 2237) granting an increase of pension to Amanda J. Frybarger;

A bill (S. 2238) granting a pension to George Patterson;

A bill (S. 2239) granting an increase of pension to Philip C. Cooter;

A bill (S. 2240) granting an increase of pension to William P. Sparks;

A bill (S. 2241) granting an increase of pension to Joshua Oldfield;

A bill (S. 2242) granting an increase of pension to Samuel Owings;

A bill (S. 2243) granting an increase of pension to John H. Ormsby;

A bill (S. 2244) granting an increase of pension to Kate Mikel;

A bill (S. 2245) granting an increase of pension to Adam Herzinger;

A bill (S. 2246) granting an increase of pension to John Noble;

A bill (S. 2247) granting a pension to Jared E. Smith;

A bill (S. 2248) granting an increase of pension to Louise B. Angle;

A bill (S. 2249) granting an increase of pension to Agnes Hanson;

A bill (S. 2250) granting a pension to James C. Tryon;

A bill (S. 2251) granting an increase of pension to Isaac C. Temple;

A bill (S. 2252) granting an increase of pension to Michael Welsh;

A bill (S. 2253) granting an increase of pension to Marquis A. Dowd;

A bill (S. 2254) granting an increase of pension to John Schenk;

A bill (S. 2255) granting a pension to Joe B. Daniel;

A bill (S. 2256) granting a pension to William S. Judkins;

A bill (S. 2257) granting a pension to George B. Suttee;

A bill (S. 2258) granting an increase of pension to John A. Pond; and

A bill (S. 2259) granting an increase of pension to John H. Estes; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 2260) granting an increase of pension to Margaret J. Harvey (with the accompanying paper); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. GAMBLE submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BURKETT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue,

equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

RAILROAD RATES IN MISSOURI, ETC.

Mr. WARNER. I submit a resolution and ask that it be read.

Mr. HALE. The resolution seems to be quite lengthy. Will it not suit the Senator's purpose if it is printed in the RECORD, instead of being read?

Mr. WARNER. I will say to the Senator from Maine that there are exhibits and evidence submitted with the resolution. The resolution comprises about a page and a half.

Mr. HALE. The reading will not include the exhibits?

Mr. WARNER. I do not ask that those be read.

The VICE-PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 41), as follows:

Senate resolution 41.

Whereas under the provisions of the laws of the United States, it is the duty of railroads engaged in interstate traffic to carry freight and passengers at fair, reasonable, and equal rates, and not to charge or impose upon passengers or shippers of freight charges in excess of amounts sufficient to give to said railroad companies a reasonable return upon the value of their investments, after the payment of operating expenses and the cost of replacement and repair; and

Whereas 18 railroads, including a number of the leading trunk lines of the country, have been recently engaged in litigation with the State of Missouri, for the reasons, as claimed in said suits, that said laws are in violation of the fourteenth amendment to the Federal Constitution in that the rates thereby established do not give to said railroads a reasonable return upon the value of their property used in the conduct of such traffic; and

Whereas from the figures submitted by said railroads in said litigation, a copy of which is attached to this resolution, it is alleged that said railroads are charging, exacting, and receiving in their interstate traffic in the State of Missouri rates unfairly and unreasonably high and more than sufficient in amount to give to said railroads a reasonable return upon the value of their property used in said interstate traffic, after paying operating expenses and cost of repair and replacement; and

Whereas said rates, it is claimed, are being charged and exacted by said railroad companies in violation of the laws of the United States: Therefore be it

Resolved, That the Interstate Commerce Commission be instructed to institute an investigation as to the reasonableness of the rates now being charged by the railroads engaged in interstate traffic in the State of Missouri and in the States contiguous thereto, for the purpose of making such orders as said commission may deem to be right and proper in reference to said rates.

Mr. WARNER. Mr. President, I apprehend that there will be no objection to the resolution, and I ask for its present consideration.

Mr. CULBERSON. Unfortunately, I did not hear the resolution read, and in order that I may examine it, I object to its present consideration.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

FLAX AND HEMP.

Mr. BRADLEY. Mr. President, I desire to announce that, with the permission of the Senate, on Tuesday next, after the routine morning business, I shall submit some remarks on the flax and hemp schedule.

COMMITTEE SERVICE.

Mr. BANKHEAD was, on his own motion, excused from further service upon the Committee on Indian Affairs.

On motion of Mr. CULBERSON, and by unanimous consent, Mr. CHAMBERLAIN was assigned to service upon the Committee on Indian Affairs in the place of Mr. BANKHEAD, excused.

R. DE VALLE ZENO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 27), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 77), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico, April 8, 1909, entitled "An ordinance granting to R. de Valle Zeno, his heirs, successors, and assigns, the right to take and use 3 liters of water per second for irrigation and domestic purposes from the brook Guaracanal, in the barrio Cupey, in the municipal district of Rio Piedras," approved April 14, 1909.

WM. H. TAFT.

THE WHITE HOUSE, *April 30, 1909.*

THE TARIFF.

Mr. ALDRICH. I ask that House bill 1438 be taken up.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. FLETCHER. Mr. President, others have discussed with great force the pending measure as a whole. Others still will consider it in more or less detail. I only ask the indulgence of the Senate to, as briefly as possible, offer some views which seem to me ought to be urged and carefully considered in connection with a few of the subjects embraced in this measure, and what I desire to say is suggestive rather than exhaustive. It would, perhaps, save time to present the matters now rather than separately, as they are reached, when the various items are taken up.

It is of but little moment that we get our word "tariff," personifying the raising of revenue by laying charges upon importation of goods, from the word "tendriff," describing the taxing of ships 10 per cent by the pirates of Venice, who had their headquarters at a place so designated on the coast of Africa.

GENERAL PRINCIPLES.

It is doubtless true that "the tariff" presents a moral issue as well as a governmental subject. Likewise, generally speaking, that when we impose a duty on the importation of merchandise, we thereby tax all consumers of such merchandise, to the distinct benefit of only those as to whom competition has thereby been diminished or shut off, and that this tax is unjust unless it is imposed for the sole purpose of raising money for the support of the Government, protection being merely incidental. It seems to me unanswerable that the Government ought not, and indeed has no constitutional warrant, to tax the people beyond what is necessary to raise revenue required in its economical administration and for governmental purposes.

Contending for this as a principle, and an important one, we must admit that revenues must be raised, and it may be doubted if the American people would willingly submit to direct taxation, or what is called "direct taxation," sufficient for that purpose. The principle mentioned was in view in 1789, when our first tariff law was passed. The law was justified then, and so was each succeeding act until 1816, which followed the war of 1812.

We began tariff legislation on this principle. It is not profitable to trace what you are familiar with, the history of that legislation to the present. If the idea and the principle be kept ever in view, that the tariff should be imposed for the purpose of raising revenue, there remains the obligation of distributing the duties on imports among the industries of the country, so as to equalize as nearly as possible the benefits as well as the burdens. Until new sources of revenue are studied out, and this is a problem calling for the wisest statesmanship and fullest patriotism, we must depend largely on the tariff. It is likely that no scheme or device for taxation will ever meet with universal favor.

RAISING REVENUE.

Keeping these matters in mind, I am persuaded that I am justified in suggesting to the Senate to retain the duties on lumber, as provided in the Dingley Act, and impose the duty now asked on long-staple cotton and regarding the other matters I will mention. It is not a question of excluding or preventing competition. The question of aiding or promoting a trust to prey upon the people does not arise. The question presented is one of raising revenue needed for governmental purposes. Involved is the question of equalizing, distributing its advantages and disadvantages alike to important industries, even though it appears this extends to a portion of the country where alone one of these industries exists and the other to a greater extent than in any other portion of the country, and a portion which for many years has paid the tax without receiving a corresponding advantage, but in cases where the tariff asked for will greatly increase the revenues of the country. Import duties should be fairly laid, without discrimination. I would not favor, much less suggest, a duty on a single article unless that duty would produce a proper and reasonable revenue, and I would lay that duty first on luxuries. I further believe that there should be a gradual reduction, after equalization, of duties on imports toward a strictly revenue basis. With this conception of the matter, I invite the consideration of the Senate to the conditions as they exist.

LUMBER.

Without reference to the hard woods or other "lumber" producing timber found in other States, the royal yellow pine is found almost exclusively in Democratic States.

Is not inconsistency highly developed in a representative from a Republican State, by way of illustration, a Republican, in favor of highest protection as a principle, wedded to it as a policy, insisting on it for the good of the country in all other cases, who, in the same breath, advocates putting lumber on the free list?

Speaking broadly, what is your estimate of a neighbor who would require you to pay a part of his taxes, but did not propose to share in yours?

How would you prize the citizen who insists upon all laws that would benefit him or his community and opposes all that would benefit other people or other communities?

How do you consider the statesmen who, having a vote on the tariff bill, would protect all the industries his constituents are concerned in and sandbag other large and important industries in other portions of the country in order that his immediate constituents may profit both ways by getting protection prices for what they may manufacture and paying free-trade prices for their supplies?

How do you class the politician who pledges his honor and his conviction that his party platform is right and the protective principle correct, and abuses those who express a shade of difference on the question, and then proceeds to clamor for cheaper homes for the dear people and the conservation of the forests by a direct violation of all his principles in the advocacy of a thrust at one of the greatest industries of the country, in which millions of capital are invested and hundreds of thousands of employees are engaged, by demanding that lumber be placed on the free list?

It seems there can be no escape from the conclusion that such a neighbor has no clear appreciation of the injunction which has come down through the ages; that such a citizen is worse than "undesirable," he approaches a menace; such a politician is perilously near being an enemy of society; such a statesman would appear to be deficient in a proper conception of his responsibilities and lacking in breadth of vision and depth of principle. There is no possible way of reconciling his positions. He subjects himself to a suspicion of being narrow and selfish to a degree wholly intolerable in a great country of vast resources, innumerable industries, with a Government yet the wisest devised by man, founded on consent of a people, free, liberal minded, patriotic, and just in spirit.

We ought not to be relegated to a condition of society described in the Book of Judges, when—

> There was no king in Israel, and every man looked out for himself alone.

Sawed lumber, dutiable, imported, amounted in value to, in—

1900	$7,495,509
1904	8,878,470
1907	16,225,350

Total dutiable manufactures of wood imported as follows:

1900	$14,635,340
1904	18,565,180
1907	31,576,545

It will be seen the amount of dutiable lumber imported from 1904 to 1908 nearly doubled under the present law. So, the present duty does not prohibit importation. Undoubtedly the revenue derived from the present duty increases, and the present tariff is, therefore, a revenue tariff, pure and simple. There is no guess or estimate about the result. We have had actual experience and have actual knowledge upon which to base this claim.

In 1905 there were in all parts of the country 19,127 saw and planing mills in operation, with a capital of $517,224,128, employing 404,624 wage-earners, and turning out a product valued at $580,022,690.

In the logging industry, not included in the foregoing, there were 12,494 establishments, with a capital of $90,454,494, and employing 146,596 wage-earners, to whom $66,989,795 were paid.

There has been decided increase in the latter and marked increase in the former industry since 1905. The question presented is, Shall these important industries be turned over to Canada? I not only dissent, but so important is the matter to the whole country and so threatening is the situation that I feel something more than a negative vote and silence is demanded.

The best authorities show that the advance in price claimed is not chargeable to the duty and that taking off the duty would not reduce the price. The effect of the proposed change would be that our Treasury would be deprived of the duties and foreign exporters would be benefited; and our lumber manufacturers would be deprived of a market for certain low grades, and they would lose entirely certain portions of the timber which they are now able to utilize to their advantage and for which there is demand.

Logs for boards and pulp are admitted free under existing law. The notion that placing lumber on the free list would conserve the forest is a mistaken one. This has been shown quite clearly by Mr. Pinchot, who has thoroughly studied the subject and who may be regarded as high authority. Speaking from personal knowledge of conditions in Florida—and I am persuaded that similar conditions exist likewise to a great extent in South Carolina, Georgia, Alabama, and Mississippi, and perhaps Texas—the pine trees have been boxed for turpentine purposes.

In the production of naval stores (spirits of turpentine and rosin), the trees are boxed and scraped for some five years, and unless they are immediately thereafter cut and sawed by the mill man they are subject to destruction in several ways. First, the forest fires, which there appears no way of preventing, sweep over them and ignite the boxes and blazes and destroy or greatly injure the trees; second, the trees being weakened by the boxes are more liable to be blown down by high winds or storms; third, worms or borers often do deadly work after the trees are boxed. So that these trees must be utilized for sawmill purposes at once, tariff or no tariff. They can not be allowed to stand for a future day; they must be cut and taken to the mill now or never. That these forests would be saved, that the timber would be cut in less quantity if lumber is put on the free list or the duty is made lower is utterly without foundation in the very nature of things, so far, at least, as the naval-stores belt is concerned. The effect of such a reduction would be that a good portion of the trees from which low-grade lumber is made would be left in the woods because Canada will supply the markets heretofore shared. In a general way, here is an industry having existence in almost every State and Territory, its magnitude can not be questioned, it is entitled to consideration on broad, unselfish grounds. In the 16 Southern States there are 257,700,000 acres of forests, almost one-half the total forest area of the United States. These States yield more than one-half of the lumber production of the entire country. Of the total yield of 1907, yellow pine took first rank among all the species, giving 32.8 per cent of the total. Douglas fir ranked second, white pine third, and white oak fourth, and hemlock fifth, then came spruce and western pine. These seven woods yielded thirty-two and one-half billion feet of lumber in 1907, or four-fifths of the entire cut.

Yellow pine is found almost wholly in the Southern States, and from this we get naval stores. In 1907 there were 8,384 mills cutting yellow pine, and the quantity cut was 13,215,185,000 feet, valued at $185,319,595. The value differed from the lowest average value of $11.72 per thousand feet in Missouri to the highest average value of $14.98 per thousand feet in Florida. That cut in Missouri is shortleaf pine, which has a home market, while the yellow pine manufactured in Florida is longleaf pine, and a considerable proportion is exported.

Can there be any moral or other reason justifying a tariff on wool and woolens ranging from 40 to 120 per cent, or on steel ranging from 20 to 120 per cent, which would apply to and harmonize with a reduction of the duties on lumber, which range from 6 to 20 per cent?

To illustrate, the actual cost to manufacture a thousand feet of lumber (finished) is about $10. It costs about one-half this to produce a ton of steel, yet the tariff protection on a ton of steel is to be more than double what it is proposed to make it on a thousand feet of lumber. The Southern States produced in 1906 and 1907 about 45 per cent of the lumber cut of the United States. The value of the total forest products of these States for either of those years amounted to more than $350,000,000.

It will be borne in mind that in 1872 a specific tariff was for the first time placed on lumber. Canada then placed an export duty on logs. Under a tacit agreement, it is said, that this export duty would be abolished, the McKinley tariff, which went into effect in October, 1890, reduced the duty on white pine lumber from $2 to $1. This did not affect the shipments of lumber materially, but the importation of logs from Canada greatly increased. The Wilson tariff went into effect August 28, 1894, and placed rough lumber and other wood products on the same basis as logs, to wit, on the free list, and this continued until the Dingley tariff became a law, July 24, 1897.

By this act the duties of $2 per thousand feet on white pine and other species of lumber, and of $1 on sycamore, basswood, and whitewood, originally imposed in 1872, were restored.

The value of manufactured woods imported in 1905 is given as $22,047,054, as against $9,146,500 in 1871.

The value of boards, planks, deals, and so forth, imported from Canada in 1905 was $10,714,417, as against $7,804,163 in 1889.

It is remarkable how distressed Canada is about the destruction of our forests. The plea is made that the tariff should be reduced on lumber in the interest of the consumer. Two things are assumed in this argument: First, that the price of lumber would be reduced, which I am persuaded would not follow; second, that the "consumer" is the builder of houses, whereas I have no doubt much the largest "consumers" will be found to be railroads, shipbuilders, and heavy construction works.

If there was any force in the argument, the lumber people could more reasonably turn their guns on the producers of actual necessities in the way of foodstuffs and demand, in the interest of millions of consumers of food in the United States, that the tariff should be taken off cattle, swine, sheep, corn, oats, oatmeal, rice, wheat, wheat flour, butter, cheese, beans, eggs, peas, potatoes, poultry, and other foodstuffs. The farmers are not to be fooled. In 1907 we exported sawed timber to the value of $13,101,178, and boards, deals, and planks to the value of $39,861,352, and joists and scantling to the value of $752,152, making a total of exports amounting in value to $53,714,682. Great Britain was our largest buyer. The importations were 909,537.84 feet, valued at $13,604,216.02, the duties on which amounted to $1,853,158.30.

The value per unit is given at $17.16, and ad valorem $11.88. Why should we deprive our needing Treasury of this revenue, nearly $2,000,000 annually? No great burden to consumers can be shown. So far as Florida is concerned, I know of no trust and I believe there is the sharpest competition among lumber people.

The lumber industry has suffered from the recent financial depression in a marked degree. Orders are unsatisfactory, the prices of supplies are high, and the business is bordering on disaster. Any blow delivered now might mean ruin to many people. Some 400 mills in Florida, employing 15,000 workmen, having a capital invested of millions, all ask for a retention of the duty provided in the existing law.

I wish to submit some communications, among many received, from experienced and trustworthy men, thoroughly familiar with the subject, and resolutions from associations of mill men, giving expressions which ought not to be ignored, and incorporate them in my remarks. (See Appendix.)

Those who talk of cheaper homes are willing to strike at lumber, but we hear nothing about reducing the tariff on nails (p. 53), locks, and hardware generally; on blinds, sash, glass, weights, piping, gas and electric fixtures, laths, shingles, sheathing paper, roofing felt (sec. 653), tiles, cement, plaster, fire brick, brick, zinc, tin, and various other articles required in building a dwelling or other structure.

Scarcely any material of value used in building is on the free list. Why single out lumber for one-half reduction when the Government so greatly needs the revenue? This is not the kind of reduction that will answer or tend to answer the demand for lower prices for the necessities of life.

The cry is "more revenue;" the answer by this bill is higher duties on articles already overprotected, e. g., steel products and woolens and gloves and manufactures of cotton, where the excess of tariff duties, over and above what the principle of protection would justify, goes into the pockets of the manufacturers and not into the Treasury.

The demand is for increase of revenue. The answer by this bill is reduce the duty on lumber and diminish the revenue and help Canada; deny any duty on cotton and deprive the Government of several millions there and help England; retain the low rate on pineapples and deprive the Government of several hundred thousand dollars there and help Cuba.

LONG-STAPLE COTTON.

The production of cotton on an important scale began about 1790, when we produced 3,000 bales and the price was 26 cents per pound. In 1799 we produced 48,600 bales and the price was 44 cents. In 1800 production was 73,600 bales and the price 28 cents. In 1820 the production was over 300,000 bales and the price 17 cents. In the first fifty years of cotton production the price kept above 17 cents. From 1840 to 1850 it reached the low price of 5 cents per pound, and again about ten years ago. The condition of the grower when such price prevailed was deplorable. The introduction of the factory, the utilization of the seed and by-products, the use of cotton in place of wool and silk and hemp in increasing quantities have made the crop today worth more than double what it was ten years ago, and the increase in the value of the crop in one year, caused by the presence of factories at the South, doubtless would more than pay for all the spindles in operation in the South. Even now the grower, labor and supplies having gone up, is making no tremendous profit.

The value of the exports from this crop amounts annually to $482,000,000. It is said that if Europe had stacked up all the gold and all the silver mined from the earth for the past six years and shipped it to the South she would still owe us $200,000,000 for our raw cotton alone.

The protection given to cotton yarns and cotton cloth may to some extent help the price of cotton. I question if the former is benefited thereby materially. There is but little of the short-staple cotton imported. There is produced in this country, however, the so-called or long-staple cotton, which competes with that grown in the West Indies and in the valley of the Nile.

On the free list in the pending bill are "cotton and cotton waste or flocks." The annual crop of long-staple cotton fluctuates, but the average production may be fairly estimated as follows:

Florida, 31,000 bales; Georgia, 52,000 bales; and South Carolina, 12,000 bales—of about 400 pounds each.

The producing area begins just about Charleston and extends down the coast to the Georgia line, and then it leaves the coast and extends south through Georgia into middle Florida. About one-third of the South Carolina crop gives a staple 2 to 2½ inches long, and it is sold generally for export at from 40 to 80 cents per pound. It is the finest staple produced. The "East Florida" staple is 1¾ to 2 inches long; the "Florida" 1⅝ to 1¾ inches. The "Georgia" staple is 1⅝ inches long, but not so fine as the "Florida." Fineness is a factor with the spinner, and only the superlatively fine fiber brings the fancy price. Outside the islands of South Carolina the price is about 20 cents per pound.

The West Indies is the original home of the plant and produces about 4,000 bales annually. It was in 1786 that the plant was transplanted on the American continent from the West Indies. There is produced in the valley of the Nile a cotton which is capable of competing with our sea-island cotton. This rich region produces about 1,500,000 bales of 400 pounds each annually. It is a long-staple, fine-fiber cotton, and about 150,000 bales of it are imported by American mills every year at a price ranging around 15 cents per pound. It spins well and wastes about 8 per cent less in going through the various processes of preparation for the spindle than does the sea-island cotton. The Egyptian cotton wastes about 25 per cent, while the sea-island wastes about 33 per cent. The Egyptian staple is about 1⅜ inches long; but is preferred to the American for some purposes because of less waste and greater strength and its color.

It seems that while the Egyptian cotton is a near relation of the sea island, it can not be grown in our country. A duty of 5 cents a pound on the lint cotton would yield a revenue of $3,000,000—150,000 bales being 60,000,000 pounds.

This cotton is used in the manufacture of mercerized silks and finer goods of the highest and most expensive class, on which this bill proposes a duty of 54 per cent, while the total wage cost is about 20 per cent.

The actual cost of producing the cotton is about $21 per acre. The average yield is from 100 to 150 pounds of lint to the acre. The price now is less than 20 cents per pound.

Seventeen counties in Florida are now producing the long-staple cotton. It can be grown in more than half the counties of the State. Suitable soil, climate, and conditions exist in Georgia, South Carolina, and Florida, and, to a certain extent and degree, the Mississippi Delta, to supply the world, and as a revenue-producing item it would prove one of the best among all the schedules. It is an important industry. If I employed the language of the authors of this measure, I would say the farmers engaged in it very justly contend that they ought not to be forced to abandon it by competition with Egyptian cheap labor in the fertile Nile region. We pay from $1 to $1.25 per day for labor which in Egypt ranges about one-tenth that. The land there is very rich and does not require fertilizing like ours.

When we say the country needs the revenue which a tariff on that foreign product would yield, and such a tariff is required to help equalize the cost of production abroad with that at home, there would seem to be sufficient stated to show the propriety and justice of the claim we make from both standpoints.

In the year ending June 30, 1908, cotton was imported into this country free to the amount of 70,994,968 pounds, the value of which was $14,164,406, at 20 cents per pound. Waste or flocks imported free amounted to 10,728,268 pounds, valued at $446,264.14, at 4.2 cents per pound.

Duty should be imposed on all cotton imported, so there could be raised no question regarding proper designation at, say, 5 to 8 cents per pound. At 10 cents per pound the importation last year of cotton, not counting waste or flocks, would have yielded a revenue of $7,099,496.80.

It appears that our first tariff law provided for a duty of 3 cents per pound on unmanufactured cotton, and this continued for seventy-five or eighty years. Why it was discontinued I do not know. Why there should be a duty on raw wool and no duty on raw cotton I can not guess. Perhaps for the same reason that binding twine is free and cotton bagging and ties are taxed.

A duty at the old rate of 3 cents per pound would have placed in the Treasury for the year ending August 31, 1908, $2,152,349. The total yield last year was about 87,000 bales of 400 pounds

each. Thirty-two thousand three hundred and eighty-three bales were exported in order to make way for the Egyptian Yanovitch cotton, which directly competes with our long staple. The quantity imported from Egypt last year is given at 143,490 bales of 500 pounds each, over 71,000,000 pounds, all long staple. It is cheaper for the mills, somewhat, than the home product, but the importation would not be stopped by the imposition of the duty asked. The mills are in a position to force down the price of the domestic cotton whenever they like, and the farmer is at their mercy so long as they can lay in a supply of the foreign product free of duty.

I respectfully submit that in applying the principle of protection fairly, justly, and without discrimination, as well as in fixing a tariff for the purpose of raising revenue for the operations of the Government, under both views, there can be no reasonable objection to a duty on cotton.

England is making tremendous efforts by vast improvements and developments in the Nile region to monopolize the long-staple cotton industry of the world. Our growers have, by unions and associations, endeavored to hold and carry their cotton until the demand would produce better, living prices; but they are not capitalists, and this is their money crop, and they are obliged to let it go to meet their necessities.

ANY POLICY SHOULD BE NATIONAL IN SCOPE.

The distinguished chairman of this committee has declared that every portion of the country will be treated fairly by this bill, that there shall be no discrimination as to sections or industries, that its beneficent influence and effects shall extend to the remotest limits of the country, and shall include the worthy objects of protection wherever found. The friends of the protective principle claim that in its very nature it is national in scope, that protection can not be made sectional, that "the policy is bound to be national."

It is avowedly conceded that the industries of one portion of the country have the same claims as those of any other portion upon any policy that may be wise and advantageous.

If there be a demand for protection, is that demand for industries in Republican States, or is it for American industries? If there be objection to protection, is that objection applicable only to industries in Republican States? Is it confined to industries in Democratic States?

I submit that if there be a genuine demand for protection, worthy of respect, deserving of consideration, it must be a patriotic demand for the universal application of the principle to all the industries in all the country. If there be objection to the principle, that objection is to its application to any of the industries in any portion of the country.

It ought not to be a sectional question. The policy ought to be favored or opposed as a national policy. The principle ought to be applied to or discarded by the country at large. It ought not to be employed to punish or coerce.

Because a State casts her votes in favor of that political party which opposes protection as and for the sake of protection, whether the duty laid is needed for revenue or not, should not eliminate her from consideration in the making of this law. I believe that if the industries in any portion of this country languish the ill effects will be felt in all other portions. I believe that if the withering blight of discrimination is visited upon one portion of the country its baneful influence will be felt throughout the other portions. Likewise, I believe that if prosperity obtains in one portion of the country, it will be felt throughout the whole.

Coming from the extreme South, I am solicitous of the welfare of the American people, whether in the extreme North, East, West, or the islands in the seas. The pending measure must affect for good or ill the interest of all the people.

Whatever may be my views as to peculiar or local interests, I would not ask for provisions in this bill as applicable to Florida which I would not cheerfully grant to every other State. Knowing more of conditions in the South and loving her traditions, cherishing her memories, proud of her institutions, and glorying in her achievements, despite her political orphanage, I would not ask for her more than I would gladly grant to every other portion of the country, no matter for what party any State or number of States may cast its or their votes. My wish is that the friends of this measure may experience and may manifest the same catholic, patriotic spirit which on my conscience and honor I feel as to the whole country and all its industries and enterprises. If the spirit and soul of this bill is, as declared, the protective principle, then what would be the observance under another principle can not with justice be invoked against those who believe in the latter. If that other principle was being applied, then those who now speak for duties might be silent except on the basis of equalization.

Webster said, in April, 1824:

With me it is a fundamental axiom, it is interwoven with all my opinions, that the great interests of the country are united and inseparable; that agriculture, commerce, and manufactures will prosper together or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the other.

He was then combating in Congress the contention of Henry Clay in favor of a protective tariff. Eighty-five years of experience have but emphasized the wisdom of this position then taken by that great statesman. We are one people, under one flag, enjoying one Government, and with a common destiny.

Physically we may be likened to the anatomy of the human body. Paralyze one member, and the man suffers. Injure one vertebra in the spinal column and you endanger the very life. Experts tell us that at the end of the spine is a sort of nerve center, so that if by accident or design or ignorance that is seriously injured the possessor becomes a nervous wreck.

Florida may be regarded as the terminus of the country's spinal column, and I warn you that harm to her will extend throughout all the ramifications of our vital system to its farthest reaches.

Is the bill in its present form fair and general in its application? Does it render to Cæsar the things that are Cæsar's, and dispose of the other things according to highest council?

To-day, within an area practically of 14 Southern States, 80 per cent of the world's supply of cotton is produced, worth every year $750,000,000. Converted into cloth the 13,000,000 bales of cotton would yield 13,000,000,000 yards, worth nearly $6,000,000,000. The remaining 20 per cent of the world's cotton is produced in South America, India, and the Far East, and it is of inferior quality. Importations are given as 99,462,105 pounds, valued at $19,752,015; Egypt furnished 78,783,913 pounds; Mexico, 10,907,947 pounds; United Kingdom, 9,091,683 pounds; Peru, 4,088,069 pounds; and Haiti, 1,048,730 pounds. We exported last year $482,000,000 worth of cotton. About one-third of our product is consumed by mills in this country. The grower is called on to pay an average of 49 per cent ad valorem on the goods made out of this very cotton. Is there any ground for denying him the same treatment accorded to others?

This very bill increases the duty on Egyptian tissue valued at 19½ cents a yard from 5.15 cents a yard to 6.75 cents a yard, an increase of 30 per cent. In paragraph 321 the words "mercerized or subjected to any similar process" are used, by which, whenever one or more threads are given any luster, or are "mercerized," the duty is to be increased from 11 per cent to 54 per cent. The manufacturers are already discounting the duty asked on Egyptian or long-staple cotton.

OTHER INDUSTRIES.

Take some other important industries: Where is the turpentine and rosin of the country produced? The output of the naval stores industry for 1908 was, in round figures, more than 36,500,000 gallons of turpentine, valued at more than $14,000,000, and 4,000,000 barrels of rosin, valued at $18,000,000. Eight Southern States furnished this, Florida leading with 17,030,300 gallons of turpentine and 1,932,114 barrels of rosin. There are 633 operating plants in that industry in Florida. Have they been considered in this bill? Only by being required to pay high-tariff prices for every article of supplies required by them in their work, from machinery and implements to hay. Last year there was imported some 40,000 barrels of rosin—mostly from France. France levies a prohibitive duty on American rosin. Mexico is now producing naval stores in considerable quantities and lays an import duty on our spirits of turpentine of 16 cents per gallon and rosin of $3.07 in gold per 280 pounds.

Here, also, is the region of the yellow pine. May we hope the fact that the general term "lumber" will include other species found in other portions of the country and assist the manufacturers of lumber in this belt to receive consideration?

Where will you find the phosphate rock and pebble required in the manufacture of commercial fertilizers increasingly needed in this country? In these Southern States—Florida mining over 2,000,000 tons annually, worth over $14,000,000. Is there any provision in this bill aiding that great industry? None; and yet everything practically the miner buys he is obliged to pay tariff prices for.

We have already seen that the long-staple cotton is produced in this country, mainly in the three States of Florida, Georgia, and South Carolina, Florida's yield being about one-third the total. I have already alluded to this important industry and the fact that the producer must compete with Egyptian cotton produced at a labor cost of about one-tenth our cost. The producer must pay tariff prices for his plows and implements and supplies; he must pay tariff prices for the very articles manufactured from his cotton, but it seems he must continue to toil

at starvation prices for his crops and an important industry is in danger of being turned over to his Egyptian competitor.

In this statement I employ the language which pleases the protectionists, but, I repeat, my contention is the duty is proper because of its revenue-producing feature.

But little over seventy-five years ago the English manufacturers of woolens, linens, and silks caused laws to be passed whereby the use of cotton goods was absolutely forbidden throughout England. Now she is lending her energies to the overthrow of the sea-island or long-staple cotton industry of this country in another way, by opening up for cultivation nearly a million acres of fertile lands in the valley of the Nile. Suppose a tariff on this product will cause a rise in the price of this cotton. Is that a different result than is accomplished for others whose product he must use? Suppose it would cause a rise, slight it could only be, in price of the product of the mills. Adopting, for the sake of the argument, the Republican idea, and applying it here, I might ask, Is that a reason for curtailing his means of living? This very bill makes him pay a tariff tax on the bagging which covers and the ties which bind his cotton into marketing form. He must pay the duty, but others who buy from him must not.

THE FARMER.

The majority argues that injury may result from neglect as well as by affirmative action; that it may be produced by omission as well as by commission. The last man to injure in this country should be the farmer. The last interest to harm should be agriculture. The last occupation to strike down should be that of the farmer. To foster, encourage, and make more profitable the country life and the country work should be the study and effort of every man.

When I approach the subjects which concern directly the farmers of the country, who by their toil produce the things without which the world would speedily perish, and when I think that in times of war these are the men who in all the past have fought the battles of their country, like the "Ironsides" of Cromwell, and the "hunting-shirt" men under Jackson, I feel the reverence and the consecration indicated by that passage of Holy Writ:

Put off thy shoes from off thy feet, for the place whereon thou standeth is holy ground.

Here is an industry which yields more than $6,000,000 annually by production from the soil. In the language of the friends of this bill and employing your own argument again, Will you destroy it or permit England to destroy it? Will you cause it to languish and gradually wither away, or will you encourage it by giving it fair treatment in the raising of revenue?

I submit that a duty of 8 cents per pound ought to be levied on unmanufactured cotton.

Being under the necessity of raising over $300,000,000 annually by this measure, if the present rate of expenditure is to continue, I do not see that we need employ much time discussing the academic questions involved in ascertaining the right or wrong, the wisdom or folly, the soundness or weakness of tariff for revenue or tariff for protection.

In no event, under present conditions, is it worth while to even refer to free trade or prohibitive tariff. We need the revenue that only a tariff which involves, incidentally, some protection can give. Not 10 per cent of the people favor free trade; no more, I believe, favor a prohibitive tariff. Our principal problem in this present situation is to equalize as nearly as possible the duties which must be laid on imports, as to commodities and industries, over the various portions of the country and avoid discriminations as to benefits and burdens and eliminate graft. Of course, our care should be to reduce expenditures when possible and reform administration if we may.

OPPORTUNITY IS GRAFT.

According to Mr. H. E. Miles, of the National Association of Manufacturers, a Republican, a protectionist, and a manufacturer:

Our tariff schedules and the methods in working them out constitute a national scandal. * * * The tariff is a moral as well as an economic question. The public must not again permit the consumer's interests to be sacrificed as they were, for instance, in the present woolen and sugar schedules.

He takes high ground when he says:

The benefits of the tariff should accrue to all the people and not to a few politicians and manufacturers only.

And again he says:

With an honestly made tariff that does not unduly burden the consumer, that permits of healthful foreign competition, that is as high, and only as high, as is required to place domestic and foreign producers on a parity, that provides for reciprocal trade agreements in the interest of a larger foreign trade, American industries will prosper by honest and equitable methods.

This doctrine of a protectionist ought to satisfy the friends of this measure. But the criticism he makes of the present law does not seem to be met by the changes proposed by this bill, and yet this same thinker and student of the subject says further:

The total unnecessary cost of the tariff to American consumers can not be estimated at less than $500,000,000 per year. It has been estimated at more than double this figure.

In other words, the duties laid on many manufactures, over and above the principle of protection, is "graft," and that "graft" of a half billion dollars yearly is taken from the pockets of the consumers by the few ultraprotected interests.

If there be truth, and I believe there is, in these statements, our first duty is to eliminate this overprotection, which outrageously burdens the consumer and brings no revenue to the Government.

SULPHATE OF AMMONIA AND POTASH.

In this connection, I would call attention to the duty which the committee proposes to levy on sulphate of ammonia. The amount imported in 1908 was 34,224 tons, duty $205,000. This duty is not necessary to protect the home manufacturer, this material being a by-product of the steel, coke, and gas concerns, which need no protection as against the farmer. Experts on the subject say this is the agricultural chemical richest in nitrogen and the duty under the present law amounts to 1¼ cents per pound on the nitrogen it contains.

It appears "the South consumed in 1908 fully 1,500,000 tons of mixed and unmixed fertilizers, containing fully 60,000,000 pounds of nitrogen, worth at least $12,000,000." This chemical should be placed on the free list and this vast sum saved to the farmers. Likewise potash should be stricken out of the list of articles upon which the countervailing clause applies of 20 per cent ad valorem, as proposed in the administrative feature of the Payne bill, because if that is put in operation it would cost the cotton growers of the South a half million dollars a year and the potato growers of Maine $50,000 annually more for their potash, and the cotton, fruit, and vegetable growers of Florida over $200,000 every year.

The statements I have to submit bear the impress of sincerity and sound reasoning on this matter. The governor of Florida has sent a special message to the legislature on the subject, which I also submit and beg to place in the RECORD. This tariff on potash would mean a tax of $5 on every farm in Florida. The tariff on sulphate of ammonia, proposed, is quite as bad.

All fertilizer chemicals, as well as all mixed and unmixed fertilizers, should be admitted free of duty. I believe the man who creates, who produces, and does not merely consume, and especially the man who digs it from the soil, who depends on his strong arm and the seasons, the sun and air and land, should be considered in legislation affecting his interests; and hence my appeal is made for the producers of long-staple cotton and the pineapple growers of my State.

These priests of nature who live nearest the fountain of life in the divine economy deserve what they ask. Suppose the 5 cents per pound on cotton would increase its price for the grower that much. The price of the short staple is fixed in Liverpool. The price of the long staple, we may grant, would increase the cost to the spinner, and that in turn, perhaps, increase the price of the sateens, mercerized silk, lace curtains, automobile tires, and expensive thread made therefrom. These goods are used by people who can afford the increase, if it come, but applying again the doctrine which the majority asserts I would say the people engaged in this industry, the production of this cotton, can not afford to have it turned over to England or Egypt; neither can the other people of this country well afford that result.

PINEAPPLES.

I pass now to another subject, that of pineapples.

Florida is opening up a new territory on the east coast, along the wonderful railroad across the keys and water to Key West, built by Mr. Flagler, sufficient to supply domestic demand for pineapples. Will you turn that industry over to Cuba I would ask in the terms of your principles?

It appears from expert testimony that 7 cents per cubic foot equals 16 cents per crate (10 by 12 by 33=2.29 cubic feet). Then we must allow for a reduction of 20 per cent under the Cuban reciprocity act of December 17, 1903. This leaves the present rate, which the pending bill proposes to continue, of 12.8 cents per crate. Cuba has the advantage of American growers as follows: Transportation, 16 cents; labor, 9 cents; fertilizer, 22 cents=47 cents per cubic foot of package.

Florida produced 690,000 crates last year.

Importations from Cuba were 840,000 crates last year.

Cuba can produce pineapples for 20 cents per crate.

It costs Florida 70 to 90 cents per crate.

Cuba can deliver pineapples in New York for $1.11 per crate and pay the present duty.

Florida pineapples will cost delivered in New York $1.80 per crate.

A crate of pineapples weighs about 80 pounds, about the same as a crate of oranges. The duty on oranges is 1 cent per pound.

A barrel of pineapples weighs 160 pounds.

Cuban pineapples are on sale in March, April, and May.

At 1 cent per pound duty Cuba can deliver pineapples in New York for $1.74 per crate.

Florida can not deliver them at less than $1.80 per crate.

The duty on pineapples, as provided in this bill, is about one-sixth the duty it lays on oranges. California produces no pineapples of consequence.

These facts ought to be sufficient argument in themselves to secure fair treatment of an important American industry.

I would say a word on behalf of Porto Rico also. She asks for a duty which will enable her to compete with Cuba, which would raise revenue at the same time. I ask to lay before the Senate a statement furnished by growers in Porto Rico, which applies likewise to Florida. It will be borne in mind that the pineapple is a luxury, and that a duty of 1 cent per pound would yield a revenue of $640,000 annually.

I submit, considering the advantage given Cuba by the 20 per cent reduction, a duty of one-half of 1 cent per pound at least should be imposed on pineapples whether in bulk, barrels, or crates. I would emphasize that this fruit can not be held, like a manufactured article, at a standard price to be sold tomorrow or next week if desired price can not be obtained to-day. The consumer names the price in this case and the grower can name nothing—neither the cost of labor, fertilizer, crates, nor freight.

FURTHER OF EQUALIZATION.

Speaking of equalization further, a few illustrations may be given:

On rough lumber the present duty is equivalent to an ad valorem of 11.75 per cent. It is now proposed to make it 5.88 per cent.

On cotton goods the average is now 57.94 per cent, and the pending bill proposes to greatly increase that. On "wool and manufactures thereof" the duty will reach as high as 149 per cent.

The duty under the present law and the proposed Senate amendment on pineapples, a luxury, in crates or barrels, is 19.37 per cent, and, as to Cuba, under treaty, 14.88 per cent.

In the metal schedule the duty runs as high as 99.65 per cent, and in no case, practically, under 10 per cent.

Naval stores, free; cotton, free; and phosphate, free.

Another important industry in Florida is sponging. The crop of sponges in Florida was worth in 1906 approximately one and a half million dollars. The importation of sponges from the Bahamas and Mediterranean is given for last year at $220,707.31, which paid a duty of 20 per cent ad valorem; and from Cuba, $115,649.58, which paid a duty of 16 per cent.

On borax mined in Nevada and California the duty now is 150.76 per cent; by Senate amendment, reduced to 60.30 per cent.

IMPORTANCE OF MEASURE.

Mr. President, only by keeping in mind all the interests of all the people of all the country can we be just in this legislation; only by being just can we have it approach the hope of the country; only by having it honest and national in its scope and American in its spirit can we expect it to fulfill its purposes.

We can not overestimate the importance of this measure. It strikes the hour of dissolution or it breathes the oxygen of new life for many plans, industries, and enterprises. It falls like the sword of Samuel upon the head of Agag, or it brings forth a Pallas by its blow. Marius, one of the thirty Roman tyrants, was slain in battle by a soldier who formerly worked in his shop, and as he struck he exclaimed, "Behold the sword thyself hath forged."

If disaster follows to any material interests or oppression results, you can know your work here accomplished the ruin or brought on the distress.

Great responsibilities rest upon those who would forge this instrument in accordance with their own wishes. I appeal for your clearest vision, your broadest patriotism, your calmest judgment, your soundest wisdom, to so consider and frame it as to help powerfully "to make the future of the Republic absolutely secure, its influence boundless, its duration endless, its beneficence measureless."

FOREIGN TARIFFS.

Mr. President, to use the taxing power to benefit private interests by giving more protection than is needed against foreign competition even the friends of this measure must admit would be a violation of a public trust and a gross abuse of any economic principle.

If duties can be lowered "without ruinous invasion of the home market by the foreigners," it ought to be done. In many instances, no doubt, it can be done; and it follows that tariff reduction is the just policy.

It is important to keep in mind that many of our industries are capable of greater production than the home market demands. These industries therefore want foreign markets. To get these, lower foreign tariff must be secured. You may rest assured the foreigner will not reduce his tariffs on such products or articles unless you place your tariff duties similarly reduced on those or other commodities. We may not expect to obtain the reduction of foreign tariffs in order to give an outlet to our surplus production unless we are willing to reduce our own. It is not fair to trade off the industries of Democratic States only for lower foreign tariffs.

Our minimum tariff should be made as low as possible in order that we may be in a position to make concessions when it comes to international agreements by which, nowadays, tariffs are largely arranged. I favor provisions promoting reciprocity, assuming that every portion of the country will receive equal and just treatment.

REDUCE EXPENDITURES.

It was refreshing to hear the distinguished Senator from Rhode Island, when he laid this bill before the Senate, proclaim himself a reformer, the friend of the consumers of the country, the Horatius at the bridge over which the expenditures must go, insisting upon less burdens and greater economy.

One could but admire his candor when he declared, in effect, the Republican House, the Republican Senate, and the Republican Executive had been guilty of "unprecedented extravagance" in the years just closing. It would have been well had the Senator raised his powerful voice before the money was gone, and saved the country the necessity of facing the present deficiency of over $100,000,000.

Retrenchment is wise, but the appeal comes late. It comes, too, from those who brought on the conditions which have been for two years disturbing the country. It is a splendid tribute to the Democracy to have the Senator thus espouse a cause and advocate a doctrine which during the years past and continuously, without interruption, to this hour, the Democratic party has blazoned on every banner and urged in every contest. Is that position taken now because of the threatened income tax? Is it now the vision comes when it is preferred to tax the people of the country who eat and wear and work, indirectly by the tariff, rather than tax directly those whose income exceeds $5,000?

Does the conscience awaken to reproach for reckless extravagance only when it appears that such extravagance has come home to plague those who have heretofore prospered under the tariff laws?

"Reduce expenditures" is fine. But the Senator has not indicated where or how. Will he begin with imperialism? Economize we can, but the powers that be give us no example of that practice, and we find no encouragement in a general statement pointing toward a possible lessening of extravagance by those who have led us into that vicious habit. With boards and bureaus, commissions and departments, overlapping and duplicating, I should say we could diminish outlays. But will it be done by those who created these conditions?

THE REMEDY.

A scathing and just rebuke to the Republican party has gone forth from its highest source, and it means logically that the real hope for reform, promising relief from the evils upon which we have fallen, and to that end may these words be winged, lies in a Democratic administration!

APPENDIX.

[Copy of telegram.]

WHITE SPRINGS, FLA., *March 23.*

Hon. DUNCAN U. FLETCHER,
United States Senate:

Oppose reducing the tariff one-half on lumber and fight for the $2 duty to the last ditch. The latter is the salvation of the lumber industry in the South.

R. J. & B. F. CAMP LUMBER CO.

[Copy of telegram.]

WATERTOWN, FLA., *March 24, 1909.*

Hon. DUNCAN U. FLETCHER,
United States Senate:

We think proposed reduction of lumber tariff exceedingly disastrous to southern lumbermen.

EAST COAST LUMBER COMPANY.

[Copy of telegram.]

JACKSONVILLE, FLA., *March 24–25 1909.*

Senator DUNCAN U. FLETCHER,
Washington, D. C.:

We are counting on you to oppose reducing tariff on lumber and to fight for the $2 duty. The future of the lumber and turpentine industry depends on this.

CUMMER LBR. COMPANY.

[Copy of telegram.]

TIFTON, GA., *March 25, 1909.*

Hon. D. U. FLETCHER,
Washington, D. C.:

The Georgia-Florida Sawmill Association, in session, representing more than 1,000 manufacturers of yellow-pine lumber in Georgia and Florida, employing upward of 50,000 men, protest earnestly any reduction of the present tariff on lumber, and the effect will be disastrous to employer and employed. The agitation has been more hurtful than we can estimate.

H. H. TIFT, *President.*
E. C. HARRELL, *Secretary.*

JACKSONVILLE, FLA., *March 22, 1909.*

I was in Canada three years ago, as you remember, and, being a lumberman, I gave considerable attention to the classes of lumber being manufactured, and without exception I found nothing there that would compare with our high grades. I did not go to the Ottawa district, which is, I understand, the great lumber center of eastern Canada, but what I saw was of a very inferior quality. It would be a very hard blow to the industry in this country and, as I have seen in the statement of Professor Pinchot, it would not conserve our own forests, but would simply compel us to reduce our prices and enter into a scramble for business if the tariff is reduced even 50 per cent. It will mean a still greater reduction in the prices of lumber than that represented by the reduction in the tariff pending the adjustment of trade conditions.

It is only within the past few years that our low-grade lumber has brought us a profit above the cost of manufacture, due to the fact that the depletion of the high-grade timber in the Northwest and the consequent utilization of low grades brought into the market a large lot of low-grade lumber. It is generally understood that the forests in the Northwest even for low grades have been so far depleted now that it does not cut any important figure in low grades as it formerly did. We are to-day actually selling lumber that five or six years ago, even, we could find absolutely no market for; and if we are prevented in any way from disposing of this class of lumber, it would simply mean a loss of that per cent of our logs which will have to be cut and hauled to our mill for which we will get nothing, thus sacrificing these low grades and being able to sell only the high grades at a profit.

I have intended to write you along this line for some time. I know that you feel very deeply the conditions and that you will lend your best influence toward securing a just consideration of the tariff measure.

GEO. L. DREW.

[Copy of telegram.]

CENTURY, FLA.

Hon. D. U. FLETCHER,
United States Senate, Washington, D. C.:

The repeal of duty on lumber would be disastrous to the industry throughout the country, and we urge you to vote and do all in your power to have the present duty retained. Reduction or repeal would benefit only Canadian timber owners.

THE ALGER SULLIVAN LBR. CO.,
H. L. GLOVER, *Manager.*

JOE KING, JR., COMPANY,
EXPORTERS YELLOW PINE LUMBER,
Jacksonville, Fla., March 11, 1909.

Hon. D. U. FLETCHER,
Washington, D. C.

DEAR SIR: At a meeting held on the 10th instant, by practically all of the lumber interests in Jacksonville, the following resolution was adopted:

"*Resolved*, That the Secretary be instructed to communicate with our Representatives at Washington, requesting them to oppose the proposed bill, which provides putting lumber from foreign countries on the free list, and to oppose any reduction whatever of duty on such lumber."

Subscribed to by the following concerns:

Cummer Lumber Company, Alfred R. Sax Lumber Company, Charles S. Hirsch & Co., Star Lumber Company, Cooney-Eckstein & Co., McNair & Son, Granger & Lewis, G. S. Baxter & Co., Georgia Pine Company, Gress Manufacturing Company, E. G. Phinney & Co., George Henry & Co., D. L. Gillespie & Co., Bann-Cashen Lumber Company, R. W. McLeod, Atlantic Coast Forwarding Company, G. D. Gay, Weston Zaring Company, Eppinger & Russel Company, F. R. Clark & Co., Stephens Lumber Company, Joe King, Jr., Company, C. H. Leggett, chairman; Joe King, jr., secretary.

It is needless to comment upon the importance of the defeat of the bill referred to. You gentlemen are entirely familiar with the lumber industry in our State and the country in general, especially the South, and you realize what a great calamity the passage of such a measure would inflict upon the lumber interests, especially in our State.

With much respect.

Very truly, yours, JOE KING, Jr., *Secretary.*

THE TARIFF ON LUMBER.

Whereas the press dispatches from Washington forecasting the probable action of the Ways and Means Committee on the various tariff schedules recite the fact that lumber is being named as one of the commodities to go on the free list or to sustain a heavy reduction; and

Whereas such action would mean serious and widespread demoralization to all business interests, in that further depression in lumber prices would permanently cripple many of the sawmill and other woodworking industries, and at the same time affect disastrously the wage-earning power of a vast army of lay laborers; and

Whereas the lumber industry of the United States to-day ranks first in the consumption of farm products, third in the volume of tonnage furnished the railroad and transportation lines, and second in the employment of labor, agriculture alone employing a larger number of hands, labor constituting a larger element in the cost of production of lumber (averaging above 70 per cent) than of any other manufactured article; and

Whereas a bushel of corn or wheat, a ton of hay, a bale of cotton, or the unit of measure in any other farm product will purchase more lumber to-day than at any previous time; and

Whereas the present specific duty of $2 per thousand feet amounts to an ad valorem rate of about 11 per cent, and practically reduces the tariff on lumber to the basis of a tariff for revenue, as illustrated by the fact that the present law represents an average of about 40 per cent on all dutiable commodities; and

Whereas the repeal of the tariff on lumber, lath, and shingles would prove disastrous to the industry throughout the whole country, for the reason that lumber is produced in Canada largely by oriental labor, and would be produced in Mexico by peon labor, at a cost far below that in this country, and is cut from stumpage varying in price from one-quarter to one-half less than American timber, and subject to a vastly lower taxation; and

Whereas lumber, lath, and shingles from Canada can be delivered in the Atlantic, Pacific, and Lake state ports on a much lower freight rate in foreign and American bottoms than from the South and West, or from any other lumber-producing districts to the same ports, whence much of the American lumber is distributed or where it is consumed, and would therefore deprive American manufacturers of many of their principal markets, which in turn would seriously affect the banking, shipping, and other interests allied with lumber; and

Whereas the recent election has emphatically demonstrated that an overwhelming majority of the people are in favor of the protection of American industries; and

Whereas the class of lumber which our foreign competitors would seek to dump on the markets of the United States would prevent conservation of our forests by displacing the low-grade material now utilized, leaving it in the woods to rot and burn, and because the sawmills must be operated to at least their minimum economic capacity, lumbermen would be compelled to cut over a larger area in order to secure the quantity of logs necessary to run their mills and to secure the quantity of salable commodities necessary to meet the demands of the country, and therefore will find it necessary to cut more trees, and thus to denude a greater acreage; Therefore be it

Resolved, That the Alabama-West Florida Lumber Manufacturers' Association, in convention assembled, representing an annual output of nearly 1,000,000,000 feet of lumber, does most earnestly protest against any reduction in the present tariff on lumber; And be it further

Resolved, That the president and secretary of this association be, and they are hereby, instructed to transmit a copy of these resolutions to the Ways and Means Committee, and to furnish copies of same to the Senators and Representatives from the States of Alabama and Florida, requesting their cooperation and support in preventing any reduction of the import duty on lumber in its various forms and by-products, upon the ground that such reduction would inevitably result in great injury to the lumber industry of these and other Southern States, the greatest single industry in this section, and one which has grown to such magnitude that any injury suffered by it must no less surely work harm to the banking, transportation, manufacturing, commercial, and industrial interests generally with which it has become so closely interwoven; And be it further

Resolved, That we favor most heartily the conservation of the forest resources of this country, and are ready to cooperate with the Government in its efforts to promote this great work, but that it is our earnest conviction that the removal or material reduction of the tariff on lumber will so hamper and delay the execution of plans already under way as to give rise to grave doubt of their ultimate success. This conviction rests upon the fact that to successfully operate a sawmill plant it must be run steadily at its average capacity, which could only be accomplished through the cutting of more trees, should the price of lumber decline to a point which would render impossible the manufacture of the common trees and parts of trees, which represent 25 to 40 per cent of the forests. This decline in price would follow the opening of our ports to lumber.

The undersigned approve and subscribe to the foregoing:

Alabama and Florida Lumber Co., Noma, Fla.; Smith-McGowan Lumber Co., Magazine, Ala.; B. O. Watkins Lumber Co., Birmingham, Ala.; Hand Lumber Co., Dolive, Ala.; Henderson Lumber Co., Sanford, Ala.; Hunnicutt-Neal Lumber Co., Vick, Ala.; Lathrop Lumber Co., Birmingham, Ala.; Morris Lumber Co., Slocomb, Ala.; Oden-Elliott Lumber Co., Birmingham, Ala.; Scotch Lumber Co., Fulton Ala.; Vredenburgh Saw Mill Co., Pine Hill, Ala.; Miller-Brent Lumber Co., Poley, Ala.; Harris & Scandrett, Coffee Springs, Ala.; Allison Lumber Co., Bellamy, Ala.; Cedar Creek Mill Co., Brewton, Ala.; E. W. Gates Lumber Co., Yellow Pine, Ala.; Henderson-Boyd Lumber Co., Richburg, Ala.; Horse-Shoe Lumber Co., River Falls, Ala.; Kaul Lumber Co., Birmingham, Ala.; Marbury Lumber Co., Marbury, Ala.; T. H. Read & Co., Wilford, Ala.; Sumter Lumber Co., Sumter, Ala.; Twin Tree Lumber Co., Maplesville, Ala.; Montgomery Lumber Co., Montgomery, Ala.; Whitewater Lumber Co., Autaugaville, Ala.; Geneva Lumber Co., Eleanor, Fla.; Tatom Lumber Co., Geneva, Ala.; Empire Lumber Co., Andalusia, Ala.; Frost-Sibley Lumber Co., Lamison, Ala.; Smith Lumber Co., W. T., Chapman, Ala.; Neal & Beatty, Montgomery, Ala.; Coffee Springs Lumber Co., Coffee Springs, Ala.; Manchester Lumber Co., Manchester, Ala.; Chas. Thrower, Ozark, Ala.; J. J. McCaskill Co., Freeport, Fla.; Sandy Creek Mill Co., DeFuniak Springs, Fla.; Lovelace Lumber Co., Brewton, Ala.; Jackson Lumber Co., Lockhart, Ala.; Crimm Bros., Gordo, Ala.; W. W. Autrey, Lamison, Ala.; W. B. Mitchell Lumber Co., Newton, Ala.; J. H. Moore, Billingsley, Ala.; H. H. Simpson & Sons, Stansel, Ala.; The N. M. Rhodes Mercantile and Mill Co., Shell, Ala.; Pattillo Brothers, Billingsley, Ala.; J. W. Pickering, Plantersville, Ala.; M. J. Cliett, Childersburg, Ala.; A. N. Belcher, Centerville, Ala.; McMillan Mill Co., Pine Barren, Fla.; The J. W. Black Lumber Co., Mobile, Ala.; Benjamin F. Stevens, Malvern, Ala.; Beach, Rogers & Co., DeFuniak Springs, Fla.; Ohio-Pennsylvania Lumber Co., Axis, Ala., Jas. Howard & Co., Nymph, Ala.; Hurricane Lumber Co., Hurricane, Ala.; M. G. Watkins, Highland Home, Ala.; G. B. Howard, Goshen, Ala.; Britton Lumber Co., Lakewood, Fla.; Florala Saw Mill Co., Paxton, Fla.; Stearns & Culver Lumber Co., Bagdad, Fla.; Curtis-Attalla Lumber Co., Curtiston, Ala.; Mutual Lumber Co., Montgomery, Ala.; Escambia Land and Mfg. Co., Pensacola, Fla.; Cruise-Splawn Lumber Co., Vida, Ala.; Bay Point Mill Co., Pinewood, Fla.; Graves-Tatom Co., Freeport, Fla.; The King Lumber Co., Prentice, Ala.; W. J. Tinney, Sterrett, Ala.; Flat Creek Mill Co., Finchburg, Ala.; J. R. Martin, Jemison, Ala.; Carter Lumber Co., Billingsley, Ala.; Harper & Moore, Reform, Ala.; Springfield Lumber Co., Coker, Ala.; J. H. Wright, Piedmont, Ala.; W. D. Crocker, Gordo, Ala.; Corr & Daniel, Gordo, Ala.; Brannan & Whatley, Wilmer, Ala.; C. Butler, Duncanville, Ala.; W. D. Barron, Edline, Ala.; Union Lumber Co., Carrollton, Ala.; John C. Osborne, Prattville, Ala.; The Gulf Yellow Pine Lumber Co., Geneva, Ala.; Perdido Lumber Co., Pensacola, Fla.; C. W. Autrey, Pine Hill, Ala.; C. W. Zimmerman Mfg. Co., Jackson, Ala.; J. E. McCart, Elba, Ala.; Windham & Farris, Elba, Ala.

HOTEL SEVILLE, NEW YORK, *April 12, 1909.*

DEAR SIR: I inclose you a letter from Mr. H. S. Hubbard, formerly of Iowa, but now a prominent grower of pineapples in Porto Rico, a petition from the Horticultural Society of Porto Rico, and a detailed list of the growers of pineapples who have entered this business during its development of the past three or four years.

I wish also to call your attention to the following facts:

1. The cost of cultivating an acre of pineapples is greater than that of cultivating an acre of oranges; the yield in crates of 2½ cubic feet each is less than that of oranges of 2 cubic feet each, and the value of a crate of either one is approximately equal. Should not both be equally protected?

2. All the pineapples consumed in the United States, if their planters are assured by a reasonable protection against ruinous foreign competition at certain seasons of the year, can be raised within a few years in Florida, Hawaii, and Porto Rico (both the latter as integral a part of the United States as were California, Arizona, and New Mexico in the middle of the last century).

During May, June, and July, especially, the markets are often flooded with foreign fruits from Cuba and elsewhere, thus producing prices far below the cost of production. The consumer does not benefit by this heavy loss of the grower, but pays more or less the same from week to week the year round. Only the jobber and retailer benefit by the planters' losses during these months.

3. When the tariff act of 1897 was enacted few pineapples were grown in the United States, while now very large acreages are planted in Hawaii, Florida, and Porto Rico, and with the present extension of the Florida East Coast Railroad thousands of acres heretofore cut off by lack of transportation became available for this fruit, and Porto Rico alone could supply the entire United States if the Americans there engaged in this business are protected sufficiently to prevent heavy loss during the months of ruinously low prices, far below cost of production.

Porto Rico in 1900 shipped 2,000 crates of pineapples.
Porto Rico in 1907 shipped 7,200 crates of pineapples.
Porto Rico in 1908 shipped 74,091 crates of pineapples.
Porto Rico in 1909 will ship 400,000 to 500,000 crates of pineapples.

As will be seen by the inclosed list, practically all of this is in the hands of Americans. All the money thus paid for Porto Rican pineapples is spent, not for Spanish, but for American foods, clothes, shoes, and implements.

As coastwise laws apply to Porto Rico all must be carried in American, not foreign vessels, as may be done from Cuba.

4. The citizens of the United States generally, equally with those living in Porto Rico, would be glad to Americanize the island, as was done in the case of California, New Mexico, and the Southwest. This can not be done by a few holders of big sugar or coffee estates, but through the influence of the small American landowners and their numerous families and retainers. The only opening for the small American landowners is the fruit industry, and mainly pineapple growing. Examination of the inclosed list of those who have so invested during the three or four years of the life of this industry will indicate the power this movement will soon exert on the internal government of the island if it is fostered by a fair protection at this stage. A prohibitive tariff is not desired by the Porto Rican growers, but one that will protect them against the ruinously low prices, often ruling, especially during the months of May, June, and July, while permitting importations from abroad whenever the market covers cost of production and a reasonable profit to the growers in the States. One cent a pound would not stop foreign shipments during ten months of the year. One-half cent would certainly be a low rate, and while it would not always guarantee a profit to growers would at least stop foreign shipments when prices are ruinously low.

5. The Baltimore canners have demanded free trade in natural pineapples, but nothing is said by them requesting free trade in the canned product. One-half cent a pound on natural fruit would be less protection to the numerous small growers than the few large canners are now enjoying on their product. In their statement those gentlemen speak only of Cuba and Florida as the only source of supply for the eastern markets. They can this year at fair prices obtain from Porto Rico some 400,000 crates, and double this quantity in succeeding years.

6. At present the duty on natural pineapples is 15 per cent ad valorem; the average on food staples, 40 per cent ad valorem; citrus fruits, 65 per cent ad valorem; canned fruits, 48 per cent ad valorem.

One cent per pound on pineapples would not be excessive as compared with other foods, and one-half cent per pound on pineapples in bulk or packages would be far below the average on similar food supplies.

The Payne bill, as it is sent to the Senate, makes a package rate of 8 cents per cubic foot—a bulk rate of $8 per thousand. The average for Cuban pines is 36 fruits per cake, or, if figured by cubic feet, of 2½ feet a crate, 20 cents duty per crate. If figured by bulk, $8 per thousand, 28.8 cents duty per crate.

We therefore ask a per pound rate rather than a bulk or per thousand rate, as now in the Payne bill, for the reasons of its equitable and easy application to all shipments, both crate and bulk, and because of the fact that the number of pineapples in a crate will in no manner vary it.

Respectfully submitted.

T. P. LIPPITT,
Acting for the Horticultural Society of Porto Rico.

JACKSONVILLE BOARD OF TRADE,
Jacksonville, Fla., April 12, 1909.

Hon. D. U. FLETCHER,
Senate Annex, Washington, D. C.

DEAR SIR: I beg to acknowledge receipt of your letter of the 6th instant, and take pleasure in inclosing you herewith copy of resolutions adopted by the board of trade at its meeting held on July 8 last regarding import tax on naval stores from Mexico. I understand that the Savannah Board of Trade recently adopted resolutions regarding an import tax on naval stores from Spain and France. I have written to this organization for copy of these resolutions, and as soon as I receive them will forward them to you.

Yours, truly,

H. H. RICHARDSON, *Secretary.*

I inclose you prospectus, thinking you may want this to refresh your memory in connection with some of these points.

H. H. R.

The following resolutions were adopted by the Jacksonville Board of Trade at its meeting held on July 8, 1908:

Whereas spirits of turpentine exported from the United States into Mexico is subjected by the laws of Mexico to an import duty of 16 cents per gallon, and rosin is subjected to a duty of $3.17 gold per 280 pounds, while under the existing laws of the United States spirits of turpentine and rosin imported from Mexico to the United States are admitted free of all duties; and

Whereas the pine forests of Mexico are now producing spirits of turpentine and rosin in considerable quantities, which are being shipped into the United States and there sold in competition with the naval stores produced in Florida and other Southern States; and

Whereas the inequality of taxation is an unjust burden upon one of the principal products of this State, which should be removed by legislation or administrative action on the part of the Federal Government: Now therefore be it

Resolved by the Board of Trade of the City of Jacksonville, That the special committee on naval stores be directed to call the attention of our Senators and Representatives in Congress to this subject, and to request their prompt and active assistance in securing, if possible, the removal of such discriminative duties or else the imposition of a similar tax upon the importation of spirits of turpentine and rosin from Mexico, and such action on the part of Congress and the administrative departments of the Federal Government as will best protect the interest of the naval-stores industry of the United States.

Resolved, That the special committee on naval stores be instructed to investigate the relative freight rates on naval stores produced in Florida to ports in Florida and to ports outside of Florida, and if it is found that rates to ports in Florida are relatively higher than to ports outside of Florida, then said committee be further instructed to investigate the effect of such discrimination and the remedies therefor, and thereupon, without delay, to take such steps as may be deemed necessary to prevent such discrimination and secure fair and equal rates to Florida ports.

The above was also adopted by a unanimous vote of the members present.

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, April 12, 1909.

Gentlemen of the legislature:

Your attention is invited to the following:

There is a clause in the Payne tariff bill to the effect that "the maximum and minimum principle be adopted by which retaliatory rates averaging about 20 per cent may be levied upon the products of countries which do not grant to the commerce of the United States the most-favored-nation treatment."

Germany is the country from which comes the supply of potash salts, so necessary for successful agriculture in the cotton States. Germany does not at present grant to the United States minimum rates on all products. Consequently, if the above becomes a law and Germany persists in not granting to the United States the "most-favored-nation" treatment, a retaliatory duty of 20 per cent ad valorem will be levied on all potash salts imported.

There are some 600,000 tons of potash salts now annually imported from Germany into the United States. This is principally used for fertilizers. Their salts are now quoted in New York at from $8.50 for "kainit," to $43.60 for "sulphate," an average of $25 per ton or $15,000,000. Twenty per cent of this amount ($3,000,000) would be added to the annual cost of fertilizers, most of which is consumed in the cotton States. The average potash content of Florida fertilizers is 140 pounds per ton, representing 7 units.

The cost of one of these units is $1.10, or $7.70 per ton. An increase of 20 per cent in its cost would add an average of $1.54 per ton to the fertilizers used in this State. As Florida uses 130,000 tons annually, this would increase the cost of fertilizers used in this State $200,200. Georgia uses 800,000 tons. Other cotton States use large quantities of commercial fertilizers, one of the principal and most costly ingredients of which is potash.

The passage of a joint or concurrent resolution is recommended, advising the Senators and Representatives from this State in Congress of this threatened additional imposition upon the farmers and fruit growers of Florida and of the cotton-producing States, and requesting them to take such action as they may deem best to prevent such imposition.

Very respectfully,

ALBERT W. GILCHRIST, *Governor.*

STATE OF FLORIDA, EXECUTIVE CHAMBER,
Tallahassee, April 13, 1909.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SIR: I am directed by the governor to hand you herewith copy of a special message which he has sent to the Florida legislature now in session.

Very truly, yours,

G. T. WHITFIELD,
Private Secretary.

Brief on the tariff in its relation to economic agriculture, with special reference to sulphate of ammonia and potash salts.

FREE NITROGEN.

It has been a wise policy of the United States, in common with other countries, to admit "guanos, manures, and all substances used only for manure" free of duty. (See Dingley bill, sec. 2, par. 569.)

Canada is the only country to levy a duty on mixed fertilizers, but she admits fertilizer chemicals duty free, including sulphate of ammonia and German potash salts.

Sulphate of ammonia, however, which, since the passage of the Dingley tariff, has come into extensive use here by farmers and by fertilizer manufacturers, and which is the agricultural chemical richest in

nitrogen, carries a duty of $6 per ton under the Dingley tariff. (Schedule A, par. 5, Dingley bill.) This is 1½ cents per pound on the nitrogen it contains.

In the Payne bill sulphate of ammonia is put on the free list where it belongs and where it should remain. (Sec. 2, par. 480, Payne bill.)

The United States produced 4,000,000,000 bushels of cereals in 1908. Each bushel contained approximately 1 pound of nitrogen. This nitrogen was worth at least $800,000,000, and no material part was returned to the soil.

In the shape of cereals and meat products the United States exported in 1908 fully $75,000,000 worth of nitrogen.

Georgia consumed approximately 800,000 tons of fertilizer in 1908, requiring 32,000,000 pounds of nitrogen, worth $6,400,000 at going market prices.

South of the Mason and Dixon line there were consumed in 1908, chiefly on cotton, fully 1,500,000 tons of mixed and unmixed fertilizers, containing fully 60,000,000 pounds of nitrogen, worth at least $12,000,000.

Maine consumed fully 50,000 tons of fertilizer to produce her potato crop last year, requiring fully 2,000,000 pounds of nitrogen, worth $800,000. Add to this the nitrogen which is required to produce the other great staple crops like hay, tobacco, and vegetables, and the nitrogen requirements become incomprehensible. The Department of Agriculture will without doubt confirm the above figures.

OPPOSITION.

The duty on sulphate of ammonia is $6 per ton. The amount imported in 1908 was 34,224 tons, duty $205,000. This duty is not necessary to protect the home manufacturer, for the material is produced as a by-product by the steel, coke, and gas interests, which need no protection, especially as against the farmer. The home producer, even without the duty, is protected to the extent of the freight and the double bagging which is required and the custom-house charges, amounting, all told, to between $3 and $4 per ton.

FREE POTASH.

German potash salts are now admitted free under the present Dingley tariff (sec. 2, par. 644, Dingley bill), likewise in the new Payne bill (sec. 2, par. 652, Payne bill), but it is proposed to apply a countervailing duty of 20 per cent ad valorem to potash under certain conditions. (Sec. 4 and sec. 3, Payne bill.)

This is wrong, because—

First. We are absolutely dependent on Germany, as she is our only source of agricultural potash.

Second. If this clause is applied to potash as a club to keep Germany from unduly taxing our meat and grain products, she can afford to ignore it, for we can not go elsewhere for our potash. It is a boomerang, therefore, which will react upon our own country.

Third. If the countervailing duty is made to apply to potash, in order to protect the western cattle raiser and packer against Germany, it is protecting them at the expense of all general farmers East and West, and particularly the tobacco, cotton, and potato growers.

Fourth. If the countervailing duty should be put into operation, it would cost the cotton growers of the South fully $500,000 a year more for the potash which they use on cotton, and the potato growers of Maine fully $50,000 more annually.

Potash, therefore, should be stricken out of the list of items upon which the countervailing clause applies.

FINALLY.

The fertilizer business has been built up on a free-trade basis. It asks for no protection, and it should have none. But it is inconsistent, if not unfair, to admit mixed fertilizer free and tax chemicals when brought in separately.

Fertilizer chemicals, whether mixed or unmixed, are the farmers' raw materials, and in the interest of economic agriculture they should be admitted free of duty. There should be no hampering clauses to prevent the free international exchange of fertility.

This country annually is sending more than a million tons of mineral phosphates to Europe, besides millions of dollars' worth of agricultural products. It is a wise policy to take some part of it back in the shape of fertility, as nitrogen and potash.

If agriculture is the foundation of our prosperity, then fertility is its corner stone. We should therefore encourage the gathering and importation of plant food from all sources, both foreign and domestic.

Respectfully submitted.

WILLIAM H. BOWKER,
Representing American Agricultural Chemical Company.

Mr. McCUMBER. Mr. President, my colleague [Mr. JOHNSON] has indicated a desire to speak for a few minutes upon an important feature of this subject, and as my address may take a little longer than I really anticipate, if my colleague desires, he can go on now, I yielding to him for that purpose.

The VICE-PRESIDENT. The Senator from North Dakota yields to his colleague.

Mr. JOHNSON of North Dakota. Mr. President, I had a conversation with my colleague, but I hardly expected this courtesy of him. I expected to speak only after my colleague. But I thank him for this opportunity. I do not wish to discuss the underlying principles. I only want to touch upon one small point, to pick up the small crumbs that fall from the table, and only one crumb.

One thing that makes it a little irksome to us in the "Cherokee strip" is that Senators refer to Senators sitting upon the other side as if they were not of their household of political faith. We are a pretty respectable aggregation, and they need us and can have us and they can count on us. As long as such men as the junior Senator from New York [Mr. ROOT] occupies a front seat in this section, we shall not go very far astray. Neither shall we very much lose our way in the dark with such a tried and true Republican as the junior Senator from Kentucky [Mr. BRADLEY]. But enough of that.

It is a little difficult to speak from this corner. I like the "Cherokee strip;" I was raised in it. My first experience in Congress was at the time when the Democrats had all but 88 seats out of 346.

The Democrats not only filled their own side, but more than half of our side, and we all sat among Democrats. Afterwards, when we got control of the House, it was my fortune to draw seats usually on the Democratic side of the Chamber; and I feel at home among these brethren. I have lived among them, boarded with them, and it has been my fortune to meet them in this southern city. I knew nothing of them until I came here. I have learned to know them. I have learned to like them.

Yesterday, I think it was, or the day before, one of the Senators of our household of faith spoke of admonishing a colleague. I would not like to use such a term as admonishing a fellow-Senator, even on this side. But the reason why I wish to speak to-day is on account of a word that was used by the Senator from Maryland [Mr. RAYNER] yesterday, which grated rather harshly on my ear as a Republican. I will read this from his speech, and while I do not accuse him of lack of originality, I will say he was fully justified in using that word by the peerless leader of his party, as I heard him, both in this Capitol and in campaign speeches. This was the expression——

Mr. RAYNER. Who was the leader?

Mr. JOHNSON of North Dakota. I am not authorized to appoint leaders for your party, but in the literature of our country the peerless leader of the Democracy is generally identified closely enough. I dare say the Senator from Maryland would be a better leader, and either of the Senators from Texas would, I think, be a better leader. But they are not familiarly known to us out West as the "peerless one."

> The American people have again been fooled, and they will be fooled to all eternity until and unless this whole subject of federal taxation is rescued from the contaminating touch of politics.

That expression, with reference to fooling the American people, was used in the campaign last fall by the "peerless leader" in the State which I partly represent, and I sat in front of him and heard the speech. There were 5,000 Democrats there and a few straggling Republicans. He used that very expression, speaking of the present tariff law and a certain paragraph in it, to which I wish to call your attention.

He said "they fooled you." "Why," he said, "they fooled me"—the peerless one. Of course, I did not have a right to the floor. I had no right to stand up there and call him to order, as I have here. I had to sit still and listen to it. But the editors of the city—that was in Fargo—I think, were all there, and they learned these ideas from the leader of the Democratic party in the last campaign, and here is a paragraph I wish to read from the last issue of the Searchlight. This comes from Fargo, in North Dakota. It says:

> When the Dingley bill was passed the protection to oil was so skillfully hidden under what was known as a "countervailing duty" that few of the Congressmen knew it was there.

He took up that topic and treated it in this way. He said ostensibly on the free list is petroleum, crude or refined, but if you take the law itself and read it carefully, you will find a proviso that kerosene oil, petroleum, or its products, coming from any country that levies a duty upon American oil, shall bear the same duty that is charged in that country against American oil. Now, he said, the fact is in Russia they charge 120 per cent on American oil, and the result is that the Dingley law hedges about this most wicked of all monstrous monopolies and trusts a tariff of 120 per cent, impossible to surmount.

Then he used the expression, "They fooled you; they fooled me." It was pretty hard for me to sit there and see 5,000 Democrats hurrah and clap their hands and applaud, when I and my party were responsible for this kind of policy that he held up to scorn and characterized its framers as dishonest men, or men who fool their fellow-citizens in making laws. I had to sit and take it. But to-day is my inning. I wish to answer that.

The first time there appeared in the legislation of this country any proviso as to kerosene was in 1894. Up to that time we had had no fine print; no proviso. We had the straight figures. The figures had been enormously and ridiculously high sometimes. We had had some very unscientific tariff laws as to petroleum. For instance, in 1866 there was a duty of 40 cents a gallon on kerosene oil—$20 a barrel. To us in this generation, when crude oil can be bought for 25 cents a barrel, it seems pretty ridiculous to impose a duty of $20 a barrel. Anyhow, it is so plain that he who runs may read. In 1894 they got this proviso in.

When that law was passed the "peerless leader" of the Democratic party was on the Ways and Means Committee. He was not only a member of the committee, but he was the leader of that committee. He was not the chairman, for, as

many of you gentlemen who served in that House or lived in that day remember, Mr. Wilson was the chairman of the committee. He was a scholar and a Christian gentleman. He was a man of great intellectuality, but he was in poor health at the time and he had certain delicacies and refinements which did not so well fit him for the forum as the "peerless leader" of the Democratic party, one of the greatest living orators of our time. Mr. Bryan was a strong man, and the fighter on that committee. He dominated that committee as he has dominated his party from that day to this.

I sat among those Democrats. The Senator from Maryland was there, the Senator from Texas was there, and the senior Senator from Kentucky was there. The "peerless leader" of the Democratic party was there. I was in a helpless minority of only eighty-eight out of that great House. What could I do—helpless? I looked on and watched the proceedings. I saw these men fix that "dope." I could not stir it. I could smell it. It smelled bad, I thought, politically speaking. I could look at it, but I was not allowed to touch it. They did not fool me, not at all, when they brought that proviso in. They did not try to fool the country; not at all. Instead of holding these men up to scorn as uncandid and dishonest men, as men who fooled the American people when they were seriously charged with the responsibility of making their laws, I bear testimony to their integrity and to their faithfulness, so far as their ability went.

They found this situation: Russia at that time levied 40 per cent duty on American oil. It did not do it in those terms, but it was 29 cents a hundred pounds on crude oil and $1.43 a hundred pounds on refined oil. That would amount to about 10 cents a gallon. So for all practical purposes it was 40 per cent on refined oil. Crude oil may be dismissed, because practically there was no importation of it.

That was the situation they had to meet. They saw, as I did, that it was unjust to admit Russian oil free when the Russians levied a duty of 40 per cent against American oil. How did they meet that responsibility? They met it with a proviso, the first time that a proviso ever appeared in our schedule of duties on this matter of kerosene oil. They put in this proviso:

> *Provided*, That petroleum coming from any country that levies a duty on American oil shall bear a duty of 40 per cent.

That was the first proviso. I am not here to say that it was unjust. I say it was just. They did not try to fool the American people, and they did not. They brought in that proviso from the Ways and Means Committee, of which the "peerless one" I speak of was a member. It was stricken out in the House. Nobody was fooled. But it was put in again in the Senate, and it went into the laws of our country; and I for one, even at this distant day, bear testimony that it was just and it was right as far as it went.

That applies to duties between us and Russia. But how did it work out in actual practice? You know that in this country it takes us years and years to revise a tariff. The Senator from Maryland, the Senator from Texas, the Senator from Iowa, and the Senator from Rhode Island, the men who served on those committees, knew, and I knew, that six years ago we had outgrown the Dingley law. I was one of the first men in the West to raise my voice for a revision. We knew long before the people generally knew that conditions had so far changed that a revision was past due. But we have inherited this Government and its traditions and its policies from our fathers. We can not change it very much. We ought not, in my judgment, to try to change it very much. It is a pretty good thing to leave alone.

How can you go to work to revise a tariff on articles? Five or six years ago Democrats, and Republicans, too, commenced to agitate for a revision, when we knew it was necessary. We first had to interest the people by speeches and in the newspapers, and then we had to get a majority of the national conventions in sympathy with that movement, and we had to adopt a plank in our platforms. That took years. Then we had to elect Members of Congress on those platforms.

Last year we were all agreed—both parties were agreed—on a revision of the tariff, but after the election, even, it took months before we assembled in this Capitol. Then, again, it will take months before we can agree upon this tariff bill. The people of the country think that we can come here, like a state convention or like the Daughters of the American Revolution, and scrap it out in three days or a week and then adjourn and go home. They have no appreciation of the faithful work and the hard work that my colleagues are doing here. In 1897 we commenced on the 15th of March, as we did this year. We made record time, better than ever had been done before in the whole history of the country in work of this kind. We got through on the 24th of July. That was pretty nearly a year after we were elected.

How do they do those things in Russia? I am a little backward about saying that they do it better. I would hesitate to admit that any country in any respect is better than ours. But I will call your attention to the undisputed fact that they do it quicker. When it is necessary to change tariff laws in Russia, they do not require five or six years' agitation among the people in speeches on the rostrum and editorials in the papers to convince the people, and then call a national convention and put it in the platform, and then make a campaign before the people and elect their members to the Douma, and then thirteen months after they are elected meet, as we would have met but for this extraordinary session, and then labor here months and months to agree on a tariff law.

I will tell you how they do it in Russia. The law was written upon our statute books the 28th of August, I think, in 1894. On the afternoon of that day the laws as between Russia and America on that one point were equalized, and instead of taking six years to change that tariff law, there was a telegram sent from St. Petersburg to Odessa, where most of this petroleum is landed, short and plain, which raised the duty on American oil to 120 per cent. They not only got around the 40 per cent that the Democrats thought they had met, but they raised it 80 per cent more, and that could be done in ten minutes, you know. We could not change that inside of years of agitation.

When in 1897 the wheel of political fortune had turned until we had charge of these schedules, and we were charged with the responsibility, we found this situation: The Russians were charging 120 per cent on American oil. Now, I think, they are charging about 300 per cent. I will take Mr. Bryan's figures on that. It was 120 per cent. Did we simply strike out 40 and put in 120? That would not help. They could send another telegram from St. Petersburg and raise it 80 per cent more. So we changed this proviso. Instead of putting in 40 per cent we wrote it as it is now in the laws of our country:

> *Provided*, That petroleum, crude or refined, coming from any country that levies a duty on American oil, shall bear the same duty that that country levies against our oil.

That is the law now.

Now, who was wicked and deceitful in writing the provisos into our law? None of us. I claim that we were honest. I admit that the committee on which Mr. Bryan served, of which he was the dominant member, were honest. I know they were honest, but they bungled.

Mr. Dingley acted the part of a statesman. That is the point. I want to protest against the discourtesy of saying that public men have fooled the American people. I do not like the word. I have been a voter and a politician for some years. I remember watching them as they were voting for Fremont and Buchanan in 1856, although I was not then a voter. I have watched them very carefully ever since, and I have seen them throwing their ballots like snowflakes into the ballot boxes. I have never seen an ordinary voter who acted in such a manner in that supreme moment as to leave the impression on my mind that he was acting from impure motives. So far as I have been able to observe, I have thought that every voter has voted with the idea that he loved his country, that he wished well of his country, that his fortunes were bound up with the fortunes of his fellow-citizens, and that let it go up or down he had to go with it, like the crew or the passengers on a ship.

I will not say men are honest in all their dealings, but in political matters I say they are, and it is the political life of men only that I am talking about now. I have never seen a common voter in the half century that I have watched them who has acted in such a manner as to leave the impression on my mind that he was trying to vote so as to bring mischief and wrong and injury on his country.

Then, let us go a step further, from the common voters to the county or state officers and Members of the Senate. Do you not think that we measure up in that respect to the ordinary standard that we find almost universal among the voters? We ought and we do. In watching these Democrats, of whom I confess I was a little suspicious before I learned to know them, I employ three tests in public life. In two of those tests I could pass them at the 100 mark, if I were a school teacher using examination papers. I would give them 100 on two tests. My tests are these: First, I ask is the man honest; is he sincere? If he fails in that test I have no further use for him in business or in politics. Life is short; and there is such an abundance of honest men to deal with that any man who fails when weighed in that balance and leaves an impression on my mind that he is not honest, that is the last I care to talk with him or think about him.

The next test is courage. That is a little harder. A man will sometimes fail in courage, but not many do. It is wonderful the courage that men will display in public life, it being equal to what is displayed on the battlefield. As I have watched the Democrats for nearly twenty years, I can not think of an instance where they have failed in that respect. They are brave men. It takes more courage to assume the position some of them do, a good deal more than to take our position on this question. I have not the courage to say what some of these men say on the floor. So, then, I give them a certificate of character that they are perfect in these two respects, so far as I know, because they are as brave as men can be.

But there is another test, much more important, much more severe; and right there is where public men fail, if they fail at all. Take, for instance, the pilot of a ship. He will pass the examination on the first two points easily. Here we are in a storm, in a gloom of midnight such as bewildered the Senator from Maryland [Mr. RAYNER] at the opening of his speech yesterday. The pilot stands there at the wheel. His life as well as mine, if I am a passenger, is at stake. The lives of the passengers, the safety of the crew are at stake. I have no fear of his honesty. There never was a pilot, I think, but what if steering a ship in case of danger would be honest.

Another thing is the question whether he is brave. Most of those men are brave. I do not thank the pilot for being honest and for being brave. I expect that as a matter of course.

But the pilot may fail in the third and the supreme test. Is he right? That is the supreme test. If the pilot is wrong and steers that vessel upon the rocks or into the surf and loses the cargo and ship, and I am hurt as a passenger, it is nothing to me that he was honest, it is nothing to me that he was brave; the fact that he was wrong is the one supreme test.

Now, it is just the same way in statesmanship. Few men like Dingley pass this last test of which I speak. There was a Christian statesman, if we ever had one in the history of our country. Let us revere his memory. It grated upon my ears to hear some Senator here say that in the legislation of the country he fooled the American people. I know he did not. I know he was honest and brave, and I believe that he was right.

This country is watching and waiting impatiently. Their business, their opportunity for making a living, largely depends upon our work. Do not let us send out statements from here unless we know that they are true. Let us not send out speeches to undermine the confidence the people ought to have, and that they do have, lest they be deprived of that greatest of all boons, confidence in their Government, love of their country, confidence in the men they have trusted again and again to come here and make our laws.

Mr. TILLMAN. Before the Senator takes his seat, I should like to ask him a question. The Senator said that there was an agitation for revision and that both parties put it in their platforms. As I recollect it, both the presidential candidates declared before the election that if they were successful an extra session of Congress would be called to revise the tariff. President Taft said it and Mr. Bryan said it. The Senator seemed to be very much hurt because the Senator from Maryland [Mr. RAYNER] said yesterday that we had fooled the people or that somebody was going to fool the people. Anyhow, something was said about being fooled, and the Senator from North Dakota took umbrage at that. Does the Senator understand that the tariff was to be revised up or down?

Mr. JOHNSON of North Dakota. I will try and answer that. I am not an authority on a Democratic tariff.

Mr. TILLMAN. It is not a question of a Democratic tariff. It is a Republican tariff that we are discussing now, and I want a categorical answer. Is it the understanding of the Senator in reference to revision that it was the purpose of the people that the tariff should be revised down or up?

Mr. JOHNSON of North Dakota. If you will just be a little bit patient——

Mr. TILLMAN. Surely.

Mr. JOHNSON of North Dakota (continuing). I will answer that. As you know on this floor it is not customary to answer "yes" or "no."

Mr. TILLMAN. I do not ask the Senator to answer "yes" or "no." Let him answer in his own way, just so he answers. Do not dodge.

Mr. JOHNSON of North Dakota. Just so. We had two platforms. The Democratic party were unequivocal. They stood on a platform in favor of revision and revision downward in every case, and commencing with the necessaries of life.

Mr. TILLMAN. We take that as a fact. Go ahead.

Mr. JOHNSON of North Dakota. Now, see how it would work. For instance, we laid a tariff on barley.

The nicest barley I ever saw in my life I saw a man who is now a Member of Congress buy in Dakota. The farmers shoveled it into a car and delivered it on board the car, and he paid 11 cents a bushel for the nicest barley I ever saw.

I was on the committee where I had it in my power to have part of the say as to what should be the duty on barley. I felt like this. The highest price of barley I had ever known was 45 cents a bushel. My colleagues on that committee were very kind and said: "JOHNSON, you are a farmer; you know what the farmers want; can we by our legislation help the farmers? Make the duty on barley just where it ought to be. Put it at 30 cents if it needs that." My idea was to erect a tariff wall of 30 cents a bushel. That was 300 per cent duty on barley. My idea was that no man then living would ever live to see the day when one bushel of barley would be imported over that high wall. That committee made certain peaks stick away up. If I had a profile map of the tariff, the highest peak on the profile map would be barley at 300 per cent.

The Democrats in tearing down this wall would hit barley first. Then they would hit wool and hit potatoes and hay and such things as that.

In our platform we promised that if the American people trusted us with power we would revise the tariff not universally down, not blindly ignorant, without any sense of right or rhyme or reason, whether it ought to go down or not, but we made the rule that any manufacturer and jobber himself could apply as well as we could. All these men want to know is what is the rate to be. They say that is a matter we want settled. Just let us know and we will arrange this matter without the everlasting waiting and uncertainty; we want something to guide us in this business.

We favored this rule: That we would revise the tariff in such a way that we would compensate the home industry the difference between the cost of production at home and abroad. That does not say whether it is up or down. In some cases it will be up and in some cases it will be down.

I heard Mr. Taft, the candidate of the Republican party, make a speech at Fargo during the same campaign, and he explained that, and he told us there, and he told us on the rostrum here, when he was inaugurated, that he thought this would mean in most instances a revision downward, but in some cases it might be upward, and either in a speech made in that same week, I either heard it or read it in a newspaper, he said we might have to revise upward in some instances, and that glassware and crockery might come under that head.

We adopted a platform that laid down our rule, and it is our duty as brave men to carry out that rule on the floor of this House, if it requires us to slightly raise the tariff in some few instances where the foreigner has taken away our market. That is the rule under which we are working, and we acquit ourselves entirely of the trust that is laid in our hands if we go back to our people and say that we have faithfully and conscientiously enacted into law the platform on which we were elected; and according to our convictions we did our duty.

Mr. McCUMBER obtained the floor.

Mr. TILLMAN. Mr. President——

Mr. McCUMBER. I yield to the Senator from South Carolina for a question.

Mr. TILLMAN. The Senate of the United States has sometimes been charged, and I myself have indulged in that criticism, that we can play the game of "how not to do it" with very great skill here. I want to congratulate the Senate upon getting worthy recruits. He is one of the most skillful men in not answering questions who has ever come into this body.

Mr. McCUMBER. Mr. President, that is always a question, of course, of opinion. I would beg possibly to differ with my friend from South Carolina upon that proposition, but I do not care about going into that question at the present time.

The VICE-PRESIDENT. The Senator from North Dakota is entitled to the floor.

Mr. McCUMBER. Mr. President, I stated that I would discuss to some extent the lumber schedule. But when a protectionist gives his vote against the protection of any particular article it is very proper that he should indulge a little in the discussion of the principles which justify him in taking that stand.

A great many of my protection friends upon this floor have scarcely been able to see how we could ask a protection along one line without granting it along every other line. But there is not a Senator here who will not vote, and some have perhaps voted many times, for a free list. He has some standard that guides him in determining what ought to be and what ought not to be upon the protected list of industries.

The most ardent protectionist believes that some articles should be on the free list. He may believe that the greatest good to the greatest number demands that certain raw material should not be compelled to pay a duty. I may believe that the interest of all the American people, present and future, demands that certain of our great resources, now being rapidly exhausted, should be conserved as long as possible by allowing free importations of like products.

Mr. President, purely from a revenue standpoint we possibly could have selected no more inopportune time to revise our tariffs than during the year 1909. Our expenses in the last year have probably been greater than in any other year of the history of the country. Our income has been less than it has been for several years last past.

We have appropriated for this year on the basis of the income of 1907 from our tariff schedules. So we see the difficulties that arise in fixing proper rates.

Tariff revision this year is universally understood to mean revision downward. The public expect, and have a right to expect, from every public address made in the last political campaign, that there will be a general reduction in our tariff duties. Why? Because they understood and believed, as a rule, that the Dingley tariff was altogether too high and that rates could be reduced on many articles without serious injury to the protected business. So the public, I think, reasonably expected from all of the arguments that were made during the last campaign that, generally, the revision would be downward.

Congress in responding to the duty that is imposed upon it by the American public is charged with three particular things. What are they? First, and superior to every other question, is the question of protection. That stands preeminently far above the idea of revising downward or on a horizontal scale or revising upward. The first duty that is imposed upon the American Congress, if I understand the voice of the American people, is that this country shall still go forward under the banner of protection.

The second proposition, and that is subservient to the first, notwithstanding that our Democratic friends seem to think that it should be first, is that we should revise downward, but always maintaining a sufficient wall against foreign importations to protect the American manufacturer, the American farmer, and the American laborer.

The third duty that is imposed upon this Congress is to raise sufficient revenue to conduct the affairs of the Government when economically and properly administered.

So, Mr. President, you will naturally see that the duty is somewhat difficult and complex to meet all these particular requirements. If freed from any other proposition except that of revising the tariff downward, we would have a very simple proposition which we could dispose of in a very short time.

That simple method of disposing of the tariff schedules was indulged in in 1894. We simply revised downward, and the result was instantaneous. Every industry in the United States immediately went downward. One-third of them went into the dust never to revive again until we changed that law. The other two-thirds worried along in a crippled condition during the existence of that law and until a Republican administration was voted in by the American people in 1896. That same simple method of voting everything downward left its wake of destitution from the Gulf to boundary line and from ocean to ocean. Every industry in the country felt the depressing influence.

Mr. President, while I do not believe that this bill is a perfect bill and while I believe that some of the schedules are still too high and while I shall do my very best to lower some of them, I do believe that for the most part we have reduced the rates as far as we can reduce them with safety.

I may be mistaken upon any of those schedules, and although a member of this committee, I am perfectly free to say that if any Senator here can convince me that any one of the schedules is so high that it is prohibitive or so high that it allows the manufacturer to enforce an exorbitant price for his product upon the American people, I will be ready to vote that duty down to a simple and proper protective basis.

Mr. President, I have been much impressed in many respects in the matter of the revision of these tariffs. I have never had any experience heretofore in working along that line, but what has impressed me most and has been brought home to me most vividly is the fact that there are so many ardent, strong, forceful protectionists throughout the entire Southern States, when I had always believed that they were either free traders or advocates of a tariff for revenue. I find in fact a stronger spirit for protection pervading the Southern States than I find in my own strong Republican State of North Dakota.

Mr. President, our friends on the other side have discussed the lumber schedule and some few other schedules considerably more than they have been discussed on this side, and in their discussion they have asked for the highest kind of protective duties, and yet they declare that all they are asking is a tariff for revenue only. But in every argument that has been made on the other side of the aisle there has been placed before the Senate the one great proposition overshadowing all others—that of protecting our laborers, our industry. My friend from Mississippi [Mr. McLAURIN], my friend from Florida [Mr. FLETCHER], who spoke this morning upon the cotton and other schedules, and every Senator who has spoken upon the lumber schedule on the other side, have declared that if we lower these duties we necessarily will close up some of their mills and that we will drive their laborers out of employment. Mr. President, if that is not protective doctrine, then I confess I have never learned what protection means, though I have discussed it pro and con for many years. If the tariff operates to protect any industry against foreign competition, no matter whether the duty is 5 per cent ad valorem or 500 per cent ad valorem, it is a protective duty; and there is no use of our hiding behind terms and calling it a tariff for revenue only. Every tariff is a tariff for revenue. Every tariff which protects—I care not to what extent it protects—against foreign importation is a protective tariff.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of Michigan in the chair). Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. In one moment. My Southern friends agree with me upon that principle and can make a better Republican protective-tariff speech than I am able to make myself.

The PRESIDING OFFICER. Does the Senator from North Dakota now yield to the Senator from South Carolina?

Mr. McCUMBER. Always, with pleasure.

Mr. TILLMAN. Mr. President, I am bound to say that the criticism of the Senator from North Dakota [Mr. McCUMBER] is in a great degree just. It simply illustrates what we have learned to call "the zeal of new converts;" but I want to say to him also that a tariff for revenue with incidental protection is good Democratic doctrine. Does the Senator not acknowledge that? We have got very badly mixed here.

Mr. McCUMBER. But the moment that it is protection, incidental or otherwise, it is a protective tariff.

Mr. TILLMAN. It can not be if it brings in revenue and is designed——

Mr. McCUMBER. All protective tariffs bring in revenue.

Mr. TILLMAN (continuing). And is designed specifically for revenue. But I started out to say that we are getting very badly mixed here, and it is pretty hard to tell the sheep from the goats. [Laughter.] I heard yesterday a very admirable speech on the lumber schedule, which was a Democratic speech, from the Senator from Minnesota [Mr. NELSON].

Mr. McCUMBER. I think the reason for this condition is that on the Senator's side they are all getting to be sheep.

Mr. TILLMAN. I do not know. If the Senator wants to assume that he is a sheep and I am a goat, he is welcome to distinguish us in that way.

Mr. McCUMBER. I will not designate the Senator a goat, but as a real sheep; certainly not a lamb.

Mr. TILLMAN. I was just saying that the Senator from Minnesota gave us a very fine Democratic speech yesterday on the lumber schedule, and the Senator from North Carolina [Mr. SIMMONS] I thought gave us a very good Republican speech on the same schedule; and we have listened to the Senator from Florida [Mr. FLETCHER] this morning, wanting everything that Florida produces protected, and it was a very thorough Republican speech, from my standpoint.

Mr. McCUMBER. A splendid Republican speech.

Mr. TILLMAN. As I have said, we are getting very badly mixed; and I am afraid, before we get through, there will not be trough enough for all the hogs to get their snouts into it. [Laughter.]

Mr. McCUMBER. There is one thing of which the Senator from South Carolina can feel certain, and that is, that his State will have an opportunity to reach the trough.

Mr. TILLMAN. I have observed that it is the desire and ambition of his life, on the part of the Senator from Rhode Island [Mr. ALDRICH], to inveigle or bamboozle or wheedle or persuade, or whatever other instrumentality he may use, enough Southern Democrats, so-called or actual, to clamor for protection on some little item in the bill which will give them some little part of this swill. [Laughter.] I am reminded of

a scene which I have witnessed in the past, when I was on the farm and was feeding pigs. The pretense of a protective tariff is that we must have our "infant industries" protected against foreign pauper labor. All of us who are acquainted with farms and farming know that young pigs do need a little help about weaning time, and a good farmer will provide a trough apart from the herd of hogs, a kind of pen, for instance, with a little trough in it, in which he will feed these youngsters just when the mother has ceased to care for them. That is protecting an infant industry. If he is a good farmer, he will continue to feed those pigs along until they have reached a period when the greatest profit in the food going into the meat will have arrived, and then he will slaughter them. But his trough will have to grow in length and in depth and in width and otherwise. He will have to provide an increase of food, but the good farmer will always stop feeding as soon as he has reached a point where the food is merely turned into them to maintain them without increase, leaving no profit.

Will the Senator from North Dakota contend that it is wise policy and statesmanship for us, as Americans, to continue to feed the hogs just because they are hogs? [Laughter.] In other words, to protect these fellows with tusks as long as my arm, like Carnegie and Schwab and that crowd?

Is there any honest pretense or excuse that in the iron schedule the manufacturers of iron and steel rails, for instance, now need any protection? Can we not prove by facts and figures that we can manufacture steel cheaper than it can be manufactured in France or in England? Was it not proved in the bidding by the British Government for the construction of a bridge at Atbara, some 10 or 12 years ago, that American manufacturers of structural steel got the contract because they could beat the German, the Frenchman, and the Englishman? Yet Carnegie, and Schwab and Corey and Gary, and that bunch, have such control and influence, that the iron schedule is maintained at the maximum, away up yonder, far above any reasonable and decent revision. What are these people but hogs with their snouts in the troughs of the American taxpayer and consumer? I say that we want a decent tariff; we want a tariff which will levy enough on those things which can pay something like an equal proportion of the burden, judging by the consumers, to give us what we need to support the Government administered economically. That is my idea of a tariff, and, if it protects anybody, let him get it. I will even go further. I believe it is for the best interests of the people of this country that we should produce everything that we can in America. But there are certain things we can not produce, and why should we pretend to levy tribute upon one-half or two-thirds or three-fourths or nine-tenths of the people of the country to benefit a few? That is your doctrine and that is the difference between genuine Democracy and Republicanism.

Mr. McCUMBER. Mr. President, it would be a pleasure to follow up each line of argument that has been made by the Senator from South Carolina; but if I did that it would take considerable time that I desire to give to the particular subject under discussion. The Senator's illustrations are generally apt. I think, however, they are a little off when he accuses all of his colleagues on that side, or the great majority of them, of being bamboozled or wheedled over into the Republican ranks. I will admit with the Senator that they are jumping over each other in order to get upon the great American band wagon of protection, but I believe they are doing it because they think that it is for the best interests of the American people. When I apply the policy of protection I try to apply it to all the American people, because we are all producers and we are all consumers, and a policy of protection which is properly levied would help the producer on the one side who becomes the consumer upon the other side. I know that the doctrine of Democracy has been opposed to that. I know that your people have declared again and again that the protective policy always made some men rich, who are always the other people, and always made your own people poor. I have not found that to be the case. I have never found a policy which helped one class of the American people that did not help the other classes of the American people.

We may divide this country practically into two great classes—those whom we will call the agricultural class, who produce things to eat, and the manufacturing class, who produce things to wear and to shelter us. The $40,000,000,000, or thereabouts, of American internal commerce is the trade of one thing for another, the trading of things to eat for things to wear and shelter.

The value of any product, as every thinking man must know, is fixed by the demand in the field of consumption and not the value in the field of production. If you have nothing but destitution and poverty at the place of consumption, you will not secure very high prices for your goods at the place of production. If the farmers of this country raise 600,000,000 bushels of wheat for a home consumption that will take up every bushel of it they are far better off than they would be if they had to force their product into foreign countries against the production of the entire world, and I hope the time is not far distant, Mr. President, when we will not export one bushel of grain or flour. I believe that time is very near at hand. If the farmer's crop fails or if he gets poor prices for his crop, he is just that much crippled in buying the manufacturer's products and the manufacturer suffers accordingly. If, on the other hand, by the adoption of a policy which takes away protection to our manufacturing industries, we close our mills and factories and pauperize half of our population, the natural consumers of the farmer's products, the farmer will suffer just to the extent of the injury that is inflicted upon the manufacturing class.

I want a policy that will help both sides. I deny that any political policy can make one-half of the American people rich and the other half poor at the same time. Why, my friend, returning to your hog proposition, that Democratic fallacy is no more of a fallacy than the declaration that the farmer can feed his grown pig in such a manner that he will grow fat on one side and lean on the other side at the same time. [Laughter.] The one is a physical, the other an industrial impossibility. Any just policy that will hold for higher prices to the American people throughout is a policy that we are bound to follow.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. With pleasure.

Mr. TILLMAN. I should like to call the Senator's attention to this phase of the hog proposition, and ask him a question. Does a hog ever get grown? Does he ever quit putting on flesh and fat?

Mr. McCUMBER. Mr. President, the American people have not reached their ultimate growth.

Mr. TILLMAN. No, but some of our industries have.

Mr. McCUMBER. The American people do need to be protected as long as they are growing. One industry alone does not make up all of the industries of the American people. There may be a duty upon the steel industry to-day that is too high, and if the Senator will show me wherein one single schedule is beyond a reasonable protective point when we come to the discussion of those schedules, then I certainly will vote with him. I have not time to take up each schedule now, and I purpose to speak of only one proposition.

Mr. TILLMAN. I want to ask again, Does a hog ever get grown?

Mr. McCUMBER. The American people, if you want to apply the hog proposition to them, have not attained their full growth yet.

Mr. TILLMAN. I understand that; but that is a neat dodge of the Senator so as not to answer the direct question.

Mr. McCUMBER. Mr. President, everybody dodges anything that the Senator from South Carolina wants to get hold of.

Mr. TILLMAN. Sometimes a good many of you have dodged.

Mr. McCUMBER. The only simon-pure honest man in the whole world is the Senator from South Carolina. I have discussed, and other Senators have discussed, this question very often with the Senator from South Carolina, and again and again he has spoken from his seat challenging the integrity of every Senator who may possibly disagree with him upon any possible subject. I do wish that for once in his life the Senator would get it out of his mind that the Lord Almighty has tied up all of the sincerity and honesty in the world in his hide. It is not true. There are other men that can be sincere, Mr. President, who disagree with the Senator from South Carolina.

Mr. TILLMAN. Now, Mr. President, will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. With pleasure, always.

Mr. TILLMAN. I leave it to my colleagues here whether or not the criticism which has just been passed upon me of being egotistical and having self-idolatry and vanity enough to assume that I am the only honest man is true or not. I asked the Senator the plain question, Did he know whether a hog ever gets grown or not, and he ought to be man enough to say "yes" or "no."

Mr. McCUMBER. If the Senator, a cornfield lawyer, does not know to-day when a hog gets its growth, I shall not try to instruct him.

Mr. TILLMAN. Yes, but if the Senator from North Dakota, who is not a cornfield lawyer, but another kind of lawyer, has not got courage enough or honesty enough to answer a plain question "yes" or "no," we all know what he means by it.

Mr. McCUMBER. Oh, Mr. President, the reason I do not answer is that I am not going to tell the Senator that h-o-g spells hog. I presume that he has gone through his primer long ago and does not need to ask of intelligent men questions of that kind that are as unworthy of answer as his last declaration is unworthy of the Senator that utters it.

Now, Mr. President, I will return to another matter that has been suggested by the Senator from South Carolina; and that is, that these men from the South are new converts and, like all new converts, always go to extremes. They have been new converts, and they do go to extremes. I can not imagine how any one of them who lived in the United States from 1893 to 1897 could help being a convert to any kind of a new political faith; and, being converts, I will excuse them for their excessive zeal, because, like all converts to any new political faith or to any new creed or ism, they always carry their doctrines beyond those of the old school. They are going to vote and preach for policies of protection that even Republicans would blush to urge.

Mr. President, with the breaking up of the old party lines upon the principal question that has heretofore divided the two great political parties—the principle of protection—and with the force and energy of the Democracy bearing in favor of high tariff, it seems to me that it is most pertinent and proper that we should return to first principles to guide us in our future action in the fixing of any particular rate upon any particular article.

What are the principles that constitute the foundation of our Republican doctrine of protection? We seem to have forgotten them on both sides of this Chamber. Those principles have been reiterated again and again in almost every political campaign wherein that question has been raised. What are they? They are, first, the development of an industry that is capable of development. There is the first proposition. If an industry is incapable of development, if it is incapable of expansion, then there is no reason in the world for having a protective duty applied to that particular industry. I may go further and agree with my friend from South Carolina that if an industry, having been protected during a number of years, has reached the limit of expansion and, by reason of the exhaustion of the raw material, is bound to reach a state of extinction in a very short time, then the principle of protection has no further application whatever to that particular industry.

The second principle is that by expansion and development there will ultimately follow decreased cost to the consumer. We can not allow ourselves to forget that the consumers of any one article must necessarily vastly exceed in number the producers of such article, and the system which will continually compel the greater number to pay a tribute to the few without a corresponding benefit must be inequitable and unjust. In other words, the compensation to the consumer for the payment of an extra price to the producer to-day is that he shall be called upon to pay a less price than he otherwise would to-morrow.

So far, nearly every article on which a duty has been levied has responded to that idea, has resulted in such diminished cost to the consumer that to-day all the comforts and nearly all of the luxuries are within the grasp of men and women of moderate earning capacity.

Or, placing it in another form, a given amount of expended labor produces more comforts and more luxuries to-day than ever before in the history of the world; and to the principle of protection is due the credit for these blessings.

I shall not stop to discuss here the reason for it now. The truth will be brought home to us most vividly by the immediate enhancement of values whenever a single industry is crowded out of existence.

But whenever, by reason of the exhaustion of the raw material out of which any article is manufactured, the price must become more and more to the customer, the reason for the protection falls, and with it should fall the duty which is given that protection.

The third principle is that protection gives employment to our own people. But here again it can only be justified when such employment can either be increased by the protection or at least remain stationary.

There is no economic gain which decreases the opportunity for future employment in an exact ratio to the increase of present employment. There is no principle of protection which will sacrifice the immediate future to the present.

From each and all of these principles follow a deduction that is as mathematically correct as that 3 and 2 make 5. That deduction expressed in a simple proposition is this: No resources of the country which when once utilized can not be reproduced, and which are certain of exhaustion in a comparatively few years, should be protected against importations. No tariff should be levied upon iron, coal, oil, or timber where a duty upon any one of these articles contravenes every principle of the protective policy of the Nation.

First, because production is incapable of expansion without corresponding exhaustion.

Second, because, as we near exhaustion, the values necessarily increase and can not decrease.

Third, because, instead of increasing employment of labor, the final result is to discontinue employment of labor entirely.

Mr. President, if it is true that we are certain to exhaust our timber supply in a very few years, then there can be no justification for a protective policy applied to that timber for the purpose of expanding the industry. The proposition that we will have cheaper lumber by greater expansion and development of business gives way to the economic principle that we will have higher lumber by reason of exhaustion of the raw material of which it is composed. There are other reasons for placing lumber upon the free list.

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. With pleasure.

Mr. PILES. I want to see if I understood the Senator correctly. I take it from his argument that he believes the removal of the duty on lumber would conserve the forests. Is that the Senator's position?

Mr. McCUMBER. I certainly do. I will touch on that point a little further on. I have heard the arguments on the other side, and I will balance what I have to say on my side against the proposition which I know the Senator has in his mind, that cheap lumber means the waste of a great portion of every tree that is cut.

Mr. PILES. As I understand, the Senator argues—and I heard him say yesterday—that the timber supply would be exhausted within thirty years. I understand him to argue to-day that it would be better for the present generation to work at reduced wage in the mills and the woods for the next thirty years, just to continue our lumber business.

Mr. McCUMBER. Oh, no; Mr. President. I have never thought for one moment, nor do I believe now, with the consumption of a raw product which is becoming absolutely extinguished at the rate, at least in my opinion—the increase of population considered—of 5 per cent per year, that it can ever go down to such a price that it will not give reasonable employment to labor so long as it lasts.

Mr. PILES. But does not the Senator admit——

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from North Dakota yield?

Mr. McCUMBER. I yield to either. I do not care which is first.

Mr. SCOTT. I wish to ask the Senator from North Dakota if he could not find something else that we have in West Virginia which he thinks should not be protected? The good Lord made it possible for us to find oil and coal and iron ore and lumber in my State. It was His great privilege to give the Dakotas a great soil—6 or 8 feet thick—on which they can raise grain for a great many years. The Senator, I suppose, thinks the Lord discriminated in his favor and against us, because we happen to be a mountainous State filled with minerals, with oil, with coal, lumber, and that therefore we should have no protection; that he should have 70 per cent on barley and an additional protection on grain, and of course we are not to be considered in any revision, except merely to put us out of business. I suppose the Senator thinks that the Lord did not intend for anybody to live in West Virginia.

He wants free nails, free iron and steel products of all kinds, free lumber, free coal, free oil out in North Dakota, and at the same time pleads that the products of his State must be placed on the dutiable list. Mr. President, I believe in protection that protects everywhere. As I said at length in the Senate, on Tuesday, I would extend to the products of every State, agricultural or manufactured, the same protection I ask to be given to the products of the State of West Virginia—agricultural or manufactured. I can not understand why a Senator in favor of protection desires the products of his own State taken care of and the products of another State placed on the free list. I

believe that protection should protect the American people as a whole and not the citizens of one State at the expense of the citizens of another.

Mr. McCUMBER. The Senator's excessive duty on barley, 70 per cent, and the like, agrees entirely with the excessive idea he has concerning the condition of the State of West Virginia. I listened to an argument from the Senator himself the other day about those bleak hills in West Virginia. He had them covered with sheep and with cattle, some of the best cattle in the world, whose excellent meat was to supply the plate of King Edward, and sheep that excelled anything else in the United States.

Mr. SCOTT. That is true.

Mr. McCUMBER. And other agricultural products—and now he says they have not anything but coal and wood and a little oil.

Mr. SCOTT. Mr. President, the Senator must not misquote me. I did not say we had nothing else.

Mr. McCUMBER. That was the conclusion I rather drew——

Mr. SCOTT. Yes; that you drew.

Mr. McCUMBER (continuing). From the Senator's argument. Now let us see. I did not intend to reach that point just at this moment, but I may as well take it up right now, because my friends on the other side have again and again asked us why we who are asking for protection on our agricultural products are not willing to give them protection for timber and coal and oil and iron. I have already given the fundamental reasons—because, I answer, protection upon any one of those articles, when they are about to be exhausted, contravenes every principle of the Republican doctrine of protection. That is an answer in itself.

But, Mr. President, I want to take up the Senator's challenge along another line. His people probably manufacture wire nails there. They probably manufacture iron products. They probably manufacture cutlery and a thousand other iron products, and we have given protection higher upon those products than upon any agricultural products in the United States. We are giving upon some of those things protection whereby the domestic manufacturers have not only the entire trade of the United States on wire nails, but we have in addition enabled them to sell the product abroad year in and year out cheaper than they are selling it to us, and if the Senator wants any more of a sacrifice than that on the part of the great agricultural community, I do not know what it can be.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. In just one moment. I want to say we stand for protection upon every article which can be produced and reproduced again and again, but, as I stated yesterday, you can reproduce your nails, your wire, your fabrics, many times a year; and I will protect them. We can produce our crops but once during that time, and we ask protection upon them; but I want to tell the Senator that if it took us a hundred years to raise an ear of corn, as it takes a hundred years to produce that tree you cut this year, we would not ask for protection against importations.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. With pleasure, Mr. President.

Mr. HEYBURN. I should like to inquire of the Senator from North Dakota if he has estimated the decrease in the amount of timber that would be cut here had we free timber in this country?

Mr. McCUMBER. Yes; I have to a certain extent.

Mr. HEYBURN. What would it be?

Mr. McCUMBER. We are using now for lumber about forty and one quarter billion board feet. We are at present importing about nine hundred million feet from Canada. I am not certain that with a reduction of the tariff we would import more from Canada——

Mr. HEYBURN. Then——

Mr. McCUMBER. One moment. If removing the duty does not increase the importations from Canada, then it will not injure the American trade. If it does increase the importations from Canada, then we would save just to the extent that we increase the importations, assuming we would use about the same proportion of lumber each year per capita.

Mr. HEYBURN. I should like to ask the Senator if in his judgment the wages paid in this country to the people engaged in the lumbering business would be decreased by free lumber?

Mr. McCUMBER. If we increased the importations from Canada 20 per cent, we would naturally decrease the production here 20 per cent, and if we decrease the production we would naturally affect labor to that extent.

Mr. HEYBURN. I will ask the Senator if this proposition has occurred to him: Does it decrease the forests of this country any more rapidly if men work for a dollar a day less than if they received the standard wages? Would it affect the question of the exhaustion of the timber?

Mr. McCUMBER. Yes; it would affect the question of the exhaustion of the timber, because the greater the price for the timber in this country, naturally the greater would be the inclination to produce it, and as you increased the production you would naturally devastate our forests at the same ratio.

Mr. HEYBURN. I should like to ask another question, if the Senator will pardon me.

Mr. McCUMBER. I am always glad to get suggestions.

Mr. HEYBURN. Does the Senator contemplate that under free lumber the amount of lumber coming into this country would be greater than under existing conditions?

Mr. McCUMBER. I have already answered that.

Mr. HEYBURN. The quantity of lumber?

Mr. McCUMBER. I have already answered that. I believe that the quantity of lumber coming into this country would be slightly increased.

Mr. HEYBURN. Would the decreased production in this country tend to diminish profits and diminish the rates of labor?

Mr. McCUMBER. If we had inexhaustible forests, that reason would be a good and valid one, but inasmuch as we have not inexhaustible forests, there are other things more important to the American people to-day than the little price added as a compensation to those engaged in slaughtering our forests.

Mr. HEYBURN. I should like to ask another question. Would the forests be more rapidly exhausted, in the judgment of the Senator, at a wage rate of $2 a day than at $3 a day?

Mr. McCUMBER. I think I have answered that. I have answered it twice, I think. I can answer it a third time. The higher the price of lumber in this country the more rapidly, other things being equal, will be the exhaustion of the forests of this country, to reap the higher price.

Mr. HEYBURN. I will ask the Senator only one other question. Is this country producing more lumber than it needs to maintain existing conditions of prosperity?

Mr. McCUMBER. This country is not only producing practically all we use in the United States, except less than 1,000,000,000 feet, but it is also shipping abroad and out of this country a great many million feet.

Mr. SCOTT. Before the Senator returns to his set speech, may I ask him a question?

Mr. McCUMBER. I will say to the Senator I have no set speech.

Mr. SCOTT. I hoped the Senator had. Does the Senator think if the duty were taken off lumber entirely it would cheapen it to the consumer?

Mr. McCUMBER. I intended to come to that as I go along, but I may just as well answer it now.

Mr. SCOTT. There is another question I wish to ask. I will put them both in one.

Mr. McCUMBER. Very well.

Mr. SCOTT. When, some years ago, we took the duty off of coal, did it lessen the price to the consumer in North Dakota?

Mr. GALLINGER. Or in New England?

Mr. SCOTT. Yes.

Mr. McCUMBER. Preceding that condition we had a tie-up in our mines, which made coal extremely scarce for a while, and naturally while those conditions prevailed we would hardly expect coal to go down, either in the Dakotas or anywhere else, to an appreciable extent.

Mr. PILES and Mr. ELKINS addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from North Dakota yield?

Mr. McCUMBER. I will yield first to the Senator from Washington.

Mr. PILES. Before you get away from that subject, I want to get the Senator's attention to this point. The Senator said a moment ago that substantially whatever the importations from Canada were would save that much of the forests of the United States, and that would conserve our timber. I desire to ask the Senator if he does not know that the real struggle here is, on the part of Canada, to invade the American market with her low-grade material? Does he not know that in 1894 Canada issued a campaign document in which she showed to the people of the Canadian provinces that by reason of the reduction of the duty

on white pine to $1 Canada saved from 30 to 50 per cent of her common lumber, which she admitted through her government officials they had wasted in the forests; and if, as a matter of fact, the removal of the duty on lumber does not mean wasting from 30 to 50 per cent of the lumber that the American people own in American forests, because it simply gives to Canada the market for that rough lumber which we would have?

Mr. McCUMBER. During all the time of our tariff upon lumber, we have increased our exportations into Canada at a greater per cent than the importations from Canada have increased.

Mr. PILES. Yes, but——

Mr. McCUMBER. A moment. Canada still exports more into this country than we export into her country. But we are gaining over her exports to this country year by year under the present conditions, and we are outstripping her three to one in all the foreign markets of the world.

Mr. PILES. In the first place, the Senator from North Dakota, who has evidently investigated this question, knows that it is the higher grades of lumber produced in this country and not in existence in Canada that Canada takes from us. Let me give you an illustration right there.

Mr. McCUMBER. Shingles.

Mr. PILES. He is endeavoring to put shingles on the free list, for instance. Canada sold to us more than $2,000,000 worth last year, and we sold her $8,073 worth.

Mr. McCUMBER. I am very glad to have the Senator call my attention to that subject. Canada is giving the Americans a better grade of shingles than our producers are giving us.

Mr. PILES. I will reach the shingle question——

Mr. McCUMBER. I will reach it now.

Mr. PILES. All right.

Mr. McCUMBER. She is giving us a better grade than we are producing at home, a higher-priced grade, and we have been paying a higher price for them. Why? Because she has taken greater care in the selection and in the making of the grades than our American mills do.

Let me tell the Senator what happened a short time ago out in his own State. The shingle makers got together and discussed the tariff question, and they solemnly resolved that if we lowered the duties upon the shingle schedule in the United States they would do what? They would make better shingles. That is all.

Mr. PILES. Let me ask the Senator——

Mr. McCUMBER. That is all they will have to do—separate those shingles, give them the same care that is given at the Canadian mills in keeping the high grades together, and my belief is that you will be able to hold the high grades as against the Canadian importer.

Mr. PILES. But does not the Senator know that the shingles in Canada—and I speak now particularly of British Columbia—are made of the very highest grade of cedar.

Mr. McCUMBER. Yes.

Mr. PILES. Whereas upon the very line of forest conservation of which the Senator has been speaking we go into our logged-off land and cut down old stumps and make them into a shingle that is just as good as the British Columbia shingle, but not probably so good looking. We are conserving the forests, extending the timber supply of the people of this country for many years yet to come, while the Senator would want us to destroy it in order to give our markets to Canada.

Mr. McCUMBER. Anyway, the American buys British Columbia shingles at a higher price, I think, than he pays for American shingles, because he regards them as a better selected shingle.

There are three counties in the Senator's own State, as I understand, that have practically as good cedar as there is in British Columbia. I am not certain it is just as good, but I understand it is just as good timber for the manufacture of shingles, and they will be able to manufacture them——

Mr. PILES. I should like to explain that to the Senator.

Mr. McCUMBER. I will say to the Senator I will take that up logically in just a moment.

Mr. BEVERIDGE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Indiana.

Mr. BEVERIDGE. Is it the Senator's conclusion that if the tariff was taken off Canadian shingles the American people would get at a cheaper price those superior shingles, which they must buy anyhow?

Mr. McCUMBER. Without discussing the question whether the price would be cheaper or higher, because I believe lumber is going to the skies anyway, no matter what we may do, I believe that we would get a better class of shingles probably for the same price.

Mr. ELKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. McCUMBER. Certainly.

Mr. ELKINS. I wish to ask the Senator a question. I believe it is his theory that because when you cut down a tree it is destroyed forever, therefore lumber should be put on the free list; that the tree is utterly destroyed and extinguished and can not be reproduced; that any article or product that by use is extinguished or destroyed, such as coal, oil, and lumber, should not be protected, but its existence prolonged by bringing in such articles and products from foreign countries.

Mr. McCUMBER. The tree can not be reproduced in any reasonable length of time, and can only be reproduced at enormous expense.

Mr. ELKINS. With the Senator's consent——

Mr. PILES. I should like——

Mr. ELKINS. Wait.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I can yield to only one at a time.

Mr. ELKINS. And the Senator declares as the reason for putting a duty on barley and wheat is that they can be reproduced every year.

Mr. McCUMBER. The same as upon wire nails and a thousand other articles.

Mr. ELKINS. Wait. You can not eat wire and nails.

Mr. McCUMBER. You consume them. You can not eat lumber.

Mr. ELKINS. How does the Senator reconcile this situation or condition: The soil that produces wheat, barley, and oats gives out. Forty or fifty years ago New York was a wheat-producing country. Now you can not get wheat out of the soil of New York and not out of Ohio, West Virginia, or the older States. Does it not occur to the Senator that the very soil in his State which produces barley and wheat so wonderfully now may give out, and it is certain to give out if the rule holds good in his State as it has in others. And if it does, why should we not apply to it his rule of not levying a duty? Why should not barley, oats, wheat, and other farm products for the same reason be put upon the free list, because the soil in his State will give out ultimately? Its fertility is not assured, but is temporary in its richness as in the other States.

Mr. McCUMBER. There are some pretty old countries in this world which have had their soil cultivated for thousands of years and yet the soil has not given out; and I maintain that whenever the American people protect their soil as the soil is protected in Germany, Holland, France, and Italy, and in the little kingdom of Japan, we will never exhaust it. If it is properly taken care of, as it is in Great Britain, it will become better soil year after year instead of becoming exhausted.

The second proposition is that even though we have to change from wheat we will change to some other crop. But these great mountain sides are fitted for no other purpose than to grow timber for the purpose of conserving our waters; for the purpose of maintaining our streams at the present flow; for the purpose of checking floods; and for the purpose of protecting the mills that are run by those streams.

Mr. ELKINS. The Senator has admitted that the soil will give out.

Mr. McCUMBER. No, I have not admitted anything of the kind.

Mr. ELKINS. He has said they would change from barley and wheat to something else; and he cites Great Britain. Great Britain can not raise enough wheat to supply herself, nor can any of the countries of Europe.

Mr. McCUMBER. Great Britain raises a great deal more wheat to the acre than we do.

Mr. ELKINS. But she does not raise enough, and, as I understand, her soil is exhausted, and restoring it is so expensive that raising wheat and grain is not profitable.

Mr. McCUMBER. It is because she has too many people for her little territory that she does not raise sufficient.

Mr. ELKINS. I want to submit to the Senator this proposition: Just because the timber industry is an expiring one, a disappearing one, and can not last forever—although I do not know what is in his mind as to the length of time, whether a hundred or two hundred years—the investor in timber lands and the lumber industry is not to enjoy any protection. I think the case is parallel with the soil giving out, and that barley and

wheat will not last, and therefore every product in his State, if you please, will pass away, and therefore should not be protected. In the wreck of matter and the crash of worlds this earth and even the stars will give way and become dust, and therefore we must not impose a duty upon anything not permanent. Nothing is permanent; nothing will endure forever. So your rule would apply to any article produced, because all articles or products must pass away. How long must a product last to be entitled to protection? What number of years—fifty years, a hundred years, or two hundred years? If it is going out in five years, then it must not be protected and be open, free to the world and foreign labor, and there must be no duty on it—no protection. What is to become of the capitalists who have invested in timber lands and sawmills and the people who depend on the lumber industry? Are they not to be considered in taking account of American industries? Take the capitalist who invests his money and is ready to carry on the business. Must he be stricken down because timber will some day give out and is a disappearing industry?

Mr. McCUMBER. I can see a little bit of difference; possibly it is very slight to the Senator from West Virginia, but I can see a considerable difference between thirty years from to-day and that future time when the sun shall burn itself to ashes. I can see a reason for applying a principle to conditions as they exist to-day and to conditions as they are bound to exist within a very few years, and applying it to some far-off period beyond our imagination.

I am now going to hold to my text a little while. I want to answer any question, but I do not want this address to consist of questions and answers.

Recapitulating, I said that I object to a tariff duty on any of those articles which once utilized become forever exhausted to the American people, where the exhaustion is clearly within the immediate future. Why? Because the iron, coal, timber, and oil are bound to be exhausted in this country within a very short time; because the industry is incapable of expansion without a corresponding exhaustion; because the values increase instead of diminish as we reach the period of exhaustion; and finally because the ultimate result will be to discontinue labor upon those articles entirely, and that within a very short time.

Mr. President, when will this become exhausted? One of the greatest speeches that I have ever read in my life, one full of meat, one replete with warning to the American people, is the address given by Mr. James J. Hill on the 3d day of September, 1906, upon the squandered resources of the American people. In that address, in which he went very clearly and fully into the subject, referring to very many treatises upon the question of the exhaustion of these national resources, he announced that coal could not last over one hundred years, even at the present rate of consumption; that available iron ore, at the present rate of consumption, could not last more than fifty years. I do not think that this comes from his address, but, from the best information I can get, at the present rate of consumption the lumber supply of this country will be exhausted in about thirty years and the oil fields will be exhausted in anywhere from twenty to fifty years, depending upon the new fields that may possibly be found in other sections of the country.

Mr. President, from my view point I am forced, therefore, to vote against a duty upon those particular articles unless I am convinced that the duty will not check importations. I am a little inclined to think that a small duty upon iron ore will not check importations whatever. I know that no country upon the face of the earth can compete with the United States Steel Corporation in the production of iron ore along the shores of Lake Superior. There may be certain points where there would be some competition between the home production and the foreign production, but my conviction is that at those points the importation would come in whether we put a small duty upon it or not, and therefore I shall not object seriously to a small duty upon iron ore. Such duty would be a revenue and not a protective duty. I only want the duties to be so low that exorbitant prices can not be charged.

Mr. President, I think with the exception of those four articles I stand as strong a protectionist as any Member upon this floor. If I differ in any way from those upon the Finance Committee on the question of duties, it is a difference upon the application of what is the proper duty and not a difference upon the question of protection itself.

There should be some rule, it seems to me, that should guide us in the levying of a duty, and we seem to have forgotten that rule entirely. What is it? It has been declared again and again by the present occupant of the White House in his addresses before the American public. It is that every duty should measure the difference between the cost of the foreign product and the cost of the same product in this country, which, of course, will include a reasonable return upon the investment, and I may add that it ought to be enough more to justify the risk in the trade. We can not expect capital to invest in any business if we simply say, "We will not let you make more than 6 or 8 or 10 per cent." If we were to state the exact amount which they should receive as a reasonable profit under favorable conditions, then we would be equally bound to declare that we would make good those prices under unfavorable conditions; and so that element should always be kept sight of in the fixing of any tariff schedules.

This probably can better be illustrated than defined. We will say that the raw material and labor upon an article produced in a foreign country amounts to 90 cents. A reasonable return upon the money invested and risk of investment we will say would be 10 cents. That would make the foreign cost of the article $1. Now we find that the cost of the raw material plus the cost of labor in this country for the production of the same article is $1.40, and that a reasonable return upon the investment and risk is 10 cents. That would make the cost of the article in this country $1.50. Eliminating the cost of transportation, this would put the foreigner and the American upon the same footing in the markets of our country. The tariff, therefore, ought to be a sufficient amount above that to give the American a preference in his home field. Ordinarily the difference in the cost of transportation will give him that preference.

A tariff based upon this principle never could become oppressive to the consumer. The American in the case cited could make a reasonable profit by selling his article for $1.50. Now the effect of a tariff just sufficent to be a protection will always be to keep the purchase price of an article in this country on a reasonable basis by a self-acting adjustment. If the American should sell this article for $1.60 which he can sell at a good profit at $1.50, the foreign merchant can then afford to pay the tariff and make a reasonable profit. And if such prices should be kept up for any length of time, the influx of foreign goods would drive the price downward, thus compelling the American manufacturer at all times to sell for a reasonable price in order to hold the American field. Of course if we make the tariff in the case cited 75 cents or $1 instead of 50 cents, the exorbitant prices could still be charged without danger of importations. This condition we should avoid.

Therefore, as a foundation for a perfect protective system in this country, we ought to be armed with full information as to comparative cost of production of every article without and within this country. For the most part we have not such facts before us. I presume if one would go through the eight or ten thousand pages of House hearings he could pick up considerable along that line. But nothing is presented to us in an orderly, logical, or accurate manner upon this most important subject. As I am forced to act without the information which I would like to have to aid me in the duty of fixing rates, I feel more than ever the necessity of some commission or bureau whose duty it shall be to ascertain these facts every year and keep Congress informed upon them. I do not think we need a commission to pass judgment on what we should do. Congress is charged with the duty of exercising the judgment. We should have a commission or bureau to furnish the facts upon which the judgment could be based.

We are not, however, wholly without information along this line. Assuming that the selling price of an article in any country has some proper relation to the cost of production in such country, we probably have information that might be called a substitute for that bearing upon cost. A large portion of our duties are ad valorem and we have, therefore, the selling price at home and abroad which has been utilized in making up these schedules.

If we can find any instance in which the spread between the cost of production at home and abroad is more than enough to measure what would be a reasonable protection, I stand with any Democrat or any Republican to reduce it down to what is reasonable, but never below the protective principle upon the basis of the present prices of wages.

I wish now to consider the duties imposed upon lumber, coal, iron, and natural resources which, by use, become lost to the country. Under my theory the protection of every article which comes from the soil directly or indirectly and can be reproduced again and again ought to be under good and sufficient protection. Every article of manufacture from our looms, every fabric, every one of the thousands upon thousands of manufactured articles should be amply protected. We pay at least double the amount of wages to every laborer in the United States that is paid in any other country in the world. That higher priced labor necessarily places all articles which come from labor upon a higher plane of value. In order to maintain the higher price for the labor it is absolutely necessary to maintain the higher price of the products. If the laborers of this country as a whole produce no more than is consumed in the country, very little gain would be had by reason of remaining upon this plane of higher values for everything. But whenever as a whole the laborer produces much more than he purchases, the high-priced value of the articles and his labor which produced them must necessarily inure to his advantage. I want to show that these rules have no application to those articles which I have mentioned.

Mr. President, the first great sovereign duty, a duty transcending all political fealty or partisan affiliation, is the duty of the Government to subserve the interests of the people.

As the first duty of the head of a family is to safeguard the interest of the generation that is to succeed him, so also the highest and most sacred duty of government is to conserve, not alone for the next generation, but for all future generations undiminished, except so far as may be necessary for the present, the great resources of the country.

I have no patience with the doctrine so often preached that we owe nothing to the future; that the future must take care of itself, and that it will undoubtedly find means to do so.

This is not alone our country. It belongs to our children's children. We have the right to use it, but not the right to so use it as to destroy its use to them. I know people still scoff at the idea of conserving our great resources for the future and call it "pessimism."

Great Britain long supposed that with her coal and iron she would be able to rule the markets of the world. To-day her mills are empty, her almshouses are filled to overflowing. Destitution settles like an ominous cloud over that great Empire. I read that an advertisement for a butler at $4.50 per week brought 4,500 answers. What is the trouble? Why is she so unprosperous at a time when her German competitor has been forging ahead at a most rapid pace? The answer is the exhaustion of her available coal and iron. She must now go so deep into the bowels of the earth that the added expense of those two great products so necessary to her vast manufacturing purposes renders it impossible for her to produce at her old rates, and her markets have left her. Here is an answer to those who say: "Let each generation take care of itself."

Great Britain is in the condition where we will be the moment we have exhausted all of our supplies, our natural resources, and are depending entirely upon the foreign product. For my part, Mr. President, I want to prolong that day just as long as it is possible for me to do so.

Mr. President, prosperity makes us so optimistic that we take no cognizance whatever of our destructive tendencies. There is not a Senator here who can not remember the song—

Uncle Sam is rich enough
To buy us all a farm.

We kept that old song ringing in our ears until Uncle Sam was compelled to pay millions upon millions of dollars to dig irrigating ditches to make farms for his land-hungry people.

I have heard this idea about our inexhaustible natural resources advanced ever since I can remember. It has been preached up to the very present time. Then it suddenly dawned upon us that all those resources could last but a few years. Those people who were interested directly in the particular resources were the first to discover that there was a shortage. While the old songs were floating through the atmosphere these men were working night and day to get hold of all the available coal and oil fields, all the iron fields, and all the great forests of the country. When too late, we find that our resources are about exhausted, and the little left is in the hands of the few. After we had denuded the old White Mountains of their forests, after we had destroyed the timber upon the Appalachians, after the farms were being washed away and destroyed and fires had made a desert over this section, we comprehended our extravagance. Then the Senator from New York [Mr. DEPEW] introduces a bill that will cost this Government not millions, but billions of dollars to reforest the Appalachian chain of mountains and to produce the old conditions.

A herd of hungry steers in a cornfield destroying twice as much as they consume but faintly illustrates the devastation of the timber resources of this country for the past forty years. And yet we are asked to continue the same policy unchecked until the last tree is felled.

This, Mr. President, ought to be a vivid picture to those people who say that there is no other duty the American people owe to future generations except making higher prices for the laborers engaged in the manufacture of lumber.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. With pleasure.

Mr. GALLINGER. The Senator has figured out that unless we have free lumber our lumber supply is to disappear in twenty years.

Mr. McCUMBER. In thirty years.

Mr. GALLINGER. The Senator said it was disappearing at the rate of 5 per cent per year, and that would take twenty years. Can the Senator tell us how large the lumber supply of Canada is?

Mr. McCUMBER. I will before I get through. I have the figures here and I will give them.

Mr. GALLINGER. Is it correct that Canada has less than half as much lumber as the United States?

Mr. McCUMBER. I think it is 14 per cent upon the mountainous district of the West.

Mr. GALLINGER. If that is the supply we are to draw from, how many years is it going to extend the time when the United States will have lost its lumber product?

Again, if we have free lumber and we draw from Canada, how long is Canada going to let us have any of her lumber? She is going to protect herself. She is a wise country.

It seems to me that the Senator is not going to put the evil day away very many years by his free-lumber proposition, but is going to put out of employment, on the basis of 20 per cent reduction, 160,000 American workingmen, and the capital they represent.

Mr. McCUMBER. Oh, Mr. President, we gave employment to the American laborers when lumber was 50 per cent cheaper than it is to-day, only about seven years ago. We will probably give reasonable employment to the laborers in the future. I am not for one moment supposing that if we have free lumber we are going to close up our mills. I am not supposing that we are going to close a single mill, but I do believe that we will retard, in the future, the growing rapidity of the destruction of our American forests.

Mr. GALLINGER. Mr. President, if the Senator will permit me, he has said that we will import 20 per cent from Canada. If that be so, it must put out of commission 20 per cent of the 800,000 men who are now working in the lumber industry. It seems to me that is a mathematical conclusion that the Senator's oratory can not get rid of. If that be so, then I do not see where the gain is to be.

Then as to the reduced price of lumber; if the Senator will take the statement of Mr. Charlton, a very eminent Canadian, he will see that Mr. Charlton says that they do not expect that there will be any reduction in the price of lumber. He says that they want free trade to get their product into the United States and get the American price for it. So our people will not get any benefit from that, but we will lose labor for one-fifth of the men who are now engaged in our lumber industry, and Canada, that has only 14 or 15 per cent as much timber as we have, will not allow us to take all her timber before she puts an embargo upon it.

I do not see how the Senator's scheme is going to greatly extend the time when the timber product of the United States is going to be destroyed.

I do not personally take any stock in either the twenty or thirty year period that the Senator fixes as a time when we are going to see the last tree felled in the United States. It is not going to happen, whether we have free lumber or not.

Mr. McCUMBER. I will tell you why it will not happen, if it does not happen. It will only be checked by such exorbitant prices for lumber as will compel the American people to have a substitute for lumber for building material and for the other purposes for which our lumber is to be used. That is the only thing in the world I can conceive of that will prevent the lumber prices from going to the skies, and the consequent exhaustion of our lumber districts as the prices go up. There is a limit beyond which we can not go even in the prices that we put upon lumber, and that is the limit of the ability of the people to purchase lumber.

Mr. President, since human civilization began, lumber has been used in the construction of homes. I have reason to believe that lumber will still continue to be the chief article, not only for furniture, but for vehicles, for transportation, and in the American home. I want that lumber to be just as cheap as

it can be, because I believe in the good home as an American civilizer. I believe in it, because I believe that the larger and the more elegant the home the better civilization, the higher American refinement, and I, for one, want to put off just as long as I can the time of compelling the American people to live in stalls.

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I yield to the Senator.

Mr. PILES. I wish to ask the Senator if free lumber would reduce the price to the consumer?

Mr. McCUMBER. I have been answering that question over and over again.

Mr. PILES. I did not hear it.

Mr. McCUMBER. My belief is that with the exhaustion of the timber lands of this country the price of lumber is bound to go up, tariff or no tariff. Now, that is my answer, and I hope it will be remembered by the Senator.

Mr. PILES. Then I understand the Senator to say that the removal of this duty and the admission of the Canadian product into our country will not reduce the price to the consumer?

Mr. McCUMBER. I do not believe that lumber is going down materially at any future stage. I do believe that if we have free lumber we will check a too rapid rise of the product, and for that purpose it will be beneficial, because the exhaustion is going on in British Columbia, in Canada, almost as much in percentage to the amount of lumber that she has as it is going on in the United States.

Mr. President, nothing in the whole schedule of articles used by the American people has ascended the ladder of exorbitant prices so high and so rapidly as the price of lumber. There has been no other article, necessity or luxury, in the United States that has increased so rapidly in the last fifteen years as has the price of lumber; and when I speak of the price of lumber I mean the wholesale price and not the retail price. I will give a table along that line after a while. To-day it is out of proportion to practically every other article of necessity upon the market.

Here is a table showing the wholesale prices f. o. b., the mill prices, at Marinette, Wis. I am giving the prices now at the mill in 1892 and in 1907.

Mr. PILES. What is the character of the lumber?

Mr. McCUMBER. I will give the character of the lumber.

Mr. PILES. What is the year?

Mr. McCUMBER. I take the year 1892, the last year of Harrison's administration, and 1907, just before the panic.

Fencing, 4-inch No. 1, in 1892, $12. This was the price per 1,000 feet. In 1907, $30.

Six-inch No. 1, 1892, $15; 1907, $32.

Common boards, 8-inch No. 1 stock, $12.50 and $30.

Flooring No. 1, $16.50 and $33.

Piece stuff, 2 by 4, $11.50 and $23.

Three by 12 of the same, $11.50 and $31.50.

I will make this table a part of my remarks.

The table referred to is as follows:

	1892.	1907.
Fencing:		
4-inch No. 1	$12.00	$30.00
6-inch No. 1	15.00	32.00
Common boards:		
8-inch No. 1	12.50	30.00
12-inch No. 1	14.00	37.00
Flooring:		
No. 1	16.50	33.00
Piece stuff:		
2 x 4	11.50	23.00
3 x 12	11.50	31.50

Mr. PILES. Where does the Senator get these figures?

Mr. McCUMBER. You will find them in the tariff hearings, page 3132.

Mr. PILES. I understand the Senator to take the two years 1892 and 1907.

Mr. McCUMBER. 1892 and 1907.

Mr. PILES. The Senator takes the year in which lumber was the highest throughout the United States.

Mr. McCUMBER. I will correct that statement. It was not the highest. It was higher in 1905 and 1906 on an average than in 1907.

Mr. PILES. It was not higher in 1905.

Mr. McCUMBER. Authorities differ. I take my statement from Mr. Wells, a Michigan lumberman, who says that the highest prices for lumber were in 1905 and 1906. He produced it and sold it. I of course can not go into a controversy over that question with the Senator, because we must both rely upon the figures that are given.

Mr. PILES. May I ask the Senator further, does he think it fair to make an estimate of the increase in price of lumber from 1892 and jump the intervening years and come to 1907, when lumber had reached practically its highest figure? It has now dropped off from 30 to 40 per cent.

Mr. McCUMBER. Mr. President, I certainly would think 1908 a very improper year to include in an estimate, following the panic of 1907, with a great fall in price. I am leaving disagreeable periods out of the computation entirely. I can not imagine any worse condition than from 1893 to 1897. I am leaving that abnormal Democratic period out of consideration entirely, and I will leave this rather abnormal Republican period out of consideration, that of 1908. Upon the whole, however, there has been a gradual rise in the price all along from 1892, under normal conditions, to 1907, under equally normal conditions.

Mr. PILES. But, if the Senator will pardon me right there——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I do.

Mr. PILES. The Senator has no table for any year that can embarrass me as to the wholesale price of lumber at the mill. I have a table here from one of the mills in the State of Washington, from 1895 down to 1909, covering a period of thirteen years, which shows the wholesale price to have been during that period $9.35½ a thousand. It will not do to say that in 1892 the price of lumber was so much, and that in 1907 it had reached a certain price, for the Senator knows that the price of lumber in 1907 was abnormal, and it is possible that it never will go to that price again in the history of this country. The Senator knows as well as I do that the Valparaiso disaster, the San Francisco disaster, and the constant, abnormal demand for lumber throughout this country produced the unusual and unreasonable price at that particular time.

Mr. McCUMBER. Mr. President, earthquakes did not affect us during all of those years. The abnormal condition in the city of San Francisco did not affect us during all of 1905, 1906, and 1907, and I candidly believe that if we return to what I regard as a normal condition—the condition of 1907—we shall return to the normal price of lumber during that period; and especially am I justified in that assertion when I see the increasing cost of stumpage in the United States, which will probably keep on increasing for the next few years.

Mr. President, what valid reason is there for such an enormous increase in the price of lumber during that period? It bears no relation—that is what I want to show——

Mr. DIXON. Mr. President——

Mr. McCUMBER. I will yield to the Senator in a moment.

It bears no relation whatever to the cost of production during that same period, as I shall show hereafter. The only valid reason, therefore, must be in the rapidly diminishing stock of timber in the United States; and upon that assumption I base the argument as to future prices; and nearly every one of the lumbermen and the lumber journals that have discussed this subject claim the same ratio of increase in the future as the raw material is diminished.

The PRESIDING OFFICER. Does the Senator from North Dakota now yield to the Senator from Montana?

Mr. McCUMBER. Certainly.

Mr. DIXON. What I understand the Senator to say is, that the wholesale price, f. o. b. at the point of manufacture, was $30 per thousand for common fencing lumber.

Mr. McCUMBER. That is as given here. I take this from the hearings. If the Senator will look on page 3132 of the House hearings——

Mr. DIXON. From what kind of trees was that $30 per thousand common fencing obtained?

Mr. McCUMBER. I presume from the ordinary pine, such as we get from Marinette, Wis. I gave the name of the particular mill.

Mr. DIXON. Is the Senator sure that the price he is now giving was not for mahogany? I never heard of $30 a thousand for common fencing lumber. I am sure the highest price ever obtained in my State was $15 a thousand at the mill.

Mr. McCUMBER. The producer of lumber who gave this testimony in the House hearings may have falsified the facts. I am not prepared to say that he did so. I am taking the statement that is given by him. I will follow it by other statements directly from the American Lumberman, showing equal advances in prices.

Mr. DIXON. But the Senator from North Dakota will remember that no timber in Minnesota or Wisconsin sells for over $15 a thousand on the stump. The logging and the milling do not cost over a dollar and a half or two dollars. I think surely there must be some misstatement in the figures which the Senator quoted, for you can buy flooring in Minneapolis, in the wholesale market, for $30 a thousand, and you can buy the best hard maple flooring in Minneapolis for $50 a thousand, dressed, tongued, and grooved.

Mr. McCUMBER. Yes. Now, Mr. President, I do not believe that the gentleman who gave this testimony and who, as I remember, was a lumber producer himself, gave a wrong statement, especially as he was asking for a tariff on lumber. I will follow that up with another table that is given in the tariff hearings. It is on page 3137 of the tariff hearings. The price of fencing in 1892—it does not give the month here—was $12, in 1907 it was $30, being an increase of 150 per cent. The price of common boards was then $12.50, in 1907 it was $30, being an increase of 140 per cent. The price of flooring was $16.50 in 1892 and in 1907 it rose to $33, an increase of 100 per cent. Piece stock—that is, two by fours, etc.—was increased from $11.50 to $23, or 100 per cent. Those prices are also given in the tariff hearings.

What other commodity in the whole United States which is used by the common people can show such an enormous or exorbitant rise during that period? I can not recall a single one, Mr. President.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I should like to finish this statement, but I will yield to the Senator from New Hampshire for a question.

Mr. GALLINGER. If the Senator will go to the last Yearbook of the Department of Agriculture, he will find that for the past five years there has been an increase of 41 per cent in wheat, 44 per cent in corn, 71 per cent in oats, 100 per cent on horses, 109 per cent on mules, 45 per cent on potatoes, and 45 per cent on cotton. I also find from a table that is before me that for the last five years there has been approximately an increase of 60 per cent on lumber, a much lower increase than has occurred in some of our agricultural products. I put the Yearbook of the Department of Agriculture against the tables that the Senator presents.

Mr. McCUMBER. The Senator will find that the increase in agricultural products possibly for the last few years has been quite considerable. He will also find, however, that taking a number of years, ten years or fifteen years, there is nothing upon the face of the earth that has increased at the same ratio as has lumber.

Mr. GALLINGER. My figures will go into the RECORD, Mr. President, and they will speak for themselves.

Mr. McCUMBER. My figures will go into the RECORD also, and they will speak for themselves. I am giving the record that was given in the House hearings.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Vermont?

Mr. McCUMBER. Certainly.

Mr. PAGE. I should like to ask the Senator from North Dakota if the conditions attaching to the testimony which he quotes are, in his opinion, those which obtain in other sections of the country?

Mr. McCUMBER. I do not know that I thoroughly understand the Senator's question.

Mr. PAGE. The Senator says that the proof in regard to the price of lumber in Wisconsin shows that it advanced from $12 to $30. I have been conversant with the price of lumber in New England for many years, and I know that the class of lumber which goes into fencing, the ordinary inch hemlock, has only advanced from about $14 to $19 at the mill. That is the extreme.

Mr. McCUMBER. Between what periods?

Mr. PAGE. Oh, in the last ten or fifteen years; I do not recall exactly.

Mr. McCUMBER. Let us take 1892. Then we shall have the same basis.

Mr. PAGE. There may have been some abnormal depression; but I am now speaking of the general trend of the prices of lumber.

I now recall another fact, and that is that it has been many years since spruce logs were sold by the farmer or the owner of stumpage at less than $5 per thousand. The price this year, delivered at the mill, within a reasonable distance of the railroad, is from $10 to $13. The variation is more than formerly, because fifteen years ago the general quality of our lumber was better. Now we have many wood lots that have been cut over, and we get a poorer quality. So the price varies from $10 to $13, whereas formerly it sold at a uniform price. But I do not know of any place in New England where the advance in lumber has been at all commensurate with that stated in the testimony which the Senator gives from this part of the country. I think there must be something peculiar about the nature or the quality of the lumber or in the surrounding conditions.

Mr. McCUMBER. Mr. President, the figures that I have so far given, I think, have all been taken from the House hearings upon the lumber schedule. I speak only from the figures that have been given in those hearings, or those that are taken from some other record; and I will give the record. I know that the retail price of lumber in my section of the country has advanced along the same proportions and lines that are given in these tables upon the wholesale price. So, while I am not prepared to speak as to any particular mill in the Senator's State, I am speaking of a particular mill in Wisconsin, and as to the other mills, I am reading from the testimony of the owners of those mills.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield further to the Senator from Vermont?

Mr. McCUMBER. I do.

Mr. PAGE. I confess that, so far as retail prices are concerned, I am a great deal in doubt since hearing the remarks made by the Senator yesterday. He said that the price at which lumber was retailed was 100 per cent, or double the cost of lumber at the mill, plus the freight. He must know that this country is made up of an aggregation of very bright business men, and I do not know but that I might resign my seat in the Senate and go into the lumber business if I thought that was the profit obtained in the West. There is something abnormal about that business. It is not natural; it is not legitimate. The ordinary profits of the lumber industry to-day, as I think I know so far as New England is concerned, are small. They are not what our friends of the West are inclined to say they are.

The reason that the price of lumber has advanced in my State is not because the manufacturer has been getting a larger profit, but because the owners of the stumpage—and many of them are farmers, I am pleased to say—have been able to get, by the natural increase which has come in almost everything, two or three dollars per thousand more.

Now, one thing more and I shall not interrupt the Senator further——

Mr. McCUMBER. I am always pleased to hear the Senator.

Mr. PAGE. We have been talking about conditions which attach to the workingman, and I think the Senator from North Dakota said that he did not think a lowering of the duty would change matters very much. We have built up in the northern part of Vermont, especially at Burlington, a large industry which employs hundreds of thousands of dollars of capital and thousands of men. To us the Canadian lumber is a raw material. We bring it to our northern ports, where it is made not only into dressed lumber to be reshipped, but it is made into screens and into box boards. Much of it goes into box boards, the lower grades especially. It goes into every conceivable article that can be made of boards. If the schedules were changed, as is designed and desired by our friend from North Dakota, that interest there would be paralyzed; at least, it seems to me so. They must have advantage by reason of bringing that lumber out or the same work can be done across the line in Canada, and the men who own the mills in Burlington must remove those mills to Canada and their employees must go with them or they must enter some other line of business. I hope, in view of the fact that Senators from the South have come here and been so kind as to say to us that they were protectionists as well as we, that the people of Vermont may not altogether feel that because North Dakota may have no iron, may have no oil, may have no coal, and may have no lumber she is going to insist that we have all got to accept those things as free, while she asks protection upon whatever she produces.

Mr. McCUMBER. Ah, Mr. President, let me ask the Senator, in all sincerity, is not New England asking that some articles be placed upon the free list? How about the dyes from Germany that you wish to come in free as against the product of the American dye producers in order that you may color your fabrics? There is not a protectionist representing any manufacturing section who is not overdesirous of getting everything upon the free list that is used in his factories in that section. And so those who represent other than manufacturing districts ask for their benefit that we place some articles upon the free list. And, where it is beneficial for the entire American people, I would stand with them to put those articles upon the free list,

because I think that we must take into consideration every condition and interest of the country in determining whether to put an article upon the free list or place it upon the protected list. We are giving you protection. You are producing your fabrics, and we protect them; we do not produce any, but we stand ready to say to you: "Year in and year out you shall have all the protection that is necessary for you to control the American market, and we will stand with you." So it is not a proposition of our asking that our articles be protected and that your articles shall not be protected, but it is a fundamental proposition of whether or not it is beneficial to the American people to deforest every hill upon the American Continent, and then tax the American people ten times over to reforest those hills.

There is something more than the mere question as to what will benefit us to-day in the matter of the tariff upon particular articles. I will give the Senator protection on everything that he produces again and again, but, as I have said more than once, I would not ask for protection upon a single article which, once destroyed, can only be reproduced in from half a century to a century of time.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Vermont?

Mr. McCUMBER. If the Senator wants to ask a question, I will yield to him; but it is nearly 4 o'clock, and I want to get through. I think I have been generous in allowing more than half of my time to be taken up by interruptions.

Mr. PAGE. I do not care to interrupt the Senator further if he wants to proceed.

Mr. McCUMBER. I do not want to be discourteous, and I hope the Senator does not think I am.

Mr. PAGE. No; I do not.

Mr. McCUMBER. I thank the Senator.

Mr. DIXON. I hope the Senator from North Dakota will yield to me for a question, because I have been astonished at the figures which he has quoted. I have sent and got a copy of the tariff hearings before the House committee on the prices of common fencing in 1907 in Wisconsin, and I want to ask one or two questions. I desire to ask the Senator whether there is not some great discrepancy in this matter? I find, on reference to the table from which the Senator is reading, that he is quoting the price of No. 1 fancy clear fencing, which is never used by anybody that I ever heard of in building ordinary fences. It is the stuff that flooring is made of. I find also, and I want to ask the Senator——

Mr. McCUMBER. Does the Senator not find that there was that much of an advance?

Mr. DIXON. I find that there was in that particular grade; but I want to ask the Senator from North Dakota if it is not a fair proposition to say that the man who submitted that table to the House Ways and Means Committee is the secretary of a big Canadian timber outfit in British Columbia, with a capital of $6,000,000, owning a billion and a half feet of timber, which they want to get into the American market?

Mr. McCUMBER. Mr. President, I do not know a single man who appeared upon either side in connection with the tariff on lumber who came here for the benefit of the consumer. I do not care whether he represented one side or the other side; he was looking after his interests. As I read over the hearings, I do not find any man who testified who was not interested in the proposition. We have two classes of people—Americans who own lumber upon this side and want the highest price for that lumber, and those who own lumber on the Canadian side and want to get it here as cheaply as possible. Each of them will furnish figures so far as it is possible to establish his side of the proposition. I do not know that any of them furnished figures, however, that are incorrect. Assuming that each of these persons is interested, so long as their figures are correct, it does not seem to me that the question of interest cuts much figure.

Mr. DIXON. But, Mr. President, if the Senator will be patient with me for one moment, in quoting fencing timber at $30 a thousand the Senator quotes No. 1 fancy clear fencing, a quality that has never been used for fencing purposes in the history of any agricultural community that I know of; and he based his statement upon the testimony before the Ways and Means Committee of this man Knappen, who is the secretary of a British Columbia lumber company, with $6,000,000 capital and a billion feet of Canadian timber, which wants to get into the western market.

Mr. McCUMBER. Let us admit that that it true.

Mr. DIXON. Is there not a question in the Senator's own mind that this man has colored largely the statement as to the relative cost of lumber between 1892 and 1907? Coming from such a source, would it not be open to suspicion?

Mr. McCUMBER. Mr. President, when any witness gives the wholesale price f. o. b. at any particular lumber manufacturing point, I assume that he has given it honestly, and I will not assume that it is all imaginary. I can show from another standpoint that it is not imaginary. We have a great lumber trade journal known as the "American Lumberman," which believes in good protection to the lumber industry, and I will take a table from that particular journal.

Mr. PAGE. Mr. President, if the Senator from North Dakota will allow me for just a moment, I think I can harmonize the two ideas. I will take but a moment.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Vermont?

Mr. McCUMBER. Certainly.

Mr. PAGE. It is a fact, as perhaps the Senator may remember from his own experience, that in almost all the Northern States we were prodigal of our lumber and our stumpage a few years ago. We cut everything. I can in my own years remember when we went into and slashed forests, cut down the finest logs, and burned them to get them out of the way. We have exhausted the better quality of our stumpage, and to-day the price of a clear board, such as has been described here, it must be confessed, has been advanced abnormally. I think I may say that more than 85 per cent of the lumber of the northern part of New England to-day is not No. 1, is not clear, but is rather a cheap or lower grade of lumber, which has not made any such advance in price. Therefore it seems to me unfair to make the comparison with the grades which have gone to a very high figure, rather than with the grades which constitute the great bulk of the lumber used.

Mr. McCUMBER. Let me ask the Senator what would be a fair grade to take from his standpoint—No. 2 boards?

Mr. PAGE. No. 2 boards are what we produce.

Mr. McCUMBER. All right, Mr. President, we will take No. 2, or I will take No. 3, so as to be absolutely fair. I will ask that this table, which is printed and compiled by the American Lumberman, be also inserted in the RECORD. I quote a few of the figures. Four-inch No. 2 fencing, increased in price from $9 in 1892 to $26 in 1907, an increase of 188 per cent; during the same period 6-inch No. 2 increased from $12 to $29, or 141 per cent. I will take common boards. The price of 8-inch No. 2 advanced from $11 to $28 in that period, or 154 per cent. I will take 8-inch and 10-inch No. 3. They advanced from $10 to $25, or 150 per cent gain. I will take 12-inch No. 2, which advanced from $12.50 to $31, or 148 per cent gain. I will take fancy flooring, and, to show you that the higher grades of lumber have not increased in price anywhere near as much as common boards, I quote No. 1 fancy flooring, which advanced from $16.50 to $33, or only 100 per cent. C fancy flooring advanced from $25 to $47, or only 88 per cent, as compared with the enormous increases in the other grades. I might cite now a number of others, but I will have them inserted in my address.

The table referred to, compiled by the American Lumberman, is as follows:

	1892.	1907.	Percentage of increase.
Fencing:			
6-inch No. 1	$15.00	$32.00	113.33
4-inch No. 1	12.00	30.00	150.00
4-inch No. 2	9.00	26.00	188.88
4-inch No.—	7.00	19.00	171.42
6-inch No. 2	12.00	29.00	141.66
6-inch No. 3	9.00	21.50	138.88
Common boards:			
8-inch No. 1	12.50	30.00	140.00
8-inch No. 2	11.00	28.00	154.54
8-inch No. 3	10.00	25.00	150.00
10-inch No. 1	12.50	31.50	160.00
10-inch No. 2	11.00	28.00	154.54
10-inch No. 3	10.00	25.00	150.00
12-inch No. 1	14.00	37.00	164.28
12-inch No. 2	12.50	31.00	148.00
12-inch No. 3	9.50	26.00	173.68
Flooring:			
No. 1 fancy	16.50	33.00	100.00
C fancy	25.00	47.00	88.00

Mr. McCUMBER. In commenting upon this great change in the price the American Lumberman says—and it follows out my argument:

As any commodity in common use and needed by the community becomes scarce the pressure of competition is felt and prices advance.

That is the statement following the table which they present. Why have these prices gone up? They have gone up because we are exhausting the timber supply of the country at a rapid rate.

highest prices for lumber were in 1905 and 1906. He produced advances in prices.

formerly, because fifteen years ago the general quality of our I would stand with them to put these articles upon the

Mr. DIXON rose.

Mr. McCUMBER. Now, Mr. President, I am going to ask that I be allowed to finish, and if I get through in reasonable time the Senator can make notes and I will try to answer any question that he may ask.

If the price of lumber has advanced to this extent in the last fifteen years, due to the exhaustion of the supply of timber in the United States, what may we reasonably expect in the next fifteen years with the exhaustion increasing from day to day in a ratio with the increase of population?

Here is another statement in a report from the Department of Commerce and Labor, which shows that from 1899 to 1906—a period of only 7 years and coming down closer to the present day—yellow-pine timber increased in price 77 per cent; Douglas fir 63 per cent, white pine 54 per cent, cedar 66 per cent, western pine 44 per cent, and tamarack 80 per cent. The report further declares that in some cases the price of lumber has increased 200 per cent.

Mr. PILES. Now, will the Senator yield to me for a moment?

Mr. McCUMBER. Mr. President, I can not yield any more just at present, because I probably will startle the Senator with figures right along that will keep him on his feet continuously if he objects to these, and much time would be taken in this address by those who take the opposing view.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. PILES. The Senator will not startle me at all if he will just take a fair average; but when he takes the finest timber in the world, Michigan white pine, for instance, and comments upon that, instead of taking the average common timber, I think it is hardly fair.

Mr. McCUMBER. I thought I was giving a fair average. It is the one given by the American Lumberman, which I have just read. If it is not a fair average, there are those here who can show that it is an error.

Mr. PILES. The Senator takes fancy lumber at fancy prices.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. McCUMBER. If common pine boards, which increased in price 188 per cent, is "fancy," I do not know what the Senator would mean by the word "common." Now I will take Mr. Scanlon's statement. Mr. Scanlon is a lumberman in Minneapolis. He says:

For a number of years our concern produced from 200,000,000 to 250,000,000 feet annually in the State of Minnesota. This year our production will be only about 40 per cent of our former cut and will cease entirely in 1909.

In 1901, Mr. President, Minneapolis was the largest lumber-producing city in the world, her output for that year being about 700,000,000 feet, while the output for 1908 was only about 300,000,000 feet.

Now I want to take another late publication. I do not want to be wearisome upon this one single proposition, but I do desire to show that the exhaustion of our forests means enormously increased prices, and that is what is responsible for the exorbitant prices to-day. But a few persons, even regular buyers of lumber, fully realize how greatly lumber has increased in price in recent years. According to a lumber trade publication white pine has ascended in the wholesale list price all the way from 88 to 189 per cent in fifteen years. As the cost of labor and other items entering into the cost of production has not, at the outside, increased more than 25 per cent, this tremendous increase largely reflects the diminishing supply of white pine and represents the profits either for the manufacturer or the owner of the timber.

Mr. President, that diminishing supply is going to reflect the advance for every other grade that is used in the United States. During this time laths have increased from $2.25 per thousand in 1901 to $6 per thousand in 1907. The man, the farmer, the mechanic, who in 1892 could build a reasonably good house for $3,600 would have to pay in 1907 at least double that sum, and probably he would have to pay $8,000 for one of the same character. If he were to build a house which would have cost $5,000 in 1900, he would have to pay at least $7,500 to build it in 1907, and if we keep on at these enormous increases what is going to be the cost of our homes in the next few years?

As I have stated, there has been but slight change in the cost of production during this period as compared with the cost of the material to the consumer. I am convinced that there has been a combination, not only between the retailers of lumber, but that there is also a gentleman's understanding or combination between the great manufacturers of this country.

Mr. President, the cost of production, as I understand, has increased about 25 per cent during the last five or ten years. I do not mean that the price of labor has not increased beyond that, but I mean the cost of producing lumber at the mill, including labor, irrespective of the cost of stumpage, has increased only about 25 per cent.

Suppose that in 1890 a mill could sell lumber at a profit at $10 per thousand. The cost of production has added, we will say, $2 per thousand to it. That would make the selling price, we will say, at a reasonable profit of $12 per thousand. The mill could afford to sell at $12 a thousand, with the increased cost of production, that which it sold in 1900 at $10 a thousand. In other words, the lumber the mill man could sell in 1900 for $10 he could sell with the increased cost of production at $12 in 1907 and make the same profit. But how do the facts correspond with that? In fact, he is selling that lumber which he could sell at the same profit for $12 a thousand, as high as $18 and $20 a thousand. If the effect of free lumber should be to reduce it $2 a thousand—just the amount of the duty on lumber—he would still sell at $16 or $18 a thousand, and he would make three to four times as much as he made when he was selling it at a reasonable profit, on the basis of $10 per thousand.

Ex-Governor Clough, of Minnesota, has been quoted here upon this subject by the Senator from Minnesota [Mr. NELSON]. I do not want to add to what he has said, but I do want to call attention to practically the same facts in possibly a more epitomized form. Mr. Clough declared in the case mentioned that the cost of producing at his mill in Washington was $3.75 a thousand. That meant, of course, independent of the cost of the logs or the stumpage.

Mr. KERR. Has that price increased or decreased, or is that about the average?

Mr. CLOUGH. Well, we are trying to cheapen the cost a little every year, and we have, a little mite. There has been no material difference in the cost, but we are trying to cheapen it a little every year, regardless of the little increased cost of labor and material.

Mr. Clough then goes on to say that while lumber has gone up some, they have met this increase by improving the mill and increasing the cut. It may be added that as labor has advanced, the manufacturers have found new means to economize, such as the using of sawdust for their fuel, such as using the cheaper material for shingles and laths which at one time was destroyed or thrown away or sold for fuel only.

Now, I want to take another table, and that is by Mr. D. E. Skinner—I believe he is from San Francisco, president of the Park Blakley Mills Company, on Puget Sound—in a brief presented to the Committee on Ways and Means. He shows an increase in wages from 1896 to 1907, inclusive, and the increase since 1900. This increase averages 39 per cent.

Comparing the prices paid from 1900 to 1907 we have the following table, which I will ask to have inserted:

		1900.	1907.
Teamsters	per month	$26.00	$38.00
Swampers	do	25.00	40.00
Choppers	do	26.00	40.00
Loaders	do	32.00	40.00
Sawyers	do	26.00	35.00
Graders	do	24.00	35.00
Chain men	do	24.00	35.00
Blacksmiths	do	55.00	65.00
Cooks	do	55.00	70.00

Another table, giving the average for Minnesota, Wisconsin, and Michigan, shows a general increase in the cost of production of about 19 per cent.

Take the difference between these two, and call it, say, 25 or 30 per cent, and while therefore the average cost of production has increased, we will say, 25 to 30 per cent, the cost at the mills has increased from 50 to nearly 200 per cent.

I know of no business in the whole United States that has produced more millionaires and multimillionaires, with a given amount of investment, than the lumber business of the United States. The enormous palaces, the mansions that are shown to me in the cities of Minneapolis, St. Paul, Detroit, Mich., in Madison, Wis., in Milwaukee, in Chicago, in all the sections bordering upon the lumber States, in California and in Oregon and in Washington, are all pointed to with pride as the residences of some great lumber baron in that State, and while they are pointing with this spirit of exultation to what has been accomplished by these people in their States, they are coming here and crying that the business is on a starvation basis.

Mr. President, these mansions to which they point with such pride when they are showing us the wonders of their country, ill comport with the plea of poverty that they are giving to the American people. I believe there is no industry in the United States which has produced as much wealth, as I say, for a given

amount of investment as the lumber industry of the United States; and I do not see that it has been growing less profitable in the slightest degree.

It is conceded that there are only two or three points in the United States where the Canadian lumber comes in competition with the American lumber; a little of the unfinished lumber on the west coast; a little on the Lakes; possibly some portions across the St. John's River. They can not put the finished material into this country in competition with the American mills wherever they have to ship any considerable distance by rail. They can put the raw material, the unfinished product, in competition with some sections of the country, but while they are competing with some lines here at these few places we are competing with them by putting our products into Manitoba, into the Saskatchewan country, and along the border line for a thousand miles.

We hear complaints from the Canadian manufacturers that the Americans are dumping their lumber upon the Canadian market cheaper than they are selling at home. I do not know to what extent that is carried on, but I know there is a strong complaint on the part of lumber dealers in Canada against the importation of American products.

I believe that the closing of these mills is more a matter of anticipation than anything else. In all of my life I have never known of a mill closing its doors until the lumber in the immediate vicinity was exhausted, except during that disagreeable period which I have mentioned, and to which I do not like to allude too often—from 1892 to 1897. As a rule they make money, and wherever they have not made it, it is because there has been a neglect of the business. I have been almost compelled to believe that where there is capital enough back of it it is sufficiently profitable so that it will run itself.

Mr. President, I have no reason to believe that Mr. Clough, the ex-governor of Minnesota, could manufacture so very much cheaper than the other manufacturers in the States of Washington and Oregon. I have visited some of those great mills, and they have always prided themselves upon their wonderful output and what they can do, and they have told me over and over again of their enormous profits since they have been engaged in business, and it is only this year, when a tariff revision is on, that I find that they have been losing all of these years.

Mr. Clough says they started with $100,000 of actual money invested in the enterprise. That was in 1900. He states further:

In 1901 our profits were $29,267, which was 29 per cent and a little over on our investment.
In 1902 our profits were $96,759, or 96 per cent and a little more on our investment.
In 1903 our profits were $55,721, or 55 per cent and a little over on our investment.
In 1904 I am ashamed to tell that, as that was a bad year. In that year we made a loss of $3,358.

I do not know what was the cause of that loss. I have an idea though from reading over the balance of the testimony that they were not selling much of their output for that year, and had piled it up in the yard, and therefore did not count the value until they had it sold, and then put that enormous profit into the last year of which he speaks.

In 1905 our profits were $72,186, or 72 per cent on our investment.
In 1906 our profits were $19,306, or 19 per cent on our investment.

I know there was considerable quibbling here as to whether this was intended to be $193,000 or $19,000. As I read it there was a mistake in the punctuation, a mistake in the placing of the comma. But I think it was clearly intended to be $19,000, or 19 per cent.

That which is more startling, however——

Mr. PILES. The Senator is wrong.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. For a question.

Mr. PILES. Do you claim there was $19,000 profit in 1906?

Mr. McCUMBER. Nineteen thousand dollars.

Mr. PILES. It was $193,000. I had it looked up. That is what my secretary tells me he found at the Interstate Commerce Commission's office.

Mr. McCUMBER. I will show they made more than $193,000. Whatever the error is about the figures, the copy I have shows $19,000.

Mr. WARREN. Mr. President——

Mr. McCUMBER. I do not want to quibble any more about the error, as to where the comma should go, because it is immaterial, and it was discussed for so long a time yesterday that it seems to me needless to take up further time with it.

Mr. WARREN. It is probably an error, but the print which the Senator from Minnesota had was $193.06 plainly, as I think the Senator knows.

Mr. McCUMBER. Yes; but the Senator will see that in all of the preceding figures he does not mention cents at all, and it is evident that was not intended; that it is an error due to the misplacing of the comma.

Let us take 1907. The profits for that year were more than 200 per cent, according to his own statement. Let us see.

In 1907 we do not know just exactly what they will be. We have not figured up what they will be. We do not figure up until the 1st of January. But I do know that I have sent this year to our stockholders, which I am authorized to do whenever we have any surplus money—to send it to our stockholders pro rata according to our stock—I have this year already distributed among stockholders $130,000.

That is on a hundred thousand capital stock, which has already been paid for.

We certainly have made that $130,000, or I could not have distributed it among the stockholders. We haven't borrowed any money. We do not owe a cent of money, and the best of it is we put in $20,000 this year in permanent improvements, and they have been paid for.

A hundred and thirty thousand dollars and $20,000 amount to $150,000, but that is not all.

Another thing that pleases me is that on January 1, 1907, we had piled in the yard about 6,500,000 feet of lumber. We were closed down for a little repairing about three weeks ago. So we took account of stock, and we had in the yard about 13,600,000 feet, and that after the distribution among our stockholders of $130,000. That is about all there is to our profits.

It is not all there is when you come to follow it down. Thirteen million feet of lumber means thirteen thousand thousand feet, does it not? And thirteen thousand thousand feet, at $10 per thousand feet, means another $130,000, does it not? And say it is about $10 a thousand. There you have $260,000, and you have $20,000 on top of it. That may account for some of the profits they failed to make in 1904.

Mr. PILES. Will the Senator pardon me right here? That is in line with his argument from the beginning to the end. He says so many thousand feet in the yard, worth on the average $10 a thousand, and he gives it all as profit.

Mr. McCUMBER. He says he owes nothing, that he has paid for everything, that he has that much left. Then it is profit, is it not? Of course it is all profit. He just now said he did not owe a cent, and I assume therefore he has paid for that lumber, and I am taking the average price of about $10 per thousand.

I want to come now to the shingle business, as my friend the Senator from Washington seems more tender upon the shingle proposition than upon any other. Mr. Clough says upon this that his associates—

wanted to know how much money I thought there was in the shingle business, and I told them that I thought we could get 50 per cent on the money we invested, and if the rate was increased it would make a difference of 16 cents a thousand.

I suppose he means not the tariff, but the rate of transportation.

There would be that much less in our profits, that is all, and we had better build a shingle mill.

So we went on and built a shingle mill and that mill had a capacity of 600,000 a day. That is not the Clark-Nickerson Company; that is the Clough-Hartley Company, located half a mile away from the Clark-Nickerson Company. We built a mill and we ran it a little over two months, and while we ran it we made a profit of about 100 per cent on our capital; but of course we could not always do that. Shingles were very high this fall, as you all know—very high.

I am told there is more real profit in the shingle business than in anything else in the lumber line. I admit I have not technical knowledge along that subject, and I can only take as the basis of my statement statements that are made to me by practical lumbermen and manufacturers of lumber. I may be in error——

Mr. PILES. Mr. President——

Mr. McCUMBER. I may be in error, but I do not care to discuss it.

Mr. PILES. The Senator says he thinks there is more profit in shingles than in any other line of lumbering. I want to ask him if that is true why it is that 14,000 men who are engaged in that work in my State have appealed to Congress, stating that they are idle three to six months in the year; that they are losing a million dollars a year on account of Canadian competition, and that Chinese labor and Japanese labor and Hindoo labor are driving the white man out of the shingle mills in the State of Washington? Those men are not timber barons. Why are those 14,000 of the toiling masses coming before Congress and telling them they are losing a million dollars a year and that they are out of work three to five months in the year if a profit of $10,000 can be made in two months?

Mr. McCUMBER. We have gone over an exceedingly dull period that followed more or less of a financial crash.

Mr. PILES. This is not one year, but ten years.

Mr. McCUMBER. My own belief is that as soon as we return to normal conditions we will find about the same profit being made in the shingle business.

The same people who are making the 150 per cent are also declaring that they are not making enough, that they have closed their mills, and that they must be protected against this Canadian cheap labor. I will discuss the Canadian cheap labor when I reach it and compare it with some other labor. But these people say if we lower the tariff, the shingle industry, which made 600 per cent, or at the rate of 600 per cent a year, will be absolutely destroyed. As I stated before, these people who are representing the shingle industry in the State of Washington got together but a very short time ago and they solemnly resolved that if we took the tariff off shingles they would be compelled to make better shingles. When they make better shingles I think they will gain the very market which the Canadians are taking away, because the Canadians are taking away the market on the higher-priced shingles.

Mr. PILES. Mr. President——

Mr. McCUMBER. It is nearly 5 o'clock.

Mr. PILES. I will not interrupt you any more.

Mr. McCUMBER. Very well.

Mr. PILES. You are refuting your own argument. You are here advocating the removal of the duty on shingles, and you are in favor of the conservation of our forests. Those men are going around gathering up stumps and broken limbs and thus conserving the forests and saving them from fire. Do you want to stop them from doing that?

Mr. McCUMBER. Let us see the logic of that argument. The Senator says that these men—meaning those in Washington—are going around and gathering the stumps and the dead limbs and making shingles out of them. Anyone who has gone into a forest knows something about the quality of the stumps and these dead limbs that are converted into shingles. When they propose to sell rotten shingles to the American people they will probably find that the Canadian shingle will compete with them, but when they make the shingles out of good material I do not think there will be exactly the same competition. I have heard a great many complaints from the consumer about the character of those shingles. I will have to admit that if you can get the people to take rotten limbs and stumps for shingles and use them, it will conserve the American forests, at least until the shingles have rotted on the roofs instead of rotting in the forests.

Mr. PILES. They are not made of rotten timber, if the Senator will pardon me. It is just as good timber as there is on earth, except fire has gone through the forest and scorched it, and it is not fit, therefore, to be put on the market in other shapes. But these men save it——

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota.

Mr. McCUMBER. I yield for a question.

Mr. NELSON. I want to say, as to the shingles we get from the west coast, that there is a great difference in the kinds. We have one kind of shingle that is made of what is called "dead timber," and then another that is made from live timber. There is no fault to find with the latter, but when they send us the other kind of shingle, they must not expect the same price that they get for a good shingle.

Mr. PILES. Let me explain to the Senator——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I will yield for a short colloquy.

Mr. PILES. We do not have any dead shingles. When we manufacture our shingles, we give you two grades. British Columbia gives you but one grade, and that is made of clear cedar lumber. In British Columbia they pay so much a cord for the clear timber, and leave the common part of the tree in the forest, and it is wasted. But it is the Government's waste and not his. The Canadian therefore makes but one grade of shingle. We make two grades, one called the "clear," and then the "A-star," which we sell at a lower price.

Mr. NELSON. What you expect is that we will buy the dead shingle and pay you the same price that we do for the live shingle from British Columbia.

Mr. PILES. I beg pardon. We give you two grades of shingles. One sells for less money than the clear shingle.

Mr. McCUMBER. I think the resolution of those shingle makers in the State of Washington answers the proposition, because they say in their own declaration that if we take off this tariff they will be compelled to make good shingles. That is their only answer to the proposition.

Mr. President, in addition to these enormous profits from the manufacture of lumber alone, we must also take into account the profits of the great lumber interest in the stumpage. In a brief prepared by Mr. Knappen for the Ways and Means Committee, this same man, who is the secretary of the Canadian lumber interests and wants to get Canadian lumber into the United States just as cheaply as he can, makes a statement which I will ask the Secretary to read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

We may say that the 50 millionaires of the Weyerhaeuser group owe their fortunes rather to the acquirement and holding of stumpage than to the profit arising from the manufacture of lumber. To illustrate the enormous profits that are thus possible it is worth while to call attention to the fact that the Weyerhaeusers some eight years ago purchased from the Northern Pacific Railroad vast tracts of timber on the Pacific coast at a price fixed by rumor at about 15 cents per thousand feet, and to-day this same timber is held by the owners at not less than $3 per thousand. Here is a profit of 2,000 per cent, and yet these interests will probably think themselves aggrieved if the tariff is removed from forest products.

A well-known western lumberman has in recent years acquired 650,000 acres of sugar and yellow pine in northern California estimated to carry 15,000,000,000 feet of timber. Most of this timber can be manufactured within ten years at a profit of $10 per thousand, and some of it can be manufactured at that profit now. The timber and the land on which it stands has been acquired at a cost probably not exceeding $4,000,000, and the property is now, or soon will be, worth $150,000,000. This gentleman is opposed to the repeal of the tariff on forest products and identifying his individual interests with those of the forests, he opposes the repeal of the tariff in order to protect the forests.

Mr. McCUMBER. Mr. President, how were these forests obtained? Most of them, I will assume, were obtained in a wholly legitimate manner. I am equally satisfied, however, that a large percentage of them were obtained in defiance of the land laws of the United States. I can remember, but a few years ago, when nearly every train going through my State had more or less emigrants upon it going to the lumber districts of Washington and Oregon to take up homesteads. It was freely talked among them that somebody would furnish them a living and pay them six or seven hundred dollars per quarter section and their expenses during the time they had to live upon the land. A great number of proofs were made in this way, and the land was immediately sold to these great lumber interests. I have had, when I was practicing law, a great many people come to me and call my attention to what other people were making, and asking me if they could not go out there and make a few hundred dollars that way by remaining a few months upon a piece of land. None of them ever went through my advice, but I believe that that was carried on for a few years to a great extent, and these lumber interests reaped the benefit of that method of acquiring titles from government lands.

Mr. President, here is another statement that is made concerning the increase in the value of stumpage not only by Mr. Knappen, but by Mr. M. J. Scanlon, a well-known lumberman of Minneapolis, as it is published in the American Lumberman in November, 1907. I will ask the Secretary to read the portion that is marked.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The increase in the value of stumpage in the Western and Southern States has been even more marked. In 1898 my people purchased a block of timber in Oregon at a cost of about 17½ cents per thousand. To-day a conservative estimate of the value of that timber would be $1.75 per thousand. For years billions of feet of timber of equally as good quality and as favorably located for logging purposes in that same district could have been acquired at the same price as we paid for ours. In 1890 I was interested in the purchase of a large tract of cypress timber in Louisiana that cost us less than 40 cents per thousand. Unfortunately for me, I parted with my interests in that timber before it became very valuable, but I am informed by cypress manufacturers in that territory that cypress timber of that quality and accessibility would sell readily at $6 per thousand or upward. In 1892 I looked at a tract of longleaf yellow pine timber in Louisiana that could be acquired at that time for about $1.25 per acre. My people purchased that same identical tract of timber in 1905 at a cost of $22 per acre.

Mr. Thomas H. Shevlin, a well-known lumberman of Minneapolis, stated in the American Lumberman in November, 1907, that—

the lumbermen had made money so fast in the last few years that their heads had been turned. Manufacturing profits of 100 per cent were not uncommon. Added to these profits in the case of those manufacturers who own timber were the enormous profits arising from the increase in value of timber in the period between 1896 and 1907.

Mr. McCUMBER. Mr. President, it is evident, therefore, that a reduction of an average, say, of $2.50 per thousand on Canadian lumber and a consequent reduction of that amount upon the selling price of the American lumber would measure less than one-half of 1 per cent of their enormous profits in both the manufacturing and in the increased value of their stumpage.

I wish now, Mr. President, to consider for a moment the conservation of our forests. I want to consider, first, the disastrous effects of the denudation of our forests upon our farm lands, our factories, our navigation, and our climate. Those matters have been vividly brought to our attention within the past few years,

the Senator knows.

and enormous sums of money have been expended to make good as far as possible the destruction of those forests.

The forests of the world were made by nature and not by man, and, in my humble judgment, the law which governed in the creation must also govern in the re-creation. Our little efforts, though taxed to their utmost to create what we are destroying, can never accomplish very much. The only way on earth to keep our forests growing is to use no more than that which has really attained its growth and protect the balance against the ravages of fire and the still more fierce and persistent ravages of the lumber barons and the lumber interests.

So intense is our natural inclination to meet what we assume to be our present needs and to add to our wealth that all the lessons of history of every country in the world seem to be of no avail whatever. Great portions of Africa, once wooded, are now desert wastes. The same thing is happening in China and in India to-day. As the forests are denuded, the floods are let loose, the earth is denuded of its soil, and waste—eternal waste—is the penalty of that denudation.

Coming nearer home, the destruction of the timber lands of the Adirondacks, the White Mountains, and the Appalachians has carried with it the destruction of millions of acres of what otherwise might be rich farming lands in the country. The Kansas River floods of 1903 destroyed $20,000,000 worth of property and a hundred lives. One of the most fertile valleys of the continent, a hundred and twenty miles long, was partly destroyed. Out of 250,000 acres of wonderfully fertile soil 10,000 were completely destroyed, and 10,000 more lost 50 per cent of their value, and the uncertainty depreciated the value of the whole.

Mr. President, I wish to insert here an extract from an address by Mr. Frank Vrooman, a magazine writer. I will not stop to read it because I do not want to take the time. It is along the same line.

The matter referred to is as follows:

The forests have a direct and tremendous influence upon agriculture. The forests are nature's reservoirs. Wherever they have been cut away disastrous floods have followed as annual visitations. The exhaustion of the forests in New England seriously threaten the streams which have furnished the motor power for thousands of industries upon which the prosperity of that section depends. It is estimated that the New England States in 1900 had a total capital invested of $1,400,000,000, and a yearly output of product worth $1,600,000,000, and that 75 per cent of these industries is dependent upon a continued water supply, and now, remembering that the water supply is in turn dependent upon conserved forests, we can begin to understand the importance of conservation.

Mr. McCUMBER. I want to call attention to another fact. Professor Shaler states that in 1896 3,000 square miles of highland south of Pennsylvania had been destroyed for human use and its soil carried down to the lowlands and the sea, and that arable and forestable lands were then being lost at the rate of 100 square miles a year. Where the lands have not been entirely destroyed they have been more subject to droughts which have destroyed crops year after year.

Mr. President, we must use 40,000,000,000 feet of lumber in this country with the present population, and every year we must add to that as our population increases. Every foot of lumber brought from Canada into this country means a foot of lumber saved from a tree in the forests of the American Continent.

I call attention to the statement made by Mr. J. W. Wells, one of the important lumbermen of Michigan. Speaking on this subject, he says:

Free lumber will help by preventing exorbitant prices which induces cutting up of small trees. There never was so much deforestation as was practiced during the high prices of 1906 and 1907. Millions of young pine, spruce, jack pine, etc., were cut for lumber and lath that at normal prices would be left to grow to fair size.

Now, what is the amount of consumption in the United States and the amount of timber and how long will it last?

Mr. President, while authorities may differ as to the amount of timber in the United States, they all agree that its life at the present rate of consumption will be extremely short. No one claims the forever-and-ever idea can be any longer applied to the American forests. They all agree that within the life of people now living, at the present rate of consumption, not a tree will be left standing upon the American Continent, and yet in the face of this danger we seek to encourage the devastation, thereby not only wronging the present by exorbitant prices, but robbing the future of its birthright of forests.

Mr. Kellogg, chief of the office of wood utilization in the United States Department of Agriculture, states that our present consumption of wood in all forms is equivalent to 100,000,000,000 board feet annually; it has been estimated as high as 150,000,000,000 board feet, and this without taking into account the destruction of timber by fire. The total consumption of timber for lumber alone in 1907 was 40,256,154,000 feet. The estimate of the present forest area of the United States is from 500,000,000 to 700,000,000 acres. The supply of standing timber, roughly estimated from 1,400,000,000,000 to 2,000,000,000,000 feet, with 100,000,000,000 feet consumption, would last fourteen years, assuming there was no growth. Assuming the same use and stand, with an annual growth of 40,000,000,000 feet, we would have a supply for twenty-three years. Assuming an annual use of 150,000,000,000 feet, it would last but nine years. Assuming a stand of 2,000,000,000,000 feet, the use of 100,000,000,000 feet would exhaust the supply in twenty years. Assuming the same stand with an annual growth of 40,000,000,000 feet, we have thirty-three years' supply.

Even supposing that we should do something in the line of reforesting, it possibly would not make any appreciable inroad as against this enormous devastation of the country.

The advocates of a high tariff have sprung another theory upon the American public. They say that if you have a low tariff it means a low price for lumber; that if you have a low price for lumber it means that you will consume only the more valuable part of the trunk of the tree and the rest will go to waste, and therefore it will take more trees for a given amount of production than it would if we had the higher priced lumber. That hardly accords with the statement of Mr. Wells, that the greatest waste in this country was during 1905 and 1906, the time of the highest price of our lumber.

The gentlemen who speak from that standpoint, Mr. President, also forget another equally great truth. The higher the price of lumber the more value in cutting the sapling. As was stated by the Senator from Minnesota [Mr. NELSON] in his address yesterday, when the lumber price goes up then you can cut the small tree that has only reached a few years' growth, and which ought to grow from ten to fifteen or twenty years before it is converted into lumber. As was suggested by the Senator from Minnesota [Mr. CLAPP], in his State, after going over the timber the first year and denuding a great portion of the forest, they are now going over it the second time and taking the saplings, anything big enough to make a lath, and converting that into lumber.

So, Mr. President, whatever we would lose under this theory by not converting the top of a tree into lumber we would also lose as against the future, the number of small trees that would be cut instead of allowing them to run. Then the Senator must not forget, as is the case especially with our spruce in the East, that all of these tops are used, that they go to the mills and are converted into wood pulp. So there will be no waste along that line.

Mr. President, we can not escape the proposition that if we need in this country next year only 40,000,000,000 feet of lumber, and Canada can furnish 8,000,000,000, or one-fifth of that lumber, necessarily there would be 20 per cent less cut; and if there would be 20 per cent less cut, the forests of this country would last just exactly so much longer.

Mr. HEYBURN. How much longer?

Mr. McCUMBER. I say it would last in proportion to the horizontal scale of the price. If you run the prices up and there is a demand at those prices, of course you will rapidly increase the consumption. If the prices remain down, you will not increase to the same extent.

Now, Mr. President, I want to consider the cost and the selling price. As I have stated before, the Weyerhaeuser interest purchased lands of the Northern Pacific at 15 cents per thousand a very few years ago, and to-day those same lumber districts are worth about $3 per thousand, or an increase of some 2,000 per cent. What prices they paid to the hundreds of people who took these lands and then sold them I am not prepared to say. Probably they did not cost them a great deal more than they paid for the Northern Pacific lands.

There are a few manufacturers who do not own their own timber and they are, of course, asking for cheaper logs. They do not want any tariff. They, perhaps, are just as much interested as the other class are. The one wants a high protective tariff until he can get rid of his American product, and then he wants a low protective tariff when he has devastated our country and wants to get in what he owns upon the Canadian side.

Now, I want to consider a little the cost of production. I am going to hurry along so as to close in a very few minutes.

The lumber companies who are seeking a tariff on lumber are not seeking it, I repeat, for the purpose of protection. No protection on earth is needed. There can be but one purpose, and that is to secure exorbitant prices through combinations as long as the supply lasts in this country. As a matter of fact, the cost of producing lumber is just as great and even greater in some sections in Canada than it is in the United States.

Mr. F. B. Lynch, a lumberman of St. Paul, Minn., and owner of two of the largest mills in western Canada, the Red Deer Lumber Company at Barrows, Saskatchewan, in the spruce district, and the Elk Lumber Company at Fernie, British Columbia, in the mountain district. Each of his mills has a capacity of 35,000,000 feet per annum. The mills themselves, with improvements, cost $400,000. He states that mills on this side of the line of equal capacity and character will cost only $250,000, the difference being in the higher-priced machinery and the higher freight rates on the Canadian side.

That is a pretty wide spread. He accounts for it upon the matter of transportation, 30 per cent higher, and also for the material on account of the Canadian tariff.

The following table will show comparative wages paid per day to certain kinds of employees in sawmills in Ontario, Saskatchewan, British Columbia, averaged, as compared with wages in Oregon, Washington, and Minnesota, averaged. I will call attention to only a few of the items and then have it printed:

	Canada.	United States.
Foreman	$143.33	$127.50
Band sawyer	6.19	5.20
Filer	7.35	6.83
Engineers (chief)	4.25	3.79
Graders	2.99	2.44
Firemen	2.54	2.78
Millwright	3.99	3.56
Setter	3.38	3.12
Edgerman	3.62	2.20
Trimmer	2.54	2.48
Common laborers (white)	2.30	2.05

Here is another table from the International Timber Company, British Columbia, comparing this company with the Simpson Logging Company, Shelton, Wash.:

		International Timber Company, Campbell River, British Columbia.	Simpson Logging Company, Shelton, Wash.
Fireman	per day	$2.50	$2.00
Flunkey	per month	35.00	30.00
Hook tender	per day	4.00	3.75
Line horseman	do	2.50	2.25
Rigging slinger	do	3.00	2.75
Signal man	do	2.50	2.25
Skidder head	do	3.00	3.25
Skid road man	do	2.25	2.00
Sniper	do	2.75	2.50
Swamper	do	2.50 to 2.75	2.25
Undercutter	do	3.50	3.00
Wood cutter, behind donkey	do		2.00

Mr. PILES. Where is the Canadian mill located?

Mr. McCUMBER. It is in the Campbell River Valley, British Columbia.

Mr. PILES. Back in the interior of the country.

Mr. McCUMBER. Yes, back in the interior; and certainly some of the prices that are made in the Washington districts are made at mills back in the interior of Washington.

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I wish to finish as quickly as possible.

Mr. PILES. I merely wanted to put this statement in, if the Senator from North Dakota will permit me:

The Senator is talking about mills in British Columbia that are back in the interior of the country, where they do not allow Chinamen or Japanese to work; but I defy him to give me the name of a mill on the coast of British Columbia, and compare it with a mill on the coast of Washington or Oregon, and say that we are not paying from $2 to $2.50 a day for common labor where they pay from 80 cents to $1.25.

Mr. McCUMBER. Mr. President, I want to be perfectly fair with the Senator. I was going to give him another table where the prices showed higher upon the American side. I will follow this with another table, giving the actual cost in 1908 of lumber on the Inland Empire district, of Spokane. That is in the interior, and the mountain mills of British Columbia are in the interior. The table shows that a price considerably higher is paid for the same character of lumber on the American side; that is, not the price of labor, but the price of the lumber itself. I will have the table printed in my remarks.

The table referred to is as follows:

Western pine, fir, and larch—Comparison of base prices, 1908.

Sizes.	Inland Empire, Spokane.	Mountain Mills, British Columbia.
2 x 4 to 2 x 8—12 to 16 feet	$15.50	$15.25
2 x 10—12 to 16 feet	15.50	15.75
2 x 12—12 to 16 feet	17.50	15.75
3 x 6 to 3 x 10—12 to 16 feet	18.50	15.25
4 x 4 to 8 x 8—12 to 16 feet	18.50	15.25
3 x 12—12 to 16 feet	20.50	15.25
No. 3 common boards	18.00	(Mt. Com.) 14.00
No. 2 common ship laps	20.00	(Mt. Com.) 15.50
"C" and better white pine	38.00	(Mt. 1) 26.00
No. 1 lath	3.55	3.25

Mr. McCUMBER. This table does not mean that the cost of American lumber was any more, but higher prices were charged upon the American side. The preponderance of evidence given before the Ways and Means Committee is that the cost of manufacturing lumber in Canada is, on the whole, higher than it is in the United States when you take into consideration the cost of the mill. That is not limited to the mountain districts, but applies even to districts bordering upon the Lakes. Mr. J. W. Wells, a Michigan lumberman, who has interests on both sides of the line states as follows:

Logging in Ontario is at least $2 per thousand more than in Wisconsin and Michigan, caused mostly by the roughness of the ground, labor and supplies also being somewhat higher.

This is a man, as I have said, who has mills on both sides of the line.

Mr. PILES. Who is that?

Mr. McCUMBER. That is Mr. Wells. He also states:

The cost of sawing at our Georgian Bay mills is at least 20 per cent more than in our Michigan and Wisconsin mills, caused mostly by higher wages paid mill men and higher tariff on mill supplies and machinery. We pay a duty of 30 per cent on machinery and supplies, and the Canadian manufacturers take the value out of it by adding the duty to the cost price.

A large number of witnesses, either orally or by letter or by brief, testify that the general cost of commodities entering into the erection and equipment of a sawmill on the Canadian side, with its outfit, is considerably more than upon the American side.

Now, I want to take a statement of Mr. D. N. Winton, a stockholder in two mills, one on the American side, in Minnesota, and one in Saskatchewan. He makes a statement in regard to the cost of manufacturing lumber at his mills at Thief River Falls, Minn., and at Prince Albert, in Saskatchewan. At the Minnesota mill it is $3.41 per thousand, and at the Canadian mill it is $4.18 per thousand.

These figures, of course you will understand, are for the actual cost of manufacturing, and do not include the cost of logs, which are somewhat cheaper on the Canadian side. They must be admitted to be cheaper.

Here is another statement upon the comparative cost, including the cost of logs in Washington and in Enderby, British Columbia, and all the expense of manufacturing and administration of an American mill and a Canadian mill. In the American mill in 1908 it was $10.79 per thousand, and in the Canadian mill in 1907 it was $13.71, and in 1908 it was $12.59.

Mr. PILES. Where was the Canadian mill located?

Mr. McCUMBER. I can not say just where it was located.

Mr. PILES. It must have been in the mountains.

Mr. McCUMBER. As a rule, it must be said that logs are a trifle higher on the American side at Puget Sound, although I am informed that at the present time they are a trifle higher on the opposite side. If my information is incorrect, of course the Senator, who lives there, can correct the statement.

Mr. PILES. If the Senator wants any information, I will be glad to give it to him now.

Mr. McCUMBER. I understand the Senator does not agree with that statement.

Mr. PILES. I say there never has been a day in the history of Washington and British Columbia when logs were not at least a dollar a thousand cheaper in British Columbia than they were in the State of Washington.

Mr. McCUMBER. The information which I had yesterday was to the contrary.

Mr. PILES. I have lived there for twenty-six years, Mr. President, and I know something of this thing.

Mr. McCUMBER. I have stated it generally; but just at the immediate time—which means that it was a very short time ago—it was a trifle higher on the other side.

I want to call attention to Mr. Rogers's testimony. He is also one of the greatest lumbermen, and he is interested on both sides of the line.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. Yes.

Mr. NELSON. I want to call the Senator's attention to the fact that logs can be imported free of duty from British Columbia into the State of Washington.

Mr. PILES. Certainly they can be so imported.

Mr. McCUMBER. Certainly. Mr. Rogers, in his testimony before the House Committee Hearings, Schedule D, page 2869, says:

We have purchased a large quantity of lumber in the United States and shipped it into Canada because we could buy that lumber in the United States for a less price per thousand feet than we could afford to deliver it from our own mill in British Columbia, because the cost of production in British Columbia is higher than in the United States.

Of course, Mr. President, this can not be the case for any length of time, and it can only cover certain tracts. We can put the American lumber into Manitoba, in those prairie districts to-day, cheaper, I think, than the Canadians can put their own lumber into their own country; but they are supplying a considerable demand in that country.

Considerable argument has been made on behalf of the great lumber concerns against free lumber for the reason that a much higher rate of taxes is paid in this country than in Canada. This, however, depends upon local conditions. Some portions of Canada that are wholly unsettled, with no schools and practically no township or county governments to support, have of course light taxes. I think, however, there is little difference between the Ontario and the American side in respect to amount of taxation.

Mr. Lynch, speaking of the question of taxes, says:

The item of taxes varies in the different Provinces and on different classes of timber, but runs from $5 per square mile, which is the lowest annual rental on timber in the prairie Provinces, to $140 per square mile on the heavy timber in British Columbia, west of the Cascade Mountains. This tax or rental is paid annually, and is an addition to the local or business taxes which may be paid. Most of our holdings are east of the Cascades, in British Columbia, in the mountain district, where we pay a tax of $115 per square mile per annum. On the amount of timber which we hold this tax amounts to about 6 cents per thousand per annum. This is treble the tax paid by us on our holdings on this side of the line. The fee of the land does not go with this.

All of the timber in Canada, however, carries a minimum royalty to the government of 50 cents per thousand board measure and from that up to $6 per thousand in royalty in some of the eastern Provinces. To these royalties, to find the stumpage, must be added the bonus which is paid to the Dominion government when the license to cut the timber was issued by the government, and which amounts, according to the competition which prevailed when the timber was sold by the government, to from 15 cents to $2 per thousand. This bonus is paid to the government in cash when the timber is sold, while the royalty is paid to the government when the timber is sawed. Royalty is also paid on all of the by-products, including laths and shingles.

Mr. Hines, representing the Weyerhaeuser interests, asserted that his taxes on a certain timber tract in Wisconsin amounted to $3 a thousand on the cut of the mill. Against this put the statement of Mr. J. W. Wells, who says he is interested in 320,000 acres of timber land in 14 different counties in Wisconsin and Michigan, and that his taxes amount to only 50 cents per thousand on the amount of lumber produced. Then compare this with the royalty taxes in Ontario and the annual rental charged and add the local tax whenever it is located in a settled district. We know that in British Columbia there is a royalty of from 50 to 60 cents per thousand feet of product and in addition to that a lease charge of $115 to $140 per square mile. Mr. Dwinnell says that M. J. Scanlon pays on his British Columbia timber the equivalent to a tax of nearly 22 cents; in Louisiana 10 cents; in Oregon 8 cents.

Mr. Hines seems to forget also that the taxes which he pays are utilized in such a way that they tend to enhance the value of his property. The British Columbia taxes go to the provincial government, and no part is used in improving the lumber districts.

Mr. Bowman says that the taxes in Louisiana amount to 1 cent per thousand; in British Columbia 2 cents. The Rogers Lumber Company states that taxes on their lands are less than 1 cent in Oregon; in British Columbia 2.57 cents per thousand.

Of one thing, Mr. President, we can be morally certain, and that is that no lumber company is continually, day in and day out, selling its produce for less than it costs. We can be equally certain that no American lumber company is putting its product close at the doors of the Canadian mills, unless it can afford to do so. When we find that such is the case it is pretty good evidence that the American can compete with the Canadian right at his own doors.

Mr. President, the Grand Trunk Pacific Railroad passes through the great lumber districts of British Columbia, a part of Saskatchewan, and of Alberta, and yet in a competitive bid, within a year, for lumber to be used in the construction of that railroad, out in the wooded country of Canada, a Puget Sound American lumber company outbid the Canadian company, took the lumber from the American side, and built the Canadian railroad.

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. PILES. Does the Senator want me to explain that to him?

Mr. FLINT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from California?

Mr. McCUMBER. I have not time to yield much longer unless I continue to speak at too great length. I want to get through just as quickly as I can.

Mr. FLINT. Very well; I will wait.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. McCUMBER. I do not decline to yield; but I have not the time to submit to further interruptions now.

Mr. President, I want to call some facts to the attention of our southern friends, who have been very fearful that the Canadians would run their oak lumber down South and come in competition with southern lumber.

Why, Mr. President, the Canadian Pacific Railroad Company purchases all of its material, as I understand, for the construction of its cars from our southern mills and takes it up into Canada. If the American lumber industry needs protection it would not be shipping its own products into a foreign country, and the fact that they are shipping into a foreign country year in and year out is pretty conclusive evidence to me that they do not need the protection that they are asking for against that foreign country.

I want to call attention now to the exportation from the United States to Canada. All of the western country bordering upon the Pacific is able to compete with Canada in all of the lumber markets of the world. I want any man to tell me how it is possible that year after year we are shipping three or four times as much lumber abroad as the Canadians are shipping abroad unless we can sell it as low as the Canadians can sell it. The very fact that we are holding the markets of Australia and of the Orient as against the Canadians is pretty conclusive evidence to me that we can afford to hold it against the Canadians, and we can afford to hold it only because we can manufacture lumber just as cheaply as they can manufacture it.

Our total exports of forest products now exceed in value $126,000,000. A large portion of this is in competition with Canadian products. The United States is in fact the leading lumber exporting nation of the world. The mills in Washington and Oregon increased their exports from 131,000,000 feet in 1905 to 363,000,000 feet in 1907—more than double in two years—while those of British Columbia increased their exports in the same period from 41,000,000 to 67,000,000 feet. The increase in American lumber exports was 200 per cent, while in the case of British Columbia the increase was only about 55 per cent. If our Washington and Oregon mills can compete in the foreign markets against Canadian lumber, why do we need protection in those markets, or in the home markets either, as against Canadian lumber?

The Pacific Lumber Trade Journal estimates the stumpage of British Columbia to be 150,000,000,000 feet; of Oregon 225,000,000,000 feet; of Washington 196,000,000,000 feet; of California 180,000,000,000 feet; and of Idaho 100,000,000,000 feet. With that supply and with the prices that we are paying, compared with the Canadian prices in the mountain districts, I think it is manifest that we are able to compete with them.

Pine stumpage in Minnesota is sold as high as $12 to $13. Late sales of government timber in Ontario have been on a basis of $11.50 to $12 per thousand feet. On the western coast of British Columbia stumpage is considerably cheaper than Washington and Oregon stumpage, but the difference is not so great as has been alleged by the high tariff proponents.

According to Bulletin 27, issued by the Forestry Service, stumpage values have increased from 1899 to 1907 as follows:

White pine, from $3.66 per thousand to $8.09 per thousand; yellow pine, from $1.12 to $3.16; Douglas fir, from 72 cents to $1.44; cedar, from $1.32 to $4.64; hemlock, from $2.56 to $4.51; spruce, from $2.26 to $5.49.

All of these increases have operated for the benefit of the large lumber interests.

I want to take up now the very last proposition, and that is the matter of the finished lumber. I have heard a great deal about "jokers" being in our tariff bills. The only provision

that I know of in this bill that is really a joker in the sense that it operates as a practical joke upon the American people is the proposed reduction of $1 in the rate on undressed lumber and the maintenance of the higher rates upon finished lumber. Of what benefit to the great consuming public, where the lumber has to be imported over railways, is the $1 reduction upon the unfinished product? Of what benefit to the American consumer of lumber is a reduction of the duty on that which he never uses? The American consumer will get just as much benefit out of the reduction upon rough lumber as he would get out of the reduction upon a rough diamond, and no more. Ninety per cent of all the lumber we use is in a finished state. What do we use it for? For building homes, building barns, and so forth. What man would think of buying rough lumber and sawing it with a handsaw to make his door frames or his window frames or to tongue and groove his floor? If we are going to have any substantial reduction, it must necessarily be upon the finished product.

I want to show, Mr. President, that there is no reason on earth for maintaining the sliding upward scale, the differentials, in the lumber schedule. They were placed there possibly years ago, when it took a separate operation upon every piece of lumber as it was changed from one condition to another. I do not want to conduct a kindergarten, but I do want to call attention to some extent to the manufacture of lumber. I know that I labor under some disadvantage in not being myself a manufacturer of lumber. The Senator from Maryland [Mr. SMITH], who says he is a manufacturer of lumber of thirty years' experience, intimated yesterday, because of a statement I had made, that I had not the slightest idea about the lumber business, or possibly that I had never seen a sawmill; and he declared that it was the height of folly to say that you could ever take a rough board directly from the saw and plane it; that it was an impossibility, and that anybody who made a statement of that kind did not know anything about the lumber business. These remarks go out over the country, and this morning there commenced to pile in telegrams, letters, and communications to me from a great many manufacturing lumbermen in the country, every one of them declaring that that is just the process by which they convert the rough lumber into the finished state. They even deny that they ever send it to the drying kiln first, but state that they send it directly from the saw to the planing mill, and they plane it on both sides, top and bottom and side and groove and tongue it all at one operation. The Senator from Maryland said that nobody ever heard of a proposition of that kind; and yet, Mr. President, men who have been engaged in the lumber business for years say that that is their method. I know that there is a considerable portion of the lumber that does not go directly from the saw to the planing mill. Some of it first goes to the drier, and is afterwards planed. Some of it goes into the general stock, is piled up in the yards, and is not planed until an order comes in, and then it is put through the planing mill. Why? Not because they could not do it before, but simply because it would become weather-beaten, as they say, and they want it to go fresh-looking from the mills.

Here is a board [exhibiting] as it comes from the saw. The expense of manufacturing this board, as I am told, exclusive of the cost of the log, is less than $4 per thousand. The Dingley law protects it by a duty of $2, or 50 per cent of the cost of production; the Payne bill protects it by a duty of $1, or 25 per cent of the cost of production. It costs more, as I am reliably informed, taking Canada as a whole, to manufacture this board in Canada than it costs to manufacture it in the United States.

Here is another board [exhibiting]. It is planed on only one side. It is a sample of shiplap, and is surfaced on one side. If it goes direct from the saw, as I understand, to the planer, it costs 15 cents on the average to do the surfacing; otherwise 50 cents is a generous allowance. So says my informant. This lumber surfaced on one side is protected in both the Dingley law and the Payne bill 50 cents more than the other piece of lumber without the surfacing. When surfaced on two sides the cost is about the same as for one side, but the protection, with no added cost, is a dollar in addition to the duty on rough lumber, making a total rate of protection of $2 upon that piece of board. The cost of surfacing in Canada is practically the same as it is in this country. If it is surfaced on three sides, although it may be only the edge, another 50 cents is added to the duty, making the duty $1.50.

Mr. President, I have here another board [exhibiting]. Here is a board finished on four sides. The cost of finishing that board in no instance, I am informed, exceeds a dollar a thousand, and is probably not more than 50 cents a thousand on the average, and yet the additional duty over the rate on rough lumber is $2. The outside cost would not exceed $1, and the average cost would be about 50 cents, but the duty over that on rough lumber is $2, making a total duty of $3. This might be surfaced for about the same cost on both sides.

I have some data here to show the cost of surfacing and how it is done, but I will not bother the Senate with it now.

Here is another board [exhibiting], a two-by-four scantling, or a two by four, as it is called. It is finished on four sides. The cost of finishing does not exceed a dollar, and it may not be more than 50 cents, averaging about 50 cents, but the additional duty under the pending bill over the duty on rough lumber, on lumber of this character, is $2, or a $3 duty altogether. Fifty cents added to the duty on rough lumber would be a sufficient amount for the planing of this piece of lumber.

Here [exhibiting] is a board planed upon one side and grooved and tongued upon two other sides. This is flooring. The cost of finishing is not to exceed 50 cents a thousand, and the additional cost on that is a dollar a thousand, or a total of $2 duty on that piece of lumber.

I take this one that is finished on four sides, and I insist that that is changed from the rough piece of lumber that I have described into that finished article by one movement. I admit it does not go through the mill so rapidly, as I am informed, as it would if it were planed upon one side. But they have the planing mill so arranged that they can run on both sides and groove and tongue it at the same time.

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. PILES. Just for a question?

Mr. McCUMBER. Certainly.

Mr. PILES. I wish to ask from whom the Senator gets his information as to the cost of planing lumber on both sides and tonguing and grooving?

Mr. McCUMBER. I get it from somebody who is interested in getting it in——

Mr. PILES. Is it not Mr. Lynch?

Mr. McCUMBER (continuing). Just the same as the Senator gets his information from somebody who is interested in keeping it out. I think this is a correct statement, because I have it from several different companies.

Mr. PILES. I should like to know who they are.

Mr. McCUMBER. I probably have the names right here. If I have them in my desk I will give them now, and if I have not, I will certainly give the Senator the names of these people.

Mr. PILES. All right.

Mr. McCUMBER. Here is flooring surfaced on two sides, tongued and grooved. The cost of finishing is not to exceed 50 cents per thousand. The additional protection over rough lumber is $1.50 a thousand, or a total of $2.50.

I desire to say to my southern friends, who say that they want to vote for a tariff on lumber, but they want to vote for it as a tariff for revenue only and not protection, you have your opportunity to do so in reducing the schedule upon the finished lumber to 50 cents, because everything above that is protection to the American finisher.

Now here is drop siding, surfaced on one side, tongued and grooved. The cost of finishing is not to exceed 50 cents a thousand. The additional duty over rough lumber, $1 a thousand, or an entire duty of $2 per thousand.

Here is another piece of drop siding. That is $2.50 a thousand. It is made upon the same basis, although all the work is done in passing that on its travels without stopping in its onward movement, from the rough lumber into the finished lumber.

Mr. President, we all understand why the finished lumber can be shipped so very much cheaper than the rough lumber. It has already been explained why it is, and I do not care about going over the same thing again. But I desire to call attention to a statement that is given here from one of these southern mills. It was referred to by the Senator from Minnesota [Mr. NELSON]. I am going to ask the Clerk to read some of these before closing, but I want to call attention to two schedules or price lists, one from Texarkana, Ark., and the other from St. Louis, Mo. Those schedules were printed from the same press, with exactly the same ink, the only difference being the companies mentioned on the outside. Every item is exactly the same, although these mills are about 400 miles apart. This price list establishes, first, that rough lumber costs about $2.25 to $2.50 per thousand more than finished lumber, and it shows almost as conclusively that there is a combination on the part of lumber producers to hold up the consumer.

But what I wanted especially to bring to the attention of the Senate is the fact that the cost of rough lumber is $2.25, as a rule, more than the finished product. And even with a reduction of $1 per thousand, it would still be higher than the finished product.

Before closing I want to get at the real secret, the reason which actuates those lumbermen who are in favor of the higher

tariff on lumber. As has already been shown, a large portion of the Canadian lumber resources are owned to-day by American lumbermen. They make no secret of their proposition. They know that lumber is bound to go up, as every American citizen knows it is bound to go up, as it is rapidly being exhausted. They know about how long it will take to exhaust the present American supply, and they want to hold up the American consuming public to exorbitant prices until they have exhausted the American supply, during which time their Canadian property will enhance in value as our own supply is being exhausted, and when they have practically exhausted that then they will come before the same American public and will cry for free lumber. While now they are shedding tears for the poor American laborer, they will then be weeping for the American consumer.

Let us see if I am borne out in these facts. I want to call attention to a position taken by one of the large lumbermen, as contained in a recent publication, in which he says:

Another interesting phase of the situation is that many, perhaps most, of the Americans who own timber in British Columbia, and also in the States, are opposed to the repeal of the American tariff. One of these men explained his position the other day in the following language:

"The way I figure it out is that the best policy for those of us who own timber on both sides of the line is to do our best to keep up the American tariff at the present time. That will help us to get top prices for the products of our American timber as long as it lasts. The faster we cut that timber the more valuable the Canadian timber will be when the time comes for us to use it.

"If the tariff were to come off now our Canadian timber would gain nothing, but by keeping up the tariff as long as there is any timber left in the United States we win heavily both ways: first, on our American timber, and second, eventually on our Canadian timber; and the chances are that the American people, with their delusions about a high protective tariff, will 'fall' to this idea."

I am told that one of the greatest lumber manufacturers in the United States a short time ago remarked that, while he would prefer to have the tariff stay where it is, he did not have the nerve publicly to commit himself in opposition to the repeal of the lumber tariff.

Mr. President, how will the removal of the lumber tariff keep down prices? It will not keep them down to any great extent. The diminishing supply is bound to send lumber upward. All it can possibly do is to prevent extortionate charges being made for the lumber upon this side. It can operate as a regulator of the 100 to 1[illegible] per cent profits upon the manufactures of lumber. That is about all it possibly can do.

Mr. President, in closing, in answer to the charges iterated and reiterated against our people of the prairie States, that we are asking for protection and are not granting protection, I want to say that for forty years the safety of the Republican doctrine of protection has rested in those agricultural States. We got the least direct benefit. We sacrificed more than any manufacturing State in the Union for the cause of protection. We believed in building up your factories. We were patriotic enough to say that we would pay higher prices if it gave your people higher prices and higher wages. And I want to say to the Senator from North Carolina [Mr. SIMMONS], who spoke here the other day along that line, that when the Democrats were voting a Democratic ballot in every Southern State and praying to God that it might not be effective—while they were holding Democratic ballots in their hands and Republican policies in their hearts, these farmers about whom you are complaining were steadily putting in their ballots, two and three to one, to protect you against yourselves. Whenever the great question of protection is in the balance, on the eve of any great national election, every eye is centered upon the pivotal State of New York. We first get your Democratic vote in that manufacturing State. We first get that, as a rule, enormous majority in favor of free trade, and then we look to get the returns from the agricultural sections of the country to overturn it; and when any of your States that preach your free-trade doctrine are voting at the polls even you in those States are looking to the Northwest, to this farmer, to protect you against that policy.

All of our friends here from the Southern States are preaching protection to-day on everything in which they are interested. We are giving protection to the manufacturers; we are giving every one of them a higher protection than we have ever asked for ourselves; but we believe that there are principles underlying the philosophy of protection that we can never get away from. We feel that we can apply those principles, and applying them to lumber, to iron ore, to coal, and to oil, we can find no basis for their application, because a duty upon every article which must necessarily be exhausted just in proportion to that increase is a contravention of the underlying principles of protection. We will give protection wherever it is needed, but, as I have said before, more important than all other questions to the American people is that of the conservation of our forests.

I deny that we own in fee the territory constituting our country. It belongs to our children's children. We have a life interest in these great resources, a right to use them, but I deny that we have a right to so use them as to seriously diminish their value to future generations.

The man who takes a life lease of land can not excuse himself to those who take after him if he exhausts the soil and so destroys it that it is practically of no use to those who follow him. Neither can the American people to-day justify themselves in the deforestation of the American Continent, changing our climate, causing floods, washing away the soil from our farms, thereby not only depriving future generations of these resources, but, in addition to that, placing upon them the burden of taxation to reforest and resoil that which we have destroyed.

That is the view, Mr. President, that I have upon the lumber question. It is a bigger question than that of merely giving employment to laborers to-day. It is a question of the future, in which the whole American people have an interest of which we have no just right to deprive them.

Mr. President, I agreed to say something before closing about the prices of labor in Canada and the United States. I just want to call attention to the fact that from a late statement I have this laborer that you are complaining about in Canada, this oriental laborer, receives on an average $1.68 a day, and that is 43 cents higher than the average laborer in the southern mills. In other words, the oriental laborer in Canada is receiving a higher price than the colored laborer in this country.

Mr. BACON. Will the Senator pardon me? What did he say about the rate of labor in the South?

Mr. McCUMBER. The table which I believe was given in testimony before the House committee showed that the average price per day of oriental labor in Canada was $1.68, and that the average price of the daily wage for the colored labor in the southern mills was about 90 cents; that is, less than $1, although some were paid $1 a day.

Mr. BACON. I do not know the precise wages of such labor in the South, and I am not prepared to give the Senator accurate figures, but I am sure it is very much higher than that. I do not mean by that to enter into any controversy. I was simply attracted by the statement of the Senator. I confess I was surprised to hear that the oriental labor is so high. I thought it was very much lower. That is the reason I interrupted him. However, I am not well informed about it.

Mr. McCUMBER. I will ask the Senator if colored labor in the mills in the South, so far as he knows, will average a dollar a day?

Mr. BACON. I can not state with absolute certainty, but I think——

Mr. McCUMBER. I have to take the figures as I can get them.

Mr. BACON. But I think it is more. However, I am not certain.

During the delivery of Mr. McCUMBER's speech,

Mr. ALDRICH. Will the Senator from North Dakota yield to me for a moment?

Mr. McCUMBER. Certainly.

Mr. ALDRICH. I ask leave out of order to report from the Finance Committee sundry amendments to the pending bill, which I ask may be printed. I make the report now in order that the amendments may be printed by to-morrow morning.

The PRESIDING OFFICER (Mr. SMITH of Michigan in the chair). The Senator from Rhode Island reports numerous amendments to the pending bill, which he asks to have printed. That order will be made, unless there is objection.

At the conclusion of Mr. McCUMBER's speech,

Mr. ALDRICH. I will be glad, Mr. President, if the amendments which I offered to the bill to-day can now be read. I do not, of course, expect to have them acted upon at this time, but I should be very glad to have them read.

The PRESIDING OFFICER. The Secretary will read, as requested.

The SECRETARY: On page 224, after line 16, at the end of section 1, insert:

The provisions of the dutiable list and the free list of this section shall constitute the minimum tariff of the United States.

After section 1 insert as a new section the following:

SEC. 2. That from and after the 31st day of March, 1910, except as otherwise specially provided for in this section, there shall be levied, collected, and paid on all articles when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands), the rates of duty prescribed by the schedules and paragraphs of the dutiable list of section 1 of this act, and in addition thereto 25 per cent ad valorem; and there shall also be levied, collected, and paid the following rates of duty on articles upon the free list in said section 1, namely: On coffee, 5 cents per pound; on tea, 10 cents per pound; which rates shall constitute the general tariff of the United States: *Provided*, That whenever and so long as the President shall be satisfied, in view of the character of the concessions granted by the minimum tariff of the United States, that the government of any foreign country imposes no terms or restrictions, either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, or in any other manner, directly or indirectly, upon the importation into or the sale in such foreign country of any agricultural, manufactured, or other product of the United States, which unduly discriminate against the United States or the products thereof, and that such foreign country imposes no export bounty or prohibition upon the exportation of any article to the United States which unduly discriminates against the United States or the products thereof, and that such foreign country accords to the agricultural, manufactured, or other products of the United States treatment which is reciprocal and equivalent, then, upon proclamation to this effect by the President of the United States, all articles when imported into the United States, or any of its possessions (except the Philippine Islands), from such foreign country shall, except as otherwise herein provided, be admitted under the terms of the minimum tariff of the United States as prescribed by section 1 of this act. The proclamation issued by the President under the authority hereby conferred and the application of the minimum tariff thereupon may, in accordance with the facts as found by the President, extend to the whole of any foreign country, or may be confined to or exclude from its effect any dependency, colony, or other political subdivision having authority to adopt and enforce tariff legislation, or to impose restrictions or regulations or to grant concessions upon the exportation or importation of articles which are, or may be, imported into the United States. Whenever the President shall be satisfied that the conditions which led to the issuance of the proclamation hereinbefore authorized no longer exist, he shall issue a proclamation to this effect, and thereupon and thereafter the provisions of the general tariff shall be applied to the importation of articles from such country. Whenever the provisions of the general tariff of the United States shall be applicable to articles imported from any foreign country, they shall be applicable to the products of such country, whether imported directly from the country of production or otherwise. To secure information to assist the President in the discharge of the duties imposed upon him by this section, and information which will be useful to Congress in tariff legislation and to the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same.

Add as a new section the following:

SEC. 3. That the act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended, be further amended to read as follows:

"SEC. 1. That all merchandise imported into the United States shall, for the purpose of this act, be deemed and held to be the property of the person to whom the same is consigned; and the holder of a bill of lading duly indorsed by the consignee therein named, or, if consigned to order, by the consignor, shall be deemed the consignee thereof; and in case of the abandonment of any merchandise to the underwriters the latter may recognized as the consignee.

"SEC. 2. That all invoices of imported merchandise shall be made out in the currency of the place or country from whence the importations shall be made, or, if purchased, in the currency actually paid therefor, shall contain a correct description of such merchandise, and shall be made in triplicate or quadruplicate in case of merchandise intended for immediate transportation without appraisement, and signed by the person owning or shipping the same, if the merchandise has been actually purchased, or by the manufacturer or owner thereof if the same has been procured otherwise than by purchase, or by the duly authorized agent of such purchaser, seller, manufacturer, or owner.

"SEC. 3. That all such invoices shall, at or before the shipment of the merchandise, be produced to the consul, vice-consul, or commercial agent of the United States of the consular district in which the merchandise was manufactured or purchased, as the case may be, for export to the United States, and shall have indorsed thereon, when so produced, a declaration signed by the purchaser, seller, manufacturer, owner, or agent, setting forth that the invoice is in all respects correct and true, and was made at the place from which the merchandise is to be exported to the United States; that it contains, if the merchandise was obtained by purchase, a true and full statement of the time when, the place where, the person from whom the same was purchased, and the actual cost thereof, and of all charges thereon, as provided by this act; and that no discounts, bounties, or drawbacks are contained in the invoice but such as have been actually allowed thereon; and when obtained in any other manner than by purchase, the actual market value or wholesale price thereof at the time of exportation to the United States in the principal markets of the country from whence exported; that such actual market value is the price at which the merchandise described in the invoice is freely offered for sale to all purchasers in said markets, and that it is the price which the manufacturer or owner making the declaration would have received, and was willing to receive, for such merchandise sold in the ordinary course of trade in the usual wholesale quantities, and that it includes all charges thereon as provided by this act, and the actual quantity thereof; and that no different invoice of the merchandise mentioned in the invoice so produced has been or will be furnished to anyone. If the merchandise was actually purchased, the declaration shall also contain a statement that the currency in which such invoice is made out is that which was actually paid for the merchandise by the purchaser.

"SEC. 4. That, except in case of personal effects accompanying the passenger, no importation of any merchandise exceeding $100 in value shall be admitted to entry without the production of a duly certified invoice thereof as required by law, or of an affidavit made by the owner, importer, or consignee, before the collector or his deputy, showing why it is impracticable to produce such invoice; and no entry shall be made in the absence of a certified invoice, upon affidavit as aforesaid, unless such affidavit be accompanied by a statement in the form of an invoice, or otherwise, showing the actual cost of such merchandise, if purchased, or, if obtained otherwise than by purchase, the actual market value or wholesale price thereof at the time of exportation to the United States in the principal markets of the country from which the same has been imported; which statement shall be verified by the oath of the owner, importer, consignee, or agent desiring to make entry of the merchandise, to be administered by the collector or his deputy, and it shall be lawful for the collector or his deputy to examine the deponent under oath touching the sources of his knowledge, information or belief in the premises, and to require him to produce any letter, paper, or statement of account in his possession or under his control, which may assist the officers of customs in ascertaining the actual value of the importation or any part thereof, and in default of such production when so requested, such owner, importer, consignee, or agent shall be thereafter debarred from producing any such letter, papers, or statement for the purpose of avoiding any additional duty, penalty, or forfeiture incurred under this act, unless he shall show to the satisfaction of the court or the officers of the customs, as the case may be, that it was not in his power to produce the same when so demanded; and no merchandise shall be admitted to entry under the provisions of this section unless the collector shall be satisfied that the failure to produce a duly certified invoice is due to causes beyond the control of the owner, consignee, or agent thereof: *Provided*, That the Secretary of the Treasury may make regulations by which books, magazines, and other periodicals published and imported in successive parts, numbers, or volumes, and entitled to be imported free of duty, shall require but one declaration for the entire series. And when entry of merchandise exceeding $100 in value is made by a statement in the form of an invoice, the collector shall require a bond for the production of a duly certified invoice.

"SEC. 5. That whenever merchandise imported into the United States is entered by invoice, one of the following declarations, according to the nature of the case, shall be filed with the collector of the port at the time of entry by the owner, importer, consignee, or agent, which declaration so filed shall be duly signed by the owner, importer, consignee, or agent before the collector, or before a notary public or other officer duly authorized by law to administer oaths and take acknowledgments, who may be designated by the Secretary of the Treasury to receive such declarations and to certify to the identity of the persons making them, under regulations to be prescribed by the Secretary of the Treasury; and every officer so designated shall file with the collector of the port a copy of his official signature and seal: *Provided*, That if any of the invoices or bills of lading of any merchandise imported in any one vessel which should otherwise be embraced in said entry have not been received at the date of the entry, the declaration may state the fact, and thereupon such merchandise, of which the invoices or bills of lading are not produced, shall not be included in such entry, but may be entered subsequently.

"DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

"I, ———, do solemnly and truly declare that I am the consignee, importer, or agent of the merchandise described in the annexed entry and invoice; that the invoice and bill of lading now presented by me to the collector of ——— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ———, whereof ——— is master, from ———, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know or believe in the existence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been on my part, nor to my knowledge on the part of any other person, concealed or suppressed whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purport to have been made; and that if at any time hereafter I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly declare that to the best of my knowledge and belief (insert the name and residence of the owner or owners) is (or are) the owner (or owners) of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost at the time of exportation to the United States in the principal markets of the country from whence imported of the said goods, wares, and merchandise, and includes and specifies the value of all cartons, cases, crates, boxes, sacks, casks, barrels, hogsheads, bottles, jars, demijohns, carboys, and other containers or coverings, whether holding liquids or solids, which are not otherwise specially subject to duty under any paragraph of the tariff act, and all other costs, charges, and expenses incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

"DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT WHERE MERCHANDISE HAS NOT BEEN ACTUALLY PURCHASED.

"I, ———, do solemnly and truly declare that I am the consignee, importer, or agent of the merchandise described in the annexed entry and invoice; that the invoice and bill of lading now presented by me to the collector of ——— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ———, whereof ——— is master, from ———, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know or believe in the existence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been on my part, nor to my knowledge on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purport to have been made; and that if at any time hereafter I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly declare that to the best of my knowledge and belief (insert the name and residence of the owner or owners) is (or are) the owner (or owners) of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual market value or wholesale price at the time of exportation to the United States in the principal markets of the country from whence imported of the said goods, wares, and merchandise, and includes and specifies the value of all cartons, cases, crates, boxes, sacks, casks, barrels, hogsheads, bottles, jars, demijohns, carboys, and other containers or coverings, whether holding liquids or solids, which are not otherwise specially subject to duty under any paragraph of the tariff act, and all other costs, charges, and expenses incident to placing said goods, wares, and merchandise in condition,

packed ready for shipment to the United States, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

"DECLARATION OF OWNER IN CASES WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

"I, ———, do solemnly and truly declare that I am the owner by purchase of the merchandise described in the annexed entry and invoice; that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me, in the ———, whereof ——— is master, from ———; that the invoice and entry, which I now produce, contain a just and faithful account of the actual cost of the said goods, wares, and merchandise, and include and specify the value of all cartons, cases, crates, boxes, sacks, casks, barrels, hogsheads, bottles, jars, demijohns, carboys, and other containers or coverings, whether holding liquids or solids, which are not otherwise specially subject to duty under any paragraph of the tariff act, and all other costs, charges, and expenses incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other discount, drawback, or bounty but such as has been actually allowed on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or in the accounts now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

"DECLARATION OF MANUFACTURER OR OWNER IN CASES WHERE MERCHANDISE HAS NOT BEEN ACTUALLY PURCHASED.

"I, ———, do solemnly and truly declare that I am the owner (or manufacturer) of the merchandise described in the annexed entry and invoice; that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— is master, from ———; that the said goods, wares, and merchandise were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that nevertheless the invoice which I now produce contains a just and faithful valuation of the same, at their actual market value or wholesale price, at the time of exportation to the United States, in the principal markets of the country from whence imported for my account (or for account of myself or partners); that such actual market value is the price at which the merchandise described in the invoice is freely offered for sale to all purchasers in said markets and is the price which I would have received and was willing to receive for such merchandise sold in the ordinary course of trade in the usual wholesale quantities; that the said invoice contains also a just and faithful account of all the cost of finishing said goods, wares, and merchandise to their present condition, and includes and specifies the value of all cartons, cases, crates, boxes, sacks, casks, barrels, hogsheads, bottles, jars, demijohns, carboys, and other containers or coverings, whether holding liquids or solids, which are not otherwise specially subject to duty under any paragraph of the tariff act, and all other costs and charges incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other discount, drawback, or bounty, but such as has been actually allowed on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or in the accounts now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of the district.

"SEC. 6. That any person who shall knowingly make any false statement in the declarations provided for in the preceding section, or shall aid or procure the making of any such false statement as to any matter material thereto, shall, on conviction thereof, be punished by a fine not exceeding $5,000, or by imprisonment at hard labor not more than two years, or both, in the discretion of the court: *Provided*, That nothing in this section shall be construed to relieve imported merchandise from forfeiture by reason of such false statement or for any cause elsewhere provided by law.

"SEC. 7. That the owner, consignee, or agent of any imported merchandise may, at the time when he shall make and verify his written entry of such merchandise, but not afterwards, make such addition in the entry to or such deduction from the cost or value given in the invoice or pro forma invoice or statement in form of an invoice, which he shall produce with his entry, as in his opinion may raise or lower the same to the actual market value or wholesale price of such merchandise at the time of exportation to the United States, in the principal markets of the country from which the same has been imported; and the collector within whose district any merchandise may be imported or entered, whether the same has been actually purchased or procured otherwise than by purchase, shall cause the actual market value or wholesale price of such merchandise to be appraised; and if the appraised value of any article of imported merchandise subject to an ad valorem duty or to a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent that such appraised value exceeds the value declared in the entry; but the additional duties shall only apply to the particular article or articles in each invoice that are so undervalued and shall not be imposed upon any article upon which the amount of duty imposed by law on account of the appraised value does not exceed the amount of duty that would be imposed if the appraised value did not exceed the entered value, and shall be limited to 50 per cent of the appraised value of such article or articles. Such additional duties shall not be construed to be penal, and shall not be remitted nor payment thereof in any way avoided except in cases arising from a manifest clerical error, and whenever additional duties have been imposed upon merchandise the same shall not be refunded in case of exportation of the merchandise, nor shall they be subject to the benefit of drawback: *Provided*, That if the appraised value of any merchandise shall exceed the value declared in the entry by more than 50 per cent, except when arising from a manifest clerical error, such entry shall be held to be presumptively fraudulent, and the collector of customs shall seize such merchandise and proceed as in case of forfeiture for violation of the customs laws, and in any legal proceeding that may result from such seizure, the undervaluation as shown by the appraisal shall be presumptive evidence of fraud, and the burden of proof shall be on the claimant to rebut the same, and forfeiture shall be adjudged unless he shall rebut such presumption of fraudulent intent by sufficient evidence. The forfeiture provided for in this section shall apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles in each invoice which are undervalued: *Provided further*, That all additional duties, penalties, or forfeitures applicable to merchandise entered by a duly certified invoice shall be alike applicable to merchandise entered by a pro forma invoice or statement in the form of an invoice, and no forfeiture or disability of any kind incurred under the provisions of this section shall be remitted or mitigated by the Secretary of the Treasury. The duty shall not, however, be assessed in any case upon an amount less than the entered value.

"SEC. 8. That when merchandise entered for customs duty has been consigned for sale by or on account of the manufacturer thereof, to a person, agent, partner, or consignee in the United States, such person, agent, partner, or consignee shall, at the time of the entry of such merchandise, present to the collector of customs at the port where such entry is made, as a part of such entry, and in addition to the certified invoice or statement in the form of an invoice required by law, a statement signed by such manufacturer, declaring the cost of production of such merchandise, such cost to include all the elements of cost as stated in section 11 of this act. When merchandise entered for customs duty has been consigned for sale by or on account of a person other than the manufacturer of such merchandise, to a person, agent, partner, or consignee in the United States, such person, agent, partner, or consignee shall at the time of the entry of such merchandise present to the collector of customs at the port where such entry is made, as a part of such entry, a statement signed by the consignor thereof, declaring that the merchandise was actually purchased by him or for his account, and showing the time when, the place where, and from whom he purchased the merchandise, and in detail the price he paid for the same: *Provided*, That the statements required by this section shall be made in triplicate, and shall bear the attestation of the consular officer of the United States resident within the consular district wherein the merchandise was manufactured, if consigned by the manufacturer or for his account, or from whence it was imported when consigned by a person other than the manufacturer, one copy thereof to be delivered to the person making the statement, one copy to be transmitted with the triplicate invoice of the merchandise to the collector of the port in the United States to which the merchandise is consigned, and the remaining copy to be filed in the consulate.

"SEC. 9. That if any consignor, seller, owner, importer, consignee, agent, or other person or persons, shall enter or introduce, or attempt to enter or introduce, into the commerce of the United States any imported merchandise by means of any fraudulent or false invoice, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or shall be guilty of any willful act or omission by means whereof the United States shall or may be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper, or statement, or effected by such act or omission, such merchandise, or the value thereof, to be recovered from such person or persons, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles of merchandise to which such fraud or false paper or statement relates; and such person or persons shall, upon conviction, be fined for each offense a sum not exceeding $5,000, or be imprisoned for a time not exceeding two years, or both, in the discretion of the court.

"SEC. 10. That it shall be the duty of the appraisers of the United States, and every of them, and every person authorized to act as such appraiser, or of the collector, as the case may be, by all reasonable ways and means in his or their power to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost, or of cost of production to the contrary notwithstanding) the actual market value and wholesale price of the merchandise at the time of exportation to the United States, in the principal markets of the country whence the same has been imported, and the number of yards, parcels, or quantities, and actual market value or wholesale price of every of them, as the case may require.

"SEC. 11. That when the actual market value, as defined by law, of any article of imported merchandise, wholly or partly manufactured and subject to an ad valorem duty, or to a duty based in whole or in part on value, can not be ascertained to the satisfaction of the appraising officer, such officer shall use all available means in his power to ascertain the cost of production of such merchandise at the time of exportation to the United States, and at the place of manufacture, such cost of production to include the cost of materials and of fabrication, and all general expenses, to be estimated at not less than 10 per cent, covering every outlay of whatsoever nature incident to such production, together with the expense of preparing and putting up such merchandise ready for shipment, and an addition of not less than 8 nor more than 50 per cent upon the total cost as thus ascertained; and in no case shall such merchandise be appraised upon original appraisal or reappraisement at less than the total cost of production as thus ascertained. The actual market value or wholesale price, as defined by law, of any imported merchandise which is consigned for sale in the United States, or which is sold for exportation to the United States, and which is not actually sold or freely offered for sale in usual wholesale quantities in the open market of the country of exportation to all purchasers, shall not in any case be appraised at less than the wholesale price at which such or similar imported merchandise is actually sold or freely offered for sale in usual wholesale quantities in the United States in the open market, due allowance by deduction being made for estimated duties thereon, cost of transportation, insurance, and other necessary expenses from the place of shipment to the place of delivery, and a commission not exceeding 6 per cent, if any has been paid or contracted to be paid.

"SEC. 12. That there shall be appointed by the President, by and with the advice and consent of the Senate, 9 general appraisers of merchandise. Not more than 5 of such general appraisers shall be appointed from the same political party. They shall not be engaged in any other business, avocation, or employment.

"All of the general appraisers of merchandise heretofore or hereafter appointed under the authority of said act shall hold their office during good behavior, but may, after due hearing, be removed by the President for the following causes, and no other: Neglect of duty, malfeasance in office, or inefficiency.

"That hereafter the salary of each of the general appraisers of merchandise shall be at the rate of $9,000 per annum.

"That the said boards of general appraisers and the members thereof shall have and possess all the powers of a circuit court of the United States in preserving order, compelling the attendance of witnesses, and the production of evidence, and in punishing for contempt.

"All notices in writing to collectors of dissatisfaction of any decision thereof, as to the rate or amount of duties chargeable upon imported merchandise, including all dutiable costs and charges, and as to all fees and exactions of a whatever character (except duties on tonnage), with the invoice and all papers and exhibits, shall be forwarded to the board of nine general appraisers of merchandise at New York to be by rule thereof assigned for hearing or determination, or both. The President of the United States shall designate one of the board of nine general appraisers of merchandise as president of said board and others in order to act in his absence. Said general appraisers of merchandise shall be divided into three boards of three members each, to be denominated respectively Board 1, Board 2, and Board 3. The president of the board shall assign three general appraisers to each of said boards and shall designate one member of each of said boards as chairman thereof, and such assignment or designation may be by him changed from time to time, and he may assign or designate all boards of three general appraisers where it is now or heretofore was provided by law that such might be assigned or designated by the Secretary of the Treasury. The president of the board shall be competent to sit as a member of any board, or assign one or two other members thereto, in the absence or inability of any one or two members of such board. Each of the boards of three general appraisers, or a majority thereof, shall have full power to hear and determine all cases and questions arising therein or assigned thereto; and the general board of nine general appraisers, and each of the general appraisers of merchandise, shall have all the jurisdiction and powers and proceed as now, heretofore, and herein provided. The said board of nine general appraisers shall have power to establish from time to time such rules of evidence, practice, and procedure, not inconsistent with the statutes, as may be deemed necessary for the conduct and uniformity of its proceedings and decisions and the proceedings and decisions of the boards of three thereof; and for the production, care, and custody of samples and records of said board. The president of the board shall have control of the fiscal affairs and the clerical force of the board, make all recommendations for appointment, promotion, and otherwise affecting said clerical force; he may at any time before trial under the rules of said board assign or reassign any case for hearing, determination, or both, and shall designate a general appraiser or a board of general appraisers to proceed to any port within the jurisdiction of the United States for the purpose of hearings, determinations if authorized by law, causes assigned for hearing at such port, and shall cause to be prepared and duly promulgated dockets therefor. No member of any of said boards shall sit to hear or decide any case on appeal in the decision of which he may have previously participated. The board of three general appraisers, or a majority of them, who decided the case, may, upon motion of either party made within thirty days next after their decision, grant a rehearing or retrial of said case when in their opinion the ends of justice may require it.

"SEC. 13. That the appraiser shall revise and correct the reports of the assistant appraisers as he may judge proper, and the appraiser, or, at ports where there is no appraiser, the person acting as such, shall report to the collector his decision as to the value of the merchandise appraised. At ports where there is no appraiser the certificate of the customs officer to whom is committed the estimating and collection of duties, of the dutiable value of any merchandise required to be appraised, shall be deemed and taken to be the appraisement of such merchandise. If the collector shall deem the appraisement of any imported merchandise too low, he may, within sixty days thereafter, appeal to reappraisement, which shall be made by one of the general appraisers, or if the importer, owner, agent, or consignee of merchandise shall be dissatisfied with the appraisement thereof, and shall have complied with the requirements of law with respect to the entry and appraisement of merchandise, he may within ten days thereafter give notice to the collector, in writing, of such dissatisfaction. The decision of the general appraiser in cases of reappraisement shall be final and conclusive as to the dutiable value of such merchandise against all parties interested therein, unless the importer, owner, consignee, or agent of the merchandise shall be dissatisfied with such decision, and shall, within ten days thereafter, give notice to the collector, in writing, of such dissatisfaction, or unless the collector shall deem the reappraisement of the merchandise too low, and shall within ten days thereafter appeal to re-reappraisement; in either case the collector shall transmit the invoice and all the papers appertaining thereto to the board of nine general appraisers, to be by rule thereof duly assigned for determination. In such cases the general appraiser and boards of general appraisers shall proceed by all reasonable ways and means in their power to ascertain, estimate, and determine the dutiable value of the imported merchandise, and in so doing may exercise both judicial and inquisitorial functions. In such cases hearings may in the discretion of the General Appraiser or Board of General Appraisers before them be open to the public, and in the presence of the importer or his attorney and any duly authorized representative of the Government, who may in like discretion examine and cross-examine all witnesses produced. The decision of the appraiser, or single general appraiser in case of no appeal, and of the board of three general appraisers in all reappraisement cases, shall be final and conclusive against all parties and shall not be subject to review in any manner for any cause in any tribunal or court, and the collector or the person acting as such shall ascertain, fix, and liquidate the rate and amount of the duties to be paid on such merchandise, and the dutiable costs and charges thereon, according to law.

"SEC. 14. That the decision of the collector as to the rate and amount of duties chargeable upon imported merchandise, including all dutiable costs and charges, and as to all fees and exactions of whatever character (except duties on tonnage), shall be final and conclusive against all persons interested therein, unless the owner, importer, consignee, or agent of such merchandise, or the person paying such fees, charges, and exactions other than duties, shall, within fifteen days after but not before such ascertainment and liquidation of duties, as well in cases of merchandise entered in bond as for consumption, or within fifteen days after the payment of such fees, charges, and exactions, if dissatisfied with such decision, give notice in writing to the collector, setting forth therein distinctly and specifically, and in respect to each entry or payment, the reasons for his objections thereto, and if the merchandise is entered for consumption shall pay the full amount of the duties and charges ascertained to be due thereon. Upon such notice and payment the collector shall transmit the invoice and all the papers and exhibits connected therewith to the board of nine general appraisers, for due assignment and determination as hereinbefore provided, such determination shall be final and conclusive upon all persons interested therein, and the record shall be transmitted to the proper collector or person acting as such, who shall liquidate the entry accordingly, except in cases where an application shall be filed in the United States court of customs appeals within the time and in the manner provided for in this act.

"SEC. 15. That the general appraisers, or any of them, are hereby authorized to administer oaths, and said general appraisers, the boards of general appraisers, the local appraisers or the collectors, as the case may be, may cite to appear before them, and examine upon oath any owner, importer, agent, consignee, or other person touching any matter or thing which they, or either of them, may deem material respecting any imported merchandise, in ascertaining the dutiable value or classification thereof; and they, or either of them, may require the production of any letters, accounts, or invoices relating to said merchandise, and may require such testimony to be produced to writing, and when so taken it shall be filed in the office of the collector, and preserved for use or reference until the final decision of the collector or said board of appraisers shall be made respecting the valuation or classification of said merchandise, as the case may be.

"SEC. 16. That if any person so cited to appear shall neglect or refuse to attend, or shall decline to answer, or shall refuse to answer in writing any interrogatories, and subscribe his name to his deposition, or to produce such papers when so required by a general appraiser, or a Board of General Appraisers, or a local appraisers or a collector, he shall be liable to a penalty of $100; and if such person be the owner, importer, or consignee, the appraisement which the general appraiser, or Board of General Appraisers, or local appraiser or collector, where there is no appraiser, may make of the merchandise shall be final and conclusive; and any person who shall willfully and corruptly swear falsely on an examination before any general appraiser, or Board of General Appraisers, or local appraiser or collector, shall be deemed guilty of perjury; and if he is the owner, importer, or consignee, the merchandise shall be forfeited.

"SEC. 17. That all decisions of the general appraisers and of the boards of general appraisers respecting values and rates of duty shall be preserved and filed and shall be open to inspection under proper regulations to be prescribed by the Secretary of the Treasury. All decisions of the general appraisers shall be reported forthwith to the Secretary of the Treasury and to the Board of General Appraisers on duty at the port of New York, and the report to the board shall be accompanied, whenever practicable, by samples of the merchandise in question, and it shall be the duty of the said board, under the direction of the Secretary of the Treasury, to cause an abstract to be made and published of such decisions of the appraisers as they may deem important and of the decisions of each of the general appraisers and boards of general appraisers, which abstract shall contain a general description of the merchandise in question and of the value and rate of duty fixed in each case, with reference, whenever practicable, by number or other designation, to samples deposited in the place of samples at New York, and such abstract shall be issued from time to time at least once in each week for the information of customs officers and the public.

"SEC. 18. That whenever imported merchandise is subject to an ad valorem rate of duty, or to a duty based upon or regulated in any manner by the value thereof, the duty shall be assessed upon the actual market value or wholesale price thereof, at the time of exportation to the United States, in the principal markets of the country from whence exported; that such actual market value is the price at which such merchandise is freely offered for sale to all purchasers in said markets, and is the price which the manufacturer or owner would have received, and was willing to receive, for such merchandise when sold in the ordinary course of trade in the usual wholesale quantities, including the value of all cartons, cases, crates, boxes, sacks, casks, barrels, hogsheads, bottles, jars, demijohns, carboys, and other containers or coverings, whether holding liquids or solids, which are not otherwise specially subject to duty under any paragraph of the tariff act, and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, and if there be used for covering or holding imported merchandise, whether dutiable or free, any unusual article or form designed for use otherwise than in the bona fide transportation of such merchandise to the United States, additional duty shall be levied and collected upon such material or article at the rate to which the same would be subjected if separately imported. That the words "value," or "actual market value," or "wholesale price," whenever used in this act, or in any law relating to the appraisement of imported merchandise, shall be construed to be the actual market value or wholesale price of such, or similar merchandise comparable in value therewith, as defined in this act.

"SEC. 19. Any merchandise deposited in any public or private bonded warehouse may be withdrawn for consumption within three years from the date of original importation, on payment of the duties and charges to which it may be subject by law at the time of such withdrawal: *Provided*, That nothing herein shall affect or impair existing provisions of law in regard to the disposal of perishable or explosive articles.

"SEC. 20. That in all suits or informations brought, where any seizure has been made pursuant to any act providing for or regulating the collection of duties on imports or tonnage, if the property is claimed by any person, the burden of proof shall lie upon such claimant; *Provided*, That probable cause is shown for such prosecution, to be judged of by the court.

"SEC. 21. That all fees exacted and oaths administered by officers of the customs, except as provided in this act, under or by virtue of existing laws of the United States, upon the entry of imported goods and the passing thereof through the customs, and also upon all entries of domestic goods, wares, and merchandise for exportation, be, and the same are hereby, abolished; and in case of entry of merchandise for exportation, a declaration, in lieu of an oath, shall be filed, in such form and under such regulations as may be prescribed by the Secretary of the Treasury; and the penalties provided in the sixth section of this

act for false statements in such declarations made under this section: *Provided*, That where such fees, under existing laws, constitute, in whole or in part, the compensation of any officer, such officer shall receive, from and after the passage of this act, a fixed sum for each year equal to the amount which he would have been entitled to receive as fees for such services during said year.

"SEC. 22. That no allowance for damage to goods, wares, and merchandise imported into the United States, including decay, injury, or destruction by rot of fruits or any other merchandise, shall hereafter be made in the estimation and liquidation of duties thereon, except in cases where such goods may have been seized and destroyed under orders issued by any lawfully constituted board of health, but the importer thereof may, within ten days after entry, abandon to the United States all or any portion of goods, wares, and merchandise included in any invoice and be relieved from the payment of the duties on the portion so abandoned: *Provided*, That the portion so abandoned shall amount to 10 per cent or over of the total value or quantity of the invoice, and the property so abandoned, if of any value, shall be sold by public auction or otherwise disposed of for the account and credit of the United States under such regulations as the Secretary of the Treasury may prescribe. The right of abandonment herein provided for may be exercised whether the thing abandoned has any market value or not.

"SEC. 23. That whenever it shall be shown to the satisfaction of the Secretary of the Treasury that, in any case of unascertained or estimated duties, or payments made upon appeal, more money has been paid to or deposited with a collector of customs than, as has been ascertained by final liquidation thereof, the law required to be paid or deposited, the Secretary of the Treasury shall direct the Treasurer to refund and pay the same out of any money in the Treasury not otherwise appropriated. The necessary moneys therefor are hereby appropriated, and this appropriation shall be deemed a permanent indefinite appropriation; and the Secretary of the Treasury is hereby authorized to correct manifest clerical errors in any entry or liquidation, for or against the United States, at any time within one year of the date of such entry, but not afterwards: *Provided*, That the Secretary of the Treasury shall, in his annual report to Congress, give a detailed statement of the various sums of money refunded under the provisions of this act or of any other act of Congress relating to the revenue, together with copies of the rulings under which repayments were made.

"SEC. 24. That from and after the taking effect of this act, no collector or other officer of the customs shall be in any way liable to any owner, importer, consignee, or agent of any merchandise, or any other person, for or on account of any rulings or decisions as to the classification of said merchandise or the duties charged thereon, or the collection of any dues, charges, or duties on or on account of said merchandise, or any other matter or thing as to which said owner, importer, consignee, or agent of such merchandise might, under this act, be entitled to appeal from the decision of said collector or other officer, or from any board of appraisers provided for in this act.

"SEC. 25. That any person who shall give, or offer to give, or promise to give, any money or thing of value, directly or indirectly, to any officer or employee of the United States in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage or of the liquidation of the entry thereof, or shall by threats or demands or promises of any character attempt to improperly influence or control any such officer or employee of the United States as to the performance of his official duties shall, on conviction thereof, be fined not exceeding $2,000, or be imprisoned at hard labor not more than one year, or both, in the discretion of the court; and evidence of such giving, or offering, or promising to give, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such giving or offering or promising was contrary to law, and shall put upon the accused the burden of proving that such act was innocent and not done with an unlawful intention.

"SEC. 26. That any officer or employee of the United States who shall, excepting for lawful duties or fees, solicit, demand, exact, or receive from any person, directly or indirectly, any money or thing of value in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage or of the liquidation of the entry thereof, on conviction thereof shall be fined not exceeding $5,000 or be imprisoned at hard labor not more than two years, or both, in the discretion of the court; and evidence of such soliciting, demanding, exacting, or receiving, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such soliciting, demanding, exacting, or receiving was contrary to law, and shall put upon the accused the burden of proving that such act was innocent and not with an unlawful intention.

"SEC. 27. That any baggage or personal effects arriving in the United States in transit to any foreign country may be delivered by the parties having it in charge to the collector of the proper district, to be by him retained, without the payment or exaction of any import duty, or to be forwarded by such collector to the collector of the port of departure and to be delivered to such parties on their departure for their foreign destination, under such rules and regulations as the Secretary of the Treasury may prescribe.

"SEC. 28. That sections 2668, 2838, 2839, 2841, 2843, 2845, 2853, 2854, 2856, 2858, 2869, 2900, 2902, 2905, 2907, 2908, 2909, 2922, 2923, 2924, 2927, 2929, 2930, 2931, 2932, 2943, 2945, 2952, 3011, 3012, 3012½, 3013 of the Revised Statutes of the United States, be, and the same are hereby, repealed, and sections 9, 10, 11, 12, 14, and 16 of an act entitled 'An act to amend the customs-revenue laws and to repeal moieties,' approved June 22, 1874, and sections 7, 8, and 9 of the act entitled 'An act to reduce internal-revenue taxation, and for other purposes,' approved March 3, 1883, and all other acts and parts of acts inconsistent with the provisions of this act, are hereby repealed, but the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made. Any offenses committed, and all penalties or forfeitures or liabilities incurred prior to the passage of this act under any statute embraced in or changed, modified, or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes or proceedings or to the prosecution of offenses or for the recovery of penalties or forfeitures embraced in or modified, changed, or repealed by this act, shall not be affected thereby; and all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the passage of this act, may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed: *And provided further*, That nothing in this act shall be construed to repeal the provisions of section 3058 of the Revised Statutes as amended by the act approved February 23, 1887, in respect to the abandonment of merchandise to underwriters or the salvors of property, and the ascertainment of duties thereon.

"SEC. 29. That a United States court of customs appeals is hereby created, and said court shall consist of a presiding judge and four associate judges appointed by the President, by and with the advice and consent of the Senate, each of whom shall receive a salary of $10,000 per annum. It shall be a court of record, with jurisdiction as hereinafter established and limited.

"Said court shall prescribe the form and style of its seal and the form of its writs and other process and procedure and exercise such powers conferred by law as may be conformable and necessary to the exercise of its jurisdiction. It shall have the services of a marshal, with the same duties and powers, under the regulations of the court, as are now provided for the marshal of the Supreme Court of the United States, so far as the same may be applicable, said services to be performed by the United States marshals in and for the districts where sessions of said court may be held, and to this end said marshals shall be the marshals of said court of customs appeals. The court shall appoint a clerk, whose office shall be in the city of New York, and who shall perform and exercise the same duties and powers in regard to all matters within the jurisdiction of said court as are now exercised and performed by the clerk of the Supreme Court of the United States, so far as the same may be applicable. The salary of the clerk shall be $4,000 per annum, which sum shall be in full payment for all service rendered by such clerk, and all fees of any kind whatever, and all costs shall be by him turned into the United States Treasury. Said clerk shall not be appointed by the court or any judge thereof as a commissioner, master, receiver, or referee. The costs and fees in the said court shall be fixed and established by said court in a table of fees to be adopted and approved by the Supreme Court of the United States within three months after the organization of said court: *Provided*, That the costs and fees so fixed shall not, with respect to any item, exceed the costs and fees charged in the Supreme Court of the United States; and the same shall be expended, accounted for, and paid over to the Treasury of the United States. The court shall have power to establish all rules and regulations for the conduct of the business of the court and as may be needful for the uniformity of decisions within its jurisdiction as conferred by law.

"The said United States court of customs appeals shall always be open for the transaction of business, and sessions thereof may be held annually, or oftener, by the said court, in the several judicial circuits, at the following places: In the first circuit, in the city of Boston; in the second circuit, in the city of New York; in the third and fourth circuits, in the cities of Philadelphia and Baltimore; in the fifth circuit, in the cities of New Orleans and Galveston; in the sixth, seventh, and eighth circuits, in the city of Chicago; in the ninth circuit, in the cities of Seattle, Portland, and San Francisco; and in such other places in each of the above circuits as said court may from time to time designate.

"The presiding judge of said court shall be so designated in order of appointment and in the commission issued him by the President, and the associate judges shall have precedence according to the date of their commissions. Any three of the members of said court shall constitute a quorum.

"The said court shall organize and open for the transaction of business in the city of New York within ninety days after the judges, or a majority of them, shall have qualified.

"After the organization of said court no appeal shall hereafter be taken or allowed from any board of United States general appraisers to any other court, and no appellate jurisdiction shall hereafter be exercised or allowed by any other courts in cases decided by said Board of United States General Appraisers; but all appeals allowed by law from such Board of General Appraisers shall be subject to review only in the United States court of customs appeals hereby established according to the provisions of this act.

"The court of customs appeals established by this act shall exercise exclusive appellate jurisdiction to review by appeal, as provided by this act, final decisions by a board of general appraisers in all cases as to the construction of the law and the facts respecting the classification of merchandise and the rate of duty imposed thereon under such classification, and the fees and charges connected therewith, and all appealable questions as to the jurisdiction of said board, and all appealable questions as to the laws and regulations governing the collection of the customs revenues; and the judgment or decrees of said court of customs appeals shall be final in all such cases.

"Any judge who, in pursuance of the provisions of this act, shall attend a session of the court of customs appeals held at any place other than the city of New York shall be paid, upon his written and itemized certificate, by the marshal of the district in which the court shall be held, his actual and necessary expenses incurred for travel and attendance, and the actual and necessary expenses of one stenographic clerk who may accompany him, and such payments shall be allowed the marshal in the statement of his accounts with the United States.

"The marshals of the several districts in which said court of customs appeals may be held shall, under the direction of the Attorney-General of the United States and with his approval, provide such rooms in the public buildings of the United States as may be necessary for said court: *Provided, however*, That in case proper rooms can not be provided in such buildings, then the said marshals, with the approval of the Attorney-General of the United States, may, from time to time, lease such rooms as may be necessary for said court. The bailiffs and messengers of said court shall be allowed the same compensation for their respective services as are allowed for similar services in the existing circuit courts; and in no case shall said marshals secure other rooms than those regularly occupied by existing circuit courts of appeals, circuit courts, or district courts, or other public officers, except where such can not, by reason of actual occupancy or use, be occupied by said court of customs appeals.

"If the importer, owner, consignee, or agent of any imported merchandise, or the collector or Secretary of the Treasury, shall be dissatisfied with the decision of the Board of General Appraisers as to the construction of the law and the facts respecting the classification of such merchandise and the rate of duty imposed thereon under such classification, or with any other appealable decision of said board, they, or either of them, may, within sixty days next after the entry of such decree or judgment, and not afterwards, apply to the United States court of customs appeals for a review of the questions of law and fact involved in such decision: *Provided*, That in Alaska and in

the insular and other outside possessions of the United States ninety days shall be allowed for making such application to the United States court of customs appeals. Such application shall be made by filing in the office of the clerk of said court a concise statement of errors of law and fact complained of, and a copy of said statement shall be served on the collector, or on the importer, owner, consignee, or agent, as the case may be. Thereupon the court shall immediately order the Board of General Appraisers to transmit to said court the record and evidence taken by them, together with the certified statement of the facts involved in the case and their decisions thereon; and all the evidence taken by and before said board shall be competent evidence before said court of customs appeals. The decision of said court of customs appeals shall be final, and such cause shall be remanded to said Board of General Appraisers for further proceedings to be taken in pursuance of such determination.

"Immediately upon the organization of the United States court of customs appeals all cases within the jurisdiction of that court now pending and not submitted for decision in any of the United States circuit courts of appeals, United States circuit, territorial, or district courts, shall, with the record and samples therein, be certified by said courts to said United States court of customs appeals for further proceedings in accordance herewith: *Provided*, That where orders for the taking of further testimony before a referee have been made in any of such cases, the taking of such testimony shall be completed before such certification.

"That in case of a vacancy or the temporary inability or disqualification for any reason of one or two judges of said court of customs appeals, the President of the United States may, upon the request of the presiding judge of said court, designate any qualified United States circuit or district judge or judges to act in his or their place, and such United States judge or judges shall be duly qualified to so act.

"Said United States court of customs appeals shall have power to review any decision or matter within its jurisdiction and may affirm, modify, or reverse the same and remand the case with such orders as may seem to it proper in the premises, which shall be executed accordingly.

"Immediately upon receipt of any record transmitted to said court for determination the clerk thereof shall place the same upon the calendar for hearing and submission; and such calendar shall be called and all cases thereupon submitted, except for good cause shown, at least once every sixty days.

"In addition to the clerk of said court the court may appoint an assistant clerk at a salary of $2,000 per annum, three stenographic clerks at a salary of $2,400 per annum each, and one stenographic reporter at a salary of $2,500 per annum, and a messenger at a salary of $900 per annum, all payable in equal monthly installments, and all of whom, including the clerk, shall hold office during the pleasure of and perform such duties as are assigned them by the court. Said reporter shall prepare and transmit to the Secretary of the Treasury once a week, in time for publication in the Treasury Decisions copies of all decisions rendered to that date by said court, and prepare and transmit, under the direction of said court, at least once a year, reports of said decisions rendered to that date, constituting a volume, which shall be printed by the Treasury Department in such numbers and distributed and sold in such manner as the Secretary of the Treasury shall direct. The United States marshal for the southern district of New York is hereby authorized to purchase, under the direction of the presiding judge, such books, periodicals, and stationery as may be necessary for the use of said court, and such expenditures shall be allowed the marshal in the statement of his accounts with the United States.

"SEC. 30. That there shall be appointed by the President, by and with the advice and consent of the Senate, an Assistant Attorney-General, who shall exercise the functions of his office under the supervision and control of the Attorney-General of the United States, and who shall be paid a salary of $10,000 per annum; and there shall also be appointed by the Attorney-General of the United States a Deputy Assistant Attorney-General, who shall be paid a salary of $7,500 per annum, and four attorneys, who shall be paid salaries, one of $6,000, and the other three of $5,000 per annum each. Said attorneys shall act under the immediate direction of said Assistant Attorney-General, or, in case of his absence or a vacancy in his office, under the direction of said Deputy Assistant Attorney-General, and said Assistant Attorney-General, Deputy Assistant Attorney-General, and attorneys shall have charge of the interests of the Government in all matters of reappraisement and classification of imported goods and of all litigation incident thereto, and shall represent the Government in all the courts wherein the interests of the Government require such representation."

ADJOURNMENT TO MONDAY.

Mr. ALDRICH. I move that when the Senate adjourns today, it adjourn to meet on Monday next.

The motion was agreed to.

HOUR OF MEETING.

Mr. ALDRICH. I move that the daily sessions of the Senate on and after Monday next, until further ordered, shall begin at 11 o'clock a. m.

Mr. HEYBURN. I should like to inquire about that. There is a very slim attendance at this time.

Mr. ALDRICH. I think everybody understands it is to be done.

Mr. HEYBURN. They may understand it is to be done——

Mr. ALDRICH. If the Senator raises the point, of course——

Mr. HEYBURN. I shall not be obdurate about it at all. I merely desired to know if it was something that met with general approval. I do not believe in varying the rules of this body. It detracts from its dignity and traditions.

Mr. ALDRICH. It is very evident that if we are to dispose of the tariff bill we must have earlier hours of meeting and later sessions.

Mr. HEYBURN. We have seldom been able to get a quorum here before 12 o'clock when we have met at an earlier hour than that.

Mr. ALDRICH. I shall make the motion Monday.

Mr. HEYBURN. I shall not make any objection.

Mr. ALDRICH. I think Senators understood about the motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to, and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, May 3, 1909, at 11 o'clock a. m.

SENATE.

MONDAY, *May 3, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Vice-President being absent, the President pro tempore took the chair.

The Journal of the proceedings of Friday last was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of certain persons, claiming to be American citizens, imprisoned at Habana, Cuba, praying that certain relief be granted them, which was referred to the Committee on Foreign Relations.

Mr. BRADLEY presented petitions of sundry citizens of Covington, Falmouth, Salt Lick, Neola, Center Point, Gifford, Cleaton, Faubush, Jonesville, Cold Valley, Burgin, Indian Fields, Mount Sterling, Hampton, Newport, and Burnside, all in the State of Kentucky, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Addison, Pa., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. GALLINGER presented telegrams in the nature of petitions from Mrs. Rose M. Vontobel, of Lebanon; Mrs. Dwight Hall, of Dover; Mrs. Laura E. Benton, of Manchester; Mabelle Hill True, of Laconia; Jennie T. Glugras, of Laconia; Bessie M. Houghton, of Laconia; and Mrs. George H. Tilton, of Laconia, all in the State of New Hampshire, praying for an increase of the duty on imported hosiery, which were ordered to lie on the table.

Mr. PERKINS presented a joint resolution of the legislature of California, which was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Senate joint resolution 20.

Adopted in senate March 16, A. D. 1909.

LEWIS A. HILBORN,
Secretary of the Senate.

Adopted in assembly March 18, A. D. 1909.

CLIO LLOYD,
Chief Clerk of the Assembly.

This resolution was received by the governor this 20th day of March, A. D. 1909.

E. C. COOPER,
Private Secretary of the Governor.

STATE OF CALIFORNIA,
DEPARTMENT OF STATE.

I, C. F. Curry, secretary of the State of California, do hereby certify that I have carefully compared the annexed copy of senate joint resolution No. 20, chapter 37, laws of 1909, with the original now on file in my office, and that the same is a correct transcript therefrom and of the whole thereof. Also, that this authentication is in due form and by the proper officer.

Witness my hand and the great seal of state, at office in Sacramento, Cal., the 26th day of April, A. D. 1909.

[SEAL.] C. F. CURRY,
Secretary of State.
By J. HORSCH, *Deputy.*

Chapter 37.

Senate joint resolution No. 20, relating to a bill in Congress extending pension laws to include the First Battalion Mountaineers, California Volunteers, who served during the late war of the rebellion.

Whereas the officers and privates of the First Battalion Mountaineers, California Volunteers, served during the war of the rebellion against the Indians of the frontier counties; and

Whereas under the provisions of the general pension laws and the several special pension acts said volunteers have always been held entitled to the benefit of said pension laws and have for many years received pensions from the Government for said service during the rebellion, which pensions have been in most cases the only means of support of these old volunteer soldiers; and

Whereas under a recent ruling of the Department of the Interior it has been held that the pension laws do not include the volunteer soldiers who fought during the war of the rebellion against the Indians; and

Whereas there is now pending in the Congress of the United States a bill introduced in the Senate and House of Representatives to extend the provisions of the pension laws to include the officers and privates of the First Battalion Mountaineers, California Volunteers, who served during the late war of the rebellion and were honorably discharged, and to the widows and minor children of such volunteer soldiers: Therefore be it

Resolved by the senate (the assembly concurring), That our Senators in Congress be instructed and our Members in Congress be requested to use all honorable means to secure the prompt passage by Congress of the bill referred to in the preamble of this resolution.

W. R. PORTER,
President of the Senate.
P. A. STANTON,
Speaker of the Assembly.

Attest:
C. F. CURRY,
Secretary of State.

Indorsed: Filed in the office of the secretary of state the 29th day of March, A. D. 1909, at 4 o'clock p. m. C. F. Curry, secretary of state; by J. Hoesch, deputy.

Mr. PERKINS presented petitions of sundry citizens of Stockton, Forest Hill, and Rio Dell, all in the State of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Fresno, Cal., remonstrating against a reduction of the duty on petroleum, which was ordered to lie on the table.

Mr. SMITH of Michigan. I present resolutions adopted at a meeting of the Chamber of Commerce of Jackson, Mich., which I ask may be read for the information of the Senate and referred to the Committee on Finance.

There being no objection, the resolutions were read and referred to the Committee on Finance, as follows:

JACKSON CHAMBER OF COMMERCE,
Jackson, Mich., April 28, 1909.

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SIR: At a meeting of the Jackson Chamber of Commerce, held April 27, the following resolution was unanimously adopted:

Resolved, That this organization heartily favors the conclusions of the conference, held at Detroit, April 23-24, for the betterment of trade relations between this country and Canada, and especially are we committed to the institution of a tariff commission, whose recommendations shall be subject to the sanction or disapproval of Congress, and whose work along nonpartisan and unselfish lines will go far, as we believe, to insure stable business conditions.

Resolved, That the secretary be instructed to send a copy of these resolutions to the United States Senators from Michigan, to the chairman of the Finance Committee of the Senate, and the chairman of the Ways and Means Committee of the House.

Conforming with the instructions of the chamber, I have the honor to submit the above resolutions for your consideration, information, and approval.

Yours, truly, CHARLES E. WHEELER,
Secretary.

Mr. CULLOM presented a petition of sundry citizens of Bureau County, Ill., praying for the retention of the proposed duty of 1 cent per pound on zinc ore, which was ordered to lie on the table.

Mr. DEPEW presented a petition of sundry merchants and citizens of Walden, N. Y., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

Mr. CURTIS presented petitions of sundry citizens of Lehigh, Downs, Wellsville, and Admire, all in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Downs and Ritzville, in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented the petition of Jacob G. Winckenbaugh, of Waldoboro, Me., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Clinton, Me., praying for a protective duty on carded wool, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SUTHERLAND:

A bill (S. 2261) for the relief of Frederick Blake (with the accompanying papers); to the Committee on Claims.

By Mr. WARREN:

A bill (S. 2262) for the relief of Allen Edward O'Toole and others, who sustained damage by reason of accident at Rock Island Arsenal; to the Committee on Claims.

By Mr. MONEY:

A bill (S. 2263) for the relief of James H. Shannon; to the Committee on Military Affairs.

By Mr. CRANE:

A bill (S. 2264) for the relief of Paul Butler; to the Committee on Claims.

ALEXANDER HAMILTON MEMORIAL.

Mr. JOHNSON of North Dakota. I introduce a joint resolution. I ask that it be read and referred to the Committee to Investigate Trespassers upon Indian Lands.

The joint resolution (S. J. R. 32) repealing joint resolution authorizing the selection of a site and the erection of a pedestal for the Alexander Hamilton memorial in Washington, D. C., was read the first time by its title and the second time at length, as follows:

Senate joint resolution 32.

Resolved, etc., That public resolution No. 59, being a resolution authorizing the selection of a site and the erection of a pedestal for the Alexander Hamilton memorial in Washington, D. C., approved March 4, 1909, be, and the same hereby is, repealed.

The PRESIDENT pro tempore. What is the request of the Senator from North Dakota?

Mr. JOHNSON of North Dakota. I ask that the joint resolution be referred to the Committee to Investigate Trespassers upon Indian Lands.

The PRESIDENT pro tempore. Without objection, it will be so referred.

Mr. SCOTT. If I heard the reading correctly, I should think that that is the wrong committee.

The PRESIDENT pro tempore. It really ought to go to the Committee on the Library.

Mr. JOHNSON of North Dakota. I hope the Senator from West Virginia will hear me a moment on that point. The joint resolution which it is proposed to repeal came from the Committee on the Library. It passed from the committee, but I find no report from that committee.

This is in the nature of an appeal from that decision. It is in the nature of an attempt to get a change of venue to some other committee. If necessary, I will file some affidavits of prejudice against the previous court in this hearing. I ask that the joint resolution may go to the Committee to Investigate Trespassers upon Indian Lands.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota?

Mr. SCOTT. Let the joint resolution be read.

Mr. GALLINGER. Let it be read again.

The PRESIDENT pro tempore. It will be again read.

The Secretary again read the joint resolution.

Mr. HALE. Such resolutions generally go to the Committee on the Library.

Mr. GALLINGER. That is where it belongs, of course.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that it may be referred to the Committee to Investigate Trespassers upon Indian Lands.

Mr. ALDRICH. I suggest to the Senator from North Dakota that the resolution lie on the table. I suppose that he would like to address the Senate on the subject later.

Mr. JOHNSON of North Dakota. I have no objection to that course.

The PRESIDENT pro tempore. The joint resolution will lie on the table.

AMENDMENTS TO THE TARIFF BILL.

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. CULBERSON submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

FOREIGN IMPORTS.

Mr. CRAWFORD. I submit a resolution, and ask that it be considered immediately by the Senate.

The resolution (S. Res. 42) was read, as follows:

Senate resolution 42.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish for the information of the Senate at the earliest practicable moment a list of foreign countries, and any political subdivision of either of such foreign countries (except the Philippine Islands), that impose a tariff or other duty or tax against any of the products of the United States, or that lay an export bounty or any other prohibition upon the exportation of any article to the United States, together with the rate of such tariff or other duty or tax so imposed, the rate of any such export bounty, and the nature or rate of any other prohibition so laid against such exportations, with a list of those countries or dependencies which unduly discriminate against the United States or the products thereof.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. It involves the examination provided to be made by the President of the maximum and minimum provisions reported from the Committee on Finance. It is safe to say that nine months, which is allowed to the President to make this investigation, or I should say ten months, are none too long for it. It would be absolutely impossible for the Secretary of the Treasury at any time within the next year, or certainly within ten months, to make the investigation suggested by the resolution of the Senator from South Dakota. I ask that it may be referred to the Committee on Finance.

Mr. CRAWFORD. Mr. President, do I understand that the information here called for could not be procured, so as to give the information for the benefit of the Senate in considering the administrative features of the tariff bill?

Mr. ALDRICH. I simply suggest to the Senator from South Dakota that it would be a physical impossibility for the Secretary of the Treasury to answer the resolution certainly within nine months.

The PRESIDENT pro tempore. The Senator from Rhode Island moves that the resolution be referred to the Committee on Finance.

The motion was agreed to.

RAILROAD RATES IN MISSOURI, ETC.

Mr. WARNER. If the morning business is concluded, I wish to call up Senate resolution 41, which went over.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read Senate resolution 41, submitted by Mr. WARNER on the 30th ultimo, as follows:

Senate resolution 41.

Whereas under the provisions of the laws of the United States, it is the duty of railroads engaged in interstate traffic to carry freight and passengers at fair, reasonable, and equal rates, and not to charge or impose upon passengers or shippers of freight charges in excess of amounts sufficient to give to said railroad companies a reasonable return upon the value of their investments, after the payment of operating expenses and the cost of replacement and repair; and

Whereas 18 railroads, including a number of the leading trunk lines of the country, have been recently engaged in litigation with the State of Missouri, for the reasons, as claimed in said suits, that said laws are in violation of the fourteenth amendment to the Federal Constitution in that the rates thereby established do not give to said railroads a reasonable return upon the value of their property used in the conduct of such traffic; and

Whereas from the figures submitted by said railroads in said litigation, a copy of which is attached to this resolution, it is alleged that said railroads are charging, exacting, and receiving in their interstate traffic in the State of Missouri rates unfairly and unreasonably high and more than sufficient in amount to give to said railroads a reasonable return upon the value of their property used in said interstate traffic, after paying operating expenses and cost of repair and replacement; and

Whereas said rates, it is claimed, are being charged and exacted by said railroad companies in violation of the laws of the United States: Therefore be it

Resolved, That the Interstate Commerce Commission be instructed to institute an investigation as to the reasonableness of the rates now being charged by the railroads engaged in interstate traffic in the State of Missouri and in the States contiguous thereto, for the purpose of making such orders as said commission may deem to be right and proper in reference to said rates.

Mr. STONE. Mr. President, I do not know that the passage of the resolution would do any harm to anybody or to any interest, but since its introduction on Friday I have not been able sufficiently to look into the subject to determine what its scope and effect would be; and this for the reason that all of us are greatly occupied with the tariff bill.

Mr. President, some weeks ago I received a letter from the Governor of Missouri, inclosing me a considerable amount of data, which I presume he also sent to my colleague [Mr. WARNER], and upon which, I suppose, this resolution was predicated, with a request that I would present to the Senate some such resolution or proposition as the one pending. I examined as well as I could under the circumstances the tabulations inclosed to me by the governor, made up by experts, as he said, employed in the course of a protracted litigation between the state officials and the railroad companies in the federal court at Kansas City. I found that it would require a good while and very careful study to understand those complicated tabulations and determine what the effect of a movement of this kind would be. I did not feel like bringing in a thing of this kind without understanding its meaning, scope, and effect.

Again, I remembered that, on the motion of the Senator from Maine [Mr. HALE] in the first week of the present session, a special order was entered, which, I think is still standing, to the effect that no business should be transacted at this session except the ordinary routine morning business and business relating to the census and the tariff bills.

And so, when I received the governor's communication, it occurred to me that here was a proposition of considerable magnitude, involving large interests, and that the proposition ought to be well thought out and understood before advancing it. Moreover, I was of the opinion that under the operation of the special order alluded to that even if I should propose a resolution of the character suggested it could not be acted upon at this session. Hence I wrote the governor that in due time I would take up the subject and look into it, and possibly during the summer would have an opportunity to confer with him regarding it; and that, after looking into it, if it struck me as being a proper thing to do I would take pleasure in taking such steps as the public interests and the rights of all might require at the beginning of the regular session in December.

Mr. President, since the introduction of this resolution—that is, on yesterday and this morning—I have received a large number of communications, in the form of telegrams and otherwise, from important business interests scattered throughout the State regarding this resolution. I hold three telegrams in my hand now, received here in the Senate within this hour. I have had communications from prominent business men connected with the St. Louis Merchants' Exchange and from the president of the Business Men's League of St. Louis, two of the greatest commercial bodies in the State, and from similar bodies in other cities and towns in the State, and from important individual business men scattered all over the State, protesting that the adoption of this resolution would be mischievous and hurtful to business. Most of these communications are in my office rooms, but I have here these three just received at my desk. One is from Pleasant Hill, Mo., and is as follows:

PLEASANT HILL, MO., *May 3, 1909.*

Hon. W. J. STONE,
Senate Chamber, Washington, D. C.:

Most urgently protest against further disturbing Missouri railway rate matters. Undoubtedly same will be of great harm to business interests.
McDONALD BROS. PIT SCALE MANUFACTURERS CO.

Here is one from Bunceton:

BUNCETON, MO., *May 3, 1909.*

Hon. WILLIAM J. STONE,
United States Senate, Washington, D. C.:

Continued harassing of railroads of Missouri is especially detrimental to business and stock industry of this section. We earnestly protest against passage of resolution to have Interstate Commerce Commission investigate Missouri rates. Let Supreme Court decide the case.
A. B. KERNS,
President Commercial Club.

Another is to this effect:

BUNCETON, MO., *May 3, 1909.*

Hon. W. J. STONE,
United States Senate, Washington, D. C.:

Warner resolution to have Interstate Commission investigate Missouri rates will be detrimental to business interests of Missouri. We earnestly protest against passage.
W. B. KERNS.
O. H. CRAMER.
W. E. COLEMAN.
L. O. NELSON.
JOSEPH POPPER.

I have had, as I say, a large number of such communications. I doubt if the apprehensions expressed in these dispatches are fully justified.

Still, in view of this situation, Mr. President, I would like to have a little longer time and opportunity to look into the resolution to see whether, in my judgment, it ought to be adopted. The senior Senator from Texas [Mr. CULBERSON] on Friday asked that the resolution might go over, as he desired to look into it. He is not present in the Chamber now. Whatever may be his disposition with regard to it, however, I ask my colleague to allow the resolution to lie on the table for the present. We can take it up, if permissible under the rule, a little later on. I wish a little time to look further into it.

Mr. WARNER. If my colleague will wait a moment, it is true that the senior Senator from Texas did object on Friday, because he was not present when the resolution was read. I submitted the resolution to him, and he advised me that he had no objection, or I should not have called up the resolution in his absence this morning.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Maine?

Mr. STONE. I do.

Mr. ELKINS. I should like to say a word about the resolution.

Mr. STONE. I ask that it may lie on the table.

Mr. HALE. The resolution is clearly against the order of business that was established by the Senate. I hope the Senator from Missouri will consent that it may go to the Committee on Interstate Commerce. That will give an opportunity for full examination on the part of the Senator from Missouri [Mr. STONE] and other Senators. I shall be glad myself to have an opportunity to examine it. Under the order established by the Senate all resolutions calling for any action should go to a committee; but until that order is changed no committee, except on the census and on the tariff business, can report any legislation. I ask that the resolution be referred, or, if necessary, I

will move that it be referred to the Committee on Interstate Commerce.

Mr. WARNER. If the Senator from Maine will pardon me a moment, my colleague has asked that it may lie on the table for the present.

Mr. HALE. It will never be in any better condition, but will come up to pester us whenever it is reached. Until the tariff bill is disposed of and the census business disposed of, unless the Senate changes or repeals its order of business, the resolution ought not to be continually appearing here in the morning hour, because it is contrary to the rule established by the Senate. I think I must move that it be referred to the Committee on Interstate Commerce.

Mr. ELKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from West Virginia?

Mr. ELKINS. I thought he had concluded. I quite agree with the Senator from Maine. I take it that the resolution is clearly against the order of the Senate. It ought to go directly to the committee, and it ought not to be reappearing here. It was up on Friday, and it is up again to-day. Otherwise a number of us on that committee would feel that we ought to be here all the time in the morning hour to look after the resolution. I think it is quite out of order, and it ought to go to the Committee on Interstate Commerce.

Mr. HALE. I make that motion.

The PRESIDENT pro tempore. The Senator from Maine moves that the resolution be referred to the Committee on Interstate Commerce.

Mr. WARNER. The Senator says it ought to be placed where it will not be continually reappearing. I apprehend when it gets to the Committee on Interstate Commerce there will be no danger of its reappearing.

Mr. HALE. It undoubtedly will not appear at this session.

Mr. ELKINS. That is precisely what I mean. It ought not to be reappearing here during the session unless we change the order of the Senate.

The PRESIDENT pro tempore. The Senator from Maine moves the reference of the resolution to the Committee on Interstate Commerce.

The motion was agreed to.

THE TARIFF.

The PRESIDENT pro tempore. The morning business being closed, the calendar is in order. The Chair lays before the Senate the first bill on the calendar.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order on the calendar, and the Senate, as in Committee of the Whole, resumed its consideration.

Mr. CUMMINS. Mr. President, I desire to give notice that on Thursday, immediately following the routine morning business, I will address the Senate upon the pending bill.

Mr. PILES. Mr. President, it is not my purpose this morning to make any extended argument on the lumber schedule, but there are a few facts that I desire to bring to the attention of the Senate——

Mr. STONE. Mr. President, will the Senator from Washington allow me a moment?

Mr. PILES. I yield to the Senator from Missouri.

Mr. STONE. I desire before the Senator proceeds, if he will grant me the courtesy, to say just a word, not occupying more than four or five minutes.

Mr. President, the Senator from Washington is about to address the Senate on the lumber schedule, as I understand, and because of his experience and knowledge of the subject I have no doubt, and I feel quite confident of the fact, that he will deliver an enlightening address.

There are one or two things that have puzzled and confused me somewhat in regard to this matter, as I know they have other Senators whom I have heard speak in regard to it. Not wishing to unduly interrupt the Senator in the course of his address, for I think such things often break the thread and to some extent weaken the force of an argument, I have prepared four questions in writing which I wish to read and deliver to the Senator at his desk with the hope that at some point in the course of his remarks he will give answer to them, as I am sure he can if any Senator on the floor can do so. The questions are as follows:

Under the existing (Dingley) law the tariff on all grades of imported lumber—rough, partly finished, and finished, but not including manufactures of wood—produces a revenue of about $1,812,033.12. To produce that revenue let us assume, what is approximately correct, that the present average duty on these imports is about $2 per thousand feet. If that duty should be cut in two—that is, reduced to $1 per thousand feet—manifestly the importations would have to be doubled to produce the same amount of revenue. Now, I ask—

First. To what extent, in the opinion of the Senator from Washington, would imports of Canadian or foreign lumber be increased if the import duty on lumber *should be reduced to $1 flat per thousand feet* on all grades, unfinished, partly finished, and finished? and

Second. To what extent, in the opinion of the Senator, would imports of Canadian or foreign lumber be increased if lumber of all these grades or classes should be *put on the free list?*

Third. *If a flat rate of $1 per thousand feet* should be placed on all these grades of imported lumber, what effect would that have on the price of lumber to Americans buying for their own consumption?

Fourth. If all these grades of lumber *should be put on the free list*, what effect would that have on the price of lumber sold in the States for individual domestic use?

Fifth. The Senator from Minnesota [Mr. NELSON] and the Senator from North Dakota [Mr. MCCUMBER] stated, or substantially stated, in their speeches last week that numerous contracts for lumber to be used in Canada had been filled by shipping lumber from the United States into the Dominion, because it could be delivered at given points over there cheaper than Canadian lumber; and the Senator from North Dakota gave a specific case where a firm or corporation in the State of Washington had successfully competed on bids for a contract with the Canadian Pacific Railroad Company for a large amount of lumber needed by that company in railroad construction, and had shipped American-made lumber across the line into British Columbia, over on the Pacific coast, to fill that contract. Moreover, these Senators stated that the Pacific States and British Columbia were sharp rivals and competitors for the lumber export trade to the Orient and to the west coast markets of Central and South America, and that in those foreign markets, where the conditions of trade were absolutely equal, the Americans in 1905 sold 131,000,000 feet as against 41,000,000 feet by the Canadians, and in 1907 the Americans sold 363,000,000 feet as against 67,000,000 feet by the Canadians. Now, I wish to know whether the Senator from Washington admits or denies the accuracy of these statements of fact, and if he admits them to be accurate, then I ask: (a) How is it that the American lumberman can undersell the Canadian in these foreign markets when both compete on equal terms; and (b) how can the American underbid the Canadian on contracts to be filled in Canada itself?

Again, if the American lumberman can do these things, as these distinguished and orthodox Republican Senators say he can and does, then why does he need a protective tariff to shield him against Canadian competition at home?

I will hand this paper to the Senator.

Mr. PILES. Mr. President, permit me to give to the Senators a general understanding of the great industry centering in the forests of the Pacific coast. And while I shall direct my remarks principally to the forests and the lumber industry of the State of Washington, what I say in respect thereto has application also to the States of Oregon, California, and Idaho.

Indeed, while my facts and figures may seem to localize the application of my subject, it has a broader significance than the concerns of those four States; it goes to the interests of vastly more people, living long distances from the Pacific Ocean—the citizens of every State in the Union; of the manufacturing States, which find among our Pacific coast lumber employees a rich market for their products; of the agricultural States, which sell annually millions of dollars' worth of their produce to us; in fact, by reason of the interdependence of one region with another in these days of complex social development, I assert that no citizen of this Nation should view with less than alarm the attempt to strike a blow at one of our national industries, which has become so vital and so large a part in our national prosperity.

But, lest to some these arguments of money and articles of commerce appear as sordid, permit me to say that larger, more important, farther-reaching considerations move me to speak to-day—the desire to lay a basis for honest, real conservation of our forests, by preserving conditions which make possible the only kind of conservation which is practicable. The principle of conservation has grasped the imagination of the American people. I shall undertake in the course of my remarks to set forth a certain means to further the establishment of that principle.

The lumber schedule of the pending bill is as important to the State of Washington as any schedule therein contained can possibly be to the greatest manufacturing State in the Union, because it vitally affects our principal industry. If lumber is

placed on the free list or the duty thereon is reduced, as proposed by this bill, the growth and prosperity of Washington will be retarded to such an extent that I am unwilling to let the subject pass without calling the attention of the Senate to the injustice that threatens my State. I feel that a fair and impartial consideration of the facts will induce the Senate to maintain the existing tariff on lumber, and to increase the duty on shingles from 30 cents to at least 50 cents per thousand.

If the proposed reduction would result in material benefit to the people of the country, an entirely different question would be presented; but, instead of being beneficial, the reduction would be injurious, not alone to those engaged in the business but to the people of the United States as a whole.

It has been urged, first, that by placing lumber on the free list, or by reducing the duty thereon, our forests will be greatly conserved. This is illogical. Let us look at the question in its relation to the forests of Washington. Between the forty-ninth parallel on the north and the Columbia River on the south, the Pacific Ocean on the west and the Cascade range of mountains on the east, stand the giant trees of western Washington, out of one of which it is possible to secure sufficient lumber to construct a comfortable home for an ordinary family.

We have about 200,000,000,000 feet of standing timber in our State, consisting principally of fir, cedar, spruce, hemlock, and western pine. The Douglas fir, ranging from 2 feet to 10 feet in diameter and from 100 to 250 feet in height, is the chief product of the western Washington forests. It is estimated that we have still standing of this timber something like 125,000,000,000 feet.

Our red cedar, ranging from 2½ feet to 20 feet in diameter, is next in importance.

On the east side of the Cascade Range we have about 10,000,000,000 feet of yellow or western pine.

The value of the lumber and shingle industry of the State for the year 1906 was, according to the commissioner of statistics, $82,000,000.

Accepting the Government's estimates of the value of the forests in the State of Washington at $1.44 per thousand feet, our standing trees are worth $300,000,000.

At an average manufacturing price of, say, $10 per thousand feet, the product of our trees is worth to our people approximately $2,000,000,000—no mean sum for one of the youngest and most progressive States in the Union.

It is estimated that about 110,000 persons are employed in the lumber business in the State of Washington, receiving wages which aggregate approximately $60,000,000 a year.

We shall not lightly engage in legislative changes to cut off any portion of this magnificent share of labor in this great industry without reducing by that much the sum total of our American laboring man's ability to uphold our social system and maintain himself as our self-respecting workers should be maintained.

CONSERVATION OF A GREAT NATIONAL RESOURCE.

Lumber, Mr. President, is our chief product. The forests to which I have referred are ours, and we are more deeply interested in their conservation than are those who own timber in the Canadian Provinces and who are anxious to ship their foreign manufactured product into our markets free of duty. They seek this privilege upon the theory of conserving our forests. No one of them contends that it will reduce the price of lumber to the consumer.

The forests of Washington should be conserved, but we are of the opinion that we understand their preservation better than those who, for commercial reasons, have worked out a theory of their own for the alleged protection of our forests while they harvest theirs.

It will be conceded by all that in order to conserve a forest the timber in it should be utilized to the greatest possible extent compatible with healthy life and growth. Can this be done with lumber on the free list, or in view of the reduction proposed in this bill? Those who have spent the greater part of their lives in the business, and who have made a careful study of trade conditions, say positively that it can not. I know of none more competent to speak intelligently upon the subject than those who have the lamp of experience to guide them.

To reach an intelligent understanding of forest conservation we must take all factors into consideration. Those who urge the removal or the reduction of the duty in order to cheapen the price of lumber are advocating a policy which would result in a tremendous waste of one of our great natural resources.

Nature did not see fit in her distribution of gold in the mountains to separate it from other metals. She embedded it in quartz, in which are intermingled the baser metals. From these the gold must be separated before it becomes serviceable; and if in the separating process the baser metals are saved, that much which otherwise would have been lost has been added to our wealth and comfort. Indeed, it is often necessary to save what are called "by-products" in order to make gold mining profitable.

This principle of economics applies with peculiar force to the conservation of our forests, for nature was not more generous when she set the trees to grow than she was in her distribution of gold in the mountainous regions of the country. Seventy per cent of our trees produce low-grade lumber, while only 30 per cent of the product is clear. Unless, therefore, we find a market for our common grades we waste at least 50 per cent of our timber and take that much out of the pockets of our people, and at the same time reduce our timber supply about one-half. This is not only unjust to ourselves, but unfair to the millions who must of necessity use lumber.

While 70 per cent of our product is low grade, it is nevertheless first-class material for the purposes for which it is used. It is for this low-grade product that we must find a market.

INCONSISTENCY IN DISCOURAGEMENT OF AMERICAN LABOR.

A great deal has been said by the Senator from North Dakota [Mr. MCCUMBER] and the Senator from Minnesota [Mr. NELSON] in respect to the difference in the cost of producing this material in Washington and in British Columbia. I think that I can convince any fair-minded man that it is impossible for the lumbermen in Washington to compete with the British Columbia manufacturers on even terms. There are two principal reasons for this—the lower cost of stumpage across the line in Canada, and the employment there of the cheapest grade of Asiatic laborers. Of the lower cost of stumpage I shall speak later. As to the oriental labor, which free-lumber advocates would bring into direct competition with our American workingmen, permit me to call attention to the policy of this Government in preventing the Orientals from coming here to vitiate the home labor market and inject their peculiar racial characteristics into our body social.

If that policy be sound—and I assume that it is conceded to be sound—then upon what economic theory or according to what doctrine of sociology would Senators justify the bringing here of the essence of that cheap oriental labor, the concrete product of their handiwork, to be thrown into competition with the output of our own citizens?

I desire to emphasize this point, to impress it upon the comprehension of Senators, to advance it as essential in this discussion. The cardinal principle of the Republican doctrine of protection has been to conserve the interests of the man who works with his hands as well as with his head—the laboring man. And I ask again, by what processes of logic shall you justify the bringing into this country of the labor product of a class of people whom our Government in its wisdom has seen fit to exclude, the while we say to the individuals in that class: "You yourselves may not come. You may come in the form of your finished effort; you may compete with our people; you may lower the wage of our workingman; you may compel our laborers to accept less than that which our concept of civilization accords to the producers of our national wealth, but you yourselves may not come."

Again, I would call the attention of Senators to the vitality of this matter; and if anyone questions that the oriental laborer is the mainstay of the British Columbian lumber mills, let him go there and see for himself.

CHAMPIONSHIP OF THE CONSUMER A FALLACY.

Much has been said about the high price of lumber to the consumer; but if we stop to analyze this question we shall find that he has no reasonable cause for complaint against the manufacturer of lumber.

I do not contend that the wholesale dealers will not be able to purchase rough lumber cheaper, for a while at least, from the Canadian manufacturers, but I do believe that, in the end, those manufacturing in the Canadian Provinces, and especially after they have disrupted our market, will absorb a considerable portion of whatever difference there may be in the duty; or the Dominion Government or its Provinces may do it themselves. It is easy to understand what this means to one of the principal industries in the United States. It means the loss of several millions of dollars in revenue, the waste of possibly 50 per cent of our forests, restricted labor for our people, lower wages, and stagnation in numerous lines of business, while the price of lumber remains practically the same to the consumer.

Our low grades are now selling at the mills for $8 per thousand feet. The selling price for the last ten or twelve years, with the exception of 1906 and 1907, has ranged between $7 and $9 per thousand feet. The increase in the price during these years was due to the San Francisco and the Valparaiso disasters and the consequent abnormal demand for lumber.

The Senator from Minnesota [Mr. NELSON] or the Senator

Our experienced lumbermen say that the first step in the

The Senator from Minnesota [Mr. NELSON] or the Senator from North Dakota [Mr. MCCUMBER] submitted a table a few days ago showing the prices of white pine lumber in 1902 and 1907 in Michigan and near-by States to be $30 per thousand. I am not familiar with the prices of lumber in that locality or with that character of lumber, but I do know that no such prices are asked for common lumber on the Pacific coast. I then called attention to the fact that I had a table of prices of one of the Washington mills covering a period of thirteen years—from 1895 to 1909—which showed the average price of all our lumber during the period mentioned to be $9.38 per thousand. No one can say, in view of mill prices on the north Pacific coast, that our manufacturers have been asking more than a fair return for their product.

The consumer complains of the price of the lumber delivered to him, and he lays all his woes at the door of the manufacturer, but he forgets that the freight charge from Puget Sound to Omaha, for instance, on our heavy common lumber is approximately $15 per thousand feet, making lumber which we are now selling for $8 per thousand cost him $23 plus the profit of the retail dealer. He overlooks the fact that our product has to be transported more than 2,000 miles across the continent and over two ranges of mountains at a freight rate which the Interstate Commerce Commission has found to be fair and reasonable for the service rendered.

It may be unfortunate that our product is so far removed from his market, but he should not forget that we have to pay similar freight rates for the long haul westward on heavy machinery and all products of either farm or factory which we purchase in his market, and which are protected by a tariff duty sufficient to prevent foreign-manufactured products from interfering with his trade. We might buy hay and many other Canadian products if it were not for the duty imposed for the protection of the farmer, but we prefer to patronize the farmers of our own country. We buy vastly more of the products of the Central Western States than we sell to them, and the advantage is therefore with them and against us.

It is said that the combined Provinces of Canada produce no more sawed lumber per year than does the State of Washington; that if their total yearly product should be placed upon our markets it would increase our supply less than 10 per cent, and that such increase would not seriously affect our manufacturers.

PLAYING INTO THE HANDS OF THE CANADIANS.

Does anyone believe that if this bill should become a law Canadian production would not increase?

Who was it that came here advocating the removal of the duty on lumber? The men who, confessedly, own timber in the Canadian Provinces. It is well known that a large number of Americans have purchased timber in Canada and that they have been holding it awaiting the removal of the duty that they might construct modern mills and commence the manufacture of lumber on an extensive scale. No one familiar with conditions will seriously contend that the removal of or the reduction in the duty will not greatly stimulate the lumber industry in Canada, and that by augmenting the output there we but play into the hands of the very men denounced as "timber barons." They can not at present afford to construct large mills and engage in extensive operations because they have no market for their low grades. That our market is practically the only one they have for such lumber they admit themselves; that admission is shown in circular 10, which I shall read to the Senate later.

By leaving in the forests those portions of the tree which produce low-grade lumber we involuntarily, but none the less surely, waste about one-half of our product most valuable for the present generation. This, if continued, will result in an increase in the price to the next generation of from 100 to 200 per cent. But waste it we must unless we can find a market for it, for we know that by the law of trade no one can afford to, or will for a considerable period of time, remove a commodity at a loss. We have already discovered that we can best conserve our forests by finding a market for our low-grade lumber, and that we can hasten their waste by destroying or curtailing our market.

ELIMINATION OF WASTE; LOGGERS' DISABILITIES.

Our lumbermen contend that the avoidance of waste has been and still is one of the most serious problems with which they have had to deal, but since they have been able to dispose of the low-grade product they have reduced the waste to a minimum.

Up to a few years ago we took from the forest only that portion of its product which could be disposed of profitably. A considerable portion of our timber is thoroughly ripe, and the sooner it is harvested the greater, of course, will be the yield, as ripe timber deteriorates like other products.

Our experienced lumbermen say that the first step in the deterioration of overripe timber begins in the ground in what is known as the "butt cut" of the tree. This cut, in a sound tree, produces the very highest grade of lumber. In trees which have long reached maturity will be found rot, shakes, deposits of pitch, and other defects. I am told that in some instances these defects are very marked; in fact, that the deterioration is so great that frequently it is necessary to leave in the woods what ordinarily is the best cut of the tree, where it becomes a prey to fires, as do the upper cuts when the markets will not justify their removal. We suffer in this respect probably more than any other section of the country, and by reason of a system which is peculiar to the Pacific Northwest.

We have two distinct classes of operators: First, the mill owners, who, to a large extent, own their own timber, and, second, loggers, who operate independent of, and who dispose of their logs to, the mills. The logger relies altogether upon the mills for his market. Therefore in order to make his operation successful he must take from the woods only such logs as have a market value. Where it might be commercially practicable for the sawmill owner to remove a defective "butt cut" from the woods, and, in many cases, the upper cuts, the uncertainties of the marketable lumber to be derived from such cuts make it altogether too expensive for the logger to take them to market and assume the risk of finding a purchaser at a fair price. Under these circumstances the logger is frequently compelled to leave in the woods a large proportion of forest products, and in this respect our forests are subjected to a waste which ordinarily does not obtain in other sections of the country.

When the lumber market weakens and the price is lower for the product, these loggers must procure their entire revenue from sales to a buyer of logs, who, in turn, must procure his revenue from the lumber-consuming public. Immediately, then, when the market for cheaper grades is lowered, the logger begins to safeguard himself—necessarily, too—by producing in his market the choicer portions of the fallen trees, and this operates to produce waste of the less valuable parts of the trees; and this, as I have before observed, causes waste of forest resources by leaving in the woods these cheaper portions of the trees.

We have also scattered throughout our timbered areas a tree which is large in size and of beautiful proportions, known as the "western hemlock." This tree, unfortunately, produces low-grade lumber, and for a number of years it was rarely taken from the woods. We removed the fir, cedar, and spruce, but left the hemlock standing, a prey to storms and forest fires, because it did not pay to remove it.

We have about 25,000,000,000 feet of hemlock still standing in our State, but in the absence of a market for our common grades this stately and beautiful tree, which ranges from 18 inches to 40 inches in diameter, and which grows to a great altitude, must be abandoned to fire and storms. We have so far lost millions of feet of this timber by being compelled to leave it in the woods for lack of a market. It is scantily rooted in the earth, and when deprived of protection from the cedar, fir, and spruce with which it is intermingled it falls an easy victim to the high winds which prevail in the winter season along the North Pacific coast.

MARKETING SEVEN-TENTHS OF FOREST PRODUCTS.

The market which we have had in recent years for our low-grade product has been the greatest conservator our forests ever had. Let me give you an apt illustration: We used to cut on an average of two logs from a tree, those that produced the greatest percentage of clear lumber, but with a market for our low grades we cut from four to five—sometimes six—32-foot logs from a tree from which formerly we took but two logs, which made from 2,000 to 2,500 feet of lumber, while, with a market for common grades, we manufacture from 4,000 to 5,000 feet from a tree similar to those which formerly yielded from 2,000 to 2,500 feet of lumber. In other words, instead of getting 30,000 feet per acre, as we formerly did, we are now getting 60,000 feet per acre.

If our market for low-grade lumber is impaired, we shall be forced to leave our hemlock and upper cuts of fir, cedar, and spruce in the woods while the Canadian timber holders usurp the markets which our native woods now supply.

This is what free lumber means. This is what a reduction in tariff means when applied to the conservation of our forests.

I have briefly pointed out the extent and value of our timber areas. British Columbia has practically the same kind of forests, but conditions there are much more favorable to loggers, sawmill men, and manufacturers than they are in the States of the Pacific slope.

If the present duty be removed or reduced, we shall have to meet the British Columbia manufacturer not only in the foreign

markets, where we now successfully compete with him with our high-grade product, but in our domestic markets with our low-grade material. This we shall be unable to do successfully because of more favorable conditions on the Canadian side.

A removal or reduction in the duty would greatly stimulate the output of lumber in all the Canadian Provinces, and especially in British Columbia. Modern mills would be constructed as rapidly as possible, millions of dollars would be invested in enterprises on that side of the line, because they would then have an inviting market in the United States for a class of lumber which they can not now dispose of. This, while working to the advantage of the Dominion, would seriously affect the industries of the United States.

Those familiar with every detail of the business on both sides of the line have given us food for serious thought. They are not theorists, but business men of high standing and of long practical experience. Their testimony is therefore of material value in aiding Congress to solve correctly this much-discussed and much-misunderstood problem.

When I first settled in the State of Washington, about twenty-six years ago, the sound of the ax could be heard along the shores of Puget Sound and the banks of the numerous streams flowing into it. All of that has disappeared. Cities, towns, and villages, mills, factories, farms, and homes have taken the place of trees. Civilization has broken the solitude of the wilderness. And now, owing to the removal of the timber near the shores of the rivers and tidal waters, we are compelled to go back on an average of from 5 to 6 miles from the waterways and railways for our logs. We have in the State of Washington about 1,100 miles of railways devoted exclusively to logging purposes. We have our fleets of steam schooners carrying the product of our mills to California, around the Horn to the Atlantic seaboard, and to practically every maritime nation in the world. We have over $200,000,000 invested in sawmills, shingle mills, logging railroads, and logging camps, with an army of people looking to them for daily support, and upon the successful conduct of which whole communities are dependent.

The British Columbia manufacturers can ship their product into our domestic markets over the Canadian Pacific and its connecting lines at as low a rate as we can ship from Pacific coast points to interior markets, where 50 per cent of our product is consumed. They can ship by water to California, where 1,200,000,000 feet of Washington and Oregon lumber is annually consumed, for $1 per thousand less than we can under normal conditions.

I wish to emphasize the fact that the only market of any consequence that Canada has for low-grade lumber is the United States. Owners of timber in Canada are exceedingly anxious to invade this market, because without it their low grades are being wasted in their forests, as ours will be wasted if lumber is placed on the free list or the reduction made in this bill is adhered to.

This is the view of all who are well informed in respect to this question. This is the view of the Canadians themselves, as I shall show a little later.

And yet Senators have seriously proposed to conserve the forests by bringing into existence an economic system which would absolutely insure the waste of at least one-half of the trees which are cut and by turning over to Canadian mill men the market for low-grade lumber.

Mr. BURKETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. I do.

Mr. BURKETT. Before the Senator leaves that point, I want him to pursue it a little further. What is going to prevent this low-grade lumber being manufactured? Is it the competition in the same grade from Canada or the reduction of the price of what is produced in the United States?

Mr. PILES. Everyone, so far as I have yet heard, has admitted that there will be no reduction in the price to the consumer, so it must be, and will be, from competition with the low-grade lumber of British Columbia and other Canadian Provinces.

Mr. BURKETT. Will the Senator, then, explain how it can be profitable for the Canadian lumber producer to take that out of his forests, manufacture it, and send it over here, more than it would be for the American producer?

Mr. PILES. I am going to explain that. That is just the point at issue.

Mr. BURKETT. I thought the Senator had discontinued the subject.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Iowa?

Mr. PILES. I do.

Mr. CUMMINS. The Senator from Washington says that the timber in Washington is worth $2 per thousand in the woods?

Mr. PILES. Yes.

Mr. CUMMINS. What makes it worth $2 a thousand?

Mr. PILES. I shall discuss that question later on.

Mr. CUMMINS. If there was less profit, would it not be possible that it would not be worth quite so much in the forests?

Mr. PILES. I will reach that question a little later on.

CANADIAN ADVANTAGES; AMERICAN DISADVANTAGES.

In the State of Washington, one entering the sawmill business in the interior must buy sufficient standing timber to supply his mills for from ten to fifteen years ahead; he can not go into the open market and buy his logs as some mills do at tidewater. In addition he must invest something like $100,000 in building and equipping his mills. He will buy, probably, from $250,000 to $500,000 worth of timber, and when he is prepared to begin operations he will have put into his enterprise a very large sum of money, and acquired property carrying, without possible insurance, very high risk of destruction.

On the Canadian side, however, he need only build his mills. He need buy no timber lands. He need only sign leases of a duration of twenty-one years and renewable, paying the small sum of $140 per annum for each 640 acres. That will be his tax.

In Washington, the mill man owning his lands, or anyone owning them, if they are accessible, will pay $1 per acre per year, or a total of $640 for 640 acres—$640 tax in the State of Washington against $140 in Canada.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. PILES. I do.

Mr. CARTER. Mr. President, the Senator's proposition, as stated, would imply that by paying $140 per section as an annual price for the lease, the owner of a mill in Canada could thereupon cut the timber without additional charge; and I think it is due to him to say that, in addition to the amount paid for the lease, he is required to pay so much for stumpage as the timber is cut.

Mr. PILES. I intend going into that in detail later.

Mr. NELSON. The Canadian mill owner has to pay 50 cents a thousand, in addition, for stumpage.

Mr. PILES. I am going to get to that. He may hold that timber lease for twenty-one years by paying the paltry sum of $140 per annum for 640 acres of land.

Mr. President, we now come to the next proposition. When we go into our forests and buy our timber we must pay for it outright; we must pay the full purchase price, or secure that price and pay interest upon it, and we must pay for everything that stands in the forest, whereas in British Columbia, if the lessee from the government concludes that it is prudent to undertake the manufacture of his lumber or the sale of his logs, he cuts his logs, transports them to market, and pays the government 50 cents per thousand feet, board measure, for only that portion of the tree which he takes out of the forest. We must pay for it all, whether we take it or not. He may take the butt cut and leave every other cut in the forest, for it does not cost him a penny to leave it there. I ask any fair-minded Senator whether or not, under those conditions, we are meeting the manufacturer of British Columbia on equal terms.

LIFE SPAN OF A LUMBERING ENTERPRISE.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. PILES. I yield to the Senator from Indiana.

Mr. BEVERIDGE. I understood the Senator from Washington to say a moment ago that when a lumberman in Washington went into the lumber business he had to buy enough timber land to last him for fifteen years. Is that correct?

Mr. PILES. In an interior mill, but not in a mill situated on Puget Sound, for instance.

Mr. BEVERIDGE. But as to that interior mill, that is correct?

Mr. PILES. That is correct.

Mr. BEVERIDGE. I wondered what the Senator meant by the expression "enough to last him for fifteen years." What does he mean by that?

Mr. PILES. I mean enough to keep his mill running for ten or fifteen years.

Mr. BEVERIDGE. That is to say that when the mill has been running for fifteen years it will have cut down, destroyed, and finished up all of the timber the mill owner had bought. Is that correct?

Mr. PILES. I did not say he would cut down and destroy any timber.

Mr. BEVERIDGE. I meant to say "disposed of." The Senator said "at the end of fifteen years." So that at the end of fifteen years that forest would be exhausted?

Mr. PILES. Exactly.

Mr. BEVERIDGE. Then I do not see how the forests would be conserved.

Mr. PILES. Of course, if the Senator wants those trees to stand out there, beckoning the stars, for a thousand years, we can not conserve the forests according to his ideas.

Mr. BEVERIDGE. I am not at all anxious to have the trees beckoning to the stars; but I understood the Senator from Washington to be demonstrating that we would conserve our forests; and I supposed he was going on to say that we would cut down such trees as could be from time to time properly cut. That was the reason I was struck by his statement that the lumberman who went into business had to buy stumpage enough to last him for fifteen years; but now the Senator says that that means what I thought perhaps it did not mean—that at the end of fifteen years that forest is exhausted.

Mr. FLINT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from California?

Mr. PILES. Certainly.

Mr. FLINT. I simply want to state to the Senator from Indiana, in answer to his question, that, as I understand lumbering in the mountains, before one can expend the money necessary to put up a mill he must have timber sufficient for ten or fifteen years, and the very thing that the Senator speaks of is done in the mountains of the West. All of the timber is not cut, and that is why they require such an amount of timber. They simply cut the timber that is ripe and suitable for lumber, leaving the young trees and the trees that will grow to make a future supply of timber standing in the mountains.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. PILES. I want to answer the Senator before we get too far, but I will yield.

Mr. BEVERIDGE. I will say, while it is on my mind, in comment upon what the Senator from California [Mr. FLINT] has said, that it did not work that way in the State of Wisconsin, where I have seen hundreds of square miles of land, formerly covered by magnificent forests, burned and disfigured by stumps and brush. It did not work that way in Colorado, where about six years ago I saw two mountains—and I referred to that two years ago upon this floor—once covered with splendid forests, but now stripped bare as the walls of the Senate Chamber. It did not work that way in the State of California in my limited observation where I saw trees being cut down that had taken a thousand years to grow, and all of them cut down in a particular place. It did not work that way in certain sections of Michigan where I have been.

The Senator from Minnesota [Mr. NELSON] says that it did not work that way in Minnesota, where the splendid growth of trees has now been swept from the face of the earth; and according to the statement of the Senator from Washington, that the forest tracts at the end of fifteen years would be exhausted, and the owner of a sawmill has to buy enough to last him that long, it does not work that way. I do not understand that lumbering, as now practiced in this country, involves scientific forest conservation such as exists in Germany. I have never been able to see—and I have listened with a great deal of interest—any demonstration or even the foundation of a demonstration that unrestricted lumbering conserves the growth of trees. I think the theory that cutting down trees would make them grow faster is not altogether safe.

Mr. PILES. The Senator evidently misunderstands me.

Mr. BEVERIDGE. I hope I do.

Mr. PILES. I have not yet said that cutting down trees is conserving the forests. It is perfectly clear to me that when the Senator talks about cutting down a certain portion of the trees and preserving another portion he does not understand the forests of the Pacific coast, and I am satisfied that many other Senators do not understand them. To say that one could go into the forests of the Pacific coast and cut down and remove ripe trees, for instance, and leave the other trees standing uninjured is simply an absurdity. It is impossible for us to adopt the German system or any system by which a tree may be removed here and there. Our trees grow to too great proportions and too close together for that, and besides the logging cost would be prohibitive.

Mr. President, a man might conceal himself in the forests of Washington for a lifetime, if he had food enough to sustain himself, and no man on earth could find him. The officers of the law have attempted to find escaped criminals out in the forests of Washington and absolutely failed. The only recourse is to starve them out.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. PILES. I yield.

Mr. BEVERIDGE. I think the Senator has very clearly demonstrated that he was correct when he said that at the end of fifteen years the product of the forest would be practically exhausted. I did not suppose, of course, that in the giant forests of the West scientific forestry as practiced in Germany, where they do conserve the forests by cutting down a ripe tree and planting another in its place, could be practiced; and the Senator shows clearly that that is true. Thus, it seems to me—I am sorry that it is true—but it seems to me the theory falls to the ground; and it has always seemed to me purely a theory that the cutting of the forest conserves the forest.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Utah?

Mr. PILES. I should like to answer the Senator's question.

REFORESTATION AND PRICES TO CONSUMERS.

Mr. SMOOT. I will take but a moment. In answer to the question of the Senator from Indiana, I will say that in the past, where Wisconsin, Indiana, and the States mentioned by the Senator have been stripped of their forests, it was on account of timber itself being very low in price, and consequently a great deal of the timber never was taken care of. Not only that, but the price of it did not justify the people in reforesting the land. But to-day it seems to me that conditions are entirely different. The price of timber is to-day so high that it would justify a man in commencing to reforest his land. That is one reason why I think that with the holdings of timber to-day by the great private corporations the price of it will be so high, or is so high, that in the future the timber in these holdings will be conserved as much as possible; and when cut they will reforest, and new timber will grow. That is the policy of reforestation here in this country.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. PILES. I do.

Mr. BEVERIDGE. Then the Senator admits—of course he must logically admit—that the retention of the tariff upon lumber does keep up its price to the consumer, and that the keeping up of the price is the only reason why the forests can be conserved by this process?

Mr. SMOOT. There is another question to be taken into consideration there. If our timber goes on being cut as it has been in the past and being destroyed as rapidly as it has been in the past, then when it is destroyed the price of timber will not be as it is to-day, a moderate price, but it will be a price greater, perhaps, than in any other country in the world. That is one reason why I say that the price of lumber should be maintained at such a figure as that it will at least allow reforestation to be possible.

Mr. BEVERIDGE. Then the Senator must follow his own logic one step further, and declare that when the time comes that we have exhausted all our forests in the West, as we have in the Northwestern States, and have no more to sell, the price of lumber will go higher than ever and we will be paying that price to Canada or some other producer.

Mr. PILES. I hope the Senator will allow me to proceed.

Mr. BEVERIDGE. I beg the Senator's pardon.

Mr. SIMMONS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from North Carolina?

Mr. PILES. I yield to the Senator.

Mr. SIMMONS. I desire to say to the Senator from Washington that the situation seems to be very different in the South from what he has described it as being on the Pacific coast. In the South we have a splendid reproducing land.

Mr. PILES. So have we.

Mr. SIMMONS. We sell our pine timber under a contract by which the lumberman agrees that he will not cut below 12 inches in diameter. If he cuts according to that contract with any degree of care—and the owners of timber require now that he cut with great care—in fifteen or twenty years you can get almost as good a cutting on that land as you did originally; and that process will go on indefinitely.

Mr. PILES. Mr. President, in Washington we do not think of cutting down little trees, little saplings, such as the Senator from Minnesota [Mr. NELSON] spoke of the other day. The

trees that are brought to our mills are very large. If we do not manufacture them into lumber our business will be greatly depressed and thousands of men thrown out of employment. Why should this privilege be denied to us? Why should all the burdens of future generations be thrown upon the people living in the timbered areas? Why should it be said that farm products may be removed every year, but those who pioneered the western coast, those who made it what it is, shall not participate in the general prosperity which comes to our people when manufacturing and disposing of the greatest product we have on the coast?

MENACE TO LABOR AND CAPITAL.

Upon what theory of right does the Senator contend that the million people in the State of Washington, for instance, should stand idly by and watch the forests grow, not for their benefit, but for the benefit of future generations, while they suffer themselves?

Why should 110,000 men in that State be thrown out of employment, to walk the streets, instead of being permitted to work? Why should the commerce and the business of the people of the Pacific coast be crippled or destroyed that trees may grow for future generations? How would the Senator from North Dakota [Mr. MCCUMBER] feel if I should say to him that the agricultural lands of his State are not yielding quite so much per acre in wheat as they formerly yielded; that his lands should remain idle for a number of years so that they might have rest and produce more wheat per acre later on, and in the meantime we should remove the tariff on wheat, oats, and barley, and let Canada dispose of her cereals on the American markets now tributary to Minnesota and North and South Dakota? What would the Senator say to that? Would he say that I should vote for a law that would force such a proposition upon the farmers of North Dakota while Canada pours her wheat and oats into our markets? Certainly not. But he in effect asserts that the people of the State of Washington should let their forests stand, when we have $200,000,000 invested in our mills, and that those mills should remain idle or that their output should be reduced, while Canada comes into this country and usurps our markets.

EXHAUSTION OF CANADIAN TIMBER.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. PILES. I do.

Mr. GALLINGER. The Senator from North Dakota in his speech the other day stated, and to-day he has repeated it, that lumber will not be reproduced under a hundred years, and possibly a thousand years. Is it not a fact that if the forests are reasonably conserved, allowing the smallest trees to remain—say of the circumference of 12 inches—they will be reproduced in twenty-five or thirty years?

Mr. PILES. There is no doubt of that.

Mr. MCCUMBER. Does the Senator mean to say that those trees, which will average probably over a hundred years old—and I think they will average nearly five hundred years in age—which they are cutting to-day in the State of Washington can be reproduced in twenty-five years?

Mr. PILES. Not at all; I have not said that. I say this, however——

Mr. MCCUMBER. You can reproduce something in twenty-five years, of course?

Mr. PILES. I have seen in the forests of Washington trees from 2 to 3 feet in diameter which men who had lived there for fifty years told me they had seen grow up in the forests.

Mr. GALLINGER. Of course the Senator will understand that I did not mean to say that the great trees of California or the great trees of the Puget Sound can be reproduced in twenty-five years.

Mr. PILES. Certainly not.

Mr. GALLINGER. But that marketable timber can be reproduced, and that then, conserving the smaller trees again, we will have a continuance of the forests and of the lumber supply.

Mr. President, the Senator will permit me just one other word.

Mr. PILES. Certainly.

Mr. GALLINGER. A good deal has been said and will be said about reducing the price to the American consumer if we have free lumber. The Senator from North Dakota admitted the other day that Canada had only 14 or 15 per cent as much timber as there is in the United States.

Mr. MCCUMBER. The Senator was in error. I made the correction right there. I referred to her proportion of the western section, as compared with the western section of this country. It is about a third to a half, I think.

Mr. GALLINGER. It is a fact that she probably has not more than a third as much timber as there is in the United States. So we could not expect to have our timber supply conserved a great many years if we took all the timber Canada has, and Canada will not allow us to do that.

As to the decrease in price, Mr. Charlton, whom some of us know, is a very distinguished man in Canada, but a New Yorker by birth, who has been a member of the Canadian parliament for a great many years, having become a naturalized Canadian, in a speech a while ago said this, and I want to call attention to this utterance of a very distinguished Canadian; it is very brief. He said:

> What do you suppose the Canadian farmer and miner and lumberman desire free trade with the United States for? In order to sell in the American market for the Canadian price? Not at all. That wouldn't do them any good, would it? What they want is the privilege of selling in the American market for the American price, and putting the difference in their own pockets.

That is precisely what will result. There will be no decrease in the price of lumber if we get free trade with Canada. The minute she gets an opportunity she will put an export duty on her lumber or take possession of our markets and increase the price, and the consumer will not be any better off; and the Canadians understand that perfectly well. I have talked with some of their foremost men, and what they want is to come into our market with their products and sell them at the American price and put the money in their own pockets.

TARIFF APPLICATION AND CONSERVATION.

Mr. BEVERIDGE. I wish to ask the Senator from New Hampshire a question. If the price remains the same in any event, why have any tariff at all?

Mr. GALLINGER. Oh, I think that explains itself.

Mr. PILES. I will explain that later.

Mr. FLINT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from California?

Mr. PILES. Certainly.

Mr. FLINT. The Senator from Washington has stated that in Washington—and it is true in the northern part of California and, I think, in Oregon in a great many places—when they cut their logs in those mountains—the large trees—they cut off practically all the timber. The Senator from Indiana then went on to say that there was no conservation of the forests such as there is in Germany. But, as a matter of fact, in many of the ranges in California and, I think, in other parts of the West they are now cutting the timber on private ownership the same as it is done under the regulations within the forest reserves, and, as I stated a minute ago, the forests in those mountains will be continuous forests, and each year they will cut from those forests, and it will not be the cutting of all the timber in any one year or at any one time.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. PILES. I yield to the Senator from Indiana.

Mr. BEVERIDGE. If that is true—and of course I must believe it is, since the Senator says so—the tariff has nothing to do with the conservation of these particular forests one way or the other.

Mr. FLINT. The Senator is very much mistaken.

Mr. BEVERIDGE. Why?

Mr. FLINT. The Senator from Washington made that clear. What they are cutting in and what are coming from Canada are the very low grades of timber, and it will be impossible for our people to market or cut the low grades of timber in the mountains of California, Washington, and Oregon if the cheap lumber comes in from Canada.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Michigan?

Mr. PILES. Certainly.

Mr. SMITH of Michigan. Apropos of the discussion regarding the length of the lives of trees, it may be interesting to give the view of the Forestry Department upon the subject. It is stated by an expert in the Forestry Department that a pine tree attains 700 years as a maximum length of life; 425 years were the allotted span of the silver fir; the larch lived 275 years; the red beech, 245; the aspen, 210; the birch, 200; the ash, 170; the elder, 145; and the elm, 130. The heart of the oak begins to rot at about the age of 300 years. Of the holly, it is said that there is a specimen 410 years old near Aschaffenburg, Germany.

I think at this point, when there is so much discussion about the life of the tree, that that expert knowledge may be of interest.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Utah?

Mr. PILES. Certainly.

Mr. SMOOT. The Senator from Michigan has spoken of the life of certain trees. But that does not answer the question as to what is the proper time for cutting the trees.

Mr. SMITH of Michigan. No; I did not pretend to go into that.

Mr. SMOOT. Because a tree that goes over a hundred years old—I mean any kind of a tree—from that time on the growth is very, very small, indeed.

Mr. SMITH of Michigan. I did not pretend to cover that question. I am well aware that trees are cut whenever they are ready and at almost any age and time.

Mr. PAGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Vermont?

Mr. PILES. I do.

STUMPAGE PRICES AND TIMBER PRESERVATION.

Mr. PAGE. I should like to ask the Senator from Washington if it is not true that where the trees are as close together as he has explained they are in Washington, the growth is very slow. For instance, I think it is true that a tree may be only 10 or 12 inches in diameter, and still be fifty, or sixty, or seventy, or perhaps a hundred years old, but when you cut out, thin off, the trees the growth becomes several times as fast. I know it is a fact that in my State our lumbermen are coming to cut out the larger trees, knowing that the trees they leave will, within twenty or twenty-five years, become large enough so that the lumberman goes over the ground the second time.

Mr. PILES. There is no question about it.

Mr. PAGE. That conservation has begun only within the last twenty to twenty-five years, and because of the high price of stumpage. My judgment is that if the price of stumpage was reduced to what it was ten years ago they would continue to slaughter the trees ruthlessly as they used to do.

But in our State they are now going into the matter of conservation very closely. Our State at the last session of its legislature appointed a forestry commissioner, who looks after these matters, and we are beginning to reforest by planting the smaller pines, and I know that the whole practice in our State has changed. Now, we are looking after the conservation of the forests in a manner that we did not at all ten years ago, and now our best lumbermen are all doing it.

Mr. PERKINS. Mr. President, one word.

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from California?

Mr. PILES. I do.

Mr. PERKINS. To the literature of the lives of trees which the Senator from Michigan has just read to the Senate I may add that the *gigantea sequoia* of California is 6,000 years old; but nevertheless, in the very forests adjoining the *gigantea sequoia*, private parties are setting out and cultivating the Australian gum tree, the eucalyptus tree, which reaches 3 feet in diameter in fifteen years. That would be 9 feet in circumference. Private parties are cultivating those trees for profit alone, and within ten or fifteen years they are in the market as timber.

Mr. PILES. Mr. President, I tried to make plain to the Senator from Indiana what I meant by conserving the forests in removing our timber. It is true that a man to open up an interior mill must buy timber enough to last ten or fifteen years in order to justify the mill investment. Whether he buys that timber for his mill or not makes little difference, as some one will bring it to market, or a portion of it, and waste another portion if there be no market for the low grades. We do not waste our timber by cutting it. We manufacture it to answer the needs of men. But if there be no market for our low-grade lumber, the man who has timber enough to last him ten or fifteen years of demand for all grades will cut it in from five to seven years. That is the difference, because in getting the higher grades he will go over the same area and he will leave the low-grade cuts or logs in the forests. That is all there is about it. Our forests are best conserved when we have a market for the low grades, and that is true conservation.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Iowa?

Mr. PILES. Certainly.

Mr. CUMMINS. Before you pass to the question of labor, I should like to know the total output of lumber in the State of Washington last year.

Mr. PILES. Something over 3,000,000,000 feet.

Mr. CUMMINS. Where was it marketed?

Mr. PILES. I am going to get to that later on, if the Senator will pardon me.

Mr. CUMMINS. Very well.

Mr. PILES. I think I have shown conclusively——

Mr. CRAWFORD. Before you go to another point, will you permit me?

Mr. PILES. Certainly. I yield to the Senator.

Mr. CRAWFORD. In your talk, and I noticed in that of those who pursue the same line of argument, you claim that the removal of the tariff would cause a waste in the cheaper grades of lumber.

Mr. PILES. It would undoubtedly.

Mr. CRAWFORD. Upon what do you base the claim—upon the experience during the period when the tariff was off lumber, or is it simply prophecy that you make?

Mr. PILES. I base that upon the testimony of men who have been engaged in this business all their lives and on my own personal observation. Twenty-six years of my life have been spent on the Pacific coast. I have had occasion many times to wander through those forests and into our logging camps, and I have seen log after log left in the forests, which we could not remove, because we had no market for them.

Mr. CRAWFORD. What I am getting at is, upon what do you base your claim that the removal of the tariff would have that effect?

WATER FREIGHTS AND OUR MERCHANT MARINE.

Mr. PILES. I think I have shown conclusively that the British Columbia manufacturer has an advantage over the people on the Pacific coast in the price of stumpage. I come now to another proposition, and that is the difference in freight on the forest products of British Columbia and those of the Pacific coast States, which is to become a vital factor in the contest that is to be waged between the manufacturers of British Columbia and those in the States of the Pacific slope when the Panama Canal shall be completed. Washington and Oregon sell in the California market, for instance, about 1,200,000,000 feet of lumber every year. A manufacturer in British Columbia can ship by water into the California market at $1 a thousand cheaper than we can under ordinary conditions. Why is this? It is because we are prohibited by law from using foreign ships in the coastwise trade, while foreign vessels can be chartered to carry lumber from British Columbia to California for a dollar less per thousand than we can charter an American vessel to carry it to California ports.

There are, Mr. President, over 500 American vessels on the Pacific coast prepared to carry lumber. Do the advocates of free lumber realize that they are urging a policy which strikes not only at the laboring masses in the mills and forests, but also at our ships and sailors on the sea?

We pay our American seamen $40 per month, and board, in the coastwise trade, which amounts to about $35 per month. Chinese seamen are paid from $8 to $10 per month and board themselves. Japanese get about the same. Seamen on British craft get from $15 to $18 per month. It is well to know that it costs 33⅓ per cent more to construct a ship here than in foreign countries.

Water competition is not serious now, because the tariff of $2 per thousand protects us very largely in the California market, but upon the completion of the canal we shall have a serious problem to solve. We hope, upon the opening of the canal, to place our lumber in the markets of the Atlantic seaboard at a much less rate than that paid for the rail haul across the mountains, and thereby reduce the cost to the consumer. All hope in that respect would be dispelled with lumber on the free list or the duty reduced to $1 per thousand. Instead of employing our 500 ships and our 11,000 sailors in carrying American products to American markets through an American canal, Orientals will manufacture a foreign product. Orientals will man foreign ships, and those ships will carry this foreign product to our markets, to the detriment of our labor, our mills, and our merchant marine.

We have long known the necessity of strengthening our merchant marine. Members of Congress have made efforts to encourage it, but failed. It has been left to take care of itself in competition with subsidized ships. It has made some progress, but it is now proposed not only to arrest that progress but to strike it a blow, in an indirect way, from which it will take it many years to recover. This question is too serious to be passed over lightly. It is worthy of profound consideration.

Now I come to the Senator's statement that the difference in cost of production between British Columbia and Washington is not material. The Senator from North Dakota offered a table here the other day, submitted by a manufacturer in the

mountainous regions of British Columbia, found on page 3097 of the tariff hearings, whereby he undertook to show that the cost of production there is greater than it is in the State of Washington.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to his colleague?

Mr. PILES. I yield to my colleague.

CANADA'S PATERNALISM CANADIANS' GAIN.

Mr. JONES. Before he goes to another point, I suggest one other proposition with reference to the difference of conditions on this side and on the Canadian side, with reference to the expense our people are put to, showing that it is greater here than on the Canadian side. The man who owns the timber on our side runs the risk of having it destroyed by fire, while on the Canadian side the government owns the land, and of course if fire goes through it, it is the government's loss.

Mr. PILES. We have seen that the British Columbia royalty is 50 cents a thousand; that the American manufacturer in the interior must buy his timber; he can not depend upon the log market for his supply. Therefore, in addition to investing from $250,000 to $500,000 in his timber, he must also pay the taxes upon that timber. He must also take the risk of fire and storm loss; and the fire loss at times has been exceedingly great.

I have myself seen the time on Puget Sound when the forest fires were raging fiercely and the atmosphere was so charged with smoke that it was difficult for a vessel to navigate safely that great inland sea. I have seen smoke so dense in the streets of Seattle that it was hard for one to recognize another across the street. So this element of fire which we must assume on the American side constitutes no risk upon the part of the manufacturer or the license holder in British Columbia, because the government carries it for him. All he does is to pay $140 a year. If the timber is destroyed, he pays nothing additional.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. PILES. I do.

Mr. McCUMBER. I wish to ask the Senator if the $140 which is paid in addition in British Columbia is not an equivalent to what the Senator would think would be a fair price for protection on this side?

Mr. PILES. The price he pays for what? I did not understand the Senator.

Mr. McCUMBER. For fire protection on this side. Would the risk amount to more than $140 a section a year?

Mr. PILES. Certainly; that would not cover it. Millions of feet of timber have been lost in our State. One hundred and forty dollars per annum for 640 acres of land would be nothing in comparison with the loss sustained.

Mr. BURKETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. Certainly.

LOG PURCHASES NOT TYPICAL OF PRICES.

Mr. BURKETT. There is one question which the Senator debated several times upon—the question of the stumpage of 50 cents. What is the Senator going to do with this statement in the House Hearings, page 3070?

> In the month of August I visited a mill at Kewatin, on Lake of the Woods, in the Province of Ontario, which was operating upon logs upon which the royalty to the provincial government was from $6 to $7.50 per thousand, and so has it been for many years.

The other statement, on page 2880, is in the evidence of a man with reference to his own mill. He says:

> Our logs at the Red Deer mill, where we are sawing spruce exclusively, cost us at the mill $7 per thousand. Our stumpage at this mill, together with the royalties paid to the Canadian government, costs us about $3 per thousand. At the Elk mill, where we saw cedar, fir, and spruce, our logs cost us $6 per thousand. Our stumpage at this mill, together with the royalties paid to the government, costs us $1.50 per thousand. Our cost of manufacturing, including the cost of surfacing, piling, loading, selling, insurance, interest, and taxes, at each point is about the same, viz, $5 per thousand.

Mr. PILES. He is talking about the price of logs. That is not the question of stumpage alone, the way the Senator read it. I am not familiar, of course, with that section of Canada.

Mr. BURKETT. These are his very words—that the royalty and finishing run it up to $6 and $7.50 per thousand.

Mr. PILES. It may be that in that section of the country they would pay from $6 to $6.50—whatever the figure is; but it is not for stumpage. There is no contention that stumpage in Canada, unless it be white pine, could be $6 or $7 a thousand. But the royalty that the witness referred to pays the Canadian government is only 50 cents per thousand.

Mr. BURKETT. You can call it stumpage, or you can call it royalty, or you can call it whatever you have a mind to; it costs them that much money. The Senator's side of the question has been repeating constantly that all it costs a man is to go there and pay his $140.

Mr. PILES. In British Columbia.

Mr. BURKETT. And that he pays 50 cents a thousand for logs. Here is a statement where he says that it costs him from $6 to $7.50 a thousand.

Mr. PILES. I said nothing about logs selling for 50 cents a thousand. I said stumpage in British Columbia sells for 50 cents a thousand. The Senator does not contend that that is in the Province of British Columbia. That has relation to eastern Canada. I am directing my remarks as to the conditions on the Pacific coast. British Columbia is our competitor. British Columbia wants to get into our markets.

Let us consider that statement for a moment. Here is eastern Canada, for instance the Georgian Bay district, whose manufactures can enter the markets of the Lakes at a freight rate of $1.75 a thousand. They can enter Cleveland, Buffalo, all the distributing centers on the Great Lakes, at $1.75 a thousand. Add to this the duty of $2, and it costs the Georgian Bay manufacturer $3.75 per thousand feet to get into the markets on the Great Lakes.

And yet some one has said that this does not affect the South, because the South can not enter those markets on account of freight rates. But the South does enter those markets in competition with Canadian lumber. It costs the South, however, from $5 to $7.50 per thousand freight to enter the markets of the Lakes against a combined freight and duty rate of $3.75 in favor of Canada.

If the $2 duty be taken off, it makes it only the harder for the South to contend with her competitor, for then the Canadian manufacturer can enter his lumber in those markets for $1.75 per thousand. Is this fair to an American product, to American labor, whether it be white or black? But that is not all. You make the Canadian manufacturer a present of the $2 duty on every thousand feet of lumber he ships into those markets. If this is not true, what becomes of the $2 remitted?

ARGUMENT NOT IN THE OPEN.

Mr. BURKETT. Will the Senator let me read one more paragraph from Victoria, in British Columbia?

Mr. PILES. I shall be glad to have the Senator read it.

Mr. BURKETT. This is the report of a lumberman, found on page 3060 of the hearings. In answer to the question as to the approximate difference between the prices of logs in British Columbia and Puget Sound points, he answers, "about the same at all times."

Mr. PILES. I will come to that man's testimony. That is a British Columbia mill, is it not?

Mr. BURKETT. Mr. B. F. Graham.

Mr. PILES. Of the Victoria Lumber Company. I intend to reach that statement. I wish to direct the attention of the Senate to the table which the Senator from North Dakota submitted here a few days ago, showing that a mill in the intermountain region of British Columbia was paying more to produce a thousand feet of lumber than a mill in the State of Washington. He does not name the mill. This is one of those instances of the British Columbia manufacturer undertaking to show that he is producing lumber on his side at a greater cost than a Washington mill, and he declines to give the name of the Washington mill. Look at the statement on page 3097 of the House record, and you will find that the difference is made up principally in the cost of administration. He says, for instance, that it cost him $3.17 to administer and it cost us $1.73 in the particular mill the name of which he would not give. What does he know of the cost of administration in an unknown mill? I presume he guessed at it. He might as well have said it cost him $10 per thousand to administer and the unnamed mill $2.

AMERICAN LABOR'S REASONABLE PROTEST.

Now, I come to the question of oriental labor—the difference in the cost of labor in the States of the Pacific slope and in British Columbia. In this connection I will ask the Secretary to read a telegram which I received a few days ago. A great deal has been said about the "timber barons" wanting to retain the duty on lumber; that the laboring people have no interest in it. Here is a telegram from the secretary of the Washington Federation of Labor. We shall see what the laboring people think about it.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

TACOMA, WASH., *April 27, 1909.*

Senator SAMUEL H. PILES,
Washington, D. C.:

Twenty-five thousand organized workmen in State of Washington vigorously protest against reduction of tariff on lumber. We do not want our wages reduced.

CHAS. PERRY TAYLOR,
Secretary Washington Federation of Labor.

Mr. PILES. That, Mr. President, expresses the opinion of those who work in the woods and in the mills. That telegram, Mr. President, voices the view of the men who toil in competition with a product made in a foreign land with cheap labor. They have been protesting against that, not only with their voices but with their votes, for many years, and that protest will not cease until every vestige of such competition shall be removed from this country.

Now, what is the difference in the wages? Let me ask the Senator who denies that there is a difference in the cost of oriental labor in British Columbia and white labor in the State of Washington, why did Congress pass a law excluding the Chinese from our shores? It was not because we had any prejudice against them as a people or their country. We had no personal grievance against them. It was because they work in our own country for less than our people can or will. It was because they do not live as our people live. It was because the greedy employed them in place of white labor at a less wage. And yet British Columbia manufacturers have been here endeavoring to convince this Congress that while they employ Asiatics, there is no practical difference in the wage or the result.

Why is it, Mr. President, that we now protest against Japanese laborers coming into this country? Why is it that the two Governments are endeavoring to arrange amicably to keep Japanese laborers out of this country? It is not because we have any feeling against them. It is because they work for less than the wage for which our own people can work. If they do not work in British Columbia cheaper than the white men work, and if it is not more economical to use their labor, why is it that British Columbia manufacturers employ them in the face of the protests of the white men of their own country?

I turn now to some of the statements submitted by British Columbia manufacturers to the Ways and Means Committee of the House. That committee propounded certain interrogatories to the different manufacturers in British Columbia. Here is one of their statements—I am reading from paragraph 5, on page 3002. The question propounded was this:

Considering results, how does oriental compare with white labor? Is it cheaper or more expensive?—Oriental labor is better than the tramp white labor, but good, steady white men will do a good deal more than Orientals. In our experience, while wages to Orientals are cheaper, the final results do not show a gain by employing Orientals.

Note the skillful manner in which that statement is worded. They are compelled to admit that Oriental labor is cheaper, but they say "in our experience the final results do not show a gain by employing Orientals." Neither do they show a loss. If they do, why do not they say so?

BRITISH COLUMBIAN VERSUS AMERICAN LOGS.

I proceed to the next paragraph:

VII. If you can, give the approximate difference between prices of cedar and fir logs in British Columbia and Puget Sound points at the present time and also in normal times.

They answer:

Prices of logs depend largely upon local conditions, but should say the average for a year would show the cost of logs on this side about 10 per cent cheaper than on Puget Sound, but if demand for lumber is heavy in British Columbia, price is nearly equal.

They dare not say, in view of well-known facts, that it is equal, but they admit, putting it in the most conservative form, that logs can be bought 10 per cent cheaper on the British Columbia side than on the Washington side. That is to say, if logs cost us $10 a thousand in Washington or Oregon we can buy them in British Columbia for $9 a thousand. Here, then, is a difference of $1 a thousand, according to their own showing. Mr. President, why should there not be that difference when one buys his timber for 50 cents a thousand and pays for only that portion of the tree that he takes out of the forest? Why should there not be 10 per cent difference? Will any one contend, in view of this showing and of the facts, that there is not a natural and material difference in the price of logs in British Columbia as compared with Washington, Oregon, and Idaho?

Mr. BURKETT. I suggest to the Senator that he read paragraph 8 of the same testimony before he concludes. The witness states that that condition is passing away very rapidly.

Mr. PILES. Yes; he says the condition is passing away; but, mark you, that is the statement of a man who is interested in getting into the American market with foreign labor against the American laborer and the American product.

Mr. BURKETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. I do.

Mr. BURKETT. I have been wanting the Senator to arraign some of these witnesses along that line. I call his attention now to Mr. Lamb's evidence, who came down here to argue for the retention of the present tariff. He certainly would not be a prejudiced witness, as the Senator suggests.

Mr. PILES. Not at all. I accept Mr. Lamb as a good witness. He is a splendid man. I know him personally. He is a man of the highest character.

Mr. BURKETT. Let me read what he says. He said:

The difference in cost of wages between British Columbia and Washington is very small. For a good many positions we pay the same wages. For railroad construction and the cheaper labor it is possible for the British Columbians to employ alien or foreign labor, which we can not do. The cost of supplies in British Columbia, machinery and tools, as has been stated here, is somewhat higher on certain articles, as I happen to know, as I am manufacturing them for the British Columbia market. On other supplies, such as wire rope, railroad material, etc., the British Columbians can buy cheaper than we can.

So on the whole, so far as regards the actual cost of labor, there is very little difference. That is from a witness who came here to argue for the Senator's side of this proposition.

WOODS WAGES ON BOTH SIDES OF THE LINE.

Mr. PILES. I accept every word Mr. Lamb says as gospel truth. The Senator from Nebraska has fallen into the same error into which the Senator from Minnesota fell. The Senator from Nebraska, I presume, has not carefully considered Mr. Lamb's testimony. If he had, he would not have commented upon it as he has. There is no dispute between Mr. Lamb and me on this subject; there is no dispute between Mr. Lamb and any man who manufactures lumber in the State of Washington. Now, let us see what Mr. Lamb said he came here for. First, take his statement in the last paragraph on page 2981:

You will understand that on the Pacific coast logging is an entirely separate industry from sawmilling, and it concerns the material from which lumber is made only from the forest to the log. Therefore I know nothing regarding lumber and shall not be able to answer any questions along that line. But the point that I wish to make is that on the Pacific coast, from which a very large part of our timber supply for the future must come, there is a differential in the cost of logs as compared with Puget Sound conditions and British Columbia conditions of from $1 to $3.50 per thousand in the open market.

Proceeding, he says:

The stumpage of British Columbia is obtained from the government, as has already been stated to you.

I need not read that. He proceeded further:

The question of wages, as an item of logging cost—

Mark you, it is an item of logging cost, not manufacturing—

has been gone into very fully; but I simply wish to state that, in my opinion, the difference in cost of wages—

What wages?

between British Columbia and Washington is very small.

In what? In logging, in bringing logs out of the woods, not in manufacturing them into lumber. That is what Mr. Lamb is speaking about. He says:

For railroad construction—

That is, constructing railroads into the woods, the logging railroads. I have already shown that we have 1,100 miles of logging railroads in the State of Washington. He says for this kind of construction—

and the cheaper labor it is possible for the British Columbians to employ alien or foreign labor, which we can not do. The cost of supplies in British Columbia, machinery, and tools, as has been stated here, is somewhat higher on certain articles.

So, on the whole, as regards the actual cost of labor—labor in the woods—there is very little difference. Now, why is that? In presenting that question the Senator has overstated his case. Why is there no difference between the wages paid to men in the forests of Washington and those paid to the woodsmen in British Columbia? I will tell the Senator why there is no difference, and why there is a difference in the mills that manufacture those logs into lumber. The timber is owned by the Dominion of Canada, or the Province of British Columbia; it is owned by the people. The white people appealed to their government for protection against oriental labor. They said: "This timber belongs to the people. It is true that the government can not prevent the employment of Orientals in private mills, but it can prevent their employment upon public lands."

And so the white laborers of Canada, protesting against cheap labor, induced their government to prohibit the employment of

Orientals in the woods that they might work there themselves; and the Canadian government, in the issuance of licenses, absolutely prohibits the employment of oriental labor in woods work. And yet we are told that the mill men of British Columbia employ Asiatics because they can not get white men to do the work. If the mills, like the forests, belonged to the government, plenty of white labor could be found.

Do you wonder, then, that there is no difference in the cost of labor in the woods in British Columbia and in the forests of Washington? White men on both sides of the line demand the same wages and receive the same pay.

Mr. President, I have here a table showing the wages paid in Japan. The highest wage paid for common labor in Japan is 20 cents a day. The highest wage paid mechanics is to bricklayers; they receive 37 cents a day and board themselves.

I make no effort to belittle them. They were born under different conditions; they were reared in a different school of domestic economy. It may be to their credit that they can toil for 20 cents and 37 cents a day in their own country and board themselves. Working for such wages at home, are you amazed to find that when the Japanese reaches the American continent he is willing to work for 80 cents or a dollar, a dollar and a quarter, or a dollar and a half a day and board himself?

We pay white men performing common labor in our mills at least 60 per cent more than the mills of British Columbia pay Orientals for similar labor. I notice, in the statement filed by the Victoria Lumber and Manufacturing Company with the Ways and Means Committee, that the reason why they employ Orientals is because they can not get white men. Both Vancouver and Victoria are as near to the labor markets of Puget Sound, Seattle, and Tacoma, as Bellingham. Steamers ply between the cities of Washington and British Columbia every few hours. They could get plenty of white men if they paid white men's wages. The round trip could be made between Victoria and Seattle last summer for 25 or 50 cents.

Mr. BURKETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. I yield to the Senator.

Mr. BURKETT. I have gone through the volume on the lumber schedule pretty thoroughly, and I have not found anyone on either side of the controversy who has combated the proposition made by the gentleman, to which the Senator has just referred; at least none of these manufacturers has said anything to the contrary. They have not used the same expression the gentleman did the Senator referred to; but there seems to be no disputing the fact that they would all rather have white labor if they could get it than have the other labor, and they are using it only as a matter of compulsion. There is not any disputing the fact; there is not any considerable difference between the wages that I can find in this book. If the Senator can refer me to anybody who testifies differently, I would be glad to have it.

Mr. PILES. Every affidavit you find in that book from men who went into the mills of British Columbia from Washington and Oregon to investigate conditions testifies to the fact that they do pay less wages. In the affidavits filed with the Ways and Means Committee they state that from 75 to 80 per cent of the labor employed in British Columbia mills is oriental and that the wages range from 80 cents to $1.50 a day. I find some places where they have been paying $1.65 per day for Japanese; that is, a few Japanese who, I assume, are able to act as subforemen.

TESTIMONY OF PREJUDICED WITNESSES.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. I yield.

Mr. BURKETT. Here is one whose evidence I can turn to quite readily, on page 2880. He says:

We employ no oriental laborer in any capacity or place.

Mr. PILES. Who is that?

Mr. BURKETT. It is Mr. Lynch.

Mr. PILES. Mr. Lynch's mill is up in eastern Canada. Mr. Lynch's mill is not on the Pacific coast, is it? Has he a mill in British Columbia?

Mr. NELSON. He has; at Fernie.

Mr. BURKETT. At Fernie.

Mr. PILES. It may be that he does not employ any Orientals there. I am not contending that there are no mills in British Columbia that do not employ Orientals. Back in the intermountain region there are some mills that do not employ them. There are, I am told, some places in British Columbia where the white miners in the mining camps will not allow Orientals, but I believe that in the mills of British Columbia oriental labor predominates.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from South Dakota?

Mr. PILES. I yield.

Mr. CRAWFORD. Is it not a fact that the general result and conclusion of all those witnesses is that the difference is not sufficient to make up for the difference in efficiency—that the Oriental, the Hindoo, is not worth comparatively what they pay him as compared with the service of a white man—but it is a question of being able to secure the white labor that is needed?

Mr. PILES. No one admits that on the American side. I know that assertion is made by the British Columbia manufacturer. He makes that assertion, but the fact is just the reverse. But, Mr. President, the Japanese are athletic, strong, healthy, quick in both mind and body. Is there any reason why a Japanese can not pile as much lumber as any other man? Can there be any reason shown why he should be deficient there? Is there any reason why a Japanese could not take as much lumber away from a saw or a planer as a white man?

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield further to the Senator from South Dakota?

Mr. PILES. I do.

Mr. CRAWFORD. I may be mistaken, but I read that testimony pretty carefully, and my recollection is the wage paid to the Hindoo was 80 cents and up to $1.25, and that the Japanese uniformly got a higher wage. They have practically no Chinese labor there, except occasionally a cook in the camp.

Mr. PILES. The Senator from South Dakota is misinformed, I think. There are many, many Chinese. The Chinese and Japanese predominate over the Hindoos, as I understand it.

Now, these are facts. They are not mere surmises; they are submitted by men who went into those mills for the purpose of examining the conditions. If you take the statement of the manager of the Victoria Lumber Company, to which I just referred, he puts down Orientals at from $1.25 to $1.50 a day, while I believe that a majority of them receive $1.25 or less a day, instead of $1.50 a day.

Mr. BURKETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. I yield to the Senator.

Mr. BURKETT. No one whose testimony I have been able to find makes such a statement in regard to this matter. Here is, on page 2889, the evidence of another witness, Mr. Scanlon, who says with reference to Orientals:

There is some oriental labor used in the British Columbia mills, ranging in price from $1.25 to $1.75 per day, depending on the class of work they perform. Considering the efficiency of this oriental labor, they are more expensive than white, and they would not be employed at all if white labor could be obtained.

Then, again, on page 3055, I find this statement in the evidence of Mr. Knappen:

What Orientals are employed are almost entirely in the tidewater mills. The mountain mills of British Columbia use few, if any, oriental laborers. Of four mountain mills on which we have drawn for data, two do not employ any Orientals, and the whole four only employ 20 Orientals in their entire forces, and these are practically all as common laborers.

Mr. PILES. Mr. Scanlon may be right in respect to those mills in the intermountain country—I will not deny that—but where would the Senator expect to find great mills? Would he not expect to find them on tidewater, where they can ship by rail or by water to every part of the country? The great mills are located on the coast. Why take an isolated mill back in the mountains? Why not, for instance, take a mill in Victoria, one in Bellingham, one in Vancouver, one in Seattle, and one in Everett or Tacoma? Why not take the men working in those localities and compare their wages?

Mr. BURKETT. I will say to the Senator that, of course, he is more familiar with the geography of Canada than I am; and it does embarrass me a little, because when I read the evidence of some witness the Senator has commented upon, he says the witness is not properly located geographically. I am going through the testimony and getting as many of the witnesses as I can; and I have not been able to find any witness who has testified that the oriental-labor question is of any great consequence as between Canada and this country; that while there are a few oriental laborers used up there, the universal testimony is that they are inefficient; that while they may not be paid so much in wages, they do not do quite so much work; that there is not any better result from them; and the witnesses

testified that they would rather pay larger wages for white labor than to use the cheaper oriental labor.

In some localities they testified they did not use such labor. I have not found a mill owner who wants to use them, or who says that he can economically use them, or who says that lumber can be produced any cheaper by reason of the fact that they do use them. I ask the Senator to point out some witness who uses such laborers, who wants to use them, and who says they are more economical than white laborers.

THE AMERICANS' OBJECTION TO ORIENTAL LABOR.

Mr. PILES. I do not expect that. They do not admit that they want to use oriental labor. I do not think there is any man in that country who admits that he employs oriental labor simply because he gets it cheaper. He is not willing to go on record in that respect. But we must reason from cause to effect. Why do they employ Orientals? Because they can get them at a less wage. Why did the white men in Vancouver, British Columbia, rise up against the Japanese a short while ago? Do you think that they had no complaint—that they endeavored to tear down the Japanese houses and attempted to drive them out of the city of Vancouver simply because they disliked them, or was it because they were working for a less wage than that for which the white men could afford to work?

Mr. President, I do not care what a man may put down in evasion. I take conditions as they stand upon the Pacific coast; and I ask myself the question, Why were these men prohibited from working in the woods? Why is a tax of $500 a head placed upon immigrant Orientals in British Columbia? It is because they work for less wages than does the white man. Why is it that they are the only people on earth against which this tax is directed?

Let Senators construe the statements made before the Ways and Means Committee in any way they see fit, but they can not avoid the facts. Why are these uprisings? Why these exclusion laws? Why such a head tax? Why such vigorous protests, constant and unending, from the people of the Pacific coast? You may deceive yourselves, but no man on the Pacific coast can be deceived. He knows the facts.

I do not need to find in the record an admission by any British Columbia manufacturer that he wants to employ oriental labor. I am not looking for an admission from him that he employs them because he can get them for a less wage; but I know, without being told, why he employs them.

The telegram from the labor organization which was read a few moments ago shows that they know why Orientals are employed in British Columbia. Why do these organized laborers say they do not want their wages reduced? If Orientals working on the other side do not receive less pay, why do our people complain?

I read from Mr. Housley's statement contained in the record. He made an examination into labor conditions in British Columbia. Here is an extract from his affidavit:

Hastings mill, No. 1, being one of a number of mills owned by the British Columbia Mills, Timber and Trading Company, is a mill of about 250,000 feet capacity in ten hours. The total number of men approximate 300, of whom probably not less than 50 are whites and 250 Orientals, mostly Japanese and Chinese. I actually counted 62 men on the mill floor, 12 of whom were white men and 50 Chinese. I also counted 40 men in the mill yard, of whom 5 were white men and 35 Japanese. The wages paid for Chinese are from 80 cents to $1.10 a day, for Japanese from $1 to $1.50 per day, and for Hindoos from 80 cents to $1 per day.

There is no use, Mr. President, to attempt to disguise well-known and well-understood facts. A man who has lived in that section of the country as long as I have absorbs some things. He knows the conditions which prevail in the country, and he hears the complaints. No one need argue to me that Orientals are employed because the mill owners can not get white men, and that they receive substantially the same wage as white men get in Washington, Oregon, or Idaho. No one need tell me that the Oriental is inefficient. When a Japanese or a Chinese is put at a machine he must keep the pace of the machine. If only one man can work at the machine, he must do one man's work, whether he be a white man or a yellow man. He must attend to and take away the output of the machine.

COMPETITION IN FOREIGN EXPORTS.

I shall now answer the question of the Senator from Missouri [Mr. STONE] in respect to competition in the foreign markets. The Senator wants to know why it is that British Columbia increased her exports only from 41,000,000 feet in 1905 to 67,000,000 feet in 1907, and why it is that our mills can compete in the foreign markets with those of British Columbia.

The output of Washington and Oregon for 1907 was 5,413,160,000 feet, of which 430,365,000 went abroad. We ship only about 7 per cent of the product of our mills to foreign markets. That 7 per cent is made up mostly of selected timber—that is to say, timber sawed in sizes 10 by 12, for instance, 16, 20, or 30 feet long, or any length that may be desired. When the timber is put aboard ship and transported to Australia, for instance, it is discharged at port and sawed into flooring, finishing, and such material as may be desired for that market.

The failure of British Columbia to increase her exportations beyond the figures mentioned in the years indicated is due to two facts: First, probably not to exceed six mills in that Province are prepared to compete in the foreign market; second, because she practically has no market for the 70 per cent of her low-grade lumber. Having no considerable market for her low grades she must of necessity limit her output of the upper grades, as about 70 per cent of the best cut in the tree produces low-grade lumber. Owing to the lack of a market for the low grades the manufacture of lumber has not been developed there to the extent it has in Washington or other States on the Pacific. British Columbia has a population of about 250,000 people, of whom, I am told, about 60,000 are Orientals. Eastern Canada takes but a small portion of her low grades, hence her market for this class of lumber is very limited. She must therefore find a market for her low grades before she can materially increase her output for export purposes. That market is the United States. It is owing to this fact that those owning timber over there want lumber put on the free list. If lumber shall be placed on the free list or reduced to $1 per thousand many new and modern mills will be constructed in the western Canadian Province and her output for the foreign trade greatly increased, for she will then have the United States as a dumping ground for her low grades, which are now largely wasted by being left in the woods.

Mr. BURKETT. Mr. President, I should like to ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. Yes.

Mr. BURKETT. One of the first questions I asked the Senator was to explain why we could compete, here at home, with our second-grade lumber, as he calls it, with the Canadian second-grade lumber. Why can they take out their second-grade lumber, send it down here, compete with us, and drive our second-grade lumber out of the market?

Mr. PILES. I thought I had made that point clear to the Senator. The reasons why free lumber would impair, if not destroy, our domestic market for low-grade lumber are these: First, our accessible stumpage costs us $2 per thousand, while they get theirs for 50 cents per thousand; second, it costs us $1 per thousand feet more to manufacture than it costs them, because they employ cheaper labor in their mills; third, the water freight rate from British Columbia to California ports (among our best markets) is $1 per thousand cheaper than from Oregon or Washington when conditions are normal; the difference at times is much greater. There are other elements, but the ones I have mentioned ought to be enough to show the Senator how our market would be destroyed.

Mr. BURKETT. Let me get this thing straight.

The PRESIDENT pro tempore. Does the Senator from Washington yield further?

Mr. PILES. I yield.

FREE-TRADE ARGUMENTS EXTRAORDINARY.

Mr. BURKETT. The Senator complained a moment ago that in the case of our stumpage the American paid for the whole tree, while the Canadian, as I understood, paid only for what he used. He now says that the Canadian has the advantage because the second-grade lumber will be made out of timber that only cost him 50 cents a thousand, while the American pays $2 a thousand. But if I understood the Senator a moment ago, he said that the American in buying stumpage bought the whole tree, and therefore must have the second-grade lumber for nothing.

Mr. PILES. Have it for nothing? He pays $2 a thousand for the tree as it stands.

Mr. BURKETT. As between using it, and leaving it to waste, he certainly has it for nothing.

The Senator's argument as to this second-grade lumber is now that the stumpage costs the American $2, whereas it costs the Canadian 50 cents; but compare this with his statement a moment ago, in which he said the American had paid for the whole tree, whether he used it or not. If that is so, if he throws it away, as between throwing it away and using it it is costing him nothing.

Mr. PILES. If the Senator thinks the American is getting the common grades for nothing, let him go into the mill business on the coast, and he will soon see the error of his judgment. Does the Senator think it is going to pay to manufacture that kind of lumber in competition with Canada, if the duty on lumber is lowered?

Mr. BURKETT. I do not know whether it would or not, but I am very certain that the Senator's argument that the American's stumpage is costing him $2 and the Canadian's stumpage but 50 cents does not hold true with the statement he made a moment ago, when he said that the American had to pay for it whether he used it or not, whereas the Canadian only paid for what he used. The American had to pay for the whole tree whether he cut it up or not; but the Canadian paid 50 cents a thousand for such parts as he used; yet the American can not compete with the Canadian in the manufacture of this low-grade lumber without a high duty.

Mr. PILES. Is not that an element going to show that lumber may be manufactured cheaper in British Columbia than in Washington, Oregon, or Idaho?

If the Senator does not understand that proposition, I am unable to make it any plainer to him. But I shall attempt once more to make the Senator understand. I will use an illustration which will come home to Senators from agricultural States.

Assume that a farmer in such a State were to be confronted with a proposal to legislate so that one-half his corn crop must be left in the field to rot because there was no market for that one-half. Would not the Senator from his State argue that the economic cost of the marketable half of that corn crop was equal to the total cost of the production of the whole crop divided by the number of bushels of corn which he could market? Would it be difficult to understand the dictum of political economy whereby such a farmer would establish the cost of his marketable corn? Would it be argued that the farmer cited could compete with Canadian farmers, if they raised corn extensively, when the American farmer was denied a market for one-half his crop, while the Canadian farmer, producing, let us say, the same number of bushels per acre, was given a market for every bushel he raised and going to the same market in which to sell his corn?

If the Senator will substitute low-grade lumber for corn he will find that the parallel between the two hypothetical cases is exact, with this added disadvantage, however, to the American lumberman, that in producing his lumber he must pay more for labor and more for stumpage.

Mr. SIMMONS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from North Carolina?

Mr. PILES. I yield to the Senator.

Mr. SIMMONS. I should like to inquire of the Senator if, as a matter of fact, it does not cost as much to manufacture the cheaper grades of lumber as it does to manufacture the higher grades of lumber.

Mr. PILES. Certainly it does.

Mr. SIMMONS. If it costs the manufacturer more to cut and haul and manufacture the cheap grade than he can sell it for, is it not to his interest to let it stay in the woods and rot?

Mr. PILES. It is, of course.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. PILES. Certainly.

STUMPAGE MEASUREMENT AND TIMBER PURCHASE.

Mr. CARTER. It has been stated time and again that there is a different rule in Canada for the measurement of stumpage from that which obtains in this country. It has been asserted that stumpage embraces the entire tree in the United States, whereas according to the Canadian method of measurement only that portion of the tree which is sawed into lumber is measured, and therefore what is known as the "butt," or clear lumber, could be cut from a tree in Canada, the balance of it treated as waste, and the stumpage rate paid only upon the quantity of lumber embraced in the clear logs.

Mr. PILES. Yes.

Mr. CARTER. Now, Mr. President, I should like to have very specific information on that point, because my understanding is that the rule of stumpage measurement is identical on both sides of the line; that a given tree, said to contain by the rule a specified amount of lumber, will contain that amount of lumber measured under the rule on either side of the line; and if a given acre or a given quarter section of land is said to contain a million feet board measure on the stump, it would contain a million feet whether in British Columbia or in Washington, if the same number of trees of the same dimensions are grown. I can not understand or readily accede, at least, to the proposition that the person purchasing the timber on the stumpage estimate would be left to determine in payment the portion of the tree to be taken away, and to pay only on that portion. A tree contains a certain number of feet board measure, and the whole tree is measured, according to my view, under exactly the same rule, whether measured in British Columbia or in the United States. If a contrary rule obtains, I should like to be advised of it.

Mr. PILES. The purchaser in British Columbia does not buy the trees standing in the forests as our mill men and loggers are compelled to do. He secures a lease on the timber lands of that Province for twenty-one years, under the terms of which he agrees to pay 50 cents per thousand for the timber which he uses. He therefore takes to market or to the mill such portion of the tree as he sees fit. For the logs removed he pays 50 cents per thousand feet, according to the scale at the mill or in the water. We are compelled to purchase outright from the owners and pay for accessible timber $2 per thousand feet for all of the merchantable timber standing in the forest, and this includes the low as well as the high grade lumber in the trees. No private owner would sell under any other conditions. While British Columbia is wasting about 50 per cent of her timber in the forests, we, with a fair market, are saving the greater portion of ours; but with free lumber we would be compelled to waste ours while British Columbia saves hers.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. PILES. Certainly I yield.

Mr. CARTER. I fully agree with the Senator that rational public policy requires that all parts of the tree that can be utilized should be utilized, and that the cutting should be conducted in such a manner as to avoid needless waste. I submit to the Senator that following out the logic of the rule with reference to measurement there would be no second-class lumber cut in Canada at all, because the man who cut the logs, being left to determine only that portion which would pay him best to take away from the forest, would take only first-class material. He would never move a log out of the woods which would make only second-class lumber, because he could just as well take out the first-class logs or the first cut, leaving the balance to waste.

Mr. PILES. The Senator is mistaken, and I will prove it by the Canadians themselves. Why should Canada or the Province of British Columbia permit its lessees of timber lands to waste 50 per cent of the trees by leaving the upper cuts in the woods when they have a market for the low grades? Certainly this would not be tolerated. The government would undoubtedly compel a removal of the upper cuts of the tree as soon as it was discovered that they had a market for that product in the United States.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. PILES. Certainly.

Mr. CARTER. The fault I find with the rule alleged to obtain there is that the British Columbia government will have nothing whatever to say about it.

Mr. PILES. Why will it not?

Mr. CARTER. They merely tax the individual for the logs that he takes away——

Mr. PILES. I beg the Senator's pardon.

Mr. CARTER (continuing). And leave him to say what part of the tree he will put into the log.

Mr. PILES. I beg the Senator's pardon. If he will permit me to proceed, I will give him a full answer to his question. The government does not lose control of its timber lands under the terms of the lease. It may increase the price of the stumpage, if it is thought wise to do so; and I would not be astonished if this were one of the first things the government did, if the duty should be removed in whole or in part.

But, Mr. President, that is not all. It is to the advantage of the mill men to manufacture the upper cuts into lumber when there is a market for low-grade lumber. In no other way can they increase their output of high-class lumber. The lack of a market for the low grades necessarily limits the output of the upper grades. I explained that when I showed why British Columbia had but slightly increased her trade in the foreign markets. Another thing I wish to call to your attention in this connection is this: The "butt cut" of the tree, the log that produces the finest lumber, contains 70 per cent of the common grades. A market must therefore be found for the low-grade lumber in these cuts before one would be justified in opening up the forests of British Columbia on an extensive scale.

But I said that I would prove by the Canadians themselves that they saved their common grades when they had a market in this country and wasted them when denied this market.

AMERICAN MARKETS CANADA'S COMMERCIAL SALVATION.

In 1890 the duty on white pine was reduced to $1 per 1,000. In 1894 a political campaign seems to have been going on in Canada. The Canadians were greatly elated over the prosperous conditions prevailing throughout the Dominion, and they issued a circular or pamphlet, called "Pamphlet No. 10," setting forth their achievements. Here is what they said:

The lumber trade is of Dominion concern and perhaps ranks second in importance in Canada. All the Provinces are more or less affected by the prices obtained and the markets available for sawed lumber, but to Ontario, Quebec, New Brunswick, and British Columbia—all large exporters of sawed lumber—the prosperity of the trade is of vital importance. The United States is practically our *only market for sawed lumber and shingles*, and its value may be judged from the fact that Canada sent there last year 1,031,000,000 feet of sawed lumber, valued at $8,900,000, and 357,000,000 shingles, valued at $734,000, or a total value of $9,634,000. *The rougher grades of lumber were now capable of being marketed there at a profit*, and it has been estimated by Colonel O'Brien, member of Parliament for Muskoka, and corroborated by reports from the Crown timber agents, *that from 30 to 50 per cent more white pine is cut and marketed from the same area of licensed territory than was formerly the case. This means a large increase in the revenue of the Provinces for material which had formerly gone to waste. It also means a large increase in the employment of labor and markets for produce.*

Analyze this pamphlet, if you please, and you will find that it calls attention to the following important facts: First, that the United States is practically their only market for sawed lumber and shingles; second, that they were able to sell their rough lumber in our markets at a profit in 1893, when the duty on white pine was only $1 per thousand, and that by reason of this fact they cut and marketed from 30 to 50 per cent more timber from the same area of licensed territory than formerly; third, that there was a large increase in their revenue derived from the sale in this country of material which had formerly gone to waste in the Canadian Provinces; fourth, that their labor had been better employed and that their produce had found more stable local markets.

Canada had reason to congratulate her people, for, according to her own showing, the reduction of the duty on white pine in 1890 to $1 per thousand gave her a profitable market in this country and an opportunity to save from 30 to 50 per cent of her timber which formerly had gone to waste.

Can anyone, Mr. President, doubt the effects of a $1 duty upon the lumber industry of this country in view of this admission and these well-known facts?

No one claims that the removal of the duty will reduce the price of lumber to the consumer. I asked the Senator from North Dakota the direct question, and he said that it would not; that he thought lumber would advance, and that the removal of the duty would have a tendency to check the rapid rise in price.

But who is it that asks for the removal of the duty? Canadian timber holders; those who will profit most by the reduction. Does any sane man doubt that their holdings will increase in value if this bill shall be enacted into law? Why should they not? They would then have access to our markets for the lumber which they manufacture in both eastern and western Canada. What is it that gives value to a product? It is a profitable market; and that market they demand at the expense of the American laborer and the American manufacturer. This means the impairment of our market for a home product, the output of home people. We shall not see the American consumer reap any benefit from the reduction. We shall see him paying the same price for his lumber that he pays now. We shall see him contributing to the employment, not of the American wage-earner who contributes to the consumer's welfare by buying some of everything the consumer has to sell, but to the Canadian wage-earner who buys practically nothing of what the consumer has to sell.

The reduction of the duty on rough lumber would undoubtedly lessen the price at our mills, especially on the Pacific coast, where the manufacturers would have to contend with cheaper labor, cheaper stumpage, and cheaper water freight rates; but it would not, in my judgment, lower the price to the consumer.

If the Canadian Parliament were sitting here, with authority to legislate for the benefit of its people, it would do exactly what we are asked by holders of Canadian timber to do—put lumber on the free list.

INFLUENCE OF CANADIAN TIMBER OWNERSHIP.

Those persons referred to the other day by the Senator from Minnesota [Mr. NELSON] and the Senator from North Dakota [Mr. MCCUMBER]—Mr. Scanlon, Mr. Lynch, and others—admit that they have in Canada either mills or timber, or both. It is natural that they should be here advocating free lumber. They seek a market for their low-grade lumber. They have no satisfactory market in the Dominion. They want the American market, because it would be profitable for them. I do not censure them for this; they are doing the best they can to find a market for their products. This is to be expected.

But, Mr. President, in defense of the 800,000 workmen in the woods and mills of this country, in defense of the 28,000 or 30,000 mills in this country that employ these men and manufacture our forest products, I must oppose them.

Mr. SIMMONS. I wish to ask the Senator from Washington if it is not a fact that a good many of the Canadian mills also are owned by rich American citizens?

Mr. PILES. They are; and I will come now to that proposition.

The Senator from Minnesota [Mr. NELSON] said, as I understood him, that the most of the millionaires in Minnesota, Michigan, and Wisconsin were "timber barons;" that they had made their millions out of the timber areas of those States. I do not doubt the correctness of that statement. But I think, Mr. President, they should be content with what they have made, but they are not.

Having made vast fortunes in Minnesota, Michigan, and Wisconsin, they are not yet satisfied. They have gone over into Canada and secured large tracts of timber lands, and they now demand free trade in lumber. Is it conceivable as a commercial proposition that they would have made this demand when their forests were dense and their mills operating to their utmost capacity in the States mentioned? Oh, no; they are not yet satisfied. Not content with being millionaires here, they want to become multimillionaires in Canada. I am sorry to disturb the pleasing concord of these gentlemen, but I must oppose them. They may become multimillionaires if they can, but, if I can prevent it, not at the expense of the people of the Pacific Northwest, who pioneered the western country and saved those great timbered areas to the people of the United States.

I have found nothing in the record from any of these gentlemen saying that they will reduce the price of lumber if it be placed on the free list.

PROSPECTIVE PRICES FOR THE MANUFACTURER.

Mr. BROWN rose.

Mr. PILES. Just one moment. They ought to know whether they will reduce it or not. They own timber, or mills, or both, in Canada. Ought not Mr. Lynch and Mr. Scanlon know whether they will reduce the price to the American consumer? I now yield to the Senator from Nebraska.

Mr. BROWN. I desire to ask the Senator from Washington a question. Conceding the point that it would not reduce the price of lumber to the consumer, how would it harm the man who had it to sell—the manufacturer?

Mr. PILES. I thought I had made that perfectly plain, but if I have not I shall try to do so.

If lumber can be manufactured in British Columbia cheaper than in this country, the manufacturer can well afford to sell to the wholesaler in the United States cheaper than our mills can sell him. The wholesaler can sell to the retailer a little cheaper than he formerly sold him and still keep up the same price to the consumer, and at the same time keep us out of the market.

Mr. BROWN. But the position of the Senator is that the manufacturer will get the same price for his product with lumber on the free list that he gets now, because the price will not be reduced to the consumer. If he sells it at the same price with lumber on the free list that he does with lumber on the protective list, his profit must be the same. The Canadian might make more profit with lumber on the free list; but the American manufacturer would make the same profit, according to the Senator's own statement.

Mr. PILES. The Senator from Nebraska [Mr. BROWN] misunderstands my position.

Why does the Senator from North Dakota ask to have the duty on wheat, oats, and barley increased?

Mr. BROWN. The Senator must ask that question of the Senator from North Dakota.

Mr. PILES. I am not propounding the question to the Senator from Nebraska. I am stating it in the form of an argument. The Senator asks the increase undoubtedly for the purpose of keeping Canadian products out of his markets. I do not imagine that he believes that the Canadian farmer can produce wheat any cheaper than the North Dakota farmer produces it, but he wants to protect the market that by right belongs to the American farmer. Now, I want to protect the market that by right belongs to the American laborer and manufacturer; but I present a different case from that of the Senator from North Dakota. Our product must come into competition in our own markets—as must our labor—with a product that can be produced in a foreign country at less than we can produce it, and which can be sold for less than we can afford to sell it, unless we reduce our wage scale to the level of that paid to Orientals. This I wish to avoid because it is not just, and for the further reason that our people can not and will not work for any such wages. No one so far has advanced the idea that free lumber will reduce the price to the consumer. In my judgment the remitted duty, whatever it may be, would be largely absorbed in Canada.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Iowa?

Mr. PILES. Certainly.

Mr. CUMMINS. I think it is only fair to say that presently I hope to make a few observations upon this subject, and when I do I shall favor the reduction of the duty on lumber, or the free importation of lumber, solely because I believe the consumer will get his lumber for that much less. So do not in your argument assume that no one at least will contend that a reduction in the duty on lumber will benefit the consumer. If I did not believe that the man who buys and uses the lumber would under free importation get it for less than he would otherwise get it, I would not care if you put up the duty on lumber to a hundred dollars a thousand.

Mr. PILES. The Senator from Iowa is the only one whom I know of who contends that the consumer will receive any benefit by the removal of the duty.

Mr. BEVERIDGE. Mr. President——

Mr. PILES. But now let me answer the Senator from Iowa. He asked me a question, and I want to answer it here.

Mr. BEVERIDGE. This is a kind of experience meeting. I have a faint opinion, or feeling, of the same kind.

Mr. PILES. The Senator may have an opinion, but I think he has no real hope in his heart that such a result will be achieved.

Mr. BEVERIDGE. I have not any doubt of it.

Mr. PILES. The conditions are such that such a result will not be achieved.

Mr. BROWN. I desire to call the attention of the Senator from Washington to the fact that just a few minutes ago he himself admitted that possibly the price might be reduced by the manufacturer.

Mr. PILES. Yes; the American manufacturer.

Mr. BROWN. But the middleman would corral all the profit.

Mr. PILES. Possibly.

Mr. BROWN. That is purely a matter of opinion, and an assumption.

Mr. PILES. I know it is; but it is based on well-understood facts.

Mr. BROWN. If it is conceded that the manufacturer will not reduce the price, there must be an assumption that there will be a conspiracy which will continue the present price to the consumer.

Mr. PILES. I charge no conspiracy.

Mr. CRAWFORD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from South Dakota?

Mr. PILES. Certainly.

Mr. CRAWFORD. Is it not your theory that conservation will be promoted by retaining the tariff?

Mr. PILES. It is.

Mr. CRAWFORD. Based upon the theory that the removal of the tariff would reduce the price of lumber and consequently you would be wasteful and would not try to utilize the cheaper grades?

Mr. PILES. Not to the consumer.

Mr. CRAWFORD. Then I have not understood a large part of your argument. I gathered that the contention was that the upper cuts would be allowed to remain in the woods, because if the tariff were removed the market price of upper cuts would be so low that you would not be able to ship them out of the woods.

Mr. PILES. That is correct. If the tariff be removed, we shall be compelled to leave our upper cuts of the tree in the woods—at least a large portion of them—because our market for the low-grade lumber will in a little while be largely taken from us by British Columbia. But that does not mean that the consumer will get lumber at a reduced price. The mills do not sell to the consumer; they sell to the wholesaler, who, in turn, sells to the retailer.

Why does not British Columbia undersell us in the foreign markets, where there is free trade? She manufactures cheaper than we can, yet she asks and receives from the foreign wholesaler as much as we get for our lumber. Does anyone think she will do better by us than she does by the foreigner? She may for a while, until she gets control of our markets, and then the same old story will be repeated.

Mr. CRAWFORD. Mr. President——

Mr. PILES. Will the Senator permit me to go on for a moment?

Mr. CRAWFORD. I will not interrupt the Senator, if he so desires.

Mr. BURKETT rose.

EVOLUTION AND INFLUENCE OF STUMPAGE PRICES.

Mr. PILES. I hope the Senator will wait for a moment.

The Senator from Iowa [Mr. CUMMINS] asked me why our stumpage is worth $2 per thousand, and I wish now to explain that to him.

Our general prosperity, the increase of our population, and the enlargement of our markets for our timber products have contributed to the advance in the price of timber lands. These factors have played an important part in the enhancement of lands and commodities of every variety in all parts of the country.

We had no market in the East for our lumber until the latter part of 1893 or the fore part of 1894. At the time indicated we secured a freight rate which enabled us to reach the markets of the Central West. These markets were worth but little to us from 1894 to 1897, inclusive, owing to the disastrous effects of the Wilson-Gorman Act upon the country; but with the revival of trade conditions under the Dingley Act they have become of very great importance.

When I went to Washington in 1883 it was a Territory. Our local and domestic markets were restricted, our population sparse, and the means of transportation limited. The Northern Pacific Railroad Company had not then tunneled the Cascade Mountains. It had ascended and descended that range by means of what is called a "switch back." The Great Northern was then practically unknown on the Pacific coast. No one at that time thought of its building across the continent and making Puget Sound its western terminus. Neither the Union Pacific, the Southern Pacific, nor the Canadian Pacific then reached us. The Milwaukee and the Burlington were not then considered. But times have changed; our State is interlaced with railways; our ships traverse every sea.

Our chief cities of to-day were little better than villages in 1883. Seattle had a population of about 5,000 persons. It has since grown into a modern city with a population of, approximately, 300,000. The spot which marks the site of Tacoma, a city of over 100,000, was then a wilderness. Spokane, with a population of more than 100,000, was little better than an outpost on the plains. Her immense water power had not then been harnessed, and few foresaw its wonderful possibilities. These and many other prosperous cities in the State have grown into great commercial and manufacturing importance, creating a demand for our forest products.

The plains—the "desert," so-called—and the highlands of eastern Washington, which once were thought to be largely unproductive, have been converted by a hardy and vigorous race into fields of waving grain, meadows, and orchards.

It was quite natural that timber should have been low under adverse conditions and higher under more favorable conditions. All of our other products increased with the expansion of our markets, and it would have been somewhat singular if, under improved conditions, the price of lumber had not increased. Had it not, little would have been left after figuring interest and taxes.

Some contend that we should remove the tariff in order to reduce the price of stumpage, as no one will be affected thereby except the "timber barons." Those who thus reason ignore the facts that west of the summit of the Rocky Mountains are 800,000,000,000 feet of timber, practically one-half of which is owned by the Federal Government; that the lands upon which it stands are withdrawn from private entry in order to conserve the forests for future generations.

CONCRETE EXAMPLES OF PRICE PROGRESS.

Congress has appropriated millions of dollars to this end, with the expectation that the reservations would shortly become self-sustaining. These forests are a large asset of the people of the United States. There is no way of making them self-sustaining except by the sale of timber. Any reduction in stumpage values on government reservations means taking that much out of the pockets of the people. The Government sells stumpage from the reserves at as high, if not a higher, figure than that for which the same class of timber can be bought from private owners. In corroboration of this statement I sub-

mit an article which appeared in the Bellingham Herald on the 3d day of April last:

BIG SALE OF NATIONAL TIMBER MADE—HUNDRED MILLION FEET SOLD IN NORTHERN PORTION OF SNOQUALMIE RESERVE.

[Special to the Herald.]

SEATTLE, *April 2.*

One of the largest timber sales ever made by the United States Government in the Pacific Northwest will be consummated in about thirty days, when formal contract will be executed allowing the cutting of nearly 100,000,000 feet stumpage from the valley of the Whitechuck River in the northern part of the Snoqualmie National Forest. This sale will be made according to the usual terms of the Forest Service, which require that operations shall begin soon after the signing of the contract and that all timber must be cut within a specified time. The timber is to be paid for in advance payments of $10,000 each, from time to time, as cutting progresses. While the exact stumpage price obtained by the Government will not be known until bids are opened on April 27, it will not be less than $2.25 per thousand feet for all saw timber cut prior to April 1, 1910, with an increase in the stumpage price of 25 cents per thousand feet for each succeeding year during the period of the sale, as the Forest Service already has an application for the timber on these terms. The deal was negotiated through the office of the supervisor of the Snoqualmie National Forest in Seattle.

I am informed that the amount of timber sold is not 100,000,000 feet, but about 20,000,000 feet; that the purchase price, $2.25 per thousand, is correctly stated in the news item.

It is a mistake to assume that the timber barons have acquired practically all the timber in Washington. The Government owns about one-half of all the timber in that State; the State itself owns about 37,000,000,000 feet.

The commissioner of public lands of the State of Washington informs me that a conservative estimate shows that the timber on the common-school lands of that State is not less than 25,000,000,000 feet, worth not less than $40,000,000 to the common-school fund; that the selected granted lands contain 12,000,000,000 feet, valued at not less than $18,000,000. This is exclusive of the land and applies to the standing timber only. This makes $58,000,000 worth of timber owned by the common-school and other public funds in the State of Washington.

We can not strike the timber barons without striking the Government itself and the school and other public funds of the country derived from the sale of timber.

I imagine that those who advocate free lumber upon the theory that the stumpage values would be cut in half would be loud in their protest if their school lands were threatened with a similar decrease for the benefit, not, after all, of the consuming public in this country, but for the advantage of timber holders in a foreign land.

I am satisfied that the state land commissioner has placed the value upon the school and other state lands in Washington at a very conservative figure.

I have here an article which appeared recently in the Seattle Post Intelligencer, one of the leading newspapers on the Pacific coast, concerning a sale of school and granted lands in King County, Wash. The article is based upon the report of a deputy county auditor on a sale of timber on three different quarter sections of school lands granted to the State for school purposes. They brought $71,358.26. The timber on one quarter section of the land, according to the newspaper article, was appraised by the state officials at $14,166. It sold after strong competitive bidding for $36,080.

The timber on another quarter section in the same township was appraised at $9,267, and was bid off at $18,341.

The timber on the third quarter section in the same township was appraised at $11,338, and sold for $18,000.

My attention has been called to a statement made to the effect that for three years, from 1906 to 1908, inclusive, Canada exported into the United States 409,000,000 feet more lumber than she did under the Wilson-Gorman Act, and that forty years ago, under a high tariff, the Dominion shipped more lumber into this country than she did under free trade. This is not at all astonishing. It is a strong argument in favor of a protective duty on lumber and the general protective system. It aptly illustrates the oft-repeated and oft-demonstrated doctrine of the protective tariff system—that the people of this country can afford to, and do, buy more under protection than they can afford to, or do, buy under free trade. If this is not true, what intelligent reason can be assigned for the shipment of less lumber from Canada under the Wilson-Gorman Act than was shipped under the Dingley Act? Surely the mere payment of the $2 duty for the privilege of entering our markets did not increase Canadian importations.

LABOR'S VITAL INTEREST IN REASONABLE PROTECTION.

In round numbers, the lumber industry of the United States employs 800,000 persons; 120,000 on the Pacific coast, 110,000 in the State which I have the honor in part to represent—counting five persons to a family, 500,000 people, one-half of the population of the State of Washington are dependent upon the lumber industry for what they eat and wear. Do you wonder that we are vitally interested in this question? Do you wish to take the approximately $60,000,000, or any part of it, that we pay in wages and transfer it to the pockets of the Orientals in British Columbia? Do you wish to paralyze the principal industry of the young States of the Pacific? I am sure no Senator here would knowingly do this.

Mr. President, I protest against the amendment submitted placing lumber on the free list and the reduction proposed in this bill in the name of the 800,000 men employed in the lumber and shingle industries of the United States.

I was born, Mr. President, in the South. My people are buried in her soil. I did not become a Republican when I cast my first vote because I loved the South less, but because I loved her more. As I grew old enough to realize conditions I saw that her fields were devastated, her homes either in ruins or in ashes. As I read history I came to the conclusion that the South was wrong in the great conflict which bathed our land in blood. I concluded that she was wrong upon the doctrine of free trade or a tariff for revenue only. I felt that no nation could become really great that produced raw material for others to manufacture and sell to those who produced it. Having become a protectionist contrary to the environment in which I was reared, I can not abandon the doctrine which converted me in my youth.

But, Mr. President, I am not a protectionist "in spots." I am not one of those who believe that the tariff is a local issue; I believe it to be national in its scope and character, a system that promotes the happiness, prosperity, and welfare of all when properly understood and intelligently applied.

There is another industry on the Pacific coast—the shingle industry—to which I wish to direct the attention of the Senate, then I am done. Before proceeding to the discussion of the necessity of raising the duty on shingles from 30 cents to 50 cents per thousand I ask that the Secretary read the telegram, letter, and resolutions which I send to the desk.

The PRESIDENT pro tempore. The Secretary will read, as requested.

The Secretary read as follows:

SEATTLE, WASH., *April 26, 1909.*

Hon. S. H. PILES,
United States Senate, Washington, D. C.:

Having in mind the welfare of the wage-earners of the shingle industry, whose standard of living and morals are seriously impaired by competition with Asiatic labor, we most earnestly appeal to you to use every honorable method to secure additional tariff on shingles that our industry may be saved to white workmen.

INTERNATIONAL SHINGLE WEAVERS' UNION,
C. J. FOLSOM, *President.*
W. E. WILLIS, *Secretary.*

INTERNATIONAL SHINGLE WEAVERS' UNION OF AMERICA,
Seattle, Wash., January 15, 1909.

Hon. SAMUEL PILES,
United States Senate, Washington, D. C.

DEAR SIR: I am sending you herewith a copy of a set of resolutions which were passed at the recent convention of the International Shingle Weavers' Union of America. I am sure that you will do all that is possible to see that the facts recounted therein are presented where the most good will result.

With best wishes,

Very truly, yours, J. G. BROWN, *President.*

Resolutions adopted by the International Shingle Weavers' Union of America in convention at Olympia, Wash., January 4, 5, 6, 1909.

Whereas during the past ten years there has been a tariff of 30 cents per thousand on shingles imported by the United States;

Whereas during all this time the imports of Canadian shingles into the United States have steadily increased, have doubled in the last few years, and in the years 1906 and 1907 reached the large total of 8,909 carloads, through which the wage loss to the white workmen in the Washington shingle industry amounted to approximately $1,000,000, or practically $40,000 per month;

Whereas the shingle manufacturers in British Columbia are able to inflict this enormous loss on the wage-earners in the Washington shingle industry through the employment of Asiatics, who compose 80 per cent of the working forces in the British Columbia shingle mills, and who accept a very much lower wage compensation and a very much lower standard of living than can the all-white labor of the Washington shingle industry;

Whereas the white wage-workers in the Washington shingle industry have better and higher conceptions of industrial, social, hygienic, and moral well-being, and, realizing the ideals of their race and Nation, have trained themselves to conform to a standard of living in accordance with American ideas of American civilization;

Whereas the increasing imports by the United States of Asiatic-made shingles of British Columbia constitute a menace to American institutions by driving white workmen out of the Washington shingle mills, depriving these workmen of the means to maintain themselves and families, thus lessening the amount of money available to farmers, merchants, and other business men of the United States; and

Whereas the wage-earners in the Washington shingle industry have been enforcedly idle nearly twelve months during the past twenty-four months;

Whereas they are to a great extent engaged in producing shingles from fallen, fire-blackened, and other cedar that would be otherwise wasted and be a dead loss to the State and to the Nation;

Whereas the first consideration of the United States Government should be the welfare of its own citizens;

Whereas it is understood that some misinformed people now advocate the reduction of the present tariff of 30 cents per thousand, which is, even now, an inadequate protection against Asiatic shingles made in British Columbia; wherefore, for these reasons, we respectfully and firmly protest against any reduction of the present tariff, and we do earnestly and strongly urge all legislators to save the industry and to protect our necessary wage interest by fixing an adequate protective tariff against Asiatic-made shingles, a tariff of preferably 50 cents per thousand;

Voted, That a copy of these resolutions be sent to each member of the Washington state legislature, with the request that they memorialize Congress to grant the Washington shingle industry an adequate protective tariff of preferably 50 cents per thousand.

Voted, That the Ways and Means Committee of the House of Representatives, United States Congressmen from shingle-manufacturing districts covered by the International Shingle Weavers' Union of America, be furnished with copies of these general resolutions.

LOG PRICES ON BOTH SIDES OF THE LINE.

Mr. GALLINGER. Mr. President——

Mr. PILES. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Before the Senator takes up this phase of the discussion, there is one matter that I think he overlooked to which I wish he would address himself briefly.

The Senator from North Dakota [Mr. MCCUMBER] called attention to the fact that American lumbermen had sold lumber to the Canadian Pacific Railroad at a price below that of the Canadian producers of lumber. If I am correctly of opinion, the Senator from Missouri [Mr. STONE] this morning, in his questions, called attention to that fact, and likewise, I think, made some inquiry about this matter. I think there is a complete answer to it, which I presume the Senator from Washington is familiar with, and I wish he would give us the benefit of it.

Mr. PILES. That is, the shipment to the Canadian Pacific Railroad?

Mr. GALLINGER. To the Canadian Pacific.

Mr. PILES. I have no knowledge, of course, with respect to that particular transaction, but the only way that I can——

Mr. MCCUMBER. I will state to the Senator, so that there may be no mistake, that the shipment, I think, was to the Grand Trunk Railway, building up in the Northwest and in Canada. So he can meet the particular case.

Mr. PILES. As I understand you, this railroad company had asked for bids, and it accepted a Pacific coast bid.

Mr. MCCUMBER. A Washington bid.

Mr. PILES. Do you know what mill it was?

Mr. MCCUMBER. I do not know.

Mr. PILES. As I said, I know nothing of that particular transaction, and I can account for it only upon the theory that it must have been very large bridge timbers which the railroad company desired in the construction of its line, and our mills, being better equipped than the British Columbia mills to furnish material of that character, secured the contract.

Mr. MCCUMBER. Mr. President, I do not like to disturb the Senator, if he wants to complete his address, but I think on that same subject I may ask him a question that he might also elucidate. I stated in my remarks the other day that at the present time, or near the present time, logs were probably a little higher on the British Columbia side than on the Washington side. The Senator declared, if I remember rightly, that there was never a time in which the logs were less upon the British Columbia side of the Sound than on the American side.

Mr. PILES. Never, that I heard of in my twenty-odd years' residence in Washington.

Mr. MCCUMBER. I want to call the Senator's attention, so that he may give any explanation he sees fit, to an article which, whether true or untrue, is from the Vancouver Province, printed in Vancouver, I suppose, April 10, 1909. I find the following item with reference to the Fraser River mills. Will the Senator tell me where those mills are?

Mr. PILES. They are on the Fraser River, I presume, but I do not know their location.

Mr. MCCUMBER. Near the Sound, is it not?

Mr. PILES. Yes.

Mr. MCCUMBER. That is not in what the Senator calls the "mountainous district."

Mr. PILES. The conditions on Fraser River and on Puget Sound may be greatly different.

Mr. MCCUMBER. Fraser River empties into Puget Sound, does it not?

Mr. PILES. Fraser River at the point the Senator is speaking of may be 150 miles or more from Puget Sound.

Mr. MCCUMBER. In either case it discharges its waters into Puget Sound?

Mr. PILES. Into the Gulf of Georgia.

Mr. MCCUMBER. I wish to call the Senator's attention to this article, which reads as follows:

Taking advantage of the dullness prevailing in the log market across the line, the Fraser River Mills Lumber Company has just purchased two and one-half million feet of fir logs at Bellingham, Wash. The price is considered quite satisfactory, being in the vicinity of $9 per thousand.

The logs will be towed to the company's big plant at Milliside, on the Fraser River, near New Westminster. Confirmation of the report was made to-day by Mr. A. D. McRae, of Winnipeg, president of the company.

I am well acquainted with Mr. McRae and know about his company, and I know that they own a large tract of a good many thousand acres' stumpage where their mill is located.

I assume that Mr. McRae, who has a mill upon that river and has his stumpage surrounding the mill, did not come over into Washington and buy American logs and tow them up to the mill to saw them unless he could get those logs cheaper on the American side than he could get them around his own mill.

Mr. PILES. It might be that there were no logs available near the mill at that time.

Mr. MCCUMBER. I want to ask the Senator if it is not fair to presume that if Mr. McRae came over to the American side—and we know there are logs being sold around in that vicinity at all times—and purchased at that rate on the American side to take to his mill, he probably purchased them cheaper than he could get them on the Canadian side?

Mr. PILES. I will say to the Senator that that is probable, but not being acquainted with the facts I am not able to say that such was the case.

Of course, Mr. President, it will not do to take an isolated case and apply it to a principle or to a general market. It is probably true that the Fraser River manufacturer may have been able to buy at Bellingham in the depressed condition of the lumber trade cheaper than elsewhere. There may have been other conditions controlling in this transaction of which I know nothing, and I can not, therefore, discuss it without knowledge of the facts.

I may say in this connection that a number of our mills have shut down, while others are running on half time, because of the tariff agitation. This would, of course, depress the log market. And I may say, further, that if lumber goes to the free list British Columbia manufacturers will undoubtedly buy large quantities of logs from us and manufacture them into lumber, while our mills and our labor remain idle.

Mr. MCCUMBER. I will say to the Senator that the reason why I call his attention to this fact is that in my address I stated that, as a rule, logs were more expensive upon the American side; but I stated also that I had been informed that at the present time or near the present time they were slightly higher upon the Canadian side, and the Senator at that time denied that they were ever higher upon the Canadian side than upon the American side. I called his attention to this fact to show that at least in all probability the price is higher at this time upon the British side than upon the American side. I did not go into the causes. I admit that the lumber business is dull at the present time.

Mr. PILES. Mr. President, it may be that the logs referred to were sold at the price mentioned, but that proves nothing. Isolated sales can not be taken as an indicator of a general market. I have never known of logs selling cheaper in Washington than in British Columbia, and I know that they do not. I spoke, of course, of a normal market. I had no reference to conditions as they exist to-day. Our manufacturers do not know what will be done here or what they may be able to do in the future. It is altogether a different situation. The advantage is now all on the other side. This is a fair index of what would happen with free lumber.

INTERESTS INVOLVED AND CHARACTER OF TESTIMONY.

Mr. BURKETT. May I ask a question right there? Is not this whole controversy between the men who have stumpage? The Senator has referred to the fact that the men who appeared here in favor of free lumber have owned stumpage in Canada. I have gone through this book——

Mr. PILES. Let us concede that, but——

Mr. BURKETT. I find that the men who have been here against free lumber are stumpage men.

Mr. PILES. Mill men; all classes of men.

Mr. BURKETT. Practically all of them are men who own large quantities of stumpage, and the more stumpage they have the more important this matter of a tariff to them.

Mr. PILES. All classes of men are protesting against the removal of the tariff.

Mr. BURKETT. They are men who have stumpage. It is a question of stumpage. It is not so much a question of lumber as it is of the man who owns stumpage. He realizes that

five persons to a family, 500,000 people, one-half of the popula-

been enforcedly idle nearly twelve months during the past twenty-four months;

his stumpage may go up or down the way this bill comes out, and perhaps he has land over in Canada, and he is anxious about this matter. So far as the question of labor is concerned, as I have read this whole volume of hearings it does not appear anywhere that the question of labor is greatly concerned in this matter, but the men concerned are those who have the stumpage.

Mr. PILES. The Senator could not have heard the reading of the telegram that I received only a day or two ago from the secretary of the state federation of labor in the State of Washington, protesting in the name of 25,000 labor-union men against the reduction of the duty. He evidently did not hear the protest from the 14,000 laboring men who work in the shingle mills of Washington which I had read at the desk. Then let me go one step further——

Mr. BURKETT. Let me say to the Senator right there—because I do not want to be put in the position of not having heard those matters read—that I did hear them read, but it seemed to me so tardy in getting into this matter that it almost lost the evidence of being voluntary. I could not help but think that very likely they had been gotten together a good deal like a great many letters and telegrams we receive here are gotten together.

For example, let me illustrate: As one of the Senators here knows, he came to me the other day when I was contending against a proposition. I said, "My people are for this." The Senator said, "I can get the leading men of your State to send telegrams on the other side," and in ten hours he had half a dozen leading men of my State telegraphing on the other side.

Mr. PILES. Perhaps the Senator misunderstood the protests. The telegram is from the state federation of labor. The protest from the shingle weavers' union has been in the Senate files since last January. It has also been presented to the Committee on Finance for consideration. They made their protest early. No one can go to a labor union, a great organization of 25,000 men, and get telegrams and resolutions of the character submitted unless the facts justify the action, and the Senator from Nebraska knows it. Does the Senator think that the 25,000 men who have submitted their statements to Congress were induced to do so at the behest of stumpage owners? He will not say that the labor organizations have gone into such business as that.

Mr. BURKETT. No; I did not say that it had been wrung out of those men, but I did say that they were so tardy in getting their ideas before us that it almost makes us believe that they did not see the importance of it.

Mr. PILES. If the Senator had searched the record, he would have found them there months ago.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to his colleague?

Mr. PILES. I do.

Mr. JONES. I should like to state, in reference to the proposition of the Senator from Nebraska, that before I entered this body, while a Member of the other House, I received petitions in great numbers protesting against the removal of the tariff on lumber. So they have not been tardy in presenting their views in reference to it.

Mr. PILES. Not at all. I have not had time to call the attention of the Senate to all the telegrams, letters, and resolutions from different organizations in the State protesting against the removal of the duty on lumber and asking for an increase of the duty on shingles. Last January the legislature of Washington memorialized Congress on the subject.

Mr. BURKETT. But the Senator only a few moments ago admitted that his State was the second largest stumpage owner on the Pacific coast and perhaps in the country, as the Senator from Minnesota [Mr. NELSON] has just suggested to me. I say after all it is a question of stumpage in which they seem to be more concerned.

Mr. PILES. Such is far from the fact. But suppose it is a question between the owners of stumpage in Canada and the United States; where does the Senator from Nebraska stand? I stand with my countrymen against all the world. I know, and everyone who studies this question must know, that the removal or reduction of the duty must in the nature of things add value to Canadian stumpage.

Mr. CRAWFORD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from South Dakota?

Mr. PILES. I do.

Mr. CRAWFORD. Just a word on that point. I happen to be one of the Members from the State of South Dakota, and I am not willing to admit that the only issue here is between the owners of stumpage in Washington and British Columbia.

Mr. PILES. Neither am I, Mr. President. I will say to the Senator——

Mr. CRAWFORD. Now, if the Senator will permit me, I simply want to make in a word or two a statement of the situation which I think explains the reason why the Senators from South Dakota and Nebraska and Kansas and North Dakota and Minnesota and the upper Mississippi States are so earnest in protesting against the existing rate upon lumber, and particularly finished lumber. We are between the upper and nether millstones.

The stumpage is growing narrower and narrower every year in its area. Consequently, in the very nature of things it is becoming more valuable and the greater the scramble to secure it. The farmers are building barns in South Dakota and putting up houses over these prairies. The men from whom they are buying this lumber have divided all that territory up into districts.

Now, there can be no dispute about this matter. I may not be able to establish with specific concrete testimony that it is a trust and that they have articles in writing by which they are bound together, but it is a fact that they have divided up that territory and they have fixed one price. I do not care whether we inquire for prices from a dealer in Minneapolis, St. Paul, Duluth, in Wyoming, or at St. Louis, it is one price. There is one price list on the same day, and by individuals just so far apart as any shown in the statement of the Senator from North Dakota [Mr. MCCUMBER] in connection with his remarks.

Now, can you expect that the great mass of the people who are buying this material, so absolutely necessary to them, are not going to protest when at both ends of the lines your stumpage, with an area growing narrower all the time, and the retail dealers in that commodity absolutely necessary, are united for the purpose of maintaining a higher price for the product?

I contend that there is something more here than a mere scramble between owners of stumpage. It is a condition by which the men out on the prairies are suffering, and it is not an idle protest that is uttered here. It is a protest from representatives who are trying to represent what is vital to their constituency that lies back of this protest.

Mr. PILES. I understand that, Mr. President, and yet if the Senator studies this question he must come to the conclusion that by putting lumber on the free list he is still narrowing the stumpage.

Mr. CRAWFORD. Mr. President——

Mr. PILES. I hope the Senator will pardon me; I must proceed.

Mr. CRAWFORD. Very well.

Mr. PILES. The Senator must see that if British Columbia deprives us of our market for our low-grade lumber we must waste it by leaving in the woods from 30 to 50 per cent of our timber and thus narrow our stumpage, for the more timber we cut from a given area the longer our timber supply will last. I prefer to see British Columbia waste her timber and her forests rather than to see our timber wasted by the loss of our market in whole or in part.

Mr. CRAWFORD. Mr. President, will the Senator yield to me?

Mr. PILES. I yield for a question.

Mr. CRAWFORD. My statement was in the nature of an interrogatory.

Mr. PILES. It was an argumentative inquiry, not a question.

Mr. CRAWFORD. I do not want to interrupt the Senator. He has been a long time on the floor.

Mr. PILES. I will yield to the Senator if he wants to make an explanation.

Mr. CRAWFORD. What I do not yet understand is how you are conserving your forests and how you are placing an inducement before your timber owners in Oregon to preserve their second-grade lumber, when you say the removal of the tariff will not make their commodity any cheaper than it is now or bring in less money.

Mr. PILES. Mr. President, I have explained that proposition thoroughly two or three times, and as I have been so long on the floor now I hope the Senator will pardon me from going into it again; as he will, if he does me the honor to read my remarks when they appear in the RECORD, find my views on this subject fully expressed.

CANADIAN ASSUMPTION OF THE TREND OF THE TARIFF.

Canadian manufacturers can easily drive us out of our domestic markets for low-grade lumber by reducing the price to the wholesale dealer in this country, and yet maintain the present price to the consumer.

I do not believe that the consumer will be benefited one penny if lumber is placed on the free list. I am of the opinion that the Canadian manufacturer and the wholesaler, and possibly

the retailer, will absorb the amount of duty removed, and it is not improbable that the Canadian government would itself after a while absorb a part of the duty.

As an evidence of the fact that the Canadian manufacturer will absorb at least a part of it, I submit a proposed contract for the sale by a Canadian mill to an American wholesaler of certain lumber to be delivered at a later date in the United States. The proposed contract is as follows:

B. W. Arnold, president, Albany, N. Y.; W. J. Bell, vice-president and general manager, Sudbury, Ontario; J. O. Smith, superintendent, Spanish Mills, Ontario.

THE SPANISH MILLS COMPANY (LIMITED), MANUFACTURERS OF LUMBER AND LATHS.

SPANISH MILLS, ONTARIO, *November 11, 1908.*

EDWARD HINES LUMBER COMPANY, *Chicago, Ill.*

GENTLEMEN: We will sell you our 12 by 4 and 4 by 4 early cut Norway at Little Current, estimated at about 150 M 12 by 4 and 25 M 4 by 4, at $14 pile run, with a mill culls tally at $9; terms cash, less 1½ per cent if paid within ten days of date of shipment this fall. If lumber is not shipped this fall, it is to be paid for as cash without discount February 15, and you are to pay us pro rata insurance after that date; George D. Jackson to measure as long as satisfactory to both of us, we each paying half his measurement. The 12 by 4 to be measured on a piece tally and the 4 by 4 on the give-and-take basis. Final settlement at date of final shipment with interest either way, at 6 per cent per annum. In the event that this lumber shall remain on dock over winter and that all or any part of the duty now charged by the United States Government being taken off, you are to pay us an extra amount per thousand feet equal to half the amount of duty which was taken off; that is, if $1 per thousand is taken off you are to pay us 50 cents per thousand additional to the above prices, etc.

Yours, truly,

SPANISH RIVER LUMBER CO. (LTD.),
Per B. W. ARNOLD, *President.*

Accepted.

Mr. Hines declined to accept the contract and divide the duty, as the lumber market was very stagnant last November. This shows, however, whether the consumer or the manufacturer in Canada and the wholesaler will receive the amount of the duty removed or reduced. It is perfectly clear to me that by the removal of the duty on lumber we are presenting Canadian timber holders and manufacturers with the amount of whatever reduction we make, and thereby giving them the absolute control of our markets for a product manufactured very largely by oriental labor. I can not see how anyone who believes in the doctrine of protection to American labor can vote for a proposition which must inevitably bring about this result.

CRITICISM OF INTEGRITY OF TESTIMONY.

Mr. CLAPP. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. PILES. I yield to the Senator from Minnesota.

Mr. CLAPP. I should like to ask the Senator what company or firm it was which offered that contract?

Mr. PILES. The Spanish Mills Company (Limited), of Ontario, November 11, 1908. B. W. Arnold is the president of the company, J. O. Smith is superintendent of mills, and W. J. Bell is vice-president and general manager.

Mr. CLAPP. Is the Senator from Washington acquainted with those gentlemen?

Mr. PILES. I am not; but I have their original letter, and I also have the correspondence and telegrams passing between the parties.

Mr. CLAPP. Mr. President, at the proper time, or at least at some time—it may not be the proper time—I intend to submit some remarks on this question, and a portion of my time will be devoted to an analysis of the evidence and the methods by which evidence has been manufactured pro and con in this controversy. I do not think it would be amiss to suggest, in the absence of the Senator's knowledge of these men, that that evidence may be on a par with much of the evidence which we have unmistakable proof is simply manufactured for the purpose of this discussion.

Mr. PILES. Does the Senator say that this evidence is manufactured?

Mr. CLAPP. I do not know; but I do know, and the Senator knows, that the Cuban sugar schedule people are circulating, at their own expense, regardless of the interests of the consumer, petitions throughout this country for a reduction of the duty on sugar. It is none the less important, perhaps, that the sugar tariff should be reduced. We know that other people interested in other products are doing the same thing. I simply offer the suggestion that, in the absence of knowledge on the part of the Senator, possibly this evidence is entitled to no more credit than much of the evidence that comes to the desks of Senators and into this Chamber.

Mr. PILES. I submit the original correspondence to the Senator from Minnesota for his personal inspection and examination. I am satisfied that this is not manufactured testimony on the part of those who oppose the removal of the duty on lumber. I have heard nothing of any testimony being manufactured on this or any other schedule in the bill, except the statement of the Senator from Minnesota. This correspondence took place in November, 1908. It appears to be a regular and ordinary business transaction. I submit the papers to the Senator for his careful examination.

Mr. CLAPP. As late as last November this proposed tentative tariff revision was in the minds of people pro and con.

Mr. PILES. Certainly.

Mr. CLAPP. And the fact that this comes down as late as that is no evidence whatever that it is not a part and parcel of this programme.

Mr. PILES. I am not one of those who believe that men with an established reputation for fair business dealings would be infamous enough to submit a fraudulent contract for the consideration of the Senate. If I thought that anything of that kind had been done, I would denounce in unmeasured terms the man who submitted this proposed contract for the consideration of the Finance Committee and of the Senate itself. I have no doubt in my mind but that this is a genuine document, and proposed in good faith.

Mr. CLAPP. I would not for one moment suggest that the Senator would knowingly use evidence of that character.

Mr. PILES. I understand that, and, knowing the Senator as well as I do, it is unnecessary for him to give me the assurance which he has.

Mr. CLAPP. Nor do I say that this evidence is of that character; but, in the absence of knowledge on the part of the Senator as to the high character of these men, I do suggest when we know day by day that we pick up letters in one envelope of some firm asking for a reduction upon one thing and inadvertently inclosing in that envelope a request for an increase of duty upon some other thing; when we see the action of the sugar interest, when we see the action of the tea interest, when we see these various efforts, so plain and palpable before us, of manufacturing evidence and manufacturing sentiment in this controversy—I do say that, as to a contract of that kind, we may ask, and well ask, if it is not a part and parcel of this general scheme.

Mr. PILES. Does the Senator from Minnesota know these gentlemen of the Canadian Spanish Mills Company?

Mr. CLAPP. I do not, and the Senator says he does not.

Mr. PILES. I do not know anything about them.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the senior Senator from Washington yield to the junior Senator from Washington?

Mr. PILES. I do.

Mr. JONES. The Senator may intend to do what I desire to suggest; that is, put all the papers relative to that proposal in the RECORD.

Mr. PILES. I shall be very glad to do that at the proper time. I wish the Senator from Minnesota [Mr. CLAPP], however, would examine into this matter, telegraph these people, and find out whether they did make this proposal. At any rate, Mr. Hines declined to enter into the contract.

Mr. CLAPP. If this had been prepared by the men who are combating this reduction they would not have entered into it; but it would have come as an offer to them without you or me knowing it, and it would have been used on this floor.

Mr. PILES. I imagine that no man in Canada will combat the removal of the duty on lumber in this country.

Mr. CLAPP. Not unless he has a large interest as an owner of American stumpage.

Mr. PILES. Mr. Hines is combating the removal of the duty on lumber. He is doing all he can against it.

Mr. CLAPP. Unquestionably.

THE DUTY ON SHINGLES.

Mr. PILES. Now, I wish to return to the subject of the duty on shingles, from which I was diverted some time ago.

All that I have said in respect to the difference in the cost of labor, price of stumpage, and the manufacture of lumber in the State of Washington and in British Columbia applies with equal force to the shingle industry.

About 438 mills in the State of Washington manufacture nothing but shingles. These mills cost from $5,000 to $15,000 each and employ from 10 to 30 men each. About 60 sawmills manufacture shingles as a by-product, out of that portion of the cedar log which is not suitable for lumber.

About 14,000 white men are employed in our shingle mills, with an annual wage of from $10,000,000 to $13,000,000, according to the output.

Our greatest output was in 1906, when it reached the value of $17,000,000. From 75 to 80 per cent of this sum was paid to labor.

The Washington mills produce about 60 per cent of the red cedar shingles consumed in the United States. Approximately 70 per cent of the entire shingle consumption of this country is red cedar shingles.

When the Dingley Act was passed, in 1897, 30 cents per thousand pieces was considered ample protection.

The industry in 1897 was partially developed in the State of Washington, but undeveloped in British Columbia, our principal competitor. Canada at that time exported shingles, but her product came almost entirely from New Brunswick and Quebec. Since then great strides have been made in the manufacture of shingles in British Columbia on account of the large supply of cedar timber in that province.

On account of the lack of a market in this country, importations of shingles from eastern Canada declined from 1894 to 1897, inclusive, notwithstanding they were admitted free of duty under the Wilson bill. With the revival of business under the Dingley Act Canadian importations increased.

The total importations of shingles from Canada in 1898 amounted to 435,421,000, or 2,177 cars.

In 1908 our shingle importations from that country had increased to 987,266,000, or 4,936 cars. Of this number it is estimated that 4,000 cars came from British Columbia alone; 1,350 cars from British Columbia were entered at points on the Pacific coast and at North Portal, N. Dak.; the others, or 2,685 cars, went into New York State and other Atlantic points of distribution.

The fact that British Columbia shipped only about 6 cars of shingles into this country in 1898 and about 4,000 cars in 1908 shows how rapidly she is invading our shingle markets.

Our output increased from 1888 to 1905, when the product reached its maximum of 52,550 carloads. Since that year our output has declined materially.

The output for the State of Washington in 1905 was 52,550 cars of shingles; in 1906, 36,433 cars; in 1907, 34,443 cars; and in 1908, estimated at 36,000 cars.

Mr. BURKETT. Mr. President, if the Senator will yield——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. PILES. Certainly.

Mr. BURKETT. It is contended that the reason of that is that Washington makes no shingles except in a small corner of the State, consisting, I believe, of three counties. It is contended that you use your timber for lumber; that the Canadians make better shingles; and that is why they get in. You make your shingles out of stumps, as the Senator explained the other day. To get good shingles we must get them from Canada. Let me ask the Senator this question before I sit down: Are not shingles all made by piecework?

Mr. PILES. No; they are in Canada mostly, but not with us.

Mr. BURKETT. I just wanted to ask that question.

CONTRASTS IN PRODUCTS AND PRODUCERS.

Mr. PILE. For the last three years our shingle manufacturers have kept a fairly accurate record of the percentage of idle time of the mills and of the employees, which record shows in 1906, 50 per cent idle time; in 1907, 54 per cent idle time; in 1908, 49.3 per cent idle time.

Chinese are used very largely in the shingle mills in British Columbia, as they become expert packers. Hindoos and Japanese are used for common labor. In many of the mills the only white labor employed is the filer, the engineer, and the foreman—all skilled labor.

The oriental labor receives less than one-half the wages paid in the United States, from 80 cents to $1.25 per day, while we pay white labor in our mills from $2 to $2.50 per day.

Why did Congress pass the Chinese exclusion act? To protect white labor; yet the spirit of that law is being violated every day by the increasing importations from British Columbia of shingles made by the labor of Asiatics.

Senators who come from the agricultural States and who say that they believe in protection to American labor never had a better opportunity than now to vote for what they voice.

I have submitted irrefragable proof that Orientals can and do make lumber and shingles cheaper than white labor can or will make them.

I ask Senators to remember the resolutions of the shingle weavers' union adopted at the state capital last January. They call attention to the facts that a 30-cent duty is totally inadequate to protect them in their labor, or to permit the manufacturer to proceed with his business; that the steady increase in Canadian importations has meant a loss to the white workmen in the Washington mills of approximately $1,000,000 per annum; that the shingle manufacturers in British Columbia are able to inflict this enormous loss on the wage-earners in the Washington mills by the employment of Asiatics, who compose 80 per cent of the working force in the British Columbia mills and who accept a much lower wage as compensation for their labor than American workmen can afford to accept for theirs; that the increase in the importations to the United States from British Columbia of Asiatic-made shingles is driving white workmen out of the Washington mills, and depriving them of the means of maintaining themselves and their families.

They show that they are idle a great portion of the time; that they are to a considerable extent engaged in producing shingles from fallen, fire-blackened, and other cedar that otherwise would be wasted; they maintain that the first consideration of the United States should be the welfare of its own people, and to this end they appeal to Congress to assist them in saving the shingle industry of the United States and to protect them in their wages by fixing a tariff of at least 50 cents per thousand on shingles.

It matters not, Mr. President, what others may say in an effort to refute the fact that from 75 to 80 per cent of the labor employed in the mills of British Columbia is Asiatic, and that they are paid a much smaller wage per day for the same character of work performed by white men in the State of Washington; the shingle weavers are acquainted with conditions on the coast, and with the wages paid in Washington and British Columbia. They have been compelled by reason of the depressed condition of the shingle industry to seek employment from mill to mill, and they know, from personal observation, the facts set forth in their resolution.

REASONABLE PLEAS FOR GOVERNMENT AID.

The shingle weavers are not "timber barons." They are plain, unassuming men engaged in a hazardous employment at a fair wage for only a part of the year. Their enforced idleness is due, not to any fault of theirs, but because our Government has not given adequate protection to the labor employed in this industry.

These men are not appealing for an opportunity to make a fortune, but for the mere privilege of working steadily in a branch of labor which they understand; and it would ill become us to deny their request in view of the showing that they make.

They appeal to Congress to give them that protection which they have voted for and for which we have proclaimed, from one end of the country to the other, that we stand.

Most of our shingle mills are in the country districts. Of the 100 in Whatcom County but 12 are located in the cities. The country mills are of small capacity and have to struggle for an existence. That the Senate may understand the character of them I submit herewith two pictures typical of the small mills in Washington.

Permit me to explain to the Senator from Nebraska wherein he is wrong in respect to the character of our shingles. I understood him to say we were manufacturing worthless shingles.

Mr. BURKETT. I took the Senator's own word for that.

Mr. PILES. The Senator is mistaken.

Mr. BURKETT. If I recollect aright, the Senator in the course of a discussion with the Senator from North Dakota said they made their shingles out of stumps, and admitted that they did not look as well, though really they were as good as Canadian shingles.

Mr. PILES. That is true.

Mr. BURKETT. I asked the Senator if there was not a demand for better looking shingles, and whether this demand for better looking shingles had not resulted in bringing in these 4,000 or 5,000 carloads of Canadian shingles.

Mr. PILES. Yes, their shingles are better looking than our second grades. They use Chinamen as packers. They are careful workers and put up a very neat package, but they make no better shingle than we do.

Mr. BURKETT. Then, I think what Washington needs is a little training in packing more than it needs a tariff.

Mr. PILES. No. We manufacture two grades of shingles, and thereby conserve our forests, while British Columbia manufactures but one grade. Fires have run through our forests to a very great extent. They have burnt and scorched a great deal of fine cedar timber. Much of this timber is not merchantable as logs, but we manufacture it into what we call second grade or "Star A Star" shingles. These shingles are sold on the market for less than our clear shingles, and in giving the purchaser a choice between the two grades we are conserving our forests; for if we manufacture annually 4,000,000,000 shingles out of the character of cedar I have described have we not saved that much timber which would have gone to waste? Does the Senator from Nebraska wish to discourage us in pursuing this plan of conservation? Our second-grade shingles will last just as long, but they are not quite so good looking as the clear shingles of British Columbia. Our shingles are made by white men while British Columbia shingles are manufactured by cheaply paid Orientals.

Mr. BURKETT. That is why I asked of the Senator a while ago if the shingle business was not a piecework business. To be sure, the Orientals earn less in British Columbia because they do less work. The Senator stated a moment ago that so far as Canadian work was concerned it was piecework. That is my information. I am also informed that is largely so in the State of Washington.

Mr. PILES. The man who does the piecework is a packer, as I understand it. That, however, is but a small part of the work. The packers are paid by the thousand, but the men who do the general work are paid by the day. Work of this character is performed by Orientals in British Columbia at from 80 cents to $1.50 per day, which costs us from $2 to $2.50 per day.

It is evident to those familiar with the conditions concerning the shingle industry that unless the duty is increased we shall within a very short time lose our principal market for red cedar shingles.

FARMERS' INTERESTS; A PHASE OF CONSERVATION.

It is estimated that the small mills located throughout the country furnish a market to 2,000 farmers in my State for the shingle bolts which they cut in clearing and preparing their lands for cultivation. This market is of prime importance to them, as it costs from $50 to $100 per acre to clear logged-off lands in western Washington.

Some years ago, when our timber was wasted to the extent already referred to, our cedar trees were cut a considerable distance from the ground. The farmers, shingle-mill owners, and others engaged in supplying shingle bolts to the mills have gone over the logged-off lands in recent years, cut the cedar stumps down close to the ground, and split them into shingle bolts. They have also gathered up broken limbs and burnt and discarded portions of the cedar trees and converted them into shingle bolts. In this respect the shingle mills are a great aid to the farmers in clearing up their lands. If they do not operate, the farmer will be compelled to burn up his timber which he now converts into shingle bolts, and lose the money which he now receives from their sale.

Our shingle mills are the greatest conservators of our forests that we have. They conserve them in two ways: First, they afford a market for a waste product; and, secondly, they induce the removal of the material from logged-off lands which, if permitted to remain, becomes a constant fire menace to our standing forests.

Canada buys practically no shingles from us, but she continues year by year to increase her exportations into this country, while we are compelled by reason thereof to decrease our output, to the injury not only of our shingle manufacturers but to the detriment of the wage-earners in this particular industry.

PRESENT DUTY INSUFFICIENT PROTECTION.

In 1908 Canada sold $2,376,394 worth of shingles in our markets, while she purchased from us in that year $8,873 worth of shingles. During the last five years she sold in our markets $9,353,074 worth of shingles, while she took from us during the same period $56,913 worth of shingles. Seventy-five per cent of $9,353,074 is $7,014,805.50. Had we had reasonable protection on shingles this sum would have gone into the pockets of the shingle weavers of this country. Here, then, is an approximate loss of over $7,000,000 to the shingle weavers in this country in the last five years.

Will any fair-minded man say, in view of the facts which I have submitted, that the duty on shingles should not be increased?

No one who is acquainted with the facts will deny that our mills are closed down from three to five months each year, and no one who is acquainted with the facts will deny that the men employed in this business were conservative when they stated, in the resolutions which I have submitted to the Senate, that Canadian importations are taking a million dollars a year out of their pockets.

My friend, the senior Senator from North Dakota, has asked that the duty on wheat be increased from 25 cents to 30 cents a bushel in order to protect the farmer. I have no objection to this. I am glad to see the farmer get such protection on his products as is necessary to protect him in his enterprise, but I do object to the effort that is being made here to reduce the duty on lumber and shingles, to the detriment of the wage-earners and manufacturers not only of the State of Washington but in all the lumber-producing States in the Union.

I find, from the tables which the Finance Committee has submitted showing rates and duties collected under the law of 1897, for the year ended June 30, 1907, that there were imported in the latter year for consumption 19,142.93 bushels of wheat, of the value of $16,586.10, while for the same year there were imported for consumption in the United States 883,767,830 shingles, of the value of $1,940,892.77. Of the two commodities it would seem that shingles stand in greater need of protection.

COMMERCIAL AND LABOR SIGNIFICANCE OF SHINGLE MANUFACTURE.

Our output of lumber and shingles for 1906 was of greater value than the combined wheat, oat, and barley crops of either Kansas, Iowa, Nebraska, or Illinois for 1908. In 1906 we paid out in wages in the lumber and shingle industry a sum greater than the value of the combined wheat, oat, and barley crops of either Iowa, Nebraska, Indiana, Wisconsin, or Ohio for 1908, and greater than the value of the wheat crop of either North Dakota, South Dakota, or Minnesota for 1908.

Mr. President, the facts in this case call for relief. I have shown that British Columbia can manufacture both lumber and shingles cheaper than we can. She has the advantage in the price of labor, in the price of stumpage, in the water freight rate. It must be plain to all that if the duty be removed our California market is doomed.

There are, as I have said, over 500 American vessels on the Pacific Ocean, employing 11,000 men, prepared to transport lumber. Remove the duty from lumber and what do you do by way of encouragement to them? If upon the completion of the Panama Canal you do not put them off the sea, and the seamen off the ships, you greatly cripple their business. This question is entitled to serious consideration. It involves a great deal more than a mere contest between stumpage owners, as the Senator from Nebraska [Mr. BURKETT] seems to think. It involves the welfare of the 800,000 men employed in the lumber and shingle industries of the United States, as well as that of their wives and children. It involves our commerce on the sea. It touches the homes of half a million people in the State which I have the honor in part to represent.

In this view do you wonder that I press the subject upon the attention of the Senate?

Mr. President, I am done. I have imposed upon the indulgence of the Senate much longer than I intended to when I began this discussion. The importance of a correct solution of the question at issue, to the States of the Pacific slope in particular and to the country at large, is the only justification I have to offer for the consumption of so much of your valuable time.

Washington, Mr. President, is yet young. She will not reach her twentieth birthday until the 11th day of next November. It was my pleasure to see her grow from a Territory to a State. I have watched her progress with affectionate and, I trust, pardonable pride, since the days of early manhood.

I have seen her in the throes of a terrible panic, and in the midst of universal prosperity. Her people have at all times and under all conditions—whether favorable or adverse—maintained their faith in her future.

You may obstruct her onward march for a time by striking her principal industry a terrible blow; you may give her an army of idle or underpaid men; you may inflict upon her people an unreasonable and unjust loss, but you can not prevent the fruition of their hopes. Her future is secure. Nature has blessed her beyond compare, given her forests that can not be approximated elsewhere on the globe save in the States of the Pacific. She gave Washington the most picturesque of land-locked seas, which reaches back from the ocean into the very heart of the State. She gave her the greatest rivers of the West. Her soil is underlaid with coal and in her mountains are stored iron, copper, lead, and tin and all the precious metals. The water power of her rivers is rivaled only by the falls of Niagara. Her fields are burdened with grain and her orchards are bending with fruit. Her shores are washed by the waves of the greatest of oceans and her ports will become the principal transshipping points of the Occident and the Orient.

It is not the fault of her people that British Columbia, with her immense timber area, is not a part of the Republic, for the pioneers of the old Oregon country extended their settlements to the forty-ninth parallel of north latitude under very adverse conditions. They saved the timbered areas of Oregon, Washington, and Idaho as the heritage of all. Had it not been for their heroic efforts Canada would now own it all. It would ill become Congress to cripple or destroy our greatest industry, now that it has acquired value in the commercial life of our States.

We ask but for little—the protection of our property and our laboring masses against the unfair and unjust competition of Asiatic labor on both land and sea.

Mr. OWEN. Mr. President, I desire to offer an amendment, which I shall propose at the proper time, to the woolen schedule, paragraph 375, and to every other schedule where the duty is shown by our records to be prohibitive; and at the convenience of the Senate I desire to address it with regard to that subject-matter.

I should like to have the amendment entered on the face of the RECORD, so that it may be seen by the Members of the Senate.

The PRESIDENT pro tempore. The Senator from Oklahoma asks that the amendment be printed in the RECORD. Is there objection? The Chair hears none, and the order is made.

The amendment is as follows:

After the last line of paragraph 375 insert:

"That the rate fixed on all articles enumerated in this paragraph shall be reduced 5 per cent per annum of the rate fixed in this act, annually on June 30, for each of the next ensuing ten fiscal years: *Provided*, That if such graduated reduction shall cause a diminution of the annual revenue from any one or more of the above enumerated articles, the President is authorized and directed to fix the rate on any such article or articles at the point at which such article or articles severally are found to have the greatest normal revenue-producing power, but not at a rate higher than the rate fixed in this act: *Provided further*, That the rate shall not be reduced or fixed below the point at which it would produce an amount equal to the difference in the cost of the production of any such article in the United States and abroad."

Mr. CULBERSON. I offer two amendments to the pending bill, and ask that they be printed and lie on the table. They are intended to put bagging and ties on the free list.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

Mr. BORAH. Mr. President, those who are members of the majority party in this Chamber and who are advocating an income tax do not concede that they are outside of party lines or that they are advocating policies or principles which are new or radical. We believe we are advocating policies and principles that are well accepted as a part of the faith to which we subscribe, and that we are advocating principles as old as the revenue laws of the United States. We advocate an income tax not as a temporary measure for the purpose of securing revenue for temporary purposes, but because we believe it should be a permanent part and portion of the revenue system of the United States.

I have reread within the last few weeks the cultured and faithful biography of John Sherman, written by one of the honored Members of this body. Although read with that object in view, I did not find that that great leader in his day was given to radicalism, socialism, or that he was often swung from his moorings as a conservative statesman. He was one of the steadfast and sturdy councilors of this country in a very trying hour. Long after the war had closed and after we had had the experience of an income tax for some several years, after we had known its benefits and its defects, its failures and its virtues, and after the necessity of maintaining it as a war tax had passed, this distinguished leader of his party, in 1871, said:

They have declared it to be invidious. Well, sir, all taxes are invidious. They say it is inquisitorial. Well, sir, there never was a tax in the world that was not inquisitorial; the least inquisitorial of all is the income tax. * * * There never was so just a tax levied as the income tax. There is no objection that can be urged against the income tax that I can not point to in every tax. * * * Writers on political economy as well as our own sentiments of what is just and right teach us that a man ought to pay taxes according to his income. * * * The income tax is the cheapest tax levied except one.

Referring at that time to the bank tax.

Again he said:

It is the only tax levied in the United States that falls upon property or office or on brains that yield property, and in this respect is distinguished from all other taxes levied by the United States, all of which are levied upon consumption, the consumption of the rich and the poor, the old and the young.

Mr. Sherman at the same time declared in favor of the constitutionality of the tax and defended it against the assaults which are usually made against the income tax, because at that time the same arguments were used against the tax that are used to-day. You will not see even in the discussion now anything that was not foremost in the arguments against the tax at the time it was in existence.

Many years afterwards, and long after this tax had been repealed by the narrow vote of 1 in Congress, and upon an occasion when he was discussing in a general way the revenue system of the United States, he used this language:

The public mind is not yet prepared to apply the code of a genuine revenue reform. But years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation upon consumption and not one cent on property or income is intrinsically unjust. While the expenses of National Government are largely caused by the protection of property, it is but right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means. That is not true. Everyone can see that the consumption of the rich does not bear the same relation to the consumption of the poor that the income of the one does to the wages of the other. * * * As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

It would be useless to amplify upon that statement of this great statesman and distinguished party leader. It states in a brief paragraph the whole contention of those who are to-day advocating an income tax, not, as has been suggested here, for the purpose of raising revenue for temporary purposes alone, but that it may become engrafted in and a part of—an inseparable part of—the general revenue system of the United States, in order that we may arrive as nearly as we can, as human ingenuity can make it, at a tax which is levied upon a man's ability to pay and in accordance with what he derives as a measure of benefit from his Government.

I am aware it will be said that Mr. Sherman voted against the income tax of 1894, but I have reread within the last few days the debate which occurred at that time, and especially the speech of Mr. Sherman, and he was careful to say that he himself had reread the speech which he had made in 1871, and that there was nothing in that speech which he desired to modify or in any way change; that he voted against the income tax at that time because of the details of the bill, and especially with reference to its exemptions, and also for the reason that he thought that at that time there was no necessity for it.

Senator Morton, one of the safe and conservative counselors of his party and his Nation, said upon one occasion:

State taxation in Indiana, and I undertake to say in every other State in the Union, has in it every inquisitorial feature that the income tax has. The income tax of all others is the most equitable because it is the truest measure that has been found of the productive property of the country.

And another great leader of that era used this language:

There is not a tax on the books so little felt, so absolutely unfelt in the payment of it as this income tax by the possessors of great fortunes upon whom it falls. There is not a poor man in this country, not a laborer in this country but who contributes more than 3, more than 10, more than 20 per cent of all his earnings to the Treasury of the United States, under those very laws against which I am objecting, and now we are invited to increase their contributions and to release those trifling contributions which we have been receiving from incomes heretofore.

In this connection I call attention to a later Republican leader. While he was not at the time specifically discussing the income tax, he was discussing the basic principles upon which that tax is based, and that is the obligation of property and wealth to the Government, which protects property and wealth. This is the language of Mr. Harrison, after he had retired from the presidency:

We live in a time of great agitation, of a war of clashing thoughts and interests. There is a feeling that some men are handicapped; that the race is sold; that the old and much vaunted equality of opportunity and of right has been submerged. More bitter and threatening things are being said and written against accumulated property and corporate power than ever before. It is said that, more and more, small men, small stores, and small factories are being thrown upon the shore as financial drift; that the pursuit of cheapness has reached a stage where only enormous combinations of capital, doing an enormous business, are sure of returns.

Again he says:

The great middle class of our people has never failed to respond to the fire alarm, though they have only small properties at risk, and these not immediately threatened. But there is danger that they will lose their zeal as firemen if those in whose apartments the fire has been kindled do not pay their proportionate share of the cost of the fire department.

The people who consider themselves as conservative upon the question of making revenue laws ought not to forget that this principle spoken of by the ex-President inheres in the discussion of all these matters, and that is that unless there is a corresponding obligation faithfully met there may arise that condition in the public mind which will unsettle not only the property interests, but the stability of the Government under which the property exists.

Again he says:

The plea of business privacy has been driven too hard. If for mere statistical purposes we may ask the head of the family whether there are any idiots in his household and enforce an answer by court process, we may surely, for revenue purposes, require a detailed list of his securities. The men who have wealth must not hide it from the tax-gatherer and flaunt it on the street. Such things breed a great discontent. All other men are hurt. They bear a disproportionate burden. A strong soldier will carry the knapsack of a crippled comrade, but he will not permit a robust shirk to add so much as his tin cup to the burden.

Again he says:

I want to emphasize, if I can, the thought that the preservation of this principle of a proportionate contribution, according to the true value of what each man has, to the public expenditures is essential to the maintenance of our free institutions and of peace and good order in our communities.

Mr. BEVERIDGE. I wish to ask the Senator if that is not General Harrison's speech at Chicago? Is it not the Chicago speech?

Mr. BORAH. It is a Chicago speech, but I apprehend that it does not take anything from it because it was delivered in Chicago.

Mr. BEVERIDGE. It might add something to it. I will ask the Senator if that speech was not devoted solely to the evils of all taxation—of people making false returns of their property? It was addressed to state taxation. It did not have anything to do, except as the Senator might draw inferences, with the income tax. Is that correct?

Mr. BORAH. I stated before I read the remarks that the ex-President was not discussing, specifically, the income tax; but I stated that he was discussing that which is the basis of the income tax, and that is the obligation of property and wealth to the State and to the Government. And the entire argument of the ex-President is as applicable to the income tax and its relations to the General Government as it is to the state government, to which he was specifically addressing his remarks.

Mr. BEVERIDGE. I have no quarrel with the Senator's inference from the speech, but I wanted it fixed upon the attention that that speech was specifically directed to what President Harrison thought were the evils in this country in all taxes, state and municipal, of men making false returns of their property, scaling it down, and so forth. I did not understand that ex-President Harrison was in favor of an income tax. I may be wrong about that.

Mr. BORAH. Mr. President, I would not be misunderstood, of course, in what I said as quoting the ex-President specifically in favor of an income tax, and I was only quoting him to the extent of the matter to which he was addressing himself.

But we are now asked, as an American Congress, to connive at the attempt of wealth to relieve itself from its obligation to government and the obligation which wealth owes to government.

As we contend—those who favor this measure—and as General Harrison said, it is but proper that wealth bear its fair proportion of the burden of government. It takes nothing from the argument of General Harrison to say that he had before him at the time the particular matter of state government or the obligation of property within a State, because he enlarged his address and included before he concluded the National Government and the obligation of property and wealth throughout the Nation both to the State and to the National Government. There can be no reason why the income tax should not become a law other than the reasons which were answered by General Harrison in his address before the Chicago Club.

Coming closer home, ex-President Roosevelt, in his message of December 3, 1906, which I read again for fear that it is not remembered, said:

The National Government has long derived its chief revenue from a tariff on imports and from an internal or excise tax. In addition to these there is every reason why, when next our system of taxation is revised, the National Government should impose a graduated inheritance tax and, if possible, a graduated income tax. The man of great wealth owes a peculiar obligation to the state, because he derives special advantages from the mere existence of government. Not only should he recognize this obligation in the way he leads his daily life and in the way he earns and spends his money, but it should also be recognized by the way in which he pays for the protection the state gives him. On the one hand, it is desirable that he should assume his full and proper share of the burden of taxation; on the other hand, it is quite as necessary that in this kind of taxation, where the men who vote the tax pay but little of it, there should be clear recognition of the danger of inaugurating any such system save in a spirit of entire justice and moderation. Whenever we, as a people, undertake to remodel our taxation system along the lines suggested, we must make it clear beyond peradventure that our aim is to distribute the burden of supporting the Government more equitably than at present; that we intend to treat rich man and poor man on a basis of absolute equality; and that we regard it as equally fatal to true democracy to do or permit injustice to the one as to do or permit injustice to the other. * * * The question in its essence is the question of the proper adjustment of the burden to the tax. As the law now stands it is undoubtedly difficult to devise an income tax which will be constitutional. But whether it is absolutely impossible is another question; and if possible, it is most certainly desirable.

I will read further from the ex-President's message of 1907:

When our tax laws are revised the question of an income tax and an inheritance tax should receive the careful attention of our legislators. In my judgment both of these taxes should be part of our system of federal taxation. I speak diffidently about the income tax because one scheme for an income tax was declared unconstitutional by the Supreme Court, while, in addition, it is a difficult tax to administer. In its practical workings great care would have to be exercised to see that it is not evaded by the very men whom it was most desirable to have taxed, for if so evaded, it would, of course, be worse than no tax at all, as the least desirable of taxes is the tax which bears heavily upon the honest as compared with the dishonest man. Nevertheless, the graduated income tax of the proper type would be a desirable feature of federal taxation, and it is to be hoped that one may be devised which the Supreme Court will declare constitutional.

I may say, I presume, without offense, here that the ex-President was and is a Republican, and that he shaped the destiny, molded the policy, and stood sponsor for the faith of his party for at least seven years; and, in my judgment, without the policies which he advocated, the masterly leadership which was his, his party would have gone out of power ere this. And without continual adherence to those policies and a faithful husbanding of them the party will go out of power. No man is politically so shortsighted or politically so blind as the man who thinks that the steamer *Hamburg* carried away the policies and principles, the public interests, the aroused public conscience, and the searching inquisitive public concern which this remarkable man bequeathed to his countrymen.

Our present President, in his speech of acceptance, said:

The Democratic platform demands two constitutional amendments, one providing for an income tax and the other for the election of Senators by the people. In my judgment an amendment to the Constitution for an income tax is not necessary—

Whatever differences of opinion might possibly exist among men as to the President, very few will doubt his ability as a lawyer or his greatness as a judge—

In my judgment an amendment to the Constitution for an income tax is not necessary. I believe that an income tax, when the protective system of customs and the internal-revenue tax shall not furnish income enough for governmental needs, can and should be devised, which, under the decisions of the Supreme Court, will conform to the Constitution.

The junior Senator from West Virginia [Mr. SCOTT] was quoted a few days ago as saying:

I favor a tax on incomes and also on the dividends of corporations. In my opinion, this is a just and equitable method of raising revenue for the support of the Government. The tax on individual incomes should be graduated. I would not tax an income as low as $2,000 or $3,000, or even $5,000. I think the minimum income against which a levy is made should be $8,000 or $10,000, preferably the latter. To tax incomes of $2,000 would be to assess clerks, small farmers, and mechanics, who now have a hard enough time to make ends meet.

Mr. SCOTT. Will the Senator allow me? If he is quoting me, that is partly true and partly not. I said if it became necessary in order to raise revenue, if this bill was not sufficient without putting a duty on tea and coffee and other necessaries of life, first I would put it on the net incomes of corporations, and then, if it became necessary, on the incomes of individuals.

Mr. BORAH. Mr. President, I am very sorry the Senator corrected it, because it seems to me much better the way the newspaper got it.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. Certainly.

Mr. SUTHERLAND. The Senator read a moment ago an extract from a statement which had been made by the present President of the United States. Does the Senator understand from that that Mr. Taft believes in the constitutionality of a general income-tax law; in other words, that Mr. Taft believes that the law which the Supreme Court of the United States in the Pollock case condemned as unconstitutional is constitutional?

Mr. BORAH. Mr. President, of course I am not authorized to speak for the President. I only know what he said to the American people when he was a candidate for President of the United States, and that is that he was in favor of an income tax which would be drawn, as he said, in accordance with the decision of the Supreme Court of the United States. If we are correct in our interpretation of that—I do not know what his interpretation is—all we would need is the income-tax amendment which we now have before the Senate.

I am not willing to believe, however, that the President of the United States believes in drawing an income-tax law which would correspond to the decision in the Pollock case. I am not willing to believe that the President of the United States would advocate the proposition of putting an income tax upon men who toil in their profession, and of a limited number, and then say that the vast accumulated wealth of this Nation shall go without its burden of government.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana.

Mr. BORAH. Certainly.

Mr. BEVERIDGE. Just for a moment. Referring to the opinion of ex-President Harrison on this subject, I thought I recognized, when the Senator read from his speech at first, that it was the Chicago speech; but I thought I remembered that in President Harrison's great speech, perhaps the greatest public address he ever made, which was the Carnegie Hall address in the campaign of 1896, he had referred to the income tax, and perhaps on some other occasion. Merely that his view may be known on this specific subject, I will read this one sentence, with the Senator's permission.

Mr. BORAH. Very well.

Mr. BEVERIDGE. Ex-President Harrison said:

So eager were our Democratic friends to put directly upon our people taxes to support our Government that they passed an unconstitutional act in order to levy internal taxes and reduced the duties upon imports according to the English system they passed an unconstitutional act in order to levy internal taxes and help out a tariff bill which had reduced the duties upon imports.

I have a general impression, though I do not know, that General Harrison was not favorable to an income tax as a system of taxation, except in case of an emergency; and that he agreed with the Supreme Court as to its unconstitutionality. His statement in his Carnegie Hall speech is not favorable to the tax. I merely pointed this out, without indicating my own position on this question, that the quotation might be perfected.

Mr. BORAH. Mr. President, I am sure I did not intend to do so.

Mr. BEVERIDGE. Surely not.

Mr. BORAH. I am satisfied that anyone who was listening could not conceive that there was any misrepresentation, because I said distinctly, and I state again, that Mr. Harrison was not discussing specifically the income tax. What I read was in support of the principle of the obligation of wealth and property to the Government, which we reach by an income tax.

Now, let us go back a little further, Mr. President. I have quoted some late authorities because I am a little anxious that those of us who advocate an income tax shall not be considered in the light of advocating radical or new principles, not for the reason that I am opposed to a new principle, if I find it once in a while, but for the reason that it sometimes retards its movement through this body.

The man who was the father of the protective tariff system, who formulated it, in whose great mind it really originated in all its fullness, was the man who first gave to us the argument and the basic principles for an income tax. The first law of 1794, which brought up the question of what was a direct tax, was suggested, if not actually written, by Alexander Hamilton. While he was not in Congress, he was in a position where he had much to do with what was submitted to Congress by his party at that time, and he was its great adviser at all times. He advocated this tax for the same reason and upon the same principle that we advocate an income tax to-day, and that is, that there should be a tax upon property and upon wealth in connection with the tax upon consumption, and that it should all be one general revenue system. Though ill and broken in health when this question was presented to the Supreme Court, Mr. Hamilton nevertheless presented it upon the part of the Government, advocating not only the tax from the standpoint of its validity, but for the reason that it was right and proper.

He furnished the argument and submitted the legal proposition upon which the Supreme Court sustained that tax for a hundred years.

I am one of those, Mr. President, and there are thousands of them, who look upon Alexander Hamilton, all things considered, as the greatest intellectual force that ever dealt with the science of government. There was in all that he did that fascinating air of mysterious power, that indescribable force which moved with triumphant ease to its immeasurable purpose. His career was the most sudden, the most startling, the most brilliant, and the most masterly of all of his compatriots. And he was never greater, never more of a statesman and a patriot, than when he advocated the policy as a part of his general-revenue policy of laying a portion of the burdens of government upon property and upon wealth, along with consumption. He was charged in his day with being the special advocate of property and of property interests and of wealth, the minion of power, the advocate of royalty. He was in favor of a government strong enough and stable enough to protect the vested rights and the gathered fortunes of men against the passions and the prejudices of a day, but he did not belong to that shortsighted class of statesmen who, believing in protecting property and property interests, believe also in relieving property and wealth from its corresponding obligation to government. You will search in vain through the works of Alexander Hamilton to find any help or any argument which would enable you to relieve property and wealth from the obligation of meeting a portion of the burdens of government.

The first "income tax," so called, bore the name of Abraham Lincoln, and was supported by the great men who surrounded him upon that occasion.

I am not willing, Mr. President, for one, to concede that the policy which fixes the burdens of government upon property and wealth is not a Republican principle. I am not willing to concede, above all things, that there has been engrafted upon our constitutional power that which is an absolute exemption of property and wealth from the burdens of government. I am not willing to have it admitted that the Constitution, as made and framed by the fathers, was such as to exempt the great property interests of this country from the taxing power of the Government even in the hour when the very exigencies of government may involve the life of the Government itself. Yet I say to you that if the Pollock case be the correct interpretation of the law, there is no exigency by which this Government can call upon the great property and wealth of this Nation to meet a portion of its burdens, even if it involves the very life of the Nation itself.

Those who believe that to be a policy of my party are welcome to the belief. I will not accept it.

I know that there are those who say that it is un-Republican and that it tends to incite men to perjury. I read an interview the other day by that distinguished American, always interesting and sometimes amusing, Mr. Carnegie. He said that it was not Republican, that its only result was to incite men to perjury. Well, Mr. Carnegie did not make the Republican party. I wish I was just as sure that the Republican party did not make Mr. Carnegie. I have read a thousand times, more or less, his protection utterances.

My first conception of politics was when I used to read the speeches of Mr. Blaine and Mr. Carnegie on protecting American industries. Mr. Carnegie told us time out of mind that he could not run his mills or manufacturing plants without the protection which he demanded. In view of the fact that he did run his mills after the protection was given, and accumulated wealth which he will not live long enough to distribute, it seems to me that the Republican party did make Mr. Carnegie.

I never have much use for a man who turns his back upon his own creator, which it seemed to me he did before the Ways and Means Committee. The only trouble about these deathbed confessions, Mr. President, is that "they seldom reach to restitution."

I favor an income tax not for the purpose of putting all the burdens of government upon property or all the burdens of government upon wealth, but that it may bear its just and fair proportion of the burdens of this Government.

We believe that every tax system based upon consumption should be supplemented by a system which taxes property and the wealth of the country; not for the purpose of inciting class feeling, but simply calling upon the great interests of the Nation to share that part of the burden of government for which they receive an unquestioned benefit.

I am aware it is often said that we will not be able to enforce the law. That is not the basis upon which we legislate or upon which we make laws with reference to taxation. In one of the great States of this Union I noticed some time ago that out of 107 estates which were then in the course of probating, those 107 estates had property to the value of $215,000,000, and that they had never paid taxes at any time upon over $3,000,000.

In another one of the States of the East the assessed valuation of the real estate is counted at $2,000,000,000. The assessed valuation in that State of stocks, bonds, personal property, choses in action, and franchises is $500,000,000. It is conceded that we do not reach over 20 per cent of the property of this country, so far as personal property is concerned. Yet I apprehend that it will not be urged and it will not be argued that we should repeal our laws with reference to the taxation of personal property upon the basis that those who should pay escape, for the logical result of that kind of programme would be that we would finally rest all the taxes upon the people who are honest enough to pay.

But I advocate it for another reason—and this will seem strange, I have no doubt, to some—and that is as a teacher of economy in public expenditures. For more than a hundred years we have been making speeches in favor of retrenchment and curtailing public expenditures, and as consistently and persistently voted the other way. It is a notorious fact in our political history that the Congresses at which the voice of retrenchment has been the loudest have been followed invariably by Congresses in which the appropriation was largest.

We knew when we met here last fall that we were facing a deficit. We knew that there was the cry going up all over the country that there should be a revision of the tariff downward, and we know that in the midst of universal peace and of prosperity we were actually contemplating putting a tax upon the necessaries of life which we do not produce in this country.

If there was ever a time in the world when the voice of retrenchment should have been heard and heeded, it was at the beginning of that Congress; and yet we are told by the leader on the Republican side that Congress appropriated $50,000,000 which we could just as well have left in the Treasury and without embarrassing the Government one particle. If that be true, what a fearful indictment of this Congress, and how futile it makes all the promises with reference to retrenchment.

I do not wish to be misunderstood. I have no kind of doubt but what the Senator from Rhode Island is entirely in earnest and wholly sincere when he says that there should be and shall be retrenchment or the curtailing of public expenditure. If he shall succeed in that matter, he will be entitled to a vast amount of credit from the American people, and he will come very near demonstrating that the age of miracles has not passed. If he shall succeed in keeping the expenditures of this Government down to the present figure, he will still be entitled and still be accredited a great deal of honor for his work.

Even while he was speaking there wafted in from Boston the voice of our Secretary of the Navy, who told us that we must have another navy as large as the one we have. This sounds to me like discord. He must have spoken with authority. I am not about to discuss the question of the necessity of these ships; that is for another day; but I do say that if we are to build new ships and to continue to compete with the naval building of the world that expense should be visited to some extent at least upon the property and the wealth of this Nation.

If this is the part of retrenchment, if these expenses are to be met, can anyone contend that we should continue to impose that burden upon consumption? It may be necessary to continue to build these ships. It may be necessary to go on until we will be able to overawe the nations of the earth, and until, like the father of Frederick the Great, we are lonesome without the music of the sentry's tread. But if it be true that we must continue to do so, upon what basis and upon what theory can men say that the whole burden should rest upon the men who pay practically as much when worth $500 as the man who is worth $500,000,000? Take a part of the burdens off the backs and appetites of men and put it upon the purses of those who will never miss it, those who enjoy the pomp and circumstances of glorious war—without the war.

Mr. President, has the constitutionality of this tax been foreclosed? Is it an open subject for discussion, and is a fair presentation of the matter admissible?

Mr. LODGE. Before the Senator takes up that legal aspect of the question will he yield to me?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I do, very gladly.

Mr. LODGE. It seems to me that in speaking of taxation falling exclusively on the consumer, the Senator does not appear to recognize the fact that the municipal and state taxation, which is very heavy—especially the municipal taxation—falls practically exclusively upon property.

Mr. BORAH. I was speaking, of course, with reference to the policy of the National Government.

Mr. LODGE. Certainly; but I am speaking of taxes paid by the American people as a whole, of all the taxes they have to pay; and under our system of States and Nation, direct taxes have been left in practice usually to the States and cities to local taxation. That taxation, which is extremely heavy in many cases, especially the municipal taxation, falls exclusively on property. I merely wish to suggest that I think that is one reason for the general policy, that has been pursued by the General Government from the beginning, of leaving the direct taxes and the taxes on property as much as possible to the States. That is the objection made to this form of inheritance tax, and I think soundly, because there are 32 States that impose an inheritance tax.

Mr. BORAH. Very well, Mr. President. I will only say at this time, in reply to that suggestion, that, of course, the general proposition which the Senator from Massachusetts [Mr. LODGE] states is true and correct; but we ought not to overlook the fact that while the taxgatherer for the municipality or the county is gathering his taxes, statistics show beyond a question that the man who has his farm or who has his property in sight pays a vastly greater per cent of even that heavy tax than the man who has money in the form of bonds, stocks, and so forth, which you would be unable to reach, which statistics show you are unable to reach, and it falls in the same way upon the man of limited means.

The tariff tax—and I am a believer in the American protective policy—reaches at last most heavily the man of limited means. It is passed from the importer to the general merchant, from him to the retail merchant, and from the retail merchant to the consumer. When you are taxing personal property, every cow, every horse, every animal, every piece of property that the man of limited means has is found, but the undiscovered millions locked in safe-deposit boxes never pay their proportion of taxes. I favor a system that will get them coming and going, if you can, for that is the only way you can get them at all.

I was going on to say, Mr. President, that, discussing the constitutional feature of this question——

Mr. BACON. Will the Senator permit me to make a suggestion?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I do.

Mr. BACON. I wish merely to suggest that it is also true that a very large part of the wealth of those whose property the Senator is now seeking to reach, or which this bill proposes to reach, is invested in securities which are not liable to taxation—bonds of the United States and things of that kind.

Mr. BORAH. That is true.

Mr. LODGE. Mr. President——

Mr. BACON. I mean under state laws.

Mr. LODGE. I will not interrupt the Senator if he objects.

Mr. BORAH. Not at all.

Mr. LODGE. It is undoubtedly perfectly true that a great deal of property escapes taxation; but I think the Senator is mistaken in saying—I judge only from my own State—that the state and city taxes fall on the poor man. In the city of Boston, which, I think, has about 110,000 or 120,000 registered voters, the taxes are paid by 18,000 persons.

Mr. BORAH. Mr. President, speaking with reference to the Senator's own State, I know that in one year not very far back the assessed valuation of real estate in that State was $2,000,000,000, and of the personal property which was owned, all the stocks, bonds, notes, and everything else, only amounted to $500,000,000.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I do.

Mr. NELSON. I want to call the Senator's attention to a fact in connection with the question suggested by the Senator from Georgia [Mr. BACON], and that is that while there seems to be an apparent inequity in the fact that you can not tax government bonds and state bonds, yet there is another side to the question that we ought to take into consideration, and that is that because such securities are exempt from taxation the Federal Government, the state governments, the county governments, and the municipalities borrow their money at a lower rate of interest than could be done upon any other securities. Take our government bonds, for instance, paying only 2 or 3 per cent interest. One of the reasons why those bonds can be sold drawing such a low rate of interest is the fact that they escape taxation.

Mr. LODGE. I did not suppose for a moment that all the property was reached. My proposition simply was that the taxes of the State and the city fall almost exclusively on property. I know that is the case in my own State, and the illustration I have given of Boston is indicative of the rest of the State. Such taxation falls almost exclusively on property. Of course the tax on real estate is the most direct kind of tax, and in Massachusetts we have an income tax as well as an inheritance tax.

Mr. BORAH. It is estimated that in Massachusetts they pay a tax upon 20 per cent of their personal property. That is the estimate of the tax commission for Massachusetts.

Mr. LODGE. But property bears it all, although some of it escapes; it is not fairly distributed, I quite admit. It does not fall on the poor man, but it falls on property in the State exclusively.

Mr. BORAH. The property, however, which escapes there would be reached by an income tax.

Mr. LODGE. We find great difficulty in reaching it with the state income tax, and I am inclined to think that it would be very difficult to reach it by a national income tax. I think a great deal would escape, and that which would escape would be the property of the dishonest who would be willing to make false oaths.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from New York?

Mr. BORAH. I do, very gladly.

Mr. ROOT. Mr. President, I wish to ask the Senator from Idaho whether it is not a fact that the personal property which escapes taxation—for example, the surplus of personal property in Massachusetts over and above $500,000,000—does not escape, for the most part, because it consists of the stocks of corporations which themselves pay the taxes on their own property, so that to tax that description of personal property which consists of corporate stock would be to tax the same property twice? I know that is the case in New York, where we have a tax upon real estate and a tax at the same rate upon personal property; but we exempt from the tax upon personal property the stocks of corporations which themselves pay the tax. Of course, that is not really an escape from taxation, but is merely imposing upon the property which is represented by the stocks taxes in

the most convenient manner, because there is no property which is so certain not to escape taxation as the property of corporations. That kind of property is absolutely certain to be taxed and to be taxed to the full extent.

Mr. LODGE. If the Senator will allow me, that is certainly the case in Massachusetts, for under our laws the corporations are all taxed directly on their property of every kind, franchises and everything else, so that nothing which the corporation has escapes. They have to make an absolute return; they are taxed on everything; and they pay their tax direct to the State. That tax is subsequently distributed proportionately to the towns where the stock of the corporation is held; but the people who hold certificates of indebtedness and stock certificates of Massachusetts corporations are not taxed on those, because the tax is paid by the corporation direct to the State.

Mr. PAGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Vermont?

Mr. BORAH. Certainly.

Mr. PAGE. I should like to ask the Senator from Massachusetts if it is not also true that the national banks pay the tax as banks as well as do manufacturing corporations?

Mr. LODGE. Yes; banks all pay. A banking corporation tax is collected by the State and distributed to the towns in proportion to the stockholders in the town.

Mr. BORAH. I am aware, Mr. President, that that has always been the argument of New York and Massachusetts. It was the argument which was presented and which Senator Sherman answered so fully in 1871. Mr. Conkling, who was in the Senate, I believe, and Mr. Sumner, from Massachusetts, contended that it was in effect taxing their property twice; that the great corporations in those States paid taxes upon their property, and thereby an income tax in effect would be double taxation.

Mr. HEYBURN. Mr. President, before leaving that subject——

The PRESIDENT pro tempore. Does the junior Senator from Idaho yield to the senior Senator from Idaho?

Mr. BORAH. Certainly.

Mr. HEYBURN. The Senator from Idaho must also remember that in Idaho we have an income tax on the net income of mines, and in the county in which I live we pay a tax on between three and four million dollars of income; and there has been no difficulty in getting at the income.

Mr. KEAN. Because it came from corporations?

Mr. HEYBURN. Oh, not at all.

Mr. BORAH. With reference to the question of double taxation, I submit these figures, and perhaps we can ascertain whether it was double taxation or not in the case of the 170 estates in the State of New York, to which I referred a few moments ago. They amounted to $215,000,000 when they came to be probated, but they had paid taxes for a number of years preceding only upon $3,000,000. I think, with their ability to conceal the property upon which they should pay taxes, they would be able to escape entirely double taxation.

Mr. LODGE. The Senator, of course, understands that the statement I have made applies only to Massachusetts corporations, since the stock of all other corporations—that is, those outside of the State, called, technically, "foreign corporations"—is taxed in the hands of the owner, no matter whether the corporations are taxed in other States as corporations or not.

Mr. BORAH. The argument against the income tax seems to be based largely upon the proposition that you can not enforce it; that you can not get at the proceeds, and so forth; and that it amounts in some instances to double taxation.

But, Mr. President, leaving that, if I may, I want to call attention to some legal questions in regard to this matter. We do not believe that the constitutionality of this tax has been finally and fully settled. I would not for myself trespass upon the patience of the Senate to discuss what I conceive to be a final adjudication of a constitutional question by the Supreme Court. I might differ in my views in my humble way; but I should not certainly undertake to discuss it if I believed, upon all the authorities, that it was in any sense a settled question in the Supreme Court. I am led to the conclusion that it is not settled by the record which is before us upon that proposition.

In the first place, we must bear in mind that during the hundred years which preceded the Pollock case 21 judges occupying places upon that high tribunal had decided in favor of an income tax and of its constitutionality or had given such definition to the phrase "direct tax" as would sustain an income tax. Against those 21 judges, in the whole history of the court, there have been but 8 judges during that entire period who dissented. In other words, 5 judges alone in the whole history of the Supreme Court from its organization to the present hour, have decided that an income tax was unconstitutional, while 21 judges have written opinions or joined in opinions to the contrary. Amongst those who have taken the view that an income tax is constitutional and that a direct tax relates only to land, capitation taxes, and taxes on improvements upon land, are the elder Chase, Patterson, Iredell, Wilson, Chief Justice Chase, Nelson, Grier, Clifford, Swayne, Miller, Davis, Waite, Hunt, Strong, Bradley, Jackson, Brown, Harlan, White, and Ellsworth. Perhaps I should say, in passing, as was said by the Senator from Texas [Mr. BAILEY] the other day, that Chief Justice Ellsworth did not actually participate in the opinion. He was only sworn in upon the day that the decision was rendered; but as a Senator from Connecticut he had advocated the exact law which the court was called upon to pass, and his views are known from his public record to be in accordance with its constitutionality; and I doubt not, knowing the law as he did and being familiar with it, that had he entertained a different view it would have been expressed upon that occasion.

Since the organization of that court every single writer upon constitutional law in America has adopted the view that a direct tax related alone to land and capitation taxes.

It is said sometimes that the Hylton case was dicta; that it was not really decided that a direct tax related to land alone and to a capitation tax, and yet it seems remarkably strange that one hundred years of constitutional literature, given to us by Sergeant and Rawle and Kent and Story and Cooley and Pomeroy and all the others whom I might name, never discovered in all that time that that decision did not settle that proposition. These students, in their rooms, analyzing the case, unmoved by expressions which might control their judgment, interested alone in finding out what the true meaning and intent of the Constitution was, have for a hundred years, without a dissenting voice, declared in favor of the validity of an income tax. I read from these authorities:

Cooley, in his Constitutional Limitation, says:

> Direct taxes when laid by Congress must be apportioned among the several States according to the representative population. The term "direct taxes" as employed in the Constitution has a technical meaning and embraces capitation and land taxes only.

Mr. Justice Miller, who was long one of the ablest men who ever sat upon the supreme bench, says in his lectures upon the Constitution:

> Under the provisions already quoted the question came up as to what is a direct tax and also upon what property it is to be levied as distinguished from any other tax. In regard to this it is sufficient to say that it is believed that no other than a capitation tax of so much per head and a land tax is a direct tax within the meaning of the Constitution of the United States. All other taxes except imposts are properly called excise taxes. Direct taxes within the meaning of the Constitution are only capitation taxes as expressed in that instrument and taxes on real estate.

Mr. Pomeroy, in his valuable work on constitutional law, says:

> The court decided that this tax was not direct. The reasons given for the decisions are unanswerable and would seem to cover all the provisions of the internal-revenue law.

Mr. Hare says:

> According to section 9 of article 1, paragraph 4, no capitation or other direct tax shall be laid except in proportion to the census of enumeration herein directed to be taken, while section 3 of the same article requires that representation and direct taxes shall be apportioned among the several States " " " according to their respective numbers. Direct taxes in the sense of the Constitution are poll taxes and taxes on land.

Burroughs, in his work on taxation, under the head of direct taxes, said:

> The construction given to the expression "direct taxes" is that it includes only a tax on land and a poll tax.

Ordroneaux, in his work on constitutional limitation, says:

> The two rules prescribed for the government of Congress in laying taxes are those of apportionment for direct taxes and uniformity for indirect. In the first class are to be found capitation or poll taxes and taxes on land. In the second, duties, imposts, and excises.

Black, in his constitutional law, says:

> The Supreme Court has ruled that only land taxes and capitation taxes are direct, and no others. In 1794 Congress levied a tax of $10 on all carriages kept for use, and it was held that this was not a direct tax, and so also an income tax was not to be considered direct. Neither is a tax on the circulation of state banks, nor a succession tax imposed upon their devolution or title to real estate.

Mr. Kent and Mr. Story fully ratify and fully indorse the doctrine of the Hylton case, but their suggestions are too long to be inserted here. No standard writer of constitutional law that I have any knowledge of has ever expressed a view at variance with the above principles.

When we come to the debate in 1894, we find that there were in the Senate at that time, as there always are, some lawyers of exceptional ability. During that entire debate there was no suggestion upon the part of any Senator that the Supreme Court of the United States had not time and again settled that question. There was no contention upon the part of anyone that

the law was not settled by the Supreme Court. The farthest anyone went was the then Senator from New York, Mr. Hill, who suggested that, while the court had decided it, the court might be induced to change its mind. It was considered at that time just as thoroughly settled and just as thoroughly embedded as a part of the constitutional law of this country as the doctrine of implied power under the Constitution. There was not before the people a suggestion at the time that law passed that it was not in conformity with the great charter.

When the matter was tested the first suit that was brought to test the constitutionality of the income tax was brought here in the District of Columbia. Ex-Senator Edmunds appeared upon the part of those testing the validity of the law. I learned from one of the attorneys who argued the case in favor of the law that, upon the first presentation of the case, ex-Senator Edmunds, one of the greatest constitutional lawyers in the country, admitted by his brief that the question had been settled by the Supreme Court, and that the only question open for discussion was that of its uniformity. After he had made an investigation in the interest of his client, seeking for whatever ground he could find to attack the law, he admitted by his brief that the authority which they now say was dicta followed by other cases had settled the question, so that it was not a debatable question in the Supreme Court. The real case in which there was a real controversy was dismissed, and then there was brought what, in my opinion, if I may be permitted to say so, was a moot case, and when I say "a moot case," I mean a case which both sides wanted decided in the same way. The stockholders in the New York corporation brought suit against the corporation to restrain it from paying the tax which was charged against it, and the corporation was just as anxious not to pay as the stockholders were to have them not pay. In that way this case was presented to the Supreme Court of the United States; and I undertake to say that there is not a lawyer in the Senate who would argue to-day that, as a matter of law, the Supreme Court had jurisdiction of that case. Why? Because it was an action to restrain the collection of a tax, indirectly it is true, but still within the statute.

It is a remarkable thing to my mind that a matter of such great importance, not only as a matter of settling the particular interests of litigants in that case, but of settling a great constitutional question, should have been presented to that court under the conditions it was. At least it is fair to presume that it might have been just as well presented had there been some one primarily concerned in sustaining the Constitution of the United States. I do not forget that the matter was finally argued by the Government.

Mr. BEVERIDGE. Is it not also true, though, that it was argued on behalf of the constitutionality of the law not only by Mr. Richard Olney for the Government, but by the man who at that time and for years before his death was called the king of the American bar, Mr. James C. Carter, of New York? The Senator has read his speech. It was a model argument.

Mr. BORAH. The Senator said "a model." A model of what?

Mr. BEVERIDGE. Model of lucidity, simplicity, and reasoning. I thought that the court should have decided it that way. But as the Senator has suggested, or was on the verge of suggesting—perhaps he did not mean it—that the case was collusive, I desired to point out to him that it was argued on behalf of the constitutionality of the law both by Richard Olney and the man who at that time, and I believe until his death, was regarded as the master lawyer of the American bar, Mr. Carter. I think those men would not lend themselves to anything of that kind.

They argued it very exhaustively. Mr. Carter made a most impressive argument in favor of the constitutionality of the law. I think that his argument was as powerful as that of Mr. Potter in the legal-tender cases. The point is that the lawyers argued it with great earnestness on both sides. Mr. Edmunds and Mr. Choate were the chief men against and Mr. Olney and Mr. Carter the principal lawyers for the constitutionality of the law. They were almost equal in ability and standing, but if anyone might be said to be greater than the other in legal reputation, it was Mr. Carter.

Mr. BORAH. Of course Mr. Carter needs no encomium from me. He was recognized as one of the greatest lawyers at the American bar for a great many years, and undoubtedly was, and in that connection I would ask the Senator to read his argument against the jurisdiction of the court. It reveals his adroitness in presenting a matter without committing himself as a lawyer.

Mr. BEVERIDGE. I have read it, and very carefully. No argument of Mr. Carter was ever printed of which I could get a copy that I did not read. He made the argument for the constitutionality of the law. I said then that it seemed to me that that was the correct view to take.

I thought it proper to call the attention of the Senator to these points, that he might modify or soften his statement that the case was a collusive one. He will agree that men like Richard Olney and Mr. Carter would not lend themselves and their great reputations and their professional honor to a course of that kind.

Mr. BORAH. Mr. President, I do not desire to modify anything I have said. I am stating that which is a fact disclosed by the records of the Supreme Court, and that is that a case between actual contestants, after it was presented, was dismissed, and a case presented in the second place in which I think it will be conceded, at least, that the corporation was not overanxious to pay the tax. Now, as to why it was done, I do not know. I do not think the fact that it was done reflects upon Mr. Carter or Mr. Choate or any of them. They were counsel looking after the private interests of their clients. They undoubtedly thought they could present the case in a better way after the dismissal of the real case and the presentation of the other. I do not suppose it is regarded as an imputation upon a lawyer's standing at the bar to present a case in that way; he is looking solely after the interests of his client.

But I think it would be better for the American people, who are primarily concerned in retaining the great taxing power of this Government, if it were presented by those who are primarily concerned and determined to uphold not private interests or corporate interests, but the interests of the American people.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. Very gladly.

Mr. SUTHERLAND. If the original case to which the Senator referred as being the real case had been presented to the court, who would have presented the argument in favor of the validity of the tax? Would it not have been the Attorney-General or his assistants?

Mr. BORAH. Possibly so.

Mr. SUTHERLAND. I think I am correct in suggesting that. The case which the Senator seems to think was a fictitious case was presented, so far as concerns the question of the constitutionality of the tax, by the same officers. Why was not the Government in as good a situation in the last case as it was in the first, if the same counsel who would have presented it in the first case did actually present it in the second?

Mr. BORAH. I learn from one of the counsel who presented the case upon the part of the Government in the second case that they did not in the first place deem it necessary to do more than call the attention of the court to the fact that it did not have jurisdiction of the case; that they supposed it would be practically a self-evident proposition.

I will say that I am not speaking without some facts to support the position which I take, and some more facts that I have not presented and which I do not propose to present.

Mr. BEVERIDGE. I merely want to ask the Senator a question for information, because it has been some time since I read Mr. Carter's argument. Is it not true that the argument made by Mr. Carter in the Pollock case was made as the counsel for an intervener? He was not counsel in the Pollock case, but he intervened for another party, which I believe was a trust company in New York; and if that is true, did not Mr. Carter use some such language as this—that he stood there representing one party who not only believed the tax was constitutional, but also that it was the best public policy to pay it? A large part of that very remarkable argument was based upon the proposition the Senator is now so eloquently advancing, that it was sound policy of government to measure the burden of taxation according to the ability to pay.

If that is true, if he was an intervener for such a trust company, and if he did state upon his professional honor that he represented a party which believed not only in the constitutionality of the law, but in the sound public policy of the payment of the tax, it might do something to remove the imputation of collusion. It is not necessary to my own mind, so far as concerns my own judgment upon the tax, to which I incline favorably under certain circumstances, to throw upon a great leading case the suspicion of collusion. I merely cite these facts.

Mr. BORAH. I am perfectly willing to concede that Mr. Carter made a far better argument in favor of the constitutionality of the tax than I could have made, or than possibly the Senator from Indiana could have made.

Mr. BEVERIDGE. Far better.

Mr. BORAH. Or anybody else.

Mr. BEVERIDGE. I desire to say with reference to that, that there are many eminent lawyers, especially Mr. Carter and

Mr. Edwards, to whom it would have been an honor to me to have been permitted to approach the footstool of their learning and to have sat like Saul at the feet of Gamaliel.

Mr. CLAY. I may have misunderstood the Senator from Indiana, but I thought I understood the Senator from Indiana to say that he was in favor of an income tax. Did I understand him correctly?

Mr. BEVERIDGE. I said I was inclined when that case was being argued, and at the time even when it was decided, to think it was constitutional. But when the Supreme Court decides a case it is sufficient for me, unless there exists a great emergency to call again upon the court to pass upon that question. I do not intend now to discuss the question, and I do not intend to interrupt the Senator from Idaho or to take his time. I stated when I called attention to a correction with respect to General Harrison's speech that I was not indicating my own views. At the proper time I shall do so.

Mr. CLAY. Do I understand the Senator from Indiana to say now that he is against an amendment to the tariff bill providing for an income tax. I understood the Senator to say——

Mr. BEVERIDGE. The Senator will find out how I stand when I vote upon that question. I do not know that I am called upon any more to be for such an amendment now, when a tariff bill is being made, than his own party was in 1897, when the Dingley bill was being made.

Mr. CLAY. Mr. President——

Mr. BEVERIDGE. I did not observe at that time that there was any particular heat upon the part of the Senator or his party for an income tax. I am for an income tax and an inheritance tax when there is a proper necessity. I am like the junior Senator from Iowa [Mr. CUMMINS], and I will quote him, although I do not quite go as far as he did, for his language was fervid, in saying that it is a crime to put upon the people an emergency tax if the present bill will supply sufficient revenue.

Mr. CUMMINS. I assume that the Senator from Indiana has not recently read what I said.

Mr. BEVERIDGE. No; but I heard what the Senator said, and if I have not quoted him correctly, I will be glad to be corrected, and will withdraw my quotation.

Mr. CUMMINS. He does not remember it correctly. I said it was an economic crime to collect money not necessary for the expenditures of the Government.

Mr. BEVERIDGE. The Senator said that when presenting his income amendment——

Mr. CUMMINS. Yes; I did.

Mr. BEVERIDGE (continuing). And he followed it immediately by saying that he would undertake to demonstrate, as a reason for his income-tax amendment, that the present bill did not afford sufficient revenue; and he preceded that statement by saying that if it did afford sufficient revenue—if the Senator from Rhode Island was correct in stating that the present bill supplied sufficient revenue—he thought it would be a crime to impose a tax where the revenues did not require it.

Mr. CUMMINS. The Senator from Indiana is still incorrect. What I said was—and I repeated it a moment ago—that if I had the rearrangement of these schedules, even though as reported now they would bring sufficient revenue for the Government, they would not, after such rearrangement, furnish that revenue, and that a portion of the revenue needed for public expenditures should be raised upon the wealth and the property of the country.

Mr. CLAY. Just a word.

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. CLAY. I just wish to try to find out how the Senator from Indiana stands on an income tax.

Mr. BORAH. I do not want to wait that long. [Laughter.]

Mr. CLAY. Just one minute. I saw in the public prints two or three weeks ago that the Senator from Indiana was one of the Senators on the other side of the Chamber who would probably vote in favor of an income tax, and that the Senator was in favor of a tariff commission. I wanted to know if it was true that the Senator was not only in favor of a tariff commission, but was also in favor of an income tax.

Mr. BEVERIDGE. I will say that if by any poor efforts of mine I succeed in getting a tariff commission or any body of experts created, a great deal of light will be thrown on this question in this Chamber which neither the Senator, myself, nor any other Senator, including the Senators on the committee, are capable of presenting. I was impressed with the statement——

Mr. CLAY. Mr. President——

Mr. BEVERIDGE. No. The question has been asked and I have answered it twice. I think I have the habit, when I have a position upon any question, of making it reasonably clear, and also of studying the question, and not being influenced in my judgment, especially in my legal judgment, by any other consideration at all than the merits of the question. I think this about this question offhand: When a necessity is shown I am in favor of both an income tax and an inheritance tax, and I am for neither unless the necessity exists. If such necessity exists, then I am for an inheritance tax in preference to an income tax; and I am only in favor of putting an income tax up again to the Supreme Court, as to whether it shall reverse itself, when the necessity is manifest.

The Senator must remember that it is no light thing to overturn the rule stare decisis. For sixteen years there has been an increasing distrust of the courts.

Nothing could be done that would more increase the present suspicion of the courts than to call upon them to reverse themselves, immediately after two hearings, without a necessity shown for that course. Yes; and when, after perhaps the most thorough argument ever made in the Supreme Court of the United States, or in any other court, they have decided a question with reiterated emphasis. Everybody here who is familiar with those cases knows that, perhaps with the exception of the Legal Tender cases, never have any cases been so thoroughly argued. I think there were eight days of argument—eight days of argument by masters of the law, by the admitted leaders of the American bar and the bar of the world.

The Senator from Georgia proposes very lightly, without showing a necessity—I do not know why, but probably because of his devotion to the tax—to imperil the rule of stare decisis, and to put this question up to the Supreme Court when he has not yet shown that such necessity exists. I think, in view of what the Senator has said, I will do what I did not intend to do. I think that, later on, I will probably make a few remarks on this subject. [Laughter.]

Mr. CLAY. With the permission of the Senator from Idaho, the Senator from Indiana says that if a tariff commission is created by the House and the Senate and if it is provided for by the law of the land, it will give a great deal of light upon this subject. If it does not give any more light on this subject than the Senator has given the Senate as to how he will vote on an income tax, we will certainly be left in darkness.

Mr. BEVERIDGE. I do not expect by any——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I yield for a moment.

Mr. BEVERIDGE. It will be sufficient. I do not expect by any possible process to take the Senator from Georgia out of darkness upon this question. The Senator heard the remarks, the startling remarks, this afternoon of the Senator from Minnesota, who spoke, and spoke seriously, about "manufactured evidence" as to a certain schedule in this bill. A tariff commission would have settled the question as to whether it was "manufactured evidence" or not. I have stated to the Senator twice precisely how my mind is at present upon this question. I have done it twice. After I had done it once I did it again. That was twice. That is sufficient.

Mr. CLAY. Mr. President, if the remarks——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. I do. I want this matter settled to-day. [Laughter.]

Mr. CLAY. If the Senator's remarks are not more definite when he speaks upon the income tax than they are to-day, I am fearful I shall not get much light.

Mr. BORAH. Recurring to the subject which was under discussion, it seemed to be inferred that when I said that this was a moot case that I was charging that there was collusion. I have only called attention to the record, which is disclosed by tracing the contest against the income tax until it was finally decided. I have not been content with that, however. I have gone to those who were participants in that matter and have secured some information which I do not see fit to use, because it is not a matter of record. But I do not wish to be placed in the position of modifying what I have said or of apologizing for what I have said, because as a lawyer I am not afraid to say it—that no case has ever been entertained before upon the allegations which were contained in that petition, and none ever has been entertained since in the matter of thus questioning the validity of a tax. Every lawyer knows that the atmosphere in which a case is presented is sometimes worth something.

It was one of the peculiar things connected with this case, which involved a vital power of government, that before the Government of the United States could get in it had to ask to come in after the case had been made up by private interests. Whatever inferences may be drawn from that may be drawn here or there. All I intend to say and all I propose to say, and the only inference which I would have drawn or which I seek

to have drawn, is the fact that the case was presented under these peculiar and extraordinary conditions.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Maine?

Mr. BORAH. Certainly.

Mr. HALE. The Senate has been in session for about six hours. I desire to ask the Senator upon the floor whether he desires to go on further to-night or would he prefer to wait until to-morrow?

Mr. BORAH. Personally, I would prefer to wait until to-morrow, but of course I yield to whatever the Senator suggests in regard to it. It is obvious we can not close at any reasonable hour to-night.

Mr. HALE. The Senator does not expect to close to-night?

Mr. BORAH. No; I hardly think I can at this late hour.

Mr. HALE. Will he yield for a motion?

Mr. BORAH. Certainly.

Mr. HALE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 4, 1909, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 3, 1909.*

The House met at 12 o'clock noon.

Prayer by Rev. Frederick William Hamilton, D. D., LL. D., president of Tufts College, Massachusetts.

The Journal of the proceedings of Thursday, April 29, was read and approved.

WITHDRAWAL OF PAPERS.

Mr. SOUTHWICK, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of George Hallenbeck, Sixtieth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. STURGISS, by unanimous consent, was granted leave of absence for one week on account of important business.

THE CIVIL SERVICE.

Mr. HAY. Mr. Speaker, I desire to call up a privileged resolution.

The SPEAKER. I will ask the gentleman to withhold it for a moment.

ALASKA-YUKON-PACIFIC EXPOSITION.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to have read the following invitation to the Speaker and the Members of the House of Representatives to attend the Alaska-Yukon-Pacific Exposition.

The SPEAKER. Without objection, it will be read and printed in the RECORD.

There was no objection.

The Clerk read as follows:

SEATTLE, *April 27, 1909.*

Hon. W. E. HUMPHREY,
House of Representatives, Washington, D. C.

DEAR MR. HUMPHREY: On behalf of the officers and directors of the Alaska-Yukon-Pacific Exposition, I desire to extend, through you, to the Speaker and the Sixty-first Congress a most cordial invitation to attend the opening ceremonies of the Alaska-Yukon-Pacific Exposition, on June 1 next.

If, owing to Congress being in session at that particular time, it is impossible for it to attend the opening, we would earnestly request the honor of its presence, individually or collectively, at the earliest date possible thereafter.

Very truly, yours, J. E. CHILBERG, *President.*

SULPHATE OF AMMONIA.

Mr. CLAYTON. Mr. Speaker, I desire to ask unanimous consent to have printed in the RECORD a letter from Mr. J. W. Huger, of Montgomery, Ala., relative to the duty on sulphate of ammonia, which is used largely in the composition of commercial fertilizers. Under the bill as it passed the House sulphate of ammonia was put on the free list, unless the countervailing provision of the bill operated to the contrary.

The duty on this article was $6 per ton under the Dingley bill. The Payne bill put it on the free list, as I have said, while it is proposed now, as I understand it, to put a tariff tax of $4 per ton on it. The reasons why this should not be done are stated fully in the letter of Mr. Huger, which is in the following words:

ALABAMA CHEMICAL COMPANY,
Montgomery, Ala., April 27, 1909.

Hon. HENRY D. CLAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: We see that under the Dingley bill the duty on sulphate of ammonia is $6 per ton, and that it was put on the free list by the Payne bill, but, however, was restored to the dutiable list under the Senate bill, the amount being $4 per ton.

Sulphate of ammonia is largely used by the farmers as a source of plant food, and is imported into this country, and is only made by a few steel works and coke manufacturers. It strikes us that the steel, coke, and gas people already have sufficient protection, while the farmer needs it badly. However, you can doubtless get all the information necessary as to the amount of sulphate of ammonia produced in this country, which is not an "infant industry," as the great big steel companies that own coke ovens generally make it as a by-product. It would just fix the price higher to the farmer in this country by putting a duty on it, and would permit the packers in the West, that make blood and tankage, and the nitrate of soda manufacturers in Chile to place a higher price on nitrate of soda, as all these materials enter into competition.

In 1907 there was imported 32,638 tons of sulphate of ammonia at a duty of $195,000, and in 1908 there was imported 34,224 tons of sulphate at a duty of $205,000. There is no reliable statistical record of the amount produced in this country, but it is estimated at from 30,000 to 40,000 tons. In 1908 Great Britain without protection produced 314,000 tons of sulphate of ammonia, exporting three-fourths of it, and what Great Britain can do in the production of sulphate of ammonia without tariff this country certainly should be able to do, for little or no skilled labor enters into its production.

Georgia, as you know, consumed approximately 800,000 tons of fertilizer in 1908, requiring 32,000,000 pounds of nitrogen, worth $6,400,000, at going market prices. Alabama consumed about one-third of this quantity, so you can readily see that it is very essential that our people should have as cheap ammonia or nitrogen from every source as is possible.

We also advise that the committee is thinking of putting a duty of 50 cents per ton on pyrites ore, which is usually imported from Spain. This ore is used by the fertilizer manufacturer to make sulphuric acid, which is then treated with phosphate rock, the resultant being acid phosphate. There are only two or three deposits of pyrites in this country that we know of, some small deposits in Clay County, Ala., where the ore runs very low, and some up in Virginia, where it is also very low. If the deposits in Alabama were worked to their full extent, where you put $2 per ton on imported pyrites they would be developed to such an extent that they would probably mine enough ore to furnish a half dozen fertilizer factories, while all the other factories would have to suffer, and hence charge a higher price for their fertilizers. Therefore we wish that you would also use your influence to see that this duty is not placed on pyrites ore, which is generally imported from Spain.

With personal regards,
Yours, truly,

ALABAMA CHEMICAL CO.,
J. W. HUGER, *President.*

THE TURKISH EMPIRE.

Mr. WANGER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvana rise?

Mr. WANGER. I ask unanimous consent for the present consideration of the joint resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the following joint resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution 53.

Resolved, etc., That the grateful appreciation of the American people be, and hereby is, expressed and the President requested to convey information of the same to the people of the Turkish Empire that the revolution they have just effected assures to them the precious safeguards of constitutional government and freedom, and that the triumph is unmarred by the execution without due process of law of the venerable Abdul Hamid or by any wholesale slaughter of residents of Constantinople, and of our best wishes for their peace and prosperity and enjoyment in largest measures of all the blessings of civilization.

2. That the President be further requested to inform His Imperial Majesty Mohammed V of the friendly regard of the Government and people of these United States for him, his Government, and people, and our earnest hope and firm confidence that among the earliest achievements of his reign will be the complete restoration of order throughout his realm and elimination of the appalling atrocities upon Christian missionaries and other non-Moslems which thrill with horror the civilized world.

Mr. PAYNE. I think such a resolution ought to go to a committee. I am not exactly satisfied in my mind whether the recitals are all true, and therefore I shall have to object.

THE CIVIL SERVICE.

Mr. HAY. Mr Speaker, I call up the privileged resolution which I sent to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 63.

Resolved, That the President of the United States be requested to direct the United States Civil Service Commission to furnish to this House the following information:

The number of employees and officers of the United States now employed in the different departments of the Government appointed through and subject to the civil-service law and regulations.

The number of employees and officers of the United States now employed in the different departments of the Government who are in the classified civil service by virtue of executive order.

The number of persons now in the classified civil service from each State and Territory and the District of Columbia, taking care to show the number from each State and Territory and the District of Columbia now actually employed as differentiated from the number of such persons who have been appointed.

The SPEAKER. Does the gentleman call it up as a privileged matter?

Mr. HAY. I do; yes, sir.

Mr. PAYNE. How can it be a privileged matter? I make a point of order against it.

Mr. HAY. Mr. Speaker, the resolution was introduced on April 22 and referred to the Committee on Reform in the Civil Service. More than a week has passed since that time and the——

Mr. PAYNE. There is no such committee.

Mr. HAY. That is not my fault or the fault of the House.

Mr. PAYNE. That is the misfortune of the gentleman, and not his fault.

Mr. HAY. It may be a misfortune. The rule does not say whether a committee shall have been appointed or not.

Mr. GILLETT. The rule says it shall be referred. It has not been referred.

Mr. HAY. It has been referred.

Mr. GILLETT. Where is the evidence of that?

Mr. HAY. On the resolution. It says, "Referred to the Committee on Reform in the Civil Service and ordered to be printed."

Mr. GILLETT. Did the Speaker refer it?

Mr. HAY. On the 22d day of April. I may say that the gentleman from Massachusetts [Mr. GILLETT] can have no objection to our getting the information asked for.

Mr. GILLETT. I suspect the gentleman can get the information by simply writing to the Civil Service Commission, without asking the President for it.

Mr. HAY. I do not know about that. I understand the statement was made on the floor of the Senate that the Civil Service Commission will tell you how many people have been appointed from any State or Territory, but will not say who have been dismissed from the service, so that it is impossible for any Member to know how many people there are in the civil service from a State or district. The apportionment comes up constantly, and it is important for us to know how many employees there are from each State.

Mr. KEIFER. Mr. Speaker, I would like to ask the gentleman a question.

Mr. HAY. Certainly.

Mr. KEIFER. Is it contemplated by this resolution that the names of those who are accredited to the States or districts shall be reported?

Mr. HAY. No, sir.

Mr. KEIFER. I think the resolution would not furnish us very much information. My understanding is that a great many men and women are accredited to States and districts that were never in them at all.

Mr. HAY. I understand that also.

Mr. KEIFER. I would like to have the names.

Mr. HAY. Well, if the gentleman wishes to amend the resolution, I have no objection.

Mr. KEIFER. I would not object if you would require them to furnish us the names.

Mr. HAY. Well, if the gentleman wishes to offer an amendment, I shall not object.

Mr. KEIFER. I do not want to offer the amendment.

Mr. HAY. What we want to get at is the number of employees from each State.

Mr. KEIFER. I think the number would do us no good.

Mr. HAY. I think it would.

Mr. KEIFER. We ought to have the names.

Mr. HAY. It would show whether we have above our quota or not.

The SPEAKER. The Chair will hear the gentleman from New York, if he desires to be heard on the point of order.

Mr. PAYNE. Well, Mr. Speaker, as I have always understood when we are acting under such an order as this, these resolutions are referred to committees, when appointed; and there being no committee, of course——

The SPEAKER. The gentleman will suspend for a message.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had, on April 23, 1909, approved and signed joint resolutions of the following titles:

H. J. Res. 38. Joint resolution repealing joint resolution to provide for the distribution by Members of the Sixtieth Congress of documents, reports, and other publications, approved March 2, 1909.

H. J. Res. 45. Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

The SPEAKER. Without objection from the gentleman from Virginia or other Members, the message, which is a short one, will be read.

PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Insular Affairs, and ordered to be printed (S. Doc. No. 27).

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 77), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico, April 8, 1909, entitled "An ordinance granting to R. del Valle Zeno, his heirs, successors, and assigns, the right to take and use three liters of water per second for irrigation and domestic purposes from the brook 'Guaracanal,' in the barrio Cupey, in the municipal district of Rio Piedras," approved April 14, 1909.

WM. H. TAFT.

THE WHITE HOUSE, *April 30, 1909.*

THE CIVIL SERVICE.

Mr. PAYNE. Now, Mr. Speaker, the reference can only be to the committee, when appointed. There is no Committee on Reform in the Civil Service now. The rules provide for such committee, but the Speaker has not yet appointed any such committee. Now, the reason under the rule for resolutions becoming privileged is that the committee may consider the resolutions first; and if the committee does not consider them, or if the committee does not report them to the House, still the House will have jurisdiction of the matter after the week has expired. But it contemplates an opportunity for the committee to consider the resolution and report it to the House. There is no such committee; it can not be considered by the committee. It has not been referred to any committee of the House, because there is no committee of the House.

Mr. FITZGERALD. Will the gentleman yield to a question?

Mr. HAY. The Speaker has just referred a message of the President to the Committee on Insular Affairs.

Mr. PAYNE. Yes.

Mr. HAY. But there is no such committee appointed.

Mr. PAYNE. That is true; when the committee is appointed the reference takes effect.

Mr. FITZGERALD. I wish to submit that if there be no committees, then this resolution can not be in a committee. It must be in the House. If it is in the House, no other business now interfering, the gentleman has the right to call it up. It can not be in the committee, and under the rule itself then the gentleman can move to discharge the committee from its consideration.

It seems to make little difference whether the committee be appointed or not. The resolution must either be in the House or in the committee. If the gentleman makes the point that there is no committee and that the resolution can not be in the committee, then it must be in the House, and the order of business being exhausted the gentleman would have a right to call it up.

Mr. PAYNE. It can not be considered in the House, because it has not been referred to a committee; and the committee not being appointed, of course it negatives that rule and all action under it.

The SPEAKER. The Chair is prepared to rule. The Clerk will read from volume 3 of the Precedents of the House, giving a history of this rule and of the prior practice of the House, and the reasons for the rule.

The Clerk read as follows:

From its earliest days the House has exercised the right to call on the President and heads of departments for information. On December 12, 1820, a rule was proposed that "a proposition requesting information from the President of the United States, or directing it to be furnished by the head of either of the executive departments or by the Postmaster-General, shall lie on the table one day."

The object of this was to cause greater care and deliberation in making demands. This proposition was adopted, and on January 22, 1822, the rule was amended to give them consideration after reports of committees, and providing that the Clerk should cause the same to be delivered. Before this time the House had appointed a committee to present resolutions of inquiry to the President.

The rule of 1820 with reference to resolutions of inquiry existed until May 1, 1879, when Mr. Samuel J. Randall, of Pennsylvania, from the Committee on Rules, presented a resolution providing that in the call for resolutions every Monday resolutions of inquiry might be introduced and referred, and that the committee should be privileged to report them at any time. Mr. John H. Baker, of Indiana, proposed an amendment providing that the committee should report on the resolution within one week. With this amendment, the resolution was agreed to. Mr. Randall stated that the new rule was intended to give greater facility to Members who had, under the old arrangement, been forced to seek unanimous consent to get resolutions adopted. The reference to a committee would prevent abuse of the privilege. Mr. Alexander H. Stephens, of Georgia, recalled that when he entered Congress in 1843 such resolutions were introduced in large numbers and

DEAR SIR: We see that under the Dingley bill the duty on sulphate of ammonia is $6 per ton, and that it was put on the free list by the

matter?

Mr. HAY. I do; yes, sir.

sometimes, without information, the House imposed great labors on the executive departments. The reference to committee would obviate that. When the rules were revised in 1880 this rule, which was Rule No. 139 in the old system, became section 1 of Rule XXIV. Section 1 then referred to the call of the States and Territories each Monday for the introduction of bills and resolutions, and when that call was abolished in 1890 the portion relating to resolutions of inquiry became a new section of Rule XXII, which is the present form.

The SPEAKER. The Chair will state that in the absence of the appointment of a committee on Reform in the Civil Service, to which committee this resolution was referred, the House in the present condition might well desire to consider a resolution of inquiry, and the Chair would be inclined to hold that under existing conditions the House ought to have an opportunity to express its will in the premises; but is inclined to accept the suggestion of the gentleman from New York [Mr. PAYNE] that perhaps this should be called up at the end of the regular order, which would be, first, the clearing of the Speaker's table, and, second, a call of the committees. It would be in the power of the House to reach it in that way, and the Chair sustains the point of order. The regular order will be the call of committees.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

LEAVE OF ABSENCE.

The SPEAKER. Pending the motion, the Chair will submit a personal request.

By unanimous consent, leave of absence was granted to Mr. PEARRE, for the remainder of this week, on account of important business.

ADJOURNMENT.

The SPEAKER. The gentleman from New York moves that the House do now adjourn.

The question being taken, on a division (demanded by Mr. EDWARDS of Georgia), there were—ayes 90, noes 63.

Accordingly (at 12 o'clock and 20 minutes p. m.) the House, under the order heretofore adopted, adjourned until Thursday, May 6, 1909.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting estimates of appropriation for relief of the Deposit Savings Association of Mobile, Ala., E. J. Reed, and J. N. Newkirk (H. Doc. No. 21)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a statement as to an error in the act granting a pension to Robert McGuire (H. Doc. No. 22)—to the Committee on Invalid Pension and ordered to be printed (letter of transmittal only to be printed).

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PAYNE: A bill (H. R. 9135) to revise and amend the tariff laws of the Philippine Islands, and for other purposes—to the Committee on Ways and Means.

By Mr. MURPHY: A bill (H. R. 9136) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Missouri—to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9137) to appropriate the sum of $30,000 as a part contribution toward the erection of a monument at Germantown, Pa., in commemoration of the founding of the first permanent German settlement in America—to the Committee on the Library.

Also, a bill (H. R. 9138) to provide for payment of interest on judgments rendered against the United States—to the Committee on the Judiciary.

By Mr. EDWARDS of Georgia: A bill (H. R. 9139) requiring statistics from cotton manufacturers—to the Committee on the Census.

By Mr. GRIEST: A bill (H. R. 9140) to provide for the erection of a memorial to Robert Fulton—to the Committee on the Library.

By Mr. GOULDEN: A bill (H. R. 9141) fixing the age of soldiers, sailors, and marines entitled to pensions under the provisions of the act approved February 6, 1907—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 9142) authorizing the appointment of an additional assistant appraiser at the port of Boston, Mass.—to the Committee on Ways and Means.

By Mr. MURPHY: A bill (H. R. 9143) directing the Secretary of the Interior to accept the muster rolls in the office of the adjutant-general of the State of Missouri as and for the service of the Missouri Home Guards, war of the rebellion—to the Committee on Military Affairs.

By Mr. HUGHES of Georgia: A bill (H. R. 9144) to amend section 1 of public act No. 164, Statutes at Large, chapter 1431, volume 33—to the Committee on the Judiciary.

By Mr. HULL of Tennessee: A bill (H. R. 9145) for removing obstructions, etc., from Obed River—to the Committee on Rivers and Harbors.

By Mr. UNDERWOOD: A bill (H. R. 9146) authorizing the President to negotiate trade contracts—to the Committee on Ways and Means.

Also, a bill (H. R. 9147) to establish a subtreasury at Birmingham, Ala.—to the Committee on Ways and Means.

Also, a bill (H. R. 9148) for the better protection of depositors and creditors of national banks—to the Committee on Banking and Currency.

By Mr. MORRISON: A bill (H. R. 9149) to provide for the erection of a public building at Frankfort, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. HOLLINGSWORTH: Resolution (H. Res. 64) requesting information from the Secretary of the Navy as to proposed gift of silver service, with portrait decoration of Jefferson Davis, for use on the battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. MURPHY: Resolution (H. Res. 65) directing the Speaker to appoint a committee to investigate conduct of Judges Smith McPherson and John F. Phillips in freight and passenger rate litigation in Missouri, and to investigate generally conduct of John F. Phillips as a federal judge—to the Committee on Rules.

By Mr. UNDERWOOD: Joint resolution (H. J. Res. 52) proposing an amendment to the Constitution providing for the repeal of the fifteenth amendment—to the Committee on the Judiciary.

By Mr. CAPRON: Memorial of the general assembly of the State of Rhode Island, urging uniform recognition of American passports—to the Committee on Foreign Affairs.

By Mr. GOULDEN: Memorial of the legislature of Wyoming, relative to reclamation of public lands—to the Committee on the Public Lands.

Also, memorial of the legislature of Wyoming, in opposition to free hides or any reduction from Dingley rates on hides, and wools—to the Committee on Ways and Means.

By Mr. NEEDHAM: Memorial of the legislature of California, relative to a bill in Congress extending pension laws to include the First Battalion, Mountaineers, California Volunteers, who served during the late war of the rebellion—to the Committee on Invalid Pensions.

By Mr. CARY (by request): Memorial of the legislature of Wisconsin, relating to coolie and Mongolian labor—to the Committee on Foreign Affairs.

Also (by request), memorial of the legislature of Wisconsin, indorsing United States Senate bill No. 8323 (60th Cong., 2d sess.)—to the Committee on Expenditures in the Department of the Interior.

By Mr. COOPER of Wisconsin: Memorial of the legislature of Wisconsin, indorsing Senate bill 8323 (60th Cong., 2d sess.)—to the Committee on Expenditures in the Department of the Interior.

Also, memorial of the legislature of Wisconsin, memorializing Congress to extend the present Chinese exclusion laws so as to apply to all Asiatics of Mongolian origin—to the Committee on Foreign Affairs.

By Mr. MURPHY: Memorial of the legislature of Missouri, memorializing Congress to authorize the Pension Bureau to accept service of Missouri Home Guards as shown by the muster rolls of the adjutant-general of Missouri instead of the Hawkins-Taylor Commission—to the Committee on Invalid Pensions.

By Mr. McKINNEY: Memorial of the legislature of Illinois, favoring the appropriation of $50,000 for the Lincoln Farm Association—to the Committee on Appropriations.

By Mr. MANN: Memorial of the legislature of Illinois, favoring taxing inheritances, etc.—to the Committee on Ways and Means.

Also, memorial of the legislature of Illinois, favoring passage of H. R. 21848 (60th Cong., 1st sess.)—to the Committee on Appropriations.

Also, memorial of the legislature of Illinois, favoring adoption of resolution to appoint committee to investigate systems of old-age insurance, etc.—to the Committee on Ways and Means.

By Mr. McKINNEY: Memorial of the legislature of Illinois, favoring an investigation to establish a system of old-age insurance—to the Committee on Ways and Means.

will be read.

Congress in 1843 such resolutions were introduced in large numbers and

ment of an additional assistant appraiser at the port of Boston, Mass.—to the Committee on Ways and Means.

favoring an investigation to establish a system of old-age insurance—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9150) to remove the charge of desertion standing against H. B. Jones—to the Committee on Military Affairs.

By Mr. BARCHFELD: A bill (H. R. 9151) granting an increase of pension to Robert Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9152) for the relief of Francis B. Jones—to the Committee on Claims.

By Mr. BOEHNE: A bill (H. R. 9153) granting a pension to Jonathan F. Titus—to the Committee on Pensions.

Also, a bill (H. R. 9154) granting a pension to Harry A. Benedict—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 9155) granting an increase of pension to Charles R. Cross—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 9156) for the relief of Allen Edward O'Toole and others, who sustained damage by reason of accident at Rock Island Arsenal—to the Committee on Claims.

By Mr. BURLEIGH (by request): A bill (H. R. 9157) authorizing the Secretary of War to place the name of George D. Arnold on the rolls of Company E, Fifteenth Maine Volunteers, and issue him an honorable discharge—to the Committee on Military Affairs.

By Mr. CAPRON: A bill (H. R. 9158) granting an increase of pension to William H. Follett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9159) granting an increase of pension to Thomas K. Pimer—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 9160) granting an increase of pension to Charles N. Fisher—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 9161) granting an increase of pension to Thomas J. Elder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9162) granting a pension to Frederick L. Killion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9163) granting a pension to John McIndoo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9164) granting a pension to Thomas C. Wisenand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9165) granting a pension to Theodore F. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9166) granting a pension to James C. Risher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9167) granting a pension to Irvin McGuire—to the Committee on Invalid Pensions.

By Mr. DENBY: A bill (H. R. 9168) granting an increase of pension to John B. Hanna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9169) granting an increase of pension to John La More—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9170) granting an increase of pension to Seth E. Engle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9171) granting an increase of pension to Gerrit C. Wynkoop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9172) granting a pension to C. Augusta Shurly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9173) granting a pension to Albert B. Mosinsky—to the Committee on Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 9174) for the relief of the estate of Col. William B. Gaulden, late of Liberty County, Ga.—to the Committee on War Claims.

By Mr. FLOYD of Arkansas: A bill (H. R. 9175) granting a pension to John A. Cockrum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9176) granting a pension to Sarah L. Volz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9177) granting a pension to Henry F. Watkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9178) granting a pension to Ellen Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9179) granting a pension to Robert Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9180) granting a pension to N. P. Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9181) granting a pension to Alfred Hulsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9182) granting a pension to William Craft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9183) granting a pension to Thomas B. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9184) granting a pension to Martin V. Dignan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9185) granting an increase of pension to John Cavin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9186) granting an increase of pension to Elijah Loback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9187) to correct the military record of Andrew J. Wilhoit—to the Committee on Military Affairs.

Also, a bill (H. R. 9188) to correct the military record of James Red—to the Committee on Military Affairs.

Also, a bill (H. R. 9189) to correct the military record of William Pearson—to the Committee on Military Affairs.

Also, a bill (H. R. 9190) to correct the military record of James M. Morrow—to the Committee on Military Affairs.

Also, a bill (H. R. 9191) to correct the military record of James H. Murphy—to the Committee on Military Affairs.

Also, a bill (H. R. 9192) to correct the military record of Joseph S. Alexander—to the Committee on Military Affairs.

Also, a bill (H. R. 9193) to correct the military record of George W. Boling—to the Committee on Military Affairs.

Also, a bill (H. R. 9194) for the relief of and to correct the military record of G. W. Glenn—to the Committee on Military Affairs.

Also, a bill (H. R. 9195) to correct the military record of and grant to John B. Curtis an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 9196) granting a pension to Isam Dennis and to correct his military record so as to show his true name—to the Committee on Military Affairs.

By Mr. GOULDEN: A bill (H. R. 9197) for the relief of Reed B. Granger—to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 9198) granting a pension to Joseph Hazelton—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 9199) granting a pension to A. C. Stafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9200) granting a pension to Elmore G. Tatom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9201) granting a pension to William Bloodworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9202) granting a pension to Ann M. Bart—to the Committee on Pensions.

Also, a bill (H. R. 9203) granting a pension to Sallie Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9204) granting a pension to William K. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9205) granting an increase of pension to Jay Lane—to the Committee on Pensions.

Also, a bill (H. R. 9206) for the relief of James W. Turner—to the Committee on Military Affairs.

Also, a bill (H. R. 9207) to remove the charge of desertion standing against Clifton Callahan—to the Committee on Military Affairs.

Also, a bill (H. R. 9208) authorizing the Secretary of War to recognize John R. McDonald as having been a member of Company H, Fifth Regiment Kentucky Volunteer Cavalry, civil war, and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. KENNEDY of Ohio: A bill (H. R. 9209) granting an increase of pension to Daniel H. Shorpnack—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 9210) granting an increase of pension to Alester D. Sly—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 9211) granting a pension to Mary Hughes—to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 9212) for the relief of Edward Korp and Anna Korp, parents of Edward Korp, deceased—to the Committee on Claims.

By Mr. LANGHAM: A bill (H. R. 9213) granting an increase of pension to Thomas G. Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9214) granting a pension to Hannah M. Young—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9215) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Allen J. Polk, deceased—to the Committee on War Claims.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9216) for the relief of Charles Seiser—to the Committee on Military Affairs.

Also, a bill (H. R. 9217) for the relief of the legal representatives of William H. Hays, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9218) to correct the military record of Christopher P. Rhodes—to the Committee on Military Affairs.

Also, a bill (H. R. 9219) to correct the military record of Charles Knause, alias Dell—to the Committee on Military Affairs.

Also, a bill (H. R. 9220) to correct the military record of William S. Russell—to the Committee on Military Affairs.

Also, a bill (H. R. 9221) to correct the military record of James Jones—to the Committee on Military Affairs.

By Mr. MORGAN of Missouri: A bill (H. R. 9222) granting an increase of pension to Michael Getz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9223) granting an increase of pension to Jacob Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9224) granting an increase of pension to William T. Adkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9225) granting an increase of pension to Jasper N. Dodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9226) granting an increase of pension to R. C. Charles, alias Robert C. Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9227) granting an increase of pension to Henry Musgrove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9228) granting an increase of pension to John S. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9229) granting an increase of pension to Isaac Pecare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9230) granting an increase of pension to Julius Demele—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9231) granting an increase of pension to Thomas B. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9232) granting an increase of pension to Frederick Munch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9233) granting an increase of pension to William Baber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9234) granting an increase of pension to Samuel Pollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9235) granting an increase of pension to Allen Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9236) granting an increase of pension to Almas Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9237) granting an increase of pension to George W. Tilman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9238) granting an increase of pension to Peter A. Teachout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9239) granting an increase of pension to James A. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9240) granting an increase of pension to James E. Leftwich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9241) granting an increase of pension to Daniel E. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9242) granting an increase of pension to Wilson D. Monett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9243) granting an increase of pension to Alonzo W. Harrington—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 9244) granting an increase of pension to Thomas J. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9245) granting an increase of pension to William H. H. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9246) granting a pension to Bridget Fennessey—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 9247) granting a pension to Catherine E. Tainter—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 9248) granting a pension to George Archbold—to the Committee on Pensions.

Also, a bill (H. R. 9249) to complete the military record of William M. Burrows—to the Committee on Military Affairs.

Also, a bill (H. R. 9250) to authorize the restoration of Edward P. Bigelow to the retired list of the army and his appointment as a captain thereon—to the Committee on Military Affairs.

By Mr. SHARP: A bill (H. R. 9251) granting relief to Thomas E. Osborn—to the Committee on War Claims.

Also, a bill (H. R. 9252) granting a pension to Sarah Goff Beach—to the Committee on Pensions.

Also, a bill (H. R. 9253) granting a pension to Estella M. Manville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9254) granting a pension to Julia A. Karr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9255) granting an increase of pension to Llewellyn W. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9256) granting an increase of pension to William Dick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9257) granting an increase of pension to T. S. Dexter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9258) granting an increase of pension to John M. Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9259) granting an increase of pension to Benjamin Rall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9260) granting an increase of pension to William Rech—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9261) granting an increase of pension to Amos T. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9262) granting an increase of pension to Milton Parks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9263) to place Johnathan J. McClarren on the retired list with the rank of captain—to the Committee on Military Affairs.

Also, a bill (H. R. 9264) to place William Welsh on the retired list with the rank of captain—to the Committee on Military Affairs.

By Mr. SHEFFIELD: A bill (H. R. 9265) granting an increase of pension to William H. Durfee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9266) granting an increase of pension to John McLane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9267) granting a pension to William H. McGunigle—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 9268) granting an increase of pension to Hamilton A. Anderson—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 9269) granting a pension to Thad Parrish—to the Committee on Pensions.

Also, a bill (H. R. 9270) for the relief of James A. Ray or his heirs—to the Committee on War Claims.

By Mr. CRUMPACKER: A bill (H. R. 9271) granting a pension to Phoebe Miller—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 9272) granting an increase of pension to Thomas Moore—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 9273) granting an increase of pension to H. Dudley Rogers—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AIKEN: Petition of Farmers' Union of Liberty, S. C., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. ALLEN: Petition of H. A. Kittridge and 12 others, of Wells, Me., favoring a system of parcels post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BARCHFELD: Paper to accompany bill for relief of Robert Jones—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petition of Charles M. Bailey, of Winthrop, Me., relative to the tariff on burlaps—to the Committee on Ways and Means.

Also, petition of the Skowhegan (Me.) Pulp Company, against placing wood pulp on the free list—to the Committee on Ways and Means.

By Mr. CAPRON: Papers to accompany bills for relief of Charles Oscar Arnold, William H. Tollett, and Thomas K. Pimer—to the Committee on Invalid Pensions.

Also, petition of Rhode Island State Federation of Woman's Clubs, against increase of duty on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Rhode Island Horticultural Society, for legislation relative to the importation and interstate traffic in infected honey and bees—to the Committee on Interstate and Foreign Commerce.

By Mr. MICHAEL E. DRISCOLL: Petition of J. H. Cook, overseer of Eaton Grange, No. 811, Eaton, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Luyties Brothers, of New York, favoring H. R. 28170 (60th Cong., 2d sess.), relative to taxation of distilled spirits—to the Committee on Ways and Means.

Also, petition of S. C. Gillespie & Sons, of New York, against a tariff on Chinese nut oil—to the Committee on Ways and Means.

Also, petition of Lithographers International Lithographing, Printing, and Binding Association of New York, against reduction of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Hugo J. Mischo, of New York, against change in fur schedule of the Dingley bill—to the Committee on Ways and Means.

Also, petition of post-card manufacturers, for protection of post cards—to the Committee on Ways and Means.

Also, petition of Bellevue and allied hospitals, favoring amendment of paragraph 638 of the Payne tariff bill—to the Committee on Ways and Means.

Also, petition of Lithographers' Union of New York, favor-

Hall—to the Committee on Invalid Pensions.

Charles Knause, alias Dell—to the Committee on Military Affairs.

Also, petition of Lithographers' Union of New York, favoring protection of home industries—to the Committee on Ways and Means.

Also, petition of Edward and John Burke, of New York, urging drawback on containers when of American manufacture—to the Committee on Ways and Means.

Also, petitions of Michael Bruling and Henry Hild, of New York, urging protection for lithographic trade—to the Committee on Ways and Means.

Also, petition of Jed Frye & Co., of New York, regarding reduction of duty on certain kinds of fish—to the Committee on Ways and Means.

Also, petition of post-card manufacturers of New York, favoring a duty on post cards—to the Committee on Ways and Means.

Also, petition of S. M. Flickinger Company, of Buffalo, N. Y., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of the Roessler & Hasslacher Chemical Company, of New York, favoring 25 per cent duty on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of the Paul Taylor Brown Company, of New York, against increase of duty on canned pineapple—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of cigar makers, against the free entry of cigars and tobacco from the Philippine Islands—to the Committee on Ways and Means.

By Mr. HAMLIN: Paper to accompany bill for relief of James J. Davidson—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: Petition from various citizens of Gatesville, Tex., protesting against the enactment of the so-called "parcels-post measure"—to the Committee on the Post-Office and Post-Roads.

By Mr. LOVERING: Petition of Charles A. Van Evera and others, of the Tenth Congressional District of Massachusetts, favoring certain passage in tariff bill relative to post cards—to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Petition of Cigar Makers' Union of Bridgewater, S. Dak., against admission of cigars free of duty from the Philippine Islands—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of residents of Wood River, Nebr., against the proposed parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Petition of Pomona Grange, of Ontario, N. Y., favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. SHEFFIELD: Petition of E. A. Johnson & Co. and 30 other printing concerns of Providence, R. I., opposing the free printing of return cards on envelopes sold by the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of Isaac Prouty & Co., of Spencer, Mass., for removal of the duty on hides—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, relative to duty on hosiery—to the Committee on Ways and Means.

Also, petition of Hall & Ruckel, of New York, favoring a reduction of duty on soda ash—to the Committee on Ways and Means.

Also, petition of Chelsea Fiber Mills, of New York, against certain changes in tariff bill (H. R. 1438)—to the Committee on Ways and Means.

SENATE.

TUESDAY, *May 4, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FLINT and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal stands approved.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the State of Oregon *v.* United States (S. Doc. No. 28) which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Joint resolution 8 A.

Joint resolution relating to coolie and Mongolian labor.

Whereas the overpopulation of the Asiatic nations of Mongolian origin has caused the overflow of those people into other countries; and

Whereas the conditions in this country peculiarly favor the immigration of those people to our shores; and

Whereas the immigration of those people, by their lower standards of living and of society, has resulted and does result in the lowering of wages and of the standard of living of the American laborers; and

Whereas such people are unfit to become citizens of this Republic and have no intention or desire to fit themselves to become such, but rather to return after a few years to their native lands, thus resulting in an economic loss to this country; and

Whereas the exclusion of the Chinese has tended to preserve the economic and social welfare of this country: Therefore, be it

Resolved by the assembly (the senate concurring), That we memorialize Congress to extend the present Chinese-exclusion laws so as to apply to all Asiatics of Mongolian origin; and

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate, and Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.

C. F. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

The PRESIDENT pro tempore presented the memorial of S. J. G. Heinberge and sundry other citizens of Jackson, Mo., remonstrating against the adoption of the resolution relative to railroad rates in Missouri, etc., which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Parker Improvement Association of Parker, Ariz., remonstrating against the construction of a dam across the Colorado River above that city, which was referred to the Committee on Commerce.

Mr. FLINT. I present a memorial, in the nature of a telegram, from the Chamber of Commerce of Fresno, Cal., which I ask may be read and lie on the table.

There being no objection, the memorial was read and ordered to lie on the table, as follows:

[Telegram.]

FRESNO, CAL., *April 29, 1909.*

Senator F. P. FLINT,
Washington, D. C.:

Following resolutions passed at meeting Chamber of Commerce last evening:

Whereas the proposition to reduce to a minimum the duty on crude petroleum is now before the Senate of the United States, while ostensibly aimed as a blow at the Standard Oil trust, is, in fact, a much less serious menace to that monopoly than it is to that portion of the domestic industry composed of many thousands of independent producers; for

Whereas the Standard Oil trust, with its untold millions of capital, can under free trade in crude petroleum easily transfer its base of operations to the oil fields of Mexico, and by the employment of peon labor force the independent producers of the United States out of business, and thereby largely increase the power of its monopoly: Therefore be it

Resolved, That the Fresno County Chamber of Commerce is determinedly opposed to such proposed reduction of duty as a serious menace to an important and growing domestic industry and in no wise calculated to curb the power or limit the profits of any monopoly.

FRESNO COUNTY CHAMBER OF COMMERCE,
By WILLIAM ROBERTSON, *Secretary.*

Mr. FLINT presented a petition of the Chamber of Commerce of Los Angeles, Cal., and a petition of the Board of Trade of Kern County, Cal., praying for an increase of the duty on asphalt, which were ordered to lie on the table.

He also presented petitions of the Chamber of Mines of Los Angeles, of the Chamber of Commerce of Los Angeles, and of the Merchants and Manufacturers' Association of Los Angeles, all in the State of California, praying for the retention of the present countervailing duty on petroleum, which were ordered to lie on the table.

Mr. GAMBLE presented the petition of Joseph Hebal, of Goodwin, S. Dak., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Ramona and Oldham, S. Dak., praying for the repeal of the duty on hides, which was ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Steubenville, Stoutsville, Painesville, Brecksville, Hubbard, Miller, Lorain, Salesville, Dayton, Howard, Mount Vernon, Waverly, New Carlisle, Washington, Sylvania, and Cincinnati, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Argonia, Kans., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. RAYNER presented petitions of sundry citizens of Baltimore, Chesapeake City, Swanton, and Westminster, all in the State of Maryland, and of sundry citizens of Washington, D. C., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Joint resolution indorsing United States Senate bill 8323.

Resolved by the assembly (the senate concurring), That we heartily indorse Senate bill No. 8323, introduced into the United States Senate and referred to the Committee on Education and Labor, creating a national children's bureau, and request our United States Senators and Members of Congress to support the same. That a copy of this resolution be transmitted to each of our United States Senators, Members of Congress, and to the chairman of the Senate Committee on Education and Labor.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Joint resolution 8 A.

Joint resolution relating to coolie and Mongolian labor.

Whereas the overpopulation of the Asiatic nations of Mongolian origin has caused the overflow of those people into other countries; and

Whereas the conditions in this country peculiarly favor the immigration of those people to our shores; and

Whereas the immigration of those people, by their lower standards of living and of society, has resulted and does result in the lowering of wages and of the standard of living of the American laborers; and

Whereas such people are unfit to become citizens of this Republic and have no intention or desire to fit themselves to become such, but rather to return after a few years to their native lands, thus resulting in an economic loss to this country; and

Whereas the exclusion of the Chinese has tended to preserve the economic and social welfare of this country: Therefore, be it

Resolved by the assembly (the senate concurring), That we memorialize Congress to extend the present Chinese-exclusion laws so as to apply to all Asiatics of Mongolian origin; and

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate, and Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a memorial of the Medford Advancement Association, of Medford, Wis., remonstrating against the imposition of a duty on hides, which was ordered to lie on the table.

He also presented a petition of the Wisconsin Retail Lumber Dealers' Association, praying for the removal of the duty on Canadian lumber, and also for the appointment of a tariff commission, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Ableman, Appleton, Ashland, Hertel, Hortonville, Melrose, Malone, Neosho, New London, Pleasant Prairie, Plymouth, Port Washington, Randolph, and Stevens Point, all in the State of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Milwaukee, Wis., remonstrating against a reduction of the duty on barley and malt, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Florence County, Wis., praying for a reduction of the duty on iron ore and lumber, which was ordered to lie on the table.

He also presented a memorial of the Y. T. and F. Club, of Menasha and Neenah, Wis., remonstrating against the proposed increase of the duty on cotton, woolen and silk goods, hosiery, gloves, and sugar, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 23, Allied Printers' Union, of Milwaukee, Wis., praying for a reduction of the duty on wood pulp and paper, which was ordered to lie on the table.

He also presented a petition of the Common Council of Portage, Wis., praying for the improvement of the levee along the north bank of the Wisconsin River at that city, which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Commercial Club of Mineral Point, Wis., relative to the duty on zinc ore, which was ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Stetson, Me., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RICHARDSON:

A bill (S. 2265) to provide for the purchase of a site and the erection of a public building thereon in the city of Smyrna, Del.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENSON:

A bill (S. 2266) granting a pension to Maria Shannon; and

A bill (S. 2267) granting a pension to Cassius W. Andrew; to the Committee on Pensions.

By Mr. BURTON:

A joint resolution (S. J. R. 33) relating to the provisions of section 10 of the sundry civil act of March 4, 1909; to the Committee on Commerce.

By Mr. BEVERIDGE:

A joint resolution (S. J. R. 34) disapproving a certain law enacted by the legislative assembly of the Territory of New Mexico (with the accompanying papers); to the Committee on the Judiciary.

AMENDMENT TO THE TARIFF BILL.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed. The calendar is in order. The Secretary will announce the first bill on the calendar.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order, and the Senate, as in Committee of the Whole, resumed its consideration.

Mr. BORAH. Mr. President, recurring briefly to the particular subject which was under discussion last evening, I referred to the manner in which the "Pollock case," so called, was presented to the court. I went no further than to state at the time that it was in the nature of an agreed case between the stockholders and the corporation, and that it seemed conclusive that the Supreme Court, as a matter of fact, had not jurisdiction of it. I desire to call attention very briefly to an excerpt or two from the opinion and from the statement of counsel for the purpose of putting myself correctly in the RECORD with reference to that matter before going to the other subject. I quote first from Mr. Carter's brief. It says:

> It admits by its demurrer to the bill that, unless restrained by the process of injunction, it will, in accordance with the requirements of the law, make the prescribed returns and pay the tax. Outside of this bill it admits, and indeed asserts, this determination; and if those circumstances constitute any reason why a court of equity should take jurisdiction of the case and listen to argument upon the questions which are raised, then there is some support for the equity jurisdiction invoked by the complainant.

This argument was referred to yesterday as a model, and no one would contend for a moment that the learned counsel who made it was not capable of making a powerful argument. But I call attention to the fact that the counsel in his statement does not commit himself as a lawyer to the proposition that the court had jurisdiction of the controversy. He says:

> And if those circumstances constitute any reason why a court of equity should take jurisdiction of the case and listen to argument upon the questions which are raised, then there is some support for the equity jurisdiction invoked by the complainant.

The court in passing upon the matter at page 554 of the opinion says:

> The objection of adequate remedy at law was not raised below—

where the case was presented entirely by counsel representing the corporation and the stockholders—

> nor is it now raised by appellees, if it could be entertained at all at this stage of the proceedings; and, so far as it was within the power of the Government to do so, the question of jurisdiction, for the purposes of the case, was explicitly waived on the argument.

Mr. Justice White, in referring to this matter at page 600 of the opinion, says:

> The act of 1867 forbids the maintenance of any suit "for the purpose of restraining the assessment or collection of any tax." The provisions of this act are now found in Revised Statutes, section 3224. The complainant is seeking to do the very thing which, according to the statute and the decisions above referred to, may not be done. If

the corporator can not have the collection of the tax enjoined, it seems obvious that he can not have the corporation enjoined from paying it,

the Supreme Court accepted, to a considerable extent at least, that proposition which had been rejected for a hundred years

the corporator can not have the collection of the tax enjoined, it seems obvious that he can not have the corporation enjoined from paying it, and thus do by indirection what he can not do directly.

* * * * * * *

The rule which forbids the granting of an injunction to restrain the collection of a tax is founded on broad reasons of public policy and should not be ignored. In Cheatham v. United States (92 U. S., 85, 89), which involved the validity of an income tax levied under an act of Congress prior to the one here in issue, this court, through Mr. Justice Miller, said:

"If there existed in the courts, state or national, any general power of impeding or controlling the collection of taxes or relieving the hardship incident to taxation, the very existence of the Government might be placed in the power of a hostile judiciary. (Dows v. The City of Chicago, 11 Wall., 108.) While a free course of remonstrance and appeal is allowed within the departments before the money is finally exacted, the General Government has wisely made the payment of the tax claimed, whether of customs or of internal revenue, a condition precedent to a resort to the courts by the party against whom the tax is assessed. In the internal-revenue branch it has further prescribed that no such suit shall be brought until the remedy by appeal has been tried; and, if brought after this, it must be within six months after the decision on the appeal. We regard this as a condition on which alone the Government consents to litigate the lawfulness of the original tax. It is not a hard condition. Few governments have conceded such a right on any condition. If the compliance with this condition requires the party aggrieved to pay the money, he must do it.

It will be observed from the reading of the record in this case, as I said, that there was an attempt on the part of those interested in the controversy to do what they could toward waiving the jurisdiction of the court. The court refers to it in the opinion as having been waived so far as it could be and the dissenting opinion calls attention to the fact that it is the first time in the history of the court that they have ever entertained an injunction suit to restrain the Government in the collection of a tax. I call attention to that for the purpose of extending it in the RECORD.

Mr. President, the sole arguments against an income tax have consisted of two propositions, first, those who contend that the economic definition of an income tax is the proper definition, and, second, those who contend that the language of the Constitution itself, taken in connection with the history of the times, discloses that the framers intended to extend the phrase "direct taxes" to all property, personal and real, and the income therefrom.

The economic definition, or the definition given of direct taxes by the economic writers, was a tax which could not be shifted, a tax which must be paid by those against whom it is laid, a tax which must be responded to by the property upon which the charge is made, and which could not be shifted to property or to someone else other than the party against whom the tax was laid. This was illustrated in the Hylton case in the particular statute which was involved. There the tax was laid in one clause of the statutes against the carriage which was used personally by the proper party owning it, and, secondly, carriages used for hire. In one instance the owner must necessarily pay it. In the other instance the owner might transfer the charge to the party who paid for the use of the carriage. That illustrates the difference between a direct tax and an indirect tax as defined by the economic writers.

This is one of the contentions which has been made in regard to an income tax or the definition of a direct tax from the beginning of the discussion of this matter. It was presented in the first place in the Hylton case. It was re-presented in Seventh Wallace in the Pacific Insurance case. It was re-presented in Eighth Wallace in the Veazie Bank case. It was re-presented in Scholey v. Rew in Twenty-third Wallace, and re-presented again in the Springer case. In all these different briefs, which were filed by able counsel, this particular proposition was amplified and urged. It was contended that the framers of the Constitution being familiar with Smith and Turgot and the other economic writers as to what they considered an income tax or a direct tax had followed the definition given by those writers.

This proposition was specifically answered by Chief Justice Chase in the Veazie Bank case. Chief Justice Chase, in passing upon the income tax in that decision, took up specifically the proposition of an economic definition and answered it, and contended that the framers of the Constitution were not controlled by that definition.

It was, therefore, a proposition which had been presented from the beginning. It was not new to the court in the Pollock case. It was as old as the argument upon this question from the start. But it was revived in the Pollock case and re-presented to the court with much ability, and unquestionably was taken and accepted by the court as a controlling factor in the determination of the proposition.

It has been said, since the Supreme Court has come to pass upon other questions in connection with taxation, that it was not a direct and controlling factor in the income-tax decision. And therefore I beg the indulgence of the Senate for a moment while I call attention to the opinion of the court—both the opinion of the court and the dissenting opinion—to show that the Supreme Court accepted, to a considerable extent at least, that proposition which had been rejected for a hundred years, reaching a conclusion at last that it was the economic definition which controlled the framers in the making of the Constitution to some considerable extent at least.

Mr. RAYNER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Maryland?

Mr. BORAH. I do.

Mr. RAYNER. Has the Senator observed the language of Chief Justice Chase in Veazie Bank v. Fenno, that he just referred to? Let me read a few lines:

Much diversity of opinion has always prevailed upon the question, What are direct taxes? Attempts to answer it by reference to the definitions of political economists have been frequently made, but without satisfactory results. The enumeration of the different kinds of taxes which Congress was authorized to impose was probably made with very little reference to their speculations. The great work of Adam Smith, the first comprehensive treatise on political economy in the English language, had then been recently published; but in this work, though there are passages which refer to the characteristic difference between direct and indirect taxation, there is nothing which affords any valuable light on the use of the words "direct taxes" in the Constitution.

Then he goes on to say:

What does appear in those discussions, on the contrary, supports the construction. Mr. Madison informs us that Mr. King asked what was the precise meaning of direct taxation, and no one answered.

That was Rufus King, in speaking of a definition of a direct tax. Rufus King rose in the convention and asked what direct taxes were. There sat Madison and Hamilton and Martin and Pinckney and all the rest of the great lawyers of that day, and no one answered him.

What I want to ask the Senator is this: Does the Senator think that at the time that provision was put in the Constitution there was any accurate definition of what direct taxes were? I am just asking the question, not to interrupt the Senator or by way of any opposition to what the Senator says.

Mr. BORAH. I am aware, Mr. President, that there are those who believe that the framers of the Constitution did not know the meaning of the language that they were using in the great charter which they were making. I am not of that faith. I believe that the fathers, when the history of the surrounding circumstances is closely studied, will be found to have known and understood precisely the definition of the phrase "direct taxes," and that especially would the careful makers of that great instrument have refrained from putting into the Constitution a phrase which was ambiguous after their attention had been called to the fact that it was ambiguous.

I believe, on the other hand, the mere fact that the question of Mr. King was not answered was a mere incident in the discussion. It does not indicate for a moment that those who used the phrase did not, as a general rule, understand precisely how it was being used.

I think I will show before I go very much further that Mr. Hamilton, to whom reference was made, did understand and had a direct and definite idea of the meaning of direct taxes; that he explained at the time in his own proposition which he submitted to the convention; that while there might have been those in the convention who did not have a definite or specific idea sufficient to express it, yet as a consensus of opinion in the convention it was very well and very thoroughly understood.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. SUTHERLAND. The statement is made in the Madison papers, to which the Senator from Maryland has called attention, that Rufus King asked the question, What is a direct tax? I think the question, though, was What is direct taxation? Perhaps there is no difference. Evidently the question challenged the attention of the convention, because Madison goes on to say that no one answered it, and he seems to attach some importance to that fact. If I understand the position of the Senator from Idaho, it is that direct taxes are of two kinds, and two only, namely, a capitation tax and a land tax.

Mr. BORAH. And the improvements of land.

Mr. SUTHERLAND. Well, that amounts to the same thing—a capitation tax and a land tax. The question I desire to submit to the Senator is this: If that was within the intention of the framers of the Constitution, and if the answer to the question "What is a direct tax?" was so simple as the Senator from Idaho now seems to think it is—namely, that it was only a capitation tax and a tax upon land—is it not a little remarkable that somebody did not answer him?

Mr. BORAH. I do not look at it in that way. I think the simplicity of the thing makes it more plain as to why they did not answer it—because of the fact that it might not have been

regarded as a matter of serious contention and of debate. I might ask the question here as to what is an excise tax. A man would know in a moment what the general idea was, but it would take him three hours to tell what it was, in view of all the decisions of the courts upon the matter. It might be true, with reference to that situation, that they had a general and even a definite idea as to what they understood the definition to be, but no one considered it essential to define it precisely; or it might have been due entirely to the exigencies of debate, the matter being asked in a casual way and urged aside by other matters.

Another thing: The framers of the Constitution did not spend any time in making precise definitions of the exact terms which they used. It has been commented upon by such men as Marshall and other writers on the Constitution time and time again that they were not there making a dictionary of political science or political words or law terms; that they were framing a general law for a general government, which they expected to be construed in a general way to meet the conditions and emergencies which should arise in the future, and never in a technical way.

I will come more directly, however, to that in a few moments, when I come to discuss the actual debate which took place with reference to this precise clause.

When I come to that debate we will find out that a definition was given in a general way and that the facts and circumstances surrounding the discussion point without any question to the exact understanding of the framers. It has been said time and time again that very little took place in that convention. Not a great deal did take place, but enough took place to show precisely what they understood by direct taxation.

I was saying that this idea of a shiftableness of the tax had been presented many times to the court and was re-presented in the Pollock case. I further stated that since the Pollock decision it has been said, in view of the necessity of leaning away from it again, that it was not controlling in that case. I want to call attention to the language of the court in the Pollock case:

The first question to be considered is whether a tax on the rents or income of real estate is a direct tax within the meaning of the Constitution. Ordinarily all taxes paid primarily by persons who can shift the burden upon some one else or who are under no legal compulsion to pay them are considered indirect taxes; but a tax upon property holders in respect of their estates, whether real or personal, or of the incomes yielded by said estates, and the payment of which can not be avoided, are direct taxes. Nevertheless it may be admitted that although this definition of indirect taxes is prima facie correct and to be applied in consideration of the question before us, yet that the Constitution may bear a different meaning and that such meaning must be recognized.

They proceed to discuss the other feature of it. Again the court said, in the majority opinion:

The Federalist demonstrates the value attached by Hamilton, Madison, and Jay to historical experience and shows they made a careful study of many forms of government. Many of the framers were particularly versed in the literature of the period—Franklin, Wilson, and Hamilton, for example. Turgot had published, in 1764, his work on taxation and in 1776 his essay on the formation and distribution of wealth, while Adam Smith's Wealth of Nations was published in 1776.

All leading up to the final conclusion that this was uppermost in the minds of the framers of the Constitution. Again the court quotes approvingly from Mr. Gallatin's works:

The most generally received opinion, however, is that by direct taxes in the Constitution those are meant which are raised on capital or revenue of the people; by indirect, such as are raised on their expense. As that opinion is in itself rational and conformable to decision which has taken place on the subject of the carriage tax, and as it appears important for the sake of preventing future controversies which may be not more fatal to the revenue than the tranquillity of the Union that a fixed interpretation should be generally adopted it will not be improper to corroborate it by quoting the author from whom the idea seems to have been borrowed. He then quotes from Smith's Wealth of Nations, and continues: "The remarkable coincidence of the clause of the Constitution with this passage in using the word 'capitation' as a generic expression including the different species of direct taxes—an acceptation of the word peculiar, it is believed, to Doctor Smith—leaves little doubt that the framers of the one had the other in view at the time and that they as well as he, by direct taxes, meant those paid directly from and falling immediately on the revenue, and by indirect those which are paid indirectly out of the revenue falling immediately upon the expense."

The court was evidently relying, as the court had always refused to do before, upon this indirect-tax definition as given by the economic writers.

Mr. Justice White, in his dissenting opinion, specifically refers to this fact. He says:

Now, after a hundred years, after long-continued action by other departments of Government, and after repeated adjudications of this court, this interpretation is overthrown and Congress is declared not to have the power of taxation, which may at some time, as it has in the past, prove necessary to the very existence of the Government. By what process of reasoning is this to be done? By resort to theories in order to construe the word "direct" in its economic sense instead of in accordance with its meaning in the Constitution, when the very result of the history which I have thus briefly recounted is to show that the economic construction of the word was repudiated by the framers themselves and has been time and time again rejected by the court.

Again Mr. Justice White says:

It seems evident that the framers, who well understood the meaning of this word, have thus declared in the most positive way that it shall not be so construed in the sense of Smith and Turgot.

The argument, then, it seems to me, reduces itself to this: That the framers well knew the meaning of the word "direct;" that so well understanding it, they practically interpreted it in such a way as to plainly indicate that it had a sense contrary to that now given to it in the view adopted by the court; although they thus comprehended the meaning of the word and interpreted it at an early date, their interpretation is now to be overthrown by resorting to the economists whose construction was repudiated by them.

Mr. Justice Brown says in his dissenting opinion in regard to the shiftableness of the tax:

By resurrecting an argument that was exploded in the Hylton case, and has lain practically dormant for a hundred years, it is made to do duty in nullifying not this law alone, but every similar law that is not based upon an impossible theory of apportionment.

Mr. Justice Harlan also, in his dissenting opinion, calls attention to the fact that this economic definition which had been urged upon the court for so many years and rejected had been called into life for the purpose of overturning the decisions of the court of a hundred years, and I think we may reasonably conclude that whatever may be said, in view of the later decisions, the Supreme Court of the United States interwove into the argument and into the decision as an elementary fact in the decision the economic definition of a direct tax.

Now, Mr. President, what has become of that definition since the income-tax decision? I think I will show in a few moments—and I do not propose to take up the time of the Senate to read authorities—that that definition, strong as it was in that case, controlling as it was in reaching a conclusion, has, by the unanimous opinion of the Supreme Court, so far as this particular point is concerned, been swept entirely away and rejected in toto, as it had been for a hundred years before the Pollock case.

The first inheritance-tax case which went to the Supreme Court for consideration was the case of the United States v. Perkins. It came up from the State of New York. It involved the constitutionality of the inheritance-tax law of the State of New York.

A citizen of the State of New York, having died, left a part of his property to the Government of the United States. The question was raised that it was not within the power of the State to tax property belonging to the Government, which is true, and that it was not within the power of the State to tax the right of the Government to take property, which is true.

Therefore the Supreme Court was confronted with the proposition of meeting that which had been settled so long, that you could not tax the property of one sovereignty by the action of another, and that the instrumentality of one government can not be embarrassed and taxed by another. This property which had been left to the Government was to be subjected to the tax, or at most the right to take the property was to be subjected to the tax. The Supreme Court said that it was not a tax upon the legacy itself after it had become the property of the United States, but it was a tax upon the property before it was distributed to the United States. That it, the property, came to the Government diminished of the tax.

If that is true, Mr. President, what becomes of the economic definition of the shifting of the tax to some one else? Was if not a direct tax upon the property itself? Could the tax on the property be shifted? Could it be transplanted to some other party to be made to pay the tax? That seems to be conclusive.

Again, in the case of Knowlton v. Moore, in One hundred and seventy-eighth United States, the national inheritance tax of 1898, which was a part of the war-revenue act of 1898, came before the court for consideration. Those who accepted the income-tax decision and were at the same time contending against the constitutionality of the inheritance tax presented to the court this proposition:

That the income-tax decision rested upon the proposition that that was a direct tax which could not be shifted, and that that was an indirect tax which could be. If that was true, the inheritance-tax law of 1898 must necessarily go out. But the Supreme Court in that case, by a unanimous opinion of the court so far as this particular point is concerned, took up the proposition of this economic definition of a direct tax and rejected it, as it had consistently and without a dissenting voice done for a hundred years before the Pollock case.

So far as this proposition, which had such an important bearing in the Pollock case, is concerned, there can be no possible doubt but what it has been swept away entirely by the unanimous opinion of the Supreme Court of the United States. They have said once and for all that that argument which was presented in the Hylton case, which was presented in the Pacific Insurance case, and the Springer case, and which was rejected,

is by this court rejected again, although no man can read the income-tax decision and not conclude that it was a controlling and elementary proposition in the determination of that case.

In my opinion the presentation of this matter on that one fact alone to the Supreme Court of the United States is warranted in view of the subsequent decisions.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. SUTHERLAND. Does not the Supreme Court in the Knowlton case distinguish that case from the Pollock case and say in the Knowlton case that an inheritance tax was not a tax upon the property but a tax upon the devolution of property? Let me ask the Senator whether or not he sees any difference between a tax of that character, upon the devolution of property, and a stamp duty upon a deed? The Senator will concede that we have no power under the Constitution to impose a tax upon land unless by the rule of apportionment. Yet I take it the Senator will also concede that we have power to impose a stamp duty on the deed by which the title was presented.

Mr. BORAH. Mr. President, I am aware the Supreme Court distinguished the Knowlton case from the income-tax case, but that was on another subject entirely. That was not with reference to the economic definition of the tax. They did not distinguish upon that proposition. They took that up bodily, met it, and rejected it. The distinction came when they came to deal with the question whether the tax was upon the property or upon the right to take property, which I will come to later. I may say in passing that I am not discouraged when I find the court distinguishing a case, because it seldom overrules and quite often distinguishes. It distinguished the Hylton case; it distinguished the Pacific Insurance case, the Scholey case, and the Springer case. Yet I think there is no doubt in the mind of any man in the world but what it specifically overruled all those cases in the Pollock case; it was called "distinguishing."

Now, I propose to show briefly, Mr. President, with reference to the historical definition of the tax, having passed from the economic definition, that, in the first place, it had no basis as to historic fact; in the second place, that it also was rejected by numerous decisions of the Supreme Court of the United States; and thirdly, that while it was controlling in the Pollock case, it also has been, in my judgment, although not specifically, I am frank to admit, rejected by the Supreme Court since the Pollock case. The historic definition, as I said a few moments ago, is based upon the proposition that the direct-tax phrase of the Constitution, taken in connection with the historic circumstances and facts which surround it, show that the framers of the Constitution understood by a direct tax a tax upon all kinds of property—personal, real, and the income therefrom. Those who oppose that view contend that the historic definition shows that they had in mind alone the tax upon persons, or a capitation tax, and a tax upon land.

I desire to call attention to the language of the Constitution, in order that we may have it before us for the purposes of the discussion:

SEC. 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

* * * * * * *

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

* * * * * * *

No tax or duty shall be laid on articles exported from any State.

It is conceded, looking at the language alone for a few moments, by all commentators upon the Constitution, and it has been stated by the Supreme Court of the United States time and time again, that it was in the purpose of the makers of the Constitution to grant full and plenary power to the National Government to lay taxes. It was intended that the National Government should have complete power to tax every person and every species of property within its wide and broad domain. There can be no question about that.

It is true that the convention provided two rules by which it should be done, by the manner in which the tax should be laid; but the power to lay taxes was complete and full, and intended to cover all persons and property within the wide domain, wherever they might be found. Those men who had had experience with the Articles of Confederation, who had had experience with drawing upon the States for their sustenance, did not propose to have the National Government shorn of any of its power to lay taxes upon all the property which it had within its control or in its dominion. And yet they say to us, Mr. President, that the makers of the Constitution, who intended to give to the National Government the power to lay taxes fully and completely, then prescribed a rule which destroys the power which they intended to grant, because it is conceded that if you can not lay taxes upon the income from real estate and personal property, except by apportionment, it is a practical impossibility, and that they have prescribed a rule which destroys the power that they fully intended to grant to the General Government.

That of itself upon the face discloses that the framers of the Constitution did not intend by direct taxes that which could not be apportioned. They said direct taxes should be apportioned. They intended to give a full power to tax. They intended to give a practical power to tax, and to give a tax which would be equitable and just, and yet in the next breath you say to us that they have prescribed a rule which makes it impracticable, impossible; in fact, unjust and incapable of apportionment.

Mr. Chief Justice Marshall said many times that we should give to the language contained in that great instrument a reasonable and practical construction.

The English statutes and the English law for a hundred years prior to the adoption of the Constitution of the United States had made the distinction in their statutes and in their laws which is made to a very large extent in the Constitution of the United States. We use the word "duty" to-day in common parlance as applying to a charge laid upon goods which are brought into this country, but for a hundred years in the old ancient statutes and in the English law the word "duty" covered every kind of charge or tax which was laid upon property other than that charge which was laid upon real estate. If you will recur to your old Blackstone you will find that Blackstone in defining taxes refers to the charge which was laid upon land, and when he refers to the other charges upon property, personal property, houses, incomes, salaries, offices, windows, and every species of personal property which was taxed, it is referred to invariably as a duty.

It is much more reasonable to assume that the framers of the Constitution, thirty-one of whom were lawyers, were controlled and influenced by this usage of a hundred years than that they were controlled by an economic definition of a new writer upon a dismal subject, which was at that time receiving very little consideration at the hands of the general public.

You remember that Edmund Burke, in his great speech upon conciliation with America, said that some of the most profound lawyers of the English-speaking tongue were found at that time in the English colonies of America. He said, furthermore, that it was disclosed by the bookstores of London that more copies of Blackstone were sold in America at that time than were sold in London or in England. Governor Gage, the governor of Massachusetts, said in one of his messages across the water: "I have a government of lawyers; the people are lawyers; they are familiar with your statutes; they know your laws better than you know them yourself."

And he complained that they had found technicalities by which they had evaded the laws which were drawn by the best English lawyers. These men were entirely familiar—not only the makers of the Constitution, but their constituents and the people generally—with the English statutes. They knew the phrases which had been used and were in common use.

Let me call your attention to a few extracts on that subject, and I might call your attention to more. Blackstone referred to taxes and duties as follows, not using his exact language, but speaking from memory:

Taxes charge on land, duty, everything else—houses, windows, improvements on real estate, and all kinds of personal property, on servants, coaches, horses, offices, and salaries.

These taxes were incorporated in the act of 1867, which referred to them as "taxes" and duties.

The title of the act of 1703 was as follows: "An act granting aid to Her Majesty by land tax, etc." This was made perpetual in 1798, and was still called a "land tax." The other form of taxes which were assessed were invariably referred to in the statutes as "duties." Thus in 1696 we have an act for granting to His Majesty several rates or duties upon houses. In 1796 we have the terminology for repealing the several duties upon houses, windows, and lights, and another for establishing a uniform duty on dwelling houses. We have also a statute referring to duties on coal, cinders, and so forth. Then we have the tax law of the elder Pitt in 1758 "for granting to His Majesty several rates or duties upon offices, pensions, houses, etc."

These words had well-defined meaning in the English law and were familiar to the framers of the Constitution.

Lands were the only basis of direct taxes in the States at the time of the adoption of the Constitution.

In that connection, too, and as a part of the historic facts leading up to the adoption of the Constitution, we ought to look for a moment at the Articles of Confederation.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. SUTHERLAND. Before the Senator leaves the question of the discussion of English writers, I understand he is referring to those authorities for the purpose of attempting to establish that an income tax is not a direct tax. Am I correct in that?

Mr. BORAH. I was referring to those authorities to show that when the fathers referred to taxes, they referred to taxes upon land; and when they referred to duties, they referred to taxes upon all personal property.

Mr. SUTHERLAND. For what purpose does the Senator refer to the English writers—for the purpose of showing that an income tax is not a direct tax, or for some other purpose?

Mr. BORAH. I was referring to the English writers for the purpose of showing that they made the distinction in this way: That when they referred to charges imposed by the Government upon land, they called it a tax; and when they referred to a charge imposed by the Government upon all personal property and income and such things, they called it a duty. Therefore the fathers might very aptly have used the word "duty" in the Constitution as covering the same class of taxes which the English writers have covered.

Mr. SUTHERLAND. Does the Senator think that these English writers bear out his contention that an income tax is not a direct tax?

Mr. BORAH. I think that the English authorities bear out specifically what I have said—that they referred to a charge upon all kinds of property except real estate as a duty.

Mr. SUTHERLAND. The Senator does not answer my question.

Mr. BORAH. I answer your question precisely.

Mr. SUTHERLAND. Let me put it again. Does the Senator think that the English authorities to which he has referred bear out his contention that an income tax is not a direct tax?

Mr. BORAH. Mr. President, I have not cited these authorities with reference to that proposition specifically, and I am not citing them with reference to that proposition. If the Senator will understand me, I will state again that the framers of the Constitution used the word "duty" and the word "tax" in the sense of the English statutes and English law. In the sense they used those words "duty" covered everything except taxes upon land, and "taxes" covered land.

Mr. SUTHERLAND. Let me put the question in a different way, then. Does the Senator think that the position of the English writers prior to the adoption of the Constitution was that an income tax was not a direct tax?

Mr. BORAH. I never ascertained that prior to that time they had that imposition on them. I have ascertained that after that time somewhat, pretty nearly seventy years, they referred to it as a direct tax.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Texas?

Mr. BORAH. I do.

Mr. BAILEY. Permit me to say that the English income tax was first levied after our Constitution had been adopted.

Mr. SUTHERLAND. I am quite aware of that fact, and was just about to refer to it. The income tax was levied in England after our Constitution was adopted, and it was called by the English Parliament and by the English courts a direct tax.

Mr. BORAH. Yes; that was after our Constitution was adopted.

Mr. SUTHERLAND. The point to which I desire to call the Senator's attention is that the English Parliament and the English courts, with all of these English authorities before them, held that the income tax was a direct tax.

Mr. BAILEY. Will the Senator from Idaho permit me?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Texas?

Mr. BORAH. Certainly.

Mr. BAILEY. The Senator from Utah must know that the practical construction, however, of that income tax was that a tax on the income upon a security was not a tax on the security itself; in other words, the government obligations had been issued to be free of taxes, and when the younger Pitt came to raise revenue he contended that a tax on an income was not a tax on the obligation itself, and he levied it accordingly in the face of the exemption of the obligation from that tax.

Mr. SUTHERLAND. But what the Senator from Texas [Mr. BAILEY] has stated does not alter what I have said, namely, that the English Parliament and the English courts have uniformly held that an income tax was a direct tax.

Mr. BAILEY. I understand, Mr. President; but I made the rejoinder to the Senator for the purpose of showing that the authorities he has quoted still sustain the Senator from Idaho [Mr. BORAH], because they hold that the tax on the income of a subject is not a tax on the subject itself, and, if they are right, then a tax on the income of land is not equivalent to a tax on the land itself.

Mr. BORAH. Mr. President, I shall now refer to the Articles of Confederation. We find in the eighth article of confederation this statement:

All charges of war and all other expenses that shall be incurred for the common defense or general welfare and allowed by the United States in Congress assembled shall be defrayed out of the Common Treasury, which shall be supplied out of the several States in proportion to the value of all lands within each State granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled shall from time to time direct and appoint.

The Articles of Confederation, of course, can play very little part in our conception of that situation as we view it to-day; but they were an important matter in the minds of those men met for the purpose of framing the Constitution. There were many men met in that convention who believed that it would be sufficient to rearrange the Articles of Confederation, granting more power, and let the matter stand precisely as it was. In these articles we find the same expression of sentiment with reference to the manner in which they should collect taxes, which they deemed at that time a levy upon the States, and that was by a levy upon land. It is not, of course, conclusive, but one of the incidents, the facts, and the circumstances surrounding the situation. Mr. Hamilton, in his constitutional plan which he submitted to the convention, said:

Taxes on lands, houses, and real estate and capitation taxes shall be apportioned in each State upon the whole number of free persons, except Indians, etc. (Art. 7, sec. 4.)

Here is certainly a very clear statement of what one of the leading spirits of that convention understood by the phrase "direct taxes." "Taxes on lands, houses, and real estate and capitation taxes" should be apportioned, in the view of Mr. Hamilton.

Mr. SUTHERLAND. But the convention rejected that.

Mr. BORAH. I maintain, Mr. President, that that convention did not reject it. The language was changed, but the principle which was therein enunciated was the exact principle which the convention adopted, although, I repeat, they changed the language. In the Federalist Mr. Hamilton says, referring to taxes:

Those of direct kind (referring to taxes), which principally relate to land and buildings, may admit of a rule of apportionment. Either the value of the land or the number of the people may serve as a standard.

Now, Mr. President, this leads us up to the convention. What happened in the convention? Upon the 3d of July, 1787, the convention took up in earnest the question of representation. The grand committee accepted as a basis of compromise Doctor Franklin's proposition, that they should have one representative for every 40,000 people; that each State should have an equal vote in the Senate; and that all bills for revenue and appropriation should originate in the House of Representatives. The discussion ranged from the 3d of July until the 12th. Some were in favor of apportionment upon the basis of numbers; some upon the basis of property or wealth. Finally there arose in the convention this discussion, coming particularly from South Carolina and Georgia, that they desired sufficient representation to prevent an unnecessary burden being placed upon their slaves in the way of taxes and upon the vacant and unoccupied lands of the South. More than one thing entered into this question of representation, but one of the controlling propositions in the convention, and one which disturbed it, was upon the part of the South endeavoring to protect their slaves against an unnecessary burden of taxation by reason of the sentiment of the North, and of laying an arbitrary value upon land which would be unfair to the vacant and unoccupied lands of the South.

There is one thing that we ought not to forget here in this discussion, and that is that the agitation upon the slavery question at the time of the meeting of the convention was the most severe that occurred at any time until the abolition movement began, years after the Constitution was framed. It is said that the English, who had for a time stopped in New York and other portions of the country, had started a propaganda, which led to the agitation throughout the colonies with reference to the freedom of the slaves. An antislavery society had just been organized in New York, of which Alexander Hamilton had been made secretary and of which Jay and Livingston were active members; and Doctor Franklin had just been made president of an antislavery society in Pennsylvania. And it will be remembered

that the good old Quakers of Pennsylvania appeared before Congress from 1783 to 1787, petitioning Congress to abolish slavery, and upon the very day and in the very week that the convention met in Philadelphia for the purpose of framing the Constitution the Presbyterian synod met and were discussing the question of abolishing slavery, and they passed a resolution to that effect, and the people of Pennsylvania sent a petition to the Constitutional Convention itself asking for the abolishment of slavery; which petition, however, was not presented.

Mr. BACON. Mr. President, I should like to ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BORAH. Certainly.

Mr. BACON. How many States at that time had the institution of slavery?

Mr. BORAH. Practically all.

Mr. BACON. That is the fact; but I think Massachusetts was probably an exception.

Mr. BORAH. It is true as to practically all, but I think the Senator will agree with me, from reading the debates of the convention, that the discussion with reference to the matter was from the States of South Carolina and Georgia.

Mr. BACON. That is true. I did not mean to take issue with the Senator. I simply wished to supplement the very important information which he is giving.

Mr. BORAH. Yes; I agree with the Senator that practically at that time slavery very generally extended throughout the States, but it was known that the agitation against it was much stronger in the certain Northern States than in the South.

Mr. BACON. It was anticipated even at that time that the climatic conditions would make a difference in the maintenance of the institution.

Mr. BORAH. Yes. Finally, Mr. President, after the discussion had ranged over the different fields of compromise for several days, upon the 16th day of July, 1787, an incident occurred in the convention which ought not to be overlooked. That was the last day that Lansing and Yates, of New York, appeared upon the floor of the convention. Upon the 10th day of July, 1787, Mr. Lansing and Mr. Yates left the convention floor at the request of the governor of their State, Mr. Hamilton alone remaining, without a vote, however, in the convention. This left the convention solely in control of what, in the minds of the convention, were the Southern States. At last it was suggested—and I think the suggestion came from Mr. Williamson, of North Carolina—that in estimating the slaves three-fifths of a slave should be equal to his master; and Old Virginia, although considered a Southern State, with a united delegation voted in favor of that proposition. It was at that time that South Carolina and Georgia, through their representatives in the convention, stated to the convention that they would not be satisfied with that situation; that, in their opinion, in order to protect their slaves from unjust taxation and their vacant land in the South from arbitrary valuation they should have a representation equal to the Northern States, and in order to have that representation they must necessarily have equal representation for their slaves. Upon the night of the 11th of July, 1787, a debate, heated during the day, was closed by Gouverneur Morris, a delegate from Pennsylvania. He said—I can not quote his exact language, but very nearly: "I am placed in the dilemma of either doing an injury to the Southern States or an injury to humanity, and I prefer to do injury to the Southern States. I am not willing," he said, "to give encouragement to the slave trade by giving them equal representation for the negro." That suggestion at that time was answered by the representatives of South Carolina and Georgia stating that what they desired was equal representation, and that was the only way by which it could be had.

Mind you, up to this time, Senators, there had been no suggestion in that convention as to the apportionment of taxes. And so the night of the 11th of July came and went, and it is conceded to be one of the tragic and eventful nights in the history of that convention. Mr. Mason, of Virginia, said that he could ill be spared from his home, but he was willing to bury his bones in that city before going home without some result. Others lamented the unfortunate situation in which they were placed. Upon the morning of the 12th of July, 1787, Gouverneur Morris came into the convention, and for the first time moved the convention to apportion taxes and representation upon the basis of numbers. This gave protection to the people who were uneasy about the taxation of their slaves and their vacant lands.

Mr. President, what was the obstacle that they were trying to avoid? What was the bone of contention of the southern representatives? The southern representatives were asking for sufficient representation to protect that which they deemed necessary to their interests and prevent excessive taxation on their slaves and arbitrary taxation of lands which were not as valuable as those in the North. When we take into consideration what they were seeking to avoid, is it not reasonable to conclude that when Mr. Morris suggested this he was suggesting relief in regard to those specific matters?

I want to call your attention to a witness who was there and who ought to know, and the language of this prominent member of that convention is borne out in full and complete by the records of that convention.

The provision—

Referring to a direct tax—

The provision was made in favor of the Southern States; they possessed a large number of slaves; they had extensive tracts of territory, thinly settled, and not very productive. A majority of the States had but few slaves, and several of them a limited territory, well settled, and in a high state of cultivation. The Southern States, if no provision had been introduced in the Constitution, would have been wholly at the mercy of the other States. Congress in such case might tax slaves, at discretion or arbitrarily, and land in every part of the Union, after the same rate or measure—so much a head in the first instance, and so much an acre in the second. To guard them against imposition in these particulars was the reason of introducing the clause in the Constitution which directs that Representatives and direct taxes shall be apportioned among the States according to their respective numbers.

That is the language of Mr. Patterson in the Hylton case. He was not only an active member of the convention, as the debate shows, but a participant in this particular debate from day to day from the 3d of July to the 12th of July, when it was finally settled. Will men living a hundred years after those who participated in the debates in that convention, and who knew the point of controversy and the obstacle to be avoided, undertake to pass judgment upon what the framers of the Constitution meant by direct taxes when the participants in the convention have given their own interpretation of the charter?

I speak at all times, Mr. President, with due respect and regard for the great tribunal whose judgments we are reviewing, but I can not understand, in the light of the history which surrounds this phrase and the language of the men who made it and interpreted it, how it could ever have been misinterpreted or misconstrued or how there could be misunderstanding as to what the framers understood direct taxes to mean when they put those words in the Constitution.

Suppose, as the Senator from Utah [Mr. SUTHERLAND] has said, somebody had risen to answer Mr. Rufus King, and had stated that the term "direct taxes" means so and so, would it have been more positive, more conclusive, more binding than the facts of the convention and the language of Justice Patterson, who construed it before the ink was hardly dry with which they wrote the parchment?

Now, Mr. President, suppose we pass the Hylton case for a moment as a decision, and review it as an historic fact only, and very briefly, because it has been enlarged upon by the Senator from Texas [Mr. BAILEY], and I will not undertake to glean where he has harvested. As an historic fact alone, here is a decision rendered a very short time after the Constitution was made, and rendered by some of the men who made the Constitution, because Wilson and Patterson were both active in that debate and participated in this particular debate. Does it not seem that they would have had a clear conception of the purposes and objects of the convention, and can it be conceived that those men knowingly would have given a loose construction to the language or one which was not sustained by the facts in the convention? So, if we view it not as a decision, or quarrel about its being dicta, but simply as an historic fact, it is conclusive to the minds of reasonable men that these men understood precisely what they were doing when they put that phrase into the Constitution—that it was put there to overcome a particular obstacle, and that obstacle was to secure the protection of the slaves from a burden of taxation and arbitrary taxation upon land.

Mr. President, I will now briefly refer to some of the decisions since that time——

Mr. SUTHERLAND. Mr. President, before the Senator leaves the Hylton case, I should like to ask him a question.

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. Certainly.

Mr. SUTHERLAND. In the opinion rendered by Mr. Justice Chase in the Hylton case, this language occurs:

The Constitution evidently contemplated no taxes as direct taxes, but only such as Congress could lay in proportion to the census. The rule of apportionment is only to be adopted in such cases where it can reasonably apply, and the subject taxed must ever determine the application of the rule.

If the Senator will follow on the language that succeeds, he will see that, in the opinion of that justice, the test of what was a direct tax was whether or not it could be fairly apportioned.

Mr. BORAH. Yes.

Mr. SUTHERLAND. Justice Chase says nothing about the reasons which the Senator gives, but puts his conclusion upon what I have stated. I want to ask the Senator whether he agrees with that reasoning of the justice?

Mr. BORAH. I do.

Mr. SUTHERLAND. Then, the Senator thinks that the test of a direct tax is whether or not it can be fairly apportioned?

Mr. BORAH. I think that is one test.

Mr. SUTHERLAND. One of the tests. Let me put this question——

Mr. BORAH. That would be the test if we were viewing it aside from any historic fact surrounding it.

Mr. SUTHERLAND. That, as I understand, is one reason why the Senator thinks a tax upon incomes is not a direct tax, because it can not be fairly apportioned. Let me put this case to the Senator: The Senator agrees that a tax on houses and buildings is a direct tax under the Constitution——

Mr. BORAH. Yes; if they are part of the real estate.

Mr. SUTHERLAND. Suppose that Congress should pass a law providing that all buildings 12 stories in height should pay a tax; would the Senator regard that as a direct tax or an indirect tax?

Mr. BORAH. All buildings over 12 stories high?

Mr. SUTHERLAND. All buildings over 12 stories in height. Would the Senator regard that as a direct tax or an indirect tax?

Mr. BORAH. If they were part of the real estate, I would regard it as a direct tax.

Mr. SUTHERLAND. And yet the Senator must concede that that tax could not be as fairly apportioned as a tax on carriages, because there are comparatively few States in the Union that have many buildings of that character, and some that have none at all. If the Senator concedes that, what becomes of the rule laid down by the court that a direct tax is only a tax which can be fairly apportioned?

Mr. BORAH. Well, Mr. President, I may be dull of comprehension, but, if I am not excessively so, the position of the Senator proves conclusively the contention which I am making here. I may have misunderstood the Senator.

Mr. SUTHERLAND. What did the Senator say?

Mr. BORAH. I apprehend that its impossibility makes it pretty hard to answer.

Mr. SUTHERLAND. I think the Senator intended to use the word "inexpedient." It may not be expedient to lay a tax of that kind, but it is not impossible.

Mr. BORAH. I think it is impossible as a practical fact.

Mr. SUTHERLAND. It is inexpedient to do it.

Mr. BORAH. No; I do not agree with the Senator.

Mr. SUTHERLAND. What I am asking the Senator is, suppose Congress did lay a tax of that character?

Mr. BORAH. Suppose there was a railroad to the moon—I do not know how the engine would get up there—but suppose there was, how would it get up there? [Laughter.]

Mr. SUTHERLAND. The Senator is asking a question that does not seem to have very much application to the case I am putting to him. The Senator thinks that sort of a tax is impossible. Let me put this case: Suppose that Congress should lay a tax upon all buildings with a value exceeding $5,000,000. The Senator, in view of his position that wealth ought to pay the burden of taxation, can not regard that as an impossible case.

Mr. BORAH. I regard it——

Mr. SUTHERLAND. Suppose Congress should levy a tax upon buildings exceeding in value $5,000,000. Such a tax could not be fairly apportioned.

Mr. BORAH. Suppose. I ask the Senator how you would frame a law to do that? Then you get to the practical proposition of it, and that illustrates my position exactly, that the framers of the Constitution intended that a direct tax should be such as could be apportioned, and that which could not be apportioned should be an indirect tax.

Mr. SUTHERLAND. Then, if I understand the Senator's answer, it is that a tax upon buildings exceeding in value $5,000,000 would not be a direct tax?

Mr. BORAH. I do not understand that that would be a practical proposition or apportionable under the provisions of the Constitution.

Mr. SUTHERLAND. If the Senator is satisfied with that answer, I am.

Mr. BORAH. I am exceedingly gratified that I have satisfied the Senator at last.

Mr. President, after the Pollock case was decided, the Supreme Court was called upon a number of times to meet the reasoning of that case in different tax cases. I do not, of course, wish to be understood as saying that the Supreme Court has expressly overruled the income-tax case; but I want to call attention to some matters in connection with later decisions which are worthy of some consideration. Before doing so, however, I want to read a rule which has since been laid down by the Supreme Court with reference to the levy of taxes, which is the right rule and ought to have been laid down before the income-tax decision was rendered. It is found in One hundred and seventy-third United States, where the principles of the income tax were presented to the court in a contest against the validity of a certain tax which it was claimed was a direct tax. The court said:

The whole power to tax is the one great power upon which the whole national fabric is based. It is as necessary to the existence and prosperity of a nation as is the air he breathes to the natural man. It is not only the power to destroy, but it is also the power to keep alive. * * * The commands of the Constitution in this, as in all other respects, must be obeyed; direct taxes must be apportioned, while indirect taxes must be uniform throughout the United States. But while yielding obedience to these constitutional requirements, it is no part of the duty of this court to lessen, impede, or obstruct the exercise of the taxing power by merely abstruse and subtle distinctions as to the particular nature of a specific tax, where such distinction rests more upon the differing theories of political economists than upon the practical nature of a specific tax, where such distinctions rest more upon the differing theories of political economists than upon the practical nature of the tax itself. In deciding on a tax with reference to these requirements no microscopic examination as to the purely economic or theoretical nature of the tax should be indulged for the purpose of placing it in a category which would invalidate the tax. As a mere abstract, scientific, or economic problem a particular tax might possibly be regarded as a direct tax, when as a practical tax it might quite plainly appear to be indirect. Under such circumstances, and while following a disputable theory might be indulged as to the real nature of the tax, a court would not be justified, for the purpose of invalidating the tax, in placing it in a class different from that to which its practical results would consign it. Taxation is eminently practical, and is, in fact, brought to every man's door; and for the purpose of deciding upon its validity a tax should be regarded in its actual, practical results rather than with reference to those theoretical or abstract ideas whose correctness is the subject of dispute and contradiction among those who are experts in the science of political economy.

I think I need hardly say to lawyers that that rule would have made impossible the decision in the income-tax case, because the income-tax decision at last rests upon the technical proposition that a tax upon incomes is a tax upon the real estate, which is technical in the most technical sense, and which has been, so far as it has ever been considered by other courts, rejected as an unsubstantial technicality.

The inheritance-tax cases proceeded upon two propositions: First, that it is a tax upon the property, or, secondly, it is a tax upon the right to inherit or to take property. I do not care for the purpose of this case whether you consider it as a tax upon the property or a tax upon the right to take property. It is irreconcilable with the proposition laid down in the income-tax decision. If it is a tax upon property, it is a direct tax in view of the income-tax decision. If it is a tax upon the right to take property, it indirectly affects real estate just the same as a tax upon incomes indirectly affects real estate.

For instance, a number of state authorities and the Supreme Court of the United States in Seventeenth Howard said that an inheritance tax was a tax upon the property. Of course if that be true, Mr. President, then it must necessarily, in sustaining that tax, overthrow the reasoning of the income-tax decision, because they are laying a tax directly upon the property itself and it is not shiftable.

Mr. HEYBURN. I should like to suggest, without interrupting the Senator, that the principle of an inheritance tax is a fee for the waiver of the Government to the property. In the absence of law the property would all go to the Government, and it is merely the fee that the Government charges for waiving its right.

Mr. BORAH. The question occurs to me——

Mr. BACON. That could not be the reason in the case of the Federal Government.

Mr. BORAH. No.

Mr. HEYBURN. I beg pardon.

Mr. BACON. I say that could not be the reason in the case of the Federal Government, because the Federal Government could not possibly have any right of escheat.

Mr. HEYBURN. I think it would be the case in regard to the lord of the fee, whomsoever it might be. The principle would not be changed by the fact that it was the Federal Government.

Mr. BACON. If the Senator will pardon me, what I mean is that the principle can not apply in the case of the enactment of a law imposing an inheritance tax by the Federal Government, because the fee does not rest in the Federal Government and

can not rest there, and no power of escheat can possibly reside in the Federal Government.

Mr. HEYBURN. In the absence of law it would rest there.

Mr. BACON. Oh, no; never.

Mr. BORAH. I think my colleague is correct with reference to the state decisions. I think he is incorrect when you come to sustain any national inheritance tax. If there is anything well settled by the decisions of the Supreme Court of the United States, if anything may be considered settled by the precedents of years and years, it is that the Federal Government can not tax the powers of the State or the incidents of that power. When you can not tax the thing, you can not tax the incidents of that thing; and when you can not tax the powers of the State to regulate inheritances, you can not tax the incidents of that power, and we are driven to the position either of overturning that long line of authorities or sustaining the inheritance-tax law upon the proposition that it is a tax upon property.

Mr. HEYBURN. I will merely say, with the permission of the Senator, that it is a tax upon the right to inherit property.

Mr. BORAH. And that is a right which rests alone within the power of the States to regulate, and an incident of that power can not be taxed any more than the right itself.

Mr. HEYBURN. I did not intend to go into the question of the difference of the rule as pertaining to the State and the Federal Government. I merely felt impelled to point out what, in my mind, was the difference between a tax upon property and a tax upon the right to take property.

Mr. BORAH. I understand fully the position of my colleague. But, Mr. President, let us examine that for a moment in the light of the national inheritance tax. I am perfectly aware that the state courts have held, time out of mind, that an inheritance tax is a tax upon the right to take property or the right to transmit property. They have varied as to whether it was the right to take or the right to transmit. But, as said by Mr. Justice White, the right to regulate the inheritance of property is a thing solely within the control of the State, and over which the National Government has no control whatever, and that you can not tax the incidents of that right any more than you can tax the right itself.

For instance, way back in the case of McCulloch *v.* State of Maryland, the Supreme Court of the United States held that you could not tax the stock of a corporation organized for the purpose of performing the functions of government. It said in the case of The Collector *v.* Day that the National Government could not tax the salary of a state officer—not the office, not the right to hold the office, but it could not tax the emoluments of the office; and they held in the case of Dobbins *v.* The Commissioners of Erie County, vice versa, that the state government could not tax the salary of a federal officer. They held in the case of Weston et al. *v.* City Council of Charleston that you could not tax the stock of the Government, for the reason that it was taxing the power of the Government to borrow money. In other words, it is well settled and well established that where you can not tax the thing, you can not tax the incidents or the emoluments or the fruits of the functions of that thing. I say, if it is a power of the State to regulate the right of inheritance, you can not tax that right and you can not tax the incidents of it. You can only tax the property.

I wish to call attention to the language of the Supreme Court upon that to show I am entirely correct. For instance, in sustaining the inheritance-tax law they use this language, by way of illustration, because it was contended there that the tax was unconstitutional, and they said:

> These imports—
>
> Referring to imports—
>
> These imports are exclusively within the power of Congress. Can it be said that the property when imported and commingled with the goods of the state can not be taxed because it had been at some prior time a subject of exclusive regulation by Congress?

Certainly not, and what are you taxing? Can it be said, says the justice, that the property which has been subject to regulation of interstate commerce can not be taxed? Unquestionably it can, but you are taxing the property. You can not tax the right to import goods. You can not tax the right to engage in interstate commerce. You can only tax the property after it has passed beyond interstate commerce.

And again he says:

> Interstate commerce is often within the exclusive regulating power of Congress. Can it be asserted that the property of all persons or corporations engaged in interstate commerce is not subject to taxation by the several States because the Congress may regulate interstate commerce.

Certainly not, but again I say we are not taxing the right to engage in interstate commerce or intrastate commerce, but we are taxing the property which has been subject to it, and when you come to examine that authority in the light of the previous decision you will find that the Supreme Court is sustaining a tax which is laid upon the property itself.

But suppose we pass from that for a moment. Suppose we take the Supreme Court and the decisions upon the proposition that it is the right to lay a tax upon the right to transmit property or the right to inherit property. Is it not a tax indirectly affecting all the property a man inherits? The tax in the income case was not upon the rent. It was upon the income, and yet they said that being upon the income it indirectly affected the real estate. No one contended that it was a direct tax upon real estate, but that it simply indirectly affected the real estate. You take, then, and lay a tax upon inheritances. We will assume for the sake of the argument that it is a tax upon the right to inherit, but it indirectly affects the real estate just as it did in the income-tax decision.

Furthermore, the tax law of 1898, which was sustained, provided that the tax should be laid upon the property and that the tax should be a lien upon the property until it was paid, and yet it was sustained.

But, again, that same law had in it a clause which provided that transfers inter vivos should be taxed. In other words, if I, in contemplation of death, should transfer my property to the Senator from Arkansas, has the state granted any right to do so? Has the state any power over that matter? And yet the Supreme Court has said that that is subject to an inheritance tax, and it can only be sustained upon the theory that it is a tax either upon property or a tax upon permission to die.

But let us view this in another way. We remember the case of Scholey *v.* Rew (23 Wallace). That was an inheritance-tax case. It was sustained in the Supreme Court, and I desire to quote the language of the Supreme Court:

> Whether direct taxes, in the sense of the Constitution, comprehend any other tax than a capitation tax and a tax on land is a question not absolutely decided, nor is it necessary to determine it in the present case, as it is expressly decided that the term does not include tax on income, which can not be distinguished in principle from a succession tax, such as the one involved in the present controversy.

They decided in Twenty-third Wallace that an income tax could not be distinguished in principle from an inheritance tax, and Mr. Justice White, in commenting upon that, says:

> Again in the case of Scholey *v.* Rew, the tax in question was laid directly on the right to take real estate by inheritance, a right which the United States had no power to control. The case could not have been decided in any point of view without holding a tax upon that right was not direct, and that therefore it could be levied without apportionment. It is manifest that the court could not have overlooked the question whether this was a direct tax on land or not, because in the argument of counsel it was said that if there was any tax in the world that was a tax on real estate which was a direct tax that was the one. The court said it was not, and sustained the law. I repeat that the tax there was put directly upon the right to inherit, which Congress had no power to regulate and control. The case was therefore greatly stronger than that here presented, for Congress has a right to tax real estate directly with apportionment. That decision can not be explained away by saying that the court overlooked the fact that Congress had no power to tax the devolution of real estate and treat it as a tax upon such devolution. Will it be said of the distinguished men who then adorned this bench that although the argument was pressed upon them, that this tax was levied directly upon the real estate, they ignored the elementary principle that the control of the inheritance of realty is a state and not a federal function? But even if the case proceeded upon the theory that the tax was on the devolution of the real estate and was therefore not direct, is it not absolutely decisive in this controversy? If to put a burden of taxation on the right to real estate by inheritance reaches only by indirection, how can it be said that a tax on the income, the result of all sources of revenue, including rentals after deducting losses and expenses which thus reaches rentals indirectly and real estate indirectly through the rentals is a direct tax on the real estate itself.

This was the case of Scholey *v.* Rew, decided in 23 Wallace, and the same doctrine was upheld again in the inheritance cases since the Pollock case was decided.

Mr. President, just a word with reference to one phase of this matter, and I will close.

The Supreme Court said in the income-tax case that a tax upon rent was a tax upon real esate. I want to submit a few propositions for the consideration of the Senate upon that matter to see whether or not they are correct.

It will be remembered that this tax was not upon real estate, that the tax was not upon the rent, but it was upon the income which might have come from it, and therefore it was twice removed from the real estate, and it could only be considered after the rent had been earned and collected.

I undertake to say it is well established by the authorities that the transfer of earned rent does not transfer the real estate or any interest in real estate.

That the transfer of real estate does not transfer either the earned and uncollected or the collected rents of real estate.

That the transfers of the rents or incomes from real estate for any limited period of time does not transfer any interest in the real estate.

That the earned but uncollected rent is personal property and has always been so considered and held by the courts.

That collected rent is personal property and has always been so considered and held by the court.

That the earned rents and collected rents have been and are considered and treated and taxed where taken at all in the different States of the Union as personal property.

That in the States where the wife owns her separate property and where community interests arise and are recognized that the rents from real estate, which real estate is her separate property and not liable for the debts of her husband, is held to be personal property and community property and liable for the husband's debts.

That there is no other case to be found in the history of American jurisprudence or in the history of English jurisprudence in which it has been held that a tax upon collected rents is a tax upon real estate.

I challenge successful contradiction to that proposition. The income-tax decision is the Alpha and the Omega upon that proposition. I ask the lawyers of the Senate to present from American jurisprudence or from English jurisprudence a single case which has ever held that a tax upon collected rents is a tax upon real estate. All the authorities which are to be found are the other way, and that is when rents are earned they become personal property, separated and treated as personal property. They do not go to the estate as real estate, and they are not considered in any sense as related to or connected with the real estate. (4 Tex. Civ. App., 483; Tiffany, 778–779; Washburn, sec. 1520; Burden *v.* Thayer, 3 Met., 76; Ball *v.* Co., 80 Ky., 503; Condit *v.* Neighbor, 13 N. J. Law, 83; Earl *v.* Grim, 1 Johns Ch., 494; Fonereau *v.* Fonereau, 3 Atk., 315; Robinson *v.* County, 7 Penn. St., 61; Van Rensellar *v.* Dennison, 8 Barber, 23.)

In concluding, Mr. President, I only wish to say that, in my opinion, this matter could very well be resubmitted to the Supreme Court of the United States upon two propositions, and with all due respect and consideration for that high tribunal: First, upon the facts of history, which have been revealed as to the intent and purposes of the framers of the Constitution, which did not appear to be presented to the court at that time; and, secondly, in the light of the decisions which have been rendered by the court since the income-tax decision. We know one thing conclusively—that one of the controlling factors in the income-tax decision has been, by the unanimous court, rejected. We know another thing as lawyers, and that is that the principles laid down in the income-tax cases are irreconcilable with the principles in the inheritance-tax cases; and it is no challenge to that tribunal for men who are engaged in another department of government, seeking to find their way in the discharge of their solemn duties, to ask that this great question, which involves one of the great national powers, be again submitted to that court for consideration.

I place my advocacy of the income-tax proposition upon a higher plane than that of raising a little revenue for the Government for the next few years. I believe it involves a great constitutional power, one of the great powers which in many instances might be absolutely necessary for the preservation of the Government itself. I believe that the Constitution as construed is the same as granting an exemption to the vast accumulated wealth of the country and saying that it shall be relieved from the great burden of taxation. I do not believe that the great framers of the Constitution, the men who were framing a government for the people, of the people, and by the people, intended that all the taxes of this Government should be placed upon the backs of those who toil, upon consumption, while the accumulated wealth of the Nation should stand exempt, even in an exigency which might involve the very life of the Nation itself. This can not be true; it was never so intended; it was a republic they were building, where all men were to be equal and bear equally the burdens of government, and not an oligarchy, for that must a government be, in the end, which exempts property and wealth from all taxes.

Mr. BRADLEY. Mr. President, the Senator from New York [Mr. ROOT] has asked me to allow him to file some figures with the Senate at this time, and I have agreed to do so.

Mr. ROOT. Mr. President, I wish to put upon the record in immediate juxtaposition with the very admirable and able argument of the Senator from Idaho [Mr. BORAH] some figures, and but a few, which bear upon a subject discussed in a few words here yesterday.

Senators who have had long experience in the courts are sometimes led by the habit of advocacy to state the special propositions upon which they rely a little strongly, a little out of drawing with the facts which should accompany them, and I should be sorry to have go to the country the impression that would be derived from some of the statements made by the Senator from Idaho, standing alone, with regard to the present burden of taxation.

It is not a fact that in this Republic property does not now bear a very great proportion of the burden of taxation. I find, in looking at the precise figures since the little colloquy that took place here yesterday, that in 1902, which is the last year as to which I find complete figures available for comparison, the property in the United States upon which the ad valorem taxes for the support of the Government, county, municipal, and other local governments, were levied amounted at a true value to $97,810,000,000; that ad valorem taxes were levied upon that property at the rate of seventy-four one-hundredths of 1 per cent; that is, in round numbers, three-fourths of 1 per cent; and that would amount in round numbers to the equivalent of an income tax of 15 per cent upon all the property in the United States, assuming an income of 5 per cent, which is a high figure to place upon the income from property. It is a very high figure, because as a matter of fact the owners of real estate generally throughout the eastern States do not expect to receive and do not receive any such income.

In the State of New York, which contains substantially one-seventh of the entire taxable property of the United States, the holders of real estate do not expect to realize more than from 3½ to 4 per cent net. And if you assume those figures for the income, this rate of taxation would mount up to the equivalent of an income tax of between 20 and 30 per cent.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. BORAH. May I ask the Senator from New York who at last pays the large portion of the real-estate tax in this country, the real-estate owner or the renter?

Mr. ROOT. That is a question of the shifting of taxes, which can be put regarding every tax. The tax is imposed upon the property. It is paid by the owner of the property. Where the final imposition of the tax is, in the ultimate shifting and distribution, is an entirely different question.

Mr. BORAH. But if an income tax was in existence it would tax a part of the income of the man who had shifted it to the renter, would it not?

Mr. ROOT. Oh, yes; there is no doubt about it. But that is not all the tax that is imposed upon property. There are also a great variety of taxes other than ad valorem taxes—taxes upon corporations, taxes in the nature of licenses, taxes for the right to carry on business of various kinds, income taxes, inheritance taxes. The amount of revenue derived from taxes of that kind falling upon the property owners amounts to so great a sum that in the State of New York no taxes levied directly upon real or personal property are any longer necessary for defraying the expenses of the State. I observe that the appropriations of the state legislature in the State of New York at the session which has recently concluded were about $37,000,000.

All of that, Mr. President, will be paid from taxes of the character I have now described other than ad valorem taxes levied upon real or personal property, and the addition of such taxes brings up the revenues of the local divisions of the country to a substantial equality with the expenditures, which I find for the year 1902—that is, the receipts of the States, counties, and municipalities, and other local subdivisions of the country—were $1,156,447,000. That billion one hundred and fifty-six million and more was all raised by taxes levied in the different ways that I have described upon property in the United States, and making the allowance of 5 per cent income, these exactions from property would amount to the equivalent of an income tax of 23 per cent.

So, while my friend the Senator from Texas [Mr. BAILEY] proposes to levy an income tax of 3 per cent, and my friend the Senator from Iowa [Mr. CUMMINS] proposes to levy an income tax beginning at 2 per cent and graded along up to 6 per cent, and while I am not now arguing against the imposition of an income tax, I beg the Senators to remember in their arguments that property in the United States does now bear a tax for the support of government in the United States equal to nearly eight times the income tax that they are proposing to assess upon it.

I submit to the candor of the Senators who have spoken upon this subject and to those who may speak hereafter that it is an erroneous view, and I think a mischievous view, to present to the people of the country, who have not the ready access to statistical data that we have, that the property owners of the United States do not now bear a substantial part of the burdens of government.

Mr. BRADLEY obtained the floor.

Mr. BAILEY rose.

Mr. BRADLEY. I yield to the Senator from Texas, if he desires to say anything.

Mr. BAILEY. A moment only. I will trespass upon the courtesy of the Senator from Kentucky to say this much in reply to what the Senator from New York [Mr. ROOT] has said. He will not find any statement of mine to the effect that the property of this country does not pay a tax. He will, however, find in more than one place where I have asserted that the property does not contribute to the support of the Federal Government.

The Senator from New York [Mr. ROOT] and the Senator from Massachusetts [Mr. LODGE] both interrupted the Senator from Idaho [Mr. BORAH] yesterday afternoon with this same suggestion. Instead of constituting an argument against an income tax, the statements which they made constitute, to my mind, a strong argument in favor of it. In other words, they have both asserted that in these counties and in these States which are so close to us, and which the people so completely govern, the tax has been laid on property and not on consumption. I perfectly understand that in many States those property taxes have been supplemented, as the Senator from New York now says, by taxes upon corporate franchises and by taxes upon various occupations.

Although it is not pertinent to this discussion, I have no hesitation in declaring that a tax on any useful occupation can not be defended in any forum of conscience or of common sense. To tax a man for trying to make a living for his family is such a patent and gross injustice that it should deter any legislature from perpetrating it.

I do not hesitate to say that every occupation tax in America ought to be repealed, because it is a tribute exacted by sovereignty from a man because of his effort to make a living for himself and his family. I do, however, heartily subscribe to the tax upon corporate franchises, because they are the creations of the State and often possess a tremendous value. A franchise of any corporation is valuable. If it were not, the incorporators would not seek it. The value of many has never yet been measured in dollars. Therefore, when the State creates a corporation and endows it with faculties that are so valuable, it should be taxed. It possesses almost every faculty the citizen possesses with respect to property, and it possesses a faculty not possessed by the citizen and the value of which can not be computed. I mean by this to say that the corporation knows exactly the day that has been appointed for it to die, and it can extend its life indefinitely. It not only possesses that valuable faculty, but most of the States exempt those who own its stock from loss beyond a certain extent. The individual who engages in any business embarks his whole fortune in the enterprise. He is responsible for every dollar of debt contracted, and yet he can only earn what his business nets. On the other hand, the corporation can earn, just as the citizen can, the entire net profits of the business, but it does not stand the same risk of loss; it does not incur the same hazard that the man of flesh and blood incurs. A corporation is permitted to make all that is possible, and yet has a limitation on its losses. That is such a valuable advantage that it is small wonder that States have learned to tax them, and the wonder is that they have not learned it sooner and have not exercised it to a larger extent.

But laying aside these taxes on corporations and corporate franchises and laying aside these taxes upon occupations, the States support themselves almost exclusively by a tax on property and not by a tax on consumption.

Now, why is this? The States were older than the Union, because without them the Union could not have been formed. They antedated it. The people who compose the States must at last be the same people who compose the Union. The States are the elementary condition. In that elementary condition the States deemed it just and wise to lay their taxes on property and not on the appetites and the backs of the American people.

The States take the toll from the people for protection; for the protection given in the cities for fire and police protection; in the States for the protection of the property and personal rights, including the great rights of inheritance, accumulation, and descent. It is for those rights that the State compels the citizen to return a portion of his property, the whole of which the State protects. It compels a portion of it to be returned because it is necessary for the State to spend it in protecting these great, fundamental, and natural rights of every man.

But, sir, does the Federal Government protect no right? A costlier one than any State safeguards. The very men with these colossal fortunes are the ones who travel over the world, and about them they carry the American flag, always for their protection. Go and consult the expenditures of the Government. What does this army and what does this mighty navy, whose ships now vex the waters of every sea, cost the American people? More than $200,000,000 a year to maintain them. This vast sum is spent to protect the rights of American citizens at home and abroad. How few of the men who pay this tax on consumption ever invoke the Government's great power to protect them while they travel in a foreign land! Not one of them in ten thousand, because their lean purses do not permit them to indulge in the luxury of foreign travel. It is the rich and prosperous for whose protection these ships and these battalions are sometimes needed.

But if you do not need them for the rich and powerful who travel in idleness abroad, then you need them to protect the Republic; to protect it from foreign invasion, to protect it from foreign insult. I do not think you need as many ships as you build, nor do I think you need as many soldiers as you enlist. But still you need the nucleus of an army and a navy, and they constitute an enormous expense.

The rights protected by the Federal Government are as essential, and I might almost say as sacred, as those protected by the States. If the States lay the cost of the protection which they afford upon the property of men, why should not the Federal Government do likewise? Why is it more just to compel men to contribute according to their wealth to support the state administration than it is to compel them to support the federal administration?

I go further than the Senator from Idaho has gone. I believe not that wealth ought to supplement the tax which consumption pays, but I believe wealth ought to bear it all. I think it is a monstrous injustice for the law to compel any man to wear a suit of clothes and then tax him for buying it. I think it is not right, when God made us hungry, and in obedience to His law we are compelled to appease our appetite, to charge us because we must keep soul and body together by taking food. I believe that the Government ought no more to tax a man on what he is compelled to eat and wear than it ought to tax him on the water he drinks or upon the air he breathes. I believe that all taxes ought to be laid on property and none of it should be laid upon consumption.

Mr. President, there is one addition to the property tax that I would make. I would compel a man whose earning power from brain exercised in one of the professions or from inventive genius is great to pay on his income beyond a certain point. When a lawyer like the Senator from New York can earn at the bar, of which I am glad to say he is the honored head, $150,000 every year, I think he ought to be made to pay the Government a tax on that earning power, because in taking from him the small tribute which the law exacts we subtract no comfort from his home. I believe that any man in law or medicine or any other employment in life who exhibits an earning capacity far beyond the necessities of his home ought to be compelled to pay the Government which protects him in the exercise of his talents and in the accumulation of this wealth. He ought to be willing to pay, and I am willing that he should be made to pay. But save and except only this earning capacity of talent or of genius, I would lay every dollar's worth of the Government tax upon the property of men and not upon the wants of men.

None of us, except the simple Democrat of the old-fashioned school, have all we want, but many of us have all we need. After we have satisfied our needs, then the Government has a right to take its toll.

But what shall our friends on the Republican side say to us? Did they not ask in the bill as it came from the House that we lay a tax on inheritance? That is worse than laying a tax on income, because it may often happen that even under the inheritance provision as it came from the House, an orphan's education would depend upon the moderate bequest that had been made to him or her.

More than that, the attempt to tax an inheritance is an interference not only with the rights, but with the established policy of the States. Thirty-odd of them, and among them the State of New York, levy an inheritance tax, and many of them derive a handsome revenue from its collection. I think an inheritance

tax is a wise provision of state policy, and I would grade them. But, Mr. President, I forget that the Senator from Kentucky has so courteously yielded to me and I must not trespass further on his time. I will return to the subject perhaps again.

Mr. BRADLEY. I suppose the Senator from Texas, like myself, was so much impressed with the good things he was saying that he forgot he was trespassing on my time.

Mr. President, considering all that has been said upon the income tax this morning, I feel just a little lost in calling the attention of the Senate to another matter foreign to the discussion we have listened to with so much pleasure.

The distinguished chairman of the Finance Committee told us in his opening remarks that the bill which is before us was drawn along the lines of the protective policy. This is true in some respects, while in others the statement is incorrect.

We were told further by the distinguished chairman during this debate when questions were asked as to why given duties had been placed upon certain articles, that it was done to prevent their annihilation. To-day I desire for a short while to call the attention of the Senate to an industry which, situated as it is, is threatened with destruction.

As I understand, in order to carry out the doctrine of protection such a duty should be levied on foreign products, raw and manufactured, which compete with ours as will maintain the wages of American laborers against the cheap, and in some instances degraded, labor of foreign countries and afford a reasonable profit to the American producer or manufacturer. That such a policy in the end cheapens the manufactured article by reason of increased manufacture, increased consumption, improved methods and machinery, and increased home competition has been too often demonstrated to require at this late day any argument.

I am a protectionist in every sense of the word, and would give its benefits to every interest which demands it in order that it may live.

With this well-defined Republican doctrine in view, I desire to call attention to the hemp industry, in which almost every State in the Union is interested if a fair degree of protection is provided.

In order to provide such protection, I propose to amend the present bill by placing a tariff duty of 1½ cents per pound on jute, or "India hemp," as it is sometimes called, and strike it from the free list, where it appears in the present bill.

It has been demonstrated by actual experience in the last five years that hemp may be successfully grown in Pennsylvania, Indiana, Wisconsin, Michigan, Minnesota, Kansas, and we are informed by high and unquestioned authority that it may be successfully grown in limestone soils anywhere in the Mississippi Valley, as well as at many points along the Pacific coast; in fact, in almost every State in the Union.

I exhibit for the information of the Senate photographs of hemp fields in Kentucky, Wisconsin, Indiana, and Pennsylvania, so that those who know comparatively little of the industry may be enabled to see the character of the crop.

Formerly hemp was largely grown commercially in Virginia, Kentucky, and Missouri, but for the last ten years it has been grown commercially only in Kentucky, Nebraska, and California, the greater part of it having been grown in Kentucky.

Jute is an inferior article called "India hemp," and is recommended alone by its cheapness. The articles manufactured from it have no strength or lasting qualities.

The uses of American hemp are many; it may be used in the manufacture of fine twine of great strength—sometimes commingled with flax—up to and including heavy cordage, which is being manufactured at the Charlestown Navy-Yard for use of the navy. For the last two years the Navy Department has consumed nearly 20 per cent of the entire production of double-dressed hemp. The cheapness of the foreign fiber confines the market in hemp to the manufacture of high-grade products, the entire tonnage of which is comparatively small, and hence the outlet for hemp is narrowed to a very small compass. Hence the production of hemp in small quantities is profitable, because of the limited demand for such purposes as no other fiber will supply. But, owing to this fact, the production must be confined to a very contracted limit, for when that market is supplied it can not be used as a competitor of jute in the general market. In order to increase the area of production and make it a great industry a tariff on jute should be levied, so that when the production is increased it will find a ready sale in the general market. My desire is not only to increase production in Kentucky, but in every State in the Union where it may be successfully grown.

There are many manufactured articles for which hemp is especially suited, and if it were produced in sufficient quantities there would be ready demand for it if protected from jute. It makes the best and most durable warp, canvas, and webbing, and is especially fitted for any article where durability and strength are desired.

For the past ten years the area devoted to the cultivation of hemp, owing to existing conditions, has ranged from 12,000 to 20,000 acres. Jute is delivered in the American market at from 1½ to 3½ cents per pound, or at about one-half the price at which imported hemp is delivered. Therefore jute competes with American hemp more directly than genuine hemp fiber imported from other countries.

The cultivation of hemp should be encouraged not only because it benefits the farmer, but the farm as well. It shades the soil, preventing it from the baking effects of the sun, prevents the growth of weeds, loosens the soil, and leaves it in a splendid condition for the succeeding crops. Besides it removes less fertilizing elements from the soil than almost any other farm crop.

In the days of slavery in this country it was an industry of large proportions, but after slavery ceased to exist the price of labor advanced, which caused an injury to the growing of the crop, and since jute in 1890 was allowed to come into this country free of duty the production of hemp has declined in importance and dwindled into insignificant proportions. Indeed, it is not raised now in any considerable quantity except in Kentucky, where, owing to the indomitable energy of the farmer and the great superiority of hemp over jute, its strength compared to that of jute being as 100 to 60, which opens a limited market where jute can not be used, the industry has been enabled to eke out a precarious existence.

At one time there was in the United States $3,341,500 invested in hemp manufacture, more than 6,000 hands employed at a yearly wage of nearly $1,200,000, and 417 mills in operation, 159 of which were in Kentucky, 50 in New York, and 208 more throughout the country. There were then from 75,000 to 80,000 tons raised each year, which, if now raised, would be worth more than $10,000,000. But now there are only 28 mills in the United States, 2 of which are in Kentucky, all of which, to a large extent, are manufacturing foreign fiber, and the present production of hemp is only 8,000 tons, and those who once found remunerative labor from that source have been compelled to seek less remunerative employment elsewhere.

The mills have rotted down so that in most instances there is not even a vestige remaining to point to their former prosperity. It is true that at one period the uncertainty and great cost of labor contributed to the serious injury of this industry, for it must be remembered that our laborers have been paid an average wage of $1.50 per day, while those in India have received but 5 cents per day.

The spirit that has prevailed in the Republican party in protecting other branches of industry from pauper labor seems not to have prevailed to any great extent in so far as the protection of hemp is concerned; however, the American farmer has struggled manfully against great odds, but for which the hemp industry would to-day be extinct in the United States. In the last ten years labor-saving machines have been invented, one of which cuts and another of which breaks; and on this account, but for the free importation of jute, the hemp industry would now be in a flourishing condition in many of the States of the Union. Doubtless could such prosperity be established, inventive genius would be quickened, and the comparatively primitive machines of to-day would rapidly undergo such evolutions as would increase manifold their effectiveness.

But while Congress has been thus unmindful of the producer, it has carefully guarded the interest of the manufacturer, and that class has been protected from the manufacture of jute abroad. I am frank to say, however, in this connection, that I do not believe the present bill gives to these manufacturers the protection to which they are entitled.

I do not seek to injure them; I do not seek to injure any industry of this country; I only ask for equality of protection as to hemp, for protection against foreign labor, not only as it appears in the field, but foreign labor as it appears in the workshops abroad. And in this connection I present to such Members of the Senate as may desire to look at them some photographs showing the character of labor employed abroad in the manufacture of jute. [Exhibiting.] A single glance at them constitutes an argument more forceful than any words that might be uttered.

I append and ask to have printed in the RECORD a table showing the average weekly wages in the jute mills of Calcutta as compared to those in New York.

The PRESIDING OFFICER (Mr. CRAWFORD in the chair). In the absence of objection, permission is granted.

The table referred to is as follows:

Average weekly wages Calcutta and Brooklyn (N. Y.) jute mills compared.

Calcutta.			Brooklyn, N. Y.	
Employment.	Sex.	Wages.	Workers—Equivalent labor.	Wages.
Jute carrier	Men	$1.42	Warehousemen	$10.00
Jute selectors	do	.48	Laborers (men)	7.00
Jute cutters	do	.77	do	9.00
Jute softeners	do	.69	do	9.00
Coolies	do	.65	do	9.00
Dust shakers	do	.51	do	9.00
Batching	Women	.50	Men	7.25
Preparing	do	.61	Women	6.15
	Men	.61	Men	9.00
Winding	Women	.47	Women	9.00
Card feeders	do	.48	do	6.15
Card receivers	do	.48	Card doffers (women)	6.15
Spinning:				
Roving feeders	Men	.63	Women	8.75
Warp rovers	Women	.69	do	8.75
Weft rovers	do	.73	do	8.75
Doffers	Children	.33	do	5.50
Shifters	Boys	.54	Can boys	8.00
Breaker feeders	Men	.52	Men	9.00
Breaker receivers	do	.49	do	6.15
Double drawing	do	.60	Single drawing (men)	6.15
Weaving	do	1.54	Women	10.50
	Women	1.30		
General labor	Men	.64	Men	10.00
Foremen	do	2.10	Foremen	25.00
			Assistant foremen	14.50
Machinists	do	1.32	Men	21.00
Average mill labor (1908)		.60		8.11

NOTE.—The actual average weekly wages paid to the mill hands in a Calcutta mill, running over 3,000 people in January, 1909, was 70 cents per individual.

Mr. BRADLEY. Mr. President, the general average of this table shows that, including all the departments, the average weekly wage in Calcutta is 60 cents, while in New York it is $8.11. It seems to me, in view of largely increased importation to which I shall hereafter refer, that the manufacturers of jute in this country have not been given that degree of protection to which they are entitled. But disproportionate as these prices for labor are, they are much larger to the foreign labor employed in the mills than they are to the foreign labor employed in the fields.

It occurs to me, Mr. President, that the giving of protection to the American manufacturer of jute and at the same time denying protection to the producer of hemp, who is brought directly into competition with the producer of jute, is a travesty on the doctrine of protection. It is, indeed, a shameful injustice to protect one interest while another is permitted to languish and die, and is not only un-Republican but un-American. Let us have protection to both classes or protection to neither. If an attempt should be made to allow the manufactures of jute to come into this country free of duty, there would be a howl go up from the East which would shake the country from one end to the other.

One of the difficulties growing out of the manufacture of jute is that articles such as carpets, the warp of which was formerly made of hemp, are now either made entirely of jute or a mixture of jute and hemp. By reason of the short life of jute, such carpets last but a short while and are a notorious fraud on the consumer. Illustrating conditions, it may be remarked that 60 per cent of jute and its manufactures has been imported into this country for the last four years, and largely, if not entirely, consumed in the United States. The value of jute and jute manufactures imported in 1904 was $20,000,000, in round numbers, and in 1908 it increased to $34,000,000. In other words, in four years these importations increased at the alarming rate of 70 per cent. Thus it is that $34,000,000 that should have been kept at home, invested in home products, affording employment to American laborers, has been sent to foreign lands, most of which has gone into the pockets of foreign manufacturers or producers who live by treating those who labor for them more unkindly than they treat the beasts of the field.

But we are told that no tariff should be placed on jute because it would increase the price of sacks, bags, burlaps, and bagging necessary to the cotton growers of the South and the wool and grain producers of the country. If this be true, then to cheapen them further we should admit jute manufactures free also, for then these people would get their sacks and bagging cheaper than they get them to-day. But it is not true. In the first place, it may be said, in the language of Mr. Dewey, a most eminent authority in charge of fiber plants of the Agricultural Department, that there are thousands of bales of low-grade cotton not suitable for standard goods, but reckoned in market statements as "cotton in sight," or "visible supply," and recognized by all as constituting a serious menace to cotton by decreasing the price of better grades, which could be manufactured into bagging, thereby increasing the price of the better grades of cotton so as to compensate any increase in the cost of bagging, and, besides, with a reasonable incentive, such as would result from a tariff on jute, could and would be profitably made into grain bags and coverings for cotton bales.

In this way a new industry could be developed in the South which would furnish labor for many of its people. The pretense that any increased cost of cotton bagging would fall upon the farmer is absolutely ridiculous, because if such increase should result the farmer would protect himself in the sale of his cotton, and would in this way at any rate reimburse himself for any additional expense. But this additional expense would be slight and more than compensated in the creation of a new industry and the increase in the value of the best grades of cotton, for no longer would the cheap grade of cotton remain an incubus upon that article.

But even if that were not true, if hemp and flax should be protected as they ought to be, the time would come in this country when, by reason of increased competition, increased manufacture, and increased consumption, all these articles would be furnished absolutely more cheaply than they are furnished to-day, our American laborers rewarded, our American producers protected, and our money kept in this country rather than sent abroad.

The same incentive arising from a fair tariff duty on jute would result in increased production of hemp and flax, as well as in their increased manufacture. The lower grades of flax and hemp, known as "tow," could be made into bags, burlap, and bagging.

The flax industry of America should have more protection, and is now seriously suffering by reason of the importation of free jute.

In the great States of the Northwest and West, chiefly the Dakotas, Minnesota, Kansas, Wisconsin, Montana, Michigan, Missouri, Iowa, and Nebraska, more than 2,800,000 acres of flax are grown annually. Mr. Dewey estimates that more than 5,000,000 tons of straw are produced. This straw, if protected against jute, properly prepared and cleansed for spinning, would yield 1,000,000 tons of fiber of the value of $250,000,000, and would of itself more than supply the necessary fiber for America. As it is, of these 5,000,000 tons of straw, less than 300,000 tons are now used for fiber. The lowest grade of jute comes to the Atlantic ports at a gross cost that would be little in excess of freight charges from the Dakotas to the Atlantic seaboard. This valuable product in the States named, which would otherwise furnish employment to hungry thousands and retain the vast sum mentioned at home instead of sending it abroad, is under present conditions considered mere rubbish and is consumed by fire. With proper protection to flax and hemp, the flax and hemp growers of the country, in connection with the manila fiber brought here from our own possessions, could furnish all the fiber for America and have enough remaining to supply the demands of every nation on the globe.

To change from the manufacture of jute to the manufacture of hemp and flax would not necessitate any alteration of machinery, for the same machinery makes all sorts of soft fibers equally well; and I do not think there is any American who would not hail with delight the day when every pound of rope, every pound of twine, every pound of carpet yarn, every yard of burlap, and every yard of bagging is manufactured from products grown on American soil, raised by American labor, and manufactured by American mills.

Aside from the reasons already given, in order to produce more revenue, it may be said that the tariff asked on jute to protect flax and hemp would produce between three and four million dollars annually, whereas not one cent of revenue is now derived from that source, and this could be done without any hardship on the manufacturer, and when the finished product reached the actual consumer the duty would represent such a small part of the actual selling price that it would be of small consequence.

Another consideration: The foreign fiber held in America probably at no time represents more than thirty or forty days' supply, while the amount produced here represents such a small percentage of the amount used it would be difficult to figure how long it would last—probably not more than two or three days—if it were practicable to start every mill in America at work on it at the same time. Such is the estimate made by

Mr. Dewey. In case of war with any first-class power the foreign product would be immediately cut off and we would be left without remedy. Is it not, therefore, from this standpoint the part of wisdom to make ourselves thoroughly independent in every possible respect of every foreign nation?

We have a variety of soil and climate; ours are the best and grandest people on earth, and all that is necessary is to give America a fair chance to enable us to bid defiance to the rest of the world. But as matters now stand, these great industries are being weakened and the hemp industry will eventually be destroyed by importations from abroad, and this can be prevented alone by the patriotism, the wisdom, and the Americanism of the United States Senate.

Mr. President, having called attention briefly to these matters, I trust that the Senate will excuse me for taking to some extent a view of the political side of this matter. I remind you, Mr. President, of the fact that after the cessation of the civil war, by reason of which Kentucky had lost many millions of dollars by the freedom of slaves, the Democratic majority at one time was 75,000, and at one time there were less than 40,000 Republican voters in the State.

Our brethren of the North kindly left the Kentucky Republicans to work out their own salvation. We were compelled to confront such intellectual giants as Marshall, Helm, Stevenson, Carlisle, Beck, Watterson, Lindsay, Breckinridge, and a host of others; and not only so, but to confront the prejudice growing out of the freedom of the slaves and their elevation to suffrage. Unfortunately, our greatest leader in the earlier days, Gen. John M. Harlan, was appointed justice of the Supreme Court, and those who were left in Kentucky to make this fight were in the main comparatively young men. There was nothing to encourage Republicans in those days, nothing to inspire them but devotion to principles they conscientiously believed to be eternally right. We were confronted with Kuklux and other similar organizations, political ostracism was common, and in many instances in the darker days of that period Republicans carried their lives in their hands. On one side were wealth, experience, prejudice, and a trained army led by illustrious leaders. On the other was comparative poverty, a disorganized body commanded by comparatively young and inexperienced men, who were, however, endowed with indomitable energy and brilliant intellect. For years the struggle went on, but slowly and surely the clouds began to fade, more and more light illuminated the darkness, until in 1895 the gloom was dispelled by the full sunlight of a glorious Republican victory. The following year Kentucky for the first time gave its electoral vote, with a single exception, to the Republican candidate for President. Since that time, save 1899, by reason of Republican mistakes, we were defeated, until 1907, when the boys in the trenches again took control, and another victory was the result.

Mr. McLAURIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Mississippi?

Mr. BRADLEY. With pleasure.

Mr. McLAURIN. About how many were the negro voters in the State of Kentucky in the last election of which the Senator spoke?

Mr. BRADLEY. About 60,000, and about one-third of them voted your ticket and the others ours.

Mr. McLAURIN. That answers two questions. I was going to ask the other question.

Mr. BRADLEY. But I will show you a little further along on that question——

Mr. McLAURIN. If the Senator will allow me——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield further to the Senator from Mississippi?

Mr. BRADLEY. With pleasure.

Mr. McLAURIN. If the Senator will allow me, this question was suggested to me by the statement of the Senator that the Republicans in that State were coming out of the darkness, and I just wanted to know how much of that darkness was still with the Republican party. [Laughter.]

Mr. BRADLEY. I simply meant to say that we were coming out of the Democratic darkness, and so far as the negroes are concerned, we transferred one-third of them to your party. [Laughter.]

Mr. McLAURIN. I did not know that the Republicans could transfer the negroes wherever they desired.

Mr. BRADLEY. I do not know that we can either, but I find that there are a lot of them that the Democrats can do what they please with.

Mr. McLAURIN. They are the intelligent negroes.

Mr. BRADLEY. I did not say intelligent ones.

Now, in answering more fully that question the Senator has asked, I will say that last fall, by reason of Republican mistakes, and in some instances the basest treachery, the State went Democratic by a little over 8,000 majority, but from less than 40,000 votes following the war we increased to 236,000.

I want to show you, therefore, that the coming out of darkness has not been confined entirely to the negroes, but that a large number of white men have come also, and we would have won a victory last year but for Republican mistakes, and in some instances the meanest character of treachery. [Laughter.]

Now, during all these struggles the Republicans of Kentucky have received comparatively little aid or comfort from their brethren in the North. We complain not of that fact to-day, but we do complain because our people have not been given that justice in legislation to which they were entitled. And, I may say in this connection, that not only the people of my State, but the people of nearly all the old slaveholding States have been denied the justice to which they are entitled.

I plead for Kentucky in the name of the great "Harry of the West," who did as much to engraft the doctrine of protection among the national policies as any other American statesman.

I plead for Kentucky in the name of that greatest and best of all her sons, and of all Americans, whose kindness of heart and gentleness of nature, combined with splendid courage and unequaled statesmanship, won for him the most exalted place in all the rolling years of time—the immortal Lincoln.

And I plead not only for Kentucky, but for the entire South.

Nearly half a century has passed since the echo of the last hostile cannon died in silence. Nearly half a century has elapsed since the soldiers of both armies returned to their homes and mingled back into civil life, the one elated with victory and hope, the other almost in despair, having lost all save the proud consciousness that they had shown their willingness to bleed and die in a cause which they believed to be right.

Despite carpetbag rule, which was a disgrace, and which, thank Heaven, never prevailed in Kentucky; despite the devastation of war, the slaveholding section of the country has developed rapidly, and is now more rapidly developing, possibly, than any other section of the land. Every loyal American on either side of the struggle has forgotten the bitterness of the past, and we are not worthy the name of American if we do not to-day cherish in common the glories of that great conflict which made all men free and retained every star on the Nation's flag.

I plead to-day for the blotting out of all lines in legislation, for the harmonizing of all sections, for the cementing together by the ties of commercial interest, brotherly love, and affection, all the people.

Our great and good President is patriotically engaged in an honest effort to recognize and do equal justice to every section of the Union. His example should be emulated and followed by all.

The South needs protection on her lumber, coal, iron, rosin, turpentine, fluor spar, hemp, tobacco, and other interests. If we desire to be just, let us protect all these interests. And if we desire to build up the Republican party in the South, let us show that we are willing to build up the interests of that section.

Let the North, the South, the East, the West each and all be protected as they are entitled to be protected, and the Nation which is now the grandest on earth will move forward with increased energy, attaining a degree of prosperity and power of which we have not even dreamed.

Mr. President, one more word and I am done. Give to Kentucky fair protection of her interests and I guarantee you it will be but a short time until Kentucky is as certainly a Republican State as the great State of Massachusetts.

Mr. DOLLIVER obtained the floor.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Hale	Perkins
Beveridge	Cummins	Heyburn	Piles
Borah	Curtis	Hughes	Richardson
Bradley	Depew	Johnson, N. Dak.	Root
Brandegee	Dick	Johnston, Ala.	Scott
Briggs	Dixon	Jones	Simmons
Bristow	Dolliver	Kean	Smith, Mich.
Brown	du Pont	La Follette	Smith, S. C.
Burkett	Elkins	McCumber	Smoot
Burrows	Fletcher	McLaurin	Stephenson
Carter	Flint	Martin	Sutherland
Chamberlain	Foster	Nelson	Taliaferro
Clarke, Ark.	Frazier	Nixon	Warner
Crane	Frye	Page	Warren
Crawford	Gamble	Paynter	Wetmore
Culberson	Guggenheim	Penrose	

The PRESIDENT pro tempore. Sixty-three Senators have answered to the roll call. There is a quorum present.

Mr. CHAMBERLAIN. I should like to say that my colleague [Mr. BOURNE] has been called away by the illness of his mother.

Mr. DOLLIVER. Mr. President, it is very seldom that a public duty is imposed upon a Senator under circumstances that ought to involve personal references; yet the tone and attitude of some of my most distinguished colleagues here suggest that what I am engaged in trying to do represents merely a cowardly acquiescence in a temporary political opinion at home, a suggestion echoed by the press of some colors, as, for example, in a recent issue of the Washington Post, in which this very kindly reference to me is made. I would not read it if it were not an authentic echo from the Senate Chamber itself:

Senator DOLLIVER, of Iowa, was a Member of the House during many years, and a member of the Ways and Means Committee during the preparation and passage of the present Dingley tariff law twelve years ago. Mr. DOLLIVER is a candidate for reelection, and those who disagree with his present criticism of the high rates of the Aldrich bill assert that he is a convert to lower duties because he thinks the idea is popular in Iowa.

The fact is, Mr. President, that I am no recent convert to moderate duties for any reason of any sort. If it were necessary here for a Senator to make a personal explanation of his motives, I would say that I am here in fulfillment of a public contract with the people of Iowa after I had been elected to the Senate, now nearing nine years ago. In order that this may appear in the RECORD, I intend to read a brief extract from remarks which I felt constrained to make to the legislature on the occasion of my election—remarks that were written in the bedchamber of my former colleague and approved by him as words fit to be spoken on that occasion, when we both stood before the legislature, Members-elect of the Senate; I for the first time, he for the last. I said:

The design of protective tariff laws is to prevent our home industries from being overborne by the competition of foreign producers, and it may be safely said that no American factory making an unequal or even precarious fight with its foreign rivals will ever look in vain for help and defense to the people of Iowa. But we are not blind to the fact that in many lines of industry tariff rates which in 1897 were reasonable have already become unnecessary and in many cases even absurd. They remain on the statute books, not as a shield for the safety of domestic labor, but as a weapon of offense against the American market place itself. Without overlooking the evils and dangers of a general tariff agitation I can not believe that a correction of obvious defects in the present schedules made by friends of the law in an open and business-like way could be disastrous to any legitimate interest of the people, unless, indeed, we admit the claim put forward by some that Congress is impotent and helpless in the presence of these questions.

And now at the first opportunity, I am here in a very modest relation to this controversy, not for the purpose of winning the favor of the men and women of Iowa, for I enjoy that now, but for the purpose of fulfilling my agreement made on the occasion of my election to the Senate.

In the earlier stages of this discussion I ventured to speak of some things connected with the progress of this bill through the two Houses of Congress which appeared to me to require attention and invite criticism. I feel at liberty to speak freely in this Chamber, because the customs and traditions of the Senate not only tolerate but welcome the free expression of the opinion of its members. In resuming the discussion of this measure, I desire to avoid, as far as my present state of grace will admit, all dogmatism, and especially those prejudices which so often vitiate our judgment. It may be taken for granted that I would be glad to agree, without controversy, with the views of other Senators, and especially with the honored chairman of the Committee on Finance and his associates, through whose arduous labors this bill in its present form has been brought before us. It is only from a sense of duty, which I can not shake off, that I am constrained to point out some of the shortcomings of this measure, with a view of securing the further attention of the committee to some of its most important schedules. In doing this I feel that I shall be rendering a service to the public and especially to the party which has honored me with its good will for nearly a quarter of a century. If I speak the truth if I deal with things as they are, I suggest to the Senator from Rhode Island that it will not be an adequate answer to reproach me with the errors of my youth or to disparage me because in other years I followed, without question, in the footsteps of our party leaders.

If in times past I took, without disturbing the peace, every act of the party, it was because I loved it; because the young man of that day found it a good deal easier to idealize it than they sometimes find it now. I speak here because I still love the old Republican party and would have its leadership rise to the full stature of its opportunity and its responsibility. If it is a reproach that I have felt it incumbent upon me to reexamine, with a judgment, I trust, somewhat more mature, the tariff act of 1890, for which I voted, or the act of seven years later, which bears the name of dear old Governor Dingley, under whom I served on the Committee on Ways and Means of the House, I shall try to carry the reproach as cheerfully as possible. If it is thought proper to subject me to criticism because I follow a course which would not be approved, if he were living, by my former colleague, the venerable Senator Allison, I refuse to discuss the question or to debate with my friend from Rhode Island as to whether he has been in a better position than I have to bear witness upon such matter. For even if it were true that these schedules of which I am complaining had in their time Senator Allison's approbation, it does not follow that in the situation in which we are now placed, sitting in an extraordinary session of Congress called for no other purpose than to reexamine these laws, that far-sighted statesman would have dismissed the matter as we are expected to dismiss it, as a thing too sacred for public discussion. It is no encomium upon Senator Allison to suggest that he was indifferent to the approbation of the State which he served all his lifetime. If the Senator from Rhode Island intended to humiliate me by the intimation that my course in these matters is dictated by political conditions at home, he unintentionally pays me a compliment which I sincerely appreciate, because this Nation has entered upon a new era of direct responsibility on the part of Presidents and Congresses alike to that enlightened public opinion which ought to be the real Government of the United States.

The protective-tariff system has nothing to fear from the fireside of the Iowa homestead. On the other hand, it finds there its most disinterested advocates and its most impartial judges. For half a century our people have defended it with their votes on every election day, with no direct concern of any large significance in any of its schedules, and no purpose to serve except the general prosperity of the American people. What I have said of Iowa is true, in an improtant sense, of the upper Mississippi Valley, and I can not help thinking that there is a radical defect in that party leadership which dismisses the voice of that great community, fearlessly expressed in both Houses of Congress, with a cynical sneer about the weakness of public men who are governed by temporary political exigencies. For it ought not to be forgotten that what we are doing here must be submitted to the American people—a jury of unnumbered millions, already empaneled, with this case under consideration. It is not the same jury which passed upon the tariff act of 1897; it is the most momentous fact in our national life, as the late Senator Hoar suggests in his "Autobiography of seventy years," that within this period the whole field of American industry has undergone a revolution. The independent workshops of American labor stand no longer as they appeared in the magnificent vision of Alexander Hamilton, when he laid down the doctrine that the competition of domestic producers would guard the community against all the evils of extortion. The inspiring retrospect of Mr. Blaine in his "Twenty years of Congress," in which he recounted the triumphs of the protective doctrine in the perfect fulfillment of Hamilton's prediction already needs a good deal of revision to bring the narrative up to date.

In 1897, when the Dingley tariff law was enacted, the consolidation of our industrial system into great corporations had not fairly begun. The business men who appeared before the Ways and Means Committee of the House were an anxious company; they spoke for silent factories and the dead ashes of furnaces without fire and chimneys without smoke. They represented unemployed labor and idle capital; they belonged to the old industrial régime, now almost obsolete in nearly all great departments of production, and they received the treatment which they would receive now freely at my hands if I had the power to give it to them. It is a grim failure to comprehend what old Doctor Johnson used to call "the sad vicissitude of things," when the leaders of a political party summon their followers to practically reenact the tariff of 1897 under the conditions which prevail to-day, and when men are derided because, having helped to frame that law, they seek to have it reexamined in the light of present-day experience. Is it possible that a man, because he voted for the Allison tin-plate rate of 1889 and heard poor McKinley dedicate the first tin-plate mill in America, can be convicted in this Chamber of treachery to the protective-tariff system, if he desires that schedule reexamined, after seeing the feeble enterprise of 1890 grown within a single decade to the full measure of this market place, organized into great corporations, overcapitalized into a speculative trust, and at length unloaded on the United States Steel Company, with a rake off to the promoters sufficient to buy the Rock Island system? If a transaction like that has made no impression upon the mind of Congress, I expose no secret in saying that it has made a very profound impression on the thought and purposes of the American people.

I repeat, therefore, what I said the other day, that the duty of this Congress is to reduce the margin of protection provided in the Dingley rates wherever it can be done without substantial injury to the productive enterprises of this market place. It is our special duty to take up those schedules which represent the largest investments of protected capital and, at least, take out of them the rates that are now everywhere known to be extravagant and unnecessary, which rise so far above the level of our real industrial needs as to bring the policy of protection into ridicule without doing anybody any sort of good. I recognize the peculiar preparation of the Senator from Rhode Island for that work. He has already successfully applied sound principles to some of the excesses of the iron and steel schedule. I do not know that he has gone far enough, but he certainly has gone in the right direction. He has failed, in my judgment, in those schedules which relate to the textile industries, and it becomes the duty of somebody not helplessly preoccupied with local interests to bring this failure to the attention of the Senate and of the American people. I need not add that in doing so I shall speak with perfect good will for those who differ from me and with perfect charity to those whose unconscious political bigotry makes it hard for them to recognize, even in the Senate Chamber, those rights of free opinion without which our deliberations are a humbug and a fraud.

There is, of course, a kind of embarrassment in the work which I have undertaken, arising from the fact that many think, and some, more hardened than others by the reciprocal amenities of statesmanship, do not refrain from saying that it is an unseemly and presumptuous thing for anybody, certainly for anybody like me, to sit in judgment upon the wisdom of McKinley and Dingley and the other statesmen of the past, who joined in placing upon the statute books those provisions of law which are now brought in question. And the authority of great names, everywhere revered, is cited to silence all voices of dissatisfaction. There are some who regard it as inappropriate for anyone here to be in doubt as to the wisdom of proposals brought in for our approval by the honorable chairman of the Committee on Finance. Respect for great public service and hearty recognition of talents, sharpened by a long experience, would surely have forbidden me to make the plea I am about to make if I were not able to convince the Senate that even a humble opinion can be intruded into these matters without discrediting the wisdom of any American statesman, living or dead. All men bow naturally before the Divine wisdom, even when they do not understand; all men regard with reverence the wisdom of Solomon or Franklin or Lincoln; but it is another matter for men, full grown, sitting in this Chamber, to put their individual judgment into servitude, not to the great and good men who adorn the deliberations of Congress, but to persons on the outside whose very names are unknown to us. It is not necessary to comment harshly upon the work of Governor Dingley or William McKinley; much less is it necessary to appear wanting in consideration for my honored friend from Rhode Island.

I leave them all, the living as well as the dead, upon such pedestals as their just fame and renown have earned. If I thought that the conscientious hand of Nelson Dingley had written with painful research the cotton schedule in the act of 1897, I would hesitate a good while before I got the consent of my own mind to look upon it with the eye of suspicion. But I have in my possession a letter of Governor Dingley's, found among the papers of one of my oldest friends, who assisted him in the work of the Ways and Means Committee of 1897, in which the governor deprecates any increases in the cotton schedule because in his judgment the tendency of the rates ought to be down instead of up, and because the cotton manufacturers were in no position to complain of the rates established by the Wilson law in view of the fact that they had written the schedule themselves. It is even possible to comment adversely upon the cotton schedule as contained in the Senate bill without impeaching the abilities of the Senator from Rhode Island, because he has himself stated upon this floor that the amendments offered to the Senate by the committee were not the work of the committee, but every one of them made by persons connected with the Treasury Department.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator certainly does not want to make a misstatement. I made no such statement to the Senate.

Mr. DOLLIVER. These are matters of record. It is not necessary to take my recollection that the Senator stated that these changes were made by expert custom-house people in New York; and, as if to verify it, the Senator from California [Mr. FLINT] rose with much evident embarrassment and stated that all the changes from the House bill had been suggested in the same quarter.

Mr. ALDRICH. The memory of the Senator from Iowa is at great fault. If he will read the RECORD, he will find that I have made no statement of that kind.

Mr. DOLLIVER. I will go to the RECORD.

Mr. FLINT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from California?

Mr. DOLLIVER. Certainly.

Mr. FLINT. I think the Senator will find, on examining the RECORD, that what I said was that in all these schedules we had consulted the officers of the Government.

Mr. DOLLIVER. Mr. President, I will not debate that. The RECORD is here. I certainly do not desire to say a word that will not be verified by a reference to it. It must have been a rather cruel revelation to the languid disciples of the Senator from Rhode Island to learn from his own lips that these changes were made in New York by people who have not yet been elected to the Senate of the United States.

Mr. ALDRICH. Mr. President, I protest against a continuation of a statement which is absolutely false.

Mr. DOLLIVER. Mr. President, I refer to the RECORD; and if the Senator desires to present the RECORD to the Senate, I yield for the purpose of having it done. I certainly desire to do no injustice to the Senator.

Mr. ALDRICH. The Senator is making a statement, and I am not. If there is a RECORD showing anything of that kind, I will be very glad to see it.

Mr. DOLLIVER. It must have made a queer feeling in the minds of these good friends to find that this schedule was not the product of the genius of the man who has been reputed in the mythology of our public life as the greatest living expert on the technicalities of cotton manufacture, but that when the Senator from Rhode Island was confronted by the task set before him by his constituents of raising the table of these rates, without touching them, he turned the matter over to the general appraisers' office in New York. A very curious proceeding this, and unless we can look at it without fear and trembling, the time may come when we will have to rewrite the Constitution of the United States in order to legalize this power of the appraisers in New York to regulate the foreign commerce of the United States.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. Mr. President, I do not object to criticism either of myself or of the schedules of the bill, but I do object, so far as I am able, to having the Senator make and repeat and reiterate a statement which has no foundation in fact whatever.

What I said and what the fact is, was that the committee, having decided what to do, they turned the matter of regulating the schedules, as to the amount of specific duties that would be imposed in place of ad valorems, to the experts of the Government, and never to any manufacturer at any time.

Mr. DOLLIVER. Mr. President, I am now able, without doubt, to state exactly what the Senator said:

Mr. ALDRICH. If the Senator will permit me just there upon that point, no manufacturer has been before the Committee on Finance in regard to this schedule. Every change that was made in it was made upon the recommendation of the government experts and nobody else; and it is now defensible and will be defended by the members of that committee whenever the schedule is reached.

And my friend from California [Mr. FLINT], fearing that the Senator from Rhode Island possibly needed corroborating witnesses, rose and said:

Mr. FLINT. I wish to make this statement: There is no schedule in the bill that was not placed there by the approval or at least upon information furnished by experts of the Government.

Mr. ALDRICH. The Senator has said and reiterated that I had said we turned this matter over to somebody in New York.

Mr. DOLLIVER. I leave it to the unprejudiced judgment of men whether the statement actually made by the Senator would not warrant a man somewhat irritated in his feelings to draw that conclusion from it.

Mr. ALDRICH. I understand the Senator from Iowa is irritated in his feelings. I know the cause of it. I do not intend now to allude to it, and I trust I may never have any occasion to do so.

Mr. DOLLIVER. Nor is the origin of the woolen schedule any more mysterious, although it is more ancient. I think it has left more "footprints on the sands of time," possibly because of the wider distribution of the interests involved. I do not

accuse the Senator from Rhode Island. That schedule antedates the entrance of any man now living into the Senate of the United States. It was undoubtedly handed to the Senator from Rhode Island exactly as it was handed to me, and the main difference between us is that I have become a little more curious than he has to see what is in the package.

He says that I am engaged in circulating Democratic slanders against the action of the Republican Congress in speaking of rumors——

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator from Iowa must be speaking from a guilty conscience. I have never made any such statement.

Mr. DOLLIVER. I am not speaking from a guilty conscience; I may be speaking from a fallible memory, though I was satisfied at the time that the Senator's remarks were making a deeper impression upon me than they did on anybody else. I will ask the Senator from Nebraska [Mr. BURKETT] to be kind enough to find the debate where the Senator from Rhode Island [Mr. ALDRICH] rebuked me in a mild way and said I was circulating remarks that properly belonged to a Democratic speech. It may be true that in times past I have heard some Democrats complaining about those rates; and, if I did, I have no doubt that I answered them.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. What I said was this, and I repeat it: During my service in the Senate and upon the Committee on Finance, in every discussion which has ever taken place upon the tariff some Member of the Senate, in several cases many Members of the Senate, have appeared here with samples of goods, with statements in regard to ad valorem rates furnished by importers——

Mr. DOLLIVER. Mr. President, I do not yield to a speech for any such purpose.

Mr. ALDRICH. I hope——

The PRESIDENT pro tempore. The Senator from Iowa declines further to yield.

Mr. DOLLIVER. I do not yield the floor for any such——

Mr. ALDRICH. I hope we are not having an exhibition of that kind of Democratic policy or any other policy to-day.

Mr. DOLLIVER. If the Senator will be patient with me, he will have an exhibition of the bottom facts in both these schedules. I do not yield to him to discredit what I am about to say in advance of my argument in relation to it. I have been in the Congress of the United States long enough now to claim the right to conduct debate as, in my judgment, appears to be right and proper. I am willing to have my arguments answered, but I do not propose to have them sneeringly discredited in my own time.

My friend from Nebraska [Mr. BURKETT] hands me what the Senator from Rhode Island said on that subject. He said:

> Mr. ALDRICH. I suppose the Senator from Iowa is aware that he is not the original investigator along these lines. The statement which he has just made has been made, iterated and reiterated over and over again in this Chamber and in the other Chamber, by every orator who has spoken against the duties on woolens or wool. It is simply reiterating to-day the Democratic claims which have been current in this country for a generation.

Now, then, if the claims were correct, there is no reason why they should not be current.

Mr. ALDRICH. That is as true now as when I stated it.

Mr. DOLLIVER. If they tell the truth, why should they not be current? If they were not true, why does the Senator complain when I represent him as charging me with circulating Democratic false rumors in respect to the tariff laws of the United States?

Mr. President, I may have heard that from Democratic sources; and if I did, I have no doubt, as the Senator from Maine [Mr. HALE] so kindly suggested the other day, that I defended the law with old-fashioned weapons, now mostly played out, by calling the attention of the audience to what awfully hard times we had in 1893. I certainly never went very far into the arithmetic of the subject, and that is the trouble with our present situation. The fact is that a good many Republicans have got to talking about these rates, and in these later years our Bureau of Statistics has been perniciously active and a lot of editors have got hold of the documents, and the time is at hand when the whole country is as familiar with these abuses as we are here in the Senate Chamber of the United States. The Senator also seems to think that it is proper to rebuke me for circulating a threadbare story about a reunion of shepherds and weavers of cloth, held in this town for the purpose of harmonizing their contradictory interests in Schedule K.

I was interested in the mild resentment of tone and manner with which the Senator from Rhode Island saddled that migratory legend of American history on to evil-minded persons of Democratic antecedents whose occupation is to misrepresent the work of Congress. I was glad to hear the Senator say what he did, because it enables me to acquit him of any guilty knowledge of the origin and early achievements of Schedule K. It put the Senator in the same class with me, as it were, an innocent-minded protectionist of the old school receiving the sacred scriptures of the political faith once delivered to the saints. If he had been at that ceremony when the shepherd's crook and the weaver's distaff were joined together in the joyous wedlock, which no man has been able to put asunder, I would not be able now to say what I am about to say without at least appearing to disparage a wisdom which we all applaud. But the Senator was not there; he does not even seem to have heard of it from authentic sources. If he ever heard of it from a Democratic orator he probably refuted the slander by a discreet reference to the panic of 1857. Of course, if our Democratic friends ever spoke lightly of such a meeting they were grievously in the wrong, because have not even shepherds and weavers a constitutional right to peaceably assemble and dovetail their plans of the future?

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I should like to ask the Senator from Iowa what his idea is as to the origin of Schedule K?

Mr. DOLLIVER. I hope the Senator from Utah will not allow his impatience to disturb the serenity of the situation. He must have a very shortsighted view of the general course of my remarks if he was not able to see that I was gradually approaching that interesting episode.

Mr. SMOOT. In his last remarks I took it for granted that the Senator thought there was a conspiracy at that time.

Mr. DOLLIVER. No; I said there was a wedding feast, and I do not think people ought to blame the Democratic party so much about it.

Mr. ALDRICH. Will the Senator allow me to ask him in what year that meeting was held?

Mr. DOLLIVER. I am very much surprised that the Senator from Rhode Island seems even more impatient than his colleague on the committee.

Mr. ALDRICH. I hope the Senator, before he gets through, will give the year.

Mr. DOLLIVER. I hope the Senator does not so far distrust my ability to so conduct this discourse as to imagine that I will not get to that point within a reasonable length of time.

Curiously enough they did assemble just prior to the act of 1867, and nobody can understand the accumulation of political economy which lies hidden in Schedule K unless he has access to the minutes of that meeting. I was not there; the Senator from Rhode Island evidently was not present; but there was a reputable witness in the neighborhood. Fortunately—I say fortunately, because it enables me to scrutinize these transactions in wool and woolens without attacking the memory of statesmen, living or dead—fortunately, there is preserved in a speech delivered in the Senate on the 23d day of January, 1867, a rather picturesque account of the origin of the wool tariff. The Senator is speaking of the conflicting interests of the woolgrower and the manufacturer of woolens. On page 135 of a book called "Speeches and Reports on Finances and Taxation," by John Sherman, I find this interesting tradition recorded. I am glad to read it because it may soften the irritation of the Senator from Rhode Island to perceive that I am not framing an indictment against him nor against the great statesmen with whom he has been associated in the last thirty years in the medication of tariff schedules, but rather against a little scheme devised long ago by harmless shepherds and thrifty weavers, none of whom up to that time had ever made their way into Congress:

> When these two rival interests met together in a convention called by the manufacturers themselves and the whole matter was there discussed, it was agreed between them, after full discussion, that the rates of duty reported by the Senate bill should be given them, and they were satisfied with them and have never called them in question. The manufacturers then made the claim that if the duty was put on wool, they ought to have a corresponding duty on the cloth. That was freely yielded. The principle is proper—that is, if a duty is levied on the raw article an equivalent amount should be added on the product, in order to enable the American manufacturer who converts that wool into cloth to compete with the foreign manufacturer. I trust that in the present tariff the arrangement between the woolgrowers and the wool manufacturers will be carried out. I would prefer myself to take it in the

> very words they have given us, so that if they are not satisfied hereafter they can not complain of the proper committees of Congress for any mistakes. I would take them at their word; I think their demand is a reasonable one, and I would be willing to give it to them as they ask it, so that if there is anything wrong in the practical working of their scheme they themselves may have the responsibility of it. It is said, I know, that there was a very important class of people not consulted when this arrangement was made. That is true; the consumers were not consulted, and the consumers have to pay the increased cost.

Mr. WARREN. Mr. President, I should like to ask the Senator a question right there.

Mr. DOLLIVER. Certainly.

Mr. WARREN. Was not the date given there by Mr. Sherman a later one than the date on which the commission was provided by Congress to take up the tariff matter?

Mr. DOLLIVER. Oh, no; this speech was made in 1867, and referred to the meeting which had been held here shortly before.

Mr. WARREN. That is very true, but in 1865 and 1866, as doubtless the Senator knows, there was a commission authorized by Congress to take up revenue matters, and they summoned both the manufacturers and growers of wool, and upon the finding and report of that commission a general bill was made up and adopted.

Mr. DOLLIVER. I went into the matter only for the purpose of protecting my own reputation against the charge of circulating a Democratic campaign yarn. Mr. Sherman distinctly says that this old settlers' reunion was called by the manufacturers themselves.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I should like to read from the revenue commissioner's report.

Mr. WARREN. If the Senator will permit me——

Mr. DOLLIVER. I do not regard the matter as important. I have spent days and nights trying to get what I have to say in an orderly form, in order to spare the Senate the waste of their time occasioned by speaking by the day, and I do not desire to go any further into that matter.

Mr. WARREN. I will make only one statement. I wish to absolve the woolgrowers from a position in which the Senator might have left them, unintentionally, of course, because as a matter of fact they were here in response to the summons of a commission appointed by the Congress of the United States.

Mr. DOLLIVER. I do not desire to speak with discourtesy of my friend from Utah, but the matter is not a part of my argument except for the purpose of protecting me from the repute of being a disseminator of false reports originating in Democratic sources.

Mr. SMOOT. I simply wanted to call attention——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. The Senator wants to read a book, Mr. President. I decline to yield for that purpose.

Mr. ALDRICH. Mr. President——

Mr. DOLLIVER. I will yield for a question.

The PRESIDENT pro tempore. The Senator from Iowa declines to yield to the Senator from Utah. Does the Senator yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I wish to say right here that there is no man who is at all familiar with the economic history of this country, who is at all familiar with the tariff question, who does not know about the agreement, and also knows about the agreement made in 1867.

Mr. DOLLIVER. If that is so, the Senator from Rhode Island unconsciously did me an injustice.

Mr. ALDRICH. I certainly withdraw any imputation upon the Senator's ignorance, if I made any.

Mr. DOLLIVER. I knew, and everybody else was familiar with it, and I surely felt that the Senator would not have undertaken to put the badge of ignorance upon me if he had had information on the subject himself.

Mr. SMOOT. Mr. President, I simply want to suggest to the Senator——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. SMOOT. For a question.

Mr. DOLLIVER. Well, I did not intend to yield.

Mr. SMOOT. I only want to ask a question.

Mr. DOLLIVER. I do not desire to yield except for a question.

Mr. SMOOT. I do not ask the Senator to yield at all.

Mr. DOLLIVER. Then, I will proceed with my discourse.

If that was the only meeting of this mutual aid society that has ever been held in the vicinity of Washington, I might better understand how the Senator from Rhode Island could dispose of me as a retailer of ancient Democratic libels against acts of a Republican Congress. But I hold in my hand a letter written last December to the former secretary of the Wool Manufacturers' Association by Mr. Theodore Justice, of Philadelphia, that ancient mariner upon the high seas of tariff legislation, in which he gives a rather vivid description of how poor McKinley, bewildered by the intricacies of the wool schedule, turned the whole matter over to the parties in interest to fix it up between themselves. Mr. Justice says:

> After that the interests of growing wool and manufacturing wool were so conflicting that Mr. McKinley proposed that we call a convention in Washington and frame Schedule K so that it would be just and fair both to the woolgrower and the manufacturer and the consumer as well. Schedule K of the McKinley Act was the result of that convention in which you and I took an active part, and, as you know, the McKinley Act was succeeded by the Wilson Act, which in turn again was succeeded by the Dingley Act, and Schedule K of the Dingley Act is the Schedule K of the McKinley Act revised and improved.

If I voted for that arrangement, it was under the impression that I was being guided by the wisdom of William McKinley; and if I acquiesced in it in 1897, it was because of my confidence in the character of Nelson Dingley. I might possibly even at this late day be able to vote for it if I could identify it with the wisdom of anybody connected with the tariff committees of either House.

Having thus sketched briefly the origin and gradual ossification of the tariff on woolen goods, I propose now to consider the theory upon which it has been habitually framed, and then to point out the excesses into which Congress has been led in adjusting these rates. I propose, also, to examine in a sort of statistical summary, the effect of this schedule in operation, and to suggest a basis for the amendment of the law.

There is nobody in the Senate that I would regret so much to disturb as my honored friend from Wyoming [Mr. WARREN]; and to save him any anxiety or any sudden purpose to rise to any point of order as I proceed, I desire to repeat what I have already said in the Senate, that I do not intend to try to modify the existing rates upon wool, although I believe that the time is at hand when the National Wool Growers' Association might well reconsider the attitude which they have maintained for more than a generation as to the effect from their standpoint of the present rates upon wool, based not upon its value but upon the breed of the sheep and the geographical origin of the imports. It can not be doubted that the existing system has unequally distributed among those who use wool in their manufacturing enterprises the burden arising from the tariff, and particularly the burdens arising from excessive and prohibitory rates on wool wastes and the by-products of worsted manufactories.

It would seem to be feasible to extend to those manufacturers of woolen goods like carpets, who are not able to use any home-grown material at all in their business, the privilege of buying such wool with nominal tariff rates, or none at all. The old fear of our own woolgrowers that such a concession to a great American industry would introduce a clandestine competition with clothing wool has become more and more imaginary, in the light of experience under efficient Treasury regulations. But it is not my intention to discuss the wool side of this schedule, since I am not prepared at this time to offer suggestions in a practical form. There is, however, at least one feature in the wool paragraph to which I wish to direct attention, and that is the proposed classification of combed or carded wool for the use of the yarn maker, with finished cloth. That is a singular scheme by which wool or hair advanced beyond the condition of scouring is put into the same classification as woolen cloth and assessed at a rate four times the specific rate on raw wool and from 50 to 55 per cent ad valorem.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. I do.

Mr. ALDRICH. I know the Senator wants to be correct.

Mr. DOLLIVER. Yes.

Mr. ALDRICH. The Senator is not correct in that statement. The rate assessed is three times as much.

Mr. DOLLIVER. I beg the Senator's pardon. It is not an offense of ignorance, but simply a confusion which arises from talking in the presence of experts. It is three times in case of tops valued at less than 40 cents a pound and four times if valued over 40 cents.

Mr. ALDRICH. I trust that confusion will not lead the Senator too far astray from the truth.

Mr. DOLLIVER. If my friend will permit me, I intend to have my remarks thoroughly revised before they are printed, and I will not deceive anybody in the Senate who has a technical familiarity with the subject.

Mr. WARREN. Mr. President, let me suggest to the Senator that those rates which he speaks of as being three or four times as much are based upon wool in the dirt.

Mr. DOLLIVER. I hope the Senator will not become elementary with me. I have spent weeks in studying every subject relating to the production of wool, from the birth of lambs to the manufacture of cloth, and I will not ask anybody to instruct me on details. [Laughter.]

Mr. WARREN. I hope the Senator will excuse me, in view of his greater knowledge of sheep growing than I possess.

Mr. DOLLIVER. No; the same knowledge—a common knowledge.

Mr. WARREN. And I hope we may have the benefit of that knowledge during the latter part of the Senator's speech. [Laughter.]

Mr. DOLLIVER. I intend to give the public the benefit of such knowledge as I have acquired, and I intend to discuss that question, although I do not intend to have it rehashed by others in the midst of my discourse.

This whole top duty was put in our tariff laws by a gentleman from Boston, who has filled the greater bulk of the volume of our tariff hearings here in Congress for twenty years.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. That duty was put in the tariff by William McKinley. Whether he did it upon the advice of somebody else or not, I do not know; but it was put into the bill by William McKinley.

Mr. DOLLIVER. Mr. President, it is a disagreeable duty to embarrass so old a friend upon the history of wool legislation in the United States, but I hold in my hand the tariff testimony taken in the Fiftieth Congress by the committee of which the honored Senator was a member, and I find that in the Senate substitute for the Mills bill it was put in. That does not agree with what my honored friend has just told me.

Mr. ALDRICH. I have said it was put into the law by William McKinley.

Mr. DOLLIVER. And I say it was put into the law by William Whitman. I find in this hearing in 1888 that Mr. Whitman appeared before the committee, giving the committee in exact language, and handing it to them, the very provisions of that law.

Mr. ALDRICH. Mr. President, the act of 1888 was prepared by a committee of which the late Senator from Iowa [Mr. Allison] was chairman and of which I was a member. For that bill the then Senator from Iowa was responsible. I do not know what was the language used by Mr. Whitman, of Boston, but I do know that the duty on tops, which appeared in the act of 1897, which appeared in the act of 1890, and which appeared in the act of 1888, was at the demand of the woolgrowers of the United States. Whether Mr. Whitman agreed with them or not I do not know, but that duty was inserted at the demand of the woolgrowers.

Mr. DOLLIVER. I desire to know by whom the duty on tops, as it now appears in the Dingley law, was asked for?

Mr. WARREN. Mr. President, I suppose that question is addressed to me. I will say, regarding the duty on tops, as it now appears in the Dingley bill, it is as it was asked for by Judge Lawrence, of Ohio, who was then the chairman of the National Association of Wool Growers. He asked that it be changed from the language used in the laws which had preceded, because he thought there had been some avoidance in the collection of proper customs duty.

Mr. DOLLIVER. I desire only to debate one thing at a time. I said the duty was put in our tariff laws by William Whitman. My friend from Rhode Island said that it first appeared in the McKinley bill. I replied that it first appeared in the bill which he himself reported to the Senate in 1888.

Mr. ALDRICH. The then Senator from Iowa, Mr. Allison, reported that bill.

Mr. DOLLIVER. I beg your pardon.

Mr. ALDRICH. Oh, no; I did not report it.

Mr. DOLLIVER. But, Mr. President——

Mr. ALDRICH. I am entirely familiar with the subject, and I assure the Senator from Iowa that Senator Allison reported the bill, while I made the report.

Mr. DOLLIVER. That is just exactly what I say.

Mr. ALDRICH. But I did not report the bill.

Mr. DOLLIVER. If you did not report the bill, how does it come that this Senate document says, "Mr. ALDRICH, from the Committee on Finance, submitted the following report?"

Mr. ALDRICH. I made the report on the bill, but the late Senator from Iowa was chairman of the subcommittee and himself reported the bill and defended it on the floor of the Senate.

Mr. DOLLIVER. Mr. President, I was just interested in showing that this curious top question did not originate in the McKinley bill; but that Mr. Whitman came before the committee of which my friend from Rhode Island was a member, and submitted in language what he desired to have done on tops. For instance, he proposed the following:

All wool and hair of the goat—

This is a schedule of duties proposed by the National Woolen Manufacturers, not by Judge Lawrence—

All wool, hair of the goat, alpaca, and other animals, including wool or worsted tops and hair tops, which have been advanced by any process of manufacture beyond the washed or scoured condition, not otherwise enumerated or provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially enumerated or provided for in this act.

Mr. ALDRICH. If the Senator will read——

Mr. DOLLIVER. Does it surprise the Senator from Rhode Island that that was put into the bill in 1888?

Mr. ALDRICH. If the Senator will read the act of 1890, he will find that that language is not in it.

Mr. DOLLIVER. The only difference in the language is that the act of 1890, instead of saying "including wool and worsted tops or hair and hair tops" omits those lines and says "in the form of roping, roving, or tops." The Senate bill of 1888 omits a reference by name to tops. Why? Because the meaning of the paragraph is exactly the same whether the name is there or not; and the only reason they were omitted was to throw confusion and uncertainty over what was meant by the language. But when you say "wool and hair advanced beyond the scoured condition," you do not have to say "tops," because it is unnecessary always to expose the details of a proceeding when you are manufacturing a tariff schedule outside of Congress.

Mr. ALDRICH. Mr. President——

Mr. DOLLIVER. I do not desire to debate that question further.

Mr. ALDRICH. Does the Senator from Iowa think it is fair to our late associate to say that every item in the bill of 1888 that was suggested by somebody outside of the committee was an item put there by outside parties? Does the Senator from Iowa think that our late associate was in the habit of having any man anywhere dictate to him what should go into tariff legislation?

Mr. DOLLIVER. Mr. President, that is a favorite strain of suggestion from my honored friend from Rhode Island. I have already suggested that I did not intend to debate those matters. I simply say that it did go in at the request of Mr. Whitman; and I am not surprised that my former colleague acquiesced in it, because eight years later a lament went up from the secretary of the American Wool Association, nicely ensconced in a confidential relation with the Finance Committee of the Senate, that in the sickness of the Senator from Rhode Island he found it impossible to explain this matter to Senator Allison and Senator Platt, and he longed for the return and help of the Senator from Rhode Island, so that there might be one man on the committee, at least, who would understand the matter. [Laughter.]

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. The Senator from Iowa, if he is at all familiar with the subject, knows that the matter then in controversy, or in correspondence, had nothing whatever to do with the duty upon tops.

Mr. DOLLIVER. Why, Mr. President——

Mr. ALDRICH. Mr. Whitman, who is alluded to, was opposed to the Senate provision on tops. The House bill fixed a duty on tops, which was reduced by the Senate. The House committee, of which the Senator from Iowa was a member, put a compound duty upon a compound duty upon tops. It was higher than the provision of the bill as it was reported from the Senate Committee on Finance in 1897, and the subject in controversy was not as to what the proper duty on tops should be.

Mr. DOLLIVER. The other day when I was, with some diffidence, trying to make a speech here and called attention to the fact that the secretary of the American Woolen Manufacturers' Association had written to his employers in Boston that he could not explain this woolen schedule to Senator Allison and Senator Platt, my friend from Rhode Island [Mr. ALDRICH] was instantly on his feet to say that it was not the wool schedule, but the question of tops that had baffled the perceptive faculties of Allison and Platt.

Mr. ALDRICH. Mr. President, I was associated with the late Senator from Iowa, Mr. Allison, for twenty-seven years, and with the late Senator from Connecticut, Mr. Platt, for twenty-four years in this body. No man can truthfully say anywhere in the world that those men, or either of them, did not understand fully everything in connection with any piece of legislation which they indorsed or which they presented.

Mr. DOLLIVER. I have heard that remark now for the third time, and——

Mr. ALDRICH. It is true.

Mr. DOLLIVER. And I notify the Senator from Rhode Island that if he desires to pronounce eulogies upon my friend, with whom I served also, not twenty-seven, but more than twenty years, and whom I loved as I loved my father, I desire the eulogies placed where they will be more appropriate than in this running discussion of the wool tariff.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. Does the Senator hold that his late colleague was ignorant of the details of the tariff duties upon wool and woolens?

Mr. DOLLIVER. The secretary of the American Woolen Manufacturers' Association, employed in a confidential capacity, without salary, except such salary and perquisites as were paid him by his employers in Boston, wrote to his employers that it was not possible to get Senator Allison and Senator Platt to understand this matter; that the only man on the committee that knew anything about it was sick; and he also said that he found it impossible to explain it, because Senator Allison and Senator Platt did not know of Whitman's agreement with Senator ALDRICH, but that they trusted him.

Mr. ALDRICH. Does the Senator from Iowa think that that statement was true? Does he think that the late Senator Allison did not know about the details of the wool and woolen schedule?

Mr. DOLLIVER. Mr. President, I have had so many troubles in finding my way through it myself, when giving my entire attention to it, that I do not think I would impeach the moral character of my former colleague if I said that I thought maybe he was bewildered also.

What is the object of the duty on tops? Tops are wool prepared for the worsted-yarn makers. They are combed, and men make a living, I understand, selling them to other people.

Mr. ALDRICH. I am sure the Senator does not want to get even into this first brief statement of his, subject to revision as it is, a statement which is not accurate.

Mr. DOLLIVER. Certainly not.

Mr. ALDRICH. The Senator from Iowa was a member of the Ways and Means Committee in 1897; and I remember, in the course of a conversation with some wool people, they asked him the question whether he knew what tops were, and he was obliged to answer "no."

Mr. DOLLIVER. I was very candid about it.

Mr. ALDRICH. I think the Senator is now displaying the same amount of knowledge.

Mr. DOLLIVER. Well, let me give a definition of tops. Tops are scoured wool advanced beyond that condition.

Mr. ALDRICH. Yes.

Mr. DOLLIVER. They are the raw material of the yarn maker.

Mr. ALDRICH. Yes.

Mr. DOLLIVER. They result from combing worsted wool for the purpose of manufacturing worsted cloth. They produce a by-product called "noils;" and in the manufacture of yarns there are certain wastes, called "slubbing" and "roving" waste. A peculiarity about the bill is that these tops, which have a market value everywhere in the world, are assessed at the rate provided for woolen cloth; and the noils, which are to be sold to others, are assessed at a prohibitory rate—I think 20 cents a pound—and the other minor wastes are assessed at prohibitory rates.

The manufacturer of worsted goods sells all these by-products to his competitors on his own terms. I have made up my mind that there is something wrong about that, and I am not without support among the great carded woolen manufacturers of the United States. So that, if nobody else does it, I intend to propose a little amendment to the duty on tops, reducing their dignity not much, but just beneath the dignity of the yarn, of which they are the raw material. Beyond that I do not think I will go, except that I should like to suggest to the Senator from Wyoming that, if he has leisure during some of the long summer nights, it might be a good idea for him to reflect upon the phenomenon now everywhere apparent—and becoming, I think, very portentous—the progressive elimination of wool from the clothing, the bedding, and the furnishings of the modern household.

Turning now to the duties on yarns and woven and knit fabrics of wool, I desire to call the attention of the Senate to the abuses which have grown into the schedules, many of them without the knowledge or consent of the Finance Committee of the Senate. I spoke the other day about the difficulty of understanding these schedules, and alluded to evidence now at everybody's hand that they were so complex and unintelligible that only one man on the committee was able to comprehend them. My friend from Rhode Island rose immediately to say that it was not the woolen schedule but the duty on tops that bewildered the late Senator Allison and the late Senator Platt of Connecticut, two trained and alert students of our practical affairs, whose names do not suffer by comparison with the greatest statesmen who have illustrated the intellectual dignity of American public life. In the name of sense, if these men could not understand the top question, what excuse is there for seeking to belittle the efforts of others who in trying to serve their own day and generation are engaged in exposing the trickeries that in the course of a half century have found hiding places throughout the woolen schedules?

The chief fault to be found with this schedule of the pending bill lies in the fact that it adopts a scale of duties 20 years old without the slightest effort to readjust them so as to mitigate the inequalities which they have imposed upon more than one department of the woolen industry in the United States.

And if I understand the committee's work correctly, they just gathered around this old law, which has passed from one generation to another, and said: "This is a hard subject and a fighting subject and a tiresome subject; we have got the woolgrowers and the wool manufacturers so that they are not going to raise any row about it, and the best thing for our comfort and convenience is just to let it alone." Am I not correct about that?

Mr. WARREN. As the Senator seems to be propounding that question to me, I will say that he has already stated that he gets his information and the suggestion of an ad valorem tax very largely from the wool manufacturers. Is not that so?

Mr. DOLLIVER. No; I thought of that myself. [Laughter.]

Mr. WARREN. What about the carded-wool manufacturers, from one of whom you have just quoted? Are they not satisfied?

Mr. DOLLIVER. Not very.

Mr. WARREN. I know how true the Senator wishes to be to the farming interests and to the farmers and stock growers; and I know that in any amendment he may offer he will not desire to put a duty on manufactured articles low enough, so that instead of the wool coming in in its raw state it will come in manufactured, wholly or in part.

Mr. DOLLIVER. No, sir; but I will tell you what I will do. If I could enjoy for two hours the undisturbed society of the Senator from Wyoming, I would show him that these gentlemen have fixed up a wool proposition with him, in which the man who buys 100 pounds of high-shrinkage wool, which shrinks to 30 pounds in the washing and scouring, has to pay duty upon that wool of 36⅔ cents per pound, whereas the worsted people, who are importing English wool and Canadian washed wool, find themselves in this measure confronted by a very beautiful situation of their own arrangement. The woolen cloth manufacturer, if he imports wool washed, pays not 11 cents, but 22 cents for it; but the worsted importer of wool imports wool at 12 cents, whether it is washed or not.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I do not want to take but one into the class. [Laughter.]

Mr. SMOOT. I do not think the Senator wants to make any statement here that is not correct. I want simply to say this——

Mr. DOLLIVER. The Senator from Utah will have ample time. There is going to be no hurry about this; and I want at least to get the privilege of stating my own conclusions in respect to it.

Mr. SMOOT. If the Senator——

The PRESIDENT pro tempore. The Senator from Iowa declines to yield.

Mr. SMOOT. If the Senator from Iowa wants to make a statement here that is not correct——

Mr. DOLLIVER. What statement does the Senator wish to correct?

Mr. SMOOT. The Senator was speaking as to the worsted people using coarse wool——

Mr. DOLLIVER. I did not say "coarse wool." I said English wool and Canadian washed wool.

Mr. SMOOT. Instead of that, the people of this Nation use 90 per cent of western wool——

Mr. DOLLIVER. They use a good deal of the Utah wool.

Mr. SMOOT. They use nearly all of the Iowa wool.

Mr. DOLLIVER. This scheme has nearly destroyed the wool industry in Iowa.

Mr. SMOOT. So far as that is concerned, I do not want to discuss it. If the Senator does not want any interruptions, I shall not attempt to further interrupt him.

Mr. ALDRICH. Mr. President, I would suggest to the Senator, in view of the language he has been using in describing these articles, that it might be well for him to secure the services of some practical man to revise his speech before he publishes it.

Mr. DOLLIVER. This speech is not made without the advice of practical men. I have undertaken to put myself in the society of men who understand these matters, or I would not be here forcing my views on the Senate of the United States.

Mr. ALDRICH. The Senator stated that the duty on washed wool was 36⅔ cents. It is of no consequence, but it is not correct.

Mr. DOLLIVER. I said on wool of a certain shrinkage scoured after importation.

Mr. ALDRICH. Thirty-six and two-thirds cents.

Mr. DOLLIVER. Yes, on wools that shrink 70 per cent.

Mr. ALDRICH. The duty on scoured wool is three times the duty on washed wool.

Mr. DOLLIVER. I am not talking about the duty on scoured wool. That is not imported. I am talking about wool which shrinks 70 per cent in scouring after it gets here.

Mr. ALDRICH. It does not make any difference whether it shrinks 70 or 700 per cent. The duty is all the same.

Mr. DOLLIVER. Let me show that it does. If a man imports a hundred pounds of wool that shrinks to 30 pounds, he pays a duty of 11 cents a pound upon the raw wool. Eleven times a hundred is $11, and when his wool shrinks from 100 pounds to 30 pounds, and you divide $11 by 30, what do you get per pound as the duty actually paid?

Mr. ALDRICH. But the Senator said the duty on the scoured was 36⅔ cents, whereas in the case he cites it would be 33 cents and not 36⅔.

Mr. DOLLIVER. Mr. President, I wish to point out another folly in the woolen schedule. It is not only too old for our use now, but in addition to that, the readoption of these old rates disappoints a reasonable public expectation that the people should be allowed to participate in those economies of production which have everywhere appeared in the business world, and have a share in that steady progress of the industrial arts which we have been led to think is characteristic of our country and our times. In other words, if these rates were high enough twenty years ago, they are too high now, unless we admit that the weaver's craft is at a standstill in America—a thing which nobody believes for a moment.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. If the Senator will permit me, I desire, before he passes from worsted manufacture, to inquire whether I correctly understood him as stating that worsted goods were chiefly manufactured out of what is known as "second-class wool," which is admitted at 12 cents per pound?

Mr. DOLLIVER. I said—and tried to show, at least—that second-class wool, admitted at 12 cents a pound, whether washed or unwashed, is manufactured into worsted goods.

Mr. CARTER. I desire the Senator to answer the question, if he will, whether I am to understand his statement to be that worsted goods are chiefly manufactured from second-class wool.

Mr. DOLLIVER. I have no statistics at hand that would enable me to make an intelligent statement about that——

Mr. WARREN rose.

Mr. DOLLIVER (continuing). And I do not want any. [Laughter.]

Mr. SMOOT. I do not blame the Senator.

Mr. WARREN. I congratulate my good-natured friend on the happy state of mind he is in. I have always maintained that a man to make a really good and popular speech does not want any statistics and not very much knowledge on the subject. Now, I want to ask a question.

Mr. DOLLIVER. A wiser man than either of us—old Thomas Carlyle—has said that the chief practical use of statistics was to keep the other fellow from lying to you. [Laughter.]

Mr. WARREN. In order to follow that line, I want to ask the Senator a question, since he has devoted some portion of his speech to me. The Senator from Montana has asked whether second-class wools go into worsteds, and whether all the worsteds are made of second-class wool.

Mr. DOLLIVER. I replied that second-class wools did go into worsteds, and I do not know how much of other kinds of material.

Mr. WARREN. Only about 7 per cent of all the wools imported are second class wools. For the last sixteen years——

Mr. DOLLIVER. I notice that they are arriving at the rate of a million pounds a month now.

Mr. WARREN. And therefore worsted, being the cloth now most generally worn, must naturally be made largely from first-class wool and not exclusively from second class. Second-class wools are used for luster goods, but furnish only a small part of the whole stock consumed in the manufacture of worsteds; and 7 per cent is all the second-class wool imported, out of a total 100 per cent imported wool of the three grades—first, second, and third class.

Mr. DOLLIVER. Mr. President, when I say that the natural progress of the art of weaving ought to have suggested a gradual reduction of these rates I am not guilty of any heresy. I got the idea in 1897 when Governor Dingley reported to the House of Representatives the great bill which bears his name. He seemed to take pride in saying that we had reduced nearly all rates below the level of the McKinley bill, leaving them, however, still amply protective.

I have in my possession a letter over the governor's signature in which he said: "We expect to cut nearly all our duties considerably below the act of 1890." That was his view of a sound public policy, even when the committee was holding its deliberations in the midst of a universal wreck of American business. Not only did the act itself, except as to wool and woolens, considerably reduce the scale of the McKinley rates, leaving it, however, still amply protective, but there was embodied in the Dingley law what appeared to be a prospect of still further reducing the entire dutiable list through diplomatic negotiations for the more favorable admission of our export merchandise. It was no credit to either House of Congress, however justified it may have been by the exigencies of party politics, that Schedule K survived that honest effort to reduce duties which was effective in nearly all the other tariff schedules.

But to say that that failure of the Dingley Act represented the wisdom of any American statesman or any disinterested expert on our tariff problems is simply to take advantage of those whose sources of information are limited.

I had in those days a daily association with one of the most extraordinary students of our customs tariff system who has ever been connected with the Treasury Department. He was a famous and honored citizen of my own State, and, having been requested by the historical society connected with our state government to prepare a brief sketch of his remarkable career, I have had access to his papers, letters, notes, and memoranda, not only on the tariff act of 1897, which he helped the committees in both Houses to prepare, but as far back as 1888, when he was closely associated with Senator Allison in the preparation of the Senate substitute for the Mills bill, upon the popularity of which General Harrison was elected President of the United States. I refer to Col. George C. Tichenor, who rose in the service of the Treasury Department to be Assistant Secretary, with the customs service under his charge, and afterwards to be chairman of the Board of General Appraisers under the administrative customs act which he helped Senator Allison to prepare. He was honored with the confidence of Democrats and Republicans alike. He qualified as an expert on the wool question by lifelong studies on the farm and in the factory, and from the custom-house to the port of invoice, spending five years in Europe searching out every secret of our foreign commerce. I call the Senator from Rhode Island to bear witness, for he was his friend, to the unrivaled mastery which he acquired over all the questions with which we have to do here, and especially this wool question, which we have, with a sort of hereditary cowardice, turned over to the parties who are selfishly interested in the rates.

I find among Colonel Tichenor's papers a letter, dated June 24, 1897, in which he gives an unbiased opinion of the wool

schedule which it is now proposed to reenact without even the stale formality of debate. I read an extract, as follows:

> The manner in which the so-called "wool compensatory duty" is expressed in the different paragraphs of the Senate bill relating to manufactures of wool is *cumbersome, confusing*, and *deceptive*. It was employed for the first time in the tariff act of 1890, and, it was hoped, for the last time. The method of expressing the specific duty is lacking in *symmetry, simplicity*, and *honesty*. It is intended to convey the impression that the article contains a certain number of pounds of "unwashed wool of the first class," which, in fact, is *not really accurate in any case* and is *wide of the truth in most instances*. For example, it is known to everybody that the coarser and cheaper cloths, blankets, and flannels, contain very little, if any, wool of the *"first class,"* unless it be the "aged and infirm" conditions of shoddy, mungo, or flocks. A good deal of the "wool of the first class" in these goods is *cow hide* or *common goat hair* or *cotton*. Furthermore, there are but few woven cloths or knit fabrics imported in the manufacture of a pound of which as much as 3¼, much less 4, pounds of wool of the "first class" is used. In the case of ready-made clothing and articles of wearing apparel, provided for in paragraph 368, it is well known that neither 4 pounds nor 4½ pounds of wool of the "first class" is actually consumed in the manufacture of a pound of such goods. On the contrary, the quantity of wool thus used is probably not more than 3 pounds, upon an average. The paddings, linings, buckram, buttons, and so forth, go largely toward making up the weight of all such goods.

I will not stop to add a word to this blunt and fearless description of the scheme of the McKinley bill as to woolen goods. Colonel Tichenor tried faithfully to serve the people of the United States while he lived, and I do not regard it outside of my duty here in the Senate to try to perpetuate the influence of his words, now that he is dead.

It is my purpose now to examine somewhat closely the state of our foreign trade in woolen goods, in order to verify what I had occasion to say the other day as to the excessive and prohibitive character of these tariff rates, for it ought not to be forgotten that while a proportion of the aggregate assessments may be properly said to reimburse the manufacturer on account of increased cost of his material, it is nevertheless at the same time and to its full amount the barrier over which all imported goods must pass. According to the Bureau of Statistics, in its report for 1907, the actual importation of manufactures of woolens and worsteds were as follows:

Women's and children's dress goods, coat linings, etc., cotton and part wool, chiefly cotton, 13 to 23 cents per square yard		$9,526,752
High-grade woolen and worsted cloth, average value, $1.12 per pound		5,369,487
Carpets and rugs		4,420,145
Clothing and wearing apparel		1,852,563
Webbings, gorings, suspenders, laces, etc		293,000
Shoddy, mungo, waste, etc		288,180
Felts		111,405
Yarns		133,937
Plushes and pile fabrics		19,548
Blankets	$42,200	
Knit fabrics	10,216	
Flannels	60,548	
Cheap woolens and worsteds	216,614	
		329,578
Total		22,344,595

It will be seen, therefore, that the entire importations of 1907 of these cheaper woolen goods amounted to $330,000, producing a revenue of $370,000, the total importation being insignificant in comparison with our production. I ask you to observe how these imports fare at the custom-house. Of the total amount, $216,610 were woolen and worsted cloths, as follows:

Average value 39 cents per pound, dutiable at 33 cents per pound and 50 per cent ad valorem, or 135 per cent	$27,693
Average value 64 cents per pound, dutiable at 44 cents per pound and 50 per cent ad valorem, or 119 per cent	188,917

The well-ascertained value of foreign wools, printed in our own books of statistics, indicates conclusively that such goods as these, valued at less than 70 cents a pound, could not contain 3, much less 4, pounds of wool of the first class, and that fact makes the so-called "compensatory duty" a mere device for totally excluding foreign competition.

Of cloths valued at over 70 cents a pound, being the higher grades of English woolens, over $5,000,000 worth were brought in in 1907, paying a duty approximating 94 per cent on an average valuation of $1.12 per pound. Whatever my doubts about it, I am not able to successfully dispute that it might require 4 pounds of wool of the first class to produce a pound of such goods; and I will not deny that a man making such goods in the United States, if the old wool tariff is preserved, may properly ask his fellow-citizens to reimburse him to the full amount of the 4 pounds of unwashed wool to the pound of cloth, not because the wool he uses has a uniform shrinkage like that, but because his competitor on the other side has access to wools which are very cheap on account of this extreme shrinkage. I make this concession somewhat reluctantly. The reasoning is not my own; I got it years ago listening to a speech by the honorable Senator from Rhode Island, but if I make it no clearer to you than it is to me, we are all in the dark together. [Laughter.]

Let me call your attention to the statistical circumstances which attend the introduction of blankets and flannels into the United States. In 1907 we brought in $42,000 worth, as follows:

BLANKETS.

Average price, 28 cents per pound; duty, 22 cents per pound and 30 per cent ad valorem; average duty, 107 per cent	$316
Average price, 46 cents per pound; duty, 33 cents per pound and 33 per cent ad valorem; average duty, 106 per cent	219
Average price, 28½ cents per pound; duty, 33 cents per pound and 50 per cent ad valorem; average duty, 165 per cent	40
Average price, 62 cents per pound; duty, 44 cents per pound and 50 per cent ad valorem; average duty, 121 per cent	3,668
Price, 89 cents per pound; duty, 44 cents per pound and 55 per cent ad valorem; average duty, 105 per cent	8,217
Price, $1.05 per pound; duty, 33 cents a pound and 40 per cent ad valorem; average duty, 71 per cent	29,737

FLANNELS.

Valued under 40 cents per pound; price, 19 cents per pound; duty 22 cents a pound and 30 per cent ad valorem; average duty, 143 per cent	24
Valued over 40 cents a pound and under 50 cents a pound; price, 49 cents; duty, 33 cents a pound and 35 per cent ad valorem; average duty, 101 per cent	128

In addition, imports amounting to $50,000 of flannels, valued above 70 cents a pound, were brought in in 1907, at an average ad valorem of 106 per cent.

I now approach somewhat timidly paragraphs 376 and 377, and it will help me along amazingly, if you have the books handy, if you will turn your eye upon those two paragraphs, because I want to say something definite in respect to them.

A glance at the first paragraph shows clearly that it does not belong in the schedule of woolen goods, for it refers only to cloths in which the warp consists entirely of cotton and the rest of it wholly or in part of wool. The experts from the Department of Commerce and Labor, who testified before the House committee, showed distinctly that the filling of such goods could not possibly be all of wool owing to the structure of the cloth. It is not probable that there could be more than two-thirds of the filling wool, and the fact is that it contains actually very much less in most instances. Therefore it ought to be classed as cotton goods, with a compensatory rate attached in addition to the cotton rate applicable to the wool contained therein. It will be observed that these rates advance, both the specific rate and the ad valorem rate, with the price of the goods, until you come to goods weighing over 4 ounces to the yard. At that point you reach a proviso, which the House committee very properly omitted, for it transfers all goods above that weight in a cloud of language unintelligible, so far as its vital effect is concerned, outside of the analytical bureau of the appraiser's office in New York, to a classification intended originally for goods manufactured out of wool of the first class. If I were called upon to guess what it was that mystified Senator Allison and Senator Platt in 1897 and drew from the secretary of the Woolen Manufacturers' Association that sad lament that the only man on the committee to whom it could be explained was unfortunately sick, I would not select the plain and open-faced duty on tops even when concealed under the description of wool or hair advanced beyond the washed or scoured condition, but would pick out some such provision as this, and attribute their discomfiture to that.

The following section is another good illustration of the blindbridle attachments that have been put onto the working harness of Schedule K. You would naturally think that it dealt with a different kind of goods, but neither the appraisers at New York nor the statisticians here seem to think so. The only difference is that in the first section the goods must be mostly cotton, and under the second they are just as likely to be cotton as not; and when you come to understand that the lifelong promoters of this bungling legislation are just as deeply interested in cotton as they are in wool manufactures, you can the more easily understand the situation. If I had my way about it I would reduce some of these rates, and I would certainly in view of the fact that the combined imports under both these provisions indicate only a small and precarious entry of such merchandise compared to its domestic production, I would at least strike out these mischief-making provisos; or, if I left them in, I would see to it that the goods, when they landed in the classification of cloths made out of wool of the first class, would encounter a "joker" put in on behalf of the public, confining their compensatory specific to the weight of the wool contained in a pound of the cloth.

I desire now to speak of some of the morbid and abnormal influences which have gone out from Schedule K to vitiate the tariff system of the United States. The high rates imposed

throughout the schedule have been peculiarly attractive to laborers in other departments of the textile vineyard, and it is easy to trace the movements of greed in more than one schedule framed to protect these industries. Manufacturers in other textile departments have been persistent in their efforts to get the advantage of the rates on woolen goods. Makers of silks, of cottons, and of furs, not satisfied with their own rates, have sought shelter among the slippery provisions of the wool tariff. We have already seen how hospitably the manufacturers of cotton have been received. It takes only a slight investigation of the silk schedules to see how easily that product puts itself into partnership with the enterprise.

The manufacturers of fur garments, not content to gratefully accept the modest 35 per cent accorded them by the present law, have been able to secure here the increase of their rate to 50 per cent, provided they contain no wool. I do not know whether they are entitled to that or not, but I do know that they ought not to be allowed on account of the presence of wool in the lining or elsewhere in the garment to pass over to the wool schedule, where, in addition to the 60 per cent ad valorem, they will enjoy a bogus compensatory of 44 cents per pound on the weight of the whole garment. The root of this abuse lies in Schedule K, where all sorts of manufactures, whether cloths or clothings or anything else containing a trace of wool, must be weighed up under its benign provisions. If it operated merely to affix excessive rates to articles not entitled to them, it would be bad enough; but it operates also to bring our protective-tariff system into ridicule and contempt. Why should a fur coat, with a cotton lining or no lining at all, be assessed 50 per cent ad valorem, while with $2 worth of wool lining it takes 44 cents per pound and 60 per cent ad valorem? But that is not an extreme case. I spoke the other day of a cotton blanket, with a fringe of wool to prevent unraveling, received hospitably at the custom-house and solemnly charged up with the specific compensatory calculated a generation ago for woolen goods, but that is not an extreme case.

Mr. ALDRICH. Will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. Has the Senator ever seen a cotton blanket with wool fringe or wool selvage? Does the Senator think it is possible to make a blanket with a woolen selvage?

Mr. DOLLIVER. I heard of this case from reputable people.

Mr. ALDRICH. Possibly reputable people, but——

Mr. DOLLIVER. I think I can bring in the blanket.

Mr. ALDRICH. I think you can not.

Mr. DOLLIVER. But I do not want to cover up the subject. [Laughter.]

Mr. ALDRICH. I do not think you can bring in such a blanket.

Mr. SMOOT. It can not be made.

Mr. DOLLIVER. That is not an extreme case. I have in my hand the brief——

Mr. ALDRICH. While the Senator is looking——

Mr. DOLLIVER. I have quit looking.

Mr. ALDRICH. Permit me to say it would be physically impossible to make an article of the character he has mentioned.

Mr. DOLLIVER. I will discuss that question when we come to that schedule. It is fully described in a decision of the Board of Appraisers in General Appraisers, 4313. I have in my hand a brief for the petitioners in the case of A. J. Woodruff & Co. v. The United States, in the circuit court for the southern district of New York, in which they were trying to escape paying duties under Schedule K on a sofa and a set of chairs in the upholstery of which traces of wool appeared.

I will read a short extract from it, for it takes us into the Cretan labyrinth of the wool tariff, with nothing to guide the footsteps of our return unless we hold fast to the trusty clew of worsted yarn provided for the exploit by outside friends. Now listen to this:

The appraiser first examines the furniture, finds that the covering of the sofa and chairs is tapestry, of which the chief value is silk, and that the silk is the highest valued component in the furniture. Construing the provisions for furniture of wood as being limited to furniture in chief value of wood, he places the articles in the provisions for manufactures in chief value of silk in paragraph 391. But paragraph 391 has a proviso which says that manufactures of silk in part of wool must pay the wool duty. He therefore turns to paragraph 356, finds that the rate of the wool duty depends upon the value per pound of the cloths, knit fabrics, and all manufactures of every description there provided for, and proceeds to ascertain the weight, not of the fabric, but of the furniture. He finds that the furniture weighs 200 pounds and is worth $1,592. He divides 200 pounds of furniture into $1,592 and finds that a pound of sofa or a pound of chair is worth over 70 cents. He now consults paragraph 356 again and finds that when a pound of chair is valued over 70 cents it must pay four times the duty of 1 pound of unwashed wool of the first class and 55 per cent ad valorem. He turns to paragraph 357, where he finds that the duty upon all wool of the first class is 11 cents a pound. He multiplies this by 4, gets 44 cents, then multiplies by the pounds of wood, tapestry, padding, springs, nails, tacks, etc., and gets the specific duty, to which he adds 55 per cent of the invoice value.

Mr. ALDRICH. What is the Senator reading from?

Mr. DOLLIVER. I am reading from a brief by a great lawyer in New York presenting a case to the circuit court of the United States.

Mr. ALDRICH. What was the decision of the court in that case?

Mr. DOLLIVER. The appraisers decided that the law required the collection of the wool duty.

Mr. ALDRICH. What did the court decide?

Mr. DOLLIVER. The court decided that it was an intolerable absurdity. Both the tribunals were right [laughter]; and we have now in the United States the funny spectacle of this Government, 90,000,000 and more of fairly sensible people, solemnly pursuing that preposterous thing in the circuit court of appeals.

Mr. ALDRICH. What preposterous thing?

Mr. DOLLIVER. The preposterous thing to which I have been referring. If it does not impress the mind of the Senator, I would despair of being able to allude to it any more distinctly.

Mr. WARREN. Is the case now in court?

Mr. DOLLIVER. Yes. But that is not an extreme case. We have in the United States an interesting institution engaged in the manufacture of rubber goods, advertising in the Boston newspapers that it absolutely controls the business, as a sign of good credit, so that people in dealing with it will have confidence, and persons who are purchasing stock will not be without faith in the enterprise. I notice that in this bill they have enjoyed a slight accretion of duty from 30 per cent to 35 per cent. But I am not going to complain about that, because I have not gone into the practical aspects of the subject. However, the curious thing about it is that throughout a large list of their merchandise they enjoy a protection which Congress in its simplicity thought it was extending to clothing made of wool.

It will interest most people to know that the gum boots with which the farmers of America are wading around in in the snows of winter are lined usually with wool, and that when a box of them appears at a port of the United States they are not troubled by the 30 per cent duty on manufactures of rubber. Why? Because they are otherwise provided for. How? This law which we refuse to even look at with a view of correcting errors and absurdities transfers this merchandise bodily to paragraphs intended to protect woolen clothing, and we see the fine vaudeville sketch of a pair of rubber boots being solemnly weighed up in the custom-houses of the United States and assessed at 44 cents a pound and 60 per cent ad valorem as wearing apparel composed in whole or in part of wool.

Mr. ALDRICH. Mr. President, does the Senator mean to state that any such importations have ever been made, and that any such duties have ever been charged?

Mr. DOLLIVER. Certainly no such importations have ever been made. This is now, I take it, for the purpose of making that everlastingly certain. Certainly nobody would ever start on an enterprise like that.

Mr. ALDRICH. Mr. President, rubber boots are cheaper in the United States than in any other country in the world.

Mr. DOLLIVER. Then why is there an increase from 30 to 35 per cent on manufactures of rubber?

Mr. ALDRICH. Because manufactures of rubber include——

Mr. DOLLIVER. If they are cheaper in the United States than anywhere else, I intend to move to put them on the free list.

Mr. ALDRICH. There are many other manufactures of rubber besides rubber boots.

Mr. DOLLIVER. I will single out the boots and move to put them on the free list. I am on the side of the citizens who sometimes have to walk in the mud to the polls to vote the Republican ticket in Iowa.

Mr. ALDRICH. We have automobile tires made of rubber—a great quantity of them.

Mr. DOLLIVER. It would not require very much sagacity to separate an automobile tire from an ordinary gum boot. Besides, automobile tires seem to be down in this bill in the metal schedule at 45 per cent.

Mr. ALDRICH. There is no rate of duty of that kind or form put in by any decision of any court or by anybody else.

Mr. DOLLIVER. "Manufactures of rubber." Did not the Senate committee, in providing for the duty——

Mr. ALDRICH. The Senate committee on the woolen schedule followed precisely the act of 1897 in every word; they have not changed it.

Mr. DOLLIVER. That is exactly what I am complaining about.

Mr. ALDRICH. Well, that is all right.

Mr. DOLLIVER. Because no rubber boots would be brought into a port so inhospitable as to charge them 44 cents a pound and 60 per cent ad valorem.

They do make rubber boots on the other side of the water, and in making those rubber boots there is a little scrap left over like that [exhibiting]. It is rubber with a little wool fused into it by heat, I reckon. There was a fellow out in Boston, one of the constituents of my honored friend here, who thought he would make an honest penny by going over the border and buying some of this rubber scrap. He looked at the Dingley law and found that old rubber that had finished its earthly pilgrimage was on the free list. But that did not satisfy him. He hired a lawyer, and was told that new rubber, or rubber not entirely gone up from a worldly point of view, was dutiable under the basket clause for wastes not otherwise provided for at 10 per cent.

He thought he could stand that, and so he brought in the stuff at Rouses Point, N. Y. They valued it at the custom-house at $400 and presented him a bill for duties of $1,600. He had encountered the wool tariff that goes on from one generation to another in the United States. He had got up against a proposition that this was subject to the duties provided for noils, wool extract, yarn waste, thread waste, and all other waste composed wholly or in part of wool. When he came to [laughter] he hired a lawyer, and they finally induced the Secretary of the Treasury to give him leave, although it was regarded as a strain on the administrative customs law, to pay the duty, recover all of it back except 1 per cent, and send the goods back under the drawback clause. [Laughter.] Yet there is no way to recover rubber from such waste without entirely destroying the fiber.

I might go on until dark exhibiting these absurdities. I say to you, gentlemen, that you can take the bill and dig more of them out in one night's careful investigation with the advice of skilled persons——

Mr. ALDRICH. You have got them.

Mr. DOLLIVER (continuing). Than I have given you or than you would have time to receive in the Senate Chamber of the United States.

Mr. ALDRICH. There are plenty of skilled persons of that kind in this country and in our competitors abroad studying this tariff question every day for the purpose of evading the law and destroying the protective system.

Mr. DOLLIVER. Do you dispute the truth of what I say about these things?

Mr. ALDRICH. I do not.

Mr. DOLLIVER. Then you ought not to attack men of character who have been sitting up nights with me.

Mr. ALDRICH. I do not intend to do that; but I intend to put in the RECORD, and I would be glad to do so now, if it would not interrupt the Senator——

Mr. DOLLIVER. It would seriously disturb the continuity of my discourse.

Mr. ALDRICH. When the Senator gets through, I will put in the RECORD statements made in the debate upon the act of 1897 by the late Senator from Arkansas, Mr. Jones, and the late Senator from Missouri, Mr. Vest, precisely along the lines of the statements the Senator is now making. They could be taken word for word and read by the Senator from Iowa and would produce the same effect.

Mr. DOLLIVER. I said at the beginning that if I speak the truth, if I confine myself to facts, I will not be diverted by the circumstance that some wayfarer in this wilderness in a former generation happened to strike the same things that have occurred to me.

Mr. ALDRICH. I only made that observation for the purpose of showing that the men who are trying to destroy this tariff are still "doing business at the old stand."

Mr. DOLLIVER. Mr. President, I resent that statement. I am not trying to destroy this tariff. I wish to leave it a Republican tariff that can be defended in the United States; and before I conclude I shall show the Senate that I stand not upon what Senator Jones, of Arkansas, said, but upon what Senator ALDRICH, of Rhode Island, did in 1888.

I propose now, Mr. President, by the kindness of the attention of the Senate, to point out not what I think ought to be done, but what I think it is feasible to do in order to remove from these schedules some of the absurdities and excesses of which I have been complaining. If I had my own way about it, the first thing I did would be to strike out the fictitious distinction between wools of the first class and wools of the second class. Without giving my own views about it, I intend to read a conversation which I had with a wool expert, an elderly gentleman who acted for the United States in the standardizing of the wool samples in the custom-houses of the United States, who happened to be in this city at the invitation of the Tri-State Wool Growers' Association of Ohio, Pennsylvania, and West Virginia in an advisory capacity.

The House of Representatives tried in vain to find out what was the origin of the unequal duty between clothing wools and combing wools. They could find nobody to answer the question. I found clothing wools there assessed at 11 cents and called "first-class" which by the time they got into the hands of the manufacturer were charged up at least 22 cents a clean pound, while the duty on combing wool, called "second-class" was 12 cents a pound, whether it was washed or unwashed. I wanted to know how such a curious thing ever got into a tariff law. I became all the more curious because I had to read it four or five times before I could notice the joint where the proposition emerged. I handed it to intelligent men and asked them if they saw any distinction in that language between clothing wools and combing wools, and one after another bright men said "I can not see any distinction." If you will get the paragraph and read it yourselves, you will notice with what delicacy of phrase, worthy of poets and artists, this distinction has been wrought into the very foundation of the wool tariff by which washed combing wools of Class II, shrinking 20 per cent, come here practically at 15 cents a pound, while wools of Class I, shrinking 65 per cent, pay 31 cents a pound, owing to shrinkage in cleaning, or in cases of an extreme shrinkage, as I tried to show a moment ago, at 36⅔ cents a scoured pound.

So I was interested when this venerable saint of Israel came into my room and said that he had heard that I was interested in the wool schedule. He talked with such intelligence and such interest that I asked him if it would be disagreeable if I took down his conversation in writing. He said he would offer no objection, and so——

Mr. WARREN. If the Senator does not mind, I should like to make an observation there as to wools of the first and second class and worsted wools.

The PRESIDING OFFICER (Mr. BRISTOW in the chair). Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. In the present handling of wools and with French combs, and so forth, now in use, a very large proportion of wool of the first class becomes worsted stock. I want to say that, as the Senator has said, scoured wools are not imported to any great extent, and that the first-class wools that are imported unwashed and unscoured are "skirted." So they come in at a shrinkage of about 50 per cent on an average.

Mr. DOLLIVER. I beg the Senator's pardon, I am so anxious to condense this discourse that instead of putting my own words in this speech I have taken the words of another, and I beg him not to extend the matter, as that is the very question my old friend Edward A. Greene is about to discuss.

Mr. WARREN. I know to whom the Senator refers.

Mr. DOLLIVER. I want to read the conversation.

Mr. WARREN. I will not take the Senator's time now, but I want to say that his statement regarding the shrinkage of the first-class wools imported is wide of the truth, if the average of importations is considered.

Mr. DOLLIVER. Here are the questions and answers. It is not strictly a platonic dialogue, but in these commercial times it may pass.

Mr. Greene stated that he had been in the wool business since 1855, and then the conversation proceeded as follows:

Q. Have you ever given any attention to the phraseology of the wool tariff?—A. I have.

Q. There is one thing in this wool tariff that I have not been able to understand—a good many things, in fact, but this one particularly. Why has the language been so arranged as to double the rate on wools of the first class which are washed and at the same time leave the original rate on wools of the second class whether they are washed or not?—A. In 1867 the only wools that were imported into this country of the first class were from the Cape of Good Hope and from South America, the latter called "mestizo." The Cape wool shrank from 60 to 70 per cent; the mestizo shrank from 65 to 75 per cent. That was practically two-thirds. Washed wool was taken then at 20 cents and unwashed wool at 10 cents.

Q. You refer to the high shrinkage of wools. Now, in the case of the other wools of low shrinkage, the law seems to have made no distinction as to whether they were washed or unwashed?—A. Mr. Edmunds, who was treasurer of the Pacific Mills, at that time the largest worsted mills in the country, said: "This will not do for me. I must use either English or Canadian wools." They are all washed; and while he had a compensatory duty based on unwashed, he succeeded in getting the duty on washed wool the same as had been put on unwashed. His mills were, and are now, located at Lawrence, Mass.

Q. Do you think Mr. Edmunds helped to put these washed and English wools into the tariff bill with a view to the prosperity of the business that he was in?—A. He naturally was looking out for his own interests.

Q. Has that provision of the law operated to create any inequalities as between the worsted manufacturers and the carded woolen people, and how has it affected the woolgrower?—A. The worsted manufacturers have had the big end of the horn from that day to this. They get the same compensatory duty. They have injured the carded woolen manufacturers and the woolgrowers. The carded woolen people and knit-goods makers have to buy a good part of their materials from the other fellows—their tops and the nolls which are the by-product of top making, besides the other wastes which enter into cloth and knit goods. The sheep people also are beginning to see where they come in. With class 2 wools, shrinking only slightly in the scour, entering at 12 cents a pound after being partly cleaned by washing, the husbandman finds not 24 or even 22 cents a washed pound between him and his foreign rivals, as he has supposed, but only 12 cents, much of which the importer gets back by selling in competition with native wool the nolls and wastes of the worsted mills now protected in the tariff by rates wholly prohibitory. Here is the automatic retarder of domestic wool prices working all the time.

I think it is time to have that inequality corrected, although it may be to do so would require other changes in the law which I have not yet had time to explore.

I have already called attention to the advisability of amending the provisions in this bill applicable to wool not otherwise provided for when advanced beyond the scoured condition. That absurdity, which everybody seems willing to cast off now, had its origin also in the fertile brain of the president of the most important worsted mill in America. Its modification, with a view to putting the duty on tops at least below the duty on yarn, will tend to remove inequalities, or, at least, to cut excrescences.

I think that error ought to be corrected, and I hope the committee will see to it that the adjustment of those rates the duty is not made excessive on tops and that it is sufficiently reduced on nolls and other wastes of worsted manufacture; in fact, on all wool wastes so as to prevent it, at least, from being totally prohibitory in its operation.

As to yarns and all kinds of cloth, whether made in whole or in part of wool, it is proposed by amendments which I will have the opportunity to offer later to effect a small reduction in the higher ranges of the woolen rates by making the compensatory duty applicable not to the weight of the cloth, but to the weight of the wool contents of the cloth. It is intended by this change not only to scale down in a moderate way these high duties, but to remove the temptation of persons vaguely groping about in search of a higher rate, yet unwilling to publicly avow their purpose to grasp the glad hand extended through the cracks in the paragraphs of Schedule K. A still more radical reform is proposed in striking out provisions however harmless in their original purpose which are drawn in such comprehensive language as to add confusion to our tariff classifications and to covertly increase the rates on a great variety of articles that ought to stand in the light of day on their own merits.

Finally, it is proposed to resolve the uncertainties which surround this schedule in nearly all its paragraphs by a general provision in the nature of a duty beyond which no rates can be lawfully assessed. The literature of this discussion is so full of finespun theories about the deceptiveness of rates which, when expressed in ad valorem equivalents, seem alarmingly high, while in point of fact they are just and reasonable, and the argument is so persuasive about the general effect of our tariff in giving the people a cheap and serviceable cloth and it is so fashionable for gentlemen to appear before the committee of Congress sporting a brand-new $10 suit of clothes, that I have concluded to take them all at their word by offering a proviso that the rates levied in this schedule, specific and ad valorem, simple and compound, when taken together, as applied to any article, shall in no case exceed 100 per cent.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I will put into the RECORD also several amendments of the precise class which the Senator is now offering, which were offered to the act of 1897, and also the objections which were made to those amendments by Senator Allison.

Mr. DOLLIVER. I trust the Senator may have the privilege of doing that; but I would be greatly obliged to him if he would not disturb my remarks by a premature announcement of all his masterly strategic purposes.

I have caused an expert calculation to be made of the effect on rates of all the changes which I have suggested, and it has gratified me to find that the proposals work out in moderate reductions, especially upon those articles the like of which enter into general use and consumption throughout our country, which is a matter worth consideration. The great industries of the United States have no better friend than I am now and have been all the days of my life. I desire to see the wages of American labor maintained; I desire to see the investments of American capital attended with success; but at times like the present, with half of the worsted interests of the country already absorbed by two great corporations, and a third now forming, with a proposed speculative capital of $25,000,000, I stand here to defend the people against the exactions of avarice and to defend the good name of protective tariff against those who are using it as a mere asset in the operation of financing conspiracies in restraint of trade. In the effort I have made to state the woolen rates in more moderate terms, I have been of course compelled to ignore the authority of the McKinley Act, however great it may be, and to reexamine the framework of the Dingley law, notwithstanding my reverence for the memory of that good man.

I confess, Mr. President, that I was hurt somewhat a few days ago, although I do not seem to show it much now, by what looked to me at the moment as an unkind allusion to me personally by the Senator from Rhode Island.

Mr. ALDRICH. That is not possible.

Mr. DOLLIVER. The Senator from Rhode Island desires even now, apparently, to put me outside of the breastworks, where so many good people have perished for the want of ventilation. [Laughter.]

I confess that my sensibilities were not untouched by the Senator from Rhode Island, who when speaking in the Senate the other day referred to my late colleague, using words intended apparently to represent me to the country, in contrast to him, as a weakling, tossed about by every wind of doctrine. Yet, the Senator himself, in 1888, in reporting the Senate substitute, denounced the Mills bill because it bore with hardship upon the great mass of the people, by making the rates upon common dress goods and clothing oppressive and prohibitory, and whoever will study carefully the rates throughout the woolen schedule, prepared with painstaking care, by a subcommittee of which Senator Allison was chairman, will see how far we have departed from the good sense and moderation of other years. That bill, which afterwards commanded every Republican vote in the Senate, and won the presidential campaign of 1888, reduced the woolen schedule more radically than I propose to do now. So that, instead of despising the counsel of Senator Allison, or treating with indifference the sober judgment of the Senator from Rhode Island, I am standing upon the greatest act of constructive statesmanship which enters into their fame as leaders of the Republican party. What I ask to-day of party leaders, is to take us back, not to 1890, when McKinley in despair turned the making of the wool tariff over to a mass meeting of its beneficiaries; not to 1897, when Governor Dingley's avowed purpose to reduce the McKinley rates was vetoed by the threats and clamor of outside interests; but to 1888, when the Senator from Rhode Island labored month after month, day and night, with William B. Allison in the preparation of the only schedule of wool and woolens in forty years in which either the public interest or the welfare of the Republican party was made paramount over sordid private considerations.

I take the liberty, accorded to me by the Senate, of following what I have had to say upon the woolen schedule, with an exact record, which will reveal, at least in part, the kind of instruction I have had in preparing to submit my views on this question to the Senate. I have been pestered by repeated suggestions that I am presenting opinions originating in quarters hostile to the protective tariff, and while the Senator from Rhode Island is filling the daily RECORD with old Democratic opinions about the wool tariff, suggesting that I am following them, I take the liberty to print in the body of the speech which I am making a verbatim transcript of a conversation that I have had within the last few weeks with Mr. Samuel S. Dale, famous everywhere as a defender of the protective-tariff system, and in his capacity of editor of the Textile World Record, of Boston, recognized everywhere as a conscientious expert upon the subjects I have tried to discuss:

Q. Mr. Dale, you have here two samples of wool. Will you kindly describe them?—A. One is a sample of Cape wool received a few days ago from London, by way of Bradford. The estimated shrinkage in scouring is 70 per cent, yielding 30 pounds of scoured wool from every 100 pounds of grease wool. The other is a sample of English wool washed on the sheep's back, the estimated shrinkage being 20 per cent, yielding 80 pounds of scoured wool from every 100 pounds of grease wool. The duty on the wool like the first sample is 11 cents a grease pound, or 36¾ a scoured pound. The duty on the wool like the second sample, of English wool, is 12 cents a grease pound or 15 cents a scoured pound. Equally wide variations in shrinkage occur in wools of the first class, it being possible to find wools of class 1 shrinking as high as 80 per cent and as low as 20 per cent. In one case, the buyer gets 20 pounds of scoured wool from 100 pounds grease wool; in the other case, he gets 80 pounds scoured wool from 100 grease wool. And yet the Dingley law imposes a duty of 11 cents a grease pound ($11 a hundred pounds) in each case. Thus the user of the first lot pays a duty of $11 on 20 pounds clean wool, while the user of the second lot pays the same duty, $11, on 80 pounds clean wool. I have, however, selected samples of both classes—1 and 2—in order to

illustrate the inequality in the present tariff on washed and unwashed wools. A duty on wool should be judged by the amount per scoured pound. The Dingley law fixes the duty on scoured wool at 33 cents a pound, which is supposed to be the protection granted to the American wool grower. As a matter of fact, however, practically no wool is imported in the scoured condition, while none of the imported grease wool, on which the duty is 11 cents a pound, shrinks in scouring over 55 per cent, the bulk of it shrinking much less than that. As a result, the duty on the first and second class wool imported into the United States, varies from 14 cents to 24 cents per scoured pound, and nearly all of it is used in the worsted branch of the industry.

Q. Is this sample of English wool unwashed or washed?—A. It is washed on the sheep's back.

Q. Is there any peculiarity about the tariff on these wools which bears unequally on these two classes?—A. Yes; there are two causes of inequality. First, there is the inequality resulting from the difference in shrinkage just explained. The other is found in the provision of Schedule K, paragraph 302, by which the duty is doubled on wool of class 1 if washed on the sheep's back, while wool of class 2, if so washed, is admitted at a single duty. If the Cape wool had been washed on the sheep's back, the duty would have been 22 cents a pound. The English wool has been so washed, but the duty is the same, 12 cents, as if it had not been washed.

Q. What reason is there for any such discrimination between the wools of the first class and of the second class?—A. There is no good reason for it. In the early days of the industry the long luster wools of the second class, washed on the sheep's back, were practically the only wools used for the manufacture of worsted, the bulk of them coming from Canada. Under the reciprocity treaty Canadian wools were admitted free of duty. When that treaty was terminated these wools of the second class, washed on the sheep's back, were admitted at the single duty in order that the worsted industry might not be deprived of raw material by a double duty. At the same time it was provided that wools of the first class, if washed on the sheep's back, should be subject to a double duty, at 22 cents a pound. This difference in the tariff on washed wools of the first and second classes is special privilege to the users of wools of the second class and discrimination against users of wool of the first class. In either case it is unjustifiable and should be abolished.

Q. Will you state how this inequality, which doubles the duty upon wools of the first class when they are washed, but leaves it undisturbed in the case of wools of the second class when they are washed, has operated as applied to the various departments of wool manufactures?—A. It has given the users of second-class wools access to foreign sources of raw material at a much lower rate of duty than is imposed on heavy shrinking wools of the first class. This difference is so great that users of the second-class wools are able to import their raw material at a rate of duty which is much less than that contemplated as protection to the woolgrowers by the Dingley Act. On the other hand, the duty on heavy shrinking wools of the first class is so high that would-be users of this kind of wool find it impossible to import any of it. The users of light shrinking wool are able to import their wool at a very low duty; the users of heavy shrinking wool are shut out of foreign sources of supply.

Q. Will you kindly tell me how much of this light shrinking washed wool of the second class, which you say is imported at the 12 cents a pound rate, was brought in, and who imports it, and for what purpose?—A. The imports last year of second-class wools amounted to 9,807,000 pounds. They are used by worsted mills for luster worsteds, braids, and similar goods.

Q. Will you state what the present condition of the woolen manufacturing industry is in the United States at present?—A. The worsted business is very prosperous and developing rapidly, while the carded woolen industry is very much depressed. This depression is due to two causes: First, the greater popularity of smooth, hard-faced finish for which worsteds are adapted; second, the fact that the carded woolen mills are excluded from access to the foreign wools adapted to their goods, while the worsted mills have a comparatively easy access to such sources of supply. These conditions have forced the carded woolen mills into idleness or to the use of wool substitutes and have stimulated the manufacture of inferior fabrics known as "cotton worsteds," made principally of cotton yarn with a small amount of worsted. These cotton worsteds are attractive to the eye before being worn, but they do not protect the body against cold and damp and make a generally unsatisfactory garment.

Q. What materials are open to the manufacturer of carded woolen cloth beside new wool?—A. There are nolls and the wastes from the manufacture of wool, and the material commonly known as "shoddy," which is made by tearing into a loose, fluffy, fibrous mass suitable for reworking into cloth the tailors' clippings and the woolen rags that are collected around the country. The use of these materials is essential, because the supply of new wool is entirely inadequate to clothe the people. As a careful an estimate as I have been able to make from the best statistics available shows that if all the wool grown in the world were converted into cloth, without the admixture of any other material, and distributed pro rata among the people who inhabit the globe outside the Tropics, where very little wool cloth is required, the annual per capita share would be 14 ounces of pure wool cloth. The production of wool in the United States, if divided among the people of the United States, would amount to practically the same quantity—14 ounces—of pure wool cloth for each person. This is little more than enough for a breechcloth. The ordinary light-weight cloth weighs about 14 ounces per yard, 55 inches wide. A suit of clothes requires 3¼ yards. A man's share of the wool clip is, therefore, enough cloth to make a light-weight suit every three and one-half years.

Q. What effect on the clothing, bedding, and household furnishings of the people has this situation which you describe produced, and what would be its ultimate effect upon the woolgrowing industry?—A. It has deprived the people of an adequate supply of wool clothing, blankets, and other articles of wool. It has compelled the use of inferior substitutes for wool, which do not give the protection against dampness and changes in temperature that is afforded by wool. It has forced manufacturers to reduce the weight of all-wool cloths, so that these goods, although made of wool only, fail to give proper protection to the wearer. The prohibitory duties on wool wastes, nolls, and similar materials restrict the mills to the comparatively limited domestic supply of these materials, so that the goods made of wool substitutes are much inferior to what they would be if a supply of the better grades of wool substitutes were made available by an equitable duty on these materials. The prohibitory duty on the heavy shrinking wools and on wool substitutes suited for the lower-priced goods and the low duties on the light shrinking wools suited for the higher-priced goods make it difficult to produce warm and durable wool garments at a low cost, and at the same time facilitate the production of the high-priced cloths. My judgment is that these conditions will ultimately bring the tariff on wool and wool goods into such popular disfavor as may result in the violent removal of all duties on wool and its substitutes, as was the case in 1894, and that, therefore, the ultimate effect of these conditions is likely to be very injurious to the domestic woolgrowing industry.

Q. You spoke of the manufacturers of carded woolens being driven to the use of certain waste and by-products; you mentioned particularly nolls. Taking the sample of English wool which we have here, and which you say enters at 12 cents a pound washed, and pays a duty of only 15 cents on the contents of the scoured pound owing to its light shrinkage, I will ask you to trace that wool from the condition in which we have it here to the cloth or dress goods for which it is adapted, stating as you go along what waste arises in the various processes of manufacture.—A. The first process is scouring. The waste from scouring wool runs almost invariably to waste in the stream, so that it need not be taken into consideration. The next process is carding; the waste here is a very small percentage of the weight of the wool, and its value is low owing to the dirt and grease clinging to it. The next process is combing, which divides the wool into two parts, the long fiber called "tops" and the short fiber called "nolls." The nolls can not be used by the worsted mills and are, therefore, sold as a raw material for the carded woolen mills. The tops are converted into worsted, the process after combing being drawing; a comparatively small quantity of slubbing waste is produced in this process. The drawing process converts the tops into roving, and in the last operation of drawing a small quantity of roving waste is made. The roving is spun and twisted into yarn. During this process and in the subsequent operations of spooling, warping, and weaving a quantity of yarn waste is made. This is run through a garnett machine which converts it into a loose fibrous mass known as "garnetted waste."

Q. These wastes are, therefore, a sort of by-product in the manufacture of worsteds, and do not arise in the conversion of wool into woolen goods?—A. Wastes are made in the carded woolen manufacture, but they are of a different quality and character entirely.

Q. What becomes of these latter wastes?—A. They are used over again by the carded woolen manufacturers.

Q. Now, if I understand you, these wastes, nolls, slubbing wastes, roving wastes, and garnetted wastes are sold by the worsted factories to the carded wool people?—A. Yes, sir.

Q. What are nolls worth now a pound?—A. Prices vary widely with the quality and state of the market. They vary from 15 to 50 cents per pound, and some perhaps higher.

Q. What are these nolls worth abroad?—A. I recently received a large number of samples of nolls and worsted waste from Bradford, England. Following is a list of them, with prices, at Bradford.

Memorandum of prices of foreign nolls, waste, and shoddy.

		d. Cts.
2540.	Crossbred 40s nolls	6½—12½
2541.	Crossbred 40s nolls	7 —14
2537.	Crossbred 40s nolls	7½—15
2534.	Crossbred 44s nolls	8½—16½
2536.	Sliped New Zealand nolls	8½—17
2535.	Crossbred 46s nolls	* 8½—17½
2539.	50s. nolls	9½—19½
2533.	Lister-combed English nolls	10 —20
2532.	Lister-combed English nolls	10½—20½
26.	Australian crossbred 56/58s nolls	11½—23½
27.	Australian Botany nolls	15½—31½
28.	Cape liclden's dry combed nolls	16½—33
25.	Australian 58s nolls	17½—35
3155.	Carded light waste	11 —22
2880.	Medium olive, medium shoddy	7½—15
2990.	Wd. carb. light shoddy	11 —22
2785.	Wd. medium black shoddy	11 —22
2469.	Fine fancy comforters, shoddy	8 —16
2.	Dyed black-brown mungo	4½— 8½
3.	Dyed green mungo	4½— 8½
6.	Green cheviots, shoddy	3½— 6½
4.	Dyed black-brown cheviots, shoddy	3½— 6½
1.	Dyed green medium worsteds, shoddy	4 — 8
5.	Dyed light green medium worsteds, shoddy	4½— 9
7.	White merino nolls	14½—29
8.	English blanket nolls	10 —20
9.	English nolls	8½—16½
10.	English nolls	8 —16
11.	English nolls	7½—15
12.	English Down nolls	10½—21½
13.	Pulled white hosiery waste	10½—21
14.	Colored hosiery waste	11½—23
15.	Gray hosiery waste	10½—20½
16.	Colored waste, carded	6½—13
17.	White waste	10½—20½
18.	Gray waste, carded	7½—15
19.	White Botany waste	17½—35
20.	Colored crossbred	9½—19
21.	Colored Botany	19½—39
22.	Carbonized black serge, pulled	3½— 7
23.	Carbonized black worsted	4½— 9
24.	New black worsted, carded	5½—10½

NOTE.—The trade discount on nolls, 7 to 12, inclusive, is 1½ per cent, payment one month; also on tops, from 13 to 21, inclusive, terms net.

Q. Is the rate of duty, provided in the Senate bill of 20 cents per pound on nolls, for practical purposes prohibitory?—A. It is. There may be a small quantity of very high-grade nolls, suited for the production of special grades of goods, that can be and are imported, but the quantity is insignificant.

Q. The Bureau of Statistics indicates an importation of about 400,000 pounds, valued at 40 cents a pound. So that the manufacturers of carded woolens are left by this provision of law practically in the position of buying their materials of their competitors, who are already displacing their goods? The tops that you speak of, are they used also by the carded woolen manufacturers?—A. Not at all. They are a worsted product in process of manufacture.

Q. The Senate bill seems to classify this product and the product still more advanced toward the finished yarn, which you have referred to as "roving," with woolen cloth, which applies the cloth duty to

* Last week's prices, 1½ per cent discount.

these intermediate materials.

Q. What is the reason for such a rate on tops and roving?—A. There is no good reason for such a rate, and the supposed beneficiaries do not attempt to defend it. They are ready to give it up. It is a glaring inconsistency. It is a prohibitory duty on the product of worsted-top mills, so that the term "supposed beneficiary" refers to any producer of tops for sale.

Q. You think, then, that this top duty will not be insisted upon by anybody?—A. I do not think anyone brought face to face with the facts would insist upon the Dingley duty on tops. It originated in 1889, I think. I find the first record of this present duty on tops in a tariff hearing on the textile schedules before the Senate Finance Committee of 1889.

Q. It will possibly be an advantage to these worsted mills, which are not in a position to manufacture their own tops, to have this duty reduced somewhat below the duties on yarn, will it not?—A. That would depend upon the extent of the reduction. A mountain-high tariff like the present one on tops can be cut considerably without changing its prohibitory character. It would certainly be reasonable to have a product that is less advanced than yarn bear a lower duty.

Q. I wish to talk with you a little about the framework of Schedule K, as it relates to the specific duties applicable to the weight of cloths and dress goods manufactured here. Have you ever studied the question of whether the multiples of 3 and 4 by which this compensatory duty on cloth as related to the duties on wools of the first class has been calculated for so many years?—A. Yes; I have.

Q. I would like to know what conclusions you have reached about that?—A. You will find my conclusions in this article, "How much wool to make a pound of cloth?" No tariff on wool goods should be based on a ratio between grease wool and finished cloth. As well might one attempt to fix a ratio between iron ore and watch springs. No wool manufacturer attempts to estimate the cost of his finished fabrics from the cost of the grease wool. Such a basis would result in gross errors and ultimate bankruptcy. In buying grease wool, the first considerations are the amount of scoured wool that the grease wool will yield, and the intrinsic worth of the scoured fiber. About twenty years ago I made an extensive test to determine the shrinkage in manufacturing all-wool cloth, and the result was that 1.54 pounds of scoured wool was required for 1 pound of cloth. The ratio between the grease wool and the finished cloth varies widely because of the difference in the shrinkage of wool in scouring. During the four years I was making the test referred to, I used many different lots of wool which varied widely in shrinkage. This variation of shrinkage is illustrated by 6 lots of grease wool, which in scouring shrunk 76, 69, 62, 47, 35, and 16 per cent, respectively. Calculating the ratio between these lots of grease wool and the finished cloth from the ratio of 1.54 between the scoured wool and the finished cloth, we find the following ratios between the grease wool and the finished cloth: 6¾, 5, 4, 3, 2¾, and 1¼. This shows plainly that no single ratio can be true of all kinds of wool.

Q. What do you say, then, of the scheme of fixing these compensatory duties as this bill does, on the ratio of 4 to 1, and in the lower grades of 3 to 1? How does that work out?—A. It causes great inequalities in the tariff especially because the ratios named are applied not only to goods made of all wool, but to goods made of mixtures of wool and other materials.

Q. What reason is there for compensating the manufacturer of cloth on account of the wool duty, when in point of fact little or no wool appears in the cloth which he makes?—A. There is, of course, no reason for compensating a manufacturer for duties paid on wool that is not used in the manufacture of the cloth. The 4 to 1 ratio between grease wool and cloth is correct only for all-wool cloth made of wool shrinking 60 to 65 per cent. As a matter of fact, no wool shrinking as much as that is imported into the United States. The specific duty of 11 or 12 cents a pound on grease wool, forces manufacturers to confine their purchases of foreign wool to the light-shrinking lots. Consequently, the Dingley and Payne bills compensate the manufacturer for wool duties which he has never paid. The defenders of the 4 to 1 ratio sometimes seek to justify it by referring to or paraphrasing Senator ALDRICH's defense of it twelve years ago. Thus one of them recently said to me: "We need compensation at the rate of 4 to 1 because our foreign competitors use these heavy wools." The large amount of grease and dirt in the heavy-shrinking wools is no advantage to the foreign manufacturer. Wool cloth is made from the wool fiber, not from wool grease and dirt. There can be no justification for compensating for wool duties that have not been paid.

Q. I have no purpose to expose any branch of the woolen manufacturing business of this country to injurious foreign competition, nor any purpose to take away from the woolgrower a fairly advantageous protective tariff; but I have been wondering whether a more equitable basis for the assessment of compensatory duties can not be found, and the result of my reflections upon it has led me to prepare some amendments to the Senate bill running through the schedules of cloths and women's and children's goods, so far as they can be made applicable, by which it is proposed to preserve the ratio of 4 to 1 between grease wool and cloth, and 3 to 1 where that ratio appears, and make the compensatory duty applicable, not to the weight of the cloth, but to the weight of the wool contents of the cloth, which, I am informed, can be accurately determined by the analytical bureau connected with the appraiser's office. Have you ever reached a conclusion upon that subject?—A. I have, and was going to suggest that very thing to you; that it is easy to distinguish wool from vegetable materials, and that if that were done it would go far toward correcting the inequality resulting from the 4 and 3 to 1 ratios. It, however, would still leave the inequalities resulting from the wide difference in the shrinkage of wool in scouring and also from the different shrinkages in the conversion of the scoured wool into cloth. The shrinkage from the scoured wool to the finished cloth is by no means uniform, but varies somewhat on different fabrics.

Q. I have caused several calculations to be made of the effect of that change in the law. I find no case in which it appears to increase the existing rates of duty; but, on the other hand, it materially reduces the rates of duty, particularly upon the ordinary grades consumed by the masses of the people, both of woolen cloths and dress goods. It eliminates from the woolen schedule rates of duty which are apparently inordinately high, rising sometimes to 150 per cent, and brings all duties on manufactured woolens substantially below the present rates. What effect, in your judgment, would such slight reductions as I have indicated have upon the rates from the standpoint of adequate protection? In other words, what, in your judgment, should be the maximum rates provided for the finished products of Schedule K?—A. The extremely high rates on wool goods which you mention are due largely to the excess of the compensatory duty over the compensation actually required to cover the duty on the raw material consumed in the manufacture of the goods. Such excess is not needed to protect the manufacturer, and consequently the removal of that excess could not injure the manufacturer. The injury to him would result from a continuance of this excess due to protection concealed in the compensatory duties, as the high rates invite attack on the protective system. Limiting the compensatory duties to the wool contents of the cloth, as you propose, would reduce the excess, and therefore would be a step in the right direction. It would, however, still leave an excess of compensation due to the use of light shrinking wools of which less than 4 pounds is required for 1 pound of cloth, and to the use of wool substitutes, such as nolls, waste, shoddy, and so forth. These wool substitutes can not be distinguished from new wool in the finished cloth; and consequently would be returned as part of the wool contents of the cloth, on which the 4 to 1 compensatory rate would apply. But your plan would reduce the excess of compensatory duties and could not increase it in any case, and for that reason should be adopted if a better and more thorough method is not adopted.

Q. Do you know how we purchase wools in London?—A. They are purchased at auctions held every three months.

Q. I have concluded that these difficulties, although they undoubtedly exist, are not insuperable, and the variations that would result from them are as nothing compared with the very great variation which exists now between a low duty at one end of the line and the prohibitory duty at the other. If we apply the specific rate to the wool contents of the cloth, it will reduce the duties where vegetable or other than wool fibers are mixed in it, will it not?—A. It will.

Q. It can not increase the duties, even if the entire contents of the cloth is some form of shoddy and waste, can it?—A. No, sir. The chemical test, which we are now discussing, will not affect mixtures of shoddy. It will report them as wool.

Q. But an article composed altogether of shoddy would under such circumstances bear the same rate of duty that it does now, a duty so high as to exclude such an article?—A. Yes.

Q. Coming now to blankets and flannels, it appears from our books that a small amount of blankets is imported, running from an average price of 28 cents to over a dollar a pound, and bearing rates of duty which run from 165 per cent down to 71 per cent for the highest priced. What is the reason for maintaining these extraordinary rates upon the cheaper varieties of blankets?—A. These rates are caused by the excess of the legal compensatory duty over the actual compensatory duty required, and, of course, there is no reason for framing a law which shall be deceptive in this way. The theoretically sound tariff law would be one in which the compensatory rate would be equal to the compensatory rate actually required. For that reason I should answer your question by saying that there is no sound reason why the excessively high rates should continue.

Q. What hardship could it work upon the domestic industry if this compensatory specific was applied only to the wool contents of these blankets?—A. I do not know of any.

Q. Paragraphs 376 and 377 are aplicable to the partly cotton fabrics, described as women's and children's dress goods. The first paragraph describes articles in which the warp consists entirely of vegetable materials. The filling may be either in whole or in part of wool. What excuse is there for applying the 4 to 1 compensatory duty on such goods?—A. There is none. The object of a compensatory duty is to compensate the manufacturer for the increase in the cost of raw material resulting from the duty on wool. To allow this 4 to 1 compensatory duty on the weight of cotton in the cloth is a self-evident absurdity. Its effect is to give the manufacturer a large amount of concealed protection which he does not need. Take, for example, a sample of cotton warp cashmere which I have analyzed. The total duty is equivalent to 108.3 per cent ad valorem, consisting under the law of a compensatory duty of 58.3 per cent and a protective duty of 50 per cent. The duty on the wool actually used in the goods amounts to only 36.7 per cent, so that the actual protection is increased from 50 per cent to 71.6 per cent.

Q. Do you regard that as an exorbitant duty upon a cloth composed so nearly of cotton?—A. If, as is generally conceded, the legal protective rate of 50 per cent affords sufficient protection, then all over that is unnecessary.

Q. The next section seems to differ from section 376 only in the fact that whereas in section 376 the cloth must be at least half cotton, in section 377 it may be any proportion of cotton desired. Is there any good reason for having two schedules applicable to goods thus substantially the same?—A. I do not know of any.

Q. You will notice at the end of both sections a proviso which carries the goods mentioned therein when they reach a rate of 4 ounces to the yard back into the schedule for woolens and worsteds. I would like to know if there is any reason for such an increase in the duty on the goods referred to?—A. No reason that I can see, other than that the framers of the law wanted to have 376 and 377 apply only to the very light goods, and all other classified as cloths.

Q. Is there any reason in the present state of the trade to suggest that these rates can not be reduced without injury to the business?—A. Nothing but good can result from the elimination of unnecessary protection from the tariff law. The excess carries with it a danger to true protection. Here, for example, is a cotton-warp cloth weighing more than 4 ounces per square yard. The tariff law provides for a protective rate at 50 per cent and a so-called "compensatory rate" of 73.7 per cent, making a total duty of 123.7 per cent. As a matter of fact, the manufacturer required only 19.9 per cent to compensate him for the duty on the raw wool. As a result the actual protection is 103.8 per cent, instead of the 50 per cent named in the bill. If, as is generally admitted, 50 per cent is ample for protection, the total duty can be reduced from 123.7 per cent to 69.9 per cent without depriving the manufacturer of the adequate protection of 50 per cent.

Q. Would it injure the manufacturer if he desired such an article transferred to the wool and worsted classification to find there that the usual specific compensatory duty had fallen to the basis of the wool contained in the goods?—A. It would not, provided the protective ad valorem rate was ample, and the general opinion is that 50 per cent is ample.

Q. I omitted, in asking you these questions, to inquire whether these yarns out of which finished cloth is made are ever adulterated with cotton or cheaper materials?—A. Worsteds are adulterated by mixing worsted yarn with yarn made of cotton and other inferior materials in the cloth. Carded woolen yarn may be adulterated by mixing wool with cotton and other inferior fibers in the yarn. The adulteration of worsted is illustrated by this sample of cotton worsted A 220, which consists chiefly of cotton yarn along with a small proportion of worsted yarn. The 4 to 1 compensatory rate applies, under the Dingley law, to both cotton and worsted. As a result, the total Dingley duty is equal to 127 per cent ad valorem, of which 77 per cent is the compensatory duty and 50 per cent the protective. As a matter of fact, the manufacturer needed but 6.8 per cent to compensate him for the duty

on the wool required for the small amount of worsted in the cloth. Thus the actual protective duty is 120.2 per cent instead of the nominal 50 per cent. Removing the concealed protection would reduce the total duty from 127 per cent to 56.8 per cent without touching the protection of 50 per cent under the law.

The adulteration of cloth, by mixing wool and other fibers in the raw stock, is illustrated by this cotton warp beaver E 382. The carded woolen yarn is made of a mixture of wool, raw cotton, and shoddy. The 4 to 1 compensatory rate is applied to all of these materials, and the total duty, 152.7 per cent, consists of a compensatory rate of 102.7 per cent and a protective rate of 50 per cent. Owing to the comparatively small amount of pure wool in the cloth, the compensatory duty actually required to cover the duty on the wool is only 23.6 per cent instead of 102.7 per cent. As a result the actual protection is 129.1 per cent instead of the nominal 50 per cent. If the unnecessary protection concealed by the 4 to 1 compensatory rate were removed, the total duty would drop from 152.7 per cent to 73.6 per cent.

Q. I have been studying whether the compensatory duty proposed in the Senate bill for yarns ought not to follow the same principle of being made applicable to the wool that is contained in them.—A. The same principle applies. It would be a step in the right direction.

Q. The Dingley rates you have named are a little high?—A. Yes; they are excessive, unnecessary, and a danger to true protection.

Q. I wish you would state a little more fully what is the state of business in the carded woolen industry throughout the country, so far as your information extends.—A. The industry is adapted for being economically carried on in small establishments, and does not require as much capital, either fixed or active, as is required in the worsted business. For that reason it is a more inviting field for small manufacturers of moderate means. It follows that the carded woolen industry is the natural antidote for the evils that result from the growth of large combinations in other branches of the industry.

Q. These woolen mills which you think have suffered under the Dingley schedules are scattered very widely throughout the country?—A. Fare more widely than the worsted mills, although there is considerable concentration of them in New England and around Philadelphia.

Q. What attitude do these carded woolen people take toward the proposition to continue the rates under the Dingley law?—A. Their attitude is that they do not want to rip things wide open by any radical upsetting of the protective system. They concede the right of the woolgrower to ample protection, as they claim it for themselves, but they ask that the duty on the raw material of wool manufacturing shall be made uniform for all branches of the business, their own as well as worsted spinning. I do not think they have expressed any opinion generally regarding the duty on goods. There have been individual cases where carded wool manufacturers have conceded that the excessively high rates on goods could be reduced without injury.

Q. What sort of man is Mr. Moir, who appeared before the House committee?—A. He is a very successful carded woolen manufacturer, who in 1882 started a five set mill in the manufacture of woolen goods at Marcellus, N. Y. He has developed the business until now he operates 20 sets, and is generally considered to be an exceptionally skillful manufacturer.

Q. Is there any reason why the worsted people should have a larger aggregate protection than the carded wool people; a combined duty higher in the aggregate than the carded woolen people?—A. I do not think so. The tariff law gives protection in the form of an ad valorem duty, so that it adjusts itself automatically to any increase in values resulting from increased cost of production.

Q. Is there any reason for our going back to the McKinley law which would not apply to going back to earlier years; that is to say, had any changes occurred in any branch of the woolen business between 1889 and 1890 which would make the latter year the more desirable basis than the previous one for the calculation of this wool duty?—A. I do not know of any. Business conditions were uniform during the period named.

Q. So that rates on which Senator Allison and Senator ALDRICH united in 1888 as being just and fair to all parties concerned, would be likely to be as applicable to our present conditions as the undisturbed rates of the McKinley Act?—A. I would put it this way: If their judgment was sound in 1888, the bill which they framed then would be equally well adapted for 1890.

But now, Mr. President, I desire to turn my attention, if the patience of the Senate is not exhausted, to the cotton schedule. I do that also with a great deal of timidity, because how can I know that the virtues of my former colleague will not be cast as a stumbling block in my path by the Senator from Rhode Island? I was so afraid of that that I made a little research into his biography, and with the view of finding out what the attitude of such a man toward the cotton schedule actually was, and in order to prevent anybody from putting me in an attitude of bringing discredit upon the memory of a great name, I intend to start out by reading what Senator Allison said on this floor of a cotton schedule very much less objectionable than this. It was on the 3d day of February, 1883, and he spoke these words, which are recorded in the RECORD of that date, on page 2030:

> Now I want to say one word in regard to the tariff commission report upon the cotton schedule. The truth is that the tariff commission did not examine this cotton matter at all; it may as well be said on the floor of the Senate; nor did they make this schedule that is called the "tariff commission report schedule." It was made by a cotton manufacturer from Boston with an expert appraiser in New York, and the tariff commission accepted it. When the knowledge of that fact came to me, I had no particular faith in the tariff commission report on this cotton schedule, and therefore I examined it as best I could for myself, hearing the witnesses reading the testimony, and hearing people who I supposed knew something about it, and in whom I had faith.

In order to save the Senator from Rhode Island from any fear that I am trampling on the memory of Senator Allison, I will confide to him the fact that I have taken the same course in respect to this cotton schedule. I will say also to the Senator that I think we ought to preserve intact, or with only a very insignificant amendment, the Dingley schedules on cotton goods, and if that puts a man outside of the Republican faith and fold, I shall have to accept the penalties.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. I do.

Mr. ALDRICH. I understood the Senator the other day to say that he thought the House rates on hosiery should be maintained.

Mr. DOLLIVER. I did not say so. I asked the Senator from Rhode Island on what theory they had not been raised.

Mr. ALDRICH. Then I misunderstood the Senator.

Mr. DOLLIVER. But I will say that it has become quite a burden to me, receiving at my always hospitable door pilgrims returning from the Finance Committee room with the statement that the rates are not to be raised because I have objected to raising any rates. So people with good cases for an increased rate on some humble article of merchandise which they are making are turned away on the theory that no rates are to be raised. I take the position that if it can be shown——

Mr. ALDRICH. I would suggest to the Senator that he get some more authentic means of communication with the chairman of the committee.

Mr. DOLLIVER. Well, I do not suppose that it was the chairman of the committee; I think it was the colored brother at the door, probably, or possibly some of the experts who have surrounded the Senator from Rhode Island in the midst of his labors. [Laughter.] I stated my position with a reasonable measure of accuracy. I am an old-fashioned Republican, as I supposed the Senator from Rhode Island was. So, when a man like my friend from California [Mr. FLINT] has come to me and said that it was absolutely necessary for the prosperity of California to increase the rate on lemons I have not been disposed to dispute that it ought to be done.

Mr. FLINT. I should like to ask the Senator from Iowa whether he did not say to the people of southern California that he was in favor of that?

Mr. DOLLIVER. I told them that we had put the pound rate of 1 cent on lemons. I was then and am now in favor of keeping the rate high enough to adequately protect every man in California who is engaged in that business and every man in Florida who is engaged in it.

Mr. FLINT. And the Senator was enthusiastically received when he made that statement.

Mr. DOLLIVER. That was owing to the favorable introduction I had by the Senator who has just taken his seat. [Laughter.] So, if somebody would come to me, if my honored friend from Rhode Island would come to me, and say, "I have been up all night on this schedule; I think this industry of cheap hosiery is about to be destroyed by German competition," and that a given rate was necessary to preserve it, I would not ask another question; but if he sent a Treasury expert to me I would have to sit up all night on the subject myself. [Laughter.] I have said that I would like to see the Dingley rates preserved, and I say that because the cotton manufacturers of the United States have no better friend than I am. I have been in practically every cotton mill in America. I never go to a community which has a great and thriving industry without spending much of my time in investigating it, inquiring into its history, its progress, and its prospects. I am no agitator seeking to disturb any man's labor or any man's investment. I am for the Dingley cotton schedules because there is not a line of evidence before Congress that there is any necessity to change any one of them.

I will ask the Senator from Rhode Island to say whether, when the cotton manufacturers were notified to come before the House committee on a given day, they did not appear there and say that they were satisfied with the cotton rates and that there were no changes needed excepting in very minor matters that could be attended to in detail, but asked the committee to retain the rates, stating distinctly that they did not desire to have them advanced? Do I not speak the truth?

Mr. ALDRICH. Mr. President, I have no knowledge whatever of anything that transpired before the Committee on Ways and Means. I have never read the hearings before that body. I have no knowledge or idea about any statement that was made before that committee.

Mr. DOLLIVER. I will say that, if the Senator from Rhode Island has not read the hearings——

Mr. ALDRICH. I have not.

Mr. DOLLIVER (continuing). He is not in a position to belittle the honest efforts that I have made to get at the truth of these matters, for I have thought it my duty to read those hearings. Mr. H. F. Lippitt, of Providence, R. I., a member of the Arkwright Club, of Boston, representing a large number of cot-

ton spinners of New England, came before the committee on the 1st of December and stated as follows—this is from page 4528 of the hearings:

> We ask that the present cotton-cloth schedule shall not be reduced, because when it was enacted it was the result of a careful inquiry into the conditions of the cotton-manufacturing industry. We ask, therefore, that the present schedule shall not be materially changed. (P. 4532.)
>
> I am not here to ask for an increase in the duties on the cloth clauses of the cotton schedule. I think that while there are importations going on under them it is reasonably regulative of the cotton trade. The importations are not so large that we feel justified in asking that the duties be increased. (P. 4538.)

Now, notwithstanding that statement, Mr. Lippitt and James R. MacColl, for the Arkwright Club, on January 15, 1909, addressed a letter to the Committee on Ways and Means asking for provisions substantially identical with those that appeared in paragraphs 318 and 321 of this bill as originally reported from the House Ways and Means Committee. Upon discovering to what extent they had been misled by following these suggestions, Mr. PAYNE, one of the wisest practical students in the United States on the cotton business or any other business of our people, and a man who, in my judgment, knew more about it in 1890 than William McKinley did, and more definitely about it in 1897 than even Governor Dingley himself—when Mr. PAYNE found what had been put into the bill by adopting the suggestions made in writing by James R. MacColl and Mr. Lippitt, he said to them in plain language, somewhat exaggerated by implety, that he would have nothing to do with it. In other words, he and his associates on the committee felt that these two amiable gentlemen, who came there stating that they desired no increase to be made in the cotton schedule, had perpetrated an act of bad faith in inducing them to report an amendment which, in the judgment of the committee, could not be defended in the Congress of the United States.

I will say another thing. These very amendments, with the omission of one or two, which were cast out in wrath by the House committee, come back with great rejoicing in the report of the Senate committee on the cotton schedule.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. When this statement was made on a similar occasion by the Senator from Iowa the other day, I entered a denial as flat and as emphatic as was possible of the accuracy of the statement. The facts are these: The House bill provided that in counting the threads every filament—that is, a double thread or a treble thread or a quadruple thread—should be counted. That was the subject of the criticism of the Members of the House, and that was the reason why the chairman of the Committee on Ways and Means objected to the provision of that particular paragraph. That provision does not appear in the Senate bill in any form.

Mr. DOLLIVER. Mr. President, in order to avoid controversy—and I am at a great disadvantage in a personal collision with so distinguished a statesman and so good a friend as the Senator from Rhode Island—I intend to print in the CONGRESSIONAL RECORD in parallel columns the Lippitt and MacColl provisions, the House report provisions, the House bill provisions, and the provisions in the Senate bill.

Mr. ALDRICH. Will the Senator let me look at the statement he has?

Mr. DOLLIVER. Just as soon as I gaze for a moment at it myself. [Laughter.]

The Senator from Rhode Island told the Senate the other day that this bill represented the expert knowledge of the people in the custom-house.

Mr. ALDRICH. I did not use the term "custom-house," but the Senator can use it if he wants to.

Mr. DOLLIVER. He left the impression upon me that we have people in our custom-house in New York that know better how to write tariff bills than even our honored friend from Rhode Island. [Laughter.]

Mr. ALDRICH. I admit that.

Mr. DOLLIVER. I thought so, too, until I traced the very language of this bill past the custom-house to the two honorable gentlemen who wrote to Mr. PAYNE a letter, which does not appear in the cotton hearings in the House of Representatives, although it has an obscure resting place in the appendix of that interesting series of volumes.

I find that the language which they prepared for Mr. PAYNE was handed in to the custom-house by Mr. Lippitt and Mr. MacColl, and was approved by the experts who, we have supposed, were engaged out of the abundance of their wisdom and knowledge in writing the whole thing up by themselves. I confess it leaves a very ugly impression upon my mind.

What did those people impose upon the custom-house experts and upon the House committee? They stood before the committee saying that they wanted no increase, but they made a new definition of cotton cloth in which the filaments of cotton were to be counted; the threads were to be taken apart, which would have so raised the count of threads throughout the cotton schedule as to multiply all these rates in a measure that no human mind could anticipate.

When Mr. PAYNE found that he had been swindled, he dropped the enterprise, and with it practically all the other suggestions of these amiable gentlemen. I want to say now that they perpetrated even a greater swindle upon the Senator from Rhode Island.

Mr. ALDRICH. I shall be glad to learn of it.

Mr. DOLLIVER. They induced the Senator from Rhode Island to include in the paragraph that relates to curtains, upholsteries, hangings, and coverings all Jacquard woven goods suitable for such purposes, did they not?

Mr. ALDRICH. No; they did not.

Mr. DOLLIVER. In the advance edition of the Senate bill, sent out to friends and newspapers on the 10th day of April, the Senate committee had deliberately struck out from the curtain clause in Governor Dingley's bill the phrase "dyed in the yarn." What was the effect of striking that out? Practically to transfer to that clause the whole range of ordinary women's dress goods upon which threads woven by a Jacquard attachment to a loom appear. When the Senator's attention was called to that, on the 12th day of April, the expression "dyed in the yarn" was restored.

Mr. ALDRICH. That is right.

Mr. DOLLIVER. Who struck those words out?

Mr. ALDRICH. The committee.

Mr. DOLLIVER. And who put them back?

Mr. ALDRICH. The committee.

Mr. DOLLIVER. Upon whose counsel did the committee strike them out?

Mr. ALDRICH. The counsel of the customs experts. Upon the discovery that they were wrong, we put them back again.

Mr. DOLLIVER. Well, that destroys my faith in both the Senator's committee and in the customs experts.

Mr. ALDRICH. Those are the facts, however.

Mr. DOLLIVER. Now, as I said, I intend to put into the RECORD these statements in parallel columns, to show that what we have here we do not owe to the genius of the Senator from Rhode Island.

Mr. ALDRICH. I have made no claims about it.

Mr. DOLLIVER. We do not owe it even to the genius that is sheltered in the new custom-house at New York. We owe it to the two amiable gentlemen who, in a public hearing before the committee, stated that they desired the rates of the Dingley law maintained and no changes made.

Now, if the Senate will pardon me for a moment, I intend to show just exactly what this committee has done.

Mr. ALDRICH. Mr. President, to go back to the other point which was raised the other day, and again to-day, I will state that in the House bill as originally reported there appeared this language:

> The term "thread" or "threads" as used in the paragraphs of this schedule with reference to cotton cloth shall be held to include all filaments of cotton, whether known as "threads" or "yarns" or by any other name.

That paragraph was in the House bill; it was taken out of the House bill, and is not now and never has been in the Senate bill, as stated by the Senator from Iowa.

Mr. DOLLIVER. Mr. President, if my friend will permit me, I want to show to the Senate how smooth these transactions are when they are not under the eye of a man like my friend from Rhode Island, who understands them, when you turn matters like this over to custom-house officers, who have already in advance certified bills prepared in the counting-houses of these great corporations. Here we have a proposition in the Senate bill that—

> In determining the count of threads to the square inch in cotton cloth, all the warp and filling threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted.

Mr. ALDRICH. That is right. Does the Senator object to that?

Mr. DOLLIVER. I object to it when it is used for the purpose of increasing the rates.

Mr. ALDRICH. It does not increase them.

Mr. DOLLIVER. The Dingley law provides that finished goods that have clipped or unclipped threads in them shall pay 2 cents a yard more than the ad valorem that would be fixed by the density of the cloth upon which these spots appear. The Senator from Rhode Island, I am afraid, even without

perceiving it, has given to those dots and spots upon a piece of cloth the right to raise the density of the cloth to a higher classification.

Mr. NELSON. Will the Senator from Iowa yield to me for a moment?

Mr. DOLLIVER. Certainly.

Mr. NELSON. I want to call his attention to the fact that from paragraphs 318 to 318—the words in italics—the bill provides a set of cumulative duties.

Mr. DOLLIVER. I will come to that in a moment.

Mr. NELSON. To make it clear that it means that, I wish to call his attention——

Mr. DOLLIVER. I will say to my honored friend the Senator from Minnesota that I am about to discuss that.

Mr. NELSON. Very well; then I will not say anything.

I wish to say simply that a system of cumulative duties is provided. In the original bill it is based upon threads and weight, and a cumulative duty based upon value is added to it, which practically more than duplicates the rate.

Mr. ALDRICH. I will answer both Senators.

Mr. DOLLIVER. I am inclined to object. It is nearly dark, and I desire to finish what I have to say.

Mr. ALDRICH. I call attention to the fact that the provisions in regard to cumulative duties have not been changed by the crossing of a "t" or the dotting of an "i" as they came from the House of Representatives.

Mr. DOLLIVER. The other day when I raised suggestions of this sort I was met by a statement that the matter would be fully discussed and defended when the schedules were reached.

Mr. ALDRICH. That is what I intend to do; and I will not interrupt the Senator further.

Mr. DOLLIVER. And so I do not desire this discussion, which would only disfigure remarks that are already bad enough.

Mr. ALDRICH. I beg the Senator's pardon; and I will not interrupt him any further.

Mr. DOLLIVER. I have here a piece of cotton goods counting 100 to 150 threads to the inch, 27 inches wide, cost 8¾ pence; value per square yard, 22½ cents. It has 35 per cent under the Dingley law at this time, on account of its value and on account of its density, and it has 2 cents per square yard because it contains clipped threads, in addition to the warp and woof of the goods.

Now, what has the Senator from Rhode Island done to that little piece of goods? He has a new duty to start with in paragraph 314 of 10 cents per square yard for cloth of this kind. He has in addition provided, under paragraph 321, a "cumulative" duty of 2 cents per yard on account of these figures, of superimposed threads, and has in addition to that, under the same paragraph 321, 1 cent per yard if mercerized.

In addition to all that, if that piece of goods should be held by the experts at the custom-house to be suitable for covers or upholsteries or draperies under paragraph 324, the duty would be still further increased to 50 per cent.

So that the present duty per running yard is 7.36 cents, the new duty 9.75 cents, the increase 2.39 cents, or 32½ per cent; and if paragraph 324 should apply, as a Jacquard piece of cloth dyed in the yarn, suitable for covering or upholstery or drapery, we would have the singular experience of the rate on that goods increased 3.26 cents, or altogether 43 per cent.

Mr. ALDRICH. I am tempted to ask the Senator if he does not know, from having read the paragraphs, that the last paragraph he mentioned could not possibly apply to these goods?

Mr. DOLLIVER. I do not know. If it had said "curtains"——

Mr. ALDRICH. I will demonstrate that to the satisfaction of the Senate before we get through.

Mr. DOLLIVER. If the paragraph had said curtains or table covers, as Governor Dingley had it, I would say the Senator was correct, but I notice that it now does not say curtains, but suitable for draperies, suitable for covers, or for upholstery; and I can produce a line of goods that are suitable for draperies, because they are now hanging in my own house as curtains, although they might just as well be used for dresses to clothe my children.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. SMOOT. I was about to call the attention of the Senator to a piece of cloth——

Mr. DOLLIVER. I am sorry to say I can not yield. I desire to proceed with as little rambling on the highway as possible.

Mr. SMOOT. Just let me ask one question. Is that a piece of white cloth or colored cloth? [Exhibiting cloth.]

Mr. DOLLIVER. I think, under the recent decision of the court, it is decided to be governed by the color of the warp and woof.

Mr. ALDRICH. It has been decided to be white cloth.

Mr. DOLLIVER. If it is bleached, it is white cloth.

Mr. SMOOT. It is a piece of white cloth. We will tell you what the bill provides for just that article.

Mr. DOLLIVER. If the Senator from Utah will pardon me, there will come a time when it will be regarded as interesting and appropriate for him to tell us what he thinks about this, but I have incautiously taken the floor this afternoon to tell what I think about it myself.

Mr. SMOOT. I wanted the Senator to see what it was.

Mr. DOLLIVER. Now, I want to state what the committee have done. They have retained the present Dingley rates upon cotton yarns and threads in 45 classifications; they have raised them in 31 cases and lowered them in 20. Am I not correct about that?

Mr. ALDRICH. I think you are.

Mr. DOLLIVER. In the paragraph covering cotton cloths counting less than 50 threads per inch the present Dingley rates have been increased in some instances over four times. Am I correct about that?

Mr. ALDRICH. You are not.

Mr. DOLLIVER. Then the book of estimates of the Finance Committee is not correct; and if the book of estimates of the Finance Committee is not correct, what becomes of the statement, heralded all over the world, with nothing on earth behind it except these estimates, by which the Senator from Rhode Island undertook to predict the revenues of the United States during the next two or three years?

Mr. ALDRICH. That had nothing to do with rates.

Mr. DOLLIVER. I know it had nothing to do with rates; but what confidence can a man from the rural districts have in an estimate of revenues that is based upon calculations which when attention is called to them the Senator from Rhode Island rises and says "It was made by others and is not correct?"

Mr. ALDRICH. I will explain that fully when I have an opportunity.

Mr. DOLLIVER. This has been accomplished by striking out the present provision for cloths counting under 50 threads per square inch, which lifts them into the next higher classification along with cloths counting as high as 100 threads, and by the adoption of a new scheme of increased rates based on dividing lines of value. This scheme to conceal advances of duty has been applied throughout the succeeding classifications of cotton cloth, with the result that the duties on the majority of the goods have been raised above the present law. For example, in each of these classifications certain items will carry a duty equal to 49 per cent ad valorem under the proposed scheme instead of the present ad valorem rates of 25 per cent, 30 per cent, 35 per cent, and 40 per cent.

Notwithstanding the increased rates thus provided for under this proposed scheme new definitions and classifications have been adopted for counting threads "other than ordinary threads," "clipped or unclipped threads," and applying extra duties for such cloths as may be "subjected to mercerization or other similar process" or which are "suitable for upholstery, draperies, and covers," through the interpretation or misinterpretation of which provisions the duties will be further increased, to what extent no man can say.

It is also proposed to increase the duty on bandings, beltings, bindings, cords, ribbons, tapes, webs, or webbings from 45 per cent, the Dingley rate, to 60 per cent. The McKinley tariff of 1890 placed them at 40 per cent.

Mr. ALDRICH. Is that done by the Senate amendments or the House provisions?

Mr. DOLLIVER. It is certainly approved by the Senate committee or it would have been amended when the bill was reported to the Senate.

Mr. ALDRICH. I think the Senator, in fairness, ought to state that all the changes of which he is now speaking were made by the House of Representatives.

Mr. DOLLIVER. I do not care now particularly who made them. What I care about is that they are in the bill, for which we are asked to vote in this revision of the tariff.

There are some very funny things about it. There are some articles in that paragraph about embroidery which possibly ought to have a higher rate. I show the Senator an article of cotton embroidery that ought to have more than 60 per cent.

Mr. ALDRICH. I think likely.

Mr. DOLLIVER. And I will be glad to join with the Senator in giving it any rate necessary to establish that industry

confuse it leaves a very ugly impression upon my mind.

The Senator from Rhode Island, I am afraid, even without

in the United States, but what I want to know is, why that plain cotton tape, this blue tape, now dutiable, I think, at 45 per cent, was bodily taken out of the paragraph where the Dingley Act put it at 45 per cent, and transferred to the other paragraph at 60 per cent?

Mr. ALDRICH. I imagine that the Senator's friend, Mr. PAYNE, whom he has extolled so highly, can probably tell him why he did it, if he would ask him.

Mr. DOLLIVER. I have no doubt he did it on the same request of the custom-house officials in New York, who have been duly advised in the premises by somebody else—the exact people who surrounded the Finance Committee of the Senate.

So here we have webbing, out of which a man's suspenders are made, transferred bodily——

Mr. ALDRICH. You had better ask Mr. PAYNE about it.

Mr. DOLLIVER. But my honored friend ought to see that it was his business not only to provide amendments of his own, but to correct the errors that came in the bill from the House.

Mr. ALDRICH. I shall be able, I think, to show even the Senator from Iowa why it was done, and I have no doubt he will approve of it.

Mr. DOLLIVER. I will be greatly obliged to the Senator——

Mr. ALDRICH. I expect to do it.

Mr. DOLLIVER. If he will show why a common web, such as suspenders and ladies' garters are made out of, should be transferred to the list of embroideries, while the garter itself and the suspender itself are left dutiable at a lower rate, I will be very much obliged to my honored friend if he will do that.

Mr. ALDRICH. I expect before we are through with the consideration of this schedule to satisfy the Senator from Iowa himself that these changes were all made in the interest of the American producer, and that there is no increase in the rates upon cotton cloths.

Mr. DOLLIVER. In each of the succeeding paragraphs, 313 to 317, straight ad valorem rates of the present law applied to the medium-priced goods have been struck out and a scheme of progressive increased rates, based upon values, has been substituted therefor. While the seemingly plausible excuse for these changes will probably be that this scheme has been adopted of substituting specific rates about equal to the present ad valorem rates, for the purpose of preventing or minimizing undervaluation, there is no man familiar with our tariff system who does not know there is more danger of undervaluation in these dividing lines based upon values than there is upon straight ad valorems themselves. I shall insert in my remarks the statement of Col. George C. Tichenor that infinitely worse than a straight ad valorem is a specific based upon a given value, because the temptation to put the goods below the level of a given value is so much greater, as it nets a man four or five times as much as he could make by any ordinary undervaluation under a straight ad valorem.

I used to think I knew something about the general theory upon which a tariff ought to be adopted. I studied under good masters. They told me that when a variety of the same merchandise was about equal in value, as, for example, bushels of wheat, the specific rate was just the thing. They told me when articles differed widely in value an ad valorem rate was unavoidable; and they told me that when articles differed widely in value a specific duty amounted upon successive dividing lines of value was worse from the standpoint of undervaluation than straight ad valorems themselves. That was the way I was taught.

But here we have in this schedule pretended efforts to make specific statements of ad valorem duties, and if you study the schedules of cutlery you will find that the application of specific rates without regard to values has produced rates which approach 1,000 per cent.

If you will turn to the little schedule of lead pencils you will find that a group of lead pencil manufacturers, annoyed by some young German boys who are trying to make lead pencils by importing the pencil leads from foreign countries under the present rate of duty, have had their present ad valorem converted into a specific which when stated in plain terms amounts to an increase of 700 per cent or more on the merchandise and totally wipes out of existence independent manufacturers of cheap lead pencils who are selling them to school children of the United States for a cent apiece in our market place.

So my theory is that if you desire to avoid undervaluations, keep clear of many lines of value accompanied by a specific rate, because you have to find the value applicable to every line just as thoroughly in that case as you have to find it when you undertake to apply an ordinary ad valorem.

Mr. President, to illustrate the effect of these dividing lines, based upon value, on the probable undervaluation of these goods, let me call your attention to the case of a bleached-cotton cloth, 100 to 150 threads to the square inch.

Under the proposed scheme, in some instances, an undervaluation of 25 cents on a piece of 100 yards would save the importer $1.25, while the same undervaluation, with the present ad valorem duty of 35 per cent, would save the importer only 8¾ cents.

This refers to paragraph 314, a bleached-cotton cloth, 100 to 150 threads per square inch, on which the proposed duty is as follows: If valued at 15¼ cents per square yard, 6½ cents per square yard; if valued at 15 cents per square yard, 5¼ cents per square yard. For 100 yards, this works out as follows:

Value per 100 yards	$15.25	Duty per 100 yards	$6.50
Value per 100 yards	15.00	Duty per 100 yards	5.25
Difference in value	.25	Saving in duty	1.25

Under the present ad valorem rates the following is the result:

Value per 100 yards	$15.25	Duty per 100 yards	$5.33½
Value per 100 yards	15.00	Duty per 100 yards	5.25
Difference in value	.25	Saving in duty	.08½

Similar results would occur by reason of slight undervaluations under all of the proposed progressive rates which have been attached to all of these cotton cloth paragraphs, and much more accurate appraisement would be necessary than under the present system of straight ad valorem rates.

Why are these dividing lines placed just where they are? In one instance it has been deemed necessary to provide a separate duty for cloths valued over 12 and not over 12½ cents per square yard (p. 99, lines 22, 23, par. 313). This is the only instance where less than a difference of 1 cent in value has been allowed to one rate of duty.

The effect of these hybrid rates of duty is to leave certain cloths—if valued with exactness, and if the value happens to coincide with the dividing lines—at the present rates and to advance all that fall between the dividing lines of value in an unequal and irregular manner by leaps and bounds. In each of these paragraphs there are items which it is proposed to assess at 49 per cent, some of which are dutiable under the Dingley law at 25 per cent; others at 30 per cent, 35 per cent, and 40 per cent. Let me illustrate:

Paragraph 313, unbleached cloths "valued at over 14 cents per square yard, 7 cents per square yard." This shows on its face that it imposes a duty of 7 cents on a value of 14¼ cents, which is 49 per cent. The Dingley rate on the same cloth is 25 per cent ad valorem (p. 98, line 1).

Paragraph 314 in the same way provides for cloth valued at over 16 cents, 8 cents (p. 100, line 24). Dingley rate, 30 per cent.

Paragraph 315, valued over 20 cents, 10 cents (p. 103, line 10). Dingley rate, 35 per cent.

Paragraph 316, valued over 20 cents, 10 cents (p. 105, line 18). Dingley rate, 40 per cent.

Paragraph 317, valued over 25 cents, 12½ cents (p. 107, line 15). Dingley rate, 40 per cent.

If the Senate deliberately decides to increase the duties on cotton cloth, let us not cover the increases in a flood of intricate and misleading language. The cotton schedule in the Dingley law is certainly sufficiently complex and obscure.

In paragraph 318 the Senate committee has proposed a provision, which, after careful investigation, I believe to be unworkable. I refer to the following language:

> In determining the count of threads to the square inch in cotton cloth all the warp and filling threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted.

These "clipped" threads appear in the cloth in short and long pieces, forming flowers, leaves, geometric figures, and all sorts of designs of great irregularity. In many of these it is impossible to count the "threads per square inch." It is for this reason that only the plain part of the fabric is counted under the present law.

I have here a specimen of clipped threads; and it is interesting to know not only the present status of that piece of cloth, but the change that has been adroitly effected in this bill. That piece of cloth counts under the present law 100 to 150 threads, and it pays 2 cents per square yard in addition to the ad valorem rate because of the existence of those threads.

Mr. ALDRICH. Does the Senator call that a piece of cotton cloth?

Mr. DOLLIVER. Yes.

Mr. ALDRICH. I am glad he is showing it to the Senate as a piece of cotton cloth.

Mr. DOLLIVER. I think I am not mistaken about it.

Mr. ALDRICH. I am glad to know the Senator thinks it is a piece of cotton cloth.

Mr. SMOOT. Will the Senator give me a sample of it?

Mr. DOLLIVER. I would not like to do that after you have passed such a severe judgment upon it.

Now, how can the clipped threads be counted under paragraph 218? What will the count be to the square inch? This cloth has 2 cents a yard of duty in addition to a high ad valorem because of the existence of those threads. Why should they be counted in determining the density of that cloth?

I will tell you. If counted, the threads in this cloth rise into a higher density and receive a higher duty than they receive now. And what I complain about in connection with that scheme is that these threads, now requiring an assessment of 2 cents a yard more on that cloth because of their existence than would be required if they were not there, ought to be estimated for the purpose of increasing the count of threads which determine the density of all cloths and their proper place in the tariff schedules.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I and, I suppose, other Senators are deeply interested in this exposition of the intricacies of tariff reform and revision. We have been in session now about six hours and the Senator has been speaking for three. I want to ask whether the Senator feels that he can complete his speech to-night, or would he not rather wait until to-morrow. I would myself rather that he would wait until to-morrow; not that I am at all fatigued or tired of the Senator's talk; I have never enjoyed anything more in my life; but I feel that we ought to have some consideration for him, and other Senators ought to have consideration, too.

Mr. DOLLIVER. If it is the desire and convenience of the Senate, it would not disturb me to quit until to-morrow.

Mr. ALDRICH. I shall be very glad if the Senator would prefer to go on to-morrow morning; but I feel bound to ask the Senate to stay here and go on with the bill, if the Senator does not desire to speak further to-day. The country is waiting very anxiously for the action of the Senate; and unless the Senate sees fit to decide to prolong this discussion indefinitely, then I think we ought to pass to a vote.

Mr. BAILEY. I think we ought at least to take time to thrash out the differences between the Rhode Island and the Iowa idea on this tariff.

Mr. ALDRICH. Undoubtedly; but it is not necessary that the consideration of the bill should be suspended in the meantime.

Mr. TILLMAN. The Senator from Rhode Island must recognize, however, that it is very hard to untangle these threads unless it is done at the expense of time. There have been so many clashes between the Senator from Rhode Island and the Senator from Iowa and the Senator from Utah that we have not been allowed to get at the actual status, and I hope we will be permitted to adjourn.

Mr. ALDRICH. When the statement of the Senator from Iowa is revised and appears——

Mr. TILLMAN. The Senator, as I understand him, does not expect to revise anything out of his speech he has said. I have known that Senator for a great number of years, and I never caught him at that kind of trick.

Mr. ALDRICH. No; I do not intend to revise anything.

Mr. TILLMAN. I said the Senator from Iowa. The Senator from Iowa is incapable of anything of that kind.

Mr. ALDRICH. I did not say that the Senator from Iowa was. He himself said he was going to look over his remarks.

Mr. DOLLIVER. I missed one figure, and said if I found such an error in my remarks, I would be happy to correct it.

Mr. TILLMAN. At all events, I appeal to the Senator from Rhode Island to let us adjourn.

Mr. ALDRICH. I feel bound myself to press the consideration of the bill to the greatest extent I can. So far, certainly, there has been no disposition on my part to ask the Senate to stay here unusual hours or to do anything except to let Senators consult their own comfort and convenience, but the Senator from South Carolina knows as well as I do that all through the country there is a strong desire to have the bill disposed of.

Mr. TILLMAN. But if there are things concealed in this bill, such as we have been learning about this afternoon for the first time, I leave it to the Senator from Rhode Island to decide whether or not it is worth his while and everybody's else while to try to get around the subject and not let us get at the actual status.

Mr. ALDRICH. My disposition is not to prevent any discussion by the Senator from South Carolina or anybody else.

Mr. DOLLIVER. If it is not disagreeable to the Senator, I will state that, owing to a little fatigue, I desire to quit the floor for the present and resume to-morrow morning.

Mr. ALDRICH. I have no objection to that at all. I was not making any suggestion of that kind.

Mr. TILLMAN. Then, what are the rest of us going to do? Are we going to have our minds distracted by having somebody come in here and, it may be, tear another schedule to pieces?

If it were not out of all rule or regulation for one on this side to make the motion, I myself would move an adjournment. I appeal to the Senator from Rhode Island to do it.

Mr. ALDRICH. I will relieve the Senator's apprehension by putting into the RECORD a statement made by the late Senator from Arkansas, Mr. Jones, upon the woolen schedule, in which——

Mr. TILLMAN. The Senator from Arkansas labored under the disability at that time of being in the minority and not worth noticing; but when it comes from the Sanhedrin of the Republican party that we are having schedules either manufactured by experts or those who are not experts, who are interested, and that we have a time-honored rule of inheriting schedules and transmitting them like the laws of the Medes and the Persians, without change, I submit it is time for us to get some light from some source.

I know the people of the country, in the South as well, I think, as in the West and the North, will thank the Senator from Iowa for having given us some insight into this scheme of tariff revision.

Mr. ALDRICH. Mr. President, I simply want to put into the RECORD the statement of two Senators, made in 1897, as to the character of the woolen schedule in the act of 1897. I want to do it for the purpose of showing not anything that is disagreeable either to the memory of the Senator from Arkansas or the memory of the Senator from Missouri, or to the Senator from Iowa; but I know so well that Senators are liable to be misled in matters of this kind, to make exaggerated statements, and to misrepresent the facts. They are liable to be misled by the importers of these articles into this country—the men whose interest it is to break down this and every other schedule in the bill.

I expect to show, when I take the floor, that there are no increases in the cotton schedule of the bill at all. It is merely a substitution of rates which are absolutely equivalent—the specific rates for the ad valorems of the existing law. The ad valorems of the existing law are upon the average 38 per cent. In the bill they are not increased at all, and I will prove that to the satisfaction of the Senate. I will show that the articles which have been produced here are furnished by importers who have destroyed the cotton schedules through decisions in the past—decisions of the Board of Appraisers and of the courts—by which they have reduced the duties upon certain articles imposed by the Dingley Act at 60 per cent until they are 4, 5, and 6 per cent. Those are the men who have produced these samples.

Mr. DOLLIVER. Mr. President, I do not intend to conceal from the Senate those who have been kind enough to help me in my investigations.

Mr. ALDRICH. I did not suppose the Senator would.

Mr. DOLLIVER. I have consulted with great merchants East and West. I have consulted with cotton manufacturers and with men engaged both in the foreign and in the domestic trade in cotton. The sample which I showed a moment ago was given to me by as bright a merchant as there is in America, who is none the less entitled to my respect because he marched at the head of a column 19,000 strong through the streets of New York the day before the election in support of the candidacy of President Taft in that great campaign.

Mr. ALDRICH. I have no doubt that he is most respectable. But the point I was making is that these good men, these respectable men, have interests in this matter which are entirely antagonistic to the great interests of the people of this country. I do not blame them for appearing here or anywhere else in defense of their interests and in securing for themselves any support which they can get.

Mr. TILLMAN. Does the Senator move an adjournment?

Mr. ALDRICH. I want to ask that this statement of the late Senator from Arkansas, Mr. Jones, and others be printed in the RECORD.

The PRESIDENT pro tempore. The Senator from Rhode Island asks that the statement of the late Senator from Arkansas, Mr. Jones, and others which he sends to the desk may be printed in the RECORD.

Mr. ALDRICH. I will yield to the wish of Senators about me and move an executive session, but I desire to give notice that it will be necessary that we shall have longer sessions and more persistent attempts, anyhow, to secure action upon the bill.

Mr. BAILEY. Would it be objectionable to the Senator from Rhode Island to also print the statements of the late Senator Jones and the late Senator West in document form, so that we may have them convenient for comparison?

Mr. ALDRICH. I do not see any reason for printing them as a document. They can be printed in the RECORD. I would not have the slightest objection to printing them in parallel columns, because the coincidence is certainly remarkable. I could put into the RECORD, also, similar statements about ad valorem duties and extreme rates in the act of 1890 and the act of 1883. If the Senator desires it, I will try to have some of those things put in parallel columns.

Mr. DOLLIVER. I understand the suggestion of the Senator from Rhode Island very well. I have had no access to the matters referred to, although I have been familiar with the statistics of this Government for some years. But I have tried to give such information as I had at first hand. I have not reached out under the desk for a memorandum to answer the questions of Senators without disclosing to the Senate the author of the memorandum and all the information contained in it.

Mr. ALDRICH. I have not——

Mr. BAILEY. I simply want to say that it is a little unusual now, but in the course of ten or fifteen years it will not be at all unusual to see Republicans repeat Democratic arguments on the tariff question, and we might as well get used to it now.

Mr. GALLINGER. Or a Democrat repeating Republican arguments.

Mr. BAILEY. The world progresses. When it goes back we will be repeating the Republican arguments. With progress it will be the other way.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and the order is made.

Mr. BAILEY. Before the order is entered I would myself like to have the statements as they are printed in the RECORD reprinted in document form.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. ALDRICH. I have no objection.

The PRESIDENT pro tempore. The Chair hears no objection, and the order is made.

The matter referred to is as follows (S. Doc. No. 29):

(From the CONGRESSIONAL RECORD of June 24, 1897, pp. 1976–1981.)

Mr. JONES of Arkansas. The immediate amendment under consideration is the proposition to insert, in line 13, the words "or of which wool is the component material of chief value," in paragraph 364; and after the word "wholly," in the same line, to strike out the words "or in part."

Mr. President, attention was called to the fact on yesterday that when the flax schedule was constructed, in every instance it was said an ad valorem duty of flax, hemp, or ramie, where the material of chief value in the mixed fabric of flax and cotton was cotton, that it should pay as a cotton fabric, and should not have the tariff that was intended to be put on the flax fabric. That is also the case in the silk schedule. Where there is a mixture of silk and cotton or other material, in every instance the paragraph provides that where a fabric is composed of silk or partly of silk, in which silk is the component material of chief value, then the rules of taxation put on the silk fabric shall stand; but if the component material of chief value is cotton, the material is not treated as a silk fabric at all, and the rates are put upon it as a cotton fabric.

In this wool schedule it seems to me that there is a singular disregard of the facts that enter into this schedule. When an American manufacturer manufactures a piece of cloth which weighs 10 pounds, Congress fixed a rate of protection on that, and this law proposes to give the manufacturer a tariff of 50 per cent to protect him in the manufacture of these woolen cloths. Fifty per cent goes into the manufacturer's tariff as the manufacturer's protection clear through this bill. If an American manufacturer manufactures a piece of cloth which weighs 10 pounds, he is entitled, as we understand this bill, and its friends are entitled, that he shall have a manufacturer's protection of 50 per cent; but when he has manufactured 10 pounds of cloth he says, "I manufactured this cloth, and while I am content with the 50 per cent protection I get as a manufacturer, yet I have been handicapped by being compelled to pay a tariff on my raw material, which I ought to be indemnified for."

Then you talk about compensating what he is entitled to. His statement is that it requires 3 pounds of wool in the grease to make 1 pound of wool manufactured in the cloth, and that for every 10 pounds of cloth the manufacturer requires he has to buy 30 pounds of wool in the grease. That is under the paragraph as you propose it. If that be true, there must be 10 cents a pound paid upon the wool in the grease, and the manufacturer must have paid tariff on the amount of wool used in the manufacture of 10 pounds of cloth at 10 cents per pound on 30 pounds of wool, making $3, which he has paid as the tariff on his raw material. If these 10 pounds of goods are worth $10, 50 cents' protection will be a protection of 5% as the manufacturer's protection. But he says he must have that without having it decreased by the $3 taken to pay the tariff on the raw wool. Hence he must have, in addition to the tariff, an ad valorem equivalent to the amount of tariff he has been compelled to pay on his raw material.

You say that, having used 30 pounds of wool in the grease to make 10 pounds of cloth, the 10 cents a pound paid by the manufacturer as a tariff on the wool in the grease must be allowed him. So we fix the tariff that for every pound of cloth in the manufacture there shall be a tariff amounting to three times the amount of the tariff that was paid upon a pound of raw wool. So there is a tariff of 30 cents a pound on the cloth, 10 pounds making $3, and the tariff is $3 specific, in addition to the 50 per cent tariff to compensate for the $3 paid on the raw wool when the manufacturer buys his wool.

Mr. President, if this were true, if the manufacturer actually used 30 pounds of raw wool in making 10 pounds of woven wool, the argument would be all right, and, from the standpoint of Senators on the other side, be just and fair; but suppose, as a matter of fact, that in that 10 pounds of cloth, instead of having 10 pounds of wool he only has 5 pounds of wool and 5 pounds of cotton, where, then, can be the justification of giving him $3 protection for a tariff when he pays but $1.50, all he has used being 5 pounds of wool in his manufacture of cloth—one-half wool and one-half cotton. There are 5 pounds of wool and 5 pounds of cotton in that 10 pounds of cloth, and the tariff he paid for the material he used in making the 5 pounds of cotton cloth and that he used in making 5 pounds of woolen cloth, one-half of the woolen fabric, would take, instead of 30 pounds of wool in the grease, but 15 pounds of wool in the grease; and when you propose to give him a compensation of $3 where he has paid but $1.50, you are treating the American public unjustly and unfairly, and increasing his protective tariff beyond what he himself says is necessary for him to have.

The argument is stronger still if there is but one-tenth of wool, and yet under the terms of this bill you propose that if there is one-tenth wool you shall pay the full amount as if the whole of it was composed of wool.

Mr. President, I submit that in a fabric where there is but one-tenth wool it is not fair that it should be treated in the same way as if it were composed wholly of wool; and that where wool is the material of least value, that that fabric should be considered as a cotton fabric and treated as such, and these wool tariffs ought not to go on it. Take the 50 per cent, if you choose; but you have no right to give him a compensation for ten times as much wool as he puts into his fabric, or four times as much, or twice as much.

I respectfully submit that these facts can not be gainsaid or denied, and you can not get away from them. You are under the guise, under the pretense, of giving a compensatory duty to the manufacturer to compensate him for the wool he puts in his material, giving him ten times the amount of wool in some cases on which a tariff has been paid to the Government. In this particular case to-day you are passing this bill; and whenever it becomes a law the American manufacturer takes his 30 pounds of wool, upon which he has not paid one cent of duty, and yet you propose to put a tariff upon the fabric in addition to the 50 per cent that he says is all he wants, in addition to the 50 per cent which is all that the manufacturers claim they are entitled to.

In addition to that, you propose to put a specific duty, under the pretense of compensating him for the tariff he has paid upon wool, which he has not paid, and which you know he has not paid, and which you have admitted on the floor of the Senate that he has not paid, and yet you levy this tax upon the people to make woolen manufacture more profitable, and instead of giving him 50 per cent, you propose to give him 80 or 90 per cent.

The plain matter of fact in this case can not be evaded; it can not be dodged. If the words I have proposed, "or of which wool is the material of chief value," be inserted, and then these rates go into effect, they will be much less unjust and unfair than the terms of the bill as proposed by the committee.

The PRESIDING OFFICER (Mr. CARTER in the chair). The yeas and nays having been ordered on the amendment proposed by the Senator from Arkansas [Mr. Jones], the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Oregon [Mr. McBride].

Mr. HAWLEY (when his name was called). I am paired with the Senator from Tennessee [Mr. Bate]. I believe he is still absent, and so I shall not vote. If he were here, I should vote "nay."

Mr. RAWLINS (when his name was called). I am paired with the Senator from Ohio [Mr. Hanna].

Mr. WELLINGTON (when his name was called). I inquire if the Senator from North Carolina [Mr. Butler] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. WELLINGTON. Then I withhold my vote, as I am paired with that Senator.

The roll call was concluded.

Mr. JONES of Arkansas. My colleague [Mr. Berry] is detained from the Senate Chamber by public business. If he were present, he would vote "yea." He is paired with the Senator from Illinois [Mr. Mason].

Mr. GEAR. I inquire if the senior Senator from New Jersey [Mr. Smith] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GEAR. Then I withhold my vote, as I am paired with that Senator. If he were present, I should vote "nay."

Mr. MURPHY. I am paired with the Senator from New Hampshire [Mr. Chandler], and therefore withhold my vote.

Mr. MORRILL. I am paired with the senior Senator from Tennessee [Mr. Harris], and therefore withhold my vote.

Mr. HANSBROUGH. I transfer my pair with the senior Senator from Virginia [Mr. DANIEL] to the Senator from Nevada [Mr. Jones], and vote "nay."

Mr. PASCO. I wish to announce that the Senator from Kentucky [Mr. Lindsay] is necessarily absent from the city. He is paired with the senior Senator from Michigan [Mr. McMillan].

Mr. SEWELL (after having voted in the negative). I inquire if the Senator from Wisconsin [Mr. Mitchell] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. SEWELL. Then I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 23, nays 32, as follows:

YEAS—23.

Allen	Gorman	Martin	Tillman
Bacon	Harris, Kans.	Mills	Turpie
Cockrell	Jones, Ark.	Morgan	Vest
Clay	Kenney	Pasco	Walthall
Cockrell	McLaurin	Pettus	White
Faulkner	Mallory	Roach	

NAYS—32.

Allison	Foraker	Nelson	Shoup
Burrows	Frye	Penrose	Spooner
Carter	Gallinger	Perkins	Teller
Clark	Hale	Platt, Conn.	Thurston
Davis	Hansbrough	Platt, N. Y.	Turner
Deboe	Hoar	Pritchard	Warren
Elkins	Lodge	Proctor	Wetmore
Fairbanks	Mantle	Quay	Wilson

NOT VOTING—34.

Aldrich	Daniel	Kyle	Pettigrew
Baker	Gear	Lindsay	Rawlins
Bate	George	McBride	Sewell
Berry	Gray	McEnery	Smith
Butler	Hanna	McMillan	Stewart
Cannon	Harris, Tenn.	Mason	Wellington
Chandler	Hawley	Mitchell	Wolcott
Chilton	Heitfeld	Morrill	
Cullom	Jones, Nev.	Murphy	

So the amendment of Mr. Jones of Arkansas was rejected.

The PRESIDING OFFICER. The question recurs on the adoption of the amendment of the committee.

Mr. JONES of Arkansas. I move to amend the amendment, in line 17, after the word "class," by inserting "for each pound of wool contained in said fabric;" after the word "class," in line 20, by inserting the same words; and after the word "class," in line 24, by inserting the same words.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 364, page 122, line 17, after the word "class," it is proposed to insert "for each pound of wool contained in said fabric;" in line 20, after the word "class," to insert "for each pound of wool contained in said fabric;" and in line 24, after the word "class, to insert "for each pound of wool contained in said fabric."

Mr. JONES of Arkansas. Mr. President, the first paragraph will read, if my amendment is adopted, as follows:

"364. On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided for in this act, valued at not more than 40 cents per pound, the duty per pound shall be three times the duty imposed by this act on a pound of unwashed wool of the first class for each pound of wool contained in said fabric."

I feel absolutely confident the Senator from Iowa [Mr. Allison] is so perfectly fair and just that he will accept this amendment. He does not want to give the manufacturers compensation for tariffs on wool which they do not pay. I am sure he is too fair a man to desire any such thing. When a fabric is made wholly of wool, then in 3 pounds of it there will be compensation for three times the tariff on a pound of unwashed wool; but if a fabric is made one-half of wool and one-half of cotton, then they will have a tariff on a pound of the mixed fabric for three times the amount of wool that is in the fabric; and the public will then pay the compensatory duty of 3 for 1 on every ounce of wool that goes into the fabric, and will pay a compensatory duty on wool for cotton that goes into the fabric, which would be 6 to 1 if it was half-and-half, and which would be 10 to 1 if it were nine-tenths cotton and only one-tenth wool under the bill as it stands at this time.

Mr. President, as I have pointed out already, and it was admitted by Senators upon the other side, it only takes 2 pounds of unwashed wool to make a pound of scoured wool; and nobody denies it. The wool that is imported in the largest quantity and which is consumed by the manufacturers does not take 3 pounds to make 1 pound of scoured wool; it only takes 2 pounds to make 1 pound of scoured wool, and the manufacturer pays a tariff on only 2 pounds of wool—that is, when he gets all wool in the fabric. This proposition will not even get rid of that evil, and it will let the manufacturer get 3 for 1, although he only pays 2 for 1 for every ounce of wool or for every pound of wool that enters into his fabric; and certainly nothing more ought to be asked.

Mr. ALLISON. How do you ascertain that?

Mr. JONES of Arkansas. You ascertain it like you ascertain anything else. There is not the slightest difficulty in figuring out the proportion of wool in the fabric. There is no trouble in ascertaining the amount of wool and the amount of cotton that is contained in the fabric, and the experienced custom-house officers can tell without difficulty the proportion of each.

The idea runs through the bill in numberless other instances, and the provision appears again and again. How can you determine about the value unless by weight? You put in the silk schedule everywhere and the flax schedule everywhere that if flax or silk is the component material of chief value—which is a question that is much more difficult to determine than to determine the question of weight—then the tax shall be governed by that. In this case you have only to determine as to the weight to determine the tax, which is a less complicated and difficult question than to determine the value. If in mixtures of flax or silk with other materials their values can be ascertained, how much easier would it be to ascertain the weight of wool that goes into a fabric.

Mr. ALLISON. Mr. President, I wish to say but a word respecting the amendments proposed by the Senator from Arkansas. The Senator from Arkansas calls attention to the amendment which has just been defeated, because he says the woolen manufacturer will receive an unjust compensatory duty, as we have provided for three times the duty, although nine-tenths or three-fourths of the material may be of cotton. I do not intend to go into that this morning, having spoken briefly on the question last night; but the difficulty of dealing with that method as respects woolen fabrics lies in the fact that if wool is not the chief component or measure of value these fabrics, if they contain a greater value of cotton, will be thrown over into the cotton schedule.

Mr. JONES of Arkansas. That, as the Senator suggests, has been disposed of, but the question now is one of weight and not of value.

Mr. ALLISON. Very well; and I am disposing of this question now. That was objectionable for the reason that then it would be a cotton fabric and come in at 45 per cent ad valorem, and those who manufacture such goods abroad would bring in in the form of free wool under the cotton classification and under the cotton schedule probably half the fabrics that are used, because all they would have to do would be to provide for 50½ per cent of cotton as the component material of chief value, and then they would bring in 49½ per cent of wool free of duty, and in that way use the foreign wool that we are trying in this bill to protect our farmers against.

It so happens that in this schedule at least the manufacturers and the farmers are united in interest, for the reason that unless our farmers who produce wool can find a market for it with our own manufacturers they will have practically no market at all. Therefore, if they are to produce wool in this country under the protective system, they must have it practically manufactured in this country under the protective system as against free wool abroad. I know that is not the purpose of our friends upon the other side. If we are to have a duty upon wool and woolens, we must correlate those duties so that our woolen manufacturers will be protected against the inundation of free wools from abroad under the guise of cotton fabrics.

Mr. JONES of Arkansas. I merely want to suggest that, admitting for the sake of argument—which I do not—the Senator's position to be exactly correct, then he can have no objection to this proposition, because this proposition is to make the compensation on the wool actually contained in the goods, whether it be much or little.

Mr. ALLISON. The Senator proposes that this compensatory duty shall be upon the wool in a mixed fabric, and upon the weight of the wool. I should like to know by what method any expert or any appraiser can take a piece of goods with cotton warp, if you please, and know how much the wool in the fabric will weigh, and how much the cotton will weigh, unless he unravels it all. So it seems to me here is another indirect method whereby it is attempted to evade or avoid the very question in which our wool producers and woolen manufacturers are interested in common as respects these duties.

Mr. JONES of Arkansas. Will the Senator from Iowa permit me to ask him a question at this point? Paragraph 344 says:

"Woven fabrics or articles not specially provided for in this act, composed of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, weighing 4 ounces, etc."

How is the custom-house officer to determine which is the component material of chief value? Say, for instance, the warp is cotton, the filling linen, or the warp half cotton and the filling mixed linen and cotton. How is the custom-house officer to tell which is the component material of chief value? If he can not tell how the woolen fabric is made, he can not tell how the flax fabric is made, and he can not tell how the silk fabric is made; and yet the Senator has brought propositions here which require him to do that in the silk schedule, and in the flax schedule; and if he is competent to do that in those cases, what is to prevent him from doing it in the woolen schedule? I should be glad to have the Senator explain how he can do it in the one and not in the other.

Mr. ALLISON. The Senator is mistaken wholly as to what is to be done. It is one thing to ascertain the component material of chief value, and another thing to ascertain how much the wool in a fabric weighs. The component material of chief value can easily be ascertained; but suppose he was required to ascertain whether 10 threads of cotton in the fabric weighed an ounce or the fraction of an ounce, and the other material three-quarters or a whole ounce.

Mr. JONES of Arkansas. Must he not first ascertain how much flax there is in the fabric before he determines what is the component material of chief value?

Mr. ALLISON. No, sir; certainly not.

Mr. JONES of Arkansas. How does he find the value?

Mr. ALLISON. Because the flax is worth a great deal more than a cotton fabric.

Mr. JONES of Arkansas. But if it is a question of the component material of chief value and not the fabric, it is the component material that makes the value.

Mr. ALLISON. Certainly; which is flax.

Mr. JONES of Arkansas. The flax thread. Then he has to find how many flax threads there are in the material and measure their value by the value of the flax and determine whether it is the component material of chief value. So in silks. You are bound to analyze it. You must first find the weight, and then compare it with the whole, and it is easier to get the weight than the value, because the question of value is to be determined after you find the weight, and it is more a matter of opinion than is the weight. The weight can be determined by scales. The value is a matter of opinion, to some extent, and in a constantly fluctuating market it is much more difficult to determine what is the value of a thing after you find the weight than it is to find the weight. But you can not find the value until you first find the weight, either in flax or silk.

Mr. ALLISON. The Senator from Arkansas differs with all other experts on the subject. That is all I have to say.

Mr. JONES of Arkansas. I am not an expert. I think that is the plain common-sense view of the situation.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas to the amendment of the committee.

Mr. JONES of Arkansas. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Oregon [Mr. McBride].

Mr. CLARK (when his name was called). I am paired with the Senator from Kansas [Mr. Harris]. I do not see him in the Chamber, and therefore withhold my vote.

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. Smith].

Mr. HANSBROUGH (when his name was called). I again announce the transfer of my pair with the senior Senator from Virginia [Mr. DANIEL] to the Senator from Nevada [Mr. Jones], and I will vote. I vote "nay."

Mr. HAWLEY (when his name was called). I announce for the day my pair with the Senator from Tennessee [Mr. Bate].

Mr. MURPHY (when his name was called). I am paired with the Senator from New Hampshire [Mr. Chandler].

Mr. RAWLINS (when his name was called). I am paired with the junior Senator from Ohio [Mr. Hanna].

Mr. WARREN (when his name was called). I am paired with the junior Senator from Washington [Mr. Turner]. If he were present, I should vote "nay."

Mr. WELLINGTON (when his name was called). I have a general pair with the Senator from North Carolina [Mr. Butler]. As he is absent, I withhold my vote.

The roll call was concluded.

Mr. KENNEY. I inquire whether the junior Senator from Pennsylvania [Mr. PENROSE] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. KENNEY. Being paired with that Senator, I withhold my vote.

Mr. JONES of Arkansas. I again announce the pair of my colleague [Mr. BERRY] with the Senator from Illinois [Mr. MASON]. If my colleague were present, he would vote "yea."

The result was announced—yeas 22, nays 28, as follows:

YEAS—22.

Allen	Heitfeld	Mitchell	Turple
Bacon	Jones, Ark.	Morgan	Vest
Caffery	McLaurin	Pasco	Walthall
Clay	Mallory	Pettus	White
Cockrell	Martin	Roach	
Faulkner	Mills	Tillman	

NAYS—28.

Allison	Frye	Mantle	Sewell
Burrows	Gallinger	Perkins	Shoup
Carter	Hale	Platt, Conn.	Spooner
Davis	Hansbrough	Platt, N. Y.	Teller
Elkins	Hoar	Pritchard	Thurston
Fairbanks	Lodge	Proctor	Wetmore
Foraker	McEnery	Quay	Wilson

NOT VOTING—39.

Aldrich	Daniel	Jones, Nev.	Penrose
Baker	Deboe	Kenney	Pettigrew
Bate	Gear	Kyle	Rawlins
Berry	George	Lindsay	Smith
Butler	Gorman	McBride	Stewart
Cannon	Gray	McMillan	Turner
Chandler	Hanna	Mason	Warren
Chilton	Harris, Kans.	Morrill	Wellington
Clark	Harris, Tenn.	Murphy	Wolcott
Cullom	Hawley	Nelson	

So the amendment of Mr. JONES of Arkansas to the amendment of the committee was rejected.

Mr. JONES of Arkansas. I now offer, to come in at the end of the paragraph, the following proviso:

"*Provided*, That the specific duties provided for in this paragraph shall not become operative until twelve months after the passage of this act."

I shall ask for the yeas and nays on the amendment, and I hope the Senate will adopt it.

The Senator from Iowa has this morning distinctly admitted to the Senate that there is a twelve months' supply of wool now in the country; that it has been imported, and no tariff has been paid upon it. The specific duties provided for in this paragraph are intended, or it is pretended that they are intended, as compensatory to the manufacturers for the tariff they pay on the wool they import.

Whenever, after this bill becomes operative, the manufacturer imports wool, he must pay the tariff of 10 cents a pound. When he imports enough to make a pound of cloth, upon the assumption on the other side, he must pay 30 cents, or 10 cents on each of the 3 pounds of wool out of which to make 1 pound of cloth. In addition, the 50 per cent—225 per cent more than has been the law since the Wilson bill was passed—which has been considered ample to protect the manufacturers, is already provided for in the bill, and it is not right that compensation should be allowed to them for tariff they have not paid. When a twelve-months' supply, by the admission of the Senator from Iowa, has been imported into the country without paying any duty, there is no justice, there is no fairness, in allowing a compensation of 30 cents on every pound of manufactured cloth made out of this wool as compensation for tariff they have not paid.

As the Senator from Iowa has admitted that there is a year's supply of wool in the country, and as the manufacturers will use raw wool for twelve months upon which they have paid no duty, the amendment ought to be adopted, so that the people will not be compelled to pay the manufacturers an increased price because of duties they have not paid. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. Let the amendment be stated.

The SECRETARY. At the end of paragraph 364 it is proposed to insert the following proviso:

"*Provided*, That the duties provided for in this paragraph shall not become operative until twelve months after the passage of this act."

Mr. WHITE. I simply desire to call attention to the fact that the ad valorem duty in the paragraph is higher than under the McKinley Act.

Mr. VEST. In paragraph 364 the duties upon goods valued at not above 50 cents per pound amount to 154.30 per cent, and upon goods above 50 cents per pound, 94.45 per cent. It always happens that the higher duty is upon the cheap goods and the smaller duty upon the dear goods.

The statements of my colleague, the Senator from Arkansas, in regard to the injustice of this paragraph are unanswerable, absolutely so. We were told by the Senator from Rhode Island [Mr. ALDRICH], when he made his opening speech in this debate, that on account of the immense amount of wool which would be brought into this country, especially under free wool—to use his expression, which would be rushed into the country before the bill became a law—it would be absolutely necessary to find revenue for the immediate wants of the Government somewhere else, and for that reason our Republican friends propose to put a duty on beer and on tea, abandoning as to tea the time-honored arguments of the Republican party against any such duty, because that is a simple revenue duty, all of which goes into the Treasury without any protection to the individual manufacturer at all.

Yet with that very argument made here, it is now proposed, besides these enormous duties which I have named, to give to the manufacturers a simple, naked gratuity out of the tax money of the people. It is nothing else. There is no pretense that they are entitled to the duties which are now proposed on the ground that they use this taxed wool. They have already got the wool. I saw a statement in a woolen journal yesterday that they had a two-year supply. Even if they have a one-year supply, what is it but naked robbery, under the forms of law, to give them this enormous duty, when there is no basis in the world for it?

Mr. PLATT of Connecticut. What is the contention; that there is a year's supply of wool in the hands of the manufacturers?

Mr. JONES of Arkansas. There has been a year's supply of wool imported into this country, according to the statements of all wool men. It amounts to a full year's consumption. The Senator from Iowa admitted awhile ago that much is in the hair. Now they have that wool without paying any tariff on it, and you propose to put compensatory duties in this paragraph to compensate them for tariffs never paid.

Mr. PLATT of Connecticut. Not that the manufacturers have got it. If it is in the hands of speculators, going hold to charge the manufacturers the price to which it will be raised by the duty, then the manufacturers derive no advantage from it.

Mr. JONES of Arkansas. I presume the men who want the wool imported it, and the Senator from Rhode Island stated in his opening speech, as referred to by the Senator from Missouri, that this was being done and that the practical effect of it was to deprive the Treasury of the revenue, and to compensate for that failure and so that the Treasury might get the revenue that ought to have come from it, you propose to put a tax on beer and tea.

Mr. PLATT of Connecticut. I merely rose for the purpose of saying that as I understand the situation a very small proportion of this wool has been imported by the manufacturers, but it has been imported largely by people with the idea of speculating upon it. I do not like that, but at the same time I do not think their sins ought to be visited upon the manufacturers.

Mr. JONES of Arkansas. When the Wilson bill was being framed, the manufacturers came here and insisted that as they had paid tariff on the raw materials which they used in manufacturing their goods it was not right for them to be compelled to sell their fabrics in open market in competition with fabrics made from free wool, as we proposed to make it free. Recognizing the justice of that claim, the Wilson Act provided that the wool tariff should not go into effect as to woolen fabrics until January, 1895, to give them a market in which to sell the goods which they had made out of taxed wool, to compensate them for what they had done.

Now the same men are here, and they propose to manufacture goods out of free wool, and when we propose that they shall not be allowed to saddle the people with an expense they have not incurred, they forget the sense of duty which animated us then, and I am ashamed to say that the Senate seems not to appreciate the gravity of the situation.

Mr. WHITE. I merely desire to say that if the manufacturers of woolen goods have not imported the wool, and do not now possess it, they have displayed in that regard far less ability and attention to their business than has been manifested with reference to the preparation of the proposed act.

Mr. CAFFERY. I call the attention of the Senator from Connecticut to the fact that the Senator from Rhode Island, in his opening speech, stated that no considerable revenue could be expected for two years from the duty on wool, and he made his calculations of a surplus something over $2,000,000 only for the next two years, and limited the duration of the tea tax and the tax on beer to that period. Under any circumstances this tax is utterly indefensible, for if the wool has been imported by importers and not by manufacturers, and they ask a high price for it, the manufacturers can import wool without the payment of duty. It occurs to me, however, that it is an evasion to say that the parties interested in the importations were mere speculators, who might be crushed by the failure of the manufacturers to buy their imported articles.

Mr. PLATT of Connecticut. I did not say and do not say that there have not been, perhaps, unusual importations of wool by manufacturers, but the great bulk of it is in the hands of the wool merchants. The manufacturers buy in advance, of course.

Mr. CAFFERY. Who are the wool merchants?

Mr. PLATT of Connecticut. There may have been importations. I am only speaking of what I have been advised. I do not know how it may be.

Mr. JONES of Arkansas. They buy on commission, as a rule?

Mr. PLATT of Connecticut. I presume so.

Mr. JONES of Arkansas. When they buy on commission, they buy for their principals. Seventy million pounds of wool came in month before last.

Mr. WHITE. It is wholly unlikely that these people have not attended to their interests, and it is not at all probable that they are walking around, not knowing what to do, while other people are importing wool. I suppose the wool manufacturers have a vague idea that a wool schedule will probably be adopted some day, and they doubtless had such an idea soon after the last election.

Mr. PLATT of Connecticut. Senators on the other side seem to suppose—and I know that nothing I can say will change their opinion about it—that every wool manufacturer in the United States is a very rich man, who can buy a year's stock of wool in advance and carry it. The contrary is the fact. Most of the woolen manufacturers of the United States are not wealthy, and have no surplus cash on hand to invest in a year's supply of wool.

Mr. RAWLINS. Will the Senator from Connecticut yield to me for a question? I will ask the Senator if it is not the theory of the Republican party, frequently expressed by its leaders, including the President of the United States, that the foreigner pays the import duty, the tax; and if that is true, upon what theory does the Republican party justify the imposition of compensatory duties to make good the domestic manufacturer on account of the supposed increased cost of his raw material?

Mr. PLATT of Connecticut. I must ask to be excused from entering into a discussion of the principles upon which the protective system is based. Unfortunately, the Senators who would like to explain it fully and at great length, and answer the very remarkable and wonderful statements which have been made on the other side for the last three or four weeks are compelled to sit silent in order to secure the passage of the pending bill within any time that will satisfy the country.

Mr. MILLS. I think it is a creation of fancy on the part of the Senator from Connecticut that wool is imported into this country by speculators and then sold to the woolen manufacturers. The woolen manufacturers could not carry on their business in that way. They have to have experts to buy their wool. The wool is bought for a particular purpose, and a particular kind of wool is bought and a particularly skillful person is appointed to do the work. I remember a few years ago being in New England and in one of the largest woolen manufacturing establishments, and they pointed me to a gentleman whom they said they paid $10,000 a year to purchase their wool for them, and they said he could shut his eyes and stick his hand into a bag of wool and tell what sort of wool it was. They have to have a high-priced man to do that business. They are importing wool for themselves.

Mr. ALLEN. Mr. President, I have been very highly edified for the last three days in listening to the discussion of the question whether there is 1 pound of pure wool in 3 pounds of wool in the grease, or whether there is 1 pound of pure wool in 4 pounds of wool in the grease. I think that is a subject which has been discussed largely and extensively here during the entire week.

This question assumes a greater range than the mere discussion of schedules or the arrangement of details. It involves the discussion of principles, it involves the discussion of consequences, and it occurs to me that the thing which ought to present itself most strongly to the mind of every Senator is whether the seventy-odd million people in the

United States are to bear the burden of an enormous taxation upon woolen articles necessary to their life and their comfort.

I do not suppose there is a sheep in the United States to every inhabitant, and yet the question of wool, the question of sheep, has occupied the attention of the Senate now for the last week. It is a mere spectacular performance before the country. There is nothing else to it. Upon the one hand stand a few sheep growers and a few wool owners who have contributed largely to the campaign funds in the past and who are now demanding their compensation in the form of a prohibitory statute, and on the other hand stand the millions of lambs in this country to be shorn by the tax.

What difference does it make so far as the particular item now under discussion is concerned? The whole purpose and scope of the bill are not only to lay upon the backs of the people of this country additional burdens in the form of taxation, but it has a deeper significance, as expressed by the chairman of the Ways and Means Committee of the House of Representatives, and therein lies one of its secret and hidden purposes, and that is to create a fund so great, a surplus so great, that it can be used as a means of retiring the greenbacks and the legal-tender notes and the other forms of money which have been issued by this Government.

It is the first step in that direction. If the bill passes and produces, as I believe it will not, a surplus revenue, then the jackals and the cormorants who profit by it will hold up their hands and elevate their sanctified noses and demand at the hands of Congress legislation that will retire the greenbacks and legal-tender notes. Then, when that is accomplished, as doubtless it will be accomplished if things are to go on in the future as they have gone in the past few years, we will be informed that we have not sufficient money, which we all now know. We will have committed then the suicidal policy of retiring the greenbacks and legal-tender notes that are so dear and sacred to the common people of this country, and then we will be informed that the only remedy the people have, the only relief we can give them, will be relief in the form of an extension of the powers of national banks.

Then this country will have passed into the hands of the manufacturers, the national banks, and the great railway transportation lines of the country, and the people will be absolutely and unqualifiedly at their mercy. These consequences can not be escaped. Yet dignified Senators stand here and argue like boys at school upon the grave and solemn question whether there are 2 pounds of grease to 1 pound of pure wool or whether there are 3.

Mr. President, I want to see the bill pass. I want to see it pass as speedily as possible. In my judgment it will be the gigantic failure of the age. It will fall short of producing revenue. Although its purpose is as I said, I want to see the great body of honest American citizens who believe there is something in the tariff issue to learn by bitter experience, if they can not learn otherwise, that the tariff is a delusion and a snare, and that the only question for the American people to decide—the great question which they must decide correctly if the Government is to survive—is the question of the volume and character of our money.

I am perfectly willing, so far as I am concerned, to walk into this Chamber occasionally and vote upon these schedules. I do not say that I will or will not vote upon the measure as a whole when it is submitted. I do not know what course I shall pursue then; but I believe, and I believe the American people are becoming daily convinced, that the bill will be a failure the moment it is adopted. But if they want tariff, if nothing but tariff will do, if our Republican friends say the settlement of the tariff question will settle the question of prosperity, then let us have tariff, and let us have it speedily, and let it be high, Mr. President.

Let it be as high as it is possible for our friends on the other side to make it. Let it prohibit the importation of hundreds of articles. Then what will be the result? Where will prosperity come from? Oh, the mills will open, so say our friends; men will be set at work in the different departments of industry and in manufacturing. But there must be a market for the articles that are manufactured before you can set your mills to work. Where is that market to be found? It can not be found in the United States, because the people are too poor to purchase the articles manufactured. No man is going to manufacture an article without first knowing he is going to have a market for it. It is rot and nonsense to sit here day after day and discuss this simple question.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from Arkansas [Mr. JONES] to the amendment of the committee.

The SECRETARY proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Oregon [Mr. McBRIDE].

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH].

Mr. KENNEY (when his name was called). I announce my pair with the junior Senator from Pennsylvania [Mr. PENROSE], and withhold my vote.

Mr. McLAURIN (when his name was called). I announce my pair with the Senator from North Carolina [Mr. PRITCHARD].

Mr. RAWLINS (when his name was called). I am paired with the Senator from Ohio [Mr. HANNA].

Mr. WARREN (when his name was called). I again announce my pair with the junior Senator from Washington [Mr. TURNER].

Mr. WELLINGTON (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. BUTLER], and in his absence withhold my vote.

The roll call was concluded.

Mr. TILLMAN. Has the Senator from Nebraska [Mr. THURSTON] voted?

The VICE-PRESIDENT. He has not voted.

Mr. TILLMAN. I am paired with that Senator, and therefore withhold my vote.

Mr. MALLORY. I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were here, I should vote "yea."

Mr. JONES of Arkansas. I again announce the absence of my colleague [Mr. BERRY]. If he were present, he would vote "yea." He is paired with the Senator from Illinois [Mr. MASON].

Mr. HARRIS of Kansas. I am paired with the junior Senator from Wyoming [Mr. CLARK]. If he were present, I should vote "yea."

Mr. MARTIN. I am paired with the senior Senator from Montana [Mr. MANTLE]. I should vote "yea" if he were present.

Mr. GRAY. I ask if the senior Senator from Illinois [Mr. CULLOM] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. GRAY. I am paired with that Senator, and withhold my vote.

Mr. WARREN. By an arrangement with the Senator from Kansas [Mr. Harris], I transfer my pair with the Senator from Washington [Mr. Turner] to my colleague [Mr. CLARK], so that the Senator from Kansas and myself can vote. I vote "nay."

Mr. HARRIS of Kansas. I vote "yea."

The result was announced—yeas 18, nays 27; as follows:

YEAS—18.

Allen	Faulkner	Morgan	Vest
Bacon	Harris, Kans.	Murphy	Walthall
Caffery	Jones, Ark.	Pasco	White
Clay	Mills	Pettus	
Cockrell	Mitchell	Roach	

NAYS—27.

Allison	Foraker	Nelson	Spooner
Burrows	Frye	Perkins	Stewart
Carter	Gallinger	Platt, Conn.	Teller
Chandler	Hale	Platt, N. Y.	Warren
Deboe	Hoar	Quay	Wetmore
Elkins	Lodge	Sewell	Wilson
Fairbanks	McEnery	Shoup	

NOT VOTING—44.

Aldrich	Gear	Kyle	Pettigrew
Baker	George	Lindsay	Pritchard
Bate	Gorman	McBride	Proctor
Berry	Gray	McLaurin	Rawlins
Butler	Hanna	McMillan	Smith
Cannon	Hansbrough	Mallory	Thurston
Chilton	Harris, Tenn.	Mantle	Tillman
Clark	Hawley	Martin	Turner
Cullom	Heitfeld	Mason	Turple
Daniel	Jones, Nev.	Morrill	Wellington
Davis	Kenney	Penrose	Wolcott

So the amendment was rejected.

Mr. JONES of Arkansas. I move, in line 15, paragraph 364, to strike out the words "three times" and insert "twice;" so that the compensatory duty upon the manufactured material, instead of being three times the cost of a pound of unwashed wool, shall be twice the cost of a pound of unwashed wool. It was admitted yesterday in debate a number of times that Port Phillip wool, which, as nobody will deny, is the wool mainly imported and used by the manufacturers, shrinks at the rate of about 50 per cent, or that 2 pounds of unwashed wool will make a pound of scoured wool. There is no reason for making larger the increases in favor of manufactures. They go exactly in the line of the other outrages we have been speaking about. I hope the Senate will adopt this amendment.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Arkansas [Mr. JONES] to the amendment of the committee.

Mr. JONES of Arkansas. I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Oregon [Mr. McBRIDE].

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH].

Mr. GRAY (when his name was called). I am paired with the Senator from Illinois [Mr. CULLOM] on this question. If he were present, I should vote "yea."

Mr. KENNEY (when his name was called). I am paired with the Senator from Pennsylvania [Mr. PENROSE].

Mr. McLAURIN (when his name was called). I am paired with the Senator from North Carolina [Mr. PRITCHARD].

Mr. MALLORY (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

Mr. RAWLINS (when his name was called). I am paired with the Senator from Ohio [Mr. HANNA].

Mr. WARREN (when his name was called). By the same arrangement that was heretofore made I transfer my pair with the junior Senator from Washington [Mr. TURNER] to my colleague [Mr. CLARK], so that the Senator from Wyoming [Mr. CLARK] will stand paired with the Senator from Washington [Mr. TURNER], and thus relieve the Senator from Kansas [Mr. HARRIS] and myself. I vote "nay."

Mr. WELLINGTON (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. BUTLER].

The roll call was concluded.

Mr. HARRIS of Kansas. Under the arrangement stated by the Senator from Wyoming [Mr. WARREN] I am at liberty to vote. I vote "yea."

Mr. MARTIN. I desire to announce my pair with the senior Senator from Montana [Mr. MANTLE]. I should vote "yea" if he were present.

Mr. JONES of Arkansas. I announce for the day the pair between my colleague [Mr. BERRY], who is detained from the Chamber by public duties, and the Senator from Illinois [Mr. MASON]. If my colleague were present, he would vote "yea."

The result was announced—yeas 19, nays 26; as follows:

YEAS—19.

Allen	Faulkner	Morgan	Tillman
Bacon	Harris, Kans.	Murphy	Vest
Caffery	Jones, Ark.	Pasco	Walthall
Clay	Mills	Pettigrew	White
Cockrell	Mitchell	Pettus	

NAYS—26.

Allison	Foraker	Perkins	Teller
Burrows	Frye	Platt, Conn.	Thurston
Carter	Gallinger	Platt, N. Y.	Warren
Chandler	Hale	Quay	Wetmore
Deboe	Hoar	Sewell	Wilson
Elkins	Lodge	Shoup	
Fairbanks	McEnery	Spooner	

NOT VOTING—44.

Aldrich	Gear	Kyle	Penrose
Baker	George	Lindsay	Pritchard
Bate	Gorman	McBride	Proctor
Berry	Gray	McLaurin	Rawlins
Butler	Hanna	McMillan	Roach
Cannon	Hansbrough	Mallory	Smith
Chilton	Harris, Tenn.	Mantle	Stewart
Clark	Hawley	Martin	Turner
Cullom	Heitfeld	Mason	Turple
Daniel	Jones, Nev.	Morrill	Wellington
Davis	Kenney	Nelson	Wolcott

So the amendment to the amendment was rejected.

[From the CONGRESSIONAL RECORD of June 24, 1897, pp. 1989–1993.]

Mr. JONES of Arkansas. Mr. President, I was very much interested in the part of the remarks of the Senator from Delaware relating to the cost of goods and the illustrations which he gave to the Senate. I have a number of similar samples. I have in my hand a fabric, "cotton warp worsted," the cost of which abroad is 22 cents a yard. Under the Wilson law the tariff on this article would be 12.8 per yard—less than 13 cents a yard. The tariff under the present proposed measure would be 25 cents specific and 50 per cent ad valorem, which would be equivalent to 16 cents. The foreign cost is 32 cents, and 50 per cent, the manufacturer's tariff provided in this bill, would be 16 cents, and the compensatory tariff for the next twelve months, to be given to the manufacturer for no consideration whatever, will be 25 cents on an article costing 32 cents.

I have already pointed out to the Senate that there is no tariff paid upon the wool out of which these goods will be manufactured and that we are giving a compensatory tariff for tariffs which are not paid and that will not be paid for the next twelve months on this article costing 32 cents. We are paying 25 cents compensatory tariff, together with an ad valorem equivalent to 16 cents, to the manufacturers to protect them in their manufacture. This illustrates the outrage of giving a compensation, against which we have protested and against which we have again and again to-day voted. It shows the wrong in this matter, and it is not by any means a small matter.

I have here samples of another fabric, costing 21 cents abroad, on which the tariff under the present law is 8.4 cents per yard. The tariff under this bill would be 50 per cent ad valorem, equivalent to 10½ cents on a cost of 21 cents; and the compensatory specific tax intended to compensate for the tariff upon wool which was not paid is 21.6 cents a yard on an article that cost 21 cents. The specific compensatory tax paid on that fabric is more than 100 per cent of the foreign cost; and in addition to that there is a tariff of 50 per cent that is given to the manufacturer for protection.

This manifestly shows how this compensatory tax for a tariff never paid operates on the people of this country. When we buy abroad $100 worth of this article, we must pay not only the $50 for the manufacturer's protection, but we must pay more than $100 as a tax to compensate the manufacturers for tariffs they have not paid—a plain, naked robbery. There can be no more polite or civil word used in connection with such legislation.

I have another sample here of wool and cotton suitings, which cost 66 cents a yard abroad. The tariff under the present law is 26.4 cents. The ad valorem tariff of 50 per cent under the pending bill would be, of course, 33 cents a yard, and the compensatory tariff paid for the imaginary wool tariff is 54 cents. But it is scarcely necessary to multiply examples of this kind. I have here samples of another and lighter character of goods which cost 22 cents a yard abroad. Under the present law the duty is 40 per cent, which would be 8.8 cents, a little less than 9 cents. Under the Senate bill there is a duty of 50 per cent ad valorem, which, of course, would be 11 cents, the foreign cost being 22 cents; and the compensatory tax, the specific tax placed on the fabric to pay the manufacturer for the tariff that he has not paid on this article costing 22 cents, is 24 cents—more than 100 per cent, in addition to the entire 50 per cent, which the manufacturers claim is all the protection they ask.

The manufacturers have lived under the general tax of 40 per cent in the Wilson law when they have had free wool; and now when you propose to tax the wool by a protective tariff of 50 per cent ad valorem, a rise of 25 per cent on the tariff heretofore existing, and in addition to that a specific tax of 24 cents a pound, under the false pretense of indemnifying them for tariffs that they have paid on the raw wool, when they have never paid one cent, you are putting a tax of more than 100 per cent on the goods which are used by our people. What is the use of saying that the purpose of this thing is not to raise the price of these articles to the people? If it does not mean that, why do you want this protection? Why would these people come here asking for these taxes if they did not believe that they would increase the cost?

It is a matter well known to all of us that it does increase and raise these prices by these amounts; and if they do not, the men who are asking for the passage of this bill will be worse fooled than anybody else.

Mr. President, I had not intended to detain the Senate longer, but my associates around me say, "Give us another sample." I have laid aside a number of these. Here [exhibiting] is a sample of heavy, coarse cloth used for the purpose of making coarse, cheap overcoats. It costs 31 cents a yard, and the duty on this under the present law is 12.4 cents a yard, making it cost 43.4 cents when brought in here. Under the present tariff it would be 15½ cents a yard. The compensatory tariff paid upon this article for wool upon which no tariff has ever been paid, while the fabric costs 31 cents, is 42 cents a yard, more than 125 per cent tariff upon this fabric to protect the manufacturers for a tariff not one solitary cent of which they have ever paid, but the whole of which is paid by the people.

I have a number of pieces of these goods on my desk, and I shall not go over all of them. They include ladies' dress goods and goods for men's wear. I shall insert in the RECORD the statements accompanying these samples, so that Senators who are interested in the subject may examine them.

The statements referred to are as follows:

27-inch black luster orlean for men's summer coats, cotton warp and worsted weft, costing 3¾ pence per running yard, weighing under 4 ounces to the square yard:

	Cents.
Present duty, 40 per cent	2.70
Under Senate bill the duty will be—	
5½ cents per square yard	4.13
And 50 per cent	3.37
Total	7.50

which, if entirely ad valorem, would be 111 per cent duty.

27-inch black luster orlean for men's summer coats, cotton warp and worsted weft, costing 4½ pence per running yard, weighing under 4 ounces to the square yard:

	Cents.
Present duty, 50 per cent	4.13
Under Senate bill the duty will be—	
5½ cents per square yard	4.13
And 50 per cent	4.13
Total	8.26

which, if entirely ad valorem, would be 100 per cent duty.

27-inch black luster sicilian for men's summer coats, cotton warp and worsted weft, costing 3¾ pence per running yard, weighing under 4 ounces to the square yard:

	Cents.
Present duty, 40 per cent	3.10
Under Senate bill the duty will be—	
5½ cents per square yard	4.13
And 50 per cent	3.87
Total	8.00

which, if entirely ad valorem, would be 103 per cent duty.

32-inch colored italian lining, cotton warp and wool weft, costing 6½ pence per running yard, weighing under 4 ounces per square yard:

	Cents.
Present duty, 50 per cent	6.50
Under Senate bill the duty will be—	
5½ cents per square yard	4.88
And 50 per cent	6.50
Total	11.38

which, if entirely ad valorem, would be 87 per cent duty.

32-inch black italian lining, cotton warp and wool weft, costing 7½ pence per running yard, weighing 4½ ounces per square yard:

	Cents.
Present duty, 50 per cent	7.62
Under Senate bill the duty will be—	
32 cents per pound	7.56
And 50 per cent	7.62
Total	15.18

which, if entirely ad valorem, would be 99 per cent duty.

27-inch black cashmere for men's summer coats, cotton warp and wool weft, costing 7 pence per running yard, weighing under 4 ounces per square yard:

	Cents.
Present duty, 50 per cent	7.00
Under Senate bill the duty will be—	
6½ cents per square yard	4.87
And 50 per cent	7.00
Total	11.87

which, if entirely ad valorem, would be 84 per cent duty.

27-inch black cashmere for men's summer coats, cotton warp and wool weft, costing 8¾ pence per running yard, weighing 4½ ounces per square yard:

	Cents.
Present duty, 50 per cent	8.75
Under Senate bill the duty will be—	
32 cents per pound	6.37
And 50 per cent	8.75
Total	15.12

which, if entirely ad valorem, would be 86 per cent duty.

38-inch black mohair brilliantine dress goods, for women's wear, cotton warp and mohair weft, costing 9 pence per running yard, weighing under 4 ounces per square yard:

	Cents.
Present duty, 50 per cent	9.00
Under Senate bill the duty will be—	
6½ cents per square yard	6.50
And 50 per cent	9.00
Total	15.50

which, if entirely ad valorem, would be 88 per cent duty.

Cotton and wool (shoddy) melton, 54 inches wide, 14½ ounces weight; value, 11 pence; dutiable value, 21 cents:

	Cents.
Present duty, 40 per cent	8.4
Under Senate bill the duty will be—	
24 cents per pound	21.6
And 50 per cent ad valorem	10.5
Total	32.0

which, if entirely ad valorem, would be 150 per cent.

Union twill, cotton, wool, and shoddy, 56 inches wide, 16 ounces weight; value, 11 pence; dutiable value, 22 cents:

	Cents.
Present duty, 40 per cent	8.8
Under Senate bill the duty will be—	
24 cents per pound	24.0
And 50 per cent ad valorem	11.0
Total	35.0

which, if entirely ad valorem, would be 159 per cent.

56-inch mixture worsted coating for men's suits, worsted warp and weft, costing 27 pence per running yard, weighing 12 ounces per running yard:

	Cents.
Present duty, 50 per cent	27.0
Under Senate bill the duty will be—	
32 cents per pound	24.0
And 50 per cent ad valorem	27.0
Total	51.0

which, if entirely ad valorem, would be 94 per cent.

Clonkings, cotton warp, wool and shoddy filling, 54 inches wide, 28½ ounces weight; value, 1s. 4d.; dutiable value, 31 cents:

	Cents.
Present duty, 40 per cent	12.4
Under Senate bill the duty will be—	
24 cents per pound	42.0
And 50 per cent ad valorem	15.5
Total	57.5

which, if entirely ad valorem, would be 185 per cent.

Cotton warp worsted, 56 inches wide, 11 ounces weight; value, 1s. 4½d.; dutiable value, 32 cents:

	Cents.
Present duty, 40 per cent	1.28
Under Senate bill the duty will be—	
36 cents per pound	25.00
And 50 per cent ad valorem	16.00
Total	41.00

which, if entirely ad valorem, would be 128 per cent.

German cloaking, cotton and wool, 50 inches wide, 10½ ounces weight; value, 1.50 marks; dutiable value, 34.5 cents:

	Cents.
Present duty, 50 per cent	17.3
Under Senate bill the duty will be—	
36 cents per pound	24.0
And 55 per cent ad valorem	19.0
Total	43.0

which, if entirely ad valorem, would be 125 per cent.

Fancy worsteds, 29 inches wide, 12½ ounces weight; value, 2 shillings; dutiable value, 46 cents:

	Cents.
Present duty, 50 per cent	23.0
Under Senate bill the duty will be—	
36 cents per pound	28.0
And 50 per cent ad valorem	23.0
Total	51.0

which, if entirely ad valorem, would be 111 per cent.

Worsted trousering, 29 inches wide, 8 ounces weight; value, 2 shillings; dutiable value, 46.5 cents:

	Cents.
Present duty, 50 per cent	23.3
Under Senate bill the duty would be—	
36 cents per pound	18.0
And 55 per cent ad valorem	25.6
Total	43.6

which, if entirely ad valorem, would be 94 per cent.

German cloakings, cotton and wool, 50 inches wide, 14 ounces weight; value, 2.25 marks; dutiable value, 52 cents:

	Cents.
Present duty, 50 per cent	26.0
Under Senate bill the duty will be—	
36 cents per pound	31.5
And 50 per cent ad valorem	26.0
Total	57.5

which, if entirely ad valorem, would be 110 per cent.

Wool and cotton suiting, 27 inches wide, 12 ounces weight; value, 2s. 6d.; dutiable value, 59 cents:

	Cents.
Present duty, 50 per cent	29.5
Under Senate bill the duty will be—	
36 cents per pound	27.0
And 50 per cent ad valorem	29.5
Total	56.5

which, if entirely ad valorem, would be 95 per cent.

Wool and cotton suitings, 54 inches wide, 24 ounces weight; value, 2s. 10d.; dutiable value, 66 cents:

	Cents.
Present duty, 40 per cent	26.4
Under Senate bill the duty will be—	
36 cents per pound	54.0
And 50 per cent ad valorem	33.0
Total	87.0

which, if entirely ad valorem, would be 132 per cent.

Cheviot, all wool, 58 inches wide, 30 ounces weight; value, 4s. 6d.; dutiable value, $1:

Present duty, 50 per cent	$0.50
Under Senate bill the duty will be—	
36 cents per pound	.675
And 50 per cent ad valorem	.50
Total	1.175

which, if entirely ad valorem, would be 117½ per cent.

Covert cloth, 54 inches wide, 32 ounces weight; value, 9 shillings; dutiable value, $2.08:

Present duty, 50 per cent	$1.04
Under Senate bill the duty will be—	
36 cents per pound	.72
And 55 per cent ad valorem	1.14
Total	1.86

which, if entirely ad valorem, would be 89½ per cent.

Wool suitings, 56 inches wide, 18–19 ounces weight; value, 10s. 3d.; dutiable value, $2.36:

Present duty, 50 per cent	$1.18
Under Senate bill the duty will be—	
36 cents per pound	$0.41
And 55 per cent ad valorem	1.30
Total	1.71

which, if entirely ad valorem, would be 72 per cent.

Clay worsted coatings, 56 inches wide, 26 ounces weight; value, 12s. 6d.; dutiable value, $2.90:

Present duty, 50 per cent	$1.45
Under Senate bill the duty will be—	
36 cents per pound	.585
And 55 per cent ad valorem	1.595
Total	2.18

which, if entirely ad valorem, would be 75 per cent.

Mr. JONES of Arkansas. We have by our votes to-day undertaken again and again to remove this proposition to tax goods to compensate manufacturers for tariffs which they have not paid, but we have been met by a solid vote on the other side without regard to the facts, without regard to right. You have insisted on imposing these enormous taxes on the people to compel the masses of the people to pay this compensation for money that has not been invested in raw material by the manufacturers. We are powerless; we can not help ourselves.

Mr. President, the development of the United States in an industrial way is something remarkable. I presented some tables here the other day which showed that the people of this country consume to-day more raw cotton in manufactures than any other country on the globe; that we use more raw wool than any country in the world; that we are the largest producers of pig iron on the earth, and, indeed, in this great manufacture we have taken the lead of all the nations of the earth. There is no longer any room for the pretense that we are an infant; there is no longer any excuse for asking for the benefactions of the Government or to be asking Congress for protection against competition with the balance of the world.

I will put into the RECORD a statement which I have had made up by a very competent man, Jacob Schoenhof, a careful, painstaking, patriotic, intelligent man, a man who has no prejudices for or against any of these questions, and who looks at them, I believe, with absolute impartiality. The statement shows the industrial progress of the United States for the last ten years as compared with Great Britain and Germany. I will insert it as a part of my remarks, and I commend it to the attention of Senators.

The PRESIDING OFFICER. Without objection, the paper referred to by the Senator from Arkansas will be printed in the RECORD.

The paper referred to is as follows:

"INDUSTRIAL PROGRESS OF THE UNITED STATES FOR THE TEN YEARS PAST COMPARED WITH THE PROGRESS MADE IN GERMANY AND GREAT BRITAIN.

"I start my comparison with a showing of the exports of manufactures of metals, chiefly those whereof iron and steel are the component materials, and articles in which the labor cost is vastly in excess of the cost of the material, even if we take the material as advanced in manufacture to the state of finished iron and steel. The totals of these highest finished articles of manufacture, chiefly machinery, implements, and apparatus, exported in 1886 amounted to $22,618,000; in 1891 to $40,618,000, and in 1896 to $63,516,000. This is an increase of eighteen millions, or 79.6 per cent, in the five years closing with 1891, and of $22,898,000, or fully 25 per cent, over the increase of the five years preceding the five years closing with 1896.

1.—*Value of exports of finished articles of manufactures of iron and steel progressed above the crude and half-manufactured state, and of other manufactures of similar character where metals are the component material of chief value, in 1886, 1891, and 1896.*

Article.	Fiscal year— 1886.	Fiscal year— 1891.	Calendar year 1896.
Agricultural implements:			
Mowers and reapers	$1,288,000	$1,567,000	$2,889,000
Plows and cultivators	322,000	597,000	680,000
All other, and parts of	757,000	1,055,000	1,075,000
Total	2,367,000	3,219,000	4,644,000
Brass, and manufactures of	150,000	297,000	1,026,000
Carriages, cars, and parts	1,928,000	4,911,000	2,747,000
Clocks and watches	1,366,000	1,580,000	1,659,000
Copper manufactures	100,000	190,000	819,000
Cycles, and parts of	----------	----------	3,796,000
Instruments and apparatus for scientific purposes	480,000	1,576,000	2,717,000
Iron and steel manufactures:			
Cutlery	112,000	146,000	188,000
Firearms	1,779,000	859,000	734,000
Builders' hardware, etc.	2,466,000	3,858,000	6,140,000
Sewing machinery	2,585,000	2,809,000	3,061,000
Other machinery	4,460,000	13,425,000	22,512,000
Nails	294,000	440,000	821,000
Scales and balances	251,000	318,000	377,000
Stoves and ranges	199,000	248,000	304,000
Wire	235,000	800,000	1,758,000
All other	2,284,000	3,987,000	8,198,000
Total	14,801,000	27,010,000	44,100,000
Lamps, chandeliers, etc.	546,000	509,000	730,000
Musical instruments	871,000	1,326,000	1,290,000
Total	22,618,000	40,618,000	63,516,000

"The wages paid in the census year in the principal industries contributing to these exports amounted to $189,646,000, which was distributed among 326,500 hands, making an average for each employee in these industries of $580. If we divide the year into 50 working weeks, which is certainly a liberal allowance in view of the idle time that runs in

which, if entirely ad valorem, would be 100 per cent duty.

which, if entirely ad valorem, would be 185 per cent.

under the name of holidays or other causes of stoppage in the working year, this is equal to nearly $13 a week wages.

"Counting German wages, at a liberal allowance, as 20 marks per week in these trades on the same computation of time for all employed in similar industries, which takes in minors and adults all at the same rate of pay, this gives near three times as high a rate of wages in the United States as is paid in Germany in the same occupations, if we take wages by the time.

"It will be interesting to see now what one of the modern, progressive countries of Europe, availing itself of the scientific inventions of the time, and, besides, being benefited by a low rate of wages in these industries, as of 1 to 3 against the United States, has to show in progress and development when it comes to compete in the neutral markets of the world with the product of the mills of America, paying, under all considerations, the highest wages in existence.

"I exclude from this comparison all articles of crude manufacture, such as common castings, bar iron, steel rails, wire, etc.

"Exports of the special trade of Germany in manufactures of metals other than crude articles mentioned above as exempted from the tables relating to American exports, but other than machinery, instruments, and apparatus: 1886, $36,196,000; 1891, $48,218,800; 1895, $48,575,800.

"Against this we set the following articles of American manufacture, taken out of the list of Table I:

Article.	Fiscal year— 1886.	Fiscal year— 1891.	Calendar year 1896.
Brass and manufactures of	$150,000	$297,000	$1,026,000
Copper manufactures	109,000	199,000	819,000
Iron and steel manufactures:			
Cutlery	112,000	146,000	188,000
Firearms	1,779,000	839,000	734,000
Bulk hardware, etc	2,466,000	3,888,000	6,140,000
Nails	298,000	440,000	821,000
Stoves and ranges	196,000	248,000	304,000
All other	2,284,000	3,987,000	8,193,000
Lamps, chandeliers, etc	546,000	509,000	730,000
Total	7,940,000	10,534,000	18,955,000
Increase over preceding figures		2,594,000	8,421,000
Increase per cent		33.93	80

"It will be seen that in these manufactures the German increase in the five years closing with 1895 was very small. Based on the average of the five years from 1886 to 1890, inclusive, they show smaller progress yet. The total increase of the average of 1891 to 1895 over the increase of the five years of 1886 to 1891 is but 7,000,000 marks, or $1,666,000, an increase of barely 3 per cent. The American increase in the exports of these manufactures has been prodigious. It is an increase of 82 per cent over 1891, i. e., $18,955,000 in 1896 against $10,534,000 in the former year. Germany shows no advance over the figures of the year 1891.

"The German exports of clocks and watches and parts of watches, gold, silver, or any other material, amounted in 1886 to $1,808,800, in 1891 to $2,689,000, and in 1895 to $1,737,000.

"The American exports in these, while lower in 1891 by $1,000,000 than those of Germany, in 1896 were but about $100,000 behind the exports of Germany for 1895, the last year accessible for full information upon German trade. America shows a progressive export, while Germany falls behind the exports of 1891 by nearly $1,000,000.

"Carriages and cars and parts of cars have gone back from the figures of 1891 by over $2,000,000, but are still considerably ahead of the exports of Germany.

"Eliminating these here-named articles from the general list counted up in Table I, we have machinery of all kinds, agricultural implements, instruments, and apparatus of all kinds left to set against German exportations classified under the heading of machines, instruments, and apparatus of all kinds. The amount for these exported in 1886 is $27,263,000; for 1891, $36,509,000; for 1895, $47,147,000.

"The American exports in the same lines present the following figures:

Article.	Fiscal year— 1886.	Fiscal year— 1891.	Fiscal year— 1896.
Agricultural implements	$2,367,000	$3,219,000	$1,644,000
Cycles, and parts of			3,796,000
Instruments and apparatus for scientific purposes	430,000	1,576,000	2,717,000
Sewing machines	2,505,000	2,839,000	3,051,000
Other machinery	4,469,000	13,425,000	22,513,000
Scales and balances	261,000	319,000	377,000
Musical instruments	871,000	1,326,000	1,360,000
Total	11,053,000	22,733,000	38,367,000
Increase over figures of preceding five years		11,680,000	14,634,000
Increase per cent		105	64.4

"While 1891 shows yet a difference of $14,000,000 and of 38 per cent below the exports of Germany, the year 1896, but five years later, shows only $9,000,000 and 18½ per cent below the export figures of Germany, considerable as has been the increase in exports in Germany in these lines of goods. We have certainly reached in 1896 beyond the exports of Germany for 1891, and even for 1894, when they were only 4,000,000 marks more than in 1891, as a great increase over any of the preceding figures has taken place in German exports of this class in 1896.

"An equal showing of industrial progress of the decade for the closing of which, to wit, 1895, comparative data are at hand from the United Kingdom and Germany, can be made by reference to the output of coal and pig iron.

II.—*Number of tons of coal and of pig iron produced in the United States, the United Kingdom, and Germany in the ten years from 1886 to 1895, inclusive.*

[2,240 pounds for the United States and United Kingdom, and metric tons of 2,200 pounds for Germany.]

Year.	United States. Coal. Tons.	Coal. Per cent.	Pig iron. Tons.	Pig iron. Per cent.	United Kingdom. Coal. Tons.	Coal. Per cent.	Pig iron. Tons.	Pig iron. Per cent.	Germany. Coal. Tons.	Coal. Per cent.	Pig iron. Tons.	Pig iron. Per cent.
1885	[illegible]		4,044,526		150,351,418		7,415,469		73,675,500		3,687,400	
1886	36,141,829		5,683,329	40	157,518,482	−1.2	7,009,754	5.5	73,682,600	0.01	3,528,700	−4.3
1887	110,757,006	15	6,417,148	13	162,119,812	2.9	7,550,518	7.8	76,222,600	3.4	4,024,000	14
1888	126,819,406	14	6,489,738	1	169,935,219	.5	7,998,969	5.8	81,960,100	7.5	4,337,100	7.8
1889	128,697,780	−.8	7,603,642	17	176,916,724	4.1	8,222,824	4	84,973,200	3.6	4,524,600	4.3
1890	140,885,729	11.7	9,202,703	21	181,614,288	2.6	7,904,214	5	89,290,800	5	4,638,500	3
1891	150,500,954	6.8	8,279,870	−10	185,479,126	2.1	7,409,064	−6.3	94,222,200	5.5	4,641,200	−4
1892	160,115,242	6.3	9,157,000	10.6	181,786,871	−2	6,709,235	−9.4	92,544,100	−2	4,937,500	6.4
1893	162,814,977	1.7	7,124,502	−22.1	164,325,795	−9.6	6,976,990	4	95,426,100	3	4,986,000	1
1894	152,447,791	−6.4	6,657,388	−6.5	188,277,525	14	7,427,343	6.5	98,805,700	3.5	5,380,000	7.9
1895	172,426,366	13	9,446,308	42	189,661,362	.7	7,733,459	3.7				
1885–1895		79		* 133		* 19		* 3.9		▸ 34		▸ 45.8

* 1885–1895. ▸ 1885–1894.

"For Germany the output of coal takes in coal proper and lignites, a species of coal not made use of in the United States or the United Kingdom as extensively as in Germany, so far as I know.

"A somewhat more marked and steady progress is shown from the German accounts from 1888 on, but still the progress is left away behind by the progress made by the United States.

"A similar result do we get by a comparison of the quantities of raw material consumed by the three countries in those textile industries which give the most employment to human labor—the cotton and wool industries.

"I submit comparative tables of the number of pounds of cotton consumed in the mills of the United States, the United Kingdom, and Germany. This takes in all the cottons consumed for the United States, whether of American growth or foreign.

III.—*Quantity of cotton consumed in the United States, the United Kingdom, and Germany in each of the ten years from 1886 to 1895.*

Year.	United States.	Increase.	United Kingdom.	Increase.	Germany.	Increase.
	Pounds.	*Per ct.*	*Pounds.*	*Per ct.*	*Pounds.*	*Per ct.*
1886	1,129,032,000		1,517,300,700		354,127,400	
1887	981,139,173	−13	1,498,222,200	−1.2	434,321,200	22.6
1888	1,129,345,735	11.5	1,458,215,600	−2.8	462,868,000	6.5
1889	1,092,933,250	−9	1,539,230,000	14	483,994,400	25.3
1890	1,129,994,270	9.6	1,579,339,300	−5	488,605,600	.9

III.—*Quantity of cotton consumed in the United States, etc.*—Continued.

Year.	United States.	Increase.	United Kingdom.	Increase.	Germany.	Increase.
	Pounds.	*Per ct.*	*Pounds.*	*Per ct.*	*Pounds.*	*Per ct.*
1891	1,429,146,210	23	1,812,877,248	14.8	622,141,400	4.6
1892	1,599,887,165	11.8	1,542,232,400	−14.4	481,914,400	7.7
1893	1,183,550,432	−26	1,192,158,576	22.7	498,401,200	3.4
1894	1,112,775,166	−6	1,548,221,808	30	559,528,200	12.3
1895	1,567,991,708	40	1,553,758,080	.3	587,534,200	4.9
Increase for decade	439,028,120	39	36,571,360	2.4	233,406,800	65.9

"The comparison, starting with 1886, shows for the United States an increase of 39 per cent over 1886. Great Britain of only 2.4 per cent, and Germany of 65.9 per cent. But as Germany's start was from a base of 354,000,000 pounds, that of England from 1,517,000,000 pounds, and of the United States from 1,128,000,000 pounds, it is natural that a percentage increase is very much larger for Germany, although the increase in the pounds is not much over one-half of that of the United States.

"Equally impressive are the figures relating to the number of pounds of wool produced and retained for home consumption and the pounds of imported wools retained for home consumption by the three countries.

IV.—*Number of pounds of wool produced and retained for home consumption and number of pounds of wool imported and retained for home consumption by the United States, the United Kingdom, and Germany in each of the ten years from 1887 to 1896, inclusive.*

Year.	United States. Wool produced and retained for consumption.	United States. Net imports and retained for consumption.	United States. Total retained for consumption.	United Kingdom. Wool produced and retained.	United Kingdom. Wool imports retained for consumption.	United Kingdom. Total retained for consumption.	Germany. Wool produced and retained for consumption.	Germany. Net imports.	Germany. Total retained for consumption.
1886	301,853,000	129,064,000	424,404,000	151,505,000	284,464,000	435,969,000	102,000,000	246,312,000	348,312,000
1887	284,742,000	114,038,000	392,031,000	156,825,000	258,721,000	415,546,000	99,000,000	252,304,000	351,304,000
1888	268,977,000	113,558,000	378,175,000	150,040,000	300,192,000	450,232,000	96,000,000	295,024,000	391,024,000
1889	264,858,000	123,487,000	388,083,000	155,142,000	337,256,000	492,398,000	98,000,000	319,761,000	412,761,000
1890	273,768,000	105,421,000	377,911,000	170,507,000	292,315,000	462,622,000	99,000,000	259,500,000	359,500,000
1891	284,708,000	129,303,000	411,373,000	184,471,000	335,789,000	520,260,000	87,000,000	311,130,000	398,130,000
1892	298,797,000	148,670,000	439,460,000	183,924,000	312,217,000	496,141,000	84,000,000	353,366,000	437,366,000
1893	303,061,000	172,433,000	471,276,000	174,601,000	331,578,000	506,179,000	81,000,000	291,604,000	372,604,000
1894	297,333,000	55,133,000	346,712,000	167,274,000	359,541,000	526,815,000	80,000,000	349,905,000	429,905,000
1895	305,468,000	206,683,000	509,159,000						
1895*	290,000,000	248,989,000	538,989,000	156,977,000	370,443,000	527,420,000	80,000,000	397,647,000	477,647,000

* Calendar year.

"The data for this and the preceding comparative table I have taken for the United States from the Statistical Abstract of the United States for the year 1896, for the United Kingdom from the Statistical Abstract for the United Kingdom for the year 1896, and for Germany from Statistisches Jahrbuch für das Deutsche Reich für 1896. For the United Kingdom and Germany I could not take the pounds of wool produced and retained for home consumption that were of domestic growth. The figures are not given in these compilations. But I took the nearest approach to correctness, by taking the number of sheep which is published in the abstracts for Great Britain for each year, and multiplied the number by 6, which is about the average of wool per sheep. This is not absolutely correct, and may be somewhere above the actual yield. It is below the yield for the United States per sheep, but it must be borne in mind that while in Great Britain the wool is washed on the sheep's back before shearing, American wool is mostly sold in the grease.

"From these figures I deducted the number of pounds of wool of domestic growth exported, and so got the net result of wool retained at home for manufacturing purposes.

"For Germany I had to make a similar estimate. Here, however, I had not the years specially given. The census of sheep and of all live stock is taken every ten years only. Now, it is not at all peculiar, though it is noteworthy, that though all other live stock has increased from the days of the sixties in Germany, sheep have decreased by more than 50 per cent. The sheep in the sixties for the territory that now comprises the German Empire were 28,000,000; in 1873 the first census of live stock shows sheep numbered 25,000,000, or, strictly speaking, 24,999,400. By 1883 they had fallen to 19,189,700, and by 1893, the census having been taken on December 1, 1892, the number showed 13,589,600.

"Now, taking 1892 as my base, I found in the ten years a decline of 5,600,000, and figuring backward, I reduced for each year following 1892 the number by 500,000, and increased the number for the years back of 1892 to that extent.

"For Germany I also included the net amount of wool tops imported, making due allowance for the difference in weight for tops to make them equal to the greasy wool that has been consumed in their production. For the United Kingdom this was not necessary, as the wool tops imported would be nearly balanced by the exports, and the United States do not figure in exports or imports of tops to any extent.

"For the United States I have given the fiscal year ending with June 30, while in the United Kingdom and Germany the year ends with December 31. For 1895 I have taken, besides the fiscal year for the United States, an account of the calendar year ending December 31 in the wool tables. This, besides making the year equal to that of the two countries named, is necessary for another reason, because 1895 was the full year of twelve months within which the tariff of 1894 was operative in woolen goods and free wool.

"I have the account of the wool produced and retained for consumption for the fiscal year in the Statistical Abstract, but for the calendar year I had no account, and I took into consideration the decrease of sheep reported for the year 1896 below that of 1895; and as that decrease was about 10 per cent, I reduced the wool produced and retained for consumption about 5 per cent, as 5 per cent would cover the six months that are not part of the fiscal year 1895.

"It is shown from the tabulation that 1895, the calendar year, consumed more wool in the United States than was consumed in the United Kingdom or Germany, although the prosperity of the woolen trade in the United Kingdom in 1895 was of such a nature as had rarely been seen within the memory of this generation in the Yorkshire district.

"The saving clause has, however, to be borne in mind all the time, that these wool statements are all for the wools as marketed, and not as they yield in manufacturing. It is therefore impossible to make the comparison as correct as in cotton. A safer base would be, perhaps, to add to the domestic wool retained for home consumption for Germany and England a proportionate amount per sheep to bring the comparison to the American wool, but if we were to add, to bring it to that ratio, say, 1 pound per sheep, this would give an addition of 30,000,000, and allowing for the exports of domestic wools, an addition of about 25,000,000 to the amount would perhaps cover that difference. Even then the approach of the United States to the wool consumption of Great Britain is very close, making the excess of consumption of wool of the United Kingdom but 15,000,000 pounds over that of the United States."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri [Mr. Vest], to strike out paragraphs 366 and 367 and insert paragraph 283 of the existing law, which has been heretofore read.

Mr. VEST. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DEBOE (when his name was called). I am paired with the Senator from Nebraska [Mr. Allen].

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. Smith]. If he were present, I should vote "nay."

Mr. HAWLEY (when his name was called). I am paired with the Senator from Tennessee [Mr. Bate].

Mr. MCLAURIN (when his name was called). I am paired with the Senator from North Carolina [Mr. Pritchard].

Mr. RAWLINS (when his name was called). I am paired with the Senator from Ohio [Mr. Hanna], and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I again announce my pair with the Senator from Nebraska [Mr. Thurston].

Mr. WARREN (when his name was called). I am paired with the junior Senator from Washington [Mr. Turner]. I see he is not in the Chamber, and I therefore withhold my vote.

Mr. WELLINGTON (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. Butler].

The roll call was concluded.

Mr. HAWLEY. The Senator from South Carolina [Mr. McLaurin] and I have agreed to transfer our pairs. He is paired with the Senator from North Carolina [Mr. Pritchard], and I am paired with the Senator from Tennessee [Mr. Bate]. This leaves the Senator from South Carolina and me at liberty to vote. I vote "nay."

Mr. MCLAURIN. Under that arrangement I am at liberty to vote, and vote "yea."

Mr. PASCO (after having voted in the affirmative). I notice that the Senator from Washington [Mr. Wilson], with whom I am paired, has not voted, and I therefore withdraw my vote.

The result was announced—yeas 22, nays 30, as follows:

YEAS—22.

Bacon	Gorman	Mallory	Turpie
Caffery	Gray	Martin	Vest
Chilton	Harris, Kans.	Mills	Walthall
Clay	Jones, Ark.	Morgan	White
Cockrell	Kenney	Pettus	
Faulkner	McLaurin	Roach	

NAYS—30.

Allison	Foraker	McEnery	Sewell
Burrows	Frye	Mantle	Shoup
Carter	Gallinger	Penrose	Spooner
Chandler	Hale	Perkins	Stewart
Clark	Hawley	Platt, Conn.	Teller
Davis	Hoar	Platt, N. Y.	Wetmore
Elkins	Lodge	Proctor	
Fairbanks	McBride	Quay	

NOT VOTING—37.

Aldrich	Gear	Mason	Thurston
Allen	George	Mitchell	Tillman
Baker	Hanna	Morrill	Turner
Bate	Hansbrough	Murphy	Warren
Berry	Harris, Tenn.	Nelson	Wellington
Butler	Heitfeld	Pasco	Wilson
Cannon	Jones, Nev.	Pettigrew	Wolcott
Cullom	Kyle	Pritchard	
Daniel	Lindsay	Rawlins	
Deboe	McMillan	Smith	

So the amendment of Mr. Vest was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on Page 126, paragraph 368, line 5, after the word "shawls," to strike out the comma; and in line 6, after the word "knitted," to strike out "underwear" and insert "articles," so as to read:

"368. On clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description, made up or manufactured wholly or in part, etc."

The amendment was agreed to.

The next amendment was, on page 126, paragraph 368, line 7, after the word "part," to strike out "felts not woven and not specially provided for in this act."

Mr. ALLISON. I ask that that amendment may be disagreed to.

Mr. JONES of Arkansas. What will be the effect of that?

Mr. ALLISON. To put those articles in the basket clause.

Mr. JONES of Arkansas. At what rate? Forty-five per cent?

Mr. ALLISON. At 45 per cent, I think.

The PRESIDING OFFICER. Without objection, the amendment will be disagreed to. The Chair hears none, and it is disagreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 126, paragraph 368, line 11, before the word "pound," to strike out "a"

and insert "one;" and in line 12 strike out "sixty" and insert "fifty-five," so as to make the paragraph read:

"368. On clothing, ready made, and articles of wearing apparel of every description, including shawls, whether knitted or woven, and knitted articles of every description, made up or manufactured wholly or in part, felts not woven and not specially provided for in this act, composed wholly or in part of wool, the duty per pound shall be four and one-half times the duty imposed by this act on 1 pound of unwashed wool of the first class, and in addition thereto 55 per cent ad valorem."

The amendment was agreed to.

Mr. VEST. Mr. President, I wish to call attention to the effect of this amendment in paragraph 368. In the first classification on clothing, ready made, and articles of wearing apparel of every description, valued at not over 40 cents per pound, the duty is 171.15 per cent; on the next classification, of knit fabrics, valued at not over 40 cents per pound, the duty is 140 per cent; and upon the last specification, upon hats, valued at not over 30 cents per pound, the duty is 203.48 per cent; in other words, if a hat costs $2 abroad and comes into this country, it is taxed $4.50, making it cost the American citizen, who wants to cover his head from the weather, $6.50 on a foreign article worth $2. It is 203.48 per cent upon an ordinary, common hat which can be bought abroad at $2, and that is a very good hat abroad. The duty would be within 2 cents of $4.50. I move to strike out the paragraph and to insert paragraph 284 of the existing law.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 368 and to insert in lieu thereof:

"On clothing, ready-made, and articles of wearing apparel of every description, made up or manufactured wholly or in part, not specially provided for in this act, felts not specially provided for in this act, all the foregoing composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, including those having india rubber as a component material, valued at above $1.50 per pound, 50 per cent ad valorem; valued at less than $1.50 per pound, 45 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri.

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DUBOIS (when his name was called). I am paired with the Senator from Nebraska [Mr. Allen].

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from Washington [Mr. Wilson]. If he were present I should vote "yea."

Mr. RAWLINS (when his name was called). The Senator from Iowa [Mr. Gear] will transfer his pair with the Senator from New Jersey [Mr. Smith] to the Senator from Ohio [Mr. Hanna], with whom I am paired, and the Senator from Iowa and I will vote. I vote "yea."

Mr. TILLMAN (when his name was called). I am paired with the Senator from Nebraska [Mr. Thurston].

Mr. WARREN (when his name was called). I again announce my pair with the junior Senator from Washington [Mr. Turner].

Mr. WELLINGTON (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. Butler].

The roll call was concluded.

Mr. DAVIS. I desire to inquire if the Senator from Indiana [Mr. Turpie] has voted?

The PRESIDING OFFICER. He has not voted, the Chair is informed.

Mr. DAVIS. Being paired with that Senator, I withhold my vote.

Mr. GEAR. I transfer my pair with the Senator from New Jersey [Mr. Smith] to the Senator from Ohio [Mr. Hanna], and will vote. I vote "nay."

The result was announced—yeas 20, nays 28, as follows:

YEAS—20.

Bacon	Faulkner	McLaurin	Rawlins
Caffery	Harris, Kans.	Mallory	Roach
Chilton	Heitfeld	Martin	Vest
Clay	Jones, Ark.	Mills	Walthall
Cockrell	Kenney	Pettus	White

NAYS—28.

Allison	Foraker	McEnery	Quay
Burrows	Frye	Mantle	Sewell
Carter	Gallinger	Penrose	Shoup
Chandler	Gear	Perkins	Spooner
Clark	Hawley	Platt, Conn.	Stewart
Elkins	Lodge	Platt, N. Y.	Teller
Fairbanks	McBride	Proctor	Wetmore

NOT VOTING—41.

Aldrich	George	McMillan	Thurston
Allen	Gorman	Mason	Tillman
Baker	Gray	Mitchell	Turner
Bate	Hale	Morgan	Turpie
Berry	Hanna	Morrill	Warren
Butler	Hansbrough	Murphy	Wellington
Cannon	Harris, Tenn.	Nelson	Wilson
Cullom	Hoar	Pasco	Wolcott
Daniel	Jones, Nev.	Pettigrew	
Davis	Kyle	Pritchard	
Deboe	Lindsay	Smith	

So Mr. Vest's amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, in paragraph 369, page 126, line 23, before the word "cents," to strike out "sixty" and insert "forty," so as to make the paragraph read:

"369. Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress trimmings, laces, embroideries, head nets, nettings and veilings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether composed in part of silk, rubber or otherwise, 40 cents per pound and 55 per cent ad valorem."

Mr. ALLISON. In line 23 I move to amend the committee amendment by striking out "forty" and inserting "fifty;" and in line 24 by striking out "sixty" and inserting "fifty-five," so as to read:

"Fifty cents per pound and 55 per cent ad valorem."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. VEST. Without the amendment just adopted, as proposed by the Senator from Iowa, the duty upon the articles named in paragraph 369 is 80 per cent ad valorem. With the addition he has made of 10 cents it would be 100 per cent.

Mr. ALLISON. The committee reduced the ad valorem in line 24 to 55 per cent. The Senator from Missouri should take that into account.

Mr. VEST. I did not notice that. I did not catch the last amendment. The ad valorem is reduced from 60 to 55 per cent.

For the sake of argument I will take it at the rate of 80 per cent ad valorem, which it unquestionably is. What is the practical result of this sort of taxation? This paragraph includes suspenders. I will take that because it is an article of ordinary use by the male sex. For a pair of suspenders appraised at 50 cents the price is increased to 90 cents at 80 per cent. It would cost a poor man who wants to buy a pair of suspenders worth 50 cents 90 cents instead of 50. Of course the American manufacturer, because this is a protective duty—and unless it increases the price, there is no protection in the paragraph—goes just inside the tariff line and charges 85 cents, so that at the very lowest calculation the consumer pays 35 cents more by reason of the proposed legislation upon this article of ordinary and prime necessity.

I move to strike out paragraph 369 and insert paragraph 286 of the existing law; and upon that I call for the yeas and nays.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. It is proposed to strike out paragraph 369 and insert in lieu thereof the following:

"On webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress trimmings, laces, embroideries, head nets, nettings and veilings, buttons, or barrel buttons, or buttons of other forms, for tassels or ornaments, any of the foregoing which are elastic or nonelastic, made of wool, worsted, the hair of the camel, goat, alpaca, or other animals, or of which wool, worsted, the hair of the camel, goat, alpaca, or other animals is a component material, 50 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri, on which the yeas and nays have been demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I again transfer my pair with the Senator from New Jersey [Mr. Smith] to the Senator from Ohio [Mr. Hanna], and will vote. I vote "nay."

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM]. If he were present, I should vote "yea."

Mr. PLATT of New York (when his name was called). I am paired with the senior Senator from New York [Mr. Murphy], and therefore withhold my vote.

Mr. RAWLINS (when his name was called). I am paired with the Senator from Ohio [Mr. Hanna], but my pair has been transferred to the Senator from New Jersey [Mr. Smith], and I will vote. I vote "yea."

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. Mitchell].

Mr. WARREN (when his name was called). I am paired with the junior Senator from Washington [Mr. Turner].

Mr. WELLINGTON (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. Butler]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. TILLMAN. I have a pair with the Senator from Nebraska [Mr. Thurston].

Mr. JONES of Arkansas. I am paired with the Senator from Maine [Mr. HALE], and therefore withhold my vote.

The result was announced—yeas 23, nays 27, as follows:

YEAS—23.

Bacon	Gorman	Martin	Roach
Caffery	Harris, Kans.	Mills	Turpie
Chilton	Heitfeld	Morgan	Vest
Clay	Kenney	Pasco	Walthall
Cockrell	McLaurin	Pettus	White
Faulkner	Mallory	Rawlins	

NAYS—27.

Allison	Foraker	McBride	Shoup
Burrows	Frye	McEnery	Spooner
Carter	Gallinger	Penrose	Stewart
Chandler	Gear	Perkins	Teller
Davis	Hawley	Platt, Conn.	Wetmore
Elkins	Hoar	Proctor	Wilson
Fairbanks	Lodge	Quay	

NOT VOTING—39.

Aldrich	Deboe	Lindsay	Pritchard
Allen	George	McMillan	Sewell
Baker	Gray	Mantle	Smith
Bate	Hale	Mason	Thurston
Berry	Hanna	Mitchell	Tillman
Butler	Hansbrough	Morrill	Turner
Cannon	Harris, Tenn.	Murphy	Warren
Clark	Jones, Ark.	Nelson	Wellington
Cullom	Jones, Nev.	Pettigrew	Wolcott
Daniel	Kyle	Platt, N. Y.	

So Mr. Vest's amendment was rejected.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 5, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 4, 1909.

ASSOCIATE JUSTICE OF SUPREME COURT OF ARIZONA.

Ernest W. Lewis, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Richard E. Sloan, resigned.

ASSOCIATE JUSTICES OF SUPREME COURT OF NEW MEXICO.

Alford W. Cooley, of New Mexico, to be associate justice of the supreme court of the Territory of New Mexico, vice Edward A. Mann, term expired.

Merritt C. Mechem, of New Mexico, to be associate justice of the supreme court of the Territory of New Mexico (commencing July 1, 1909). An original vacancy provided by the act approved March 3, 1909. (Public, No. 322.)

FIRST ASSISTANT COMMISSIONER OF PATENTS.

Cornelius C. Billings, of Brattleboro, Vt., now Assistant Commissioner of Patents, to be First Assistant Commissioner of Patents, to take effect July 1, 1909, to fill a new office created by act of Congress approved March 4, 1909. (Public, No. 326.)

ASSISTANT COMMISSIONER OF PATENTS.

Frederick A. Tennant, of Ripley, N. Y., now a law examiner in the Patent Office, to be Assistant Commissioner of Patents, to take effect July 1, 1909, vice Cornelius C. Billings, promoted.

UNITED STATES ATTORNEYS.

John I. Worthington, of Arkansas, to be United States attorney, western district of Arkansas, vice James K. Barnes, deceased.

William G. Whipple, of Arkansas, to be United States attorney, eastern district of Arkansas. A reappointment, his term having expired on February 22, 1909.

INDIAN INSPECTOR.

Ernest P. Holcombe, of Salt Lake City, Utah, now a special inspector of the Department of the Interior, to be an Indian inspector, vice Arthur M. Tinker, resigned.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Edward F. Geddings, Medical Corps, to be major from January 15, 1909, vice Raymond, promoted.

Capt. Arthur W. Morse, Medical Corps, to be major from February 26, 1909, vice Morris, retired from active service.

Capt. Frank C. Baker, Medical Corps, to be major from February 26, 1909, vice Harris, promoted.

PROMOTIONS IN THE NAVY.

Surg. Philip Leach to be a medical inspector in the navy from the 1st day of April, 1909, vice Medical Inspector Henry T. Percy, deceased.

First Lieut. Thomas H. Brown to be a captain in the United States Marine Corps from the 13th day of May, 1908, vice Capt. Smedley D. Butler, promoted.

Lester E. Wass, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 23d day of April, 1909, to fill a vacancy existing in that grade on that date.

Lieut. (Junior Grade) Austin S. Kibbee to be a lieutenant in the navy from the 3d day of February, 1908, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

ARKANSAS.

Richard P. Chitwood to be postmaster at Magazine, Ark. Office became presidential April 1, 1909.

IDAHO.

Alfred J. Dunn to be postmaster at Wallace, Idaho, in place of Alfred J. Dunn. Incumbent's commission expired December 14, 1908.

ILLINOIS.

A. C. Doyle to be postmaster at Cerro Gordo, Ill., in place of Thomas J. Wimmer. Incumbent's commission expired February 23, 1909.

George W. Gaultney to be postmaster at Patoka, Ill. Office became presidential April 1, 1909.

Noble S. Songer to be postmaster at Iuka, Ill. Office became presidential April 1, 1909.

IOWA.

Delbert W. Duncan to be postmaster at Sioux Center, Iowa. Office became presidential January 1, 1909.

MICHIGAN.

Alfred S. Follansbee to be postmaster at Ontonagon, Mich., in place of Alfred S. Follansbee. Incumbent's commission expired March 1, 1909.

OKLAHOMA.

Thomas Fennell to be postmaster at Fort Towson, Okla. Office became presidential April 1, 1909.

Walter E. Rathbun to be postmaster at Coalgate, Okla., in place of George S. Gray. Incumbent's commission expired February 27, 1909.

PENNSYLVANIA.

Mary J. Russell to be postmaster at Vilas, Pa., in place of Mary J. Russell. Incumbent's commission expired January 10, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 4, 1909.

UNITED STATES JUDGE.

Thomas R. Lyons to be United States district judge, first division, district of Alaska.

CIVIL SERVICE COMMISSIONER.

James Thomas Williams, jr., to be a civil service commissioner.

CONSUL.

Edward I. Nathan to be consul at Mersine, Turkey.

POSTMASTER.

OREGON.

C. B. Wilson, at Newberg, Oreg.

SENATE.

WEDNESDAY, *May 5, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of Richard T. Gott and Benjamin N. Gott, executors of Thomas N. Gott, deceased, *v.* United States (S. Doc. No. 32);

In the cause of William T. McKimmy, administrator of John McKimmy, deceased, *v.* United States (S. Doc. No. 31);

In the cause of the Rector, Wardens, and Vestry of St. Paul's Episcopal Church, of Sharpsburg, Antietam Parish, Washington County, Md., *v.* United States (S. Doc. No. 36);

In the cause of the Trustees of Roper Church, of New Kent County, Va., *v.* United States (S. Doc. No. 35);

In the cause of Lorenzo D. Corrick, administrator of William Corrick, deceased, *v.* United States (S. Doc. No. 33); and

In the cause of the Old School Baptist Church, of Upperville, Va., *v.* United States (S. Doc. No. 34).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the memorial of Granville Lisherness, of North New Portland, Me., remonstrating against the imposition of a duty on nitrogen, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Minnesota, Illinois, Virginia, Ohio, Alabama, North Dakota, California, Massachusetts, Montana, Pennsylvania, Wisconsin, Kentucky, Louisiana, Nebraska, West Virginia, Maryland, Tennessee, Iowa, Texas, New York, Idaho, North Carolina, Michigan, and of the Territory of Alaska, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURNHAM presented a petition of sundry employees of the Wardwell Needle Company, of Lakeport, N. H., praying for the retention of the proposed duty on hosiery, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Effingham Falls, Mill Village, Newport, and Boscawen, all in the State of New Hampshire, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the International Brotherhood of Paper Makers, of Watertown, N. Y., praying for the retention of the proposed duty on wood pulp and print paper, which was ordered to lie on the table.

Mr. GAMBLE presented petitions of sundry citizens of South Dakota, praying for the removal of the duty on hides, which were ordered to lie on the table.

Mr. PAYNTER presented petitions of sundry citizens of Kentucky, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Lexington, Ky., remonstrating against the proposed increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Chicago, Ill., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Mattoon, Carlyle, Olney, Rockford, Chicago, Lonisville, Bible Grove, Clay City, Freeport, and Leaf River, all in the State of Illinois, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. PILES presented the memorial of Mrs. G. F. Rowe and sundry other citizens of Seattle, Wash., remonstrating against an increase of the proposed duty on leather gloves and cotton hosiery, which was ordered to lie on the table.

Mr. JONES presented petitions of sundry citizens of Arcadia and Chehalis, in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURROWS:

A bill (S. 2268) granting an increase of pension to Edwin M. Raymond; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 2269) granting an increase of pension to Melvin L. Colman; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 2270) granting increase of pensions to survivors of the Indian wars under the acts of July 27, 1892, and June 27, 1902; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 2271) to amend an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved May 30, 1908; to the Committee on Public Buildings and Grounds.

By Mr. BRISTOW:

A bill (S. 2272) granting an increase of pension to Andrew C. Reed (with the accompanying papers); and

A bill (S. 2273) granting an increase of pension to James B. Andrews (with the accompanying papers); to the Committee on Pensions.

By Mr. McENERY:

A bill (S. 2274) granting a pension to Anna K. Lederer; to the Committee on Pensions.

AMENDMENT TO THE TARIFF BILL.

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes; which was ordered to lie on the table and be printed.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed and the calendar is in order. The first bill on the calendar will be announced.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order, and the Senate, as in Committee of the Whole, resumed its consideration.

Mr. DOLLIVER. Mr. President——

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Bulkeley	Chamberlain	Crawford
Beveridge	Burkett	Clapp	Culberson
Brandegee	Burnham	Clark, Wyo.	Cullom
Bristow	Burrows	Clay	Cummins
Brown	Carter	Crane	Curtis
Dick	Johnson, N. Dak.	Page	Stephenson
Dillingham	Johnston, Ala.	Paynter	Stone
Dolliver	Jones	Perkins	Sutherland
Elkins	Lodge	Piles	Taliaferro
Fletcher	Martin	Richardson	Tillman
Frazier	Money	Root	Warner
Frye	Nelson	Scott	Warren
Gamble	Newlands	Smith, Md.	
Hale	Oliver	Smith, Mich.	
Hughes	Overman	Smith, S. C.	

The PRESIDENT pro tempore. Fifty-seven Senators have responded to their names. There is a quorum present. The Senator from Iowa will proceed.

Mr. CLAPP. Will the Senator pardon me a minute before he resumes?

Mr. DOLLIVER. Certainly.

Mr. CLAPP. I shall desire on Friday morning, at the conclusion of the usual routine morning business, to submit some remarks upon the pending bill and amendments.

Mr. DOLLIVER. Mr. President, on yesterday when the Senate adjourned I had begun to speak of certain features of the cotton schedule as they appear in the bill now pending before the Senate. I was making such progress as I could under the circumstances toward proving that substantial, and, as I believe, unknown, and in some cases unknowable, advances had been made by certain Senate amendments in this schedule, when my remarks were interrupted by a suggestion for the adjournment of the Senate; and the day closed with a somewhat hurried and excited statement of my honored friend from Rhode Island [Mr. ALDRICH] that it would be shown to the Senate that no changes increasing the cotton duties had been made.

If this is not correct, it arises from the inaccuracy with which I heard the Senator's statement. If that statement is true, I expect the Senate by a unanimous vote to dispense with the Senate committee's italics in this bill. But I shall undertake to show, if I may be indulged by the kindness of the Senate, that the phraseology and framework of this cotton schedule are so made as to effect very serious changes in existing rates, many of them in the wrong direction.

I tried on yesterday to defend myself as well as I could against the charge of any sympathy with any doctrine not substantiated by the historic faith of the Republican party. Yet I found myself subject to an indirect disparagement by an offer of the Senator from Rhode Island to print in the RECORD speeches made here years ago by Democratic brethren for the purpose of showing that I was in the position which they occupied at that time. If my friend from Rhode Island were thoroughly acquainted with me, he would know that that makes no difference in the world.

I am debating this proposition upon the facts that are disclosed in the printed bill before the Senate; and if men like George G. Vest, men of intellectual acuteness and power, twelve years ago were able to detect in the wool tariff of that year the defects that I have found out by patient study of my own, instead of being humbled and disparaged by it, I should feel complimented, for few men have ever sat in this Chamber better equipped intellectually to fathom all the mysteries of either language or politics.

I object to the Senate amendments in this bill because they do not originate in the Senate or in any of its committees. I called the attention yesterday of the Senate to the fact that the Senator from Rhode Island had stated on this floor that the changes which had been made had been made by officers of the Government at the custom-house in New York. If that were true, it would be a very sad commentary on the lawmaking power of the Congress of the United States. But that is not true. These schedules were prepared before the House committee held a meeting, and months before the Senate Finance Committee was appointed.

I have here hidden away in an appendix to the House hearings a letter from two amiable gentlemen who handed in these Senate changes, the most of them in form, to the Committee on Ways and Means of the House of Representatives, and they said in their letter that they had already been submitted to officers of the appraising board in the city of New York and approved by them. Before the House committee began its hearings, before the Senate committee had been appointed, these gentlemen were sitting up nights with officers of the Government of the United States arranging schedules which I shall undertake to say in a covert way not only disturbed the existing tariff rates, but, I can not tell you in how many cases, raised them substantially above the level of the Dingley rates of 1897.

I said yesterday that I should print in parallel columns these very interesting vestiges of the origin and progress of these propositions through the Congress of the United States, and I now present them for your attention.

Suggested by Henry F. Lippitt and James R. MacColl, for the Arkwright Club.—Ways and Means Committee Hearings, Appendix, page 8187:	*Payne bill as reported by committee (order of provisions changed):*	*Payne bill as passed by the House:*	*Bill as reported by Senate committee (order of provisions changed):*
310. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided, shall be held to include all woven fabrics of cotton in the piece, or cut in lengths, whether figured, fancy, or plain, the threads of which can be counted by unraveling or other practical means, and shall not include any article, finished or unfinished, made from cotton cloth.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut into lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut into lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut in lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means, and shall not include any article, finished or unfinished, made from cotton cloth.
The terms bleached, dyed, colored, stained, painted, printed, or mercerized, wherever used in the paragraphs of this schedule, shall be held to include all cotton cloth having bleached, dyed, colored, stained, painted, printed, or mercerized thread, threads, yarn, or yarns in any part of the fabric, and all fabrics which have, wholly or in part, prior, during, or subsequent to fabrication, been bleached, dyed, colored, stained, painted, printed, or mercerized.	The terms bleached, dyed, colored, stained, mercerized, lustered, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any dyed, colored, stained, mercerized, lustered, painted, or printed thread or threads in any part of the fabric, and the term bleached, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth not included in the provisions for cotton cloth dyed, colored, stained, mercerized, lustered, painted, or printed, which has been subjected to a bleaching process or has any bleached thread or threads in any part of the fabric.		The terms bleached, dyed, colored, stained, mercerized, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any bleached, dyed, colored, stained, mercerized, painted, or printed thread or threads in any part of the fabric.
The term thread or threads, as used in the paragraphs of this schedule with reference to cotton cloth, shall be held to include all filaments of cotton, whether known as threads or yarns or by any other name, whether in the warp or filling or otherwise. In determining the count of threads to the square inch in cotton cloth, all the threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted and each ply of two or more ply thread shall be counted as a thread. In the ascertainment of the particulars of measurement, weight, and value, upon which duties, *cumulative* or other, imposed upon cotton cloth are hereby made to depend, the entire fabric shall be included.	The term thread or threads, as used in the paragraphs of this schedule with reference to cotton cloth, shall be held to include all filaments of cotton, whether known as threads or yarns or by any other name. In determining the count of threads to the square inch in cotton cloth, all the threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted, and each ply of two or more ply thread shall be counted as a thread. In the ascertainment of all the particulars, including weight and value, upon which the duties, *cumulative* or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included.		In determining the count of threads to the square inch in cotton cloth, all the warp and filling threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted. In the ascertainment of all the particulars, including weight and value, upon which the duties, *cumulative* or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included.
If the count of threads varies in different parts of the fabric, a full repeat of the pattern or design or varying weaves shall be counted, and the average count thereof shall be taken to be the count of threads to the square inch.			
313. Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving to form a figure, whether known as "lappets" or otherwise, and whether unbleached, bleached, dyed, colored, stained, painted, printed, or mercerized, shall pay, in addition to the duty herein provided for other cotton cloth of the same description or condition, weight, count of threads to the square inch, and value, 1 cent per square yard if valued at more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard. Cotton cloth, mercerized, or subjected to any other similar process, shall pay 1 cent per square yard additional cumulative duty to that herein imposed upon such cotton cloth were the same not so mercerized or subjected to other similar process.	321. In addition to the duty or duties imposed upon cotton cloth by the various provisions of this section, there shall be paid the following cumulative duties, the intent of this paragraph being to add such duty or duties to those to which the cotton cloth would be liable if the provisions of this paragraph did not exist, namely: On all cotton cloth in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as "lappets" or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard; on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard.	321. Same as reported to House.	321. Same as House bill.

I now propose to take up the sections of this cotton schedule and show that my honorable friend from Rhode Island is not well advised by the appraisers in New York when he says that no changes in the direction of higher rates will be found in the Senate amendments to the House bill.

My friend seemed yesterday to sneer at me, because I had undertaken to seek the advice of persons familiar with this matter in the preparation of what I have to say to the Senate. In my judgment, such a comment was not only uncalled for, but it is little short of ridiculous, when the Senator himself sits here and in answer to questions reads from manuscript prepared for him by a host of experts, that fill a whole corridor of the marble palace yonder where we pass our leisure moments. He is in no position to complain of me, if I sought the counsel of wise and good men, in order to prepare myself to address this body and the people of the United States on this question.

Let anybody go to the corridor there. Here are the appraising officers, here are experts, and as I walked in a scared way through the building the other day I saw Major Lord's name on a Honduras mahogany door. So my friend from Rhode Island has drawn not only on the Treasury, but he has taken a paymaster out of the Army of the United States, who has not given

any attention to this question for twelve years, simply because he has a good memory and could recall the various matters that had been disposed of in the Dingley tariff law of 1897. Yet there the Major sits in all the glory of military pomp except the epaulettes, advising the committee, filtrating his knowledge of the subject, after being diluted by an absence of twelve years, upon the Senate of the United States for their guidance.

It is true that I have had some little help about this matter, because if I had not I would have been in the same position I was in in 1890, and the same position I was in in 1897, and in a position which upon my conscience I can no longer afford to maintain as a representative of a great State in the Senate of the United States.

I have had the advice of great American merchants, but they are the same American merchants to whom the Board of Appraisers in the city of New York are accustomed to refer every disputed question of quality or value of the merchandise about the classification of which they are in doubt. They are the same merchants who are qualified as witnesses in the United States courts and continually called by the Government itself when questions of value arise or when questions are up affecting the classification of these schedules. The time will come in this Government when it will not be necessary for a Senator of the United States to apologize for having talked with merchants and manufacturers and persons expert in knowledge of these technical questions lest he might be subjected to the criticism of not giving out his own knowledge but the knowledge of somebody else acquired in some questionable way.

But there are features of this measure which do not require any expert knowledge. Arithmetic is not a mysterious science. Yet I solemnly believe there are Members of this Senate—I will not mention any names—who if certain of our great leaders would arise here and state that, after mature deliberation and advising with experts, they had come to the opinion that two times two make five and not four, there would be at least a temporary acquiescence in that rather dubious statement.

Arithmetic is not a mystery; and I want to ask the Members of this body to turn to paragraph 313 of the Senate bill, which was 305 of the good old Dingley Act. I want you to notice what has been done to cotton cloth not over 100 threads to the square inch. You will observe that the Dingley law assessed such cloth, if valued over 7 cents per yard, at 25 per cent ad valorem.

My friend, the honored Senator from Rhode Island, said that these ad valorems are a bad thing. Well, they are a bad thing in some departments of our commerce, but I reckon that cotton cloth is about as stable a proposition as the Treasury Department has to deal with. I think there is a man in the customhouse at New York who has not been honored with an invitation here until recently, who in the last twenty years has appraised at least $10,000,000 a year of cotton cloths, passing upon their value, their density, and all those other things that would enable him to levy the assessment of the tariff required by law.

I want to stop long enough now to say what I started to say last night. There has been an immense amount of humbug in these debates about these equivalent specifics. I do not know whether I am correct about it or not, but I believe I am, that the agitation in many cases against ad valorem assessments of the tariff arose not particularly from the fear of undervaluation, but rather from the ease with which rates could be increased without anybody knowing it by putting on an equivalent specific and making dividing lines that nobody could understand. I want to lay down a sound principle, based on experience, that these dividing lines are the worst form of ad valorem assessments of the tariff, because of the disposition and temptation to fall below the dividing line is so much greater and the profit of fraud so much more than in the case of a mere undervaluation of the merchandise that it seems hardly credible that a man with a practical turn of mind should turn away from an ad valorem duty and hand the Senate a list of specifics based upon imaginary dividing lines. In order to show that I am not alone in that opinion, I desire to read from a letter of Col. George Tichenor to Governor Dingley in 1897:

As to dress goods, woolen cloths, knit goods, ready-made clothing, and wearing apparel generally, and the "small wares," I can see no way now other than to make the rates compound, to wit, per pound and ad valorem, but we must make them as simple as possible, avoiding if we can, the system of progressive ad valorems, that is to say, specific and ad valorem based on different values. The simpler the rates can be made the better, for these progressive rates really furnish more opportunity for undervaluation than straight ad valorems, and the Lord knows the latter are intolerably bad.

I desire also to call attention to Colonel Tichenor's sage advice contained in his report on the tariff and customs administration act long years ago, to show with what folly the Government of the United States has permitted manufacturers to convert these ad valorem duties into specifics with a lot of bewildering dividing lines and no accurate knowledge anywhere as to the effects of the change. Colonel Tichenor says:

I do not hesitate to say that I am entirely convinced that the only safe and sure remedy for undervaluation in all its forms is specific duties; and I believe that, after careful consideration and preparation on the part of those charged with the revision of our tariff, the same will be found applicable to most articles of import. In order, however, to obtain the data and information necessary to perfect a tariff according to such system considerable time and preparation would be required. It would, I apprehend, be necessary to have all the classes of merchandise now subject to ad valorem duties, and to which it was contemplated to apply the specific system, carefully weighed or measured, as the case may be, and accounts kept of such weights or measure and of the value of the merchandise, for such length of time as would safely determine the relations of weight or measure to the value. I have been told—

Says Colonel Tichenor—

that the French experimented in this way for some years before the promulgation of the uniform specific system of general tariff, which they but recently adopted.

In other words, a scheme of specific duties based upon the dividing lines of value, in order to be worth anything, must be preceded by years of scientific and efficient study and experiment upon the relation of value to the specific standards upon which the duties are assessed. But in this bill we have a hop, skip, and jump by which Governor Dingley's ad valorems of 1897 are converted into specifics, and we are told that it is to prevent undervaluation. Though I do not accuse the Senator from Rhode Island or any member of his committee—I am now directing my remarks to those outside of this Chamber—I hold that the object of it is to raise the duties under the pretense of avoiding undervaluation.

Turning now to paragraph 313 of the Senate bill, I ask you to note that on all these articles, valued at 8 cents, 9 cents, 10 cents, 11 cents, 12 cents, 13 cents, 14 cents, and 15 cents, the Dingley rate is 25 per cent ad valorem. You do not have any trouble to see that 25 per cent of 8 cents is 2 cents; that 25 per cent of 9 cents is 2¼ cents; and so on down to 15 cents, where you notice that 25 per cent of 15 is 3¾ cents.

Now, what does the Senate bill do? Upon these very same goods, marked by these dividing lines, where the ad valorem is equal to 2 cents a square yard the Senate bill assesses 2½. Mind you, these are the ordinary goods, at 8 cents a yard. The Senate bill assesses all goods worth 9 cents now, bearing 2¼ cents, the same rate. It assesses 3 cents on goods valued at 10 cents, now bearing 2½ cents; it assesses 4⅜ cents on goods worth 11 cents, bearing 2¾ cents now; it assesses 4½ cents on goods worth 12 cents, bearing 3 now; and when you come down to goods worth 15 cents, now bearing an ad valorem of 25 per cent, equivalent of which is 3¾ cents, it assesses 7 cents. I submit the table for the information of my honored friend.

The table referred to is as follows:

Comparison of Dingley rates with Senate bill rates on cotton cloth not over 100 threads per square inch, paragraph 313 of Senate bill, 305 of Dingley Act.

	Value (per square yard).	Dingley rate (ad valorem).	Equal to (per square yard).	Senate bill (per square yard).	Equal to (ad valorem).	Page.	Line.
Not bleached, dyed, colored, etc	*Cents.* 8	*Per ct.* 25	*Cents.* 2	*Cents.* 2½	*Per ct.* 28	98	7
Do	9	25	2¼	2¼	25	98	7
Do	10	25	2½	3	30	98	9
Do	11	25	2¾	4⅜	39	98	11
Do	12	25	3	4½	37	98	11
Do	13	25	3¼	5½	42	98	13
Do	14	25	3½	5½	39	98	13
Do	15	25	3¾	7	46	98	14
Bleached	10	25	2½	2¾	27	98	22
Do	11	25	2¾	2¾	25	98	22
Do	12	25	3	4¼	35	98	24
Do	13	25	3¼	5¼	40	99	1
Do	14	25	3½	5¼	37	99	1
Do	15	25	3¾	5¼	35	99	1
Do	16	25	4	6¼	40	99	3
Do	17	25	4¼	8	47	99	5
Colored, etc	13	30	3 9/10	5¼	40	99	25
Do	14	30	4 1/10	5¼	37	99	25
Do	15	30	4½	5¼	35	99	25
Do	16	30	4¾	7	43	100	2
Do	17	30	5 1/10	7	41	100	2
Do	18	30	5¼	8	44	100	4
Do	19	30	5 7/10	8	42	100	4
Do	20	30	6	8	40	100	4
Do	21	30	6 3/10	10	47	100	5

Mr. DOLLIVER. So these rates which the Senator from Rhode Island said he would demonstrate to the Senate had not been increased, are shown in the case of this humble merchandise, described in paragraph 313, to advance the ad valorem until, finally, when the goods are worth 15 cents, the ad valorem is equal to 46, where Governor Dingley in his innocence and simplicity thought it was wise to leave it at 25.

Now, if you will turn to the subject of bleached goods, you will find the same thing, the ad valorems advancing, only one of them being left at the equivalent of 25 per cent, while the rest range from 27 per cent to 47 per cent. Every one of them has advanced; and yet my honored friend from Rhode Island says they were not making any advances. There is no earthly way to account for it except the fact that this great committee of ours has been pressed with so great a variety of cares that they have not been able to give that careful examination to what was sent in from the outside that the importance of this question to the American people seems to require, for when you turn to colored goods you find the same thing.

The Dingley ad valorem was 30 per cent uniformly as the goods advanced in value. I will say that the values are as well understood in London and New York as the values of wheat, and as it advances in value of course the rate is increased, because the 30 per cent was assessed upon the value of the goods and not upon any arbitrary weight or measure of the goods.

Yet when these humble goods are colored, the rates remain in no single case as low as Governor Dingley put them, but they advance by leaps and bounds and starts and advances and retreats until finally they range between an ad valorem of 40 per cent and 47 per cent. And yet we are to be told that this bill provides no changes in these rates.

Now, I want to make another proposition. I did not hire an expert to make that calculation. I made it myself, and I claim to be absolutely good in figures until they become too badly mixed up with vulgar fractions.

I have been able to handle these fractions, and I ask any man in this Chamber to sit down and take that little paragraph in italics, which reappears with almost rhythmic periodicity in every succeeding paragraph, and calculate for yourselves that there is not one of these paragraphs and hardly any description of this cloth that has not been touched by this scheme of restating Governor Dingley's ad valorems in equivalent specific rates.

I want, now, to go a step further. When Mr. PAYNE, the honored chairman of the House committee, made his report to the House of Representatives, he said that no advances had been made. He found out afterwards that he was not only mistaken, but he had been up against a very peculiar kind of experience, somewhat common in cities where people travel who are comparative strangers.

And so without waiting for explanations, he dropped out of the bill as far as he could these deceptive modifications of the rate which had been put in there without the knowledge or understanding of any member of his committee. I supposed that everything was all right and congratulated myself that the public opinion had won a very substantial victory until I noticed in the Boston Herald the report made to his own constituents by my honored friend the senior Senator from Massachusetts [Mr. LODGE]. The Committee on Finance has never deigned to give to the Senate any formal report of their affairs, either the testimony which they took or the changes which they made, but before the bill was dry on our desks the Senator from Massachusetts had made a report to his people, and I want to read it. After my honored friend from Rhode Island gets the Senate thoroughly satisfied that no raises have been made in these rates, I want him to explain and have his colleague explain how it happens that one of our wisest men, who mixes in one character all the graces of the student and the scholar and all the skill of the American statesman—that the first thing he did was to send for the reporter of the Boston Herald to tell the people of New England in a dictated interview what great victories had been won and what a splendid showing had been made for the cotton manufacturers.

I do not read this from the Boston Herald; I read it from the New York Evening Post, because it appeared simultaneously in both papers, and I prefer to read it from the Evening Post, because for twenty years that journal has had charge of the spiritual side of the Senator in his great career. Said the Senator from Massachusetts:

The cotton schedule, as amended by the Senate committee, is of great value to Massachusetts industries.

How did it get to be of great value to Massachusetts? It certainly did not get that great value by being left as Dingley left it, because it had that value to start with. A great value it is true, and a value which Mr. Lippitt and his colleagues standing before the Ways and Means Committee of the House of Representatives said was adequate, all they needed, all they desired; that all they asked was that they let it alone.

Yet after these deliberations in the Senate committee comes now the Senator from Massachusetts, before making any report or any remarks even in the Senate, before Senators had the bill which we are now considering in their hands, and makes his report to the citizens of Massachusetts. He said:

The ad valorem rate on cotton has been increased, but the specific duties have been extended to new classes.

The ad valorem duties have been taken out of paragraph 305 of Governor Dingley's bill and specific rates based on values have been extended to all classes, as the reading of the bill will show, as a result. Now, listen to the reason:

The reason for this is that the Dingley schedules were framed on a basis of 6-cent cotton, and cotton is now 12 cents.

Is not cotton as high in any other section of the world as it is here? Who ever before suggested to an intelligent American student of our tariff system that our rates were efficient or inefficient on the basis of the cost or value of cotton either here or anywhere else? The Senator proceeds:

As a result, fancies and novelties, the new and most expensive grades, were coming in at the lowest rates, and there was no protection on mercerized goods which involved new processes. To obviate these injustices the Senate committee has increased the number of classes carrying specific duties, and there can be no doubt that if this arrangement is accepted by the House it will be of enormous value to our great textile industries.

I propose when the Senator from Rhode Island rises to demonstrate that the rates in this bill are not raised that he hold his altercation with his colleague and not with me.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. DOLLIVER. Certainly.

Mr. LODGE. Is the Senator reading something that I said?

Mr. DOLLIVER. I think it is.

Mr. LODGE. Did I say there that the duties had been raised?

Mr. DOLLIVER (reading)—

The ad valorem rate on cotton has been increased.

Mr. LODGE. Did I say the average ad valorem rate had been increased?

Mr. DOLLIVER. You did.

Mr. LODGE. Then, I must have been misquoted. I distinctly said the average ad valorem.

Mr. DOLLIVER. The Senator seems to have been quoted the same way in the Boston newspapers and the Evening Post.

Mr. LODGE. I said the average ad valorem rate had not been increased.

Mr. DOLLIVER. Then you were mistaken in stating that, as I have just demonstrated to the Senate?

Mr. LODGE. I think not.

Mr. DOLLIVER. The ad valorems had only hit Governor Dingley's ad valorems in two cases, and outside of those two cases, where the equivalent ad valorem is 25 per cent in one case and 30 in another, every ad valorem has been increased. If the Senator did not state that to the Boston newspapers, he omitted a very important part of his duty. [Laughter.]

Mr. LODGE. I did not state it to the Boston newspapers, for it was not true. The average ad valorem has not been increased.

Mr. DOLLIVER. The Senator was not in when I made the mathematical demonstration on that.

Mr. LODGE. But I have grave doubts of your mathematical demonstrations.

Mr. DOLLIVER. I have very grave anxiety about some infirmities of yours.

Mr. LODGE. Very likely.

Mr. DOLLIVER. Mr. President, not only do these step-ladder specifics increase all these rates, but there are other methods of increasing them that are so adroit that I shall beg the indulgence of the Senate while I turn a little calcium light upon them. In the old Dingley bill there was a harmless section, which we used to call "the curtain section" for short. It fixed a rate on curtain goods and table coverings, and other things. It was confined to goods that were dyed in the yarn. I am free to say, after the court's decision to the effect that threads added to these goods other than ordinary did not affect the basis upon which the duty was calculated, that there might

have been a scientific reason for raising the rates on those finely colored curtain goods where the color does not appear in the warp and woof of the cloth, but in the weave of the superimposed threads that lie on the surface of the cloth, and if a proposition had been brought in here, properly supported by expert statements that that kind of goods needed higher rates, I should not be the man to object to having them properly assessed in this bill.

But what has been done with this poor little curtain section, which originally applied only to goods commonly called by the women "chenille," and kindred makes? The first thing they did was to say—if you will kindly turn to the measure, you will notice the exact language—that it should not only apply to chenille, but to all Jacquard woven goods. The Jacquard is a little attachment operating in connection with the loom that produces a certain eccentricity in the vein of the threads, and wherever such a thread appears in the goods, it is known the world over as "Jacquard weave." As I said yesterday, the Senate committee originally struck out the words "dyed in the yarn." I then said, and I repeat it now, that when they did that they opened up for hospitable reception into this curtain paragraph the whole range of women's Jacquard dress goods. Every kind of goods that we put on our children at Sunday-school picnics all over the United States is solemnly put down in the estimates here of revenue as luxuries.

Before the bill came to the Senate, somebody on the committee I presume, was smart enough to see, or his attention was called to it from the outside, that if they did not leave the words "dyed in the yarn" in the paragraph, it would be rather a serious thing for the American people to put them into the curtain class, because every arrangement seems to have been made for getting them in. Governor Dingley said "curtains, or table covers." These people, in these very documents I have exhibited here, say not curtains, but "goods suitable for use as upholstery goods, or as draperies, or covers;" and when you come to consider that tastes differ and that the habits of people differ somewhat, you can easily imagine what our experts at the New York custom-house, who, when the toga of their authority is properly stripped from them, seem to be nobody but a few ancient Congressmen who failed to get reelected—when these facts are known, you can see with what skill this matter has been manipulated.

I want to illustrate exactly what I mean. There [exhibiting] is a nice, little piece of goods. I exhibited a piece of goods here last night; but my friend from Rhode Island [Mr. ALDRICH] and my friend from Utah [Mr. SMOOT] both seemed to be in doubt whether it was cotton cloth.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. Perhaps I had better wait until the Senator makes his statement in relation to this piece of cloth here, but I judge that he is going to try to show that that comes under paragraph 324 of this bill, and I shall show that——

Mr. DOLLIVER. Your anticipations have a strangely prophetic sound.

Mr. SMOOT. Mr. President, I thought so. Right here I want to state to the Senator that there is no intention whatever of having that class of goods come under paragraph 324, and I think the time will come when we can demonstrate it.

Mr. DOLLIVER. Mr. President, I am not going to debate with people about what cotton cloth is. It was enough for me last night to say that Governor Dingley's definition of cotton cloth contained in a paragraph of the Dingley act was good enough for me. Under that definition I held up a piece of cotton cloth last night with little white figures imposed upon it by the cutting of threads other than ordinary, and I now have in my hand a very pretty piece of cotton cloth. [Exhibiting.] You will notice that it is dyed, and you will also notice it has mercerized threads in it, if you are as skillful on that subject as I have become in the last few weeks. [Laughter.] The name of it in the dry-goods stores is fancy colored cotton cloth. That piece is called "gauze." It has from 150 to 200 threads. A piece of it is 27 inches wide. Its import cost is 9 pence.

While I am sure, I expect to have a good deal of trouble, because gentlemen have intimated their purpose to claim that these are not the kind of cloths and have not the history that I think they have. I know the history of this cloth. It is imported, and its valuation is as well understood in the custom-house at New York and in the dry goods stores of New York as any ordinary fact of commerce can be. What is true of that piece of cloth is true of the others which I intend to exhibit here. Its value per square yard is 24.36 cents, and the present duty is 35 per cent ad valorem and, in addition to that, 2 cents per square yard. It gets 2 cents per square yard, because a paragraph appeared in the Dingley bill stating that where other than ordinary threads, whether clipped or unclipped, appeared on these cloths they should bear an additional specific duty of 2 cents a square yard. So under the present law the duty is 35 per cent ad valorem and 2 cents a square yard, which is equivalent—it is a mere question of arithmetic—to 7.89 cents per running yard.

What is the new duty on that piece of cloth? It is valued at 24.36 cents. Therefore, under paragraph 315, it has a specific assessment of 10 cents per square yard. Under paragraph 321, the paragraph to which I just a moment ago alluded, it has a specific assessment of 2 cents a square yard on account of the superimposition of these threads upon the warp and woof of the cloth. In addition to that, it has a specific assessment of 1 cent a square yard, not because it is mercerized, but because some of these minute threads, affecting its value or its price in no sense whatever, bear marks of having been mercerized in the yarn. So we have another 1 cent put upon that cloth. When you add it all up, you have a new duty of 9.75 cents a running yard, an increase of 1.86 cents, or 23.5 per cent; and yet my honored friend from Rhode Island says they never touched it. I acquit every member of the committee——

Mr. SMOOT. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. Is that piece of goods the weave of the Jacquard loom?

Mr. BEVERIDGE. I did not hear the question of the Senator from Utah.

Mr. SMOOT. I asked the Senator from Iowa if that piece of goods was woven on the Jacquard loom.

Mr. DOLLIVER. Yes; these novelty effects were produced by the Jacquard weaving.

Mr. BEVERIDGE. May I ask what is the significance of that?

Mr. DOLLIVER. I will show the Senator in a minute what is the significance of it.

Mr. BEVERIDGE. What is the significance of the Senator's question to most of us as to whether it is one kind of a loom or another, when we are in ignorance of the subject? The Senator from Iowa must answer the question of the Senator from Utah.

Mr. SMOOT. In answer to the Senator from Indiana, I will say that the only intention was that it should apply to tapestries.

Mr. DOLLIVER. I beg the Senator's pardon.

Mr. SMOOT. Of course, I will yield. I have not the floor; but I will tell the Senator from Indiana after a while.

Mr. DOLLIVER. My friend from Utah asks me whether this cloth is woven on the Jacquard loom attachment, and I tell him that it is; that these novelty effects are produced by the Jacquard movement.

So, in view of the fact that it is colored, in view of the fact that it is a Jacquard cloth, and in view of the fact that almost anybody could see that it would be suitable for either a curtain or a covering for a table or a piano or a box, such as we get every session of Congress here and have no place for in our houses when we go home, I will admit that it is not a curtain or an upholstery piece of goods or a covering; but the bill says suitable for these various purposes, and it leaves it to this interesting group of experts in New York, or Chicago, or wherever these goods may come into the country, to say for what purpose the women folks of the United States may regard them as suitable goods. It looks good to me for a curtain. [Laughter.] Therefore I propose to show the Senate what would happen to this piece of goods if by some mischance some of these profound experts who come here and tell us what to do and then spend the Government's money telegraphing all over the country for information as to what has been done—I want to show to the Senate exactly what effect paragraph 324 has on this cloth.

Mr. BEVERIDGE. Mr. President, I just want to ask the Senator from Iowa a question. We are all listening very intently to the Senator. The Senator from Utah [Mr. SMOOT] asked the Senator from Iowa whether this piece of cloth was made on the Jacquard loom. The Senator understands what significance that has, and we do not. Will he tell us what it is?

Mr. DOLLIVER. I am going to tell you. Being a Jacquard weave, and being dyed in the yarn, and being "suitable" for upholstery, or coverings, or draperies, or curtains, it is dutiable under section 324, and pays, in addition to the rates which I have already stated, 50 per cent ad valorem.

Mr. SMOOT. Fifty per cent ad valorem?

Mr. DOLLIVER. Yes; 50 per cent ad valorem; and these phrases are so cunningly drawn that these duties are made cumulative; that is, all of them will be collected; they will be added up; and, when they are added up, the increase on these goods is not 1.86 cents, as it is on the face of this bill, but it is 3.50 cents, or 44½ per cent.

Mr. BEVERIDGE. Where does the Jacquard loom come in—what does that mean?

Mr. DOLLIVER. These novelty effects that appear on this cloth——

Mr. BEVERIDGE. How would that affect it?

Mr. DOLLIVER. It could not get into this paragraph about curtains and upholstery without being——

Mr. BEVERIDGE. Made on a Jacquard loom?

Mr. DOLLIVER. Without being made on a Jacquard loom.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I am aware the Senator does not wish to state anything but what is the absolute truth of the matter, as he understands it; but all goods under paragraph 324 only carry a duty of 50 per cent ad valorem. There is no cumulative duty in paragraph 324, and I would like to say——

Mr. DOLLIVER. No; they are not in paragraph 324.

Mr. SMOOT. It is the goods made under paragraph 324 that the Senator is talking about.

Mr. DOLLIVER. Mr. President, I am not yet through with my complaints about the Senate committee amendments, for you will find in paragraphs 318 and 321 provisions for a cumulative duty on cotton cloth mercerized or subjected to any similar processes of 1 cent a yard, to be added to all the other advanced rates imposed thereon, including the extra 1 or 2 cents per yard for other than ordinary threads. I desire for a few moments to exhibit what is concealed beneath that little pile of brush.

For ten years I have heard about the mercerization of cloth, but I never understood it until very recently, although it has been a known process in cotton weaving for one hundred and seven years. It is not a very costly process. It consists in bathing the cloth after it is made in a bath of caustic soda dissolved in water.

That is the process. It operates to give a certain gloss to the yarn or to the goods, and it operates also to force the fibers or threads together closely and to increase the tension of the twist of the thread, so that they bear permanently a certain luster, easily recognized by the eye, although not easily identified, because there are a variety of processes very much like it that sometimes fade gently into it.

That provision for a duty of 1 cent a yard more for mercerization is not the work of our honored committee; it is not the work of our honored appraisers—those eminent retired statesmen that are now sheltered in the custom-house at New York waiting for future promotion to justices and supreme justices of the court of customs appeals in that great building. [Laughter.] That proposition was put in there by two amiable gentlemen from New England, who know more about this cotton business than all the rest of us put together.

Did they tell the custom-house appraisers what this process cost? Not a word. Did anybody make any inquiry as to what the process cost? Did any human being weigh the relative cost here and abroad and put a rate on it that would about cover it, with a little profit to enterprising and good people? Not a word of it. How do I know that? Because day before yesterday the appraisers were wildly telegraphing all over the United States to try to find some evidence of what this mercerizing process cost; and I have in my possession here a letter in response to one of their telegrams giving me a little statement about it. It is from a firm called "A. L. Reid & Co.," of New York—bad men when I seek information from them, but good and sufficient when the experts of the Finance Committee are looking around for facts and for figures. In point of fact, they buy large quantities of domestic cloth and import some foreign cloth and then make almost weekly contracts with bleaching and mercerizing houses to have the cloth mercerized before they sell it.

Therefore it was natural for them to telegraph such a man, although it may seem unnatural to members of the committee that the man should have given his answer both to me and to the experts from the custom-house.

NEW YORK, *May 3, 1907.*

Hon. MARION DE VRIES,
Senate Finance Committee, Washington, D. C.,
Senate Building, Room 311B.

DEAR SIR: In reply to your telegram requesting the general prices paid to bleachers, dyers, and finishers for mercerizing, we give you as follows:

36-inch brocades, madras, etc., similar, three-fourths of a cent.
40-inch sheer fabrics, average, five-eighths of a cent.

And yet these amiable gentlemen have handed us in a proposition to put a duty of 1 cent a yard extra on the process of mercerizing, when, according to this man's statement, it costs less than a cent to do it.

Mr. SMOOT. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I should like to ask the Senator if it is possible to mercerize a single yarn; that is, of cloth made out of single-thread yarn?

Mr. DOLLIVER. I will have to consult the custom-house on that. [Laughter.]

Mr. SMOOT. Let me ask the Senator another question. Is it possible to mercerize a piece of goods made of common cotton?

Mr. DOLLIVER. It is not, because common yarn will not force the yarn together with sufficient vigor to give the gloss, and common cotton is not mercerized—I mean the lowest grades of cotton—but all the cotton that is used in the United States among fairly well-to-do people is mercerized, or practically all of it, so the dry-goods people inform me, and I have loafed around the dry-goods stores a good deal, coming and going, so as to find out something about this business.

Mr. SMOOT. I want to say to the Senator that, so far as mercerization is concerned, it is absolutely impossible to mercerize a single yarn, because it is not stout enough, and the greater cost in this whole matter comes from the very fact that you have got to use sea-island cotton or Egyptian cotton, or the very highest-price cotton in the world, before you can mercerize a piece of goods.

Mr. DOLLIVER. I refer the Senator to any dry-goods store of standing in this city. Let him go and see whether cotton goods exhibited there are all manufactured out of Egyptian cotton. If they are, I will join with my friend from South Carolina [Mr. TILLMAN] in the brave effort he is making in the Senate to get a duty on that article. [Laughter.]

Mr. TILLMAN. Mr. President, I have enjoyed so much the throwing of rocks——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I say I have enjoyed so much the throwing of rocks and the keen thrusts which the distinguished Senator from Iowa is giving his own colleagues that I must protest against his throwing any my way when they are undeserved. I have not made any effort, and I do not intend to make any effort, to get any duty on sea-island cotton or any other cotton, because it is not worth anything to us. So I suggest that the Senator keep his bouquets for his Republican colleagues of the Finance Committee. [Laughter.]

Mr. DOLLIVER. I was just going to say that my friend from South Carolina had mistaken for a rock what in reality was intended to be a bouquet. [Laughter.]

Mr. President, there are ways of finding out exactly what it costs to mercerize cloth, and if our board of appraisers at New York were worth the salt, which we have converted into a specific equivalent of, I think, $9,000 salary, instead of O. K.'ing this scheming proposition when presented there last fall, they would have made the inquiry then that they are now frantically making from this Capitol as to the cost of the mercerizing process.

I have a friend in New York—a great merchant, now dealing entirely in domestic cloth, although at one time he was interested as an importer—who is an expert in all these matters. I know that, because again and again the Government has used him in cases against the importers in the city of New York. I know that because again and again, when an uncertainty arises about the classification of merchandise, they send for this man and rely upon the integrity of his heart and upon the accuracy of his judgment in disposing of these questions. He gets many goods mercerized and, curiously enough, he gets them mercerized at Pawtucket, R. I. I have asked him to send me a statement of what he pays for the mercerization of cotton cloth.

I intend to print it in my remarks, although I think it might prove interesting to those who are engaged in a bona fide study of these matters to have this little sidelight on the situation. Here are the standard prices for mercerizing cloth: New York Mills Bleachery, New York, whites, bleaching, eight-tenths of a cent; if mercerized and bleached or dyed, a cent and a half, showing that the cost of mercerization is seven-tenths of a cent; colors, dyeing, if bleached or dyed only, 1¼ cents; if bleached or dyed or mercerized, 1¾ cents, showing the mercerization is one-half of a cent and for dark colors one-half a cent.

Here is the United States Finishing Company of Pawtucket, R. I.—and these are transactions not from anybody's imagination but from the books of a merchant who began studying the art of bookkeeping before he went into the business of keeping store—here is the Rhode Island range of prices: Whites, bleaching and mercerizing, 1¾ cents; bleaching or dyeing only, 1 cent; cost of mercerizing, three-fourths of a cent; colors, cost of mercerizing, seven-eighths of a cent; very dark colors, cost of mercerizing, 1 cent.

Mr. SMOOT. Mr. President, is it not——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. Is it not true that any piece of cloth that is mercerized loses in weight by having the caustic soda eat every vegetable fiber out of the cloth that may be there?

Mr. DOLLIVER. The process of mercerization is exactly like washing your hands—of course, you lose a little in weight. [Laughter.]

Now, I want somebody—I do not care who—to stand on this floor and tell me upon whose expert knowledge a protective tariff of 1 cent, which in many of these cases amounts to 200 per cent and in all of them amounts to 100 per cent, was put on this simple process of mercerizing cloth. I want to see again whose expert knowledge of weaving and finishing cotton is behind that proposition. I think I know him; but I have resolved to bring no more personalities into this controversy. If, however, these people had contented themselves with charging a cent on the mercerization of cloth, I am not certain that I would have been wearying the Senate with this recital here to-day.

But mark the sagacity of these brethren, not of the committee; I do not lay these things to their charge. They are engaged, by the aid of hired experts, in having their own bill explained to them in and around the Capitol of the United States. [Laughter.] They propose to charge a cent for the mercerization of this cloth, but they want the cent applied to the whole cloth, wherever a single mercerized thread appears in it. Now, it is a fact that very many cloths, whether they are mercerized or not, have mercerized threads in them. For instance, here is a specimen, the vest I have on. Those little red spots are mercerized threads, although they have lost a good deal of their luster by reason of the flight of time.

There [exhibiting] is a very beautiful piece of cloth, if held properly up before the eyes of the ladies. You will notice it has in it some dyed yarns. You will notice that it is bleached. It has in it some dyed and mercerized bleached yarns, and the filling is of mercerized bleached yarns. So it has a good deal of mercerized yarn in it, although not by any means all of it. Yet that piece of cloth catches the same 1 cent for mercerization. But that is not an extreme case.

I have a half a dozen specimens duly imported into this country and correctly valued at the custom-house, the value corresponding to what I have given here, where only a single thread in the entire fabric is mercerized. That is true of ordinary shirtings and the material out of which white vests are made by the million and for the million, and yet these eager gentlemen, in their anxiety to get an additional cent, have put the same amount on the single thread which was mercerized before it was put into the cloth. It was woven into the cloth with the other threads by the same loom machinery.

The cost of mercerizing it is infinitesimal. It adds nothing to the cost of the goods and nothing to its value, and is only worth considering because it adds a certain style and luster to the finished article. If it adds value, the regular ad valorem catches it. And yet these quiet gentlemen who are handing in these cotton schedules to our committee and the Senate of the United States regard that single mercerized thread, the cost of which is negligible, the value of which in the cloth is nothing, and have put, as a new and mysterious process, their greed for more money, into this bill, and I wish to find some scheme if I can to get it out. I hope the committee, now being deluged with information on the subject, will revise it; and if they do, I will feel that I have been justified in the effort I have been making to secure a detailed examination of these matters.

Now, I intended, although I have abandoned the intention, to exhibit on this floor a large range of these cotton cloths.

The object I have in view is to show that a man can go into any dry-goods store in America and find a range of cotton cloths so large as to astonish him, every one of which has been subjected to these additional assessments, and that by gentlemen who publicly stated before the Ways and Means Committee that they did not expect any duties in addition to the duties provided in the Dingley bill; and they told the exact truth, because I shall put in the RECORD a statement that these great cotton mills in the last ten years have paid dividends fat and prosperous.

I am not as much interested in the rate of dividends as I used to be. I used to think that a dividend stated the business. But I got to studying the question of capitalization, and I found that people were sometimes led astray by paying too much attention to dividends.

Before a man can know whether a dividend is a correct statement of the business, he must know whether the capital of the business represents actual money or whether it is a mere speculative organization, to be listed upon the stock exchanges, and to be kicked hither and thither about the market places of the world. So I am not emphasizing the question of dividends as I might, except to say to the Senate that when these brethren publicly spoke before the House committee, they told the truth, that the business was prosperous, and they needed no further rates to be provided in this bill; and I was interested to know that many of the old members of the Arkwright Club, of Boston, were sleeping peacefully under the impression, when their committee had convinced the Ways and Means Committee of the House that no reductions should be made in the cotton schedule, that the revision of the tariff was not aimed at their growing and prosperous business.

And so, Mr. President, I intend, for the present, to leave this matter, promising, however, that as time goes on and as particular questions arise I will not be without an active interest in such discussion as may be thought proper in the Senate Chamber.

So far as my present purpose is concerned, I will have accomplished it if I can get the Senate to do exactly what the representatives of the cotton industry asked the Ways and Means Committee to do—to leave the Dingley bill unchanged in this respect. So, therefore, without seeking to anticipate the activity of anybody else, I shall move at the proper time to strike out the italics from the Senate bill and to strike out such changes as were made in the process of leading the schedules upward, until at last I can say to my own people and to our inquiring friends that we did what, under all the circumstances, would appear to be a wise and reasonable thing in leaving these ad valorem tariff rates where they were left in the act of 1897. I certainly do not want to see these reckless and unintelligent increases made in this bill.

It requires a little study to see how easy it is even for wise men to make mistakes. Here are two pieces of cotton cloth [exhibiting]. They are Jacquard-figured table damask. The duty under the present law is 40 per cent ad valorem, whether they are colored or white, or Jacquard figured, or mercerized; and a straight ad valorem duty on such goods without any "cumulative" duties for mercerization, or extra threads, is the proper kind of duty, as it is based on the total cost of the cloth when finished, and therefore fully and equally covers all the costs of fabrication, whether it contains 2 or 200 mercerized threads. But under the Senate bill such a Jacquard-figured table cover, if white, would remain at 40 per cent ad valorem, and if of this cheap red variety will catch a duty first of 50 per cent ad valorem, under paragraph 324, and a cumulative duty of 1 cent per yard if it has 1 or 100 mercerized threads, or has been subjected to any process similar to mercerization; and in addition thereto would receive another "cumulative" duty of 1 or 2 cents per yard, according to value, on account of any superimposed threads, if there are any, in its weave. The curious thing about that is that it is not mercerized, and yet to my unpracticed eye it looks very much as if there was an artificial luster added to it; and so there is, because there are three or four processes that are not called mercerization, but which are a similar process; and if you will notice the language of this bill, it does not confine this assessment to mercerized goods, but to goods that are mercerized or subjected to any similar process. What processes are referred to, I will ask my honored friend, the Senator from Utah. The bill provides that the 1 cent shall be levied when the goods are mercerized or subjected to similar processes. To what processes is reference made?

Mr. SMOOT. In answer to the Senator I will say that there may be a process of mercerization that would not be called

mercerization, in order to catch all mercerizing, and when it is so treated it is to be subjected to the duty applying to any process that mercerizes the cloth.

Mr. DOLLIVER. Let me give the Senator a more accurate definition of that process than he has given. There is no process not mercerization that could be mistaken for it, but there are processes of ironing and of calendering and of beadling which are similar to mercerization somewhat, and to which these goods have been subjected, giving them a luster very like to mercerized goods.

Mr. SMOOT. If it was not mercerized, it would not take the extra cent a pound.

Mr. DOLLIVER. The extra cent a pound is not confined to mercerized goods. It includes goods that are "mercerized or subjected to any similar process."

Mr. SMOOT. The Senator is right in reading what he is reading.

Mr. DOLLIVER. Does my friend deny that the Senate amendment provides that it may be mercerized or subjected to a similar process?

Mr. SMOOT. If it is subjected to a similar process.

Mr. DOLLIVER. I want to know whether the Senate bill provides for mercerization only or for mercerization or any similar process.

Mr. SMOOT. It provides for bleaching. It provides for all the processes other than mercerization.

Mr. DOLLIVER. That throws very little light on my question.

Mr. SMOOT. That is simply because the Senator does not know all of the subject.

Mr. DOLLIVER. Man has limitations of knowledge. I know mine, although I am afraid my friend, the Senator from Utah, has a hallucination that makes him fail to understand his. [Laughter.]

But there are some things I do know about this. I know that this bill is so drawn that that bit of red tablecloth with mercerized yarns in it and with a Jacquard movement in it, is put into the paragraph at 60 per cent.

Mr. SMOOT. Fifty per cent.

Mr. DOLLIVER. Fifty per cent as a curtain or covering for a table, while white tablecloth, which has no dyed yarns in it, is left dutiable at the old rate.

Mr. SMOOT. I should like to say to the Senator that the committee has no desire whatever to catch any goods in paragraph 324 that are not tapestries. Before this is through I have no hesitation in saying that the words "Jacquard-woven goods" will be confined to tapestry goods.

Mr. DOLLIVER. I hope that will be done, and it enables me to indulge another hope—while the committee are at that they will make some other needed changes which are required.

I want to say a word or two in a general way. The time is passed in the United States when these questions can be subjected to a trivial partisan controversy. It has always been a misfortune that American business has been in politics. The time is coming, in my judgment, when such a controversy as is raging here now will be transferred by law to a tribunal where it can be passed upon with more wisdom than a person is liable to meet with about the corridors of this Capitol.

Every day struggling little industries are coming to me, saying that they can not get their duties even considered, because it is regarded as bad policy to raise existing rates. I do not belong to that group.

Mr. SMOOT. I do not, either.

Mr. DOLLIVER. I have welcomed to my humble quarters every man who had definite information that the industry in which he was engaged was being destroyed or prejudiced or put to the bad by foreign competition; and I stand on this floor ready to vote for, and, if necessary, to move the amendment myself that will adequately protect every American industry North and South, from one ocean to the other; and yet I am likely to be read out of the party as wanting in my fidelity to the Republican principle of protection. I do not go even so far as some of my honored colleagues go in their animosity against the present-day organization of American business into great corporations.

I spoke years ago in the Senate Chamber on the subject of the protective-tariff system and the speculative trusts. Very few listened to what I said, and I never have met anybody since who appeared to have had any familiarity with the literature which that speech created. And yet it is some satisfaction for me to know it laid down some broad principles and some sound principles, and among them this, that no trust can master this market place in the present state of American enterprise and the present abundance of American capital without first monopolizing the raw material with which business must be transacted. I have felt that it is not a wise thing to put trust-made goods on the free list, a remedy which would fall equally upon the just and the unjust, and instead of killing the trust would be more likely to kill its struggling competitors and turn the entire domestic business over to the trust, or, if not, would at least sacrifice American labor, which is entitled to our consideration, whatever may be the offenses of American capital against our policy and our laws.

Therefore I think we ought to take these great materials that lie at the basis of our productive industries, which are monopolized by corporations organized for that purpose, and give to the young men of the United States in the next generation a free access in these matters. It is not possible that all our iron and steel is to be made by one corporation. It is not fair to the next generation, and it is no improvement on the business methods of the past. It is not right that any great department of industry should be brought into one hand, whether individual or corporate, and therefore I should like to have the Senate study the question of putting within reach of the young men of the United States these great resources, and say to them "go into these enterprises, and wherever you find yourselves constrained in the purchase of your material we will give you relief," so that in no generation shall it be said that a single corporation owns and controls the basic materials that underlie the industries of the American people.

I do not expect, however, to get such a philosophy of life as that into this bill. In fact, I might as well confess it, I do not expect to be able to do more than to state the case; but I warn these men who are among those responsible for the policy of the Republican party that if they desire an agitation in the United States to begin the day the bill passes and to be carried on until these wrongs and injuries are rectified, there is no shorter course to that end than that which has been pursued in connection with the measure now before us.

I have come to the conclusion slowly and regretfully, because I had to change well-settled views and prejudices, that the tariff question in the United States belongs to a commission of real experts.

I notice there is an infant commission included in the Senate amendments with respect to the administration of some features of the present law. It is all right as far as it goes, but it is one thing to have a group of public employees advising the President about the application of retaliatory provisions in our laws, and quite another thing to have a great tribunal of wise and experienced men telling Congress about the state of business and the foundation upon which our tariff legislation should proceed.

I intend, therefore, if a vote can be had upon the measure introduced by the Senator from Indiana [Mr. BEVERIDGE], to vote for it. But I do not expect it to pass. I will then take the privilege of voting for the proposition introduced here by my honored friend the Senator from Wisconsin [Mr. LA FOLLETTE]. But I do not expect it to pass. After both of these measures have been disposed of, I intend to offer a tariff-commission proposition of my own, but I will not do it with any arrogance of spirit as the discoverer or inventor of it.

I have been mousing around in American history, and I have found a tariff bill which contains full grown the most elaborate and perfect scheme for the scientific adjustment of our tariff schedules ever presented to any department of the Government of the United States. It has great officials on the commission. It does not make the mistake that was made in 1883 in the appointment of a tariff commission. That commission was of no account, because it was simply the official recognition of the right of the industries to write the tariff schedules. Its report was neglected, because instead of being great students of great questions, they were great operators in various lines of industry. A great business man from Pennsylvania, a brother, I think, of our honored Senator from Pennsylvania [Mr. OLIVER], represented the iron and the steel interests. The wool industry was represented by a great shepherd.

The woolen-cloth industry was represented by the secretary of the American woolen manufacturers. The silk people had a man on the board, and so about the only man on the commission who was not directly identified with an industry affected was Robert P. Porter. These are no new scenes enacted here now. They do not depress us any more than they depressed our predecessors.

There never was a man connected with either House of Congress who could help looking almost with disgust upon the representatives of great American enterprises and American business hustling about these corridors buttonholing Members of Congress, frantic in their desire to know what was done with

a particular article, first put in one schedule and then in another, subjected to embarrassments without number.

Other generations have seen the folly and even the wickedness of that. It was impressed upon two of the great statesmen of the last generation. One of them has gone to his reward and the other is still living and still entitled to the respect and good will of all his associates, the honored chairman of the Finance Committee, the Senator from Rhode Island.

At that time, when they were preparing a great scheme of legislation to take the place of the Mills bill, after it had passed the House of Representatives, they took not weeks telegraphing for people to come here and tell them what was going on, they took months, day and night, working, both of them in the maturity of their power and of their wisdom; and after they got the schedules of a great tariff bill made, with as many mistakes omitted as was consistent with their means of getting at the facts, they said to one another, "this method of treating the business community of America ought to cease."

So, without a dissenting voice on the Republican side of the Chamber, they put into the tariff bill of 1888 an elaborate provision for the appointment of a tariff commission, the commissioners to be well paid, none of them to be connected with the business of importing or of manufacturing. They were to be men of affairs, without the bias that always accompanies personal interests. They were provided with adequate resources and facilities to carry on their work. They were to study the markets of the United States and the markets of the Old World. They were to study the conditions of labor here and everywhere. They were to study the new opportunities for American business that have been absolutely ignored by the committees of both Houses of Congress in the present revision of the tariff law. All these things they were to study all the time, and every December they were to lay the facts that came within the range of their investigation and knowledge before both Houses of Congress.

I shall introduce that bill in the exact language in which Senator Allison and Senator ALDRICH prepared it and presented it to the Senate and persuaded the Senate to pass without a dissenting voice. I want an end to the scandals that have already corrupted American politics incident to the management of great industrial and financial questions as a mere adjunct of political agitation in the United States.

I am not surprised to see Democrats change their views about the protective tariff. The foundation of it is secure. It met the judgment of the wisest men we have ever had in the United States. Hamilton and Benjamin Franklin and Abraham Lincoln believed in it in their day. It is no invention of modern times for the robbery of the many for the benefit of the few. It is a great industrial doctrine, lying at the foundation of our institutions, because our institutions would perish if we allowed the industrial level of the United States to fall to the industrial level of many of the old countries of the world who are our competitors in productive enterprises.

The protective-tariff doctrine is sound. It fails only through the inequality with which it is applied to our affairs. It fails only when avarice and greed, anxious to make more money, have such influence with Congress as to rewrite our tariff laws, not in the interest of the public, not in the interest of the unnumbered millions of our people, but in the narrow, naked, personal interest of a few men scattered here and there in various sections of our beloved country.

So, thanking the Senate for the kindness with which they have listened to me and apologizing because I have not been able to so condense what I have to say as to bring it within the reasonable limits of a discourse in the Senate, I leave this subject now, promising to return to it from time to time as the various schedules are read from the Clerk's desk and the amendments are analyzed which the Finance Committee has laid before us.

Mr. BEVERIDGE. Mr. President, as one who is friendly to the committee—and I suppose all of us are—I want to ask a question of the committee. I am glad the chairman is coming in. It is in the interest of saving time and in the interest of concluding the consideration of the pending bill. In saying what I say, I know that I voice the desires of a great many Senators on both sides of the Chamber and of varying intentions as to their voting on the bill. It is this:

We are all oppressed with work in looking into the bill itself. The Senator from Rhode Island on the 1st day of April truthfully stated that without the aid of an expert no Senator, however intelligent, could hope to understand the metal schedule alone short of a month. The Senator from Minnesota [Mr. CLAPP] the other day, when the Senator from Washington [Mr. PILES] was making his most thorough and forcible speech, made the startling statement that in that debate "manufactured evidence" was being presented to influence the minds of Senators.

Last week, within fifteen minutes, there were placed in my hands by men equally credible two briefs covering the same item of the same schedule of the pending bill. Those briefs confined themselves to figures in that item. When I came to glance at them I found that they were diametrically opposed. I suppose that I, in common with every other Senator, have received not less than three or four hundred briefs from reputable business houses, with letters begging us to read them, that we may know how to vote intelligently. Some of them ask for an increase; some of them ask that the schedules of the present bill shall be supported by us; some of them ask for a decrease in the rate on raw materials. There is no time even to examine them.

The Senator from Rhode Island on the 1st day of April, in the same speech to which I a moment ago referred, said that he himself was getting more briefs and letters upon this subject than he could consider in a long time.

More important than all this, we must search through such impartial and authentic records and reports as are to be found in our government departments on each schedule of this bill—if any such are to be found. We must discover our own information for ourselves and sift and weigh it. It is a tremendous task; yet we must do it somehow if we are to vote intelligently.

I think, Mr. President, and I submit it to the Senator from Rhode Island and to the committee, that it would save time and hasten the end of this bill if instead of meeting at 11 o'clock we were to meet at 12 o'clock for at least a week. Senators who are trying to study this question out ought to have a clear forenoon and a clear night for their work, and spend five or six hours in the afternoon listening to these most instructive debates.

I, for one, do not propose to miss, if I can help it, one minute of this debate. The Senators from Minnesota [Mr. NELSON] and from North Dakota [Mr. MCCUMBER] and the Senator from Washington [Mr. PILES], and others, on opposite sides of the same question, delivered speeches that no Senator who expects to vote upon the lumber schedule ought to have missed. The Senator from Iowa [Mr. DOLLIVER] has made a speech full of the most extraordinary and important statements, and I may as well say here that unless the Senator's statements are shown to be incorrect, the cotton and woolen schedules are in a precarious condition. They must be looked into.

I am sure that nearly every Senator here sincerely hopes that the committee will be able to make such a showing that we will all be able to vote for every schedule it reports; and yet I was astonished at the end of the remarks of the Senator from Iowa to see the Senator from Utah get up and say that the committee propose to so change one section of the bill as to meet the views of the Senator from Iowa. If it is true that a mistake has been made in that one particular, should not every Senator here have time to study out the facts as to other and more serious criticisms of these schedules?

Therefore I suggest, purely in the interest of saving time—if it was necessary, I would implore—that we be given a chance, for at least a week's time, to have our forenoons for study and our nights for study, and that the customary order of the Senate to meet at 12 o'clock, instead of 11 o'clock, shall be restored. It would help things along, I am satisfied.

I know the Senator from Rhode Island will say, and truthfully say, that the country is anxious that the bill shall be passed speedily. No one is more anxious for that than I am, for a great many reasons; but I am sure, too, that the country demands that when it is passed it shall be passed as nearly right as possible. We all follow committees in ordinary legislation; but this is not the committee's bill; it is not the Senate's bill; when enacted it will be the law of 90,000,000 American people, and each one of us here, on or off the committee, is equally responsible to our constituents for it. We are not responsible to the committee; we are responsible to the people, who sent us here to do their work. We have a right to know the facts. We have a right to have time to look into those facts. It had better be given us, for the facts are going to be looked into.

Every lawyer here will tell the Senator from Rhode Island what he already knows—that in the trial of a lawsuit it can be done in a third of the time if the lawyer has had time to look into his testimony and make himself familiar with the law than would be taken by a man who has not had such time.

Therefore I am suggesting to the Senator from Rhode Island the feasibility of hastening the bill and saving time by restoring for only one week the customary order of meeting at 12 o'clock.

I have not mentioned one thing that every Senator has been confronted with. Not only from our own States, but from other States, we are visited every day by business men who earnestly and politely ask us to listen to them for a few minutes.

Frequently Senators bring gentlemen to us who want a hearing on different items of different schedules, and these Senators ask us, their fellow-Senators, as a matter of friendship, to give our time hearing the gentlemen they introduce.

If you keep us here in debate—necessary debate—where will we get the time to get the facts?

Is it not fair that we should have this? It is only a concession of a week. The meeting at 11 o'clock breaks into the forenoon. We ought to have a clear morning's work from 6 o'clock, when we get up, until 12. We ought then to hear every word of this debate. The Senator from Iowa has made a profound impression His statements will have to be answered. We ought to have the mornings for investigation. We ought to have the evenings for investigation. Then we can come here, understand what we are going to vote upon, and be prepared to take some intelligent part in the debate—not wholly understand or very intelligently debate, but we at least can do better than if we do no investigating at all.

I suggest to the Senator from Rhode Island this request, which is the earnest desire of a large number of the Senators on both sides of the Chamber, regardless of their attitude upon any schedule of the bill. I hope the Senator will make that motion.

Mr. ALDRICH. Mr. President, the Senate has for the last week, or since Monday, been giving six hours a day or over six hours a day to the discussion of this question, leaving eighteen hours for work upon the bill and for other purposes. If the Senator rises at 6 o'clock of course he has certainly five hours in the morning, and he has seven or eight hours in the evening that he can devote to this question.

Mr. BEVERIDGE. Will the Senator permit me right there?

Mr. ALDRICH. I would rather the Senator would let me go on.

Mr. BEVERIDGE. Very well; but I was just going to ask him to calculate how much time would be required to meet the men other Senators bring to him and ask, as a matter of personal friendship, that he should hear them.

Mr. ALDRICH. If the Senator from Indiana, with his acute mind, should undertake to hear or to read all the briefs that have been presented to him in connection with this matter, and all those that will be presented to him and to digest them, and we are to wait until he has digested them all, we will not pass a tariff bill in this year of our Lord. I know that from practical experience, and, of course, we all want to be practical now on this question. In 1890, when I had charge in the Senate of the McKinley bill, after one week we met every day at 10 o'clock and remained in session until 6, and all the latter part of the time we had evening sessions.

I do not think there has been any discomfort so far from meeting at 11 o'clock and adjourning at 5. I have not seen evidence of any so far shown. I think that there has been no occasion for shortening the hours. If we do not get along faster than we are doing I shall feel obliged at a not distant day to ask to have the hours lengthened rather than shortened, because I believe the country is extremely anxious that we shall dispose of this question. There certainly is no disposition on my part, or on the part of any member of the committee, to stop the discussion in the broadest possible manner; but I do feel that in the public interest we should continue to meet at 11 o'clock. Senators are not destroying their own peace or comfort to any very great extent when they remain here six hours a day for the consideration of this question.

Mr. President, I expect when the cotton and woolen schedules are reached to make a clear statement of what has been done or suggested by the committee with reference to these two schedules. So far as cotton is concerned, the only important changes that are made from the House bill are the changes made in the cotton-yarn schedule to give more symmetry to that schedule, and a substitution of specific for ad valorem rates in certain articles in the cloth schedule, and nowhere else. The specific rates suggested are not higher than the rates imposed by existing law; and I will demonstrate that to a certainty to the Senate when I have occasion to explain that subject. The existing law has by a series of undervaluations on the part of the importers and of erroneous construction on the part of the general appraisers and the courts been so emasculated that the interests of the cotton manufacturers of the United States have been largely destroyed in some lines. This is shown by the fact that the importations of cotton manufactures increased from $23,000,000 in 1898 to $73,000,000 in 1907, an increase of $50,000,000 in the importation of manufactures of cotton during those ten years.

I will not undertake at this moment to answer the importers' briefs which have been read in the presence of the Senate, but I will answer those, and I will satisfy every reasonable man in this body that the rates suggested by the Senate committee not only do not increase the rates, but that the imposition is absolutely necessary for the saving of that industry from fraudulent undervaluations and from erroneous decisions of the courts. So much for that.

Mr. CULBERSON. Before the Senator from Rhode Island passes from the question of undervaluation I will ask him the distinct question whether he believes the remedy is in increasing the rates or in providing such legislation as will guard against undervaluation?

Mr. ALDRICH. The first and best remedy for undervaluation is the imposition of specific duties always when it is possible. I believe that the scheme presented by the committee in changes in the customs administrative act will make undervaluations much more difficult, and will cure, so far as legislation can, the habit of undervaluation.

Mr. CULBERSON. I understood the Senator to suggest that in this particular the rates had been increased because of undervaluation.

Mr. ALDRICH. No; I said that they had not been increased, but they had been made practically what they are under the existing law, if properly construed.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I hope the Senator will pardon me, unless he wants to ask a question.

Mr. TILLMAN. I want to ask the Senator a question on that particular point. Do I understand the Senator to charge that the officials of the Government whose duty it is to pass upon the valuation have been derelict, or are the schedules drawn with such ambiguity and so much elasticity that the Philadelphia lawyer of whom we have all heard could not tell exactly what they do mean? If so, why do we not go to simple, direct, positive language in levying duties, so that nobody can misunderstand it?

Mr. ALDRICH. The language in the cotton schedule is as simple as it is possible to make it.

In answer to the first question of the Senator from South Carolina, I will say that I will submit to the Senate a series of decisions by the court upon this question that I am sure will amaze the Senate.

Mr. TILLMAN. Does the Senator also impute wrong motives to the judges? After having attacked the appraisers, does he also attack the courts?

Mr. ALDRICH. I am not attacking anybody. I am stating facts.

Mr. TILLMAN. The Senator's words are attacking somebody, whatever may be his purpose. I am only speaking about the result.

Mr. ALDRICH. I am stating the fact that courts have by a series of decisions so changed the purpose of Congress that articles which were dutiable at 60 per cent, or supposed to be dutiable at 60 per cent, under the Dingley Act are now dutiable at from 6 to 7 per cent.

Mr. TILLMAN. Is that due to the ambiguity of the wording of the schedules or is it due to a dereliction of the court, or are our judges idiots? Had we not better begin to investigate them?

Mr. ALDRICH. My impression is that the courts were imposed upon by the character of testimony that has been submitted to the Senate.

Mr. TILLMAN. The testimony has nothing to do with the plain letter of the law. The facts, of course, must be found for the judges to pass upon.

Mr. ALDRICH. Has the Senator ever read a foreign tariff? Has he ever read the French tariff?

Mr. TILLMAN. No; I have never read one. If it is any more ambiguous than this, God have mercy on us!

Mr. ALDRICH. It may be less ambiguous, but it is more complicated. I will say that to the Senator.

The contention of the Senator from Iowa in regard to the wool and woolen schedule of the bill raises questions that are vital and fundamental. If it shall be shown that the wool-growers of the United States and the woolen manufacturers of the United States in 1867 entered into a conspiracy to deceive and to defraud the people of this country by the suggestion of

a formula to be used for tariff legislation, then the protective policy should be abandoned and the party which supports it should be disbanded. If the men who have had charge of the various tariff bills and are responsible for their preparation from 1867 down to the present time were parties to that deceit and fraud, then they deserve all the execration that can be heaped upon them here or elsewhere.

Now, who were those men? In this respect it was not possible that any of those men should have been ignorant of the provisions of the woolen schedule of the various acts which have been adopted from 1867 down to the present time. Every one of the difficulties that has been alluded to in the course of this debate was brought before the country and before the Senate in every discussion which has taken place within forty-two years. So I say if those men have been guilty of deceit and fraud in this particular schedule they should be held up to the execration of the American people. Who were they? John Sherman, Justin S. Morrill——

Mr. BAILEY rose.

Mr. ALDRICH. I hope the Senator will excuse me for a minute. They were John Sherman, Justin S. Morrill, Benjamin Harrison, William McKinley, Nelson Dingley, and Mr. PAYNE. Those men have heretofore stood well, I think, before the American people. They certainly have had the confidence of the people belonging to the party I represent.

Now, if it is possible to show that this combination of woolen manufacturers and of woolgrowers that the Senator from Iowa contemptuously alludes to as the shepherds and weavers of this country have been instrumental in imposing upon the people of this country in the wool and woolen schedules, it is time that the people of this country knew it.

There is no Senator sitting upon this side of the Chamber, there is no person who is acquainted with the tariffs of this or of any other country, who does not know that an assault upon the wool and woolen schedule of this bill is an attack upon the very citadel of protection and the lines of defense for American industries and American labor. If the Senate destroys the relations in that schedule or destroys the schedule itself, you demoralize the whole protective system; and you destroy every line of defense which the people of this country have who believe in the protective policy.

I will listen to the Senator now.

Mr. BAILEY. Mr. President, I understood the Senator from Rhode Island to say, or at least to suggest, that the briefs of the importers had been read in the presence of the Senate for the purpose of misleading the Senate, and it occurred to me that——

Mr. ALDRICH. The Senator makes the statement a little broader than I made it. I made no application of it. The Senator can make his own application.

Mr. BAILEY. I am going to make the application.

Mr. ALDRICH. The Senator can make it.

Mr. BAILEY. If the Senator made the statement, of course the application is——

Mr. ALDRICH. I will ask the Senator to excuse me until I finish what I was going to say upon another subject.

Mr. BAILEY. I thought the Senator had finished.

Mr. ALDRICH. No.

Mr. BAILEY. It may be, then, that the Senator would like to reply to the suggestion I was going to make, which simply is this. It will require but a moment.

If the importers would try to mislead the Senate in their interest, I can see no reason why the shepherds and the weavers might not also try to mislead the Senate. In other words, whenever Congress comes to legislate touching particular interests, I do not know any class that are not apt to mislead us if they can.

Mr. ALDRICH. Mr. President, I myself make a distinction—perhaps the Senator from Texas does not—between the men who represent in this country American interests and who are trying to develop its industries and its prosperity and those men whose interest it is, whatever else they may be, to build up the industries of their own countries and give employment to the labor of their own countries as contradistinguished from ours. If I am called upon to take the word of any man upon this subject, I prefer to take the word of an American citizen who is patriotic and truthful rather than the word of any importer, however intelligent he may be.

I desire to make this statement, that so far as the majority members of the Committee on Finance are concerned they have heard everybody, so far as time would permit, who had an interest upon this question upon one side or the other, and therefore I can recognize an importer's brief when I see it.

Mr. BAILEY. Of course the Senator recognizes the argument relating to the tariff question; but that aside, I do not understand that all the importers of this country are foreigners by any means.

Mr. ALDRICH. Oh, no.

Mr. BAILEY. I think when the Senator examines his language he will find that it is a little broader than he intended.

Mr. ALDRICH. There are, of course, men who are importing goods into the United States who are desirous to continue a profitable trade in imported articles, whose interests are identical with those of foreigners, but who are American citizens, valuable American citizens many of them.

Mr. BAILEY. Of course the importer is precisely like the manufacturer. If permitted to write the schedules relating to his trade or occupation, he would write them in his own favor, just as the woolen manufacturers wrote them in their favor when they wrote them in the McKinley bill.

Mr. ALDRICH. Mr. President, I am more familiar with the history of the woolen schedules of the McKinley bill and of the bill of 1888 than is the Senator from Texas.

Mr. BAILEY. I am simply taking the statement of one of the most distinguished Republicans in the country to the effect that the manufacturers did write that schedule in the McKinley bill.

Mr. ALDRICH. I will say to the Senator from Texas, from my own knowledge, that that statement is very far from the truth, and that it does very grave injustice to the memory of the late President McKinley.

Again, I say to the Senator, that this wool and woolen schedule is the crucial schedule in this bill. That has been known to be a fact by the Senator from Texas and by other Democrats. The Senator understands very well that, if by insidious or any other means, he can induce the Senate to break down this schedule, that is the end of protection, for the present anyway, in this country. I will say further to the Senator from Texas, that every attempt which is made to break down the provisions of this schedule and to discredit it is hailed with joy by the woolen manufacturers of Bradford and their employees and by the woolen manufacturers of every country in the world who are trying to compete for this, the greatest market not only now existing, but which ever existed. There is not a hamlet in the world where woolen manufacturing is carried on whose inhabitants will not read with joy any statement which looks to the abandonment of the protection which has been accorded to the woolen manufacturers and to the woolgrowers of the United States. There is not a ranch in Australia or in any other country that is growing wool where the shepherds who are engaged in that work are not congratulating themselves that at last the day for them has arrived. There is not in this country a manufacturing establishment employing men, there is not a farmer raising sheep who would not hear the tidings that this woolen schedule was to be destroyed and that their protection was to vanish with feelings of sorrow and depression.

Mr. BAILEY. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. I do.

Mr. BAILEY. Mr. President, the Senator from Rhode Island is entirely accurate in saying that the woolen schedule is the keystone of the protection arch. I simply want to add that no schedule in the tariff bill better exemplifies the fraud and injustice of the whole system than does this same woolen schedule. I am quite willing to judge the cause of protection by the woolen schedule.

Mr. ALDRICH. I am quite aware of the opinion of the Senator from Texas upon that subject. I think he has expressed it on numerous occasions, and with great distinctness and with great eloquence. There is no question whatever but that there are gentlemen in the United States belonging to his political party, not all of them, for there are a great many men in Texas who do not agree with my friend who in part represents that State, I think the Senator from Texas realizes that, but there are men all over the country who, realizing as they do that that schedule is the key to the arch, are doing their utmost and using every means at their command to destroy that schedule, and they have the sympathy of the men whose interest it is to have it destroyed.

That argument upon this question does not appeal to me; the suggestions of the Senator from Texas do not appeal to me, and I do not think they appeal to many other Republicans.

Mr. MONEY. Mr. President, may I interrupt the Senator from Rhode Island, with his permission?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. ALDRICH. I do.

Mr. MONEY. I do not want to interrupt the Senator's remarks, but I want to understand him. Did I understand the Senator from Rhode Island to say only a few minutes ago that if this woolen schedule were destroyed or attacked, it would be the overthrow of protection in this country?

Mr. ALDRICH. I said if it were destroyed. Of course it has been attacked. There is no schedule in this bill which has been attacked more vehemently and more persistently than that schedule; but I do not think the attacks so far have injured the protective principle of the schedule.

Mr. MONEY. I want to understand the Senator. Does he think, if the schedule is successfully attacked and destroyed, that will be the end of protection in this country?

Mr. ALDRICH. Yes; for the time being.

Mr. MONEY. For the time being?

Mr. ALDRICH. Yes, sir; until the people of the United States shall do what they did in 1896—come to their senses and put the seal of disapproval upon attempts of that kind.

Mr. MONEY. Mr. President, I dislike very much to disagree with the Senator on that question. I can not believe that the supporters of this protection policy, which is claiming to be the peculiar patron saint of husbandry, of commerce, of the manufacturing interests, and of every other industry, would lose heart and fail in protecting all the other great interests of the country because the woolen schedule should be attacked and destroyed. What would become of the cotton schedule, the steel schedule, the iron schedule, and the other schedules?

Mr. ALDRICH. What I meant to say was that if this schedule should be destroyed, the same spirit and the same men would go through all the tariff schedules and destroy them all seriatim. That is what I meant to say.

Mr. MONEY. I will submit to the Senator if he thinks that the same opposition will be developed to every part of the schedule that there is to the woolen schedule?

Mr. ALDRICH. I am not talking about this particular situation at all. I realize, as the Senator himself does, the truth of the old fable about the nose of the camel. I am not talking about the present situation at all, I repeat. I am only calling to the attention of the people of this country, who elected a Republican President upon a protective platform, that the destruction of this schedule means a violation of their principles and of their promises. That is what I am trying to suggest.

Mr. MONEY. As I understood the Senator from Rhode Island, he said protection would fail for the time being. That means now—not in the future, but now. The Senator says that the country would come to its senses. I do not feel sanguine about this country coming to its senses. I have been waiting here for thirty years to see one lucid interval, and I have not yet found it on this question.

Mr. ALDRICH. We had a "lucid interval," in the opinion of the Senator from Mississippi, in 1894. We then had free wool and we had very low duties on almost everything. We had, I suppose, the ideas of the Senator to some extent carried into that law, and I take it for granted that that was the time that my friend from Mississippi refers to. You have never controlled the country since, and unless we are recreant to the trust which is imposed upon us, you will not have the country again. I make this prophecy that within twenty years the South, through representatives who are now here or through representatives who will then be here, will join with us in guarding and protecting the interests of the United States as against all comers.

Mr. MONEY. I do not want to disturb the Senator, but I think perhaps that when he indulges in that prophecy he has an idea as to whom he can buy up in this little business.

Mr. ALDRICH. I do not know what the Senator means by "buying up." Does the Senator mean that there are Senators sitting on that side of the Chamber who at this time and in the future will vote for the interests of the people they represent, or what they believe to be the interests of the people they represent here, and does the Senator mean that is bribery?

Mr. MONEY. Oh, no; I do not mean anything of that sort; but I do mean that some men in this Senate on both sides will vote for a bad bill if they have in it what they want for their section. Even the Senator from Rhode Island will not deny that. I do not reflect upon men's motives in this Chamber—not at all.

Mr. ALDRICH. The Senator is talking about——

Mr. MONEY. I do not desire to take up too much of the Senator's time, but so far as holding the country under protection is concerned, it does not mean anything particularly. Nothing is so unexpected as that which happens in politics. England was very much more protective than we are to-day, and it took twenty years from the time John Erskine began the fight on the hustings until Robert Peel put a quietus on protection. It was the hardest economic fight ever waged in any country in the world. Protection was better intrenched and better fortified there than is the protective system in America, and it crumbled to pieces at last because the people became instructed. I do not, however, want to take up so much of the Senator's time, and I apologize for having taken so much of it.

Mr. ALDRICH. Mr. President, it is my confident belief that a very large majority of the people of this country, I may say an overwhelming majority of the people of this country, are in favor of the protective principle. I do not care by what name you call it. I mean the principle of taking care of your own industries and of your own interests as against those of other countries. I think a great majority of the people of this country are in favor of that. You may call it one thing in one section and another thing in another section; but we are all together upon that question. That is the fundamental theory of protection.

What I understand to be protection is the framing of legislation in this country so that it will aid and support American interests and American labor and American industries as against those of every other country. That is all there is of it. I do not care for names at all; I do not care what you call it. The Senator from Texas, I know, has old-fashioned notions as to what the Democratic party desires and proposes, but he must realize the fact as well as I, that in this twentieth century the world is not governed in that way. Take Great Britain. Does any Senator on this floor believe that if they have a change in the government of Great Britain and the Conservative party comes into power, they will not adopt some kind of a protective policy? Undoubtedly they will. Take the legislation of continental countries. Every day there are more and more looking out for their own interests by every possible process; they are trying by every scheme that ingenuity can devise to keep American goods out of their borders and to take care of their own people. Self-interest requires that we should do the same thing in this country, and I expect before many years that there will be a party that will be so comprehensive and so all-embracing that there will be no chance for anybody else who has different views; who will consider, if you please, what effect it would have on Great Britain if this rate were raised or that rate were raised, or what effect it would have on Germany if this thing were done or that thing were done. We are here to legislate for the American people and for their interests, and, so far as I am concerned, I shall try to legislate in every paragraph of this bill for the benefit of the people of every section of our country, and I intend to maintain that policy.

Mr. CARTER. Mr. President, I fully agree with the Senator from Texas [Mr. BAILEY] and the Senator from Rhode Island [Mr. ALDRICH] in their joint and harmonious conclusion that the wool schedule is the keystone of the protective-tariff system. No one expected in the beginning that this session of Congress, or any considerable portion of it, would be consumed in debating the fundamental principles underlying free trade and the protective-tariff policy. In considering the question suggested, the relation of the country to its neighbors, its geographical area, and its natural resources must all be taken into account in determining the wisdom or unwisdom of a given national policy. As applied to the United States, I have heretofore assumed that it had been for the time being conceded that the protective policy was, in the judgment of an overwhelming majority, accepted as a wise policy for this country to continue. I concede at once that a country differently situated from this, densely populated, of small geographical area, and limited natural resources might well stand for the freest kind of free trade.

A country which is chiefly devoted to improving the commercial value of articles received from one market, which it passes on in an improved condition to another market is, of course, interested in the admission of the raw materials, so called, without any considerable restraint; but in a country such as ours, of 3,000,000 square miles of territory, with States many of which are possessed of greater natural resources than the United Kingdom of Great Britain and Ireland—which, after all, is but a workshop and a clearing house—may have a policy tending to develop the natural resources and to promote its commercial as well as its political independence, for it is true that no country can be in the truest sense politically independent which is industrially and commercially dependent.

This country of ours has pursued the protective tariff policy until we are prepared to furnish actual demonstration of its

wisdom; and in no case is the wisdom of the policy more clearly exemplified or better sustained than in connection with the protective tariff policy as applied to wool and woolens.

Mr. President, there are two purposes underlying the encouragement of any industry. First, and of primary importance, is the need for the production of the necessities of life within the limits of the realm; second, and of less relative importance, the production of the comforts and the luxuries of life.

I assert as a fact which no man will contradict that the country which can not raise within its own borders an adequate supply of bread and meat and cotton and wool to feed and to clothe the people is a dependent country, whereas that country which can produce its own bread and meat and clothing in ample abundance is capable of resisting any measure of outside pressure for an indefinite period of time.

This country of ours is happily situated. We produce an excess of breadstuffs; we produce a surplus of meat; we produce a surplus of cotton; and we have been endeavoring to produce a sufficient supply of wool. After the tariff bill, so often referred to here this morning, was passed in 1867, the woolen industry of the country began to develop. It developed steadily until 1883. Adverse tariff legislation in that year suddenly checked the increase and marked the beginning of a diminishing source of supply. In 1889, with the prospect of amendment of the law in the interest of the woolgrowers and, of course, of the local manufacturers, another increase began; so that from 160,000,000 pounds of wool produced here in 1867, we are now producing 311,000,000 of the 400,000,000 pounds necessary to clothe our people every year. If the present rate of increase is continued for the next nine years, the people of the United States will be in the happy condition of growing upon their ranches and ranges a sufficient number of sheep to produce an adequate supply of wool to clothe every man, woman, and child within the jurisdiction of the United States. If, on the other hand, it is thought wise to discontinue the policy which has heretofore prevailed, we will begin that rapid decrease which has ever marked adverse legislation on this subject.

The tariff of 1894 which has been referred to here furnishes an apt illustration of just what evil influences bad legislation can produce. Mr. President, in the State from which I come sheep were worth about $3 per head when the shadow of the Wilson-Gorman tariff bill appeared on the horizon. We lived to see the day in that State when less than 60 cents a head was realized for fat mutton sheep. Wool, which can not be produced under the conditions in this country for less than 16 cents a pound, was forced into the market at from 6 to 8 cents per pound. This loss could only eventuate in one result—the butchery of the flocks. They were driven to slaughter at any price, because they could not be kept at a loss. The supply of wool decreased with a rapidity very remarkable to note. When, in 1897, "a lucid interval" overtook the country again and the Dingley bill was passed, we observed an immediate response in the increase of the wool-growing industry. From that time to this we have continued to mark with almost unvarying regularity the most remarkable increase that has been enjoyed by any industry connected with agriculture in this country from the first settlement to this blessed hour. Senators on the other side of the Chamber can not—and I am sure no Senator on this side of the Chamber will—desire to register a vote calculated to send us on the downward grade in this line of production.

But, Mr. President, objection is made to the woolen schedule; and that, let me say, is the equivalent of assailing the duty on wool, for I ask you what avail a duty of 11 cents a pound on unwashed wool would be if the wool must be sold in the foreign markets instead of to the home mills? It is this market our friends abroad desire; the opportunity to sell the goods in this country is what they seek. That would result in the sale of our wool in foreign markets, where, I submit, no one would insist upon an intelligent American being asked to engage in competition on the unequal terms. In the Argentine and in South Africa, according to figures furnished by the Consular Service, shepherds, or, as we call them in common parlance, "sheep herders," are paid from $3 to $15 a month, and they are fed on the mutton cut out of the flock, in addition to a small contribution of a cereal of some sort. We, in turn, pay $40 per month to the sheep herders of our country, and you can not keep a sheep herder with the flock unless you supply him with canned fruit and an up-to-date bill of fare such as you find in the average hotel of the country. It costs in the neighborhood of $10 to $15 a month to feed a sheep herder, notwithstanding he does his own cooking and keeps his own tent in order. Who doubts if the $3 and the $15 man be put in competition with the $40 man in herding sheep that the $40 man must either come down to the $3 standard or go out of business?

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. I am glad to.

Mr. BACON. The Senator is stating the extremes of the proposition. I want to ask the Senator, with his permission, what, in his opinion, would be a necessary rate of duty in order to maintain the woolen industry in this country? I will put it in a more concrete form. Does not the Senator think, if the wool industry had a duty of 50 per cent on an average upon imported articles similar to those produced in the United States, that that would give them the American market in sufficient degree to keep up those industries?

Mr. CARTER. Mr. President, from the view point of the wages paid, 300 per cent would not be adequate to-day. As it is, however, we will admit that our people are more competent and more intelligent, and can, man for man, perform more and better service than that performed by the people of South America or any other part of the world engaged in sheep husbandry. Mr. President, I would state to the Senator from Georgia that upon this wool schedule I expect the Senate to vote for the rate that will make up the difference between the cost of production here and the cost in competing countries, and not one farthing more.

I will undertake to present to the Senate, when that schedule is reached, what to my mind will amount to a mathematical demonstration of just what we need in order to prosecute this business; and I shall expect the vote of the Senator from Georgia, of course, because it will be a reasonable proposition.

Mr. BACON. The Senator will be very greatly disappointed, I assure him.

Mr. CARTER. I regret to hear that.

Mr. BACON. I desire to state to the Senator that the reason he will be disappointed is that I believe the great necessity for the revision of the tariff grows out of the great importance of lowering the cost of living to the general masses of the people, and it was with that idea in my mind that I made the inquiry of the Senator.

I find, for instance, that upon certain classes of woolen goods here the ad valorem—the specific duty being reduced to its equivalent in the document which has been furnished to us—is as high as 141 per cent; that is, upon the class of goods worn by women and children in this country—their outer garments, woolen garments or mixed with wool—a hundred and forty and odd per cent. I want to ask the Senator if he has made an investigation of this matter which will enable him to give us definite information, whether he has investigated to see how much the ordinary woolen garments which are worn by the general masses of the people, the women and the children, the outer garments, will be increased in price to the general consumers of the country by reason of this one hundred and forty-odd per cent?

Mr. CARTER. Mr. President, the Senator from Georgia falls into an error which is very common in connection with the tariff question. By the simplest form of mathematics they proceed to figure the total amount of the duty on a given article, add that duty to the cost, and assume that to be the price, whereas in truth and in fact it is only rare indeed that an article sold in the American market is sold for the cost plus the duty.

Now, I will cite a case. I noticed in the morning papers advertisements of woolen suits—I think six or seven of advertisements of different stores in the city. It is coming along toward warm weather, and the wise merchant knows we will all be driven down town to buy a suit one of these days and is throwing out his advertisement in the most attractive form possible. I find advertised for $10 a suit of clothes made exclusively of wool, and well made, too. I took occasion to inquire as to the manufacturer's charge for that suit of clothes, and I found that the cost of the suit of clothes to the retail merchant amounted to about $4, including the duty on the wool, the compensatory duty to the manufacturer, the protective duty to the manufacturer. The whole of the business, from start to finish, amounted to a little less than $4 for a suit of clothes.

There is another suit at $7.20, cost not in duty on wool, not in duty on the cloth, but cost in the aggregate. The duty on the wool, the manufacturer's compensatory duty, the protective duty to the manufacturer, the wages to the tailor, and all the profits added on, a $7.20 suit just cost the trade $2.80.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

Mr. CARTER. Certainly.

Mr. TILLMAN. What about the great boast that you are protecting American labor when that sort of story can come out here?

Mr. CARTER. American labor, competing in the steady market of the United States—a market which the Senator has well said is the best market in this world—will produce and sell the finished article as cheaply as it can be produced and sold on our scale of living without reference to the amount of duty which protects the market. The common error and fallacy which has been spread broadcast over this country and is believed by many credulous people has been that upon which the Senator from Georgia figures to-day. He says the duty on the wool is 11 cents a pound. It takes 4 pounds of wool to make a yard of cloth. That makes 44 cents of duty in the cloth; then 60 per cent protective duty, with 44 of compensatory duty to offset the duty on the wool, and he puts them on top of the other and says the American manufacturer adds all of these to his actual cost and his profit, and that we are paying it all. In order to see that that is a fallacy pure and simple it is only necessary to go to the next store and price the goods.

Mr. BACON. The Senator assumes to state my position in regard to the matter, and does not state it correctly.

Mr. CARTER. I am sorry. I will be glad to have the Senator state it.

Mr. BACON. I had not made any statement on that subject. So when the Senator says I assume it, it was an assumption of his own. I had not made any such statement, and I do not contend for anything of the kind. I know it is not true that the price of the domestic article is to be ascertained by adding the entire cost to the rate of duty. I do not contend for anything of that kind.

Mr. CARTER. I am very glad to hear it.

Mr. BACON. There is no doubt about the fact that it very largely increases the price. If it did not, those who are to be benefited thereby would not be so eager and insistent upon the tariff duty.

As the Senator has raised the question, and possibly intends to give us more definite figures in the future, I hope he will address himself to this proposition. Of course the cost to the consumer as a consequence of the tariff is not measured in the way he suggests, but it has been the matter of investigation and it has been the matter of estimate. It is estimated variously by those who have made these investigations as to the increased cost laid upon the consumers of this country by reason of the protective tariff upon the importation of articles such as are manufactured in this country.

Mr. CARTER. Mr. President——

Mr. BACON. One moment, now. The estimates vary, if my information is correct, from 5 to 10 per cent. But it is not correctly as a per cent. I will state it otherwise. It is estimated that for every dollar of tariff raised under a protective tariff bill from $5 to $10 are required in increased prices from the consumers in the country of similar articles upon which protective tariffs are thus placed. So it is a little under the average if we state that for every dollar of revenue raised under a tariff bill $7 are exacted from the consumers in the increased prices.

Mr. CARTER. That consumer is the individual who insists on wearing the foreign article.

Mr. BACON. Not at all. I am speaking of the consumer of the domestic article. The consumer of the foreign article, if we may illustrate by the tariff in our country, pays to the Government only some $300,000,000, speaking generally; but it is estimated that the consumers of corresponding domestic articles pay to the American producers of the domestic article seven times that amount, not on the foreign article, but upon the domestic article which is thus protected.

So if that estimate is correct—and there are some who put it as high as ten, and the lowest put it as high as five—taking seven, which is below the average, when there is a protective-tariff bill under which $300,000,000 of revenue a year is raised, the people of the United States, the consumers of the country, under that estimate would pay $2,000,000,000 a year as a tribute to the domestic producers; in other words, $2,000,000,000 every year in increased prices paid for domestic articles.

I say, Mr. President, that the people of the United States—whatever the Senator may find in the advertisement of a newspaper at the conclusion of a season—well know the fact that to-day living is a matter of difficulty to those who have to depend upon small salaries in order to support themselves and their families, not in luxury, but in ordinary comfort, and it is that fact which has called for the revision of the tariff.

Now, does this tariff propose in any manner to lessen the burden upon the common American consumer? Does it lessen the cost of living to those who to-day find it so difficult to live? I will not trespass upon the time of the Senator, but I want to suggest this to him, in order that, if not now, at some other time, he may direct his attention to it; not simply as to what may be the benefit to those who are the particular beneficiaries of the protective tariff, but to those who must necessarily pay the money which gives the benefit to those beneficiaries. Somebody pays annually this $2,000,000,000. It is paid by the people of the United States. It is paid by the consumers, and, unfortunately, it is true, as stated to-day by the Senator from Rhode Island, that it is a defect in the protective-tariff system that the burden of the protective tariff can not be equally laid upon all, and the benefits which result from it are not enjoyed in equal proportion by all.

Mr. CARTER. The figures of the Senator with reference to the contribution of the people to the manufacturing and producing interests are subject to so many modifications and variations that I doubt if the whole day were devoted to an attempt to reconcile his view on that subject with the actual facts in the case, any progress would be made at all. For instance, the only duty and the total duty we pay on all imported wools is less than $10,000,000 a year, and the $2,000,000,000 to which he refers must be a mythical proposition.

Mr. BACON. I beg the Senator's pardon, I did not hear the statement he made.

Mr. CARTER. The total receipts under the present law—and the Senate bill on this subject is merely a reproduction of the present law——

Mr. BACON. Yes.

Mr. CARTER (continuing). Are less than ten millions.

Mr. BACON. That is on the wool alone. The Senator did not understand me as using the figures I did as true only of the wool schedule. I am speaking of the entire protective tariff duties that we have in this country, with the consumption of over thirteen thousand million dollars of domestic products, manufactured products. It is to that I am referring, and not simply wool. That is only a part.

Mr. CARTER. The theory of the Senator—and it is only a theory——

Mr. BACON. No.

Mr. CARTER (continuing). Is based upon this assumed state of facts, as I understand it, to wit, that the amount of duty, placed at a certain rate, fixes a measure of assessment on the entire community within the assessment zone, to wit, within the entire jurisdiction. I think the Senator may go over the price lists of the country with much profit and find that scarcely in any instance does the price of the article sold in the market amount to the actual and conceded cost plus the duty. So there is an inherent fallacy in the Senator's proposition as applied to the facts.

Mr. BACON. I have disclaimed that. I do not say that it is the cost and the duty added, and that calculation is not based upon any such assumption.

Mr. CARTER. If the Senator does not make that claim, then he has only shifting sand upon which to base a calculation of any kind.

Mr. BACON. No.

Mr. CARTER. It is guesswork, pure and simple.

Mr. BACON. Not by any means.

Mr. CARTER. But I will be glad to debate it with the Senator with actual figures here present whenever we reach a schedule where that can be properly taken up.

At this moment I wish to devote some slight attention to the suggestion of the Senator from Iowa [Mr. DOLLIVER]; and I regret he is not present, for my remarks will be somewhat limited by reason of his absence.

Mr. BACON. Without interrupting the Senator further, in order that I may not be misunderstood I want simply to add this in one minute: While I do not say that in all instances the cost of the domestic article in this country is the cost of production with the tariff added, I do claim that it is so in the very large majority of such domestic articles, and I believe it is very largely so in the woolen schedule.

Mr. CARTER. In reference to the woolen schedule it is only necessary to look about and see how well people are clothed in this country to observe the difference between now and the time when the country had free wool and free woolens. When I was a boy, growing up in the State of Ohio, we had free wool and free woolens, and I remember in those blessed old days that six young men living in my neighborhood were married in the same suit of store clothes, loaned out from one to another. The people had to make their own clothes. They relied on a foreign market. There was no labor or employment at home with which to make the money to buy anything;

and if the theories of the Senator from Georgia could be put upon the statute books, crystallized into law, we would return to those good old days again.

But the Senator from Iowa [Mr. DOLLIVER] took occasion to remark that the shepherds and the weavers had joined together in what may be termed, if that odious language were imported, a "conspiracy" for the purpose apparently of perpetually robbing the American people. The Senator did not mean to carry out that idea to its full natural consequence. The shepherds of the country are made up of the farmers of the United States, and the farmers of the United States, the men who have paid the taxes and fought the battles of this Republic from the beginning, can only conspire against the American people when they conclude to conspire against themselves.

It is true there is a community of interest between the woolen manufacturer and the woolgrower, and where common interest prevails it is a stretch of imagination indeed to assume that a conference regarding the common interest amounts to a conspiracy against the community. As I said before, protection on the wool is of no avail to the woolgrower unless you protect the woolen manufacturer, so as to give the grower a market at the home mill. If the market is in England, what avail will be the protective duty to the woolgrower in the United States, for in that distant market he must meet the $3 sheep herder from South America, the woolgrower from Cape Colony, the woolgrower from Australia, and indeed, the competing wools of all the world.

In that competition he can not engage, but instead will send the sheep to the slaughter pen, have them chopped up on the block and sold by the pound, and then, unhappily, when the flocks are gone, we will be dependent for our clothing, wholly and solely, upon the woolgrowers of distant climes and upon the manufacturers of other countries.

In case of war or disturbance in the channels of commerce and trade on the ocean, we would be compelled to pay excessive prices for our woolen goods, brought in through the perils of war, or else resort to cotton clothing.

The loss would not be the loss solely of the individual who owns the sheep and sends them to the slaughterhouse, but it would be in the nature of a great national loss, because we can not sacrifice the woolgrowing flocks of the country without striking down one of the pillars upon which rests the commercial and the industrial independence of these United States.

There was no conspiracy when conference and mutual exchanges of views occurred in 1867, because that conference occurred between the employers of labor in the great manufacturing centers and those representing millions of farmers in every State in the Union engaged in growing sheep and selling wool. Those schedules of 1867 have been departed from twice in the intervening years—once in 1883, when Congress undertook to deprive the manufacturer of the compensatory duty and made certain mistakes with reference to the waste or so-called "waste," which admitted competing wools at a lower rate than that contemplated by the law. Immediately the industry began to wane.

Again there was a change when the Wilson-Gorman bill was passed in 1894. Of course there was a change in the McKinley bill, but that was only for the time, although during its temporary life the McKinley bill caused a remarkable revival of the wool industry.

But in 1894 they crystallized into law the theory of the Senator from Georgia, and if that law had continued a few years longer there would not have been a sheep left on this continent within our jurisdiction, for the reason that sheep could only be raised at a loss to the owner. There was no conspiracy in adjusting matters so as to correct this unfortunate downward tendency in an industry of predominating importance to the American people.

So there were conferences in connection with the Dingley bill between the woolen men and the woolgrowers, and no one sought to conceal the fact that conferences were in progress, and no one ever before was heard to complain that these conferences were improper or pernicious in their influence. They resulted in a poise of these schedules based upon what seemed to be a reasonable basic duty for the wool and just compensation to the woolen manufacturer above the duty on the wool, and then a protective schedule for the manufacturer to protect him against the cheap labor engaged in manufacturing abroad.

That law, wise in its construction, has by its fruits justified the men who drafted it and the wisdom of the Congress that passed it, for there is not, as I will undertake to show when these schedules are reached, a single line of human endeavor in this great Republic of ours that has been more prosperous nor that has shed a wider range of blessing upon the American people than this single industry of woolgrowing.

And what is better still, if the House bill, as reported from the Senate committee with amendments, should be passed—as I hope and confidently believe it will be, and the sooner the better—this happy condition will continue until the American people will be able to say to the world that we not only have battle ships sufficient to protect us against surprise or insult, but if worst comes to worst, and you sweep the battle ships from the waters and sink them in the depths, the people of the United States for an indefinite period of time can feed and clothe themselves without depending upon any part of the world for a contribution.

In that, Mr. President, rests a source of strength not vouchsafed by battle ships nor perishable armament of any kind at all. The people who can live within themselves indefinitely can defend themselves indefinitely. We are under no danger from foreign invasion of our shores. The combined fleets of the world can not protect convoys sufficient in number to bring an invading army to these shores to rest or abide here. Such an army would be buried here or live as our prisoners. Our public policy, of course, impels us always to provide for the redress of wrongs by the strong arm, to guard against needless insult or offense, but in the last analysis that which is to make us permanently powerful and great in this world's economy is the supplementing of our political independence by the largest possible measure of industrial independence.

Let me say to Senators here who have been following the old Republican flag for years that there never was a time in the history of the party or its efforts to sustain a policy when fidelity to party principles was of more concern than upon this day. I am one of those who believe that the Dingley law, now upon the statute books, was the wisest and best-balanced tariff law that this country ever knew. Take the unlimited measure of our prosperity in every walk of life as my witness for this allegation. The farmer, whose mortgages have been paid off, has a bank account to-day. The people all over the country have found employment and millions of laborers have changed from the condition of tramps into the happy attitude of sturdy, independent workmen.

It is true that some schedules were too high, possibly, just as some were too low, precisely as it will occur that some schedules in this bill will be too high and others too low. Infinite wisdom alone could avoid such inequalities in the midst of the thousands of interwoven items to be dealt with in this bill. But taken all in all, the Dingley bill, framed by as capable a body of men as ever dealt with a tariff bill in this country, was a splendid piece of legislation. I would that we had resorted to a series of joint resolutions of Congress to reduce somewhat the steel schedule and the iron schedule and a few other schedules so as to make them comport with changed conditions and the general policy and purpose of the law. But that was not done. We are engaged now in the task of closing up this Pandora's box, which in a thoughtless moment we opened; and the task is a most difficult one.

I concede that it is a most difficult matter to explain why this phrase or that phrase has been used in the bill, but it must ever be remembered that the premium on evasion of a tariff law is a powerful incentive to the genius of a very acute body of men seeking to evade the law. Many of these provisions, apparently meaningless in themselves, were employed for the purpose of forestalling evasion of the law, which in common practice has been made possible through construction either by courts or by boards of appraisers. No doubt as we proceed some amendments will be found necessary. They will be made. I trust that the woolen schedule may be debated upon its merits, and as the keystone to the system I have no doubt that every Republican who feels that there is anything left in the protective-tariff policy to attract him will give it his cordial support.

I for one, as representing a State in part which has a very large interest in the wool schedule, say that nothing will be claimed here save that which can be shown by a mathematical demonstration to be just and equitable under the protective-tariff policy, and if all the schedules in this bill are found to rest upon as solid a foundation as the woolen schedule we may congratulate ourselves on improving even the Dingley law.

Mr. BEVERIDGE. Mr. President, recurring again to my previous suggestion to the chairman of the Committee on Finance that, in order to give the morning for the convenience of all Senators to examine the bill and find out the facts, we restore the order of meeting at 12 o'clock for a week at least, I would ask the Senator whether it would not be convenient for him, as it would be satisfactory for us, to agree to adjourn each day at 5 o'clock? It would accomplish the same purpose, but not

quite, perhaps, so conveniently as the other arrangement. I should like to know whether that would suit the convenience of the Senator?

Mr. ALDRICH. I have no objection to having an understanding that we shall adjourn at 5 o'clock, unless, of course, there is something——

Mr. BEVERIDGE. Some emergency.

Mr. ALDRICH. Some unusual reason for continuing the session—that is, for a week.

Mr. BEVERIDGE. I am sure that will relieve the great majority of Senators on both sides and of all views. It is satisfactory for the present.

Mr. SCOTT. Mr. President, I hope that rule will not be made. For my part, I think the thing we should do in the present emergency and in the condition of the country is to meet here at night and hold night sessions in addition to day sessions. We do not want to keep the country hanging by the eyelids, as it were, for months and months. We want to give the manufacturers of the country and the business men an opportunity to go ahead. As it is, they do not know what we are going to do and what they can depend upon. I think putting off the meetings until 12 o'clock, and, as the Senator said, to quit at 5, is ridiculous under present conditions and the stress the business people of the country are under to-day.

Mr. BEVERIDGE. Mr. President, the anxiety of the Senator from West Virginia to conclude this bill is shared by every Senator upon this floor, and by no one more than by myself. At the same time, as I remarked this morning, when the bill becomes a law, it is supposed to be, and of course is, the law of the entire American people. I hope that it will be such a law that it will not be disturbed again for ten years. I mean to do what I can to make it such a law.

While I have no doubt that the business community of the country are anxious that it should be passed and settled, I am also sure that they are equally anxious, as the whole people of the country are, that when it is passed it will be in as perfect a shape as possible. It is important to pass it speedily, but infinitely more important to see that it is right when we do pass it.

As I said this morning, it is our custom to follow committees in ordinary legislation; but this is no ordinary legislation; it is a great business measure, affecting every man, woman, and child in the Republic, and each Senator here, whether on or off the committee, is responsible to his constituents—yes, to the Nation.

The bill is going to be looked into; let that be distinctly understood right now. It would be discreditable to any Senator if he did not look into it. It is better, if necessary, to take a few days or a few weeks more, that the people may be satisfied and that we ourselves may be satisfied when we come to vote upon it instead of voting upon a bill as to which, to quote the language of the Senator from North Dakota [Mr. McCUMBER] in his remarkable speech the other day, "we are now without sufficient facts," and remember that he is a member of the committee that framed the bill. It is pretty significant to hear such a statement from such a source.

The Senator might as well understand—in all possible kindness I say it—that we are not going to meet at night until we have studied these schedules. The Senator from Rhode Island in having agreed for a week at least, unless an extraordinary emergency should arise, to adjourn at 5 o'clock, is very, very wise. No time will be saved—it will be wasted—if an attempt is made to crowd the bill.

The speech made by the Senator from Iowa [Mr. DOLLIVER] has raised questions about which the vast majority of us know nothing. He has made serious charges—they could not well be more serious. They have been made in such a manner that we must know something about them. They must be answered. I think that is conceded by the committee. I think it is the intention of the committee to try to show that the Senator has not been entirely accurate. They bordered on the verge of a reflection upon personal honor. That is of concern to us; but the thing that is of deepest concern to us is that we must know the facts, and we will know the facts not only about this, but about every schedule. All the facts about the items of any tariff bill never can be known without a tariff commission; but we mean to know all the facts that questioning and hurried research can elicit.

I am satisfied that the committee itself is anxious that all Senators should be thoroughly informed upon the bill before being called on to vote upon it. I think the conclusion of the Senator from Rhode Island will actually save time; and that a disposition to railroad the bill through will lose time and lose a very great deal of time.

Mr. HEYBURN. Mr. President, in arriving at the conclusions which I have already reached and those I expect to reach, I am proceeding by the process of elimination; and we will bring this discussion to an end much sooner if we devote our attention to that consideration rather than to the elaboration of it. At first, in the early days of the discussion, the bill seemed much wider to me than it seems to-day. By devoting a reasonable amount of time to the investigation of the arguments that have been presented and the questions that are obviously to be considered, so far as my mind is concerned, I have eliminated a very large percentage of that which I formerly thought would be absolutely necessary to consider in reaching a wise conclusion in regard to this matter.

I suggested my objection when the Senator from Rhode Island asked that we should meet at 11 o'clock. I presented the objection merely by way of suggestion. I find that the ordinary business which devolves upon a Senator requires a great deal of his time, whether we are in session or not in session. If we have the morning in which to dispose of the current business of a Senator and devote attention to that which has transpired during the consideration of the bill, I think we will be very much aided in the process of elimination.

I understand from the suggestion of the Senator from Indiana that an arrangement satisfactory to that Senator has been made by which we will adjourn each day at a certain time, at least for a week. I am not inclined to make any further objection to the early meeting, provided we have time in the latter part of the day. So I will waive the objections I did urge against the early meeting.

Mr. ALDRICH. I ask that the first paragraph passed over be now read.

Mr. CULBERSON. Mr. President, let me understand the situation. I understood the Senator from Rhode Island to propose an adjournment at 5 o'clock each day, but I understood the Senator from West Virginia to object.

Mr. ALDRICH. I will try to accommodate the desires of Senators in that respect.

Mr. SCOTT. I withdraw my objection.

The PRESIDENT pro tempore. The Secretary will read the first amendment passed over.

The SECRETARY. On page 4, paragraph 5, the Committee on Finance propose to strike out lines 8, 9, and 10 and to substitute the following——

Mr. ALDRICH. I ask that that paragraph be passed over, to accommodate some Senators who are not present now.

The SECRETARY. The next paragraph passed over is paragraph 8, page 5.

Mr. LA FOLLETTE. I was not able to hear what disposition was made of paragraph 5, on page 4.

Mr. LODGE. It was passed over, at the request of a number of Senators.

Mr. ALDRICH. Several Senators who are interested in sulphate of ammonia are not present now, and I asked that it might be passed over.

Mr. LA FOLLETTE. I did not hear that, and I wanted to know.

The SECRETARY. The next paragraph passed over is paragraph 8, on page 5. The House text reads as follows:

Bleaching powder, or chloride of lime, one-fifth of 1 cent per pound.

Mr. ALDRICH. I think the Senator who asked that that be passed over is now willing that it should be adopted.

The PRESIDENT pro tempore. The Secretary will read the next.

Mr. BEVERIDGE. Mr. President, a parliamentary inquiry. After the Senate committee amendments are adopted as in Committee of the Whole, is any amendment to the bill itself in order before we go into the Senate?

Mr. ALDRICH. Undoubtedly.

The PRESIDENT pro tempore. It is.

Mr. BEVERIDGE. So when the committee amendments are adopted, which we are now going over, while we are still in Committee of the Whole, any Senator may offer an amendment not only to that but to any other part of the paragraph.

The PRESIDENT pro tempore. Unfortunately the Chair thinks the agreement was made——

Mr. ALDRICH. When an amendment is agreed to as in Committee of the Whole it can only be amended by unanimous consent or by a reconsideration.

Mr. BEVERIDGE. I know; but my question goes further than that. For instance, take paragraph 39. That has, I see, one or two amendments. I am taking it as an illustration. Those amendments are adopted; we are now at that work. After those amendments are adopted as in Committee of the

Whole they can not be amended as in Committee of the Whole, but the question is whether while we are still as in Committee of the Whole any Senator may offer an amendment to any other portion of that paragraph.

Mr. ALDRICH. Unquestionably. That is the ordinary parliamentary law.

Mr. BEVERIDGE. Not to the part which is a committee amendment, but to the other portion of the paragraph we can offer an amendment as in Committee of the Whole.

Mr. GALLINGER. Undoubtedly.

The PRESIDENT pro tempore. Undoubtedly.

Mr. ALDRICH. The committee amendment to paragraph 9 is to strike out "one-half" and insert "one-fourth."

The PRESIDENT pro tempore. The Senator from Rhode Island offers an amendment which will be stated.

Mr. BRISTOW. I should like to inquire what was done with paragraph 8?

Mr. ALDRICH. It has been agreed to.

The PRESIDENT pro tempore. The paragraph was agreed to. The amendment to paragraph 9 will be stated.

The SECRETARY. In paragraph 9, line 5, page 5, strike out "one-half" and insert "one-fourth," so that if amended it will read:

Blue vitriol or sulphate of copper, one-fourth of 1 cent per pound.

The amendment was agreed to.

Mr. CLAPP. Mr. President, I rise to a parliamentary inquiry. I notice the Secretary now is simply noting the paragraphs that were marked "passed over," but I do not understand that they were passed over any more than all the amendments were passed over.

Mr. ALDRICH. They were passed over for future consideration. The amendments of the committee are all now in order. Any Senator can move, after these amendments are disposed of, to go back and move any amendment he sees fit to any part of the bill.

Mr. CLAPP. But the failure to note the other amendments which were noted by the Chair as the bill was read, and which were adopted, does not give them any more standing than they obtained from that reading of the bill.

Mr. ALDRICH. It gives them no more standing than when adopted now.

Mr. CLAPP. Do we adopt them now? That is the question.

Mr. ALDRICH. Oh, yes; we adopt them as we go along.

Mr. CLAPP. We adopt those now that were passed over?

Mr. ALDRICH. We are considering the committee amendments which were passed over.

Mr. LODGE. Those which have been passed over and upon which no action has been taken.

Mr. CLAPP. I do not think I have made myself clear. As I understood the agreement the other day, nothing was gained at all by asking that an amendment be passed over.

Mr. LODGE. Certainly; no action was taken on them. In the first reading a number of amendments that were unobjected to were agreed to.

Mr. CLAPP. That was merely pro forma.

Mr. LODGE. No.

Mr. CLAPP. Wait until I get through. As I understood the agreement, it was that while they were noted as agreed to, yet they were still subject to——

Mr. ALDRICH. Amendment.

Mr. CLAPP. Not to amendment, but to opposition or reversal, without distinctly moving to reconsider them. In other words, we lost nothing as to amendments by not noting that they were passed over at that time.

Mr. LODGE. Certainly; if any Senator chooses to call attention to one of those and to bring it up again, it can be done.

Mr. CLAPP. Now, when acting upon those which were marked "passed over," we are not precluded from reaching the other amendments without a motion to reconsider under the original agreement. That is what I want to have made plain.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is on page 6, paragraph 16, as follows:

Cobalt, oxide of, 25 cents per pound.

Mr. BURTON. Mr. President, an amendment to that paragraph was offered by my colleague [Mr. DICK], but I think it belongs more properly in another portion of the bill.

Mr. ALDRICH. Unquestionably. I think there is no objection to this paragraph.

The PRESIDENT pro tempore. The Secretary will proceed with the reading.

The SECRETARY. In paragraph 17, the committee amendment was agreed to.

Mr. LODGE. I desire to offer, on behalf of the committee, one other amendment in addition to those agreed to. In line 17, after the words "chief value," I move to insert "by whatever name known."

Mr. ALDRICH. The amendment is offered on the part of the committee.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment which will be stated.

The SECRETARY. On page 6, line 17, in paragraph 17, after the words "chief value," insert the words "by whatever name known."

Mr. LODGE. And a comma.

Mr. CULBERSON. I observe, Mr. President, that the rate in this paragraph on collodion, and so forth, is increased from 50 cents to 65 cents per pound and from 20 per cent to 25 per cent ad valorem. I should like to have the Senator from Massachusetts explain the reason for this unusual increase or the necessity for any increase.

Mr. LODGE. I will explain it.

Mr. ALDRICH. If the Senator from Massachusetts will permit me, when this item was before the Senate it was explained fully, and this particular amendment raising the rate to 65 cents and 25 per cent was adopted by the Senate. I have no objection to its being explained over again.

Mr. CULBERSON. It can be explained now without a motion to reconsider, under the agreement.

Mr. ALDRICH. It is the Dingley rate. The Senator from Massachusetts has the figures.

Mr. CULBERSON. The statement that it is the Dingley rate does not appeal to me, Mr. President.

The PRESIDENT pro tempore. What was the observation of the Senator from Texas?

Mr. CULBERSON. My request was that some one explain the necessity for the increase over the House bill in this paragraph.

Mr. LODGE. I shall be very glad to explain the paragraph to the Senator, so far as I can.

These manufactures of collodion and all compounds of pyroxylin are commonly known as "celluloid," a process invented and developed in this country, and it is now widely manufactured elsewhere. There was made by the House, as will be seen by a comparison of the rates, a very heavy reduction on all the rates on these articles.

I think myself the reduction was altogether too severe. I think, personally, that the protection, even with the Senate amendments, is insufficient. The duties collected are $293,000. One hundred and seventeen thousand pounds were imported, of a value of $872,000.

Mr. ALDRICH. If the Senator will permit me, in 1908 the importations were one million eight hundred and some odd thousand dollars, and the production in this country under the existing law was only $2,600,000. So the importations, even under this rate, have been constantly increasing, and unless something is done in some other way the industry will be destroyed here.

Mr. LODGE. I was going to point to the figures to which the chairman of the committee has called the attention of the Senate. This industry has been taken up very largely by Japan. One-third of the material used in the manufacture of celluloid is camphor. Camphor is a Japanese product and a government monopoly. The sale of camphor is in the hands of a man named Mitsui. Our people have to buy their camphor from him and from the Japanese Government monopoly. They have started and have in successful operation large celluloid factories in Japan.

Our people are confronted with what they did not have in the beginning—this Eastern competition at very low rates. The duties proposed by the Senate committee are anything but prohibitive. I submitted to the wishes of the committee, but my own personal judgment is that they ought to have 35 per cent ad valorem instead of 25. If not, the industry will be entirely destroyed. It is an industry that exists in a number of States. The factories are individually small. There is nothing resembling a trust or combination in the industry. In my own State there are 35 of these establishments, with something over three millions of capital, employing 3,100 hands.

That is merely an example of the condition of the industry in New Jersey and elsewhere. I do not think there is a more deserving industry in this country, and, unless we desire to see it destroyed, I do not think that the rates proposed by the committee should be changed.

Mr. PENROSE. I merely want to add to what the Senator from Massachusetts [Mr. LODGE] has said, that this particular industry has heretofore had difficulty enough in keeping pace with European competition; but it has recently been affected by competition from Japan, where, in the official report of the Japanese Government for 1908, it is shown that the Japanese wages in this industry are one-tenth of the American wages. The rate allowed by the Senate Finance Committee is substantially that of the Dingley law. It is not by any means as high a rate of duty as is thought necessary by the people engaged in this business.

Mr. NEWLANDS. Mr. President, I understood the Senator from Pennsylvania to say that the rate of wages in Japan was about one-tenth of that which prevails in this country.

Mr. PENROSE. I make that statement, and I refer the Senator from Nevada to the official report of the department of finance of the Japanese Government for the year 1908, which I do not have at hand, but which I suppose is available.

Mr. NEWLANDS. I should like to ask the Senator whether he regards the Japanese labor as efficient as the American labor?

Mr. PENROSE. I do not suppose it is as efficient, Mr. President, but the enormous discrepancy in the wages is sufficient evidence to my mind that this measure of protection is not much out of the way.

Mr. NEWLANDS. Mr. President, I wish to say, in that connection, that the mere percentage in the wages in the different countries does not give any proper conception of the relative labor cost.

I was surprised when I was in the Philippine Islands to find the measurement of efficiency of laboring men varied exceedingly. In the Philippine Islands they employ Filipinos, who are perhaps the most efficient laborers; Chinese, who are more efficient; Japanese, who are less efficient than the Chinese, and American labor; and I was told that in those islands an American laborer is equal to 5 Chinese and to about 10 Filipinos. So, when you compare a day's wages, you do not at all furnish any idea of the relative efficiency of the laborers.

Mr. FLINT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from California?

Mr. NEWLANDS. Certainly.

Mr. FLINT. I would like to ask the Senator from Nevada if he thinks that is true as to the manufacture of light goods and the manufacture of cigars?

Mr. NEWLANDS. Mr. President, I can not say; I am not informed. But it does seem to me that it would be very much more instructive if, instead of getting the daily wage of the laborers in the various countries which are in rivalry with the United States, we should get the total labor cost for a certain number of units of production. In that way we would be able to make some comparison between labor cost in this country and the labor cost in other countries. But it is entirely misleading to rely at all upon the disproportion between the wages here and the wages in other countries, where the laborers may work for a wage one-half or one-tenth of that paid to the American laborer, and yet whose efficiency in production daily may not be equal to one-half or one-tenth of that of the American laborer. I do not pretend to be able to go into these things with any accuracy, but my attention has been called again and again to the difference between the wage schedules in these various countries; and I call attention to this as an entirely inaccurate method of measurement.

Mr. LODGE. Mr. President, according to a late financial and economic report of Japan, the average daily wage in 44 trades is: For males over 14 years, 23 cents a day; females over 14 years, 10½ cents; males under 14 years, 8½ cents; and females under 14 years, 6 cents.

I do not suppose, Mr. President, that there exists in the world a comparison of the effective production by units on all possible trades; but it is idle to say that with an intelligent, bright, efficient people like the Japanese such a difference in wages has not an immense effect on the cost of the article; and when you add to that that the principal ingredient of camphor is a Japanese monopoly and that they control practically the supply, you can see the difficulties with which this industry is confronted.

Mr. BRIGGS. Mr. President, the celluloid industry was originally a New Jersey industry. It has grown and multiplied, and the various factories in the country are the outgrowth of the original New Jersey factories. In its early stages it was protected by patents, but those patents have expired; and in the last few years competition has sprung up in European countries, so that, as the chairman of the Finance Committee has stated, the value of the imports of that article for the year ending June 30, 1906, was $270,000, and for the eight months ending February 28, 1909, it was $615,000. The difference in the wages between Germany, where the foreign product is principally manufactured, and those paid in this country, has caused this enormous development and this enormous importation into this country.

The industry is particularly unfortunate from the fact that the manufacture of these goods is now being taken up in Japan. As the Senator from Massachusetts [Mr. LODGE] has stated, one of the principal components of this article is camphor, which is controlled by a Japanese government monopoly. The agents for that monopoly are the Mitsui Company. The Mitsui Company have come to this country, have employed the chief chemist of the Celluloid Company of New Jersey, and have purchased duplicates of their machines. Their factory was supposed to open some time in April. You find particular mention of it in the daily consular trade reports of November 4, 1908, and November 16, 1908.

Under present conditions, with the Dingley duty it is extremely difficult for our people engaged in this industry to get along. Any reduction of the duty would be ruinous to them. As was suggested by the Senator from Massachusetts, it is a question whether the duty should not be increased. The German wages in these factories are about one-third of those paid in this country, and we are now to have the competition of the Japanese, who are skillful, as the Senator from Massachusetts has said, in these lighter industries, and at a rate of wages one-tenth that which is paid in this country.

Mr. ALDRICH. These amendments were adopted by the Senate as in Committee of the Whole.

The PRESIDENT pro tempore. The amendments were adopted as in Committee of the Whole, the Chair understands.

Mr. ALDRICH. Yes.

Mr. LODGE. The pending amendment is the one which I offered.

The PRESIDENT pro tempore. The amendment offered by the Senator from Massachusetts, without objection, is agreed to.

Mr. NEWLANDS. Mr. President, I wish to again make an inquiry of the Senator from New Jersey regarding collodion. What country is our main competitor in the production of collodion?

Mr. BRIGGS. Up to the present it has been Germany, but now we are facing a new condition. As I said, Mitsui & Co., who are the sales agents of the Japanese Government for camphor, are the men who are putting up the factory in Japan.

Mr. NEWLANDS. Has that factory as yet made any exports?

Mr. BRIGGS. Not as yet.

Mr. LODGE. Not that factory, but there has been Japanese celluloid imported into this country.

Mr. BRIGGS. Yes; there have been importations from Japanese factories, and as the factory of Mitsui & Co. is about completed I suppose it is manufacturing at the present time.

Mr. NEWLANDS. Can the Senator inform me what proportion of the whole amount of collodion in this country comes from domestic production and what proportion comes from importations?

Mr. BRIGGS. I think that for 1909 about one-fourth will come from foreign countries.

Mr. ALDRICH. In the year 1908 there were $1,800,000 worth imported and $2,600,000 worth were produced in the United States.

Mr. NEWLANDS. There were $1,800,000 worth imported and $2,600,000 worth produced in the United States. Then, according to the Republican theory of protection, that would justify a protective rate where so large a proportion of the consumption consists of importations.

But I want to call the attention of the Senate to the fact that we have heretofore been basing our duty upon the wages prevailing in Germany; which, confessedly, are five or six times the wages of our threatened competitor, Japan; for I believe it is contended by the other side that the wages in Germany are about 60 per cent of our wages. If our wages are ten times as great as those of Japan, the wages of Germany must be five or six times as great as those of Japan. If we are to go on raising this rate of protection in proportion as the wages of competitive countries are less than our own, it will necessarily follow that the rate which has thus far been protective as to Germany will, according to the contention of the gentlemen on the other side, not be protective as to Japanese competition. And if you insist upon it that the difference in wage demonstrates the difference in the cost of production, then, according to your own theory, whenever a new competitor comes in, like

Japan, with a wage scale only one-sixth of that which prevails in Germany, it will justify you in raising your protective duty, not the small percentage called for by this amendment, but by doubling it, trebling it, and quadrupling it.

Are we always to take a competitor which comes into the field with the lowest wage scale, and in that way constantly keep on increasing these duties in order to meet the competition of such a competitor? If so, these duties will become mountain high.

I wish to again emphasize what I said when I commenced my remarks—that the difference in the wage scale does not at all demonstrate the difference in the cost of production, because there is the widest difference in the efficiency of the labor itself, in the output of an individual laborer in Japan or in the Philippine Islands or in China, as compared with the output of an individual laborer in Germany or in France or in the United States.

The other day I was conversing with an enterprising mining man, who has had large mining enterprises in every country in the world of any mining importance. He has mined in Australia; he has mined in South Africa; he has mined in the different countries of South America and of Central America, in Mexico, in Russia, in Korea, and in this country. He has been conducting at the same time mining enterprises in all these different countries. He informed me that, so far as the cost of production of the unit was concerned, the discrepancy in the wage scale made no difference; that he would rather operate under a high wage scale than under a low wage scale, because wherever the high wage scale prevailed, it demonstrated the efficiency and the productive power of the laborer. He went so far as to say that in Korea, per unit of production, the labor cost was as great as in this country, although miners receive in Korea 10 or 15 or 20 cents a day, and in this country they receive $4 a day.

As an illustration of this, he said that when he was in Korea he called up his superintendent to invite his attention to the fact that they were employing miners to go down into the mines and bring up water upon their backs, instead of using the modern pumping appliances such as would be used in America, and he commented on this stupid management as he regarded it. The superintendent demonstrated to him that the labor cost was so low that as between the investment of capital and the operation of pumps and the utilization of human labor, the utilization of human labor was the cheaper. So he says that everywhere they go in the cheap-labor countries they fail to resort to those devices which are intended to economize human labor and to cheapen production.

I imagine that this illustration would apply to most of the industries that we have under consideration, and it strikes me that it would be very much more instructive to the Senate if the committee would present to us, not the wage scale of the various countries, but the cost of producing each unit of the thing with reference to which we propose to fix our duties.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Massachusetts?

Mr. NEWLANDS. Certainly.

Mr. LODGE. Mr. President, the State of the Senator from Nevada, if my memory serves me, expressed its feelings pretty strongly in regard to the introduction of Japanese or other Asiatic labor of any kind into this country. I think that is the general feeling as I have seen it manifested on the Pacific coast. I do not believe in admitting Asiatic immigration or Asiatic labor into the United States; but, economically, there is not a particle of difference on a question of competition between admitting the Asiatic labor in the form of the human being and in admitting it in the concrete form of a manufactured article. If you let in the celluloid brush made at the factories in Japan, you are admitting your Japanese labor into competition with your American labor and with your American standards just as much as if you admit unrestricted Asiatic immigration into the port of San Francisco. I am a protectionist, but I am a protectionist on both sides. I can not see how it is wise to exclude Japanese or Chinese labor from the Pacific coast on the ground of its presenting an impossible competition in modes of life and standards of living with our people, and saying that their products, which embody their labor in a concrete form, may come in without any tariff protection.

Mr. BRIGGS. Mr. President, the Senator from Nevada has instanced mining operations as bearing on this question. I will say in reply that celluloid will not be made by hauling the materials for its manufacture on the backs of the Japanese. They have imported the most improved machinery, machinery selected carefully by the principal chemist of the largest celluloid plant in this country. I think the question of wages does enter into the question as largely as has been stated by the Senator from Massachusetts and by others who have spoken on this point.

The Senator from Nevada further raises the question that it will be necessary to increase these duties in order to give us proper protection. That will not be necessary. There is the other alternative, which seems to be one that the Senator leans to, and that is to wipe out the industry in this country and send it to Japan.

Mr. GORE. Mr. President, I desire to ask the Senator from New Jersey a question.

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Oklahoma?

Mr. BRIGGS. Certainly.

Mr. GORE. I have been informed, and I desire to know whether or not it is true, that a New Jersey concern has established silk factories in Japan with a view to availing itself of the cheap labor of that country.

Mr. BRIGGS. Mr. President, I can not answer the Senator on that point; but that is the alternative that the gentlemen on the other side will force the manufacturers in this country to if they succeed in putting us in competition with Japanese labor.

Mr. GORE. Then, I desire to ask the Senator if it is not a fact that within the last six months the concern came back to Paterson, N. J., because the experiment was a failure?

Mr. BRIGGS. I am not aware that that is the case. It may be, however. But even that is not a parallel case to this, because this industry is being established by the men who have control of the raw material, Mitsui & Co., the agents of the Japanese camphor monopoly.

Mr. GORE. I should like to know how any sort of protection would shield us against the Japanese monopoly of raw material? It only aggravates the evil in this country, it seems to me, because they have got the monopoly, protection or no protection.

Mr. NEWLANDS. Mr. President, I merely wish to say one word in reply to the Senator from Massachusetts [Mr. LODGE]. I am not, of course, prepared to say that with reference to any of these items there is not a difference in the labor cost between this country and other countries. I simply address myself to the proposition that the arguments presented by the gentlemen on the other side were absolutely unreliable when they referred to the difference in the wage scale as a justification for increasing duties. I have no doubt that in some countries the labor cost per unit of production is very much less than in our own; but I should like to get it accurately, and the only way to get it accurately is through properly ascertained statistics as to the cost of production of each unit, and not as to the wage of the particular laborers employed in that industry.

The Senator from Massachusetts says that the people of the State of Nevada are opposed to Chinese immigration. That is true. The people of the entire Pacific coast are opposed to Chinese immigration. We do not contend for a moment that Japanese labor is as efficient upon our own soil as is American labor. It is, however, more efficient probably than it is upon Japanese soil, for the reason that our manufacturing industries here employing Japanese would also probably employ all the labor-saving devices that are employed in the enterprises that employ entirely American laborers. But I think the contention can be safely made that in every country where the very low wage scale prevails the labor-saving devices, the economic devices, that are resorted to in countries of high wages to save human labor and to promote the efficiency of the natural forces are not availed of to the extent that they are in this country; and necessarily so, because the economic necessity does not drive them to that resort.

The PRESIDENT pro tempore. The next paragraph passed over will be read.

Mr. GALLINGER. I ask if the other amendments have been agreed to?

The PRESIDENT pro tempore. They have been agreed to.

Mr. CULBERSON. I respectfully submit to the Chair that we ought to be allowed a vote on the amendments as they are reached, so that Senators who desire to vote against them may be allowed to do so.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. LODGE] has offered an amendment, which will be stated.

The SECRETARY. On page 6, line 17, after the word "value," it is proposed to insert the words "by whatever name known."

The amendment was agreed to.

Mr. CULBERSON. Now, Mr. President, on the other amendments in paragraph 17 I ask for a vote.

The PRESIDENT pro tempore. The other amendments were agreed to as in Committee of the Whole.

Mr. CULBERSON. We are still in Committee of the Whole, and the understanding was that the amendments should be again submitted, if desired.

The PRESIDENT pro tempore. The Chair wishes to know if there was an understanding——

Several SENATORS. Oh, no.

Mr. ALDRICH. There was no understanding of that kind where an amendment had been agreed to as in Committee of the Whole. The amendments to this paragraph have been agreed to by a vote of the Senate, as in Committee of the Whole.

Mr. CULBERSON. It was distinctly understood that, notwithstanding amendments were agreed to, at the request of any Senator they would be open to reconsideration without a formal motion to that effect.

Mr. SIMMONS. Mr. President, I want to call the attention of the Senator from Rhode Island to the fact that I asked that a certain paragraph be passed over. The Senator from Rhode Island rose and said that was not necessary, because at any time, whether an entry of that sort was made or not, it could be called up.

Mr. ALDRICH. That is undoubtedly true; but when the Senate has already adopted amendments by vote, I think the Senator must realize that, if we are ever going to get through with the bill, it will be necessary to have in a case of that kind a reconsideration.

Mr. CULBERSON. I am sure I can not be mistaken as to the agreement; and I insist upon its enforcement.

Mr. CLARKE of Arkansas. I think the Senator from Texas is mistaken as to the agreement.

Mr. ALDRICH. Of course he is.

Mr. CLARKE of Arkansas. When the bill was read the first time it was agreed that certain paragraphs might be objected to and laid aside temporarily on request, and that the reading of the bill might be proceeded with by paragraphs until the reading was completed, and that then we should go back to the consideration of the objected paragraphs, but that the adoption by the Senate of a paragraph would be deemed final unless there was a motion to reconsider. The statement of the Senator from Texas [Mr. CULBERSON] and of the Senator from North Carolina [Mr. SIMMONS] I think had reference to the first reading of the bill and did not contemplate the consideration of the objected paragraphs at all. I think the RECORD will disclose that I raised an objection, but the ruling and understanding of the Senate at the time was as I have stated.

Mr. RAYNER. Mr. President, the Chair made the ruling not once, but on three different occasions, that there was no necessity of reconsidering any Senate amendment.

Mr. ALDRICH and Mr. GALLINGER. Oh, no.

Mr. RAYNER. One moment. The Senator from Rhode Island agreed to it not once, but upon several occasions——

Mr. ALDRICH. The Senator is mistaken.

Mr. RAYNER. And the RECORD shows it. I asked the Chair and others asked the Chair for a ruling, and the point was made that we could return to the committee amendments and have them taken up again without a motion to reconsider; but when an amendment is adopted now it will be necessary to make a motion to reconsider if it be desired to open it to discussion. That ruling was made upon three different occasions by the Chair; and there is not a man upon this side of the Chamber who did not so understand it. The Senator from Rhode Island acquiesced in it, and if I had the time I would point him to the RECORD where he consented to the proposition that without a motion to reconsider we could take up any of the amendments, whether they had been voted on by the Senate or not. I do not think there is any difference of opinion on this side of the Chamber as to the understanding upon that proposition.

Mr. ALDRICH. I have no objection in this case, if the Senator from Texas desires to have a vote taken——

Mr. RAYNER. We want a ruling; we want an understanding where we are in this case.

Mr. ALDRICH. My understanding is very distinct that if the Senate now adopts an amendment it then must be reconsidered in order to be again open for discussion.

Mr. CLARKE of Arkansas. That is right.

Mr. ALDRICH. Otherwise, we never would get through with the consideration of this bill.

Mr. RAYNER. Does the Senator from Rhode Island refer to the amendments adopted now?

Mr. ALDRICH. Yes, sir.

Mr. RAYNER. There is no trouble about that. If we adopt an amendment now, and afterwards desire to review it, of course a motion must be made to reconsider; but as to amendments heretofore adopted, we can take them up without a motion to reconsider. So there is no difference of opinion between us, if that is the Senator's view now.

Mr. ALDRICH. I have no objection to allowing a vote to be taken upon this proposition.

The PRESIDENT pro tempore. Shall the Chair understand that any one of the amendments heretofore agreed to as in Committee of the Whole is open to amendment now without a motion to reconsider?

Mr. ALDRICH. Certainly not. On the other hand, any amendment now adopted or hereafter adopted as in Committee of the Whole must be reconsidered by the Senate if it is desired to discuss it again.

The PRESIDENT pro tempore. The Chair understands that perfectly. The question is on amendments which have hitherto been agreed to as in Committee of the Whole, whether the Chair shall be instructed to entertain a motion to amend such amendments.

Mr. ALDRICH. I think that question is not likely to arise.

Mr. BACON. It has been the universal custom of the Senate in dealing with bills of this kind to permit a Senator to return, for the purpose of amendment, to any paragraph or section which has been adopted. I am sure the Senator will recognize that that has been the universal custom heretofore in connection with appropriation bills and other bills of length.

Mr. ALDRICH. I have no objection to that. I am willing to agree to almost anything in order to get ahead with the bill.

Mr. CULBERSON. I understand we can have a vote on this amendment.

Mr. ALDRICH. Certainly.

Mr. CULBERSON. I will undertake to find in the RECORD the exact agreement I have stated.

The PRESIDENT pro tempore. The next amendment passed over will be stated.

The SECRETARY. On page 6, line 17, the committee proposes to strike out "fifty" and insert "sixty-five;" and in line 18, before the words "per cent," to strike out "twenty" and insert "twenty-five," so as to read:

17. Collodion and all compounds of pyroxylin or of other cellulose esters, whether known as celluloid or by any other name, 40 cents per pound; if in blocks, sheets, rods, tubes, or other forms, not polished, wholly or partly, and not made up into finished or partly finished articles, 45 cents per pound; if polished, wholly or partly, or if finished or partly finished articles, of which collodion or any compound of pyroxylin or of other cellulose esters is the component material of chief value, by whatever name known, 65 cents per pound and 25 per cent ad valorem.

The amendment was agreed to.

The SECRETARY. The next paragraph passed over is paragraph 21, at the bottom of page 7. The first committee amendment was agreed to at the previous reading. The next committee amendment is, in line 5, after the word "quebracho," to strike out "not exceeding in density 28° B., one-half of 1 cent per pound; exceeding in density 28° B., seven-eighths," and insert the word "one-half," so as to read: "extracts of quebracho, one-half of 1 cent per pound."

Mr. STONE. What is the paragraph?

The PRESIDENT pro tempore. Paragraph 21, commencing on page 7.

Mr. LODGE. It is on page 8.

The PRESIDENT pro tempore. It commences on page 7 and is concluded on page 8.

Mr. LA FOLLETTE. I should like to have the amendment restated.

The PRESIDENT pro tempore. The amendment will be restated.

The Secretary again stated the amendment.

Mr. LA FOLLETTE. I should like to inquire the reason for the increase in duty.

Mr. LODGE. It is a decrease.

Mr. BEVERIDGE. Of course.

Mr. LODGE. Seven-eighths is more than a half.

Mr. LA FOLLETTE. If it is proper, I should like to offer an amendment to the pending amendment—to make the duty on extract of quebracho one-quarter of 1 cent instead of the duty proposed by the amendment.

Mr. HALE. That amendment is first in order.

Mr. LA FOLLETTE. That is the amendment I propose to the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wisconsin will be stated.

The SECRETARY. In lieu of the committee amendment inserting "one half" insert "one-fourth."

Mr. BEVERIDGE. Why does the Senator offer that amendment?

Mr. LA FOLLETTE. I was about to state that extract of quebracho, as I understand, is imported into this country and is used to tan leather. We produce in this country a product used for the same purpose, called "chestnut extract." It is not commercially practicable, however, as I am informed, to tan leather with chestnut extract solely and make it salable. It discolors the leather in such a way that it is not acceptable to the trade. Besides, it lacks a certain pliability which is given to leather when tanned in part by the extract mentioned in the paragraph to which I have referred—quebracho. About 70 per cent of quebracho, united with 30 per cent of chestnut extract, makes the best tanning solution that can possibly be found, to produce the best results in leather. Since we have begun importing extract of quebracho it has increased very materially the use of chestnut extract, which we produce in this country. So it promotes an industry in this country to import this product upon which the duty is proposed to be raised.

Furthermore, I am informed that there are only two factories producing extract of quebracho in this country, and only one of those factories is seeking this increase in duty. The other has invested in the quebracho wood in Argentina, where it grows, and is building a factory there.

I do not believe there is any sound, economic reason or any good protective tariff argument that can be urged for the increase in this duty. On the contrary, I think the duty should be reduced to one-fourth of a cent per pound.

Mr. BEVERIDGE. Before the Senator takes his seat I will say that I agree with everything he has said except on this point, which is revealed by looking at the comparative tables. It brings in a revenue of $[illegible],399.24, and I assume it is a revenue measure. I should vote with the Senator for the reduction unless the reduction would decrease that.

Mr. LA FOLLETTE. I think the reduction will very materially increase the revenue. Nobody can state positively about anything of that sort, but I can refer the Senator from Indiana to the experience of Canada in that respect. Canada has put quebracho and chestnut extract upon her free list, and she is importing great quantities into that country and building up her tanning industries, to the detriment of the tanning industries of this country; and we will, if we raise the duties upon this product, tend to drive the tanning industry from this country into Canada. It is a very great mistake, I am certain, from every standpoint, to increase this duty, and I am confident, from the way the importations have increased, that a greater revenue would be received from a lessened duty.

Mr. SCOTT. I should like to amend the amendment of the Senator from Wisconsin, and put the duty back to seven-eighths.

Mr. GALLINGER. You can not do that.

Mr. LA FOLLETTE. As I understand, that can not be done.

Mr. BEVERIDGE. I raise the point of order that an amendment to the amendment is not in order.

Mr. SCOTT. If the Senator will allow me, I will make a few remarks, if I may be permitted.

Mr. BEVERIDGE. Certainly.

Mr. SCOTT. Mr. President, we have in my State an industry which makes this extract from chestnut trees. There are a great many hundreds of people engaged in the business. I have letters and communications, which I do not intend to take the time of the Senate to read, insisting upon the rates of the original Dingley Act, because they say this extract is made out of small trees, chestnut trees, worth nothing, where the main body of the tree has been used, and it is ground up into a pulp, and this extract is made from that pulp. They say that a reduction to the point which the present Senate bill provides, of a half a cent, will put them out of business. For that reason I should like to make a motion to increase rather than to decrease the rate.

Mr. LA FOLLETTE. The information which I have given the Senate upon the subject completely meets the argument of the Senator from West Virginia. Increased importation of quebracho at a lower duty will increase the use of chestnut extract and make a larger market for the product of the factories to which the Senator from West Virginia refers.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin to the amendment of the committee. [Putting the question.] By the sound the "nays" seem to have it.

Mr. LA FOLLETTE. I do not like to interrupt the course of business, but I think I will have to ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll, and called the name of Mr. ALDRICH.

Mr. PILES. I should like to make an observation. I am in receipt of a letter on this subject from a tanner in my city, and he is in favor of the reduction to one-half of 1 cent, complaining against the increase made in the House bill to seven-eighths of 1 cent. He asks that it go to one-half cent. He argues that the duty on leather is to be reduced, and that this duty ought to go to one-half. He refers to the duty on hides and so forth. The hide question is yet to be considered, and I take it from the letter which the company has written me that it is in favor of the old rate on this article.

Mr. BEVERIDGE. I am going to vote with the Senator from Wisconsin. I am only going to say one sentence. Unless some person answers the statement of the Senator from Wisconsin and shows it is incorrect, I shall vote with him, because he has demonstrated, if his statement goes without challenge, several things: First, that his amendment will greatly increase the revenue; second, that it will conserve a business in this country, the tanning industry in this country, which would otherwise be driven to Canada; and, third, that it will actually increase the business of producing the tannic substance. Until that statement is contradicted, I can not see how anybody, taking the Senator's uncontradicted statement, can vote against his amendment. The people who know about the matter must explain it.

Mr. GALLINGER. The Dingley Act rate is seven-eighths, and it is here proposed to reduce it to one-half.

Mr. LODGE. Will the Senator point out where the Dingley rate is one-half?

Extracts of quebracho and of hemlock bark, one-half of 1 cent per pound.

Mr. GALLINGER. Then I was misinformed by a Senator who I thought understood the matter. Under the Dingley rate 62,593,671 pounds of the extract were imported in 1908. If it is true that we are establishing factories in this country and making this extract from woods that are very common and very cheap, it seems to me we ought to be content to let the matter rest where it is.

Mr. LA FOLLETTE. Mr. President——

Mr. GALLINGER. I yield to the Senator, certainly.

Mr. LA FOLLETTE. We do not make an ounce of this extract in this country except from the quebracho wood, which has to be imported from Argentina.

Mr. GALLINGER. Then the Senator from West Virginia——

Mr. LA FOLLETTE. No; I beg pardon. The Senator from New Hampshire misunderstood the Senator from West Virginia. The product that is being made in the State of the Senator from West Virginia is chestnut extract, which can not be used commercially as a substitute for quebracho extract at all, but only in conjunction with it; and this quebracho extract must be brought into this country in order to maintain and promote the industry for which the Senator from West Virginia speaks.

Mr. GALLINGER. If it be true that it is necessary to combine the two, and we can make the extract from American wood and we are importing 62,593,671 pounds per year of quebracho extract, it seems to me we ought to let the matter rest where it is.

Mr. CULBERSON. Mr. President, the agreement which I undertook to state from memory a while ago was made on several occasions in the open Senate, but I have been able to find only one, and I will read that now, so that there will be no further misunderstanding on the subject.

On page 1496 of the RECORD, Mr. CLARKE of Arkansas said:

Mr. President, we might as well understand now, as later, what the agreement entered into yesterday meant. My understanding is that notwithstanding a certain amendment may be adopted by a vote or by a failure to interpose an objection, it still remains open for a reconsideration without a formal vote to reconsider. Is that not the understanding of the Senator in charge of the bill?

Mr. ALDRICH. I am quite willing to have that understanding.

And subsequently the Chair said:

The Senator from Arkansas asks unanimous consent that the understanding be that at any time there may be a return to any paragraph.

Mr. CLAPP. I understand the Senator's proposition is that it may be returned to and acted upon without the formality of a reconsideration.

The VICE-PRESIDENT. That is the understanding of the Chair. The Chair hears no objection.

Mr. BURKETT. I call the attention of the Senator to the top of page 1552, where this statement occurs in the RECORD:

Mr. McCUMBER. Mr. President, I have a pending amendment proposing to place all of the articles from paragraph 196 to paragraph 204 upon the free list. I wish to discuss the subject at some time when we reach those paragraphs for final determination. In order that I may not ask specifically that each paragraph be passed over, I will ask that they be passed over as they are read.

Mr. ALDRICH. I suggest to the Senator from North Dakota that, with the understanding we have, it is not necessary to have them passed over. He can go back and make a motion at any time without having them passed over. I ask that the paragraphs may be read before any action is taken.

Mr. DU PONT. Returning to quebracho extract——

Mr. CLARKE of Arkansas. Before we pass over this particular matter of order, I ask the Senator to yield to me until I can make a statement in connection with what the Senator from Texas has just read, he having referred to what I said on a former occasion.

Mr. DU PONT. Certainly.

Mr. CLARKE of Arkansas. At the time that inquiry was made with respect to the rules to govern the consideration of the paragraphs of the bill, the bill was being read the first time in a formal way. The point was raised for the purpose of obviating the necessity of objecting to a paragraph under pain of being met later on with the proposition that it would be necessary to enter a formal motion to reconsider before it could be passed on by the Senate. It never was intended to preclude or dispense with the rule that after a paragraph was considered a second time and formally adopted by a vote of the Senate it would not be open without a motion to reconsider.

Mr. ALDRICH. No such suggestion was ever made.

Mr. CLARKE of Arkansas. I did not make any such inquiry, and I did not intend to establish any such rule.

Mr. ALDRICH. No.

Mr. CLARKE of Arkansas. I think it was the fair understanding, found in the RECORD, that after a paragraph has been read a second time, and either objected to or gone back to on the request of any Senator, its adoption then would subject it to the rule which obtains in the Senate in all other cases—that it could not again be considered without a formal motion to reconsider.

Mr. CULBERSON. I desire to add simply that there is no disagreement between the Senator from Arkansas and myself with reference to his second statement. This paragraph has never been reached and adopted the second time, as I understand.

Mr. ALDRICH. No.

Mr. DU PONT. If the Senator from Rhode Island wishes further to discuss this question, I will be glad to yield, because I was going to speak on the quebracho question.

Mr. ALDRICH. I was only about to say that 12 or 15 manufacturers of extracts appeared before the committee with reference to this matter, and they asked to have the rate increased above the House bill. The Senate committee thought it was fairer for all industries concerned, the tanning industry and every other, that it should be made one-half of a cent a pound. Many gentlemen who appeared before the committee, outside of the 12 or 15 manufacturers in this country, notably the Senator from Virginia [Mr. DANIEL], a member of the committee, objected to the low rate which the committee proposed to put upon quebracho extract, saying that Virginia and a great many other Southern States were interested in hemlock bark and chestnut bark and extracts of hemlock and chestnut bark, and that those various extracts would come in immediate competition with their own products.

The Senator from Virginia [Mr. MARTIN], I suppose, is familiar with the fact, and I think other Senators are, that if we increase the importation of quebracho extract we will be driving out of existence an industry in a number of Southern States.

Mr. MARTIN. Mr. President, I am in full accord with the opinion entertained by my colleague [Mr. DANIEL], who is on the Finance Committee, in reference to this duty. I feel it had better be seven-eighths, as the House fixed it, than one-half, as the Senate committee reported it. The quebracho extract comes in competition with an extract made from chestnut wood and other woods. There are factories of that sort in Virginia and in other places in this country, and I see no wisdom, when the present duty is a revenue-producing duty, in singling out——

Mr. CLAPP. Will the Senator pardon me?

The PRESIDENT pro tempore. Will the Senator from Virginia yield to the Senator from Minnesota?

Mr. MARTIN. I will.

Mr. CLAPP. It seems to me the issue narrows down to the statement of the Senator from Wisconsin and the statement of the Senator from Virginia. The Senator from Wisconsin states positively that this particular extract does not and can not come in competition with our home products and is only used in connection with our home production. Now, what is the information of the Senator from Virginia as to that particular question? If the Senator from Wisconsin is correct in his statement, it seems to me he is correct in his contention for a reduction. If the Senator from Virginia is right, however, then we would be justified in retaining the rate proposed.

Mr. ALDRICH. I feel bound, in the absence of the senior Senator from Virginia, who has expressed his opinion to me upon the subject on several occasions, and who is a member of the committee, to ask that this matter may go over until he can be present.

Mr. SCOTT. I rise to a parliamentary inquiry. I want to have some information, which will probably guide us hereafter. When the roll call has been ordered and a name has been called, is there any other business in order until the roll call has been concluded?

The PRESIDENT pro tempore. There is nothing in order, after a response has been made to the roll call, until the call shall have been concluded.

Mr. BEVERIDGE. Mr. President, I think, in view of that statement, it is rather important that all of us should understand one thing here, because it will save time in the end. When a Senator is on his feet addressing the Chair, and the Clerk, while the Senator is on his feet and addressing the Chair and has not yet been recognized by the Chair, begins to call the roll, even if there has been a response, it will not take the Senator off his feet. Precisely that thing occurred when the roll was started. A roll call had been asked for; and, so far as my vote is concerned, I felt bound, and shall feel bound, to vote in accordance with the statement of the Senator from Wisconsin, unless it is controverted. The roll call was started while a Senator was on his feet and before the Chair recognized him. On a call of the roll, even if there is a response, it is well to understand at this stage of the game that it does not preclude discussion. That will save a great deal of time and discussion.

Mr. GALLINGER. Let the reading proceed.

Mr. ALDRICH. In paragraph 22 the committee have certain amendments.

Mr. LA FOLLETTE. I should like to know what has happened to this paragraph? We over here can not hear very well.

The PRESIDENT pro tempore. The Senator from Rhode Island asked that it be passed over for the present.

Mr. LA FOLLETTE. I have no objection to that.

Mr. ALDRICH. In paragraph 22, line 20, I move to strike out "and one-half," so as to reduce the duty from 2½ cents to 2.

The PRESIDENT pro tempore. The Senator from Rhode Island offers a committee amendment, which will be stated.

The SECRETARY. On page 8, line 20, strike out, before the word "cents" in line 20, the words "and one-half," so as to read:

22. Gelatin, edible, and glue, isinglass or fish glue, including agar-agar or Japanese isinglass, and all fish bladders and fish sounds other than crude or dried or salted for preservation only, valued at not above 10 cents per pound, 2 cents per pound.

The amendment was agreed to.

Mr. ALDRICH. In line 22 I move to strike out "2½ cents per pound and 15"—that is, to disagree to the committee amendment; or perhaps I had better withdraw the committee amendment. I withdraw the amendment.

The PRESIDENT pro tempore. The Senator from Rhode Island withdraws an amendment, which will be stated.

The SECRETARY. In lines 21 and 22, page 8, it is proposed to strike out "twenty-five" and insert "2½ cents per pound and 15," so as to read:

Valued at above 10 cents per pound and not above 35 cents per pound, 2½ cents per pound and 15 per cent ad valorem.

The PRESIDENT pro tempore. The amendment is withdrawn by the chairman of the committee.

The SECRETARY. The next passed-over amendment is on page 10——

Mr. BEVERIDGE. No; on page 9.

Mr. NELSON. The last amendment withdrawn was an amendment in the nature of striking out and inserting. Does the 25 per cent ad valorem remain?

Mr. ALDRICH. It does.

Mr. NELSON. Is that the purpose?

Mr. ALDRICH. That is the purpose.

Mr. LODGE. That is the purpose.

Mr. NELSON. All right.

Mr. BEVERIDGE. The clerk is incorrect. The next amendment is on page 9, at the top of the page.

Mr. GALLINGER. That was agreed to.

Mr. BEVERIDGE. It was not even read.

Mr. GALLINGER. It was read the other day.

Mr. BEVERIDGE. I asked that it be passed over. I do not think I will object to it.

The SECRETARY. On page 8, line 25, after the word "sheets," it is proposed to strike out "or otherwise, but not made up into articles, and manufactures of gelatin," and insert "emulsions, or any other form, and all manufactures of gelatin, or of which gelatin is the component material of chief value."

Mr. BEVERIDGE. I wish to ask merely one question about the paragraph, about a matter which is disclosed on the face of this comparative statement. This does not appear in the House bill or the present law. There is no note of any manufactures here or any importations, and yet a duty of 35 per cent is imposed, although no revenue is estimated. I merely ask an explanation of the proposed duty.

Mr. ALDRICH. The new phraseology inserted here simply makes definite the duty upon certain articles which were not specially enumerated before, the rate remaining the same.

Mr. BEVERIDGE. It is a question, I take it, of classification.

Mr. ALDRICH. It is, of course.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Committee on Finance.

The amendment was agreed to.

The SECRETARY. The next amendment passed over was, on page 10, to insert after line 15 the following:

35½. Nut oil or oils of nuts, 8 cents per gallon.

Mr. ALDRICH. I withdraw the amendment.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. McCUMBER. Before the Senator withdraws the amendment, I think a proper explanation should be made.

The amendment was put in at my suggestion, and I received the suggestion of putting it in from people engaged in the manufacture of flaxseed oil. They regarded it as a competitive article, taking the place as a substitute for flaxseed oil, and therefore that it ought not to come in free. My investigation has convinced me that it is not a substitute for flaxseed oil, but that this oil is used in place of a certain gum which has heretofore been used in the manufacture of certain paints and varnishes, and that the same amount of oil is necessary whether you use the gum as a mixture or whether you use the nut oil. With that explanation I can see no reason for a duty being placed upon that particular article.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. ALDRICH. The committee withdraws its amendment to paragraph 29.

Mr. CRAWFORD. On what page is it?

The PRESIDENT pro tempore. Page 9, paragraph 29. The amendment is disagreed to and withdrawn.

The SECRETARY. The next amendment passed over is paragraph 40, at the bottom of page 11. The committee amendment proposed——

Mr. BEVERIDGE. The next paragraph is 39.

Mr. LODGE. There is a committee amendment to paragraph 38, where it reads "Seal, herring, whale, and other fish oil," to insert after "fish oil," before the comma, the words "including sod oil." Sod oil is a fish oil which has been used in fulling leather, in preparing leather, and it is subsequently pressed out of the leather. It is sold as an oil product. It is a fish oil.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed from the committee by the Senator from Massachusetts.

The amendment was agreed to.

The SECRETARY. The next paragraph passed over is paragraph 40, at the bottom of page 11.

Mr. CLAY. That paragraph was inserted in the bill by a Member of the House representing the district where I live. He has certain facts and figures which I desire to get. I can reach him to-night. I hope the Senator will let the paragraph go over until to-morrow.

Mr. ALDRICH. I have no objection.

Mr. WARNER. I was about to ask that it might go over.

Mr. CLAY. Unless the Senator from Rhode Island is willing to restore the rate fixed in the House.

Mr. ALDRICH. Not yet.

Mr. CLAY. The Senator says "not yet." I presume that means that at the present time the Senator is not willing to consent to that, but a little later on he will do so.

Mr. ALDRICH. That may be rather an extravagant assumption on the part of the Senator from Georgia.

The PRESIDENT pro tempore. The Secretary will read the next paragraph passed over.

The SECRETARY. On page 12, paragraph 42 was passed over. The first committee amendment proposes, in line 5, after the word "white," to strike out the word "or" and to insert the word "and."

The amendment was agreed to.

Mr. CLAY. Does not that have reference to paragraph 40? If one is passed over ought not the other to be passed over?

Mr. ALDRICH. Paragraph 42 has nothing to do with that. If we go up to a dollar and a half a ton it will be absolutely necessary to make this one-half of 1 cent per pound.

Mr. CLAY. I think it had better be passed over.

Mr. ALDRICH. I do not think it makes any difference.

Mr. CLAY. I would rather look into it.

Mr. ALDRICH. All right.

The PRESIDENT pro tempore. The paragraph will be passed over, the Chair understands. The next will be stated.

The SECRETARY. The next paragraph passed over is paragraph 46, on the bottom of page 12. The committee amendment is, in line 22, after the word "mineral," to strike out "two and seven-eighths" and insert "three and three-eighths," so as to make the paragraph read:

46. Orange mineral, 3⅜ cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. BRISTOW. That is an increase on an item that enters into the making of paints. Why was the increase made, I should like to inquire?

Mr. ALDRICH. The increase was made for this purpose. The duty at the present time is 1½ cents a pound on lead contents. The House restored the existing rate on lead ore, but left the duty on lead products half a cent a pound below the proper equivalent for the manufactured article. In order to stop the importations of lead in the form of products and to make the rate consistent it is necessary to return to the Dingley duty on all the lead products.

Mr. BRISTOW. Mr. President, the duty was not increased on lead ore. Then would this increase be necessary?

Mr. ALDRICH. If the rate on lead ore remains as in the present law and as it is in the House bill——

Mr. BRISTOW. We have not yet reached the paragraph relating to lead ore.

Mr. ALDRICH. No; but the Senate committee have agreed to recommend 1½ cents a pound. We might as well, I think, understand that it will certainly be kept at 1½ cents a pound.

Mr. BRISTOW. Then had we not better wait until we vote on that? There may be a majority of the Senate not in favor of increasing the tariff on imported lead.

Mr. ALDRICH. It is the existing duty.

Mr. BRISTOW. Would it not be well to pass it over?

Mr. ALDRICH. I do not see anything to be gained by passing it over. We might as well decide that question at one time as another. If this increase is made, it is practically a vote of the Senate to place one and a half cents on lead ore.

Mr. BRISTOW. Will not the result of the increase on lead ore be to increase the price of all the paint that is used in the United States?

Mr. ALDRICH. I think not. That is my judgment about it. I do not know what the Senator thinks.

Mr. BRISTOW. It will mean that the price of white lead and red lead and all other kinds of paint will be increased. For one, I want to have an opportunity to vote against such an increase, because I do not think it is justified.

Mr. BEVERIDGE. I hope the Senator from Rhode Island will agree to pass over the paragraph. It is a pretty important question, and before I vote on it I intend to know more about it.

Mr. ALDRICH. I have stated all there is that anybody can know about it. This is to restore the Dingley rates, the Dingley rates upon lead itself being just what is proposed. It is simply a question of a symmetrical scale to be imposed in the duties on lead. If the Senator desires to vote against duties on lead, he will vote against this paragraph.

Mr. BEVERIDGE. I do not know whether I desire to vote against them or for them until we can have further information. It is precisely for this that I asked and the Senator agreed to give more time to work these questions out. I can not vote one way or the other just now. I will have to reserve it for action in the Senate unless the Senator will agree to pass it over.

Mr. ALDRICH. No; I can not agree to pass it over.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. NELSON. Mr. President, we do not want to rush things here. We want to take a little time. I wish to call the attention of Senators for just a moment to these two paragraphs, paragraph 46 and paragraph 47.

Mr. ALDRICH. I suggest to the Senator that there are several other paragraphs which involve the same question.

Mr. NELSON. I do not want to take up the time of the Senate. I simply wish to call the attention of Senators to these paints. It is something that enters into the daily use and consumption of all the farmers of this country. I call attention to the fact that the ad valorem rate on these two items is 58.47 per cent on orange mineral and 56.97 per cent on mineral red. The farmers have to use a good deal of this red paint in painting their barns, granaries, and outbuildings. It seems to me that this article would bear a reduction, and I would rather put it at a lower rate than 58 per cent. There is no reason why the rates should be retained except for the mere sacredness that they have been in the Dingley law.

Mr. ALDRICH. It has been for many years the policy of the United States to protect the lead producers of this country. The duty of 1½ cents a pound on lead contained in the ores and the duty of 2½ cents on pig lead is equivalent to from 75 to 100 per cent ad valorem.

Lead is produced in seven States. It is one of their principal products, and the policy of protecting lead is one which was adopted after full consideration in both Houses. This is simply to continue that policy. The rate imposed by the Dingley law is not excessive, as is shown by the fact just stated by the Senator from Minnesota, that the rates upon these products are only about 48 to 50 per cent.

Mr. BRISTOW. Mr. President, I want to say a few words in regard to the amendment. In my judgment it would increase the price of every pound of paint that is used by mechanics and farmers in this country in painting their houses and barns. I do not think the Senate ought to vote to increase that price. I call the attention of the Senate to that fact, and I ask for a roll call on agreeing to the amendment.

Mr. ALDRICH. Mr. President, the question whether it would increase the price or not has been carefully gone into in the past and the present, and I disagree entirely with the suggestion made by the Senator from Kansas that this rate will increase the price.

Mr. PENROSE. Mr. President, I want to call the attention of the Senate to a fact which I do not feel the chairman of the committee has perhaps forcibly enough impressed upon the Senate, and if I am incorrect I would be glad if he would set me straight. The House Committee on Ways and Means did not determine to impose this duty until the day before the bill was reported, as I remember, to the House of Representatives. It was agreed on at a meeting of the committee and put in the bill; but either for lack of time or by an oversight or some reason of inattention, the compensating duty on lead products was not corrected in the measure. Consequently the Senate is not indulging in any increase of duty, but is simply restoring the Dingley rates on lead products in the chemical schedule, which admittedly should have been put on in the House of Representatives.

The PRESIDENT pro tempore. The Senator from Kansas demands the yeas and nays on agreeing to the amendment in paragraph 46.

The yeas and nays were ordered.

Mr. BURKETT. Mr. President, I want to ask the attention of the Senator from Rhode Island to this matter. Probably the Senator can straighten it out in another way which would be easier than to keep telling us that it is the Dingley rate. I do not know whether the Dingley rate is too high or too low or just right, and I have not any way of knowing unless I read all the volumes of the hearings before the House committee. I confess I have not been through all those 15 volumes. I have been through about half of them. I have worked a good deal of the time on them since they were published, but I have not been through them all.

I know that we hear a good deal of complaint about the price of paint, and it is a proposition that especially the people in our section of the country complain of considerably. I do not like to vote to reduce this rate when I do not know whether it is low enough now or not, and I do not like to vote to increase it. Instead of telling us that it is the Dingley rate, I would rather have somebody who knows something about it tell us whether it is too much or too little or just right.

As I look at all the figures we have here, we did not import much of this product. I would say, from these figures, that this rate is practically prohibitive. Yet I do not know what the conditions are under which it is produced in other countries. I do not know enough about the conditions under which it is produced in this country. It may not be that this rate is prohibitive. There may be conditions that concern the production of this article both here and abroad that account for the small amount of importations. As I look at it, it is a prohibitive rate.

Understanding, as I do, the feeling of the people in general that there ought to be some legitimate competition, I confess I am at a loss to know how I ought to vote on this matter.

Therefore, it goes back to the proposition I made in the beginning, that on these important questions it would be a good deal better if some Senator who does know about it would explain it, instead of simply saying that it is the Dingley rate, because, as somebody else said, the Dingley rates are not essentially sacred at this time. They have been very good in times past. They were thought to be the best by the men who framed that bill. But conditions have changed, and the very fact that we are here making a new tariff bill indicates that the people as a whole were not altogether satisfied with the Dingley rates. That is what we are here for, and it does not convince me that it is right simply by saying that it is the Dingley rate.

Yet I will say, if the committee have investigated it, I do not want to vote against the judgment of the committee. I do not want to vote against the judgment of the House. But the judgment of the House, it seems, so far as the record is concerned, although the Senator from Pennsylvania has explained it, was to reduce it. Their first idea was to reduce all the lead schedule, as the Senator said, and he explained why they afterwards concluded it would be advisable to leave it at the old Dingley rate, and this was simply an inadvertence; but that does not explain to us why the Dingley rate is the proper rate.

Mr. SMOOT. Mr. President, I should like to call the Senator's attention to the fact that in 1907 the importations of pig and bar and bullion lead were 24,276,835 pounds, to the value of $1,043,166. We collected duty on that one item alone to the amount of $515,883.18. Over and above that pig lead there was of the ore imported into this country 80,638,497 pounds, valued at $1,910,577. This item is only a by-product of lead. The importations of this small item should be considered in connection with the whole interest of lead and lead ore.

Mr. DU PONT. Mr. President, this is a question that, rightly or wrongly, seems to appeal to the great farming interest in the view that this reduction will cheapen the price of their paints. I dislike to oppose the judgment of the committee, but, as it is sometimes said, nothing is absolutely sacred in the rates imposed by the Dingley law. I should like to see it made 2⅝ instead of 3⅜. That would be a reduction which, though not as high as the Dingley law, would at the same time be nearer the views of the committee.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The yeas and nays have been ordered on the pending amendment.

Mr. BRISTOW. Mr. President, before the vote is taken I want to call attention to the importations of this item. I can not agree with the Senator from Utah [Mr. SMOOT] when he says that we should consider in this connection the importations of lead ore and pig lead. There are a great many products of lead ore and pig lead. There was but $42,000 worth of this product imported last year, while there was more than $4,000,000 worth of it made in this country. Yet there is a proposition now in this amendment to tax the users of this red paint 3⅜ cents a pound. It does not need any argument to convince anyone who is acquainted with that article of commerce that it is an excessive duty. I hope the Senate will refuse to agree to the amendment.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll, and Mr. ALDRICH answered "yea."

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. The call having been begun and responded to, nothing is in order except to proceed with it.

Mr. PENROSE. I hope the vote will be withdrawn.

Mr. HEYBURN. It had better be withdrawn, because if we start in with that spirit here there will be trouble.

Mr. ALDRICH. I withdraw my vote.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. HEYBURN. Mr. President, I think we will make more progress in these matters by confronting the questions fairly and candidly as they arise. Any attempt to head off debate will only result in a loss of time in the end.

I had not intended to discuss the lead schedule under consideration of this item, but inasmuch as you can not separate the

consideration of the principle here from the principle involved in the lead schedule we might as well meet it now.

The reduction proposed by the House bill was probably along the line suggested a number of times, that there was some pledge of the party for a downward revision. I have on several occasions felt tempted to put into the RECORD the pledge of the party, and I will take advantage of the opportunity to do so at this time, because it has been stated that the Republican party was pledged to a revision downward. I will read the declaration of the national Republican party at the last Chicago convention:

> The Republican party declares unequivocally for a revision of the tariff by a special session of the Congress immediately following the inauguration of the next President and commends the steps already taken to this end in the work assigned to the appropriate committees of Congress which are now investigating the operation and effect of these schedules. In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of maximum and minimum rates, to be administered by the President under limitations fixed by the law, the maximum to be available to meet discrimination by foreign countries against American goods entering our markets and the minimum representing the normal measure of protection at home, the aim and the purpose of Republican policy being not only to preserve, without excessive duties, the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country, who are the most direct beneficiaries of the protective system.

Mr. President, it was intimated at the beginning of this discussion that we might be open to a charge of bad faith if we did not recognize that as a pledge for downward revision. I know not with certainty what may have been spoken or promised in other States, but I desire, in connection with the declaration in the national platform, to advise the Senate of the promises that were made in the State which I in part represent in this body. I will read it:

> The Republican party stands, as it has always stood, for the principle of protection to American industries. Tariff schedules, as all other legislation, need revision from time to time as new conditions arise. We believe this revision should be made by the friends of this legislation, and not by its enemies. We contrast Democratic revision of the tariff with Republican changes. Democratic revision has always been followed by disaster; Republican revision by prosperity. Idaho is essentially a producer of raw material, and comes in competition with all the world in that direction. We believe that raw material should have protection, as well as the manufactured products, to the end that the laborer who produces both should be properly protected against his competitor in other lands.

That is the political doctrine upon which we went before the people of the State of Idaho and asked their support to the Republican party. They responded with a majority of almost 17,000 votes in favor of those declarations. There is no promise in either of those platforms for a downward revision. Participating, as I did, in the campaign of that State, at no time did I concede that the Republican party was pledged to a revision downward, but on all occasions I told the people to whom I spoke that the Republican party was pledged to an intelligent exercise of its judgment, untrammeled by any ulterior purpose or any outside promises.

I merely desired to make plain the standpoint from which I shall discuss or participate in the discussion of any feature of the pending measure.

Idaho is the producer of more than one-third of all the lead produced in the United States. Idaho employs in this productive enterprise 6,500 men. The employment of those men and the wages paid to those men are not the only consideration in estimating the importance of this industry. There are employed in the United States in the mining of lead ores more than 50,000 men—50,700 men. Their pay roll is $50,700,000 annually.

Mr. BEVERIDGE. How much is the pay roll?

Mr. HEYBURN. It is $50,700,000 paid in wages to men who work in the mining of lead ores in the United States. We produce, in round figures, 300,000 tons of lead ore in the United States annually. We export about 13,000 tons, or something like that, of ore. That goes out in the natural interchange of trade, and not because we have not a use for it here.

In addition to the $50,700,000 of pay roll, we pay transportation charges of $34,300,000, which goes to employees engaged in transportation by transportation companies. That is another item of wages that owes its existence and depends for its existence upon this enterprise of the mining of lead ores.

Mr. President, the aggregate items of mining and transportation of ores in the United States is upward of $80,000,000. In addition to that we must consider the immense investment in the smelters and the concentrators erected for the manufacture and treatment of these ores, which amounts to a sum greater than the transportation charges. We must, in addition to that, consider the effect upon the prosperity of the merchant who supplies these people with the things that they consume and the effect upon the farmer who grows the crops, the vegetables, and other commodities consumed by them. When we have done that we have represented the prosperity of an entire country. When you reduce the duty upon lead to that point where lead will not be mined or where it can not be profitably mined, then this vast sum of money must find some other market, and the men engaged in mining and transporting this product must find some other field for their energy.

It is not my purpose upon this occasion to speak more fully than is necessary for the consideration of this one item, but when the lead schedule is reached, if there should be developed here a disposition to reduce existing duties and retire this industry, then we shall doubtless feel compelled to go more fully into the question whether or not we shall maintain the industry represented by the products of lead, or whether we shall leave it stagnate, as I saw it do under the Wilson-Gorman bill, when the mines were compelled to close and the men who had worked in them were compelled to seek the then overcrowded market for labor. This is comparatively a small item, but it represents the principle that we shall contend for wherever lead or lead products are presented in this bill.

The farmer is not clamoring for the reduction of the duty on lead. Farmers sell us millions of dollars' worth of their products to maintain these mines. The mines are not owned by the men who work in them. The capital invested in these mines is the capital from Maine to California; it is the capital of the farmers as well as of the bankers. Thousands and thousands of our farmers own interests in these mines, and if you destroy the industry, you destroy the prosperity of the farmers.

Mr. BEVERIDGE. I want to ask the Senator from Idaho, before he takes his seat, whether or not the industry would be destroyed if the amendment of the Senator from Delaware were accepted?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. It reduces the duty but a small fraction of 1 per cent.

Mr. HEYBURN. Mr. President, the duty on leaded ores and on bullion and other forms of ore is absolutely necessary in order to enable us to compete in the markets of the world with that product, which is more than three times our product; and there is no margin for reduction. There is no reason for paring it, because if you do—if you cut 10 per cent off of it—you cut it off the wages of the workmen, with all the discomforts and disorders that come from it. When we were compelled to submit to a small duty upon leaded ores and lead bullion under the Wilson-Gorman bill, more than three-fourths of our mines producing lead closed, because they could not pay the scale of wages, and we had riots and war and disorder as a result of the conditions that had been forced upon us.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. I do.

Mr. BEVERIDGE. I thought the Senator was through. I want to suggest to the Senator from Kansas [Mr. BRISTOW], that in view of the fact that we are voting as in Committee of the Whole, and that all this matter can hereafter be considered in the Senate, he withdraw his request for a roll call. The roll call is a waste of time.

Mr. ALDRICH. No; no.

Mr. BEVERIDGE. I have the floor, I believe. I, for one, want more information upon this question. I do not desire to vote against the lead industry in particular. On the other hand, I want to have more information upon this question; and I do not care to vote upon it upon a yea-and-nay vote now, when we can get it just as well in the Senate. So I suggest that the Senator withdraw his call for the yeas and nays.

Mr. ALDRICH. Let us have the yeas and nays, Mr. President.

Mr. GALLINGER and Mr. HALE. Regular order!

Mr. WARNER. Mr. President——

Mr. ALDRICH. Let us have a vote. The Senator from Missouri [Mr. WARNER] will have an opportunity to speak on the next item.

Mr. WARNER. Mr. President, the Senator from Missouri is not waiting for a chance to speak on any item; and if it is the wish to take a vote, I certainly do not desire to delay a minute. I have not so desired during the session, and do not now; but I wish to say simply a word, for whatever it may amount to.

I represent in part a State that produces a little more than one-third of the output of lead in the United States, Idaho being next. From my information this great industry, when the tariff was placed upon it, was the cause of the building up of a portion

of our State, and if you wish to now strike it down in my State, you will reduce the tariff. I do not wish to take any further time.

Mr. CLAPP. On what question is the vote to be taken, Mr. President?

Mr. BRISTOW. Mr. President——

Mr. ALDRICH and others. Regular order, Mr. President.

Mr. NELSON. I think the question ought to be stated. I am not myself clear whether the question is on paragraph 46 or paragraph 47.

Mr. ALDRICH. It is on paragraph 46.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). On this vote I am paired with the Senator from Oregon [Mr. BOURNE]. So I withhold my vote.

Mr. FRYE (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. DANIEL]. I transfer that pair to the junior Senator from Wyoming [Mr. CLARK] and vote. I vote "yea."

Mr. STONE (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. CLARK]. I am advised by the senior Senator from Montana [Mr. CARTER] that, if present, the Senator from Wyoming would vote "yea." I see that the present occupant of the chair [Mr. FRYE] has transferred his pair with the senior Senator from Virginia [Mr. DANIEL] to the junior Senator from Wyoming [Mr. CLARK]. That complicates matters a little bit for me; but it will accomplish the same end so far as the Senator from Wyoming is concerned. I do not know how the senior Senator from Virginia would vote if present; but, if I can do so without violating in any respect the obligations of my pair, I am ready to vote.

Mr. GALLINGER. The Senator is free to vote, if he wishes to do so.

Mr. WARREN. The Senator from Wyoming [Mr. CLARK], if here, would vote "yea."

Mr. CARTER. I informed the Senator from Missouri of my understanding that the Senator from Wyoming [Mr. CLARK] would vote "yea." Subsequently the occupant of the chair for the time being [Mr. FRYE] transferred his pair to the Senator from Wyoming, thus releasing the Senator from Missouri.

Mr. STONE. If I am at full liberty to vote, I vote "nay."

The roll call was concluded.

Mr. BAILEY. I desire to say that the Senator from Indiana [Mr. SHIVELY] is detained from the sessions of the Senate by illness.

Mr. CLARKE of Arkansas. I take advantage of this occasion to say that my colleague [Mr. DAVIS] is detained at home in consequence of the death of his wife, and he will probably not be present during the remainder of this session.

Mr. CULLOM (after having voted in the affirmative). When I voted I did not notice that my pair, the Senator from Virginia [Mr. MARTIN], was not present. I observe that he is not present now; so I will transfer my pair to the Senator from New York [Mr. DEPEW] and let my vote stand.

Mr. McENERY. I am paired with the Senator from New York [Mr. DEPEW]. Under the arrangement made by the Senator from Illinois [Mr. CULLOM], the Senator from New York [Mr. DEPEW] will stand paired with the Senator from Virginia [Mr. MARTIN], which leaves me at liberty to vote. I vote "nay."

Mr. GAMBLE. I have a general pair with the senior Senator from Nevada [Mr. NEWLANDS], and will therefore withhold my vote.

Mr. CURTIS. The Senator from New Jersey (Mr. KEAN) is paired with the Senator from Indiana (Mr. SHIVELY).

The result was announced—yeas 41, nays 35, as follows:

YEAS—41.

Aldrich	Cullom	Jones	Scott
Borah	Dillingham	Lodge	Smith, Mich.
Bradley	Dixon	McCumber	Smoot
Brandegee	du Pont	Nixon	Stephenson
Briggs	Elkins	Oliver	Sutherland
Bulkeley	Flint	Page	Warner
Burnham	Frye	Penrose	Warren
Burrows	Gallinger	Perkins	Wetmore
Burton	Guggenheim	Piles	
Carter	Hale	Richardson	
Crane	Heyburn	Root	

NAYS—35.

Bacon	Crawford	Hughes	Paynter
Bailey	Culberson	Johnson, N. Dak.	Rayner
Bankhead	Cummins	Johnston, Ala.	Simmons
Bristow	Curtis	La Follette	Smith, Md.
Brown	Dolliver	McEnery	Smith, S. C.
Burkett	Fletcher	McLaurin	Stone
Chamberlain	Foster	Money	Taliaferro
Clarke, Ark.	Frazier	Nelson	Tillman
Clay	Gore	Overman	

NOT VOTING—15.

Beveridge	Daniel	Gamble	Owen
Bourne	Davis	Kean	Shively
Clapp	Depew	Martin	Taylor
Clark, Wyo.	Dick	Newlands	

So the amendment was agreed to.

The SECRETARY. The next amendment passed over was in paragraph 47, at the bottom of page 12, before the word "cents" in line 24, to strike out "three-eighths" and insert "seven-eighths," so as to read:

> 47. Red lead, 2⅞ cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. The next amendment passed over was, in paragraph 49, at the top of page 13, line 4, after the word "japan," to strike out "25 per cent ad valorem," and in line 5, after the word "varnishes," to strike out "25 per cent ad valorem" and insert "and," so as to make the paragraph read:

> 49. Varnishes, including so-called gold size or japan, spirit varnishes, and enamel paints made with varnish, 35 per cent ad valorem.

Mr. BEVERIDGE. Mr. President, I wish to ask merely a question. According to the comparative statement the estimate is that the revenue on spirit varnishes under this increase will be reduced considerably more than 100 per cent.

Mr. ALDRICH. How much is the duty increased?

Mr. BEVERIDGE. From 25 per cent to 35 per cent.

Mr. ALDRICH. The present rate on spirit varnishes is $1.32 a gallon and 35 per cent ad valorem. It is reduced by this amendment to 35 per cent ad valorem.

Mr. BEVERIDGE. It is an increase over the House bill.

Mr. ALDRICH. It is an increase over the House bill, but an increase which is absolutely necessary if we are to continue to make spirit varnishes in this country.

Mr. BEVERIDGE. If that be true, then, Mr. President, the House, reducing the rate and fixing it at 25 per cent, must have intended to destroy the varnish industry.

Mr. ALDRICH. No; they make a mistake probably.

Mr. BEVERIDGE. Of course we can take the statement of the chairman, and no one objects to that; but it appears, then, that the House and Senate committees had entirely different information upon this subject.

Mr. ALDRICH. I am not sure about that, of course; but the reduction in this one item is one of the largest reductions in this bill. The present duty is $1.32 a gallon and 35 per cent ad valorem.

Mr. BEVERIDGE. It is a reduction over the present law, but it is an increase over the House bill; and I merely wanted an explanation as to why the increase is made.

Mr. ALDRICH. The manufacturers of spirit varnishes in Michigan and in 20 other States, I think, came to us and said that it was not possible for them to go on making spirit varnishes with that enormous reduction in the rate.

Mr. BEVERIDGE. The House did not think so.

Mr. SMOOT. Mr. President, spirit varnishes, when manufactured with pure grain alcohol, are always better than when manufactured with denatured alcohol. The House did not take this into consideration. In Germany to-day pure grain alcohol can be bought at about one-quarter of the price we can buy denatured alcohol for, and in Germany they allow the alcohol to be denatured by shellac, whereas in this country they will not allow that; but about 5 per cent of wood alcohol has to be put in, which interferes with the manufacturing of certain grades of varnishes.

Mr. BEVERIDGE. If the Senator is sure that the fact he has just stated was not taken into consideration by the House committee, I think his explanation is entirely satisfactory.

Mr. SMOOT. I believe that to be so, and not only that, but I do feel, and almost know from my investigation, that if the duty is not put at 25 per cent the varnish makers of this country can not compete, and their business will be destroyed.

Mr. BEVERIDGE. That is all right.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. The next amendment passed over was, in paragraph 50, page 13, line 11, to strike out the words "four and one-half" and insert "five," so as to read:

> 50. Vermilion reds, containing quicksilver, dry or ground in oil or water, 10 cents per pound; when not containing quicksilver but made of lead or containing lead, 5 cents per pound.

The amendment was agreed to.

The SECRETARY. The next amendment passed over was, on page 13, line 13, to strike out the words "three-eighths" and insert "seven-eighths," so as to read:

51. White lead, and white pigment containing lead, dry or in pulp, or ground or mixed with oil, 2⅞ cents per pound.

Mr. BRISTOW. Mr. President, I wish to make the same protest against this amendment that I made against the other. It will increase the cost of paints which are used in this country in every household and by every family. I do not think it is just. I desire to enter my protest against it. I should like to have an opportunity to vote against it, and I will ask for a vote when we consider the bill in the Senate.

Mr. SMITH of Michigan. The Senator from Kansas says this will add to the cost of paint to every householder and farmer. It is not an increase; it is the present law. On the roll call I did not vote to add a single penny to the cost of painting a house or barn, but to retain the present law, which farmers are accustomed to, and against which we have heard no protest; and if the same course is to be taken on all these other items in the same general class, I propose to vote the same way.

Mr. BAILEY. I do not understand the parliamentary situation if the Senator from Michigan has correctly stated it. My understanding is that the question now is on agreeing to the Senate amendment, which does make an increase.

Mr. ALDRICH. Oh, no.

Mr. BAILEY. But the Senate amendment strikes out the House provision, and the House provision reduces the existing law. Therefore an affirmative vote on this amendment does increase the cost.

Several SENATORS. Oh, no.

Mr. BAILEY. It may not increase the cost, as compared to the cost under the existing law, but the Senate amendment does increase the cost as compared with the House provision.

Mr. LODGE. There never has been any cost under the House provision, because the House rate does not make the law.

Mr. BAILEY. I understand that, but the question is on agreeing to the Senate amendment.

Mr. LODGE. Certainly.

Mr. BAILEY. And the Senate amendment does fix a higher rate than the provision which it proposes to amend; therefore the Senator from Kansas is correct.

Mr. BRISTOW. Mr. President, in reply to the remarks of the Senator from Michigan, I will say that it appears to me, from the limited experience I have had here, that the men who are interested in increased duties and in sustaining duties that are already high are here to be heard, while the men who are paying the bills are at home at work and not here; and that is the reason I voted against the increase over the House rate. I am going to vote against this amendment, because I believe it is an injustice to the men who use this product in their everyday life.

Mr. PENROSE. I should like to ask the Senator from Kansas whether he can state to the Senate what difference to the consumer in money amount this duty will make? How much will it increase the cost of painting a barn or a fence, or the cost of a gallon of paint?

Mr. BRISTOW. I will answer the Senator from Pennsylvania by inquiring what proportion of this increase depends upon increased wages? What is the per cent of increased wages represented by this increase in duty?

Mr. PENROSE. I understand it almost entirely depends upon the difference in wages and the fact that we do not have the raw material in this country; that it has to be imported.

Mr. BRISTOW. You understand that it almost entirely depends. Those are not definite statistics.

Mr. PENROSE. The difference is entirely in the difference in wages between this country and abroad, and the fact that we do not have the material in the United States.

Mr. BRISTOW. What are the wages abroad and here?

Mr. PENROSE. I have all that information and I can give the Senator the figures. I have it on my desk, if he desires to have it.

Mr. BRISTOW. I should like very much to have it.

Mr. PENROSE. All right. If the Senator will go on with his remarks I will examine it and give it to him later.

Mr. BRISTOW. A book has been handed to me and I have been requested to read a paragraph:

In purchasing dry white lead, which carries a 40 per cent duty, there is a practical monopoly on the article in this country.

There is, practically speaking, but one place to purchase, and yet a protection of 40 per cent. We do not think this is fair and right.

We see statements in the paper that those who have anything to say should appear before the committee at Washington. A good many in the trade, having but the one place to purchase, feel cowed.

Yours, very respectfully,

THE HANNA PAINT MANUFACTURING COMPANY,
By J. R. HANNA, *President.*

That letter is addressed to Hon. William H. Taft, and is from Columbus, Ohio, dated December 4, 1908, and is printed in the House hearings.

Mr. CRAWFORD. Mr. President, I voted against the proposed increase in the rate fixed by the House on orange mineral, and I feel disposed, from what light I have here, to vote against this proposed amendment; and I simply desire to be sufficiently frank here to state my reasons.

I do not personally feel satisfied that I have the information I ought to have to enable me to vote intelligently upon this item. That being true, I am compelled to choose here between the decision rendered by the Senate Committee on Finance, which proposes to increase the duty, and the decision of the Committee on Ways and Means of the House, which proposed materially to reduce it; and it is difficult with two conclusions from two different committees, diametrically opposed to each other, to come to a very satisfactory judgment.

I for one can not ignore the fact that for weeks and weeks the House committee sat and listened to witnesses who appeared personally and subjected themselves not only to open public examinations, that were recorded, but submitted themselves to exhaustive cross-examinations, that were recorded, and the result of whose testimony was printed, and I have had the opportunity to read it somewhat, unsatisfactory as in many cases it is; and that committee, as the result of its long recent weeks of patient toil and labor, resulting, as it did, from open public examinations and cross-examinations, comes here with a proposal to reduce this duty. The Senate committee comes here with a proposal to increase it. What shall I do under such circumstances?

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Rhode Island?

Mr. CRAWFORD. I do.

Mr. ALDRICH. The Senator may not be aware of the fact that the House committee, up to the night before the bill was reported, had a duty upon lead ore of 1 cent a pound. At the last minute they increased it to one and a half, and did not change the rates on the product, for lack of time or for some other reason. I have no doubt that if the committee had had the time it would have put back the other products to the same point where they were in the Dingley law, as it itself at the last minute put back the duty on lead ore.

Mr. BEVERIDGE. Why did they not take the time?

Mr. ALDRICH. I do not know.

Mr. BEVERIDGE. That was their duty; that was their business.

Mr. CRAWFORD. Each Senator here must answer personally to his conscience and to his constituents for his vote, and I shall record mine, no matter whether it is with the majority on this side, in a case like this, where I believe we came here with the expectation on the part of the people of the country that we would generally revise these schedules downward, in favor of a revision of the schedules downward, unless good reason is shown why they should be increased; and the burden of proof will be on those who propose to increase them.

Now, the rule by which we are governed has been prescribed in our national platform, and that is the difference in the cost of production at home and abroad, allowing a reasonable profit to the American producer. I am willing to be guided by it. But what evidence of that sort have we here which shall be our light in deciding which of these two committees we shall follow? Did not the House undertake to do it——

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Utah?

Mr. CRAWFORD. I do.

Mr. SMOOT. I desire to call the Senator's attention to the fact that the rate on lead ore is 1½ cents a pound, as reported by the House. Does the Senator believe there ought to be a differential between ore itself and the bullion or pig lead?

Mr. CRAWFORD. I can see where there may be a difference between a mere by-product and the production of the ore itself, but I will say this to the Senator——

Mr. SMOOT. Wait just a moment. I should like to say that I believe the Senator will readily see that that differential ought to be maintained. The differential in the past has been five-eighths of 1 cent a pound. The House reported lead bullion at 1½ cents, just the same as it reported the lead itself, and there is no differential between the ore and the lead; and this increase here upon the duty reported by the House on white lead is entirely in that differential. There is no increase in the Senate bill, if you or any other Senator here thinks there ought to be a differential between the ore and the pig lead itself.

Mr. CRAWFORD. I am not prepared to discuss as a proposition by itself the question whether we should have a duty upon

lead. I will say, however, not only as a matter of sentiment, but as a matter of wise policy on the part of the Republic, I believe, just as the Senator from North Dakota so well put it the other day, that oil, coal, iron, and lumber ought to be conserved by taking the duty off and drawing from the stock that has been supplied everywhere in the universe rather than to encourage the consumption of our own.

But upon this particular point I simply say that, acting within the limit of knowledge as presented here, I for one shall put the burden upon those who propose an increase of duty to show affirmatively and by satisfactory evidence that it should be increased.

Mr. HEYBURN. I suggest to the Senator that the duty on the lead in ore before it is smelted being 1½ cents, it reasonably follows that the duty upon the lead after it is extracted from the ore should bear an increased rate, because there are between these two points the wages and the labor and the investment of capital connected with the smelting of the ore. We want that investment of capital in the smelters of this country; we want the wages paid to the thousands of men engaged in operating smelters paid in this country; and for that reason we want a corresponding duty upon the product of lead ore after it is extracted. It is the rule that runs all through the tariff legislation.

It may be interesting to Senators to know that in the first tariff bill ever passed by the Congress of the United States there was a duty of 1 cent a pound; that it has always been considered a proper subject for protection, in view of the fact that it is all the product of some man's labor. That is the principle which lies behind it.

Mr. BURKETT. I am not very much disturbed about taking lead out of this country and smelting it in some other country. I am going to say a word about this paragraph, and I hope the chairman of the committee will pardon me if I take some exceptions to the way it is presented.

I took occasion to say on the other paragraph that I thought a lot of trouble could be saved if some reason could be given for raising the tariff. So far as I am concerned, I am not going to vote for a reduction of the tariff on anything that is going to injure any American industry. I believe in keeping American men at work, and I believe in the protective tariff policy and in keeping American money at home.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. BURKETT. I am not an expert, I will say; but I will yield, although I may not be able to answer the Senator's question.

Mr. SMOOT. In answer to the Senator, I will say there is not a question, so far as the State of Utah is concerned, that if lead or pig lead is reduced 10 per cent there will not be a mine, with the exception of one or two, running in the whole State; and that applies to nearly every mining district in the United States. If we take 10 per cent off to-day, it means that all the lead-producing mines in that State will be closed, and then we will be compelled to get our ores from Mexico, and we do not know where the price would go.

Mr. HEYBURN. I thought the Senator from Nebraska would be glad to know, inasmuch as I understood him to say that he was not concerned about the smelting of ores outside of this country and the bringing of ores in——

Mr. BURKETT. No; I said I was not afraid they would take any of our ores outside and smelt them.

Mr. HEYBURN. Now, will the Senator——

Mr. BURKETT. Let the Senator ask that when I get through.

Mr. HEYBURN. Certainly, if the Senator does not desire to be interrupted.

Mr. BURKETT. That has nothing to do with this matter, anyway.

Mr. HEYBURN. Perhaps I could give the Senator some figures that would have something to do with it.

Mr. BURKETT. Do it afterwards, please.

Mr. HEYBURN. Certainly.

Mr. BURKETT. It does not have anything to do with this point.

Let me say to the Senator from Utah that, hastily as I have been trying to read here and inform myself on this matter, I find we do not produce enough lead in this country to supply our needs. We have to import it from abroad, although——

Mr. SMOOT. Yes. I want to say to the Senator, however, that if the protection is reduced from what it is to-day, we will have to import all of it. Not only would the lead mines be closed, but there is not a silver mine in the State of Utah which would not have to close.

Mr. BURKETT. Of course we would produce some, because a good deal of lead is a by-product of other ores. We would certainly produce some. But what I wanted to get at is this particular paragraph.

In Nebraska there is one large lead manufacturer. This duty was reduced in the House; and as the Senator, who is in charge of the bill stated, they did not start out with any duty on lead.

Mr. ALDRICH. Oh, no; I beg the Senator's pardon.

Mr. BURKETT. That is the way I understood him.

Mr. ALDRICH. Oh, no. They started out with a lead duty of a cent a pound on the lead contents of ore, and they raised it the night before the bill was reported from 1 to 1½ cents a pound and did not change the corresponding products of lead in the bill.

Mr. BURKETT. That just accentuates what I was about to say. During all that time——

Mr. NELSON. Mr. President——

Mr. BURKETT. Let me get through with this. During all that time, when this rate was down, certainly that factory manufacturing the very article referred to in this paragraph must have known of it, and yet, as a Senator from that State, acquainted with those people, they never wrote me a line or sent me a word with reference to that rate being too low.

Now, it must impress itself upon anyone in that position that that lead factory was satisfied with the rate as the House made it, and therefore, unless the Senator or somebody else can show why the rate should be increased, it seems to me, at least, that I am justified in leaving it at the rate with which the factory there seemed to be satisfied.

Mr. BEVERIDGE. I thought the Senator from Nebraska was through. I do not desire to interrupt the Senator at all.

Mr. BURKETT. I would have been through——

Mr. GUGGENHEIM. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. BURKETT. Certainly.

Mr. GUGGENHEIM. It is true, Mr. President, there is a white-lead plant in Omaha. I think it is known as the "Carter White Lead Company." I presume the people in charge of that plant imagined that a Senator from that State would see that that industry was protected, and they thought it was not necessary to write him.

I wish to say there are a great many white lead plants in this country, from the Atlantic to the Pacific, and it is one of the most important industries that we have in this country. White lead is a product made from lead ores or pig lead, mined in the West and the Middle West. If it were not for the duty, the foreign lead which would compete with us in this country would come from the mines in Spain, where it is mined on a very cheap basis. It is therefore very important to see that a duty is imposed upon white lead to keep out the cheap Spanish lead, and also the Australian lead, which would come in competition with our lead produced by this very important industry.

Mr. BURKETT. All this goes to accentuate what I said, that, with this rate reduced as it was in the House below the Dingley rate, as a matter of fact at one time starting out with a basis even lower than it is at this time, we never heard anything about it, even those who represent States that have such factories.

Not only that, but unfortunately we have not the reports of the hearings before the Senate committee. I do not know that they gave any hearings upon this matter, but so far as I can gather all the information is what individuals in some way or other have gathered together as they have gone through the world, from their own personal experience or interest. I should like to know if the Senate committee did have hearings on this matter, and if there is any information that they as a committee, a disinterested body, as they should be, have; and what information from the hearings they can give to the Senate.

Mr. ALDRICH. The Senate committee had no hearings, as the Senator knows very well, but we have received a great deal of information upon this and other subjects. I have had a great deal of information on this subject for a good many years. I have examined, I think pretty carefully, these questions of the difference in duties on lead, and we have been trying always to get a systematic and harmonious duty upon lead, commencing with lead ore and ending with the best products of lead, and that is absolutely necessary. The question of the relation of rates, I think, as the Senator from Nebraska understands as well as I do, is much more important than whether one particular rate is high or low.

Mr. BURKETT. I rather doubt that with reference to lead in the ore, I will say, because I do not think there is any danger of taking lead ore out to some other country and smelting it there.

Mr. ALDRICH. The Senator is very much mistaken on that particular point. If the Senator will look at the importations of lead ore into this country, he will find that there is a great deal of danger. If he were in the lead-producing business in any one of these States, he would be very well satisfied that there is very great danger of the importation of lead ore.

Mr. BURKETT. The Senator does not understand me. They are not going to take ore, I fancy, that is in some State, and——

Mr. ALDRICH. They are not going to take it out. They are not going to mine it, because they can not afford to mine it. They are not going to take it out of the earth. They would not take it out of the earth at a loss.

Mr. BURKETT. That is where we ought to have a statement about this matter.

Mr. ALDRICH. You have my statement.

Mr. BURKETT. The House committee have gone through it?

Mr. ALDRICH. The House committee went through it.

Mr. BURKETT. And the change was made without any reason given.

Mr. ALDRICH. The House committee went through it and at last became satisfied that they made a mistake.

Mr. OVERMAN. Did the House committee ask the Senator to put it back?

Mr. ALDRICH. The House committee have not been before the Senate committee at all.

Mr. OVERMAN. Has any member of the Committee on Ways and Means asked the Senator to put it back?

Mr. ALDRICH. No; but a member of the Ways and Means Committee told me they did not put it in because they did not have time.

Mr. BEVERIDGE. Why did they not have time, Mr. President?

Mr. NELSON. Mr. President——

Mr. BURKETT. After listening to the chairman of the committee, I think, as far as the importations are concerned, there have not been any. The Senator has had some knowledge for a long time, and some other Senators have gotten their information by reason of having come in contact with this business, or otherwise, but so far as any proper investigation to warrant them in asking the Senate to raise these rates over the judgment of the House is concerned, I am satisfied that that committee has not shown it.

Mr. ALDRICH. I do not know what the Senator from Nebraska has in his mind as a proper investigation. We did not have the advice of the Senator from Nebraska. I am willing to admit that to start with. But what he considers a proper investigation, I do not know. I do know that the members of the committee talked with the men who are conversant with this subject, the men who are miners of lead, the men who are producers of lead, the men who are manufacturing these lead products.

Mr. BURKETT. Mr. President——

Mr. ALDRICH. If the Senator will pardon me a moment, I want to put in a statement before 5 o'clock, and then make a motion to adjourn.

Mr. BEVERIDGE. I was just going to call the Senator's attention to the fact that it is 5 o'clock, or nearly so.

Mr. ALDRICH. I desire to present from the Committee on Finance, and have printed in the RECORD, a statement of reductions in the bill which is now pending before the Senate as reported from the Finance Committee as compared with the existing law. This statement shows 379 reductions from the existing law. I think it is important that this statement should be printed in the RECORD, in order that Senators who are troubled about the character of the revision may investigate that question for themselves.

Mr. BEVERIDGE. Will not the Senator have it printed as a document likewise?

Mr. ALDRICH. There seems to be a great spirit of inquiry abroad in the Senate, and I hope that Senators will look at this tabulation. Then I desire to make a statement in this connection of the increases in the Senate bill above existing law, as there seems to be also a good deal of misapprehension——

Mr. OVERMAN. Does the Senator include the increases over the House bill?

Mr. ALDRICH. The increases over the House bill are published in one of the documents which the Senator has before him.

Mr. OVERMAN. Would it not be better to have it in the same document, so as to have it all together?

Mr. ALDRICH. It is not necessary to have that statement appear here, because it is already on the desk of the Senator.

Mr. CLAY. Mr. President——

Mr. ALDRICH. If the Senator will excuse me a moment, the only increase in rates in Schedule A (chemicals) are morphia or morphine, and similar preparations of opium; alcoholic perfumery, and preparations used for the mouth and teeth; and fancy, perfumed soaps. These increases are made for revenue purposes.

The increases in Schedule B (earthenware) are on gas retorts, to cure defective construction of the language of the present law; and the smaller sizes of plate glass, the latter increase being contained in the House bill.

In the metal schedule (Schedule C) a new scale is made upon new classes of high-priced steel valued above 24 cents per pound. There is also an advance on latch needles, on laces, embroideries, and other manufactures of tinsel wire and gold and silver threads. Some classes of watch movements are increased over the present law, but are reduced from the House bill. Zinc and antimony ore are taken from the free list and put upon the dutiable list, and products of zinc are increased in proportion.

In Schedule G there is an increase in duties on the following agricultural products: Buckwheat flour, corn, oats, rye, wheat, hops, split pease, plants, and so forth; figs, dates, olives, grapes, and lemons.

In Schedule I (cotton and cotton goods), the only changes from the House bill are amendments for the purpose of securing a more symmetrical classification for cotton yarns, and a substitution of specific for ad valorem rates on certain classes of cotton cloths. These specific rates are the equivalent of from 25 to 45 per cent ad valorem, and do not increase the average rates intended to be imposed by existing law.

In Schedule J, novelties and the finer fancy fabrics of linen are increased for revenue purposes.

In the paper schedule (Schedule M) there are increases upon some of the light-weight paper and in some articles in the lithograph paragraph.

In Schedule N (sundries), rates are increased on ostrich and other feathers, artificial feathers, articles manufactured from feathers, and down quilts, all these increases having been made by the House for revenue purposes. Articles of wearing apparel composed of fur are increased 15 per cent; fancy manufactures of leather are increased 5 per cent; manufactures of coral are increased 10 per cent; and miscellaneous manufactures of cork, straw, and so forth, are increased 5 per cent for revenue purposes.

The increases in rates in Schedules H (wines and spirits) and L (silks) are for revenue purposes.

There are no increases in rates over the present law in Schedules D (lumber), E (sugar), F (tobacco), and K (wool).

Mr. BEVERIDGE. I call the Senator's attention to the fact that 5 o'clock has passed.

Mr. ALDRICH. Yes; and I will ask that the suggested amendments of reductions and increases be printed not only in the RECORD but as a document.

The PRESIDENT pro tempore. The Chair hears no objection, and the order will be made.

The matter referred to is as follows (S. Doc. No. 30):

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, compared with the present tariff law, showing percentages of decrease.

[Prepared under direction of the Senate Committee on Finance, Sixty-first Congress, first session.]

SCHEDULE A—CHEMICALS, OILS, AND PAINTS.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
1	Acids:			
	Boracic	5 cents per pound	2 cents per pound	60.00
	Chromic	3 cents per pound	do	33.33
	Gallic	10 cents per pound	8 cents per pound	20.00
	Lactic, containing not over 40 per cent of actual lactic acid	3 cents per pound	2 cents per pound	33.33
	Salicylic	10 cents per pound	5 cents per pound	50.00
	Tannic, or tannin	50 cents per pound	35 cents per pound	30.00
	Tartaric	7 cents per pound	5 cents per pound	28.57

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE A—CHEMICALS, OILS, AND PAINTS—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
2	Alcoholic compounds	60 cents per pound and 45 per cent.	60 cents per pound and 25 per cent.	20.09
4	Alumina, hydrate of, containing not more than 64 per cent of alumina	1/16 cent per pound	1/16 cent per pound a	33.33
	Alum, alum cake, etc.:			
	Containing less than 15 per cent of alumina and more than 1/16 of 1 per cent of iron oxide.	¼ cent per pound	⅛ cent per pound	50.00
	Containing more than 15 per cent of alumina or less than 1/16 of 1 per cent of iron oxide.	do	⅛ cent per pound	25.00
5	Ammonia, sulphate of	1/16 cent per pound	1/16 cent per pound	33.33
6	Argols, crude:			
	Containing not more than 40 per cent of bitartrate of potash	1 cent per pound	5 per cent	85.26
	Containing more than 40 per cent of bitartrate of potash	1½ cents per pound	do	65.59
	Argols, partly refined:			
	Containing not more than 90 per cent of bitartrate of potash	4 cents per pound	3 cents per pound	25.00
	Containing more than 90 per cent of bitartrate of potash	5 cents per pound	4 cents per pound	20.00
	Tartrate of soda, or potassa, or Rochelle salts	4 cents per pound	3 cents per pound	25.00
	Cream of tartar, and patent tartar	6 cents per pound	5 cents per pound	16.67
9	Blue vitriol	¼ cent per pound	⅛ cent per pound a	50.00
11	Borax	5 cents per pound	2 cents per pound	60.00
	Borates of lime or soda:			
	Containing not more than 36 per cent of anhydrous boracic acid	3 cents per pound	1¼ cents per pound	58.33
	Containing more than 36 per cent of anhydrous boracic acid	4 cents per pound	do	68.75
14	Chloroform	20 cents per pound	10 cents per pound	50.00
17	Collodion, etc.:			
	Collodion and all compounds of pyroxylin	50 cents per pound	40 cents per pound	20.00
	Rolled, or in sheets, unpolished and not made up into articles	60 cents per pound	45 cents per pound	25.00
538	Copperas, or sulphate of iron	¼ cent per pound	Free of duty	100.00
20	Ethers:			
	Sulphuric	40 cents per pound	8 cents per pound	80.00
	Nitrous, spirits of	25 cents per pound	20 cents per pound	20.00
	Fruit ethers, oils, or essences	$2 per pound	$1 per pound	50.00
	Other, n. s. p. f.	$1 per pound	50 cents per pound	50.00
21	Extracts of mangrove bark	¼ cent per pound	⅛ cent per pound	37.50
22	Gelatin, fish glue, or isinglass, prepared fish bladders and fish sounds, valued not above 10 cents.	2½ cents per pound	2 cents a	20.00
27	Iodoform	$1 per pound	75 cents per pound	25.00
	Licorice, extracts of	4¼ cents per pound	20 per cent	49.77
3	Croton oil	20 cents per pound	25 per cent	22.88
	Cotton-seed oil	4 cents per gallon	3 cents per gallon a	25.00
33	Flaxseed or linseed oil	20 cents per gallon	15 cents per gallon	25.00
	Poppy-seed oil	do	do	25.00
37	Peppermint oil	50 cents per pound	25 cents per pound	50.00
45	Ocher and ochery earths, ground in oil or water	1½ cents per pound	1 cent per pound	33.33
	Sienna and sienna earths, ground in oil or water	do	do	33.33
	Umber and umber earths, ground in oil or water	do	do	33.33
48	Ultramarine, dry, in pulp, or mixed with water	3¾ cents per pound	3 cents per pound	20.00
	Wash blue containing ultramarine	do	do	20.00
49	Varnishes, spirit	$1.32 per gallon and 35 per cent.	35 per cent	66.38
52	Whiting, ground in oil (putty)	1 cent per pound	¾ cent per pound	25.00
58	Potash:			
	Bichromate and chromate of	3 cents per pound	2¼ cents per pound	25.00
59	Chlorate of	2½ cents per pound	2 cents per pound	20.00
61	Nitrate of, or saltpeter, refined	¼ cent per pound	Free of duty	100.00
64	Plasters, healing or curative, and court-plaster	35 per cent	25 per cent	28.57
68	Soda:			
	Bicarbonate of, or supercarbonate of, or salerstus, etc	¼ cent per pound	⅙ cent per pound	16.67
	Bichromate and chromate of	2 cents per pound	1¾ cents per pound	12.50
70	Crystal carbonate of, etc	1/16 cent per pound	⅛ cent per pound	16.67
	Chlorate of	2 cents per pound	1½ cents per pound	25.00
71	Hydrate of, or caustic	¾ cent per pound	½ cent per pound	33.33
	Nitrite of	2½ cents per pound	2 cents per pound	20.00
	Hyposulphite of	¼ cent per pound	⅛ cent per pound	25.00
	Sulphide of	do	do	25.00
72	Sal, or soda crystals	1/16 cent per pound	⅛ cent per pound	16.67
73	Soda ash	¾ cent per pound	½ cent per pound	33.33
	Arseniate of	1½ cents per pound	1 cent per pound	20.00
74	Silicate of	¼ cent per pound	⅛ cent per pound	25.00
75	Sulphate of—			
	Glouber salts	$1.25 per ton	$1 per ton	20.00
	Salt cake, or niter cake	do	do	20.00
76	Moss, sea	10 per cent	Free of duty	100.00
	Prepared	20 per cent	10 per cent	50.00
77	Sponges, manufactures of, n. s. p. f.	40 per cent	30 per cent	25.00
78	Strychnia, or strychnine, and salts of	30 cents per ounce	15 cents per ounce	50.00
79	Sulphur:			
	Refined	$8 per ton	$6 per ton	25.00
	Sublimed	do	do	25.00
81	Vanillin	80 cents per ounce	25 cents per ounce	68.75

SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
82	Brick, fire, not more than 10 pounds each: Glazed, enameled, etc	45 per cent	35 per cent	22.22
	Weighing more than 10 pounds each, not glazed	35 per cent	30 per cent	14.28
	Weighing more than 10 pounds each, glazed	45 per cent	35 per cent	22.22
	Brick, other than fire: Glazed, enameled, etc	do	do	22.22
86	Plaster rock or gypsum:			
	Crude	50 cents per ton	20 cents per ton	60.00
	Ground or calcined	$2.25 per ton	$1.75 per ton	22.22
89	Mica:			
	Unmanufactured or rough trimmed only	6 cents per pound and 20 per cent.	5 cents per pound and 20 per cent.	7.58
	Cut or trimmed	12 cents per pound and 20 per cent.	10 cents per pound and 20 per cent.	7.47
90	Rockingham ware, decorated	60 per cent	40 per cent	33.33
94	Carbons for electric lighting	90 cents per 100	70 cents per 100 feet	b 22.22
	Filter tubs	45 per cent	35 per cent	22.22

a Amendment to be submitted by committee. b Estimated.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, compared with the present tariff law, showing percentages of decrease.

[Prepared under direction of the Senate Committee on Finance, Sixty-first Congress, first session.]

SCHEDULE A—CHEMICALS, OILS, AND PAINTS.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
1	Acids:			
	Boracic	5 cents per pound	2 cents per pound	60.00
	Chromic	3 cents per pound	do	33.33
	Gallic	10 cents per pound	8 cents per pound	20.00
	Lactic, containing not over 40 per cent of actual lactic acid	3 cents per pound	2 cents per pound	33.33
	Salicylic	10 cents per pound	5 cents per pound	50.00
	Tannic, or tannin	50 cents per pound	35 cents per pound	30.00
	Tartaric	7 cents per pound	5 cents per pound	28.57

Salicylic	10 cents per pound	5 cents per pound	50.00
Tannic, or tannin	50 cents per pound	35 cents per pound	30.00
Tartaric	7 cents per pound	5 cents per pound	28.57

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
97	Cylinder, crown, and common window glass, unpolished:			
	Above 24 by 30 and not exceeding 24 by 36 inches	2⅞ cents per pound	2⅞ cents per pound	4.00
	Above 24 by 36 and not exceeding 30 by 40 inches	3⅛ cents per pound	3⅛ cents per pound	3.70
	Above 30 by 40 and not exceeding 40 by 60 inches	3⅞ cents per pound	3⅞ cents per pound	3.23
	Above 40 by 60 inches	4⅛ cents per pound	4⅛ cents per pound	2.86
98	Cylinder and crown glass, polished, unsilvered:			
	Above 24 by 30 and not exceeding 24 by 60 inches	15 cents per square foot	12 cents per square foot	20.00
	Above 24 by 60 inches	20 cents per square foot	15 cents per square foot	25.00
99	Plate glass, fluted, rolled, etc.: Above 24 by 60 inches	35 cents per square foot	22½ cents per square foot	35.71
100	Plate glass, cast, polished, unsilvered: Above 24 by 60 inches	do	do	35.71
101	Plate glass, cast, polished, silvered, and looking-glass plates: Above 24 by 60 inches	38 cents per square foot	25 cents per square foot	34.21
	Cylinder and crown glass, polished, silvered, and looking-glass plates: Above 24 by 60 inches.	do	do	34.21
102	Plate glass, cast, polished, silvered, when bent, etc., above 24 by 60 inches	38 cents per square foot and 5 per cent.	25 cents per square foot and 5 per cent.	31.26
	Plate glass, cast, polished, unsilvered, when bent, etc., above 24 by 60 inches	35 cents per square foot and 5 per cent.	22½ cents per square foot and 5 per cent.	33.65
	Cylinder, crown, and common window glass, unpolished, when bent, etc.:			
	Above 24 by 30 and not exceeding 24 by 36 inches	2⅞ cents per pound and 5 per cent.	2⅞ cents per pound and 5 per cent.	4.04
	Above 24 by 36 and not exceeding 30 by 40 inches	3⅛ cents per pound and 5 per cent.	3⅛ cents per pound and 5 per cent.	3.38
	Above 30 by 40 and not exceeding 40 by 60 inches	3⅞ cents per pound and 5 per cent.	3⅞ cents per pound and 5 per cent.	3.05
	Above 40 by 60 inches	4⅛ cents per pound and 5 per cent.	4⅛ cents per pound and 5 per cent.	a 3.00
	Cylinder and crown glass, polished, silvered, when ground, bent, etc., above 24 by 60 inches.	38 cents per square foot and 5 per cent.	25 cents per square foot and 5 per cent.	30.64
	Cylinder and crown glass, polished, unsilvered, when ground, bent, etc., above 24 by 30 and not exceeding 24 by 60 inches.	15 cents per square foot and 5 per cent.	12 cents per square foot and 5 per cent.	18.18
109	Marble:			
	Sawed or dressed, over 2 inches in thickness	$1.10 per cubic foot	$1 per cubic foot	9.09
	Slabs or paving tiles—			
	Not more than 1 inch in thickness—			
	Unrubbed	12 cents per superficial foot	8 cents per superficial foot	33.30
	Rubbed	15 cents per superficial foot	10 cents per superficial foot	33.33
	More than 1 inch and not more than 1½ inches thick—			
	Unrubbed	15 cents per superficial foot	10 cents per superficial foot	20.00
	Rubbed	18 cents per superficial foot	12 cents per superficial foot	33.33
	More than 1½ inches and not more than 2 inches thick—			
	Unrubbed	do	12½ cents per superficial foot	30.55
	Rubbed	21 cents per superficial foot	14½ cents per superficial foot	30.91
	Onyx:			
	In block, rough or squared	$1.50 per cubic foot	65 cents per cubic foot	56.67
	Sawed or dressed, over 2 inches in thickness	$1.10 per cubic foot	$1 per cubic foot	9.09
	Mosaic cubes of marble, onyx, or stone, not exceeding 2 inches in size, loose	1 cent per pound and 20 per cent.	2 cent per pound and 20 per cent.	58.69
	Attached to paper or other material	20 cents per superficial foot and 35 per cent.	5 cents per superficial foot and 35 per cent.	a 7.08

SCHEDULE C—METALS, AND MANUFACTURES OF.

115½	Iron ore	40 cents per ton	25 cents per ton	37.50
876	Basic slag	$1 per ton	Free of duty	100.00
116	Iron in pigs:			
	Ferromanganese	$4 per ton	$2.50 per ton	37.50
	Spiegeleisen	do	do	37.50
	All other (except ferrosilicon)	do	do	37.50
	Scrap iron and steel:			
	Iron, wrought and cast	do	do	37.50
	Steel	do	do	37.50
117	Bar iron:			
	Rolled or hammered, comprising—			
	Plate not less than 1 inch wide nor less than ⅛ of 1 inch thick	1/16 cent per pound	1/32 cent per pound	50.00
	Round iron not less than 1/16 of 1 inch in diameter	do	do	50.00
	Square iron	do	do	50.00
118	Bars or shapes of rolled or hammered iron n. s. p. f., and round iron in coils or rods, less than 1/16 of 1 inch in diameter.	1/16 cent per pound	1/32 cent per pound	25.00
	Blabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig, except castings.	1/16 cent per pound	1/32 cent per pound	20.00
	Bars, blooms, billets, slabs, or loops in the manufacture of which charcoal is used as fuel.	$12 per ton	$8 per ton	33.33
119	Beams, girders, joists, etc., and all other structural shapes of iron or steel	1/16 cent per pound	1/32 cent per pound	20.00
120	Boiler or other plate iron or steel (except crucible plate steel and saw plates), etc.			
	Valued 1 cent per pound or less	do	3/10 cent per pound	40.00
	Valued above 1 cent and not above 2 cents per pound	1/10 cent per pound	1/15 cent per pound	33.33
	Valued above 2 cents and not above 4 cents per pound	1 cent per pound	⅗ cent per pound	30.00
	Valued above 4 cents per pound	25 per cent	20 per cent	20.00
	Cold rolled, smoothed only, valued above 2 cents and not above 4 cents per pound.	1 1/10 cents per pound	7/10 cent per pound	25.00
121	Anchors, or parts of	1½ cents per pound	1 cent per pound	33.33
122	Forgings of iron or steel or combined iron or steel	35 per cent	30 per pound	14.28
	Hoop, band, or scroll iron or steel n. o. p. f., etc.:			
	Not thinner than No. 10 wire gauge	1/10 cent per pound	3/10 cent per pound	40.00
	Thinner than No. 10 and not thinner than No. 20 wire gauge	1/15 cent per pound	1/10 cent per pound	33.33
	Thinner than No. 20 wire gauge	1/10 cent per pound	3/40 cent per pound	25.00
	Hoop or band iron, or hoop or band steel, flared, splayed, or punched, etc.:			
	Not thinner than No. 10 wire gauge	1/15 cent per pound	1/10 cent per pound	33.33
	Thinner than No. 10 and not thinner than No. 20 wire gauge	1/20 cent per pound	3/40 cent per pound	28.57
	Bands or strips of steel, suitable for making band saws: b			
	Untempered	3 cents per pound and 20 per cent.	1 1/10 cents per pound a	63.06
	Tempered, or tempered and polished	6 cents per pound and 20 per cent.	3 1/10 cents per pound a	64.77
123	Hoop or band iron, or hoop or band steel, cut to lengths, wholly or partly manufactured into hoops or ties, etc.	1/10 cent per pound	3/40 cent per pound	40.00
124	Bars or rails for railways:			
	Iron	$7.84 per ton	$3.92 per ton	50.00
	Steel	do	do	50.00
	Railway fish plates or splice bars of iron or steel	1/10 cent per pound	1/20 cent per pound	50.00

a Estimated. b Not enumerated in Senate bill.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
125	Sheets of iron or steel, common or black, and skelp iron or steel, etc.:			
	Thinner than No. 10 and not thinner than No. 20 wire gauge	1/10 cent per pound	1/20 cent per pound	28.57
	Thinner than No. 20 and not thinner than No. 25 wire gauge	3/20 cent per pound	1/10 cent per pound	25.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 3/20 cents per pound	3/20 cent per pound	27.27
	Thinner than No. 32 wire gauge	1 9/20 cents per pound	3/20 cent per pound	25.00
	Sheet iron or sheet steel, corrugated or crimped	1 9/20 cents per pound	3/20 cent per pound	27.27
126	Hoop, band, or scroll, iron or steel (excepting tin plates, etc.), galvanized or coated, etc.:			
	Not thinner than No. 10 wire gauge	1/10 cent per pound	1/20 cent per pound	28.57
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/20 cent per pound	1/10 cent per pound	25.00
	Thinner than No. 20 wire gauge	1 cent per pound	4/5 cent per pound	20.00
	Sheets or plates of iron or steel (except tin plates, etc.), galvanized or coated, etc.:			
	Thinner than No. 10 and not thinner than No. 20 wire gauge	9/20 cent per pound	7/20 cent per pound	22.22
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	4/5 cent per pound	20.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 3/20 cents per pound	1 cent per pound	23.08
	Thinner than No. 32 wire gauge	1 9/20 cents per pound	1 cent per pound	21.43
	Sheet iron or sheet steel, corrugated or crimped, galvanized, etc.	1 3/20 cents per pound	1 cent per pound	23.08
	Sheets or plates composed of iron, steel, copper, nickel, or other metal, with layers of other metal imposed by forging, etc.	45 per cent	40 per cent	11.11
127	Sheet iron or sheet steel, polished, planished, or glanced	2 cents per pound	1½ cents per pound	25.00
	Sheets or plates, pickled or cleaned by acid, etc.:			
	Thinner than No. 10 and not thinner than No. 20 wire gauge	9/20 cent per pound	7/20 cent per pound	22.22
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	4/5 cent per pound	20.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 3/20 cents per pound	1 cent per pound	23.08
	Sheets of iron or steel, common or black, etc., cold rolled, smoothed only, not polished:			
	Thinner than No. 10 and not thinner than No. 20 wire gauge	9/20 cent per pound	7/20 cent per pound	22.22
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	4/5 cent per pound	20.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 3/20 cents per pound	1 cent per pound	23.08
128	Tin plates, etc.:			
	Lighter than 63 pounds per 100 square feet	1½ cents per pound	1 3/20 cents per pound	20.00
	All other	do	do	20.00
129	Steel ingots, cogged ingots, blooms and slabs, etc.:			
	Valued above ½ and not above 1 1/20 cents per pound	3/20 cent per pound	3/20 cent per pound	25.00
	Valued above 1 1/20 and not above 1 3/20 cents per pound	1/20 cent per pound	1/20 cent per pound	16.67
	Valued above 1 3/20 and not above 2 3/20 cents per pound	1/20 cent per pound	1/20 cent per pound	14.28
	Valued above 2 3/20 and not above 3 cents per pound	1/20 cent per pound	1/20 cent per pound	11.11
	Valued above 3 and not above 4 cents per pound	1 1/20 cents per pound	1 1/20 cents per pound	8.33
	Valued above 4 and not above 7 cents per pound	1 3/20 cents per pound	1 3/20 cents per pound	7.69
	Valued above 7 and not above 10 cents per pound	2 cents per pound	1 9/20 cents per pound	5.00
	Valued above 10 and not above 13 cents per pound	2 3/20 cents per pound	2 1/20 cents per pound	4.17
	Valued above 13 and not above 16 cents per pound	2 3/20 cents per pound	2 1/20 cents per pound	3.57
	Sheets and plates n. s. p. f., and saw plates of steel wholly or partially manufactured:			
	Valued ¼ cent per pound or less	3/20 cent per pound	7/20 cent per pound	41.66
	Valued above 1 3/20 and not above 2 3/20 cents per pound	1/20 cent per pound	1/20 cent per pound	14.28
	Valued above 2 3/20 and not above 3 cents per pound	1/20 cent per pound	1/20 cent per pound	11.11
	Valued above 3 and not above 4 cents per pound	1 1/20 cents per pound	1 1/20 cents per pound	8.33
	Valued above 4 and not above 7 cents per pound	1 3/20 cents per pound	1 3/20 cents per pound	7.69
	Valued above 7 and not above 10 cents per pound	2 cents per pound	1 9/20 cents per pound	5.00
	Valued above 10 and not above 13 cents per pound	2 3/20 cents per pound	2 1/20 cents per pound	4.17
	Valued above 13 and not above 16 cents per pound	2 3/20 cents per pound	2 1/20 cents per pound	3.57
	Sheets and plates n. s. p. f. and saw plates of steel, cold rolled, smoothed only, not polished:			
	Valued above 1 3/20 and not above 2 3/20 cents per pound	1/20 cent per pound	1/20 cent per pound	11.11
	Valued above 3 and not above 4 cents per pound	1 1/20 cents per pound	1 1/20 cents per pound	7.14
	Valued above 4 and not above 7 cents per pound	1 3/20 cents per pound	1 3/20 cents per pound	6.67
	Valued above 7 and not above 10 cents per pound	2 1/20 cents per pound	2 1/20 cents per pound	4.54
	Valued above 10 and not above 13 cents per pound	2 3/20 cents per pound	2 3/20 cents per pound	3.85
	Valued above 13 and not above 16 cents per pound	3 cents per pound	2 7/20 cents per pound	8.33
	Valued above 16 and not above 24 cents per pound	4 3/20 cents per pound	4 1/20 cents per pound	2.04
133	Wire rods, etc.:			
	Untempered or untreated—			
	Valued 4 cents or less per pound	3/20 cent per pound	3/20 cent per pound	25.00
	Valued over 4 cents per pound	¼ cent per pound	1/20 cent per pound	20.00
	Tempered or treated or partly manufactured—			
	Valued 4 cents or less per pound	3/20 cent per pound	1/20 cent per pound	11.11
	Manufactures of, valued over 4 cents per pound	2¼ cents per pound	1 9/20 cents per pound	6.00
134	Round iron or steel wire:			
	Valued 4 cents per pound or less—			
	Not smaller than No. 13 wire gauge	1½ cents per pound	1 cent per pound	20.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	1½ cents per pound	1½ cents per pound	10.67
	Smaller than No. 16 wire gauge	2 cents per pound	1¾ cents per pound	12.50
	Manufactures of—			
	Not smaller than No. 13 wire gauge	2½ cents per pound	2¼ cents per pound	10.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2½ cents per pound	2¼ cents per pound	10.09
	Smaller than No. 16 wire gauge	3½ cents per pound	3 cents per pound	7.69
	Cold rolled, etc., blued, brightened, tempered, etc., manufactures of, smaller than No. 13 and not smaller than No. 16 wire gauge.	3½ cents per pound	2 9/20 cents per pound	22.67
	Hat, bonnet, crinoline, etc., and all wire n. s. p. f., valued more than 4 cents per pound.	45 per cent	40 per cent	11.11
	Do. (manufactures of)	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.60
	Do. (coated with zinc or tin, etc.)	45 per cent plus 3/20 cent per pound.	40 per cent plus 3/20 cent per pound.	10.60
	Do. (coated with zinc, etc., manufactures of)	45 per cent and 1 3/20 cents per pound.	40 per cent plus 1 3/20 cents per pound.	9.34
	Brass wire, manufactures of	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.74
	Copper wire, manufactures of	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.34
	Corset clasps, corset steels, and sheet steel in strips, etc	45 per cent	40 per cent	11.11
	Do. (manufactures of)	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.43
	Do. (cold rolled, etc., blued, brightened, tempered, etc.)	45 per cent plus 1 cent per pound.	40 per cent plus 3/20 cent per pound.	16.07
	Wire of iron or steel, coated with zinc, etc.:			
	Not smaller than No. 13 wire gauge	1 3/20 cents per pound	1 3/20 cents per pound	17.24
	Smaller than No. 16 wire gauge	2 3/20 cents per pound	1 13/20 cents per pound	11.36
	Manufactures of—			
	Not smaller than No. 13 wire gauge	2 7/20 cents per pound	2 3/20 cents per pound	9.23
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2 13/20 cents per pound	2 7/20 cents per pound	8.47
	Smaller than No. 16 wire gauge	3 3/20 cents per pound	3 1/20 cents per pound	7.25

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
	Wire rope and wire strand:			
	Made of iron and steel wire—			
	Not smaller than No. 13 wire gauge	2¼ cents per pound	1¾ cents per pound	22.22
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2½ cents per pound	2 cents per pound	20.00
	Smaller than No. 16 wire gauge	3 cents per pound	2½ cents per pound	16.67
	All valued more than 4 cents per pound	40 per cent plus 1 cent per pound.	40 per cent plus ¾ cent per pound.	6.10
	All valued more than 4 cents per pound, n. s. p. f.	45 per cent plus 1 cent per pound.	do	13.64
	Made of iron or steel wire, coated with zinc, etc.—			
	Not smaller than No. 13 wire gauge	2 2/10 cents per pound	1 13/16 cents per pound	20.41
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2 7/10 cents per pound	2 3/10 cents per pound	18.52
	Smaller than No. 16 wire gauge	3 2/10 cents per pound	2 9/10 cents per pound	15.62
	All valued more than 4 cents per pound	40 per cent plus 1 3/10 cents per pound.	40 per cent plus 11/16 cent per pound.	5.28
136	Steel ingots, cogged ingots, blooms and slabs, etc., cold rolled, etc., galvanized or coated with zinc, etc., valued above 7 and not above 10 cents per pound.	2 3/10 cents per pound	2 3/10 cents per pound	4.54
	Sheets and plates, n. s. p. f., and saw plates of steel, etc., cold rolled, cold hammered, blued, brightened, tempered, etc.:			
	Valued above 2 3/5 and not above 3 cents per pound	1 7/8 cents per pound	1 3/8 cents per pound	26.84
	Valued above 3 and not above 4 cents per pound	2 2/10 cents per pound	1 7/8 cents per pound	31.81
	Valued above 4 and not above 7 cents per pound	2 4/10 cents per pound	1 7/8 cents per pound	30.43
	Valued above 7 and not above 10 cents per pound	3 cents per pound	2 2/10 cents per pound	26.33
	Valued above 10 and not above 13 cents per pound	3 1/10 cents per pound	2 4/10 cents per pound	20.59
	Valued above 13 and not above 16 cents per pound	3 7/10 cents per pound	3 1/10 cents per pound	18.42
	Steel circular saw plates:			
	Valued above 4 and not above 7 cents per pound	1 9/10 cents per pound	1 9/10 cents per pound	19.44
	Valued above 7 and not above 10 cents per pound	2½ cents per pound	2 1/10 cents per pound	14.00
	Valued above 10 and not above 13 cents per pound	2 7/10 cents per pound	2 1/10 cents per pound	12.07
139	Anvils	1¼ cents per pound	1¼ cents per pound	13.33
141	Axles, or parts of, axle bars, etc	1 cent per pound	¾ cent per pound	25.00
142	Hammers and sledges, etc	1½ cents per pound	1½ cents per pound	8.33
143	Bolts, etc	do	1½ cents per pound	25.00
	Castings:			
145	Cast-iron pipe of every description	1/10 cent per pound	⅛ cent per pound	37.50
146	Cast-iron vessels, not above 2 cents per pound	1/10 cent per pound	1/10 cent per pound	37.50
	Chiseled, drilled, machined, or otherwise advanced	do	1/10 cent per pound	12.50
147	Malleable iron castings, n. s. p. f.	3/10 cent per pound	do	22.22
148	Hollow ware, coated, glazed, or tinned	2 cents per pound	1½ cents per pound	25.00
	Chain or chains, made of iron or steel:			
149	Not less than ¾ inch in diameter	1½ cents per pound	⅛ cent per pound	22.22
	Less than ¾ inch and not less than ½ inch in diameter	1½ cents per pound	1¼ cents per pound	18.18
	Less than ½ inch and not less than 3/16 inch in diameter	1½ cents per pound	1¼ cents per pound	6.67
150	Boiler tubes, pipes, flues, or stays, etc.:			
	Not less than ½ inch in diameter	2 cents per pound	1 cent per pound	50.00
	Less than ½ inch and not less than ¼ inch in diameter	do	1½ cents per pound	12.50
	Cylindrical or tubular tanks, etc	45 per cent per pound	30 per cent	33.33
	Flexible metal tubing or hose, n. s. p. f.	35 per cent per pound	do	14.29
	Welded cylindrical furnaces, made from plate metal	2½ cents per pound	2 cents per pound	20.00
	Tubes and tubing for cycles	35 per cent	30 per cent	14.29
	Tubes, finished, n. s. p. f.	do	do	14.29
153	Table, carving, cooks', etc., knives, forks, and steels, etc.:			
	With handles of mother-of-pearl, shell, or ivory (silver, etc.)	16 cents per piece and 15 per cent.	14 cents each and 15 per cent.	9.30
	With handles of deerhorn	12 cents per piece and 15 per cent.	10 cents each and 15 per cent.	12.67
	With handles of hard rubber, solid bone, celluloid, or any pyroxylin material	5 cents per piece and 15 per cent.	4 cents each and 15 per cent.	14.31
	With handles of any other material	1¼ cents per piece and 15 per cent.	1 cent each and 15 per cent.	26.14
	Butchers', hunting, plumbers', painters', etc., knives, etc.:			
	With handles of mother-of-pearl, shell, or ivory (silver, etc.)	16 cents per piece and 15 per cent.	14 cents each and 15 per cent.	8.91
	With handles of deerhorn	12 cents per piece and 15 per cent.	10 cents each and 15 per cent.	14.11
	With handles of hard rubber, solid bone, celluloid, or any pyroxylin material	5 cents per piece and 15 per cent.	4 cents each and 15 per cent.	15.41
	With handles of any other material	1¼ cents per piece and 15 per cent.	1 cent each and 15 per cent.	25.25
154	Files, file blanks, rasps, and floats:			
	2½ inches in length and under	30 cents per dozen	40 per cent	50.79
	Over 2½ and not over 4½ inches in length	50 cents per dozen	do	52.32
	Over 4½ and under 7 inches in length	75 cents per dozen	do	54.27
158	Nails, spikes, and tacks:			
159	Nails and spikes, cut, of iron and steel	1/10 cent per pound	1/15 cent per pound	33.33
160	Nails, horseshoe, hob, and all other wrought-iron or steel nails, n. s. p. f.	2½ cents per pound	1½ cents per pound	33.33
	Nails, wire, made of wrought iron or steel—			
	Not less than 1 inch in length and not lighter than No. 16 wire gauge	¼ cent per pound	⅛ cent per pound	50.00
161	Spikes of wrought iron or steel	1 cent per pound	¾ cent per pound	25.00
	Nuts and washers, of wrought iron or steel	do	do	25.00
	Horse, mule, or ox shoes, of wrought iron or steel	do	do	25.00
162	Tacks, brads, or sprigs, cut—			
	Not exceeding 16 ounces to the thousand	1½ cents per pound	¾ cent per pound	50.00
	Exceeding 16 ounces to the thousand	1½ cents per pound	¾ cent per pound	50.00
165	Rivets, of iron or steel	2 cents per pound	1¼ cents per pound	37.50
166	Saws:			
	Circular saws	25 per cent	20 per cent	20.00
	Crosscut saws	6 cents per linear foot	5 cents per linear foot	16.67
	Hand, back, and other saws, n. s. p. f.	30 per cent	25 per cent	16.67
	Mill saws	10 cents per linear foot	8 cents per linear foot	20.00
	Pit and drag saws	8 cents per linear foot	6 cents per linear foot	25.00
	Steel band saws, etc	10 cents per pound and 20 per cent.	8 cents per pound and 20 per cent.	23.22
167	Screws, wood:			
	Over ½ inch and not more than 1 inch in length	8½ cents per pound	8 cents per pound	5.88
	Over 1 inch and not more than 2 inches in length	6 cents per pound	5 cents per pound	16.67
	More than 2 inches in length	4 cents per pound	3½ cents per pound	12.50
169	Wheels, or parts of, etc	1½ cents per pound	1½ cents per pound	16.67
170	Tires, etc., for railway wheels or tires, etc	1½ cents per pound	1 cent per pound	20.00
	Aluminum:			
	In crude form, etc	8 cents per pound	7 cents per pound	12.50
	Plates, sheets, etc	13 cents per pound	11 cents per pound	15.38
176	Silver leaf in packs of 500 leaves	75 cents per pack	50 cents per pack	33.33

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
178	Hooks and eyes, metallic, etc	5½ cents per pound and 15 per cent.	4 cents per pound and 15 per cent.	17.55
181	Monazite sand and thorite	6 cents per pound	4 cents per pound	33.33
186	Agraffes, barettes, bars, etc., not jewelry	45 per cent	40 per cent	11.11
191	Zinc:			
	In blocks or pigs	1½ cents per pound	1 cent per pound	33.33
	In sheets	2 cents per pound	1¼ cents per pound	37.50
194	Cash registers, linotype and all typesetting machines	45 per cent	30 per cent	33.33
195	Aluminum rope (made from aluminum wire)	45 per cent plus 1 cent per pound.	40 per cent plus ¾ cent per pound.	11.98

SCHEDULE D—WOOD, AND MANUFACTURES OF.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
196	Timber:			
	Round, used for spars, etc	1 cent per cubic foot	½ cent per cubic foot	50.00
	Hewn, squared, or sided, etc	do	do	50.00
197	Lumber:			
	Boards, planks, etc., whitewood, etc.—			
	Not planed or finished	$1 per M feet	50 cents per M feet	50.00
	Planed or finished on two sides	$2 per M feet	$1.50 per M feet	25.00
	Planed on one side and tongued and grooved	do	do	25.00
	Planed on two sides and tongued and grooved	$2.50 per M feet	$2 per M feet	20.00
	Sawed lumber n. o. p. f.—			
	Not planed or finished	$2 per M feet	$1 per M feet	50.00
	Planed or finished on one side	$2.50 per M feet	$1.50 per M feet	40.00
	Planed or finished on two sides	$3 per M feet	$2 per M feet	33.33
	Planed or finished on three sides	$3.50 per M feet	$2.50 per M feet	28.57
	Planed or finished on four sides	$4 per M feet	$3 per M feet	25.00
	Planed on one side and tongued and grooved	$3 per M feet	$2 per M feet	33.33
	Planed on two sides and tongued and grooved	$3.50 per M feet	$2.50 per M feet	28.57
200	Paving posts, railroad ties, etc	20 per cent	10 per cent	50.00
201	Clapboards:			
	Pine	$1.50 per thousand	$1 per thousand	33.33
	Spruce	do	do	33.33
558	Fence posts	10 per cent	Free	100.00
203	Laths	25 cents per thousand	20 cents per thousand	20.00

SCHEDULE E—SUGAR, MOLASSES, AND MANUFACTURES OF.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
213	Sugar, Dutch standard in color, above No. 16, etc	1.95 cents per pound	1.90 cents per pound	2.56
215	Saccharine	1.50 per pound and 10 per cent.	75 cents per pound	52.32

SCHEDULE G—AGRICULTURAL PRODUCTS AND PROVISIONS.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
252	Corn meal	20 cents per bu. of 48 lbs	40 cents per 100 pounds	4.30
258	Pease, green, in bulk, etc	40 cents per bushel	25 cents per bushel	37.50
262	Seeds: Celery	30 per cent	10 cents per pound	61.07
	Canary	do	Free of duty	100.00
266	Fish: Anchovies, etc., in other packages	40 per cent	30 per cent	25.00
286	Tallow	¾ cent per pound	½ cent per pound	33.33
	Wool grease, etc., crude and not refined	¾ cent per pound	½ cent per pound	50.00
292	Starch, all other than potato	1½ cents per pound	1 cent per pound	33.33
293	Dextrine, etc	2 cents per pound	1½ cents per pound	25.00

SCHEDULE H—SPIRITS, WINES, AND OTHER BEVERAGES.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
300	Ginger wine or ginger cordial:			
	In casks or packages other than bottles or jugs—			
	Containing 14 per cent or less of absolute alcohol	40 cents per gallon [a]	$2.60 per proof gallon	25.00
	Do. (reciprocity)	35 cents per gallon [b]	do	25.71
	In bottles or jugs, containing each more than 1 pint and not more than 1 quart	$1.60 per dozen [c]	do	2.38

SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.
334	Yarns, of jute, single, finer than 5 lea or number	35 per cent	30 per cent	14.28
335	Cables and cordage composed of istle or tampico fiber, etc	1 cent per pound	¾ cent per pound	25.00
336	Threads, twines, etc.:			
	Made from yarn not finer than—			
	5 lea or number	13 cents per pound	10 cents per pound	23.08
	10 lea or number	16¾ cents per pound	13¾ cents per pound	17.91
	[Senate rate on these threads is 3 cents per pound less than present rate for each corresponding lea or number.]			
337	Yarns of flax, hemp, or ramie, etc., single in the gray, not finer than 8 lea or number	7 cents per pound	6 cents per pound	14.28
338	Gill netting, etc.:			
	Made of thread, twines, etc., not finer than—			
	5 lea or number	13 cents per pound and 25 per cent.	10 cents per pound and 20 per cent.	22.44
	6 lea or number	13¾ cents per pound and 25 per cent.	10¾ cents per pound and 20 per cent.	21.01
	[Senate rate on this gill netting is 3 cents per pound and 5 per cent less than the present rate for each corresponding lea or number of the thread from which made.]			
340	Carpets, etc., of flax, etc.:			
	Value not exceeding 15 cents per square yard	5 cents per square yard and 35 per cent.	4 cents per square yard and 30 per cent.	17.48
	Valued over 15 cents per square yard	10 cents per square yard and 35 per cent.	8 cents per square yard and 30 per cent.	16.43
341	Hose, hydraulic, etc	20 cents per pound	15 cents per pound	25.89
343	Oilcloths, etc., 12 feet and over in width	20 cents per square yard and 20 per cent.	12 cents per square yard and 15 per cent.	34.65

[a] Estimated at $4 per proof gallon. [b] Estimated at $3.50 per proof gallon. [c] Estimated at $2.66¾ per proof gallon.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate—Continued.

SCHEDULE L—SILKS AND SILK GOODS.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
392	Silk partly manufactured from cocoons, etc	40 cents per pound	35 cents per pound	12.50
395	Plushes on which ordinary duty does not amount to 50 per cent	50 per cent	$1.85 per pound [a]	.90
	Other, on which ordinary duty does not amount to 50 per cent	do	$2.50 per pound [a]	40.64
	Fabrics weighing not over 1 ounce per square yard	$4.50 per pound	$4 per pound	11.11
396	Handkerchiefs:			
	Not hemmed or hemmed only—			
	Weighing ½ ounce to 1½ ounces per square yard—			
	Boiled off	$3 per pound	50 per cent	15.25
	Dyed or printed in the piece	$3.25 per pound	do	18.41
	Weighing 1½ ounces to 8 ounces—			
	Dyed in the piece, etc., containing over 45 per cent in weight of silk	$3 per pound	do	32.83
	Dyed in the thread, etc., containing 30 per cent to 45 per cent in weight of silk	$1.30 per pound	do	10.71
	Hemstitched, etc.—			
	Weighing ½ ounce to 1½ ounces per square yard, boiled off	$3 per pound and 10 per cent.	60 per cent	5.50
	Weighing 1½ ounces to 8 ounces per square yard, dyed in the piece, etc., containing over 45 per cent in weight of silk	do	do	23.28

SCHEDULE M—PULP, PAPERS, AND BOOKS.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
405	Printing paper, book paper, etc.:			
	Valued 2 to 2½ cents per pound	$\frac{1}{16}$ cent per pound	$\frac{1}{20}$ cent per pound	25.00
	Valued above 2 and not above 4 cents per pound	$\frac{1}{16}$ cent per pound	$\frac{1}{20}$ cent per pound [b]	16.67
408	Lithographic prints, etc.:			
	On paper, etc.—			
	Exceeding $\frac{1}{100}$ to $\frac{1}{32}$ inch in thickness—			
	Exceeding 35 to 400 square inches	8 cents per pound	7 cents per pound	12.50
	Exceeding 400 square inches	35 per cent	do	52.17

SCHEDULE N—SUNDRIES.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.
431	Gunpowder, etc.:			
	Valued 20 cents or less per pound	4 cents per pound	2 cents per pound	50.00
	Valued over 20 cents per pound	6 cents per pound	4 cents per pound	33.33
432	Matches:			
	In boxes	8 cents per gross	6 cents per gross	25.00
	Otherwise	1 cent per thousand	¾ cent per thousand	25.00
433	Blasting caps	$2.36 per thousand	$2 per thousand	15.25
	Cartridges	35 per cent	30 per cent	14.28
	Mining and blasting fuse	do	do	14.28
441	Haircloth, known as crinoline	10 cents per square yard	8 cents per square yard	20.00
442	Hats, bonnets, etc., of fur, etc.:			
	Valued not over $5 per dozen	$2 per dozen and 20 per cent.	$1.25 per dozen and 15 per cent.	34.92
	Valued $5 to $10 per dozen	$3 per dozen and 20 per cent.	$2.25 per dozen and 15 per cent.	25.00
	Valued $10 to $20 per dozen	$5 per dozen and 20 per cent.	$4 per dozen and 15 per cent.	21.76
	Valued over $20 per dozen	$7 per dozen and 20 per cent.	$5.50 per dozen and 15 per cent.	22.92
443	Leather band or belting	20 per cent	5 per cent	75.00
	Upper, dressed	do	15 per cent	25.00
	All other	do	do	25.00
	Calfskins, tanned, etc	do	do	25.00
	Skins dressed and finished other than chamois	do	do	25.00
	Skins for morocco—			
	Finished	do	do	25.00
	Tanned	10 per cent	5 per cent	50.00
	Patent leather, etc.—			
	Weighing not over 10 pounds per dozen skins	30 cents per pound and 20 per cent.	27 cents per pound and 15 per cent.	18.31
	Weighing 10 pounds to 25 pounds per dozen skins	30 cents per pound and 10 per cent.	27 cents per pound and 8 per cent.	13.07
	Pianoforte leather	35 per cent	20 per cent	42.86
	Boots and shoes	25 per cent	15 per cent	40.00
	Shoe laces	50 cents per gross and 20 per cent.	50 cents per gross and 10 per cent.	25.20
453	Harnesses, etc	45 per cent	35 per cent	22.22
462	Paintings, etc	20 per cent	15 per cent	25.00
	Statuary	do	do	25.00
466	Agricultural implements, etc	do	do	25.00

[a] Estimated.

[b] Amendment to be submitted by committee.

Mr. ALDRICH. I move that the Senate——

Mr. CULBERSON. Before the Senator makes a motion to adjourn, I ask leave to print in the RECORD a statement of instances in which duties have been lowered and raised and where the same duties are maintained. It is a succinct statement, and was made by an expert competent to do the work. The statement shows that out of total articles, 1,943, duties lowered, 356; duties increased, 316——

Mr. ALDRICH. Increased above the present law?

Mr. CULBERSON. Increased above the present law. And it shows that the items in which the duties are maintained amount to 1,271.

Mr. ALDRICH. Who is the expert who made that statement?

Mr. CULBERSON. I stated to the Senator that he is competent to make it.

Mr. ALDRICH. I would be glad to have his name, because he must be a wonderful man.

Mr. CULBERSON. The statement is made, among others, by a man from the Treasury Department. That ought to be sufficient to convince the Senator that he is thoroughly competent. I have not asked the Senator who made his.

Mr. ALDRICH. I myself am responsible for that.

Mr. CULBERSON. So am I for this.

Mr. ALDRICH. The Senator is responsible without knowledge, then.

Mr. CULBERSON. I am responsible because, Mr. President, I have faith in the figures made, and I have attempted to verify them the best I can.

Mr. ALDRICH. Does the Senator present a list of articles upon which he says reductions have been made?

Mr. CULBERSON. I present the schedules, the increases, the lowered duties, and the instances in which duties are maintained in each schedule, but I have not gone into details.

Mr. ALDRICH. I have gone into details.

Mr. CULBERSON. I will say to the Senator that probably he will be accommodated in that respect, also.

Mr. ALDRICH. I think it very important that should be done, if there is to be any credence given to it.

Mr. OVERMAN. Did the Senator from Rhode Island make his statement himself, or did he have an expert make it?

Mr. ALDRICH. It was made under my direction.

Mr. OVERMAN. Of course. Who was the expert?

Mr. ALDRICH. Major Lord.

Mr. OVERMAN. Is he a man from the Treasury Department?

Mr. ALDRICH. No, sir; he is not.

Mr. OVERMAN. He is a major in the army, I believe.

Mr. ALDRICH. He is a major in the army, but he has more knowledge on this subject than almost any other man I know. He was Mr. Dingley's clerk in the preparation by the Ways and Means Committee of the existing law; and I think he is better qualified to make a statement of this kind than any other man within my knowledge.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Texas that the statement he presents be printed in the RECORD.

The matter referred to is as follows:

Articles, as shown in the United States Statistics of Imports, affected by the Senate bill.

Schedule—	Lower duties.	Higher duties.	Same duties.
A	58	15	145
B	31	4	126
C	167	29	92
D	15	3	26
E	2		49
F			15
G	8	23	198
H		105	14
I	20	70	168
J	[a] 14	10	58
K			87
L	8	31	24
M	4	9	42
N	29	17	227
Total	356	316	1,271
Total articles			1,943
Per cent	18.3	16.3	65.4

[a] Paragraph 336 covers threads of fibers, and includes 159 different "lea" or sizes.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 6, 1909, at 11 o'clock a. m.

SENATE.

THURSDAY, *May 6, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the petition of Hinchman, Vezin & Co., of New York City, N. Y., praying for the retention of the proposed duty on hosiery, which was ordered to lie on the table.

He also presented a petition of the Jewelers' Board of Trade, of New York City, N. Y., praying for the creation of a nonpartisan tariff commission, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Kentucky, Oklahoma, Indiana, New York, and West Virginia, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of New York City, N. Y., and of New Haven and Meriden, in the State of Connecticut, remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. SHIVELY presented petitions of sundry citizens of Russiaville, Newcastle, South Manchester, Sandborn, Carmel, New Albany, Kempton, Williamsburg, New Richmond, Madison, Evansville, Richmond, Columbus, Frankfort, Worthington, Hebron, Auburn, Logansport, Pierceton, Kokomo, Dana, Carrollton, and Delphi, all in the State of Indiana, praying for the removal of the duty on raw hides, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Tell City, Hazelton, Scotland, New Augusta, Indianapolis, Haughville, Clearmont, Rome City, Wawaka, Greensburg, Troy, Columbus, Story, Elwood, Balbec, Hammond, Spencer, College Corner, Vincennes, Fort Wayne, Connersville, and Odon, all in the State of Indiana, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Mansfield, Millersburg, Cincinnati, Akron, Columbus, Worthington, Glouster, Mount Vernon, Fairport Harbor, and Cleveland, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. SIMMONS presented petitions of sundry citizens of Dublin, White Oak, Kenston, Lumberton, Richardson, and Elizabethtown, all in the State of North Carolina, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PERKINS presented petitions of sundry citizens of Placerville and Exeter, in the State of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Independent Oil Producers' Agency, of Bakersville, Cal., remonstrating against the removal of the countervailing duty on petroleum and its products, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Los Angeles, Cal., employed in the lithographic industry, praying for an increase of the duty on lithographic products, which was ordered to lie on the table.

Mr. DICK presented a petition of sundry citizens of Brecksville, Ohio, praying for the passage of the so-called "rural parcels post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry petroleum producers of Spencerville, Ohio, praying for the imposition of a duty of 50 per cent ad valorem on crude petroleum, which was ordered to lie on the table.

Mr. HALE presented petitions of sundry citizens of Bangor, Bridgeton, Dexter, Newport, North Berwick, and Old Town, all in the State of Maine, praying for a readjustment of the wool schedule to remedy the inequalities detrimental to the carded woolen industry, which were ordered to lie on the table.

He also presented a petition of Winn Grange, Patrons of Husbandry, of Winn, Me., praying for the passage of the so-called "parcels post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Winn Grange, Patrons of Husbandry, of Winn, Me., remonstrating against the duty on sulphate of ammonia and potash, which was ordered to lie on the table.

He also presented a memorial of B. L. Glover and sundry other citizens of Maine, remonstrating against the proposed increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Bangor, Bowerbank, Presque Isle, and Sebec, all in the State of Maine, praying for the reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of King Ferry, Poplar Ridge, Sherwood, Aurora, Ludlowville, Hadley, and Luzerne, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented memorials of sundry citizens of New York City, N. Y., remonstrating against an increase of the duty on imported razors, which were ordered to lie on the table.

He also presented a petition of J. F. Bingham Lodge, No. 155, Brotherhood of Locomotive Firemen, of New York City, N. Y., praying for the enactment of legislation providing for the inspection of locomotive boilers and their necessary equipment for the safety of the men employed upon them, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Union No. 68, Cigarmakers' International Union of America, of Albany, N. Y., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was ordered to lie on the table.

He also presented a petition of the board of managers of the New York Produce Exchange, praying for a reduction of the duty on wheat, corn, and oats, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for an increase of the duty on lithographic products, which were ordered to lie on the table.

He also presented a memorial of Austerlitz Grange, No. 819, Patrons of Husbandry, of Spencertown, N. Y., remonstrating

against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented a petition of the International Gem Company and of the A. & S. Esposito Company, of New York City, N. Y., praying for an increase of the duty on precious stones, which was ordered to lie on the table.

Mr. BRANDEGEE presented petitions of sundry citizens of New Haven, Cromwell, Branford, South Windham, and Plymouth, all in the State of Connecticut, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Spokane, Elbe, Minerva, and Falls City, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FRYE presented a petition of sundry citizens of Sebattus, Me., praying that a protective duty be placed on carded wool, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 2275) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher; to the Committee on Claims.

By Mr. NEWLANDS:

A bill (S. 2276) granting a pension to Paul De Chaine; to the Committee on Pensions.

By Mr. GORE:

(By request) A bill (S. 2277) permitting officers, soldiers, seamen, and marines who served in the United States Army for ninety days during the civil war, and who were honorably discharged, to acquire title to certain public lands of the United States, and for other purposes; to the Committee on Public Lands.

A bill (S. 2278) granting a pension to James Young; and

A bill (S. 2279) granting an increase of pension to Basil McClain; to the Committee on Pensions.

By Mr. NIXON:

A joint resolution (S. J. R. 35) providing for the erection of a statue of the late Hon. William M. Stewart, United States Senator from Nevada; to the Committee on the Library.

INTERSTATE-COMMERCE COMMODITIES CLAUSE.

Mr. BAILEY. Mr. President, I desire to introduce a bill to amend what is known as the "commodities clause" of the interstate-commerce act. I have not seen the full text of the recent opinion of the Supreme Court, but I have seen enough to know that it sustains the principle upon which that commodities clause is based, though the decision seems, from what I have seen of it, to hold that the act does not cover all of the cases which I know the author of it intended that it should cover.

It appears from the newspaper reports which I have seen that the court has held that the act does not include the case where a railroad company owns the stock of a corporation which mines or manufactures or produces these articles. The amendment which I now propose is intended to remedy that defect. When drawing that provision of the law I thought that the words "directly or indirectly" covered every possible contingency, and I still think so; but in view of the decision of the court it seems necessary, if the purpose of Congress is to be made effective, that a further amendment to the law shall be proposed and adopted.

The PRESIDENT pro tempore. The bill will be read by title.

The SECRETARY. A bill to amend "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, as approved June 29, 1906," and so forth.

Mr. BAILEY. I simply want to call attention to the fact that the act as it would be amended will read precisely as the existing law now reads, with the addition of the words "or by any corporation or joint stock company in which it owns or controls, directly or indirectly, any stock or interest."

Mr. CULBERSON. Mr. President, I happen to have a copy of the opinion just alluded to by my colleague, and I ask that the opinion may be printed in the RECORD in connection with the bill he has introduced.

Mr. KEAN. I ask also that it be printed as a document.

Mr. CULBERSON. I have no objection to that.

Mr. BAILEY. Mr. President, as the full text of the court's opinion is now available, I will, with the permission of the Senate, withdraw the bill which I have just introduced until I can carefully read exactly and completely what has been said and thus make it certain that I meet the requirements of the law as well as of industrial conditions.

The PRESIDENT pro tempore. Does the Senator from Texas withdraw his bill?

Mr. BAILEY. I desire to withdraw it until I can have the opportunity to examine the opinion.

The PRESIDENT pro tempore. No objection being heard, the bill is withdrawn.

Mr. CULBERSON. It is the understanding, then, that the opinion will be printed in the RECORD and as a document?

The PRESIDENT pro tempore. The Senator from Texas asks that the opinion may be printed in the RECORD and also as a Senate document. The Chair hears no objection, and the order is made.

The matter referred to is as follows:

[Senate Document No. 37. Sixty-first Congress, first session.]

RAILROAD RATE LAW.

Supreme Court of the United States. October term, 1908. Nos. 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, and 570.

In error to the circuit court of the United States for the eastern district of Pennsylvania: 559. The United States ex rel. The Attorney-General of the United States, Plaintiff in Error, v. The Delaware and Hudson Company. 560. Same v. Erie Railroad Company. 561. Same v. The Central Railroad Company of New Jersey. 562. Same v. Delaware, Lackawanna and Western Railroad Company. 563. Same v. The Pennsylvania Railroad Company. 564. Same v. Lehigh Valley Railroad Company.

Appeals from the circuit court of the United States for the eastern district of Pennsylvania: 565. The United States, Appellant, v. The Delaware and Hudson Company. 566. Same v. Erie Railroad Company. 567. Same v. The Central Railroad Company of New Jersey. 568. Same v. Delaware, Lackawanna and Western Railroad Company. 569. Same v. The Pennsylvania Railroad Company. 570. Same v. Lehigh Valley Railroad Company.

(May 3, 1909.)

Mr. Justice White delivered the opinion of the court.

We dismiss for the present a contention made by one of the corporations that it is not a railroad company within the meaning of that term as used in the statute, which we shall have occasion to consider, because it is merely a coal company whose transporting operations are but incidental to its mining operations. With this contention put aside, it is true to say, speaking in a general sense, that the corporations, parties to this record, by means of railroads owned and operated by them, were engaged in transporting coal from the anthracite coal fields in Pennsylvania to points of market for ultimate delivery in other States. With much of the coal so transported, the corporations had been or were connected by some relation distinct from the association which was necessarily engendered by the transportation of the commodity by the corporations as common carriers in interstate commerce. While the business of the corporations, generally speaking, had these characteristics, there were differences between them. Some of the corporations owned and worked mines and transported over their own rails in interstate commerce the coal so mined, either for their own account or for the account of those who had acquired title to the coal prior to the beginning of the transportation. Others, while operating railroads, not only owned, but also leased and operated coal mines, and carried the coal produced from such mines in the same way. Again, others of the railroad companies, although not operating mines, were the owners of stock in corporations engaged in mining coal, the coal so produced by such corporations being carried in interstate commerce by the railroad companies holding the stock in the producing coal companies, either for account of the producing corporations or for persons to whom the coal had been sold at the point of production prior to the beginning of interstate commerce. This, moreover, was, additionally, the case as to some of the railroad companies who, as we have previously stated, were engaged both in the production of coal from mines owned by them and in interstate transportation of such product. All the attributes thus enjoyed by the corporations had been possessed by them for a long time, and were expressly conferred by the laws of Pennsylvania, and, in some instances, also by the laws of other States, in which the companies likewise, in part, carried on their business. We insert in the margin a summary which the court below made concerning the situation of the respective corporations, taken from the answer or return made by each corporation:

"It is admitted, generally, by the defendants that the allegations in the bills and petitions, as to their corporate existence, are true, and that they own or operate railroads engaged in the interstate transportation of coal from the anthracite region of Pennsylvania. They also admit that this transportation has been carried on by the several defendants long prior to the 8th day of May, 1906, and in the case of some of them for a period varying from a quarter to more than half a century prior thereto. In addition to these general admissions, detailed statements are made by the defendants, respectively, of the character and extent of the ownership or other interests possessed by them in the coal so transported, or in the lands or mines from which it is produced. It is only necessary to briefly summarize these statements:

"(1) The Delaware and Hudson Company alleges that it directly owns its coal lands as it does its railroad; that it was incorporated by an act of the legislature of the State of New York, April 23, 1823, and was 'authorized to construct a canal or water navigation from the anthracite coal district in Pennsylvania to the Hudson River in New York; to purchase lands in Pennsylvania containing stone or anthracite coal; and to employ its capital in the business of transporting to market coal mined from such lands.' That this authority was also expressly conferred by acts of the legislature of the State of Pennsylvania between the years 1823 and 1871, and that these acts of the State of Pennsylvania resulted from the desire and policy of said State to create and foster the industry of mining such coal and developing the transportation thereof; that under the authority of these statutes of Pennsylvania and of New York the said defendant, beginning as early as the year 1823, invested its capital in the purchase of a large quantity of coal lands in the State of Pennsylvania and in the construction of canal navigation in Pennsylvania from the Delaware River to the Hudson River; that later, under statutes of both States, it invested additional capital in the construction of railroads in the State of Pennsylvania, and in the construction and acquisition of railroads and leasehold estates in the State of

New York, for the same general purpose of transporting coal from the coal lands owned by it; that it has invested large sums of money, not only in the acquisition of coal property, but in the erection of structures for mining and terminal facilities; that some of its coal properties were acquired under leases upon royalties payable to the lessors for each ton of coal mined, the leases fixing large minimum amounts by way of rent; that large fixed rentals are required to be paid, not only for those mining lands, but for railroads acquired for the purpose of transporting coal; that there are three coal companies whose shares are practically all owned by it, viz, the Northern Coal and Iron Company, the Jackson Coal Company, and the Hudson Coal Company; that its mining lands thus owned and acquired are located upon or contiguous to the railroads of defendant; that said railroads are the only reasonable, practical, and conveniently available avenues of transportation whereby the coal by it produced can be transported in interstate commerce, and the coal mined by the defendant and by said coal companies upon its lines of railroad amounts approximately to 70 per cent of the entire transportation by it, or to about 4,300,000 gross tons, its daily shipments averaging about 12 trains of 37 coal cars each; that the coal lands so acquired by the defendant and by said three coal companies would have little, if any, value except for the mining of coal therefrom and its sale as a commercial commodity, and that if it is deprived, by virtue of the said act of Congress, of the right to transport said coal, it will be deprived of the only possible enjoyment of its property. It further avers that it is not a 'railroad company' within the meaning of the act of Congress, but that it is a coal company, and that since the year 1870 it has become, incidentally to its business as a coal-mining company, a common carrier by railroad of passengers and property.

"It is further averred, as a special ground of defense by the said Delaware and Hudson Company, that this said 'commodities clause' does not apply to it because all the coal mined by it upon its own lands and upon the lands of the said three coal companies (except as to steam sizes, as thereafter stated) 'is sold before transportation thereof begins by said company to third persons at the mines in Pennsylvania from which such coal has been produced, and that said company does not, at the time when the same is so transported by it in interstate commerce, own the same or any interest therein, direct or indirect, apart from its obligation and rights as a common carrier in the transportation thereof, and that it carries said coal for the account of the purchaser thereof, who is the consignor and owner of said coal.'

"(2) The answer of the Erie Railroad Company states that it was originally organized under the laws of the State of New York in 1832; that it has been reorganized from time to time under mortgage foreclosure; and finally, in November, 1895, under a foreclosure sale, it was reorganized under the statutes of New York, whereby it 'became the lawful owner of the property, rights, privileges, immunities, and franchises of all its predecessors aforesaid, including the shares of capital stock of coal companies and of railroad companies, as well as the railroads theretofore held and possessed by said predecessor companies, the railroads so owned by it and its said subsidiary companies, having an aggregate mileage of over 2,100 miles in the States of New York, Pennsylvania, New Jersey, Ohio, Indiana, and Illinois;' that the Pennsylvania Coal Company was created a corporation by the laws of Pennsylvania in 1838, its charter giving it the right of 'transacting the usual business of companies engaged in mining, transporting to market, and selling coal and the other products of coal mined;' and for that purpose it was given the power to purchase or lease coal lands in Pennsylvania; also the power to construct railroads with one or more tracks. In 1853 the said Pennsylvania Coal Company was authorized to extend its railroad to connect with the New York and Erie Railroad. The right of said Pennsylvania Coal Company to buy coal lands and build railroad connections was continued by acts of the legislature of Pennsylvania in 1857, 1864, 1867, and 1868; that in pursuance of these various acts of the legislature (the Pennsylvania Coal Company obtained capital, issued stock therefor, acquired coal lands, developed coal mines, produced, transported to markets, and sold coal; built and operated railroads, made railway connections as authorized, and did other like acts to promote the business of supplying all persons needing the same with anthracite coal. The Hillside Coal and Iron Company was organized by an act of the legislature of the State of Pennsylvania in 1869 for the purposes and with powers similar to those of the Pennsylvania Coal Company. Under authority of acts of the legislature of Pennsylvania the said Erie Railroad Company, long prior to the passage of said amendment to the interstate-commerce act, acquired substantially all the capital stock of said Pennsylvania Coal Company, the Hillside Coal and Iron Company, the Jefferson Railroad Company, and Erie and Wyoming Railroad Company and a small minority of the stock of the Temple Iron Company, and has pledged the same under various mortgages, pursuant to which have been issued and are now outstanding bonds for large sums, aggregating many millions of dollars, which bonds are held by purchasers in good faith and for value throughout the world; that for many years prior to May 1, 1908, it has been engaged in transporting the coal of said corporations to markets outside the State of Pennsylvania, many of which can only be reached from the railroad lines of this defendant; that the coal so transported amounts annually to several millions of tons and constitutes 22 per cent of the entire freight tonnage of this defendant, the Erie Company. It also denies that it is, by reason of the ownership of said stock in said companies, the owner, in whole or in part, of the coal transported by it in interstate commerce, or that it has or had any interest, direct or indirect, therein, and therefore has not violated or failed to comply with the so-called 'commodities clause' of the interstate-commerce act.

"(3) The Central Railroad Company of New Jersey avers that it was organized under the laws of the State of New Jersey, and by these laws was authorized to purchase and hold the stock or securities of any other corporation, of New Jersey or elsewhere, and that it was also so authorized by two acts of assembly of the State of Pennsylvania, one of which, approved April 15, 1860, was entitled 'An act to authorize railroad and canal companies to aid in the development of coal, iron, lumber, and other material interests of this Commonwealth;' that pursuant to the authority of these several acts, it had long prior to the said act of Congress become the owner of a majority of the shares of the capital stock of the Honeybrook Coal Company and of the Wilkesbarre Coal and Iron Company, both companies now being merged into the Lehigh and Wilkesbarre Company, a large majority of whose shares are owned by it; that it also owns a minority of the shares of the Temple Iron Company; that in 1871 it became the lessee of the Lehigh and Susquehanna Railroad, a Pennsylvania corporation, which it has ever since operated under an obligation to pay a yearly rental of not less than $1,414,400, and not to exceed $2,043,800 per annum; that its gross earnings from the transportation of coal amounted, for the year ending June 7, 1907, to $9,312,268.04, being 48 per cent of its entire freight receipts; and that a large part of its earnings from freight and miscellaneous passenger traffic is incident to and dependent upon the operation of the mines and collieries of said coal companies; and that the greater part of its earnings from transportation of coal comes from its carriage of the coal mined by the Lehigh and Wilkesbarre Coal Company; and that large sums of money have been expended by it in extending its lines and in constructions to enable it to transport said coal in interstate commerce.

"(4) The Delaware, Lackawanna and Western Railroad Company, like the Delaware and Hudson Company, admits that it is the owner of coal lands and mines coal, which it sells; that it was organized under an act of the legislature of Pennsylvania in 1849; that all the lines of railroad owned by it are wholly within the State of Pennsylvania, extending from the Delaware River, at the boundary line of the State of New Jersey, in a northwesterly direction across the State of Pennsylvania to the boundary line between the State of Pennsylvania and the State of New York, with a branch line extending from Scranton, in the State of Pennsylvania, to Northumberland, in said State. Said defendant also admits and alleges that, under express authority of acts of the legislature of the States of Pennsylvania, New Jersey, and New York, it, as lessee, now operates, and long prior to May 1, 1908, has operated, various lines of railroad in the two last-mentioned States, by which it has direct traffic connection with the city of Buffalo and other cities in the said States. Defendant also admits that for many years it has owned in fee extensive tracts of coal land in the State of Pennsylvania; that it has also leased large tracts of coal land in the said State, and is now engaged, and for many years last past has been engaged, in mining coal from the lands so owned and leased by it; that the holding of said lands, whether in fee or by lease, and the mining, manufacture, and interstate transportation of the coal therefrom has been and continues to be under and by virtue of the authority of the laws of the State of Pennsylvania.

"That, in addition to the foregoing, certain coal companies, organized from time to time under acts of assembly of the said State of Pennsylvania, have been merged into said defendant corporation; that by an act of the general assembly of the State of Pennsylvania approved April 15, 1869, entitled 'An act to authorize railroad and canal companies to aid in the development of the coal, iron, lumber, and other material interests of this Commonwealth,' the defendant was authorized to aid corporations authorized by law to develop coal, iron, lumber, and other material interests of Pennsylvania, by the purchase of their capital stock or bonds, or either of them. The answer of said defendant also alleges that, by reason of its ownership of said coal lands and coal, and the revenues derived from the transportation of the same to market, it has been enabled to expend millions in the betterment of its general transportation facilities for both goods and passengers, and give to the public the benefits of a well constructed and equipped modern railroad.

"That by virtue of leases of railroads, to enable it to transport coal in interstate commerce, it has become bound to pay yearly, in interest charges, the sum of $5,155,697, and for taxes $1,163,916. That out of a total of about 5,700,000 tons of coal produced by it in the year 1907 from its lands owned in fee and leased, upward of 6,700,000 tons were transported over its lines of railroad in interstate commerce; that from 40 per cent to 60 per cent of its annual transportation earnings, from the operation of leased lines, has been derived from the carriage of its own coal thereover.

"That it uses, in the conduct of its business as a common carrier, approximately 1,700,000 tons of anthracite coal, of pea size or smaller, annually, and will require more for such use in the future; that to obtain this coal in these economic sizes it is necessary to break up coal, leaving the larger sizes, which must be disposed of otherwise; that great waste would result if it were forbidden to transport to market in interstate commerce these larger sizes thus resulting.

"That defendant's rights to acquire its holding of coal land, its rights to own and mine coal and to transport the same to market in other States as well as in Pennsylvania and its leases of other railroads, were acquired many years prior to the enactment of the so-called 'interstate-commerce act,' and of the said amendment thereto known as the 'commodities clause.'

"(5) The answer of the Pennsylvania Railroad Company avers that it was incorporated under the laws of the State of Pennsylvania April 13, 1846; that as early as 1871, under authority of two general statutes of the State of Pennsylvania, it became the owner of all the shares of the Susquehanna Coal Company, of all the shares of the Summit Branch Mining Company, and of one-third of the shares of the Mineral Railroad Mining Company, corporations of the State of Pennsylvania; that since the last-mentioned year, and up to the present time, it has carried the coal produced from the mines of the said coal companies, at lawfully established schedule rates, over its lines of railroad; that approximately 65 per cent of the coal so mined has been carried to destinations outside the State of Pennsylvania; that it mines no coal, but that the coal it carries is mined by the said coal companies, and that it has no interest therein within the meaning of the said act of Congress, either direct or indirect; that the most largely producing of the properties belonging to these coal companies are located either directly upon, or so contiguous to the system of railroads operated by said defendant as to render transportation by any other railroads not reasonably practicable.

"(6) The answer of the Lehigh Valley Railroad Company states that it was originally incorporated September 20, 1647, under the laws of the State of Pennsylvania. Under the authority of various acts of assembly of the said State, other railroad and coal companies, prior to the year 1874, have been merged into it, some of which railroads were expressly authorized to construct railroads and to carry on the business of mining, transporting, and vending coal. It is also the lessee of railroads in Pennsylvania; that by means of its own and of said leased lines of railroad it conducts, and for many years has conducted, an interstate transportation of coal; that since 1872, pursuant to authority conferred by the laws of Pennsylvania, it has also owned the majority of the capital stock of the New York and Middle Coal Field Railroad and Coal Company, a corporation of the State of Pennsylvania; also the entire capital stock of Coxe Brothers & Co., a corporation of said State; a minority interest in the capital stock of the Highland Coal Company; a majority of the stock of the Locust Mountain Coal and Iron Company; a minority interest in the capital stock of the Packer Coal Company and of the Temple Iron Company, all corporations of the State of Pennsylvania, organized for the purpose of mining coal, some of them more than a half century ago; that it has constructed lines of railroad and branch railroads and terminal facilities for the purpose of transporting to market, in interstate commerce, the coal of the companies whose shares it owns, and this business has been conducted by it for many years; that practically said coal can be transported to market only by its railroads; that the capital stock of two of the coal com-

panies owned by said defendant has been transferred to a trustee, to hold under a general mortgage executed by defendant, under which mortgage bonds to the amount of $23,[illegible],000 have been issued by said defendant and are now outstanding in the hands of the public; that the capital stock of Coxe Brothers & Co. (Incorporated), owned by this defendant as aforesaid, has been transferred and assigned to, and is now held by a trustee under a collateral trust agreement executed by said defendant, dated November 1, 1905, for the purpose and upon the terms expressed in said agreement, a copy of which is annexed to said answer, and that bonds to the amount of $18,000,000 have been issued under said agreement and are now outstanding in the hands of the public; that said defendant transports annually, in interstate commerce, upward of 7,000,000 tons of anthracite coal, shipped by the said coal companies whose stock is owned by said defendant, in whole or in part as aforesaid, and transports annually for said coal companies, wholly within the State of Pennsylvania, upward of 1,500,000 tons; that nearly 42 per cent of its gross annual earnings of $36,068,431 for the last fiscal year, or $15,010,899, were derived from coal freights, which represented over 51 per cent of its entire freight tonnage; that the greater part of its gross earnings from coal transportation was received from the coal companies whose shares are by it owned; that the mines and collieries of said coal companies are all so located in the portions of the coal fields tributary to its lines of railroad that no means of transporting their product can be made available, except by defendant's railroads; that the railroad lines of this defendant have been from time to time extended, the control of other railroads acquired, and its facilities and equipment increased at enormous expense, in reliance upon the rights and franchises conferred by the statutes of Pennsylvania aforesaid; that a very large part of defendant's earnings is derived from the freight and passenger traffic incidental to and dependent upon the operation of the mines and collieries of said coal companies, and that if said defendant were deprived of the earnings derived from the transportation of the coal of said coal companies its business could not be continued, except at a net loss of many millions of dollars per annum."

After the 1st day of May, 1908, the Government of the United States commenced these proceedings by bill in equity against each of the corporations to enjoin each from carrying in interstate commerce any coal produced under the circumstances which we have stated. At the same time a petition in mandamus was filed against each corporation, seeking to accomplish the same result. Both the equity cases and the mandamus proceedings were based upon the assumption that the first section of the act to regulate commerce, as amended and reenacted by the law usually referred to as the "Hepburn Act," approved June 29, 1906 (34 Stat., 584), contained a commodities clause, generally known as the "commodities clause," which caused it to be illegal for the corporations after May 1, 1908, to transport in interstate commerce coal with which the railroad companies were or had been connected or associated in any of the modes above stated. Except as we have said, in the particular that one of the corporations claimed that it was not a railroad company within the meaning of the commodities clause, they all defended substantially upon the ground that when correctly interpreted the commodities clause did not forbid the interstate-commerce traffic in coal by them carried on. If it did, the clause was assailed as inherently repugnant to the Constitution, because the right to enact it was not embraced within the authority conferred upon Congress to regulate commerce. In addition, it was contended that even if, abstractly considered, the clause might be embraced within the grant of power to regulate commerce, nevertheless its provisions were in conflict with the due-process clause of the fifth amendment because of the destructive effect which the enforcement of its provisions would produce on the rights of property which the corporations possessed and had long enjoyed under the sanction of state laws. It was, besides, insisted that in any event the clause was repugnant to the Constitution, because of the discrimination created by the exception as to timber and the manufactured products thereof. The cases were submitted on the pleadings, and were heard and decided at the same time. Treating the clause as having the meaning which the Government contended for, the court came to consider the alleged repugnancy of the enactment to the Constitution. In the principal opinion the subject was at least formally approached, not for the purpose of deciding whether, inherently, the commodities clause was within the competency of Congress to enact as a regulation of commerce, but whether the provisions of that clause were repugnant to the Constitution because of the destructive effect of the prohibitions upon the vast sum of property rights which the corporations were found to enjoy as a result of valid state laws. In this aspect the issue which the court deemed it was called upon to determine was thus by it epitomized:

"The fundamental and underlying question, however, which presents itself at the threshold of all the cases for our consideration is whether the so-called 'commodities clause' amendatory to the act to regulate commerce, passed January 29, 1906, so far as its scope applies by the universality of its language to the cases here presented, is in excess of the legislative authority granted to Congress by the Constitution. This question must be considered with reference to the Constitution as a whole and in relation to the agreed facts of the several cases. It is therefore necessary to keep in mind the situation as presented by these statements, the facts set forth in their individual answers as above briefly summarized, and the relevant industrial conditions which being matters of common knowledge may be judicially noticed."

The attention which it was considered should be kept in mind for the purpose of framing upon the constitutional question was thus stated:

"The general situation is that for half a century or more it has been the policy of the State of Pennsylvania, as evidenced by her legislative acts, to encourage the development of her natural resources, especially as regards coal, by encouraging railroad companies and canal companies to invest their funds in coal lands, so that the product of her mines might be conveniently and profitably conveyed to market in Pennsylvania and other States. Two of the defendant corporations, were created by the legislature of Pennsylvania, one of them three-quarters of a century ago and the other half a century ago, for the expressed purpose that its coal lands might be developed and that coal might be transported to the people of Pennsylvania and of other States. It is not questioned that pursuant to this general policy investments were made by all the different companies in coal lands and mines, and by the majority of coal-producing companies, and that coal production was actually developed and carried about. As appears from the statistics of transportation thus brought about, the entire distribution of anthracite coal in and into the different States of the Union and Canada for the year 1905 (the last year for which there is statistics) was 61,410,201 tons; that approximately 3[illegible]-fifths of this entire production of anthracite coal was transported in interstate commerce over the defendant railroads, from Pennsylvania to points in other States and Canada, and of this four-fifths, from 70 to 75 per cent, was produced either directly by the defendant companies or through the agency of their subsidiary coal companies.

"It also appears from the answers filed that enormous sums of money have been expended by these defendants to enable them to mine and prepare their coal and to transport it to any point where there may be a market for it. It is not denied that the situation thus generally described is not a new one, created since the passage of the act in question, but has existed for a long period of years prior thereto, and that the rights and property interests acquired by the said defendants in the premises have been acquired in conformity to the constitution and laws of the State of Pennsylvania, and that their right to enjoyment of the same has never been doubted or questioned by the courts or people of that Commonwealth, but has been fully recognized and protected by both."

It was decided that, as applied to the defendants, the commodities clause was not within the power of Congress to enact as a regulation of commerce (164 Fed., 215). A member of the court dissented and expressed his reasons in a written opinion. Without adverting to all the reasoning expounded in that opinion, we think it accurate to say that in a large and ultimate sense it proceeded upon the assumption that, as the commodities clause provided, to quote the summing up of the opinion, for "the divorce of the dual relation of public carrier and private transporter," it was a regulation of commerce, and as such was within the power of Congress to enact, and when enacted was operative upon the defendants, and therefore required them to conform to the regulation, even although to do so might in some way indirectly affect valid rights derived from prior state legislation.

Judgments and decrees were entered denying the applications for mandamus and dismissing the bills of complaint.

The text of the commodities clause upon which the cases depend is as follows:

"From and after May 1, 1908, it shall be unlawful for any railroad company to transport from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole or in part, or in which it may have a direct or indirect interest, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier."

The Government insists that this provision prohibits railroad companies from transporting in interstate commerce articles or commodities other than the excepted class, which have been manufactured, mined, or produced by them or under their authority, or which they own or may have owned in whole or in part, or in which they have or may have had any interest, direct or indirect. These prohibitions, it is further insisted, apply to the transportation by a railroad company in interstate commerce of a commodity which has been manufactured, mined, or produced by a corporation in which the transporting railroad company is a stockholder, irrespective of the extent of such stock ownership. This construction of the provision rests not only upon the meaning which the Government insists should be given to its text, but on the significance of the text, as illumined by what it 2s insisted was the result intended to be accomplished by the enactment of the clause. The purpose, it is contended, was not merely to compel railroad companies to dissociate themselves before transportation from articles or commodities manufactured, mined, produced, or owned by them, etc., but, moreover, to divorce the business of transporting commodities in interstate commerce from their manufacture, mining, production, ownership, etc., and thus to avoid the tendency to discrimination forbidden by the act to regulate commerce, which, it is insisted, necessarily inheres in the carrying on by a railroad company of the business of manufacturing, mining, producing, or owning, in whole or in part, etc., commodities which are by it transported in interstate commerce.

The construction relied on is thus summed up in the argument of the Government: "It (the clause) forbids the carrier, who owns the mines and sells coal, to transport that coal in interstate commerce. * * * This is not trifling with the question. It states the exact fact and the reality." And, in accordance with this principle, the insistence in argument is that it was the duty of the carrier who owned and worked coal mines, or who had stock in such mines, or who owned coal, in order to bring themselves within the law, to dispose absolutely of all their interest in coal-producing property, in whatever form enjoyed, and to cease absolutely from acquiring like rights in the future. It was, doubtless, because of the far-reaching effect of this construction upon the enormous property interests involved which caused the result of the provision to be thus stated in the argument for the Government: "This is undoubtedly a searching and radical law, and was meant to be so." True, the Government, in argument, suggests that the radical result of the statute may be assuaged, without violating its spirit, by limiting its prohibitions so as to cause them to apply only so long as the commodities to which it applies are in the hands of a carrier or its first vendee. But no such limitation is expressed in the statute, and to engraft it would be an act of pure judicial legislation. Besides, to do so would be repugnant to the asserted spirit and purpose of the statute which lies at the foundation of the construction upon which the Government relies.

Let us as a prelude to an analysis of the clause, for the purpose of fixing its true construction and determining the constitutional power to enact it when its significance shall have been rightly defined, point out the questions of constitutional power which will require to be decided if the construction relied upon by the Government is a correct one.

We at once summarily dismiss all the elaborate suggestions made in argument as to the alleged wrong to result from the enforcement of the clause, if it be susceptible of the construction which the Government has placed upon it. We do this because obviously mere suggestions of inconvenience or harm are wholly irrelevant, as they can not be allowed to influence us in determining the question of the constitutional power of Congress to enact the clause.

Let it be conceded at once that the power to regulate commerce possessed by Congress is in the nature of things ever enduring, and therefore the right to exert it to-day, to-morrow, and at all times in its plenitude must remain free from restrictions and limitations arising or asserted to arise by state laws, whether enacted before or after Congress has chosen to exert and apply its lawful power to regulate. For our present purposes, moreover, although we may have occasion to examine the subject hereafter, we entirely put out of view all the contentions based upon the assumption that even, although the provisions of the clause be in and of themselves lawful regulations of commerce, if prospectively applied, nevertheless they can not be so considered, because of their retroactive effect upon the rights of the defendants alleged to have been secured by valid state laws. We further concede for the purpose of the inquiry we are at present making,

although we may also have occasion to examine the subject hereafter, that the power of Congress to regulate commerce can be constitutionally so exerted as to compel a railroad company engaged in interstate commerce to dissociate itself in interest from the commodities which it transports in interstate commerce, even although by existing state laws the railroad company may have a lawful right of ownership or association with the commodity upon which the regulation operates.

With these concessions in mind, and despite their far-reaching effect, if the contentions of the Government as to the meaning of the commodity clause be well founded, at least a majority of the court are of the opinion that we may not avoid determining the following grave constitutional questions: (1) Whether the power of Congress to regulate commerce embraces the authority to control or prohibit the mining, manufacturing, production, or ownership of an article or commodity, not because of some inherent quality of the commodity, but simply because it may become the subject of interstate commerce. (2) If the right to regulate commerce does not thus extend, can it be impliedly made to embrace subjects which it does not control, by forbidding a railroad company engaged in interstate commerce from carrying lawful articles or commodities because, at some time prior to the transportation, it had manufactured, mined, produced, or owned them, etc. And involved in the determination of the foregoing questions we shall necessarily be called upon to decide (a) Did the adoption of the Constitution and the grant of power to Congress to regulate commerce have the effect of depriving the States of the authority to endow a carrier with the attributes of producing as well as transporting particular commodities, a power which the States from the beginning have freely exercised, and by the exertion of which governmental power the resources of the several States have been developed, their enterprises fostered, and vast investments of capital have been made possible? (b) Although the Government of the United States, both within its spheres of national and local legislative power, has in the past for public purposes, either expressly or impliedly, authorized the manufacture, mining, production, and carriage of commodities by one and the same railway corporation, was the exertion of such power beyond the scope of the authority of Congress, except in a contract to which, when exercised, but a revocable license, subject at any time to be revoked and completely destroyed by means of a regulation of commerce?

While the grave questions thus stated must necessarily, as we have said, arise for decision, if the contention of the Government, as to the meaning of the commodity clause be correct, we do not intend by stating them, to decide them or even in the slightest degree to presently intimate, in any respect whatever, an opinion upon them. It will be time enough to approach their consideration if we are compelled to do so hereafter, as the result of the further analysis, which we propose to make in order to ascertain the meaning of the commodities clause.

It is elementary when the constitutionality of a statute is assailed, if the statute be reasonably susceptible of two interpretations, by one of which it would be unconstitutional and by the other valid, it is our plain duty to adopt that construction which will save the statute from constitutional infirmity. (Knights Templars Indemnity Company v. Jarman, 187 U. S., 197, 205.) And unless this rule be considered as meaning that our duty is to first decide that a statute is unconstitutional and then proceed to hold that such ruling was unnecessary because the statute is susceptible of a meaning, which causes it not to be repugnant to the Constitution, the rule plainly must mean that where a statute is susceptible of two constructions, by one of which grave and doubtful constitutional questions arise and by the other of which such questions are avoided, our duty is to adopt the latter. (Harriman v. Interstate Commerce Commission, 211 U. S., 407.)

Recurring to the text of the commodities clause, it is apparent that it disjunctively applies four generic prohibitions; that is, it forbids a railroad carrier from transporting in interstate commerce articles or commodities: (1) which it has manufactured, mined, or produced; (2) which have been so mined, manufactured, or produced under its authority; (3) which it owns in whole or in part; and (4) in which it has an interest, direct or indirect.

It is clear that the two prohibitions which relate to manufacturing, mining, etc., and the ownership resulting therefrom, are, if literally construed, not confined to the time when a carrier transports the commodities with which the prohibitions are concerned, and hence the prohibitions attach and operate upon the right to transport the commodity because of the antecedent acts of manufacture, mining, or production. Certain also is it that the two prohibitions concerning ownership, in whole or in part, and interest, direct or indirect, speak in the present and not in the past—that is, they refer to the time of the transportation of the commodities. These last prohibitions, therefore, differing from the first two, do not control the commodities if at the time of the transportation the carrier did not own in whole or in part by the transporting carrier, or if it then has no interest, direct or indirect, in them. From this it follows that the construction which the Government places upon the clause as a whole is in direct conflict with the literal meaning of the prohibitions as to ownership and interest, direct or indirect. If the first two classes of prohibitions as to manufacturing, mining, or production be given their literal meaning, and therefore be held to prohibit, irrespective of the relation of the carrier to the commodity at the time of transportation, and a literal interpretation be applied to the remaining prohibitions as to ownership and interest, thus causing them only to apply if such ownership and interest exist at the time of transportation, the result would be to give to the statute a self-annihilative meaning. This is the case since in practical execution it would come to pass that where a carrier had manufactured, mined, and produced commodities, and had sold them in good faith, it could not transport them; but, on the other hand, if the carrier had owned commodities and sold them it could carry them without violating the law. The consequence, therefore, would be that the statute, because of an immaterial distinction between the sources from which ownership arose, would prohibit transportation in one case and would permit it in another like case. An illustration will make this deduction quite clear: A carrier mines and produces and owns coal as a result thereof. It sells the coal to A. The carrier is impotent to move it for account of A in interstate commerce because of the prohibition of the statute. The same carrier at the same time becomes a dealer in coal and buys and sells the coal thus bought to the same person, A. This coal the carrier would be competent to carry in interstate commerce. And this illustration not only serves to show the incongruity and conflict which would result from the statute if the rule of literal interpretation be applied to all its provisions, but also serves to point out that as thus construed it would lead to the conclusion that it was the intention, in the enactment of the statute, to prohibit manufacturing and production by a carrier and at the same time to offer an incentive to a carrier to become the buyer and seller of commodities which it transported.

But it is said, on behalf of the Government, in view of the purpose of Congress to prohibit railroad companies engaged in interstate commerce from being at the same time manufacturers, producers, owners, etc., of commodities which they carry, despite the literal sense of some of the prohibitions they should all be construed so as to accomplish the result intended, and, therefore, their apparent divergence and conflict should be removed by construing them all as prohibiting the transportation because of the causes stated, irrespective of the particular relation of the railroad company to the commodities at the time of transportation. This suggestion, however, simply invites us, under the assumption that Congress had a particular intention in enacting the clause, to so construe the clause as to cause it to be essential to decide the grave constitutional questions which we have hitherto pointed out. On the contrary, as the prohibitions concerning ownership in whole or in part, and interest, direct or indirect, are susceptible only of the construction that the dissociation of the carrier with the products which it transports was contemplated, our duty is, if possible, to treat the other and apparently conflicting prohibitions as embracing a like purpose, and thus harmonize the provisions of the clause and prevent the necessity of approaching and passing upon the grave constitutional questions which would necessarily arise from pursuing the contrary course. This, it is urged, can not be done, since to do so would be in effect to expunge the prohibitions against manufacturing, mining, and production from the clause, as ownership in whole or in part or interest, direct or indirect, would embrace everything which could possibly have been intended to be expressed by the terms "manufacturing," "mining," and "production," if the proposed reconciliation of the conflict between the prohibitions be brought about. We think, however, that a brief reference to a ruling of this court concerning the effect of the interstate-commerce law, prior to its amendment by the Hepburn Act, will serve to make clear the unsoundness of the proposition. The case referred to is the New Haven Railroad v. Interstate Commerce Commission (200 U. S., 361). In that case, after much consideration, it was held that the prohibitions of the interstate-commerce act as to uniformity of rates and against rebates operated to prevent a carrier engaged in interstate commerce from buying and selling a commodity which it carried in such a way as to frustrate the provisions of the act, even if the effect of applying the act would be substantially to render buying and selling by an interstate carrier of a commodity which it transported practically impossible. In thus deciding, however, it became necessary (pp. 399, 400) to refer to rulings of the Interstate Commerce Commission construing the act to regulate commerce, made not long after the enactment of the statute, in which it was held that where interstate-commerce carriers were engaged in manufacturing, mining, producing, and carrying commodities in virtue of state charters authorizing them so to do, granted prior to the enactment of the act to regulate commerce, that act could not be applied without confiscation, except in so far as the requirement of reasonableness of rates was concerned. While referring to those administrative rulings, and declaring that in view of their long standing the construction which had been thus given to the act should not be departed from, "at least until Congress has legislated on the subject" (p. 401), it was nevertheless plainly intimated that legislation which compelled a carrier, even although authorized by its charter before the passage of the act to regulate commerce to engage in the production as well as transportation of commodities, to dissociate itself before transportation from the products which it manufactured, mined, or produced, would not, when enforced by proper rules and regulations, amount to confiscation. When, therefore, the subject of ownership, in whole or in part, or the interest of a carrier, direct or indirect, in the product which it transported, came to be considered, and the duty to dissociate before transportation came to be legislatively imposed, it is quite natural, in view of the prior administrative rulings and the intimations of this court, conveyed in the opinion in the New Haven case, to assume that the provisions as to manufacturing, mining, and production, while they may be somewhat redundant, were nevertheless expressed for the purpose of leaving no possible room for the implication that it was not the intention to include ownership resulting from manufacture, mining, production, etc., even although the right to manufacture, mine, and produce was sanctioned by state charters prior to the enactment of the act to regulate commerce. Looking at the statute from another point of view the same result is compelled. Certain it is that we could not construe the statute literally without bringing about the irreconcilable conflict between its provisions which we had previously pointed out, and therefore some rule of construction is essential to be adopted in order that the statute may have a harmonious operation. Under these circumstances, in view of the far-reaching effect to arise from giving to the first two prohibitions a meaning wholly antagonistic to the remaining ones, we think our duty requires that we should treat the prohibitions as having a common purpose—that is, the dissociation of railroad companies prior to transportation from articles or commodities, whether the association resulted from manufacturing, mining, production, or ownership, or interest, direct or indirect. In other words, in view of the ambiguity and confusion in the statute we think the duty of interpreting should not be so exerted as to cause one portion of the statute which, as conceded by the Government, is radical and far-reaching in its operation if literally construed, to extend and enlarge another portion of the statute which seems reasonable and free from doubt if also literally interpreted. Rather it seems to us our duty is to restrain the wider, and, as we think, doubtful, prohibitions so as to make them accord with the narrow and more reasonable provisions, and thus harmonize the statute.

Nor is there force in the contention that because the going into effect of the clause was postponed for a period of nearly two years, therefore the far-reaching and radical effects which the Government attributes to the clause must have been contemplated by Congress. We think, on the contrary, it is reasonable to infer, in view of the facts disclosed in the statement which we have previously excerpted, that the delay accorded is entirely consistent with the assumption that it was so granted to afford the time essential to make the changes which would be required to conform to the commands of the clause as we have interpreted it, such as providing the facilities for dissociation by sale at the point of production before transportation or segregation by means of the organization of bona fide manufacturing, mining, or producing corporations.

It remains to determine the nature and character of the interest embraced in the words "in which it is interested directly or indirectly." The contention of the Government that the clause forbids a railroad company to transport any commodity manufactured, mined, or produced, or owned in whole or in part, etc., by a bona fide corporation in which the transporting carrier holds a stock interest, however small, is based upon the assumption that such prohibition is embraced in the words we are considering. The opposing contention, however, is that interest, direct or indirect, includes only commodities in which a carrier has a legal interest, and therefore does not exclude the right to carry commodities which have been manufactured, mined, produced, or owned by a separate and distinct corporation, simply because the transporting

carrier may be interested in the producing, etc., corporation as an owner of stock therein. If the words in question are to be taken as embracing only a legal or equitable interest in the commodities to which they refer, they can not be held to include commodities manufactured, mined, produced, or owned, etc., by a distinct corporation merely because of a stock ownership of the carrier. (Pullman Palace Car Co. v. Missouri Pacific R. R., 115 U. S., 588; Conley v. Mathieson Alkali Works, 190 U. S., 406.) And that this is well settled also in the law of Pennsylvania is not questioned. It is unnecessary to pursue the subject in more detail, since it is conceded in the argument for the Government that if the clause embraces only a legal interest in an article or commodity it can not be held to include a prohibition against carrying a commodity simply because it had been manufactured, mined, or produced, or is owned by a corporation in which the carrier is a stockholder. The contention of the Government substantially rests upon the assumption that unless the words be given the meaning contended for they are without significance. That this is clearly not the case is well illustrated by the New Haven case, supra. In that case the Chesapeake and Ohio Railway Company it was shown at one time not only directly engaged in buying, selling, and transporting coal, but subsequently, when a statute was passed in West Virginia prohibiting such dealings, it reported to indirect methods for the continuance of its previous practice. It may not be that the very object of the provision was to reach and render impossible the successful employment of methods of the character referred to. Certain it is, however, that in the legislative progress of the clause in the Senate, where the clause originated, an amendment in specific terms, causing the clause to embrace stock ownership, was rejected; and immediately upon such rejection an amendment, expressly declaring that interest, direct or indirect, was intended, among other things, to embrace the prohibition of carrying a commodity manufactured, mined, produced, or owned by a corporation in which a railroad company was interested as a stockholder, was also rejected. (40 Cong. Rec., pt. 7, pp. 7012–7014.) And the considerations just stated we think completely dispose of the contention that stock ownership must have been in the mind of Congress, and therefore must be treated as though embraced within the evil intended to be remedied, since it can not in reason be assumed that there is a duty to extend the meaning of a statute beyond its legal sense upon the theory that a provision which was expressly excluded was intended to be included. If it be that the mind of Congress was fixed on the transportation by a carrier of any commodity produced by a corporation in which the carrier held stock, then we think the failure to provide for such a contingency in express language gives rise to the implication that it was not the purpose to include it. At all events, in view of the far-reaching consequences of giving the statute such a construction as that contended for, as indicated by the statement taken from the answers and returns which we have previously inserted in the margin, and of the questions of constitutional power which would arise if that construction was adopted, we hold the contention of the Government not well founded.

We then construe the statute as prohibiting a railroad company engaged in interstate commerce from transporting in such commerce articles or commodities under the following circumstances and conditions: *a.* When the article or commodity has been manufactured, mined, or produced by a carrier or under its authority, and at the time of transportation the carrier has not in good faith before the act of transportation dissociated itself from such article or commodity; *b.* When the carrier owns the article or commodity to be transported in whole or in part; *c.* When the carrier at the time of transportation has an interest, direct or indirect, in a legal or equitable sense, in the article or commodity, not including, therefore, articles or commodities manufactured, mined, produced, or owned, etc., by a bona fide corporation in which the railroad company is a stockholder.

The question then arises whether, as thus construed, the statute was inherently within the power of Congress to enact as a regulation of commerce. That it was, we think is apparent, and if reference to authority to so demonstrate is necessary it is afforded by a consideration of the ruling in the New Haven case, to which we have previously referred. We do not say this upon the assumption that by the grant of power to regulate commerce the authority of the Government of the United States has been unduly limited on the one hand and inordinately extended on the other, nor do we rest it upon the hypothesis that the power conferred embraces the right to absolutely prohibit the movement between the States of lawful commodities or to destroy the governmental power of the States as to subjects within their jurisdiction, however remotely and indirectly the exercise of such powers may touch interstate commerce. On the contrary, putting these considerations entirely out of mind, the conclusion just previously stated rests upon what we deem to be the obvious result of the statute as we have interpreted it; that it merely and unequivocally is confined to a regulation which Congress had the power to adopt and to which all preexisting rights of the railroad companies were subordinated. (Armour Packing Co. v. United States, 209 U. S., 56.)

We think it unnecessary to consider at length the contentions based upon the due process clause of the fifth amendment. In form of statement these contentions apparently rest upon the ruinous consequences which it is assumed would be operated upon the property rights of the carriers by the enforcement of the clause interpreted as the Government construed it. For the purpose of our consideration of the subject it may be conceded, as insisted on behalf of the United States, that these contentions proceed upon the mistaken and baleful conception that inconvenience, not power, is the criterion by which to test the constitutionality of legislation. If we, however, mere forms of statement are put aside and the real scope of the argument at bar is grasped, we think it becomes clear that in substance and effect the argument really asserts that the clause as construed by the Government is not a regulation of commerce, since it transcends the limits of regulation and embraces absolute prohibition, which it is insisted, could not be exerted in virtue of the authority to regulate. The whole support upon which the propositions and the arguments rest hence disappears as a result of the construction which we have given the statute. Through abundance of caution we repeat that our ruling here made is confined to the question before us. Because, therefore, in pointing out and applying to the statute the true rule of construction, we have indicated the grave constitutional questions which would be presented if we departed from that rule, we must not be considered as having decided these questions. We have not entered into their consideration, as it was unnecessary for us to do so.

Without elaborating, we hold the contention that the clause under consideration is void because of the exception as to timber, and the manufactured products thereof, is without merit. Deciding, as we do, that the clause, as construed, was a lawful exercise by Congress of the power to regulate commerce, we know of no constitutional limitation forbidding that such a regulation when adopted should be applied to all commodities alike. It follows that even if we gave heed to the many reasons of expedience which have been suggested in argument against the exception and the injustice and favoritism which it is asserted will be operated thereby, that fact can have no weight in passing upon the question of power. And the same reasons also dispose of the contention that the clause is void as a discrimination between carriers.

With reference to the contention that the commodities clause is void because of the nature and character of the penalties which it imposes for violations of its provisions, within the ruling in Ex parte Young, (209, U. S., 123), we think it also suffices to say that even if the delay which the clause provided should elapse between its enactment and the going into effect of the same does not absolutely exclude the clause from the ruling in Ex parte Young, a question which we do not feel called upon to decide, nevertheless the proposition is without merit, because (*a*) no penalties are sought to be recovered in these cases, and (*b*) the question of the constitutionality of the clause relating to penalties is wholly separable from the remainder of the clause, and, therefore, may be left to be determined should an effort to enforce such penalties be made.

There is a contention as to one of the defendants, the Delaware and Hudson Company, to which we, at the outset, referred, which requires to be particularly noticed. Under the charters granted to the company by the States of New York and Pennsylvania it was authorized to secure coal lands and mine coal, and, without going into detail, was originally authorized to construct a canal, and, ultimately, a railroad for the purpose of transporting, for its own account, the products of its mines, and, undoubtedly, vast sums of money have been invested in carrying out these purposes. It is true also that the company is the owner of stock in various coal corporations. The claim now to be disposed of is that by the true construction of its charters the Delaware and Hudson Company is not a railroad company within the meaning of the term as used in the commodities clause, but is really a coal company. The contention, we think, is without merit. The facts stated in the excerpts from the answer and returns of the company, which we have previously placed in the margin, leave no doubt that the corporation was engaged as a common carrier by rail in the transportation of coal in the channels of interstate commerce, and as such we think it was a railroad company within the purview of the clause and subject to the regulations which are embodied therein as we have interpreted them.

As the court below held the statute wholly void for repugnancy to the Constitution, it follows from the views which we have expressed that the judgments and the decrees entered below must be reversed. As, however, it was conceded in the discussion at bar that in view of the public and private interests which were concerned the United States did not seek to enforce the penalties of the statute, but commenced these proceedings with the object and purpose of settling the differences between it and the defendants concerning the meaning of the commodities clause and the power of Congress to enact it as correctly interpreted, and upon this view the proceedings were heard below by submission upon the pleadings, we are of opinion that the ends of justice will be subserved not by reversing and remanding with particular directions as to each of the defendants, but by reversing and remanding with directions for such further proceedings as may be necessary to apply and enforce the statute as we have interpreted it.

And it is so ordered.

Mr. Justice Harlan dissenting.

As these cases have been determined wholly on the construction of those parts of the Hepburn Act which are here in question, and as Congress, if it sees fit, may meet that construction by additional legislation, I deem it unnecessary to enter upon an extended discussion of the various questions arising upon the record, and will content myself simply with an expression of my nonconcurrence in the view taken by the court as to the meaning and scope of certain provisions of the act. In my judgment, the act, reasonably and properly construed, according to its language, includes within its prohibitions a railroad company transporting coal, if, at the time, it is the owner, legally or equitably, of stock—certainly, if it owns a majority or all the stock—in the company which mined, manufactured, or produced, and then owns, the coal which is being transported by such railroad company. Any other view of the act will enable the transporting railroad company, by one device or another, to defeat altogether the purpose which Congress had in view, which was to divorce, in a real, substantial sense, production and transportation, and thereby to prevent the transporting company from doing injustice to other owners of coal.

AMENDMENTS TO THE TARIFF BILL.

Mr. DICK submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. BRIGGS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. ROOT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BURKETT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. SIMMONS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. DIXON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

OCCUPATIONS AND THEIR RELATION TO THE TARIFF.

Mr. CULBERSON. Mr. President, I ask to have printed as a Senate document an article in the Quarterly Journal of Economics, by Edward Atkinson, entitled "Occupations and their relation to the tariff." It is intended to show, according to this writer, how many people employed would be affected by a reduction of the tariff. It is based upon the census of 1900. I ask that this article be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Texas asks that the matter which he sends to the desk be printed as a document.

Mr. ALDRICH. What is the request?

The PRESIDENT pro tempore. The Senator from Texas requests that the following article——

Mr. CULBERSON. It is an article written in 1902 by the late Edward Atkinson, of Boston, showing how the people engaged in occupations will be affected by the tariff. It is based upon the census of 1900.

Mr. ALDRICH. I do not like to interpose an objection to a matter of this kind, but I think the Senator from Texas must be aware that if we commence reprinting in the form of documents all the tariff articles or documents that have been published, it may involve the Government in very great expense before we get through.

Mr. CULBERSON. I do not contemplate at this time making any other similar request.

Mr. ALDRICH. The Senator from Texas may not, but there are a great many other Members of the Senate who may have articles or arguments on various subjects which they would like to have printed. It is entering upon a field which I think no man can see the limits of at present.

Mr. CULBERSON. I hope the Senator will not interpose at this time an objection.

Mr. ALDRICH. I will ask the Senator to let his request go over until to-morrow, and I will make an examination of the character of the document.

Mr. CULBERSON. Very well.

Mr. ALDRICH. I want to see it.

Mr. CULBERSON. It is written by a great statistician, the greatest this country has ever known.

Mr. ALDRICH. Mr. Edward Atkinson was quite a free-trade authority in his day; there is no doubt about that; but he was a great controversialist, and there are a great many people who think he was entirely wrong in his ideas, and certainly in his conclusions.

Mr. CULBERSON. This is not a discussion, Mr. President, of free trade. It is simply a statement by Mr. Atkinson as to how the number of people engaged in protected industries will be affected by a reduction of the tariff, based upon the census of 1900. But I have no objection to its going over until to-morrow, as requested.

The order was reduced to writing as a resolution (S. Res. 43), as follows:

Senate resolution 43.

Resolved, That there be printed as a document an article by the late Edward Atkinson, contained in the Quarterly Journal of Economics for the month of February, 1903, pages 280 to 292.

The PRESIDENT pro tempore. The resolution will lie over and be printed.

WOOL AND MANUFACTURES OF WOOL.

Mr. DOLLIVER. Mr. President, I desire to ask unanimous consent to do what I neglected to do yesterday, to print in connection with my remarks on the tariff a series of questions and answers involving criticisms and opinions upon the wool question, by Mr. Dale, the editor of the Textile World. I desire also to have the matter printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Iowa asks that he may insert as a part of his speech certain matter which he has stated to the Senate. Is there objection? The Chair hears none. He also asks that the matter referred to be printed as a Senate document. Is there objection? The Chair hears none, and the order is made.

NATIONAL WATERWAYS COMMISSION.

Mr. BURTON submitted the following concurrent resolution (S. Con. Res. 4), which was referred to the Committee on Printing:

Senate concurrent resolution 4.

Resolved by the Senate (the House of Representatives concurring), That authority be, and the same is hereby, granted to print and bind, for the use of the National Waterways Commission, such papers, documents, and reports of hearings as may be deemed necessary in connection with the subject-matter to be considered by said commission.

THE TARIFF.

The PRESIDENT pro tempore. The calendar is in order. The Secretary will announce the first bill on the calendar.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order, and the Senate, as in Committee of the Whole, resumed its consideration.

Mr. CUMMINS. Mr. President, when, a few mornings ago, I suggested that I would address the Senate at this time upon the pending bill, I had it in mind to limit my remarks to a brief discussion of the iron and steel paragraphs of the bill. Since, however, certain things have occurred and certain things have been said which lead me to broaden a trifle the scope of my observations.

I want, if possible, before we begin the real debate upon these paragraphs, to have a clear understanding with regard to the political attitude of certain Republican Senators. My colleague [Mr. DOLLIVER] has just closed a speech great in its thought, great in its analysis, great in its influence upon the opinions of men. As I understood that speech in so far as it related to the woolen schedules, it consisted of a history of the schedule as it now appears in the Senate bill. It was intended to suggest that what we are now asked to adopt had its origin forty years ago or more; that the relation which is now sought to be established again between wool and woolens was established more than a quarter of a century ago; and that, in view of the developments of the period intervening, it was worth while to examine and to discover whether that relation should be preserved; and he exhibited to the Senate an overwhelming abundance of evidence tending to show that the time had come when the relation should be reexamined.

Thereupon the distinguished chairman of the Finance Committee arose and asked the Senate to print in the RECORD—in parallel columns he would have had it, if that had been possible—the remarks of my colleague upon that subject and the remarks of certain renowned Democratic Senators upon the same subject at a former time.

When the remarkable speech of my colleague had been finally concluded, the chairman of the Finance Committee arose and said that the woolen schedule was the very citadel of Republican protection; that the man who challenged it was unfaithful to the Republican faith; and that if it were successfully challenged the whole structure of Republican protection would be overthrown. This to me was one of the most astonishing and intolerant statements I have ever heard delivered in any political or deliberative body.

Is it possible that a Senator who believes profoundly in the doctrine of protection can not suggest that duties upon woolens are too high when they are compared with the duties upon wool? Have we arrived at that slavish state of public opinion in which it becomes a political crime to question the correctness, not of a former Congress, but the correctness of certain schedules as they are applied to existing conditions? I marvel that we were permitted to hear a doctrine of that sort. I have the most kindly feelings for every member of the Finance Committee. Every member holds my respect, and I have no question whatsoever that the bill as reported to the Senate represents the honest opinion of a majority of the members of this high committee.

What then? Is it to be tolerated that a Republican, coming from the ranks, one who has for years borne a part of the burdens of our campaigns, can not differ from the judgment of the Finance Committee without incurring the penalty of having his Republicanism challenged time and again? This is a spirit which I hope will be banished from the debate from this time on.

While I do not arrogate to myself any high position in the Senate—I recognize that I am its humblest Member—I believe I have a better title to speak for those who have favored a reduction of the Dingley schedules than any man in this Senate Chamber. I am one of the few Republicans, if you please, who, for seven years, have insisted that the schedules of the law of 1897 ought to be revised. I have fought for my faith in every campaign during these years. I am in this high tribunal simply because I did fight for that faith, and I intend to defend it with all the vigor and the earnestness of which I am capable.

The Finance Committee, composed of honorable, intelligent, broad-minded, experienced men, is still not the Ark of the Covenant of Republican doctrine. It is not the only repository of Republican faith. Inasmuch as the revision of the tariff as demanded in the Republican platform last year came from a demand upon the part of those same people whose courage I helped to sustain and whose energies I helped to direct, I have a right to stand here and assert that these schedules do not represent the only Republican doctrine known among men.

I do not disparage the Finance Committee in any respect when I say that in so far as I am advised there is not a single member of that committee who ever advocated a revision of the Dingley schedules. They are not to be criticised for that. They did not believe that it was necessary that the duties of the law of 1897 should be lowered, and I accord to them the same honesty of judgment that I claim for myself. But is it to be wondered at that a committee no one of whom, so far as I know, was in favor of the revision of this law, driven to it under the command of a Republican platform, should enter upon their work with a belief that the schedules should not be reduced, but should rather be raised? I honestly think that most of the members of this committee felt that the Dingley schedules should be lifted up instead of taken down.

Is it any wonder that their report, in trying to keep the promise to the ear, has broken it to the hope, for there is no substantial reduction of the duties of 1897 in the report of this committee? I am not unmindful of the fact that upon many things duties have been lowered, but in so far as my examination has gone, I assert that, with the exception of the duties on lumber and the duties on hides, there has been no reduction in any important article known to the commerce of America that will affect its price to the consumer one whit. If this demand for a revision of the tariff schedules did not arise from a desire on the part of the people to buy the things they were buying at a less price, out of what desire did it arise?

Now, I am not challenging the opinion of the gentlemen who believe that prices ought to be higher. They announce that they so believe, but the men who brought about this declaration of the platform in Chicago did not so believe. They wanted a reduction of the duties upon articles and commodities, so that the reduction would result in a lessened price to the consumer or the user.

With this explanation I intend to examine some parts of the pending bill. I am just as fond of the Republican party as is the Finance Committee. Unlike its distinguished chairman, I was born in the Republican party. I came of a race of Abolitionists, who were Republicans not because they thought a Republican management of the industries and of the commerce and of the finances of the country was more capable than a Democratic administration, but because they believed the Republican party was more firmly and deeply devoted to the cause of humanity.

I have lived many years in the atmosphere of protection. I was born and raised upon the Monongahela River, in a community and in an air that would have stifled the first breath of a free trader. I came to my man's estate with the earnest conviction that protection was not only the best policy for a great people like our own, but that it was the only policy under which our people could prosper and achieve the destiny that the Almighty has intended for the American Nation.

Let no man, therefore, impeach my Republicanism because I question the duties that are attached to the various articles and commodities found in the pending bill. I resent in the beginning, and I shall resent at every step of this bill through the Senate, any such insinuation or intimation, whether directed to me or whether directed to any of my colleagues who hold the same general views that I do.

I do not intend to hunt for a "joker." My time has been otherwise employed in the examination of this bill. I am not searching for any hidden or obscure meaning in the language of the bill. We have come to a sad estate if we must begin the examination of a great measure like this with the understanding or even the suspicion that lying away obscured in the vague language of the bill there may be a penalty imposed that is not as open and clear as the sunlight, and which we may not all observe.

I do not hunt for these obscure things. The things that I do not like in this bill are plain and obvious. The things that I do not like are so clear that the man who runs may read, and I have sometimes thought that they were so atrocious that the man who reads will run as well.

When I say "atrocious," I want there to say a word. I have expected to vote for this bill. I intend, unless something develops that has not yet made its appearance, to vote for the bill. But if I do vote for it, I will vote for it because I believe it to be some improvement upon the duties of 1897 as tested by the conditions of the present moment. I shall not vote for it because I believe that it is a substantial revision of the tariff duties or a fair compliance with the Republican platform of 1908. I desire that my position with respect to it shall be everywhere known.

I have received some intimations from home since this bill was reported. The very first intimation that I had was an inquiry about crockery, and this correspondent said, "Of course you will reduce the duties on common earthenware." There is not a home in my State or in any other that is not supplied with this article. Its value is not so great as the value of some things in the tariff, but I supposed that if we were going to reduce the tariff, one of the first things the committee would do would be to reduce the duty upon pottery, not upon all kinds of pottery; I am not particularly concerned in china, in bisque, in parian, or in many other things out of which some articles called "crockery" can be made; but I am interested in having the homes of Iowa, if I can, the humble homes, the homes out of which the real patriotism of the country arises like incense, considered in a reduced duty on crockery. And yet, in the wisdom of this committee, the old duties are preserved; and what are they? I will not stop now to refer to the papers I have on my desk. I have here the proof of every statement that I shall make. The duties on plain crockery, the ordinary white earthenware that you see on every table that is not spread in a palace, are 55 per cent.

Mr. FLINT. Mr. President, I should like to ask the Senator from Iowa a question. In making this examination, and I have no doubt he has given it careful study, his desire being to ascertain whether the consumer, the farmer in Iowa, is paying too high a price for these articles, has he ascertained the amount paid the manufacturer for these articles, at what price the manufacturer has sold to the wholesale dealer, and in turn at what price the wholesale dealer has sold to the retail dealer? Has he tried to ascertain whether the tariff is a factor in fixing the price to the consumer or whether it is the extravagant prices charged by the wholesalers and the retailers? I would be glad if the Senator would put those figures in the RECORD, so that we can ascertain whether the farmers are paying an excessive price by reason of this tariff.

Mr. CUMMINS. Mr. President, in order to remove the very question which my friend from California has suggested, I have here the invoices of the wholesalers, the invoices at which the wholesalers bought their goods, and I might as well pause now to examine the real spirit of that inquiry. It came honestly. It has been put in this Chamber a score of times since we began this discussion, and I have not yet heard it answered as it ought to be answered. When we ask for free lumber we are told that the duty on lumber does not increase the price to the consumer, and that a removal of the duty would not lessen the price to the consumer. When we ask for a reduction of the duty on crockery we are told that somewhere between the factory and the user there are interposed such unlawful combinations and criminal conspiracies as will result in destroying the ordinary force of competition in business, and that therefore it makes no difference what the cost abroad may be; it makes no difference what the cost of production may be, the consumer is sacrificed and crucified just the same.

I can not so believe. I still have some hope of my country. I still have profound confidence in the justice of its laws and in the ultimate triumph of fair dealing between its people. I know that the tendency of the last few years has been to destroy the competition which does give to the consumer the benefit of the reductions which I ask in this bill. I am aware of that.

There is nobody who knows better than I do that all over the land, especially in the larger industries, there are combinations, concentrations, and conspiracies which do attempt to rob, and which have for their avowed object the purpose of robbing, the consumer or the user of the benefits and advantages of fair and successful competition. Thank God, these conspiracies have not yet enslaved the American people. Thank God, there is yet a little virtue and conscience left in our men that will induce them to struggle against such conspiracies and combinations; and if the Senate is true to its traditions, true to the teachings of the fathers, it will do something, and it can do something, within a short while, as the lives of nations go, to remove this intervention, this unlawful intervention, which, it is said, prevents the man who uses or the man who must ultimately pay from acquiring and enjoying the advantages of free and fair and complete competition. So that it is no answer to me to suggest that, even if this duty were somewhat lowered, the consumer would not have the benefit of it. But I have not yet told you the full enormity of it, and I take this just as an example.

Mr. FLINT. Will the Senator permit me to give him an example?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from California?

Mr. CUMMINS. With pleasure.

Mr. FLINT. Mr President, my attention has been called—and I will address myself some few days later to the subject, if I have an opportunity—to one article of crockery which has been imported at the rate of 60 per cent. The article costs, landed here, 5 cents or less. That same article is sold in the department stores throughout this country at 25 cents. I ask the Senator—if that statement is correct, and I believe it is—what relation the 60 per cent duty had on that article which cost 5 cents, when the consumer was paying 25 cents in a department store for it?

Mr. CUMMINS. None whatever. But the Senator from California, with his keen mind, must understand that there is no more relation between the case he puts and the case I am arguing than there was between the duty and the price in the case he suggests. When you extend that observation to a commodity that is on every table and which fills every store, you can not ask the Senate to believe that the duty imposed upon such an article has the same relation to it, or has the same effect upon it, that it does upon some gimcrack or toy that is sold for an artificial price and surrounding which there is no relation, as you may well say, between the cost of production and the price of sale.

But now answer me this question while you are on your feet: Are you prepared to say to the Senate that the price paid by the American people for the great, important things which they use and consume is not affected in any way by the cost of production? Answer me whether that is true.

Mr. FLINT. The question of the cost of production and the rate?

Mr. CUMMINS. That is just what I mean.

Mr. FLINT. I think I can show the Senator before we finish with this table that the illustration which I have given can be duplicated many times over. This illustration was merely the matter of a toy. I will now call the Senator's attention to another article which has been brought to my attention that is in everyday use. The manufacturers of razors in Connecticut sell those razors to the jobbing houses for $3.95 a dozen. The jobbing house sells those razors for $5 a dozen to the retailer, and the retailer charges $2 to the consumer for such razors, or $24 a dozen. Was the rate of 25 or 50 per cent on the $3.95 that this article has been manufactured for in this country a factor in the selling price to the consumer?

Mr. CUMMINS. I do not know whether it is or not. It depends entirely upon the cost to the retailer selling the product. But I will not permit the Senator from California to divert the attention of the Senate from commodities that are in universal use, in which the consumption is large, and upon which there is an established price in every market; I will not permit him to divert the attention of the Senate from such things to toys or razors. Tell me whether, in the absence of any combination or conspiracy or in the absence of any duty, you think the price of steel rails in the market would be governed somewhat by the cost of producing steel rails?

Mr. FLINT. I will answer the question which the Senator has asked me. I think that where the manufacturer deals directly with the consumer it may be affected by a tariff; but I say that there are only a few articles of that kind. Going through these tariff laws from one end to the other, you will find that the tariff is not a material factor in the selling price to the consumer; but the high price which the consumer pays for an article is caused by reason of the exorbitant prices charged, not only in department stores, but stores throughout the country, in large cities and in small towns. Their profit is from 50 to 100 per cent on these articles, and I think I can establish that to the satisfaction of the Senate and the people.

Mr. CUMMINS. Mr. President, the retailer may be a very bad man, but it has not been my observation that there are many retailers who become millionaires. There may be a few in department stores—and I see my friend from California [Mr. FLINT] is eager to rise again—there may be a few of these great department stores, which are subject to the very same criticism that I shall hereafter impose upon the United States Steel Corporation, who grow rich; but the greater part of the retailers in the United States, in view of the sharp, keen, everlasting competition among them, do not make more than a fair and reasonable livelihood. I say again that when I am talking about crockery, a thing that is just as staple as steel rails or as iron rods or as steel wire, the Senator from California must admit that the cost has something to do with the price at which it is sold. And the enormity of this schedule is that not only is a duty of 55 per cent imposed upon it, but when you take into account the restrictions and the cost which the importer must suffer in order to compete with the domestic manufacturer, the substantial duty or advantage rises to 95 per cent. I say it is an excessive duty. I say it is one of the things which the Finance Committee ought to have carefully considered, and if their judgment hung in the balance it ought to have determined that controversy in favor of the great mass of the American people. But I must hasten on.

Mr. TILLMAN. Will the Senator allow me to interrupt him for a moment?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. Certainly.

Mr. TILLMAN. I want to ask the Senator from California [Mr. FLINT], if these tariff duties cut no figure in this controversy, why are the mails flooded and why are the lobbies crowded here with people clamoring for an increase of duties or for the maintenance of existing duties? Are those fellows fools that they come around or hang around and haunt Congressmen and burden the mails if the duties are of no use to them?

Mr. CUMMINS. I have the greatest regard for the Senator from South Carolina, but I can not permit an interruption which will speedily develop into a colloquy or an argument between him and the Senator from California [Mr. FLINT].

Mr. FLINT. Before the Senator from Iowa resumes, he asked me one question, and I think I have answered it very fairly and frankly. I should like now to ask him one question, and see if he will answer it as fairly and frankly as I have answered on my part.

Coffee and tea are both on the free list. Is the Senator from Iowa of the opinion that, by reason of the fact that they are on the free list, the consumer is buying tea and coffee any cheaper than he would if we had a small tariff upon those articles?

Mr. CUMMINS. Yes, sir.

Mr. FLINT. How does the Senator account for the price on tea and coffee, or we will say tea, that costs about 18 cents and is selling for 65 cents a pound?

Mr. CUMMINS. Does the Senator want a sort of elemental discourse on political economy and trade?

Mr. FLINT. No; but the Senator asked me a question which I answered fairly and frankly, and I ask just as frank an answer from him. As to the article of tea, which is on the free list and now sells for 65 cents a pound while it costs wholesale about 18 cents a pound, I ask what effect would a tariff have on that article to the consumer?

Mr. CUMMINS. It would add just that much to the cost to the consumer, unless there is between the importer and the consumer some unlawful combination that distorts the ordinary and usual law of trade. I am astonished to find a man so intelligent and so thoughtful as the Senator from California, making the broad assertion that it does not make any difference in the price to the consumer what the article costs. Suppose you should levy a duty of $5 a pound on tea, what do you think would be the result then?

Mr. FLINT. I think it would make a difference.

Mr. CUMMINS. So do I.

Mr. FLINT. But I say that the tariff on the articles in the bill does not make a difference to the consumer, for the reason that the profit to the retailer, the jobber, and the wholesaler is so great in this country that the small tariff charged on the articles named in the bill is not a factor to the consumer.

Mr. CUMMINS. You have not placed a duty on tea in this bill.

Mr. FLINT. I am talking about articles which are in the bill, and which do pay a duty.

Mr. CUMMINS. That is one of the things you did not dare to do.

Mr. FLINT. I said, so far as tea and coffee are concerned, they are both on the free list.

Mr. CUMMINS. Certainly.

Mr. FLINT. And while tea is on the free list and is costing 18 cents a pound, it is selling to the consumer for 65 cents. In the mail to-day every Senator received a communication from a tea merchant or importer which contained acknowledged affidavits to the fact that Salada tea was selling in this country in the open market for 60 cents a pound under free trade, and that the same tea was selling in Canada for 40 cents with free trade. How does free trade benefit the consumer?

Mr. CUMMINS. I have no doubt the Senator from California has such communications; but I will ask him whether he has had any communication from a consumer of tea, one who drinks

tea, asking him to put a duty of 10 cents a pound on tea? If you can produce a single man who has asked you to do that, then I will agree that you have had your mind open not only to the great, but to the small as well.

I pass on to another subject, and I want the Committee on Finance to understand that I am inquiring as to some things. I have mentioned one thing that you will always find upon every man's table; but there is another thing that you will find in every poor man's home. It is a little piece of oilcloth.

Now, I ask the Senator from California, who represents on this floor this morning—I was going to say the entire Finance Committee, but I have observed that that is not strictly accurate—but I would like at some time during the course of this debate for some member of the Finance Committee to explain why the duty on oilcloth, already 100 per cent, was increased by this bill? There is very little, I suppose none of it, imported, simply because of the duty under the Dingley Act upon oilcloth. This [exhibiting] is table oilcloth. The duty on it now is 115 per cent; and if this bill becomes a law, the duty on it after that will, so far as this piece of oilcloth is concerned, be 270 per cent.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. BEVERIDGE. I see three members of the Finance Committee here, and, since the Senator has asked the question, I myself would like to know from the Finance Committee why any such increase of duty on oilcloth as that was made, if they are prepared to give the reason.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I will simply say that, so far as the sample of oilcloth is concerned which the Senator submits, I would have to examine it and find out just what paragraph it comes under. Then I could find out whether the statement of the Senator is correct.

Mr. CUMMINS. I will show you the paragraph I refer to.

Mr. BEVERIDGE. The Senator said that there was oilcloth used in the common homes of this country, the duty on which had been increased 200 per cent.

Mr. CUMMINS. I did not say that.

Mr. BEVERIDGE. That the present tariff is one hundred and some per cent, and the pending bill provides for two hundred and some per cent. That was the statement.

Mr. CUMMINS. That was the statement.

Mr. BEVERIDGE. Now, the members of the Finance Committee ought to know the reason right now for such an increase as that upon any article that is used in the common homes of the country.

Mr. FLINT. If some of us had the ability of the Senator from Indiana to carry this entire tariff bill in our heads, I have no doubt we could answer in a moment.

Mr. BEVERIDGE. There will have to be a better answer than that to an inquiry for facts.

Mr. SMOOT. We will give a better answer, but we can not do so in a moment.

Mr. BEVERIDGE. The bill is not going to be hurried nor are votes for committee amendments going to be won except upon a fair answer to a courteous request for a reason for an astounding increase.

Mr. DICK. Mr. President——

Mr. BEVERIDGE. There are three members of the Finance Committee here now. The Senator from Iowa had stated that on common oilcloth—which ought to be very conspicuously in the mind of every member of the Finance Committee, because it is a thing universally consumed—there has been an increase, if I caught the Senator correctly, of about 100 per cent. Every Senator has a right to know from the Finance Committee right now why that increase was made.

Mr. NELSON and Mr. DICK addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield?

Mr. CUMMINS. I yield to the Senator from Minnesota [Mr. NELSON], who, I think, rose first.

Mr. NELSON. I want to call the attention of the Senators from Utah, California, and Indiana to the fact that the duty on chloroform has been reduced 50 per cent. [Laughter.]

Mr. BEVERIDGE. That may explain the reason why the committee increased this duty.

Mr. FLINT. Certainly the reduction of the duty on chloroform has not had any effect upon the Senate.

Mr. SMOOT. Further, I should like to say to the Senator that many other articles are reduced a great deal more than 50 per cent.

Mr. CUMMINS. It is very fortunate that the duty on chloroform was not reduced prior to the consideration of these matters by the Finance Committee, else its increasing quantity might have led to an increase on oilcloth of 500 per cent instead of 100.

Mr. DICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I do.

Mr. DICK. I only desire to interrupt for a moment to make a suggestion responding to the request of the Senator from Indiana for information on the great variety of subjects in the various schedules of the bill. The Senator from Iowa——

Mr. BEVERIDGE. My request was for information upon a specific item.

Mr. DICK. Precisely.

Mr. BEVERIDGE. Conspicuously called to the attention of the Senate, and not as to a variety of subjects.

The PRESIDENT pro tempore. Senators must address the Chair and be recognized by the Chair before interruptions of the Senator having the floor can be allowed. The Senator from Ohio.

Mr. DICK. It would seem that while the Senator from Iowa is making a speech upon the general subject of the bill, Senators might possess themselves in patience for explanations of the various schedules when the schedules themselves are reached.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I yield for a single remark. I desire to pass on as rapidly as possible.

Mr. BEVERIDGE. I want to say this: The Senator from Iowa looked around and saw at that time only one member of the Finance Committee on the floor of the Senate. I observed there were three. Then the Senator from Iowa made the statement about this conspicuous item of the bill, and asked the Finance Committee here to explain it, but it was not done. I then asked for an explanation of it, but the explanation was not given. I will say to the Senator from Ohio that the Senator from Iowa specifically requested an answer to his question; and it is not interrupting him that we shall insist that the question shall be answered.

Mr. SMOOT. Mr. President, I ask the Senator——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield to the Senator from Utah. I want information upon this matter; and if my advices are incorrect, I shall frankly admit my mistake.

Mr. SMOOT. I ask the Senator to say under what paragraphs the particular oilcloth of which he speaks falls?

Mr. CUMMINS. There is but one paragraph relating to oilcloth.

Mr. SMOOT. Then that paragraph is 343.

Mr. CUMMINS. There is only one paragraph in the bill under which oilcloth falls, and if the Senator will resume his seat for a moment I will open the matter up to him so that he will have no trouble in seeing exactly the point I am making. I desire to develop for a moment, inasmuch as it has been challenged, the history of the tariff on oilcloth and linoleum.

Mr. SMOOT. I want to call the attention of the Senator to the fact that the House bill provided a duty on oilcloth under 11 feet. We simply made it under 9 feet.

Mr. CUMMINS. Yes; and that is the way you raised the duty without anybody knowing anything about it.

Mr. SMOOT. Mr. President, that statement would take too long to answer right here and now, but I think it can be answered all right.

Mr. CUMMINS. I make the charge that when you reduced the width you raised the duty, without specifically suggesting a raise of duty.

Mr. SMOOT. I want to say to the Senate here to-day that there is an absolute reason for it, and that reason will be given to the Senate beyond question. I am perfectly aware of the fact that the manufacturers on the other side have examined our schedules, and by manufacturing within one-half an inch of the specified width have brought in their products under a lower rate of duty. Now, because we are trying to protect the American people against the half-inch——

Mr. CUMMINS. I did not yield to the Senator from Utah for a speech and he abuses the privilege that I extended to him.

Mr. SMOOT. I will never ask the privilege again, Mr. President. I was simply giving the Senator the reason.

Mr. CUMMINS. I yielded to the Senator for a question.

Mr. GALLINGER. The Senator yielded for an explanation.

Mr. CUMMINS. I did not yield to the Senator for a speech.

Mr. SMOOT. You asked for an explanation.

Mr. CUMMINS. In 1890——

Mr. BURROWS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. BURROWS. I think the Senator from Iowa is hardly fair to the Senator from Utah, especially as his request was seconded by the Senator from Indiana, who desires an explanation, and insists that the explanation should be made, and made now. The Senator from Utah was about to make such an explanation, and I am afraid the Senator from Iowa was not quite courteous to him in not allowing him to make the explanation.

Mr. CUMMINS. Mr. President, from so venerable a friend I accept this rebuke, but I may commit the offense immediately again. I yielded to the Senator from Utah for an explanation; I did not yield to him for the purpose of repeating that old and familiar argument that it was necessary to protect the producers of America against the producers of another country. I recognize that just as thoroughly as does the Senator from Michigan or the Senator from Utah; and the explanation for which I yielded could not possibly have embraced an attempt to answer my general argument. I did not intend to be discourteous; and I hope the Senator from Utah, whenever he has an explanation to offer, will interrupt, because I shall be glad to yield to him.

Mr. BURROWS. I know how courteous the Senator from Iowa always is, and I assure him that what I said was not intended as a rebuke to him by any means, but to plead with him, rather, to allow the Senator from Utah to answer his question, especially in view of the fact that the Senator from Indiana is so insistent that it shall be answered now, and the Senator from Utah commenced his answer, when he was cut off. I ask the Senator now to allow the Senator from Utah to explain why it was.

Mr. CUMMINS. Very well; I yield to the Senator from Michigan, and if the Senator from Utah has anything further to say I will yield to him and be glad to listen to him.

Mr. SMOOT. Mr. President——

Mr. BEVERIDGE (to Mr. SMOOT). Make the explanation.

Mr. SMOOT. No; I do not think it is proper for me to make an explanation on this matter any further. I started to state the reasons for the increase. I do not care especially to say any more upon that subject at this particular time.

Mr. CUMMINS. Mr. President, I rather assumed, when I said what seemed to the Senator from Michigan discourteous, that the Senator from Utah had really reached the end of his explanation, and was delighted when I interrupted him.

I will call attention, now that the matter has been raised, in detail to the origin and the development of this duty on oilcloth—possibly not the origin, but its recent evolution. In 1890 there was a Republican revision of the tariff, and it was conducted, so far as the House was concerned, by masters of the principle we all espouse. This is the provision made in 1890:

> 369. Oilcloth for floors, stamped, painted, or printed, including linoleum, corticene, cork carpets, figured or plain, and all other oilcloth (except silk oilcloth), and waterproof cloth, not specially provided for in this act, valued at 25 cents or less per square yard, 40 per cent ad valorem; valued above 25 cents per square yard, 15 cents per square yard and 30 per cent ad valorem.

It will thus be seen that the man who knew probably more about this subject than any other man living attached a duty upon everything valued under 25 cents per square yard of 40 per cent ad valorem. That provision became a law, and, historically speaking, the oilcloth factories and the linoleum factories prospered; but in 1897 there came another master to rewrite the law upon this subject, and he rewrote it thus:

> 337. Oilcloth for floors, stamped, painted, or printed, including linoleum or corticene, figured or plain, and all other oilcloth (except silk oilcloth) under 12 feet in width—

Here for the first time was a criterion as to the width or size injected into the law—

> not specially provided for herein, 8 cents per square yard and 15 per cent ad valorem; oilcloth for floors and linoleum or corticene, 12 feet and over in width, inlaid linoleum or corticene, and cork carpets, 20 cents per square yard and 20 per cent ad valorem.

Mr. PAYNE came to consider the subject, and the House reduced the width to 11 feet; that is, provided that all oilcloth and linoleum not exceeding 11 feet in width should bear a duty of 8 cents per square yard, and the same material in excess of 11 feet should pay 20 cents per square yard and 20 per cent ad valorem. Thus it came into the Senate, and the Senate committee reduced the width from 11 to 9 feet, and attached a duty of 8 cents per square yard with an ad valorem on all widths under 9 feet, and a duty of 12 cents per square yard upon all over 9 feet with 20 per cent ad valorem, and in that way increased the duty, nearly doubled the duty, upon the widths between 9 and 12 feet. This is the way in which this matter has been handled.

But I beg now to call the attention of the Senate to linoleum. Here [exhibiting] is an ordinary bit of linoleum. That is the kind the common man buys for his kitchen or for his dining room or for any other part of his dwelling or office. There [exhibiting] is the kind of linoleum that the rich corporations or rich associations buy in order to carpet the halls of their marble and bronze offices. I want you to hold those two in your mind while I speak of the effect of the tariff upon them. One would think that a committee, if it had not been overwhelmed with graver and more important work, would have given the advantage to the linoleum in common use; that everybody used. But let us see how it was done. This is one of the complaints that my people make of the tariff bill, not alone the importers. My information in part came from men who import linoleum, but my information also came in part from the men who buy and use linoleum.

Mr. FLINT. Has the Senator the figures, so as to put them in the RECORD, to show what the manufacturer receives for the linoleum and what the wholesaler and the retailer receive and what the consumer pays for it, to show to the consumer of the country whether it is the tariff that affects the price or whether it is the excessive price made by the storekeepers of the country?

Mr. CUMMINS. I have not prepared any table of that kind, and I never will. I tell the Senator from California again, that if I ever reach the conclusion that the business of the United States is so criminal, is so interwoven with vicious combinations and conspiracies that the ordinary laws of trade have lost their force and effect, I shall cease to have any interest in this subject at all, and I shall despair of the welfare of the country whose interests we are all now serving. I have not prepared any such tables, nor shall I. But here is the situation:

This [exhibiting] is common linoleum. It costs no more per pound to make common linoleum than it costs to make high-priced linoleum. There is no perceptible difference between the cost of linoleum per pound. The difference in cost lies in the difference in weight, because this bit of linoleum [indicating] is made of exactly the same material as is this linoleum [exhibiting]. I am speaking, of course, of the plain linoleum, not the inlaid or patterned linoleum. Instead of using a specific or compound duty based on size, it seems to me you ought to have chosen a specific duty based on weight; or, if you have not the information necessary to impose a specific duty on weight, then an ad valorem duty upon the whole.

This is the way it figures out: That piece of linoleum [indicating] weighs 2¼ pounds to the square yard. This is an imported piece. Its value abroad is 16½ cents per square yard, coming in if it is under 9 feet in width. There is no reason why it should be under 9 feet in width. There is no substantial difference between making linoleum 9 feet in width and 12 feet in width. It is simply a difference in the size of the roller and in the beds upon which it is rolled. But if it is less than 9 feet in width, the duty on that piece would be 65 per cent ad valorem. I am reducing them now to ad valorems. If it was 9 feet or over, the duty would be 89 per cent, and if it had the least semblance of print, or of marbleizing like that [exhibiting] the duty upon it would be 142 per cent.

These are not fanciful figures that I am giving now. I know the history of these two pieces of linoleum. One is called "granite" and the other is made to represent the grain of wood, and it practically costs no more to make it in that form than it does to make it plain.

Now, do not smile; I hope I will not provoke a smile from any member of the Finance Committee. I may be mistaken. I know the legal history of these pieces of linoleum. The customs appraisers and finally the court held that these two pieces of linoleum, the "grained" piece and the "marbleized" piece, so called, were not inlaid, and therefore assessed duties upon them as they would have assessed duties upon these pieces [indicating]; and now in order to increase the duty on these pieces of linoleum, in order to overcome the decision of the court in construing the act of 1897, we find introduced into the bill these words:

> Any of the foregoing of whatever width, the composition of which forms designs or patterns whether inlaid or otherwise, by whatever name known, and cork carpets, cork mats, and linoleum mats, 20 cents per square yard and 20 per cent ad valorem.

So that on this piece, as I say, the duty would be 142 per cent.

Now I come to the larger piece. If this large or heavy piece comes in less than 9 feet in width, the duty equals 25 per cent, against 65 per cent on the kind that is ordinarily used by the poorer people of the country. If it comes in over 9 feet in width, the duty upon this is 30 per cent, against 89 per cent when of the lighter quality. I am not asking you to explain the disparity now, but some time before this schedule is submitted to the Senate I hope, in the name of fairness and in the name of justice to the American people, you will tell why you preserve—I do not say you created it—the difference between an article in common use and an article less commonly used. But if you put designs or patterns upon that piece of linoleum, then the duty becomes 45 per cent ad valorem, against 142 per cent on the common kind.

I have here also two specimens of inlaid linoleum. They are the same; not so great differences in weight, but, after all, they present the cheapest form of inlaid linoleum and the better form of inlaid linoleum. Let me now suggest to the Senate what the application of this bill produces with respect to these articles. This one is 4 pounds to the square yard, and its value abroad is 36 cents a square yard. It does not make any difference what its width is, whether 1 inch or 120 feet; the duty is just the same. But this piece of linoleum has a duty of 20 cents a square yard and 20 per cent ad valorem, and that equals 74 per cent. That is the kind of inlaid linoleum which the common people use. That is the kind they buy; and if there is any discrimination whatsoever, it ought to be in favor of that linoleum. I am not suggesting that there should be any such reduction in these duties as will cripple the home producer, the home manufacturer. I am not asking that. But I am asking that those things which we use and that the people generally use shall not be taxed more excessively than the things that the more fortunate people of the country use.

Let us refer to this other linoleum. This [indicating] is the better, heavier kind, and it weighs 10 pounds to the square yard. Its value is 66 cents a square yard, and its duty is 50 per cent. Tell the Senate sometime why you put a duty on this kind of 74 per cent and a duty upon the other of 50 per cent.

But, Mr. President, if I should continue these reviews of what I regard as the inaccuracies of these schedules, I would never reach that subject upon which I primarily rose to speak, and I now intend to turn my attention to a broader phase of the tariff law.

Mr. President, the bill now before us, which it may be presumed presents the views of the Finance Committee respecting the revision of the tariff, will not be accepted by those who have favored a revision of the tariff as either a fulfillment of the party pledge or as a settlement of the controversy. I make that statement with the full consciousness of the gravity that attends it. As I said in the beginning, I am one of those who favored the revision of the tariff, and I have some right to speak for those whose agitation brought about the declaration in the party platform, and therefore I say that this bill or anything substantially like it will not be accepted as a settlement of the dispute or as the fulfillment of the party platform. If this bill or anything substantially like it becomes a law, I predict that a campaign for lower duties will begin the moment the extraordinary session of Congress adjourns and will continue with increasing zeal until the judgment entered in the court of the public conscience is also entered in the journals of Congress. It gives me no pleasure to utter this prophecy, for I have earnestly hoped that the revision now in progress would end the dispute for years to come, and that the business of the country would enjoy the peace and tranquillity which is impossible during the existence of a movement to materially change duties upon imports.

It is idle, worse than idle, to speculate upon the technical meaning of the words and phrases employed in the last Republican platform upon this subject. The declaration there found has a history, and that history is familiar to every Member of the Senate.

Who insisted upon tariff revision? It was not the manufacturer; it was not the lumberman; it was not the coal man; it was not the iron and steel man; it was not the glass man; it was not the cotton or the woolen man; it was not the oil man. During the whole agitation I never heard—you never heard—a demand from these people that the tariff must be revised. The demand came from those who believed—whether they were right or wrong I will consider presently—that the duties upon many articles and commodities were too high; from those who believed that they were paying too much for the things they had to buy, and that excessive import duties, coupled with other conditions, were enabling a favored few to reap inordinate profits; and therefore they wanted, as one of the steps leading to the remedy which they sought, a substantial reduction of these duties. It is not necessary at this moment to inquire how many people so believed or in what part of the country they lived. It is not necessary to ask whether they were right or wrong in order to understand what the platform means. It is sufficient to say that it was under this demand from these people, whether they were many or whether they were few, that the party in its organized capacity promised a revision of the tariff; and the Senator who imagines that he can satisfy these people by saying that a revision with higher duties or with substantially the same duties is a compliance with the platform little understands the relation between people and platforms. I do not say that a Senator has not a perfect right to carry into effect his own views; I do not say that he has not a perfect right to repudiate the platform. In a contest between conscience and a party declaration conscience ought always to win. But a Senator who honestly believes that there should be no substantial reduction ought not to delude himself with the idea that he can answer the calls of his conscience and his platform at the same time.

I have heard it said over and over again since we began this discussion—not, of course, in public debate, but in private conversation—that there are but few people comparatively who were interested in a reduction of duties. I know, Mr. President, that the voices of those who are clamoring for an increase of custom-house taxation are more distinctly heard in the corridors and committee rooms; but there will come a time presently when the clamor of the millions who want some relief will sound like the roar of a thousand Niagaras from one ocean to the other. I have heard it said many times that those people who were insisting on tariff revision were not familiar with the subject and had no opportunity to know whether duties were too high or too low. This distrust or skepticism of the judgment of the common man is a fundamental mistake often made and always atoned for in sackcloth and ashes. The people, it is true, have not the advantage of hearing the specific statements of the army of interested beneficiaries and witnesses who have filled and overfilled the capital during these months in which the subject has been under consideration.

They reason upon broad lines, but they have better evidence than the testimony which is submitted to congressional committees or which has buried us under an avalanche of briefs and special pleading. They know in a comprehensive and absolutely accurate way of the development in the United States. They know how wealth is distributed and the source from which it comes. They know what industries breed millionaires and what industries do not, and their conclusions are only less infallible than the conclusions of the Almighty himself. There is not a man among you who does not know what they have been thinking in the last few years; there is not a man among you who does not know the judgment which they have entered; and I for one believe that their judgment is altogether just and righteous and that in the end it must prevail. I think I can summarize the process of their reasoning so that you will all recognize its unerring logic. They have witnessed the gradual weakening of the forces of competition in the larger fields of industry through concentrations, combinations, agreements, and all the other modern mechanism which an ingenious age has discovered. They have seen competition shut out of some of these fields by the intervention of excessive import duties. They have felt the injustice of the discriminations which the vast power of our transportation systems can inflict. They knew that these things were wrong, and after bearing the burden until it became intolerable they began to move with irresistible strength along the pathway of reform. They have made some progress toward the regulation of transportation and the repression of corporate evils. The last administration will be remembered so long as the history of our country is preserved for its victories in the struggle for rate regulation and for corporate fair dealing. The work has just begun, and I sincerely hope that the present administration will be no less distinguished than the last one for its energy in dealing with these perplexing problems. One part, however, of the programme was assigned, by common consent, to this administration, and its conspicuous leader assumed without hesitation the task of tariff revision. The people know what they want with respect to revision just as well as they knew what they wanted with respect to railways and to industrial combinations; and their intelligent, educated, patriotic instinct is just as certain with respect to the tariff as it was with respect to transportation or monopolies. If we fail now to substantially reduce the duties upon the important schedules, we but postpone the justice due to the people, a justice which, thanks to the genius of our institutions, they have the power to enforce, and which in the fullness of time they will enforce.

The scenes through which I have been passing during the last few weeks are most depressing. Optimism has turned into utter dejection. Pride in what I had fondly believed was the greatest nation upon the face of the earth gives way to the shame and humiliation which attends a confession that the United States is a weakling; that instead of accumulating wealth at an unparalleled rate, as we have been taught to believe, it is rapidly becoming bankrupt; that its manufacturers are on their way to the poorhouse; that its resources are meager, refractory, and inaccessible; and that, contrary to the notion that we were marching on toward the capture of the world commercially, we are, in fact, in grave danger of utter extinction unless we raise the tariff walls still higher, to guard us against the attacks of more competent business men, more energetic and more efficient workingmen, and more prodigal bounties of nature.

If I believed a tithe of what I have read and heard respecting the manufactures and business of the United States since this extraordinary session convened, I would expatriate myself and seek some country that had a chance in the struggles of civilization, and not continue a profitless life upon this barren, deserted field with the nerveless descendants of a heroic race. Happily, however, I do not believe any part of these tales of misery, woe, poverty, and failure, but am still proudly confident that there is no land so rich as ours, no people so strong and progressive as ours, no future so bright and hopeful as ours, and no destiny so secure and brilliant as ours.

What I have said does not mean, and must not be understood to mean, that I have abandoned one jot or tittle of my faith in the doctrine of protection; but I am as little able to discern the true spirit of this beneficent policy in many of the discussions I have heard from Republican Senators as I have been able to discern the true meaning of a tariff for revenue only in some of the discussions that I have heard from Democratic Senators. I am somewhat bewildered when I hear it gravely announced that protection requires a duty on everything that can by any possibility and in quantity, however limited, be produced in the United States, that will enable the home producer to carry on his business without risk or hazard; just as I am bewildered when I hear a Senator upon the other side of the Chamber declare that a duty upon a competitive product high enough to practically exclude importations is a duty for revenue only.

I have held an altogether different view with respect to protection. Sitting at the feet of the fathers and leaders of the Republican party, I have learned that protection is a policy which imposes upon those products which we are naturally fitted to produce in quantity that will largely supply our home demand, but which it costs more to produce on account of our better paid labor, duties that will enable our producers to make a successful fight with fair profits in our own markets. I have been taught by these fathers and leaders that protection when thus applied will bring the price of the article or commodity affected by it to the American level, and that the stimulus thus administered would speedily enlarge the production, so that we need not look abroad for our supply, and the competition among American producers would prevent the price from rising above the line of reasonable profit.

These are general considerations, Senators, but they lead me at once——

Mr. CLAPP. Mr. President, a matter occurred which prevented me from hearing the Senator when he announced the first of those three propositions, and as his speech will probably not be printed for some days, I would appreciate it if the Senator would repeat the first.

Mr. CUMMINS. I will very gladly read again to the Senator that proposition. It really is but one, I submit to the Senator from Minnesota.

Protection is a policy which imposes upon those products which we are naturally fitted to produce in quantity that will largely supply our home demand, but which it costs more to produce on account of our better-paid labor, duties that will enable our producers to make a successful fight with fair profits in our own markets. I have been taught by these fathers and leaders that protection, when thus applied, will bring the price of the article or commodity affected by it to the American level, and that the stimulus thus administered would speedily enlarge the production, so that we need not look abroad for our supply, and the competition among American producers would prevent the price from rising above the line of reasonable profit.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. I am interested in the Senator's discussion. I notice that he is in favor of protecting Americans who can largely produce what is consumed in this country.

Mr. CUMMINS. That is the way I put it.

Mr. GALLINGER. Does the Senator mean by that to imply that if a concern can produce, for instance, only 25 per cent of the consumption, he would give that concern no protection? In other words, would not the Senator's theory, if it is carried out, wipe out the small concerns of the country and permit only the large concerns to receive the benefits of protection? I ask it in all sincerity.

Mr. CUMMINS. I will try to answer it just as candidly. The precise line to be drawn between those enterprises which should be fostered by protection and those which should not it is impossible to draw abstractly.

Mr. GALLINGER. I agree with the Senator on that point.

Mr. CUMMINS. I will put you an illustration which will convey the idea of one extreme. Suppose that we had in the United States 100 acres of land capable of producing sugar cane, and had no hope whatsoever of enlarging our production of sugar beyond the material produced by the hundred acres to which I have referred. I do not believe that the doctrine of protection would require us to raise the price on the $110,000,000 or more of sugar that we consume some 2 cents a pound in order to enable the owner of the hundred acres of land to live and prosper in that business. Now, on that I am sure the Senator from New Hampshire will agree with me perfectly.

Mr. GALLINGER. I do agree with the Senator.

Mr. CUMMINS. Now, when we rise from that illustration which represents an extreme to an illustration which would be fairly within the doctrine of protection, I can not draw abstractly the line, nor do I believe any other person can.

Mr. GALLINGER. Mr. President, if the Senator will permit me, I quite agree with him in his illustration, which is a very extreme one; but I will suggest to the Senator that if we had 100 acres producing sugar and had reason to believe that there were millions of acres that could produce sugar if it was properly protected, then we might well impose a duty upon the introduction of foreign sugar until the experiment was tried.

Mr. CUMMINS. I agree with the Senator entirely, and I intend to vote for a duty on sugar for just that reason, and no other.

Mr. GALLINGER. The difficulty with the Senator's statement, as it struck me, was that the word "largely" is one very difficult of interpretation. We have scattered all over this country thousands and thousands of small manufacturing concerns that are giving employment to American labor which would be absolutely wiped out if they did not have some protection. For that reason I think the Senator's statement is possibly subject to a double interpretation, or at least it is very difficult to interpret it so that it will not do injustice to some American interests. I think on the broad proposition that it is sound, and yet it is very difficult to apply it so as not to do harm.

Mr. CUMMINS. Mr. President, it is not so difficult to apply the doctrine in a specific case as it is to render a definition of the doctrine that will be accurate in every case. I believe that the Senate, broadly speaking, recognizes the distinction I am endeavoring to enforce. I can easily mention illustrations that will be beyond the pale of protection. I can easily mention illustrations that are plainly within the doctrine of protection. But when we come to the borderland, that twilight zone, if I may use the expression of a great master of words, then it requires calm, conservative, sane judgment to assign the particular enterprise to the one field or the other.

I have no difference with the distinguished Senator from New Hampshire with respect to what he has said upon the doctrine, but I am about to treat of a subject that is within the doctrine of protection, and everybody recognizes it to be within the doctrine of protection. I intend now to take up the iron and steel paragraphs, or some of them. I intend to give some consideration to the cruder and the commoner forms of iron and steel.

There is no man who recognizes the doctrine of protection at all who does not at the same time realize that if it has won a distinct victory in any field, it is in the production of iron and steel. If there is one thing which can be imputed to the doctrine of protection that stands high above any other thing it is the development in the United States of our iron industry. Therefore, I want all of you to understand that I am speaking of it as one who acknowledges that the protective duties have built up or greatly aided in building up this industry, of which every American citizen must be proud.

We have, with respect to the iron and steel business, a safer guide than we have with regard to any other business which has been submitted to the committee or which will be submitted

to the Senate. We have more satisfactory evidence respecting the facts which must determine what the duties ought to be than upon any other commodities with which I am familiar. Therefore I approach that subject with a little more confidence than I approach any others in these schedules.

We have one institution, one company, that commands practically one-half of the entire iron and steel industry of the United States. Remember all the while that I am limiting my remarks to the common forms and the cruder forms of iron and steel and not to their highly or specialized forms of manufacture. This company does what no other company in the United States does. It has either the strength or the audacity. I know not which, it has that supervailing confidence, to expose its affairs to the people, and it annually publishes a report which enables every man, even the wayfaring man, though a fool, to understand just what it is doing.

I have in my hand its last report, and I propose to prove, just exactly as I used to prove when I tried a lawsuit, to the satisfaction of a jury, and with competent evidence the material facts which ought to control your conclusions with regard to this schedule. If I do not prove it, then I do not ask for my argument any effect or any weight whatsoever.

When this company began in 1901 it had property which was worth at the most optimistic estimate $600,000,000. No reasonable man has ever put a higher value upon it who knows anything about the subject than the one I suggest. It had property which did not exceed in value $600,000,000. It represented that property with stocks and bonds issued by it and its subsidiary companies which it adopted, in round numbers, $1,400,000,000.

Remember I assert that when the United States Steel Corporation was organized in 1901 the entire property upon which it had a right to receive returns, its whole capital upon which it had a lawful privilege to declare dividends or pay interest, did not exceed $600,000,000, although its stocks and bonds exceeded a trifle over $1,400,000,000. Some of you may ask how I know that.

Mr. KEAN. What was the market value?

Mr. CUMMINS. I will tell you. Let me give you a little history. I do not intend to disclose professional secrets, but I know something about the organization of the United States Steel Corporation. I know something about the organization of some of the companies which entered into it. I will take one of them. The American Steel and Wire Company was organized in 1898. I know as much with respect to its organization, I think, as any other living man. It was organized with a capital stock of $90,000,000, $50,000,000 common and $40,000,000 preferred. It employed a syndicate manager. I will not disclose his name; it is not material; but it is sufficient to say that the subscription agreement provided that every man who subscribed for one share of preferred stock and paid par for it received one share and a fifth of common stock without any payment whatsoever. I know of the negotiations which led to the purchase of the plants which entered into and became a part of the American Steel and Wire Company, and I know that the aggregate value of all those plants, the most roseate view which could be put upon the value of those plants, did not exceed $32,000,000.

If any Senator presses me hard enough, he will discover how I know that it was the opinion of those who were interested in the promotion of this company that all the property which was gathered together under its organization did not exceed in value $32,000,000. This was represented by $90,000,000 of stock; no bonds. Ninety million dollars of stock of the American Steel and Wire Company represented property that was not worth from any standpoint, whether that of cost of reproduction or that of actual investment of capital, more than $32,000,000.

What is the materiality of that statement? I will go one step further. When the United States Steel Corporation was organized in 1901, the American Steel and Wire Company was merged into it and became a part of it, and its $90,000,000 of stock, both common and preferred, entered the capitalization of the United States Steel Corporation at more than par. So $90,000,000 at least, yes, $100,000,000, when you add the premium, of the capitalization of the United States Steel Corporation represented property taken from the American Steel and Wire Company, which no man could assert was worth more than $32,000,000. I assume, and you will believe, that all the remaining property that passed into the United States steel organization passed there upon substantially the same basis.

I know something of the value, too, of the famous Carnegie plant which went into the United States Steel Corporation, I think, at a little more than $300,000,000. I know that its value was even less proportionately than the value of the property of the American Steel and Wire Company. I know something about the appraisement, the physical appraisement, of the Carnegie plant that went on between the years 1898 and 1901; and I know, and you all know, that when the United States Steel Corporation finally absorbed the Carnegie plant it absorbed it upon a basis that represented the capitalization of its enormous and extraordinary earnings, and, as the Senator from California would doubtless now agree with me, it had no relation whatever to the original cost or that of reproduction of this mighty plant.

So, when I tell you that the original property of the United States Steel Corporation was not worth more than $600,000,000, I am speaking of something that I know. I am speaking of something through which I passed, or through a part of which I passed, and I make these observations, therefore, with more confidence than I would about some other businesses, for whose statistics I must take the word of interested importers or interested manufacturers. I agree that the property of the United States Steel Corporation is now worth more than $600,000,000, because in the meantime that company has added to the property, but it has not added a single penny that it did not add from its unlawful and excessive profits, profits that the United States at least is under no obligation to defend or protect.

Do not imagine that I am insisting that the United States should limit the reward upon capital in a manufacturing enterprise. Far from it. If it be done in an honest and lawful and fair way, I am perfectly willing that its capital shall make any amount of money. I like success. I like to see men become great and prominent and strong in business. But my proposition is that the people of the United States at least are under no obligation to so adjust their tariff law that such a company shall be required to make more than a reasonable profit upon the capital actually invested in its enterprise.

Let me pass on now to the next step. I will take this report that I hold in my hands. It is the report of the year 1908. It is the poorest year, the most unprofitable year, that the United States Steel Corporation has ever had. Its business was stricken with that same paralysis in October, 1907, that fell upon all the business of the United States, and it has suffered in just the same way. But I intend to take this report for that year, and I will rest my conclusions upon the deductions from that report.

Mr. DIXON. Will the Senator from Iowa permit me?

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Iowa yield to the Senator from Montana?

Mr. CUMMINS. I do.

Mr. DIXON. To follow the story, for what amount did the United States Steel Corporation organize, its bonds and preferred and common stock? Was the figure $1,400,000,000?

Mr. CUMMINS. Its authorized capital was much more, and it did not issue $1,400,000,000 of stock of its own. I can not recall the exact amount, but it issued its bonds, for instance, to Mr. Carnegie, and I think possibly that was about all it issued in the purchase of plants. It then guaranteed or underwrote certain bonds of the subsidiary companies, whose technical legal existence still continued and still continues. It purchased certain stocks of its subsidiary companies, which are still held by the United States Steel Corporation. What I meant to say was that the capital of stocks and bonds, issued either by the United States Steel Corporation or remaining in existence on the part of the subsidiary companies, aggregated $1,400,000,000. That was the capital upon which it at that time sought to earn a profit.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I do.

Mr. OWEN. I should like to be informed, and I am sure the Senate would, as to what intimacy of knowledge the statement of the Senator from Iowa is based. He suggested a moment ago that he did have the most intimate personal knowledge, and I should like to know what means of knowledge he has with regard to it.

Mr. CUMMINS. Yes, sir; I have no hesitation in answering that question. In 1898 when the American Steel and Wire Company was organized, I was one of the attorneys who brought that company into existence, and therefore I know something with regard to its affairs.

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. I have not, however, disclosed any information, nor can any persistence on the part of Senators lead me to a disclosure of any information, that I received in my capacity as attorney for the company.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. I do.

Mr. SCOTT. I want to ask the Senator two questions. First, I will ask him a question which, if it is impertinent, I do not want him to answer: Was it a portion of the stock of the company that the Senator got as attorney for his fees, or was it a cash consideration? I know that when a good many attorneys in my city put these corporations together they get a portion in stock. The next question——

Mr. CUMMINS. Hold on; wait until I answer that question. If I had lived in West Virginia and had been surrounded with the influences prevalent there, I fear that I would be ashamed to answer that question in this presence. But inasmuch as I live in Iowa, with its honest and its upright atmosphere, I can answer that question and tell the Senator that my pay was in cash, and I had nothing whatsoever to do with any part of the capital stock issued by that company or any other. [Applause in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries must refrain from manifestations of applause.

Mr. SCOTT. I presume the Senator does not mean to intimate——

The PRESIDING OFFICER. There must be better order in the galleries.

Mr. GALLINGER. Mr. President, I trust the rules of the Senate will be insisted upon so far as the galleries are concerned.

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries that they must not indulge in any applause.

Mr. SCOTT. I take it the Senator does not want to intimate that the people of West Virginia are not honest.

Mr. CUMMINS. No. I intended it to be understood that we are creatures of environment.

Mr. SCOTT. The other question I want to ask the Senator is this: As he has stated to us that he was very familiar with this company, I ask him whether he remembers that the preferred stock of the United States Steel Corporation, 7 per cent stock, sold as low as 56 cents, or $56 on the hundred, in the years 1903 and 1904?

Mr. CUMMINS. Yes, I do; and I wonder that it sold for anything. Why ought it to sell for par? What is the value of it now, however? Answer me that.

Mr. SCOTT. I believe it was quoted yesterday at 119.

Mr. CUMMINS. Yes; its preferred stock has risen to 119, and why? Simply because the United States Steel Corporation is exacting from the American people profits unlawfully—unlawfully from the moral standpoint, at least—and dividing a portion of those profits among the preferred stockholders. Its stock naturally rises to 119.

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from West Virginia?

Mr. CUMMINS. I do.

Mr. SCOTT. Will not the Senator admit that by the combination, and perhaps by the betterment and by better management, a part of these profits could have been made without making them dishonestly?

Mr. CUMMINS. I withdraw the word "dishonestly" so far as the profits are concerned. They are dishonest from the moral standpoint, but they are not dishonest from the legal standpoint, and I want to be absolutely accurate. But, answering the question of the Senator from West Virginia, I say, after the mature reflection of many years, after all the study that I have been able to give to this subject, I can not believe that the United States Steel Corporation, taken as a whole, produces a single ton of steel more cheaply than its constituent companies or more cheaply than the so-called "independent" companies, concerning which there is so much solicitude in this bill.

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. I do.

Mr. SCOTT. I wish the Senator, while making his speech, would suggest to the Senate that the United States Steel Corporation is a profit-sharing concern; that they share their profits with any of their employees who desire to participate in the profits. Is not that true?

Mr. CUMMINS. Not at all, in the sense in which your words would ordinarily be understood. It is true that the United States Steel Corporation has given to its employees, as it has given to the whole world, the opportunity to buy its capital stock, if that is an advantage.

Mr. SCOTT. At a less figure and on a time payment?

Mr. CUMMINS. I am not prepared to speak with regard to prices, because I have not compared the prices at which stock was offered to employees with the price which at that moment it brought upon the market; but I do say that I agree to the policy of interesting employees in the enterprise in which they are engaged, and I commend this policy on the part of the United States Steel Corporation. I am not, however, able to agree to the proposition that it therefore becomes a mutual company, or that it admits its employees to its profits in any other sense than it admits anybody else who may buy its stock. I could go on the market now and buy any quantity of its stock which I cared to buy if I had the money with which to buy it. So can its employees. The company has just made it possible for the employees to buy now and then some of its stock, and they have bought how much? Does the Senator from West Virginia remember? If he does not, I will refresh his memory. They have bought up to this time something like $20,000,000 worth of common stock of the company.

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. I do.

Mr. SCOTT. I only know that a great many industrious and sober men who are working for the United States Steel Company have been given time within which to buy its stock, and thereby accumulate something for old age and for their families, which possibly they never would have been able to have done under any other circumstances.

Mr. CUMMINS. I do not at all censure, I assure the Senator from West Virginia, that policy. I think it is a very wise one, and I believe that in some appropriate way every great industrial enterprise ought to enlist the sympathy and attach, if you please, the affections of its employees by some such provision; but that does not alter the statement that I made a few moments ago.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Is it not also true that the United States Steel Company guarantees to all of its employees that they will not lose any money on the purchase of stock from the company?

Mr. CUMMINS. I think so.

Mr. SCOTT. That is correct.

Mr. CUMMINS. Mr. President——

Mr. SMOOT. One other thing. My attention has been occupied from morning until night at all times when I have not been in the Senate Chamber with men who are interested in the manufacturing of steel and iron. They have not been from the United States Steel Company, but from the independent manufacturers of this country. Does the Senator from Iowa feel that we ought to have a duty so low as to chastise, as it were, the United States Steel Company, and, by so doing, drive all of the independents out?

Mr. CUMMINS. Mr. President, I hope the Senator from Utah will not impute to me any desire to chastise. I do not desire to chastise the United States Steel Corporation.

But, coming to the Senator's other suggestion, I will say that I intend to vote—although I believe that the United States Steel Corporation is making its product cheaper than it is made at any other place on the face of the earth—I intend to vote for a duty that will protect these so-called "independent institutions," although they are not independent, and although I believe they produce their product as cheaply as the United States Steel Corporation produces its product. Do not misunderstand me when I say I do not believe they are independent; I do not mean they are in association with the United States Steel Corporation, but what I do mean is that the commanding power of the United States Steel Corporation in the trade robs these institutions of their independence, however much they might like to be free and to follow their own course. So long as the United States Steel Company will hold the prices up these independent companies gladly follow; but whenever the United States Steel Company forces the prices down, these independent companies must necessarily follow. Therefore they are not independent in any proper sense of the word, because their will does not fix the price of this commodity in the United States.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. The independent steel manufacturers in the United States are manufacturing now about 60 per cent of the product of this country.

Mr. CUMMINS. A little less than that, I think.

Mr. SMOOT. That is near enough, anyway.

Mr. CUMMINS. They manufacture about 8 per cent less than that, I believe, although the Senator's information may be better upon that point than mine.

Mr. SMOOT. Then we will grant 52 per cent, although my information is that it is about 60 per cent. There has not been an independent steel manufacturer before the committee or in my office who has not frankly admitted that the independent companies can not make steel and iron as cheaply as can the United States Steel Company. The question arises as to how far we should reduce these rates and whether they should be reduced so low that all of the independent steel manufacturers in this country can not live. So far as I am concerned, I want a rate which will protect the independent steel and iron manufacturers of this country so that they can live. I want the rate no higher and no lower than that.

Mr. CUMMINS. Mr. President, I have the same purpose in view, but I will convince the Senator before I have finished that we ought to cut these duties exactly in two, and that would be a high protection even for the independent companies. Of course, I am not speaking about iron ore, which I think ought to come in free.

Mr. CRAWFORD. Mr. President, if the Senator will permit me——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I shall be glad to yield to the Senator.

Mr. CRAWFORD. There is a point which has troubled me very much in examining the testimony, particularly that of Judge Gary and Mr. Schwab, given before the House committee, and I should like to call the Senator's attention particularly to it. The point is, how any tariff can be of any help upon these more important items to any so-called "independent producer?" For instance, Judge Gary says that the United States Steel Corporation owns its ores, that it owns its water-transportation facilities, that it owns its railway-transportation facilities, that it can produce pig iron at least $2 cheaper a ton than can any competitor anywhere, and that it has no competitors except those who are allowed to exist by sufferance. He makes that statement frankly, and I do not understand that it is anywhere questioned.

Now, if the United States Steel Corporation can produce pig iron at least $2 cheaper a ton than can any competitor anywhere, and if it has no competitors in the United States, except those whom it simply tolerates because it thinks that it would create too much resentment on the part of the public if it put them out of business, then how can a tariff, for instance upon steel rails and pig iron, help these so-called "independent producers?" They exist by the sufferance of the United States Steel Corporation, and it being able to produce pig iron lower than they can, the United States Steel Corporation absolutely controls competition and prices. So how can this tariff help them? That is the point that I desire to have explained.

Mr. SCOTT. Will the Senator from Iowa permit me to answer that question of the Senator from South Dakota?

Mr. CUMMINS. I would rather answer it myself.

Mr. SCOTT. Just a moment.

Mr. CUMMINS. The question was directed to me.

Mr. SCOTT. I only want to say that there are independent companies——

Mr. CUMMINS. I propose, Mr. President, to answer the question myself, although I have no desire to prevent the Senator from West Virginia from answering it at the proper time.

Mr. BEVERIDGE. I hope the Senator from Iowa will permit the Senator from West Virginia to make his statement now. We are all, on both sides, interested in the question.

Mr. CUMMINS. That is very true; but I prefer to close, if I can, speedily what I have to say on this subject. I have already taken hours more than I proposed to take; but I will answer now the question of the Senator from South Dakota [Mr. CRAWFORD], and I will show to him in a few moments how the duties might help the independent manufacturer.

Mr. SMOOT. Let me suggest this to the Senator——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Then the Senator can answer this suggestion at the same time: The United States Steel Company are not sellers of pig iron, but purchasers of it.

Mr. CUMMINS. I understand.

Mr. SMOOT. I just make that suggestion.

Mr. CUMMINS. I understand that.

Mr. SCOTT. I am very sorry——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. I do, for a question.

Mr. SCOTT. I desire the Senator to yield for a reply.

Mr. CUMMINS. I do not desire——

Mr. SCOTT. The Senator from Iowa made an assertion, and the Senator quoted Judge Gary. I want to disabuse the minds of both Senators and to say that the statement was not correct. That was all. But if I am not to be allowed to make the statement, of course——

Mr. CUMMINS. Whether the statement is correct or not, it makes no difference to me. My answer to the question arises from information received in an entirely different way. I answer the question of the Senator from South Dakota directly. If the United States Steel Corporation would sell its product at a fair price, for a reasonable profit, then the duty could be of no avail, either to it or to any independent company; but if the United States Steel Company, sheltered by a duty, raises its price beyond a fair level, then the independent companies share in the protection that is afforded this company by the tariff law. In other words, they are not then compelled to compete with producers across the sea. That is the way in which a reasonable tariff might possibly help the independents. I want to be absolutely frank with regard to this matter, because I intend to vote for a reasonable duty upon iron and steel.

But I will return now to the analysis of the United States Steel Corporation. Possibly many of you have read it; but I want to give you the profits of this company for the last year. I wonder if there is a single Senator here who has analyzed this report. I will not stop to give you in detail the figures, but the profit; that is, the amount of earnings after paying all expenses of maintenance and of operation, and which, if the company did not desire to create a sinking fund for the retirement of its capital and did not desire to enlarge its plant, would be available for dividends upon its stock and for interest upon its bonds—the total net income, without considering the reward of capital—amounted to $99,358,585.69.

Mr. McCUMBER. Upon what real investment?

Mr. CUMMINS. Upon a real investment of less than $600,000,000. Ninety-nine million dollars—remember that—$99,000,000 was the income of this company last year, available for a reward upon capital or upon any retirement of capital or for an enlargement of property.

Now, I am willing, as I said before, that this company shall make any profit that it can, but I think you will all agree with me that if the Government does not interfere further than to permit it to earn 6 per cent upon its capital it may well submit the remainder of its profit to the ordinary risk and hazard of business.

We shuddered last year when it was proposed that the Government should guarantee bank deposits, and many of us recoiled from that proposal, because we believed it to be full of menace and disaster to our financial system; and yet the duties which are now presented to us in effect guarantee the business of this company not only 6 per cent, not only 10 per cent, but more than 16 per cent.

I will give them an advantage of $100,000,000, because I think their property has increased in value that much, although increased out of the earnings. Take $700,000,000, reimburse it with a 6 per cent dividend, and what have you? Forty-two million dollars. Deduct that from $99,000,000, and what remains as the excessive, unlawful profit of the United States Steel Corporation? There remains $57,358,585.69.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New Hampshire.

Mr. CUMMINS. I do.

Mr. GALLINGER. I think the Senator must use the word "unlawfully" inadvertently. The Senator does not mean to say that an individual or a corporation may not lawfully receive more than 6 per cent upon an investment?

Mr. CUMMINS. Mr. President, I endeavored to explain that a few moments ago. That word comes easily to the tongue, and because I can not entirely shut out of my consideration the moral aspects of the affair, therefore the word "unlawful" creeps in; but I agree with the Senator from New Hampshire that the profits are not unlawful, viewed from the legal standpoint.

Mr. GALLINGER. They may be excessive, but not unlawful.

Mr. CUMMINS. Well, whenever my moral notions overcome me in the heat of debate, the word "unlawful" may unwittingly appear upon my tongue.

Mr. SCOTT. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. Certainly.

Mr. SCOTT. Does the Senator think that 6 per cent is sufficient for a man who engages in the manufacture of any article, when the majority of men who have money can loan it out at 6

per cent on first mortgage? Ought not a manufacturer, who takes the risk and employs labor, have a greater return than simple interest?

Mr. CUMMINS. He should. I answer the question categorically and affirmatively; but that is quite a different proposition from admitting that it is the duty of the Government to interfere in order to permit him to earn more than 6 per cent or to insure him a reward of more than 6 per cent. If the United States Steel Coporation can, in competition with the world, make 20 per cent, I for one shall not stay its hand. I am only saying, in behalf of those who are affected by the price of this product, that we ought not to interfere in order to insure more than 6 per cent upon its capital.

Mr. BRIGGS. I should like to ask the Senator from Iowa one question.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New Jersey?

Mr. CUMMINS. I am glad to yield.

Mr. BRIGGS. Does that $99,000,000 profit include the depreciation? Was that calculated before any charge for depreciation was taken off?

Mr. CUMMINS. It was not. It is a little difficult to ascertain just what is meant by some of the items. The net profit, as given in the report, is $91,000,000, but that excludes the interest that has been paid upon the bonds of subsidiary companies, and it excludes the sinking fund, because it is the policy of the United States Steel Corporation to accumulate every year a sinking fund that in ten or fifteen years will retire all of its bonded capital. You and I have paid enough for its products, aside from ordinary rewards upon capital, to retire in about fifteen or twenty years every dollar of its bonded debt.

Mr. BRIGGS. One question further. I should like to ask the Senator what he thinks is a reasonable depreciation charge in the steel or iron business?

Mr. CUMMINS. Nothing whatsoever if the property is properly cared for, properly repaired, and if proper replacements are made. The depreciation percentage depends entirely on the manner in which the company takes care of its property.

Mr. BRIGGS. Mr. Abram S. Hewitt once made the statement that every sensible or practical manufacturer of iron and steel products should allow for the complete rebuilding of his plant once in every seven years, or, in other words, one-seventh of the cost should be allowed for depreciation.

Mr. CUMMINS. And that is just what the United States Steel Corporation is doing; and for that expense I have made allowance.

Mr. DEPEW. Mr. President, I should like to ask a question of the Senator from Iowa.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. I do.

Mr. DEPEW. If the profits of the United States Steel Corporation are so exaggerated as the figures which the Senator presents would seem to show, why is it that the independent companies, which are not overcapitalized a dollar, are unable to pay dividends upon their capital? I know one company in particular, in which friends of mine are interested, which has something like thirty-odd million dollars paid in in stock and more than thirty-odd million dollars have been borrowed upon mortgages; there is not a penny of water in it; it is all honest money; and yet, though they are doing a large business in competition with the United States Steel Corporation, they have not since they started been able to pay a penny of dividend upon their stock.

Mr. CUMMINS. I do not know why it is. I do not know anything about the affairs of that company. It would be impossible to answer the question intelligently without having information with respect to its management, its location, and the circumstances under which it does business. I hope that we will get rid of the idea, which I have heard uttered more than once in the Senate, that because some business man or business concern does not prosper, or because he or it fails, therefore it is our duty to enlarge or enhance the tariff upon the things he manufactures or it manufactures or sells. I can not tell why it is so in the case put by the Senator from New York. I am willing to accept implicitly his word for the fact; but I am not able to explain it. I am dealing just now with the United States Steel Corporation, whose report is before me.

Mr. DEPEW. One further question. I ask for information, and I do not desire to embarrass the Senator in any way.

Mr. CUMMINS. It is impossible. [Laughter.]

Mr. DEPEW. I understand that perfectly.

Mr. CUMMINS. That is, so long as I have the truth on my side.

Mr. DEPEW. I presume you have, and that is the reason I am asking, because I desire truthful information. The testimony, as I understand, before the House committee showed that the United States Steel Corporation can make all classes of steel products $2 a ton cheaper than the independent concerns in the country, which have about 60 per cent of the business. If you take the tariff off in order to hit the United States Steel Corporation, the independent concerns believe it would wipe them out of existence and give the United States Steel Corporation the command of the market, and then that corporation could combine with the foreign companies, and we would be at the mercy of a gigantic international combine. How would you get over that?

Mr. CUMMINS. Sufficient unto the evil is the day thereof.

Mr. BEVERIDGE. You have put the cart before the horse.

Mr. GALLINGER. "Sufficient unto the day is the evil thereof."

Mr. CUMMINS. I reversed the quotation intentionally. I, however, have not ventured to look forward to that disastrous day on which all the industries of the United States and all the industries of the world shall be concentrated in a single hand or a single board of directors. I suppose that when that day dawns, when a single mind directs the energies of the earth and controls the fortunes of mankind, so far as manufactures are concerned, there would still remain the lamp-post for the common people. I know of no other remedy for that kind of slavery. I can not believe that it ever will be imposed upon either the people of the United States or the people of the earth; but if it ever is, you may be sure that the millions will find some way to shake those shackles from their wrists, just as they have found a way of emancipation in every other emergency in the history of the earth. Such is my answer to the last inquiry.

Now, first, I do not believe it to be true, even though it is so testified before the House committee, that the independent companies make steel products at a cost of $2 a ton more than the United States Steel Corporation. I do not believe that, but, if it be true, then I say give to the steel business, as I intend to give to it, a sufficient duty to cover that difference between the cost of manufacture by them and the cost of manufacture by the United States Steel Corporation, and you can still give them that duty, which will protect them against foreign competitors, and reduce by 50 per cent the duties that are reported in this bill.

There is a reduction in this schedule. I omitted to say that; but I want to pay a tribute to the Finance Committee. I omitted to say that this is one of the schedules in which there is seen a reduction, but they might just as well have left it where it was. I do not believe that there is a single member of the Finance Committee who believes that the buyer or user of iron or steel will receive the product for one cent less than he would have done had the duties remained as they were. Why? Because they are not sufficiently reduced to touch the United States Steel Corporation by the fear of foreign competition.

Mr. DEPEW. Will the Senator allow me to say just one word on the lamp-post question—not a speech?

Mr. CUMMINS. I know what the Senator would say.

Mr. DEPEW. I do not intend to make a speech.

Mr. CUMMINS. Mark you, I am not advising the lamp-post remedy; but it has been applied in times past, and it sometimes is the only relief from the slavery that the Senator suggested, the slavery that would come to the American people.

Mr. DEPEW. I simply want to state something that occurred in my own experience. There was a controversy in reference to a matter of investment when I was the counsel for the late Mr. Vanderbilt. A leader of the opposition got so bitter about it that he said to me personally that when any man became so rich and could accomplish so much by his own individual wealth as could Mr. Vanderbilt, he should, for the safety of the community, be hung to a lamp-post by the people.

I said to him, "Do you think a man worth $10,000,000 should be hanged to a lamp-post?" He said, "No. I think that amount is absolutely necessary for the conduct of legitimate business." I knew that was the exact amount he was worth. [Laughter.]

Mr. CUMMINS. The Senator from New York, I think, will agree that tested by my own condition I shall never draw the line at that point.

Mr. DEPEW. In other words, that everybody under that doctrine wants to hang the man who has a little more than he has.

Mr. CUMMINS. I know that is the New York view. [Laughter.] I have heard it expressed so often that it has become very familiar to me; and the Senator from New York, in his charming and agreeable way, would leave the impression that I suggested there would come a time when the man of wealth, as distinguished from the man of poverty, would find his last resting or hanging place on a lamp-post. You did not understand me so to suggest.

Mr. DEPEW. No.

Mr. CUMMINS. You understood me to say that if the event that you predict should come to pass, namely, that these men not for legitimate profits, but for the purpose of coercing the whole world to their will, should monopolize an essential fundamental interest or enterprise of this sort and exact from a defenseless people whatsoever their avarice or greed might suggest, then to rid themselves of such a master—an impossible master because he never will arise—if the law should fail, the lamp-post might furnish an efficient remedy. But I pass on.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I have not been able to hear the whole of the Senator's argument. He made a suggestion a few minutes ago about the character of reduction, saying that the reductions in the steel schedule, for instance, would not be effective. To what extent does the Senator think reductions should be made in order to be effective—that we give the American market to the foreign manufacturer, or what? Where does the Senator draw the line, if it will not embarrass him to answer?

Mr. CUMMINS. The Senator from Iowa is not embarrassed by answering. If the duties of the Senator from Rhode Island had not demanded his absence from the Senate Chamber during the early hours of the day he would have heard a confession of faith upon my part that would have answered that question. I do not believe in lowering the duties to the point that will enable the foreign producer to take our market. I am arguing with respect to the degree of duties that will enable our producers to hold fairly our markets, but will prevent our producers from raising their prices above the fair American level. And I will answer the question specifically, inasmuch as it is asked, although I intended to answer it as the closing paragraph of my speech.

From the information which I have, and a part of which I am about to give to the Senator, and a part of which I have already given the Senate, I think if you would cut these duties on iron and steel—I am now talking about the cruder and commoner forms of iron and steel; pig iron, although it might well go upon the free list for other reasons, but not for protective reasons, I agree; pig iron, billets, ingots, steel rails, wire rods, slabs, structural iron, and wire, and such like—I think if you cut those duties in two in the bill you have now reported, and after all the reductions made by the House, you might give to the American people some assurance that the products would not be raised above a fair and reasonable price and not one pound more of iron or steel could be imported into the United States than now is imported, provided the prices were reduced to the point that I am about to show you they ought to reach and still give this company full, complete profit in their business.

I have said that this company made last year, in round numbers, $57,000,000 more than it ought to have made. What did it do? It produced—I will not count its by-products—in its business steel of various kinds, in round numbers, to the extent of 6,250,000 tons. That is the product of this company, with its expense of more than $[illegible],000,000. That is the product which, being sold, resulted in the profit of $99,000,000 and more. That is the product which created this excessive profit of more than $57,000,000.

You have no right, I have no right, to sit here and insure a profit more than I have suggested. As I said before, if in the great struggle the company can make more, well and good; but you and I will be traitors to our duty and our obligation—not only to our constituencies, but to the whole country—if we frame a tariff bill that will insure a profit of the kind I have suggested. What are they? Divide the profits by the entire tonnage of this company, which now puts out more than one-half of the entire product, and it means $9.24 a ton of excessive profit upon the average. This company last year sold its entire product upon an average of $9.24 a ton more than it should have sold it for, so far as we are concerned.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. Does the Senator think that a duty of $7.84 a ton enables the United States Steel Company to make a profit of more than $9 a ton?

Mr. CUMMINS. I am glad you asked that. I will read a letter on that subject.

Mr. ALDRICH. Why have any duty? Why not pay a bounty on foreign importations for the purpose of still further reducing the profits of the steel company?

Mr. CUMMINS. I suppose, if the Senator from Rhode Island means to exercise his wit——

Mr. ALDRICH. Not at all. The Senator said we ought to reduce the profits.

Mr. CUMMINS. I supposed we were engaged in a serious debate.

Mr. ALDRICH. This is a serious debate. The Senator says we ought to reduce the profits of the United States Steel Company to a normal point. That is what I understood. He says it made a profit of nine dollars and some odd cents a ton more than it ought to have made.

Mr. CUMMINS. Yes; I said $9.24 more than was necessary to enable that company to pay 6 per cent upon its capital; and that, so far as the Government of the United States was concerned, our full duty would be done when we so adjusted our schedules as to enable that company or any other to earn 6 per cent upon its capital. That is my proposition—not as stated by the Senator from Rhode Island.

Mr. ALDRICH. The Senator will see, as a mathematical proposition, that if steel rails were put upon the free list, the company would still be earning a dollar and some odd cents a ton more than they should have, according to the Senator's contention.

Mr. CUMMINS. I am not concerned in that. I do not care; I do care, but——

Mr. ALDRICH. I thought the Senator was engaged in a discussion to show us how we ought to adjust the rates upon iron and steel so as to take away from this company its inordinate profits. I thought that was the point.

Mr. CUMMINS. It is not so.

Mr. ALDRICH. Then, I misunderstood the Senator.

Mr. CUMMINS. It seems to me the Senator from Rhode Island easily misunderstands me. I said if the company had sold its products for $9.24 a ton upon an average less than it did, it would still have made 6 per cent upon its lawful capital, if the Senator from New Hampshire will permit me again to use that term.

Mr. GALLINGER. I am sorry the Senator uses it.

Mr. CUMMINS. I am not concerned with regard to the amount of its capital or the return upon it, except to show that much less duty than you have put upon these products would be sufficient to protect the iron industry, if it would reduce its prices to a fair American level.

Mr. DIXON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. CUMMINS. Certainly.

Mr. DIXON. Will the Senator yield to me for just one question?

Mr. CUMMINS. Certainly.

Mr. DIXON. As I understand, the Senator has given the figures for 1908. Does the Senator have the earnings of the United States Steel Company for 1907? I ask for it as a matter of curiosity.

Mr. CUMMINS. I have not the exact figures before me, but I know in a general way what they were. The net income for 1908 was $99,000,000, and a corresponding statement for 1907 would be, in round numbers, $170,000,000.

Mr. DIXON. As against $99,000,000?

Mr. CUMMINS. As against $99,000,000. As I remember it, the net profits that were acknowledged in 1907 were $160,000,000.

Now, pursuing this one step further—and I know I can show at least the point I am endeavoring to make clear to Senators——

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I do.

Mr. GORE. Before the Senator passes from this point, I merely wish to observe that, as I understand, the principal object of a high tariff is to guarantee high wages; that the manufacturers insist upon high rates in order that they can pay high wages.

Mr. CUMMINS. Mr. President, I decline to yield for a speech. I am nearing the conclusion I desire to reach.

Mr. GORE. I beg pardon.

Mr. CUMMINS. And I can not yield to the Senator from Oklahoma for a speech, however much he may desire to help me.

Mr. GORE. Then, I will propound a question.

Mr. CUMMINS. If he has any question to ask me, I will be delighted to answer it.

Mr. GORE. You say that the net profits last year were $99,000,000; that the net profits in 1907 were a hundred and sixty-odd million dollars. I merely wish, if the Senator has them at hand, that he will state the total amount of wages paid.

Mr. CUMMINS. I have them at hand, and if the Senator will be patient, I will give them to him before I take my seat.

Mr. GORE. I thank you.

Mr. CUMMINS. I repeat my conclusion, that this company could with great prosperity have sold its product for $9 a ton less last year.

Now I ask some member of the Finance Committee or some other man in the Senate some time during the progress of the debate and before we dispose of the iron and steel schedule, to answer this question: Was there upon an average a difference of $9.24 between the selling price of these forms of steel abroad and at home? Do you not know that the $9.24 I have suggested represents a great deal more than the difference between the market price of iron or steel in London, or Liverpool, or Brussels, or Paris, and the United States? So that—you know it as well as I—the United States Steel Company could have sold every pound of its products at the market prices of those products in the markets of the world and still have paid 9 per cent upon its capital, computed in the way I have suggested.

With such facts, that can neither be gainsaid nor ignored, will any man tell me that in order to protect the United States Steel Corporation, which last year could have sold its products at less than such products were being sold anywhere in the world and still have made a high profit on its capital, an average duty of $12 or $14 a ton is necessary? I am sure that the mere statement of that proposition will drive home this one conclusion, and that is, so far as this corporation is concerned, it needs no protection whatsoever. It can go into the world and hold its own and make immense profits, even upon its inflated capital, and yet it produces 52, 53, 54 per cent of all the iron and steel of the United States, and it absolutely fixes the prices of every pound of iron and steel, notwithstanding these independents of whom mention has been made. Now, nevertheless, I am willing——

Mr. GALLINGER. The Senator did not mean 54 per cent, did he?

Mr. CUMMINS. I did.

Mr. GALLINGER. I think the Senator admitted a little while ago that the independents produced nearly 60 per cent.

Mr. CUMMINS. Oh, no, sir.

Mr. GALLINGER. It ought to be 42 per cent.

Mr. CUMMINS. I was not including the Tennessee Coal and Iron Company. I did not desire to bring that into contention here. It is a sore spot in Republican politics, and I did not desire to raise the ghost of the Tennessee Coal and Iron Company. Therefore I admitted a few moments ago that the independents produced 52 per cent; something in that neighborhood.

But at any rate, the United States Steel Corporation produces enough to command the situation. When it raises prices the independents are glad to follow, and when it depresses the market the independents must submit, and for their sake I am willing to put a fair duty upon iron and steel. For their sakes, I am willing to put upon these commodities a duty which, in my opinion, measures and more than measures the difference between their cost and the cost abroad, and that will be accomplished by dividing the duties in the bill, and thus you will be able to fulfill not only the obligation to the people of this country, whose voices have risen for a substantial reduction of duties, but we upon this side can fulfill the obligations which we have assumed as members of our political party.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. As I understand the Senator from Iowa, he is proposing a new method for computing specific duties. He suggests that, in the first instance, we should ascertain what ought to be the capital of a company engaged in the production of any of these articles, and then determine what rate of interest or dividends should be paid by that company, and fix the rates according to the results which are ascertained by this method.

I supposed that we were proceeding upon the theory of taking into consideration the difference in the cost of production in our country and in competing countries. That is the rule which I supposed was to apply in the consideration and preparation of these schedules. If the Senator from Iowa is correct, and if we are now to take into consideration the valuation of all the property in the United States, with a view of ascertaining as to what companies are overcapitalized and as to what dividends shall be paid, we are to be led wide astray in the consideration of this question from any proposition which I have heretofore heard suggested.

Mr. CUMMINS. If the Lord had endowed me with that simple ingenuity of which the Senator from Rhode Island is such a master, I might be able to retort in kind, but I do not know any way in debate but to go straight at the truth. That is a fashion I have taken on. It is a custom which has gradually grown on me, and therefore I will have to come to the Senator from Rhode Island with just a plain statement of the fallacy of his remark. I do not suppose I am teaching the Senator from Rhode Island anything. I am not exposing to him the want of candor of which he has just been guilty, but I am answering the statement just as plainly as I can.

I passed through this statement and made this argument for the very purpose of proving how much it cost the United States Steel Corporation to put out its products, and if I have not proved that it costs that company less than it costs any other company in the world to produce iron and steel, then I have failed in my conclusion.

I care nothing about the profits of companies except to show the cost of production, and when I have established, as I know I have in the minds of all impartial men, that the United States Steel Corporation is producing its products at less cost, as determined by market prices, than any other company, whether in the United States or elsewhere, then I have at least reached a consideration of the duties that ought to be put upon these articles in order to protect those companies that are said to work under greater disadvantage.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. By the process which the Senator has employed, is he able to state to the Senate definitely the relative cost of making steel rails, for instance, in the United States and in Germany?

Mr. CUMMINS. No more than you. You do not know, and no man knows.

Mr. ALDRICH. I am asking the Senator whether he is able——

Mr. CUMMINS. I am not——

Mr. ALDRICH. To arrive at any such conclusion from the statement which he has made.

Mr. CUMMINS. I do not know.

Mr. SCOTT. Will the Senator from Iowa allow me to ask him a question?

Mr. CUMMINS. I yield.

Mr. SCOTT. Do I understand the Senator to say that the United States Steel Corporation turns out its products cheaper than any other concern in this country or in the world?

Mr. CUMMINS. Yes; as determined by their profits.

Mr. SCOTT. I ask the Senator if he has investigated the cost of the products of the La Belle Iron Works, of Wheeling, W. Va., a corporation of $12,500,000, owning their own ore lands, their own coal lands, with all the advantages that the United States Steel Corporation has? I should like to know if he can tell us what it costs that company to make its products?

Mr. CUMMINS. I can not.

Mr. SCOTT. Then why should the Senator make the positive statement that the United States Steel Corporation can make its products at $2 a ton less than anybody else in the world?

Mr. CUMMINS. I did not say so.

Mr. SCOTT. You said it could make it for less than any concern in the world.

Mr. CUMMINS. I do. I say that the profits of the United States Steel Corporation upon its product are greater than the profits of any other company in like business on the face of the world, and if that does not show that they make their products or their output at less price than any other company, I fail to appreciate the force of reasoning.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do. I have a letter from Mr. Schwab, if I could find it—it was on my desk—that would answer the inquiry of the Senator from Rhode Island. It shows what it costs to make steel rails.

Mr. ALDRICH. Not the inquiry which I am about to make.

Mr. CUMMINS. I proposed to answer the first, and then I would turn to this.

Mr. ALDRICH. I should like to have an answer to this question. As I understand the Senator, the statement he now makes is based upon the idea of profits alone, as to the comparative cost of production in this country and abroad. The Senator suggests no item of actual experience, no item of ascertainment as to the actual condition or the actual cost, as to any one single item of the products of the United States Steel Company and companies abroad.

Mr. CUMMINS. No. I accept evidence which I regard as vastly better and more persuasive. What I say is, that the

United States Steel Corporation makes 6,000,000 tons of iron and steel; and if, after paying all the expense incident to the operation of its factories and incident to the output, the company has $99,000,000 left—if that does not indicate to you something about its cost of production, it does seem to me that you have shut your ears to the conclusive force of testimony.

Mr. DEPEW. I should like——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. Certainly.

Mr. DEPEW. I should like to ask the Senator from Iowa whether there is not a fallacy in basing the cost of production upon the profits as between different manufacturing concerns or competition in any business? It is a well-known fact that the larger the sales, the less price——

Mr. CUMMINS. I beg your pardon. Will the Senator kindly restate his inquiry? I was guilty of unpardonable neglect in being diverted for a moment.

Mr. DEPEW. What I wanted to ask the Senator is, Whether he would not admit that there is a fallacy in the foundation of his argument, which is that the cost of production can be ascertained by the profits? Can not a concern doing a business a thousand times greater than another make money, and large money, and put the other out of business when the cost of production is exactly the same?

Mr. CUMMINS. Yes, sir.

Mr. DEPEW. Then, it is not a proper basis.

Mr. CUMMINS. I think it is. If you could conceive of a manufacturer who made just one steel rail in a year and would sell it at the rate of $28 a ton and out of it would have to pay for his own time, his own bookkeeping, and whatsoever other incidental expenses might be added, he would soon go out of business. But whenever a company is so enlarged that it fully employs the unit of production, the entire energy of any given unit, whatever the unit may be, then that company, granting the same opportunities to purchase the raw material and the same privileges of transportation, can make its product just as cheaply as the other company.

But, however, I have not descended into those finer questions. I want to give to the steel companies or the iron companies an average duty, we will say, of $8 a ton on all these products, adjusted according to the scale that has been recognized in all time. But I do not want an average duty of $12 or $14 a ton when I know that it simply means to add so much to the burden of those who use or buy these products.

Mr. ALDRICH. If the Senator from Iowa will permit me, has he any statistics or figures which show the capitalization and the profits of foreign manufacturers of iron and steel?

Mr. CUMMINS. I have not.

Mr. ALDRICH. Has the Senator any knowledge of the range of production——

Mr. CUMMINS. I want to qualify that last answer a little. I have that evidence upon which all men act in their lives, namely, the information that comes to us from every quarter in newspapers, in pamphlets, in reports, and in general commercial affairs. That is the information upon which I base the statement I made a few moments ago.

Mr. ALDRICH. Has the Senator from Iowa any information as to the number of articles made by the United States Steel Corporation, the range of their productions, and the profits which are derived from each class of the articles made by them?

Mr. CUMMINS. I have not. I take it that if I have convinced you that these duties are too high, as a whole, you will not allow any pride of opinion to stand against a reformation of these schedules. I take it for granted that if I have convinced you that the duties are too high you will reject this schedule and apply that superior information which relates to these niceties of details and will return to the Senate a schedule properly adjusted that will fairly but not excessively protect this industry.

Now, I have but another word to say. I do not mean to say that when I have finished this address you are through with me for all time, for I expect to be heard as these schedules are discussed. But there were some general considerations that I felt I ought to submit before we reach the distinct paragraphs.

I have had in mind to speak in regard to the iron ore. I shall wait, however, until the moment that we reach the paragraph.

The Senator from Oklahoma suggested a few moments ago a very interesting topic, and, inasmuch as the Senator from West Virginia also commented upon the munificence of the United States Steel Corporation, I beg that you will bear with me until I quote you just what that company did last year. In all its salaries, from the two $100,000 presidents—I believe there are two, possibly more—from the shining head to the lowest messenger boy upon the pay roll, the company paid out $120,510,829, just $20,000,000 more than its net income for the same year. All its salaries, however high, or its wages, however low, aggregated $120,000,000. It had as the result of their labor $100,000,000, in round numbers, of income. There were 165,211 of those people, and that meant that they got on an average $730 a year. That includes Mr. Gary; it includes Mr. Corey; it includes every other of these employees whose capacities and whose energies and whose experience entitled them to large salaries, just as it includes the man who works in the iron mine at Lake Superior.

Mr. BEVERIDGE. Will the Senator permit me a question?

Mr. CUMMINS. I will.

Mr. BEVERIDGE. Taking the salaries of the officers, the presidents and other large salaried officers, how much is the average wage?

Mr. CUMMINS. I do not know. I have not that information at hand. This report does not separate them in that way, and I have not perused it.

Mr. BEVERIDGE. Does the report give the amount of salaries to the principal officers?

Mr. CUMMINS. No; it includes them all in one single item.

Mr. BEVERIDGE. That is, officers and employees?

Mr. CUMMINS. I read:

The average number of employees in the service of all companies during the fiscal year of 1908, in comparison with the fiscal year of 1907, was as follows.

Then it gives the number of employees in manufacturing properties—coal and coke properties, iron-ore properties, transportation properties, miscellaneous properties—the total numbering 165,211. Then, for the average number of employees in the service of all companies, the total annual salaries and wages, $120,510,829. The average of them all is the sum I have given, $730 per year.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I do.

Mr. NEWLANDS. Mr. President, I call the attention of the Senator from Iowa to the fact that the census report gives the total number of wage-earners employed under the schedules of metals and manufactures of metals; it gives the total number of wage-earners at a little over 1,000,000; the total wages at a little over $600,000,000; and the average annual wage at $556 per annum.

Mr. CUMMINS. I am simply quoting from the report of the company made for the year 1908.

Mr. NEWLANDS. As I understand it, it includes salaries as well as wages.

Mr. CUMMINS. It does.

Mr. NEWLANDS. The census report covers simply the question of wages. The Senator will observe that the average wage ascertained by the census report is about $200 less than the average wage he gives.

Mr. CUMMINS. I leave every Senator to make his own deduction with respect to that, nor do I think it is material. I do not suggest low wages with any pleasure. I would be glad to see the company expend a very much larger part of this vast net income in the payment of wages. I only brought to the attention of the Senate what we universally see, namely, that when a company has the power to take, it takes.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. Has the Senator any estimate or figures showing the average rate of wages of the people engaged in iron and steel production in Germany?

Mr. CUMMINS. No; not on my table, but I have seen those estimates or those statements so often that I have not thought it necessary to reproduce them. Every desk here is loaded with statements of that sort, and I neglected that. I am not here arguing against the protective duty upon iron and steel. I am simply arguing against what I believe to have been a mistake of the Finance Committee in attaching to iron and steel duties that are inordinately high.

Mr. ALDRICH. Does the Senator contend that the wages paid in the iron and steel industry in this country are below the average of that of all the people engaged in useful occupations in the United States?

Mr. CUMMINS. I do not know. I know that the wages paid to the miners in Lake Superior are very low. I know that the wages paid to the skilled men in the furnaces and rolling mills and the like are very high, as they ought to be, and as I hope they always will be.

Mr. KEAN. What are the wages paid?

Mr. CUMMINS. In Lake Superior, I think, about $1.25 a day.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I do for a question.

Mr. NEWLANDS. I understood that the Senator had yielded the floor.

Mr. CUMMINS. I thought you were asking me a question.

Mr. President, I do yield the floor with a heart full of gratitude to the Senate for giving me the attention that has been given and being sorry that I can not promise them that I will not return to this subject later. But I have about reached the limit of my own strength, and as I know I have passed beyond the limit of patience upon the part of the Senate, I yield the floor.

Mr. NEWLANDS. Mr. President, I should like to ask the Senator from Iowa whether the Members of his party in the Senate who are for a revision and a reduction of the excessive duties of the tariff have formulated their views in such a way as that they can present them for the consideration of the Democrats of this body, with a view to securing their support in carrying such reductions through the Senate?

Let me say to the Senator, the Republicans are about 60 in number and the Democrats about 30. As I understand it, there are about 20 progressives on the Republican side——

Mr. CUMMINS. The Senator has counted more than I have.

Mr. NEWLANDS (continuing). Who are for the reduction of excessive duties. While the Democrats may differ with the Senator from Iowa as to the principle which should control the formation of this bill——

Mr. CUMMINS. I rose to answer a question. What is it?

Mr. NEWLANDS. The Senator must remember that I am now speaking in my own time and not in his.

Mr. CUMMINS. Oh, I beg pardon.

Mr. NEWLANDS. I wish to ask a question, and I would be glad to have it answered, unless the Senator is unwilling——

Mr. CUMMINS. I am not at all unwilling.

Mr. NEWLANDS. In that case I would not press it.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. ALDRICH. I should like to ask the Senator from Nevada whether he is making an official statement or whether he is merely making a suggestion?

Mr. NEWLANDS. Mr. President, I must decline to yield, as I am pursuing an inquiry with the Senator from Iowa.

The PRESIDENT pro tempore. The Senator from Nevada declines to yield.

Mr. NEWLANDS. I wish to call the attention of the Senator from Iowa to the fact, or the supposed fact, that there are 20 progressives on the Republican side in favor of a reduction of excessive duties, and that there are 30 Democrats on this side who also favor a reduction of excessive duties, though they may differ with the Senator from Iowa as to the principle which should control the formation of a tariff bill. There is, therefore, a possibility of our uniting regardless of the question of the principle upon which the bill shall be framed, upon the practical question of a reduction of duties. I would ask the Senator—and I ask him in all sincerity, for if the Senator knew me well he would realize that I do not play politics—whether he and the men who believe with him on that side have formulated their views in such way as that they can present them to the Democrats for consideration, or whether they contemplate formulating them in such a way as to present them to the Democracy for their support? I yield to the Senator for an answer to that question, if he is willing to make it.

Mr. CUMMINS. Mr. President, there never was a question put to me that I was more willing to answer than the one that has just come from the Senator from Nevada. May I ask, though, fairly, is the Senator from Nevada authorized to speak for the 31 Democrats?

Mr. NEWLANDS. Mr. President, I will answer frankly, no. I have not consulted my associates regarding it. The minority here are powerless. They can accomplish something, not by taking the lead, but by following the progressives on the Republican side.

I take it for granted that if the progressive Republicans make a reasonable proposal that would appeal to the reason and the conscience of the Democratic side, looking toward a reduction of duties, the Democracy will respond favorably to that proposal. If they do not, they will stand on record before the country as derelict in their duty.

Mr. CUMMINS. Mr. President, I have little doubt that many of them will stand before the country as delinquents, and I have not the faith or the confidence that is expressed by the Senator from Nevada in believing that he could lead his associates toward any common object.

Mr. NEWLANDS. I beg the Senator not to call me a leader.

Mr. CUMMINS. I have stood here, or sat here, and heard the most eloquent and the highest protective speeches made come from that side of the Chamber. What have we progressives to hope for in the midst of that discord upon the part of our Democratic friends?

Answering the Senator further, I will say that I do not speak for anyone save myself. There has been no concert of action. Every man of the progressives—and I hope all Republicans are progressive—is speaking for himself day after day, and he is speaking in the hope that he will be able not only to convince his Republican brethren, but that he can convince his Democratic hearers as well.

Mr. NEWLANDS. Mr. President, this is the entire answer, as I understand it, of the Senator from Iowa. I will not criticise it.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. NEWLANDS. I beg the Senator not to interrupt me. I wish to respond to the Senator from Iowa without being diverted from my purpose.

The PRESIDENT pro tempore. The Senator from Nevada declines to yield.

Mr. NEWLANDS. I will not criticise the response of the Senator from Iowa, for I shall hope that upon reflection the Senator will take better counsel with himself and with his associates. I would not, by word of criticism or taunt, create any division between the progressives on that side and the progressives on this side that would prevent legislation that will be beneficial to the entire country.

The Senator despairs of the Democratic party. He despairs of receiving aid from the Democratic party in the course of progress and reform which he has mapped out for himself and his progressive associates. Let me suggest to the Senator from Iowa that that despair is not warranted by the history of the Democratic party as to the progressive measures that have been put upon the statute books within the last three or four years of Republican administration. Let me call the Senator's attention to the fact that upon every substantial reform urged by President Roosevelt and supported by the Senator from Iowa the Democratic party has stood with the President and with the Senator from Iowa for progressive action.

The Senator referred in his speech to the rate legislation. That was the burning question of the hour a session or two ago. Where did the Democratic party stand then upon the recommendation made by a reform President to a party which he desired, but failed, to reform? His recommendation was that, upon complaint to the Interstate Commerce Commission regarding the reasonableness of a rate, a hearing should be had and power should be given to the Interstate Commerce Commission to condemn the rate and to substitute a reasonable rate. The Committee on Interstate Commerce of the Senate, composed of eight Republicans and five Democrats, deliberated upon that question for weeks, and it was impossible to secure the report of a bill from that committee.

What did the progressive Republicans upon that committee, three in number, standing with the President and standing with the Senator from Iowa, suggest then? They suggested to the minority of that committee, through myself as the intermediary, that the bill should be forced out of committee into the Senate, realizing the fact that public sentiment operating powerfully upon a reactionary Senate would force the bill through to triumphant passage; and that bill was reported from the Interstate Commerce Committee by a vote of 3 Republicans and 5 Democrats.

Did the Senator from Iowa despair of Democracy then, when the bill for which he stood, and when the bill for which the President, whom he supported, stood, was brought out of committee and before the Senate for its consideration? The Democratic party acted patriotically on that measure. They will act patriotically upon this.

I could recall numerous instances during the past four years where progressive, reformative action has been absolutely forced by the Democratic party, both in the House and in the Senate. I can call the attention of the Senator to numerous instances where the powerful support of the Democratic party to a progressive minority of the Republican party has placed upon the statute books reform measures.

It is true that in the final analysis the vote was pretty nearly unanimous, as it was upon the rate bill, there being, I believe, only one vote against it; but the men in this body who are familiar with legislation know that the rate bill and other reform measures were opposed by the majority of the Republican party, though supported by a minority of that party until the

bitter end, and that they only joined in a record vote with a view to letting it appear to the country that a measure whose passage was inevitable and which had the support of the entire country had the unanimous approval and verdict of the Republican party in the Senate. So, Mr. President, whilst the Senator from Iowa [Mr. CUMMINS] despairs of the Democratic party, permit me to remark that I do not despair of the progressive element of the Republican party, and I do not despair of the Senator from Iowa himself. I believe, before this debate is closed, they will be convinced that the great interests of the country have dominated this tariff, that the great interests of the country are powerful here in the maintenance of these excessive duties, and that, dismissing all partisanship and yielding to patriotic purposes, the progressive Republicans will join with the patriotic Democracy in placing upon the statute book needed reforms.

Mr. ALDRICH. I should like to ask the Senator from Nevada, if he would not consider it intrusive, upon what platform he proposes that this union shall be carried out?

Mr. NEWLANDS. Upon the platform, Mr. President, of faithful service to the people.

Mr. ALDRICH. The Republican party is committed, so far as it can be, to a protective tariff, the rates of which shall equalize conditions between this country and competing countries. Would the Senator from Nevada be willing to adopt that plan to secure this patriotic union that he is advocating?

Mr. NEWLANDS. Mr. President, the Senator from Rhode Island can not divert me into a consideration now of the principles that should control in the regulation of a tariff bill.

Mr. ALDRICH. That is a minor detail, I suppose.

Mr. NEWLANDS. I am disposed to dismiss those considerations just now, as the Senator some days since was disposed to evade any declaration of the principles that controlled him in the framing of the present tariff bill.

Mr. ALDRICH. I did not know that I had done so.

Mr. NEWLANDS. The only practical question before this body is, not whether the protective system shall endure or whether the system of a tariff for revenue shall be substituted for it—that is not the practical question; but the practical question is whether excessive duties shall be reduced; and both Republicans and Democrats, believing, respectively, in the principles of their parties regarding the tariff, can vote for such reductions. I call for patriotic and not for partisan action.

Mr. ALDRICH. As I understand this novel proposition, which certainly has the characteristic of boldness, if no other, it is that Senators sitting upon either side of the Chamber shall form a coalition, in which each side shall abandon all of their promises in the past and all of their political obligations for the purpose of securing a union of action upon this question.

Mr. NEWLANDS. Mr. President, the Senator may call this a "coalition." I am aware that the Senator is very skillful in forming phrases that are likely to bring any movement into disrepute. The Senator knows the value of a brand. There are many people in this country who think by the brand and not according to principle, and if you can only give a thing a detested name, they will avoid it, even though the movement so branded may be a beneficial movement. I have suggested no coalition. I have simply suggested to the progressive element of the Republican party that they should formulate their views, in order that the Democracy may consider them. I suggest simply that they may lead, and that the Democracy may follow. That is all.

Mr. ALDRICH. Do I understand the Senator to say that the Democracy have no principles involved in this matter at all?

Mr. NEWLANDS. I did not understand the question of the Senator.

Mr. ALDRICH. Well, it seemed perfectly plain.

Mr. NEWLANDS. I mean I did not hear it.

Mr. ALDRICH. Does the Senator contend that the Democratic Members of this body have no principles at all involved in this tariff discussion or no ideas except to succeed in destroying the Republican party?

Mr. NEWLANDS. Mr. President, I have not suggested for a moment that the Democracy should be regardless of principle. The Democracy stands for a tariff for revenue; though I admit there have been certain modifications and variations of that doctrine [laughter] in the platforms that have been enunciated during many years; but they have not been substantial variations. Therefore, I think I correctly state their principle when I say that they stand for a tariff for revenue. Necessarily, therefore, they must stand against prohibitory duties. The excessive duties of this bill are largely prohibitive. The duties of which the progressive men of the Republican party complain are largely prohibitive. Do they not, then, stand for the same thing? They wish to reduce excessive and prohibitive duties. We also wish it. They may not be willing to go as far as we are willing to go. We necessarily must go as far as they are willing to go. Therefore the proposal must come from them. We can not expect them, when we propose to go ultimately further than they are willing to go, to subscribe to our declaration of what we propose to do; but when they propose to go upon the same line that we do, stopping short though of what we hope ultimately to accomplish, we can certainly proceed along the path with them until the point of divergence is reached. Does the Senator from Rhode Island call that an abandonment of principle by the progressive Republicans? Does he call it an abandonment of principle by the Democracy?

The Senator suggests that by doing that we abandon all the promises made by our respective parties. What promises were given? What promises were urged by the Republican party? They promised a revision of the tariff. It is true the expression was a dubious one; it is true that it was so framed as purposely to mislead; it is true that it was so framed as to give the "standpatters" the impression that the tariff might be revised upward, and to give the reformers and progressives the impression that it would be revised downward; but, so far as public expression upon the platform was concerned, it was the universal declaration of the Republican party, through its chosen leader, Mr. Taft, and through its speakers throughout the entire country, that the Republican party promised a reduction of excessive duties.

Did not the Democratic party promise the same thing? Did it not promise a gradual and progressive reduction in excessive duties until a fair revenue basis was attained? How can the Senator from Rhode Island, therefore, declare that either the progressive Republicans or the minority Democrats are untrue and recreant to promises which were given to the country by both parties through chosen leaders by taking the action which I have suggested?

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. If this union, so mildly suggested by the Senator from Nevada, should be consummated, would the result be a Democratic tariff bill or a Republican tariff bill?

Mr. NEWLANDS. The result, Mr. President, would be a reduction in excessive duties to the relief of the people from——

Mr. ALDRICH. Who would claim the credit for it?

Mr. NEWLANDS (continuing). An intolerable burden——

Mr. ALDRICH. Who would claim the credit for it?

Mr. NEWLANDS (continuing). And the minimizing of the great problems that now confront us regarding the regulation and control of trusts——

Mr. ALDRICH. Would not this——

Mr. NEWLANDS (continuing). And would tend to fairer prices throughout the country——

Mr. ALDRICH. Then, the combination certainly would be a combination in restraint of trade.

Mr. NEWLANDS (continuing). And the equalization of opportunity.

Mr. ALDRICH. It would certainly be a combination in restraint of American trade.

Mr. NEWLANDS. Now, as the Senator from Rhode Island has interrupted me whilst I was speaking without my consent, I will, having finished my sentence, yield to the Senator and be glad to answer any question he wishes to ask. I trust that the Reporter, during this duet which has taken place between the Senator from Rhode Island and myself, will be able to distinguish the prevailing note of the speaker who is now addressing the Senate. [Laughter.]

Mr. ALDRICH. I ask that the next question be stated.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. The next item is on page 13, paragraph 51.

Mr. BRISTOW. I should like to inquire of the Committee on Finance why it is necessary to fix the duty on white lead higher than the duty on lead?

Mr. ALDRICH. It seems to me that question answers itself. White lead is a product of lead, and it is an expensive product of lead. Large amounts of labor are employed in the production of white lead. It is a large industry in the United States. Lead is the raw material. It seems to me it is not necessary to elaborate the reasons why a higher duty should be imposed on white lead than upon pig lead.

Mr. BRISTOW. There is a duty here of 2¼ cents a pound on white lead, or 1½ cents more than the duty on lead.

Mr. ALDRICH. I beg the Senator's pardon. The duty upon pig lead in the present law and as proposed by the Committee on Finance is 2¼ cents, and not 1½ cents.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. In further answer to the Senator from Kansas, I wish to say that whiting——

Mr. BRISTOW. Excuse me. I desire to say that it is a long way from Utah to the remote end of the "Cherokee strip," and I should like to ask the Senator from Utah to speak a little louder.

Mr. BACON. I should like to say a word in this connection. I do not live as far away as the Senator from Kansas [Mr. BRISTOW], but it is very embarrassing for Senators on this side to have to repeatedly ask Senators on the other side to speak a little more loudly, and yet we can not hear one-half what the Senator from Rhode Island says. I presume it is due to the fact that there are so many differences among themselves that most of the Senator's remarks are addressed to Senators upon his side of the Chamber, and he does not bear in mind the fact that we should like to hear what he says.

Mr. ALDRICH. I shall try hereafter to obviate that difficulty.

Mr. BRISTOW. I should be pleased to hear from the Senator from Utah. I could not hear a word he said.

Mr. SMOOT. I thought the Senator from Kansas was speaking of whiting, under paragraph 52, but I am told that he had reference to white lead, instead of whiting. I believe that is the case.

Mr. BRISTOW. Yes; this duty on white lead is 2¼ cents a pound.

Mr. OVERMAN. That is paragraph 51.

Mr. BRISTOW. Yes; paragraph 51. We heard a great deal yesterday about the condition of the lead industry in the United States. For one, I can not see why there should be a higher duty on white lead than on any other kind of lead. The ingredient that goes into it has a lower duty, if I understand what the ingredient is.

Mr. KEAN. May I interrupt the Senator from Kansas for a moment?

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. BRISTOW. I do.

Mr. KEAN. Has the Senator from Kansas ever studied the process by which white lead is made?

Mr. BRISTOW. I have not.

Mr. KEAN. I have sent for the encyclopedia, and when I receive it I will hand it to the Senator, so that he may inform himself.

Mr. BRISTOW. I do not care for an encyclopedia. I think the Committee on Finance should be able to give those of us who have not had the opportunity to obtain the information necessary for voting intelligently upon this bill the information for which we ask, if we have any right to ask questions. It is my desire to vote intelligently, if I can, and so I should like to know why it is necessary to have a higher duty on white lead than on any other kind of lead. I should like to know whether the ingredient that goes into white lead is the reason for this advanced duty, or whether it is labor in the preparation of white lead; and, if so, what is the difference in the scale of wages here and the scale of wages abroad?

Mr. HEYBURN. Mr. President, I am in some doubt as to whether or not the Senator from Kansas has taken the floor for the purpose of discussing this item. I propose in my own time to give such information as I have upon this subject, but it is not a subject that can be discussed by the answering of a question.

Mr. ALDRICH. I think I can answer the question intelligently; at least I hope I can. I have already said that white lead is a product of pig lead and that the manufacture of it involves a great deal of labor and a very expensive process.

Mr. HEYBURN. And a great deal of time also.

Mr. ALDRICH. And a great deal of time. So the duty proposed by the committee upon pig lead is 2¼ cents per pound.

Mr. BACON. In what paragraph is pig lead found?

Mr. BEVERIDGE. Paragraph 52.

Mr. BACON. No; that is white lead.

Mr. ALDRICH. It is in paragraph 179 of the present law and paragraph 180 of the pending bill.

Mr. BEVERIDGE. They are separate from paragraph 51?

Mr. ALDRICH. Yes. The Senator from Kansas [Mr. BRISTOW] has asked me why this lead should pay more than pig lead. The average price of pig lead is about 2¼ cents a pound and the average price of white lead is about 6½ cents a pound, showing that it costs 4 cents a pound more to produce white lead than it does pig lead.

Mr. BRISTOW. I should like to inquire if the Senator from Idaho desires to discuss this question in full now?

Mr. HEYBURN. Mr. President, when I may have the floor it is my intention to submit some remarks upon this question.

Mr. BRISTOW. I shall be very glad to yield the floor to the Senator from Idaho and hear him before I proceed with any further remarks, because he may relieve my mind from some difficulties that are now disturbing it; and probably after he is through I will make a few observations, unless I am entirely satisfied with his explanation.

Mr. HEYBURN. Mr. President, while this is not the main question, yet it seems to me that we are in duty bound in the consideration of this item to go to some extent into the lead question. White lead is the result of corroding pig lead. The transformation of pig lead into white lead involves the construction of separate factories, expensive appliances, and a considerable interval of time. Were we to open the door to the admission of white lead, we would find a scant market for our own pig lead. For instance, Mexico, on our border, could swamp the American market by corroding lead on the Mexican side of the line and sending it over, thus destroying the market for our lead in our own country. It is not a question as between our country and another; it is a question where they can invade our market to the utter extermination of the pig-lead industry in this country.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Certainly.

Mr. BEVERIDGE. Will the Senator explain, for the information of many Senators, why a difference of four-eighths of 1 cent a pound on white lead would destroy the lead industry of this country? The reason of the question is that the House fixed the rate at 2⅜ cents and the Senate at 2¼ cents per pound.

Mr. HEYBURN. That goes directly to the question of our production of lead, what we shall receive for it, and whether we shall maintain the industry.

Mr. BEVERIDGE. The question is——

Mr. HEYBURN. I will answer it.

Mr. BEVERIDGE. Very well. Did the House intend to destroy the lead industry by this duty?

Mr. HEYBURN. I shall neither attempt to be the judge nor the guarantor of the conscience of anybody, here or elsewhere. We do not need to consider that. We may give due respect to the judgment of the House, but we are not bound by it in any way. We stand here with individual and collective responsibility that rests upon nothing but our own intelligence and our own conscience. So that, while, as I say, I will give a due meed of respect to their action, I shall not be governed by what some one else has done elsewhere.

As I was saying, it goes to the question of maintaining our lead industry in this country. The United States produces one-third of the lead of the world. It maintains the price of lead in the world. Settlements in this country are made daily upon what are known as Western Union quotations in the city of New York, which represent the market price upon which you can obtain a settlement for your lead at a moment's notice at any smelter or at any refinery in the United States. They settle upon the quotation of that day.

Now, as to the process of corroding lead. First, you must obtain the lead in the market——

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. CLAPP. I do not want to undertake to say what the order of the Senator's argument shall be, but this consideration appeals to me: The Senate has raised the duty on lead itself above the duty provided in the House bill.

Mr. HEYBURN. "Proposed" in the House bill.

Mr. CLAPP. "Proposed." Now the argument is being made, not by the Senator, but it has been urged by others, that we should now fix the duty upon white lead in view of the proposed action of the Senate on lead itself.

Mr. HEYBURN. You can not separate them.

Mr. CLAPP. If that is true, it does seem to me that while the lead item comes later it would be much more instructive to take up, first, the discussion as to the necessity for the proposed Senate increase over the House bill on lead itself. I merely make the suggestion.

Mr. HEYBURN. Well, Mr. President, I have no objection to taking up the lead schedule at this time out of its order in connection with the consideration of this item. I shall be very glad to do it, and thus avoid what may necessarily be a repetition of the consideration.

Mr. CLAPP. It seems to me that that would be a very proper thing to do.

Mr. HEYBURN. If the chairman of the committee will make the appropriate motion, I should be very glad then to proceed.

Mr. ALDRICH. It does not require a motion. I am myself quite willing to have the lead schedule taken up first, and I ask unanimous consent to take up paragraph 180 out of order.

Mr. SUTHERLAND. I suggest to the chairman of the committee that it would be better to take up, first, the duty on lead ore. That is first in order.

Mr. ALDRICH. Paragraph 179 is the one relating to lead ore.

Mr. HEYBURN. I should like to take up paragraphs 179 and 180, because the two are inseparable.

Mr. ALDRICH. Very well. I ask that that be done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island to go forward and take up paragraphs 179 and 180? Without objection, it is so ordered. The Secretary will state the paragraphs.

The SECRETARY. On page 59, paragraph 179, the Committee on Finance propose to strike out all after the numerals down to and including the word "pound" in line 19 and insert "Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein," so as to read:

179. Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein: *Provided*, That on all importations of lead-bearing ores the duties shall be estimated at the port of entry, and a bond given in double the amount of such estimated duties for the transportation of the ores by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores at such establishments they shall be sampled according to commercial methods under the supervision of government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample and report the result to the proper customs officers, and the import entries shall be liquidated thereon, except in case of ores that shall be removed to a bonded warehouse to be refined for exportation as provided by law. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

The PRESIDING OFFICER. Does the Senator desire to have the next paragraph read also?

Mr. ALDRICH. Yes; we might also have paragraph 180 read.

The PRESIDING OFFICER. The paragraph will be read, in the absence of objection.

The SECRETARY. In paragraph 180, page 60, the Senate committee propose to strike out all of the paragraph as printed in the House bill and to insert a new paragraph 180, as follows:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 2¼ cents per pound; lead in sheets, pipe, shot, glaziers' lead and lead wire, 2½ cents per pound.

Mr. ALDRICH. The question is on paragraph 179.

The PRESIDING OFFICER. The question is on agreeing to the amendment of paragraph 179.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Texas?

Mr. HEYBURN. Certainly.

Mr. CULBERSON. On this side of the Chamber we understood that paragraphs 179 and 180, in connection with paragraph 51, would be taken up in order that the Senator from Idaho might discuss the three. I may be mistaken about it.

Mr. ALDRICH. No; paragraphs 179 and 180 have been taken up out of regular order at the suggestion of the Senator from Minnesota [Mr. CLAPP] that we may act upon them, so that we may be able to determine what ought to be done with paragraph 51.

Mr. CULBERSON. I think they were taken up out of order by unanimous consent of the Senate.

Mr. ALDRICH. They were; yes.

The PRESIDING OFFICER. They were taken up out of order by unanimous consent of the Senate and are to be first considered.

Mr. CULBERSON. Certainly; and I understood that the Senator from Idaho would explain the necessity for the increase both in paragraph 180 and in paragraph 51.

Mr. HEYBURN. I understand that they are taken up together for the purpose of consideration, that the vote may be had on each one separately.

Mr. STONE. I understand that no change has been made in paragraph 179. Is that correct?

Mr. BEVERIDGE. That is right.

Mr. CULBERSON. But there has been a change made in paragraph 180 and in paragraph 51.

Mr. BEVERIDGE. Paragraph 180 is changed, but paragraph 179 is not changed.

Mr. CULBERSON. Paragraph 180 is changed.

Mr. HEYBURN. I think I can make it plain. A change was made in the proposed duty on white lead and the duty on bullion, but it was not made in the duty on the lead content of the ores. For the convenience of consideration, however, I think it will be agreed that the three sections had best be considered together, so that we may discuss the entire lead question. Behind it all is the question of the duty on lead bullion, not the lead in ore before extraction, but the result of the extraction. That is the basic principle upon which the price of lead is determined and the products of lead.

White lead is a product of what we term "bullion," the metallic lead that has been extracted from the ores. A very large percentage of lead bullion is converted into white lead, which enters into paint and is used largely for painting. The process of conversion is by corrosion of the lead bullion, which is a separate and distinct process from any other connected with the extraction of the metal. An additional and an entirely new expense must be incurred in order to transform bullion into white lead when it is ready to be mixed for use as a paint or for other purposes.

Mr. BRISTOW. Mr. President——

Mr. HEYBURN. In a moment. Now, each of these processes involves an entirely new and additional expense, and that determines the question of the relative value of the several lead commodities.

I now yield to the Senator from Kansas.

Mr. BRISTOW. As I understand this paragraph, the Senate committee has increased the duty on lead bullion from one and a half, what it was in the Dingley bill, to 2¼.

Mr. HEYBURN and other Senators. No.

Mr. BRISTOW. Is that not true?

Mr. HEYBURN. If the Senator will turn to page 21 of the large exhibit, paragraphs 178, 179, and 180, he will find the classification of the items and a statement of the existing duties, the duty proposed in the House bill, and of the action or suggestion of the Senate committee. Lead bullion is lead that has been extracted from the ore.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. HEYBURN. I do.

Mr. STONE. I should like to ask the Senator if he understands the matter as I do? I understood the Senator from Rhode Island to say that there was no change in paragraph 179; that there were a change and an increase in paragraph 180. As I read both, it seems to me that paragraph 179, pig lead——

Mr. HEYBURN. No.

Mr. STONE. Lead bullion——

Mr. HEYBURN. No; that is lead-bearing ores.

Mr. STONE. One and one-half cents a pound——

Mr. HEYBURN. Lead-bearing ore is in paragraph 179.

Mr. STONE (reading):

179. Lead dross, including all dross containing lead, lead bullion or base bullion, lead in pigs or bars.

Mr. ALDRICH. If the Senator will permit me, the House bill put a cent and a half a pound on lead ore or the lead contents of ore and also a cent and a half on pig lead, and the Senate has separated the two.

Mr. STONE. And put a higher duty on pig lead?

Mr. ALDRICH. Certainly.

Mr. STONE. Then I understand it.

Mr. HEYBURN. The wisdom and necessity of that must be obvious. The lead contents in the ore represent a very much less expenditure of time and labor than the bullion, because the lead ore must be treated for the extraction of the bullion from it. So that product is entitled to an entirely different classification, and as was suggested yesterday, I believe it was, it is evident, or it seemed to be evident, that the House, for some reason with which it is not necessary for us to deal, neglected to make a corresponding raise in the duty on the bullion, overlooking it.

The general schedules are made upon the basis of a difference between articles upon which there is a different expenditure made necessary.

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. Certainly.

Mr. BACON. I do not know that I understand the matter entirely, and therefore I call the attention of the Senator to the fact that, as I read it, the House did not make a difference. The House put upon lead dross, which, I presume, would include lead-bearing ore——

Mr. HEYBURN. No; it would not.

Mr. BACON. Then, there is no provision for lead-bearing ore.

Mr. HEYBURN. Lead-bearing ore is provided for.

Mr. BACON. In an amendment?

Mr. HEYBURN. In paragraph 179.

Mr. BACON. That is the paragraph I have before me. In the text as it came from the House there are the words "lead dross, including all dross containing lead, lead bullion, or base bullion," and so forth, and it put the rate at one and a half.

Mr. LODGE. The Senator has not read the whole of what was stricken out.

Mr. BACON. Of course not.

Mr. LODGE. Line 17 says, "and the lead contents contained in lead-bearing ore."

Mr. BACON. Very well.

Mr. LODGE. We took lead-bearing ore and put 1½ cents on the contents of lead-bearing ore, instead of at what the House put it.

Mr. BACON. The Senator misunderstands me entirely. I was not directing my remarks to that point. I was simply asking the Senator from Idaho whether or not I was correct in the reading which I made of the two paragraphs, 179 and 180. As the bill came from the House in the one case the duty was fixed at 1½ cents and in the other, which is paragraph 180, the duty is fixed at 1½ cents. I was inquiring simply whether the Senator was correct in stating that there had been no differentiation made in the House as to this class of articles.

Mr. HEYBURN. That is another portion of the item. That is a different product.

Mr. BACON. I will make this inquiry of the Senator, then. The Senator will find in lines 19, 20, and 21 the amendment proposed by the Senate committee, and the Senate committee in their proposed amendment use the words "lead-bearing ore of all kinds." Now, what I desire to know of the Senator from Idaho is whether or not he understands that phrase to mean the same as the various descriptions of lead ore or lead dross which are contained in the House provision which has been stricken out, immediately preceding it; whether it is the same or whether it is different.

Mr. SMOOT. If the Senator from Idaho has not the bill there——

Mr. HEYBURN. I have the bill.

Mr. SMOOT (continuing). I can call attention to it.

Mr. HEYBURN. It is paragraph 179. The Senate committee struck out down to line 19——

Mr. BACON. Yes.

Mr. HEYBURN (continuing). And eliminated certain enumerations of lead products, and then substituted for it "lead-bearing ore of all kinds." That is lines 19 and 20—"lead-bearing ore of all kinds 1½ cents per pound on the lead contained therein." The items to which the Senator is directing my attention are in a different classification entirely.

Mr. BACON. No. I am directing the Senator's attention to exactly what he has read. What I desire to know—and possibly the Senator from Utah can tell me; I am asking for information—is whether the language used by the Senate committee's amendment embraces the same thing as the different language which is used in paragraph 179 by the House, and which is stricken out?

Mr. HEYBURN. I can answer that. It does not.

Mr. BACON. That is what I want to know.

Mr. HEYBURN. It embraces a part of it. They divide the enumeration. The rest of it will be found in paragraph 180——

Mr. BACON. I understand that.

Mr. HEYBURN (continuing). Which is rewritten on the page following. That, in the judgment of the committee, was a necessary or proper distribution of the item. That was all.

Now, the items which have been set forth in paragraph 180, that bear the duty suggested by the Senator, 1½, are entirely different. Under existing law and under the Senate amendment they carry a duty of 2½. The House reduced them to 1½.

I think we will have no difficulty in understanding as to what paragraphs are affected by what I may say. I am speaking first of the primary article upon which all that we do must be based, and that is lead bullion, because it is the lead bullion that is paid for. The lead in the ore that is not extracted is without value. It is only valuable when converted into lead bullion. Then it comes under a different rate. The reason it is necessary to fix a rate upon the lead contents of ore is that very large quantities of ore are shipped into the United States from Mexico, British Columbia, and elsewhere, with the lead contents in the ore to be smelted or treated in this country. That is one class of lead importations. It is imported in its original condition as it came from the mine, or having been concentrated for the purpose of eliminating a certain amount of waste that is naturally contained in it.

Mr. President, having reduced the ore to bullion, we have lead pure and simple—lead bullion.

Mr. BEVERIDGE. Pig lead?

Mr. HEYBURN. Whether it is pig or sheets, or what it is, the foreign substances have been eliminated, and it is lead bullion. Upon that article, under existing law, the duty is 2½ cents a pound. The House proposes to reduce it to 1½ cents a pound, thus placing it on an exact equality with lead contents of ore. There is a large item of expense lying between the lead in ore and the lead in bullion.

Mr. HALE. It advances the value of it.

Mr. HEYBURN. It advances the value to the extent that you are compelled to expend money in bringing about the change in its condition.

Mr. BACON. If the Senator will permit me to ask him a question right here——

Mr. HEYBURN. Certainly.

Mr. BACON. I wish to ask if it is not a fact that the duty upon lead ore is higher than the duty on pig lead?

Mr. HEYBURN. No. One is one and one-half and the other—it is stated in the item——

Mr. BACON. I understand that. I did not ask that question idly or without reason. I find in the document which has been furnished to us for our guidance and information that lead ore when reduced to its equivalent is stated to be 78.80 per cent ad valorem, whereas upon pig it is 49.45. So that while the rate per pound appears to be less, the ad valorem is, in fact, 50 or 60 per cent higher.

Mr. HEYBURN. That is according to the House bill.

Mr. BACON. Even according to the Senate bill.

Mr. HEYBURN. I think not according to the Senate bill.

Mr. BACON. I am reading from the document furnished to us, and even according to the Senate bill, with the duty raised upon pig lead to the rate which is proposed by the Senate amendment, the ad valorem duty on pig lead will still be less than the ad valorem duty on lead ore, according to the document before us.

Mr. HEYBURN. I think if the Senator will resort to a mathematical calculation, taking into consideration the ad valorem duty and the specific duty, he will find he is mistaken. I will leave that, a mere matter of detail, to be figured out.

Mr. BACON. I will assure the Senator——

Mr. HEYBURN. I have it before me.

Mr. BACON. This is stated on page 21, and the head of the column is "Equivalent ad valorems," and the duty on lead ore is stated as the equivalent ad valorem percentage of 78.80.

Mr. HEYBURN. The bullion is worth a great deal more than the contents of the ore. The value being greater, the Senator will readily see that it would result in a higher ad valorem duty. But the relation is not disturbed. It is because the article has become much more valuable that it results in such an ad valorem duty. It is a mere question of proportion.

Mr. BACON. I understand that; but I was addressing myself to the explanation the Senator was giving, why it was that there was a higher rate of duty upon pig lead than there was upon the lead ore; and I am calling his attention to the fact that while it is true that the lead ore has to undergo a certain process in order that the pig lead may be derived therefrom, nevertheless, estimating it according to its valuation, according to lead contents, according to the language of the table before us, the lead ore had an ad valorem duty put upon it of 50 to 60 per cent higher than the duty upon pig lead. Of course after the lead has been extracted from the lead ore it is pig lead, I presume, and the duty is assessed not upon the ore, but upon the lead contents, and is 50 or 60 per cent higher. I can not make the calculation; it is a mere guess; but it is the difference between 78.80 and 49.45.

Mr. SMOOT. The difference is 28 per cent.

Mr. HEYBURN. I do not think it important at this time, if at all, to enter into a mathematical calculation as to whether the ad valorem duty here is consistent with the specific duty, but I was requested by the Senator from Kansas to shed some light, if I may, upon why white lead should bear the duty proposed in this bill; and in order to do that I thought it necessary and proper to enter to some extent—not very great—into the relation which the lead bullion bears to the product with reference to which the Senator from Kansas has spoken, and to give a reason why the product of the bullion should bear the rate proposed by the Senate committee; and I will state it briefly again. It is because the white lead is a higher grade and a more expensive product than the lead bullion from which it is made. It must be evident from that that it is proper the duty

should be commensurate with the increased value of the product when that increase represents investment of labor or capital. It is a rule that runs through all these schedules.

White lead is used for painting purposes largely; and it was said here yesterday, I believe, that it was the demand of the farmers of the country that white lead should bear a reduced duty or no duty at all. I propose to show briefly that white lead is the bulwark that stands between our bullion produced in this country and the bullion of other countries that may be sent into this country. Why would any man corrode American bullion in making white lead, if by going across the line into Mexico he could take up the 177,000,000 pounds of lead that they have on hand and corrode it over there, if he could get it in here without a duty, and why would any lead in this country be used until the cheaper product of Mexico had been absolutely absorbed?

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I should like to inquire if there are any other ingredients than lead bullion in white lead, and what the percentage is?

Mr. HEYBURN. Nothing that forms any component part of the lead. It is a chemical change in lead. It is simply corroded. The difference of value represents the expense of corroding it.

Mr. PENROSE. It takes three or four months to do that.

Mr. HEYBURN. Yes; more than that. It takes several months to produce white lead. The property is idle during that time; that is to say, it is not on the market. It is suspended capital, and the expenditure for the machinery, the plant necessary to perform this chemical process, and the labor involved in it make it a higher priced article; that is all.

I do not think the Senator from Kansas will find that the difference proposed by the Senate committee is any more than is fairly represented by the increased value of the product.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. HEYBURN. Certainly.

Mr. SMITH of Michigan. If I understood the Senator correctly yesterday, he said that upward of 50,000 men were employed in the lead mines of this country, and that the wages aggregated between fifty and sixty million dollars a year. Is that correct?

Mr. HEYBURN. I can give the Senator the figures very accurately. I have them from the mine inspector of every lead-producing State.

Mr. SMITH of Michigan. I should like to ask the Senator whether he knows the relative wage paid in the lead mines of Spain and Germany?

Mr. HEYBURN. Yes; I can tell the Senator something of it. Without going into fractions, the element of wages in Spain may be fairly put at just one-half the element of wages in this country.

Mr. SMOOT. That is altogether too high.

Mr. HEYBURN. I am giving the foreigner the benefit of the doubt. I have the exact figures.

Mr. SMOOT. I have the figures here exactly, if the Senator wants them.

Mr. HEYBURN. And in Mexico one-third.

Mr. SMITH of Michigan. And in Germany?

Mr. HEYBURN. And in Germany about 65 per cent.

Mr. SMITH of Michigan. As I understand it——

Mr. SMOOT. That is too much.

Mr. HEYBURN. It is too much; but I want to state the figures, so that I will not be criticised for having strained them.

Mr. SMITH of Michigan. Just one more question. What is our relative position as a lead producer?

Mr. HEYBURN. We produce one-third of the lead of the world.

Mr. WARNER. We are the first lead-producing nation.

Mr. SMITH of Michigan. And then Spain and Germany?

Mr. HEYBURN. No; Spain, Mexico, and Australia.

Mr. SMITH of Michigan. I should like to ask the Senator from Idaho if it is not a fact that the Idaho lead-mining companies are independent companies, operating upon their own footing, and in antagonism to whatever organizations there may be which control that business?

Mr. HEYBURN. I saw an article in a New York paper of this morning—I have it on my desk—asserting that there was a combination of lead interests being formed or that it had been formed in London. The article was purely sensational. There is no foundation for it, and if such a combination were attempted it would fail, because the mines that are producing the lead to-day are, comparatively speaking, new mines. When a few years ago the lead dealers thought they had the whole thing in their grasp, they woke up one morning and found a few new mines that overshadowed all that went before.

Mr. SMITH of Michigan. It is a fact that the lead mines of Idaho are independent?

Mr. HEYBURN. They are independent.

Mr. SMITH of Michigan. And does the Senator from Idaho believe that the rates of duty which have been in force under the Dingley law are only sufficient to protect them in their operation?

Mr. HEYBURN. Let me tell the Senator something about that from practical experience.

Mines are of varying grades. The ore in some of our mines will concentrate 10 tons into 1, giving a product of 65 per cent lead and 30 ounces of silver. Other mines, and very large mines, will concentrate four or five into one, giving the same product.

A very small proportion of these ores are rich enough to ship in the condition in which they are taken from the ground. We have to pay the expense of mining 10 tons of ore in many cases in order to get what will result in 1 ton of concentrates, and that ton of concentrates will represent about 65 per cent lead and about 30 ounces of silver.

So, in counting the expenses of mining a ton of ore, you must figure first that you have had to mine 10 tons, that you have had to transport it to the concentrator, that you have had to concentrate 10 tons of ore in order to get 1 ton of lead. The additional expense is evident. I need not go into any figures to show that. A man may mine 4 tons of ore a day, at a wage of $4, but he would have only a part of a ton of real lead ore when he was through, and that seems to be not generally understood. That is true in Colorado; it is true in Idaho.

Mr. SMITH of Michigan. I should like to ask the Senator what the average wage is in a lead mine?

Mr. HEYBURN. They place it at $4. We pay four or a very little less than four, but $4 for eight hours will apply to the wages in this country in lead mines.

Mr. WARNER. I should like to ask the Senator if it is not a fact that the labor of lead miners is not the highest paid labor in the country?

Mr. HEYBURN. Yes; I think they are. We employ in the lead industry in this country more than 50,000 men directly in mining—that is, the men who actually dig out the ore. We employ in concentrating these ores or smelting about 35,000 in addition to that. We employ in and about mining another 15,000 men incidental to the mine.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I do.

Mr. SUTHERLAND. I wish to ask the Senator from Idaho whether, notwithstanding the fact that the duty has been retained for the past twelve years at 1¼ cents a pound on lead contained in the ores, not to exceed one-third of the lead-producing mines in his own State and—if he is familiar with the fact—not to exceed one-third of the lead-producing mines in the State which I in part represent pay dividends to their owners?

Mr. HEYBURN. Our mines in Idaho, my attention having been called especially to them, make a profit as a rule, but all things that are called mines are not mines. There are engaged in prospecting for mines in this country at least 15,000 men, and as a result of the labor of those 15,000 men we have this constant agitation. The existing mines in the country are to be counted also.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. Certainly.

Mr. NEWLANDS. I observe that the duty on lead in the ore is 1¼ cents per pound, and that the duty on the base bullion is 2¼ cents per pound, a difference of five-eighths of a cent or a little over $10 per ton. As I understand the Senator to state, the process of changing it from lead in the ore to base bullion is accompanied by labor of course, and that means, I presume, the work of the smelter. The only question in my mind is as to whether this five-eighths of a cent per pound additional duty upon the base bullion, as above the lead in ore, is not an excessive allowance. Eleven dollars a ton seems to me to be a very large allowance for turning lead in the ore into base bullion through the process of smelting.

Mr. BEVERIDGE. In other words, does not that difference represent a protection to the smelter rather than a protection to the miner?

Mr. HEYBURN. No; it does not. The smelter is in no way employed in that.

Mr. SMOOT. Let me suggest to the Senator that in the recovery of the lead we get only 88 per cent. The smelters lose 12 per cent in recovery of the lead, and that is to be taken out of the differential between 1¼ cents on lead ore and 2¼ cents on pig lead.

Mr. NEWLANDS. Twelve per cent taken from $11, the extra allowance per ton, would amount to less than $2. I question whether $9 is not too large an allowance for the process of smelting necessary to change lead in the ore into base bullion.

Mr. HEYBURN. Mr. President, in the first place, I think the Senator has failed to grasp the importance of the statement I made, that in order to get 1 ton of lead you must mine from 6 to 10 tons of ore. Then you only get a concentrate that is from 64 to 65 per cent lead, and you have to pay the freight and pay for handling on the waste represented by the difference between 64 and 65 per cent lead and 100 per cent. Then in smelting, the Senator from Utah puts it too low. The average loss in the handling of lead ore below the assay that is made for the purpose of determining the lead in the ore will average 20 per cent. That is an absolute loss. It goes into the rivers and ravines or wherever the slime is sent. It is never recovered. So that must be charged up against the production of this ore.

But, Mr. President, behind it all there is a greater question than that of the interest of the mine owner. Unless the mines can be operated at a profit, it is safe to say that they will not be operated at all. You can take a camp such as that of the Coeur d'Alene country, with 20 or 30 big mines in it, and you will find that, with the exception of three or four of them, they are mining very low-grade ore, and that the margin of profit is very small. When the duty upon ore was cut in two by the Wilson-Gorman bill, the big mines of our country shut down, because there was no longer any profit. That loss was not alone upon the mine owners. They could let the mines lie there, notwithstanding the large investment they had in the mines originally. But it turned loose a horde of miners. A high class of labor was turned loose upon that country. There were three or four thousand men out of employment, and they invaded other fields of industry. It resulted in congested employment all over that country. Those people were idle. Not only was the owner of the mine suspended in his profits, but the men who worked in the mines and the men who worked for the men who worked in the mines—the men who farmed and raised the produce and kept the mercantile establishments and kept the clothing stores and built homes—were also idle, because those men were out of employment. That condition lasted just so long as that tariff law was in force. When the present tariff law was enacted, those mines could go to work, because the profit, and the only profit that they had, lay between that bill and the one pending. If you were to cut the rate in two, these low-grade mines would be compelled to close, because they could not pay their bills. The product of the ore would not be sufficient to keep them going.

If those mines must close down because of the reduction in the value of the product of their ore, how is the country going to be benefited? How is the farmer, who wants his white lead, going to be benefited? He would be buying foreign lead, and the price would be put up to the very limit.

Mr. BEVERIDGE. What was the rate under the Wilson-Gorman law?

Mr. HEYBURN. Just one-half what it is under existing law.

Mr. BEVERIDGE. Three-fourths of a cent. Then the House rate in the present bill is about twice as much as in the Wilson-Gorman bill.

Mr. BACON. I think the inquiry made by the Senator from Indiana——

Mr. BEVERIDGE. The Senator was describing the condition of their mines under the Wilson law. I asked what the duty was under the Wilson law.

Mr. BACON. I think the Senator was mistaken in his reply, and that is the reason why I made the inquiry. If I recollect aright, it was a cent and a half a pound.

Mr. BEVERIDGE. No; the Senator from Idaho said the Wilson law rate, which closed up the mines, was three-fourths of a cent.

Mr. BACON. That is exactly the point to which I am directing the attention of the Senator.

Mr. ALDRICH. The rate under the Wilson law was three-fourths of a cent a pound.

Mr. BACON. I was mistaken, I see. The rate on pig lead was 1¼ cents a pound.

Mr. BEVERIDGE. Under the House bill the rate is 1¼ cents. So I ask the Senator whether or not his remarks would apply to the House bill, because the rate is very much higher than the Wilson law, which closed his mines.

Mr. ALDRICH. The House bill rates are just 1¼ cents a pound.

Mr. STONE. I will say to the Senator from Indiana, if I may be permitted, that the rate under the Dingley law was 1¼ cents a pound, and under the McKinley law 1½ cents a pound.

Mr. BEVERIDGE. Not on base bullion, I will say to the Senator from Rhode Island. There is a good deal of an increase on base bullion.

Mr. ALDRICH. I am not talking about base bullion. I was simply stating that the rate on lead ore under the Wilson law was three-fourths of a cent a pound. Under the House bill it is 1¼ cents, and under the Senate committee's proposition it is 1¼ cents.

Mr. BEVERIDGE. But base bullion under the House bill is 1¼ cents a pound.

The PRESIDENT pro tempore. Does the Senator from Idaho have the floor?

Mr. HEYBURN. I have the floor.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. I yield to the Senator.

Mr. BACON. I have read the paragraph and see the Senator is correct. I was mistaken.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. I do.

Mr. NEWLANDS. The Senator from Idaho has stated that as a result of the passage of the Wilson law the lead mines were closed. I will ask him whether that closing of the mines was not more due to the fall in the price of silver, as the result of legislation about that time, silver and lead being often produced in the same ore?

Mr. HEYBURN. I will answer the question in this way: The question of the production of silver, of course, is closely wedded to the question of the production of lead, because they are found in the same ores. But I am not going into a discussion of the effect of this measure upon silver nor into a consideration of the silver question.

Mr. NEWLANDS. I am asking the Senator——

Mr. HEYBURN. I should like to say to the Senator that I started to reply to the Senator from Kansas and I have been interrupted so that I have not finished my reply.

Mr. NEWLANDS. I beg the Senator's pardon.

Mr. HEYBURN. I would say to the Senator from Kansas, who would seem to base his objection to the item, at least to some extent, upon an inquiry as to whether it was fairly harmonious with the duties on lead, I know that Senator would not want to strike down a great industry like the lead-producing industry merely because it might have some slight effect upon the price of the paint that is used on the buildings in his State. The lead industry is too great an industry.

It represents hundreds of millions of dollars in this country. I am quite sure that the effect on the price of the paint that may be used, or may not be used, according to the prosperity that surrounds the country, would not be a sufficient inducement to actuate the Senator from Kansas in opposing so great a protective measure as this.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I certainly am not in favor of a protection that will strike down any industry.

Mr. HEYBURN. I felt quite sure of that.

Mr. BRISTOW. I should like to ask the Senator from Idaho a question. He has just stated that the wages paid by the lead miners and smelters in this country aggregate $50,000,000 a year. Am I right in that?

Mr. HEYBURN. More than that.

Mr. BRISTOW. More than $50,000,000 a year. In the Statistical Abstract for 1907 it appears that the total value of the lead production of the United States in 1906 was $39,000,000. How can you expend $50,000,000 in getting out $39,000,000 worth of lead?

Mr. HEYBURN. Mr. President, in connection with this lead product we produce practically all of the silver that is produced in the country in the mining of lead. If we were to stop mining lead we would not produce any silver in this country. It applies to the production of everything that comes in contact with the lead. There is the lead in copper. I have one mine in my mind that produces ores that carry 8 per cent lead, 9 per cent copper, and about $3.50 in gold. If you shut

that mine down, of course you affect the lead product and the gold product and the copper product.

I have in mind another mine that produces about 12 or 13 per cent lead and a pretty high value in silver; I think about 30 ounces of silver to the ton. If you strike down the lead industry, you strike down the production of silver also or any other ore commodity. All the value that results from this mining is not in the lead contained. In some cases the lead is a by-product; in other cases the silver is a by-product; and in other cases the gold or copper would be a by-product, just as they predominate. The value of all these ores or all contents of them must be taken into consideration.

I am speaking from actual facts when I speak of the number of men employed and the wages. We employ in our camp alone, where I live, something over 3,000 men, and we produce more than $20,000,000 a year in lead and silver in that camp. We have an income tax, too, that we pay on the net proceeds of those mines. We have been doing it for years and years, and will continue to do it. Idaho has been the treasure chest of this country. I do not suppose the Senator ever had his attention called to the fact that during the war of the rebellion Idaho produced some $200,000,000 in gold—gold ready for use without coining—and sent it out into the arteries of trade and commerce to help to save this Nation and to bring prosperity to the generations that followed. That product was from mines some of which are still working in Idaho.

The mining industry is a very great one. It produces something that never existed before. It is not merely the turning of merchandise over from one to another at an increased price or profit. We ought to be very careful that we do not strike down any mining industry, and especially that of gold or silver or lead. If you stop the production of lead, as you would stop it by the proposed reduction in the duty on bullion, you will stop the production of the other metals that are mined with it, because they are by-products in the great lead-producing centers.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. Do I understand that the $50,000,000 that is paid for wages includes the wages paid in the gold mines, the silver mines, and all mines where lead is a by-product?

Mr. HEYBURN. Mr. President, it covers the wages that are paid in mines that are not producing, as well as mines that are producing. There is no mining camp in the United States in which the great majority of the mines are not in process of development; and every day, or two days, just as fruit drops from a tree, a mine will drop from the prospect to the actual fact. All camps are bringing new producing mines into the field. I undertake to say that a fourth of the mining industry in our State is working upon mines that are not actually producing, because it costs a great deal of money and time to develop a mine. Mines are not found easy of access. We have mines which I can recall that were years and years in developing. I know of one mine upon which more than $300,000 was spent before it ever produced a dollar, but it has rolled out millions since. That is true of every camp.

Now, you must not apply the pay roll of $50,000,000 to the producing mines alone, because quite a large portion are working upon mines that are not producing, but that will produce. We pay, in the county in which I live, railroad transportation on our mines every year something over $6,700,000. That is another great field of employment; we provide for the men who are engaged in transportation. The farmers who are supplying our camps occupy and represent a territory that was developed because the mines were there. The great city of Spokane would not have existed as it is known to-day except for the mines of the Coeur d'Alene country. It furnished the millions and millions that have built those blocks which have no superior in this country. A beautiful and prosperous city was builded out of the millions that have been taken out of our mines. Can the Senator just make a mental calculation? For the last twelve years, at least, the mines in that one county have produced not less than $20,000,000, and that is only representative of the great mining interests of the country.

Now, unless the Senator has some other question to ask me, I am content to leave the lead question upon this statement.

Mr. ALDRICH. I ask that a vote may be taken on paragraph 179.

Mr. BRISTOW. I understood that we are going to have deliberation upon these paragraphs. The Senator from Rhode Island is in a great hurry.

Mr. BEVERIDGE. I understand, by looking at this comparative statement, that there is no change or amendment in paragraph 179 at all. It is 1½ cents in the law, 1½ cents in the House bill, and 1½ cents in the Senate bill.

Mr. ALDRICH. There is a very important change in the paragraph.

Mr. BEVERIDGE. In paragraphs 180 and 181?

Mr. ALDRICH. There is a very important change in the paragraph.

Mr. BEVERIDGE. I should like to have the change in the paragraph explained. I understood there was no change in it.

Mr. KEAN. Read the next paragraph.

Mr. ALDRICH. It is a new paragraph entirely.

Mr. HEYBURN. Paragraph 180 is a new one.

Several SENATORS. "Vote!" "Vote!"

Mr. BEVERIDGE. Mr. President, I am trying to understand the bill. I heard yesterday and I have heard again to-day the request for a vote when Senators were trying to understand the bill. I see precisely the source from which it came.

The gentlemen who make that request do not have to fight any battles of their party when the bill comes up for consideration before the people. A great number of us have to do it, and we want to understand this bill. When Senators here are merely asking the chairman of the committee what the change is, I think it is not the wisest thing for Senators to call for a vote. We are trying to understand it.

Mr. ALDRICH. Let me say that there has been a considerable change in the language of paragraph 179.

Mr. BEVERIDGE. In view of what has occurred, I want to call the attention of the Senate to the statement made last evening that the change in the bill was made by the House "at the last minute," and that the reason why certain other changes were not made was because the House "did not have time."

Mr. ALDRICH. Oh, no.

Mr. GALLINGER. Or it was overlooked.

Mr. BEVERIDGE. Here is the statement of the Senator from Rhode Island in the RECORD. I read:

> The Senator may not be aware of the fact that the House committee, up to the night before the bill was reported, had a duty upon lead ore of 1 cent a pound. *At the last minute they increased it to one and a half*, and did not change the rates on the product, *for lack of time*, or for some other reason.

Mr. GALLINGER. They overlooked it.

Mr. BEVERIDGE. I said, "Why did they not take the time?" They were making a bill for the American people. Why did they not send it here in a correct form? At a later stage the Senator made the same statement. There was no constitutional provision requiring that the House should pass the House bill in a hurry on the 10th day of April. It was reported to the Senate by the Senate committee two days later; and yet, although it is stated on record that the House did not make the necessary changes, because they had no time——

Mr. GALLINGER. "Or for some other reason."

Mr. BEVERIDGE. "Or for some other reason," pardon me.

Mr. GALLINGER. That is right.

Mr. BEVERIDGE. Although the Senate committee reported this very bill back with its thousands of items only two days later, yet when the change in the paragraph upon which we are voting is asked to be explained in the simplest way, the Senators who ask it are confronted with a call from the seats for a vote.

Now, that is not the way to enact a bill that must stand for the next ten years. That is not the way to satisfy Senators who must be responsible for their votes to the people, and not to the Senators who are in such a hurry.

Such a method will not speed the bill to a conclusion. It is not a Republican method, either. I myself have been listening to the Senator from Idaho [Mr. HEYBURN] with the keenest possible interest. He was making an excellent statement. I think he was making an impression upon Senators here who want nothing but the light, and who intend to vote as they may think right. We all want to follow the committees on any bill they report; but upon a bill which is the great business measure that affects every one of the 90,000,000 of our fellow-citizens for whom we are working here, we not only have the right, but it is the duty of every Senator to demand a full explanation, and especially is that true in view of the statement made by the Senator from Rhode Island last evening, that the House, which had no limitation of time upon its action, made a mistake, because it passed it "at the last minute."

Mr. ALDRICH. Mr. President, the Senator from Indiana, I suppose, must be aware, historically, of the fact that at the time the change was made the House had agreed to vote at a certain time.

Mr. BEVERIDGE. But why were they compelled to vote at a certain time?

Mr. ALDRICH. Because they agreed to do it. They had voted to do so.

Mr. BEVERIDGE. And why did they have to vote to do so? They were not bound to. Why did they not take time and complete their work?

Mr. HALE. They did not choose to do so.

Mr. BEVERIDGE. They did not choose, then, according to the statement of the Senator from Maine, to do the right thing. Perhaps they did do the right thing after all. But suppose they hurried so fast that they did not do the right thing. Let us not make the same mistake. Suppose we should conclude to vote, and suppose it should be found after we had so concluded that we had made the mistake that Senators say the House has made. The House did not intend to make the mistake. It is not to be supposed that the great popular branch of the Government intended to make the mistake. They made it inadvertently, if they made any mistake at all; they made it because of haste, as the Senator from Rhode Island says. Shall we make the same error here? Suppose the bill should be passed and we were to find that we also had been imprudent, that we also had voted too early, that we also had made a mistake, upon whose shoulders would that burden fall? It would not fall upon the shoulders of the Senators who, a moment ago, when the Senator from Kansas [Mr. BRISTOW] arose, asked from their chairs for a vote, thus trying to take him off his feet. Those Senators in the next campaign will not be on the battlefield.

Mr. GALLINGER. They may be.

Mr. BEVERIDGE. Some of them.

Mr. GALLINGER. The Senator from Indiana is not the only Senator who is on the battlefield.

Mr. BEVERIDGE. He is not. He is only an humble soldier in the ranks.

Mr. GALLINGER. But he never fails to advertise his wares.

Mr. BEVERIDGE. And they are Republican wares. What I do in advertising those wares is wearing out the best of my life for the success of my party, because I believe it stands for the welfare of the Nation; and I mean that it shall continue to stand for that.

Mr. GALLINGER. Yes; and some other lives were partly worn out before you appeared.

Mr. BEVERIDGE. That is quite true. I give them credit for it, but it is the day in which we live that is important. I expect, as other men expect, to be defending and advocating this bill in the thick of the political fight before the people; and, in view of that fact, we have a right to know, and we are going to know, the explanations for the changes. Looking at the comparative statement, I had supposed there was no change. The Senator from Rhode Island very properly said there was a change, not in the rate, but in the language. The Senator from Kansas was going to ask a question, and then the Senator from Rhode Island was asked, as chairman of the committee, what the language was which constituted the change, and yet we were met by a call from two or three Senators for a vote, when nobody excepting the members of the committee or those who had specially studied the question understood what we were voting about. I submit that that is not fair, and I am sure it is not prudent. I do not know how others stand, but I assume that we all stand just alike, that we wish to do merely this—that we wish to vote for the right thing as we see it. I concede that every Senator here is going to do that, and they must concede that all the rest of us want to do that. We are going to find out, if possible, what we are voting about, and no vote calling will prevent it. And above all, you are not going to take a Senator off his feet, as it was attempted to take the Senator from Kansas off his feet, by calling for a vote.

Now, unless the Senator from Kansas wishes to pursue his inquiry, I ask the chairman of the Committee on Finance to explain what the change is, because I did not know that there was any change.

Mr. ALDRICH. Mr. President, the Senate Committee on Finance recommend the striking out of all the lines of paragraph 179, from line 13 to line 19, and to insert the words:

> Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein.

Mr. HALE. Let us have a vote, Mr. President.

Mr. ALDRICH. That is the question now before the Senate.

Mr. BRISTOW. Mr. President, this is the third time that a vote has been called for on these paragraphs while I have been on my feet asking to get the recognition of the Chair. I am a new Member here, and possibly I have no right to be heard in this body; but I am here by the same constitutional authority as any man who has served here for thirty years; I have the same right to be heard on any paragraph in this bill as any man who occupies a seat upon this floor; and, with the help of what physical strength I have, I intend to be heard, unless I am out of order according to the rules of this body which govern its deliberations.

I was going to inquire, if I am in order, Mr. President, if the Senator from Idaho believes that the reduction of a small per cent in the duty on lead, which is a by-product of a great many of the ores, would destroy the mining business of Utah?

Mr. SMOOT. Mr. President——

Mr. BRISTOW. Or of Idaho, I should say.

Mr. SMOOT. Mr. President, I can answer the question, as far as Utah is concerned.

Mr. BRISTOW. I have no objection to the Senator from Utah or anybody else answering the question.

Mr. WARNER. Mr. President, may I answer the Senator from Kansas?

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. Certainly.

Mr. WARNER. Passing over from Idaho to the State in the Union that produces the greatest quantity of lead, the State of Missouri, I will say that in talking with men who know, men who are interested in this question more than they are interested as to who shall go into the thick of the political battle in the next campaign or who were in the thick of the battle of the last campaign, men who are home builders, men of intelligence, the universal expression comes from those men that if you strike down this rate of duty, you strike at that great industry. I think the honorable Senator from the State of Kansas will bear in mind that there is a portion of his own State across the border from Missouri that would be likewise affected.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I should like to say to the Senator from Kansas that if we reduce this rate upon ore to a cent and a half a pound, it means the closing of the mines in the State of Utah. It means a loss to that State of 60,000 tons of lead yearly, at $86 per ton, or $5,160,000; 12,000,000 ounces of silver, at 50 cents, which would be $6,000,000; 100,000 ounces of gold, at $20 per ounce, or $2,000,000; 12,000,000 pounds of copper, at 13 cents, or $1,500,000, or a total of $14,720,000.

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. HEYBURN. I should like to read to the Senator from Kansas a telegram from Topeka, Kans., which will shed some light upon this subject, in reply to one which I sent to the commissioner of mines of that State, asking for the number of men employed in lead mining, in which he advises me that there are employed in that State 10,000 coal miners, 2,000 lead and zinc miners, 300 salt and gypsum miners, and so forth. This telegram is signed by Frank Gilday, the mining inspector of the State. Therefore you have 2,000 lead miners in the State of Kansas depending upon this industry, with all that is dependent upon them.

Mr. BRISTOW. Mr. President, I am perfectly aware of the interest of the lead-mining business in Kansas, and I am not taking my position in regard to this bill without full knowledge of the interests involved in the State that I in part represent; but I wanted to get a few facts before the Senate, not bearing so much upon the duty on lead as upon the duty on white lead.

Mr. BEVERIDGE. We are not voting on that now.

Mr. BRISTOW. What interested me in the discussion of this schedule was the increase from the House bill of the duty on white lead and paints. I do not agree with the Senator that the duty on white lead should necessarily be increased over the provision of the House bill, because the provision in the House bill in regard to pig lead remains as it was. There is some confusion here. It seems that you have got either to attack the House provision on pig lead or lead ore, or vote for the Senate increase on white lead and paint.

Mr. BEVERIDGE. Not at all.

Mr. BRISTOW. We can sustain the House provision on lead ore and also sustain the House provision on white lead without doing any violence, in my judgment, to the lead industries of the United States.

It has not been my purpose to object to the provisions of the House in regard to the duty on lead ore and pig lead. The objection that I have offered here is to the increases which the Senate bill has made over the House bill in regard to these lead products or paint. I think, if the Senator from Idaho will examine carefully, he will find that lead is not the sole component of white lead, but that there are other ingredients in the commodity which we know as "white lead."

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. HEYBURN. If there are other ingredients, they are adulterations. White leads are adulterated, and there has been an effort made to secure legislation to prevent the adulteration of white lead, which has not yet been acted upon. White lead, commercially speaking, should be pure lead. Whenever it is not pure lead, it is because of adulterations that are put into it. There is nothing else that belongs there but lead.

Mr. BRISTOW. Now, I want to submit——

Mr. BEVERIDGE. Will the Senator let me at this point, so that we can get this thing cleared up, make a suggestion?

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. Permit me to ask the Senator from Rhode Island a question. I understand from the conversation which we had that the amendment in paragraph 179 is merely taking that one particular item there out of several items that were placed in one paragraph in the House bill, and then fixing the same rate of duty that the House bill fixed and as it is in the present law?

Mr. ALDRICH. That is correct.

Mr. BEVERIDGE. That being true, there is absolutely no change from the House bill in the Senate committee bill—no increase or anything else?

Mr. ALDRICH. That is so.

Mr. BEVERIDGE. That is correct; and the other items were then put into paragraph 180.

Mr. ALDRICH. Yes.

Mr. BRISTOW. We do not produce as much lead in this country as we consume. We use our entire production. The Statistical Abstract, which I have here on my desk, states that we produced lead in the United States in 1904 aggregating 614,000,000 pounds.

Mr. CLAPP. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. CLAPP. The Senator is now upon a question that I am waiting to ask some one about. It may be a fad of mine, but I have an idea that the relative production here and what is imported is important in determining whether an industry requires protection. Does the statement that the Senator makes apply to lead ore or to lead bullion?

Mr. BRISTOW. To both.

Mr. CLAPP. Is there any separation in the figures?

Mr. LODGE. Yes; they are separated.

Mr. BRISTOW. You will find on page 146 of the Statistical Abstract a statement as to the amount of lead we produce. Of course it must be bullion in the end.

Mr. CLAPP. Yes.

Mr. BRISTOW. It is the sum total of our production of lead in the United States.

Mr. CLAPP. Will the Senator please give that?

Mr. BRISTOW. It is on page 146 of the Statistical Abstract.

Mr. CLAPP. No; the amount.

Mr. BRISTOW. I will give it to you for four years. In 1904 the amount was 614,000,000 pounds; in 1905 it was 604,000,000 pounds; in 1906——

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. BORAH. Mr. President, I do not understand what particular kind of lead the Senator from Kansas is referring to.

Mr. BRISTOW. The production of lead—all the lead that we produce in the United States.

Mr. BORAH. I thought the Senator was speaking of importations of lead.

Mr. BRISTOW. No; the production of lead. I will repeat. In 1904 the amount was 614,000,000 pounds; in 1905 it was 604,000,000 pounds; in 1906 it was 700,000,000 pounds; and in 1907 it was 730,000,000 pounds. That is the lead production of the United States for those years.

Mr. ALDRICH. Is that lead ore or lead bullion?

Mr. BRISTOW. Lead bullion—the entire production of lead—showing a progressive increase in the amount of lead which we produce per annum.

Mr. CLAPP. Will the Senator pardon an interruption?

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. CLAPP. It seems to me that that fails to establish the essential facts upon which to base a comparison. The table which we have shows a large importation of lead-bearing ores. If there are any figures that show how much lead we mine in this country, bearing upon the question of the maintenance of these mines under the old tariff and the probability of their being destroyed, that is a question about which I should like to ask the Senator from Kansas or some other Senator.

Mr. BRISTOW. If the Senator will bear with me, I will give him the exact facts before I get through.

We mined and produced last year in the United States 730,000,000 pounds of lead. I have given the amount produced in the United States mines for four years. Now I will give the amount imported into the United States for the same period of time as shown by the same authority, the Statistical Abstract, page 436. We imported in 1904 222,000,000 pounds of lead; in 1905, 217,000,000 pounds; in 1906, 185,000,000 pounds; and in 1907, 150,000,000 pounds, showing a progressive decrease in the amount of lead that we import each year.

Mr. CLAPP. Mr. President, if the Senator will pardon me, those figures are materially different from the figures in the estimate on our desks as I read them. This table does not show what might have been imported and again exported. Do I understand the chairman of the committee in regard to that to say——

Mr. ALDRICH. What were the importations given by the Senator from Kansas?

Mr. BRISTOW. The importations for what year?

Mr. ALDRICH. The exportations.

Mr. BRISTOW. We do not export lead.

Mr. ALDRICH. What?

Mr. BRISTOW. We do not export lead, except some articles that are manufactured. We do not export raw lead. We only exported $11,000 worth last year.

Mr. ALDRICH. We exported in 1906, 101,351,951 pounds.

Mr. BRISTOW. Of pig lead?

Mr. ALDRICH. Lead in ore. The importations of lead into the United States are for smelting in this country. The lead is then exported and the drawback secured.

Mr. BRISTOW. Well, you may import and have the drawback——

Mr. ALDRICH. That is what these imports are. Our imports of lead ore are smelted in New Jersey and other States on the coast and exported, and the drawback is paid on them.

Mr. KEAN. They are imported in bond.

Mr. ALDRICH. Imported in bond.

Mr. LODGE. The figures do not appear here in this table.

Mr. BRISTOW. The figures which the committee have given the Senate show that for 1907 the exports of "pigs and bars (dross), bullion, molten and old refuse lead, run into blocks and bars, and old scrap lead fit only to be remanufactured, and dross," amounted to $11,054.

That is the value of the exports of this product which the figures of the committee state for 1907, and I made the statement which I did upon the authority of this table.

Mr. LODGE. Where does the Senator find the exports given?

Mr. BRISTOW. The exports are given in the fourth column.

Mr. LODGE. I have not the same statement as the Senator has.

Mr. WARNER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. Certainly.

Mr. WARNER. I invite the Senator's attention to the report of the United States Geological Survey for 1907, showing the exportation of leads, as follows:

Lead and manufactures of lead of domestic production exported: 1900, $459,571; 1901, $624,534; 1902, $696,010; 1903, $491,362; 1904, $616,126; 1905, $667,861; 1906, $775,776; 1907, $956,078.

Mr. BRISTOW. I do not contend that manufactured lead is not exported in the shape of articles of which it composes a part. I am speaking of the lead itself from which the articles are made.

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. HEYBURN. I can give the Senator the figures on the question of the imports and exports of lead for the year 1907. We imported lead in ore and furnace production, to be smelted and refined in bond, 70,538 tons. That came in in bond. We exported from that same product the same year 51,000 tons, and we kept in the country of that which we had imported 28,333 tons. We returned from bond nearly two-thirds of it, and kept about one-third of that which had come in under the pledge of the bond for the payment of the duty. That is the way it has

been running year after year. Ore is sent to this country to be smelted in bond, and it is ostensibly intended to take the bullion out again, but more or less of it stays here.

The Senator was speaking about the consumption of lead produced in this country in 1907. In 1907 we consumed in this country 230,000 tons of lead of our own production.

Mr. BRISTOW. I have no contention with the Senator from Idaho. It simply goes to establish the fact and to confirm the declaration I made that we use more lead here than we mine.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. NELSON. I desire to read here a brief paragraph from Notes on Tariff Revision, compiled by the House of Representatives. It contains this statement on page 226:

The principal lead-bearing ores are galena, copper ore, nonargentiferous lead and zinc ores, and gold and silver ores. Galena, the principal ore employed for the production of lead, is found extensively, more or less associated with other ores, in various parts of the United States, Great Britain, Germany, Spain, and other European countries. In this country the production of lead has become a very important feature of the world's industries. Lead production in the United States in 1905 amounted to about 300,000 short tons, which is about the average yearly output. Notwithstanding this large product, it is not enough lead to supply the home demand, the lack being supplied by importations of the ore and Mexican base bullion. This country also exports lead ore, in 1907 the exportations of lead ore and base bullion (par. 182) reaching the total of 80,638,497 pounds, valued at $1,970,577. Of this exportation the United Kingdom took 37,649,720 pounds, Germany coming next with 17,872,543 pounds, and Japan next with 6,390,874 pounds.

Importations: Quantity, 29,738,375 pounds lead contents; value, $566,057.15; duties, $446,075.70; equivalent ad valorem, 78.80.

We imported 127,196,540 pounds of lead in ore and base bullion (par. 182) in 1907, valued at $3,352,534. Of this total Mexico furnished 105,453,896 pounds and Canada 21,205,023 pounds.

While I am on my feet—I do not intend to delay this matter longer than necessary—I desire to call attention, if the Senator will permit me——

Mr. BRISTOW. Certainly.

Mr. NELSON (continuing). To one matter in paragraph 180. I think the most inveterate standpatter concedes that in all events we ought to adjust the inequalities of the tariff. I call your attention to the words beginning in line 19, on page 60:

And old scrap lead, fit only to be remanufactured.

Now, why should that which has to be remelted and remanufactured be put in the same class as lead bullion or lead in pig? Why does not that fairly and in equity belong in the preceding paragraph, 179?

Mr. ALDRICH. It is lead in another form. It is in exactly the terms of the present law.

Mr. NELSON. I concede it is in the present law.

Mr. HEYBURN. I can answer the Senator.

Mr. NELSON. It speaks of scrap lead fit only to be remanufactured, and that is put in the same class as pig lead or lead bullion. It is an inequality and is unfair.

Mr. LODGE. It is exactly the same.

Mr. NELSON. It has to be melted over again; worked over again.

Mr. LODGE. So has pig lead for industrial use.

Mr. HEYBURN. I can explain that. It is not an unfamiliar subject. As suggested by the Senator from Massachusetts——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. HEYBURN. I beg pardon of the Senator from Kansas; I should have asked his consent.

As suggested by the Senator from Massachusetts, it has to be worked over, just as bullion has to be worked over, to apply it to any use. Bullion in pigs is not in shape to be used; neither is scrap lead. There is nothing but lead in it, but it has to be worked over, just as bullion has to be worked into the shape in which you are going to use it.

Mr. NELSON. Lead in pig and bars is in the paragraph.

Mr. HEYBURN. They are lead.

Mr. NELSON. But this is put in the same paragraph.

Mr. HEYBURN. If you want to make lead pipe, you work over the bullion for that purpose. If you want to make lead troughs or anything of usable shape, you have to work it over.

Mr. BRISTOW. I have not the slightest desire to suggest any changes in this schedule or any changes in any of these paragraphs that would work a hardship on any legitimate American industry or deprive any American laborer of just and reasonable and liberal compensation for his work.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. Certainly.

Mr. McCUMBER. I wish to ask the Senator from Kansas if he does not think the figures he has given upon the production and importation are themselves evidence of this being a reasonable tariff? I assume that the Senator will agree with me that the American mills and factories and mines should have, as near as possible, without injustice to the consumer, the American field of production. If the foreigner exports to this country nearly one-third—and that is about what it would be, if I correctly understood the Senator's figures——

Mr. BRISTOW. About one-fifth.

Mr. McCUMBER (continuing). Is not that one-third or one-quarter a sufficient regulator and a sufficient amount to indicate that the tariff is not too high? Because if the price to the American consumer was too high, there is lead enough produced in the world to immediately stock all the markets. The very fact that one-third of it is coming into this country seems to me to be almost conclusive evidence that the tariff is not so high that an exorbitant price can be charged in this country, or a prohibitive price, because if it were exorbitant—and it can only be exorbitant when it is prohibitive—the importations would immediately go up to the full extent of the consumption in this country, because, as I state again, there is lead enough produced in the world to meet our demands.

Mr. BACON. Will the Senator from Kansas permit me for a minute while I correct the figures of the Senator from North Dakota?

Mr. BRISTOW. Certainly.

Mr. BACON. I have before me the Statistical Abstract of 1907, which gives the importations for 1906. The document furnished by the Finance Committee, I presume, gives the figures for last year. Although they are not exactly accurate in comparison, they are approximately so. Upon page 146 of the Statistical Abstract the Senator will find that in 1906 there were produced in the United States 350,153 tons of lead, and according to the document furnished to us by the committee the importations were only a little over 27,000 tons. So instead of there being a third, it is nearer one-fifteenth.

Mr. McCUMBER. I took the figures given by the Senator from Kansas himself, and I think they amount to nearly that. But right along that line——

Mr. BACON. I have them right here.

Mr. McCUMBER. It is not a question exactly whether it is a third or a quarter or a tenth or what it may be. The question to my mind is whether or not, under all the conditions, the tariff is low enough to still allow importations; because, if it does allow any importations, it shows us a source of supply that will immediately come in and grow enormously if the domestic price is raised above what is reasonable and just. It is not a question so much of how much the importation is as it is a question whether they can import profitably under the present system; and if they can, that importation is a sufficient regulator of our home prices, and will at all times keep the price down to a reasonable compensation.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Texas?

Mr. BRISTOW. All I ask is to get at it after a while. I am glad to hear the gentleman.

Mr. BAILEY. If I understand the statement of the Senator from North Daktoa—and I think I do, and I attach the proper weight to it, because he is a member of the Finance Committee, which has prepared this bill—that statement, in essence, is that whenever there is any of a given article imported the duty ought to be raised, which is only another way of saying that every duty ought to be prohibitory.

Mr. McCUMBER. That is just the reverse of my statement. My statement is that where there is a considerable importation, such a percentage as will indicate that the product can be sold in this country under ordinary circumstances at reasonable compensation, it is pretty strong evidence that the rate is sufficiently low, because if the rate were excessive, it would keep it out entirely; and as long as it can flow into this country—not under extraordinary conditions, but generally—it is pretty good evidence, to me at least, that our rates are not prohibitive and that they are not too high.

Mr. BACON. I should like to ask the Senator——

Mr. McCUMBER. I want to say here, taking the price of lead, that a little difference of a quarter of a cent a pound or an eighth of a cent a pound might make that which is not very profitable for importation to-day exceedingly profitable under the new rule. Then it could come in and could drive out our own product. I am willing—I can say in closing, for I do not want to take too much of the time of the Senator from Kansas—to take the word of the Senator from Idaho and the Senator from Utah as to lead conditions in their country, in addition

to this evidence, showing to my mind that a reduction will injure our industries in this country.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Texas?

Mr. BRISTOW. Certainly.

Mr. BAILEY. According to the statement which the Senator from North Dakota now makes, I did misunderstand the statement which he first made. As I understood it then, he was seeking to justify an increase of duty upon the ground that importations had occurred under the existing duty, whereas as I now understand the Senator he simply uses the fact that importations have occurred under the existing duty as an argument for its maintenance and not as an argument for its increase. Am I right?

Mr. McCUMBER. The Senator is right—not as an argument for its increase, as it might be if there were practically no importations, an argument for its decrease. But there are enough importations to indicate it is not too high.

Mr. BAILEY. I very cheerfully withdraw the criticism I first made.

Mr. ALDRICH. Mr. President, I am exceedingly anxious to get a vote on this first proposition, and there is a desire to have a short executive session; and if it would not inconvenience the Senator from Kansas, I should like to have a vote on paragraph 179, leaving paragraph 180 to go over until to-morrow, to be open for general discussion.

Mr. BRISTOW. I should like to complete my remarks. I was in the middle of my observations. I will get through in a little while, if I am not interrupted, so far as this paragraph goes.

Mr. STONE. If the Senator will pardon me, we can not finish this item by 5 o'clock. If the Senator from Rhode Island expects the Senate to adjourn then, he may as well understand now that the paragraph will have to go over until to-morrow.

Mr. ALDRICH. Then the Senator from Kansas perhaps can go on until 5 o'clock, and we can then have a short executive session.

Mr. BRISTOW. Referring to the suggestion of the Senator from Georgia as to the figures, I secured these figures from the Statistical Abstract. It is given there in tons. I have reduced it to pounds in order that it may be more easily compared. The Statistical Abstract gives it only down to the year 1906. I telephoned to the Geological Survey and secured the figures from it for 1907 on the production. The importations are given in the Statistical Abstract, but the production for 1907 is not given in the Statistical Abstract. It is given in the Statistical Abstract only up to 1906.

Mr. BACON. In those figures, as I stated, are, in tons, 350,153.

Mr. BRISTOW. That is right.

Mr. BACON. And the importations as shown in pounds by this document, furnished us by the Finance Committee, reduced to tons, make 27,235 tons.

Mr. BRISTOW. Probably; I did not reduce it.

Mr. BACON. Three hundred and fifty thousand one hundred and fifty-three tons produced and 27,235 tons imported.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. In answer to the Senator from Georgia I wish to say that the importations for 1907 are given in two classes.

Mr. BACON. I have added them all up together.

Mr. SMOOT. If it is 27,000 tons, it is not correct, because the importations of lead contents were 29,738,375 pounds, which is about 15,000 tons, and the importations of lead in ore and base bullion were 127,196,540 pounds, which, in round numbers, would be 63,000 tons, making a total for both of 78,000 tons.

Mr. BACON. Without detaining the Senate, I will state that I added up the figures found on page 21 under paragraphs 179 and 180. They amount to 54,470,773 pounds. That reduced to tons makes 27,235.

Mr. SMOOT. I obtained the figures from the Treasury Department, showing absolutely the amount received and the importations.

Mr. BRISTOW. Referring to the inquiry of the Senator from North Dakota, I will say that I am in hearty accord with the views which he expressed here the other day that a tariff should not be levied on any of our great natural resources that are capable of exhaustion in any reasonable length of time; but since it appears that the lead-mining industry has been nurtured by a protective-tariff duty of 1½ cents, and since the House committee thought it was necessary in the interest of that industry to keep that duty where it was, it has not been my purpose to offer an amendment to the bill reducing it below the rate agreed upon by the House committee and the Committee on Finance as far as lead bullion or lead ore goes, but the thing I have objected to is the duty on paints being increased over the House provision.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Massachusetts?

Mr. BRISTOW. Certainly.

Mr. LODGE. I merely wish to ask the Senator a question just at this point. A duty is placed on the raw material of paints—that is, on the lead ore. If you do not give a sufficient differential on the higher grade, the more advanced manufacture, whether it is bullion or whether it is white lead, the result is that lead comes in in the more advanced form. It not only drives out its competitor of white lead or bullion, but it drives out the use of the less advanced form. If you put a duty on lead ore and make white lead free, you will close every lead mine in the United States.

Mr. BRISTOW. I did not suggest that lead bullion should be put on the free list. The Senator misunderstood me.

Mr. LODGE. I was only using that as an illustration of my meaning. If you put the duty below a certain rate, you run the risk of bringing lead in in the more advanced form of manufacture. You must have the rates on the higher form of manufacture higher than the rate on the raw material.

Mr. BRISTOW. Every cent that is put upon a ton of lead in the form of duty increases the cost of lead products to the American people, because we have to import it. That is true.

Mr. President, the duty on a product of lead, however, need not be any higher than is necessary to protect the labor employed in the manufacture of that product of lead, whatever it is. The price of white lead in the United States is a great deal higher than it is in Canada. There is no importation practically of white lead. Only about one twenty-fifth per cent of the white lead that we use is imported, while one-fifth of the lead bullion that we use is imported.

So it is clearly apparent that a reduction in the duty on white lead will not encourage importations of lead as white lead. It is not necessary. The conclusions that the Committee on Finance have come to—if I may be permitted to disagree with them—are not warranted. The House committee had the proper conception of what the duty on white lead should be. If the importations of white lead were equivalent in per cent to the importations of lead bullion, then the suggestion of the Senator from Massachusetts might have weight. But they are not. We import one-fifth of the lead bullion we use; we import only one twenty-fifth of the white lead we use.

Mr. BRIGGS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. BRISTOW. Certainly.

Mr. BRIGGS. I should like to ask if a great deal of the bullion that is imported is not manufactured into white lead in this country, which accounts for the smaller relative percentage of imports?

Mr. BRISTOW. That may be; but when white lead is selling for 6½ cents a pound in Kansas and 4 cents a pound across the line in Canada, it makes a difference of 2½ cents a pound in the amount the American consumer is paying as compared with the amount the Canadian is paying.

I want the differential rates made to the very minimum that will protect the legitimate wages of the men who are employed in the manufacture of white lead. I do not conceal the fact that I am standing here trying, in my feeble way, to represent the interests of the people who sent me here to represent them. If I can remove a part of the taxes that are not necessary on a commodity that every family in my State uses, I think it is my duty to do it. That is the reason why I have trespassed on the patience of the Senate this afternoon. I am willing to yield the floor, except that I want to have something more to say to-morrow in regard to white lead.

Mr. ALDRICH. I ask unanimous consent that we may take a vote on paragraph 179 at this time.

Mr. BEVERIDGE. At what time?

Mr. ALDRICH. Now; at this moment.

Mr. BEVERIDGE. If we are going to take a vote on it now, then I have, perhaps, about ten minutes' remarks to make or perhaps longer, because if we have got to vote on this subject right now, then I have to vote on the showing that has been made up to this hour. I am ready to do that, but I have got to explain my vote. I think we can vote within twenty minutes to-morrow.

Mr. ALDRICH. The trouble is that if this question is reopened to-morrow, it will probably go on for half the day. The

next paragraph will give an opportunity for all the speeches that can be made on the subject. I would be glad to have the vote taken on the first paragraph to-night.

Mr. BEVERIDGE. I have found on examination that the first paragraph—that is, paragraph 179—and paragraph 180 involve precisely the same thing.

Mr. ALDRICH. I hope the Senator from Indiana will let a vote be taken on paragraph 179.

Mr. BEVERIDGE. Certainly; and I thought it would be done by unanimous consent, and there would not even be a vote against paragraph 179, until I examined and found that paragraphs 179 and 180 involve precisely the same issue. At least that is the way I look at it now.

For example, in answer to my question as to what the change in paragraph 179 meant, the Senator said that it simply removed one item that the House put in and fixed it at 1½ cents a pound; that it was to be satisfactory, because there was no change; but if we were to vote to sustain it, as I had intended to do, that would leave out all the rest, and we would come to-morrow to vote on paragraph 180. If we voted not to sustain paragraph 180, which is my present inclination without further light, then the whole schedule is disarranged, and the only thing we fix any duty at all on is lead-bearing ore of all kinds, 1½ cents per pound on lead contained therein.

In view of the fact that the whole issue is contained in a vote upon paragraph 179, I should vote instantly to sustain paragraph 179, if it did not also involve paragraph 180, for paragraph 179 does not raise the House rates and paragraph 180 does raise the House rates. They are both combined. That is the trouble.

Mr. ALDRICH. I am anxious that every Member of the Senate shall have adequate information upon this subject.

Mr. BACON. I can not hear what the Senator says.

Mr. ALDRICH. I am very anxious that every Senator interested in this question should have adequate information upon this subject.

I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 13 minutes p. m.) the Senate adjourned until to-morrrow, Friday, May 7, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 6, 1909.

COLLECTOR OF CUSTOMS.

Edward T. Marvel, of Massachusetts, to be collector of customs for the district of Fall River, in the State of Massachusetts, in place of James Brady, deceased.

SURGEONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. Ezra K. Sprague to be surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from May 1, 1909. To fill an original vacancy.

Passed Asst. Surg. Rupert Blue to be surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from May 1, 1909. To fill an original vacancy.

Passed Asst. Surg. Charles H. Gardner to be surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from May 1, 1909. To fill an original vacancy.

Passed Asst. Surg. James H. Oakley to be surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from May 1, 1909. To fill an original vacancy.

UNITED STATES CIRCUIT JUDGE.

William M. Lanning, of New Jersey, to be United States circuit judge for the third judicial circuit, vice George M. Dallas, resigned.

UNITED STATES DISTRICT JUDGE.

John Rellstab, of New Jersey, to be United States district judge for the district of New Jersey, vice William M. Lanning, nominated for appointment as United States circuit judge for the third judicial circuit.

UNITED STATES MARSHAL.

Harry J. Humphreys, of Nevada, to be United States marshal for the district of Nevada, vice Robert Grimmon, whose term expired December 12, 1908.

PROMOTION IN THE ARMY.

COAST ARTILLERY CORPS.

Second Lieut. Allison B. Deans, jr., Coast Artillery Corps, to be first lieutenant from May 4, 1909, vice Jones, dismissed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 6, 1909.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF HAWAII.

Antonio Perry to be associate justice of the supreme court of the Territory of Hawaii.

CIRCUIT JUDGE OF HAWAII.

William L. Whitney to be second judge of the circuit court of the first circuit of the Territory of Hawaii.

POSTMASTERS.

MASSACHUSETTS.

Henry K. Bearse, at Harwich, Mass.

SOUTH DAKOTA.

Frank E. McLaughlin, at Geddes, S. Dak.
Sumner E. Wood, at White, S. Dak.

TEXAS.

W. K. Davis, at Gonzales, Tex.

INJUNCTION OF SECRECY REMOVED.

The injunction of secrecy was removed on May 6, 1909, from an agreement between the United States and Russia, to regulate the position of corporations or stock companies and other commercial associations, signed at St. Petersburg on June 25, 1904. (Ex. D, 58th Cong., 3d sess.)

HOUSE OF REPRESENTATIVES.

THURSDAY, *May 6, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Monday, May 3, was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MURPHY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MURPHY. Mr. Speaker, there appeared in the papers of my State yesterday morning, and also in the papers here in Washington, a telegram from Frank Hagerman, attorney for 18 railroads in the State of Missouri, which I will ask the Clerk to read. I will state in this connection, in order to verify whether that telegram was sent or not, as stated in the article, that I called at the Department of Justice yesterday and asked whether it had been received, and they said that it had.

The Clerk read as follows:

KANSAS CITY, MO., *May 4, 1909.*

Frank Hagerman, attorney for the 18 roads interested in the Missouri rate fight, sent this message to George W. Wickersham, Attorney-General of the United States, to-day:

"Representative MURPHY's resolution about the Missouri Rate case is an outrageous tissue of misrepresentation by one who has no knowledge of the facts. The national character and reputation of these judges and their standing here refute the charges, but as the newspapers say the matter has been presented to you, I want you and the President to be assured that the record clearly so shows.

"Every preliminary injunction relative to freight rates was made with the State's consent. The injunction against passenger rates was only granted at final hearing.

"The State had every facility accorded and every courtesy extended. I am glad to say that the state officers publicly repudiate responsibility of the unwarranted attack."

Mr. MURPHY. Mr. Speaker, on May 3 I introduced into the House a resolution asking for an investigation of the conduct of Judges McPherson and Phillips in regard to the 2-cent passenger-fare litigation in Missouri and the maximum freight-rate law of that State. I also asked that the conduct of Judge Phillips generally, as judge of the western district of Missouri, be investigated. That resolution, by my direction, was referred to the Committee on Rules, and it empowers the Speaker to appoint a committee to make that investigation.

I do not intend to make any criticism of the Committee on Rules. Since I introduced that resolution upon investigation I have doubts as to whether it has authority to pass upon that matter, and whether or not a point of order would lie to their report when it came in. I shall investigate this further and present it in my own way and good time. But this resolution, Mr. Speaker, in the preamble reviews the rate situation in that State. In the first part of the year 1905 the general assembly of Missouri passed what was known as the "maximum freight-rate law," which reduced freight rates on commodities in that State.

Without notice, the railroad companies, represented by Frank Hagerman and their general counsel, went into the federal court at Kansas City and procured an injunction against their putting

in force that law. The attorney-general at that time, at present the governor of our State, and the board of railroad and warehouse commissioners were made defendants, and shippers along the line of these railroads, as representatives of all the shippers, were made defendants in that case.

Demurrers were filed to these petitions by the defendants. The court refused, and as I charge, arbitrarily, to hear these demurrers, and instead of proceeding with the case adjourned the court for the summer until fall. The demurrers were then overruled. The State's attorney-general filed answers to the plaintiff's petition in that case, and insisted that the railroad companies should file their replies, which they did not do; but, sir, the people of the State of Missouri have been wondering why it was that these judges, instead of insisting upon the filing of the replies—what sudden impulse moved them to take a fishing trip, and they are still wondering why they should go at the expense of the plaintiff railroad companies in a private car to Tampico and be the guests of the same attorneys that represent these railroads in that State concerned in this litigation and remain there two or three weeks.

Now, all this is contained in the resolution which I have introduced. Upon their return from the fishing trip replies were filed, and then the matter dragged along. Recognizing certain technicalities in the act of 1905, with which these judges could have nothing to do, the Missouri legislature in 1907 passed a new rate law, and in addition they passed a passenger-rate law making 2 cents the maximum that the railroads should charge the people of that State for carrying its passengers within its borders.

The attorney-general of the State, upon the railroad companies refusing to comply with that order or stating that they would not comply with that law, went into the state courts and asked an injunction to compel them to comply with the law of the State. Thereafter Mr. Hagerman, the attorney for these 18 carrying roads, went into the United States court at Kansas City, and by presenting a rough draft of a supplemental bill, without filing the bill itself, procured an injunction, thereby destroying the jurisdiction of the state courts previously obtained. This case originally, in the United States court, had relation only to the maximum freight law, and had no relation whatever to the 2-cent passenger law in the State of Missouri; but they maintained jurisdiction of that, and they issued their injunction, and the injunction has been made final upon that.

After that, Mr. Speaker, on the 10th day of April, 1909, as this resolution shows, these 18 roads met in Chicago and made an agreement that they would charge the people of the State of Missouri, parallel and competing lines, a certain class of the people, 3 cents a mile, another class 2½ cents a mile, another class 2¼ cents a mile, and another class 2 cents a mile. By direction of the governor, the circuit attorney of the city of St. Louis procured an injunction in the state courts of Missouri, which is in the eastern district of Missouri and not in the western, restraining these 18 roads from putting into effect that agreement, which was plainly in violation of other laws of the State of Missouri, in regard to discriminatory rates. Mr. Hagerman went into the federal courts in Kansas City—in the western district—and asked Judge McPherson to, in the maximum freight-rate case, enjoin them from carrying out that injunction, which had been previously obtained in the state courts, and Judge McPherson ordered the state courts to keep their hands off. Not content with that, Judge Phillips afterwards issued an order dissolving the temporary injunction that had been issued by Judge Williams in the courts at St. Louis, and said that any official or state court which issued a further injunction would be considered in contempt of the federal court; and Mr. Hagerman gave out an interview after that, which appeared in his own papers in Kansas City, which said that the federal courts——

Mr. CLAYTON. Mr. Speaker——

The SPEAKER. Will the gentleman yield?

Mr. MURPHY. I yield.

Mr. CLAYTON. Mr. Speaker, I make the point that what the gentleman is now saying is not a question of privilege. I have listened very patiently to the gentleman, and it seems to me that his whole remarks are in the nature of charges upon which to predicate an impeachment proceeding against certain judges.

Now, the gentleman can bring that before the House if he will rise in his place and impeach those judges, and he can get action, and we can go into the merits of this whole controversy. I make the point of order against his proceeding in the way he is at this time. It is not a question of personal privilege.

Mr. MURPHY. Mr. Speaker, on that point I am arguing this resolution and putting the facts as they appear in the resolution which I have introduced into this House, and giving an explanation of that to this House in reply to the telegram which was sent by Mr. Frank Hagerman here, which said that was a tissue of outrageous misrepresentation.

The SPEAKER. The gentleman introduced a resolution in the House, being a Member of the House, touching certain matters alleged against certain judges. Now, as the Chair understands, a communication comes that the gentleman from Missouri alleges reflects upon him as a Member of the House in his representative capacity, touching this resolution. The gentleman, in the opinion of the Chair, should confine himself in his remarks to the resolution and to the matter complained of which reflects upon or criticises him in connection with that resolution and in his representative capacity. The gentleman will proceed in order.

Mr. MURPHY. Mr. Speaker, as this resolution goes on and recites, by these orders they destroyed the jurisdiction of the state courts there. Even if the legislature should pass another act in relation to railroad rates, freight or passenger, in order to go into their state courts and proceed as the people, through their representatives, ought to have a right to do, they would first have to go to the federal court at Kansas City, to Judges McPherson and Phillips, or to one of the two, and ask permission that they might proceed in order to put into effect their own laws enacted by their legislature.

Going on further, in that resolution, Mr. Speaker, I ask for an investigation of the conduct of Mr. John F. Phillips personally. I charge him with being a tyrant upon the bench, with being insulting in the highest degree to the lawyers there; and, Mr. Speaker, that is also said to be a tissue of misrepresentation. I want to ask if that is a tissue of misrepresentation in the light of the following facts, which can be substantiated by a Member of this House, which occurred in respect to the conduct of a certain respectable gentleman as a juror, who hailed from the northwestern section of the State. After the evidence was all in and the judge had charged the jury and counsel had made their argument, the jury disagreed. Judge Phillips sent out and asked how the jury stood. The marshal said that the jury stood 11 to 1. He told the marshal to bring the jury in. The jury was brought in, and the judge then said, substantially: "I understand that you can not agree. How do you stand?" A juror said: "We stand 11 to 1." The judge then asked how, and the juror replied, 11 for conviction and 1 for acquittal.

Judge Phillips asked this man who disagreed and was for acquittal to rise, and this man, from Saline County, I believe, rose, and he asked him if he could not agree with his fellow-jurors, and he said he could not. He then asked him if he intended to violate his oath as a juror; he answered that he did not. Whereupon the judge discharged the jury from further consideration of that case, and directed the clerk to make an order of record discharging this juror from further serving upon the regular panel of that court, and further directed the clerk to make an order forever disbarring him from sitting as a juror in his court again.

Mr. HENRY of Texas. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. HENRY of Texas. I would ask the gentleman if he has drawn this resolution with a view of instituting impeachment proceedings; that if these facts he states are true, he intends to introduce a resolution later on demanding impeachment proceedings?

Mr. MURPHY. This resolution I have introduced is for impeachment proceedings and follows the precedents.

Mr. HENRY of Texas. The gentleman's resolution does not strictly follow the precedents. The usual course is for a Member to rise in his place and impeach a judge and ask that the Committee on the Judiciary investigate the conduct of that judge as to whether impeachment proceedings are requisite or not. And the gentleman's resolution is unusual. If he intends to impeach those judges, I suggest he draw it in conformity with the usual precedents and introduce it; and if these charges are true, the House will undoubtedly instruct the Committee on the Judiciary to investigate the conduct of the judges.

Mr. MURPHY. Mr. Speaker, I investigated the precedents, and I thought I was drawing this resolution in conformity with the precedents by the memorial being presented in the shape it is here, although it has not gone to the Committee on the Judiciary.

Mr. HENRY of Texas. If the gentleman will permit, I will call his attention to the resolution in the Swayne impeachment proceedings, where the gentleman from Florida, Mr. Lamar, rose and impeached Judge Swayne, of Florida, and asked that the Committee on Judiciary be instructed to investigate his conduct.

Mr. PAYNE. Mr. Speaker, I submit this debate is not in order. The gentleman has a right to make a statement as a question of personal privilege, but debate with him is not in order.

Mr. HENRY of Texas. Mr. Speaker, I think I know my rights. The gentleman has yielded to me to make a suggestion——

Mr. PAYNE. The gentleman was——

Mr. HENRY of Texas. The gentleman has yielded to me, and I am endeavoring to give some information.

The SPEAKER. The Chair will state the Chair is not familiar with the resolution, but the Chair is aware that such a resolution has been introduced, and the gentleman from Missouri arises to a question of personal privilege reflecting upon him in his representative capacity. The Chair has the resolution and has glanced at it, and the gentleman is aware of what is contained in the resolution, so that the question of personal privilege——

Mr. HENRY of Texas. The gentleman has yielded to me. I have his resolution and the Swayne case before me, and wanted simply to make a suggestion, the gentleman having yielded to me for that purpose. Now, I will state that in the Swayne case——

The SPEAKER. A discussion of the method of procedure in case of impeachment, if the gentleman from New York did make the point that it was not in order, it occurs to the Chair that that point is well taken. The gentleman will proceed in order.

Mr. MURPHY. I do not want to be discourteous.

Mr. HENRY of Texas. If the gentleman does not want to yield, it is all right. But inasmuch as he had yielded, I was making a statement.

Mr. MURPHY. But Mr. Speaker, that can be substantiated, I think, by responsible men, and I appeal to a gentleman from Missouri, who I think is here on the floor, as to whether I have substantially stated the truth or not. I refer to the gentleman from Missouri, Mr. RUCKER.

Mr. RUCKER of Missouri rose.

The SPEAKER. Does the gentleman from Missouri [Mr. MURPHY] yield to his colleague [Mr. RUCKER]?

Mr. RUCKER of Missouri. I did not expect to be called on to testify in this proceeding, but since the gentleman has appealed to me, I want to say that while I have had little personal knowledge of any of the matters set forth in this resolution or its preamble, I do believe that current rumors sustain every particle of it.

Mr. PAYNE. Mr. Speaker, I make the point of order that the gentleman from Missouri who is addressing the Chair on the question of privilege can not yield for debate.

Mr. MURPHY. I will not yield for debate.

Mr. RUCKER of Missouri. I am not debating anything at all.

Mr. PAYNE. The gentleman from Missouri [Mr. MURPHY] has the right, of course, to contradict the telegram and assert the truth of what is in this resolution.

Mr. RUCKER of Missouri. I supposed that that was what he wanted me to do. I think these statements are true, even if all the railroad attorneys in the State of Missouri say that they are not true.

Mr. MURPHY. Mr. Speaker, I want to go further and say that in his federal courts, in instructing or charging the jury, he frequently winds up his charge by saying to them, in effect:

> Of course, if you have a reasonable doubt as to the defendant's guilt, you should find the defendant not guilty.

But he goes further and says:

> I can not see (in effect, at least) how there can be any doubt in the mind of any sensible man as to the guilt of this defendant.

And he directs the jury to retire and make their verdict.

These are only some of the things, Mr. Speaker, that I want to ask whether they are untrue or not, that I will present to this House; and in that resolution I make a charge of his conduct toward the lawyers that appear before him that can be substantiated, sir, by a Member of Congress on this floor, where, when they are proceeding in a lawful and orderly manner in examining witnesses, this judge from the bench denounced the conduct as infamous.

Mr. PAYNE. If there is any such thing as the gentleman states in his resolution, I fail to find it. I think I have read it pretty nearly through.

Mr. GARRETT. Mr. Speaker, I make the point of order that the gentleman from Missouri [Mr. MURPHY] can not yield.

Mr. PAYNE. I am making a point of order.

The SPEAKER. The gentleman from New York [Mr. PAYNE] makes a point of order, which the gentleman will state.

Mr. PAYNE. That he is traveling outside here of the issue raised by the telegram or by the preamble to his resolution. If there is anything in the resolution, of course the gentleman can call attention to it.

Mr. MURPHY. It is there.

Mr. PAYNE. Then, call attention to it.

The SPEAKER. The Chair has not read the resolution, but has rapidly glanced over it and finds a number of allegations in the preamble. Will the gentleman from Missouri [Mr. MURPHY], who is familiar with the resolution, state for the information of the Chair as to whether it contains matter in connection with the telegram which the gentleman has read.

Mr. MURPHY. It occurs on page 4. It says:

> He has destroyed the right to a fair and impartial trial by jury, guaranteed by the Constitution, by frequently directing juries to return verdicts of guilty; that jurors who have refused to follow his direction have been insulted, and so forth.

The SPEAKER. Will the gentleman kindly send the telegram to the Chair?

Mr. MURPHY. Mr. Speaker, I will not proceed further along that line, because I believe the House understands fully the things I want to present to it.

Mr. HENRY of Texas. Will the gentleman yield for a question?

Mr. MURPHY. The Speaker has ruled I can not yield.

Mr. HENRY of Texas. Just for a question.

Mr. MURPHY. I do not want to be discourteous, but I do not wish to be taken off the floor by yielding.

Mr. HENRY of Texas. I will not take the gentleman off the floor. I only want to ask a question.

Mr. MURPHY. I am liable to lose the floor if I yield any further.

Mr. HENRY of Texas. I want to ask the gentleman if he will not amend his resolution so as to include all these questions.

Mr. PAYNE. Let us have the point of order decided and find out whether you are in order.

Mr. HENRY of Texas. I thought that it had been decided.

The SPEAKER. The Chair understands the gentleman from New York to make the point of order that the remarks of the gentleman from Missouri are not to the question of privilege that arises from his resolution, and would not arise were it not for the telegram which the Chair now holds in his hand. The Chair has hastily glanced at the resolution, and will read the telegram.

> Representative MURPHY's resolution about the Missouri Rate cases is an outrageous tissue of misrepresentation by one who has no knowledge of the facts. The national character and reputation of these judges and their standing here refute the charges, but as the newspapers say the matter has been presented to you, I want you and the President to be assured that the record clearly so shows.
>
> Every preliminary injunction relative to freight rates was made with the State's consent. The injunction against passenger rates was only granted at final hearing.
>
> The State had every facility accorded and every courtesy extended. I am glad to say that the state officers publicly repudiate the responsibility of the unwarranted attack.

This is a telegram to the Attorney-General.

The telegram is very broad:

> Representative MURPHY's resolution about the Missouri Rate case is an outrageous tissue of misrepresentation by one who has no knowledge of the facts.

Mr. PAYNE. But, Mr. Speaker, that telegram relates to their action in a single case. I understand the gentleman is going into a general review of the action of these judges.

The SPEAKER. It clearly refers to that part of the resolution touching the rate cases. The resolution is broader than the rate cases, somewhat general in its terms. But the telegram is also broad:

> Representative MURPHY's resolution about the Missouri Rate cases is an outrageous tissue of misrepresentation by one who has no knowledge of the facts. The national character and reputation of these judges and their standing here refute the charges.

The gentleman's resolution is broad; the telegram is broad. The gentleman is familiar with his resolution and with the telegram. The gentleman will proceed in order.

Mr. MURPHY. Mr. Speaker, I shall not proceed further by citing specific cases, for I think the House understands now whether I am making misrepresentations or not when I call particular attention to particular cases, and any number of them could be called to the attention of the House of Representatives.

Now, the gentleman stated in his telegram that the State had been accorded every courtesy in these rate cases, and after notice of them. I want to say that they not only had no notice, but no knowledge of this first injunction which was issued in the rate case until after it was issued; and the governor of the State of Missouri, formerly attorney-general of the State, has given answer to that effect in a statement issued yesterday replying to Mr. Hagerman's telegram.

But, Mr. Speaker, I want in conclusion to say that I care not as to what these railroad representatives say, so far as this

matter is concerned, or so far as I am concerned; but I do say, sir, that they have no right to attack other men, and this attorney for the 18 railroads has no right to attack other men's statements until they shall clear their own records in the federal court of the State of Missouri. I have no antagonism for the railroads, as charged in the newspapers, it being alleged that Mr. L. F. Parker, deceased, who was the general counsel for the San Francisco and St. Louis Railroad, was responsible for my defeat to the Sixtieth Congress. That is untrue, because Mr. Parker and I were personal friends, and remained so until his death, and I am now engaged in raising money to build a memorial for him at my home town, which was his home.

But, Mr. Speaker, I ask for nothing wrong. I am not making a misrepresentation; I am only asking the Congress of the United States to investigate and give back to us that government which you handed to us when you admitted Missouri as a State into the Union by requiring the federal judiciary of the western district of Missouri to proceed along orderly, decent, and lawful lines under the law and in the enforcement of the law, and that is all I do ask.

Mr. Speaker, I see that Judge McPherson has seen fit to issue a reply to my resolution, and the papers have given it out in the Associated Press. Now, I ask unanimous consent that I may incorporate my resolution in the RECORD, and, in order to be fair, with it the reply of Judge McPherson, which has been given to me by the press, and my reply to him, in which I state there is nothing personal in this resolution which I have introduced.

The SPEAKER. Is there objection to the request of the gentleman?

There was no objection.

The documents referred to are as follows:

House resolution 65.

Whereas the general assembly of the State of Missouri passed a maximum freight law, making a reduction of 25 per cent in freight rates upon various commodities of traffic, amounting to about one-fifth of the entire freight traffic of the State, and that on June 14, 1905, the date which said act of the legislature was to take effect, the railroads of and doing business in the State of Missouri secured, without notice, from John F. Phillips, United States district judge, sitting as judge of the United States circuit court for the western division of the western district of Missouri, a temporary injunction or restraining order, restraining the attorney-general of the State and the board of railroad and warehouse commissioners, and a number of shippers along the lines of each road, joined in the suit as defendants, as representatives of the entire class of shippers, from taking any action to enforce the aforesaid law; that thereafter the application for a temporary injunction was heard by the said Judge Phillips and Judge Smith McPherson, a United States judge sitting with the said Phillips, who, without argument, granted the same; that shortly thereafter the defendants filed demurrers to plaintiffs' bill, but the said judges, arbitrarily, refused to hear the same, but adjourned the court for the summer, then overruling the same in the fall, whereupon the defendants filed their answers to plaintiffs' said bill and sought to secure the filing of replies upon the part of the railroad companies; that, instead of the said court proceeding with the case without unnecessary delay, a number of the leading attorneys for the railroad companies in said litigation, including Gardiner Lathrop, of the Santa Fe system, O. M. Spencer, of the Burlington system, and Sam W. Moore, of the Kansas City Southern, took the said Judges Phillips and McPherson upon a fishing trip to Tampico in a private car belonging to the railroad companies, the facts in reference to said trip being made apparent by the action of the state game warden in arresting members of the party for having in their possession game in violation of the laws of the State of Missouri; that upon the return of said party from their fishing trip the replies of the railroad companies to defendants' answer were filed, and a motion was made to appoint a referee to hear the testimony, which was at first denied by Phillips but afterwards granted; that on account of the application for delay on the part of the railroads, the taking of testimony was not begun until the spring of 1906; that, recognizing there were certain technical inaccuracies in the freight law, these defects were cured by the legislature of Missouri, which convened in January, 1907, in the passing of a new act, and which said general assembly at the same session passed a 2-cent passenger law, an entirely new act and the first ever passed by the said legislature; that the said railroads having announced that they intended to enjoin, in the suit then pending having relation to the maximum freight law only, by a supplemental bill, both the freight and passenger rate law, the attorney-general proceeded in the state courts, upon the 13th day of June, 1907, the day before the last act of the general assembly became a law, to enjoin the railroads from obeying said laws; that thereafter the said McPherson, arbitrarily and without notice to the State, made an order, without the filing of the supplemental bill, but on the presentation to him of a rough draft of the same, enjoining the railroads from obeying the 2-cent passenger law or the freight-rate law, although said railroads had never intended or threatened in any way to obey either of said laws, thereby, by an extraordinary proceeding, destroying the jurisdiction of the courts of the State of Missouri previously obtained; that in the month of February, 1909, the said McPherson granted an injunction enjoining the enforcement of the 2-cent passenger law, stating in his opinion that he thought 2½ cents per mile was as much as the railroads should charge, thereby attempting to usurp the functions of the legislative power of the State of Missouri in the fixing of passenger rates on the railroads of said State; that upon a rendition of the decision by Judge McPherson the railroads of Missouri held a conference in Chicago, where and wherein parallel and competing lines in said State of Missouri agreed with each other that they would on April 16, 1909, charge a certain class of the citizens of said State 3 cents per mile, another class 2½, another 2¼, and another 2 cents per mile; that said agreement was in violation of other laws of Missouri preventing conspiracies in restraint of competition and the fixing of discriminatory rates; that upon the announcement of such agreement, by direction of the governor, the circuit attorney of the city of St. Louis, on April 7, 1909, instituted a suit in the state courts in said city of St. Louis, enjoining the said railroads from putting into effect such unlawful agreement so entered into; that on April 17, 1909, the said McPherson, in an amended decree, instructed the state courts, in effect, not to interfere with the railroads in their further and continued violations of the laws of the State or the making of such unlawful agreements; that, not content with such arbitrary action on the part of McPherson, Judge Phillips, on April 24, 1909, issued an order dissolving the injunction granted at the instance of the circuit attorney, on the grounds that the state officials were filing suits to embarrass the Missouri railroads, and ruled further that any state official or state court that issued any further injunctions against the railroads would be held in contempt of the federal courts; and

Whereas the said John F. Phillips is, when on the bench, tyrannical in the extreme; insulting in the highest degree to the attorneys who must practice before him; that he has destroyed the right to a fair and impartial trial by jury, guaranteed by the Constitution, by frequently directing juries to return verdicts of guilty; that jurors who have refused to follow his directions have been insulted, humiliated, and accused of violating their oaths as such, and by an order of court so directed to be made by him forever barred from acting or sitting as jurors in his said court; that he vacates the bench for long periods, his place being supplied by other judges, and when he does see fit to hold court it is only for four hours per day, putting litigants to great and unnecessary expense; Therefore be it

Resolved, That the Speaker be, and he is hereby, directed to appoint three Members of the House of Representatives as a committee to investigate the conduct of the said Judges McPherson and Phillips in respect to their action in the litigation over the maximum freight law and the 2-cent passenger law in the State of Missouri, and to investigate the said John F. Phillips and his actions and conduct as a district judge of the United States court for the western district of Missouri; that said committee shall have power to issue subpœnas for witnesses and compel the attendance thereof, to send for books, papers, or records and to compel the production thereof, and to report to the House of Representatives not later than December 14, 1909, its findings, as well as its recommendations, as to what action should be taken with reference to said judges, or either of them, if anything.

JUDGE M'PHERSON'S STATEMENTS.

ST. LOUIS, *May 4*.

Judge Smith McPherson, who, with Judge Phillips, was made the subject of charges before Congress yesterday, arrived here to-day. He said that he was not yet prepared to discuss the Murphy resolution, but intimated that he might prepare a statement later.

"Anything that a Congressman does can not be called to account if it is done in open session," he said. "This, too, regardless of the slanders that he may utter.

"What I did in the Missouri Rate case was done in open court with my conclusions reduced to writing and filed with the United States circuit court clerk in Kansas City. I do not intend to lose sleep over Mr. MURPHY'S resolution."

The statement of Judge McPherson follows:

"I know nothing about Congressman MURPHY, of Missouri, never heard of him until late last night, know nothing of his motives or purposes, and they are of no concern to me except that of course I do not like to be held up in an unfavorable light in public. His many 'wherereases' preceding his resolution are notable principally on account of the mistakes, both as to what he says and what he either omits or conceals. He, or some one for him, ought to have gone to the courthouse in Kansas City and obtained a memorandum of the orders which are on record and state the truth.

"The legislature of Missouri in the winter of 1905, passed a maximum freight law, pertaining to certain commodities. Governor Folk in signing that measure sent a message to the legislature to the effect that he signed it with reluctance, and practically saying that he doubted its validity.

"About the time that the statute took effect—in June, 1905—when I was holding court at Kansas City, the application was made to me for a restraining order against the enforcement of the law. I set the case down for hearing within one or two weeks with a temporary writ of injunction. Judge Phillips and I sat together in that matter and granted the temporary injunction.

"I filed no opinion, but I think Judge Phillips did—of this I am not certain. I had nothing more to do with that case, directly or indirectly, for about one year. Late in 1906 or early in 1907, the railway companies filed a motion to have the cases tried in open court. Attorney-General Hadley and his associates filed a motion to refer the case to a master in chancery.

"Judge Phillips overruled the railway companies and sustained the attorney-general and referred the case to Mr. Schofield, of Hannibal, Mo., who, as I understand it, was selected by agreement of both parties. My understanding is that Mr. Schofield is a gentleman of the highest character and attainments in his profession.

"In the winter of 1907, Attorney-General Hadley, in an official report, either to the governor or to the legislature, I have forgotten which, said that in view of the evidence already taken before the master in chancery that the statute of 1905 should be repealed and a substitute enacted therefor. The legislature did so. In 1907, when I was holding court in Kansas City, supplemental bills in equity of these 18 cases brought years before were filed, and I granted restraining orders, restraining the state officers from proceeding in the state courts.

"In the application for a temporary injunction, the matter was most elaborately and thoroughly argued, and after argument, both the attorney-general and his associates and the railway attorneys agreed that a temporary injunction might be issued as to the freight rate statute.

"I made an order denying the order as to the 2-cent passenger fare, insisting that the matter have a practical test for some months. Thus the matter stood until about June, 1908, when the attorney-general and his associates and the railway attorneys appeared before me at Kansas City and by written agreement filed an application that Judge Phillips's order sending the case to the master in chancery should be vacated and set aside; that the master should report the evidence as already taken; that balance of testimony should be taken in open court in Kansas City, commencing October 5, 1908.

"On that date I went to Kansas City, pursuant to agreement, and by mutual agreement the cases were put off until the Monday following election, namely, November 9. In the meantime I had had correspondence with Judge Phillips and with Judge Sanborn, senior circuit judge of this circuit, as to the trial of the cases and who should try them. Still later on I had a personal conference in St. Louis with the four circuit judges as to who should try the cases and whether single or associated with some other district judge or one or more of the circuit judges. What that correspondence and the discussion at the conference

of the four circuit judges was I must, in due respect to the others, decline to say, but the result of it all was that I was to proceed with the hearing of the cases, giving many weeks to the most arduous work. After the cases were submitted I requested that the two experts for the State and the two for the railway companies should remain with me for consultation, which they did for about ten days, resulting in an agreement by these four experts. These four experts reduced their agreement to writing, all four signing, and this is on file with the clerk of the circuit court at Kansas City.

"There has never been an order made by way of injunction as to the freight-rate statute, except as by agreement of attorneys on both sides, except, of course, the final decree made March 8, 1909, by me. I denied the temporary injunction as to passenger rates, and there has been no injunction as to them as to the final decree. As to the fishing trip of three years ago this winter I have but little to say. I was invited by Mr. Gardner Lathrop, now general solicitor for the Santa Fe system, a warm personal friend of mine, to go with the party to Tampico, Mexico, and was gone two or three weeks as his guest. I was then glad to be his guest, as I always am. Everybody who knows him knows that he is a perfect gentleman and a man of the highest character, as was his father before—the long-time president of the Missouri State University.

"In my opinion filed March 8, 1909, I said in substance that the fixing of rates was a legislative act, subject only to being reviewed by the courts as to whether such rates were sufficiently remunerative. I used language which we lawyers call 'dictum.' I said that the courts had no powers to fix rates, but that if I did have the power, I would fix the passenger rates at 2½ cents per mile for the stronger roads and 3 cents for the weaker roads.

"My understanding is that Governor Hadley was most delighted with that dictum, but I may be mistaken in that, and you will have to confer with Governor Hadley as to that. At all events, the railroads, through some of their counsel, were indignant at this expression, and recently filed a motion before me to eliminate that expression, which last week I denied by a written opinion now on file with the clerk of the court of Kansas City.

"The railways likewise moved that all the costs be taxed against the state officers, which fact would be against the State of Missouri. The taxable court costs, entirely separate from counsel and expert fees, amounts to the enormous sum of $18,000. I thought the equities of the situation were such as to warrant me in dividing the costs and compelling the railroads to pay $9,000 and the State of Missouri $9,000. The railroad companies have complained most earnestly and in some instances bitterly of this.

"As before stated, Judge Phillips has practically nothing whatever to do with these Missouri rate cases, and Mr. MURPHY has done him a great wrong by using his name in the way he has. Judge Phillips had a most brilliant reputation as a colonel of a Missouri regiment during the war. He commanded a brigade at the battle of Westport, and but few of the younger officers of the Union Army during the civil war have as fine a reputation as that earned by Judge Phillips. He is a most brilliant and capable man, and as pure as a good woman.

"Mr. MURPHY says in his resolution that he wants a committee appointed to make an investigation. I very much doubt whether he wants such a committee, because if he knows anything about the cases he knows that he can not substantiate one word or recital of his resolution. The records of the United States court at Kansas City are an absolute refutation of every disparaging recital he makes, but, of course, I shall not object to a committee, and if any one Member of Congress, aside from Mr. MURPHY, thinks there should be such a committee, I will gladly see it appointed.

"In my first decree, filed March 8, 1909, there were a number of mistakes made as to the names of parties and the omission to include parties and confusing parties to these 18 cases. There was a supplementary order made correcting these mistakes. My recollection is that is all there is to the order of April 17.

"As to the order of April 24, 1909, the railroad companies, by wire and long-distance telephone, wanted me to go to Kansas City, which I was unable to do, because of official engagements, but stated I would be in Kansas City May 5 to close up other matters in bankruptcy and of minor importance. Thereupon, as I understand it, Judge Phillips issued a restraining order against the parties from proceeding in the state court of St. Louis, and set the matter down for hearing in Kansas City, when and where I will be present.

"You ask me as to the so-called "conflict" of jurisdiction between the State and the United States courts. No one on either side of the cases questions the fact but that the cases were first brought in the United States courts at Kansas City in the summer of 1905. Right or wrong, I believe right, I held, in June, 1907, that the entire subject-matter was still pending in the United States courts at Kansas City, whereupon I allowed supplemental bills to be filed carrying forward the statutes of 1907, both as to freight and passenger rates.

"It is an elementary rule of law that the court which has taken jurisdiction of a subject-matter retains that jurisdiction until the final end, and that other courts can not intervene."

MR. MURPHY'S REPLY TO JUDGE M'PHERSON.

There is nothing personal or political in my action in introducing this resolution for an investigation of Judges Phillips and McPherson. I never saw the latter, but knew Judge Phillips on the bench and by reputation. A controversy at this stage of the proceedings can result in no good and will only serve to add fuel to the flames of an already indignant people in Missouri, over what they believe to be railroad domination through the federal courts to the destruction of their state courts.

These gentlemen have not been called upon for a defense, and whatever they might say will not clear the atmosphere in my State. The investigation ought to be had for two reasons: First, if our people are wrong in their belief and expressions, it can only be demonstrated by a fair and impartial investigation by Congress; secondly, it ought to be had in justice to the judges to clear them of unjust imputations, if such they are.

REQUEST FOR LEAVE TO PRINT.

Mr. SULZER. Mr. Speaker, I ask unanimous consent to print in the RECORD the proclamation of the governor of Maryland for the National Good Roads Convention, to be held in the city of Baltimore on May 18, 19, 20, and 21, and a few words of mine in connection therewith.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the RECORD his remarks on the subject of the National Good Roads Convention.

Mr. PAYNE. O Mr. Speaker, I regret very much to make an objection, but I am compelled to,

The SPEAKER. The gentleman from New York objects.

Mr. SULZER. Mr. Speaker, I trust the gentleman from New York will not object. This is an important matter of much interest to all the people of the country. I simply want to print, in connection with a few remarks of mine on the subject of national aid to good roads, the proclamation of the governor of Maryland calling this National Good Roads Convention.

Mr. PAYNE. Mr. Speaker, I think I shall have to object to my friend's request.

The SPEAKER. The gentleman from New York objects.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly the House (at 12 o'clock and 35 minutes p. m.), in accordance with the order heretofore agreed to, adjourned until Monday, May 10, 1909.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the message and accompanying papers, transmitting a copy of a franchise granted by the executive council of Porto Rico, April 8, 1909 (S. Doc. No. 27), was taken from the Speaker's table, referred to the Committee on Insular Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 9274) for the purchase of a site and the erection of a federal building at Las Cruces, N. Mex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9275) for the purchase of a site and the erection of a federal building at Las Vegas, N. Mex.—to the Committee on Public Buildings and Grounds.

By Mr. SCOTT: A bill (H. R. 9276) to provide for the purchase of a site and the erection of a public building thereon at Ottawa, in the State of Kansas—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9277) to erect a monument in memory of the Union soldiers who are interred in the national cemetery at Fort Scott, Kans.—to the Committee on Military Affairs.

Also, a bill (H. R. 9278) granting pensions to widows of certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 9279) to provide for the purchase of a site and the erection of a public building thereon at Mishawaka, in the State of Indiana—to the Committee on Public Buildings and Grounds.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9280) to authorize and require the Philadelphia, Baltimore and Washington Railroad Company to maintain and operate a track connection with the United States navy-yard in the city of Washington, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 9281) providing for the adjustment and payment of the accounts of letter carriers arising under the eight-hour law—to the Committee on Claims.

Also, a bill (H. R. 9282) to make October 12 of each and every year a public holiday, to be known as "Columbus Day"—to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 9283) authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. WANGER: A bill (H. R. 9284) to prevent the transportation of commodities in interstate commerce under certain conditions—to the Committee on Interstate and Foreign Commerce.

Also, joint resolution (H. J. Res. 53) relating to certain events in Turkey—to the Committee on Foreign Affairs.

By Mr. MADDEN: Memorial of the legislature of Illinois, reserving the rights of the States to impose a tax on inheritances—to the Committee on Ways and Means.

Also, a memorial of the legislature of Illinois, urging the passage of House bill 21848 (60th Cong., 1st sess.), providing for the preservation of the Lincoln farm—to the Committee on Appropriations.

Also, memorial of the legislature of Illinois, relating to old-age insurance—to the Committee on Ways and Means.

By Mr. FULLER: Memorial of the legislature of Illinois, in favor of proposed appropriation of $50,000 for work of Lincoln Farm Association—to the Committee on Appropriations.

By Mr. SABATH: Memorial of the legislature of Illinois, in favor of appropriation for work of the Lincoln Farm Association—to the Committee on Appropriations.

Also, memorial of the legislature of Illinois, concerning a system of old-age insurance—to the Committee on Ways and Means.

By Mr. ALEXANDER of Missouri: Memorial of the legislature of Missouri, concerning the service of the Missouri Home Guards—to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 9285) for the relief of Allen Place—to the Committee on Military Affairs.

By Mr. ALEXANDER of New York: A bill (H. R. 9286) granting an increase of pension to Gustave R. Waldo—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 9287) for the relief of Isaac A. Duncan—to the Committee on War Claims.

Also, a bill (H. R. 9288) for the relief of Carrick W. Crozier—to the Committee on War Claims.

Also, a bill (H. R. 9289) granting a pension to James C. Neil—to the Committee on Pensions.

Also, a bill (H. R. 9290) granting a pension to James Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9291) granting a pension to Harrison Henny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9292) granting a pension to Henry Dillard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9293) granting a pension to John Metler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9294) granting a pension to Nancy J. St. Clair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9295) granting an increase of pension to Andrew L. Cassady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9296) granting an increase of pension to W. A. Herrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9297) granting an increase of pension to Morgan C. Hackworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9298) to remove the charge of desertion standing against Gideon Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 9299) to remove the charge of desertion standing against Ransom Fritts—to the Committee on Military Affairs.

By Mr. BARNHART: A bill (H. R. 9300) granting an increase of pension to Nelson E. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9301) granting an increase of pension to Leonidas C. Kilgore—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 9302) to remove the charge of desertion against Jackson Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 9303) to remove the charge of desertion against Andrew Sells—to the Committee on Military Affairs.

By Mr. CAMERON: A bill (H. R. 9304) granting certain lands in the Coconino National Forest in Arizona for observatory purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 9305) granting an increase of pension to Alice I. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9306) granting a pension to Mary Jane Tillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9307) granting a pension to Lola Gallego—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9308) granting an increase of pension to Madison A. Smith—to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 9309) granting an increase of pension to Thomas L. Fielder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9310) granting an increase of pension to William L. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9311) granting an increase of pension to Charles Clarenbach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9312) granting an increase of pension to Archibald F. Bottoms—to the Committee on Invalid Pensions.

By Mr. COCKS of New York: A bill (H. R. 9313) granting a pension to Phoebe Ann Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9314) granting an increase of pension to William Schallenberg—to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 9315) for the relief of James Easson—to the Committee on War Claims.

By Mr. CULLOP: A bill (H. R. 9316) granting an increase of pension to Samuel J. Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9317) granting an increase of pension to Herman Schmidt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9318) granting an increase of pension to Jacob Walters—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 9319) granting an increase of pension to John W. Philbrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9320) granting an increase of pension to Imogene B. Tappan—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 9321) granting a pension to George Mahood—to the Committee on Pensions.

Also, a bill (H. R. 9322) granting a pension to John B. Buckley—to the Committee on Pensions.

Also, a bill (H. R. 9323) granting a pension to Esther M. Stanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9324) granting an increase of pension to Emma Winslow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9325) granting an increase of pension to William Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9326) granting an increase of pension to Robert Lyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9327) granting an increase of pension to James M. Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9328) granting an increase of pension to Oscar V. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9329) granting an increase of pension to Alonzo Fradenburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9330) granting an increase of pension to John Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9331) granting an increase of pension to Lawrence Byrne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9332) granting an increase of pension to Henry H. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9333) granting an increase of pension to William R. Fontaine—to the Committee on Pensions.

Also, a bill (H. R. 9334) granting an increase of pension to Emmett L. Warren, alias Alonson Warren—to the Committee on Pensions.

By Mr. DUREY: A bill (H. R. 9335) granting a pension to James Sullivan—to the Committee on Pensions.

Also, a bill (H. R. 9336) granting an increase of pension to Hiram Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9337) granting an increase of pension to Abram Mussey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9338) granting an increase of pension to Leander Snell—to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 9339) granting a pension to Ruth E. Dietz—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 9340) granting an increase of pension to John J. Nolan—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 9341) to authorize the President to appoint Brig. Gen. Frank D. Baldwin to the grade of major-general in the United States Army and place him on the retired list—to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 9342) for the relief of the estate of Frank Stine, deceased—to the Committee on War Claims.

By Mr. HULL of Tennessee: A bill (H. R. 9343) granting an increase of pension to William R. Pruette—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9344) granting an increase of pension to Robert F. Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9345) granting an increase of pension to Joseph Stonecipher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9346) granting an increase of pension to Henry L. Whittenburg—to the Committee on Pensions.

Also, a bill (H. R. 9347) granting an increase of pension to Barzilla T. Monday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9348) granting an increase of pension to John Reader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9349) granting a pension to Buford McCampbell Collins—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 9350) to correct the military record of Joseph R. Scott—to the Committee on Military Affairs.

By Mr. LOWDEN: A bill (H. R. 9351) for the relief of Earl E. White—to the Committee on Claims.

Also, a bill (H. R. 9352) granting an increase of pension to Henry King—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9353) for the relief of Henry P. Grant, of Phillips County, Ark.—to the Committee on Claims.

By Mr. MADISON: A bill (H. R. 9354) granting an increase of pension to Hiram Wing—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 9355) granting an increase of pension to Elizabeth Woodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9356) granting an increase of pension to John J. Kane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9357) authorizing appointment of Hugh T. Reed upon retired list of the army, with rank of captain with twenty years' service—to the Committee on Military Affairs.

By Mr. McCALL: A bill (H. R. 9358) granting a pension to Lucy A. Deering—to the Committee on Invalid Pensions.

By Mr. McHENRY: A bill (H. R. 9359) granting an increase of pension to Michael O'Brien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9360) granting an increase of pension to Daniel Oyster—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 9361) granting an increase of pension to Greenberry Clayton—to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9362) granting a pension to Thomas J. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9363) for the relief of Mrs. Charles F. Kullcke—to the Committee on Claims.

Also, a bill (H. R. 9364) to amend the record and grant an honorable discharge to David Griffin—to the Committee on Military Affairs.

By Mr. PARSONS: A bill (H. R. 9365) making an appropriation to pay a certain judgment—to the Committee on Appropriations.

By Mr. RAUCH: A bill (H. R. 9366) granting an increase of pension to William Delvin—to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 9367) granting a pension to John B. Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9368) for the relief of the estate of James Scull—to the Committee on War Claims.

Also, a bill (H. R. 9369) for the relief of the firm of Bertrand & Scull, late of Arkansas—to the Committee on War Claims.

By Mr. RUCKER of Colorado: A bill (H. R. 9370) granting a pension to Mary Nolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9371) to authorize the President to appoint Brig. Gen. Frank D. Baldwin to the grade of major-general in the United States Army, and place him on the retired list—to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 9372) granting a pension to Margaret Dickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9373) granting a pension to Clara J. Kiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9374) granting an increase of pension to Samuel H. Bawden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9375) granting an increase of pension to Richard Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9376) granting an increase of pension to George W. Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9377) granting an increase of pension to Ulrich Levenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9378) granting an increase of pension to David Detty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9379) granting an increase of pension to Floyd Cornwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9380) granting an increase of pension to Benjamin F. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9381) granting an increase of pension to Amanda Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9382) granting an increase of pension to Michael Stagg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9383) granting an increase of pension to George W. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9384) granting an increase of pension to James M. Stanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9385) granting an increase of pension to Darwin S. Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9386) granting an increase of pension to Henry Carbon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9387) granting an increase of pension to William A. Drew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9388) granting an increase of pension to John Hiet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9389) granting an increase of pension to Mary Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9390) granting an increase of pension to Estella M. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9391) granting an increase of pension to John E. Herriott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9392) granting an increase of pension to Jesse D. Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9393) for the relief of Albert H. Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 9394) for the relief of the legal representatives of Sarah D. Bookout, late of Jackson County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 9395) for the relief of Elizabeth A. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9396) for the relief of Benjamin P. Head—to the Committee on Military Affairs.

Also, a bill (H. R. 9397) for the relief of George W. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 9398) for the relief of J. M. Johnston—to the Committee on War Claims.

Also, a bill (H. R. 9399) for the relief of Charles Flanders—to the Committee on War Claims.

Also, a bill (H. R. 9400) for the relief of Franklin S. Cowan—to the Committee on Military Affairs.

Also, a bill (H. R. 9401) for the relief of Harry Hume Ainsworth—to the Committee on Military Affairs.

By Mr. SHARP: A bill (H. R. 9402) granting an increase of pension to Gilbert E. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9403) granting an increase of pension to Frederick B. Nevin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9404) granting an increase of pension to Samuel Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9405) granting an increase of pension to John Rexford—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 9406) granting an increase of pension to John B. Welcome, alias John Gendron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9407) granting an increase of pension to Joseph G. Marsh, alias Joseph Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9408) granting an increase of pension to A. Wesley Eastman—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 9409) granting an increase of pension to John W. Howland—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 9410) granting an increase of pension to John Campbell—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 9411) granting a pension to Frances T. Goldsmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9412) granting an increase of pension to George Hoyte—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of Missouri: Papers to accompany bill for the relief of Allen Place—to the Committee on Military Affairs.

Also, papers to accompany H. R. 2772, granting an increase of pension to Martin V. Hilton—to the Committee on Invalid Pensions.

By Mr. AUSTIN: Petition of citizens of Lenoir City, Tenn., in favor of parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Loudon and Rockwood, Tenn., favoring parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., opposing advance of duty on gloves—to the Committee on Ways and Means.

Also, petition of National Association of Employing Lithographers, urging an increase of duty on post cards and other lithographic products—to the Committee on Ways and Means.

By Mr. CHAPMAN: Petition of citizens of Carmi, Ill., urging suppression of the liquor traffic between the States—to the Committee on the Judiciary.

By Mr. DANIEL A. DRISCOLL: Petition of Kirtland Brothers & Co., of New York City, favoring putting empty rifle shells on free list—to the Committee on Ways and Means.

Also, petition of glue manufacturers of the United States, favoring tax on glue—to the Committee on Ways and Means.

Also, petition of J. H. Arnholt and 16 others of Buffalo, N. Y., opposing tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of M. J. Bernhard, of Buffalo, N. Y., favoring reduction of tariff on glass—to the Committee on Ways and Means.

Also, petition of John Karn and 4 others, of Buffalo, N. Y., opposing tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of A. J. Thompson and 49 other members of Local No. 4, International Photo Lithographers' Union, of Buffalo, N. Y., asking additional protection on lithographic products—to the Committee on Ways and Means.

By Mr. DUREY: Papers to accompany bill granting an increase of pension to Abram Mussey—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Hiram Babcock—to the Committee on Invalid Pensions.

By Mr. FORNES: Petition of W. J. Butterfield, of New York City, favoring duty on tea—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops, of New York City, favoring reduction of tariff on crude cocoa—to the Committee on Ways and Means.

By Mr. FULLER: Petition of George Staber, of New York City, against increase of duty on print paper—to the Committee on Ways and Means.

Also, petition of Stereotypers' Union of Chicago, Ill., for modification of postal regulations about second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Edward & John Burke (Limited), of Chicago, Ill., against increase of duty on stout and ginger ale—to the Committee on Ways and Means.

Also, petition of Rosenthal, King & Hirschl, of Chicago, Ill., for duty as follows: Iron ore, 25 cents per ton; pig iron, $3 per ton; scrap iron, $3 per ton—to the Committee on Ways and Means.

Also, petition of Isaac Prouty & Co., of Spencer, Mass., favoring free hides—to the Committee on Ways and Means.

Also, petition of J. Schmitt & Son and others, of New York City, favoring a fair protection on precious stones—to the Committee on Ways and Means.

Also, petition of Jobet Bethard Company, of Peoria, Ill., for a reduction of proposed duty on olives in bulk—to the Committee on Ways and Means.

By Mr. GARNER of Texas: Petition of citizens of Caldwell, Tex., opposing duties on essential oils—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of New York Produce Exchange of New York City, favoring reduction of tariff—to the Committee on Ways and Means.

Also, petition of citizens of New York City, at mass meeting, urging the termination of convention with Russia for the extradition of criminals—to the Committee on Foreign Affairs.

Also, petition of Charles F. Biele, of New York City, urging reduction of tariff on glass—to the Committee on Ways and Means.

Also, petition of Farm Life, favoring free lumber—to the Committee on Ways and Means.

Also, resolutions of Kitchener Post, No. 60, Grand Army of the Republic, of Yonkers, N. Y., favoring raising U. S. battle ship *Maine* in Cuban waters—to the Committee on Appropriations.

By Mr. HANNA: Petition of citizens of Mandan, N. Dak., opposing establishment of parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. MAGUIRE of Nebraska: Petition of Commercial Club of Omaha, Nebr., for large appropriations for rivers and harbors—to the Committee on Rivers and Harbors.

By Mr. MOORE of Pennsylvania: Petition of various users of aniline colors and coal-tar products, approving of duties imposed on the manufactured colors and products and the free admission of raw materials, as set forth in the Payne tariff bill—to the Committee on Ways and Means.

Also, petitions of United Italy Humbert Legion Association; the Society Consodella M. S. S. di Monte Carmello; the Societ. of San Giuseppe di M. S. Cattolica; the Society Italian di M. S. dello Santissimo Sacramento; the Society of Italian Shoemakers; the Society Italian di M. S. Stacia E. Maria S. S. della Neve; the Society Venafrana di M. S. San Nicandro; the Society di M. S. della Immacolata Concezione; the Society S. Francisco di Paola e Maria S. S. di Constantinople; the Society Maria S. S. del Carmine Italiana di M. S.; United Garment Workers of America, Local Union No. 66, Italian tailors; Society Maria S. S. di Avigliano; Italian Hatmakers' Beneficial Association; Giuseppe Verdi Building and Loan Association; Society Gian Vincenzo Gravina, etc.; Society Maria S. S. del Succarso; Society San Gennario P. di M. N.; First Reggimento Genio ad Artiglieria; Society Agata di Gota pro Benevento; Society Chietina Italia di M. S.; Holy Mary Mercy Italia Mutual Benefit Association; First Italiana-America Building Association; Society Italia di M. S. Campagnesi; Society La Crinaeria I. di M. S.; Unione e Fratellanza Italiana; Society Italia di M. S. S. Filomena di Casalgun P. Benevente; Society Italia di M. S. Basilicata; Society S. Biagia; Society Maria S. S. Assunta del Pilento; Italian Federation; Court Dante, No. 280, Foresters of America; Society Stella di Italia; Society First Reggimento Artiglieria di Campagna Italiana di M. S.; Court Giosui Carducci, No. 332, Foresters of America; Society Italiana di M. S. Michele Arcanngelo; Court Americus Vespucci, No. 234, Foresters of America; Society Italiana di M. S. Castle Nubulano; Society S. Rinaldo; Italiana di M. S. S. Antonio di Padova; Society M. S. Maria S. S. della Libera; Society M. S. Italiana San Nicola; Dante Circle, No. 774, Foresters of America; Society Consodella Regina; and Society Giuseppe Corbi, all of Philadelphia, Pa., each and all favoring adoption of October 12 as a legal holiday to be called "Columbus Day"—to the Committee on the Judiciary.

By Mr. NORRIS: Petition of citizens of Grand Island, Nebr., opposing parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON: Paper to accompany bill for relief of R. A. Sisson—to the Committee on Invalid Pensions.

By Mr. SHEFFIELD: Petition of Newport (R. I.) Medical Society, in favor of national department of public health—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of National Child Labor Commission, for a national children's bureau—to the Committee on Expenditures in the Interior Department.

Also, petition of Jewelers' Board of Trade, for creation of a permanent nonpartisan tariff commission—to the Committee on Ways and Means.

Also, petition of New York Produce Exchange, favoring reduction of duty on agricultural products—to the Committee on Ways and Means.

Also, petition of Farm Life, New York City, for repeal of duty on lumber—to the Committee on Ways and Means.

Also, petition of National Association of Employing Lithographers, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Keasbey & Mattison Company, relative to duty on carbonate of magnesia—to the Committee on Ways and Means.

Also, petition of J. Schmidt & Son and others, of New York City, favoring moderate duty on precious stones—to the Committee on Ways and Means.

Also, petition of John E. Brodsky, against increase of duty on beer—to the Committee on Ways and Means.

Also, petition of Eugene F. Clemens, of Palmer, N. Y., favoring H. R. 16880 (60th Cong., 1st sess.)—to the Committee on the District of Columbia.

Also, petition of George Staber, of New York City, against increase of duty on print paper—to the Committee on Ways and Means.

Also, petition of Myer S. Franklin, for abrogation of present extradition treaty with Russia—to the Committee on Foreign Affairs.

Also, petition of William English Walling, favoring termination of the convention for the extradition of criminals—to the Committee on Foreign Affairs.

By Mr. TAYLOR of Ohio: Petition of Terry Engraving Company, J. C. Spangler, and other citizens of Columbus, Ohio, asking increase of duty on post cards—to the Committee on Ways and Means.

Also, petition of W. A. Marzle and other citizens of Columbus, Ohio, opposing duty on tea or coffee—to the Committee on Ways and Means.

SENATE.

FRIDAY, *May 7, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. FRYE presented a memorial of sundry citizens of Maine, remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Osawatomie, Gridley, Lawrence, Le Roy, Westphalia, and Garnett, all in the State of Kansas, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. BRIGGS presented a petition of Local Union No. 3, National Print Cutters' Association, of New Brunswick, N. J., praying for an increase of the duty on wall paper, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the erection of a walled island about the

wreck of the U. S. battle ship *Maine* in Habana Harbor, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry shoe manufacturers of Newark, N. J., praying for the retention of hides on the free list, which was ordered to lie on the table.

He also presented a petition of Pride of Amboy Lodge, No. 755, Brotherhood of Locomotive Firemen, of Perth Amboy, N. J., praying for the enactment of legislation providing for the inspection of boilers on railroad trains, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the New Jersey State Federation of Labor, remonstrating against any reduction of the duty on iron and steel, which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 742, Benevolent and Protective Order of Elks, of Long Branch, N. J., praying for the enactment of legislation to create a reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SCOTT presented a petition of the Board of Trade of Martinsburg, W. Va., which was ordered to lie on the table and be printed in the RECORD, as follows:

OFFICE OF THE BOARD OF TRADE OF MARTINSBURG,
Martinsburg, W. Va.

Whereas the Kilbourn Knitting Machine Company have located and are operating in this city two large hosiery mills, which employ 700 hands, who are residents living in this city; and

Whereas 95 per cent of the product of both of these mills consists of men's half hose, retailing at 25 cents per pair, and come into direct competition with foreign-made goods; and

Whereas we are satisfied, from the details of said business known to us, that said mills can not run to their full capacity, paying the present scale of wages and market their product in competition with the price at which foreign-made hosiery is being sold in the United States; and

Whereas we believe that the hosiery schedule, as provided in the Payne tariff bill, will enable the Kilbourn Knitting Machine Company to operate both of their mills at the present rate of wages at their full capacity, and without adding one cent to the cost of its product to the consumer: Now, therefore, be it

Resolved, That the executive officers of this board of trade be, and they are hereby, authorized by this committee to respectfully request Hon. NELSON W. ALDRICH, chairman of the Finance Committee of the United States Senate, and the Finance Committee of the United States Senate, to put into the Senate tariff bill the hosiery schedule as contained in the Payne tariff bill as passed by the House of Representatives; and be it further

Resolved, That the executive officers of this board of trade do present with their request a certified copy of these resolutions, and that a copy of these resolutions be sent to each of the Senators from this State.

Mr. LA FOLLETTE presented a memorial of sundry brewers and maltsters of Wisconsin, which was ordered to lie on the table and be printed in the RECORD, as follows:

PROTEST AGAINST THE REDUCTION OF DUTY ON BARLEY.

MILWAUKEE, WIS., *March 30, 1909.*

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.:

We, the undersigned brewers and maltsters of Wisconsin, respectfully protest against the reduction of the import duty on barley from 30 cents to 15 cents, such as is proposed in the new tariff bill.

Looking at the proposed reduction in a broad way, it must be apparent that the same is likely not made for revenue purposes, but is seemingly a compromise with certain eastern maltsters, who have been advocating putting barley on the free list in order to secure advantages over their western competitors. Their plants being located adjacent to good Canadian barley fields—which are known to produce a superior quality of barley—a low rate of duty, combined with a low rate of freight, will make possible for them to secure at a low price this barley which by nature of conditions could not be obtained by their western competitors; hence it would result in their practically monopolizing same.

That the northwestern farmer has been greatly benefited by the protective duty of 30 cents, effective since the Dingley bill became a law in 1897, is amply proven by the increase in the barley production in the United States, i. e., from 50,000,000 to 70,000,000 at that time to an average of 150,000,000 to 170,000,000 in the last five years. Under the Dingley tariff the Detroit, Buffalo, and other eastern maltsters have been on the same basis with the western manufacturers, and it is therefore apparent that the appeal of the eastern maltsters is not to put themselves on an equality with the western maltsters, but they are trying to secure an unfair advantage. That the western maltster is at present on an equal basis with his western competitor is proven conclusively by the numerous malting plants, including one of the largest in the country, that have been erected in recent years at Buffalo. This clearly proves that the eastern maltster is not in need of the Canadian barley.

The large percentage of malt consumers are not asking for any reduction. Their interests generally are with the farmer. In every convention of these interests resolutions have been passed urging the United States farmers to improve the quality of the barley, for which they are willing to pay an advanced price. Furthermore, brewers and distillers do not advocate free barley, for in the prohibition fight the brewers' and farmers' interests are mutual. The brewer needs the farmer's barley and the farmer's vote. The farmer needs the brewers to consume his barley and other farm products. The eastern maltster asks Congress to destroy the production of a farm product that brought the farmers of the United States in the last ten years $800,000,000 and the railroads upward of $80,000,000 freight, hauling the barley to market.

A feature not generally known is that land in western Canada can be procured for practically nothing. Comparing this with the average farm value in Wisconsin and Minnesota, namely, $75 to $100 per acre, it is apparent that the northwestern farmer would be at a disadvantage to the extent of the interest on his investment, amounting to $4 to $5 per acre per annum, and is at a further disadvantage on account of the lower freight rates to eastern points, due to the Canadian railroads being subsidized.

Will this Government enact a measure which will destroy a farm revenue of over $100,000,000 per annum? The framers of the McKinley, Wilson, and Dingley tariffs saw the necessity of placing a prohibitive tariff on both barley and malt. They saw that barley growing added wealth, both to the United States and to the American farmer; hence they put up a wall over which no barley came.

Immediately prior to the time the 30-cent duty went into effect the importations from Canada under a 10-cent protective duty amounted to over 11,000,000 bushels. Considering that at that time the brewing industry amounted to approximately only 50 per cent of its present capacity, the immense loss through a reduction of the tariff to the northwestern barley-growing farmer must be apparent.

That the northwestern farmer should be protected is proven by government statistics showing the barley production in the various States during 1908, which was as follows:

	Bushels.	Acres.
Wisconsin	24,750,000	825,000
Minnesota	32,500,000	1,300,000
Iowa	13,500,000	500,000
North Dakota	18,330,000	940,000
South Dakota	24,592,000	928,000
Kansas	4,400,000	275,000
Nebraska	2,773,000	118,000
Michigan	1,785,000	70,000
Other Middle-Western States	8,622,000	292,000
California	25,427,000	1,082,000
Washington	5,185,000	170,000
Oregon	1,798,000	62,000
New York and all other Eastern States	3,084,000	114,000
Total	166,756,000	6,646,000

That the eastern maltster represents only a small percentage of the entire malt industry is shown by the following:

MALT PRODUCTION.

	Bushels.
West of Buffalo	56,000,000
Buffalo and east thereof	14,000,000
Total	70,000,000

From the foregoing it is apparent that the northwestern farmer under a 15-cent tariff could not possibly compete with his barley in the eastern market where a large portion of the malt is used. A lower and insufficient duty can do no possible general good to the American farmer, manufacturer, or consumer, and can only redound to the benefit of the Canadian barley grower and a few eastern maltsters.

For aforementioned reasons the undersigned most earnestly protest against any reduction of the present tariff on barley, and urge you to do all within your power and use your influence to defeat the proposed reduction.

Milwaukee-Western Malt Company, Milwaukee, per Albert Zinn, president; The Maur Tonic Malting Company, Manitowoc, by William Rahr, president; Milwaukee Malting Company, Milwaukee, by Runo E. Lyons, secretary; West Bend Brewing Company, West Bend, Wis., Andrew Peck, secretary; Pabst Brewing Company, Milwaukee, by Gustave Pabst, president; Cream City Brewing Company, Milwaukee, Gavolf Meyer, vice-president; Val Blatz Brewing Company, Albert C. Blatz, president; Jung Brewing Company, Gustaff Jung, president; Milwaukee Brewery Company, G. Besherer, president and treasurer; The Wm. Raler Sons Company, maltsters, Manitowoc, Wis.; The Chilton Malting Company, Chilton, Wis., per F. J. Egun; L. Rosenheim Manufacturing Company, Kewaskum, Wis., per L. P. Rosenheim; The Lytle-Hoppenbach Company, Jefferson, Wis., H. H. Cadish, secretary and treasurer; A. G. Laubenstein, Hartford, Wis., per A. G. Laubenstein; Rubicon Malting and Grain Company, Rubicon, Wis., per B. A. Hauser; Froedtnt Brothers, grain and malting, Milwaukee; Portz Brothers, Hartford, Wis.; Wisconsin Malt and Grain Company, Appleton, Wis.; The Badger State Malt Company, Waterloo, Wis.; and The Konrad-Schreler Company, Sheboygan, Wis.

Mr. DEPEW presented a petition of sundry manufacturers of cutlery in the State of New York, praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

Mr. LODGE presented a memorial of sundry citizens of Northboro and Berlin, Mass., remonstrating against an increase of the duty on the necessaries of life, which was ordered to lie on the table.

Mr. ROOT presented a memorial of sundry retail jewelers of New York City, N. Y., remonstrating against the repeal of the duty on imported watches, which was ordered to lie on the table.

He also presented a petition of the board of managers of the Produce Exchange of New York, praying for a reduction of the duty on wheat, corn, and oats, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York, remonstrating against a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

He also presented petitions of sundry employees of lumber manufacturers of North Tonawanda, N. Y., praying for the retention of the present duty on dressed lumber, which were ordered to lie on the table.

He also presented memorials of sundry owners and operatives of planing mills and lumber handlers of North Tonawanda, N. Y., remonstrating against the removal of the duty on dressed lumber imported from foreign markets and praying that the present duty be maintained, which were ordered to lie on the table.

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Mr. BRANDEGEE presented a petition of sundry manufacturers of Meriden, Hotchkissville, Winsted, Lakeville, New Britain, Thomaston, Waterville, and Northfield, all in the State of Connecticut, praying for the retention of the proposed duty on imported knives and erasers, which was ordered to lie on the table.

He also presented a memorial of Local Grange No. 72, Patrons of Husbandry, of Plymouth, Conn., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

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Mr. SIMMONS presented petitions of F. A. Harrington and sundry other citizens of Clarkton, N. C., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CRANE presented the petition of A. Hidalgo Rizal and sundry other natives of the Philippine Islands, temporarily residing in Massachusetts, praying that all reference to the duty on products imported from or exported to those islands be omitted from the proposed tariff bill, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RICHARDSON:

A bill (S. 2280) for the relief of Charles W. Johnston, and of Harry C. Maull and Charles S. Morris, administrator of Elihu J. Morris, his sureties; to the Committee on Claims.

By Mr. CLARK of Wyoming:

A bill (S. 2281) granting an increase of pension to Lucius A. Hancock; to the Committee on Pensions.

By Mr. BRIGGS:

A bill (S. 2282) for the relief of Allan L. Briggs; to the Committee on Claims.

A bill (S. 2283) granting a pension to Sarah Frances Barriger;

A bill (S. 2284) granting an increase of pension to S. Louise Perry; and

A bill (S. 2285) granting an increase of pension to George S. Connor; to the Committee on Pensions.

OCCUPATIONS AND THEIR RELATION TO THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Secretary read resolution No. 43, submitted yesterday by Mr. CULBERSON, as follows:

Senate resolution 43.

Resolved, That there be printed as a document an article by the late Edward Atkinson, contained in the Quarterly Journal of Economics for the month of February, 1903, pages 280 to 292.

Mr. ALDRICH. The Senator from Texas [Mr. CULBERSON] does not seem to be in his seat. I have not had an opportunity yet to examine the publication.

The VICE-PRESIDENT. Without objection, the resolution will go over until to-morrow. It goes over.

AMENDMENT TO THE TARIFF BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The calendar is in order. The Secretary will announce the bill on the calendar.

The SECRETARY. A bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. HALE. Mr. President, I think probably there is not a quorum present, as there ought to be.

The VICE-PRESIDENT. The Senator from Maine suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Hale	Rayner
Bacon	Clarke, Ark.	Heyburn	Richardson
Bankhead	Clay	Hughes	Root
Borah	Crawford	Johnson, N. Dak.	Scott
Bradley	Cullom	Johnston, Ala.	Shively
Brandegee	Cummins	Jones	Smith, Md.
Briggs	Curtis	Kean	Smith, Mich.
Bristow	Dick	La Follette	Smith, S. C.
Brown	Dillingham	Lodge	Stone
Bulkeley	Dolliver	McCumber	Sutherland
Burkett	Fletcher	McLaurin	Taliaferro
Burnham	Flint	Nelson	Tillman
Burrows	Frazier	Newlands	Warner
Burton	Frye	Oliver	Warren
Carter	Gamble	Overman	Wetmore
Chamberlain	Gore	Page	
Clapp	Guggenheim	Perkins	

Mr. McLAURIN. My colleague [Mr. MONEY] is in the State of Florida, in response to an invitation to address the legislature of that State.

The VICE-PRESIDENT. Sixty-six Senators have answered the roll call. A quorum of the Senate is present.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CLAPP. Mr. President, a few mornings since, the senior Senator from Maryland [Mr. RAYNER], speaking of himself in reference to the pending bill, asked the question, Where am I? It has occurred to me that related to this matter in the concrete we might well inquire where are we, for during the last few days I have heard some propositions announced in the Senate very much at variance with the traditions that so long have prevailed in this country with reference to the tariff. I shall not devote any time to advocating the advantage of a protective tariff. What might have been the result if years ago at the dawn of our growth we had adopted the policy of depending only upon that development which would come to us by reason of geographical and natural conditions, it is useless to say. While we might under that condition have been to-day but a small people numerically, it may be that in the average of American life we would have been as well off as we are under the highly stimulated condition which pertains to the industrial life of this country. But it is too late to go back and retrace our steps. To-day, commercially and industrially, we are engaged in a struggle that is world-wide.

The Senator from Texas [Mr. BAILEY] stated the other morning that, in his judgment, a bounty upon exports rested upon the same principle as a protective tariff. I not only agree to that, but, Mr. President, I go one step further. Startling as it may seem to some, I undertake to say that the employment of legislation and governmental policy along any line designed to stimulate industrial activity rests upon the same principle as a protective tariff. When a government will sacrifice one interest to the building up of another, when a government through legislative policy will cheapen the food of its people to enable the manufacturer to get cheaper labor, to the end that the manufacturer may prosper, it is as absolutely the employment and invoking of a governmental adjunct to industrial life, inequitable as it may be, as the establishment of a protective tariff. Measured by that test, every great nation to-day upon this earth invokes this principle in one or more of these systems. That being true, it would be idle to talk of this great Nation reversing its policy.

Before I go any further, I want to point out what, to my mind, has been lost sight of in this debate, and that is the distinction between a tariff for revenue and a protective policy. By common acceptation to-day a tariff for revenue upon noncompetitive articles is called a "free-trade policy." England gathers through her custom-houses a small percentage more, I believe, per capita than we do; yet no one would object to the phrase, "Free-trade England." So, in dealing with that phase of the tariff which relates solely to revenue, I shall refer to it as a free-trade revenue tariff.

Now, there are two certain peculiarities that attach to that kind of a tariff, it is perhaps true that in rare instances a tariff levied upon a noncompetitive article may be absorbed in the manufacture of another article and sold in competition with an article that does not contain that particular element, and thus not to be added to the cost, and again, a tariff for revenue may be so slight upon a specific object that it is lost in the transmission. But, as a rule, I undertake to say

that a purely revenue tariff upon noncompetitive articles in the end rests upon the consumption, and is properly called a "tax."

Another peculiarity of a distinctive revenue tariff is that unless you raise it high enough to deter consumption by the increased cost, the higher you raise that tariff the more revenue you obtain from it. So the man who stands solely and squarely for a revenue tariff must recognize that he stands for a tax, in the last analysis falling upon the consumer, and stands for a system that the higher the tax the more revenue.

Turning for a moment, now, to a distinctive protective tariff, a tariff upon imported articles in competition with our own production, the differences are exactly reversed. It is true that in some instances a protective tariff finally rests and finds its last analysis in an added cost to the consumer, but that is not the rule. There are Senators in this Chamber, perhaps, who have been engaged in the hardware business. If there are, they can recall the day when steel wire nails were selling so close to the figure of the tariff itself as to render it absolutely impossible that that tariff could be added to the productive cost of the home product in making the price of those nails. The Senators from Massachusetts will recall the time when cotton cloth at the factory sold so close to the tariff itself as to absolutely preclude the idea that that tariff was added to the home manufacturer's cost in the price. The Senators from Michigan will recall the time when a barrel of salt, barrel and all, sold so close to the tariff itself as to preclude the tariff being added to the cost of the home salt in the final price.

It is difficult to analyze this phase of the question, because it is difficult to find conditions alike at different periods. But in 1890, after the passage of the McKinley bill, the Finance Committee of the Senate investigated that subject from a nonpartisan standpoint. If there was ever a normal period in the life of this Nation, it was the year following the passage of that bill. During that year examination showed that instead of the tariff having been added to the price, in fact, under the stimulus of competition and production, the price had fallen upon some 215 articles something like four and a fraction per cent. Clearly that was not due to any depression, because during that same period the wage scale had increased slightly, and the wage scale never increases in a period of depression.

Even the Senator from Georgia [Mr. BACON] admitted the other day that a distinctive protective duty is not always added to the cost, and the Senator from North Carolina [Mr. SIMMONS], with his usual frankness, admitted in relation to the tariff that he was discussing that that tariff did not go to the price, but it went to the master of the market.

Now, another peculiarity of the protective tariff is that unless that tariff is at a prohibitive point, to reduce the tariff increases imports, and if that reduction is not too marked in the relation of increased imports to the reduction of rates, you get an increased production of revenue. So plain is this proposition that the Democratic platform in 1868, I think it was, challenged the protective policy of the Republican party on the ground that the high protective duties lessened the revenues of the country.

Yesterday the Senator from Nevada [Mr. NEWLANDS] suggested that the friends of revision on this side and the friends of revision on the other side, along the line of the reduction of the rates, might well unite upon some plan. While there may be here and there a point where one on the one side and another upon the other wishing a given tariff could vote together, the difficulty is that you can not reconcile these conflicting principles. The man who plants himself squarely upon a tariff for revenue recognizes the fact, and he must recognize the fact, that the higher that tariff the more revenue, unless it gets so high as to bar the importations. On the other hand, he must recognize, with reference to protection, that the reduction of the duty within any reasonable limit increases importations, and within proper limits will actually increase the revenue itself.

Now, the difficulty with the man who attempts that is that, in the forum of his own conscience, when he meets a commodity from his own State that requires protection he has got to balance between two opposite principles, and he is obliged to sacrifice one of those principles to the other, while the man who stands squarely upon the proposition of a protective tariff, but to reduce that tariff to a reasonable limit, measuring the difference of cost in production, is confronted by no such embarrassment at any point along the line.

A great deal has been said during this debate about labor and about the labor unions being more responsible for the scale of wages in this country than any tariff provision or tariff policy. While organization has affected wages, organization is powerless to supply labor, as has been seen in every great depression. In relation to labor, it has been suggested that only a small percentage of the labor of America is under protected industries. Mr. President, that to me is a very narrow and superficial view of the benefits of protection. Some years ago General Hancock declared that the tariff was a local issue. If we measure the tariff question by the greed and fear which prompt a man with one industry in his locality to demand tariff with reference alone to that production, then it is a local issue; but if we recognize it with reference to the entire people, it rises above a local issue. Take a great factory in Ohio, where there are a thousand men employed, and we will assume that that factory requires a certain degree of protection. I want to ask the tariff-for-revenue advocate if he believes the only people in this country interested in that factory are the thousand men thus employed? If that is the limit, then there is doubtful warrant for that tariff. But I ask, Is not the shoemaker who makes shoes for that thousand men, is not the farmer who feeds that thousand men, interested in the question whether they shall be idle or whether they shall receive remunerative wages? Multiply that industry by the multiplied activities of this Nation, and you have a policy that reaches from one ocean to the other, with the welfare of a people interwoven at every point.

But it is said that while we protect the article we do not protect the laborer, and that the laborer comes here and comes in competition with the laborer who originally was here. Mr. President, this, too, is narrow and superficial. To illustrate: Here is a man in Geneva engaged in making watches. Here is another man in Elgin engaged in making watches. I know no way save one, too brutal to suggest, by which the Elgin watchmaker can get rid of the personal competition somewhere of the Geneva watchmaker. In the world's wide equation of prices and production, he has got to meet that personal competition.

But we will assume that there is a difference in the wage scale between Geneva and Elgin and we put that difference in a tariff law. The Geneva watchmaker comes to Elgin. Then the tariff-for-revenue-only man exclaims, "You have done no good; you have given no protection, because the Geneva workman has come to Elgin."

Mr. President, does it make no difference to the Elgin watchmaker whether he must compete with the Geneva man in Geneva on the Geneva scale of prices or compete at Elgin on the Elgin scale of prices? Does it make no difference to the American shoemaker whether, when he furnishes the shoes for the Geneva watchmaker, he must furnish them on the Geneva scale of prices or furnish them on the Elgin scale of prices? Does it make no difference to the American farmer, if he is to feed the Geneva watchmaker, whether he shall feed that watchmaker upon the Geneva scale of prices and pay the freight, as he must upon the article which goes out of his land into world-wide competition, or whether he saves that freight and feeds the Geneva watchmaker on the Elgin scale of prices?

It seems to me that that argument is simply unanswerable, and yet in this discussion we seem to have lost sight of both these points.

By this time, if anyone, in looking through the RECORD to find something that he really wants, should happen to stumble upon these remarks, he may conclude that I am in favor of protection; before he finishes reading he will conclude that I am in favor of a fair protection in the spirit of our promise. We stand now at the threshold of revision; and, Mr. President, I can discuss this question of revision with a good deal of freedom. Unlike the junior Senator from Iowa [Mr. CUMMINS], I am not responsible for this conditon. I have believed for years that the wise policy for Congress to pursue, instead of plunging this country into the hysteria of a general revision, was from time to time to take this article or that, which was no longer necessary, and deal with this question from that standpoint.

But it was said we could not do that. Two years ago I proposed to men who have a large share in molding the policy of the Senate that we proceed to take the duty off of lumber. I had known for years that the lumbermen, if the lumber duty could be removed, outside of the wild, exaggerated fear born of this hysterical condition would not lift a hand to oppose it. I had known for years that the duty on lumber bore no earthly relation to the price, production, or market protection. But, no; it was said we could not do that. I want to submit to the Senate that if we could not remove the duty or lower the duty upon one article, how could we expect to succeed when we had all the combined industries united in an opposition born of a common fear?

It is every day's experience that if we have opposition to deal with, we ought to reach that opposition before the opposition is solidified. So long as Napoleon could meet the armies of Europe one by one, he could baffle all the armies of Europe. It was only when the armies were combined and he could no longer spring

He also presented petitions of sundry employees of lumber manufacturers of North Tonawanda, N. Y., praying for the retention of the present duty on dressed lumber, which were ordered to lie on the table.

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Bristow	Dick	La Follette	Smith, S. C.
Brown	Dillingham	Lodge	Stone
Bulkeley	Dolliver	McCumber	Sutherland
Burkett	Fletcher	McLaurin	Taliaferro
Burnham	Flint	Nelson	Tillman
Burrows	Frazier	Newlands	Warner
Burton	Frye	Oliver	Warren
Carter	Gamble	Overman	Wetmore
Chamberlain	Gore	Page	
Clapp	Guggenheim	Perkins	

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upon a detachment here and a detachment there that he fell a prey to that condition.

I repeat that it is in the power of Congress to do these things, if Congress would only recognize the importance of the initiative. But when these things are suggested it is said, "There is no demand for this." Mr. President, I believe that when it comes to legislation bearing upon the morals of a people, legislation should not be pioneer work, but it should be rather crystallizing into concrete form of a widespread and deep-seated purpose. When it comes to shaping the policy of a great and growing nation, growing and expanding materially and growing and expanding as free government ever must grow and expand under a process of governmental development, it is the province of Congress to initiate movements and not wait until it seems to be forced to do it by executive demand accentuated by popular demand.

No wonder Congress has fallen somewhat under a distrust. There is not a Member of Congress but who in his own district or State has very generally the confidence and esteem of his people, and yet as a body we have come under this cloud, not because we did not do things, but because we waited until it seems as though we do it at the dictation of one man who stands as the centralization of a widespread and universal demand. Not only do we lose in public confidence by this, but we make it that much more difficult to exercise a wise and calm judgment.

I am going to illustrate this by an incident that occurred within the memory and experience of most of us. In 1903 the Interstate Commerce Committee of its own motion, not waiting for somebody to dictate to it, proceeded to formulate the most drastic legislation that ever passed this Congress. It was a law designed not only to prohibit, but calculated to prevent discrimination in rates and rebates. We evolved that law in calm deliberation, a law that has withstood every assault. It was my province one morning to pass that bill through the Senate, while the late Senator from Pennsylvania was speaking upon the territory question. There was no clamor; there were no crowded galleries; there was no trumpet blare, but we calmly passed a law, the most drastic in the history of this Congress. The railroad companies were not alarmed, because they were not suffering from that exaggerated fright which always comes in the face of a widespread and popular demand for legislation against them.

About two years later we reached the rate law. I implored when we passed the Elkins law that we take up the rate law in the same calm, quiet way. But no, we must wait; and we waited until when it was passed these galleries were packed and the country pro and con wrought into a state of undue excitement.

That law simply provided this simple matter: Under the law, as interpreted by the court, the Interstate Commerce Commission, while it could order a rate lowered, yet it had not authority to name the new rate. Having the power to condemn the new rate if it did not meet their approval within the limit of what a court would call a reasonable rate, the Commission could attack the new rate and so practically make the rate. I showed on the hearing that in all but two cases where they had successfully attacked the rate the railroads had adopted the new rate. It was now proposed to simply give the legal authority to do what they were doing by force; and the representatives of the railroads gathered here, men whose genius had achieved wonderful triumphs, whose judgment, it would seem, as though it was ridiculous and egotistical for us to challenge, declared that if that bill passed it meant their ruin. On the other hand, if you had heard the other side you would have thought that the passage of that law would have cured every evil in our Republic.

We passed the law. It was a good law. It was doubtless not as perfect as it might have been, if we had taken it up on our own initiative as we did the Elkins law, but I refer to it to show how the judgment of even great men, men whose transcendent genius seems to make it a mockery for a poor man like me to challenge, were mistaken. It neither cured all the evils, nor did it stop the railroad wheels. It did reduce rates from 1907 to 1908 from 2.04 to 1.91, a small reduction, to be sure, but vast in its aggregate.

I emphasize this to show that it is even possible to-day that the judgment of the men, whose judgment is warped, in my opinion, in the hysteria and excitement of this hour, is not to be a safe guide for us to proceed upon in analyzing these schedules and in dealing with this revision.

As I said, I am not responsible for this general revision. I am going to take issue with some of my associates as to what this promise for a revision meant. If it means that we shall stand by the Dingley rates, then we are confronted with the ridiculous farce of the Chief Executive of this Government calling this Congress in extraordinary session to reform something that would stand to the end of time unless attacked and modified. The Dingley rates required no reaffirmation and no reenactment. Then, what was this demand? When the tariff was revised in 1897, it meant a revision upward, because then the industries of this country were prostrate and revision was appealed to to revive those industries. But last year the industries of this country were not prostrate. There was no suggestion abroad that they needed higher rates of protection than that which they had, and the demand upon this issue ranged itself under two standards—one, "Let well enough alone," and the other, "Revise the tariff." Will any man tell me, with that issue so clearly defined, "Let well enough alone," on the part of protective industries, a revision of tariff, on the part of those who were outside the pale did not mean a revision downward?

There can be no other answer to that question. If it did not mean that, it was mere boy's play and we are indulging in a farce now.

If I believed that this revision simply meant the reaffirmation of the Dingley law, I would pack my grip and go home; for, under my oath as a Senator, I am not required to sit here in the participation in such an affair as that. We are called here for a purpose, and that purpose is to revise this tariff, and, in the main, in the spirit, at least, of revision downward. The people understood that; we all understood it; the men who wrote it in the platform understood it. It was the plain inference from every speech made upon the rostrum. I think our presidential candidate often spoke upon the subject, and there was not a suggestion that the spirit of the revision should be upward; but, ever pointing to the burdens that the people bore, the suggestion was of a downward revision. No amount of sophistry can argue away the plain, practical truth that one side demanded to let good enough alone, the other demanded a change from existing conditions, and that demand not being made by those who were under this system and its more direct benefaction, was a demand for a revision downward.

Now, Mr. President, I have spoken of the hysteria that prevailed in the railroad-rate legislation as illustrating the condition we are confronted with to-day. The very men who, two years ago, would not have raised a finger against the modification of their particular schedule, to-day throw their hands up in fright at the mere suggestion of interfering with that schedule. That schedule, in the prosperity of the last ten years, notwithstanding the slight depression that commenced in the fall of 1907, has demonstrated that, in the main, it needs no addition of rates to maintain the marvelous growth of these industries. The startling invasions by those industries of the foreign market proves that we do not need as much as we already have in the Dingley law.

Now, you ask how we can determine this question. I can only answer for myself. Neither the exaggerated idea of a benefit to the man who believes he is going to get an advantage by striking down some article that goes into his own manufactured article nor the exaggerated fear of the man who feels that he will suffer by the revision of this tariff can avail, at least with me. We have great, broad principles upon which we can base our judgment. We can measure the relative growth of our own production against importation; we can measure the growth of the great surplus that may have been piled up behind some of these industries; we can measure the advancing prices of others; we can measure the disappearing sources of others; and in that way we can arrive at the truth.

No man can know it all. The great men who framed this Government, wise in their day, did not know it all. What would the constitutional convention have said if some one had risen then, and, with prophetic vision, pointed to a time when the word "nation," which they had torn from their draft, should be reinstated to a degree where scarce the skeleton of state sovereignty remains, save as a reminiscence? What would that great body of men have thought if some one could have convinced them then that the time would ever come when that secondary function, in their minds, the judiciary, should sit in solemn judgment upon the acts of the great popular branch of the Government—the legislative?

What would Hamilton, arch-Federalist of them all, have thought if he could have foreseen the day when a federal office-holder could send to a meat packer, 2,000 miles distant, and command that meat packer to raise the temperature in his cutting room, not because the meat required a higher temperature, not because the poor workingmen required a higher temperature, but, forsooth, because the temperature was too low for the government inspector! While they did not foresee these things, yet

they held the great basic principles, and on these principles they reared an edifice that has withstood all the storms of time, and which is destined, I believe, to endure through the ages.

We can not avoid some mistakes; with all the ingenuity employed, some errors will be made; but if we approach this question upon the broad principle that the spirit of this promise is a revision downward, we shall make but few mistakes. In the light of the marvelous strength that has come to these industries in the last ten years, if there is danger of making a mistake, I believe with the Senator who spoke the other day, that in the light of this demand coming in a time of industrial prosperity, in a time when these industries have grown as they have, the burden now is upon them to make good their claim that they need these present duties retained or, if they ask for them, that they need increased tariff schedules for their protection. The burden of proof is upon them to show the necessity.

Mr. President, one word more, and I am through, because I realize that we are anxious to proceed with this bill. It is being whispered around that the men who believe in this approximately uniform reduction, this revision in the spirit of the promises made last fall, will not be able to carry out their promises; that the great industries of this country are combining in this fear, into which they have been thrown, perhaps largely by our own procrastination; and that, combining this industry with that industry, they will defeat this revision.

I do not believe it. I believe when this revision is done with that it will be a somewhat fair compliance with that promise. I want to say to the representatives of these great industries, if they should perchance hear these words, that the enemy of protection is not the man who advocates free trade, but the enemy of protection to-day in the spirit of the American people is the man who, having the power, abuses the policy of protection. The friend of protection is the man who stands here for the faithful carrying out of that promise. You may postpone this two years, but the American people have determined upon this kind of revision, and anything short of that will be more than disappointing. I do not want to indulge in any threat, but I am simply giving this warning note to those within and without this Chamber who believe in protection, who want a reasonable protection, that it is in your power now, uniting with us upon this policy, to give the Republic a tariff bill that will stand for years to come, strong in the hearts and sympathy of the people. On the other hand, it may be in your power to do the contrary. But just so sure as you do, two years from now this tariff will be revised, not by the friends of protection, but by the enemies of protection, sent here on account of the wrathful disappointment on the part of the people.

I do not care to state it stronger than that. We all know what that promise meant. We all know what our duty is. The blow will not fall upon those of us who plead for a fair revision; but it will fall elsewhere. It will fall in an industrial sense with the force of the chaos that came from revision when once before the tariff was revised by the enemies of protection. Our people said to us last fall: "We want the tariff revised; we want it revised by its friends; we want it revised within the limit of a fair protection, measuring the difference of cost between this country and other countries," and they are waiting for such revision to-day. No representatives of theirs throng the corridors and the hotels of this city, but silently, quietly, they are waiting and trusting that we will redeem that promise. If Congress shall fail to do so, the people, in their wrathful disappointment, will for a time strike down, regardless of consequences, the very principle of protection itself.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. On page 59, paragraph 179, the Committee on Finance propose to strike out all after the numerals down to and including the word "pound," in line 19, and insert "Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein."

Mr. ALDRICH. Mr. President, I ask that the vote be taken upon this amendment by yeas and nays.

The VICE-PRESIDENT. Is the request that the vote be taken by the yeas and nays seconded?

Mr. BACON. Before the vote is taken, I wish to state that the Senator from Missouri [Mr. STONE] intended to be heard upon this schedule. It went over last night at his request. I myself have a few words to say on the schedule; but I do not desire to take the place which the Senator from Missouri expected to occupy this morning.

Mr. ALDRICH. My own understanding was that the Senator from Missouri was uncertain whether he cared to speak upon this particular amendment or not.

Mr. BACON. I saw the Senator only last night.

Mr. ALDRICH. Very well. The Senator has been here this morning, however, I think.

Mr. TILLMAN. The Senator from Missouri told me this morning that he desired to speak on the schedule. So I think there is no doubt about it.

Mr. BACON. I suppose the Senator from Missouri expected that the Senator from Minnesota [Mr. CLAPP] would occupy more time than he has done.

Mr. OVERMAN. I want to inquire what has become of paragraph 51 in relation to white lead?

Mr. BEVERIDGE. That is being considered in connection with paragraph 179.

Mr. BACON. The Senator from Missouri is now in the Chamber.

Mr. STONE. Mr. President, I do not rise at this time with any thought of afflicting the Senate with a protracted speech. My purpose is to occupy but a short time on this occasion. However, as the lead industry is an important one in Missouri, I feel that I ought to say something to make clear the reasons which will influence my vote on the various paragraphs embraced in the lead schedule; and especially so since the makers of this bill have tinkered with the rates relating to all forms of lead production, from the crude ores to the refined manufactures.

Missouri, I believe, ranks as the first State in lead production.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. STONE. Certainly.

Mr. HEYBURN. Missouri was the first State in the production of lead by a small excess in 1906 and 1907, but Idaho exceeded Missouri in 1908. They run close together.

Mr. STONE. That is not important.

Mr. HEYBURN. No.

Mr. STONE. I was not seeking to disparage Idaho or to unduly extol Missouri.

Mr. HEYBURN. I did not so understand the Senator.

Mr. STONE. The fact is, however, I think, that there was a considerable falling off in the production of lead in Idaho in 1907 over that of 1906.

Mr. HEYBURN. It was regained in 1908.

Mr. STONE. At all events, Mr. President, a large investment is represented in lead mining and lead manufacture in Missouri. How many millions are invested I am not prepared at this moment to state, but the investment is large. I know also that thousands of men are employed in the various lines of this industry in Missouri. The men representing these investments and the men they employ are well entitled to every proper consideration. They are engaged in a great work, in which the State and the country are greatly interested, and they should receive every proper care and attention.

But, Mr. President, there are others equally deserving. In every city, town, and hamlet in Missouri, and on every farm, there are people who are also deeply interested in these schedules. Brick masons, stone masons, and carpenters, merchants, professional men of all kinds, and farmers, the housebuilders of the State, are all interested; and then there is an army of mechanics who paint houses, vehicles, machinery, bridges, and all manner of things—the first purchasers and users of paints—who are vitally interested in the refined manufactures of lead. I think these people are also entitled to our thoughtful consideration, the one class as much as the other, and in adjusting a tariff the interests of all should have equal attention.

Mr. President, in the southeastern part of Missouri an enormous amount of lead is mined. There are mills of different kinds located there, representing a large capital, engaged in making lead bullion and in producing other higher and more refined lead manufactures. From the point where these mines are actively operated, which is practically along the Missisippi River and on the eastern border of the State, if a line should be extended westward across the southern central part of the State to the famous Joplin district in southwest Missouri, almost every mile of that line would pass over a large lead-bearing area, although for the most part this area has not been developed. When we reach the Joplin district we find a high and extensive condition of development, but zinc is the metal of chief value produced in those mines. The ores, however, that come from what are called the zinc mines of the Joplin district are compound or mixed ores, and a large amount of lead is produced in connection with zinc mining.

Therefore, under the circumstances, no one can be more solicitous than I as to the prosperity of these great industries.

No man can be more desirous than I of having them prosper, both as respects the capital invested and the men employed; but to promote or to safeguard that prosperity I do not believe that the increased rates fixed in the Senate amendments over the rates fixed in the House bill are necessary. I have said there are others to be considered, and keeping that in mind and taking the whole field under view and being regardful of every interest involved, I think the rates fixed by the House for lead ore and its refinements in the bill passed by that body are ample even when considered from the standpoint of a protective revenue measure.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. STONE. Certainly.

Mr. CLAPP. I should like to ask the Senator if he does not think that the labor phase of this question was properly recognized by the House in fixing the rates upon lead ore, instead of assuming or trying to argue that the labor proposition is met by putting this higher duty upon the pig lead? I would like to hear some one who is familiar with the subject discuss that.

Mr. STONE. Mr. President, of course I am not nor have I ever been in the confidence of the Republican members of the House Committee on Ways and Means, and I have no information as to what they had under consideration or what particular things influenced their judgment, but I assume that the wage question, as well as every other element that should be considered in fixing a tariff rate upon a given article, was brought under review and thought out by that committee before they reached a conclusion.

The Senator from Rhode Island [Mr. ALDRICH] stated on yesterday, as on the day before, that the House committee at the last moment, or at a very late moment, changed their views as to the rates that should be fixed in this schedule upon this basic metal, and that they changed the rate first agreed upon as to ores to a higher rate, but that in the hurry and press of reporting and considering the bill they neglected to change the rates on manufactures of lead so as to make them correspond with the change made on ores.

Mr. President, the explanation is not satisfactory to me, any more than it was to the Senator from Indiana [Mr. BEVERIDGE]. That Senator asked—and the question has not been answered—that inasmuch as it was the duty of the Ways and Means Committee to make this bill, and as that was a grave and important duty, why they did not take the time to revamp the whole schedule, if they deemed it necessary, since they did take time to amend it in part. Was it so important that the bill should be presented on a given day? Would the delay of a few hours have imperiled the measure? Why was it so important that they should press along with the consideration of the bill, and to proceed with such speed and rapidity that they could not pause for a moment to consider the whole subject? The members of the Ways and Means Committee are experienced in legislation; they were as well informed as the Senator from Rhode Island as to everything connected with this schedule; and they knew as well as he knows what effect a given rate upon the basic metal might have upon the refined products of that metal.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. Do I understand it to be the contention of the Senator from Missouri that we are bound by the action of the House to follow whatever rates they may see fit to adopt?

Mr. STONE. The Senator from Rhode Island does not seem to be bound by it, and I know of no reason why he should be.

Mr. ALDRICH. I know of no reason; I do not know whether the Senator from Missouri knows of any or not.

Mr. STONE. No; I do not. I do not feel bound by the action of the House. I do not feel obliged to follow what the Ways and Means Committee of the House or the House of Representatives itself may have done.

Mr. HEYBURN and Mr. DU PONT addressed the Chair.

The VICE-PRESIDENT. Does the Senator from Missouri yield, and to whom?

Mr. STONE. But I do say that the explanation given by the Senator from Rhode Island for the action of the House does not explain.

Mr. ALDRICH. I am willing to withdraw it, if that will accommodate the Senator.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. STONE. With pleasure. I yield to any Senator.

Mr. HEYBURN. I should like to inquire of the Senator whether, in his judgment, any more sanctity is to be attributed to the House bill than to the existing law? As between the two, where is the presumption of right?

Mr. STONE. Mr. President, I do not think there is any sanctity attaching to either the House bill or the Aldrich bill or the Dingley law. None of them appear to me as being so sacred that one can not put his finger upon them without an act of desecration; but as the Senator from Rhode Island undertook to tell us that the House committee and the House itself had failed to make the changes he contends for because of the lack of time I deemed it not out of the way to refer to the insufficiency of his explanation.

Mr. ALDRICH. I said "for the lack of time"—I suppose the Senator wants to quote me accurately—"or for other reasons."

Mr. STONE. The Senator says "or for other reasons." What were the other reasons, if the Senator feels at liberty to give them?

Mr. ALDRICH. They had agreed to vote at a certain time by a vote of the House. That is one reason, possibly. But it seems to me it is absolutely inconsequential what the action of the House is or why it was taken. The question before the Senate is the rate which is now proposed by the pending amendment——

Mr. STONE. I am as fully aware of that——

Mr. ALDRICH. Whether it is a proper and adequate rate.

Mr. STONE. I am as well aware as is the Senator from Rhode Island that that is the question before the Senate. Nevertheless, I not only have the right, but it is a logical and proper thing to inquire as to the judgment of the Ways and Means Committee and of the House of Representatives upon this very question, and it seems to me that if the action of the House stands as the judgment of the House—and it came here with the seal of approval stamped upon it by the House committee and the House itself—that action and that judgment should have great weight on the minds of Senators who are seeking to have these rates adjusted on a basis as equitable as is possible under the circumstances.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. Yes.

Mr. SMOOT. Do I understand the Senator to take the position that he is in favor of a duty upon lead ore at 1½ cents and also upon the lead product at the same rate?

Mr. STONE. If the Senator will curb his impatience. I will in due time touch upon that question.

Mr. SMOOT. I thought the Senator would simply answer "yes" or "no," and then I would lead up to another question.

Mr. STONE. I do not like to object to interruptions, but it has become a habit in this Chamber, a custom, to use an old phrase, which would be more honored in the breach than in the observance, of interrupting a Senator who is addressing the Senate with questions that break in upon his line of thought and force him to digress and consider points out of order that he intended in due time to discuss. I think Senators ought to be a little more patient and considerate. The thoughts of one man are not always his exclusively; it is probable they also occur to others.

Mr. SMOOT. In answer I will merely say I have been following the Senator pretty closely; I know he is interested, of course, in the question of lead ore, and if he is interested——

Mr. STONE. Very well. I will take up your suggestion now.

Mr. SMOOT. If he is interested in the question of lead ores, he must certainly be interested in the question of bullion, and I was going to ask him a question upon that line.

Mr. STONE. You have asked it. Now, I will take it up.

Paragraph 179, both in the House bill and the Senate amendment, fixes the rate on lead ore at a cent and a half a pound. As that paragraph came from the House it fixed the same rate on bullion or pig lead. I have always thought that if a given rate was placed upon a crude or basic material there ought to be some increase in the rates fixed upon the refined products of that material. I think that is a proper rule, no matter whether a bill is being constructed as a revenue or as a protective measure. If Democrats were in control, as the Republicans are, and we were making a tariff bill from our point of view, so far as I might have a voice in shaping it, I would favor the observance of that rule. I do not think it was unusual or improper, therefore, for the committee to separate ores from bullion, which

they did by taking bullion and similar substances out of paragraph 179 and putting them in a separate paragraph. The differential, however, should have been made by a reduction on ores instead of a raise on bullion, although I do not, in fact, regard a differential in this particular instance as important.

Mr. President, in my opinion a cent and a half a pound on lead ore is more than necessary, even from the standpoint of the Republican protection members of this body; I mean from the standpoint of framing a revenue bill with the protective idea predominant; and yet, since it is in the bill, I am not going to interpose an objection to leaving lead ore undisturbed at that rate. If it is satisfactory to others I will not move to change it, although I would not be unwilling to vote to put it at a cent a pound.

And, Mr. President, I think a cent and a half a pound is enough for bullion.

Mr. BEVERIDGE. For bullion?

Mr. STONE. For bullion.

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. STONE. Certainly.

Mr. BEVERIDGE. I wish to ask the Senator whether from his examination of these two paragraphs——

Mr. WARNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to his colleague?

Mr. STONE. The Senator from Indiana has the floor at the moment.

Mr. WARNER. I should like to hear what is being said. I am interested in this question.

Mr. BEVERIDGE. I asked the Senator if he thought a cent and a half was sufficient on lead bullion. He said "yes." I was going to ask him whether, from his examination of the provisions of paragraphs 179 and 180, he thought the whole issue arising under both sections would not be involved in a vote on 179, because, as the Senator has just said, 179 strikes out all of the specifications of lead ore and bullion and so forth, and merely makes a cent and a half on lead-bearing ore; and they take out the rest of that paragraph and put it in 180. So if 179 was sustained by a vote of the Senate and 180 was rejected by a vote of the Senate, the whole schedule would be disturbed and destroyed and we should have remaining only a cent and a half on lead ore. So I ask the Senator whether the whole issue he is talking about will not arise on a vote on paragraph 179.

Mr. STONE. That may be so. If the Senate should disagree to the amendment proposed in paragraph 179——

Mr. ALDRICH. What would happen then?

Mr. STONE. It would leave the ore and the bullion at a cent and a half a pound.

Mr. ALDRICH. I beg the Senator's pardon. Then the question would recur on what should be done with paragraph 180. What rate should be imposed by that paragraph?

Mr. STONE. That is another amendment.

Mr. ALDRICH. That is another amendment, but there is no connection absolutely between the two.

Mr. STONE. There is a connection between the two, and a very close connection between the two.

Mr. ALDRICH. Perhaps the Senator from Missouri can explain it. I can not.

Mr. STONE. I can very easily understand it. I am surprised that the astute and distinguished Senator from Rhode Island is confused about it.

Mr. ALDRICH. I am not confused at all. The effect of the adoption of paragraph 179 as suggested by the Senate committee would be simply to fix the duty on lead ore at 1½ cents a pound——

Mr. STONE. Yes.

Mr. ALDRICH. Without regard to anything else?

Mr. STONE. But if it should be rejected——

Mr. ALDRICH. Then the question would come up on some other amendment or upon adopting the House provision without amendment. Then the question would come, according to the understanding reached by the Senate, upon paragraph 180, if paragraph 179 should be agreed to, and then the question would be as to what rates should be imposed upon pig lead and lead bullion. It is perfectly simple.

Mr. STONE. It is perfectly plain.

Mr. ALDRICH. I am surprised that the morning vigil of the Senator has not permitted him to arrive at that conclusion.

Mr. BEVERIDGE. Will the Senator allow me to ask a question upon that point?

Mr. STONE. Certainly.

Mr. BEVERIDGE. Suppose we were to sustain 179 and suppose we were to reject 180. What would be the condition of the bill?

Mr. ALDRICH. The condition of the bill then would be to reject it entirely.

Mr. BEVERIDGE. Suppose we sustain the Senate committee's amendment to 179 and reject the Senate committee's amendment to 180. What would be the condition of the bill?

Mr. ALDRICH. You mean——

Mr. STONE. Then there would not be any specific rate at all on bullion.

Mr. ALDRICH. Will the Senator from Missouri pardon me for a moment? If the Senate should refuse to fix any rate whatever upon lead bullion or the products of lead, of course they would come in as unenumerated articles at 20 per cent ad valorem. But it is incredible almost to suppose that the Senate is not going to fix some rate upon lead bullion, and when paragraph 179 is adopted, the whole question as to what rate shall be put upon pig lead and lead bullion is open for consideration in the Senate. If it is not fixed by 180, it will surely be fixed by some paragraph to be suggested by somebody.

Mr. STONE. I think so.

Mr. BEVERIDGE. With the Senator's permission——

Mr. STONE. Certainly.

Mr. BEVERIDGE. The Senator from Rhode Island is not as clear as he usually is in saying it is inconceivable that the Senate would not fix some duty. Therefore we see that if we adopt 179 and reject 180, we have by those two votes provided for nothing at all but a cent and a half on lead ore, whereas if both are rejected it leaves the lines from 13 to 19 in 179; in other words, the House provision standing, and thus fixes 1½ cents not only on lead ore, but lead bullion and scrap lead. That is the reason that the whole issue is involved in 179.

Mr. ALDRICH. It is absolutely incredible that the Senate should refuse to fix some rate upon lead ore or lead bullion and pig iron, and if it is not fixed by the rates now in paragraph 180 they will fix some other rate. No man who is now in the Senate or who ever has been here——

Mr. STONE. That is perfectly plain.

Mr. ALDRICH. Will think differently.

Mr. STONE. It is so plain that it is useless to discuss it. It is perfectly clear that if the amendment which the Senate committee proposes to paragraph 179 shall be disagreed to, it would restore the House provision and put lead ore, and pig lead or lead bullion on a parity; that is, all would bear a cent and a half a pound.

Mr. ALDRICH. Undoubtedly.

Mr. BEVERIDGE. If both were rejected——

Mr. STONE. Now, the Finance Committee have left lead ore in 179 at 1½ cents a pound, and they have taken lead bullion and transferred it to 180 at a higher rate of duty. That is perfectly clear from the most casual reading of the bill.

While I think that if the naturally expected symmetry of this character of legislation is to be preserved, there should be a gradual increase on manufactured articles, starting from the same base—the rate keeping some kind of step with the refinements in manufactures—yet it must always be difficult to make practical application of the rule and secure proper adjustments; and I do not think it is always of prime importance that the rule should be observed. I believe that lead ore should bear less than a cent and a half a pound, and that bullion should not bear more than that; and, while if both should be left at the same rate, the proper level as between the two would not be maintained, in my opinion, no serious harm and no great commercial disturbance would result.

Lead ores have had this duty of a cent and a half a pound for twelve years, and both the Senate and House committees have recommended a continuance of the same rate, and the House put ore and bullion on a par. I am willing to leave it at that. A cent and a half a pound on ore may be, as I think it is, somewhat too high, but a cent and a half is enough for bullion. I am satisfied to leave the House bill as it is, even though there may be some apparent disproportion in the rates.

Mr. President, why do I think that a cent a pound on lead ore would be ample, even for a reasonable protection?

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. Certainly.

Mr. SMOOT. If the lead bullion value carried a cent and a half a pound, it would necessarily mean that the lead-bearing ore certainly would not receive the benefit of a cent and a half a pound, even though the bill carried it. Does the Senator agree to that?

Mr. STONE. I do not know. I do not think I quite understand the Senator.

Mr. SMOOT. Let me explain it in this way: When a miner brings his ore to the market and it is assayed, when the day of

settlement comes upon the assayed value of the ore he is paid whatever is the market price on that day of lead bullion. And so the relative advantage that may come to the miner of the ore is affected one way or the other by the price of the bullion, and therefore it would cut no figure whatever. As far as the miner is concerned, if the ore was a cent and a half and the bullion was a cent and a half he would get no advantage whatever by it.

Mr. STONE. The Senator is not so clear as he usually is. But I pass that.

Mr. SMOOT. But is not that——

Mr. STONE. If the Senator will let me proceed in my own way——

Mr. SMOOT. I certainly do not want to interrupt the Senator. I thought the Senator would see that point.

Mr. STONE. I have said that I thought bullion, in the natural course of such legislation, ought to bear a higher rate than the ore. I have said that.

Mr. SMOOT. And if it does not it will affect the ore.

Mr. STONE. Affect the ore?

Mr. SMOOT. The price of the ore.

Mr. STONE. I do not see how it would, of necessity, materially affect the ore. I suppose the thought the Senator has is that if the tariff on the bullion is not sufficient, as compared to ore, that bullion will come in from abroad in larger quantities, and that the price of ore would be reduced in consequence.

Mr. SMOOT. Certainly it will be reduced.

Mr. STONE. I do not assent to the full measure of the Senator's statement. I said I thought a cent a pound on ore would be sufficient. The rate fixed in the McKinley Act for lead ore was a cent and a half a pound. The rate fixed in the Wilson Act on lead ore was three-fourths of a cent a pound, or one-half of what it was in the McKinley Act. In the Dingley Act the McKinley rate of a cent and a half a pound was restored——

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. STONE. Certainly.

Mr. SMITH of Michigan. What was the effect of the duty under the Wilson law on the lead industry?

Mr. STONE. I have the imports of the last full year under the McKinley Act—1893—and the imports of the last year under the Wilson Act—1896—and for the year 1907, under the Dingley Act.

Under the McKinley Act there were imported in 1893 $1,190,639.31 of lead. A cent and a half a pound duty was paid. In 1896 the imports in money value under a duty of three-fourths of a cent per pound were $335,023.66, and under the Dingley rate of 1½ cents a pound there were imported in 1907 $566,057. There were less importations under the lower than under the higher rates.

Mr. SMITH of Michigan. Mr. President——

Mr. STONE. I know of course that in 1896 there was a widespread industrial depression which did not prevail in 1907. No doubt that may account in large measure——

Mr. SMITH of Michigan. The figures given by the Senator from Missouri would tend to destroy completely the argument that to lower the duty is to increase the revenue.

Mr. STONE. If lower duties do not encourage imports, nor result in expanding their volume, then we had better have lower duties, even to free trade, for the better protection of our industries.

Mr. President, 1 cent per pound on lead ore is equal to $20 a short ton. The imported ores come chiefly from Mexico. That is the chief competing productive point.

Mr. SMOOT. The Senator does not certainly mean that 1 cent on ore amounts to $20 a ton on the ore. He certainly means it amounts to a cent a pound on——

Mr. STONE. On the contents.

Mr. SMOOT. On the lead contents?

Mr. STONE. Yes.

Mr. SMOOT. That is not $20 a ton.

Mr. STONE. But the proportion runs in that degree.

Mr. SMOOT. That is correct. Then you are correct.

Mr. STONE. Not only do ores have a tariff protection, but also a freight protection. The imported ores in 1907 were valued at about $38 a short ton. The Missouri ores run higher than that in value. I think it is safe to say that the average of the Missouri lead ores will be possibly as high as $50 per ton. Assuming that to be true, then a ton of Missouri ore worth $50 would, at 1 cent per pound on the lead, have a tariff protection of $20 per ton of lead. It will cost approximately $10 a ton to transport ore from Mexico to a central point, such as St. Louis, and that would be an additional protection. Leaving the duty as now fixed by law and as proposed in the bill at 1½ cents per pound, the tariff would be $30 per ton, and that added to the higher transportation charge strikes me as unnecessarily high on a product valued at $50.

Pig lead under the McKinley Act bore 2 cents a pound, under the Wilson Act 1 cent; under the Dingley Act 2¼ cents per pound. Taking the money value of bullion imports for the years 1893, 1896, and 1907, I find they amounted in 1893 to $161,833; in 1896, under the Wilson Act, to $661,316; in 1907 to $1,047,166. The lower rate of the Wilson law did not flood the country with foreign bullion, although our friends over there are wont to say that it was a bill designed to encourage foreign industries and imports.

Mr. President, a cent and a half duty upon bullion would amount to between 40 and 50 per cent ad valorem on every ton of lead bullion brought into the country.

Mr. ALDRICH. What? Will the Senator tell us what the ad valorem rate is upon lead ore and what it has been for the last five or six years?

Mr. STONE. Yes. The ad valorem rate is over 40 per cent.

Mr. ALDRICH. On lead ores?

Mr. STONE. No, lead bullion. On lead ore the rate is more.

Mr. ALDRICH. How much?

Mr. STONE. There is a difference in the tables furnished by the House committee and the Senate committee on that subject. The Senate committee put it at seventy something and the House committee at ninety something.

Mr. ALDRICH. That is a different year.

Mr. STONE. Yes, a different year. One was 1906 and the other 1907.

Mr. ALDRICH. In 1907 it was 78.80; in 1906, 95.74; in 1905, 88.18; and in 1903, 80.26.

Mr. STONE. That is substantially what I said. I was not speaking of ores, however, when interrupted.

Mr. ALDRICH. You were showing that the duty upon lead bullion, figured by the average ad valorem, was less than half at 2¼ cents what it is upon lead ore.

Mr. STONE. Well, I say that 80 per cent ad valorem on lead ore is more than necessary, and I think 40 odd per cent on lead bullion——

Mr. ALDRICH. But the Senator was showing conclusively that 2¼ cents, which is the present rate upon pig lead, was only about 40 per cent ad valorem, while the duty upon lead ore, the basic substance, was 78.80 per cent.

Mr. STONE. I beg pardon, but I was not showing that nor even discussing that when the Senator interrupted me, but what he says as to the ad valorems is the fact.

Mr. BACON. Will the Senator permit me to ask the Senator from Rhode Island a question?

Mr. STONE. Certainly.

Mr. BACON. I wish to ask the Senator a question for information about something that I do not understand. I alluded to it yesterday. I do not know whether I understood the Senator correctly this morning or not, but I find that pig bars are put down at 49.45 ad valorem. Is that correct?

Mr. ALDRICH. Two and one-eighth cents is the present rate.

Mr. BACON. And the amount I state is the ad valorem at that rate.

Mr. ALDRICH. That is right.

Mr. BACON. The point I can not understand is this: Of course I know that percentage varies. The ad valorem will vary when there is a specific duty as the value of the article varies. But in the matter of the ore, the duty is specified as being the duty on the lead contents. I can not understand how at 1½ cents the lead contents will be 50 or 60 per cent greater. The Senator said it was only 28 cents. That is a great mistake. There is a difference of 28 cents, but 28 cents is 50 or 60 per cent. So it is 50 or 60 per cent, without speaking exactly accurate, of course. In other words, the 2¼ advance would be 50 per cent, because it is 50 per cent of 49.

Mr. SMOOT. They are both percentages. They are not changed. One is a per cent of 76 per cent and the other is 49 per cent.

Mr. BACON. Very well, each of them is a per cent.

Mr. SMOOT. If you speak of an advance on the per cent that is another matter.

Mr. BACON. I say that 78.80 is 50 or 60 per cent greater than 49.45; in other words, it is that much in advance of the rate on the bullion.

Mr. SMOOT. That is a different proposition entirely.

Mr. BACON. I mean to say this——

Mr. ALDRICH. I will explain the matter to the Senator if the Senator from Missouri will allow me.

Mr. BACON. I really wish to have it explained. I do not understand it.

Mr. STONE. Mr. President——

Mr. BACON. I will not trespass upon the time of the Senator from Missouri now.

Mr. STONE. Mr. President, the Senator from Rhode Island can explain it. It seems to me to be easy of explanation. As the Senator from Utah says, it is a matter of per cent. To illustrate, the per cent or ad valorem equivalent of 1½ cents per pound on a ton of ore weighing 2,000 pounds and valued at $45 would be considerably greater than the equivalent of 2¼ cents a pound upon a ton of bullion valued at $85 a ton. It is the difference in value that affects the difference in per cent.

But, Mr. President, although the ad valorem equivalent on bullion is only about half that on ore, it is still sufficient. A 40 per cent ad valorem tax upon a metal production ought to be enough to satisfy any industry of that kind. At all events, it is enough to satisfy me, having, as I do, some due regard to the rights of other people, the consumers of the various productions.

Now, Mr. President, respecting white lead, I wish to say a word. Under the McKinley law the rate fixed was 3 cents a pound; under the Wilson law 1½ cents a pound, or one-half of that imposed by the McKinley law; and under the Dingley law it was raised to 2⅞ cents per pound. The imports of white lead for 1893 in money value was $41,319.50; in 1896, $24,421.34; and in 1907, $38,481.50. Manifestly, the Wilson law did not flood the country with foreign white lead. Altogether, of the different kinds of lead, reckoning from ores up, imported in 1893, the money value was $1,351,472.31; in 1896, $986,341.67; and in 1907, $1,609,223.15. So, no matter what the form of the production, the lower tariff of the Wilson law did not swell the tide of importations.

The domestic production of lead in 1893 was $11,839,590 against $1,351,472 of imports, and in 1896 the domestic production was $10,528,000 as against $986,341.67 of imports. The falling off in importations in 1896 as compared to 1893 was relatively much greater than the falling off in domestic production. In 1907 the domestic production was $38,707,596 as against $1,609,223.15 of imports. It will be observed that there was a large increase both in production and imports. So, Mr. President, whether under the lower or the higher tariff it is clear that the lead mining and manufacturing industry has not been menaced by any overflow of foreign production, nor is there any reason to apprehend that danger now.

Mr. ALDRICH. Will the Senator permit me?

Mr. STONE. I will permit the Senator, of course.

Mr. ALDRICH. Is the Senator aware that during the two years that the Wilson law was in operation there were imported into the United States the first year 82,000,000 pounds of pig lead, valued at $1,823,000, and the second year 66,131,000 pounds, valued at $1,200,000, and that the largest importations under the present law in any year were 24,000,000 pounds in 1907? Does the Senator consider that the result of the Wilson law was an invasion of the markets of the United States or not?

Mr. STONE. How much did the Senator say the importation was in value in 1907?

Mr. ALDRICH. Twenty-four million pounds, valued at $1,000,000.

Mr. STONE. I was giving the money value, not the weight or measurement of the importations.

Mr. ALDRICH. I am speaking about the lead that came into this country in competition with the American producers.

Mr. STONE. I am doing the same thing.

Mr. ALDRICH. Not exactly. The Senator is doing it in a round-about way.

Mr. STONE. I was doing it in a direct way. I was giving the money value of the importations, and that is better than to give the weight in pounds.

Mr. ALDRICH. Let me give another. In 1908 the importations were 4,000,000 pounds, and the value $176,000, against a valuation of $1,823,000 under the Wilson law.

Mr. STONE. What year of the Wilson law?

Mr. ALDRICH. In 1895 and 1896, the only two years, thank heaven, that it was in existence.

Mr. BACON. Will the Senator please state what was the revenue derived from it?

Mr. STONE. The Senator from Rhode Island has a right to thank heaven, I suppose, for anything he pleases; I do not know just what he pleases to do it for at this time.

Mr. ALDRICH. I think the Senator from Missouri can comprehend that suggestion.

Mr. STONE. I can not.

Mr. ALDRICH. I think the country comprehends it.

Mr. STONE. No.

Mr. ALDRICH. I think so.

Mr. STONE. Well, the Senator and others like him have undertaken to mislead the country with regard to the Wilson law, and have met with a large degree of success.

Mr. ALDRICH. In 1895 the value of duties collected—this is what the Senator from Georgia desired—amounted to $826,000 and in 1896 to $661,000.

Mr. BACON. How much was the revenue in 1908?

Mr. ALDRICH. Ninety-four thousand dollars. So if the revenue is the only thing to be considered, of course the lower rate is more important.

Mr. STONE. Mr. President, the statistics I have examined, and from which I took the figures I have given to the Senate, are statistical tabulations prepared by Mr. Evans for and at the instance of the House committee, and from the Mineral Resources of the United States, prepared by the Geological Bureau in 1907. I assume they are approximately correct, although I observed in looking at different tables that have been furnished that they do not always exactly agree. The tables from which I quote do not accord with those from which the Senator from Rhode Island quotes.

Mr. ALDRICH. There is always a discrepancy between the reports on mineral resources by the Geological Survey and the Bureau of Statistics. One applies to the calendar year and the other to the fiscal year. So there would be a slight difference in the figures.

Mr. STONE. I think the Senator is correct about that. Still, whether from one source or the other, the data is supposed to be approximately correct. The small variations that may appear should not be material. At least, the tables furnished by the House and Senate committees should have some semblance of accord.

Now, Mr. President, I do not care to detain the Senate by prolonging these observations. I desire to remark by way of conclusion that I will not even in my own State yield to a pressure if brought or attempted upon me to impose tariff duties that I believe to be unnecessary and unjust. The Republicans in Congress are making this bill and are making it on protective lines. I recognize that fact. But as one of the representatives from a State employing thousands of men in the various departments of this particular industry, and which represents enormous investments of capital, I will not consent to cast a vote at the behest of anyone to impose an exorbitant and unnecessary tax upon the consumers of the commodities they create.

Observing the line you are pursuing in the construction of this measure, I shall not protest or complain when duties are not exorbitant but are fairly reasonable, from the standpoint of a protective-revenue measure. I will not approve what you do, but it would be vain to protest. I wish it understood that I do not approve the Republican policy, and will not indorse it even as to given products because my State may happen to be especially interested in them, and hence I have said what I have with regard to this schedule. Whatever my view as to the wisdom of your policy, I shall not wail out my protest whenever you fix a protective duty within the bounds of reason. But whenever you go beyond reason into excess and keep pressing a heavier and heavier hand upon the thousands who consume the products of any industry I will not give to it the sanction of my vote, but I will protest against it, even though some of my constituents may be among the favored beneficiaries.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SUTHERLAND. Perhaps the Senator may have stated—if so, I did not hear it—but what amount of duty does the Senator think could be imposed upon the lead contents of ore?

Mr. STONE. I have already stated, Mr. President, that I think 1 cent per pound would be ample even from the standpoint of a reasonable protectionist. I do not speak of a prohibitive duty, but a duty that would be amply protective from the Senator's point of view and yet produce a fair proportion of revenue.

Mr. SUTHERLAND. As I understand the Senator, he thinks——

Mr. STONE. I beg the Senator to let me conclude. As I have said, inasmuch as a cent and a half a pound has been imposed upon the importations of lead ores for a decade and more, and inasmuch as the Senate committee and the House committee have reported that rate, I will make no motion to change it, but am content to leave it as it is, if that should be the pleasure of the Senate.

Mr. SUTHERLAND. If the Senator will permit me, I wish to call his attention to a fact which came under my own observation in my own State. Under the Wilson law the duty on

lead contained in lead-bearing ores was three-fourths of a cent a pound. While that law was in operation lead brought in the markets of this country prices ranging from 2½ to 3½ cents a pound. A part of the time it was as high as 3½ cents. But during that entire period of time, when lead was selling as high as 3½ cents a pound, at least three-fourths of the lead-producing mines in my State were closed, because the lead producers in that State could not afford to produce lead from their mines at 3½ cents a pound.

Under the operation of the Dingley law fixing the rate at 1½ cents a pound the prices have ranged from 4 cents to 6 cents a pound. In a short length of time lead brought as high as 5 or 6 cents, but on an average it has been less than 5 cents a pound. During the last few months the price of lead has fallen to about 4 cents a pound, and to my personal knowledge some of the lead-producing mines in my State have been compelled to close operations, because they could not afford to produce lead at 4 cents a pound. However, when the price of lead has risen to about 4.30 or 4½ cents they have been able to resume operations.

It seems to me that goes to establish that it is necessary the duty should be 1½ cents, as it has been during the last twelve years, in order to enable at least a very large proportion of the mines throughout the Rocky Mountain region to operate at all. If we cut the duty down to 1 cent, my judgment is, from the observation I have given the subject, that perhaps more than one-half of the lead-producing mines in my State will be compelled to close their operations; and that, of course, means throwing out of employment the thousands of men employed in the mines and in the smelting industries and other industries that are associated with the mining industry.

Mr. STONE. Mr. President, the apprehensions of the Senator do not impress me as well founded. He says that during the operation of the Wilson law the price of ores ranged around 3½ cents, or about that per pound; that later, under the operation of the Dingley law, the prices advanced to over 4 and sometimes to 5 cents a pound. More recently, while this Dingley law is still in force, the ores raised from Utah mines, so the Senator says, have gone down to 4 cents per pound, and that mines have been closed because they could not operate them at that price with profit, just as they were closed under the Wilson Act. This seems to me to show one thing at least—that the value of ore is not determined by a tariff duty. The Dingley law is still in force, and there is no threat of legislation here to reduce the rates, and yet the value of the ore has been sinking, and the Senator says it has gone so low that mines have been and are being closed in his State.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. Yes, sir.

Mr. SUTHERLAND. The Senator says there was no threat to reduce the duty. The Senator will remember that not only was there a threat to reduce the duty to 1 cent, but the House committee actually reported a duty at 1 cent in the first instance, and afterwards, at the last moment, as has been explained here, increased it to 1½ cents. But the threat that the duty would be reduced to 1 cent was in operation for many months.

Mr. STONE. There may have been some vague threat, but I have not until now heard of it, and it certainly has not taken shape or form in this legislation. It certainly can not be that mines were closed and men thrown out of employment because of a mere apprehension that the ore duty might be reduced. It is hardly within reason to attribute that effect to that cause.

Mr. President, the fact is the value of the product at any given time is not so much dependent upon the tariff rate as it is upon the industrial condition of the country at that time; price is chiefly regulated by the old rule of supply and demand.

Now, Mr. President, when last interrupted I was upon the closing sentence of what I wished to say, and that had reference to the particular item in this bill to which the Senator from Kansas [Mr. BURROW] addressed himself on yesterday—white lead, which is a form of lead that goes into the manufacture of paints. We have more people who use paints than are engaged in making them, and these consumers are as much entitled, I do not say more, but as much entitled to consideration as those who produce them. Equal regard should be had for both classes, those who make and those who consume. I believe with the Senator from Kansas [Mr. BURROW] that the rate fixed upon white lead by the House committee and sent over here after a full hearing and a careful examination is sufficient. The Senator from Rhode Island smiles at this and turns away, but that does not decide the question. It may decide the issue in the Senate, but not the right of the proposition. It seems to me that when that great Republican committee which framed this bill in the first instance over in the House of Representatives determined upon that rate as affording ample protection it would be well not to exceed it here, lest you do injustice and perpetrate a great wrong against the millions who consume this article—an article that may be easily classified as one of common necessity; and so, Mr. President, I shall vote against the increases proposed in this schedule by the Senate committee.

Mr. WARNER obtained the floor.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. WARNER. Certainly.

Mr. CULBERSON. Before the Senator from Missouri begins, would he allow me to ask the chairman of the committee a general question on this subject?

Mr. WARNER. Certainly.

Mr. CULBERSON. I should like to ask the chairman of the committee whether it is true that, taking paragraph 51 and paragraphs 179 and 180 into consideration, the changes made by the Senate committee do not amount to a reassertion of the Dingley rate?

Mr. ALDRICH. They do.

Mr. WARNER. Mr. President, yesterday there was some confusion as to the process of making white lead, and I thought it would be of importance at this time to have it made clear to the Senate. I send to the Secretary's desk the Century Dictionary and Encyclopedia giving a description of the process, and I ask that it be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

White lead, a mixture of the carbonate and the hydrated oxide of lead in somewhat varying proportions, approximating to 75 per cent of the former and 25 per cent of the latter. It is prepared as follows: Metallic lead is cast into perforated disks 7 inches in diameter and one-eighth inch thick, technically called "buckles." These are packed into earthenware pots 15 inches high, and to each pot is added a small amount of acetic acid. The pots are then piled into bins 40 feet square, and the whole covered with spent tan bark and left alone for nearly three months. During this time the temperature rises, steam is given off, and a rather complex chemical decomposition takes place, by which the metallic-lead buckles become converted into the white carbonate. But the quantity of lead converted into white lead seldom amounts to more than 65 per cent. The bins are unloaded and the contents of the pots thrown into a revolving screen, which separates the white lead from the unconverted metallic lead, this latter being remelted and put through the process again. The white lead is ground to a fine powder, and then made into a paste with 10 per cent of linseed oil, forming the paint known as "white lead in oil." This method of converting metallic lead into white lead is known as the "Dutch process." Other methods tending toward greater quickness and economy have also been used.

Mr. WARNER. Mr. President, my only purpose in rising was to have that extract read. I may, however, say in a word that while I understand my colleague [Mr. STONE] and I will agree ultimately in the vote upon paragraph 179, I hardly agree with him on another proposition, and that is that a low rate of duty would not increase importations. I hardly think that persons familiar with the lead-mining industry in Missouri in 1895 and 1896 would attribute the small importations at that time to a low rate of duty. I am not able to say as to the effect upon the lead mines in other States of this Union, but I think I am fully authorized in saying that the lead mines in the Joplin district and in other districts of Missouri were paralyzed; they were shut down; the miners were thrown out of work, and that condition existed until the increase of the duty. As to what effect the lowering of the duties may have had or what effect the increase of the duties may have had, in the face of the condition, I enter into no discussion with anyone. It seems to me to be self-evident.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. WARNER. With pleasure.

Mr. CLAPP. Mr. President, in view of the fact that the price of this article has fluctuated, and is fluctuating to-day under a continued tariff, might it not be true that the depression or the lowering of the price from 1893 to 1897 was due to the general depression then existing rather than to the particular lowering of this duty on lead? I think we lose sight of that in this comparison of conditions.

Mr. WARNER. Not at all. I thought that that fact was so evident that I did not refer to it. I have no doubt that it entered into the consideration.

Mr. President, I have taken some interest in this schedule and in the zinc schedule, first, because I believe it is in the interest of the American people, carrying out the doctrine of giving protection to American labor, and, I am free to confess, in part because it is a great industry in my State, affecting thousands upon thousands of laboring men.

In this connection I desire to send to the Secretary's desk to be read the words of a great Senator, spoken in this Chamber in 1883, while, I think, the Morrison tariff bill was under discussion. I ask that the extract from Senator Vest's speech may be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

As I said the other day, I have never risen myself to that solar region, that high philosophical lunar altitude, where I could overlook the people who sent me here and the State which did me the honor to give me a place on this floor. While I am a Senator of the United States, I am not here to take care especially of Massachusetts or Pennsylvania, when they have Senators upon this floor who, more ably than I can possibly do, look to those interests. I believe, as a Democrat, that the ligament which binds these States together to a common prosperity and in a glorious Union is the ligament based upon state interests, local interests, and the fact that every local interest is represented upon this floor and in the Chamber of the other House.

Mr. WARNER. Mr. President, a Senator has just asked me from whose speech the extract which has just been read was quoted. I will say it was quoted from the speech of a distinguished Senator who has been referred to many times in recent debates upon this floor as an old-time Democrat; a Senator whose fervid eloquence had given a charm for twenty-four years to the debates in this Chamber; a Senator whose pathos has moved his colleagues to tears, whether in pronouncing a eulogy upon a dead Member or paying a tribute to man's best friend, the dog.

Mr. STONE. If my colleague will permit me, I should like to observe that I think that is the only expression which ever fell from the eloquent lips of my distinguished predecessor, so much beloved in Missouri, that my colleague has ever applauded.

Mr. CARTER. Mr. President, the discussion on the lead schedule seems to have reached a point where the only question remaining to be determined is as to the adequate rate of duty to be fixed. I do not by that remark desire to have it understood that I allege that every Senator in the Chamber will support a duty on lead or any of the products of lead, but I do think that a decided majority of the Senate is in accord with the policy which has prevailed with reference to the lead industry for a long time. I shall not, therefore, detain the Senate in any description of the vast industries, not alone of lead mining and the manufacture of lead products, but the vast interests involved in the complex commercial and industrial life of certain States in the Union where this lead production is of great local importance.

The subject is not a new one, and we are not, therefore, required to speculate as to the duty which may be deemed adequate. Under the tariff law of 1883 lead ore was made dutiable. In 1880 the Treasury Department held that lead ore was an ore in which the lead value predominated over the value of any other metallic substance contained in the ore. Lead ore as mined in Mexico and also in Colorado, Idaho, and other States of this Union is generally accompanied or found in union with silver, gold, and sometimes copper. This Treasury construction, that ore predominating in silver value was silver ore rather than lead ore where the silver value predominated or exceeded the lead value, led to vast importations of lead from Mexico under the classification of silver ore, free of duty, and that line of importations from Mexico closed down the silver-lead mines of Colorado, Idaho, Utah, and the entire Rocky Mountain country, besides introducing into the commerce of the country a surplus of free lead, which put the Missouri lead miners out of business. An attempt was made to have that Treasury ruling reversed, but without success.

When the McKinley bill came forward for consideration, the language now employed in the pending measure was used to prevent or preclude such construction as has led to mischievous results; so that this phraseology is now employed in fixing the article on which the duty is to be levied at 1½ cents per pound, to wit:

Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein.

Under this phraseology the amount of gold or silver in the ore is of no avail as a means of evading the duty intended to be imposed on the lead imported with the ore. Notwithstanding the duty was 1½ cents a pound at the time this evasion to which I have referred occurred, the evasion was sufficient to reduce the price of lead in the United States to a point where Missouri, with its splendid measures, Colorado, with its great deposits, and Idaho, with its superb mines, were all forced to yield to the production in Mexico, upon a law that has never been enacted and never can be repealed—the law relating to the cost of labor as a factor in production. Miners were paid from 50 to 75 cents per day in Mexico to mine this ore. They could not be induced to work in the United States for less than from $2 to $3.50 per day, working eight hours per day, as the Senator from Missouri [Mr. WARNER] suggests to me. Very naturally the 75-cent man put the $3.50 a day man out of business.

A little later on, the phraseology being retained, the duty on lead ore was reduced to three-quarters of a cent per pound. That reduction was tantamount to placing the lead in the ore on the free list. This is not a matter of speculation; it is a matter of history. One of the most lusty and vigorous of the brigades in Coxey's army came in from the lead mines of the Coeur d'Alene country.

Mr. President, the fact that production has been increasing in but a meager way under the 1½ cents per pound duty, the fact that a slight evasion of the duty at that rate will prostrate this lead industry, the fact that it has been shown that a duty of three-fourths of a cent a pound is no better than free trade in lead or lead ore or the contents of lead ore, amounts, it seems to me, in our current experience to a demonstration of the fact that, as to this schedule at least, we have secured that which is adequate and not excessive as a rate of duty.

It is difficult to go into an analysis of the comparative efficiency as to miners or any other class of workmen. Mathematically considered, many questions are to be taken into consideration in determining just what is an adequate and efficient compensatory duty on the labor side of the question; but when we have an experience extending over a quarter of a century to guide us, it is not necessary to indulge in excursions through a maze or labyrinth of figures to reach correct conclusions.

The Senator from Missouri [Mr. STONE] thinks $1 per hundred, or 1 cent per pound, would be an adequate duty on lead. I submit to him that three-fourths of a cent a pound was ruinous, and the meager advance he suggests might not be any better. We do know that this duty would result in keeping our miners at work and all the activities connected with the mining operations of the country in a healthy state of progress.

The Senator from Missouri said that while he would stand with his colleague for a duty of $1 per hundred, or 1 cent per pound, on lead, he thinks that on the products of lead the duty ought to be very radically reduced.

Mr. President, the principle applicable to this schedule will run through all of the schedules we may be called upon to consider in connection with this bill. It is of no avail to the grower of wool to have a duty on the wool imported into this country if he is bound by conditions to ship his wool to foreign markets for sale. The duty is of avail to him only with the American market place to sell in. I should like to have the Senator from Missouri explain how 1 cent or 10 cents a pound duty on lead would be of any use whatever to lead producers in Missouri, if those lead producers are deprived of the American markets in which to sell their lead; and the American market for the sale of lead is dependent upon the continuance of the manufacture of lead into the various forms in which it is useful to commerce and to the consumer. Put white lead on the free list, or reduce the duty on white lead so that it can not be successfully manufactured in this country, and a duty of 10 cents a pound on the lead contained in Missouri ore is no better than a duty of one-tenth of 1 cent per pound, because, in either event, the lead of Missouri must be sold in the open markets of the world, instead of in the protected market of the United States. The logic of the situation drives the Senator from Missouri either to abandon his position for any duty upon lead or constrains him to support by a reasonable compensatory duty the American manufacturer of lead products, so that he may have a market at home for that which is produced in Missouri.

It seems to me these propositions are elemental. A producer of so-called "raw material" in the United States can in no case be benefited by a protective duty on his so-called "raw material" if all the compensatory and protective duties are taken off the finished product.

Mr. NELSON. Mr. President, without intending to take up the time of the Senate or delay a vote, I desire to give a brief citation from that standard work entitled "Imports and Duties, 1894 to 1907, House Document 1504, second session, Sixtieth Congress." Looking at the statistics furnished in that book, it does not appear that the tariff has had exactly the effect on lead ore for which the Senator from Montana [Mr. CARTER] contends. I find on page 579 that in 1896, under the tariff law of 1894, when there was a duty of three-fourths of a cent per pound on lead, there were 42,973,425 pounds of lead imported, and that the average import price was 1.6 cents per pound. I find that, under the Dingley law, in 1906, ten years later, we imported 70,720,321 pounds, almost twice as much as in 1896, and that the import price was exactly the same—1.6 cents per pound.

Mr. ALDRICH. But if the Senator will look at the import prices for the other years, he will find that the year he has selected was the only one under the act of 1897 when the price was 1.6 cents.

Mr. NELSON. We imported 70,702,321 pounds in 1906. In 1907 we imported 29,738,375 pounds.

Mr. ALDRICH. And the unit of value in that case was 1.9 cents. In 1908 it was 2.6 cents. The year selected by the Senator from Minnesota is the only year of the eleven years in which the value reached the point suggested by him.

Mr. NELSON. The statistics show that under the Dingley law and under the Democratic tariff law of 1894 lead-bearing ore is put in two classes. There is, first, lead contained in silver ore. The import of that was, as I have said, 42,973,425 pounds. The import price was 1.6 cents per pound. Now, of lead contained in other ores and dross during that same year there were imported only 363,162 pounds, and the price was 3.9 cents per pound. I have looked through this book, and in many instances it will be found that, even where you increase the tariff, you do not diminish the importations. By increasing the tariff you simply enable the producer to levy a greater tribute.

I understood the Senator from Utah [Mr. SUTHERLAND] to say that the price of lead was 4 cents, or 3½ cents. I should be glad if the Senator would state it again.

Mr. SUTHERLAND. I said that during the period that the Wilson law was in operation——

Mr. NELSON. I mean now—the last two or three years; the year of 1907, for instance.

Mr. SUTHERLAND. The price has ranged through the last twelve years from 4 to 6 cents. I do not recall that it has fallen below 4 cents, although it may have done so.

Mr. NELSON. That shows that it has been sold for the import rate plus the duty.

Mr. SUTHERLAND. It reached the price of 6 cents only at one time for a very short period. The average price has been somewhere between 4 and 5 cents. Upon one occasion it did reach as high as 6 cents.

Mr. OWEN. Mr. President, I trust that I will not be interrupting the debate if at this time I ask the indulgence of the Senate for a few minutes that I may place upon the record a brief comment upon the constitutionality of the income tax.

I believe in the policy of the income tax not only because it is justified on the principle of the more equitable distribution of the proceeds of human labor and that those with great incomes should contribute more to the support of government, but because, also, it will excite the interest of the wealthier classes in a more economical administration of government and in a purer form of government.

I favor an income tax broadly and without any limitations to adjust it to the opinion of the Supreme Court recently rendered (1894) in the Pollock case.

I shall not take the time of the Senate to discuss the advisability of the income tax from the standpoint that it is justified because it falls upon those more easily able to conveniently meet the expense of the Government; since this consideration, while of interest, would be of little avail if the income tax were unconstitutional.

In view of the arguments submitted before the Supreme Court, its opinions in favor of an income tax for one hundred and eight years and its change of view by the narrow margin of one vote in 1894, I agree with the Senator from Texas [Mr. BAILEY] that we are justified in asking that there shall be a reconsideration of this question, and I shall agree, moreover, to the proposition of the Senator from Nebraska [Mr. BROWN], if, upon reconsideration, the Supreme Court still adheres to its opinion, that we shall propose an amendment to the Constitution of the United States for the purpose of writing permanently in the policy of this country this method of raising revenues for the conduct of government.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. With pleasure.

Mr. BROWN. I do not like to have the Senator from Oklahoma misunderstand my position. I am not in favor of waiting until the Supreme Court of the United States has reviewed its former decision in this matter before proposing an amendment to the Constitution. My proposition is to submit the amendment now, and at the same time adopt an amendment to the bill providing for an income tax.

Mr. OWEN. Mr. President, I will agree with the Senator from Nebraska as to the immediate consideration and submission of the proposed constitutional amendment. I was only intending to suggest that I believe the Supreme Court itself would, upon a reconsideration of this matter if again submitted by the Congress and in the light of what I shall now submit to the Senate, change its opinion, because I think I can demonstrate to the Senate that the Supreme Court ought to change its opinion, and that the defense of the income tax before the court was fatally defective.

The controversy as to whether or not the income tax is constitutional turns upon the interpretation of the meaning of the words "direct tax," as used in clause 4, section 9, Article I, of the Constitution.

I have considered the decisions and the arguments made and the history of this clause, and think it my duty, as a Member of this body, to make record of my conclusions with regard to the true meaning of this term as used in the fourth clause of section 9. I do not agree with those who hold that the direct tax here referred to, and which is inhibited unless apportioned, means a tax on real property or on the individual at all; its real meaning is *a direct tax on the United States*, to be apportioned upon said States severally, in accordance to their population under the constitutional plan of apportioning representation, and does not mean *a direct tax on the citizen in any sense.*

In the Hylton case, decided by the Supreme Court in the February term of 1796, the court decided that a tax on carriages was not a "direct tax," under clause 4, because not capable of apportionment. It was a correct conclusion. But the reasoning premises were erroneous, because Justice Iredell said (3 Dallas, 181) to support the conclusion it was not a *direct tax*, under clause 4, that "a tax on carriages is a tax on expense or consumption," and in effect *an indirect* tax.

He should have said, "Congress has a right, under section 8, to impose *on the citizen a direct tax.* The 'direct tax' of clause 4, section 9, requiring apportionment, exclusively refers to a direct tax on the United States apportioned severally."

Justice Patterson, conceding, *erroneously*, that a direct tax on the citizen required apportionment, erroneously argued that a tax on carriages was indirect and therefore permissible.

He said because it was in the nature of a duty or a tax on expense and an *indirect* tax, he supported it. But he was justified in supporting it as a direct tax under section 8, and it could not be described as falling within the meaning of a "*direct tax*" in any contingency *under clause 4 of section 9.* He said he supported it because it was "in the nature of a duty or a tax on expense and an indirect tax."

And Justice Chase likewise said (Ibid., 175):

> It seems to me that a tax on expense is an *indirect* tax.

The decision of the court was sound in sustaining the tax, but it was decided upon the erroneous theory that a tax on carriages was not a direct tax, and that if it had been and was not capable of apportionment, it could not be laid by Congress.

Justice Iredell also said:

> *Perhaps a direct tax* in the sense of the Constitution can mean nothing but a tax on something *inseparably annexed to the soil; something capable of apportionment under all such circumstances. A land or a poll tax may be considered of this description.*

And throughout the entire decision there runs an apologetic vein—the idea that the United States did not have the right to lay taxes directly on the citizen; but if a *direct tax were laid upon the citizen*, it must be apportioned.

And this erroneous conception of this phrase, used in clause 4, section 9, by the influence of the weight of the doctrine of *stare decisis*, has perpetuated this error from 1796, when the court decided correctly upon erroneous reasoning, down to 1904, when the Supreme Court, upon this erroneous reasoning of previous decisions decided against the income tax erroneously, but logically enough having accepted this false premise. The false premise was that a "direct tax," within the meaning of clause 4, section 9, Article I, meant *a direct tax on the citizen* and not *a direct tax on the United States.* The exact contrary was true. This question has been discussed with wonderful learning and vast research, but in all of this discussion the learned bar and bench has faithfully bowed down to the influence of *stare decisis* and learnedly perpetuated the original error. Both the friends and the foes of the income tax have acquiesced in the original and fatal error.

The clauses relating to this matter are as follows:

> Article I, section 8, clause 1. The Congress shall have power *to lay and collect taxes*, duties, imposts, and excises, to pay the debts and provide for the common defense and the general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.
>
> Article I, section 9, clause 5: No tax or duty shall be laid on articles exported from any State.
>
> Article I, section 9, paragraph 4: No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

The enumeration referred to is found in Article I, section 2, clause 3, to wit:

> *Representatives and direct taxes shall be apportioned among the several States* which may be included within this Union according to their respective numbers, which shall be determined by the adding to the whole number of free persons, including those bound to service for a term of years and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

Direct taxes may have either of two meanings:

First, direct taxes imposed by the State, county, or municipality directly on the citizen.

Second, direct taxes imposed on the United States, as sovereign separate entities, by the Congress, to be apportioned according to population under the same rule as determined the representation of such States.

To arrive at the true meaning of the "direct taxes" referred to in these two latter clauses it is necessary to consider the history of this phrase.

Obviously, a "direct tax" might have been imposed by Congress *on the United States* by making direct requisition on them for $100,000 apiece for the common expense, and as each of them were sovereign powers, claiming equal right of representation, this would not have been altogether unreasonable, and it was to avoid this direct tax and uniform direct tax on the States which led to clause 4, section 9, requiring its apportionment. No such reason obtains as far as the direct tax on the citizen is concerned.

But the phrase "direct tax" might also be used within the State to mean the direct tax levied on the citizen by his State, by his county, or by his municipality. And here is where the confusion has occurred, for both bench and bar have failed to perceive that the terms "direct taxes" and "direct tax" in the above two clauses exclusively meant "direct taxes" and "direct tax" to be laid *on the United States* as *States* and *therefore* to be apportioned, and did not mean "direct taxes" or "direct tax" on the citizen, the apportionment of which among the States was meaningless, illogical, absurd, and impracticable.

The word "tax" is a very comprehensive word, and possibly includes all burdens and impositions by virtue of the taxing power with the object of raising money for public purposes, and are direct or indirect according to the manner of imposition. Ordinarily we regard as indirect taxes duties, imposts, and excises which are paid by the importer or the manufacturer and charged to the ultimate consumer by an increased price, but the Constitution authorized Congress (sec. 8) to lay and collect taxes on the citizen as well as duties, imposts, and excises. The latter three are both direct and indirect taxes and were required to be made uniform; but the authority under the Constitution that Congress should lay and collect taxes involves broadly all kinds of taxes which fall upon the individual, and this right has been exercised on the individual without question until 1894, when the Supreme Court of the United States held the income tax invalid because it was a *direct tax* and not apportioned among the States according to population, as required by the two clauses last named.

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from South Dakota?

Mr. OWEN. With pleasure.

Mr. CRAWFORD. It occurs to me that the proposition the Senator is now developing is rather an original and novel one. I may be mistaken about it, however. Do I understand him to say that the Government of the United States, within the provisions of the Constitution, can levy a tax as a direct tax upon a State as a sovereignty?

Mr. OWEN. I do.

Mr. CRAWFORD. Where do you get the authority for that proposition?

Mr. OWEN. I am going to explain that at length. I find the authority in the proceedings of the Constitutional Convention. I find the authority in the Articles of Confederation and in the Constitution of the United States (clause 4, sec. 9, Art. I). I find the authority in the acts of Congress of 1798, of 1813, and of 1815, in which the Congress, in express words by acts of Congress, laid a tax of so many million dollars, not upon the citizen, but upon the United States, to be apportioned among the several States under the constitutional rule.

The defense of the income tax that it was an indirect tax was found fatally weak by a majority of the Supreme Court of the United States in the Pollock case. Their reasoning was logically correct; their premises and conclusion erroneous.

With that logical reasoning I agree. But I do not agree with the conclusion, because the United States had a right under section 8 to lay a direct tax upon the citizens and upon the States, but if it did lay a "direct tax" within the meaning of clause 4 of section 9, then it was exclusively a direct tax upon the United States as States, to be apportioned among the States severally according to the rule of population and apportionment laid down in the Constitution, Article I, section 2, clause 3.

Congress was given the broad authority to lay and collect taxes on individuals by section 8; but in laying a (gross) capitation or other "direct tax" on the United States, Congress was required to apportion the same under section 9, clause 4, and did so in the acts of 1798, 1813, 1815, and so forth.

THE HISTORY EXPLAINS THE MEANING OF THE TERM "DIRECT TAX" AS USED.

The history of clause 4, section 9, and of clause 3, section 2, explains clearly that the term "direct tax" meant neither more nor less than a direct tax on the United States, and that it did not mean a direct tax *on the citizen.*

This construction makes the Constitution harmonious with itself, and perfectly coherent and sensible and practicable.

It makes it consistent with the history immediately preceding the formation of the Constitution.

Chief Justice Fuller well said:

> Under the Articles of Confederation the Government of the United States was limited in the exercise of this power *to requisitions upon the States*, while *the whole power of direct or indirect* taxation of persons and property, whether by taxes on polls or duties on imports, or duties on internal production, manufacture, or use, was acknowledged to belong exclusively to the States, without any other limitation than that of noninterference with certain treaties made by Congress. (157 U. S., 561.)

The practice of Congress prior to the Constitution was to make requisition on the States and thus impose *a direct tax* on the *United States* of the Confederation.

On the 12th of July, 1777, a draft of the Articles of the Confederation was submitted to Congress: Article 2 provides as follows:

> All charges of war and all other expenses which shall be incurred for the common defense or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, *which shall be supplied by the several Colonies in proportion to the number of inhabitants* of every age, sex, and quality, except Indians not paying taxes, in each Colony. (1 Ell. Deb., 70–73.)

> By the provisions of these articles the Colonies were required to defray the expenses of the Confederated States and Congress was denied the power to levy taxes for its needs *directly upon the States*, their property, or their inhabitants. (1 Ell. Deb., 81.)

> On Friday, the 18th of April, 1783, the Articles of Confederation were amended. (Ibid., 94.)

And thenceforth—

> The taxation necessary for federal purposes was to be apportioned in proportion to the whole number of white and other free citizens and inhabitants, including those bound to servitude for a term of years, and three-fifths of all other persons, except Indians not paying taxes.

The words "land, buildings, and improvements thereon" were *struck out of the domain of federal taxation* at this time prior to adoption of the Constitution. (2 Ell. Deb., 36, 56; 1 Ell. Deb., 484.)

> This *apportionment* of taxation was not limited to *direct taxes or to indirect* taxes; but all the property and citizens of the several States *which each of the States was then taxing* was made liable *for the proportion of that State*, according to its population. (2 Ell. Deb., 36, 56.)

The words—

> "land, buildings, and improvements thereon" were rejected by the Confederated Congress *as not being a convenient source of revenue for the Federal Government.* (1 Ell. Deb., 484.)

> This amendment to the Articles of Confederation was sent forth by Congress to the people, accompanied by an address prepared by Messrs. Madison, Ellsworth, and Hamilton.

In this address, speaking of population as the rule of taxation, they said:

> This rule, although not free from objection, is liable to fewer than any other that could be devised.

> From the time of their adoption by the confederate congress until the decision in the Hylton case, land, building, and improvements thereon were *never thereafter regarded as the source of revenue for the Federal Government.* It results, therefore, that after "land, buildings, and improvements thereon" were withdrawn as a subject of federal taxation, *the requisitions of Congress were met by the States by their own system of taxation.* (Ely Taxn., 109; C. A. Seward.)

The various States had their own system of collecting taxes, and did collect such taxes for the benefit of the States themselves and *for the benefit of the General Government.*

In the Massachusetts convention, Mr. Dawes said:

> Congress had it not in their power to draw a revenue from commerce, and therefore multiplied their requisitions on the States, and our *only course was to a direct taxation.* (2 Ell. Deb., 41.)

A direct taxation of what? A direct taxation of the several States, and not of the citizens of the State.

On the 16th of July, 1787, the following resolution was adopted:

> Representation ought to be proportioned according to *direct taxation*—

Direct taxation of what? Of the citizen? That construction is absurd. Direct taxation of the several States, and nothing but that could have been intended. It is not material (turning to Mr. Crawford) that this explanation has not heretofore been expounded, if the record and the history justify this argument, which they do most abundantly.

And in order to ascertain the alteration in the *direct taxation* which may be required from time to time by changes in the relative circumstances *of the States:*

Resolved, That a census be taken * * * and that the legislature *proportion the direct taxation* accordingly.

Proportion the direct taxation of what? Of the citizen? Impossible. No such interpretation can be put upon this language with regard to the direct taxation referred to, which was to be apportioned among the States severally, represented then by the gentlemen who were then writing the Constitution of the United States.

ONLY THE DIRECT TAXATION OF THE STATE IS BEING HERE CONSIDERED.

There was again a debate over this suggestion, which culminated in the draft of a constitution which apportioned direct taxation according to the number of the representatives. This was remodeled, and on the 12th of September, 1787, a revised draft of the Constitution was introduced, which provided that *"representatives"* and *direct taxes* shall be apportioned on the basis of population and under the rule prescribed by the Articles of Confederation. On this same 12th of September, 1787, the revised draft of the Constitution contained these words: "That no capitation tax shall be laid unless in proportion to the census hereinbefore directed to be taken."

The capitation tax in clause 4 to be laid in proportion to the census, was in like manner, *a gross sum to be laid on the States*, according to population, counting three-fifths of the slaves in making such enumeration of the population. There was nothing curious or unreasonable about this; it was understood that the slaves had not the productive quality or the worth of free men, and that in taxing the States the slave should not be counted above three-fifths of their number for purposes of taxation or for purposes of representation.

This lessened the capitation *tax on the States* having slaves, but it was *a tax* on the States nevertheless and not a tax on the citizen that was being considered.

It is clear that a capitation tax levied direct on the citizen would not and could not be apportioned under the constitutional rule, which was *based on a fixed census* of freemen counting three-fifths of the slaves.

Undoubtedly the Constitutional Convention believed that the Congress should have the power of assessing and levying *direct taxes on the States* and to apportion such taxes according to the rule of population.

Mr. King said:

It is a principle of this Constitution that representation and taxation should go hand in hand. * * * By this rule are *representation and taxation to be apportioned.* (2 Ell. Deb., 36.)

Representation of what? Of the States. Taxation of what? Of the States. Why was there a diminished tax placed upon the population of the slaveholding States, and what was its purpose? It was to apportion it among the several States, and the direct tax and the capitation tax were to be diminished to three-fifths of the number of slaves by the operation of this constitutional rule.

Mr. Dawes said:

The rule laid down in the paragraph is the best that can be obtained *for the apportionment of the little direct taxes* which Congress will want. (Ibid., 42.)

Mr. Pendleton said:

The *apportionment of representation and taxation* by the same scale is just. (3 Ell. Deb., 41.)

Representation of what? Of the States. Taxation of what? Of the States.

Mr. Nicholas said:

The amount of the sums to be raised of the people is the same, *whether the state legislatures lay the taxes for themselves or for the General Government.* (3 Ell. Deb., 19.)

Did not this mean that the direct tax on the State should be collected by the State?

Mr. Nicholas said:

The proportion of taxes are fixed by the number of inhabitants. Each State will know from its population *its proportion of any general tax.* (3 Ell. Deb., 243.)

Does not this mean that the *tax levied on the State* by a general tax on the States would be known to the State under the rule?

Mr. Randolph said:

When *any sum is necessary* for the General Government, every State will immediately *know its exact proportion of it* from the number of the people and Representatives. (3 Ell. Deb., 122.)

The phrase:

No capitation tax shall be laid *unless in proportion to the census* hereinbefore directed to be taken—

And this necessarily meant laid *on the States* by Congress and *not on the citizen*, because to levy a capitation tax on the citizen under the apportionment rule is unreasonable, while to apportion a capitation tax on the States under the apportionment rule is reasonable—

was amended, on the motion of Mr. Read, to insert after "capitation" the words "or other direct taxes." (5 Ell. Deb., 545.)

Mr. King asked, August 20, 1787 (5 Ell. Deb., 451), what was meant by direct taxation. And he was not answered, but he might well have been answered, as far as clause 4, section 9, was concerned. It is a direct taxation on the United States, to be laid upon them severally in proportion to the rule of population by which the right of representation is fixed.

Mr. Gerry (5 Ell. Deb., 451) moved that—

From the first meeting of the Legislature of the United States, until a census shall be taken, all moneys for supplying the Public Treasury *by direct taxation shall be raised from the several States* according to the number of Representatives, respectively, in the first branch.

Does not this mean direct taxation on the States as such?

In the Secret Proceedings and Debates of the Convention, Charles Pinkney submitted a draft (S. Doc. 728, 60th Cong., 2d sess., p. 146), and provided that in fixing the power of the Congress, that:

The proportion of *direct taxation* shall be regulated by the whole number of the inhabitants of every description, etc.

And Mr. Patterson, June 15, 1787 (ibid., 150), proposed a resolution, as follows:

3. *Resolved*, That whenever requisitions shall be necessary, instead of the present rule, *the United States in Congress be authorized to make such requisitions* in proportion to the whole number of white and other free citizens, etc.

That *if such requisitions be not complied with in the time to be specified therein, to direct collection thereof in the noncomplying States;* and for that purpose to devise and pass acts directing and authorizing the same, etc.

Does not this mean a "direct tax" on the States, and not on the citizen, to be proportioned to population?

Mr. Luther Martin, in his report to the legislature of Maryland, said (ibid., 39) that he did not think the General Government ought to have been given the right to lay *"direct taxes"* in any case, and by this expression he meant *"direct taxes on the citizen,"* and that he introduced the following proposition:

And whenever the legislature of the United States shall find it necessary that revenue should be raised by direct taxation, having apportioned the same by the above rule—

Here by "direct taxation" he means taxation of the States—

requisitions shall be made of the respective States to pay into the Continental Treasury their respective quotas, within a time in the said requisition to be specified, and in case of any of the States failing to comply with such requisition then, and then only, to have power to devise and pass acts directing the mode and authorizing the collection of the same [by direct levy on the citizen, is the alternate].

He said:

Had this proposition been acceded to, the dangerous and oppressive power in the General Government of imposing direct *taxes on inhabitants which it now enjoys in all cases*, would have been only vested in it, in case of noncompliance of a State, as a punishment for its delinquency, and would have ceased the moment that the State complied with the requisition.

He uses the words "direct taxes" in that one expression in two different ways, objecting to Congress having the right to levy taxes directly on the citizen, which he enlarges upon in his report to the Maryland legislature, but being willing that they might lay *direct taxes on the State*, and that if the States did not contribute the quota of taxes directly levied on them, Congress might in that contingency exercise the right of direct taxes on the citizen; and he bitterly complained in his report to the Maryland legislature that the Constitutional Convention did not regard his views in this matter, but that they gave to Congress a complete right *"in all cases"* to levy *direct taxes upon the citizen.*

These various quotations show clearly that the direct tax intended to be apportioned was understood by the Constitutional Convention of the United States as a direct tax on the States, and on the States alone, as entities, to be apportioned among the several States as entities, to be collected by requisitions, and that clause 4 of section 9 did not mean a direct tax on citizens, which was otherwise provided for in section 8, *clause 1*, but a direct tax on the United States, to be apportioned and paid on requisitions. And this impression is confirmed, notwithstanding the Hylton decision of 1796, by the act of Congress of July 14, 1798 (1 Stat., 597).

Here Congress declares this meaning in the plainest, most emphatic terms, to wit:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That *a direct tax* of $2,000,000 shall be, and *is hereby, laid*—"

On whom?

"upon the United States—"

And not on the citizen—

"and apportioned to the States, respectively, in the manner following:

"State of New Hampshire	$77,705.362
"State of Massachusetts	260,435.312"

It is true that Congress immediately proceeded in section 2 (1 Stats., 597) to provide for the collection of such a tax by its own officers, assessing the same on dwelling houses, lands, and slaves, according to valuation otherwise provided for. But this does not make *the direct tax* of clause 4, section 9, any the less *a direct tax on the State*, which tax was duly apportioned as contemplated by the Constitution as a *tax laid on the States directly* and *not a tax directly on the citizen.* The collection of the tax from the individuals within the States was an exercise of the power of laying taxes under section 8, unequivocally given to Congress, notwithstanding this proviso of clause 4, section 9, that the direct tax on the States should be apportioned, and this interpretation of the two clauses is perfectly consistent, perfectly rational, and makes the several parts of the Constitution harmonious with each other.

Congress in this act exercised both its power of direct taxation on the States (Sec. 9., cl. 4) and its right of direct taxation on the citizen (sec. 8. cl. 1) which was illogical but not unlawful and which was a mathematical misfit, the revenue making a different sum in every case from the mathematical constitutional apportionment.

It is a matter of vast importance to the people of the United States, and it is of great importance to the Senate of the United States, to consider the meaning of the Constitution in the light of the Constitutional Convention and in the light of these acts of Congress.

The act of 1813 in like manner demonstrates that the direct tax referred to in clause 4 of section 9 was intended solely to be a *direct tax upon the United States;* and the law of 1813 says in the most unequivocal language (3 Stat., 53) that the direct tax is laid *"on the United States,"* and the conclusion follows that Congress understood such direct tax requiring apportionment to be a direct tax on the States and not on the citizen.

Everything depends upon that construction. If it is only the *direct tax* upon the United States that must be apportioned, then the pleading before the Supreme Court in the Pollock case was absolutely wrong from beginning to end, and upon a fatally weak defense it is no great wonder the court decided against it.

Listen to the language of the act of 1813, Third Statutes, 1853:

"That a direct tax of $3,000,000 shall be, and is hereby, laid *upon the United States—"*

Not upon the citizen. The act of Congress followed the meaning of section 9, clause 4, in levying the direct tax referred to directly upon the States, and immediately making the apportionment as contemplated alone by section 9, clause 4. Congress had the right otherwise to levy a direct tax upon the citizen, and has exercised it ever since the foundation of the Government.

What sense was there in forbidding the United States Government from taxing directly the citizen by uniform laws? And what does section 8, clause 1, mean in authorizing Congress "to lay and collect taxes" as well as imposts, duties, and excises if it does not mean what it plainly says?

May the United States directly tax a sovereign State and not be permitted to directly tax the citizen of the United States, whose votes established the United States?

The act of 1813 imposed the direct tax on the United States, and under clause 4, section 9, the tax was apportioned to the States, respectively, in the manner following:

"New Hampshire	$96,793.37
"Massachusetts	316,270.98"

and so forth. And the collection of the same was provided by federal officers, but with the express provision, section 7:

That *each State may pay its quota into the Treasury of the United States, and thereon shall be entitled to a deduction of 15 per cent* if paid before the 10th day of February next, and 10 per cent if paid before the 1st day of May in the same year.

It cost something to collect this tax. It was only reasonable that if a State should pay directly, the cost of collection should be taken out of it.

These acts demonstrate conclusively that the direct tax referred to in clause 4 of section 9 was a direct tax to be laid *"upon the United States,"* and not upon citizens, and apportioned according to population, and that it was not a direct tax on individuals in any sense that was referred to in clause 4, section 9.

The act of 1815 is in the same identical language, incapable of misinterpretation, it seems to me.

The attorneys argued in the Hylton case (1796), that the tax on carriages was a direct tax not apportioned, and hence invalid. The attorneys defending said it was an *indirect* tax on the *use*, and so forth.

The error was in conceding that a direct tax on carriages or on the citizen could not be laid without apportionment under clause 4, section 9. This was nonsense. The direct tax requiring apportionment was a direct tax on the United States following the previous plan of the Confederation of direct requisitions on the States proportioned to population.

It is perfectly obvious that you could not apportion a direct tax upon individuals according to the constitutional rule of population, but you could apportion a tax on the United States severally according to such rule.

Observe the confusion which would follow the attempt to apportion a direct tax upon the citizen according to the constitutional rule:

First, you must levy the tax directly on the citizen, upon his real estate, and so forth, at so much ad valorem; what the gross amount would be for each State could not be known until it should have been collected, and after it was collected, then, when an attempt is made to apportion it—the gross amount—under the constitutional rule, it would be found that the gross amount collected would be too much in some cases, and too small in other cases, and thereupon a rebate would have to be allowed to the individuals who paid too much and a further tax imposed on the individuals who paid too little.

The administration of such a plan is impossible. The mere suggestion of *apportioning a direct tax on the citizen* is grotesque, and can not be seriously maintained.

In my judgment Congress itself erred in collecting the *direct tax imposed on the States* within the meaning of this particular clause of the Constitution, although it had the right, under section 8, to lay taxes direct on the citizen, but it would have been more orderly in laying the tax *directly on the States* to have permitted the State to respond by requisition before enforcing payment under the direct tax authorized by *section 8*, as it did provide in the act of 1813, for example.

In my judgment it is utterly immaterial whether the income tax be regarded as a direct or indirect tax because Congress has the complete right "to lay and collect taxes" (sec. 8) on the individual, direct or indirect, and is not restrained by clause 4, section 9, which only imposes the apportionment rule on Congress in laying direct taxes on the States.

The defense of the income tax on the ground that it is indirect has been *the fatal error of its advocates* from the beginning of the controversy.

Since the entire controversy has turned on the meaning of the phrase "direct tax," as used in clause 4 of section 9, I have felt impelled to submit to the Senate my interpretation of the Constitution and the meaning of this phrase in the light of its history.

This interpretation, which I have the honor to submit, would relieve the Constitution of ambiguity, make sections 8 and 9 of Article I perfectly harmonious, and would make the income tax constitutional beyond a doubt and justifies the resubmission of this question to the Supreme Court of the United States for whose perfect integrity, for whose great ability and vast learning, I entertain the deepest respect and reverence.

Mr. BRISTOW. Mr. President, I should like to make an inquiry, but first, before I ask the question, I wish to make a statement as to the status of these amendments to the pending bill as I understand it. If the Senate committee amendment to paragraph 179 is adopted, it puts a duty of 1½ cents a pound on the lead in lead ore. Then it would be necessary to amend paragraph 180 in order to fix the same duty of 1½ cents a pound on pig lead. If the Senate committee amendment to paragraph 179 is rejected and the Senate committee amendment to paragraph 180 is rejected, then the duty is the same on the lead in lead ore as it is on pig lead and bullion.

Mr. ALDRICH. If the amendment to pargraph 180 should be rejected, it would leave the matter open for further consideration. That would not make the duty 1½ cents a pound on pig lead. It would be necessary, then, if the Senate desired to have a duty of 1½ cents on pig lead, to provide it by a new paragraph. But it is a simple matter for the Senator from Kansas or any other Senator when paragraph 180 is under consideration to move to amend the Senate committee amendment, which provides for 2½ cents, making it 1½ cents.

Mr. STONE. Will the Senator permit me? Would not the same end be accomplished by voting down the Senate committee amendment to paragraph 179 and the amendment to paragraph 180?

Mr. ALDRICH. Of course if the Senate thinks that there ought to be the same rate of duty on lead ore and pig lead, I take it for granted it will vote against the committee amendment to paragraph 179. I take it for granted that all those who think there should be no difference at all between the finished product and the raw material will vote against the amendment to paragraph 179. I assume that to be so.

Mr. BRISTOW. And also against the amendment to paragraph 180, would they not?

Mr. ALDRICH. That would not be necessary. If they vote down the amendment to paragraph 179, paragraph 180 would be of no use; it would drop out. I would withdraw the amendment to paragraph 180, of course, if the amendment to paragraph 179 should be voted down.

Mr. BRISTOW. That is what I wanted to get clearly before the Senate.

Now, I should like to inquire why a difference of five-eighths of a cent per pound is put on pig lead and the scrap lead, as I will call it?

Mr. ALDRICH. I should be very glad if the Senator would postpone the discussion of that until after we have decided this question. It seems to me that that is a question which ought to come up upon paragraph 180.

Mr. BRISTOW. But, Mr. President, we can not separate these questions, because if we vote down the amendment to paragraph 179, then we fix the duty the same on both these products.

Mr. ALDRICH. I do not know whether the Senator from Kansas listened to the very clear statement of the Senator from Idaho [Mr. HEYBURN] upon that subject yesterday. I have never heard a clearer statement made in this body than that Senator made upon that very question. If the Senator would read the RECORD this morning, I am sure he would find it satisfactorily explained to him.

Mr. BRISTOW. Mr. President, I desire to say that I heard every word the Senator from Idaho said yesterday, and I read in the RECORD this morning every word that he said. Still I do not know why it is necessary to put five-eighths of a cent a pound additional on pig lead above that on the lead in lead ore. I should like to know the reason why that was done.

Mr. HEYBURN. Mr. President, I do not know that I can make it clearer, but perhaps the demonstration by the figures that would result from it may be of some assistance. The difference of duty, perhaps, is $12.50 a ton on the bullion. All these other designations may be included in bullion, because that is what it amounts to; it is bullion; in other words, it is lead as distinguished from the lead contents in the ores. Twelve dollars and fifty cents a ton only meagerly represents the cost of converting lead in ore to lead in bullion. It is merely a question of wages and the cost of taking the lead out of the ore and making it bullion. The difference of the duty proposed is $12.50 a ton. That is wages and the investment necessary in machinery to convert the lead in ore to lead in bullion; that is all.

Mr. NELSON. Will the Senator from Idaho yield to me for a question?

Mr. HEYBURN. I am speaking in the time of the Senator from Kansas.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. NELSON. I wish to ask a question for information. As I understand it, most of this lead ore comes mixed with other ore, gold or silver or copper.

Mr. HEYBURN. No; not most of it.

Mr. NELSON. Well, a good share of it. But that ore is reduced into bullion or base bullion, is it not?

Mr. HEYBURN. The term "bullion" covers it.

Mr. NELSON. Yes; bullion. You get a rate of 1½ cents a pound on that. Then by the next process you separate your bullion, you separate the lead from the silver or the other parts, and you get a rate of 2¼ cents more. So for the whole process, from the time you take the ore out of the ground until you have separated the lead from the other metals, you get 1½ cents plus 2¼ cents.

Mr. ALDRICH. Oh, no.

Mr. NELSON. The aggregate duty?

Mr. HEYBURN. I think the Senator is mistaken in his conclusion.

Mr. WARNER. Mr. President, we get no silver out of the lead ore.

Mr. ALDRICH. This is not an accumulating duty.

Mr. HEYBURN. Not at all.

Mr. BRISTOW. I should like to inquire what it costs a ton to refine lead ore?

Mr. HEYBURN. It is not termed longer "lead ore." It is an extraction of lead from the ore.

I can, perhaps, make it plainer to the Senator from Kansas. The lead contents of ore may represent 8 per cent, or it may represent more or less. Now, in the larger fields of production, or rather I will say, out of regard to the State of Missouri, in the field of production outside of the State of Missouri, it is necessary, first, to concentrate that ore and extract what you would call the "native rock," in which it is contained, to as large an extent as possible. You take 8 or 10 tons of the ore as it is mined, and by a process of concentration you eliminate from it the silica, the slate, and the granite, or whatever it may be contained in, until you have the concentrated product. That still is not bullion. Your expense in doing that, at a reasonable estimate, involves an investment of probably $150,000,000 in concentrating mills in the United States and a labor account of about 25,000 men in the United States, at a wage of about $4 a day. After the expense of mining the ore has been disposed of, that account stands between the ore and the bullion. It does not become bullion until it is smelted. It goes through two processes—concentration for the elimination of the great mass of waste, and then smelting in order to extract the lead from the concentrated product.

That represents close to $40,000,000 in wages and the incidents of labor in addition to the investment in the works necessary to perform that extraction. That is added to the cost of the finished product in comparison with the cost of the lead in the ore. It represents that value.

Now, if you are going to allow lead ore to be mined abroad and shipped in as ore, and then put no additional duty on the bullion, they will extract lead from the ore abroad and ship it into this country as bullion at this lower rate of duty, and, consequently, they will diminish our mining to the extent that they substitute it for theirs. The wages of this vast expenditure that represents the conversion of the lead in ore to lead in bullion and the cost would be paid abroad. It will not be paid in this country. The machinery for doing it will be constructed abroad, not in this country.

I would suggest to the Senator that the machinery and the appliances necessary to perform that extraction can be made abroad for one-third of the cost in this country. In other words, great concentrating works and smelters can be built in Germany or in Mexico for a third of the amount at which they can be built in this country. We therefore lose the wages represented by the construction of these works to the laborers of this country and give it to those abroad.

That is one of the very largest items that enters into this proposition. We want the wages for mining the ore paid to American miners. We want the wages and the expenditures incident to the extraction of the lead from the ore paid to the laborers of this country. In our State we purchase something like $2,000,000 worth of machinery in our country for the purpose of converting lead ore into lead bullion or into concentrates.

That machinery and those works are produced by American labor out of American material. Would you substitute the foreign labor and the foreign material for that? I think not, when the Senator comes to think of it. The whole principle of protection is that we may draw the benefits of labor and investment to ourselves, so that the money may stay in this country and be distributed according to the enterprise.

Mr. ALDRICH. Perhaps I can add a word that may enlighten the Senator from Kansas, although I am not an expert in lead producing. The average value of lead in the ore that is imported is 2 cents a pound. The average value of pig lead that is imported is 4 cents a pound, showing a difference in the cost of production of 2 cents a pound from the lead ore to the finished product or to the lead in the bullion or in bar or pig lead. I am using these figures as an average to show the approximate difference between the two.

Now, the difference in the tariff between the two is the difference between 1½ cents and 2¼ cents, or five-eighths of 1 cent a pound, which is about 30 per cent on the cost of taking the lead ore and putting it into lead bullion abroad. I believe that if the facts should be submitted to the Senate they would show that that does not equal the cost between abroad and this country of changing lead ore into lead bullion.

Mr. BRISTOW. As I understand from the remarks of the Senator from Idaho, it costs about $12.50 a ton to take the lead out of the lead ore and make pig or bullion of it.

Mr. HEYBURN. It costs fully that.

Mr. BRISTOW. Now, this five-eighths of a cent per pound is for the purpose of making up the difference in the cost in this country and abroad, as I understand it.

Mr. HEYBURN. That is $12.50. That is what it amounts to—$12.50 a ton.

Mr. BRISTOW. A ton?

Mr. HEYBURN. Yes.

Mr. BRISTOW. What does it cost abroad to reduce this ore to bullion?

Mr. HEYBURN. It costs a difference of more than $12.50 a ton.

Mr. BRISTOW. Has the Senator or has any member of the Committee on Finance any statistics showing what the cost of the labor is abroad and here, and of the different classes?

Mr. HEYBURN. Those of us who are familiar with the lead product and the producing of lead have the statistics of experience. I do not like to refer to myself, but I have been for thirty years connected with lead production in the United States, and I have means of knowing something about it. Statistics are as a rule reliable, but oftentimes we find that the balance sheet of the mine is a better criterion than the statistics, although I am not out of accord with the statistics.

Mr. BRISTOW. But the Senator must admit that the balance sheet of the mine might be affected by many other causes than the cost of labor employed.

Mr. HEYBURN. The great item is labor. It runs about this way in producing, say, 100,000 tons of lead: The wage account will be practically $5,000,000—I am using round figures, and they are accurate; the freight and treatment will be about $4,500,000; the investment necessary to this production will be about seven or eight million dollars. Now, I think I have covered the mining—that is, the wages. I have covered the investment and the machinery. The freight and treatment are about $4,500,000 upon that product. The Senator can take that as a basis in estimating the business of producing lead bullion.

Now, in between that is the concentrating process, which would, for producing 100,000 tons of lead, represent about two and a quarter million dollars. Then the wages incident to the concentrating of the ore may be based upon a statement that 7,500 men are employed at an average wage of $4 a day. There is a basis of the business from which conclusions may be drawn.

Mr. BRISTOW. Mr. President, I have been informed by an authority, that to me is very satisfactory, that you can smelt lead in the United States as cheaply as it can be smelted in any country on the face of the earth.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. BORAH. Of course I am not informed as to the source of the authority of the Senator from Kansas, but I do not believe there is any foundation in fact for that conclusion. I have been listening for the last day or two to the colloquies and the figures upon this proposition; but there is one thing that is certain, that the practical facts with reference to the production of lead from the time it is found in the mine until the time it is finally usable by the consumer are all against those conclusions.

We have been in close touch with the situation and know something of the effect of tampering with the lead schedule, so far as the employment of labor and the production of lead in this country are concerned; and, unless the man who has given the Senator from Kansas the information which he has has been in touch with that situation, unless he knows its practical working and knows the effect of the reduction of duty upon the production of lead, I should be inclined to doubt the information.

You can take figures and prove almost anything; but we know, for we have tried it. We have seen our mines closed; we have seen men who are laborers, law-abiding citizens, made tramps and put upon the highways for years at a time by reason of tampering with this schedule.

Now, if you are going to protect the product of the mine as it comes from the mine, or the bullion, it must necessarily follow that you must protect the final product of that product, otherwise they will not purchase the bullion nor purchase the ore from us. If the Mexican producer, the Canadian producer, and the Spanish producer can put the finished product in here without protection, he will certainly not buy that ore or the bullion from the mines of the West, and neither will our own people do so. So, if we concede, Mr. President——

Mr. BRISTOW rose.

Mr. BORAH. Just a moment. So, if we concede that it is necessary to protect the ore, that it is necessary to protect the bullion, the other follows as a logical sequence from that proposition.

Mr. BRISTOW. Mr. President, I regret very much that I can not agree with the Senator from Idaho. This bill as it came from the other House provides for a duty of 1½ cents a pound on lead ore or the lead in lead ore. That is supposed to protect the American producer of lead. It was said here yesterday that because of that 1½ cents a pound duty there had been lead mines opened in Utah and in other States of this Union that could not be profitably worked unless such a duty was maintained; and that if the duty on lead ore were taken off or reduced, a number of those mines would be closed; that is, that this duty has enabled men to mine lead where otherwise it would not pay to mine it. We are therefore taxing the American people in order to enable these mines to be worked.

Mr. President, those of us who are contending against the Senate amendment are not contending for a reduction of the duty on lead ore. We are willing——

Mr. BORAH. Mr. President——

Mr. BRISTOW. Just a moment. We are willing to leave the duty where the House left it, believing it ample protection to the men who have been induced by our protective system to go into these mines and mine this lead. We do that, not because we believe that it is justifiable to put a cent and a half duty on any of the great natural products that we have that may be susceptible to exhaustion, but we do that because a condition confronts us which the Senator yesterday convinced me would result in closing mines if the duty were reduced to where, in justice and equity to the American people, it ought to be.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. BORAH. I ask the Senator from Kansas what benefit it would be to the western miner or to the producers of the West if we have protection upon a raw product and other people are still permitted to bring in the finished product from other countries?

Mr. BRISTOW. Mr. President, the finished product will pay the same duty—1½ cents a pound. That duty will be imposed on lead, whether it is in ore, in pig, or in bullion.

Mr. BORAH. What protection, then, would there be in that process to the labor that transforms the original product into the finished product in this country? It would necessarily transfer the labor to other countries and cause that finished product to be made in other countries.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. The Senator from Kansas, when he answers the question of the Senator from Idaho [Mr. BORAH], may answer this also: How would we provide for the bullion which is lost in the reduction of ores? Take the ore itself; and the pig lead that you get is only about 85 per cent; and if it were reduced in a foreign country it would come in here as bullion. Of course, no ore would come in, but bullion would come in; and it would be the same thing as closing down everything in this country.

Mr. BRISTOW. Does the ore lose any more in dross in this country than it does in any other? Is not there the same loss incurred whether the ore is smelted in Germany or in America? Do you expect to charge the loss by dross and have the American people make up that loss by tariff charges, when the same loss would occur whether the ore were smelted in Mexico or any other place?

Mr. SMOOT. If the lead ores were of the same value as bullion, then it would make no difference; but the Senator must know that there is a difference between the value of ore and the value of bullion.

Mr. BRISTOW. I know that.

Mr. SMOOT. Then, it would make a difference.

Mr. BRISTOW. But in the reduction abroad of the ore to bullion it goes through exactly the same process that it goes through here.

Mr. SMOOT. Certainly; and the labor cost is not one-third of what it is in this country.

Mr. BRISTOW. Mr. President, if there is anybody on the Finance Committee who can show what the labor cost per unit is in Germany, in Mexico, and in America, I should like to know it.

Mr. HEYBURN. With the Senator's permission, I know the difference, and can state it.

Mr. ALDRICH. The Senator from Idaho knows the difference, but the value of the imported product shows it very plainly. It is 2 cents a pound abroad, and it is more than 3 cents a pound, in my judgment, here.

Mr. BRISTOW. Mr. President, the value of the product after it is reduced as compared with its value in the ore shows the

cost of the reduction, but it does not show the difference between the cost of reduction in this country and some other country.

Mr. ALDRICH. Does the Senator from Kansas believe that the reduction process, or the transmuting process from ore to the bullion, can be done as cheaply in Kansas as it can be done in Germany or in Mexico?

Mr. BRISTOW. I have been informed that lead ore can be reduced as cheaply in this country because of our efficiency in smelting and because of the facilities that have been acquired here by the smelting industries——

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. When I get through this sentence I shall be very glad to do so.

Mr. HEYBURN. I shall wait until the Senator finishes his sentence.

Mr. BRISTOW. That because of the efficiency that has been attained in this country by reason of the improved facilities there is no more reason for a duty to-day on pig lead than there is on steel, and as was so clearly demonstrated by the Senator from Iowa [Mr. CUMMINS] yesterday, that such duty was not necessary.

This efficiency has been attained by the gigantic smelting interests in our country, resulting in greatly reducing the cost, the same as has been done in the manufacture of steel, and no other country on the face of the earth can equal us in the efficiency of this class of labor and the cheapness of the reduction of this metal. Now I will yield to the Senator from Idaho.

Mr. HEYBURN. Mr. President, I would suggest practical experience against theory in regard to that matter as a better criterion. Lead ore can be mined in Mexico for one-third of what it costs to mine it at any point in the United States. The machinery for the purpose of converting it from ore to bullion can be constructed for one-third of what it can be constructed for in the United States. The wages paid in the stage of transformation of ore in the ground to bullion on the floor is three times as much in this country as it is in Mexico or in Germany. It costs here a third more in wages either to mine or to mill or to smelt. In Germany they take the ore from foreign countries; they ship it from Australia to Germany; they convert it into bullion there; and they will send it to this country either as lead bullion or as white lead or as some other manufactured product of that bullion. They have at all times 33⅓ cents the best over us after paying the expenses of bringing it from Australia to the Rhine, and from there to the seaboard of the United States. Those are the figures. They are not theories.

Mr. NELSON. Will the Senator from Kansas yield to me?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. NELSON. I want to read from the tariff hearings for the purpose of showing that in Utah the miners practically get as much of the precious metals from a ton of lead ore as they do of lead.

Mr. KEAN. That is in Utah.

Mr. NELSON. In Utah; and the amount of the precious metals, of gold and silver, they get out of a ton of lead ore more than compensates for the extra cost of labor. Let me read from the Tariff Hearings, Schedule C, page 2323, the statement of Mr. C. E. Allen, of Salt Lake City:

> In the year 1906, upon which I have based my figures, because those are more complete, we produced 125,342,836 pounds of lead, or 164 pounds of lead per ton of ore; and this contained 68,340 ounces of gold, or 0.089 ounce of gold per ton. This lead also carried with it 9,406,758 ounces of silver, or 12.27 ounces of silver per ton. That is, 82 per cent of the silver produced in Utah came from lead ores. Between 26 and 27 per cent of the gold produced in the State came from the same source. The average value of the metals produced in lead ores in that year from this State was as follows: Lead, 5.7 cents per pound; gold, $20.67 per ounce; silver, 67 cents per ounce.
>
> The value of—
>
> I call the attention of Senators to this statement—
>
> The value of the contents per ton—
>
> That is, of the ore—
>
> The value of the contents per ton was: Lead, $9.32; gold, $1.84; and silver, $8.22, making a total value of each ton of lead ore produced of $19.38.

Showing that they get nearly as much gold and silver in value out of a ton of ore as they do from the whole amount of lead. In that respect those ores are unlike the foreign ores, and, practically, they get more than enough out of that to cover the labor cost.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Rhode Island?

Mr. BRISTOW. I yield to the Senator.

Mr. ALDRICH. If the Senator from Minnesota were at all familiar with this subject, he would know that there is more gold and more silver in Mexican ore than there is in the ores we produce in this country.

Mr. SMOOT. That is exactly the statement that I wanted to make in relation to the comparison between the ores of Mexico and the ores of Utah. The ores of Mexico are always richer in silver than the ores of Utah or of any other State in this Union.

Mr. GALLINGER. Or of any country in the world.

Mr. BRISTOW. There has been a great deal said here during the debate on the tariff schedules in regard to the wages here and abroad, but it has been opinion or general assertion; there has not been a single schedule brought before this body in reference to which there has been any reliable statistical information presented by the Committee on Finance as to the cost of wages abroad and here. But the senior Senator from Iowa [Mr. DOLLIVER], in that remarkable speech he delivered the other day, in my humble judgment one of the greatest that was ever delivered in this Chamber, conclusively demonstrated that there was a duty of 1 cent a yard put on for the mercerization of cotton cloth, although by submitting bills of lading he showed that it cost, all told, but five-eighths of a cent a yard to take it through that process. Yet, under the pretense that you were providing for the difference in the wages paid abroad and here, you have put on a duty almost double the entire cost of mercerization in this country.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Yes.

Mr. SMOOT. I desire to say to the Senator in connection with the statement as to the cost of mercerization being five-eighths of a cent, that he must remember that here were letters read by the Senator from Iowa showing that it cost more than that in some places. He did not, however, take into consideration the question of boxing the goods, the freight to the place where they are mercerized, the reboxing of the goods and shipping them back to the manufacturer who sent the goods to be mercerized.

Mr. BRISTOW. The Senator thinks that the freight and boxing would amount to three or four tenths of a cent a pound, does he?

Mr. ALDRICH. I trust the Senator from Kansas is more familiar with the lead-producing interests of this country than he is with the cost of mercerization. I will demonstrate to the Senate that the cost of preparation for mercerization and the cost of mercerizing in this country is over a cent a pound more than it is in any other country of the world. But that is not the question here now. The question here now is whether we shall put a duty of a cent and a half a pound on lead ore.

I understand that the Senator from Kansas is willing to put a cent and a half a pound duty, which is equivalent to 95 per cent, upon lead ore, but that he is not willing to put an additional fraction of a cent upon the pig lead. Does the Senator from Kansas suppose that any man in his senses would pay a cent and a half a pound duty on lead ore, or the lead contained in lead ore, when he could introduce into this country pig lead, which is worth twice as much, at the same rate of duty?

Mr. BRISTOW. Mr. President, that would depend entirely——

Mr. NELSON. Will the Senator yield to me for a moment?

Mr. BRISTOW. Just as soon as I can answer the question of the Senator from Rhode Island. It would depend wholly upon what the purchaser in this country wanted to do with the lead. If he wanted to smelt lead ore, he would buy the lead ore for the purpose of smelting it and changing it into bullion for the profit there was in it.

Mr. ALDRICH. Why should he want to smelt it if he could introduce the finished product for the same rate as the raw material?

Mr. BRISTOW. Because the smelting of the raw material is worth more in this country than the raw material, and the smelter wants the profit between the price of the raw material before it is smelted and of the finished product after he has smelted it. He wants that profit himself, instead of letting the man abroad have it. So he buys the ore and brings it here for smelting, and sells it to the American people after it is smelted. He would do that because it is a profitable business.

Mr. ALDRICH. It certainly would not be worth any more in this country if the rate of duty were the same upon lead ore and upon the finished product.

Mr. BRISTOW. It would be worth just as much more as the cost of smelting in the foreign country——

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. NELSON. Mr. President, fortunately we are not obliged to take the figures as to the profits advanced by the senior Senator from Idaho [Mr. HEYBURN]. The same witness from whose testimony I read a moment ago—Mr. Allen, of Utah—gives us the exact figures. He says on page 2323, Hearings on Schedule C:

> The total cost, then, to the miner was $15.93, and he received $19.38 per ton, which would leave an apparent profit of $3.45 per ton. From this should be taken at least 10 per cent for writing off the property.

If you take those figures, you will see that the miner makes over 20 per cent profit on a ton of ore. This is from the sworn hearings, and is not a visionary picture of conditions abroad and here.

Mr. BRISTOW. Mr. President, from Census Bulletin No. 86, page 9, it appears that there were, in 1905, 7,573 men engaged in the smelting of lead. It appears also on the same page that that was a less number than were engaged five years previous to that, in 1900. It appears on the same page that the total wages paid to these men was $5,374,691, an increase in five years of 5.6 per cent in the amount of money paid, although there were fewer men employed, showing that better wages were paid them. On page 8 it appears that there were smelted in 1905, in round numbers, 613,000,000 pounds of lead.

In 1900, five years previous, there were smelted 497,000,000 pounds of lead, an increase in the amount of lead smelted of 23.3 per cent; that is, an increase in the production of the smelters of 23.3 per cent, while there was an increase in wages of only 5.6 per cent; which goes to demonstrate the statement which this friend of mine makes to me that, by virtue of the modern improvements in this country and our mechanical devices, we are reducing the cost of smelting lead every year.

Senators, I do not believe, with due respect to the members of the Finance Committee and the Senator from Idaho, that a duty is needed on pig lead in order to protect the wages of American workmen; but I believe that this five-eighths of a cent should be taken off to protect the consumers of that product in this country of ours from extortionate charges.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. The Senator from Kansas speaks of the better facilities which we have in this country for the smelting of lead. Does the Senator not know that the smelters of Mexico are precisely of the same type that we have in this country; that they are managed in the main by American owners, American smelter men, who are just as capable of managing a smelter in Mexico as they are in the United States; and that the difference between the cost of producing in this country and in Mexico is the difference in wages? The methods are just as good in Mexico as they are here, and the labor is cheaper.

Mr. BRISTOW. Mr. President——

Mr. SUTHERLAND. Now, let me ask the Senator——

Mr. BRISTOW. Wait until I answer your question, and I shall then be very glad to hear another question. I do know, from information that comes through the public press and otherwise, in a general way, that American machinery goes to Mexico, and that the smelter in Mexico pays more for the machinery that goes in his smelter than does the American——

Mr. SUTHERLAND. Where does the Senator get that information?

Mr. BRISTOW. Because the foreigner buys his smelter machinery from this country, and pays the transportation charges from here to Mexico, and it costs him more unless your duty on that machinery is holding up the price to the American people and making them pay more than has to be paid in a country across the line for identically the same thing.

Mr. President, I will admit that there are Americans employed by the smelters of Mexico and in the mines also; but they are paid just as much or more in Mexico than they can get here. If they were not, they would not go there to work; they would prefer to stay at home. Furthermore, the Senator knows, if he has read the hearings before the House committee, that the Mexican labor that is employed there is cheap because it is inefficient, and that cheap Mexican labor comes across the line, and is employed in the mines of this country as well. Now, I shall be very glad to hear the Senator's other question.

Mr. SUTHERLAND. I will say to the Senator that in the State of Utah—and I am pretty familiar with the various mining districts of that State—I do not believe that there are 10 Mexicans employed in all the mines of that State. They do not come there. The miners employed in Utah are Americans, as a usual thing, or miners who have come from Wales or from other European countries. They do not come from Mexico.

Mr. BRISTOW. Why do you employ Americans instead of Mexicans?

Mr. SUTHERLAND. I doubt very much whether there is a single Mexican in the State to employ.

Mr. BRISTOW. That can not be said of Arizona, New Mexico, and some States. Why is it that Americans are employed in the smelters in preference to Mexicans, although there are a great many Mexicans in that part of the country?

Mr. SUTHERLAND. Where does the Senator mean—in Mexico or in this country?

Mr. BRISTOW. In this country, along the border.

Mr. SUTHERLAND. The Senator asked why Americans are employed in preference?

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. One reason is because there are no Mexicans in that country. Mexicans do not come into Utah.

Mr. BRISTOW. Perhaps not in the immediate community of which the Senator speaks, but they are in other States and Territories in great numbers.

Mr. SUTHERLAND. I am not undertaking to speak about any other State; I am speaking of Utah. I know what the conditions are there, and I know that there are no Mexicans employed in the mines of that State. I doubt whether there are any in Idaho.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. I hope the Senator from Idaho will permit me to conclude. I want to put a question to the Senator from Kansas. Does the Senator from Kansas believe there should be any differential at all upon lead in paints?

Mr. BRISTOW. No; not a bit.

Mr. SUTHERLAND. The Senator thinks the duty on pig lead should be the same as on lead in the ore?

Mr. BRISTOW. I am glad to say that I agree with the House committee exactly in regard to that proposition, and I think the committee was very wise in refusing to put a differential on pig lead over and above a cent and a half a pound on the lead in the ore, which is ample protection against the lead that is imported into this country in whatever form it may come.

Mr. SUTHERLAND. Does not the Senator from Kansas see that if there is the same duty upon pig lead that there is upon the lead in ore, the lead will come into this country in the shape of pig lead, because the pig lead can be shipped at a less freight rate than the lead in the ore? There may be in a ton of ore only 25 per cent of lead or 50 per cent of lead, and if you put it at 50 per cent, in a ton of ore there will be only a thousand pounds of lead. The importer would be obliged to pay his freight upon the ton of ore, while if he ships it in the shape of lead bullion he would pay his freight upon a ton of lead, which would be 100 per cent instead of 50 per cent in the other case.

Mr. BRISTOW. I beg to inquire of the Senator if he maintains that the freight on lead ore is the same as the freight on bullion and pig lead per ton per mile?

Mr. SUTHERLAND. I do not know that it is precisely the same.

Mr. BRISTOW. Does not the Senator know that when it is reduced to pig lead the rate is very much advanced, as it is on every other kind of metal?

Mr. SUTHERLAND. I do not think that necessarily follows at all.

Mr. BRISTOW. It does as a matter of fact, does it not?

Mr. SUTHERLAND. The Senator seems to think so. I do not. What is the Senator's information about it?

Mr. BRISTOW. My information is that the freight on ore is very much cheaper; and if you will examine the tariff sheets of the railroad companies in the West, you will find that my information is correct.

Mr. SUTHERLAND. What is the difference?

Mr. BRISTOW. I can not give the exact figures because I have not them at hand.

Mr. SUTHERLAND. It would occur to me that a railroad company could afford to haul a ton of lead cheaper than a ton of lead ore, because a ton of lead is not so bulky as a ton of lead ore and does not require the same space in the car.

Mr. BRISTOW. In this the Senator is very much mistaken. Mr. President, I do not know that I have anything further to say except to make the declaration that I believe it is our duty

as Senators representing the people of this country to vote against any increase in the duty on pig lead and to have the same duty on one as the other. I concur in the cent and a half a pound on lead ore, fixed by the House, because of the condition that confronts us and for no other reason, as I have explained heretofore. I do not think that it ever ought to have been imposed.

Mr. BEVERIDGE. Let us have a vote, Mr. President.

Mr. BACON. Mr. President, I desire to say a few words somewhat of a general character, without going into the intricacies of the scientific features in the discussion of this particular lead duty. I have no greater interest in the reduction of this particular schedule, or the duty imposed on this particular item in this schedule, than I have in any general question of the reduction of duties upon articles of general, common use in the country. I believe it was the necessity for such reduction which created the public sentiment that demanded that Congress should again deal with the question of what should be the rates of duty prescribed in the tariff law. So far as concerns articles not of general use and consumption, which do not enter into the everyday needs of the people, it is not so important; and even if the duties on such articles are, in the existing law, onerous, there would not be such a demand for the reduction as there is in the case of other articles. But there is properly, naturally, a demand throughout the country by people of all political parties and of all sections that there shall be a reduction in the tariff duties in such way that there may be a reduction in the cost of ordinary, comfortable living.

I speak in regard to this particular item only from the fact that the article of paint is one of the most universal use, one which enters into the every-day life of all the people of all the country, one which is of the utmost importance to them from both a utilitarian and an esthetic point of view.

I think the entire duty upon the lead product, both the ore and the more finished article, is entirely too high. Paint is very costly, as anyone knows who has any necessity to use it, and therefore I would be glad to see not only the duty kept down so far as it might be affected by rejecting the Senate amendments to the two items—because I speak of them together; paragraphs 179 and 180—but I would be glad to see it still further reduced by having a less duty upon the ore and a corresponding less duty upon the finished article. Upon the ore there is now a duty of nearly 80 per cent and upon the finished article of nearly 50 per cent.

Mr. President, whenever there is a discussion here as to whether or not a rate of duty should or should not be maintained, it seems to be a sufficient reply, in the opinion of a good many Senators, that it is the Dingley rate; as if it should be satisfactory that no advance is made upon the Dingley rate. Frequently when matters are being discussed and a Senator asks whether a given rate is the Dingley rate, and there is a response in the affirmative from Senators in charge of the bill, it seems to end the matter, and that that fact is alone necessary to make that rate satisfactory.

Now, as very clearly and forcibly pointed out to-day by the junior Senator from Minnesota [Mr. CLAPP] there can be nothing more illogical than such an attitude. To put the mildest term upon it, it is certainly a most preposterous proposition that Congress should be called into session and kept in session simply to reiterate and reaffirm the law now found upon the statute books, or to enact another law substantially the same as the present law in the grievous burdens which it imposes on the American people.

But, Mr. President, aside from that general proposition, I wish to read something which I read to the Senate a year ago in the hearing of the chairman of the committee, the Senator from Rhode Island [Mr. ALDRICH], and to which his attention was then particularly attracted, because he made an inquiry of me when I read it. I think his particular inquiry then made was from what Democratic stump speech I was reading. I wish to read it again, in order that Senators may have the advantage of the estimate which was then put upon the inequalities and the injustices of the Dingley law, the present tariff law, not in a Democratic stump speech, but by a Republican holding high office among those interested in some of the principal manufacturing industries in the country.

Mr. ALDRICH. Who is the gentleman?

Mr. BACON. I am going to give the Senator the name. He asked the same question before, and the Senator shall have the same information now that I gave him then.

I will state that about a year ago, or more than a year ago, in February of last year, when the learned and distinguished Senator from Indiana [Mr. BEVERIDGE] was to make his much-heralded speech on the subject of a tariff commission, there assembled in the city of Washington a large number of prominent manufacturers of the country, men who were not only engaged in the business of manufacturing, but men who hold high official position in the organization of the parties thus interested in manufacturing. They had a convention here, and while here they gave out public utterances of various kinds and in various ways. On the 3d day of February of last year, while that convention was in session, there appeared in the Washington Herald a series of interviews with those officials. One of them was Mr. Van Cleave, with whom I am sure the Senator from Rhode Island is well acquainted. Another was Mr. H. E. Miles, who designated himself as the chairman of the tariff committee of the Manufacturers' Association and president of the National Association of Agricultural Implement and Vehicle Manufacturers.

In that interview, which was published in the Washington Herald and which I read to the Senate on the 13th of March, in the hearing of the Senator from Rhode Island, as well as other Senators, Mr. Miles, who in the course of his interview avowed himself to be a Republican, used this language:

> The annual output of the manufacturers of the United States, as shown in the last census, is valued at $14,800,000,000. The tariff which covers the prices—

I hope Senators will listen to this language, because we are now dealing with that tariff. We are now dealing with the question whether the tariff shall be changed. This is the estimate which was put upon the tariff we are now engaged in revising by this prominent Republican manufacturer.

> The tariff which covers the prices—
>
> That is, the prices of the $14,800,000,000 of manufactures—
>
> is inexact, antiquated, and inapplicable at the present time. Scarcely a single schedule has any honest and direct application at this time to the principle of protection. Under present conditions the tariff is not a protective tariff in any sense. It is a tariff—

Listen to this language—

> It is a tariff of graft and discrimination, hurtful in a thousand ways. From one-half to two-thirds of the stuff made under this tariff bears to the consumer an unjust and unreasonable price because of the tariff.
>
> It is estimated by competent authorities that the graft, overcharge, and wrong done the American public because of the present tariff reaches $3,000,000 a working day. We have the facts, schedule by schedule, and are prepared to make the details public should we receive opposition to our demand for a permanent tariff commission, through the appointment of which a proper adjustment of the tariff can be procured.
>
> We are not agitators or reformers. We are mostly Republicans, and all protectionists.

Mr. President, with that indictment of the tariff law made by this prominent Republican, this prominent official of the manufacturing industries, we are met by the suggestion time and again, whenever dissatisfaction is suggested as to any paragraph of the bill, "Well, that is the Dingley rate," and they pass it by without further opposition. Therefore it is that it is not sufficient for me to have it said that a rate of duty is found in the Dingley law.

Mr. President, Senators here in the discussion of this particular item have iterated and reiterated the statement of the amount that is paid in the way of wages to those who are employed in this industry. But we have heard nothing as to other items in connection with it. One is the much-needed information as to what proportion of this vast amount of money that it is proposed to give as a bonus—because that is what it is and nothing else—to this industry or that industry is received by these much-vaunted laborers, and what proportion of it is held by those who own the property and who take the profits?

If we are going to engage in the Socialistic business of protecting and caring for other men's private industries, if we are going to engage in the worst of all social propaganda, that the general public shall be taxed for the purpose of benefiting not the whole community but a part of the community, then we ought to go further and say how that money shall be distributed among those engaged in different capacities in the various industries thus taken, at the public expense, under the fostering care and guardianship of the Government. If the Government undertakes either by paying money directly out of the Treasury as a bonus, or by enforced contributions from the individual citizens aggregating the whole American people, to contribute thousands of millions of dollars to sustain certain private personal enterprises, it is the worst and most pernicious form of socialism. It is not to be defended logically except upon the recognition and acceptance of the principles and arguments upon which the general policy of Socialism is advocated and defended. But if entered upon, the fundamental principle of Socialism must be logically administered, and that is that there must be an equal enjoyment of the general fund. Particularly is this true when the great proprietors shelter themselves in the background, and base their demand for money to sustain their personal enterprises upon their extreme solicitude that American labor shall be properly compensated. That issue awaits them in the near future.

But there is another matter very much more important than the question as to how much of this vast sum, this enforced contribution from the general public, is taken by the proprietors for their own enrichment, and how much is doled out by them to the employees. That important matter relates to the question, Who pays these untold millions as a gratuitous support to other men's private business? Senators stand here and say that such and such an industry can not get along unless it has a certain amount of assistance, and Senators talk about the amount of money that is needed in order that the business may be carried along successfully. What does that mean, except that people who are unable to carry on their business successfully, or who wish to make still larger profits in their business, shall have the great general public taxed and the money realized by such taxation paid to them to help out a business which, as they allege, otherwise could not succeed to the desired extent? Their desire and purpose is to get more money out of other people than they are able to make in a natural and legitimate way out of their own business. If they did not get more money by it they would not be insisting upon a protective tariff in their favor.

In this connection what I immediately propose to ask is this: Who pays the money thus to be contributed to support the private business of others? It comes out of somebody's pocket. It does not drop from the skies and is not found upon the highway. It is paid directly by the American public, and every man pays his part of it, whether he wishes to do so or not.

In the former day of arbitrary rule, some centuries ago, the men in authority then undisguisedly despoiled the people of their property and gave it to a few favorites. In this day the protective system, through the thinly veiled forms of law, does the same thing. In that day, and at a still later period, one of the most odious forms of oppression, through which the people were plundered, was in granting to a few favorites monopolies in the necessaries of life, thus giving to those favorites the opportunity and the power to wring from the people the payment of extortionate prices for those things without which they could not exist. In our boasted free government, with our much vaunted equality of right, our protective tariff law in greater or less degree, practically places within the power of comparatively a few men, so far as conditions make it possible, the monopolistic control of all the things required for the business, the comfort, and the sustenance of the people, thus enabling them to exact and collect extortionate prices for those necessary articles.

Mr. President, it is a most interesting inquiry as to how much money the American people have to pay to sustain and enrich these favorites, these private personal enterprises, by reason of high protective duties which are imposed for that purpose and not to raise revenue for the Government. I referred to that question the other day in a short colloquy which I had with the Senator from Montana. It has been a matter of some investigation, a matter of inquiry, a matter of careful estimate. It is estimated that in the case of a protective tariff, one framed along protective lines, which is designed to keep out of the country much the larger proportion of the goods such as those consumed in the country, much of which would come from abroad if it were not for the artificial barrier, the purpose and effect being to give a monopoly in the American market to the American producer, so that he may have no competition and thus be able to extort as high prices for his goods as the necessities of the American consumer may compel him to pay—it is conservatively estimated, I should say, because there are estimates very much higher than this, that for every dollar raised by duties paid at the custom-houses under such a protective tariff and which goes into the Public Treasury, the public pays $7 to the domestic producer of similar articles consumed in the country, not a dollar of which goes into the Public Treasury, but every dollar of which goes into the private coffers of those who produce these protected domestic articles.

If that is the case, if we have a protective tariff bill, as this is avowed to be, as the present law is avowed and known to be, as this law is intended to be, as avowed by the Senator from Rhode Island and other Senators who have spoken—if this protective tariff is to raise $300,000,000—then by this conservative estimate the people of the United States will pay more than two thousand million dollars, not for one time, but every year so long as the law stands upon the statute books—$2,000,000,000 a year in increased prices, which goes into the coffers of these producers.

Now that may sound like a most extravagant estimate, and yet there are those who estimate it as high as $10, instead of $7, upon which this conclusion is based. It does not sound extravagant when we come to consider the fact that there are over thirteen thousand million dollars of domestic manufactures annually consumed in this country, and that upon most of similar articles imported a tariff duty is laid of from about 40 per cent to more than 100 per cent ad valorem.

It is not necessary to take the position that the original cost of the goods and the tariff must be added together to find out what is the cost to the domestic consumer, because if that were the case, it would be, instead of $2,000,000,000, over six thousand million dollars a year. So it is not an extravagant estimate when you say that in the consumption of the country at least $2,000,000,000 are paid by the consumers of the country in the increased prices enforced by the protective tariff, and turned over to those who are the protected producers of the domestic articles practically as a bonus.

Mr. President, we have had the spectacle, which is to my mind a most wonderful one, of the Senate engaged in the consideration of these schedules and not a word said, except in a general way and as a matter of incident, as to whether any particular item is to raise revenue and what it will raise, and not a word said by Senators in charge of this bill, Senators who favor it in its form as reported from the Republican members of the Finance Committee, Senators who propose to pass it without substantial change, as to how the consumers are interested in this matter, and how it will affect them. Not a word as to the interests of the Government in raising a revenue through any schedule, not a word as to the mountain load of burden which this duty or that duty will lay upon the American consumer who must buy these articles whether he will or not. The only question which concerns these Senators is how much of this money thus coerced from other people through their necessities shall be given to this man to help enrich him in his private business, and how much to this other man to swell his bank account, which represents the gains from his private business. The title of the bill should be changed. In expressing frankly the truth the title should be, "A bill to be entitled an act to collect annually $2,000,000,000 from the people of the United States and pay the same over to the favored proprietors of the protected industries herein named."

When this industry appears and that industry appears and asks that it may have this prohibitive rate of duty or that prohibitive rate of duty, it is simply a question how much will we, out of this $2,000,000,000 thus extorted from other people, allow to those engaged in the lead industry; how much of this $2,000,000,000 will we allow to some other parties engaged in another industry? And then how much to still another and another party, and so on to the end until the whole $2,000,000,000 is divided among these greedy, insatiate interests to enrich them in their several private businesses at the coerced expense of the general American public.

Suppose it was piled up in that area in front of the Vice-President's desk. What would be the difference between doing that and effecting the same result through the passage of this bill? Suppose that 2,000,000,000 gold dollars were piled up in that area and we sat around here determining how it should be distributed. Would it be any different from what it is in practical effect? A Senator on my right suggests that we would go into executive session. I think we would do something to hide from the American people and the world the fact that we were engaged in—I will not use a harsh term—such an improper occupation.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do.

Mr. GALLINGER. Supposing the Senator's theory——

Mr. BACON. It is not mine.

Mr. GALLINGER (continuing). That we ought to break down the protective system and be dependent upon foreign nations for our products were to obtain, where then would the consuming public come in when foreign nations could fix their own prices?

Mr. BACON. I will endeavor to answer the honorable Senator. I well appreciate and recognize the fact that Senators have lost sight of a tariff designed to raise a revenue for the Government since they have become intent upon this matter of exacting this tremendous tribute from the American people and dividing it out among their favorites. I speak thus because it is impossible that it can be otherwise than a division among favorites. Who knows, when Senators get up here and say that such and such an industry requires such and such assistance, whether or not that estimate is a correct estimate? It is impossible. At last even the Senators, the Republican members of the Finance Committee, who were immured within the walls of the great marble palace across the way where, in the daily bosom talks of several weeks' duration with the confidential representatives of these protected private enterprises, they carried on their secret conclaves from which Democratic

Senators with their embarrassing questions were rigidly excluded, must have taken to a large extent the estimates of those who came here and demanded, and who are still here demanding that the American public shall be taxed and money be taken out of their pockets to be given to them to swell their private fortunes. It was impossible that the Senators could have had the opportunity or the time to verify their statements by an examination into their books or the details of their business. It was impossible for these Senators to do otherwise than to act upon the faith of the statements made to them in the degree in which they gave credit to those statements. Under such circumstances the personal element necessarily influences and controls, however honestly Senators may endeavor to be impartial.

I am well aware of the fact that Senators have become so engrossed with the idea of dividing the spoils to be extorted from the American people—because that is what it is; nothing but dividing the spoils thus to be extorted—that they have forgotten the fact that a revenue is to be raised for the Government; and if any Senator stands here in his place——

Mr. ALDRICH. Mr. President——

Mr. BACON. I will not yield to the Senator now, as I am replying to the Senator from New Hampshire. I will later. The honorable Senator will please pardon me for the present. If any Senator stands in his place and suggests that a certain rate of duty is the proper revenue rate, he is met with jeers and laughter and sneers by Senators on the other side who recognize that a tariff law is nothing but the means by which to despoil the public and distribute the spoils among favorites. They have become so absolutely wedded to the idea that the chief and only function of a tariff bill is a means to gather spoils from the people and distribute them among the protected industries carried on by private personal enterprise, which it is sought to thus enrich at the public expense, that they fail to realize or remember that there can be any such thing as a tariff framed to raise the revenue required by the Government. They forget that the needs of the Government make such a tariff for revenue necessary, and that, under such necessity, even a tariff strictly and solely for revenue would be a high tariff, however much we might wish to make it a low tariff.

Therefore I reply to the Senator from New Hampshire that it is not necessary to take either extreme. It is not necessary to ask what would be the condition of affairs if there were no artificial barriers. The protective tariff can be removed and there would still be unavoidably a high barrier remaining as the necessary effect of a revenue tariff.

Mr. GALLINGER. Mr. President——

Mr. BACON. I hope the Senator will let me finish my reply before he rejoins.

Mr. GALLINGER. Certainly.

Mr. BACON. It is not necessary to take the extreme of saying that there would be free trade. This is a Government of immense means. This is a Government requiring a vast revenue. I suppose there is not a Senator within the sound of my voice who does not know the fact that if we were to assemble here and take the Walker rule as to what was necessary in the raising of a revenue and apply it, it would take somewhere between 20 and 40 per cent in order to raise the necessary amount. It is not practicable to estimate this with accuracy, but I presume the average would be between these limits. Therefore, we could never be brought to the condition the Senator speaks of, where there would be no artificial barrier.

Mr. ALDRICH. Mr. President——

Mr. BACON. I will yield to the Senator from Rhode Island.

Mr. ALDRICH. The Senator stated the amount of money it costs the American people to maintain the act of 1897. For the last year, for instance, how much does the Senator say it has cost? I understood him to say three or four thousand million dollars.

Mr. BACON. No, I did not say that.

Mr. ALDRICH. What does the Senator think it costs, that the Senator says we are extracting from the people of the country?

Mr. BACON. I am permitting the Senator to interrupt me to ask a question, but I shall insist when he asks the question that he shall permit me to answer, and not immediately, before I can answer it, propound another.

Mr. ALDRICH. How much does it cost the American people to maintain the protective tariff?

Mr. BACON. I have stated the fact——

Mr. ALDRICH. How much?

Mr. BACON. I have stated the fact that it is variously estimated by different people, by some as low as five times and by others as high as ten times the amount realized from the protective tariff at the custom-houses. Some estimate it as high as ten times that received at the custom-houses under the same protective tariff.

Mr. ALDRICH. Mr. President——

Mr. BACON. Pardon me a minute. I have not finished my answer. The Senator will certainly permit me to do that.

Mr. ALDRICH. Certainly.

Mr. BACON. It is estimated by some as low as five times the amount, but I do not know of anyone who estimates it at less than that. Therefore, I say it is a conservative estimate to take seven, because the highest is about ten and the lowest about five. If we take seven it would be $2,000,000,000, taken out of the pockets of the consumers of the country in the increased cost of articles, which increased prices go into the coffers of the producers in whose interest the protective tariff is made. This estimate would necessarily vary with the degree in which the tariff law should prove to be prohibitive, and the particular class of articles upon which such prohibition would operate. If the prohibitive duty is laid upon articles of most general use, then the proportion would be higher than 7 to 1 and would probably justify the estimate of 10 to 1.

Mr. ALDRICH. Does the Senator from Georgia think that $2,000,000,000 is a low estimate or a high one?

Mr. BACON. I say I think it is a conservative estimate. That is the fourth time I have stated that.

Mr. ALDRICH. It is probably four or five thousand million dollars a year?

Mr. BACON. No; I did not say that.

Mr. ALDRICH. Say $3,000,000,000.

Mr. BACON. I will not.

Mr. ALDRICH. Does the Senator say it is anything over two?

Mr. BACON. I will say two, more or less, if that will satisfy the Senator.

Mr. ALDRICH. Two thousand million dollars for eleven years is $22,000,000,000 that the protective system, according to the Senator from Georgia, costs the United States.

Mr. BACON. I have not any doubt of it in the world—not a particle.

Mr. GORE. Mr. President——

Mr. BACON. Pardon me a minute. The Senator propounded that question as though I meant that the money was paid into coffers, in gold into chests, to be locked up and remain there during the eleven years, and he may also say that there was not that much money in the world. That is true. But that is not what is done with it. Of course it goes back into trade, and is used over and over again in similar transactions. It goes back, some of it, to the same people in different ways, it is true; but if the Senator were to take the same line of argument I could prove to him that cotton in the last forty years had taken vastly more money out of the pockets of the purchasers than all the money in the world. But a large part of the money that is spent one year in the purchase of cotton returns through the channels of trade and is again spent the next year in the purchase of the same kind of cotton.

Mr. ALDRICH. I suppose the Senator from Georgia would agree with me that the purchases and sales of cotton have been a benefit to the people of the United States.

Mr. BACON. Oh, yes——

Mr. ALDRICH. So that is——

Mr. BACON. Because when men raise and sell cotton they get the value of cotton in the money they receive for it, and the men who purchase the cotton get the value of their money in return.

Mr. ALDRICH. Is the Senator willing to concede that this $22,000,000,000 might have been a benefit——

Mr. BACON. The Senator must know that I am not so much of a doctrinaire as to say that there are no advantages to any one in the protective system.

Mr. ALDRICH. Does the benefit exceed $22,000,000,000 in the view of the Senator?

Mr. BACON. I think not, except to the protected parties who receive that stupendous tribute for their private benefit. The fatal defect in this instance, as it is in the general operation of the protective tariff, is that this vast sum is annually exacted from the many, and with partial hand it is bestowed on the few. It does not come, in the main, out of the men who get the benefit. It can not be equally distributed. It is a tax not equally distributed. If you could by a protective tariff have a system in which there should be the same amount of money laid as a burden in the way of paying for that tariff upon each man, and then in which, so far as any resulting benefit was concerned, it would be equally distributed in its benefits throughout the country, there could be no criticism upon the protective-tariff system so far as the question of policy is concerned. What

each man suffered in the way of a burden would be equally compensated for in the corresponding benefit he would receive.

Mr. ALDRICH rose.

Mr. BACON. The Senator will pardon me for a moment. I well know the advantage of breaking in before a Senator has expressed his thought. I will yield to the Senator at the proper time, and I will not in any manner evade what he may see fit to present on this question.

I repeat, if under the protective tariff an equal burden were laid upon every man by the operation of that tariff——

Mr. GORE. Mr. President——

Mr. BACON. I did not see the Senator standing, or I would have yielded to him before. I just want to finish this sentence and then I will yield to the Senator. I want to express more fully this thought. If the protective tariff in the burden which it lays upon the country, laid that burden equally upon every man, and if on the other hand the resulting benefits, because there are resulting benefits—everybody knows that who is not an abstract doctrinaire—if, on the other hand, the resulting benefits could be bestowed with equal impartiality upon every man in the country, there could be no possible criticism upon the protective tariff as a matter of public policy, although there would still be the constitutional objection to it. But the misery of it is that it is neither equal in the one nor in the other. It is not equal in the burdens it lays. It is extremely unequal and partial in whatever benefits result from it.

Now, I yield to the Senator from Oklahoma, but I will resume this line.

Mr. GORE. I merely desire to suggest to the Senator from Georgia that he might be able to give the Senator from Rhode Island a concrete example of what the protective tariff costs the American people. The lead ore schedule is now under consideration. The price of foreign ore——

Mr. BACON. I hope the Senator will allow me. I yielded to the Senator for a question or a suggestion. Evidently he is starting upon a line which would require some time to pursue. I will be through in a little while and then I will be more than glad to yield him the floor.

Mr. GORE. All right.

Mr. BACON. Mr. President, I will illustrate that by my own section. I well know the argument of the protectionists. It has been illustrated here by various suggestions which have been made as to the effect which would result from the paralysis of any particular industry, that it would not simply affect that industry, but all kindred industries, like knocking down the first of a row of bricks, and away they would all go. That is a very strong argument in so far as the argument can be made to apply, but unfortunately in this country with its diversified industries, with its varied conditions, it is an impossibility that it can be made to apply with equality.

Now, take my own section. I am speaking now of the States which grow cotton. The leading industry is the growing of cotton. I suppose that nine-tenths of the people in my State are either directly or closely connected through business connections and interests or otherwise with the growing of cotton. We make annually over 2,000,000 bales of cotton in Georgia. The State of the Senator from Texas, who sits on my left, makes nearly 4,000,000 bales of cotton.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Will the Senator from Georgia yield to the Senator from New Jersey?

Mr. BACON. I do, for a question.

Mr. KEAN. Only a question. I was going to ask the Senator from Georgia how many spindles he has there.

Mr. BACON. I will tell all about that. There is no trouble on that subject at all, not a particle. I will come to that. I say to the Senator that the manufacturing interest in my State is a great and growing interest, and I am proud of it.

Mr. KEAN. So am I, Mr. President.

Mr. BACON. The honorable Senator need not give assurance of that. I assume that to be true, and I know it is true. The Senator is a patriot. We are all proud of the development, not only in our own States, but in other States.

Except the States of Louisiana and Kentucky, the manufacturing product of Georgia is larger than that of any other State south of the Ohio River, south of the Potomac River, and south of the State of Missouri. If I am not incorrectly informed, in the States of Kentucky and Louisiana the increased amount of manufactures with which those States are credited is made up by including as among their manufactures their work of preparation of their agricultural products to make them marketable; I mean in the changing of conditions of the agricultural products of sugar and tobacco to make them merchantable. The work of ginning and baling cotton might, it seems, with equal propriety, be classed as manufactures. But outside of work expended on preparation of agricultural products for market, so far as textile manufactures are concerned, and the manufactures of wood or iron or stone or anything of that kind, the State of Georgia is, in the value of manufactured product, ahead of any other State south of the boundaries named. Therefore, I am not indifferent to those things. The Senator need not think that I am overlooking those matters. I am not. But they do not lead me to the support of a protective tariff. It would be difficult for me to express the limits of my pride and gratification in this splendid development of the manufacturing industries in my State. I confidently expect them to be steadily and largely increased. Cotton growing is the basic industry of Georgia. Out of the success of this unprotected industry of cotton growing has grown and developed, directly or indirectly, the successes of all other industries in the State. According to my view these extensive manufacturing industries will not find it necessary, in order to maintain themselves, to prey upon the business of the cotton growers through the means of a prohibitory protective tariff. A revenue tariff, the rate of which must be, generally speaking, somewhere between 20 and 40 per cent, is in my opinion all that any enterprise is entitled to. A legitimate revenue rate of duty can be properly supported by any Senator, even if it only affects interests outside of his State. On the other hand, a prohibitory protective tariff can not be properly supported by a Senator even though it specially affects an interest in his own State. That, so far as it concerns a rate of duty, is my tariff creed. In determining whether I shall support any given rate of duty, I will be guided by the same rule which would control me if I were assisting in framing a Democratic tariff. I will support proper revenue duties, and I will not support any prohibitory or protective rate of duty. The test whether any proposed rate will materially bar importations or whether it will yield a proper revenue is easily applied.

But, returning to the more immediate discussion of the influence of the protective tariff upon the business of the cotton grower, I say that the overwhelming majority of the people of my State are interested directly or closely connected with the growing of cotton. There are two kinds of cotton. There is the general staple, which is known to the markets of the world and controls the markets of the world. There is what is known as the sea-island cotton or long-staple cotton, of which only between one and two hundred thousand bales are made in the whole of North America, and of that the State of Georgia makes almost if not quite as much as all other States put together in the United States. There are only two other States which produce it, and they are Florida and South Carolina. Georgia raises the larger amount of sea-island cotton. It is the second of all the States in the production of the general class of cotton. It stands next to the imperial State of Texas, with her more than four times the greater area. Last year we made over 2,000,000 bales of cotton. Yet I affirm that outside of between fifty and one hundred thousand bales of long-staple cotton which the State of Georgia makes you might pile tariff on tariff, like "Pelion on Ossa," and it could not benefit the cotton industry to the amount of a dollar. Why? Because we are exporters of cotton. The cotton-growing States send eight or nine million bales of cotton out of the country, and it is an impossibility that there can be any tariff put upon it which will be a benefit to those engaged in this immense industry. And yet the millions of people concerned in making this, which is the largest single export of all other exports, whether agricultural, mineral, or manufactured, have to pay on account of the protective tariff from 50 to 100 per cent in increased prices of nearly if not quite all the articles used and consumed by themselves, in their business, and in their families, food raised by themselves alone excepted.

Can I furnish any stronger illustration of the proposition that the protective tariff law is one necessarily unjust, because necessarily impossible to be impartial? Therefore, I answer the Senator's question when he asked me what would happen to this country in the absence of a protective tariff.

Mr. GALLINGER. Mr. President——

Mr. BACON. Unless the Senator desires to ask me a question——

Mr. GALLINGER. I was interested in what the Senator said about cotton. We all agree to that. But what about the manufacture of cotton, which the Senator's State is interested in?

Mr. BACON. I say this about the manufactures of my State——

Mr. GALLINGER. I have just glanced at a book here, and I will detain the Senate but a moment. I find that of one class of cotton, 15,000,000 yards were imported last year, of another,

6,000,000 yards, and of another 7,000,000 yards. I do not know but that 100,000,000 yards of cotton were imported into this country. If we should reduce the duty below the protective point the Senator knows what would happen.

Mr. BACON. I do not want any duty that is up to the protective point. Now, what do you mean by a duty that is a protective point? This lead schedule here is a protective duty, because with 250,000 tons produced in the United States only 17,000 are imported, about one-fifteenth. A protective tariff is one which in the main practically excludes from the country articles which can be competed with by articles produced in this country by placing the rates of duty so high as to discourage and materially prevent importations.

Mr. GALLINGER. Does not the Senator call the cotton duty a protective duty?

Mr. BACON. If the Senator has asked the question——

Mr. GALLINGER. I am asking the Senator the question.

Mr. BACON. And I am going to answer it.

Mr. GALLINGER. Does the Senator call the cotton duty a protective duty, when now about 100,000,000 yards come in from foreign countries?

Mr. BACON. The Senator asked the question once and I will proceed to answer it.

Mr. GALLINGER. I would be glad to have an answer.

Mr. BACON. I myself avoid, when I am very much interested in what a Senator says, very frequent interruptions, because I know that the breaking of a Senator's line of thought makes it almost impossible to answer a question.

Mr. GALLINGER. I beg the Senator's pardon.

Mr. SUTHERLAND. Mr. President——

Mr. BACON. I can not yield now, but will be at the Senator's disposition later on.

Mr. SUTHERLAND. I wish to correct the statement made about the importation of lead. The Senator, I understood, said——

Mr. BACON. The Senator will have ample opportunity to do that. I desire to go on with the argument, and I will not yield the floor until I give every opportunity to every Senator who desires to ask any question.

Mr. SUTHERLAND. I suppose the Senator desires to state the statistics accurately.

Mr. BACON. I can be corrected later, and I hope the Senator will wait.

Mr. President, what I desire to say with reference to the manufacturing industries of my State is that I would not favor what I understand to be a protective duty, as I have just defined it, upon any article in my State or in any other State. If I can be shown that any proposed duty exceeds a proper and legitimate limit as a revenue duty I will certainly vote for a lower duty, I care not what the article is or where it may be produced.

So far as the cotton industry is concerned, I said that I presumed there was no Senator within the sound of my voice but who would admit that in order to raise the revenue required for this country there would have to be an average duty of somewhere between 20 and 40 per cent; and, Mr. President, I am utterly, irrevocably opposed to the imposition of any duty upon any article which will exceed that limit, unless perhaps it may be necessary to make some successive steps downward in the effort to rid ourselves of the present exorbitant rates. I say that limit of rates of duty is one which we can not get rid of, and it answers the Senator's question as to what will become of us if we abandon the protective tariff. It is not necessary to have a protective tariff in order that our industries shall have the advantage in regard to the business of this country.

Mr. President, I beg to say that I had no expectation, when I began, to go into a general discussion of this question of a protective tariff, but I have been led into it, and as I am launched I will proceed, unless I weary the Senate.

In considering the protective tariff Senators lose sight of two great questions. One is: What is best in order to raise revenue for the Government? The other is: Who pays this money? The great cotton industry of the South, making 13,000,000 bales of cotton, which preserves the balance of trade between this country and Europe, brings into this country every year in gold, or keeps gold from going out of the country through bills of exchange, more money nearly twice over than all the gold that is mined in all the mines of all the world each year. What possible excuse can be given that this immense industry shall be required to pile up here in this Chamber, not only for once but for every year, its great proportion of this two thousand million dollars of tariff tax, and say that it shall be distributed without return as a bonus to other parties, who are either unable to live upon the profits of their own business or who are not satisfied with the profits of their own business, and who demand that the public shall contribute out of their pockets that which is necessary thus either to preserve them or to still further enrich them?

Mr. President, suppose that instead of this indirect way of collecting money and paying it over to the favored industries, we, here sitting in our sovereign law-making capacity were to determine, so far as it could be done under Constitutional limitations, that a tax gatherer should be appointed by the law of Congress, and that he should proceed through the country to levy and collect this two thousand million dollars, and have it said by this tax gatherer, as he took this tribute from men toiling with brain and muscle, "this is not for the Government; not a dollar of that will go to the Public Treasury; it is to be carried to Washington and piled up in front of the Secretary's desk in the Senate Chamber, to be distributed by the Senate to private parties to aid them in their private personal business." And after it has been thus collected from the people by the tax-gatherer and piled up in a great heap in this Chamber, suppose that we should then be surrounded in all these lobbies and hotels with men engaged in other branches of industry, and that they should importune us that this money should be given to them for their private gain, that we should listen to them and to their demands, that the Republican Senators should hear them in bosom talks in the secret conclave in that marble palace of which I have spoken, and to which the Senator from Iowa [Mr. DOLLIVER] alluded day before yesterday, and according as this one might have political influence, or that one might have power, or that one might excite pity, and thus secure the recommendation of the Republican members of the Finance Committee in favor of this one, that and the other, this two thousand millions of dollars, gold dollars, thus gathered out of the toil of the American people, should be put in bags and handed out to them at the door of the Senate Chamber, and they should walk away with it—each one of them taking in his hand his bag of ill-gotten gold. How long, Mr. President, would the Federal Government stand? How long would it be before the people of the United States would rise up in revolution and overthrow it? Yet, Mr. President, that is not an overdrawn picture. It is the God's truth as to what in practical effect is being done under the operation of a protective tariff.

Mr. President, the most unwelcome visitor in the world is the taxgatherer. We have in the United States two kinds of taxgatherers outside of the internal revenue officers. We have taxgatherers who are at the ports and who gather through duties on imports the taxes that are necessary for the support of the Government. Who gathers the other taxes? Who gathers the $2,000,000,000, that men and women and the industries of all kinds in this country are required to bring here and pile up in gold dollars before that desk? Who are the taxgatherers? Why, Mr. President, there is not a corner grocery store that sells a pound of sugar to a poor widow but what at the time it sells that sugar gets the value of the sugar and then collects from that widow between 1 and 2 cents, I think it is approximately 2 cents, from that purchaser, not for the benefit of the Government, but for the benefit of the Sugar trust.

If you pass this lead schedule, there is not a man who will go and buy a gallon of paint to put on his house but what he will pay, in addition to the value of the paint, the additional cost that is represented in 78 per cent on the ore, or 49 per cent upon the article; and every man who sells that sugar or paint, every clerk who stands behind the counter, is an involuntary tax collector, who is there for the purpose of collecting this money out of the poor widow for the sugar or out of the poor farmer who wants a gallon of paint to put upon his front porch.

Not only so, Mr. President, but look through this bill with its vast multitude of articles covering every article of consumption. There is not a single thing that anybody can buy, speaking generally, but what, in making a purchase of it, a part of this tax has to be paid. It is not only in the corner grocery, it is not only at the paint shop, but there is not a store in the whole United States, there is not a store in New York, or in Chicago, or in Washington, or in any other city or village in the United States, but every clerk who stands behind the counter and sells a yard of cloth, or a bolt of ribbon or a hair comb, or a pair of shoes, or anything else, a plate to eat out of, a garment to wear, or a pot to cook in, but who, when he sells that article or any one of these enumerated articles, is the involuntary tax collector of the United States to collect this tribute from these people and pay it over to those who are the protected producers.

Mr. President, I have wandered far from what I started out to say. But what I have said is the truth, and no argument, unless Senators can show a mistake in the fact, can controvert

what I have suggested. I repeat, so far as the lead schedule is concerned, I am opposed to it upon the same ground I am opposed to other schedules. As to articles of common use there must be a tariff upon almost all of them. Some of them for particular reasons perhaps might be free. That is a difference of opinion, and not a difference upon the general question of protection. When it comes to a matter of principle, of course, I stand upon the proposition that no tariff which exceeds legitimate revenue should be imposed.

Mr. President, the Senator from Utah desired to ask me a question, and I shall now be more than glad to respond to it.

Mr. SUTHERLAND. I simply desired to call the attention of the Senator to the fact that he stated that the imports of lead in 1907, as I understood him, were only 17,000 pounds.

Mr. BACON. Mr. President, possibly in the brevity of my statement I did not fully cover the whole case. I have before me the Statistical Abstract and also this document, which is furnished here by the Finance Committee for our guidance. I well understand, as I have been informed since I made those figures, that they do not include the part of the lead import which was smelted and exported; but, with that exception, the figures which I have given are correct, and I will read them to the Senate. I will admit, as I have been told to-day by the Senator from Rhode Island [Mr. ALDRICH], that this table does not include possibly fifty or sixty thousand tons—I do not know how many—of lead which has been imported into this country, not for use in this country, but for smelting purposes, to be exported, and that no revenue was taken for that, and that, therefore, there is no mention made of it in this book. But the importations into this country and which are to be used in this country, and upon which revenue is paid at the ports, are in accord with the figures stated by me. Am I incorrect to a greater extent than that?

Mr. SUTHERLAND. I have not the figures at hand showing exactly what the exports were.

Mr. BACON. I have them here in this book. Is my statement now correct?

Mr. SUTHERLAND. But the imports of lead to the United States in 1907, in round numbers, were 160,000,000 pounds, which would be 80,000 tons.

Mr. BACON. Very well. That comes down to what I said, about 50,000 tons, which had been brought into this country for smelting and exported, which is not to be used in this country, from which no revenue was received, and which really had nothing to do with the industries of this country, except to give to smelters what I consider to be a very undue advantage, a very high tariff on what they do import for domestic uses, and then permitting them to have the benefit of our superior methods of production and of our superior capacity of workmanship and of workmen—letting them have the benefit of that, and then to ship it out of the country, without paying the Government anything for it. I have stated it, not from rumor, not from information gained from outside sources, but my statement has been predicated and limited to the information gathered from the official Statistical Abstract and to the documents before us which the Committee on Finance has given to us. I have made no mistake in the figures and have not misstated them. The matter of imports of lead ore which are for export after smelting, and upon which no import duties are required, presents another instance where our law gives to the smelter the opportunity to sell to foreigners at a price cheaper than that at which it is sold to our own people.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. BACON. I do, with pleasure.

Mr. NELSON. I simply desire to state, Mr. President, that the book I have here, called "Notes on Tariff Revision," shows that we exported from this country of lead ore and base bullion in 1907 over 80,000,000 pounds.

Mr. BACON. That includes the part I was speaking about. Here are the figures which have been furnished us [exhibiting], and I will read them to the Senate. In paragraphs 179 and 180 there are four different classes of importations of lead products. They aggregate 54,773,000 pounds, which, reduced to tons, makes 27,235 tons as the import of this country. That does not include the imports for the purposes of smelting and exportation; but, with that exception, the statement which I have made has been absolutely correct, and the figures show that this rate of duty on lead is prohibitory and puts the farmers and other users of lead at the mercy of the lead trust to charge them any prices it may see fit to impose upon them.

Mr. President, I want to call attention just in passing—for I do not propose to discuss this lead schedule in detail; that has been sufficiently done by others—I want to call attention to the fact that the difference between the rate on pig lead in the House bill and the Senate amendment is five-eighths. That makes an advance over the House rate of 33 per cent, covered up, it is true—I will not say that offensively——

Mr. ALDRICH. Oh, no; it is not covered up at all.

Mr. BACON. It is disguised, and it takes a calculation to find it. I do not mean that it is covertly done, but it is covered up. It requires a mathematical calculation of fractions to discover it; and when the mathematical calculation is made, there is 33 per cent difference between the rate as it comes from the other House and the rate which the Senate committee amendment proposes.

Now, upon the matter of revenue. We have heard a great deal about the rate under the Wilson bill, and I should be glad to see a return to that——

Mr. SCOTT. Before the Senator begins on another branch of the subject may I ask him a question?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from West Virginia?

Mr. BACON. Certainly. I am glad to answer any question.

Mr. SCOTT. I am asking for information. I see that under the McKinley Act there was imported into this country about $3,000,000 worth of cotton, and under the first year of the Wilson law there was imported $5,000,000 worth of cotton. What was the cause of that? I really do not know.

Mr. BACON. That is almost entirely long-staple cotton. That is the only kind of cotton which can possibly come into competition with the cotton produced in this country. Of course, there is little cotton of the ordinary kind imported, unless it be incidentally, and perhaps along the Mexican border. I, myself, once came across the Pacific upon a ship which had five bales of Chinese cotton on it, but that does not affect anything, of course. That was brought over for a specific purpose, but the only importation of cotton—I am speaking generally—is Egyptian cotton or cotton of that class. It is used in the higher grade of cotton manufactures, which are principally carried on in the States of Massachusetts and Rhode Island, and, very strange to say, while Senators who are so influential in that committee put no duty on long-staple cotton, which they need for their New England factories, not even an ordinary revenue duty of 20 per cent, which would yield a revenue to the Government of $2,000,000 annually, they have proposed, on the contrary, that upon raw wool—I have forgotten what the duty is; is it 100 per cent upon raw wool? What is the duty, I will ask the Senator from Rhode Island, on raw wool?

Mr. ALDRICH. The duty varies.

Mr. WARREN. The Senator from Georgia certainly does not assert that the duty on raw wool is 100 per cent?

Mr. BACON. I am asking for information. I do not know. What is it—50, 60, or what per cent?

Mr. WARREN. It is 11 cents a pound.

Mr. BACON. But what is the ad valorem—about how much is the ad valorem? I think that is forty-odd per cent.

Mr. WARREN. The last time I looked the matter over and compared the figures, it was between 35 and 45 per cent.

Mr. BACON. The Senator is correct. The Senator can not possibly accuse me of wishing to mislead anybody on that subject.

Mr. BURTON. I think I can give the Senator from Georgia the exact figures.

Mr. BACON. Very well.

Mr. BURTON. On first-class wools the average ad valorem duty on the largest importations is 44.52 per cent; on second-class wool it is 41.11 per cent; and on third-class wool it is 35.18 per cent.

Mr. BACON. I will state, Mr. President, not in justification—for justification is not needed—but merely in the way of explanation as to the extravagant figure which I gave, that this woolen schedule does in such a general way run clear above 100 per cent on many woolen articles, that it was very natural that for the moment I should have been misled as to the duty on raw wool. As soon as I made the statement I was satisfied I was wrong, and therefore I asked the Senator from Rhode Island [Mr. ALDRICH] what the duty on raw wool was.

Mr. WARREN. The Senator, of course, will understand that the percentage varies, as all specific taxes do, as the market goes up or down.

Mr. BACON. That is necessarily true. Still it is quite high; and for that matter my suggestion of 100 per cent duty was not so far out of the way, if scoured wool ready for the loom is considered, when we are comparing it with the imports of long-staple cotton in a condition also ready for the loom.

Mr. President, I was probably not as considerate of interruptions as I should have been, and as I would like to be, in

the ardor of such remarks as I was submitting; and I did not answer the inquiries of Senators. I am now at their disposal and shall be very glad to the extent of my ability to answer anything they may ask.

Mr. GALLINGER. Mr. President, did I understand the Senator from Georgia to estimate that under the existing tariff law the added cost to the consumer was two thousand million dollars?

Mr. BACON. Yes, sir.

Mr. GALLINGER. Would the Senator venture an opinion as to how much that would be reduced if we had a revenue tariff in place of what we call a protective tariff? In other words, is it fair to have it go out to the country that our tariff system is costing the consumer two thousand million dollars?

Mr. BACON. The Senator is absolutely correct in his criticism, so far as the responsibility of the protective tariff, considered by itself, is concerned, and I meet it with the utmost frankness. Of course, two thousand million dollars does not represent an amount improperly taken alone through the protective tariff, because if there were a revenue tariff, there would necessarily be an incidental protection—that is an inevitable consequence—and the two thousand million dollars, so far as it relates to any excess over that which is properly due, must be diminished by what would be the amount under a revenue tariff. Nevertheless, that does not change the fact that under this estimate the protected interests get the full amount of the $2,000,000,000 under the operation of the protective tariff. The only modification of the statement is that even under a revenue tariff these protected interests would get a part of the amount. My complaint of them is that they are not satisfied to receive the large amount that even a revenue tariff would give to them.

Mr. GALLINGER. Mr. President——

Mr. BACON. If the Senator will pardon me a moment——

Mr. GALLINGER. Certainly.

Mr. BACON. And estimating, as I do, I think that a revenue tariff would require between 30 and 40 per cent. This would not only be sufficient to protect every legitimate industry in the country, but would fail, if not equally, at least in such a manner that so far as any man did not receive his equal part of whatever resulting benefit there might be from such a tariff, he would say, "I am making that sacrifice for the benefit of the Government and not for the benefit of the private individual."

Mr. GALLINGER. Would the Senator take the Wilson tariff law as an example of a revenue tariff law?

Mr. BACON. No. I was not in Congress when the Wilson tariff law was passed, and I am not so familiar with it as is the Senator from New Hampshire; but I think there are many schedules of the Wilson tariff law which are entirely too high. I think the woolen schedule of the Wilson tariff law is too high, and I could go through some others, though as I say to the Senator I should have to take them and go through them with some care, for I have never had placed upon me the obligation to give any special study to it.

Mr. GALLINGER. I think the Senator ought to permit me to ask him the question, for I think it is but fair——

Mr. BACON. I think so, too.

Mr. GALLINGER. That it shall go out to the country that, even if the Senator's figures are right—which I do not agree to at all—that a very large proportion of that will be obliterated when we take into consideration the fact that, under a revenue law, we must of course provide for a very considerable portion of that two thousand million dollars of which the Senator has spoken.

Mr. BACON. That is correct only in so far as it indicates for what proportion of the total amount the protective tariff, as such, shall be solely responsible. I want to state in that connection that the statement made by me as to $2,000,000,000 is only to be modified to the extent of about one-fourth. I will say that, instead of $2,000,000,000, which are exacted from the people of the country and paid to people to whom they do not owe it, and received by people who have given nothing for it, the amount is fourteen or fifteen thousand million dollars, to be charged against the protective tariff alone, which of itself is quite a neat little sum. It is a question of bookkeeping as to which column it shall be charged up in. That, however, does not change the fact that under the protective tariff these industries get the full $2,000,000,000. It is only pertinent to show that they would get a part of it even under a revenue tariff. Nevertheless, under the protective tariff these industries get the entire $2,000,000,000 when the protective law is in force. They do not give up any part of it on the ground that such part represents what they would get anyway under a revenue tariff. They take the whole of the amount covered by the tariff duties either way. But even with that consideration, even if there were a reduction under the suggestion made by the Senator, the amount taken in excessive prices through the protective tariff may exceed the amount first stated by me. As I have said, the amount thus taken from the consumer is estimated by some to be as high as ten times the amount collected at the ports under that tariff. In that case it would be $3,000,000,000 instead of $2,000,000,000. It depends largely upon the extent to which a prohibitory duty is placed on articles of general consumption.

Furthermore, the fact is not to be overlooked in making this estimate, the increased prices paid by the consumers, under a revenue-tariff law, are not as great in their proportion as are the increased prices paid under a protective tariff. The protective tariff bars out the foreign importation and leaves the domestic producers without competition, to combine and charge as high prices as they can extort from the domestic consumers. Therefore it is that the increased prices under the protective tariff increase much more largely and in greater proportion than the increase in the rates of duty.

Mr. GALLINGER. This is my final question——

Mr. BACON. I have no objection to as many as the Senator desires to ask.

Mr. GALLINGER. Does the Senator say, in all seriousness, that the present rates ought to be reduced 75 per cent?

Mr. BACON. As an average?

Mr. GALLINGER. As an average.

Mr. BACON. I do most undoubtedly—well, I will not say "75 per cent." I did state an ad valorem from 25 to 30 per cent. Of course, the Senator recognizes the fact, and I presume he recognizes that I probably know the fact, that what is a revenue duty on one article is not a revenue duty on another. It depends on the grade of the article, the conditions, and everything of that kind. And the average of the duties laid may be very different from the average of the duties collected. This is especially true if the highest duties are upon the articles of general consumption.

Mr. GALLINGER. Certainly; but——

Mr. BACON. Of course I am not guided in that opinion by having sat down with pencil and paper and having made distinct calculations; but I am guided by general expressions of opinion of people who have familiarity with such subjects, and by putting them together I am guided to the conclusion that from 25 to 30 per cent. as an average, although on many articles the rate ought to be less.

Mr. GALLINGER. Twenty-five or 30 per cent of the existing rate?

Mr. BACON. No; I do not mean that at all. I mean 25 or 30 per cent ad valorem on the goods. If I made the reply to the question of the Senator in the way he put it last I did not so understand it. I am speaking of the ad valorem percentage.

Mr. GALLINGER. The average ad valorem percentage now, I think, is estimated at 42 per cent.

Mr. BACON. No, no; more than that.

Mr. GALLINGER. Not much more than that.

Mr. BACON. The statisticians and experts are all of them given to great misrepresentation if it is not more than that.

Mr. ALDRICH. The average ad valorem on all importations is 28 per cent. The Senator would, according to his figures, put up the average ad valorem.

Mr. BACON. I am not speaking of the average rate on importations; I am speaking of the average rate in the tariff law. That is what I am speaking about. The average rate in the tariff law is said to be about 45 per cent; and I have seen estimates of late that the average rate of the proposed law is over 46 per cent. A prohibitory rate of duty will prevent importations under the higher rates and thus bring down the average rate paid on actual importations. That is very simple.

Mr. GALLINGER. So that, if the Senator agreed to a 30 per cent ad valorem instead of a 45 per cent, he would get rid of a very considerable part of the two thousand million dollars.

Mr. BACON. Waiving the contention I have already stated that no part of the $2,000,000,000 would, in fact, be gotten rid of, the last suggestion of the Senator would depend for its soundness a great deal upon what were the classes of articles upon which the high or low duties were imposed. For instance, I will take the matter of common woolens in the woolen schedule suitable for woolen garments, outer garments such as the women and children of the country wear. There is a duty of 140 per cent on them. So that when the Senator talks about what the amount would be it is an impossibility to state as to the average duty, because the average duty may be made up in such a way that the consumption of articles of one class would be small and the consumption of articles under changed conditions would be very large. To complete the illustration, what is the effect on women's coats, talmas, and outer coverings? The fact is that the rate of duty is prohibitory and no revenue to speak of is

derived therefrom. While the duty is much lower upon the higher grades of goods because we have not in this country as many factories that compete in the higher grades as in the lower grades, we put this exorbitant and prohibitive tariff upon woolen articles in common use; they are absolutely excluded from the country, and no appreciable revenue is derived from them, whereas if, on the contrary, the duty were lowered upon these articles the revenue derived from them would be much larger. So that all those things have to enter into the calculation. When the rate of duty is prohibitory, there are no importations. The domestic producer is thereby given a monopoly in that class of goods. The Government derives no revenue. The consumers have to pay these largely increased prices upon the domestic articles, and these increased prices all go to the American protected producers.

Mr. WARREN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Wyoming?

Mr. WARREN. I want to ask the Senator a question.

Mr. BACON. I yield to the Senator.

Mr. WARREN. I have been very much interested in the Senator's remarks about a revenue tariff and what would be a proper rate. Has the Senator carefully estimated what would be a satisfactory rate to him and what would be a successful one to the country when he states it at 25 or 30 per cent? I will say to the Senator the reason I ask that question is that when the Dingley bill was before the Senate a distinguished Senator on the other side, who, I think, occupied the very seat that is occupied now by the Senator from Georgia——

Mr. BACON. No; he was next to me. The Senator refers to Senator Vest, of Missouri, of course.

Mr. WARREN. I am speaking of former Senator Lindsay, of Kentucky.

Mr. BACON. No; Senator Lindsay, of Kentucky, sat about where the Senator from Iowa is now sitting.

Mr. WARREN. That is of no importance. Speaking from about where the Senator is now standing, the Senator to whom I have referred stated that if we were to have a revenue tariff he would consent to make the average rate fom 40 to 45 per cent. He finally said that he would not object to an average ad valorem of 45 per cent. That is my remembrance of his statement, though, of course, I speak from memory, as I have not looked it up lately. I recall with some interest that on the same afternoon a Senator who had been chairman of the Finance Committee when the Wilson-Gorman tariff measure was under consideration, made a statement something like that which the Senator from Georgia has made, that wool and woolens bore a tariff of from 100 to 150 per cent; but his remarks the next day showed that, upon investigation, he withdrew that estimate as being too high. I think the Senator from Georgia, if he will go carefully into Schedule K, will find that his estimate is about as much too high in regard to the duty upon woolen fabrics as it was in the first place in regard to the duty upon raw wool, the average rate being about 58 per cent ad valorem on Schedule K, taken as a whole.

Mr. BACON. I will turn to the figures to see whether I am or not. Will the Senator kindly give me the number of the woolen paragraph?

Mr. WARREN. I think it is on page 52. I have not it before me; but I am reminded that that is the page.

Mr. ALDRICH. It is on page 53, and the average ad valorem on the wool schedule is 58.19 per cent.

Mr. BACON. Mr. President, I have something here that is better than the average.

Mr. ALDRICH. Undoubtedly; else there would not be so high an average.

Mr. BACON. I have, for instance, the item on the top of page 52, from which I read that the equivalent ad valorem on "wool and hair advanced in any manner or by any process of manufacture, beyond the washed or scoured condition, not specially provided for" is 140.55 per cent. On the next item, which is a variation of the first one, "all other manufactures wholly or in part of wool," the equivalent ad valorem is 128.11 per cent. On cloths, woolen, or worsteds, valued at not more than 40 cents per pound, it is 134.97 per cent ad valorem; valued at more than 40 cents per pound and less than 70 cents per pound, 118.89 per cent; and so on through the column.

Mr. WARREN. True, but the Senator has skipped a few figures there.

Mr. BACON. I am glad the Senator has called my attention to that, because it is exactly on the point I have just stated, and that is, that the higher duty is on the common articles that the common people of the country wear—I will read now, and see if I am not correct about that—whereas on the more expensive articles which the richer people wear the duty is put at much lower rates. I will read the figures and see. I am glad the Senator called my attention to it, because the figures which I have inadvertently skipped——

Mr. WARREN. The Senator will admit there is nothing in the figures, or nothing in the description that he has given, that warrants the inference that he has drawn.

Mr. BACON. I am going to read it, and there will be no inference or anything else. On wool, hair of the camel, etc., advanced by any process of manufacture beyond washed or scoured condition, valued at not more than 40 cents per pound, the duty is 140.55 per cent; valued at more than 40 and not more than 70 cents per pound, it is 128.11. I will skip the statement in regard to the Philippine Islands, as it is not necessary to read that.

Now, mark you, on the same articles, valued at more than 70 cents a pound, the duty is 79.47 per cent. In other words, for the articles that the common people of the country wear the duty is almost 100 per cent more than on articles of a higher grade that the richer people wear. Those are the items that the learned and honorable Senator from Wyoming said I had omitted. I am under great obligation to him for calling my attention to them.

Mr. WARREN. The Senator overlooks the difference between articles partly manufactured and articles that are fully manufactured. Although the tariff is, of course, a larger percentage upon an item that is partly manufactured of wool and but little advanced, it does not cost as much, even if the percentage is higher, as where it is fully manufactured.

Mr. BACON. If the Senator is through, I shall make my reply. I say, Mr. President, that the items which I have read do not in any particular make any distinction between articles wholly or partly manufactured. I have read the entire language. I skipped not a word of it. It reads:

> Wool and hair advanced in any manner, or by any process of manufacture, beyond the washed or scoured condition, not specially provided for—

And then:

> All other manufactures wholly or in part of wool—

Not wholly or in part manufactured, "but wholly or in part of wool"—

> Valued at not more than forty cents per pound, 140.55 per cent.

The increase on the grade below that——

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. In a moment. On the next grade below—and when I say "below" I mean below in position on this page, but above the previous class in grade, finer, and more costly—valued at more than 40 and under 70 cents a pound, is less than the average rate on the cheaper, being 128.11 per cent.

Then as we go on down the next grade below it in the position on the page, but above it in grade, in quality, in value, and in price, is 79.47 per cent, all of it under the same designation of "all other manufactures wholly or in part of wool." No distinction is made between manufactured in whole or in part.

I want to go on because it is most instructive. The next is "cloths, woolen or worsted, valued not more than 40 cents per pound," 134.97 per cent, and those are the cloths of which the articles are made that the common people of this country wear, and they are put at the very highest notch—134 per cent. Then if they are a little more valuable than that the duty is less; "valued more than 40 and not more than 70 cents per pound," 118.89 per cent; "valued above 70 cents per pound" 94.32 per cent. That is the highest grade of that class, more expensive, not so generally used by the common people, and yet there is a difference there between 94 and 134.

The next one is Cuban reciprocity, which of course does not count.

Now, we come to blankets—blankets so necessary to the comfort and health of the common people as well as the rich people.

Mr. BURKETT. I should like to ask the Senator a question before he leaves that point.

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. BACON. I do.

Mr. BURKETT. What is the Senator advocating—that we raise one or lower the other?

Mr. BACON. I would lower all of them.

Mr. BURKETT. What is the schedule the Senator proposes to substitute for it?

Mr. BACON. I will say to the Senator that I will prepare, as Senators have shown curiosity upon that subject, and introduce an amendment to the entire woolen schedule—K.

Mr. BURKETT. Is the Senator going to lower them, as was stated yesterday, to a certain flat rate, a certain percentage?

Mr. BACON. If the Senator will abide in patience I will try to introduce it early enough to keep him from being unhappy over the delay.

Mr. BURKETT. I have been listening very intently to the Senator, and I have been trying to find out what the Senator is complaining about.

Mr. BACON. What I am complaining of, and what I think the Senator from Nebraska ought to complain of, and every other Senator who represents a constituency in my judgment ought to complain of, is that woolen goods, so essential to the comfort and the health and the decency of the great masses of the people, are put at the exorbitant rates of over 100 per cent, running from that up to 134 per cent.

Mr. BURKETT. The Senator does not understand me. That may be true. When we get to that schedule, if they are too high, we ought to reduce them. But the Senator complains here because the percentage of tariff on one is higher than on the other.

Mr. BACON. Of course. My complaint——

Mr. BURKETT. The Senator wants to equalize them. How does he want to equalize them—by bringing one down or putting the other up?

Mr. BACON. I will say if I made any discrimination whatever I would make it in favor of the cheaper articles of goods.

Mr. BURKETT. And would raise the tariff on the cheaper articles?

Mr. BACON. I would not raise the tariff. I would lower it.

Mr. BURKETT. You would lower it?

Mr. BACON. Yes; I would lower the tariff on the others, too.

Mr. BURKETT. There is a difference of 34 per cent between the two articles which he was comparing, although the rate of difference is not material. Suppose when the Senator lowered the duty he found that it did not protect?

Mr. BACON. The Senator now has reached a point where he and I do not travel on the same line.

Mr. BURKETT. I understand that, but the country, as I understand and I think the Senator understands, does not want this bill made in accordance with the ideas of the Senator from Georgia.

Mr. BACON. That is the question.

Mr. BURKETT. But in accordance with the protective policy. The majority over here are charged with making this law along protective lines and not according to the lines of the Senator from Georgia, and if he is going to advise us he must advise us along the lines that the people by their votes for forty or fifty years have indicated that they want a tariff bill made. What I want to get at is what is the Senator complaining of. He says on the cheaper grades the rate is too high. Suppose he reduces it and it would not be protective; or how does he know that it would be protective if he reduced it below what the rate is now. That is the question I am trying to get at—real information.

Mr. BACON. The Senator asks a question?

Mr. BURKETT. Yes.

Mr. BACON. If the Senator is content that the people of Nebraska shall pay 134 per cent upon the common articles in use among his people——

Mr. BURKETT. The Senator from Nebraska does not admit that on account of the tariff they do pay 134 per cent on the articles they buy.

Mr. BACON. Very well.

Mr. BURKETT. I do not admit that, to start out with.

Mr. BACON. That is what you give the producer of the article—the opportunity to charge the consumers. But I do not agree with the Senator from Nebraska as to the sentiment of the people of this country.

Mr. ALDRICH. Mr. President——

Mr. BACON. I hope the Senator will let me answer the Senator from Nebraska first.

Mr. ALDRICH. I want to make an appeal to the Senator from Georgia. We have been discussing the lead schedule for two days. The woolen schedule is not here. I appeal to the Senator from Georgia to postpone at least a part of his discussion of that schedule until that question is before the Senate.

Mr. BACON. The Senator will do me the justice to say I did not introduce the woolen schedule into this discussion.

Mr. ALDRICH. I do not know who introduced it.

Mr. BACON. Senators introduced it by asking me questions.

Mr. ALDRICH. I would be glad if the Senator would permit us to vote upon the two schedules.

Mr. BACON. I will in a very few moments. I hope I may be permitted to reply to the Senator from Nebraska.

Mr. BEVERIDGE. Mr. President——

Mr. BACON. Then I will yield with pleasure to the Senator from Indiana.

Mr. BEVERIDGE. All right.

Mr. BACON. Mr. President, I do not agree with the Senator from Nebraska that the people of this country are in favor of the protective system. I know that the party which favors the protective system is in power and has been in almost undisputed power for almost forty years, but in my judgment there never has been a time when there was not a very large proportion of the Republican party which was not in favor of the protective tariff. A great many other questions entered into the political campaigns which have determined the alignment of the voters. A great many men are Republicans by inheritance, because their fathers before them were Republicans, as the Senator from Iowa stated the other day was his case.

Mr. BURKETT. Does the Senator deny that a proportion——

Mr. BACON. I can not yield until I get through answering.

The VICE-PRESIDENT. The Senator from Georgia declines to yield.

Mr. BACON. A great many, I repeat, are Republicans by inheritance. The vast number, more numerous than can be counted or estimated, have been induced to that alignment because they differed with the Democrats upon the money question and because the business element of the country favored what they believed to be the financial policy of the Republican party, which that party had the good sense to assume in advance of the Democrats. The time was when the leaders on the subject of free silver were Republicans, but they are a very wise set of men and they saw what was coming, and they allied themselves with the business interests of the country, and the number is beyond counting of the men who are in alignment with the Republican party under that influence who do not believe in the doctrine of protection.

There are Senators here voting with your party, not included among those who are regarded or are sometimes called insurgents, who in their hearts are not protectionists. They may believe in the general proposition that this country should have the advantage of its own commerce, but they are not in favor of a protective tariff which shall be prohibitory. And when a tariff is not practically prohibitory it is the question of degree which determines whether it is a protective tariff or a revenue tariff. And there are many who desire that American industries shall have an advantage over foreign industries in using the American markets who are strongly of the opinion that a revenue tariff will accomplish all that is desirable for that purpose. So I might go on and enumerate. There is a very vast number of men in this country who are with the Republican party because of race and color, and they hold the balance of power in a number of States in the North, who know nothing and care nothing about the question of a protective tariff.

Mr. President, when the people of the United States come to fully understand, as I now believe they are coming to understand, that under the protective tariff this immense tribute is wrung from them, and that the great masses of the people under that system not only pay this tribute to the producers, but that under a system which effects the double purpose of erecting a barrier and at the same time yielding a large part of the revenue, they are paying entirely the revenue of this Government, so far as it is raised by a tariff, and that there is no corresponding burden laid in support of the Federal Government upon the wealth of the country—when they come to learn, as I believe they are learning it to-day, Senators will wake up to a knowledge of a different public sentiment on this question.

They have not learned it in the past because of the favorable condition of affairs in the United States, because it has been easy for men to live here. It has been easy for them to pay their expenses, but conditions have changed. It is now a question almost of life and death with a large element of the people of this country. Not only is it a question of life and death among those in straitened circumstances, but a question of a more moderate character of ease and comfort, not simply among those who are straitened in circumstances, but those who have moderate incomes, salaried men, men living upon the proceeds of small business, and men who have to count carefully their dollars in order to see how they may be able to meet the expenses which are necessary not only for their comfort but for their decency of appearance. So I am not alarmed by the question propounded to me by the Senator from Nebraska.

Mr. President, I thank the Senate for its attention, and yield the floor.

Mr. NEWLANDS. Mr. President——

Mr. BEVERIDGE. I hope the Senator will permit me——

Mr. BACON. I want to say to the Senator from Nevada that I should like to yield to the Senator from Oklahoma [Mr. GORE].

Mr. ALDRICH. I hope the Senator will let us vote on this proposition.

Mr. NEWLANDS. I wish to call attention to one proposition. The Senator from New Hampshire asked the Senator from Georgia what percentage he thought would yield a fair revenue, and the answer, as I recollect it, was about 30 per cent. The Senator from New Hampshire then commented upon the smallness of the difference between the average which the Senator regarded as fair and the average duty collected under this bill—45 per cent.

I wish to call the Senator's attention to the fact that the 45 per cent is the percentage of duty collected, not the percentage imposed. The Senator does not realize that whenever a prohibitory rate is imposed, a duty of 70 or 100 or 150 per cent, that duty does not count as a factor in ascertaining the 45 per cent. The entire dutiable imports of this country amount to a little over $600,000,000. The total duties amount to about $280,000,000, and $280,000,000 is about 45 per cent of $600,000,000. That is the percentage of duty collected.

Now, we will assume that there are large and heavy duties under which there are no importations. It is perfectly clear, then, that the 45 per cent does not apply to them; and if the Senator will go through these schedules, he will find item after item where the percentage ranges way above 45 per cent, where the importations amount to almost nothing, and where the imposition of a high duty does not operate at all as a factor in determining the percentage of duties absolutely collected.

I claim that the duties imposed by this act are way in excess of 45 per cent, although the duties collected under this act amount to only 45 per cent.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported from the Committee on Finance.

Mr. ALDRICH. On that the yeas and nays have been ordered.

The VICE-PRESIDENT. The yeas and nays have been demanded, but not seconded.

Mr. CUMMINS. Mr. President, I have a single word to say with respect to the paragraph under consideration. It has been stated by those who ought to know that unless the duty of a cent and a half a pound upon the lead in the ore is imposed our mines will be closed. I am willing to accept that statement, and I shall vote for the duty suggested by the Senator from Idaho and for the amendment proposed by the Senate committee. But I understood the Senator from Idaho to say also that it costs $12.50 per ton to turn the lead in the ore into the finished product. If that be true, then the differential which is found in paragraph 180 is too great and should not exceed three-eighths of a cent per pound, instead of five-eighths, as it is.

Therefore if the amendment proposed by the committee to paragraph 179 be adopted, I shall propose an amendment reducing the duty proposed in paragraph 180, under the first part of it, to 1⅞ cents per pound instead of 2⅛.

Mr. GORE. Mr. President, I desire to ask if the vote will occur on paragraph 179—the duty to be imposed on the lead contents of the ore?

The VICE-PRESIDENT. That is the question now pending.

Mr. GORE. I merely desire, partly suggested by the remarks of the Senator from Iowa, to suggest a verbal change in this paragraph, which will probably be acceded to by the senior Senator from Rhode Island [Mr. ALDRICH]. I believe it was either Talleyrand or Pitt who observed that the object of language was to conceal thought. I do not think the Finance Committee has proceeded upon that theory, and yet I think the language employed in the paragraph does not express in the clearest possible way the true purpose and object of the provision.

This lays a tax of one and a half cents a pound on the lead contents in the ore. That, sir, is a duty of $30 per ton. The theory of the committee is that the foreigner can produce lead for $30 a ton less than we can produce it in this country, and the object of this provision is to cover that difference; is to tax the 90,000,000 American consumers $30 a ton in order to pension the producers of lead in this country to that amount.

Mr. President, the price of imported lead in the ore in 1906 was $32 a ton; the price of imported lead in 1907 was $38 per ton. The current price of lead ore in the United States is $86 per ton.

Now, sir, I conceive it to be a very modest and a very reasonable proposal to ask the American consumers to tax themselves to pay this difference of from $30 to $40 between domestic and imported lead. It would certainly be an act of shortsighted statesmanship to permit the American people to purchase foreign lead at from $32 to $38 per ton when with a modest tariff tax of $30 we can produce it in this country for only $86 per ton.

It would certainly be unfortunate to strike down—and I am unwilling to strike down—so vigorous, so prosperous, and so promising an industry by merely withholding a tariff duty to the amount of $30 per ton. I think it fair that we should tax the consumers to pay this difference, and I should regret to see any industry so thriving and whose beneficence is so universal stricken down by withholding a moderate tax of $30 per ton.

I merely suggest that we substitute the words "$30 per ton" for "1½ cents per pound."

The VICE-PRESIDENT. Is the demand for the yeas and nays sustained?

Mr. GALLINGER. The yeas and nays were ordered.

The VICE-PRESIDENT. They have not been ordered.

The yeas and nays were ordered.

Mr. LA FOLLETTE. Mr. President, I desire to say just a word before the vote is taken on the proposed amendment.

Personally I do not believe that it is possible under existing conditions in the lead industry to affect materially by any duty imposed the wages paid to miners employed in mining lead in this country, because I believe the lead-producing properties in this country are controlled by a combination which regulates prices in every branch of that industry.

I had my attention called to a dispatch in the New York Herald of yesterday, from which I quote the following:

[Special dispatch to the Herald via Commercial Cable Company's system].

LONDON, *Wednesday*.

Seventy per cent of the entire world's lead supply is to be brought under the absolute control of one group of separate corporations, working together in harmony. Prices are to advance from $68.75 a ton, as at present, to $95 or $100 a ton.

The immense interests concerned comprise the Guggenheims and other large American producers, the Spanish Association of Producers, the Broken Hill interests of Australia, and the German lead trust. These interests have combined to control 70 per cent of the world's lead supply, and their position in the world's markets will enable them to make what prices they please.

I believe that the testimony furnished to the Ways and Means Committee established very conclusively the control by combination of production in this country prior to the formation of this combination for world control, as stated in the Herald.

However that may be, Mr. President, I am myself placed in a position where I shall withhold my vote upon this amendment, and for this reason: Some years ago, when I was not in official life, I acquired an interest in land in Wisconsin which was believed to be, and which has proven to be, in part, lead-bearing property. Some development has taken place upon it, and one portion of it is at this time producing lead ore in small quantities, and zinc ore as well. I make this statement now as covering both those products.

If maintaining duties or increasing duties affects the price of those products, I can not consistently and conscientiously vote upon this question as a Member of this body, and therefore upon this roll call I shall, for the reason stated, withhold my vote.

With respect to a tariff upon zinc ore, when that question comes before this body I shall consider it my duty to lay before the Senate certain facts bearing upon the cost of mining zinc in Wisconsin and in Mexico. Three counties in the southwestern part of the State have zinc deposits, and a large number of mines have been developed and operated. The owners of these mines and the men working in them have a right to a fair and full presentation of the facts of their case, and, as representing them here, I shall endeavor to discharge that duty. In doing so I shall remind the Senate of my personal interest in and relation to the industry.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the committee to paragraph 179.

Mr. BACON. While the request for the yeas and nays was made, I do not think they have been ordered.

The VICE-PRESIDENT. They have been ordered.

Mr. BACON. I beg pardon; I was not aware of it. I know they were called at a time when they were not ordered. They were probably ordered at another time.

Mr. BRISTOW. I understand we are now voting on paragraph 179?

The VICE-PRESIDENT. The Senator is correct.

Mr. BRISTOW. Which provides for a duty of 1½ cents a pound on the lead in lead-bearing ores.

Mr. BEVERIDGE. The same as the House provided.

Mr. LODGE. We are voting on the amendment to paragraph 179.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the committee to paragraph 179.

The Secretary proceeded to call the roll.

Mr. BRIGGS (when his name was called). The senior Senator from South Dakota [Mr. GAMBLE] is paired with the junior Senator from Tennessee [Mr. TAYLOR], my pair with the junior Senator from Tennessee having been transferred to the senior Senator from South Dakota. I vote "yea."

Mr. CLAY (when his name was called). I am paired with the senior Senator from Utah [Mr. SMOOT]. If he were present, I would vote "nay."

Mr. CULLOM (when his name was called). I have a pair with the junior Senator from Virginia [Mr. MARTIN]. For the present I will withhold my vote, hoping that he may come in before the roll call is concluded.

Mr. LA FOLLETTE (when his name was called). For the reason stated, I beg leave to withhold my vote.

Mr. NEWLANDS (when his name was called). I was paired with the senior Senator from South Dakota [Mr. GAMBLE], but by an arrangement that pair was transferred to the junior Senator from Tennessee [Mr. TAYLOR]. I vote "nay."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). I will state that my colleague [Mr. RAYNER] is paired with the Senator from Delaware [Mr. RICHARDSON]. If my colleague were present, he would vote "nay."

Mr. DU PONT (when Mr. RICHARDSON's name was called). I will state that my colleague [Mr. RICHARDSON] is paired with the senior Senator from Maryland [Mr. RAYNER]. If my colleague were present, he would vote "yea."

Mr. SUTHERLAND (when Mr. SMOOT's name was called). My colleague [Mr. SMOOT] is necessarily absent. If he were present, he would vote "yea."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Mississippi [Mr. MONEY]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. ELKINS (after having voted in the affirmative). I notice that the Senator from Texas [Mr. BAILEY] is not present. I am paired with him, and I will withdraw my vote. If he were present, I would vote "yea."

Mr. CULBERSON. I will state that my colleague [Mr. BAILEY] is necessarily absent from the Chamber this afternoon. He is paired with the Senator from West Virginia [Mr. ELKINS]. If my colleague were present, he would vote "nay."

Mr. CULLOM. As the Senator from Virginia [Mr. MARTIN] has not come in, I will withhold my vote. If I had a right to vote, I would vote "yea."

The result was announced—yeas 53, nays 19, as follows:

YEAS—53.

Aldrich	Clapp	Gallinger	Page
Beveridge	Clark, Wyo.	Guggenheim	Penrose
Borah	Crane	Hale	Perkins
Bradley	Crawford	Heyburn	Piles
Brandegee	Cummins	Hughes	Root
Briggs	Curtis	Johnson, N. Dak.	Scott
Bristow	Depew	Jones	Smith, Mich.
Brown	Dick	Kean	Stephenson
Bulkeley	Dillingham	Lodge	Sutherland
Burkett	Dixon	McCumber	Warner
Burnham	Dolliver	McEnery	Wetmore
Burrows	du Pont	Nelson	
Burton	Flint	Nixon	
Carter	Frye	Oliver	

NAYS—19.

Bacon	Foster	Newlands	Smith, S. C.
Bankhead	Frazier	Overman	Stone
Culberson	Gore	Shively	Taliaferro
Daniel	Johnston, Ala.	Simmons	Tillman
Fletcher	McLaurin	Smith, Md.	

NOT VOTING—19.

Bailey	Cullom	Martin	Richardson
Bourne	Davis	Money	Smoot
Chamberlain	Elkins	Owen	Taylor
Clarke, Ark.	Gamble	Paynter	Warren
Clay	La Follette	Rayner	

So the amendment was agreed to.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 8, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 7, 1909.

SECRETARIES OF EMBASSIES.

A. Campbell Turner, of Missouri, now third secretary of the embassy at Constantinople, to be second secretary of the embassy of the United States of America at Constantinople, Turkey, vice William Blumenthal.

Charles B. Curtis, of New York, to be third secretary of the embassy of the United States of America at Constantinople, Turkey, vice A. Campbell Turner, nominated to be second secretary of the embassy at Constantinople.

SECRETARY OF LEGATION.

Gustavus L. Monroe, jr., of Mississippi, now secretary of the legation at La Paz, to be secretary of the legation of the United States of America at San José, Costa Rica, to fill an original vacancy.

POSTMASTERS.

GEORGIA.

Isaac A. Smith to be postmaster at Tennille, Ga., in place of Isaac A. Smith. Incumbent's commission expired December 12, 1908.

Leon P. Wimberly to be postmaster at Abbeville, Ga., in place of Leon P. Wimberly. Incumbent's commission expired February 10, 1909.

ILLINOIS.

John F. Ahrens to be postmaster at Gillespie, Ill., in place of John F. Ahrens. Incumbent's commission expired December 12, 1908.

IOWA.

Andrew F. Newquist to be postmaster at Stanton, Iowa. Office became presidential January 1, 1909.

OHIO.

George T. Baughman to be postmaster at Larue, Ohio. Office became presidential April 1, 1908.

Charles Doll to be postmaster at Lorain, Ohio, in place of Seward L. Bowman, deceased.

Adolphus D. Haney to be postmaster at Morrow, Ohio, in place of Adolphus D. Haney. Incumbent's commission expired February 10, 1909.

Vernie E. Humphrey to be postmaster at Fayette, Ohio, in place of Vernie E. Humphrey. Incumbent's commission expired January 5, 1908.

Howard B. Jameson to be postmaster at Dalton, Ohio. Office became presidential January 1, 1909.

John A. Kneisley to be postmaster at Osborn, Ohio, in place of John A. Kneisley. Incumbent's commission expired March 17, 1909.

Thomas C. Lichty to be postmaster at Antwerp, Ohio, in place of Oliver S. Applegate. Incumbent's commission expired November 19, 1907.

Ward B. Petty to be postmaster at Sycamore, Ohio, in place of Ward B. Petty. Incumbent's commission expired December 13, 1908.

W. A. Ritter to be postmaster at Napoleon, Ohio, in place of Elmer A. Palmer. Incumbent's commission expired March 8, 1908.

Charles E. Samuels to be postmaster at New Paris, Ohio. Office became presidential April 1, 1909.

George H. Willis to be postmaster at Bethel, Ohio. Office became presidential October 1, 1906.

OREGON.

Benjamin P. Cornelius to be postmaster at Hillsboro, Oreg., in place of Benjamin P. Cornelius. Incumbent's commission expired February 23, 1909.

SOUTH DAKOTA.

William Lester to be postmaster at Lake Andes, S. Dak. Office became presidential January 1, 1909.

Abram E. Van Camp to be postmaster at Highmore, S. Dak., in place of Abram E. Van Camp. Incumbent's commission expired February 1, 1908.

WISCONSIN.

Alvin P. Colby to be postmaster at Union Grove, Wis. Office became presidential January 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 7, 1909.

CONSUL.

A. Donaldson Smith to be consul at Patras, Greece.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Drs. Arthur Freeborn Chace, Edward Elisha Dorr, John William Keefe, John Johnson Kyle, Lewis Linn McArthur, Charles Mayrant Rees, Adolphe Manger Giffin, Samuel C. Gurney, James Adams Hayne, William Seagrove Magill, and Arlington Pond.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Edward F. Geddings to be major.
Capt. Arthur W. Morse to be major.
Capt. Frank C. Baker to be major.

CHAPLAIN.

Chaplain John A. Randolph to be chaplain with the rank of major.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):

Nathaniel H. Wright,
Roland R. Riggs,
Edward F. Greene,
Isaac C. Johnson, jr., and
Richard P. McCullough.

The following-named lieutenants (junior grade) to be lieutenants:

Nathaniel H. Wright,
Austin S. Kibbee,
Roland R. Riggs, and
Edward F. Greene.

Passed Asst. Surg. Charles N. Fiske to be a surgeon.

Asst. Surg. Howson W. Cole to be a passed assistant surgeon.

Surgs. Robert E. Ledbetter and Charles St. J. Butler to be surgeons in the navy.

Second Lieut. William L. Burchfield to be a first lieutenant in the Marine Corps.

Surg. Philip Leach to be a medical inspector.

First Lieut. Thomas H. Brown to be a captain in the Marine Corps.

APPOINTMENT IN THE NAVY.

Lester E. Wass, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps.

POSTMASTERS.

MICHIGAN.

Alfred S. Follansbee, at Ontonagon, Mich;
John V. Wright, at Coloma, Mich.

MISSOURI.

Frank McNew, at Bloomfield, Mo.

NEVADA.

Alice F. Langwith, at Goleonda, Nev.

NEW JERSEY.

Edgar I. Vanderveer, at Freehold, N. J.

NEW MEXICO.

Ignacio Lopez, at Las Vegas, N. Mex.

NEW YORK.

George A. Case, at Honeoye Falls, N. Y.
Clarence A. Stone, at Elbridge, N. Y.
Catherine Wiggins, at Cape Vincent, N. Y.

OKLAHOMA.

Thomas Fennell at Fort Towson, Okla.
Walter E. Rathbun at Coalgate, Okla.

PENNSYLVANIA.

Clara Brown at Linesville, Pa.
Mary J. Russell at Vilas, Pa.

WISCONSIN.

Ernest S. Mottram at Markesan, Wis.

SENATE.

SATURDAY, *May 8, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of sundry employees of the American Cutlery Company, of Chicago, Ill., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of Winthrop, Me., praying for a readjustment of the wool schedule to remedy the inequalities detrimental to the carded woolen industry, which was ordered to lie on the table.

Mr. BRANDEGEE presented a petition of Typographical Union, No. 329, American Federation of Labor, of Waterbury, Conn., praying for a reduction of the duty on wood pulp and print paper, which was ordered to lie on the table.

Mr. NELSON presented a petition of Typographical Union No. 136, of Duluth, Minn., praying for the adoption of certain changes in the duty on wood pulp and paper, which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the Board of Trade of Rochester, N. H., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

TARIFF ON DRESSED LUMBER.

Mr. GALLINGER. I present a letter from the Amalgamated Woodworkers' International Union of America relative to the wood schedule. I ask unanimous consent to have it read from the desk.

There being no objection, the letter was read and ordered to lie on the table, as follows:

AMALGAMATED WOODWORKERS' INTERNATIONAL UNION OF AMERICA,
Chicago, May 5, 1909.

Hon. JACOB H. GALLINGER,
Washington, D. C.

DEAR SIR: On reading the Chicago papers I am very much surprised to note the agitation and discussion in Washington by some Republican Senators advising and arguing for the taking off that portion of the duty on lumber which is assessed on account of it being dressed or worked.

Representing, as I do, as secretary of the Amalgamated Woodworkers' Association of the United States, having 7,000 employees, all of whom are employed in the planing mills and obtain their livelihood through lumber being dressed in this country, I most earnestly protest against any reduction of the tariff on dressed lumber.

During the past ten years, in meeting the various lumbermen, planing mill men, sash and door factories, and others who employ our members, in discussing the question of advance in wages and betterment of our conditions, I have become reasonably conversant with the cost of dressing lumber in this country, and the proportion of cash paid out to labor, to the members of our organizations, of the actual amount these firms obtain for dressing stock. Compared with the present schedule of duty on dressed lumber, I am reasonably conservative in stating that 90 per cent of the extra tariff, as shown in the schedule in the duty on dressed lumber, is for actual cash paid out for labor, not over 10 per cent being retained by the owners of the planing mills for their gross margin, out of which should come a reasonable proportion each year for depreciation of their plant, for keeping up of repairs, etc., leaving them but a small percentage of the actual amount obtained for dressing as a net profit, almost the entire amount being for labor.

Further, the present high cost of living, which you, as well as everyone, must thoroughly appreciate, brought about by the high cost of all kinds of articles we must eat; for instance, take the cost to-day of flour, meats, all kinds of provisions, the entire production of the farmer, you can appreciate how impossible it is for us to consider taking any lower wages; in fact, at the present time many of the mills at which our members are employed for some time have not been running full time, working only six or seven hours a day, and in some cases not every day in the week, in many instances during this winter running only half time, thus netting us a very small sum of wages per week, not sufficient to live upon in a reasonable way.

On the 1st of last January, when a number of our contracts had expired and in bringing up the question of new contracts for our employees for the year, after a thorough discussion of conditions, the employers showed us they could not possibly make us any further advances under present conditions. We are thoroughly familiar with the fact that if the extra duty which is added for dressed lumber is taken off, as practically all of the lumber shipped in here from Canada comes in the rough, allowing it to come in here dressed would necessarily take from our members just that amount of work; if the tariff on dressed lumber is retained, the lumber will continue to come here in the rough, giving to the members of our association the work of dressing it here.

Owing to the fact that in most cases the cost of living and cost of supplies is much less in Canada than in this country, also that the planing mills in Canada are located largely in small towns, where the cost of house rent would be materially less than it is in the large cities of the United States, like Milwaukee, Chicago, Detroit, Cleveland, Buffalo, and North Tonawanda, where at least 80 per cent of the planing mills are located at which Canadian lumber is dressed when shipped into this country, naturally Canada can dress lumber for some less cost than in this country; and in addition to that, in shipping lumber by cars from Canada she would get a great advantage, for the reason that by dressing lumber the weight is materially reduced. For instance, on a 6-inch strip in the rough would weigh 2,500 pounds per thousand feet; if worked to flooring, would weigh not to exceed 1,700 pounds per thousand feet, or a saving of 800 pounds per thousand feet. Take as a reasonable basis a freight rate of 15 cents per hundredweight from Canadian manufacturing points to Chicago, Detroit, or Buffalo, the Canadian operator would save in the weight of the lumber, as lumber is shipped by weight, 800 pounds, at 15 cents, or $1.20 per thousand feet, in addition to the present extra duty he is obliged to pay on dressed lumber, making a material extra profit for the Canadian operator, and taking away from our men a means of livelihood, transferring entirely to Canada all of this work which is now being done in this country, throwing thousands of our men out of employment, further, practically making useless and of no value the immense amount of money invested in planing mills in all the large cities of the United States. In Chicago there are some 30 planing mills; in Milwaukee, about 10; in Detroit, about 15; in Cleveland, about 15; in Buffalo and Tonawanda, about 30. Considering the above, you must appreciate how unjust it would be to the members of our association, and we fail to see any reason why any such proposition can be advocated. We most earnestly enter our protest against any such action and feel, after a reasonable investigation of the facts, that in place of advocating any such move you will be glad to enter a strong, earnest protest against it.

Respectfully submitted.

AMALGAMATED WOODWORKERS' INTERNATIONAL UNION OF AMERICA,
Per JOHN G. MEILER.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2286) to grant to John Rivett privilege to make commutation of his homestead entry; to the Committee on Public Lands.

By Mr. CULLOM:

A bill (S. 2287) authorizing appointment of Hugh T. Reed upon retired list of the army, with rank of captain with twenty years' service; to the Committee on Military Affairs.

By Mr. BRISTOW:

A bill (S. 2288) for the relief of John A. Boutell; to the Committee on Claims.

By Mr. HALE:

A bill (S. 2289) granting an increase of pension to Thomas B. Pulsifer (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 2290) to authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across Noxubee River; to the Committee on Commerce.

By Mr. DICK:

A bill (S. 2291) to reimburse depositors of the late Freedman's Savings and Trust Company; to the Committee on Education and Labor.

By Mr. NELSON:

A bill (S. 2292) granting a pension to Elizabeth Ellingson; to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 2293) granting an increase of pension to William S. Edgerton, 2d (with accompanying papers);

A bill (S. 2294) granting an increase of pension to Stephen W. Glenney (with accompanying papers);

A bill (S. 2295) granting an increase of pension to William H. Johnson, jr. (with accompanying papers); and

A bill (S. 2296) granting an increase of pension to Napoleon B. Neal (with accompanying papers); to the Committee on Pensions.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar will be taken up. The Secretary will state the first bill on the calendar.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was announced as first in order, and the Senate, as in Committee of the Whole, resumed its consideration.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. The pending amendment is on page 60, paragraph 180. The committee proposes to strike out paragraph 180 in the following words: "180. Lead in sheets, pipe, shot, glaziers' lead, and lead wire, 1½ cents per pound," and to insert a new paragraph 180, as follows:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 2½ cents per pound; lead in sheets, pipe, shot, glaziers' lead, and lead wire, 2½ cents per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. BRISTOW. Mr. President, this amendment fixes the duty upon lead dross, lead bullion, base bullion, pigs, and so forth, at the same rate as the Dingley law. In this discussion yesterday I contended that there was no necessity for any differential between the duty on lead in lead-bearing ore and pig lead. I maintain the same position to-day.

In this connection I wish to refer to some of the testimony that was taken by the House committee relating to pig lead. On page 408 of the hearings, Mr. Peter Zucker, of New York City, says, in discussing the matter of the duty on paints or dry colors:

We ask that this duty be retained as at present, but in the event of a reduction, we ask for a reduction in bichromate and chromate of potash, under paragraph 62, which carries a duty now of 3 cents per pound; also of bichromate of soda, under paragraph 74, dutiable at 2 cents per pound; also of pig lead, under paragraph 182, carrying a duty of 2½ cents per pound, on the ground that both bichromates and the lead form the chief constituent parts of all chrome colors included in paragraph 48.

The duty on pig lead is so far in excess of the relative duty on chrome colors that an injustice is being done to the American manufacturers at the present time, and any reduction in the duty on chrome colors included in paragraph 48 would demand a reduction in the duty of each of the three items above referred to.

I read this to show that this excessive duty on pig lead necessitates, according to the manufacturer, a duty on other articles of common use that is not necessary if the duty on pig lead is reduced.

Mr. Lissberger, on page 2357 of the hearings, under Schedule C, said:

In the first place, I want to say this in regard to this conference: It was unanimously agreed that the present tariff was not a protective tariff—

This is referring to the tariff on pig lead—

but was an absolutely prohibitive one, and that the only protection the manufacturers could find was to the refining companies, protecting them from any opposition whatsoever in their ability to do pretty much as they pleased with both the miners and the consumers. And I must say, gentlemen, that that impression has grown very much stronger in my own mind since I have listened to-night to the miners. I believe that what they want is not so much protection from foreign ore as it is protection from the smelter and refiner. I think they have demonstrated that very clearly here.

That is from the testimony of Milton L. Lissberger, of Long Island City, N. Y. On page 2358, continuing, Mr. Lissberger said:

The first question that came up was that this duty of 2½ cents was prohibitive. It did not protect the workmen; they did not come into the question. We asked for a very material reduction, because that is inordinately high. It amounts to actually, at the present time, 75 per cent. The price of lead in England to-day is about 2.8 cents. A duty of 2½ cents is a little above 75 per cent.

Mr. BEVERIDGE. The Senator——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. The Senator is reading from the hearings before the House Ways and Means Committee?

Mr. BRISTOW. The hearings before the House committee, Schedule C, page 2358.

Mr. BEVERIDGE. Then it does appear that the House did have the very question of this differential particularly before them, and they had that information before they acted.

Mr. BRISTOW. Certainly, and I intend to show before I get through with this hearing that, from a reasonable deduction that can be drawn from what has been said before that committee in these hearings, the House left this as it was because they thought it ought to be left that way, and not because they did not have time to change it. I should like to have some evidence that it was left in this bungling condition, as is alleged by the Committee on Finance, because the House did not have time to change it.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. Is it not true that the House committee reported a duty of 1 cent on the lead contained in ores and a duty of 1½ cents on pig lead?

Mr. BRISTOW. I do not know——

Mr. SUTHERLAND. I presumed the Senator was familiar with the history of this matter. I want to be——

Mr. BRISTOW. I will answer the Senator's question. I do not know what they reported, except as it appears in the bill which they sent from the House to this body, and which we have under consideration.

Mr. SUTHERLAND. My understanding is that the House committee reported the bill providing for a duty of 1 cent on ore and 1½ cents upon pig lead, making a differential of one-half cent upon the pig lead. The point I desire to make to the Senator from Kansas is that the Ways and Means Committee of the House, having deliberately considered the whole subject, concluded that half a cent differential was necessary, and there is nothing in the proceedings of the House to indicate that the House itself had changed its mind about it.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Rhode Island?

Mr. BRISTOW. I should like to answer the Senator from Utah, and then I will be glad to yield. What the Senator's impression may be I do not know except as he declares it, but what we do know is that the House in passing this bill fixed a duty of 1½ cents a pound on the lead in lead ore and laid a duty of 1½ cents a pound upon pig lead, and I take it for granted that that was the deliberate judgment of that body.

The VICE-PRESIDENT. Does the Senator from Rhode Island now desire to interrogate the Senator from Kansas?

Mr. ALDRICH. I should like to suggest to the Senator from Kansas that I made a remark incidentally stating certain facts, but I tried to say to the Senator then, as I say now, that it makes not the slightest difference to this question what the House have done from time to time in fixing their schedules. We are here to do right, to do justice upon the merits and facts in this case.

Mr. BRISTOW. Mr. President, I am delighted to hear the Senator from Rhode Island make that remark; and I hope that all Senators here will listen to some testimony which he evidently has not read, and which I intend to read for the benefit of the Senate.

Mr. ALDRICH. I have read all this testimony. I know perfectly well that the smelters are interested in bringing lead into this country as cheaply as they can, because they own smelting interests in Mexico, and they are desirous of breaking down this differential. Nobody knows it better than I do.

Mr. BRISTOW. Continuing, Mr. Lissberger said, on page 2359:

If you mean to give us ore at a cent and a half, in the first place, you learn that while they get $8 a ton for smelting ore—

I should like to call the attention of the Senate to this statement—

you learn that while they get $8 a ton for smelting ore, yet they ask a protection between the ore and the metal of five-eighths of a cent a pound, or $12.50 a short ton.

Mr. BEVERIDGE. I wish the Senator would repeat that.

Mr. BRISTOW. I will read it again, for I think every Senator ought to hear it.

Mr. ALDRICH. Whose testimony is the Senator reading from?

Mr. BRISTOW. I am reading from Mr. Lissberger.

Mr. ALDRICH. Mr. Lissberger, I understand, is a man who is here representing, as he says, certain independent smelters, to try to break down the whole lead schedule.

Mr. BRISTOW. From this testimony I infer that he is a manufacturer of lead products, not in the smelting business.

Mr. ALDRICH. Certainly he told me that he represented the independent smelters of the United States. I do not know who they are. But he is trying to break down this whole lead schedule. Not only did he say he was representing the independent smelters, but he is a purchaser of lead, and he would——

Mr. BRISTOW. The purchaser of lead has some rights in this country, as well as the man who smelts it and sells to the purchaser, and I think he should receive some consideration in this body, as well as the men who have lead to sell.

Mr. SMOOT. I should like to ask whether the Senator from Kansas would like to take the same position that Mr. Lissberger does. His position is that there should not be a particle of duty on lead or lead ore.

Mr. BRISTOW. I beg to inform the Senator from Utah that he is mistaken as to the attitude of Mr. Lissberger. His testimony——

Mr. SMOOT. Mr. Lissberger has told me himself that he thought it ought to be free.

Mr. BRISTOW. He does not seem to have stated it to the committee under oath. I will continue to read——

Mr. BEVERIDGE. It seems to me the question is not what Mr. Lissberger's intentions were, but the question is, so far as we Senators are concerned, whether his testimony before the Committee on Ways and Means of the House was the truth or not.

Mr. BRISTOW. I will start in to read the paragraph again.

Mr. ALDRICH. The Senator from Indiana is troubled about this gentleman——

Mr. BEVERIDGE. No; I am not troubled about the gentleman. It seems that the Senator from Rhode Island is, because the Senator from Rhode Island said his intention was to break down the lead schedule. The question is whether the statements that he made are the truth or not. We all agree with the Senator's statement a moment ago. What we are trying to do here is exactly the right thing.

Mr. ALDRICH. But the Senator from Indiana rushes to the defense of a gentleman who, according to the statement of the Senator from Utah, wants to put these lead products on the free list.

Mr. BEVERIDGE. Mr. President, I neither defend nor traduce. The Senator from Kansas is reading testimony given before the House committee, to which the House committee evidently gave credence, that is not to be overcome by the statement of the Senator from Utah, whom I esteem as highly as anybody in the world. Though this man is a free trader or a protectionist or an aeroplane balloonist, that has nothing to do with the credibility of his testimony.

Mr. BRISTOW. Mr. President, I will read the paragraph again:

The CHAIRMAN. Pig lead, you mean?

Mr. LISSBERGER. Pig lead. If you mean to give us ore at a cent and a half, in the first place, you learn that while they get $8 a ton for smelting ore, yet they ask a protection between the ore and the metal of five-eighths of a cent a pound, or $12.50 a short ton. And the language of your clause is so drawn in regard to the bringing in of lead ores that only two smelters can comply with it. The small smelter can not bring in ore. He can not come within the requirements of the Government.

That is the testimony of Mr. Lissberger, on page 2359. On page 2360 he says, referring to a meeting of the lead manufacturers:

But I want to say that every one of the lead manufacturers there said: "We will be very glad, if the duty on lead is removed or partially removed, to have just as much and just as big a percentage removed from our manufactured goods."

Is not that fair? This man does not come here to testify for high duties or low ones.

"We do not feel that we need very much protection on manufactured lead."

Mr. BONYNGE. If you take the duty altogether off of lead in the ore, would the lead manufacturers be willing to have free trade on their articles?

Mr. LISSBERGER. Yes, sir.

Mr. BONYNGE. Absolutely free trade?

Mr. LISSBERGER. Absolutely free trade, if you take it off of pig lead. They do not advise it. They believe in protection, but they say that if you will give them free lead they are willing to take it off their manufactured goods. That is because they have the best workmen in the world, and they can turn out more per dollar day than any other; and even as it is, with all the expense added of bringing over foreign lead, they can and do sell their goods in foreign countries.

Mr. President, this gentleman whose testimony I am reading does not advocate free trade and he does not believe in it, but he does ask that as an American manufacturer, whom the protective tariff is supposed to protect, he be given a fair showing in the purchase of the material out of which he makes his goods, and that the refiners be not given a protective duty of $12.50 a ton on pig lead when it costs them only $8 a ton to refine the ore and turn it into pig lead.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Did I understand the Senator was reading from the House Hearings, on page 2365?

Mr. BRISTOW. The House Hearings, Schedule C, page 2360.

Mr. SMOOT. Page 2360?

Mr. BRISTOW. Yes, sir; that was the last I read.

Mr. SMOOT. That is followed, is it not, on page 2361, by the testimony of J. N. M. Shimer?

Mr. BRISTOW. Yes, sir.

Mr. SMOOT. Of Philadelphia. What position does he take?

Mr. BRISTOW. I am not discussing Mr. Shimer now. I will leave that for the Senator from Utah.

Mr. SMOOT. I simply wanted to say to the Senator that both of them are interested exactly in the same thing, and in starting out it is stated in the hearings of the committee:

J. N. M. Shimer, Philadelphia, Pa., advocates the removal of all duty from lead.

They are in the same line of business; they are working together; their object is the same. I know what I say when I say that.

Mr. BRISTOW. Let me ask the Senator from Utah to please state whether or not the testimony of Mr. Lissberger, in regard to the cost of smelting lead, is true or false?

Mr. SMOOT. I say that it is absolutely false.

Mr. BRISTOW. All right, sir; that is your statement against his. Now, I will proceed.

Mr. SMOOT. Another thing I will state. Mr. Lissberger knows nothing about smelting whatever.

Mr. BRISTOW. Nothing about what?

Mr. SMOOT. The smelting of ore or the cost of it.

Mr. BRISTOW. I will read from somebody who does, which will probably satisfy the Senator.

Mr. SMOOT. There are many things to take into consideration in the cost of smelting. You can not smelt ore carrying 10 per cent lead as cheaply as you can smelt ore carrying 60 per cent. You can not smelt siliceous ore as cheaply as you can smelt wet ore. When a purchaser of lead comes here and tells the committee, not under oath, that it costs so much——

Mr. BRISTOW. I beg your pardon. He is testifying under oath before the Ways and Means Committee of the House of Representatives.

Mr. SMOOT. I was there in the committee when he made these very remarks, and he was not sworn.

Mr. FLINT. I should like to ask the Senator to read in the record where he was sworn.

Mr. BRISTOW. I can not turn to just the place, but he was sworn. When testimony is taken before a committee, of course you do not swear a witness every time he goes on the stand to testify in a case where he has been sworn. When he went upon the stand he was sworn, I suppose, as this was the rule.

Mr. SMOOT. I was in the Committee on Ways and Means of the House when Mr. Lissberger was there testifying. I heard every word of this testimony, and I tell the Senator now that he was not sworn.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. Certainly.

Mr. STONE. Let me offer another witness who was not sworn in that hearing, but is under the sanctity of the same oath of the Senator from Utah. I read from yesterday's RECORD:

Mr. BRISTOW. As I understand from the remarks of the Senator from Idaho, it costs about $12.50 a ton to take the lead out of the lead ore and make pig or bullion of it.

Mr. HEYBURN. It costs fully that.

Mr. BRISTOW. Now, this five-eighths of a cent per pound is for the purpose of making up the difference in the cost in this country and abroad, as I understand it.

Mr. HEYBURN. That is $12.50. That is what it amounts to—$12.50 a ton.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. HEYBURN. A reading of the entire paragraph would convey some information as to what I really did say. I used the term that $12.50 a ton only meagerly represents the cost. I did not undertake to say what it was. I have the figures as to the cost, and I will at the proper time give them. I did not confine it to that. I was speaking by reference and not directly.

Mr. STONE. I started to read all there was that I found on the subject.

Mr. HEYBURN. On page 1884, at the bottom of the second column, is the statement in the RECORD to which I refer.

Mr. BRISTOW. I will now read from a statement of Mr. Edward Brush, of No. 165 Broadway, New York City, representing the American Smelting and Refining Company. I should think his testimony would be accepted. On page 2388——

Mr. SMOOT. I should like to ask——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I want to say that Mr. Brush, or the company that Mr. Brush represents, owns more lead mines in Mexico than any other company in the United States. He not only owns the mines, but he owns the smelters, and they control the situation there. What difference would it make to Mr. Brush or his company if he made his money in Mexico or made it in the United States?

Mr. BRISTOW. Well, wait until I have read Mr. Brush's testimony before you become alarmed at what it may contain.

Mr. SMOOT. I know what Mr. Brush's testimony is.

Mr. BRISTOW. On page 2388, I read as follows:

The CHAIRMAN. Before you get to that, and still speaking of the Silver King mine, how much does it cost per ton for the process of smelting and refining? Can you take it for some year, say 1906?

Mr. BRUSH. I haven't any particular year made up. I simply picked out this statement, which covers three months only—it must be this year, three months of this year. There is virtually no difference in the character of the ore. These are fair averages. Those happen to be the figures I have before me.

The CHAIRMAN. What was the cost?

Mr. BRUSH. The cost we have figured here, that we had to charge up against ourselves, averages $7.25 per ton of ore. Our charge against the mine, what we call our margin against the mine, was a little less than $10, showing a profit of less than $3 a ton on that ore.

A cost to the smelting company of $7.25, yet this amendment which is under consideration now provides for giving that smelter a protection of $12.50 a ton. The chairman then asked him for the items, and this was his testimony:

What we call our margin is—

That makes up the $10, of course—

we take the value of the metals at the New York quotation. All the metal contains the ore at the New York quotation. Deduct from that the freight to New York, what we have to pay the refiner for refining, and from this deduct the amount of money that we pay to the miner, and the difference is the margin, the money we have left to do our work with, provided we are able to sell those metals in New York at the price we pay for them. We pay the miner for all the metals in the ore by sight draft when he ships the ore to the smelter, against the weights and assay, which is checked by his own representative; but we do not get the metal to the market on an average of four months after that period, and we always assume that we will be able to sell our metals for what we pay for them, but at times that has been hard work.

That is the $3 profit which he gets for smelting and carrying this investment for three or four months, and the necessary profit he must have on doing the business.

The CHAIRMAN. What do you charge for smelting that?

Mr. BRUSH. I have not the particulars of what we charge them for smelting, because the contract as it is made pays for a certain amount of lead, pays for a certain amount of silver, and pays for all the gold at the New York quotation, and then makes a deduction which we call a working charge, and that, in the case of these lead ores, is usually about $8 a ton.

That is the statement of Mr. Brush. That is on page 2389.

Now, again, on page 2394, Mr. Brush discussed this question. He says:

The total amount of freight paid—

In speaking of the handling—

was $25.50—

A ton—

The cost to the smelter was $5.55—

Per ton. Now, I should like Senators to note this carefully:

The cost to the smelter was $5.55; the cost to the refiner was $4.50, making a total cost of $83.90—

Per ton, all told, for freight, and so forth, but making the cost of smelting and refining, as subdivided here, $10.05 per ton.

The silver in it was worth $16.21. If you deduct that and throw all the cost upon the lead—

Now, note—

which is certainly not a fair way of figuring costs, you will bring out the cost of 1 ton of lead at $67.69, or $3.38 a hundred pounds. Now, at 4 cents New York, there was a profit of 62 cents a hundred pounds. That profit was divided, 31 cents to the mine, 15 cents to the smelter, and 16 cents to the refiner.

That ought to be good testimony.

Mr. SMOOT. Well, Mr. President——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Mr. Brush says here that that is "not a fair way of figuring costs." Does the Senator think that it is a fair way?

Mr. BRISTOW. He says, if you put all of the cost on the lead.

Mr. SMOOT. Yes; but does the Senator think that all the cost ought to go on the lead?

Mr. BRISTOW. I do not; and if the cost is taken off the lead, it will reduce the cost of smelting just that much and make it less than the figures given here, $10.05.

Mr. SMOOT. That is just what I wanted the Senator to say, because now I want to tell him something about the mining that is not mentioned here at all.

Mr. BRISTOW. I would prefer that the Senator would tell the Senate that in his own time.

Mr. SMOOT. That is all right. I do not want to trespass on the time of the Senator, but I wanted to state——

The VICE-PRESIDENT. The Senator from Kansas prefers not to yield.

Mr. BRISTOW. I would be glad to answer any question, if I can; but I prefer that the Senator, in making extended remarks, should make them in his own time.

Mr. SMOOT. I did not intend to make any extended remarks. I just wanted to say something on that very point.

Mr. BRISTOW. On page 2397, Mr. Brush, of the American Smelting and Refining Company, proceeds:

The refiner—

This is an interesting thing, and I should like to have all Senators hear it, for it is exceedingly important in the consideration of this item—

The refiner is not protected at all—

Now, note the difference—

The refiner is not protected at all under the present tariff. The tariff on lead bullion, which is imported from Mexico, is 2¼ cents. Although I appear as representing the smelting company, I thought I should make that clear. The tariff at the present time is 2¼ cents on lead bullion, which is the production that is exported from Mexico very largely to our refinery and other refineries in this country, to be refined here by American labor in American works, and the duty on pig lead is exactly the same, 2¼ cents.

So this process, which costs $4.50 between the smelting and the refined product, has no protection whatever under this bill or under the old law.

This $12.50, which is added to the cost of the lead bullion, is to represent a cost to the smelters of $5.50; yet they are contending before this body that the refiners need a differential over the duty on lead ore.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I think the Senator ought to be perfectly fair in this matter.

Mr. BRISTOW. I certainly am trying to be.

Mr. SMOOT. But he is quoting from one particular mine. Let me call attention to what Mr. Brush says on that point:

That was one mine. If you care to have some other mines, I will show you something quite different. We have to get an average profit out of all the ore that goes into the furnaces, and any one charge into a furnace may mean, and probably does mean, ores from 30 to 50 different mines, all mixed together in a body to get the proper metallurgical formula. We get our average cost and average margin, the difference being the average profit at those works. That is the only way we can do business.

Mr. BRISTOW. What does he say the average cost was?

Mr. SMOOT. On this——

Mr. BRISTOW. I do not know what part of the volume of the testimony the Senator is reading from.

Mr. SMOOT. I am reading from page 2391.

Mr. BRISTOW. The last paragraph that I read did not refer to the Silver King mine.

Mr. SMOOT. I am not referring to that at all.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Nevada?

Mr. BRISTOW. Certainly.

Mr. NEWLANDS. I wish to ask the Senator from Utah what is the average price for smelting ore?

Mr. SMOOT. The average price, I should judge, for smelting ores, taking ores in all kinds of industries, is something between $10 and $11 a ton. It depends on how much we are penalized for sulphur, how much we are penalized for zinc, and what amount of silica the ore may carry. All these things come into the consideration of the cost of smelting.

Mr. NEWLANDS. I wish to ask the Senator a further question. If the total cost of reducing the ore on the average is, as he says, $11, is it not unfair, even upon the protective principle, to allow in this tariff bill $12.50 per ton?

Mr. SMOOT. Mr. President, I want to say to the Senator, if I may, that there is no doubt in the world that $11 per ton would take care of high-grade lead ore; but the bulk of ore, the great quantity from which leads come, is low-grade ore; and to fix a duty of one-eighth of a cent, if that means $2.50 a ton, would be absolute ruin to the low-grade proposition.

Mr. NEWLANDS. The Senator from Utah speaks of the average. Then, I presume that means that in some ores it costs very much more than $11 a ton and in others very much less?

Mr. SMOOT. I have known to be paid, and have paid many times, as high as $16 and $17 a ton for smelting the ore. The Senator certainly must know that, because I know some of the siliceous ore in Nevada costs more than that.

Mr. NEWLANDS. I believe that; but I wish to submit this consideration to the Senator: That, on the average, according to his statement, the total cost is about $11 per ton. The protective theory simply warrants, not the imposing of a duty equal to the total cost of the work by the domestic manufacturer, but the difference between the cost to the domestic manufacturer and to the foreign manufacturer. It must cost the foreign manufacturer something to reduce this ore. If it costs us here an average of from $10 to $11, it must cost the foreign manufacturer at least from $8 to $9 a ton, even if the wages are less.

Mr. SMOOT. The difference between the concentrating alone in Mexico and the United States is the difference between $6.75 and $12.

Mr. NEWLANDS. Very well. But it must cost something. Let us get at the average cost, then, in the outside reducing of these ores. I assume that I am very liberal when I say that it is one-half. The difference, then, between the outside cost of reduction of $6 per ton and the inside production of $11 per ton is only $5 per ton; and yet this bill seeks to impose as a duty more than double that amount—$12.50 a ton.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the junior Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. My colleague [Mr. SMOOT] and the Senator from Nevada [Mr. NEWLANDS] are talking about the cost of smelting a ton of ore, not a ton of lead. The ore may only contain 25 per cent lead or 10 per cent lead, and it will cost anywhere from $8 to $11 per ton to smelt that ton of ore, not a ton of lead. Suppose that we take an extreme case of ore which contains 50 per cent lead, and suppose they recover every particle of it—which they do not; they recover only about 88 per cent—but suppose they recover every particle of it, then it costs to smelt a ton of ore containing 50 per cent of lead $10, we will say, but it costs to get a ton of lead from the 50 per cent ore $20; and if it is 25 per cent lead, it costs more.

Mr. NEWLANDS. Mr. President, I recognize the force of what the Senator from Utah says regarding the distinction between ore and lead; but I will ask the senior Senator from Utah what is the cost in this country per ton of lead, on the average?

Mr. SMOOT. If you mean the New York quotations to-day, I think about 4.3——

Mr. NEWLANDS. I refer to the cost of refining—the cost of reducing and getting out 1 ton of pig lead. It does seem to me that this thing has been reduced to such a science by the great smelters that the Committee on Finance ought to be able to produce here exact figures regarding this matter and not rely upon mere conjecture.

Mr. SMOOT. It would be impossible to do what the Senator asks. The nearest thing which we can come at is an average, and that, I think, I have given.

Mr. BRISTOW. Mr. President, I will continue reading from the testimony of Mr. Brush, of the American Smelting and Refining Company:

Mr. CRUMPACKER. It is safe to say, then, Mr. Brush, that it does not cost more than $8 a ton for the lead for smelting, calculating that the concentrates run about 50 per cent of lead?

Mr. BRUSH. In this example I give I used $3 per ton of concentrates as the cost of smelting.

Mr. CRUMPACKER. Three dollars per ton of concentrates?

Mr. BRUSH. Yes.

Mr. CRUMPACKER. And at 50 per cent it would amount to $6, but suppose we fix it at $8. Eight dollars will amply pay the cost of smelting, will it not?

Mr. BRUSH. I should say so.

Mr. CRUMPACKER. And we have a differential to protect this smelter of $4.50 more than the entire cost of the smelting process?

Mr. BRUSH. Yes.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Does Mr. Brush anywhere in that testimony state that he only recovers about 85 per cent of the lead; and does the Senator think that in recovering only 85 per cent that that is not a loss?

Mr. BRISTOW. I was discussing the cost of smelting, and Mr. Brush says that $8 a ton will cover it; and that covers everything, according to his testimony.

Mr. SMOOT. O Mr. President, he says that that covers the cost of the smelter; but it does not cover the loss of 15 per cent.

Mr. BRISTOW. I do not so understand it. A suggestion has been made to me which is very pertinent to the point. Does not every other smelter on the face of the earth have the same loss?

Mr. SMOOT. I answered the Senator from Kansas yesterday on that point, and I supposed that he remembers what I then said.

Mr. BRISTOW. The Senator's answer was not at all satisfactory. I could not comprehend that it was an answer to the question at all. The testimony continues:

Mr. CRUMPACKER. You think that is too high?

Mr. BRUSH. Yes, sir.

Now, Senators, I want you to listen attentively to this testimony of Mr. Brush, who came here as the representative of the American Smelting and Refining Company, which the Senator from Utah [Mr. SMOOT] says is the largest institution of that kind in America.

Mr. SMOOT. Or in Mexico as well.

Mr. BRISTOW. Speaking of the duty of $4.50 per ton more than the entire cost of the process, Mr. CRUMPACKER said:

Mr. CRUMPACKER. You think that is too high?

Mr. BRUSH. Yes, sir.

Mr. CRUMPACKER. Do you think we need any at all, any duty for smelting?

Mr. BRUSH. I think there should be some. It costs very much more to smelt in this country than in Mexico.

Since the Senator says that Mr. Brush has refineries in both countries, his testimony certainly ought to be good. This is his statement under oath.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. Mr. President, I want to suggest to the Senator from Kansas [Mr. BRISTOW] that the fact that Mr. Brush has interests both in Mexico and the United States is probably one of the best reasons in the world why his testimony should not be accepted as final. He is in a better position almost than any other person to profit by a lead duty if we make it too low.

Mr. SMOOT. He would profit either way.

Mr. SMITH of Michigan. Yes.

Mr. BEVERIDGE. If he would profit——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. BRISTOW. Yes.

Mr. BEVERIDGE. If he would profit either way, as the Senator from Utah [Mr. SMOOT] says, then certainly he has no motive for committing falsehood under oath, because this statement was given under oath. There could not be any more impartial testimony than that of a man who would win either way.

Mr. SMOOT. That all depends on how much he profits in Mexico and how much he would profit in the United States, and I have no hesitancy in saying that he would profit more in Mexico.

Mr. BRISTOW. I will continue to read the testimony. These continuous interruptions break the thread of the testimony somewhat.

Mr. SMOOT. From what page is the Senator reading?

Mr. BRISTOW. From page 2415. I will go back to where I started a few moments ago.

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from New York?

Mr. BRISTOW. I do.

Mr. ROOT. I do not like to let the comments on Mr. Brush pass without saying that I have known him for many years, and I have very great confidence in anything he says, because I believe him to be a man of high character and thoroughly entitled to be trusted. Of course he is liable to be affected in his views and opinions by his interests, as all men are; but whatever he says, whether under oath or not under oath, I am certain is what he honestly believes.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. I hope the Senator from New York did not understand me to cast any reflection upon the witness. That was very far from my purpose. But, conceding that he is a man of the highest integrity, I question whether or not, having interests in a foreign country and interests here, he is the best judge of the interests here. For instance, take the testimony of a large owner of Canadian stumpage as affecting the domestic lumber market. I would regard it as very questionable whether he was the best judge.

Now, while I am on my feet, if I do not annoy the Senator from Kansas, I am very anxious to see the lead ore converted into pig in this country. I am very anxious that the American people shall have the benefit of the wage necessary to make that conversion. I do not care to have it exorbitant; but I do want to retain that as a domestic enterprise; and whatever will do that, it seems to me, is right. The Senator from Kansas says that it costs about $8 to convert a ton of ore into pig. Is that right?

Mr. BRISTOW. I was reading from the testimony of Mr. Brush.

Mr. SMITH of Michigan. I understood from very excellent authority that it could not be done for less than $12 a ton. If there is that discrepancy among men who know practically what it does cost, I want to be sure to be on the safe side. I want to retain this industry as a domestic industry.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. CLAPP. I fully agree with the Senator from Michigan [Mr. SMITH] that, without impugning a man's motives, we should weigh his testimony in this case in the light of his relation to the interest concerned; and, with that criticism applied to the witness from whom the Senator from Kansas is quoting, I would suggest that we can take with a grain of caution the alarming statements of all the men who are vitally interested in the various industries, and that, too, without in any sense impugning their honesty.

Mr. BEVERIDGE. On both sides.

Mr. CLAPP. Yes, sir.

Mr. BRISTOW. I want to inject a remark before the matter passes from my mind. There is no evidence here whatever that Mr. Brush has the slightest interest in having this smelting done in Mexico any more than in the United States. He appears to be discussing the question with absolute fairness, without any personal bias whatever, and to be giving us the result of his experience and his judgment, as the testimony which I propose to read hereafter will clearly demonstrate.

Mr. CLAPP. Mr. President, I think that is true. I was only suggesting that the criticism of the Senator from Michigan might well apply generally in this discussion. On every item we reach the same assertion is made—that while there should be some modification somewhere, yet the particular interest involved can not stand the slightest modification. If we are to accept such statements without any allowance, we might as well, in my judgment, offer an amendment striking out all after the enacting clause and substituting the provisions of the Dingley Act. We have simply got to lift ourselves above that kind of testimony, not in any spirit that impugns the honesty of the witness, but recognizing that judgment is warped where interest is at stake.

Mr. BRISTOW. Now, Mr. President——

Mr. NELSON. Mr. President, will the Senator yield to me?

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. With pleasure.

Mr. NELSON. The Senator from Utah [Mr. SMOOT] a moment ago called attention in a very serious manner to the fact that Mr. Brush was interested in Mexico. I want to read from the hearings, on page 2386:

> The CHAIRMAN. Where are your works located?
>
> Mr. BRUSH. Throughout the West at the most convenient points for the receival of the ore from the Rocky Mountains. We also have some smelters in Mexico. Our refineries are at Omaha, Chicago, and Perth Amboy, on the harbor of New York.

Mr. KEAN. Perth Amboy is in the State of New Jersey.

Mr. NELSON. Yes; in the State of New Jersey; and I am greatly obliged to the Senator from New Jersey for the correction. Then, on page 2391, he states:

> We refined 216,000 tons of lead, including Mexican lead, which was refined in bond.

So it seems that even the Mexican base bullion is sent here to the United States to be refined. It is shipped over in bond and sold in competition after it is refined in Europe, and the smelters get a rebate of the duty paid less 1 per cent. I am a little surprised, I want to say in this connection, at the excessive eagerness and zeal of the Senator from Utah, who seems to assume an attitude as though he were angry at any man who did not agree with him and who had anything to say in regard to the lead schedule.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Of course I do not wish to reply to the last remark of the Senator from Minnesota; but I want to say to the Senator from Minnesota that I am just as much interested in the industries of my State as he is in the industries of his State. If he will turn back to the RECORD, he will not find a word in any statement I have made that Mr. Brush is interested in refining in Mexico. I said "in smelting." That is where the great cost is. There are in the United States only about three refineries. You can not build refineries in every mining camp or in every State that produces ore.

Mr. NELSON. Let me ask the Senator a question: Is it not at the refineries where the base bullion is refined and the lead separated from the precious metals?

Mr. SMOOT. Mr. President, anyone who knows anything about mining knows that to be the case; and not only that, everyone knows there are very few men or companies of men who have ever tried to build refineries in this country or any other. No miner of ore ever thinks of building a refinery. The miners in my own State time and time again have thought perhaps they would build a refinery, but they found it impossible for them to do so, as it costs too much money, and there is too much money involved in carrying the necessary amount of metal and in carrying the great quantity of lead and the precious metals contained in the bullion.

Mr. BURKETT. I should like to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. BRISTOW. Certainly; I should like to get all possible light on this question.

Mr. BURKETT. I should like to ask if the committee heard anybody that was in favor of reducing the duty on lead or the products of lead?

Mr. SMOOT. Mr. President, I do not think there is a member of the committee who has not met the purchasers of lead time and time again and heard them ask for free lead.

Mr. BURKETT. There was no hearing, then, granted before the committee?

Mr. SMOOT. We had no hearings before the committee.

Mr. BURKETT. I understand it to be true that, while the manufacturers and those who use lead and lead products did seek for hearings before the committee, they were not granted that opportunity; and so they had to do like a good many others—buttonhole Senators in the corridors or wherever they could catch them, and inform those Senators who did not have

some special information on the subject as best they could. I would rather have that information from the committee.

Mr. SMOOT. I will say to the Senator that they have all filed their briefs, the same as a thousand other different interests in this country have done; and I do not believe there has been a Senator on that committee who has not read some of the briefs. There is not a member of the committee who has not been visited by representatives of this industry in the same way that the representatives of a great many other interests of the country have visited members of the committee.

Mr. BURKETT. I would say, in that connection, since the Senator has referred to it, that that is one of the things about which I have something of a quarrel with the Committee on Finance.

It has occurred to me that in bringing this great bill before the Senate the committee is subject to some criticism for not giving more information than they have given to the Senate. Here is a great bill, the most important that ever comes before the Senate. On all other legislation we know the committees of the Senate have hearings, and what people say who know about the questions involved is reported and is brought in before us, so that we can inform ourselves; but here in this great bill we have not a single syllable of reported testimony. Take the lead schedule, for example, or the iron and steel schedule that was before us in a debate a day or two ago. It would not have taken long; it would not have been impossible; it certainly would not have been improper for the committee to have found out and brought before us evidence to show beyond peradventure whether or not some statements that have been made are true or whether they are false; for example, the statement that certain great combinations control certain portions of the output.

The committee ought to have that information in detail, it seems to me. I have had handed to me by a Senator this morning some matter that disproves certain statements made here the other day. It would have been very easy for the committee to have had that testimony presented to it.

We have been four days debating this one schedule—the lead schedule—and I think every Senator will agree that the reason for this prolonged debate has been largely that Senators have not known about the subject. I recall that the first evening the matter came up there was not even a Senator on the committee, apparently, who was prepared at that time to stand up and give us very much information.

I remember a few days ago when a certain schedule came up during the first reading of the bill Senators of the committee admitted that perhaps it had better be delayed a little while, as there was some information to be had upon that matter. There is nothing furnished us here to give information upon these subjects; and so I asked the Senator from Utah whether or not a hearing had been had.

I understand, of course, that Senators who live in particular States, where these particular industries are conducted, have certain information; but it does seem to me that the committee ought to have acted as a sort of judicial tribunal or referee, as it is in fact, for the Senate, and have taken evidence and put it in shape so that we might have it to consider when we come to vote upon the different schedules. Instead of that we are left absolutely helpless. If it were not for the House having spent some time in holding hearings, which have been printed, we would be absolutely without any evidence. We are now groping around in the dark, gathering evidence wherever we can.

It is very embarrassing to Senators, and let me say that embarrassment is shared by business men also. For example, there have been business men here buttonholing us morning, noon, and night trying to give us information. The president of one of the greatest industries in this country spoke to me last night upon a particular schedule of this bill, and it seemed to me, as he demonstrated the matter to me, that perhaps the committee had made a mistake. That, however, is not to be considered now, as the schedule is not before us; but I use it as an illustration. He told me, while those he represented had not had a hearing before the committee, that by seeing members of the committee individually he had convinced every one of them that his contention was right that one certain part of the schedule should be raised, and perhaps another part decreased.

I say that business men have been embarrassed by that condition. They have to come here every day and chase Senators up and down these corridors to get the facts before them. They ought not to be compelled to do it. There was a great enterprise contending that the duty on a part of its product should be reduced and that it should be increased on another part of it in order to meet foreign competition. The committee did not bring the schedule in in that way, but the president of that organization told me he had persuaded every man on the Finance Committee that the contention of his corporation was right and that the committee report was wrong. He also said that there were 42 Senators who had agreed that his contention was right in this particular matter.

We know that in two or three days after this bill came over from the House it was hurried into the Senate with no hearings. I submit that it is not giving the Senate a fair chance to consider this matter properly.

The country is interested in this bill. Senators may think it is not, but the country is watching this bill; the people are reading the newspapers; the newspapers are publishing what we are doing here, and you can not fool the people, for example, on the schedule on lumber; you can not fool the people as to the wire and nails schedule and the steel and iron schedule. They know about these schedules.

If we are to go out and defend them, it does seem to me that we ought to have in printed form, taken down under oath, the evidence of men who know about these things, and we ought not to be left to grope about in darkness, as we have been obliged to do. It does seem to me, without any reflection upon the committee—for I know they are well informed, or some of them are, at least—but I have regretted to observe that while this matter has been up for discussion here there has not been, as it seemed to me, quite the attention from the members of the committee that there ought to have been. Sometimes there has not been a quorum of that committee here on the floor.

There are only two or three Senators of that great committee who have volunteered, to say the least, to give us information upon this question, showing, as it does to me, that they themselves have not given to this subject the consideration which they ought to have given to it.

I have listened here to the discussion which has been going on. I have not said much. I do not know that I shall. This is the first experience I have had in making a tariff bill. I confess it is about the hardest job I ever had in the few years that I have been in Congress. I am a protectionist, and, as I said yesterday to the Senator from Georgia [Mr. BACON], I do not propose to vote with respect to any single schedule for a rate which, in my judgment, is unjust to the American producer, but whenever I think a schedule ought to be reduced, in justice and fairness to the American people, I am going to exercise the privilege and the liberty, representing the people I do, elected as a Republican and a protectionist, to vote for that reduction. And if, perchance, the evidence shows that any schedule should be raised, I shall not hesitate to vote for that also.

But, as I have said, so far as I could learn, there has not been anybody heard before the committee to reduce rates, although the Senator now has even extended that; and, as I understand, there has not been anybody heard, except to file a written statement. I have tried to learn if on any of these schedules anybody was permitted to be heard who was in favor of a reduction of the rates.

There are people interested in the reduction of the rates on lead. I confess that after hearing the evidence for two days I was persuaded that the rate in paragraph 179 was right, and I voted for it. But there are people interested in the products of lead, going clear through; I know some of them have been to me and have said that all the manufacturers of lead and its products had organized and presented a solid front, and sent three or four persons to appear before the committee, so that they might unify the work and not come in great numbers to annoy the committee. Yet they were denied a hearing.

The man who builds a house and uses lead pipe in plumbing is interested in the price of lead. The man who builds a house and paints it is interested in the price of the products of lead. We ought to know about these things, and we ought to hear from the plumbers, for example, and the paint manufacturers, the men who use the lead and use the products of lead, in order to find out whether or not it is a just schedule.

Mr. GALLINGER. I will say to the Senator that we frequently hear from the plumbers. I hope he is not pleading their cause.

Mr. BURKETT. That is very true. I accept the pleasantry of the Senator from New Hampshire, and it is perhaps very well to throw it in here.

I am not criticising, because I know the wisdom of the chairman of the committee; and I suspect, because he has gone through these bills—four or five of them—that he does know about this schedule.

It seems old to him. But everybody else ought to know as much about it as he does. Yet here are four or five thousand schedules, and those who have not been through these bills time and time again do want to know something about them.

I rose the other day to ask a question. It seemed to create a little impatience. I watched and discovered a little impatience on the part of the committee in disclosing the information. There ought not to be. We must have it. I appreciate the fact that the business interests are in a hurry about this bill, but let me say that the whole people of the country are a whole lot more concerned in having this bill right when it passes than the business interests ought to be in having it passed quickly. For one I would rather stay here until Congress convenes in December and get information enough to make the bill absolutely right than to be able to adjourn in three or four weeks and have to go out and explain it and apologize for it for the next five or six or seven or eight or ten years.

I did not rise, I will say, Mr. President, with the expectation of saying that much, and I apologize to the Senator from Kansas, but it does seem to me that we, at least those of us who do not know about these schedules, ought to be treated patiently. The committee should have investigated these matters and made a report on them. If that is not done, I am going to join with those other Senators who are determined to get those facts here. It was not done in the committee. I think the more appropriate place would have been to have collated the evidence in the committee. They acted as a referee to gather it, and they should present it as it should be. But when it has not been done, I am one of those Senators who are willing to stay here all summer, if necessary, to get the evidence so that we can frame the bill properly.

Mr. ALDRICH. Mr. President, if the Senate stay here until every Member of the body has a chance to satisfy himself as to every detail of the tariff bill and every industry in the United States and to hear and weigh the conflicting statements that are made on one side and the other of these propositions—the statements of domestic manufacturers, of the men interested in the industries of the United States, of the men who are interested in breaking down the interests of the United States and the industries of the United States to build up industries and interests in other parts of the world—if they stay here, even with the infallible judgment of the Senator from Nebraska, until every Senator is convinced upon this bill, they will not only stay here during this summer and until the first of the approaching December, but they will be here ten years from now.

The Senator from Nebraska suggests, What have the committee done? They have given sixteen or eighteen hours a day out of twenty-four hours—every Republican member of that committee has—to the consideration of this question. They have not only heard the men who wanted to reduce duties, not formally, not to put their testimony down, but they have been trying to inform themselves as best they could as to the industries of the United States and the effect which the changes in rates would have upon them.

I have no doubt we could have done better if we had had the services of the Senator from Nebraska; it is undoubtedly a great misfortune to the public that he is not a member of that committee; but we have done the best we could.

The members of the committee are not lacking, I hope, in intelligence or in patriotism. They have given to this work every hour and every minute of their time, and so far as their intelligence and their ability went—and I am not claiming for any member of the committee any unusual intelligence—they have presented to the Senate a result which, in their judgment, should be accomplished.

The committee is hearing people all the time. This town is full of people like the president of the organization which the Senator from Nebraska mentioned, but did not specifically name. The hotels in this city are crowded with people, with representatives of industries, of laboring men, of people who are engaged in all these various industries. There is not a day passing but that some deputation of people is here asking the committee to make changes in these schedules. Nine hundred and ninety-nine out of one thousand are people who are asking us to increase the rates contained in the Senate bill.

The Senator from Nebraska talks about the consumers and the interests of the consumers not having been represented before the committee. Who are the consumers in the United States? Is there any class of people in this country, except a very limited number, who are consumers and not producers? Are they better entitled to consideration than anybody else? The consumers of Nebraska are more interested in the preservation of the protective-tariff system than they are in any other public policy which is involved in this bill or before Congress. Their prosperity, if you please, which I have witnessed with pleasure, has been derived from the fact that they had in the United States a market for all their products. I have seen the products of Nebraska and of the other agricultural States mount year by year, month by month, day by day, until the increase in the cost of everything in this country is owing almost entirely to-day to the increase in the price and the value of agricultural products. Those people have not been here, except as they are here by their representatives, demanding a reduction of duties.

I had a conversation this morning with a gentleman from North Dakota, the chairman or the president of a committee of an organization, the Society of Equity in the United States. What did he ask for? He said he represented the farmers in the West. He is a very intelligent man. What did he say? Was he seeking evidence to destroy the industries of the United States? No. He was asking for agricultural products a proper protection, and he said that what he wanted for himself he was willing to give to others.

The question which is now before the Senate is purely a local one. Only three or four States in this country are largely interested as to what the duties on lead shall be. The part of the country that I represent contains the great consumers of lead, because I take it for granted that three-fourths or nine-tenths of the lead produced in the world is consumed by the manufacturers of this country or any other country.

The Senator talks about painting a house. How much pig lead, which is now the question under consideration, goes into the painting of a house? I know, and the Senator from Nebraska ought to know by his own experience that white lead is largely composed of barytes, or some other adulterant. The ordinary white lead sold is composed of barytes or some other adulterant. But that is not the question. Take the question of lead. Whom are you to believe? I should like to ask the Senator from Nebraska whom he is to believe in these matters. There are contradictory statements made, as the Senator from Kansas has said.

The State of Idaho is immensely interested in the duty on lead. It is a vital question to those people. The State of Missouri is greatly interested in the lead question. The State of Colorado is largely interested in this question. The State of Utah is largely interested in this question. Is the Senator from Nebraska ready to accept the statements of the Senators from those States as to what the interests of their people are? I am; and I intend to vote here, representing as I do a constituency that, if they consulted their own interests alone, would be for free lead ores and free pig lead, in accordance with the judgment and the opinions and the knowledge of the Senators from Idaho and from Utah and from Colorado and from Missouri. I am not asking the Senator from Nebraska to consider the evidence of men whose sole interest in this question is to destroy the producing of lead in the United States in order that they may get profits from that destruction.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER (Mr. ROOT in the chair). Does the Senator from Kansas yield further to the Senator from Nebraska?

Mr. BRISTOW. Certainly.

Mr. BURKETT. The Senator from Rhode Island must not misunderstand my attitude with reference to this matter. So far as concerns being a protectionist, I will say that that has been measured by having been able to make protection speeches, even in New England, which satisfied the Republicans and the protectionists of New England. I am a protectionist. In my opinion, the people of this country are protectionists. I am certain that the people of Nebraska are protectionists. I have not any doubt of it. But, in my opinion, the people of Nebraska do expect us who represent those million and a quarter people to inform ourselves upon the schedules before we vote upon them.

The Senator from Rhode Island complains, perhaps, because I suggested that they did not have information such as they might have. Let me use one illustration, to which I am sure the Senator will not except, because he has very gladly accepted changed conditions.

Take the rates on wire, for example. As the bill is, it is $2.70 a hundred on fence wire. After conferring with the Senator from Rhode Island——

Mr. BRISTOW. I should like to ask if it would be agreeable to the Senator from Nebraska to direct his remarks to the immediate schedule we have in hand, and let us discuss the wire schedule when we get to it.

Mr. BURKETT. I will not continue my remarks at all if the Senator objects; only I want to finish the sentence.

Wire carries $2.70 a hundred. I had some conversation with the Senator from Rhode Island. He investigated the matter further, and I think he is—I will not say he is ready to agree, because I do not want to say that—but, as I understood it, after talking with the Senators from Pennsylvania and other Senators closely interested in those schedules, he has consented that that rate shall be reduced.

I simply use that as a little illustration to show that it is a schedule which could very easily have been inquired into and brought here properly and in a way that would have satisfied the Senate and not have provoked all this discussion.

Mr. ALDRICH. Will the Senator from Kansas yield to me? I do not want any misapprehension to exist as to the attitude of the committee upon any of these propositions. As I said before, we are making no claim to infallibility, and whenever it can be shown to the committee or to members of the committee that the rates which we have reported are wrong—that they are not properly adjusted, or too high or too low—the committee will gladly take whatever information is presented and make such changes in their recommendations as they may think desirable.

Mr. BURKETT. I have gone even further than the Senator has. He is too modest. I have agreed that the members of this committee are the best posted men in this body on this subject. The Senator, by reason of his long service and acquaintance with this particular subject, is absolutely, and should be, and necessarily is, the best posted man. I have said, through charity for him more than in complaint, that it is because he does understand these propositions so well that he fails to realize the importance of getting the evidence before us, that the rest of us may have the information he knows intuitively and from experience.

Mr. ALDRICH. If I have shown any indisposition to accommodate the desire of Senators to secure information, I am quite willing to apologize, because I have no such purpose. I am extremely anxious, as I think the country is, that this question shall be disposed of as quickly as possible, and I intend, having that in view, to impress upon the Senate the desirability of early action. But I do not have the desire to have any action taken in ignorance of all the problems that are raised by this legislation.

But I realize, as the Senator from Nebraska must, that it would be impossible for us to delay the consideration of this bill until every Senator can get all the information that is possible upon every one of the 4,000 or 5,000 or 6,000 items covered by this legislation.

Mr. BURKETT. Take the illustration the Senator used. I will get down now to the subject under consideration. Take white lead.

Mr. BRISTOW. Mr. President——

Mr. BURKETT. The Senator from Rhode Island says that the white lead we use is adulterated, mostly made out of iron products.

Mr. BRISTOW. Mr. President, I have been standing here for thirty-five minutes listening to this debate.

The PRESIDING OFFICER. The Senator from Kansas declines to yield further.

Mr. BURKETT. I will not keep the floor any longer from the Senator from Kansas.

Mr. BRISTOW. I should like to get through, and then I will yield the floor gladly.

Mr. President, these interruptions have detracted from the line of thought. If I remember right, we were discussing the merits of paragraph 180, with respect to the duty on pig lead. Referring to the attitude of the Committee on Finance, it seems to me that whenever the statements of any man are quoted which seem to disagree with the Committee on Finance, or whenever any evidence is submitted here that seems to bring in question the wisdom of their conclusion, it is not an answer to the facts submitted to attack the character of the man, and the controversy which has been going on for the last half hour does not touch the point at issue.

The question here is, Is the duty of $12.50 a ton on pig lead too much when it costs only $8 to change it from lead ore to pig lead? I should like to read further from the testimony of Mr. Brush in regard to this matter, who, according to the junior Senator from New York, seems to be a very competent and a very reliable gentleman.

In order to get the connection before the interruption, I will go back and begin in this paragraph a little before where I quit:

Mr. CRUMPACKER. And we have a differential to protect this smelter of $4.50 more than the entire cost of the smelting process?
Mr. BRUSH. Yes.
Mr. CRUMPACKER. Do you think that is too high?
Mr. BRUSH. Yes, sir.
Mr. CRUMPACKER. Do you think we need any at all—any duty for smelting?

I should like, if I can, to secure the attention of every Senator to this statement made by Mr. Brush. I should like an opportunity to read this in full, because I want the Senate to get the full force and weight of the testimony, under oath, of a man who knows:

Mr. CRUMPACKER. You think that is too high?
Mr. BRUSH. Yes, sir.
Mr. CRUMPACKER. Do you think we need any at all; any duty for smelting?
Mr. BRUSH. I think there should be some. It costs very much more to smelt in this country than in Mexico. Why should there not be a protection?

That is the testimony of Mr. Brush. On page 2416, continuing, he says that he is a protectionist. He is a protectionist and seems to be interested in the welfare of the American people, and for one, if I may be permitted, I want mildly to resent the insinuation that any man who does not agree with the Finance Committee is not interested in the welfare of his country or the prosperity of the American people. The rest of us here may not be endowed with sufficient wisdom, and for one I know I am not——

Mr. ALDRICH. I have made no such suggestion or insinuation whatever. I was not alluding to the Senator from Kansas, but to the men who appear here and in their own interest demand reductions in this bill below the protective point. Those are the men I am referring to.

Mr. BRISTOW. I should like to ask the Senator from Rhode Island if he thinks Mr. Brush is that kind of a man. He is the man whose testimony I am now reading.

Mr. ALDRICH. I know Mr. Brush. He is the representative of a very large organization interested in the production of lead. The interests of that concern are perhaps equally divided between the United States and Mexico. If the American Smelting and Refining Company had the same rate upon lead ore and upon pig lead, they would control the lead production of the world, and they would be able to fix the price of lead for the lead producers of the Western States; and the Senator from Kansas, if he has any knowledge whatever of the subject, must know that.

Mr. BRISTOW. If therefore Mr. Brush is here as an interested witness, and free lead would give him authority to fix the price of lead in the United States and elsewhere, and he were consulting his private interests, he would want free lead, would he not?

Mr. ALDRICH. If he was looking after his own interests alone, possibly yes, as the State I represent and the people of all the eastern part of the country, and all the great manufacturing States and communities would be glad, if they were looking solely to their own interest, to have free pig lead.

Mr. BRISTOW. But Mr. Brush says he is not in favor of free pig lead. This is his language:

I think there should be—

Referring to Mr. CRUMPACKER'S question—

I think there should be some. It costs very much more to smelt in this country than in Mexico. Why should there not be a protection?

Then continuing at the bottom of page 2415——

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Massachusetts?

Mr. BRISTOW. Very gladly.

Mr. LODGE. Do I understand the Senator to say that Mr. Brush, whom he is quoting with so much approval, stated that it costs more to smelt in the United States than in Mexico?

Mr. BRISTOW. Certainly.

Mr. LODGE. Yesterday the Senator was telling us with great energy that we smelted cheaper than anybody else in the world.

Mr. BRISTOW. I beg the Senator's pardon. I did not state that we were smelting in this country, or could, cheaper than in any other place in the world, upon my own authority. I stated that I had been advised that we could.

Mr. LODGE. The Senator stated yesterday that he had been so advised, whether properly advised or ill advised, and he was pressing that view on us. Now, he trots out his pet witness, and it appears that Mr. Brush says it costs more to smelt here than in Mexico.

Mr. BRISTOW. I beg to inform the Senator from Massachusetts that Mr. Brush is no pet witness of mine. He was a witness who was given a very elaborate hearing by the Committee on Ways and Means. I want to say that, in my opinion—which is not worth a great deal, I know, and I do not ask that it be given much weight on this question—we can smelt as cheaply in the United States as any place else, possibly—possibly, I will say—with the exception of some places in Mexico.

Mr. ALDRICH. Will the Senator permit me?

Mr. BRISTOW. Certainly.

Mr. ALDRICH. Yesterday the Senator was very much in favor of a cent and a half a pound on lead ore and a cent and a half a pound on pig lead.

Mr. BRISTOW. Yes, sir.

Mr. ALDRICH. To-day he produces testimony, which he says is reliable, saying that it costs more to smelt in this country

than in Mexico. What is the effect, then, of his suggestion? To destroy the smelting industry and the lead-producing industry in the United States and turn the business over to Mexico? That can be the only effect of his own suggestion made yesterday.

Mr. BRISTOW. Mr. President, I do not agree with the conclusions of the Senator from Rhode Island. I maintain, in my humble opinion, that the smelting industry, the industry which Mr. Brush represents, which the Senator from Rhode Island says can dominate the prices of the lead of the world, could smelt in the United States as cheaply as they could elsewhere. But I am quoting here the evidence of a man who knows what it costs to smelt lead, and I will continue reading.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. For a question, but not for a long discourse or argument.

Mr. SMOOT. Just for a correction. In my remarks to the Senator from Minnesota I stated that in Mexico lead was not refined, but I find here from Mr. Brush a statement that shows they have already started refineries in Mexico. That I was not aware of. On page 2416 of the hearings Mr. Brush said:

We thought that when the duty was placed on it by the Dingley bill that it was not necessary to make any difference between the duty on bullion and the duty on pig lead, but now we find that is not the case, because they have started to refine in Mexico, and they are refining lead in Mexico, and that refined lead is being marketed in New York at a price so that the American Smelting and Refining Company can sell their lead that is refined.

I simply rose to make that correction, because I was not aware that they had even started to refine in Mexico.

Mr. BRISTOW. The Senator from Massachusetts seems to be animated by the same spirit that has been manifest from the beginning of this discussion. He seems to be irritated if anyone suggests a possible change that might be wiser than that submitted by the committee.

Mr. LODGE. The Senator does me an injustice. I am not in the least irritated, and I am sorry that I annoyed the Senator by pointing out that yesterday he said we are smelting here at the same price and to-day he is producing a witness to show that it is cheaper in Mexico.

Mr. BRISTOW. I should like the Senator from Massachusetts to be as ready to agree with any evidence that may be presented by this witness that the duty which he helps fix at five-eighths of a cent on lead is too much.

Mr. LODGE. I do not take my opinions on this question from any one witness. I make up my mind as best I may on the whole evidence.

Mr. BRISTOW. That is a very good condition of mind to be in, and I think every Senator on this floor should imitate the Senator's attitude. I hope he will not close his mind to arguments that may hereafter be made, believing that up to this time he has absorbed all the information and wisdom that is available.

Now, Mr. President, I will read from page 2416, continuing the evidence of Mr. Brush. Mr. CRUMPACKER said:

What I am anxious to know—

And by way of interlineation here I may say that that ought to be, and I hope is, the attitude of every Senator here—

What I am anxious to know about is whether this $30 a ton—

The duty on lead in lead ore—

levied for whatever purpose, no matter for whose protection it may have been imposed, is not sufficient to practically secure to the American refiner the control of the American market, and incidentally the American refiner and smelter.

Mr. CRUMPACKER, who has served an honorable career in the House of Representatives, asks the very question which has been in the minds of a number of us in studying this question—whether the protection on lead is not sufficient to protect the refiner, the smelter, and every other man engaged in the production of lead in our country.

I will read that again——

Mr. SCOTT. Will the Senator allow me to ask him a question?

Mr. BRISTOW. Certainly.

Mr. SCOTT. I should like to ask the Senator from Kansas a question. He voted for 1½ cents on lead yesterday, did he not?

Mr. BRISTOW. I did.

Mr. SCOTT. Now, will he allow me just a minute to illustrate my idea? I wish to know whether I am right or not. We will say that this is a sheet of iron, and there is a duty on it. Then we cut it into nails. It takes 1,900,000 of them to make a ton. Ought there not to be more duty on the nails than there is on the sheet of iron? Then, if we put a cent and a half on the lead ore, when it is put into a refined condition for use, ought not the duty to be greater? Ought not the difference to be as near as we can suppose it should be—as it is fixed by the committee?

Mr. BRISTOW. I gladly give the Senator my view upon that point. I am a protectionist. I believe a duty that would make the difference in the cost of wages in the cutting of that piece of steel or iron into nails over and above what the cost is abroad should be made up by the protective tariff. If the Committee on Finance will submit statistics here that will be accessible and reliable throughout as to what the difference in wages is here and abroad, I will sustain the duty they place on every one of these schedules, if it can be measured by that standard.

Mr. SCOTT. As I understand the Senator, he thinks the difference between a cent and a half a pound provided here and the duty on the finished product is too great. Is that the Senator's contention?

Mr. BRISTOW. Certainly it is.

Mr. SCOTT. Has the Senator arrived at that conclusion by comparing the wages abroad with the wages in this country?

Mr. BRISTOW. The only testimony which Congress has before it to consider shows that this five-eighths of a cent a pound is $4.50 a ton more than the entire cost of smelting in this country.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. Certainly.

Mr. JONES. Does the Senator take the position that there should be no differential at all between the rate on the ore and on the bullion?

Mr. BRISTOW. I have taken that position up to this time.

Mr. JONES. It seems to me that there should be some differential, and the question is how much it should be.

Mr. BRISTOW. I am free to say that I am trying to get at this matter, not from the standpoint of a partisan. It is additional information which I am trying to acquire. I might interject here that I think I am putting in as many hours in a day on studying this bill as any member of the Committee on Finance, under great disadvantages, I know, because of my limited experience and feeble capacity; but I am doing the best I can, and my mind is open to suggestion. If I made a statement on this floor yesterday which, after considering additional evidence between now and that time, I find was not justified I will not hesitate to change it. I will not arbitrarily stand here and defend a position of mine against what seems to be reasonable and conclusive evidence. I do hope before this discussion closes that the attitude of the members of the Committee on Finance will be the same.

Now, I should like to finish reading Mr. Brush's testimony, for it is very interesting.

Mr. CRUMPACKER. What I am anxious to know about is whether this $30 a ton, levied for whatever purpose, no matter for whose protection it may have been imposed, is not sufficient to practically secure to the American refiner the control of the American market, and, incidentally, the American refiner and smelter.

I am coming to a part of this testimony which will be applicable to the question of the Senator from Washington.

Mr. BRUSH. Well——

Mr. CRUMPACKER. Would it not operate that way?

That is, would not the duty on lead ore be ample protection? That is the question that was in my mind yesterday.

Mr. BRUSH. It possibly might; but, as I say, the illustration is right here now that the lead that is being refined in Mexico is being sold in New York in competition with our American refined lead from Mexican bullion that is refined there in bond.

Mr. CRUMPACKER. How much differential do you think would be safe to remove?

That is, from the five-eighths of a cent.

Mr. BRUSH. I think that there should be a differential of one-eighth of a cent between the ore and the bullion.

The Committee on Finance has five-eighths of a cent. Mr. Brush says that there should be one-eighth of a cent between the bullion and pig lead.

Mr. ALDRICH. Will the Senator permit me?

Mr. BRISTOW. Certainly.

Mr. ALDRICH. The Committee on Finance did not take the judgment and opinion of Mr. Brush——

Mr. BRISTOW. I see that.

Mr. ALDRICH (continuing). But took the opinion of lead producers in Kansas, Utah, Idaho, and Colorado.

Mr. BRISTOW. It is quite evident that the Committee on Finance did not take the judgment of Mr. Brush.

Mr. ALDRICH. We thought that the lead producers of the State of Idaho and the other States I have mentioned furnished better testimony, and it was more important that the Government of the United States should adopt it than that of the witness the Senator is now reading.

Mr. BRISTOW. The lead producers in the States have one controlling interest, have they not, and that is in the production and sale of lead ore?

Mr. ALDRICH. Undoubtedly.

Mr. BRISTOW. And their testimony would not be as good as that of a man whose sole interest is not the production and sale of lead?

Mr. ALDRICH. That depends upon the man as a judge. For me, yes; for the Senator from Kansas, apparently, no.

Mr. BRISTOW. No. We agree on one thing, I am very glad to say.

Mr. BEVERIDGE. May I ask a question?

Mr. BRISTOW. Certainly

Mr. BEVERIDGE. I wish to ask whether the lead producers, whom the Senator from Rhode Island says he heard and whose judgment was accepted, did not also appear before the House committee?

Mr. BRISTOW. Certainly. Now, I will continue.

Mr. BEVERIDGE. And the action of the House was the result, after having heard both.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. Certainly.

Mr. JONES. I wish to ask the Senator from Rhode Island a question something along the line of the question of the Senator from Indiana. If these producers from Idaho appeared before the House committee—I have not had time, of course, to read all the testimony—I should like to know where the testimony can be found that there should be a greater differential than that fixed by the House.

Mr. ALDRICH. If the Senator will read the matter contained under Schedule C, he will find that not only the lead producers from the States I have mentioned, but that the chambers of commerce of five or six of the large cities in his own State, protested vigorously against any reduction of the present differential.

Mr. JONES. That may be true, but I have no doubt that the chambers of commerce did not look into the details on this matter very closely.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. And it was after hearing all those, most of them lead producers, that the House took its action.

Mr. SMOOT. Oh, no.

Mr. BEVERIDGE. Yes; as shown by the hearing.

Mr. SMOOT. I would also call the attention of the Senator from Washington to the fact that some three weeks ago or more there was a convention of all the lead producers of all the Western States held at Salt Lake City, and a fair statement as to the cost of production, and so forth, of lead in all the lead-producing States was made and sent here to Congress. I presented it and had it printed in the RECORD. The Senator can find it in the RECORD.

Mr. JONES. Does it go into detail and analyze the subject?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. I yield to the Senator.

Mr. JONES. This is the testimony of one of the great corporations having practically full control over this industry. This gentleman goes into details and evidently knows his business. He says the only differential needed is about two-eighths of a cent. That is entitled, of course, to great consideration, and we ought to have some testimony of somebody who is equally acquainted with the business to controvert it. That is all I am trying to get at. I do not yet know how I am going to vote on this proposition, but I want to know what the differential ought to be. I want to protect the American laborer. I do not care anything about who owns this lead or these smelters and all that sort of thing. There is no question about a great difference in cost of smelting in Mexico and this country, and if five-eighths differential is necessary to maintain our wages, I want five-eighths cent put on. If it is not necessary, I do not want to have it put on.

Mr. SMOOT. Under Schedule C the Senator will find the testimony from C. E. Allen, of Utah, and quite a number of other people in relation to the cost of production and the differentials. I would refer the Senator to those statements.

Mr. JONES. I will look at it.

Mr. BRISTOW. I might say that from the very rapid examination I have been compelled to make, the testimony taken was very largely in favor of a duty on lead ore. There was not nearly so much attention given to the differential as there was to the original duty on ore and the difference in the cost of mining in this country and Mexico. That is the burden of the testimony contained in this volume, as far as I have been able to examine it.

Mr. CLAY. Will the Senator from Kansas yield to me just a moment?

Mr. BRISTOW. Certainly.

Mr. CLAY. Mr. President, I heard something fall from the lips of the Senator from Rhode Island a few minutes ago that surprised me very much, and I hope that it does not apply to any other schedule in this tariff bill.

The Senator from Rhode Island said that in fixing the rates on lead the Finance Committee was governed by the lead producers. If the same rule was applied, the Finance Committee undoubtedly was governed by the refiners of sugar in fixing the duties on sugar; and if the same rule was applied, the Finance Committee was governed by the wishes of those manufacturing wool in fixing the tariff duties on wool. If we have reached the point——

Mr. ALDRICH. Mr. President——

Mr. CLAY. In one moment. If we have reached the point in this country where we are to listen simply to those interested in a particular schedule involved and to be governed entirely by the views entertained by a special interest in fixing a tariff bill, then the masses of the American people are not to be consulted.

I had presumed that the Committee on Finance, in fixing these different schedules, had listened to the testimony of every interest and had been governed by the testimony as a whole in fixing duties upon particular schedules.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Rhode Island?

Mr. BRISTOW. Gladly.

Mr. ALDRICH. What I said was this, and I reiterate it with all the emphasis possible for me to give the statement: That in considering conflicting testimony in this case between men who are mining and producing lead in this country, as to the relative cost of smelting or transmuting lead ore into lead bullion or pig lead, the committee have taken the judgment and the opinion and the facts of the men who are producing this article in the three or four or five Western States as against the testimony of men who are importing the lead and who are desirous for their own interest of breaking down this tariff.

That rule will be followed, so far as I am concerned, throughout this bill. If I am to consider the testimony and the conflicting testimony of various people, I shall take the testimony, if I believe it to be correct, as I do in this instance, of the American producer and his interest as against the testimony of the foreigner and his interest.

Mr. CLAY. If the Senator from Kansas will permit me just a word, I did not desire to criticise the schedule now under consideration. I am hardly able to understand how we can fix a duty of one and a half cents on lead ore and fix the same duty on the refined product.

But, Mr. President, I do not agree with the Senator from Rhode Island that in fixing a tariff bill we are to give particular force to the testimony of those who are deeply and vitally interested in advancing their own interests.

Mr. President, when we fix a tariff schedule, in my opinion, we ought to consider the needs of the Government first—how much revenue do we need to support the Government, the importations that come into this country, what would be a fair rate—and under no circumstances ought we to be governed by the individual views of simply those deeply interested in advancing their own fortunes.

Mr. ALDRICH. Now, let me make an application of the question. If the Senator from Georgia, having some interest that was vital to the people of his State, comes to me and says as a Senator: It is vitally important for the people of my State and all of its interests that certain rates should be placed upon certain articles—if there were cases of that kind, does the Senator expect that I would not believe him and believe the reputable witnesses whom he could produce as against somebody else who had an antagonistic interest?

Mr. CLAY. Mr. President, the two Senators from each State are presumed to represent every interest of that State. They are presumed to consider what is just and fair to every interest in that State. The Senator from Rhode Island ought to give great weight to what a Senator says about a particular schedule relating to his State. A Senator does not represent the lumber interests solely of his State. He does not represent

the textile interests simply of his State. He represents the agricultural interests, the textile interests, the lumber interests, and every other interest, and he is responsible to his constituents. There is quite a difference when a Senator makes a request in regard to a schedule relating to his State and a particular person representing a particular business. There is quite a difference in the two propositions. In the one case the Senator represents the entire interests of his people and is presumed to be impartial. In the other instance the party appearing represents his own interest; he is trying to advance his own financial interest and is not responsible to a constituency. He represents no one except himself.

Mr. BRISTOW. Mr. President, if Senators will now let me continue to read this paragraph until I am through, I will be greatly obliged, because then you will get the full weight of Mr. Brush's testimony in regard to this important matter. Then I will listen to any interruptions.

Mr. SMOOT. Before the Senator starts, I should like to read——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I wish to call the attention of the Senator from Washington [Mr. JONES] to page 2444, where the question of what the American miner was paying is answered. It is the testimony of Mr. Brush. He was speaking of the Mexican miner. Then Mr. Randell asked him, What is the price to the American miner?

Mr. BRISTOW. Mr. President, I beg to state that we are not discussing the duty that should go on the mine product.

Mr. SMOOT. It is not the mine product.

Mr. BRISTOW. We settled yesterday that a duty of 1½ cents should go on lead ore.

Mr. SMOOT. Right in this connection I want to say this is not the mine product. Mr. Brush says:

> The price to the American miner is whatever the New York price is. At the present time it is 4.30.

That is lead. It is not ore. So whatever the New York price is of lead it is paid to the American miner, no matter what it may be.

Mr. BRISTOW. I wish he did get his part of it, but I very much doubt if he does.

Mr. SMOOT. That is right.

Mr. BRISTOW. Mr. CRUMPACKER continues:

> Would it not operate that way?

He is referring to whether there should be any differential whatever in favor of pig lead. Mr. CRUMPACKER's suggestion was that $20 per ton ought to cover all protection, and he asked that question of Mr. Brush, and Mr. Brush said:

> Mr. BRUSH. It possibly might; but, as I say, the illustration is right here now that the lead that is being refined in Mexico is being sold in New York in competition with our American refined lead from Mexican bullion that is refined there in bond.
>
> Mr. CRUMPACKER. How much differential do you think would be safe to remove?
>
> Mr. BRUSH. I think that there should be a differential of one-eighth of a cent between the ore and the bullion, and one-eighth of a cent between the bullion and the pig lead.
>
> Mr. CRUMPACKER. It is now 1½ cents on the ore?
>
> Mr. BRUSH. Yes, sir.
>
> Mr. CRUMPACKER. And you would add one-quarter of a cent; that is, one-eighth for smelting and one-eighth——
>
> Mr. BRUSH. For refining.
>
> Mr. CRUMPACKER. Making the total duty on the refined product one and three-fourths, instead of two and one-eighth?
>
> Mr. BRUSH. Yes, sir; I think that that could be done without any complaint on the part of the smelters.
>
> Mr. UNDERWOOD. You say you are in favor of increasing the duty on refined lead?
>
> Mr. BRUSH. No, sir; I said I thought the duty on refined lead could be reduced three-eighths of a cent.
>
> * * * * * * *
>
> They both now carry the same duty. So by that means there would be a preferential between the bullion and the pig lead of one-eighth, whereas now there is not any.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. I do.

Mr. SUTHERLAND. The Senator from Kansas has been very patient in submitting to interruptions. I desire to submit a proposition to him right in connection with what he is now reading. Mr. Brush says, as I understand his testimony, that he thinks a differential of from one-eighth to two-eighths per cent would be sufficient between the lead in the ore and the pig lead.

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. Now, I want to ask the Senator from Kansas whether he is aware of the fact that the ores extracted from the mines in Mexico are of an entirely different quality from those extracted from the ores in the United States in this respect: The Mexican ores are oxidized ores, coming from above the water level, while the ores in this country in the main are sulphide ores, coming from below the water level. That being so, it is necessary for the smelters in this country to roast the sulphur and things of that sort out of the ore before the American ores have reached the same stage as the Mexican ores. In other words, in the Mexican mines the heat of the earth and of the sun accomplish for those ores what the smelters in this country must do by the roasting process. The difference is that in the United States it costs from $2 to $3 per ton to roast those ores. That process is not necessary in the main in Mexico.

So right there, without taking into consideration the difference in the cost of labor at all, we have a difference between the cost of producing lead from the ores in Mexico and the United States of from $2 to $3 per ton. That does not mean $2 or $3 per ton upon the lead, or $2 or $3 per ton upon the ore. Let us suppose that the ore carries 50 per cent, as I did a little while ago, which is a very high estimate. The cost, therefore, of taking the lead from a ton of ore or from 2 tons of ore to get the 2,000 pounds of lead would be from $4 to $6. Put it at $5 a ton. That advantage of $5 the Mexican producer has in the beginning over the American producer. That $5 per ton amounts of itself to two-eighths of a cent.

So Mr. Brush must be in error when he says that the utmost differential which is needed would be two-eighths of a cent, because two-eighths of a cent upon the highest grade ores treated under the most favorable circumstances would only account for this one difference, a difference in the quality of the ore in the two countries, while we must add to that the difference between the cost of labor in the United States and in Mexico; and everybody agrees that the cost of labor in Mexico is not to exceed one-fourth what it is in the United States, and it is less in Spain than it is in Mexico.

Mr. BRISTOW. Mr. Brush in his testimony has gone carefully into details, a large part of which I have read, in which he shows conclusively, in my judgment, to the mind of any fair and unbiased man, that it does not cost more than $8 a ton to refine and smelt lead ore in the United States. What may be the cost in Mexico, I do not know.

Mr. KEAN. Let me ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. BRISTOW. Certainly.

Mr. KEAN. Did not Mr. Brush also say that that depended upon what was in the ore?

Mr. BRISTOW. Mr. Brush gave the details, and in his conclusion stated that $8 would cover all the expense.

Mr. KEAN. But did he not also say that if it contains silver, it costs more to smelt it then?

Mr. BRISTOW. He did not say that.

Mr. KEAN. He did not?

Mr. BRISTOW. Not in this part which I have read.

Mr. KEAN. I am afraid the Senator from Kansas has not read all of Mr. Brush's testimony.

Mr. BRISTOW. In the part I read Mr. Brush did not make that statement; but in discussing this subject he added all the items of expense, and then said it was not exactly fair to add all of that to the cost of the lead.

Mr. WARNER. I wish to ask the Senator from Kansas a question as a matter of information, for if I gather correctly the position of the Senator from Kansas there could be but very little difference or question of a duty on lead ore; but does he assume the smelting cost of lead ore to be $8 per ton, the cost given by Mr. Brush?

Mr. BRISTOW. But that covers all of the expense.

Mr. WARNER. For smelting, it is all?

Mr. BRISTOW. Yes.

Mr. WARNER. That would be a fair differential, would it not?

Mr. BRISTOW. Eight dollars? Certainly not. The entire cost of the operation. The differential, and the only differential, that can possibly be claimed is the difference in the cost in other countries and here; and if $8 is the total cost here, there must be some cost abroad. Mr. Brush says two-eighths of a cent a pound will cover that difference.

Mr. WARNER. That is, one-quarter of a cent?

Mr. BRISTOW. It is one-fourth of a cent.

Mr. WARNER. In that the Senator from Kansas and I agree.

Mr. BRISTOW. I will declare my position on that later.

Mr. WARNER. I do not wish to improperly interrogate the Senator from Kansas.

Mr. BRISTOW. It is not done improperly at all; but I want to explain my position.

Mr. WARNER. Has the Senator looked into the question of the wages in Mexico in comparison with the wages received by wage-earners in his State and mine?

Mr. BRISTOW. Oh, yes.

Mr. WARNER. I understand, of course, and the Senator knows, that in his State there are lead mines and zinc mines, particularly zinc mines now.

Mr. BRISTOW. And smelters.

Mr. WARNER. There are also such mines in my State, and smelters.

Mr. BRISTOW. I want to say here——

Mr. WARNER. And the Senator is more familiar——

Mr. BRISTOW. If the Senator will permit me to make a statement in regard to that matter just now, I wish to say it has been referred to here that in my State there are lead mines and smelters. I am glad to say that there are; and there is no Senator in this Chamber who will listen more attentively and more earnestly than will I to their requests or guard more carefully their interests, but I can not consider them wholly. I must take into some consideration the people who live in that State who consume their products; and, in the end, come to some conclusion that will be just and equitable to both. That is the purpose I have. I do not assume the attitude here, as does the Senator from Rhode Island [Mr. ALDRICH], to listen only to men who produce these products and want to sell them to the consuming public in this country.

Mr. WARNER. I trust the Senator from Kansas did not conceive, as his remarks would seem to imply, that I was questioning the motives of the Senator. I certainly have said nothing that would justify such a conclusion.

Mr. BRISTOW. I should say here that my remarks were directed more to other remarks that have been thrown out than to the remarks of the Senator from Missouri.

Mr. WARNER. I should prefer if the remarks were not shot through me at some one else.

This morning I called upon the Census Bureau to ascertain something, if I could, with reference to wages paid in Mexico. I have had various statements, and I find this paper which seems to be admitted and regarded as authority by the Census Bureau.

Mr. BRISTOW. What bulletin is the Senator going to read from?

Mr. WARNER. I will read to the Senator what the Census Bureau says.

Mr. BRISTOW. But I asked what bulletin it was.

Mr. WARNER. It is not in a bulletin. I will give the Senator this paper and all the information I have. It is from the Report on the Transactions of the American Institute of Mining Engineers, volume 38—contains a description of the mining industries in Durango, Mexico, and states that the wages per day in 1906 were as follows, in Mexican currency:

> Miners, 75 cents.

I think the Senator from Kansas will say that miners in his State and miners in my State get four times that sum.

Mr. BRISTOW. I hope so.

Mr. WARNER. I think we will agree on that.

> Laborers, 37½ to 75 cents.

The Senator, I know, will agree with me in expressing his sympathy for any laborer in the lead mines in his State or in mine who should be compelled to work for even double the wages paid the peon in Mexico.

> Machine drillers, $1.25.

My information is—I do not state it as absolutely correct—that machine drillers, the skilled laborers in this country, get from $4 to $5 a day.

> Shift bosses, $1 to $1.25.

I just give this information at this time because I understood the Senator was through.

Mr. BRISTOW. No; I am not yet through.

Mr. WARNER. I am glad the Senator is not through. I wish to hear from him further.

> Timbermen and carpenters, 87½ cents; hoistmen, $1.25; engineers, $1; firemen, 62½ cents.

I have merely wished to suggest these figures to the Senator personally. I think that the smelter is possibly better able to take care of himself than the miner; but I fully agree with the Senator that I am here, first, for the fellow-citizen who delves down into the earth. It is, however, of little benefit to him to give a protection on the crude metal coming in here unless you protect the market in which the metal itself when refined is to be sold. Therefore it has occurred to me that these differentials here were substantially correct. I am not an expert on the question, and have no interest other than that of the Senator in seeing that absolute justice is done.

I thank the Senator.

Mr. BRISTOW. Mr. President, the statistics which the Senator from Missouri has read relate to mining, and not to smelting. We settled the mining question yesterday by giving a duty of a cent and a half a pound, which, according to the judgment of the Committee on Finance and the Committee on Ways and Means of the House, was ample protection, and, in my judgment, it is ample protection. I voted for it, not because I felt that it was not excessive, but because I wanted to be on the safe side, so as to protect the wages of the men who work under the ground and who handle this ore against the competition about which the Senator from Missouri has just read to us.

Mr. WARNER. I fully agree with the Senator from Kansas, if he will pardon me——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. WARNER. I fully agree with the Senator from Kansas when he says that, if there is any question about the matter, he solves that question in favor of the laboring man in the mines.

Mr. BRISTOW. Certainly. Mr. President, this is a different question. I have been inclined to believe, and I may say I came here this morning with the intention of advocating a flat duty of 1½ cents on bullion, pig lead, the same as on ore, and of agreeing with the House committee. I am not wholly clear in my mind now that that is not the wisest and best thing for us to do. But I must admit that the testimony of Mr. Brush, supplemented, as it has been by the statement of the junior Senator from New York [Mr. ROOT] as to his character, has made an impression upon my mind; and possibly, to be on the safe side, we might give a slight differential. Here is a man, according to the testimony of the Senator from Utah and others, who owns smelters on both sides of the line, who knows; and being an honorable gentleman and a truthful man, as we are told, having the experience which enables him to judge wisely, having no interests as against one position or the other, who says that, in his judgment, there ought to be in fairness and justice one-eighth of a cent more on lead bullion than on lead ore and one-eighth of a cent more on refined lead than on crude bullion. I am free to say that that has made an impression on my mind.

Further, in the consideration of this subject, I want to say that my purpose is as nearly as I can to get at what is just. There are other witnesses here from whom I might read who confirm this statement, but I do not want to weary the Senate or take up its time. I simply say that, in my judgment, to sustain the committee and vote for five-eighths of a cent, or four dollars and a half a ton more than the entire cost of smelting here, is in the interest of the smelters of this country wholly, and against the interests of the consumers. So I can not vote for it, and will not.

I want to refer to a remark which the junior Senator from Iowa [Mr. CUMMINS] made the other day. I do not like to disagree with him, for I have more confidence in his judgment on many things than I have in my own; but if this bill does not fulfill the pledges of the Republican party in the last campaign after it comes from the conference committee I, for one, do not intend to vote for it. Rather than have a bill that does not keep good faith with the American people, I would send the tariff question back to them and fight it out for two years longer. Then there would be a House of Representatives and a Senate here which would give the consumers justice and at the same time do justice to those who consume the products that are produced.

Mr. CARTER. Mr. President, from the day this debate commenced, up to this hour, or within the hour, we have constantly heard very severe criticism of the alleged failure of the Senate Committee on Finance to furnish us with specific information. It has been alleged that that committee was derelict in its duty in that it failed to hold open hearings, take testimony, examine, cross-examine witnesses, and have the record published for the benefit of all Senators. I am not an apologist for the Committee on Finance, but I can not permit this criticism to go further without expressing my sincere thanks to the committee for having saved the Senate from the infliction of an extended record of public hearings.

A stranger in these premises or a citizen reading the RECORD in a remote part of the country would infer from statements made here every day that the Senators who are called upon to vote for this or that schedule are expected to blindly follow the committee without any means at all of informing themselves at first hand with reference to the merits or the facts. For the benefit of this distant citizen, I think it important that the facts should be known.

In the wisdom of the founders of the Government it was thought proper to vest in the House of Representatives the right

to initiate all legislation intended to raise revenue. The taxing power can not be invoked by the Senate in the first instance. Having jealous regard for the people of all the country, without reference to the autonomy of the States, the framers of the Constitution wisely, I think, provided that all revenue legislation should originate in the House of Representatives. That being the court, then, of primary jurisdiction, this tariff bill was framed there.

Anticipating an extraordinary session of Congress and knowing that the changes in the Ways and Means Committee of the House would be slight, that body, with rare devotion to duty, undertook in the Congress preceding this to do a portion of the work of this Congress. Last December the Committee on Ways and Means assembled with regularity from day to day in their offices in the new building of the House of Representatives. The committee was then, as it is now, composed of Representatives of all sections of the country and every shade of thought represented in that great body. But four changes in all have occurred, as I understand, in the committee from the time it took testimony up to the present: Mr. Watson, of Indiana, and Mr. Bonynge, of Colorado, were replaced by Mr. CRUMPACKER, of Indiana, and Mr. CUSHMAN, of Washington, on the Republican side, and Mr. Granger, of Rhode Island, and Mr. Cockran, of New York, were replaced by Mr. BROUSSARD, of Louisiana, and Mr. HARRISON, of New York, on the Democratic side. The committee that reported the bill was therefore substantially the committee that conducted the hearings.

That committee was one of very remarkable ability. I was present on many occasions while the hearings were in progress, and I can, as can most Senators here, bear witness to the presence on all occasions of the full membership representing both the Democratic and Republican sides. Witnesses were cross-examined as I have never observed witnesses cross-examined before in any congressional inquiry conducted in this Capitol. There was no collusion between the Democratic and Republican membership on that committee. This subject was thrashed out with an intelligence and a zeal quite remarkable to behold.

The hearings are recorded in 12 large volumes such as this [exhibiting]. These 12 volumes have over 10,000 pages all told, there being 8,425 pages of closely printed matter, without any reference to the index or any side matter at all. On the subject now under consideration any Senator may obtain the full measure of light given out by the hearings on the subject of lead.

The first volume, which is known as "Schedule A," relates to chemicals, oils, and paints, and that subject is covered in 579 printed pages. If there is anything relating to chemicals, oils, and paints as to which that volume does not give sufficient light, I will be glad to have the Senator who is sitting in darkness disclose the particular point of ignorance from which he suffers.

The next volume is Schedule B, which relates to earths, earthenware, and glassware. All these volumes, I may say parenthetically, are well indexed. This volume [indicating] on what is commonly called "the crockery subject" has 1,310 closely printed pages, explaining pro and con the reasons for a duty on crockery and the reasons why there should not be a duty on crockery. Every fact and circumstance relating to crockery that could occur to the mind of any man interested for or against a duty may be found in these 1,310 pages. Yet Senators are in darkness on the subject of crockery! Volume C relates to metals and manufactures of metal.

Mr. KEAN. That is a little thicker volume.

Mr. CARTER. It is a little thicker than the others; and the Senator from Minnesota [Mr. NELSON] advises me that there are two volumes dealing with that subject, and I observe that he is correct. There is part 1 and part 2 of Volume C. This book seems to contain pages extending—and the volumes seem to be consecutively paged—from page 1313 to page 2170. The second part extends from page 2171 to page 2834. As the volumes are of nearly the same size, I will not hereafter undertake to give the number of pages in each particular volume.

But these two volumes deal with metals and manufactures of metals; and I want to say to the Senators who have no information on the subject of metals or the manufactures of metals that they may with profit read these two volumes, and if they are still in darkness, then call on the Finance Committee for more light, or they can get the desired light by going back over a series of government publications known as "Mineral Resources of the United States," published every year for the last twenty-five years by the Government, which deals with all classes of mineral production in this country, giving the market price, the volume of production, the places of sale, the consumption, and so forth. The lead question is dealt with in the current volume of the Mineral Resources in quite a number of pages, giving all the facts that seem to be essential to a very clear and distinct understanding of that matter.

Mr. President, the next volume to which I refer deals with Schedules D and E.

Mr. BEVERIDGE. What is Schedule C?

Mr. CARTER. Schedule C, as I have suggested, is embraced in two volumes, and deals with metals and the manufactures of metals.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. CARTER. Certainly.

Mr. BEVERIDGE. It is in one of those volumes that the testimony given before the House committee on the subject now under discussion is contained, is it not?

Mr. CARTER. Yes, sir.

Mr. BEVERIDGE. I understood the point to be that the House, having, as the Senator says, so exhaustively considered this thing, anticipating it, indeed, by taking testimony long in the past and having that testimony printed, which, the Senator said, was all that could be had upon the subject, then, it being its constitutional duty, as the Senator pointed out, to originate this legislation, fixed the provisions that are found in the House bill.

It came to the Senate on the 10th of April, and was referred to the Finance Committee, who reported it back to this body, after one day's consideration, on the 12th of April, with the differential enormously increased, and without any further information laid before the Senate except that which the House already had.

Mr. CARTER. I am now engaged in advising the inquiring minds of the country and of the Senate, if there are any here, where information can be procured. But since the Senator has elected to bring up that particular point, I merely desire to make this observation.

As I understand, the House committee originally fixed the duty on lead in ore at 1 cent per pound. Subsequently, upon the very eve of reporting the bill, they changed the duty on lead in the ore to 1½ cents per pound.

Mr. BEVERIDGE. I know. I wish to ask the Senator from Montana a question right here.

Mr. CARTER. I understand the contention to be——

Mr. BEVERIDGE. I want to ask the Senator a question right here. Where does the Senator get that information? Does it appear in the House bill? Does it appear in the debates? Where does he get it?

Mr. CARTER. I get it from the luminous sources of information upon this floor. I have heard it often stated.

Mr. BEVERIDGE. I have heard it stated. But, further, if the Senate committee has more information than the House committee had, why is it not produced? That is fair, since there has been an enormous change.

Mr. BORAH. Mr. President——

Mr. CARTER. I yield to the Senator from Idaho.

Mr. BORAH. I was going to suggest whether it is not a fact that the report of the House committee shows the reasons for maintaining the schedule at 1 cent, while, as a matter of fact, the bill puts it at a cent and a half. That would show that the change must have been sudden.

Mr. BEVERIDGE. I do not know what the House committee report shows. The House committee fixed it at one and at the last minute changed it to one and one-half.

Mr. BORAH. But the report shows the reason why it should be at 1 cent, while, as a matter of fact, it came out at one and a half.

Mr. BEVERIDGE. So we have not information, but merely inference. But the question which has disturbed me from the start is that with the information before the House and what we have had here, with the House committee considering the subject for weeks and, as the Senator from Montana has said, for months, when the Senate committee got the House bill it in one day increased the differential enormously, and no additional information upon which the Senate committee acted has yet been presented to the Senate. That disturbs men who are——

Mr. HALE. Will the Senator from Montana allow me for a moment?

Mr. CARTER. Certainly.

Mr. HALE. The action of the Committee on Finance of the Senate was not of the precipitate kind that the Senator from Indiana indicates. The Committee on Finance in the Senate was at work day and night and Sundays upon the House bill as reported to that body, getting information of the different schedules, and spending days and weeks getting ready for its

report when the nominal and formal report of the bill should come from the House as the action of that body.

The Senator is entirely and absolutely wrong and without any conception of the situation when he says that in twenty-four or twelve hours after receiving the bill from the House the Senate committee concluded and reported it as though the whole thing was a subject of a few hours' consideration.

There is not a member of the committee here who does not know that our time was all engrossed, confiscated, everything else abandoned, while we considered the propositions, the schedules of the House bill, for weeks before the formal bill was presented, and there was no inconsiderate action on the part of the committee in twelve hours in reporting.

Mr. President, upon the other point, that nobody knows why it was on this schedule that the House changed at the last, if anybody will read the record of the House as shown in the CONGRESSIONAL RECORD it will be seen plainly and clearly how it was upon this schedule that at last the fundamental proposition of lead was changed and adopted by the House. The Senator from Indiana is impatient, because it is said the House did not have time to make the adaptation of the advanced processes of lead before it reported the bill. But that is true. The record shows that, and the Senator need not be impatient because the House did not take more time. It had that discretion and right, and there was a spur upon it to report so soon as possible, and the Senate committee has tried in the rates it reports and urges here to adapt the scale to the advanced industries of lead; so every proposition, beginning with the raw material, the manufacture, the labor bestowed afterwards upon the advanced processes, shall be met by an increased rate of duty. And that is all there is in this whole question.

Mr. BEVERIDGE. Will the Senator permit me just a moment further?

Mr. CARTER. Certainly.

Mr. BEVERIDGE. I think the statement of the Senator from Maine as to the Senate committee having been at work upon this matter for a long time, instead of for the day and a half that I indicated, is entirely fair. I was speaking of what the record shows. Of course, that would occur; but the committee was not appointed until about the 22d of March, and the bill came to the Senate formally on the 10th of April. So there could not possibly have been——

Mr. HALE. Twenty days.

Mr. BEVERIDGE. There could not possibly have been twenty days. That being true, this is the point which has interested me. The Senator from Montana has pointed out that all the information that could be collected upon this subject was collected by the House committee in its formal hearings. The Senate committee, whether it was considering the bill formally a day, or in reality for twenty days, made an enormous change in the differential. Of course I assume that they did that upon a larger consideration of the facts. The point is that thus far in this debate—and I have been amazed at it—there has not been one single additional fact shown to have been before the Senate committee that was not before the House committee. In other words, no new information upon the subject has been given to the Senate to justify the enormous difference in the differential. That is the point; and I think the Senator will concede that that is fair, as I conceded that the statement of the Senator from Maine is entirely fair. It is merely an effort to get at the facts.

Mr. CARTER. On that phase of the subject I have only one remark to offer. The Senate committee has repeatedly stated that in the exercise of its discretion in reviewing the testimony and the bill, light was sought wherever needed and facts were acted upon when they seemed to be sufficient to warrant action.

But I come now to Schedule E, relating to molasses and sugar. The fact is this volume contains two schedules, D and E. The first, known as "D," "wood, and manufactures of," takes up about one-half of the volume, and then comes Schedule E, dealing with sugar, molasses, and manufactures of. This immense volume not only contains printed matter calculated to elucidate the subjects treated of, but the photographic art has been invoked for the purpose of more clearly setting forth the points.

Schedule F, a very large volume, closely printed, deals with tobacco and manufactures of tobacco, and also embraces Schedule G, which deals with agricultural products and provisions.

The next volume, Schedule H, deals with spirits, wines, and other beverages. Schedule I deals with cotton and manufactures of cotton. I imagine that every fact deemed essential to a full knowledge of the relations of these articles to the revenue may be found in these volumes. They embrace, as you will perceive, illustrations for the purpose of showing the comparisons between the cost of different articles which are to be made subject to duty or placed on the free list, as the case may be.

The next volume contains all important facts relating to Schedule K—"wool, and manufactures of wool." Schedule L, "silks and silk goods." This is a very large volume, and I have no doubt whatever covers everything relating to the subjects named. I have read over that portion of it dealing with the subject of wool and woolens, and can bear witness to the fact that it contains much information that I never dreamed of before, and it contains everything I ever knew anything about on the wool question.

This volume "M," relates to "pulp, papers, and books." This I have perused to some extent and with much profit, and I have no doubt the Senators desiring information on this phase of the tariff may find it of record in this volume.

Schedule N covers sundries. It takes up the things that are not embraced in the great subdivisions. It is a large volume, dealing, I observe, according to the heading, with hides, diamonds and pearls, jewelry of different kinds, furs, the Fur Skin Dressers' Union, safety fuse, Coast Manufacturing and Supply Company, ammunition of different kinds, matches—Diamond Match Company, its relation to the trade; corundum ore is likewise disposed of; dressed dolls, toy steam engines, ivory articles—dolls and toys, billiard balls and piano ivory; cork of different kinds—manufactures of cork, natural cork; bituminous coal, and indeed all subjects not embraced under the general heads.

But still comes a book, dealing expressly with the free list, another volume, covering all items on the free list, containing the reasons, no doubt sufficient in every case, for placing the article on the free list.

Now, in order that everything might be covered, they prepared an appendix. Finally, this lead question, which has been argued here by many Senators who have not referred to the appendix, is treated in this volume. If Senators will turn to page 7962 of this appendix, they will find lead and lead products treated of extensively in a brief submitted on behalf of a committee of independent manufacturers of lead products, located in New York City. That is quite an extensive brief, and doubtless a very able one.

Mr. President, in these 10,000 pages contained in these numerous volumes to which I have referred will be found more information on the tariff than any Senator in this body will ever read. I ask any Senator to state what good purpose would have been subserved by a duplication of these volumes? These volumes were prepared by the branch of the Congress charged with the duty of initiating tariff legislation, and, of course, the House is a part of the Congress. The Senate is not to make the tariff bill. It is the Congress which is charged with the duty of passing a bill, and is it possible that because information was gained at the south end of the Capitol and reduced to writing it may not be used at the north end of the Capitol by persons engaged in work here? By what process did the information lose its efficacy as a source of enlightenment coming through the splendid Rotunda intervening between this and the other Chamber of the legislative body?

Mr. President, the plaintive cry for hearings is simply a ridiculous proposition, and I hope we will hear no more of it. The House of Representatives did not contend——

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. CARTER. I should like very much to close. I do not intend to detain the Senate very long on this subject, and I will be glad if the Senator will wait until I am through.

Mr. BEVERIDGE. Very well; but I wanted to ask the Senator whether in eighteen days the Finance Committee could have read 10 volumes, containing 10,000 pages.

Mr. CARTER. As I stated in the beginning, I am not an apologist for the Finance Committee, but I think every Senator ought to be fair in dealing with all Members of the Senate and with the members of all of the committees of the Senate. I know, as the Senator from Indiana knows, that from the very day the House of Representatives began to take this testimony, he became a constant and careful reader of the reports as they were printed. They came daily to every Senator. They were available at all times. Every Senator who intended to cast a vote on the tariff question evidently took pains to inform himself, particularly on those items which were of vital concern to his constituents. The members of the Finance Committee could not be confined to the needs of their immediate constituents, because duty led to the consideration of the whole subject and the balancing up of the tariff bill.

Mr. BEVERIDGE. I do not criticise the Senate committee for anything it has done, except we want information where

there has been an enormous increase. But assuming that every Senator read every one of those 10,000 pages in their sections, the point is where a differential has been vastly raised, so far as has yet been shown merely upon the testimony before the House committee, what further facts were there to justify that raise; and that I think is the only question in various forms that Senators have put. That is a fair question; is it not?

Mr. CARTER. That is a fair question; and upon that question I am in entire agreement with the Senator from Indiana—that where a change has been made it is entirely proper for a Senator, who is without information, to inquire of the committee having the bill in charge as to why the change was made, for the committee and the Senate are but reviewing the work of the House.

Mr. BEVERIDGE. No; the question is broader than that. Here there has been a very great change, of which I do not complain at all if it is right, and I am sure the committee thought it was right. It is based upon information, but it has not been shown whether the committee had any different information from that which the House committee had. That is the only point.

Mr. CARTER. I intend to show sources of information which I think will be ample support for the statement of the Senator from Maine.

The House of Representatives, in preparing this bill for consideration there and here, because the information is equally available at both ends of the Capitol, not only printed these large volumes to which I have referred, but also a comparison of the House bill and the present law.

Any Senator is enabled by turning to any paragraph in the bill quickly to ascertain the state of the law at present, the proposed changes, if any, offered by the House and the proposed changes, if any, offered by the Senate committee, and for purpose of convenience blank pages are left so that Senators may make notes in order to refresh their own memory in the future consideration of the subject.

We have also this volume—Notes on Tariff Revision, House of Representatives. I think it is due that dignified and honorable body that fair credit should be given for the remarkable industry and intelligence manifested in presenting all the facts to the Congress and the country on this great question now pending.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Maine?

Mr. CARTER. Certainly.

Mr. HALE. Is it not a fact in the observation of the Senator from Montana and every other Senator here that whenever a suggestion has been made that the Committee on Finance should furnish to the Senate in documentary form information as to schedules, as to the relation to the present law, information as to importations, as to the product of the United States of different items covered, the committee has made haste, without objection and without demur, to furnish in the readiest, most clearly to be understood form to the Senate every item called for by this natural thirst for knowledge upon the subject that possesses the Senator from Indiana and every other Senator here?

Mr. BEVERIDGE. Will the Senator from Maine permit me?

Mr. HALE. The action of the committee has not been in any way the action of a committee dealing with a subject in a hole, in a corner, or in a private way. I have seen five or six revisions of the tariff in my service, and I have never seen, and no Senator has ever seen, so much information brought to the service of the Senate as the Committee on Finance has brought to the service of the Senate in the discussion and consideration of this subject.

Mr. CARTER. I never have known, I will state to the Senator from Maine, an instance where the committee has resisted any resolution calling for information calculated to throw light on any point whatsoever——

Mr. BEVERIDGE. That is correct.

Mr. CARTER (continuing). Or any matter of detail connected with it.

Mr. BEVERIDGE. That is true of any committee.

Mr. CARTER. That is true, it goes without saying, of any committee.

Mr. BEVERIDGE. It is its spirit.

Mr. CARTER. The committees of the Senate are but convenient arms of the Senate appointed for doing work that the Senate, as a large body, can not do as effectively acting as a whole.

Mr. HALE. But the Senator forgets that in this vast subject the Committee on Finance has a much larger burden, and its furnishing of information to the Senate is a great deal wider realm than any other committee has to deal with. I stand here for the committee as saying that in every case where any information has been sought by the Senate or by any single Member of the Senate, the Committee on Finance at once, without complaint and without hindrance and without delay, has proceeded to place upon the desks of Senators the information sought for.

Mr. CARTER. There is no question about that, and I think no Senator will raise any question as to the correctness of the Senator's statement.

Mr. President, to resume, the House of Representatives, desiring to have this subject presented in the most lucid and convenient form, not only had these great volumes prepared, containing the testimony of witnesses, the briefs of lawyers, the statements of manufacturers and of consumers, statements of different persons who sought a hearing in that open forum, recorded here in an available way, open to every Senator and, indeed, any citizen who desires to call for a copy in order to inform himself on any branch of the subject or on every branch of the subject. This volume to which I refer, known as "Notes on Tariff Revision. Prepared for the Use of the Committee on Ways and Means, House of Representatives," has been printed and given to the country for its use. Of course it was printed with special reference to the needs of Congress.

In addition to the 10,000 pages embraced in the hearings, this volume, replete with useful information, put in most terse and effective form, contains 953 pages.

Thus substantially 11,000 pages of printed matter came to the Senate. The Senate committee is blamed for not having duplicated 10,000 of these pages. These pages are the product of a series of hearings which commenced early in December and continued with unremitting zeal throughout the whole winter and well into the spring. The expense of the hearings need not be mentioned, because the subject is so great that any sort of expense which would be approved would be inconsequential.

But it is safe to say that these hearings cost the United States no less than a quarter million dollars, and probably when the printing bills and all bills are paid in connection with the hearings a half million dollars will not meet the total expense connected with the work.

The Senate committee is criticised here daily for not having duplicated this work, calling the same witnesses to say the same things, and at a point only 1,000 feet distant from the place where they were examined and for the use of the same parliamentary body, because it is for the use of Congress that these examinations were conducted.

Before this bill came over here, it is only fair to say that the Representatives of the people had it in charge, and I have here the first volume of the RECORD containing the debate in the House of Representatives and showing the various steps in the consideration of the bill.

The first volume contains 359 pages. The next volume contains arguments, and speeches on the question of the tariff as wise and as strong as have ever been made in the halls of Congress. These debates run along to the extent of 1,249 pages. In the 1,249 pages there is naught else to speak of save a discussion of the tariff, so that when you add the pages together the Senator in quest of information, or the citizen desiring to be informed, must read 12,000 pages before blaming anybody for lack of material.

But, Mr. President, that is not all. We have here, printed at the cost of the Government, "presented by Mr. ALDRICH and referred to the Committee on Finance, Senate and House tariff Reports of 1888, 1890, 1894, and 1897 on the Customs Tariffs," a volume containing 482 pages. We have here "Imports and Duties, 1894 to 1907," a volume of statistics containing just 1,000 pages, all dealing with imports and duties, containing a comparative statement of imported merchandise entered for consumption in the United States, by articles, naming the different things, with the quantity, the value, the duty collected, and average price, the rate of duty, and the equivalent ad valorem rate of duty on each article.

Mr. HALE. That is a very embracing volume to the searcher for knowledge. What is the date when it was presented to the Senate?

Mr. CARTER. It ends up with the fiscal year 1907. It was printed at the close of the last Congress. It is up-to-date material, of course.

Mr. HALE. So it has been before the Senate the entire time, not only of this session but of the previous session?

Mr. CARTER. Oh, yes.

Mr. HALE. And open to the inspection of every ardent seeker for information?

Mr. CARTER. The volume has been accessible to everyone, and any Senator can procure a copy of the volume and send

it to any constituent whom he may deem better able to analyze it than himself.

Mr. HALE. Or possibly read some of the pages himself. I am glad the Senator is showing that there has been no lack of information here. There has been too much information.

Mr. CARTER. It has been bewildering.

Mr. HALE. Yes; a little bewildering.

Mr. CARTER. In 1909 we had compiled by the Director of the Census for the Committee on Ways and Means of the House of Representatives as a part of the literature on this subject a book entitled "Imports, Exports, and Domestic Manufactures, Arranged According to Paragraphs of the Tariff Law of 1897." It was printed at the Government Printing Office in the year 1909. It contains information with reference to practically every paragraph in the tariff law standing on the books at the present day.

Mr. HALE. That is not a bulky and unusable volume, but a pamphlet that any Senator ardently searching for information could put in his overcoat pocket and carry home and study at night at home.

Mr. CARTER. Undoubtedly a Senator could do that. It was probably intended to facilitate reading on the street cars, between his home and the Senate.

But, Mr. President, that is not all. We have here, in order to enlighten a Senator, a book containing 131 large and closely printed pages on the estimated revenues of the Government, a comparison of House bill 1438 with the present tariff law, and tables showing the rates and the duties collected under the law of 1897 for the year ending June 30, 1907, and also rates and estimated revenues under the proposed bill as reported from the Committee on Finance of the Senate, with possible amendments. This was printed April 12, 1909. It was prepared under the direction of the Committee on Finance of the Sixty-first Congress, and it has been available since the 12th of April, and is now available.

Mr. HALE. It was printed four weeks ago.

Mr. CARTER. Mr. President, in 1908 it was known throughout the country that this tariff legislation would be a predominant issue, regardless of the party which might be successful in the election of 1908. Both parties had agreed that the tariff schedules should be revised, and preparatory to this great and serious work upon which we are now engaged the Secretary of the Treasury caused to be compiled what is known technically as a "Compilation of the Customs Laws and Digest of Decisions Thereunder Rendered by the Courts and Boards of United States General Appraisers." This volume contains 1,383 closely printed pages, and I am now inclined to think that many a Senator has called for information here who never heard of that book before I read its title.

The Senator from Maine has aptly suggested that every call for information has been cheerfully met. I will not take time to read the message of the President of the United States on the subject, but some one desired to know something about iron ore produced and manufactured in the United States. A resolution was presented, and here is the report of the Secretary of the Interior in response to the inquiry, containing the estimates made by the Geological Survey. The Amounts and Values of Certain Imports is a response by the Secretary of the Treasury to a resolution of the Senate for information, and that contains the information disclosed by the books of the Treasury Department. Some other Senators desired to secure information respecting manufactured products which were sold in foreign markets at lower rates than in America. All that that Senator had to do was to present a resolution. It was passed by unanimous consent, no one objecting, and the resolution was forwarded to the Department of Commerce and Labor, and here is the response of that office, in a letter dated April 12, 1909.

Then some Senator desired to know something about the duties, taxes, and concessions on sugar in certain foreign countries. He presented a resolution at the desk, the matter was forwarded to the Secretary having the subject in charge—this happened to be the Secretary of State—and immediately comes back a complete answer to the resolution as presented by the Senator.

But I will not go over the various inquiries that have been made from time to time. They are too numerous. But unhappily, Mr. President, I fear that a Senator is too often satisfied with a response, and rarely ever pays much attention to the subject after the response comes. I have not heard any of these matters referred to since the resolutions of inquiry were adopted. Possibly we may in the course of the discussion as the Senators reach the paragraphs find use for the information furnished by the departments. Here it is by the hundreds of pages all relating to this tariff bill.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. I do.

Mr. GALLINGER. Just a word, Mr. President. I want to say to the Senator that, in response to a resolution I submitted, which the Senate passed, calling for information as to export prices as compared with domestic prices in foreign countries, a voluminous reply has been received from our representatives abroad, every word of which I have read with great gratification, because it shows that the custom that is to a slight extent prevalent in this country of selling goods abroad at less than at home is universal throughout the world, as Senators will discover if they read that document.

Mr. HALE. By other nations.

Mr. GALLINGER. By other nations.

Mr. CARTER. The trick of selling shop-worn goods at any price obtainable is current all over the world.

Mr. NEWLANDS. Mr. President——

Mr. CARTER. I will conclude in a moment, and will then yield the floor to the Senator from Nevada.

Mr. NEWLANDS. I should like to make a suggestion just now.

The VICE-PRESIDENT. Does the Senator from Montana yield?

Mr. CARTER. I yield for a question. I will not occupy the time of the Senate much longer. I have already occupied the time of the Senate much longer than I anticipated.

Mr. NEWLANDS. I observed that the Senator was very ready to yield to interruptions upon the other side.

Mr. CARTER. I yield readily now, after the suggestion of the Senator.

Mr. NEWLANDS. I wish to make a pertinent suggestion. The Senator has called attention to these tomes of information that are available regarding the tariff—reports and bills and testimony, and matters of that kind. I wish to ask the Senator whether he has ever considered the question as to whether a body organized as the Senate is and a body organized as the House is, with 92 Members in the one and about 400 Members in the other, are so organized as to be able to enter into the exhaustive inquiry concerning the production and the importation of over 4,000 articles and to arrive at a conclusion regarding questions involving almost every phase of economics concerning each particular article?

Can not the Senator or the party which he represents suggest some machinery, some sifting process, by which a capable body—a board, a commission, or the Executive himself—can sift all these matters and either act upon a rule fixed by Congress, that rule expressing, when the Republican party is in power, the policy of that party, and when the Democratic party is in power that rule expressing the Democratic policy, in such a way that by a mere inquiry and a computation proceeding according to the rule they can record their judgment, which will have the effect of law?

It seems to me that the statement of the Senator regarding all these sources of information and this vast mass of information as being available to each one of 92 judges here and over 400 judges in the House does not meet the question at issue at all.

Mr. HALE. Will the Senator from Montana let me ask the Senator from Nevada a question?

Mr. CARTER. I yield to the Senator from Maine.

Mr. HALE. The Senator from Nevada has disclosed now another source of embarrassment. The committee has been blamed, business has been interrupted, votes have been delayed, because it is alleged that we have not enough information and the committee should furnish more. But the Senator from Nevada has found, as he thinks, an unanswerable objection in the fact that the Senate has too much information, that it all ought to be sifted through another tribunal——

Mr. NEWLANDS. Mr. President——

Mr. HALE (continuing). And that the information is so vast, so wide-reaching, so inexhaustible, so embracing, that it confuses the minds of Senators. The Senator wants an intermediate process and an intermediate tribunal that shall take this embarrassment away from the Senate and sift the information and analyze it and boil it down and report it to the Senate.

Mr. President, the two objections answer each the other. The Senate is trying to do business. The committee is trying to do business. We are now only in the early stages of the first schedule of this great tariff-revision bill. We have been three weeks listening to complaints because information enough has not been furnished. Now the Senator says there is too much information.

My impression is that the Senate will not be disturbed in the end by either of these suggestions. I am sure the committee will not be disturbed. There never was at the beginning of a revision of the tariff so vast a field of information reported and disclosed for the information of the Senate as is furnished to-day in the early stages of our consideration of this bill. I am very glad that the opportunity has been given to show that there is no lack of information.

Mr. President, it has taken two hours here to-day to furnish a list of the documents and papers and embodied information that the committee has furnished to the Senate for its information. The mere list which the Senator from Montana has grappled with, and for which I thank him, shows that this complaint that the committee is going on in a rough shod way without furnising information has no foundation whatever.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Indiana?

Mr. BEVERIDGE. I wish to ask one question, if I may.

Mr. CARTER. The questions have become so involved that I fear the Chair will forget that I have the floor, and I will therefore ask Senators to permit me to conclude, as I shall occupy only a few moments more.

I will not go further, Mr. President, in naming books and documents, and specifying the number of pages each contains. I could make exhibit here throughout the afternoon of the stores of information available for every Senator, for every editor, for every writer, and every business man and consumer with reference to this tariff. We have here large sheets containing the items of each schedule, the duty existing, the duty proposed by the House bill, the duty proposed by the Senate amendments, the amount of revenue now collected, the prospective amount of revenue, the amount of imports, and the estimates of home consumption. One document alone constitutes a liberal education on the subject of the tariff for anyone desiring to get information direct and effective.

As the Senator from Minnesota [Mr. NELSON] wisely suggested to me, here is the Duty on Imports—a volume replete with information, and I could pick up volumes on tariff like a prestidigitator in all directions, until a dray load of books gotten out for the enlightenment of the Senate and House could be put on exhibition here in this Chamber.

Mr. SCOTT. Will the Senator let me ask him a question? How long does the Senator think it would take, reading eight hours a day, for a Senator to read all those volumes?

Mr. CARTER. Any Senator in the Chamber would strike before the job was completed, regardless of pay. [Laughter.]

Mr. President, in addition to the volumes here marshaled, it must be borne in mind that we have in every considerable commercial port of the civilized world consular agents and officers engaged day in and day out in acquiring, tabulating, and transmitting information on these questions to the Government of the United States through the Department of Commerce and Labor.

Every fact collected and transmitted to that department is at the call of any Senator desiring to avail himself of the mighty stores of information there collected. Ignorance of the subject can not be pleaded in the presence of such extensive facilities for acquiring accurate information.

I have made these observations, Mr. President, not because I have felt that they were needed here, but to the end that in remote sections of the country persons may not be misled by the oftrepeated charge that a tariff bill is being considered in darkness and ignorance, and that nobody can get any information with reference to it at all. How can any Senator repeat that suggestion in the presence of these mute volumes available to give forth their treasure stores of information?

Mr. President, the Senator from Nevada suggests that we are too numerous to think [laughter], and that we ought to delegate the task to a commission. That Senator seems to believe that if we think at all we think inaccurately and reach conclusions that are ill advised and little justified.

Mr. President, undoubtedly the Senator is correct in saying that there should be a commission to digest the matter in these books; but we have a commission. I will put the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate of the United States against any equal number of men on this earth as experts to digest information and place it before the Congress in convenient form. Where will you get a body of experts superior in judgment, possessed of more accurate knowledge or equal experience? The Senate and the House, through their committee organizations, undertake, and wisely, too, to boil down these various elements of knowledge into definite form for ready use in the discussion of matters upon this floor.

The reports of the committees of the Senate and House are concise and clear. If they are wrong, we must suffer from one of the infirmities of our system of government and let experience, which may be costly, correct our erring judgment. We will do the best we can.

It has been frequently suggested here with reference to all kinds of questions that commissions be appointed. I must say that, on general principles, I do not fancy the policy of delegating congressional power or abdicating congressional functions. I have an abiding faith, sir, in the wisdom of the founders of this Government of ours, and let it be understood that they did not intend that the American people should be governed by commissions.

They intended that the people should be governed by law; and they designated in the organic law itself the machinery by which laws could be placed upon the statute books and kept there and construed while they remained. Every departure from the intention of the fathers as written in the Constitution will weaken this Government of ours in the minds of the people, where it should be strong; it will weaken it in the confidence of the world, where it should be respected.

I have great faith in a commission made up of the picked men from 391 districts in the United States. I think the House of Representatives is a splendid commission. Some 14,000,000 electors in 391 districts "pick the best man in each district and send him down to the Council Chamber, the House of Representatives, to constitute a commission." We call them "Representatives."

The Senator from Nevada [Mr. NEWLANDS] would call them a "commission." That is the greatest commission the world has ever known representing any body of people, and it is selected in such a manner that its selection guarantees, with unerring certainty, a representation as good as the people, and no better. As the people improve, the Congress will improve.

Then the legislatures of the respective States are called upon to select representatives for the States in this Chamber, where it is contemplated that state equality should always be preserved, just as numerical representation is preserved on an equal basis at the other end of the Capitol. I have faith that these representatives of the States, large and small, whether in wealth or geographical area, will always be as good as any commission that can be picked by the President of the United States or by anybody else.

We are beginning to suffer in this country from a bureaucratic reign. There is a germ which quickly lodges in every bureau and creates a consuming thirst for power. Every bureau you create begins at once to spread its tendrils out, seeking additional jurisdiction, until it absorbs everything in sight, and then quarrels for more. We witnessed here within a few years a meager appropriation of $5,000 to start a bureau, and within five years we appropriated $5,000,000 to keep it going for one year, and that is only the beginning.

Mr. President, I believe in this Government being maintained, as nearly as may be, in its original simplicity; and I have no sympathy with, nor respect for, the new doctrine of duplicating Congress eternally in the form of commissions. From another point of view, the appointment of commissions to do our work is an abdication, which, according to current view, absolves Congress from responsibility.

The Congressman returns to his district, responsible in truth for what some commission did that he approved, but he says: "I could not help that; the commission did it." Thus that direct accountability to a constituency will be avoided by the side-stepping scheme putting it over to a commission. The Government will do that through a commission which Representatives would not dare to do in the open light of day, if put in direct responsibility to the people for their action. We have witnessed acts of tyranny that I thought Congress was responsible for, but disclaimed the responsibility, things done by somebody authorized by Congress to make rules and regulations, rules and regulations to-day applicable to the American people, which would be, if read in this Congress in the form of a bill, abhorrent to the sense of decency of the people of these United States.

But I am stepping apart from the purpose I had in the beginning, being drawn off by the suggestion of the Senator from Nevada for a commission.

Whenever the Congress of the United States proves faithless, whenever the Government as conceived by the fathers proves inadequate to the purposes they intended to accomplish, then let us call for a receiver or appoint a commission or do what we can to change the system into one more efficient. Until that day does come I believe it is proper and wise to hold every Senator and Representative up to a full, clear, and unmistakable

accountability to the country and to his constituency for each and every legislative act.

But, apart from that, Mr. President, I now leave this pile of books, which might be raised to that ceiling if I had but an hour to collect the documents, as mute witnesses to bear testimony to the sources of information which are available to every Senator and to every inquirer who desires to be informed on the tariff.

Mr. LODGE. Mr. President, the House bill came here to the Finance Committee after the members of that committee, for some four months, had had the opportunity day by day of passing through the large mass of information and misinformation which was presented at the hearings of the Ways and Means Committee. The committee took the bill up as soon as it was reported to the House and worked on it for three weeks. Literally night and day they labored on the paragraphs as to which they were already somewhat informed, and they tried to give due consideration to each one of them. If any paragraph was of exceptional difficulty, it was referred to a subcommittee. After they had considered the information before the House and such information as they had themselves gathered, they formulated the result in the bill now before the Senate.

Judging from this debate, Mr. President, there seems to be some misconception about the powers of the Senate. The Constitution gives to the House of Representatives the power to originate bills to raise revenue, but the Senate has the right of review. Yet it has been said here, over and over again, that the House, with this information before it, decided so and so, and why have you decided otherwise, as if our only privilege was to affirm the House action. We have decided otherwise in some cases because our judgment was otherwise, just as we do on an appropriation bill. We have differed, with every deference to the wisdom of the other House, and no one feels it more than I or has greater gratitude for their labors than I. On the same evidence the Senate might well decide that a paragraph was faulty or that a rate was too high or too low. We have the same power of revision that they have of original judgment.

I will take as an example this precise paragraph which is under consideration. It is obvious on a first reading of paragraph 179 that the classification is a mistake. It is a mistake to put the article in its lowest form on the same rate of duty as the same article advanced a stage in manufacture. Therefore it became the duty of the committee to change the classification, and they did so.

The classification being settled, the next question was the question of rates. The House, starting originally with the duty of 1 cent on the ore, based its differential on that amount. At the last moment they changed it to a cent and a half, but changed none of the differentials. The Senate committee merely restored the differential which existed when the rate was a cent and a half on ore. The committee did not increase the differential. The differential based on 1 cent and the differential based on a cent and a half are very different things. We did not increase the differential on a cent rate, but we made the differential correspond to the rate of a cent and a half. It may be that the original rate is too high or too low, and that, therefore, the differential is too high or too low, according to the rate on the original material, but the Senate have just decided that the rate on the original material is correct. They have just voted in favor of the old rate. We do not propose to change or increase the differential. We keep the differential which was established for a cent and a half rate in the act of 1897 after long consideration, because we think that is the proper differential.

Mr. President, yesterday the Senator from Georgia [Mr. BACON] said that when anybody on the other side referred to the question of what revenue would be produced by a duty, he was met with laughter and jeers on this side. The Senate Finance Committee considered the revenue aspect of all the duties which were imposed. What we smile at is not the bringing forward of the question of how much revenue a given duty will yield. That which excites our mirth is the ease and regularity with which a protective duty becomes a revenue duty when it crosses the borders of certain States.

There is one other point, Mr. President, that I want to make, which was alluded to by the Senator from Rhode Island [Mr. ALDRICH] this morning, and in regard to which the Senator from Georgia yesterday spoke—the oppression that is being visited on the consumer. I am not going to waste any of our much-wasted time on that old worn-out, exploded fallacy that the tariff duty is added to every article of domestic products which is bought or sold. I merely wish to touch upon this myth of a consuming public which is being oppressed for the benefit of a few manufacturers and operatives. Where is this separate and isolated public of consumers? The people who are consumers only, who neither toil nor spin, are so few in this country that they are negligible and ought to be neglected. This is a Nation of producers. The Senator from Georgia referred to the manufacturing and mechanical pursuits as if those were the ones especially nurtured at the expense of this mythical public of consumers.

Mr. President, I am afraid he forgot that according to the census of 1900, the last census, now nearly 10 years old, there were 7,085,000 persons earning wages in mechanical and manufacturing pursuits and industries which are all covered by the duties of the tariff law. That indicates a population supported by these industries of from thirty to thirty-five million. Who took those 35,000,000 people out of the ranks of American citizenship? Who separated them from the rest of the American public? They are a pretty large portion, Mr. President, of the citizenship of the United States. When did they cease to be consumers?

According to the same census, there were 10,000,000 people engaged in agriculture, 1,200,000 in professional pursuits, 5,500,000 in domestic and personal service, 4,778,000 in trade and transportation, and 7,000,000 in manufacturing and mechanical pursuits; in all, 29,000,000 people in gainful trades and occupations earning money. Take the people they support, the mouths that those 29,000,000 workers feed, and you have practically the whole population of the United States.

I come from a great manufacturing region—the region of New England and New York and Pennsylvania and New Jersey and Delaware. We are full of manufacturing industries, built up under the system of protection. It is too late in the day now to talk about whether that system was wisely or unwisely adopted. It has been practically the policy of the United States, with some fluctuations, some ups and downs in rates, since 1816. Under this system great industries have been built up. If you undertake to wreck that system at a blow, if you deal harshly with all this complicated machinery of business and production, you will throw that vast manufacturing population into distress and misery. Ten years ago more than 30,000,000 people were dependent on those engaged in manufacturing and mechanical pursuits. They are your market, I say to the wheat-growing States of the West; they are your best market, a market that can not be taken from you, for a large part of all that you raise and all that you produce.

This debate has arisen upon the question of the production of lead. My State has no lead mines and no smelters; it is not interested in lead production. If I were to be guided solely by a narrow, local, selfish interest, I should say, cut these duties down or make lead free, if you please, so that those engaged in the mechanical industries can buy these products a little lower; but in my belief, Mr. President, nothing could be worse for my people than to indulge in any such plan as that. The prosperity of Idaho and Utah and Missouri and Colorado is part of the prosperity of my people. I want to see them have the same protection which I demand and which my constituents demand wherever protection is needed for our industries. The great mechanical and manufacturing industries of this country can take no other position; and those who attempt to break them down run the risk of bringing on a business disaster to which nothing that we have ever had would be comparable. You can not shift a system like this in a minute. Why, Mr. President, at the bottom of this system lies the industrial independence of the United States.

The Senator from Georgia [Mr. BACON] talked to us about the cotton growers, and he said there was no protection on cotton. The prosperity of the cotton grower, the prosperity of the South, is probably more keenly desired by the State I represent in part than that of any other portion of the country, because upon the South's great staple our greatest industry depends.

But, Mr. President, the economic system which the Senator from Georgia was advocating yesterday, was tried in the South. They always resisted the protective tariff in the old times; and although they could not prevent the adoption or the continuance of the policy, they refused to take advantage of it. They left their rivers unused and their mines unopened. That great and splendid country was devoted to the production of a single staple. The dark hour of trial came upon them. Never was greater valor, greater military skill, greater self-sacrifice, greater devotion shown to any cause than the southern people showed to their cause; but when the lines of the blockade drawn around their ports were tightened and the foreign trade, on which they had depended, and on which they would have had the whole country depend if they had had their way, was cut off, they could not clothe or supply their armies; they

could not get medicine; they could not make paper or iron or steel or pottery. They were in a state of helpless industrial dependence. The worst enemy that the South had to meet in that great struggle was their own economic weakness.

Mr. President, we have built up under this policy of protection the industrial independence of the United States. It was the dream of Alexander Hamilton. It has been fulfilled. We have built it up and to-day the South, thank heaven, is taking advantage of it and is beginning, at least, to get her share of the great riches which nature has given to her. But to go to work and tear it wildly down on an idea of general reduction, for the sake of reduction here and there, would be disastrous. The only way to deal with this question is to move cautiously and carefully, to deal with each paragraph as it comes up and on the merits of each case as it is presented to us.

The pending bill, as a matter of fact, is full of reductions from end to end, but nobody ever pledged me to a revision downward any more than to a revision upward. What the Republican party pledged itself to, and so far pledged me, was to a tariff revision made on protective lines. I supposed that we would come here in this body and in the other House and revise the tariff for the best interests of the whole country—agricultural, industrial, and every other; that if it were wise to reduce a duty we would reduce it; if it were wiser to keep it the same we would keep it the same; if an industry needed, and the facts showed that further protection was needed, we would give it that further protection. As a matter of fact the revision generally is downward. That, Mr. President, has been the attitude of the Finance Committee. They make no claim to infallibility; they may easily be wrong on many points, but that which I have stated is the line of action that they have followed, and they believe that what the country most wants is action on the bill—intelligent action, of course, and right action, so far as it is given us to act rightly. The worst thing that could happen would be to have the bill fall in chaos and confusion. That would bring on continued agitation, continued suspense, business stagnation, and financial disaster. We want an intelligent measure of revision. I believe it is contained in this bill, and will be finally embodied in it as it comes out of its last stage, the conference between the Houses.

Mr. NEWLANDS. Mr. President, the Senator from Montana [Mr. CARTER] has piled upon his desk testimony, hearings, tables, and reports as evidence that there were sources of information within reach of this body that would enable each Member, if he pursued such sources, to vote intelligently. I wish to state that there is a great difference between having information within reach and information in our heads. There is no subject upon which we can not get information. The world is full of information. The essential thing is to obtain that information in such digested and intelligible form as to enable men acting in a deliberative body of this kind quickly to absorb it and act upon it. What I contend is that whilst the sources of information are available, whilst it is possible that each Member of this body could, by individual study covering a year, two years, five years, or ten years, master the details connected with the production, the importation, and the duties upon every article covered by this tariff, it is utterly impossible for a body of this kind, distracted by its other duties, to give the time and the attention that will enable it to act intelligently upon this question.

I do not underrate the capacity of this body. If you were to organize a board for the purpose of inquiring into all the economic questions connected with the tariff question, I would say that you could not better fill that board than by the selection of men who have had the training and experience that the men in this body have had; but I insist that it would require the absolute absorption of their lives in that work, and they would not have time for the various occupations which engage the attention of every legislator.

Mr. President, I am not so dissatisfied as to the information as I am regarding the methods which are pursued in gaining that information, which, it seems to me, are entirely faulty. The Senator from Montana declaims against turning over legislative functions to a commission and calls it an abandonment of legislative functions by those to whom they are intrusted. Well, the power to regulate commerce is a legislative function. Included in that power is the power of fixing rates of transportation. Has the Congress of the United States taken upon itself the duty of fixing those rates, of obtaining all the information that is essential in order to enable it to fix rates, of having hearings before it of parties complaining of unreasonable rates, and of acting upon each individual rate? We can imagine how this body would be absolutely swamped with accumulated business if it attempted to exercise the function directly of regulating the rates in interstate commerce.

What legislative function is this Congress now pursuing? It is pursuing the legislative function of establishing the revenue; and in connection with that, under the policy of the Republican party, it is carrying out the function of regulating foreign commerce, for it seeks not only to pass a revenue act, but also, in connection with it and as a part of it, to pass an act limiting foreign importations, and in many cases prohibiting them. So it is at the same time exercising two functions—one the power of establishing revenue, the other the power of regulating foreign commerce. Why, then, if Congress in its wisdom has seen fit to turn over to a special tribunal the power upon complaint to determine whether a transportation rate is unreasonable, to condemn that rate after a hearing, and to substitute a reasonable rate for it, prescribing the rule for the action of that tribunal, I ask why it can not organize a tribunal also that shall inquire into the reasonableness of an existing duty imposed by this Congress as a matter of regulation of foreign commerce intended to limit or to prohibit foreign importations?

Why can it not and why should it not give such tribunal the power to inquire into the reasonableness of the duty and make its report to Congress for its action, and why should it not even go further, as it has done in the case of the regulation of interstate commerce, and give it power to condemn an unreasonable duty which upon the evidence presented before it is clearly unreasonable under the rule laid down by Congress itself?

So far as I am concerned, I believe that the sole issue before this Congress is not the question whether we shall have a protective tariff, is not the question whether we shall have a purely revenue system of tariff, but the question is the reduction of excessive duties. That is what the Republican party stands committed to and that is what the Democratic party stands committed to. That is all that the Democratic party can hope to accomplish, organized as Congress is to-day, and that question involves inquiry; it involves hearings; it involves testimony; it involves complaint by some party injuriously affected, just as every proceeding before the Interstate Commerce Commission involves, first, a complaint on the part of the shipper; second, a hearing of the facts; and, third, a determination of the facts by a tribunal organized by Congress for that purpose.

Did Congress abdicate its functions when it organized the Interstate Commerce Commission? If it did, then you must admit that the power of Congress can only be properly exercised by doing the work that the Interstate Commerce Commission does. What would that involve? It would involve a system here under which every shipper could complain of the rate charged and in which every community could complain before this body of discriminations against its trade and its business and its commerce. It would involve oral hearings before this body and testimony in these complicated cases, and it would involve a decision in each case fixing by law the rate to be charged in interstate commerce.

Were you prepared to enter upon the exercise of this function? Would you have believed that you were discharging your legislative duties had you done so? Congress acted wisely and sensibly and with a due regard for the economy of its own time when it organized the interstate commerce tribunal, fixed the rule for its procedure, gave the parties complaining the right to appear and to be heard, gave the commission the right to put witnesses under oath and take their testimony, and gave them the power to condemn a rate that was oppressive and to substitute a reasonable rate for it, that rate following the rule laid down by Congress that the rate should be reasonable.

Has not the creation of that tribunal, has not the turning over of that function of fixing the rate to that tribunal, been sanctioned by the highest court in the land? Does the Supreme Court call it an abdication of the legislative functions for us to turn over to the Interstate Commerce Commission the inquiry regarding a rate alleged to be unreasonable or oppressive, and the condemnation of such rate? And here upon this bill we are proposing to act with relation to foreign commerce, just as the Interstate Commerce Commission does act with reference to interstate commerce. You claim the right under the Constitution either to limit foreign importations or to prevent foreign importations, with a view to protecting the home market against the competition of foreigners and with a view of preserving to your own people the home markets of the country, and the question has arisen whether or not the duties so fixed are not oppressive—oppressive to the importers, oppressive to the users and consumers of the goods in this country; and I ask whether it is not the wise and the judicious thing for this Congress to organize some tribunal, preferably, I should say, a department of the Interstate Commerce Commission itself, enlarging its functions so as to make it cover not only interstate but foreign commerce; so that in each department these great questions can be considered—the question of interstate commerce in the one, and the

question of foreign commerce in the other—and giving the foreign-commerce commission either all the powers over duties now possessed by the Interstate Commerce Commission over transportation rates or, at all events, giving it the power of hearing a complaint as to an oppressive or prohibitory duty, the power of giving a decision as to the reasonableness of the duty, and then leaving to Congress the final action, which either will or will not make its decision operative in law.

Mr. President, I know that commissions are unpopular in this body. I know that they are unpopular in the House of Representatives. As I said the other day in reply to the Senator from Rhode Island, he is an adept in inventing phrases that will bring a movement into disrepute; and to-day, if you want to bring a movement into disrepute, you have only to refer to government by commission. So I prefer not to use that term. Organize a board. Do not call it a commission, for I would not raise the prejudice of those who think by the brand instead of according to principle.

These commissions have become unpopular here because the late President of the United States became unpopular with Congress; because the President, realizing that Congress was inert and apathetic in the pursuit of reform of existing abuses, in the exercise of his power of recommendation regarding legislation organized commissions, purely voluntary commissions, without statutory authority, for the purpose of advising him as to his recommendations.

Whilst we may not all agree with the conclusions which he reached, based upon the recommendations of those commissions, I have the temerity to say that in the main the work done by those commissions was good work, that the men selected for their functions were able men, that the conclusions which Mr. Roosevelt presented in messages to Congress will ultimately be recorded in the statutory law of the country, and that this unpopularity of the term "commission" has arisen from the unfortunate antagonism that arose between the President and Congress, for much of which, perhaps, the temperament of the President was responsible.

Mr. President, I beg the Members of this body not to be carried away by this prejudice against government by commission. Let them realize to-day that there is one commission organized by Congress that is acting progressively and wisely and conservatively in the interest of reform. There is not a man in this body, whether opposed to the Interstate Commerce Commission at the start or not, who does not realize that that tribunal is one of character and dignity; that its decisions are received with approval throughout the country; that the railroad managers themselves are beginning to realize that it is an important thing to them that they should have a quasi judicial tribunal of character and dignity between them and the great public, who may at any time be moved by passion or revenge; that the surest protection against legislative violence and spoliation is the organization of a tribunal of high character and dignity, acting under the sanction of an oath, with all the traditions belonging to it, between the public upon the one hand and these great corporate interests upon the other.

If we constitute a tribunal of that kind, with jurisdiction over foreign commerce, just as the present commission has over interstate commerce, and with power to determine, or at all events to inquire into the reasonableness of these duties, then you will have scientific inquiry substituted for the sporadic investigation of Congress upon this subject, necessarily sporadic, occurring in spots here and there, and only in times of excitement and of tumult.

Mr. President, so far as I am personally concerned——

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. CLAPP. If the Senator does not object, I should like, not to ask one question, for perhaps it may require a number of questions to develop to its last analysis the suggestion. If the Senator does not care to be interrupted, I will take it up at some other time.

Mr. NEWLANDS. I am very glad to listen to any suggestion.

Mr. CLAPP. Would the Senator contend for a tribunal—call it what we may—that should in itself determine the rate of duties to be imposed?

Mr. NEWLANDS. I will say as to that, that I would go as far as Congress has the constitutional power to go in that direction.

Mr. CLAPP. That is the question. Now, with reference to the Interstate Commerce Commission——

Mr. NEWLANDS. But I wish to add to that, what I stated before, that the practical question is the reduction of excessive duties. That is the question I want to submit to that tribunal. I do not wish them to go into a general discussion of the tariff at all.

Mr. CLAPP. No.

Mr. NEWLANDS. But simply upon complaint as to the excessiveness of a particular duty——

Mr. CLAPP. Exactly.

Mr. NEWLANDS. Under the policy of the party, whether it is the Republican or the Democratic party, to determine whether a duty is excessive under the rule established by law.

Mr. CLAPP. And without opposition to the plan or thought, but rather to see where we could go, I am asking these questions.

Mr. NEWLANDS. Yes.

Mr. CLAPP. In the case of the Interstate Commerce Commission, Congress can first lay down a rule that rates must be reasonable. Then it can authorize the commission, not primarily to make the standard of a rate, which must be made by Congress, namely, that it must be reasonable, but to ascertain the fact whether or not a given rate comes within that rule. While it is finally complicated when it gets to the court as to what under that policy would be a reasonable rate, still there is something of a guide to go by. Now, that guide rests upon an absolute prohibition found in the spirit of our Constitution, that we can not require the carrier to carry for less than a reasonable rate.

When we come to the question of importing goods from a foreign country, there is no such limitation on the power of Congress. Congress can absolutely prohibit the importation. The importer can not be heard in any court to say that a rate of duty is too high, because back of it all lies the arbitrary power of Congress.

Now, Congress would be obliged to fix some rule, and that rule would either have to be, it seems to me, with reference to a revenue or a protective system. Either Congress would first have to enact a maximum and minimum tariff, which I think would be comparatively free from difficulty, so far as any legal complication arises, or it would have to try to lay down a rule as the legislative declaration, leaving it to the commission to ascertain whether given facts came within that rule or not. They could not lay down a rule as to revenue except they fixed a limit absolute in itself, because so far as the reasonableness of the revenue rate went there is no limitation on the power of Congress. If they undertook to lay down in advance a rule as to the reasonableness of a tariff rate based upon the proposition of its being a protective tariff, it seems to me it would lead to a question that no commission and no court could ever settle by any preannounced rule.

We can do it here because we have the power to do it. We may err. We may go beyond the mark of wisdom. There is no appeal to any tribunal from that. But it does seem to me that the Senator meets this condition, that he has either got to relegate this to a preannounced tariff for revenue, where there would be no limitation except such as Congress in a percentage rate would establish, or if it leaves it to the limit of protection, it is involved in an uncertainty, where no court, which finally would have to review the action, could determine the reasonableness of that duty.

If the Senator's idea is that the commission should fix the rate, subject to review by the court, it seems to me he would be involved in that difficulty. I say that in all candor and friendliness, for I certainly am interested in the subject-matter of the Senator's discussion.

Mr. NEWLANDS. I will say, in reply to the Senator from Minnesota, that of course it would be absolutely unnecessary to have such a tribunal if the Democratic policy of a tariff for revenue only should prevail. The creation of a revenue law is a very simple matter. You have only to refer to the Walker tariff to see how simple it is—schedules, some five or six in number—the first schedule fixing a duty of, say, 50 per cent, the second of 40 per cent, the third of 30 per cent, the fourth of 20 per cent, the fifth of 10 per cent, and then a free list, with enumerations of the various classes of articles under each schedule.

That is a very simple matter. It is purely the exercise of our legislative function of establishing taxes. But the Republican party is in power and is likely to be in power for some time, and even if the Democratic party should be successful four years hence in electing a President, it would be in the power of the Republican party, through its control of the Senate for a long period of time, to prevent it from passing a tariff bill based upon the principles of that party. So that in all probability we have a period of eight, possibly twelve, years under the protective system.

Now, then, both parties agree that all we can do is to reduce excessive duties. That is all; and the question is whether this legislative body is going to perform the work of inquiry inefficiently or whether it is going to do it efficiently, through servants created by law passed by Congress, and as to the extent of the powers that are to be given to such servants.

The Senator will agree with me, I think, that if Congress can frame the rule for action and can empower a tribunal to inquire into these excessive rates, condemn an excessive rate and substitute a reasonable rate, following the rule fixed by Congress, it would be desirable. I am not sure myself as to whether we could create a rule. I suggest, however, that the Republican party has in its platform declared its rule of action, the rule of action which governs the members of that party in the consideration of this tariff measure, and I do not see why they could not incorporate their rule in the statute. What is that rule?

That rule is that no duty shall be regarded as excessive which takes into consideration the difference in labor cost between the two countries, including a fair profit, on the average, to the American producer. It is claimed that, judged by that rule, hundreds of these duties are excessive, and you wish to make an inquiry into the fact whether they are excessive or not. Can you not declare in the statute the rule which you have fixed in your platform and which guides you in your legislative action, and can you not give that commission the power, pursuing that rule, to determine that a duty is excessive, and to reduce the duty to the amount called for by the rule?

But it is not necessary to my contention that we should go so far, and I do not believe you will go so far. All I can say is that, so far as I am individually concerned, I would go as far in this direction as we have the constitutional power to do. But I insist upon it that it would be a great aid to Congress if you should simply make this commission a commission of inquiry, a commission with power to ascertain and find the facts, a commission with power to make recommendations to Congress; and if their power is confined to deliberations upon a particular duty, concerning which a complaint is made, you will find that public opinion will be invoked; that the hearings will be published all over the country; that public opinion will be formed; and that Congress will in the main pursue the recommendations of such a commission if they are founded in reason. It is true that there was a commission organized some forty years or more ago when the Republican party realized that the Morrill tariff was producing too much revenue, and when there was a movement in the Republican party itself for the reduction of the duties, with a view to diminishing the surplus in the Treasury. But that commission was not such a commission as I have suggested, not a commission acting upon complaint, not a commission acting in a hearing upon a given case and a given duty and rendering its judgment, but merely a general commission of inquiry.

It seems to me that such a system would facilitate the work of Congress. No stronger indictment of the present system of making this inquiry has been presented than that presented by the Senator from Rhode Island when he assured us that if we looked into the details of every item in this tariff we would be here, if my recollection is right, ten years before the task was concluded.

Mr. ALDRICH rose.

Mr. NEWLANDS. I may be mistaken as to the time.

Mr. ALDRICH. I said if every Member of this body was to be accurately informed about every industry and every item of the bill, it would take probably ten years.

Mr. NEWLANDS. I say no stronger indictment of the present system can be presented than that statement, coming with authority from the chairman of the committee having jurisdiction over this subject. Let me say that if this work were intrusted to the Finance Committee, with the understanding that their conclusions would be accepted by this body, and if that committee were to enter upon the work and familiarize itself with all the details of production both here and abroad connected with each one of its items, it would take that committee ten years; and by the time they got through they would be a first-rate tariff commission, but a very poor Senate committee, so far as other legislative duties are concerned.

Now, I ask the Senator from Rhode Island, does he not wish the body that is to inquire into and determine these questions to be fully informed?

Mr. ALDRICH. Mr. President, I would be glad if the Senator from Nevada and every other Senator was fully informed upon this question. I think if they were we should have a unanimous vote in this body for the protection of American industries.

Mr. NEWLANDS. The Senator therefore agrees with me that it is desirable that the body which inquires into and acts upon this matter should be fully informed. He also says that it would take ten years for us to become fully informed.

Mr. ALDRICH. I perhaps should modify that somewhat. I made that statement with a view of all the Senators in the body. I think perhaps there might be less time required by Senators to arrive at the state of information which I think, as the Senator thinks, is desirable.

Mr. NEWLANDS. At all events, I assume the Senator realizes that it would take a long time. So I say that when that is admitted, Congress best performs its legislative function when it creates a tribunal that can give all of its time to these questions, and then it can inquire into every detail connected with production and importation, and can act upon information and not upon guess and conjecture.

Mr. President, we have thus far covered, I believe, only two or three items of this bill. Have we yet exhausted information upon the subject? What does this inquiry involve? First, an inquiry into foreign production, its cost; not merely the determination of wages, but the determination of the cost of each unit of production, for labor may be so inefficient as to make the cheapest labor most costly and labor may be so efficient as to make the highest labor the most economical. So, when you propose to enter upon the framing of a tariff that is intended to protect every American production against every similar foreign production and propose to inquire into the difference between the costs of production of two countries, you are entering upon an inquiry that involves the closest examination of the production of all competitive countries, and you must also enter into an inquiry of the cost of production in your own. You must cover the question of domestic consumption and you must cover the question of foreign importations. You must cover the question of rivalry in the future as well as in the present; the increasing powers in competition of other countries. Is this a work that can be entered upon by a legislative body of 92 Members and a legislative body of nearly 400 Members?

The Senator from Montana [Mr. CARTER] says we have all the information within our reach. I admit that a vast deal of information is within our reach. I believe that, so far as these tables are concerned, they probably are in better form than they have been at any other tariff inquiry by Congress, partly as the result of the action of the committee and partly of the suggestions of Members upon the floor, through which tables have been added. But even with the table before us, we have simply a statement, first, of the quantity of the imports for consumption; second, their value; third, the exports; fourth, the production in this country in amount; and let me say that such information is entirely inadequate. The committee has been unable, with all the statistics of the country within its reach, to put opposite two-thirds of the items of this table the value of our domestic production, and yet it is important that we should have some knowledge of the relation of imports to local production.

Do you wish to make your duties absolutely prohibitory so as to keep out foreign imports? It is important to know whether they are so. Do you wish that the imports shall bear a certain relation to our domestic production? It is important, therefore, that you should know both, and yet you do not know what the domestic production is of these articles, except a very few.

Mr. HEYBURN. Will the Senator from Nevada yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. HEYBURN. I have a message from Nevada that may be interesting at this period of the discussion, from the state mining inspector. I will read that portion of it which relates to the lead subject——

Mr. NEWLANDS. I prefer that the Senator should read that later on. It has no pertinency to the remarks I am making.

Mr. HEYBURN. I will defer it if the Senator would prefer. I will have the floor directly.

Mr. NEWLANDS. I shall be glad if the Senator will present it later on.

Then we have the rates of duty under the present law—the rates of the House bill and of the Senate bill. Then, we have the revenues, and then we have the equivalent ad valorem. But there is no attempt in this table to go into the details of production here or abroad. We do not know what the labor cost is. Statements are presented here of wages in competitive countries. Statements are made regarding wages here, but there is no accuracy of statement and there is no indication whatever of the efficiency of that labor, so far as the production of units is concerned. As I said before, the highest priced labor in the production of a number of units may be much more economical than the lowest wages in the world.

Mr. President, so far as I am concerned, I have entered into this inquiry in no partisan spirit, with no disposition to put anybody in a hole or any party in a hole. I have no disposition to contend unduly, by long speeches and contentions, for the policy of the Democratic party, which can not by any possibility be incorporated into the statutes at present. I should like to see the frequent disturbances of business resulting from tariff agitation and tariff discussion disappear.

I believe they can be made to disappear, not in one year, not in ten years, but in a generation or two; and what is that in the lifetime of a nation? As it is, whenever the tariff matter is discussed in the campaign, there is some depression in business, and whenever it comes up for legislation the importers diminish their importations, the manufacturers diminish their productions, and the result is, in a greater or less degree, a diminution or paralysis of trade.

I do not think it is wise to have these great economic questions, that could be wisely looked into and determined by capable men acting under the direction of Congress, entering always into our business relations and disturbing our business life. If I had the power to-day, I would not at one leap change the policy of the country from the protective policy to the revenue policy. The Democratic platform does not demand it. It demands evolution, not revolution; a gradual and progressive reduction of duties in the line of a revenue tariff. Hence I am extremely solicitous that Congress should organize the machinery through which there can be a scientific adjustment of simply the excess duties. That is all it can accomplish now. If we can create a tribunal of that kind, either to act decisively upon the subject or in a way simply of inquiry and recommendation, in my judgment we will have accomplished much in the final solution of this economic question and the creation of stable conditions of domestic production and foreign commerce.

Mr. HEYBURN. Mr. President, we have just heard a most interesting message from the State of Nevada. I will supplement it by a message which I have received within a few days from the state mining inspector of that State, who, by the way, if I am correctly informed, is of the same political faith as that professed by the Senator from Nevada. He says:

> Lead is one of the principal mineral resources of Nevada. This mineral is found principally in Eureka, Whitepine, Lincoln, Washoe, Elko, Esmeralda, Humboldt, and Nye counties. This covers more than three-fourths of the area of Nevada. At present about 1,500 men are working in the lead and base-metal mines of Eureka County. With an assured tariff on lead the number would be five times as great. In all portions of the State about 5,000 miners are employed in the lead properties. The Commonwealth, one of the largest lead properties in Nevada, located here, has everything in readiness to begin operation, but not a wheel is turning pending the outcome of the proposed legislation. A tariff on lead means the opening of this property and others surrounding it, giving employment to many hundreds of miners at good wages and adding thousands of dollars to the wealth of Washoe County. Two districts in Lincoln County, employing hundreds of men in the lead properties now, will construct railroads and employ thousands with a tariff on lead. Whitepine County, with 5,000 men at work, would double this number. With an adequate protective lead tariff, Eureka County, just on the eve of a revival, is paralyzed, because of fear that the lead tariff may be removed or even lowered. There is no doubt that a tariff on lead will lead to an immense increase in the mineral output of this State during the present year. Lead is the principal value contained in nearly every property in the counties of this State already named.

Mr. KEAN. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. I do.

Mr. KEAN. Does the Senator recall what the present population of Nevada is?

Mr. HEYBURN. I leave that for the census that is to be taken so shortly. This telegram is signed by J. F. Haley, whom I addressed for information as the state mining inspector of the State.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. I had not quite finished reading the telegram.

Mr. NEWLANDS. Oh, I beg pardon.

Mr. HEYBURN (continuing):

> Gold and silver are practically by-products. It is to the lead that the mine owners look for their profits. In Mexico, for instance, lead is a by-product of the gold and silver mines, and the mine owners there could afford to give this metal away and yet make an immense profit with a wage scale of 35 cents gold per day. The throwing down of a tariff barrier would result in pouring this Mexican product into this country at prices which could not be met by American labor. Irrespective of politics, the people of Nevada hope Congress will not remove the tariff on lead.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. I do.

Mr. NEWLANDS. The Senator is correct in stating that the mining inspector referred to is a member of the same political party as myself. I hope that all the mining inspector's predictions regarding the future of Nevada and its mineral wealth will be realized, and I certainly join with him in every comment that he has to make upon the richness of the natural resources of our State.

Mr. HEYBURN. I sincerely hope the Senator will also vote the same way.

Mr. NEWLANDS. With reference to my vote, I have to say that I shall not permit my vote to be controlled by the considerations referred to in that telegram as the Senator interprets them. That telegram was based upon the assumption that the duty upon foreign lead might be repealed. My belief is that a fair revenue duty can be imposed, and as a matter of fact it has been imposed by this bill upon lead in the ore, a duty of 1½ cents a pound. My own belief is that a fair revenue duty would be about 1 cent per pound.

So far as the differential to the smelter is concerned, which is now under discussion, I have to say that the differential is entirely too high, in my judgment. We impose, in the first instance, a duty of 1½ cents a pound upon lead in the ore and then upon lead in bullion we impose a duty of five-eighths of a cent more, making 2⅛ cents in all upon lead bullion. I believe that, even following the rule laid down by the Republican party in fixing a duty, and having in view the difference in labor cost between the two competing countries and a fair profit for the domestic producer—even pursuing that rule, the duty should not exceed three-eighths, and possibly two-eighths, of a cent. It could be cut down, in my judgment, at least one-half.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. HEYBURN. I yield with the consent of the Senator from Nevada, to whom I have already yielded.

Mr. NELSON. Will the Senator yield to me?

Mr. NEWLANDS. I wish to say that I have the floor by the indulgence of the Senator from Idaho, and I should like to hold it for a few moments in order to complete my statement.

Mr. NELSON. I wish to bring some evidence to show that the Senator from Nevada is right.

The Senator from Montana [Mr. CARTER] a while ago admonished us to examine these reports, and I find much valuable information. He made a good suggestion. I read from the statement of Mr. C. E. Allen, of Utah, who states the cost of extracting lead ore in that State. He gives the figures as follows:

> It cost the miner to produce this ore as follows: Ten per cent deduction from the price of lead cost him 93 cents, and 5 per cent deduction from the price of gold cost him 9 cents per ton; 5 per cent deduction from the price of silver cost him 41 cents; average wagon and railway haul cost him $2.50 per ton; sampling, 50 cents a ton; smelting, $8 a ton; and mining, $3.50 a ton.

The total cost, then, is $15.93 a ton to reduce the ore into lead. That is Mr. Allen, of Utah. Now, they sell that ore for $19.38 per ton. What tariff do we give them? We give them almost twice that—a cent and a half a pound. A cent and a half a pound amounts to $30 a ton.

Mr. ALDRICH and Mr. SMOOT. No.

Mr. NELSON. A cent and a half a pound amounts to $30 a ton.

Mr. LODGE. No; the average is about $8 duty on lead contents, not on the whole ore.

Mr. NELSON. It amounts to that much.

Mr. SMOOT. I should like to say——

Mr. HEYBURN. Mr. President, I wish to make a statement in regard to the floor.

Mr. NEWLANDS. I beg the Senator from Idaho to permit me to conclude my answer to the telegram so that it can all be presented at one time.

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Nevada?

Mr. HEYBURN. I will make a statement that will answer the inquiry of the Chair. I will yield to the Senator from Nevada, because I deferred the reading of the telegram until he had finished his remarks. I do not care to yield to a reopening of the discussion of the testimony that was taken before the House committee. I yield further to the Senator from Nevada.

Mr. NEWLANDS. I was simply commenting upon this differential of five-eighths of a cent. The testimony presented by

Mr. Brush, who is connected with one of the smelting companies, shows that about $12 a ton is differential, and he says that the total cost of changing that bullion from its condition as lead in the ore to bullion is $8 per ton. Now, it has never occurred even to the Republican party——

Mr. HEYBURN. I can not yield to reopen that question. I only yielded to the Senator to reply to the telegram.

Mr. NEWLANDS. I stated that I would not allow myself to be controlled by the considerations advanced by that telegram, and I am now giving my reasons. It seems to me entirely reasonable that the Senator should yield to me for that purpose.

Mr. HEYBURN. I would prefer that the Senator from Nevada should enter into any general discussion of the question, whatever his motive may be, in his own time. I shall not speak at great length.

Mr. NEWLANDS. I will state to the Senator that I intend to be very brief. I assume that fairness would lead him to permit me to have my statement go out with the telegram.

Mr. HEYBURN. I have no objection at all, and the rules of the Senate enable the Senator to send it out, but I naturally do not desire, inasmuch, I repeat, as I am only going to speak briefly, to have a general discussion of any principle involved interjected into my remarks.

Mr. President, I desire to read another telegram from Kansas. This is from Topeka, Kans., addressed to me:

Ten thousand coal miners, 2,000 lead and zinc, 300 salt and gypsum compound.

There is a statement that the number of men in Kansas employed in lead mining is 2,000. Having that information, I merely give it to the RECORD.

Mr. President, we seem to have lost sight of the title of this bill, in which its purpose is expressed. The McKinley bill stated that it was for the purpose of decreasing the revenue of the country, because we were collecting more than we needed. The Wilson-Gorman bill stated that it was for the purpose of reducing taxation. The title of this bill states that it is "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes." So we see that we must keep in view the purpose of the legislation.

My mind was recalled to a curious coincidence. The first act that was ever passed by the Congress of the United States, the first bill to which President Washington ever attached his signature, was a protective-tariff bill pursuant to the purpose that the convention had in view when it made the Constitution. The title of the first tariff bill declares in express terms that it is, among other things, for protection. That act was signed on July 4, 1789, the first Fourth of July after the formation of this Government, and section 1 provides:

SECTION 1. Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported—

Then follows the text of the bill. I find in this first tariff bill, in section 1, a provision for a duty on bar and other lead of 1 cent per pound. So this is not a new question. I thought it might be interesting and perhaps useful to put that in the RECORD.

Mr. President, I have taken some pains to bring together the information in regard to the relative cost of producing lead and lead ores in this country as compared with rival producers. In the first place, if I am not mistaken, no Senator has included all of the items in enumerating the cost of production. You must first acquire a mine. You can not go out and mine a ton of ore or produce a ton of lead without the preliminary expenditure occasioned by the purchasing or the acquiring of the mine. If the man producing the ore discovered the mine, then, of course, he would be relieved of the expense of purchasing it. I know of no such instance in the history of this country.

Mr. ALDRICH. Would the Senator from Idaho prefer to proceed with his remarks on Monday?

Mr. HEYBURN. That would be entirely agreeable to me, if the Senator from Rhode Island desires to have an adjournment at this time. I am ready either to go on or to yield to an adjournment, as may suit the pleasure of the Senate.

Mr. ALDRICH. I thought perhaps the Senator might prefer to have an adjournment and resume on next Monday.

Mr. BACON. Mr. President——

Mr. BEVERIDGE. Is it not possible for us to have a vote this afternoon?

Mr. ALDRICH. I think not.

Mr. BACON. I will state to the Senator that, if it is now proposed to have an adjournment, I shall certainly ask that I may be allowed to occupy five or six minutes of the time of the Senate before adjournment.

Mr. ALDRICH. I have no objection to that.

Mr. HEYBURN. Then I would necessarily proceed.

Mr. BACON. Yes.

Mr. ALDRICH. Does the Senator from Georgia intend to speak at length to-night?

Mr. BACON. No; but probably for five or six minutes.

Mr. ALDRICH. Many Senators have asked me to move an adjournment.

Mr. BACON. I will remark very frankly that I ought to say something in reference to what the Senator from Massachusetts [Mr. LODGE] has said, which I was entitled to say immediately after he took his seat, but I have not been able to get the floor.

Mr. ALDRICH. If the Senator from Idaho is willing to postpone his speech until Monday——

Mr. HEYBURN. That will be entirely agreeable to me, with the understanding that this speech and the preceding speeches will end the discussion.

Mr. BEVERIDGE. Is it not possible to get a vote to-night?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. Merely for a suggestion in reference to the proposition to adjourn. In view of the fact that the Senator from Idaho [Mr. HEYBURN] said a moment ago that his remarks would not be very long, and, as I understand from the Senator from Iowa [Mr. CUMMINS] that his will not be, it struck me that the Senator from Rhode Island might be willing to have a vote taken on this matter this afternoon.

Mr. ALDRICH. Mr. President, eight or nine Senators have left the Chamber with the idea that there would be no vote taken to-night, as it was very evident that the discussion would not be completed. Personally I should be delighted to vote at this minute, but I have some obligation to other Senators who desire to be heard on this question. So I do not think I should be doing right to urge a vote at this time.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I do.

Mr. CUMMINS. I could not quite hear the remarks of the Senator from Rhode Island, or his suggestion in regard to postponing the discussion. I feared that possibly there was an arrangement for a vote at a particular time.

Mr. ALDRICH. There is no disposition to do that. I simply said that eight or ten Senators had left the Chamber with the idea that there was to be no vote taken to-night. I personally would prefer to have a vote immediately; but I know that several Senators desire to speak on this question, notably the Senator from Iowa himself, and for that reason I am perfectly willing to have a present adjournment rather than to keep the Senate here for three-quarters of an hour longer.

Mr. CUMMINS. I am quite willing to see the matter go over; but I have an amendment to offer to the paragraph, and I want an opportunity to offer it at the proper time.

Mr. ALDRICH. We all understand that, of course.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. I want to say to the Senator from Iowa merely this: I think the point in his mind arose, perhaps, from a suggestion of mine. The Senator from Rhode Island suggested an adjournment. I had heard the Senator from Idaho say that his remarks were going to be brief. I knew the Senator from Iowa was going to present an amendment and make some remarks, which I also understood would be brief. I therefore suggested to the Senator from Rhode Island the feasibility of having a vote to-night, but he said it was not feasible.

Mr. ALDRICH. The anxiety of the Senator from Indiana to get a vote is extremely gratifying to me, and, so far as my personal desires are concerned, I should be glad to have a vote at this moment; but it is very evident that a vote could not be reached between now and 5 o'clock, and I personally am ready now to move to adjourn, unless some Senator desires to go on.

Mr. BEVERIDGE. I merely made my last statement so as to explain to the Senator from Iowa what had previously transpired.

Mr. HEYBURN. Mr. President, the suggestion to adjourn meets with my hearty concurrence. It is late in the day and late in the week, and we are all, of course, suffering from much fatigue. I would very cheerfully yield to a motion to adjourn.

Mr. BACON. Mr. President, I will ask that I may have the opportunity——

Mr. ALDRICH. I will not make the motion to adjourn until the Senator from Georgia concludes.

Mr. BACON. If the Senator from Idaho yields the floor——

Mr. HEYBURN. I yield the floor, then, with the understanding that we are going to adjourn very soon. Of course, if we were to remain in session, I would proceed. I now yield to the Senator from Georgia.

Mr. BACON. Mr. President, the Senator from Massachusetts [Mr. LODGE], in the address which he made to the Senate this afternoon, had some things to say in response to the remarks which I made to the Senate yesterday, which possibly call for some reply from me. This is the more particularly appropriate as the Senator not only alluded to myself a number of times in the course of his address, but sought to make an application of the particular contention which he then presented to the Senate by reference to the section of the country from which I come. I should have been very glad, Mr. President, to have replied immediately, but I have been unable to obtain the floor. There are some things that a man can say, and say better dum fervet opus, when the time is opportune and when the minds of those who are to hear him are occupied with the subject-matter. It is somewhat more difficult when even half an hour has elapsed and other business has intervened, and therefore I may not go as fully into a reply as I otherwise would do; in fact, if I were to reply at length to the Senator, it would be necessary, in large degree, to repeat what I said on yesterday, which, of course, I have no disposition to do, and if I should attempt it I am sure the Senate would not feel entirely patient.

Therefore, Mr. President, so far as the general contention of the Senator is concerned in the remarks submitted by him, I shall leave what I said on yesterday, which will be in the RECORD, to be judged of by those who may have sufficient interest in the matter to investigate it in opposition and in reply, if you please, to what the Senator from Massachusetts has said to-day.

There are one or two things which occurred to me while the Senator was addressing the Senate to which I will make allusion. The Senator did not reply to the part of the argument which pointed out the injustice necessarily found in every high protective tariff, in the fact of its inequality, and in the impossibility that whatever burdens there might be should be equally distributed, and whatever benefits there might result should be equally enjoyed. I have pointed out in the debate on yesterday that the large industry of the particular section from which I come is the growing of cotton, with an annual product of 13,000,000 bales, valued, with its important side products, at some $800,000,000 a year; that in that gigantic industry a large majority of the people in my section are engaged and most intimately interested.

I had shown that, by reason of the fact that from two-thirds to three-fourths of that product is exported and is sold in the free markets of the world, this vast population, engaged in this most important industry, sending forth the largest of all single exports which are sent from the United States, whether agricultural, mineral, or manufactured—this large industry, with this vast multitude of people connected with it, bore all the burdens and shared not one dollar of the benefits of the protective tariff, and could not share it in the nature of things. To that the Senator was careful to make no response. He was careful to make no response to the fact that, when the immense spoil, of which I have spoken, to be gathered under the protective-tariff law, was divided among the protected favorites, a very large part of it was exacted as a tribute from this vast multitude of people engaged in the production of cotton, and that industries which claimed that they could not live unless they had artificial assistance were allowed to exact this tribute from this large section of our country in the payment to them of that which nobody owed them, and to receive that for which they gave no equivalent. That part of the argument the Senator avoided.

I might have extended it, Mr. President, to the agricultural sections of the West, where it is attempted to make the corn growers of the West believe that the tariff put upon corn is of benefit to those engaged in that important industry, from the tariff upon which they can in truth receive no benefit.

But I pass from that. I did not intend to say that much on the general subject; but one thought I want to express, and that is this: The Senator was magnanimous in the expression of the desire on his part for equality of benefit to all sections of the country; he wanted them all prosperous, and he particularly wanted the South prosperous; that his section was interested in the prosperity of the South. Mr. President, it brought to my mind this fact: On the continent of Europe there is scarcely a hilltop but what is crowned by the ruins of some old feudal castle. In the days when might was the law and had the full exercise of its will, those castles were occupied by feudal lords, who themselves produced nothing, but who at certain seasons made their forays in the country round, and gathered from those who had digged and toiled, the fruits of their fields, and carried them to their castles for their enjoyment.

Those feudal lords were not indifferent to the prosperity of the countryside; those feudal lords knew that it was necessary that the fields should be fruitful in order that they should gather from them their spoil. So it is with the section from which the Senator comes. It has grown rich in making these forays into other sections of the country, including the South, through the forms of law; it has every year gathered an enormous tribute which has flowed in a golden tide from this section which contributes it, and which, so far as concerns those engaged in cotton growing, its principal industry, receives nothing in return.

And, Mr. President, this suggests the further thought that, when those feudal lords gathered the spoil and with their men at arms stood around for its division, they were not more indifferent to the question from whom the spoil had been derived, than is the contemplation of the protective-tariff law, when Senators gather around the spoil to be distributed, in considering the question of to whom these unnumbered millions of dollars belonged, or from whom it had been unjustly taken.

The Senator from Massachusetts spoke of the overthrow of the South in the civil war, and while he paid tribute to the valor of the South, he sought to show that there was an inherent weakness, on account of which there could have been nothing else but disaster and defeat when it met the North in deadly struggle. The four years' unequal struggle is the best answer to that. He said, Mr. President, that they could make no food; that as soon as the North gathered its circle around it, the South perished because of innate weakness.

Mr. LODGE. I did not say they could make no food, Mr. President. I did not say anything so absurd.

Mr. BACON. If the Senator will look at his remarks, he will certainly see that he said the South could never make food to feed her armies.

Mr. LODGE. Never. I will refer to the stenographer's notes and to Senators around me, who heard what I said. I said clothing, medicines, and things of that kind.

Mr. BACON. The Senator may think so now, but, as I recollect, he is mistaken. I will not, however, stop to discuss that. It makes no difference now whether he said food or something else. The truth is this, that the South lost, not by reason of inherent weakness, but because of the fact of a disparity in numbers. It had a contest upon its hands of 5 to 1 in fighting men. It is true that the blockade had a great deal to do with it; but it was because the blockade prevented the South having access to the remainder of the world for the utilization of its resources. If the ports had been open, if this much-despised cotton had been available for interchange with the balance of the world, there would have been no paucity of resources. But, Mr. President, after four long years of bitter, relentless, merciless war, there was an absolute destruction and exhaustion of the resources of the South. I myself saw a broad line of cinders and ashes across my State 300 miles long and from 30 to 60 miles in width—not a pillar of cloud, but a vast sky full of clouds by day, and a lurid glare from zenith to horizon by night.

The South, Mr. President, will have no cause, either now or hereafter, to be in any manner apologetic either for its valor or for the application and production of resources which, under any normal conditions, would have been ample for them in their struggle.

I wish to say further, Mr. President, that while I have a pride which I believe, if not now shared, will in the near future be shared by every American in the valor of the southern men in that conflict, the valor of the men in the field was not the highest exhibition of virtue and of courage made by that people; that that highest exhibition was in the utilization and devotion to the last limit of their resources, in the maintenance through the long years of a stout heart in the face of a hostile world, in the sacrifice without stint of every interest, so that, with every household a house of mourning, with their women not wailing, but clad in black, with a chair vacant at every table and at every hearthstone, when the flower of her manhood lay dead on a hundred victorious fields, it was only when physical power failed from exhaustion, when stout heart could no longer of itself maintain the struggle, however stout that heart might remain, because physical resources were gone, it was only then that this unequal struggle ended.

And, Mr. President, as one who bore an humble part in that mighty struggle, I desire to say that I consider that the women of the South, in the midst of that day of desolation and mourning, of sacrifice beyond estimate or realization, not only bore the greatest of the burdens, but in them were found the greatest of courage and of fortitude.

Mr. President, it is not pleasant for me to recur to that day, and I have never in this place or anywhere else, especially since I have borne a commission as a Senator of the United States, sought to intrude controversially these questions upon either this body or upon any other gathering. That day, with its woes, belongs to the past, which I have no pleasure in reviving. It is now a memory which can not be put away. It belongs not to the present nor the future. But, Mr. President, I can not sit still and hear the suggestion made that because we did not have a system by which one section was plundered for the benefit of another, therefore we failed in that great struggle, for that is the argument of the Senator from Massachusetts, and that alone is his argument.

Sir, it was a remarkable struggle. The history of it will never be written within even the twentieth century, but the time will come when in song and story the heroism and the devotion and the fortitude and the prowess of that people in that mighty struggle will take their rank with anything known to recorded history.

Mr. President, another thing which is going to be remarked, and which is more to the point of the particular issue which the Senator from Massachusetts has raised, is that in the midst of that desolation and ruin that people did not lose its courage, and that out of ashes and desolation, spread from the Potomac River to the Rio Grande, there has arisen a prosperity and a development of material wealth as to which no man can pass through that country without giving expression to his wonder and his surprise.

I remember, sir, that a year ago I had the fortune to ride through a large part of that country with my friend the junior Senator from Minnesota [Mr. CLAPP], whom I now see sitting before me, and when he saw our prosperous cities, our thriving villages, our industries of every kind in almost incredible profusion, our smiling fields, our bursting barns, our active, industrious people, the Senator from Minnesota, sitting by my side, looking out of the car window, said:

"My God, who could have believed that a people who came up out of such a desolation could in such a time have accomplished what they have?"

I was glad as I sat by his side to hear that expression from him.

Mr. President, I can not give the precise figures, but I believe that the recognized valuation of property in the Southern States, not including Missouri, is $20,000,000,000, and every dollar of it, speaking generally, except the value of the land, is the creation of the energy and the industry and the indomitable courage of a people who stood neck deep in the ashes of their overthrow and addressed themselves manfully and courageously to the restoration of their fortunes.

Sir, to achieve this stupendous success we did not have a high protective tariff in our interest, or a body like the Senate of the United States to which we could come and appeal and say, "We can not succeed in our industries unless you give us help; we can not build up our waste places unless you tax the balance of the United States and pour a golden flood upon us."

Mr. LODGE. What tariff have you had since the war?

Mr. BACON. We have had the same tariff there. But that tariff has not built up the wealth of the South. On the contrary, that protective tariff has during almost the whole of that time imposed a most grievous burden on the South, for which it has had no benefit in return. The wealth of the South is the product of the agricultural industry of the South. Of course there are exceptions, but, speaking generally, the factories which have been built and the enterprises of all kinds which have been gone into and developed, have been built and developed directly or indirectly out of the money from these agricultural enterprises which have had no benefit from the protective tariff, but which, on the contrary, have had to pour a continuous golden stream of yearly tribute to enrich the section from which the Senator from Massachusetts comes. And these industries need no greater protection than is found in the rates of duty required to raise the revenue of the Government.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do.

Mr. GALLINGER. I do not want to get into a controversy with the Senator from Georgia——

Mr. BACON. I am not inviting one.

Mr. GALLINGER. But is it not true that, to a very large extent, your development has come from capital sent from the North to the South?

Mr. BACON. No, sir; it is not true.

Mr. GALLINGER. It is not true?

Mr. BACON. It is not true.

Mr. GALLINGER. Then I have——

Mr. BACON. There never has been a greater and wider misapprehension than that.

Mr. GALLINGER. I am not speaking of the Senator's State, but I am speaking of the South at large.

Mr. BACON. I am speaking generally.

Mr. GALLINGER. I know to the contrary, to a considerable extent.

Mr. BACON. If a man has before his eyes a speck, it will obscure the horizon from his view, and where the Senator knows of a few hundred thousand or a million dollars——

Mr. KEAN. Ten million.

Mr. BACON. Or ten million or hundreds of millions—and there is no such figure or anything like it—where the Senator may know of a few investments of capital of that kind which have stood between the Senator's vision and the large horoscope, it is an infinitesimal fraction compared to the wealth which has been produced by our people through their own muscle and their own brain, their own courage and their own perseverance.

Mr. GALLINGER. Of course we all acknowledge that, and we are all gratified to know it is the fact; but, notwithstanding that fact, the North has liberally contributed toward the prosperity of the South, and they have been glad to do it.

Mr. BACON. I am not finding any fault with that. I have no doubt it has been. But when the Senator talks about the thousands of millions of southern development being the product in any material degree of any contribution from any other section of the country, he is vastly mistaken.

Now, I wish to say to the Senator that there is no man in this Chamber for whom I have a higher personal regard than for him, and there is no man in this Chamber who, I believe, has a kinder heart for the section from which I come, and therefore my reply, though it may be somewhat heated, must not be misunderstood by him.

I know conditions there very much better than he possibly can, and it is perfectly natural that a Senator living in a remote section, one most highly favored, upon which there has never been the tread of a hostile foot or the echo of a hostile gun since the days of the Revolution, where there has been no destruction of property, where all the increases of wealth have gone on from year to year to pile up that which now constitutes the wealth of his section, and not only of his State, but of New England—it is perfectly natural that he should not realize the magnitude of the accomplishment of the people of the South in the restoration of their prosperity. And it is perfectly natural that while he may know here and there of the contribution of a comparatively small amount in the development of some industry here or one there, he should regard that as an important element in the development of the wealth of the South.

Let me assure the Senator that while there are a great many people who think as he does, there never was a greater mistake than to suppose that in any material degree the vast, almost incredible, development of wealth in the South has been due to the assistance received by it from any other section.

Mr. President, take my own State. The wealth of the State at the conclusion of the war was in desolated land alone. They did not yield the contest until everything destructible had been destroyed. There was no personal property left. There was not even clothing for the people. They were in rags, with no agricultural implements, with no stock for the cultivation of crops; and yet in forty years it has come so that the assessed valuation of property in my State amounts to about $800,000,000; and I want to say that that does not represent much more than half the wealth of the State, from the fact that, not by evasion, but in accordance with the custom recognized as proper and which is not injurious, so long as it is observed by all, real estate is generally given in at a valuation of from 40 to 50 per cent of what its market value really is. So I have not the slightest shadow of doubt that in my State the value of property is between twelve and fifteen hundred million dollars, at least four-fifths, or more probably five-sixths, of which has been the product of the unaided industry and the unfailing energy and perseverance of the people of Georgia, and of them alone.

I know in a general way where money has come into the State. I know what railroads have been built there by foreign capital, and I know what have been built by our own people. I know what is the proportion, in some considerable degree, of the investment in factories by outside capital. While taken by itself, it would amount to a very considerable sum, in comparison to the twelve or fifteen hundred million dollars of value of property in that State it is an insignificant fraction compared to the grand total. The North has bought our bonds, but money realized from the sale of our bonds, based on our own securities, becomes our own money, and is not money invested

by the North for our development. It is the loan of money upon satisfactory security.

Mr. President, we are apt to be led away when something which touches us very closely and comes close to the heart commands our utterance, and I have said a good deal which I had not the slightest idea of saying when I rose. But it is a tremendous, a grievous burden of taxation to enrich others under which our people rest. When the Senator from Idaho gets up and reads a telegram that the miners in his State must have certain protection or they can not do business, what does it mean? It means that they want more money than their business, left to itself, will produce, and that money has to be paid by somebody. Who pays it? It means that the people of Georgia shall out of the fruits of their toil be required to pay money to go to Idaho to assist in paying wages to the miners of Idaho, although they owe them nothing. That is what it means. And the illustrations might be multiplied a thousandfold.

The framing of a protective tariff is not a question of revenue. As I said yesterday, the title of this bill ought to be changed. It is not a bill to raise revenue. It is a bill to settle the sum which shall be extorted from the people of the United States engaged in certain vocations other than those most directly interested, and which shall be given to them without consideration to sustain them in their private business which they come here and say they can not maintain unless somebody is compelled to come forward and to contribute money to help their support.

As I said yesterday, the monstrosity of this is not realized by the people of the United States. The Senator from Massachusetts [Mr. LODGE] says there are thirty-odd million people either directly themselves engaged or dependent upon the business of manufactures concerned in the protective tariff. In round numbers, that is one-third of the people of the United States.

Mr. LODGE. Those are the figures for 1900.

Mr. BACON. Very well; we will accept them. Relatively, they are the same. There have been increases in other departments in the same proportion. So it makes no difference about that.

Mr. LODGE. But they were more than a third of the total.

Mr. BACON. A little over a third. I will call it a half, if you want—if the Senator desires.

Mr. LODGE. I do not want you to call it anything.

Mr. BACON. I say, if the Senator desires.

Mr. LODGE. I want the Senator to be accurate.

Mr. BACON. Suppose it is a half, or anything like it. Upon what possible grounds can it be defended that those engaged in an industry embracing only one-half of the people shall have a tax levied upon the other half, in order that the product of their labor may be supplemented by subtracting from the profit of other men's labors?

As I said——

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me for a moment, I will be through directly.

Mr. ALDRICH. I want to ask the Senator a question.

Mr. BACON. Not now. I understand the tactics of the honorable Senator from Rhode Island very well. I have seen them all through this debate, and I decline to yield to him now. But I shall not dodge it. I will stand on the floor, and the Senator can ask me anything he wants when I get through.

I said that the monstrosity of this proposition can scarcely be realized and is not realized by the people of the United States, but I thank God the time is coming when the people of the United States will realize it and appreciate it and know it. As I said yesterday, we have two classes of taxes to be gathered under the protective policy, one of them the class of taxes gathered at the ports by the officers of the Government, and the money there gathered goes into the Treasury of the United States, and we all get the benefit of it. The other class of tax collectors is found in every store in the United States. Every clerk in every city, in every village in the United States, is a tax collector to gather up these $2,000,000,000 of which I spoke yesterday, this annual tribute; and I want to say that that was an underestimate. It is an estimate which can not be uniform, because it depends upon the class and rate of tariff and the particular articles which may be the more heavily taxed.

But, as I was saying when I was diverted, in every store in the United States, in every great department store, in every lesser store, in every shop, behind every counter, stands a clerk—10,000,000 clerks, I suppose; certainly millions, if not 10,000,000—and every time a clerk sells an article across the counter he receives the value of the goods, and an additional amount to be sent as a gratuitous contribution to those who are the beneficiaries of the protective tariff. The purchaser pays the value of the article, and then, in every instance, pays an additional amount to be sent to the protected producer of the article.

I say, sir, when the monstrosity of that fact is well understood by the people of the United States, when the hardness of the times, which makes it difficult for men to make enough to support themselves in comfort, brings them to a realization of it, then I do not believe they will tolerate it.

Mr. President, think of it for a minute. A man goes forth from his home in the morning to toil, to make that which is to support his wife and his children—whether it be the toil of muscle or of brain, or whether it be in the country or city, makes no difference. He comes back at night with a consciousness of what he has done in his capacity as husband and father for the support and comfort of those who are dependent upon him. When he looks around and thinks, "I have done my duty to-day, and I have by my toil made so much," there must come to him the distressing reflection that of that which he has thus made, all shall not go to those whom he loves, but that a large portion of it has to go in this tax, paid through these innumerable and involuntary tax collectors, these merchants and clerks in stores, for the benefit of men whom he never saw, for the benefit of men to whom he owes nothing, and for the benefit of men who have no claim upon him.

But, Mr. President, that is, of course, clear beyond what I rose to say. The Senator from Massachusetts particularly addressed himself to me and to what I had said. If he had stopped there, I should have said nothing, but when the Senator went on to speak of the South, and to exploit his views of the causes which lead to its great disaster, I may be excused if I fail to sit silent and say nothing.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. FRYE. Can we not have an executive session?

Mr. ALDRICH. Certainly; if the Senator desires one.

Mr. FRYE. I should like to have one for a few moments.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, May 10, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 8, 1909.

ASSOCIATE JUSTICES OF THE SUPREME COURT OF ARIZONA.

Ernest W. Lewis, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Frederick S. Nave, resigned.

Edward M. Doe, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Richard E. Sloan, resigned.

UNITED STATES DISTRICT JUDGES.

William I. Grubb, of Alabama, to be United States district judge for the northern district of Alabama, vice Oscar R. Hundley, now serving under a recess appointment.

Charles A. Willard, of Minnesota, to be United States district judge for the district of Minnesota, vice William Lochren, resigned.

George Donworth, of Washington, to be United States district judge for the western district of Washington. An original vacancy provided by the act approved March 2, 1909 (Public, No. 300).

PROMOTIONS IN THE NAVY.

Second Lieut. William F. Bevan to be a first lieutenant in the United States Marine Corps from the 16th day of January, 1909, vice First Lieut. Daniel W. B. Blake, promoted.

Second Lieut. John Potts to be a first lieutenant in the United States Marine Corps from the 31st day of January, 1909, vice First Lieut. Russell B. Putnam, appointed a captain and assistant quartermaster in the Marine Corps.

POSTMASTER.

Thomas J. Akins to be postmaster at St. Louis, in the State of Missouri, in place of Frank Wyman. Incumbent's commission expired November 17, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 8, 1909.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

Cornelius C. Billings to be First Assistant Commissioner of Patents.

ASSISTANT COMMISSIONER OF PATENTS.

Frederick A. Tennant to be Assistant Commissioner of Patents.

POSTMASTERS.

IDAHO.

Alfred J. Dunn, at Wallace, Idaho.

OHIO.

William D. Archer, at Pleasant City, Ohio.

WITHDRAWAL.

Executive nomination withdrawn from the Senate May 8, 1909.

Ernest W. Lewis, of Arizona, to be associate justice of the supreme court of the Territory of Arizona, vice Richard E. Sloan, resigned.

SENATE.

MONDAY, *May 10, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

DISCRIMINATIONS AND MONOPOLIES IN COAL AND OIL.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a report of the investigation by the Interstate Commerce Commission into the subject of railroad discriminations and monopolies in coal and oil (S. Doc. No. 39), which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress in regard to international peace.

Whereas the progress of industry and the happiness and prosperity of the people of all countries depends upon the maintenance of peace among the nations of the world; and

Whereas international wars have resulted usually from jealousies due in a large degree to mutual misunderstandings which could have been made clear by conferences and investigations; and

Whereas it would promote the progress of peace in international relations to have a parliamentary union at stated intervals, composed of delegates from all nations; and

Whereas the friendly relations existing between the United States and all nations make it peculiarly fitting that the proposal should come from this country: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate proceedings to invite the nations of the world to send delegates to an interparliamentary union for the purpose of discussing and establishing a system of international arbitration and investigation of disputes between nations and to arrange for a permanent interparliamentary union at stated intervals; and be it further

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.
JOHN STRANGE,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. E. ANDREWS,
Chief Clerk of the Senate.

The VICE-PRESIDENT presented a petition of sundry citizens of Chicago, Ill., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of the Commercial Exchange of Philadelphia, Pa., praying for the ratification of a reciprocity treaty with Canada by which all the products of that country shall be given entry into the United States upon payment of tariff duties not exceeding the duties charged by the government of the Dominion of Canada upon similar articles that are the products of the United States, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, Ohio, Pennsylvania, New Mexico, Wyoming, Delaware, South Carolina, North Dakota, Kentucky, and Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. KEAN presented a petition of sundry manufacturers of pen and pocket knives, of Sumerr and Newark, N. J., praying for the retention of the proposed duty on imported knives or erasers, which was ordered to lie on the table.

He also presented a petition of sundry shoe manufacturers, of Newark, N. J., praying for the repeal of the duty on hides, which was ordered to lie on the table.

He also presented a petition of Mickleton Grange, No. 111, Patrons of Husbandry, of Swedesboro, N. J., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 3, Cigar Makers' International Union of America, of Paterson, N. J., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2297) amending sections 2307 and 2308, Revised Statutes, United States—additional homestead; to the Committee on Public Lands.

A bill (S. 2298) granting an increase of pension to Wesley Coppock; to the Committee on Pensions.

By Mr. GUGGENHEIM:

A bill (S. 2299) authorizing the appointment of M. J. Hogarty, captain, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army (with the accompanying papers); to the Committee on Military Affairs.

A bill (S. 2300) granting an increase of pension to Franklin Stauter;

A bill (S. 2301) granting a pension to Mary Bell;

A bill (S. 2302) granting an increase of pension to Cassius B. Kimball;

A bill (S. 2303) to increase the pensions of certain persons now on the pension rolls under the general laws; and

A bill (S. 2304) granting an increase of pension to Charles W. Eaton (with the accompanying papers); to the Committee on Pensions.

By Mr. KEAN:

A bill (S. 2305) granting an increase of pension to George B. Van Pelt (with the accompanying papers); to the Committee on Pensions.

AMENDMENT TO THE TARIFF BILL.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

AFFAIRS IN PORTO RICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 40), which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

To the Senate and House of Representatives:

An emergency has arisen in Porto Rico which makes it necessary for me to invite the attention of the Congress to the affairs of that island and to recommend legislation at the present extra session amending the act under which the island is governed.

The regular session of the legislative assembly of Porto Rico adjourned March 11 last without passing the usual appropriation bills. A special session of the assembly was at once convened by the governor, but after three days, on March 16, it again adjourned without making the appropriations. This leaves the island government without provision for its support after June 30 next. The situation presented is therefore of unusual gravity.

The present government of Porto Rico was established by what is known as the Foraker Act, passed April 12, 1900, and taking effect May 1, 1900. Under that act the chief executive is a governor appointed by the President and confirmed by the Senate. A secretary, attorney-general, treasurer, auditor, commissioner of the interior, and commissioner of education, together with five other appointees of the President, constitute the executive council. The executive council must have in its membership not less than five native Porto Ricans. The legislative power is vested in the legislative assembly, which has two coordinate branches. The first of these is the executive council just described, and the second is the house of delegates, a popular and representative body with members elected by the qualified electors of the seven districts into which the island is divided.

The statute directing how the expenses of government are to be provided leaves some doubt whether this function is not com-

mitted solely to the executive council; but in practice the legislative assembly has made appropriations for all the expenses other than for salaries fixed by Congress; and it is too late to reverse that construction.

Ever since the institution of the present assembly, the house of delegates has uniformly held up the appropriation bills until the last minute of the regular session, and has sought to use the power to do so as a means of compelling the concurrence of the executive council in legislation which the house desired.

In the last regular legislative assembly the house of delegates passed a bill dividing the island into several counties and providing county governments; a bill to establish manual-training schools, a bill for the establishment of an agricultural bank, a bill providing that vacancies in the offices of mayors and councilmen be filled by a vote of the municipal councils instead of by the governor, and a bill putting in the control of the largest taxpayers in each municipal district the selection in great part of the assessors of property.

The executive council declined to concur in these bills; it objected to the agricultural bank bill on the ground that the revenues of the island were not sufficient to carry out the plan proposed, and to the manual training school bill because in plain violation of the Foraker Act. It objected to the change in the law concerning the appraisement of property on the ground that the law was intended to put too much power in respect of the appraisement of property for taxation in the hands of those having the most property to tax. The chief issue was a bill making all the judges in municipalities elective. Under previous legislation there are 26 municipal judges who are elected to office. By this bill it was proposed to increase the elective judges from 26 to 66 in number and at the same time to abolish the justices of the peace. The change was objected to on the ground that the election of municipal judges had already interfered with the efficient and impartial administration of justice, had made the judges all of one political faith, and a mere political instrument in the hands of the central committee of the Unionist or dominant party. The attitude of the executive council in refusing to pass these bills led the house of delegates to refuse to pass the necessary appropriation bills.

The facts recited demonstrate the willingness of the representatives of the people in the house of delegates to subvert the government in order to secure the passage of certain legislation. The question whether the proposed legislation should be enacted into law was left by the fundamental act to the joint action of the executive council and the house of delegates as the legislative assembly. The house of delegates proposes itself to secure this legislation without respect to the opposition of the executive council, or else to pull down the whole government. This spirit, which has been growing from year to year in Porto Rico, shows that too great power has been vested in the house of delegates and that its members are not sufficiently alive to their oath-taken responsibility for the maintenance of the government to justify Congress in further reposing in them absolute power to withhold appropriations necessary for the government's life.

For these reasons I recommend an amendment to the Foraker Act, providing that whenever the legislative assembly shall adjourn without making the appropriations necessary to carry on the government sums equal to the appropriations made in the previous year for the respective purposes shall be available from the current revenues and shall be drawn by the warrant of the auditor on the treasurer and countersigned by the governor. Such a provision applies to the legislatures of the Philippines and Hawaii, and it has prevented in those two countries any misuse of the power of appropriation.

The house of delegates sent a committee of three to Washington, while the executive council was represented by the secretary and a committee consisting of the attorney-general and the auditor. I referred both committees to the Secretary of the Interior, whose report, with a letter from Governor Post and the written statements of both committees, accompanies this message.

I have had one personal interview with the committee representing the house of delegates and suggested to them that if the house of delegates would pass the appropriation bill without insisting upon the passage of the other bills by the executive council I would send a representative of the Government to Porto Rico to make an investigation and report in respect to the proposed legislation. Their answer, which shows them not to be in a compromising mood, was as follows:

If the legislative assembly of Porto Rico would be called to an extraordinary session exclusively to pass an appropriation bill, taking into consideration the state of affairs down the island and the high dissatisfaction produced by the intolerant attitude of the executive council, and also taking into consideration the absolute resistance of the house to do any act against its own dignity and the dignity of the country, it is the opinion of these commissioners that no agreement would be attained unless the council feel disposed to accept the amendments of the house of delegates.

However, if in the proclamation calling for an extraordinary session the judicial and municipal reforms would be mentioned, and if the executive council would accept that the present justices of the peace be abolished and municipal judges created in every municipality, and that vacancies occurring in mayorships and judgeships be filled by the municipal councils, as provided in the so-called "municipal bills" passed by the house in its last session, then the commissioners believe that the appropriation bills will be passed in the house as introduced in the council without delay.

Porto Rico has been the favored daughter of the United States. The sovereignty of the island in 1899 passed to the United States with the full consent of the people of the island.

Under the law all the customs and internal-revenue taxes are turned into the treasury of Porto Rico for the maintenance of the island government, while the United States pays out of its own Treasury the cost of the local army, i. e., a full Porto Rican regiment, the revenue vessels, the light-house service, the coast surveys, the harbor improvements, the marine-hospital support, the post-office deficit, the weather bureau, and the upkeep of the agricultural experiment stations.

Very soon after the change of sovereignty a cyclone destroyed a large part of Porto Rican coffee culture; $200,000 was expended from the United States Treasury to buy rations for those left in distress. The island is policed by 700 men and complete tranquillity reigns.

Before American control 87 per cent of the Porto Ricans were unable to read or write, and there was not in this island, containing a million people, a single building constructed for public instruction, while the enrollment of pupils in such schools as there were—551 in number—was but 21,000. To-day in the island there are 160 such buildings, and the enrollment of pupils in 2,400 schools has reached the number of 87,000. The year before American sovereignty there was expended $35,000 in gold for public education. Under the present government there is expended for this purpose a total of a million dollars a year.

When the Americans took control there were 172 miles of macadamized road. Since then there have been constructed 452 miles more, mostly in the mountains, making in all now a total of 624 miles of finely planned and admirably constructed macadamized roads—as good roads as there are in the world.

In the course of the administration of this island, the United States medical authorities discovered a disease of tropical anæmia which was epidemic and was produced by a microbe called the "hook worm." It so much impaired the energy of those who suffered from it, and so often led to complete prostration and death, that it became necessary to undertake its cure by widespread governmental effort. I am glad to say that 250,000 natives, or one-fourth of the entire population, have been treated at government expense, and the effect has been much to reduce the extent and severity of the disease, and to bring it under control. Substantially every person in the island has been vaccinated, and smallpox has practically disapppeared.

There is complete free trade between Porto Rico and the United States, and all customs duties collected in the United States on Porto Rican products subsequent to the date of Spanish evacuation, amounting to nearly $3,000,000, have been refunded to the island treasury. The loss to the revenues of the United States from the free admission of Porto Rican products is $15,000,000 annually. The wealth of the island is directly dependent upon the cultivation of the soil to cane, tobacco, coffee, and fruit, for which we in America provide the market. Without our fostering benevolence the business of Porto Rico would be as prostrate as are some of the neighboring West Indian Islands. Before American control, the trade balance against the island was over $12,500,000, while the present balance of trade in favor of the island is $2,500,000. The total of exports and imports has increased from about $22,000,000 before American sovereignty to $56,000,000 at the present day. At the date of the American occupation the estimated value of all agricultural land was about $30,000,000. Now the appraised value of the real property in the island reaches $100,000,000. The expenses of government before American control were $2,969,000, while the receipts were $3,644,000. For the year 1906 the receipts were $4,250,000, and the expenditure was $4,084,000. Of the civil servants in the central government, 343 are Americans and 2,548 are native Porto Ricans. There never was a time in the history of the island when the average prosperity of the Porto Rican has been higher, when his opportunity has been greater, when his liberty of thought and action was more secure.

Representatives of the house of delegates insist in their appeals to Congress and to the public that, from the standpoint of a free people, the Porto Ricans are now subjected under American control to political oppression and to a much less liberal government than under that of Spain. To prove this

they refer to the provisions of a royal decree of 1897, promulgated in November of that year. The decree related to the government of Porto Rico and Cuba and was undoubtedly a great step forward in granting a certain sort of autonomy to the people of the two islands. The war followed within a few months after its promulgation, and it is impossible to say what its practical operation would have been. It was a tentative arrangement, revocable at the pleasure of the Crown, and had in its provisions authority for the governor-general to suspend all of the laws of the legislature of the islands until approved or disapproved at home, and to suspend at will all constitutional guaranties of life, liberty, and property supposed to be the basis of civil liberty and free institutions. The insular legislature had no power to enact new laws or to amend existing laws governing property rights or the life and liberty of the people. The jurisdiction to pass these remained in the hands of the National Cortes and included the mass of code laws governing the descent and distribution and transfer of property and contracts and torts, land laws, notarial laws, laws of waters and mines, penal statutes, civil, criminal, and administrative procedure, organic laws of the municipalities, election laws, the code of commerce, and so forth. In contrast with this, under its present form of government, the island legislature possesses practically all the powers of an American commonwealth, and the constitutional guaranties of its inhabitants, instead of being subject to suspension by executive discretion, are absolutely guaranteed by act of Congress. The great body of substantive law now in force in the island, political, civil, and criminal code, codes of political, civil, and criminal procedure, the revenue, municipal, electoral, franchise, educational, police and public works laws, and the like, has been enacted by the people of the island themselves, as no law can be put upon the statute books unless it has received the approval of the representative lower house of the legislature. In no single case has the Congress of the United States intervened to annul or control acts of the legislative assembly. For the first time in the history of Porto Rico the island is living under laws enacted by its own legislature.

It is idle, however, to compare political power of the Porto Ricans under the royal decree of 1897, when their capacity to exercise it with benefit to themselves was never, in fact, tested, with that which they have under the Foraker Act. The question we have before us is whether their course since the adoption of the Foraker Act does not show the necessity for withholding from them the absolute power given by that act to the legislative assembly over appropriations, when the house of delegates as a coordinate branch of that assembly shows itself willing and anxious to use such absolute power, not to support and maintain the government, but to render it helpless. If the Porto Ricans desire a change in the form of the Foraker Act, this is a matter for congressional consideration dependent on the effect of such a change on the real political progress in the island. Such a change should be sought in an orderly way, and not brought to the attention of Congress by paralyzing the arm of the existing government. I do not doubt that the terms of the existing fundamental act might be improved, certainly in qualifying some of its provisions as to the respective jurisdictions of the executive council and the legislative assembly; and I suggest to Congress the wisdom of submitting to the appropriate committees this question of revision. But no action of this kind should be begun until after, by special amendment of the Foraker Act, the absolute power of appropriation is taken away from those who have shown themselves too irresponsible to enjoy it.

In the desire of certain of their leaders for political power, Porto Ricans have forgotten the generosity of the United States in its dealings with them. This should not be an occasion for surprise, nor in dealing with a whole people can it be made the basis of a charge of ingratitude. When we, with the consent of the people of Porto Rico, assumed guardianship over them and the guidance of their destinies, we must have been conscious that a people that had enjoyed so little opportunity for education could not be expected safely for themselves to exercise the full power of self-government; and the present development is only an indication that we have gone somewhat too fast in the extension of political power to them for their own good.

The change recommended may not immediately convince those controlling the house of delegates of the mistake they have made in the extremity to which they have been willing to resort for political purposes, but in the long run it will secure more careful and responsible exercise of the power they have.

There is not the slightest evidence that there has been on the part of the governor or of any member of the executive council a disposition to usurp authority, or to withhold approval of such legislation as was for the best interests of the island, or a lack of sympathy with the best aspirations of the Porto Rican people.

WM. H. TAFT.

THE WHITE HOUSE, *May 10, 1909.*

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the bill on the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. HALE. I think, as there may be important votes taken, we should have a quorum present.

The VICE-PRESIDENT. The Senator from Maine suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Bacon	Clay	Hale	Piles
Beveridge	Crane	Heyburn	Rayner
Bradley	Crawford	Hughes	Root
Briggs	Cullom	Johnston, Ala.	Scott
Bristow	Cummins	Jones	Shively
Brown	Curtis	Kean	Smith, S. C.
Bulkeley	Depew	La Follette	Smoot
Burkett	Dick	Lodge	Stephenson
Burnham	Dolliver	McLaurin	Stone
Burrows	Fletcher	Nelson	Sutherland
Burton	Flint	Oliver	Taliaferro
Chamberlain	Frye	Page	Taylor
Clapp	Gallinger	Payntor	Warner
Clark, Wyo.	Gamble	Penrose	
Clarke, Ark.	Guggenheim	Perkins	

The VICE-PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum is present. The Secretary will state the pending amendment

The SECRETARY. The pending amendment is on page 60, paragraph 180. The committee proposes to strike out paragraph 180 in the following words: "180. Lead in sheets, pipe, shot, glaziers' lead, and lead wire, 1½ cents per pound," and to insert a new paragraph 180, as follows:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 2¼ cents per pound; lead in sheets, pipe, shot, glaziers' lead, and lead wire, 2¼ cents per pound.

Mr. HEYBURN. Mr. President——

Mr. BEVERIDGE. Will the Senator yield to me?

Mr. HEYBURN. I yield to the Senator from Indiana.

Mr. BEVERIDGE. On Saturday the Senator from Montana [Mr. CARTER] submitted some observations to the Senate on the vast extent of information which the Senate has. Of course the Senate understood the speech very well. It did not have any misapprehension, I think; but that the country may not, I send to the clerk's desk and ask to have read the following paragraph.

The VICE-PRESIDENT. Without objection, the paragraph will be read.

The SECRETARY. CONGRESSIONAL RECORD, April 30, page 1640:

As a foundation for a perfect protective system in this country, we ought to be armed with full information as to comparative cost of production of every article without and within this country. For the most part we have not such facts before us. I presume if one would go through the eight or ten thousand pages of House hearings he could pick up considerable along that line. But nothing is presented to us in an orderly, logical, or accurate manner upon this most important subject. As I am forced to act without the information which I would like to have to aid me in the duty of fixing rates, I feel more than ever the necessity of some commission or bureau whose duty it shall be to ascertain these facts every year and keep Congress informed upon them. I do not think we need a commission to pass judgment on what we should do. Congress is charged with the duty of exercising the judgment. We should have a commission or bureau to furnish the facts upon which the judgment could be based.

Mr. HALE. What is the Secretary reading from?

Mr. BEVERIDGE. I am going to explain to the Senate what the Secretary is reading from.

The VICE-PRESIDENT. From the CONGRESSIONAL RECORD——

Mr. HALE. I desire before the explanation to know what the Secretary is reading from.

Mr. BEVERIDGE. From the speech of Hon. PORTER J. MCCUMBER, Senator from North Dakota, a member of the Finance Committee.

Mr. HALE. It had not yet been stated.

Mr. BEVERIDGE. It was a speech made on this floor, and when I hear the statement made here——

Mr. HALE. I wanted to have it stated where the Secretary was reading from. The Senator does not need to state it to me, because it has been stated.

Mr. BEVERIDGE. I do state it again.

Mr. President, this utterance, and I do not intend to comment at all upon it, is the deliberate expression of a member of the Finance Committee.

But with the indulgence of the Senator from Idaho I send to the desk to have read one sentence——

Mr. HALE. From whom?

Mr. BEVERIDGE. This excerpt is the statement of the chairman of the Finance Committee of the Senate, and it contains two sentences.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

Mr. BEVERIDGE. I shall be glad to have it read.

The VICE-PRESIDENT. The Secretary will state the page.

The SECRETARY. CONGRESSIONAL RECORD, May 4, 1909, page 1719:

Mr. President, I have no knowledge whatever of anything that transpired before the Committee on Ways and Means. I have never read the hearings before that body. I have no knowledge or idea about any statement that was made before that committee.

Mr. ALDRICH. Mr. President——

Mr. HEYBURN. Mr. President, I will have to let comment be reserved for some future time.

Mr. ALDRICH. That special remark which the Secretary has read was in regard to the duty on orange mineral, which I had not read. I had no idea of making any such statement, because I have——

Mr. BEVERIDGE. I will state to the Senator the only object I had was to quote statements from members of the Finance Committee a paragraph long, so that the country may understand, as I think the Senate does, the very eloquent speech of the Senator from Montana. I merely submit this and ask that it may go to the country; that is all.

Mr. ALDRICH. If the Senator means to intimate to the country that I am not familiar with this subject, that is all right. I have given thirty years' study to it. I, of course, have not brought to that study the ability of the Senator from Indiana, but such as I have I have brought to the consideration of this question. If the Senator will give a fraction of time and attention to this business that I have, he will serve his country and his constituents much better than he will by declaiming against everybody for lack of information.

Mr. BEVERIDGE. Mr. President, there was no criticism of the Senator from Rhode Island——

Mr. HEYBURN. Mr. President, I think Senators must defer——

Mr. BEVERIDGE. In order to answer the Senator from Montana——

The VICE-PRESIDENT. The Senator from Idaho declines to yield further.

Mr. BEVERIDGE. At least I have submitted sufficient for this morning.

The VICE-PRESIDENT. The Senator from Idaho declines to yield further.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. The Senator from Idaho declines to yield further.

Mr. HEYBURN. I think, it being largely a question of personal statement, it should be deferred.

The VICE-PRESIDENT. The Senator declines to yield further.

Mr. HEYBURN. Mr. President, I think we, perhaps, sometimes enact legislation that does not completely meet the requirements of the occasion for want of accurate information. That is perhaps the fault of no one, and yet the fault of all who participate in it. I have listened with very much interest to the discussion of this lead question by certain Senators, and I have been impressed with the idea that if they knew more of the subject in its details they would perhaps have arrived at other conclusions than those which they expressed. I do not say that as a reflection upon either the industry or the intelligence of any Senator. It is a condition that is frequently applicable in all walks of life, public and private.

The question has been discussed from the supposititious standpoint that ore is lying loose in or on the ground, and that you go out and the cost of mining consists in picking it up and putting it in sacks or transporting it to the mill. I think it might be practicable to give some specific facts in regard to this matter. There are not two mines in the United States that are similar in all particulars. There are not two mines in the United States from which ore may be uniformly extracted at a uniform price. There are not two months in the year when any mine in the United States represents the same condition of expense as to the extraction or as to the quantity extracted or the terms and conditions under which it is extracted. It changes with every day in the year.

Bear in mind that when we speak of these mines no one man is interested in or profits by the conditions in his neighbor's mine, and because the conditions at a certain mine may be such that a very large and inordinate profit is reached from the conditions under which the ore is mined to-day or at any time, yet the neighboring mine is the victim or the subject of a differing condition that has no application and derives no benefit whatever from the first mine.

A few mines in the world have commenced to pay from the time of discovery, but so few that they are scarcely worth taking into consideration. Ordinarily it requires the expenditure—and I am now speaking of lead mines—of a large amount of money before any returns come to the party mining. Hundreds of thousands of dollars are necessary, and then when you find the ore it is not a mining proposition at once. You must put it in such a shape that it can be mined to advantage—that is, at a profit. To sink a shaft down in the earth and strike solid galena ore does not mean that you have a mine ready for production. In the first place, you must sink the shaft down or run a drift for mining works of some kind until you have the ore in such a shape that you can take it out to advantage. Then, when you take it out, it is not all ore.

The greater part of the substance extracted from the mines is waste. It costs just as much to break a ton of waste and take it out as it does to break a ton of ore and take it out. The wages and the expense of breaking the ton of waste must be charged against the total ore output.

Then again, you strike a rich body of ore and extract it and you find you have exhausted the ore immediately available. You go to work to find another ore bank and you extend all you took out of the first one and perhaps more before you find another one.

Ore does not ever lie solid in veins. Ore is found in veins, but it does not constitute all the veins. Ordinarily it lies in pipes within the veins or in the shape of bonanzas within the veins. Sometimes there is nothing to connect these ore bodies of value except little stringers, sometimes nothing at all. I have known many mines where after having exhausted one ore body they would run hundreds or thousands of feet to find another. Nobody ever mines ore by lifting it up. Ore must be stoped down. You must get under it and then break it down, and then raise it or haul it to the surface.

I thought it might be instructive to bring a piece of ore or two into the Hall this morning, in order that those not familiar with it may know something of it. There is a piece of lead ore [exhibiting] from one of the prominent mines in Idaho. It looks very rich. It is a very enticing piece of galena. But that ore could not be smelted in the condition in which it is here presented. It must be concentrated. That piece of ore will concentrate 3 tons of crude ore into 1 ton of ore ready for the smelter. It contains about 40 per cent lead. It happens to be rich in silver. It contains about 55 ounces in silver to the ton. If any Senator desires to see it more closely, I will send it by a page or he can send a page for it, but it illustrates the proposition I have made—that what is mined is not ore, and that when you say the wages of two men amount to $8 a day, and if they mine 2 tons then it costs only $4 a ton to mine it, your calculation is wrong, because the thing they have mined was not the ore ready for the smelter, but it was crude ore.

Now, that is an exceptionally high-grade piece of ore. The majority of the ore in the camp is in such a shape that it takes from 8 to 10 tons of ore to concentrate into 1 ton of ore. We call that product "concentrate." It varies in every mine and in every stope of every mine and in every day's work in every mine.

So you can not make a hard and fast rule, such as that demonstrated by the figures of the Senator from Kansas the other day in determining the exact cost of producing ore, and you can not take up the question as one of averages of all the ore, because, as I said, one man may prosper and another starve to death. I have in mind a mine in our own camp that produces a million dollars and does not concentrate a ton of it. It comes out of the ground rich enough to ship and make a profit of perhaps a million or a million and a quarter of dollars a year to the owner. There is no such mine elsewhere in the world that I have ever heard of.

You can not estimate the equities of this case upon the basis of that mine. I know of another mine close by it where the profit to the owner is only $1.80 a ton. I know of a mine in which one stope shipped clean ore that needed no concentrating, and the next stope required 7 tons to be concentrated into 1.

I have here another piece of ore [exhibiting] of a different character, a very much richer ore than the other one, although perhaps no one would suspect it by looking at it. It contains about 120 ounces of silver to the ton, about 8 per cent lead, and about $9 in copper. But that ore could not be treated by any known process without concentrating. The base of it is gangue, as we call it—I mean carbonate of iron—which is by far the greater proportion of it. It is an interesting specimen of ore, but it would not do to legislate upon the basis of that piece of ore, because right near that property is one that had to close down during the time when the duty on lead and ore was just half what it is now; it could not work at all because it did not make money enough to pay the running expenses.

That is the way it is all through that country, and that which is true of that country is true of other mineral countries. So we must not be led away by the idea that we can average and balance all these things, to do which is to starve one man to death while another man may perhaps live and make money.

A little practical experience demonstrates the truth of this statement. At the time the duty on lead was cut in two that which is now the second largest mine in Idaho closed down because it reduced the price of lead from 4½ to 2½, and the mine could not work at 2½. Yet under the present duties that mine works and produces perhaps from two million to two million and a quarter in value of ore in a year. It can do it only because lead is 4 cents or upward. It will close when lead goes below $3.75—they say below $4, but I will be liberal in my estimate. Now, if you close that mine down, you will throw a thousand or twelve hundred men out of employment at the mine. That is what they did. I do not have to guess or prophesy about it.

We do not have to guess or prophesy as to the effect of reducing the tariff on lead or lead ore. We know from experience what the result will be. The great Morning mine, with its great concentrator, stopped and stood still during the time when lead bore the duty of one-half of that which it bears to-day, and if you reduce it the same condition will result naturally. There is no use in presenting theory and argument against conditions of this kind.

If all the ore that was mined was ready for shipment, you could see that so many men working so many hours produce a ton of ore and that the ore is worth so much. In the first place, you have got to prepare for extracting this ore. Take the great Bunker Hill mine. It run a tunnel that was 7 feet high, if my recollection is accurate, and I think it is, and 8½ feet wide for 2 miles, and it spent a couple of million dollars in doing it.

It was absolutely necessary, because they had reached a depth beyond or below which they could not go with shafts, and they had to go down 2 miles away and start a tunnel. That is chargeable properly against the ore that comes out of the mine.

A mine when it is worked out is no longer of any value. Worked-out mines, having all the ore that would be available taken out of them, are of no value. They are not like a wheat field, they are not like an ordinary commodity, because the working of them is the exhaustion of them. The profits that you derive from them from year to year is merely a partial payment on the mine.

When this ore is taken out of the mine, the average, I may say, is 7 tons of crude ore to 1 ton of concentrates. In other words, it cost $7.71 a ton to produce the crude ore in the Coeur d'Alene camp last year; and I use that because the Coeur d'Alene camp produces practically one-third of the lead of the United States, and it is all within one county—the county in which I live. I took the gross product of tons, and I took the wages paid actually—not theoretically or speculatively—and I divided them for the purpose of determining how much wages it required to produce a ton of crude ore. I find that the result is $7.71 a ton.

Now, if you have to mine 7 tons of crude ore to get 1 ton of concentrates, you have got to multiply $7.71 by 7. Who, in the discussion of this question, has taken that fact into consideration? The witnesses who gave evidence before the House committee seem to have referred always to a ton of ore that needed no concentration.

They took into account nothing of the preliminary expense of preparing the mine and preparing the ore for extraction, and it made a comparatively favorable showing to their contention. But I want to show it up in its true light. You have mined 7 tons of crude ore in order to get one of concentrates, and you have 7 times $7.71, in round figures, $50 for mining, for producing, I may say, 1 ton of what? Concentrates. It is not ore yet; it is concentrates, containing 1,200 pounds of lead to the ton, provided they are 60 per cent, and that is about the average.

So you have 800 pounds of waste in the concentrates which you have to pay freight on, which you have to accept as a basis for deduction, and which you have to pass through all the expensive treatment incident to the treatment of the ore. You send those concentrates to the smelter.

The cost of ore quits with the production of the concentrates. It is the first time you can call it a ton of ore, when it is in the shape of concentrates, and for that the cost made for mining is $50 a ton. When you take it to the smelter you commence a new series of charges. You have the ore in the ore, in the bin, or on the dump, the result of this concentration. Now, what next? It must be taken to the smelter for the purpose of extracting the waste and reducing the ore to something else, which is the bullion, the thing we are dealing with in this schedule.

The first expense that we know on our settlement sheets is one item—it is not separated—freight and treatment, $19 a ton. That is $19 a ton on this product, which is only 1,200 pounds lead and 800 pounds waste. You have to pay freight on the waste.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I did not understand what the $19 represented.

Mr. HEYBURN. Freight and treatment by the smelter. That is the language in which you will find it on the settlement sheets. Had I thought of it a little earlier I would have brought in a few sample settlement sheets to illustrate perhaps more accurately exactly how these settlements are made.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. I should like to ask the Senator from Idaho this question: The $19 a ton to which the Senator has just referred includes the freight from the mine to the smelter?

Mr. HEYBURN. To the smelter or concentrator.

Mr. CUMMINS. And includes also the freight upon the bullion or pig lead from the smelter to New York?

Mr. HEYBURN. No; I will explain that. I know what the Senator refers to. The smelter deducts, first, 10 per cent from the value of the lead that is shown to be in the concentrates after they are smelted. They do that as tare, just as the old merchants deducted for tare—that is, for the accidents of business. Men claim and charge that it is to pay the freight on the bullion to the refining works, but that is a theory. They deduct it; and if they refined it in their own building where they smelt it, they would still deduct it. So it is only a theory that they deduct it for the purpose of paying freight on the bullion to the refining works. I am speaking from practical experience and not from the testimony of anybody, because I have gone through this testimony, and it is in every instance imperfect. It only tells a part of the story, and I am going to tell you all, I hope, briefly.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Iowa?

Mr. CUMMINS. If I do not interrupt the Senator from Idaho, I should like to ask him another question.

Mr. HEYBURN. Certainly.

Mr. CUMMINS. I have been guided only by the showing made before the Ways and Means Committee of the House. Is it not true that when a mine owner takes his concentrate to the smelter he receives pay at once for all the mining or all his concentrates?

Mr. HEYBURN. I can tell the process exactly.

Mr. CUMMINS. Let me ask another question.

Mr. HEYBURN. Certainly.

Mr. CUMMINS. And in arriving at the amount that the smelter pays the miner does he not deduct the freight on the finished product to New York?

Mr. HEYBURN. No; there is no such item.

Mr. CUMMINS. Does he not also deduct the freight upon the concentrates from the point of origin to the smelter?

Mr. HEYBURN. The first proposition is not correct. The second one, as I understand it, is correct. He deducts first freight and treatment, because he makes the contract with the railroad company for the traffic rate itself, and he adds it in one item, freight and treatment, $19 a ton.

Now, when he makes a settlement he simply says contents of ore, so many ounces in silver, so much per cent lead, so much gold perhaps, if it happens to carry gold or copper. Then he says less 10 per cent on lead. He does not say what it

is for, and if you will ask him he will generally answer you with some levity. I have had them to say it was to feed the mules. No man ever said in a serious business transaction that it was to pay the freight on bullion to the refining works.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I do.

Mr. CUMMINS. Do not understand me to suggest that a deduction of 10 per cent is to cover the freight. That deduction is supposed to cover the loss, as I gather it, of the precious metals, 10 per cent upon lead, 5 per cent upon silver and gold, that takes place in smelting or concentrating, and in reaching the bullion proper.

Mr. HEYBURN. Yes; that is another way that it is stated. It is immaterial how it is stated. The mere fact is the important question because that represents the dollars and cents which the man receives.

Mr. CUMMINS. Just one more question. In what way does the smelter ascertain the price of lead, so that he may know how much to pay the miner?

Mr. HEYBURN. For years we have been settling on what is known as the Western Union quotations. In other words, the Western Union Company in the city of New York gathers up the quotations from the market from actual sales. They must be based upon actual sales, and can not be based upon anything but actual sales. That goes out and establishes uniformity in prices. It is a good thing, of course.

There is another item, and a large one, which comes in between the mining and smelting, and that is the loss in concentrating. According to testimony which I participated in taking a few years ago, when the conditions were the same as now—they do not vary—we lose 20 per cent of the lead in the process of concentration. Every once in a while some man comes forward with a new invention, by which he can save all of that, or save a part of it; but the old story goes on. We find that as between the assayed value of the ore and the results which we get there is a loss of about 20 per cent. Some concentrating machinery is a little more perfect than other, and might reduce it a little, but that is the estimate, and it is a safe one. It is the one upon which men do business when they do it upon their own responsibility. So there is that loss.

This ton of ore that we have started to keep an account of is subject to these charges. The ton of ore with which the Senator from Kansas kept an account was net profit. I have shown some of the things that are charges against it in a business transaction.

Now, after you have charged these things you still have the uncertainties of mining, the question whether to-day you will have the class of ore shown by this piece of galena ore or whether you will have a piece such as I now exhibit. The difference in value between those two pieces of ore is about four to one, and you may run out of one into the other any day.

Now, I think I have said enough at least to give a general idea of the process of obtaining ore. We have got it to the smelter. The smelter is charged, say, the freight and treatment $19 a ton. I take that as an average. I have known it to be $17; I have drawn contracts for it higher; but I take that as a safe and conservative basis to estimate it.

Now, we have it at the smelter. Of course, in the expense, in addition to fuel and plant, that the smelter is obliged to incur, is to be included the supply of those materials that make the flux. It depends upon the character——

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Just a moment, and I will yield.

That expense depends upon the character of the ore. I have a piece of ore here [exhibiting], the smelting of which is done without any charge for flux, because it contains more than a certain per cent of carbonate of iron, which is necessary in the smelting of ore. You must have silica, you must have lime, and you must have iron to smelt these ores, according to the character of the ore. Those materials are all lost to the smelter. There is nothing of value which results from them at all. They are used necessarily to bring about that chemical combination that will fuse the ore; and after that, it is a question of specific gravity. Now, I will yield to the Senator from Kansas.

Mr. BRISTOW. I should like to inquire if the ore is not reduced with the concentrates before it is imported for smelting from Mexico?

Mr. HEYBURN. The record before us here on our desks shows that some of the ore is concentrated and some of it is shipped crude. We ship a great deal of crude ore. I have given you the average figures of crude ores—that is, ores that require concentration and ores that do not. We have one mine, as I say, that pays over a million dollars a year, and that has always shipped its ores as it takes them out of the ground. It is a phenomenal mine.

Mr. BRISTOW. But the ore that is mined in Mexico requires the same kind of smelting and concentration as that which is mined in the United States, does it not?

Mr. HEYBURN. I admit that it does; but I will give the Senator some figures on that ore in Mexico. You can mine a ton of ore there for $17.99, as against $53.97 in this country. That is the difference between Mexico and this country; and I have an actual instance of figures. In the United States we mine crude ore that will produce by reduction 7 tons into 1, that will produce a ton of concentrates. The cost in the United States is $53.97, as against $17.99 in Mexico.

As to concentrating and hauling, I will give actual figures. A ton of ore in Mexico costs $4.75 to give it the treatment which in this country costs $14. You see there is less difference in that product, because, as a matter of fact, some Americans are employed at the high grade of labor connected with it.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I should like to know what the $14 expense to which the Senator referred represents in this country?

Mr. HEYBURN. It represents transportation and concentrating. I have taken the actual expenses for this. Of course you would find some below that and some above; but I have attempted fairly to get at the average that would represent a fair condition. I can give the Senator a little further information, perhaps, in regard to that.

Mr. BRISTOW. Just a moment, before the Senator does that. This $4 expense in Mexico is for concentrating, is it? What is the $14 for?

Mr. HEYBURN. For hauling it from the mine to the concentrator.

Mr. BRISTOW. The hauling from the mine to the concentrator aggregates $4 in Mexico and $14 in the United States

Mr. HEYBURN. Yes. In the first place, there is, of course, a vast expense in the erection of the concentrators. We have concentrators costing more than a million dollars. In one gulch, at the mouth of which the city in which I live is situated, there are five concentrating plants which represent a cost of over two and a half million dollars. Those concentrating plants are being worn out and have to be continually renewed. That expense must be charged against the product resulting from them.

Take the same condition in Mexico. The character of labor employed in concentrating the ore and in transporting it from the mine to the concentrator represents the difference in the expense. That is a necessary expense. Some mines can take the ore and concentrate it for a trifling sum; other mines can take it there, and take it there only by building expensive railways. The first ores that were taken from the Coeur d'Alene country were hauled 35 miles on wagons to the head of navigation on the Coeur d'Alene River, then conveyed 35 miles by boat, and then again placed upon cars and hauled 450 miles before they could be treated at all.

Of course the result was that we left in that mine or on the dump large quantities of ore that ought to have been treated and which they are now treating. I say it, without being invidious in any sense, that in our country to-day and in all other mining countries we are working over Democratic dumps of the Wilson-Gorman tariff. Ores that were not rich enough to carry away from the mine during that period are to-day being transported and worked at a profit because of the fact that there is a difference in the tariff and a difference in the prices. Lead was 2 cents a pound during those dark days, and only such mines as had a character of ore that could be worked very cheaply or that was of very high grade were operated at all. The other mines lay idle; and the rich mine could not help the idle mine, because they were owned by different persons. You will shut off labor and you will shut off the disbursement of money for this purpose just to the extent that you reduce the duty on lead, which is the product.

It has been suggested to me, "Can you stand an eighth; can you stand a sixteenth; can you stand a little reduction?" I say we can stand it at the expense of reducing the number of men employed; we can stand it at the expense of dumping hundreds of thousands of tons of ore into the waste pile that can be marketed at a profit under existing conditions, but that could not be marketed at all if you should reduce the tariff. Every reduction of a cent—I do not care how small it is—puts somebody out of employment, and it puts some ore over the dump

that ought to go into the market and add to this commodity for which some are so solicitous.

Mr. President, that is the business side of it; and I say the testimony that was introduced before the House committee was fragmentary, and there was no complete story.

The wages paid in the lead mines in the United States in the year 1907 were $18,548,248. You can take the number of tons of ore—I do not mean the crude ore that has to be concentrated—and divide it, and you will readily see how much it costs to mine a ton of ore. The wages paid in Mexico to produce the same quantity of ore in 1907 would be $6,182,749. There is a comparison between the cost in Mexico and the cost in the United States that certainly must make an impression upon the inquiring mind. The same ore, for which wages amounting to $18,548,248 were paid in this country, would have been produced in Mexico for $6,182,749. Who would benefit by it being produced in Mexico? What wage-earner is it that we ought to take into consideration? Who would be benefited by the paying of $6,182,749 out for wages in Mexico when we ought to have paid $18,548,248 to American miners? I will give you Spain, for instance. The same product in Spain could have been mined for $9,274,124, as against the $18,548,248 paid in this country.

The object of this legislation is to keep the American laborer busy—to keep him employed. When he is idle he is not only unfruitful, but he is expensive. The law that will keep employed the largest percentage of the labor in the United States is the best law, and it is the only law that we should consider. The law that puts out of employment a single man in the United States who ought to be employed is bad to that extent. The law that would put out of employment 500,000 men can not certainly commend itself to anybody.

I will now say a word in reference to the suggestions of the Senator from Kansas [Mr. BRISTOW]. The bullion, which is the result of this labor and industry and investment and enterprise, is to be converted into paint, and a certain portion of it to be used by whom? Does the Senator from Kansas dream that it is to be used only by the farmers? There is no Senator in this body who will go further than I to shape this bill in the interest of the farmers, but I know something of the facts in regard to that matter.

The paint used upon ordinary farm buildings, in the first place, has no white lead in it. It is mineral paint. The paint used on the houses and buildings of the better class is all, or a part of it, white lead; but the farmer is perhaps to a less extent than anybody else interested in the price of white lead. If he is wise enough to use one coat of it on a building, it would last as long as five coats of mineral paint; but it is a mistaken idea to bring in a sentiment in favor of the farming community in determining so great a question as is involved in this schedule. In the first place, it is not the farmers who are clamoring for this; but it is the touters for the farmers who are wanting to make a noise, which sounds like popularity with the farmers. I naturally know something of the use of paint and the application of the paint principle to this proposition. It will not make a difference at all in the cost of paint to the farmer. There is nothing lost in transforming bullion into white lead; on the contrary, there is a slight gain. That may sound paradoxical, but it is true. It is one of those subtle laws of chemistry that has not been accurately figured out. A ton of pure pig lead will make more than a ton of white lead by the process of corroding.

Mr. President, we want to deal with this question along lines of actual experience, rather than upon some man's theory. There is always somebody ready to come in with a theory about everything that is proposed, accepting wrong premises and arriving naturally at wrong conclusions. I have been astonished at the testimony that was given before the committee of the House, but I have been more astonished at the fact that some one did not ask a few questions that would have developed the entire story.

If you reduce the duty on the result of the ores, you might just as well have left it off the ores. Of what advantage is it to bring ores into this country from foreign lands and corrode them here if you are going to throw the market wide open to the pig-lead industry from the outside? Why would a man pay duty on ore to bring it in if he could reduce it to bullion and bring it in for a much lesser duty?

We used in this country last year 245,000 tons of our own lead; we used of the lead of other countries less than 80,000 tons. The table from which the Senator from Kansas read—and I think the Senator from Georgia [Mr. BACON] used the same table a few days ago—was the table of ores imported into this country in lead. You must give credit always for that which goes out again and charge yourself with that which stays here. Forty-one thousand tons were imported in bond; 30,000 tons of it remained here in competition with our market and paid the duty; the remainder goes back again and receives the credit of the drawback. That cuts practically no figure in determining this question.

Mr. BACON. Mr. President, that, I think, is exactly the statement which I myself made when the Senator from Utah called my attention to the fact that there were larger importations than had been indicated in the figures submitted by me. The figures which I read were of ore which was imported into this country for domestic use, and the excess to which the Senator alluded represented the part of the ore which had been imported in bond for smelting with a view to exportation, upon which no duty was paid.

Mr. HEYBURN. Mr. President, I mentioned it in order to follow it with the suggestion that it is of small consequence in determining the right and the wrong of this matter.

Mr. BACON. Right on that point for information, not for controversy, I desire to ask the Senator a question. The contention, as I understand, is that the smelting can be more economically and cheaply done in other countries than here. I desire to know, for information from the Senator, who is familiar with the entire subject, why it is, if the smelting can be done more cheaply and economically in other countries, that there should be this very large importation of ore with a view to smelting it for exportation?

Mr. HEYBURN. Mr. President, it is in nearly every case a question of convenience. There are immense tracts in this country in which there is no smelter; there are great mining camps that have no smelter in their vicinity or within any reasonable distance of them; there are mines along our borders, both north and south, that have no smelters on their own side, while we have smelters on this side. The ores from the great Le Roy mine, in Rossland, are brought across to our side of the line and smelted at the Northport smelter. So the ores from Mexico that are not convenient to any possible means of reduction there come to Kansas City, and very often go to Leadville, or wherever there are any facilities for treating them. It is not every mine that has a convenient concentrator or smelter. As I have suggested, we built 35 miles of railroad to get to our first lead mine in the Coeur d'Alene country, and that had to be done by the patriotic and prophetic faith of two men. They looked at the mines—they were accustomed to estimating them—and they said, "We will try it," and they built those smelters. It turned out that the mines were profitable; so the country grew, and they were amply repaid for their faith.

Mr. BACON. The Senator will see that my inquiry was naturally suggested by the contention, which has been made with so much earnestness by Senators, that the smelting could be done more cheaply in foreign countries than it could be done here, and therefore it was necessary that there should be a differential.

Mr. HEYBURN. Of course it can be done more cheaply if you employ foreign labor.

Mr. BACON. I can not understand why some 50,000 tons of ore should be brought into this country for smelting purposes if it could be smelted more cheaply in the country from which it came.

Mr. HEYBURN. Fifty thousand tons is not much ore.

Mr. BACON. No; but still it comes in to be smelted.

Mr. HEYBURN. That is what we would call "a little jag of ore" coming in from British Columbia.

Mr. BACON. If it could be smelted more cheaply in the foreign country, it seems to me, even as to a small quantity, they would take advantage of it.

Mr. HEYBURN. It comes in because there are no facilities of treating it any nearer.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Certainly.

Mr. SUTHERLAND. I will say to the Senator from Georgia [Mr. BACON] that one reason why some ore is imported from Mexico and smelted in this country is because the people who are the owners of smelters in this country also own some mines in Mexico and also own some smelters in Mexico. In the past their smelters would not absorb the entire quantity of ore that was taken from their mines, and they shipped into this country the surplus for smelting. That was because they did not have sufficient smelting facilities in Mexico. But that is being remedied; the smelting industry is being extended in Mexico; and it is only a question of a little time until the smelters which those people own in Mexico will be able to smelt all the ore which they produce in their mines.

Mr. HEYBURN. And send it in here as bullion under a low tariff.

Mr. BACON. The Senators are both of them experts; I am not; but it appears to me to be a remarkable situation. If the ore can be smelted more cheaply in the foreign country than it can in this country, it seems to me, even though some of our own people may have ore property in those foreign countries, that they could utilize the same methods by which the smelting could be done more cheaply there than here.

Mr. HEYBURN. Then we stop them with a duty; that is where the duty on bullion comes in.

Mr. SUTHERLAND. The American investor is beginning to recognize the fact that the ore can be smelted more cheaply in Mexico, and therefore he is extending his investment in smelter properties in Mexico.

Mr. BACON. It is not a fact, then, that is so patent and prominent that it has been heretofore recognized; it is only beginning to dawn upon them?

Mr. HEYBURN. That question is an old one. When we were considering the lead schedule in framing the McKinley bill and in framing the Dingley bill, all those questions were up.

Mr. President, there [exhibiting] is an ore that can not be smelted without lead. You have to get it to where lead is, or bring the lead to the ore in Mexico. There is a great deal of that character of ore, great copper ore, carrying high values in silver, but with not enough lead to make a flux. They must have lead to smelt that ore and make pig and bullion, and so it is necessary either to send that ore where the lead is, or to send the lead to where the ore is. We ship lead ore from the Coeur d'Alene country to Leadville because many of their ores do not contain a sufficient percentage of lead to smelt them. That is true all over the country. The little job lots of lead ore that come into this country under the conditions suggested by the Senator from Georgia cut no figure in the determination of this question. The ore that comes in from some section of country where perhaps the only concentrator or smelter is over on the other side of a big range of mountains and must come up on a line of railroad into this country has to submit to the terms we put upon it; that is, it must come in in bond, and if it stays here it has got to pay its rent, its duty.

Now, Mr. President, I want to keep before Senators the fact this is a question of whether or not the money we pay for mining these ores shall be paid in our country or paid somewhere else. If we pay it abroad, it never comes back. I want to keep before them the question as to whether or not the millions and millions of dollars expended in these mining plants shall be expended in this country or in a foreign country. If that money is expended abroad, as I have said, it never comes back. I also want it kept in mind that the men who own these mines are not making an exorbitant profit, because they have got to keep their development work ahead of their extraction all the time. We have miles of underground work in our mines, that would reach from here to the city of Baltimore, that have been constructed in an attempt, not to take out ore, but largely to demonstrate its existence or nonexistence; and, just as often as not, its nonexistence. That great expense must be charged against the profits of mining. Because you are taking out rich ore to-day, you must not forget what it costs to find that rich ore. Our State, of which we are proud—it may seem of lesser importance to those of you who represent older States—but the State of Idaho owes its existence to the mines that were found in it. I said the other day that in the darkest hours of this Nation's history, when gold meant almost as much as muskets, because it took gold to carry them and support the armies, we sent you more than $200,000,000 in pure gold, ready for use, ready for the counter—in four years we sent more than $200,000,000 of it, and we are still sending it into the arteries of commerce and trade; and we are doing it because we have this great lead mining industry to support the gold and silver mines. That may sound paradoxical. There are many instances in which there is a loss in the lead that is only compensated by the profit resulting from the gold and silver in it. Stop lead mining, and you will stop the production of $6,000,000 worth of silver in our State, because you can not mine it for the silver, and you will stop the production of four or five million dollars of gold every year, for you can not mine it for the gold. The lead is "the grubstake," as we say in our country, that keeps the mines of gold and silver going. Therefore, the consequences of such legislation as would impede lead mining are more far-reaching than the coffers of the lead miners.

What would a country be from which you would withdraw with a stroke of the pen $18,000,000 in wages from one county?

Mr. SMITH of Michigan. In one county in a year?

Mr. HEYBURN. The annual wages in just a single camp near which I live are more than $5,675,000. Where would the merchants be and where would your cotton and woolen factories be that supply those merchants with the goods they sell? Where would the $6,000,000 worth of machinery used in the mines be? Where would the men be who mine the ore and forge it and convert it into machinery? It is like a card house; you strike down the miners' wages and you have nothing left but the ashes. It passes out of existence. It is like the stopping of the sunlight. Where would be the market for the commodities that come up to us from Kansas, if you please, that we buy, and buy because we have the money resulting from this great enterprise, and could not buy if we had not the money?

I know one of the big farmers in Kansas who came up to our camp in 1884, and right under my office window took out the fortune with which he went back to Kansas, where he lives to-day, and bought a vast tract of land and built a beautiful home. Do not think for a moment that this question is local to the prosperity of our community any more than yours is local. It is true we produce other things. We produced 16,000,000 bushels of wheat in Idaho this year, but had it not been for these mines the people would not have been there producing wheat. We produce one-third of the sugar-beet product in the United States, but had it not been for the mines that took the people there we would not be doing it.

All these industries are welded together and constitute the prosperity of the people. Senators, unless you are so sure of your facts that there can not be a doubt and could not be one created in your minds, do not dare to strike down an industry of this Republic, important not alone to the people of the State, but to the people of the whole country. Do not do it because of any imaginary promise that somebody is supposed to have made that you would reduce the tariff on all articles, without regard to sense or reason. There is no such pledge resting upon us, and there is no such duty resting anywhere. Merely because you feel yourselves sliding downward on the scale of prosperity, do not reach everything within your grasp and drag it down with you.

I have made a table that it was my intention to put into the RECORD, and I may before the dog days are over. As we are still considering this question, I may do it yet. But I suggest its purport. It is a table showing from what class of American people the reduction in expenses and revenue came during the last year. That was the year of the panic. Every dollar of it came from the rich. It was the rich who curtailed their expenses. If you look to the imports, where there was a falling off of revenue, you will find it was not upon those things used by what are called the "poor" or the "working classes." You will find you can account for every loss of revenue by the articles used by the rich. I mean by that the liberal spenders. I am not attempting to develop that idea now. I have the figures taken from the table of imports to sustain it. I throw out the suggestion in order that other Senators, if they should feel interested, can pursue the investigation along those lines.

If we were to sit here, blindly following an imaginary promise to reduce the tariff and reduce everything without rhyme or reason, we would defeat the very purpose for which we were called in extra session. We were called together to restore confidence in the business world. Had there been no special session of Congress called for the purpose of revising the tariff, had there been no promise or threat of revision, there would be no deficit in the Treasury between the income and the outgo of the Government.

I may later desire further to discuss this question. A sliding scale of law is worse than no law, because it gives power limited only as against the people. Say what it shall be: "This is the law, and no man may change it, except authorized by the power that makes it."

Mr. President, I do not feel that it ought to be necessary to take up further the various technical objections which have been raised to this schedule. I only want to warn you that the prosperity, not only of four or five States depends upon it, but that prosperity is so far-reaching that it may reach the homes of those who think it is to them a foreign question.

Mr. JONES. Before the Senator from Idaho sits down I should like to call his attention to one fact.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Washington?

Mr. HEYBURN. Certainly.

Mr. JONES. The Senator has brought out very clearly, it seems to me, the very great difference in the cost of the production of ore in this country and abroad. That is a proposition which appeals to me very strongly. I assume that, from his

knowledge, he can state whether the same proportion exists in the cost of smelting in this country and abroad.

Mr. HEYBURN. The difference between the cost of smelting in this country and in Mexico is nearly one-half. In fact, it amounts to nearly two-thirds.

The difference in smelting between this country and Spain is that it costs about one-half in Spain that it does in this country, because the machinery there is cheaper. In Mexico the machinery is very much cheaper than in this country. In Spain they can do it at very much less cost than we can, and the cost in wages in that country you may place at one-half; and in Germany they can smelt the ore from Australia or any other country for very little more than one-half of what it costs in this country, because they produce the machinery cheaper and the labor is cheaper, and they get the ores for a small fraction of what our ores cost us. They come in as ballast.

Mr. JONES. I will ask what is the daily wage for smelting in Mexico and in this country, and the wage for miners in this country compared with the wages of miners in Mexico?

Mr. HEYBURN. There are some very high-class men connected with the mining industry, and, in smelting, the wage here is not less than $3 or $3.50 a day.

Mr. JONES. In this country?

Mr. HEYBURN. In this country. In Mexico the same class of men gets 40 or 50 cents a day. In this country they get $7 or $8 a day.

Mr. JONES. Those are facts which appeal to me, and the testimony of Mr. C. E. Allen before the Ways and Means Committee as to the per diem wage paid in this country and in Mexico, showing vast difference, it seems to me, indicates pretty conclusively that we run considerable risk in reducing the rate.

Mr. HEYBURN. It is the wage item that counts.

Mr. JONES. The owner of the smelter will not suffer.

Mr. HEYBURN. The owner of the smelter will shut it down or cut down wages. He does not fix the price of his product.

Mr. JONES. He will reduce the wages of the smelter employees.

Mr. HEYBURN. Yes.

Mr. JONES. I want to read from page 2321—the testimony of Mr. Allen:

Mr. ALLEN. The question of the comparative wages paid in Mexico (from which our chief imports come) and the wages in the West, in the United States, is very interesting. I can not speak of the wages of Missouri. The scale of wages which I will give applies to the intermountain States. The miners in Mexico receive from 75 cents to $1 Mexican. That is 37½ cents to 50 cents in United States money. The mine bosses receive from $1.25 to $1.50—62½ cents to 75 cents American money. Hoister runners and pump men receive from $1.25 to $2 Mexican—half as much American money. The common mine laborer receives 50 cents a day Mexican, or 25 cents a day American money.

He goes on to state that this was the showing in 1897 before the Dingley committee, but it is also shown that there has been no substantial change in miners' wages from that time to this. He says:

The comparative wages of the American miners and other men about the mines are as follows: Shaft men get from $4 to $5 per day—

That is not Mexican money, either—

According to whether it is a wet or a dry shaft.

On page 2322 he says:

Blacksmiths and carpenters receive from $4 to $5 per day. Engineers receive from $3.50 to $5 per day. Miners receive from $2.75 to $4 per day. Laborers receive from $2.50 to $3 per day.

When you contrast that with 50 cents a day for Mexican labor, Mexican money, it seems to me it shows the necessity of a considerable differential. I would not cast my vote for any differential about which there was any doubt as being sufficient to cover the difference in the cost of production in this country and abroad. I would rather it would be a little bit too high than too low.

Mr. CRAWFORD. I wish to inquire whether the labor employed in Mexico are Mexicans, natives, as against Americans for smelting in this country?

Mr. JONES. I understand they are Mexicans. I think Mr. Allen answered that proposition on page 2324.

Mr. NELSON. Will the Senator allow me for a moment?

Mr. JONES. In just a moment, when I read this in answer to the Senator from South Dakota:

Now, one word upon the subject of Mexican labor. It is sometimes called incompetent. In some branches it is the most competent mining labor in the world. There is no man who knows ore as well as the Mexican. There are no sets of men in the world that will sort ore equally with the Mexicans. They will not, under their own leadership, do as much work in a day as the American miner, but under the leadership of American bosses and through the introduction of American machinery and American methods, the Mexican miner to-day is approaching nearer to the ability of the American miner than he did ten years ago; and his wages have not increased.

That is the statement of a gentleman who is certainly familiar with mining, and it seems to me it is borne out by our own knowledge with reference to the handling of machinery.

For instance, to drive an ox team or a horse; that class of labor is just as competent and efficient as American labor.

Mr. NELSON. In view of the quotations made from Mr. Allen, I think it is well that the Senate should know what his recent experience has been in lead mining. I call attention to page 2330 of the House Hearings, part 2, schedule C, where the following question was put to him:

The CHAIRMAN. Do you own or do you have any control of any mine whatever, or are you interested in any mine? [Laughter.]

Mr. ALLEN. Yes, sir.

The CHAIRMAN. Any mine that has been in operation for ten years?

Mr. ALLEN. Not a lead mine.

The CHAIRMAN. How long has the oldest of them been in operation—of your lead mines? Is there any reason why you should conceal this? Why do you not answer up?

Mr. ALLEN. I am not concealing anything, and I do not wish to have it assumed that I am. I say we have not any property that has been running that length of time.

The CHAIRMAN. How long is the longest time any of your property has been running?

Mr. ALLEN. As I stated to the committee, we have been prospecting in our lead mine in Utah.

The CHAIRMAN. In all five of them?

Mr. ALLEN. There is only one of them that is a lead mine.

The CHAIRMAN. I thought you said you had five or six that you were the superintendent of.

Mr. BONYNGE. They are not all lead mines.

The CHAIRMAN. You were talking about lead mines. Well, then, there is only one lead mine, and that you have been prospecting in?

Mr. ALLEN. That is what I have stated.

That is all there is to Mr. Allen. He has not been carrying on mining operations. He has been prospecting.

Mr. SMOOT. I know Mr. Allen——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. NELSON. I have no time to yield. The time belongs to the Senator from Washington.

Mr. JONES. I desire to suggest to the Senator that he read this:

The CHAIRMAN. Have you ever had any actual experience with a lead mine?

Mr. ALLEN. Yes; I have.

Mr. SMOOT. I have known Mr. Allen for many years. There is no more experienced miner in the United States. There is no wonder that Mr. Allen answered just as he did, because the question was about any mine that had been in operation for ten years. I want to call attention to the fact that there are very few lead mines that exist for ten years. They are worked out before that time, and Mr. Allen answered exactly according to the truth of the matter. I can count all of the lead mines in Utah, and but two ever existed longer than ten years.

Mr. CUMMINS. Mr. President, I offer an amendment to the paragraph under consideration.

The VICE-PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. On page 60, line 21, in the committee amendment, strike out the words "two and one-eighth" and insert the words "one and seven-eighths," so as to make the paragraph read:

180. Lead dross, lead bullion or base bullion, lead in pigs and bars, lead in any form not specially provided for in this section, old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured; all the foregoing, 1⅞ cents per pound; lead in sheets, pipe, shot, glaziers' lead and lead wire, 2½ cents per pound.

Mr. CUMMINS. Mr. President, unless I am diverted, I intend to be very brief and to direct my observations to the exact issue. I assume that it is agreed among us that we want the lead used by the people of the United States taken from our own mines. We want the ore converted into the finished product in our own smelters and in our own refineries, and we want to preserve the existing standard of compensation among our men. Upon these propositions I am sure that all Senators upon both sides of the Chamber will agree. Let us see, then, just what we must decide at the present time.

The other day we adopted the Senate committee amendment providing for a duty of 1½ cents per pound upon lead in the ore. My friend the Senator from Idaho [Mr. HEYBURN] directed his remarks this morning, as it seemed to me, to that part of the legislation, rather than the part now under consideration. If we have acted intelligently and wisely, we have compensated the American miner for the difference between the cost of mining lead-bearing ores in this country and those countries with which we must compete.

Now, let us put aside that proposition as one already decided. I repeat it. We have determined that a cent and a half a pound upon the lead content of lead-bearing ore will enable the American miner to put his ore at the door of the smelter upon even terms with his competitor. I agree, however, that the American miner is not completely protected unless the American smelter can take the ore and convert it into the finished product and sell it at an American price in the American market. Therefore

what we have now to consider is what compensation we must give the American smelter in order that he may compete on even or a little more than even terms with the smelter in another country.

I put you this illustration to make it absolutely plain. Suppose we have a smelter built on the Mexican side and another smelter side by side erected upon the American territory. We have already provided that the American miner can bring his ore to the American smelter with as much profit as the Mexican miner can bring his ore to the Mexican smelter, and we are now concerned in the inquiry, What protection must we give to the American smelter in order that he may take this product of the American mine which we have already cared for and convert it into the product which we use? That is the only question involved in this amendment.

Now, I intend to do what is well known in the practice of law and is familiar to all those who are members of that profession here. I intend to file a demurrer to the evidence and ask the judgment of the Senate upon the evidence submitted by those who insist upon a differential of five-eighths of a cent per pound. What evidence have you here that the smelter needs five-eighths of a cent per pound? There is not one particle of testimony. I have read every word contained in this volume with relation to the cost of smelting ore. There is but little. This great exposition here—and I am glad we have it—relates almost wholly to the mining of ore and not to the smelting of ore. I assert after this careful inquiry that there is not one word of evidence in this volume which even tends to show that it costs more than $10 per ton to the smelter, and that includes his profit, in order to reach the market upon even terms, if you please, with his competitor across the border.

But let us assume that it is $12.50. Take the extreme estimate given by the Senator from Idaho, that it costs the American smelter $12.50 to reduce his product. Let us assume further that it costs him twice as much to reduce his product as it does that of his competitor across the line. Then it costs the man in Mexico $6.25 a ton. What then must we do? We must protect the American smelter by a duty of at least $6.25 per ton. Now, this is assuming the very basis adopted by those who insist upon the duty of 2½ cents per pound.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SUTHERLAND. The Senator is discussing a duty of $12.50 a ton as though it were a duty of $12.50 upon a ton of ore.

Mr. CUMMINS. No, sir.

Mr. SUTHERLAND. It is $12.50 upon a ton of lead.

Mr. CUMMINS. Mr. President, I beg the Senator's pardon. The Senator from Idaho stated that it was $12.50 a ton upon a ton of lead. It is not $12 a ton of ore. This volume shows beyond any controversy whatsoever that the average cost of refining a ton of ore or a ton of concentrates does not exceed $3 a ton.

Mr. SUTHERLAND. I wish the Senator would call our attention to any testimony bearing upon that point.

Mr. CUMMINS. I will do it with the utmost pleasure.

Mr. NELSON. Will the Senator yield to me?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. Mr. President, the other day when the quotation was made in the Senate from the testimony of Mr. Brush, the Senator from Utah [Mr. SMOOT], with a great deal of vehemence, got up and stated that he had never been sworn. Am I quoting the Senator correctly?

Mr. SMOOT. No, sir; the Senator is not quoting me at all. I said Mr. Lissberger had never been sworn.

Mr. NELSON. I was going to show that Mr. Brush had been sworn.

Mr. SMOOT. I did not in the least deny that he had been sworn. I said Mr. Lissberger had not been sworn.

Mr. NELSON. Here, if the Senator from Iowa will pardon me——

Mr. CUMMINS. Certainly.

Mr. NELSON. We have finally struck pretty good bed rock in this testimony, and it relates to a mine in Idaho. I read from page 2394:

The CHAIRMAN. The smelter will take it at his price, which is the market price, and when that gets down below the point where it pleases them they shut down?

Here is what Mr. Brush said:

That is what they do. I only referred to 4 cents because that was the point that was fixed upon by a number of mines, and I selected a mine in the Coeur d'Alene which was able to make money at 4 cents, although that mining company owned three other mines, all of which closed down. Now, in working out that ore—the ore ran 8 per cent lead when it was mined and 3½ ounces of silver to the ton of ore as it was mined—when it was concentrated 7.8 tons of ore made 1 ton of concentrate. In the process of concentration the mine lost 13 per cent of lead and 33 per cent of silver in the ore, and the concentrates were shipped to our smelters in Colorado. Now, without going through all of the calculations that are before me, I will say that it came down to this: The 1 ton of lead cost the mine—I am speaking now of actual cost—$48.35 to mine it and to concentrate it, and two-thirds of that cost was labor, while the other third was very largely timber. The amount paid for freight on 1 ton of lead was $25.50; that was freight on the concentrates to the smelter and freight from the smelter to the refiner of the bullion, getting it to the New York basis.

Mr. HILL. How much was that?

Mr. BRUSH. The total amount of freight—

Now, listen to this—

Mr. BRUSH. The total amount of freight paid was $25.50. The cost to the smelter was $5.55; the cost to the refiner was $4.50, making a total cost of $83.90. The silver in it was worth $16.21. If you deduct that and throw all the cost upon the lead, which is certainly not a fair way of figuring costs, you will bring out the cost of 1 ton of lead at $67.69, or $3.38 a hundred pounds. Now, at 4 cents New York, there was a profit of 62 cents a hundred pounds. That profit was divided, 31 cents to the mine, 15 cents to the smelter, and 16 cents to the refiner.

In other words, taking these figures, it costs $5.55 at the smelter per ton of lead and $4.50 at the refinery just to reduce the base bullion. That makes a total for smelting and refining of $10.05 per ton of lead. There we have the exact figures, and it is the first time we have found them in this report.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. I wish to ask the Senator when you cease computing the cost, at the smelter or at the market?

Mr. NELSON. At the market. The man whom I have quoted here is engaged in smelting and refining. He has a good many smelters and refineries in this country, in Colorado. It shows that smelting and refining, the two processes combined, cost only $10.05 a ton of lead, not of the ore.

Mr. CUMMINS. Mr. President, I fear that the question asked by the Senator from Utah will have been forgotten before I have an opportunity to answer it. The Senate will remember that he asked me where, in this testimony, it was found that it costs but $3 a ton for smelting concentrates. I refer him to page 2415, in the evidence of Mr. Brush. The question was by Mr. CRUMPACKER:

Mr. CRUMPACKER. It is safe to say, then, Mr. Brush, that it does not cost more than $8 a ton for the lead for smelting, calculating that the concentrates run about 50 per cent of lead?

Mr. BRUSH. In the example I gave I used $3 per ton of concentrates as the cost of smelting.

Mr. CRUMPACKER. Three dollars per ton of concentrates?

Mr. BRUSH. Yes.

Mr. CRUMPACKER. And at 50 per cent it would amount to $6; but suppose we fix it at $8. Eight dollars will amply pay the cost of smelting, will it not?

Mr. BRUSH. I should say so.

Now, Mr. President, Mr. Brush is the only man before the Ways and Means Committee of the House who attempted to give the cost of smelting, and if we can not rely upon his evidence, then there is no evidence before the Senate upon that point.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. Certainly.

Mr. SUTHERLAND. The Senator from Iowa is in error, if he will permit me to say so, in stating that Mr. Brush's testimony is the only testimony upon that question. Mr. Allen testified, and gave an example to the committee. He showed that the cost of smelting a ton of ore was $8 in the example which he gave. I know, because——

Mr. CUMMINS. If there is any such evidence in this volume I have been unable to find it.

Mr. SUTHERLAND. I will call the Senator's attention to it.

Mr. CUMMINS. But in the latitude that I allowed myself, taking the statement of the Senator from Utah, I assumed that Mr. Brush had understated the cost of smelting, and I allowed $12.50 a ton as the cost of smelting and refining and in producing pig lead. If I may be permitted to say so to the Senator from Utah, I do not believe that you can furnish from all the mines you have in Utah or all the mines there are in Idaho a single statement in which the smelter has charged more than $10 a ton for smelting ore. If you have any such statement, I would be delighted to see it. I have groped through this testimony as best I could. I would like to see some of the statements that have been made where the smelters have purchased ore, because the miner is not interested in this matter except as to the price of ore. The smelter pays him for the lead that he brings in his ore, and he pays him upon the spot.

Now, how much does the smelter deduct from the actual lead in the ore for smelting?

Mr. SUTHERLAND. The smelters in Utah deduct all the way from $8 to $12 per ton of ore. Let me call the attention of the Senator to the testimony of Mr. Allen.

Mr. CUMMINS. I will assume that that is so. Suppose they deduct $8 a ton on ore. That is a deduction of $16 for lead.

Mr. SUTHERLAND. Sometimes it may be, if the ore is rich, as high as 50 per cent.

Mr. CUMMINS. Suppose the ore reaches 50 per cent. It means a charge of $16 for lead. Out of that the smelter gets his $10 a ton on pig lead from Utah to New York. That is the deduction he makes, and that means that the smelter charges $6 a ton for his lead, and out of that must not only come the cost but the profit as well.

Mr. SUTHERLAND. The Senator from Iowa does not understand me. What I undertake to say is that the smelters in Utah charge the miner all the way from $8 to $12 per ton of ore, and sometimes the ore carries as low as 8 per cent lead, sometimes it carries as much as 60 per cent lead, sometimes it carries 50 per cent lead. When a ton of ore carries 50 per cent—and we assume that the smelter recovers every particle of it, which he does not—if his charge per ton is $8 for the ore, that would be $16 for the lead. But if it carries 25 per cent lead, you would have to double that amount, making $32 for the ton of lead.

Mr. CUMMINS. We will very soon get far beyond the price of lead.

Mr. SUTHERLAND. If the Senator will allow me, I wish to call attention to the testimony of Mr. Allen upon this precise point.

Mr. CUMMINS. On what page?

Mr. SUTHERLAND. In the edition of the hearings which I have the testimony is found at page 2323, but I think in the edition which the Senator has it appears a page or two after that. Mr. Allen says:

In the year 1906, upon which I have based my figures because those are more complete, we produced 125,342,836 pounds of lead, or 164 pounds of lead per ton of ore, and this contained 68,340 ounces of gold, or 0.089 ounces of gold per ton. This lead also carried with it 9,406,758 ounces of silver, or 12.27 ounces of silver per ton; that is, 82 per cent of the silver produced in Utah came from lead ores. Between 26 and 27 per cent of the gold produced in the State came from the same source. The average value of the metals produced in lead ores in that year from this State were as follows: Lead, 5.7 cents per pound; gold, $20.67 per ounce; silver, 67 cents per ounce.

I may stop there to say that lead reached in 1906 a higher price than it had reached at any time previous for a quarter of a century. Lead now is selling in New York for about $4.25, from that to $4.30. Silver is now a little over 50 cents an ounce.

The value of the contents per ton was: Lead, $9.32—

That was upon the basis of 8 per cent lead in the ore—

gold, $1.84; and silver, $8.22, making a total value of each ton of lead ore produced of $19.38.

It costs the miner to produce this ore as follows: Ten per cent deduction from the price of lead cost him 93 cents, and 5 per cent deduction from the price of gold cost him 9 cents, per ton; 5 per cent deduction from the price of silver cost him 41 cents; average wagon and railway haul cost him $2.50 per ton; sampling, 50 cents a ton; smelting, $8 a ton, and mining, $3.50 a ton.

Mr. Allen is talking about the cost of smelting a ton of ore—not a ton of lead, but a ton of ore carrying 8 per cent lead.

Mr. NELSON. Will the Senator from Utah yield to me?

Mr. SUTHERLAND. In just a moment.

Some of those figures are estimates of my own, but they are well within the facts and the sum total is conservative. The total cost, then, to the miner was $15.93, and he received $19.38 per ton, which would leave an apparent profit of $3.45 per ton.

I will stop there to say, in answer to the suggestion made by the Senator from Minnesota the other day——

Mr. NELSON. Will the Senator allow me to make a statement here?

THE PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I desire to reply in just a moment.

Mr. SUTHERLAND. The Senator from Minnesota [Mr. NELSON] the other day, reading this same testimony and commenting upon it, said that upon a ton of ore the miner would make a profit of $3.45. That was true in the particular illustration which Mr. Allen was giving; but it must be remembered that that profit was based upon a price of 5.7 cents per pound for lead. As I have already said, that is the highest price.

I think it ranged as high as 6 cents for a short period during the year, but in 1906 lead reached the highest price that it had ever reached for a quarter of a century in this country. Lead now normally is worth from 4½ to 4¾ cents. If we put it at 4.3 cents, it would reduce the profit to the miner to 2.41 cents, because he must take off 1½ cents a pound from that; and if you deduct 2.41 from 3.45, you find that now, under the operation of these schedules, 1½ cents a pound on lead means 2½ cents per pound on pig lead, and that the profit which the miner is making is $1.05 a ton.

Mr. CUMMINS. I am sure the Senator from Utah does not desire to continue extensively on this question——

Mr. SUTHERLAND. I beg the Senator's pardon.

Mr. CUMMINS. Or upon my time.

Mr. SUTHERLAND. I realize that the Senator from Iowa has a perfect right to the floor.

Mr. CUMMINS. I do not complain, but I should prefer that, when the Senator from Utah comes to present the case at large, he would present it in his own way and in his own time.

Mr. SUTHERLAND. I may say this by way of excuse, that I was reading to the Senator from Iowa the statement of Mr. Allen with reference to the cost of producing a ton of ore; and I was simply diverted from it. In answer to the Senator from Minnesota——

Mr. STONE. I desire to ask the Senator from Utah a question.

Mr. CUMMINS. I yield to the Senator from Missouri for a question.

Mr. STONE. I ask the Senator from Utah to tell me what is the date when lead reached its highest price?

Mr. SUTHERLAND. It was in 1906.

Mr. STONE. What was that price?

Mr. SUTHERLAND. Mr. Allen gives it at 5$\frac{7}{10}$ cents a pound.

Mr. STONE. That was in 1906?

Mr. SUTHERLAND. In 1906. Under the Wilson bill in 1896 it was very much less.

Mr. CUMMINS. I can not yield to the Senators for the purpose of going into a discussion of the Wilson bill at this time; and I care nothing about the price of lead in 1906. The cost to the miner has nothing whatever to do with the question which we are discussing.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. CUMMINS. I do.

Mr. GORE. I merely wish to ask the Senator from Utah what the wages paid to the miners per ton were? I did not quite understand.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah, for the purpose of answering the question?

Mr. CUMMINS. I yield to the Senator from Utah to answer the question.

The PRESIDING OFFICER. Will the Senator from Oklahoma please again state his question?

Mr. GORE. I desire to know what were the wages per ton paid to the miners for mining lead? I did not quite understand the rate when it was read by the Senator from Utah a moment ago.

Mr. SUTHERLAND. It comes to about $3.50 per ton.

Mr. GORE. That is for the lead ore?

Mr. SUTHERLAND. For lead ore carrying 8 per cent.

Mr. GORE. How much would it be for ore carrying 50 per cent?

Mr SUTHERLAND. It might be a great deal more than that, because the ore might not be in great quantities.

Mr. GORE. But might it not be less?

Mr. SUTHERLAND. I can hardly conceive of a case where it would be less than that.

Mr. GORE. What is the average?

Mr. SUTHERLAND. I am not able to tell the Senator, and I doubt very much whether anybody is able to tell him.

Mr. CUMMINS. I take up for a moment the analysis of the paragraph of the testimony of Mr. Allen read by the Senator from Utah. I take it, now, that the Senator from Utah will agree with me that this was intended to inform the public as to the profit to the miner in his work. That is true, is it not?

Mr. SUTHERLAND. That was one of the things.

Mr. CUMMINS. That was one of the things to be ascertained. I take it that the lead mentioned in the paragraph as being contained in a ton of ore was reckoned at the New York price, that being the basis of prices in the West with respect to this ore. That is true, is it not?

Mr. SUTHERLAND. Yes.

Mr. CUMMINS. That being true, I fancy the Senator will not deny that when the item of smelting, $8 a ton, is given, that that includes the transportation upon the pig lead from Utah to New York.

It must be so; otherwise there is no charge in this specification for the reduction that must take place from the price of the lead, inasmuch as it has to be transported from Utah to New York. It appears that the transportation rate is about $9 or $10 a ton on lead, is it not?

Mr. ALDRICH. It is $25.50 a ton.

Mr. CUMMINS. If that be true, this testimony again is wrong and is absolutely unreliable; but I doubt, however, the information of the chairman of the Committee on Finance. I would have to be receiving a great deal of assurance to be able to assert that it costs $25 a ton to transport pig lead from Utah to New York.

Mr. SMOOT. I have no definite information on that; but I can assure the Senator that in the settlement with the miner for lead ore there is a deduction of one and a quarter cents per pound from the price of the lead for the expense of freight from the State of Utah to New York.

Mr. CUMMINS. It may be that the avarice of the smelter is beyond even my comprehension.

Mr. SMOOT. It is not the avarice of the smelter, but it is a question of the railroad rate.

Mr. CUMMINS. I can not believe that the ordinary railway rate upon lead from Salt Lake City to New York is $25 a ton. If that is so, then how much would the freight be on a carload of pig lead from Salt Lake City to New York if it is a dollar and a quarter a hundred?

Mr. SMOOT. I can very easily figure it, Mr. President. To transport 40,000 pounds at a cent and a quarter, it would be $500 a car. That is what the amount would be.

Mr. CUMMINS. Is the railway rate on pig lead from Salt Lake City to New York $500 a car?

Mr. SMOOT. It would not surprise me at all if it were.

Mr. CUMMINS. The Senator lives in Utah; and does he say that the railway rate is $500 a car on pig lead, or a half of it, or a quarter of it?

Mr. SMOOT. There is no doubt about it, in my mind.

Mr. ALDRICH. I think the Senator from Idaho [Mr. BORAH] has the figures.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. I have tried to secure some accurate information with reference to this very matter, because it is the controlling point with reference to this subject; and I am going to give what I believe to be, and what I believe will be found to be, the correct figures with reference to it:

Another factor in which the Mexican lead producers have a great advantage is in the matter of transportation. From the principal Mexican lead mines to the Mexican smelters the freight on ore is $3 per ton, and as the ore contains about 50 per cent lead, the freight is equal to $6 per ton of pig lead. And from the smelter to New York the freight on pig lead is $4 per ton, making the total cost of transportation from the mines to the New York market only $10 per ton of pig lead.

Mr. CUMMINS. From what point?

Mr. BORAH. The Mexican lead mines.

Mr. SMOOT. That is a water route.

Mr. BORAH. That is a water route; and that is the advantage which they get.

The Idaho mines pay $8 per ton for freight on their ore to the smelters in Colorado, equal to $16 per ton of pig lead; and from the smelter to New York the latter costs $7 per ton.

Mr. CUMMINS. Does the Senator from Utah assert that it costs a dollar and a quarter a hundred to transport pig lead from Salt Lake City to New York?

Mr. SMOOT. Wait until the Senator from Idaho gets through, and I will answer.

Mr. BORAH. The statement continues:

The total cost for freight is therefore $23 per ton of pig lead—

From the Idaho mines—

as against $10 per ton from the Mexican mines, a handicap for us of $13 per ton.

Mr. SMOOT. I will say, in answer to the Senator from Iowa [Mr. CUMMINS], that from the State of Utah to New York the freight is about $25 a ton.

Mr. CUMMINS. Very well. I am very glad to hear the Senator from Utah reassert so extravagant and impossible a proposition.

Mr. SMOOT. It is $23 from Idaho, and I think it would be $25 from the State of Utah.

Mr. CUMMINS. Now, just mark the disingenuousness of that statement. The freight on the ore from the Colorado smelter is included in the statement made by the Senator from Idaho [Mr. BORAH]. He stated that the freight upon pig lead from Salt Lake City to New York was not more than $10 a ton; but you stated it was a dollar and a quarter per hundred.

Mr. SMOOT. I still say it is a dollar and a quarter a hundred.

Mr. CUMMINS. I say it does not exceed $10 a ton.

Mr. SMOOT. That is 50 cents a hundred.

Mr. CUMMINS. And we will allow it to remain right there.

Mr. SMOOT. I am perfectly willing for it to remain right there.

Mr. CUMMINS. Further investigation may determine who is correct and who is not. If the freight on pig lead from Colorado to New York is but $7 per ton, it is impossible that the freight on pig lead from Salt Lake City to New York shall be $25 a ton.

Mr. SMOOT. Mr. President, the rate on ore is always less than the rate on pig lead, and the rate as given by the Senator from Idaho [Mr. BORAH] from the mines in his State to Colorado was $8 on the ore—not on pig lead—and 50 per cent ore would make it $16; and from Colorado to New York, $7, which would make it $23. I do know that in the settlement with the miners for lead ore by the smelters in Salt Lake City they deduct 1¼ cents per pound for freight.

Mr. CUMMINS. A statement that I have not denied; a statement that I myself made a few moments ago to the Senator from Utah. In his impatience, and in the apparent endeavor to discredit what I have said, he denied that the rate on pig lead from Utah to New York was substantially $10 a ton. You deny that yet, do you?

Mr. SMOOT. I do.

Mr. CUMMINS. You insist now that it is $25 a ton. I will allow your knowledge of this subject as compared with my own to be tested by examination of that one subject. Mark you, I am saying nothing about the freight on the ore from the mines to the smelter; that is a cost to be borne by the miner.

Mr. ALDRICH. Is the Senator from Iowa willing to admit that it costs the producer of lead in Idaho and in Utah $25 a ton to transport that lead from the mines to New York?

Mr. CUMMINS. I have not a doubt of it, Mr. President.

Mr. ALDRICH. That is the whole question involved in this controversy.

Mr. CUMMINS. No; it is not the whole question involved in this controversy, if I may be permitted to differ with the chairman of the Committee on Finance.

Mr. ALDRICH. Will the Senator tell me how much it costs the Mexican producer to transport the lead products of his mine to New York?

Mr. CUMMINS. I have no doubt that the Senator from Idaho [Mr. BORAH] stated it correctly.

Mr. ALDRICH. That is a differential of $13.50 a ton on the cost of lead between the Utah producer and the Mexican producer; and the total amount of the differential provided in this paragraph is $12.50 a ton. The transportation rate is more than the whole differential proposition of this provision.

Mr. CUMMINS. Now, Mr. President, we are perceiving the real purpose. It has not yet been disclosed. It has been admitted here all the while that it costs $12.50 a ton more for the American smelter to convert his ore into lead than it costs the Mexican smelter, and therefore he needed a compensating duty. I know that it costs more to transport lead from Utah and Idaho to New York than it does from the Mexican mines; but what you are really doing—and I am glad to have it avowed now—is to equalize, not the difference between the labor in the United States and in Mexico, but to equalize the difference between the rates in transportation. That is one of the serious evils that I think lies in this tariff bill. Are you intending, is it your purpose, to equalize freight rates? If it is——

Mr. ALDRICH. Mr. President, I will say this: So far as I am concerned, I propose, in the first instance, to equalize the cost of production, so far as I can, which I think is only fairly covered by the differential in this case. Then I propose to give the miners of our Western States a chance to live and to breathe when they are situated, as they are, farther from the markets of this country, which are upon the Atlantic coast, than their competitors in Mexico. Does the Senator from Iowa propose to deny that to them? Does he propose to open up the markets of the United States to all their competitors throughout the world if the product happens to be located in Iowa, or in Utah, or in any of the Western States? Are they to be deprived by our legislation of an opportunity to compete in the markets of the United States? I think not. That is not what my understanding is of the protective policy.

Mr. CUMMINS. Mr. President, it has happened more than once——

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. In just a moment. I want to answer the suggestion of the Senator from Rhode Island [Mr. ALDRICH]. More than once the Senator from Rhode Island has appeared at a late stage in my observations, and without having oppor-

tunity to know what the proposition is that I am attempting to support, upbraids and reproaches me as an enemy to American labor. Mr. President, I began my remarks by stating that I wanted to so adjust the schedule as to enable our people to take lead ore from our ground, to convert it into lead at our smelters, and to pay to American laborers not only the full measure of compensation which they now receive, but more as time goes on.

I was attempting to say—and I will repeat it for the benefit of those who were not here when I began—that we do put a duty of 1¼ cents a pound upon lead to enable the mine owner, or the laboring man, if you please—for I will substitute the one for the other—to bring his ore to the smelter. If this 1¼ cents a pound, or $30 a ton, is not for that purpose, what is it for? It is to enable the American mine owner or the American producer to take his ore from the ground and bring it to the smelter in order that it may be converted into commodities fit for use. I have not complained about that. I voted for the propositon to impose 1¼ cents a pound upon the lead in ore, but now we are dealing with the smelter.

We have compensated for a large part of the difference in the cost of transportation in the 1¼ cents a pound that we have imposed upon lead ore. That has already been done, and now we are trying to discover the terms upon which an American owner can take this ore and convert it into the finished product.

There, I say, our inquiry must be, How much more does it cost the American smelter to do that work than it does his rival across the border? I was trying in a very feeble and inadequate way to ascertain from testimony how much it cost the American smelter to do that work. I accepted the statement of the Senator from Idaho [Mr. BORAH], although I think it is probably 25 per cent beyond the conclusion that would be reached from an examination of the testimony.

It may be assumed that it costs $12.50 for the smelter to convert his ore into lead bullion. If it does, and the efficiency of Mexican labor is twice as great as the efficiency of American labor—that is to say, if we do not get from our workmen for the money paid them more than one-half the efficiency which the Mexican smelter gets for the money he pays to his workmen—then the cost abroad is $6.25. The amendment that I have proposed to this paragraph provides for a differential of $7.50 a ton. I do not believe that any loyal citizen of the United States will declare that the efficiency of the American workman is less than one-half the efficiency of the foreign workman, as compared with the money paid to each. I have never heard it so asserted. I have never heard it declared that it was necessary to protect any commodity that comes from the American hand more than 100 per cent. I am willing here to attach to this process of converting the ore into bullion more than 100 per cent, according to the estimates of the Senator from Idaho himself.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. At 2½ cents a ton the differential amounts to $42.50 a ton. Mr. Brush in his testimony—and he is very fair—approximates the figures that the Senator from Rhode Island gave:

> The amount paid for freight on 1 ton of lead was $25.50—

The figures the Senator from Rhode Island gave—

> that was freight on the concentrates to the smelter and freight from the smelter to the refiner of the bullion, getting it to the New York basis.

Mr. Brush further states:

> The total amount of freight paid—

He takes a ton from a specific mine. Mr. Allen is general in his statement, but Mr. Brush takes a specific mine in Idaho. He says:

> The total amount of freight paid was $25.50. The cost to the smelter was $5.55; the cost to the refiner was $4.50.

That makes $10.05 for the process of smelting and refining that ore. That ore was of exactly the same grade as that which the Senator from Utah described.

As I have said, that makes $10.05 a ton for smelting and refining. If you take even the figures the Senator from Idaho gave, of a differential of $13 a ton in freight on the transportation of the ore from Mexico and from Idaho, you have a difference of $9 a ton. Nine dollars and the $10.05 which go in smelting and refining, and $13—taking the Senator's figures—make nearly $33. Deduct that from $42 and you have a difference of $9 a ton, even with these extravagant freight figures. I think the rates the Senator has given from the data he has are probably correct, but I think the rates Mr. Brush gives, which are $25.50, is a fair statement. He cites a specific case. Mr. Brush was under oath, and you have, even taking the extreme figures, the cost of refining and smelting at $10.05 a ton; and counting your differential in freights from Mexico to New York at $13 a ton, you can see the vast difference between it and $42.50 a ton, which you allow in the bill.

Mr. ALDRICH. The Senator from Minnesota leaves out of the calculation entirely the $40 a ton that is imposed upon the contents of lead ore for the protection of the miner.

Mr. NELSON. It is included in the cent and a half a pound on lead ore.

Mr. ALDRICH. Of course it is, and that is the protection of the miner before the ore goes to the smelter at all.

Mr. NELSON. There are two processes: First, reducing the ore to base bullion or bullion. There is a cent and a half to protect that process; and then 2½ cents for reducing the base bullion and separating the lead from the silver.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield for a question; but I desire to finish the remarks that I rose to make.

Mr. SUTHERLAND. I dislike to trespass upon the Senator's time, yet I want to say just a word in response to the testimony which the Senator from Minnesota has read. I have not read the testimony all through, at least I have not read it recently; but I undertake to say that when Mr. Brush testified that the cost of extracting a ton of pig lead was only $5.50 he talked arrant nonsense, because I know—I am not guessing about it at all, for I come from a mining State—I know that the miners in my State pay all the way from $8 to $12 a ton of ore for extracting the lead. That I know.

Mr. CUMMINS. And silver, I suppose?

Mr. SUTHERLAND. And no ton of ore that has ever been made in the State carries as much as a ton of lead.

Mr. CUMMINS. I desire, if I can, to resume the thread of my argument, and to give to the Senate the authority for my statement that the freight on pig lead from Utah to New York City was $10 a ton. It is from the testimony of Mr. Brush; and inasmuch as his company smelts about one-half of all the lead in the United States, and inasmuch as his company operates very largely in Utah, as I am told, I think that his evidence is very competent. This is what he said:

> The CHAIRMAN. What do you charge them for freight—
>
> Speaking, now, of the Silver King mine and the Daily-West mine——

Mr. BRISTOW. From what page does the Senator read?

Mr. CUMMINS. Page 2389 of the hearings.

> The CHAIRMAN. What do you charge them for freight?
>
> Mr. BRUSH. Well, whatever we have to pay. From Utah the charge to New York is, on the bullion, I believe, $10 a ton. From Colorado it is $7. Unfortunately, I have not the figures before me from Utah, but I know that from Colorado it is $7 a ton.
>
> The CHAIRMAN. You think it is $10 from Utah?
>
> Mr. BRUSH. I think it is; but I am not sure.
>
> The CHAIRMAN. Our recollection is that Mr. Allen said that it was $1.25 per hundred. I think that was the statement, but I have not located it.
>
> Mr. BRUSH. That could not be, because that would be $25 a ton; would it not?
>
> The CHAIRMAN. Yes.
>
> Mr. BRUSH. Of course freight rates are open to inspection; they are all published.
>
> The CHAIRMAN. But from your recollection, it is $10 per ton?
>
> Mr. BRUSH. Certainly not more than $10 a ton, and it may not be more than $9.
>
> The CHAIRMAN. And from Colorado, $7.
>
> Mr. BRUSH. Yes, sir.
>
> The CHAIRMAN. You are positive about that?
>
> Mr. BRUSH. Yes. We have four or five smelters in the State of Colorado, and we only have one in Utah.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I should like to ask the Senator if he is willing to give the same credence to all the other testimony of Mr. Brush that he gives to his testimony on freight rates? I have telegraphed to New York, and I will have the rates in a very few minutes.

Mr. CUMMINS. I am very glad the Senator has been diligent about it.

Mr. SMOOT. I want to know if the Senator would take the testimony of Mr. Brush in this book upon the statement of the freight rates from Utah to New York on bullion.

Mr. CUMMINS. I do not accept in that way the statement of any man. I always give any testimony that is submitted to me the test of my own common sense and what little I know with respect to commercial and industrial affairs. I believe the freight rate upon pig lead from Utah to New York can not be

$25 a ton. It would be so disproportionate, so absurd with respect to other things with which I have some familiarity, that I can not believe it. I believe the Senator will be candid—I know he will be—when you put that freight rate upon lead from Utah to New York you had in your mind the freight rate from the mine to the smelter as well as the freight rate from the smelter to New York. Why not openly and candidly avow that? There is no humiliation about it.

Mr. SMOOT. I want to say to the Senator as positively as I can and as positive as words can put it that I have no such thought in my mind. I know what the smelters charge from the mine to the smelter, and I can bring you settlements by the thousand by the smelting companies with different mines in Utah, and I tell you now that they charge 1¼ cents for freight from Utah to New York, or they deduct it in the settlement from the lead. I will have in a very little while here what the actual freight rate is. It may be a little less than $25. I doubt whether it is very much less. But I want the Senate to know just exactly what they do charge.

Mr. CUMMINS. I am very glad, because if there is any railroad that charges $25 a ton for carrying merchandise of this kind from Salt Lake to New York City, then I believe the Congress of the United States ought to turn aside for a few moments from the consideration of the tariff and deal with any such railway.

I am quite aware that the very company of which Mr. Brush is one of the vice-presidents may oppress the people of the country. I am not here as his defender. I suppose he or his company takes from you whatever he can, and that seems to be the habit in these days. But if he takes from you, or if his company takes from you, $25 a ton, based upon the actual transportation from Salt Lake City to New York City, then I believe that the people of Utah ought quickly to awaken to some sense of the slavery under which they are held and try to emancipate themselves.

Resuming again at the point at which I was interrupted, I said that the maximum cost of producing pig lead was, as far as the smelter is concerned, $12.50 per ton. If that be so, and the efficiency of our workmen is equal to the efficiency of the Mexican workmen—I mean, as compared with the wages paid—then the difference in cost can not exceed $6.25; and when we put upon this product or upon this process a duty of $7.50 a ton, if we have failed in our duty at all, it is to the consumer of this product rather than to those who produce it.

Mr. NELSON. I wish to call the attention of the Senator before he sits down to the fact that this testimony shows that the cost of mining ore is only $3.50 a ton.

Mr. CUMMINS. They show that over and over again.

Mr. BORAH. Mr. President, I am not going to trespass upon the time of the Senate to discuss the details of this matter, but as it is one of vital concern to the people of my State, I desire to say a word in passing before the vote is taken.

Idaho, I think, produces about 33.7 per cent of the lead produced in the United States. I am interested alone in maintaining and making effective the tariff which we have already fixed upon the ore. If I could be satisfied that the rate either as suggested by the committee or as the amendments provide will do that, I should be satisfied with either. I am primarily concerned and concerned alone as a representative of my State in making effective the tariff upon ore, and to that end alone am I addressing my remarks.

There is one thing certain, and that is that by no form of legislation here can you hurt the trust. It is idle to say there is no lead trust, and it is equally idle to say there is no smelter trust. Both of them are in existence, and one does not have to live long in the Western States until he knows it. But you can not by this legislation affect the lead trust or the smelter trust, because they own their lead mines and smelters upon both sides of the line, and anything you can do here in the way of legislation will not affect them, in my judgment, one way or the other. They can transfer their base of operations from one side of the line to another in the time a telegram goes from here announcing any change.

I want to be fair, and I want the Senators from the Middle States to appreciate that the western miners, the men engaged in that great industry in our State, are paying their States more to-day for that upon which they have to live than they ever paid in the history of the mining regions of the West. A steer standing upon the hoof in the State of Nebraska or Iowa or Minnesota, notwithstanding all the argument here, will buy more lead than ever before. There is not a product which comes from your farm in the State of Kansas or Iowa or Minnesota that will not procure more paint for a house than at any time in the history of the lead legislation of this country, and not a single one of those products is injuriously affected by this tariff legislation, nor do you propose to do so.

If we should take up to-day the question of trade relations and trade balances between the great States which produce the farming products of this country and the mining regions of the country, you would find the balance of trade in favor of the agricultural States. While the price of lead may have risen, or may have to some extent gone up, you must remember in the meantime that that for which we have been paying you all the time has been going up 20 per cent above the lead rise. If you will look over the farm products, you will find that within the last ten years the rise has been from 30 to 250 per cent on everything we in the mining regions buy. Can you calculate any such rise in the price of the products of the mining region of the West?

I do not represent here the smelter trust or the lead trust, either. If we can settle the question of trusts by enacting provisions in this bill, I am perfectly willing to join in that kind of a programme. But, as I said a moment ago, that is impossible. But, Mr. President, I know there are a large class of producers in the State of Idaho wholly disconnected from either one of these organizations. There is the independent producer, the independent mine owner, and he is the man whom you affect the moinent you change the schedules in this bill.

You will not take one dollar out of the pockets of the lead trust or the smelter trust by any change you may make. I say without fear of successful contradiction that by reducing the rate you will close down more than one independent mine in the States of Utah and Idaho. Consider for a moment what the independent mine producer is up against with this product. First, he is up against the lead trust; second, he is up against the smelter trust; and third, he is up against these exorbitant railroad charges, which are so great as to startle Senators when they are called out upon the floor of the Senate. He is the man you strike at when you change the differentials in this bill, for I undertake to say upon his own testimony that it is impossible to live without them and do business. He is the man who above all others in the West keeps up the rate of wages to the laboring man in the West. Turn over the production of lead to the lead trust and the smelter trust, and they will fix not only the price of lead but the rate of wages.

The controlling power for the benefit of the development of the mine and the keeping up of wages is the independent mine producer. He is the one you should consider in framing this bill. Senators have been reading testimony from day to day. Testimony by whom? I am willing to concede that these men are reputable in their professions and business, but you have been reading the testimony of men who are engaged in what kind of business? In the business of shipping lead into this country, and the men who own smelters across the line and are willing to employ peon laborers at 75 cents rather than to pay $3.75 to American workmen—men so primarily concerned in, so exercised with, their own interest that they can not relieve themselves of their personal bias. But I am not willing to have the rate of the wage-earner in the West or the price of lead fixed upon the testimony of a man who wants to get lead into this country as cheaply as he can and to employ labor at as low a wage as possible.

How much more does it cost the farmer in Kansas and Iowa and Minnesota to paint his house at the price of lead in this country as compared with Canada? It costs him the exorbitant sum of $2.76 more upon a five-room house than it does in Canada; and we pay that back in four days in the beefsteaks which we purchase from Kansas and Iowa and those States.

Take any product you will and compare it with this one product alone, and we are paying you back, day by day, a hundred per cent more than you are contributing to American labor in the mines of the great West.

If we are going to legislate in spots, it is all right. If Senators are going to stand here on this floor and advocate their interests and decry all others, that is one rule of conduct; but if you believe in the doctrine of protection, there is no place where you can embark upon it more successfully and more pointedly than in the great mines of the West employing American labor in competition with peons in Mexico. Some one said there is no evidence as to what peon labor costs in Mexico, but it is so well settled, so universally accepted, that it would not be asked for except in the Senate of the United States.

I have here a table which shows something of the rise of the products in the States of my friends from Kansas and Iowa and Nebraska—the people who are so earnest for a revision of the tariff. For instance, flour which we buy has gone up 30 per cent during the last seven years; pork, of which we consume thousands of dollars' worth a year, has gone up 70 per cent;

lard, which we buy, has gone up 200 per cent; beans, which we buy, have gone up 200 per cent; green peas, 160 per cent; dried apples have gone up 250 per cent; ham has gone up 50 per cent; bacon, 50 per cent; raisins—entirely too great a luxury for us—have gone up 100 per cent.

It is, in my judgment, worth while, if we believe in the policy of protection, to compare the figures of this situation, and see whether, or not, we can successfully attack this great policy upon the theory and principle and the basis upon which it has been attacked. There are some of us here who do not have to go and examine statistics and examine railroad tables to find out what freights are, because it is a matter of such common information that we have it at hand. But we do know this: We have to pay them. We have the lead trust and the smelter trust with which to contend, and if they get perpetual control it will stop the opening of the mines in the West, because no mines will be opened, except what they themselves own.

We are primarily concerned in this matter. There is no reason why my colleagues or the Senators representing the West should be interested in this other than as it brings prosperity to their States, and there would not be any benefit to us if it should appear that this differential was such as to impose an extra burden, because we would not get the benefit of it beyond that which is legitimate anyway.

Mr. NELSON. Mr. President, I do not want to make any extended reply to the Senator from Idaho [Mr. BORAH], but I desire to tell him in what a different attitude the people of the Mississippi Valley are with respect to this matter. I come from a State which produces more than half the iron ore of the country, and yet our people are not standpatters on that question. We are content with a reduction of 25 cents per ton from 67 cents, and we would be content even if ore was put on the free list.

Mr. ALDRICH. Forty cents a ton is the present rate.

Mr. NELSON. Forty cents. I made a mistake. We are content with a reduction from 40 cents to 25 cents a ton, and we would be content even with putting it on the free list.

The same is true in the matter of lumber. We are still one of the great lumber-producing States of the Union—Minnesota is—and we are quite willing to have lumber put on the free list.

Mr. BORAH. Of course the Senator is willing to have lumber put on the free list. For years and years, when lumber was the principal production of his State, it had protection, and now when their chief products come from the soil, they seek duties upon those products instead of lumber, and they wish to transfer the free trade farther west.

Mr. NELSON. The Senator is mistaken. We were always in favor of a reduced duty. I labored ten years ago with our people to get them to put the duty at $1 a thousand. I did not think we needed any duty at all at that time, and labored for it. We never needed a duty on lumber.

Mr. BORAH. I am aware, as the Senator says, that ten years ago he labored for that proposition, but I am also aware that his people did not respond to his labors. They differed with him.

Mr. NELSON. They agreed with me. It was the Committee on Finance of the Senate, or the Senate, that did not respond to the demand of the people.

The big States in the Mississippi Valley which furnish the bulk of the Republican vote are not standing here as obstructionists to a revision of the tariff or the reduction of it to any perceptible degree. We are willing to stand a reduction and to bear our share of it, but when we come to this question the people from the Pacific coast and the mountain States insist on having everything just as it is—the same duty on lumber, the same duty on coal, the same duty on iron ore and lead ore, the same duty on hides, and everything. We are not so hidebound as that. We are willing to stand a reduction all along the line for the good of the country.

I was very much amused the other day when my good friend the Senator from Montana called attention to the valuable documents we have here and held up the fact that there was no excuse for any ignorance here, and that we who questioned the tariff schedules were guilty of ignorance. I was very sorry the Senator from Montana did not supplement a little further the information we have in this Chamber.

We have a little information in this Chamber that reaches beyond these volumes. When it comes to lumber, we have the junior Senator from Maryland [Mr. SMITH] and the junior Senator from Wisconsin [Mr. STEPHENSON]. When it comes to the matter of lead ore and when it comes to the matter of wool and woolen goods, we have our good friend the Senator from Utah [Mr. SMOOT] to instruct us, and when it comes to the matter of glass, we have my good friend here, the Senator from West Virginia [Mr. STORR], whom I do not see. And so I could go all around the Chamber and call the attention of the Senator from Montana to the fact that we have far more original information than is contained in these volumes piled up on the desk.

But these men who are possessed of that information are not cranks like the Senator from Wisconsin [Mr. LA FOLLETTE]. He is a crank not to vote on a schedule that affects his own purse or affects his own interest.

Mr. President, I am tired of being lectured about these schedules and about the orthodoxy of the Republican party. Let us recognize the fact that with a tariff bill it is just as it is with the river and harbor bill. There is no use disguising it. You tickle me and I tickle you. You give us what we on the Pacific coast want for our lead ore and for our citrus fruit, and we will tickle you people of New England and give you what you want on your cotton goods.

That is all I desire to say in reply to the eloquence of the Senator from Massachusetts the other day. How patriotic he was! When you boil down the patriotism you come to the same basis as that of the river and harbor bill. You vote for my creeks, you vote for my harbors, you vote for my rivers, and I will vote for yours, and shut my eyes, and it is all right.

So it is with the tariff bill. The people that stand between these two elements—the New England element and the Mountain States—are ground between the upper and the lower millstone. We are willing to accept a reasonable reduction on our products. How is it with the rest of you?

Mr. BORAH. How much wheat does your State produce?

Mr. NELSON. I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from one hundred and fifty to two hundred and fifty million bushels of wheat a year. The price of our wheat is fixed by the Liverpool price, the export price, and no duty up to this time has helped us. It may be possible that in the future it may help us, when the great Provinces to the north of us have greater development. Then we may need protection against it, but we will not go to the consumer and say, "We want protection against Canadian wheat, because it costs us more to raise our wheat than it does over across the line in Canada." We are not going to put it on any such petty ground as you put everything that you set up in connection with the tariff bill. It is all put on the shoulders of the poor laboring man. The poor laboring man has to bear the iniquities of the refining trust. He is compared with the peons of Mexico. I wish they would take the Senators who are so interested in the smelting and mining trusts and compare them with the peons of Mexico. If I want information about smelting and mining, I would not think of going to the books which the Senator from Montana piled up. I would look right in front of me to that seat [indicating] for information.

Mr. BORAH. The duty on wheat has been increased 5 cents.

Mr. NELSON. That was not with my consent. But I want to remind the Senator, to ease his conscience, that they have reduced the duty, as I said the other day, on chloroform 50 per cent.

Mr. BORAH. It is quite evident that the duty on chloroform has not had any effect.

Mr. NELSON. I think the cheapness of the duty on chloroform has evidently affected the Senator from Idaho.

Mr. BORAH. There is not a product which is produced in the State of Minnesota, so ably and well represented by the Senator from Minnesota——

Mr. NELSON. Leave that part out.

Mr. BORAH. I can not leave that out, because I am sworn to tell the truth, the whole truth, and nothing but the truth.

Mr. NELSON. You may see it with biased eyes.

Mr. BORAH. But its products are all fully protected. There has not been any reduction. There has not been any change in the Dingley Act so far as its interests are concerned.

Mr. ALDRICH. And increased.

Mr. BORAH. There has always been an increase where there has been any change at all.

Mr. NELSON. We are quite willing to have a reduction, even on cabbages and potatoes and lettuce and all garden "sass," and even dried apples, to which the Senator referred a moment ago. We in Minnesota do not, I may say, raise any dried apples, but still we are willing to have the rates reduced on those apples. We use them, and in the interest of the consumer I favor a reduction.

Mr. BRISTOW. Mr. President, there has been a great deal of interesting discussion here, but it has mostly been directed to the excessive cost of mining lead in the United States as compared with the cost in Mexico. This amendment relates to

a duty on the smelting of pig lead of five-eighths of a cent per pound.

The weight of the argument here has been advanced in behalf of the miner, and he, as was said by the Senator from Iowa, was protected when we put a duty of 1⅛ cents per pound on the lead in lead ore. The question now is, Is a duty of five-eighths of a cent per pound ample protection or too much for the smelter, who takes the ore after it has come from the mine and reduces it to pig lead? This duty should represent the difference between the cost of such reduction in foreign countries and here, and whatever that increased cost is in the United States as against Mexico should be protected by a duty on pig lead in excess of that on lead ore.

The cost of smelting has been fully discussed. The junior Senator from Utah [Mr. SUTHERLAND] has declared that it averages from $8 to $10 per ton of ore as it comes from the mine. I want you to remember that. I think the junior Senator from Utah has emphasized, with all the emphasis he can give it, that it costs, we will say, $8 a ton, the lowest figure given, for smelting ore as it comes from the mine. He read the testimony of a Mr. Allen, who appeared before the committee and stated that it cost $8 a ton, and added that $8 into the cost that was attached to the lead that comes from a ton of crude ore. Let us look at that a minute. First, we will take Mr. Allen's testimony, so that we can not be mistaken. On page 2323 of the House hearings Mr. Allen said:

It cost the miner to produce this ore as follows: Ten per cent deduction from the price of lead cost him 93 cents, and 5 per cent deduction from the price of gold cost him 9 cents per ton; 5 per cent deduction from the price of silver cost him 41 cents; average wagon and railway haul cost him $2.50 per ton; sampling, 50 cents a ton; smelting, $8 a ton; and mining, $3.50 a ton. Some of those figures are estimates of my own, but they are well within the facts, and the sum total is conservative. The total cost, then, to the miner was $15.93, and he received $19.38 per ton, which would leave an apparent profit of $3.45 per ton.

He states that the cost of smelting that ore was $8 per ton as it came from the mine. That was Mr. Allen's statement, which the junior Senator from Utah read. But that was not the only statement Mr. Allen made. Turning to the same volume, beginning on page 2329, at the bottom of the page, Mr. Allen was interrogated by Representative HILL, of the Ways and Means Committee, and this is what he said:

Mr. HILL. You said the rate was $8 a ton in Utah. Did you mean a ton of ore or a ton of lead?

Mr. ALLEN. A ton of ore.

Mr. CLARK. And you said you got 160 pounds of lead from a ton of ore?

Mr. ALLEN. On the average, in 1906, we got 164 pounds of lead from each ton of ore.

Senators, I want you to follow this calculation. I should like to have the attention of the chairman of the Committee on Finance.

Mr. HILL. Do you mean to tell the committee that the smelting companies charge $100 a ton for smelting the lead?

Mr. ALLEN. No.

Mr. HILL. If there are only 164 pounds of lead in a ton of ore, and they pay $8 a ton for the ore, it would make twelve and one-half times $8, or $100, for a ton of lead, or $96.32, say, and the smelter would take all the lead and part of the silver and part of the gold.

Because the entire product, the value of a ton of pig lead, is only $86 in New York, while Mr. Allen has testified that it cost the miner $96.32 to get it out of the ore for smelting.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. The Senator from Kansas will certainly not overlook the fact that in addition to the lead which is recovered from that ton of ore the miner also gets $1.84 in gold from each ton and $8.22 in silver from each ton.

Mr. BRISTOW. Just add that. I have not got the figures and the Senator has them. How much was it?

Mr. SUTHERLAND. One dollar and eighty-four cents in gold and $8.22 in silver that the miner receives in addition to the lead. In other words, if the Senator will permit me——

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. Mr. Allen says that in this ton of ore there is first of all 8 per cent lead. Then there is $1.84 in gold, and then there is $8.22 in silver. After making the deductions for the loss of percentages in the smelting, the net profit of the ore is $19.38, which includes the lead and the silver and the gold; and this $96.32 for smelting includes not only the lead but the silver and gold.

Mr. BRISTOW. Suppose there had been no silver and gold and the ore had borne only 8 per cent of lead, and he had paid $8 per ton for smelting, where would he have been?

Mr. SUTHERLAND. In that event the cost of smelting would have been too great to admit of the ore being smelted at all.

Mr. BRISTOW. Please remember your statement until I get through.

Now, we will turn again to the statement of Mr. Brush, which is found on page 2437, wherein Mr. HILL called the attention of Mr. Brush to the testimony of Mr. Allen. Mr. Allen, mind you, had testified that it cost $8 a ton to reduce the crude ore that comes from the ground to lead.

Mr. HILL. Were you present last week when Mr. Allen, of Utah, was testifying?

Mr. BRUSH. No, sir.

Mr. HILL. There is one fact there which I think, in justice to your own company, ought to be explained, and if it is wrong it ought not to continue in the record as it is. He stated that they were compelled in Utah to pay $8 a ton on ore for smelting; that that ton of ore averaged and produced 164 pounds of lead.

Mr. BRUSH. Yes.

Mr. HILL. Figuring the lead at 4.3 a pound, I asked this question: If there are only 164 pounds of lead in a ton of ore, and they pay $8 a ton for the ore, it would make 12½ times $8, or $100 for smelting a ton of lead, which, at 4.3 a pound, would amount to $96.32, and the smelter would take all the lead and part of the silver and part of the gold. Now, is that true?

Mr. BRUSH. It does not look like an economical possibility on the face of it, does it, Mr. HILL?

* * * * * * *

Mr. HILL. It seems absolutely marvelous to me that that is the situation.

Mr. BRUSH. It is not the situation. That is the reason why I endeavored to give you figures this morning in my testimony with reference to the 8 per cent lead ore as to what actually took place, where the cost came in, and who would pay it, and who would receive the profits.

Now, what was the testimony that Mr. Brush referred to in this statement? It is found on page 2394, in which he explained wherein Mr. Allen was mistaken. Mr. Brush said, in answering a question of the chairman, which I shall read:

The CHAIRMAN. The smelter will take it at his price, which is the market price, and when that gets down below the point where it pleases them they shut down?

Mr. BRUSH. That is what they do. I only referred to 4 cents because that was the point that was fixed upon by a number of mines, and I selected a mine in the Coeur d'Alene which was able to make money at 4 cents, although that mining company owned three other mines, all of which closed down. Now, in working out that ore, the ore ran 8 per cent lead—

The same as the ore in Utah—

and 3½ ounces of silver to the ton of ore. When it was concentrated it required 7.8 tons of ore to make 1 ton of concentrate.

In the process of concentration the mine lost 13 per cent of lead and 33 per cent of silver in the ore, and the concentrates were shipped to our smelters in Colorado. Now, without going through all of the calculations that are before me, I will say that it came down to this: The 1 ton of lead cost the mine—I am speaking now of actual cost—

Of a ton of lead, not a ton of ore, but a ton of lead—

cost $48.35 to mine it and to concentrate it, and two-thirds of that cost was labor, while the other third was very largely timber. The amount paid for freight on 1 ton of lead was $25.50; that was freight on the concentrates to the smelter and freight from the smelter to the refiner of the bullion, getting it to the New York basis.

The freight, which has been discussed so much here this morning, represents a shipment of concentrates from the mine in Utah to the smelter in Colorado, and the concentrates are about 50 per cent lead. So rather than smelt in Utah or Idaho they ship it to Colorado and it is smelted there, and they pay freight on half of it that is dead waste from the mine to the smelter in Colorado. Now, what has this ton of lead cost?

The amount of freight paid was $25.50.

That is from the time it left the mine until it reached New York as pig lead.

The cost to the smelter was $5.55.

That was the cost of smelting the concentrates in Colorado—$5.55 a ton—and that is all it cost, and that is the duty we are providing for now. We are not providing a duty for concentrates. The ore taken from the ground in Mexico is concentrated in Mexico before it is shipped to the United States for smelting. All of the expense that represents this $48 here is borne in Mexico before it crosses the line or before it is considered by the custom-house. What we are to consider here in fixing this duty is the cost of the labor in reducing concentrates to pig lead, and Mr. Brush, whose smelters last year reduced, I believe, about 3,000,000 tons of ore, says that it cost $5.55 a ton. Now, continuing, he says:

The cost to the refiner was $4.50, making a total cost of $83.90.

That was the entire cost for a ton of pig lead, all told, including the silver that was contained in the ore from which the lead was taken.

The silver in it was worth $16.21. If you deduct that, and throw all the cost upon the lead, which is certainly not a fair way of figuring costs, you will bring out the cost of 1 ton of lead—

This ton of lead, remember, was taken from 14 tons of ore, and the total cost of that ton of lead, which represents the product of 14 tons of ore, was $67.69, while the Senator from Utah says that it cost fourteen times $8 to smelt it alone. Mr.

Brush says it cost $67.60, or $3.38 a hundred pounds. He claims that it ought to be worth 4 cents a pound in order to pay, and he goes on and tells how this profit of 62 cents is divided:

That profit was divided—31 cents to the mine, 15 cents to the smelter, and 16 cents to the refiner.

Senators, if there is any inequity in the dealings between the smelter and miner, it is in the amount of profit that goes to the miner. It seems to be a partnership affair, and this 62 cents profit is divided between the miner and the smelter and refiner. The miner gets half and the refiner the other half. Whether that is equitable and just I do not know, but in reducing this rate of duty from five-eighths of a cent to three-eighths of a cent, as has been suggested by the amendment of the Senator from Iowa, it will simply take off a part of the profits of this 62 cents. The division that might occur should come either from the smelter, the refiner, or from the producer, wherever the equity lies. The duty of $30 per ton of producing this lead is imposed to protect the miner. If the miner is not protected in this country by a duty of $30 per ton, then there is something wrong, and that wrong ought to be corrected, but it ought not to be corrected by imposing an additional burden upon the American people.

Again, Mr. Edward Brush, on page 2390, speaks in referring to the cost of smelting from a particular mine. The chairman of the Committee on Ways and Means asked:

I think you gave me the total cost of smelting and refining, both, at $7.

The total cost of refining and smelting, both, at $7.

Mr. BRUSH. That is the charge made by the smelter, and the smelter has to pay the freight to the refinery out of that.

The CHAIRMAN. Something over $7 for that mine, the Silver King?

Mr. BRUSH. About; I will give it to you exact—

Now, this is what Mr. Brush said:

One month it was $6.91; the next month, $6.78; the next month, $7.86. It varies in accordance with the percentage of sulphur and the percentage of zinc in the ore.

Giving the exact cost month by month in specific figures, dollars and cents.

Again, I will take the testimony of Mr. Thomas L. Wood, of Colorado, as found in the hearings on page 2385. Some criticism has been made of Mr. Brush here. I do not know anything about Mr. Brush, except that he seems to know something about the smelting business and the cost of it. Mr. Wood in the paragraph which I will read is giving a statement of the charges made. I will not read the first. It is in technical terms, showing what the net profits were on so many tons of ore that were sent to the smelter; but in referring to the concentrates he says:

To produce 27,170 pounds of concentrates we crushed about ten times the amount of crude ore—

I will read that again. I want every one to hear it.

To produce 27,170 pounds of concentrates we crushed about ten times the amount of crude ore—say, 136 tons—making proceeds at mine about $3 per ton for the crude ore, against which must be charged costs of mining, milling, management, insurance, taxes, etc., which, on a 75-ton daily capacity, are not less than $2 per ton—

Now, what does that $2 cover? It covers mining, milling, management, insurance, taxes, and so forth—

and this does not cover mine development nor interest on investment.

He contended that that was not too much. It gave them a net profit of a dollar a ton on, we might say, the raw ore as taken from the ground, but $2 a ton covered in that case the expense of mining, crushing, and reducing to concentrates.

A good deal has been said here about the silver and the gold that is taken from the Utah and Idaho mines. Let us apply the declarations of the Senator from Utah as applied to the lead that is mined in the State of Missouri, where there is no silver and no gold, but simply lead, and see if it is a reasonable statement and if the cost of $8 a ton to smelt the ore is borne out by the facts. We will take the statement made by Edward A. Rozier, of Missouri, in the hearings, page 2341. If Mr. Rozier is not a credible witness, I would be glad to have one of the Senators representing the State of Missouri say so now, because I am going to read from his testimony. Mr. Rozier, from Missouri, on page 2341, says in regard to the cost of pig lead:

I will say, in a general way, that it costs in the St. Francois district about 3.5 to 3.6 cents a pound to produce pig lead. Most of the companies mine the ore and produce the lead into pigs. That is about the cost.

As to the amount of lead in a ton of ore, Mr. Rozier said, on page 2343:

The disseminated lead ore is a low-grade ore ranging from 4 per cent to 10 per cent, and it may be safe to state that practically the entire output of southeastern Missouri may be called a 5 per cent ore, considered on a metallic basis.

That is, there is 5 per cent of lead on the average in a ton of ore that is mined in southeast Missouri.

This ore is found at depths of not less than 300 feet up to 575 feet. It must therefore be apparent that the ore of St. Francois County can at best produce only about 100 pounds of pig lead to each ton of ore mined, and this 100 pounds of pig lead at the present average market price for 1908 of $4.35 per hundred would only produce $4.35 gross.

There is 100 pounds of lead taken from a ton of ore—20 tons of ore is necessary to secure 1 ton of lead—throughout the lead mines of Missouri, which produce more than one-fourth of the lead that is used in this country. If the statement of the junior Senator from Utah is correct, it costs $160 to smelt that ore alone, or $8 a ton for 20 tons. This shows the danger of Senators standing upon this floor and making statements when they are not thoroughly advised as to the facts.

Again, Mr. Marshall D. Smith, on page 2368, testifies. Mr. Marshall D. Smith is from Georgetown, Colo., and if Mr. Marshall D. Smith's testimony is not reliable, I should be glad to have a Senator from Colorado challenge it now and state why it is not. He testifies as follows:

During that period we (as well as the other large lead producers of that district) estimated that the quotation of lead needed to be in the near neighborhood of $4 per 100 pounds, and that the grade of ore mined could not fall below 4 per cent in lead, or, in other words, contain less than 80 pounds of lead to the ton of ore in order to break even and something better than this to operate to a profit.

That is, they must get 80 pounds in order to break even, and more than 80 pounds in order to have a profit.

In other words, 80 pounds of lead times $4 per hundred equals $3.20 per 80 pounds, or $80 per ton, was what it then cost to produce lead from that grade of ore in that district. Furthermore, it was estimated by engineers thoroughly familiar with that district, among whom I may name such men as Frank L. Nason, of New Haven, Conn., and Arthur M. Winslow, state geologist of Missouri, that the average grade of the commercial bodies of ore in the Fat River district of southeastern Missouri was not above 7 per cent.

Now, this ore which was mined was bearing lead at 4 per cent; and if it did not bear more than 4 per cent of lead of native ore, it did not pay to mine it; if it did bear more than 4 per cent, it could be mined at a profit; or if they could get a ton of lead out of 25 tons of crude ore, then they could mine it at a profit; but if they had to pay what the junior Senator from Utah says has to be paid for the smelting of the crude ore, it would cost eight times twenty-five to smelt it alone, or $200 per ton for the lead when it sells in the market for $86.

Senators, I want to know if we are expected to fix duties in this bill upon statements of that kind. I guess it is not worth while for me to read any more of this evidence. I want to confirm the declaration of the Senator from Iowa [Mr. CUMMINS], and to invite any Senator in this body to go through that stack of literature which was piled upon the desk of the Senator from Montana [Mr. CARTER] the other day, and which is brought here in such great abundance for our guidance, to point to a single line of testimony there to show it costs more than $8 a ton to smelt ore and reduce it to pig lead.

I am not talking here at random, and I am not giving information that comes from experience. I am standing here protesting against this, not because I have any personal interest in it. I resent the insinuation made by the Senator from Idaho recently against the sincerity of purpose of the men who are standing here protesting against this exorbitant and, in my humble judgment, outrageous differential. If a Senator can not stand here on this floor and defend what he believes in his conscience is just and right to his constituents without having his motives impugned by Senators who hold different views, I think it is time that there was a higher grade of men sitting in this Chamber.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. BORAH. Did the Senator from Kansas intend to refer to the junior Senator from Idaho?

Mr. BRISTOW. No; I beg the junior Senator's pardon; I did not. I referred to the senior Senator, when he stated that the men who were complaining of this excessive duty had not received any complaints from their constitutents, but were doing so to curry popularity with them. That is the remark that I am now resenting, not in my own behalf, because it seemed to be directed to every Senator on this floor who appeared to take issue with the senior Senator from Idaho in regard to this matter.

If it does not cost to exceed from five to eight dollars a ton to smelt lead ore and reduce the lead from its state in the ore to pig lead, why should there be placed a duty of twelve dollars and a half to represent the difference in cost here and in a foreign country? Concede that it does not cost half as much

or 40 per cent as much to smelt the ore in Mexico as it does in the United States, it costs only $8 in the United States. I challenge any Senator to show a line of testimony before Congress that shows it to cost more. This challenge stands open; and I should be glad to have such testimony pointed out. If it costs, then, but $8, there can be no reason for fixing the duty or differential at $12.50.

The amendment offered by the Senator from Iowa [Mr. CUMMINS] reduces it from $12.50 to $7.50—50 cents less than the maximum cost as shown by the testimony. Of course, I do not think that is a sufficient reduction in duty. Two-eighths would be abundant. I am, however, willing to accept the judgment of the Senators who are as earnestly desirous of these reductions as I am. I think the rate ought to be less. I am willing, however, to yield to the judgment of the Senators who are in favor of this reduction, and support the proposition which they agree covers every possible contingency in protecting the wages of the American miner.

It was said on Saturday in this discussion that there are lead miners in Kansas. I am glad there are, and I wish there were more. It was for the protection of the American miner that I voted the other day for a cent and a half duty on lead ore, and for no other reason. I do not believe that the duty of a cent and a half on lead ore ought to have been imposed, but it was imposed in the wisdom of a past Congress. Under that stimulus, that subsidy, if you please, there have been opened up mines throughout the Mountain States which, if you reduce the duty below a cent and a half now, would doubtless be closed, because they are barren and do not produce a great deal of lead per ton of crude ore. Rather than close those mines and start men out seeking employment, I supported the measure, which I did not think was justified for any other reason; but to say that you have got to give the smelting industries of this country a protection of four dollars and a half a ton more than it costs them to smelt their product in order to protect the wages of the miner, seems to me, is a very extravagant and farfetched conclusion.

If you take this $4.50 a ton off the profits of these smelters, they in turn have the power to take it out of the pockets of the miner, it is said, and this they have no right to do. That may be; but to correct that evil and injustice requires different legislation than can be had in a tariff bill. If there is a smelter trust in this country that has so intrenched itself that it can crush the miners in order to gratify its insatiable greed, then the thing to do is to legislate against that trust, so as to take from it that power, and not to impose an additional burden upon the people of the United States that it may reap all of the profits that its greed may demand.

There is no Senator on this floor who will stand more earnestly in favor of measures to curb the power of these great combinations of capital than I; but you can not do it by imposing additional burdens upon the American people in the shape of tariff taxes. Every cent of duty that is placed upon lead bullion or white lead increases the cost of lead bullion and white lead to the people of the United States, for we do not produce as much lead as we consume; and for that which we have to buy in foreign countries we pay the cost in the foreign countries plus the duty that is levied at the ports of the United States. I stand here and am pleading to you as earnestly as I know how to fix this rate at a figure that will be just, not only to the smelter and to the miner, but to the people who buy their products. I hope, in considering this matter, Senators will cast aside the consideration which seems to weigh upon the minds of many—that is, that they fear a reduction of this duty will be a rebuke to the Committee on Finance. I have not the slightest desire to rebuke or to differ in opinion from the Committee on Finance; I had rather a hundred times agree with them than to disagree with them; but I can not consent to vote a duty upon a product which is $4.50 per ton more than the entire cost of the labor in this country.

Mr. BRADLEY. Mr. President, as one of the junior Members of this body, I want to say that while I have listened to this discussion with a great deal of pleasure, it has been absolutely confusing. One Senator will address this body and refer to certain testimony, another to yet other testimony, and one will make assertions that are promptly contradicted by another. I must confess that, so far as I am concerned, I have been more confused than enlightened by this discussion. I am somewhat in the condition of an old Kentucky friend who was describing to me on one occasion the extent of a great crowd he had seen assembled in New York City. He described it by saying that there was such a crowd that when he went to scratch his own arm he found out he was scratching another man's arm. [Laughter.]

The question that occurs to my mind is: What are we to do? We have a Finance Committee, which has heard all the testimony in this case. That committee, in arriving at its conclusions, doubtless weighed all the testimony that was heard, while we in this body are listening here and there to excerpts from the testimony of various witnesses. I take it, sir, that the committee which heard all this testimony, and which weighed all this testimony, is in a much better condition to pass upon what is right and what is wrong than any individual Senator in this body. I have confidence in the ability of that committee; I have confidence in the honor of that committee; I have confidence in the honor and ability of the Senators who come here from the lead States, who are more interested by far than are the rest of us; and it occurs to me, sir, that the most sensible thing for the Senate to do is at as early a moment as possible to suspend this debate, and before we are entirely lost in the fog to vote to sustain the report of the committee.

Mr. STONE. Mr. President, I desire to make a brief statement, not to debate the question before the Senate further than I have already done; but I am anxious that the exact situation should be distinctly understood, to the end that there may be no misunderstanding now or hereafter regarding it.

Paragraph 179 of the bill, as it came from the House of Representatives, provided that—

Lead dross, including all dross containing lead, lead bullion or base bullion, lead in pigs or bars, old refuse lead run into blocks or bars, and old scrap lead fit only to be remanufactured, lead in any form not specially provided for in sections 1 or 2 of this act, and the lead contents contained in lead-bearing ores of all kinds; all the foregoing, 1½ cents per pound.

That is the form in which the House of Representatives sent that paragraph to the Senate. It laid a duty of 1½ cents per pound upon the lead contents of lead-bearing ore, and 1½ cents per pound upon pig lead or bullion. The Senate Finance Committee amended that paragraph so as to provide a duty on the contents of lead-bearing ore of 1¼ cents per pound, but took out lead bullion, pig lead, and so forth, from that paragraph, transferred those articles to paragraph 180, and raised the duty to 2¼ cents per pound.

Mr. President, when I read paragraph 179, as it passed the House and came to the Senate, I felt that the House had not wisely determined the rate as between lead ore and lead bullion. It seemed to me then, and does now, that, considering all things, with a view to a symmetrical and scientific arrangement of the schedule, a somewhat higher rate should have been imposed upon the bullion than upon the ore. If I could have framed the House provision, I would have fixed the duty on the lead contents of ore at not less than 1 cent and not more than 1¼ cents per pound, and would have fixed the rate on lead bullion at about 1½ cents per pound. I mean to say that, upon the theory on which the bill was constructed, those rates of duty would have been laid in about the right proportion; but, as the House, after full deliberation and after a thorough hearing of all the interests concerned, thought proper to fix rates between the ore and the metal as they did, I felt inclined to accept them, although it was not as I myself would have constructed the paragraph.

The Senate committee has established a differential between the ore and the bullion. I think that was the proper thing to do, only, in my judgment, they did it in the wrong way. I think it would have been better and more wisely done if the Senate committee had reduced the rate on the lead contents of ore somewhat and left the duty as fixed by the House on the bullion; or, if they raised it at all, to have done so by a very slight fraction.

So, Mr. President, the other day, when the question before the Senate was upon agreeing to the amendment proposed by the Senate committee to paragraph 179, I voted against it. I voted against it because I believed then, as I do now, that the rate fixed by the House bill upon the more refined products of the ore, pig lead or bullion, at a cent and a half a pound, was as high as it ought to be. I believed then, as I do now, that the rate on the lead contents of the bullion should have been somewhat lower; but I was unable then, and still am, to see that any particular harm or serious commercial disturbance would occur by leaving both at the same rate in this instance. So I voted against the Senate amendment to paragraph 179, with the understanding—which was a correct understanding—that if it should be rejected by the Senate, it would restore the House provision and leave both ore and bullion at the rate of 1½ cents per pound. I preferred that, in the interest of the entire constituency of my State and of the Union, to agreeing to the amendment proposed to paragraph 179 by the Senate committee, as that would lead inevitably, or, at least, in the

ordinary and natural course of making rates, it would lead to a higher rate on pig lead or bullion. I prefer the House provision to the Senate amendments, as they are presented in paragraphs 179 and 180.

Mr. SMOOT. Mr. President, I do not rise to make any extended remarks on this question, for I consider that it has been pretty thoroughly discussed, but at the request of a number of Senators I desire to make a concise statement of just what the results have been in the State of Utah not only in the mining of lead, but of silver and gold as well. I have carefully gone over the statistics of the State for the year 1906, and I wish in a few brief words to present to the Senate the results with respect to mining in that State for 1906. I think it will be a fair average of lead mining, for we produce in Utah some 35,000 tons of lead each year, and we are the third State in the Union so far as production goes.

In 1906 we produced 125,242,836 pounds of lead or 164 pounds of lead for each ton of ore mined. But in that ore mined and smelted were 68,340 ounces of gold, or an average of 0.089 ounce of gold in each ton of ore. It also contained 9,406,758 ounces of silver, or an average of 12.27 ounces of silver to each ton. Eighty-two per cent of all the silver produced in Utah came from lead ores. Twenty-six or 27 per cent of all the gold produced in that State came from lead ores.

The price of lead ore in 1906 was $5.70 per hundred. The price of gold was $20.67 per ounce. The price of silver was 67 cents per ounce. Therefore the value of the contents of the average ton of ore in our State was, lead, $9.52; gold, $1.84; silver, $8.22, or an average to the miner of $19.38 per ton.

It cost the miner to produce this ore the following amounts: There was 10 per cent deduction for the loss of lead in smelting, which amounted to 93 cents; 5 per cent deduction for the loss of gold, 9 cents; 5 per cent on silver, which is 41 cents. The average wagon and railway haul costs the miner $2.50 per ton. The sampling per ton of that ore was 50 cents. The average smelting per ton of that ore was $8, and the mining of that ore averaged $3.50.

And, mind you, Mr. President, that mining means the mining of ore produced by mines paying—that is, by mines upon a paying basis. It does not take into consideration the hundreds of thousands of dollars that are paid every year for the prospecting and development of nonproducing mines in trying to make them producers. The total of all the cost to the miner was $15.93. The miner receiving $19.38 per ton, with this cost deducted, shows what would appear to be a profit of $3.45, and was for that year. But a mine is not like a farm. A dividend from a mine is not like a dividend from a mercantile establishment or a bank. A dividend from a mine is the capital of the mine, because no ore that you take from it can ever be replaced.

And note the difference in the prices of lead and silver during 1906 and to-day. To-day lead is worth $4.30. In 1906 it was worth $5.70, which would show a difference of $2.20 for every ton produced. Silver in 1906 was worth 67 cents an ounce. To-day it is worth 50 cents an ounce. That means a difference in every ton of $2.09, making $4.38 which to-day it would fall short of what it was in 1906, or the apparent gain in 1906 of $3.45 is entirely lost. That simply means, then, that there are a number of low-grade mines that have had to suspend; and I could name now a number of producing mines in 1906 which have been compelled to suspend.

The trouble in this whole matter has been that some Senators have mixed up the cost of smelting a ton of ore with the cost of smelting a ton of pig lead, and then have tried to figure the differential of five-eighths of a cent on the cost of smelting a ton of ore in one case and the cost of producing a ton of pig lead in another; and these figures, based upon two distinct and separate propositions, never will instruct Senators as to what the differential should be. Let us figure on 2,000 pounds of pig lead. During the year 1906 the average lead in a ton of ore in the State of Utah was 164 pounds. That means it took 12¼ tons of ore to produce 1 ton of pig lead. The differential we are talking about here is five-eighths of a cent on pig lead or $12.50 on 2,000 pounds. The mistake of the Senator from Kansas is that he says that that differential is $12.50, and as it costs only $8 to smelt a ton of ore there is a differential of $4.50 per ton of pig lead too much. That is the trouble here.

I desire to call the attention of Senators to the fact that it costs $8 to smelt. Let us assume that there is only a difference between the cost in Mexico and the cost in the United States of smelting a ton of ore, not pig lead, of $1; and there is not a Senator here who will not say there is more than $1 difference between the cost in Mexico and the cost here. Then, on 12¼ tons of ore required to make a ton of pig lead, means $12.20, as every Senator here can figure.

Mr. BRISTOW. Mr. President—

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. Certainly.

Mr. BRISTOW. I should like to inquire how the $12.20 is expended; in what way; how; what different processes does the ore go through? Do you count the concentration as well as the smelting?

Mr. SMOOT. I have counted nothing but $8 for smelting, and I take the testimony of the very man whom the Senator quoted. I have not assumed there would be 40 per cent between the smelting charges of the two countries, but I simply take $1 a ton difference; and in the lead ore of our State, of which it took 12¼ tons of ore to make a ton of pig lead, $1 difference means $12.20, and the differential of five-eighths of 1 cent we are asking here on 2,000 pounds of pig lead means $12.50; and that is within 30 cents on 1 ton of pig lead.

Mr. BRISTOW. I may be dull, but I do not exactly understand how, if it costs only $8, the Senator gets $12.20.

Mr. SMOOT. Let me explain it again to the Senator. The Senator will admit that it costs $8 a ton to smelt here, on the average.

Mr. BRISTOW. I will admit this: That that is the maximum rate given by anyone who appeared before the House committee.

Mr. SMOOT. I beg pardon of the Senator. That is not the maximum of anyone who has appeared, but that is the price which the Senator himself has been quoting here to-day; and what I ask the Senator is, Do you admit that the average ore costs $8 a ton to smelt in this country?

Mr. BRISTOW. I will say, so far as I have been able to examine, it costs from $5 to $8 to smelt a ton of pig lead, to reduce it from the ore to pig lead.

Mr. SMOOT. That is so absurd that there is no need of my explaining further to the Senator, because there is no such testimony, and there could not be, and no man living can smelt enough average lead ore to make a ton of pig lead for $5 or $8. A ton of pig lead is entirely different from a ton of ore.

Therefore I call the attention of the Senate to the fact that all I ask is $1 a ton on the 12¼ tons of ore which during the year 1906 it took to make a ton of pig lead in my State, and that means $12.20; and the differential asked here between the contents of ore in lead ore and the duty upon pig lead is five-eighths of 1 cent per pound, and five-eighths on 2,000 pounds is $12.50.

It seems to me it is so plain that anyone can see without a question that we have no more than is required under the conditions existing, at least in my own State.

Mr. BRISTOW. I should like to inquire where in the hearings the evidence is which states that it costs more than $8 a ton to smelt alone.

Mr. SMOOT. Mr. Brush himself said it cost more.

Mr. BRISTOW. Where?

Mr. SMOOT. The Senator from Minnesota read it here this afternoon, where it cost $10 and something.

Mr. BRISTOW. I beg your pardon. That quotation stated that it cost $5.55 to smelt and $4.50 to refine. There is no duty on the refining. The duty is on the smelting.

Mr. SMOOT. So far as that is concerned, the bill itself will tell you what the duties are. It covers pig lead and bullion.

I do not think there is any use of my taking any further time on the subject. It seems to me the statement is so plain that any man here who will sit down and figure for one moment can see how simple it is when he will get it out of his mind that a ton of pig lead is the same as a ton of ore.

Mr. NEWLANDS. Mr. President, the senior Senator from Idaho [Mr. HEYBURN] read last Saturday a telegram from the bullion inspector of my State, calling attention to the importance to that State of the lead-mining industry, the number of mines of that kind in the State, the number of men employed in the industry, contrasting the wages which prevail there with the competitive wages in Mexico. I stated at the time that whilst I concurred with the sender of that telegram in the optimistic view which he had regarding the mining industry of that State, I could not be controlled by the considerations presented as to my vote on this question.

I should regret, of course, to cast a vote which any citizen of the State of Nevada would regard as prejudicial to the interests of that State. Whilst I believe that the general sentiment of that State is that the present tariff duties are excessive and should be reduced, I am aware that there is considerable sentiment among the people of that view that so long as the protective-tariff system continues to exist each State should insist upon receiving its fair proportion of the protection afforded.

But, Mr. President, if this consideration is to control each and every one of us who believe in the reduction of excessive duties, it will mean, of course, that no duties will be reduced, for there is not a section, there is not a State in this country in which some industry that pertains to that section or State is not protected by this tariff and oftentimes by excessive duties. If it is necessary for us to unite the vote of the revisionists upon this question, it is apparent that a defection by the representatives of the several States interested in a particular industry may prevent a favorable vote regarding the reduction of excessive duties, and the result will be that whilst in the end all will vote for some reduction of duty, they will never be able to unite their votes upon the same reduction, and will be unable to accomplish anything.

Mr. President, regarding this particular industry, I have to say that so far as lead in ore is concerned the average protective duty is over 70 per cent, and that as to lead which has reached a stage beyond that of ore the average duty is about 50 per cent. I regard those duties as excessive. I do not believe that such a duty as 70 per cent should be imposed on any commodity, except, perhaps, spirits and tobacco. I do not believe that so high a duty should be imposed even upon the luxuries of life. Under this bill duties of 100 and 150 per cent are imposed upon so-called "luxuries." I regard such duties as absolutely unreasonable, unjust to the producers in other countries, unfair when you consider fair reciprocity of trade throughout the world, and the comity which nations should bear to each other.

But so far as the necessaries are concerned, such as lead may be regarded to be, I consider a duty of 70 per cent, or even 50 per cent, as excessive. Under this tariff we find that this duty can be sustained as a revenue duty, for about $1,000,000 in duties is collected annually upon lead in its various forms, nearly one three-hundredths of the entire revenue obtained from customs duties. If we were looking to revenue alone, and without reference to the fairness of the apportionment of the taxes as between the various commodities covered by the tariff, that duty could be justified as a revenue-producing duty; but it is so high as to be unfairly protective, and to involve a price for lead to our domestic consumers higher than that which should be exacted.

Now, what is that price? To-day lead stands in the London market at 3 cents per pound and in New York it stands at about 4½ cents per pound. We can therefore safely assume that the difference in price is due to the duty imposed by the United States—an average duty of about 2 cents. The entire duty is not imposed as an additional price, but a very large proportion of it is. Under this duty we collect $1,000,000 in revenue. But how much have the producers of lead collected from the consumers under this system of protection? We look over the statistics furnished us by the Committee on Finance and we find that the total production of lead in this country was in value $30,000,000, at 4½ cents a pound, the cost imposed on the consumer. If that price was 3 cents—the London price—the American consumers, instead of paying, as they do now, $30,000,000 annually to the domestic producers, would pay only $20,000,000, or one-third less.

So the American producers collected from the American consumers this tax to the extent of $10,000,000, whilst the Government collected from the outside producers only $1,000,000. It may be safely assumed throughout our entire tariff system that the consumers of the country pay ten times as much to the domestic producers for the commodities produced by them as is collected by the Treasury in the shape of duties upon the similar products of foreign producers.

The total duties collected upon foreign products amount to $300,000,000. So it is safe to assume that the domestic producers in America collected from domestic consumers ten times $300,000,000—$3,000,000,000—annually as taxes through this protective system, and that the Government itself receives only one-tenth of the entire burden placed upon the American people.

Mr. President, with reference to this particular industry, the Senate has already determined that the basic duty upon lead in ore shall be 1½ cents per pound, which is the present duty, and that is the duty which protects the American miners, for if you will look into the statistics you will find that almost the entire importation of lead into the United States is in the shape of lead in ore.

We are now considering simply the differential, the additional duty that is to be imposed upon the lead which has reached a higher stage of production, namely, pig lead as contrasted with lead in ore. There you have to consider not the wages of the miners, but simply the wages of those engaged in the smelter and the profit of the smelter and possibly the service and the profit of the railroad.

Now, what differential should be imposed? I admit that some differential should be imposed, for if you were to impose an ad valorem duty instead of a specific duty, the pig lead being more valuable than the lead in ore would produce a higher duty. What evidence have we regarding it? The best evidence that has been presented to my consideration in these hearings is that of Mr. Brush, of the American Smelting and Refining Company, a protectionist, who insists upon it that the basic duty on lead in ore should be 1½ cents a pound, and who simply presents his views as to the differential in case the duty were put at 1 cent a pound, as he understood the committee of the House intended to do.

He declares that a differential of one-eighth for smelting and an additional differential of one-eighth for refining is sufficient; two-eighths in all. As I understand it, there is no distinction here between the smelting and the refining. They are both in one item and are covered by the term "pig lead." The junior Senator from Iowa has presented an amendment reducing the differential from that called for by the committee, five-eighths of 1 cent, to three-eighths of 1 cent, one-eighth of 1 cent higher than Mr. Brush declares is necessary to cover both processes of smelting and refining. It seems to me that that is a liberal allowance for smelting and refining.

It is true that some effort has been made to discredit Mr. Brush upon the ground that the great trust organization in which he is interested also owns smelters in Mexico. It seems to me the very fact that this company owns smelters in both countries would add to the impartiality of the witness and would increase our confidence in his credibility. We have upon this floor the most substantial indorsement of the character and the integrity of Mr. Brush, and no one can question his knowledge. He did not appear voluntarily before the Ways and Means Committee. He was brought there by a subpœna and he was brought there by the committee as an expert in these matters, having full knowledge and information.

So far as my mountain friends are concerned, I can realize how those who stand for a general revision of the tariff, who regard many of the duties of this tariff as excessive and who wish them reduced, should regard with solicitude any change which will affect materially the industrial conditions of the States in which they live. But I wish to urge upon them, and I wish to urge particularly upon the junior Senator from Idaho, if he will give me his attention, the importance of this vote. I understand that he is one of the progressive Senators upon the Republican side who is disposed to accept the assurances given by Mr. Taft in the campaign, who is disposed to interpret the dubious Republican platform in the interest of the people, and who believes that there are excessive duties which should be reduced.

If the men from the mountain States who believe that these excessive duties should be reduced refuse to give the progressionists their votes at this critical stage of the proceedings, may they not be responsible for an entire defeat of the movement for tariff reduction and reform? For if they lead in the exclusion of the particular industry in which their State or section is interested from the general scheme of reform it will justify Senators of similar views from the Middle West, it will justify Senators of similar views from the South, in taking similar action; and, if we lack three or four votes upon each of the proposed reductions essential to carry out needed reforms in the aggregate, the entire movement for reform will fail. I urge, therefore, that every Senator, regardless of party, who believes that tariff reduction is necessary to support the reasonable reduction proposed by the junior Senator from Iowa.

I submit that a grave responsibility rests upon each one of us, and it is important, if we would be true to our convictions, to take some little personal risk regarding the State or the section from which we come, and to be willing to indulge in some sacrifice at home as well as to require sacrifices abroad. It is this consideration above every other that leads me to take the view I have taken against the protests of many in my own State, and possibly with serious consequences to my political future in that State.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. CUMMINS] to the amendment of the committee.

Mr. BRISTOW. I ask for a roll call.

The yeas and nays were ordered.

Mr. GORE. Mr. President, before the roll call begins I wish to say that there has been considerable conflict of opinion in regard to the freight rate on pig lead from Salt Lake City to New York. I think it material to this debate that the record should disclose the rate. I have obtained what I regard as exact and reliable information. The combination rate from

Salt Lake City to New York by way of Kansas City is 70 cents a hundred pounds, which of course means $14 per ton, or $280 per carload lot.

Mr. CUMMINS. I ask that the amendment I offered to the amendment of the committee be read.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The SECRETARY. On page 60, line 21, in paragraph 180, it is proposed to amend the committee amendment by striking out the words "two and one-eighth" and inserting in lieu thereof the words "one and seven-eighths," so that if amended it will read:

All the foregoing, 1⅞ cents per pound.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll.

Mr. CULBERSON (when Mr. BAILEY's name was called). I will state for all the roll calls to-day that my colleague [Mr. BAILEY] is necessarily absent. He is paired generally with the Senator from West Virginia [Mr. ELKINS]. If my colleague were present he would vote "yea."

Mr. BANKHEAD (when his name was called). I have just come into the Chamber. What is the question?

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Iowa [Mr. CUMMINS] to the amendment of the committee.

Mr. KEAN and others. Let the roll be called.

The Secretary resumed the calling of the roll.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I will transfer that pair to the Senator from Oklahoma [Mr. OWEN] and will vote. I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I do not know how that Senator would vote were he here. If I were at liberty to vote, I should vote "nay," but I respect the pair.

Mr. McLAURIN. If the senior Senator from Mississippi [Mr. MONEY] were here he would vote "yea."

The roll call was concluded.

Mr. ELKINS. I am paired with the Senator from Texas [Mr. BAILEY]. If he were present and voting I should vote "nay."

Mr. CULLOM (after having voted in the negative). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I voted, supposing that he would come in before the vote would be closed; but I do not see him here. So I will withdraw my vote.

The VICE-PRESIDENT. The vote will be withdrawn.

Mr. FRYE. The senior Senator from Oregon [Mr. BOURNE] is detained from the Chamber by the serious illness of his mother.

The result was announced—yeas 35, nays 44, as follows:

YEAS—35.

Bacon	Clay	Gore	Shively
Bankhead	Crawford	Johnston, Ala.	Simmons
Beveridge	Culberson	La Follette	Smith, Md.
Bristow	Cummins	McLaurin	Smith, S. C.
Brown	Daniel	Nelson	Stone
Burkett	Dolliver	Newlands	Taliaferro
Chamberlain	Fletcher	Overman	Taylor
Clapp	Frazier	Paynter	Tillman
Clarke, Ark.	Gamble	Rayner	

NAYS—44.

Aldrich	Crane	Heyburn	Perkins
Borah	Curtis	Hughes	Piles
Bradley	Depew	Johnson, N. Dak.	Richardson
Brandegee	Dick	Jones	Root
Briggs	Dixon	Kean	Scott
Bulkeley	du Pont	Lodge	Smith, Mich.
Burnham	Flint	McEnery	Smoot
Burrows	Frye	Nixon	Stephenson
Burton	Gallinger	Oliver	Sutherland
Carter	Guggenheim	Page	Warner
Clark, Wyo.	Hale	Penrose	Wetmore

NOT VOTING—12.

Bailey	Davis	Foster	Money
Bourne	Dillingham	McCumber	Owen
Cullom	Elkins	Martin	Warren

So Mr. CUMMINS's amendment to the amendment of the committee was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment of the committee.

Mr. BEVERIDGE. I move to amend the committee's amendment by striking out, in line 21, the words "and one-eighth" so as to read "2 cents per pound."

The VICE-PRESIDENT. The Secretary will state the amendment proposed to the amendment.

The SECRETARY. In the amendment of the committee, on page 60, line 21, strike out the word "one-eighth," so as to read:

All the foregoing, 2 cents per pound.

Mr. BEVERIDGE. Mr. President, before the vote is taken, I wish to make one or two observations as to why I shall cast my vote as I do upon this amendment.

I have before me the speech of the chairman of the House Committee on Ways and Means, who explains at great length—and I shall not read it for that reason—the very exhaustive hearings and inquiry which the House made into this and all matters. I suppose it is true that that inquiry and consideration were the most extensive of any tariff bill ever passed. That is the first point.

The second one is this: The majority of the House were and are protectionists. The majority of those protectionists are high protectionists. The majority of the Ways and Means Committee of the House was made up of what are familiarly known as "standpatters." And yet, Mr. President, after these months of consideration, after what the chairman of the House committee says was his patient hearings, after their protectionist leanings, which are no greater than my own, they fixed the rate as we find it in the House bill. That is the second consideration.

The third consideration is that that great body is presided over by that extraordinary man, the Speaker of the House, who, perhaps, is the highest protectionist from conviction in all the country, a man of dominant personality, and whose great influence with the House is accentuated by the affection felt for him there. Yet, in spite of all these facts, in spite of all these influences, the House fixed the rate as we find it in the bill.

The Senate committee then took it, and we find it reported back with an enormous differential. I make no criticism whatever of the committee for that, and yet it must be said here, Mr. President, that up to this moment there have been no new facts presented, more than the House had, why the differential was increased. A discussion which, I think, has been too long—but nevertheless it has been very fruitful—has occurred, in which, it seems to me, it is demonstrated that the differential is too high.

So far as I am concerned, on this and each schedule I mean to vote for what appears to me to be right, and I assume that every other Senator means to do precisely the same thing.

Now that it has appeared to a majority of the Senate that we should not reduce the differential as fixed by the Senate committee two-eighths, it has occurred to me that not even the most earnest advocate of a higher differential can object to a reduction of one-eighth of 1 per cent—only two dollars and a half a ton.

Something was said the other day by the eloquent senior Senator from Idaho [Mr. HEYBURN] about the ruin of this business in his State under the Wilson law. But the rates under the Wilson law were three-fourths of a cent for ore and 1 cent for bullion, greatly lower rates than are here proposed; and, in addition to that, the failure of those mines in those days was not only on account of the extraordinarily low rates, but because of the prostration of business throughout the entire country that used the products of those mines. I do not think that Senators who have been working for this advance will say that they can not get along with 2 cents.

Mr. President, I was impressed with the statement of the Senator from Kentucky [Mr. BRADLEY]. He said that the Senate committee, having investigated this matter, had much better judgment upon it than any of the rest of us—and that is probably true—and that therefore it was our duty to accept immediately what the committee had reported. That, of course, would make the Senate the instrument of the committee instead of the committee being the instrument of the Senate. I think there is no more strenuous advocate on the floor than I of the general rule of following committee reports in ordinary legislation, because we can not ourselves examine every bill. But a tariff bill is the great business measure of 90,000,000 people. When it is passed it ought to stand for at least ten years, and it becomes the duty of every Senator to inquire into it and to place his vote according to his judgment. If the Senator from Kentucky, who is voicing a sentiment which is being circulated in the Senate, is correct, it becomes the duty of every Senator here to vote immediately for a resolution which will pass the bill to the House with instructions to our conferees to stand by the provisions of the Senate. It reverses the whole theory of legislation. Instead of a committee being the servant of the Senate, the Senate becomes the servant of the committee.

Only one word more, Mr. President. We decreed for a revision of the tariff. That decree was for a revision downward. I

do not think there is any use in trying to dispute that that is what was in the minds of the people. I agree with the Senator from North Dakota [Mr. MCCUMBER], one of the ablest members of the Finance Committee, who the other day, in his most earnest speech, declared—and I will not stop to quote it—that beyond all doubt the people understood that the revision was to be downward. If it was not, will anyone say it was to be upward? And if it was to be neither upward nor downward, why were we called in special session?

As I caught the drift of the campaign, as I understood the meaning of the issues, it was that, wherever possible, we should reduce these rates which are now something over eleven years old. And yet, Mr. President, whenever an attempt is made to reduce those rates, we are confronted with the statement that those who in mere justice wish to reduce them are attacking the system of protection. I think that those who are attacking the system of protection are those who would keep rates at a fixed place if they could, and I think the greatest defenders of that system are those who insist that rates shall be fixed by justice, and that wherever the will of the people decrees that some rates shall be moved downward, then we should register their decree.

I think that wherever you say "protection," the American people will march forward with you; but the only thing that ever will break down the protective system is that the people shall believe that it is weighted down with a single ounce of injustice.

It is not my intention, Mr. President, to speak more; it had hardly been my intention to speak this much; but I think that here is an amendment fixing a differential which can not possibly hurt anybody. I would not offer it if it had been shown to the Senate that one single new fact was in the possession of the Finance Committee which had not also been in the possession of the House; if one single new reason had been given to the Senate that was not also before the House.

On several occasions statements have been made upon the floor as to what Senators had learned in private conversations; and it is for this reason only that I refer to this fact.

We have been told what the House committee's opinion was—that they made a mistake at the last minute, and much of that must have come from private conversations—and of that I make no complaint. But on that account I call the Senate's attention to the fact that only within the last three or four days I talked with a Republican member of the Ways and Means Committee of the House, and he said that they did not then think they had fixed the rates too low and did not now think they had fixed the rates too low. If that had been lightly done, if we did not have the word of the chairman of the Ways and Means Committee of the House that every schedule had had months spent upon it, or if a new fact had been shown here, I should not complain of the differential; but in view of these facts it seems to me that Senators who earnestly want to do the right thing, and if they make an error, to err on the side of a higher differential than justice would fix, can vote, and vote conscientiously, for a reduction of one-eighth of a cent.

Mr. ALDRICH. Mr. President, I have no intention of undertaking to make any response to the general observations submitted by the Senator from Indiana [Mr. BEVERIDGE]. I shall be very glad to do that on a subsequent occasion.

This matter has been discussed for three days, practically. A duty to be imposed by this bill is either protective, or it is not. If five-eighths of a cent differential is necessary, as has been the universal impression of all the Senators in this body who seem to have any information upon the subject, then four-eighths of a cent is not protective, and four-eighths of a cent is no better than three-eighths or two-eighths or one-eighth. If the proposition is not to turn this industry over to foreign competitors, the suggestion made by the Senator from Indiana is no better than the suggestion made by his fellow-progressive, the Senator from Iowa [Mr. CUMMINS]. There is no use of juggling about terms in this matter. Either this differential is needed, or it is not. If it is needed, then I expect every protectionist in this body to vote for it. I am not talking about terms at all. The duty is either needed or it is not. If it is needed, it should be sustained.

Mr. BEVERIDGE. Mr. President——

Mr. ALDRICH. I meant to call for the yeas and nays, Mr. President.

Mr. BEVERIDGE. Mr. President, every time the lowering of a duty is asked, every time the action of a Republican House in reducing a duty seems to be wise to any Senator, the only argument with which we are met is the obsolete argument that we have heard from our childhood, that we propose "to turn the industry over to foreigners." Did the other House intend to turn this industry over to foreigners? The Senator says that their action did just that. Were the great majority in the other House men who came directly from the people, from the homes of the people, knowing the sentiment of the people, earnest, everyday fighting protectionists, were they not true protectionists? Did they mean to "destroy this industry?"

Did the Speaker of the House, who campaigned in a lead district and made certain promises, want to destroy the industry? Did the chairman of the Ways and Means Committee of the House want to "turn this industry over to foreigners?" Did the majority of the Ways and Means Committee, who were Republicans of as long standing as any Senator in this honorable body, and whose devotion to the principle of protection has been proved by their conflicts in every campaign for years and years—did any one of that House committee want to "destroy this industry" or "turn it over to foreigners?" The Senator from Rhode Island will have to invent a new argument. That one is outworn, threadbare, and moth-eaten. It is more—it is monotonous.

Why, Mr. President, the Senator seems to think that there is something sacred about the figures one-eighth. The Senator says this particular duty "is needed or it is not needed." Is it not all a matter of calculation? Is it not a matter of business, after all? Is there any particular halo about the figures one-eighth?

Mr. GALLINGER. There is, if it makes the protection sufficient.

Mr. BEVERIDGE. Yes; but there has been demonstration here that 35 Senators believe that five-eighths is too high a differential. I have been inclined to think that myself, and I am satisfied——

Mr. ALDRICH. Forty-four Senators, however, voted the other way.

Mr. BEVERIDGE. Yes; 44 Senators did vote the other way. I understand that perfectly well; but did that make your one-eighth sacred? What the Senator from Rhode Island is quarreling about now, what the Senator is now declaring is that, if we strike down the one-eighth rate, we "strike down the industry" and "turn it over to foreigners." It comes like the sound of a phonograph from an ancient campaign. I ask whether it is true that the Republican House have deliberately proposed to "strike this industry down?"

The Senator from Rhode Island speaks about "juggling." Well, I never applied that word to any of the mysterious figures in the Senate bill. I would almost be willing to put this question up to certain Senators on this floor who do know about this industry, and myself vote as those particular Senators would say, as to whether or not 2 cents would be enough.

I want to repeat what I said a moment ago about the danger to the protective system. There are Senators here who have done much more work for it by far—older Senators, who have fought more bravely and more ably for it than ever I have. I have not done much, but I can see before me years of a strenuous devotion to the system of protection in the future, as older and veteran Senators have given it in the past; and if I see anything clearly, it is that the peril of that system does not come from the earnest wish of those who hope to take any excess out of it, but from the fervent insistence of those who have clothed it with a sacredness which no human law can possibly possess. I think, so long as we go forward upon a protective system based upon justice, the American people will follow us to victory in the future, as they have in the past; but I think their sentiment to-day, Mr. President, is the same that ran in their blood upon another historic occasion which I might now paraphrase. They once said: "Millions for defense, but not a cent for tribute." They now say: "Millions for protection, but not one cent for extortion."

Mr. McCUMBER. Mr. President, I have taken no part in the discussion of this particular schedule, for the reason that I wanted to get all the information I could from the arguments that have been given here for several days, and for the further reason that I knew there were many here in the Senate Chamber who were better qualified to express an opinion upon that subject than I.

The mass of figures that have been produced in argument here are somewhat bewildering, and I do not believe that many of us, unless we are experts in the particular line of business, can say absolutely whether we should agree to the one-eighth cent extra or cut it down. But every Senator who has spoken upon the subject from the Republican side has declared—I do not care whether you call him a "stalwart" or a "progressive," or anything else—that he is in favor of a sufficient duty adequately to protect American industry.

That is all there is to it. Every Republican is a believer in that, and there is no necessity of attempting to divide us upon that line. We may differ as to what may be a reasonable protection and what may not be a reasonable protection, but I do not believe that there is one of us who does not believe in the protective policy. The only question now is whether or not the proposed rate of 2¼ cents per pound is necessary for adequate protection, I know some Senators claim that that rate is not necessary, while others claim that even more than that is needed. As I understood the Senator from Indiana, he said that no one had shown that 2¼ cents per pound was necessary for adequate protection.

Mr. BEVERIDGE. I said that there was nothing sacred about the figure one-eighth. I said——

Mr. McCUMBER. Mr. President——

Mr. BEVERIDGE. The Senator referred to what I said, so he will let me correct him. I said further that I would be willing to put it to Senators upon this floor who do know about it—but I will not go into that—as to whether 2 cents would not be sufficient protection.

I do not wish to disturb the Senator, but while I am up I wish to ask the Senator this question: Did not the Senator declare the other day, on May 3, in the Senate, that our promise was for a revision downward, in more forcible language than I have used?

Mr. McCUMBER. Oh, I could state again what I said then. I stated then positively how the different sections of this country understood revision. I understood, first, that it was to be on the lines of protection. That was written in the platform first. Every argument was that we would reduce downward, within the lines of protection.

Mr. BEVERIDGE. Certainly.

Mr. McCUMBER. But protection first. And I want to be dead certain that we are staying within the protective lines upon every product that I believe ought to be protected.

Mr. BEVERIDGE. Yes; so do I.

Mr. McCUMBER. I want to ask the Senator from Idaho [Mr. HEYBURN], who certainly does know something about this matter and who has made a special study of it, whether or not this 2¼ cents per pound is a necessary protection? If he would ask me anything about any industry in my State that I am acquainted with, I could give him the figures, and I believe that the figures I would give ought to have some weight in the Senate. So, when the Senator from Idaho, the Senator from Missouri, and the Senator from Utah—from three great lead-bearing States—express their opinion from the protective standpoint upon the proposition that the duty of 2¼ cents per pound is necessary, and that without it many of their mines that are to-day profitable would be closed down, I am going to give great weight to what they say, and I am going to ask the Senator from Idaho——

Mr. BEVERIDGE. Mr. President——

Mr. McCUMBER. Just one moment. Let me finish the sentence. I am going to ask the Senator from Idaho to state directly, whether, in his candid judgment, the duty of 2¼ cents per pound is necessary; and I know that the Senator will give me his best judgment; and I shall rely upon that judgment.

Mr. BEVERIDGE. I have not the slightest doubt upon that, but would not the Senator think that the Senator from Idaho would be inclined, in the enthusiasm of his cause, to get the highest protection he could for this industry?

Mr. McCUMBER. No.

Mr. BEVERIDGE. For example, the other day the Senator from West Virginia [Mr. ELKINS], a Senator whom we all very highly esteem, because we have that habit among ourselves, in answer to a question put, I think, by the Senator from California [Mr. FLINT], said that when he tried to get a rate of duty on coal, he would get it just as high as he could. Now, while the Senator from North Dakota is on his feet——

Mr. McCUMBER. I am not asking the Senator whether he wants it as high as that, but the question I am putting to him is whether 2¼ cents per pound on this article is absolutely necessary for protection? That is the question that I put to him.

Mr. BEVERIDGE. I have no objection to the Senator putting that question to him, but I want to ask a question after he answers. We want to get the right of this thing.

Mr. HEYBURN. Mr. President, I do not belong to the school of statesmen that will make a statement as to the necessity of a rate of protection merely because it is the highest they can get. We have adjusted the business of our country for the last eleven years to the existing rate, and it affords a reasonable protection. Two cents would not afford any protection. There is no difference between the safety which lies behind a door that is open an inch and behind a door that is thrown back on its hinges. It does not follow that you can whittle off the element of protection.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. HEYBURN. Certainly.

Mr. NEWLANDS. Let me inquire of the Senator whether the view which he has expressed regarding the particular duties that the business of his State has adjusted itself to in this particular would not apply to every other duty?

Mr. HEYBURN. It would.

Mr. NEWLANDS. And the industries related to it, and thus prevent the reduction of any of the duties fixed by the Dingley law?

Mr. HEYBURN. I did not intend to confine my statement to a single State. I undertook to say that this great industry, in the element of the investment, in the development of the properties, in all the attributes that go to build up and maintain a business at a certain standard of prosperity as measured against the business of the outside world, has been afforded the element of protection, and the duty proposed by the committee, which is the existing law and has been for eleven years, ought not to be disturbed. I speak in conscience, and not for personal gain.

Mr. BEVERIDGE. The Senator from Idaho has given the first new reason that I have heard in listening to these debates—a reason not given to the House—for this duty; and the reason that he has given should be, in our judgment as Senators, its death. He said the one-eighth ought to be retained not because it was a just differential, but because their "business was adjusted to it."

Mr. HEYBURN. Pardon me, I did not——

Mr. BEVERIDGE. Was adjusted to it, and had been adjusted to it for eleven years.

Mr. HEYBURN. I made no such statement.

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Idaho?

Mr. BEVERIDGE. Certainly.

Mr. HEYBURN. I made no such statement——

Mr. BEVERIDGE. Did the Senator not suggest that the "business was adjusted to it?" Did not the Senator say that "business was adjusted to it," and they could not change it now? He said, furthermore, that you might as well throw the door wide open as to open it an eighth of an inch? I will say to the Senator that I understood him to say three different times in his very lucid statement that "the business was adjusted to it," and therefore the duty should not be changed even the eighth of a cent.

Mr. HEYBURN. Mr. President, what I just said is to be taken in connection with what I have heretofore said in the discussion of this question.

Mr. BEVERIDGE. I take it that way.

Mr. HEYBURN. And the Senator will not contend for a moment that, in answering the question that was submitted to me, I was under the necessity of rearguing or re-presenting that which I had already presented. It was merely an application of the principle that was suggested in the question of the Senator from North Dakota [Mr. MCCUMBER]. Had the Senate nothing else to do I might be willing to enter or reenter upon the consideration of the question; but the Senator must take what I have said in the preceding argument, and he will not be able to draw any such conclusion from what I have said recently as he is proceeding to draw.

Mr. BEVERIDGE. I always take anything the Senator from Idaho says, as he well knows, not only in good conscience, but at 100 cents on the dollar; but I must call his attention to the fact that the Senator from North Dakota, voicing exactly my position, that I always want to do the right thing with reference to protection and no more than that, asked the Senator from Idaho to state, as he knew more about it than we, whether the proposed duty was necessary for protection.

Mr. HEYBURN. I said it was.

Mr. BEVERIDGE. The platform states that protection is to be measured by the difference in the cost of production here and abroad. In answer to that question, the Senator said three times that it, even the one-eighth of a cent, ought to be retained, because "business was adjusted to it." Now, Mr. President, taking that statement in connection with the rest of the statement of the Senator and applying it to every schedule in the bill, it would be a business crime for us to disturb a single schedule in the whole bill or a single item of a single schedule.

Mr. HEYBURN. Mr. President——

Mr. BEVERIDGE. Pardon me; I can not yield now. Not only according to that could we not do that now, but we never could do it, because "business was adjusted to it." One of the great reasons for tariff revision is that the tariff may be adjusted to the changed conditions of business. Now, I ask the Senator from Idaho and the Senator from North Dakota—neither of whom, I think, differs very much with me, if at all, upon our general principles and policies—I ask them if they do not think that the Republican Members of the House, which passed this bill after months of study and consideration of all these schedules, are not protectionists? Is not Speaker CANNON a protectionist? Has it come to the time when JOSEPH G. CANNON, the high priest of the most ultra, ultimate, die-in-the-last-ditch protectionists, is considered as wanting ruthlessly to "destroy an industry" and "turn it over to foreigners?"

Mr. HEYBURN. Mr. President, this morning, at considerable length, I compared the figures representing the difference of wages between the miners and producers of this country and those of foreign countries. I want the attention of the Senator from Indiana—I evidently did not have it this morning when I compared the difference in wages between our country and Mexico and our country and Spain and other countries, and it was not necessary for me to repeat that argument in answering the question of the Senator from North Dakota.

Mr. BEVERIDGE. That is quite right.

Mr. McCUMBER. Answering the Senator from Indiana most briefly, the question with me is not whether Speaker CANNON is a protectionist or is not a protectionist. The sole and only question is whether a duty of 2¼ cents affords necessary protection to this lead business.

Mr. BEVERIDGE. Will the Senator permit me to interrupt him right there?

Mr. McCUMBER. If that rate is necessary, it does not make any difference to me whether the House made a mistake or whether it did not.

Mr. BEVERIDGE. Certainly.

Mr. McCUMBER. I am considering it as a Senator, and not from the opinion of any Member of the House.

Mr. BEVERIDGE. That is exactly right; and the only reason I referred to the House, or referred to that eminent man, Speaker CANNON, was because the Senator from Rhode Island rose and, in reply to my very mild remarks, asked: "Do you want to turn this industry over to foreigners? Do you want to ruin it?" So it just occurred to me to inquire as to whether Mr. CANNON and the Republican members of the Ways and Means Committee of the House, and that great body of Republicans fresh from the people, actually had wanted to "destroy an industry" and "turn it over to foreigners."

Mr. McCUMBER. I hope, also, that we will not hurry a vote upon this matter so rapidly that we can not have the conclusion in definite words from the Senators from Utah, who have spoken on this question, whether or not in their opinion 2¼ cents is necessary. It is not necessary for me to say that I am putting them upon their honor on this question, because they are always upon that, and I know they will give it according to their best judgment, but I want their judgment in the one clean-cut statement whether or not the 2¼ cents is necessary.

Mr. SUTHERLAND obtained the floor.

Mr. BURKETT. I wish to ask the Senator a question.

The VICE-PRESIDENT. The Chair has recognized the Senator from Utah.

Mr. BURKETT. I desire to ask the Senator from North Dakota a question.

Mr. SUTHERLAND. Have I the floor?

The VICE-PRESIDENT. The Senator from Utah rose first.

Mr. SUTHERLAND. I want to ask the Senator from Indiana a question. I endeavored to do it while he was on his feet. Does the Senator think there should be any differential between the duty on lead ore and lead bullion?

Mr. BEVERIDGE. Certainly, I do. I think there should be a differential wherever there is a difference in the cost of production between the raw material and the finished product.

Mr. SUTHERLAND. Then——

Mr. BEVERIDGE. I want to say right now——

Mr. SUTHERLAND. Then——

Mr. BEVERIDGE. The Senator will pardon me. I want to say right now that I am not going into the argument that we have listened to here for three days on that subject. I am very much inclined to think that what the Senator from Rhode Island has told us as to the original action of the House, after months of consideration—a cent on ore and a cent and a half or less on bullion—was plenty, and this extra Senate differential seems to me excessive.

Mr. SUTHERLAND. If the Senator from Indiana thinks there should be any differential between the duties on lead ore and lead bullion, it follows, as a necessary consequence, that he does not believe the House action was right——

Mr. BEVERIDGE. Oh, no.

Mr. SUTHERLAND. Because the House declared there should be no differential at all.

Mr. BEVERIDGE. I do not want to prolong the discussion, but the Senator is wrong there. If the Senator will read the hearings before the House committee he will find that the whole point was put by Judge CRUMPACKER, a member of the Ways and Means Committee, when they were arguing for 1 cent, just 1 cent, on ore, and perhaps a differential, and he said, Would not 1½ cents cover not only the ore, but the other thing, too? And they thought it would. I understand from a member of the Ways and Means Committee of the House, a Republican in pretty good standing, that they still think so. I do not want to argue the question with the Senator, because we have taken three days on it.

Mr. SUTHERLAND. The Senator does not agree with the action of the House?

Mr. BEVERIDGE. I think we ought to stand by the action of the House, but we can not do that.

Mr. BURKETT. I should like to ask the Senator from North Dakota, in line with his turning over to the Senator from Idaho his judgment on lead, whether he is going to turn his judgment over to the Senator from Washington on lumber and the Senators from other States on other items. If he is, is there any good reason for North Dakota having a Senator here in this body? Why not let the Senators who are interested in each particular schedule and from the States affected meet and put in what, in their judgment, is right, and the rest of it go out, and ratify it after it is done?

Mr. McCUMBER. Whenever the Senator from Nebraska thinks that I will yield my judgment to him upon a matter of this kind, he had better come around to me and see how easily I will yield that judgment. I have an idea that upon some matters I may be as thoroughly acquainted with conditions as is the Senator from Nebraska. I have an idea that I know about as much concerning the lead schedule as does the Senator from Nebraska. I have an idea that I have given it as much consideration as he has, and while I am willing to accept information from the Senators from those mining States upon a product that I know very little about, I think the Senator is hardly justified in assuming that I will submit my judgment to him or to anyone else upon matters concerning which I have full and adequate information.

Whenever Senators give me a fact to go on, I will act upon that fact. I may act upon their conclusions when I know they are fully acquainted with the facts or have a better knowledge of the facts upon which that conclusion is based than I have. I have read the testimony of the witnesses given upon the lead schedule; I have heard the testimony of the Senators upon the same proposition, and I am willing to abide by the information and the conclusions that come from those Senators who have peculiar knowledge about a certain business in their own particular States.

I submit that the Senator has little justification for assuming that because upon that subject I am willing to take their opinion, based upon the arguments they have given, that I must necessarily yield my judgment upon every proposition. I do not even yield it upon the evidence that is given, but I do think that the Senators from those States, upon an article produced in their own State, Senators who have carefully studied the business, are as well prepared to speak on that subject as is either the Senator from Nebraska or I.

Mr. BURKETT. The Senator would not question the ability of the Senator from Washington, for example, to speak with equal authority upon the lumber schedule, would he?

Mr. McCUMBER. Possibly the Senator may think that I am not informed about the lumber business.

Mr. BURKETT. No; the Senator——

Mr. McCUMBER. I spoke for about three and a half hours the other day, and if I did not demonstrate to the Senator that I at least knew something of the subject, then I failed in a very good intent on my part.

Mr. BURKETT. I will say the Senator could speak for three and a half hours on the lead schedule. The Senator does not understand my question.

Mr. McCUMBER. The Senator from North Dakota could not speak that long on the lead schedule, because he has not the information. I might speak on it as others have spoken on it—without giving a great deal of definite information. I would

not attempt to speak on it for any length of time with the limited amount of personal knowledge I have of the subject.

Mr. BURKETT. I will say that the Senator took this thing entirely too seriously. But it only shows how very——

Mr. McCUMBER. I beg the Senator's pardon. I did not take him seriously at all.

Mr. BURKETT. It merely shows how sensitive the members of this committee are when a question is asked as to the matter of their investigation. The Senator started out with the statement, in asking the Senator from Idaho for his judgment, with the proposition that he had come here to listen to those who have the information, and that he was going to vote on this matter, as I understood it, according to the judgment of the Senator from Idaho.

Mr. McCUMBER. Oh, the Senator had no cause whatever for such understanding.

Mr. BURKETT. Let me quote what he said. He said in case the Senator from Idaho had information that 2 cents was not a proper rate, he would not vote for it; or he left that impression, certainly. Then I asked why, if the judgment of the Senator from Idaho should govern in this matter, the judgment of the Senator from Washington should not also go upon the question of lumber, and why the judgment of other Senators should not go as to other items. It all demonstrates——

Mr. ALDRICH. Mr. President——

Mr. BURKETT. Let me finish the sentence. It all demonstrates that in these matters the Senators from the States that are particularly concerned are interested in these schedules, but it also demonstrates that we ought to come here and listen not only to their statements, but the evidence as given, and try to make up our own judgment instead of voting according to the judgment of the Senator from Idaho or the judgment of other Senators.

As I stated yesterday, on the lead schedule, paragraph 179, I sat here and was persuaded that that was needed. I have listened to the rest of this discussion as to the differential, and I will confess that in my opinion three-eighths is enough differential to protect this interest. If I had not thought it would be, I would not have voted for three-eighths. I will vote for this amendment. I will vote for as low a rate as I can get now, but I have not taken altogether the statement of any other man or the judgment of any other man.

Mr. NELSON. Will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota.

Mr. BURKETT. I have the floor.

The VICE-PRESIDENT. No; the Senator from North Dakota has the floor.

Mr. NELSON. Will the Senator from North Dakota yield to me for a moment?

Mr. McCUMBER. I yield.

Mr. NELSON. I simply wish to say that this discussion illustrates what I contended for a moment ago, that all these books which the Senator from Montana [Mr. CARTER] piled up on his desk are of little value. We have a higher and better source to go by.

Mr. McCUMBER. The Senator from Nebraska evidently did not follow the line of argument that brought forth my question asking for the conclusions of expert witnesses. The Senator has practiced law for some years. He understands that whenever we have an expert witness we not only ask him for the facts, but we are also justified in asking for his conclusions. We have in the Senate at least three or four Senators who are certainly experts upon the lead schedule. The Senator from Indiana had indicated, as I understood it, that no one had shown or possibly had even stated that 2¾ cents per pound was necessary for protection of the lead industry. In order to see whether that was correct or not, and not necessarily for my own judgment, because I understood that they had stated it, I put the question directly to those Senators, to arrive at their conclusions from their expert knowledge as to whether 2¾ cents was necessary. I did this so that there should be no question as to whether or not there was any direct evidence bearing upon that point.

Mr. BURKETT. Did not the Senator say in advance that he would accept his conclusions?

Mr. McCUMBER. No; not necessarily as conclusive.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the junior Senator from Idaho?

Mr. McCUMBER. I yield. I shall be glad to hear from the Senator.

The VICE-PRESIDENT. Does the Senator from North Dakota yield the floor?

Mr. McCUMBER. I do.

Mr. BORAH. Mr. President, the proportion of the differential under the present proposed tariff bill and that under the Wilson Act is practically the same. If you take the figures of the Wilson Act and the proposed figures of this bill you will find the differential in proportion is about the same. We know that under the Wilson Act it closed our mines. That is a historic fact, a fact that is known to all throughout that country. If under that proportional differential it did close our mines, are those Senators who believe in protection desirous of speculating upon the effects of one-eighth of 1 per cent and as to whether or not it will close our mines?

This is no new question in the State of Idaho or in the intermountain country. If there is any one proposition which was submitted to the people last fall throughout the intermountain country it was the lead schedule. The distinguished Senator from Indiana [Mr. BEVERIDGE] passed through our region of country last fall and we yet can hear the cadence of song and poetry in the mountains, but he never mentioned reducing the rate upon lead, and no Democratic orator and no Republican orator broached that subject in the campaign when they were talking to the men working down in the mines.

It was submitted to the intermountain people. They knew what they were passing upon, and it was not passed upon by the experts who come here to testify for the trust, either the lead trust or the smelter trust. It was before the people who cast votes, and I call the attention of the Senator from Indiana to the fact that my colleague and I went through our State discussing our idea of revision, and it was based upon protection to American labor and American industries. I call his attention to the further fact that Idaho returned a greater majority by far for Mr. Taft on that interpretation than Indiana did upon the interpretation which the Senator from Indiana seems to have given the platform.

Mr. ALDRICH. I appeal to the Senate to take a vote upon this proposition.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Indiana to the amendment of the committee, on which the yeas and nays have been demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a pair with the junior Senator from Virginia [Mr. MARTIN]. If he were present, I should vote "nay."

Mr. WARREN (when his name was called). I again announce my pair with the senior Senator from Mississippi [Mr. MONEY]. If he were present, and I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. CULLOM. I transfer my pair with the junior Senator from Virginia [Mr. MARTIN] to the Senator from Louisiana [Mr. McENERY], and will vote. I vote "nay."

Mr. NELSON. I again announce my pair with the junior Senator from Texas [Mr. BAILEY]. If he were present, I should vote "nay."

Mr. BEVERIDGE (to Mr. CULLOM). The Senator from Louisiana would vote "nay."

Mr. ALDRICH. And the Senator from Virginia would vote "yea."

Mr. BEVERIDGE. But that is not the pair. The pair is between the Senator from Illinois and the Senator from Louisiana. Is not that the standing pair? The Senator from Illinois announced it twice.

Mr. CULLOM. I transferred my pair with the Senator from Virginia [Mr. MARTIN] to the Senator from Louisiana [Mr. McENERY], who would vote as I have voted. I think that is entirely right.

Mr. CULBERSON. I understand the Senator from Louisiana is paired with the Senator from New York [Mr. DEPEW].

Mr. ALDRICH. Not on this question.

Mr. CULBERSON. He has a general pair with him, and the Senator from New York was authorized to vote by the Senator from Louisiana. If the Senator——

Mr. DEPEW. I was informed that for the purposes of this vote the Senator from Louisiana released me from the pair.

Mr. CULBERSON. That is what I was stating, but that will not allow the Senator from Illinois to transfer his pair to the Senator from Louisiana and vote.

Mr. BEVERIDGE. You can not pair two Senators with one Senator.

Mr. ALDRICH. I think there is no question about this. I suppose the Senator from Texas is willing to admit that if the Senator from Louisiana were present he would vote "nay" and the Senator from Virginia would vote "yea." So it is a good pair.

Mr. CULBERSON. I understand the Senator from Louisiana would vote with his pair, the Senator from New York. That is all right. But the Senator from Illinois now transfers his pair to the Senator from Louisiana and leaves the Senator from Virginia unpaired.

Mr. ALDRICH. Oh, no. He leaves the Senator from Virginia paired with the Senator from Louisiana, which is a perfectly proper pair.

Mr. CULBERSON. I do not think so.

Mr. ALDRICH. Of course it is.

Mr. McLAURIN. Of course I have nothing to do with what the Senator from Illinois does with his pair; but I do not think it is fair to presume that because the Senator from Louisiana voted a certain way on the last vote, previous to this, he would vote against this amendment.

Mr. ALDRICH. Undoubtedly he would.

Mr. McLAURIN. I do not know about that. Has the Senator from Rhode Island any authority from the Senator from Louisiana to make that statement?

Mr. ALDRICH. I feel as though I have full authority.

Mr. CULLOM. Suppose the Senator were not paired. We would have a right to pair him.

Mr. McLAURIN. You have not a right to pair one Democrat with another.

Mr. CULLOM. I am not a Democrat, or, at least, have never been so considered.

Mr. McLAURIN. So much the worse for the Senator from Illinois that he is not a Democrat; so much the worse for the country that he is not a Democrat. But, as I understand the Senator, he proposes now to pair the junior Senator from Virginia with the senior Senator from Louisiana. That is pairing one Democrat with another.

Mr. CULLOM. The theory of the Senate is that every man here has the right to vote.

Mr. McLAURIN. Of course; that is what I said.

Mr. CULLOM. And if a Senator is absent he has the right to a pair. So far as I am concerned, I do not care anything about it, except that I understood the senior Senator from Louisiana was not paired and that I could transfer my pair to him. I did so, but if there is any question about it I will withdraw my vote. I do not care anything about the matter. I simply want to vote when it is my right to vote.

Mr. ALDRICH. Then, the Senator from Louisiana is without a vote.

The VICE-PRESIDENT. The Chair understands the Senator from Illinois to withdraw his vote.

Mr. CULLOM. I withdraw my vote, if there is any question about it.

The result was announced—yeas 37, nays 45, as follows:

YEAS—37.

Bacon	Crawford	Johnston, Ala.	Simmons
Bankhead	Culberson	La Follette	Smith, Md.
Beveridge	Cummins	McLaurin	Smith, S. C.
Bristow	Daniel	Nelson	Stone
Brown	Dolliver	Newlands	Taliaferro
Burkett	Fletcher	Overman	Taylor
Chamberlain	Foster	Owen	Tillman
Clapp	Frazier	Paynter	
Clarke, Ark.	Gamble	Rayner	
Clay	Gore	Shively	

NAYS—45.

Aldrich	Curtis	Hughes	Richardson
Borah	Depew	Johnson, N. Dak.	Root
Bradley	Dick	Jones	Scott
Brandegee	Dillingham	Kean	Smith, Mich.
Briggs	Dixon	Lodge	Smoot
Bulkeley	du Pont	McCumber	Stephenson
Burnham	Flint	Nixon	Sutherland
Burrows	Frye	Oliver	Warner
Burton	Gallinger	Page	Wetmore
Carter	Guggenheim	Penrose	
Clark, Wyo.	Hale	Perkins	
Crane	Heyburn	Piles	

NOT VOTING—9.

Bailey	Davis	McEnery	Money
Bourne	Elkins	Martin	Warren
Cullom			

So Mr. BEVERIDGE's amendment to the amendment of the committee was rejected.

The VICE-PRESIDENT. The question now is on the amendment of the committee, striking out paragraph 180 and inserting a new paragraph 180.

The amendment was agreed to.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 4 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 11, 1909, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 10, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Thursday, May 6, was read and approved.

PHILIPPINE TARIFF.

Mr. PAYNE, by direction of the Committee on Ways and Means, reported with amendments the bill (H. R. 9135) to revise and amend the tariff laws of the Philippine Islands, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (H. Rept. No. 7), ordered to be printed.

Mr. PAYNE. I give notice that I desire to call this bill up for consideration on Thursday at the meeting of the House.

Mr. CLARK of Missouri. I should like to ask the chairman of the committee what suggestion he has about general debate?

Mr. PAYNE. I had not thought about it. I do not know who wants to speak upon the subject. As far as I am concerned, I want to speak very briefly.

Mr. CLARK of Missouri. How long will you speak?

Mr. PAYNE. I should say fifteen minutes.

Mr. CLARK of Missouri. I have had only one application, for three-quarters of an hour.

Mr. PAYNE. I think we can arrange that. For the present, we had better let it rest until Thursday. There may be more applications.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

An emergency has arisen in Porto Rico which makes it necessary for me to invite the attention of the Congress to the affairs of that island and to recommend legislation at the present extra session amending the act under which the island is governed.

The regular session of the legislative assembly of Porto Rico adjourned March 11 last without passing the usual appropriation bills. A special session of the assembly was at once convened by the governor, but after three days, on March 16, it again adjourned without making the appropriations. This leaves the island government without provision for its support after June 30 next. The situation presented is therefore of unusual gravity.

The present government of Porto Rico was established by what is known as the Foraker Act, passed April 12, 1900, and taking effect May 1, 1900. Under that act the chief executive is a governor appointed by the President and confirmed by the Senate. A secretary, attorney-general, treasurer, auditor, commissioner of the interior, and commissioner of education, together with five other appointees of the President, constitute the executive council. The executive council must have in its membership not less than five native Porto Ricans. The legislative power is vested in the legislative assembly, which has two coordinate branches. The first of these is the executive council just described, and the second is the house of delegates, a popular and representative body with members elected by the qualified electors of the seven districts into which the island is divided.

The statute directing how the expenses of government are to be provided leaves some doubt whether this function is not committed solely to the executive council; but in practice the legislative assembly has made appropriations for all the expenses other than for salaries fixed by Congress; and it is too late to reverse that construction.

Ever since the institution of the present assembly the house of delegates has uniformly held up the appropriation bills until the last minute of the regular session, and has sought to use the power to do so as a means of compelling the concurrence of the executive council in legislation which the house desired.

In the last regular legislative assembly the house of delegates passed a bill dividing the island into several counties and providing county governments; a bill to establish manual training schools; a bill for the establishment of an agricultural bank; a bill providing that vacancies in the offices of mayors and councilmen be filled by a vote of the municipal councils instead of by the governor; and a bill putting in the control of the largest

taxpayers in each municipal district the selection in great part of the assessors of property.

The executive council declined to concur in these bills; it objected to the agricultural-bank bill on the ground that the revenues of the island were not sufficient to carry out the plan proposed, and to the manual training school bill because in plain violation of the Foraker Act. It objected to the change in the law concerning the appraisement of property on the ground that the law was intended to put too much power in respect of the appraisement of property for taxation in the hands of those having the most property to tax. The chief issue was a bill making all the judges in municipalities elective. Under previous legislation there are 26 municipal judges who are elected to office. By this bill it was proposed to increase the elective judges from 26 to 66 in number and at the same time to abolish the justices of the peace. The change was objected to on the ground that the election of municipal judges had already interfered with the efficient and impartial administration of justice, had made the judges all of one political faith, and a mere political instrument in the hands of the central committee of the Unionist or dominant party. The attitude of the executive council in refusing to pass these bills led the house of delegates to refuse to pass the necessary appropriation bills.

The facts recited demonstrate the willingness of the representatives of the people in the house of delegates to subvert the government in order to secure the passage of certain legislation. The question whether the proposed legislation should be enacted into law was left by the fundamental act to the joint action of the executive council and the house of delegates as the legislative assembly. The house of delegates proposes itself to secure this legislation without respect to the opposition of the executive council, or else to pull down the whole government. This spirit, which has been growing from year to year in Porto Rico, shows that too great power has been vested in the house of delegates and that its members are not sufficiently alive to their oath-taken responsibility for the maintenance of the government to justify Congress in further reposing in them absolute power to withhold appropriations necessary for the government's life.

For these reasons I recommend an amendment to the Foraker Act providing that whenever the legislative assembly shall adjourn without making the appropriations necessary to carry on the government, sums equal to the appropriations made in the previous year for the respective purposes shall be available from the current revenues and shall be drawn by the warrant of the auditor on the treasurer and countersigned by the governor. Such a provision applies to the legislatures of the Philippines and Hawaii, and it has prevented in those two countries any misuse of the power of appropriation.

The house of delegates sent a committee of three to Washington, while the executive council was represented by the secretary and a committee consisting of the attorney-general and the auditor. I referred both committees to the Secretary of the Interior, whose report, with a letter from Governor Post and the written statements of both committees, accompanies this message.

I have had one personal interview with the committee representing the house of delegates, and suggested to them that if the house of delegates would pass the appropriation bill without insisting upon the passage of the other bills by the executive council, I would send a representative of the Government to Porto Rico to make an investigation and report in respect to the proposed legislation. Their answer, which shows them not to be in a compromising mood, was as follows:

> If the legislative assembly of Porto Rico would be called to an extraordinary session exclusively to pass an appropriation bill, taking into consideration the state of affairs down the island and the high dissatisfaction produced by the intolerant attitude of the executive council, and also taking into consideration the absolute resistance of the house to do any act against its own dignity and the dignity of the country, it is the opinion of these commissioners that no agreement would be attained, unless the council feel disposed to accept the amendments of the house of delegates.
>
> However, if in the proclamation calling for an extraordinary session the judicial and municipal reforms would be mentioned, and if the executive council would accept that the present justices of the peace be abolished and municipal courts created in every municipality, and that vacancies occurring in municipalities and judeships be filled by the municipal councils, as provided in the so-called "municipal bills" passed by the house in its last session, then the commissioners believe that the appropriation bill will be passed in the house as introduced in the council without delay.

Porto Rico has been the favored daughter of the United States. The sovereignty of the Island in 1899 passed to the United States with the full consent of the people of the island.

Under the law all the customs and internal-revenue taxes are turned into the treasury of Porto Rico for the maintenance of the island government, while the United States pays out of its own Treasury the cost of the local army; that is, a full Porto Rican regiment, the revenue vessels, the light-house service, the coast surveys, the harbor improvements, the marine-hospital support, the post-office deficit, the weather bureau, and the upkeep of the agricultural experiment stations.

Very soon after the change of sovereignty a cyclone destroyed a large part of Porto Rican coffee culture; $200,000 was expended from the United States Treasury to buy rations for those left in distress. The island is policed by 700 men, and complete tranquillity reigns.

Before American control 87 per cent of the Porto Ricans were unable to read or write, and there was not in this island, containing a million people, a single building constructed for public instruction, while the enrollment of pupils in such schools as there were, 551 in number, was but 21,000. To-day in the island there are 160 such buildings and the enrollment of pupils in 2,400 schools has reached the number of 87,000. The year before American sovereignty there was expended $35,000 in gold for public education. Under the present government there is expended for this purpose a total of $1,000,000 a year.

When the Americans took control there were 172 miles of macadamized road. Since then there have been constructed 452 miles more, mostly in the mountains, making in all now a total of 624 miles of finely planned and admirably constructed macadamized roads—as good roads as there are in the world.

In the course of the administration of this island the United States medical authorities discovered a disease of tropical anæmia which was epidemic and was produced by a microbe called the "hook worm." It so much impaired the energy of those who suffered from it and so often led to complete prostration and death that it became necessary to undertake its cure by widespread governmental effort. I am glad to say that 225,000 natives, or one-fourth of the entire population, have been treated at government expense, and the effect has been much to reduce the extent and severity of the disease and to bring it under control. Substantially every person in the island has been vaccinated, and smallpox has practically disappeared.

There is complete free trade between Porto Rico and the United States, and all customs duties collected in the United States on Porto Rican products subsequent to the date of Spanish evacuation, amounting to nearly $3,000,000, have been refunded to the island treasury. The loss to the revenues of the United States from the free admission of Porto Rican products is $15,000,000 annually. The wealth of the island is directly dependent upon the cultivation of the soil, to cane, tobacco, coffee, and fruit, for which we in America provide the market. Without our fostering benevolence the business of Porto Rico would be as prostrate as are some of the neighboring West Indian islands. Before American control the trade balance against the island was over $12,500,000, while the present balance of trade in favor of the island is $2,500,000. The total of exports and imports has increased from about $22,000,000 before American sovereignty to $56,000,000 at the present day. At the date of the American occupation the estimated value of all agricultural land was about $30,000,000. Now the appraised value of the real property in the island reaches $100,000,000. The expenses of government before American control were $2,969,000, while the receipts were $3,644,000. For the year 1906 the receipts were $4,250,000, and the expenditure was $4,084,000. Of the civil servants in the central government, 343 are Americans, and 2,548 are native Porto Ricans. There never was a time in the history of the island when the average prosperity of the Porto Rican has been higher, when his opportunity has been greater, when his liberty of thought and action was more secure.

Representatives of the house of delegates insist in their appeals to Congress and to the public that, from the standpoint of a free people, the Porto Ricans are now subjected under American control to political oppression and to a much less liberal government than under that of Spain. To prove this they refer to the provisions of a royal decree of 1897, promulgated in November of that year. The decree related to the government of Porto Rico and Cuba and was undoubtedly a great step forward in granting a certain sort of autonomy to the people of the two islands. The war followed within a few months after its promulgation and it is impossible to say what its practical operation would have been. It was a tentative arrangement, revocable at the pleasure of the Crown, and had, in its provisions, authority for the governor-general to suspend all of the laws of the legislature of the islands until approved or disapproved at home and to suspend at will all constitutional guaranties of life, liberty, and property, supposed to be the basis of civil liberty and free institutions. The insular legislature had no power to enact new laws or to amend existing laws governing property rights or the life and liberty of the people. The jurisdiction to pass these remained in the hands of the National Cortes and included the mass of code laws governing

the descent and distribution and transfer of property and contracts, and torts, land laws, notarial laws, laws of waters and mines, penal statutes, civil, criminal, and administrative procedure, organic laws of the municipalities, election laws, the code of commerce, and so forth. In contrast with this, under its present form of government, the island legislature possesses practically all the powers of an American commonwealth, and the constitutional guaranties of its inhabitants, instead of being subject to suspension by executive discretion, are absolutely guaranteed by act of Congress. The great body of substantive law now in force in the island, political, civil, and criminal code, codes of political, civil and criminal procedure, the revenue, municipal, electoral, franchise, educational, police, and public works laws, and the like, has been enacted by the people of the island themselves, as no law can be put upon the statute books unless it has received the approval of the representative lower house of the legislature. In no single case has the Congress of the United States intervened to annul or control acts of the legislative assembly. For the first time in the history of Porto Rico the island is living under laws enacted by its own legislature.

It is idle, however, to compare political power of the Porto Ricans under the royal decree of 1897, when their capacity to exercise it with benefit to themselves was never in fact tested, with that which they have under the Foraker Act. The question we have before us is whether their course since the adoption of the Foraker Act does not show the necessity for withholding from them the absolute power given by that act to the legislative assembly over appropriations, when the house of delegates as a coordinate branch of that assembly shows itself willing and anxious to use such absolute power, not to support and maintain the government, but to render it helpless. If the Porto Ricans desire a change in the form of the Foraker Act, this is a matter for congressional consideration dependent on the effect of such a change on the real political progress in the island.

Such a change should be sought in an orderly way, and not brought to the attention of Congress by paralyzing the arm of the existing government. I do not doubt that the terms of the existing fundamental act might be improved, certainly in qualifying some of its provisions as to the respective jurisdictions of the executive council and the legislative assembly; and I suggest to Congress the wisdom of submitting to the appropriate committees this question of revision. But no action of this kind should be begun until after, by special amendment of the Foraker Act, the absolute power of appropriation is taken away from those who have shown themselves too irresponsible to enjoy it.

In the desire of certain of their leaders for political power, Porto Ricans have forgotten the generosity of the United States in its dealings with them. This should not be an occasion for surprise, nor in dealing with a whole people can it be made the basis of a charge of ingratitude. When we, with the consent of the people of Porto Rico, assumed guardianship over them and the guidance of their destinies, we must have been conscious that a people that had enjoyed so little opportunity for education could not be expected, safely for themselves, to exercise the full power of self-government; and the present development is only an indication that we have gone somewhat too fast in the extension of political power to them for their own good.

The change recommended may not immediately convince those controlling the house of delegates of the mistake they have made in the extremity to which they have been willing to resort for political purposes, but in the long run it will secure more careful and responsible exercise of the power they have.

There is not the slightest evidence that there has been on the part of the governor or of any member of the executive council a disposition to usurp authority, or to withhold approval of such legislation as was for the best interests of the island, or a lack of sympathy with the best aspirations of the Porto Rican people.

WM. H. TAFT.

THE WHITE HOUSE, *May 10, 1909.*

The SPEAKER. If there be no objection, this message will be referred to the Committee on Ways and Means and printed.

Mr. GARRETT. Mr. Speaker, I object. Would not that go to the Committee on Insular Affairs under the regular order?

The SPEAKER. The Chair took into consideration the present condition of the House when he made the statement that he did. The House, so far as committees are concerned, with the exception of the Committees on Ways and Means, on Rules, on Enrolled Bills, and on Mileage, is not organized. In view of the existing conditions, the Chair made the statement that without objection he would refer the message to the Committee on Ways and Means.

If there be objection, it would be for the House to determine what should be done with the message. Is there objection?

Mr. GARRETT. I object.

The SPEAKER. The gentleman from Tennessee objects.

Mr. PAYNE. Mr. Speaker, while I am not anxious to get jurisdiction for anything more for the Committee on Ways and Means, under the circumstances, I move that the message be referred to the Committee on Ways and Means.

Mr. JONES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JONES. What vote, under the rules of the House, is necessary to refer this message to the Committee on Ways and Means?

The SPEAKER. A majority vote.

Mr. JONES. In order to thus refer the message is it not necessary to suspend the rules of the House?

The SPEAKER. No; this comes in under the rule relating to the order of business.

Mr. JONES. Will not this proposed reference change the rules adopted by the House and to that extent will it not suspend the rules of the House?

The SPEAKER. The Chair does not so understand. This is a message from the President of the United States, and is subject to the control of the House as to its reference.

Mr. JONES. The rules of the House prescribe what matters shall be referred to the Committee on Ways and Means and what shall be referred to the Committee on Insular Affairs, and this is a proposition to refer to the Committee on Ways and Means a subject which, under the rules of this House, properly belongs to the Committee on Insular Affairs. A subject of which that committee under the rules clearly has jurisdiction.

The SPEAKER (reading):

> The general principle is established that it is in order for the House to refer a bill to any committee, though such committee under Rule XI might not have original jurisdiction of the bill.

The rule the gentleman refers to governs the ordinary reference of bills, because the bills when introduced are introduced through the box and the Speaker refers them under the rule. But it is provided that by direction of a committee it shall be in order to move to change the reference of a bill on any day after the Journal is read. This message is somewhat different from a bill. It is not referred through the box, but comes directly before the House, and the House having always exercised the right, either in the first instance or in the second, to make such reference of bills as it should please, the Chair is of opinion that it is within the power of the House to refer this message as it may see proper.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. The case that the Chair has just stated arises where there is a squabble between two committees as to which has the proper jurisdiction?

The SPEAKER. It is the case under the rule as to change of reference. Suppose this was a bill introduced through the box and under the rule the Chair had referred it, in his judgment, to either the Appropriation Committee or the Committee on Insular Affairs or the Committee on Ways and Means. Now, it would be in the power of the House, under the rule, on motion properly made, to send it to some other committee. Thus, the oleomargarine bill was taken from the Committee on Ways and Means and sent to the Committee on Agriculture, and so with many other bills which the Chair might cite.

Formerly all bills were introduced in open House, and then the Speaker designated the reference of a bill, and his suggestion ordinarily was received by the House, because the House practically concurred with the suggestion. But it was in order under the former practice and under the former rules to have raised the question in the first instance, if any Member desired not to take the suggestion of the Speaker as to the proper reference; the House had an absolutely free hand.

Now, that power has not been given up by the House under the rules that have been adopted whenever the House has a bill before it and sees fit to express itself.

This message can not, under the rules, be referred through the box, but it must be read in open House; and being read in open House, is subject, in the opinion of the Chair, in conformity with the parliamentary practice of the House, to such reference as the House may see proper to make of the same.

Mr. CLARK of Missouri. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. If that is true, then what good comes of the rule that divides the business up among the various committees?

over Treasury the cost of the local army; that is, a full Porto

National Cortes and included the mass of code laws governing

on Ways and Means.

The SPEAKER. The rule that the gentleman refers to is undoubtedly directory as to the House and governs the Speaker in making reference of bills, petitions, and memorials that are introduced through the box. But when the House has a bill in its own possession, it is manifest that it will make reference according to its own will.

Mr. CLARK of Missouri. Suppose one of these gentlemen who was on the Committee on Insular Affairs at the last Congress should reintroduce one of the bills of the last Congress making a Territory out of Porto Rico and giving to its people the rights of citizenship; would the Chair, or the House either, have any right to refer that bill to the Committee on Mileage or the Committee on Accounts?

The SPEAKER. If a bill were introduced through the box, such a bill as the gentleman speaks of, to make a Territory of Porto Rico, the Chair, exercising his best judgment in examining the bill, would determine in the first instance whether the Committee on Territories would be the proper committee, or the Committee on Insular Affairs or some other committee, to which to refer it. But such action under the rule, as the rules provide, might be passed upon by the House, under appropriate motion, as the rules provide, on the next day or any other day.

Mr. CLARK of Missouri. Is not the proper motion for the gentleman from New York [Mr. PAYNE] to make to suspend the rules of the House and refer this message to the Committee on Ways and Means—that is, if he wants to get possession of it?

The SPEAKER. Why, the gentleman must recollect that in the case of the oleomargarine bill, which was purely a revenue measure and which went under the rule to the Committee on Ways and Means, the gentleman's former colleague, Representative Hatch, by direction of the Committee on Agriculture, over which he presided, moved, after the reading of the Journal, to change the reference from the Committee on Ways and Means to the Committee on Agriculture, and the House by a majority, the House having that power, changed the reference to the Committee on Agriculture.

Mr. CLARK of Missouri. If the Chair will bear with me a moment, I desire to state that that performance of Colonel Hatch grew out of two facts: In the first place, Mr. Hatch believed that the majority of the House would vote with him to refer that bill to a committee that would act favorably upon it, and he did not believe that the Committee on Appropriations or the Committee on Ways and Means would act favorably upon it. He had votes enough to overrule the previous reference of the bill. That was a squabble between committees about jurisdiction.

The SPEAKER. Yet it shows the power of the House, acting through a majority, to do what it chooses touching the reference of bills; and now, of this message.

Mr. CLARK of Missouri. I am not disputing the power of the House to do as it pleases, but I am suggesting that the only way to get rid of that rule which parcels out the jurisdiction among the various committees is for the gentleman from New York [Mr. PAYNE] or somebody else to move that the rules of the House be suspended and that this message be referred to the Committee on Ways and Means.

Mr. PAYNE. Mr. Speaker, I want to make a single suggestion as to why this message may appropriately be referred to the Committee on Ways and Means. The rule appointing the Committee on Insular Affairs, or providing for one, also provided that any bill relating to the revenue should be excepted from their jurisdiction and the jurisdiction should go to the Committee on Ways and Means. The President, in his message, alludes to what is popularly known as the "Foraker Act." There are very few people in the United States to-day who know that the Foraker Act originated in the House of Representatives, and I had the honor myself to introduce the bill. That bill was referred to the Committee on Ways and Means and was reported to the House from that committee and passed the House. It is true that the bill as it went from the House was almost entirely a revenue measure. We did not take jurisdiction of the governmental features of legislation in regard to those islands, because the Committee on Insular Affairs had already taken up that subject and had reported to the House a bill providing for a government for the Philippine Islands before the revenue bill passed the House. After the revenue bill passed the House it was amended somewhat in regard to its revenue features, and there was added to it a plan for civil government, which was largely, if not entirely, the House bill which had been reported by the chairman of the Committee on Insular Affairs, the gentleman from Wisconsin [Mr. COOPER]. There were some amendments made to that, and that civil-government bill, as I say, was attached to it. In that shape it came back to the House, and my recollection is that the bill as amended went to the Committee on Ways and Means. There was a conference between the two Houses finally and the bill was passed.

Now, after the Supreme Court had decided, contrary to the judges who sit in newspaper offices, that the bill was constitutional, suddenly it became known as the "Foraker Act." The gentlemen in the House who had been instrumental in passing the original bill had incurred all the obloquy and all of the criticisms from the newspapers of the United States. That act is now known as the "Foraker Act," was so named by the Supreme Court in its decisions, and, of course, the President, following that custom, properly calls it the "Foraker Act." But this act to which the President's message refers was a bill that originated in the House, and was reported from the Committee on Ways and Means.

Mr. JONES. Mr. Speaker, does the gentleman mean to intimate that the revenue referred to in this message is a United States revenue, or in any way related to the revenues of the United States?

Mr. PAYNE. Oh, no; not at all. The act which the President desires to have amended was an act that came from the Committee on Ways and Means of this House, Mr. Speaker.

The SPEAKER. The Clerk will read paragraph 4375 from Parliamentary Precedents, covering a ruling of Speaker Carlisle, and there are many rulings made subsequent to that time.

The Clerk read as follows:

4375. The House may by vote refer a bill to any committee, without regard to the rules of jurisdiction.

To a bill to place an officer on the retired list of the army an amendment proposing to give him a pension was held not germane.

On February 29, 1884, the House having under consideration the bill to retire General Pleasonton, and the previous question having been moved on the passage of the bill, Mr. Thomas M. Browne, of Indiana, moved that the bill be recommitted to the Committee on Military Affairs with instructions to report the same with an amendment to put General Pleasonton's name on the pension roll at $100 per month.

Mr. Thomas M. Bayne, of Pennsylvania, made the point of order that it was not in order to refer a bill to a committee which did not have jurisdiction of the subject, and also the further point of order that the proposition was not germane to the subject-matter of the bill.

The Speaker overruled the first point of order on the ground that it was competent for the House to refer a bill to any committee it pleased, and sustained the second point of order on the ground that the pending bill was proposed to restore General Pleasonton to the Army of the United States and give him rank and pay as a retired officer, while the proposition submitted by Mr. Browne merely gave him a pension while he still remained out of the military service of the Government.

Mr. GARRETT. Mr. Speaker, I desire to offer a motion as a substitute for the motion offered by the gentleman from New York [Mr. PAYNE].

The SPEAKER. The gentleman will offer his motion.

Mr. GARRETT. Mr. Speaker, I move that the Speaker be instructed to forthwith comply with Rule X as regards the Committee on Insular Affairs, and that the message of the President be referred to the Committee on Insular Affairs.

The SPEAKER. If the Chair understands the motion of the gentleman from Tennessee, he moves to amend the motion of the gentleman from New York to refer the message to the Committee on Ways and Means in substance as follows, by way of a substitute, that the Speaker be instructed to forthwith appoint the Committee on Insular Affairs——

Mr. PAYNE. Mr. Speaker, I make the point of order against that; it is not germane to the original motion.

The SPEAKER. The Chair sustains the point of order. As many as favor the motion——

Mr. GARRETT. Mr. Speaker, I should like——

The SPEAKER. The Chair is prepared to rule and has ruled. As many as favor the motion of the gentleman will say "aye."

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. GARRETT and Mr. HAY. Division, Mr. Speaker.

The House divided; and there were—ayes 90, noes 77.

Mr. CLARK of Missouri. Mr. Speaker, tellers.

Mr. GARRETT. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Tennessee makes the point that no quorum is present—— [Cries of "Tellers!"]

The SPEAKER. The Chair will count. [After counting.] The Chair finds after counting that there are 165 Members present; not a quorum.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, hoping that there will be a quorum here on Thursday, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 46 minutes p. m.) the House adjourned to meet on Thursday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the chairman of the Interstate Commerce Commission, submitting a report of investigations as to railroads operating in Ohio and West Virginia (S. Doc. No. 39)—to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Guy M. Claflin v. The United States (H. Doc. No. 23)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Myron G. Bond v. The United States (H. Doc. No. 24)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Edwin A. Wells v. The United States (H. Doc. No. 25)—to the Committee on War Claims and ordered to be printed.

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting a copy of a letter from the judges of the municipal court relating to clerical assistance (H. Doc. No. 26)—to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. COLLIER: A bill (H. R. 9413) appropriating $150,000 to erect a building as an addition to the government building at Vicksburg, Miss.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9414) appropriating $100,000 to purchase a site and erect a government building thereon at Canton, Miss.—to the Committee on Public Buildings and Grounds.

By Mr. WALLACE: A bill (H. R. 9415) authorizing survey of Saline River, Arkansas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9416) to repeal the duties on wood pulp and printing paper—to the Committee on Ways and Means.

By Mr. HULL of Iowa: A bill (H. R. 9417) to increase the efficiency of the United States Military Academy, and for other purposes—to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 9418) to promote the production of domestic industrial alcohol, increase the productive value of the land, and maintain its fertile qualities through the establishment of small and scattered distilleries—to the Committee on Ways and Means.

By Mr. SULZER: A bill (H. R. 9419) for the relief of volunteer officers of civil-war record—to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 9420) prohibiting fraud upon the public by manufacturers by placing any other than their own name upon a manufactured article—to the Committee on Interstate and Foreign Commerce.

By Mr. GRANT: A bill (H. R. 9421) for the establishment of a national tubercular sanitarium in the State of North Carolina for persons afflicted with tuberculosis—to the Committee on Interstate and Foreign Commerce.

By Mr. KENDALL: A bill (H. R. 9422) to amend section 3244, chapter 3, title 35, of the Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. WEBB: A bill (H. R. 9423) to provide for the enlarging and improving of the United States building at Charlotte, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 9424) for the erection of a public building at Milwaukee, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. ANDREWS: A bill (H. R. 9425) for the purchase of a site and the erection of a federal building at Santa Fe, N. Mex.—to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: Resolution (H. Res. 66) requesting the Secretary of the Department of Commerce and Labor to furnish certain information in reference to the pure food and drugs act—to the Committee on Interstate and Foreign Commerce.

Also, resolution (H. Res. 67) requesting the Secretary of Agriculture to furnish certain information in reference to the pure food and drugs act—to the Committee on Interstate and Foreign Commerce.

Also, resolution (H. Res. 68) requesting the Secretary of the Treasury to furnish certain information in reference to the pure food and drugs act—to the Committee on Interstate and Foreign Commerce.

Also, resolution (H. Res. 69) requesting the Attorney-General of the United States to furnish certain information in reference to the pure food and drugs act—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: Memorial of the legislature of Wisconsin, asking Congress to enact into law H. R. 39—to the Committee on Military Affairs.

Also, memorial of the legislature of Wisconsin, memorializing Congress in regard to international peace—to the Committee on Foreign Affairs.

By Mr. HAYES: Memorial of the legislature of California, concerning California Mountaineer Volunteers—to the Committee on Invalid Pensions.

By Mr. CARY: Memorial of the legislature of Wisconsin, in regard to international peace—to the Committee on Foreign Affairs.

By Mr. FOSTER of Illinois: Memorial of the legislature of Illinois, concerning old-age insurance, etc.—to the Committee on Ways and Means.

Also, memorial of the legislature of Illinois, in favor of memorial to Abraham Lincoln—to the Committee on Appropriations.

Also, memorial of the legislature of Illinois, against the inheritance tax—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 9426) authorizing the Secretary of the Interior to examine and adjust the accounts of William R. Little, or his heirs, with the Sac and Fox Indians—to the Committee on Indian Affairs.

By Mr. AUSTIN: A bill (H. R. 9427) granting a pension to William Hutcheson, alias William King—to the Committee on Pensions.

Also, a bill (H. R. 9428) for the relief of the heirs of George Turner—to the Committee on War Claims.

Also, a bill (H. R. 9429) for the relief of the heirs of Charles Frances—to the Committee on War Claims.

Also, a bill (H. R. 9430) for the relief of Lewis Turner, for carrying dispatches, and other services—to the Committee on War Claims.

By Mr. BORLAND: A bill (H. R. 9431) for the relief of the Barse Live Stock Commission Company—to the Committee on Claims.

By Mr. BRADLEY: A bill (H. R. 9432) granting an increase of pension to George Beanus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9433) granting an increase of pension to Ira F. Hitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9434) granting an increase of pension to Monroe Kniffin—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 9435) granting a pension to John B. Waddill—to the Committee on Pensions.

Also, a bill (H. R. 9436) granting an increase of pension to Charles B. Sanford—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 9437) granting a pension to James H. Slater—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 9438) granting an increase of pension to Andrew A. Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9439) granting an increase of pension to Henry Swaner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9440) granting an increase of pension to H. Clay Harman—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 9441) granting a pension to James C. Shackleford—to the Committee on Pensions.

Also, a bill (H. R. 9442) granting a pension to Elbert W. McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9443) granting a pension to Saul A. Hagerty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9444) granting a pension to Mary I. B. Pettee—to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 9445) granting a pension to Benjamin B. Spears—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 9446) granting an increase of pension to Phoebe W. Peters—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 9447) for the relief of J. A. Denny—to the Committee on Claims.

Also, a bill (H. R. 9448) for the relief of J. B. Johnson, administrator of John D. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 9449) granting a pension to James W. Culler—to the Committee on Pensions.

Also, a bill (H. R. 9450) granting an increase of pension to John Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9451) to correct the military record of Dolphus A. Wiles—to the Committee on Military Affairs.

Also, a bill (H. R. 9452) to correct the military record of Gilomiel L. Smoot—to the Committee on Military Affairs.

Also, a bill (H. R. 9453) to correct the military record of Abraham C. Bryan—to the Committee on Military Affairs.

Also, a bill (H. R. 9454) to correct the military record of Hezekiah A. Wood—to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 9455) granting a pension to Louisa J. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9456) granting a pension to Robert Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9457) granting an increase of pension to William H. Grant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9458) to correct the military record of John W. Parsons—to the Committee on Military Affairs.

By Mr. CUSHMAN: A bill (H. R. 9459) granting an increase of pension to Walter P. Davis—to the Committee on Invalid Pensions.

By Mr. FORNES: A bill (H. R. 9460) for the relief of James Welch, his heirs or representatives—to the Committee on Claims.

By Mr. FOSTER of Illinois: A bill (H. R. 9461) for the relief of Mrs. Lou. Clemmons—to the Committee on War Claims.

Also, a bill (H. R. 9462) granting an increase of pension to James C. Maxey—to the Committee on Invalid Pensions.

By Mr. GRANT: A bill (H. R. 9463) granting an increase of pension to Mary Ann Hill—to the Committee on Pensions.

Also, a bill (H. R. 9464) granting a pension to James H. Arwood—to the Committee on Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 9465) granting an increase of pension to John S. Lewis—to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9466) removing charge of desertion from George J. Dennis, Company C, Thirty-third New Jersey Infantry—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 9467) granting an increase of pension to Michael Russell—to the Committee on Invalid Pensions.

By Mr. KENNEDY of Ohio: A bill (H. R. 9468) granting a pension to Mary E. Davis—to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 9469) to grant to John Rivett privilege to make commutation of his homestead entry—to the Committee on Private Land Claims.

By Mr. LAWRENCE: A bill (H. R. 9470) granting a pension to Sarah Ann Emmons—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 9471) granting an increase of pension to Edward D. Mattson—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9472) to carry out the findings of the Court of Claims in the case of Richard D. Lamb and Ira M. Lamb, heirs of Caroline Lamb, deceased—to the Committee on War Claims.

By Mr. McKINNEY: A bill (H. R. 9473) granting an increase of pension to Elias Pleukharp—to the Committee on Invalid Pensions.

By Mr. MORGAN of Missouri: A bill (H. R. 9474) granting an increase of pension to C. R. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9475) granting an increase of pension to William Higginbottom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9476) granting an increase of pension to Samuel J. Freye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9477) granting an increase of pension to James A. Love—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 9478) granting an increase of pension to Ira Shafer—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 9479) for the relief of Polly Jackson—to the Committee on War Claims.

Also, a bill (H. R. 9480) for the relief of Agnes Berry Crawford, sole heir of Otho Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9481) for the relief of the estate of Jacob Reichard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9482) for the relief of the heirs of Jasper M. and Ann D. Jackson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9483) for the relief of the heirs of Isaac R. Maus, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9484) for the relief of the heirs of T. L. P. Cronmiller, deceased—to the Committee on Military Affairs.

By Mr. SPERRY: A bill (H. R. 9485) granting a pension to Helen A. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9486) granting a pension to Charlotte B. W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9487) granting an increase of pension to John A. Malona—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9488) granting an increase of pension to Ann E. Parmelee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9489) granting an increase of pension to Harriet Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9490) granting an increase of pension to Jane D. Peyton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9491) granting an increase of pension to Mary McMahon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9492) granting an increase of pension to Etheldra H. Saunders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9493) granting an increase of pension to Bridget Mullens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9494) granting an increase of pension to Jennette E. Royce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9495) granting an increase of pension to Mary E. Davis—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 9496) granting an increase of pension to Rachel M. Parrish—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 9497) granting a pension to George C. Rimes—to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 9498) granting an increase of pension to Howard Haworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9499) granting an increase of pension to Henry G. Brough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9500) granting an increase of pension to George Buzby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9501) to remove the charge of desertion from the military record of John G. Riley—to the Committee on Military Affairs.

Also, a bill (H. R. 9502) to remove the charge of desertion from the military record of Henry J. Bolander—to the Committee on Military Affairs.

Also, a bill (H. R. 9503) to remove the charge of desertion from the military record of Thomas J. Shropshire—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Petition of Claus Shear Company, of Fremont, Ohio, asking an increase of duty on cutlery—to the Committee on Ways and Means.

By Mr. CARY: Petition of certain trade organizations of Philadelphia, Pa., against Philippine tobacco duty free—to the Committee on Ways and Means.

Also, petition of Wisconsin National Historical Society, favoring free lumber—to the Committee on Ways and Means.

By Mr. COOK: Petition of the Commercial Exchange of Philadelphia, Pa., favoring reciprocity with the government of Canada—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Anna Ella Carroll Circle, No. 1, Ladies of the Grand Army of the Republic, Department of California, of Nevada, for an appropriation to build a cottage at Sawtelle, Cal., for two veterans and their wives—to the Committee on Appropriations.

Also, petition of Thomas H. Williams and 36 other citizens of San Jose and Campbell, Cal., against all Asiatics coming into the United States save merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. HOUSTON: Paper to accompany bill for relief of Edmund Judkins—to the Committee on Military Affairs.

By Mr. JOYCE: Petition of Benevolent and Protective Order of Elks, No. 448, of Cambridge, and Marietta Lodge, No. 477, both of Ohio, for creation of a park for care of the American elk—to the Committee on the Public Lands.

By Mr. KINKEAD of New Jersey: Petition of Post Card Manufacturers and Allied Trades' Protective Association of United States, favoring tariff on post cards—to the Committee on Ways and Means.

By Mr. LOWDEN: Petitions of citizens of Lee, Galena, Shannon, Pawpaw, Pearl City, Elizabeth, Hanover, Apple River, Leaf River, Mount Morris, Forreston, Stockton, Byron, Dakota, and Warren, all in the State of Illinois, opposing parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. MARTIN of South Dakota: Petition of Bee Hive Company, of Sioux Falls, S. Dak., opposing any increase of duty on gloves—to the Committee on Ways and Means.

By Mr. McCALL: Petition of natives of Philippine Islands, favoring striking out all reference to Philippines in pending tariff bill—to the Committee on Ways and Means.

By Mr. O'CONNELL: Memorial of legislature of Massachusetts, against an inheritance-tax system—to the Committee on Ways and Means.

Also, memorial of legislature of Massachusetts, relative to rolls of Revolutionary regiments and companies and to statements regarding Revolutionary prisoners—to the Committee on Pensions.

Also, petition of Taylor Brothers and the Boston Retail Grocers' Association, of Boston, for reduction of tariff on wheat to 10 cents—to the Committee on Ways and Means.

By Mr. PEARRE: Petition of A. Rosa Bevans, praying for reference of war claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of citizens and merchants of Amarillo, Tex., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Caldwell, Tex., against the 25 per cent duty proposed on oils, spices, etc.—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petitions of D. W. Stoner, of Union City, Ind.; Hoffman Leaf Tobacco Company, of Pennsylvania, Ohio, and Wisconsin; and Corwin & Baker, and C. H. Cain, of Greenville, Ohio, against Philippine tobacco coming in duty free—to the Committee on Ways and Means.

Also, petition of 12 citizens of the Fourth Congressional District of Ohio, against duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of president of the Ohio Baking Company, favoring prohibition by law of all gambling in food supplies, a reduction of the tariff on foodstuffs, and free Canadian grain—to the Committee on Ways and Means.

SENATE.

TUESDAY, *May 11, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. JONES presented petitions of sundry citizens of Pateros, Spokane, Ritzville, and Eltopia, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Homestead and Brookville, in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Chicago, Pontiac, Bloomington, Decatur, Stonington, Carbondale, Johnson City, Benton, Aurora, and Mount Vernon, all in the State of Illinois, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. CURTIS presented a petition of 170 citizens of the State of Kansas, praying for the repeal of the duty on hides, which was ordered to lie on the table.

Mr. LA FOLLETTE presented memorials of the mayor and common council of De Pere, of the mayor and common council of Stevens Point, and of the mayor and common council of Neenah, all in the State of Wisconsin, remonstrating against a reduction of the present duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Publes, Malone, and Oshkosh, all in the State of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Putney Brothers Company, of Waukesha, Wis., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented a petition of the Wisconsin Natural History Society, praying for the repeal of the duty on lumber, which was ordered to lie on the table.

Mr. PILES presented a petition of Washington Grange, No. 82, Patrons of Husbandry, of Vancouver, Wash., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of sundry citizens of Sangerville, Me., and a petition of sundry citizens of Camden, Me., praying for the protection of the carded-wool industry, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Presque Isle, Me., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. RAYNER presented petitions of sundry citizens of Baltimore, Gaithersburg, and Rockville, all in the State of Maryland, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress in regard to international peace.

Whereas the progress of industry and the happiness and prosperity of the people of all countries depends upon the maintenance of peace among the nations of the world; and

Whereas international wars have resulted usually from jealousies due in a large degree to mutual misunderstandings which could have been made clear by conferences and investigations; and

Whereas it would promote the progress of peace in international relations to have a parliamentary union at stated intervals, composed of delegates from all nations; and

Whereas the friendly relations existing between the United States and all nations make it peculiarly fitting that the proposal should come from this country: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate proceedings to invite the nations of the world to send delegates to an interparliamentary union for the purpose of discussing and establishing a system of international arbitration and investigation of disputes between nations and to arrange for a permanent interparliamentary union at stated intervals; and be it further

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.
JOHN STRANGE,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented petitions of the mayor and common council of De Pere, of the mayor and common council of Neenah, of the mayor and common council of Stevens Point, and of the mayor and common council of Eau Claire, all in the State of Wisconsin, praying for a reduction of the present duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the Cambridge Local, of the American Society of Equity of Rockdale, Wis., remonstrating against the repeal of the duty on imported tobacco, which was ordered to lie on the table.

He also presented a petition of Charles McCumber, of Burlington, Wis., and a petition of the Federated Trades Council of Milwaukee, Wis., praying for the repeal of the duty on hides, which were ordered to lie on the table.

He also presented a petition of the Wisconsin Natural History Society, praying for the repeal of the duty on lumber, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2306) granting a pension to Etta B. Stewart;

A bill (S. 2307) granting an increase of pension to David S. Green;

A bill (S. 2308) granting an increase of pension to Sara B. C. Stephenson (with the accompanying papers);

A bill (S. 2309) granting an increase of pension to Charles Critchell (with the accompanying papers);

A bill (S. 2310) granting an increase of pension to George H. Burnett (with the accompanying papers); and

A bill (S. 2311) granting an increase of pension to Matthew B. Noel (with the accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 2312) granting an increase of pension to James Strong;

A bill (S. 2313) granting an increase of pension to Harvey W. Cory;

A bill (S. 2314) granting an increase of pension to William K. Griffiths; and

A bill (S. 2315) granting an increase of pension to James Olds; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 2316) granting a pension to Laura Troxel (with the accompanying papers); to the Committee on Pensions.

By Mr. PILES:

A bill (S. 2317) granting an increase of pension to Mary Carpenter (with the accompanying papers); to the Committee on Pensions.

A bill (S. 2318) to remove the charge of desertion from the military record of James H. Nowlin, alias James M. Hendley; to the Committee on Military Affairs.

A bill (S. 2319) for the relief of Bernard W. Murray; to the Committee on Claims.

By Mr. BEVERIDGE:

A bill (S. 2320) granting an increase of pension to William Dollman; to the Committee on Pensions.

By Mr. DEPEW:

A bill (S. 2321) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900; to the Committee on Pacific Islands and Porto Rico.

By Mr. NELSON:

A bill (S. 2322) granting an increase of pension to Carrie Engberg; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. SMOOT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The first bill on the calendar will now be taken up.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. Paragraph 51 refers to white lead and white pigment containing lead. Paragraph 53 refers to white pigment containing zinc. The committee have under consideration a different scale of duties in reference to zinc ore and the products of zinc. I therefore ask that paragraphs 51 and 53 may go over without action, and I ask that paragraph 54 be passed over. Then paragraph 56 involves the same question, white acetate of lead, which is made from white lead, and I ask that it may go over also.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island?

Mr. BRISTOW. I understand that paragraph 51 then goes over for the present?

Mr. ALDRICH. It does.

Mr. BRISTOW. I should like to say that when it is taken up I shall want to be heard on that paragraph.

Mr. ALDRICH. The Senator will undoubtedly have an opportunity.

The VICE-PRESIDENT. The Chair understands that paragraphs 51 and 53 are covered by the request.

Mr. ALDRICH. Paragraph 52 may go over also.

The VICE-PRESIDENT. The Senator includes paragraph 52 in his request?

Mr. ALDRICH. I do.

The VICE-PRESIDENT. Without objection, that will be included, and the paragraphs will be passed over. The next paragraph passed over will be stated by the Secretary.

The SECRETARY. Paragraph 58——

Mr. ALDRICH. I ask that that may go over also.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and the paragraph will be passed over. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 59.

Mr. ALDRICH. I ask that the committee amendment to that paragraph may be agreed to.

The VICE-PRESIDENT. The committee amendment to this paragraph was agreed to, and the paragraph was passed over after the committee amendment was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to.

Mr. ALDRICH. What is the next one passed over?

The VICE-PRESIDENT. The Secretary will state the next.

The SECRETARY. Paragraph 61 was passed over. The committee propose to strike out paragraph 61 in the following words:

61. Nitrate of, or saltpeter, refined, one-half of 1 cent per pound.

The amendment was agreed to.

Mr. OVERMAN. I do not know why that amendment was objected to before. There is a very small attendance here. It seems that it was objected to. There may be some one on our side who wishes to be present when it is considered.

Mr. ALDRICH. No; it was the Senator from New Jersey who asked that it might go over. He wanted to save a part of it from the free list. What is the next one?

The SECRETARY. The next paragraph passed over is paragraph 66, on page 16. After the word "santonin," in line 20, on page 16, the Committee on Finance report to strike out the words "fifty cents" and insert the words "one dollar," so as to make the paragraph read:

66. Santonin, and all salts thereof containing 80 per cent or over of santonin, $1 per pound.

The VICE-PRESIDENT. Is there objection to agreeing to the committee amendment?

Mr. BRISTOW. I should like to have a vote on it.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Hughes	Perkins
Bacon	Crane	Johnson, N. Dak.	Piles
Beveridge	Crawford	Johnston, Ala.	Richardson
Borah	Cullom	Jones	Root
Bradley	Cummins	Kean	Scott
Brandegee	Curtis	La Follette	Smith, Md.
Bristow	Depew	Lodge	Smith, Mich.
Brown	Dillingham	McEnery	Smoot
Bulkeley	Flint	McLaurin	Stephenson
Burkett	Foster	Martin	Stone
Burnham	Frye	Nelson	Sutherland
Burrows	Gallinger	Oliver	Tallaferro
Carter	Gamble	Overman	Warner
Clapp	Guggenheim	Page	Warren
Clark, Wyo.	Hale	Paynter	
Clarke, Ark.	Heyburn	Penrose	

The VICE-PRESIDENT. Sixty-two Senators have answered to their names. A quorum of the Senate is present. The question is on agreeing to the amendment of the committee to paragraph 66, striking out "50 cents" and inserting "$1."

Mr. BEVERIDGE. It increases the House rate 100 per cent. I merely want to know why?

Mr. ALDRICH. The duty on santonin by the act of 1883 was $3 a pound, and by the act of 1890, $2.50 a pound. It was reduced in 1894 by the Wilson-Gorman Act to $1 a pound, and it has remained there ever since. The importations of 1907 were valued at $65,000. The unit of value was $7.90 a pound, or about $8 a pound, and the ad valorem rate was $12.66. Under the present law there is a duty of only 12 per cent.

Mr. OVERMAN. What was the rate under the Dingley law?

Mr. ALDRICH. Under the Dingley law it was $1, under the Gorman law it was $1, and the present rate is $1, and that is only 12 per cent on the product.

Mr. OVERMAN. The House made it 50 cents.

Mr. ALDRICH. The House made it 50 cents, unadvisedly, I think.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. ALDRICH. I should like to go back to paragraph 63, where the committee will propose certain amendments.

The VICE-PRESIDENT. Without objection, the Senate will return to paragraph 63.

Mr. ALDRICH. On page 15, line 12, after the word "calomel," I move to insert the words "corrosive sublimate."

The amendment was agreed to.

Mr. ALDRICH. I move to strike out the proviso beginning in line 16, after the words "ad valorem," and including the rest of the paragraph.

The amendment was agreed to.

Mr. STONE. I should like to inquire of the Senator from Rhode Island as to the amendment in paragraph 59. Was it agreed to?

Mr. ALDRICH. Yes; it has been agreed to.

Mr. STONE. I desire to suggest an amendment to that paragraph. I do not know whether to do it now or to do it later.

Mr. ALDRICH. I think the Senator had better do it later in the Senate.

Mr. STONE. Very well.

Mr. DOLLIVER. I beg to inquire of the chairman of the committee to what articles the words in paragraph 63, "in the preparation of which alcohol is used," refer.

Mr. ALDRICH. That language has been stricken out.

Mr. DOLLIVER. It has been suggested that the operation might be to transfer from the free list certain articles in the manufacture of which alcohol is used, although alcohol does not appear in the finished product in any tangible form.

Mr. ALDRICH. The Senator probably has been informed about the products mentioned in lines 19, 20, and 21, which have been stricken out. That would not be true of the part of the paragraph which remains.

Mr. DOLLIVER. I notice the same phraseology in the main body of the paragraph.

Mr. ALDRICH. It is not the same phraseology at all, if the Senator will look at it:

Medicinal preparations containing alcohol or in the preparation of which alcohol is used not specially provided for in this section.

The words "that all alkaloids, balsams, chemicals, drugs, extracts, medicinal substances, oils, salts, or similar substances whatever used for medicinal purposes, whether or not specifically provided for in this section, and whether on the dutiable list or the free list," have been stricken out on the suggestion of the committee.

Mr. DOLLIVER. I understand that the similar phraseology in the second line of the paragraph could not be construed to refer to articles now on the free list in the manufacture of which alcohol is used.

Mr. ALDRICH. Not possibly.

The VICE-PRESIDENT. The Secretary will state the next amendment passed over.

The SECRETARY. The next paragraph passed over is paragraph 67, at the bottom of page 16, castile soap, etc.

The VICE-PRESIDENT. The committee amendment to this paragraph has been agreed to.

Mr. ALDRICH. The committee have an amendment to propose to the paragraph, which I ask may be read.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Rhode Island from the committee.

The SECRETARY. It is proposed to insert a new paragraph 67, as follows:

67. Castile soap, 1¼ cents per pound; medicinal or medicated soaps, 20 cents per pound; perfumed toilet soaps, 50 per cent ad valorem; all other soaps not specially provided for in this section, 20 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the substitute which the Secretary has read.

Mr. CULBERSON. Inasmuch as this amendment is presented by the Senator from Rhode Island on the floor, and not printed, I wish he would explain the changes made by it.

Mr. ALDRICH. The only change is to increase the rate on fancy perfumed soap, for revenue purposes. It does not change the rate upon anything else at all in the paragraph.

The amendment was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over was paragraph 69, on page 17.

Mr. ALDRICH. I ask that that paragraph may be passed over.

The VICE-PRESIDENT. Without objection, it will be passed over. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 70. Crystal carbonate of soda, and so forth.

The VICE-PRESIDENT. There is no amendment to this paragraph. The next paragraph passed over will be read.

The SECRETARY. Paragraph 71. Hydrate of, or caustic, soda, and so forth.

Mr. ALDRICH. The Senator from Ohio [Mr. BURTON] is not now in his seat. He asked to have this paragraph go over. I ask that it may still be passed over, until the Senator from Ohio is present.

The VICE-PRESIDENT. Without objection, the paragraph will be passed over. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 79, on page 18. The committee reported to strike out the paragraph in the following words:

79. Sulphur, refined or sublimed, or flowers of, $6 per ton.

And in lieu thereof to insert:

79. Sulphur, refined or sublimed, or flowers of sulphur; and sulphur or brimstone advanced beyond the original condition as mined, by melting, refining, or any process whatever by means of which impurities or extraneous matter, wholly or in part, have been removed, $6 per ton.

Mr. ALDRICH. The committee withdraw their amendment to paragraph 79, and ask to have the House provision amended by striking out "six" and inserting "four," so as to read:

Sulphur, refined or sublimed, or flowers of, $4 per ton.

The VICE-PRESIDENT. The committee amendment to paragraph 79 is withdrawn. The Senator from Rhode Island now offers an amendment to the paragraph, which will be read by the Secretary.

The SECRETARY. On page 18, line 10, before the word "dollars," strike out "six" and insert "four," so as to read:

79. Sulphur, refined or sublimed, or flowers of, $4 per ton.

The VICE-PRESIDENT. When the Senate was considering the bill some days ago the amendment striking out paragraph 79 was agreed to, and the paragraph was stricken out.

Mr. ALDRICH. I now ask that the paragraph be agreed to with an amendment striking out "six" and inserting "four."

The VICE-PRESIDENT. Without objection, the Senate committee amendment is withdrawn.

Mr. TILLMAN. Will the Senator explain the effect of the amendment he now proposes?

Mr. ALDRICH. It puts all crude sulphur on the free list and reduces the duty on refined sulphur from $6 a ton to $4 a ton.

Mr. SMOOT. The present rate is $8, the committee reported $6, and we now recommend a reduction to $4.

The VICE-PRESIDENT. The question is on agreeing to the amendment striking out "six" and inserting "four," so as to read "$4 per ton."

The amendment was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be read.

The SECRETARY. Paragraph 83, page 19, Tiles: After the first word "Tiles," the committee reported to strike out the words "including quarries or quarry tiles, so called."

The amendment was agreed to.

The SECRETARY. In line 15, after the word "tiles," the committee reported to insert the words "and tiling, by whatever name known."

The amendment was agreed to.

The SECRETARY. In line 19, after the words "ad valorem," the committee reported to insert:

So-called quarries or quarry tiles, 35 per cent ad valorem; mantles, friezes, and all other articles of every description, composed wholly or in chief value of tiles or tiling, 60 per cent ad valorem.

Mr. BEVERIDGE. I take it that is merely an improved classification.

Mr. ALDRICH. Yes; there are some other amendments to be offered.

The amendment was agreed to.

Mr. ALDRICH. I send several amendments to the paragraph to the desk, which I ask may be read.

The SECRETARY. In line 14, strike out the word "ornamental" and insert in lieu thereof the word "ornamented."

The amendment was agreed to.

The SECRETARY. In line 16, after the word "tiles" and before the comma, insert the words "and so-called quarries or quarry tiles."

The amendment was agreed to.

The SECRETARY. In line 20, in the committee amendment, change the spelling of the word "mantles" so as to read "mantels."

The amendment was agreed to.

The SECRETARY. In the same line, strike out the words "all other."

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 85, page 20:

85. Lime, 5 cents per 100 pounds, including weight of barrel or package.

Mr. JONES. I ask that the paragraph be further passed over.

The VICE-PRESIDENT. Without objection, the paragraph will be further passed over.

The SECRETARY. Paragraph 86. Plaster rock or gypsum——

Mr. ALDRICH. I ask that the paragraph may be passed over. The committee have under consideration specific rates on a part of the articles.

The SECRETARY. Paragraph 87. Pumice stone——

Mr. KEAN. I wish to ask whether the committee did not propose a reduction from $6 a ton on pumice stone? That seems to be very high.

Mr. FLINT. I ask that the paragraph may go over.

Mr. ALDRICH. What is the suggestion of the Senator from New Jersey?

Mr. KEAN. I suggest that the duty be reduced.

Mr. ALDRICH. How much?

The VICE-PRESIDENT. The Senator from California asks that the paragraph be passed over.

Mr. KEAN. To $5 a ton, instead of $6.

Mr. ALDRICH. It has gone over.

The VICE-PRESIDENT. The paragraph has been passed over. The next paragraph will be read.

The SECRETARY. In paragraph 88, page 21, line 4, the committee propose to strike out "fifteen one-hundredths of 1 cent per pound on the bitumen content contained therein," and to insert:

Crude, if not dried, or otherwise advanced in any manner, $1.50 per ton; if dried or otherwise advanced in any manner, $3 per ton.

So as to read:

Asphaltum and bitumen, not specially provided for in this section, crude, if not dried, or otherwise advanced in any manner, $1.50 per ton; if dried or otherwise advanced in any manner, $3 per ton.

The amendment was agreed to.

The SECRETARY. In paragraph 88, line 12, after the word "spar," the committee report to insert "crude, or crushed, ground, or otherwise treated or manufactured," so as to read:

Fluor spar, crude, or crushed, ground, or otherwise treated or manufactured, $1.50 per ton.

Mr. BRADLEY. Mr. President——

Mr. ALDRICH. The Senator from Kentucky desires to have this paragraph go over—that is, the part of the paragraph relating to the duty on fluor spar.

Mr. BRADLEY. Yes; that part of it.

The VICE-PRESIDENT. Without objection, it will be passed over.

Mr. ALDRICH. The committee suggest an amendment striking out, on page 20, line 25, after the word "asphalt," the words "containing not more than 15 per cent of bitumen."

The amendment was agreed to.

Mr. ROOT. Does not the word "asphalt" go out also?

The VICE-PRESIDENT. The Chair understood not. The Chair asks the attention of the Senator from Rhode Island. The Senator from New York inquires whether the amendment striking out intended to include the word "asphalt."

Mr. ALDRICH. Oh, no.

The VICE-PRESIDENT. The Chair understood not.

Mr. BEVERIDGE. My attention was attracted away. I simply wish to ask the Senator from Rhode Island whether this affects asphalt used in paving and for roads in any way? If it does, I ask that it be passed over for the present. I do not know that I shall have any objection to it, but I want to look into the matter.

Mr. ALDRICH. This particular asphalt is not imported. It is lime-rock asphalt. It is not of very great importance in any event, but the committee thought that the clause ought not to be in the bill, and I think the Senator will find——

Mr. BEVERIDGE. I merely asked if it does affect asphalt used for pavement and road.

Mr. ALDRICH. It does, and the amendments in lines 5, 6, and 7, on page 21, reduced the duty levied by the House about 80 per cent or more.

Mr. BEVERIDGE. It does affect asphalt for roads.

Mr. ALDRICH. It reduces the duty largely.

Mr. BEVERIDGE. Does the Senator think that the duty might be reduced still further?

Mr. ALDRICH. If the Senator asks my personal opinion, perhaps I would say that it should be on the free list.

Mr. BEVERIDGE. I suggest that it be passed over for the present.

Mr. ALDRICH. A great many desire that the rate shall be much higher than the rate suggested by the committee.

The VICE-PRESIDENT. It will be passed over for the present.

Mr. GALLINGER. I wish to call the attention of the Senate——

The VICE-PRESIDENT. The Senator from New Hampshire will permit the Chair to inform the Senator from Indiana, so that there may be no misunderstanding, that this amendment was agreed to and there has been business subsequent. So the Chair thinks the request should be to reconsider, if the paragraph is to be passed over. Several matters have intervened since it was agreed to.

Mr. ALDRICH. The Senator can bring it up in the Senate.

Mr. BEVERIDGE. In view of the fact that we are passing over these paragraphs again, I suggest that we pass it over. I do not know that I shall have any objection to it; I think I agree with the Senator that it ought to be on the free list, but let it be passed over with the rest.

Mr. ALDRICH. There is no reason why it should not be passed on now.

Mr. GALLINGER. Before it is passed over I wish to call attention to an excerpt from the New York Evening Post, which is a low-tariff newspaper, concerning asphalt. It says:

For many years prior to July 24, 1897, asphalt was on the free list, and the price of asphalt was steadily maintained at $35 per ton and paving at from $3 to $4 per yard. Under the Dingley Act $1.50 per ton duty has been paid on crude and $3 per ton on refined. The market price of asphalt has fallen to about $22 per ton and paving prices to $1.50 to $2 per yard. The Barber Paving Company, of Philadelphia, controlling the inexhaustible asphalt deposits of Trinidad and Venezuela, is practically the only importer of this material. It can produce, transport, refine, and deliver asphalt at New York for $12 per ton, including payment of the present duty or the rate proposed in the Payne bill. It can pay four times the rate proposed in the Payne bill without advancing its selling price.

If this is correct there is one instance on record where taking an article from the free list and putting it on the dutiable list has resulted in a very remarkable reduction in the price.

Mr. BEVERIDGE. That may be. We will consider it when it is taken up.

The VICE-PRESIDENT. Without objection, the amendment on lines 4 to 8, on page 21, in paragraph 88, will be passed over, having been already agreed to. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 89. Mica——

Mr. CRAWFORD. I ask that paragraph 89 be passed over for the present.

The VICE-PRESIDENT. Is there objection to the request of the Senator from South Dakota?

Mr. ALDRICH. I hope it will be passed over, because there is a great conflict of interest and of opinion upon this subject. A very large number of important people are anxious to have mica put on the free list, and some others want to have the rates increased even higher than the present law.

The VICE-PRESIDENT. Without objection, the paragraph will be passed over.

Mr. ALDRICH. I think it is desirable, in view of the conflict of opinion, that the committee reexamine this case and see if it ought to go on the free list or whether it ought to be dutiable.

The VICE-PRESIDENT. No objection being made, the paragraph will be passed over.

Mr. CRAWFORD. I should like to ask the Senator from Rhode Island for information. I simply request that if an additional amendment, different from those already proposed, is to be considered it may be offered so that we will have an opportunity to examine it. I understood that there was in contemplation another amendment to that paragraph, and if the committee are contemplating to do so by reporting it they would give us an opportunity to examine it.

Mr. ALDRICH. The committee are still undecided, but whenever they reach a conclusion on the subject, as to which of these conflicting interests is correct, or approximately correct, they will report an amendment. What the nature of the amendment will be no man can tell at this moment.

Mr. ROOT. Mr. President, I will say, for the information of the Senator from South Dakota, that whenever this paragraph comes to be considered by the Senate I shall endeavor to show that the word "rough" used in the bill as sent to us by the House rather than the word "thumb," which the committee proposed to substitute, will result in a more equitable assessment of the duty upon the article mica.

Mr. ALDRICH. The committee themselves are satisfied of that. They acted upon erroneous information in making the suggested change. As to what rate should be finally fixed, that is another question.

Mr. KEAN. I should like to ask the chairman if he could not make that change now?

Mr. ALDRICH. No.

Mr. GAMBLE. The House committee had a very full hearing on this paragraph, and it occurs to me that the House

draft is preferable to the amendment made by the Senate committee. I understood that the Finance Committee had an amendment to present to correct it, and I would be glad to hear it.

Mr. ALDRICH. Mr. President, the producers of mica in the United States persuaded the committee to make the amendment which was suggested. They are now satisfied that they should not have made the change. Just what rate should finally be fixed upon mica is a subject about which I must confess we are very much at sea at this moment, and whether it should go on the free list or be made dutiable at any rate.

Mr. LA FOLLETTE. Mr. President, I should like to have paragraph 58 passed over.

The VICE-PRESIDENT. Paragraph 58 has been passed over.

Mr. LA FOLLETTE. Has it been passed over? I wanted to make the inquiry. I supposed it had been adopted.

Mr. ALDRICH. It was passed over.

The VICE-PRESIDENT. It was passed over the second time.

Mr. LA FOLLETTE. It was passed over the second time?

The VICE-PRESIDENT. Yes.

Mr. LA FOLLETTE. I was detained for two or three minutes in my committee room giving a hearing to some manufacturers and was not on the floor when that particular paragraph was reached. I supposed it had been adopted, and I wanted to return to it if that was true. If it was passed over, that is exactly the request that I desired to make. I understand, then, that paragraph 58, page 14, is passed over the second time.

The VICE-PRESIDENT. The Chair so stated.

The SECRETARY. The next paragraph passed over is paragraph 90——

Mr. DICK. I request that the paragraph dealing with earthenware and china be passed over.

Mr. ALDRICH. Oh, no; we have to get ahead, and we might as well decide the question now as at any other time.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. The committee propose to strike out, on page 21, paragraph 90, as printed in the House text, and to insert a new paragraph 90, as follows:

90. Common yellow, brown, or gray earthenware, plain, embossed, or salt-glazed common stoneware, and crucibles, all the foregoing not decorated in any manner, 25 per cent ad valorem; Rockingham earthenware, 40 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. ALDRICH. I will modify that amendment by inserting the words which I send to the desk.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 22, line 4, in the committee amendment, after the word "and" and before the word "crucibles," insert the words "earthenware or stoneware," so as to read:

90. Common yellow, brown, or gray earthenware, plain, embossed, or salt-glazed common stoneware, and earthenware or stoneware crucibles, all the foregoing not decorated in any manner, 25 per cent ad valorem; Rockingham earthenware, 40 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 91. China, porcelain, parian, bisque, earthen, stone, and crockery ware. The committee propose after the word "ware," in line 9, to strike out "ornamented, decorated, painted, colored, tinted, stained, enameled, gilded, brown white lined, or printed, and" and to insert the word "including."

Mr. BACON. I was endeavoring when the last amendment acted on was before the Senate to ascertain what relation the duty proposed in that amendment bears to the present law. I see from a reference that it is an increase, is it not?

Mr. ALDRICH. No, sir.

Mr. BACON. I was mistaken, then, in looking at the wrong line. I had the wrong line.

Mr. ALDRICH. It is a reduction on both items below the House bill, and a large reduction in some cases.

Mr. LA FOLLETTE. In this connection I should like to ask the chairman whether it is a reduction upon the products included in the amendment which the Senator from Rhode Island proposed this morning to that paragraph, immediately preceding the word "crucibles?"

Mr. ALDRICH. That only describes the crucibles and the character of crucibles that are to be included in the paragraph.

Mr. LA FOLLETTE. Is it a reduction?

Mr. ALDRICH. No; it is the same rate on crucibles.

Mr. LA FOLLETTE. And that is the rate——

Mr. ALDRICH. Of the existing law.

Mr. LA FOLLETTE. Of the existing law?

Mr. ALDRICH. Yes.

Mr. BACON. Mr. President, of course I am satisfied that the Senator is correct, because he has given careful study to it. At the same time, so far as I can identify the present rate, it seems to be the same as that in the amendment.

Mr. ALDRICH. The House provisions, if the Senator will read them, fix a rate on common yellow, brown, or gray earthenware, of common clay and strictly one color, at 25 per cent. If they had two colors, they would pay 60 per cent.

Mr. BACON. That is the present law?

Mr. ALDRICH. No; that is the House provision. It makes all common earthenware that contains more than one color 60 per cent ad valorem. The committee amendment reduces that rate from 60 to 40 per cent.

Mr. LODGE. It brings it back to the Dingley rate.

Mr. ALDRICH. It is a reduction of 20 per cent ad valorem. The House provision makes a reduction on Rockingham earthenware not decorated of 40 per cent ad valorem, but makes decorated Rockingham earthenware dutiable at 60 per cent. The amendment of the committee make it all dutiable at 40 per cent.

Mr. BACON. So the change is——

Mr. ALDRICH. A reduction, so far as those varieties are concerned.

Mr. BACON. So far as those two articles are concerned.

Mr. BURTON. Do I understand that paragraph 91 has been passed over?

The VICE-PRESIDENT. The pending question is on the amendment to paragraph 91.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment reported by the committee is in paragraph 91, which the Secretary will state.

The SECRETARY. On page 22, line 13, after the word "lamps," insert "all the foregoing."

The amendment was agreed to.

Mr. BACON. I beg pardon. I do not wish to unduly delay the proceeding in any manner, but the paragraph which we rapidly passed over a moment ago relates to a very large part of the commonly used crockery, does it not?

Mr. ALDRICH. Oh, no; it does not. Paragraph 92 refers to that class of articles. Paragraph 90 refers to a very small and relatively unimportant amount of common yellow, brown, or gray earthenware which the Senator, I suppose, has never seen. Perhaps he saw it in his boyhood days in some of the cabins of the South, but I imagine he never sees it now, and probably he has not seen it for fifteen or twenty years.

Mr. BACON. I am not interested in what may not be of general use. I interrupted, thinking this might relate to something in general use.

Mr. ALDRICH. Paragraph 92 is the paragraph that refers to matters in general use.

Mr. CUMMINS. Mr. President, I should like to ask a question of the chairman of the committee. Do you not think that there ought to be some difference between the ad valorem duty upon china ware and the duty upon earthenware, in view of the history of those kinds of business in the United States? As I understand these two paragraphs, 91 and 92, they attach the same duty to earthenware as to china ware—55 per cent ad valorem if undecorated and 60 per cent ad valorem if decorated in any way. My own observation, which is corroborated by some evidence I have read, is that the china-ware industry of the United States very much needs all the protection we have given it, and possibly more. Substantially all of the china ware—I modify that a trifle, and will say that I believe that two-thirds of the china ware used in the United States is imported, whereas I understand that about 80 per cent or more of all the earthenware used in the United States is of domestic manufacture. It would seem to me that the history of the development of our business in china ware and in earthenware ought to indicate that either the duty on china ware should be somewhat increased, or the duty on earthenware should be somewhat diminished. I am inclined to the latter view.

I have in preparation an amendment which I expect to offer to these two paragraphs, separating them in classification; but I have not been able to complete the preparation of the amendment. I am not ready to offer it at this time, but I shall do so when the paragraphs are under consideration by the Senate. I shall be very glad to have the knowledge or the opinion of the chairman of the Finance Committee as to the propriety of making a difference between the duty on china ware and the duty on earthenware.

Mr. DICK. Will the Senator yield to me for a question?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. Certainly.

Mr. DICK. Does the Senator intend by his proposed amendment to increase the rate on either of these articles?

Mr. CUMMINS. I do not.

Mr. DICK. Is it the intention of the amendment to reduce the rate on one of the articles?

Mr. CUMMINS. It will reduce the rate on earthenware, but it will not reduce the rate on chinaware. I thought this was an appropriate time to get the opinion of the committee with regard to the comparative necessity of duties upon one or the other of these classes of commodities.

Mr. ALDRICH. Mr. President, earthenware is made dutiable by the paragraph which we have just concluded at 40 per cent ad valorem. Earthenware which is decorated may not be at all distinguishable from china which is decorated. The intention of the law is, and has been, to make any of these products that are decorated pay the same rate of duty. There is no other way, in my judgment, in which the duty can be collected except by making them all dutiable at the same rate, whether they are made of earthenware or of china or of whatever they are made. All these are interchangeable names, and I imagine there is no man who can tell the difference practically between a great many of these articles. It is almost impossible to tell whether an article that is decorated is made from earthenware or from china. It is simply a great mass of materials, of different weights usually, it is true, but all of similar values, and they all should be dutiable at the same rate. That has been the experience in the past; and, in my judgment, there should be no change whatever in that respect.

Mr. CUMMINS. I do not understand the subject exactly as described by the chairman of the committee. There is a very marked difference, I believe, between earthenware, stoneware, and chinaware. I will not, however, attempt to give the technical difference. I think, however, that it is easily appreciated; and paragraph 90 does not carry at all the common white earthenware. You will observe that it provides:

> Common yellow, brown, or gray earthenware, etc.

Paragraph 91 provides:

> China, porcelain, parian, bisque, earthen, stone, and crockery ware.

Classifying them all together. It is true that that provides for those various classes, if decorated, paying a duty of 60 per cent; but paragraph 92 has the same classification, which embraces common white earthenware not decorated, paying a duty of 55 per cent ad valorem.

Mr. ALDRICH. Will the Senator permit me for a moment?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. Mr. President, from time immemorial—I do not know how far back—this classification has been unchanged. In 1883 the same language was used.

> China, porcelain, parian, bisque, earthen, stone, and crockery ware, including clock cases, etc.

And the rate was the same. In 1890 the same classification was adopted; in 1894, under the Wilson bill in the House, the exactly same classification was adopted, and it was also in the act of 1897. So, for twenty-six years, in five different tariff revisions there has been no change whatever in the classification.

Mr. CUMMINS. That is precisely why I am now making the inquiry. I know there has been no change in the classification. What has been the result?

Mr. ALDRICH. Under the Wilson bill we reduced the rates, of course, but under the act of 1883 the rates were 60 per cent and 55 per cent, the same as now. In 1890, and also in 1897, the rates were the same.

Mr. BEVERIDGE. But the classification was fixed in 1883.

Mr. ALDRICH. The classification was fixed in 1883, and has remained without change from that time to this. I have never heretofore heard any criticism from anybody whatever to the effect that the classification ought to be changed.

Mr. BACON. What was the rate under the Wilson bill, I ask the Senator? I have sent for the book, but I have it not before me here.

Mr. ALDRICH. The rate was 35 per cent ad valorem.

Mr. CUMMINS. I should like to hear the Senator from Georgia, but I can not quite do so at this distance.

Mr. BACON. I inquired of the Senator from Rhode Island [Mr. ALDRICH], as he had the figures before him, what was the rate on this article under the Wilson bill, and I understood him to reply that it was 35 per cent.

Mr. ALDRICH. On decorated, and 30 per cent on the plain.

Mr. CUMMINS. I again suggest that the classification is a very old one; but the experience or the history of the business to which these paragraphs relate shows that the classification is not the right one, because under it the china-ware industry has not prospered, while under it the earthenware industry has very greatly prospered. I therefore reiterate the conclusion that the duty on china ware is too low or the duty on earthenware is too high. I am not, however, at this time ready to offer the amendment which I should like to propose, but I shall do so when the bill reaches the Senate.

Mr. BEVERIDGE. Does the Senator ask that the paragraph go over?

Mr. CUMMINS. The Senator from Ohio [Mr. DICK] has asked that it go over.

Mr. DICK. I withdrew the request.

Mr. ALDRICH. I wish merely to suggest that the Senator from Iowa can easily offer his amendment in the Senate. I desire that this paragraph be now acted upon.

Mr. CUMMINS. That is, that these two paragraphs be adopted. I renew the request heretofore made by the Senator from Ohio [Mr. DICK]. I should be very glad to have the opportunity to offer my amendment later; and I will try to get it. It may be that when I have investigated the source of information which I now understand exists, I may not ask that any amendment be made; but, as at present advised, I shall do so.

Mr. BURROWS. Mr. President——

The VICE-PRESIDENT. The Senator from Iowa [Mr. CUMMINS] has the floor. Does the Senator yield?

Mr. CUMMINS. I do.

Mr. BURROWS. I desire to ask the Senator if he understands, as I suppose he does, that he will have the opportunity of offering his amendment in the Senate? So he will lose nothing and gain nothing by having it adopted now.

Mr. CUMMINS. I understand that. I have no particular desire to have the amendment passed here; but I thought it was only fair——

Mr. CULBERSON. With reference to the suggestion of the Senator from Michigan [Mr. BURROWS], with the permission of the Senator from Iowa [Mr. CUMMINS] I rise to a parliamentary inquiry. I understand this bill is now being considered with reference to committee amendments.

Mr. ALDRICH. It is also being considered with reference to agreeing to the House provisions.

Mr. CULBERSON. When we conclude the consideration of the committee amendments, I understand that individual Senators not connected with the committee may offer amendments anywhere in the bill while it is being considered as in Committee of the Whole.

Mr. BEVERIDGE. Not to a committee amendment if it has been adopted by the Senate, except on a reconsideration.

Mr. CULBERSON. I ask, if that is not the case, when can a Senator offer an amendment?

The VICE-PRESIDENT. When the consideration of committee amendments has been concluded any Senator may offer an amendment to any portion of the bill——

Mr. CULBERSON. In Committee of the Whole?

The VICE-PRESIDENT. In Committee of the Whole. But if a Senator proposes an amendment to an amendment which has been agreed to, it can only be accomplished by a reconsideration.

Mr. BEVERIDGE. And an amendment can then be offered——

The VICE-PRESIDENT. To any other portion of the bill an amendment can then be offered.

Mr. ALDRICH. It is still in order for any Senator to offer any amendment he wishes to paragraph 91.

Mr. CUMMINS. Does that mean that before the bill passes into the Senate a Senator may not offer an amendment to this paragraph——

Mr. ALDRICH. Except——

Mr. CUMMINS. Just a moment—which does not involve the amendment of the Committee on Finance which has been adopted by the Committee of the Whole?

The VICE-PRESIDENT. It means that any Senator may offer such an amendment.

Mr. CUMMINS. Precisely.

Mr. ALDRICH. But he may not, after the Senate has agreed to a House provision as amended by the Senate, except upon a reconsideration.

The VICE-PRESIDENT. That is correct.

Mr. BEVERIDGE. The only time a Senator would then have an opportunity to offer an amendment to that committee amendment would be when it gets into the Senate; but he

may in Committee of the Whole offer an amendment to any other portion of the bill except the adopted committee amendments.

Mr. ALDRICH. I ask that this paragraph be agreed to.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. BACON. I thought that the Senator had finished. I will wait until he does so.

Mr. CUMMINS. Mr. President, I have already stated that I shall offer an amendment of the character I have suggested, if, upon further investigation, I find my present impressions are verified by the facts.

Mr. BACON. I wish to recall to the Senate that a few days ago, when this very question was under consideration in the Senate, I suggested that the universal custom of the Senate had been, in the consideration of appropriation bills and other lengthy bills, to have the committee in charge of the bill go through the bill and have their amendments acted upon; and that, under a very liberal practice, though not according to strict parliamentary usage, it had always been the custom after that had been done to go back and have Senators offer any amendments they desired to any part of the bill, whether amendments had been agreed to or not. That was consented to; and I am sure I can turn to the RECORD and show it. Still I do not care what is done, so that we understand what is to be relied upon.

Mr. ALDRICH. If this paragraph is now agreed to by the Senate as amended, it will only then be in order to offer an amendment when the bill reaches the Senate or upon a motion to reconsider. It seems to me that ought to be perfectly plain to everybody.

Mr. BACON. That is not the way in which we usually act.

Mr. ALDRICH. It is the way we always act.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. BACON. I yield to the Senator if he wishes to suggest an inquiry to me.

Mr. McLAURIN. I want to make a suggestion in reference to what was suggested by the Senator from Rhode Island. I do not claim to be a parliamentarian, but I want to understand if we are to adopt this bill paragraph by paragraph?

Mr. ALDRICH. Undoubtedly, as they are reached.

Mr. McLAURIN. I understood that we were reading the bill——

Mr. ALDRICH. The bill has been read at length.

Mr. McLAURIN. I understood then that we were to adopt the amendments to the paragraphs, but not to adopt paragraph by paragraph. That has not been my understanding of the agreement all along. I understood that we would first adopt the committee amendments, and then Senators would be allowed to offer any amendments to the bill which suggested themselves to them.

Mr. ALDRICH. We would never get through the bill under such an arrangement.

Mr. HALE. If the Senator will allow me, my recollection is very clear——

Mr. McLAURIN. I am on the floor by the courtesy of the Senator from Georgia [Mr. BACON].

Mr. HALE. We went through the entire bill, but passed over certain paragraphs, acting upon some committee amendments and passing over others. That exhausted the agreement. Then we went back, and the chairman of the committee is now bringing before the Senate the entire bill, not simply committee amendments, for we have been over that stage once.

Undoubtedly when a provision is adopted we make that much progress. When we vote upon an amendment and agree to it, and thereby incorporate it as a part of the bill, it can only be reached in the Senate, where every Senator's right is plenary, or by a reconsideration; otherwise we would never make any progress. I hope the chairman will insist upon that course. We are now considering the whole bill, not simply committee amendments.

Mr. McLAURIN. There are others who will insist, but let me give my understanding of the status of this matter. We went through the bill and read it for committee amendments.

Mr. ALDRICH. No——

Mr. McLAURIN. That is what was stated; and I understood it to be for committee amendments. Many committee amendments were adopted; but no amendment could be offered by any individual Senator——

Mr. HALE. Mr. President——

Mr. McLAURIN. Just a word. Let me finish now, and then I will hear the Senator from Maine. When the committee amendments were being adopted, it was understood that no Senator could offer any amendment, except an amendment to the committee amendment. I think that is correct. That is my understanding; and I think that is parliamentary usage. During the first reading of the bill a great many paragraphs were passed over, and we have now gone back——

Mr. HALE. And are taking them up.

Mr. McLAURIN. To take those paragraphs up; and they are taken up as upon the first reading of the bill, and not the second reading of the bill.

Mr. ALDRICH. Oh, no.

Mr. McLAURIN. It is bound to be so. It can not be otherwise, because the paragraphs were not all read.

Mr. BEVERIDGE. The Senator can offer an amendment now.

Mr. ALDRICH. The paragraphs were all read.

Mr. HALE. Every line of the bill was read in order that we might not have to read it afterwards.

Mr. McLAURIN. The paragraphs were passed over for the very purpose of allowing committee amendments.

Mr. LODGE. All passed-over paragraphs were read; every one of them.

Mr. McLAURIN. Well, they were passed over for the purpose of allowing committee amendments.

Mr. ALDRICH. Oh, no.

Mr. LODGE. Amendments were in order.

Mr. McLAURIN. But not any amendments except to the committee amendments.

Mr. ALDRICH. The Senator is entirely mistaken.

Mr. McLAURIN. I am not mistaken about what was stated at the time. I may be mistaken about what Senators intended to state; but I am not mistaken about what was actually stated, because it was stated that when we got through with the committee amendments we could then offer amendments to the bill and offer amendments to the paragraphs. We have passed a good many paragraphs to which I intended to offer amendments.

Mr. ALDRICH. We voted last night on two different amendments to committee amendments.

Mr. McLAURIN. Certainly; amendments to committee amendments is what I say.

Mr. ALDRICH. But an amendment to a paragraph outside of the committee amendment is just as much in order.

Mr. McLAURIN. I have not so understood; and I have permitted a number of paragraphs to go by to which I wanted to offer amendments.

Mr. ALDRICH. The Senator will not lose any of his rights. No Senator will lose any right, because he can offer amendments to the bill in the Senate or can ask to have a reconsideration.

Mr. McLAURIN. But I do lose my right if I have to have an amendment reconsidered before I can offer an amendment to it.

Mr. ALDRICH. We are now proceeding under the ordinary rules which control parliamentary proceedings in the Senate.

The VICE-PRESIDENT. As modified by the agreement of the Senate.

Mr. ALDRICH. That is as to the first reading, but not as to any present reading.

The VICE-PRESIDENT. The first reading has been concluded. This is a subsequent reading.

Mr. ALDRICH. That agreement has exhausted itself by limitation of time.

Mr. McLAURIN. That is not my understanding. The paragraphs passed over were passed over as if the committee amendments were to be offered afterwards and first acted upon. We could not act upon the paragraphs until the committee amendments were acted upon; and that settles the question.

Mr. BACON. I understand, then, according to the statement of the Senator in charge of the bill, that if any Senator desires to offer an amendment to a rate of duty he must do so now.

Mr. ALDRICH. Certainly.

Mr. BACON. And not wait and expect to get it up afterwards, unless he wishes to ask for the committee's amendment to be considered.

Mr. ALDRICH. Undoubtedly; and to the paragraph now under consideration I think any Member of the Senate has a right to offer any amendment he sees fit.

Mr. BACON. Very well. Then we are not expected to wait until the committee amendments have been acted upon before offering amendments to amendments?

Mr. ALDRICH. No. The only suggestion that I am making is that the committee amendments should be acted upon first; but they are always, of course, susceptible to amendment.

Mr. BACON. Susceptible to amendment at the time?

Mr. ALDRICH. At the time, yes; but not after the Senate has adopted them, unless on reconsideration.

Mr. BACON. But if a paragraph as thus amended is adopted, subsequent to that time, as I understand, any Senator may offer an amendment to the paragraph, so that he does not propose to amend an amendment already adopted.

Mr. ALDRICH. Unless it has been adopted by the Senate. If it has been, it is necessary to move a reconsideration.

Mr. BACON. I can not turn to it now, but I will turn to the RECORD and show that that is not the agreement which we made last week; but I will, so far as I am concerned, act upon that for the present at least. I do not, however, wish to be foreclosed from the liberty and opportunity of reading what has heretofore been agreed to on that subject; but, not to delay the Senate now, I will pass on and observe the rule for the present; and I am going to offer an amendment to the amendment of the committee.

The VICE-PRESIDENT. Paragraph 91 is pending, but no amendment to it has yet been stated.

Mr. BEVERIDGE. There is a slight misapprehension here. I thought there was none until this moment. It was my understanding that we were now acting upon committee amendments, to which any Senator might offer an amendment, and if the committee amendment was adopted it could not thereafter be amended until the bill gets into the Senate; but I did not understand that we were also acting upon the paragraphs.

Mr. ALDRICH. Unquestionably we are.

Mr. BEVERIDGE. Now, it appears that the Senator is asking not only that the committee amendments be adopted, but also that the entire paragraph shall be acted upon at this time. Therefore, the Senate is in this situation—I merely state it so that the matter may be understood, for I know some Senators, including myself, have become somewhat confused—the Senate is in this situation: Hereafter, after a paragraph is adopted, not only can the committee amendments not be amended until the bill gets into the Senate, except upon a reconsideration, but the same is true of the entire paragraph as well as of the committee amendments. So that, if a Senator has anything he wants to offer, it should be presented now or he should wait until the bill gets into the Senate.

Mr. OVERMAN. Do I understand the adoption of a committee amendment adopts the whole paragraph?

Mr. ALDRICH. Not at all. I asked that the paragraph as amended be agreed to, and that is the pending question, subject, of course, to amendment by any Senator. That is perfectly plain, it seems to me.

Mr. STONE. I should like to ask the Senator from Rhode Island whether in the consideration of the bill the paragraphs now before the Senate have all been agreed to?

Mr. BEVERIDGE. Except those passed over.

Mr. ALDRICH. Except those passed over. Where they have been read, and no amendment of any kind has been suggested, they have been adopted and stand, unless the Senate agrees by a vote to reconsider those paragraphs. Of course, that makes a different question. I assume that they have all been agreed to; but whether they have been agreed to or not, if there is any Senator who feels that he is losing any right or who wants to offer any amendment, even after we get through, there will be no trouble, I take it, in securing either a reconsideration or an opportunity to go into it when the bill gets into the Senate. I am not trying to foreclose Senators from offering amendments, but I realize that, if we finish this bill ever, we must go on and close everything up unless it is to be opened hereafter by a vote of the Senate.

Mr. McLAURIN. There has not been, so far as I have heard, a single paragraph that has been submitted to the Senate. Amendment after amendment has been submitted, and amendment after amendment has been agreed to, but there has not been a proposition to agree to a paragraph or to adopt a paragraph, so far as I have heard, since this bill has been read.

Mr. ALDRICH. That is the very course——

Mr. BEVERIDGE. That is the understanding now.

Mr. McLAURIN. It may be hereafter, but the paragraphs heretofore read have never been adopted.

Mr. ALDRICH. I will say that all the rights of the Senator from Mississippi and of any other Senator are reserved. There is no disposition to foreclose any Senator, but the Senator from Mississippi must realize that we have got to make progress with this bill if we ever expect to finish it.

Mr. McLAURIN. I am just as desirous of expediting this bill as is the Senator from Rhode Island. I should like to get a vote on it to-morrow, if I could do so; but I do not want to be precluded from offering amendments to paragraphs that have been read and passed over and that have not been adopted. If we are served with notice that hereafter we must present our amendments at the time when a paragraph is under consideration, that is all right; but there have been no paragraphs adopted to this time, up to paragraph 91.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. The Senator from Mississippi has the floor. Does he yield to the Senator from Massachusetts?

Mr. McLAURIN. Certainly.

Mr. LODGE. I was merely going to suggest to the Senator from Mississippi that it is the universal parliamentary practice that in reading a bill a paragraph or section is adopted on the reading, unless an amendment is offered or objection made.

Mr. McLAURIN. Adopted by the fact of reading?

Mr. LODGE. Certainly; the reading is sufficient.

Mr. McLAURIN. I have never heard of that before.

Mr. LODGE. In the case of every appropriation bill that goes from that desk and passes the Senate, as a paragraph or section is read, if there is no amendment and no objection to it, the reading carries that paragraph, and nothing remains but the final question on the passage of the bill.

Mr. McLAURIN. It never has been so that I have ever heard.

Mr. LODGE. I think that is the universal rule of parliamentary bodies.

Mr. McLAURIN. It has never been so since I have had a place in this body.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. McLAURIN. With pleasure.

Mr. GALLINGER. I do not want to prolong this discussion—I think it is very inconsequential—but I want to suggest to the Senator that those of us——

Mr. McLAURIN. I suggest to the Senator that he ought not to get into an "inconsequential" discussion.

Mr. GALLINGER. I will take but a moment. Of course I will not interrupt the Senator if he does not wish to be interrupted.

Mr. McLAURIN. Oh, certainly.

Mr. GALLINGER. I was merely about to remark, Mr. President, that in dealing with appropriation bills we have pursued precisely the course that we ought to adopt in connection with this bill; that is to say, the bill is read; the amendments then are acted upon——

Mr. BULKELEY. It is impossible to hear the debate. There is too much noise in the Senate.

The VICE-PRESIDENT. The Senate will be in order.

Mr. GALLINGER. I will talk a little louder. The bill is read; amendments are afterwards acted upon; they can be amended from the floor when they are being acted upon; but after that they are only open again by motion to reconsider or when the bill gets into the Senate. The Senator will perceive that, if we never settle one of these items, we will never get through the bill. That is the universal rule in dealing with appropriation bills, and this bill is similar to an appropriation bill. Any Senator can offer an amendment to a committee amendment, or he can offer an amendment to a paragraph. If a paragraph is amended, then the Chair ought to put the question upon agreeing to that paragraph as amended. If the Chair has failed to do that, it has been an oversight.

Mr. ALDRICH and Mr. BEVERIDGE. The Chair has done that.

Mr. GALLINGER. I presume the Chair has done that.

Mr. McLAURIN. I take the liberty to dissent from that. The Chair has not submitted anything so far except the amendments.

Mr. GALLINGER. If we will pursue the course I have indicated, I am sure we shall have no trouble.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN. With pleasure.

Mr. TILLMAN. Last week I asked for a reprint of this bill, in order to be able to get some light. When I got the bill on my desk and wanted to know what had been done and what was being proposed to be done, I found there was nothing done in that particular except to furnish me with a bill with some pencil marks on it. Now I notice that we are passing over paragraphs again. We have passed over paragraphs once, and we are going back and passing them over again. Why do we not commence to build from the ground and finish this bill? What is the use of fooling around here? We have fooled around for three weeks, passing over paragraphs and then going back and passing them again. I want to get away from here. [Laughter.]

Mr. SCOTT. I want to ask the Senator——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from West Virginia?

Mr. McLAURIN. With pleasure.

Mr. SCOTT. What is the object of the roll calls that we have had if we have not adopted these paragraphs?

Mr. McLAURIN. The object of the roll calls was to pass on amendments. They were not to pass on the paragraphs. The Senator ought to know that.

Mr. SCOTT. After the amendments were adopted, the Chair announced that the paragraph was adopted.

Mr. McLAURIN. No, sir; the Chair never has announced that. The Chair announced that the particular amendment was adopted, but the Chair would not have been authorized to announce the adoption of a paragraph merely because there was a vote adopting an amendment to it.

Mr. ALDRICH. I hope the Senator will let us go on with the consideration of the bill.

Mr. McLAURIN. I have not disturbed its consideration much. The Senator will give me credit for having been very brief in what I have had to say here.

I have let a great many go by where I should have liked to put in my oar. But I wanted to expedite matters. I think the Senator will bear me out that I have been pretty patient. I have not said much. I have not delayed the bill at all.

What I wanted to say was that in 1894, when we adopted the Wilson bill, it was read, and the committee amendments were adopted. It was read for committee amendments, and after the committee amendments were adopted Senators were permitted to offer amendments anywhere they pleased to the bill; and after they were voted upon, either adopted or rejected, we voted upon the whole bill, and it was carried into the Senate, and certain amendments were reserved on which Senators desired a special vote. I think that is the proper course here, but if the Senate prefers to adopt paragraph by paragraph, that is perfectly satisfactory to me. However, I want to know what we are doing as we are going on.

While I am on my feet I propose to say——

Mr. CULBERSON. Will the Senator permit me to read a paragraph from the RECORD?

Mr. McLAURIN. Certainly.

Mr. CULBERSON. It shows our understanding that the Senate might go back and consider amendments to the whole bill offered by individual Senators in Committee of the Whole. I read a brief extract from page 1512 of the RECORD, April 23. The Vice-President said:

> The Chair has repeatedly stated, when a request has been made that a paragraph be passed over after amendments have been agreed to, that the paragraph is passed over with the amendments agreed to; and therefore the Chair is desirous that it shall be understood now whether the amendments shall be considered as agreed to or not agreed to.
>
> Mr. ALDRICH. But it is also understood that the Senate can go back and make any amendments they please to the text.
>
> Mr. CULBERSON. I was going to make the statement made by the Senator from Rhode Island.

Mr. ALDRICH. That is what we are doing now.

Mr. LODGE. That is precisely what we are doing now.

Mr. CULBERSON. We are considering amendments of the committee——

Mr. ALDRICH. Oh, no——

Mr. LODGE. Every paragraph as reached is open to amendment.

Mr. CULBERSON. A great many Senators who have amendments to offer have not offered them at all. They were going on the understanding that individual Senators could offer amendments later on, when the committee had perfected the bill.

Mr. ALDRICH. They can offer them now if they want to, and if there is any amendment about which any Senator thinks he has lost any rights, I am perfectly willing that a motion to reconsider shall be entertained. But we must make some progress, and the interminable discussion over what we ought to do or agreed to do last week or last month——

Mr. TILLMAN. Let us agree to do something now.

Mr. ALDRICH. Let us agree to do something now, as the Senator from South Carolina says, and if the Senate adopts this provision it will be open for reconsideration or open for amendment in the Senate.

Mr. McLAURIN. While I am on my feet I want to make one suggestion in reference to what was said by the junior Senator from Iowa [Mr. DOLLIVER]. It seems that that Senator is exclusively interested in the question how this will affect the china manufacturers and the earthenware manufacturers. My idea is we ought to give some little consideration to the people who purchase these wares, and have them classified differently, because the men who use china ware are a great deal better able to pay a high price for it than are the people who use earthenware. The people who use earthenware are the people who are generally what we call the "plain people," of whom I am one, the laboring people of the country, and they use this earthenware, and they ought not to be taxed as high as the man who uses china ware. The consumer is the man to be considered, and not the man who makes china ware or earthenware.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. If the Chair may have the attention of the Senate for a moment, the Chair would like to ask if there is any objection to its now being understood that the agreement is as very clearly stated by the Senator from Indiana? In the absence of objection——

Mr. BACON. I have no objection to its being considered as in force from now on, but as to the part of the bill which has been passed over, without that understanding, clearly Senators ought to have the opportunity to offer such amendments as they see fit.

Mr. ALDRICH. I tried to state as clearly as I could that if any amendment had been agreed to I will myself make the motion to reconsider, if any Senator desires it.

The VICE-PRESIDENT. The Chair hears no objection, then?

Mr. BEVERIDGE. I suggest that the Chair make the statement, so that there may be no confusion about it hereafter.

The VICE-PRESIDENT. The Senator from Indiana has stated it very clearly.

Mr. LODGE. We are proceeding under general parliamentary law and the rules of the Senate.

Mr. TILLMAN. In order to clarify the situation, as we have passed over 19 pages, let it be understood that any Senator may put in any amendment he desires, and we will vote on it.

Mr. ALDRICH. I have asked, for the committee, that certain paragraphs be passed over, because the committee is still seeking information. There are some of these questions——

Mr. TILLMAN. I do not suppose that the committee will not have the right to amend the bill whenever it sees fit. But I want to get the others straight here. I should like to get this thing started on some kind of a gait that will get us through.

Mr. ALDRICH. There can be no possible misunderstanding as to the future. As to items passed over, I agree again that if any Senator thinks he has been precluded by the understanding from offering an amendment, I will see he has an opportunity to offer his amendment.

Mr. LODGE obtained the floor.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. The Senator from Massachusetts asked for recognition before the Senator from Wisconsin.

Mr. LA FOLLETTE. I want to submit a request——

Mr. LODGE. I yield for that purpose.

Mr. LA FOLLETTE (continuing). If I may be permitted to do so. I simply want to request that the Senate Committee on Finance, in so far as possible, should submit proposed amendments to the Senate in advance and let them be printed, so the Senate may have an opportunity to see in what respect they modify the report of the bill as made by the committee.

Mr. ALDRICH. I shall be very glad to do that in cases where there is any possibility of misunderstanding what we suggest. As to these verbal amendments, where there is no question about what they mean, I suppose no Senator will ask that.

Mr. LA FOLLETTE. No; I do not intend that. But it is difficult when an amendment is sent up and read from the desk to determine exactly what its effect may be upon a given paragraph without a little study.

Mr. ALDRICH. In any case where they are important, or where any Senator thinks they are important, we will certainly do it.

Mr. LODGE. I simply wanted to say a word on the question of classification.

The VICE-PRESIDENT. If the Senator will permit, the Chair will again put the proposition: Does the Senate now agree with the mode of procedure suggested by the Senator from Indiana? The Chair hears no——

Mr. BACON. I do not want it to be put in the shape of a unanimous-consent agreement.

Mr. LODGE. I think we had better not have any agreement.

Mr. BACON. So long as it is understood without any unanimous consent, I think it is sufficient.

The VICE-PRESIDENT. An agreement was once reached, and there seems to be some misunderstanding as to what that agreement was.

Mr. BACON. The Chair misunderstands me. I am not taking issue on that, but there is a custom of making what we call "unanimous-consent agreements"——

Mr. LODGE. There is none here.

Mr. BACON (continuing). Which are very rigidly adhered to and which are not open to subsequent change in any particular. I simply wish to guard against what the Chair is now suggesting as being construed into a unanimous-consent agreement. I have no objection to having it understood as a mere agreement. That is very different from a unanimous-consent agreement.

Mr. FRYE. Why should not the proceedings under this bill be governed now by the parliamentary law and the rules of the Senate?

Mr. LODGE. That is what I suggest.

Mr. FRYE. No other agreement is necessary. Those are well settled and well understood.

The VICE-PRESIDENT. As long as that is understood, it is very easy to proceed with the consideration of the bill, and the Chair understands that is now understood, what heretofore may have been understood.

Mr. LODGE. There is no agreement or understanding beyond that.

Mr. BEVERIDGE. There has been one heretofore.

Mr. LODGE. I object to any unanimous consent on this matter. Let us proceed under the rules and the parliamentary law.

Mr. BEVERIDGE. No one is asking for unanimous consent. When this bill was first taken up everybody knows what occurred, and there was an understanding, not a unanimous consent agreement. That has been changed.

Mr. LODGE. It is not necessary to discuss that.

Mr. BEVERIDGE. Senators are not going to take suggestions from the Senator from Massachusetts as to what they see fit to discuss.

The VICE-PRESIDENT. The understanding is, then, that we proceed under the rules of the Senate.

Mr. NELSON. Mr. President——

Mr. LODGE. I believe I have the floor.

The VICE-PRESIDENT. The Senator from Massachusetts has the floor, and has had it.

Mr. NELSON. Will the Senator from Massachusetts yield to me for a moment?

Mr. LODGE. Certainly.

Mr. NELSON. It seems to me the situation is very simple. After a paragraph has been amended and agreed to, then I think the Chair should put the question "Shall the paragraph as amended be agreed to?" And if no objection is heard, the Chair can state that the paragraph is agreed to.

Mr. LODGE. That has been done this morning on every paragraph, I think.

I desire to say a word simply on the question of classification raised by the Senator from Iowa and the Senator from Mississippi. The fact that a classification is old, running through a series of acts passed by different parties, is not an objection to the classification. It is a strong presumption in its favor, because all of these classifications have been the subject of regulation. They have been the subject of decision by the courts, and they are established classifications. Unless they lead to evasions and litigation, they ought to remain.

This classification is an old, established, and understood one, understood by the trade, understood by the manufacturer, understood by the courts, and thoroughly settled. The common earthenwares in paragraph 90 are those of the cheapest kinds. The duties on them have been reduced by the Senate committee, omitting the words "one color" from the first description, and the words "not decorated" from Rockingham china. The earthenware and the stoneware referred to by the Senator from Iowa in paragraphs 91 and 92 are the decorated or the glossed. They are carried to a point where they are indistinguishable in many instances; where the stoneware is absolutely indistinguishable from what is ordinarily called "china." There is a difference, no doubt, but those fine stonewares pass as china; and the only practicable classification that has been possible in justice both to the manufacturer and the importer, who both agree on the classification, is to maintain the existing classification. The differential between decorated and plain white has been maintained at 5 per cent in this bill, as well as all the others.

Whether the duty should be 60 and 65 is another question, or whether it should be 30 and 35. But that the difference is correctly stated and that the classification is the best that can be arrived at on these articles are proved by experience and by the testimony of all the experts and the appraisers of the customhouse.

Mr. CUMMINS. Mr. President, I intend to defer such suggestions as I have to make with regard to classification until I am permitted to introduce an amendment that I shall present, but I simply desire to say that the matter of classification was first brought to my attention by a very well-known merchant of Boston, who insists that the classification is unscientific and does great injustice to the trade.

Mr. KEAN. What did he suggest?

Mr. CUMMINS. At the proper time I will offer an amendment.

Mr. LODGE. The representatives of the great importers of china, including one of the largest in Boston, appeared before the committee and found no fault with the classification, although they did find fault with the rate.

Mr. BACON. Paragraph 90 is now under consideration?

The VICE-PRESIDENT. Paragraph 90 is now under consideration.

Mr. BACON. Mr. President, I am not going to do anything more than to offer an amendment to these several paragraphs.

Mr. SMITH of South Carolina. If the Senator from Georgia will permit, I should like to ask the chairman of the Committee on Finance, so as to be clearly informed, whether if we agree on paragraph 91 its adoption is final, and it can not be recurred to without a motion to reconsider? I should like to have the attention of the chairman of the committee.

Mr. ALDRICH. Very well.

Mr. SMITH of South Carolina. I want to ask the chairman of the Finance Committee whether from now on we will consider the bill by paragraphs, and if a paragraph is adopted, it will be final, and we can not recur to that paragraph without a motion to reconsider?

Mr. ALDRICH. Or in the Senate.

Mr. SMITH of South Carolina. Very good. What about the paragraphs we have passed upon up to this time? On that there is a misunderstanding.

Mr. ALDRICH. I have tried to state it several times. If passed over on the request of the committee, they will be taken up some time in the future. If passed over at the request of a Senator, they will be taken up later. No Senator will lose any right.

Mr. SMITH of South Carolina. Those that have been passed over can be taken up again?

Mr. BEVERIDGE. The Senator from Rhode Island has stated that in case any Senator feels that his right is in jeopardy in any way, he will agree to a reconsideration.

The VICE-PRESIDENT. The Senator from Georgia was about to present an amendment.

Mr. BACON. The articles which are specified in paragraph 91, as stated by the Senator from Rhode Island, are articles embracing a very small number——

Mr. ALDRICH. In 90.

Mr. BACON. I misunderstood the Senator, and that is the reason I rose. I think that the articles specified in paragraphs 91 and 92 ought to pay but a low rate of duty. They are the articles which are used in every household in the United States, from the very poorest people up to those in moderate circumstances. It may not include in any great degree china of a very expensive kind, but there is no doubt about the fact, if I read it correctly, that the articles specified in paragraphs 91 and 92 are the articles used in every household, down to the very poorest people, and from them up to people in good circumstances. I think the duties specified on the articles in those two paragraphs should be very materially reduced. I find by looking at the imports that they are comparatively small.

Mr. LODGE. They are very large, indeed.

Mr. ALDRICH. The Senator must have looked at the wrong place.

Mr. BACON. I may be wrong, but on page 11 of this document, "Comparative estimated revenues," I find that——

Mr. LODGE. On the most expensive the revenue is over $5,000,000.

Mr. BACON. Paragraph 92 is what I had. The revenue under paragraph 91, on the most expensive china, is over $5,000,000.

Mr. ALDRICH. The importations averaged——

Mr. BACON. I refer to the next page, under paragraph 92, where of the first class the entire importation is only $300,000. Under paragraph 91 the importation of plain white is put down at $1,000,000; not revenue, but importations.

Mr. ALDRICH. That is 92.

Mr. BACON. Ninety-one is put down at $1,049,218.43.

Mr. LODGE. That comes under 92 in the present bill. That is the present classification.

Mr. BACON. I understood the classification was the same.

Mr. LODGE. Importations were a million, and under that the revenue was $577,070.15.

Mr. BACON. Exactly. I say it is a very small importation as against what must be a very large production in this country.

Mr. LODGE. Expensive chinas are those that yield the revenue; they are the proper subjects. They are the most expensive.

Mr. BACON. I do not know; that may be. Some of it is expensive. A large majority is not china, but common crockery. I move to amend that paragraph as follows——

Mr. LODGE. This is 91.

Mr. BACON. Ninety-one. That includes china, porcelain——

Mr. LODGE. That is, the decorated china.

Mr. BACON (continuing). And crockery ware, and so forth, painted, tinted, stained, enameled, printed, gilded, or otherwise decorated in any manner. The plainest and simplest of crockery ware having the slightest decoration is under this provision put at a duty of 60 per cent ad valorem. I move to strike out "sixty" and insert "thirty-five."

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 22, line 18, before the words "per cent," it is proposed to strike out "sixty" and insert "thirty-five."

Mr. BEVERIDGE. Now, just what does that affect?

Mr. BACON. I did not understand the question.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Georgia.

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TILLMAN. I ask that the question be again stated.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 22, in paragraph 91, line 18, before the words "per cent," it is proposed to strike out "sixty" and insert "thirty-five."

Mr. BACON. I desire to state that the next paragraph is the one which relates to the perfectly plain proposition, and upon that I propose to offer an amendment, after this is acted upon, which will put that in at thirty, making a distinction between plain and decorated.

Mr. BEVERIDGE. Before we take a vote on the amendment, I wish some one familiar with the earthenware schedule would make a statement on the subject.

Mr. ALDRICH. The amendment which the Senator from Georgia proposes is on decorated ware, of which, in 1907, there were $9,000,000 imported and $5,000,000 of duty collected. The importation in 1907——

Mr. NELSON. I wish the Senator from Rhode Island would speak a little louder.

Mr. ALDRICH. I said that the paragraph which the Senator proposes to reduce from 60 to 35 per cent is the paragraph pertaining to painted, tinted, stained, enameled, and ornamented earthenware, of which in 1907 there was imported about $9,000,000 worth, and the importations of that year were about the average for the last six years.

Mr. BEVERIDGE. Very expensive articles?

Mr. ALDRICH. Very expensive.

Mr. BEVERIDGE. They are used by the rich?

Mr. ALDRICH. They are used by the rich. The revenue was $5,420,000 one year; $5,082,000 in another; $5,210,000 in another.

Mr. BACON. I want to suggest to the Senator that I recognize that there are various kinds of china and porcelain and earthenware combined in these paragraphs, and that there ought to be a distinction, and some of them ought to bear a higher rate of duty. There is a large class of it, however, that ought to have a low rate of duty, and I ask that these paragraphs may be passed over, that I may offer an amendment which will make the distinction. I have no disposition to ask that upon the higher class of china there should be this low rate of duty, but I think upon the cheaper class there should be a lower rate. I ask that the paragraphs may be passed over.

Mr. LODGE. It is an ad valorem and not a specific rate.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia, that the paragraph be passed over?

Mr. LODGE. I object.

Mr. BEVERIDGE. Before the vote is taken——

The VICE-PRESIDENT. Objection is made.

Mr. BEVERIDGE. It should be made clear to all that this paragraph provides a duty on an exceedingly expensive class of earthenware, used, of course, by those who can well afford to pay for it.

Mr. BACON. I will withdraw the amendment and offer another. It may accomplish the same purpose. I want to say, however, that in my limited experience in the Senate this is the first time, without exception, I have ever known a case where a Senator rose in his place and said he desired that a paragraph should be passed over in order that he might perfect an amendment that there was objection made to it by anybody.

Mr. ALDRICH. The Senator, if he desires to take earthenware out of this paragraph——

Mr. BACON. That is exactly the amendment I was going to offer.

Mr. ALDRICH. It is easy enough for him to accomplish it.

Mr. BACON. I will put it in that way. That is the reason I said I would withdraw the amendment and offer it in another shape.

Mr. ALDRICH. If the Senator wants to do that, he may move to add at the end of the paragraph, "any of the foregoing articles composed of earthenware shall pay a duty of 40 per cent."

Mr. BACON. Thirty-five per cent. I will put it in that shape.

Mr. ALDRICH. That is easy enough.

The VICE-PRESIDENT. Without objection, the Senator's amendment is withdrawn, which, of course, vacates the order for the yeas and nays heretofore made. The Secretary will report the next amendment.

Mr. BACON. I do not understand that this has been disposed of.

Mr. ALDRICH. Oh, no; I think the Senators had better have an opportunity to vote upon his amendment.

The VICE-PRESIDENT. But the Senator desired to withdraw his amendment.

Mr. BACON. And to offer another.

Mr. ALDRICH. And to offer another.

The VICE-PRESIDENT. The Chair misunderstood the Senator. The Senator from Georgia still has the floor.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia desire to offer another amendment? The Senator from Georgia has the floor.

Mr. BACON. I offer the amendment to come in at the close of the paragraph. I have proposed to strike out the words "earthen, stone, and crockery ware," so that it would read "china, porcelain, parian, bisque, and earthenware;" but, as suggested by the Senator from Rhode Island, it would possibly be better to put it in the shape of a proviso at the end.

Mr. ALDRICH. "That none of the foregoing articles composed of earthen or stone ware shall pay a duty of more than 35 per cent."

Mr. BACON. Does the term "earthen" include white plates?

Mr. ALDRICH. No; white plates are included in the next paragraph.

Mr. BACON. They would also be included in this paragraph, would they not?

Mr. ALDRICH. Oh, no; no white plates at all.

Mr. BACON. Then it is understood that the question of white plates will come up on the next paragraph.

Mr. ALDRICH. On the next paragraph.

Mr. BACON. All that is necessary is to insert the words which the Senator proposes in the way of a proviso, and I will ask him to repeat them.

Mr. ALDRICH (reading):

Provided, That none of the foregoing articles composed of earthen or stone ware shall pay a higher rate of duty than 35 per cent.

Mr. BACON. I offer that as an amendment, and ask for the yeas and nays upon it.

The VICE-PRESIDENT. The yeas and nays were ordered on the Senator's previous amendment; and if there be no objection, they will be regarded as ordered on this amendment.

Mr. DOLLIVER. Before the vote is taken, I desire to say a word or two.

Mr. SCOTT. Will the Senator from Iowa let the amendment be reported?

Mr. DOLLIVER. Certainly.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add, at the end of paragraph 91, after the words "ad valorem," the following proviso:

Provided, That none of the foregoing articles, composed entirely of earthen or stone ware, shall pay a higher rate of duty than 35 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I spoke the other day in an informal way of the earthenware schedule. I stated at the time that, so far as my investigations had enabled me to go, there was no schedule in the tariff law that had more perfectly illustrated the wisdom of the protective doctrine.

I have always felt a special interest in it, because it is one of the few remaining handicrafts of the country and of the

world. From almost the beginning of time it has been the industry of every people attaining even a very moderate civilization. We had a great deal of difficulty to start the earthenware industry in the United States, notwithstanding the evident fact that Providence intended us to make our own dishes and our own earthenware, having put the material as a natural resource under nearly every section of the United States.

I have studied with great care this earthenware schedule, and there are several things about it that differentiate it from many other schedules in the tariff law. One of them is that the rates are ad valorem and not on their face excessive. The other is that in operation they have fully justified the most orthodox definition of the protective-tariff doctrine. Many years ago a great Democratic Secretary of the Treasury defined protection in a way that, it seems to me, has never been improved upon. He said that the rates ought to be high enough to enable the home producer to meet the importer of foreign goods in the American market place on terms of fair competition.

That ideal of protection is very seldom realized in our tariff schedules. If I have seen the correct statistics, it has been almost perfectly realized in the earthenware schedule. There is not an item where the producer is not face to face with an active, vigorous, and sometimes damaging foreign competition.

If you will examine the table of imports you will find that from the common earthenware up to the highest priced china our home manufacturers are every day face to face with a lively competition. We have never even decreased the competition that has come in for nearly a generation from England, although our own people have been able to hold their own against that. The German competition has risen steadily in practically every department of earthenware production, and especially in the higher grades of china, until it is to-day larger than it ever was before, and is productive of one of the most substantial revenues that the Government derives from any source.

Our friends on the Pacific side of the world, with very great skill, starting in with native potteries, illustrating their national art, have accurately copied all the finer wares that are produced in the United States and in Germany and in Austria and France. That kind of importation is rising steadily every year.

For one, I desire to see the earthenware industry not only preserved intact in the United States, but I should like to see it extended to every State in the Union. I find that in my own State, underlying nearly all our coal measures, is a variety of clay corresponding with the finest varieties known anywhere in the United States, and some, we think, as fine as can be found in the world. I know that is true of nearly every Southern State.

I think it is a very modest expectation of the friends of the protective doctrine that we should make our own dishes and the ordinary utensils of the kitchen and of the dining room in the United States, and it is because I believe so radical a reduction in those forms of earthenware that are already pressing our own home production would be damaging to that great industrial interest in the United States that I shall feel constrained to vote against the amendment of the Senator from Georgia.

Mr. RAYNER. I wish to ask the Senator a question just for information. Does his observation apply to parian and bisque ware as well as to the other?

Mr. DOLLIVER. I am not so much acquainted with the higher grade of goods referred to. They are all on an ad valorem duty, and of course that falls with more weight upon the wares that are of the highest value.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. BACON], upon which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. STONE (when his name was called). I am paired with the junior Senator from Wyoming [Mr. CLARK].

Mr. WARREN (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. MONEY], who is absent. I will suggest to the Senator from Missouri [Mr. STONE] that as he is paired with my colleague [Mr. CLARK] we transfer our pairs, so that the Senator from Mississippi [Mr. MONEY] will stand paired with my colleague. This arrangement would permit the Senator from Missouri and myself to vote.

Mr. STONE. I have no objection.

Mr. WARREN. Very well. I will make that announcement, and I will vote. I vote "nay."

The roll call was concluded.

Mr. STONE. I suppose, on account of the transfer, I can vote. I vote "yea."

Mr. ELKINS. I am paired with the junior Senator from Texas [Mr. BAILEY]. If he were present, I would vote "nay."

Mr. CULBERSON. I will state for the day that my colleague [Mr. BAILEY] is necessarily absent. He has a general pair with the Senator from West Virginia [Mr. ELKINS]. If my colleague were present, he would vote "yea."

The result was announced—yeas 25, nays 54, as follows:

YEAS—25.

Bacon	Frazier	Newlands	Stone
Bankhead	Gore	Overman	Taliaferro
Clarke, Ark.	Hughes	Paynter	Taylor
Clay	Johnston, Ala.	Rayner	Tillman
Culberson	La Follette	Simmons	
Fletcher	McLaurin	Smith, Md.	
Foster	Martin	Smith, S. C.	

NAYS—54.

Aldrich	Chamberlain	Gamble	Perkins
Beveridge	Crane	Guggenheim	Piles
Borah	Crawford	Hale	Richardson
Bradley	Cullom	Heyburn	Root
Brandegee	Cummins	Johnson, N. Dak.	Scott
Briggs	Curtis	Jones	Smith, Mich.
Bristow	Depew	Kean	Smoot
Brown	Dick	Lodge	Stephenson
Bulkeley	Dillingham	McCumber	Sutherland
Burkett	Dixon	Nelson	Warner
Burnham	Dolliver	Nixon	Warren
Burrows	du Pont	Oliver	Wetmore
Burton	Flint	Page	
Carter	Gallinger	Penrose	

NOT VOTING—12.

Bailey	Clark, Wyo.	Elkins	Money
Bourne	Daniel	Frye	Owen
Clapp	Davis	McEnery	Shively

So Mr. BACON's amendment was rejected.

The VICE-PRESIDENT. The Secretary will report the next committee amendment.

The SECRETARY. On page 22, line 14, in paragraph 91, after the words "or in part" insert "in chief value."

Mr. BACON. I propose to offer an amendment as to the rate in this paragraph, but I do not wish to interfere with the consideration of the amendment.

Mr. ALDRICH. I suggest that the committee amendments might be adopted first, and then the Senator can offer his amendment.

Mr. BACON. Very well.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The SECRETARY. In line 14, after the words "such ware," insert "painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner."

The amendment was agreed to.

The VICE-PRESIDENT. That completes the paragraph as amended. The Senator from Georgia desires to offer an amendment to the paragraph.

Mr. BACON. I offer a proviso to the paragraph.

Mr. ALDRICH. We are still on paragraph 91.

Mr. BACON. Oh, I beg pardon; I thought it was paragraph 92.

The VICE-PRESIDENT. It is paragraph 91.

Mr. ALDRICH. Paragraph 91 is not yet agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to, and the Secretary will state the first amendment in paragraph 92.

The SECRETARY. In paragraph 92, page 22, line 21, after the word "brown," the committee propose to strike out "not subjected to any decorative process, and" and to insert the word "including," so as to read:

92. China, porcelain, parian, bisque, earthen, stone, and crockery ware, plain white, plain brown, including clock cases with or without movements.

The amendment was agreed to.

The SECRETARY. After the word "lamps," in line 25, the committee propose to insert the words "all the foregoing."

The amendment was agreed to.

The SECRETARY. In line 25 the committee propose to strike out the word "part" and insert the words "chief value."

The amendment was agreed to.

The SECRETARY. On page 23, line 1, after the words "such ware," insert "not painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner."

The amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. BACON. Mr. President, I am going to offer an amendment to the paragraph in the shape of a proviso, which shall limit the rate of duty upon earthen, stone, and crockery ware, plain white or plain brown, not painted, colored, tinted,

stained, enameled, gilded, printed, or ornamented or decorated in any manner, and that the rate shall be 40 per cent.

I want to state that I put the rate at 40 per cent not because I think it ought to be that high, for I think it ought to be 30 per cent, but I am anxious, if possible, to accomplish results and to relieve the burden of this heavy duty upon the class of ware which is most commonly used throughout the whole United States. Therefore I offer the amendment in this shape. I move, at the end of paragraph 92 as it has been amended, to insert the following proviso:

Provided, That earthen, stone, and crockery ware, plain white or plain brown, not painted, colored, tinted, stained, enameled, gilded, printed, or ornamented or decorated in any manner, 40 per cent ad valorem.

Mr. ALDRICH. That would be a large increase on a large part of the articles the Senator is mentioning which are fixed by the bill at 25 per cent. He proposes to increase it to 40 per cent.

Mr. BACON. It is not so in this paragraph.

Mr. ALDRICH. In paragraph 90 a large part of the articles the Senator mentions are now dutiable at 25 per cent.

Mr. BACON. I want to change it, of course, so as to cover that. I should like to have the Senator point it out.

Mr. ALDRICH. If the Senator will read paragraph 90 he will find that a large part of this earthenware not ornamented or decorated is dutiable at 25 per cent ad valorem.

Mr. BACON. Then certainly there has been some very unsatisfactory way of classifying it, because the paragraph as I read it, the one which is now under consideration, does include all earthen, stone, and crockery ware, plain white and plain brown, not colored or tinted. I have copied the language of the paragraph. I should like to have the Senator explain to me how there can be a raise when I copied the language of the paragraph in which the duty is put at 55 per cent and I propose to put it at 40 per cent.

Mr. ALDRICH. I ask the Senator to look on page 23, lines 3 and 4, "not specially provided for in this section." The others are specially provided for in this section, and therefore there is a duty of 25 per cent.

Mr. BACON. But it says "this section."

Mr. ALDRICH. "This section" includes the whole bill, not this paragraph. The section includes the whole bill.

Mr. BACON. I ask the Senator if that does not illustrate the hardship and, I may say, the impropriety in Senators insisting that we shall proceed with the consideration of this paragraph without giving the opportunity to fix an amendment which shall accomplish the purpose I have in view? Everybody knows the purpose I have in view.

Mr. ALDRICH. The Senator's purpose can be easily accomplished by moving to strike out "fifty-five" and inserting "forty." That covers the whole proposition.

Mr. BACON. No; for the reason that there are certain articles, as I understand it, which are more expensive. If I am wrong about that, then, of course, the suggestion of the Senator is a proper one.

Mr. BEVERIDGE. I understand the Senator from Rhode Island to have said a moment ago that if the committee amendment is adopted now and a Senator, after examination, believes that he wants to frame another amendment, the Senator from Rhode Island will agree to a reconsideration. He said a moment ago if any Senator felt that he had not had an opportunity to propose an amendment it could be reconsidered.

Mr. BACON. I understood that to apply to a paragraph we had passed over.

Mr. ALDRICH. That is right.

Mr. BACON. Not to this?

Mr ALDRICH. Not to this.

Mr. BEVERIDGE I am glad to know it.

Mr. BACON. I want to ask the Senator from Rhode Island one question, with his permission. The words "china, porcelain, parian," and so forth, relate to a very different class of articles from those which are embraced in the words "earthen, stone, and crockery ware, plain white, plain brown," do they not?

Mr. ALDRICH. No; not necessarily at all.

Mr. BACON. I understand, then, that the words "china, porcelain, parian, and bisque" in that paragraph relate only to the common articles?

Mr. ALDRICH. I take it for granted that the Senator from Georgia would never be able to distinguish between an English earthenware dinner set, for instance, and a French china dinner set. He might in the material, but not in any other way. They are practically indistinguishable to an ordinary man. I suppose an expert could tell the difference between English earthenware and French china at sight, but I assume that no one but an expert could tell the difference. If the Senator wants to reduce the rate on these articles, the best plan is to try to reduce it on them all.

Mr. BACON. Very well; but I want the Senator to give me information before I make the motion.

Mr. ALDRICH. I am trying the best I can.

Mr. BACON. I know; I am not complaining. I want to find out from the Senator whether I was mistaken in my supposition that the words "china, porcelain, parian, and bisque" in that paragraph relate to a higher class of goods than those which are described by the words "earthen, stone, and crockery ware," or whether they all relate to the same class of goods.

Mr. ALDRICH. They practically all relate to the same class of goods, the plain white goods used by everybody in the United States.

Mr. BACON. I am very much obliged to the Senator for his suggestion, because what I desire is to put a low rate of duty upon that class of goods. The only reason why I made any distinction was that I supposed in this paragraph, as in the preceding one, those words related to an expensive class of goods.

Mr. ALDRICH. They do not.

Mr. BACON. As they do not, I will, after I yield to the Senator from Maryland, offer the amendment suggested by the Senator from Rhode Island.

Mr. RAYNER. I desire to ask the Senator from Rhode Island whether he is not entirely mistaken. Is not bisque the very finest quality of French ware, entirely different even from parian and entirely different from the ordinary crockery?

Mr. ALDRICH. That is a very unimportant item. The difference between china and porcelain and earthen and stone ware is entirely immaterial. That is not the class used by all the people of the United States.

Mr. BACON. I am drawing an amendment to follow the explanation made by the Senator from Rhode Island as to the class of goods covered by this paragraph—that is, the common class of crockery used generally throughout the country by people of all classes.

Mr. ALDRICH. That is right.

Mr. BACON. I move to amend by striking out "fifty-five" and inserting "forty" in lieu thereof.

The VICE-PRESIDENT. The Secretary will state the amendment.

Mr. BACON. I beg the Chair's pardon, but I repeat that I move the amendment not because I desire as high a rate as 40 per cent, as I would, if I had my way, put it at 30, but I desire to put it at a rate which may be acceptable to those who might be willing to put it at 30.

Mr. BEVERIDGE. Why would the Senator put it at 30 rather than 40?

Mr. BACON. Because I wish to make this article of common consumption one which shall be within easy reach of the people who have to use it.

Mr. BEVERIDGE. Why not make it 15, then?

Mr. BACON. If the Senator from Rhode Island would say that that would be a revenue duty and bring more than 30 per cent, I would be willing to put it at 15. But, Mr. President, I do not understand that that is probably the case. I understand that possibly a rate of 30 per cent would be a better revenue rate than 15. Am I not correct in this, I will ask the Senator from Rhode Island?

Mr. ALDRICH. I think so, unquestionably.

Mr. BEVERIDGE. Then, why does not the Senator make his amendment "thirty" instead of "forty?"

Mr. BACON. I have offered it at 40 per cent for the reason I have stated. I will ask the Senator from Rhode Island whether 40 per cent would not be, in his opinion, a revenue rate?

Mr. ALDRICH. I think 30 would be a better revenue rate. I think that would absolutely extinguish the industry in the United States.

Mr. BACON. Very well; then I will offer it at thirty instead of forty. I wish to call attention to the fact that under the present rate there is no revenue to speak of. There are importations amounting to only $300,000.

Mr. ALDRICH. Oh, no; the Senator is mistaken about that. It is about a million dollars.

Mr. BACON. It is on page 11:

Not ornamented or decorated, $300,265.25 imported.

Mr. ALDRICH. The Senator is mistaken.

Mr. BACON. It is practically a prohibitive duty.

Mr. ALDRICH. The Senator is mistaken about that. The products of this paragraph are in three or four different items.

Mr. BACON. What does the Senator say?

Mr. ALDRICH. The Senator will find it in three or four different items. For instance, "plain white, without superadded ornamentation of any kind,"

Mr. BACON. The Senator does not state how much.

Mr. ALDRICH. In 1907 there was $1,000,000 of plain white; in 1908, $961,000; in 1905, $1,000,000; and in addition to that there was, under another head, $300,000 imported. It is about $1,300,000 worth that was imported in 1907. The revenue is a little over half a million dollars.

Mr. BACON. The Senator is evidently including in that the importations of articles which are included in paragraph 90. What I have before me is the document which the Finance Committee has given us for our guidance.

Mr. ALDRICH. Then the document is wrong.

Mr. BACON. I will read it. It is put down as the information in reference to paragraph 92, the very one which we are now considering, and it says:

Not ornamented or decorated, $300,265.25.

That is the total of importations, upon which there is a revenue of only $165,145.89, even at the high rate of duty, which, I say, is practically prohibitory, in view of what must be the immense production in this country of this class of ware. I have looked diligently to try to find in this Statistical Abstract the amount of the product, but I can not find in the index the title either of "crockery" or "earthenware." So I am unable to give the information.

Mr. ALDRICH. I find that the table the Senator refers to is inaccurate in this respect. It is the only inaccuracy I have detected; but in the way in which these tables were prepared, it is not at all strange that there are inaccuracies. It is strange to me that there are not more. I will read the importations for the Senator. I am reading now from the official statement of imports and exports. They show about $1,300,000 of importations, with a revenue of a little over $700,000. The Senator can rely upon those figures.

Mr. BACON. The statement I have made is made on the faith of the document the Senator refers to.

Mr. LA FOLLETTE. I simply wish to inquire from what the Senator from Rhode Island is reading?

Mr. ALDRICH. I am reading from the official statement of the Bureau of Statistics.

Mr. LA FOLLETTE. Will the Senator from Rhode Island please inform the Senate where that information can be obtained, so that we can have access to it?

Mr. ALDRICH. In the book entitled "Imports and Duties."

Mr. LA FOLLETTE. For what year?

Mr. ALDRICH. For a series of years.

Mr. LA FOLLETTE. What year were the importations which the Senator states were $700,000, if he will please give the Senate the information?

Mr. ALDRICH. The revenue?

Mr. LA FOLLETTE. I mean the revenue.

Mr. ALDRICH. 1907.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Rhode Island yield to the Senator from New York?

Mr. ALDRICH. I do.

Mr. ROOT. It is on page 295 of the volume of Imports and Duties.

Mr. ALDRICH. That is the book to which I refer.

Mr. ROOT. If the Senator will turn to 1907, he will find the import duties upon plain white china, porcelain, and so forth, the articles included in paragraph 92 of the pending bill, and not including the common yellow or Rockingham ware of paragraph 90. It appears that in 1904 the imports were $1,186,949 and the duty $652,822; in 1905 the imports were $1,058,000 and the duties $582,000; in 1906 the imports were $908,000 and the duties $499,000; in 1907 the imports were $1,049,000 and the duties were $577,000.

Mr. BACON. From what page is the Senator reading?

Mr. ROOT. From page 295 of the volume of Imports and Duties.

Mr. ALDRICH. Then, if the Senator will look at the table numbered 1287, he will find that of other china, porcelain not specially provided for, or ornamented or decorated, there were also importations to the extent of $300,000 and duties collected to the amount of $165,000. That is in addition to the other tables.

Mr. ROOT. Mr. President, I call the attention of the Senator from Georgia [Mr. BACON] to the fact that in 1895 and 1896, when we had a duty of 30 per cent on these articles included in paragraph 192, the revenue was not substantially different from the revenue which is now derived from the present duty of 55 per cent. In 1895 the revenue from these articles, when the rate was 30 per cent, was $597,126; and in 1896, under the 30 per cent duty, it was $565,844.

Mr. BACON. Mr. President——

Mr. ROOT. One moment, until I finish this statement. In the year 1907 the duty was $577,000.

Mr. BACON. Mr. President, the Senator from New York will probably recognize the fact that that peculiar state of affairs, resulting in a corresponding or a similar revenue under a low duty and a high duty, is explained by what is so lucidly set forth in some of the books—I happened to read it yesterday in Tucker's Commentaries on the Constitution—that where a duty is below the best revenue-bearing point, although the importations increase, the decrease of the rate of duty necessarily results in a decrease of the revenue. On the contrary, if you pass the point where there is the best revenue-producing rate, you have a decrease of imports, which, with a corresponding increase of duty, brings in about the same revenue in the one case as in the other. That is the explanation of that.

Mr. ROOT. May I suggest another explanation to the Senator from Georgia; and that is, that in the years 1895 and 1896, under the Wilson tariff act, although the duties on imported merchandise were greatly reduced, so that people could buy this plain china ware at a lower price from abroad, nevertheless the general effect upon the business and prosperity of the country and on the rates of duty included in that act was such that our people had not the money with which to buy china ware from abroad or anywhere else, and, therefore, no greater revenue was produced by the revenue duty of 30 per cent than is produced by the protective duty of 55 per cent.

Mr. BACON. And, Mr. President, I would suggest to the learned and distinguished Senator from New York that, according to the same reasoning, the revenue obtained in 1907 under the paralyzing influence of the Dingley tariff act must have been correspondingly small, although we have no statistics upon that subject.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Georgia [Mr. BACON].

Mr. BACON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CULBERSON. I call the attention of the Senator from Rhode Island [Mr. ALDRICH] to the pamphlet issued by the Finance Committee, entitled "Estimated Revenues," at page 11, where it says:

All other china, porcelain, parian, bisque, earthen, stone, and crockery ware, and manufactures thereof, or of which the same is the component material of chief value, not specially provided for—

The total value of the imports as given there for the year 1907 is $300,265.25, and the total revenue $165,145.89. That is, under the present law.

The duty in the pending bill is 55 per cent ad valorem, and it is fixed at the same figure as in the existing law. What I desire to know—and we might as well understand whether these figures are reliable or not—is, does the Senator from Rhode Island suggest that the figures as presented in this Estimate of Revenues are incorrect on this particular item?

Mr. ALDRICH. There is plainly an inaccuracy in that statement, and I am surprised that more have not been discovered. These tables were prepared——

Mr. BEVERIDGE. Overnight.

Mr. ALDRICH. They were prepared overnight, almost, and it is not at all strange that there should be some inaccuracies; but the official figures are available to Senators, as stated by the Senator from New York [Mr. ROOT], who has just read from them.

Mr. CULBERSON. Well, Mr. President, I recall that what the Senator from New York read—though I do not recollect all he read—contained a reference to porcelain, china, and so forth, which was painted, ornamented, and decorated, whereas paragraph 92, which we are now considering, and to which the Senator from Georgia [Mr. BACON] addressed himself, is confined to similar articles not painted or decorated, of which the entire importation was only about $300,000 and the revenue $165,000, as I have shown.

Mr. ALDRICH. Mr. President, the Senator from Texas could not have listened either to my statement or to the statement read by the Senator from New York. If he will turn to the volume entitled "Imports and Duties," he will find, in table 1285, that the importations of "plain white, without superadded ornamentation of any kind," amounted to one million five hundred and some odd thousand dollars, and, in table 1287, articles not ornamented or decorated amounted to about $300,000 more, with a revenue of $165,000.

Mr. JONES. I would suggest that these same figures are found in this book [exhibiting] on pages 10 and 11. On page 10, under Subdivision L, "plain white, without superadded ornamentation of any kind," $1,049,000——

Mr. CULBERSON. I had not yielded the floor. I am now on the floor in order to gain some information.

Mr. ALDRICH. The Senator from Washington [Mr. JONES] has read that item, which had escaped my attention.

Mr. LODGE. I called attention to that earlier in the debate.

Mr. CULBERSON. I believe I am entitled to the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Texas is entitled to the floor; and Senators will please address the Chair and get permission to interrupt the Senator.

Mr. CULBERSON. The Senator from South Carolina [Mr. SMITH] has handed me the volume entitled "Imports and Duties," from 1894 to 1907. On page 296 the figures to which I have referred are verified. In Table No. 1287 I find in 1907 the total imports of "all other china, porcelain," and so forth, "not ornamented or decorated," were $300,265.25, and the total revenue $165,145.89, with an ad valorem tariff duty of 55 per cent—the identical figures which are reported by the Senate committee in the pamphlet entitled "Estimated Revenues"—on the articles covered by paragraph 92, to which the Senator from Georgia [Mr. BACON] has proposed his amendment.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. BRISTOW. I want to say, before the vote is taken, that I regret that the Senator from Georgia [Mr. BACON] changed his reduction of the duty from 40 per cent to 30 per cent. I should gladly vote for a reduction from 55 per cent to 40 per cent; but I think a reduction from 55 per cent to 30 per cent would be dangerous to some enterprises which have been established.

Mr. BACON. Then, I will, with the permission of the Senate——

Mr. DU PONT. I should like to say——

The PRESIDING OFFICER. The Senator from Georgia [Mr. BACON] is recognized.

Mr. BACON. I will modify the amendment and make the reduction from 55 to 40 per cent.

Mr. DU PONT. I should like to have the amendment read. I do not exactly understand it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. In paragraph 92, page 23, line 5, it is proposed to strike out "fifty-five" and insert "forty."

Mr. BEVERIDGE. Before the vote is taken, it should be stated of record that it appears that the reduction of this duty would absolutely extinguish the industry, and there has been no contention to the contrary.

The Secretary proceeded to call the roll.

Mr. ELKINS (when his name was called). I am paired with the junior Senator from Texas [Mr. BAILEY]. If he were present and voting, I should vote "nay."

Mr. STONE (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. CLARK]. I transfer the pair to the senior Senator from Mississippi [Mr. MONEY], who is paired with the senior Senator from Wyoming [Mr. WARREN]. This will leave the senior Senator from Wyoming and myself at liberty to vote. I vote "nay."

Mr. WARREN (when his name was called). Under the transfer of pairs just announced by the Senator from Missouri [Mr. STONE], I vote "nay."

The roll call was concluded.

Mr. BACON. I desire to state that my colleague [Mr. CLAY] is necessarily absent from the Chamber at this time. He has a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I think they are both absent. I will inquire if the senior Senator from Massachusetts has voted?

The PRESIDING OFFICER. The Senator from Massachusetts has voted, the Chair is informed.

Mr. BACON. I wanted to call his attention to the fact that my colleague has not voted, and I know they have a general pair.

Mr. ALDRICH. I think the senior Senator from Massachusetts has not voted.

Mr. BACON. That is the very question I asked, and I understood the Chair to say that he had voted.

The PRESIDING OFFICER. The Chair is informed that the senior Senator from Massachusetts has voted.

Mr. ALDRICH. Then I will take the liberty of withdrawing his vote for him.

Mr. BACON. I am sure if the Senator from Massachusetts were present he would do so.

Mr. ALDRICH. Perhaps I had better withdraw my own vote, and stand paired with the Senator from Georgia [Mr. CLAY].

Mr. BACON. Very well.

Mr. ALDRICH (after having voted in the negative). I ask to do that; and will therefore withdraw my vote.

Mr. McLAURIN. My colleague [Mr. MONEY] is paired with the senior Senator from Wyoming [Mr. WARREN], who, I believe, has transferred the pair to the Senator from Wyoming [Mr. CLARK].

The result was announced—yeas 27, nays 50, as follows:

YEAS—27.

Bacon	Fletcher	McLaurin	Smith, Md.
Bankhead	Foster	Martin	Smith, S. C.
Bristow	Frazier	Newlands	Stone
Chamberlain	Gore	Overman	Taliaferro
Clarke, Ark.	Hughes	Paynter	Taylor
Crawford	Johnston, Ala.	Rayner	Tillman
Culberson	La Follette	Simmons	

NAYS—50.

Beveridge	Cullom	Hale	Piles
Borah	Cummins	Heyburn	Richardson
Bradley	Curtis	Johnson, N. Dak.	Root
Brandegee	Depew	Jones	Scott
Briggs	Dick	Kean	Smith, Mich.
Brown	Dillingham	Lodge	Smoot
Bulkeley	Dixon	McCumber	Stephenson
Burkett	Dolliver	Nelson	Sutherland
Burnham	du Pont	Nixon	Warner
Burrows	Flint	Oliver	Warren
Burton	Gallinger	Page	Wetmore
Carter	Gamble	Penrose	
Crane	Guggenheim	Perkins	

NOT VOTING—14.

Aldrich	Clark, Wyo.	Elkins	Owen
Bailey	Clay	Frye	Shively
Bourne	Daniel	McEnery	
Clapp	Davis	Money	

So Mr. BACON's amendment was rejected.

The PRESIDING OFFICER. The question is now upon agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next paragraph which was passed over.

The SECRETARY. The next paragraph passed over is paragraph 94—gas retorts.

Mr. LA FOLLETTE. Mr. President, I will ask that that paragraph be passed over. The junior Senator from Texas [Mr. BAILEY] desires to be present when it is considered. He spoke to me about it. So I ask that it be passed over.

The PRESIDING OFFICER. Is there objection to the paragraph being passed over?

Mr. ALDRICH. The committee have an amendment to that paragraph.

Mr. SMOOT. Mr. President, before passing over the paragraph, I desire to offer an amendment, not in relation to gas retorts, but relating to electric carbons. I send the amendment to the desk.

Mr. LA FOLLETTE. I hope the amendment will be offered and printed in the RECORD, so that it may be examined.

Mr. BEVERIDGE. Let the amendment be stated.

Mr. OVERMAN. Yes; let the amendment be read.

Mr. ALDRICH. Mr. President, the Senator from Texas, for whom the Senator from Wisconsin speaks, is absent and is a member of the committee. If he desires to have anything go over——

Mr. LA FOLLETTE. I understand that he is a member of the committee; but he spoke to me about this paragraph just before going away. I am interested in it also, and would like to have it passed over.

The PRESIDING OFFICER. The amendment submitted by the Senator from Utah will be read.

Mr. SMOOT. The amendment should come in after the words "ad valorem," in line 14, on page 23, relating to electric carbons.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 23, line 14, after the words "ad valorem" and the semicolon at that place, it is proposed to insert:

Carbons for electric lighting made entirely from petroleum coke, 35 cents per hundred feet; if composed chiefly of lampblack or retort carbon, 65 cents per hundred feet.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. SMOOT. If there is no objection, could we not adopt the amendment at this time?

Mr. OVERMAN. No; I should like to examine it before it is adopted.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

Mr. BEVERIDGE. At this point, may I ask the Senator from Utah whether the amendment he has offered is a reduction?

Mr. SMOOT. It is a great reduction over the House report and also the report that we have already made.

Mr. BEVERIDGE. I am very glad to hear that. I think that we are getting so that we can make progress.

Mr. OVERMAN. I will ask the Senator from Utah if the amendment as reported by the committee, which purports to be a reduction, is not really an 40 per cent increase?

Mr. SMOOT. I did not quite understand the Senator.

Mr. OVERMAN. I asked the Senator if the amendment that is reported by the committee, which purports to be a reduction, is not really an increase of 40 per cent.

Mr. SMOOT. It certainly is not. The amendment I have just submitted on all low-price carbon reduces the duty from 90 cents to 35 cents a hundred feet, and on the higher grade carbon it reduces the duty from 90 cents to 65 cents per hundred feet.

Mr. OVERMAN. That is under the amendment?

Mr. SMOOT. That is under the amendment I have offered.

The PRESIDING OFFICER. Paragraph 94 will be passed over. The Secretary will read the next paragraph passed over.

The SECRETARY. The next paragraph passed over is at the top of page 25, paragraph 95. The committee propose to strike out all of the paragraph as printed in the House bill.

Mr. ALDRICH. Was paragraph 95 agreed to?

The PRESIDING OFFICER. The Chair is informed that paragraph 95 was heretofore agreed to.

Mr. BEVERIDGE. Nothing has been done with it now.

Mr. ALDRICH. The committee have an amendment to offer to paragraph 95. I move to strike out the proviso, beginning in line 23, on page 24, and transfer it to the next paragraph. It was misplaced in the print of the bill. The proviso reads:

And provided further, That, for the purposes of this act, bottles with cut-glass stoppers shall, with the stoppers, be deemed entireties.

I move to insert that proviso after the words "ad valorem," in line 24, page 25.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. The committee proposes to strike out all of paragraph 96 as printed in the House bill, and to insert a new paragraph 96, as follows:

96. Glass bottles, decanters, and all articles of every description composed wholly or in chief value of glass, ornamented or decorated in any manner, or cut, engraved, painted, decorated, ornamented, colored, stained, silvered, gilded, etched, sand blasted, frosted, or printed in any manner, or ground (except such grinding as is necessary for fitting stoppers or for purposes other than ornamentation), and all articles of every description, including bottles and bottle glassware, composed wholly or in chief value of glass blown either in a mold or otherwise; all of the foregoing, filled or unfilled, and whether their contents be dutiable or free, 60 per cent ad valorem: *Provided*, That, for the purposes of this act, bottles with cut-glass stoppers shall, with the stoppers, be deemed entireties.

Mr. ALDRICH. In line 22, after the word "foregoing," the words "not specially provided for in this section" should be inserted.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. Paragraph 96, page 25, line 22, after the word "foregoing," it is proposed to amend the amendment of the committee by inserting "not specially provided for in this section."

The amendment to the amendment was agreed to.

Mr. BEVERIDGE. The substitute paragraph, I see, makes no change in the duty, and I assume that this amendment is purely a reclassification and a better classification than that proposed by the House?

Mr. ALDRICH. That is right.

The PRESIDING OFFICER. The question is on the amendment as amended.

The amendment as amended was agreed to.

Mr. NEWLANDS. I should like to ask the Senator from Rhode Island whether it has been impossible to secure the statistics as to the value of the products under the glass schedule, beginning with paragraph No. 95? In looking over this schedule which has been prepared by the committee, I find a blank space under the head of value of products opposite the most of these items. I regard that information as of great value, because it is only by a comparison of the imports of a particular commodity with the actual production in this country that we are able to determine whether or not a rate of duty is unduly prohibitory of importations or unduly promotive of trusts and combinations inside the tariff wall.

Mr. ALDRICH. Mr. President, the statistics to which the Senator refers were prepared by the Census Office and not by the committee. But they were the best statistics we had upon the subject. The entire production of glass, window glass, all kinds of glass, mostly window glass, in the United States was about $32,000,000 in value. As classified in the book I have it is $21,000,000 of building glass, whatever that may be, and $11,000,000 of window glass.

Mr. NEWLANDS. That is the total production of the country?

Mr. ALDRICH. That is the total production of the country.

Mr. NEWLANDS. About $32,000,000. Has the Senator the total value of the imports of glass?

Mr. ALDRICH. Oh, yes. They are, of course, under different provisions of the statistical statement. About what particular kind of glass does the Senator want information?

Mr. NEWLANDS. I did not wish them by items. The Senator made a general statement of the total production of the country, and I wish to compare the total production with the total importations.

Mr. ALDRICH. That is a matter of mathematical computation. We can take these items and add them up. I will do that later on, if the Senator desires it.

Mr. NEWLANDS. I thought perhaps the Senator had it in convenient form.

Now, as to these schedules, I observe that the duties range all the way from 40 to 60 per cent.

Mr. ALDRICH. All the duties upon this particular item now under consideration are 60 per cent. There is no change in them. They are all 60 per cent.

Mr. NEWLANDS. What is that—item 96?

Mr. ALDRICH. Yes; 96. That is the one now under consideration.

Mr. NEWLANDS. Those are 60 per cent?

Mr. ALDRICH. Yes, sir.

The PRESIDING OFFICER. The Chair will suggest that paragraph 96 has been agreed to. It is the next paragraph——

Mr. ALDRICH. I beg pardon of the Chair.

Mr. STONE. Paragraph 95 has not been agreed to.

Mr. ALDRICH. Paragraph 95 has been agreed to.

Mr. STONE. Paragraph 95 is the very paragraph we have been considering

Mr. ALDRICH. Paragraph 95 has been agreed to.

The PRESIDING OFFICER. Both paragraphs 95 and 96 have been agreed to.

Mr. ALDRICH. If the Senator has an amendment to offer, I will——

Mr. STONE. I wish to make an inquiry, possibly from the Senator from Utah, who engaged in a short colloquy with me about it the other day.

I have in my hand a letter from a large establishment in St. Louis engaged, among other things, in the manufacture of bottles. The president of that company writes me that during the last year there were 41,000,000 bottles imported, filled with malt liquors, mineral waters, champagne, and still wines, upon which he says no duty was paid, and that after being emptied they entered largely into use in this country. It is a very large free importation, and he asked me to call the attention of the committee of the Senate to it, and to inquire whether the expression in paragraph 303 and the following paragraph relates to still wines, ale, and so forth: "But no separate or additional duty shall be levied on the bottles."

Mr. ALDRICH. That is plain.

Mr. STONE. Perfectly plain.

Mr. ALDRICH. It is not changed by the Senate provision or by the House provision. Does the Senator desire a duty upon beer bottles?

Mr. STONE. I am asking for information whether it is a fact that forty-odd million bottles filled with these contents came in free?

Mr. ALDRICH. They do. They do not pay any separate duty.

Mr. STONE. Are they calculated——

Mr. SMOOT. They do not pay any specific duty on the bottle, but on mineral water they pay on the case. In other words, taking a case of mineral water containing a hundred pint bottles, it pays $1.66 a case. That is not upon the water; but there is $1.66 upon the case.

Mr. ALDRICH. But the Senator asked especially about bottles in the spirit schedule.

Mr. STONE. Yes.

Mr. ALDRICH. And there is no duty, and there never has been, on the bottle separately.

Mr. STONE. Is the value of the bottle estimated in fixing the duty on the contents?

Mr. ALDRICH. No; the duties are all specific, and there are no extra duties. You asked whether the bottle was taken into consideration. That is a question which anybody can determine for himself. But there is no separate duty upon bottles.

Mr. SMOOT. I am fully aware of what the bottle manufacturers want in this particular, and they suggested that an amendment be made to paragraph 95, requiring that there be blown into the bottle the name of the contents, the name of the manufacturer, and the country where made. But the Committee on Finance has not yet agreed to that provision. As it is now, those bottles do not directly pay a duty; but, as I was saying to the Senator, if you take, for instance, the duty on mineral water, they pay it indirectly at least, because every case of pints coming into this country pays a duty of $1.66. The House did provide, in paragraph 309 of the bill, touching mineral waters, that there should be an additional duty of 90 cents a case for the bottles. The committee could not agree to that provision and took it out of the bill and allowed the Dingley Act to remain as it is, carrying a duty upon the case of pints of $1.66.

Mr. STONE. I should like for the Senator, if he can speak for the committee, to state whether there ought not to be some separate duty imposed upon the bottles?

Mr. SMOOT. The way the glass manufacturers want us to arrive at that is this——

Mr. ALDRICH. The Senator from Missouri is not speaking for the glass manufacturers. He is speaking for the brewers, as I understood him. He said——

Mr. STONE. I am not speaking for the brewers. I did not mention the brewers.

Mr. ALDRICH. I thought the Senator said his correspondent was a brewer.

Mr. STONE. My correspondent is the Obear-Nestor Glass Company, manufacturers of glass bottles, among other things.

Mr. SMOOT. That is what I understood.

Mr. ALDRICH. The brewers are the people who have protested to me.

Mr. STONE. They have not to me.

Mr. ALDRICH. They have to me. But this manufacturer protests that there ought to be a separate duty levied upon the imported bottles carrying wine or water.

Mr. SMOOT. It is true that these bottles imported here, such as mineral-water bottles, are purchased again and refilled, and the American manufacturer does not want the mineral-water bottles of Germany imported here filled with water and then as soon as emptied sold again to be refilled with something else. That is the contention of the glass manufacturers.

Mr. STONE. That is the contention exactly. Does the Senator agree to that?

Mr. SMOOT. I want to say to the Senator here that I am rather inclined to think it should be required that the names be blown upon the bottle, but I have not as yet come to the definite conclusion whether that ought to be put in this bill or not. The committee has not yet decided that.

Mr. FLINT. I desire to call the attention of the Senate to the fact that the committee has not yet disposed of the matter.

Mr. STONE. Does the Senator from Utah agree or disagree in the wish of the bottle manufacturers, that a duty should be placed upon the bottles?

Mr. SMOOT. I disagree to that—that there should be a duty put upon the bottles—but I have not yet decided whether it would not be best to have the name blown on the bottles.

Mr. ALDRICH. Will the Senator from Missouri give us his judgment?

Mr. STONE. I think there ought to be.

M ALDRICH. The Senator can get at that easily by making a motion to take these articles from the free list and make them dutiable.

Mr. STONE. I suppose probably the time to make a motion of that kind would be when we reach the later provision. But my purpose at this time was to ask whether the committee itself had considered the question.

Mr. ALDRICH. The committee has considered it at great length, and is unanimously of the opinion that these articles ought not to be taken from the free list and put on the dutiable list.

Mr. NEWLANDS. Mr. President, I observe that the duties collected from china ware aggregate about $7,000,000, and that the duties on glassware do not amount to nearly that sum, although I have not been able to compute it, because there are so many items. I will ask the Senator from Rhode Island which of these industries is in the more prosperous condition in this country—the china ware or the glassware—as shown by the domestic production and as compared with importations?

Mr. ALDRICH. The Senator from West Virginia [Mr. SCOTT] can answer the question better than I can.

Mr. SCOTT. If the Senator from Nevada and the Senate will have patience with me for a few minutes, I think I can show to the Senate, and possibly to the country, the greatest object lesson in the policy of protection of any that has been or possibly will be cited upon this floor. But I do not know whether the Senator wants me to go into that subject or not.

Mr. NEWLANDS. All I asked was as to the relative condition of these two industries. I observe, for instance, that on china ware, common china ware—earthenware—the duty is comparatively low, and upon the articles of luxury it ranges from 50 to 60 per cent; and I also observe that glassware is not put down as an article of luxury, and there the duty seems to range as high as 60 per cent in some instances.

Mr. SCOTT. If the Senator will allow me, if he will refer to the hearings on "Schedule B" from pages 949 to 960, he will probably get the information he wants in regard to the china proposition; and I can say personally with regard to the glass business that it has been fairly remunerative in the last few years—nothing more than a man should have upon his investment when he takes the risk of going into manufacturing in place of loaning his money upon first mortgages. But there has been no great money made in it at all, and we are now progressing in a way. The home competition, in addition to foreign competition, holds us down to a very close margin, and we are very well satisfied if we can make 7 to 8 per cent upon our investment. Sometimes, if we are very fortunate, we possibly can reach a 10 per cent dividend during the year, but more often we are compelled to be contented with 6 or 7 per cent.

Mr. NEWLANDS. Have any of the duties on glassware been increased in the Senate bill?

Mr. SCOTT. Not in the line in which I am interested, and that I know of, particularly.

Mr. NEWLANDS. How is it with china ware? Have any of the duties been increased?

Mr. SCOTT. I think not.

Mr. ALDRICH. The duties upon china are maintained at the Dingley rate. The duties upon glass, with few exceptions, have been reduced. I will say that I think in a majority of cases the Dingley rates are maintained. In a few instances certain glass was lowered, and in two instances, plate glass, the rates were raised above the Dingley rate.

Mr. NEWLANDS. The plate-glass industry is a very important one. The production of plate glass is very large, I believe.

Mr. ALDRICH. Both; all kinds of glass.

Mr. NEWLANDS. I wish to ask the Senator whether he made any inquiry into these two schedules with a view to determining whether or not the high duties hitherto imposed, in excess of 50 per cent, we will say, ought to be maintained, in view of the fact that those industries are no longer infant industries, but seem to be thoroughly well established?

Mr. ALDRICH. I think the average duties in the glass schedule are over 50 per cent; I think some of them are greatly above 50 per cent; but if any article manufactured in the United States needs protection and should have it it is glass. It is almost entirely a question of labor. They take the crude materials from the earth and expend a great deal of time and labor upon them up to the finished product; and the present rates of duty have been but fairly protective. The importations are very large of all descriptions of glass and always have been. I think we are gaining a little upon the foreign production, but very little, and this industry is one of the industries which deserves our care and should have it to the extent of the protection it needs.

Mr. HALE. The competition is intense.

Mr. ALDRICH. The competition is intense, in Belgium and in every other part of the world.

Mr. NEWLANDS. I have observed that in the framing of this bill the committee have put low duties upon the necessaries and much higher duties upon so-called "luxuries." Almost all these articles under the glass schedule are ranked as necessaries. I wondered why it was that the excessive duties which, as a rule, pertain only to luxuries in these schedules, were retained as against that class of products.

Mr. ALDRICH. It was the intention of the committee in every schedule and in every paragraph to make higher rates of duty upon articles of luxury and to make lower rates of duties, as low as consistent with the system of protection, upon the lower class of articles.

Mr. NEWLANDS. And the Senator is of the opinion that no lower duty than 50 per cent can be imposed upon glassware?

Mr. ALDRICH. My own feeling is that the rates proposed in this bill are fair and proper, and perhaps generous to the glass manufacturers.

Mr. SCOTT. Mr. President, I dislike to delay the Senate, but I made a statement a week or ten days ago, in which I said that before there was any duty on glassware, pitchers cost anywhere from three to four dollars, and that now they could be bought for $1.25 a dozen. Here [exhibiting] is a pitcher, a half-gallon pitcher, which can be bought at the factory for 90 cents a dozen—not apiece, but a dozen. I want to say furthermore, when I was first in the glass business, before there was a duty, a tumbler like this [exhibiting] we sold readily for $2.50 a dozen. Now it is selling for 11 cents a dozen—less than 1 cent apiece—all owing to the protection that the Republican party has given us on glassware.

There [exhibiting] is a dish that you can buy in any store for 10 cents. It sells for 70 cents a dozen. If we keep on at the rate we are going with glassware and if you will continue to give us this protection, I have not much doubt that in a few years we will be paying the consumer something to carry this glassware home.

There [exhibiting] is a goblet which sold for from $2.50 to $3 a dozen when we had no protection. Now it is selling for 25 cents a dozen to the wholesaler.

The trouble is not with the manufacturers. In a great many instances of these goods the trouble is with the retailer and with the jobber. I have here a picture of an 11-story building in the city of New York, owned by a man who twenty-eight years ago had limited credit. He was on the third story on a side street in New York, and in twenty-eight years he has made enough money to build that 11-story building, covering over 800,000 square feet. He has made more money, if he owns that building in fee simple, in twenty-eight years than all the glass manufacturers in the United States in the same length of time, for in the last nine years 50 per cent of the flint-glass factories have failed.

He is a retailer of glass and a wholesaler of glass, and he advertises very largely in Canada. This [exhibiting] is a sheet from a Canadian trade journal advertising his wares in Canada.

The duty that you are giving us to-day in paragraph 96 is the same that we have had. This reduction in price has been brought about by improved machinery and improved conditions, by all of us working together, taking out patents, doing all we can to reduce the cost to the consumer, and to keep the man and his family at work in the factory. It is not like the case referred to by my friend the Senator from Nebraska [Mr. BURKETT] the other day. When duties were not high enough to keep the factories going, from 1891 to 1896, two young men went out to Iowa on a farm adjoining his father's, and they became farmers, raising corn and wheat in competition with the Senator from Nebraska and his father.

It took them away from the class of consumers. When they were consumers, they were buying what the Senator from Nebraska and his father raised. But owing to the depression, they were sent away from the factory, because we shut down, and they went out on the prairie and broke up the prairie land and became producers, and came in competition with the men who had been supplying them as consumers.

All we ask—and we have got it, and I thank the Senate for it—is to give us this duty, and we will reduce the cost to the consumer if there is any way to control the two middlemen.

Mr. JONES. I should like to ask the Senator a question. It has been stated on this side of the Chamber time and again in this debate that the tariff is practically all added to the cost and that the consumer has to pay that in addition to the cost of manufacturing. I am very much interested in the example the Senator has put out here, and I wonder if the manufacturer has not been selling those articles at less than the duty itself.

Mr. SCOTT. The selling price almost corresponds to the ad valorem duty.

Mr. NEWLANDS. I suggest that then there is hardly any need of a duty. But I wish to make an inquiry. The Senator made a reference to middlemen and to retailers which is very interesting. I understood him to say the trouble was not with the manufacturer, but with the retailers. Now, take the pitcher which he has just instanced and which is produced at a very low cost. I forget the price, but the Senator can state it.

Mr. SCOTT. Ninety cents a dozen.

Mr. NEWLANDS. Ninety cents a dozen?

Mr. SCOTT. And the labor on that article is from 85 to 90 per cent.

Mr. NEWLANDS. Let me ask the Senator, now, at what price does the retailer sell that pitcher?

Mr. SCOTT. I can not answer the Senator on that point. I could possibly go down the street and ascertain. But I presume the consumer would have to pay from 40 to 50 cents for the pitcher.

Mr. NEWLANDS. For each pitcher? That would be $4.80 a dozen.

Mr. SCOTT. In all probability, because the retailer buys it from the jobber. The prices I am quoting here are the prices from the manufacturer to the wholesale dealer.

Mr. NEWLANDS. To the wholesaler?

Mr. SCOTT. Then the wholesaler sells it to the retailer, and he in turn sells it to the consumer.

Mr. NEWLANDS. The Senator gives the price of the manufacturer as 90 cents a dozen, and the price of the retailer as $4.80 a dozen.

Mr. SCOTT. Not positively. He must not quote me positively. If I should make inquiry on Pennsylvania avenue, I should probably find the exact price.

Mr. NEWLANDS. Approximately.

Mr. SCOTT. Approximately.

Mr NEWLANDS. I understood the Senator to say it would be $4.80 a dozen.

Mr. SCOTT. Forty to 50 cents apiece.

Mr. NEWLANDS. Can the Senator give us the price of the jobber?

Mr. SCOTT. No; I can not. The jobber, counting his expenses, would add 10 or 15 per cent or more. There is probably 8 to 10 per cent in breakage in shipping the goods. That would have to be taken into consideration.

Mr. SMOOT. If the Senator from Nevada wants a concrete case of even greater discrepancy than that, I can give it to him, and not only one instance, but a great many, as to the profits made by the retailer.

Mr. NEWLANDS. What struck me was the discrepancy in price between that at which the jobber bought and the price charged by the retailer to the consumer. It seems to me that if the difference is so enormous, it is about time we were looking into the action of the retailers, unless it can be accounted for in some rational way.

Mr. HALE. Let me ask the Senator a question before he takes his seat.

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Maine?

Mr. SCOTT. Yes.

Mr. HALE. Let me ask the Senator from Nevada before he sits down what he proposes as a remedy by action of Congress for this remarkable disproportion between the prices of the manufacturers, with which we deal in a tariff bill, and the prices that are afforded to the consumer by the jobber and at last by the retailer? One of the things that Congress is finding out—and in the end the people, the consumers, will find out—is that the burden of prices paid by them at their houses, in their families, for consumption have little relation to the system, which some of us mean to maintain, of protection to the manufacturer. The immediate result of the protective theory as applied to legislation is the protection to the manufacturer in competition with foreign manufacturers. There is no schedule that shows this condition in so marked a degree, I think, as the glass schedule. Under it we manufacture by American labor, as American products, all the articles furnished to the people, which is illustrated by what the Senator from West Virginia has shown here.

When Congress has done that and has reared in different parts of the country this manufacture and sustained it against foreign competition it has very little to do, and this Congress is finding out—I know that I am—as never before, that the prices which are paid by the consumer at his door, at his home, have very little to do with the rates that we establish. I do not know, and I can not by any process of which I am capable reach how much that little is.

The Senator has said that Congress ought in some way to deal with this question of the amazing advance of prices, not with the manufacturer whom we sustain, but the middlemen, the jobber, the retailer. Does the Senator believe that Congress can take that matter in charge and can prescribe rates at which articles shall be sold in the wholesale market by the jobber, and in the retail market by the retailer? Where is the remedy that the Senator would suggest? It is one of the points of enlightenment that is coming from this Congress that people will understand that, while the great system of protection will build up these manufactures and protect us from inundation by foreign labor, it has very little to do with the prices that are paid by the consumer at his fireside.

Mr. NEWLANDS and Mr. SMOOT addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from West Virginia yield?

Mr. SCOTT. I yield to both Senators.

Mr. NEWLANDS. I wish to answer the question put by the Senator from Maine.

Mr. SMOOT. Will the Senator from Nevada allow me?

Mr. NEWLANDS. In just one moment. Please let me answer.

Mr. SMOOT. The Senator can answer this at the same time——

Mr. NEWLANDS. I beg pardon; I wish to answer the question put to me by the Senator from Maine. I will yield to the Senator later.

Mr. SCOTT. I believe I have the floor. I will yield to the Senator from Nevada first and then I will yield to the Senator from Utah.

Mr. SMOOT. I merely wanted to give a concrete case.

Mr. NEWLANDS. Mr. President, the Senator from Maine has asked me a very difficult question, one which I am unprepared to answer at this moment. He asks me how I would have Congress deal with the apparently extortionate prices that are charged not by the manufacturers but by the retailers to the consumer.

Mr. HALE. And by the jobbers.

Mr. NEWLANDS. I am not prepared to answer that question. I am not prepared to say that Congress has any power to deal with that question. It may be a matter of such purely domestic commerce as to be entirely without the domain of congressional action, and it may be at all times unwise to enter upon any attempt to regulate the prices even in domestic commerce, though it has been attempted in the legislation of civilized peoples before.

But I do think Congress can go this far. It can furnish the machinery by which the country will be informed as to the difference between the cost of production by the manufacturer here and the cost of production by the manufacturer abroad, and the difference between the price charged by the manufacturer here and the price charged by the manufacturer abroad. It can also, through some board or commission or by charging the Executive with the duty, enter into an inquiry as to the respective prices that are charged by the manufacturer to the jobber, and by the jobber to the retailer, and by the retailer to the consumer, with a view to fixing the responsibility for the high prices which now prevail. If these high prices are due to the extortion of the manufacturer——

Mr. SCOTT. Will not the Senator let me finish? I will yield the floor to him in a few minutes. I thought the Senator wanted to ask a question.

Mr. NEWLANDS. I am answering the Senator from Maine. Of course I do not wish to interfere with the Senator from West Virginia.

Mr. SCOTT. Go ahead.

Mr. NEWLANDS. I was remarking that Congress can organize some kind of a tribunal that will make the inquiry and fix the responsibility for high prices either upon the manufacturer, the jobber, or the retailer, or apportion it between them. We who are interested in the revision and the reduction of the tariff wish to know whether these high prices are chargeable to the manufacturer and to the fact that he is protected against foreign competition by a high-tariff law. If that is not the case, we want to know it. We wish to know whether the fault is the fault of the jobber; we wish to know if the fault is the fault of the retailer; we wish to fix the responsibility for the high prices that prevail in this country, which, admittedly, are above the general level of the world's prices in most articles.

We will assume, then, that a commission is organized for that purpose—a commission having jurisdiction of foreign commerce, we will say, just as we now have one of interstate commerce, a branch of the same commission, one engaged in interstate commerce and the other engaged in an inquiry of foreign commerce. What would be the result? We would accumulate within five or ten years a mass of statistics, arranged in tabulated form, just as the transportation statistics have been presented, and then the country would have the information upon which to proceed. Public opinion would be instructed as to the source of these high prices and public sentiment would be instructed as to the method of meeting that difficulty.

I am very glad that I made this inquiry of the Senator from West Virginia. It is a revelation to me that a pitcher which he exhibits can be purchased for 70 cents a dozen. I would not have thought it possible——

Mr. SCOTT. Ninety cents.

Mr. NEWLANDS. I would not have thought it possible that the retailer can take a dozen of those pitchers, costing only 90 cents originally, and retail them for $4.80 a dozen. It is a revelation to me. We will assume, however, that these two facts exist at the same time. The inquiry would still remain as to whether a high tariff does not protect the retailer in this act of extortion. That would be one inquiry. It seems to me that we ought to have some organized body or some individual whose special duty it would be to arrange in tables under the various schedules of this bill, covering about 400 items, and in tabulated form, year after year, statistics regarding these matters, so that public opinion can be instructed in this country and so that we can then frame legislation that will meet these difficulties.

Mr. HALE. Let me ask the Senator——

Mr. SCOTT. I am afraid my speech——

Mr. NEWLANDS. I am through.

Mr. SCOTT. I am afraid my speech will be smothered under the very eloquent remarks of the Senator from Nevada and my other friends. I will yield to the Senator from California [Mr. FLINT], if the Senator will allow me.

Mr. HALE. Just one moment.

Mr. SCOTT. The Senator from California will yield to the Senator from Maine?

Mr. FLINT. Certainly.

Mr. HALE. I should like to ask the Senator from Nevada whether he or whether the wit of man can devise a better system or operation of a tariff schedule than that which produces as its result the illustration afforded by the Senator from West Virginia? A dozen pitchers of the kind which he presents here under this system of tariff protection are brought out and put upon the market at the rate of 90 cents a dozen.

Mr. NEWLANDS. Does the Senator put an inquiry to me regarding that?

Mr. HALE. Can he or can anybody devise a better system that operates better than what the Senator from West Virginia has shown here, when a dozen pitchers of that kind, however much the price may be enhanced to the consumer, are produced and sent out by dozens and thousands, it may be tens of thousands, to market at 90 cents per dozen? I can not conceive any system or any plan of a tariff that can produce anything more beneficent to the people than what the Senator has shown in his illustration.

Mr. SCOTT. I will yield to the Senator from California [Mr. FLINT].

Mr. FLINT. Mr. President, I am very glad the Senator from Nevada [Mr. NEWLANDS] recognizes the truth of the claim of the Republicans that the rate of duty paid under this tariff bill is not a material factor in the cost to the consumer of these articles. I desire to call his attention to one or two illustrations. I have a great many of them, and this is a very good time to put in one or two.

I call his attention to the cost of a 100-piece dinner set of Haviland & Co.'s make. It was invoiced to their New York house at $5.77; packing charges, 46 cents; customs-house advance to make value, 58 cents; total $6.81. The duty at 60 per cent is $4.08, making a total cost of $10.89. That set of Haviland china is selling in the city of Washington for $36. There is a profit of about $26 on those articles.

I call the attention of Senators to these articles to ascertain whether they think that a duty of $4.08 on these articles is a factor in the price that is charged the consumer. There is $25 profit difference in the price of that article over the price or cost to land in this country.

I call the attention of Senators to a number of other small articles. I take Japanese china ware. Blueprint cups and saucers pay a duty on a valuation of 3¾ cents per pair, including packing charges, paying a duty of 60 per cent or 2¼ cents per pair. These goods sell in Washington at 35 cents a pair, or almost 1,000 per cent over the value at which they pay duty. The consumer pays 2¼ cents duty on a 35-cent purchase, or 6⅔ per cent.

The same proportion holds good on the following items: Plates, dutiable price, 3¾ cents; retail price, 35 cents each. Egg cups, dutiable price, 1⅝ cents, sell for 15 cents each. A tea set, composed of teapot, sugar, cream, and six cups and saucers, cost 41 cents, with duty paid, and is selling in the stores in Washington for $3.50. An article costing 41 cents is selling at retail for $3.50, and these are the prices charged by the large department stores throughout the country. When you come to small places in Iowa, Kansas, Nebraska, and the Dakotas, the prices are from 20 to 30 per cent in addition to that.

Mr. HALE. And 50 per cent sometimes.

Mr. FLINT. And 50 per cent, as the Senator from Maine says.

I say, and I repeat, there is not an article in this china schedule where the duty is a factor in fixing the selling price to the consumer. If the Senator from Nevada, as suggested by the Senator from Maine, can find some way by which we can control the selling price of these articles after they leave the manufacturer, then there may be some solution of the prob-

lem; but we find the manufacturer making but a fair and honest profit under the protective-tariff system, and yet the consumer is complaining of excessive charges, not by reason of the profit made by the manufacturer, but by reason of the excessive prices charged by the jobbing houses and the retail stores.

Mr. SMOOT and Mr. NEWLANDS addressed the Chair.

Mr. SCOTT. I yield now to the Senator from Utah.

Mr. SMOOT. Mr. President, I also call the attention of the Senator from Nevada to the fact that it does not only apply to the glass and china schedule; it applies to almost every schedule that there is in this bill.

For instance, take the manufacture of razors. I have an invoice in my office now where the manufacturer charges $3.95 a dozen for razors. The jobber in St. Louis secures a 2 per cent discount for cash in ten days upon that article. He jobs the article that costs him $3.95, with 2 per cent discount in ten days, for $9 a dozen. That is the transaction between the jobber and the retailer. The retailer sells every one of those razors for $2 apiece. In other words, the manufacturer in Connecticut sells one dozen of those razors for $3.95, less 2 per cent for cash in ten days, and the consumer pays $2 apiece for them, or $24 a dozen.

Again, there is a great deal said in this country in relation to gloves. I can walk down here to any store in Washington and go in and ask the retail price of a pair of gloves, and for a glove that costs $7.40 a dozen the ladies of this country are paying $2 a pair.

So, Mr. President, it does not apply only to the china schedule or the glass schedule. The country, it seems to me, ought to be made to understand that this is not due to the manufacturer.

Mr. NEWLANDS. Mr. President——

Mr. SCOTT. I will be through in a minute, if Senators will allow me. I wish to correct one statement that might be misleading. I was asked the question if the duty was not more than the article. Of course that could not be, because it is ad valorem. I want to correct that.

Now, Mr. President, I hold in my hand here a tumbler [exhibiting]. It is finished as you see it there. A dealer wants a tumbler of a certain pattern. We call that the diamond-and-fan pattern.

The first process is to mark off just as many of these squares as will go around that diameter. Then the next process is roughing it, as Senators can see who will come close to it. It is that process there [indicating]. The next process is where it is put on another wheel, a crag-leaf stone, which leaves it blind; in other words, it is not bright. That is imported as cheap common glass from Europe, and comes into this country against our high-price glass cutters, because the glass cutter earns anywhere from $3.50 to $5.50 a day. All the importer has to do is to put that on a brush wheel with glass cutter's putty on it and polish it and make it a finished cut article. Consequently he evades the duty on the article and brings in an article that costs him in labor in Europe probably not more than a dollar or a dollar and a quarter for ten or twelve hours work, when we pay anywhere, as I said, from $3.50 to $5.50 a day.

These undervaluations are a great hardship both to the glass manufacturers and glass cutters of this country and to the earthenware and pottery and china people.

Now, Mr. President, I have to apologize to the Senate for detaining it so long.

Mr. BURKETT. Let me ask the Senator a question. Is there not a differential between glass in blank and the finished product and between the different steps to the finished product?

Mr. SCOTT. It is the difference between 40 and 60.

Mr. BURKETT. Then the statement would not be exactly true that the article was brought in in a mostly finished shape as a cheaper article.

Mr. SCOTT. Yes; it is a different glass, that is brought in at a lower rate of duty.

Mr. BURKETT. I understand that, but that is what the differential is for.

Mr. SCOTT. Certainly; that is what the differential is for.

Mr. FLETCHER. I desire to ask the Senator from West Virginia and also the Senator from Utah whether the great disparity in prices between the manufacturer's price and the retail merchant's price to the consumer is not due in a large measure to two causes; first, that the manufacturer will not sell the manufactured article to the jobber until the jobber agrees with the manufacturer that he will not sell it under a given price to the retailer; and, second, that the retailer must agree with the jobber, before the jobber will let him have the goods, that he shall demand a certain price from the consumer. Is not that the situation?

Mr. SCOTT. No, sir; not at all. I will say to the Senator I have been forty years in the manufacture of glass, and I never in my life knew of any such contract or agreement—absolutely none.

Mr. FLETCHER. It may be possible, as the Senator from West Virginia states, but it seems to me that is the only way to account for the enormous profit which the retailer must make under the conditions which have been shown here to-day, because we know, as a matter of common knowledge, that there is competition among the retail merchants in every community, in every city, town, and village in the country, and it does not stand to reason that one retailer will permit another retailer in close competition with him to make three and four dollars profit on a dozen pitchers, when he could get enormously rich at a profit much less than that.

Mr. McLAURIN. Mr. President, I was glad to hear the Senator from West Virginia correct his assent to the proposition that had been made by the junior Senator from Washington, that the Senator from West Virginia did sell at less than the duty, because, until the Senator from West Virginia corrected the assent he had given to the statement of the Senator from Washington, I was very much troubled to know how it could be necessary to have any protective duty for glass if the factories were selling glass at less than 60 per cent of the price at which the foreign manufacturer could land it in this country.

I am not troubled about any legislation on the question as to how it comes about that the price the jobbers and the retail merchants sell their goods is so much greater than that which they pay the manufacturer. That, like everything else, must be controlled by supply and demand. If there are a dozen jobbers wanting to sell to one man, they are going to sell him at a very much less price than if there was one jobber selling to a dozen purchasers. So it is with the retail merchants. The jobber buys from the manufacturer and other jobbers buy from the manufacturer. It is supposed that they all buy at the same price. They are all wanting to sell their goods to customers. The customers come and apply to the jobbers for the sale to them of the goods which they desire to purchase. If one jobber attempts extortion upon the retailer, he goes to another jobber, and if that one offers to extort, he goes to another, and so on; and each one will underbid the other, unless there be a trust among the jobbers.

Mr. SCOTT. Will the Senator allow me a minute?

Mr. McLAURIN. Certainly.

Mr. SCOTT. We ought not to be too hard on the jobber or the retailer there.

Mr. McLAURIN. I am trying to defend the jobber and the retailer from the charges that have been made against them by Senators on the other side. They are not to blame.

Mr SCOTT. You must take into consideration that the manufacturer ships out in large packages and, as I tried to make it plain, there is a certain percentage of breakage. Five to 15 per cent is the breakage in handling. The jobber unpacks that and sends it in what we would call "assorted packages" to the retailer; in other words, possibly he will send for three pitchers in a barrel, a dozen plates, a dozen cups and saucers, and so forth. Now he has to pack and repack that. He must have his help; he must have straw; he must pay his rent. He ships the goods. Again there is the breakage against the retailer. So that the price at which I showed the manufacturer made these articles ought not to be used in a ridiculous form to make it seem as though the retailer and the jobber were robbers, for there is a certain amount of expense which must be incurred for handling and doing the business.

Mr. McLAURIN. That is just exactly what I rose to defend the jobber and retailer against. It seems from what was said by the Senator from Utah [Mr. SMOOT] and what was said by the Senator from California [Mr. FLINT] that they have the idea that jobbers and retailers in this country are extortionists. I do not believe that.

There is only one way that the jobbers and the retailers can get the goods to the consumer at last at above a reasonable profit, and that is by a combination which amounts to a trust. Now, if anybody is willing to say—if the Senator from California or the Senator from Utah, or any other Senator, is willing to say—that those men are engaged in a trust, then we ought to, if we have not legislation sufficient to break up trusts, enact legislation that will break up trusts. But if there is no trust in the jobbing business and no trust in the retail business—and I do not believe there is, because I do not believe that these men would involve themselves in the danger of prosecution—then there is no reason to make any assailment of the jobber and the retailer. The goods will not get to the consumer at last at any extortionate price if there is no trust among these people; and I do not charge nor believe there is.

Mr. HALE. Let me ask the Senator, in the instance reported here, of the manufacture of glass at the remarkably low price which the Senator from West Virginia [Mr. SCOTT] has stated and demonstrated, whether he does not think that the price at last at which it is furnished to the consumer represents an extraordinary and inordinate profit?

Mr. McLAURIN. I do not. I did not understand the Senator from West Virginia—I may not have understood what he said—but I did not understand from the Senator from West Virginia that the articles of which he was speaking were held at any particular price by the retailer. I understood the Senator from West Virginia to say that certain articles which were sold at $4.50 a dozen——

Mr. HALE. Sold for 90 cents a dozen by the manufacturer.

Mr. McLAURIN. Which were sold for $4.50 a dozen, as I understood him to say, when there was no tariff or no protective tariff, are now selling under a protective tariff at 90 cents a dozen.

Mr. SCOTT. No. I must correct the Senator. I said when there was no competition in this country, when there were no manufactures, and we had no duty, a half-gallon glass pitcher sold for $3—not $3 a dozen.

Mr. McLAURIN. Then, if competition relieves that, it is competition which we want.

Mr. SCOTT. It is protection.

Mr. McLAURIN. Protection, or what is called "protection," prevents competition. That is what protection is for.

Mr. SCOTT. No.

Mr. HALE. If the Senator will bear in mind, it is protection which has enabled the manufacturer to produce his article and send it out to the public at a remarkably, I may say an amazingly, low price. There is no exaction; there is no undue contribution levied upon the public by the manufacturer. It is in the other stages—by the jobber and the retailer.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from California?

Mr. McLAURIN. Certainly.

Mr. FLINT. Mr. President, I am not prepared to say that there is any combination among the retailers of this country, but I am prepared to say that, in my opinion, the retail merchants of this country make a greater percentage of profit on their investment than is made in any other line of business in the country. It appears to me, when an article costs 41 cents to manufacture, and the retailer charges $3.60 for that article, there is something wrong; and it is not the protective tariff system.

As I have said, there are a number of articles to which I have called the attention of the Senate as to which the duty is not a factor in the price of the article. It is either the expensive way of conducting the store, the enormous sums spent for newspaper advertisements, the high salaries paid to the clerks and managers of the business, or whatever it may be; but, nevertheless, the more excessive prices charged to the consumer are not based on the price of the articles on leaving the factories.

The cost is added after that point. If we had in this country absolutely free trade on articles like Haviland china, the price would not be materially reduced, in my opinion, but it would be just as it is to-day, charged with $25 profit on a set where the article costs about $11 a set.

If the Senator believes there is a combination of the retail stores throughout the country——

Mr. McLAURIN. I have denied that.

Mr. FLINT. I am not prepared to say whether or not it is true; but the Senator can find out whether it is so by going to any store in his own State and buying an article such as glassware, crockery ware, gloves, or cutlery. If he will bring that article to me, I will show there is upon it a profit of from 70 to 100 per cent between the cost at the port of New York and the price at which it is sold to the consumer.

Mr. McLAURIN. Mr. President, I rose to deny the very proposition that there was a trust or combination between these people; but there can be no way in the world to account for any opportunity they have for extortion except upon the assumption that there is a trust, because otherwise these people could not extort. If you have a dozen merchants in a little town like the one in which I live, and they are all retailing, unless they have some combination or understanding amongst themselves they can not afford to sell at any extortionate price for the reason that if A goes into B's store and B does not sell him at a reasonable profit, he will go into some other store, until he finds a merchant who will sell to him at a reasonable profit. I do not believe, as the Senator from California has said, that there is any excessive profit made by the retail dealer. There are some cases where the profit is high. You take, for instance, ready-made clothing. The retail merchant buys a stock of ready-made clothing, and he must retail it. If he sells, out of a dozen suits of ready-made clothing that he has bought, four or five of them and has the others left on his hands, it takes off the profit on the balance of them.

He has to raise the price of them higher; he has to find a man whom that particular suit of clothing will fit. So with other articles of apparel. But that is not so with reference to calico or to worsted, nor is it so with reference to groceries. A man has 50 or 100 barrels of flour. When he sells to a customer a barrel of flour he does not have to fit him. He has the flour there, and the customer goes and buys the flour, and the balance left is just like it. There is no hard stock on his hands with reference to flour, meat, lard, or groceries, as there is with reference to clothing. So the retail merchant does not practice extortion upon the people. The retail merchant buys from the jobber, and the jobber buys from the manufacturer. The manufacturer, if he is allowed to raise the price of his goods 60 per cent by reason of the tariff on them, when he sells $100 worth he is going to sell them for $160. The jobber has to pay him not only the profit on the $100 which he has invested, but he has to pay him the profit on the $60 as well. So that $60 enters into the amount as well as the $100. Then when the article comes to the retail dealer from the jobber, it comes in the proportion of 100 to 60 that he paid in the way of the tariff duty. It is like a ball of snow. You take a ball of snow and roll it, and every flake catches another flake, and that flake catches another, and so on ad infinitum, until you have a ball of snow as high as your head.

So it is when the overflow comes in the streams and you float down the trash. Every piece of trash catches another piece of trash, and it is accumulated in arithmetical progression. That is the trouble about this matter. These people do not practice extortion, but the tariff does enter into the price which the consumer pays at his door, and it cuts a considerable figure if it is a considerable tariff, and a small figure if it is a small tariff.

Mr. HALE. Let me ask the Senator a question. Take the item of tea, which has no tariff and the cost of which is not increased to an extortionate rate by a "robber protective-tariff system," but which is free.

Mr. McLAURIN. Fortunately for tea.

Mr. GALLINGER. No; fortunately for the consumer of tea.

Mr. HALE. But does the Senator know, or does he not know, that when tea is sold by the retailer in his State or in my State or in any other State, that it is advanced three and four and five hundred per cent beyond its cost when brought in here?

Mr. McLAURIN. I do not know that.

Mr. HALE. Well, but——

Mr. LODGE. There is no question about it.

Mr. McLAURIN. I take the Senator's word for it.

Mr. HALE. At what price does the Senator buy tea in his own town?

Mr. McLAURIN. I do not buy tea.

Mr. HALE. But somebody does.

Mr. McLAURIN. I buy coffee.

Mr. HALE. The same thing is true as to coffee.

Mr. LODGE. Tea that costs in New York 16 cents a pound landed and everything paid, is retailed for 60 cents a pound.

Mr. McLAURIN. That is nearly 400 per cent.

Mr. LODGE. It is about that; and there is no duty on tea.

Mr. McLAURIN. If you put a duty of 10 cents a pound on tea, then you will put tea up to a dollar, because they will put the same extortionate advance on the price. They will put on the duty.

Mr. LODGE. If you put a duty of 10 cents a pound on tea, you would find tea was selling at a dollar, instead of at 60 cents a pound; and the additional of 40 cents would be attributed to the tariff.

Mr. McLAURIN. Of course, that is what it would be. The tariff is the foundation of it. If you set a fire up in the hedge and it burns——

Mr. LODGE. The Senator was speaking of the profits of the retailer. It is a public fact, which has been shown over and over again, that tea landed in New York at 16 cents a pound is retailed at 60 cents a pound in this country, with no tariff duty upon it.

Mr. TILLMAN. Mr. President, I am very glad that the Senator from Maine [Mr. HALE] has introduced the subject of tea here, because I realize from what he has said that he has

been having interviews with some of the importers. I, too, have had one interview with them. I have also had some letters from one tea producer.

Mr. HALE. I want to say to the Senator——

Mr. TILLMAN. Now, just wait one minute—and as it is acknowledged by the Senator that we could obtain $10,000,000 by a duty of 10 cents a pound on tea, and it would not increase the cost of tea at all—so these importers tell me—why do we not pick up that $10,000,000 and give protection to this infant industry down in South Carolina, where there is one tea producer? There is a poor, little puling infant industry out in the piney woods at Summerville begging the United States for help and saying if tea can get a protection of 10 cents a pound it will be the pioneer in introducing into that southern country a great industry.

Mr. HALE. Let me say to the Senator——

Mr. TILLMAN. Will the Senator vote for it or will he have his committee report it favorably? I want to introduce the amendment. Now, I will join you. I want protection for that puling infant in South Carolina—the tea industry—and we shall get $10,000,000 by it, too.

Mr. HALE. Will the Senator yield to me?

Mr. TILLMAN. Certainly.

Mr. HALE. I have seen no importer of tea. I am merely using my everyday observation of what I see going on. No importer has knocked at my door and asked me for an interview.

Mr. TILLMAN. I thought the importers had been before the committee making their statements, copies of which they have sent to me, that if we would put 10 cents a pound on tea, the American people would get a better article of tea, instead of getting the refuse of the Chinese and other tea-producing countries, and there would be no increase in the price whatever.

Mr. HALE. If the Senator will be a little less boisterous——

Mr. TILLMAN. Mr. President, I do not see why the Senator complains of my boisterousness, when some other Senators have been cavorting around here and high horsing about as though they were in the circus which is in the city. [Laughter.]

Mr. HALE. I am not complaining about the Senator from South Carolina; I am not arguing the case of the importer; I am simply showing—and the Senator from Massachusetts [Mr. LODGE] has shown it more clearly than I—that the cost of this article, upon which there is no tariff, when it percolates through the country and is bought by the consumer at his fireside is 400 per cent larger than the cost at the port of importation, with no tariff duty, showing, as an unanswerable illustration, that the tariff duty which the Republican party is bound to put on, and will keep on, for the protection of the American manufacturer against foreign competition—and that competition has never invaded this country as it does now and will do for the next ten years—has nothing of account to do with the price that is paid by the consumer.

Mr. TILLMAN. Now, will the Senator from Mississippi allow me?

Mr. McLAURIN. Certainly.

Mr. TILLMAN. It has been one of the boasts—I will try to let my voice down just a little, because I do not want to interfere with the comfort of the Senator from Maine——

Mr. HALE. The Senator does sometimes almost stun me. [Laughter.]

Mr. TILLMAN. The only objection that I find to the Senator's complaint is that others who have been much louder than I have not stunned him at all. [Laughter.]

Mr. HALE. Perhaps I did not pay to them the attention which I am bound, from my long association with the Senator and the force of his remarks, to pay to him.

Mr. TILLMAN. I thank the Senator for the implied compliment, but I just want to ask him this: Is it not one of the boasts of the Republican party that they are the purveyors of the free breakfast table, and that you could not afford to put a duty on tea because it would increase the burdens of the people who drink it? Did not the Senator from Iowa the other day taunt the Committee on Finance with not daring to touch it?

Mr. HALE. Quite likely.

Mr. TILLMAN. And yet you did not find any fault with his loud voice. [Laughter.] Now, I ask the Senator again, Why not give me protection for this industry in South Carolina?

Mr. HALE. I think the Republican party, if the Senator believes that he has got a real industry——

Mr. TILLMAN. I have got a real industry. One-man down there produces 15,000 pounds of tea.

Mr. HALE. If that can become a prosperous and leading contributor to the industries of the United States as against foreign competition—never so dangerous as now and as it will be in the next ten years—then the Republican party will adopt his bantling. I have no doubt of it.

Mr. TILLMAN. I can only assure you that this gentleman, Doctor Shepherd, who has been experimenting with tea culture for twenty years, has reached that point where, like all the others in this country who are seeking to increase their profits, wants enough protection to increase his price. He knows that as soon as he would get 10 cents per pound additional, it would raise the value of his tea. I do not believe in the doctrine which the Senator from West Virginia [Mr. SCOTT] and the Senator from California [Mr. FLINT] have promulgated that the tariff has nothing to do with the price, else why are these protected industries so clamorous, why are they burdening us with their petitions through the mails, and why were their committees and lobbyists in the House when this bill was pending there, and why are they in the Senate now, begging with tears in their eyes not to "touch mine?"

Mr. GALLINGER. They want to save their lives.

Mr. HALE. We do not want them driven out of business.

Mr. TILLMAN. Do not want them driven out of business?

Mr. HALE. And we do not mean that they shall be driven out of business.

Mr. TILLMAN. Nobody wants them driven out of business; but is anybody fooled by the proposition that the tariff does not increase the price?

Mr. FLINT and Mr. SMOOT addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Mississippi yield?

Mr. McLAURIN. I was yielding to the dialogue between the Senator from Maine and the Senator from South Carolina.

The VICE-PRESIDENT. That seems to be concluded. Now, to whom does the Senator yield?

Mr. McLAURIN. The Senator from California [Mr. FLINT] first rose, and I yield to him. Afterwards I will yield to the Senator from Utah [Mr. SMOOT].

Mr. FLINT. Mr. President, the Senator from Mississippi [Mr. McLAURIN] a moment ago called attention to clothing. I have an illustration as to clothing, to which I thought I would call his attention, which shows, as I contend, that even with woolen goods the duty is not a factor in increasing the price to the consumer. I understand that the cost of the cloth, bindings, and finishings of all kinds of a $10 suit is about $2.25. Everything else in connection with it is labor. I will give as an illustration the very highest class of goods. I am told by the Senator from Utah [Mr. SMOOT], who is an expert on woolens and the woolen schedule, that there is probably not a Senator in this room who wears a piece of goods that has cost as much as this. I want to call the Senator's attention to what the cost of the very highest class English goods would amount to. A full suit takes about 3½ yards. At a cost of $2 a yard for the cloth, that would be about $7.50. The duty on that cloth would be $5.39. The total cost would be $12.89. I am advised that there is not a tailor in the city of Washington of high class who makes a suit to order of the character of goods referred to in this illustration——

Mr. McLAURIN. The Senator must have understood that I was not speaking about a suit made to order, because then every suit would fit. I was talking about "hand-me-downs."

Mr. FLINT. I will refer to "hand-me-downs," too, if the Senator will permit me to finish the illustration.

Mr. McLAURIN. Every suit would fit the man, so that there would have been no hard stock. The Senator can not illustrate my proposition by referring to the people who wear tailor-made suits.

Mr. FLINT. I realize that the Senator from Mississippi and myself do not indulge in tailor-made suits. The materials in a high-priced tailor-made suit that costs $12.89 to them would sell for $50 to $75 a suit. This same class of goods in the "hand-me-downs" to which the Senator refers costs from $30 to $40. Is the $5.39 duty that is charged on that piece of cloth to protect the American manufacturer a factor in the $30 or $35 that is paid to the clothing merchant for that suit of clothes, made from the very highest class of goods that is sold on the market?

Mr. McLAURIN. Will the Senator answer this question: How much is the tariff on the ready-made clothing when it is brought in here ready-made? That is the way to get at that; not what the cloth costs, but how much is the price of the goods when they come in or the price of the goods when they are sent to the retail merchant.

Mr. FLINT. The cost of the class of goods to which I refer is $12.89.

Mr. McLAURIN. That is, sold by the manufacturer?

Mr. FLINT. That is the cost of the cloth landed in this country.

Mr. McLAURIN. How much is the tariff on it?

Mr. FLINT. The tariff duty is $5.39 and the goods cost $7.50. It is the very highest class of goods put upon the market.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. McLAURIN. I promised to yield to the Senator from Utah [Mr. SMOOT] next.

Mr. BACON. I want to give the Senator the figures.

Mr. McLAURIN. Very well.

Mr. BACON. On page 53, of this document furnished to us, the Senator will find the following:

Wearing apparel—Clothing, ready-made, and articles of wearing apparel, made up or manufactured, wholly or in part, not specially provided for—86.61 per cent.

The Senator wanted to know the ad valorem. It is 86.61.

Mr. McLAURIN. I am much obliged to the Senator from Georgia. Now I yield to the Senator from Utah.

Mr. SMOOT. I was going to refer to the question of why we want a duty if things are so very cheap here, as suggested by the Senator from South Carolina [Mr. TILLMAN]. Let me give one particular case that I know of; and I know of many such cases. Take oxalic acid. It has been manufactured in Germany for years and years. It was formerly sold to the American consumer here at 9 cents a pound. A few years ago some gentlemen thought that they could manufacture oxalic acid in this country and sell it for at least 9 cents a pound. It was free of duty at that time. A manufactory was established. They began the manufacture of oxalic acid, but just so soon as the American manufacturer placed oxalic acid on the market the Germans cut the price to 8 cents. The Americans still manufactured it; so the Germans cut the price to 7 cents, and then the manufacturers here commenced to struggle, and did not know how long they could last. The Germans then cut the price to 6 cents, and the manufactories of oxalic acid in this country were closed. Just as soon as they closed up the American manufactories and had the American market, the Germans advanced the price to 8 cents and to 8½ cents; and when the Americans again started to manufacture oxalic acid, the Germans ran the price down to 5¾ cents a pound until they closed them up. That is why in this bill we propose a duty on oxalic acid to protect the American manufacturer from the German manufacturer. I can see now from past experience in the manufacture of this one article that if a sufficient duty is not placed upon that article the Germans will produce it and charge the American people just as much as the American manufacturer could make it for and sell it in this country. That is only one case; but I can point to plenty, if you want them, right now.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN. Yes, sir; I yield for a question, but after that I should like to get back and go over the field and take up these interruptions.

Mr. TILLMAN. I will stick a peg or two here, if the Senator will stand by it. I want to say to the Senator from Utah that it is not on a little article like that where the trouble comes; it is not from that source that the complaints come. I agree that if there was a monopoly of the American market and the Europeans had no competition here whatsoever, they could practice extortion on us, but the theory of protection, when it began away back yonder, was that as soon as a duty was levied, enough to give the American manufacturers an opportunity to compete so that they would grow strong enough and the profit of the business due to protection would be such after a while as to promote competition and bring the price down, the competition in America would relieve us from oppression at home and abroad; but have we found that to be the case?

Do we not see that as soon as the American manufacturers have reached the point where they feel the competition of each other they combine and form a trust and then fix the price, because we have got a local monopoly protected by the tariff wall, and hence we have the steel trust and every other trust in America, almost, except the Standard Oil, which is not a trust in any way, but a monopoly, created by the genius and money and unscrupulous methods and railroad discrimination and all that kind of thing? The American consumer wants to get protection at home from the trusts, and so long as you keep this tariff wall between him and competition somewhere he is at the mercy of men like Carnegie and Schwab.

Mr. SMOOT. Mr. President——

Mr. McLAURIN. Will the Senator allow me just a few words? In a moment I will yield to him.

Mr. SMOOT. Very well; go right along.

Mr. McLAURIN. Just let me ask to make an interruption in my own speech. [Laughter.]

Mr. SMOOT. I beg the Senator's pardon. I do not want to interrupt.

Mr. McLAURIN. I will yield to the Senator in a moment.

Now, Mr. President, I will get back to where I was when this dialogue between the Senator from Maine and the Senator from South Carolina started. The Senator from South Carolina has said so many things in reference to this matter so much better than I could say them that it relieves me of a great deal that I was going to try to say.

As I said, I am not familiar with tea. Jocularly, I said a while ago that I did not buy tea. We use very little tea, and we use very little tea in our section, and I am not so familiar with it as I am with coffee, and if a tariff of 10 cents a pound on tea will not raise the price of tea to the consumer, I think it ought to be put on, because it will give us considerable revenue and thus relieve the Treasury.

While I am on my feet I am going to say that there is an amendment, as I recollect, introduced the other day by the chairman of the committee, putting a tariff of 5 cents a pound, I think it was, on coffee. Am I right about that?

Mr. TILLMAN. That is the maximum and the minimum, in the event of some other country discriminating against us.

Mr. McLAURIN. There is a tariff proposed on coffee of 5 cents a pound.

Mr. HALE. No; not to any schedule.

Mr. McLAURIN. I do not know whether it is to any schedule.

Mr. TILLMAN. It is permissible by the proclamation of the President.

Mr. HALE. That is another proposition.

Mr. TILLMAN. It is a double-barreled proposition.

Mr. McLAURIN. If I have any proper conception of its constitutional power, Congress can not delegate such power to the President.

Mr. HALE. That raises another question. There has been no amendment offered putting this article on the schedule at the rate of duty suggested.

Mr. McLAURIN. But there is a proposition to let the President put it on.

Mr. HALE. Oh, no.

Mr. McLAURIN. What is the amendment?

Mr. HALE. Let the Senator read it. It will tell its own story.

Mr. McLAURIN. I read it hurriedly the other day. What is the amount—5 cents a pound?

Mr. HALE. Five cents a pound.

Mr. McLAURIN. On what is that 5 cents? Is it not on coffee?

Mr. HALE. It is on coffee.

Mr. McLAURIN. Ten cents on tea and 5 cents on coffee?

Mr. HALE. That is only in relation to the maximum and minimum, affected by discriminations which foreign countries may put upon our products.

Mr. McLAURIN. But it may be put on coffee under this bill?

Mr. HALE. It may——

Mr. McLAURIN. By whom?

Mr. HALE (continuing). If there are discriminations made against us.

Mr. McLAURIN. By whom will it be put on?

Mr. HALE. By Congress.

Mr. McLAURIN. By an act passed here?

Mr. HALE. Certainly.

Mr. McLAURIN. Who declares whether it becomes effective and operative or not?

Mr. HALE. Congress.

Mr. ALDRICH. The President.

Mr. HALE. Congress declares it and leaves it to the President to settle the question of fact. That is all.

Mr. McLAURIN. There are two Senators answering. One Senator says the President, and the other Senator says Congress. The Senator from Maine says Congress, and the Senator from Rhode Island says the President.

Mr. ALDRICH. The President is the agent of Congress.

Mr. McLAURIN. I do not know of any constitutional power in Congress to appoint any agent to fix any tariff under any circumstances. But if that is so, the proposition is to put a tariff of 5 cents a pound on coffee under certain contingencies. Is not that true?

Mr. ALDRICH. I hope the Senator will not go into the maximum and minimum matter now.

Mr. TILLMAN. Do not raise the constitutional question.

Mr. McLAURIN. I am going to raise it.

Mr. ALDRICH. When we get to that, I will be glad to discuss it.

Mr. McLAURIN. Will the Senator deny that under certain contingencies, with that amendment a part of the bill, there can be and will be a tariff of 5 cents a pound on coffee?

Mr. ALDRICH. Unquestionably there will be. If any country producing coffee discriminates against us to an extent which in the opinion of the President creates a discrimination, then the Congress imposes a duty.

Mr. McLAURIN. That is what I was saying—that under certain contingencies there will be a tax of 5 cents a pound on coffee. When you put that 5 cents a pound on coffee—I have gotten that far, and I will proceed with my argument—which costs 8 cents a pound, do you tell me that it will not get to the consumer at a higher price than if the 5 cents a pound were off?

Mr. LODGE. It now costs 35 cents to the consumer, and it costs 8 cents to import it.

Mr. McLAURIN. Some kind which some people drink may cost 35 cents a pound, but the coffee that some others drink costs much less than that.

Mr. LODGE. No; I am speaking of the ordinary coffee. There is that margin of profit on the coffee sold.

Mr. HALE. It is a great question, whether it will impose upon the consumer a single cent of added cost to him.

Mr. DU PONT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Delaware?

Mr. McLAURIN. I do.

Mr. DU PONT. I merely want to say that the Senator forgets that the duty on coffee would not apply generally to all coffees, but only to the coffees that come from certain countries.

Mr. McLAURIN. It does not make any difference where it comes from, if a man has to pay it.

What I was going to say is that I have not looked at the price of coffee lately, but it has been but a little while since there was a certain brand of coffee that was selling to the people who are in such circumstances that they could not buy the highest grade of coffee, at 9 cents a pound by the retailer.

Mr. GALLINGER. That is not coffee at all.

Mr. McLAURIN. I know it was selling in my town at 9 cents a pound. I can not state exactly the time when it was selling at that figure, but it was some time ago.

Mr. ALDRICH. There would not be over 5 per cent of coffee in that mixture.

Mr. McLAURIN. I do not know the per cent of coffee, but it was coffee that people were compelled to use by reason of their inability to buy the finer qualities of coffee. A great many people were compelled to use it.

Mr. HALE. I do not think the Senator ever drank a cup of that mixture.

Mr. McLAURIN. I reckon I have. I have drunk all sorts of coffee.

Mr. TILLMAN. I desire to state to the Senator from Mississippi and the Senators from New England that any market report—for instance, the New York Commercial or the New York Sun—shows what coffee is sold for by the importers in the original bags as they come from Rio Janeiro or any other coffee-producing country. It is 6 to 8 cents a pound green, and, of course, when it is parched it loses, we will say, 25 per cent, which would add that much to its cost when it is parched. If it is ground——

Mr. McLAURIN. I am not talking about parched coffee. I am talking about coffee when it comes in.

Mr. TILLMAN. You were talking about green coffee, such as you and I have been buying all our lives, out of the original sacks as they come from Brazil. It costs 6 to 8 cents.

Mr. McLAURIN. I do not suppose that this bill proposes to put the duty on parched coffee, but on the coffee as it comes from a foreign country and is imported into this country. That is where the 5 cents comes in. I know the fact—I think I do, and if I am mistaken in it I will take great pleasure in correcting it, but I am pretty sure my recollection is not at fault in that—that coffee was selling at 9 cents a pound.

Now, do you tell me that if you put 5 cents on the coffee when it comes into this country it will not raise the price of the coffee, or if you put it at 12 cents or 15 cents a pound that it will not raise the price of coffee? I know I am within the limits when I say I have seen coffee sold at 11 cents a pound. Do you tell me that if you put 5 cents on that coffee it will not raise the price to the consumer? It is bound to do it.

Then, another thing. Nearly everybody in the country uses coffee. It has gotten to be so that it is not a luxury, but the poorest people in the country are compelled to have their cup of coffee for breakfast. Are you going to put a tax on that poor individual, who has to work from early morn to dewy eve, and then deny yourselves the luxury of paying an income tax?

Mr. ALDRICH rose.

Mr. McLAURIN. The Senator, I suppose, rose to interrupt me?

Mr. ALDRICH. I rose simply for the purpose of recalling the Senator, if I could, to the discussion of the paragraph now under consideration.

Mr. McLAURIN. I was drawn off from that by the Senator from Maine, who is always interesting, and I like to follow him in any discussion, wherever he may go. Then I was drawn off again by the Senator from California, and I believe I will take him up right now. That Senator says that the wholesale price of a suit of clothes is $12.

Mr. FLINT. Twelve dollars and eighty-nine cents.

Mr. McLAURIN. Twelve dollars and eighty-nine cents; and by the time it gets to the consumer it is $30.

Mr. FLINT. The ready-made suit is $30; the very lowest.

Mr. McLAURIN. Does the Senator undertake to say that in two jumps, first to the jobber and then to the retailer, it has gone up to the consumer from $12 to $30?

Mr. FLINT. The difference in it represents the profits and the wages paid to American workingmen.

Mr. McLAURIN. There are no wages paid to American workingmen in selling it, except to the clerks.

Mr. FLINT. The manufacture of the cloth into the suit.

Mr. McLAURIN. The wholesale price for this suit of clothes, I understand, at which the manufacturer sells it to the jobber, is $12.89.

Mr. FLINT. The cost of the cloth in the suit is $12.89.

Mr. McLAURIN. Oh! I want to know what is the cost of the suit of clothes when it goes from the manufacturer to the jobber. What is the cost of the suit of clothes?

Mr. FLINT. From whom?

Mr. McLAURIN. From the manufacturer to the jobber.

Mr. FLINT. The difference in the cost of manufacture is simply a question of the amount paid for wages to American workingmen and the difference in the amount of labor and the character of the manufacture of each suit. In the ready-made suit it is a matter of making 100 or 200 of the same kind, and with the suit made to order it is a matter of one suit, and it is all represented in the question of labor.

Mr. McLAURIN. There is no labor in the sale to the retailer by the jobber or in the sale by the retailer to the consumer. The Senator, instead of taking the suit of clothes that is sold by the manufacturer to the jobber and basing his profit on that, goes back and takes the cloth that is put in it and estimates the amount of labor put in it. That is not the way to get at the profit made by the jobber and by the retailer. It does not measure the profit that is made by the retailer and the jobber. The Senator was talking about the amount of profit that the retailer and the jobber make. That is not taken into account in the amount of profit made by the retailer and the jobber. The Senator is entirely off on that.

Now, it is utterly impossible to conceive how it can be that the protectionist wants for his factory a tariff that will allow him to raise the price of his goods to the jobber, or to the retail merchant, or to whoever buys it, and yet that does not come out of the consumer. It is utterly impossible to believe that. It used to be the doctrine of the protectionists that the foreigner paid the tax in this country. They have abandoned that now. You never hear from any intelligent protectionist now that the foreigners pay the tax in this country. They have all left that, and say there is not any trouble; that the consumer does not pay it, that the foreigner does not pay it. Does the jobber pay it? Does the retail merchant pay it? Somebody is bound to pay the tariff. It does not drop from the sky, and besides if you are going to raise your extortionate tariff so high as to prohibit the importation of foreign goods into this country, what is the use of talking about a tariff for revenue? You cut off all communicaton with foreign countries; you cut off all importations into this country. You get no revenue. Where are you going to get your revenue?

But I have taken up more time than I intended when I took the floor, and I would have been through with what I intended to say long ago had it not been that I was diverted by these interruptions, which have taken me, as the Senator has well said, far off from the schedule which we were discussing.

Mr. LODGE. Mr. President, I merely want to call attention——

Mr. TILLMAN. Will the Senator allow me?

Mr. LODGE. It is not in reference to this matter. I merely wish to call attention to an example as to where the duty is always added to the cost of the article. One example is as good as a dozen. This happens to be a clear one.

The article saccharine, which is a coal-tar product, cost, in 1895, $47.06 a pound. Owing to improved methods of manufacture and discoveries, it fell in 1896 to $6.02 a pound, in 1897 to $5.05, in 1898, after the Dingley rate was imposed, to $3.72. Up to the time of the Dingley tariff the duty was 25 per cent ad valorem. Under the Dingley tariff a specific duty of $1.50 a pound and 19 per cent ad valorem were put upon it. The price then was $3.72; then $3.83 in 1898.

Mr. McLAURIN. What commodity is that?

Mr. LODGE. Saccharine. It has fallen steadily from that time until to-day it is selling at 72 cents a pound. The specific duty alone is $1.50; it has not been changed; but the article has gone steadily down until it is now selling at 72 cents a pound. As I have said, the specific duty alone is $1.50, and where is it added?

Mr. McLAURIN. What is the necessity of a specific duty of $1.50 a pound if it is selling for 72 cents a pound?

Mr. LODGE. We have reduced it, of course.

I merely want to call the Senator's attention to the fact that under the protective tariff that article has decreased steadily in price, and it is now 72 cents a pound. When the duty was put on, it was $5.05 a pound. It has fallen to 72 cents a pound under the operation of the duty and the development of home competition. If you develop an industry in this country, you add to the world's competition. If you extinguish an industry in this country, the world's competition is just so much less.

Domestic competition has reduced that article of saccharine from $5.05 a pound to 72 cents per pound. Of course the duty, being specific and ad valorem, has increased enormously, owing to the reduction of price. But the fact remains that the duty has not only not been added, but that we are getting for 72 cents what we paid $5.05 a pound for when the duty was put on.

Mr. McLAURIN. The argument of the Senator from Massachusetts has the fallacy of all protective arguments, and that is that it proceeds upon the idea of post hoc, propter hoc, a logic that is not worth anything in the world.

Mr. LODGE. That is all right, but it does not get rid of the facts.

Mr. McLAURIN. The facts have nothing to do in a thousand instances. The facts are that whenever you have competition you have a low price for an article.

Mr. LODGE. But the price was higher under the low duty than under the high duty. Where does the consumer suffer?

Mr. McLAURIN. If that be true, then there is no necessity for the high duty, unless the Senator from Massachusetts wants to break down all the industries, because their idea is to put up a high tariff in order to protect the industry. Now, if a lower——

Mr. LODGE. The duty is needed to develop the industry.

Mr. McLAURIN. But if a lower duty will develop it better than a higher duty——

Mr. LODGE. It has developed it. The result is that instead of the consumer paying $5 to the foreigner he now pays 72 cents. What difference does the duty make? You can make it anything you want. The importer can not pay $1.50 specific duty per pound when it costs only 72 cents.

Mr. McLAURIN. Here is the woolen schedule. Let us take the facts on that.

Mr. LODGE. I am glad the Senator goes off on the woolen schedule.

Mr. McLAURIN. I am as much entitled to go off on the woolen schedule as the Senator is to go off on saccharine.

Mr. LODGE. That is all right. It is an easier one to deal with.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. McLAURIN. Certainly.

Mr. GORE. I want to ask the Senator from Mississippi not to direct the attention of the Senator from Massachusetts to the woolen schedule until the Senator from Massachusetts states how high the duty would have to be on the article to which he has referred until the consumer would get it for nothing. That seems to be the tendency of his argument.

Mr. McLAURIN. I thank the Senator from Oklahoma for the suggestion. I should like to hear the Senator from Massachusetts answer it.

Mr. LODGE. I did not hear the question.

Mr. McLAURIN. The question of the Senator from Oklahoma to the Senator from Massachusetts was, How high would the duty on saccharine have to be before the consumer could get it for nothing, if the higher the duty the cheaper the article?

Mr. LODGE. The height of the duty has nothing to do with it at present, because the duty is twice the value of the article, the duty having been established when it was $5.05 a pound. I can predict exactly what would occur if the duty were taken off and domestic competition destroyed.

Mr. McLAURIN. What is the duty now?

Mr. LODGE. The duty now is $1.50, and it was in 1897.

Mr. McLAURIN. What is the duty as proposed in the bill as it comes from the Senate committee?

Mr. LODGE. I was going to turn to it and tell the Senator just what the duty is on saccharine.

Mr. CULBERSON. Seventy-five cents.

Mr. McLAURIN. Seventy-five cents, the Senator from Texas says.

Mr. LODGE. It has been cut in two.

Mr. McLAURIN. If it is being sold here for 70 cents, what is the necessity for a duty of 75 cents?

Mr. LODGE. It is being sold for 72 cents.

Mr. McLAURIN. Seventy-two cents. Then a duty of 75 cents is absolutely prohibitory. I should like to ask the Senator from Massachusetts if he supposes that a duty of 5 cents a pound on coffee would ever reduce the price of coffee below what it is now?

Mr. LODGE. I certainly do not, because we grow no coffee in the United States. Therefore there can be no domestic competition.

Mr. McLAURIN. Then there can be but one result—to raise the price of coffee to every coffee drinker in all this country, and as the poorer class of people—the laboring people—drink about as much coffee as the wealthiest—the millionaires—they will pay nearly all of the tax that we raise from coffee.

Mr. LODGE. The country which follows the Democratic doctrine and has a strict revenue tariff imposes a duty both on tea and coffee. That is England.

Mr. McLAURIN. This country does not impose——

Mr. LODGE. I say England does, with free trade.

Mr. McLAURIN. The Democratic party never imposed any tariff on coffee, and as for England, I do not think the Democratic party can be accused of following the course of England half as much as the Republican party, and especially the Senator from Massachusetts. And on tobacco, are you going to reduce the price of tobacco by a tariff on it? Nearly all the laboring men of this country use tobacco, and you put a high tariff on that. Are you going to reduce the price of tobacco by a duty on it?

Mr. LODGE. Tobacco and spirits have always been considered in every country a proper subject of excise and taxation, because no man need use them unless he wants to.

Mr. McLAURIN. I do not use tobacco, fortunately for me.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN. I do.

Mr. TILLMAN. I have here the amendment to which the Senator from Mississippi alluded, providing for a tax on coffee unless the President shall by proclamation declare there is no undue discrimination.

I also have the prices of coffee to the jobbers in New York. Rio, which is the coffee most generally used, sells at from 6 to 9 cents; Java, Mocha, and the other finer grades range from 13 to 20 cents. If the Senator wants to insert them——

Mr. LODGE. What do they retail for?

Mr. McLAURIN. I will ask that they be inserted in the RECORD without taking the time to read them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

After section 1 insert a new section, as follows:

"SEC. 2. That from and after the 31st day of March, 1910, except as otherwise specially provided for in this section, there shall be levied, collected, and paid on all articles when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands), the rates of duty prescribed by the schedules and paragraphs of the dutiable list of section 1 of this act, and in addition thereto 25 per cent ad valorem; and there shall also be levied, collected, and paid the following rates of duty on articles upon the free list in said section 1, viz: On coffee, 5 cents per pound; on tea, 10 cents per pound; which rates shall constitute the general tariff of the United States: *Provided*, That whenever and so long as the President shall be satisfied, in view of the character of the concessions granted by the minimum tariff of the United States, that the government of any foreign country imposes no terms or restrictions, either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, or in any other manner, directly or indirectly, upon the importation into or the sale in such foreign country of any agricultural, manufactured, or other product of the United States, which unduly discriminate against the United States or the products

thereof, and that such foreign country imposes no export bounty or prohibition upon the exportation of any article to the United States which unduly discriminates against the United States or the products thereof, and that such foreign country accords to the agricultural, manufactured, or other products of the United States treatment which is reciprocal and equivalent, then, upon proclamation to this effect by the President of the United States, all articles when imported into the United States, or any of its possessions (except the Philippine Islands), from such foreign country shall, except as otherwise herein provided, be admitted under the terms of the minimum tariff of the United States as prescribed by section 1 of this act."

Brazil grades.

[Quotations are for invoice lines.]

RIO.

	Cents.
3s	9
4s	8¾
5s	8½
6s	8¼
7s	8
8s	7¾

SANTOS.

3s	9¼
4s	9
5s	8¾
6s	8½
7s	8
8s	7¾

Roasted Brazil package coffee.

	Cents.
Ariosa brand, net	16½
Lion brand	13
Cordova and Eagle brand, net	13½

Mild grades.

EAST INDIA.

	Cents.
Mocha	14@16

LIBERIAN.

Java	13@14½

Mr. McLAURIN. I wish to say one word in reference to what the Senator from Massachusetts said, that nobody needs to use tobacco. Nobody needs to use bacon, or beef, or venison, or any particular edible. But tobacco has become a necessity with probably three-fifths and maybe four-fifths of the people, of the men of this country, and they are the people who do the work and who develop the country.

Mr. ALDRICH. I should like to ask what is the pending question. I think paragraph 97 has been agreed to.

The PRESIDING OFFICER. Paragraph 97 was passed over.

Mr. CUMMINS. We have not reached paragraph 97.

Mr. ALDRICH. I think so.

Mr. CUMMINS. I have been watching pretty carefully. The discussion hitherto has been about paragraphs 95 and 96.

Mr. ALDRICH. I think 96 has been agreed to.

The PRESIDING OFFICER. Paragraph 96 has been agreed to.

Mr. CUMMINS. I have an amendment to offer to paragraph 97.

Mr. KEAN. Let it be read.

Mr. LODGE. Paragraph 97?

The PRESIDING OFFICER. The Senator from Iowa offers an amendment, which will be stated.

The SECRETARY. In line 3, page 26, strike out the words "one and three-eighths cents" and insert "one and one-eighth cents;" in line 5 strike out the word "seven-eighths" and insert in lieu "one-half;" in lines 6 and 7 strike out the words "two and three-eighths" and insert "two;" in line 9 strike out the word "six-eighths" and insert "two-eighths;" in lines 10 and 11 strike out the words "three and two-eighths" and insert "two and seven-eighths;" in line 12 strike out the words "six-eighths" and insert "one-eighth;" and in line 13 strike out the words "four and two-eighths" and insert "three and one-half."

Mr. CUMMINS. Mr. President, this paragraph, as all Senators know, relates to the ordinary common window glass of the country. I desire to admit at the outset that the price of American-made window glass in the United States is very low. I do not believe the users of window glass are paying any more for it than they ought to pay. In other words, I do not believe that the manufacturers of common window glass are making more than they ought to make. There is at the present time the keenest and the most general competition among the manufacturers of window glass, and that competition has reduced the price of glass to the lowest profitable point, as I understand the subject. Nevertheless, I believe that the duties now imposed upon window glass, and which are reenacted in the bill as reported by the Senate committee, are altogether too high, and are easily beyond any future result in imposing upon the consumers of this commodity an unwarranted price for it.

I desire to call the attention of the Senate to a table I have in my hand, and which I have verified and have reason to believe states the case accurately. Upon glass of the smaller size, namely, not exceeding 10 by 15, the duty as proposed by this bill, which I understand is the duty of the Dingley law, is 72 cents per box. I have reduced these duties to boxes in order that the subject might be more easily understood. We all know that there are substantially 50 pounds in a box. The duty is 72 cents upon the smaller size. The selling price in the United States at this time is $1.14. The foreign cost at this time is 89 cents. If the duty were added to the foreign cost the box would be worth in this country, without taking into consideration the difference in freight, $1.61, whereas it is being sold at $1.14.

Upon the next size the duty is 98 cents. It is being sold everywhere now at $1.20. If the duty were added to the foreign cost it would be $1.93; and so on through this table, which I will ask leave to have inserted in my observations upon this subject.

The table referred to is as follows:

All prices per box of 50 square feet.

	Foreign cost at Antwerp (without duty).	Duty at proposed Payne-Aldrich rates.	Foreign price and duties.	Selling price, American-made glass.
SINGLE THICK.				
Not exceeding 10 by 15	$0.89	$0.72	$1.61	$1.14
Exceeding 10 by 15, not exceeding 14 by 20	.95	.98	1.93	1.20
Exceeding 14 by 20, not exceeding 16 by 24	.95	.98	1.93	1.26
Exceeding 16 by 24, not exceeding 20 by 30	1.23	1.24	2.47	1.32
Exceeding 20 by 30, not exceeding 24 by 30	1.32	1.24	2.56	1.35
Exceeding 24 by 30, not exceeding 24 by 36	1.32	1.44	2.76	1.40
Exceeding 24 by 36, not exceeding 30 by 40	1.40	1.70	3.10	1.61
Exceeding 30 by 40, not exceeding 30 by 50	1.53	1.96	3.49	1.73
Exceeding 30 by 50, not exceeding 30 by 54	1.65	1.96	3.61	1.88
DOUBLE THICK.				
Not exceeding 10 by 15	1.24	1.10	2.34	1.51
Exceeding 10 by 15, not exceeding 14 by 20	1.33	1.50	2.83	1.65
Exceeding 14 by 20, not exceeding 16 by 24	1.33	1.50	2.83	1.77
Exceeding 16 by 24, not exceeding 20 by 30	1.85	1.90	3.75	1.97
Exceeding 20 by 30, not exceeding 24 by 30	1.78	1.90	3.68	1.99
Exceeding 24 by 30, not exceeding 24 by 36	1.78	2.20	3.98	2.02
Exceeding 24 by 36, not exceeding 30 by 40	1.91	2.60	4.51	2.17
Exceeding 30 by 40, not exceeding 30 by 54	2.10	3.00	5.10	2.37
Exceeding 30 by 54, not exceeding 30 by 60	2.28	3.00	5.28	2.43
Exceeding 30 by 60, not exceeding 30 by 64	2.77	3.00	5.77	2.62
Exceeding 30 by 64, not exceeding 30 by 70	3.24	3.00	6.24	2.68
Exceeding 30 by 70	3.87	3.00	6.87	3.19

Mr. CUMMINS. The conclusion that I reach from it is that, generally speaking, the duties are almost as great as the selling price. I take it for granted that the selling price at the present time is not below cost, with at least a small profit added. It seems to me that we ought not to give this industry the opportunity to combine and raise the prices to an unreasonable point by interposing duties that are excessive as compared with the foreign cost and the home cost.

I notice in the hearings before the House committee one of the first bits of evidence is a letter from the W. R. Jones Glass Company, of Morgantown, W. Va. I do not know this company; I do not know Mr. Jones; but I take it for granted that he knows something about the subject of which he speaks. Although he is a manufacturer of window glass, he suggested to the Ways and Means Committee of the House a reduction of these duties below the point I have asked in the amendment I have just offered. I will take the liberty of reading that portion of his communication to the House committee. He says:

MORGANTOWN, W. VA., *November 30, 1908.*

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
Washington, D. C.

DEAR SIR: In your favor of the 26th, a reply to my letter of the 24th, you infer that the committee would be glad if I would send them a statement showing the cost of manufacturing window glass in this country and Europe, and especially the labor cost, and also the relative freight rates.

As to the actual cost of labor in Europe, we are unable to give you the exact figures. We can only give it to you as we understand and learn it from workmen that have worked in Belgium and other countries and are now working for us.

Mr. SCOTT. What volume is the Senator reading from?

Mr. CUMMINS. I am reading from the tariff hearings on earthenware and glassware, Schedule B, page 1123.

Mr. SCOTT. Thank you.

Mr. CUMMINS. Mr. Jones continues:

A former manufacturer, who carefully investigated the costs some years ago in Europe, informed me that the cost of raw material and fuel for the manufacture of window glass is as cheap in this country as in Europe, and in that respect foreign manufacturers have no advantage over us. But their system of manufacturing is very different from ours, and their cost of labor much less than the hand blowing in this country.

We learn from intelligent Belgian workmen now employed by us the labor cost in their country, and we figure that the labor cost of the average-size 50-foot box of window glass, 24 by 30, in Belgium would be about 44 cents. The labor cost for the same size, single, at the present skilled scale now in force in this country would be $1.06. The larger the size of glass the greater the cost in this country.

As to freight rates, we are informed that window glass is used largely as ballast in ships, and can be put on the docks at New York and Boston at a lower freight rate than manufacturers in this country can do.

These are his premises, and I certainly think that they must be adopted by those who are in favor of equalizing the cost abroad and the cost at home. It states the case as strongly for the manufacturer as I think it can fairly be stated. Now, mark what this manufacturer suggests to the Ways and Means Committee of the House. I continue to read:

In reference to lowering the tariff rate on common window glass, I would suggest——

Mr. ALDRICH. From what page is the Senator reading?

Mr. CUMMINS. I am reading from page 1123 of the House committee hearings upon Schedule B:

In reference to lowering the tariff rate on common window glass, I would suggest in the reduction of the rate that is known as the "Dingley" tariff—Schedule B, section 101, as follows:

Sizes not to exceed 10 by 15, reduce from 1⅞ cents per pound to 1 cent.

I have not asked so great a reduction in my amendment—

Sizes not to exceed 16 by 24, reduce from 1⅞ cents per pound to 1¼ cents.

Again, I have not asked so great a reduction as this manufacturer says can and ought to be made. I will not read the various prices or sizes, because in each instance I have added something to the duty which this manufacturer insists should be imposed upon glass. He then continues:

The duty to be computed according to the actual weight of glass; every invoice of glass to be put on the scales and weighed, and the weight of the boxes to be deducted therefrom. We find the weight of the empty boxes to be as follows:

Then he recites the weight of the empty boxes.

Yours, very truly, W. R. Jones Glass Company, W. R. Jones, President.

I assume that this manufacturer has not understated the difference between the cost of manufacture at home and abroad. I assume that he has not consented to or suggested a greater reduction in duties than can well be sustained by this industry. This conclusion of the manufacturer from Morgantown is corroborated by the fact I originally called to the attention of the Senate, namely, that the selling price of glass, as compared with the duty on glass, must prove conclusively to any person that this duty is greatly in excess of the amount necessary to compensate the manufacturer.

Now, so long as there is competition at home—keen, effectual competition—it makes no difference what the duty is. I agree to that. I do not think it would make any difference at the present moment if there was a duty of a dollar upon glass instead of the amount that is named in this bill. Why? Because the competition among our own producers would reduce the price of the commodity to a fair American level, and that is all that we desire.

Why, then, should there be any attempt to reduce the duty? I answer my own question thus: If this industry should combine, as many industries have, and eliminate or extinguish the force of competition, then the price would be raised to an unduly high point, without any opportunity for foreign competition to operate upon this field of business.

That is the only reason why we ought to be careful with regard to the extent of duty imposed upon any article. If we have an abundance of raw material, and if we can preserve competition at home, I am perfectly willing always to take the American price, and my insistence at this time, just as it has been at former times, just as it will be throughout these entire schedules, is to see to it that the duty shall not be unreasonably high, lest, competition having been eliminated from the business, the article can be raised high above a fair American price.

There is no man here who can look at the table I have presented and reach any other conclusion. Allow me to supplement what I have said as to some of the conclusions from this table. If Belgian glass were selling in this country for the American cost——

Mr. ALDRICH. Will the Senator permit me to ask him what he is reading from?

Mr. CUMMINS. This table.

Mr. ALDRICH. No; the statement the Senator is reading—from what book?

Mr. CUMMINS. I am reading from a pamphlet; that is, the table is from a pamphlet.

Mr. ALDRICH. What is the pamphlet?

Mr. CUMMINS. It is entitled "The Tariff on Glass."

Mr. ALDRICH. It is by whom?

Mr. CUMMINS. I am unable to say. It is signed by Semon Bache & Co.

Mr. ALDRICH. These are New York importers?

Mr. CUMMINS. I think they are partially importers. They are not, therefore, to be discredited, I hope. The table I have read is either true or false. Does the Senator from Rhode Island say that glass not exceeding 10 by 15 is not now being sold in the American market at $1.14 cents?

Mr. ALDRICH. I will say to the Senator that in 1907 there were 16,000,000 pounds of glass of this particular kind imported into the United States, which paid 1⅞ cents a pound duty.

Mr. CUMMINS. I will reach that phase of the matter before I shall have concluded. The statement made by the Senator is precisely right, save in one respect. I say there has not been a pound of glass imported precisely like the glass I am now considering, and the Senator can very easily verify what I say by referring to the foreign value of the glass imported, a greater value than window glass, as common, ordinary stock, glazing window glass, has been selling in this country for three years.

Mr. ALDRICH. It is barely possible there are some grades of window glass that might be selling for one-quarter of the cost. That does not change the fact as to this particular clause in this particular paragraph, covering glass 10 by 15. Under the provisions of that clause there were imported in 1907, 16,000,000 pounds, which paid 1⅞ cents duty.

Mr. CUMMINS. I will come to that phase of the question presently.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. CUMMINS. With pleasure.

Mr. LA FOLLETTE. Not to interrupt the Senator, but right on that point, I notice what appears to be a discrepancy between the table furnished by the committee and the book of Imports and Duties. The figures the Senator from Rhode Island has quoted, are quoted correctly from that table; but I notice what appears to be a discrepancy between that table and the table given in Imports and Duties, on page 447.

Mr. ALDRICH. What is the number of the table? Nineteen hundred and nineteen is the number of the table.

Mr. LA FOLLETTE. Nineteen hundred and twenty-seven is the number of the table that I thought applied.

Mr. ALDRICH. Oh, no; 1919 is the one that covers this paragraph.

Mr. LA FOLLETTE. What does 1927 cover, if it does not cover this paragraph?

Mr. SMOOT. Cylinder, crown, and common window glass, unpolished.

Mr. LA FOLLETTE. It covers "cylinder, crown, and common window glass, unpolished"——

Mr. ALDRICH. "When bent, ground, obscured, frosted," and so forth.

Mr. LA FOLLETTE. That is right. I had overlooked that.

Mr. CUMMINS. I will reach in a very few minutes the suggestion made by the Senator from Rhode Island with regard to the imports of glass. I want to deal with this question in an absolutely fair spirit. I am not here for the purpose of giving the importer of glass or the foreign manufacturer of glass any advantage over our own. I marvel that in every question that is propounded to me from that quarter there is the suggestion that I want to overthrow an American industry. There is no such object in my mind, no such purpose in my heart.

Mr. ALDRICH. I want, then, to call the attention of the Senator from Iowa to the fact that he overlooked the statements in the House hearings that suggested an increase of these rates by the window-glass workers, and he took the only statement contained in any of the hearings I have ever seen of somebody who wanted a reduction.

Mr. CUMMINS. The statement that I read was made by a manufacturer of window glass.

Mr. ALDRICH. And if the Senator had looked on the same page——

Mr. CUMMINS. I understand that.

Mr. ALDRICH (continuing). Of the same hearing he would have found that the National Window Glass Workers, the men engaged in this business, not only object to a decrease, but ask strenuously for an increase. I will have their testimony read after the Senator is through with his remarks.

Mr. CUMMINS. I shall be very glad to have their testimony read. It is touching and delightful to find everybody in this Chamber at this time so solicitous for the welfare of our work-

ingman. That is one point, at least, upon which we have no difference of opinion now. I trust that as we will in the coming session pass to other subjects that relate to the welfare of the laboring men we can unite in the same way and with the same concord we are now uniting.

I return to this proposition, and ask, not only the Senator from Rhode Island, but any other Senator here, whether it be or be not true that common, ordinary, neither better nor worse than usual window glass of a size not exceeding 10 by 15 inches is now selling in the markets of this country at $1.14 a box? I take it that is true. I have taken some pains to verify generally this table.

Mr. ALDRICH. Does the Senator say that is the price in the foreign port?

Mr. CUMMINS. I do not. I read the foreign cost.

Mr. ALDRICH. I was going to ask——

Mr. CUMMINS. The foreign cost of that same box of glass is 89 cents. That is the cost abroad, not including freight or other transportation charges. But if you add the duty——

Mr. ALDRICH. How much does the Senator say the duty is?

Mr. CUMMINS. Eighty-nine cents.

Mr. ALDRICH. No; what is the amount of duty?

Mr. CUMMINS. I am speaking about the duty that would be paid on a single box of that glass.

Mr. ALDRICH. How much would the Senator say it is?

Mr. CUMMINS. I beg pardon; it is 72 cents.

Mr. ALDRICH. Then, the cost of importation is 89 cents?

Mr. CUMMINS. The foreign cost is 89 cents.

Mr. ALDRICH. The duty is 72 cents.

Mr. CUMMINS. The duty is 72 cents; so that, without counting in the freight or other transportation charges, the cost of that foreign box of glass laid down on the wharves at New York would be $1.61.

Mr. ALDRICH. And the same glass sells in the United States for $1.14?

Mr. CUMMINS. For $1.14.

Mr. ALDRICH. Will the Senator tell me who could import 16,000,000 pounds of that precious glass and pay 72 cents duty and sell it in this country in competition with glass at $1.14?

Mr. CUMMINS. No one has.

Mr. ALDRICH. What is this glass that is imported?

Mr. CUMMINS. It is a different kind of glass.

Mr. ALDRICH. It is covered by this same clause?

Mr. CUMMINS. It is covered by the same schedule.

Mr. ALDRICH. It is covered by the same clause the Senator proposes to reduce, is it not?

Mr. CUMMINS. I propose to reduce the duty on common window glass.

Mr. ALDRICH. It includes the specific article the Senator is now talking about, does it not?

Mr. CUMMINS. It would include every article I am talking about.

Mr. ALDRICH. Undoubtedly; and the importation, instead of being 16,000,000 pounds, would be how much, would the Senator conjecture?

Mr. CUMMINS. The importations would be no more than at the present time, as I will show you definitely and conclusively in a very few minutes.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Do I understand the Senator to say that there were not 16,000,000 pounds of common window glass, 10 by 15 inches square, imported in the year 1907?

Mr. CUMMINS. There were substantially the number of pounds mentioned by the Senator from Utah, as shown by this schedule, imported under this paragraph. What I have endeavored to say more than once is that the glass so imported is not in competition with the ordinary window glass used generally throughout the United States for the building of moderate homes. It is a superior quality and kind of glass which the manufacturers of this country have not attempted to make or supply the demand for.

Mr. SMOOT. And still it is ordinary, common window glass?

Mr. CUMMINS. It is sold as window glass, but sold at a very much higher price than the market price for the window glass manufactured generally in the United States.

Mr. SMOOT. I notice the value of it here given is 3.3 cents a pound.

Mr. CUMMINS. Precisely. The value of that glass abroad is almost twice as much as the average price of glass sold in the United States, I mean of domestic manufacture.

Mr. SMOOT. How many pounds of glass are there in a box?

Mr. CUMMINS. There are about 50 pounds in a box of single thick, and about 82 pounds, I think, in a box of double thick.

Mr. SMOOT. We are talking about common glass.

Mr. CUMMINS. I am talking about single thick.

Mr. SMOOT. The average value of that glass, of the whole 16,000,000 pounds, was only 2 cents a pound, and 50 pounds would be $1.50 a box.

Mr. CUMMINS. What of the smaller size, if we turn to that part of it? I have endeavored very solicitously to make this presentation in a somewhat logical order; but I have no objection to going over this table with the Senator from Utah. I find that of the glass imported under the classification of cylinder, crown, and common window glass, unpolished, not exceeding 10 by 15 inches, the average value abroad was 3.3 cents per pound. That, as you will observe, would be before it reached the American wharf. That would be double the price at which common window glass of that size has been and is being sold in the United States. You can not say, I am sure, that under those conditions the glass from abroad came into competition with the glass manufactured at home.

Mr. SMOOT. Let me ask the Senator if this would not be the result of his amendment: He has asked that the present rate of duty, 42 cents, be reduced. Would not the result be that not only this higher price glass, which he claims comes under this clause, would come in, but would it not also let the common window glass in at the same time that the Senator says is now not imported?

Mr. CUMMINS. Not at all, because it is still sufficiently high to prevent the importation of the common sort of window glass until the American price should be increased 30 or 40 per cent above the price at which it is now being sold.

Mr. SMOOT. Does not the Senator believe that to-day the manufacturers of common window glass are virtually selling their product at cost, and in some instances below cost?

Mr. CUMMINS. Mr. President, I began what I had to say, if I may be permitted to remind the Senator from Utah, with the statement that I believed that the price was as low, if not lower, than it ought to be. I do not believe that the manufacturers of window glass are making a great profit in their business at the present time.

Mr. SMOOT. Mr. President, I desire further to say as to the glass manufacturers that not only for the years 1907 and 1908, but for the last ten years, I have noticed that on all of the smaller sizes, not only of common window glass, but of plate glass as well, the statements from the companies—and I have examined their books—were that they had absolutely lost money on the small sizes.

Mr. CUMMINS. Mr. President, I fancy that the same argument which would apply to plate glass would not probably apply with its full force to common window glass. We have not reached the plate-glass paragraph, and I will defer any observations which I have to make upon that subject until we reach that paragraph.

Mr. SCOTT. Will the Senator yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. Certainly.

Mr. SCOTT. In reference to the quotation of my friend Jones, of Morgantown, you must remember that in West Virginia we have advantages which they have nowhere else. Jones has the sand right there at Morgantown. We have natural gas in West Virginia for fuel, which they do not have in other portions of the country. When you blow a cylinder of window glass, and it is split in the center and flattened out, a great many of the sheets drop and are picked up in small pieces. That is the reason why they lose money on the small sizes.

Mr. CUMMINS. I know the Senator from West Virginia is very familiar with this subject, and I shall be glad to yield to him to describe the process of the manufacture of this article to Senators generally. So far as I am concerned, I, too, am rather familiar with it, inasmuch as I was born and raised in the shadow of a window-glass factory, and, therefore, know something about how such glass is made.

It is true, as the Senator has said, that the institution at Morgantown may have some advantage over other factories less fortunately situated; but, in order to compensate for any such advantage, whether it be real or imaginary, I have not, in my amendment, sought to bring down the duty to a point at which this manufacturer said his product could be profitably manufactured in competition with the world.

I have added something on account of the very condition to which the Senator from West Virginia has referred; but I am sure it can not be the purpose of the Senator to add such a

duty to this every-day commodity, this commodity which every man who owns a house must buy, as will unduly and unnecessarily protect the interest. When I have cited the fact that window glass is selling in this country, and that it has been selling in this country for some years past, at a price that absolutely prohibits any importation of that kind of glass, although it may be classified under the same paragraph, I can not imagine that we shall perpetuate this unreasonable duty, which, although not now harmful, may become the instrument of very great injustice in the near future. To show that it may so become, I desire to read and have inserted in my remarks just a little paragraph from a paper which came into my hands the other day, called "Commoner and Glassworker." It is a paper published at Pittsburg, and the issue of the paper from which I read is under date of April 3, 1907:

IMPERIAL GLASS COMPANY FORMED—BIG MEETING HELD AT COLUMBUS LAST THURSDAY—MATTER HAS AT LAST BEEN BROUGHT TO A FOCUS—DISTRICT MEETINGS NEXT TUESDAY—GENERAL WINDOW-GLASS NEWS.

After many months of hard work the movement to organize the window-glass manufacturers of the United States was practically brought to a focus last Thursday at Columbus, Ohio, when the plans of the Imperial Glass Company were given favorable consideration at an enthusiastic meeting at which 1,500 pots were represented. It has been announced that headquarters will be established in Pittsburg.

A committee of seven was appointed to arrange details of incorporation, capitalization, method of stock issue, and nomination of officers. It will report at a general meeting to be held in Pittsburg or Columbus within the next two weeks. District meetings will be held next Tuesday for the purpose of selecting permanent directors. A charter will be secured at once, and the success of the project now seems assured.

This particular project did not meet with success.

Mr. KEAN. That was two years ago.

Mr. CUMMINS. Yes, sir; two years ago last April. It had become in the meanwhile somewhat unpopular to organize combinations or corporations of this kind; and, although I have not attempted to become familiar with the details of the failure of this particular effort to combine the window-glass manufacturers of the United States, I know that it did temporarily fail; and I read this extract only to show what is so constantly in the minds of all the manufacturers in this country. The very fact that I have admitted—namely, the low price of window glass in the United States at the present time—furnishes the motive for just such combinations or concentrations as are here suggested.

If we permit this duty, which I believe to be excessive, to remain upon this product, then this experiment may be followed by another more successful; and when the window-glass manufacturers of the United States can combine themselves, they can raise the price to any point which they may think reasonable or which they may think profitable for themselves, until they meet the danger of foreign competition.

It is because such combinations have been made, and because such combinations can be made that I have asked that a full protective duty be imposed upon this commodity, but not more than an adequate protective duty. If the selling price of this commodity at the present time and for some months in the past furnishes any evidence as to the cost of producing the article, then there can be no difference of opinion that the duty imposed is more than is necessary to prevent foreign competition.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. Certainly.

Mr. SMITH of Michigan. I would like to ask the Senator from Iowa how he accounts for the low price of glass which he has just described?

Mr. CUMMINS. I account for it by reason of the fact which I wish were always true. Competition, fair, reasonable, and effective competition, always reduces the price of any commodity to a reasonable profit. That is the hope and salvation of the business of this country or of any other; and if there was in the United States that competition in every field of industry, and if we could be sure that that competition would continue in full vigor, I would not be at all solicitous with respect to the duty that might be put upon any product which we could produce in sufficient quantities to supply our own demand. It is only because we are gradually extinguishing competition that it becomes so imperative that we restrain these duties to a point that will give full protection, but will give nothing more than full protection.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Does the Senator from Iowa understand that these importations of glass of the smaller sizes, 10 by 15, are used for window glass? I may put another question at the same time. Is it not a fact that these importations are almost solely for the purpose of framing pictures?

Mr. CUMMINS. I have been so informed, and I believe my information to be accurate. That is why I stated to the Senator from Rhode Island that these importations were not of the precise commodity I had attempted to describe as common ordinary window glass. I am perfectly willing, if the committee has ingenuity enough to reclassify it—and I think the committee could reclassify it—I am perfectly willing that a duty shall be put upon this higher priced and this superior article commensurate, if you please, with its value, although I think the duty I have named is a full and complete protection, even for that kind of an article.

Mr. SMOOT. Mr. President, the duty they have now of 1¾ certainly has not been prohibitive in the past, and if it is lowered it certainly will not be prohibitive in the future.

Mr. CUMMINS. Mr. President, I may not have been correctly informed, but my investigation into this subject has led to the conclusion that there has been no effort upon the part of the American window-glass manufacturers to supply the article which has been imported largely for use in picture framing.

Mr. SMOOT. Mr. President, my information is that it is absolutely impossible for them to do it with the present duty of 1¾, and to lower it would only mean that they never can do it.

Mr. CUMMINS. So that, Mr. President, in order to protect the people from an importation of glass of a superior quality or kind—I do not know whether it can be technically described as "window glass" or not, but, at any rate, it has been imported under that paragraph—in order to protect the American manufacturer in his production of that kind of glass you ask the Senate to impose a duty upon common stock glazing window glass that will enable the manufacturers, if they are so inclined, to lift up the price to a point that you will admit would permit extortion upon the users of this commodity. Why do you not so classify these articles as to give adequate protection upon the one without permitting the manufacturer of the other to impose upon the people of the United States?

Mr. PILES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. CUMMINS. Certainly.

Mr. PILES. I have a letter here from a furniture company at Tacoma, Wash., favoring a reduction of the rate under paragraphs 97 and 100. In this connection, if the Senator will permit me, I should like to ask the chairman or some member of the committee in respect to the facts set forth in this letter.

Mr. CUMMINS. I shall be very glad to have the Senator do so.

Mr. PILES. The writer of the letter says:

On window glass, the Payne bill makes no reduction on small sizes, and on the large sizes the reduction is a mere pittance. As an illustration, the duty on size 30 by 48 "is reduced" one-eighth of 1 cent per pound—less than 3 per cent—leaving still a protection considerably in excess of 100 per cent. At the "reduction" the duty on the above-named size (30 by 48) figures just $3 for a 50-foot box of double-thick glass, such as is ordinarily used for windows. The American manufacturers are selling this same size glass to-day for $2.49—that is, they are selling the American-made glass for 51 cents less than the duty alone on the imported article.

Mr. CUMMINS. I think I can explain.

Mr. PILES. Just let me go on and take up another statement in the letter.

Mr. CUMMINS. The matter your correspondent is there writing of is not plate glass, but the common cylinder or ground window glass.

Mr. PILES. I know; but he shows that on that glass the American manufacturer sells it for less than the tariff duty in our own market.

Mr. CUMMINS. That is true, and I will prove that by abundant evidence when we reach that paragraph.

Mr. PILES. Then he speaks of the reduction made by the Payne bill in the large sizes, which he thinks amounts to practically nothing. He says further:

On plate glass the Payne bill reduces rates on large sizes and advances them on small sizes. Practically nothing is imported in large sizes. Nearly all the importations are in the small sizes, on which the duty is advanced 25 per cent by the Payne bill. During the greater part of the year 1908 the American factories sold stock-sheet plate glass in the grade used for stores, dwellings, etc., at a range of prices which for a plate 30 by 48 inches in size was 22¾ cents per square foot. The Payne bill on this size preserves the Dingley rate of 22½ cents per square foot—that is, the duty alone on the imported article is as much as the selling price of the American article.

Then he goes on to show the cost of production in this country and in foreign countries, and that there is practically none of this glass of the small sizes imported; in fact, that there is none of it imported. I find here that some 16,000,000 pounds, I think it was——

Mr. ALDRICH. That is common window glass.

Mr. PILES. That is an altogether different proposition. I wanted to get the information.

Mr. STONE. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. The Senator from Missouri is not asking me to yield to him.

Mr. STONE. I should like to ask the Senator from Washington from whom was that letter?

Mr. PILES. From furniture dealers, F. S. Harmon & Co., of Tacoma, Wash.

Mr. CUMMINS. Inasmuch as I have the floor, I should be glad to hear the colloquy that is going on between the Senator from Missouri and the Senator from Washington.

Mr. STONE. I was simply curious, for, as I listened to that letter, I happened to hold one in my hand, and found that it was in exactly the same language. [Laughter.]

Mr. PILES. The letter is from F. S. Harmon & Co., manufacturers of chairs, furniture, and window shades, of Tacoma, Wash.

Mr. STONE. Well, the one I have is from St. Louis. [Laughter.]

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Vermont?

Mr. CUMMINS. With pleasure.

Mr. PAGE. I desire light, Mr. President. I think the Senator said he was brought up in the vicinity of a glass factory.

Mr. CUMMINS. That was a long time ago.

Mr. PAGE. I should like to know what the materials are which are used in the making of glass.

Mr. CUMMINS. Mainly sand.

Mr. PAGE. Well, is it a quality of sand that is easily obtainable in different parts of the country?

Mr. CUMMINS. No; it can not be obtained everywhere. We have no glass sand in our State. We have other sorts of sand, but not glass sand.

Mr. PAGE. Is it a commodity which is controlled by any combination, so far as the Senator knows?

Mr. CUMMINS. So far as I know, it is not.

Mr. PAGE. Could it be controlled?

Mr. CUMMINS. Oh, I refuse to put any limit on the power of combinations to control anything. I do not think it would be easily controlled.

Mr. PAGE. The reason I ask the question is, that in the remarkable speech by the Senator's colleague [Mr. DOLLIVER] the other day, I think he laid down the general proposition that there was no fear of any combination or any trust controlling any article manufactured in this country where the combination could not control the raw material. I should like to ask the Senator whether he agrees with his colleague in that respect?

Mr. CUMMINS. I do not.

Mr. ELKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. In a moment. I desire, first, to answer the Senator from Vermont. I will explain what limitation I think ought to be put upon my colleague's statement, if the Senator from Vermont correctly repeats it, and I have no doubt he does. For instance, the cornstarch works of the country use the commonest sort of raw materials, prevalent plentifully everywhere, and yet it is as completely organized in a trust as any industry in the United States. I give that instance simply to show that there must be some modification of the statement of my colleague.

Mr. PAGE. I confess, Mr. President, that I was in doubt about that myself; but we have heard a great deal about the "Iowa idea," and I wondered whether it had penetrated both sides of the Senate or simply one side.

Mr. NELSON. Mr. President——

Mr. CUMMINS. Just a moment, until I answer about the "Iowa idea." That is a sentiment in which I have some pride. I only pause to remark that I did not know that it had ever penetrated the recesses of this Chamber.

Mr. ELKINS. Mr. President, if the Senator will allow me——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. CUMMINS. With pleasure.

Mr. ELKINS. I believe the Senator read a letter from the president of the W. R. Jones Glass Company, at Morgantown, W. Va. I have some knowledge of that city and of the company of which Mr. W. R. Jones is president. Mr. Jones is one of my honored constituents, but he did not come here in person and give his testimony, if the Senator will allow me to inform him, but he wrote in reply to a letter directed to him by the Ways and Means Committee of the House. Mr. Jones says in his letter:

Mr. CUMMINS. Did he tell the truth?

Mr. ELKINS. That is the question; but let me get through.

Mr. CUMMINS. As he was an honored constituent, I assume that the Senator will be willing to affirm his veracity right on the spot.

Mr. ELKINS. Mr. Jones wrote a letter to the House committee, in which he said, among other things:

> As to the actual cost of labor in Europe, we are unable to give you the exact figures. We can only give it to you as we understand and learn it from workmen that have worked in Belgium and other countries and are now working for us.

That is hearsay. He admits he does not know anything of his own knowledge about wages in Europe or labor or price of glass there.

I quote again from his letter, which the Senator from Iowa read:

> A former manufacturer, who carefully investigated the costs some years ago in Europe, informed me—

And so forth.

You see, Mr. President, hearsay again. He does not know anything of his own knowledge.

Further on in this letter he says:

> We learn from intelligent Belgian workmen now employed by us the labor cost in their country, and we figure that the labor cost of the average size 50-foot box of window glass, 24 by 30, in Belgium would be about 44 cents.

Again I quote:

> As to freight rates, we are informed that window glass is used largely as ballast in ships—

And so forth.

Now, Mr. President, I have read extracts from his letter, and every bit of his information is hearsay and comes from others. I happen to know something of the glass industry of Morgantown, W. Va., and I have talked with Mr. Keener, the president of the Morilla Glass Company, and he tells me of the eight glass manufacturers in Morgantown Mr. W. R. Jones is the only free trader in the business. All the rest of the manufacturers of glass want the duty as that reported in the bill before the Senate. Mr. Jones is the only exception. Mr. Keener told me when I was speaking to him about this remarkable letter, and how it was being used in the Senate to reduce the duty, that Mr. Jones was not only a free trader, but he was about the most virile, versatile, and vigorous Democrat in that city, and that he accounted for his statements by saying that Mr. Jones was probably following out his free-trade Democratic principles, but that every other glass manufacturer in Morgantown was favorable to the duty as reported in this bill.

Now, what I say comes from one of the most respectable and one of the best business men in Morgantown. I think it does not lessen the value of the statements of Mr. Jones that he is a Democrat, further than that there is a leaning toward free trade among Democrats.

Mr. CUMMINS. I have not noticed it.

Mr. ELKINS. I can not understand it; I am glad I do not see so much of it as I used to see on the other side of the Chamber; but it does exist, and I can only account for his testimony, which is all hearsay, in that way.

Mr. President, with the Senator's permission—and he has been very kind and indulgent to me—I believe this is the only letter in the House hearings which holds to the view that this duty ought to be reduced. Speaking for my constituents in Morgantown interested in manfacturing glass, every one of them is against the statements or the hearsay opinion of Mr. Jones and favorable to the duty in the bill. We have there, as I said, eight glass factories.

There is one other point. Glass can be made in that city and contiguous country cheaper than in many other localities, because of natural gas and the sand being right at hand.

Mr. CUMMINS. I am glad to yield now to the Senator from Minnesota.

Mr. NELSON. I should like to have credit given where it belongs. The Senator from Vermont spoke of the Iowa idea. It was originally a Minnesota idea and was transported to Iowa and has borne good fruit.

Mr. CUMMINS. I am very glad to acknowledge the paternity of the Iowa idea. It did come from the North, and like all things that come from the North, it came full of vigor and virility.

But answering the Senator from West Virginia, I thought it very strange that a manufacturer from West Virginia would admit that the duty on anything he was making was too high. I marveled at his unselfishness. I do not know whether he is a Democrat or a Republican. I do not know whether he is a truthful man or an untruthful man; but the fact that he was

making an admission against his own interest seemed to me to give his statement unusual weight and credit.

I think it is universally true that a manufacturer of any article would like to have a high duty on it. If I were making glass and consulting only my own interest, I would ask Congress, if I had any hope of obtaining that relief, to prevent absolutely the importation of any glass of any kind, so that the home market might be at my command. I do not wonder at that.

Mr. ELKINS. Mr. President——

Mr. CUMMINS. I do not wonder that the lead producers of Idaho would like to see all lead excluded from the United States. I would be in that position if I were a producer of lead.

Mr. ELKINS. But this constituent of mine is a better Democrat than the Senator from Iowa. He sticks to his principles with a lofty courage, though against his interests. He is unselfish, looking to the good of the public and not to his own personal interest. The glass manufacturers of Morgantown want a high duty and protection on window glass, and I hope they will get it in this bill.

Mr. CUMMINS. Let us see if he is a better Democrat than is the "Senator from Iowa." I have often before heard that insinuation, and it has ceased to dismay or deter me. This particular Democrat seems to have fallen so far under the influence of the Senator from West Virginia as to want a high protective duty upon his commodity, and I suggest that if he be a free trader he has a very peculiar way of expressing his views when he asks for a cent a pound upon common, ordinary window glass; and I am willing to allow the industry a little more. When I see sellers everywhere disposing of their commodities at the prices I have named, and assuming that those prices bear any fair relation to the cost of the articles, then, Senators, there is absolutely no justification for imposing a duty that is higher than the Dingley law, and that is reiterated in the report of the committee. When the selling price of a commodity, taking all the sizes, is substantially the same as the duties upon the commodities, you ought to pause a little while, you ought to reflect a little while before you continue that, as it seems to me, abnormal condition, and you ought to do something to protect those people who may hereafter be called upon to buy glass against the effects of a combination which has been made in a hundred other fields of industry, which has been attempted in this field, and which may be successfully resorted to at any moment in the months to come.

Mr. SCOTT. Will the Senator allow me, for just one moment?

Mr. CUMMINS. I will.

Mr. SCOTT. I have been talking with a gentleman on the floor who is a stockholder in a window-glass factory in Morgantown. He says for five or six years none of them had any dividends out of their money invested. These are right in the heart of this almost free gas country, with sand at their door. It shows that Mr. Jones must be mistaken in what he can manufacture glass for.

I desire to say to the Senator, as to the crystal glass of which I spoke this morning, that 50 per cent of the glass factories in that line have failed within the last nine years and have gone out of business.

Mr. CUMMINS. I want the Senator from West Virginia to remember that I offered no amendment to the paragraph in which he was interested.

Mr. SCOTT. I am not speaking of that.

Mr. CUMMINS. I do not believe the duties upon those articles are higher than they ought to be. If you have any idea that I am passing through this bill to offer amendments to every schedule and item in it, I want you to disabuse your minds of it immediately. I am only offering amendments to those paragraphs and to those commodities and articles upon which I believe there ought to be a reduction.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I should like to ask the Senator whether he believes the price of window glass is too high?

Mr. CUMMINS. I do not. I have answered that question five times.

Mr. SMITH of Michigan. I did not hear the Senator before.

Mr. CUMMINS. I am very glad to answer it again.

Mr. SMITH of Michigan. I am very sorry I did not hear the Senator. I should like to ask again whether he thinks there is fair, legitimate competition in its manufacture?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. Then what would be the object in reducing this duty?

Mr. CUMMINS. To guard the American people against that time at which there will be a combination in this industry.

Mr. SMITH of Michigan. Does not the Senator believe that to reduce the duty would stimulate importations?

Mr. CUMMINS. I do not; if you reduce it to the point suggested in my amendment.

Mr. SMITH of Michigan. Does the Senator believe that by reducing the duty we would add to the revenue?

Mr. CUMMINS. I do not.

Mr. SMITH of Michigan. Then, Mr. President, I can not see the object to be accomplished.

Mr. CUMMINS. I have attempted to explain it. The Senator from Michigan seems to be deluded with the idea that it does not make any difference what the duty on an article is. If we have on it now a duty of 1⅛ cents a pound, why not put on a duty of $5 a pound? Answer me that question—why not?

Mr. SMITH of Michigan. Let me ask the Senator whether, in the case of window glass, the duty is added to the cost?

Mr. CUMMINS. It is not at the present time.

Mr. SMITH of Michigan. Does the consumer pay the tax?

Mr. CUMMINS. He pays no tax at the present time, but either the Senator must be very dull of comprehension or I must be unfortunate——

Mr. SMITH of Michigan. I have the reputation of being dull.

Mr. CUMMINS. You did not allow me to finish—or I must be very unfortunate in expressing myself. It would not make any difference at the present time if the duty were $10 an ounce upon window glass; but I am sure the Senator from Michigan would not support a proposition to make it $10 an ounce. Why not?

Mr. SMITH of Michigan. No, Mr. President; but the statement made by the Senator from Iowa illustrates the efficacy of protection better than any argument I have heard made upon this floor in the last few days. Every single contention of the protectionist is demonstrated in your answer——

Mr. CUMMINS. I am attempting to speak of it from the protectionist standpoint.

Mr. SMITH of Michigan (continuing). Namely, that the window-glass tariff will stimulate production; that it will not add to the price; that it will maintain the American wage; and that the consumer gets the commodity at a reasonable price. That is our argument.

Mr. CUMMINS. On the contrary, in this particular case while it has stimulated production, it has not added to the wages, and it does not at the present time, the business does not at the present time return a fair reward upon the capital invested.

Mr. SMITH of Michigan. Does the Senator from Iowa claim that the wages of the glass workers of America are not greater than the wages paid to similar employees in Europe?

Mr. CUMMINS. I do not.

Mr. SMITH of Michigan. Does not the Senator know that the wages paid the American glass maker are very much in excess of the European wage for similar workmen?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. The glass tariff has brought about such healthful competition, has given to the consumer this article at a fair price, has given the American wage-earner a fair wage, and such are the very objects for which this bill is being framed.

Mr. CUMMINS. The Senator from Michigan insists all the while upon assuming that we are trying to overthrow protection.

Mr. SMITH of Michigan. No; Mr. President——

Mr. CUMMINS. You are attempting all the while to put me and every other man here who believes in any reduction of duties at all in the attitude of opposition to the system of protection.

Mr. SMITH of Michigan. Oh, no.

Mr. CUMMINS. I am just as ardent a believer in and as faithful to the principle of protection as is the Senator from Michigan. The only difference between him and me is that I believe there is a limit. I believe there is a point beyond which we should not go.

Mr. SMITH of Michigan. No; Mr. President——

Mr. CUMMINS. I believe that that point is the difference between the cost of producing the article here and of producing it elsewhere.

Mr. SMITH of Michigan. The Senator from Iowa says the difference between us is that I am ultraradical in my position and he is willing to be convinced. I desire to say to the Senator from Iowa—and I say it in the kindliest spirit, and I say it as the result of my observations during this debate—that the difference between the Senator from Iowa as a protectionist and myself is this: The Senator from Iowa feels that he is bound to redeem his promises to lower the tariff and I do not feel bound by the same token. That is the difference. I am quite content with the tariff that has brought such prosperity to the American people.

I voted for the Dingley law and I have never made an apology for it anywhere and I never will. It is not perfect, but the fruits are so bountiful that even the Senator from Iowa has picked them with liberality and I refuse to admit that our party principle should be sacrificed for the purpose of preventing a possible monopoly of this product in the years to come.

Mr. CUMMINS. Mr. President, I am very glad I have given the Senator from Michigan an opportunity to recite the differences between himself and myself. I am not conscious, however, of having given him any cause to become quite so earnest in his denunciation of my position. It is true that I have believed that there are some duties in this schedule which ought to be reduced which are too high. He says there are no duties in this schedule that ought to be reduced.

Mr. SMITH of Michigan. No, Mr. President.

Mr. BEVERIDGE. He did not say that. Will the Senator from Iowa permit me for a moment?

Mr. CUMMINS. My hearing is fairly accurate, and I must be permitted to give my understanding at least of what he said.

Mr. BEVERIDGE. Certainly; but will the Senator permit me for one moment?

Mr. CUMMINS. I will, with pleasure.

Mr. BEVERIDGE. I thought I saw, when the Senator from Iowa made the statement which called the Senator from Michigan to his feet, that possibly the Senator had misrepresented the Senator from Michigan a little in this respect, that he said the difference was that he wanted to reduce some of the duties, and the Senator from Michigan had no limit to them. I do not understand that to be the position of the Senator from Michigan. Neither do I understand it to be the position of the Senator from Michigan that he does not want to reduce any duties. As a matter of fact, I think he does want to make reductions wherever he thinks they are justified by his principles of protection, which we all entertain. I think perhaps the Senator from Iowa misapprehended the Senator from Michigan. I do not understand him to be a protectionist, as the Senator said, without limit.

Mr. CUMMINS. I understood the Senator from Michigan to say first that the result of protection was the creation of competition in our own country that would always reduce the price of a commodity to a fair point. And that involves—mark you, now—the inference or the conclusion that it makes no difference how high that protection or that duty may be placed, because if competition reduces it to the American point then we ought all to be satisfied; and therefore I drew the conclusion that I stated and which I still believe to be correct.

Mr. SMITH of Michigan. Mr. President——

Mr. CUMMINS. One thing further. The Senator from Michigan stated that he voted for the Dingley Act; that he was entirely satisfied with the Dingley duties; that he had never had occasion to apologize for or to criticise the Dingley duties; and from that statement I drew the inference, which, I think, was fair, that he did not believe now that any of the duties should be reduced.

Mr. SMITH of Michigan. Oh, no, Mr. President——

Mr. CUMMINS. What duties do you think ought to be reduced?

Mr. SMITH of Michigan. The Senator from Iowa would not put me in a false light.

Mr. CUMMINS. I do not desire to put you in a false light.

Mr. SMITH of Michigan. The fact is that the Dingley law was the result of compromise. It was the result of great deliberation, with a common object in view, a little giving here and giving there, just as the new law, if it ever passes, will be the result of a compromise of conflicting views. But the principle back of the Dingley law is the principle for which I stand.

Mr. CUMMINS. Who has denied that?

Mr. SMITH of Michigan. And I have no compromise to make with that principle.

Mr. CUMMINS. Who has denied that upon this side of the Chamber?

Mr. SMITH of Michigan. The Senator from Iowa wants to reduce the tariff on window glass, not because the exactions are too great under the present tariff, not because there is no competition in it, not because wages are not what they ought to be, not because the price of glass is too high, but to meet a possible combination some time in the glass business. He wants to throw the markets of Europe and the market of our own country a little closer together. I do not want to do it. I want to keep them apart.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. Certainly; but I want Senators to bear witness that I am not taking up any considerable part of the time in this debate.

Mr. ROOT. I should like to ask a question, which perhaps the Senator from Iowa can answer, or possibly some other Senator more familiar with the manufacture of glass. I assure the Senator that I ask the question not for controversial purposes, but because I am very much interested in the subject, and I should like to get some information if I can.

I observe in the statistics of importation that there was an extraordinary drop in the importations of the article classified as common window glass in the year 1905, in all sizes. Of the first order—that is, not exceeding 10 by 15 inches square—the importations in 1904 were 20,382,739.72 pounds; in 1905 they dropped to 8,359,984.50 pounds. In the second class, not exceeding 16 by 24 inches, the importations in 1904 were 18,947,771.50 pounds; in 1905 they dropped to 5,914,057. In the next class, not exceeding 24 by 30 inches, the importations in 1904 were 7,131,937 pounds, and in 1905 they dropped to 2,162,412 pounds. In the highest class, not exceeding 24 by 36 inches, the importations in 1904 were 2,047,593 pounds, and they dropped in 1905 to 658,425 pounds.

From one year to another there was through all these different classes of window glass a reduction workings of the present tariff as it affects importations.

There has been some recovery, a full recovery in the lowest class—that is, not exceeding 10 by 15—so that we are now importing about the same as we did prior to 1905. But in the other classes there has not been much recovery. We have never gone back to more than about half of the importations that there were in 1904 and preceding years.

I should like very much to know whether that can be ascribed to some specific cause. It may possibly throw light upon the workings of the present tariff as it affects importations.

Mr. CUMMINS. I have not investigated that particular phase of the subject to which the Senator from New York refers, but I think I can give him a very satisfactory answer.

In the years in which importations were made the American window-glass manufacturers, as I have been advised, were holding their prices very high. The reduction, as I remember it, in window glass, the marked reduction, has occurred within the last three or four years. Possibly there are some Senators here who remember the effort made about the year 1901 (it may have been 1900 or 1899) by the window-glass manufacturers to form a combination. It was partially successful, and it did maintain prices, as I remember it, for a time, but those prices within the last few years have been, as I said to the Senator from Michigan, subject to the fullest and the freest competition, and with the reduction in the price of window glass naturally the importations have decreased, because the foreign maker could not compete with the home maker in common window glass, if the duty as it now exists were cut in two. If you will divide the duty half and half, which I do not want to do, and will add it to the foreign cost of this character of glass, the result, without adding the freight, will still be greater than the American cost of the glass in any market of the country.

I confess, Mr. President, to being greatly influenced by the tendency of modern trade. If I believed that we were free from the danger I have attempted to describe, of such strangling of the competitive force in this trade as would eliminate it as a factor in price, I would not care whether the duty was 1¾ cents a pound or 5¾ cents a pound. It is our duty to protect those who are to deal with this commodity in future years, and it is the command of our party, not in its last platform, but in every platform it ever made, to put such rates only upon competitive articles as will give our manufacturers a fair chance and a little better than a fair chance in our own markets. When we pass beyond that point we not only overthrow the natural lines of economics, but we disturb and repudiate the principles of our own party and our own platform. That is the way I look at it.

If any one of you, I care not who he is, will show me or show the Senate that the duty I have proposed upon common window glass does not more than compensate for the difference between the cost abroad and at home, then you will have convinced me that I ought not to press the amendment; but you can not convince me by simply suggesting that the fear of a combination or the fear of some arrangement or concentration that will stifle competition is a baseless one. I know it is not an imaginary one. I have seen it exist in many a field of American industry. I know that it exists in many such fields now, and it is my duty, at least I so esteem it, to attempt to put on all these products that rate and that rate only which is necessary to fully and adequately protect our own interests.

Mr. SMITH of Michigan. Mr. President, before the Senator from Iowa takes his seat, I simply wish to observe——

Mr. CUMMINS. Mr. President, I yield the floor entirely to the Senator from Michigan.

Mr. SMITH of Michigan. I am not in the habit of holding it very long, and I shall not hold it now, except to make one observation. I think the very point the Senator seeks to obtain is one that is most calculated to drive out competition among the glass makers of America. If he reduces the tariff, he will frighten the independent investor and operators, and he will drive them into a combination to meet conditions in Europe that are most unfavorable. Therefore, I would keep the tariff where it is for the purpose of keeping competition where it is, and the Senator from Iowa admits that competition is very fair and very helpful.

Mr. CUMMINS. I desire now to ask the Senator from Michigan a question, if he will permit me.

Mr. SMITH of Michigan. Certainly.

Mr. CUMMINS. Has such a duty prevented combinations in other fields?

Mr. SMITH of Michigan. No; I think it has not; neither has free trade. But the fact that it has prevented monopoly in this field is the thing we are dealing with now, and the thing we ought to deal with in the light of the information we have on this particular subject. When we reach some other schedule the Senator from Iowa may be able to point out a way to meet it.

Mr. CUMMINS. Does the Senator from Michigan believe that this specific duty has brought about the competition which now exists, and would not a duty of one-eighth of a cent higher or an eighth of a cent lower have done it?

Mr. SMITH of Michigan. I believe it is this present duty which has created the competition and stimulated the industry.

Mr. ROOT. Mr. President, before the adjournment, I should like to call the attention of those who support the duty on window glass as it stands in the pending bill to a statement made by Mr. Clause, who was a representative before the Ways and Means Committee of the manufacturers of window glass. Mr. Clause testified before that committee, on page 1656 of the Hearings in these words:

> So far as glazing glass is concerned, I would say that practically there is no glazing glass imported. It is also true that as far as the glazing quality is concerned, the manufacturers are not availing themselves of the present duty.

It seems to me, Mr. President, that those statements, which accord with the statement that has been made here to-day, do call upon gentlemen who wish to retain the rate of duty in the pending bill for some explanation if they wish to have the Senate support that rate. I call attention to it before the adjournment in the hope that the subject will be completely elucidated when we take up this paragraph to-morrow.

Mr. ALDRICH. I think there will be no trouble in explaining that situation to the satisfaction of the Senator from New York when the matter is before the Senate again.

As to the matter to which he alluded in his remarks earlier in the day, I think that the falling off of importations in 1905 was owing to the invention about that time of glass-blowing machines, which were expected to take the place of the old processes and which have taken the place of the old processes of blowing common window glass, and I do not know but in a great many other directions. There was an absolute demoralization of the market both here and abroad for some considerable time owing to the use of the new glass-blowing machines.

I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 4 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 12, 1909, at 11 o'clock a. m.

SENATE.

WEDNESDAY, *May 12, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

Mr. BURROWS. Mr. President, there is evidently not a quorum present. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Michigan suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Burnham	Cullom	Gallinger
Bacon	Burrows	Cummins	Gamble
Beveridge	Burton	Curtis	Hale
Borah	Chamberlain	Daniel	Heyburn
Bradley	Clapp	Dick	Hughes
Briggs	Clark, Wyo.	Dillingham	Johnson, N. Dak.
Bristow	Clarke, Ark.	Dixon	Johnston, Ala.
Brown	Clay	Dolliver	Jones
Bulkeley	Crane	Fletcher	Kean
Burkett	Culberson	Frye	Lodge
McCumber	Page	Root	Stone
McLaurin	Paynter	Scott	Sutherland
Martin	Penrose	Simmons	Warner
Nelson	Perkins	Smith, Mich.	Warren
Oliver	Rayner	Smith, S. C.	Wetmore
Overman	Richardson	Smoot	

Mr. CHAMBERLAIN. My colleague [Mr. BOURNE] is absent on account of illness in his family.

The VICE-PRESIDENT. Sixty-three Senators have answered to their names. A quorum of the Senate is present. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. PAGE presented the petition of T. J. Deavitt, of Montpelier, Vt., praying for the enactment of legislation to abolish the rule of the Pension Bureau requiring the execution of pension vouchers, which was referred to the Committee on Pensions.

Mr. CULLOM presented memorials of sundry citizens of Rock Falls and Sterling, in the State of Illinois, remonstrating against an increase of the duty on the necessaries of life, which were ordered to lie on the table.

Mr. GALLINGER. I have received sundry letters from citizens of New Hampshire asking for a reduction of the duty on wheat to 10 cents a bushel. I present two letters, one from W. L. Chase, of Raymond, N. H., and the other from H. A. Yeaton & Son, of Portsmouth, N. H., making this request. I move that the letters lie on the table.

The motion was agreed to.

Mr. OLIVER presented petitions of sundry citizens of Philadelphia, Frankford, and Tacony, all in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of Waterville, Me., and a petition of sundry citizens of Gardiner, Me., praying for a readjustment of the wool schedule to remedy the inequalities detrimental to the carded woolen industry, which were ordered to lie on the table.

Mr. PERKINS presented a petition of sundry citizens of Santa Clara County, Cal., praying for the enactment of legislation to prohibit the immigration of all Asiatics into the United States except merchants, students, and travelers, which was referred to the Committee on Immigration.

Mr. BROWN presented sundry affidavits to accompany the bill (S. 564) granting a pension to Ida M. Smith, which were referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2323) granting an increase of pension to Abram N. Randolph (with accompanying papers); and

A bill (S. 2324) granting an increase of pension to George S. Rust (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 2325) to increase the efficiency of the United States Military Academy, and for other purposes; to the Committee on Military Affairs.

By Mr. PENROSE:

A bill (S. 2326) for the relief of Julius A. Kaiser; to the Committee on Naval Affairs.

A bill (S. 2327) to correct the military record of James Hagerty; and

A bill (S. 2328) to grant an honorable discharge to Alfred L. Dutton; to the Committee on Military Affairs.

A bill (S. 2329) granting an increase of pension to Israel P. Long;

A bill (S. 2330) granting an increase of pension to Charles J. Snyder;

A bill (S. 2331) granting an increase of pension to Hugh McDonald;

A bill (S. 2332) granting a pension to Annie A. Convery;

A bill (S. 2333) granting an increase of pension to John McGlone;

A bill (S. 2334) granting a pension to Theo. S. Fenn; and

A bill (S. 2335) granting an increase of pension to William H. McMallin; to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 2336) for the enlargement of the Capitol grounds.

Mr. WETMORE. To accompany the bill, I submit a diagram showing the proposed plan. I move that it be printed facing the last page of the bill, and that it be referred with the bill to the Committee on Public Buildings and Grounds.

The motion was agreed to.

By Mr. HALE:

A bill (S. 2337) granting an increase of pension to Charles S. Crowell (with the accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. OVERMAN submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. STONE submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the junior Senator from Iowa [Mr. CUMMINS].

Mr. PAYNTER. Mr. President, I would not interrupt the orderly proceedings in the consideration of this bill except that I desire to call the attention of the Senate to a matter that is pending which is of great importance to the people whom I in part represent. We have taken two days or more in discussing the lead schedule. Perhaps there are not one-half so many dependent upon that industry as upon the one which I shall consider and discuss to-day. The purpose that I have in discussing it at this time is that I may call the attention of the Senate to the question in such a way that Senators will become interested and study it, and if they do I hope for a favorable result.

Mr. President, I invite the Senate to hear me on this occasion, not because I flatter myself that I have any oratorical ability that would enable me to entertain and please Senators, or, by the power of logic, to sway judgments from proper conclusions. Neither shall I attempt to do so by an appeal that would tend to arouse passion or prejudice. I shall not deal in invective. If I can aid the Senate to reach a correct conclusion on the question which I shall discuss, I will do so only by a plain statement of a just cause of an oppressed people. Those for whom I shall plead to be relieved from a grievous burden hope only for a triumph over their oppressors by producing a conviction in your minds that their demands are just. In behalf of our fellow-citizens who earn their bread by honest toil, I ask only for a fair and just law—one that will answer their demand for relief and remove the present oppressive burden which, in a large degree, is made possible by the law of the land.

I speak for the farmers and for their laborers and the tenants who are engaged in raising tobacco. The reason I earnestly invite the attention of the Senate to the question is because so many Senators do not represent States where tobacco is grown; hence they have not had an opportunity to be informed as to the real condition of tobacco growers and as to the justice of the law which they demand. They are not asking that the taxpayers in this country make contribution to them directly, nor are they asking that it be done indirectly by the imposition of duties. They simply desire to be given the privilege of selling their tobacco in the market where competition exists; they desire the privilege of legitimate effort to free themselves of the present monopoly which is crushing the life out of their business and impoverishing the toilers engaged in it. I will not quote the statutes which regulate the sale or manufacture of tobacco. For the purpose of this discussion, it is sufficient to state the effect of the statutes, as construed by the Bureau of Internal Revenue. There is no difference of opinion existing as to interpretation of the law. The bureau construes it, and that construction is accepted as being correct. The proposed legislation is predicated upon the idea that the construction of the department is the proper one to be given the statute.

The producer and grower of tobacco does not have the right to hand twist his tobacco and sell it in that condition without the payment of 6 cents per pound on it. The grower now can sell his tobacco in any amount to any person he desires to sell to without tax. He can sell to his neighbor, to any consumer, to a tobacco manufacturer, or to a dealer. There is no limit upon his individual right to sell without tax, so long as he sells the natural leaf. The man who purchases it does not pay a cent of tax for the privilege of purchasing, and he is allowed to sell it without the payment of tax, if he sells to another leaf dealer, manufacturer, or for export. The dealer in tobacco can sell to the manufacturer or to another leaf dealer or to an exporter without paying the 6 cents tax. If, however, he sells to the consumer, then the tax of 6 cents per pound applies, as it does to manufactured tobacco. The farmer can not sell his tobacco through an agent except through a commission merchant, a warehouse man, or a broker. While the farmer can sell his tobacco to the consumer without the payment of the tax, he is required under the law to deliver it himself. Then is when the difficulty arises which makes the present law operate in an oppressive way upon the grower.

Under the law as it exists the farmer can only sell his tobacco to a consumer, and the delivery must be made by himself. As the law now stands, if he would ship his tobacco to a dealer, then the dealer would not be allowed to sell it to the consumer. Thus it will be seen that the tobacco grower and producer is limited in the sale of his tobacco in the natural leaf to persons to whom he can make personal deliveries. What the tobacco grower desires is the privilege of selling his tobacco in the natural leaf to the consumers; that this privilege may be exercised by selling it to tobacco dealers, and they be permitted to sell it to the consumers without the payment of tax. I am glad to be able to inform the Senate that the House of Representatives has, on at least two occasions, passed a bill granting this privilege to the tobacco growers. The Senate failed to take action upon these bills. The House bill which is under consideration contains a provision which is exactly the same as the provision of the bills which it had previously passed. The testimony before the Ways and Means Committee showed the condition of the tobacco growers, and that condition appealed strongly to its members, and they were convinced that the enactment of the law would be of immense benefit to the tobacco growers.

If the tobacco growers and their tenants had been prosperous, there would have been no demand for a change of the law. It was the unfortunate condition in which they found themselves that caused them to begin to investigate what had caused the condition which confronted them, and they demanded a change in the law which would enable them to find markets for the tobacco where there was a competition among those who desired to purchase it.

Kentucky is a large producer of the tobacco which is grown in this country. It consists, principally, of the white Burley and what is known as "dark" tobacco, the Green River tobacco and the Upper Cumberland tobacco. The dark tobacco is grown in the western part of the State. That tobacco is also grown in a section of Tennessee which is situate adjacent to that part of Kentucky where it is grown.

Without at this point going into a discussion of the cause which produced the lamentable condition of which the tobacco growers complain, I desire to quote some testimony which was taken before the House subcommittee in relation to this question. The testimony is given by reputable citizens; by those who would make no complaint if there was no cause for it.

I shall take the liberty of quoting extensively from this testimony with the hope that members of this body will take time enough to read it. I have discovered also that members desire light on these various schedules and demand information, and that they are determined, if they can, to know what the law should be.

Mr. Charles E. Barker, of Pembroke, Ky., testified as follows:

We produce a dark, rich tobacco, and a few years ago we had a good market there, a good trade, and a good deal of competition. We could put our tobacco on the open market, with an auctioneer to sell it, and we would have 15 or 20 men bidding on it. The conditions have come about now so that we only have one man to make a price on it, and he refuses to go into the market at all.

* * * * * * *

Yes, the whole region has been cut up into districts like magisterial or constabulary districts, and the agents of each go around the districts and pick out just such as they want, and we have to take what they offer or leave it alone.

We formerly put the tobaccos on the open market, where the auctioneer put them up for sale; but these men will not go there.

Mr. R. E. Cooper, of Hopkinsville, Ky., testified, and, explaining the situation, said:

As a boy raised on a farm, and later engaging in the tobacco business, for the past seventeen years I have been selling tobacco for farmers in what is known as "tobacco commission warehouses" at Hopkinsville, Ky.

It has been suggested to me, and it is a fact, that Mr. Cooper is one of the largest dealers in tobacco in the country. Mr. Cooper proceeds:

We had there, when I went into the business, eight tobacco warehouses—eight firms. Then the farmers put their tobacco into hogsheads and sent it to us. We had it sampled, as you see these samples here, and sold it in the open market. At that time we had from 40 to 50 buyers on our market, and they would assemble around a table, just as the committee is assembled around this table, and we would start in with these samples of tobacco, all tagged and labeled, and so forth; and each of those buyers represented a distinct and separate manufacturer or country at that time.

Mr. GAINES. You say a distinct manufacturer or country?

Mr. COOPER. Or a foreign country; yes, sir.

As Mr. GAINES has already stated, 80 per cent of the dark tobacco grown in our section is for export. Ten per cent, possibly, of that amount goes into snuff in this country, and possibly 10 per cent goes into home consumption in the way of twist—around the smaller factories that use it in a very limited way.

To-day, instead of having the 40 or 50 buyers, we are without a tobacco market at all. The American Tobacco Company sends Mr. Norman Smith to our town, who has charge of all four of the markets, not only of the Hopkinsville market. His home is Clarksville. He comes down there, and we have to lay out our line of tobaccos, and instead of having competitive bids, he says:

Mr. Cooper, I will use that lot of tobacco for you after it is prized and put in hogsheads. That is the old custom—for it to be prized and delivered—and that would cost him about half a cent a pound to pay the expense of it. He will tell me that he will give me 3½ to 4 cents a pound for the tobacco, and I have nobody else to sell it to, and I have to accept that price.

The CHAIRMAN. Is he the only licensed dealer?

Mr. COOPER. No, sir; I will explain that more, later on. He represents, however, the control of the larger part of our tobaccos. In the days when we had manufacturers as bidders we had 40 to 50 bidders. Now we are limited to possibly 3 or 4. Mr. Smith is the principal one.

The American Tobacco Company succeeded in closing all the snuff factories. At one time we had 38 snuff factories in the United States. To-day we have 98 per cent of those in the American Tobacco Company, known as the "American Snuff Company." There is one remaining, at Nashville.

Mr. GAINES. That is in the trust, I am told.

Mr. COOPER. Has the Standard gone into it?

Mr. STANLEY. Yes.

Mr. COOPER. Then we are out entirely.

Mr. METCALF. Are they operating all those factories?

Mr. COOPER. The American Tobacco Company?

Mr. METCALF. Yes.

Mr. COOPER. They are principally in New Jersey, Philadelphia, and at Nashville and Clarksville, Tenn.

Mr. METCALF. You said that the snuff factories had gone into the hands of the tobacco trust. Does the tobacco trust operate the snuff factories to-day?

Mr. COOPER. Yes, sir. That was the place we had to put about 10 or 15 per cent of our tobacco, and practically all the place we had in this country. We stood for that a while, and now about 30,000 hogsheads annually go to England; it is stripped and sent on the English market, and, as had been stated to you, they captured the English market under what is known as the "Imperial Tobacco Company," the American Tobacco Company controlling it. That takes out all the English competition we had. And when I say 30,000 hogsheads of tobacco, that means one-third or one-quarter of our entire crop is wiped out.

We sent to Bremen, which had been an open market heretofore, until last year, a quantity of tobacco to sell it on the open market there. This year the American Tobacco Company, when we shipped our tobacco to Bremen, took from their reserve a quantity of tobacco and put it on the market at cost. I was one of the unfortunates. We put our tobacco on the Bremen market, expecting to have a sale for it, but instead the American Tobacco Company put its tobacco on the market there in opposition, and sells it at prime cost here—just what it cost, without any freight or expenses—and it cost us 2¼ cents a pound to ship tobacco and sell it in Bremen to pay the expenses of it. The American Tobacco Company threw their tobacco on the market and just knocked ours out entirely—at a tremendous loss to the American Tobacco Company, of course—but while they can stand the loss, we can not. We have our tobaccos in Bremen to-day, and we can not sell them, from the mere fact that they have put the price lower than the cost of the tobacco at home.

This witness gave a great many interesting facts in addition to those mentioned above, which tend to support the conclusions stated in the part quoted.

Mr. John S. Cunningham, of North Carolina, said:

My chief object, gentlemen, in appearing before the committee is to tell you, Mr. Chairman and gentlemen, the conditon that existed in the tobacco-growing States prior to the tax and prior to these numerous bills which have been passed by Congress, and I want to say this to you, gentlemen, that as the matter now stands in the tobacco-growing States, not only of the South, but of the West and in some of the States that grow tobacco in the North, there is absolutely no competition. Fifteen or twenty years ago—you take, for instance, the Danville market, in Mr. Swanson's district—and they had scores of independent buyers, leaf dealers; but under the existing laws at the present time they have only a few buyers on the Danville market, a few on the Lynchburg, and a few buyers on the Durham and Winston and Norfolk and other markets of my State, and I understand that the same condition exists in other tobacco States.

Mr. Chairman, some years ago in the city of Danville and in the city of Lynchburg there were from 30 to 40 tobacco factories at each one of those cities, and there were tobacco factories throughout the little towns and throughout the country in all the districts; and you take my county—the county of Person—one of the best tobacco-growing counties in the United States, and I had the honor to take the gold medal and the first prize for the best bright tobacco grown, at the exposition in 1900. Some years ago we had a great many factories in that county and throughout the county towns and throughout the country districts.

But you take the counties that adjoin my county, as well as my own, and you take the county of Halifax, Va., one of the largest bright-tobacco counties in the South, and I do not think they have a single bright-tobacco factory in that county. They have none in Danville and none in Pittsylvania County, and the object of the bill, as far as I can see, is to bring about a competition—is to put the country in such a condition that the growers of tobacco, that the American farm laborers, can make a living.

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As I stated a few minutes ago, Mr. Chairman, competition has been absolutely destroyed in the tobacco business. Of course, those foreign nations; the continental nations of Europe, want to buy our tobacco just as cheap as they can, and they come here and buy the farmers' tobacco below the cost of production and take it to Austria and France and Italy and Spain, and those countries are making millions and millions of dollars a year off the manufacture of this raw material, and the tobacco producers of the United States are making nothing; and their lands have gone down, their labor is leaving the country, and a great many of them in districts where we have the public-school system are unable to pay their taxes and unable to provide their children with suitable clothes to go to school and church.

Mr. Charles H. Fort also gave information to the committee touching upon this subject, and said:

We want competition. We need competition. This thing has gone on down in our country until we have only one or two buyers there, and they actually have the territory prescribed and limited and laid off until there is one of my neighbors who had a barn full of tobacco on one side of the road and another barn full of tobacco on the other side; and a buyer came there and he offered him this tobacco on one side of the road and he bought that, and then he offered him the tobacco in the barn on the other side of the road, and the buyer said: "I can not buy that tobacco over there; it is not in my territory." And that man lost $2 on all the tobacco in that barn on the other side, because he could not sell to this buyer his whole crop because it was not in his territory.

I suppose when he says $2 he means $2 a hundred. He proceeds:

I used to sell my tobacco to farmers and they used to rehandle tobacco, and there were a dozen buyers in my neighborhood, and competition was so lively that it would make tobacco go up, and there was quite a boom with the tobacco farmers. Now there are just the agents who buy this tobacco, and there is no competition in the country; and they just set a price and squeeze and squeeze down until they have the life squeezed out of the producers.

Mr. C. P. Warfield, of Kentucky, also testified as follows:

In answer to your question, Mr. Chairman, as to how this competition is going to affect us, I would say that Bremen has been, as you know, probably, the only open foreign country we have; the others are controlled by a Rigi system. Recently the American Tobacco Company has undertaken to go in by Bremen and to sell tobacco there. Now, there are buyers on our markets, Germans, who have been on our little markets—open buyers and independent buyers representing independent firms in Bremen. It has 29 firms in Bremen, and it has been a dumping ground for all our products; it has been the only open market that we have had.

Last year the American Tobacco Company went into Bremen and they put down the price of tobacco. They went in there, and could undersell and did undersell—for the purpose of driving out the competition did undersell—this tobacco, and now the most hotly contested fight that I have ever known is being waged right in Bremen, and Bremen buyers in our country are standing shoulder to shoulder with producers and asking and realizing that they want competition. Don't you see? In other words, they go into our country to buy and they are cut out completely. They see this. They see the result of this.

* * * * * * *

Now, the farmer is there with a crop of tobacco to sell, and he is bound to sell it. Our people are helpless. While we had competition and could expect dealers and speculators in there to buy up that tobacco we could carry every man who was forced to sell; the warehouses would advance him money on his crop, and when the time came to put his tobacco in there he would bring it and put it in there, and we could sell it, and we had speculation and competition, you see.

Now, this past season this competition has been so completely killed that every buyer on our tobacco market has been broken this last year, every one, and these buyers are sitting there waiting, and we know they can not buy, and the Indian people will not buy a pound of it. You can not ship a pound of tobacco to Italy and sell it yourself. It has got to go through the Rigi contract.

Mr. F. M. Flack, of Hopkinsville, Ky., Hon. Joseph E. Washington, former Representative in Congress from Tennessee, and others gave testimony along the same lines as the persons to whom I have just referred. Mr. Felix Grundy Ewing, of Tennessee, a very prominent farmer and tobacco grower, also gave testimony before the subcommittee of the Finance Committee in relation to this question, and said:

We are a trust-ridden people. We are suffering very much from methods that they have resorted to in buying tobacco from us. It has been the custom for the past four years for one buyer to come to a barn and make one bid on that tobacco, and, generally speaking, he does not come any more. He comes and says, "I will give you 4½ cents," or "I will give you 3 and 1," or "I will give you something else;" and it is that or nothing. Most frequently we will not have an opportunity of selling.

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Again, we recognize the fact that this is the only agricultural product that is taxed. Ours is a tobacco country, a tobacco soil, and a tobacco climate. We can not raise wheat and corn in competition with other sections of the country. Our grass is not spontaneous. We do not raise stock as they do in other sections of the country. We are absolutely dependent upon tobacco.

* * * * * * *

Yes. These trusts have broken up our foreign markets. If an independent buyer should come in there and offer to buy any of our tobacco—which has happened, and would happen to-morrow but for this state of affairs—they would quickly give him to understand, as soon as he found himself in competition with them, that for every hogshead of tobacco that you are going to sell in Bremen we will have a hogshead

to sell at a lower price. And it happens without exception that when independent buyers come in there and buy our tobaccos and ship them to Bremen, which is our largest open market in Europe, they lose money, or at least make nothing, and the enterprise is dying. There have been thousands of hogsheads of tobacco belonging to independent buyers stored in Bremen that they could not sell, because these corporations are simply offering their tobaccos at a lower price to kill competition in buying.

This evidence conduces to show that tobacco growers are in an unfortunate condition; that their business has not been prosperous; that when it cost 6 cents per pound to produce the tobacco it was bringing 3 and 3½ cents per pound; that the competitive market had been destroyed; that there was practically only one purchaser for their tobacco. At any rate, only one purchaser fixed the price. It shows that the competitive markets in Italy, Spain, France, and the Netherlands had been destroyed by the action of the governments of those countries in refusing to admit any tobacco except that which was purchased by them; that the same agent purchased for what is called the "Rigi" contractors and for the American Tobacco Company; that the Bremen market was the remaining hope for the sale of part of their crop. But when some tobacco dealers sought to enjoy its supposed benefits, and shipped their tobacco there, then the American Tobacco Company began to sell its tobacco at the price at which it purchased it in Kentucky.

The tobacco growers believe that they are in the grasp of a conscienceless monopoly, which is wrongfully devouring their homes and taking from the mouths of their families the bread that has been earned by incessant toil. It is well at this point to inquire as to the facts, and find if there is any evidence which conduces to the support of their testimony and their deductions.

Whatever I may say as to the tobacco trust—and I add that if that term be regarded as too strong and harsh, then it is sufficient to state the case to designate it as the "tobacco combination"—shall not be said with the view of gratifying the harsh feeling of those who conceive they are the victims of its supposed rapacious greed for commercial triumphs and ill-gotten gains, nor for the purpose of gaining the applause of the multitude, which is sometimes more pleased to see some conspicuous figure in the commercial world flayed than it is when merited praise is bestowed upon a public benefactor.

The statements which I shall make with reference to the tobacco trust or combination are with the view of placing before the Senate facts which, in my opinion, are important to be considered in determining the question whether the relief sought by the tobacco growers should be granted. I do not desire to harshly criticise the conduct of a business concern of a quasi public character or its officers, nor am I willing to forbear to do so when a condition has been produced which makes it proper and all important that it should be done to enable the Senate and the country to understand the need of remedial legislation.

In support of the statements of the tobacco growers I shall give you some additional information as to the conduct and the methods which the tobacco combination has employed to produce the unfortunate condition which prevails in the tobacco-growing section of this country.

I think it somewhat important to give a brief history of the American Tobacco Company and to tell you of its purposes, its commercial triumphs, and its monopolistic tendencies. I think it proper for this reason: It, together with its subsidiary companies, and the persons and governments which are acting with it, have destroyed the competitive tobacco market in this country. If this be true, it seems to me that to call the Senate's attention to the fact is sufficient to invite its earnest consideration of the measure of relief which I urge for the tobacco growers.

The capitalization of this company shows that it was not organized simply to engage in the legitimate tobacco business; and its methods and profits show the purpose of its organization. The American Tobacco Company began business with a capital stock of $25,000,000, and its then business was the manufacture of cigarettes. The company now has a net capitalization, excluding intercompany holdings, of $316,346,821. It has absorbed 250 separate concerns. It now controls substantially four-fifths of the output of each important kind of tobacco manufactured in this country. It is one of the greatest combinations in this or any other country. Its rapid growth was the result of combinations, acquisitions, and absorptions. It has not only been engaged in the tobacco business, but in the manipulation of stocks. The evident belief of those who organized the company and directed its movements in the matter of combinations was that it would ultimately control the tobacco business of the world, and thus add millions to its profits.

The so-called "tobacco combination" consists of the American Tobacco Company, its three great subsidiary corporations, the American Snuff Company, the American Cigarette Company, and the British-American Company, besides 82 subsidiary concerns doing business in the United States, Porto Rico, and Cuba. Ten stockholders hold 60 per cent of the outstanding voting stock of the American Tobacco Company, through which company the entire combination is controlled. The combination's control of the plug, smoking, and snuff branch of the industry has steadily increased. As early as 1891, the combination controlled 89 per cent of the cigarette business; in 1906 it controlled 78 per cent of the chewing, smoking, fine cut, and snuff tobaccos. In 1891 it produced 19,199,924 pounds of tobacco out of a total of 270,529,326 pounds.

Its production had so increased in 1906 that it produced 306,039,041 pounds, out of a total production of 394,276,429 pounds. In 1906 it controlled 82 per cent of the plug tobacco, 71 per cent of the smoking tobacco, 81 per cent of the fine cut, and 96 per cent of the snuff. In 1896 it used, in the manufacture of its products, nearly 400,000,000 pounds of leaf tobacco.

The American Tobacco Company is the center, as has been shown, of a large group of companies, the most important of which are the American Cigarette Company, the American Snuff Company, and the British-American Company. They represent a large and distinct branch of the tobacco business, and each has its numerous subsidiary companies. The American Tobacco Company sustains a close relationship to the Imperial Tobacco Company of Great Britain, which is a great combination of British manufacturers. The American Company owns stock in that company and has a working agreement with it, which is to the effect that each is to refrain from doing business in the territory allotted to the other. Likewise, the American Tobacco Company and the Imperial Tobacco Company control a third company, which is known as the "British-American Tobacco Company."

About two-thirds of the stock of the British-American Company is held by the American Tobacco Company. The American Tobacco Company owns about 77 per cent of the common stock of the American Cigarette Company and about 89 per cent of the preferred stock. It owns about 68 per cent of the common stock of the American Snuff Company and about 10 per cent of its preferred stock. It owns about 65 per cent of the common stock of the British-American Company and about 66 per cent of the preferred stock.

There is no conflict in the business of the British-American Tobacco Company and the American Tobacco Company, the American Cigarette Company and the American Snuff Company, as they have respective fields marked off by the character of the tobacco product whose manufacture is their principal business. The British-American Tobacco Company is distinguished from the others, in that it confines its business to export and foreign trade.

The tobacco combination is not only engaged in the manufacture of tobacco, but is engaged in other manufacturing businesses which bear close relationship to the manufacture and sale of tobacco. These enterprises are conducted by separate corporations. Some of these are machine companies engaged in the manufacture and repair of the machinery used in the various machine processes of tobacco production. There are companies controlled by the American Tobacco Company engaged in the business of manufacturing smoking accessories and supplies, including pipes, and cigar and cigarette holders. Some other such companies will be mentioned later.

The total outstanding capitalization, including stocks and bonds, of all the companies of the tobacco combination which do business in the United States, Porto Rico, and Cuba was, at the end of 1896, $450,395,800. Of this amount $134,049,096 was held by other companies in the combination. The American Tobacco group, or combination, included 48 corporations, which manufacture cigarettes and chewing and smoking tobacco. Numerous factories, directed by the American Tobacco Company, manufacture the most of its output.

The other companies are specialized in their work to a great extent. The British-American Company itself has a capitalization of $25,369,302, of which the American Tobacco Company holds $16,757,250. In none of the American Tobacco Company's group of the combination does the American Tobacco Company hold less than 50 per cent of the capital stock. In some of them it holds the entire voting capital stock.

The company, as I have said, has contributory plants. It controls a company that makes 98 per cent of the licorice paste which is produced in the country. It has a plant making wrapping and package material and cotton bags. The Mengel Box Company makes boxes used by the company. One of its companies makes its tin foil; one produces nicotine; and one sheep dip. It even has a company manufacturing "slot machines."

The American Tobacco Company's first achievement was to force its competitors in the manufacture of cigarettes to yield, for it waged such an incessant warfare that they were unable to stand it, and they sold out to the American Tobacco Company. Messrs. Liggett & Myers were the successful manufacturers of plug tobacco, perhaps the largest concern in this country which conducted a prosperous business. The American Tobacco Company was determined to occupy practically the entire field in the manufacture of plug tobacco, and it set about to destroy its chief competitor. Liggett & Myers could not stand the warfare and were forced out of business.

It is claimed that the American Tobacco Company made a great profit in acquiring the business of Liggett & Myers. There still remained as competitors of the American Tobacco Company the great concerns of Finzer Brothers, Louisville; Finffs & Durhoffer, Louisville; Harry Weissenger, Louisville; P. S. Sorg & Co., Middletown, Ohio; Wilson & McCauley, Middletown, Ohio; Lorillard & Co., New Jersey; Buchanan & Lyall, New Jersey; Bagley Tobacco Works, Toledo, Ohio; Daniel Scotten & Co., Detroit; Drummond & Co., and Butler & Co., of St. Louis; and the Durham Company. They could withstand the attacks on their business but a short time. They yielded up the ghost, notwithstanding their capitals were large and their business previously had been profitable.

Without naming those who engaged in the snuff business, it is sufficient to say that they likewise were taken up in the maw of the American Tobacco Company. It was not content with its achievement in this country, but it sailed across the waters and invaded Great Britain. The firm of Ogden & Co., wealthy importers of tobacco, was captured. The Imperial Tobacco Company, another competitor, was then in terror, and was forced to enter into a treaty of peace, the terms of which were, in substance, as follows:

It was also agreed that the Imperial should have the trade of Great Britain and Ireland itself. It was likewise arranged that the American Company, in which, of course, the British had no interest, should remain in undisputed possession of the United States, Cuba, and the Philippines. To deal with the outside trade, the British-American Tobacco Company was formed, with both England and American directors, but with the Americans in control. In other words, the Imperial surrendered the entire foreign market to the control of the Americans and gave them an interest in its own business as the price of the peace.

It might be well at this point to call your attention to the proposition which the American Tobacco Company made to the dealers in that country. The reading of it will show you why it was that the Imperial Company was ready to accept the terms of peace offered by the American Tobacco Company.

Commencing April 2, 1902, we will for the next four years distribute to such of our customers in the United Kingdom as purchase direct from us our entire net profits on the goods sold by us in the United Kingdom. In addition to the above, we will, commencing April 2, 1902, for the next four years, distribute to such of our customers in the United Kingdom as purchase direct from us the sum of £200,000 per year. The distribution of net profits will be made as soon after April 2, 1903, and annually thereafter, as the accounts can be audited, and will be in proportion to the purchases made during the year. The distribution as to the £200,000 per year will be made every three months, the first distribution to take place as soon after July 2, 1902, as accounts can be audited, and will be in proportion to the purchases during the three-months period. To participate in this offer we do not ask you to boycott the goods of any other manufacturer.

The promoters of the American Tobacco Company did not engage in this gigantic enterprise simply for the gratification achievement would give them, but they did so for profit as well, and their hopes have been realized. In recent years the company has been declaring large dividends. In 1895 the dividend on the common stock was 20 per cent; in 1896, 22½ per cent; in 1897, 25 per cent; and in 1898, 32½ per cent, besides leaving large surpluses in excess of dividends.

The combination was not created to help the consumers of tobacco. Notwithstanding the low price of the raw material, the price of the manufactured product did not decrease. It is to the interest of the purchaser of tobacco to obtain the raw material at as low a price as possible, and at the same time to maintain the price of the manufactured article. So the one purchaser to whom I referred is interested in maintaining this condition.

There are many other transactions of the tobacco combination that mark its triumphal march to victory over all of its competitors. The statement of the facts showing its achievement staggers credulity, appalls the imagination, and creates in the mind of the thoughtful lover of his country apprehension of the dangers that may come to the people by combination and misuse of colossal fortunes. In this connection I desire to say that I have no prejudice against the successful man who by his intelligence and integrity has accumulated a vast fortune. Such a man is entitled to and should receive the respect of his fellow-men. Our country needs men of wealth to aid in its development and in the conduct of great industrial and commercial enterprises. It is only when they improperly use their wealth to take from the toilers of the land their reward for honesty and industry or destroy the fortunes of less prosperous business men or deprive the people of their substance by criminal combination that they should be arraigned at the bar of public opinion, regulated by the lawmaking branch of the Government, and be condemned by the judgment of our courts of justice.

TOBACCO TROUBLES.

A large per cent of the tobacco in Kentucky is raised by tenant farmers, aided by their children. These tenants have no opportunity to perform labor other than in the production of the crops of tobacco and in preparing them for market. So they depend almost entirely upon the tobacco crop for bread. The landowners furnish them with necessary supplies to produce the crops for the market. The use of the land and the supplies furnished makes the landowners large investors in the crops. Of course many of our farmers grow crops of tobacco by employing laborers to cultivate and house it.

Since the organization of the tobacco trust or combination there is practically but one buyer on the market. Thus, competition was destroyed and the growers were at the mercy of the trust or combination. The consequence was that the price of tobacco was so low that the tenants did not receive half the compensation for their labor that they should have received, and the landowners did not receive a proper return for their outlay.

When the owner of the land cultivated it by the employment of labor, he likewise suffered a loss. Many of the tenants never performed much labor, except in growing tobacco, and for that reason were not fitted for entering other fields of employment. When they saw that they could not receive a fair compensation for their tobacco, because competition had been stifled, a spirit of antagonism and rebellion arose within them.

The result was that organizations were effected with a view to pooling their tobacco, and thus force the buyer to pay a reasonable price for it. A vast majority of the most reputable farmers in the State joined the organizations for mutual benefit and protection. So the tobacco growers thought their own safety and protection was in organization. With that idea in view, the Planters' Protective Association of Kentucky, Tennessee, and Virginia was organized and duly incorporated. Mr. Felix Grundy Ewing, a leading farmer and a splendid citizen, was placed at the head of it. He was aided by able and reputable lieutenants. Ten thousand growers organized the Stemming District Association, under a system somewhat similar to the others, and Thomas Barrett, a reputable and first-class citizen, was placed at its head. The Burley Tobacco Growers' Association was formed—a large organization—and Mr. Clarence Le Bus, a splendid citizen, and Hon. J. CAMPBELL CANTRILL, now a Member of Congress, were placed at the head of that association.

The farmers refused to sell except through this organization, thereby hoping to procure such prices for the tobacco as they were entitled to receive. The purpose of the organization was, as we have stated, to protect themselves from the tobacco combination, and its object was not to protect itself by violence, although violence did come after this organization was formed. The purpose of those who joined the organization was to bring the price of tobacco up to a living one. There were persons who declined to join the organization, and if the purpose of the organization was accomplished, they enjoyed fully the benefits that were accomplished thereby.

There were persons who either belonged to the organization, or who sympathized with it, who were guilty of acts of violence that no one can justify. In this connection, I wish to say that I desire to disclaim any kind of sympathy for such misconduct. One excess begets another. One wrong frequently breeds other wrongs, and sometimes they follow so fast they tread upon each other's heels. The wrongs which these tobacco growers suffered were such that some misguided persons felt justified in resorting to lawless acts, which they thought tended to protect them in the enjoyment of their property.

While this is true, all who believe that this is a government of law must demand the enforcement of the law and condemn the acts of those who violate it.

I am proud to be a citizen of Kentucky. I am also proud that I have the honor to be one of her representatives in this body. It always distresses me to see her fair name marred by deeds of violence, whatever the cause may be which superinduces them.

I hope that the enactment of the proposed law will remove any cause for trouble in the tobacco-growing section of the State. It will at least allay a feeling that prevails that the laws have placed the tobacco growers in such a position that they are the easy prey of the tobacco combination. When we con-

sider that so many people are engaged in this industry who are entitled to the protection of the law of the land as much as any other class of people in the country, it seems to me that the Senate should give its attention to their earnest appeal for relief.

THE REMEDY.

The tobacco growers have sought to protect themselves by organization. It is expensive, doubtful of success, and has resulted, in some respects, unfortunately. Should the tobacco growers of the country be required to thus organize and postpone the sale of tobacco for years in order to force practically the only purchaser which they have to pay them a reasonable price for their product? Is it not infinitely better to so construct the statute that the laws of trade will remove the evil and give them an opportunity to obtain a living price for their tobacco? They believe if they are permitted to put their tobacco in hands and allowed to sell it in any quantity they choose to whomsoever they please, and that the party to whom they sell is permitted to sell the natural leaf to the consumers, their difficulties would be solved. This is simply allowing them to dispose of their product in its natural condition to those who desire to purchase it.

The evidence before the committee shows that there is an increasing demand for the natural leaf and that, in the South especially, it is very popular with the consumers of tobacco. It can be sold to them much cheaper than the manufactured product. Hence the poor people who use tobacco are permitted to acquire it at a more reasonable price. It will not only help the tobacco grower but it will be a relief to the men who work in the cotton and cane fields and in the mines and elsewhere in the country.

If the tobacco growers could ship their tobacco to merchants and others who would handle it in the various sections of the country, and those to whom it was shipped could then deliver it to the consumers, it would create a demand for the tobacco. There would then be competition in the places where tobacco is sold. The tobacco combination would be aware of the fact that there were purchasers for it other than those who proposed to manufacture it, and as the combination would need the tobacco for the purpose of carrying on its immense business, it would be willing to pay the farmers reasonable prices for it rather than have it shipped and sold directly to the consumers.

Col. Harry Weissenger, a prominent citizen of Kentucky, and at one time a large manufacturer of tobacco, has given this question great thought and attention, and in a letter to Representative STANLEY, among other things, said:

Now, as a matter of fact, the revenue laws are such that the consumers of tobacco have no opportunity to procure that tobacco, for while there is no direct tax on leaf tobacco, yet leaf tobacco must go through the hands of the dealer, and from the dealer to the manufacturer, and the consumer can not obtain the tobacco except through this circuitous route; and no matter how much he may desire to use this tobacco which has been subjected to the manipulation of the manufacturer, he is preempted from doing so by the revenue laws, and this amounts to a direct tax on the raw material in the hands of the farmer, because there is no way under the existing law for the consumer to get hold of the tobacco which has not gotten into the hands of the manufacturer. Under the law it can not get out of his hands and amounts to the payment of the 6 cents tax under the present law.

* * * * * * *

Now, it is necessary, in order to relieve the farmer, to so change the law that the farmer can reach the consumer with his product. It is not sufficient to allow the farmer the privilege of selling his product to neighborhood consumers, because there is no demand for it in the neighborhood where it is grown, as nearly every farmer in the neighborhood raises his own tobacco, and John Smith has no reason to buy from Tom Jones; but if the farmer is permitted to dispose of his tobacco to the sections of the United States where the leaf is not grown, and, in turn, the person to whom the farmer sells it is permitted to retail it out to those who wish to use it in its natural state, there will be competition on leaf tobacco that has never existed since the revenue was placed on the manufactured article and the sale of the raw material restricted, as it is and has been by the revenue laws, either to dealers or to the manufacturers.

This man, of large experience in the handling of tobacco, agrees with the tobacco growers that it will be a great privilege for them to enjoy, and, in a measure, free them from the difficulties under which they are laboring.

REVENUE.

The principal objection urged against the bill is that it will seriously affect the revenue of the Government. I confess that if the tobacco growers were required to sell their tobacco to the consumers of the country, it would to some extent take the place of manufactured tobacco. The farmers do not want to sell their tobacco to the consumers. Their best interest is for them to sell it to tobacco dealers and those who would buy an entire crop. They are thus relieved, as it were, of peddling their tobacco over the country. If the enactment of this law would enable them to get a fair price for the tobacco, practically none would be sold to consumers of the country. Hence there would be little displacements of the manufactured tobacco, and, consequently, no loss of revenue. This bill does not give the farmers the privilege of twisting their tobacco and selling it. Mr. Yerkes, Commissioner of Internal Revenue, testified that only about $700,000 was derived from the manufacture and sale of tobacco in the twist. His testimony is that, if this provision should be enacted into law, there could not in any event be a loss of more than $2,000,000 in revenue. It would not be that, if our hopes are realized, for the fact is that the tobacco combination knows that there is no market for this tobacco except that which is furnished by it.

If there were to be a $2,000,000 loss of revenue, it would be a mere bagatelle compared to the immense benefit which the farmers would derive from the law. Tobacco is the only crop that is grown from the soil which is taxed, and, as a result of its production in this country, the Government already receives more than $40,000,000 of revenue. My opinion is that there would be practically no loss of revenue, because, if the law be enacted, it will create the competition which the farmers demand, and result in giving them a fair price for their tobacco. Consequently, the sales would be directly to the dealers in tobacco, or the manufacturers, and not to the consumers. Eighty per cent of the dark tobacco grown in Tennessee and Kentucky is exported, and upon which no tax is paid. Therefore the Government would not lose a cent of revenue on the 80 per cent of the dark tobacco which is produced in the sections mentioned.

I do not anticipate that it is possible that an immediate sale of large quantities of tobacco could be made by the farmers if they were allowed to sell the natural leaf to the consumers. It will take a considerable time to build up trade in the localities where such tobacco might become popular by the use of it.

In the first place, it would be necessary to interest the retailers in the various localities, and, in the second place, they would be compelled to bring the tobacco to the attention of the consumers with a view of inducing them to become purchasers of it in place of the manufactured tobacco which they had been consuming.

Mr. DALZELL, of the House of Representatives, has served a great many years on the Ways and Means Committee. In the beginning of the effort to have the bill in question enacted into a law, Mr. DALZELL was of the opinion that it would seriously affect the revenues of the Government, and declared:

It seems to me that your proposition was to destroy what might be called "a monopoly" by knocking the bottom out of the entire tobacco revenue system of the United States, taking the foundation out from under the whole business.

After a thorough investigation of the question, Mr. DALZELL became convinced that the proposed law would not seriously affect the revenue of the Government. He reached this conclusion after a thorough examination of the question. The fact that he started in with an opposing view and yielded it after investigation is a strong argument in favor of the conclusion that the bill will not ultimately affect the revenues of the Government. Representative STANLEY has given much thought and attention to the question and has earnestly advocated the repeal of the law. He stated in the House of Representatives that the repeal of the tax would not affect the revenues, and, among other things, said:

Your Commissioner of Internal Revenue, one of the ablest commissioners you have had since the war, Mr. Yerkes, came before your committee and said that you could take this tax off the back of the farmer and that it would not affect the internal-revenue tax by a single cent.

Now, I demand that this committee do one of two things: Either permit my amendment or defend your refusal on the floor of this House. Do not conceal a nameless outrage in the body of this bill; do not put a thing in there of which you are ashamed; do not put a thing in there which you know is wrong and will do a grave injustice to 500,000 men and then treat my appeals with silent contempt; do not refuse to do justice and then refuse to defend the act of injustice.

MANUFACTURERS.

Some manufacturers are contending that it would not be right to enact the law which is sought, because it would be unfair to them. The farmers would not be permitted to sell manufactured tobacco. They would not put upon the market tobacco in the same form into which the manufacturers convert it. Hence there would be no direct competition with them in the sale of the tobacco.

The manufacturers have no right to demand, as a matter of protection to them, that the farmer should not be permitted to sell his tobacco in the natural leaf to whomsoever he pleases. When the internal-revenue laws were enacted the Government was not placed under obligation never to change the system. It made no promise to manufacturers that the farmers should not be permitted to sell their tobacco in the natural leaf to the consumers through the instrumentalities of their vendees. The Government in enacting the internal-revenue laws did not surrender its right to protect the citizens of the country who

might subsequently need it. It did not surrender any of its power to do justice to the people engaged in any industry in this country.

M'KINLEY ACT OF 1890.

By the terms of the McKinley Act of 1890, the then existing statute which imposed restrictions upon the right of the growers of tobacco to sell their product in the natural leaf was repealed, leaving them free to sell the tobacco as they now desire to do it. There was less necessity for that act then than exists now. There was no tobacco combination which sought to control the price, and their product found a ready sale in a market where there were numerous buyers who competed with each other in fixing the price of tobacco. Now it is otherwise, and at the time that the present statute was enacted it was not possible to anticipate the awful condition which now confronts the tobacco growers of the country. Therefore Congress did not consider the question which now confronts it. New conditions make new demands upon Congress for legislation, and the laws, if wise, are always adjusted to suit the new conditions. The history of the legislation of the country shows this to be true. It ever will be true in any country, and especially in a new country like ours, where there is great development in industrial and commercial enterprises. If this were not true, then Congress would have but little to employ its time other than in making appropriations to pay the expenses of the Government.

If every Senator who has stood in the presence of his people and told them that he was a friend of the toilers of the land, and believed in equal and exact justice for all, and that laws should be enacted to protect the weak against the strong will vote for this measure, it will pass with practical unanimity. If he believes that the hand of the oppressor should be stayed, that the weak should be protected and given a fair chance in the struggle for existence, then I appeal to him to vote to give the tobacco growers in this country that which they demand. It is a reasonable demand.

If you believe that you should strike down the hand that is raised to oppress those who need protection, then I ask you to aid me and help to do so.

This great Government of ours, because of the loss of a paltry sum in revenues, can not afford to disregard the demand of one and a half million people who are dependent upon the success of tobacco growing for a livelihood. You impose duties upon imports and collect large sums of money. It is confessed by the chairman of the Finance Committee that such duties are imposed not alone for revenue, but for protection. If you compel the people of this country to contribute large sums to make an enterprise profitable to those who engage in it, then is it unreasonable for a million and a half people of this country to demand that the laws be so made that they might have a fair chance to carry on successfully an important industry?

They do not ask that money be paid into their pockets as profits, but they simply ask that a grinding combination shall not be permitted, by reason of the laws of the land, to reduce the market value of their products below a reasonable price, thus forcing the poor tobacco tenants to labor for almost starvation wages.

The facts show that the tobacco combination is a commercial pirate carrying a black flag, dealing death and destruction to all competitors in the manufacture and sale of tobacco, and reducing those who grow it to penury and want. The death struggle of its expiring competitors has not caused it to hesitate; nor have the tears and suffering of the tenants, white and black, who produce the article upon which it feeds and fattens, excited its compassion.

Senators, you have an opportunity to compel it to dip its flag to one and a half millions of people depending upon the growing of tobacco for support, and to grant to them a chance to have their labor receive its fair reward. Will you do it?

Mr. CULBERSON. Mr. President, I have been interested in the clear and admirable speech of the Senator from Kentucky [Mr. PAYNTER], just delivered. I have been interested in his statement of the extent of the monopoly of the American Tobacco Company and the oppressive measures which that company has resorted to in Kentucky to accomplish its monopolistic purposes. I have been interested also in the remedy suggested by the Senator from Kentucky; but into that I will not now go.

I simply rose for the purpose of inviting the attention of the Senate to the fact that we thought, popularly at least, that there was a remedy already on the statute books of the United States to prevent just such monopolies as this and to dissolve them if they should exist. It so happens that the last administration, through Attorney-General Bonaparte and the district attorney for the southern district of the State of New York, instituted a proceeding to dissolve this corporation and to arrest its monopolistic tendencies. That case, Mr. President, was tried by four circuit judges of the United States, and opinions delivered by four of them, three of them concurring in the proposition that this was a monopoly and existing in violation of the laws of the United States.

I do not know what the purpose of the present Attorney-General is with reference to this matter, but he made a speech recently in the State of New York at a complimentary banquet given to him by the lawyers of New York City in which great doubt is thrown upon the course he proposes taking with reference to the enforcement of this law.

I want to call attention to the fact that the Attorney-General of the United States, where a case brought by his department is now pending before the Supreme Court, criticises the opinion of the court below in favor of the Government against the monopoly; and suggests, Mr. President, if I know the meaning of the English language, that if that is the proper construction, the present administration proposes to amend the law on the subject.

Now, let us see. This speech was delivered on the 30th of April in the city of New York. I ask, Mr. President, that the speech, as reported in the New York World of the 1st of May, may be printed in the RECORD.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Texas? No objection is heard.

The matter referred to is as follows:

TAFT ADMINISTRATION TO DROP ILL-ADVISED SUITS—ATTORNEY-GENERAL WICKERSHAM SAYS METHODS THAT WERE NECESSARY TO AWAKEN THE BUSINESS COMMUNITY ARE NO LONGER ESSENTIAL, BUT THAT ATTEMPTS TO FORM TRUSTS OR MONOPOLIES WILL BE VIGOROUSLY PUNISHED—HOPES TO AMEND SHERMAN LAW.

Before an assemblage of lawyers which comprised, almost without exception, every justice of the supreme court, every justice of the appellate division, every judge of the United States circuit court sitting in or near New York, and practically every personality of prominence in the legal profession, Attorney-General Wickersham, in a speech at Sherry's last night, outlined his programme concerning the administration of his office in general and the exercise of the Sherman antitrust law in particular.

William Nelson Cromwell, Senator CHAUNCEY M. DEPEW, D. Cady Herrick, William B. Hornblower, Martin W. Littleton, John G. Milburn, Victor Morawetz, Alton B. Parker, Francis Lynde Stetson, John B. Stanchfield, Edward M. Shepard, Henry W. Taft, Benjamin F. Tracy, Samuel Untermyer, and a score of other prominent corporation lawyers joined in the general tribute paid to the new Attorney-General by the members of the bar in this city.

MANY EULOGIZED THE GUEST.

Among those who eulogized the guest of the evening were Joseph H. Choate; Judge Gray, of Delaware; Presiding Justice Patterson, of the appellate division; Judge Ward, of the United States circuit court; and De Lancey Nicoll.

"There was a prevailing impression," said the Attorney-General, "that many of the laws dealing with economic subjects had been passed to be pointed to with pride, rather than to be enforced. Then there came a rude awakening. The last administration set to work with vigor, with energy, which was accompanied at times with newspaper clamor, to enforce these laws. Business men who eight years ago had not read the Sherman antitrust law to-day know it by heart, and railroad men and shippers alike have an intimate personal acquaintance with the interstate-commerce act.

"No American business man to-day can truthfully say he does not know that it is a crime for a railroad to give or a shipper to accept a rebate from the established interstate rate.

"The work of the present administration is none the less important than was that of the last in continuing to enforce the laws of the country and in endeavoring to effectuate the intent of the people, speaking through Congress, in preventing the things which the people have come to believe to be inconsistent with the welfare of the Republic; but the methods which were necessary to awaken the business community to a recognition of the existence and vitality of these laws are no longer essential.

"It may be, it probably is, true that in the movement to impress upon the whole business world the meaning and force of certain laws, and the necessity of attention and obedience to them, some suits were instituted and some prosecutions commenced without sufficient consideration and without adequate cause.

"When such conditions are found to exist, the present administration will not hesitate to withdraw the suits or dismiss the prosecutions. Such action must not, however, be taken as any indication of an intention by this administration to abandon in the slightest degree the vigorous, impartial enforcement of the law or to undo in any degree the splendid work of the last administration.

"We have heard frequently of late from representatives of certain business interests of the country cries of 'let us have peace' and 'let us alone.' The price of peace is obedience to law; those who honestly try to keep the law need not fear prosecution.

SHERMAN LAW STILL UNCERTAIN.

"I am perfectly well aware that there is an uncertainty as to the precise scope and meaning of that law which most closely touches all business activities of the country, namely, the Sherman antitrust law, and I should be the last to authorize the institution of a criminal proceeding against men who, without intent to violate the law, have, nevertheless, acted in technical contravention of an extreme and most drastic construction of that amendment.

"But certain of the principles underlying that law are assuredly now understood, and any attempt at this time, with the present construction of that law agreed upon by all the higher courts, to combine in the form of a trust or otherwise, with the obvious intention of restraining commerce among the States or of creating a monopoly of an important part of that commerce, would evidence such deliberate intention to

break the law as to justify and compel the Government to use all or any of the remedies given by law adequate to prevent the accomplishment of such purpose and to punish the attempt.

HOPES FOR EARLY DEFINITION.

"It is to be hoped that the Supreme Court will at an early date authoritatively define the full scope and effect of the antitrust law, and that if a construction should be given to it by that court as far-reaching as some of the judges of the court of appeals in this circuit gave in the tobacco case, Congress may so amend the act as to except from its provisions the ordinary agreements which are the necessary result of healthy business conditions, while still effectively prohibiting the creation of those far-reaching monopolies which are believed to be incompatible with the wholesome growth and progress of the Republic.

"This matter is under consideration by the present administration, with a view to submitting to the next Congress proposed amendments to the law."

Mr. CULBERSON. I will read one particular paragraph in this speech, that which refers specially to the American Tobacco Company case:

It is to be hoped that the Supreme Court will at an early day authoritatively define the full scope and effect of the antitrust law, and that, if a construction should be given to it by that court as far-reaching as some of the judges of the court of appeals in this circuit gave in the tobacco case, Congress may so amend the act as to except from its provisions the ordinary agreements which are the necessary result of healthy business conditions, while still effectively prohibiting the creation of those far-reaching monopolies which are believed to be incompatible with the wholesome growth and progress of the Republic.

This matter is under consideration by the present administration, with a view to submitting to the next Congress proposed amendments to the law.

Now, as I said a while ago, I do not know the purpose of the present Attorney-General with reference to the enforcement of this law; but it occurs to me, Mr. President, that it is extraordinary that the legal representative of the Government in a case pending before the Supreme Court of the United States should criticise the decision below and suggest that if that decision is correct the law ought to be amended and that the present administration contemplates submitting such an amendment to the Congress at the next session.

Mr. SIMMONS. Mr. President, I desire to offer an amendment, in the nature of an amendment to the amendment offered on yesterday by the Senator from Iowa [Mr. CUMMINS] to paragraph 97 of the pending bill. I will read the alteration I propose.

On page 26, line 3, strike out the words "and three-eighths," so that it will read "1 cent per pound;" in line 5, strike out the word "seven-eighths" and insert "one-fourth," so that it will read "1¼ cents a pound;" in lines 6 and 7, strike out the words "two and three-eighths" and insert "one and three-fourths," so that it will read "1¾ cents per pound;" in line 9, strike out the word "six-eighths;" in line 11, strike out the words "three and two-eighths" and insert "two and one-half;" and in line 13, strike out the words "four and two-eighths" and insert "three and one-half."

Mr. President, I offer this amendment——

The VICE-PRESIDENT. Does the Senator desire the Secretary to state the amendment to the Senate?

Mr. SIMMONS. Yes, sir.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from North Carolina.

The SECRETARY. On page 26, line 3, strike out the words "and three-eighths," so that it will read "1 cent per pound;" in line 5, strike out the word "seven-eighths" and insert "one-fourth," so that it will read "1¼ cents a pound;" in lines 6 and 7, strike out the words "two and three-eighths" and insert "one and three-fourths," so that it will read "1¾ cents per pound;" in line 9, strike out the word "six-eighths;" in line 11, strike out the words "three and two-eighths" and insert "two and one-half;" and in line 13, strike out the words "four and two-eighths" and insert "three and one-half."

Mr. ALDRICH. Will the Senator answer me a question? As I followed his amendment, the rates suggested by the Senator from North Carolina are practically the rates suggested by the Mills bill.

Mr. SIMMONS. The Senator is mistaken about that. I have not compared it with the Mills bill.

Mr. ALDRICH. I do not mean the Mills bill. I mean the Wilson law.

Mr. SIMMONS. I have not compared it with the Wilson law.

Mr. ALDRICH. With the exception of one or two brackets at the end, they are the rates fixed by the Wilson-Gorman bill.

Mr. SIMMONS. Mr. President, it may be that the rates are the same as those fixed by the Wilson-Gorman law. That, to my way of thinking, does not at all discredit the amendment, but rather commends it.

However that may be, the rates proposed in my amendment are lower than those proposed in the amendment of the Senator from Iowa [Mr. CUMMINS]. They are the exact rates suggested by Mr. Jones, the glass manufacturer, of Morgantown, W. Va., from whose letter and statement to the Committee on Ways and Means the Senator from Iowa yesterday read. I am glad the Senator from Iowa read that letter, because, if he had not, I should have read it.

I repeat, my amendment follows the suggestion of Mr. Jones, who is one of the largest manufacturers of window glass in the State of West Virginia. It has been suggested, for the purpose, I suppose, of discrediting Mr. Jones's statement, that while he is a manufacturer, he is also a Democrat, and I believe it was stated that he is a free trader.

I do not know whether Mr. Jones is a Democrat or not; but that he is not a free trader is shown conclusively by the letter which he writes and by the rates upon his product which he suggested to the House committee. The rates which he suggested to the House committee on this particular article, while less by about 25 per cent than the Dingley rate on that article, are still about the average rates of the pending bill upon all dutiable products. If Mr. Jones is a free trader, he has a strange way of showing it.

But, Mr. President, the attempt to discredit this witness has failed. Nobody has said—and I think about all that can be said to discredit him has been said—that he is not a man of character. Nobody has denied that he is a man of intelligence. Nobody has denied that he is a large manufacturer of glass, and nobody has denied that he is competent to speak intelligently with respect to what the industry in which he is engaged needs in the way of protection.

What Mr. Jones says is that the present rate upon his product is about 25 per cent higher than is necessary to afford him the protection which he, as a manufacturer, thinks he is entitled to.

Nor is Mr. Jones alone in the position he has taken with respect to this duty. I have here, and I desire to read from it, a statement filed before the Committee on Ways and Means of the House by Mr. Goertner, on behalf of a large number of gentlemen engaged in business connected with the importation of foreign products into this country. Some of them are located in New York, some in Boston, some in Philadelphia, and some in Hoboken. This statement is signed by Semon Bache & Co., of New York, by Selgmond J. Bache, president; the Boston Plate and Window Glass Company, of Boston, by E. A. Hills, director; Benjamin Griffen, D. A. Van Horne & Co., Theo W. Morris Company, Bendit, Drey & Co., Jacques Kahn, New York; John Lucas & Co., Caspar W. Briggs, Philadelphia; Schrenk & Co., by Jul. J. Gibian, secretary, of Hoboken.

It is said that they are importers, and that that fact disqualifies them to speak with reference to what is a proper tariff duty upon any article which they import. The Senator from Rhode Island has stated at sundry times during the course of this debate that his committee in fixing these schedules advised with manufacturers interested in various items of the bill.

I do not criticise the majority of the committee for pursuing that course. On the contrary, I think the committee were entirely right in calling before them men who are interested, whether as producers or consumers, in these schedules, and obtaining the benefit of such information as they might be able to give. I submit, Mr. President, if the manufacturers' interest in raising these schedules is not a discrediting circumstance in the judgment of the committee, the fact that the importer happens to be interested to some extent upon the other side of the question is not a circumstance which should discredit him.

Every lawyer knows perfectly well what is the effect upon his testimony of an interest on the part of a witness. It is supposed to some extent to color his testimony, but it does not discredit it. The weight of testimony of an interested party, in the last analysis, must depend, in this forum, as it does in the court-house and in every other forum where men speak, upon the character and intelligence of the witness.

Who has attacked the character of these importers of New York, Boston, and Philadelphia, or their qualification to speak upon this subject? No one has done so, and I am assured no one can do it successfully. From what I have heard of these gentlemen, I am sure their statements are entitled to respectful consideration from this body, and I will read from them. They say:

Even in 1897—

The year the Dingley Act was passed—

Even in 1897, and for a considerable period before that date, the rates imposed upon practically all varieties of glass were excessive. Under present conditions they are excessive to an inordinate degree; in fact, to a very great extent prohibitory.

Proceeding, the statement says:

Taking up the duties on unpolished cylinder, crown, and common window glass—

That is the paragraph we now have under consideration—

and it is the kind of glass used in building homes, and is strictly a necessity of life—"the present tariff affords almost an exact parallel to that on plate glass"—

Which had just been discussed and characterized as practically prohibitory.

In this, a cheaper article, in which an increased cost bears most hardly upon the poorer classes of our population, the present tariff will average about 100 per cent or more, figuring upon the ordinary window glass, which comprises by far the greater part of the total consumption.

We recommend the adoption of the following schedule on unpolished cylinder, crown, and common window glass:

Sizes not exceeding 10 by 15 inches, three-fourths of a cent per pound.

That is one-fourth of a cent less than Mr. Jones, the glass manufacturer, recommended.

Sizes exceeding 10 by 15 inches and not exceeding 16 by 24 inches, 1 cent per pound.

That is still less.

Sizes exceeding 16 by 24 inches and not exceeding 24 by 30 inches.....cents per pound.. 1¼
Sizes exceeding 24 by 30 inches and not exceeding 24 by 36 inches.....cents per pound.. 1½
Sizes exceeding 24 by 36 inches.....do.... 1¾

Recommending in each case a less rate than that recommended by the West Virginia glass manufacturer and embraced in my amendment.

Here we have the testimony of witnesses called before the Ways and Means Committee of the House by invitation, because it was supposed that they possessed knowledge of this matter, one of them a manufacturer of glass, the others among the largest importers in this country, all concurring in the opinion that the duties imposed by the Dingley bill are too high. The Dingley rates are substantially the same as those carried by the pending bill on this article. In fact, there is no reduction from the Dingley rates upon the smaller glass used in the homes of the people, and there is a reduction of only one-eighth of 1 per cent upon the larger sizes. All of these witnesses suggest that these rates are excessively high.

Mr. President, it is said that a high duty should be placed upon glass in order to stimulate and encourage the industry, which, it is claimed, is not so highly developed in this country as some other industries; that it is still, in a certain sense, in its infancy, struggling against adverse conditions and must have additional protection in order to encourage its further development. I have made some little investigations into the glass business, and I have discovered this situation: In 1890 the total amount of capital invested in the production of glass in this country was $40,966,000. In 1900, ten years afterwards, the amount invested was $61,423,000, an increase of 50 per cent in ten years. In 1905 the capital invested in this industry had increased from $61,000,000, in round numbers, to $89,000,000, an increase in five years of about 45 per cent. In other words, the profit of manufacturing glass was so attractive to capital that the amount invested in it has more than doubled in fifteen years. That does not look like a struggling or moribund industry.

But, Mr. President, the Republican definition of the protection to which the industries of this country are entitled——

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. SIMMONS. Certainly.

Mr. OLIVER. I should like to ask the Senator from North Carolina if these investments to which he refers were in the window-glass industry?

Mr. SIMMONS. No; the glass industry generally, window glass included.

Mr. OLIVER. It could not possibly refer to window-glass investments.

Mr. SIMMONS. The Republican platform definition of the amount of protection to which the industries of this country are entitled is the difference in the cost of production here and abroad plus a reasonable profit.

Let us examine this industry with reference to the application of this principle which we are assured by the chairman of the Finance Committee is the principle upon which this bill is framed. In the first place, I want to call the attention of the Senate to some facts with reference to the difference between the cost of production of window glass here and abroad. I hope to show the Senate that the duty which is now proposed not only exceeds by four or five times this difference, but it is over twice the amount of the total cost of its production abroad.

In the letter from Mr. Jones, from which I read a little while ago, a statement is made with reference to the material cost abroad. This statement of Mr. Jones is corroborated by the importers from whom I quoted just a minute ago. Mr. Jones's statement with reference to the material cost is as follows:

A former manufacturer, who carefully investigated the costs some years ago in Europe, informed me that the cost of raw material and fuel for the manufacture of window glass is as cheap in this country as in Europe, and in that respect foreign manufacturers have no advantage over us.

Even stronger than this is the statement of Mr. Simon Backe. It is as follows:

Both schedules—

Meaning the plate-glass and window-glass schedules—

violate the preelection pledges, as the duties proposed are anywhere from four to ten times the difference in cost of production between the United States and Europe—in fact, it is an open question if there is any difference. The best modern American factories probably produce glass as cheaply as in Europe.

Mr. President, the difference between the cost of production of this article here and abroad, if any, does not consist in the cost of the raw materials; for, I think, the testimony shows that that is substantially the same. Whatever difference there is—and I do not deny that there is some difference—is to be found in the labor cost.

The labor cost used to be considerably more in this country than it is now; but about 1905 there was invented a machine for making this glass, which before that time had been made by hand. That machine is controlled absolutely by one corporation in this country, and since its introduction the labor cost in making this character of glass in this country has been very small. It is not half what it was before that time, and to-day the difference in the labor cost of this class of glass here and abroad will not exceed 20, certainly not more than 25, per cent.

I wish in support of that proposition to call attention to the total cost of producing this article in Europe and its selling price in this country. I have not been able to get the labor cost in Europe separated from the material cost; I have not been able to get exactly the cost of production in this country; but we have had prepared for us an authoritative statement, showing the total cost of this product, size by size, just as you have it in this bill, in Europe, and the selling cost of each of these sizes in this country. The comparison is not exactly accurate, because, of course, in the selling cost in this country there is included in addition to cost the profits of the manufacturer.

First, take the smaller sizes of this glass, exceeding 10 by 15 and not exceeding 14 by 20—the kind used in the homes of the poorer classes. The foreign cost per box of 50 feet is 95 cents. The selling price of American glass of the same size and dimensions is $1.20, a difference of only 25 cents.

Now, take the larger size. Exceeding 35 by 50 and not exceeding 35 by 54, the foreign cost of a box of 50 feet is $1.65. The American selling price of that glass is $1.88. So the difference between the cost of producing this article in Europe and the price at which it is sold here, with profit added, is only 23 cents per box of 50 feet. The difference in the labor cost here and abroad, therefore, can not exceed, by the most liberal estimate, more than 25 per cent.

Now let us see what is the labor cost of producing glass in this country. I have taken some little pains to find out the labor cost of this article in the United States.

The census tables show that in 1880 it was 43 per cent of the value of the product; in 1890, 50 per cent; and in 1900, 49 per cent, averaging something like 50 per cent.

If the difference between the labor cost here and abroad is 25 per cent, the protection provided in the paragraph under discussion is more than three times this difference. Take, for illustration, the smaller sizes specified in this paragraph, above 10 by 15 inches and not exceeding 16 by 24 inches, the equivalent ad valorem duty prescribed is 71.59 per cent—in some of the larger sizes it is more—on one, as high as 86 per cent—not only three times the difference in labor cost of production, but from 21 to 36 per cent more than the total labor cost in this country.

Mr. ALDRICH. Will the Senator permit me?

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. Certainly.

Mr. ALDRICH. Is that added to the cost of the glass in this country?

Mr. SIMMONS. Under present conditions, no; but under the conditions which may be created any day by according to this industry a greater amount of protection than it needs, even from the protectionist standpoint, a trust may be formed, and in all probability will be formed, in the manufacture of window glass as has been done in the manufacture of plate glass, when domestic competition will cease and the price be advanced to the limit of the excessive protection rate prescribed.

Mr. H. E. Miles, the big Republican and protectionist manufacturer, who figured so conspicuously in the last campaign by reason of his declaration with reference to the excessive rates of the Dingley law, and who figured so prominently of late in the tariff hearings before the Ways and Means Committee of

the House, was absolutely right when he said that when Congress gave an industry more protection than it needed to hold its own with foreign competition the manufacturers regarded it as an invitation to combine and, by suppressing domestic competition, advance the price of their product to the full limit of the duty.

These duties are not now added to the cost of window glass, because domestic competition still exists and keeps down the price; but it is practically certain that, sooner or later, the invitation and temptation of these excessive and prohibitive rates will land this branch of the glass industry into a trust, just as they led the plate-glass manufacturers into a trust.

Mr. President, I did not rise this morning for the purpose of making a speech at all. I simply wanted to submit a few brief observations upon this schedule in an attempt to show, if I could, how utterly unnecessary are the duties it is proposed to place upon window glass, upon either the revenue theory or the protective theory of tariff taxation.

I have not only shown that these duties are two or three times greater than the difference in labor cost here and in Europe, but I have shown that they are from 21 to 36 per cent in excess of the total labor cost in this country.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. Yes; in a moment. As excessive as is the duty on these smaller sizes, the duty provided upon the larger sizes, 30 by 40 and not exceeding 40 by 60, is even more disproportionate.

Mr. McCUMBER. I wish to ask the Senator a question, just for information.

Mr. SIMMONS. Certainly.

Mr. McCUMBER. I understand that nearly all this character of glass is imported from Belgium. In estimating the comparative cost of production at home and abroad, and the comparative wages, does the Senator wish to be understood as saying that the Belgian laborer in the glass works receives within 25 per cent as much as the American laborer?

Mr. SIMMONS. If the tables I have here are true, the difference can not exceed 25 per cent. These tables refer to the cost in Europe, without specifying any particular country. But the argument I was making when interrupted was that the duty was from 21 to 36 per cent more than the entire labor cost in this country.

Mr. McCUMBER. If the Senator will pardon me, I want to ask him, if he has the information, what is the difference in the cost of production in Belgium of the glass mentioned in subdivision 1 of this paragraph—that is, the paragraph relating to glass under 15 by 10—as compared with this country?

Mr. SIMMONS. The only light I am able to give the Senator upon that question is contained in a table I have here in the hearings, purporting to show the total cost of production of each one of these items in paragraph 97 abroad, and showing the selling price in this country of each one of those different sizes of window glass.

Mr. McCUMBER. I wish to call the Senator's attention to the fact that the price differs very materially in Great Britain and Germany and in Belgium, I understand; and as practically all these importations come from Belgium, I thought that would be the proper country to consider in the matter of comparative cost.

Mr. SIMMONS. The Senator is right in saying the test should be the labor cost in that competing country where labor is cheapest, and that may be Belgium, as he says; but, as he knows, we have to rely for information upon these questions mainly upon the testimony in these hearings, and I have not been able to find anything in them showing the cost in Belgium.

Mr. McCUMBER. I understand that it gives us the production cost in each country.

Mr. SIMMONS. No; only the foreign cost.

Mr. McCUMBER. What are those items?

Mr. SIMMONS. It does not give the production cost in each country. I think it gives the average cost in Europe. I will read it to the Senator.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Iowa?

Mr. SIMMONS. With pleasure.

Mr. CUMMINS. Possibly I may clear up a little confusion that seems to be creeping into the debate by the suggestion that the cost abroad or the value abroad, as shown by our tables, can not be compared with the cost of the ordinary window glass in this country, because it is not the same kind of glass.

Mr. SIMMONS. That is absolutely true. A comparison can be made, but for the reason given by the Senator it is not accurate.

Mr. CUMMINS. It is not used for the same purpose. The foreign glass of the class which was imported last year, for instance, or in 1907, was greatly more than the selling price of the common window glass in our own country. It is now, I think, recognized and admitted by everybody who has given any study to this subject that the glass we import is not used for window glass. It is used for pictures, and what is known as dry plates in the photographic process. We do not import any common window glass, or, if any, not in an appreciable quantity. So the comparisons that were just being instituted might lead to a false conclusion.

Mr. McCUMBER. As I understand the Senator then, there is no imported window glass used for window glass?

Mr. CUMMINS. Practically none.

Mr. SIMMONS. The statement of the Senator from Iowa is substantially correct. There could not be any importations with the present duty upon this kind of glass and with the present selling price of glass in this country. The duties are absolutely prohibitory upon that particular kind of glass. As I understand, the same sizes are imported; but it is a glass of different quality, a glass of different thickness, known to the trade by a different designation—known as "dry plates," I believe—and is used for a different purpose altogether. It comes in under the duties imposed in these schedules, because it happens to be of the same size; and they pack it in boxes of the same number of feet; and for these reasons the amount of importations of these sizes, as shown by the Statistical Abstract and by the estimates accompanying the bill, is misleading.

There is practically none of this kind of glass imported into this country, and none can be imported as long as it is selling at the prices which now obtain in this country. Mr. President, that is perfectly patent. Take the larger sizes, exceeding 30 by 50 and not exceeding 30 by 54. The foreign cost per box of 50 square feet of that glass was $1.65. The duty is $2.02. The duty is therefore 37 per cent greater than the total cost of production of this class of glass abroad.

Take the smaller sizes. The foreign cost per box is 95 cents; the duty is 98 cents. The duty therefore is 3 cents more than the entire cost—labor, material, and everything else—abroad. When you add that duty and add freight, the selling price of this larger size of the foreign glass in New York is $3.78, as against the American selling price of glass of this size, described in this paragraph, which is $1.88. So with the duty and freight added the cost of the larger sizes of the kind of foreign glass that is brought in here under this paragraph is more than twice the American selling price of the same sizes of window glass made here and intended to be covered by these duties.

Now, Mr. President, I am trying to treat this tariff question from a practical standpoint. I recognize the conditions that exist. I know that this is going to be a Republican bill, and I know that the Republican majority in Congress have been instructed by the people it represents to make it a protective measure. But, while this is true, it is also true that the Republican masses, having in view, probably, former experiences, took the precaution to accompany their instruction and command with a specific definition of what they regarded as the measure of protection which should be accorded the industries of the country.

I do not agree with the tariff declaration of the Republican platform. I do not think we have a right in levying tariff duties to consider primarily the question of difference in industrial and economical conditions here and abroad. Especially I do not agree that we have any right in framing a tariff bill to guarantee the industries of the country a profit of any kind, whether reasonable or otherwise. Every tariff ought to be levied primarily for the purpose of raising revenue to support the Government. It ought to rest as lightly as possible upon the necessaries of life, and it ought to be distributed as much as possible upon all the interests in the country so that each productive industry will bear its part of the burden and receive its part of the incidental benefits of tariff taxation.

I do not advocate free trade; on the contrary, I believe that in levying these duties for the purpose of raising this revenue, we should not lose sight of the fact that there are many things that the foreigner can make cheaper than we can, and where the conditions of competition are obviously unequal, I think in laying these duties we should so adjust them as to afford the largest incidental protection to those things which most need to be secured against unequal foreign competition. In this way the burdens and benefits can in some degree be distributed and counterbalanced.

But, as I said, Mr. President, we are framing a bill not upon Democratic principles, but upon Republican principles, and in the discussion of these schedules we can not lose sight of this fact without running the risk of bringing about a discrimination

against certain industries and certain sections and, instead of decreasing, increasing the inequalities in the burdens and benefits of the tariff.

If the Republican party, who are making this bill and who are responsible for it, make a protective measure, I have no right to complain, because that will be in accordance with the instructions they have received from the people. We have no right to expect anything else. But when it is proposed to levy duties as in the case of the paragraph now under consideration, which violates every known principle of tariff taxation, which raises no revenue, which imposes duties from four to five times higher than are needed for the purpose of protection according to the Republican definition of the amount of protection the industries of the country are entitled to receive, I have a right as a minority Senator, representing a Democratic State which does not believe in the protective system, to protest; and all the people, whether Democrat or Republican, have a right to protest.

What is the result, Mr. President, of a duty which is not only four or five times the difference between the labor cost here and abroad, but two or three times greater than the total labor cost either here or abroad? I can not answer this question better than to repeat the declaration of Mr. H. E. Miles, one of the largest manufacturers and best informed men of the country upon the subject of the tariff, a Republican and a protectionist, when he declared during the last campaign, and I think again in his testimony before the Ways and Means Committee of the House, that when manufacturers are given a larger amount of protection than is needed to cover the difference between the cost of production here and abroad, they regard the action of Congress in voting them this unnecessary protection as an invitation to them to put their product in a trust, suppress domestic competition, and advance the price of their product to the full amount of the duty.

The schedule we are now considering illustrates this condition: The proposed duty, as Mr. Bache says, is four or five times greater than the difference between the labor cost here and abroad. Upon the smaller sizes it proposes a duty of 3 per cent more than the total cost, labor and material, abroad; upon the larger sizes, 37 per cent more than the total cost, labor and material, abroad.

The manufacturers of this character of glass are not now in a trust, but with this inducement and invitation it is almost certain that sooner or later they will follow the example of the plate-glass manufacturers and exploit the American producer to the limit of the duty by the imposition and exaction of exorbitant and monopolistic prices. Of course, Mr. President, the man who will suffer is the ultimate consumer. He not only pays the tax upon imports which the Government receives, but he pays a tax to the domestic producer when the price is advanced as a result of overprotection.

From any standpoint the rate under discussion is indefensible. It is not needed for revenue, because it will bring no revenue—it is prohibitory. It is not needed to protect American capital or labor against foreign competition, because it is several times in excess of the difference in the cost of this product here and abroad. It ought to be reduced, and heavily reduced.

In the amendment I have offered I have adopted the rate of duty suggested by the West Virginia manufacturer of glass, to whom I have before referred, not because I thought that the duty suggested by him was low enough, but because I thought the Republican party would at least be willing to accept the suggestion of a manufacturer of this product as to the amount of duty which in his judgment would be amply sufficient to secure him against unequal foreign competition.

The reduction proposed in my amendment is a moderate one—it only amounts to about 25 per cent. It ought to be reduced more than twice that amount; but, Mr. President, as I said, I am seeking results, and I knew it was useless to ask this body to make so great a reduction as that. I believe that a duty of 25 per cent upon this product would afford abundant protection, even from the Republican standpoint, and it is doubtful whether, even with a duty no greater than that, there will be any considerable importations, with resulting revenue to the Government.

Mr. GALLINGER. Mr. President, I wish to ask the Senator from North Carolina a question.

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. Mr. President, I have finished; but I shall be glad to answer the question, if I can.

Mr. GALLINGER. The Senator seems troubled over the fact that these duties are so high; but notwithstanding they are high, upon looking at the statistics I do not find that they have kept foreign countries from exporting their glass into this country in very large quantities.

Mr. SIMMONS. I have just undertaken to show—probably the Senator was not here—that the kind of glass imported, as shown by the imports, is altogether of a different kind, as to quality and thickness, and only like this glass in size; and that, therefore, those figures are irrelevant and misleading.

Mr. GALLINGER. Mr. President, I have no disposition to delay the consideration of this or any other schedule. I share with the Senators who want to see the end of this bill as speedily as possible. But I have been somewhat interested in the discussion of this schedule by the Senator from North Carolina. I listened to his very fervent speech on lumber, and I sympathized with him, and I shall vote with him on that schedule. But if he will take the testimony that was given before the Committee on Ways and Means of the other House on the lumber schedule, he will find a great many more witnesses who testified that lumber ought to be on the free list than he has cited to-day in favor of a reduction of duty on glass. So I think those of us who are going to ignore the testimony on the lumber schedule will take with some grains of salt the testimony the Senator has presented here this morning on the part of some importers and one manufacturer in reference to the schedule on glass.

I did not know, Mr. President, whether these duties are too high or not. I know that they are substantially the duties which have prevailed for a great many years, and I know that under the existing law an enormous quantity of foreign glass has been sent into this country that, I presume, could be manufactured by our own people as well as not.

In this connection—and it is all I am going to contribute to the discussion—I want to call attention to a statement made by 11 of the large glass manufacturing concerns in this country, who argue that the duties are too low, and that if they are not increased above the amount in the bill at the present time, disaster will come to the manufacturers of glass in this country on certain grades of glass. As this is a brief and very lucid statement of their side of the case, I desire to ask unanimous consent that it may be placed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The paper referred to is as follows:

PROPOSED COMPROMISE AMENDMENTS—SCHEDULE B, PAYNE TARIFF BILL.

Paragraphs 98, 100, and 101 of the Payne tariff bill should be revised to enable the American plate-glass manufacturers to operate their factories. These paragraphs are so closely linked that changes made in one necessitate changes in the others. They should be amended to read as follows:

"Paragraph 98. Cylinder and crown glass, polished, not exceeding 384 square inches, 8 cents per square foot; above that and not exceeding 720 square inches, 12 cents per square foot; above that, 15 cents per square foot.

"Paragraph 100. Cast polished plate glass, finished or unfinished and unsilvered, not exceeding 384 square inches, 12½ cents per square foot; above that and not exceeding 720 square inches, 18¾ cents per square foot; all above that, 22½ cents per square foot.

"Paragraph 101. Cast polished plate glass, silvered, cylinder and crown glass, silvered, and looking-glass plates exceeding in size 144 square inches and not exceeding 384 square inches, 15 cents per square foot; above that and not exceeding 720 square inches, 21 cents per square foot; all above that, 25 cents per square foot: *Provided*, That no looking-glass plates or plate glass, silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass of like description not framed, but shall pay in addition thereto upon such frames the rate of duty applicable thereto when imported separate."

(Paragraph 102 should remain as given in the Payne bill.)

WHY THE COMPROMISE RATES ON PLATE GLASS SHOULD BE GRANTED.

1. American factories to produce the same quantities of plate glass cost much more to build than European ones, hence larger investments and need of larger returns per square foot.

2. It costs 18¾ cents more per square foot to manufacture polished plate glass in America than in Europe.

3. The American manufacturer's market is limited to United States, while United States is the dumping ground of all other plate-glass producing countries.

4. Imports under the Dingley law have increased 2,445 per cent in the first bracket, 762 per cent in the second bracket, 557 per cent in the third, and 3,099 per cent in the fourth, an average on all sizes of 864 per cent, while American production has only increased about 100 per cent during the same period, showing the present tariff to be an improper one.

5. Glass in the first two brackets, under the Dingley law, constituting in excess of 40 per cent of the total consumption, must be sold below cost of production. Fully 30 per cent must be cut down from profitable sizes.

(Automobile wind shields constitute 5 per cent of the total consumption and are sold below cost by the manufacturer.

The windows in the new House of Representatives and Senate Office Buildings are all glazed with plate glass sold by the manufacturers below cost of production.

These are the type of "poor" consumers that purchase small sizes of plate glass. There is no justice in this condition. There should be more protection on small glass.)

6. The Payne bill as it stands would still compel the sale of glass in the first two brackets below cost, and by a reduction of tariff on large glass from 35 cents to 22½ cents per square foot would not give the manufacturers an opportunity of making up this loss.

7. The proposed compromise rates of 12½, 18¾, and 22½ cents per square foot, paragraph 100, while still compelling the sale of glass in the first bracket below cost, would allow the sale of glass in the second bracket at cost and glass in the two upper brackets at a slight profit,

be made, but for the reason given by the Senator it is not accurate.

the discussion of these schedules we can not lose sight of this fact without running the risk of bringing about a discrimination

try in very large quantities.

assisting the manufacturers to meager returns. The reduction in rate in the fourth bracket should increase imports materially and the Government revenues should be much larger. The average of the compromise rates based on the country's consumption are a reduction on the Dingley rates.

Changes in paragraph 100 to be of value must carry with them the corresponding changes in paragraphs 98 and 101.

Imports under Dingley law of plate glass, cast, polished, finished or unfinished, and unsilvered.

NOT EXCEEDING 16 BY 24 INCHES—(DUTY, 8 CENTS PER SQUARE FOOT).

Fiscal year ending June 30—	Quantity.	Deduct 1898 imports.	Increase over 1898.	
			Quantity.	Per cent.
	Square feet.	*Square feet.*	*Square feet.*	
1898	47,452.00			
1899	74,704.45	47,452.00	27,252.45	57.43
1900	103,323.49	47,452.00	56,871.49	119.85
1901	332,782.02	47,452.00	285,330.02	601.30
1902	382,221.57	47,452.00	334,769.57	705.49
1903	651,728.95	47,452.00	604,276.95	1,273.45
1904	567,892.36	47,452.00	520,440.36	1,096.77
1905	682,597.21	47,452.00	635,145.21	1,338.50
1906	1,050,312.71	47,452.00	1,002,860.71	2,113.42
1907	1,207,575.78	47,452.00	1,160,123.78	2,445.04

ABOVE 16 BY 24 AND NOT EXCEEDING 24 BY 30 INCHES—(DUTY, 10 CENTS PER SQUARE FOOT).

1898	530,769.00			
1899	385,095.45	530,769.00	* 145,673.55	27.44
1900	428,214.15	530,769.00	* 102,554.85	19.32
1901	1,475,244.88	530,769.00	944,475.88	177.94
1902	1,545,522.29	530,769.00	1,015,053.29	191.24
1903	3,294,124.26	530,769.00	2,763,355.26	520.63
1904	2,442,959.60	530,769.00	1,912,190.60	360.27
1905	4,323,668.77	530,769.00	3,792,899.77	714.60
1906	5,178,211.65	530,769.00	4,647,442.65	875.61
1907	4,877,639.11	530,769.00	4,346,870.11	792.34

ABOVE 24 BY 30 AND NOT EXCEEDING 24 BY 60 INCHES—(DUTY, 22½ CENTS PER SQUARE FOOT).

1898	112,959.00			
1899	404,673.99	112,959.00	291,714.99	258.24
1900	369,676.95	112,959.00	256,717.95	227.27
1901	705,308.72	112,959.00	592,349.72	524.39
1902	948,916.08	112,959.00	835,957.08	738.28
1903	1,191,173.32	112,959.00	1,078,214.32	956.29
1904	811,309.45	112,959.00	698,350.45	618.23
1905	792,579.50	112,959.00	679,620.50	601.65
1906	898,294.35	112,959.00	785,335.35	695.42
1907	741,967.28	112,959.00	628,988.28	556.82

ALL ABOVE 24 BY 60 INCHES—(DUTY, 35 CENTS PER SQUARE FOOT).

1898	5,655.00			
1899	60,738.00	5,655.00	55,083.00	974.06
1900	145,611.00	5,655.00	139,956.00	2,474.91
1901	724,734.22	5,655.00	719,079.22	12,715.64
1902	1,229,465.18	5,655.00	1,223,810.18	23,409.37
1903	1,162,111.40	5,655.00	1,156,456.40	20,459.16
1904	595,195.41	5,655.00	589,540.41	10,425.12
1905	285,442.60	5,655.00	279,787.60	4,948.96
1906	164,416.00	5,655.00	158,761.00	2,807.44
1907	180,913.26	5,655.00	175,258.26	3,099.17

TOTAL OF ALL SIZES.

1898	696,835.00			
1899	925,211.69	696,835.00	228,376.69	32.77
1900	1,048,835.59	696,835.00	351,980.59	50.51
1901	3,238,059.45	696,835.00	2,541,223.45	364.69
1902	4,204,406.07	696,835.00	3,507,571.07	503.37
1903	6,299,137.93	696,835.00	5,602,302.93	803.96
1904	4,417,356.82	696,835.00	3,720,521.82	533.92
1905	6,084,288.17	696,835.00	5,387,453.17	773.25
1906	7,291,234.71	696,835.00	6,594,399.71	946.34
1907	6,707,485.41	696,835.00	6,010,650.41	862.60

* Decrease.

Paragraph 100—Payne tariff bill.

PLATE-GLASS DATA.

American cost of manufacture per square foot	$0.325
European cost of manufacture per square foot	.14
Difference per square foot	.185

Brackets.	Dingley rates.	Add foreign cost.	Protection to.	American cost.	Results based on Dingley rates and costs.
Up to 16" by 24"	0.08	0.14	0.22	0.325	$0.105 loss per square foot.
Above and up to 24" by 30".	.10	.14	.24	.325	$0.085 loss per square foot.
Above and up to 24" by 60".	.225	.14	.365	.325	$0.04 gain per square foot.
Over 24" by 60"	.35	.14	.49	.325	$0.165 gain per square foot.

Paragraph 100—Payne tariff bill—Continued.

Brackets.	Payne bill.	Add foreign cost.	Protection to.	American cost.	Results based on Payne rates and costs.
Up to 16" by 24"	0.10	0.14	0.24	0.325	$0.085 loss per square foot.
Above and up to 24" by 30".	.125	.14	.265	.325	$0.065 loss per square foot.
Above and up to 24" by 60".	.225	.14	.365	.325	$0.04 gain per square foot.
Over 24" by 60"	.225	.14	.365	.325	$0.04 gain per square foot.

Brackets.	Proposed compromise.	Add foreign cost.	Protection to.	American cost.	Results based on compromise rates and costs.
Up to 16" by 24"	0.125	0.14	0.265	0.325	$0.065 loss per square foot.
Above and up to 16" by 24".	.185	.14	.325	.325	Sell at cost.
Above and up to 24" by 60".	.225	.14	.365	.325	$0.04 gain per square foot.
Over 24" by 60"	.225	.14	.365	.325	$0.04 gain per square foot.

Brackets.	Country's consumption.	Normal production.
	Per cent.	*Per cent.*
Up to 16" by 24"	10	3
Above and up to 24" by 30"	30	7
Above and up to 24" by 60"	25	25
Over 24" by 60"	35	65
Total	100	100

NOTE.—Thirty per cent of glass produced over 24 by 60 inches must be cut down to sizes up to 24 by 30 inches, cut from a possible profit under Dingley law of 16½ cents to a loss of 8½ cents to 10½ cents per square foot.

Tariff averages.

[Based on consumption of country.]

Brackets.	Consumption.	Dingley.		Payne.		Proposed compromise.	
	Per cent.						
Up to 16" by 24"	10	0.08	0.80	0.10	1.00	0.125	1.25
Above and up to 24" by 30".	30	.10	3.00	.125	3.75	.185	5.55
Above and up to 24" by 60".	25	.225	5.625	.225	5.625	.225	5.625
Over 24" by 60"	35	.35	12.25	.225	7.875	.225	7.875
Average protection per square foot			.21675		.1822		.2027

NOTE.—The proposed compromise is a reduction on the Dingley law.

Possibility of profit under compromise.

Consumption.	Loss.		Gain.	
10 per cent	0.065	0.65		
30 per cent				
25 per cent			0.04	1
35 per cent			.04	1.40
		.65		2.40

2.40 less
.65

1.75—$0.0175 profit per square foot on cost of $0.325, or 5.38 per cent.

Revenue from proposed compromise plate-glass rates.

[1906 imports used as basis.]

Bracket.	Quantity.	Rate.	Duty.	Duty under Dingley law.
	Square feet.			
Up to 16" by 24"	1,050,312.71	$0.125	$131,289.09	$84,025.05
Above that and not exceeding 24" by 30"	5,178,211.65	.185	957,969.16	517,221.10
Above that and not exceeding 24" by 60"	898,294.35	.225	202,116.25	202,116.25
All above 24" by 60"	164,416.00	.225	36,993.60	57,545.56
	7,291,234.71		1,328,368.10	861,507.96
			861,507.96	
Increase			466,860.14	

Glass in the first bracket (up to 16 by 24 inches) will still enter the country below American cost of manufacture, and the imports should not diminish. Glass in the second bracket can still enter the country at American cost of manufacture, and in view of the quantities entering in the next two brackets at higher than American cost of manufacture, imports in the second bracket should hold their own, although there might be a slight reduction. The third-bracket rate will remain as it is, and so should the imports. It is reasonable to assume that importations in the fourth bracket (all sizes exceeding 24 by 60 inches), by reduction in tariff from 35 to 22½ cents, making the rate the same as on glass over 24 by 30 inches and not exceeding 24 by 60 inches, will increase proportionately to the ratio of consumption in the two brackets, or about as 35 is to 25. The importation of sizes exceeding 24 by 60 inches should therefore be 1,257,610.09 square feet. The possible revenue under proposed compromise rates should then be:

Bracket.	Quantity.	Rate.	Duty.	Duty under Dingley law.
	Square feet.			
Everything up to 24" by 60"	7,126,818.71	$0.125 / .185 / .225 / .225	$1,291,374.50	$803,962.40
Over 24" by 60"	1,257,610.09		282,962.27	57,545.56
	8,384,428.80		1,574,336.77	861,507.96
			861,507.96	
Increase			712,828.81	

WASHINGTON, D. C., *May 5, 1909.*

To the Members of the Sixty-first Congress:

HONORABLE SIRS: The Dingley law does not, and the Payne bill as it stands will not, take care of the American plate-glass industry, but will affect it very detrimentally. The proposed amendments given on the first page of this booklet, although not affording as much protection as we originally requested and should have been granted, will allow us to operate without loss, and should, besides, permit increased revenues to the Government.

We solicit your cooperation and support of the proposed amendments, and hope the foregoing statements, based on facts, as they are, will merit the same.

Very respectfully, yours,

Allegheny Plate Glass Company, by W. J. Strassburger, secretary and treasurer; American Plate Glass Company, by A. H. Gaffney, president; Columbia Plate Glass Company, by C. W. Dahlinger, chairman executive committee; Federal Plate Glass Company, by E. F. Achard, general manager; Edward Ford Plate Glass Company, by Edward Ford, president; Heidenkamp Mirror Company, by Joseph Heidenkamp, president; Kittanning Plate Glass Company, by George W. Reese, president; Penn-American Plate Glass Company, by W. L. Kann, vice-president and general manager; Saginaw Plate Glass Company, by W. J. Wickes, president; Standard Plate Glass Company, by J. H. Troutman, secretary and treasurer; St. Louis Plate Glass Company, by W. J. Vance, secretary and assistant treasurer.

Mr. ELKINS. Mr. President, inasmuch as my State is interested largely in the manufacture of glass, I want to submit some testimony that I have here in behalf of sustaining the duty reported by the Senate committee in the bill. Referring again to the statement read by the Senator from Iowa [Mr. CUMMINS] yesterday from Mr. Jones, president of the Jones Window Glass Company, I have received from the president of probably the largest window-glass manufactory in Morgantown a telegram, which I will read. It will be understood that the president of this glass company heard of Mr. Jones's statement, which, by the way, as I said yesterday, was all hearsay. He did not know one thing of his own knowledge. Everything that he puts in his letter is hearsay. I received the following telegram yesterday:

[Telegram.]

MORGANTOWN, W. VA., *May 11, 1909.*

Senator S. B. ELKINS,
Washington, D. C.:

Marilla Window Glass Company strongly opposes reduction on present window-glass schedules. Result would greatly injure the business, and any further reduction in present low wages would close every hand-operated factory. All glass factories here are in line with this, and W. R. Jones is alone in asking for reduction, because he is a firm believer in free-trade Democracy.

JO. L. KEENER,
President Marilla Window Glass Company.

It is strange to say that here is a free trader who is willing to injure his own business to carry out his principles and views. Very few men will make that sacrifice. But as against his statement I put the eight manufacturers of glass in the town of Morgantown, who take the opposite view.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. ELKINS. Certainly.

Mr. SIMMONS. I wish to ask the Senator from West Virginia if Mr. Jones is a man of character and intelligence.

Mr. ELKINS. Oh, yes; of undoubted character.

Mr. SIMMONS. I wish to ask the Senator if he regards the rates that Mr. Jones proposed to the Committee on Ways and Means in the letter which the Senator from Iowa read, and which I read, as a free-trade proposition.

Mr. ELKINS. Well, it is such a reduction, if you please, Mr. President, that, according to the statement of the president of the largest establishment there, it would close up these factories.

Mr. SIMMONS. It is probably about 20 per cent less than the rate proposed in the bill on these articles. Starting with 41 and running to 71, 74, 75, 84, and 89 per cent, I suppose the average of those rates is about 65 per cent. Now, if you take off 25 per cent—that is about Mr. Jones's proposition—that would reduce it to 40 per cent. That is about very near the average rate proposed in this bill. Does the Senator from West Virginia regard that as a free-trade proposition? He says Mr. Jones is a free trader.

Mr. ELKINS. It is not out-and-out free trade, but it is just enough free trade to destroy the industry in that town, according to this statement.

Mr. SIMMONS. Does the Senator from West Virginia, therefore, mean that a rate of 40 per cent is so low that it would destroy the industries of this country?

Mr. ELKINS. I only read from the statements of people who are interested in this business and know more about it than I do. I know that they have had trouble with the operatives in the several glass factories in Morgantown.

Mr. SIMMONS. I should like very much, if the Senator will pardon me and not consider me as persistent, if he would answer that question. Does he regard a rate of 40 per cent so low that it would destroy the industries of this country?

Mr. ELKINS. It might in certain cases; that depends on conditions, Mr. President. But I can only quote the testimony here, by way of answer, that is given by the people in the business. If the Senator will allow me, it is a question of wages. The men in the several glass establishments in Morgantown will not stand any more reduction of wages; and this would cause such a reduction of wages that, according to the president of this large company and the officers of the other glass factories, the men would strike. That is the fear. Now, on the face of it, the Senator's proposition appears to be fair; but I do not put my knowledge against the men in the business. I want to read to the Senator a statement which is entitled to consideration.

Mr. SIMMONS. I should like to ask the Senator one other question.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. ELKINS. Yes, sir.

Mr. SIMMONS. Does the Senator from West Virginia mean to say that the manufacturers of window glass are now using all the protection that is given them by the Dingley law?

Mr. ELKINS. "Window glass," did the Senator say?

Mr. SIMMONS. Yes; common window glass.

Mr. ELKINS. I do not understand the Senator's question.

Mr. SIMMONS. I ask the Senator if he meant that the manufacturers of this kind of common window glass, for that is what it is, are now using all the protection that is afforded them by the Dingley rates?

Mr. ELKINS. I do not know. I can not answer whether they use it all or not.

Mr. SIMMONS. I will ask the Senator if he does not know that they are not using it, and, therefore, that a reasonable reduction of these rates will not affect the wages of laborers in those factories?

Mr. ELKINS. I know that they are not making money, according to their statements, and that if we reduce the duty they will have to reduce wages, and that will imperil their business. That is the best answer I can make to the Senator from North Carolina. It is a question of wages; and I want to protect the operatives in glass factories in my State against a reduction of wages.

Mr. SIMMONS. One other question.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. ELKINS. I yield for a question.

Mr. SIMMONS. It seems to be conceded that the present rate is a prohibitory rate. Is not the Senator from West Virginia in favor of reducing the tariff rates when they are prohibitory?

Mr. ELKINS. I do not understand that they are prohibitory. I understand that the importations from Europe will drive our people out of business right in that vicinity and in Ohio. The pottery makers of Europe and the window-glass makers can drive our manufacturers of these products out of business unless they are highly protected. Even with our high duties, both glass and pottery come in from Europe and compete in our markets as far west as Ohio.

Mr. President, I should like to call the Senator's attention to the testimony of Mr. Faulkner before the Ways and Means Committee of the House. He is the president of the Window Glass Workers' Association of the United States.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. ELKINS. I do.

Mr. BURKETT. I should like to ask a question before the Senator begins reading the testimony on that particular point. This is one of the things that has been troubling me. I will say to the Senator, and I shall not occupy much of his time.

Mr. ELKINS. I yield, with pleasure.

Mr. BURKETT. The men interested in this business who have appeared before us have insisted all the way along that they are losing money in the making of glass. One of the contentions has been that there has been no money made. In the hearings in the other House, Mr. Goertner devotes several pages to that one question, and calls attention to a whole list of factories which have apparently not only made money but have made lots of it, for they have been increasing their capital and increasing their plant. In half a dozen years they have grown from small concerns to be concerns with millions of capital, which would seem to refute the statement which the Senator makes, and which these people have made who have been appearing before us from time to time, that the glass industry is not a profitable industry. I should like to ask the Senator, since he has made the statement here, to state how he is going to refute the statement that is made by Mr. Goertner in the hearings of the House, on page 1205?

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Pennsylvania?

Mr. ELKINS. I yield for a question.

Mr. OLIVER. I want to say that I think the Senator from Nebraska [Mr. BURKETT] will find that Mr. Goertner, when he made that statement, was talking about plate glass, and not about common window glass.

Mr. BURKETT. I understand that, Mr. President. Of course I realize that all the people, so far as I have seen their statements, who have been here to present the glass question have been talking about plate glass. I also understand that almost all that is in these hearings is about plate glass. There has been very little evidence, apparently, taken on the question of window glass; but the same contention is made by the Senator now in speaking of window glass that is made by all this evidence with reference to the plate-glass business; and since the Senator has touched on that point, I want to know how he is going to refute this statement.

Mr. ELKINS. The Senator from Pennsylvania [Mr. OLIVER] is right. We are now discussing the window-glass question, but when we get to the plate-glass schedule we shall discuss that. It is easy to read from the testimony of importers and middlemen who get people to make statements of all kinds. I can put a dozen statements against the statement of Mr. Goertner, named by the Senator from Nebraska, and when we come to the plate-glass schedule I propose to do it. But I want to read, for the information of the Senate, from the testimony given before the Ways and Means Committee of the House. Mr. A. L. Faulkner, president of the National Window Glass Workers in the United States, a man of the highest character, who is known to Senators in this Chamber, made a statement in person. He refutes the statements which have been made in favor of a reduction of this duty by importers and others. I will not detain the Senate by reading much of what Mr. Faulkner says. Senators can read it for themselves. In giving his testimony on November 24, 1908, on page 1103 of the hearings in the House, he says:

> In appearing before the House Ways and Means Committee I do so representing the interests of all window-glass workers in this country—

> These are the people we want to pay attention to—the workers, the men who do the work, the wage-earners. They are not interested in the business and are fair and impartial—

> their families and their dependents. The Republican platform pledges a revision of the tariff. Mr. Taft in his preelection speeches pledged himself to a speedy and honest revision of the tariff. We believe the pledges will be redeemed and the President-elect will keep his pledge. Believing that revision does not necessarily mean a reduction of the present schedule, but that the term may be aptly applied as meaning an increase as well where necessary, that the labor interests as well as the business interests of this country may be thoroughly and honestly protected, I herewith submit a condensed statement concerning the condition of the window-glass industry as viewed from the worker's standpoint:

> There are 6,700 skilled window-glass workers in this country, all of whom are members of organized labor—

Take notice of what Mr. Faulkner says. You will need the glass workers and their friends in about a year and a half from now, in the fall election. What is said here may be quoted as against the claims of organized labor. This man speaks for all the organized labor of the window-glass workers in the United States. He continues:

> Capable of producing annually 11,000,000 50-foot boxes of the sizes and qualities required by American consumers.

> By the above I mean to demonstrate the fact that if all the skilled American window-glass workers were employed at their respective trades in the making of window glass, a sufficient number of boxes to supply the entire consumption of the country could be made in six months, thus compelling the forced idleness of the workmen during the remainder of the year.

> During a trip through Europe last summer—

This is not hearsay testimony, as was that of Mr. Jones as to what he heard from workmen and what a man told him who had been abroad. This is from a man who went abroad and saw with his own eyes.

> I had the opportunity of studying labor conditions affecting the glass industry and was particularly impressed with the fact that the low rate of wages paid the employees, together with the low cost of glass-producing materials, was a great menace to the American window-glass industry, the only safeguard against which is the tariff.

This man is not an importer; he is not a manufacturer; this is the man who does the work and represents the workers. He gives here a comparison between the wages of American and foreign workmen for the various classes of work. I will ask that this be inserted in the RECORD, but I will now state that the difference in wages is 40, 50, 60, and 70 per cent. He is standing for this difference in wages.

The PRESIDING OFFICER. Without objection, permission to print in the RECORD the matter referred to by the Senator from West Virginia will be granted.

The matter referred to is as follows:

> The comparative wages of American and foreign workmen I will submit as follows:

> American workmen: Blowers, $120.50 per month; gatherers, $90.25 per month; cutters, $124 per month; flatteners, $130 per month. Foreign workmen (I use the phrase "foreign" as referring particularly to the Belgian workers, our greatest competitors): Skilled workmen: Blowers, $60 to $80 per place.

> Mr. COCKRAN. Sixty dollars to $80 per what?

> Mr. FAULKNER. Sixty dollars to $80 per place. I will explain that later.

> Mr. COCKRAN. All right.

> Mr. FAULKNER. Gatherers, $40 to $50 per place; cutters, $28 to $38 each; flatteners, $40 to $60 each.

> In the case of a part of the more unskilled labor, the following were the wages shown by the figures that I was able to obtain:

> Lehr tenders, $48 to $60 per month; shove boys, $48 to $60 per month; roller boys, $48 per month. Foreign unskilled labor: Lehr tenders, girls, $15 to $18 per month; shove girls—that is, in place of the boys used in this country—$15 to $18 per month; roller carriers, girls, $18 per month.

Mr. MONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. ELKINS. For a question. I want to get through with this.

Mr. MONEY. Very well.

Mr. ELKINS. Mr. President, I will not go more into detail, but content myself by quoting the very language and the words of Mr. Faulkner. Again he says:

> The importers, in recommending a decrease in the tariff, are looking solely to their own interests.

The importers are the middlemen. If there was some way to get at the middlemen who stand between the consumer and the manufacturer and make nearly all the profits, sometimes from 100 to 500 per cent, if we could by some legislation that might be enacted do that we might afford the consumer a remedy, but we can not do it. They get profits that are largely more than the manufacturer gets and then state that the consumer is being defrauded by the manufacturer. That is the claim of a great many people.

Generally the manufacturer sells at low enough prices, but he sells in large lots wholesale to middlemen, and they make the tremendous profits and raise the prices to the consumer, which is the cause of so much complaint, but this complaint should be directed not against the manufacturer, but the middleman.

The consumers say the middleman represents the manufacturer. This is not the fact. They should complain against the middleman who sells these products and not the manufacturer.

Mr. McLAURIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. ELKINS. For a question.

Mr. McLAURIN. That is all I am going to ask; and I ask it for information.

Mr. ELKINS. Very well.

Mr. McLAURIN. Will the manufacturers sell to an individual consumer?

Mr. ELKINS. They will where they get a chance; but the middleman will not allow it. They are organized to sell at retail or small lots to the consumer, and the manufacturer is not.

Mr. McLAURIN. How can the middleman keep them from doing that?

Mr. ELKINS. The middleman is organized, on duty, busy day and night. How can you get rid of him? I have studied that. I am a manufacturer; I am a producer; and I can not get around the middleman. I can not sell direct, because the middlemen are so organized that they will not allow me to do so. Then, again, the manufacturer prefers to sell in large lots or quantities and not engage in retail business. The two are separate and distinct.

Mr. McLAURIN. That is what I wanted to know, why the middleman will not allow you to sell to an individual consumer.

Mr. ELKINS. They will allow me if I can, but I can not. Of course, they will allow me; I am free to do business in any way I choose.

Mr. McLAURIN. I know; but what does the Senator mean by saying he can not?

Mr. ELKINS. I mean that I can not go around and sell in small lots. I can not sell 50,000 tons of coal in bags or in small lots; but I must sell to somebody, some dealer who will take 50,000 tons of coal or coal in carload lots. I can not sell in small quantities, because I have no retail organization. If I should undertake to do so, then the jobbers and middlemen would not buy from me. The middlemen are needed and useful, but for the most part without any outlay of capital and without risk they make more money than the manufacturer.

Mr. McLAURIN. Suppose the individual consumer should go to the Senator at his place of business and offer to purchase from him a lot of coal for consumption in his dwelling, or in his office, or in his place of business, would the Senator sell to that man?

Mr. HALE. He never does.

Mr. McLAURIN. I am saying suppose he does, what then?

Mr. ELKINS. What does the Senator mean? The producer does not have offices in every town in the country, but the middlemen have. Both the consumers and the middlemen are everywhere, and the manufacturer generally only in one place.

Mr. McLAURIN. But that does not answer the question. Would the Senator sell to that individual consumer?

Mr. ELKINS. If I were organized to do it, and could get the price the middlemen get, of course I would do it.

Mr. McLAURIN. What organization would the Senator need to have before he could sell to the individual consumer?

Mr. ELKINS. I would have to organize to do a retail business. I can not have places of business all over this city and all other cities. The Senator understands that as well as I do.

Being a coal operator, my place of business is at the mines, and I send coal to the market in car lots, but generally sell under contract to large consumers and middlemen, who sell retail.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Maine?

Mr. ELKINS. I do.

Mr. HALE. Is it not a well-established rule of business that the manufacturer of any of these great products never can or never does deal with the actual consumer?

Mr. ELKINS. He rarely ever does.

Mr. HALE. He never does, and he never will. When we have protected him from the competition abroad, he makes such a display of efficiency as was yesterday shown by the Senator's colleague [Mr. SCOTT], who demonstrated the remarkably cheap price at which the glass manufacturers sell their product; but when you come to the fireside, the home of the consumer, the article has passed through two or three intermediate stages, and no legislation and no agitation and no cry that we do not regard the consumer will ever change that condition. The consumer will never be put into communication with the manufacturer; but he pays the price that the middleman exacts from him.

Mr. McLAURIN. Then, as I understand, if the Senator will permit me——

Mr. ELKINS. The Senator from Maine is quite right.

Mr. McLAURIN. The Senator from Maine is quite right, the Senator from West Virginia says. Then, as I understand, neither the consumer nor the retailer can purchase from the manufacturer. They refuse his patronage.

Mr. ELKINS. No; they do not. The retailer does not.

Mr. HALE. The Senator got that all wrong. They do not refuse; but the consumer in Mississippi, in Nebraska, in Iowa, or in Colorado, who is only interested in what he pays for the consumption of his own family, never approaches and can not approach the manufacturer.

Mr. McLAURIN. That is what I wanted to know, whether or not he could go to the manufacturer and buy anything.

Mr. HALE. The far-away consumer of a small quantity of an article for his own household necessarily deals with the retailer.

Mr. McLAURIN. Suppose he lives in the same town with the manufacturer?

Mr. ELKINS. What is the question?

Mr. McLAURIN. I say, suppose the consumer lives in the same town with the manufacturer. Can he then buy of the manufacturer?

Mr. ELKINS. I think he can; and undoubtedly the manufacturer would sell to him if he would ask for a carload lot of coal.

Mr. McLAURIN. If he asks for a carload lot; but suppose he wants a small lot?

Mr. ELKINS. I can not start out in the morning before breakfast, as the Senator knows, to sell him 3 or 4 or 5 tons of coal, when my mines are far away and I am not retailing coal, but sell only under contract or to retailers only in carload lots.

Mr. McLAURIN. Suppose a man wanted to buy 8 or 10 tons of coal from the producer; would he sell it to him?

Mr. ELKINS. How many?

Mr. McLAURIN. Eight or 10 tons.

Mr. ELKINS. From the producer?

Mr. McLAURIN. From the producer in his home town. What does he want with a carload of coal to carry to his place of business if he lives in the same town with the producer?

Mr. ELKINS. If he had a retail office or place of business there, he would sell it to him as a retailer, but the producer of coal generally has not a retail place of business; he is not organized to sell at retail, and if asked to sell in small lots, a few tons here and a few tons there, he would have to refuse, because he is not prepared to make the deliveries.

Mr. OLIVER. Mr. President——

Mr. ELKINS. I yield to the Senator from Pennsylvania for a question.

Mr. OLIVER. I simply want to invite the attention of the Senator from Mississippi to something that occurred within a few months in my own personal experience. I had occasion to award a contract for a building in the city of Pittsburg. I awarded the contract for the glass in that building direct to the manufacturer, and he billed the goods direct to me. So that if a consumer wants to buy glass from a manufacturer and goes to the manufacturer, he can buy it.

Mr. McLAURIN. Will the Senator let me ask him if the factory from which it was sold was in the Senator's own town?

Mr. OLIVER. The factory was not in my own town, but the office of the manufacturer was in my own town.

Mr. McLAURIN. That was a special case, I take it.

Mr. OLIVER. Not at all.

Mr. McLAURIN. Does the manufacturer——

Mr. OLIVER. If I had been in Chicago or in New York or in any other place, that same manufacturer would have taken that same order, and he would have been glad to get it.

Mr. McLAURIN. He would do that for the Senator, but would he do it for anybody?

Mr. OLIVER. He would do it for the Senator from Mississippi or for any other Senator or for anyone who had the money to pay for it.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from South Carolina?

Mr. ELKINS. I yield to the Senator from South Carolina.

Mr. TILLMAN. It was stated a little while ago that the manufacturer—I suppose in coal it would be better to call him a producer, although the Senator from West Virginia does not produce coal; he simply owns the coal mine, and has the coal dug out of the ground—it has been stated, however, that the manufacturer or producer never dealt directly with the consumer. Was it not brought out by the evidence in the investigation of the Interstate Commerce Commission in regard to the coal mines of the anthracite field, that there was such a monopoly there that they not only had shut out the middleman, but that they had established coal offices of their own in New York, in Philadelphia, and in those other cities which consume anthracite coal; that they were dealing directly with the consumer, and had put up the prices to such a rate that there was a coal famine, and all that sort of thing? Was there not some such evidence as that before the Interstate Commerce Commission?

Mr. ELKINS. I think there was something of that kind, but that is one case out of a thousand. The anthracite companies were so strong that they did the middlemen's business and got the profit. They organized to sell direct to the consumer by establishing offices and places of business, where they could store coal and then retail it to the consumers.

Mr. TILLMAN. Yes; they took the whole thing, just as kerosene oil is now largely sold by the Standard Oil Company to everybody, and the middleman is shut out or compelled to sell at whatever prices the Standard Oil Company fixes.

Mr. HALE. Let me ask the Senator a question. What he has said is true about such industries; but coal and oil are exceptional, and I think the retail dealers in the country, in the villages, have reason to complain because the great companies have refused their cooperation and have brought themselves to the door of the consumer. But it is the exception that proves the rule. In all other great industries, in almost everything that the tariff deals with, none of these conditions apply. The rate that the consumer pays at his door has practically no relation to the rate that is fixed by the tariff to protect the manufacturer.

I agree with the Senator that in the case of oil, and possibly one or two other products, this rule is violated; but, generally speaking, in all the vast industries that the tariff deals with this condition does not apply; and I appeal to the Senator whether he does not bear me out in the statement that it does not apply to other industries.

Mr. TILLMAN. My understanding of the mercantile conditions and commercial relations is exactly of the kind that the Senator mentions. The manufacturer has grown so rich and impudent that he would not think of dealing with the consumer direct. The harvester trust, for instance——

Mr. HALE. It is not a question of whether he would or would not—he can not.

Mr. TILLMAN. The International Harvester Company——

Mr. HALE. According to the way trade is arranged in this country, with the exception of these few oppressive cases, the manufacturer never deals with the consumer at his fireside; never.

Mr. TILLMAN. I agree with that, as a general rule.

Mr. HALE. Yes.

Mr. ELKINS. Now, Mr. President, I should like to conclude. Replying just a little further to the question of the Senator from Mississippi and other questions proposed by Senators, take the case of buying glassware by the dozen or by the hundred dozen. The manufacturer will sell cheaper to the wholesaler in job lots than he would to people who might call on him for one or two articles and he had to establish places to sell all over the country. The glass manufacturer, or any other manufacturer, is glad to dispose of large quantities, large lots, to dealers. Take the case cited by my colleague [Mr. SCOTT] yesterday. The manufacturer sells glass pitchers for a dollar a dozen, and then the middleman sells them for 50 cents apiece, making 400 or 500 per cent, and the consumer complains against the manufacturer about the high price. How are you going to avoid that? The man who makes the glass is glad enough to sell for a dollar a dozen; he makes a modest profit. The middleman makes the money, but how are you going to reach him and prevent his enormous profit? The Senator from South Carolina has cited the Standard Oil and the Harvester Company——

Mr. CLAPP. Mr. President——

Mr. ELKINS. I want to get through with this statement and then I will yield. The Senator says these corporations have become middlemen themselves.

Mr. TILLMAN. Thy have formed a combination and they have destroyed competition. Therefore they fix the prices to suit themselves and the consumer is not permitted to go into the markets of the world to get relief.

Mr. ELKINS. Let the Senator from South Carolina draw a bill to correct the evils and abuse of these combinations in monopolizing products and their sale.

Mr. TILLMAN. Will you vote for it?

Mr. ELKINS. I will if you will frame a proper one. I should like to see the Senator's bill before committing myself. Now, I yield to the Senator from Minnesota, and then I want to close.

Mr. CLAPP. Mr. President, what I was going to say was that great confusion comes into the discussion of the relation of the manufacturer, the wholesaler, and the retailer by confusing the word "profits" with the percentage of addition to price.

Mr. SMOOT. It is profit.

Mr. CLAPP. It may be profit, but the manufacturer before he talks about profits or dividends or percentage takes his entire year's work, figures the cost of repairs, the money necessary to keep up his plant, and everything of that kind, and then he calls the difference between the receipts and expenditures a percentage. The clothing merchant, for instance, expects, as I have been told for a great many years, to mark a suit of clothes 33⅓ per cent above the purchase price; but that is not all profit to him. Out of it must come the expenses of his business; and while the percentage seems very high, figured as a percentage in the difference between the buying and the selling price, it is not the percentage of profit. That is where we get into confusion on this whole subject.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. CLAPP. Just a moment——

Mr. SMOOT. Right here in relation to the profit, I wish to say that I was rather interested in the matter of glass that was spoken of here last night. So I wired to New York and had an appraiser go to several of the stores in New York to find out what a 12 by 14 pane of glass, such as we were discussing yesterday, could be purchased for at retail in New York. The cost of that glass a pane, with the duty added and a large allowance for breakage, is 4 cents. The appraiser went to a picture-framing establishment and asked at what price he could buy a pane of 12 by 14 glass and he was told 15 cents. He went to one of the largest department stores in New York and asked what the same identical pane of glass could be bought for there. Mind you, it cost 4 cents. The price asked for it in the department store was 25 cents per pane of glass. That is not 33⅓ per cent, but 600 per cent.

Mr. CLAPP. It is 600 per cent, but that does not measure all the expense incident to that man's business. I am getting at the difference between the percentage of profit at the end of the year on the entire capital and the percentage of the advance in an article.

Mr. HALE. But it does measure what the consumer has to pay.

Mr. CLAPP. Undoubtedly; but it ought not to be charged——

Mr. SMOOT. I am perfectly willing to allow a profit of 50 per cent on a pane of glass, if you wish—and no business on earth requires to sell goods as high as 50 per cent—but in the instance I have given, 50 per cent would be 2 cents, which, added to 4 cents, would make 6 cents as the selling price; but it is sold for 25 cents, which is 400 per cent more than that.

Mr. CLAPP. There is an old, homely expression, "The proof of the pudding is the eating of the string." I am not complaining of the manufacturer. I think it is a splendid tribute to the development of our industries that we can put these goods out as cheaply as we do, but at the end of the year the manufacturer takes the profit upon a vast business.

Mr. SMOOT. His profit is a very small profit, indeed.

Mr. CLAPP. It is small profit, measured perhaps by the percentage of difference between the cost at which he produces an article and the price at which he sells it; but then he is making money, while you hardly ever hear of a retailer getting rich. The only retailers that get rich are the men who do a great business.

Mr. SMOOT. I believe I can tell the Senator of a retailer in this country who has made more money than all the woolen manufacturers of the country combined.

Mr. CLAPP. Because he has done a vast business.

Mr. ELKINS. I should like to proceed, if the Senators are through.

The VICE-PRESIDENT. The Senator from West Virginia is entitled to the floor whenever he demands it.

Mr. ELKINS. Mr. President, we are all consumers, and many of us producers as well. I do not want to be ruled out of the class of consumers because I am a producer. If it were not for the manufacturers and the producers and their businesses, there are a lot of consumers who would not have employment or the means to purchase what they consume. We must make that distinction. If the manufacturer or producer is not prosperous or gives up business, what becomes of the vast army of consumers who are employed by producers or indirectly get a livelihood out of the producer's business? The consumers, if they are aggrieved, should fight rather the middleman than the manufacturer. The manufacturers and producers contribute to the business of the country, to its glory and its progress, and there is no just complaint that the manufacturer does not generally sell cheaply enough in the first instance. I admit prices may at times be too high. It is the middlemen generally who get the exorbitant profits, and if there is any legislation to prevent extortion complained of by consumers, let some one aggrieved make the move; but let us not complain on account of an abuse against persons not guilty, but rather the middleman.

Mr. TILLMAN rose.

Mr. ELKINS. Will the Senator allow me to read this and to ask a question?

Mr. TILLMAN. Surely; if the Senator is anxious to read it, I do not want to interrupt him.

Mr. ELKINS. I was reading, not from a manufacturer, not from an importer, not from a middleman, but from the official

head of the window-glass workers of this country—their president—and this testimony is impartial and unselfish. He says, "I appear for the wage-earner and those dependent upon him." Now listen to what he says bearing directly upon this question:

The importers, in recommending a decrease in the tariff, are looking solely to their own interests—

They would like to have everything come in free, of course. They want to buy cheap and sell dear. They do nothing but import. They make nothing but money, and they make a great deal of it, but the consumer should not make war on the producer because the middlemen charge high prices.

No matter what the prices for tea, coffee, spices, and many articles are to the middlemen—the grocers—they make a big profit. They often buy coffee at 7 or 8 cents per pound—sometimes higher—but the consumer never pays less than 25 cents per pound, and often 30 to 40 cents per pound; here is 300 or 400 per cent; who makes it? Not the producer. The grocer and middlemen make the profit, whether they buy at low or high prices.

A mere matter of bargain and sale—and are not considering or caring anything about the interests of others.

That is true, too.

The decrease in rates recommended by Mr. Goertner—

That is the friend of the Senator from Nebraska [Mr. BURKETT], who pleases him so much and so comforts him in his notions about the outrage and extortion of producers. Read his evidence. Here is the workingman. Take notice. Listen to him a good deal more than you do to the middleman, because you may need him more.

The decrease in rates recommended by Mr. Goertner, representing the importers, if granted, will be such a calamity that it would put a great many factories permanently out of business, and would ultimately be the ruin of the industry.

This is the word of an honest and impartial mind; this is impartial testimony, and can be relied upon. I commend it to the careful consideration of Senators.

He adds, making a splendid appeal for an American industry and the American wage-earner:

I am making this plea in the interests of American industry and American labor, and I would earnestly recommend that Schedule B, glass and glassware, No. 101, be changed as follows—

What he says I will ask to have inserted in my remarks.

The VICE-PRESIDENT. Without objection, that will be done.

The matter referred to is as follows:

	Cents per pound.
Unpolished cylinder, crown, and common window glass not exceeding 10 by 15 inches square	1¾
Above that and not exceeding 16 by 24 inches square	2¼
Above that and not exceeding 24 by 30 inches square	2½
Above that and not exceeding 24 by 36 inches square	2¾
Above that and not exceeding 30 by 40 inches square	3½
Above that and not exceeding 40 by 60 inches square	3¾
All above 40 by 60 inches square	4½

Provided that unpolished cylinder, crown, and common window glass imported in boxes shall contain 50 square feet, as nearly all sizes permit, and the duty shall be computed thereon according to the actual weight of the glass.

Mr. ELKINS. Again he says:

The above recommendation is made after a searching investigation and upon the advice of both manufacturers and workers, for the purpose of creating a market in this country of an additional half million boxes of window glass annually of poor sizes and qualities that is now being made abroad and dumped upon the American market, which could and should be made by American workmen.

That is signed by A. L. Faulkner, president of the National Window Glass Workers of the United States, known, as I said, to a great many Senators here, and I think it fully answers a great many questions which have been raised and in a satisfactory way; and I think it is such testimony coming from such a source that we should take notice of in voting upon this schedule.

Mr. BURKETT. Mr. Faulkner explained that the factories are running now only half the time. I should like to ask the Senator if anywhere through all this testimony he has been able to find any answer to this proposition, how raising the tariff will raise the price of glass, when they are now selling glass produced here at less than the tariff? If some one were given the glass in Europe, he could not afford to bring it here and pay the tariff that is imposed beyond what he could buy it for in America. How do they need any more protection, when they could not bring it in if it was given to them in Europe?

Mr. ELKINS. I do not know whether these statements of the Senator are all accurate, but I do know at times men carry on business at a loss in order to keep the business going. They have to do it. It is no answer to the question that they are now selling below what the duty is. Often business men all over the country do it; and why? To keep the factories going until better times come; to keep their laborers employed. That is the reason. I know, as a matter of fact, from people who are informed on this subject that they often run their business at a loss. Mr. Faulkner says so. He is not a manufacturer, but a worker. He says we can do the business in six months, whereas if times were good and the interest were properly protected we might get business for the next six months at better rates.

Mr. BURKETT. Mr. President, I do not know very much about the schedule on window glass; but here for two days now we have been discussing it, and it seems to me that at some time or other we ought to have an explanation of it from some member of the committee who is defending these schedules.

I do not know whether this rate is too high or not. I have read the evidence of these men, representing the laboring men, and without a single exception they fear that a reduction of the tariff will reduce their wages, and the witness to whom the Senator from West Virginia has called attention used the very pathetic illustration of the result of the reduction of the tariff in the Wilson Act. He stated that almost immediately upon the going into effect of the Wilson Act, reducing the schedules, these factories were closed up, the men working in them were turned out of employment and joined the great army of American laboring men who were chasing over the country in search of work.

I do not want to produce that sort of situation again, but I do know that there is a very evident opinion among the people of this country who are using glass that there is some way, somehow, by which the people who produce glass can manipulate the price of glass so as to make it almost disastrous to other manufacturing industries that are using glass or to which the glass is a raw material, so to speak.

I have had letters—and I expect other Senators have had—from people using just this sort of glass, and they are not complaining so much because it is high, perhaps, but they are complaining more because the price is manipulated. First it is comparatively low, and then extremely high, as compared with its former price. So it goes on month by month and year by year.

I have read every syllable of evidence contained in these hearings with reference to the glass schedule, and it is not anywhere explained why it is that the tariff on this kind of glass should be more than they are selling glass for. I should like to have some member of the committee who is defending the glass schedule explain to me why it is, because, as I stated a moment ago, I do not want to be responsible by my vote for precipitating a similar condition that confronted us after the Wilson Act went into effect; and yet we know conditions have changed. It is not necessarily true that the schedule under the Dingley Act is required to-day, because as we find in this evidence and as was stated by the chairman of the Finance Committee, since that act went into operation, a dozen years ago, they have improved machinery for the making of window glass, so that it is made at half what it used to cost, and perhaps even less than that.

I think those of us who are not on the committee and have not had the advantage of the information furnished to the committee ought to have the information why it is necessary under these changed conditions, with the changed prices that obtain to-day, to keep up the same schedule that was put into effect a dozen years ago under entirely different circumstances, when the price of glass was double what it is to-day. It seems to me we are entitled to some sort of an explanation from some member of the committee with reference to it.

Mr. HALE. Mr. President, there is no mystery about the application of the doctrine and theory of protection as applied in the glass schedule. It is better illustrated in the glass schedule perhaps than in any other. The policy of protection, as applied to the manufacturer in this country, and as illustrated in this schedule, is to save him on the one side from foreign competition. The price to the consumer is another question, with which I will deal later. But the American manufacturer of this great product, so largely used by the people, is up against the raid that is made by the foreign competitor producing the same article.

There never has been a time—and it is fortunate in considering all the sides of this question that there never has been a time—when there has been such a raid of the foreign manufacturer and producer in his natural and insatiate desire to get at the great American market as there is to-day. It is not simply Oriental, it is not simply Japan, although that is a very great feature. But there has never been a time when, on the part of the German Empire, which is not only military and dominant in politics, but in business and in trade and industry, there was such a determination and predetermination to secure the immense American market as to-day.

The man is blind, Mr. President, who does not see that. Almost every manufacturer in this country is met by this deter-

mined invasion of our industries by the competing industries of Germany to obtain our market. That is one side of the question.

Mr. OVERMAN. Will the Senator let me ask him a question?

Mr. HALE. I wish the Senator would let me alone until I develop my thought, if I have any thought on this matter.

That is the one side. That is not the side of the consumer. That is another side, entirely distinct from that; and the policy of the Republican party, the policy of protection, is to impose such duties as will be a complete and fair discrimination in favor of our labor in manufactures as against German and oriental labor; and the duties that we impose are meant for the protection of the manufacturer in the great products that go to the people.

We have not yet come to deal with the consumer. That is another side. We are dealing now with the building up of manufacturing industries as against foreign competition. Every imposition in the way of duty is to protect our manufacturers. There never has been such a demonstration of the wisdom and beneficence of the protective theory against foreign competition as is disclosed in the glass schedule.

I said yesterday that the wit of man can not devise a wiser system of protection—not yet considering the consumer—against foreign competition than was disclosed yesterday by the junior Senator from West Virginia [Mr. SCOTT] when he brought forth the wares—glass—the different manufactures that under Republican protection were manufactured in the establishments protected by the Republican policy of protection. It was a revelation to me—the cheapness—and yet I knew as a protectionist that that is what protection does—that it builds up these great hives of human industry throughout our whole country and produces materials for the people at a cheaper rate than could in any other way be produced.

The presentation by the Senator from West Virginia of the glass products showed the result that under our system of protection against the foreign manufacturer our manufacturers could produce for the people at a rate at which the article never could be sent to our markets if we gave way to the foreigner.

Then we meet the other side, and the Senator showed the result of protection, how one article of general use among the people was furnished at 90 cents per dozen. Under our system of protection against the foreign manufacturer that single article could be presented and distributed and sold to the American people at 90 cents a dozen, and then we come to the other side, and there is the Democratic fallacy, there is the patent fallacy and absurdity, that whatever rate is put on to protect our manufacturers from this foreign invasion is paid by the consumer.

I am very glad, Mr. President, that I had some hand in bringing out this, I will not say fresh, I will not say new, but this important and essential contribution to the whole controversy, and that is that the rate which enables the producer, protected by the tariff through the Republican party, to open his establishment and present his wares to the American people has no relation to the price that the consumer pays at his own door. The Democratic proposition is that whatever is added by the tariff is paid by the consumer, and if anything has been shown by the discussion to-day and if anything is shown by the thorough investigation into the whole business of the country, it is that the rate at which the protective tariff enables the American manufacturer to present his wares to the American people has the least possible relation to what is paid by the consumer at his own door. Ninety cents per dozen is the price of a single article of every-day production, a pitcher, and yet it is paid for by the consumer at his door at the rate of 50 to 60 cents for each article. And our Democratic friends say that that should be charged to protection.

I assert—and I assert that this discussion will disclose and in the end will bring to the mind of the American people the fact—that the rates which we establish for the protection of these great industries, upon articles that are presented to the public, has no relation whatever to the prices that are charged by the manufacturer. It is the middleman, it is the jobber, it is the retailer, who puts on the price, and the citizen in Florida, the housekeeper in Missouri, the family in North Carolina, and the consumer in Wisconsin and Iowa are paying no tribute to the Republican policy of protection, that builds up these manufactures, but are at the mercy of and are controlled by the prices that are charged to them by the middleman.

Now, I do not arraign——

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from North Carolina?

Mr. HALE. I wish the Senator would let me carry out my views. However, I yield to the Senator.

The prices charged are the prices—I had a controversy yesterday with the Senator from Nevada—charged by the middleman, the jobber, the retailer. I do not know that we can interfere with that. We have not yet a system of government, paternal as it is growing to be and reaching out and assuming functions that were never imagined by the fathers, that seeks to fix the prices which shall be paid by the man who ultimately consumes.

Experiments of that kind have been tried in other countries, and have always been failures. There is no possible way we can do that. But I am trying to help awaken the American people to the consciousness that the large prices they pay at their door are in no degree affected by the protective tariff that we lay in order to build up the manufactures of this country.

Some time, Mr. President, the people will realize this. It is a direct counter proposition and a direct contradiction of the Democratic fallacy that the rate imposed by protection for the benefit of American manufacturers is all charged to and paid by the consumer. A demonstration of how this works shows precisely the contrary.

Mr. NEWLANDS obtained the floor.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. The Chair recognized the Senator from Nevada. Does the Senator from Nevada yield to the Senator from Oklahoma?

Mr. NEWLANDS. I yield to the Senator.

The VICE-PRESIDENT. The Senator from Nevada yields to the Senator from Oklahoma.

Mr. GORE. Mr. President, I desire to say that I do not stand in this place as the chosen champion of the retailers of this country, but I witness with some concern the repeated indictments which are returned in this presence against the millions of retailers in the United States who are struggling for a bare subsistence. The Senate, it seems, has converted itself into a grand jury and has returned a presentment against the retailers and the middlemen of the country. The manufacturers, the trusts, and the monopolies are undertaking to hold up the middlemen and the retailers as a shield to protect themselves against the wrath of outraged consumers. I stand here, I say, not as the chosen defender of the retailers of this country, but in their behalf I desire here and now to enter a plea of "not guilty."

It seems that the senior Senator from Maine [Mr. HALE] has constituted himself the foreman of this grand jury which has returned this wholesale indictment against millions of honest and deserving American citizens. Now, let us examine whether that indictment be true or be false. Take the consumer; take the ordinary citizen. How stands the count with him? Begin, sir, with the hat upon his head. Take the Stetson or Knox hat, and, for aught I know, other varieties, and the retailer has to sell those hats to the consumer at a fixed price. He has no choice and has no discretion. Take the shoes upon his feet, and every standard pair of shoes in the United States is sold to the retailer upon the express condition that he will sell it to the consumer at a fixed price, and he has no liberty; he has no option.

Is the retailer responsible in that case? Nay, sir.

Mr. SMOOT. Mr. President——

Mr. GORE. I yield to the Senator.

Mr. SMOOT. Do I understand the Senator to say that when clothing is sold by Hart, Schaffner & Marx, of Chicago, to a retail merchant, the retail merchant is compelled to sell it at a certain price?

Mr. GORE. I am so informed.

Mr. SMOOT. I want to tell the Senator he has been absolutely misinformed.

Mr. GORE. But, sir, what do you say of hats and shoes?

Mr. SMOOT. I do not know anything about shoes. I doubt very much whether it applies to shoes. I know it does not apply to clothing.

Mr. GORE. I ask the Senator with reference to Manhattan shirts, Earl & Wilson's shirts. Does the Senator say in that case the retail merchant is the robber who outrages the consumers of this country?

Sir, this is a miserable sham invented by the manufacturers. Driven to desperation, in order to defend themselves against their outrages and in order to shield themselves, they indict and they malign the retail dealers of the United States.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield further to the Senator from Utah?

Mr. GORE. I do.

Mr. SMOOT. Will the Senator apply what he says to the glass schedule here pending? Take a pane of glass, 12 by 14. Is that sold to any retailer with an understanding that he shall retail it at a certain price?

Mr. GORE. Mr. President, I have not so asserted, and I do not so understand. I spoke about clothing. I will say that it not only applies to clothing, but to many other articles, even to articles of food which are sold to the retailer on the express condition that he shall sell them to the consumer at a fixed price, and he dare not vary from the price which is prescribed to him. So some brands of soap and other groceries are sold to retailers upon those conditions. Yet the responsibility for the high prices is charged to the retailer, who is bound hand and foot. I do not defend the retailers in every instance. Doubtless they do charge high prices occasionally. But, sir, the responsibility can not be shifted from the manufacturer to the retailer in this instance.

This has applied at times to lumber. It does not do so at this time, certainly not in all sections of the country. It has applied to farming implements, and the effort was made to extend it to various kinds of hardware, but with the weight of hardware the scheme broke down. I have here an extract from a letter from one of these manufacturers' associations, prescribing the terms upon which stock should be sold to the consumer and requiring the retail man to sign an agreement not to purchase from any other importer or from any other concern. What liberty has the retail man to rob the consumer?

Mr. President, when we hear of the profits of the manufacturers, the net profits, after all expenses have been paid, are exactly expressed in the terms of dividends. I do not understand the accounts of the retail merchant. You say he averages a profit of from 33 to 35 per cent. Admit that he does. What, sir, does that cover? That is gross profit and not net profit. What does it include? It includes the rent. The building is often worth from one-fourth to three-fourths the entire valuation of his stock. Not only that, but it includes the cost of transportation of the goods. Not only that, but it includes insurance upon the building and stock. It includes taxes upon both. It includes advertising, losses from breakage, remnants, and bad accounts. Not only does it include that, but it includes the wages paid to all his clerks, about which Senators on the other side are so extremely solicitous. Not only that, but it includes compensation to the merchant for his time, and after that it includes compensation upon the capital invested. I know not how it may be in other States, but I say that in Oklahoma——

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Maine?

Mr. GORE. Certainly.

Mr. HALE. Mr. President, I see the force of the statements that are made by the Senator of the burdens that rest upon the retailer. That is a part of my proposition. I am not arraigning the retailer as being a robber. I am only saying that such is our habit and system of trade that the very reason which the Senator is giving so forcibly, the expenses and burdens of the retailer, shows that when the consumer at his home buys of the retailer he has to pay a price entirely disproportionate to the manufacturer's price. It is because of the very condition the Senator is so well describing. I am not arraigning the retailer as a robber, but what the Senator says proves to a demonstration my argument, that when the article gets from the manufacturer, whom we protect against foreign competition, the consumer has to pay an amazingly disproportionate price compared with what the manufacturer charges.

The Senator will never find in his own State, and no other Senator will find, a different condition. The retailer has to charge, and must charge, and does charge, what brings up the price to the consumer.

Mr. GORE. Mr. President, I was about to say that the retailers in Oklahoma are not guilty of extortion, and I do not believe that the retailers are in the State of Maine, or in the State of Utah, or in the State of California, whose Senators joined in this impeachment here on yesterday. I doubt whether in the State of Oklahoma, and I doubt whether in the State of Maine, any retail merchant has declared net profits aggregating 66 per cent on the entire investment; and I assert——

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Oklahoma yield further to the Senator from Maine?

Mr. GORE. Certainly.

Mr. HALE. The retailer in Maine is precisely like the retailer in Oklahoma. He is not in a conspiracy to defraud and rob the American people, but the conditions of trade and his burdens are such that he has to add to the price. He can not help it. The consumer pays it.

Mr. GORE. Mr. President, to begin with the price at the manufactory, I assert, here and now, that cotton and woolen manufacturers in the State of Massachusetts have declared dividends of 66 per cent on their entire investment. I deny that any retailer in Oklahoma, in Maine, or anywhere else can duplicate those dividends. How will the Senator from Maine, how will the Senator from Utah, and how will the Senator from California explain and justify these enormous, these exorbitant, and these extortionate dividends?

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. GORE. Certainly.

Mr. SMOOT. Will the Senator give the names of a number of woolen manufacturers who have declared a dividend of 66 per cent?

Mr. GORE. The Troy Cotton and Woolen Manufactory in 1907 declared a dividend of 67 per cent. The Acushnett Cotton Manufacturing Company, of New Bedford, Mass., the same year declared a dividend of 66 per cent, and the Dartmouth Cotton Manufactory, of New Bedford, Mass., the same year declared a dividend of 66 per cent, and has declared an average dividend for the last nine years aggregating 22 per cent. There is where the extortion practiced by the retailers has its beginning.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield further to the Senator from Utah?

Mr. GORE. Certainly.

Mr. SMOOT. I should like to ask the Senator if that dividend was payable in cash or was it a stock dividend?

Mr. GORE. It was in cash; and in order to shield such enormous dividends in the future they have resolved to double their capital stock. [Laughter.] If there be any other inquiry, I will yield. Otherwise I shall proceed.

The VICE-PRESIDENT. The Senator from Oklahoma will proceed.

Mr. GORE. Mr. President, the Senator from Maine has asserted that the amount of the duty is not added to the price. As a universal proposition no one would assert that to be true. The law of supply and demand sometimes defies the laws of Congress. But I say to the senior Senator from Maine, when the manufacturer does not add the duty to the price of the article it is not the fault of the lawmakers of this country that he does not do it, but it is owing to the law of supply and demand. The laws of commerce and trade intervene to shield the consumer against the avarice of the manufacturer and the cooperation of Congress. Now, I will cite an instance. From 1879 to 1881 the duty on steel rails was $28 a ton. The price in England ranged from $23 to $35 during those three years, and in the United States the price ranged from $61 to $65, the foreign price, plus the duty, plus the freight.

Senators have talked about glass and razors and oxalic acid. I know that there is a vast interest in oxalic acid in the State of Oklahoma. There is a perfect uproar that Congress should take some hurried action with reference to oxalic acid. It would appear as though Mr. Taft's election was based on the belief of the people that Congress would take a wise course in reference to oxalic acid. The same is doubtless true with reference to razors, concerning which the Senator from Utah [Mr. SMOOT] spoke with such eloquent fervor yesterday.

Mr. President, borax sells in this country for 7½ cents at times, when at the same time it is selling in England for 3 cents, the duty being 5 cents. Will the senior Senator from Maine say whether or not the foreign price plus the duty is charged? I know one reason why the retailer sells glass so high is because the freight is higher on glass than anything else transported in this country. Not only that, but the breakage is more than on any other article. According to Carroll D. Wright, the price declined on glass in ordinary uses from $1.35 a dozen to 25 cents a dozen. In God's name, how long is this protection to continue in behalf of these infant industries? Out in my country we would like to see these bottle babies stand alone and demonstrate that they have deserved the protection so long vouchsafed to them at the expense of the American consumer and at the expense of the American people. You need not lay the flattering unction to your soul that the retailers of this country are responsible for the advance in prices which has occurred during the last dozen years.

Sir, I say I can not sit here in silence and see the millions of retailers in this country made scapegoats to bear away the sins of the greedy trusts and monopolies in this country.

Mr. ALDRICH. Mr. President, the wisdom and efficacy of the protective policy is nowhere better exemplified than in the article now under consideration. The window-glass schedule has always been one of the principal sources of attacks on the part of the opponents of the protective policy. For instance, in 1890, when this schedule was before the Senate, the Senator from North Carolina, Mr. Vance, who then represented the minority of the Committee on Finance, made the following statement:

> Mr. President, if it were possible in human ingenuity, to a rectified and enlightened conscience, to select the worst feature of this whole tariff bill, I think it would be this one of glass, where such a great discrimination is made.

Against the American consumer.

Senator Vest, also a member of that committee, said:

Mr. President, there is not a single provision in this bill which has given rise to more complaint amongst the poorer classes in the country than the one now under consideration.

Then he went on to make a further statement. Both Senators claimed that a duty approximating 100 per cent ad valorem was imposed upon this article, and that the consumers of window glass in this country paid the duty.

This was in 1890, nineteen years ago. What has resulted since? At that time a large part of the glass used in the United States was imported. To-day, as the result of the protective tariff, all of the ordinary window glass used in the United States is made in the United States. American industry and American labor have taken from the foreign competitors the whole American market, practically.

What is the result on prices? The result has been a reduction in prices in this country, so that there has never been a time in history of the country when window glass was sold to the consumer as low as it is at this moment.

Now, the question arises, perhaps, in the minds of some Senators. If this is so, why do they need any duty upon window glass? The paragraph now under consideration not only includes in its terms common window glass that is used by all the people of the country, but it includes also, by necessity, all the 10 by 15 glass, which is common crown or window glass, imported into the country, and it includes not only the low-priced but the high-priced goods. It includes goods, for instance, valued at 2 cents a pound and goods valued at 4 and 5 cents a pound.

The Committee on Finance have been trying to find some description which will enable them to separate that class of goods which are distinctly different in this one paragraph. The courts have finally decided that all kinds of crown and cylinder glass are included in the provisions of this first clause. Some of these are worth 4, 5, 6, and 7 cents a pound, while common window glass, as I said yesterday, is worth less than 2 cents a pound.

I agree that there ought to be a difference in the rates on these two classes of goods. I think this must be apparent to everybody. But I insist further that the present duty of 1¼ cents per pound upon common window glass has not raised the price in the United States a single mill. I think that that is beyond dispute here, and that the only effect of the duty, if it has had any effect at all, was to prevent the dumping of the window glass of Belgium upon the United States and upon the American producers at times when there was an excess of production over demand in the foreign countries.

The history of American industry is full of cases where duties have been levied and are levied above the difference in the cost of production here and abroad. Those duties have had no deleterious effect upon the American consumer. The law of supply and demand, to which the Senator from Oklahoma [Mr. GORE] has just alluded, and free competition in the enterprise and industry of the American manufacturer have kept the prices down to the lowest possible level. That is the contention of the protectionists.

Now, so far as this one item is concerned, I am going to ask that it be passed over for the present.

Mr. McCUMBER. I wish to ask the Senator one question about the matter of division. If I understand it correctly, the higher priced window glass or picture glass is made from what is called "crown glass," while the cheaper article is made from cylinder glass. Can not the division be made along the line between these two?

Mr. ALDRICH. No; it can not. If the Senator will examine closely the decisions of the court in recent cases, he will perceive that we have to find some other line of division between the two articles. It is my idea that the committee after investigation will be able to reduce the duties upon the common window glass and possibly, for a better adjustment of rates, increase them somewhat on picture glass, which is not made in this country, and probably can not be made here without a higher rate of duty.

Mr. BURKETT. I should like to ask the Senator a question before he sits down.

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Nebraska?

Mr. ALDRICH. I ask that the paragraph be passed over for the present until the committee can have a chance to look at it.

Mr. BURKETT. I was going to ask the Senator to let it go over.

Mr. NEWLANDS. Mr. President, before action is taken upon the suggestion of the Senator from Rhode Island, I wish to say a few words regarding this question. I believe it was in response to my inquiry of the Senator from West Virginia that the facts were brought out regarding the cheapness of the production of glass in this country. I am sure we were all amazed at the low costs he gave of the production of the various articles which he produced, and we were still more amazed to find out the high prices that were charged for those articles by the jobbers and retailers to the consumers of the country. I have in mind particularly one article, a pitcher, which I believe the Senator said could be made for 90 cents a dozen with a profit to the manufacturer, and which were sold by the retailers at $4.80 per dozen.

Mr. SCOTT. The Senator must not ascribe that price to me. He asked me the question, and I told him I was not posted, but the Senator probably could find out what the retailer sold it for if he would go into one of the stores on Pennsylvania avenue; that I was not posted as to what the retailer charged for it. I have been told since by the Senator from Iowa [Mr. CUMMINS] that such pitchers are sold at 25 cents apiece—that is, at the rate of $3 a dozen. I have not priced them.

Mr. CUMMINS. I described the pitcher as best I could, and I was informed that at some retail stores such a pitcher is sold at 25 cents.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. Certainly.

Mr. HALE. Can the Senator from Iowa, in showing the rate charged by the retailer, give any reason why, when the article is furnished at 90 cents a dozen by the manufacturer, right here in Washington it should be sold at $2.50 a dozen? Is the tariff responsible for that?

Mr. CUMMINS. Mr. President, does the Senator from Maine suggest by that question that I have at any time said the tariff is responsible for it?

Mr. HALE. No; but I want the Senator to repudiate that.

Mr. CUMMINS. On the contrary, I stated yesterday that I did not believe there ought to be a reduction in the duty upon the articles named in those paragraphs, and I am not defending the retailer. I suppose that, just like everybody else, he gets everything he can out of the business.

Mr. HALE. Yes; but the consumer pays higher here in Washington, not because we put a rate of tariff that enables the manufacturer to furnish these articles for 90 cents a dozen, for which the consumer in Washington pays $3.50 a dozen. Does the Senator think that the rate charged by the retailer should be charged to the tariff?

Mr. CUMMINS. I certainly do not, because I believe that the manufacturer of that particular article in this country is making it as cheaply as it can be made anywhere in the world, and he is selling as cheaply as it is sold anywhere in the world.

Mr. HALE. The Senator is entirely correct in that. The charge to the consumer does not rest, as the Senator from Oklahoma [Mr. GORE] indicates, upon the manufacturer nor upon the tariff.

Mr. CUMMINS. Certainly not.

Mr. NEWLANDS. Mr. President, we have, then, the statement of the Senator from West Virginia [Mr. SCOTT], as made the other day, somewhat modified. The pitcher in question is produced in this country with a profit to the manufacturer at a price of 90 cents per dozen, and is retailed to the consumer at a price of $3 a dozen.

Mr. SCOTT. I want to correct the Senator from Nevada there, when he states that I said a moment ago it was made for 90 cents at a profit. I made no such statement as that it was made at a profit. Sometimes we manufacture goods at a loss.

Mr. NEWLANDS. Will the Senator state whether there is any loss on that particular product?

Mr. SCOTT. Mr. President, the factory with which I am connected does not make that class of glass at all. We make a fine flint glass at my factory, French edging engraved and cut. I know nothing about the ordinary article, except that I have come into contact with it for the last forty years.

Mr. NEWLANDS. The illustration that we have been dealing with so much in this debate has very little value, then, because of the inaccuracy of the statistics. The Senator now states—though I understood him to state the other day to the contrary, in which I was undoubtedly mistaken—that 90 cents a dozen does not cover the profit, but, adding a fair profit of 10 per cent to include the cost to the manufacturer, we would have a dollar a dozen as the price of this particular pitcher. It is stated by the Senator from Iowa [Mr. CUMMINS] that this pitcher is retailed at $3. There is a difference of $2 between the wholesale and the retail price. I assume, if there is a duty equal to a dollar a dozen upon these pitchers, that to that extent it enables the retailer to charge these increased prices. The duty may not be responsible for the total increase of $2

per dozen, but it certainly ought to be charged with a part of it. To the extent of $1, therefore, this protective wall operates to the advantage of the retailer in enabling him to charge at least $2 a dozen for an article that is given to him at $1 a dozen.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. I do.

Mr. GALLINGER. I wish the Senator would elucidate that proposition a little. How on earth the tariff can have any influence upon the retailer is beyond my comprehension. He can buy these goods of the American manufacturer at 90 cents a dozen, and he can sell them for any amount between that and a million dollars; but how the tariff affects it, I confess I can not possibly see. Will the Senator make it a little plainer to the comprehension of our dull intellects?

Mr. NEWLANDS. I may not be able to make it plain to the Senator from New Hampshire, but I can certainly demonstrate it by facts regarding lead. The Senator knows that the price of lead in the London market is 3 cents per pound and that in the New York market it is about 4½ cents a pound, and that the duty is just a little over the difference between the New York price and the London price. The Senator knows that the price of raw sugar in the London market is about 2 cents a pound and that the price of raw sugar in the New York market is about 4 cents a pound, and that the difference between the two prices is due to the fact that the tariff on sugar in this country amounts to nearly 2 cents per pound.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. The Senator knows, regarding iron and steel and all those other products, that for years the market price in this country has been the foreign price with freight and duty added. Now I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will say to the Senator that I do not know whether his statistics are absolutely correct or not, and I am not particularly interested in that now. We will discuss those questions; we have discussed one of them, and we will discuss the others when we come to them; but what I want the Senator from Nevada to elucidate is, how a pitcher that costs 90 cents a dozen manufactured in this country can possibly have the added value placed upon it by the retailer to the extent of $3 a dozen because of a tariff? That is the point I should like to have the Senator bring out, and confine himself, if he pleases, to this particular thing.

Mr. NEWLANDS. We will assume, Mr. President, on that particular case that the cost of these pitchers in this country of manufacture is $1 per dozen.

Mr. GALLINGER. Ninety cents.

Mr. NEWLANDS. We will assume that the manufacturer turns them over to the retailer at that price; we will assume that the retailer charges——

Mr. SCOTT. That is not a proper assumption.

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from West Virginia?

Mr. NEWLANDS. I do.

Mr. SCOTT. The jobber, who buys from the manufacturer, must pay his freight on that package of pitchers; he must pay the cartage from the depot to the store; he must pay his clerks for their work, and allow for breakage, and so forth.

Mr. GALLINGER. And get his commission.

Mr. SCOTT. It is not fair to say that the article is laid down for a dollar.

Mr. NEWLANDS. Very well, then; we will assume that of the $3 charged the consumer, $1 is chargeable to breakage and freight, and $1 is chargeable to the manufacturer, so that when it comes to the retailer it comes to him with charges imposed upon it to the extent of $2 a dozen, and he sells it for three, making a profit of a dollar. Now, if the foreign article is brought into this country without duty and the cost of manufacturing is the same, namely, $1, and the freight and breakage are the same, namely, $1—$2 in all—could the retailer of the domestic article sell it at $3? But if a duty of $1 were added, making the total cost of the foreign article $3, then the retailer of the domestic article could charge $3.

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Let me get through, Mr. President.

Suppose there were no duty; suppose this article could be produced for the same price in foreign countries for which it is produced here, $1 a dozen; and suppose there was no duty here, and you then add the freight and breakage, amounting to a dollar, making $2; how could the American retailer sell the domestic product at $3 a dozen, when it could be introduced from abroad at $2 a dozen?

Mr. GALLINGER. If the Senator will permit me, he has cited a case where this product in the foreign market would cost a dollar, the tariff would be a dollar on it, and that would be $2. Now, what retailer or wholesaler in the United States is idiotic enough to buy a foreign article that costs $2 when he can get the American article at 90 cents? I hope the Senator will answer that.

Mr. NEWLANDS. That is true; but I am now asking about his selling price.

Mr. GALLINGER. I judge his buying price determines his selling price.

Mr. NEWLANDS. Not at all; because it is perfectly apparent here that his buying price is $1 and his selling price $3 a dozen. I ask how is it that that immense disproportion exists? I say it is the additional duty of $1 which raises the cost of the domestic product in this country from $1 to $2. The price of the foreign product with the duty added enables the American retailer to charge just so much more for the American product.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. Yes.

Mr. HALE. Why does the Senator put that proposition, when it is shown that the American manufacturer under this system of protection furnishes the article for 90 cents a dozen? Why does the Senator keep talking about the price being $2 when everybody can buy the article for 90 cents a dozen?

Mr. NEWLANDS. I fixed the price of $2 as the ultimate cost to the retailer himself, in order to satisfy the Senator from West Virginia, who insisted that it was unfair to put the price at 90 cents a dozen, because that did not include the profit to the manufacturer. I added 10 cents to that, in order to make it a dollar. Then the Senator introduced the question of breakage and of freight, and I added a dollar for that——

Mr. HALE. Why?

Mr. NEWLANDS (continuing). So as to make it $2 per dozen; for, of course, the breakage is large and the freight is very heavy upon this class of articles. Therefore I put that at a dollar, making the cost to the American retailer $2 per dozen. Now, I ask, if the foreign product could be sold to the competitor of that particular retailer, who is to charge $3 per dozen, at the price of $1 per dozen without a duty, and the breakage and freight is added, making $2, how in the world could the retailer selling the domestic product maintain a price of $3 per dozen? So the protective duty tends to raise the price to the domestic consumer, whether that additional price is charged by the manufacturer, the jobber, or the retailer, or whether that increase in price is divided between the three. The fact remains that the domestic consumer pays the duty.

Another illustration made by the Senator from Utah in regard to——

Mr. McCUMBER. Will the Senator yield to me just for a moment?

Mr. NEWLANDS. Mr. President, I must decline to yield now.

The VICE-PRESIDENT. The Senator from Nevada declines to yield.

Mr. McCUMBER. I want to ask the Senator a question right there on his own proposition.

Mr. NEWLANDS. I do not wish to occupy the floor long, and I should be glad to get through.

The VICE-PRESIDENT. The Senator from Nevada declines to yield.

Mr. NEWLANDS. The Senator from Utah gave as another illustration of the rapacity of the retailers the fact that he wired to New York and found that a pane of window glass of the smallest proportions covered by this schedule, which costs, with the duty added, 4 cents a pane, is sold by the retailer, I believe, at 15 cents and by a department store at 25 cents.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. I understood the Senator to say that it was common window glass. I said it was the kind of glass that came under the window-glass paragraph, but was used for the framing of pictures. It comes from Germany and is such glass as we were discussing yesterday, coming in under the second clause of paragraph 97. All the importations under that paragraph are made up of that kind of glass.

Mr. NEWLANDS. Could the Senator state what the duty is upon that particular commodity?

Mr. SMOOT. The duty upon that particular piece of glass is 1⅜ cents per pound.

Mr. NEWLANDS. How much would that amount to a pane?

Mr. SMOOT. A box of glass of that size contains 52 pounds, and there are 50 panes in the box, which would make the duty about 1⅜ cents, as near as it is possible to arrive at it hurriedly.

Mr. NEWLANDS. One and three-eighths cents.

Mr. SMOOT. Yes.

Mr. NEWLANDS. So, then, the entire cost of this pane of glass is 4 cents, including 1⅜ cents constituting the duty and freight. I will ask the Senator from Utah whether in that case the duty was added to the price of this commodity in the New York market?

Mr. SMOOT. I will answer the Senator by saying that if the duty had been twice the amount, it would not have made any difference in the retail price to the consumer.

Mr. NEWLANDS. But will the Senator answer my question as to whether in that instance the duty was added to the price charged in this country, not by the retailer, but on the wholesale price upon the article of foreign manufacture?

Mr. SMOOT. Mr. President, I have just stated that the duty upon that particular pane of glass was 1⅜ cents. The duty, no doubt, was added to the cost of the Belgian glass, but if it had been three or four times the amount the consumer would never have paid a cent more for that particular pane of glass.

Mr. NEWLANDS. The Senator therefore admits that, so far as the wholesale price in this country of this particular kind of glass is concerned, the duty was added to the foreign cost and the freight. All that he complains of is that whilst the manufacturers in this country would be enabled to charge a price in this country equal to the cost of the foreign production with the duty added, yet the retailer imposes, in addition to that, a sum eight or ten times as great, shifting the bulk of the extortion to the retailer; and yet a large part of this additional price is, of course, chargeable to the manufacturer himself.

Mr. SMOOT. Mr. President——

Mr. NEWLANDS. Now, we do not contend——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Yes.

Mr. SMOOT. I will ask the Senator if he does not know that the American manufacturer of glass is selling glass as cheaply as the foreigner is selling it, even without all of the duty added?

Mr. NEWLANDS. The manufacturer is?

Mr. SMOOT. The American manufacturer is selling glass to-day, as was stated yesterday by the Senator from Iowa, at a less price per box than the price of Belgium glass with the present duty added.

Mr. NEWLANDS. Will the Senator, then, answer me what the necessity is for that duty?

Mr. SMOOT. Mr. President, that has been discussed here for nearly two days. I can not answer that any differently from the way it has been answered here by every Senator who has spoken upon this subject.

Mr. SCOTT. Will the Senator from Nevada yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. SCOTT. In the manufacture of window glass I have no doubt that some other Senators on this floor, as well as myself, know that, as a general rule, it is a losing business to the man who puts his money into it. When you go to sell window glass you put a certain price on it, with the discount off. The manufacturer who knows anything about his business, when he goes to sell a man a carload of glass will limit the buyer to, say, 50 boxes of 8 by 10 or 10 by 15 glass. He will have to take the larger sizes, because the manufacturer, as I said before, if he knows his business at all, knows that he loses money on every box of glass that is under that size. That is the reason for the protection that we are asking on the small sizes.

Mr. NEWLANDS. Do I understand the Senator to contend that the window-glass makers are losing money in this country?

Mr. SCOTT. I do not make any such assertion. I say that I have not a dollar now in window-glass property, but in the past I have had, and I have lost every cent of it. I think the Senator from Pennsylvania [Mr. OLIVER] desires to interrupt the Senator from Nevada, and perhaps he can tell the Senator something about the matter.

Mr. OLIVER. Mr. President, with the permission of the Senator from Nevada, I can say that the window-glass factories running in the United States to-day are not making anything like a fair return on the investment. The reason why they are not using all the duty that is placed upon the different sizes is that, by reason of the competition among themselves, they can not get a sufficient price to compensate them for the amount that they pay out.

I have some knowledge and some little feeling upon this subject, because within four years I invested no small amount of money in a window-glass factory; and I tell you, Mr. President, it disappeared as rapidly as if I had put it on the wrong number at Monte Carlo. It did not last two years. At the end of the first year there was a bad statement submitted to the stockholders. They contributed more money. At the end of the second year there was not only no prospect of profit, but there was a heavy loss, and no promise for the future. The creditors now have that factory, and it is closed up. The manufacturers of window glass to-day are the hewers of wood and the drawers of water in the industrial world of America. They are making no money, and they have no prospect of making money.

Some allusion has been made to the danger of a trust being formed. As the Senator from Iowa [Mr. CUMMINS] said yesterday, there was a combination of window-glass manufacturers in 1900 or 1901. It is in existence to-day. At the time it was organized it comprised practically all, or nearly all, of the window-glass manufacturers of the country. Within three years there were in the field enough independents to make as much of the product as the product of the so-called "trust." While that company is in existence to-day, while it is going on in business, and has the advantage of the sole ownership of the window-glass machine patents, its securities are so low that they are not even quoted on any stock exchange. I will not say that it is bankrupt, but it is so hopelessly involved that no stockholder can sell even his preferred stock at 10 cents on the dollar.

I submit, Mr. President, that the Senators who attack this paragraph of the tariff bill have chosen the poorest of all the great industries of this country to attack. If it does not need the protection it has now just at this time, the manufacturers have hope that at some time in the future the demand for their wares will be such as to enable them to charge the consumers sufficient to give some little return on their investment. I hope—I beg pardon of the Senator from Nevada for trespassing upon his time, for I had expected to say this much in my own time—but I hope that when we come to vote on this paragraph we will bear in mind that, while all of the duty on this product and on other products may not be required just now, we should not allow the specter of a trust or the fear of a combination to lead us to so lower the duty that just as soon as the manufacturers begin to have some profits in sight, the foreigner will come in with his wares and deprive the American manufacturer of almost any profit or any reasonable business return.

Mr. NEWLANDS. Mr. President, I would ask the Senator from Pennsylvania—to whose statement I have listened with a great deal of interest, for it has furnished us a great deal more information than the committee has thus far been able to give us—I would ask him why it is that the window-glass trust to which he refers failed? Was it due to excessive competition upon the part of the independent producers?

Mr. OLIVER. I am glad the Senator has asked me that question, because it is one thing I failed to say when I was talking before. The glass business generally, but particularly the window-glass business, is the easiest business to get into of all the great industries of the country. About all that a man needs to go into the business is a very few thousand dollars in his pocket, a sand bank in his back yard, and fuel reasonably handy. Glass is simply and literally the crystallization of labor.

The raw material costs nothing; it is the labor that costs, and if the manufacturer in America pays very much more for his labor than the manufacturer abroad, it naturally costs him very much more to make his product. So by the formation of the American Window Glass Company—I may as well name it—a great many men and a great many manufacturers who had theretofore been in business were thrown out. They felt very good for about the first year; then they looked around, and, like all men who have been busy all their lives, they wanted something to do, and the most natural thing to do was to take the money they got from the American Window Glass Company and go back into business, which they very promptly did. So within a very few years the American Window Glass Company did not have the hold on the business that it expected to have; but it had very strong competition, which has increased day by day since that time, because, no matter how unpromising a business looks, if a man has a little money, and nothing to do, he will go into the business with which he is acquainted and hope for better times.

To-day the window-glass manufacturers are simply doing business for nothing. They are making no money, and very many of their factories are closed up. As the Senator from West Virginia [Mr. ELKINS] read from the testimony of Mr. Faulkner, president of the Association of Window Glass Workers, there are something over 6,000 skilled glass workers to-day, and plants enough to keep them busy every day in the year,

but if they were engaged for six months in the year they could supply the entire wants of this country. So, the plant and the labor available in this industry to-day are just twice what are sufficient to supply the everyday wants of the country.

The reason why this industry has so suffered from competition is simply because it is so easy for new competitors to come in; and that, Mr. President, will be the safeguard against extortion on the part of any possible trust in this particular industry. It is not like other industries, where great aggregations of capital can obtain control of the reserves of raw material. The sand is found everywhere, the fuel is found in most places, and, with the fuel and the sand, one can put up a glass factory in a few months.

Mr. NEWLANDS. Would it be any more difficult to establish a trust in window glass than in plate glass?

Mr. OLIVER. It would be more difficult, for the reason that plate glass requires an amount of capital and a degree of skill not required in ordinary window glass.

Mr. NEWLANDS. Am I correct in my understanding that there is a trust in plate glass?

Mr. OLIVER. The Senator is not at all correct, Mr. President.

Mr. NEWLANDS. There is no trust?

Mr. OLIVER. There is no trust. In the plate-glass industry in this country there are 12 manufacturers. There is 1 great manufacturer, who turns out a little less than 50 per cent of the plate-glass product of the country. There are 11 entirely independent manufacturers, who turn out the rest. The entire product of plate glass in this country is about 38,000,000 feet, and of that the Pittsburg Plate Glass Company turns out, I think, between seventeen and eighteen millions. The rest is made by independent manufacturers scattered all over the Middle and Central Western States.

Mr. NEWLANDS. There was at one time a plate-glass trust?

Mr. OLIVER. Just as there was a window-glass trust, and independent manufacturers came in and captured the trade, so that there is no monopoly in either line of the business to-day.

Mr. NEWLANDS. As I understand the Senator from Pennsylvania, this industry is entirely without profit to the manufacturer. I do not know whether he goes so far as to say it is conducted with a loss, but, at all events, it is conducted without profit. In order to make a profit it will be necessary for our domestic producers to get a higher price. He wishes a tariff retained upon this particular product so as to relieve them from foreign competition, leaving them subject only to the competition of domestic producers. I would ask the Senator from Pennsylvania how much in addition to the present price for window glass, what percentage, ought to be added to that price in order to give our domestic producers a profit?

Mr. OLIVER. O Mr. President, that is a pretty hard question to ask a man who has never had the slightest experience in the details of the business. I can not state what is a fair degree of profit in any business, except some business with which I have been directly or indirectly connected.

The only connection I ever had with the window-glass business was the sad one to which I referred a little while ago, where I put in a lot of money and never saw it again.

Mr. NEWLANDS. Then I will ask the Senator whether in his judgment it will be necessary for the producers in this country to get double the present price in order to make a fair profit?

Mr. OLIVER. I think it would be within reason to say no to that, because——

Mr. NEWLANDS. Does the Senator think it would be necessary to get 50 per cent additional in order to make a fair profit?

Mr. OLIVER. I have had some little experience in practicing law, early in my career, and I know that a favorite method with cross-examiners is to begin at the top and ask the questions downward; and I must decline to be cross-examined in that way.

Mr. NEWLANDS. This demonstrates the absolute inaccuracy of the explanation supplied to us in this Chamber and the utter inability of a big body of this kind to meet the requirements of the situation regarding investigation. The Senator from Pennsylvania has risen and has given us more definite information regarding this particular industry than any other man upon the floor or any man upon the committee. He has asserted that low prices prevailed in the product of this industry throughout the United States, and that the industries are being conducted without profit to the promoters; and when I asked him how much, what percentage, should be added to the present price in order to give them a fair profit, he says he is unable to answer and finally declines to answer my queries further. And yet this is a most pertinent inquiry. We are determining now, according to the spirit of the Republican platform, what duty it is necessary to impose upon the foreign product in order to paralyze it as a competitor with the domestic product.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. No; I wish to continue my line of thought.

The VICE-PRESIDENT. The Senator from Nevada declines to yield.

Mr. NEWLANDS. We have it admitted that the present duty would permit the men engaged in this domestic industry to charge a price double that which they at present receive, for it is admitted that throughout the United States the prices of the products of this industry are just about equal to the tariff duty. So if you maintain this tariff duty, it means what? That you justify the domestic producers in charging a price double that which they at present receive.

If they are at present conducting this industry without loss, though without profit, an addition of 10 per cent would make a profit; an addition of 20 per cent to the price would mean 20 per cent profit—a large manufacturing profit. And yet it is attempted to sustain here a duty aggregating nearly 100 per cent, and the very purpose of the Senator who has thus spoken is to fix this duty so as to enable the domestic producer ultimately to charge a price equal to the present price with the duty added. They have only been defeated in that purpose by their failure and inability so to combine these industries as to limit and restrain and destroy domestic competition, and thus establish a monopolistic price.

Yet the Senator from Maine [Mr. HALE] says the effect of a tariff duty is not to add the tax to the price paid by the consumer; that it has no appreciable effect upon that price, in face of evidence that the lowered prices in this country are not due to the tariff, but are due to competition amongst producers themselves, which has reduced the price to a point where the industry no longer yields a profit.

Mr. President, the Senator from Maine referred to the fact that Germany was engaged in a great campaign against the industries of the world, and particularly against the industries of this country, and that it is necessary to raise a high-tariff wall against her products. I suggest to the Senator that the example of Germany might well be followed regarding the framing of our tariff, if a protective policy is to be pursued. Germany is upon the protective system, but she shapes her protective tariff in a scientific way, with the aid of a commission or board composed of experts, with which are associated experts in every industry in every locality in every State, so that the whole adjustment of her tariff duties is a scientific adjustment, and not the haphazard adjustment which we pursue here.

When Germany determined to enter upon the protective system she organized an inquiry, submitted it to the scrutiny and the examination not only of the producers, but of the importers, and not only of the producers and the importers, but of the consumers themselves. She made it a subject of discussion in every board of trade and chamber of commerce throughout the entire country, and it was five years before the original proposals made by this expert commission found entry into the statute law of the country itself.

They have scientific inquiry. We have haphazard action, such haphazard action as this, which results in the imposition of a duty as high as the price of the product itself in this country; and that, too, in the imposition of a duty with reference to an industry concerning which the committee has been able to give us no definite information and in reference to which it has been necessary to conduct an inquiry over one day, illuminated only at its very close by one of the Senators who recently entered this body. This body, with its accumulated experience, with its wise men upon the committee, with its chairman of thirty years' experience in tariff matters, has been unable to give us the information essential for us to determine the matter.

And the information given us by the Senator from Pennsylvania is finally found to lack accuracy, for he refuses to permit me to pursue my inquiries, knowing where inevitably those inquiries would end, namely, in the ascertainment of the fact that it would only be necessary to add 10 or 20 per cent to the that it would only be necessary to add 10 or 20 per cent to the selling price of this product in this country in order to impose a duty that would be an ample protection and would give this industry from 10 to 20 per cent profit.

The Senator from Maine says we have not as yet come to the consumer; that we have not yet entered upon the propaganda of paternalism so far as to come to the wants and requirements of the consumer. The Senator does not hesitate to embrace paternalism when it involves the protection of the

manufacturer—the most odious form of paternalism; the imposition of a tax upon one class in order to benefit another. He does not hesitate to enter upon that form of paternalism. The Republican party have never hesitated to enter upon the form of paternalism which involves giving something to those who already have, but they always refuse to enter upon that form of paternalism which involves protection of the weaker members of the community. Let me suggest to the Senator from Maine—a convert to paternalism, as he confessedly is, by his maintenance of a protective tariff—that if we are to have paternalism it should involve the protection of the weak and not of the strong; and that if he is to protect the strong, if he is to protect the wealthy, if he is to give to those who already have, let him supplement his paternalism by looking out for the other class involved in this great question—the vast body of consumers of the country.

I have frequently suggested that it is absolutely essential, in order to consider this great question as well as the great trust question, that we should organize the statistical information of the country in such a way as to enable us to act upon information; and whenever I have suggested that the reply has been that I favor a delegation of legislative powers; that I favor the abdication of legislative functions; and that I am desirous of building up commissions so as to organize government by commission instead of government by Congress. I would not have Congress abdicate a single one of its functions; I would not have it delegate a single one of its powers; but I do insist that there is an intelligent way of proceeding with legislation. a scientific way of proceeding with legislation, and there is an unintelligent and an unscientific way, and that scientific legislation involves, necessarily, the exhaustion of information, the ascertainment of the views of men trained in all special lines of effort, and that we can never meet the industrial question in this country, either with reference to the tariff, the control of the trusts, or the intelligent direction of the labor of the country, until we have tribunals organized to inquire into the fact, and which can, operating under the rule laid down by Congress, give the relief that is essential.

I regard the Interstate Commerce Commission as a great tribunal of this kind. It is true that the Republican party has been unwilling to grant that commission the requisite powers. It is true that it stood like a stone wall for weeks and months against the recommendations of its own President with reference to giving it a limited power of condemning a rate. It is true it has refused to enable that commission to get the information essential to inquiry and judgment as to the cost and value of these railroad enterprises, and other matters of that kind. But it has finally, under the pressure of a progressive President of their own political faith, aided by the union of a progressive Republican minority with a progressive and solid Democracy, organized such a tribunal, and if it will only amplify it, increase its powers, give it jurisdiction over foreign commerce as well as state commerce, and enable it at least to enter upon inquiry regarding these matters, we will have a vast mass of statistical information such as has been built up by the Interstate Commerce Commission regarding the interstate transportation of the country.

Who of the men who opposed the regulation of the railroads by the Government would to-day strike out of existence the vast amount of statistical information which the Interstate Commerce Commission has brought into being? Who, of all of them, would to-day destroy the Interstate Commerce Commission? Who would to-day impair a single one of its powers? And yet twenty-five years ago, when the suggestion was first made by Senator Reagan, of Texas, it was opposed, and opposed principally by members of the dominant party, the Republican party, upon the ground that it involved paternalistic control over the transportation of the country.

If you will organize in the Interstate Commerce Commission another department similar to the one which now exists, and appoint upon it men of high character, men of experience, men of capacity, who will inquire into these conditions, who will inquire into the complaint of the importer, who will inquire into the complaint of the manufacturer, who will inquire into the complaint of the consumer, and who will study comprehensively the questions relating to production, foreign and domestic; the questions relating to prices, foreign and domestic, just as the Interstate Commerce Commission now makes inquiry upon the complaint of shippers, of the railroads themselves, or of the communities which are discriminated against, we would in time build up a system of principles upon this subject which, even if we did not give the commission itself the power to carry them into effect upon a rule adopted by Congress, would at least be helpful to Congress itself in the legislation which it seeks to enact.

Mr. President, it is just as essential that we should obtain all this information that is of importance to the consumer and the retailer of the country as it is that we should obtain the information that is of importance to the manufacturers of the country, and to-day, while we have statistics, they are in such disjointed and scattered form as not to be available for such an inquiry as we should enter upon.

You propose to organize practically a commission under the maximum and minimum clause, but it is so limited in its character that it will be of very little importance. I suggest to the dominant party, if this policy of protection is to be maintained—and undoubtedly it will be maintained for a number of years—that it be pursued scientifically, upon inquiry, upon hearings, upon information, in order that the ultimate facts may be ascertained and recorded, and that new conditions may be met by scientific, not haphazard, readjustments. We can imagine how, in a hearing before such a commission as I have described, upon the complaint of the importer or the manufacturer or the consumer, all the facts would be so sifted as to enable a high-class tribunal to record its judgment, as to the cost of foreign production of the articles covered by this glass schedule, as to the cost of domestic production, and as to the reasonableness of the duty imposed, in such a way as to leave no doubt regarding the facts upon which our legislation would be based.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island that the paragraph, with the pending amendment, be passed over? The Chair hears none.

Mr. ALDRICH. I ask that the next paragraph passed over be agreed to.

Mr. SIMMONS. What is the paragraph?

The VICE-PRESIDENT. It will be stated.

The SECRETARY. The next paragraph passed over is on page 26, paragraph 98.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. OVERMAN. What is that?

The VICE-PRESIDENT. Paragraph 98.

The SECRETARY. The next paragraph passed over is paragraph 99.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The Chair hears none.

The SECRETARY. The next paragraph passed over is 100.

Mr. ALDRICH. There are some motions or amendments pending to that, some to increase and some to reduce it. I ask that it may be passed over for the present.

Mr. OVERMAN rose.

Mr. ALDRICH. One hundred is the one I allude to.

Mr. OVERMAN. I have an amendment——

The VICE-PRESIDENT. The Senator from Rhode Island asks that paragraph 100 be passed over. Is there objection?

Mr. OVERMAN. My amendment has been offered.

The VICE-PRESIDENT. The Chair hears no objection.

The SECRETARY. The next paragraph passed over is 101.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 101? The Chair hears none.

The SECRETARY. The next paragraph passed over is 106.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 106? The Chair hears none.

The SECRETARY. The next paragraph passed over is 107.

Mr. STONE. I desire to propose an amendment.

Mr. CRAWFORD. I simply want——

The VICE-PRESIDENT. The Senator from Missouri has the floor. For what purpose does the Senator from South Dakota rise?

Mr. CRAWFORD. To make an inquiry.

The VICE-PRESIDENT. Of the Chair or of the Senator from Missouri? Does the Senator from Missouri yield to the Senator from South Dakota?

Mr. STONE. I do.

Mr. CRAWFORD. I notice that paragraph 102 was passed by here as if it had been accepted the other day.

Mr. BEVERIDGE. No; it was passed over.

The VICE-PRESIDENT. Paragraph 102 was accepted the other day—102, 103, 104, and 105.

Mr. BEVERIDGE. That is true.

Mr. ALDRICH. I think there is no objection to 102. I think it is 100 to which the Senator refers.

Mr. CRAWFORD. Then I have made an error in my notes.

Mr. ALDRICH. I think the Senator from South Dakota is mistaken.

Mr. BEVERIDGE. It is 100.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. I do.

Mr. CULBERSON. I was requested to make a statement by the Senator from Oklahoma, but I believe he does not desire it done. I have been so informed since I rose.

Mr. STONE. I propose the following amendment——

Mr. CULLOM. To what paragraph?

Mr. STONE. Paragraph 107.

The VICE-PRESIDENT. The committee amendment to paragraph 107 was agreed to.

Mr. STONE. This is a different matter. My amendment is, first, to strike out the word "and," in line 16, and after the word "section," in the 19th line, to add:

And all manufactures and articles of glass of every description, for use in chemical, bacteriological, biological, and physical laboratories, whether plain, ground, polished, engraved, or etched, unless such grinding or polishing is for the purpose of ornamentation or decoration.

I send the amendment to the desk. What I send to the desk it is proposed to add after the word "section," in line 19.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 29, line 16, after the word "cases," strike out the word "and;" and in line 19, after the word "section," insert:

And all manufactures and articles of glass of every description for use in chemical, bacteriological, biological, and physical laboratories, whether plain, ground, polished, engraved, or etched, unless such grinding or polishing is for the purpose of ornamentation or decoration.

Mr. ALDRICH. I think that is a little too comprehensive in its character. I have sympathy with the general idea of the Senator from Missouri, but I do not see why it is necessary to have etched glass for bacteriological purposes. It seems to me the amendment is a little too broad in its terms. If the Senator will allow the amendment to be printed and go over, the committee will examine it.

Mr. STONE. I will be very glad to do so.

Mr. ALDRICH. The general purposes of the Senator from Missouri, I think, are proper, but I am afraid the amendment goes too far in the description.

Mr. STONE. I will state to the Senator that the form of the amendment was furnished to me by a large dealer in scientific glasses, and the reasons given in his communication strike me as being well taken, but I am perfectly content to follow the suggestion of the Senator from Rhode Island.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island that paragraph 107 be passed over? The Chair hears no objection. The Secretary will read the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 109.

The VICE-PRESIDENT. The Secretary will state the amendments of the committee in their order.

The SECRETARY. On page 29, line 25, after the first word, "marble," strike out the words "or limestone susceptible of polish and ordinarily used for interior work" and insert "breccia and onyx."

The amendment was agreed to.

The next amendment to the paragraph was, on page 30, line 2, to strike out the words "onyx, in block, rough or squared, $1 per cubic foot."

The amendment was agreed to.

The next amendment was, on page 30, line 3, after the word "marble," to insert "breccia and;" and after the word "onyx," in the same line, to strike out the words "or such limestone;" in line 5, after the word "marble," to insert the words "breccia, or;" in the same line, after the word "onyx," to strike out the words "or such limestone;" and in line 7, before the word "cents," to strike out "ten" and insert "eight," so as to read:

109. Marble, breccia, and onyx, in block, rough or squared only, 65 cents per cubic foot; marble, breccia, and onyx, sawed or dressed, over 2 inches in thickness, $1 per cubic foot; slabs or paving tiles of marble, breccia, or onyx, containing not less than 4 superficial inches, if not more than 1 inch in thickness, 8 cents per superficial foot.

The amendment was agreed to.

The next amendment was, on page 30, line 9, after the word "thickness," to strike out the words "twelve and one-half" and insert "ten," so as to read:

If more than 1 inch and not more than 1½ inches in thickness, 10 cents per superficial foot.

The amendment was agreed to.

The next amendment was, in line 11, after the word "thickness," to strike out "fifteen" and insert "twelve and one-half," so as to read:

If more than 1½ inches and not more than 2 inches in thickness, 12½ cents per superficial foot.

The amendment was agreed to.

The next amendment was, in line 14, after the word "marble," to insert the words "breccia, or;" in the same line, after the word "onyx," to strike out the words "or stone;" and in line 15, after the word "loose," strike out "one-half" and insert "one-fourth," so as to read:

If rubbed in whole or in part, 2 cents per superficial foot in addition; mosaic cubes of marble, breccia, or onyx, not exceeding 2 cubic inches in size, if loose, one-fourth of 1 cent per pound and 20 per cent ad valorem.

The amendment was agreed to.

The next amendment was, in line 17, before the word "cents," to strike out "ten" and insert "five," so as to read:

If attached to paper or other material, 5 cents per superficial foot and 35 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 110. The committee propose to strike out paragraph 110 and to insert in lieu thereof the following:

110. Marble, breccia, onyx, alabaster, and jet, wholly or partly manufactured into monuments, benches, vases, and other articles, or of which these substances or either of them is the component material of chief value, and all articles composed wholly or in chief value of agate, rock crystal, or other semiprecious stones, except such as are cut into shapes and forms fitting them expressly for use in the construction of jewelry, not specially provided for in this section, 50 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will read the next paragraph passed over.

The SECRETARY. The next paragraph passed over is on page 32, paragraph 115¼.

Mr. BEVERIDGE. Was paragraph 112 agreed to?

The VICE-PRESIDENT. Paragraph 112 was agreed to.

Mr. OLIVER. Before we pass to Schedule C, I was out of the Chamber, and I should like to know what was done with paragraphs 98, 99, 100, and 101?

The VICE-PRESIDENT. Paragraphs 98 and 99 were agreed to. Paragraph 100 was passed over.

Mr. NELSON. What was done with paragraph 115¼?

Mr. ALDRICH. It has not been read.

The VICE-PRESIDENT. That is the pending proposition.

Mr. SIMMONS. I did not understand that paragraph 97 had been agreed to.

The VICE-PRESIDENT. Paragraph 97 was passed over.

Mr. OLIVER. I was out of the Chamber a very few minutes and——

Mr. ALDRICH. The paragraph in relation to plate glass, I will say to the Senator from Pennsylvania, has been passed over.

Mr. OLIVER. But paragraphs 98, 99, and 101?

Mr. ALDRICH. All those have been agreed to, and if there is any change made in paragraph 100 that will make it necessary to return to those it will be done.

Mr. OLIVER. All right.

The VICE-PRESIDENT. Paragraph 115¼ will be read.

The SECRETARY. On page 32, after line 8, the committee report to insert a new paragraph, as follows:

115¼. Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites, 25 cents per ton: *Provided*, That in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.

Mr. CRAWFORD obtained the floor.

Mr. RAYNER. Will the Senator from South Dakota yield to me for a moment?

Mr. CRAWFORD. Certainly.

Mr. RAYNER. I do not intend to interrupt the Senator, but if he will permit me I wish to make a motion so it will be pending. I want to move to strike out paragraph 115¼. When the time comes I will move to put iron ore on the free list, as it came from the House of Representatives. I want to have the motion pending to strike out paragraph 115¼.

The VICE-PRESIDENT. The pending question is to insert the paragraph. The paragraph is not in the bill, so that if that vote is negatived——

Mr. RAYNER. Then it does not require any motion?

The VICE-PRESIDENT. It does not require any motion, but simply a vote to negative the pending question.

Mr. RAYNER. But my motion would be to put iron ore on the free list.

The VICE-PRESIDENT. The Chair does not know whether that motion would be necessary or not. That might be another proposition.

Mr. RAYNER. I will wait until the Senator from South Dakota has concluded.

Mr. CRAWFORD. Mr. President, I am not going to take the time of the Senate very long. I may tax its patience a little,

but I have something to say with reference to the imposing of duties upon natural resources which I had intended to present, if I presented it at all, in connection with the wood schedule. But the imposing of a duty on iron ore and upon coal, lumber, and petroleum is so blended in principle that I think it will be only fair to the Senate for me to present what I have to say at this time upon this subject, as it applies to all of them.

Mr. President, as one of the Members of this body from the State of South Dakota, charged with the duty of participating in its deliberations and of casting a vote upon every question connected with the schedules in the pending bill, I have some convictions which I feel ought to be expressed to show the sentiment and wish of the people of the State which sent me here.

Since the beginning of the Government impost duties have been levied for a twofold purpose: First, to raise revenues for current expenditures; second, to encourage and promote the development of domestic enterprise and the remunerative employment of labor. It is a system of indirect taxation which has served both these purposes effectively and has fully justified the faith of its supporters.

I believe that the majority of the American people favor the continuance of this method of raising public revenue for both the purposes named, and that they prefer it to any form of internal-revenue tax, excise tax, or direct tax that can be devised. So strong is the hold which this system of raising revenues, and at the same time protecting American enterprise from ruinous foreign competition, has upon the people that the Democratic party has not been able, and I doubt if it ever will be able, to unite its own members in the support of a tariff for revenue only.

In both branches of the present Congress are a goodly number of Democratic Members from States interested in the manufacture of lumber, iron, steel, and cotton textiles, in the raising of sugar and tobacco, in the production or mining of coal, iron ore, and lead, who are just as anxious to have the principle and the practice of protection observed in levying duties upon these articles as the most ardent apostle of protection in the Republican party.

It is assumed on both sides that the law to be enacted here will recognize this dual purpose in fixing rates, and the real differences arise in connection with the distribution of the duties upon the vast number of articles imported.

Upon what articles shall the duties be laid and what shall be the rate in each case? What articles shall be allowed to come into the country free? What rate is reasonable in a given case for the purpose of producing revenue and also for the purpose of protecting the American producer?

Does the American owner or producer of a certain article of commerce need protection? If so, what rate will not be so high as to be prohibitive, nor yet so low as to discourage and depress him? How and where and when is the evidence to be procured from which to determine all these things? Is it to be received ex parte and from the beneficiaries only? Is it to be collected from voluntary witnesses during the hearings of a committee of Congress holding all its sessions in Washington and covering the period of only a few weeks? These are really the serious and perplexing questions connected with the system of raising revenues by customs duties.

Assuming that the tariff imposed upon articles which can be successfully produced in this country should be such an amount as will equal the difference in the cost of production at home and the cost of production abroad, allowing a reasonable profit to the American producer, according to the rule declared in the Republican national platform, it must be admitted that a higher rate than this is excessive and unjust to the consumer.

In the very nature of things the difficulty is found in procuring the necessary testimony from disinterested and reliable sources upon which to apply the rule. I have read much of the testimony taken at the hearings of the House Committee on Ways and Means, and believe I am justified in saying that nearly all the witnesses who gave testimony there appeared as special pleaders, directly interested in the particular schedule about which they desired to be heard and concerning which they testified.

The impression left on one's mind, after reading this testimony, is that it is unsatisfactory, highly colored, one-sided, and far from convincing.

It is too large a task to impose upon a committee of Congress the immense work of collecting, sifting, and classifying all the material testimony necessary to an intelligent and successful application of the rule declared in the Republican national platform. No witnesses appear voluntarily before the committee, except those who are directly and pecuniarily interested either as producers on the one hand or as importers on the other. Disinterested witnesses who represent the great mass of our people, whose interests are indirectly affected in one way and another by the tariff, do not appear, and under the circumstances can not be heard by the committee. The research and investigation required to ascertain from authentic and reliable sources the cost of production—including labor—in foreign countries of many thousands of articles that come to these shores from the uttermost parts of the earth, and the research and investigation necessary to secure full and reliable evidence showing the cost of the production of similar articles in the United States, where conditions are constantly changing, involve time, travel, investigation, and expert knowledge inaccessible and impossible to a committee sitting here at the National Capital for a few weeks only. For this reason I favor the creation of a tariff commission of experts, and believe we should accompany this law with another creating such a commission or else we should attach an amendment of that kind to the pending bill. Experts working disinterestedly throughout the year investigating, collecting, classifying, tabulating, and laying before each Congress authentic and reliable evidence upon the pertinent and material issues involved in the revision of tariff schedules, would, it seems to me, obviate the great difficulty we are experiencing here in trying to apply the rule declared in the party platform without the evidence, properly digested and classified, necessary to an intelligent application of that rule. But we are called to revise these tariff schedules at once, and the one thing above all others which we are expected to do is to reduce all duties which are excessive and to remove others which are harmful in their effect and against public policy.

NATURAL RESOURCES.

In my humble opinion, a duty upon lumber, oil, iron ore, and coal is harmful in its effect and is against sound public policy, because these natural resources lie at the foundation of our industrial life and are as necessary to its sustenance and support as the air we breathe is necessary to sustain human life. A tariff upon these natural resources can have but one effect, and that is to check the use of that part of the world's stock lying beyond our borders and to hasten the exhaustion of the supply we have at home. A ton of coal or of iron when taken from the earth is never replaced; neither is a barrel of crude petroleum nor a cubic foot of natural gas. A tree removed from the forest is not soon replaced. Why, then, should the Government put a premium upon their destruction? The most reliable estimates reckon our supply of standing merchantable timber at 2,000,000,000,000 feet. Our annual cut is now 40,000,000,000 feet and is constantly increasing. In 1880 it was only 18,000,000,000 feet, and in 1905 it was 34,000,000,000 feet. Notwithstanding the use of cement and reenforced concrete, the consumption of lumber is increasing each year. It is said that we use annually 500 feet board measure per capita, as against an average of only 60 feet per capita in all Europe.

Mr. Kellogg, of the Department of Agriculture, says that the days of the white pine are rapidly passing; that the supply of southern yellow pine will be exhausted in from ten to twenty-five years; that at the present rate of cutting the supply of Douglas fir will last about seventy years; but that at the present ratio of increase, the cut will more than double within a few years, and there will be comparatively little Douglas fir left in from twenty-five to thirty years.

It is rapidly following in the wake of the white pine. What has become of the vast forests which covered the Mississippi Valley seventy years ago? The great stretches of woodlands in New York, Pennsylvania, Ohio, Indiana, Michigan, Wisconsin, and Minnesota have fallen away under the ax of a relentless army of woodmen as growing vegetation has, in times past, been devoured by myriads of locusts. The value of the remaining stumpage has increased a thousandfold and the timber barons are swiftly reaching out for all that is left.

Mr. Hill, in one of those remarkable addresses of his, speaks thus of fuel and iron:

> The mineral wealth stored in the earth can be used only once. When iron and coal are taken from the mine they can not be restored; and upon iron and coal our industrial civilization is built. When fuel and iron become scarce and high priced, civilization, so far as we can foresee, will suffer as man would suffer by the gradual withdrawal of the air he breathes. The exhaustion of our coal supply is not in the indefinite future. The startling feature of our coal production is not so much the magnitude of the annual output as its rate of growth. For the decade ending in 1905, the product was 2,832,402,746 tons, which is almost exactly one-half the total product previously mined in this country. For the year 1906 the output was 414,000,000 tons, an increase of 46 per cent on the average annual yield of the ten years preceding. In 1907 it was 470,000,000 tons.

President Roosevelt in his address before the conference of governors called attention to the most remarkable fact that the mere increase in our consumption of coal during the year 1907 over the year 1906 exceeded the total consumption of coal in the centennial year 1876. As an answer to the claims of the Senators of West Virginia for a tariff on coal and petroleum, I wish in this connection to call attention to what Mr. I. C.

White, the state geologist of the State of West Virginia, a very eminent authority, has to say upon the "Waste of Our Fuel Resources" in the illuminating address delivered by him at the conference of governors held at the White House.

He says that the oil-producing interests of the country have made a great mistake in not appreciating the enormous fuel value of the natural gas they have destroyed and by throttling all attempts to legislate for its protection. He asks, Why should a few oil producers, in their insane haste to get rich quickly or add to fortunes already swollen beyond safety to the Republic, be permitted thus to despoil the entire country of its choicest fuel? He tells how the deposits of gas were tapped and allowed to escape by billions of cubic feet unnecessarily and without being employed for any purpose, and suggests that the men who have thus permitted the loss of our gaseous fuels, often because they could neither see the substance itself nor realize the extent of what they were doing, should not be so wasteful of solid fuels—the coal beds—something they can readily perceive and handle and weigh. He says that of the total quantity of coal we have produced since mining for commercial purposes began, amounting to over 7,000,000,000 tons, at least an equal amount, and possibly more, has been left in abandoned mines and irretrievably lost; that the people have generally believed that their supply of fuel is inexhaustible, or its exhaustion is so remote that it is not a serious subject for present consideration.

Mr. White contends that this is a very serious error. He cites the Appalachian coal field as an illustration. That field, he says, is the richest of any on the continent; that it is also the most important to the welfare of the country, because it is nearest the seaboard, and because it contains the vast bulk of our coking coals, upon which, he says, our preeminence in the iron and steel industry depends; that, with the exception of a few narrow strips close to regions of rock disturbance or folding in our western country, no first-class coking coals have yet been discovered in the United States outside the Appalachian basin; that the Pittsburg district is located in the heart of the Appalachian field, where fuel of every description is most abundant and most accessible; that the tonnage originating in the Pittsburg district and passing through it now exceeds that of the four greatest seaport cities in the world—London, New York, Liverpool, and Hamburg—combined. He says we can maintain this industrial supremacy in the iron and steel business of the world just so long as the Appalachian coal field shall continue to furnish cheap fuel, and no longer. He says:

> If the wasteful methods of the past are to continue; if the flames of 35,000 coke ovens are to continue to make the sky lurid within sight of the city of Pittsburg, consuming with frightful speed one-third of the power and half of the values locked up in these priceless supplies of coking coal, the present century will see the termination of this supremacy. No portion of the Appalachian field is richer in fuel resources than the Pittsburg district, and if we can estimate approximately how long its fuel will last we shall have gauged, in a rough way, the productive life of the Appalachian field.

According to Mr. White, the Pittsburg coal area embraces five counties in western Pennsylvania. In 1907 Pennsylvania produced 129,000,000 tons of bituminous coal. There remains unmined in Pennsylvania 110,000 acres, which will yield about 8,000 tons of bituminous coal per acre. This is a total stock of 8,800,000,000 tons in Pennsylvania. At the rate of 129,000,000 tons output a year, the supply will be exhausted in sixty-seven years. But this yearly output is increasing rapidly and may be doubled within the next ten years.

Mr. White further says that the West Virginia area of this great bituminous coal bed is about equal to that of Pennsylvania, and that it can add only a few years to the life of the Pittsburg production. Exhaust the supply of bituminous coal in the Pittsburg district and the greatest workshop in the world will become extinct. The warning cry of this great geologist passes unheeded by men who are amassing fortunes in the business of mining and selling coal, and, to accelerate the rate at which the supply is diminishing, they want a tariff imposed upon the imported article. The same is true in regard to iron ore. We are told that the total iron ore mined in the United States doubles once each seven years. It increased from 12,000,000 tons in 1893 to 52,000,000 tons in 1907. The production of pig iron has advanced from 50 pounds per capita in 1850 to 600 pounds per capita, or from an annual output of half a million tons to 25,000,000 tons, two and a half times the product of Great Britain and nearly half the product of the whole world. Speaking of the supply of iron ore, Mr. Hill says:

> The supply of this most precious of all metals is so far from inexhaustible that it seems as if iron and coal might be united in their disappearance from common life.

Mr. Hill further says that the large deposits of iron ore in this country are now located. That for cheap iron the manufacturer depends on the Lake Superior district, because of its high grade, its nearness to the Lakes, and the ease with which it is mined. That at the present rate of consumption it will require 2,000,000,000 tons to supply the demands for forty years, and this would approach the end of all high-grade ore now in sight. But he observes that production is certain to increase even more rapidly than in the past; that the demand for iron ore during the present century may increase to from 50,000,000 to 100,000,000 tons per year, and under the most favorable view of the situation, the conclusion is forced that iron and coal will not be available for common use on anything like present terms before the end of this century. Yet he says:

> We forbid to our consumers access to the stores of other countries, while we boast of our increased exports of that material for want of which one day the Nation must be reduced to the last extremity.

Our fathers believed that we had more public land than could be utilized in a thousand years; but the public domain is already, practically speaking, occupied. What is left must be reclaimed from the desert and the swamp by irrigation and by drainage. Before the end of the twentieth century we will have from 150,000,000 to 200,000,000 of people. Are we to give no thought to them? If we go on recklessly and wastefully converting all our timber, coal, petroleum, and iron ore into gold, leaving nothing for them, how are they to live?

A tariff levied upon these great natural resources is not protective; it is destructive. It should not be levied for the purpose of checking importations of lumber, coal, iron, and petroleum when a wise conservation of the rapidly diminishing stock we have at home suggests that we draw from outside sources and economize in the use of our own stock as much as possible. The sadly impaired stocks of wood and carbon left should warn us that when we eagerly crowd their consumption because we are greedy for the gold they will bring to us we are robbing our children and our children's children.

The courts are beginning to recognize, as a ground for interference with the ownership of private property, the right of a State to restrict the owner from cutting trees on private land when such restriction is necessary to prevent droughts and floods, preserve the natural water supply, and prevent the waste of soil by erosion. For just such a purpose the supreme court of Maine has decided—

> That the property rights of the individual are subordinate to the rights of the community, and especially that the waste of wild timber land derived originally from the State, involving as it does the impoverishment of the State and its people, and thereby defeating one great purpose of government, may properly be prevented by state restrictions.

And the Supreme Court of the United States has held that—

> The State, as quasi sovereign and representative of the interests of the public, has a standing in court to protect the atmosphere, the water, and the forests within its territory, irrespective of the assent or dissent of the private owners of the lands immediately concerned.

How utterly inconsistent with this recognized duty of the State to conserve natural resources is the proposal that the Government shall stimulate and encourage the cutting and selling of timber and the mining and selling of coal and iron ore by checking the importation of these articles by means of tariff duties.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from South Dakota yield to the Senator from Indiana?

Mr. BEVERIDGE. I only want to ask a question.

Mr. CRAWFORD. I yield.

Mr. BEVERIDGE. I think the Senator, earlier in his very admirable address, indicated at what period of years in the future our stock of iron ore will be exhausted if the consumption keeps on increasing as at present. I merely want to ask now, so that I may fix it in my own mind, how soon that will be? Did the Senator say about forty years? It is very important.

Mr. CRAWFORD. I referred to lumber—seventy years, if the consumption goes on at the present rate; but if the accelerated ratio of increase is maintained it will be exhausted in thirty years.

Mr. BEVERIDGE. In thirty years. That is an argument that can not be easily answered. I shall not forget that.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Michigan?

Mr. SMITH of Michigan. I think, Mr. President, the argument can be very easily answered.

Mr. CRAWFORD. I do not care to yield my time. I have put my remarks in compact form, making them as meaty as I could, so as to take up as little time as possible; and I simply quote the authorities for what I say. I will yield, however, for a question.

The PRESIDING OFFICER. The Senator from South Dakota yields for a question.

Mr. CRAWFORD. I do not, however, want any extended remarks interjected into mine.

Mr. SMITH of Michigan. The Senator need not be afraid of any extended remarks from me, for I do not make them; but I do want to answer his suggestion of thirty years as the limit——

Mr. CRAWFORD. I shall be very glad to have the Senator do that when my address is finished, but I do not like to have it broken into here.

Mr. SMITH of Michigan. But, in one word, I want to say that the Senator is entirely in error and in direct conflict with the Geological Department of the Government, whose report will throw a great deal of light upon that statement.

Mr. CRAWFORD. I make no statement except that which I give from these authorities.

Mr. SMITH of Michigan. I have the statement of the Geological Department, made in connection with the conservation congress; and the figures which are there given, and which I am sure the Senator will accept, are very different from those which he has quoted.

Mr. CRAWFORD. I simply quote authorities like Mr. Hill, a master in his field, and Mr. White, the geologist of West Virginia, recognized everywhere as an authority. I will ask the Senator from Michigan to allow me to present my remarks in compact form, without breaking into them, and I will gladly yield the floor for questions at the end of my speech.

LUMBER.

The situation in regard to lumber is both serious and irritating. The creation of large forest reserves has left an ever-narrowing area of stumpage in the Southern and Pacific States, in the hands of private owners. All through the West and the Southwest the retail dealers, by some sort of concert, have divided their territory into districts and agreed to adhere to a uniform price, which is high and often exorbitant.

Logs are on the free list, but the consumer of lumber does not buy logs, and with no transportation facilities for shipping them from Canada into the United States, the situation is in no wise affected by placing logs on the free list.

The duty on rough lumber is now $2 per thousand, and the Payne bill reduces it to $1 per thousand. This is good as far as it goes, but it does not go very far, because men who want lumber to build houses and barns and granaries do not buy rough lumber; they buy finished lumber. The duty on finished lumber is $2.50, $3, $3.50, and $4 per thousand. Under the Payne bill it is $1.50, $2, $2.50, and $3 per thousand, which, so far as the amounts added as a differential for the finishing are concerned, is no reduction at all. This differential duty is a prohibitive rate, as the following figures show:

Under the present law rough lumber pays a duty of $2 per thousand, and in 1907 we imported 859,000 M feet, on which we collected a duty of $1,718,000. But of finished lumber, paying a duty of $3.50 per thousand, we imported only 897 M feet, on which the duty was only $3,141; of finished lumber, paying a duty of $3 per thousand, we imported only 2,777 M feet, on which the duty was only $8,333. Of sawed lumber, planed on one side only, which pays a duty of $2.50 per thousand feet, we imported 19,176 M feet, which paid a duty of $47,942.38.

The lower the duty the larger the importations and the greater the amount of revenue received. On finished lumber, which is the kind and, practically speaking, the only kind of lumber which the farmer and home builder buys, the differential in the Dingley law is prohibitive and that differential remains unchanged in the Payne bill. This is not such a revision of the tariff on lumber as the country expects and demands of this Congress. To allow this high rate to stand upon finished lumber is wholly wrong, in my opinion, and will not be excused.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from North Carolina?

Mr. CRAWFORD. I do, with the understanding that he is not to interrupt except for a question.

Mr. SIMMONS. Simply for a question. Does not the Senator know that the reason there has been so little importation of dressed lumber, at least from the Georgian Bay section of Canada, is because of the fact that they have nothing but a sawmill there, and are without drying kilns, and planing, tonguing, and grooving equipment?

Mr. CRAWFORD. Georgian Bay is only a little speck in Canada. What may be a local condition there is not a statement of the general situation at all.

Mr. SIMMONS. Is it not the point from which comes practically all the lumber that is sold in the Middle West?

Mr. CRAWFORD. Very little Canadian lumber is sold in the Middle West on account of the tariff.

Mr. SIMMONS. I refer to that area of country of which New York is on the east, the Ohio on the south, and the Mississippi on the west?

Mr. CRAWFORD. I am not sufficiently advised to answer that question.

It is everywhere admitted that prices of commodities in general have advanced very materially during the past ten years, but the increase in the price of lumber has surpassed all others. Bulletin No. 75 of the Bureau of Labor, Department of Commerce and Labor, shows this very clearly. I read from page 299:

Relative price of commodities, 1890 to 1907.

[100 represents average price for 1890–1899.]

	1902.	1903.	1904.	1905.	1906.	1907.
Cloths and clothing	102	106.6	109.8	112.2	120	126.7
Fuel and lighting	134.3	149.3	132.6	128.8	131.9	135
Metals and implements	117.2	117.6	109.6	122.5	135.2	143.4
Lumber and building materials	118.8	121.4	122.7	127.7	140.1	146.9

The greatest increase was in the three items fuel and lighting, metals and implements, and building materials; and the one item which advanced more than all others was that of lumber and building materials.

The manufacture and importation of lumber from Canada is surrounded with many difficulties. The Dominion government, unlike ours, has the power to levy export duties, and does levy them in certain contingencies.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from North Carolina?

Mr. CRAWFORD. I do.

Mr. SIMMONS. I should like to inquire of the Senator if it is not a fact that during the last eighteen months the price of lumber has fallen much more than have the prices of farm products?

Mr. CRAWFORD. Farm products probably have maintained themselves better than other staples; but the depression of 1907 explains the fall in price, and the tariff had nothing to do with that.

For instance, under an act dated June 29, 1897, as shown at page 16 of Tariff Series No. 20, issued by the Bureau of Manufactures, Department of Commerce and Labor, if any country imposes an import duty upon timber, lumber, or wood, viz, lumber and timber planks and boards of amaranth, cherry, chestnut, walnut, pitch pine, sycamore, Spanish cedar, oak, hickory, white oak, red cedar, and white ash, not otherwise manufactured than rough sawn or split or creosoted; or sawed or split boards, planks, deals, and other lumber when not further manufactured than dressed on one side only; or pine and spruce clapboards; or timber hewn or sawed, squared or sided; or laths, pickets, and palings; or staves, shingle bolts, hoop poles, fence posts, railroad ties, and hickory fellies; or logs and round manufactured timber, coming into such country from Canada, the governor in council may, by proclamation, impose an export duty of not exceeding $3 per thousand feet board measure upon all pine, Douglas fir, spruce, fir, balsam, cedar and hemlock logs, and pulp wood exported to such country from Canada.

Besides this, the Canadian Provinces levy export duties. Ontario prohibits the export of pulp wood entirely. Quebec charges 65 cents per cord for pulp wood cut on crown lands, and allows a reduction of 25 cents per cord when the wood pulp is manufactured into pulp or paper within the Dominion of Canada. British Columbia levies an export duty upon coal and upon coke.

In the matter of stumpage, Mr. F. B. Lynch was a witness. I will not repeat here the able arguments made by others or the figures, except by reference to his testimony. He testified before the House committee that all the timber in Canada carries a minimum royalty to the government of 50 cents a thousand, board measure, and from that up to $6 a thousand in some of the eastern Provinces; that, in addition to this royalty, a bonus must be paid to the Dominion government when the license to cut the timber is issued, which amounts to from 15 cents to $2 per thousand. The bonus is paid to the government in cash when the lumber is sold, and the royalty is paid when the timber is sawed. A royalty is also paid on all the by-products, including lath and shingles. It costs more to erect and equip mills in Canada than in the United States.

The machinery is manufactured in the United States and pays a duty of about 20 to 30 per cent ad valorem when it crosses the line; the freight charges for hauling all this machinery from the United States into the heart of the Canadian timber regions are heavy, and the labor of millwrights and skilled mechanics is American, and can only be induced to come into Canada by paying to it higher wages than are paid for it in the United States. Mr. Lynch testified that two large mills, each having

a capacity of 35,000,000 feet per annum, built by his companies in Saskatchewan and British Columbia, cost about $400,000, and that similar mills in the United States cost only about $250,000 each. Mr. Lynch testified that the difference in cost "is explained by the tariff charged by the Canadian government on American machinery which is used in the Canadian mills, the high freight rates on this machinery, the high cost of labor prevailing in Canada, and the lack of efficiency in the Canadian mechanic as compared with the American mechanic." This statement, even though it is made by a man extensively interested in Canadian lumber, seems to be entirely reasonable, and I believe it to be substantially true. While Canada has only about one-third as much natural timber as we have in this country, she has only about one-tenth as many people to consume it. To find a market for it, her lumbermen must, in the very nature of things, export it long distances from where the mills are located and the logs are cut and find a market in foreign lands. Generally speaking, it is admitted that the standard of living and the rate of wages paid to labor in the lumber industry in Canada compare very favorably with the standard and rate in the United States.

I have read the testimony presented to the Ways and Means Committee upon the cost of labor employed in manufacturing lumber in Canada and in the United States, and, take it all through, it certainly fails to show a higher average wage in the United States. It is true that in the tide-water mills in British Columbia some oriental labor is employed at an average wage of about $1.25 per day, and along the border in lower Canada the French Canadian is employed on the Canadian side for a lower wage than is paid for labor in the lumber industry in Maine and Vermont. To offset these two cases, we find that the labor employed in the lumber industry in the South is largely colored, and that it receives an average wage of only $1.25 per day. We find, also, that in the State of Washington more or less oriental labor is employed, and when employed receives no higher wage than is paid for it in the tide-water mills of British Columbia.

Speaking of this kind of labor, Mr. Theodore M. Knappen, testifying before the House Committee on Ways and Means, said:

> There is no doubt that, as a whole, the oriental labor employed in the coast mills in British Columbia is costlier than white labor, because it is far less productive. It really proves nothing as to labor cost to show a few Orientals on the pay roll, because it is certain that, as a very general rule, their efficiency is much below that of the whites.
>
> What Orientals are employed are almost entirely in the tide-water mills. The mountain mills in British Columbia use few, if any, oriental laborers. They are prohibited from working in the woods at all. White labor is thoroughly organized. The Hindoos—and most of the oriental labor employed is Hindoo—are very inefficient workmen, because of their lack of muscular strength, their unfamiliarity with western methods, and their general ignorance. They draw from one-half to three-fourths as much pay as white men, and one employer says he considers that one white man is worth three Hindoos.

The evidence presented to the House committee shows that the wages generally paid for labor in the production and manufacture of lumber in Ontario and in western Canada are fully as high and in many cases higher than in the middle and western United States.

Witnesses on both sides prepared and put in evidence before the House committee detailed lists with wages paid to employees. An examination and comparison of these tables show no advantage in higher wages to the American.

For the Canadian side, Mr. Lynch filed tables showing wages paid employees in his large mills and logging industries at Fernie, British Columbia, and at Barrows, Saskatchewan. Mr. Knappen, for the same side, filed a comparative table showing scale of wages paid in nine large Canadian mills and in five similar mills in the United States, also a table comparing wages paid in Canadian logging camps with wages paid in American logging camps. In Canada the men work six days in the week and ten hours a day.

For the American lumbermen, Mr. T. B. Walker filed a statement showing scale of wages paid by him; Mr. George K. Smith put in a table showing scale of wages in southern sawmills, including both white and colored labor; and Mr. D. E. Skinner, of the Port Blakeley Mill Company, a corporation which he says probably enjoys the largest output of any single concern in the United States in lumber for the last fifty years, and which is one of the mills in the United States where oriental labor is employed, offered photographs and some ex parte affidavits to show that oriental labor is employed in Canada. I produce these several tables arranged so that they may be easily compared.

I am not going to read the tables. Some of them were offered in connection with the speech of the Senator from North Dakota [Mr. McCUMBER], and others by the Senator from Minnesota [Mr. NELSON]. I have simply made some comparisons in parallel columns, which I ask leave to insert in connection with my remarks.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

Comparative statement of wages paid per day to certain kinds of employees in sawmills in Ontario, Saskatchewan, British Columbia (mountain and coast), averaged, as compared with wages in Oregon and Washington (interior and coast) and Minnesota, averaged, five to nine mills in former class and five in latter.

	Canada.	United States.
Foreman	*$143.33	*$127.50
Band sawyer	6.19	5.20
Filer	7.35	6.83
Engineers (chief)	4.25	3.79
Graders	2.99	2.44
Firemen	2.51	2.78
Millwright	3.99	3.56
Setter	3.88	3.12
Edgerman	3.62	3.20
Trimmer	2.54	2.48
Common laborers (white)	2.30	2.05

* Per month.

Comparative statement of wages paid per day in logging camps in Canada and the United States.

	Canada.		United States.	
	International Timber Company, Campbell River, British Columbia.	Fraser River Saw Mills (Limited), Fraser Mills, British Columbia.	Simpson Logging Company, Shelton, Wash.	Mason County Logging Company, Olympia, Wash.
Barker	$2.75	$3.00 to $3.25	$2.50	$2.50
Blacksmith	3.00	* 75.00	3.00	3.00
Blacksmith helper	2.50	2.25	.....	.....
Buckers	3.00	3.25	2.75	2.75
Cook	* 75.00	* 75.00	* 65.00	.....
Dogup man	2.50	3.00	2.50	2.50
Engineer	3.25	* 65.00	3.00	2.50 to 3.00
Faller, head	3.50	4.00	3.00	3.00
Faller, second	3.00	3.75	2.75	2.75
Fireman	2.60	2.50	2.00	.....
Flunkey	* 35.00	* 35.00	* 30.00	.....
Hook tender	4.00	5.00	3.75	4.00
Line horseman	2.50	.....	2.25	2.25
Rigging slinger	3.00	3.50	2.75	2.50
Signalman	2.50	3.00	2.25	2.25
Skidder, head	3.00	.....	3.25	.....
Skid roadman	2.25	2.25	2.00	2.00
Sniper	2.75	3.25	2.50	.....
Swamper	2.50 to 2.75	.....	2.25	2.25 to 2.75
Undercutter	3.50	.....	3.00	.....
Woodcutter, behind donkey	.....	3.00	2.00	.....

* Per month.

Average wages paid at the mills of the Elk Lumber Company, at Fernie, British Columbia, and of the Red Deer Lumber Company, at Barrows, Saskatchewan, for the years 1903 to 1907, inclusive.

	Per day.
Band sawyers	$7.50
Gang sawyers	4.50
Tail sawyers	2.50 to 3.00
Edger men	3.00 to 3.75
Trimmer men	3.25
Setters	3.75
Carriage riders	3.00
Helpers on trimmer	3.00
Transfer men and laborers	2.00 to 2.60
Band filer	8.50
Round saw and gang filer	7.00
Millwrights	4.00
Engineer	4.00
Fireman	3.00
Blacksmith	3.75
Machinists	3.75
Boom men	3.25
Laborers	2.50
Watchmen	2.50
Grader	2.75
Sorters and transfer men	2.25
Lumber pilers	2.25 to 2.75
Laborers in yard and loading cars	2.25
Oilers in mill and planing mill	2.75
Planing mill:	
Machine feeders	2.50 to 3.50
Helpers	2.25
Teamsters	2.50
Carpenters	4.00
Helpers	2.50
Manager	* 4,000.00
Mill foreman	* 1,500.00
Yard foreman	* 1,500.00
Bookkeeper	* 1,200.00
Timekeeper and clerks	* 60.00 to 85.00

* Per year. * Per month.

During the same period the same mills have paid wages to their men in the woods, they doing all of their own work and doing no logging through contractors—

	Per day.
Leaders	$2.80
Swampers	1.85
Sawyers	2.25
Teamsters	2.35
Railroad men	2.50
Stable boss	2.60
Hook men	2.25
Blacksmith	3.40
Filer	3.00
Camp tender	2.25
Railroad laborers	2.05
Cook	3.40
Cookees	2.25
River men	3.00
Clerks	3.00
Foreman	4.25
Teams without drivers	3.00

The superintendent receives $1,600 to $2,000 per annum.

All men working in the bush are paid so much per month and their board. The figures given above for their day labor is the amount which they would receive per day, figuring twenty-six working days to the month, and adding the cost of their board, averaged in nine different camps, to the daily wage paid to them.

STATEMENT BY F. B. WALKER.

Labor pay roll rates, 1895 to 1908, inclusive, Red River Lumber Company, Minneapolis, Minn.

	May, 1903.	May, 1904.	May, 1905.	May, 1906.	May, 1907.	May, 1908.
Common labor	$1.75	$1.75	$1.75	$1.75	$2.00	$1.75
Engineers	3.00	3.00	3.00	3.00	3.50	3.50
Millwrights	3.00	3.00	2.75	3.00	3.00	2.75
Piers	10.00	10.00	10.00	10.50	10.50	10.00
Sawyers	6.50	6.00	6.00	7.00	7.00	7.00
Setters	3.50	3.00	3.00	3.00	3.00	2.75
Edgermen	3.00	3.00	3.00	3.00	3.00	2.75
Trimmers	2.50	2.50	2.50	2.50	2.50	2.25
Sort shed grader	2.50	3.00	2.50	2.50	2.50	2.25
Sort shed common labor	2.00	2.00	2.00	2.00	2.00	1.75

Statement by George K. Smith, showing rate of wages paid in southern sawmills, including both white and colored labor.

	Per day.
Foreman	$5.00 to $7.00
Millwrights	3.00 to 3.75
Engineers	2.25 to 3.00
Sawyers	6.00 to 7.00
Filers	5.00 to 7.00
Block setters	2.75
Doggers	1.75
Offbearers	1.75
Cant liners	1.75
Edgermen	2.50 to 3.50
Tailing edger	1.75
Trimmer men	1.75 to 2.50
Scalers	1.75 to 2.50
Graders	1.75 to 2.50
Extra men	1.50 to 2.00
Lumber stackers	1.35 to 1.75
Lumber truckers	1.35 to 1.50
Mule drivers	1.35 to 1.75

Mr. CRAWFORD. I claim for this evidence that it conclusively shows that, so far as the difference in the cost of labor in concerned, so far as the difference in the cost of production is concerned, and so far as the principle in the Republican platform that protection shall be measured by the difference in the cost of production, allowing a reasonable profit to the American manufacturer, is concerned, the advocates of the tariff upon lumber have not a leg to stand on.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from North Carolina?

Mr. CRAWFORD. The Senator from North Carolina was so kind to me when he was on the floor the other day in permitting me to ask questions that I do not like to decline to answer his questions now, but I do not want to delay the Senate or weary it, and the statement I have is so condensed and connected that I do not like to have it broken into.

Mr. SIMMONS. I merely wish to ask a very short question.

Mr. CRAWFORD. Very well.

Mr. SIMMONS. Do I understand the Senator to take the position that the labor cost in Canada in the manufacture of lumber is no higher than in this country?

Mr. CRAWFORD. As a general proposition, I say it is no higher.

Mr. SIMMONS. Does that apply to other labor in other industries in Canada as well as to lumber?

Mr. CRAWFORD. I have not gone into other industries. I remember the ingenuity with which the Senator from North Carolina talked about the labor that was in the belts that were used to run the machinery and in the shoes and boots that the lumbermen wore and in the saws they used, and all that. It was with a great deal of entertaining ingenuity that the Senator brought that in; but, for the life of me, I could not see its materiality as entering directly into the question of a difference in the cost of the production of lumber in Canada and in the United States.

Mr. SIMMONS. Will the Senator permit me just one other question? If there is no difference in the labor cost of production in this country and in Canada, what is the necessity for protecting any article that is produced in Canada and also in this country?

Mr. CRAWFORD. My remarks are directed to the tariff upon lumber, and I am not going to be drawn into a discussion of the tariff upon other articles.

Mr. President, in attempting to base their claim for a protective tariff on lumber upon the difference in labor cost, the American lumbermen have failed. In a desperate attempt to make a showing upon this point between lower Canada and Maine, Col. Albert Clark, of Boston, made a statement, which was presented to the House committee, in which he undertook to show that the wages paid by J. R. Booth, of Ottawa, were less than the wages paid by the St. John Lumber Company, of Portland. For the purpose of doing this, he showed the wages paid by the St. John Company at the present time and compared it with wages paid by Booth, of Ottawa, in 1898—ten years ago—and the only proof he offered of the old scale of wages at Ottawa was a memorial issued in 1898 by lumber manufacturers in the United States.

One of the fairest and most impartial witnesses who testified before the House committee, as it seemed to me, was Mr. M. J. Scanlon, of Minneapolis. I believe he was unprejudiced and impartial, because he has interests on both sides of the line. While he is interested in Canadian stumpage, he is more heavily interested in both stumpage and manufacture of lumber on the American side, and says that for every hundred dollars invested in Canada he has more than a thousand dollars invested in timber and mills on this side of the line. Mr. Scanlon tells us that the cost of labor and cost of producing lumber are greater in Canada than in the United States. He says:

All you need to do to convince yourselves on this point is to compare the rate of wages paid in Canada, our only competitor, with the rate paid on this side of the line. We are operating one very large sawmill at a small town, Scanlon, Minn., cutting about 100,000,000 feet per annum. This year we are paying common labor in and about the plant $1.75 per day of ten hours, in the woods $1.50 per day, and skilled labor in the same proportion. The same general rate of wages prevails throughout the lumber district in Minnesota, Wisconsin, and Michigan, except in some of the larger towns and cities the rate is as low as $1.60 per day. In these three States I contend we have the best and most efficient sawmill and woods labor in the world. We are operating two sawmills in the long-leaf yellow-pine district of Louisiana. At these mills we are paying common labor in the mills and woods $1.25 per day and the higher grade of workmen in the same proportion. In the Province of Ontario, Canada, about the same scale of wages prevails as are paid in Michigan, Wisconsin, and Minnesota. In the Province of Saskatchewan, Alberta, and in the mountain district of British Columbia common labor is paid at the rate of $2.25 per day of ten hours in the sawmills and $2.50 per day in the woods, while in the so-called "coast district" of the Province of British Columbia common labor receives $2.50 per day in the sawmill and $3 per day in the woods, and skilled labor is being paid in the same proportion. There is some oriental labor used in the British Columbia mills, ranging in price from $1.25 to $1.75 per day, depending on the class of work they perform. Concerning the efficiency of this oriental labor, they are more expensive than white, and they would not be employed at all if white labor could be obtained. In fact, the laws of British Columbia prohibit the use of oriental labor in cutting and removing the timber from provincial lands. Wages are so high that I do not think we have anything to fear on that score; the difference in wages paid the Canadian and American workmen in the timber industry is likely to be much more to the advantage of men employed in Canadian mills. * * * The cost of Canadian logs delivered at the mills will always be as great or greater than the cost of logs at the mills of the American operator.

That is the testimony of Mr. Scanlon, who says that for every hundred dollars he has on the Canadian side he has a thousand dollars invested on this side.

So far as the difference in the cost of labor is concerned, the advocates of a protective tariff on lumber can not bring their case within the rule prescribed in the Republican national platform. As to other items of cost, which enter into production, they also fail. Mr. Lynch testified that the logs at the Red Deer mill in Saskatchewan cost $7 per thousand; that the stumpage, together with royalties paid to the Canadian government, cost $3 per thousand. That at the Elk River mill, in British Columbia, where they were sawing cedar, fir, and spruce, the logs cost $6 per thousand; stumpage with royalties $1.50 per thousand. That the cost of manufacturing, including the cost of surfacing, piling, loading, selling, insurance, and taxes at each point, is about $5 per thousand at each place. He adds:

I do not know of any expense item which goes to make up the cost of lumber which is not as heavy or heavier upon the Canadian manufacturer than it is upon the American manufacturer. The Americans are certainly closer to the consumer in the United States than the Canadian mill. This implies lower freight rates and better service for the American mills. The American manufacturer will have little fear from the removal of the tariff, unless he raises his prices much above the present level.

That, Mr. President, is just what we do not want him to do. If the doors were thrown open and lumber, both rough and finished, were allowed to come in free, importations would relieve our home supply of the tremendous drain now made upon it, and we would check the insatiable greed of the men who, by means of the tariff, are seeking to control and to advance the price of stumpage; and we would let in a new source of supply which would be of material help to the people in breaking up the conspiracy of the retailers who now, by concerted action, succeed in maintaining one price, and that an extremely high one for the consumer of lumber.

The only basis of the claim of the American timber owner that the cost of production, including labor, in the United States is higher than in Canada is found by careful examination to be the higher value placed by him upon stumpage. He wants timber lands which he bought for from $2.50 to $6 per acre and which he has marked up to $30 and $60 per acre taken at its present high value and treated as an investment of that much capital entering into cost of production.

Mr. J. D. Lacey, who appeared before the House committee and asked for a retention of the present duty on lumber, admitted that he himself had personal knowledge of the fact that McCormick & Co. and the Weyerhaeuser Company bought a million and a half acres of timber land in the West only a few years ago for $6 per acre that is now worth $50 per acre; that they paid only 15 cents per thousand for stumpage, which is now worth $1, $2, and even $4 and $5 per thousand. Hines, Skinner, Walker, Weyerhaeuser, and the other barons who got this land so low, and now hold it so high, complain of their taxes on it, and ask that the taxes, which go along with the speculation, and which are paid upon the land and standing timber not yet converted into lumber, be considered as a part of the cost of production. That such a claim can not for a moment be considered is so self-evident that no notice need be given to it here.

It appears that in the exportation of lumber the States of Washington and Oregon, without the aid of a tariff, are able to put British Columbia out of business. The table showing a comparison of exports of lumber from these two States with exports from British Columbia for the years 1904, 1905, 1906, and 1907, which I ask to have printed in this connection, shows enormous excesses of exports in favor of Washington and Oregon and that the difference in favor of these States is growing very rapidly each year:

COMPARATIVE EXPORTS.

	Feet.
In 1904:	
Washington exported	186,144,995
British Columbia exported	33,177,244
Oregon exported	29,173,736
In 1905:	
Washington exported	201,030,589
British Columbia exported	49,811,930
Oregon exported	57,854,190
In 1906:	
Washington exported	221,351,716
British Columbia exported	79,176,862
Oregon exported	112,526,918
In 1907:	
Washington exported	262,720,536
British Columbia exported	67,193,208
Oregon exported	100,651,552

(See page 3100 Tariff Hearings, 1908–1909, Schedule D, showing Pacific coast cargo lumber statistics.—From Pacific Coast Lumberman.)

Our exports of lumber into Canada are nearly half as much as the exports of lumber from Canada into this country, and cases have been given in these debates where the American lumberman has been able to undersell the Canadian in his own territory. During the last fiscal year we exported nearly $10,000,000 worth of lumber and other wood, and of forest products we exported more than $126,000,000, and a large part of this is in successful competition with Canadian forest products.

It has been clearly demonstrated upon this floor by the Senator from North Dakota and the Senator from Minnesota that the differential made in the pending bill on account of finished lumber can not be justified by a pretense that the labor expended in finishing requires it—the manner in which it is done by modern machinery having been so fully explained here that no one will, in my opinion, undertake to defend this differential.

Our exports of finished lumber into Canada are made in the face of an ad valorem duty of 25 per cent imposed by the Canadian government. The arguments made in favor of retaining the tariff upon lumber by the United States are absurdly inconsistent, it seems to me, because they undertake at one and the same time to demonstrate that the removal of the tariff by our Government will not reduce the price of lumber to the consumer, while, on the other hand, the retention of the tariff will so increase the value of low-grade lumber made from upper cuts and low-grade material that the lumbermen will not leave it to waste and rot in the forest and add to the danger of destruction by fire. They would have you believe that away down in the Canadian woods the lumberman would manufacture and ship to the United States only his low-grade lumber, while the American lumberman would allow his low-grade lumber, which is nearer to the people who use it and to the transportation facilities and the market, to lie there in the woods and waste. After the tree is felled and the butt sawed and handed away, it involves a comparatively small expense to trim up and haul the upper cut into camp.

If the distant lumberman in Canada can afford to do it, the near-by American lumberman can surely afford to do it. If the removal of the tariff will not reduce the price, of course there would be no reason for greater waste of low-grade lumber. If, on the other hand, it will reduce the price—and the fierce opposition of the American lumberman to the removal of the tariff is sufficient proof that it will reduce the price—the American can afford to produce and sell his low-grade lumber just as well as the Canadian can, and for just as low a price. The whole purpose of the tariff on lumber is to protect the American timber owner, who has been enabled to take advantage of the munificent bounties of our Nation, and to thereby acquire vast holdings under the timber and stone acts and under the homestead and lieu-land laws and by sharing in the ownership of the great forests lands liberally bestowed in land grants to the railroads.

The removal of the tariff will check to a considerable degree the insatiable greed and rapacity of the American timber baron. It will permit a new factor to enter the retail market and tend to break up the combination that has destroyed all competition in the retail lumber market throughout the Middle West and Southwest, and it will, to the extent of importations of foreign lumber, preserve and conserve the American forests. It will not, on the other hand, strike down the wages of the American laboring man, for the reasons already shown, and it will violate in no sense the rule of the Republican national platform. The great States of California, Oregon, and Washington have populations of active, intelligent, pushing men, eager and ambitious to develop their great resources. They are a great people, and their representatives in this body with great ability and faithfulness have presented every possible argument here in favor of the present tariff upon lumber.

The recent depression fell heavily, no doubt, upon the people of those States, but that depression came under the tariff as it is now. No part of the Union has a brighter future. Lying, as they do, upon the coast of the Pacific Ocean, where the commerce of the future will surpass in extent and splendor anything ever known in the history of the world, with the completion of the Panama Canal and the sane and normal development of their resources, the greatest cities and the densest population upon this globe will one day be found along our Pacific coast, where transcontinental railways converge and where the finest deep harbors in the world abound.

No Senator from these magnificent States need have any fear that their growth will be retarded because this Government does not add to the wealth of their great timber owners by a prohibitive tariff and continue in force an excessive and outrageous duty upon finished lumber, which is an article of prime necessity to millions and millions of our people.

My argument is directed against the levying of duties upon lumber, iron ore, coal, and petroleum, because what we have of these commodities are natural resources of this Nation upon which not only the present but all future generations must depend.

OIL.

Take the Standard Oil Company; and I will ask to incorporate in my remarks the report made by Herbert Knox Smith, of the Department of Commerce and Labor, showing its enormous profit, its methods of doing business, its unfairness, its violation of every principle of honor and decency.

The VICE-PRESIDENT. Is there objection to the request of the Senator from South Dakota? The Chair hears none.

Mr. CRAWFORD. The Standard Oil Company is admitted to be the greatest monopoly in the world. It controls the price of crude and refined petroleum and of the products of petroleum all over the world. The claim that "independent" producers of oil must have the aid of a protective tariff is under a well-founded suspicion of being a mere subterfuge. There are no really independent producers of petroleum. The relation may not appear upon the surface, but I am quite convinced that they are either subsidiary companies or that they exist simply by sufferance or toleration. If that be true, the tariff can not help them, and I believe it to be true because the Standard Oil Company for a generation has ruthlessly crushed every competitor who came across its path. The investigation of the affairs of the Standard Oil Company made by the Department of Commerce and Labor, and the report of the former commissioner, Herbert Knox Smith, shows that the average margin between the price of Pennsylvania crude oil and the price of the illuminating oil sold by the Standard throughout the country, after

deducting freight costs, increased in the eight years preceding 1905, 1.03 cents per gallon. From seven-tenths of a cent to 1 cent per gallon is a good profit on the business. During the eight years covered by that report the Standard more than doubled its rate of profit on illuminating oil, and on gasoline, lubricating oil, and paraffin the increase was considerably higher. Its profits for 1904 were about $21,000,000 more than they were in 1898. From 1882 to 1894 its net earnings were about 15 per cent per year, while from 1903 to 1905 the net earnings were 68 per cent yearly. The commissioner states:

The Standard has not reduced the margins during the period in which it has been responsible for the price of oil. During the last eight years covered by this report (1898 to 1905) it has raised both prices and margins. Its domination has not been acquired or maintained by its superior efficiency, but rather by unfair competition and by methods economically and morally unjustifiable. The Standard has superior efficiency in running its own business; it has an equal efficiency in destroying the business of its competitors. It keeps for itself the profits of the first and adds to these the monopoly profits secured by the second. Its profits are far above the highest possible standard of a reasonable commercial return, and have been steadily increasing.

Finally, the history of this great industry is a history of the persistent use of the worst industrial methods, the exaction of exorbitant prices from the consumer, and the securing of excessive profits for the small group of men who over a long series of years have thus dominated the business.

This report shows that the Standard sells its oil in Europe for about 2 cents per gallon less than it charges the people of the United States, and grossly discriminates between localities and between consumers. No matter what may be said in behalf of men who imagine they are "independent" producers, it dominates and absolutely controls the market, and the tariff duty can not reach these men, who are its victims.

A tariff whose only effect can be to give to it an opportunity to increase its exactions is a monstrous wrong. To impose it upon the pretense that it is for the purpose of encouraging the development of American industry is to wear the livery of heaven to serve the devil in. As a protectionist, brought up in that school, and believing in the principle when properly applied, I claim that it is an abuse of it to levy an impost duty on lumber, iron ore, coal, and crude petroleum, or to give its benefits to monopoly. Applied to the development and encouragement of industries and the maintenance of high standards of living among the wage-earners, it is a blessing. Used as a weapon to aid monopoly to become more rich and powerful, it is a curse.

STEEL.

Judge Gary, testifying before the House committee as the head of the United States Steel Corporation, and Mr. Schwab, testifying as the head of the Bethlehem Company, admitted that the price of steel rails had for years been maintained absolutely at one figure—$28 per ton—and that any manufacturer who dared cut that price would be put out of business at once. The following letter, written by Mr. Schwab, was put in evidence at the hearing of the House committee. I think it is a remarkable letter:

PITTSBURG, PA., *May 15, 1899.*

MY DEAR MR. FRICK: You asked me to give my views as to the probable future earnings of the Carnegie interests and as to the proposed reorganization on a basis of $100,000,000 bonds, $250,000,000 preferred stock, and $275,000,000 common stock. Permit me to say that, commencing in 1879 as engineer constructing the works, ten years as general superintendent of our principal works, and over two years as president, I feel that I know the properties and their possibilities as well or better than anyone in or out of the concern.

While we have been highly successful in the past, as everyone knows, I believe we are only now getting in shape to be truly successful and truly profitable. Our April profit and loss sheet shows earnings slightly over $1,500,000, with rails netting us only $17.50 and billets $16. Lowest prices we ever had, on an average, were $16.50 for rails and $14.50 for billets; so you see we have reaped very little of the advantages of increased prices. With prices anywhere near to-day's selling prices, we could easily make over $3,000,000 per month; and then our new works, to be started in two months, will—I estimate on present prices—bring us an additional profit of $600,000 per month, or a total of $3,600,000 per month.

As to the future, even on low prices I am most sanguine. I know positively that England can not produce pig iron at actual cost for less than $11.50 per ton, even allowing no profit on raw materials, and can not put up pig iron into rails, with their most efficient works, for less than $7.50 per ton. This would make rails a net cost to them of $19. We can sell at this price and ship abroad so as to net us $16 at works for foreign business, nearly as good as home business has been. What is true of rails is equally true of other steel products.

As a result of this, we are going to control the steel business of the world.

You know we can make rails for less than $12 per ton, leaving a nice margin on foreign business. Besides this, foreign costs are going to increase year by year, because they have not the raw materials, while ours is going to decrease. The result of all this is that we will be able to sell our surplus abroad, run our works full all the time, and get the best practice and costs in this way.

Very truly, yours,

C. M. SCHWAB, *President.*

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from Pennsylvania?

Mr. CRAWFORD. I do.

Mr. OLIVER. I should like to ask if Mr. Schwab, at the same time that that letter was produced before the Ways and Means Committee, did not, to a very large extent, disclaim and repudiate it?

Mr. CRAWFORD. Oh, he did not repudiate it; but he tried to discount it a little, saying it was written under different circumstances. Mr. Schwab's interest and attitude, when he was before the Ways and Means Committee seeking to maintain the tariff rate, were undoubtedly different from what they were when he wrote this letter to Mr. Frick, giving him the facts upon which he was asking him to invest millions of dollars. I will take the chance of saying that the statement in this letter is just as near the truth as his statement before the Ways and Means Committee.

Judge Gary testified at great length before the House committee. He frankly declared that the United States Steel Corporation can produce pig iron at least $2 per ton cheaper than any competitor. He admits, with a candor and frankness which compels our admiration, that his great trust permits competitors to do business by sufferance and toleration, because public indignation would be aroused to an uncomfortable point if it should drive them all out of business. He unreservedly declares, however, that the United States steel trust, owning, as it does, high-grade iron-ore beds easily mined and on the lake shore, the coal mines, the coke fields, 110 steel boats on the Lakes, railway transportation, immense capitalization and equipment, perfect organization, and the highest skilled labor, can, if it chooses to do so, drive every competitor in America to the wall. He further admitted that it is so well equipped for the assembling of the raw materials, with high-grade machinery and skilled labor, that it can manufacture steel rails cheaper than any competitor in the world; that it would go on successfully dominating the markets of the world should the tariff be removed entirely. According to his testimony, the properties that were put into the great steel trust when it was organized were valued at less than $800,000,000. No new capital was put in. The trust then issued $360,281,100 preferred stock at par, $508,302,500 common stock, $480,199,000 in bonds, and it assumed the bonded indebtedness of the subsidiary corporations, which amounted to $125,346,000, making the total capitalization $1,474,028,000, based upon property valued at less than $800,000,000.

The parent corporation is not an operating concern at all. It gets its income from dividends declared by the subsidiary companies. He says:

I should guess that of the whole capitalization of $1,782,000,000, at least $1,000,000,000 was capitalized profits, as distinguished from original investment. (Pages 1736, 1745.)

Since the trust was organized, in 1901, it has paid from its earnings $180,711,000 interest; $262,354,600 dividends; for construction, $163,694,000; and carried to surplus, $97,645,000 (page 1735). Upon its enormous capitalization, of which $1,000,000,000 was capitalized profits, it has paid an annual dividend of 7.3 per cent. It is quite evident that a great trust which is able to dominate and control trade and manufactures, as the United States Steel Corporation can and does dominate and control it, should not receive aid from the Government in the form of a protective tariff levied for the purpose of encouraging and developing American industry.

Judge Gary admits that the tariff is not necessary so far as the United States Steel Company is concerned, but he fears its removal from steel rails, billets, pig iron, structural steel, and steel rods would injure the small independent companies.

This is a subterfuge, because his own admissions previously made with the most serene frankness show that there are no independent competing companies. There are other companies, it is true, and they do a good deal of business, but they are not independent competing companies.

A company which is simply allowed to exist and carry on business by the sufferance and toleration of the United States Steel Corporation is not, and in the very nature of things can not be, an independent competing company. It may be a separate corporation, and the United States Steel Company may not own a dollar of its stock, nor a dollar of its bonds, nor be in any manner a parent corporation; and yet, if it is allowed to live and do business only because of the permission or toleration of the United States steel trust, and if it can be easily destroyed and driven from the field, should it dare cut prices, as Judge Gary says it can, it is not in any sense an independent competing company.

Mr. President, one of the pathetic things which has come under my observation since I have been here is the desperate appeal made to Members of the Senate by men of small means, struggling along with small factories for the manufacture of pig iron or some form of steel, imagining that they are running an independent concern, and that we can help them. They are as helpless as a little mouse that would undertake to play on the carpet in front of a cat. We can not help them. We can not aid them in industrial development when they are beyond our reach. When we think we are helping them we are strengthening the giant that can absolutely crush them in a moment.

The price at which a small concern of this kind sells is the price at which the United States Steel Corporation is willing it shall sell, and none other, and it is beyond the reach of help through a protective tariff.

The United States Steel Corporation, according to Judge Gary, owns in fee or leasehold great iron deposits in the Superior region, in Tennessee, and in Alabama, and it can manufacture pig iron at least $2 per ton cheaper than any competitor. It manufactures annually ten or eleven million tons of pig iron, ten or eleven million tons of finished steel, and a still larger tonnage of semifinished steel. Its output includes rails, structural steel, steel wire, wire nails, fencing, billets, bars, slabs, hoops, bands, cotton ties, tubing, pipe rods, sheets, steel plates, spikes, bolts, nuts, rivets, axles, car wheels, merchant steel, and numerous other items. That it is practically in control of the field is shown by the fact that the number of establishments is decreasing all the time, while the output is increasing.

The number of establishments engaged in manufacturing iron and steel in the United States has been growing less. In 1880 it was 1,005; in 1890, 719; in 1900, 669; in 1905, 641. (Statistical Abstract, 1907, p. 714.) I have no figures later.

The reason for the rule which applies the principle of protection in levying a duty where it is necessary to encourage the development of American industry and give remunerative employment to American labor, in which I am a firm believer, does not exist when it is applied to the manufacture of pig iron and the leading steel products which I have named by the few great companies which control their manufacture and fix their prices all over the world. Instead of showing that it costs more to produce these articles in the United States than it does abroad, the evidence shows the contrary. The labor employed is highly organized and is quite capable of taking care of itself. It is of a character and quality which will continue to command and receive the highest wage paid anywhere in the world. The removal entirely, or the very material reduction of the tariff which is no longer necessary to the prosperity of an industry which is admitted to be so completely intrenched that it can challenge the competition of the world, can not harm it.

PIG IRON.

In 1905 the amount of pig iron imported into the United States was only seventy-three one-hundredths of 1 per cent of the total amount consumed; in 1906 it was 1.16 per cent; in the highly prosperous year of 1907 it was only 2.17 per cent. The amount of railroad iron and steel bars imported in 1907 was only thirteen one-hundredths of 1 per cent of the total consumption. (Statistical Abstract of 1907, p. 596.)

These imports are insignificant.

Mr. Schwab says that the Bethlehem Company imports iron ore from Cuba and pays a duty on it. Why should he pay a duty on it and be compelled to compete with the United States steel trust? He gets it from Cuba, saving the exhaustion of our own natural resources. Why should he be compelled to pay a duty on it?

Under the Dingley law iron ore pays a duty of 50 cents per ton; basic slag, $1 per ton; pig iron, $4 per ton; scrap iron, $4 per ton.

In the Payne bill iron ore and slag are placed on the free list, wrought and cast iron and scrap steel bear a duty of 50 cents per ton, and pig iron a duty of $2.50 per ton.

In the bill as reported by the Finance Committee in the Senate iron ore is taken from the free list, where it was placed in the Payne bill, and made to pay a duty of 25 cents per ton; pig iron is charged with a duty of $2.50 per ton, and the duty on wrought and cast scrap iron and scrap steel is raised to $2.50 per ton.

What for? Why should the Burlington Railroad, and the Chicago and Northwestern, and the New York Central, and the Erie, and all the rest of them, when they discard their old locomotives and their old, worn-out steel rails, be protected in their scrap iron by a tariff of $2.50, while a little manufacturer who may want to get raw materials is thus prevented from getting his scrap iron from everywhere? I am told that since this bill has been changed here Canadians are scouring New England and getting old scrap iron to take across the border. What is the reason for it?

It would seem from the evidence presented to the Committee on Ways and Means that, in the interest of justice and the public welfare, the proposals of the Committee on Finance where they involve an increase in the duties provided in the House bill in the iron and steel schedule should be abandoned, and where they propose increased reductions in the rates proposed in the House bill they should be sustained.

I will frankly state that is what I had in mind upon the first reading of the bill, when I asked to have the items in the metal schedule passed. Indeed, I would, if I had the power to do it, put iron ore, scrap iron, basic slag, steel rails, and pig iron on the free list. We can not help the small manufacturer of steel through the tariff. He is beyond our reach. Any attempt to help him simply strengthens the position of his master, the steel trust. When it is conceded that the trust can produce pig iron at least $2 per ton cheaper than its competitors, it is conceded that it has a fundamental advantage which stays with it in every subsequent development of the steel trade. The little manufacturer can only wail. He is beyond help.

AN INTERNATIONAL TRUST.

During the speech of the junior Senator from Iowa, directed to the iron and steel schedules, the senior Senator from New York, by way of a question, said:

If you take the tariff off in order to hit the United States Steel Corporation, the independent concerns believe it would wipe them out of existence and give the United States Steel Corporation the command of the market, and then that corporation would combine with the foreign companies and we would be at the mercy of a gigantic international combine. How would you get over that?

The purpose of this question was to leave the impression that the removal of the tariff would result in the forming of international combinations which are not possible under tariff protection. As a most complete answer to that suggestion, I cite the international thread trust, known as the "Coates combination," which has monopolized the thread industry in the United States. The leading brand of thread which sells at 6 cents in New York, and about half that amount in England, is made by J. & P. Coates (Limited), of Paisley, Scotland, and by the Coates thread combination in this country. The Coates house early saw the advantages of establishing a factory in the United States and competing for the American trade under the protection of the tariff. Other English firms also saw the advantage, chief among them the Clarke Mile End Spool Cotton Company, of Newark, N. J.

The English concerns in the United States combined themselves into a trust to all intents and purposes. Sixteen of the English companies combined in a $10,000,000 trust, called the "English Sewing Cotton trust." The J. & P. Coates Company took $1,000,000 of the stock, and at least once since then has helped the organization out of trouble by lending it $2,000,000. The two concerns work together. In 1898 the American Thread trust was formed by the union of thirteen of the leading American concerns—all, indeed, but one of the domestic companies.

Then the English trust stepped in and bought the majority of the stock in the American trust. The English trust then owned and controlled the American trust, and dictated its policy from the other side of the water; and this British trust is affiliated with and partly owned by the still larger concern, the J. & P. Coates Company. The $48,000,000 Coates concern controls practically the thread business of England and America. Just as soon as the English secured control of the international trust the price of thread was advanced. Its profits in the second five years of the combination—that is, after the price of thread went up—were nearly a third greater than in the first five years, a profit of $12,636,000 a year on a capital of $48,000,000. Mr. Coates has a monopoly of the business in this country, and the tariff protects him from 180 concerns in England, who, by, competition, affect him over there, and enables him to sell his thread in the United States at double the price he does in England. This has increased his profits in five years 33⅓ per cent, at a time when the cost of his raw materials has largely increased.

So what the senior Senator from New York suggests might happen in the case of the steel trust, if the tariff upon iron ore and iron and steel manufactures were removed, has happened in the case of the thread trust with the aid of the tariff. The removal of the tariff from iron ore, pig iron, scrap iron, and steel rails will not accentuate a danger of that kind, and it is, in my opinion, a false alarm.

INHERITANCE TAX.

As has already been said many times during this debate, this Congress was convened in extraordinary session to revise the tariff by reducing excessive rates and by removing rates no longer needed for protection; to reduce duties on necessities and increase them on luxuries. This we are bound to do or be condemned by our countrymen. If the necessary reductions will result in a deficit, we should resort to an inheritance tax as the House bill provides. There is no legal doubt about the power of the Government to levy a graduated inheritance tax without apportionment. That question is settled. The objection urged, that 32 of the States subject inheritances to state and local taxes, does not appeal to me. The importer who pays duty upon a ship's cargo of merchandise and places it in his warehouse must pay state and local taxes upon the same property. The man who pays local and state taxes upon his store filled with liquors or tobacco must pay an internal-revenue tax upon them. Can it be seriously contended that a reasonable tax upon the transmission of great estates passing to collateral heirs is an unjust burden? And if the provision for an inheritance tax found

in the Payne bill will not insure sufficient revenue to prevent a deficit, then I am heartily in favor of a tax upon incomes. The decision in the Pollock case has never been accepted by the bar of this country as sound, and it never will receive the sanction of public opinion. As the needs of this Nation increase, its annual budget of expense will increase, no matter how conservative and penurious the economy in making appropriations and expending public funds.

We are going on with the great work of building canals, improving navigable streams, building up a navy, reclaiming arid lands, and conserving natural resources. We are going on with the work of prosecuting illegal combinations and regulating interstate commerce. No mere cry of large expense can stop this movement. While our budget of expense will increase, our most powerful manufactures will continue to outgrow the need for a protective tariff and the great labor unions will protect the wages of our workingmen.

The protective system will remain, but it will be supplemented for revenue purposes by federal taxation upon inheritances and incomes. It is not a socialistic scheme for the redistribution of wealth. It is a plan for an equitable distribution of burdens. There are 7,000,000 families of wage-earners in the United States living upon a medium wage of $436 a year and 5,000,000 farmers whose average income is about $350 a year. The vast majority of American families live on $500 or less per year. In the great iron and steel industries, in 1900, the income of the family was about $540 a year, and in 1905, $580 per year. The cost of living has increased from $74.31 in 1896 to $107.26 in 1906; coal increased in price $1 per ton; manufactured commodities advanced 32 per cent. Under these circumstances, it seems to me that where competition has been destroyed and the market price of a commodity is maintained at a high price by a trust the tariff on that commodity should be materially reduced, if not entirely removed, and that the large incomes, both of individuals and of corporations, should be required by an income tax to bear a larger share of the burden of federal taxation than they do now.

INCOME TAX.

A graduated income tax exempting all incomes of less than $3,000 a year would place upon the wealth of the country a share of the burden of maintaining the Federal Government, which it ought to bear and bear gladly and willingly.

England raises an annual revenue of $90,000,000 in the form of death duties, or inheritance taxes, and over $168,000,000 in the form of taxes upon incomes. Her population is 44,000,000 and ours 90,000,000, and yet in this great country of ours, with the richest individuals and the richest corporations ever known since human society was organized, the national revenues are entirely raised by levies upon consumption. We are called here under an implied public obligation to revise the tariff downward. The President is committed to that and the people expect it. On September 5, 1906, in a speech at Bath, Me., Secretary Taft declared that "those schedules of the tariff which have inequalities and are excessive will be readjusted." In his speech at Milwaukee, on September 24, 1908, after his nomination, he said that "there are many schedules of the tariff in which the rates are excessive," adding that "it is my judgment that a revision of the tariff in accordance with the pledge of the Republican platform will be on the whole a substantial revision downward." At Mitchell, S. Dak., at a meeting at which I was present, he declared for thorough revision of the tariff, and in reply to a voice from the crowd which asked, "Which way; upward or downward?" he answered that the test would be the rule of the Republican platform concerning the difference in cost of production, and that, in his opinion, the revision would in most cases be downward.

PARTY PLEDGES.

How, then, can Senators declare that those of us who insist upon reductions are enemies of protection and not orthodox Republicans? I am willing to accept the judgment of the people of the country upon this issue; and so far as my vote will go in determining it, that vote will be for an honest revision of the tariff downward.

Now, then, a word in closing. Mr. President and Senators, I contend that the real principle at the foundation of the Republican party upon the tariff is declared—and declared better than it has ever been declared elsewhere—in our Republican platform. If we will honestly apply that rule here and get the difference in the cost of production abroad and at home, including labor, and apply it to these schedules, it will inevitably result that, in the majority of cases, the revision will be downward.

We are at a disadvantage. I do not want to say anything but what is most kind toward the Committee on Finance. I have not been in entire sympathy with all the criticisms indulged here. I believe that the committee is faithful. I believe its members are striving patiently and earnestly to do their duty as they see it.

But this, nevertheless, is true, no matter if the Senator from Montana [Mr. CARTER] did pile up on his desk a great stack of documents to show how much evidence we have here. We have evidence, of course; an abundance of evidence, but what shape is it in? It is a bewildering mass of undigested material that no man could read carefully in a year's time. I came here not without some knowledge, but I did not know a cotton tie from a necktie. Look at that mass of testimony upon every subject under the sun. It is a sea of confusion, which Members of the Senate are expected to wade through for the purpose of securing some tangible information as to how to vote here.

I say that that is not business. That testimony should have been taken, not during a few weeks here in the Capitol, where only voluntary witnesses appeared who were directly interested, and where the committee could not travel, or investigate, or take time to get the facts from disinterested witnesses; it should have been taken by a competent body of experts, who could deliberately collect the testimony, digest it, and put it into simple, concrete form, and place it on our desks here in a small, handy volume. Why could not that be done? How much more effective would our work then have been than it has been under the circumstances which have faced us here?

For that reason I am in favor of having some tribunal clothed with power the year around to get information upon this great economical and industrial question and present it to the Congress of the United States.

We can not get away from a bad system by criticising the Committee on Finance. It is a system that we ought to be able, it seems to me, to improve. I join in with the spirit that ought to prevail among all of us who belong to the dominant party, responsible for the management of this administration and the Government. Let us keep faith. Let us not stand here criticising and being suspicious of each other, arrayed as standpatters and progressives, but let us go forward in the spirit of true Republicanism, governed by the rule of our party platform; keep faith; discharge our duty in this revision of the tariff.

It seems to me that when we apply that rule to the steel schedule, to the question whether we will impose a duty upon lumber, coal, oil—upon natural resources—we will either remove the duty entirely or we will make it so low that it can answer no purpose except to contribute in a small way to the revenues of the Government.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 13, 1909, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 12, 1909.

UNITED STATES MARSHAL.

Thomas Cader Powell, of Alaska, to be United States marshal for the district of Alaska, division No. 2. A reappointment, his term having expired January 23, 1909.

UNITED STATES DISTRICT JUDGE.

Henry Groves Connor, of North Carolina, to be United States district judge for the eastern district of North Carolina, vice Thomas R. Purnell, deceased.

CONSULS-GENERAL.

Amos P. Wilder, of Wisconsin, now consul-general of class 2 at Hongkong, to be consul-general of the United States of America of class 2 at Shanghai, China, vice Charles Denby, nominated to be consul-general of class 3 at Vienna.

Charles Denby, of Indiana, now consul-general of class 2 at Shanghai, to be consul-general of the United States of America of class 3 at Vienna, Austria, vice William A. Rublee, nominated to be consul-general of class 2 at Hongkong.

William A. Rublee, of Wisconsin, now consul-general of class 3 at Vienna, to be consul-general of the United States of America of class 2 at Hongkong, China, vice Amos P. Wilder, nominated to be consul-general of class 2 at Shanghai.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY.

William Woodville Rockhill, of the District of Columbia, now envoy extraordinary and minister plenipotentiary to China, to be ambassador extraordinary and plenipotentiary of the United States of America to Russia, vice John W. Riddle, resigned.

Oscar S. Straus, of New York, to be ambassador extraordinary and plenipotentiary of the United States of America to Turkey, vice John G. A. Leishman, appointed ambassador extraordinary and plenipotentiary to Italy.

REAPPOINTMENT IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Brig. Gen. George B. Davis, Judge-Advocate-General, to be Judge-Advocate-General with the rank of brigadier-general, for the period of four years beginning May 23, 1909, with rank from May 24, 1901. His present term of four years will expire May 23, 1909.

PROMOTIONS IN THE NAVY.

The following-named midshipmen to be ensigns in the navy from the 13th day of February, 1908, to fill vacancies existing in that grade on that date:

Robert W. Cabaniss,
Raleigh E. Hughes, and
Claude R. Mayo.

The following-named midshipmen to be ensigns in the navy from the 13th day of September, 1908, to fill vacancies existing in that grade on that date:

Carter L. Wright,
John W. Lewis,
Rufus W. Mathewson,
Willis W. Lawrence,
Irving H. Mayfield,
Philip H. Hammond,
Harvey W. McCormack, and
Ernest D. McWhorter.

The following-named midshipmen to be ensigns in the navy from the 12th day of February, 1909, to fill vacancies existing in that grade on that date:

Bruce R. Ware, jr.,
Claudius R. Hyatt,
William F. Cochrane, jr.,
George C. Logan,
George H. Laird,
Henry G. Shonerd,
Harlow T. Kays,
Robert C. Giffen, and
Richard E. Cassidy.

Ensign Frank D. McMillan to be a lieutenant (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in the present grade.

Lieut. (Junior Grade) Frank D. McMillan to be a lieutenant in the navy from the 2d day of February, 1909, to fill a vacancy existing in that grade on that date.

The following-named citizens to be assistant surgeons in the navy from the 14th day of April, 1909, to fill vacancies existing in that grade on that date to correct the date from which they take rank as confirmed on April 28, 1909:

John G. Ziegler, a citizen of Pennsylvania;
Glenmore F. Clark, a citizens of Kentucky;
William M. Kerr, a citizen of New York;
George A. Riker, a citizen of New York; and
Tharos Harlan, a citizen of the District of Columbia.

POSTMASTERS.

ARKANSAS.

James W. Harper to be postmaster at Mansfield, Ark. Office became presidential April 1, 1909.

MICHIGAN.

Fred P. Baker to be postmaster at Flint, Mich., in place of James A. Button, deceased.

NEW YORK.

George A. Waterbury to be postmaster at Lyndonville, N. Y. Office became presidential January 1, 1909.

OREGON.

F. O. Minor to be postmaster at Bend, Oreg., in place of Charles W. Merrill, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 12, 1909.

COLLECTOR OF CUSTOMS.

Edward T. Marvel to be collector of customs for the district of Fall River, Mass.

SURGEONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. Ezra K. Sprague to be surgeon in the Public Health and Marine-Hospital Service.

Passed Asst. Surg. Rupert Blue to be surgeon in the Public Health and Marine-Hospital Service.

Passed Asst. Surg. Charles H. Gardner to be surgeon in the Public Health and Marine-Hospital Service.

Passed Asst. Surg. James H. Oakley to be surgeon in the Public Health and Marine-Hospital Service.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

H. Percival Dodge to be envoy extraordinary and minister plenipotentiary to Morocco.

POSTMASTERS.

ILLINOIS.

A. C. Doyle, at Cerro Gordo, Ill.

OHIO.

George T. Baughman, at Larue, Ohio.
Charles Doll, at Lorain, Ohio.
Adolphus D. Haney, at Morrow, Ohio.
Vernie E. Humphrey, at Fayette, Ohio.
John A. Kneisley, at Osborn, Ohio.
Thomas C. Lichty, at Antwerp, Ohio.
Ward B. Petty, at Sycamore, Ohio.
W. A. Ritter, at Napoleon, Ohio.
Charles E. Samuels, at New Paris, Ohio.
George H. Willis, at Bethel, Ohio.

SENATE.

THURSDAY, *May 13, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

BRITISH IRON AND STEEL INDUSTRY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, the report of Special Agent Charles M. Pepper on the British iron and steel industry and the Luxemburg iron and steel wages, together with a supplemental article on English chain manufactures, by Albert Halstead, American consul at Birmingham (S. Doc. No. 42), which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of sundry citizens of Anna, Cobden, Belleville, Dongola, Springfield, Vergennes, Matthews, Edwardsville, Pinckneyville, Cutler, Carbondale, Cairo, Carterville, Duquoin, and Sparta, all in the State of Illinois, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. DICK presented a petition of Bradford Grange, No. 877, Patrons of Husbandry, of Madison County, Ohio, praying for the repeal of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Toledo, Ohio, praying for the retention of the proposed duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Georgetown, Cincinnati, Ripley, Shelby, Peebles, Portsmouth, Seaman, Belfast, Fairfax, Mount Orab, Sardinia, Buford, and Mowrystown, all in the State of Ohio, praying for the repeal of duty on hides, which were ordered to lie on the table.

He also presented a petition of the International Chamber of Commerce, province of Albay, Philippine Islands, praying for the repeal of the duty on hemp, which was ordered to lie on the table.

Mr. JONES. We have two paper mills in our State. I have here a telegram from the owner and manager of one of those paper mills giving his idea as to the effect taking the tariff off wood pulp may have on that mill. I ask that the telegram be read.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

[Telegram.]

SAN FRANCISCO, CAL., *May 12, 1909.*

Senator WESLEY L. JONES,
Washington, D. C.:

If Payne tariff on news goes through, our mill at Camas, Wash., which employs several hundred people, can not exist. British Columbia will manufacture all the news paper which is used on the coast, and we will be forced to move our mills there. Told you this when I had the pleasure of seeing you in Washington.

L. SCHWABACHER.

Mr. PAGE presented petitions of sundry citizens of Fairhaven, Conn., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, memorializing Congress in regard to international peace. I ask that the joint resolution be read and referred to the Committee on Foreign Relations.

There being no objection, the joint resolution was read and referred to the Committee on Foreign Relations as follows:

Joint resolution memorializing Congress in regard to international peace.

Whereas the progress of industry and the happiness and prosperity of the people of all countries depends upon the maintenance of peace among the nations of the world; and

Whereas international wars have resulted usually from jealousies due in a large degree to mutual misunderstandings which could have been made clear by conferences and investigations; and

Whereas it would promote the progress of peace in international relations to have a parliamentary union at stated intervals, composed of delegates from all nations; and

Whereas the friendly relations existing between the United States and all nations make it peculiarly fitting that the proposal should come from this country: Therefore be it

Resolved by the assembly (the senate concurring), That we respectfully memorialize the Congress of the United States to initiate proceedings to invite the nations of the world to send delegates to an interparliamentary union for the purpose of discussing and establishing a system of international arbitration and investigation of disputes between nations and to arrange for a permanent interparliamentary union at stated intervals; and be it further

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.
JOHN STRANGE,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE presented petitions of sundry citizens of Appleton, Oshkosh, Florence, Mazomanie, Milwaukee, Neenah, Menasha, Chippewa Falls, Birch City, Sheboygan, North Freedom, Augusta, Kaukauna, and Rhinelander, all in the State of Wisconsin, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. KEAN. I present a concurrent resolution of the legislature of New Jersey, relative to inheritance taxes. Accompanying the concurrent resolution is a letter from the governor of the State of New Jersey, which I ask may be read, and, with the concurrent resolution, ordered to lie on the table and be printed in the RECORD.

There being no objection, the letter was read, and, with the accompanying concurrent resolution, ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
April 5, 1909.

Hon. JOHN KEAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The inclosed is copy of a concurrent resolution adopted by the legislature of this State, it having been passed unanimously in each house, in relation to the proposed inheritance tax in the pending tariff bill in the Congress.

I want to add my personal indorsement of this resolution and earnest hope that the request of the legislature may in this regard be complied with by the Representatives of this State.

Yours, very truly,
[SEAL.] JOHN FRANKLIN FORT.

Assembly concurrent resolution. State of New Jersey. Introduced March 16, 1909, by Mr. Lewis.

Whereas there is a proposition pending in the Congress of the United States to impose an inheritance tax upon the property of decedents, resident within the States, as well as those resident within the District of Columbia and the Territories of the United States; and

Whereas it is the sense of the legislature of the State of New Jersey that inheritance taxes should be imposed by the State for State purposes only: Therefore be it

Resolved by the house of assembly (the senate concurring). That the legislature of the State of New Jersey hereby request the Senators in Congress from this State, and the Members of the House of Representatives from this State, to oppose the enactment of any law imposing collateral inheritance taxes for the benefit of the National Government; and be it further

Resolved, That a copy of this resolution be transmitted by the clerk of the house of representatives of this State to the Congress of the United States.

Mr. FRYE presented petitions of sundry citizens of Gardiner, Me., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Wenatchee, Seattle, and Leavenworth, all in the State of Washington, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. PERKINS presented a memorial of sundry importers and publishers of post cards of San Francisco, Cal., remonstrating against an increase of the duty on post cards imported into the United States, which was ordered to lie on the table.

He also presented a memorial of sundry manufacturers, merchants, and producers of the State of California, remonstrating against the retention of the proposed duty on sulphur, which was ordered to lie on the table.

Mr. STONE presented the memorial of John T. Kelly and J. B. Underwood, of Willard, N. Mex., remonstrating against the enactment of legislation authorizing Torrance County, in that Territory, to incur bonded indebtedness in excess of the amount now fixed by law, which was referred to the Committee on Territories.

He also presented petitions of sundry citizens of Springfield, Salem, Darien, Silver Lake, and Vienna, all in the State of Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of St. Joseph, Willow Springs, Thayer, St. Louis, Lupus, Wooldridge, Jamestown, Jefferson City, Lahman, Seymour, Blythedale, Hannibal, Albany, Kansas City, Quincy, Mexico, Brookfield, Louisiana, Hermann, Washington, Shelbina, Poplar Bluff, Farmington, Bismarck, Sturgeon, Orrick, Kirksville, Moberly, Pomona, Mansfield, and Fordland, all in the State of Missouri, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. BRANDEGEE presented petitions of sundry citizens of Thomaston, Bridgeport, Terryville, Tewell, Reynolds Bridge, and Norwich, all in the State of Connecticut, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented a petition of the National Association of Master Bakers of Jamestown, N. Y., praying for the enactment of legislation to prohibit speculation, manipulation, and gambling in wheat, which was referred to the Committee on the Judiciary.

He also presented a petition of the G. M. Hallstead Division, No. 434, Brotherhood of Locomotive Engineers, of Elmira, N. Y., praying for the passage of the so-called "Burkett boiler-inspection bill" and the "Borah-Dawson full-crew bill," which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Jewelers' Board of Trade, of New York City, N. Y., praying for the creation of a permanent tariff commission, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 6, Cigarmakers' International Union of America, of Syracuse, N. Y., remonstrating against the repeal of the duty on cigars imported from the Philippine Islands, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Brooklyn, N. Y., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented petitions of the Fort Stanwix Canning Company, of Rome; of Local Grange No. 1002, Patrons of Husbandry, of Bullville; and of E. O. Rose, of Stony Point, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Local Union No. 167, International Typograhpical Union, of Schenectady, N. Y., praying for the retention of the proposed duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of sundry employees of the Warwick Knife Company, of Warwick, N. Y., and a petition of sundry employees of the Robeson Cutlery Company, of Perry, N. Y., praying for the retention of the proposed duty on imported knives or erasers, which were ordered to lie on the table.

STENOGRAPHER FOR COMMITTEE.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred resolution No. 4, reported from the Committee on Indian Depredations by the Senator from Kansas [Mr. CURTIS], to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Senate resolution 4.

Resolved, That the Committee on Indian Depredations be, and the same is hereby, authorized to employ a stenographer, to be paid from the contingent fund of the Senate, at the rate of $1,200 per annum, said employment to continue during the Sixty-first Congress.

The amendment was, in line 5, after the words "said employment," to insert "to commence March 15 and."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DU PONT:

A bill (S. 2338) granting an increase of pension to Ellwood Craig;

A bill (S. 2339) granting a pension to William J. Ricards (with the accompanying paper); and

A bill (S. 2340) granting a pension to Christiana Donahoe (with the accompanying papers); to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 2341) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect; to the Committee on Indian Affairs.

By Mr. McCUMBER:

A bill (S. 2342) to establish a fish-culture station at or near Sykeston, in the State of North Dakota; to the Committee on Fisheries.

A bill (S. 2343) for the relief of John H. Howlett; to the Committee on Claims.

A bill (S. 2344) to provide for the utilization of state and territorial lands in connection with projects under the reclamation act, and for other purposes (with the accompanying paper); to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 2345) for the relief of registers and former registers of the United States land offices; and

A bill (S. 2346) to provide for refund to Adam Pfeifer of money erroneously paid by said Adam Pfeifer to the Government of the United States in making final homestead proof; to the Committee on Public Lands.

A bill (S. 2347) granting an increase of pension to Jacob Christina;

A bill (S. 2348) granting an increase of pension to Wallace W. Sears;

A bill (S. 2349) granting an increase of pension to Louis Freeman;

A bill (S. 2350) granting an increase of pension to Samuel A. Hogue;

A bill (S. 2351) granting an increase of pension to Edwin N. Josselyn;

A bill (S. 2352) granting an increase of pension to J. L. Kitchen (with the accompanying papers);

A bill (S. 2353) granting an increase of pension to William Crotzar (with the accompanying papers);

A bill (S. 2354) granting an increase of pension to George E. Hanson (with the accompanying papers);

A bill (S. 2355) granting an increase of pension to John S. Taylor (with the accompanying papers);

A bill (S. 2356) granting an increase of pension to Harrison J. Blodgett (with the accompanying paper);

A bill (S. 2357) granting an increase of pension to John Ward (with the accompanying paper);

A bill (S. 2358) granting an increase of pension to Henry Silker (with the accompanying paper);

A bill (S. 2359) granting an increase of pension to Albine R. Stone (with the accompanying paper);

A bill (S. 2360) granting an increase of pension to John Caven (with the accompanying paper); and

A bill (S. 2361) granting an increase of pension to John W. Miller (with the accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. ROOT submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

Mr. TILLMAN submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BRADLEY submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

STAMPS ON FOREIGN BILLS OF EXCHANGE.

Mr. CULBERSON submitted an amendment intended to be proposed by him to the bill (H. R. 8098) making appropriations for expenses of the Thirteenth Decennial Census for the fiscal year 1910, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

STATEMENT OF INCREASES IN DUTIES.

Mr. CULBERSON. Mr. President, the other day I introduced a statement giving the estimates made by an expert of the Treasury Department of the duties which were lowered and raised and where they remain the same in the tariff bill as reported to the Senate by the Committee on Finance. The Senator from Rhode Island [Mr. ALDRICH] asked at the time if there was an itemized statement. I replied that there was not. Since then a statement has been prepared by this expert showing precisely the increases in the bill. I ask that it may be printed in the RECORD and as a Senate document.

There being no objection, the statement was ordered to be printed as a document (S. Doc. No. 41) and to be printed in the RECORD, as follows:

Estimates of increases in duties of H. R. 1438.

Paragraph.	Article.	Rates of duty.		Per cent of increase.
		Present law.	Senate bill.	
	SCHEDULE A.			
1	Acid, oxalic	Free	1 cent per pound	(b)
35½	Nut oil, or oil of nuts, n. o. p. f.	do	5 cents per gallon	(b)
3	Grease, n. o. p. f.	20 per cent	25 per cent	25.00
22	Glue, valued above 10 cents and not above 35 cents per pound	25 per cent	2½ cents per pound and 15 per cent	103.12
	Glue size, patent and vegetable	20 per cent	25 per cent	25.00
32	Cotton-seed oil	4 cents per gallon	do	123.41
39	Opium, crude or unmanufactured, not adulterated, 9 per cent and over of morphine.	$1 per pound	$1.50 per pound	50.00
	Morphia or morphine, sulphate of	$1 per ounce	$1.50 per ounce	50.00
	All alkaloids and salts of opium	do	do	50.00
65	(L) Perfumery, cosmetics, and toilet preparations:			
	Alcoholic perfumery—cologne and other toilet waters and toilet preparations containing alcohol.	60 cents per pound and 45 per cent	60 cents per pound and 50 per cent	6.42
	Do. (reciprocity with Cuba)	60 cents per pound less 20 per cent	60 cents per pound less 20 per cent	2.72
	Preparations used as applications to the hair, mouth, teeth, etc., and perfumery not containing alcohol, n. s. p. f.	50 per cent	60 per cent	20.00
	Do. (reciprocity with Cuba)	40 per cent	48 per cent	20.00
67	(L) Soap, fancy, toilet or medicinal	15 cents per pound	20 cents per pound	33.33
	Do. (reciprocity with Cuba)	12 cents per pound	16 cents per pound	33.33
	SCHEDULE B.			
99	(L) Plate glass, fluted, rolled, ribbed, or rough, ground smooth and not obscured otherwise:			
	Not exceeding 16 by 24 inches	8 cents per square foot	10 cents per square foot	25.00
	Above 16 by 24 and not exceeding 24 by 30 inches	10 cents per square foot	12½ cents per square foot	25.00
100	(L) Plate glass, cast, polished, finished, or unfinished, and silvered:			
	Not exceeding 16 by 24 inches	8 cents per square foot	10 cents per square foot	25.00
	Above 16 by 24 and not exceeding 24 by 30 inches	10 cents per square foot	12½ cents per square foot	25.00
	SCHEDULE C.			
129	Steel ingots, cogged ingots, blooms, and slabs, etc., valued above 16 cents per pound.	4 7/10 cents per pound	7 cents per pound a	48.94
	Sheets and plates, n. s. p. f., valued above 16 cents per pound	do	20 per cent a	82.65
136	Steel ingots, blooms, and slabs, n. s. p. f.:			
	Cold rolled, cold drawn, cold hammered, or polished in any way, valued above 16 cents per pound.	4 7/10 cents and ¼ cent per pound	6 cents and ¼ cent per pound a	23.73
	Cold rolled, cold hammered, blued, etc., better than the grade of cold rolled, smoothed only, valued above 16 cents per pound.	4 7/10 cents and 1 cent per pound	6 cents and 7/16 cent per pound a	12.28
	Sheets and plates, n. s. p. f., better than grade of cold rolled, valued above 16 cents per pound.	do	7 cents and 7/16 cent per pound a	29.82
136	Steel circular saw plates valued above 16 cents per pound	5 7/10 cents per pound	20 per cent and ¼ cent per pound a	61.92
144	Card clothing:			
	Manufactured from tempered steel wire	45 cents per square foot	55 cents per square foot a	22.22
	Other	20 cents per square foot	45 cents per square foot	125.00
146	Castings, cast-iron vessels, plates, stove plates, andirons, tailors' irons, etc., castings of iron n. s. p. f.	7/10 cent per pound	35 per cent	221.69

b Infinite.

Estimates of increases in duties of H. R. 1438—Continued.

Paragraph	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.
	SCHEDULE C—continued.			
151	Cutlery, razors and razor blades, finished or unfinished:			
	Valued less than $1.50 per dozen	50 cents per dozen and 15 per cent	6 cents each and 40 per cent [a]	76.59
	Valued $1.50 and less than $3 per dozen	$1 per dozen and 15 per cent	10 cents each and 40 per cent [a]	60.11
	Valued $3 per dozen or more	$1.75 per dozen and 20 per cent	12 cents each and 50 per cent [a]	41.61
153	Table, carving, cook's, kitchen, etc., knives, forks, and steels, with handles of mother-of-pearl, shell, ivory, etc.	16 cents apiece and 15 per cent	14 cents apiece and 15 per cent	(b)
154	Files, file blanks, rasps, and floats of all cuts and kinds, 7 inches in length and over.	$1 per dozen	40 per cent	18.31
157	(L) Sheets, plates wares, or articles of iron, or other metal, enameled or glazed with vitrous glasses.	40 per cent	45 per cent	12.50
163	Needles for knitting or sewing machines, including latch needles	$1 per M and 25 per cent	$1.25 per M and 25 per cent	10.09
171	Antimony as regulus or metal	¼ cent per pound	1¼ cents per pound	100.00
174	Copper, sheathing, or yellow metal, etc	2 cents per pound	2 cents per pound	c 5.50
177	(L) Tinsel wire, lame or lahn, of gold, silver, or other metal	5 cents per pound	10 cents per pound	100.00
	Bullion and metal threads, made of tinsel wire, etc	5 cents per pound and 35 per cent	10 cents per pound and 30 per cent	1.48
	Laces, embroideries, braids, etc., made of metallic threads	60 per cent	1 cent per pound and 60 per cent	19.00
182	Ferrotungsten	$4 per ton	20 per cent	4,900.00
	Ferrochrome	do	do	1,049.42
185	Penholder tips and penholders, or parts of	25 per cent	25 cents per gross and 25 per cent	100.00
189	Watch movements:			
	Having not more than 7 jewels	35 cents each and 25 per cent	65 cents each	15.40
	(L) Having more than 7 and not more than 11 jewels	50 cents each and 25 per cent	$1.35 each	9.51
	(L) Having more than 11 and not more than 15 jewels	75 cents each and 25 per cent	$1.85 each	17.69
		20 per cent	$11.20 per ton	281.75
190	Zinc in ore	Free	do	(d)
	Calamine (zinc ore)	do	do	(d)
	SCHEDULE D.			
208	Osier or willow:			
	Prepared for basket makers' use	20 per cent	25 per cent	25.00
	Manufactures of	40 per cent	45 per cent	12.50
	Do. (reciprocity with Cuba)	32 per cent	36 per cent	12.50
	SCHEDULE G.			
226	Live animals: All other n. s. p. f.	20 per cent	25 per cent	25.00
	Do. (reciprocity with Cuba)	16 per cent	20 per cent	25.00
230	Buckwheat flour	20 per cent	25 per cent	25.00
231	Corn or maize	15 cents per bushel	20 cents per bushel	33.33
234	Oats	do	do	33.33
236	Rice, cleaned (from Philippines)	75 per cent or 2 cents per pound	2 cents per pound	33.33
237	Rye	10 cents per bushel	20 cents per bushel	100.00
238	Wheat	25 cents per bushel	30 cents per bushel	20.00
244	Casein	20 per cent	25 per cent	25.00
256	Hops	12 cents per pound	15 cents per pound	25.00
258	Pease, split	40 cents per bushel	45 cents per bushel	12.50
260	Plants, trees, shrubs, and vines: Myrobolan plum, Mahalib or Mozzard cherry, 3 years old or less	50 cents per M and 15 per cent	$1 per M	9.80
265	Yams	Free	25 per cent	(d)
266	Fish: Caviare	¼ cent per pound	30 per cent	3,429.41
270	Fruits:			
	(L) In brine—			
	Citron	Free	2 cents per pound	(d)
	All other	do	do	(d)
	(L) Jellies	35 per cent	1 cent per pound and 35 per cent	28.57
	Do. (reciprocity, Cuba)	28 per cent	¾ cent per pound and 28 per cent	28.57
271	(L) Figs	2 cents per pound	2½ cents per pound	25.00
	(L) Dates	½ cent per pound	1 cent per pound	100.00
	Olives, green or prepared, in other coverings	15 cents per gallon	20 cents per gallon	33.33
272	Grapes, in barrels or other packages	20 cents per cubic foot	25 cents per cubic foot	25.00
273	Lemons	1 cent per pound	1½ cents per pound	50.00
	Do. (reciprocity with Cuba)	1 cent, 20 per cent per pound	1½ cents, 20 per cent per pound	50.00
	SCHEDULE M (ALL L).			
287	Brandy	$2.25 per proof gallon	$2.60 per proof gallon	15.55
	Do. (reciprocity with Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity with France)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity with Germany)	do	do	48.57
	Do. (reciprocity with Italy)	do	do	48.57
	Do. (reciprocity with Portugal)	do	do	48.57
	Do. (reciprocity with Spain)	do	do	48.57
	Do. (reciprocity with Switzerland)	do	do	48.57
	Alcohol	$2.25 per proof gallon	do	15.55
	Do. (reciprocity, Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity, Germany)	do	do	48.57
	Gin	$2.25 per proof gallon	do	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	do	48.57
	Do. (reciprocity, Germany)	do	do	48.57
	Other spirits, n. s. p. f., manufactured or distilled from grain:			
	Whisky	$2.25 per proof gallon	$2.60 per proof gallon	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	do	48.57
	Do. (reciprocity, Germany)	do	do	48.57
	All other	$2.25 per proof gallon	do	15.55
	Do. (reciprocity, Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity, Germany)	do	do	48.57
	Do. (reciprocity, Italy)	do	do	48.57
	Do. (reciprocity, Spain)	do	do	48.57
	From other materials	$2.25 per proof gallon	do	15.55
	Do. (reciprocity, Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity, Germany)	do	do	48.57
289	Compounds or preparations of which distilled spirits are a component part of chief value, n. s. p. f.	$2.25 per proof gallon	do	15.55
	Do. (reciprocity, Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity, Germany)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity, Italy)	do	do	48.57

[b] Decrease (Estimated Revenues No. 3 gives 11 per cent increase.) [c] Shown by Estimated Revenues No. 3. [d] Infinite.

Estimates of increases in duties of H. R. 1438—Continued.

Paragraph.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.
	SCHEDULE H—continued.			
300	Cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters containing spirits, n. s. p. f.	$2.25 per proof gallon	$2.60 per proof gallon	15.55
	Do (reciprocity, Cuba)	$1.80 per proof gallon	$2.08 per proof gallon	15.55
	Do. (reciprocity, France)	$1.75 per proof gallon	$2.60 per proof gallon	48.57
	Do. (reciprocity, Germany)	do	do	48.57
	Do. (reciprocity, Italy)	do	do	48.57
	Do. (reciprocity, Spain)	do	do	48.57
	Do. (reciprocity, Switzerland)	do	do	48.57
	Vermuth and ginger wine or ginger cordial, in casks or packages other than bottles or jugs, containing 14 per cent or less of absolute alcohol.	40 cents per gallon	do	50.00 (?)
	Do. (reciprocity, France)	35 cents per gallon	do	[a] 48.57 (?)
	Do. (reciprocity, Italy)	do	do	[a] 48.57 (?)
	Containing more than 18 per cent of alcohol	50 cents per gallon	do	[b] 4.00
	Do. (reciprocity, France)	35 cents per gallon	do	[b] 48.57
	Do. (reciprocity, Germany)	do	do	[b] 48.57
	Do. (reciprocity, Italy)	do	do	[b] 48.57
	Do. (reciprocity, Portugal)	do	do	[b] 48.57
	In bottles or jugs containing each not more than 1 pint:			
	Do. (reciprocity with Italy)	62½ cents per dozen	do	[a] 24.30
	Containing each more than 1 pint and not more than 1 quart	$1.60 per dozen	do	[c] 36.84
	Do. (reciprocity, Cuba)	$1.28 per dozen	$2.08 per gallon	[d] 21.87
	Do. (reciprocity, France)	$1.25 per dozen	$2.60 per gallon	[d] 24.81
	Do. (reciprocity, Germany)	do	do	[d] 24.81
	Do. (reciprocity, Italy)	do	do	[d] 24.81
	Do. (reciprocity, Portugal)	do	do	[d] 24.81
	Do. (reciprocity, Spain)	do	do	[d] 24.81
	Quantity in excess of 1 quart or 1 pint per bottle	5 cents per pint	$2.60 per proof gallon	[e] 30.00
	Do. (reciprocity, France)	4 cents per pint	do	[e] 62.50
	Do. (reciprocity, Italy)	do	do	[e] 62.50
302	Bay rum or bay water, whether distilled or compounded	$1.50 per proof gallon	$1.75 per proof gallon	16.67
303	Wines, containing not more than 24 per cent of alcohol:			
	Champagne and all other sparkling, in bottles, containing ½ pint or less	$2 per dozen	$2.40 per dozen	20.00
	Containing more than ½ pint each and not more than 1 pint	$4 per dozen	$4.80 per dozen	20.00
	Do. (reciprocity with Cuba)	$3.20 per dozen	$3.84 per dozen	20.00
	Containing more than 1 pint each and not more than 1 quart	$8 per dozen	$9.60 per dozen	20.00
	Do. (reciprocity with Cuba)	$6.40 per dozen	$7.68 per dozen	20.00
	Do. (reciprocity with Portugal)	$6 per dozen	$9.60 per dozen	60.00
	Quantity in bottles in excess of 1 quart per bottle	$2.50 per gallon	$3 per dozen	50.00
304	Still wines and rice wine or saki and similar beverages:			
	In casks or packages other than bottles or jugs—			
	Containing 14 per cent or less of absolute alcohol	40 cents per gallon	45 cents per gallon	12.50
	Do. (reciprocity, France)	35 cents per gallon	do	28.57
	Do. (reciprocity, Germany)	do	do	28.57
	Do. (reciprocity, Italy)	do	do	28.57
	Do. (reciprocity, Portugal)	do	do	28.57
	Do. (reciprocity, Spain)	do	do	28.57
	Do. (reciprocity, Switzerland)	do	do	28.57
	Containing more than 14 per cent and not more than 24 per cent alcohol	50 cents per gallon	60 cents per gallon	20.00
	Do. (reciprocity, France)	35 cents per gallon	do	71.43
	Do. (reciprocity, Germany)	do	do	71.43
	Do. (reciprocity, Italy	do	do	71.43
	Do. (reciprocity, Portugal)	do	do	71.43
	Do. (reciprocity, Spain)	do	do	71.43
	Do. (reciprocity, Switzerland)	do	do	71.43
	In bottles or jugs containing each not more than 1 pint	80 cents per dozen	92½ cents per dozen	15.62
	Do. (reciprocity, France)	62½ cents per dozen	do	48.00
	Do. (reciprocity, Germany)	do	do	48.00
	Do. (reciprocity, Italy)	do	do	48.00
	Do. (reciprocity, Spain)	do	do	48.00
	Containing each more than 1 pint and not more than 1 quart	$1.60 per dozen	$1.85 per dozen	15.62
	Do. (reciprocity, Cuba)	$1.28 per dozen	$1.48 per dozen	15.62
	Do. (reciprocity, France)	$1.25 per dozen	$1.85 per dozen	48.00
	Do. (reciprocity, Germany)	do	do	48.00
	Do. (reciprocity, Italy)	do	do	48.00
	Do. (reciprocity, Spain)	do	do	48.00
	Do. (reciprocity, Portugal)	do	do	48.00
	Do. (reciprocity, Switzerland)	do	do	48.00
	Quantity excess 1 quart or 1 pint per bottle	5 cents per pint	6 cents per pint	20.00
	Do. (reciprocity, Germany)	4 cents per pint	do	50.00
	Do. (reciprocity, France)	do	do	50.00
	Do. (reciprocity, Italy)	do	do	50.00
305	Malt liquors, viz, ale, beer, and porter:			
	In bottles or jugs	40 cents per gallon	45 cents per gallon	12.50
	In other coverings	20 cents per gallon	23 cents per gallon	15.00
306	Malt extract:			
	Fluid—			
	In bottles or jugs	40 cents per gallon	45 cents per gallon	12.50
	In casks	20 cents per gallon	23 cents per gallon	15.00
	Solid or condensed	60 per cent	65 per cent	12.50
307	Cherry juice and other fruit juice n. s. p. f., not over 18 per cent alcohol	60 cents per gallon	70 cents per gallon	16.67
	Containing more than 18 per cent alcohol (reciprocity, Germany)	60 cents per gallon and $1.75 per proof gallon.	70 cents per gallon and $2.07 per proof gallon.	17.50
	Prune juice or prune wine, not more than 18 per cent of alcohol	60 cents per gallon	70 cents per gallon	16.67
	SCHEDULE I.			
310	Cotton thread and carded yarn, warps or warp yarn, etc.:			
	Not colored, bleached, dyed, advanced, etc.—			
	Nos. up to and including No. 15	3 cents per pound	2½ cents per pound or 20 per cent	24.46
	No. 18	3½ cents per pound	3 cents per pound or 20 per cent	41.95
	No. 20	4 cents per pound	3½ cents per pound or 20 per cent	107.25
	No. 25	5 cents per pound	4½ cents per pound or 20 per cent	42.75
	No. 30	6 cents per pound	5 cents per pound or 20 per cent	11.42
	No. 34	8½ cents per pound	6½ cents per pound or 20 per cent	5.60
	No. 90	22½ cents per pound	18 cents per pound or 20 per cent	17.57

[a] 10 per cent alcohol.
[b] 10 per cent alcohol; should be over 14 per cent alcohol.
[c] On 14 per cent alcohol.
[d] 10 per cent alcohol; should be much more.
[e] 10 per cent alcohol; should be more.

Estimates of increases in duties of H. R. 1438—Continued.

Paragraph.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.
	SCHEDULE I—continued.			
310	Cotton thread and carded yarn, warps or warp yarns, etc.—Cont'd.			
	Colored, bleached, dyed, combed, or advanced, etc., numbers up to and including No. 20.			
	No. 21	5½ cents per pound	do	98.73
	No. 22	5½ cents per pound	do	110.44
	No. 24	6 cents per pound	do	61.71
	No. 25	6½ cents per pound	6½ cents per pound or 25 per cent	59.34
	No. 26	6½ cents per pound	6½ cents per pound or 25 per cent	53.56
	No. 27	6¾ cents per pound	6¾ cents per pound or 25 per cent	17.10
	No. 28	7 cents per pound	7 cents per pound or 25 per cent	42.45
	No. 29	7¼ cents per pound	7¼ cents per pound or 25 per cent	74.58
	No. 30	7½ cents per pound	7½ cents per pound or 25 per cent	36.99
	No. 32	8 cents per pound	8 cents per pound or 25 per cent	22.43
	No. 33	8¼ cents per pound	8¼ cents per pound or 25 per cent	50.51
	No. 34	8½ cents per pound	8½ cents per pound or 25 per cent	62.02
	No. 35	8¾ cents per pound	8¾ cents per pound or 25 per cent	27.42
	No. 36	9 cents per pound	9 cents per pound or 25 per cent	5.44
	No. 37	9¼ cents per pound	9¼ cents per pound or 25 per cent	44.68
	No. 38	9½ cents per pound	9½ cents per pound or 25 per cent	37.29
	No. 40	10 cents per pound	10 cents per pound or 25 per cent	2.79
	No. 41	10¼ cents per pound	10¼ cents per pound or 25 per cent	12.21
	No. 42	10½ cents per pound	10½ cents per pound or 25 per cent	33.90
	No. 45	11½ cents per pound	11½ cents per pound or 25 per cent	12.31
	No. 47	11¾ cents per pound	11¾ cents per pound or 25 per cent	2.59
	No. 53	13½ cents per pound	13½ cents per pound or 25 per cent	34.70
	No. 67	16¾ cents per pound	16¾ cents per pound or 25 per cent	44.09
	No. 250	75 cents per pound	65 cents per pound or 25 per cent	33.33
	No. 270	81 cents per pound	67 cents per pound or 25 per cent	54.42
312	Cloth:			
	Not exceeding 50 threads to the square inch, country warp and filling—			
	Not bleached, dyed, colored, stained, painted, or printed	1 cent per square yard	2½ cents per square yard	125.00
	Bleached	1½ cents per square yard	7 cents per square yard	460.00
	Dyed, colored, stained, painted, or printed	2 cents per square yard	3 cents per square yard	50.00
	(L) Not exceeding 100 threads to the square inch, etc.—			
	Not bleached, dyed, colored, stained, painted, or printed, valued over 7 cents per yard	25 per cent	4¾ cents per square yard	51.52
	Bleached, valued over 9 cents per square yard	do	5½ cents per square yard	44.60
	Dyed, colored, stained, painted, or printed, valued over 12 cents	30 per cent	8 cents per square yard	47.60
314	Exceeding 100 and not exceeding 150 threads to the square inch, country warp and filling—			
	Not bleached, dyed, colored, stained, painted, or printed, exceeding 6 and not exceeding 8 square yards to the pound.	2½ cents per square yard	3 cents per square yard	20.00
	Valued over 9 cents per square yard	30 per cent	4¾ cents per square yard	a 17.87
	(L) Bleached, valued over 11 cents per square yard	35 per cent	6½ cents per square yard	a 17.23
	(L) Dyed, etc., valued over 12½ cents per square yard	do	7 cents per square yard	a 13.09
315	Cloth, exceeding 150 threads and not exceeding 200 threads to the square inch, etc.—			
	Not bleached, dyed, colored, etc., valued over 10 cents per square yard.	do	5½ cents per square yard	a 20.88
	Bleached (L), valued over 12 cents per square yard	do	8 cents per square yard	b 32.83
	Dyed, colored, stained, etc. (L), valued over 12½ cents per square yard.	40 per cent	do	b 11.20
316	Exceeding 200 and not exceeding 300 threads to the square inch, etc., not bleached, dyed, colored, printed, etc.—			
	(L) valued over 12½ cents per square yard	do	6½ cents per square yard	b 1.60
	Bleached (L), valued over 15 cents per square yard	do	8 cents per square yard	b .02
	(L) Dyed, colored, stained, etc., valued over 17½ cents per square yard.	do	11½ cents per square yard	b 29.42
317	Exceeding 300 threads to the square inch, etc.—			
	Not bleached, dyed, colored, etc., not exceeding 2 square yards to the pound.	4 cents per square yard	6½ cents per square yard	b 62.50
	Not valued over 14 cents per square yard	40 per cent	6½ cents to 12½ cents per square yard c	8 to 25
	Bleached, valued over 16 cents per square yard	do	11½ cents per square yard c	20.85
	Dyed, colored, stained, etc., valued over 30 cents per square yard.	do	12½ cents per square yard c	16.77
321	Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving, etc.; exceeding 50 and not 100 threads to the square inch, etc.:			
	Not bleached, dyed, colored, etc.—			
	Not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard.	3½ cents per square yard	4½ cents per square yard	30.80
	Exceeding 9 square yards to the pound, valued at more than 7 cents per square yard.	3¾ cents per square yard	do	13.33
	Dyed, colored, stained, painted, or printed—			
	Not exceeding 6 square yards to pound, valued at more than 7 cents per square yard.	4¾ cents per square yard	5¾ cents per square yard	21.05
	Not exceeding 100 threads to the square inch, counting warp and filling—			
	Not bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard.	25 per cent and 2 cents per square yard.	7½ cents per square yard	38.07
	Bleached, valued over 9 cents per square yard	do	do	31.88
	Dyed, colored, etc., valued at over 12 cents per square yard	30 per cent and 2 cents per square yard.	10 cents per square yard	32.45
	Exceeding 100 and not exceeding 150 threads to the square inch, etc.; not bleached, dyed, colored, etc.—			
	Not exceeding 4 square yards to the pound, valued at more than 7 cents per square yard.	3½ per square yard	do	185.71
	Exceeding 4 and not 6 square yards to the pound—			
	Valued at more than 7 cents per square yard	4 cents per square yard	6¾ cents per square yard	59.37
	Valued over 9 cents per square yard	30 per cent and 2 cents per square yard.	8½ cents per square yard	32.12
	Bleached, exceeding 6 square yards to the pound, valued at over 11 cents per square yard.	35 per cent and 2 cents per square yard.	10 cents per square yard	10.40
	Dyed, colored, stained, etc., exceeding 8 square yards to the pound, valued at over 12½ cents per square yard.	35 per cent and 2 cents per square yard.	12 cents per square yard	25.89
	(L) Exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling—			
	Not bleached, dyed, colored, etc., valued at over 10 cents per square yard.	do	8½ cents per square yard	4.54
	Bleached, exceeding 4½ and not exceeding 6 square yards to the pound—			
	Valued at more than 7 cents per square yard	6 cents per square yard	7½ cents per square yard	20.83
	Valued at over 11 cents per square yard	35 per cent and 2 cents per square yard.	12 cents per square yard	27.01

a And more. b Some values increased more than here shown. c Prohibitory.

Estimates of increases in duties of H. R. 1438—Continued.

Paragraph.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.
	SCHEDULE I—continued.			
321	Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving, etc.; exceeding 50 and not 100 threads to the square inch, etc.—Continued.			
	(L) Exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling—Continued.			
	Dyed, colored, stained, etc., exceeding 4½ and not exceeding 6 square yards per pound—			
	Valued at more than 7 cents per square yard	6¾ cents per square yard	8 cents per square yard	15.63
	Valued at over 12½ cents per square yard	40 per cent and 2 cents per square yard.	12 cents per square yard	2.43
	(L) Exceeding 200 and not exceeding 300 threads to the square inch, etc.—			
	Bleached, valued at over 15 cents per square yard	do	13½ cents per square yard	10.44
	Dyed, colored, etc., valued at over 17½ cents per square yard	do	14½ cents per square yard	8.14
	Cotton cloth, mercerized or subjected to any similar process		1 cent per square yard additional	(a)
329	Duck	35 per cent	45 per cent	28.57
	SCHEDULE J.			
353	Woven fabrics n. s. p. f. composed of flax, hemp, or ramie, etc., weighing 4½ ounces or more per square yard	35 per cent	45 per cent	28.57
	SCHEDULE L.			
393	Spun silk in skeins, cops, warps, or on beams:			
	Valued not exceeding $1 per pound	20 cents per pound and 15 per cent	35 cents per pound	12.06
	Valued over $1 and not exceeding $1.50 per pound	30 cents per pound and 15 per cent	50 per cent	33.90
	Valued over $1.50 and not exceeding $2 per pound	40 cents per pound and 15 per cent	do	33.76
	Valued over $2 and not exceeding $2.50 per pound	50 cents per pound and 15 per cent	do	37.78
	Valued over $2.50 per pound	60 cents per pound and 15 per cent	do	36.91
	All on which duty does not equal 35 per cent or 37½ per cent	35 per cent	do	42.86
394	Thrown silk, not more advanced than singles, tram, etc	30 per cent	75 cents per pound (?)	56.23
	Sewing silks and silk threads or yarns of every description	do	$1 per pound	94.37
395	Velvets, plushes, and other pile fabrics:			
	Plushes	$1 per pound and 15 per cent	$1.75 per pound	40.07
	Plushes on which ordinary duty does not amount to 50 per cent	50 per cent	$1.85 per pound	1.96
	Velvets, velvet or plush ribbons, and chenilles	$1.50 per pound and 15 per cent	$2.50 per pound	25.23
	Velvets on which duty does not amount to 50 per cent	50 per cent	$2.80 per pound	11.32
	Other pile fabrics	$1.50 per pound and 15 per cent	$2.50 per pound	30.80
	Fabrics woven in the piece:			
	Weighing more than ½ ounce and less than 1½ ounces per square yard—			
	In the gum, or dyed in the thread or yarn	$2.50 per pound	$2.72 per pound	8.80
	Boiled off	$3 per pound	$3.25 per pound	8.33
	Dyed or printed in the piece	$3.25 per pound	$3.50 per pound	7.69
395	Weighing more than 1½ ounces and not more than 8 ounces per square yard—			
	In the gum, containing not more than 20 per cent in weight of silk	50 cents per pound	63¾ cents per pound	27.50
	Containing more than 20 per cent and not more than 30 per cent in weight of silk	65 cents per pound	80 cents per pound	23.08
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	90 cents per pound	$1.05 per pound	16.67
	Dyed in the piece—			
	Containing not more than 20 per cent in weight of silk	60 cents per pound	85 cents per pound	25.00
	Containing more than 20 per cent and not more than 30 per cent in weight of silk	80 cents per pound	$1 per pound	20.00
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	$1.10 per pound	$1.25 per pound	13.64
	Dyed in the thread or yarn—black except selvedges—			
	Containing not more than 30 per cent in weight of silk	75 cents per pound	$1.75 per pound	133.33
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	$1.10 per pound	do	59.09
	Containing more than 45 per cent in weight of silk; exceeding original weight of silk	$1.50 per pound	$1.80 per pound	20.00
	Weight not increased beyond weight of raw silk	$3 per pound	$3.50 per pound	16.67
	Other: Containing not more than 30 per cent in weight of silk	90 cents per pound	$1.75 per pound	93.33
	Containing more than 45 per cent in weight of silk; weighted to exceed original weight of the raw silk	$2.25 per pound	$3.50 per pound	55.56
	Other, on which specific duty does not amount to 50 per cent	50 per cent	75 per cent	50.00
396	Handkerchiefs or mufflers composed wholly or in part of silk, etc.; hemstitched, or imitation hemstitched, or reeved, etc.; weighing not more than ½ ounce per square yard, dyed or printed in the piece.	$3.25 per dozen and 10 per cent	60 per cent	12.04
401	Horsehair, artificial	20 per cent	50 per cent	150.00
	[The duty on a large number of articles composed of artificial silk is increased by this number.] All silk—(L.).			
	SCHEDULE M.			
408	(L) Lithographic prints from stone, zinc., aluminum, et.c, n. e. s.:			
	On paper or other material—			
	Exceeding $\frac{1}{16}$ inch and not exceeding $\frac{1}{32}$ inch in thickness—			
	Not exceeding 35 square inches	5 cents per pound	7 cents per pound	40.00
	(L) Lithographic cigar labels, flaps, and bands, etc.:			
	Printed in less than 8 colors, but not including metal leaf printing	20 cents per pound	27½ cents per pound	37.50
	Do. (reciprocity, Cuba)	16 cents per pound	22 cents per pound	37.50
	Printed in 8 or more colors but not including metal leaf printing	30 cents per pound	32½ cents per pound	8.33
	Printed in whole or in part in metal leaf	50 cents per pound	52½ cents per pound	5.00
	Do. (reciprocity, Cuba)	40 cents per pound	42 cents per pound	5.00
	Printed in bronze printing	15 cents per pound	27½ cents per pound	83.33
	Booklets, decorated in whole or partly by hand or by spraying	8 cents per pound	15 cents per pound	87.50
	Decalcomanias, in ceramic colors	20 cents per pound (?)	$1 per pound	400.00
	Decalcomanias, if backed with metal leaf	20 cents per pound	65 cents per pound	225.00
	All other	do	40 cents per pound	100.00
409	Writing, letter note, hand made, drawing, etc., paper:			
	Not ruled, bordered, embossed, printed, or decorated	2 cents per pound and 10 per cent	3½ cents per pound and 15 per cent	65.42
	Ruled, bordered, embossed, printed, or decorated	2 cents per pound and 20 per cent	3½ cents per pound and 25 per cent	38.78
411	Wrapping paper	25 per cent	35 per cent	40.00

a An increase on a large number of articles.

Estimates of increases in duties of H. R. 1438—Continued.

Paragraph.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.
	SCHEDULE N.			
422	Button forms: Lastings, mohair, cloth, silk or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons alone.	10 per cent	40 per cent	300.00
425	Cork, manufactured: All other manufactures	25 per cent	30 per cent	20.00
429	Fireworks	20 per cent	75 per cent	275.00
434	(L) Feathers and downs, n. s. p. f., including bird skins or parts of, with feathers on:			
	Crude or not dressed, colored or manufactured:			
	Feathers for beds	15 per cent	20 per cent	33.33
	Ostrich feathers	do	do	33.33
	All other	do	do	33.33
	(Reciprocity with Cuba)	12 per cent	16 per cent	33.33
	Dressed, colored, or manufactured, including dressed and finished birds suitable for millinery ornaments:			
	Ostrich feathers	50 per cent	60 per cent	20.00
	All other	do	do	20.00
	Do. (reciprocity with Cuba)	40 per cent	48 per cent	20.00
	Quilts and other manufactures of down	50 per cent	60 per cent	20.00
	(L) Feathers, artificial or ornamental, fruits, grains, leaves, flowers, etc., of whatever material composed, n. s. p. f.	do	do	20.00
	Do. (reciprocity with Cuba)	40 per cent	48 per cent	20.00
	Boas, boutonnieres, wreaths, and all articles n. s. p. f., etc	50 per cent	60 per cent	20.00
435	Furs, articles of wearing apparel of every description, partly or wholly manufactured, composed of or of which fur is the component material of chief value, but not in part of wool.	35 per cent	50 per cent	42.86
445	(L) Coral, manufactures of, n. s. p. f.	50 per cent	60 per cent	20.00
448	Leather, cut into shoe uppers or vamps, or other forms, etc	35 per cent	40 per cent	14.28
	Gaufre leather	20 per cent	do	100.00
	Manufactures of leather n. s. p. f.	35 per cent	do	14.28
	Do. (reciprocity with Cuba)	28 per cent	32 per cent	14.28
449	Bags, baskets, belts, satchels, card cases, pocketbooks, jewel boxes, etc., and manufactures of leather, or of which leather is the component material of chief value, n. s. p. f.	35 per cent	40 per cent	14.28
455	Manufactures of:			
	Bone and horn n. s. p. f.	30 per cent	35 per cent	16.67
	Chip, n. s. p. f.	do	do	16.67
	Straw and grass n. s. p. f.	do	do	16.67
	India rubber	do	do	16.67
	Palm leaf	do	do	16.67
	Weeds	do	do	16.67
	Whalebone	do	do	16.67
465	Pencil leads not in wood or other material:			
	Black	10 per cent	1½ cents per ounce	(?)
	Colored	do	2 cents per ounce	(?)
	Copying	do	3 cents per ounce	(?)
	(Rate of duty not changed, why change the form?)			
671a	(L) Foreign-built yachts, pleasure boats, or vessels not used or intended to be used for trade.	Free	35 per cent	(a)

a Infinite.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. On page 32, after line 8, the Committee on Finance propose to insert as a new paragraph the following:

115½. Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites, 25 cents per ton: *Provided*, That in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.

Mr. SCOTT. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Guggenheim	Rayner
Bacon	Crane	Hale	Richardson
Bailey	Culberson	Hughes	Root
Beveridge	Cullom	Johnson, N. Dak.	Scott
Borah	Cummins	Johnston, Ala.	Smith, Md.
Bradley	Depew	Jones	Smith, Mich.
Briggs	Dick	Kean	Smoot
Bristow	Dillingham	La Follette	Stephenson
Brown	Dolliver	Lodge	Sutherland
Bulkeley	du Pont	McCumber	Tallaferro
Burkett	Elkins	McLaurin	Taylor
Burnham	Fletcher	Money	Tillman
Burrows	Flint	Nelson	Warner
Burton	Foster	Oliver	Warren
Chamberlain	Frye	Page	
Clapp	Gallinger	Pearson	
Clark, Wyo.	Gamble	Perkins	

The VICE-PRESIDENT. Sixty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. BURROWS. Mr. President, in the course of the remarks of the Senator from South Dakota [Mr. CRAWFORD] yesterday, I gathered the impression that the Senator is opposed to the pending amendment of the Committee on Finance restoring a duty on iron ore. It is my purpose at this time to make some observations upon the restoration of duty on iron ore as proposed by the Senate bill.

Under the existing law, the rate of duty on iron ore is 40 cents a ton. The House bill removes that duty and puts the product on the free list. The Senate committee, in its desire to conform to the general purpose of the committee to reduce duties wherever it can be done without injury to American industry and American labor, proposed the amendment reported, to wit, a duty of 25 cents a ton on iron ore.

A duty on iron ore has always been a fruitful source of revenue. From the foundation of the Government, under all parties, whether revenue or protective, a duty has been imposed upon iron ore. I propose to submit at this point a table, without reading, asking to have it inserted in the RECORD.

The VICE-PRESIDENT. Without objection, the table will be printed in the RECORD.

The table referred to is as follows:

Tariff on iron ore.

	Per cent.
1789, unenumerated articles	5
1790, unenumerated articles	5
1792, unenumerated articles for two years	7½
1794 to 1797, unenumerated articles	10
1797 to 1800, unenumerated articles	12½
1804, unenumerated articles	15
1806, 1809, 1810, 1812, unenumerated articles	15
1812, July, unenumerated articles	30
1813, unenumerated articles	15
1816, February, unenumerated articles	30
1816, April, unenumerated articles	15
1824, unenumerated articles	12½
1832, unenumerated articles	15
1833, unenumerated articles	15
1841, unenumerated articles	20
1842, unenumerated articles	20

	Per cent.
1846, minerals and bituminous (mineral) substances, crude	20
1857, minerals and bituminous (mineral) substances, crude	15
1861, March, minerals and bituminous (mineral) substances, crude	20
1861, August, December, minerals and bituminous (mineral) substances, crude	20
1862, 1863, 1864, 1865, 1866 (four acts), 1867 (five acts), 1868 (two acts), 1869 (two acts), 1870 (two acts), 1872 (two acts), classification and rate unchanged	20
1874, 1875 (two acts), 1879, 1880, 1882 (two acts), iron ore	20
1883, iron ore ... tons	$0.75
1890, iron ore ... do	$0.75
1894, iron ore ... do	$0.40
1897, iron ore ... do	$0.40

Mr. BURROWS. This table shows that under the tariff of 1789 iron ore bore a duty of 5 per cent, and there has never been an hour from that time until the present when a duty was not levied on iron ore for the purpose of securing the needed revenue for the support of the Government. Even the Wilson law, which was intended to be a decided step toward free trade, imposed a duty of 40 cents a ton on iron ore.

It appears from this that a duty has been levied upon iron ore from the foundation of the Government. It is now proposed to take the rash step not to reduce the duty, but to remove it entirely, and expose this product of our mines and their workers to the unrestrained competition of foreign countries.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Michigan yield to the Senator from Maryland?

Mr. RAYNER. Only for a question.

Mr. BURROWS. Certainly.

Mr. RAYNER. I did not hear the Senator. What revenue does the Senator say we would get at 25 cents a ton? What would be the revenue under the Senate committee amendment?

Mr. BURROWS. I have been speaking of the amount of revenue which would be lost by putting iron ore on the free list.

Mr. RAYNER. No; but I should like to know how much would be the revenue under the Senate committee amendment at 25 cents a ton.

Mr. BURROWS. By referring to the schedule on the Senator's desk, he will very readily discover the answer to his question.

THE EFFECT.

Mr. President, if the House provision should be adopted, the immediate result would be a loss of $332,020 in revenue, and under the importations of 1890 there would be a loss of $867,547 in revenue. With a deficiency in the Treasury of the United States to-day of over $94,000,000, it is difficult to comprehend what could have prompted the House to cut off this source of revenue, and it is equally difficult to understand why anyone in the Senate should be willing to ratify such action. The fact that there is such a deficit, the fact that the duty upon iron ore would yield so much revenue, it seems to me is a sufficient reason why the duty should be retained, if not at the present rate of 40 cents then at the moderate tax of 25 cents a ton, as proposed in the Senate bill.

I submit in this connection a table taken from the official records, showing the imports of iron ore from 1894 until 1908, and the duty collected thereon.

The table referred to is as follows:

Imports.

IRON ORE, INCLUDING MANGANIFEROUS IRON ORE, AND THE DROSS OR RESIDUUM FROM BURNT PYRITES.

[Under general tariff.]

Year.	Duty.	Tons.	Dollars.	Dollars.	Dollars.	Per cent.
1894	75 cents per ton	171,377.12	297,510.00	128,532.85	1.74	43.20
	do	30,576.21	46,112.00	22,932.16	1.51	49.71
1895	40 cents per ton	276,579.05	372,860.98	110,631.64	1.35	29.67
		776,271.06	1,217,314.00	316,508.45	1.57	25.81
1896	do	541,404.82	778,116.97	216,561.94	1.44	27.83
1897	do	352,532.00	466,254.00	141,013.19	1.32	30.24
1898	do	269,110.10	403,298.00	107,644.03	1.50	26.69
1899	do	946,632.97	1,497,715.00	378,653.18	1.58	25.28
1900	do	772,799.66	1,131,765.00	309,119.88	1.46	27.31
1901	do	1,189,983.25	2,333,123.00	475,993.30	1.96	20.40
1902	do	1,044,728.71	2,334,789.00	417,891.46	2.24	17.00
1903	do	583,786.54	1,243,298.00	213,514.64	2.33	17.17
1904	do	254,845.81	503,674.00	101,938.33	1.98	20.24
1905	do	369,571.15	766,222.00	147,828.46	2.07	19.30
1906	do	511,125.07	1,212,607.00	204,450.03	2.37	16.85
1907	do	306,249.00	653,046.00	122,499.00	2.13	18.76
1908	do					
	FROM CUBA (RECIPROCITY TREATY, DECEMBER 27, 1903).					
1904	40 cents per ton less 20 per cent	151,302.00	346,439.00	48,416.64	2.29	13.98
1905	do	502,970.00	1,162,975.00	160,950.40	2.31	13.84
1906	do	614,636.00	1,962,501.00	196,683.52	3.17	10.07
1907	do	584,670.00	2,137,784.00	187,094.40	3.66	8.75
1908	do	651,036.00	2,288,336.00	208,331.00	3.51	9.10

Mr. BURROWS. But, Mr. President, independent of the question of revenue, which I grant you is exceedingly important at this juncture, there are other——

Mr. RAYNER. The schedule makes it only $127,781.27, and I suppose we will have to deduct——

Mr. BURROWS. The Senator's answer conveys no information to me or to the Senate, as that fact appears in the schedules already presented to the Senate, and in no way detracts from my statement that by putting iron ore on the free list we would lose a revenue of $332,020.

But in addition, Mr. President, to the loss of revenue there are other considerations of the highest importance. This duty imposed on foreign ores has resulted in the development of an important industry in the United States, which I am quite sure the Senate will not wholly disregard.

It appears from the official tables that this industry of iron-ore mining exists to-day in 29 States and Territories of the Union. There have been opened and developed 525 mines, producing in 1907, in round numbers, 52,000,000 tons of iron ore, valued at $132,000,000. These industries exist, as appears from the table, in Minnesota, Michigan, Alabama, New York, Wisconsin, Pennsylvania, Montana, New Mexico, Nevada, Utah, Wyoming, Tennessee, Virginia, New Jersey, Georgia, Arkansas, Texas, Missouri, North Carolina, and other States, showing that these industries are established in 29 States and Territories, and that there was a yield of ore of 51,720,619 tons last year, valued at $131,996,147. I insert here a table showing the extent and value of this industry.

The table referred to is as follows:

Rank.	State.	Production, 1907. Quantity in long tons.	Production, 1907. Percentage of total production.
1	Minnesota	28,969,658	56.11
2	Michigan	11,830,342	22.87
3	Alabama	4,039,453	7.81
4	New York	1,375,029	2.61
5	Wisconsin	828,744	1.62
6	Pennsylvania	837,287	1.62
7	Montana, Nevada, New Mexico, Utah, and Wyoming	[a] 819,544	1.59
8	Tennessee	813,600	1.57
9	Virginia	786,856	1.52
10	New Jersey	549,760	1.06
11	Georgia	444,114	.86
12	Arkansas and Texas	118,067	.23
13	Missouri	[b] 111,768	.22
14	Kentucky, Maryland, and West Virginia	62,808	.12
15	North Carolina	50,439	.10
16	Connecticut and Massachusetts	37,166	.07
17	Ohio	23,589	.05
18	Colorado	11,714	.02
	Total	51,720,619	100

a Includes California and Washington. b Includes Iowa.

Rank.	State.	Value, 1907. Amount.	Value, 1907. Percentage of total.
1	Minnesota	$76,608,836	58.08
2	Michigan	36,441,330	27.61
3	Alabama	4,863,129	3.69
4	New York	2,820,135	2.14
5	Wisconsin	2,665,737	2.02
6	New Jersey	1,815,586	1.38
7	Virginia	1,538,920	1.17
8	Tennessee	1,325,134	1
9	Pennsylvania	1,298,717	.98
10	Montana, Nevada, New Mexico, Utah, and Wyoming	* 967,190	.73
11	Georgia	837,102	.63
12	Missouri	† 226,286	.17
13	Connecticut and Massachusetts	136,440	.10
14	Arkansas and Texas	129,000	.09
15	North Carolina	113,488	.09
16	Kentucky, Maryland, and West Virginia	95,891	.07
17	Ohio	41,081	.03
18	Colorado	21,685	.02
	Total	131,996,147	100

* Includes California and Washington. † Includes Iowa.

Mr. BURROWS. It will appear from this table that Minnesota takes the lead in the production of iron ore, showing an output of 28,969,658 tons, while Michigan is second in the list, and Alabama the third in the production of iron ore.

Leaving the general view of the industry in the United States and coming to the State of Michigan, we find that in 1904 the Lake Superior iron ore region alone yielded 21,000,000 tons, and in 1907 42,000,000 tons, doubling the output. The shipment from ports of the Northwest shows that from six ports in the Lake region there were shipped to the various United States ports where used 42,000,000 tons out of an entire output for the whole country of about 52,000,000 tons. I submit a table as follows:

Shipments by ranges of Lake Superior iron ore.

Gross tons.	1904.	1905.	1906.	1907.
Marquette Range	3,843,768	4,210,522	4,057,187	4,388,073
Menominee	3,674,848	4,495,451	5,109,088	4,964,728
Gogebic	2,398,287	3,706,736	3,641,885	3,637,907
Vermillion	1,282,513	1,677,186	1,792,355	1,685,267
Mesabi	12,158,086	20,453,699	23,792,533	27,492,940
Miscellaneous	67,480	111,391	123,742	76,146
Total Lake Superior	21,822,839	34,354,985	38,521,910	42,245,070

LOCATION.

Marquette Range, wholly in Michigan; Menominee and Gogebic ranges, in Michigan and Wisconsin; Vermillion and Mesabi ranges, in Minnesota.

Shipments by ports, 1907.

	Gross tons.
Escambia	5,761,988
Marquette	3,013,826
Ashland	3,437,672
Two Harbors	8,188,906
Superior	7,440,386
Duluth	13,445,977
Total	41,288,755
Water	41,288,755
All rail	956,315
Total	42,245,070

The extent and value of this industry, existing as it does in 29 States and Territories, is very important. The number of mines opened and in operation in 1902 was 525; operators employed, 332; the number of officials, 2,405; their salaries, $2,113,230; the wage-earners number nearly 39,000; the wages paid amount to $21,531,000; miscellaneous expenses, $8,000,000; supplies and materials, $35,000,000; and the value of the gross output more than $65,500,000.

In 1902 the output was over 35,000,000 tons, and in 1907 over 51,000,000. Based upon this increased tonnage, it is fair to assume that the wage-earners have increased to-day to 56,000 and their earnings $31,500,000.

Census figures for 1902.

[Being the latest available.]

Number of operators	332
Number of officials, clerks, etc	2,405
Their salaries	$2,113,230
Wage-earners	38,851
Wages	$21,531,792
Contract work	$425,290
Miscellaneous expenses	$8,257,714
Supplies and materials	$9,005,608
Product, gross tons	35,567,410
Value	$65,465,321

The increase in output:

1902	35,567,410
1907	51,720,619
Increase in gross tons	16,153,209

Based upon this increased tonnage, it is fair to assume that the wage-earners have increased to 56,528 and their earnings to $31,328,757.

The output of foreign mines of iron ore in 1907 was 86,000,000 tons. I will submit here, in connection with my remarks, a table showing the output of foreign mines from the various countries named, aggregating the amount I have stated.

The table referred to is as follows:

Foreign ore production, 1907.

	Gross tons.
Great Britain	15,482,984
Germany and Luxemburg	23,841,031
France	9,993,465
Algeria	971,985
Austria	2,537,308
Hungary	2,249,983
Bosnia and Herzegovina	164,647
Austria-Hungary	4,301,864
Spain	9,913,520
Belgium	315,787
Italy	517,176
Sweden	4,473,550
Russia	4,221,060
Norway	129,805
Greece	766,698
India	67,567
Japan *	5,641,932
Total	85,590,362

As compared with the domestic output for 1907 of 51,720,619 gross tons.

Mr. BURROWS. There has recently come into existence a very fierce and dangerous competitor in the shape of Cuba, whose mines are practically inexhaustible. Being near to our border, with cheap water transportation and cheaper labor, the mines of Cuba are becoming a serious menace.

I presume the Senate is entirely familiar with this matter; but I desire to read a letter dated August 3, 1907, from Mr. J. G. Butler, jr., in relation to the great ore discovery, as he calls it, in Cuba. He says:

I returned this morning from practically a week's absence in the East, taking in Pittsburg, Philadelphia, and New York, and will give the members the result of my observations and information.

A GREAT ORE DISCOVERY.

I have heard more or less recently in regard to the discovery of an enormous body of iron ore in Cuba by interests identified with the Pennsylvania Steel Company and, incidentally, the Pennsylvania Railroad Company. While in Philadelphia, through Mr. James McCrea and Mr. Felton—

Whose report I will read later—

of the Pennsylvania Steel Company I was given quite full information. It is practically, in a sense, a duplicate of the Mesabi Range, and as Mr. Tenney, Mr. Felton's assistant, stated, they stumbled onto it. There is no stripping, as what would ordinarily be stripping is the ore itself. More than 10,000 holes have been bored and I was shown the general result of these borings. It is strictly Bessemer ore, averaging about 0.026 in phosphorus. It is, however, very high in moisture, and the plan is to treat the ore and expel the moisture before shipping. The ore body is on the summit of a plateau 10 miles long and 4 miles wide, and in the Province of Oriente, on the northern coast of the island of Cuba. There is a fine harbor 13 miles from the ore body, to which, of course, a railroad must be built. There are about 27,000 acres in the tract.

To make certain there was no mistake regarding the quality of the ore, 6,000 tons were brought down from the mountain on the backs of burros, taken to the seashore, shipped to Sparrows Point, Md., and converted into pig iron by working the ore alone, without any admixture, and this product again put into rails and structural work. The experiments were entirely satisfactory and the quality of the material above question.

The great mass of the ore is sort of a reddish-colored clay, something like the soil in New Jersey, which you observe in passing, but there is considerable of the ore, I was informed, that is rather hard and in the form of large shot. Whether this ore will be imported and sold to consumers has not been determined. I rather judge from what Mr. McCrea said that the use of the ore will be confined to the Pennsylvania Steel Company. There is no mistake about this information. It is certainly the largest discovery of iron ore which has been made since the opening of the Mesabi Range, and has a very important bearing, in my judgment, upon the future of the iron and steel industries of this country. I was informed that the quantity measured up is considerably in excess of 600,000,000 tons. One of the parties to whom I talked said that he thought the deposit was equal to the whole of Lake Superior.

J. G. BUTLER, Jr.

* The figures for Japan are for 1906.

Mr. Felton, president of the Pennsylvania steel corporation, in a report to the stockholders of the Pennsylvania Steel Company said:

PENNSYLVANIA STEEL COMPANY,
Philadelphia, April 25, 1908.

To the stockholders of Pennsylvania Steel Company:

You will find inclosed with this a pamphlet, reprinted, by permission, from two articles which appeared recently in the Iron Age. I hope you will read this pamphlet, as it contains a full description of the iron-ore properties in Cuba belonging to the Spanish-American Iron Company, which is owned by Pennsylvania Steel Company.

The articles were written by Mr. Charles Kirchhoff, editor of the Iron Age, who visited the properties in February last.

The old properties at Daiquiri, on the south side of the island of Cuba, which have been producing ore since 1895, are fully described, but it is to the description of the new properties on the north coast of Cuba, near Mayari, that I ask your especial attention.

I feel sure that you will be interested in reading this description of the properties and gratified to know that the Pennsylvania Steel Company, through one of its subsidiary companies, has acquired this great deposit of iron ore, which will furnish more raw material of this class than your companies can use for many years to come. The development and equipment of this Mayari property is well under way, and it is hoped that shipments of ore may be made during the year 1909.

Yours, truly,

E. C. FELTON, *President.*

Mr. BROWN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. BURROWS. Certainly.

Mr. BROWN. I should like to inquire of the Senator what relation, if any, the Pennsylvania Steel Company sustains to the United States Steel Company?

Mr. RAYNER. We can not hear the Senator over here. Some of us have some interest in this question and would like to hear the Senator's inquiry.

Mr. BROWN. My inquiry was as to what relation, if any, the Pennsylvania Steel Company sustains to the United States Steel Company.

Mr. DU PONT. Mr. President——

Mr. BURROWS. Allow me to say, in this connection, that it is not material here. I do not know. It will appear, possibly, later; but, be that as it may, what I am now showing is to demonstrate from official sources the value of these deposits in Cuba.

Mr. DU PONT. I think I can answer that question.

Mr. BROWN. It may become very material as to who is the owner of this property.

Mr. BURROWS. It may later on. Mr. Felton, speaking further of this Cuban property, says:

The deposits themselves are unique in many respects. They are enormous in extent. They can be mined at a cost which can only be duplicated elsewhere under exceptional circumstances, for comparatively very limited areas. Suffice it to state that it is a question of excavating by steam shovel tens of thousands of acres of a deposit of ore averaging a thickness of 15 feet at least, without any stripping whatever. Suffice it to say that operations have begun with only the smaller of two tracts, the Mayari, and that for the present there is in reserve a second larger tract, the Moa, which it is not proposed to touch for the present.

This, I think, justifies the conclusion that the volume of ore in Cuba is practically inexhaustible; and whether it is in the hands of one corporation or another, or of an individual does not matter in this connection. I show this for the purpose of demonstrating that to open our ports to the free importation of ore means the impairment if not destruction of the iron-ore industry in every State in this Union where it exists.

But the Senator from South Dakota [Mr. CRAWFORD] is exceedingly apprehensive that if we do not close our mines they will be exhausted prematurely, and that we shall be left without iron ore. Fortunately, we are able to make somewhat of an estimate of the amount of ore in our mines awaiting the touch of labor and the investment of capital. I think it will be disclosed——

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. ROOT in the chair). Does the Senator from Michigan yield to the Senator from Iowa?

Mr. BURROWS. I do.

Mr. CUMMINS. I desire to ask this question, if the Senator from Michigan will permit: Does he believe that, with free iron ore, taken in connection with the cost of production in Cuba which he has indicated, Cuban ore could supplant Lake Superior ore at Pittsburg?

Mr. BURROWS. It would lessen materially and restrict the market for our ore, if it did not entirely close our mines.

Mr. CUMMINS. Before the Senator passes into the subject he is just approaching, has he the freight rates from the Lake Superior region to Pittsburg, as compared with the freight rates from Cuba to Pittsburg?

Mr. BURROWS. I have not that information at hand.

Mr. CUMMINS. I ask merely for information, because I had been led to believe that neither the Cuban nor the Nova Scotian mines could get farther west in our country than the Allegheny Mountains. Possibly I am wrong about that.

Mr. BURROWS. That may possibly be so; but whenever you restrict the market for our ores, whenever you close our mines or restrict their output and invite foreign competition, just in that proportion you will cripple the industry.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield further to the Senator from Iowa?

Mr. BURROWS. Certainly.

Mr. CUMMINS. The conclusion of the Senator from Michigan is, I think, a very correct one, if modified a trifle. It seems, if my information is correct, that while free ore from Cuba might very much interfere with the iron mines in Pennsylvania and New York and New Jersey, it does not seem to me that it could very seriously interfere with the iron mines of Michigan, Minnesota, and the South, inasmuch, as I understand, comparatively little of the Lake Superior ore goes east of the Allegheny Mountains.

Mr. BURROWS. My friend, Mr. YOUNG, of the House of Representatives, who represents the upper peninsula, I will say to the Senator from Iowa, has just handed me a note. He is entirely familiar with the industry as it exists in his district. He states that the freight rate from the Lake Superior mines to Pittsburg is $2.28 per ton, while the rate from Cuba to Pittsburg is $2.35 per ton.

I was about to speak of the extent of the iron-ore deposits in the United States. I hold in my hand an advance copy of the report of the United States Geological Survey, by C. W. Hayes, made March 11, 1909. I will say that this report from the Geological Survey is embodied, although the work is not yet completed, in the report of the conservation congress, and approved by it, showing the amount of ore still available in this country. That report is as follows:

IRON-ORE SUPPLIES OF THE UNITED STATES.

[By C. W. Hayes, United States Geological Survey.]

The ore supply of the Lake Superior district available under present conditions is therefore taken to include all ore above 55 per cent iron, estimated at 2,500,000,000 tons, and 25 per cent of all ore containing between 45 per cent and 55 per cent iron, giving a total of 3,500,000,000 tons, exclusive of the Clinton ores. * * * It seems entirely probable, in view of the fact that 40 per cent ore is even now locally in demand, that the depletion of the higher-grade reserves may in time require the use of 35 per cent ore. If so, the tonnage is enormous. Planimeter measurements of areas of the iron formation, multiplied by the depths quite within the limits of actual mining at the present time, give the following results:

Table showing tonnage of iron formations.

District.	Area.	Depth.	Volume.	Quantity.
	Sq. mi.	*Feet.*	*Cu. mi.*	*Tons.*
Michigan:				
Crystal Falls	7.8	1,250	1.95	10,500,000,000
Marquette	28.5	1,250	7.1	71,000,000,000
Menominee	5.6	1,250	1.4	14,000,000,000
Penokee	11.6	1,250	2.9	29,000,000,000
Swanzy	1	1,000	.2	2,000,000,000
Minnesota:				
Mesabi	127	400	10	100,000,000,000
Vermillion	15.6	1,250	3.9	39,000,000,000
Wisconsin:				
Florence	.7	1,250	.175	1,750,000,000
Total	197.8		27.635	276,250,000,000

It is not proven, however, that this enormous tonnage will average as high in iron as these figures from the mining companies would indicate. Indeed, many parts of the formation are known to run lower than this. It is regarded safer, therefore, to use a smaller figure for the tonnage of ore running 35 per cent and over. Just what fraction of the total tonnage of the iron formation should be taken is a matter of more or less arbitrary choice. It is here put at 72,000,000,000 tons, divided as shown in the following table:

Estimates of Lake Superior ores.

[Long tons.]

	Available.	Not available.
Michigan:		
Marquette district	110,000,000	15,900,000,000
Gogebic district	95,000,000	3,900,000,000
Menominee, Crystal Falls, and other districts	80,000,000	7,300,000,000
Minnesota:		
Mesabi district	3,100,000,000	39,000,000,000
Vermillion district	60,000,000	1,000,000,000
Cayuna and other districts	15,000,000	310,000,000
Wisconsin	40,000,000	4,525,000,000
Total	3,500,000,000	72,000,000,000

Summary of foreign supplies.—The total estimated supplies of ore of sufficiently high grade and accessible to mining and transportation to be at present available, and which are so located as to affect the iron industry of the United States, are shown in the following table:

Table of estimated available foreign iron ore.

	Long tons.
Canada:	
British Columbia, magnetite chiefly	30,000,000
Lake Superior district, hematite chiefly	9,000,000
Nova Scotia, Clinton hematite	4,000,000
Newfoundland, Clinton hematite	30,000,000
Cuba:	
Santiago district, hematite	5,000,000
Mayari, Moa, Barocoa, Cubitas, and Pinar del Rio districts, limonite	1,500,000,000
Total	1,578,000,000

IMPORTS AND EXPORTS.

The extent to which foreign ores are now supplying the market is shown by the following table of imports:

Imports of iron ore from foreign countries, 1889 to 1907.

Year.	Cuba.	Newfoundland and Labrador.	Quebec, Ontario, etc.	Spain.	Other countries.[a]	Total.
1889	243,255	14,450	4,091	298,568	293,209	853,573
1890	351,814	6,320	22,211	512,933	353,522	1,246,800
1891	257,180		2,126	323,771	329,778	912,854
1892	307,115		8,606	236,957	253,997	806,585
1893	349,977		872	99,640	76,962	526,951
1894	140,095		443	13,097	11,772	167,307
1895	387,235			77,594	79,304	524,153
1896	380,551	20,[illegible]		121,132	160,323	682,806
1897	383,820	29,250		66,193	10,707	489,970
1898	165,623			13,335	8,250	187,208
1899	340,813	77,[illegible]		145,296	90,668	674,082
1900	431,595	140,[illegible]	5,588	253,694	66,749	897,831
1901	528,561	[b]79,[illegible]	163,383	180,810	16,814	966,960
1902	608,375	81,[illegible]	203,824	153,527	29,824	1,165,470
1903	613,565	[b]83,730	160,681	91,730	15,724	989,440
1904	364,630	5,[illegible]	77,837	36,810	2,883	487,613
1905	539,985	5,[illegible]	104,606	191,871	4,150	845,651
1906	659,393	[b]125,305	57,890	171,870	65,873	1,060,330
1907	657,123	89,685	26,878	296,318	159,154	1,229,168
Total	7,775,305	763,415	847,076	3,290,006	2,029,040	14,705,842

[a] Belgium, Brazil, British Columbia, England, France, French Africa, French West Indies, Germany, Greece, Italy, Mexico, Netherlands, New Brunswick, Norway, Nova Scotia, Oceanica, Portugal, Sweden, Turkey in Asia, Turkey in Europe, Venezuela, etc.

[b] Includes Newfoundland only.

Mr. President, the Senator from South Dakota [Mr. CRAWFORD] yesterday was apprehensive that in spite of the existence in the Northwest, in the three States of Michigan, Minnesota, and Wisconsin, of deposits aggregating 75,000,000,000 tons of iron ore we will run short in thirty years. Some little estimate has been made in relation to that matter, and it has been stated that if the output of our mines shall continue at the same rate as for a few years past, it would take a little over 6,000 years to exhaust the ores in the United States. The Senator from South Dakota therefore, it seems to me, need not be alarmed for the generations that shall appear 6,000 years hence.

Just a word more, and I am through. I have sought to show the value and the extent of this industry and that there is not the slightest danger of exhausting it. In addition to that, I want to call attention to the importance of the iron industry to the people I have the honor, in part, to represent. I hold in my hand resolutions passed by the legislature of the State of Michigan, which I beg to submit to the Senate:

Whereas there is at present, and has been since November, 1907, a great depression in the iron-ore market, which has resulted in practically closing the iron mines of Michigan; and

Whereas the operators of the iron mines will gladly operate their mines, if they can do so without absolute loss, and are at present employing a small force of married men so that men with families may be able to buy the necessaries of life for their families; and

Whereas if the duty is removed from iron ore and the ores of foreign countries are admitted free into the United States, the loss will fall upon the men now engaged in iron mining: Therefore be it

Resolved by the senate (the house of representatives concurring), That all Members of Congress from this State, and also our United States Senators, are respectfully requested to use all honorable means to have the tariff or duty on iron ore maintained as at present; and be it further

Resolved, That the secretary of the senate be instructed to forward each Member of Congress and United States Senator from Michigan a copy of these resolutions.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. BURROWS. I would prefer that the Senator would wait until I finish.

Mr. BURKETT. Very well.

Mr. BURROWS. Personally, I regret very much that the duty could not have been maintained at 40 cents a ton. I think it ought to have been retained at that rate. I am apprehensive that the reduction to 25 cents a ton is going to cripple the industry and distress our people. In this connection, I also desire to present a remonstrance from the people of the upper peninsula, signed by 586 workers in the mines. This petition, dated Iron Mountain, Mich., April 5, sets forth:

We, the undersigned citizens and qualified voters of the city of Iron Mountain, Mich., protest against the removal of the duty on iron ore, as proposed in the bill recently introduced in Congress, believing, as we do, that to place iron ore on the free list would decrease the demand for the ores of the United States and consequently reduce the value of these ores and the labor required, and therefore indirectly affect the value of all farm products of this State, and we therefore urge you to use your best endeavors to have the duty on iron ore retained.

And, Mr. President, I present also a remonstrance, signed by 982 miners, and the paper bears upon its face, it will be seen, the stamp of authenticity, colored, as it is, with the touch of the mines. These people, in mass convention, say:

Whereas it is apparent to all of us that that clause embodied in the proposed Payne tariff bill, which seeks to take the tariff from imports of iron ore, will work a vital and irreparable injury to Stambaugh Township and the Upper Peninsula of Michigan; and

Whereas we, as a body of citizens assembled, desire to protest most earnestly against the passage of any act that will remove the tax upon iron ore: It is therefore

Resolved, That we, as a body of citizens, hereby protest against the said clause in said bill, and that it is the sense of this meeting that our Senators and Congressmen do exert their utmost powers to defeat the said measure.

Mr. President, this is all I care to say upon this subject. I know of nothing more to say. A large body of our citizens is engaged in this industry in Michigan. All they have on earth is there; they are living in their own homes, built from the fruits of their own toil. Many of the mines are 2,200 feet deep; and they mine this ore and bring it to the surface, and by their toil day and night have accumulated, as I say, all they have in this world. Now it is proposed to cripple this industry, because, forsooth, to continue it is going to lessen our natural supply of ore, which, as I have already shown, will be exhausted in a little over six thousand years. This is done under the pretense of conserving our natural resources, and sometimes upon the plea of free raw material; but the humble miner who, in the caverns of the earth, brings forth the ore to the mouth of the mine presents to the manufacturer not a raw material, but the miner's finished product.

It will be a sad day for this Republic and its industries when the iron mines, the mines of lead ore, the marble quarries, and all the natural resources of this country, from which we draw the raw material for our manufactured products, shall be closed, whenever and as often as we find some place on the globe where quarrying is cheaper, where mining is cheaper, where labor is cheaper, and thus cripple our own industries and deprive our own people of employment while we pay tribute to foreigners. The protective system reaches not only to the manufactured products, but it compasses the raw material in the earth as well, strengthening and nerving the arm of labor to bring it forth for the uses of mankind. I therefore, Mr. President, insist that the amendment proposed by the Senate Committee on Finance ought to prevail.

Mr. RAYNER. Mr. President, I propose to discuss this question very briefly, and I want to place it in a perfectly clear light, if I can, before the Senate. We know that the House of Representatives placed iron ore on the free list. The Senate committee has amended the bill by putting a duty of 25 cents a ton on the iron ore. If we should succeed in having this amendment rejected, iron ore will be put back upon the free list, where the House of Representatives placed it.

Mr. President, before entering into the question I want to read to the Senate a few brief extracts from prominent journals, which will only occupy a few moments, and they have placed the situation about as clearly and have given to it about as much light as I can contribute to the subject-matter. I ask the attention of the Senate to the extracts. The first one that I read is as follows:

WHY THE DUTY ON ORE?

When the tariff bill as framed by the House Ways and Means Committee was made public, there was no other alteration in the Dingley tariff schedules that so greatly impressed the plain common sense of the people as being right and needful as the wiping out of the tax of 40 cents per ton upon imported iron ores. It was never for a moment imagined that the Senate committee would attempt to restore this tax upon the crude product from which steel is manufactured. The proposal of the Senate Finance Committee to place a duty of 25 cents per ton upon the ores on which the American steel plants that are located along the Atlantic coast—

This is where the controversy takes place, I will say in passing—

are entirely dependent has about it the plain appearance of an attempt to discriminate between home industries.

Discussing the matter from this view point, the Philadelphia Press, in a recent issue, declares that "the surest way to make the United States Steel Corporation a greater trust than it is at present is to keep the

duty on iron ore. The key to the whole steel trade situation is ore, for all steel comes from ore. The United States Steel Company has a monopoly of the iron ore that is known to exist in this country. It tightened its grip upon the ore supply when it acquired the Tennessee Coal and Iron Company as a 'panic measure.'" The foregoing being the situation, the Press points out that the independent makers of steel must do one of two things—buy iron ore from the trust at a much higher price than the same ore costs the trust or else import ore from foreign countries.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. RAYNER. I do.

Mr. SMITH of Michigan. From what is the Senator reading?

Mr. RAYNER. This extract is from the Philadelphia Press, but the article is taken from a paper the name of which I have lost; but I know it is a Republican paper, if that is any satisfaction to the Senator.

Mr. SMITH of Michigan. Does the Senator state that from his recollection, or is it a fact?

Mr. RAYNER. I say I know it is a Republican paper, but I do not know what paper. I placed a memorandum at the head of it at the time, but it does not appear to be here now. It is a Republican paper, however.

Mr. SMITH of Michigan. I wish the Senator could give the name of it.

Mr. RAYNER. I can not give the name, because I do not recall it. I have several extracts here, and I had at the head of each the name of the paper from which the extract is taken. This is from a Republican paper, and I will try to give the name to the Senator. I have sent out to see if I can get it. It is, however, as I have said, a Republican paper; but that does not make any difference one way or the other. I do not care whether it is a Republican or a Democratic paper. I want to have the truth of this business, no matter where we get it from.

The steel industries located in the vicinity of Baltimore, like those in the region directly tributary to Philadelphia, are dependent upon foreign ores or chiefly upon Cuban ores. The most valuable of these Cuban ore lands are owned by one of the large independent steel companies—

We might as well have the truth about the entire situation—

And the Press very pertinently asks: "Is there either logic or justice in a tax put upon this ore which American money and American enterprise have acquired? Could there possibly be any folly greater than to strike down an independent company which wishes to bring Cuban ore that it already owns to the United States to convert it into steel by the employment of American workmen?" The inevitable conclusion is that "the Aldrich iron-ore schedule imposes an indefensible duty and gives unnecessary aid to an already dominant trust."

This is from the Philadelphia Press.

Mr. DANIEL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Virginia?

Mr. RAYNER. Certainly.

Mr. DANIEL. Mr. President——

Mr. TILLMAN. We can not hear the Senator.

The PRESIDING OFFICER. The Senator will observe that the reporters are unable to hear what he says.

Mr. DANIEL. I want to ask the Senator from Maryland if he can tell us what American organization controls Cuban ore? Does the Pennsylvania Steel Company——

The PRESIDING OFFICER. The Chair again suggests to the Senator from Virginia that the reporters are losing his remarks.

Mr. DANIEL. I beg pardon.

Mr. RAYNER. I understood the question.

Mr. DANIEL. I wish to know what is the name of the independent steel trust or company that controls the ore in Cuba. I want to get my question in the RECORD. It is whether or not the Pennsylvania Steel Company, or some large steel company in Pennsylvania, does not in a measure control the Cuban ore. I have seen such a statement.

Mr. RAYNER. I propose to answer that question fully before I conclude. It is a pertinent question and deserves an answer.

I am not connected in any way, directly or remotely, with or have I the slightest interest in the United States Steel Corporation or the Pennsylvania Steel Company or the Bethlehem Company, which may have a proprietorship in these Cuban ores. I would feel myself absolutely dishonored and disgraced if I were speaking here in the interest of any of these colossal corporations. I shall answer the question and give the name of the company, if the Senator will permit me.

Mr. DANIEL. I do not suppose there is a man in the world who is speaking in the interest of anybody except the people.

Mr. RAYNER. I understand that; and the Senator's question requires an answer. It deserves an answer. We want this question put right before the Senate. I do not know anything about these companies, and I do not believe a word that any of them say on either side, because their special interests are involved, and I would not argue this question from any such standpoint.

A steel monopoly in this country can only be made possible by a monopoly in the ownership of home ores and by a tax upon Cuban and other outside ores. Within the past two decades a half score or so of important steel plants—

That is what I want to call the attention of the Senate to—

have sprung into existence along the tidal waters contiguous to the Atlantic coast. These coastal industries, almost without exception, are dependent upon either Spanish or Cuban ores. And traffic in these foreign ores has served to increase and foster the foreign trade of Baltimore and other Atlantic ports.

This is a very important proposition, to which I want to advert hereafter:

The ships that come laden with ore go back with cargoes of coal, grain, agricultural machinery, or other exported goods. The Aldrich proposal to tax ores is a blow aimed both at the coastal industries and at coastal commerce.

I want to read just another communication, or article, from the Philadelphia Public Ledger. I wish to read just a few lines, because it puts the matter clearly. I do not want to discuss this question for hours or days, as has been done with other questions. I want to put it concisely to the Senate, so that the Senate may take whatever action it deems proper in the premises:

The duty on iron ore affords a very striking example of the difference with which any item of the tariff is viewed in different localities. Economic questions are everywhere less dependent on political theory than upon geography. The commanding position of the Pittsburg steel interests is largely due to their control of the exhaustless supplies of ores in the Lake Superior region and the economy with which this ore is brought directly to the furnaces—

That is, the Pittsburg furnaces—

Eastern establishments, which must transport their ore a long distance by rail across the mountains, are thus at a serious disadvantage, so far as they are dependent upon native ores.

There are great supplies of rich ores in the West Indies accessible by water that might be brought cheaply to our eastern mills, thus counterbalancing the economies of lake transportation. But the tariff puts a prohibitive penalty on their use. Thus the interest of eastern Pennsylvania is directly opposed, in this instance, to that of western Pennsylvania—

A peculiar situation, and we want the truth—

The tariff on ores "protects" the valley of the Ohio at the expense of the valley of the Delaware, which has the natural barrier of the Alleghenies upon one side and the artificial barrier of the custom-house upon the other.

Now, just one more extract, and this was a petition that was sent, I think, to the committee at the time the Wilson bill was framed. I will read only a few lines of it, because it reveals the situation. This petition sets forth:

The foreign iron ore trade which began in 1877 at this port—

That is, the port of Baltimore—

and in 1880 first became a large business, has been of incalculable value to our export trade, having furnished a large proportion of the vessels which have loaded our grain, as well as other products, at much lower rates than they could have otherwise been obtained for. Only twelve months ago, when foreign iron ore was being freely imported from the Mediterranean into the United States, ocean grain freights from Baltimore were a full shilling per quarter or 3 cents per bushel lower than they are to-day, when our grain steamers are having to come across the ocean in ballast, because under the existing tariff and changed business conditions almost no iron ore at all is being imported.

The benefits have not been wholly ours, but on the contrary have reached back to the producer of every bushel of grain raised in the country, the price obtained for the surplus fixing the price for the balance. Against the keen and increasing competition of India, Russia, and South America we shall have difficulty enough in maintaining our export trade under any conditions, and homeward iron ore freights for our grain steamers are therefore of supreme importance.

Just one other paper before I make the remarks I intend to make. It is from the Baltimore Chamber of Commerce. I have had resolutions presented to me by the chamber of commerce, by the board of trade—to myself and my colleague—and by the Merchants and Manufacturers' Association, and these gentlemen composing these associations are absolutely disinterested in this matter. They are acting in what they conceive to be the public interest and the business interests of the country, and they are not connected, so far as the associations are concerned, and so far as I am able to ascertain, with any of the conflicting interests engaged in this controversy. Here is a resolution from the Baltimore Chamber of Commerce:

BALTIMORE CHAMBER OF COMMERCE,
OFFICE OF THE SECRETARY,
Baltimore, April 30, 1909.

Hon. ISIDOR RAYNER,
The Senate, Washington, D. C.

DEAR SIR: At a special meeting of the board of directors of this chamber, held this day, at which the question of a duty on iron ore was considered, the following action was unanimously taken, and your particular attention is directed thereto, viz:

Whereas so long ago as February 12, 1894, when the Wilson bill was under discussion, and the House of Representatives had proposed, as it has now in the Payne bill, to make iron ore free, the directors of this chamber, then known as the "Corn and Flour Exchange," unanimously adopted a memorial setting forth in detail the advantages of the Med-

iterranean ore trade to the export trade of the Atlantic seaboard and the incidental advantage to the sellers of every product of our country of which a surplus was being exported; and

Whereas the argument is unanswerable to-day, as it was then, and the situation has only changed to the extent that the Mediterranean iron ores have been displaced by the Cuban iron ores, and exports of coal to Cuban ports and other ports in the West Indies and Central America have correspondingly increased—each has fostered and made the other trade possible: Therefore be it

Resolved, That the foreign iron-ore trade of the Atlantic seaboard being already of supreme importance as return freight for vessels carrying exports, in spite of the present duty of 40 cents per ton, it can not be doubted that the abolition of this duty would inure to the still greater advantage of the producers and sellers of every product of which a surplus is exported; further, be it

Resolved, That a copy of this preamble and resolutions be sent to each of the Senators and Representatives from the State of Maryland, with an earnest request of them to strenuously oppose the imposition of any duty on iron ore by the Senate or any conference committee that may be called to consider the tariff bill as a whole.

Yours, truly,

H. A. WROTH, *Secretary*.

The House of Representatives put iron ore on the free list. Let me read just a few lines from the leader of the Republican party in the other House, the chairman of the Ways and Means Committee, upon this subject. I am reading now from the CONGRESSIONAL RECORD of March 23:

We have put iron ore on the free list after full consideration by the committee. I do not think I will go into that in detail, but I want to say that the evidence of Judge Gary, president of the United States Steel Company, was that in the production of pig iron 2 tons of our iron would go as far as 3 tons of the iron imported from across the sea; and that is true also of the Nova Scotia iron, they yielding about 40 per cent and ours about 60 per cent. Of course, while that is true, it follows that there would be no occasion or necessity of a duty of 40 cents a ton on iron ore.

He says that the Cuban ore yields a better percentage.

The gentleman was solicitous about the steel trust for some reason or other in the hearings, and there has been some fear in some quarters that the steel trust might ultimately drive the smaller concerns out of business. Some of the smaller concerns are located near the Atlantic seacoast—the Pennsylvania Steel Company at Sparrows Point—

That is in our State—

and perhaps this company is at more disadvantage than some of the others who are manufacturing iron and steel goods. If they can get their iron ore a little cheaper on account of the taking off of this duty, it would strengthen that company and help them to keep on in the uneven race which it has with the great concern, the United States Steel Company.

Mr. President, that gives the situation so that anyone can understand it. The mills and furnaces on the Atlantic coast are at an absolute disadvantage as compared with the mills and furnaces west of the mountains, and there is no reason on this earth, as a general proposition, why the enterprises upon the Atlantic seaboard should not be placed upon a par and a level with their western competitors.

I do not think there is a particle of danger in the suggestion made by the Senator from Iowa this morning, or rather in the question asked, that such ore will go west of the mountains, but they will go upon the Atlantic coast, and they will go there so as to enable the eastern enterprises honestly and legitimately to compete with their competitors who have now an absolutely undue advantage over them.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Nebraska?

Mr. RAYNER. Yes, sir.

Mr. BROWN. Who are the competitors on the Atlantic coast of the United States steel trust?

Mr. RAYNER. The controversy, a controversy in which I am not at all concerned and to which I shall presently refer, is between certain companies. Before the Senator's question is answered, I will say that the competitors in the East are the enterprises in my State and in eastern Pennsylvania and Delaware—Wilmington—and other places, perhaps. The Wilmington works and the eastern Pennsylvania and Maryland works are competitors with the other enterprises that not only get their ore much cheaper, but absolutely own the products themselves, as I think I can show in a few minutes. I think I am right on that proposition. If the Senator from Virginia will remain here, I will therefore answer the question he asked me, or I will wait until he returns.

I say free ore puts them upon an equality, and, furthermore, I say, as I think I have shown, that it benefits every shipper in the United States by enabling the ships that leave the eastern ports with the products of the United States to come back with iron ore instead of ballast, and thus lessens the freight rate upon the products exported from the United States. It is a universal benefit, and if it were not I would not stand here for the purpose of taking the position I do. It is a benefit to the shippers of the United States. It is a benefit to the interests that are competing with the United States Steel Corporation, and which should have an opportunity to compete, and I think it is absolutely a benefit to those who become the owners of the products, because when you lessen the duty on the raw material you lessen the price of the product when it comes into the market.

The Senator from Michigan is right in what he says about the revenue, but I do not think that need terrify us to any extent.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. RAYNER. I do.

Mr. SMITH of Michigan. If it will not interrupt the Senator——

Mr. RAYNER. Not at all.

Mr. SMITH of Michigan. I should like to suggest to him that one of the principal owners of Cuban ore, Mr. Schwab, testified before the House Committee on Ways and Means that it would not make any difference in the price of the manufactured product.

Mr. RAYNER. Who testified to that?

Mr. SMITH of Michigan. Mr. Schwab.

Mr. RAYNER. I do not believe anything from interested parties. I will come to that in a minute. This country is filled with tariff liars. There seems to be something about the tariff that seems to make it impossible for a man interested in it to tell the truth. It seems to pervert the faculties of the human mind and the aspirations and longings of the soul for the truth.

Mr. DICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Ohio?

Mr. RAYNER. I do.

Mr. DICK. May I inquire of the Senator if that includes importers as well as producers?

Mr. RAYNER. I place no credence in the testimony of any one of these tariff witnesses who is specially interested either in having the tariff reduced or raised. I must get my information from disinterested parties who are not affected by the schedules, either one way or the other, and I say this with the greatest respect to the witnesses who appeared before that committee. I never in my life saw anything like the situation here. You can not get the truth out of anybody. So far as that is concerned, I am very fond of liars generally. I have studied them by day and by night, and I have met them in every vocation and pursuit of life, but never in my life have I met such an aggregation of them as are assembled to-day in the streets of this capital and the halls and corridor here and before the committees, and the peculiarity about the matter is that they lie with equal facility upon both sides of the same question.

Mr. DICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Ohio?

Mr. RAYNER. Yes, sir; I yield.

Mr. DICK. The Senator has read from journals and quoted from bodies or representative citizens in his own State. Does he hold that they are disinterested; and if not, are they truthful?

Mr. RAYNER. I can not hear the Senator. There is so much noise around here that I could not hear the Senator's question.

Mr. DICK. My question was this: The Senator has quoted from certain journals and has read resolutions of certain bodies in his own State, or from his own State. Does he insist that they are disinterested witnesses?

Mr. RAYNER. Undoubtedly the resolutions which have come from the commercial bodies are disinterested. Those people have a public interest in it, and their interest is in connection with the business interests of the country. But they are not interested in it like the United States Steel Company and the Pennsylvania Steel Company and the Bethlehem Company or the Spanish-American Company, which have a direct interest either in keeping the duty on Cuban ore or in having it admitted free. It is an entirely different situation as between the gentlemen who compose these commercial bodies and the gentlemen who compose the other concerns, who are directly interested in the schedules now before the Senate. I think I have answered that question. I am trying to get my information from disinterested sources.

So far as the journals are concerned, of course the Senator will have to conclude whether they are reliable. They are his own journals. They are Republican journals, and, if they are not telling the truth, it is not my fault. I think they are telling the truth.

Mr. DICK. The Senator makes the broad assertion that all the men who testified on tariff matters, if interested, are liars.

Mr. RAYNER. I did not make the statement quite so broad as that, although very close to it.

Mr. SMITH of Michigan. Close to it.

Mr. RAYNER. If I was in a court of justice and a man would come up and give his testimony, a man who was deeply interested in the profits of a concern whose business was at stake, I could not place entire reliance on his testimony.

Mr. SMITH of Michigan. In the case of Mr. Schwab, he was under oath and was giving testimony, which, if accepted as true, was directly opposed to his own interest. Under such circumstances does the Senator from Maryland give credence to what he said?

Mr. RAYNER. The Senator from South Dakota quoted Mr. Schwab yesterday and showed that Mr. Schwab had taken, if I mistake not, two conflicting positions in regard to this matter. If you will give me Mr. Schwab's statement, I will tell you whether it is true or not, because if it is in his own interest, I must ignore it.

Mr. SMITH of Michigan. I think the Senator from Maryland will admit that Mr. Schwab is a large owner of Cuban iron ore.

Mr. RAYNER. As I understand, the owners of these Cuban deposits are the Bethlehem Steel Company and others—whether the Bethlehem Steel Company means Mr. Schwab or not I do not know.

Mr. SMITH of Michigan. The hearings before the House committee show that Mr. Schwab is not only a very large stockholder in the Bethlehem Company, but that he is president of, and speaks for, that company. That company does own these Cuban ores, and Mr. Schwab admits it.

Mr. RAYNER. Let us take it for granted.

Mr. SMITH of Michigan. And when Mr. Schwab says in his sworn testimony that to put iron on the free list would not reduce the price of manufactured steel products, will the Senator from Maryland believe his statement to be true?

Mr. RAYNER. I will believe one or the other of his statements to be incorrect; which one I do not know, and I do not care.

Mr. SMITH of Michigan. The question asked——

Mr. RAYNER. When was that testimony given before the Committee on Ways and Means?

Mr. SMITH of Michigan. It will be found on page 1671 of the testimony.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to his colleague?

Mr. RAYNER. Certainly.

Mr. SMITH of Maryland. I ask the Senator from Michigan whether the Bethlehem Company is the sole owner of that ore?

Mr. SMITH of Michigan. I think the Pennsylvania Steel Company, also.

Mr. SMITH of Maryland. You stated that they owned the Cuban ore. I think there are others besides the Bethlehem Company.

Mr. SMITH of Michigan. I will read from Mr. Schwab, at page 1671, Schedule C, part 1, of the hearings. After giving the price of steel rails, which he says is in obedience to the understanding between the steel-rail manufacturers, and after fixing the price at $28 a ton, Mr. CLARK said:

Suppose you put the market price of rails and steel products down to the home consumer to the same basis you did to the foreign consumer, do you not think the home consumption would have swelled to the extent of this foreign export?

Mr. SCHWAB. I do not think it would have increased a ton.

Mr. CLARK. I believe, then, there is no hope of getting a lower price.

Mr. SCHWAB. No; I am afraid not. [Laughter.]

Now, Mr. President, if I do not interrupt the Senator against his will——

Mr. RAYNER. The Senator is talking about steel rails, and I am talking about iron ore.

Mr. SMITH of Michigan. I am talking about the products of iron ore.

Mr. RAYNER. I am talking about an entirely different thing. That has no connection whatever with the discussion I am now pursuing. I am talking of iron ore, and to tell me that when you take the duty off of iron ore we would not get it any cheaper than if we kept the duty on is a proposition I would not listen to for a moment.

Mr. SMITH of Michigan. That is the proposition of the witness.

Mr. RAYNER. The witness, as I caught the Senator, is not talking about iron ore at all. He is talking about steel rails.

Mr. SMITH of Michigan. The Senator from Maryland knows the consumers of the country do not want iron ore; they want the finished product. The Bethlehem Company buys this iron ore——

Mr. RAYNER. Suppose it does?

Mr. SMITH of Michigan (continuing). The Pittsburg Steel Company buys this iron ore.

Mr. RAYNER. Does that change the proposition I am discussing? I am discussing the proposition that the eastern manufacturers should be put on a par with the manufacturers west of the mountains, and that does not touch that proposition. If the Senator will permit me to proceed, I am not talking about the product at all. That is another question. The question might come up whether if you lower the duty on the raw material that you get you ought not to lower the compensating duty that they receive upon the finished product. That is quite another question, and it is a question I am not discussing at all now, if the Senator will permit me to proceed.

Mr. SMITH of Michigan. Certainly; I will not interrupt the Senator against his wish.

Mr. RAYNER. I have no objection, but it does not seem to throw any light on the particular subject I am discussing.

Mr. SMITH of Michigan. I do not see any light from that side.

Mr. RAYNER. The Senator perhaps may give us some light on the United States Steel Corporation. I am certainly willing to receive all the light I can get. I should like to have light, and illuminating light, as to how much control there is in the Senator's State by that corporation, and whether it is not absolutely owned and controlled by as great a monopoly to-day as there is in the United States, and that is the United States Steel Corporation.

Mr. SMITH of Michigan. I am prepared to answer that in one word. The United States Steel Company owns comparatively little iron-ore land in my State. It is owned by individuals and small companies, who have leased their product to this company, but the Steel Company does not control by lease more than 45 per cent of the iron ore now in sight in the mines of our State.

Mr. RAYNER. Then, I understand the United States Steel Corporation does control by lease 45 per cent of the entire product of the Senator's State. Is that correct?

Mr. SMITH of Michigan. Probably less than that.

Mr. RAYNER. The Senator said 45 per cent.

Mr. SMITH of Michigan. Not to exceed 45 per cent.

Mr. RAYNER. By lease.

Mr. SMITH of Michigan. All the leases are made to the steel company. I have no interest in the United States Steel Company——

Mr. RAYNER. I am satisfied of that.

Mr. SMITH of Michigan. But I speak for the thousands of men who work in those mines, and I ask the Senator from Maryland if the price of manufactured iron products is not to be reduced to the consumer, who will be the beneficiaries of this open-door policy for the free importation of iron ore?

Mr. RAYNER. The consumer will be the beneficiary, unquestionably.

Mr. SMITH of Michigan. Is the Senator prepared to hand over to Mr. Schwab as a present the millions of dollars that ought to go to the Treasury of the Government from the duty upon iron ore?

Mr. RAYNER. Mr. President, I care as little about Mr. Schwab as I do about the United States Steel Corporation. I care as much about one interest as I do about the other.

Mr. SMITH of Maryland. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maryland yield to his colleague?

Mr. RAYNER. Certainly.

Mr. SMITH of Maryland. I will say that the United States Steel Company controls about 85 per cent, directly or indirectly, of the ore west of the Allegheny Mountains, and they are not dependent upon any mines whatever except their own for their steel products.

Mr. RAYNER. And of course they do not want any free ore to come in competition with them, although I do not think for a moment that the Senator from Michigan is speaking for the interests of the United States Steel Corporation.

Mr. DU PONT. I should like to ask the Senator from Michigan for some information in regard to these leases. Are they long leases, so far as to involve practical ownership?

Mr. SMITH of Michigan. Some of them run for twenty years; some shorter. None of them run for over twenty years, as I am informed.

Mr. NELSON. Will the Senator from Maryland yield to me for a moment?

Mr. RAYNER. Certainly.

Mr. NELSON. I wish to call the attention of the Senator to the fact that in the State of Minnesota and in the State of Michigan the "steel trust," as it is called, operates under the name of the Oliver Mining Company. If you will examine Senate Document No. 2 of this session, it will show you the extent of the iron ore owned by that company, especially in Minne-

sota and Michigan. I say they operate there under the name of the Oliver Mining Company. Down in Alabama they operate under the name of the Tennessee Coal and Iron Company.

Mr. RAYNER. Mr. President, I have not the slightest doubt in the world that the United States Steel Corporation, if that is its corporate name, absolutely controls the product, and it is the corporation that is contesting a reduction of the duty. I do not think for a moment that the Senator from Michigan, however, is representing the steel corporation in any capacity whatever. I think he is representing the industries and the interests of his own State, and I find no fault with him. But I am absolutely satisfied in my own mind that the United States Steel Corporation is fighting the placing of these ores upon the free list, and would like to have a much higher duty even than the Senate committee proposes to give.

Mr. SMITH of Michigan. Mr. President, I thank the Senator from Maryland very much for his kindly reference to my position, and to bear it out I want the Senate to know that not an officer, stockholder, member, or other person interested in the ownership of the steel company has ever written or spoken to me about this subject. I speak for the thousands of miners now working underground, whose little homes and daily vocation is bound up in this great industry; for the thousands of wage-earners who make up the cities in northern Michigan and from whose comfortable, happy homes is radiated all that is purest and best in American life. These honest, hard-working men have met in general convocation and asked the Representatives and Senators from Michigan to help retain their employment, and as a public servant I am proud to obey.

Mr. RAYNER. I am as satisfied of that as I am that I am living. The Senator from Michigan is speaking honestly for the interests of his own State, and I am speaking for competitive interests that have a right to compete with the industries that are west of the mountains and to be put on an equality with them. I am not only speaking for them, but I am speaking for those who ultimately come into the possession of the finished product, because I think when you lower the price of the raw material you necessarily lower to the ultimate consumer the price of the finished product.

Mr. BURKETT. Mr. President——

Mr. RAYNER. I do not care now to pursue this subject any further. I will hear what Senators have to say upon the other side. I think it is at least the duty of the Senate to stand by the conclusion the House of Representatives reached upon this subject. The Senator from Michigan [Mr. BURROWS], who preceded me, spoke of these large interests. I am satisfied that he does not stand here representing the United States Steel Corporation, and he is speaking just as his colleague will speak for the interests of his State and he has a right to speak for them.

The Senator says it will take six thousand years to consume the iron ores in this country. Are we to have protection here for the next six thousand years to protect them? When is this thing to cease and terminate? Is there any limit to it at all? Is it honest and just to stand with the industries on the Atlantic seaboard that are absolutely powerless in their competition with the western enterprises that obtain their ores before they reach the mountains, and in point of fact do not need to obtain them at all, because they own, as my colleague has said, the greater part of the natural product?

I may have something further to say as this discussion proceeds, but I will not say anything more now, except to add that this is the just side, it is the perfectly honest side, it is the right side, and it will not affect the industries of the State of the Senator from Michigan a particle, because they will still sell all they control to the enterprises that are now protesting against the decision of the House putting iron ore upon the free list. There is no reason why all of the enterprises on the Atlantic seaboard should not be put upon an equality. I have heard no defense at all to the claim that they should not have equal rights and privileges.

Mr. SMITH of Maryland. Mr. President, I wish to say in regard to this question that, it seems to me, this is a special condition requiring special consideration. We find on the one side the corporations west of the Allegheny Mountains manufacturing steel that have a very great advantage over those east of the Allegheny Mountains. We find that their situation is such, owning, as they do, you may say, 85 per cent of all the ores west of the Allegheny Mountains, controlling the products of the mines, that they are enabled to crush out almost entirely the manufacturers east of the Allegheny Mountains if those east of the Allegheny Mountains are prohibited from importing ore into this country free.

I am informed that the difference in the cost of the ore of the eastern manufacturers in getting ore west of the Allegheny Mountains amounts to $1.60 per ton. It seems to me that the people of this country ought to want to stop monopolies, if possible, and that the manufacturers west of the Allegheny Mountains, under these conditions, will have a monopoly in the manufacture of steel products.

There is no reason in my mind why we should not have free iron ore, with the small revenue that is received for this product. The duty on the importations of iron ore would amount, I understand, under the bill that is before the Senate to-day to about $116,000. There is no reason why Congress should not give free iron ore to the manufacturers east of the Allegheny Mountains and on the Atlantic coast. The amount of $116,000 is a very small sum when compared with the great advantages that would accrue to those east of the Allegheny Mountains in the manufacture of steel products. In the first place, it would give a competition which all Americans ought to want, and it would help to beat down a monopoly which practically controls the manufacture of the steel products of this country.

Not only that, Mr. President, but it would give a very great consideration to those growing the cereals, to the people who cultivate the land, in giving them vessels to export their surplus products. We have evidence that when a vessel comes into this country laden with iron ore the farmers in the West can ship their products very much cheaper sometimes, about 3 cents cheaper per bushel, than when they have to bring the vessels here. This applies not only to the people raising grain, but to the people raising cotton and tobacco and the manufacturers of all products.

Mr. President, it seems to me that this is a question which has two sides to it, even when we consider the revenue that the Government may get from the importations.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. SMITH of Maryland. With pleasure.

Mr. SMITH of Michigan. Quoting Mr. Schwab, who seems to be more interested in Cuban ores than anybody else, he says that with the present duty of 40 cents a ton he can put the Cuban ores into Pittsburg at the same cost as the Lake Superior ore. If you take off the duty, he can do it at 32 cents a ton cheaper. If that will not make any difference in the cost to the consumer, we are practically presenting him with a very nice bonus that the Government needs.

Mr. SMITH of Maryland. I do not know anything about Mr. Schwab's ideas of these matters or what his tendencies are and what he is driving at. I do know that the manufacturers east of the Allegheny Mountains feel that they should have iron ore free. I can not see how it can affect the manufacturers west of the Allegheny Mountains, because this ore can not be carried west of the Allegheny Mountains. It can only be used by those east of the Allegheny Mountains and along the Atlantic coast.

It does seem to me that under these conditions the manufacturers of the iron products on the Atlantic coast should be put upon an equal basis as far as possible with the manufacturers west of the Allegheny Mountains, in order that there may not be a monopoly, in order that the people upon a general principle may get the products of the steel manufacturers for less money, and in order that the exporters of grain and other products of the land may be enabled to have their exports made for less money.

Mr. OLIVER. Mr. President, there are two phases of this question to which I should like, in a very few words, to call the attention of the Senate. The imports of Cuban ore during the year 1907 were 584,000 long tons. The value placed upon that averaged $3.65 per ton. I have not the exact figures as to the cost, but I am satisfied I can obtain them. If that ore was worth at the port of shipment in Cuba an average of $3.65 per ton, I can say, from my own knowledge of the iron and smelting business as it exists in western Pennsylvania, that that ore can be brought in and pay a duty of 20 cents per ton, which is the duty that was levied under the Cuban reciprocity treaty, and pay all freight, and be laid down at the port of Baltimore at a less price than the cost of the ores to the owners of smelting furnaces in western Pennsylvania and eastern Ohio. That, I think, can be absolutely demonstrated by showing the cost, with freight added, of Lake Superior ores brought down to the furnaces in our district.

Mr. SMITH of Maryland. May I ask the Senator a question?

Mr. OLIVER. Certainly.

Mr. SMITH of Maryland. Is it not necessary to get some ore from this country in order to mix with the Cuban ore so as to make the proper steel product? If that is the case, you will have to take into consideration the additional cost of the ore that they have to get in this country to mix with the Cuban ore in order to bring about the result.

Mr. OLIVER. In the smelting of iron, as in the smelting of all products, different kinds of ore are necessary. I am not sufficiently acquainted with the character of the Cuban ores to know whether they can be smelted by themselves or not, but I will say to the Senator from Maryland what perhaps he is not aware of, that the Pennsylvania Steel Company and the Bethlehem Steel Company also control large reserves of ore in eastern Pennsylvania. The Pennsylvania Steel Company, I am informed—and I think it is correct—own the large Cornwall iron mines in Lebanon County, Pa., and they can use them for mixture if necessary. I do not know that any ores are necessary for this purpose.

Mr. SMITH of Maryland. I understand it is required to have a mixture for Cuban ores, and that taken into consideration increases the price of their product; that is, the mixture with the Cuban ore makes the product higher in price.

Mr. OLIVER. I could not answer positively upon that point.

Now, Mr. President, upon the question of labor. The Senator from Iowa [Mr. DOLLIVER], in the philipic which he delivered a week ago against the United States Steel Corporation, said that the wages paid in the Lake Superior region were very low; he said he thought the wages were about a dollar and a quarter a day. I think I quote the Senator correctly. If I had had the figures at hand at that time, I would have interrupted the Senator. I have since been informed, and I find that the minimum rate of wages paid in the mines of Minnesota and Michigan ranges to-day from $2.44 to $2.51 a day; that in 1902 they ranged from about 12½ to 20 per cent less than that, but there have been successive advances which have brought them up to the present rate. So the minimum rate is just about twice the amount that was estimated by the Senator from Iowa.

The Senator from Michigan [Mr. BURROWS], in his address this morning, stated that the wages paid in Cuba amount to about $1 a day. So the American miners have to stand the difference between $1 a day and, say, $2.50 a day, and they should be protected to that extent.

Now, Mr. President, I want to say one word to the Senators who still adhere to the doctrine of a tariff for revenue only. If we were to-day considering this bill upon a revenue basis simply, I do not believe there is a Senator in the Chamber who would vote for a lower duty than at least 50 cents per ton upon iron ore, when considered upon a revenue basis simply and solely. Upon that point I have found that in taxes alone in the States of Minnesota, Michigan, and Wisconsin the subsidiary companies of the United States Steel Corporation, which do its mining, last year paid over $2,000,000. This year their taxes will amount to about 5 or 10 per cent more than that. Their taxes last year averaged them on the amount of ore brought down nearly 15 cents per ton. Last year they brought down comparatively a smaller amount than usual, but taking the average of 1907 and 1908, their local and state taxation amounts, on an average, to over 10 cents per ton on all that they bring down. I have also made the same inquiry from a lot of independent operators, and I find that to them it amounts to from 8 to 15 cents per ton. The Senators who propose to remove this duty, who propose to put this handicap upon our home miners and to allow ores to come in free from Cuba and from Spain—because there is about the same amount imported from Spain as from Cuba—would charge up against our home miners not only the taxes, which amount to approximately more than half the duty proposed, but, in addition, to lay them under the handicap of the additional amount they pay for wages.

Mr. McLAURIN. Mr. President, I offer an amendment to the pending paragraph—paragraph 115½.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. In paragraph 115½, page 32, line 10, strike out the word "five" and the hyphen after the word "twenty."

Mr. McLAURIN. This amendment, if adopted, will cut the present law half in two and make the tariff on iron ore 20 cents instead of 25 cents a ton.

Mr. NELSON. Mr. President, I wish to make a brief statement on the subject of iron ores. In the matter of imports it does not seem that the Cuban ore has cut much of a figure. Document 1504, second session, Sixtieth Congress, entitled "Imports and Duties," shows that the imports for 1907 were only 511,000 tons, while away back in 1902 and 1903 it was more than twice that amount. There can not be much of a question of revenue about it. The total amount of revenue we derived from it was $204,000, and cutting it down to a rate proposed in the bill would leave us with $127,000.

Mr. GALLINGER. That is, provided the decrease in rates did not increase the exportation.

Mr. NELSON. I do not think it will.

Mr. GALLINGER. The probability is that it will.

Mr. NELSON. They have conjured up the story about Cuba being covered with iron ore. I do not take any stock in that. It is gotten up for the purpose of creating a little counterbalance in favor of their argument.

The way I look at it, Mr. President, the ores in the Northwest and in the Lake Superior region absolutely need no protection. We have in Minnesota the greatest body of ore in this country. Over one-half of all the ores produced in the United States in 1908 was produced by the State of Minnesota. If we look at this document, and I quote from Document No. 2, first session, Sixty-first Congress, nearly all that iron ore was mined by what is, in general parlance, called the "steel trust." Up there the mining company operates under the head of the Oliver Mining Company, and in Michigan it is the Oliver Iron Mining Company. Most of the iron ore shipped from our State is mined by that company, while the steel trust owns most of the mines that are being worked in our State. It either owns them or has leased them. While it operates under that name, the steel trust owns several lines of railroad running from the mines down to the lake shore. The rates of transportation on the ore from these mines on their railroads were so enormously high that it practically froze out all the independent miners; they could not compete with the steel trust because the transporation rates were so high. The steel trust could stand that, because the very interests that own and operate the mines under the name of the Oliver Mining Company also control the railroads. So the excess in rates they paid on the transportation of the ore from the mines to the lake shore they got back through the companies owned by them.

Proceedings were instituted before our railroad commission some years ago to reduce these rates. I can not recall the figures, but the rates were almost prohibitive. Proceedings were instituted before our railroad commission in Minnesota for the purpose of securing a lowering of the rates, because the rates were so excessive they froze out practically all the independent mining companies. That proceeding proved to be a failure, because the steel trust billed the ore as one continuous shipment from the mines down to the lake shore, and in their ore boats down to the ports on the lower Lakes at Chicago and Lake Erie. Hence the point was made that our state commission had no jurisdiction; that the shipment was an interstate shipment. The fact is, Mr. President—and I am telling what I know of my knowledge to some extent—that within our State, in the matter of railroad transportation of the ore, it is almost impossible for the independent mining companies to operate. They are at a disadvantage.

Constantly new iron deposits are discovered. It was supposed until recently that all our iron region was east of the sources of the Mississippi River, but recently discoveries have been made west of the Mississippi River, and they are even approximating to within 75 miles of my own home. But in all these cases, when the explorers who buy the land discover a mine, no matter how valuable it may be, their only salvation is to sell it or lease it to the steel trust, for it is utterly out of their power to undertake to operate it in competition with the trust.

Mr. KEAN. Mr. President, will the Senator from Minnesota yield to me for a question?

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Jersey?

Mr. NELSON. Certainly.

Mr. KEAN. I only wanted to ask the Senator, does not the State of Minnesota get a royalty on all the ore mined?

Mr. NELSON. No, sir; we have in Minnesota——

Mr. KEAN. I merely wanted to ascertain whether that was a fact.

Mr. NELSON. I will give the Senator the information. The legislature of Minnesota has, for several years, been trying to enact what we call a "tonnage tax;" that is, to tax the iron properties by a tonnage tax upon the ore mined. At present iron properties are assessed in Minnesota on the same principle as are farming lands; that is, according to the valuation of the land. It is true they have been increasing that assessment and that the mines are now paying a pretty good tax. The legislature has been trying for years to substitute a system of tonnage tax in lieu of the present crude system. After a great deal of effort, the legislature passed such a law at the last session, but the governor, who is a candidate for the Presidency, or a sort of candidate for the Presidency [laughter], vetoed that bill. I have nothing to say now, however, about that question.

I want to present to the Senate in a nutshell how I look at this matter. In the first place, I do not believe that our iron mines up there need any such protection, for the reason that they have the matter of transportation entirely in their favor. As I understand, along the Atlantic seaboard there are a few

independent concerns. I do not know their names, but I know there are quite a number of them who are trying to compete in manufacturing pig iron and in manufacturing steel billets, or whatever it may be, with the big steel trust, but can not do so owing to the excessive rate of transportation, which appears from the hearings here, to be from $2 to $2.50 a ton. From the Superior mines down to a point where that ore is reduced, the transportation rates are from $2 to $2.50 a ton. That railroad transportation is so heavy that it makes it difficult for the small concerns east of the mountains to compete with the steel trust.

Another proposition—I may be at sea on that; and, if I am, some Senator will correct me—as I understand, is that the Cuban ores, while they do not yield as much iron as our best Mesaba ore, yet it has a property, which I believe they call "nickel"—there is a nickel property in it—in other words, it is a harder ore and is used to mix with the ore that we produce in our State in the manufacture of Bessemer steel to harden it and make it better. I may be mistaken as to that. If I am, perhaps the Senator from Rhode Island [Mr. ALDRICH] can correct me.

I believe in fair play. We do not need this protection in Minnesota. It is a small matter. It amounts, in respect to Cuban ore, to only 20 cents a ton. We do not need this protection for our mines on Lake Superior; but it may be of some help to the competitors of the steel trust on the Atlantic seaboard, and I, for one, am quite willing to give them that advantage in order that we may have competition. That is the way I feel about it. I shall not attempt any revolution if you make the duty 20 cents a ton; but I think, if we want to build up independent competitors of the steel trust, we ought to give them this advantage; and the people of Minnesota are perfectly willing to give the independent concerns east of the Allegheny Mountains this slight benefit and advantage. I hope some of the representatives from other parts of the country, when it comes to other properties, will feel as generous as do the people of Minnesota.

Mr. ALDRICH. Mr. President, I understand the Senator from Minnesota to say that this duty would not hurt the people of Minnesota anyway. So this is a gift that may possibly benefit the people of Minnesota.

Mr. NELSON. It will indirectly be an advantage to the State of Minnesota. If the Senator is very inquisitive, I will say it would be an indirect advantage to the State of Minnesota to this extent: It is to the interest of the State of Minnesota, as it is to all parts of the country, that the great steel trust shall have a competitor in this country. If we can stimulate and keep up competitors who are independent of the steel trust by this little gift, why, in God's name, not give it to them?

Mr. GALLINGER. Just a word, Mr. President. In early days New Hampshire did some mining of ore; but it was long ago abandoned. It was in the White Mountain region; and there is a very charming history connected with it that I shall not rehearse.

I have no interest in this question so far as my people are concerned, unless free iron ore should give a benefit to our manufacturers; but I am not here, Mr. President, alone representing the interest of New Hampshire or New England.

The Senator from Minnesota says "Our iron mines up there do not need protection." Mr. President, I am not going to vote for "up there" on any schedule in this bill. I am going to vote for what I think is for the best interests of the entire people of the United States. I am a protectionist, and, as such, it will give me great pleasure to vote to put a duty of 25 cents a ton on iron ore. I only regret that the duty fixed by the Senate Finance Committee is not the duty which is in the present law.

Mr. CULBERSON. Mr. President, I favor the proposition of the House bill, that iron ore should be placed on the free list. I do so for two reasons, which I shall briefly state.

The report of the National Conservation Commission, which is attached to the President's message of January 22, 1909, under the head of "Minerals," contains the following:

> The known supply of high-grade iron ores in the United States approximates 3,840,000,000 tons, which at the present increasing rate of consumption can not be expected to last beyond the middle of the present century.

Mr. President, I am not unaware of the speculative character, of course, of this information transmitted to us by the President, but I think we ought to take into consideration the probability that, if this information is correct, within a comparatively short time, measured by the life of a nation or the life of a republic, the high-grade iron ore in this country will be exhausted and the American people will be at the mercy of foreigners.

The other suggestion, Mr. President, to which I have to invite the attention of the Senate is the testimony of Judge Gary before the House Committee on Ways and Means last December, in which he states that the United States Steel Corporation, which is the greatest combination of capital ever organized in this country, now practically controls the iron-ore supply of America. At page 5515 of the hearings these questions and answers appear:

> Mr. COCKRAN. You practically do control the ore supply of the country?
> Mr. GARY. No; not now; not for the immediate future.
> Mr. COCKRAN. Well, the ultimate supply?
> Mr. GARY. Yes; I think so—that is, pretty nearly. It is not absolute control.

Mr. President, taking this testimony as true, as I do, we have this great monopoly already in control of the ultimate supply of the iron ore in this country; and if we place a tariff upon foreign ore which may come here, no matter how high or how low, the tendency of that imposition will be to increase the value of this monopoly and to extend the power of the monopoly. Not only that, Mr. President, but it might well have a tendency to shut out competition on the part of whatever independent companies there may be. This imposition of 25 cents a ton or 40 cents a ton will, I repeat, have a tendency to increase the value of the property of this combination, and have a tendency to fix its monopolistic powers upon the American people and to deny to the independent iron people the power to compete with this existing monopoly.

For these two reasons, stated succinctly, I intend to vote against the duty, notwithstanding, as a general rule, I am in favor of a revenue tariff practically upon everything which may come into the United States. This case is an exception, in my judgment, because of the control already obtained by this corporation of the ultimate supply of iron ore in this country.

Mr. TILLMAN. Mr. President, before the Senator from Texas takes his seat, I should like to ask him or some other Senator here, if anybody feels authorized to speak, to answer the inquiry as to whether we, as a Senate, intend to sit quiet forever and make no effort to dissolve the illegal purchase of the Tennessee Coal and Iron Company by the Steel Corporation? I want somebody to say whether or not we are going to quietly lie down and quit.

Mr. CULBERSON. Mr. President, of course the Senator from South Carolina is familiar with the fact that the question of the legality of the absorption was referred to the Committee on the Judiciary; and while no report, in a purely technical sense, has been made by that committee, at the same time the views of the majority of the committee—seven members—have been submitted in writing and are before the Senate for its consideration. My recollection is, Mr. President, that six of the members of that committee stated in writing that, in their judgment, the absorption was illegal, and one of them—the former Senator from Ohio, Mr. Foraker—withheld an opinion upon that point.

Mr. TILLMAN. I understand that. I remember that broken-up, disjointed kind of report, without any force or effect; but even if only one man in this body who is a great lawyer will continue to fight, the people will not forget, and possibly there may come a time when a change in the complexion of this body or something at the Attorney-General's office will bring about an effort to destroy the monopoly which now exists.

Mr. CULBERSON. I will state to the Senator from South Carolina that my mind, at least, has not been idle upon this suggestion. If he will look at the RECORD of this morning, he will see a suggestion on my part that it is time to know what the purpose of the Department of Justice is as to the execution of the antitrust law of the United States. I think that the present Attorney-General has this information about the steel trust and the merging of the Tennessee Iron and Coal Company, but if he has not, Mr. President, and no one else will do so, I will give him direct and official information with respect to it.

Mr. TILLMAN. In that connection, Mr. President, I desire to say that the speech of the Attorney-General, to which the Senator from Texas called attention yesterday morning, would indicate that he had set out on a new departure from that of his predecessor, and if obedience to the law shall be the condition of peace, we ought to have him determine one way or the other, either by an opinion or by some authoritative utterance, whether or not he considers there is any occasion for a suit against this combination or this monopoly. I hope the Senator, who is a great lawyer, will not pursue this inquiry by intimation, but by some kind of positive action whenever, in his judgment, there is any opportunity or chance of securing any result.

Mr. DANIEL. Mr. President, if I were sure of the facts as intimated by the remarks of the Senator from Texas [Mr. CULBERSON], I would vote for free iron ore, but I think I can say that I reasonably know that there is a great deal of iron land and ore in this country and in my own State that is not con-

trolled by the steel trust. I believe that to be true, and I believe also, like the Senator from Texas, in direct methods to put down aggressors upon the law of the land, and I rejoice that he is persisting in methods to ascertain the facts and to apply the law in the case which he has mentioned.

As the matter stands, I shall vote for the very modest tax of 25 cents a ton on iron ore. It is a revenue tax and nothing but a revenue tax. It is a small tax of 10 per cent, about half what was the average tax in the well-known Walker tariff act, enacted before the war. It is true the amount realized will not be very great, only some $127,000, but it is consistent with the principles of all parties to vote for this tax, and well to do it. The fact that the distinguished Senator from Minnesota [Mr. NELSON] and his colleague from New Hampshire [Mr. GALLINGER] deduced their title through protection opinions and that I deduce mine as the result of an opposite view makes no difference. We shall all find before this tariff bill is concluded that there are interlocks of party votes, as there is one now. Where these occur, it makes no practical difference in result from what source a man may deduce his opinion. I think that incidentally—and I have no thought on the subject that I am not willing to proclaim—I think that incidentally this will be of some benefit—not very great, but some—to the owners of iron lands in my State and in other States of this Union. I know, furthermore, that what the trust wants, and what it proclaims that it wants, is free ore. One of Napoleon's maxims of war was not to do things you knew your enemy wished you to do. While I do not esteem myself the enemy of any man, I am the opponent of certain propositions and of certain men who, as I conceive, abuse the law. There is good reason in all directions for this tariff; and, so believing, I shall vote for it at 25 cents a ton.

Mr. RAYNER. Before the Senator sits down, may I ask him a question?

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Maryland?

Mr. DANIEL. Very gladly.

Mr. RAYNER. Does the Senator really think that the United States Steel Corporation wants free Cuban ore?

Mr. DANIEL. I only get my information, as the Senator does, from the newspapers.

Mr. RAYNER. What is the Senator's own opinion about that?

Mr. DANIEL. I do not know.

Mr. RAYNER. I do know that they most decidedly do not want it.

Mr. MONEY. Mr. President, I shall support the committee's proposition on iron ore. I do not think that 25 cents a ton is too much. I am for a revenue tariff, and it seems that I am about the only man who cares for nothing else but a revenue tariff. I have nothing in the world that I want to protect, and I would not protect it if I had, because we have no authority from any source to do it. But in this particular article it is a revenue producer to some extent, and I do not see why we should not get that revenue.

There has been a great deal said here about the reasons why a protective tariff should be levied. Some have said that they wanted to protect every American industry. We have the authority of the chairman of the committee for that. Others, who are called "progressives," insist upon adherence to the Republican platform, which fixes the measure of protection as the amount which marks the difference between the domestic and the foreign labor wages. Others still want a protective tariff that will reduce the price to the consumer. I believe the distinguished Senator from Rhode Island committed himself to that statement the other day. I will not hold him to it, for I thought, in view of what he had said before, that it was an extremely improvident utterance.

Mr. ALDRICH. What is the statement to which the Senator refers?

Mr. MONEY. That the object of protection was to lessen the price of an article to the consumer.

Mr. ALDRICH. Oh, no.

Mr. MONEY. The Senator did not say that? I myself thought I must have been mistaken as to that.

Mr. ALDRICH. The Senator was mistaken. I said that the effect of protection had been, in the great majority of cases, to reduce the price to the consumer.

Mr. MONEY. I accept that statement as at least a correction; but, at any rate, it defeats the purposes of protection when it does that, for there can be no object in protecting an American industry in order to make its products cheaper.

Mr. President, I have here a table, very carefully prepared by an expert. It takes up the different schedules in the bill and gives the total value of the product and the total wages paid under each schedule. The schedule now under consideration embraces not only iron ore, but steel and many other articles of metal.

The table only gives the total wages for the whole schedule. The wages under Schedule C, the metal schedule, are $650,000,000 and the output is worth $3,130,000,000, making the cost of the labor 20.8 per cent of the value of the product; so that, to meet the demand of the Republican platform, as stated on this floor very frequently, the tariff should be just that percentage, 20.8 per cent, that being the percentage of the amount paid to labor in comparison with the value of the whole finished product. I shall ask permission of the Senate, as I can not read the table, to have the Secretary read it. I do so because I want to get the table into the RECORD in order that other Senators may have the advantage of it. If it is not correct—and I can not vouch for any statistics on earth or any book that I have not seen; it may not be correct all the way through, though I believe it is as nearly correct as it can be made—it certainly approximates the truth; but, as I have said, I do not myself pretend to vouch for any table or any statistics on any subject whatever.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Average labor cost of production of all articles under each schedule and the total of all schedules of the Senate bill.

Schedule—	Total wages.	Total value of products.	Per cent.
A—Chemicals	$56,786,143	$767,401,417	7.4
B—Earths and glass	154,652,713	420,944,049	36.7
C—Metals	650,109,633	3,130,253,195	20.8
D—Wood	378,461,021	1,392,489,978	27.1
E—Sugar	23,536,189	413,333,428	5.7
F—Tobacco	62,640,303	331,117,681	18.9
G—Agricultural products	100,839,004	2,194,833,894	4.6
H—Spirits, etc	43,934,676	474,487,379	9.3
I—Cotton	217,855,322	1,014,091,237	21.5
J—Flax and Hemp	27,223,574	185,694,092	14.7
K—Wool	135,903,063	767,310,889	17.6
L—Silk	36,767,943	183,288,072	20.1
M—Pulp, paper	123,903,683	548,967,229	22.6
N—Sundries	273,959,320	1,495,686,437	18.3
Total of all schedules	2,277,888,543	13,270,192,088	17.16

In the above there is no cumulative cost of labor, as it covers all the labor—in one schedule or another—that goes to the production of the finished or manufactured article.

Mr. MONEY. Mr. President, the reason why I have introduced this table at this particular moment is not because of its particular bearing on the metal schedule more than on any other, but believing these facts to be approximately as true as can be had, I want them to be in the RECORD for the examination of Senators who want to ascertain the truth. The difficulty that I have had in ascertaining the truth with regard to any item in the tariff bill has troubled every Senator. With an honest desire to get at the facts, I have found it almost impossible to get a fair and candid statement of the truth from anybody. People have conversed with me about the different schedules in the tariff bill on both sides of the question, and I have never yet been satisfied by the statement that anyone made, even though he agreed with me as to what was wanted. I know the infirmities of human nature. These gentlemen come here with the purpose of advocating their own special interests, and it would be unreasonable to suppose that they would not suppress every fact against them and magnify every one in their favor. It is almost impossible—I would not quite say "impossible"—to find a candid statement on any item in this bill.

I do not intend to speak long. I for one am persuaded that this bill does not provide the revenue demanded by the deficit of $90,000,000, and which is likely to be $100,000,000 within a very short time. You can not reduce the expenditures of this Government; and I venture to say that your next budget, instead of being a billion and thirty-two million dollars, will be a billion one hundred million dollars. The expenditures are going on, and they are going on increasingly, and this deficit must be met; and in view of that fact I have declared here that I am for revenue. I am one man, at least, who is for the United States of America, and of course next I am for the consumers, who constitute the greater part of the population of the country. It is not with any particular reference to the iron schedule that I am going to speak, but I can not see for my soul why one article should not bear the burden of taxation as well as another. Why should raw material be exempt from taxation and wrought material be taxed? If there are benefits from this system, they should be as generally diffused as the burdens, and if we do anything else it will not be fair to the consumer. We can not shut up the United States and, like two men in jail, become opulent by swapping pocketknives. Every man is willing to

pay that which is to support his Government and secure protection of life, liberty, and property, which is insured to him by the Bill of Rights in the Constitution of the United States. I can not understand how a man will want a tax on the things he makes and want free the material which he buys. What is the raw material of one is the wrought material of another, as has been shown here over and over again a dozen times.

I want to say that I am for a tax upon that which will bear taxation and bring revenue, with some consideration for the burden that will rest upon the great mass of the American people, desiring, as I believe everybody should and I hope most do, that the burden should rest most lightly on the poor and most heavily upon those able to bear it and who secure more from this Government than anyone else.

It is embedded in the fundamental law of every nation in the world, however civilized or however barbarous, that all the processes which conserve property interests and that which needs protection should be paid for by the class which has the money with which to pay.

Certain persons want hides put on the free list. In every mail I am receiving such letters, and I have received thousands of letters, most of them prepared by one concern in Chicago, in favor of free hides. It is a stereotyped letter. I believe I will just have that read, if I have it.

Mr. BEVERIDGE. May I ask the Senator from Mississippi a question?

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. MONEY. I did not get up to make a speech; but I yield for a question.

Mr. BEVERIDGE. I understood the Senator to be for the Senate amendment because it furnishes a revenue, whereas the House bill would furnish none.

Mr. MONEY. I did not say anything about the House bill.

Mr. BEVERIDGE. You did not; but I understood you to say you were for the Senate amendment because it would furnish revenue.

Mr. MONEY. Yes.

Mr. BEVERIDGE. That is the position of the Senator from Virginia. If that be the purpose, I find that the revenue to be produced by the Senate amendment will be only $127,000, whereas under the duty provided by the present law it is nearly double that sum, if not quite that. I will ask the Senator whether, according to his logic, they should not be for forty instead of twenty-five?

Mr. MONEY. I am very much obliged to the Senator for the information, which I had before, however.

Mr. BEVERIDGE. If the Senator wants revenue, the present law produces nearly twice as much as the proposed rate.

Mr. MONEY. We are not considering the present law. We are amending the present law; and if we are not to amend it, why all this preparation; why all these meetings and hearings if we are to go back to the present law? I do not suppose anybody wants to readopt the Dingley bill. It is totally unnecessary. We have it already. It only needs to be left alone, if that is what you want. I am merely saying, including the iron schedule incidentally, that I will vote for the duty on iron as I do for these other things.

Mr. BEVERIDGE. Mr. President——

Mr. MONEY. If the Senator will permit me to go on with the remarks I was making, not on iron especially, I ask to have published here, and I am going to have read, this page. This is a circular. I do not want the arguments read; they are not particularly interesting; but I do want this particular page read.

I want to say that a fictitious sentiment——

Mr. BEVERIDGE. Mr. President——

Mr. MONEY. I hope the Senator will pardon me. I do not want to be discourteous, but I desire to finish and sit down. I am suffering considerably with neuralgia. However, I will hear the Senator.

Mr. BEVERIDGE. I desire merely to ask a question. In answer to a question, the Senator said very clearly that we ought not to go back to the present law; that we were revising it. If the Senator wants revenue, why revise it on this item, when the present law will produce nearly twice as much as the Senate committee amendment?

Mr. MONEY. That would be a pertinent question if I belonged to the majority of the committee. But as the minority never has been asked to help frame the bill, I do not consider myself responsible for the bill.

Mr. BEVERIDGE. Therefore the Senator is voting for the amendment.

Mr. MONEY. I am not voting for it "therefore." I am voting for it for the reason I gave and not the one that you gave. I think I will be able to make clear my reason, when I come to discuss this question. But right in this line I want to send up and have read this page. I desire to say that a fictitious sentiment is being created by machine work, by this endless-prayer business. Some gentlemen somewhere have set to work a bureau and they are flooding the country with cards and papers, with the result that Senators have been bombarded here as they were in the House of Representatives on these matters, and a great clamor has been set up by people who do not know what is involved, and half of whom do not read the communications sent to them.

I am not here to listen to anybody's clamor. I am here to vote for revenue for this country, which is sadly lacking and which I do not believe will be furnished by this bill. I will ask the Secretary to read the circular which is sent out through my State by this company.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

DO THIS TO-DAY!

WRITE, AND HAVE YOUR FRIENDS WRITE, EVEN IF YOU HAVE WRITTEN BEFORE—WRITE AGAIN.

Kindly fill out and return this blank.

———, 1909.

THE FLORSHEIM SHOE COMPANY,
Adams and Clinton streets,
Chicago, U. S. A.

GENTLEMEN: I have to-day written Senators ANSELM J. MCLAURIN and H. D. MONEY, as suggested. I have also secured the promise of the following friends who will write them. ——— ———.

Signed ——— ———,
Address ——— ———.

Mr. MONEY. That is simply the endless-prayer business.

The other is simply asking for free hides. If they will give us free hides and free leather and free shoes together in one lump, I might be induced to vote for it, and lose what revenue might otherwise accrue. I can not see why one thing should be taxed and another thing should go free. What, as I said, is the raw material of one is the finished product of another. Lumber is considered a manufacture. The furniture made of lumber is considered a manufacture. Wool is the finished product of the shepherd. The wool is the raw material of the carder, and the carded wool is the raw material of the spinner. Yarn is the raw material of the weaver, the cloth the raw material of the clothes manufacturer. I do not see why things manufactured should be taxed for the benefit of somebody and the raw material which they use should come in free, to the detriment of others. We must consider the consumer, who, perhaps, ultimately pays the tax. I believe that is the generally accepted doctrine.

I repudiate the idea that it is a Democratic policy to have a big free list. I had a letter, a very remarkable letter, from a gentleman who said that all his life he had been a Democrat, and that he was for a tariff for revenue, and he immediately proposed a free list as long as my arm, which would not bring in any revenue at all. There is nothing Democratic in the idea that raw material should be untaxed. I suppose every Senator here is familiar, more or less, with the great struggle with free trade in England, begun by Huskisson and continued for twenty years, until Sir Robert Peel, yielding to the irresistible logic of Cobden, accentuated by the famine in Ireland demanding cheap food, in 1848 reversed the rule and gave them free trade to some extent—not what we call "free trade," by any means, but what they call "free trade," which is free competition and not free from duty. We speak of free trade. The English have a tariff two or three pages long, and they get more revenue from it than we do from our tariff. Their population is only half as large, and yet they get more revenue than we do. They call themselves "free traders" because they permit competition. When they put a tariff on imported articles, they put an excise tariff on the domestic article. Their principal revenue is derived from articles not produced in England, such as tea, coffee, tobacco, sugar, cocoa, and so forth. Their best tax is the income tax, which last year produced $65,000,000.

During the progress of this strife Sir Robert Peel received a letter from the north of Scotland, the eastern coast, on the German Ocean, and the old Scotchman wrote him:

I am a free trader from the top of my head to the soles of my feet; I want free trade in everything; and you will do the greatest service you have ever rendered to the poor of the Kingdom if you will put everything upon the free list and impose no tax at all, except upon Scotch herring. If you do not put a tax on Scotch herring, the Norwegians will drive us out of our trade.

I find a great many north of Scotland men in this body. They want everything to go on the free list except the things they have to sell.

I recollect another letter also that they say was received by Sir Robert Peel from a wealthy merchant in Bristol. The high tariff made smuggling such a profitable industry that the Government could not put it down; it became, not an enterprise, not an adventure, but the business of desperate scoundrels, just as robbing in this country has become a regular business and has become legalized. The letter was from a noted smuggler, who became so famous that he was a favorite along both sides of the channel. This man proposed to him to purchase any bill of goods in the French market, bring it over, and deliver the invoice to him, and all he wanted was 10 per cent of the bill as his profit for transportation. He did not want any smuggling profits; the smuggler would be satisfied with that. Would the robbers under our tariff system to-day be satisfied with a profit of 10 per cent? I do not think so.

That reminds me of a story which I think apropos. A very poor clergyman who had a family and very little else was preaching to a very frugal-minded set of parishioners. They managed to keep the man poor and humble by not paying him much salary. Every time he went into the pulpit he asked the leading member of his church, who was a wealthy man, to lend him $5. He put it in his pocket. When he descended from the pulpit he repaid the sum. That went on with great regularity. One day the deacon said:

I should like to ask you a question. Why do you borrow $5 every time you preach and pay it back as soon as you get out of the pulpit?

Shamefaced, the preacher said:

I can not preach at all unless I feel some money in my pocket, even if it belongs to somebody else.

And so we have the testimony of Senators and of people who manufacture goods that the manufacturers can not do business at all unless they feel somebody else's money in their pockets. They are not at all satisfied with their profit. They want, by the express command of the law, to compel others to pay something to another man in business in which the man who pays is not interested at all.

I know very well what a tax is. Yet the Supreme Court has declared that there can be taxation without taxes. In other words, that Congress can impose taxation upon the people not justified by the Constitution, and therefore it is not taxation; and the Supreme Court has said that whenever this Congress lays the hand of the Government upon one man, to take a dollar from him and give it to another man to advance his enterprise or private fortune, it is robbery in the form of law. In other words, the court says it is not legislation, but it is a legislative decree.

I am reminded now of the declaration made by my distinguished friend, the chairman of the committee, I believe, at the opening of this debate—no; it was when pressed by the distinguished Senator from Nevada [Mr. NEWLANDS], who made such an admirable speech yesterday, until he was about to finish. He asked repeatedly of the Senator from Rhode Island—and it seemed to me the Senator from Rhode Island lacked his usual readiness to mix the issue; he seemed to be reluctant to answer, but he did answer the question as to what was the controlling principle in this bill—was that it?—the controlling principle and motive in framing this bill; and my friend from Rhode Island said the controlling principle in making this bill was to protect every American industry. That was supplemented a little by saying he wanted everybody to be given a chance. I dare him to put that in the title of this bill. I dare him to write it at the head of this bill, "A bill primarily to protect every American industry; incidentally or secondarily to raise revenue for the Government." If the court passed on such a bill, it would declare that it was an unconstitutional measure. Heretofore the title of the bill has never been evolved from the character of it. It had been arbitrarily put there—to do what? To make the court accept as its character that to which it was not entitled by the reading of it, because the court, a coordinate branch of the Government, would never say that Congress had lied about the title to a bill. It will say: "We must take the legislative branch of the Government at its word; and when it entitles a bill, 'to raise public revenue, and for other purposes,' it must mean primarily for public revenues, and that is what it reads."

What does the Constitution authorize the Congress to do? It says that Congress shall have power to lay and collect taxes, imposts, duties, and excises. What for? To pay the public debt, to provide for the common defense, to provide for the general welfare—of whom? Of the United States. To pay the public debt of the people? No. It is ridiculous. For the Government of the United States; and Webster has placed the definition of a tax to be an imposition or charge levied upon the people belonging to a society, to defray the expenses of that society. I want to say that Webster is about as good at definitions as any lexicographer. While he is not so good on derivations, he is on definitions.

Mr. ALDRICH. Does the Senator from Mississippi remember the first act passed by Congress?

Mr. MONEY. No; I do not. I have not studied it. I will take your word for it.

Mr. RAYNER. It was an act to encourage manufactures. If the Senator will let me say a word about that——

Mr. ALDRICH. I thought the Senator had forgotten that act.

Mr. RAYNER. The first act was an act to encourage manufactures. I understood the Senator from Mississippi to say that if an act demonstrated upon its face that it levied prohibitory duties under the taxing power, it would be unconstitutional. I agree with him entirely upon that proposition. Can the Senator from Rhode Island show any authority or decision to the contrary? If the act said upon its face that while it purported to be an act to impose duties, it was really an act to prohibit importations—and that is what I think the Senator from Mississippi meant—I say the act would be unconstitutional.

Mr. MONEY. I trust the memory of the Senator from Rhode Island more than my own. Was that ever brought to the consideration of the Supreme Court? I believe it never was.

Mr. ALDRICH. I will tell you what has been brought to the Supreme Court and decided by it, and that is that the question of the right to levy duties and lay imposts is a matter the character of which is to be decided by Congress and not by the Supreme Court.

Mr. MONEY. I have said that before.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. MONEY. Certainly.

Mr. GORE. I merely desire to say to the Senator from Mississippi that the first act passed, to which the Senator from Rhode Island refers, leveled an average duty of about 7½ per cent. The general rate was 5 per cent. Some duties ranged a little higher than that; up to 15 per cent.

Mr. ALDRICH. If the Senator from Oklahoma will study economic history a little further, he will find that 7½ per cent under conditions then existing was higher than any tariff that has been imposed in this country since.

Mr. GORE. Many of those duties were specific. On shoes, for instance, it was 7½ cents a pair, nothing like so high a rate as is imposed now; and if the Senator from Rhode Island is willing to return to the example and the precepts of the fathers, I have an idea he will find a good deal of company on this side willing to return to their standpoint.

Mr. ALDRICH. I want to say, in further answer to the Senator from Oklahoma, that the duties imposed by those early acts were more nearly prohibitory in their character than those of any act passed since; and that can be established historically beyond question.

Mr. MONEY. There was no decision by the court with respect to that bill, nor any issue ever raised upon it, for the reason that we were then not only in the infancy of our industries, but in the infancy of our national life, and the great care of the people of that day was to make this country self-sustaining for its defense. We were then alarmed about the condition of things because we had lately been emancipated from the yoke of Great Britain, and every student of American history will recognize the fact that the whole Revolution was not about freedom nor independence. It was resenting taxation. It began in resenting taxation without representation, and at least one-third of the American Congress did not believe we had any right to do it. A great many went to the West Indies and Canada and Ireland and elsewhere. Even Mr. Jefferson, who afterwards repudiated the whole idea of protection, said he would like to see a wall around this country for a while, in order that it might get on its feet and establish those industries which make an independent nation; in the sense of a nation which is not dependent on any other nation. That idea he yielded entirely, because he did not believe in the taxation of one man for the benefit of another.

It has been said here, I recollect, I think by the Senator from Montana [Mr. CARTER], a very able and clear-headed man—and I do not know a man more clear-headed in debate—that it is useless to go into definitions. But I think it is always useful to refer to first principles, general principles. We have been going on with schedules and working on details until we have lost sight of every principle except that each man can write in it very largely what he wants.

I was amused by a part of the magnificent speech of the Senator from Iowa [Mr. DOLLIVER], which, I believe, lasted two days, and I was rather astonished to hear his narrative of the pressure brought upon Mr. McKinley by those wanting protec-

tion, and that he threw up his hands in despair and said, "Write what you want." I had heard the story, but it was not that way. There was no despair, but an invitation to everybody to come in and write what he wanted into the bill, and they all did. It was exactly in accord with the wishes of the chairman of the committee, because he was the foremost protectionist in this country. He went so far that protectionists had to draw him back. He went into the bounty business, you will recollect, and that had to be undone by the courts.

Mr. President, I did not rise to speak long. I am not fit to speak to-day; I have a severe neuralgia. I have been led on to these remarks, which I hope I will be permitted at some time to continue, because I should like to speak on this bill purely on the general principles which gentlemen think are unworthy of notice. I am not going to support the bill nor follow the committee. I want a revenue for this Government. It is my duty so far as it lies in me to raise a duty by taxes of this sort, and when we have reached that duty I want to stop, and I want the burden and the enjoyment of the incidental benefits to be extended as equally as possible, as a matter of common justice and of common sense, because there is no morality in taxing one part of the country for the benefit of another, and there is no morality in taxing one man for the benefit of another man. It is not only unconstitutional, but it is immoral.

Mr. President, I will say, as a result of my observations upon the different tariffs of the world (and I do not pretend to be wise or deeply read about this matter), that wherever there is a protective tariff it has built up a system of morality of its own, and I never found that its rules of morals were in accord with any other rules of morals, either religious or secular, ever framed in this world. It has built up a system of morality in this country that not only is wicked, but it allows to be done by authority of law what the man who does it would never do in his private capacity as a citizen. It permits a man not only to covet his neighbor's goods, but to take them away from him by force of law. When we consider that we collected a little over $300,000,000 last year, and the people of this country pay in taxation to these protected interests $2,100,000,000, I think it is about time we are considering whether we are not taxing the American people a little too far. It is well enough to pay one tax, but when the people are bowed down under two burdens it is time that they should be relieved of one of them at least. I do not know a man who is unwilling to fill up his quota to support the Government. I do not know any man anywhere who will not go out to fight his country's battles. There is no lack of patriotism and no lack of common courage. It is one of the commonest attributes of human character. Men go to battle as cheerfully as they go to feast. They are willing to pay taxes to support the Government. But when you tell a man he has to pay to another man, in whom he has no interest, then he halts and asks you to consider the fairness, the justice, and the morality of it, and I will say the common honesty of it.

I am not going to talk about robber barons of the tariff and all that sort of thing. I do not impute dishonesty to men who want protection by law. Men think about it like the better part of humanity—the women—think. There is no woman in this country, in good society, at least, who is not better than the best man in it. Everybody knows who has practiced law that when a good woman goes into court she thinks everything is right that the law will give her, whether it is right or wrong. So it is with the protected interests. The law will give it to them, and though they are the moving power behind the lawmaker, they are perfectly satisfied, and will take the profit—or plunder, I will say—from other people that they would not take under any circumstances if left to themselves.

So I do not intend to indulge in any crimination here against either Senators or their constituents or their interests. It is a simple question whether or not we will do justice to the people of the United States—the 90,000,000 that I think the next census will give us. Here, with 90,000,000 people, we raise a revenue not as great as Great Britain raises out of the 45,000,000 people in the United Kingdom. But there the tax goes into the treasury of the Government; here, three-tenths of it goes into whose pocket? Not into the Government's. We all know it does not, lest we should have a superabundant Treasury; and there is no surplus of the Treasury, but, on the contrary, there is a deficit.

I want to speak for a moment upon the necessity of raising revenue; and I want to show, as I think I can, that the attempt to raise revenue sufficient for the Government by this bill is a failure. You will be compelled to adopt such a measure as that proposed by the junior Senator from Texas [Mr. BAILEY], an income tax, and probably you will have to call in the amendment offered by the distinguished Senator from North Carolina [Mr. OVERMAN], a head tax upon immigrants. You will have to do something besides what there is in this bill. There will be tax enough put in the bill, but it will not go to the Government. It will go elsewhere. It will swell the already exaggerated wealth of men who made their fortunes by this unjust legislation which we have had upon our statute books so long.

Of course, it is a great thing for us to point with pride to the fact that no suffering has been the result of protection. I am not one of those who believe that protection is the cause of the wealth of the country. I think the country has increased in wealth in spite of protection, and not because of it. If it has prospered, that is no argument in favor of protection. You can not say because the country prospers and the people have this burden, it has grown faster than if they had no burden at all. That is a ridiculous inference.

I can show that every free port in the world has enormously increased, faster than any other port. Take Singapore, the great entrepôt of the world there in the Malakka Strait. Look at Hongkong and other ports. The trade that goes there is as large as that which goes to New York, Hamburg, or any other great port in the world. Why? Because it is a free port. Look at the great Venetian commercial republic of the middle ages. See what a splendid exhibit of wealth and what glory of literature and art and science was attained because of the enormous wealth. It is not the best thing in the world to have $114,000,000,000 of wealth. We would be very much better off if the 90,000,000 people in this country had it, instead of it being congested in the hands of a few people. Whenever you make a millionaire, according to the division of property in the country, you make paupers of about 1,000 men, and when you make 100 millionaires, you pauperize 100,000 men. When they are worth twice that much, it is 200,000 men. It produces a feeling of unrest all over this country and begets socialism, which never should have been transplanted from the soil of Europe to this free and independent Republic, where the avenues of wealth should be open to every one of its citizens.

But I do not expect to accomplish anything except to let the country understand, as far as I can make it, that it is not the most desirable thing to accumulate wealth in order that a few may get it. It is the great diffusion of wealth that is best for the country; not the greatest accumulation in a few hands, but the general distribution to all, where the benefit comes from it of education, of time for reflection and for reading, for the contemplation that comes to the man surrounded by objects of art and learning and all those things which have the greatest influence for good upon every growing mind.

Now, Congress should tax for the benefit of the greatest number. Have you arranged this bill for that purpose? I think not. I do not believe this bill has been prepared in a single schedule for the great masses of the people of this country. If it be said that the Republican platform calls for just that tax that would pay the cost of the difference between labor abroad and at home, what does that mean? Does it mean the cost of labor to produce an article or does it mean the weekly or daily wage? If it means the wage, it is very deceptive and misleading. If it means the cost of the labor that goes into the production of an article, it is very different; and you will find not as much difference as you probably suppose, because the mass of testimony that I have examined on this point has been cooked to a great degree and does not represent the truth.

I recollect very well that, I think in 1896, we had this Bureau of Labor just organized under Carroll D. Wright and had experts sent all over Europe to get the wages of labor for use in the great campaign that Mr. McKinley was leading, to show that the cost of labor in this country was so much better than it was abroad, and that our people prospered in the American mode of life as against the pauper labor of the whole world.

The reports were made. They were printed in a large edition. Did anybody ever see a copy of that edition? Some few got it, but it went to the Republican executive committee. It did not suit the necessities of the campaign, and that edition was destroyed and a new edition with enlarged figures to meet the exigencies of that campaign was used. It had an effect, I have no doubt, upon the voters. Yet we have information which is not always considered. There is too much haste generally, but we are told that in some of the protected industries, at some of the large mills, there were placards stating that the mill was closed until it was known that Mr. McKinley was elected.

Just think of that! That was a persuasive argument to the man who had worked and was anxious to work, and though he had been carrying torches and transparencies and hurrahing for Bryan, at the last moment, under this pressure, he was brought to vote for McKinley. That is not a good condition in a free country.

Now, Mr. President, I want everybody to prosper by this tariff. I am not one of those men who dislike to see anybody do well. I hope every protected industry will do well. It will

be a sad thing, indeed, if nobody gets the benefit of this protective scheme. So I hope they will prosper. I do not grudge them one solitary cent. But there must be something done for the United States Treasury, and it ought to be relieved. The 90,000,000 of people who are paying this tax do not get a single compensatory feature. They do not get anything by it. They are not expected to do so, either, and nobody seems to care very much whether they do or not.

Mr. President, I did not intend to say anything. I will close. I leave the floor with the hope to return to this subject again.

Mr. McCUMBER. Mr. President, I have been almost startled by the divergence of opinion in the Senate about the amount of available iron ore in the United States. The very foundation of all our arguments upon the question of the tariff on iron ore is based primarily upon the amount of available iron ore in the United States.

The Senator from South Dakota [Mr. CRAWFORD] quoted from a recent speech made by the president of the Great Northern Railway, in which he stated that the available or merchantable iron ore in the States of Minnesota, Michigan, and Wisconsin amounted to only about 1,500,000,000 tons. Immediately we had figures given by the Senator from Michigan to the effect that those three States have available iron ore amounting to about 265,000,000,000 tons. There is quite a difference between 1,500,000,000 tons of available ore and 265,000,000,000 tons in the same area. Until we can find something about the real fact we are at a little loss to find a basis for any logical argument.

I want to call attention to a portion of the address by Mr. Hill which was mentioned by the Senator from South Dakota. I wish to say in connection with it that the man who can tell you at a moment's notice the exact number of pounds of coal that it takes to move one ton of merchandise between any two points upon his entire line of railway and who computes so closely that he is able to figure out the power that is necessary to lift a given amount of merchandise over a hill and a mountain, and then estimate with mathematical accuracy the cost of what it will take to move that mountain or go through it, and to demonstrate then whether it will be profitable to still go over or to go under, is liable to be conservative in every one of his estimates.

I have no reason to believe from my acquaintance with the man, and from my knowledge of his broad views on every national and international question, and on every point affecting our resources and our commerce, that it is possible for him to have got so far away from the truth as is indicated in the arguments upon this floor. I want to call attention, as I suggested, to his remarks upon the available iron ore in the United States. Speaking on this subject he says:

> The prospect of the mighty iron interest is even more threatening and more sure. Our available iron deposits have been carefully catalogued. All the fields of national importance have been known for at least twenty years. Within that time their boundaries and probable capacity have been estimated, and the whole country has been prospected for this king of minerals. The most reasonable computation of scientific authority affirms that existing production can not be maintained for fifty years, assuming that all the available iron ore known to us is mined. In fact, the limitation is likely to be less than that period.

In speaking of the same deposits, and I especially call the attention of the Senator from Michigan to that proposition, he says:

> Now, the main iron deposits in this country are those in the Lake Superior region. These furnish nearly or quite three-fourths of the entire product of the United States. Deprived of these, our output would shrink to a beggarly 10,000,000 tons or so a year—

This was September 3, 1906—

> and these deposits are not veins of unknown depth and richness, but moles or pockets of ascertainable volume. There is within reach possibly 1,500,000,000 tons of merchantable iron ore in the deposits of Minnesota, Wisconsin, and Michigan. This will keep our industry going, supposing consumption to remain stationary, for thirty or forty years. In the year 1950, as far as our own resources are concerned, will approach an ironless age. For a population of 200,000,000 people, our home supply of iron will have retreated almost to the company of the precious metals.

The very day after that argument is made upon the assumption of the available ore in the United States come the Senators from Michigan and show or attempt to demonstrate, at least, that there are about 265,000,000,000 tons of iron ore in those three States. Am I correct there?

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Will the Senator from North Dakota yield to the Senator from Michigan?

Mr. McCUMBER. Certainly; I want to get a correct statement, as nearly as I can.

Mr. SMITH of Michigan. I do not want to quarrel with the statement of Mr. Hill. He undoubtedly thought he was making a correct statement. But I do not understand that Mr. Hill is in the iron business or that he is as familiar with that business as he is with the cost of transportation.

However, I wish to say for the benefit of the Senator from North Dakota and other Senators, that we have in the State of Michigan alone 135,000,000,000 tons of iron ore, and if we exhaust it at the rate of 42,000,000 tons a year, which is the present output, it will take, as anyone may figure it, about three thousand years to exhaust our supply.

It is a well-known fact that the deposits in Minnesota are greater than ours, and it is well known that the deposits in Wisconsin, Tennessee, and Alabama are very large.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield to the Senator from Kansas?

Mr. SMITH of Michigan. I am in the time of the Senator from North Dakota.

The VICE-PRESIDENT. Will the Senator from North Dakota yield to the Senator from Kansas?

Mr. McCUMBER. I will yield. I am trying to get information on this subject.

Mr. CURTIS. I desire to ask the Senator if the people of Minnesota can get along without a duty on iron ore, why can not the people of Michigan?

Mr. SMITH of Michigan. With all due respect to the voice you have heard, I think it would be a misfortune to the people of Minnesota. But if the Senator from Kansas will give me his attention for one moment I will demonstrate to him, with the permission of the Senator from North Dakota, that every single penny you take off from the duty on iron ore will inure to the personal, direct advantage of Mr. Schwab and his associates. If the Senator from Kansas and the Senator from Minnesota desire to present Mr. Schwab with the millions that the Treasury of the United States needs, well and good. I can not prevent it.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Kansas?

Mr. McCUMBER. Certainly.

Mr. CURTIS. I understand from the schedule furnished that the revenues would not be one million, but only about one hundred and some-odd thousand dollars.

Mr. SMITH of Michigan. I am trespassing upon the time of the Senator from North Dakota, but there is so much misinformation on that subject, I just want to halt long enough to correct a false impression. The Senator from Minnesota [Mr. NELSON] said there were 585,000 tons of iron ore imported from Cuba last year, according to this statement.

Mr. SMITH of South Carolina. I should like to have some information. I see that in the hearings on the schedule of "Metals and manufactures of" one Mr. Frank Samuel says:

> The importation of iron ore to the United States paying a duty of 40 cents per ton for the year 1906 was 1,060,390 tons, and for 1907, 1,229,168 tons. Of the tonnage specified, 639,362 tons were shipped from Cuba in 1906 and 657,133 tons in 1907. The production of iron ore during the same period in America was 47,749,728 tons in 1906 and 51,720,619 tons in 1907. The greater part of ore imported was for special purposes, for which the American ore could not be used, and a further tonnage of the ore was again exported in finished material, for which the manufacturer received in return the 99 per cent duty. The revenue derived by the United States for the importation of ore is, consequently, a small factor.

Mr. SMITH of Michigan. Will the Senator from North Dakota permit me to answer that statement? It is so simple that I do not want to have to repeat it again in this Chamber. All of the ore that has been received into this country from Cuba has come from Santiago, about 587,000 tons. The duty on that is very small, but in the Province of Cardenas, where Mr. Schwab and the Pennsylvania Steel Company own these ore deposits, they say, in their own sworn testimony, that the deposits are greater than on the Mesabi Range, and that the quality is better than the iron on the Minnesota Range. Suppose we open the door and let this ore in without restriction. Suppose there is now taken from the Mesabi Range 26,000,000 tons of ore a year. Suppose you throw the bars down and that there is received from Cuba 10,000,000 tons of ore, the supply necessary for the Bethlehem and the Pennsylvania Steel Company's works. What would be the duty that this Government ought to collect upon this ore from Cardenas? On the basis of the present amendment it would be $2,500,000. On the basis of the present tariff it would be $4,000,000.

Mr. Schwab says they own that iron ore, and that they can get it here 32 cents a ton cheaper with the duty off than they can get it now. He also says that they can put the Cardenas ore into the Pittsburg market at the same price as the Lake Superior ore now, with duty added. Then why should we put into the hands of Mr. Schwab two and one-half million dollars of

duty, at 25 cents a ton on 10,000,000 tons of Cuban ore, when we need the revenue to run our Government? Does any Senator here wish to make a present to poor Mr. Schwab of two and one-half million dollars a year?

The Senator from Texas [Mr. CULBERSON] said this afternoon that if he believed that the removal of the duty would insure competition, he would favor its removal, as he wanted to break down this monopoly. Mr. President, Mr. Schwab, in his testimony before the Committee on Ways and Means, said that he was a stockholder in the United States Steel Company. Every man in this Chamber knows that he was once the president of that company.

The testimony shows that he took pay for the Carnegie steel plants in the bonds and stocks of the United States Steel Company, and there is no evidence to show that he has disposed of them. If Mr. Schwab owns the Cardenas mines and the Steel Company owns 45 per cent of the Lake Superior and Mesabi mines, by throwing down the tariff you join and strengthen these two interests. That there is a certain community between them there can be no doubt and if the Government is willing to hand over to Mr. Schwab the duty that we ought to collect from him for the benefit of all the people of our country, I mistake the temper of the Senate.

Mr. President, I have trespassed altogether too long upon the courtesy of the Senator from North Dakota [Mr. McCUMBER]. He is very patient, very kind, and indulgent. The Senator from South Dakota yesterday, standing in his place, spoke, as he said, for the people, asking why should the American people want Mr. Schwab to pay any duty on his foreign iron ore. I ask, Mr. President, in the name of reason, why we should augment his huge fortune at the expense of the Treasury of our country?

Mr. McCUMBER. Mr. President, having disposed of Mr. Schwab, I now return to the topic of our conversation before we reached that illustrious gentleman. We were speaking at that time about the available iron ore in the United States, and the Senator from Michigan [Mr. SMITH] said that while Mr. Hill was a man of large experience, and due credit might be given to his testimony, he was not a dealer in or a manufacturer of iron. Well, Mr. President, as the head of a great transporting company, his life study has been concerning the resources of this country which his company must transport, and he has studied that question very thoroughly. If the Senator will turn to the last sheet of this little pamphlet [exhibiting] containing his argument, he will find here about twenty different authorities, including the Iron Age, the Mineral Industries, the Scientific American, and so forth, which have been studied by him in getting up this prospectus for the American people; and he states that every pocket of iron ore in the United States has been carefully surveyed and catalogued, so that he knows about how much there is.

Now comes another statement—and I agree with the Senator, extravagant as the statement seems—that instead of thirty years' time being required for the consumption of the iron ore in the United States, at the present rate of consumption it will take three thousand years to exhaust it.

Mr. SMITH of Michigan. That is, for the exhaustion of the ore in Michigan alone.

Mr. McCUMBER. That is the ore in Michigan alone, but I am estimating it upon the basis, as stated by the Senator's colleague [Mr. BURROWS], of there being about 300,000,000,000 tons in the United States. If the present output would exhaust in thirty years a supply of 1,000,000,000 tons, 30,000,000,000 tons would require thirty times as long, and 300,000,000,000 tons would require very much longer.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. McCUMBER. Certainly.

Mr. BEVERIDGE. I merely wanted to call the Senator's attention to the slight discrepancy of three thousand years between his estimate and that of the senior Senator from Michigan [Mr. BURROWS] this morning, about three hours ago. It would take, according to the senior Senator from Michigan, six thousand years to exhaust the iron ore——

Mr. GALLINGER. That was all the iron ore in the country.

Mr. BEVERIDGE (continuing). But later, according to the junior Senator from Michigan [Mr. SMITH], it will take three thousand years.

Mr. McCUMBER. The Senator from Michigan also included another output in Cuba, which would run, perhaps, a hundred or more years.

Mr. SMITH of Michigan. Oh, no——

Mr. BEVERIDGE. It was six thousand years two or three hours ago, and it is three thousand years now. Maybe the Senator from South Dakota [Mr. CRAWFORD] was not so very far wrong after all. When we find six thousand years reduced to three thousand years in two short hours, maybe we shall find in a few hours more that the six thousand years will dwindle to the few score of years stated by the Senator from South Dakota [Mr. CRAWFORD].

Mr. SMITH of Michigan. Evidently the Senator from Indiana did not listen to what my colleague [Mr. BURROWS] said.

Mr. BEVERIDGE. I may be wrong about it, and, if I am, I will withdraw it.

Mr. SMITH of Michigan. What my colleague said was this, that the estimated amount of iron ore in the United States was about 365,000,000,000 tons, and on the basis that we are now consuming, it would last about six thousand years.

Mr. BEVERIDGE. And now the Senator says it will last three thousand years. So I say six thousand years is——

Mr. SMITH of Michigan. The Senator from Indiana is confused.

Mr. BEVERIDGE. I do not know but that I am. Anybody would be—six thousand years reduced to three thousand years in two hours. It is awful.

Mr. SMITH of Michigan. That related to the iron ore in the entire country. The iron ore in the State of Michigan alone is 135,000,000,000 tons, and in the county of Marquette alone, one single county of our State, it is 71,000,000,000 tons. On the basis of 42,000,000 tons a year, the Senator from Indiana, who is very good at figures, may figure for himself how long it would last in Michigan alone.

Mr. BEVERIDGE. If the Senator will permit, I am figuring on some other things, and I will let other Senators do their figuring upon this. I just called attention—it was confusing, I am confused, and everybody is confused—to the fact that about two hours ago, according to the senior Senator from Michigan [Mr. BURROWS], it would take six thousand years; and now, two hours later, according to the Senator from North Dakota, it will take three thousand years.

Mr. McCUMBER. No; not according to the Senator from North Dakota. I beg the Senator's pardon. I made the estimate which I stated——

Mr. BEVERIDGE. You said three thousand years.

Mr. McCUMBER. No; I said according to the estimate made by Mr. Hill upon the same basis, computing the tonnage that is given by the Senator from Michigan, that, instead of thirty years, it would take three thousand years.

Mr. BEVERIDGE. The Senators are tossing figures of thousands of years around here very recklessly. I heard six thousand years fixed this morning as the period when it would be exhausted, and now it is placed at a period of three thousand years when it will be exhausted. So I am not so sure that the Senator from South Dakota [Mr. CRAWFORD] was not right after all. Maybe it is forty years, because at this rate of geometrical progression it will not be ten years, if we keep in session until 5 o'clock.

Mr. McCUMBER. I am not denying the statement of the Senator. I am——

The VICE-PRESIDENT. The Chair desires to remind Senators that the stenographer can not report the speeches when four Senators are talking at once.

Mr. BEVERIDGE. I had the floor, with the permission of the Senator from North Dakota [Mr. McCUMBER]. Now, we learn that the Senator from North Dakota does not agree with the Senator from South Dakota.

Mr. McCUMBER. I am afraid I can not allow the Senator from Indiana to say just what my position is on that point. If the Senator will give me time, I will perhaps elucidate it.

Mr. BEVERIDGE. That will be all right, if the Senator will only reconcile these thousands of years that the Senator from Michigan and others are tossing around here, so that we can get down to the Senator from South Dakota's estimate of forty years.

Mr. McCUMBER. The Senator must understand that it is impossible to reconcile such wide divergences.

Mr. BEVERIDGE. I thought so.

Mr. McCUMBER. That is the reason I am quoting them.

Mr. BEVERIDGE. I see.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. McCUMBER. I do.

Mr. SMITH of Michigan. Mr. President, I want to say to the Senator from Indiana [Mr. BEVERIDGE], once for all, that the deposits of iron ore could not be exhausted in the time stated by Mr. James J. Hill, for the simple reason that our borings and our development, and the present ore in sight in one county in our State, with which I am very familiar, and

through the mines of which I have been, demonstrate that there are 71,000,000,000 tons in the mines in Marquette County alone; and, if worked at the present rate of 40,000,000 tons a year, would run considerably over the estimate suggested. We have 275,000,000,000 tons in Michigan, Minnesota, and Wisconsin. Dividing that upon the present basis of output, it would last upward of six thousand years.

Mr. TILLMAN. Is not that enough? [Laughter.]

Mr. SMITH of Michigan. It does not seem to be enough to convince some people that there is no danger of immediate exhaustion.

Mr. TILLMAN. If the Senator from North Dakota will permit me——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. With pleasure.

Mr. TILLMAN. Had we not better address ourselves to taking care of the present Americans and leave our remote posterity to look out for some substitute for iron ore if the mines of Michigan, Minnesota, and Wisconsin can not furnish enough?

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. McCUMBER. I do.

Mr. SMITH of Michigan. The Senator from South Carolina understands that the Senator from North Dakota——

Mr. TILLMAN. Was lamenting the probability——

Mr. SMITH of Michigan (continuing). Was quoting from an authority which contended that we must conserve our iron ore, because it would disappear in fifty years. To offset that, which I do not believe is correct, I made this comparative statement, based upon the reports of the Geological Survey.

Mr. TILLMAN. I understood all that; and I have been very much interested to discover that we are so wealthy in iron ore; that we have got such an immense quantity of it. We have also got a little patch or two of it down in South Carolina.

Mr. BEVERIDGE. There was just a little difference, Mr. President, according to Senators, as to this process of exhaustion, of five thousand nine hundred and fifty years—just a little discrepancy of that kind.

Mr. McCUMBER. There seems to be a little bit of difference of opinion about the amount of iron ore left in this country.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. McCUMBER. I do.

Mr. RAYNER. I desire just now to make a correction.

Mr. McCUMBER. I yield to the Senator.

Mr. RAYNER. There has been a controversy as to the supplies of iron ore. If Senators will look back at the speech of the Senator from South Dakota [Mr. CRAWFORD] they will find that he was not talking about iron ore at all, but that he was talking about lumber.

Mr. McCUMBER. The Senator is mistaken. He spoke about both iron ore and lumber.

Mr. RAYNER. Just wait. It will not take me a moment. I will read the colloquy. It is as follows:

Mr. BEVERIDGE. I think the Senator, earlier in his very admirable address, indicated at what period of years in the future our stock of iron ore will be exhausted if the consumption keeps on increasing as at present. I merely want to ask now, so that I may fix it in my own mind, how soon that will be? Did the Senator say about forty years? It is very important.

Mr. CRAWFORD. I referred to lumber—seventy years, if the consumption goes on at the present rate; but if the accelerated ratio of increase is maintained it will be exhausted in thirty years.

The Senator from South Dakota was talking about lumber; he was not talking about iron ore at all. [Laughter.]

Mr. McCUMBER. I think the Senator will find——

Mr. RAYNER. No; I will not find it, either.

Mr. McCUMBER. I think the Senator will find, when he goes through the entire address, that the Senator from South Dakota also discussed the question of iron ore, as well as lumber and other products. But if he failed to put in the figures, I will give them again for the benefit of the Senator from Maryland and for the benefit of the Senator from Michigan.

Mr. RAYNER. There is such a great discrepancy between thirty years and six thousand years that I think we might agree on some compromise.

Mr. McCUMBER. Very well. I am trying to give the Senator the material upon which he can base his compromise, and I shall be very glad if he will give us the definite information.

Mr. ALDRICH. Will the Senator allow me to interrupt him?

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Rhode Island?

Mr. RAYNER. I should like to know, Mr. President, whether we are to be protected for the next six thousand years? That is the information I am after.

Mr. McCUMBER. I yield to the Senator from Rhode Island [Mr. ALDRICH].

Mr. ALDRICH. Perhaps I can suggest the proper basis for a compromise. In the Iron Age of April 29, 1909, published just a few days ago, the chief geologist of the United States Geological Survey, Mr. Hayes, makes an estimate of the amount of iron ore that is in sight in the United States.

Mr. McCUMBER. I think that was given by the Senator from Michigan [Mr. BURROWS].

Mr. ALDRICH. All right. Mr. Hayes estimates the iron ore in sight at 80,000,000,000 tons, and at the present rate of production that would only last for fifteen hundred years.

Mr. BEVERIDGE. There is a new figure. First, we had six thousand years, then three thousand, and now one thousand five hundred.

Mr. KEAN. But that refers to the iron ore in sight.

Mr. ALDRICH. That is ore now in sight.

Mr. RAYNER. Then we will have to levy a duty on it, according to the Senator from Rhode Island, for one thousand five hundred years. I just want to get straight on this matter.

Mr. ALDRICH. And that ore, I will say to the Senator, is contained in 36 different States.

Mr. RAYNER. No matter in how many different States it is contained, the duty will have to continue for one thousand five hundred years, and to increase as the product diminishes.

Mr. McCUMBER. Mr. President, I think that we would find our line of compromise not upon the extremes, but by taking into consideration what was in the mind of Mr. Hill as evidenced by his remarks as to what was the amount of the available iron ore. Some Senators would say that the available iron ore to-day, or the merchantable iron ore, is that which contains about 50 per cent of pure iron, and that which does not contain that percentage, although it is greatly in excess of high-grade ore, is at present unmerchantable iron ore, which we may reach by some system in the future. At some future time, when we have exhausted our 90 and our 50 and our 40 per cent iron ore, it may be profitable to use 25 per cent ore.

Mr. SMITH of Michigan. I was speaking, if the Senator will permit me, of 30 per cent ore.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. In a moment. The Senator from Michigan makes his basis upon 30 per cent ore, but we can scarcely call that available iron ore under present conditions.

Mr. NELSON. I wanted to call the attention of Senators, while they are on this subject, to the fact that I read in a newspaper a short time ago that, by the aid of the modern telescope, they had discovered large deposits of iron ore on the planet Mars; but there is a question as to how it can be utilized. [Laughter.]

Mr. KEAN. Just overcome the law of gravitation and they can utilize it.

Mr. GALLINGER. They need not overcome it; they can just tumble it off.

Mr. McCUMBER. I want to call the Senator's attention now to the basis of Mr. Hill's calculation. He says:

In 1870 the United States produced a little more than 3,000,000 tons of iron ore. It increased by about 150 per cent for each decade to 1890. As late as 1895 it was a trifle short of 15,000,000 tons. In 1902 and 1903 it was, in round numbers, 35,000,000 tons, and last year—

That is, the year 1905—

it rose to about 42,000,000 tons. At this rate, as all the trade statistics indicate, and as our present policy and growth in population require, it will reach 50,000,000 tons almost immediately.

That prophecy is borne out by the statement of the Senator from Michigan, who, I believe, said it amounted last year to about 58,000,000 tons, or over 50,000,000 tons.

Mr. SMITH of Michigan. About 42,000,000 tons from Michigan alone.

Mr. McCUMBER. Yes; but I mean the production in the United States.

Mr. Hill proceeds to say:

By every possible means we are stimulating consumption, especially by a tariff that places a bounty on the exhaustion of the home supply of both coal and iron, thus prohibiting recourse to outside supplies and compelling the exhaustion of our own reserve.

Mr. President, I am a little inclined to doubt the statement that the iron supply of the United States is going to last for thousands of years. I have as much confidence in what I have read here from the statement of a man who has given the matter especial study as to the available iron ore in the United

States as I have in the statistics that have been read here to-day. I know concerning the things which I can see. I can tell, as any other man can tell, something about the supply of timber and its rapid exhaustion in the United States; but I must leave to those who have made special study of the subject the question of the supply of ore under the surface of the earth. Believing, however, Mr. President, that the available iron supply will be exhausted in probably less than one hundred years, with the accumulating population of the United States, still I am not prepared to say that a duty of 25 cents a ton on iron ore would seriously, if at all, affect the importation of such ore.

I said a few days ago, in discussing those great resources of the country which I believed were likely to be exhausted in a comparatively few years, that we ought not to levy any duty that would accelerate that exhaustion. If I believed that a small duty upon iron ore, such as 25 cents a ton, would seriously interfere with its importation, from my standpoint I would not even vote for the 25 cents per ton duty. In the lucid argument of the Senator from Michigan upon that subject, he said that iron ore from Cuba could be placed in Pittsburg at a less cost for transportation than the Mesabi mines could place their own product in Pittsburg. If that is true, the duty of 25 cents a ton will not prevent the importation.

He also showed, Mr. President, how cheaply iron ore could be mined in Cuba, calling especial attention to the fact that it needed only the removal of a slight covering for a space of 15 feet when ore could be taken out by a steam shovel, transported only about 13 miles, there loaded into a vessel for water transportation to New York and to every place on the coast. With the cheaper production in Cuba—and I believe it is slightly cheaper—then, even with a duty of 25 cents a ton, iron ore could come into this country in competition with American iron ore east of the Alleghenies, but it could not, in my opinion, come in serious competition with the iron ore produced on the shores of Lake Superior.

I do not believe that iron can be produced any place upon the face of the earth cheaper than it can be produced along the shores of Lake Michigan. That being the case, Mr. President, as I said some time ago, I do not believe that we will prevent the importation of Cuban iron ore by the small duty of 25 cents a ton. Therefore I will vote for that small duty, as our Democratic friends would say, on the basis of a tariff for revenue only, because I think we will get some revenue without in any way injuring or accelerating the destruction or the exhaustion of our mines in this country.

Mr. RAYNER obtained the floor.

Mr. NEWLANDS. Mr. President——

Mr. RAYNER. I do not think I want to speak any more at this time on this subject. Does the Senator from Nevada desire the floor.

Mr. NEWLANDS. I should be glad to make a few remarks now.

Mr. RAYNER. Very well; I yield to the Senator.

Mr. NEWLANDS. Mr. President, I find from the schedule which has been presented to us by the committee that the total duties collected on iron ore under the present law amount to about $400,000 and that the estimated revenue on iron ore under the Senate committee amendment will be about $250,000. I assume that that estimate is based upon the assumption that the importations will not increase but that the importation in tons will be about the same as under the present law. I take it for granted that under any reduction of this tariff the importations will increase, and it is altogether probable that the duties collected under the proposed amendment will equal the duties collected under the existing law. It is true, Mr. President, that the existing duty and the proposed duty are revenue duties; and, so far as I am concerned, I am disposed to vote for all revenue duties; but there are exceptions to that general rule.

There never has been a tariff bill framed, whether by the Republican party or by the Democratic party, that did not contain a large free list; but the question in this case is, whether there are conditions which warrant us in sacrificing this revenue of $250,000 under the estimate of the committee and putting this article upon the free list. So far as I am concerned, I think that such conditions do exist.

We were all amazed at the statement made by Mr. Gary, the president of the steel trust, to the effect that that organization practically controls the iron supply of this country, or will control it in the future. We all realize that that is the greatest combination and trust and monopoly that has ever been organized in the history of the world. We have the statement of the junior Senator from Pennsylvania [Mr. OLIVER], who comes from a region familiar with the organization of trusts and monopolies, that it is almost impossible to organize one of these great combinations unless you can control the raw material; and we have the statement to that effect of another Senator who is familiar with the operations of these great organizations. This accounts for the power and strength of the steel combination. It has added to that power and strength during the last year by acquiring the properties of the Tennessee Coal and Iron Company.

Now, just to the extent that we encourage the importation of foreign ore we will diminish the control of the steel trust over the supply of iron ore, admittedly the very basis of the monopoly which it exercises. The only argument urged against that suggestion is that the iron ore on the outside is also owned by a great organizer of trusts, Mr. Schwab, and the suggestion is made that he was originally interested in the steel trust; that it is not as yet disclosed that he has parted with that interest, and we are led to infer that ultimately these two great trusts will come together and will control the supply of iron, both foreign and domestic.

It is true that that contingency may occur, but it is not upon us now; and I do not propose, so far as I am concerned, to vote upon an apprehension regarding the future, to vote upon an assumption which is not yet realized, and may not be realized. I assume that when that contingency does take place, the Government, driven by public opinion, will act decisively with a view to the dissolution of that trust and that the inquiry set on foot by the Senator from Texas [Mr. CULBERSON] regarding this domestic trust, if it at present halts, will not halt when it adds to its present great property not only the acquisition of the Tennessee Coal and Iron property, but the acquisition of the entire source of foreign ore supply.

I shall therefore not be led away from my purpose by the suggestion of the Senator from Michigan, that, in endeavoring to escape the monopoly of the domestic trust, we will throw ourselves in the arms of Mr. Schwab, who, according to his claim, owns the sources of foreign supply. But I can not believe that these sources in Cuba are the only sources. There must be sources of supply elsewhere—in Central America, in South America, in Africa, in various regions of the world—which have not yet been scientifically explored, and just to the extent that we relax the grasp of the steel trust upon the raw material, which stands at the base of its trust organizations and which gives it the means and the opportunity of monopolistic control, just to that extent will we impair its efficiency in monopolistic control.

So, Mr. President, I shall vote for putting this article upon the free list, as the House committee did and as the House itself did; and failing in that, I shall vote for the lowest duty possible.

I understand the parliamentary status to be that there is a committee amendment providing for a duty of 25 cents a ton on iron ore, which is intended to take the place of the House provision putting iron ore upon the free list, and that the Senator from Mississippi has moved an amendment to that amendment reducing the duty to 20 cents per ton. I imagine at this stage of the proceedings it is not possible to make any further amendment, and that the only thing left for us to do is to adopt, if we can, the amendment of the Senator from Mississippi, and then refuse to adopt the entire paragraph. I ask the Senator from Rhode Island whether it is possible as a matter of parliamentary proceeding now to have a vote on the question of putting it upon the free list, and what the form of the amendment should be?

Mr. ALDRICH. It can be gotten at very easily by voting down the amendment of the Senator from Mississippi and of the committee. We would thereby practically put it on the free list.

Mr. NEWLANDS. By voting down both amendments?

Mr. ALDRICH. Yes.

Mr. NEWLANDS. The difficulty with that would be that those who are opposed to any duty at all would refuse to support the amendment of the Senator from Mississippi [Mr. McLAURIN], and then the duty fixed by the committee would stand, and if we had not enough votes to put it on the free list and at the same time had enough votes to reduce the duty we would lack the accomplishment of both. I do not profess to be much of a parliamentarian. I am only anxious to reach this question in some practical way, and I do not want to divorce those who are in favor of a reduction of duty in such a way as to make the committee amendment practically triumphant, although a majority of this body may be in favor of a reduction of the duty.

I should like to have the suggestion of the Senator from New Hampshire as to the method of procedure.

Mr. GALLINGER. The Senator from Nevada was looking my way, and I smiled in return to his gracious look, but the only matter that was in my mind at that point was to ask the Senator if he would not be willing to let us have a vote now.

Mr. KEAN. Let us have a vote.

Mr. PENROSE. Question!

Mr. BAILEY. I will oblige the Senators in a moment.

Mr. President, I intend to vote for a duty of 25 cents per ton, which is equivalent to an ad valorem of 10 per cent on imported iron ore, and I desire very briefly to state my reasons for doing so.

The Senator from Mississippi [Mr. MONEY] has very well stated what I think ought to be the position of every Democrat. I think we all ought to favor every duty which is fixed below a protective rate and which will produce any revenue to the Treasury. I am utterly unable to comprehend how a Democrat who professes to believe in a tariff for revenue can obtain his consent to vote to place on the free list the raw material of the most gigantic trust on the American Continent. I understand, of course, the force of the suggestion that the trust, having its raw material, may be interested in having a duty imposed upon the imported article, but a moment's reflection will convince us that that is a mistake. If you make it possible to import iron ore below the cost of production to the steel trust, the steel trust will simply close up its mines and import the ore, if it can import it cheaper than it can produce it.

Besides, if there is any present danger of the exhaustion of the iron mines, then the best investment the steel trust could make would be to lock up its own mines and import its ore free of duty.

Suppose fifteen years ago a lumber company having timber lands of its own and timber lands from which it could purchase its mill supply had left its own forests untouched and bought the timber of its neighbors; it would have realized a much larger profit on the lumber which it kept than it would have realized on the lumber which it cut. In other words, the increase in the price of the raw material would be an immense profit upon the investment. And so it would be as to iron ore. If there is any real danger of the early exhaustion of the iron mines, the trust could well afford to discontinue the operation of its mines, reserving them for use after it had exhausted its near-by sources of supply, as it would be certain to do if it could import from abroad cheaper than it could produce it itself. As long as the trust is left to import iron ore free of duty, I can not conceive how you are going to facilitate competition against it by giving to others only the privilege which the trust itself can and will exercise.

Mr. RAYNER. How does the Senator from Texas explain, then, that the United States Steel Corporation is fighting free iron ore and taking every possible step it can in favor not only of 25 cents but of a higher duty? I know that to be a fact.

Mr. BAILEY. I do not know that to be a fact.

Mr. RAYNER. The Senator may be able to explain it.

Mr. BAILEY. I do not know it to be a fact, and therefore I would not undertake to explain it. I have not myself seen any evidence of it.

Mr. RAYNER. I know it to be a fact that the United States Steel Corporation is not only in favor of 25 cents, but of more than that.

Mr. BAILEY. How does the Senator know that to be a fact?

Mr. RAYNER. I have heard it from a hundred different persons and read it in a hundred different newspapers.

Mr. BAILEY. I understood the Senator to say to-day that he would not believe anything he heard on this question.

Mr. RAYNER. I might not believe anything I heard when the witnesses were before the Ways and Means Committee, but when by the common information that is imparted to us we know that to be a fact, I am bound to give some credence to it. I do not say it can not be explained, but I am talking of the fact itself. I will ask the Senator from Texas whether he does not believe that the United States Steel Corporation would be in favor of a duty of 25 cents rather than to have iron ore free, owing to the fact, as explained this morning, that it has monopolized the deposits to the extent of nearly 85 per cent of the Lake Superior deposits.

Mr. BAILEY. I do not believe any such thing, for the reason that I have no basis for that belief. I am a member of the committee that framed this bill, although I was relieved wholly from the labor and the responsibility for its provisions, and excluded with all other Democrats from the committee room, about which we have heard something and about which I do not propose to say anything now.

Mr. GALLINGER. Excluded by consent of the Senator himself.

Mr. BAILEY. Oh, no; not excluded by consent, but excluded, with a very frank statement on my part, which I have made once before in the presence of the Senate, and which I will repeat whenever the occasion arises, that if we had had the majority we would have excluded the others. I would not think of going into a committee room with five Republicans and seven Democrats to make a tariff bill, because the Republicans would from time to time—and that is the way they would spend their time—find some schedule on which they could take two Democrats away from us; take two Democrats on this and then two Democrats on that, and then two on the third one and, finally, they would make the tariff bill with the Republican minority solid and a defection in the Democratic vote. If we had been in the committee room we would have come near making this tariff bill. I violate the secrets of the full committee room to the extent of saying that it was admitted by the majority members that if we had been present to assist in framing this bill we might have profited by their divisions.

Mr. SMITH of Michigan. Mr. President, the statement of the Senator from Texas that he does not know that the United States Steel Company desires this duty retained is exactly in harmony with my own view. I can see very great advantages that might accrue to the company by its removal; for instance, among others, those given by the Senator from Texas. This additional reason occurred to me. Suppose the Steel Company should have difficulty with its men on Lake Superior and the Mesabi Range, how quickly could they transfer their operations to a foreign State, located as advantageously as is Cuba to our coast?

Mr. BAILEY. That is true and is worthy of consideration. But, returning to the Senator from Maryland, I will say, that though I am a member of the Finance Committee, I do not now recall that I have ever received any documents, written or printed, from anybody whom I suspected was an officer, employee, or stockholder of the steel trust, advocating placing iron ore on the free list.

I can understand how a Senator who represents one of the Atlantic seaboard States would want the duty taken off, so that they could bring in iron ore from other countries and take back exports from this country, but after all the remission of duties to encourage commerce is not very different in principle from the levying of duties to encourage commerce. In other words, it is using the taxing power either by assertion or by omission to encourage and promote industry or the commerce of a particular place or a particular section, and that does not appeal to me with any great degree of favor.

What I believe is——

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Nevada?

Mr. BAILEY. Certainly.

Mr. NEWLANDS. I ask the Senator from Texas whether he believes in any free list?

Mr. BAILEY. I do not believe in a free list, except as to the absolute necessities of life, and never with my vote will any commodity go on the free list except it be an article of universal use and be in a shape ready for the actual consumption of the great multitude of our consumers. I believe in a tariff for revenue, and I will never vote for a duty so high as to be intended for protection, and I will never vote to put any article except a necessary of life on the free list. There are two classes of articles which produce no revenue; one is on the prohibitory list and the other is on the free list; the one is as barren of revenue to the Public Treasury as the other; and if I ever consent to put anything on the free list, the last thing I will vote to put on it is the raw material of the greatest trust ever organized in the history of this Republic.

Mr. President, I am very free to say, so far as I am concerned, it does not satisfy me to say that we are going to punish this trust by a tariff rate. The duty is only 10 per cent. It can well afford that, and it would be, in my opinion, somewhat more favorable to it if the duty was nothing and it was permitted to import iron ore free in an ordinary or extraordinary emergency and leave its great iron deposits for the touch of future generations.

But I have a better way of dealing with that great corporation than through the tariff. If the men who are charged with the duty of administering this Government keep their oaths faithfully to execute our laws, the steel trust must be and will be dissolved. I think it plain that it is a combination in restraint of trade. I go further. I think it is a combination in unreasonable restraint of trade, and even if the soft shells who want the antitrust law's teeth taken out of it and want it reduced to that condition of harmless impotency when a man can only be prosecuted for making an unreasonable combination in restraint of trade—even under a statute like that this corporation could be prosecuted and dissolved and its officers could be and ought to be punished.

I think it is not well for us to be remitting the revenues of the Government upon the expectation that the steel trust is to be perpetuated, because if great monopolies like that are to be

permitted in this country, if they are to be perpetuated either under the law as we make it or under the law as at the other end of the Avenue they administer it, then it is of precious little consequence what kind of a tariff law we frame, because, with the power which they possess to subtract from the earnings of the people, what the Government leaves us the trusts will take, and, for my part, unless there is another remedy, more drastic, more certain, and more effective than the mere difference between no tariff duty at all and a tariff duty of 10 per cent ad valorem, the whole subject loses its interest. If the men who now control this Government do not enforce its laws, mark my words, the people of the United States will engage a new set of men to enforce these laws.

We are told by the latest judicial oracle that the price of peace is obedience to the law, and yet in almost the same sentence that great law officer of the Government declares that he will prosecute no man who happens to violate the law without knowing it. In the same speech there is still the further statement that every man in the country now knows the Sherman anti-trust law and that every railroad manager now understands the interstate-commerce law. Yet with that statement on the lips of the Attorney-General, he proceeds to declare, if he has been correctly reported by the newspapers, that he has no purpose of prosecuting anybody, and by that, I assume, he means criminal prosecution, because, without intention, they violate either the antitrust or the interstate-commerce act.

Mr. President, I will tender my good offices to this administration. I will show that I am more of a patriot than a partisan; and God knows I am as much of a partisan as any good citizen ought to be. Yet I am willing to see the Republicans do right, and I am even willing to help them do right.

I will tell them how they can make obedience to the laws of the United States certain. The plan is simply to send one of the malefactors of great wealth to the penitentiary. That will do it. Send one of them there for violating either the interstate-commerce law or the antitrust act, and he will be the last one of his kind to violate it. You can not restrain them by levying a fine, because when the court fines a trust the trust fines the people. They pay the sheriff with one hand and they take a double sum out of the pockets of the people with the other hand. As long as their punishment can be measured in dollars and cents they will continue to violate your laws, because men will take the chance of a pecuniary loss in the hope of a greater pecuniary gain. But send one of them to the penitentiary, and it will operate like magic. The millionaire trust magnate values but one thing in this world more than he does his fortune, and that is his liberty. He does not seem to love justice. He does not seem to love that repose of mind for which other men toil. He seems bent, after having many millions, upon acquiring many millions more.

I never have been able to understand it. It has always seemed to me that when a man had acquired an ample fortune, he ought to buy a farm and sit down like an American gentleman and take life easy. But they will not adopt that advice. They will not follow my prescription. Being rich, they want to be richer, and there is but one thing that will deter some of them from the accumulation of riches in defiance of the law, and that is the open door of the prison house. Long before tariff can produce any serious effect upon the industrial conditions of this land, I hope to see, and I expect to see, the steel corporation problem solved. I expect to see it dissolved, and I expect to see its officers obey the law or I expect to see them sent to prison or become fugitives from justice. That will come to pass, for if the men now charged with the due administration of the law fail to perform their duty, I have an abiding faith that the American people will call into their service another set of men, I hope a set of men from another party; but if not, another set of men from your party.

The stalwarts of this day will become the insurrectionists of that day to come, and the insurgents of this generation will be the stalwarts of the next generation. That is as certain as any event in the future can be, with this single qualification, that in this division and wrangle among yourselves a returning sense of wisdom and of justice among the people will call the Democratic party to power instead of either faction of the Republican party.

Senators sit there now and smile complacently. They feel so secure in their strength and power that they think these things can never be; but remember our fate. We were more united in 1892, incomparably more, than you are now. We were more united in 1892 than you were at the last presidential election, and there has not been a twenty-four hours since that presidential election that you have not been more disunited than we have. When you call the roll, you may find 2 or 3 Democrats over here who agree with you—honest, upright men, doing their duty as they understand it—but when you call that roll and find 2 or 3 of our membership who agree with you, we find 14 or 15 of your membership who agree with us. They are brave and honest and fearless and patriotic, trying to do their duty.

But you ought to be admonished, gentlemen of the Republican party. Your lease of power is not what you dream it is. You are sleeping on a volcano, and at the next election there will come the eruption.

It is rather a hazardous thing to prophesy, but I want to put a prophecy in the RECORD here and now. I am going to say to you now, that if you pass this tariff bill, without an income-tax amendment and without a substantial reduction in duties, the next House of Representatives will be Democratic by 40 majority. I believe that so well, Mr. President, that I am ready to vote on the income-tax amendment. Will the Senator from Rhode Island now agree upon a day to take that vote?

Mr. ALDRICH. Mr. President, what day would the Senator suggest?

Mr. BAILEY. The third day from this. That gives everybody who may be absent, and there are not many absentees, an opportunity to be here.

Mr. ALDRICH. Can we get at the same time a date fixed for the final vote upon the bill?

Mr. BAILEY. I have no right to speak for others, but I will agree to vote——

Mr. ALDRICH. I will agree now to both propositions.

Mr. BAILEY. Well, I will make this proposition——

Mr. ALDRICH. Taken together.

Mr. BAILEY. I ask unanimous consent that the vote on the income-tax amendment be taken on Saturday before the Senate adjourns.

Mr. ALDRICH. And that the vote on the bill and all amendments shall be taken on Monday.

Mr. BAILEY. No; you can not vote then on the bill, I think, but I will make it the 1st day of June.

Mr. DANIEL. The amendment is not yet offered, I understand.

Mr. BAILEY. You could not possibly get that agreement. Let us not try to do the impossible. Let us not make a proposition that is certain to provoke an objection. I believe that we will agree on this side to take the vote on the 1st day of June on the bill and all pending amendments not disposed of before that time.

Mr. ALDRICH. That is satisfactory to me.

Mr. BAILEY. I will ask the clerks at the desk to see what day of the week that will be.

Mr. GALLINGER. Tuesday is the 1st day of June.

Mr. BEVERIDGE. Mr. President, there is not any use to take up time with a request for unanimous consent to vote on the bill the 1st of June or at any particular time. Every man here, I take it, is equally anxious to get through with the bill just as quickly as it possibly can be done. The bill will be voted upon when Senators get through carefully examining and discussing it. It must be manifest to the Senator from Rhode Island that it would be impossible at this time to get half the Senate to agree upon a date to vote on the bill. I say, with reference to the proposition of the Senator from Rhode Island——

Mr. ALDRICH. The Senator from Rhode Island has made no proposition.

Mr. BEVERIDGE. The Senator from Texas, then. I think the Senator from Texas perhaps——

Mr. ALDRICH. I said I was willing to accept the proposition of the Senator from Texas.

Mr. BEVERIDGE. It will not be accepted.

Mr. BAILEY. Then I will modify my request. I will say to the Senator from Rhode Island that I am anxious, of course, that this work be well done most of all—I have no hope of it being well done as long as you are to do it—but next to that, I am anxious that it be speedily done. Of course, I know that the business prosperity of this country waits upon your action, and I am no obstructionist. I will not delay the vote one moment. But the Senator from Rhode Island will understand that if he can get out of his way disputed points of a kind like the income tax, he makes the way for the final vote easier and smoother. So far as I am concerned, I would vote to take the vote on the 1st day of June, if that were permissible; but as, under the rules of the Senate, that can not be done, I will constantly exert my good offices to that end. With that statement, I now ask that the vote on the income tax amendment be fixed for Saturday next before the Senate adjourns.

Mr. ALDRICH. I am not willing at this moment to assent to that proposition, but I may be willing to-morrow morning.

Mr. BAILEY. I will be very glad to have the Senator sleep on it, and I will renew it to-morrow.

Mr. ALDRICH. I will say to the Senator from Texas that I am even more anxious than he is upon both points he suggested; first, that we shall have a good bill, and, second, and above everything else almost, that we shall have that good bill promptly. So far as I am concerned and as far as I am able to speak for the committee and their friends, they are anxious to have the bill voted upon at the earliest possible day.

Mr. BAILEY. Mr. President, I am not interested in schedules. The only value of a schedule is that it illustrates a good or a bad principle. No election ever was, no election ought ever to be, and, in my judgment, no election ever will be carried in a contest over schedules. The schedules are merely the details by which and according to which principles are applied. I have no sympathy with the tendency manifested here and elsewhere to reduce the difference between the two great parties of this country to one of schedules. It is a difference of principle, sir, or it is not important. All I care about the discussion of a schedule is that I can thus exemplify and illustrate the justice or the injustice of a principle; and all the time we occupy in discussing the schedules of this bill is wasted unless it is made to illustrate the injustice and the vice of the policy of protection.

Of course I can understand how some might be high protectionists and some might be low protectionists and some might be medium protectionists. We have three schools of protectionists upon the Republican side. Eight years ago you had only one; you "stood pat." That meant you did not intend to change your law. But you were compelled to promise a change, and now you are compelled to make a change in order, at least, to keep the shadow of the promise if not the substance. But when you finish, your bill will not be appreciably different from the law which now exists. You can not make it much different. Where are you to get your revenue? The majority of you will not accept my income-tax amendment that would supply some $80,000,000 or more, though I rejoice to believe that enough of you are willing to do so to make it possible of adoption. But the Republican majority refuses to accept an income-tax amendment.

The Republican majority of the Finance Committee have stricken from the bill as passed by the House the inheritance-tax provision. You are relying solely upon customs duties to raise the amount of money necessary beyond the other present receipts to sustain the Government, and that reliance can not be safely made with any serious change in the duties imposed by the present law. It makes no difference if the majority of the Republican Senate believe in lower duties, they could not levy them without either bankrupting the Treasury or resorting to the sale of bonds, and in that you would be warned by our example and by our fate. We sold bonds in time of peace to meet the ordinary expenses of the Government. The Democratic majority in the House of Representatives was reduced until it disappeared, and in its stead there came one of the largest Republican majorities that ever sat in that Chamber.

Now, remember my words. If you follow our example, you will experience our fate. You dare not sell bonds to meet the expenditures of the Government, and therefore you can not materially reduce your tariff duties. It is a fiscal impossibility. Reduce duties and you will have a bankrupt Treasury, and if you have a bankrupt Treasury you must either allow your obligations to go by default or you must sell our interest-bearing securities. The men who prepared the bill in the House and the House both understood that, and the men who reported the bill to the Senate understand it. Whatever may be said about the extreme protection tendencies of the chairman of the Finance Committee, he not only knows what he wants to do, but he knows what it is possible for him to do, and that can not be said of all Senators who sit on the other side. Some of them will talk like they will not vote, because if charged with the responsibility of framing and passing a bill to get a given amount of revenue they know the bill for which they speak will not raise it. I know it. I will not say they know it, because I impute no lack of sincerity to any Senator; but any man who understands the revenue necessities of this Government, and every man who understands the collection under these tariff laws, knows perfectly well that a serious reduction in rates is out of the question, and therefore the country need not expect when this bill becomes a law that there will be any material change from the present rates.

If that happens to be the case, and then you do not shift these eighty millions from the consumer to the abundant incomes of prosperous people, I am ready to take the vote. When you pass the kind of a bill you think you are going to pass, and which I think you are going to pass, I will be just as ready to take the judgment of the country then as I am ready to take the judgment of the Senate now.

I repeat, Mr. President, that, except we use them to illustrate the iniquity of the principle, the time we occupy in discussing these schedules is a useless waste. It is worse than a useless waste. Its tendency is to bring the American people to consider the difference between the Democratic and the Republican parties to be a difference in rates instead of a difference of principle. I never have myself thought it worth while to argue with our friends on that side whether protection builds up certain industries or not.

I never have gone beyond the basic proposition that this Government has no right to take a dollar I have earned and give it to someone else, even if it does build up the business of the country. I do not believe that you can build a great and enlarging industrial fabric upon a foundation of injustice. I think every time you pass a law which takes the money I earn and gives it to some other man who did not earn it you perpetrate a foul injustice. No industrial system, though it be as broad based as this continent and though it should rear its splendid head until it reached the skies, can be permanent and sound if it is based upon a wrong. I denounce any law that takes what one man earns and gives it to another under the shallow and selfish pretense of building up a general prosperity. Unless all moral laws are at fault no real prosperity can come out of any system founded upon an injustice to the humblest of our fellow-citizens.

Mr. DOLLIVER. Mr. President, I do not desire to participate in the debate about the income tax or other revenue-producing aspects of the problem which we have before us. In fact, I intend to do everything I can to prevent the present tariff controversy from becoming a mere speculative discussion about new modes of taxation, and that resolution would prevent me from giving consent to the disposition of the pending bill at any fixed day or hour, for I believe it to be the duty of the Senate to make a very careful examination of all the questions that are suggested by the paragraphs of this measure. The very fact that what we do ought to stand the test of years makes our duty all the more serious in fixing the schedules of this law.

I am afraid I do not agree with everybody about the trust system in the United States, but I confess that the most serious strain upon the popular confidence in the protective tariff has been the rise within the last ten or fifteen years of the speculative trusts. It has filled my mind with so much anxiety that I have been trying to study in a practical way, the origin, development, and final outcome of the trust organizations in our market place.

I have said more than once on this floor, and I believe it to be a fundamental proposition of practical economy, that no trust organization can permanently succeed in the face of the present abundance of capital and in view of the existing enterprise of our people without a substantial monopoly of the basic materials out of which the product made by the trust is manufactured.

I traced that doctrine in connection with all the trusts that were organized, beginning about 1898; I was especially interested in the history and misfortunes of the linseed-oil trust, which turned out from the beginning to be entirely unable to control either the supply of flaxseed or the price of oil. I have examined the history of the alcohol trust, which has been reorganized four times within our recollection. I took especial pains in the study of those trusts which had grown up in industries which owe their existence and their life in the United States to the protective tariff.

In 1900 there were four, or possibly five, well-organized glass trusts in the United States—the Pittsburg Plate Glass Company, the American Window Glass Company, and two smaller corporations engaged in the manufacture of domestic utensils of glass, mainly kitchen ware and tableware. At the time they were organized everything looked bright, cheerful, and hopeful for the future, but the existence of sand everywhere and the existence of fuel everywhere and the existence of good money everywhere within four years reduced every one of them to a minor position as a productive agency in that field of industry. They hoped to control from 90 to 100 per cent, because some of them started out by buying every existing institution engaged in that branch of business; but within a few years every one of them had fallen to a minor relation to the total production in that field. The trouble with the glass situation in the United States now is that the trusts are practically powerless. The production is very great. The control of output and of prices seems to be impossible. The result is that we have the interesting spectacle of glass being manufactured and sold in many cases below the cost of production, and in very many cases below the level of the tariff rate of 1897.

I have reflected for so many years about this matter that my confidence has taken the form of a general principle. American capital will undermine and destroy the influence of the greatest of our trusts, if you give the young men of the United States access to the basic materials that enter into production in these lines of industry. I speak of a great corporation—I will not say an unlawful corporation, because great lawyers differ about that. I am not willing to say that my friend from Texas is right in suggesting that the officers of such a corporation as the United States steel ought to be sent to the penitentiary. I think that would turn out to be a very difficult undertaking for the courts of the United States. I do not pass an opinion upon that, although it does not seem to me like a practicable suggestion in the present state of our affairs. But there is one thing which, in my judgment, will gradually shoot through and through the steel monopoly, if one exists in the United States, and that is to give American capital, wherever located, an easy access to the materials out of which iron and steel are made.

For that reason I believe the House of Representatives did a wise thing, a thing not damaging to the industries of the United States in any sense, when they took iron ore, produced here according to all the testimony that we can get more cheaply than it is produced anywhere in the world, and put it upon the free list, so that in the next generation, if anybody desires to go into that business and has the money, if anybody has the enterprise to build up even a little industry based upon this material anywhere in the United States, he will not be subjected to embarrassment and expected to make the negotiation now required of independent producers of steel who are not at the same time the owners of ore supplies that brings the so-called "independent" to the business office of his competitor to buy the material without which his enterprise can not proceed. I do not believe the House of Representatives ever did a wiser thing than when it took into consideration what is due to independent capital interested in this business in view of the fact that this magnificent resource, which God in his wisdom put within the reach of all the people, has practically been taken possession of by one corporation, a corporation that is not even using their own supplies but the material that lies by the side of them, so that within a few years all that portion of the iron-ore deposit owned by outsiders will be used up, and the steel works of the United States will be dependent entirely upon the ore which lies within the control and possession of the United States Steel Company.

I think no wiser thing can be done than to say to American capital, wherever it desires to start this business: "You have the right, if you are not dealt with on fair terms by your competitors in the United States, to search the world for that material without which an independent steel industry can not be built up in this market place."

Mr. BAILEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Texas?

Mr. DOLLIVER. Certainly.

Mr. BAILEY. While the Senator is applauding the action of the House in placing the raw material for the steel trust and other steel manufacturers on the free list, what has the Senator from Iowa to say about the action of the same House in leaving a duty of more than 50 per cent upon such articles of common necessity as chains? If it be true that the iron itself in its raw state can be mined in this country cheaper than it can in other countries, how is it, then, that the steel can not be manufactured cheaper here than elsewhere?

Mr. DOLLIVER. Mr. President, there is a good deal of testimony, some of it very famous—whether it is as reliable as it is famous I do not know—to the effect that the products of iron and steel can be produced and are produced here as cheaply as they are anywhere in the world. That trace chain, which has come down to us in the traditions of the tariff debate from the time of a venerable gentleman from Kentucky, who always made his annual speech on the subject, very well illustrates the effect on our prices here of building up a great iron and steel industry in the United States.

Mr. BAILEY. Will the Senator permit me to interrupt him?

Mr. DOLLIVER. Yes.

Mr. BAILEY. I happened to be glancing down the list of these articles, and I thought I found the highest duty that is here, and that happened to be 67 per cent. I found that it was on chains. But there are a number of duties here of 40, 41, and 78 per cent. I made a mistake. If I had looked a little more carefully, I should have found one duty of 78 per cent in that column. If they will take the duty off everything made out of iron, then I will vote to take the duty off of iron.

Mr. DOLLIVER. But, Mr. President, the duty on iron ore has no relation to that proposition. Nobody ever pretended that the duty on iron ore made iron more costly here than it is elsewhere.

Mr. BAILEY. Does the Senator mean to say that the duty on any raw material or any basic material does not at least affect the price of everything made out of it?

Mr. DOLLIVER. I will say to the Senator that my studies of the question have convinced me that where the market for the raw material is here, the man who brings it in from the outside pays the duty to get into the market; but where the market is made elsewhere, a duty here lifts up the price of the home product to the level of that market plus the duty.

Mr. BAILEY. Why not apply that philosophy to the products of iron ore the same as to the iron ore itself?

Mr. DOLLIVER. The little handful of iron ore that comes in here, or has hitherto come in, is sold, if it is sold at all, at the price of iron ore that prevails here, and it affects it, I think, in no way whatever, except that it costs a man something to get it in here.

Mr. BAILEY. Then the fact that you take the duty off of it will not affect the price of it?

Mr. DOLLIVER. I do not think so. Otherwise I should probably be found in line with my honored friend from Michigan [Mr. SMITH].

Mr. BAILEY. Then, if it does not affect prices, it is simply a proposition to take this more than $100,000 out of the Treasury and present it to the men who bring the iron ore in.

Mr. DOLLIVER. And at the same time to arm ourselves in this market place with the right and the opportunity to build up an independent steel industry in the United States.

Mr. BAILEY. Mr. President, I am very much more interested, of course, in protecting the thousands of people who use steel than I am in protecting the hundreds of people who produce it. That is my view of the matter. But I think the man who produces steel in one form is entitled to precisely the same kind of treatment as the man who produces it in another form.

Mr. DOLLIVER. Outside of the Lake Superior country, the iron ores of the United States are used at furnaces situated near the ore beds. They neither buy nor sell iron ore.

Mr. BAILEY. I think every community is entitled to the advantages that God and nature gave it; and Michigan has so few of that kind that I would not deprive——

Mr. DOLLIVER. You are in great error about that.

Mr. BAILEY. I would not deprive them of that. In other words, I can hardly reconcile it with my idea of the office of legislation to deprive any people of an advantage that God and nature gave them, or to confer on any people some advantage that God and nature did not give them. If the people of Michigan happen to have that advantage, I would not try to deprive them of any part of it or to increase it. I would not vote to levy a tax or to repeal a tax for any such purpose.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER (Mr. DEPEW in the chair). The Senator from Iowa [Mr. DOLLIVER] is entitled to the floor. Does he yield to the Senator from Michigan?

Mr. DOLLIVER. I do.

Mr. SMITH of Michigan. Mr. President, I desire to call the attention of the Senator from Iowa [Mr. DOLLIVER] to the fact that the principal owner of the iron-ore deposits on the north coast of Cuba is Mr. Schwab, who says that if he is permitted to bring his iron ore into this country free, it will make a difference to him of 50 cents a ton. When asked by a distinguished member of the Committee on Ways and Means if that would reduce the price of his commodity to the consumer, he answered with a laugh that he did not think it would.

Mr. TILLMAN. Mr. President, he had a good right to say that, when he knew that this kind of a tariff would be made to protect him against European competition.

Mr. SMITH of Michigan. He did not attribute it to that.

Mr. TILLMAN. I do not care to what he attributed it. He knew what was coming.

Mr. SMITH of Michigan. He said that the reason why steel products would not be reduced, was because there was an agreement practically between the steel manufacturers, and that agreement would be just as potential if you were to strike off every dollar of duty.

Mr. TILLMAN. Why not let us try it?

Mr. SMITH of Michigan. Because this Government needs the revenue, and the Senator from South Carolina knows it.

Mr. TILLMAN. How much revenue do you get from steel products?

Mr. SMITH of Michigan. According to the statement now before us, the duty upon iron ore is very slight, but since that statement was made, these people have acquired these tremendous holdings, which they say are equal to the great holdings upon the Mesabi Range.

Mr. TILLMAN. How much duty do you get on steel rails or on chains or on wire?

Mr. SMITH of Michigan. I do not want the Senator to——

Mr. TILLMAN. I know the Senator does not want to touch that point, but that is the crucial point.

Mr. SMITH of Michigan. Because we are dealing with the iron-ore schedule.

Mr. DOLLIVER. I understand that right across in Canada, from the Michigan border, there lies unexplored a very large body of iron ore. Is that correct?

Mr. SMITH of Michigan. I think it is.

Mr. DOLLIVER. Which is larger possibly than the body of ore that lies on this side?

Mr. SMITH of Michigan. I shall not admit that.

Mr. DOLLIVER. But not as good as the ore on this side.

Mr. SMITH of Michigan. It is said not to be.

Mr. DOLLIVER. It has something in it, and they have not found a way of getting it out, in order to make it really as good as the Michigan ore.

Mr. SMITH of Michigan. Well.

Mr. DOLLIVER. My notion is, in view of the fact that enterprising persons who did not consult my honored friend from Michigan have staked out claims on these iron-ore ranges of the lake country, that it would be a very good answer for the Government of the United States to open to the people of the United States easy and free access to all that material that there is in the world.

Mr. SMITH of Michigan. Mr. President, if I could be as easily deluded as the Senator from Iowa, I might subscribe to that fallacy; but I am advised that those deposits across the Canadian line are owned by the Steel Company under lease, and I believe further that if you strike down this duty and any difficulty should arise between the men employed and this company they will simply transfer their operations to a foreign state for a time, leaving the thousands of men behind. Does the Senator from Iowa desire that condition to arise?

Mr. DOLLIVER. No; but I do not notice in the report and statement of the assets of the Steel Company any claim for ranges except on the American side.

Mr. SMITH of Michigan. The Steel Company have had their men through Canada for years, just as they have had them in Cuba for years; and we are to get from Cuba each year from eight to ten million tons of ore as soon as developments are complete. That ore is to come from the north coast, and it is owned by strong companies, one of whom is admittedly one of the largest stockholders in the United States Steel Company. Who is to say, if the Government relinquishes its right to ask this contribution to our revenue, that it will not inure solely to the benefit of these gigantic corporations?

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. SMITH of Michigan. I do.

Mr. TILLMAN. If the Senator from Michigan will permit me, I have been examining the estimates in relation to this schedule, and I find that the revenue derived by this Government from iron rails was the magnificent sum of $215.43, and from steel rails $30,670.02.

Mr. SMITH of Michigan. Yes; and, Mr. President——

Mr. TILLMAN. And that the duty was $7.84 a ton. Why do you put any duty on them at all?

Mr. SMITH of Michigan. Mr. President, I firmly believe that if you strike that duty down you will simply encourage an understanding between the European steel producer and the American steel producer that will still maintain the price at $28 a ton.

Mr. TILLMAN. Have we not got that same combination now on armor plate?

Mr. SMITH of Michigan. You have got it on steel rails.

Mr. TILLMAN. We have got it on everything else, and yet you levy a duty. Why not throw open the markets of the world and let the American railways buy their steel wherever they can?

Mr. SMITH of Michigan. Mr. President, let me answer. It is because, if we are to have European steel here at all to take the place of that made by American workmen, I want the importer to contribute something toward the expenses of this Government.

Mr. TILLMAN. Two hundred and fifteen dollars on iron and a little over $30,000 on steel rails.

Mr. SMITH of Michigan. Many millions of dollars might result from this duty on iron ore, now that desirable deposits have been found so near our shore.

Mr. TILLMAN. I am not talking about iron ore. I am willing to vote with you on iron ore. I will vote for your duty of 25 cents a ton on iron ore.

Mr. SMITH of Michigan. Then, Mr. President, with the assurance of the Senator from South Carolina, I am ready to vote.

Mr. KEAN and others. Question!

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi [Mr. McLAURIN].

Mr. RAYNER. The Senator from Mississippi moved an amendment to lower this duty, but I think the Senator from Mississippi has agreed with me that I may make a motion to strike this schedule out. I want to strike out paragraph 1159.

Mr. ALDRICH. I suggest to the Senator from Maryland that all he has to do is to vote against the adoption of the committee amendment. The question will be on the adoption of the amendment.

Mr. RAYNER. Are we to take a vote on the adoption of the amendment?

Mr. ALDRICH. If the amendment is voted down, then iron ore will go to the free list.

Mr. RAYNER. It does not necessarily go to the free list.

Mr. ALDRICH. It is on the free list in the bill as it came from the House.

Mr. RAYNER. It will be put on the free list, then?

Mr. ALDRICH. It is on the free list in the House bill.

Mr. RAYNER. But the Senator has reported to take it from the free list.

Mr. ALDRICH. If the amendment of the committee is rejected, that will put it back on the free list.

Mr. McLAURIN. Mr. President, I offered an amendment which, if it were adopted, would reduce the duty from 25 cents to 20 cents. The amount is not great; but I thought if the duty were reduced to 20 cents, I could vote for the paragraph as it would then be. But as it would not reduce the duty to any great amount, with the permission of the Senate, I will withdraw the amendment which I offered.

The PRESIDING OFFICER. The Senator from Mississippi withdraws his amendment.

Mr. SMITH of Michigan. Mr. President, I want to be perfectly fair with the Senator from Iowa [Mr. DOLLIVER]. I have just been handed by my colleague the Representative of the Twelfth Congressional District of my State this statement, and of its verity I have no doubt:

> The steel company's leases of Canada ore beds or deposits all contain a provision that if the tariff is reduced the royalty shall be increased 50 per cent of the reduction of the tariff.

In other words, if we reduce the tariff, those leases shall respond to Canada for it.

Mr. GALLINGER and others. Let us vote.

Mr. BEVERIDGE. Mr. President, I just want to point out two things. Two or three Senators on the other side have said that they would vote for the duty provided in the committee amendment because of the revenue it would produce. The revenue it will produce, according to the statement furnished us, is the magnificent sum of $127,000. If it is for the purpose of revenue, the amendment of the Senators who propose to vote for the committee amendment for that reason should be to amend the committee's amendment by inserting the rate of the present law, which is 40 cents a ton, which produces, according to this statement, nearly twice the revenue estimated to come in under the committee amendment. If Senators on the other side are voting for a revenue tariff on iron ore, they must vote for the present duty instead of the committee amendment, for the latter will produce only a little more than half the present law produces.

Mr. McLAURIN. Mr. President——

Mr. BEVERIDGE. Pardon me a moment. I observe that the argument presented by the Senators from Michigan for this same duty was precisely the reverse of the argument of the Democratic Senators who propose to vote with the Senators from Michigan on this tax. The Michigan Senators want the duty retained solely as a protection to the industry. The Senators on the other side who are going to vote for it are going to do so solely because it produces revenue. We saw the same processes of reasoning by equally intelligent and sincere Senators in connection with the lumber schedule. The Senator from South Carolina, the Senator from Maryland [Mr. SMITH], and notably the Senator from Georgia [Mr. BACON] wanted a duty of $2 on lumber because it was a revenue duty, whereas the Senator from Washington [Mr. PILES] and other Republican Senators wanted it because it was a protective duty.

Mr. SMITH of South Carolina. Mr. President——

Mr. TILLMAN. Put in "North Carolina" for "South Carolina," if you please.

Mr. BEVERIDGE. Pardon me; I meant to say the Senator from North Carolina [Mr. SIMMONS], instead of the Senator from South Carolina.

Mr. TILLMAN. That is all right.

Mr. BEVERIDGE. I would not make a mistake about that. The truth about it is that, whether it is called "revenue" or "protection," the result is the same. "A rose by any other name," as I said before, "will smell as sweet."

Now, just one other point before the vote, and that is this——

Mr. KEAN. Can we not have a vote?

Mr. BEVERIDGE. I hope the Senator from New Jersey will restrain his impatience, or I shall have to say something upon the matter of hurrying this bill; and I am much inclined to do it.

Mr. KEAN. I desire to ask the Senator from Indiana a question. I understood the Senator from Indiana to say that he was desirous of getting through with this bill?

Mr. BEVERIDGE. I am desirous of getting through with this bill, but I am still more desirous that when we do get through with it we will get through with it in a way that we will be through with it for the next ten years.

Mr. KEAN. Does the Senator think he is giving us any information on this bill now?

Mr. BEVERIDGE. I had not intended to go into this matter again, but the Senator compels me. A moment ago, when the mutually and equally entertaining eloquence of the Senator from Texas [Mr. BAILEY] and the Senator from Iowa [Mr. DOLLIVER] engaged our attention, I was about to send to the Secretary's desk something upon that point; but I want a vote to-night, and, therefore, I will not do it. I will say, however, that the Senator's anxiety for a vote is not the method of hastening this bill. This bill is being hastened every day. A great improvement is beginning to be made.

Yesterday the Senator from Utah [Mr. SMOOT] brought in an amendment greatly reducing, as he explained, the duties on a certain article. I congratulated the committee then. I understand that another amendment is to be brought in to-morrow morning, or as soon as may be, making another reduction. I congratulate the committee on that. That is the way to make permanent progress with this bill. And the progress we want to make is permanent progress. How would the Senator like, when the bill is through, for the entire tariff discussion to be raised again within four years? Does he want to see that? I do not, nor do I believe that any business man in this country does.

Now, since the Senator has brought this thing up, I have in my pocket—and I will stop to have it read, because I think I can do it and still get a vote to-night—an editorial upon this very point from the New York Sun of May 11, which I send to the Secretary's desk and ask to have read; and if time is taken by doing so, the Senator from New Jersey [Mr. KEAN] whose close friend I am, personally, is responsible, because I did not intend to say a word about it, until his impatience forced me to do so.

Mr. GALLINGER. Let it be printed without reading.

Mr. BEVERIDGE. No; I think we will have it read.

Mr. SCOTT. I suggest to the Senator that I think all of us have read it.

Mr. GALLINGER. We have all read it.

Mr. BEVERIDGE. At this particular moment I did not intend to press it, but right at this particular moment I think it is opportune as referring to this excessive haste.

Mr. SCOTT. I think it would be well——

Mr. TILLMAN. I ask that it be read, because this is the psychological moment.

Mr. BEVERIDGE. Let it be read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

AN OPINION OF TARIFF REVISION.

A good many solid citizens, all the self-sacrificing patriots into whose pockets the Dingley tariff empties, men of business generally, who want every shadow of uncertainty removed and know how readily in good times business adjusts itself and picks up when that shadow disappears; seasoned Republican politicians, who set no great store on promises made to get votes—mere springes to catch woodcocks—all or most of these powers seem persuaded that the sooner the tariff bill, "any old" tariff bill, is passed and signed the better for everybody. A mercurial people, easily excited, easily amused, humbugged easily, and not without a cynical consciousness of the humbug, what do Americans care in 1909 for the tariff bait which the Republicans threw at them in 1908?

So long as business is good and money can be made, who cares? Screw certain important duties up in the House; screw them down in the Senate; palaver; let everybody in the Senate speak his piece; confer, concur—with or without the aid of Democratic snappers up of protection manna—pass, sign; let the Dingley law live under a new name and get to business.

In a rough way that seems to be the argument, and there is a good deal in it as a practical, instant way of soothing business. *The danger is that the Middle West, for instance, may decline to accept a settlement that does not settle and a revision that, in the judgment of many, does not revise.* We are not speaking of the justice of such a complaint, should it be made, but the nucleus of economic and political trouble is there. *Business might not be especially tranquilized or encouraged if tariff agitation should spring up as soon as it was supposed to be laid.*

On these points we offer no opinion, and an opinion which we take the liberty of borrowing is not, we regret to say, that of a business man. Possibly, too, it is out of date and negligible now. It was given on *December 16, 1908*:

"Unless we act in accordance with our promises, or if we only keep the word of promise to the ear and break it to the hope, we shall be made accountable to the American people and suffer such consequences as failure to keep faith has always been visited with. It would be better to have no revision at all unless we are going honestly and fairly to revise the tariff on the basis promised by our party."

This is or was then the view of a rather conspicuous Cincinnatian. His name is William H. Taft.

Mr. BEVERIDGE. That editorial, Mr. President, is from the New York Sun of May 11, a protectionist paper and preeminently a business man's paper.

Mr. President, the incident which called forth this part of the discussion, which will be brief, calls to my mind three or four statements that I have heard to-day from both sides of the Chamber, and with which I heartily agree, that the bill should be hastened to its conclusion because the great business interests of the country wait. Everybody agrees to that; nobody disputes that; but, as this editorial of the New York Sun so well says, would not the great business interests of the country be better served by taking a little more time, if necessary, and having the matter settled so that there will be no tariff disturbance for ten years to come?

Always, so far as I have observed, a revision of the tariff is delayed until it is demanded and ordered by the people; and then when Congress, immediately after the election, meets, the order is given to hurry the hearings in the committee, because "business waits." Then, when the bill is reported, the cry is, Hurry the bill—hasten it—because "business waits." Business does wait; but the country, and business, too, waits to see this thing well done. Insistence upon unintelligent haste does not further the bill.

I venture to say that every Senator here on both sides will agree with me that more progress has been made in the last three days, with the patient and kind consideration of the various questions that have come up, than has been made in any three days since the bill was taken up for consideration.

I referred a moment ago to the amendment reported by the committee yesterday, and to the amendment which is to be reported to-morrow. That hastens the consideration of the bill. These mutual discussions, frank and fearless and honest, about the various items of the schedules, and not the discussions about the theories of protection and revenue tariff, with which we are all familiar, hasten the bill. Let us hasten it by all means; but hasten it by patience and industry and exchange of views, so that the truth may be known as far as possible.

Let us pass it as quickly as we can do so in justice. But when we have passed it, above all things let it be passed so that business will not be disturbed again in two years or four years, or sooner than ten years. This was called out merely by another evidence of the insistence for a sudden putting on of steam when we were rapidly approaching a vote.

There is one other point, Mr. President, to which I wish to call attention in this singular discussion.

Mr. GALLINGER. If the Senator will permit me——

Mr. BEVERIDGE. Certainly.

Mr. GALLINGER. Does the Senator think that any further discussion is going to enlighten us on the paragraph we have been considering all day, and are we not prepared to vote on that paragraph?

Mr. BEVERIDGE. In view of the enlightenment in which Senators seem to be, I do not think any amount of discussion will further it, but I may be permitted to call attention, not with respect to our enlightenment, but of our darkness, to this single point. I have heard the steel trust denounced to-day most heartily, and one of the chief arguments made against the House provision for free ore is, that "it will help the steel trust." I am beginning to become familiar, from many repetitions, with the argument that any reduction is going to "help some trust" and never hurt it. I heard the other day that if we took the duty off lumber it would be a tremendous help to the lumber trust, and because we must not help the lumber trust, therefore we must not take the duty off of lumber. I heard the same thing about the lead trust the other day—that a reduction of the duty on lead ore would be a help to the lead trust. It seems to be very popular ground on which to oppose the reduction of a duty to say that it "will help" some "trust." This really deceives nobody, I suppose.

I may be wrong—I often am—but this occurred to me as a curious thing in the intellectual process of reasoning. It has appeared in the hearings and debates that the steel trust owns

and controls—one of the two, according to the testimony which has been read—practically all the ore beds in the country.

Mr. ALDRICH. That statement is simply absurd.

Mr. BEVERIDGE. There are the statements.

Mr. ALDRICH. I have heard no such statements.

Mr. BEVERIDGE. Yes; such statements have been made; and, second, that the competitors of the steel trust have acquired great deposits in Cuba. Now, to what end would the steel trust want free ore in order to let in, to compete with the ore it owns here, the ore abroad which its competitors own? I cite that merely as a curious illustration of the intellectual operation by which some people see an advantage to the steel trust in free ore. It is a remarkable mental process that reaches that conclusion. The steel trust owns or controls the great body of ore in this country. According to the statements—was it not of Mr. Gary—before the committee——

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Yes.

Mr. ALDRICH. According to the lowest estimate mentioned here, there are 80,000,000,000 tons of iron ore in sight in the United States. Now, can the Senator conceive of the Steel Company or anybody else controlling that body of ore?

Mr. BEVERIDGE. The Senator can not conceive of 80,000,000,000 tons, neither can anybody else. There have been so many large figures used to-day—three thousand years and six thousand years and one thousand five hundred years, according to the Senator from Rhode Island, and forty years, according to some other person, and hundreds of billions and trillions of tons of ore, and calculations that no human being can follow. The question of the Senator is reduced by that illustration to the consideration, politely speaking, that it deserves.

I can conceive that the Weyerhaeuser lumber trust with its associates controls most of the stumpage of the country. I can conceive of certain other trusts, one or two of which I have examined into, as I shall point out later, controlling the vast majority of the products in which they deal. I do not know whether the Steel Company owns all this ore or not. I do not know what it owns. But the statement has been made here and the testimony is that it controls most of the ore in the country, and therefore it would appear as a rather curious process of reasoning that the steel trust should want free ore in order to let into competition with itself the ore in Cuba owned by its competitors.

Mr. President, I did not intend when I got up to speak more than one moment and to do more than to call attention to the fact that my friends over on the other side who are voting for revenue favor a rate of 25 cents, which will not produce half the revenue now produced, and to call attention to this process of reasoning, all of which would, perhaps, have taken two sentences. But the incident compelled the extension of my remarks.

Mr. President, just one word further. I called attention the other day to the fact of the House committee having had extended hearings. It does not appear that there has been one new fact or one new reason before the committee of the Senate or the Senate that the House did not have before it. The House committee was composed, as I said before, of protectionists. They fixed the duty on the ore at nothing at all. They provided for free ore. It appears to me that the argument here to-day has shown that the House idea on this particular item is right, since no new fact or reason has been presented that the House did not already have. Therefore, I shall vote in any way that will sustain the House action and put ore on the free list.

Mr. NEWLANDS. Mr. President, I asked the Senator from Texas [Mr. BAILEY] whether he believed in a free list, and his answer was that he did not, except as to the necessaries of life. I wish to say that I concur in that view as a general rule, but I can imagine special conditions where the free list should be enlarged, even if it does not involve a necessary of life. I believe we are confronted with one of those conditions with reference to this commodity, and that condition is that the production of this particular commodity, this raw material, is practically within the control of one great organization, and that the only way of giving freedom of opportunity to the independent maker of steel and of iron is to give him his raw material from foreign countries without imposing upon it a duty.

For that reason, and with reference to this special condition, I would enlarge the general rule to which the Senator refers by including iron ore as an article entitled to be put upon the free list.

Mr. DU PONT. I should like to ask the Senator from Rhode Island, when he speaks of the enormous amount of iron ore in sight—80,000,000,000 tons——

Mr. BEVERIDGE. One hundred and eighty billion——

Mr. ALDRICH. Eighty billion. I was quoting from the chief geologist of the United States Geological Survey. I have myself no knowledge of it.

Mr. DU PONT. I should like to ask whether it is not true that a great portion of that is too expensive to be worked, and that from an economic point of view it may be considered as practically negligible?

Mr. ALDRICH. There is enough in sight and available to last, according to the figures I have, ninety-three years before the second class shall be reached, and when that is reached there is enough to last fifteen hundred years after that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. BEVERIDGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DU PONT. What is the question?

Mr. ALDRICH. The Senator from Mississippi withdrew his amendment. The question now, I understand, is on the committee amendment.

Mr. GALLINGER. That is right.

The Secretary proceeded to call the roll.

Mr. WARREN (when his name was called). I have a standing pair with the Senator from Mississippi [Mr. MONEY]. Under a statement made by that Senator, I feel at liberty to vote, and I vote "yea."

The roll call having been concluded, the result was announced—yeas 61, nays 24, as follows:

YEAS—61.

Aldrich	Cullom	Johnson, N. Dak.	Scott
Bacon	Daniel	Johnston, Ala.	Simmons
Bailey	Depew	Jones	Smith, Mich.
Bankhead	Dick	Kean	Smoot
Bradley	Dillingham	Lodge	Stephenson
Brandegee	Dixon	McCumber	Stone
Briggs	Elkins	McEnery	Sutherland
Bulkeley	Fletcher	Martin	Taliaferro
Burnham	Flint	Nixon	Taylor
Burrows	Foster	Oliver	Tillman
Burton	Frazier	Page	Warner
Carter	Frye	Paynter	Warren
Chamberlain	Gallinger	Penrose	Wetmore
Clark, Wyo.	Guggenheim	Perkins	
Clay	Hale	Piles	
Crane	Heyburn	Root	

NAYS—24.

Beveridge	Clarke, Ark.	du Pont	Newlands
Borah	Crawford	Gamble	Overman
Bristow	Culberson	Gore	Rayner
Brown	Cummins	Hughes	Shively
Burkett	Curtis	La Follette	Smith, Md.
Clapp	Dolliver	Nelson	Smith, S. C.

NOT VOTING—6.

Bourne	McLaurin	Owen	Richardson
Davis	Money		

So the committee amendment was agreed to.

Mr. ALDRICH obtained the floor.

Mr. McLAURIN. As I am compelled to leave the Chamber, I ask unanimous consent to be permitted to present two amendments and to have them printed in the RECORD, and I ask the Senator in charge of the bill to pass paragraph 123 when it shall be reached. I ask that the two amendments be printed in the RECORD and be considered as pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments referred to are as follows:

Amendment intended to be proposed by Mr. McLAURIN to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Amend paragraph 123 by striking out all of line 19, after the word "commodity," and inserting in lieu thereof the following words, to wit: "when imported shall be exempt from duty."

Amendment intended to be proposed by Mr. McLAURIN to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Amend paragraph 350 by striking out all after the words contained in brackets, and the brackets, and insert in lieu thereof the following words, to wit: "when imported shall be exempt from duty."

Mr. GALLINGER. I submit an amendment, with the same request—that it be printed in the RECORD, and likewise printed and lie on the table.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

The amendment referred to is as follows:

Amendment intended to be proposed by Mr. GALLINGER to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

After line 6, page 9, insert the following paragraph:

"301¼. There shall be paid in lieu of the tax of $1 now imposed by law a tax of $1.50 on all beer, lager beer, ale, porter, and other similar fermented liquors, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale within the United States, by whatever name such liquors may be called, for every barrel contain-

ing not more than 31 gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. And section 3339 of the Revised Statutes is hereby amended accordingly: *Provided*, That a discount of 7½ per cent shall be allowed upon all sales by collectors to brewers of the stamps provided for the payment of said tax: *Provided further*, That the additional tax imposed in this section on all fermented liquors stored in warehouse to which a stamp had been affixed shall be assessed and collected in the manner now provided by law for the collection of taxes not paid by stamp."

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 48 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 14, 1909, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May 13, 1909.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, source of all wisdom, power, and purity, we come to Thee not as we would, but as we are able; we bring to Thee our devout offerings. Cleanse us from all guile; pour down upon us Thy spiritual gifts, that we may do the work Thou hast given us to do in accordance with Thy will and good purposes. We thank Thee for all the blessings Thou hast bestowed upon us, especially for our homes, the bulwark of our Republic, the center of all that is nearest and dearest to our hearts on earth.

Touched by the invasion of death into one of our congressional homes, our hearts go out in sympathy to him who has been deprived of a companion who has walked in loving confidence by his side, sharing the joys and sorrows of many years, the mother of his children, the solace of the home, and joy of the fireside; one who endeared herself to all who knew her by the grace, dignity, and sweetness of her manner in private and in public life. Comfort, we beseech Thee, the stricken husband, the bereaved children, by the sweet memories of the past, and help them to look forward with bright anticipations to the heavenly home, where they shall be again united in one of the Father's many mansions. And blessing and praise and honor be Thine, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Monday, May 10, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWERS, indefinitely, on account of illness in his family.

To Mr. EDWARDS of Georgia, indefinitely, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. DAVIS was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Frank L. Bennett, Sixtieth Congress, no adverse report having been made thereon.

By unanimous consent, Mr. HAMMOND was granted leave to withdraw from the files of the Committee on Invalid Pensions the papers in relation to H. R. 28065, Sixtieth Congress, no adverse report having been made thereon.

PORTO RICO.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

Be it enacted, etc., That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, is hereby amended by inserting at the end of section 31 of said act the following additional proviso:

"*And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

SEC. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. CLARK of Missouri. Mr. Speaker, what is the request?

Mr. OLMSTED. The request is for the present consideration of the bill.

Mr. CLARK of Missouri. It has not been printed yet, has it?

Mr. OLMSTED. It has not.

Mr. CLARK of Missouri. And never referred to the committee?

Mr. OLMSTED. It has not.

Mr. CLARK of Missouri. Mr. Speaker, I object.

Mr. OLMSTED. I wish the gentleman would withhold his motion for a moment.

Mr. CLARK of Missouri. I will withhold it, but I am going to make it.

Mr. OLMSTED. I endeavored to see the gentleman from Missouri, show the bill to him, and consult with him before the meeting of the House, but I did not succeed in finding him.

This bill does not provide for the changing of the form of Porto Rican government in any way or for interference in any of the troubles existing there now, except to provide against the suspension of all the functions of government pending their adjustment. It simply provides that where, as in the present case, the legislature has adjourned without making appropriations for the current expenses of government the moneys appropriated for that purpose for the current year shall be considered as reappropriated for the ensuing year or until the Porto Rican legislature shall act in the matter. It does not interfere with or attempt to change the government of that island. As the matter now stands the legislature has adjourned without making any appropriations for the necessary expenses of government. The civil department, the educational department, the judicial department, in fact, every department of the government, will be hung up on the 30th of June, when their present fiscal year ends. There has been no appropriation made which will be available after that date. Unless something is done, and done promptly, by us the Porto Rican government will be absolutely paralyzed. This is simply to tide over that contingency. The language of the first section of this bill is identical with the language which the House has already adopted providing for the government of the Philippine Islands, and it is also similar to that adopted for Hawaii. In other words, this precise provision for just such contingencies has already been twice adopted by Congress and approved by the President. I hope the gentleman will not object, because the emergency is such as to require prompt action in this case. Whatever other legislation may be necessary for Porto Rico may safely be delayed until the next regular session, but this bill or something of this nature must be enacted and approved promptly or the Porto Rican situation become intolerable.

Mr. CLARK of Missouri. I do not see that the emergency is such as to do away with the printing of the bill and referring it to the committee. This bill is exactly what the President asked for in his message; the message has never been referred, and the bill has never been in evidence. Therefore I object.

Mr. GARRETT. Mr. Speaker——

JOHN R. WILLIAMS.

Mr. HUGHES of West Virginia. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the Clerk's desk.

The SPEAKER. Does the gentleman ask unanimous consent?

Mr. HUGHES of West Virginia. Yes, sir. I will say for the information of the House that it is a funeral resolution, and that there will be no objection to it.

The SPEAKER. It is not a report from the Committee on Accounts?

Mr. HUGHES of West Virginia. No, sir.

The SPEAKER. The gentleman from West Virginia asks unanimous consent for the present consideration of the following resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 59.

Resolved, That there shall be paid out of the contingent fund of the House to the executors of the estate of John R. Williams, late file clerk of the House, an amount equal to six months of his salary, and an additional amount not exceeding $250 to pay the expenses of the funeral of said Williams.

Mr. HUGHES of West Virginia. This is the customary resolution in such cases.

The SPEAKER. Is there objection?

There was no objection.

The question was taken, and the resolution was agreed to.

ANTHONY J. FARRELL.

Mr. HUGHES of West Virginia. Mr. Speaker, I also offer a similar resolution, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 52.

Resolved, That there shall be paid out of the contingent fund of the House to Elizabeth J. Farrell, widow of Anthony J. Farrell, late a private on the Capitol police force, an amount equal to six months' salary of said Farrell, and an additional amount not exceeding $250 on account of the funeral expenses of said Farrell.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman from West Virginia if this is usual?

Mr. HUGHES of West Virginia. That is the usual resolution, and has been thoroughly investigated by the clerk of the Committee on Accounts.

Mr. CLARK of Missouri. It is not setting any new precedent?

Mr. HUGHES of West Virginia. No, sir; not at all.

The SPEAKER. Is there objection?

There was no objection.

The question was taken, and the resolution was agreed to.

COMMITTEE ON INSULAR AFFAIRS.

Mr. GARRETT. Mr. Speaker——

Mr. PAYNE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Tennessee [Mr. GARRETT] rise?

Mr. GARRETT. To offer a privileged resolution.

The SPEAKER. For what purpose does the gentleman from New York [Mr. PAYNE] rise?

Mr. PAYNE. To make a privileged motion. [Laughter.]

The SPEAKER. The Chair will state to the House that the gentleman from New York [Mr. PAYNE] did rise.

Mr. PAYNE. I rose before the gentleman from Tennessee rose. I was trying to get the attention of the Chair for the last seven minutes. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9135—the Philippine tariff bill.

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER. One moment. It is not a recognition of individuals, but a recognition of business, and the Chair will ascertain which business has precedence, in the opinion of the Chair, subject, of course, to the requirements of the rules of the House.

The gentleman from Tennessee [Mr. GARRETT] will state his resolution.

Mr. GARRETT. Mr. Speaker, I desire to offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Speaker be, and he is hereby, respectfully requested to appoint the Committee on Insular Affairs forthwith.

Mr. PAYNE. Mr. Speaker, I make the point of order that that is not a personal privilege.

Mr. GARRETT. Mr. Speaker, I would like to be heard on the point of order.

The SPEAKER. In the opinion of the Chair, this resolution, as well as the motion of the gentleman from New York [Mr. PAYNE], is privileged under the rules, yet it occurs to the Chair that the resolution of the gentleman from Tennessee [Mr. GARRETT] affects the organization of the House and would take precedence of the privileged motion of the gentleman from New York [Mr. PAYNE].

The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARRETT. Division, Mr. Speaker.

The House divided; and there were—ayes 85, noes 118.

Mr. GARRETT. I respectfully request tellers.

Tellers were ordered.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] and the gentleman from New York [Mr. PAYNE] will take their places as tellers.

The House divided; and tellers reported—ayes 74, noes 104.

So the resolution was rejected.

PHILIPPINE TARIFF.

Mr. PAYNE. I renew my motion.

The SPEAKER. The question recurs on the motion of the gentleman from New York.

Mr. PAYNE. Pending that, Mr. Speaker, can we agree on the time for general debate?

Mr. CLARK of Missouri. Why, I would suggest that we run along to-day until the whole of them that want to may talk. I have only had two applications for time, one for three-quarters of an hour and one for an hour, with perhaps an extension of a quarter of an hour.

Mr. PAYNE. If they confine it to this bill.

Mr. CLARK of Missouri. I think that they want to confine it to the bill.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I suggest to the gentleman that he make the suggestion of the gentleman from Missouri a part of his motion—that all debate be confined to this bill.

Mr. PAYNE. We can not do that. The rule provides for that. My understanding of the rule is that in general debate any subject can be debated.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask unanimous consent that the general debate be confined to the bill under consideration.

Mr. BARTLETT of Georgia. Before agreeing to that, I would like to know first whether we are to be confined to debate on the Philippine tariff for a colonial possession, or we may talk about the tariff or any other question that may arise as to holding possession of the islands.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that debate may be confined to the bill.

Mr. RANDELL of Texas. I raise the question that no quorum is present.

The SPEAKER. The gentleman from Texas——

Mr. PAYNE. I suggest to the gentleman from Texas that we take a viva voce vote on this motion; and then, if he wants, he can raise the question. He can do so when we have a viva voce vote. I request that he defer it until we can vote upon going into Committee of the Whole.

Mr. RANDELL of Texas. I would rather insist upon it at present.

The SPEAKER. The gentleman from Texas suggests that a quorum is not present. The House has just divided by tellers, and it appears 178 were present a few moments ago. It requires 196 to make a quorum. Assuming, which the Chair will not assume, that perchance all did not vote, the Chair will ask that Members arise and stand until counted, for the purpose of ascertaining a quorum. It is impossible for the Chair to determine whether there may not be some present who are not Members. So that, if Members will arise and all others remain seated, the Chair will count and see if there is a quorum. The Chair will request all Members to rise. [After counting.] The Chair has counted, and finds that there are present 201; but 196 constitute a quorum. A quorum is present. As many as favor the motion will say "aye."

The question was taken, and the motion was agreed to.

The SPEAKER. The gentleman from Pennsylvania [Mr. OLMSTED] will take the chair.

Mr. HUMPHREYS of Mississippi. A parliamentary inquiry. Was unanimous consent granted that debate should be confined to the bill?

The SPEAKER. Without objection, the Chair will now present the request of the gentleman from Mississippi for consent that debate on this bill be confined to the bill. Is there objection?

Mr. BARTLETT of Georgia. Mr. Speaker, I want to make a parliamentary inquiry before that consent is given, and to ask what will be the subject for discussion—simply the matter of a Philippine tariff, or the policy of the Government with reference to the Philippines?

The SPEAKER. It is impossible for the Chair to say what the range of debate would be, because the Chair has not even read the bill. It would be for the committee on the one hand, and the chairman presiding over it on the other, in the event the question should arise, to determine as to whether the Member was confining himself to the bill. Is there objection? [After a pause.] The Chair hears none. The gentleman from Pennsylvania will take the chair.

The CHAIRMAN (Mr. OLMSTED). The House is in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9135) to revise and amend the tariff laws of the Philippine Islands, and for other purposes.

The Clerk read as follows:

A bill (H. R. 9135) to revise and amend the tariff laws of the Philippine Islands, and for other purposes.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Chairman, the necessity for this legislation at the present time arises out of the passage by the House, I hope on its way to become a part of the laws of the Nation, of the general tariff bill, which provides in section 5 in reference to the trade between the Philippine Islands and the United States.

As the House will remember, section 5 provides for free trade on all goods going from the United States to the Philippine Islands and coming to the United States from the islands, after the passage of the act, with the exception of a limited amount of sugar, tobacco, and manufactures of tobacco, and also with an exception as to rice.

The passage of that bill will make a deficit in the amount of revenue to be obtained under the present tariff acts relating to those islands. For instance, the duty collected under the present law for the fiscal year 1908 between the islands and the United States amounted to $999,666, or, in round numbers, to $1,000,000. Of course with free trade between the islands and the United States that entire revenue will be cut off.

There are other deductions that will arise on account of this legislation, some of which can be definitely stated, and some of which can only be estimated. But that is the principal item of reduction when you compare the imports and the exports with the proposed legislation. There is a duty on some of the exports from the islands.

At present the revenues are sufficient to pay the expenses of the islands and a little more, and of course the Congress of the United States does not for a moment desire to curtail in any manner the appropriations made yearly for education, for instance, in the Philippine Islands, because that is one of the great works and objects which this Government is carrying out in our relations with those islands.

Public improvements are going on. Road building has increased and docks have been constructed, which have been paid for out of the revenues of the islands. It is necessary for the Government to take care of all these things which are not yet complete by providing sufficient revenues.

They have now in the islands an internal-revenue system. I think the tax imposed there on tobacco and its manufactures, especially the manufactures of tobacco, and on alcoholic liquors, amounts to about one-quarter of the rate imposed by our internal-revenue tax in the United States, and about half of the rate imposed in the island of Porto Rico.

As is well known, these people in the Philippine Islands are great consumers of cigarettes. It is estimated that they now consume about 11,000,000 cigarettes a day, which would mean about one cigarette every day for every man, woman, and child in the Philippine Islands. They propose (and this is a matter for insular legislation and not for Congress, because we have delegated that power to them) to increase the tax upon cigarettes so that the internal-revenue receipts from this source will amount to $375,791 more than under the present law. It is not supposed that this small increase in the internal taxes will at all interfere with the consumption of cigarettes. The increased consumption there has arisen out of the prohibition of the smoking of opium in the islands. Both the importation and manufacture of opium are prohibited, and the opium fiend has turned to some kindred amusement in order to compensate for the loss of the opportunity to smoke opium. The Filipinos have the cigarette habit worse than some Members of Congress whom I know.

There are other increases which will also be made with reference to internal-revenue taxation, and it is believed that they will increase their receipts from taxes upon distilled spirits $800,000, making a total increase of $1,175,791 in internal-revenue receipts.

In addition to the amount of import duties upon goods coming from the United States to the islands, there was also collected a duty on Philippine products imported into the United States amounting to $269,000 in the last year; making the total loss about $1,851,320 and a gain from internal-revenue receipts of $1,175,791, leaving still a decrease in revenue of $570,956.75.

Now, the internal revenue has been apportioned between the general government and the municipalities in the Philippine Islands. It is proposed hereafter to turn over those revenues in the general tariff bill to the insular government, and let them make the apportionment and not have them apportioned according to the present law. Economies have been instituted in the municipal governments in the Philippine Islands by the substitution of Filipinos for Americans. Of course it costs a Filipino less to live, and it is impossible to get an American to go over there and live, unless he gets at least double the salary that a competent Filipino would require for similar services.

So you see the constant effort of the United States is in the direction of the education of these people, not alone in reading, writing, and arithmetic, and the ordinary school lessons, but also in industrial education, and also, as the opportunity offers, as they show capacity, to give them a chance to engage in real government in various capacities and to participate in the general government of the islands.

The people are making progress, and we hope that under the beneficent influences of the general tariff bill, giving them free trade and a market for their products to the United States, there will be the same growth in the Philippine Islands that there has been in Porto Rico, and that imports and exports in the course of the next ten years will increase tenfold or more, as they have in the island of Porto Rico since the year 1900.

In Porto Rico, after the passage of the bill giving them free trade, the industries and prosperity of the island were so greatly enhanced that they began to increase their imports from foreign countries on which duties were levied, and they increased from considerably less than $2,000,000 to over $3,000,000 in the past year.

Before we took up the government of the island of Porto Rico seriously the expenditures were about $3,000,000 a year and the revenues $3,644,000. Now the expenditures are a trifle over $4,000,000 a year and the revenue about $4,250,000, so that there is a handsome surplus at the end of the year. The principal item of increase in connection with the island of Porto Rico is the million dollars that we pay annually to support the schools in the island. There are some 87,000 children in the schools, and they are constantly advancing. And so in the Philippine Islands we have established schools for four or five hundred thousand children. I have not read the statistics lately, and I may not be correct, but I think there were over 500,000 the last time that I looked the matter up. We propose to keep on in this direction until these people are educated up to the point where they will be enabled to engage in self-government, either as an independent republic or under the United States, as the people of the United States and the people of the islands shall agree when the time comes that they are ready to take up self-government.

Now, Mr. Chairman, there is no doubt that under this bill, which proposes a moderate revenue duty upon nearly all the items, there will be an increase of exports from the United States into the islands. There may be a decrease for the time being of imports into the islands from foreign countries on which duties are paid. It is impossible, of course, to estimate what that difference will be, but those people who have direct charge of the insular affairs believe that, with these excise taxes, internal-revenue taxes, turned over to the general government of the islands, they will not have to economize in any way beyond what is legitimate economy in running the government of the islands, and that the bill, from the start, will give them enough money to pay the expenses of the government.

Judging from the parallel case of Porto Rico there is no doubt that in the course of a very short time the bill will yield ample revenue for the support of the government.

This bill, Mr. Chairman, was prepared in the first instance by Colonel Colton, who is at the head of the customs service in the Philippine Islands, assisted by Mr. Hord, who is at the head of the internal-revenue service, and after open discussion and hearings in Manila, and with the concurrence of 10 or 15 tariff experts, who were active in the preparation of the bill, and also under the direction and final revision of General Edwards, of the Insular Bureau in the War Department.

I introduced this bill as it was prepared by these gentlemen, and it was referred to the Committee on Ways and Means. A subcommittee was appointed, who carefully went over every provision in the bill. The subcommittee recommended a large number of amendments, most of them in the phraseology of the bill, some as to punctuation, and only a few making material changes from the original draft of the bill.

For instance, they had provided for a duty upon petroleum and its products of every kind on a graduated scale. The committee could see no reason for putting a duty on petroleum or any of its products, so they put the whole thing on the free list. Then a high duty was put upon a certain kind of rails of light weight, for use in making tramways or railroads to be used in the sugar plantations, and also a high duty upon the cars and equipage of such a railway, and also a higher rate of duty, not in balance with or corresponding to the other duties of the bill, on sugar machinery. The general duties upon the iron schedule average about 15 per cent ad valorem. On sugar machinery the duty was put at 30 per cent.

The committee, being still of an inquiring mind, found out that some American manufacturers had insisted upon these high rates of duty, and these gentlemen had accommodatingly given way to them, one of them told me, on the threat of the manufacturers that the bill would not be allowed to pass unless they did, though I do not know whether that is so or not. The committee were not intimidated by the report of any such threat, and they cut down the duties on this sugar machinery from 30 to 15 per cent, and put the duty on these lighter rails at the same rate that was put on rails in general in the bill.

There is one item that they wanted as a protective duty. They have organized a company in Manila, and have a shop in operation there employing a thousand Filipinos in fitting up and making the bolts and nuts, and so forth, for structural steel used in building in the islands. They import the rough blocks and fit them up in their shops, and in that way they employ a thousand people there, and desired a high rate of duty upon this structural material in order to keep this shop in operation, so that that is a protective feature of the bill.

The bill continues the present law in regard to export duty. As the House will remember, when the law was passed we put light export duties on hemp and copra, the product of the cocoanut tree, and upon tobacco and its manufactures, and upon sugar. This produced considerable revenue, although we excepted from its operation any of these articles coming into the United States.

Mr. DOUGLAS. If the gentleman will permit an interruption, I will state that the gentleman spoke of the application that was made by the proprietors of a machine shop for a protective duty on structural material which they were making. I do not think the gentleman from New York said what the committee did with respect to that.

Mr. PAYNE. The committee did not amend that. It left it as it was reported by these gentlemen at what was considered sufficient protection. I think we did not change it. We left it as reported by these gentlemen, in order to protect that industry in the islands and keep these men at work.

Some objection has been raised to this form of taxation, export duties. Of course it is foreign to our Constitution and our system of government, so far as the United States proper is concerned, to levy any export tax, but the conditions are quite different in the Philippine Islands. The Constitution does not extend there. They have upon their statute books, and have had for five or six years, a land-tax law making subject to assessment and taxation all improved lands in the islands. When they came to look about for an enforcement of this law it was found that there were a large number of holdings of real estate, and that many of them, most of them, were small holdings, where the proprietor raised a little rice for his family, and that is about all the income he got out of it, and that to enforce that tax meant simply the seizure of these lands and sale for taxation. Of course that would produce not only confusion, but a great deal of distress in the islands. So the operation of that law was suspended. Now, the people who cultivate the cocoanut and the hemp and the tobacco, and the sugar especially, with the impetus that may come to that industry—and there is some exportation to other countries besides the United States of all of these articles beyond the limited amount that may come to the United States under any circumstances—are the people who get money out of their lands. They get an income from those lands. They are able to pay the small tax which was exacted under the law as now upon the statute books, but not enforced. When the committee came to look into this matter it appeared to them that this small export tax at worst was only a tax upon the land, and a very moderate tax upon the land, of those who were able to pay it.

That is, if it all comes back upon the owner of the land. Of course it is claimed there, and there is some reason in the argument, that it does not come out of the landowner, but comes out of the customer who buys. He has to stand this export tax when he buys the manila hemp; but whatever way it is there is no injustice if the owners of these lands that produce are compelled to pay this small tax upon the land. These islands have a complete monopoly of the manila hemp industry. The provision exempting the United States from the payment of this tax has worked a revolution commercially in regard to hemp. When it commenced, I think there were only $2,000,000 worth of hemp coming to the United States, and ten or twelve million dollars' worth coming mainly to London. Now the greater portion of it comes to the United States, six or seven million dollars' worth, and the balance of it goes to England and other foreign countries and pays the export tax. So that this has worked for the benefit of the people of the United States and the people who use manila hemp in manufacture.

Mr. MURDOCK. That is not changed at all in this bill.

Mr. PAYNE. That is left exactly as it is in the present law. Yes; I was right. In 1901 there was $2,400,000 worth of hemp coming into the United States and $12,050,000 going to other countries. In 1907 there was $11,326,000 worth coming to the United States and $9,758,000 worth going to other countries, and that proportion existed in 1905 and 1906. In 1908 there was a slump in the hemp business in the United States and we received $7,684,000 and the other countries $9,247,000.

Mr. [illegible]ES. Will the gentleman yield? Is the export duty collected on that manila hemp shipped to the United States as well as to other countries?

Mr. PAYNE. It is collected and refunded when it goes into consumption in the United States. I hardly see myself how they interpret the law that way. There is an expressed proviso that those products shipped to the United States and entering into consumption should be exempt from the export duty, but they have a practice down there of collecting the export duty, and they pay it back whenever proof is made that the hemp has been manufactured in the United States and goes into consumption, and our people are not complaining about it; and while I, glancing at the law, should interpret it the other way, still down there they interpret it this way, and we have left it exactly as it is. They want it left as it is, and our people are not complaining about it and everybody seems to be satisfied. We put hides on the free list; there was a duty on hides in the Colton draft.

Mr. MURDOCK. Mr. Chairman, I find this curious provision on page 80 of the bill, and I desire to ask the gentleman from New York about it. It is virtually this, that the governor-general, by and with the advice of the commission, may suspend the duty on rice. For what purpose is that inserted?

Mr. PAYNE. It is for this purpose: The gentleman knows, of course, that the principal food there is rice. Now, they have not raised enough rice to feed the people of the islands in a number of years. One year, I think, they imported $11,000,000 worth of rice and only raised three or four. That was the year after the scourge among the carabao, and 80 per cent of the draft animals there were blotted out in that year; and while they have increased to a better condition somewhat, still they are not able to raise enough rice in the islands now to support the people of the islands. People there think that when conditions change so that they can raise sufficient to support the islands a duty ought to be imposed upon it, and so we have provided for that duty in this bill, and they wanted this provision in it that it could be suspended any one year at the instance of the government, so as to guard against a rice famine. These people are poor people——

Mr. MURDOCK. In such event the rice importations are from China, are they not?

Mr. PAYNE. Yes; some from Japan, I think, too, and other oriental countries. Of course they are surrounded by countries that can send them rice. I do not know whether our growers in the United States will ever send them rice. We are supplying the needs of our people, and I take a very cheerful and hopeful view of the rice planting in the Southern States, because I believe with our facilities and our machinery and the facilities for flooding the fields at any moment they desire and then being able to draw the waters off and harvest, not in the wet but in the dry, and use of machinery for the harvesting of it, I can not see any reason why, with the ingenuity and inventive genius of the average American applied to the cultivation of rice, we would not be able in a few years to meet the conditions in oriental countries, even with their cheap labor, in the supplying of rice. I think that, with this duty upon it, there is good reason to believe that our people may export rice to the islands some time in the future and without crippling the industry there, because there the people in a small patch, sometimes no larger than a rod square, raise the rice for the family. They wade around in the water, plant the rice, cultivate it, and afterwards they gather it by wading in the water, because they have no means of flooding except the floods that come from heaven, and they have no means of draining the water off at any time.

There is one item in the bill that is not strictly a tariff measure, but they were very anxious to have it put in. They claim, and I think they are probably right about it, that the general trade-mark law passed by Congress two or three years ago applies to the Philippine Islands, and while there is a provision in the general law to enforce rights under it in the courts of the United States, there is no provision to enforce the rights that grow up in the Philippine Islands in reference to trade-marks in the courts of the islands. So we have put in a section giving jurisdiction of these courts over trade-mark cases arising in the Philippine Islands.

I think I have stated all the features of the bill, unless some gentleman wishes to ask me in regard to it.

Mr. ROBINSON. Before the gentleman takes his seat, I would like to ask him one question. If I understood him correctly, he stated that the expenditures on account of the Philippine government have increased under the American occupation from $3,000,000, or about $3,000,000, to approximately four millions, and that is chiefly due——

Mr. PAYNE. That was in regard to Porto Rico.

Mr. ROBINSON. The gentleman stated, if I understood him correctly, that the policy of this Government, or, at least, the policy of the committee and of this legislation, is to continue the process of education until these people become capable of self-government. I would like to ask——

Mr. PAYNE. I speak more for myself, perhaps, on that than for anybody else.

Mr. ROBINSON. Very well. I would like to ask if he can give the committee an idea as to how long it will be necessary to continue that process?

Mr. PAYNE. I can not, and I say that, too, after a trip to the islands three or four years ago, with unusual facilities there to find out and ascertain how far these people had proceeded. We had hearings, and some gentlemen appeared before us and thought that they were fit for self-government now, but the most of them demonstrated that they were not up to the ideas of a 10-year-old child on government.

I do not know how long it will take. We attended some banquets on the islands, where the waiters were young Filipinos, who were students in the schools, because they could speak the English language, and we found a great many of the younger generation had gotten so that they were speaking the English language, the language which bids fair to become the common tongue in the Philippine Islands. Now, there are 60 or 70 different dialects spoken in the islands, so different that a man speaking in one and another speaking in another can not understand each other any more than I can understand their dialects.

Mr. ROBINSON. Notwithstanding the fact that the gentleman has given careful consideration to that subject, he is unable to give the committee any idea how long it will be necessary for this Government to continue its occupation there?

Mr. PAYNE. The hopeful thing is they are being educated and uplifted; that they are getting a sense of responsibility. The native constabulary there has gotten to be a most respectable police force and a most efficient one. Many of the Filipinos, who compose a minority of the commission in Manila, are men of exceptionally high character and ability. I wish they were all so, but unfortunately they are not. I think they are getting that way. It may be that the next generation will be the generation to carry it into effect and will succeed.

Mr. ROBINSON. Has the gentleman worked out to his own satisfaction the degree of education and the generality of education necessary to entitle Filipinos to self-government?

Mr. PAYNE. Well, I could not lay down a cast-iron rule on that.

Mr. ROBINSON. Can the gentleman lay down any?

Mr. PAYNE. There are various degrees of fitness for self-government. Sometimes I look over a community in the United States and wonder how long it will be before they get up to the plane of self-government; but our people generally, the great mass of them, are fit for self-government. I hope to see the Filipinos that way.

Mr. ROBINSON. The gentleman in this connection asserts that in his opinion there are many communities in the United States that are incapable of governing themselves.

Mr. PAYNE. I should have said "some," if I said "many."

Mr. ROBINSON. Some; and yet he is utterly unable to give any idea as to how long it would require this Government to educate them to his standard for self-government or to give us an idea as to what standard of enlightenment is necessary to constitute the right to self-government.

Mr. DOUGLAS. Would not the gentleman be surprised if the gentleman from New York had indicated any opinion on the subject?

Mr. ROBINSON. I would state that I would be surprised at the members of the Republican party announcing a definite policy toward the Philippine Islands. I will state in that connection, with the permission of the gentleman from New York, that he certainly knows that we acquired the Philippine Islands and assumed control of them upon the theory that we owed those people the duty of enlightening them sufficiently for self-government; and now, after ten years of increasingly enormous expenditures for that purpose, the chairman of the Committee on Ways and Means of the House of Representatives, the leader of the Republican party on this floor, declares that, after years of investigation of this subject, he knows no more about it than when he began. I think it is time for some determination on the subject.

Mr. PAYNE. The gentleman is stating his interpretation of something I did not say. There are those who can jump up in Congress or anywhere else—those who are in the minority—and declaim and say that after fifteen years, or ten years, or one year, they are going to give the Philippine Islands the right of self-government. We have made one experiment in giving self-government to a people near by, and we have had to intervene and keep them from cutting each other's throats; and I am not sure whether we will not have to do it again or not. I do not know. But so far as the Philippine Islands are concerned, I do not want to repeat that experiment.

I do not want to get them into a position where they will be cutting each other's throats. I want to do what is best for them. I never wanted them, and never would have gone into the Cuban war. We struggled against it until it was inevitable; while there on the other side, without a particle of responsibility to the country, they were urging and egging on for war. [Loud applause on the Republican side.] And then there was the blowing up of the *Maine;* there was the finding of the commission that it came from the outside; there was pressure everywhere. There was the opinion of the people; there was the demand of the people, heated up by demagogic cries that came from Washington, for war with Spain. We could hold out against it no longer. If we could have held out a little longer, we would have secured the freedom of the Cubans without the loss of a drop of blood or the expenditure of treasure. But, no; the minority had their way, helped by some misled gentlemen upon this side of the Chamber; and we went into the war; and when the war had closed, after we had assumed these responsibilities, then you gentlemen said: "Stay away; let the people alone, and let them cut each other's throats." They have no responsibility. But we, on this side of the Chamber, recognize the force not only of public opinion in this country, but we are responsible to the Providence that had placed those people in our keeping. We are trying to work out the problem, and all the time we are met by bickerings and criticisms from gentlemen whom the people have not seen fit to give the responsibility of this Government to; but still we are trying to work out this proposition, and we are succeeding. We are lifting them up, and I hope to see the day when they will exemplify the great benefit to them, given to them because under the providence of Almighty God they were given over to the care and custody of the American people. [Loud applause on the Republican side.]

Mr. ROBINSON. Will the gentleman yield to me for a statement?

Mr. PAYNE. I reserve my time; the gentleman can obtain time from gentlemen on the other side.

Mr. CLARK of Missouri. I yield five minutes to the gentleman from Arkansas.

Mr. ROBINSON. Mr. Chairman, I did not expect to say anything in this connection at this time. The very remarkable speech just made by the leader of the Republican party has induced me to reply to some of the statements he has made. He says that it is all right for members of the minority, without any responsibility, to make inquiries as to the conduct of the Government in the Philippine Islands and to ask how long it will require this Government to educate the people of the Philippine Islands so that, in his judgment, they will become capable of self-government.

I want to say to him in that regard that while I am an humble member of the minority, I can not divest myself of some degree of responsibility for the proceedings of this great body. Already the idea has prevailed to too great an extent here and throughout the United States that men in positions of leadership, men who are intrusted with the responsibility of leading great political organizations and directing legislation, should have the sole responsibility of its conduct. We have here exemplified to-day the fact that no Member of this House can divest himself of his responsibility in this body. The gentleman says that after ten years of occupation of those islands and a careful study of conditions there the Filipinos are as yet mere children 10 years old, incapable of governing themselves, and that an indefinite policy is to be pursued by the United States, to the end of time if necessary, by implication, by which the people of the United States are to discharge what he assumes to be an obligation to the people of the Philippine Islands to educate and control them.

Mr. Chairman, I believe that the Philippine Islands are now capable of self-government. I do not agree with the gentleman from New York that there is any part of the United States, under the flag of the United States, either in New York or elsewhere, where the people are incapable of self-government. I believe in the progress of right, but I do not believe that the chairman of the Ways and Means Committee ought to arrogate to himself or to the Republican party the right to determine just when any people are capable of self-government.

Mr. PAYNE. May I ask my friend a question?

Mr. ROBINSON. Yes.

Mr. PAYNE. Does the gentleman include the negroes in his statement that all are capable of self-government?

Mr. ROBINSON. Yes; I do.

Mr. HAMILTON. Then why do not you let them?

Mr. JAMES. They are not capable of the government of other people, however.

Mr. RANDELL of Texas. The gentleman spoke of communities governing themselves.

Mr. ROBINSON. It is very easy for one having the dignity, the rank, and the power of the gentleman from New York to make an insinuation of that kind. I know what he means. I know what he attempts to say; and I say to him now, that while I regard the negro as capable of self-government, I do not believe he is capable of governing the world, and I do not intend that he shall do so.

Mr. DOUGLAS. That is quite obvious.

Mr. ROBINSON. It is contended here by the gentleman from New York [Mr. PAYNE] and some of his associates that in speaking for the right of self-government I am inconsistent. That insinuation is made because I do not proclaim the doctrine of negro supremacy in the South. You do not believe in it, you do not stand for it, and you dare not announce it. It has nothing whatever to do with this Philippine tariff bill. There is no relation between it and the so-called "race problem."

The gentleman has undertaken to divert the issue. You gentlemen on the other side have undertaken to justify what you may yourselves determine to be misgovernment in the Philippine Islands by the insinuation that I stand for the misgovernment of some people. I want the gentleman from New York to understand that I resent the imputation which he makes, that my community or any other community in the United States is less capable of self-government than the community which is honored by having him represent it here. I believe in the right of self-government as inherent in all races and in all peoples; and I believe that the time has now come—as shown in the confession which the gentleman makes when he says, in substance, that he deplores the situation now existing in the Philippine Islands and regrets that this obligation is upon us—when the people of the United States should give to the people of the Philippine Islands the right and power of self-government. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CLARK of Missouri. I yield thirty minutes to the gentleman from New York [Mr. HARRISON], a member of the committee.

Mr. HARRISON. Mr. Chairman, the people of the United States have no heart for the colonial form of government. They seem to appreciate neither its advantages nor its responsibilities. The Congress takes but a cursory interest in this measure, which affects the economic existence of 8,000,000 of subject people. Our own new tariff bill provides for free trade with the Philippine Islands, and therefore it is necessary for us now to revise the tariff of the Philippine Islands in order to make up for the deficit which will arise from a cessation of the collection of custom duties upon imports from the United States. We are thus called upon to create a new revenue measure for those islands, and yet in this emergency I venture to say that there are not a dozen men in the House of Representatives who can speak with any authority upon the subject of the Philippine revenues.

Now, this bill was not prepared by the Committee on Ways and Means. It is true that we have revised some of the schedules first offered us, but in the main this is the creation of the Bureau of Insular Affairs of the War Department, especially of the chief of that bureau, Gen. Clarence Edwards, and of Colonel Colton, of the army, the collector of customs for the Philippine Islands. These two gentlemen appeared before the Committee on Ways and Means and showed most profound knowledge of the conditions in the Philippine Islands, for which they are entitled to much praise.

But the people of the United States, as they are represented here in this Chamber, know little about this bill, and care less. Now, that shows one of two things, either that we are unfit to carry on a form of colonial government, or that we are not prepared to accept as definite our present colonial policy. I hope that the latter is the true statement of the case.

Mr. NORRIS. Will the gentleman permit a question?

Mr. HARRISON. I will.

Mr. NORRIS. Does not this lack of interest which the gentleman speaks of indicate, or might it not be reasonably said to indicate, a confidence in the membership that the House has in the great Committee on Ways and Means, of which the gentleman himself is an honored member?

Mr. HARRISON. I acknowledge on behalf of the committee and on behalf of myself the somewhat backhanded compliment the gentleman is paying us, but it is not the customary course of legislation in this body that a bill affecting the economic existence of 8,000,000 of people should arouse so little interest in the House.

Mr. NORRIS. The gentleman complains that there is not a greater interest on the part of the membership of the House in this particular bill?

Mr. HARRISON. I do.

Mr. NORRIS. Now, I think that perhaps the gentleman misconstrues the sentiment of the membership, and I believe that while we all recognize that we can not consider everything in detail, when we have the committee able to do it properly, with the ability that the committee has, we sometimes show a lack of interest.

Mr. HARRISON. The gentleman has been a Member of this body a number of years, and I have been here a few years myself, and I venture to say we never saw another measure of equal importance directly affecting an equal number of people arousing so little interest on this floor; on that account I said I hoped that it meant a lack of acquiescence in the permanency of our present colonial form of government rather than the unfitness for colonial government on the part of the American people.

I think myself that the proper tribunal to frame this bill is not the House of Representatives of the United States, but the Philippine assembly. [Applause on the Democratic side.] If we have given these people the form of self-government, we might just as well give them the substance.

Mr. HILL. I am sure the gentleman will pardon an interruption. It was shown the subcommittee who had the bill in charge that for six months, by public advertisement and by public hearings in the city of Manila, all parties, without regard to political consideration, were summoned and were present, and that the discussion of the rates of duties continued for over six months. This was in the city of Manila, and not only the people of the Philippine Islands, but foreign merchants, residents there, participated in that discussion; and the rates of duty were fixed, not by Colonel Colton and General Edwards, but in effect by the people of the Philippine Islands, and then these were submitted to the Insular Bureau and approved and then sent to the House of Representatives of the United States of America for revision and enactment. Now, it may well be, in view of the fact that free trade is to exist between the United States and the Philippine Islands, and naturally so, that the American people do not take the interest in it that the people of the Philippine Islands do; but these people have taken a lively, personal, active interest for between six months and a year, and this is the result of their conclusions.

Mr. HARRISON. Mr. Chairman, granting that all the gentleman from Connecticut says is substantially correct, the fiscal policy embodied in this bill was created, controlled, and directed by the Bureau of Insular Affairs of the army. My opinion is that the people of the islands, as represented in their assembly, are the people who know most about this measure, who care most about it, and are the ones to whom should have been given the responsibility for framing their own fiscal policy.

Mr. HILL. If the gentleman will permit a further interruption, I asked Colonel Colton whether the various residents, foreign merchants, and representatives of European industries had been consulted in regard to this bill. He told me that while they were opposed, of course, as they naturally would be, to free trade between the Philippine Islands and the United States, if free trade between the United States and the Philippine Islands was to exist, they were in accord with the rates of duty laid down in this bill.

Mr. HARRISON. Yes, I know; but the mailed fist of the Department of War directed the framing of this fiscal policy. We do not know what the merchants of the islands or the residents of the island have testified before the army officers who collected this testimony. It was not submitted to us in the committee. It is not submitted to the people of the United States. We derived all the information we have upon this subject from the Department of War.

Mr. HILL. The best information the subcommittee had was that the particular items the War Department injected into this bill were reviewed and rescinded and very much lower rates given, and that the views of the Filipino people themselves were embodied as the final result of their action.

Mr. HARRISON. Mr. Chairman, I address myself to the fiscal policy that this bill expresses rather than to specific rates. To that policy I object, and I voted against it in the committee. What the committee had in the way of evidence upon which this policy was adopted was very slight indeed.

I have already said that these two officials of the Bureau of Insular Affairs in appearing before the committee showed a very profound knowledge of conditions in the Philippine Islands and answered satisfactorily the questions asked of them by the members of the committee, but the fact remains that this measure affecting the economic existence of the Filipinos should have been framed by the Philippine assembly and not by a Congress which knows little about it and cares less.

To deny the Filipinos the right to enact serious legislation is to make a farce of the too government we have given them. The situation is illogical and absurd; it positively hampers the hoped-for plan of self-government in those islands.

Taxation without representation was abhorrent to an earlier generation of Americans. How signally have we failed in the application of the golden rule. If we are in earnest in our professions of ultimate independence for the islands, let us, at least, be honest with them now, and prepare them for that glorious occasion. Restless as we are under the burdens of our colonial empire, we must retain our hold over the Philippines until that time shall come. To deliver over the Filipinos to another country would be recreancy to our trust. To give them over as pawns to the Japanese would be abhorrent to our sense of justice. To abandon them now to their own resources, a prey to foreign nations, would be equally an act of cowardice.

Therefore, as a Democrat, I say that I believe that we must at present postpone the day of severing our bonds with the Philippine Islands until they have reached, approximately at least, a condition fit for self-government. Now, if it were to be shown to us that that condition exists to-day, I say give them their independence to-day. If it appears that they are not yet fit for independence, we must retain our hold upon them until they do become so, and when they do, educated and civilized by us, we shall have the proud feeling that we enabled them to take their place among the brotherhood of nations.

Mr. NORRIS. Has the gentleman given the subject sufficient study, so that he has formed an opinion satisfactory to himself as to whether the Philippine people are sufficiently far advanced for self-government now?

Mr. HARRISON. I should be inclined to think that they are not.

Mr. NORRIS. Has the gentleman a definite idea as to when—could he fix a time—we should turn them over to themselves?

Mr. HARRISON. The very first moment it does appear to our satisfaction that they are able to take care of themselves.

Mr. NORRIS. I agree with the gentleman fully on that proposition, but as to being more definite, can the gentleman state the time in the future when that should occur?

Mr. HARRISON. Of course I do not propose to deal in prophecy. I can not fix this matter by clockwork, but since the gentleman has given me this opportunity to express my own opinion I believe that the proper solution of the question is the speedy internationalization of the islands, so that a condition may exist similar to that which recently existed in the island of Crete. Then, guaranteed their independence and protected from interference by any of the world powers, they can take their proper stand among the nations of the earth.

Now, for that I believe they are pretty nearly ready. I believe that their present fiscal condition is one of the most serious drawbacks to that solution, and instead of solving the question in this bill, I believe we are still further complicating it and still further postponing the day of independence.

Mr. NORRIS. I agree with the gentleman fully that we ought to give them their independence at the earliest possible moment, and I was moved to ask the questions I did from the questions asked by the gentleman from Arkansas [Mr. ROBINSON] of the gentleman from New York [Mr. PAYNE] that he wanted definite ideas. It seems to me we can not state definitely the time when that independence should occur, but we ought to keep in mind and work toward the end of bringing independence about for them as soon as possible.

Mr. HARRISON. Now, Mr. Chairman, I do not propose to detain the House by a detailed discussion of our colonial policy. This is an economic question, and as such it deserves our close scrutiny and attention. In the first place the bill is a triumph of complexity.

The first 15 pages of the bill are given over to a complex discussion of how the customs duty shall be administered and a great deal of it is absolutely incomprehensible to the ordinary American mind. Perhaps it may better suit the subtleties of the Filipino or Chinese merchant. Lax as we are in our understanding of it, this vice which I have pointed out exists chiefly because we are trying to apply to them our own incorrect system of taxation. We could give them a tariff bill as short as the English tariff bill, which in 5 pages of ordinary pamphlet size contains the provisions for raising an enormous revenue, and yet in raising the revenue for the Philippine Islands we have here a bill of 125 pages, enumerating nearly every object under the sun which could be taxed. If we offered them a tariff for revenue only upon a few specific articles sufficient to raise that revenue we would be giving them a fair start upon their fiscal career instead of giving them a tariff which will be incomprehensible to them and to us.

Now, as a revenue raiser, I believe this bill will fall very far short of what is expected by the committee. The revenues of the Philippine Islands to-day are about $11,000,000 to $12,000,000 a year. Most of that they spend, the money being appropriated by the Philippine Assembly. Now, less than $7,000,000 of their revenues comes from customs duties. This is collected on an average ad valorem of about 20 per cent on over $31,000,000 of imports.

Now these exports come, about $6,000,000 from Great Britain, about $5,000,000 from us, about $2,500,000 from China, about $2,000,000 from Germany, about $1,500,000 from Spain, about $1,250,000 from the British East Indies, and so on. What I regard of importance in these figures is the fact that a comparatively small proportion of their customs revenues at present comes from the United States, say about 17 per cent. Now, this 17 per cent of their revenues, or about $1,300,000, will be at once entirely lost as soon as free trade between our country and the Philippines is adopted. In addition to that the $500,000, which in round figures is about what is refunded to the Philippines as their share of the export tax on commodities imported from them into the United States, will also be stricken out. This makes somewhat less than $2,000,000 of compensatory revenue to be provided for. Now, the Bureau of Insular Affairs, in offering this bill assumed, I believe, that greatly increased prosperity will exist in the Philippine Islands because of the increased importation of American goods there, and that will increase the purchasing power of the Philippine people, thus providing a source from which the deficit will eventually be offset.

In addition, they have a gold-standard fund which is rated at 40 per cent. Officials of the Department believe that half that amount would be sufficient, and they claim they will have at least $3,000,000 available for use. Now, all this is true so far as the arithmetic of it goes, but the common sense of the situation is that as the advantages of free trade with the United States will at once become apparent importations will almost cease in many items from other countries, and consequently a great deal more than 17 per cent of their revenues will immediately cease; probably 25, 30, or 50 per cent.

A fair estimate, then, of the future customs revenue, in comparison with the revenue for the last fiscal year, would be as follows:

Imports, 1908, $30,918,745; duties collected, $6,691,485; average ad valorem, 20.64 per cent. Estimated revenue under proposed law: Imports, 1910, $15,000,000; duties collected, $3,750,000; average ad valorem, 25 per cent. Loss from imports to United States, $15,000,000.

If this estimate is approximately verified, the receipts will decline nearly $3,000,000, and that sum must be raised by other modes of taxation, such as increased and enlarged internal-revenue taxes. It is quite possible that the importers and business men of Manila contract some months ahead for the foreign goods they sell, and therefore the loss of revenue in consequence of free trade with the United States will not accrue until another year has passed, or even later; but it would seem to be inevitable that this loss of revenue must soon occur, and a still greater loss from year to year as the dealers and consumers discover the benefit of the lower cost of free American products over the tariff-taxed products of other countries.

If this great deficit is to arise, new sources of revenue must be provided. Now, how are they going to do it? The Filipinos can not amend this tariff bill. We are unlikely to take up the subject here for another ten years. It will have to be done by the Filipinos imposing some more forms of direct taxation upon their own people. The Bureau of Insular Affairs itself proposes to collect some of this deficit revenue by an increase in the internal-revenue taxes. Mr. Chairman, I think that a very grave and serious deficit, extending over a number of years, will at once come into being as soon as free trade is created between the two countries.

We are accustomed over here self-complacently to believe that the Philippine Islands are economically, as well as in all other ways, a great deal better off under American rule than they were under the Spanish. In my opinion, this is a grave mistake. We have been a great deal harder taskmaster to the Filipinos in an economic sense than was Spain. We forced upon them a land tax, the operations of which we had to suspend. We forced upon them our barbarous navigation laws, the operations of which we had to suspend. We forced upon them, almost at the point of the bayonet, our internal-revenue taxes, and now we propose to saddle them with a system which, in my opinion, is a grievous injustice to them. The fact is that trade in the Philippine Islands is almost stagnant, because they lost their market with Spain. We did not give them anything like the same preferential rates the Spaniards had given them,

and our own trade with the Philippine Islands has been substantially the same since 1901. Of course, it will increase now, but it will increase at the expense of the Philippines revenues.

Mr. STAFFORD. Will the gentleman permit?

Mr. HARRISON. With pleasure.

Mr. STAFFORD. As I understand the gentleman's argument, he is protesting against the free-trade policy as carried in the Payne bill between the Philippines and this country?

Mr. HARRISON. I am not. I would vote for that.

Mr. STAFFORD. Then, what is the purpose of the gentleman's protestations?

Mr. HARRISON. I am coming to that, if the gentleman will allow me to unfold my argument. I have but ten minutes more, and I hope to conclude in that time. My protestations are not against the free trade; I am in favor of that. My objections are directed to this tariff bill as a fiscal policy.

I am now coming, Mr. Chairman, to my chief objection to this bill, and thereby I hope to answer satisfactorily the question of the gentleman from Wisconsin [Mr. STAFFORD]. This bill, instead of being drawn for the purposes of the Filipino people, is drawn for the purposes of the industrial monopolies in the United States. Instead of being drawn for the purpose of collecting revenue for the Philippine Islands, it is drawn to render aid, assistance, and comfort to industrial combinations in our own country. The best evidence of that is the testimony before the Committee on Ways and Means of the officials of the Bureau of Insular Affairs.

With engaging frankness officials of that bureau testified before the committee that all the special interests of the United States had been consulted, their advice taken, and their desires appeased at every step. Like seasoned politicians, they proceeded along the lines of least resistance. General Edwards, the chief of that bureau, said this in describing the methods by which they framed this bill:

> Take the iron schedule, for instance, and it would be sent to the Iron Age—

That is a periodical published in the interest of the iron manufacturers—

> the jewelry schedule to the special jewelry magazine, the watch schedule to the watch magazine, and so forth, and invite recommendations and comment.

Further he says:

> Specifications were drawn so as to favor United States goods, especially as to cotton or other goods in regard to the width of looms, and other things. In that way we got quite an intimate association between the special interests of this country. We had a great deal of correspondence with them. I have always given them our proposed schedules.

And above he says:

> I think we have reconciled all special interests of the United States except such as have come up, of which I have no knowledge.

Not one but what was to have a finger in the pie if he has his say! Every single special interest in the United States was invited to come forward and to have a hand in framing this tariff bill. Now, I have no doubt that that is the usual way that Republicans frame their tariff bills, but such an amazing exhibition of the machinery by which it is done has never before been given to the Congress of the United States.

Mr. HILL. Will the gentleman yield to me?

Mr. HARRISON. Certainly.

Mr. HILL. The gentleman bases his opinion entirely on the testimony of General Edwards? Has he examined the schedules themselves to see whether they have been manipulated in that direction? The metal schedule, the report says, has not been changed an iota. It is 16 per cent now, and it was that under the old law.

Mr. HARRISON. I will give the gentleman two instances of what I referred to, and in doing so I will call his attention to the fact that he is not arguing fairly when he refers to any goods in this bill being taxed at the same rates as those at present existing in the Philippine tariff law, because free trade with the United States will upset the whole balance of trade and rates which may have been fair before will, as against the new condition of affairs, be absolutely unfair. I see the gentleman acknowledges his assent to that proposition.

Mr. HILL. I will concede that here; but I will concede, too, that no exploitation will be permitted in any changes made by the committee that it is purely a revenue measure, intended to raise enough to meet the current expenditures of the Philippine Islands. I would ask the gentleman to specify a single item in which a rate has been made to exploit the Philippine Islands.

Mr. HARRISON. I will state two items in which I consider that to be the case, and if the advocates of high protection in the Philippines had any justification it should be in these two items. Upon analysis, however, their whole position will collapse. Those two items are structural steel and matches. Those are two instances in which they might have claimed that infant industries exist in the Philippine Islands. The plant in Manila for making structural steel used really to import steel from the United States and assemble it there to the extent of putting in steel bolts and screws.

Now, the rate on structural steel in this bill is fifty-six one-hundredths of 1 cent. The rate on structural steel in the Dingley bill is one-half of 1 cent. The rate on structural-steel in the Payne bill is three-tenths of 1 cent. Therefore it will be obvious that the rate upon structural steel in this bill is not only a higher rate than in the Payne bill, but even higher than the rate of the Dingley bill, and is, in all human probability, utterly prohibitive as to any importations in competition with American structural steel.

But does it protect the infant industry in Manila? Most certainly not, because American structural steel will now be imported completely finished, free of duty, and no protection against this is afforded to this so-called "infant industry." So it is obvious that the thing is a ridiculous farce.

Now, take up the match schedule. That was another instance of an infant industry. The officials of the Bureau of Insular Affairs——

Mr. STAFFORD. Will the gentleman permit an inquiry?

Mr. HARRISON. Certainly.

Mr. STAFFORD. Can the gentleman give the committee the amount of the present duty on structural steel?

Mr. HARRISON. I believe it is fifty-six one-hundredths of 1 cent.

Mr. STAFFORD. What is the proposed rate?

Mr. HARRISON. Fifty-six one-hundredths of 1 cent; the same rate.

Mr. STAFFORD. Will the gentleman permit another inquiry?

Mr. HARRISON. Certainly.

Mr. STAFFORD. Does it follow from your argument that there is going to be a swamping by reason of American manufactures being sent there, when this bill continues the same rate of duty and such condition does not exist at present?

Mr. HARRISON. Yes; because in the present law the duty applies against the importations of structural steel from the United States, but under the new conditions of affairs they will come in free. I observe that my time is nearly out.

Mr. FOSTER of Vermont. I ask unanimous consent that the gentleman may have ten minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HARRISON. The other item as to which I claim this bill provides protection for American industries, not Filipino, is in the instance of the match industry in Manila. Officials of the Bureau of Insular Affairs testified that representatives of the match factory came before them and asked for protection.

In response thereto he says:

> We gave them the Payne rate.

Now the testimony shows that the match company in Manila uses American match machinery, and therefore prohibitive protection is given to them. In other words, so long as they are helping to exploit an American industry they are entitled to a protection which is admitted to be prohibitive as to all the rest of the world.

These are two examples, Mr. Chairman, which show most clearly the real purpose of this bill. It is from top to bottom simply and solely a selfish exploitation of the islands in behalf of certain American industrial monopolies.

Now, a few words more, Mr. Chairman, and I am done. We had a magnificent opportunity here. We could have started the Philippine Islands now upon the straight path of economic reform. There were no great industrial combinations existing there, insisting upon high protection or strong enough to secure the enactment into law of their will and desires. We could have given the Philippine Islands a tariff for revenue only. We could have collected that tariff upon a few items, which would have supplied sufficient revenues to run their government, and as to all the rest of the items of this bill we might have in the Philippine Islands free trade as wide as the world. A tariff for revenue only is possible now. Will it ever be so again? This, in my opinion, would have benefited not only the people of the Philippines, but the people of the United States, beyond their wildest dreams of commercial empire. It would have made out of the city of Manila an entrepôt for American commerce.

It would have made that city the rival of Hongkong in the East. It would have made of Manila a door through which would open up to us the commerce of all the vast markets of Asia. In this way we could recoup ourselves for our stupendous expenditures in the Philippines. But instead of doing that,

willfully, without any rational excuse, we are thrusting upon them a system which will be a curse to future generations. And this is done not for the purpose of raising revenue, nor for the purpose of protecting Philippine industries, which are practically nonexistent, but in order to shut out competition with the tax-free American commodities. Thus we instill into the islands the elements of future discord and corruption. We are sowing the dragon's teeth from which armed forces will hereafter spring. [Applause on the Democratic side.]

Mr. CLARK of Missouri. I do not want to make any speech, but by request of certain parties I want to have a resolution read, so that it will appear in the RECORD.

The CHAIRMAN. It will be read in the time of the gentleman from Missouri.

The Clerk read as follows:

To the honorable the House of Representatives in Congress assembled:

The following resolution was adopted by and for the Anti-Imperialist League at a special meeting of the executive committee, Boston, May 11, 1909:

Whereas it is proposed that the Congress shall, by enactment, lay a tariff on goods entering the Philippine Islands from other countries, without consultation with the Philippine assembly, a body organized by our own Government to represent the Filipino people; such enactment meaning taxation without representation; and

Whereas it is proposed that the tariff on goods passing between the Philippines and the United States shall be either lowered or abolished; and

Whereas every commercial favor between the Philippine Islands and the United States not granted to other countries constitutes a tie which prejudices the independence of the islands: Therefore

Resolved, That the Anti-Imperialist League, through its executive committee, recommends respectfully that all reference to the Philippine Islands be stricken out from the tariff bill now under consideration. If, however, any action be taken to modify the Philippine tariff, the league urges that, as a proper notification to investors under the law, either a promise of independence at a definite period be incorporated as an amendment to any such enactment or that an amendment may be added thereto directing the Executive to make arrangements looking to the neutralization of the Philippine Islands when their independence shall be declared.

MOORFIELD STOREY, *President.*
ERVING WINSLOW, *Secretary.*

Mr. CLARK of Missouri. Mr. Chairman, I should like to know how much of my hour I have used? I yielded thirty minutes to the gentleman from New York [Mr. HARRISON], five minutes to the gentleman from Arkansas [Mr. ROBINSON], and then this little time has been used in the reading of this resolution.

The CHAIRMAN. The gentleman has twenty-three minutes remaining.

Mr. CLARK of Missouri. I reserve the rest of my time.

Mr. UNDERWOOD. Mr. Chairman, does some gentleman on the other side of the House desire to occupy the time?

Mr. HILL. I understand that there is no one.

Mr. UNDERWOOD. Mr. Chairman, I do not think the bill we have before the House, to establish a new tariff law for the people of the Philippine Islands, is by any means a perfect bill; but it is so much better than the tariff laws we have enacted for our own people that I feel that the people of the Philippine Islands are entitled to be congratulated upon this piece of legislation.

I do not agree with my colleague on the committee [Mr. HARRISON] as to the views he has just expressed to the House in reference to this bill. It is true there are a few prohibitive items in the bill. I agree with him as to the two that he referred to—the duties levied on structural steel and matches; but in the main this is a revenue bill. It is written along revenue lines. It would be practically impossible for this Congress to enact a bill to raise revenues for the Philippine government along the lines of the British customs-revenue laws. The British customs-revenue laws levy their duties on four or five articles. The principal sources of income are from duties levied on alcoholic spirits, tobacco, tea, and coffee. Now, excepting some of the Americans in the Philippine Islands, people there do not drink alcoholic liquors. There is, comparatively speaking, a small consumption of alcoholic liquors in the islands. It would be impossible to raise any great amount of revenue from duties levied along the lines of the English customs laws. The rates of duty now imposed on these articles could not be increased to any extent without reducing the revenue. The revenue derived from these sources for the year 1908 was $54,380 on coffee, $28,620 on tea, $5,083 on tobacco, $39,874 on malt liquors, $258,259 on distilled spirits, and $135,165 on wines, making a total of $481,507.

They are producers of tobacco in large quantities and exporters; they import very little; therefore you raise very little revenue on tobacco. As to tea and coffee there is a small amount of revenue raised from those sources, and it could not be materially increased.

So that it would be impossible to raise a million dollars of revenue from the sources suggested by the gentleman from New York or from any other limited number of articles, much less the $7,000,000 that it is necessary to raise at the custom-house to support their government.

Of course, with a great consuming nation like Great Britain, the economic principles they apply to their revenue laws are determined by their material conditions at home, and in writing a tariff bill for the Philippine Islands we must consider the economic and social conditions of these people. We must take our position and govern our legislation with a view to articles that will be imported into the Philippine Islands and that the people want to purchase from abroad. To do that and raise sufficient revenue it is necessary to levy your taxes on a large number of articles.

Now, as to the revenue rates of this bill, outside of the tax on distilled spirits, which amounts to 140 per cent, there is no tax levied in this bill on any class of articles that exceeds 38 per cent, which is collected on manufactured silks. The average rate of duty collected by this bill, in my judgment, will not exceed 20 per cent ad valorem.

A statement of revenue from import duties under this bill was prepared by the Bureau of Insular Affairs, which I desire to call to the attention of the House:

Statement of revenue from import duty under the proposed Philippine tariff law of 1909.

Commodity.	Imports for fiscal year 1908 from—			
	United States.		All other countries.	
	Value.	Duty.	Value.	Duty.
Cattle			$1,055,236	
Breadstuffs, except flour	$94,717	$3,779	234,915	$38,052
Flour	507,235	43,598	537,335	47,489
Cement			331,143	11,346
Coal	63	3	567,157	54,361
Chemicals, drugs, and dyes, except opium	100,724	22,130	324,522	56,642
Cotton goods	685,919	121,713	7,325,915	1,898,110
Manufactures of fibers, vegetable	6,335	1,665	607,804	151,372
Fish and fish products, including shellfish	138,904	17,289	255,756	32,383
Iron, steel, and manufactures of	802,313	108,091	1,362,594	222,340
Leather, and manufactures of, including boots and shoes	462,756	54,415	299,206	45,934
Malt liquors	43,750	12,022	46,830	10,219
Illuminating oils	619,545	302,561	186,567	55,174
Paper, and manufactures of	167,928	32,010	358,506	92,110
Provisions, including beef, hog, and other animal and dairy products	195,027	22,460	1,325,342	86,149
Rice			5,861,256	1,254,515
Distilled spirits	68,760	47,643	171,466	170,742
Silk, and manufactures of	12,978	6,063	521,633	199,631
All other articles	1,172,710	204,300	4,555,886	1,265,241
Total	5,079,670	999,666	25,839,075	5,691,819

Commodity.	Ad valorem rate.		Estimated duty under proposed tariff.	Probable loss through increase in United States trade.	Revenue under import tariff rates, proposed law, 1909.
	Present.[a]	Proposed.			
	Per ct.	*Per ct.*			
Cattle		8	$85,000		$85,000
Breadstuffs, except flour	16	15	35,237	$10,000	25,237
Flour	9	10	53,734	47,000	6,734
Cement	3	5	16,557		16,557
Coal	10	10	54,361		54,361
Chemicals, drugs, and dyes, except opium	17	20	66,904	40,000	26,904
Cotton goods	26	26	1,898,110	300,000	1,598,110
Manufactures of fibers, vegetable	25	25	151,372		151,372
Fish and fish products, including shellfish	13	13	32,383	5,000	27,383
Iron, steel, and manufactures of	16	16	222,340	100,000	122,340
Leather, and manufactures of, including boots and shoes	22	25	52,301	40,000	12,301
Malt liquors	22	22	10,219	10,000	219
Illuminating oils	30				
Paper, and manufactures of	26	26	71,701	45,000	26,701
Provisions, including beef, hog, and other animal and dairy products	7	15	198,801	85,000	113,801
Rice	21	[b] 26	1,523,983		1,523,983
Distilled spirits	99	140	240,052		240,052
Silk, and manufactures of	38	38	199,631		199,631
All other articles	27	[c] 26	1,173,025	250,000	923,025
Total			6,085,661	932,000	5,153,661

[a] Computed on basis of 1908 imports from other countries.
[b] After May 1, 1910.
[c] Opium duty of $100,000 eliminated.

When we consider that not in three-quarters of a century have the people of the United States enjoyed as low rates of duty at the custom-house as the taxes named in this bill for the people of the Philippine Islands; when we consider that the Walker tariff bill, the ideal Democratic tariff, carried duties to the amount of 30 per cent ad valorem, you can realize that this bill as a whole is a great boon to the people of the Philippine Islands as compared with the laws we have written on the statute books for our own people at home.

I agree fully with the assertion that this bill is experimental, to a large extent, as to its revenue features, because when we grant the people of the Philippine Islands absolute free trade with the United States we change the economic conditions and channels of trade entirely, and as to how far certain rates that were revenue rates in the past will become prohibitive rates in the future, by reason of this change of economic conditions and changes of the channels of trade, is problematical. No man can determine it from any fixed standard, and the only possible way that it can be determined for the future is to put the bill on the statute books and ascertain hereafter at the custom-house by the customs receipts what rates in this bill have become prohibitive and what are revenue rates.

I do not think the committee have altogether written the bill along correct revenue lines. I think they have made mistakes in some instances, but I say that the bill as a whole is, in the main, correct. As to the proposition the gentleman from New York [Mr. HARRISON] refers to about structural steel, I do not think there is any justification whatever for that item in this bill, either as a protective-tariff item or a revenue-tariff item.

Under the present tariff laws of the Philippine Islands all goods going into the Philippine Islands from the United States and foreign countries go in on equal terms; all pay the same duties at the custom-house. Under that condition of affairs, where it was necessary for the producer of structural steel in the United States to meet his competitor at Manila on equal terms, the United States producer of structural steel absolutely controlled the Philippine market. That being the case, of course a duty levied on structural steel that is higher than the Dingley bill would be prohibitive; if we reduce the rate to the Payne bill—three-tenths of 1 per cent—in my judgment, it would still be prohibitive. I am inclined to believe that if we reduce the rate to the minimum, the American producer of structural steel will still have control of that market.

So that as a revenue matter I do not think it makes much difference to a Filipino what the rate is, but I do object to that particular duty, because it raises a wall behind which the American producer can exploit his goods in the Philippine markets at the expense of the Filipino, without any opportunity for competition. There were several instances in this bill when it came before the committee in which similar prohibitive rates were found. It was so on sugar machinery and on rails, and it was so on petroleum; but the subcommittee that considered the bill went through it, and reduced the rate on each one of those items until they came to structural steel, and there a majority of the committee balked and refused to cut the rate. In most of the schedules they cut out the prohibitive rates that were in the bill when it first came before the committee.

Now I want to call the attention of the committee to a few of the rates in the bill, showing the rates of duty that the Ways and Means Committee deem to be sufficient for the people of the Philippine Islands as compared to the law on the statute books to-day in the United States. Under the head of "Stones and earth"—the first paragraph as to marble, onyx, jasper, alabaster, and similar fine stones; subdivision A, in blocks, rough or squared only, and marble dust, 20 per cent ad valorem. The old rate in the Philippine bill on this item was 50 cents a hundred kilos, or equal to an ad valorem rate of 40 per cent. This bill cuts it in two and makes it 20 per cent. Yet on the same articles in the Dingley bill we find that the American people have to pay a tax of 42.46 per cent at the custom-house. The next subdivision, B, is slabs, plates, or steps, sawed or chiseled, polished or not, but without ornamentation, 30 per cent ad valorem. The old rate was $2 a hundred kilos, or 31 per cent ad valorem. The Dingley rate on that same class of goods is 48.15 per cent. Turn now to paragraph 15, common hollow glassware, articles of general use throughout the United States and the Philippine Islands. Subdivision A provides—

On demijohns, carboys, jars, bottles, flasks, and similar receptacles, whether empty or in use as containers of merchandise dutiable by weight or measure, except in those cases in which a classification of such containers is otherwise specially provided for, 10 per cent ad valorem.

The old duty was 80 cents a hundred kilos, or an ad valorem rate of from 15 to 20 per cent. Here again is a reduction in this bill from the present law in the Philippine Islands of one-half. The people of the United States on this class of articles pay at the custom-house from 40 to 50 per cent ad valorem. We next consider paragraph 16, "Glass, crystal, and glass imitating crystal," in decanters, glasses, tumblers, cups, goblets, saucers, plates, dishes, pitchers, bowls, candlesticks, pillar lamps, bracket lamps, and so forth. The rate of duty fixed in this bill is 25 per cent ad valorem. The rate of duty under the old law amounts to 56 per cent ad valorem, a reduction of that duty one-half. The duty under the Dingley bill that the American people pay on such articles amounts to 45 per cent ad valorem, showing that this bill is a radical reduction in many particulars over the present law in the Philippine Islands and levied at nearly one-half the rates of the Dingley bill in most instances.

Let us consider now common window glass, neither polished nor engraved; the rate is 25 per cent ad valorem. Under the old Philippine bill it was $2.25 a hundred kilos, or 50 per cent ad valorem, and the American people pay on common window glass at the custom-house from 14 to 155 per cent ad valorem.

So that it seems to me that our wards in the Philippine Islands, those for whom we hold this trust, are being better taken care of by this bill than a Republican Congress has ever attempted to do for our own people. Mirrors of all kinds, framed or mounted, are taxed 35 per cent ad valorem. The rate under the Dingley bill is 45 per cent ad valorem. Of course I am not going into all the articles in each schedule, but in the main there is an equal difference between the rates in this bill and those in the Dingley bill. Now, on jewelry, plate and goldsmith's work, under the old Philippine bill and this bill the tax amounts to $12.50 a hectogram, or an ad valorem rate of 26 per cent. The Dingley bill provides an ad valorem rate of 45 per cent on similar articles. On steel rails the rate of duty is 40 cents a hundred kilos. The present Dingley rate is $7.84 a ton; at 40 cents a hundred kilos it would amount to about $4 a ton, or practically the same rate that was fixed in the Payne bill when it passed the House of Representatives.

Terne plate and tin plate, 100 kilos, $1.20, which would amount to $12 a ton. The present duty on tin plate and terne plate in the Dingley bill amounts to $33.60. In other words, on tin plate that was at one time a national issue—at one time our friends on the Republican side of the House contended that unless there was an enormous rate of duty placed on tin plate it would be impossible to manufacture the same in the United States—when they came to write a tariff bill for the Philippine Islands, a part of the territory of the United States in which the American producer must pay an ocean freight rate to reach the market as the foreign producer, a disadvantage that he does not have at home, they reduce the rate on tin plate and terne plate from $33.60, as fixed in the Dingley bill, to $12 a ton in this bill.

Note that on manufactures of terne plate and tin plate we find a great contrast between the rates fixed in this bill for the Filipino and the taxes assessed in the Dingley bill on the American people. "On copper and alloys thereof, in wire," paragraph 46, we find a 15 per cent ad valorem rate in this bill. Under the old Philippine law the ad valorem rate was about 10 per cent, an increase in this bill, but greatly under the rate in the Dingley bill, which is 45 per cent ad valorem. In pigments, paints, dyes, and varnishes we find in paragraph 58 that mineral pigments of common, natural occurrence, and so forth, are taxed at the ad valorem rate of 10 per cent. Under the Dingley bill the customs duties alternate from 19 to 38 per cent. Pigments and paints not otherwise provided for, as shown in paragraph 59, white or red lead, dry, 15 per cent ad valorem, the same as in the present law, but the Dingley rates change from 38 to 80 per cent ad valorem on these commodities. "In animal oils and fats," paragraph 82, crude, 10 per cent ad valorem; refined, in receptacles weighing each more than 2 kilos, 15 per cent ad valorem, as compared with the old rate under the Philippine law of 25 per cent and the rate under the Dingley law of from 24 to 33 per cent ad valorem. Starch and dextrin, paragraph 87, in this bill pays $2 a hundred kilos, the same as it was under the present law, or an ad valorem rate of 31 per cent. Under the Dingley bill the tax at the custom-house on these commodities runs from 27 to 60 per cent ad valorem.

On explosives, dynamite, giant and blasting powder, and similar explosives, miners' fuses and caps, and explosive signals, paragraph 89, 10 per cent ad valorem. Under the present law the duty amounts to about 17 per cent ad valorem. Under the Dingley bill the ad valorem rate on dynamite amounts to about 30 per cent; blasting powder, 24 to 43 per cent; miners' fuses, 90 to 124 per cent, as compared with 10 per cent at the custom-house for these articles for the Filipino. As to the cotton schedule, I must say that this schedule in this bill, like

the cotton schedule in the Dingley bill and the Payne bill, to a large extent is Greek to me. In the Dingley bill and the Payne bill they fix the rate according to the number of threads in each square yard. In this bill they fix the rates according to the number of threads in each kilogram, and for one who is not an expert in the cotton business it is practically impossible to compare the two rates of duty all the way through. The average rate of duty on manufactures of cotton under this bill is 26 per cent ad valorem, and the average rate of duty under the Dingley bill is 44.84 per cent ad valorem. The Filipino will pay about one-half the taxes at the custom-house on his cotton goods that the American citizen pays under the benign rule of the Republican administration. Paragraph 92 provides that yarns, not otherwise provided for, in hanks, cops, or bobbins, shall be taxed 15 per cent ad valorem. Under the present law this rate amounts to about 24 per cent ad valorem. Under the Dingley bill it runs all the way from 9 to 40 per cent ad valorem.

Now, as to knitted goods, and in view of the recent fight we had in the House over the Payne bill and the rejection in the Senate of some of the schedules in the Payne bill in relation to stockings and gloves, it is interesting to note the rates of duty fixed in this bill on knitted goods. Paragraph 105 reads as follows:

Knitted goods: (a) In the piece, 20 per cent ad valorem.

The old rate in the Philippine law amounted to 25 per cent ad valorem, while the Dingley rate amounts to 56 per cent ad valorem.

The second subdivision of this paragraph reads:

(b) In jerseys, undershirts, drawers, stockings, or socks, 25 per cent ad valorem.

In the present Philippine law the tax amounts to about 29 per cent ad valorem. The rates under the Dingley law are from 50 to 64 per cent ad valorem.

Mr. NORRIS. I suppose that was to induce them to wear stockings over there.

Mr. UNDERWOOD. Absolutely; but our legislation in this country seems to indicate that the American people should not wear stockings. [Laughter.]

Mr. NORRIS. Yes; I think there is something in that, too.

Mr. UNDERWOOD. Because when we look at the Dingley law we find that the rate of duty on this class of goods runs from 50 to 64 per cent, and the Payne bill raises that rate. But when we come to legislate for the Filipino, who has been paying a duty of 29 per cent, we reduce the rate to 25 per cent, as my friend from Nebraska says, so that he may wear stockings.

Mr. RANDELL of Texas. Does that mean that they want to discount the use of stockings in America?

Mr. UNDERWOOD. It looks so from the late action of this House. It is very evident to my mind that this bill was not written by the members of the Ways and Means Committee for the purpose of giving the foreign manufacturers the advantage in the Philippine market. It was undoubtedly written to give the American manufacturers a fair, equal chance, and yet raise some revenue for the Philippine Islands. When you find so great a discrepancy existing in the rates of duty between the bill we have under consideration and the present law in the United States, it seems to me that it is an argument that goes without answer that our friends on the other side of this Chamber realize that the duties fixed in the Dingley bill and in the Payne bill were far above the difference in labor cost, the difference in the entire cost at home and abroad, or they would not cut the rates of duty on these particular classes of cotton goods practically half in two.

Here is another paragraph along the same lines, namely, paragraph 125:

Knitted goods: (a) In the piece, or made up into jerseys, undershirts, drawers, stockings, or socks, 30 per cent ad valorem.

The old duty under the Philippine law amounted to 41 per cent ad valorem on stockings and socks, and they reduced it for the benefit of the Filipinos to 30 per cent ad valorem, and yet we find the Dingley law bears on these articles an ad valorem rate of from 47 to 67 per cent, and the tax to the American consumer has not been reduced in the Payne bill.

Mr. RANDELL of Texas. I would like to ask the gentleman a question.

Mr. UNDERWOOD. Yes sir.

Mr. RANDELL of Texas. In reference to the cotton schedule, is the gentleman aware of what revenue it is expected to bring in on cotton and manufactures of cotton under this proposed bill?

Mr. UNDERWOOD. Why, I can not tell you that absolutely, but the amount of duty collected for the year 1908 on the articles I named a while ago, namely, jerseys, undershirts, drawers, amounted to $9, and on stockings and socks it amounted to $43. The very small amount collected indicates the reason for the reduction in this bill.

Mr. RANDELL of Texas. Is it not expected by the manufacturers in this country to control the trade in cotton goods?

Mr. UNDERWOOD. Well, I presume that our friends on the Republican end of the Ways and Means Committee and on the other side of this House have not written this bill for the purpose of allowing the foreign manufacturers of cotton goods to have the advantage of the American manufacturers; and they evidently believe that rates of duty, one-half of those collected under our law, will not be a serious menace to the American manufacturer. If we can pay the ocean freight rate, carry our manufactured cotton goods to the Philippine Islands, and compete with the foreigner there at one-half the rate of duty charged at home, it seems to me self-evident that we can reduce the rates here where we do not have any ocean freight rate to pay and the foreign manufacturer has a freight rate to pay in order to come to our shores.

Mr. CRAIG. Is there any pretense on the part of the committee that this bill is written for the protection of Philippine industries?

Mr. UNDERWOOD. My Republican colleagues on the committee claim that there are a few items on which they have put a protective tariff—for instance, on structural steel; and there is no doubt in that instance that they have done so. But considering the bill in all its detail, I am of the opinion that it is written along the lines of a tariff for revenue and not for protection.

Mr. CRAIG. I think so, too; but what I want to find out is, whether or not the committee had in its mind that the infant industries of the Philippine Islands did not require as much protection as the infant industries of this country?

Mr. UNDERWOOD. As to many of these articles there are no infant industries in the Philippine Islands.

Mr. CRAIG. But those that they have, as I understand; they are protected in this bill.

Mr. UNDERWOOD. They are.

Mr. CRAIG. Are they protected as fairly in this bill as the same industries in this country are under the Payne bill?

Mr. UNDERWOOD. They are so represented, although I can not tell. There is fifty-six hundredths of 1 cent a pound on structural steel for the protection of a plant out there. I think that the duty in that particular is far above a protection basis. There is also a protective—a very high protective—duty on matches, but these are isolated cases, and do not indicate the general character of the bill.

Mr. RANDELL of Texas. Mr. Chairman, if the gentleman will permit me——

Mr. UNDERWOOD. Certainly.

Mr. RANDELL of Texas. As the importation of iron and steel products from the United States to the Philippines amounts to only about two-fifths of the consumption of those articles there, is it not a fact that the new rates will so disturb the revenues as to make it difficult for the revenue to be sufficient for the exigencies of the government of the islands? In other words, is there anything in this bill to supply the loss of revenue by reason of the increased amount of iron and steel and products thereof from the United States which will go in free?

Mr. UNDERWOOD. Well, I will say to my friend it is problematical as to what effect the changed conditions will have on the revenue. For the fiscal year 1908 the value of iron and steel products entering the Philippine Islands from the United States amounted to $802,313, and from all other countries to $1,362,594, showing that the foreign producers of iron and steel had somewhat the advantage under the then existing conditions.

You take pig iron that was imported into the Philippine Islands. Practically every pound was purchased in foreign countries, showing that in the low-grade products of iron and steel, where labor was matched against labor, the foreign producer had an advantage over the home producer.

But in the higher grade of products, such as structural steel, where advanced methods and improved machinery eliminated the difference in the cost of labor, we were enabled to compete with them on equal terms. Now, that is one fault I have with this bill. The report of the insular collector of customs, which I hold in my hand, shows that all pig iron that went into the Philippine Islands came from abroad. This bill puts pig iron on the free list. If I had been writing the bill according to my own ideas, I would have put a small tax upon pig iron, because I think under these conditions it would have produced some revenue for the insular government; but the committee did not agree to that proposition. But that illustrates and answers my friend's question.

Mr. RANDELL of Texas. You mean the members of the majority did not agree to that?

Mr. UNDERWOOD. That is what I mean.

There are some things in the cotton-goods schedule that are produced abroad which are not produced in the United States, and which the Filipino prefers to similar articles produced in the United States that will be imported into the Philippine Islands and will be a source of revenue.

Mr. CULLOP. I would like to ask the gentleman a question as to the operation of the sugar schedule. There was a duty on sugar in the old law.

Mr. UNDERWOOD. I have not that at hand, but I will say this to the gentleman: The Filipinos are producers of sugar and producers of rice, and are exporters of sugar and of rice. We left the duties in this bill at the same rate as the Dingley bill or the Payne bill that will be enacted, in order to prevent the importation of sugar into the Philippine Islands to take the place of sugar exported to the United States. And therefore the rates on sugar and the rates on rice, the rates on tobacco and the rates on alcohol, are along the same basis as the rates in the United States.

Now, in paragraph 177, boots and shoes, we find that on boots and shoes made of cowhide, horsehide, calfskin, and canvas a duty of 15 per cent ad valorem is levied under this bill. The duty under the Dingley bill amounted to 25 per cent ad valorem. In other words, to encourage the Filipinos to wear shoes, they will be enabled to purchase their shoes from abroad much cheaper than the American people can purchase theirs.

On draft harness and parts thereof the rate of duty fixed in this bill is 20 per cent ad valorem, the same rate of duty as in the present Philippine tariff law. The American people pay a rate of duty of 45 per cent ad valorem.

Here is a paragraph that will interest every housekeeper in the land, paragraph 190:

(b) Cooking and heating apparatus and utensils, chandeliers, desk and table lamps, flatirons, soldering and curling irons, thermocauteries and cauterizing instruments, surgical, dental, and therapeutic appliances, including so-called electric belts, X-ray machines, vibratory apparatus, electroplating outfits, cigar lighters, other instruments, implements, utensils, and articles used in connection with, for, or by the application or production of electrotechnical, thermoelectric, galvanic, or galvano-magnetic force, and detached parts for any of the foregoing, not otherwise provided for, 20 per cent ad valorem.

In the United States the rate of duty on the articles named is 45 per cent. In other words, when the housekeeper in the Philippine Islands desires to purchase her cooking utensils or heating apparatus or flatirons from abroad, she pays a rate of duty of 20 per cent ad valorem; but when the housekeeper in the United States desires to replenish her kitchen, she pays to the custom-house officer here a rate of 45 per cent.

Mr. CULLOP. Going back a little, I should like to ask the gentleman a question: Does not this seem to be a bill more to discourage infant industries in the Philippines than to encourage them, if they make a difference of 20 per cent on the articles he has named?

Mr. UNDERWOOD. I can not say that. I think the foundation for the great industries of America was laid before the civil war. As I said a while ago, under the Walker tariff bill the highest rate of duty we had was an ad valorem rate of 30 per cent. We did not have a great population to feed or to supply; we did not have the necessity for the use of the great amount of capital or the employment of the great number of workmen that we employ to-day; but before the civil war, under duties nearly as low as these named in this Philippine tariff bill, the American manufacturer was enabled to meet foreign competition, to build up his infant industries—and they were real infant industries then—and compete with the foreign manufacturer.

Mr. CULLOP. Now, does not that sustain the argument that the tariff is not levied for the purpose so much of encouraging infant industries as it is to keep up the overgrown industries?

Mr. UNDERWOOD. You mean the tariff here in this country?

Mr. CULLOP. Yes; and the same over there. Our people get a monopoly of that market.

Mr. UNDERWOOD. Well, of course when we go into the argument of the question as to whether our people get a monopoly of the Philippine market, then we come to the argument of a question that is foreign to this bill. Under the tariff laws of the United States the manufacturers of the Ohio have a monopoly, so far as the tariff allows them to have it, of the markets of Alabama and Georgia.

The man who produces steel rails in Birmingham has a monopoly of the markets of New York, Porto Rico, and Hawaii, and it is a right difficult question for us to determine to what extent he is entitled to this same amount of control of the markets of the Philippine Islands. But what I do say is this, that when the manufacturer here at home meets his foreign competitor, whether he meets him in Porto Rico, Hawaii, New York, or Ohio, he meets him under a tariff rate of 46 per cent on an average standing between him and that competition; but when he meets him in the Philippine Islands, he meets him with an average tariff rate of less than 20 per cent ad valorem. So that I say this law is to the interest and advantage of the people of the Philippine Islands, a distinct advantage over what the legislation here at home is giving to our own people.

Mr. RANDELL of Texas. Will the gentleman yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. RANDELL of Texas. If the tariff is prohibitive, no matter whether it seems high or low, whether it is 45 per cent or 30 per cent, no revenue will be produced.

Mr. UNDERWOOD. Certainly.

Mr. RANDELL of Texas. Now, if it be prohibitive to the importation of goods from other countries except the United States, then the Filipinos get no revenue; and does it not show that if the tariff is sufficient for those people, it is an admission that the tariff on the same articles, in reference to the imports into this country, is not for the purpose of protection of the industry, but to exploit the market?

Mr. UNDERWOOD. That is my argument; that is what I have been contending for for an hour.

Mr. RANDELL of Texas. That is what I understood the gentleman to mean.

Mr. UNDERWOOD. I have been contending for that conclusion for an hour. If the duty we are levying in the Philippine tariff bill is sufficient there, where we have to pay the freight to get into the market across the sea, it should be sufficient here, where we have no freight rate to pay and our competitor has to pay the freight rate to meet us.

Now, on wagons and carts and other merchandise the rate fixed for the Filipino is 15 per cent ad valorem. The rate under the Dingley bill is 45 per cent. On automobiles, the rate for the Filipino is 15 per cent at valorem, and the American citizen has to pay 45 per cent ad valorem.

Now, then, as to the breakfast table. Our friends have discriminated in favor of the Filipino. It is true under this bill they have raised the duty above what it was under the old Philippine customs tax on poultry, meats, and fish, but it was necessary to do that in order to get revenue. I do not myself agree that that is the best form of taxation, but there was doubt about how much revenue could be raised on iron and steel, because they are not great consumers of iron and steel. Practically no revenue could be raised on woolen goods, because it is a warm country.

Very little taxes could be raised on cotton goods on account of the heat and habits of the people, so it was necessary to raise a large portion of the revenue for the government on food products, and for that reason the members of the committee increased in this bill the rates of duty over and above what they were under the laws now governing the Philippine Islands.

I find on poultry and game (paragraph 201) not otherwise provided for, dressed or not, $4 per 100 kilos. Under the old law it was $3, amounting to a duty of about 10 per cent ad valorem. The present rate will be an ad valorem rate of about 12 per cent. Under this rate it will amount to $40 a ton, whereas the Dinlgey rate amounts to $112 a ton. Fresh meats under this bill amount to $1 per 100 kilos, or $10 a ton, and the Dingley rate amounts to $22.40 a ton.

In other words, the gentleman in Manila when he orders a beefsteak for breakfast will only be confronted by a tax at the custom-house of one-half of what the American consumer will be required to pay at home. The same thing is true in reference to all classes of meats. On ham and bacon the tax under this bill is $4 per 100 kilos, which amounts to $40 a ton. Under the Dingley bill it is 5 cents a pound, or $112 a ton. The tax on hams and bacon in this country amounts to three times as much as the Filipino will have to pay, and yet we are the greatest home producers of that kind of meat almost in the world, and ship it to Germany and Europe and to the Philippines, and yet one-third of the duty is a sufficient tax for the Filipino to pay, whereas the American consumer must have the price of his breakfast table raised by a tax three times that which we levy for people in the Philippine Islands.

Mr. BARTLETT of Georgia. Will the gentleman yield for a question?

Mr. UNDERWOOD. I will yield to the gentleman from Georgia.

Mr. BARTLETT of Georgia. Will the gentleman from Alabama tell us what reason there is, either in the Dingley bill or the Payne bill, or the Payne-Aldrich bill, when it comes out, for a tariff tax on fresh meats coming to this country?

Mr. UNDERWOOD. Well, I do not think there is any necessity at all. We are great producers of fresh meat. We ship it abroad, compete on even terms in the markets of the world, and collect practically no revenue from the taxes imposed at home. I think it would be wise to very greatly reduce the tax on all food products in the United States, and especially on those that we can produce more cheaply than any other country in the world.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman this question: What is the theory upon which hides are put upon the dutiable list in this bill and on the free list at home?

Mr. UNDERWOOD. My friend is mistaken in respect to that. The bill, as reported to the House, has hides on the free list.

Mr. CLAYTON. The bill I have gives it at 10 per cent.

Mr. CLARK of Missouri. That is the old bill.

Mr. UNDERWOOD. That was the bill originally introduced; but the bill I have before me is the bill that was reported from the committee, and is No. 9135.

Mr. CULLOP. That is the one I have, No. 9135.

Mr. CLARK of Missouri. The gentleman must have the bill that was introduced by Chairman PAYNE.

Mr. CULLOP. I have the one numbered 9135.

Mr. GREGG. Well, they would carry the same number.

Mr. UNDERWOOD. Possibly my friend from Connecticut [Mr. HILL] can answer the question.

Mr. HILL. Hides are on the free list.

Mr. CULLOP. This is the copy that was handed to me this morning.

Mr. HILL. Under the present law they are dutiable at $1.50 a hundred kilos, and under the new bill they are free.

Mr. UNDERWOOD. That is true. I did not read the paragraph carefully when the gentleman from Indiana [Mr. CULLOP] first called attention to it. Under this bill raw hides are on the free list, and it is only tanned or manufactured hides that are dutiable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Alabama may be permitted to conclude his remarks. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I thank the House for the courtesy shown me, and I shall not take a great deal more of the time of the House on the bill. I have endeavored to point out a number of instances where this bill is a reduction in its rates from the present Philippine tariff law, and to show the House how greatly the rates are below those fixed by the Dingley law for the United States. There are two other questions, however, that I desire to call to the attention of the House before I take my seat.

This bill reenacts the present law and provides for a duty on exports of hemp, sugar, copra, and tobacco, and at a rate varying from 5 cents to 50 cents per 100 kilos. My objection to this clause in the bill is that it is not justified by any economic principle of government; that an export tax has been abandoned by practically all the civilized nations of the world as a means for raising revenue. There was a time one hundred years ago when many of the great governments of the world levied an export tax and in that manner collected revenues for their treasury.

Our forefathers in writing the Constitution of the United States, recognizing the false principle on which an export tax was based, put it in the fundamental law of our land that the United States Government should not levy export taxes. Since that time I think it has been abolished in all the great nations of Europe. I know of no instance where a great European nation has adopted an export tax in recent years except one, and that was during the recent Boer war, when the English Government adopted an export tax on coal, but with that exception it has been abolished by all the great civilized nations of the world. The reason for the change is very apparent. Whenever you put a tax on your people for engaging in an export trade, to that extent you limit their ability to successfully meet their foreign competitor and reduce the territory in which they can successfully dispose of their surplus products abroad. Take copra, dried cocoanut. It is a product of the Orient. A great many other nations produce copra besides the Philippine Islands. They can produce it as cheaply with the same class of labor and can reach the foreign markets as easily and as cheaply as can the people of the Philippine Islands. When you put a tax of 10 cents a hundred kilos on copra you say to the Filipino, "You have got to pay that before you can meet in competition the copra from China or other oriental countries."

It means that he must take that tax out of his pocket, not out of the foreigner's pocket, and pay it to the government. It means that he has got to produce that copra that much cheaper than the foreigner does in order to compete with him; that he must reduce his cost of living to that extent below the foreigner or he can not face competition and succeed; and therefore it discourages him in the production of all commodities on which he has to pay an export tax. I say that the export tax levied in this bill is not fair to the American producer of articles that compete with similar products from the Philippine Islands. A large amount of the sugar from the Philippine Islands will be admitted into the United States free of duty. If there were equal terms and equal conditions in the sale of the export sugar from the Philippine Islands between this country and the Orient, I have no doubt that a large amount of the Philippine sugar would not come to the United States but would go to the markets of the Orient; but when you put an export tax on Philippine sugar of 5 cents a hundred kilos, you drive that Philippine sugar to the American market and out of the Orient, because when it comes to the American market it comes free.

Mr. SLAYDEN. Will the gentleman yield?

Mr. UNDERWOOD. I do.

Mr. SLAYDEN. Do I understand the gentleman from Alabama to say that there will be an export tax on Philippine sugar of 5 cents a hundred kilos?

Mr. UNDERWOOD. Yes.

Mr. SLAYDEN. That is 5 cents on 220 pounds.

Mr. UNDERWOOD. Yes.

Mr. SLAYDEN. Five cents on a hundred kilos——

Mr. UNDERWOOD. Five cents a hundred kilos.

Mr. SLAYDEN. That is 5 cents on 220 pounds. Does the gentleman believe that will affect the destination of that sugar?

Mr. UNDERWOOD. It will, to the extent of the tax.

Mr. SLAYDEN. Why, it is negligible.

Mr. UNDERWOOD. No; I do not consider it so.

Mr. SLAYDEN. Five cents on 220 pounds is such an infinitesimal small fraction of additional charge per pound that it appears to me to be negligible.

Mr. UNDERWOOD. The gentleman must remember that the greatest fortunes that have been made in this world have been made by saving a cent on a very large product, and a few cents difference in the cost of a product will determine to which market it will go.

It may not amount to a great deal here, but the tendency would be that way. Of course, the tax on copra and tobacco amounts to a good deal more. On tobacco it amounts to $1.50 a hundred kilos in some classes of tobacco. On copra it amounts to 10 cents on a hundred kilos; but the tendency of this export tax would be to drive other exports to the American markets and interfere with their having fair competition in the markets abroad.

Now, the contention is made by the gentlemen of the committee who desire to levy this export tax that it is necessary to do so in order to produce revenue. I have no means of ascertaining the amount of revenue this bill will produce myself; the only way by which I can come to a conclusion about it is to accept the report of the collector of customs in the Philippine Islands. He says that the enactment of the bill that we have presented to the House will reduce the import duties $1,537,000, export duties, $44,000, and duties collected on Philippine products in the United States, $269,000, making a total reduction of $1,851,000.

Now, the total duties that were collected heretofore by an export tax only amounted to $743,000. Of course, some of those goods will of necessity come to the United States; but assuming that we lose all of that difference by repealing the export tax and add it to the $1,851,000 the collector of customs says they will lose, it would make a loss of duty under this bill of $2,551,000.

Under the law as it stands to-day, the insular government has been collecting from internal-revenue taxes $5,542,022, but a large proportion of these taxes has been turned over to the provinces and municipalities. The insular government had a surplus of about $3,000,000, which was turned over to the local governments for local improvements. The insular government only received $2,458,000, leaving a total of $3,000,000 that went to the provinces last year and under this bill will now be retained by the insular government. Now, subtracting the loss of revenue as figured by the collector of customs, with the $700,000 they now collect from exports added to it, amounting to $2,551,000, from the $3,000,000, it leaves $525,000 in excess of their expenditures. So, if the figures that are given by the collector of customs for the Philippine Islands by the Insular

Bureau that presented this bill to the House and to the committee originally are correct, then from a revenue standpoint there is no necessity whatever for maintaining the present duty on exports. When the proper time arrives in the consideration of the bill, I shall make a motion, not to wipe out the export duties at once, but allow them to operate for two years as they are, and then to reduce them one-fifth each year for a period of five years, so that we may not disrupt the machinery of the government there, so that we will take no chances in the matter, so the approach to the abolishment of these duties shall be gradual and no one could be injured by it, and so that this legislation will march up to the standards of civilization of all of the great countries of the world.

To-day, if we enact this law, we write into the statute books for the Philippine Islands legislation that is little short of barbarism, legislation that no government in the civilized world, except Turkey and Persia and other second-class nations, countenances to-day. But if we repeal these duties as I have indicated, there is no chance in the world of its working an injury, because it will come gradually and systematically to the Filipino. He will realize in advance that he must prepare for the future. If his present revenues are not sufficient to meet the needs of his government, he must either economize and cut down expenditures to meet them or seek for sources of revenue somewhere else; and we will give him seven years in which to gradually adapt himself to the new standard, and then we will have on the statute books of the Philippine Islands a law that is worthy of the standard of civilization and is not besmirched with the marks of barbarism, as this law will be if we put on these people a tax on their ability to compete with the nations of the world in foreign markets. [Applause on the Democratic side.]

Mr. ROBINSON. Mr. Chairman, I desire to ask unanimous consent that the gentleman from New York [Mr. HARRISON] be granted leave to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

[Mr. BENNET of New York addressed the committee. See Appendix.]

Mr. HILL. I do not intend to take the time of the committee, except to offer a word of explanation concerning the item of structural steel. It is true that the rate in the old law on unperforated and unassembled structural steel is 60 cents per hundred kilos; under the new law it is 40 cents per hundred kilos. On finished or assembled structural steel the rate is $1.25 in this bill, as against $1 in the present law. This will make a slightly greater differential than now exists. The reason for it is this: Gentlemen have an idea that the conditions of the Philippine Islands are like the conditions in the United States, and that a rule that is applicable here is equally applicable there. You may travel for hundreds of miles in the Philippine Islands and will not see a house that has any iron in it; that is, among the mountains and in the agricultural section. Structural steel is not an ordinary article of commerce in the Philippine Islands. Only $200,000 worth all told was imported last year, and that was chiefly for bridges or public buildings built by the government.

Now they have got one establishment in the Philippine Islands that is engaged in the steel and iron industry and that employs a thousand Filipino people in the manufacture or bringing together of steel and iron of various forms. It is exceedingly desirable that these people should be continued in their employment. The great bulk of their output is bought by the government for use in the construction of bridges, in harbor or dock improvements, and things of that kind. This change was made at the request of and insisted upon by the collector of the Philippine Islands, to give this differential of $8.50 a ton, in order that these people might be continued in their employment. The rate on the unfinished article is just the same as it is in the Payne bill—$4, or $3.92 in the Payne bill. On the completed and finished structural iron it is somewhat larger than in the Payne bill.

Now, as to the general range of duties in this bill, I heard the gentleman from Alabama claim that they averaged 25 per cent. While the gentleman was making that statement, I figured it out. Striking out the spirit schedule—and it always should be eliminated in ascertaining the average rate of a bill—the average rate of this bill is 18 per cent, as against 19 under the old law. In the cotton schedule there is no change. Under the old law it was 26 per cent, and under the new law it is still 26 per cent.

This is purely a revenue measure. So far as the export duties are concerned, it is absolutely necessary to have these duties continued. It would not be safe to make the experiment of eliminating the duties heretofore received from the American trade and striking off the export duties at the same time. It is in reality a land tax. It is a tax upon the products of the land, payable by the large producers, who are the only ones who are able to pay it. These people are very poor.

Mr. UNDERWOOD. I would like to ask the gentleman from Connecticut how he reconciles that statement with the statement of General Edwards, of the Bureau of Insular Affairs, that is contained in this report. Now, my friend knows under this bill the insular government will receive $3,000,000 more from internal-revenue taxes than it is receiving now.

Mr. HILL. Oh, no.

Mr. UNDERWOOD. That is in the report.

Mr. HILL. He reports it $920,000.

Mr. UNDERWOOD. If the gentleman will allow me——

Mr. HILL. They only get about $3,000,000 in all.

Mr. UNDERWOOD. Here is what the report says, published here in the statement made by the insular bureau:

> It should be noted that while in the statement of revenues of the Philippines internal-revenue collections accruing to the insular government for last year amounted to $2,458,915.94, the entire collections made by the bureau of internal revenue for the same period were $5,542,022.18, the difference being turned over to the provinces and municipalities of the islands under various acts of the Philippine Commission.

Now, if the gentleman recollects, Colonel Colton, when before the committee, stated that they had $3,000,000 on which they could rely for the conduct of insular affairs, and the surplus they turned over to the provinces.

Mr. HILL. I think if you will read the report clear through, you will find that the increased internal revenue does not amount to anything like $3,000,000, but that it was added to somewhat by an increased tax on cigarettes, on tobacco, and malt and spirituous liquors.

Mr. PAYNE. May I suggest right there that these municipal governments must still be supported out of this internal revenue?

Mr. HILL. Certainly.

Mr. PAYNE. Although the control is turned over to the general government, still they must appropriate to support these municipal governments. It will be done more economically, and there will be some saving, but not the entire amount.

Mr. HILL. Of course not.

Mr. UNDERWOOD. If the gentleman from Connecticut will allow me, I will call attention to this fact: That when the witnesses from the Philippine Islands, Colonel Colton and the collector of internal revenue, Mr. Ford, were before the committee, they stated that the municipalities and the local governments would use other sources of revenue, and that this $3,000,000 could be used to supply any deficiency. That was absolutely the testimony before the committee.

Mr. HILL. I think the gentleman is mistaken; and if he will read the report again, he will find that this is simply referred to in this way: The Philippine assembly used half of the internal-revenue receipts, and, if I am not mistaken, paid over arbitrarily to the various towns, whether they needed it or not, the other half. Now, this reverses that rule and provides that the internal revenue collected by the general government shall be paid into the Philippine treasury, and the assembly shall use their discretion, so that, in case there is a deficiency, he simply says that that $3,000,000 could be made available; but the same necessity for the payment will exist in many cases as exists now, so that it is impossible to assume that that $3,000,000 is to be used in that way. Now, if you will go on and read further in the report, you will find this——

Mr. UNDERWOOD. If the gentleman will allow me, the report says——

Mr. HILL (continuing). He will find that certain increased rates of internal-revenue tax are prescribed and intended to be used to make up this deficiency, but there will still be a deficiency of six or seven hundred thousand dollars even then. At the same time, the hope is expressed that they will be able, by increased prosperity and increased business, to make up that deficiency. Now, there is one other thing——

Mr. UNDERWOOD. I should like to have my friend take this report that he has there on his desk and turn to page 4, where the insular bureau says:

Summarizing, there will be under this bill the following losses in the customs revenues:

Import duties	$1,537,824
Export duties	44,468
Duties collected on Philippine products in the United States	269,028
Total estimated loss	1,851,320

Against which there will be in wharfage dues an increase of $104,572.25, giving under this bill an estimated decrease of customs revenues of $1,746,747.75.

Now that is all that the same bureau estimates the loss will be, and yet on that same page down here they say this, referring to the increased internal-revenue collection:

This would immediately give an increase of $3,083,105.24 in the receipts of the Philippine insular government—

Out of which this deficit may be made up.

Mr. HILL. The gentleman is still mistaken. If he will read down through page 4, he will find that the increase in revenue is expected to amount to $375,791 from malt liquors, distilled spirits, and so forth, and about $800,000 from the internal-revenue tax on cigarettes. Then it says to meet this remaining deficit, as compared with the revenues of the last fiscal year, there will be the increased receipts of $3,083,105.24 heretofore paid into the municipal and provincial treasuries.

Mr. UNDERWOOD. My friend does not understand me at all. I never contended that they were going to increase the amount. I said that they were now raising $3,000,000 more than they needed.

They were giving that to the municipal governments in the provinces. It is exactly the same proposition as under the Dingley bill we raised $100,000,000 more than we needed and we gave it to the States, as we did in Jackson's time. It is the duty of the provinces and municipalities, and always has been under the Spanish régime, and after the Americans arrived there, to raise their own taxes, but the insular government had these $3,000,000 surplus, and therefore they divided it out for improvements of the municipalities. Now they have got other uses for it, and they can hold it in the insular treasury, and that is what General Edwards and Colonel Colton testify to before the Ways and Means Committee.

Mr. HILL. Now, in regard to the match question, all I have to say about that is this: I was in the Philippine Islands in 1900 and they had a match factory there, and I presume they have got it still. It is not an industry, it is an isolated case.

They want to keep it there and I guess they have made the duty high enough to keep it there. It is 20 cents a kilo under the present law, and, I think, the same under the new bill. It is nowhere near as high, and they do not pay as much as they did for matches under the Spanish régime, when, as I understand, the manufacture of matches was a monopoly.

The whole bill has been made with reference to two things—one a revenue bill for the Philippine Islands, and the other, I think, influenced a good deal by the hope of bringing trade to the United States, without exploiting the islands, and that is what we ought to do and that is what we have a right to do, without wronging them at the same time. If you can disassociate these two things and give the trade where it belongs—to the United States—we ought to have it. It has come to us in Porto Rico. Under the old Spanish régime Porto Rico had $22,000,000 and now she has $56,000,000 of trade with the world. Under that régime we had one-fifth of that trade, and to-day we have five-sixths of it, and it belongs to us. We are responsible for the islands, and if, without wronging them we can get it, we ought to do so.

You can not go to any country in the world to-day; you can not go to any Province, any municipality, or any sphere of influence and find a neutral market—not one. I remember in 1900 I was coloring a map of the world showing the monetary systems of the world at a glance, and was amazed to find that Africa had been all carved up and parceled out. I have been to Hongkong, to Hamburg, and other so-called "free ports," and every one gives a preferential rate, by port charges or in some other way, to its own people. We have got to do the same thing or we shall get left in the race.

I would not exploit them one particle, and the best evidence of that is that I voted for free pig iron in the Philippines, notwithstanding some of my friends favored a duty. At the same time, I say that their trade belongs to us; we have a right to it, and it is our duty to the American people to make this tariff bill without wronging them, being absolutely fair to them, so that that trade will come to us, and I think it will do it under this bill. [Applause.]

The CHAIRMAN. If there be no further time desired for general debate, the Clerk will read the bill by paragraph.

The Clerk read as follows:

SEC. 9. That the rates of duties to be collected on articles, goods, wares, or merchandise imported into the Philippine Islands shall be as follows: *Provided*, That no article bearing evident signs of being for sanitary construction shall pay a higher rate of duty than 20 per cent ad valorem: *And provided further*, That no article shall pay a higher rate of duty than 100 per cent ad valorem, except and unless the same shall be classified under paragraphs 92, 260, 261, 263, or 264, in which event the rate of duty thereby resulting shall be collected, anything in this act to the contrary notwithstanding: *And provided further*, That articles of foreign growth, produce, or manufacture shall be dutiable upon each importation, even though previously exported from the Philippine Islands, except as otherwise specifically provided in this act.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 19, lines 16, 17, and 18, strike out the words "ninety-two, two hundred and sixty, two hundred and sixty-one, two hundred and sixty-two, two hundred and sixty-three, or two hundred and sixty-four," and insert "ninety, two hundred and thirty-seven, two hundred and fifty-seven, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty, two hundred and sixty-one, or three hundred and one."

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

GROUP 4.—COPPER AND ALLOYS THEREOF.

46. Copper and alloys thereof, in bars, pipes, and sheets, and alloys of copper (except Muntz metal), in lumps and ingots, 10 per cent ad valorem.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 35, line 5, strike out "(except Muntz metal);" and in line 6, after the word "ingot," insert "any of the foregoing except Muntz metal."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

58. Mineral pigments of common, natural occurrence (including ochers, haemitites, barytes, and manganese), substances prepared for calcimines and whitewash, any of the foregoing when dry, 10 per cent ad valorem.

NOTE.—Any substance otherwise subject to classification under this paragraph shall, when imported in the form of a liquid or paste, be dutiable under clause (d) of paragraph 61.

With the following committee amendment:

Page 39, line 10, strike out the word "sixty-one" and insert in lieu thereof the word "fifty-nine."

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

77. Opium in any form, and preparations thereof, for medicinal purposes, not otherwise provided for, subject to the provisions of section 6 of this act, 35 per cent ad valorem.

With the following committee amendment:

Page 43, line 1, strike out "six" and insert "four."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The Clerk read as follows:

114. Ribbons or bands for the manufacture of any of the articles enumerated in paragraph 115, 15 per cent ad valorem.

With the following committee amendment:

Page 53, line 20, strike out the word "fifteen" and insert the word "thirteen."

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

132. Ribbons or bands for the manufacture of any of the articles enumerated in paragraph 133, 20 per cent ad valorem.

With the following committee amendment:

Page 60, line 5, strike out the words "thirty-three" and insert "thirty-one."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

153. Books and albums of lithographs, engravings, etchings, photographs, maps, or charts, not otherwise provided for, and painted designs, pastels, and ink drawings, made by hand, for use in manufacturing and in the industrial arts and sciences, 30 per cent ad valorem.

NOTE.—This paragraph shall not apply to works of art introduced for use as such, even when imported for sale, which shall be classified under paragraph 326.

With the following committee amendment:

Page 63, line 19, strike out the words "twenty-six" and insert in lieu thereof the words "twenty-five."

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The Clerk read as follows:

167. Straw for manufacturing purposes, rushes, vegetable hair, genista, osiers, bamboo, broomcorn, rattan, reeds, piths, not otherwise provided for:

(a) Crude, or not further advanced in manufacture than cut into straight lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes, 10 per cent ad valorem.

Mr. PAYNE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 66, line 23, after the word "canes," insert: "And straw braids suitable for making or ornamenting hats, neither bleached, tied, colored, or stained."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. PAYNE. I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 66, after line 24, insert a new paragraph, as follows:

"NOTE.—The term 'straw' as used in this clause shall be understood to mean that substance in its natural form and structure, and not the separated fiber thereof."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

188. Automatic slot machines, not otherwise provided for, and detached parts therefor (subject to the provisions of section 6 of this act), 35 per cent ad valorem.

With the following committee amendment:

Page 71, line 23, strike out the word "six" and insert the word "four."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

199. Detached wooden parts for any of the articles classified under paragraph 197 or paragraph 201.

With the following committee amendment:

Page 75, lines 6 and 7, strike out the word "ninety-seven" and insert the word "ninety-four."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Also the following committee amendment:

Page 75, lines 7 and 8, strike out the words "two hundred and one" and insert the words "one hundred and ninety-eight."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Provided, That upon proof satisfactory to the collector of customs that adequate facilities are not afforded in the Philippine Islands for such repairs, the same shall be subject to the provisions of paragraph 351 of this act; and

With the following committee amendment:

Page 75, line 24, strike out the word "fifty-one" and insert the word "fifty."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

204. Hams, bacon, other meats, and sausages, dry, cured, or smoked, not preserved in cans, including weight of immediate containers, 100 kilos, $4.50.

Provided, That sausages classified under this paragraph may be imported in any kind of package exceeding in weight 10 kilos each: and

Provided further, That salt used for the packing of any article classified under this paragraph shall be dutiable under clause (c) of paragraph 74.

With the following committee amendment:

Page 77, line 12, strike out the word "seventy-four" and insert "seventy-two."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

206. Canned or potted meats, such as beef, veal, mutton, lamb, pork, ham, and bacon, plainly prepared and simply preserved, not otherwise provided for, common preparations thereof, with or without vegetables or other simple ingredients, such as Irish stew, corned-beef hash, chili con carne, hog and hominy, dry chipped beef, and the like, 15 per cent ad valorem.

Mr. PAYNE. Mr. Chairman, page 77, line 20. I move to strike out the words "such as" and insert "including."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 20, page 77, strike out the words "such as" and insert the word "including."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

(c) Fish, shellfish, sea food, and preparations thereof, such as anchovies, merluza, angulas, awabi, sardines not otherwise provided for, lampreys, whiting, turtle, fish roe, eels in jelly, sharks' fins in any form, shrimp, bloater, and fish pastes and butters, similar products of delicatessen class, 25 per cent ad valorem.

Mr. PAYNE. Mr. Chairman, on page 78, line 23, I move to strike out the words "such as" and insert the word "including."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 78, line 23, strike out the words "such as" and insert the word "including."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I would like to go back to page 77 and offer the same amendment to line 24.

The CHAIRMAN. Without objection, the amendment will be considered as agreed to. [After a pause.] The Chair hears no objection.

The Clerk read as follows:

237. Sugar:

(a) Raw, gross weight, 100 kilos, $3.70.

(b) Refined, including weight of immediate containers, 100 kilos, $4.20.

With the following committee amendments:

Page 84, line 18, strike out "seventy" and insert "seventy-two;" and in line 21, strike out "twenty" and insert "twenty-two."

The CHAIRMAN. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The Clerk read as follows:

278. Horn, bone, whalebone, celluloid, and imitations of any of the foregoing, or of any of the substances enumerated in paragraph 281, including weight of immediate containers.

With the following committee amendment:

Page 93, line 2, strike out "eighty-one" and insert "seventy-seven."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

301. Tobacco:

(a) Wrapper tobacco, filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, leaf tobacco the product of two or more countries or dependencies when mixed or packed together, any of the foregoing unstemmed, kilo, $4.80.

(b) The same, stemmed, kilo, $5.50.

(c) Filler tobacco, not otherwise provided for, unstemmed, kilo, 77 cents.

(d) The same, stemmed, kilo, $1.02.

(e) Cigars, cigarettes, cheroots, paper cigars and cigarettes, including wrappers, kilo, $9.00 and 25 per cent ad valorem.

(f) Other tobacco, manufactured or unmanufactured, not otherwise provided for, kilo, $1.20.

With the following committee amendments:

Page 99, line 4, strike out "eighty" and insert "eight."
Line 5, strike out "fifty" and insert "fifty-two."
Line 8, strike out "seventy-seven" and insert "seventy-eight."
Line 10, strike out "two" and insert "eleven."
Line 14, strike out "ninety" and insert "ninety-three."
Line 18, strike out "twenty" and insert "twenty-two."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The Clerk read as follows:

304. Cost of repairs upon articles of easy identification (except those provided for in paragraph 203), exported from the Philippine Islands and reimported therein, 25 per cent ad valorem.

Provided, That any such article, exclusive of the repairs thereon, shall be free of duty when reimported, upon the compliance with the regulations of the insular collector of customs governing such exportations and reimportations, otherwise the terms of section 12 shall apply.

With the following committee amendments:

Page 100, line 12, strike out the words "and three;" and in line 20 strike out the word "twelve" and insert the word "nine."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The Clerk read as follows:

NOTE.—Store, office, and business signs, otherwise those for advertising local business houses, firms, offices, associations, corporations, trades, or professions, shall not be classified under this paragraph.

Mr. PAYNE. Mr. Chairman, I desire to offer the following committee amendment.

The Clerk read as follows:

Page 103, lines 3 and 4, strike out the words "otherwise those" and insert in lieu thereof the word "used."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

328. Public documents issued by foreign governments, correspondence, manuscripts, and typewritten documents, not prohibited by section 6 of this act, and collections of stamps of national issue, used or unused.

With the following committee amendment:

Page 103, line 17, strike out "six" and insert "four."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

337. Supplies and materials imported by or for the use of the United States Government, or the government of the Philippine Islands, or any of their subordinate branches: *Provided*, That title shall have passed to one of said governments before such supplies are released from customs custody: *And provided further*, That any article (except those enumerated in paragraph 218) which would otherwise be classified under this paragraph shall, if imported for sale to private or corporate persons, be dutiable under the corresponding paragraph of this act.

With the following committee amendment:

Page 106, line 22, strike out "eighteen" and insert "fifteen."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

338. Wearing apparel, articles of personal adornment, toilet articles, books, portable tools and instruments, theatrical costumes, and similar personal effects, accompanying travelers or tourists in their baggage or arriving within a reasonable time, in the discretion of the collector of customs, before or after the owners, in use of and necessary and appropriate for the wear or use of such persons according to their profession or position for the immediate purposes of their journey and their present comfort and convenience: *Provided*, That this exemption shall not be held to apply to merchandise or articles intended for other persons for barter or sale: *And provided further*, That the collector of customs may, in his discretion, require a bond for the exportation of or the payment of duties upon articles classified under this paragraph within the time and in the manner prescribed by paragraph 340.

With the following committee amendment:

Page 107, line 18, strike out "forty" and insert "thirty-nine."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

340. Professional instruments and implements, tools of trade, occupation, or employment, wearing apparel, domestic animals, and personal and household effects, including those of the kind and class provided for under paragraphs 339 and 340, belonging to persons coming to settle in the Philippine Islands, in quantities and of the class suitable to the profession, rank, or position of the person importing them, for their own use and not for barter or sale, accompanying such persons or arriving within a reasonable time, in the discretion of the collector of customs, before or after the arrival of their owners, upon the production of evidence satisfactory to the collector of customs that such persons are actually coming to settle in the Philippine Islands, that the articles are brought from their former place of abode, that change of residence is bona fide, and that the privilege of free entry under this paragraph has never been previously granted to them: *Provided*, That neither merchandise of any kind, nor machinery or other articles for use in manufacture, shall be classified under this paragraph: *And provided further*, That officers and employees of the United States Government or of the government of the Philippine Islands, or religious missionaries taking station in the islands shall be considered as "coming to settle" for the purposes of this paragraph.

Also the following committee amendment:

Line 12, page 108, after the word "paragraphs," insert "338 and."
Line 13, page 108, strike out "and 340."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The Clerk read as follows:

341. Vehicles, animals, birds, insects, and fish, portable theaters, circus and theatrical equipment, including sceneries, properties, and apparel, devices for projecting pictures and parts and appurtenances therefor, panoramas, wax figures, and similar objects for public entertainment, upon identification and the giving of a bond with sureties satisfactory to the collector of customs in an amount equal to double the estimated duties thereon, conditioned for the exportation thereof or payment of the corresponding duties thereon within the time and in the manner prescribed by paragraph 340.

With the following committee amendment:

Line 23, page 109, strike out "forty" and insert "thirty-nine."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

345. Pumps for the salvage of vessels, upon identification and the giving of a bond with sureties satisfactory to the collector of customs in an amount equal to double the estimated duties thereon, conditioned for the exportation thereof or payment of the corresponding duties thereon within the time and in the manner prescribed by paragraph 340.

Also the following committee amendment:

Page 111, line 1, strike out "forty" and insert "thirty-nine."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

346. Wearing apparel and household effects, including those articles provided for under paragraphs 339 and 340, belonging to residents of the Philippine Islands returning from abroad, which were exported from the said islands by such returning residents upon their departure therefrom or during their absence abroad, upon the identity of such articles being established to the satisfaction of the collector of customs, under such regulations as the insular collector of customs shall prescribe; articles of the same kind and class purchased in foreign countries by natives of the Philippine Islands during their absence abroad and accompanying them upon their return to said islands, or arriving within a reasonable time, in the discretion of the collector of customs, before or after their return upon proof satisfactory to the collector of customs that the same have been in their use abroad for more than one year.

Also the following committee amendment:

Page 111, line 10, after the word "paragraphs," insert "338 and."
And in line 12, page 11, strike out the words "and three hundred and forty."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

EXPORT DUTIES.

SEC. 13. That upon the exportation to any foreign country from the Philippine Islands, or the shipment thereof to the United States or any of its possessions, of the following articles, there shall be levied, collected, and paid thereon the following export duties: *Provided, however*, That all articles the growth and product of the Philippine Islands coming directly from said islands to the United States or any of its possessions for use and consumption therein, shall be exempt from any export duties imposed in the Philippine Islands:

354. Abaca (hemp), gross weight, 100 kilos, 75 cents.

Mr. UNDERWOOD. Mr. Chairman, I desire to offer an amendment that will affect all of section 13. I want to know if it will be in order to offer it at the end of paragraph 361, as it affects the whole section?

Mr. PAYNE. I would like to have the bill read to paragraph 361, and then let the gentleman offer his amendment and have it considered as pending, and I shall make a motion to rise.

Mr. UNDERWOOD. I desire to offer it at the end of paragraph 361, if it will be in order to the whole section.

Mr. PAYNE. I ask that the following paragraphs, down to and including 361, be considered as read.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Then, I offer the following amendment.

The Clerk read as follows:

Amend by inserting at the end of section 13, on page 115, line 21, the following:

"*Provided*, That the export duties authorized to be collected under section 13 of this act shall remain in force and be operative for two years, and thereafter the amount of the duties named in said section shall be reduced one-fifth each succeeding year for the period of five years. Seven years after the enactment of this law no export duties or other charges shall be levied, collected, and paid upon the exportation of any articles from the Philippine Islands."

Mr. PAYNE. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9135, the Philippine tariff bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 17 minutes p. m.) the House, under the order previously adopted, adjourned until Monday next, May 17.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting a detailed report of a drainage survey of certain wet, overflowed, or swampy lands ceded by the Chippewa Indians in Minnesota (H. Doc. No. 27)—to the Committee on Public Lands and ordered to be printed, with illustrations.

A letter from the Assistant Secretary of the Department of Commerce and Labor, transmitting the report of Special Agent Charles M. Pepper on British iron and steel industry (S. Doc. No. 42)—to the Committee on Interstate and Foreign Commerce.

A letter from the Secretary of the Treasury, transmitting, with copy of a communication from the Secretary of War, an estimate of an appropriation for subsistence of the army (H. Doc. No. 28)—to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WANGER: A bill (H. R. 9504) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission"—to the Committee on Interstate and Foreign Commerce.

By Mr. HEALD: A bill (H. R. 9505) to provide for the erection of a monument to mark the location of the De Vries Dutch settlement near Lewes, Del.—to the Committee on the Library.

Also, a bill (H. R. 9506) for the relief of members of the Fifth and Sixth Regiments of Delaware Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9507) to provide for the acquisition and improvement of the Chesapeake and Delaware Canal—to the Committee on Railways and Canals.

By Mr. GOULDEN: A bill (H. R. 9508) to prevent and punish the desecration, mutilation, or improper use of the flag of the United States of America—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: A bill (H. R. 9509) to amend sections 4924 and 4927 of the Revised Statutes, relating to patents—to the Committee on Patents.

Also, a bill (H. R. 9510) to amend an act relating to the sale of gas in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 9511) to determine powers of United States judges as to instructions to juries—to the Committee on the Judiciary.

Also, a bill (H. R. 9512) granting a pension of $30 per month to United States soldiers, war with Mexico—to the Committee on Pensions.

Also, a bill (H. R. 9513) to add 31,000 acres of land by purchase or condemnation to the Chattanooga and Chickamauga National Military Park, and appropriating $761,000 for that purpose—to the Committee on Military Affairs.

Also, a bill (H. R. 9514) granting right of way for road through government reservation north of national cemetery, Chattanooga, Tenn.—to the Committee in Military Affairs.

Also, a bill (H. R. 9515) recognizing the military service of and giving pensionable status under all pension laws of the United States to persons serving under United States officers as home guards, militia, or other provisional troops during the civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9516) authorizing juries to fix punishment of defendants convicted in United States courts in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 9517) to limit the jurisdiction of district and circuit courts of the United States in law and equity to sums exceeding $5,000—to the Committee on the Judiciary.

Also, a bill (H. R. 9518) to provide for the erection of a public building at Sparta, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9519) to provide for the erection of a public building at Athens, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9520) to provide for the erection of a public building at McMinnville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9521) to provide for the erection of a public building at Winchester, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9522) to appropriate $50,000 to complete custom-house and post-office building at Chattanooga, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9523) to provide for the erection of a public building at Madisonville, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. LEE: A bill (H. R. 9524) to add 31,000 acres of land, by purchase or condemnation, to the Chattanooga and Chickamauga National Military Park, and appropriating $761,000 for that purpose—to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9525) to provide for the lading or unlading of vessels at night, to facilitate the entry of vessels, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 9526) defining the offense of train wrecking, or attempts so to do, and providing punishment therefor—to the Committee on the Judiciary.

By Mr. ANDREWS: A bill (H. R. 9527) to establish a fish-culture station in New Mexico—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9528) for the purchase of a site and the erection of an electrical power plant for irrigation purposes in Portales, N. Mex., or vicinity—to the Committee on Public Buildings and Grounds.

By Mr. BOWERS: A bill (H. R. 9529) to purchase a dredge for use in the harbor and channel at Gulfport, Miss., and for the maintenance thereof—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9530) to extend the application of the several acts to regulate interstate commerce to certain public-service corporations and persons engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9531) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9532) to subject intoxicating liquors transported from one State into another for delivery or sale to the laws and regulations of such latter State, and to prohibit the issuance of federal licenses to sell same in such localities where such is prohibited by the laws or regulations of such State or locality—to the Committee on the Judiciary.

Also, a bill (H. R. 9533) to distribute the surplus in the Treasury of the United States to the several States and Territories and the District of Columbia for the sole purpose of improving the roads therein—to the Committee on Ways and Means.

Also, a bill (H. R. 9534) to appropriate $500,000 for the prosecution and extension of the work of the Bureau of Soil Surveys in the Department of Agriculture—to the Committee on Agriculture.

Also, a bill (H. R. 9535) to establish an agricultural experiment station in the Sixth Congressional District of the State of Mississippi—to the Committee on Agriculture.

Also, a bill (H. R. 9536) to establish a fish-hatching and fish-culture station at a point on the Gulf of Mexico in the State of Mississippi—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9537) to acquire certain ground in the District of Columbia for a government reservation—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9538) to establish an experimental wood-distillation laboratory—to the Committee on Agriculture.

By Mr. CARLIN: A bill (H. R. 9539) for the relief of acting (volunteer) officers of the United States Navy in the civil war—to the Committee on Naval Affairs.

By Mr. AUSTIN: A bill (H. R. 9540) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900—to the Committee on Ways and Means.

By Mr. OLMSTED: A bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900—to the Committee on Ways and Means.

By Mr. SLAYDEN: A bill (H. R. 9542) to provide for the erection of a public building at Brownwood, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. LLOYD: A bill (H. R. 9543) to amend an act entitled "An act to authorize the Secretary of the Navy to loan naval equipment to certain military schools," approved March 3, 1901—to the Committee on Naval Affairs.

By Mr. BURKE of South Dakota: A bill (H. R. 9544) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Rosebud Indian Reservation in the State of South Dakota, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. HOWELL of Utah: Joint resolution (H. J. Res. 54) authorizing the Secretary of War to loan cots, tents, and appliances for the use of the forty-third national encampment of the Grand Army of the Republic at Salt Lake City, Utah—to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: Concurrent resolution (H. C. Res. 16) accepting invitation to Congress to attend the Alaska-Yukon-Pacific Exposition, and authorizing the appointment of committee to attend—to the Committee on Industrial Arts and Expositions.

By Mr. BARTHOLDT: Resolution (H. Res. 70) calling for report on Mississippi River—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 9545) granting a pension to John D. Smith—to the Committee on Pensions.

Also, a bill (H. R. 9546) granting an increase of pension to Andrew M. Clarke—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 9547) granting an increase of pension to Samuel F. Gilbreath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9548) granting an increase of pension to George W. Medick—to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 9549) granting an increase of pension to Thomas Evens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9550) granting an increase of pension to George W. Brink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9551) granting an increase of pension to John R. Lemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9552) granting an increase of pension to Newton Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9553) granting an increase of pension to George R. White—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 9554) to remove the charge of desertion from the military record of Albert B. Ketterman and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 9555) granting an increase of pension to Robert Shull—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 9556) granting an increase of pension to James F. Thurman—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 9557) for the relief of the estate of J. M. Fortinberry, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9558) for the relief of Emily Donnelly or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 9559) for the relief of Martha B. Moore—to the Committee on War Claims.

Also, a bill (H. R. 9560) for the relief of Louis T. Barnes—to the Committee on War Claims.

Also, a bill (H. R. 9561) for the relief of the estate of Capt. John Bolino, late of Pass Christian, Harrison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9562) for the relief of the estate of Nevin Phares—to the Committee on War Claims.

Also, a bill (H. R. 9563) for the relief of the heirs of Wright Mann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9564) for the relief of the heirs of John Fornea—to the Committee on War Claims.

Also, a bill (H. R. 9565) for the relief of heirs of John W. Ford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9566) for the relief of June Poltevent, administrator of the estate of William J. Poltevent, deceased—to the Committee on Claims.

Also, a bill (H. R. 9567) to carry out the findings of the Court of Claims in the case of John C. McDaniel, administrator of John W. McDaniel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9568) to correct the military record of Elias H. Lewin, alias William Harrington—to the Committee on Military Affairs.

Also, a bill (H. R. 9569) to correct the military record of J. E. Mariner—to the Committee on Military Affairs.

Also, a bill (H. R. 9570) to authorize the Secretary of the Treasury to convey certain lands to the city of Biloxi, Miss., for street purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 9571) to grant American registry to the Norwegian bark *Mizapore*, to be used as a barge or lighter—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9572) for the relief of the heirs at law of Samuel Hollingsworth, deceased—to the Committee on War Claims.

By Mr. BRADLEY: A bill (H. R. 9573) granting a pension to Delia Reynolds—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 9574) authorizing and directing the Secretary of the Interior to pay arrearage to Thomas F. Haywood, Nashville, Tenn.—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 9575) granting a pension to John White—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 9576) granting a pension to Laura C. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9577) granting an increase of pension to William E. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9578) for the relief of the personal representatives of John Wharton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9579) for the relief of Martin Maddox—to the Committee on Claims.

Also, a bill (H. R. 9580) for the relief of W. J. Tapp & Co.—to the Committee on Claims.

By Mr. CLINE: A bill (H. R. 9581) granting an increase of pension to James Ryan—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 9582) to correct the military record of Jacob M. Pruitt—to the Committee on Military Affairs.

Also, a bill (H. R. 9583) to correct the military record of Smith F. Carroll—to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 9584) granting an increase of pension to Joseph Gimber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9585) granting an increase of pension to Samuel Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9586) granting a pension to Daniel W. Reynolds—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 9587) granting an increase of pension to Junius Thomas Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9588) granting an increase of pension to John Klay—to the Committee on Pensions.

By Mr. DE ARMOND: A bill (H. R. 9589) granting an increase of pension to Joshua T. Parrish—to the Committee on Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 9590) for the relief of James Wiley—to the Committee on War Claims.

Also, a bill (H. R. 9591) granting a pension to William German—to the Committee on Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 9592) granting an increase of pension to Christian W. Abbaduska—to the Committee on Invalid Pensions.

By Mr. GODWIN: A bill (H. R. 9593) for the relief of Thomas D. Meares, administrator of Armand D. Young, deceased—to the Committee on War Claims.

By Mr. GOULDEN: A bill (H. R. 9594) for the relief of Alexander McKenna—to the Committee on Military Affairs.

By Mr. HAMER: A bill (H. R. 9595) granting a pension to Albert Small—to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 9596) granting an increase of pension to Thomas Lovell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9597) granting an increase of pension to Joseph Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9598) granting an increase of pension to Edwin R. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9599) granting an increase of pension to William Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9600) granting an increase of pension to Bradford G. Ostrander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9601) granting an increase of pension to William B. Powers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9602) granting an increase of pension to Catherine Frederick—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 9603) granting an increase of pension to David W. Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9604) granting a pension to James Burke—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 9605) granting an increase of pension to Timothy Quinn—to the Committee on Invalid Pensions.

By Mr. JONES: A bill (H. R. 9606) for the relief of the estate of Robert R. Berry, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9607) for the relief of Ezer W. Edwards—to the Committee on War Claims.

By Mr. KENNEDY of Ohio: A bill (H. R. 9608) granting an increase of pension to O. P. Shanafelt—to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 9609) to grant to John Rivett privilege to make commutation of his homestead entry—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 9610) granting a pension to Annie M. Tinsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9611) granting an increase of pension to Charles B. King—to the Committee on Invalid Pensions.

By Mr. LAMP: A bill (H. R. 9612) for the relief of Charles S. Mills—to the Committee on Claims.

Also, a bill (H. R. 9613) for the relief of the estate of Samuel C. Hull, deceased—to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 9614) granting an increase of pension to Harvey Moore—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 9615) to amend the military record of Stephen A. Merrill, alias George Holmes—to the Committee on Military Affairs.

By Mr. McKINNEY: A bill (H. R. 9616) granting an increase of pension to William B. Houck—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9617) granting a pension to Angeline Buckley—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 9618) for the relief of Charles Hassett, of Chattanooga, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 9619) for the relief of R. H. Sively—to the Committee on Military Affairs.

Also, a bill (H. R. 9620) for the relief of James Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 9621) for the relief of W. P. Qualls—to the Committee on Military Affairs.

Also, a bill (H. R. 9622) for the relief of Jasper N. T. Hamilton—to the Committee on Military Affairs.

Also, a bill (H. R. 9623) for the relief of James Nipper—to the Committee on Military Affairs.

Also, a bill (H. R. 9624) for the relief of Hansell Hatfield, of McMinn County, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 9625) for the relief of Isom M. Qualls—to the Committee on Military Affairs.

Also, a bill (H. R. 9626) for the relief of William M. White, of James County, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 9627) for the relief of Lovenia Hodges (née Grant)—to the Committee on War Claims.

Also, a bill (H. R. 9628) for the relief of Mrs. E. L. Eblen—to the Committee on War Claims.

Also, a bill (H. R. 9629) for the relief of George W. Penney and the heirs of Thomas Penney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9630) for the relief of G. R. West—to the Committee on War Claims.

Also, a bill (H. R. 9631) for the relief of Sarah E. Abernathy, widow of J. J. Abernathy—to the Committee on War Claims.

Also, a bill (H. R. 9632) for the relief of the estate of Samuel Y. B. Williams, of Chattanooga, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9633) for the relief of D. J. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 9634) for the relief of Lydia A. Newby—to the Committee on War Claims.

Also, a bill (H. R. 9635) for the relief of James B. Hoge—to the Committee on War Claims.

Also, a bill (H. R. 9636) for the relief of Sarah Crabtree and the estate of Eli Crabtree, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9637) for the relief of James B. Brown—to the Committee on War Claims.

Also, a bill (H. R. 9638) for the relief of John H. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 9639) for the relief of John Coppinger—to the Committee on War Claims.

Also, a bill (H. R. 9640) for the relief of Jesse Walling—to the Committee on War Claims.

Also, a bill (H. R. 9641) for the relief of Mrs. Laura Barrett—to the Committee on War Claims.

Also, a bill (H. R. 9642) for the relief of Jesse A. Wallace—to the Committee on War Claims.

Also, a bill (H. R. 9643) for the relief of James B. Hoge—to the Committee on War Claims.

Also, a bill (H. R. 9644) for the relief of George W. Penney and the heirs of Thomas Penney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9645) for the relief of P. H. Schoolfield, of Pikeville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9646) for the relief of Ruth Ann True—to the Committee on War Claims.

Also, a bill (H. R. 9647) for the relief of Abner Souder—to the Committee on War Claims.

Also, a bill (H. R. 9648) for the relief of Joseph G. Richardson, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 9649) for the relief of the widow of the late Capt. Daniel C. Trewhitt—to the Committee on War Claims.

Also, a bill (H. R. 9650) for the relief of John M. Heard—to the Committee on War Claims.

Also, a bill (H. R. 9651) for the relief of Edward D. Pickett—to the Committee on War Claims.

Also, a bill (H. R. 9652) for the relief of Nathaniel R. and William C. Carson—to the Committee on War Claims.

Also, a bill (H. R. 9653) for the relief of Ruth Holder—to the Committee on War Claims.

Also, a bill (H. R. 9654) for the relief of William Roberts—to the Committee on War Claims.

Also, a bill (H. R. 9655) for the relief of James B. Brown, of Hamilton County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9656) for the relief of James N. Davis, administrator of William Davis, deceased, of Mount Airy, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9657) for the relief of trustees of the Boiling Fork Baptist Church, of Cowan, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9658) for the relief of William H. Bean—to the Committee on Claims.

Also, a bill (H. R. 9659) granting a pension to James M. Ikard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9660) granting a pension to Mary J. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9661) granting a pension to Peter Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9662) granting a pension to Andrew J. Hollaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9663) granting a pension to Tilman Giles, alias Robert Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9664) granting a pension to Margaret J. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9665) granting a pension to Sarah E. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9666) granting a pension to Robert Axmacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9667) granting a pension to Sarah J. Watson, or Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9668) granting a pension to Harriet E. Aiken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9669) granting a pension to Seborn J. Mullins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9670) granting a pension to J. L. McDowell, alias Leander Dickey—to the Committee on Pensions.

Also, a bill (H. R. 9671) granting an increase of pension to Rebecca A. Cole—to the Committee on Pensions.

Also, a bill (H. R. 9672) granting an increase of pension to Benedict Ellis—to the Committee on Pensions.

Also, a bill (H. R. 9673) granting an increase of pension to Nancy Jane Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9674) granting an increase of pension to George W. Holland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9675) granting an increase of pension to Matison M. Kilgore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9676) granting an increase of pension to Milton J. Beebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9677) granting an increase of pension to Thomas R. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9678) granting an increase of pension to Luther M. Blackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9679) granting an increase of pension to Robert B. Weathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9680) granting an increase of pension to Andrew H. Stansberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9681) granting an increase of pension to Sarah A. Weber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9682) granting an increase of pension to John W. Roy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9683) granting an increase of pension to James L. Dungan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9684) granting an increase of pension to Mary L. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9685) granting an increase of pension to Frederick Dauchy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9686) granting an increase of pension to James A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9687) granting an increase of pension to John Skelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9688) granting an increase of pension to James T. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9689) granting an increase of pension to Gideon T. Denton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9690) granting an increase of pension to Charles May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9691) granting an increase of pension to Rachel S. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9692) granting an increase of pension to William F. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9693) granting an increase of pension to Andrew Stoops—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9694) granting an increase of pension to Foster Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9695) granting an increase of pension to Samuel Teague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9696) granting an increase of pension to Mary E. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9697) granting an increase of pension to W. A. Pryor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9698) granting an increase of pension to Scott Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9699) granting an increase of pension to Burnett M. Trew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9700) granting an increase of pension to William R. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9701) granting an honorable discharge to Marion Hixson—to the Committee on Military Affairs.

Also, a bill (H. R. 9702) to remove the charge of desertion from the name of Gabriel P. Keith—to the Committee on Military Affairs.

Also, a bill (H. R. 9703) to remove the charge of desertion against the name of Thomas J. Schrimpsher—to the Committee on Military Affairs.

Also, a bill (H. R. 9704) to remove the charge of desertion against the name of Samuel J. Rayl—to the Committee on Military Affairs.

Also, a bill (H. R. 9705) to remove charge of desertion against Henry H. Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 9706) for the relief of the estate of William Roberts, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9707) for the relief of the estate of N. T. Power, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9708) for the relief of the estate of Hampton Hudgens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9709) for the relief of the estates of Asa Faulkner, deceased; Lewis L. Faulkner, deceased; and S. B. Spurlock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9710) for the relief of the estate of William Duncan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9711) for the relief of the estate of Patrick Henry Watkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9712) for the relief of the estate of Aaron Murdock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9713) for the relief of the estate of Alexander Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9714) for the relief of the estate of Martin Hartman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9715) for the relief of the estate of P. W. Key—to the Committee on War Claims.

Also, a bill (H. R. 9716) for the relief of the estate of J. K. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 9717) for the relief of the estate of John A. Pickett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9718) for the relief of the estate of Casandra Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9719) for the relief of the estate of Mary A. Henderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9720) for the relief of the estate of Robert Langford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9721) for the relief of the estate of Austin Hackworth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9722) for the relief of the estate of Preston Gann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9723) for the relief of the estate of H. B. Henegar, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9724) for the relief of the estate of John A. Heard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9725) for the relief of the estate of George M. Carroll, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9726) for the relief of the estate of Washington Turner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9727) for the relief of the estate of Washington Pryor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9728) for the relief of the estate of Louisa M. Kirklin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9729) for the relief of the estate of Daniel B. Harold, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9730) for the relief of the estate of Burrell L. Bennett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9731) for the relief of the estate of W. G. Hoge, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9732) for the relief of the estate of George P. Carmichael, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9733) for the relief of the heirs of Simeon Graves, deceased, of McMinn County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9734) for the relief of the heirs of James C. Connor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9735) for the relief of the heirs of Christopher Wood, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9736) for the relief of the heirs at law of Robert Worthington—to the Committee on War Claims.

Also, a bill (H. R. 9737) for the relief of the heirs of Erban Powell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9738) for the relief of the heirs of Margaret Sivley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9739) to carry out the findings of the Court of Claims in the case of James E. Meacham—to the Committee on War Claims.

Also, a bill (H. R. 9740) for the relief of the trustees of Hennegans Chapel, Methodist Episcopal Church South, of Dunlap, Sequatchie County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9741) for the relief of Rachael C. Stiefvater, of Chattanooga, Tenn., to reimburse for the use and destruction of property by United States Army in 1864—to the Committee on War Claims.

Also, a bill (H. R. 9742) to carry out the findings of the Court of Claims in the case of Laura E. Raulston, administratrix of James W. Raulston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9743) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John Chitwood, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9744) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John Henson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9745) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of W. W. Sharp, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9746) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Josiah J. Bryan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9747) to carry into effect the findings of the Court of Claims in the matter of the claim of the Methodist Episcopal Church South, of Cleveland, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9748) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9749) to correct the military records of the United States so as to muster in and out of service in United States Army James Kirkland—to the Committee on Military Affairs.

Also, a bill (H. R. 9750) to complete the military record of Daniel Cook, deceased, and for an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 9751) to amend and correct war records so as to muster in and muster out of service in United States Army Joshua E. Carlton, of Charleston, Tenn., and to grant to him an honorable discharge—to the Committee on Military Affairs.

By Mr. MOORE of Texas: A bill (H. R. 9752) granting a pension to Michael Gibney, alias John Gibney—to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: A bill (H. R. 9753) granting an increase of pension to Alton E. Cobb—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 9754) granting a pension to Mary Bay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9755) granting a pension to Kenneth Stewart Crane—to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 9756) granting an increase of pension to John F. Staley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9757) granting a pension to Salem Williams—to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 9758) granting a pension to Bernice L. Frink—to the Committee on Invalid Pensions.

By Mr. TENER: A bill (H. R. 9759) granting a pension to Sarah Bush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9760) granting an increase of pension to William A. Bane—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 9761) granting an increase of pension to Jesse K. Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9762) granting an increase of pension to Nathan R. Mathis—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 9763) granting a pension to Thomas C. Wilson—to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 9764) for the relief of T. Alonzo Walker and Augusta C. Todd—to the Committee on War Claims.

By Mr. WILSON of Illinois: A bill (H. R. 9765) granting an increase of pension to Frederick Kinner—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Jose Templo, of Lipa Batangas, Philippine Islands, in relation to certain claims for losses sustained by destruction of property—to the Committee on Insular Affairs.

By Mr. ASHBROOK: Petition of Leroy Baker Post, No. 120, Also, petition of citizens of Tuscarawas County, Ohio, favoring Ashbrook bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Tuscarawas County, Ohio, favoring creation of tariff commission—to the Committee on Ways and Means.

Also, petition of citizens of New Philadelphia and Baltic, Ohio, opposing duty on raw and refined sugar—to the Committee on Ways and Means.

Also, papers to accompany bill granting an increase of pension to William A. Crane—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: Petition of citizens of the Ninth Congressional District of Georgia, opposing parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petition of Ione Council, No. 765, Junior Order United American Mechanics, favoring exclusion of all Asiatics save merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of many citizens of the Seventh Congressional District of Pennsylvania and of East Lynn Grange, favoring a duty of 2¼ cents per pound on casein or lactarene unground and 2½ cents on casein or lactarene ground—to the Committee on Ways and Means.

By Mr. CARLIN: Petition of Francis P. B. Sands, favoring bill in aid of volunteer officers in civil war—to the Committee on Military Affairs.

By Mr. CARY: Petition of city government of Neenah, Wis., against reduction of duty on print paper—to the Committee on Ways and Means.

By Mr. CLARK of Missouri (by request): Petition of Anti-Imperialistic League, against all reference to the Philippine Islands in the present tariff bill—to the Committee on Insular Affairs.

By Mr. COOPER of Wisconsin: Petition of National Association of Master Bakers, transmitted and indorsed by Colvin's Baking Company, of Jonesville, Wis., against gambling in food supplies—to the Committee on the Judiciary.

By Mr. COWLES: Paper to accompany bill for relief of Jacob M. Pruett—to the Committee on Invalid Pensions.

By Mr. CRAIG: Petition of S. Z. Champion, favoring reduction of duty on raw sugar—to the Committee on Ways and Means.

Also, petition of Farmers' Union No. 221, of Shelby County, Ala., against gambling in cotton futures—to the Committee on the Judiciary.

By Mr. DAVIDSON: Petitions of common councils of Stevens Point and Neenah, Wis., favoring present duty on print paper—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of Keasbey & Mattison, favoring an amendment to tariff bill—to the Committee on Ways and Means.

Also, petitions of Buffalo Envelope Company and Michael M. Brook, opposing an amendment of Post-Office Department to act of Congress approved June 26, 1906—to the Committee on the Post-Office and Post-Roads.

Also, petition of L. J. Callahan, in favor of duty on tea—to the Committee on Ways and Means.

By Mr. FULLER: Petition of B. F. Lincoln, of Ottawa, Ill., favoring duty on plate glass—to the Committee on Ways and Means.

Also, petitions of Carter Macey & Co., John Emmans & Co., F. D. Malt & Co., and L. J. Callanan, all of New York City, favoring a duty on tea—to the Committee on Ways and Means.

Also, petitions of sundry citizens of the cities of De Kalb, Hinckley, Kirkland, Lee, Malta, Sandwich, Shabbona, Somonauk, Sycamore, and Waterman, in Dekalb County, Ill.; and of Durand, Pecatonica, and Rockton, in Winnebago County, Ill.; and of Belvidere and Capron, in Boone County, Ill.; and of Oswego and Yorkville, in Kendall County, Ill., in opposition to the enactment of the proposed parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Edmund J. James, president of the University of Illinois, opposing an appropriation for George Washington University, in District of Columbia—to the Committee on Agriculture.

Also, petition of J. C. H. Eddey and others, of Winnebago County, Ill., in favor of proposed postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, resolution of state legislature of Illinois, favoring an investigation of old-age insurance and old-age pension—to the Committee on the Judiciary.

Also, petition of Cincinnati Manufacturers' Boot and Shoe Association, favoring free hides—to the Committee on Ways and Means.

Also, petition of Durbrow & Hearne Manufacturing Company, of New York City, concerning duty on embroidery machines and needles—to the Committee on Ways and Means.

Also, petition of wholesale dry goods merchants of New York City, concerning proposed cotton schedule—to the Committee on Ways and Means.

Also, petition of C. D. Peacock, Chicago, Ill., against a higher duty on diamonds—to the Committee on Ways and Means.

Also, petition of Cigar Makers' Industrial Union of America, against free cigars from the Philippines—to the Committee on Ways and Means.

Also, petition of Charles A. Stewart, of Fox, Ill., against a change in tariff on wool—to the Committee on Ways and Means.

Also, petition of the Pyro One Light Electrical Sign Company, of Chicago, Ill., against a tax on display signs—to the Committee on Ways and Means.

Also, petition of George A. Townsend, jr., Aurora, Ill., concerning tariff on bristles—to the Committee on Ways and Means.

Also, petition of Keasbey & Mattison Company, of Ambler, Pa., favoring duty on magnesia, etc.—to the Committee on Ways and Means.

Also, petition of National Association of Employing Lithographers, favoring tariff on lithographic products—to the Committee on Ways and Means.

Also, petition of Farm Life, of Chicago, Ill., against increase of duty on lumber—to the Committee on Ways and Means.

Also, petition of Republican Club of New York, against a permanent tariff commission—to the Committee on Ways and Means.

Also, petition of Raymer Sarver, of Pecatonica, Ill., for retention of the tariff on wool—to the Committee on Ways and Means.

Also, petition of National Immigration League of New York City, against increase of $12 head tax on immigrants—to the Committee on Ways and Means.

Also, petition of the Commercial Exchange of Philadelphia, Pa., for commercial reciprocity treaty with Canada—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, of New York City, favoring placing casein on dutiable list—to the Committee on Ways and Means.

Also, petition of Thomas Cooney, secretary of Amalgamated Wood Workers' Council of Chicago, against reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of American manufacturers of Fourdrinier wire cloth, concerning duty on wire cloth—to the Committee on Ways and Means.

Also, petition of Hutchens & Potter, of Johnstown, N. Y., concerning proposed duty on men's and women's gloves—to the Committee on Ways and Means.

Also, petition of American Newspaper Publishers' Association of New York, against increase of tariff on wood pulp—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Hall & Rucker, opposing increase of duty on soda ash—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Publishers' Association of Lancaster County, Pa., opposing supplying general public with en-

velopes and other printed matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of cigar manufacturers of Lancaster County, Pa., opposing free importation of tobacco from the Philippines—to the Committee on Ways and Means.

Also, petition of Pennsylvania Tobacco Growers' Association, opposing free importation of tobacco from the Philippines—to the Committee on Ways and Means.

By Mr. HAMER: Paper to accompany bill for relief of Albert Small—to the Committee on Invalid Pensions.

Also, petitions of Jones-Robinson Company (Limited), of Montpelier, and Conant & Dimming and 31 others, of Burley, all in the State of Idaho, against duties to be assessed under H. R. 1438 on articles of wearing apparel, particularly leather gloves and cotton hosiery—to the Committee on Ways and Means.

By Mr. HEALD: Petition of Board of Trade of Wilmington, Del., for a change of date of Inauguration Day—to the Committee on the Judiciary.

Also, petition of committee of trade and commerce and the legislative committee of the Wilmington (Del.) Board of Trade, against maximum and minimum provisions of tariff bill—to the Committee on Ways and Means.

By Mr. HIGGINS: Petition of Amelia J. Perkins, against the Payne bill—to the Committee on Ways and Means.

Also, petition of Cigar Makers Local Union No. 407, against duty-free cigars from the Philippines—to the Committee on Ways and Means.

By Mr. HILL: Petition of citizens of East Norwalk, Conn., favoring dredging north end of Norwalk channel—to the Committee on Rivers and Harbors.

Also, petition of citizens of New Hartford, Conn., favoring reduction on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of citizens of New Haven, Conn., favoring reduction of duty on wheat—to the Committee on Ways and Means.

By Mr. KAHN: Petition of California Jewelry Company and 14 other jewelry importers of San Francisco, Cal., favoring a 10 per cent ad valorem duty on cut diamonds and other precious stones and 20 per cent on imitation stones—to the Committee on Ways and Means.

Also, petition of Hinz & Land (Incorporated) and 8 other residents of San Francisco, Cal., favoring maintaining Dingley rates on gloves—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of business men of Buffalo and Howard Lake, Minn., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. McKINNEY: Petition of Tri-City Typographical Union, No. 107, of Rock Island and Moline, Ill., and Davenport, Iowa, favoring reduction of duty on wood pulp and news print paper—to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Petitions of Society Italiana di M. S., S. Pietro Celestino Cittadino d' Tsernia, Society Italiana di M. S. Del Santissimo Salvatore, Society S. Marzidu Maria S. S. Dellrose, all of Philadelphia, favoring adoption of October 12 as a legal holiday, to be called "Columbus Day"—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Papers to accompany House bill granting a pension to S. J. Mullins—to the Committee on Pensions.

Also, papers to accompany House bill granting an increase of pension to W. R. Snyder—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Scott Thompson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Burrell M. Trew—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to William M. White—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of James M. Davis, administrator of William Davis, of Mountairy, Tenn.—to the Committee on War Claims.

By Mr. PAYNE: Papers to accompany H. R. 9247, granting a pension to Catherine E. Tainter, widow of John B. Tainter—to the Committee on Invalid Pensions.

By Mr. SULZER: Petition of Surbrug & Co., opposing additional duty on tobacco—to the Committee on Ways and Means.

Also, petition of Charles Adler & Sons, of New York City, opposing an increase of duty on diamonds and precious stones—to the Committee on Ways and Means.

Also, petition of George O. Street & Sons, of New York City, opposing tax on uncut diamonds and other precious stones—to the Committee on Ways and Means.

Also, petition of Republican Club of New York City, opposing a tariff commission—to the Committee on Ways and Means.

Also, petition of Edward Lauterbach, of New York, opposing an increase of head tax—to the Committee on Immigration and Naturalization.

Also, petition of J. C. Wirtz, of New York City, opposing an increase of duty on mattings—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of Denver Chamber of Commerce, opposing reduction of duty on lead and lead products—to the Committee on Ways and Means.

By Mr. THOMAS of Kentucky: Petition of American Society of Equity, of Cedar Dale, Ky., opposing tax on sugar—to the Committee on Ways and Means.

By Mr. WEEKS: Petition of Monday Club, of Needham, Mass., against increase of duty on gloves—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of Retail Lumber Dealers' Insurance Association, of Wisconsin, favoring removal of duty on lumber and creation of a permanent tariff commission—to the Committee on Ways and Means.

Also, petition of common council of the city of Portage, Wis., favoring an appropriation to repair the levee on the bank of the Wisconsin River at Portage—to the Committee on Rivers and Harbors.

Also, petition of citizens of Cedarburg, Wis., favoring free hides—to the Committee on Ways and Means.

Also, petition of Commercial Exchange of Philadelphia, favoring a treaty of reciprocity with Dominion of Canada relative to the tariff—to the Committee on Ways and Means.

SENATE.

FRIDAY, *May 14, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

THE BROWNSVILLE AFFRAY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, inclosing an application dated the 10th instant from Lieut. Gen. S. B. M. Young, United States Army, president of the Brownsville court of inquiry, requesting the reference to that court of certain exhibits filed in the office of the Secretary of the United States Senate in connection with the Brownsville affray (S. Doc. No. 44), which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication of the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the St. James Evangelical Lutheran Church, of Gettysburg, Pa. *v.* United States (S. Doc. No. 43), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was ordered to lie on the table and be printed in the RECORD, as follows:

Joint resolution petitioning Congress for the establishment of a permanent, nonpartisan, expert tariff commission.

Whereas for many years the tariff has been the subject of political contention which has led to periodical upheaval and uncertainty in the commercial activities of the Nation; that it has not always been adjusted in manner to best promote and protect the industrial interests as a whole, and has too often been dealt with as a purely political question, without giving full consideration to the grave economic principles involved in the same.

Whereas a study of the methods under which other great commercial nations of the world are handling these subjects leads to the conclusion that the United States must call into its service in the near future the aid of a trained body of men to enable us to meet intelligently the various perplexing questions arising out of the general adoption of maximum and minimum tariffs by several of our strongest competitors for the world's trade: Therefore be it

Resolved by the senate (the assembly concurring), That we respectfully memorialize the Congress of the United States to speedily enact such legislation as will create a permanent, nonpartisan tariff commission, with semijudicial functions, such as the power to summon witnesses, which shall make an unbiased investigation of the operation of our customs duties, regulation, and classification; hear complaints; study domestic and foreign market conditions; and report to the Executive and to Congress from time to time such modifications as in their judgment may safely and properly be made in the interests of the general welfare.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. STONE. I present a resolution adopted by and for the Anti-Imperialist League at a special meeting of the executive committee held in Boston, Mass., May 11, 1909, relative to the establishment of the independence of the Philippines. The resolution is not long, and I ask that it be read and referred to the Committee on the Philippines.

There being no objection, the resolution was read and referred to the Committee on the Philippines, as follows:

To the honorable Senate in Congress assembled:

The following resolution was adopted by and for the Anti-Imperialist League at a special meeting of the executive committee, Boston, May 11, 1909.

Whereas it is proposed that Congress shall, by enactment, lay tariff on goods entering the Philippine Islands from other countries, without consultation with the Philippine Assembly, a body organized by our own Government to represent the Filipino people, such enactment meaning taxation without representation; and

Whereas it is proposed that the tariff on goods passing between the Philippine Islands and the United States shall be either lowered or abolished; and

Whereas every commercial favor between the Philippine Islands and the United States not granted to other countries constitutes a tie which prejudices the independence of the islands: Therefore

Resolved, That the Anti-Imperialist League through its executive committee recommends respectfully that all reference to the Philippine Islands be stricken out from the tariff bill now under consideration. If, however, any action be taken to modify the Philippine tariff, the league urges that, as a proper notification to investors under the law in the Philippine Islands, either a promise of independence at a definite period be incorporated as an amendment to any such enactment, or that an amendment may be added thereto directing the Executive to make arrangements looking to the neutralization of the Philippine Islands when their independence shall be declared.

MOORFIELD STOREY, *President.*
ERVING WINSLOW, *Secretary.*

Mr. FLETCHER presented petitions of sundry citizens of Dellwood and Pensacola, in the State of Florida, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. GUGGENHEIM presented memorials of sundry citizens of Colorado Springs, Colo., remonstrating against a reduction of the duty on sugar, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Archbold, Logan, Sidney, Washington, College Corner, Morning Sun, Huron, Sardinia, Georgetown, Winchester, Greenville, Bloomingburg, Columbus, Williamsport, Pherson, Circleville, and Canton, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. HUGHES. I present a joint resolution of the legislature of Colorado, which I ask may be read.

The joint resolution was read, and ordered to lie on the table, as follows:

House joint resolution 18. By Mr. Howell.

Whereas the several States are now taxing inheritances with marked success, and need all the revenue that can properly be drawn from this source; and

Whereas the Federal Government readily raises additional revenue when required from other sources; Therefore, be it

Resolved by the general assembly of the State of Colorado:

First. That the taxation of inheritances should be reserved to the several States as a source of revenue for their exclusive use and benefit.

Second. That the general assembly of the State of Colorado hereby respectfully requests and urges the Senators and Representatives of the State of Colorado in the Congress of the United States to support a properly drawn joint resolution when proposed for adoption in the two Houses of the Congress, declaring it to be the policy of the Federal Government to refrain from the taxation of inheritances for federal purposes, to reserve this source of revenue for the exclusive use and benefit of the several States.

Third. That the Senators and Representatives of the State of Colorado in Congress are requested to oppose with all their vigor any measure which will give to the National Government the taxation of inheritances.

H. L. LUBERS,
Speaker of the House of Representatives.
STEPHEN R. FITZGARRALD,
President of the Senate.

Approved March 27, 1909.

JOHN F. SHAFROTH,
Governor of the State of Colorado.

Mr. HUGHES. I present a joint memorial of the legislature of Colorado, which I ask be read and referred to the Committee on Public Lands.

There being no objection, the joint memorial was read and referred to the Committee on Public Lands, as follows:

(Certificate.)

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Colorado, ss:*

I, James B. Pearce, secretary of state of the State of Colorado, do hereby certify that the annexed is a full and true copy of senate joint memorial No. 2, by Senator Napier, duly passed by the seventeenth general assembly of the State of Colorado, approved April 23, 1909, and duly filed in this office on the 24th day of April, A. D. 1909, at 12.30 o'clock p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 28th day of April, A. D. 1909.

[SEAL.]

JAMES B. PEARCE,
Secretary of State.
By THOMAS F. DILLON, Jr.,
Deputy.

Senate joint memorial 2. By Senator Napier.

To the Senate and House of Representatives of the United States in Congress assembled:

We, your memorialists, the senate and house of representatives of the seventeenth general assembly of the State of Colorado, in regular session assembled, do hereby most respectfully and earnestly represent:

That under the authority of an act of your honorable body authorizing the President of the United States to withdraw public lands for the purpose of establishing national forest reserves thereon, there has been withdrawn within this State, we are informed, about 16,000,000 acres of the public lands, a section comprising nearly a quarter of the total area of this State.

That under further acts of your honorable body the Secretary of Agriculture has been authorized to make reasonable rules and regulations for the protection and use of the lands so withdrawn, and that under this authority the said Secretary of Agriculture has assumed to make rules and regulations and to set up a government within this State over the areas so segregated, without regard to the rights of the citizens of this State or the laws of your memorialists as guaranteed by the Constitution.

We call the attention of your honorable body to the fact that, acting under the authority granted by you to make rules and regulations, the said Secretary of Agriculture is attempting to exercise municipal jurisdiction over said lands within this State, to charge and collect taxes and fees with no authority under the law so to do, beyond the authority granted to make rules and regulations.

Assuming that the rules and regulations made by the said Secretary of Agriculture have all the force and effect of law, he utterly disregards the laws of this State when they conflict with the said rules and regulations, and even interferes with the operation of the laws of your honorable body in regard to the disposition and settlement of these lands.

Acting under the said rules and regulations made and promulgated by himself, the said Secretary of Agriculture has gone into the lumber business in the interest of the United States and has cut and sold many thousands of acres of valuable timber which has been centuries in developing and will require centuries to replace.

While less than a third of the lands so segregated into national forests are forest lands in fact, nor contain merchantable timber, the said Secretary of Agriculture has assumed charge of the grasses and forage thereon and is renting out the privilege of grazing upon these lands for valuable considerations.

The most valuable mineral lands in this State are located upon the said forest reserves, and the Secretary of Agriculture has made rules and regulations to govern prospecting, location, and development of said mineral lands and insists upon the right to pass upon the validity of mining claims without any authority of law and with no authority beyond the authority granted him by your honorable body to make rules and regulations.

While the laws of your honorable body permit and encourage the settlement of these public lands by citizens, the Secretary of Agriculture has assumed to dictate what lands may be settled and what may not and who shall be permitted to enter and settle thereon, seriously interfering with the settlement and development of lands within this State.

Through the collection of taxes and fees the said Secretary of Agriculture is gathering large sums from the citizens of this State which are used largely to pay the expenses of his system of government upon said reserves.

He has assumed all the authority of a private landlord or sovereign over the lands within the reserves within this State, and, by rules and regulations which are made and unmade at his pleasure and which he seeks to give all the force and effect of law, he seeks to harass and annoy the citizens of this State.

We, your memorialists, wish most respectfully to protest against the acts of the said Secretary of Agriculture, and we humbly represent that, in our opinion, said acts are unlawful and without authority of the Constitution of the United States.

We most respectfully express our doubts that the Government of the United States has the power under the Constitution to thus take possession of lands within a State to hold perpetually for the purpose of producing revenue for the General Government or for any other purpose, other than those necessary for actual government.

We call your attention to the fact that the constitution of the State of Colorado expressly grants us the power to protect and care for the forests upon the public lands within this State, and we are now and have been at all times prepared to exercise that authority.

The operation of this new form of government by rules and regulations, administered by one man assuming plenipotentiary powers, is working great and serious injury to the citizens of this State. It is interfering with and retarding development and is preventing the settlement of the public lands within our State. Our natural timber is being cut and sold and shipped from the State. Prospecting for mines has practically been stopped. Our live-stock industry is being hindered and gradually destroyed. The State of Colorado is being deprived of the right to conduct and regulate its own internal affairs, as other States have done under the rights guaranteed us by the Constitution, and it has never relinquished its authority either expressly or by implication.

While the laws of the United States encourage the development of the natural resources of the country and provide that rights of way over public lands shall be granted for irrigation canals and other enterprises of public value, the Secretary of Agriculture has assumed to make rules and regulations that enable him to charge and collect fees for permits for such improvements, which permits are revocable at his will and without recourse.

The officers and agents of the said Secretary of Agriculture seek, by threats and intimidations, to force the obedience of the citizens of this State to the said rules and regulations, and much grievous wrong has been done our citizens thereby.

Wherefore your memorialists respectfully submit this our memorial that you may be advised of these conditions complained of, and that

you will take such action as will restrain the Secretary of Agriculture from interference with the complete authority and control of the State of Colorado over the lands within its borders.

We earnestly ask that your honorable body take such action as will at once eliminate all lands not actual forest lands from these reserves, and that prospective settlers, miners, prospectors, and citizens have the right to go upon all public lands as heretofore and unmolested, and to enter and locate such lands as provided by the laws of the United States.

And we hereby express to your honorable body our willingness to do any and all things necessary for the protection and care of the forests within this State upon all public lands, having express authority under our constitution so to do, and we urge that you take such action as will permit us to exercise this authority without interference.

And for this your memorialists will ever pray.

STEPHEN R. FITZGARRALD,
President of the Senate.
H. L. LUBERS,
Speaker of the House of Representatives.

Approved April 23, 1909.

JOHN F. SHAFROTH,
Governor of the State of Colorado.

Mr. HUGHES. I present a joint memorial of the legislature of Colorado, which I ask may be read and referred to the Committee on Public Lands.

There being no objection, the joint memorial was read, as follows:

(Certificate.)

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Colorado, ss:*

I, James B. Pearce, secretary of state of the State of Colorado, do hereby certify that the annexed is a full and true copy of senate joint memorial No. 3, by Senator Napier, duly passed by the seventeenth general assembly of the State of Colorado, approved March 26, 1909, and duly filed in this office the 27th day of March, A. D. 1909, at 9.58 o'clock a. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 28th day of April, A. D. 1909.

[SEAL.] JAMES B. PEARCE,
Secretary of State.
By THOMAS F. DILLON, Jr.,
Deputy.

Senate joint memorial 3. By Senator Napier.

To the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialist, the seventeenth general assembly of the State of Colorado, respectfully presents—

That in some of the national forest reserves of this State there are large tracts of land which, by reason of their altitude, or for other causes, are incapable of yielding and do not yield any considerable revenue.

That other tracts within said reserves, because of small local demand for lumber or pasture, yield a revenue much less in proportion to their area than many other parts of the reserves.

That by reason of these facts, a distribution of the State's proportion of the revenue from forest reserves of the counties of this State in proportion to the area thereof in such counties is not equitable, and is unfair to those counties in which the revenue derived from the reserves within their boundaries is largely in excess of the average revenue per acre from the entire reserve.

And your memorialist represents that the fair and just way to apportion such fund is to divide it among the counties affected in proportion as it has been derived from lands within their respective borders.

Your memorialist further represents that such fund should not be applied solely to school purposes, but that it should be left to the county commissioners of the several counties to be divided, in such proportion as they deem best, between the school fund and the road fund, from time to time.

Your memorialist therefore prays that such legislation be had in your honorable bodies as will affect the changes in the law as above suggested.

STEPHEN R. FITZGARRALD,
President of the Senate.
H. L. LUBERS,
Speaker of the House of Representatives.

Approved March 26, 1909.

JOHN F. SHAFROTH,
Governor of the State of Colorado.

The VICE-PRESIDENT. The memorial will be referred to the Committee on Public Lands.

Mr. CLARK of Wyoming. I notice, in reference to this memorial and the one immediately preceding it, more especially the former, that they deal almost entirely with the legality or constitutionality or unconstitutionality of the action of a department of the Government. I suggest to the Chair that under those conditions possibly the proper reference of the former memorial, at least, would be to the Judiciary Committee.

The VICE-PRESIDENT. It is the impression of the Chair that the Senator from Wyoming is correct. If the Senator from Colorado has no objection, the Chair will refer both memorials to the Committee on the Judiciary.

Mr. HUGHES. Very well.

The VICE-PRESIDENT. They are so referred.

Mr. CURTIS presented petitions of sundry citizens of Salina, Kansas City, Hutchinson, Morland, Hill City, Waldo, Great Bend, Wellington, Iola, Douglas, Augusta, Wichita, Caldwell, Perth, Milan, and Eureka, all in the State of Kansas, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. FRYE presented petitions of sundry citizens of Jefferson, Me., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BULKELEY. I present a memorial of sundry citizens of Middletown, Conn., employed in the cigar industry, remonstrating against the free admission into this country of Philippine manufactured cigars in any quantity. I ask that the petition lie on the table and be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and be printed in the RECORD, as follows:

MIDDLETOWN, CONN., *April 29, 1909.*

Hon. MORGAN G. BULKELEY,
Hartford, Conn.

DEAR SIR: We the undersigned citizens of Middletown, Conn., being employed in the cigar industry, do vigorously protest against the free admittance of Philippine manufactured cigars in any quantity.

Since October, 1907, the cigar industry, owing to the general depression in business, has seriously suffered. We believe that if the cigar business received any additional impairment a good percentage of the cigar makers in this country would have to give up their trade, in which they served three long years' apprenticeship, and be forced to go into competition with the cheaper paid and less skilled laborers.

We protest against being pitted against oriental labor in our struggle for existence. We hold that no amount of legislation on the part of the Congress of the United States can or ever will lift the Filipinos to our standard.

We respectfully call your attention to the fact that while the Filipino lives in a country where clothing, shoes, and warm houses are unnecessary, we live in a climate which necessitates these protections for our bodies, and we have to pay American prices for them. Again, we can not live on 6 cents' worth of rice a day.

For these reasons we beg of you to use your voice and vote against the enactment of any bill providing for free trade in Philippine cigars.

Respectfully, yours,

Chas. Anderson, E. B. Convey, Charles Twenty, J. F. Richey, J. J. Convey, Chas. H. Smith, Charles P. Abbey, Stephen Spaw, Daniel Robert Convey, Bruno Dalgle, Jas. Daly, Jas. W. Convey, William Fluhrer, L. L. May, John C. Graham, Frank E. Convey, Frederick J. La Rouche, James A. Dunn, John R. Hill, Jack S. La Vialette, John J. Smithwick, Edmond Fitzgibbons, John T. Barry, Wm. O'Donnell, Humphrey O'Connor, John Cushing, John Anderson, Gus Boden.

Mr. BULKELEY. I present a petition of sundry manufacturers of pen and pocket knives with factories located in the State of Connecticut, relative to the proposed duty on knives and erasers. I ask that the petition lie on the table and be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and be printed in the RECORD, as follows:

To the Hon. MORGAN G. BULKELEY,
Senate of the United States, Washington, D. C.:

The undersigned manufacturers of pen and pocket knives, with factories located in the State of Connecticut, respectfully petition for the adoption of Senate substitute for H. R. 1438, paragraph 151, as reported by the Finance Committee, with particular reference to the proviso beginning line 2, page 50, reading as follows:

"*Provided*, That any of the foregoing knives or erasers, if imported in the condition of assemble, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers valued at more than $3 per dozen."

Also the proviso beginning line 20, page 50, reading as follows:

"*Provided further*, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade."

The rates prescribed in this section are identical with existing law, under which imports have steadily increased from $604,732 in 1899 to $1,007,799 in 1907, an increase of 67 per cent in eight years, with a corresponding increase in revenue.

We regard with serious apprehension the recent enormous increase of importations of pocketknives assembled and lacking but a few inexpensive operations to completely finish, yet of such appearance as to give a false impression of their real value. Knives in this condition have not, and can not have, a market value either in the country of origin or in this country, thus offering unlimited opportunity for gross undervaluation, which the present law fails to prevent.

Of equal importance to the American pocketknife industry is the increasing importation of cutlery bearing fraudulent marks, implying, and intending to imply, American manufacture after the stamp of the country of origin has been removed, a common practice with deliberate intention to deceive the American consumer.

We believe that the provisions of paragraph 151 as recommended by the Finance Committee will effectually protect the American workman against this unfair and unscrupulous competition.

Very respectfully,

Miller Brothers Cutlery Company, Meriden, by Chast Rockwell, general manager; American Shear and Knife Company, Hotchkissville, by A. S. Dorwitzer, president and treasurer; Empire Knife Company, Winsted, by S. L. Alvord, secretary; Holley Knife Company, Lakeville, by M. D. Rudd, treasurer and manager; Humason & Beckley Knife Company, New Britain, by W. L. Humason, president; Thomaston Knife Company, Thomaston, by J. R. Warner, secretary; Waterville Cutlery Company, Waterville, by George J. Babcock, president; Northfield Knife Company, Northfield, by F. H. Catlin, president; Challenge Cutlery Company, Bridgeport, by W. M. Taussig, president.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read.

There being no objection, the joint resolution was read and ordered to lie on the table, as follows:

Joint resolution petitioning Congress for the establishment of a permanent, nonpartisan, expert tariff commission.

Whereas for many years the tariff has been the subject of political contention which has led to periodical upheaval and uncertainty in the commercial activities of the Nation; that it has not always been adjusted in manner to best promote and protect the industrial interests as a whole, and has too often been dealt with as a purely political question, without giving full consideration to the grave economic principles involved in the same;

Whereas a study of the methods under which other great commercial nations of the world are handling these subjects leads to the conclusion that the United States must call into its service in the near future the aid of a trained body of men to enable us to meet intelligently the various perplexing questions arising out of the general adoption of maximum and minimum tariffs by several of our strongest competitors for the world's trade: Therefore be it

Resolved by the senate (the assembly concurring), That we respectfully memorialize the Congress of the United States to speedily enact such legislation as will create a permanent, nonpartisan tariff commission, with semijudicial functions, such as the power to summon witnesses, which shall make an unbiased investigation of the operation of our customs duties, regulation, and classification, hear complaints, study domestic and foreign market conditions, and report to the Executive and to Congress from time to time such modifications as in their judgment may safely and properly be made in the interests of the general welfare.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on the Judiciary.

There being no objection, the joint resolution was read and referred to the Committee on the Judiciary, as follows:

Joint resolution relating to investigation of stock exchanges.

Whereas the recent wheat deal has again demonstrated to the American people that even the bread supply of our land is at the mercy of speculators; and

Whereas the recent panic has demonstrated that it is unwise and unsafe for our country to allow the control of our great commercial and industrial conditions to exist in the hands of stock gamblers without check of any kind; and

Whereas it is of interest to all citizens to know the means by which the huge combine of money in Wall street can be manipulated, and it is also the interest of the welfare of all the people that the white light of publicity should be thrown upon the stock-exchange business in general: Therefore be it

Resolved by the assembly (the senate concurring), That we request our delegation in Congress to use every effort to bring about the thorough investigation of stock-exchange business in this country, and that a most rigorous and searching investigation be at once instituted of the methods of buying and selling in these exchanges, their relation with the banking system and the great financial interests; and be it further

Resolved, That our Representatives in Congress are hereby requested to introduce such remedial legislation into our National Congress as will effectually check the evils of this system; and

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to each of the Senators and Representatives of this State in the Congress of the United States.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on Education and Labor.

There being no objection, the joint resolution was read and referred to the Committee on Education and Labor, as follows:

Joint resolution indorsing United States Senate bill 8323.

Resolved by the assembly (the senate concurring), That we heartily indorse Senate bill No. 8323, introduced into the United States Senate and referred to the Committee on Education and Labor, creating a national children's bureau, and request our United States Senators and Members of Congress to support the same; that a copy of this resolution be transmitted to each of our United States Senators, Members of Congress, and to the chairman of the Senate Committee on Education and Labor.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on Immigration.

There being no objection, the joint resolution was read and referred to the Committee on Immigration, as follows:

Joint resolution relating to cooly and Mongolian labor.

Whereas the overpopulation of the Asiatic nations of Mongolian origin has caused the overflow of those people into other countries; and

Whereas the conditions in this country peculiarly favor the immigration of those people to our shores; and

Whereas the immigration of those people, by their lower standards of living and of society, has resulted and does result in the lowering of wages and of the standard of living of the American laborers; and

Whereas such people are unfit to become citizens of this Republic and have no intention or desire to fit themselves to become such, but, rather, to return after a few years to their native lands, thus resulting in an economic loss to this country; and

Whereas the exclusion of the Chinese has tended to preserve the economic and social welfare of this country: Therefore be it

Resolved by the assembly (the senate concurring), That we memorialize Congress to extend the present Chinese exclusion laws so as to apply to all Asiatics of Mongolian origin; and

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives, and to each of the Senators and Representatives from this State.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE presented a memorial of the mayor and common council of Appleton, Wis., and a memorial of the mayor and common council of Green Bay, Wis., remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. OLIVER presented the petition of G. W. E. Mayville, of Mayville, Pa., and the petition of L. L. Stearns & Sons, of Williamsport, Pa., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. WARNER presented a petition of sundry citizens of St. Louis, Mo., praying that a pension be granted Allen Barnes, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Jefferson City, St. Louis, Kansas City, Hutchinson, Bowling Green, New London, Perry, Hannibal, Barry, and Jacksonville, all in the State of Missouri, praying for the repeal of the duty on hides, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Liberty, Trenton, Blackburn, Balm, St. Louis, St. Clair, Mount Hope, Frohna, Orrick, Summersville, De Kalb, Union Star, and Amity, all in the State of Missouri, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DOLLIVER presented petitions of sundry citizens of Clear Lake, Clarion, Laporte, Mount Auburn, Delaware, Earlville, Aurora, Mason City, Oneida, Cresco, Lime Springs, Calmar, Ridgeway, Ossian, Chester, Riceville, Independence, Osage, St. Ansgar, Hampton, Waverly, and Charles City, all in the State of Iowa, praying for the retention of the present duty on sugar, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Kesley, Wightman, Ellenberg Center, Kirkman, Ramsen, Mount Vernon, and Bonaparte, all in the State of Iowa, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of Julien Lodge, No. 379, International Association of Machinists, of Dubuque, Iowa, remonstrating against the adoption of the piecework system at the navy-yards of the country, which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Sioux City and Davenport, in the State of Iowa, praying for the repeal of the duty on asphalt, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Oskaloosa, Iowa, and a memorial of sundry citizens of Gouverneur, Iowa, remonstrating against an increase of the duty on imported gloves, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Lawler, West Union, Hazleton, Cedar Rapids, Waterloo, Marion, Independence, Walker, Volga City, Dubuque, Marshalltown, Elkport, Sioux City, Littleport, Guttenberg, Chester, Nora Springs, Greene, Mason City, Osage, and Ossian, all in the State of Iowa, praying for the repeal of the duty on hides, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OLIVER:

A bill (S. 2362) granting an increase of pension to Joseph R. Snyder (with the accompanying papers); and

A bill (S. 2363) granting an increase of pension to George W. Newbury (with the accompanying papers); to the Committee on Pensions.

By Mr. BULKELEY:

A bill (S. 2364) granting an increase of pension to Martin W. Frisbie (with the accompanying papers); to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 2365) granting an increase of pension to Maria A. De Forest; to the Committee on Pensions.

By Mr. HUGHES:

A joint resolution (S. J. R. 36) to secure to the Third Regiment Colorado Volunteer Cavalry, who served during the late war of the rebellion, and to their widows and minor children, the benefit of the provisions of the general pension laws, the act of June 27, 1890, and the act of February 6, 1908, and to restore the status of said regiment; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. GUGGENHEIM submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GORE submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

THE TARIFF.

Mr. DEPEW. Mr. President, I desire to give notice that on Monday, immediately after the routine morning business, I shall make some remarks upon the pending tariff bill.

THE BUSINESS OUTLOOK.

Mr. SCOTT. Mr. President, I ask unanimous consent to present a very short interview, to be read by the Secretary. Yesterday we had read at the desk an editorial from the New York Sun which probably three-fourths of us had already read and with which we were familiar. I have no doubt almost every Senator on the floor has read the interview I am going to ask the Secretary to read, but it will take only a moment.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none; and the Secretary will read the matter sent to the desk by the Senator from West Virginia.

The Secretary read as follows:

J. J. HILL IS OPTIMISTIC—LOOKS FOR ERA OF PROSPERITY AT AN EARLY DAY—SAYS "SHUT OFF ORATORY"—WANTS COUNTRY TO GET DOWN TO FARMING AND BUSINESS.

[From the Washington Evening Star, Thursday, May 13, 1909.]

James J. Hill, railroad man, business man, likewise farmer, is optimistic as to the outlook. All that is necessary to bring on a great era of prosperity at an early date, he believes, is to get rid of the tariff agitation, cut it off short, shut off the oratorical steam, and let the country get down to farming, business, and banking.

"You know thousands of people turn their eyes to Washington," Mr. Hill said. "Some of them seem to think that legislation will cure the toothache, set a broken limb, or make crops. Agitation and talk here keep these people in suspense, make them forget their business. What we want is to have the tariff agitation over and let these thousands of people turn their attention to their business and work, aiding the great wheels of progress to turn. Then things will begin to hum. Yes; the outlook is good in all directions."

"The stock and bond business in New York seems to be discounting the possibilities?"

"Oh, that is all made in New York. The millions of people of the country are not bothering with stocks or bonds. What we must look to now is our crops.

WHEAT OUTLOOK IS GOOD.

"The Great Northern road runs through a section that supplies one-sixth of the wheat of the United States. The wheat outlook is good. I do not think there will be a big crop. It promises to be a fair one, however. The trouble is that the acreage is not a large one. Heavy snows late in the spring prevented plowing, the ground being too wet. After the ground was ready to plow many farmers put in oats and barley. The plowing should have been done last fall."

"You talk as if you knew something about real farming, Mr. Hill."

"Well, I believe I do. I own two big farms, one of 20,000 acres and another of 6,000. I have given much study to the subject. It was necessary for me to do so in connection with my railroad business."

And Farmer Hill talked learnedly of agricultural publications and the possibilities of agriculture in the South and West.

"The West and the South are to be the great sections of this country in the future," said Farmer Hill. "The West is now, for that matter, and the South is coming forward with leaps and bounds. The South exhausted her soil before the war by her methods of improvident agriculture and is now struggling to restore the soil. She is succeeding, too, and has a great future."

Mr. SCOTT. I wish to say in connection with this interview from one who is, in my opinion, the greatest transportation master in this or any other country, that it is in line with letters I am receiving not only from my own State but from all over the country, begging and praying that we gentlemen here shall get through with our wind jamming and let the country go ahead with its business. They say they are all ready and waiting for us to adjourn. I hope that this interview of Mr. Hill will make an impression.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The first bill on the calendar will be taken up.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BEVERIDGE obtained the floor.

Mr. BROWN. I desire to suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Nebraska suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Heyburn	Piles
Bacon	Cummins	Hughes	Rayner
Beveridge	Curtis	Johnson, N. Dak.	Root
Bradley	Daniel	Johnston, Ala.	Scott
Briggs	Depew	Jones	Simmons
Bristow	Dick	Kean	Smith, Md.
Brown	Dillingham	La Follette	Smith, Mich.
Bulkeley	Dixon	Lodge	Smith, S. C.
Burkett	Dolliver	McCumber	Smoot
Burnham	du Pont	McEnery	Stephenson
Burrows	Fletcher	McLaurin	Stone
Burton	Flint	Money	Sutherland
Carter	Foster	Nelson	Taylor
Chamberlain	Frazier	Oliver	Tillman
Clapp	Frye	Overman	Warner
Clark, Wyo.	Gallinger	Page	Warren
Clarke, Ark.	Gamble	Paynter	
Clay	Guggenheim	Penrose	
Culberson	Hale	Perkins	

The VICE-PRESIDENT. Seventy-three Senators have responded to the roll call. A quorum is present.

Mr. BEVERIDGE. Mr. President, on the 19th of February I read in the papers a rather conspicuous account of an important report by one of the departments of the Government. So forcibly did it strike me that from that time until this moment I have been patiently investigating the subject about which I am going to ask the Senate's indulgence to make a statement. The fruit of this research I have embodied in an amendment to the present bill, which I send to the desk. It need not be read now. It may be printed and lie on the table.

The VICE-PRESIDENT. That order will be made, without objection.

Mr. BROWN. I suggest that it be printed in the RECORD.

Mr. BEVERIDGE. The Senator from Nebraska [Mr. BROWN], who always is vigilant, suggests to me that it be printed in the RECORD. The suggestion is a good one, as the ideas of the Senator from Nebraska [Mr. BROWN] usually are. So if there is no objection to that, I ask to have it printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

[H. R. 1438, Sixty-first Congress, first session.]

Amendment intended to be proposed by Mr. BEVERIDGE to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: Insert the following:

SEC. —. That upon tobacco, snuff, cigars, and cigarettes manufactured and sold, or removed for consumption or use, there shall, from and after July 1, 1909, be levied and collected, in lieu of the taxes now imposed by law, the following taxes:

On snuff manufactured of tobacco or any substitute for tobacco, ground, dry, damp, pickled, scented, or otherwise, of all descriptions, when prepared for use, a tax of 12 cents per pound. And snuff flour, when sold or removed for consumption or use, shall be taxed as snuff, and shall be put up in packages and stamped in the same manner as snuff.

On all chewing and smoking tobacco, fine cut, cavendish, plug or twist, cut or granulated, of every description; on tobacco twisted by hand or reduced into a condition to be consumed, or in any manner other than the ordinary mode of drying and curing, prepared for sale or consumption, even if prepared without the use of any machine or instrument, and without being pressed or sweetened; and on all fine cut shorts and refuse scraps, clippings, cuttings, and scrapings of tobacco, a tax of 9 cents per pound.

On cigars weighing more than three pounds per thousand, a tax of $3 per thousand: *Provided*, That on such cigars of a wholesale value or price of more than $35 per thousand and not exceeding $75 per thousand, the tax shall be $4.50 per thousand; and on such cigars of

a wholesale value or price of more than $75 per thousand and not exceeding $110 per thousand, the tax shall be $6 per thousand; and on such cigars or cigarettes of a wholesale value or price of more than $110 per thousand, the tax shall be $9 per thousand.

On cigars weighing not more than three pounds per thousand, a tax of $1 per thousand.

On cigarettes weighing not more than three pounds per thousand, a tax of $1.50 per thousand: *Provided*, That on such cigarettes of a wholesale value or price of more than $4 per thousand and not exceeding $8 per thousand, the tax shall be $3 per thousand, and on such cigarettes of a wholesale value or price of more than $8 per thousand the tax shall be $4.50 per thousand.

On cigarettes weighing more than 3 pounds per thousand, a tax of $3.00 per thousand.

That in addition to the packages of smoking tobacco and snuff now authorized by law there shall be packages of 1⅞ ounces, 2 ounces, 2½ ounces, 3 ounces, 3½ ounces, and 4 ounces; and there may be a package containing 1 ounce of smoking tobacco.

SEC. —. That section 3 of the act of April 12, 1902, entitled "An act to repeal war revenue taxation, and for other purposes," and all amendments thereof, and all other acts and parts of acts in conflict with sections —— of this act are hereby repealed.

SEC. —. That until appropriate stamps are prepared and furnished, the stamps heretofore used to denote the payment of the internal-revenue tax on tobacco, snuff, cigars, and cigarettes, may be stamped or imprinted with a suitable device to denote the new rate of tax, and shall be affixed to all packages containing such articles on which the tax imposed by this act is paid. And any person having possession of unaffixed stamps heretofore issued for the payment of the tax upon such articles shall present the same to the collector of the district, who shall receive them at the price paid for such stamps by the purchasers and issue in lieu thereof new or imprinted stamps at the rate provided by this act.

Mr. BEVERIDGE. Upon this amendment, Mr. President, I desire to make a brief statement, and the facts stated, I think, will be found to be accurate.

Mr. President, from the beginning of this discussion the question has been sharply raised whether the present act will bring in enough revenue. This amendment partly answers that question, for it will bring in at least $21,461,954.62 more revenue each year than we now are getting or than the present bill will produce. But this amendment does more than provide this needed revenue; it corrects an injustice to the American people, which has lasted for nearly eight years. We can not undo the wrong that has been done during these years, but we can stop it in the future.

TAX RAISED; PACKAGES REDUCED.

In 1898 the tax on all forms of tobacco was raised in order to supply the Government with a needed increase in revenue. But at the time Congress put this increased tax on tobacco it authorized manufacturers to *reduce the size of the packages in which the tobacco was sold to the people*. This enabled the manufacturer to collect the tax from the consumer. Congress made the manufacturer pay a bigger tax, but permitted the manufacturer to sell a smaller amount of tobacco for the same price formerly paid for a larger amount of tobacco.

TAX REMOVED; SHORT-WEIGHT PACKAGES CONTINUED.

In 1901–2 this increased tobacco tax was removed, *but the short-weight packages of tobacco were continued by the very law that removed the tax*. Nor did the manufacturers restore the larger packages of tobacco after the tax had been removed; neither did they reduce the price. Therefore, for seven years the people have been compelled to pay the same price for these smaller packages which Congress authorized in 1898; while the manufacturer has been relieved from the increased tax which these short-weight packages enabled him to collect from the people.

The manufacturer still collects the war-time tax from the people, but instead of paying it to the Government he keeps it for himself.

LOSS TO GOVERNMENT.

In this way the Government has handed over to tobacco manufacturers and lost to itself $12,897,993.67 in 1902, $25,681,607.21 in 1903, $26,915,270.88 in 1904, $27,524,955.49 in 1905, $29,326,009.97 in 1906, $31,198,451.32 in 1907, and $30,546,268.89 in 1908. *All told, the Government has lost $184,696,557.43 in the last eight years;* most of this has come out of the pockets of the people and gone into the pockets of the manufacturer.

So that Senators may see when they come to read this statement in the RECORD, the amount of revenue which we have gotten after the tax was removed and the amount we would have gotten if the tax had not been removed, I shall ask leave to put into the RECORD the figures without, of course, reading them.

I have carefully tabulated them in parallel columns, which show at a glance the amount of money the Government has lost by the removal of the war tax, and the amount of money the people have lost because Congress *specifically authorized the war-time short-weight package at the very time it removed the war tax.*

The table referred to is as follows:

COMPARISON OF ACTUAL REVENUES ON TOBACCO MANUFACTURES WITH REVENUE AT SPANISH WAR RATES, FISCAL YEARS 1901–1908.

1901.

	Actual.	At 1901 rates.	Difference.
Cigars:			
Large	$20,775,363.73		
Small	684,501.05		
Cigarettes:			
Small	3,407,453.94		
Small, under $2 per thousand			
Large	19,609.89		
Tobacco	35,292,205.76		
Snuff	2,005,021.32		
Total	62,182,198.69		
Total, exclusive of cigars	40,722,270.91		

1902.

	After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$18,311,142.25	$21,973,370.70	$3,622,228.45
Small	410,905.48	760,932.37	350,028.89
Cigarettes:			
Small	2,457,550.86	3,413,265.08	955,714.22
Small, under $2 per thousand	198,424.02	551,177.83	352,753.81
Large	31,164.67	31,164.67	
Tobacco	28,612,644.15	35,765,805.19	7,153,161.04
Snuff	1,696,029.02	2,120,536.28	424,107.26
Total	51,718,258.45	64,616,252.12	12,897,993.67
Total, exclusive of ordinary cigars	32,996,212.72	41,881,949.05	8,885,736.33

1903.

	After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$20,359,171.60	$24,431,005.92	$4,071,834.32
Small	345,869.93	640,499.87	294,629.94
Cigarettes:			
Small	2,743,594.89	3,810,548.46	1,066,953.57
Small, under $2 per thousand	265,425.17	737,292.14	471,866.97
Large	29,041.06	34,849.27	5,808.21
Tobacco	18,640,059.20	37,280,118.40	18,640,059.20
Snuff	1,130,455.00	2,260,910.00	1,130,455.00
Total	43,513,616.85	69,195,224.06	25,681,607.21
Total, exclusive of "large" (ordinary) cigars	22,808,575.32	44,123,718.27	21,315,142.95

1904.

	After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$20,122,415.59	$24,146,898.71	$4,024,483.12
Small	376,296.25	696,844.91	320,548.66
Cigarettes:			
Small	2,921,852.50	4,058,128.47	1,136,275.97
Small, under $2 per thousand	281,482.17	781,894.92	500,412.75
Large	25,264.83	30,317.80	5,052.97
Tobacco	19,719,042.61	39,438,085.22	19,719,042.61
Snuff	1,209,454.80	2,418,909.60	1,209,454.80
Total	44,655,808.75	71,571,079.63	26,915,270.88
Total, exclusive of "large" (ordinary) cigars	24,157,096.91	46,727,336.01	22,570,239.10

1905.

	After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$20,582,743.73	$24,699,292.48	$4,116,548.75
Small	393,348.22	728,422.63	335,074.41
Cigarettes:			
Small	3,004,925.40	4,173,507.50	1,168,582.10
Small, under $2 per thousand	316,372.18	878,811.61	562,439.43
Large	25,262.71	30,315.25	5,052.54
Tobacco	20,069,346.60	40,138,693.20	20,069,346.60
Snuff	1,267,911.66	2,535,823.32	1,267,911.66
Total	45,659,910.50	73,184,865.99	27,524,955.49
Total, exclusive of "large" (ordinary) cigars	24,683,818.55	47,757,150.88	23,073,332.33

COMPARISON OF ACTUAL REVENUES ON TOBACCO MANUFACTURES WITH REVENUE AT SPANISH WAR RATES, FISCAL YEARS 1901–1908—cont'd.

	1906. After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$21,524,415.67	$25,829,298.80	$4,304,883.13
Small	483,768.41	895,867.43	412,099.02
Cigarettes:			
Small	3,371,972.43	4,683,295.04	1,311,322.61
Small, under $2 per thousand	356,977.54	991,604.28	634,626.74
Large	28,481.07	34,177.28	5,696.21
Tobacco	21,294,929.95	42,589,859.90	21,294,929.95
Snuff	1,362,452.31	2,724,904.62	1,362,452.31
Total	48,422,997.38	77,749,007.35	29,326,009.97
Total, exclusive of "large" (ordinary) cigars	26,414,813.30	51,023,841.12	24,609,027.82

	1907. After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$22,470,434.38	$26,964,521.26	$4,494,086.88
Small	622,192.05	1,152,133.43	529,981.38
Cigarettes:			
Small	4,671,500.15	6,488,194.67	1,816,694.51
Small, under $2 per thousand	446,255.47	1,239,598.53	793,343.06
Large	45,477.68	54,573.22	9,095.54
Tobacco	22,151,178.16	44,302,356.32	22,151,178.16
Snuff	1,404,071.79	2,808,143.58	1,404,071.79
Total	51,811,069.69	83,009,521.01	31,198,451.32
Total, exclusive of "large" (ordinary) cigars	28,718,483.26	54,892,866.32	26,174,383.06

	1908. After removal of tax.	What revenue would have been if tax had not been removed.	Loss to Government, yet collected from the people.
Cigars:			
Large	$20,714,276.35	$24,857,131.62	$4,142,855.27
Small	545,060.24	1,009,362.30	464,302.06
Cigarettes:			
Small	4,879,346.50	6,776,870.14	1,897,523.64
Small, under $2 per thousand	467,257.25	1,297,936.81	830,679.56
Large	57,394.45	68,873.34	11,478.89
Tobacco	21,846,563.72	43,693,127.44	21,846,563.72
Snuff	1,352,865.75	2,705,731.50	1,352,865.75
Total	49,862,754.26	80,409,023.15	30,546,268.89
Total, exclusive of "large" (ordinary) cigars	28,603,427.67	54,542,539.23	25,939,111.56

Mr. BEVERIDGE. I have given the grand totals, and also the totals exclusive of cigars, because I propose to raise the tax *only* on *high-priced* cigars. The term "little cigars" applies to things not usually considered *cigars* at all—small tobacco-wrapped affairs that, practically, are not much more than cigarettes.

Although the war tax has been removed, yet the tobacco manufacturer has still continued to collect it from the people, because, by authority of Congress, he has still sold the war-time short-weight package for the same price; *so that Congress, unwittingly, has authorized the transfer of this tax from the Treasury of the Government to the treasury of the Tobacco Trust.*

THE AMERICAN TOBACCO COMPANY.

It was because of the development of the Tobacco Trust, which has so nearly monopolized the business, that this situation exists, for this Trust was organized in its present wide-reaching scope just when the tax was raised and the size of packages reduced—before this there was competition except in cigarettes.

I use the words "Tobacco Trust" advisedly, for it is a fact capable of mathematical demonstration—and I have the figures to demonstrate it at any time it is desired, that the bulk of this tax, except on cigars, has gone into the treasury of the American Tobacco Company, which is known as and, in fact, is the Tobacco Trust, perhaps the most compact and effective private monopoly in existence.

This amendment simply restores the tax which the Tobacco Trust formerly collected from the people and paid to the Government and which, by authority of Congress, unintentionally given, of course, *it still collects from the people but keeps for itself.*

SHOULD THE PEOPLE STILL PAY FOR SHORT PACKAGES AND THE TRUST BE RELIEVED OF THE TAX AT THE SAME TIME?

Either Congress should compel the Trust to sell nothing but the larger packages of tobacco sold before 1898, when the size was reduced and the tax increased, or else Congress ought to restore the tax, to enable the manufacturers to pay which the size was reduced.

Why should the Trust be authorized to still sell the short-weight packages and yet be relieved of the tax, to collect which these short-weight packages were provided? Why should the Trust be permitted to still collect the tax from the people and put it in the Trust's treasury to swell the Trust's profits instead of putting it in the Government's Treasury to swell the Government's revenues?

CIGAR MAKERS NOT AFFECTED BY THIS AMENDMENT.

At this point, before going further, I wish to point out that this amendment does not affect the cigar makers of the country. It does not increase the tax on any cigars except those which sell for 10 cents (or three for a quarter) or over. I wish this positive statement to be clearly understood so that tens of thousands of cigar makers in the thousands of little independent factories all over the country may understand that no burden whatever is laid upon them. I do this because I know the desperate fight which the Tobacco Trust—whose legal name is the American Tobacco Company—will make upon this amendment.

Within five hours from the time this amendment is printed in the newspapers the ablest men employed by the Tobacco Trust to watch legislation affecting it will be in Washington and remain here until this amendment is voted upon. I am not sure that they are not here now. And within twenty-four hours from the time this amendment is published in the newspapers agents of the American Tobacco Company will be at work among the cigar makers all over the country trying to persuade them that this amendment will bear heavily upon them and attempting to frighten them into besieging Congress with petitions and resolutions against it. Therefore, I want now in the most emphatic way to reassure the cigar makers of the country.

At the very beginning of this discussion I want them to understand that they are not affected by this amendment in any manner, shape, or form, directly or indirectly—and they ought not to be. The manufacture of cigars is the only part of the tobacco business in which the trust has not gotten control of the greater part. The manufacture of cigars, especially those selling for less than 10 cents, is the only portion of the vast tobacco industry of the country which yet remains absolutely free and independent. And the present tax upon cigars selling for less than 10 cents is large enough for times of peace, and this amendment does not increase it.

ABSURD SYSTEM OF CIGAR TAXATION.

I emphasize the price of cigars in relation to the tax because this amendment does not increase the tax except on high-priced cigars; but upon high-priced cigars it does increase the tax and upon an ascending scale determined by the price. For one of the most curious absurdities in our whole system of taxation is found in this startling fact—we tax cigars regardless of their price.

For example, the man who buys two cigars for 5 cents pays precisely the same tax on each of those 2½-cent cigars as the man who buys a 10-cent cigar. Worse than this, the man who buys a 2½-cent cigar pays the same tax as the man who buys a 25-cent cigar. Still worse than this, the man who buys a 2½-cent cigar pays the same tax as the man who buys a 50-cent cigar.

The workingman, the limit of whose luxury is an occasional 5-cent cigar, pays just as much tax to the Government as Mr. Ryan pays when he buys a dollar cigar.

Is there any possible justification for that? Can anything more absurd be imagined? Is it not outrageous that the man *who buys the very cheapest cigar made must pay exactly the same tax as the man who buys the most expensive cigar made?* Such ridiculous injustice never has or can be defended; it has crept into the law, apparently without much attention being given to it. It is like so many archaic provisions on our statute books, relics of the good old days when things were taken for granted and before the disturbing spirit of inquiry awoke.

Nor is this the worst. Well-to-do people smoke cigars, and high-priced cigars, but the great majority of the people consume smoking and chewing tobacco, which is a cheaper form of tobacco indulgence. Yet Congress has seen fit to remove the war tax on all forms of tobacco without restoring the full-weight packages on this form of tobacco. So the great body of the people are still paying the war tax on smoking and chewing tobacco and on snuff, but instead of paying it to the Government they are now paying it to the trust.

FIGURES AND FACTS IN THIS STATEMENT ARE OFFICIAL.

The figures that I have presented and shall present to the Senate and the country are official. They are taken from the reports of the Commissioner of Internal Revenue from the year 1898 to the year 1908; and the estimates of revenue which the present amendment will bring to the Government are calculations based upon the figures contained in the reports of the Internal Revenue Commissioner. Any Senator or any citizen can compute them for himself.

In connection with these figures, I will lay before the Senate—and I invite very careful attention to this—the changes in the law by which the present short-weight package was authorized; by which it was continued and even emphasized. And then later on, I shall show the advantage which the Tobacco Trust—the American Tobacco Company—or rather the financiers in control of it, took of the action of Congress.

In all of this I shall rely solely upon the language of the law itself, upon the figures in the reports of the Commissioner of Internal Revenue and upon published government reports. I shall indulge in no loose denunciation or denunciation of any kind, but rely solely upon facts which are all the more startling because they can not be contradicted even by the Tobacco Trust or its various agents, who from this time forth will bend every effort to defeat this amendment and to continue their looting of the people under authority of law.

THE TAX RAISED AND PACKAGES LOWERED.

Prior to 1898 the law required smoking, cut, and granulated tobacco to be sold to the people in packages of 2, 3, 4, 8, and 16 ounces, and the tax was 6 cents a pound.

The law of 1898, which raised the tax from 6 cents a pound to 12 cents a pound, authorized packages of 1⅔ ounces "in lieu of" 2 ounces, 2½ ounces "in lieu of" 3 ounces, and 3½ ounces "in lieu of" 4 ounces; and it also authorized a 1-ounce package of smoking tobacco, which did not exist before.

The language of the act of 1898 making this change is as follows:

In lieu of the 2, 3, and 4 ounce packages of tobacco and snuff now authorized by law—

Mark this language, and the words I emphasize—

there *may be* packages of 1⅔, 2½, 3½ ounces—

and so forth; and the 1-ounce package referred to. The same changes were made as to fine cut and snuff. A little later on I shall set out in parallel columns the various provisions of the law fixing the size of these packages of tobacco.

THE TAX LOWERED; AND SHORT PACKAGES CONTINUED.

In 1901 the first reduction in the tax of 1898 was provided for; and this act, which removed the tax authorized by the law of 1898, *instead of also removing the short-weight packages authorized in 1898, continued them by not mentioning them* and by merely providing for 2, 3, and 4 ounce packages in the following language: "*In addition* to packages of smoking tobacco now authorized by law there shall be packages of 2 ounces, 3 ounces, and 4 ounces."

It will be observed that this did not disturb the short-weight war-tax packages provided for in 1898 because the language of the act of 1901 reducing the tax is that "*In addition* to the packages now authorized," etc.; and as the short-weight war-tax packages were then authorized they were, of course, still authorized.

The only way in which anyone could conceive that the act of 1901 did not continue to authorize the short-weight war-tax packages was that by not specifically mentioning the short-weight packages and by specifically mentioning the full weight packages, the short-weight war-tax packages were discontinued by implication.

I think, perhaps, what I am coming to is possibly the most important of all this comparison of the laws.

WAR TAX ENTIRELY REMOVED AND SHORT-WEIGHT WAR-TIME PACKAGE SPECIFICALLY CONTINUED.

This very thought evidently occurred to some one, because in 1902 *when the remainder of the war tax was removed* the law removing it *specifically reenacted the short-weight war-tax packages in more positive language than the law which authorized the short-weight packages in 1898.* For in the act of 1902 which *entirely removed* the war tax, we find this language specifically *continuing* the short-weight package:

In addition to the packages of smoking tobacco and snuff now authorized by law there SHALL BE—

Not "*may be*," as in the act of 1898, which imposed the war tax and provided for the short-weight war-time package; no, not "MAY BE," but the act of 1902, which *entirely removed the war tax*, says:

There SHALL BE packages of 1⅔ ounces, 2 ounces, 2½ ounces, 3 ounces, 3½ ounces, and 4 ounces; and there may be a package containing 1 ounce of smoking tobacco.

That these changes in the law may be seen at a glance, I ask permission of the Senate to print in this statement the provisions of the law with reference to size of packages.

The VICE-PRESIDENT. Without objection, permission to do so is granted.

The matter referred to is as follows:

ACTUAL LANGUAGE OF LAWS BEFORE WAR TAX WAS IMPOSED; IMPOSING WAR TAX AND WAR PACKAGE; REMOVING WAR TAX BUT CONTINUING WAR PACKAGE.

(Language of law of 1879 *before* tax was increased.) 20 Stat., 245, 45th Cong., Mar. 1, 1879, an act to amend laws relating to internal revenue.	(Language of law of 1898 which *imposed* war tax.) 30 Stat., 450, 55th Cong., June 13, 1898.	(Language of the law of 1901, which *partly* removed the war tax.) 31 Stat., 934, 940, 56th Cong., Mar. 2, 1901.	(Language of law of 1902, which *entirely* removed the war tax.) 32 Stat., 96, 57th Cong., April 12, 1902.
This law imposed a tax of *six* cents a pound on manufactured tobacco and snuff and fixed the packages as follows:	This law imposed a tax of *twelve* cents a pound and provided the following regarding packages:	This law *partly* removed the war tax but *continued* the war short-weight packages by merely adding:	This law *entirely* remored the war tax, but *expressly* enacted the war-size packages.
All manufactured tobacco shall be put up and prepared by the manufacturer for sale or consumption, in packages of the following description, and in no other manner. All snuff in packages containing *one-half, one, two, three, four, six, eight, and sixteen ounces*, or in bladders and in jars containing not exceeding twenty pounds; All fine-cut chewing tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing, *one, two, three, four, eight*, and *sixteen* ounces, except that fine-cut chewing tobacco may, at the option of the manufacturer, be put in wooden packages containing ten, twenty, forty, and sixty pounds each; All smoking tobacco and all cut and granulated tobacco other than fine-cut chewing, all shorts, the refuse of fine-cut chewing which has passed through a riddle thirty-six meshes to the square inch, and all refuse scraps, clippings, cuttings, and sweepings of tobacco, in packages containing *two, three, four, eight*, and *sixteen* ounces each.	*In lieu* of the two, three, and four ounce packages of tobacco and snuff now authorized by law, there *may be* packages thereof containing *one and two-thirds* ounces, *two and one-half* ounces, and *three and one-third* ounces, respectively, and in addition to packages now authorized by law, there may be packages containing one ounce of smoking tobacco.	*In addition* to the packages of smoking tobacco now authorized by law there shall be packages of two ounces, three ounces, and four ounces, etc. (Rebate on unbroken packages must be called for within sixty days following date of reduction and for an amount not less than ten dollars.)	That, *in addition* to the packages of smoking tobacco and snuff now authorized by law, there *shall be* packages of *one and two-thirds* ounces, two ounces, *two and one-half* ounces, three ounces, *three and one-third* ounces, and four ounces; and there may be a package containing *one ounce of smoking tobacco.*

Mr. BEVERIDGE. That the removal of the war tax and the express and specific *reenactment* of the *short-weight war-tax packages* which were first provided by the act of 1898, for the purpose of enabling the manufacturer to collect the war tax from the people, may become still plainer to the eye than the above parallel, I have devised another form of parallel columns, which I will print in my statement without reading.

SIZES OF PACKAGES OF TOBACCO PRESCRIBED BY LAW.

	1879.	1898.	1901.	1902.	
	Ozs.	*Ozs.*	*Ozs.*	*Ozs.*	
Smoking tobacco, cut and granulated tobacco.	.....	1	1	(b)	The 1¼, 2½, and 3½ ounce packages were provided for in this language (1898): "In lieu of the 2, 3, and 4 ounce packages of tobacco and snuff now authorized by law there *may be* packages of 1½ ounce, etc."
	.....	1½	1½		
	2	2	2		
	.....	2½	2½		
	3	3	3		
	.....	3½	3½		
	4	4	4		
	8	8	8		
	16	16	16		
Fine cut, and tobacco not otherwise provided.	1	1	(a)	(b)	In 1901 the only provision as to packages was: "*In addition* to the packages of smoking tobacco now authorized by law there shall be packages of 2 ounces, 3 ounces, and 4 ounces."
	.....	1½			
	2	2			
	.....	2½			
	3	3			
	.....	3½			
	4	4			
	8	8			
	16	16			
Snuff	¼	¼	(a)	(b)	1902. Revised section of act of 1898: "*In addition* to the packages of smoking tobacco and snuff now authorized by law there *shall be* packages of 1½ ounces, 2 ounces, 2½ ounces, 3 ounces, 3½ ounces, and 4 ounces; and there may be a package containing 1 ounce of smoking tobacco."
	1	1			
	.....	1½			
	2	2			
	.....	2½			
	3	3			
	.....	3½			
	4	4			
	6	6			
	18	18			
	.....	.....			

a Unchanged.
b Unchanged and specifically reenacted.

So we see that the act of 1898, which established the war tax on tobacco and authorized the short-weight package to enable the manufacturer to collect this tax from the people, said that—

"There *may* be packages of 1⅞ ounces, 2½ ounces, 3½ ounces, and a 1-ounce package."

Whereas the act of 1902, which entirely *removed* the war tax, provides that—

"There *shall* be packages of 1⅞ ounces, 2 ounces, 2½ ounces, 3 ounces, 3½ ounces, and 4 ounces; and the 1-ounce package."

Thus, unintentionally of course, Congress authorized the Tobacco Trust, *which in 1902 was fully formed*, in positive language, to sell short-weight war-time packages and *yet pay no war tax upon them.*

In the war-tax act the language authorizing the short-weight war-tax packages is "there *may be;*" in the act of 1902 *removing the war tax entirely* the language in continuing the short-weight war-tax packages is "*there shall be.*" Between these two acts there is the act of 1901, which some one evidently thought might by implication discontinue the short-weight war-tax package.

THE CHANGES IN THE LAW AND THE OPERATIONS OF THE TRUST.

The import of these sections of the law comes to us with great force when we consider the operations of the Tobacco Trust, as I shall do briefly in a moment; for I shall demonstrate that most of this tax which formerly went to the Treasury of the Government has, by the language of these acts, gone to the treasury of the Tobacco Trust. Anyone can see that this might be the case, and I shall prove by government figures that it has been the case and is the case right now.

The history of the Tobacco Trust is, perhaps, the most amazing in all the chronicles of high finance. Particularly is this so when we consider the advantage it took of the law fixing the war tax and reducing the size of the packages, and of the law removing the war tax and expressly continuing the war-time short-weight package. If it becomes necessary I shall hereafter go into this history very minutely, but for the present I will content myself with an outline.

Mr. CLARKE of Arkansas. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. BEVERIDGE. I hope the Senator will not interrupt me. I want to get this in connectedly. I do not want my statement broken. I have prepared it with care.

The VICE-PRESIDENT. The Senator from Indiana prefers not to be interrupted.

Mr. BEVERIDGE. Oh, no.

Mr. CLARKE of Arkansas. The Senator from Indiana has not explained how——

The VICE-PRESIDENT. The Senator from Indiana declines to yield.

Mr. BEVERIDGE. No; go ahead.

Mr. CLARKE of Arkansas. I beg the Senator's pardon.

The VICE-PRESIDENT. Does the Senator from Indiana yield, or does he not yield?

Mr. BEVERIDGE. I can not refuse to yield to the Senator from Arkansas for anything. I should like to get my statement in connectedly; but I yield gladly to the Senator from Arkansas.

Mr. CLARKE of Arkansas. I wish to inquire in reference to what the Senator has said. There is one feature of the controversy which he has not made clear to my mind; that is as to how the reduction of the size of the package of tobacco affected the question when the tax was laid on a pound of tobacco.

Mr. BEVERIDGE. I will come to that. I will explain that very clearly, I think. If I do not do it this morning, I certainly will do it hereafter. I will stop, however, for just a moment to make a brief explanation of that right now. I had better call the Tobacco Trust the American Tobacco Company, because I am going to show how much it controls—and all this is in the government reports—so I had better call it that.

HOW THE TRUST GETS THE TAX OUT OF THE PEOPLE.

These short-weight packages were provided in order to enable the manufacturers to collect this tax from the consumer, and this is the way they got it. Of course, if they sold a 1⅞-ounce package instead of the 2-ounce package which they sold before, for the same price, which was the case, they would get more packages out of a pound.

Mr. CLARKE of Arkansas. The consumers were accustomed to paying 5 cents for a package.

Mr. BEVERIDGE. Certainly. The Senator states the point exactly. The Trust would get that much more a pound, because they would make that many more packages out of a pound. That is clear, is it not? It is the same way with plug. I will explain the plug matter a little later on. Now, of course, the tax is placed upon the pound of tobacco; but the Trust is specifically authorized by law to sell smaller packages; and so since a pound will make a larger number of these smaller packages, the Trust gets more money for a pound.

That is the way the war tax was collected from the people; and as the law now specifically authorizes the same short-weight war-time packages, the Trust, of course, still gets the war-time price for a pound of tobacco, since these short-weight war-time packages are still sold at the same price.

So the Trust collects the war-tax now, just as it did during the war; only it paid it to the Government during the war, and now it pays it to itself. If necessary, I am going to trace out the connection between the millions of money which I shall show it has collected and its capitalization.

In the case of plug, of course the tax is also on the pound, and of course no particular size cut of plug is prescribed in the law, as there is in the case of packages; but Senators who have examined into this question—and there may be some here—know how that is done. The Trust, or the manufacturer, sends out a long plug. On this plug are marked the places where it is to be cut and sold to the consumer; that is to say, a 5-cent cut or a 10-cent cut, and so forth. So that by making it vary perhaps one cut more to the plug and then taking off of each cut that a man might buy an amount equivalent to a single chew, the tobacco company will get the tax on the pound. Is that clear?

Mr. CLARKE of Arkansas. Yes.

Mr. BEVERIDGE. Very well. Now, Mr. President, I come to a brief outline of the history of the American Tobacco Company, and you will see its connection with these laws.

THE TOBACCO TRUST (AMERICAN TOBACCO COMPANY) AND EXTENT OF ITS MONOPOLY.

The American Tobacco Company was organized in 1890 with a capitalization of $25,000,000, and only $5,000,000 of tangible assets. At this time its sole business was that of manufacturing and selling cigarettes, of which it even then had the monopoly. So great were its profits upon this branch of the tobacco industry that it determined to take in all other branches of the industry. It began with the plug and smoking tobacco business; then extended its operation to the snuff business, and finally even entered the field of the cigar business.

Now, mark how much it controls and you will see why it can be demonstrated by figures from government reports that most of the revenue that has been lost has gone into its treasury by taking advantage of the law, which of course Congress unwittingly passed.

By cutting prices so as to compel competitors to sell to it or enter the new combinations which it from time to time organized, it has at the present time secured control of MORE THAN 82 PER CENT OF THE ENTIRE OUTPUT OF CHEWING TOBACCO OF THE COUNTRY; MORE THAN 71 PER CENT OF THE SMOKING-TOBACCO OUTPUT OF THE COUNTRY; MORE THAN 82 PER CENT OF THE CIGARETTE OUTPUT OF THE COUNTRY; AND MORE THAN 96 PER CENT OF THE SNUFF OUTPUT OF THE COUNTRY.

The Tobacco Trust has absorbed about two hundred and fifty separate concerns and smaller combinations. Nor was it content with this. Since 1899 the combination has secured the control of many concerns for wholesale and retail distribution of tobacco products; of several concerns that produce leaf tobacco in Cuba and Porto Rico; of others which make materials and packages used in manufacturing tobacco; of still others holding patents for the manufacture of tobacco machinery; of others making tobacco machines; and of others that take care of by-products, making smokers' supplies, etc. It has also secured a complete monopoly of the licorice used so extensively in tobacco manufacture.

MEN IN CONTROL OF TOBACCO TRUST.

The Tobacco Trust has passed through many forms of corporate duplication and combination. These reached their consummation *about the time when the war tax was removed and the war-time package was specifically continued by express words of the law.* It is worthy of note that when the war was drawing to its close and farseeing men knew that the war tax would be removed, such men as Ryan, Dolan, Whitney, Brady, Widener, Elkins, and others well known to the world of finance forced their way into the inner councils of the Tobacco Trust. That was done, of course, through the formation of the Union Tobacco Company and its final absorption, after a desperate fight, by the American Tobacco Company. All of this I shall go into later if it becomes necessary.

It is still more worthy of note that when, according to the newspapers, Mr. Thomas F. Ryan last year determined to retire from most of his financial enterprises, he retained as his one favorite enterprise his holdings and active participation in the American Tobacco Company, which is the Tobacco Trust. The men now in control of the American Tobacco Company, the Tobacco Trust, are James B. Duke, Thomas F. Ryan, Oliver H. Payne, I think Anthony N. Brady, and the banking and brokerage firm of Moore & Schley, Whitney, Elkins, and Widener having died.

At a convenient time in the future, if it shall become necessary, I shall present to the Senate the detailed transactions of this mighty organization controlled by these well-known men. It is sufficient for the present moment to say that, to quote a government publication—

"STARTING IN 1890 AS THE AMERICAN TOBACCO COMPANY, A MANUFACTURER OF CIGARETTES, WITH A CAPITAL OF $25,000,000, TWENTY MILLIONS OF WHICH WAS WATER, THE TOBACCO TRUST HAS NOW A NET CAPITALIZATION (EXCLUDING INTERCOMPANY HOLDINGS) OF $316,346,821."

It is also well to note at this moment that the larger part of its astonishing growth since the Spanish war closed and the war tax was removed and the war-time short-weight packages were continued would have been very difficult but for that legislation.

AMOUNTS TRANSFERRED FROM GOVERNMENT'S TREASURY TO TRUST'S TREASURY.

Approximately, $20,000,000 of the $25,939,111.56 revenue, which the Government lost last year by reason of the reduced taxes on those classes of tobacco which the Trust monopolizes, went into the treasury of the Trust.

I want to repeat that approximately $20,000,000 of the $25,939,111.56 which the Government lost *last year* on the classes of tobacco controlled by the Trust went into the treasury of the Trust instead of the Treasury of the Government; and practically the same proportion is true of the $26,174,383.06 which the Government lost in 1907, the $24,609,027.82 which the Government lost in 1906, the $23,073,332.33 which the Government lost in 1905, the $22,570,239.10 which the Government lost in 1904, the $21,315,142.95 which the Government lost in 1903, and the $8,885,736.33 which the Government lost in 1902 on these classes of tobacco controlled by the American Tobacco Company—the Trust.

I want to say that in giving these figures they are not the total amount lost to the Government. I have excluded cigars, because the cigar business is a business that is still independent, and the only tobacco business that is.

So that, Mr. President, approximately $120,000,000 which the Government would have received since 1901 if the tax had not been removed has gone into the treasury of the Tobacco Trust. It could not have gone any place else. It has been collected from the people who have been charged the same price for short-weight packages that they were charged before the tax was removed; it has not been paid to the Government since the tax was removed; so that it could have gone no place but into the treasury of the Tobacco Trust.

A small per cent of it, of course, has gone to swell the profits of the few remaining independent manufacturers of tobacco who now exist only because the American Tobacco Company thinks it wise policy to let them exist; but this per cent is very little, as is shown by the statement of the per cent of output which the Trust now controls.

ANALYSIS OF AMENDMENT.

Most of these independent companies manufacture chewing (plug and twist), smoking, and fine-cut tobacco; and that they may continue to exist, my amendment does not restore the full war rate of 12 cents per pound, which they probably could not stand; but it increases it only to 9 cents, which they certainly can stand. The present rate is 6 cents per pound; my amendment increases this to 9 cents per pound for this reason, although, as I have shown, more than 80 per cent of this business is done by the Trust. If the Trust had practically all of it, as is true of all other forms of tobacco, except cigars, I should propose in my amendment to restore the war rate of 12 cents a pound, as I have done in other forms of tobacco, except cigars. In the matter of cigars, the Trust, as I have said, controls a small proportion of the output—probably not over one-sixth.

CIGARS.

Therefore the amendment does not increase the present tax on cigars worth less than three for a quarter; but on cigars selling at 10 cents straight and three for a quarter it proposes an increase graduated by the selling price of the cigars. Thus on cigars worth at wholesale from $35 to $75 a thousand (namely, cigars retailing at three for a quarter or 10 cents straight), it increases the tax from $3 a thousand to $4.50 a thousand; upon cigars selling from $75 to $110 a thousand (namely, cigars selling from two for a quarter to 15 cents straight), it increases the tax from $3 to $6 a thousand; upon cigars worth at wholesale over $110 a thousand (namely, cigars selling at 20 cents and upward), it increases the tax from $3 to $9 a thousand. This would increase the revenue upon the item of high-priced cigars alone by at least $3,000,000 a year. This estimate is made on the basis of the output of 1908. Can anybody have any possible objection to getting $3,000,000 more a year from the increased tax upon the high-priced cigars that now pay no more tax than a two-and-a-half-cent cigar?

SNUFF.

The amendment proposes to increase the present tax of 6 cents a pound on snuff to 12 cents a pound, which was the tax fixed when the packages were reduced in size. This would increase the revenue $1,352,865.75.

CHEWING, SMOKING, AND FINE CUT.

My amendment increases the present rate of 6 cents a pound on chewing, smoking, and fine-cut tobacco to 9 cents a pound (which is 3 cents less than the war rate), which would increase the revenue $10,923,281.86. I put the rate at 9 cents because of the few independent concerns that still exist. If it were all monopolized by the Trust I should put it at 12 cents per pound.

CIGARETTES.

The present taxation of cigarettes is as absurd as the tax on cigars. All cigarettes worth over $2 per thousand are now taxed at the rate of $1.08 per thousand; so that the higher-price cigarette pays the same tax that the cheaper cigarette pays. The amendment therefore proposes to increase the tax on cigarettes selling at wholesale from $2 to $4 a thousand (namely, those retailing at 5 cents for a package of 10 cigarettes) from $1.08 a thousand to $1.50 a thousand; on cigarettes selling at wholesale from $4 to $8 a thousand (namely, retailing at 10 cents for a package of ten), it increases the tax from $1.08 per thousand to $3 per thousand; on cigarettes worth at wholesale over $8 a thousand (namely, retailing at 15 cents and over per package of ten), it increases the tax from $1.08 per thousand to $4.50 per thousand. On these types of cigarettes the amendment would increase the revenue $4,879,346.50.

There is a type of exceedingly cheap cigarettes worth at wholesale under $2 per thousand (retailing at 5 cents per package of twenty), upon which the present tax is 54 cents per thousand. On this inferior cigarette the war tax was $1.50 per thousand, and this amendment restores the war tax. Upon this latter type of cigarette, which is made almost exclusively by the Tobacco Trust, the amendment would increase the revenue $830,679.56.

I pause right here to say that that is the smallest item of revenue in the amendment. Yesterday afternoon we heard

arguments for 25 cents a ton on iron ore because it would bring in $127,000 revenue a year. Yet this little insignificant item of the most inferior of cheap cigarettes, my amendment, will increase the revenue $830,679.56.

On cigarettes weighing over 3 pounds per thousand (which are practically cigars) the present tax is $3 per thousand; the amendment restores the war rate on this type to $3.60 per thousand, which would increase the revenue $11,478.89. That does not amount to anything. Thus the total increase of revenue under the present amendment on cigarettes alone would be $5,721,504.95.

Without increasing the tax on cigars selling for less than 10 cents a piece or three for a quarter, the amendment increases the revenue from all other forms of manufactured tobacco $21,461,954.62, estimated on the basis of the output of 1908, which you will find in the reports of the Internal-Revenue Commissioner.

NO HARDSHIP ON THE TRUST OR ANYBODY ELSE.

Most of this vast amount now goes to the American Tobacco Company instead of to the Government. In view of the fact that since 1901 the Tobacco Trust alone has put into its pockets several scores of millions of dollars which would have gone to the Government if the tax had not been removed, or remained in the pockets of the people if the short-weight war-time package had not been expressly continued by law, it can not be said that this amendment works any hardship upon the Tobacco Trust. And in view of the fact that the few millions of revenue lost to the Government for the same reasons have gone into the pockets of other tobacco manufacturers, it can not be said that this amendment works a hardship upon them.

ANALYSIS OF REVENUES THIS AMENDMENT WILL PRODUCE.

Mr. President, I have worked out with a great deal of care a statement of figures, in parallel columns, which shows the actual revenue raised under the present law on these various forms of tobacco in 1908. Then there is set out the revised rate I have provided for in this amendment; and then set out the revenue on the basis of 1908 output; and then set out the increased revenue on all, which, I say, amounts to $21,461,954.62; and Senators can see it in the RECORD at a glance. I ask that it be printed as a part of my remarks.

The VICE-PRESIDENT. Without objection it will be printed in the RECORD.

The table referred to is as follows:

PRESENT REVENUE FROM TOBACCO AND ESTIMATED REVENUE AT REDUCED RATES; CALCULATED BY TAX FIXED BY AMENDMENT ON BASIS OF OUTPUT OF 1908 AS SHOWN BY REPORT OF COMMISSIONER OF INTERNAL REVENUE.

	Present rate.	Actual revenue, 1908.	Revised rates.	Revenue on basis of 1908 output.	Increase in revenue.
Chewing (plug and twist), smoking, and fine cut	6 cents per pound	$21,846,563.72	9 cents per pound (war rate, 12 cents)	$32,769,845.58	$10,923,281.86
Snuff	6 cents per pound	1,352,865.75	12 cents per pound (war rate)	2,705,731.50	1,352,865.75
Cigarettes:					
Worth over $2 per thousand	$1.08 per 1,000	4,879,346.50	Worth $2 to $4, $1.50; Worth $4 to $8, $3.00; Worth over $8, $4.50; estimated	9,758,693.00	a 4,879,346.50
Worth under $2 per thousand	54 cents per 1,000	467,257.25	$1.50 (war rate)	1,297,936.81	830,679.56
Weighing over 3 pounds per thousand	$3 per 1,000	57,394.45	$3.60 (war rate)	68,873.34	11,478.89
Total cigarettes		5,403,998.20		11,125,503.15	5,721,504.95
Cigars:					
Weighing over 3 pounds per thousand	$3.00 per 1,000	20,714,276.35	Worth up to $35, $3.00; Worth $35 to $75, $4.50; Worth $75 to $110, $6.00; Worth over $110, $9.00; estimated	23,714,276.35	3,000,000.00
Weighing under 3 pounds per thousand	54 cents per 1,000	545,050.24	$1.00 (war rate)	1,009,352.30	464,302.06
Total cigars		21,259,326.59		24,723,628.65	3,464,302.06
Total		49,862,754.26		71,324,708.88	21,461,954.62

a Estimated double present revenue.

PLUG TOBACCO.

Mr. BEVERIDGE. It may be said that the continuation by law of the short-weight war-time package after the war-time tax had been removed does not affect the plug-tobacco business. That is the matter the Senator from Arkansas [Mr. CLARKE] asked me about. But this is only true in appearance and not in fact. The law fixes the size of the cut that is sold from plug tobacco. But the manufacturer of plug tobacco (and practically all of it is manufactured by the Tobacco Trust) got the war tax upon this article out of the people by selling a smaller cut from the plug; and this practice it still continues. When a box of plug tobacco is sold by the Trust to the retail dealer, there is marked upon each plug a place for the cut.

By decreasing the size of these cuts very slightly, the Tobacco Trust, through the retailer, gets the war-time price for a cut from a plug of tobacco by marking the cut a little smaller. So by taking off from a cut of plug tobacco a single chew of it, the Tobacco Trust was able to collect the tax which the Government placed upon this tobacco and pay it to the Government before the tax was removed; and by selling the same size cut it is still able to collect the tax which the Government has removed, and instead of paying it to the Government it pays it to itself.

PRICE FIXED BY CUSTOM; PACKAGES FIXED BY LAW.

It is said that the retail price is not fixed by law; the answer is that it is fixed by custom. Consumers of tobacco get used to paying a fixed price for a package of snuff or tobacco or a cut of plug—5 cents, 10 cents, 15 cents, etc. The size of either could be reduced without any striking difference to the observer. But if the difference did strike the observer at first, it was not long before he became accustomed to it. Thus it is that the Trust has been able to collect the war tax from the people, and instead of paying it to the Government, has paid it to itself; and thus, too, it is that the Tobacco Trust has been able by government aid, which we did not intend to give, to so swell its astonishing profits that it has grown in a few brief years to be the mighty organization it is to-day.

Mr. President, if it should become necessary later on in the discussion, which I hope it will not, because I am as anxious to hurry this bill to a conclusion as anyone else, I will go into this matter more at length and in detail.

Mr. President, I present a resolution for which I ask immediate consideration. The reports that I have relied upon are the reports of the Commissioner of Internal Revenue, the two published reports of the Department of Commerce and Labor referred to in the papers of February 23, and since those reports indicate that that is only a part of what they have, I ask immediate consideration for the resolution I send to the desk, that we may have all the further information.

The VICE-PRESIDENT. The Secretary will report the resolution for which the Senator from Indiana asks immediate consideration.

The Secretary read the resolution (S. Res. 44), as follows:

Senate resolution 44.

Resolved, That the President be requested to transmit to the Senate all information collected by the Department of Commerce and Labor affecting the prices of tobacco and the operations of corporations and others dealing in the same.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. Without objection, the resolution is agreed to. The Secretary will report the committee amendment to paragraph 116.

Mr. ALDRICH. Perhaps I had better ask that the whole paragraph go over. I thought at first I would ask that the paragraph relating to wrought and scrap iron go over, but perhaps the whole paragraph should go over.

The VICE-PRESIDENT. The Senator from Rhode Island asks that paragraph 116 be passed over.

Mr. ALDRICH. The committee is considering certain amendments in regard to wrought and scrap iron.

Mr. CUMMINS. Mr. President, before the paragraph is passed over, I desire to offer an amendment to the paragraph, so that the committee may consider it.

The VICE-PRESIDENT. The Senator from Iowa offers a substitute for the paragraph, which will be printed and referred to the committee and be passed over with the paragraph. Does the Senator desire to have it read?

Mr. CUMMINS. Let it be printed in the RECORD.

The VICE-PRESIDENT. Without objection, that will be done, and the paragraph will be passed over.

The amendment referred to is as follows:

Substitute offered by Mr. CUMMINS for paragraph 116, H. R. 1438:

"Iron in pigs, iron kentledge, spiegeleisen, ferromanganese, $2.50 per ton; wrought and cast scrap iron and scrap steel, 50 cents per ton; but nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel and unless it shows upon inspection that it had been advanced in manufacture to the final form for use, and, having been used, had become unfit for further use and is in such physical form as to be fit only to be remanufactured.

The SECRETARY. The next amendment passed over is in paragraph 119. On page 33, line 20, the committee proposes to strike out "whether plain or punched, or fitted for use" and insert "but not assembled or manufactured or advanced beyond hammering, rolling, or casting."

Mr. CUMMINS. Does the RECORD show that paragraphs 117 and 118 have been disposed of?

The VICE-PRESIDENT. They have both been agreed to.

Mr. CUMMINS. Was that under the arrangement that any amendment might be offered to either of them?

The VICE-PRESIDENT. Oh, yes.

Mr. CUMMINS. I should like to ask the Senator from Rhode Island a question with regard to paragraph 117. According to the information of the committee, what is the average cost of turning pig iron, or the process from pig iron, into the articles mentioned in 117?

Mr. ALDRICH. My impression is it is about $6 a ton. Of course it would depend very largely upon the character of the bar iron. It is sometimes more and sometimes less, depending upon circumstances.

Mr. CUMMINS. I supposed the cost was a little greater than that; but if it be no greater, it seems to me there ought not to be a duty of $7.24 a ton upon the articles mentioned in 117. We have a duty of $2.50; we will assume the duty is so, at any rate, upon pig iron. If the cost of turning pig iron into bars is not more than $6, why should there be an additional duty of substantially $5 upon that process?

Mr. ALDRICH. The difference in duty is of course $3.50 a ton. What does the Senator say it costs to make bar iron from pig iron?

Mr. CUMMINS. I asked that question of the Senator.

Mr. ALDRICH. I am asking the Senator from Iowa.

Mr. CUMMINS. The Senator says $6 a ton. I thought that a little low.

Mr. ALDRICH. The duty is $3.50 a ton.

Mr. CUMMINS. If it costs only $6 a ton, then the duty of three-tenths of 1 cent per pound amounts to $7.24 a ton.

Mr. ALDRICH. The Senator must be mistaken in his arithmetic. Three-tenths of a cent a pound is $6 a ton, according to my arithmetic.

Mr. CUMMINS. That depends upon whether you take a short ton or a long ton.

Mr. ALDRICH. The short ton is always used in tariff matters. It is $6 a ton.

Mr. CUMMINS. It is $7.24 a ton if you take a ton of 2,240 pounds.

Mr. LODGE. A ton in tariff matters always means a short ton.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. Certainly.

Mr. OLIVER. I can give the Senator information as to part of the difference between manufacturing iron here and abroad. This paragraph refers to puddled iron, which is made now only as a specialty. In all the vast works of the United States Steel Corporation there is not one where a ton of puddled iron is made. Puddled iron is made by individual manufacturers here and there, and it is used for special purposes, very largely for making pipes used by plumbers. Puddled iron is not subject to the same degree of action by acids and water as steel. In England the wages for puddlers in the Northumberland district is $2.25 a ton; in the west of Scotland, $2.43 a ton; in the Midlands, $2.31 a ton.

The universal rate of wages in this country is $6.50 to $6.62½ a ton. That refers to puddling alone. There is a difference of, say, 66⅔ per cent that we pay out in labor to the puddlers.

When you come to consider that a puddler is only one man of the many connected with the manufacture of this material, you can readily see, as I firmly believe, that in labor alone we will swallow up the entire amount of this duty in the difference in cost between here and abroad.

Mr. CUMMINS. I do not believe that anyone who reads the testimony given before the House committee will get the impression that it costs twice as much or more to convert ore or pig iron into the finished form in this country as it does abroad. If the cost of converting this particular commodity is but $6 a ton, it does not seem to me possible that we need a duty of $3.50 a ton upon it. I am now excluding the $2.50 a ton upon pig iron.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. OLIVER. The difference in cost is not $6.50 a ton. The difference in the labor of one man alone is $4.25 per ton. He is only one man.

Take pig iron and make bar iron out of it, and it requires, first, the work at the puddling furnace, which is very hard and very severe work. It is taken from the puddling furnace and put through what is called the "muck rolls." That is one process. The muck bar is then allowed to cool. It is cut into small pieces, which are bundled together and put into the heating furnace, put through another process of heating, then rolled; so that we have not only the puddler to pay, but the muck rollers, the heaters, the rollers in the bar mill, and an army of men.

You must consider that this is not done in these great mills. It is done in the old-fashioned bar mills. The product is small and the margin is very, very light.

I am advised by the manufacturers, who still continue to make this speciality, that the duty proposed here is entirely too low, and I think the Senator from Iowa is speaking without knowledge upon the subject or he would not make this effort at a decrease upon this very reasonable provision.

Mr. CUMMINS. I have not very much knowledge with regard to the cost of turning pig iron into these bars, and it was for that reason that I asked the question of the Senator from Rhode Island, and the answer is—and the Senator from Pennsylvania has not disputed it—$6 per ton, or substantially that. If we start into this iron schedule upon the hypothesis that it costs twice as much to produce steel in America as it costs abroad, we will reach before we have finished some very strange conclusions.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. PENROSE. I should like to call the attention of the Senator from Iowa to the fact that this is a cut of 50 per cent on the Dingley rates.

Mr. CUMMINS. I observe that, and I have not proposed to offer any amendment to it, but I did not want the paragraph to be passed without some understanding with regard to the general view adopted by the committee; whether it was intended that upon all these products we should place a duty based upon the hypothesis that it costs twice as much to produce steel in the United States as it costs abroad. I can not yield to that hypothesis, if it is intended to be carried through the entire schedule.

I have no amendment to offer at this time to this particular paragraph.

Mr. ALDRICH. The Finance Committee has advanced no such proposition as that it costs twice as much to produce steel in the United States as abroad.

Mr. CUMMINS. I did not understand that it had.

Mr. ALDRICH. No.

Mr. CUMMINS. But, in answer to my question, I was informed that the cost in America of this particular work was $6 a ton, and you are putting a duty upon this particular work of $3.50 a ton. That means evidently that it costs twice as much here as abroad.

Mr. ALDRICH. No. I want to call the attention of the Senate to the fact that in 1883 the duties upon the items contained in this paragraph were 1.1 cents; in 1890 it was 1 cent; in 1894, under the Wilson-Gorman bill, it was six-tenths of a cent; in 1897 it was made six-tenths of a cent; and it is now reduced by this paragraph to three-tenths of a cent.

Mr. CUMMINS. I have observed that history, and I am very much gratified with the reduction, although I believe the reduction is not yet what it should be. However, I have not, as I said, proposed any amendment to this paragraph.

Mr. President, I do offer an amendment to paragraph 118.

Mr. ALDRICH. I ask that this paragraph be adopted.

The VICE-PRESIDENT. The paragraph has once been read. The Senator from Iowa now offers an amendment to the paragraph.

Mr. ALDRICH. It is to paragraph 118, as I understand.

The VICE-PRESIDENT. To 118.

Mr. KEAN. Let us agree to 117.

Mr. ALDRICH. I ask that paragraph 117 be agreed to as amended.

The VICE-PRESIDENT. Without objection, paragraph 117 is agreed to.

Mr. KEAN and Mr. LODGE. As amended.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Iowa.

The SECRETARY. On page 23, paragraph 118, in line 7, strike out the word "six-tenths" and insert instead "five-tenths;" in line 11, strike out the word "four-tenths" and insert in lieu "three-tenths."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

Mr. PENROSE. Mr. President, I hope the amendment will not be agreed to. The reduction in the House bill is from eight-tenths to six-tenths under the Dingley rate, a very substantial reduction. All these articles in the metal schedule are going down nearly to the point when the iron and steel industries will be extinguished if persisted in in further downward revision. I sincerely hope the amendment will not be agreed to.

Mr. CUMMINS. Mr. President, I do not intend to consume the time of the Senate in any considerable discussion of this amendment or the others which will follow. I attempted at a former time to show that, in so far as one particular manufacture of this product is concerned, it needs no protection whatsoever.

I believe that I demonstrated as clearly as any proposition can be proven that the United States Steel Corporation is making its product as cheaply as it is made anywhere in the civilized world. I was told, and I agreed to that, although my judgment was not wholly convinced, that in order to preserve certain so-called "independent manufactories" it was still necessary to impose some duty upon these products; but when it is proposed to impose upon a product of this sort a duty of $12 per ton in the one case and of $8 a ton in the other, it seems to me that we are forgetting the rule under which these duties ought to be imposed.

Is there any Senator here who believes that it costs in this country, to make round iron in coils and rods and other such iron as is here specified, $12 a ton more than it costs abroad? I have not the figures before me, but I assert with a great deal of confidence that the difference between the market price of this iron abroad and at home is less than $12 per ton. We need no such duty in order to stimulate and protect our own manufactures, and if we intend to reduce these duties at all, so that in the operation of the ordinary courses of trade the consumer or the buyer is to have a benefit, then we must reduce them below the point named by the Finance Committee.

It is for this reason, because I believe that a duty in the one case of $10 a ton will be more than ample, and in the other a duty of $6 a ton will be more than sufficient, that I have offered these amendments.

Mr. ALDRICH. Mr. President, in 1890 the duty upon round iron in coils and rods was 1.1 cents; in 1894, by the Wilson-Gorman law, it was eight-tenths of a cent; in 1897 it was eight-tenths of a cent. The House reduced the duty to six-tenths of a cent, and the Senator from Iowa, without any statement of the necessity for it or the reasons, so far as I have heard him, proposes still further to reduce it to five-tenths of a cent. I think the Senate should stand by the action of the House committee.

Mr. LODGE. If I may call attention to it, I will state the ad valorem rate under the bill on what is covered in this paragraph. On the first item it is 10.75 per cent, on the next it is 9.15 per cent, and on the next it is 19.17 per cent. Those are very low ad valorems. They certainly extend hardly beyond a fair revenue duty.

Mr. BURKETT. Mr. President, I wish to ask the Senator a question. As I said once before, I am not so much concerned about how much you reduce the duties; I would rather have some information as to whether the $12 a ton in line 7 is necessary. I have tried to go through the hearings in the House. Every witness, apparently, said there was not much need for protection on the manufactures of iron. I read through the couple hundred pages of Mr. Carnegie's evidence; I have read through Mr. Gary's statements, and all of them, and they have all testified, so far as I can find out, that there is not any particular need of this duty.

I understand, of course, that there ought to be on all of these manufactured products some protection to keep a foreign country from unloading on us their surplus stock at some time, from which we would get no revenue, and thus injure our industries, but $12 a ton for this particular product seems to me pretty high, in view of the evidence contained in the two volumes of the House hearings that there is not any particular use for any tariff on the manufactures of iron.

So I submit to the chairman of the committee that what I would rather have is some explanation as to why this duty is needed, rather than simply a statement that it is a reduction of two-tenths from what it has been for the last twenty years. I should like to ask the Senator from Rhode Island if there is any evidence or any statement showing that it is needed. I am asking in good faith, because if anybody has shown anywhere any evidence that there is need for this much duty, I should not want to reduce it; but if there is not anybody along the line anywhere who has suggested that there is a need of this rate, it seems to me that we ought to reduce it.

Mr. ALDRICH. I am not sure but that if the real facts in this case were thoroughly understood, the Senate committee rate ought to be increased. The importations of the articles covered by this paragraph amount to about a million and a half dollars, and the revenue collected in 1907 was about $450,000. The average ad valorem rate, as has already been stated, is only from 9 to 19 per cent. I am inclined to think that we have probably cut too far in the proposition which is now before the Senate. I think if we are going to change the Senate committee rate at all, it ought to be upward instead of downward.

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. Certainly.

Mr. CRAWFORD. I simply rise for some information. I will say that where the House made a reduction and the Senate committee has left it alone, or reduced it, I have not felt disposed to interfere; but where the House has made a reduction and the Senate committee has increased it, I have felt that we were entitled to have an explanation. With reference to this item, if the Senator from Iowa will permit me, I do not quite understand the statement of the Senator from Rhode Island. This is paragraph 118, is it not?

The VICE-PRESIDENT. It is.

Mr. CRAWFORD. In the statement here under Schedule C, at paragraph 118, under the name of "bars or shapes of rolled or hammered iron and round iron, in coils or rods, less than seven-sixteenths of 1 inch in diameter," the revenue from imports, according to these figures, was only $1,031.26, which is certainly a very small amount indeed; and on the second item, "slabs, blooms, loops, or other forms less than iron in bars and more advanced than pig, except castings," the revenue was only $124.62 according to this statement. That was practically no importation at all.

Mr. ALDRICH. But if the Senator will look at No. 2629—I do not know what it is called——

Mr. LODGE. "Bars, blooms, billets, and slabs" are the last bracket.

Mr. ALDRICH. Bars, blooms, billets, slabs, or loops.

Mr. LODGE. It is all a part of the same paragraph.

Mr. ALDRICH. It is all a part of the same paragraph.

Mr. CRAWFORD. But they are different items.

The VICE-PRESIDENT. Does the Senator from Iowa yield further?

Mr. CRAWFORD. I simply want to get that information.

Mr. CUMMINS. I had the matter before me and was about to explain that while it is all in the same paragraph I think the Finance Committee will, on reflection, see that I have offered no amendment to that part of the paragraph under which there have been any importations at all. As to the two parts of the paragraph to which I have offered each an amendment, you will find, upon examining the statement mentioned by the Senator from South Dakota, that upon the first there has been and was an importation of 128,908 pounds, a negligible quantity, and the duty paid upon that was $1,031.26; but upon the second part of the paragraph to which I have offered an amendment the importations were 24,594 pounds this year and the duty was $124.62. So the duties as they have been heretofore have been prohibitory. There have been no importations whatever, or, at least, so nearly none that they need not be considered here.

I agree now that with respect to the charcoal iron, which is referred to in the last part of the paragraph, there have been importations, and noticing that fact and being desirous of

keeping our own market for our own people, I have made no suggestion of an amendment. But the Finance Committee has not said, and I am sure that it will not say, that it believes there is a difference of $12 a ton in the first part of the paragraph or of $8 a ton in the second part of the paragraph between the cost of producing those commodities here and abroad.

I know—that is, if I may make my inferences from the testimony which has been submitted to the House committee and is now submitted to the Senate—that with respect to one company, it can produce these things as cheaply as they can be produced anywhere, and that $10 a ton and $6 a ton, respectively, will amply protect those independent manufacturers, of whom it is said, although not with entire certainty, that it costs more for their production than it costs the larger companies.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. Certainly.

Mr. OLIVER. Mr. President, the Senator from Iowa perhaps may have forgotten the statement which I made a few minutes ago. I stated that iron is no longer made either by the United States Steel Corporation or by any other of the great corporations which are engaged in the manufacture of steel. Their business is confined entirely to steel and steel products. This iron business, as distinguished from steel, is conducted by, I suppose, 100 small manufacturers from New England clear to the Pacific coast. Although the Senator from Iowa does not represent what is called a "manufacturing State," I have no doubt there are some mills in Iowa. It is beyond possibility for them to think of combining or forming themselves into a trust. This effort to reduce the duty upon their products will simply result, if successful, in driving the very class of men out of business whom the Senator appears to be so solicitous to continue in business. Iron is no longer made by the large corporations. They make steel alone. This paragraph refers to iron alone.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. Certainly.

Mr. LODGE. The Senator keeps reiterating that $12 a ton is such an enormous difference. I find that under the first bracket of this paragraph the import value indicated a material worth over $100 a ton and the equivalent ad valorems indicate the value of the product at from $100 to $120 a ton. A difference of $12 a ton in the cost of manufacture is not large on that basis.

Mr. CUMMINS. I hope the Senator from Massachusetts will pursue that investigation a little further, because it will open up a very interesting field. I assume that he would not suggest to the Senate that the American price for this product is $100 a ton.

Mr. LODGE. I was taking what I assumed to be that on which the whole of the Senator's argument must rest, that the foreign product is much cheaper. I took the import value of the foreign product, which, as nearly as I can figure it on the official figures, is about $100 a ton.

Mr. CUMMINS. The Senator from Massachusetts was quite right in his mathematics, but it is true of this paragraph precisely as it was true of the glass paragraph. The iron that has been imported under this paragraph is not made in the United States at all. The quantity of iron that comes in is little; but what comes in is not made, as I am advised, in the country at all, and the ordinary American price for the round iron is much less than $100 a ton. Possibly the Senator from Pennsylvania will correct me if I am wrong in that respect.

Mr. OLIVER. I was not attending to the Senator's remark.

Mr. CUMMINS. Then I will not pursue it.

It makes no difference whether the ad valorem duty is 10 per cent or 20 per cent; what we are trying to do is to protect the American manufacturers. We are trying to protect our own workshops. We have found that under the duty imposed in the Dingley law there were no importations. Therefore it goes without saying that our manufacturers do not need the quantity of duty imposed by the law of 1897. Now, how much do they need? The Finance Committee, apparently without any basis for comparisons so far as appears here, has reduced the duty, or it has accepted the House reduction of the duty, to six-tenths of a cent. But is six-tenths of a cent the right duty?

Mr. ALDRICH. Will the Senator from Iowa be kind enough to enlighten the Senate as to why the rate should be five-tenths of a cent?

Mr. CUMMINS. Yes, sir; I will enlighten the Senator with regard to five-tenths of a cent, although the Senate possibly has a better right to look to the Finance Committee for information than to me. The Finance Committee is organized for the purpose of giving us information upon these subjects. But I can answer why, I think, five-tenths of a cent is quite high enough.

The general testimony delivered before the Ways and Means Committee of the House indicates that we could produce these forms of iron and steel in the United States at substantially the cost for which they can be produced abroad. As I said before, if it were not for the protection of the small manufacturers named by the Senator from Pennsylvania, I do not think you ought to put any duty upon it unless it were a revenue duty, and there is no revenue from it. I predict that the amendment I have offered will no more admit foreign manufactures to our markets than the duty in the Dingley law. It will not produce any revenue in either case, but it will protect. If you reduce the duty to five-tenths, it will at least do that much more toward protecting the American consumer against any combination or trust that will prevent and interrupt the ordinary laws of trade. Therefore I propose five-tenths of a cent instead of six-tenths of a cent, and I frankly say I think that is higher than is necessary for a protective duty.

Mr. CARTER. Mr. President, I should like to ascertain from either the Senator from Iowa or the chairman of the committee the extent to which this duty is compensatory. We have a protective duty on the material of which this class of iron is made of $2.50 per ton. First, what amount of pig iron on which a duty of $2.50 per ton is placed is required to make a ton of this finished product, and to what extent did the Senate committee compute the compensatory duty in fixing the duty here named at six-tenths of 1 cent per pound?

Mr. PENROSE. If the chairman of the committee will permit me, I will inform the Senator from Montana that, in the opinion of the producers of the products of iron and steel, none of these duties are adequately compensatory for the duty imposed on iron ore and on scrap iron.

Mr. CARTER. The discussion, as I understood it, was proceeding between the Senator from Pennsylvania and the Senator from Iowa and the chairman of the committee upon the theory that six-tenths of 1 cent per pound was based purely upon the difference in the cost of labor here and abroad in the production of the kind of iron named in paragraph 118. According to my understanding, all of these items are correlated. When a duty is placed upon the basic material, for protective or for any other purpose, necessarily that duty must be offset by a compensatory duty on the product of the basic material.

Mr. ALDRICH. That is true. The duties in this schedule run from the duties on iron ore and pig iron up to the finished product—say, a watch spring. That pound of iron ore made into watch springs is worth several hundred dollars a pound. In this particular case we have a duty of $2.50 on pig iron, and then we have a duty——

Mr. CARTER. Primarily we have a duty of 25 cents per ton on ore.

Mr. LODGE. If the Senator will allow me a word, I will state that the House duties were based throughout on free iron ore, and we have not altered their arrangement, but have left their reduction, which proceeded on the basis of free iron ore. So we have put all their reductions lower than they were before, by our action.

Mr. CARTER. No allowance being made for any compensatory duty on iron ore at all.

Mr. ALDRICH. We have first the duty on iron ore, and then the duty on pig iron of $2.50 a ton. Then we have, by the paragraph just agreed to, a duty of three-tenths of a cent a pound on round iron not less than seven-tenths of an inch in diameter. Then we have, by this paragraph, a provision of six-tenths of a cent a pound on iron less than seven-sixteenths—that is, iron rods that have to be taken from the round wire and drawn through rollers, at a great expense, into the fine rods that are provided for in this paragraph at six-tenths of a cent—showing a progression from iron ore and pig iron to round iron, and to iron in rods, round iron in coils and rods less than seven-tenths of an inch in diameter, thus making a progressive duty which is supposed to equalize the difference in the cost of production of these various articles here and abroad.

Now, one other word right there. The articles provided for in this paragraph are expensive articles. They are imported, when imported, from Sweden. They are made of charcoal iron by the old-fashioned process. As the Senator from Pennsylvania [Mr. OLIVER] says, there is nobody in this country interested in the manufactures of steel who is interested in these wire rods or iron wire—the drawn wires that are covered by this paragraph.

The Senator talks about $12 a ton and $10 a ton. As long ago as 1883 we imposed a duty of $24 a ton on all articles made

from iron in the production of which charcoal is used. Michigan was then a large producer, and I imagine she is to-day to a considerable extent, of charcoal iron. It is a very expensive article to make. It is only used for particular purposes, and it seems to me to ruthlessly—I was about to say ignorantly—strike down these duties is certainly not the part of wisdom on the part of the Senate.

Mr. CARTER. I did not understand from any part of the discussion that it was the intention of the Senator from Iowa to cut below a protective standard. I believe, in the light of the explanation of the chairman of the committee, which comports with the general judgment, I think, of the Senate in reference to the rules which obtain in this matter of levying duties, there would be, of the $12 per ton allowed by paragraph 118 as a duty, a deduction of $2.50 per ton compensatory duty on the material out of which this wire is made.

Mr. ALDRICH. Six dollars a ton under the paragraph. Paragraph 117 imposes a duty of $6 on the raw material from which these articles must be made.

Mr. CARTER. That leaves but $6 a ton as a duty to protect the labor employed in the manufacture of these articles.

Mr. ALDRICH. That is all, on a very expensive article.

Mr. CRAWFORD. Mr. President, I wish to ask a question. I am not asking the question in the attitude of opposition to what has been done, but I have not understood what the explanation is of the fact that there was practically no importation of the first two items in the paragraph.

Mr. ALDRICH. It is because the American producers have the American market at the old rate; that is, on those two particular clauses of the paragraph. On the last, they have not.

Mr. CRAWFORD. Does the chairman of the Committee on Finance think that this reduction will take the market away or bring in any additional importations?

Mr. ALDRICH. I think it is quite likely it would. It is impossible, of course, for anybody to say definitely.

Mr. CRAWFORD. According to the estimates of the committee, the importations under it are very small indeed.

Mr. ALDRICH. I understand that.

Mr. CRAWFORD. Ninety-nine dollars is what you received from one of the items, and $773 from another, under the new schedule.

Mr. NEWLANDS obtained the floor.

Mr. CARTER. Mr. President——

The PRESIDING OFFICER (Mr. PILES in the chair). Does the Senator from Nevada yield to the Senator from Montana?

Mr. NEWLANDS. Certainly.

Mr. CARTER. In connection with the subject being discussed, I should like to make just one additional observation. I understand, then, in a progressive way, taking paragraph 116 with $2.50 per ton on pig iron, we approach paragraph 117, which levies a duty of $6 a ton, a half of that amount being compensatory duty arising from the duty fixed by paragraph 116, and, in turn, the combined duty, compensatory and protective, provided by paragraph 117, must be deducted from the duty prescribed in 118, in order to determine the amount of protective duty provided for the difference in labor cost in the manufacture of the article.

Mr. TILLMAN. Does the Senator make no allowance for the fact that this iron ore is not imported? We have got hundreds of millions and billions of tons. What is the use to undertake to subtract the cost of the duty on iron ore from this product?

Mr. CARTER. There is no computation in this calculation of duty on iron ore, as I understand it. It is the duty on pig iron.

Mr. TILLMAN. I know, but the Senator is speaking of a duty on iron ore of $2.50 a ton.

Mr. LODGE. No; that is the duty on pig iron.

Mr. CARTER. It is the duty on pig iron, scrap, and so forth.

Mr. NEWLANDS. Mr. President, I wish to make an inquiry of the chairman of the committee. There is one thing I can not understand. The value of these forms of ore is placed by the Senator from Massachusetts at $100 a ton, very much in excess of the value of steel rails and of structural steel. It is hard for me to realize that any form of iron could be worth so much.

Mr. KEAN. I will state to the Senator from Nevada that iron pipe and iron sheets are more expensive than are steel sheets and steel pipe.

Mr. ALDRICH. If the Senator will look at the last clause in this paragraph in relation to billets, bars, and so forth, in the manufacture of which charcoal is used, he will find that the unit value on large importations was over $40 a ton, which is, of course, vastly in excess of the duty upon steel of a corresponding character.

Mr. NEWLANDS. Mr. President, that must be so. I am told by the Senator from Pennsylvania [Mr. OLIVER] that the value is largely in excess of that of the forms of steel to which I have referred. I am not, of course, familiar with these forms of production, but it struck me as very disproportionate.

Mr. BRIGGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS. I do.

Mr. BRIGGS. Mr. President, I wish to say to the Senator from Nevada that the production of steel is in great quantities at large furnaces, where an immense tonnage is at once turned out, while the production of iron is in small furnaces. There is a great deal more labor in it. I imagine that the iron referred to there is the high-class Swedish iron for special forgings that the low-carbon mild steel can not be used for. I think that is undoubtedly the reason for the high prices.

Mr. NEWLANDS. I observe that this paragraph covers three forms of iron, and that, of these three forms, the first two in the paragraph are not productive of revenue, the revenue being nearly nominal, about $1,000 per annum in one case and $124 per annum in the other. It seems to me that that is very conclusive proof that the duty itself, low as it is, of about 10 per cent, is practically prohibitive of importations. It is, therefore, too high to cover the policy of protection mapped out by the Republican party in its platform and is also too high to produce revenue. For that reason, I shall join with the Senator from Iowa in an endeavor to lower these two duties.

As to the third duty, it is productive of a very large amount of revenue—nearly a half million dollars—and I observe that the committee has reduced the duty fixed by the House about 20 per cent, I believe. It seems to me that that duty, even as established by the House, is a fairly revenue duty, and might perhaps have been left undisturbed; but as to the first two duties, it seems to me they are prohibitory and excessive.

Mr. BACON. Mr. President, I should like to ask the Senator from Pennsylvania [Mr. OLIVER], as a matter of information about which I need some instruction or light, a question. I understood the Senator from Pennsylvania to say that the United States Steel Company is not engaged in the production of iron.

Mr. OLIVER. Not to the extent of one ton.

Mr. BACON. That is the point which struck me and produced the inquiry upon my part.

Mr. OLIVER. I mean iron as explained here.

Mr. BACON. The Senator means this particular shape of iron?

Mr. OLIVER. They make plenty of pig iron, of course, I will say to the Senator.

Mr. BACON. That is what I referred to.

Mr. OLIVER. But they do not make and put on the market any iron article as iron is understood in these days. Their product is confined entirely to steel—Bessemer steel and open-hearth steel—made in great girders and pieces, and in which machinery is the principal element, whereas in puddling iron, man is the principal element.

Mr. BACON. Mr. President, I misunderstood the Senator from Pennsylvania. I thought, from what the Senator said, that he meant to be understood that the Steel Company did not engage in the production of iron in its generic sense—in other words, that they did not make pig iron, or did not from pig iron make the high class of iron.

Mr. OLIVER. Pig iron is the basis of steel.

Mr. BACON. Of course. The Senator, then, does not mean to be understood to the effect that they do not make the pig iron from which they make the steel?

Mr. OLIVER. Oh, no.

Mr. BACON. They make the steel from the pig iron.

Mr. President, in connection with the suggestion of the Senator from South Carolina [Mr. TILLMAN], responding to the proposition of the Senator from Montana [Mr. CARTER], as to the compensatory duty, suggesting that the duty imposed upon iron should be taken from that which should be chargeable properly to steel, the Senator from South Carolina inquired if Senators did not know the fact that the Steel Company procured all their ore in this country. The Senator from Montana then replied that he was not speaking of a compensatory duty as regards the ore, but that he was speaking of a compensatory duty as it related to iron, when the further suggestion was made by the Senator from South Carolina that, of course, pig iron was the product of ore, practically the same thing. I merely want to call attention to the fact that the Statistical Abstract shows that the production of pig iron in the United States for the year 1907 was 25,781,361 tons. It is practically true that those engaged in the steel manufacture produce their own iron, and, so far as the market quotations of iron are concerned, that is really not the expense to which they are subjected in the procurement of the materials out of which they make the steel. The expense to them is not the market price of iron; but the expense to them is the cost of production, for they have the iron mines from which they dig iron ore, and from the iron ore they themselves produce the pig iron, and from the pig iron they themselves manufacture their steel. So the question is not in any manner, it seems to me, concerned with that of the rate of duty on pig iron, because they do not have it to buy and are not interested in that part of that expense. Their expense, in the procurement of iron from which they make the steel, is measured by the actual cost of digging the ore from the ground and converting it into steel. Their actual investment in the ore beds must also be considered.

Mr. CARTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Montana?

Mr. BACON. I do.

Mr. CARTER. Mr. President, it is, of course, conceded that the companies mining the iron ore within the United States and manufacturing the pig iron here do not pay the duty to the Government; but the whole theory upon which the bill is framed is that they pay to the laborer employed the amount of these duties in excess of what their competitors pay for like services abroad.

Mr. BACON. Mr. President, if I can lay my hands on it before this discussion is concluded, I am going to read to the Senate a little about the labor employed by the manufacturers of steel and the wages they pay them. I have not it with me here to-day.

I think, Mr. President, that this steel schedule should be very materially reduced all along the line. I do not think that what was true fifteen years ago as to proper rates of duty can be conceded here to-day as a conclusive argument as to what the rates should be to-day. There have been great developments since then and great progress in methods and appliances, to all of which the public is entitled to the benefit in cheapening production as well as the manufacturer.

Mr. President, even as far back as ten years ago we had a very high authority for the contention, which was recently made by Mr. Carnegie before the Ways and Means Committee, that there was not required any duty at all, practically. Of course the matter to which I am now about to refer did not have relation to the question of duty, but it did have relation to the question of the cost of production—to the question of the relative cost of production in this country and in other countries. The question of the cost of labor is not always a criterion; but it is the cost of production, not simply the cost of labor. There may be different capacities in labor for production; there may be advantages of different kinds which, while there may be great differences in the cost of labor, make the cost of production itself not correspondingly great.

I do not know whether there has been read in this debate—because frequently we are called out in the Marble Room and elsewhere, and do not hear everything that is said—a very celebrated letter written by Mr. Schwab in 1899, ten years ago. I am told by the Senator from Texas, who sits on my left, that the Senator from South Dakota [Mr. CRAWFORD] has read it, and therefore I shall not read it now.

Mr. CRAWFORD. I incorporated it in my remarks.

Mr. BACON. I shall not, therefore, burden the RECORD with the repetition of it. I have myself read it once before in the Senate in a former debate. I well know the contention of those who insist that there should be a high rate of duty on steel, that the estimate of Mr. Schwab, in this letter of 1899, was based upon the cost of pig iron, which can not be relied upon as the basis of an estimate; that the cost of pig iron is very much greater than that stated in that letter. I will say, however, before alluding to that, that we had a discussion of that matter here in 1904, in which I read this very letter, and in which reply was made by the honorable Senator from Rhode Island [Mr. ALDRICH] to the statements made in Mr. Schwab's letter that his estimate was probably reliable if the cost of pig iron was always such as he stated it, but that it was unreliable if the value of pig iron had changed, which the Senator then alleged that it had.

But we are met face to face, when that condition is presented, with the fact, to which I have already alluded, that the cost of pig iron to the steel manufacturers of the United States is not the market price, but it is the cost to them of production, because they themselves own the ore beds, dig the ore, and make the pig iron, and from the pig iron make the steel. That being the case, of course the thing upon which the estimate is to be based is not the market price, but the cost of pig iron to the producer. The steel company can make the market quotations of pig iron what it pleases and thus apparently advance the cost to themselves of making steel.

In this letter of Mr. Schwab—which I shall not again read, because it has so recently been read to the Senate by the Senator from South Dakota—Mr. Schwab, whom I recognize as one of the leading authorities in the United States upon the subject of the cost of the production of steel and of the manufacture of steel, in the most emphatic manner, not in one sentence but in successive sentences, in which the matter is argued and the reason for his contention set forth, asserts most positively that even ten years ago, when the steel company did not have the opportunity for cheap production that it has now, steel could be made in this country and sold in England cheaper than it could be made and sold in England. That was Mr. Schwab's contention, that in America——

Mr. OLIVER. Mr. President, will the Senator yield to me?

Mr. BACON. I will in a moment. Mr. Schwab contended that in America it was competent for the Steel Company, of which Mr. Schwab was then a very high and influential officer, to themselves not only make steel cheaper than England could make it and sell it in the United States, but that they could make steel cheaper in America, send it to England, and sell it in England cheaper than the Englishmen could make it and sell it in their own market.

Now, I yield to the Senator from Pennsylvania.

Mr. OLIVER. I should like to ask the Senator from Georgia if he has received any information concerning the relative cost of steel—of course we are not talking about steel now; we are talking about iron—the relative cost of producing steel ten years ago and producing it now?

Mr. BACON. No, Mr. President; and I do not think that is material. I suppose the Senator means the market price.

Mr. OLIVER. Not at all.

Mr. BACON. To what does the Senator refer?

Mr. OLIVER. I mean the cost of production.

Mr. BACON. Well, Mr. President, if the Steel Company had to buy its iron, of course the suggestion of the Senator from Pennsylvania would be a most material one; but the Steel Company does not have to buy its iron.

Mr. OLIVER. I leave that entirely out of consideration.

Mr. BACON. Well, I do not think it can be left out of consideration. I think it is a most important fact.

Mr. OLIVER. Consider it or not, just as you please; but the cost of the manufacture of steel to-day is very much more than it was ten years ago. There are a number of elements entering into the matter, which are very ably set forth in the testimony of Mr. Schwab before the Ways and Means Committee of the House, in which he gives a very thorough explanation of the circumstances under which he wrote that famous letter, and distinctly and in terms repudiates it, and attributes it to his youthful exuberance. Those who know Mr. Schwab will know he has a great deal of it.

Mr. BACON. I think it is rather to be attributed to the fact that that letter was written to Mr. Frick and not intended for the public, and what he is saying in explanation of it is intended for the public. That letter was written, Mr. President, not with reference to what interest the public would have in this product, but it was written in the confidence of the intercourse between those interested in the same subject; it was rather a self-congratulatory communication, where there would be no possible inducement to misrepresent. Of course Mr. Schwab is now interested in having a different construction put upon the letter. Mr. Schwab may have been at that time a comparatively young man and may have been exuberant, but he was none the less recognized as one of the authorities in the United States on the subject of steel products, to such an extent that the great king of the iron and steel industry in the United States had selected him of all men to take charge of his magnificent and stupendous business, having every confidence in his ability, in his judgment, and in his knowledge, having seen him grow up from a young man, in a very subordinate capacity, to a position where he thought he could thus put him in charge of all those great interests.

Mr. TILLMAN. I was just going to call the Senator's attention to the fact—he is familiar with it, of course—that Mr. Schwab, in this very letter, says that after serving as superintendent for ten years and as president for two, he feels able to speak.

Mr. BACON. Of course. Mr. Schwab can not now shelter himself behind the claim that he was at that time inexperienced.

Mr. President, of course there are other Senators here who are very much more familiar with the steel industry and with iron products than I am, but I do think that there is nothing

which the Senate ought to consider with more care than the question as to whether or not steel and all the vast products made from it can be cheapened to the American people. There is no product, not even the one of lead, about which we were talking here the other day—in fact, not nearly so much in the case of lead—that so certainly and necessarily enters into every household, and into every department of every household, and into every department of business of a material or industrial character, as that which is connected with the iron and steel industry. Therefore I do hope that we will, Mr. President, see to it that, so far as it can be done with justice and propriety, these rates are lowered.

There is a tremendous protection to the iron and steel industry in the mere matter of transportation. I will say very frankly that I am not in favor of putting articles on the free list, as a general rule, from which any revenue can be derived; but because of its natural advantages in the United States and in the great protection which it has in the mere matter of transportation charges, I am so satisfied that the steel trust can maintain itself, certainly as to all the larger and heavier products, as against any foreign competition that I do not believe any revenue would come if we had a low rate of duty put upon steel products. Therefore I am ready—I will not say as to the minor and smaller manufactures, but as to the larger and heavier articles of iron manufacture—to vote to put them on the free list—iron rails, for instance. I do not believe that if iron rails were on the free list we would get any revenue from them, because of the increased advantages of production in this country and of the cost of transportation.

Mr. LODGE. Do I understand the Senator to say if iron rails were on the free list we should not get any revenue from them?

Mr. BACON. I did not mean that, of course.

Mr. LODGE. I agree with the Senator.

Mr. BACON. Of course, if I said that, I suppose Senators would naturally recognize——

Mr. TILLMAN. You meant there would not be any importation of them.

Mr. BACON. Yes. Senators would naturally recognize that that was a slip of the tongue.

Mr. LODGE. I so recognize it.

Mr. BACON. I am very much obliged to my learned and distinguished and honorable friend from Massachusetts for calling my attention to it, because whenever I make a slip in rhetoric or grammar or definition, I bow and yield to him with a confidence in which I am utterly lacking when it comes to a question of political science. [Laughter.]

The Senator from South Carolina [Mr. TILLMAN] has suggested that what I intended to say was that if iron rails were on the free list there would be no importations, and if a low rate of duty were imposed, I do not believe there would be any revenue. For that reason, I will be perfectly willing to vote to put steel rails upon the free list.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. BACON. Certainly.

Mr. SMOOT. Do I understand the Senator to say that steel rails can be manufactured in this country as cheaply as in Germany?

Mr. BACON. Mr. President, I do not claim to be an expert in the matter. When I find a very great authority giving me information, I will generally leave the subject to him, and not myself go into details and inquire whether or not he is correct.

Mr. SMOOT. Mr. President——

Mr. BACON. The Senator will pardon me. He asked a question and he must wait and get the reply. When I have so high and distinguished and reliable authority as Mr. Schwab, who tells me in this letter that the steel industry of the United States has such advantages in the great wealth of raw materials and other things which he takes into consideration that the steel makers of the United States can make rails in the United States and ship them to England and sell them in England for less than the English manufacturer can himself make them and sell them in England, I am ready to stop at that, unless the Senator from Utah or others can show me that Mr. Schwab is mistaken.

Mr. SMOOT. According to the testimony before the committee, if you take any kind of testimony at all there as being truthful, there was shown to be a great difference——

Mr. BACON. I hope the Senator will speak a little louder. There is some confusion and we can not hear the Senator very well.

Mr. SMOOT. I say there is a difference in the cost of making steel rails in Germany and in the United States, because, according to the testimony given here, steel rails can be made in Germany for about $17.75 a ton, as against the very lowest cost in the United States of $22.81.

Mr. BACON. Mr. President, the Senator has had opportunity for hearing the testimony, and so forth, and the statements in the bosom talks which they have been having across over the way, from which I have been debarred; but I presume that it is a recognized fact that in a very much greater degree than existed ten years ago a very large part of the steel product is sold abroad at much cheaper rates than it is sold in the United States. So long as that continues to exist, Mr. President, it will take nothing short of a mathematical demonstration—and I do not think that this is a matter that can be subjected to a mathematical demonstration, because there are elements entering into it that are not matters of mathematics—but nothing short of an absolute mathematical demonstration would satisfy me of the fact that these products are sold abroad at a loss.

I will not stop to do so now, as possibly this particular stage in the discussion might not warrant it, but at some time I am going to read again to the Senate two letters, which I read once before to the Senate, as to the matter of the difference in cost of steel rails to a railroad company that wants to lay them in the United States and a railroad company that wants to lay them in Canada or in Mexico.

I have a most remarkable letter here from the president of a railroad that lies partly in Mexico and partly in the United States, giving an instance of where he bought from a steel company rails to be laid upon that road, part of it in the United States and part in Mexico, where he had to pay some seven or eight dollars a ton more for the rails that he bought for the part of the road in Texas than he had to pay for the part of the road that lay in Mexico—rails bought at the same time from the same factory in the United States. I will not stop to have it done now, but before this debate is over I am going to put it in again, because I do not think it can be put in the RECORD too often. Since I offered those letters in the Senate and read them in the course of a speech made by me on this subject some four or five years ago, both of them have been read in speeches made in the House of Representatives, and no man has ever challenged either the accuracy of the statements made there or the fact which is necessarily shown by those statements which I have just mentioned.

Mr. President, the Senator from Iowa has gone very much more into these matters in detail than I have, and I do not profess to be able to follow him into the intracacies of it; but, if I understand him correctly, under this duty there is probably ten or twelve dollars—I have forgotten the exact amount—of advantage to the steel manufacturer. Am I correct in that, I would ask the Senator from Iowa?

Mr. CUMMINS. The duty is equivalent to $12 a ton.

Mr. BACON. Yes, Mr. President, it does seem to me that that is a duty which ought to be reduced, and, for myself, I propose to vote to reduce it if I have the opportunity.

Mr. MONEY. Mr. President, in this proceeding here, where the Senate is trying to live up to the promise of the distinguished chairman of the Finance Committee to protect every American industry, I feel constrained again to try to bring the Senate to a consideration of their authority for doing anything of that sort; and I ask the Secretary to read what Mr. Webster gives as two primary definitions of taxes.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

TAXES.

[Webster's Dictionary.]

A charge or burden laid upon persons or property for the support of a government.

* * * * * * *

A sum imposed or levied upon the members of a society to defray its expenses.

* * * * * * *

Mr. MONEY. Those are both primary definitions in Webster's Dictionary, and I do not believe that any lexicographer stands higher for definitions. I do not consider him so good as others on derivations, but on definitions I think he is without a superior.

Now I will ask the Secretary to read what I send up to him from Cooley.

The Secretary read as follows:

The bills of rights in the American constitutions forbid that parties shall be deprived of property except by the law of the land; but if the prohibition had been omitted, a legislative enactment to pass one man's property over to another would, nevertheless, be void. (See Cooley's Con. Limitations, p. 208.)

Nor, where fundamental rights are declared by the Constitution, is it necessary at the same time to prohibit the legislature, in express terms, from taking them away. The declaration is itself a prohibition, and is inserted in the Constitution for the express purpose of operating as a restriction upon legislative power. (See Cooley's Con. Limitations, p. 209.)

Cooley also states on page 587, in speaking of the power of taxation, as follows: "Taxes are defined to be burdens or charges imposed by the legislative power upon persons or property, to raise money for public purposes."

Again, on page 598, he says: "Everything that may be done under the name of taxation is not necessarily a tax; and it may happen that an oppressive burden imposed by the Government, when it comes to be carefully scrutinized, will prove, instead of a tax, to be an unlawful confiscation of property, unwarranted by any principle of constitutional government. In the first place, taxation having for its only legitimate object the raising of money for public purposes and the proper needs of government, the exaction of moneys from the citizens for other purposes, is not a proper exercise of this power, and must therefore be unauthorized.

Mr. MONEY. Mr. President, those quotations are from one of the greatest jurists this country ever produced—Judge Cooley, of Michigan. I do not know any clearer writer on law, and especially on constitutional law, than Mr. Cooley. I will ask the Secretary to read a decision which is a leading case.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Minnesota?

Mr. MONEY. Certainly.

Mr. CLAPP. I assume that the Senator is going to take the position that an act of the legislature may be invalid as violative of the spirit of our institutions, although not specifically prohibited by the Constitution, the position which Mr. Cooley has quoted in the document just read from.

Mr. MONEY. That is one of the quotations.

Mr. CLAPP. I wanted to say to the Senator, as a historical fact, that the first case ever decided in this country where an act of the legislature was held invalid, the first time when a court ever assumed that function, was one in which they set aside an act not because it violated a provision of the Constitution, but because it violated the spirit of American institutions.

I presume the Senator is familiar with it, but I thought it would fit in with his argument.

Mr. MONEY. It will fit in well, and I am obliged to the Senator, but I think I can make out the case without it. Nevertheless, I am obliged to him for the contribution.

I will say in that connection that what power we have comes from one single clause in the Constitution, in a very few words; and in Thorpe's Constitutional History of the United States, he only uses a part of this paragraph—that Congress shall have power to lay and collect taxes, duties, excises, and imposts—and stops there, and does not go any further at all. He does not complete it, because it is not necessary, except to define the purpose and not to delegate the power. He stops right there.

I will ask the Secretary to read a decision made by the Supreme Court of the United States in a celebrated case, which goes directly to the point.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative forms. (20 Wallace, 664, in Loan Asso. v. Topeka.)

Mr. MONEY. That is a decision by one of the greatest judges who has ever been upon the Supreme Bench in my day—the late Judge Miller. In my opinion he was one of the strongest men on the bench during my time.

That was followed by a celebrated case, where the city of Boston, which, under authority of its general court or legislature, had issued a hundred million dollars of bonds to enable the people of the burnt district to rebuild their houses, upon ample security, and stated to be for the general good, in the sense that everybody was interested in it. But that is not the purpose within the meaning of the Constitution, as has been shown elsewhere. That same principle was announced afterwards in the State of Maine in a quite celebrated case. I have forgotten the volume of the Maine Reports. There a township voted $100,000 to establish a cotton factory, and that was also held to be illegal, unconstitutional, and of no effect.

I do not want to be didactic and open a school here, but I only wish to put this in because I should like the Senators when they are voting upon these schedules to consider their authority to protect anybody, anywhere, or for any purpose whatsoever. However desirable it may be that certain industries should flourish and that certain people should become rich, yet those who have to help to make them rich must be considered also, and we have to know where we get any authority at all.

Apropos of this schedule now under consideration and another one not yet reached, I want to publish some tables which are concise, and I think they are correct. I think they are as near correct as any tables can be, and they are derived from the best sources, and I will ask the Secretary to read them. They supply completely, I think, the information that was lacked by my friend the Senator from Georgia [Mr. BACON] a moment ago. They give the price of rails abroad and at home, showing that we can make them cheaper and send them abroad in competition with the whole world, and that we do so. I will ask the Secretary to read them.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Cost of indirect taxation.

PRICE OF SUGAR (GRANULATED).

Year.	London.	New York.	Difference.
	Cents.	*Cents.*	*Cents.*
1903	2.47	4.52	2.05
1905	3.17	5.20	2.03

2,993,979 tons of sugar consumed in the United States in 1907, at 1.95 cents per pound	$130,777,002.72
Duty collected by the United States	60,135,181.00
Cost to the people above the revenue collected by the Government	70,641,821.72

PIG IRON.	Per ton.
United States	$17.75
United States duty	4.00
United States price, less duty	13.75
Germany	11.21
France	11.25
Belgium	11.75
England	11.00

United States production of pig iron, 1907, 25,781,361 tons; duty, $4 per ton; tax on consumer, $103,125,444; government revenue, 1907, $1,466,825.

BILLETS, STEEL.	Per ton.
United States	$24.71
United States duty	6.72
United States value, less duty	17.99
Germany	14.88
France	15.00
Belgium	15.50
England	15.14

United States production, 1906, 23,398,136 tons; duty, $6.72 per ton; tax on consumers, $157,235,474; government revenue, 1906, $590,663.

RAILS, STEEL.	Per ton.
United States	$25.41
United States duty	7.84
United States price, less duty	17.57
Germany	17.84
France	17.99
Belgium	18.59
England	18.14
Average of above—Europe	18.14
United States price	25.41
Difference	7.27

United States production of steel rails, 1907, 3,977,872 tons; difference in price, home and abroad, $7.27; tax on consumer, $28,919,129; government revenue, 1907, $30,670.

NAILS.	Per ton.
United States	$47.13
United States duty	11.20
United States price, less duty	35.93
Germany	33.60
France	34.60
Belgium	33.00

United States production, wire nails, 1906, 512,800 tons; United States duty, $11.20 per ton; tax on consumer, $5,743,360; government revenue, 1907, $91; cost to the people for each dollar collected by the Government, $63,114.85.

RÉSUMÉ.

	United States revenue.	People pay additional.	Cost to the people for each $1 tax collected by the Government.
Sugar	$60,135,181.00	$70,641,821.00	$2.17
Pig iron	1,466,825.00	103,125,444.00	71.23
Steel billets, etc.	590,663.00	157,235,474.00	267.05
Steel rails	30,670.00	28,919,129.00	943.91
Nails, wire	91.00	5,743,360.00	63,114.85

Authority for sugar quotations, Willett & Gray, of New York.

Authority for iron and steel items, a sworn statement containing a table showing prices here and abroad, submitted to the Ways and Means Committee of the House by Mr. Gary, of the trust.

The prices given above include freight to the seaboard, and in every case show that, without the so-called "protective" duty, the American

people could get the article at a price lower, at least by the amount of this duty, than they are now forced to pay.

The United States Census of Manufactures for 1905 gives as the value of the output of the sugar-refining industry, $277,285,449; and the labor cost, for wages, $7,572,650; and for salaries, $2,156,679. This means that the total labor cost of the industry was 3.5 per cent of the value, or $9,732,329 for labor, and $139,777,002 to protect this labor.

The same census report for the iron and steel industry, covering blast furnaces and steel works and rolling mills, gives a total labor cost, including salaries and wages, of $162,177,898, and a total production valued at $995,787,753. That means that the labor cost was 16.8 per cent.

Mr. MONEY. Mr. President, I should like very much if Senators who are interested in these schedules would study that table. I think they can rely upon its accuracy. It was intended to be just as fair and accurate as I could have it made. If there is any mistake in it of course it will soon be detected, but the authorities from which those facts are drawn are given, and they can be verified or falsified by a little bit of study and examination, and I should like to have it done. So far as I am concerned, I do not want to proceed here upon any false hypotheses or any misstatement of facts, whether made innocently or otherwise. We ought to proceed with information, and upon information of the very best available character, and I think I have given it to the Senate in that table.

Mr. President, I submitted yesterday a table which showed how much of the cost of production was the wages of labor in this country, and that it averaged 17.16 per cent of the produced article, which is very much below what seems to be the estimate made in the Senate of the cost of labor, if we believe that the protective tariff is simply to cover, as the platform of the Republican party says it should, the difference in the cost of labor between this country and elsewhere.

I wish to say before I close, for I do not intend to speak—in fact, I can not do it—that there is not a market in Europe where American manufactures are not found. In Sheffield and in Birmingham, the great hardware and tool markets of the world, except, perhaps, Liege, which makes all the gun barrels in the world, there will be found the American carpenter's tools, because they are the very best made, and they find a ready market there; and there is not a city in Europe where they are not found. You can not go to a city in Europe where you will not find American shoes and American hosiery on sale. I recollect very well once that I had to hunt up American hosiery abroad to get what I wanted. It does prove, it seems to me, that the cost of labor in this country is not to be rated by the wages paid per day, but how much the labor item enters into the cost of the finished article. If I can get one man at $2 a day who will do as much as 4 men at 50 cents a day, it does not cost me any more to manufacture an article.

I ask consent of the Senate that the two tables I presented to-day and yesterday be printed as a document for the use of the Senate.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. BURTON. Mr. President, I must admit some surprise at the insistence that the duties in this paragraph be lowered. If there is any one item in the iron and steel schedule—in fact, I may say in the whole bill—in reference to which we should proceed with care in lowering the rate, it is this.

I want to call attention to a fundamental fact which seems to have been overlooked by some in this discussion. There is a difference between iron and steel. This paragraph pertains to iron bars. They are in sharp competition with steel bars. The amount of labor required for the iron bar is, perhaps, four times as great as for the steel bar. The steel bar is rapidly displacing the iron bar, it is true, but nevertheless the manufacture of the articles included in this paragraph is still an important item of business. It employs a great many people. The puddler, who at one time was one of the best known of the iron workers, is engaged in the manufacture of the iron bar.

It has already been said that the steel corporation does not manufacture this article. It manufactures the steel bars. I have received numerous letters from independent and small manufacturers, stating that there should be a discrimination in favor of the iron bar; that the duty upon it should be somewhat larger. There is a manifest reason for that, because more and more the manufacture of the steel bar is accomplished by the use of machinery.

Attention has been called to a general fact in this discussion, and that is the comparatively light importations of steel and iron. Anyone familiar with these trades knows it to be a fact that, save in certain forms of iron and steel, what may be called "fancy articles," those of a higher grade, used for distinctive purposes, such as the Swedish iron, the foreign producer has virtually abandoned the American market in recent years. That does not mean that when the prices of iron and steel are high here a supply will not come in from abroad. But the general fact is very similar to that which exists when a boat between two places is taken off because the traffic has become so small that the route is abandoned. But with a substantial reduction in these duties it is evident that the manufacturers of Germany, France, and England will again give attention to this market; and if it be profitable, by discriminating freight rates, by rebates among syndicates, and by lower cost of labor, to make a large inroad into the American market, the attempt will no doubt be made.

The reductions throughout this schedule are very substantial. But there is a point beyond which we should go only with caution, and it is particularly true of this paragraph. Where so large a share of the cost depends upon labor, and so much less advance having been made in the use of machinery, a reduction here, such as is made in the report of the Finance Committee, one-tenth of a cent per pound upon one form and two-tenths of a cent upon another, would seem ample to meet the demand for a revision in the tariff and for a revision downward.

Mr. STONE. Mr. President, the junior Senator from Pennsylvania [Mr. OLIVER], in reply to some observations of the Senator from Georgia [Mr. BACON] relating to a famous letter written by Mr. Schwab, said that Mr. Schwab had since stated that that letter was attributable to youthful exuberance and inexperience. I hold in my hand a clipping from the New York Sun, of March 28 last, which I offer as a contribution to this literature. I can not, of course, vouch for the authenticity of this writing, which purports to be an interview with Mr. Schwab, telegraphed from Chicago. But it appears in a first-class paper and goes out under its authority. I feel warranted, therefore, in presenting it, and I ask the Secretary to read it.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

SCHWAB NOT ALARMED—STEEL, HE SAYS, CAN STAND ANY CUT THE TARIFF REVISERS MAY MAKE.

CHICAGO, *March 27.*

"Cut the tariff on steel or anything else all you please. American labor can stand it. I don't care," said Charles M. Schwab to-day at the Auditorium Annex.

"I believe in a reduction. I feel just as Andrew Carnegie does on that matter. In my estimation American steel can stand all cuts in tariff that are made. American labor can make the best steel in the world, and with it we can compete with the world.

"I know nothing about other lines—that is, technically— but I have enough confidence in American labor to believe that cuts can be made in them without hurting business.

"I have been in contact with labor of all kinds for years, and I know what it can do. I know that American laborers can produce more steel in a given time than any other workmen in the world. I know that they can put out better steel than any others.

"We can compete with any other country. We have nothing to fear by a cut in tariff, because we have the best goods. It is true that we have to pay our workmen most; you always have to pay the most skillful workmen the highest wages.

"The Americans are the best workmen on earth. The highest paid labor is the cheapest to the employer. The man that understands his work thoroughly and executes it without mistakes is the man that makes money for his employer.

"The man that is employed at a cheap wage and goes slowly and makes blunders produces cheaper steel or any other goods and can not compete with the man that thoroughly understands his business and produces good material."

Mr. Schwab looked the picture of health, despite recent reports of his illness.

Mr. NELSON. Mr. President, while I am aware of the fact, in view of what has transpired in the Senate, that it may be love's labor lost to say anything on this subject, yet in reference to paragraph 117, and that is connected with 118, I beg leave to call the attention of the Senate to certain facts which we have in the testimony in this case upon which we can stand. If I understood, although I could not catch the Senator's remarks correctly, the junior Senator from Pennsylvania [Mr. OLIVER] contended that there was this difference between the cost of production here and abroad; that it was all owing to the cost of labor.

Now, fortunately on that point we have some definite testimony. I call attention on this question to the testimony of J. H. Nutt, found on page 1521 of the House hearings. Mr. Nutt came here on behalf of the Western Bar Iron Association. He gives in his testimony the cost of production of bar iron in England, citing three places—in the Northumberland district $2.25 a ton in the west of Scotland district $2.43 a ton, and in the Midlands district $2.31 a ton—and he averages the three at $2.33 a ton to produce bar iron in England.

On the next page, 1522, he states the cost of doing the work here, as against the work in England, and this is the labor cost I refer to, and he states it is from $6.50 to $6.62½ per ton.

This makes a difference, taking his own figures. If you take $6.50 as the labor cost a ton in this country and $2.33 as the average cost in England, it makes a difference of $4.17 a ton. That is the difference, according to Mr. Nutt's testimony, between the cost of labor in England and the cost of labor here. In paragraph 117 the duty levied by the Senate committee's bill is three-tenths of 1 cent a pound; in other words, $6 a ton, to make up for the difference of $4 in labor cost, or an increase of between 45 and 50 per cent over the difference in the labor cost in Europe and here.

Mr. BURTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. BURTON. I would call the attention of the Senator from Minnesota to the fact that those wages are merely for puddling, which is but a part of the work of making bar iron.

Mr. NELSON. That is the work of making that kind of iron, and the difference in the labor cost would continue to be the same throughout.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Minnesota yield to the Senator from Pennsylvania?

Mr. NELSON. Certainly. I am always glad to get information from first hand.

Mr. OLIVER. I wish to emphasize what the Senator from Ohio has said and to which the Senator from Minnesota appears to have paid no attention. The difference of four dollars and odd cents per ton alluded to by the Senator from Minnesota is simply the difference in the labor of one man among the army of men engaged in this manufacture. Around those mills there are probably 100 men, and the puddler is only one man out of the hundred. Still the difference amounts to two-thirds of the difference in the proposed duty upon the bar.

Mr. LA FOLLETTE. Mr. President, I should be very glad indeed if some one entirely familiar with this paragraph would furnish the Senate with the exact difference in the cost of producing in this country and in competing foreign countries the articles covered by the paragraph and embraced within the amendment of the Senator from Iowa. It seems to me that either the Finance Committee or some of the Senators upon this floor who appear to have considerable familiarity with this subject ought to be able to furnish that information. I have waited for some time to see if it would not be forthcoming. I have been disappointed in this expectation, as I have in this respect with most of the discussion up to the present time.

I have been, sir, as diligent a reader as it was possible for me to be of the testimony and all the printed matter that has been furnished to the Senate. Occasionally one may dig out of this mass of material something that helps somewhat toward a conclusion. From such investigation as I have been able to make I believe that in all this testimony it will not be possible for anybody to furnish—and certainly up to the present time no member of the Finance Committee has furnished—to the Senate any of the information necessary to an ascertainment of the difference in the cost of production between this and the competing foreign country.

It has not been forthcoming. It will not be forthcoming, I apprehend, Mr. President. We may approximate to it, but the specific information which the Senate ought to have to make a tariff bill in conformity with the pledge made by the Republican national convention has not yet been presented. I say that occasionally you will find in this testimony some information that helps along a bit, but it is never conclusive or entirely satisfactory.

For my own part, Mr. President, I want to give to every industry in this country that protection which is necessary to measure the difference in the cost of production between this and the competing foreign country. I should qualify that somewhat in the case of producers who are clearly demonstrated to be in combination to destroy competition. But I know enough, if I do not know much about this subject, to know that the manufacturers who appeared before the Ways and Means Committee of the House and before the Finance Committee of the Senate usually asked for all the protection they needed.

I find with respect to bar iron—not bar steel, but bar iron—that the president of an association of manufacturers which had its meeting in New York on the 23d of November, preparatory to presenting their case before the Ways and Means Committee, selected Mr. James Lord to make that presentation. Mr. Lord, on the 3d day of December, transmitted to the Committee on Ways and Means, after having previously appeared in person before that committee, a statement of the wishes of the manufacturers of bar iron with respect to the duty. Prior to addressing the committee he had communicated with some 30 of the manufacturers of bar iron, all of them excepting those upon the Pacific coast, whom he had not had time to reach. And he states that while they would prefer to have existing rates continued because of the disturbance to business incident to any change, nevertheless 25 out of the 30 manufacturers, representing a great majority of the tonnage produced in the United States, wanted to be counted for a duty of five-tenths of a cent a pound, precisely the amount fixed in the amendment offered by the Senator from Iowa.

Why the Ways and Means Committee increased that duty beyond the amount asked for by the representatives of these manufacturers with respect to bar iron I do not know. I have not been able to find anything in the testimony taken by the House committee to warrant that increase. But I do find right in this communication of the president of these manufacturers a reason for a much less duty than five-tenths of a cent a pound upon bar iron. He says in this statement that the wages paid abroad in the production of a ton of bar iron is a little less than one-half the wages paid in this country. A Senator on this floor only a few moments ago informed me that one puddler could make a ton of bar iron a day. He told me that the wages paid to that puddler would be $6.

Mr. OLIVER. Mr. President——

Mr. LA FOLLETTE. I am taking the statement of a Senator on this floor for that fact.

Mr. OLIVER. I do not know whether I was the man or not.

Mr. LA FOLLETTE. Oh, no.

Mr. OLIVER. I meant to say $6.50.

Mr. LA FOLLETTE. I did not refer to the Senator from Pennsylvania.

Mr. OLIVER. I thought the Senator would want to know, and I told him.

Mr. LA FOLLETTE. The communication was voluntarily made to me by another Senator. But put it at $6.50. The wage cost, the labor cost, entering into a ton of this product is not more than double in this country, or very little more than double, the amount paid in England.

Now, why should we put a $12 duty on a unit of product into which there enters but little more than $6 of labor? The measure of a fair protective duty is not the total labor cost in this country, but the difference between the labor cost in the two countries. We have great advantages outside of the wage cost, as every man knows who has made an investigation of this subject. We have great advantages over any competitor in the world—advantages in the improved machinery, in the advanced processes, in the specialization of labor, in all that makes for higher efficiency and that cheapens production in any great industrial operation. We have a great advantage over any country in the world. In the matter of wages——

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LA FOLLETTE. I do.

Mr. OLIVER. The Senator's remarks would perhaps be applicable if applied to the steel business, but I want to say right here, and I speak from knowledge, that so far as the iron business is concerned as distinguished from the steel business—that is, the art or the process of taking pig iron and converting it into what is known as "bar iron and its products"—the industry has advanced scarcely anything in the last forty years, and that is because it depends so much upon hand labor. In producing iron the iron has to be manipulated by a man. In producing steel it is manipulated by machinery.

The Senator talks without knowledge of the subject upon which he is speaking when he talks about great improvements that have occurred in machinery and in the development of the iron and applying them to the manufacture of puddled iron.

Mr. LA FOLLETTE. Mr. President, I confess, of course, to a lack of practical experience in this business. I have not any interest in and never have had any connection with it.

Mr. OLIVER. I want to say that neither have I, not a dollar in this business, or in any other enterprise applied to the business.

Mr. LA FOLLETTE. I am very glad to have that announcement from the Senator.

Mr. OLIVER. I formerly had.

Mr. LA FOLLETTE. I have no interest in this business further than trying to get the truth in respect to it. I have no knowledge derived from practical connection with the business. But if the Senator from Pennsylvania is right about there never having been any improvement in making bar iron from pig iron in forty years, let it stand at that. The same would be likewise true of any other country. I must say that I very much doubt that no improvements have been made in the processes, and I very much doubt if bar iron is made entirely by hand labor. I may be wrong about it.

Mr. OLIVER. I think you are.

Mr. LA FOLLETTE. But if I am wrong about it, Mr. President, putting it upon a hand-labor basis, neither the Senator

from Pennsylvania nor any other Senator need tell me that the efficiency of the American workman does not surpass the efficiency of any other workman on the face of the earth, and if it is simply and solely a question of making this article for market and making it all by hand, there is no justification for a duty of five-tenths of a cent a pound, or indeed of more than three-tenths of a cent a pound, to afford full protection for the difference in the cost of production. The representative of these interests who appeared before the House committee gives the cost of the refined bar iron of commerce in this country at from $1.35 to $1.50 per hundred pounds. That would be, taking the $1.50 rate, about $30 a ton. Put it at $30 a ton. He states in the same communication that the price of refined bar iron in England, November 1, was $29.84 a ton.

Now, there you have it. There is the selling price of this product in England almost matching the selling price of the product in this country.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LA FOLLETTE. I do.

Mr. OLIVER. I again call the attention of the Senator to the fact that Mr. Nutt stated $1.32 to $1.50.

Mr. LA FOLLETTE. I said $1.35 to $1.50.

Mr. OLIVER. At $1.35 it would be $27 a net ton, not a gross ton, and $1.50 would be very considerably more.

Mr. LA FOLLETTE. About $30.

Mr. OLIVER. A net ton. This article is gauged by the gross ton all the time.

Mr. LA FOLLETTE. Well, making an allowance for that, they have no right to claim a duty here of $12 or even $10 a ton on this product. There is no necessity for it. We can safely reduce this duty not only to what these men ask—a duty of five-tenths of a cent a pound, the exact amount named in the amendment offered by the Senator from Iowa [Mr. CUMMINS]. Indeed, sir, we can with perfect safety reduce it to three-tenths of a cent a pound.

Mr. RAYNER. I should like to ask the Senator a question. I made a little calculation here. I do not know whether I am right or not. This duty is calculated on about four times the amount of the difference between foreign and American labor.

Mr. LA FOLLETTE. I think it is.

Mr. RAYNER. It is twice the amount of the whole American labor on the product.

Mr. LA FOLLETTE. It is. Perhaps, as suggested, the rest is added under the guaranty of a reasonable profit. I do not know; I have not been able as yet to learn how much of the duties proposed in this bill measure the difference in the cost of production and how much is allowed as a "reasonable profit" to the domestic manufacturer.

Mr. CULBERSON. Mr. President, it has been stated by the Senator from Pennsylvania [Mr. OLIVER], and also by the Senator from Ohio [Mr. BURTON], that the United States Steel Corporation did not manufacture any iron, as described in paragraph 118 of the bill which we are now considering. Apparently that matter is regarded as important. I therefore invite the attention of those Senators to the statement on page 28 of the seventh annual report of the United States Steel Corporation for the year ending December 31, 1908. Before calling specific attention to it, I will read a portion of paragraph 118:

> Round iron, in coils or rods, less than seven-sixteenths of 1 inch in diameter, and bars and shapes of rolled or hammered iron.

And so forth.

At the page I referred to a moment ago we find the following statement in this report:

> Rolled and other steel and iron products for sale.

Now, the capacity of this company to produce rolled or other steel and iron products, April 1, 1901, as stated here, was 7,719,000 tons. That was increased by the purchase of the Union and Clairton companies, 1,103,000 tons, and by the purchase of the Tennessee Iron and Coal Company, 400,000 tons, and due to additions and improvements made by the companies after their acquirement by the United States Steel Corporation of 3,678,000 tons, making the total capacity for rolled and other steel and iron products for the year 1908, 12,900,000 tons.

I do not know how important it may be as to whether or not the steel corporation manufactures any of this iron; I do not know which one of these statements may be the correct one; but I invite the attention of the Senators to whom I have referred to this at least apparently authoritative statement of the company itself.

Mr. OLIVER. Mr. President, as the Senator from Ohio [Mr. BURTON] is absent, I will say that, in response to the inquiry of the Senator from Texas, that I do not think there is a single exception to the universal statement that the United States Steel Corporation do not manufacture any puddled iron whatever. If in any of their small mills they have a few puddling furnaces, I am not aware of the fact. I am told by people connected with that corporation that they are not at all in the iron business; that they rely entirely upon the great Bessemer and open-hearth steel business for manufactured pig iron. They turn that into steel in Bessemer converted and in open-hearth furnaces. They convert that steel into various shapes and articles of manufacture and of consumption, and put it out to the world. They do not go after the small business, like the puddled-iron manufacturers do. I think there is no exception whatever to that statement. They are steel manufacturers and not iron manufacturers, so far as the finished products are concerned. They do not go beyond pig iron.

Mr. ROOT. Mr. President, I have listened with a good deal of interest and some perplexity to the remarks of the Senator from Wisconsin [Mr. LA FOLLETTE] with regard to bar iron. He seems to have found in the testimony taken before the House committee ground for believing that the duty on that product ought to be reduced, according to the statement of one witness, to five-tenths of a cent a pound, and according to his judgment upon all the testimony to three-tenths of a cent a pound. I say that I have listened to it with perplexity, because it seems to me that the duty upon bar iron, which is provided for in paragraph 117, an article regarding which the Senator from Wisconsin has been addressing us, is, under the present law, six-tenths of a cent a pound, was reduced in the House bill which has been sent to us to four-tenths of a cent a pound, and is reduced by the amendment proposed by the Finance Committee to three-tenths of a cent a pound, the lowest figure which the Senator from Wisconsin finds warrant for in the testimony.

Mr. President, I want to say a word, induced by the observations of the Senator from Wisconsin [Mr. LA FOLLETTE] regarding the duty of the Finance Committee to the Members of this Senate. We are not making a tariff bill in this body. The Constitution precludes us from the performance of any such office. The House of Representatives makes a tariff bill and sends it to the Senate. It is the privilege and the duty of the Senate to concur or refuse its concurrence and to amend or propose amendments in accordance with its judgment.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Texas?

Mr. ROOT. Certainly.

Mr. CULBERSON. I ask the Senator from New York if the only constitutional requirement is not that the bill shall originate in the House of Representatives?

Mr. ROOT. It is; but the bill that originates in the House is, and always must be, the bill with which we deal. Upon the provisions of that bill we are bound to pass. That bill came to the Senate and it was referred to the Finance Committee. In the discussion which took place in this Chamber at about the time of the arrival of the bill, fair notice was given to the Senate that the Finance Committee did not propose to take additional testimony regarding the subject-matter of the bill. The chairman of the Finance Committee stated it to the Senate, and it was accepted by the Senate. He said to us in substance:

> The Finance Committee will consider the bill when it is referred to us upon the testimony taken before the Ways and Means Committee of the House, and such information as we can obtain informally and individually.

I say this proposed course of procedure was accepted by the Senate because no Senator arose in his place to object to it, and no Senator proposed that the Finance Committee should be called upon to take additional testimony.

The committee proceeding thus, and in accordance with the will of the Senate, has reported to the Senate the amendments which it proposes to the bill—the amendments which it thinks ought to be made to the bill—and those amendments are now before us. I submit to the fairness of the Senate that there is no duty imposed upon the Finance Committee to do our work for us in regard to any matter that has been charged upon them by the Senate. I do not ask them to furnish me with industry or application or intelligence, and I do not think that any Senator should ask it or find fault with them for not doing it. Upon all those provisions of the bill as it came from the House as to which the Finance Committee proposes no amendments the provisions stand before the Senate for concurrence or nonconcurrence, and any Senator is at liberty to move any amendment he chooses. If he sees fit to move an amendment, it is his business to bring before the Senate the facts and to substantiate the facts which, in his judgment, justify the amendment he proposes. It is not the business of the Finance Committee to foresee the amendments different Senators will propose and undertake to furnish them in advance with the facts upon which they may maintain them. So far as I have been

able to see, the Finance Committee has been ready to substantiate by facts and by appropriate arguments the amendments which it proposes; and the argument of the Senator from Wisconsin, who has just taken his seat, substantiates and demonstrates the wisdom of the amendment of the committee which is now before us, to wit, the reduction of the duty upon bar iron below the point to which the House proposed to reduce it—to three-tenths of a cent a pound, which is one-half the duty imposed by the present law.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Iowa?

Mr. ROOT. I do.

Mr. CUMMINS. I only wish to suggest to the Senator from New York that he is mistaken in supposing that paragraph 117 is now before the Senate. The Senate has already adopted that paragraph. As I understand, the question now before the Senate is upon the amendment offered by myself to a portion of the House bill with which the Finance Committee has not interfered in any way.

Mr. ROOT. May I say to the Senator from Iowa that I was addressing my remarks to a criticism upon the committee by the Senator from Wisconsin, which he supported by reading the testimony regarding the duty upon bar iron? Whatever the Senator from Iowa may have considered to be before the Senate, we had just been listening to an argument regarding bar iron and a demonstration by the Senator from Wisconsin that the duty upon bar iron ought to be precisely what the Finance Committee has proposed, coupled with a criticism of the committee that it had not presented the facts necessary to understand what the duty ought to be.

Mr. RAYNER. Mr. President, before the Senator takes his seat, will he permit me to ask him a question?

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Maryland?

Mr. ROOT. Certainly.

Mr. RAYNER. I should like to ask the Senator from New York whether we can not amend every paragraph of this bill?

Mr. ROOT. If the Senator can get the votes.

Mr. RAYNER. I am not talking practically about getting the votes; but the Senator raised a quasi legal-constitutional question, and I should like the Senator to state whether or not, when this bill comes from the House of Representatives, we can not amend every paragraph and section of the bill, and thus virtually make a new bill?

Mr. ROOT. Certainly.

Mr. RAYNER. With the House of Representatives bill as the basis.

Mr. ROOT. Certainly.

Mr. RAYNER. That would be making a new bill.

Mr. ROOT. My proposition is that, when the Finance Committee report no amendment to the House provision, the House provision stands before us for action, not as if it were proposed by the Finance Committee, but as it is proposed by the House without action on the part of the Finance Committee. Therefore no responsibility is thrown upon the Finance Committee to furnish facts or arguments in respect to that particular provision.

Mr. RAYNER. But, then, Mr. President, the Senator somewhat qualifies the statement that he made before, as I caught the statement.

Mr. ROOT. Not in the least.

Mr. RAYNER. Because, in my judgment—I may be wrong about it—we can amend every paragraph and section of this bill. We can strike out every paragraph and section of this bill and make a new bill. That is the way in which I interpret section 7 of Article I of the Constitution. That section reads:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

In other words, so far as concurrence with amendments or any proposition with reference to amendments is concerned, we have precisely the same right to do that with this bill as we have with any other bill that comes to us from the House of Representatives.

Mr. ROOT. Precisely; but it is always the House bill; it is never the Finance Committee bill.

Mr. RAYNER. But, Mr. President, there would be nothing but the title of the bill left in the case I suggest. If we were to strike down or amend every section of this bill, there would be nothing left but the title of the bill; and we could amend the title of the bill if we wanted to do so.

Mr. ROOT. Certainly; but it is always the House bill; and when the Finance Committee report the bill back every provision of it to which the committee proposes no amendment is the House provision, and not the Finance Committee provision.

Mr. RAYNER. But, Mr. President, if we amend every paragraph and section of the bill and amend the title of the bill, what is left of the House bill?

Mr. ROOT. Nothing; but if the Finance Committee does not report any amendment to a particular provision of the bill, then the supposition of the Senator from Maryland does not apply, and we are dealing with the House provision. To substantiate that provision, we look to the testimony taken by the House and arguments made in the House upon which the House acted.

Mr. RAYNER. But, Mr. President, that does not answer the constitutional question that we can make a new bill in this body and send that new bill back to the House of Representatives.

Mr. ROOT. Well, it serves my purpose, Mr. President.

Mr. RAYNER. I know; but, then, the Senator was misunderstood in the first statement which he made.

Mr. ROOT. I think not. It serves my purpose. I was dealing with the question as to whether the Finance Committee is under any obligation to this Senate to furnish to us facts, figures, or arguments regarding the provisions of this bill which they did not originate and which they do not propose to amend; and upon that I say, as to all provisions which the Finance Committee do not propose to amend, the Finance Committee have no duty to this Senate; the provisions stand as provisions coming from the House of Representatives, open to amendment on the motion of any Senator upon his own responsibility and upon his own obligation to furnish facts to sustain his amendment.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Texas?

Mr. ROOT. Certainly.

Mr. CULBERSON. At the risk of interfering in the controversy between the Senator from New York and the Senator from Wisconsin, I call the attention of the former Senator to the fact that the committee propose to amend paragraph 118, which we are now considering.

Mr. ALDRICH. The committee does not propose to change the duty, however. It only proposes to change the phraseology. There is no change in the rate of duty.

Mr. McLAURIN. Mr. President, I have no criticism to make of the Committee on Finance for anything they have done. I think the committee have been very diligent in examining the bill and that the committee have been very diligent in furnishing to the Senate all the information that was accessible to the committee or that they could gain by the most diligent research; but I can not sit still and hear the proposition of the Senator from New York [Mr. ROOT] go by without any challenge at all.

As I understand, when the bill was referred to the Finance Committee it was the House bill, to be sure, as it is now, but every paragraph of that bill was referred to the Finance Committee and it was supposed that the committee would examine, and I am satisfied they did examine, every individual paragraph of the bill. If a particular paragraph was satisfactory to the committee and the committee thought that it should stand as it came from the House, for good reasons that presented themselves to the committee and controlled the judgment of the committee, it was reported to the Senate without any amendment; but if there were paragraphs that the Senate committee upon investigation concluded ought to be amended, then the committee, upon investigation and consideration and upon their judgment, reported those paragraphs with amendments, which they recommended to this body.

In my judgment, the committee had reasons for recommending that certain paragraphs should be adopted by the Senate without amendment, just as well as they had for suggesting that other paragraphs should be adopted with amendments; and those reasons were based upon the investigation and upon the information that the committee acquired by reason of that investigation. So that it is to be supposed that the committee had information with respect to all the paragraphs in this bill.

I could not permit the matter to go by without saying this much. I am satisfied that the committee have given the bill the most careful investigation and the most deliberate consideration, and have given us the benefit of all the information that they possessed; in fact, I have been sometimes astonished at the amount of information that has been acquired by the committee.

Mr. LA FOLLETTE. Mr. President, when this bill came from the House to the Senate and was referred to the Committee on Finance, it passed under their jurisdiction, with full power to make changes in every duty and in every paragraph of the bill. The reasoning by which the Senator from New York [Mr. ROOT] seeks to arrive at the conclusion that the Senate Finance Committee has no responsibility for any part of

the bill in which they make no change, after having that bill in its entirety, from its title to the last line, under consideration, I do not believe will appeal to the judgment of the Senate, and I know it will not appeal to the judgment of the country.

Is it to be assumed or to be argued that when, after full consideration of a duty proposed by the House, the Finance Committee reports that House duty back to the Senate without amendment, the committee does not thereby sanction and approve that duty? If we are to proceed upon that theory, of what meaning is it that a bill is considered by a committee and reported back to us with the recommendation of the committee that the bill pass as reported, both its amended and unamended provisions?

Mr. President, it is well understood how legislation proceeds in the Senate and who has the responsibility for it. No hair-splitting argument will relieve any committee of this body or will relieve those who control the appointment of the committees of their responsibility for the legislation of this body. This bill came here and went to the Committee on Finance. No man on this floor had it in his power to make a suggestion with respect to it. No man had any control over it whatever. The Finance Committee took it into their committee room. It is fair to say to the Senator from New York, if he does not know it—and if he does not know it, he is probably the only Senator on this floor who is not aware of it and was not aware of it—that the Senate Finance Committee was at work upon a bill prior to the time this bill passed the House. It was the talk on this floor for weeks that they were considering and preparing a bill, schedule by schedule. You may make your fine-spun arguments with respect to the letter of the Constitution, but things are done in the Senate according to the method prescribed by those who manage the Senate.

I say that this tariff bill went to the Committee on Finance. They had full power and control over it. They made their organization for conducting their investigation as they saw fit. They took testimony, and, according to the statement made by the Senator from Rhode Island [Mr. ALDRICH] on this floor, some of that testimony—so much of it as suited their purpose—they had reduced to writing by stenographers who had been detailed for that purpose from the departments. It was considered important, Mr. President, for the Senate Finance Committee to give hearings to some people who came here; it was considered important before the report of this bill that they should take what is called "testimony." If they took it with respect to some paragraphs and made a modification of those paragraphs, but made no modification of some other paragraph, it is fair to assume that upon investigation they determined that the paragraph which they did not change was right as it stood. I think the Senate has a right to proceed upon that theory and that this committee are as responsible for a paragraph in this bill or a rate in this bill that they do not change as they are for a rate that they do change. They have, by reporting the bill, approved the whole bill.

Now, Mr. President, if they are so responsible, if that reasoning has practical common sense to support it, then, if they have reasons for making changes in any portion of this bill or for recommending the passage of some portions of it without amendment, those reasons should be furnished to this body. The Senator from New York may be well satisfied with the reasons that have been furnished in the course of the argument; he may be well satisfied with the statement made by the chairman of the Finance Committee when he brought before the Senate this bill—a great bill to revise the tariff schedules affecting 90,000,000 people; a revision for which the people of this country have made urgent demand for years; a revision in which the people of the country are deeply interested in every part and paragraph affecting their daily living expense.

The statement made by the chairman of the Finance Committee related wholly and solely to the revenue features of the bill. I doubt, sir, if ever before in this body—I am sure that never in any other legislative body—did the chairman of a committee reporting out a great tariff measure content himself with a fifteen or twenty minute statement with respect to the revenues alone and the effect of the bill upon the revenues, and with no report whatever accompanying the bill from the committee.

What is it that satisfies the Senator from New York? Schedules are taken up here, rates upon important items entering into the consumption of the people of this country are advanced, with no man rising here to give any reason for the advance, no reason for the advance to be found in any report made by the committee, no reason for the advance to be found in any statement printed by the committee or furnished by the committee to the Senate, and no reason given on this floor for it. It strikes me that the Senator from New York is pretty easily satisfied if he can content himself with these advances in rates without any argument or any reason or any fact being furnished for them. I am confident that the people of this country will not be satisfied in that way, and, for my own part, I am not.

I say that when the Finance Committee and the committee of the other House took up in due course the investigation of this subject, they took it up under a weight of responsibility that has not rested upon any committee charged with the revision of the tariff, at least since the days of the civil war.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. LA FOLLETTE. Certainly.

Mr. RAYNER. Is there any doubt at all in the Senator's mind that the Finance Committee has accepted every paragraph of this bill as it came from the House that is unamended?

Mr. LA FOLLETTE. I can not conceive——

Mr. RAYNER. Neither can I.

Mr. LA FOLLETTE. That is possible. If they have got some system here under this provision of the Constitution or any other provision which relieves a committee of this body of its responsibility for the provisions of a bill which it reports for passage because the bill originates, and must originate under the Constitution, in the other branch of Congress, I think it is a new constitutional discovery to the Members of the Senate and, I believe, to the country.

Mr. RAYNER. It is to me, Mr. President; but what I want to ask the Senator is this: As I understand, when this bill came from the House of Representatives, the Finance Committee took it up. They accepted certain provisions in this bill and amended other provisions in the bill. The amendments are before us; but the paragraphs that they have not amended have been absolutely accepted by the Finance Committee and so reported to the Senate. Is not that the Senator's contention? It seems to me to be an unanswerable proposition.

Mr. LA FOLLETTE. It seems to me that it can not be gainsaid that every single line and paragraph of this bill that has not been changed has the sanction and approval of the committee upon it, and they are charged with exactly the same responsibility for one of those provisions as they are for any change they have made, and I think they ought to be prepared to stand here and inform the Senate as fully with respect to a House provision which they have approved as with respect to an amendment which they recommend, for it is fair to assume that they have investigated this whole bill and that they know as much about the provisions which they have not changed as they do about the provisions which they have changed.

Mr. President, I took the platform resolution adopted at Chicago to mean something. I understood it to mean that if the Republican party was charged with the responsibility of doing this business it would do it according to the terms laid down in that platform; that it would revise the tariff, measuring to the producers of this country that standard of duty which would put them on a level with the producers of foreign and competing countries. That resolution contained a provision with respect to guaranteeing profits, which I think had no business there, which I think was crowding the old Republican party too hard. You can analyze the provisions of the platforms of the Republican party since 1860, and you will find only one instance when anything suggestive of that idea was incorporated in the platform.

I, perhaps, ought not to take a moment to speak of that, but I am just going to say this in passing: I believe that those who were instrumental in putting that provision into the Republican platform will regret it. If you are going to measure out reasonable profits, then you have to know every fact with respect to the conduct of that business, and these gentlemen will have to come before the committees which make tariff bills and unbosom themselves with respect to the cost of production and with respect to their profits.

It was suggested by the chairman of the Finance Committee, in response to a question which I asked at an earlier stage——

Mr. DICK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. Not now; I will yield later.

At an earlier stage of the proceedings here he said, with respect to one duty which had been proposed, that it was proposed with the purpose of allowing the American manufacturers a protection to equal not only the difference in the cost of production, but a reasonable profit besides. No bit of information has ever been furnished to the Senate which would enable it to know how these duties have been determined—whether they are intended to equal the difference in the cost of production and

something more, or whether they have taken simply a blind guess at what should be fixed and based it upon the application of the men who wanted the duty.

I think the statements made by the chairman of the Finance Committee, over and over again on this floor, that he gave heed to the testimony of manufacturers who are maintaining industries in this country, and, practically, that he did not heed the testimony of anyone who appeared upon the other side, because they were seeking to destroy the industries of this country, give support to the belief that these duties have been fixed generally about as suggested by the gentlemen who are to be the beneficiaries. If that is the sort of tariff making which is satisfactory to the Senator from New York, I again say I do not believe it is to a majority of the Senators on this floor, and I know it is not to the country.

Mr. GALLINGER. Mr. President, during my term of service in this body I have never witnessed anything like what has occurred in this debate during the past month. The flood of denunciation that has been poured out against the committee which has had charge of this bill, and especially against the distinguished chairman of the committee, I think is unparalleled in our recent history. It may serve the purpose of some Members of this body to indulge in that kind of vituperation, but I submit it is not serving the interests of the people of the United States, and it is not doing any good so far as this body is concerned.

I have been astounded, Mr. President, that the Senator from Rhode Island has been able so to conduct himself as to treat with kindness, courtesy, and patience the attacks which have been made upon him. He has a better temper, a better disposition, than some of us have or he would have struck back in different fashion from what he has.

Mr. President, the Senator from New York was right in his contention. Under the Constitution of the United States the House of Representatives made this bill. It comes here for our consideration, and it is our privilege to amend it as much as we please. But it remains always a House bill. That is never changed. After we have passed it it goes into conference. When it emerges from conference it is the bill of the House of Representatives and not a Senate bill; and I submit, Mr. President, that it is our duty in good temper, with courtesy toward each other, to proceed to consider this bill precisely as we are in the habit of considering appropriation bills that come to us from the other House.

I recall, Mr. President, that during the last session an appropriation bill came into my possession. I suggested to the committee 383 amendments which were made to that bill; but it was the House bill. It went to conference. A number of those amendments were agreed to, and a number of them were not agreed to; but when it was reported back to the two Houses it was the House bill. So I say the Senator from New York is right so far as the Constitution is concerned, and he is right as to the proper procedure in this body in the consideration of the measure now before us.

But, Mr. President, I wish to occupy a few minutes of the time of the Senate on another matter. I am not taking much time in this debate, but I wish to call attention to one thing which has been insisted upon here over and over again and that has gone out to the country without being challenged. I recall the circumstance that the distinguished senior Senator from Georgia [Mr. BACON] in a very fervid address charged that the duties levied upon the consumers of the United States under this tariff bill would amount to at least two thousand million dollars; that is, that the duties under this bill would be added to the cost of the articles that the consumers of this country had to buy. If I understood the paper aright that was read at the desk a little while ago and ordered to be printed as a Senate document submitted by the honorable Senator from Mississippi [Mr. MONEY], the same accusation was made—that the duties levied upon these steel products were added to the cost of the articles to the consumers of the United States.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Certainly.

Mr. BACON. I desire to state, with the permission of the honorable Senator, that that particular statement I not only once, but two or three times, disavowed. It was first suggested by the Senator from Montana, in a colloquy which I had with him two or three days preceding the day when I had the honor to address the Senate, and then I stated that while that was true in some instances, nobody would claim it was true in all instances, and gave the reason.

There is an admitted consumption of over thirteen thousand million dollars a year of domestic products in the United States; and if the duty were in each instance added to the cost of the article, it would amount, instead of two thousand million dollars, to some six or seven thousand million dollars.

Mr. GALLINGER. That is a fatal "if" the Senator has put in his argument.

Mr. BACON. I understood the Senator to say that that was my contention. I was endeavoring to express the thought that it could not be my contention, because if such were my contention, I would not limit the suggestion to two thousand millions, but I would necessarily be carried to six or seven thousand million dollars. In other words——

Mr. GALLINGER. The Senator, I think, the other day put it as high as ten or more thousand million dollars.

Mr. BACON. No; I did not.

Mr. GALLINGER. I think the RECORD will show that——

Mr. BACON. No; it will not.

Mr. GALLINGER. Unless it has been changed.

Mr. BACON. I beg the Senator's pardon. On the contrary, when the learned Senator from Rhode Island sought with a great deal of persistency to make me say even three thousand million dollars—he first started at four thousand million dollars—he said I had said four thousand million dollars, which I denied; then, coming down, he insisted that I should admit that it would be as much as three thousand million dollars, and I declined to do that; and the most I would say to the Senator was two thousand million dollars, more or less; and that I hoped that that would satisfy him.

Mr. GALLINGER. Two thousand millions, more or less?

Mr. BACON. I did go on to say that if the estimate made by some of 10 to 1 instead of 7 to 1 was correct, it would be in the neighborhood of three thousand million dollars.

Mr. GALLINGER. The Senator's speech, which has gone out to the country, stated that at least two thousand million dollars was added to the consumers of this country, because of the tariff bill. There is no question about that, and the Senator, in the exuberance of his imagination, said it might be ten thousand million dollars.

Mr. BACON. No.

Mr. GALLINGER. But take seven thousand million dollars, which the Senator now admits he may have suggested.

Mr. BACON. Never. I never suggested either one—either now or then.

Mr. GALLINGER. The Senator's memory is a little at fault.

Mr. BACON. I am willing to appeal to the original notes of the stenographer.

Mr. GALLINGER. I asked the Senator the other day if he would not deduct something from his statement, at least the amount we would collect under a revenue tariff, and he admitted he would, and he made a computation as to how much that would be.

Mr. President, there never was a greater fallacy on earth than the fallacy stated on this floor; and that was stated, if I understood it correctly, in the article the Senator from Mississippi sent to the desk, that the tariff rates are added to the cost of the article to the consumer. It is a very old fallacy. It has been exploded over and over again, and I confess that I have thought it hardly worth while to dispute it during this debate. For that reason I have not made any suggestion about it until this moment.

Mr. BACON. If the Senator will pardon me, I will suggest that he is setting up a very muscular man of straw and knocking him down with great facility——

Mr. GALLINGER. I do not agree——

Mr. BACON (continuing). Because I have not made any such statement.

Mr. GALLINGER. What did the Senator say?

Mr. BACON. The Senator from Georgia said that the estimate of 7 to 1 would make it, on the basis of $300,000,000 tariff, $2,000,000,000 of excess in the increased price of domestic products.

Mr. GALLINGER. Yes; and does the Senator accept that?

Mr. BACON. The Senator from Georgia further said, in response to a suggestion made by the Senator from Montana on one day, I think possibly by the Senator from New Hampshire on another day, that it was the contention of some that the tariff rate was added to the cost; that that was not his contention, because if it were his contention, he would have to raise the figure from $2,000,000,000, according to the rate of tariff, to some six or seven thousand million dollars, which he did not do.

Mr. GALLINGER. Will the Senator state how much he really thinks the duties do increase the cost to the American consumer?

Mr. BACON. I have stated several times, and I will repeat it, with great pleasure, that according to the estimates, which I

think are reliable, in the case of a protective tariff—of course it must be of that character to do it; one which largely bars importations and which largely limits the consumers to the use of domestic products; almost entirely so—that $7 for every dollar of revenue is a conservative estimate, and those who have figured upon it and made the estimates—very much more expert in such matters than I can claim to be—range from about 5 to 1 to about as high as 10 to 1. I took less than the average, and put it at 7, and with the average at 7 the increased cost of domestic products to the consumers of the United States according to that would be at least two thousand million dollars a year; and if the Senator will figure out what that is in each State, he will find it quite a gigantic sum for the people of each State.

Mr. GALLINGER. That is a very satisfactory answer, and it seems to me to be what the Senator a moment ago denied that he had said.

Mr. BACON. I am exceedingly unfortunate in my power of expression if that is true.

Mr. TILLMAN. Mr. President——

Mr. GALLINGER. I will proceed.

Mr. TILLMAN. Mr. President——

Mr. GALLINGER. I yield to the Senator from South Carolina.

Mr. TILLMAN. Without undertaking to explain exactly how or why it should be charged up to the tariff. I will simply call the attention of the Senator to the fact that some days ago the Senator from West Virginia [Mr. SCOTT] gave a very interesting exhibit of glass. He said that while the manufacturer would sell those pitchers at 90 cents a dozen, somebody, some malefactor somewhere, was charging the poor people, the consumers, 25 cents or a dollar apiece for them. They varied in price from $3 a dozen to a dollar apiece. How did that hocus-pocus come about if it was not due to the tariff?

Mr. GALLINGER. I will say to the Senator that, in my judgment, the tariff had nothing more to do with that than any other impossible thing that the Senator can conceive of. The fact is it was shown that under a high tariff we are making in this country pitchers selling at 90 cents a dozen, and before we had a tariff, and when we were being supplied with pitchers from abroad, we were paying six or eight or ten times as much as we are paying for them now.

Mr. TILLMAN. I will leave the Senator to wrestle with that problem.

Mr. GALLINGER. It does not need any wrestling with. It speaks for itself.

Mr. TILLMAN. I call the attention of the Senator to the fact that the Senator from Montana this morning wanted to explain the duty on round iron, that we are discussing now, by saying it was due to the fact that we had to add the duty of $2.50 a ton on pig iron.

Mr. GALLINGER. That had to be taken into consideration.

Mr. TILLMAN. It is one of the burdens which the consumer has to carry.

Mr. GALLINGER. It has to be taken into consideration in reaching the differential.

Mr. TILLMAN. The differential is there always against the consumer, and the poor tariff baron, or whatever he may be, gets off scot-free upon the plea of the Senator from West Virginia that he is manufacturing pitchers at 90 cents a dozen; but somehow the other people have to pay $3 a dozen for them.

Mr. GALLINGER. Notwithstanding the Senator's jocularity, the Senator from West Virginia did demonstrate that we are manufacturing in this country at the present time glass pitchers, 2 quarts in size, for 90 cents a dozen.

Mr. TILLMAN. Mind you, I do not want to be offensive to the Senator from West Virginia, and I do not intend this as at all applying to him, but I must express my own belief that the Senator from Maryland [Mr. RAYNER] is very nearly correct when he says there is an awful lot of lying being done about this business.

The Senator from West Virginia did not himself produce those pitchers. He had to take somebody's word for it. He says he does not make that kind of glass, but the finer, the better glass—wineglasses, champagne glasses, cut glass, and all that sort of stuff. But I say right here and now that I do not believe any pitchers can be manufactured in the United States at 90 cents per dozen which are sold to the people for $3 a dozen, because there is not even in the consciences of our friends on the other side, a desire for such an inordinate profit as that.

Mr. GALLINGER. The statement made by the Senator from Maryland, to which the Senator from South Carolina alludes, was not original with him. There is higher authority than this body can produce for the statement that all men are liars, and it is very possible there has been some lying done about this tariff bill. I take it for granted it has not all been done on one side.

But I am going to proceed. I am going to detain the Senate just long enough to give a couple of illustrations. I presume they are familiar to a great many Senators, and I suppose some Senators will dispute their accuracy. But notwithstanding that, they are taken from official figures. There was a very distinguished man in the other House before my advent to that body, a very distinguished Democrat. He was a protectionist—Mr. Randall, of Pennsylvania—and in 1883 Mr. Randall, in a speech in the House, demonstrated that steel rails cost in this country $30.03 a ton at that time, and I presume Mr. Randall was correct in the figures he then presented.

Mr. President, the tariff on steel rails at that time was $17 a ton. So if the tariff rates are to be added to the cost of the article, those steel rails ought to have cost $47 a ton, but the fact is that at that time steel rails were selling in this country at $35 a ton. So it is absurd to talk about the duty being added to the product. A little while before that——

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Oklahoma?

Mr. GALLINGER. I think I will proceed. I want to get through, so as to expedite the consideration of the bill.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. The Senator from New Hampshire prefers not to yield at present.

Mr. GORE. I want to ask——

The VICE-PRESIDENT. But the Senator from New Hampshire prefers not to yield.

Mr. GALLINGER. Let the Senator ask his question. The Senator is always polite. Let him ask his question.

The VICE-PRESIDENT. The Senator from New Hampshire yields to the Senator from Oklahoma.

Mr. GORE. I want to get the Senator's theory. He says it is claimed that the duty is added to the domestic price. My understanding has been that the contention on this side, and of tariff-for-revenue people, is that the duty ought to be added to the foreign price in order to reach a conclusion; in other words, that in this country steel rails sell at the foreign price plus the duty plus the freight. To make it concrete, I understand they sell now for about $28, or did until recently, whereas they are sold in foreign countries for $20—our rails competing with the English rail at nineteen or twenty dollars plus the duty of $7, which brought it up to $28. The $7 was not added to the domestic, but to the foreign, cost.

Mr. GALLINGER. That illustrates the fallacy of the argument that is being forced upon us here to-day. The Senator from Oklahoma says that steel rails are selling in foreign countries at $20 per ton.

Mr. GORE. About that.

Mr. GALLINGER. And the truth is that statistics show that they are made in Great Britain at $28, and there is no question about that. So they are not selling at $20 a ton if it costs $28 a ton to manufacture them.

Mr. President, let us go back a little in the history of steel rails. It is within the memory of some gentlemen sitting in this Chamber when we were paying $150 a ton for steel rails, but at that time we were entirely dependent upon foreigners to supply us with steel rails.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield further?

Mr. GALLINGER. I think I will yield just once more.

Mr. GORE. If steel rails cost $28 a ton in England, and they are being produced and sold in this country at $28, and if the duty is merely to cover the difference between the cost of production, why have any duty at all?

Mr. GALLINGER. I had remarked that it is within the memory of some gentlemen in this Chamber when we were paying in this country $150 a ton for steel rails.

Mr. DEPEW. One hundred and seventy dollars.

Mr. GALLINGER. Yes; I recall that we were paying $170 a ton; and it is still fresh in the minds of some men younger than I am when we were paying $60, $70, and $80 for steel rails. But that was before we put a tariff of $27 on steel rails; and when we put the duty of $27 a ton on steel rails, and when Mr. Randall said they cost $30.03 to make, they were sold in our market for $35 a ton.

I want to make another illustration. I heard the words "wire nails" in the article read from the desk. That is an interesting theme for protectionists. In 1882 there were made in this country just 50,000 kegs of wire nails. We were dependent upon foreign markets for all of our wire nails except

the 50,000 kegs which were manufactured in this country, and the price for wire nails at that time was 8.35 cents per pound. We imposed a duty of 4 cents a pound on wire nails, the duty at that time being 1 cent. Under the duty of 1 cent we were able to make only 50,000 kegs of wire nails in the United States, and we had to buy from foreigners at 8.35 cents a pound all the wire nails we consumed except the 50,000 kegs which we made. What was the result?

If the duty was to be added to the cost of those nails, the 3 cents additional duty would have made the cost 11.35 cents a pound; and yet under the McKinley tariff law, with a duty of 4 cents a pound, we manufactured in 1901, in place of 50,000 kegs, 9,803,822 kegs, and they were sold in the American market at 2.45 a pound, or less than one-third of what they cost when we were dependent upon foreign countries. So in 1901, under adequate tariff, we were making 196 times as many wire nails as we made in 1882, and they were being sold at 30 per cent of what they cost in 1882.

I want in these few minutes to get back to the protection facts on this question, and to say to the Senate and to the country, if the country chooses to know the fact, that there is not one iota of truth in the declaration being made here in season and out of season that the duties that are levied upon foreign products are added to the cost to the American consumer. In a great many instances it has resulted precisely to the contrary, because when the foreigner has the market he does with us exactly as he did in regard to steel rails and wire nails; he fixes his own price, and the American consumer of necessity must pay that price. But when the foreigner is even partially excluded from our markets and American ingenuity and American enterprise and American capital are put into our industries, and competition results, then this great and marvelous reduction in price that has come to the American people on steel rails and wire nails is an inevitable and never-failing result.

Mr. President, what I have said is not exactly germane to the question under consideration, but it is a contribution that I felt I ought to make to this discussion at some time, and I thank the Senate for listening to me for a few minutes.

Mr. ROOT obtained the floor.

Mr. TILLMAN. Will the Senator from New York allow me one minute to put in the RECORD a paragraph of Mr. Carnegie's testimony?

Mr. ROOT. Certainly.

Mr. TILLMAN. It is very brief, succinct, clear cut, Scotch, brave, and hot.

Mr. GALLINGER. Does the Senator believe him?

Mr. TILLMAN. I believe in him, because he says he is telling the truth this time.

Mr. GALLINGER. Does the Senator from Maryland believe him?

Mr. RAYNER. Not altogether.

Mr. TILLMAN. Well, I will read it, and let you all see what you think about it.

Mr. BAILEY. Mr. President, I simply want to protest against this universal distrust of everybody.

Mr. GALLINGER. I did not intend——

Mr. BAILEY. I suggest to the Senator from New Hampshire that when he made that quotation about all men being liars, he ought to have added the whole of it, "I said in my haste, all men are liars."

Mr. GALLINGER. If the Senator from South Carolina will permit me, I imagine that the Senator from Maryland said it in haste, and I did not accept it.

Mr. BAILEY. But the Senator from New Hampshire was giving to the country and to the Senate his indorsement of it. I believe there are many people in this country who, in spite of their selfish interest, will tell the truth. If there are not, then you enact tariff bills and pass all other kinds of laws to little purpose——

Mr. GALLINGER. I agree with the Senator.

Mr. BAILEY (continuing). Because a generation of liars can never maintain a free republic.

Mr. RAYNER. If the Senator from New York will allow me, I should like to say a word to the Senator from Texas.

Mr. BAILEY. I was trying to rebuke the Senator from New Hampshire.

Mr. ROOT. Mr. President, I yielded to the Senator from South Carolina.

Mr. GALLINGER. Will the Senator from South Carolina give me one word?

The VICE-PRESIDENT. The Senator from South Carolina can not grant permission. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. ROOT. I think, as I chance to have control of the floor, I will try to bring the discussion of the afternoon somewhere in the neighborhood of the pending tariff bill by limiting my yielding to the Senator from South Carolina.

Mr. TILLMAN. The Senator from South Carolina had the floor snatched from him without his consent by a half dozen Senators here. I do not want to impose on the courtesy of the Senator from New York. I was just going to answer as best I could from Mr. Carnegie's testimony a statement made by the Senator from New Hampshire. Here is what Mr. Carnegie said:

> Now, Judge Gary has just read his annual report to his directors, and he shows one hundred and fifty-eight millions of profit, averaging $15.50 on every ton of steel he sold, and what do they think of that?

The VICE-PRESIDENT. The Senator from New York will proceed.

Mr. ROOT. Mr. President, I observed with regret that my friend, the Senator from Wisconsin [Mr. LA FOLLETTE], wholly lost sight of the atrocity in regard to the duty on bar iron, on which he had been addressing the Senate, and as to which he had attacked the Finance Committee of the Senate for not furnishing facts, supporting his attack by reading from the testimony before us that sustains the amendment proposed by the committee.

The Senator from Wisconsin has had a very interesting colloquy with the Senator from Maryland [Mr. RAYNER] about the responsibility for the provisions in the bill, paying as little attention to what I said about responsibility and to the real subject of my observations as he has to bar iron. The subject of the discussion was the responsibility of the Finance Committee to furnish facts to the Senate, and my proposition was that where the Finance Committee report propositions of the House bill as to which they see no occasion for amendment upon the facts which were before the House, they are under no responsibility to furnish to the Senate further and other facts. That proposition has not been touched by the gentlemen who have spoken since I took my seat, and I apprehend that it can not be.

Where the Finance Committee reports to the Senate a proposed amendment, of course they are under obligation to furnish to the Senate the reasons why they think the amendment should be made. Wherever they do not report an amendment and an individual Senator proposes an amendment, he is under obligation to lay before the Senate the facts and the reasons why he thinks the amendment should be made, and he has no right to call upon the Finance Committee to furnish him with those facts and those reasons.

So far as I have seen, Mr. President, there have been no proposals for the increase in these duties as to which the Finance Committee have not been ready to furnish the reasons for the increase. We may agree with them in regard to some of them and in regard to others we may not; with some of them I do not agree; but in every case the committee have been ready to give reasons for the amendment they have proposed.

Mr. LODGE. May I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. ROOT. Certainly.

Mr. LODGE. I understand the Senator's proposition to be, so far as the Finance Committee is concerned, that he does not consider that the Finance Committee is bound to furnish information in support of an amendment which they do not approve.

Mr. ROOT. I should think that was a reasonable proposition.

Mr. President, there is one further observation which was made by the Senator from Wisconsin in commenting upon the opening statement made by the chairman of the Finance Committee. I undertake to say, sir, that in my very humble individual judgment, and I believe in the judgment of the Senate, and while I have not had as much opportunity of testing the judgment of the people of the country as the Senator from Wisconsin in my opinion, in the judgment of the people of the United States, it would be much better for the business that we have to perform if we should all confine ourselves to simple, plain, direct business statements, like the admirable statement made by the chairman of the Finance Committee in reporting this bill, and refrain from declamation, refrain from general discussion for home consumption, and utilize our time in the transaction of business.

I join with the Senator from New Hampshire [Mr. GALLINGER] in an expression of admiration and surprise, caused by the admirable poise, self-control, and good temper of the chairman of the Finance Committee after all these months of trying and wearisome duty in our behalf, doing our work, conducting the most difficult and trying and perplexing piece of legislation for the final conclusion of which we must rely upon his leadership, if it is to be concluded at all, and subjected to constant attack and misrepresentation and fault-finding.

Mr. RAYNER. If the Senator will allow me——

Mr. ROOT. Allow me one moment, if the Senator from Maryland will permit me, and I will yield.

I want to enter a protest here against turning this discussion concerning the business interests of the United States, which ought to be dealing with questions of fact as they arise upon the reading of the bill, into a controversy for a committee or against a committee, for a chairman or against a chairman, for any purpose, even including the purpose of strengthening the gentlemen in their own home States. We have been here now more than one month since the bill was reported to the Senate, and we have not passed through one-seventh of the paragraphs which we have to discuss and upon which we have to vote. If gentlemen think that the people of the country will applaud that, in my judgment they are much mistaken.

Mr. RAYNER. Mr. President, I want to say only one word before the Senator sits down. I should like to know where there has been any attack whatever made on this side of the Chamber upon the chairman of the Finance Committee, where there has been any insinuation or intimation made against him. He has treated us all with the kindest consideration and courtesy, and throughout the whole of this debate we have recognized that. I see no foundation upon which the Senator from New York states the proposition that any attack whatever of any sort has been made against the chairman of the Finance Committee of the Senate. I have not heard one word upon this side of the Chamber conveying any such idea or intending to convey it.

Now, before I take my seat—and it will take only a moment, if the Senator will permit me—I want to call attention to the original proposition the Senator stated in reference to the bill, and I want to confront the Senator from New York with the chairman of the Finance Committee in reference to the proposition he originally stated when this discussion commenced. I read a few remarks now from the address of the Senator from Rhode Island in his opening argument here in the Senate. He said:

There will be no attempt, however, to restrict debate upon the other side of the Chamber. There will be no attempt by me or any other member of the majority of the committee to explain in a lengthy speech the principles upon which the bill was constructed or the various provisions of its paragraphs. As these are reached in order the committee will be prepared to explain and defend their provisions.

That, Mr. President, means every one of the provisions of the bill, not only Senate committee amendments, but including every paragraph the House of Representatives sent to us. In order to sustain that construction of the Senator's address, I desire to read the remaining few lines to show that there is not the slightest doubt about my being right upon this proposition:

Perhaps I should allude—

Said the Senator from Rhode Island—

to a misapprehension which exists with reference to three items of the bill that were reported by the committee practically without recommendation. One is as to the provisions of the House bill on coal, putting it on the free list, with reciprocal provisions; the other is in regard to news print paper and wood pulp; and the third is in regard to hides. It is not the purpose of the committee—and when I use the word "committee," I shall always mean the majority of the committee—to try to evade responsibility with reference to these items. As soon as the requisite data can be secured by the committee, they will report amendments which they will recommend to the Senate upon each of these three items.

But, with the exception of those three items, the chairman of the Finance Committee declared himself ready to explain and defend every one of the provisions of the bill as they were reached, which necessarily means, as I have said, not only the Senate committee amendments, but every provision of the bill as it came to us from the House of Representatives.

Mr. LA FOLLETTE. Mr. President, on taking the floor before, I did not reply to the criticism that the Senator from New York made with respect to the testimony which I cited on the subject of bar iron, because I desired still further to examine the testimony and the language of the bill to see whether I had erred in applying that testimony to paragraph 118. Of course I have not, I suppose, the fortunate endowment of the Senator from New York to determine a matter of that sort at once. I have to plod somewhat with my investigations and do the best I can. I devote a good many hours of labor daily to this subject, but I am liable to err. It may be I make more mistakes than some men in this body, but I believe that I am not less industrious than other Senators.

Mr. President, even now, except for the supreme confidence with which the Senator from New York makes his statement, I am not sure that he is right. I am not sure whether the testimony offered by Mr. Lord, who represented 25 of the bar-iron manufacturers of this country, applies to one paragraph or to both. Paragraph 117 says:

Bar iron, muck bars, square iron rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick, etc.

The other paragraph includes bars or shapes of rolled or hammered iron. The testimony, as I have run through it, leads me to believe that Mr. Lord was speaking, or had written his letter, with reference to all the bar-iron manufactures and all of the tariff provisions affecting bar iron. I may be wrong about that, but I made an honest endeavor to lay before the Senate a piece of testimony that did seem to me to have a bearing upon the subject that we were considering.

Now, Mr. President, I have not taken much of the time of the Senate with interrogating the chairman of the committee or any member of the committee. If I have erred in any respect, I have felt that I was remiss in not asking questions upon every item, with respect to the cost of production, the amount produced in this country, the number of producers in this country, the elements of raw material entering into the dutiable product, the cost of producing the raw material in this country as compared with the cost in the competing country, the cost of producing the finished product in this country as compared with the competing country, the element of wage cost or labor cost that enters into every product as compared with the wage cost of the competing country, and the efficiency of the labor in this country as compared with the efficiency over there.

Those are question, Mr. President, that are not to be brushed aside with any sweeping criticism with respect to declamation. We have not all the same way of speaking. I regret that I have not the finished manners of the Senator from New York. I have to speak in my plain, direct fashion. I speak earnestly because I feel earnestly when I speak, and I do not speak otherwise.

Now, Mr. President, so much for that. On this other subject, I want to refer to one thing with respect to the provisions of the House bill which the Senate Committee on Finance have not changed. We have no call here, according to this high constitutional authority which we have been so fortunate as to acquire lately, to say one word to this committee. If a paragraph is reached which has not been in any way amended, we are limited, sir, to whatever some other body, over which we had no authority, did.

I say, Mr. President, that, according to this authority, we have no right—or, at least, I have no right—to ask any questions with respect to a paragraph that the Senate Finance Committee reported back without amendment. Of course I do not expect to have accorded to me all the rights the Senator from New York assumes to exercise.

The other evening, when paragraph 97 of the glass schedule was under consideration, a paragraph which had in no way been amended by the Committee on Finance, but was just as passed by the House, he called upon those who were interested in maintaining the rates fixed in that paragraph to come forward with their explanations if they wanted to sustain the House rate. Of course, coming here with all his prestige, he may well take to himself rights that do not belong to other Senators on this floor.

Mr. President, I have talked longer this afternoon than I have since this extra session began the consideration of the tariff question. I have not said a word for "home consumption," and I say to the Senator from New York that I do not have to. I am going, however, to serve notice on him and this body that I will be the judge for myself of the share that I take in the discussion of measures before the Senate, and that I purpose to take some time on the provisions of this bill, notwithstanding the views of the Senator from New York.

Mr. MONEY. Mr. President, I do not rise particularly to defend my reputation for veracity as attacked by my friend the senior Senator from New Hampshire [Mr. GALLINGER]. I do not think it is necessary, however, to do that, but I do wish to say one word about the treatment that I understand for the first time from the Senator from New Hampshire and the junior Senator from New York [Mr. ROOT] the chairman of the Finance Committee has been subjected to during the discussion of this bill. I have not heard anybody denounce the Senator from Rhode Island, nor have I heard one word of vituperation. I will be very glad if the Senator from New Hampshire will show me a place in the RECORD where anybody has denounced the Senator from Rhode Island or vituperated him, to call for that remarkable exhibition of angelic sweetness and patience and forbearance on the part of the Senator from Rhode Island, which would not have belonged to the Senator from New Hampshire if he had been the Senator from Rhode Island and the Senator from Rhode Island had been the Senator from New Hampshire.

I have heard nothing but respect given to the Senator from Rhode Island, which he deserves. I for one, and I believe my colleagues on this side of the Chamber, sympathize with that distinguished gentleman in the great labor which he has undergone, the trial of patience which he must have had when conflicting interests were before him disputing the proposition in every case. I have yet to know a man on this side who has either entertained or has spoken one word to touch the sensibilities of the senior Senator from Rhode Island, either publicly or privately, as has been suggested to me by my friend from Georgia [Mr. BACON]. I think the Senator from New Hampshire rather ran away with himself when he used that language, and that he does not really mean it now since he has cooled off.

I think he will voluntarily, without any further suggestion, withdraw that language from his remarks in the RECORD, because it goes to the country. When he gets up here and makes an announcement not confirmed by facts, I hope he will withdraw the language. It puts the Senator from Rhode Island in the ridiculous attitude of having been insulted and denounced and vituperated without the courage or manhood to resent it; for the Senator from New Hampshire intimated that if he had been in his place, he would have dealt with these people very differently.

Mr. GALLINGER. I will thank the Senator to tell me what language he refers to.

Mr. MONEY. I refer to your language, when you said the Senator from Rhode Island, in charge of the bill, had been denounced and vituperated, and had shown remarkable patience in enduring these repeated insults; and you also remarked, perhaps you would not have borne them if you had been in his place.

Mr. GALLINGER. I did not use the word "insult" at all.

Mr. MONEY. I know you did not. You said "vituperated" and "denounced."

Mr. GALLINGER. I stand by that.

Mr. MONEY. Very well; I will see whether the RECORD stands by you.

Mr. GALLINGER. That is all right.

Mr. MONEY. Now, I want to disabuse the mind of my friend from New Hampshire. If he thinks anybody over here feels as he expressed toward the Senator from Rhode Island, he is mistaken. As far as I am concerned—and I believe the senior Senator from Rhode Island understands me and has understood me all the time—I deeply sympathize with him in the tremendous labor, of the most exacting nature, which he has undergone. As a result it would make a man irritable under any circumstances. I would not blame him at all if he did become so; but he has not done it, and that is very much to his credit, because the man who controls himself is greater than he who conquers a city, or words to that effect.

My distinguished friend from New York [Mr. ROOT] has delivered the Senate a lecture on how it should conduct its business and how individual Senators should conduct themselves. When he has got fairly warm in his seat and has learned a little more about the Senate he will not indulge himself in any lectures on this subject [laughter], for two reasons: First, because they are utterly ineffectual curtain lectures, and they are generally the outcome of a brand-new Member; and, in the next place, they are utterly unnecessary. He will understand, also, that the most unfortunate thing that has happened to the Senate is having a new Senator come in here to do things on "business methods." I hope that here business will be dropped and "business methods" also. In this bill I fear there has been too much of business methods. "Business methods" would not honor the Senate. We want a man, when he comes here, to drop his business methods at the door and adopt the legislative and Senatorial methods as the best way for transacting the public business. If laws are to be passed, vitally affecting the people in their purses and their rights, without that freedom of debate which has found its best refuge in this honorable body, then we may look to have a law worse even than that proposed—a hundred times worse. There will be no end to it.

I beg gentlemen to content themselves. Do not get so impatient to correct everybody else; do not give the lie broadcast until somebody else has told one; and do not talk about vituperation here until you hear it.

Now, as for the table I introduced and submitted here, I did it for the benefit of the Senate. I said that I would not vouch for it; that I believed it was correct, and I think it has the internal evidence of its correctness. But I invited the Members of this Senate to examine it and to correct it if it was not true.

As for the argument of my distinguished friend from New Hampshire [Mr. GALLINGER], I have never heard one so absolutely flimsy in my life. He denied that the tax placed upon the price of goods here is what the people pay to the manufacturer; and he undertook to tell us what the cost of production was here. The Senator from Oklahoma [Mr. GORE] endeavored to inform him that the price of the goods abroad that could be introduced here, delivered, as they are, f. o. b. for the price named in the schedules, would be the price that the people here would pay for a certain article, perhaps steel rails—I think that is what we were talking about at the time—or any other article; it does not make any difference what it may be.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. MONEY. Certainly.

Mr. GALLINGER. Does the Senator think that it would be good policy for the United States to get low-cost foreign goods and have them brought into this country, to the exclusion of goods which were being manufactured by our own people?

Mr. MONEY. Mr. President, that is not the question. It is absolutely outside of it; it is a diversion which I will not follow. I was speaking of the argument which the Senator made, and I say now that if you will take the schedule prices, as shown in the table which I have submitted, as they prevail in four different countries of Europe, and then see what the same thing is sold for here, you will have the difference which the American people pay.

I am not advocating the repeal of the duty; I am advocating a duty on everything—nothing to go free. That is what I am advocating here. But the only way you can arrive at what the consumer in this country pays is by ascertaining, if you can get it, what a similar article costs abroad and what the domestic consumer pays to the home manufacturer, which includes the tax. I have given the exact table, what amount of revenue is derived from exports into this country, and then I have given the amount which has been produced in this country, and subtracted one from the other, which shows exactly what the people would pay. Nobody can say with any accuracy that it is $2,000,000,000, or $1,000,000,000, or $40,000,000,000, so far as that is concerned. It is only an estimate according to the best authority. I would not say that it was certainly $2,000,000,000, but I believe it is about that figure. It is only information and belief, for there is no knowledge about it; but certainly you can not accept the proposition laid down by the Senator from New Hampshire.

Mr. President, the table which I submitted to-day was simply upon two schedules, and not all of those two; but it does show conclusively what the people of this country, in my opinion—it may be in error in detail somewhat, but it is approximately correct—it does show what revenue is collected by the Government—that is, the taxes paid by the consumers of the United States. It also shows the amount paid by the consumer to the protected interests, whatever they may be, on those two schedules.

I shall go through more of these items before this debate closes, but I do not intend to present a table here unless it is most carefully prepared by the very best authority; and I shall not vouch for anything that I present, unless I believe it to be true. I have challenged this whole Senate to find fault with that table, and I will ask my friend from New Hampshire to give it his critical attention. He can then come into the Senate and say whether or not he can prove to the contrary of what it asserts.

Mr. President, we do not want any lectures in our business here. It does not become a man, however important he may consider himself, or whatever position the world may give him, to come into the Chamber of his peers and tell us that we can not talk, or that we ought to talk, or that we ought to do business in this way or that way, which may happen to be approved by his judgment, or his taste, or his habits, or his opinion, or anything else that concerns him. We come here to do exactly what we please, each man responsible to his constituents, and to no one else in this world. The man who comes here simply to please somebody else ought to be immediately kicked out of this Chamber and sent home, and let the people send a man here in his place. I hope the Senate will proceed in order all the time, as it has done. I must say this has been one of the most interesting debates I have ever listened to; and some of the finest speeches I have ever heard on this or any other question have been delivered.

I have not seen any such exhibition of bad temper and bad manners as that which has been referred to so freely. When the bill goes to the conference committee of 10 or 12 or 16 members, and takes six months, then you may complain about talking; but I am confident of one thing, that when the bill emerges from that conference committee about the middle of September, or October, or November, or next year, or some other year, the name "ALDRICH" will be written very large over every solitary page of it. It will probably be a worse bill than that which is here to-day; but it is going to be ALDRICH's bill. I have got that much respect for the chairman of the Committee

on Finance. I believe he has the ability to manage this bill in conference just as he as shown the ability to manage it on the other side of the Senate, with a whole lot of recalcitrants attacking him at every turn. He knows how to manage men.

He can placate them when he wants to; he can put them down when he wants to; and he has managed to do a little better than we can do in the matter of discipline. For one, I sympathize with him all the way through; and I want to say that I find no fault with the members of the committee on the Republican side. I recognize the almost impossibility of their attempting to frame a bill in committee with the Democratic minority proposing amendments, and so forth. If such a course had been followed, it would have taken to the crack of doom to have reported anything to the Senate.

The bill is here; we have to do the best we can with it; but if any gentlemen think that a bill which came here in this way, which was never even seen by the minority members of the committee before it came hot from the press to their desks, is going to be pushed through on "business lines" and on "business manners," they had just as well go home and take a Rip Van Winkle sleep for twenty years and come back here and learn something more about it. We are not going to proceed in that way. We are going to proceed deliberately; and we are going to debate every solitary schedule and item, if anyone wishes to do so. If gentlemen are tired of speeches, they can do less speechmaking themselves and retire to the cloakroom when others are talking.

Mr. SCOTT. Mr. President, I only entered the Chamber when my friend from South Carolina [Mr. TILLMAN] was suggesting some doubt as to the cost at which pitchers could be produced. I will say to the Senator from South Carolina that if he wants a carload of tumblers at the price named, or a carload of pitchers, I will have them shipped to him, provided his credit is sufficient to pay for the goods when they arrive. [Laughter.]

Mr. TILLMAN. The insinuation against my honesty——

Mr. SCOTT. Not at all.

Mr. TILLMAN (continuing). Or of my commercial rating is unworthy of the Senator from West Virginia. I told him the other day that I wanted a dozen; I can handle that many, but I have no more use for a carload than I would have for a coal mine in West Virginia. [Laughter.]

Mr. SCOTT. If the Senator will have patience, I will send him a barrel of pitchers. [Laughter.]

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. CUMMINS] to paragraph 118.

Mr. SCOTT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CUMMINS. Mr. President, I have just a word to say before the vote is taken. I suppose I am responsible for beginning the debate, and I would not be satisfied if I were not in at the close.

The Senator from New York [Mr. ROOT] says that when an amendment is offered to any part of the House bill which has not been changed by the Senate committee, it is the obligation of the Senator who offers it to submit testimony to support it. Without agreeing to the soundness of that proposition, I nevertheless undertook this morning to sustain that obligation. We have drifted far away from the question with which the discussion began. So far as I am concerned, I care nothing whatsoever with respect to the criticisms which, it is said, have been showered upon the head of the Finance Committee. I have endeavored heretofore to say what I believe to be true, and I expect to continue to say so through the remainder of this debate. If I can not hereafter get the information which is necessary for me to reach a conclusion from the hearings before the House committee, then I will seek it elsewhere; and, if I can not get it elsewhere, then I shall occasionally have the courage to ask the chairman of the Finance Committee if he has it and can supply me with it.

I am sure the chairman of the committee said something this morning that he did not intend. As I understood him, he suggested that this amendment arose from inattention or, as he was about to say, from ignorance. I may be ignorant of the subject-matter, but I am not ignorant of the amenities of debate, and I shall not attempt to justify myself against that intimation. I have been diligent, however. I have read every word upon this subject that was submitted to the House committee; I have read every word accessible to me anywhere; and I assert, without any fear whatsoever of contradiction, that there is nothing in the testimony given to the House committee, and nothing, so far as I know, considered by the Senate committee, that even tends to determine the difference between the cost of producing this particular commodity abroad and in the United States. We are compelled, therefore, to resort largely to that general information that we acquire during the course of life.

The Senator from Rhode Island said this morning—and I think he was rather under the truth than above it, and he was rather on my side than against it—that the cost of manufacturing the articles in the preceding paragraph was $6 per ton. I asked him to verify my own information upon it, because I had reached the conclusion that the cost of manufacture was a little more than $6 per ton, and therefore his answer to me, which was wholly frank and candid—and for it I am grateful to him—rather tended to reduce the duty than to raise it.

I offered no amendment to that paragraph because the Senate committee had already reduced it 50 per cent; but when we came to the next paragraph, in which a duty of $12 a ton was sought to be imposed upon a commodity that sells in this country regularly and habitually for $35 to $40 a ton, I knew, and every man in this Chamber knows if he will but examine that information which comes to him gradually by his observations of human affairs, that the duty of $12 per ton is a great deal more than will measure the difference between the cost of producing this wire abroad and in the United States. Why, Senators, if we are to give any attention to the principle of protection; if we are to give any attention to those tests that have been laid down from time to time, we can not impose upon such a commodity as this a duty of $12 a ton.

I know—at least I am so advised, and I believe my information is accurate—that this same wire is selling abroad at a price not to exceed $3 a ton less than it sells for in the United States. If that be true—and if it be not true, I hope that I will be corrected—will you tell me that this furnishes no evidence with regard to the difference between the cost of producing it there and producing it here?

I have asked to reduce the duty to $10 a ton. That duty is ample; it is more than is necessary to enable every ton, every pound of this commodity to be manufactured within the United States if the manufacturers are willing to sell it at a fair price. I can not agree that the duty we fix upon these commodities is immaterial. I agree with the Senator from New Hampshire that it is not always true that to the price at home there is added the duty that we impose; but it is true that it is always possible to add to the cost of production at home the duty that we put upon the article; and in framing a tariff bill we ought to pursue the old definition, or leave the old definition, and put upon these things that duty which will fairly measure the difference between the cost of production at home and abroad.

This is no impeachment of the work of the Finance Committee; this is no criticism upon the chairman of the Finance Committee; but it is an attempt, at least, upon my part to reduce this duty at least to the point or nearer the test and definition of our cause or our principle than is represented in the provision of the House; for, as I understand, this duty has been imposed by the House, and it has not been either reduced or increased by the Finance Committee.

Mr. LODGE. Mr. President, I am sorry that my friend the Senator from Mississippi [Mr. MONEY] acted so rapidly on his own principle just expressed and left the Senate the instant he concluded speaking, because I wanted to say to him that when he has been here as long as I have—and I have not been here very long—he will find that nothing is commoner than a suggestion that the Senate should do business. I heard it in the first year I entered the Senate; I heard it from Senators long in service; I heard it from Senators new in service; and I hear it every time a much-tried chairman of an appropriation committee is trying to get his bill through in the midst of what he thinks is needless delay. The view that the Senate does not exist purely for conversation, but really for action, is not a new one; and the mere fact, Mr. President, that a Senator has not served here so long as another Senator does not seem to me to alter the merits of the question at all. Lord Thurlow, in a famous speech, once said that "he begged to say that the peerage solicited him, not he the peerage;" and the mere fact that a Senator by his coming adds luster to the Senate, instead of the Senate adding luster to him, does not seem to me to deprive him of that right of free speech and fair criticism which we all cherish so much in this body.

Now, Mr. President, in regard to this particular paragraph, I desire only to say on the question of an amendment to the House provision that I am unable to see why the Finance Committee should be called upon to furnish information in behalf of amendments which they do not approve. I think their duty is to sustain their own amendments and to show reasons why amendments to which they are opposed should not be adopted. I do not propose to discuss this amendment further. The reasons why it should not be adopted have been amply shown.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS], upon which the yeas and nays have been ordered.

Mr. STONE. Before the roll call is begun, I ask that the amendment be again stated.

The VICE-PRESIDENT. The amendment will be again stated.

The SECRETARY. In paragraph 118, page 33, line 7, after the word "section," it is proposed to strike out "six-tenths" and insert "five-tenths;" and in line 11, after the words "duty of," to strike out "four-tenths" and insert "three-tenths."

The Secretary proceeded to call the roll.

Mr. LODGE (when Mr. CRANE's name was called). My colleague [Mr. CRANE] has been suddenly called away from the city. He stands paired with the Senator from Indiana [Mr. SHIVELY]. My colleague would vote "nay," if present.

Mr. CURTIS (when his name was called). I have a pair with the Senator from Oklahoma [Mr. OWEN] for to-day.

Mr. McCUMBER (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. FOSTER]. In his absence I withhold my vote.

Mr. RAYNER (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]; and if he were present, I should vote "yea."

Mr. STONE (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. CLARK], who is not present. If he were present, I should vote "yea."

The roll call was concluded.

Mr. STONE. I am advised that I can shift my pair to the senior Senator from Texas [Mr. CULBERSON], and unless some other arrangement has been made——

Mr. ALDRICH. A pair has already been announced with the Senator from Texas.

Mr. STONE. Has it?

Mr. FLINT. I am paired with the senior Senator from Texas [Mr. CULBERSON], and I voted. I find that he is not in the Chamber. I transfer my pair to the junior Senator from Wyoming [Mr. CLARK], and allow my vote to remain.

Mr. STONE. That being done, I will vote. I vote "yea."

Mr. McLAURIN. My colleague [Mr. MONEY] was called from the Chamber. He is paired with the senior Senator from Wyoming [Mr. WARREN]. If my colleague were present he would vote "yea."

Mr. BAILEY. I simply rise to say that the Senator from Indiana [Mr. SHIVELY] is detained from the Senate by illness.

Mr. CHAMBERLAIN. I desire to make the same statement with reference to my colleague.

The result was announced—yeas 35, nays 42, as follows:

YEAS—35.

Bacon	Clapp	Gore	Paynter
Bailey	Clarke, Ark.	Hughes	Simmons
Bankhead	Clay	Johnston, Ala.	Smith, Md.
Beveridge	Crawford	La Follette	Smith, S. C.
Borah	Cummins	McLaurin	Stone
Bristow	Daniel	Martin	Taliaferro
Brown	Dolliver	Nelson	Taylor
Burkett	Fletcher	Newlands	Tillman
Chamberlain	Frazier	Overman	

NAYS—42.

Aldrich	Dick	Heyburn	Piles
Bradley	Dillingham	Johnson, N. Dak.	Root
Brandegee	Dixon	Jones	Scott
Briggs	du Pont	Kean	Smith, Mich.
Bulkeley	Elkins	Lodge	Smoot
Burnham	Flint	McEnery	Stephenson
Burrows	Frye	Nixon	Sutherland
Burton	Gallinger	Oliver	Warner
Carter	Gamble	Page	Wetmore
Callom	Guggenheim	Penrose	
Depew	Hale	Perkins	

NOT VOTING—14.

Bourne	Curtis	Money	Shively
Clark, Wyo.	Davis	Owen	Warren
Crane	Foster	Rayner	
Culberson	McCumber	Richardson	

So Mr. CUMMINS's amendment was rejected.

Mr. McLAURIN. I offer an amendment to the paragraph.

The SECRETARY. It is proposed to add at the end of the paragraph the following:

Notwithstanding anything in this bill contained, trace chains, log chains, lock chains, plows, plow stocks, plow handles, plow beams, coltters, singletrees, doubletrees, clevises, clevis pins, lap rings, backbands, bellybands, hames, hame strings, bridles, halters, plow lines, hooks and cuffs for singletrees or doubletrees, axes, ax helves, hoes, hoe helves, hatchets, hatchet helves, hammers, hammer handles, horseshoes, horseshoe nails, spades, shovels, saws, squares, rakes, nails, tacks, staples, staple rings, door hinges and screws, window hinges and screws, and all other kinds or character of farming implements or tools, and all carpenters' tools and blacksmiths' tools, when imported into this country, shall be exempt from the payment of a duty.

Mr. McLAURIN. Mr. President, I have heard a great deal since this discussion has been on and a great deal before that time about protection to American labor, and if one were to take all the speeches made for protection and make up his judgment from them, he would come to the conclusion that nobody in the world is interested in the poor manufacturer; that the only man in the world who is considered by the protectionists is the laborer.

I wish to give an opportunity for Senators in this body to put themselves on record in favor not of protecting labor, but of allowing the laborers to keep what they make, and to spend it as they desire. The doctrine of protection is that the vast mass of the people shall be taxed and the money derived from that taxation shall be given to the manufacturers, in order that the manufacturers may employ the labor and that the labor may be hired to work for the manufacturer. I have often thought it would be a good deal better to give this money, if it is for the laborers, directly to the laborer, instead of it being given to the manufacturer, and letting it drip down to him, percolate until it gets down to the laborer, and then after he has been employed to do the work for the manufacturer, get about one-tenth of the amount of money that is taxed out of the people and given to the manufacturer.

The farming people of this country do not ask that you give them any protection, when "protection" is used in the sense of an opportunity or power to rob the masses of the people, or to take the money that belongs to others and put it into their own pockets; but they do ask an opportunity to devote the price of their labor to their own interest, their own protection, their own comfort, and their own welfare. They ask that you take off of them the heavy hand of what you call "protection," but what really, in fact, is an opportunity for extortion.

The farmers of the country produce the provisions upon which all of us live. They produce the clothing that clothes us. Will you not give them an opportunity to buy their farming implements without the heavy hand of what you call "protection" being placed upon them and allowing the price to be raised on them? Will you not take away the taxgatherer from them and not call upon them to pay a tax to the manufacturer on their trace chains, their clevises, their hooks and cuffs that go on the whiffletree, their plows, and the saws that they use on their farms? Will you not take away your taxgatherer and let them for one time buy without the taxgatherer taking away their money to be paid into the coffers of those already immensely rich?

Mr. SCOTT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from West Virginia?

Mr. McLAURIN. I do.

Mr. SCOTT. Does not the Senator admit that the farmers are perhaps to-day the most prosperous citizens we have in the United States?

Mr. McLAURIN. I do not know about that, but I will say this: That they have the most independent business of any business in the United States, and if they are prosperous they are prosperous in spite of the oppression of protective extortion. It is not on account of it, but in spite of it.

Mr. President, I want to put it to the Senate, and I desire every man by his vote to say whether he is willing to give the farmers an opportunity to expend, if they desire, the money they earn on the farm instead of putting it into the hands and the coffers of the manufacturers.

This may appear ridiculous to some at first reading, but it is a just proposition, and if there is anybody on the face of the earth who ought not to be protected in the sense of the doctrine of Republican protection, but who ought to be favored by the laws of the country, it is the farming class of the country.

Here is the opportunity. Here are the carpenters' tools. They are laborers. They have to furnish in nearly all instances the tools with which they do their work. Will you not take off of them the tax which compels them to pay an extortionate price for those tools? There are the blacksmith's tools. Will you not do the same thing for him? Do you not mean what you say when you claim that the protective tariff is for the benefit of the laborer, and not of the owner or the manufacturer? If you do, here is your opportunity to demonstrate it.

Mr. ALDRICH, Mr. GALLINGER, and others. Question!

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. McLAURIN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BROWN (when Mr. BEVERIDGE's name was called). The Senator from Indiana has been called from the Chamber and desired me to announce that if present he would vote "nay."

Mr. McCUMBER (when his name was called). I again announce my pair with the junior Senator from Louisiana [Mr. FOSTER]. Were he present, I should vote "nay."

Mr. LAYNER (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]. If he were present, I should vote "yea."

Mr. STONE (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. CLARK]. I transfer it to the senior Senator from Texas [Mr. CULBERSON], and will vote. I vote "yea."

The roll call was concluded.

Mr. LODGE. I desire again to announce the pair of my colleague [Mr. CRANE] with the Senator from Indiana [Mr. SHIVELY]. If my colleague were present he would vote "nay."

Mr. CURTIS. I desire to announce my pair with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 22, nays 52, as follows:

YEAS—22.

Bacon	Daniel	Martin	Stone
Bailey	Frazier	Newlands	Taliaferro
Bankhead	Gore	Overman	Taylor
Chamberlain	Hughes	Paynter	Tillman
Clarke, Ark.	Johnston, Ala.	Simmons	
Clay	McLaurin	Smith, S. C.	

NAYS—52.

Aldrich	Clapp	Gallinger	Oliver
Borah	Crawford	Gamble	Page
Bradley	Cullom	Guggenheim	Penrose
Brandegee	Cummins	Hale	Perkins
Briggs	Depew	Heyburn	Piles
Bristow	Dick	Johnson, N. Dak.	Root
Brown	Dillingham	Jones	Scott
Bulkeley	Dixon	Kean	Smith, Mich.
Burkett	Dolliver	La Follette	Smoot
Burnham	du Pont	Lodge	Stephenson
Burrows	Elkins	McEnery	Sutherland
Burton	Flint	Nelson	Warren
Carter	Frye	Nixon	Wetmore

NOT VOTING—17.

Beveridge	Curtis	Money	Smith, Md.
Bourne	Davis	Owen	Warren
Clark, Wyo.	Fletcher	Rayner	
Crane	Foster	Richardson	
Culberson	McCumber	Shively	

So Mr. MCLAURIN's amendment was rejected.

Mr. BAILEY. Mr. President, I observe that the Republican party is reunited, and I have no doubt its members are ready to fix a day for taking a vote on the income-tax amendment. I ask unanimous consent that on Monday next, before the Senate adjourns, we proceed to vote on the income-tax amendment to the pending bill.

The VICE-PRESIDENT. The Senator from Texas asks unanimous consent that on Monday next, previous to adjournment, a vote be taken upon his income-tax amendment to the pending bill. Is there objection?

Mr. BAILEY. There are two amendments, and I would not, as I prefer the request, wish to discriminate between them, and I will say upon the income-tax amendments——

Mr. HALE. Amendments?

Mr. BAILEY. Making it plural.

Mr. ALDRICH. I suggest to the Senator from Texas that he amend his request for unanimous consent so as to ask that on the 1st day of June, if that is the proper day, we vote upon the bill and all amendments.

Mr. BAILEY. If I can have unanimous consent for the order which I have just requested, I will prefer the request which the Senator indicates, but from what occurred yesterday afternoon I think we ought not to be required to dispose of the entire subject in order to reach a disposition of an important part.

Mr. ALDRICH. I suggest that there will be no objection to taking a vote on the 1st of June upon the bill and all amendments.

Mr. BAILEY. So far as I am concerned, there will not be. I indicated yesterday that there ought to be no delay, and I believe that there ought to be none.

Mr. President, without intending to give the present request a partisan complexion, I will remind our friends on the other side that their party has had this bill now for more than six months. The House Committee on Ways and Means, as I now recall, began its hearings on the 10th of last November and continued them until the meeting of Congress, the first Monday in December. Those meetings were then continued through the session and until the bill was reported.

The House occupied until, I believe, the 9th of April in considering it. The bill then came here, and, certainly, with the loss of less than a week it was reported back to the Senate. It is now the 14th day of May, making, since the 10th of last November, a continuous consideration of this subject by a Republican majority; and if they have not accommodated their differences by this time, I think the country may well despair of their ability to do it; and if they are not able to do it, we might just as well proceed to take the vote and allow the majority to determine the result.

But while I feel that way about it, of course I would like to separate the request for the vote upon the income-tax amendment. I will follow that with the other proposition, of course, not guaranteeing for anybody but myself an acquiescence in that request; but I will exert my good offices so far as they will go toward a vote on the bill itself and all amendments upon the 1st of June.

Senators from time to time are called away by sickness and otherwise, and I want everybody advised as to the day of the vote on this important amendment.

We have this condition this afternoon. The Senator from Indiana [Mr. SHIVELY], a new Senator and one who does credit to this body, because I had the honor to serve with him in the House of Representatives, is detained at his room, sick. If we were to act on the income-tax amendment unexpectedly, he might not be able to reach here; but if he knew the vote was coming, he could not be so sick that he would not be in his place; and I assume that other Senators are of the same mind. For that reason, I believe it is in the interest of a full and fair decision of it that we fix a time in advance, so that every Senator who desires to be here may have an opportunity to come.

If the request is granted, I will follow it with a request for a vote on the bill and all pending amendments upon the 1st day of June.

Mr. NELSON. Mr. President, I shall object to that. I think we are not prepared to vote on the income-tax amendment until we know in what shape we get this tariff bill. If it were an independent proposition, I might, under such circumstances, vote for an income-tax measure. I think if the tariff bill will bring sufficient revenue, we ought not to inject an income-tax proposition in it.

The VICE-PRESIDENT. The Senator from Minnesota, then, objects to the request of the Senator from Texas?

Mr. NELSON. I want to say further, while I am on my feet, that I look upon the matter of an income tax as a very important question, that ought to be considered and disposed of by the Senate as an independent proposition. I believe that the last decision of the Supreme Court was, in two respects, revolutionary in character. It was revolutionary, first, because it superseded all the decisions of our courts and all the practices of our Government in the course of a hundred years. I shall not enter into a discussion of that branch of the question. But it was revolutionary in another respect, and that is in depriving this country, in the great emergency of a war, of one of the most important resources for obtaining revenue. However, I will not go into that discussion. While, as an independent proposition, I might support an income tax, I am utterly opposed to placing it as an attachment to this bill unless it is necessary as a matter of revenue.

I want to say further, while I am on my feet, there is no use of this seance between the Senator from Texas and the Senator from Rhode Island about asking for a vote on the bill the 1st of June. I hope we will get around to a vote; but two of the most important schedules in the bill are left—I refer to the cotton and the woolen schedules—and until we have made some progress in those schedules, I for one am not prepared to agree upon a time to vote.

Mr. BAILEY. Mr. President, I will ask the Senator from Minnesota what he means by a "seance between the Senator from Texas and the Senator from Rhode Island?"

Mr. NELSON. I meant it in a Christian spirit. [Laughter.] As the Senator is very inquisitive, I will kindly tell him that I noticed the Senator from Rhode Island went over to the Senator's chair and whispered to him and then immediately following that came this unique proposition.

Mr. BAILEY. Mr. President, I have always observed that a candid and honest man will not suspect the good motives of other men, and when I find a man suggesting improper conduct on the part of others, I readily conclude that he would be guilty of such misconduct himself.

I will tell the Senator from Minnesota and the Senate exactly what happened, and it is not creditable to the Republicans with whom the Senator from Minnesota is associated. I observed that every Republican voted against the amendment of the Senator from Mississippi, and I expressed the opinion that what are known as the "Republican insurgents" had an understanding that they would not support a Democratic amendment, and the Senator from Rhode Island said he heard one of them say so.

Now, is the Senator from Minnesota satisfied?

The VICE-PRESIDENT. The Senator from Minnesota objects to the request of the Senator from Texas.

Mr. LA FOLLETTE. Mr. President, I want to say, as a Republican, that I purpose to support any amendment offered here which I believe to be for the best interest of the

country, and it will make no difference to me whether it is proposed by a Republican or by a Democrat.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 118? The Chair hears none, and the paragraph is agreed to.

Mr. ALDRICH. I ask that paragraph 119 may go over. I should like to dispose of the next three or four paragraphs, to which I think there will be no objection.

The VICE-PRESIDENT. Is there objection to paragraph 119 being passed over? The Chair hears none. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 120, as follows:

120. Boiler or other plate iron or steel, except crucible plate steel and saw plates hereinafter provided for in this section, not thinner than No. 10 wire gauge, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves, valued at 1 cent per pound or less, three-tenths of 1 cent per pound; valued above 1 cent and not above 2 cents per pound, four-tenths of 1 cent per pound; valued above 2 cents and not above 4 cents per pound, seven-tenths of 1 cent per pound; valued at over 4 cents per pound, 20 per cent ad valorem: *Provided*, That all sheets or plates of iron or steel thinner than No. 10 wire gauge shall pay duty as iron or steel sheets.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 120?

Mr. PENROSE. I suggest to the chairman of the committee that it go over. It was incorrectly drawn, and I wish to have it corrected.

Mr. ALDRICH. It can be corrected afterwards. There is no amendment to paragraph 120.

Mr. LODGE. There is no amendment to paragraph 120. Paragraph 119 has gone over?

The VICE-PRESIDENT. Paragraph 119 has gone over.

Mr. PENROSE. I withdraw the request as to paragraph 120.

The VICE-PRESIDENT. The question is on agreeing to paragraph 120.

Mr. CLAPP. It is absolutely impossible to understand what the amendment is.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 120, to which there is no amendment? The Chair hears no objection, and the paragraph is agreed to.

The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 122. The committee proposes to strike out the remainder of the paragraph after the word "made," in line 10, page 35, as follows:

Steel bands or strips, untempered, suitable for making band saws, hack saws, or butchers' saws, 1¼ cents per pound and 20 per cent ad valorem; if tempered, or tempered and polished, 3 cents per pound and 20 per cent ad valorem.

So as to make the paragraph read:

122. Hoop, band, or scroll iron or steel, not otherwise provided for in this section, valued at 3 cents per pound or less, 8 inches or less in width, and less than three-eighths of 1 inch thick and not thinner than No. 10 wire gauge, three-tenths of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, four-tenths of 1 cent per pound; thinner than No. 20 wire gauge, six-tenths of 1 cent per pound: *Provided*, That barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared, splayed, or punched, with or without buckles or fastenings, shall pay one-tenth of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The next paragraph passed over will be read.

The SECRETARY. Paragraph 123——

Mr. OVERMAN. I ask that that paragraph may go over.

Mr. ALDRICH. At the request of the Senator from Texas and the Senator from Mississippi, I ask that the paragraph may go over.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the paragraph be passed over. Without objection, it is passed over.

Mr. ALDRICH. I suppose we will hardly be able to dispose of paragraph 124 to-night.

Mr. TILLMAN. Hardly.

Mr. ALDRICH. I ask that it be passed over.

The VICE-PRESIDENT. Is there objection to passing over paragraph 124? The Chair hears none. The next paragraph passed over will be read.

The SECRETARY. Paragraph 125——

Mr. OVERMAN. At the request of the Senator from Texas, I ask that that paragraph be passed over.

Mr. ALDRICH. The Senator from Texas is interested in paragraph 124, but not in paragraph 125, I am sure.

Mr. OVERMAN. The Senator from Texas sent me a note, saying that he wanted to have paragraphs 125, 128, and 129 passed over. At his request, I ask that these paragraphs go over.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none.

Mr. ALDRICH. Has paragraph 126 been agreed to?

The VICE-PRESIDENT. Paragraph 126 has been agreed to; paragraph 127 has been agreed to; and paragraph 128 has been agreed to.

Mr. ALDRICH. Paragraph 129 will have to go over.

Mr. MCLAURIN. Has paragraph 125 been passed over?

Mr. ALDRICH. Yes.

The VICE-PRESIDENT. Paragraph 125 was passed over.

Mr. MCLAURIN. Was paragraph 123 also passed over?

The VICE-PRESIDENT. Paragraph 123 was passed over.

Mr. ALDRICH. What is the next paragraph?

The SECRETARY. Paragraph 129.

Mr. ALDRICH. That can go over, at the request of the Senator from North Carolina.

The VICE-PRESIDENT. Paragraph 129 will be passed over.

The SECRETARY. The next paragraph passed over is paragraph 133, wire rods. The amendment of the committee is, on page 39, line 20, after the word "pound," to strike out "four-tenths" and insert "three-tenths," so as to read:

133. Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, flat, or square, or in any other shape, and nail rods, in coils or otherwise, valued at 4 cents or less per pound, three-tenths of 1 cent per pound.

The amendment was agreed to.

The SECRETARY. The next committee amendment is, on page 39, line 21, after the word "pound," to strike out "three-fourths" and insert "six-tenths," so as to read:

Valued over 4 cents per pound, six-tenths of 1 cent per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended is agreed to if there be no objection.

The SECRETARY. Paragraph 134, round iron or steel wire, the committee amendment is in line 7, on page 40, after the word "and," to strike out "one-half" and insert "three-fourths."

Mr. WARNER. I ask that that paragraph be passed over.

The VICE-PRESIDENT. Is there objection to passing over the paragraph? The Chair hears none, and it will be passed over.

Mr. ALDRICH. I give notice now that these paragraphs that are passed over I shall return to to-morrow morning and take them up in order.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is, on page 45, paragraph 140, automobiles, bicycles, and so forth.

Mr. LA FOLLETTE. I ask that that be passed over.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none, and the paragraph will be passed over.

Mr. ALDRICH. Let it go over under the same conditions as the others. What is the next paragraph passed over?

The SECRETARY. The next paragraph passed over is paragraph 150, at the bottom of page 47, lap-welded.

Mr. BULKELEY. What was done with paragraph 140?

The VICE-PRESIDENT. It was passed over.

Mr. CRAWFORD. I was not here. Was paragraph 144 passed over?

The VICE-PRESIDENT. Paragraph 144 was agreed to.

Mr. BACON. I should like to inquire of the Senator from Rhode Island whether paragraph 135 has been finally disposed of.

The VICE-PRESIDENT. Paragraph 135 was agreed to.

Mr. BACON. At what time?

The VICE-PRESIDENT. On the first reading of the bill.

Mr. ALDRICH. Paragraph 135, I will say to the Senator, is merely transposed to another place. It is the present law. It is the administrative provision only.

Mr. LODGE. It carries no rate.

Mr. BACON. I understood that all matters which were acted on——

Mr. ALDRICH. It was simply transposed to another place in the bill; the two paragraphs were simply transposed.

Mr. BACON. I wish to make an inquiry of the Senator. I may be mistaken about it, but I want to see whether my apprehension was correct. Under the terms of paragraph 135——

Mr. ALDRICH. As amended.

Mr. BACON. As specified in the amendment, is it true that under those terms any canned goods of any kind which are imported have, in addition to the duty levied on the goods themselves, a duty upon the tin cans which contain them?

Mr. ALDRICH. That has nothing whatever to do with this question. The Senate committee reported an amendment in another place; I forget the number now.

Mr. BACON. Which has that effect?

Mr. ALDRICH. Which had that effect. But it has been modified by the committee. It applies only to packages containing dutiable goods. It has been or will be modified when the paragraph is reached.

Mr. BACON. But this paragraph 135——

Mr. ALDRICH. Has no reference to it.

Mr. BACON. It does not in its terms embrace that?

Mr. ALDRICH. It does not.

Mr. BACON. I will state to the Senator that from a rather general reading of it, I think it might be so construed. That is the reason why I made the inquiry.

Mr. ALDRICH. That is the law. It has been in effect ever since 1890.

Mr. BACON. I understand that. I wanted to know whether it could be so construed.

Mr. ALDRICH. The paragraph the Senator refers to is paragraph 192, on page 67.

Mr. BACON. In order that we may have the direct information, I understand the Senator to say that that paragraph can not be construed so as to include that class of duty?

Mr. ALDRICH. It certainly can not.

Mr. BACON. Very well.

Mr. TILLMAN. I want to say to the Senator from Rhode Island that, in my judgment, this rushing to push the bill along and pass over every paragraph that is jolted does not make any real progress. We have been here now for over six hours. There has been a good deal of mental strain on some people, though not with me. I am ready to rush this matter. I made an appeal the other day, and I appeal now to the Senator to let us adjourn; and if he wants to start at 10 o'clock on Monday and work us until dark, I will not object.

Mr. ALDRICH. I was about to give notice that I would to-morrow morning at the meeting of the Senate move that on and after Monday the Senate shall meet at 10 o'clock. Perhaps I may as well make the motion now. I move that the hour of the daily meetings of the Senate on and after Monday shall be 10 o'clock.

The VICE-PRESIDENT. The Senator from Rhode Island moves that on and after Monday, the 17th instant, the Senate shall meet daily at 10 o'clock a. m.

The motion was agreed to.

Mr. TILLMAN (to Mr. ALDRICH). Can you not now move to adjourn over until Monday?

Mr. ALDRICH. Oh, no; I can not do that. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 15, 1909, at 11 o'clock a. m.

SENATE.

SATURDAY, *May 15, 1909.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Association of Credit Men of Pittsburg, Pa., praying for the creation of a permanent tariff commission, which was ordered to lie on the table.

Mr. BRIGGS presented a petition of the Board of Trade of Hoboken, N. J., praying for the creation of a permanent tariff commission, which was ordered to lie on the table.

Mr. BURROWS presented petitions of sundry citizens of River Rouge, Detroit, Grand Rapids, and Alton, all in the State of Michigan, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

Mr. CURTIS presented petitions of sundry citizens of Traer, Topeka, and Iola, all in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. HEYBURN presented a paper to accompany the bill (S. 838) granting an additional pension to soldiers who were confined in confederate prisons during the war of the rebellion, which was referred to the Committee on Pensions.

He also presented an affidavit to accompany the bill (S. 15) to amend the military record of Jonas O. Johnson, which was referred to the Committee on Military Affairs.

Mr. DEPEW presented a petition of Local Union No. 113, International Brotherhood of Stationary Firemen, of Palmer, N. Y., praying for the enactment of legislation to license firemen, stokers, or water tenders in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of Horseshoe Lodge, No. 250, Brotherhood of Railroad Trainmen, of Rensselaer, N. Y., praying for the passage of the so-called "Borah-Dawson full-crew bill," which was referred to the Committee on Interstate Commerce.

He also presented a petition of the New York State League of Cooperative Savings and Loan Associations, praying for a reduction of the duty on materials entering into the construction of dwelling houses, which was ordered to lie on the table.

He also presented a petition of the Steel Founders' Society of America, of New York City, N. Y., praying for a reduction of the proposed duty on ferrosilicon, which was ordered to lie on the table.

Mr. DANIEL presented petitions of Mrs. G. O. Stevenson, of Swetnam; J. T. Malony, of Swetnam; Robert Cunningham, of Fairfax; F. G. Ford, of Swetnam; C. F. Brewer, M. D., of Catharpin; E. R. Swetnam, of Swetnam; J. M. Harrison, of Swetnam; E. H. Munn, of Swetnam; William Sheppard, of Front Royal; Ramsey & Frenang, of Front Royal; S. R. Wilkinson, of Front Royal; Reeve & Co., of Front Royal; W. E. Lake & Son, of Front Royal; J. H. King, of Front Royal; J. F. Forsythe & Co., of Front Royal; G. W. Amiss & Son, of Front Royal; B. C. Atwood, of Front Royal; Compton & Co., of Front Royal; W. C. Weaver & Co., of Front Royal; Roy Collins, of Front Royal; Mck. Willes & Co., of Front Royal; T. S. Duncan, of Front Royal; W. W. Pettit, of Front Royal; J. H. Anderson, of Front Royal; R. H. Jackson & Son, of Front Royal; A. Brinkley & Co., of Norfolk; T. H. Self, of Martinsville; W. B. Bennand, of Martinsville; Davis & Davis, of Martinsville; T. W. Carter, of Martinsville; J. W. Booker & Co., of Martinsville; J. P. Harpteel, of Martinsville; James Cheslin & Son, of Martinsville; N. F. Burge & Son, of Martinsville; C. P. Keerfott, of Martinsville; J. E. L. Bohman, 214 Maple avenue, Berkley; T. J. Cocke, of Whittles Depot; A. V. Cocke, of Whittles Depot; A. G. Cocke, of Whittles Depot; W. H. H. Cocke, of Whittles Depot; W. H. H. Cocke, jr., of Whittles Depot; J. M. Grim, of New Market; L. J. Hidermaier, of Abingdon; John D. Cosby, of Abingdon; Josie Clarke Sandoe, of Abingdon; E. C. Hamilton, of Abingdon; G. N. Wertz, of Abingdon; George E. Worden, of Abingdon; Maj. D. A. Jones, of Abingdon; W. Y. Hagy, of Abingdon; John W. Neal, of Abingdon; T. H. Crabtree, of Abingdon; C. O. Wickam, of Alleghany Spring; C. A. Wickham, of Alleghany Spring; D. L. Cole, of Simpsons; J. A. Black, of Otey; V. T. Connor, of Copper Hill; Carl Black, of Alleghany Spring; W. T. Showalter, of Otey; N. W. Hoback, of Alleghany Spring; H. C. Clim, of Front Royal; A. D. Long, of Front Royal; Front Royal-Riverton Board of Trade, of Front Royal; J. E. Pleasent, of Virgilina; C. A. Whitfield, of Virgilina; B. L. Lawson, of Virgilina; F. H. Little, of Virgilina; W. A. Morris, of Virgilina; Retail Grocers' Association, of Richmond; W. E. Hazelgrove, of Richmond; W. C. Shepperd, of Otey; J. W. Boothe, of Otey; Virginia Seed and Feed Company, of Lynchburg; M. B. Kemp, of Cash; G. D. Fitzhugh, of Cash; O. B. Bland, of Cash; F. E. Duval, of Cash; H. G. Losee, of Cash; W. L. Meredith, of Cash; H. H. Roane & Son, of Cash; H. H. Roane, of Cash; J. A. Jordon, of Goods Mills; W. L. Roane, of Freeport; M. T. Meyerhoffer, of Port Republic; Joe Greyer, of Port Republic; J. E. Meyerhoffer, of Port Republic; Ed Kennedy, of Penn Laird; Ben Meyerhoffer, of Penn Laird; M. M. Parrish, of Richmond; Roper & Co., of Petersburg; Robinson, Tate & Co., Lynchburg; Lynchburg Grocery Company, of Lynchburg; B. A. Nunnally, of Manchester; H. P. Harrison, Company (Incorporated), of Petersburg; J. S. Shoemaker, of Singer Glen; B. R. May, of Linville; S. Henton Swank, of Singer Glen; C. B. Fadely, of Singer Glen; S. W. Brewer, of Singer Glen; J. P. Hoover, of Singer Glen; D. M. Hollar, of Singer Glen; M. T. Whezel, of Singer Glen; A. C. Byers, of Lacy Spring; J. J. Cole, of Lacy Spring; C. J. Sangane, of Lacy Spring; Bettie Harrison, of Lacy Spring; M. T. Morris, of Lacy Spring; A. S. White, of Lacy Spring; T. A. Moore, of Harrisonburg; Michael Summers, of Lacy Spring; and C. H. Allebaugh, of Harrisonburg; all in the State of Virginia; E. A. Karnes and R. A. Shrewsbury, of Spanishburg, W. Va.; William Hodges Mann, jr., of New York City; and H. B. Tunlt, 950 Louisiana avenue, Washington, D. C.; praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PERKINS:

A bill (S. 2366) to authorize the Secretary of the Treasury to designate subports of entry or delivery in the various customs districts within the United States; to the Committee on Commerce.

By Mr. OLIVER:

A bill (S. 2367) for the relief of David A. McDonald (with an accompanying paper); to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 2368) to pay Irvine Church for services rendered the United States as examiner of Chippewa Indian lands; and

A bill (S. 2369) for the relief of Francis B. Jones; to the Committee on Claims.

A bill (S. 2370) granting an increase of pension to John O. Donnell;

A bill (S. 2371) granting an increase of pension to Anson H. Gallup;

A bill (S. 2372) granting an increase of pension to James K. Tuft;

A bill (S. 2373) granting an increase of pension to Thomas P. Connelly;

A bill (S. 2374) granting an increase of pension to Alfred J. Henry (with an accompanying paper);

A bill (S. 2375) granting an increase of pension to Alfred Larkins (with the accompanying papers);

A bill (S. 2376) granting an increase of pension to Thomas G. Anderson (with an accompanying paper);

A bill (S. 2377) granting an increase of pension to Joseph Luckman (with the accompanying papers);

A bill (S. 2378) granting an increase of pension to George C. W. Langworthy (with the accompanying papers);

A bill (S. 2379) granting an increase of pension to Henry A. Johnson (with the accompanying papers);

A bill (S. 2380) granting an increase of pension to Marcus M. Chatfield (with the accompanying papers);

A bill (S. 2381) granting an increase of pension to James Kenyon (with an accompanying paper);

A bill (S. 2382) granting an increase of pension to Elijah H. Bean (with an accompanying paper);

A bill (S. 2383) granting an increase of pension to George Auld (with the accompanying papers);

A bill (S. 2384) granting an increase of pension to Thomas Kerr (with the accompanying papers); and

A bill (S. 2385) granting an increase of pension to Thomas Uttley (with the accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2386) granting an increase of pension to Abbie B. Cloud (with an accompanying paper);

A bill (S. 2387) granting an increase of pension to David Detty (with the accompanying papers);

A bill (S. 2388) granting an increase of pension to James Clark (with the accompanying papers);

A bill (S. 2389) granting an increase of pension to William Callis;

A bill (S. 2390) granting an increase of pension to W. H. Ruckle;

A bill (S. 2391) granting an increase of pension to Almon Sparling;

A bill (S. 2392) granting an increase of pension to A. R. Williams;

A bill (S. 2393) granting an increase of pension to William Smith;

A bill (S. 2394) granting an increase of pension to S. R. Cook; and

A bill (S. 2395) granting an increase of pension to Robert L. Thompson; to the Committee on Pensions.

A bill (S. 2396) for the relief of Green Edmonson;

A bill (S. 2397) for the relief of William Martinson;

A bill (S. 2398) for the relief of Franklin Bannon;

A bill (S. 2399) for the relief of James Carroll, alias James Clingen;

A bill (S. 2400) for the relief of William T. Grady;

A bill (S. 2401) for the relief of Henry C. Smith;

A bill (S. 2402) for the relief of William Harshberger;

A bill (S. 2403) for the relief of Samuel Liverpool;

A bill (S. 2404) for the relief of James S. Risley;

A bill (S. 2405) for the relief of Andrew Jackson;

A bill (S. 2406) for the relief of Stephen Murphy;

A bill (S. 2407) for the relief of James Chard;

A bill (S. 2408) for the relief of James Barrett;

A bill (S. 2409) for the relief of Daniel G. Cormack;

A bill (S. 2410) for the relief of A. R. Williams;

A bill (S. 2411) for the relief of Cumberlain Smith;

A bill (S. 2412) for the relief of Daniel W. Boutwell;

A bill (S. 2413) for the relief of William Davis;

A bill (S. 2414) for the relief of Gustav A. Hesselberger;

A bill (S. 2415) for the relief of Joseph P. Tyler;

A bill (S. 2416) for the relief of Samuel D. Jarman;

A bill (S. 2417) for the relief of John Mitchell; and

A bill (S. 2418) for the relief of Thomas H. Barrett; to the Committee on Military Affairs.

A bill (S. 2419) for the relief of C. E. Moore;

A bill (S. 2420) for the relief of David H. Lewis; and

A bill (S. 2421) for the relief of W. H. De Long; to the Committee on Post-Offices and Post-Roads.

A bill (S. 2422) for the relief of William H. Sparrow (with the accompanying papers);

A bill (S. 2423) for the relief of registers and former registers of the United States land offices (with the accompanying papers);

A bill (S. 2424) for the relief of Edward Duffin (with the accompanying papers);

A bill (S. 2425) for the relief of Mrs. William C. O'Brien (with the accompanying papers);

A bill (S. 2426) for the relief of Daniel M. Frost; and

A bill (S. 2427) for the relief of Daniel W. Boutwell; to the Committee on Claims.

A bill (S. 2428) for the erection of a monument to the memory of Brig. Gen. James Shields in St. Mary's Cemetery, Carrollton, Mo.; to the Committee on the Library.

A bill (S. 2429) for the relief of the estate of James Mitchell, deceased; to the Committee on Finance.

A bill (S. 2430) for the relief of the heirs of John W. West, deceased; to the Committee on Indian Affairs.

By Mr. PAYNTER:

A bill (S. 2431) for the relief of the estate of John Wesley Eubanks, deceased; and

A bill (S. 2432) to carry into effect the findings of the Court of Claims in the claim of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased; to the Committee on Claims.

By Mr. HEYBURN:

A bill (S. 2433) to authorize the Idaho and Washington Northern Railroad to construct a bridge across the Pend D'Oreille River in the State of Washington; to the Committee on Commerce.

By Mr. DANIEL:

A bill (S. 2434) for the relief of the heirs of Samuel Tucker, deceased (with the accompanying papers); to the Committee on Claims.

AMENDMENTS TO THE TARIFF BILL.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. BRADLEY submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar will be taken up.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BURROWS. Mr. President, evidently there is not a quorum present.

The VICE-PRESIDENT. The Senator from Michigan suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Heyburn	Piles
Bankhead	Cullom	Hughes	Rayner
Beveridge	Cummins	Johnston, Ala.	Root
Borah	Curtis	Jones	Scott
Bradley	Dick	Kean	Smith, Mich.
Briggs	Dolliver	La Follette	Smith, S. C.
Bristow	du Pont	Lodge	Smoot
Brown	Fletcher	McCumber	Stephenson
Burkett	Foster	Martin	Stone
Burnham	Frazier	Money	Sutherland
Burrows	Frye	Nelson	Taylor
Burton	Gallinger	Oliver	Tillman
Chamberlain	Gamble	Overman	Warner
Clapp	Gore	Page	Warren
Clark, Wyo.	Guggenheim	Penrose	Wetmore
Clay	Hale	Perkins	

The VICE-PRESIDENT. Sixty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. RAYNER. My colleague [Mr. SMITH of Maryland], who is paired with the junior Senator from Massachusetts [Mr. CRANE], is necessarily absent to-day engaged in dedicating an institution in the State of Maryland for the relief and cure of

patients suffering with tubercular troubles. He is at the head of this praiseworthy undertaking.

OCCUPATIONS AND THEIR RELATION TO THE TARIFF.

Mr. CULBERSON. Mr. President, several days ago I asked unanimous consent to have printed as a Senate document (S. Doc. No. 46) an article entitled "Occupations and their relation to the tariff," by Edward Atkinson, in February, 1903. The Senator from Rhode Island [Mr. ALDRICH] objected at that time to the resolution; but I understand he has no objection now to its further consideration, and I ask that it be adopted.

The VICE-PRESIDENT. Is there objection to the consideration of Senate resolution No. 43, previously submitted by the Senator from Texas?

There being no objection, the resolution was agreed to, as follows:

Senate resolution 43.

Resolved, That there be printed as a document an article by the late Edward Atkinson, contained in The Quarterly Journal of Economics for the month of February, 1903, pages 280 to 292.

PROPOSED INVESTIGATION BY FINANCE COMMITTEE.

Mr. GORE. Mr. President, I desire to offer a resolution, for which I ask immediate consideration.

The resolution (S. Res. 45) was read, as follows:

Senate resolution 45.

Whereas it has been repeatedly asserted and generally admitted in the Senate during the debate on the pending tariff bill that current prices in the United States are unreasonable and exorbitant; and

Whereas there is a radical and irreconcilable division of opinion as to who is responsible for these extortionate prices; and

Whereas there are those who believe that the manufacturers are primarily responsible and others who believe that the wholesale and retail dealers are responsible; and

Whereas it is important that the truth should be known, that the innocent should be vindicated and the guilty alone charged with the blame and responsibility: Now, therefore, be it

Resolved by the Senate of the United States, That the Committee on Finance, or any subcommittee thereof, consisting of representatives of both political parties, are hereby instructed to investigate and report to the Senate at the earliest possible date—

First. The import prices of various articles of general and ordinary consumption.

Second. The wholesale prices of said articles.

Third. The retail prices of said articles.

Fourth. The prices of similar articles of domestic production, as fixed, charged, and received by the manufacturers thereof and the wholesale and retail dealers therein. And be it further

Resolved, That the said committee or subcommittee is hereby empowered to subpœna witnesses, administer oaths, compel the production of books and papers, and do all other acts and things necessary to carry this resolution into effect.

Mr. HALE. I move that the resolution be referred to the Committee on Finance.

Mr. CULBERSON. Will the Senator pardon a suggestion? I invite his attention to the fact that this resolution raises a very important question, which has been discussed in the Senate, and that it is particularly important that these facts be obtained before the conclusion of this debate.

Mr. HALE. The resolution does not give the Committee on Finance any power that it has not now. It can investigate and report, so far as time is given to the committee, upon every subject-matter, and there is nothing gained by stepping in on any particular subject that arises by discussion on the floor and calling for special action and investigation by the committee. The subject as to where the burden of the imposition of tariff duties falls is at the bottom of the entire question, and no new duties are devolved upon the committee by passing this resolution.

I can say to the Senator from Texas and to the Senator who introduced the resolution that the committee has not forgotten this side of the subject. It will act upon not only the particular schedule on which the debate arose, but upon all the schedules. Calling for this special investigation by the committee will have no real result except, possibly, an embarrassment to the committee.

I think, Mr. President, I must insist on my motion that the resolution be referred to the Committee on Finance.

Mr. CULBERSON. The resolution not only invites the attention of the committee specifically and pointedly to this subject, but instructs it to make the investigation. Of course, the committee has general power, but the resolution goes beyond that. It particularizes this subject, and the importance of it at this time can not be overstated or overestimated. On the motion to refer, as against the proposition of the Senator from Oklahoma to adopt it, I ask for the yeas and nays.

The VICE-PRESIDENT. May the Chair suggest that the resolution requires the expenditure of money and must of necessity go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HALE. It had better be decided now by the Senate. I move to refer the resolution to the Committee on Finance.

The VICE-PRESIDENT. Upon the motion of the Senator from Maine, the Senator from Texas asks for the yeas and nays.

Mr. GORE. Mr. President, I desire to say that the Senator from Maine is eminently correct when he states that the resolution confers no additional power upon the Committee on Finance; but a power unused is equivalent to no power. There are a good many Senators in this Chamber who have some curiosity with respect to these prices, and, I might add, with reference to a great many other subjects that are important and indispensable to a rational decision upon many features and many schedules of the pending bill.

I am aware that the Committee on Finance has this power. I am equally aware that it has not exercised it, and I do not believe that it will exercise it. It is but just to the wholesale men and the retail men of this country that this investigation be made. Solemn Senators have gravely and deliberately impeached their fair dealings with their customers. It has been charged here that the retailers of this country have been perpetrating extortions upon their friends and their neighbors, for the customers of the retail men of this country are their neighbors and their friends, living within the limits of their cities or within their immediate communities. It has been deliberately charged that they have been filching and fleecing unreasonable prices from the men of their cities and their communities, whose interests are identical with their own, who are affected by the same droughts and the same floods, who are equally affected and afflicted by disasters of that sort. This impeachment has been deliberately made here in this presence.

Senators who are responsible for those charges are entitled to the greatest respect in the Senate, and they receive it. Their opinions are entitled to the greatest respect throughout this country. There are other Senators who disclaim that responsibility in behalf of the retailers and in behalf of the wholesale dealers of the country. There is no coward so great as he who fears to face the truth, and there is no cause so weak as that which is unwilling to stand upon the facts and upon the truth.

If the manufacturers are not responsible, they have a right to be exonerated. They have a right to be vindicated against the suspicion entertained against them. If the retail men are the wretches and the robbers they have been here depicted, then, sir, they ought to be sought out, and their guilt ought to be established beyond a reasonable doubt, and they should be held up to the wrath and the execration of their countrymen.

Now, one illustration in point. The junior Senator from West Virginia [Mr. SCOTT] has stated in this presence that glass pitchers which sell at the manufactory for 90 cents a dozen are retailed, I believe he said, for 25 cents apiece.

Mr. SCOTT. Mr. President, I must insist that the Senator shall not put words in my mouth. Three times I have stated on the floor of this Senate that I did not know what the pitchers sold for. The Senator from Iowa [Mr. CUMMINS] told me he priced them and that they were 25 cents. I hope that I will not have to make this statement again to the Senate.

Mr. GORE. He shall not, so far as I am concerned. I am glad to hear the Senator acquit himself of that responsibility. But I am informed by as reliable men as there are in the United States outside of the Senate that those pitchers retail for 15 cents apiece, and that in the 5-and-10-cent stores they can be bought at times for 10 cents apiece.

I have marked the rapture with which Senators on the other side, driven from pillar to post, driven from one sophistry to another, have taken refuge in this house of glass, and I hardly know whether I have been more amused or more amazed at the ecstacy, at the transports of delight, which they have exhibited when they found themselves surrounded by the protecting walls of that crystal palace. But I desire to remind Senators on the other side of the old adage that people who live in glass houses ought to change their clothes in the dark.

The Senator from California [Mr. FLINT] stated that Haviland china, which is bought at about $5 a set in France, and which costs—tariff, freight, and so forth—about $10 or $11, retails for $35, I think he said, in the stores of this city, and in the interior cities at from 20 to 30 per cent more. I have the highest regard for the Senator from California; but I am informed by two reliable merchants in this city, men who are as responsible as anybody outside of the Senate, that the proposition is preposterous, and if it ever happened in the history of the world somebody "underweighed sugar."

Responsible retail dealers tell me that the Haviland china which costs them $18 they retail for $25, and that Haviland china which costs them $20 they retail for $27.50. I confess myself largely indifferent to the duties on Haviland china. I have more concern about what is eaten from the ordinary plates

in this country and worn upon the backs of people who are unable to purchase Haviland china. But I say such an investigation as I propose is but fair to the interests of truth and justice, no matter where the responsibility belongs. Senators who think the retailers are to blame ought to be willing to have the investigation. Others who believe they are innocent and who think that the manufacturers are responsible certainly want the investigation.

I ask for the yeas and nays, because I look upon the Finance Committee as a tomb. If the resolution goes to that committee, I admonish the Senate now, I admonish the country, and I admonish the retail and wholesale men of the country, that they are not to have their day in court, for their accusers are unwilling for them to have an opportunity for vindication, even at the hands of their accusers, for their accusers would be both judges, jurors, and, it would seem, witnesses in the same case. But I ask, in the name of justice and in the name of truth, that the resolution be not buried alive, for the Finance Committee is a cemetery, and on the tomb of the resolution I see that brief and significant epitaph, "Hic jacet," which, I believe, means "Here it lies," and lies forever.

I ask for the yeas and nays on the motion to refer the resolution.

Mr. HALE. Mr. President, I think we had better have the yeas and nays. I simply wish to say that the Senator has built up his man of straw to assail. He is responsible for the use of the words "conspiracy" and "robbery," as applied to the retail dealer.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Oklahoma?

Mr. HALE. I do not propose to take any of the Senate's time.

The VICE-PRESIDENT. The Senator from Maine prefers not to yield.

Mr. HALE. Nobody has arraigned the retailers as being in a conspiracy or as being robbers or as deserving of execration and reproach. But it has been claimed, and it will be discussed—it may be hereafter—that the course of trade is such that when a cheap article is put upon the market of the country by the manufacturers, the stages it passes through before it reaches the consumer from the wholesale dealer, the jobber, and the retailer enhance the price, in some cases more and in some cases less. But there has been no attempt to set up the claim that the retail dealer in the country anywhere is deserving of reproach as a man who is robbing the people. The prices that he asks are a part of the system of the trade, by which every article passes through one hand and then another, and in each case the price is enhanced.

All that I, or that any Senator who spoke of it, sought to claim was that the rate fixed by the tariff upon the manufacturer had little to do with the price the consumer pays at his own door. That is not a new proposition. It is an old question.

I am entirely willing, and hope that the yeas and nays will be ordered.

Mr. CLAPP. Mr. President, I do not myself think that a distinctive protective tariff, as distinguished from a revenue tariff, is necessarily added, as I undertook to show the other day. I do regret that in this debate a single pane of glass has been brought in here, and the difference between what that pane of glass would cost and the price at which it is sold characterized as profit, and the retailer charged with that exorbitant profit.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Will the Senator from Minnesota yield to the Senator from Utah?

Mr. CLAPP. Certainly.

Mr. SMOOT. I have not charged the retailer with any exorbitant profit any more than I charged the jobber. It is the different stages of handling the goods from the time they leave the manufacturer's hands until they reach the consumer. There may be one, two, or three handlings by jobbers and then one, two, or three from the jobber to the retailer. It is the whole system of trade that I spoke of in relation to the price of glass.

Mr. CLAPP. What I was speaking of, Mr. President, is the unfairness—not intentional perhaps—of characterizing the difference in cost to the retailer on what he sells as a profit, when out of that increased difference in price must come the share of the entire expense of the business.

Mr. President, I not only think we ought to have this information for our own use, but I believe that, unintentionally perhaps, an injustice has been done the retailers of this country.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from California?

Mr. CLAPP. With pleasure.

Mr. FLINT. The Senator looks around to me when he speaks of injustice being done to the retailer. As far as any statement I have made in reference to the retailer is concerned, I reiterate it—I think no injustice has been done the retailer. In my opinion, the retailers of this country are making exorbitant profits. Many of the retailers who have been making exorbitant profits have taken pains to circulate the report that the high prices are caused by the protective tariff. This is not a fact. I think many of these articles that have appeared in the public press have been inspired by department stores. The effect of the articles has been to call attention to the fact that they are making extravagant and exorbitant profits out of their business. I want to repeat and reiterate what I have said on this subject.

Mr. CLAPP. Mr. President, I have not been able during this controversy to see where any necessity existed in the defense of a protective tariff to thus characterize the profits of the retail dealer. The retailers feel that this has been——

Mr. FLINT. If the Senator will allow me a moment more——

The VICE-PRESIDENT. Does the Senator from Minnesota yield further?

Mr. CLAPP. With pleasure.

Mr. FLINT. I say that the retailers in this country have taken pains to circulate petitions in their stores asking that the duty on this article or that article be reduced on the ground that the tariff upon the article made the high cost to the consumer. I want to say that in each instance where they have sent in these petitions the tariff is not a factor in fixing the price, but it is the exorbitant price charged by the retailer, and a reduction in the duty would not reduce the price charged by the department stores and other retail stores throughout the country.

Mr. CLAPP. Mr. President, I received yesterday a petition purporting to be signed by a man in the West and it was mailed to me from Wall street. There is no doubt that some retailers have been, unwittingly perhaps, the instrumentality of circulating petitions, but the fact remains that there are thousands of retailers in this country who barely make a living from one end of the year to the other, and to-day they have to face their people and their trade with this charge, if I may characterize it as a charge, emanating from the American Senate, that they are putting an extortionate price upon their goods. I have a letter——

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CLAPP. Certainly.

Mr. ALDRICH. Does the Senator think the Finance Committee can take up this investigation at this moment and proceed with it?

Mr. CLAPP. I think probably the Finance Committee has a great deal of data, and that in a very short time it could be laid before the Senate and before the American public.

Mr. ALDRICH. They have no data upon the subject at all, except such as is in the minds of the members of the committee. It seems to me it would not be the desire of the Senate to impose any new duties on the Finance Committee at the present time; that is, if we are ever going to get through with the bill.

Mr. CLAPP. Not anticipating a resolution of this kind, I began an investigation upon my own responsibility as to glass.

Mr. ALDRICH. Will the Senator permit me to make another observation?

Mr. CLAPP. Certainly.

Mr. ALDRICH. The tendency of the resolution and its consideration are against the order of the Senate, but I would be very glad to get it out of the way if I can. We have spent a great deal of time in the last two days in discussing extraneous matters, and I am extremely anxious, if possible, to get the Senate down to the consideration of the paragraphs of the bill.

Mr. CLAPP. Having taken up this investigation on my own responsibility and proceeded with it to some extent in the glass matter, I want to submit and have inserted in the RECORD a statement of one of the reputable glass dealers in this city, to the effect that while it may be true that a particular kind of glass bought in one piece might bring 15 or 20 or 25 cents, of the common, cheap window glass that is used in the ordinary plain house a single light can be bought in this city for 8 cents, and in any sufficient quantity to complete a small home as low as 3.6 cents. I ask to have the letter inserted in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered. The Chair hears no objection.

The letter referred to is as follows:

WASHINGTON, D. C., *May 14, 1909.*

Hon. MOSES E. CLAPP,
United States Senate, Washington, D. C.

DEAR SIR: I notice in CONGRESSIONAL RECORD proceedings in the Senate of the United States, Monday, May 3, 1909, on page 2029, something said there by Senator SMOOT as to the cost and also as to selling price of a pane of glass 12 by 14 inches.

There are different qualities of glass; common window glass has four qualities; picture glass has a higher grade than any one of the common window glass grades, therefore it is difficult to determine as to the kind of glass called for by the appraiser who had been wired to by Senator SMOOT.

A light of common window glass, third quality, 12 by 14 inches, can be purchased by me in carload lots, delivered on tracks in Washington, D. C., at a cost of 2.9 cents per light for single thick. If I buy the same light of glass from the jobber, it will cost me in hundred-box lots or less, landed down on the platform of any railroad entering Washington, single thick, 3.4 cents per light. A single light of this glass called for by a customer desiring to purchase will be charged 8 cents for it. The time consumed by a clerk taking this light of glass out of stock to his counter, wrapping it up and giving the cost of string, would be considerable, and if that clerk and other clerks in the same business house continued through the day to sell single lights of glass at the indicated profit the house would be calling for proceedings in bankruptcy before many years. Whilst if this same customer desired a sufficient number of lights to glaze in windows in a 6-room house, he can have the same light of glass in sufficient quantities to complete his house, delivered at the building site, at 25 per cent more than the manufacturer's price, that is to say, that the light of glass costing me on tracks here 2.9 cents will be delivered by me to the purchaser at the building site for 3.6 cents per light, and it is quite possible if the customer is shrewd, gets an estimate of cost from two or more dealers in Washington, that he will purchase the glass necessary for his home at less than 25 per cent over and above the manufacturer's delivered price to me or them on tracks in Washington.

Yours, very respectfully,

THOS. W. SMITH,
First and Indiana Avenue NW.

Mr. WARREN. Mr. President, it seems to me there is a good deal of room between the two extremes of statement, that the retailer makes little or no profit, and that the retailer makes an exorbitant profit. There is a large field of expense and a great many items of expense that are perfectly natural on the part of the wholesaler and on the part of the retailer in passing merchandise on from manufacturer to consumer.

Take the matter of glass, for instance. In the first place, it requires expensive packages in which to ship it. It meets heavy freight charges. It requires labor in unpacking, cleaning, and placing upon the shelves; and there is a large percentage of breakage in glassware and crockery between the point of shipment and their place upon the shelves of the merchant.

The manufacturer and the jobber can afford to handle goods upon a small margin, because they turn over their stock of material or goods often; because they can do business in much cheaper buildings, in more obscure streets if in cities or towns, or in the country, as is often the case in manufacturing. On the other hand, the retail trader is at a tremendous expense and many and varied risks. The purchasing public, in quest of some little article—or large one, for that matter—usually goes to the place which is in the most popular location and is making the greatest exhibit. They demand that they may go on the most fashionable and most frequented of the business streets, preferably into corner stores; that the storerooms shall be brilliantly lighted and magnificent in all detail; that there must be plenty of clerks, men or women, or both; that these clerks must be well groomed and attractive in appearance, and affable and engaging in manner. In fact, the retail purchaser usually loves to buy of the most luxurious establishment in the town. This is not quite so marked in grocery stores, markets, and so forth, but it is true in a measure, nevertheless, as to every place where merchandise is sold at retail. The customer may be more careful in buying groceries, and so forth, which are everyday purchases, but if he wants a bit of glassware or crockery, some trinket or gift, a piece of jewelry—or if a lady wishes some article of wearing apparel, or, for that matter, I might include the gentlemen as well—they are bound to go to the so-called "fashionable shops." They want what they want just at that particular time, and they want to get it at that particular place, and they want it to bear that shop's trademark, so that they may be able to say afterwards that the article was purchased at so-and-so's store, naming the most fashionable retail establishment in the vicinity, and it does not so much matter about the price.

I had some experience in early life in mercantile matters. I have often figured over the books and balance sheets of concerns where the store expenses outside of packing and transportation charges—simply the ordinary running expenses of the store—took from 25 to 33⅓ per cent of the entire amount of money taken in. And these concerns were not the great fashionable shops in large cities, where the insurance is considerable, the rent enormous, and the advertising equally so.

So the retail price of goods depends, first, upon the number of people or firms who may have to handle the goods and through whose hands they pass before reaching the retailer, and also at what point and under what circumstances they may be sold. It depends, again, upon the relative cost of the naked article and the package charges, the weight and freight charges, the risk in breakage or leakage or damage in shipping, and so forth. I have seen freight bills paid upon merchandise that amounted to 100 to 300 per cent upon the original cost at the manufactory; and while this increase, added to the other expenses upon the goods en route, through sales, and so forth, to the consumer, made the total increase perhaps 500 per cent or more, still none could be accused of having made an exorbitant profit. It is a wide field, and one that ought to be well understood without the necessity of making any special examination. What some trinket or article not in ordinary use—or even in ordinary use—may bring when sold in some fancy, illuminated, and bedecked, centrally located shop or establishment has nothing to do, legitimately, with the first cost at the manufactory, or, for that matter, with the price paid the jobber.

Mr. BORAH. Mr. President, I ask that the resolution be read again. We were not able to hear the resolution in this part of the Chamber.

Mr. ALDRICH. I think I will object to the further consideration of the resolution.

The VICE-PRESIDENT. The Senator from Rhode Island objects to further consideration at this time. The resolution goes over under the objection until to-morrow.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. JOHNSTON of Alabama. Mr. President, I congratulate myself that I am not so new in the Senate as not to attract your attention, and I am not so old in my seat as to be apprehensive about vacating it soon.

The bill that we have up for consideration reminds me of the second commandment. There is nothing like it in the heavens above or in the earth beneath or in the waters under the earth. I think that when it becomes a law, as it is predestined to become, there will be none to fall down and worship it except the idiots, the insane, and the protected manufacturers.

My friend the junior Senator from Mississippi [Mr. MCLAURIN] yesterday attempted to improve it by introducing some plebeian articles on the free list—plows, belly bands, trace chains, and so forth—and I think he had no apprehension of the aristocratic company that they were to keep.

Having waded through 192 pages of this bill, I struck the free list, and the thirteenth item that appeared on this privileged class was "apatite." A little further on, I found that teeth, natural or unmanufactured, were let in free, I suppose to wait upon apatite and do its perfect work. I thought these were the cruelest things in the whole bill; that after putting a duty of 5 cents a pound on hams and bacon and about 40 per cent on nearly every article necessary to sustain life, the framers of the bill should turn loose free appetites and free teeth. Distrusting the apparent error in spelling the word, I finally consulted the dictionary, and found that the word "apatite" was not the good old-fashioned craving for something to eat, which seems to be constantly increasing under Republican administration, but was a "vitreous, sea-green, brown, blue-black, white," and so forth, "transparent to opaque, calcium chlorophosphate or fluophosphate ($Ca_5FP_3O_{12}$), usually crystallizing in hexagonal prisms; used formerly as a gem and called 'moroxite;'" and that this word was derived from the Greek "apate," which meant "deceit." That is a good word to put in this bill. I was greatly relieved. I knew how the people must crave for this deceitful gem and how little use they had for a good, old-fashioned English appetite. They will not have the least use for either natural or artificial teeth if this exorbitant protective tariff continues to increase and the trusts to multiply.

Pursuing my studies further, I discovered in this free list catgut, whip gut, or worm gut. I was not amazed that the human article was not included, because we shall be able to diminish the number we need as the duties increase. [Laughter.] But the people are not left entirely without hope, for there is included in the free list manna, joss sticks, ipecac, nux vomica, dragon's blood, asafetida, and balm of gilead. These may be said to be in the nature of countervailing duties on apatite. I do not object to any of them, but there is one still further on which I shall move to strike out; that is leeches. [Laughter.] I think there will be a great increase in their production under this bill, and that the supply will largely exceed the demand. Spunk is also put on the free list.

I am delighted at that, for if some of my friends on the other side of this Chamber had a little more of it, I am satisfied that the country would have lower taxes on the necessaries of life.

Looking further into this admirable free list, I find raw silk free—the duty on the manufactured article is 50 per cent—whilst a duty of nearly 125 per cent is laid on woolen or worsted cloths valued at not more than 40 cents per yard, an article largely in use by a vast number of the people of this country. So that when a woman buys 10 yards of cloth for a worsted dress, worth $4 abroad, she has to confront a protective duty or tax of 135 per cent and contribute $5.40 to a benevolent government or a protected manufacturer, making the cloth cost her $9.40; at the same time her more favored sister gets her 10 yards of silk by paying a duty of only $5. Uncut diamonds come in free, and the cheapest blankets are taxed 107 per cent. Imitation diamonds and pearls are 20 per cent. Not many of our people are able to buy the genuine article, and if they adorn themselves with imitations, they are charged heavily for it. Furs, undressed, are admitted free of duty and Brussels carpets taxed at 75 per cent. Rags are wisely put on the free list and common shawls bear a duty of 92 per cent. It must be a great comfort to our people to know that under Republican rule they still may get rags without paying a cent of tribute to the Government or to any trust or manufacturer. The women of the country will be delighted to know that whilst frocks are high and stockings are going up, rags are coming down. [Laughter.] Next year, whether we see them or not, I expect there will be as many darned stockings as there will be damns for this bill.

I want, Mr. President, to call attention to this pregnant fact, that not only has no substantial change been made in this bill looking to a reduction of the taxes upon articles of necessity, but it is observable that in a great many cases the duties are lower on the finer and more expensive grades, especially of woolen or worsted goods, than on the cheaper. It will be perceived that those valued at not over 40 cents per pound bear a duty of 134 per cent, whilst those valued at over 70 cents per pound are taxed at 94 per cent. So with blankets. Those valued at 40 cents per pound are taxed at 107 per cent, whilst those valued in excess of 50 cents per pound are taxed at 71 per cent. The same thing appears in paragraph 376 on dress goods. Those valued at not exceeding 15 cents per square yard are taxed at 105 per cent, and, when they are valued at above 70 cents, at 94 per cent. Oriental carpets woven whole for rooms, paragraph 387, bear a duty of 60 per cent, whilst ingrain three-ply carpets are taxed at 66 per cent. Champagne bears a duty of 65 per cent and wearing apparel of 86 per cent.

So it is cheaper to drink champagne than to wear clothes. So with hats and bonnets, those costing not over $5 per dozen are taxed at 62 per cent, and those valued at more than $20 per dozen at 35 per cent. Whenever we buy a yard of foreign cloth we patriotically pay the duty to the Government; when we buy the homemade article we pay the duty all the same to the manufacturer, but with less pleasure and patriotism.

Whether or not there has been a compliance with the platform of the Republican party, or the recommendation of the President, or the expectations of the country, I will undertake to say of the 14 schedules of the bill containing some thousands of articles, that in 9 of these the duties have been raised, 2 remain the same as in the Dingley Act, and in 3 only is there an apparent reduction; and the honorable chairman of the committee advises us that—

> The changes we propose to make in the administration act include (1) new definitions of dutiable value and new methods in its proper ascertainment, (2) more efficient collection machinery, and (3) a provision for the creation of a customs court to insure uniformity of decisions in customs cases. The provisions suggested will, in the opinion of the committee, result in the collection of a certain percentage more revenue in the importation of the same articles than was collected under the act of 1897—

And adds that—

> The extent of the undervaluations practiced under existing law is variously estimated at from 10 to 25 per cent of the revenue collection.

So, if the chairman and the committee are right, there will be, under this bill, from 10 to 25 per cent more added to the duties and revenues of the Dingley Act. From being standpatters some five years ago, the Republican leaders were driven last year to a declaration for revision. If the revision was not to be downward, why abandon their former position? Was it to deceive the voters of the country or to mislead their nominee for President? For he stated in his inaugural that "we should make the taxation as light as possible." The argument during the campaign was made everywhere that we were to have a revision downward; that it should be had, but it ought to be made by the friends of protection and not its enemies. It was conceded that the Democrats would revise downward largely, especially on the necessaries of life, and the Republican position was that this would bring on numerous disasters. Now, when the bill is brought into this Chamber, it is a complete disappointment to all those who hoped for a reduction of duties; and when the administrative features are added, it will be distinctly more oppressive than the Dingley Act. The reduction is upward. We ridiculed the standpatters; we prayed to be delivered from them; but we had fared better at their hands, and now they begin to have a more amiable appearance. The letter of the platform may have been kept, but the spirit and the understanding of it by the people is crucified.

One good thing will result—the people will become convinced that they can not rely upon those now making the laws, and, despairing of securing any revision downward by the friends of protection, they will turn to the friends of the people.

Is it possible that the eloquent Senators from Iowa or the wise Senator from Wisconsin, and other Senators of great ability, were deceived last year when, in supporting the Republican ticket, they advised the voters that the platform meant revision downward? Did anyone contradict them then? If not, why not?

Republicans are amusing themselves by charging that Democrats are leaning to protection because they desire to see the products of their States treated fairly. When we find ourselves confronted with a bill framed on protective lines, we want to see it made equal and fair in its operation upon all sections of the country. We do not want a protective tariff for one section and free trade for another. That would not only compel the people of one section to pay their share of the burdens of government, but at the same time compel them to pay tribute to another section. So far as I have observed, not a single Democrat has advocated protection for a single article; and in no case, so far as I have observed, has a proposal been made to impose a revenue duty greater than 20 per cent, whilst the average rate under this bill is nearly 45 per cent. Reductions have been made in this bill in only three schedules; and it is noticeable that two of these include articles largely produced in the South, and in the other the reduction is less than 1 per cent.

Protection has enough sins to answer for without adding to them unfair discrimination.

Mr. President, I shall not by my vote add one protective infant to this chosen band, whose interests and profits are to be secured through congressional legislation by laying burdens upon the shoulders of the people of the whole country. I do not wish to see another industry relying upon laws and not upon its own skill and industry for profits. To do so is to strengthen the confederation who already seem able to dictate schedules and to measure the extent of their exactions. The pirates of Tarifa took all; but these men, wiser in their generation, permit the victims to live and work, so that they may be plucked again.

I am persuaded that every article imported into this country not controlled by a trust, should bear its fair and equal share in furnishing the revenues necessary for the expenditures of the Government. The chairman of the committee frankly informs us that if we reduce the rates imposed by the bill to a revenue basis, it means an absolute increase of revenue, rather than a reduction, and that the only way the revenue can be reduced substantially is either by adding to the prohibitory duties or by placing articles on the free list; and this is the answer of the Senator to the President's statement "That in the making of a tariff bill the prime motive is taxation, thereby securing a revenue." The Senator seems to think a reduction of taxes the least desirable of the three.

The Senator seems to be confident that this bill will supply the necessary revenue. Others, amongst them myself, have grave doubts; but the Senator seems willing to incur the risk and to supply the deficiency of revenue, in a time of profound peace and Republican prosperity, by an issue of bonds, rather than increase the revenue by a reduction of duty, even on articles of common use and necessity. He assumes that the receipts derived from the internal revenue will remain the same in the face of the Treasury report that they have declined $6,000,000 during the present fiscal year, and, it seems to me, they must continue to decline more largely under the constantly increasing prohibition laws of the several States.

We are indebted to the honorable Senator for some very frank expressions. He says the fact that Congress appropriated less than the estimates of the departments does not relieve it from responsibility for its "unprecedented extravagance," and that no excuse can be found for similar legislation in the future. Again, he speaks of the "inconsiderate waste of the public money." He says that from an investigation, more or less superficial, the appropriations made last year could have been reduced fifty millions "without impairing the efficiency of the Government." He concludes his interesting confession that, if

the revenues are less than anticipated, it is the imperative duty of Congress to reduce expenditures, the last resort of Republican extremity.

Now, Mr. President, this is a good, wholesome, honest confession. But confessions have no virtue unless they are accompanied by repentance and sometimes by restitution. According to the Senator's admission, it shows that in so far as the people of my own State are concerned, that his party took from them in extravagant and unnecessary appropriations more than $1,000,000, and all the other States fare equally as bad. What a pity that the Senator did not make these discoveries when the appropriation bills were before us. Where was Roderick then? One blast upon his bugle here was worth $50,000,000. I believe every one of these appropriation bills was increased in the Senate over the House appropriations, and yet if the Senator had thrown his great weight and influence against them we should have reduced the extravagant appropriations of the House instead of enlarging them. We can congratulate the Senator that it is better to repent now than never to repent at all. Whether this repentance shall stand the rude current of the next appropriation bills remains yet to be seen.

The Senator reminds me of an old man down in my State, who, desiring to break a steer, concluded that the best plan was to yoke himself up with the steer. He lived near a courthouse town. After he had yoked himself up, the steer ran away with him, and he had to keep a rapid pace in order to prevent his head from being pulled off by the yoke that he was wearing. Finally, they got into the court-house town; the steer ran him around the square, and he yelled out to the bystanders: "Won't somebody stop us durned fools quick?" [Laughter.] So it is with these appropriations.

Mr. President, the chairman of the Finance Committee says that he expects this bill to produce three hundred and forty-five millions of revenue for 1910.

I read last year in the American Economist an article, as I remember, from Mr. Van Cleave, president of Manufacturers' Association, stating that for every dollar paid into the Treasury under the Dingley bill, $3 were contributed to the manufacturers. If that be true, then the people of the United States, the producers and other classes, will have to pay, in order to raise this three hundred and forty-five millions for the Government, over one thousand millions to the protected manufacturers, a burden of over $10 for each man, woman, and child in this country, and a sum nearly equal to one-third of all the money in the United States. The Senator from Iowa [Mr. CUMMINS] is reported to have said that—

> All the robberies committed by all the insurance companies, for all time, did not equal one-fifth of the amount that the American people were robbed of every year under the protective-tariff system.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Alabama yield to the Senator from Iowa?

Mr. JOHNSTON of Alabama. Certainly.

Mr. CUMMINS. I beg to say that the quotation which the Senator has just attempted to give is not accurate. I know that it is somewhat current about the Capitol, but I should like the Senator to examine the speech from which that is supposed to have been taken and at some future time give the extract exactly as I gave it myself.

Mr. JOHNSTON of Alabama. I will be very glad to furnish the Senator with the authority I have.

I am very glad, Mr. President, that we have no statistics which show how much is collected from the people and not paid into the Treasury, but to manufacturers under the operations of this tariff, because I remember that Lord Beaconsfield said there were three kinds of liars—a liar, a "durned" liar, and statistics. So I prefer that we shall leave this estimate to Senators to judge by their own experience and observation.

If the people were called upon to vote a direct tax of $1,000,000,000, or even half that amount, to give a fair and reasonable profit to the manufacturers, I imagine that such a measure would receive support from that class alone; but because this tax is indirectly taken the people continue to suffer it to be laid.

It is claimed in behalf of this policy that it is better for the people to pay these exorbitant and unnecessary prices, for the money is kept at home. I doubt whether any citizen of this country derives very much consolation from knowing that the money of which he has been robbed is still in the country. For myself, I rather think that I should resent more keenly being robbed by my neighbor than by a foreigner.

I think there is no Senator on this floor who advocates free trade. We have to raise an enormous revenue to meet the "unprecedented extravagance" of our appropriations, and we are practically agreed that this money should come largely from duties laid on imports. A revenue tariff impartially laid on all articles of import, excluding coffee and tea, to support the Government with the higher rate on the luxuries would require a duty of about 25 or 30 per cent and give our manufacturers an advantage of that per cent over foreign producers; certainly more than the difference between cost of labor at home and abroad, because the table presented by the Senator from Texas [Mr. CULBERSON] yesterday showed that the whole cost of labor in the manufactured products of the United States was not exceeding 18 per cent of the cost of the article. I find no authority in the Constitution or in common justice for the Congress to take money from one class in order that another may make a profit.

No one proposes that the farmer, the miner, or the merchant, or those engaged in the professions shall be guaranteed by the Government a fair return on his labor, skill, or investment. The manufacturers alone enjoy this bounty. How long shall this one class be guaranteed by law a profit, whilst all other classes must labor and sweat and take the precarious chances of seasons and markets aided by no other laws than those of nature and trade?

After fifty years of protection these manufacturers are still clamoring for more protection and, in many cases, selling their products cheaper abroad than at home. The home market and the home people footing the bills are not favored by them. The corridors of the Capitol are besieged by them; the offices and the mail of Senators are filled to overflowing by their appeals, every one with one voice and one mind demanding higher rates, or that no reduction be made in the most protective bill ever framed. They are now demanding as a right what they formerly sought as a favor. The men who foot the bills are not seen in these corridors. They are at work at home; they are unable to bear the expense of a visit to Washington. Their voices are not heard, or if heard, I fear are unheeded.

The Senator from Maryland [Mr. RAYNER] seems to think that an interest in the tariff makes a man careless with his facts. I think that even the contemplation of it and the statistics and arguments furnished in its behalf tends to give a man intellectual strabismus. I feel that it is something like the Presbyterian elder who was whipping his child for misstating the facts about the cost of production or the cost of appropriating a watermelon, and he asked him, in the course of his correction, what the Bible said about liars. The boy disclaimed knowing; but as the switch came down with greater vigor he finally decided that he knew, and said, "I know what it is," and his father said, "What is it?" The boy said, "A liar is an abomination in the sight of the Lord, but a very present help in time of trouble." [Laughter.] Certainly this is a time of trouble for the manufacturer.

The imposition of any tax can be justified only by its necessity; and when the tax is not taken for the support of the legitimate purposes of government, it is oppression. However small the tax upon the individual, in most cases it means self-denial; often it takes the book out of the child's hand and denies him education, and in a vast majority of cases it means a complete bar to all the luxuries of life enjoyed by the favored few.

Government is not the creator of wealth and can not give to the few without taking from the many.

Our fathers established this Government to enjoy political freedom, religious liberty, and to secure to all its people equality of opportunities and burdens. I well remember when but one man in all this great and happy country was reported as worth a million dollars, yet we lived to see the day when great fortunes are numbered by the thousands, while millions are toiling for the necessaries of life and bearing an unequal share of the burdens of government.

It is time for us to take thought of the men to whom this country must look to sustain its honor, defend its territory, and assert its liberties in time of peril.

Mr. President, recently I picked up an old book; the title was "The Gentleman's Magazine or Monthly Intelligencer," printed at St. John's Gate, London, by F. Jeffries, in the year 1733, third volume, and on pages 86 and 127 I find this.

At a certain time, along about the Middle Ages, a most interesting episode occurred in the career of the senate of Florence. A coterie of senators was seeking to impose upon the people an exceptionally burdensome tax. There was one who protested in behalf of the people—Gulielmo Peggio. This is what he said in a speech to the senate:

> Most magnificent lords, some noble Florentines have given me to understand that our whole business of meeting here is to drain the people by taxes and imposts, in order to swell the pride and fill the coffers of some private families among ourselves. With this extraordinary taxation you propose to create more offices; offices which have the appearance of use, yet one man with common sense might do the business which five or six favorite drones have large appointments to execute. What an alteration have these things occasioned! The spirit of the people seems fled with their money extorted from them by taxation, and they humbly and meanly wait at the doors of these upstarts, to be directed in the choice of magistrates, and only to have thrown back to them a scrap of the bread which was taken from them in taxes.
>
> Should I be asked if I would let the State suffer for want of a present revenue, I would answer, no. Let it be raised from those who are able to spare it. * * *
>
> I prefer this method to permitting them to remain as they are, and accepting donations from them at certain times; because the latter would be a kind of acknowledgment that they were of some good use after all, which would be against my conscience.

That speech of Gulielmo Peggio in behalf of the people against their plunderers had its answer, but the answer was not made in the open senate, where the people could hear it. It was made by their chief of his party, the most cunning and astute of them all, made to his own faction, all others being excluded, because they, being in control of the government, regarded themselves as alone responsible for its conduct. This is what Furfante, the brilliant chief of finance of the Florence senate, said to his loyal associates:

> Most magnificent lords and noble companions, you have heard with what insolence Peggio inveighed the other day against those excellent customs which we have introduced in order to establish ourselves in wealth and greatness. His invectives I take as a level against me, which I receive as compliments to my superior genius, for I glory in being counted the man who first brought the art of fleecing the people into so great credit and reputation. I say without vanity that those very persons whom the disaffected, through envy, stigmatize with the names of usurers and plunderers owe their establishment and security to our indefatigable labors—labors by which the ingenious art of legerdemain is so improved in this city that if only 10 persons were set ashore in an uninhabited island with only one of us among them, if in a month's time he did not cheat the other 9 of all they had I would not own him to be one of us.
>
> Let the disaffected reproachfully remind us of the conduct of Camillus, Regulus, and Cincinnatus, who from conquest went back to the plow. Did any of them have as much money as any of us here present? * * *
>
> Let the wisdom of the head be theirs, and be ours the wisdom of the fingers. Our enemies seem to have found means to engage the affections of the giddy multitude, which might prove fatal to us did I not take care to tax the trade of this city. Meum and Tuum disturb this world. Stick together. Upon that depends our common safety. Never admit anything advanced by the disaffected, though never so evident; but if I should think it necessary to assert that 3 and 2 make 150, you must swear to it. Hear no reasons; but face them down.
>
> * * * Let us fleece on; the wool will grow again, for the flocks are made for the use of the shepherds.

This closed Furfante's speech, and his companions crowded around him and assured him he had spoken like an angel.

Mr. ALDRICH. Paragraph 119, I think, is next.

Mr. KEAN. One hundred and nineteen.

The SECRETARY. On page 33, paragraph 119, relative to beams, girders, joists, angles, channels, car-truck channels, T T, columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structual shapes of iron or steel.

The PRESIDING OFFICER. The committee amendment has already been agreed to.

Mr. ALDRICH. It has been.

Mr. CRAWFORD. In 119?

Mr. ALDRICH. I want to withdraw the amendment increasing the rate from three-tenths to four-tenths.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? He withdraws the amendment. There are two amendments, the clerk says. Which amendment does the Senator withdraw?

Mr. ALDRICH. The last amendment only.

Mr. CUMMINS. Do I understand both committee amendments have been agreed to?

Mr. ALDRICH. They were agreed to when we passed upon the schedule before; but I propose, by unanimous consent, to withdraw the amendment which increases the rate from three-tenths to four-tenths. I propose to return to the House rate of three-tenths.

Mr. CUMMINS. The committee does not intend to change the classification?

Mr. ALDRICH. No, sir. That is absolutely necessary for the protection of the business in this country.

Mr. BEVERIDGE. I understand what the committee proposes to do is merely to withdraw its amendment which increases the House rate from three-tenths to four-tenths. There is an increase of one-tenth.

Mr. ALDRICH. There is no increase.

Mr. BEVERIDGE. I say that is what the committee withdraws.

Mr. CUMMINS. I hope the Senate will not receive the impression that the withdrawal of the amendment in regard to the duty—that is, substituting three-tenths for four-tenths—restores this paragraph to the form or effect which it had when it passed the House. I would be wholly satisfied with that restoration, and it may be the reclassification contained in the committee amendment is necessary, although from the information I have—and that is contained in the hearings before the House—there seems to be no reason for such a duty. I think this clearly falls within the suggestion made yesterday that there should be some explanation for it.

It will be observed that in the House paragraph it is provided that these beams, girders, and so forth, "together with all other structural shapes of iron or steel, whether plain or punched, or fitted for use," shall pay three-tenths of 1 cent per pound. The Senate committee has recommended the striking out of the words "whether plain or punched, or fitted for use," and insertion of the words "but not assembled or manufactured or advanced beyond hammering, rolling, or casting."

I take it that the elimination of such forms from this paragraph will place them under the general paragraph, and that upon such forms there will be levied an ad valorem duty of 45 per cent; and this means a duty of substantially $14 a ton. If I am wrong about that, I will ask what will be the duty under the 45 per cent ad valorem?

Mr. ALDRICH. The foreign price of structural steel is about $20 a ton, and the duty would be 45 per cent, or $9 a ton.

Mr. NEWLANDS. It is impossible to hear the colloquy.

Mr. CUMMINS. I did not quite hear the Senator from Rhode Island.

The PRESIDING OFFICER. Senators can not be heard.

Mr. CUMMINS. Do I understand the statement of the Senator from Rhode Island to be that steel of this character is worth only $20 a ton abroad?

Mr. ALDRICH. What I said is that the foreign price of structural steel is about $20 per ton.

Mr. CUMMINS. That is not my recollection. If the foreign price is only $20 a ton, the duty is too high. But according to the information furnished by the committee, the foreign price as a whole was a cent and four-tenths per pound. That would make substantially $28 a ton.

Mr. BEVERIDGE. I rise to make a suggestion, in order to get the Senator's mind upon it. Would the Senator have any objection to the committee withdrawing the last part of its amendment, which substitutes the word "four-tenths" for "three-tenths," and then consider the other part of the amendment?

Mr. CUMMINS. Certainly not. I have no objection to that.

Mr. BEVERIDGE. The committee does withdraw that part, restoring it to three-tenths. The rest of it can be discussed, so that we may see where we are.

Mr. LODGE. That part has been withdrawn.

Mr. BEVERIDGE. That part has been withdrawn, so we may understand where we are.

Mr. CUMMINS. I understand we are discussing only what may be called the "classification," taking out some forms and putting them under the general law, which imposes upon them a duty of 45 per cent. I may be wrong, but I have every reason to believe that the general value of structural material is rather above than below $30 per ton; and if it is $30 per ton, then the ad valorem which would be put upon these forms that are thus excepted from this paragraph would be $14 per ton, instead of $6 a ton, upon the forms which remain in the paragraph, according to the committee's action this morning.

If that be true, I should like to know why these particular forms should bear a duty of $14 a ton, or something like that. I understand that structural steel passes from the rolling mill to what may be called the "punching mill," or the "fabricating mill," and the purpose here, I take it, is to entirely exclude the importation of structural steel that is advanced so far as to be ready for the riveting which may take place when it is used in the building for which it is proposed.

Mr. SMOOT. Mr. President, I wish to give the Senator the reason for the advance as a whole. Of late great buildings in the city of New York have been constructed with structural steel in this way.

Not only do the shipments come from foreign lands of what was formerly known as "structural steel," but they have gone so far of late as to come and take the measurement of a vast building—the window and door frames—and in foreign countries have it manufactured and shipped here and placed in the building, with no other work to do in this country than to bolt them together, and that is why we have changed the wording in the law to restrict that class of goods from coming in here at three-tenths of a cent per pound.

I know of a number of buildings in the city of New York that were constructed in the year 1907 and also in 1908 where every single bit of structural steel—I do not mean the girders, but I mean the window and door frames, and all of the iron

in the building—came in under paragraph 119, and would come in at three-tenths of a cent. The old rate was five-tenths, and it would come in under the new rate of three-tenths to-day, and the wording which the committee have reported here is for the purpose of taking that class of finished product and putting it under the law at 45 per cent.

Mr. CUMMINS. The purpose of the committee is perfectly obvious, and I for one do not complain of it; that is, the reclassification. I agree that the duty upon structural steel, which is advanced to the point suggested by the Senator from Utah, ought to be more than the duty on structural steel that has had nothing done upon it except the rolling. But, it seems to me, the duty is altogether too high; and inasmuch as the Senator from Utah has mentioned the importations under the old paragraph at five-tenths of a cent per pound, I beg to call the attention of the Senate to what has actually been done in this country with regard to structural steel.

We imported for the year ending June 30, 1907, 34,359,271.40 pounds. That means that we imported practically 17,000 tons of structural steel, a mere negligible quantity as compared to that which we have used. But that is not the point that I desire to impress upon the Senate

Mr. SMOOT. Mr. President——

Mr. CUMMINS. Just a moment. We exported during the same year of structural steel a quantity of the value of $6,954,818, and the value of our entire product in this country was $32,730,901. So that we exported nearly one-fifth of our entire manufacture, and imported about 17,000 tons.

Mr. SMOOT. The Senator must certainly understand that our importations were not of ordinary structural steel; it was the finished product, and the price itself demonstrates that. It cost $28 a ton, whereas ordinary structural steel does not cost any more than $20. So it is proved, beyond all question, that all the importations into this country were of the finished product.

Mr. CUMMINS. I have no reason to doubt that statement; but what I rose to do was to ask whether, having reduced now the duty upon the paragraph generally to three-tenths of a cent, instead of four-tenths, the committee still is of the opinion that we ought to have $14 a ton or 45 per cent ad valorem upon the other?

Mr. SMOOT. I have no doubt in the world that it is necessary upon the class of articles that would fall under this particular paragraph, because it is all a very high-finished product.

Mr. CUMMINS. I was not advised until just now that this particular amendment had been adopted. I thought the whole paragraph was open. Therefore I have not at hand the amendment which I had in mind to present. It seems to me this duty is too high; then I shall offer the amendment in the Senate.

Mr. NEWLANDS. I ask the Senator from Iowa if he is able to state the cost of the production of steel that has simply been rolled and has not yet been assembled or punched?

Mr. CUMMINS. Of course the assembling and the punching are two different operations.

Mr. NEWLANDS. Yes.

Mr. CUMMINS. As I understand it, the amendment of the committee excepts or withdraws from the operation of this paragraph any structural steel that has been advanced beyond merely casting or rolling.

Mr. CRAWFORD. I should like to make a suggestion.

Mr. CUMMINS. I do not hear the Senator from South Dakota.

Mr. NEWLANDS. The Senator will permit me to continue my inquiry until I am through?

Mr. CRAWFORD. Yes.

Mr. NEWLANDS. I desire to ascertain how he determines that if this paragraph stands as it is, with the new classification fixed by the Senate committee, it will mean a duty of $14 a ton on the finished structural steel?

Mr. CUMMINS. It would, if the structural steel was worth $20 a ton.

Mr. NEWLANDS. I had the impression it was worth much more.

Mr. SMOOT. Under the paragraph it is only three-tenths. Under paragraph 119 it is——

Mr. NEWLANDS. As I understand under this paragraph, with the withdrawal suggested this morning by the Senator from Rhode Island, the rate of the duty upon steel which has simply passed through the rolling mill and has not been assembled and punched and made into structural steel will be about $6 per ton; and, as I understand the Senator from Iowa, the difference in the classification as to the perfected structural steel, which has passed beyond the mere process of rolling, will result in an increase of that duty to $14 a ton, thus placing the duty at $8 a ton above that fixed by the House provision, which is three-tenths of a cent per pound, or $6 per ton. Is that the Senator's understanding?

Mr. CUMMINS. Assuming that the product itself is valued at $30 per ton, the conclusion stated by the Senator from Nevada is right.

Mr. NEWLANDS. My impression is, to illustrate, that structural steel ready for buildings is worth in San Francisco $55 a ton, and that the freight is $15 a ton. So it makes $40 a ton, and it would raise the duty above that fixed by the Senate.

Mr. CUMMINS. I stated that structural steel, in this form, as I understood it, was worth more than $30 a ton anywhere.

Mr. SMOOT. The record shows that the average ad valorem is 1.4, which would be $28 a ton, as quoted by the Senator from Iowa.

Mr. CUMMINS. But with the change in the paragraph as made by the committee this morning, the amendment that I had prepared can not be offered at this moment; and therefore, if I remain of my present mind, I shall vote for the paragraph as it came from the House, because I think the duty is too high.

Mr. CRAWFORD. Mr. President, this was the suggestion I had in mind: The article under discussion, whether it is $30 a ton or not, is excluded from this paragraph now. The rate here will be three-tenths of a cent per pound. What is excluded comes under another paragraph, with which we can deal when we reach it. So, it seems to me we ought to accept the suggestion of the chairman of the Finance Committee.

Mr. CULBERSON. Mr. President, I have been out of the Chamber for a few moments, necessarily, and possibly what I am about to ask has already been before the Senate. But I will ask the Senator from Rhode Island the necessity or the reason for reclassifying this product, which seems to have been materially changed, so as to include a less finished form of product than in the original amendment?

Mr. ALDRICH. There has been some time spent in the discussion of that proposition. Perhaps the Senator from Texas was not present.

Mr. CULBERSON. I stated that I was out of the Chamber.

Mr. ALDRICH. The reason for this change—and it is in my mind imperative—is that structural steel is now being imported into the United States manufacturing up into buildings, practically. Take the Singer Building in New York, for instance. All the windows and all the doors and all of the inside finishing of that building were practically completed abroad, except for putting them in place, and imported into this country as structural iron and steel. That sort of thing is going on not only on the Atlantic but on the Pacific coast, and there are very large importations of structural iron or steel all the time. In one year 139,000,000 pounds were imported, at five-tenths of a cent per pound, which is substantially the advanced rate which would be given to manufactured products under this paragraph as it now stands. We are reducing the duties upon iron and steel products in this bill nearly one-half; and I desire to place on record now my grave apprehension that we may be doing a great injury to this enormous industry in this country. The disposition on the part of foreign manufacturers to dump their products upon this country whenever they have an excess and whenever the market is in such condition that they can do it profitably is such that this is liable, in my judgment, to place a very great and serious injury upon this great industry in the United States. If it is proposed here to perpetuate the practice of allowing the manufacturers of structural steel in Germany and Belgium to bring over to this country finished buildings, where it is only necessary to put them in place, at the rates imposed upon the raw product, upon the structural iron of which these buildings are built, then it is proposed to do a very great injustice to the manufacturers of steel and iron in the United States.

Mr. CLAPP. I wish to ask a question for information.

Mr. ALDRICH. Certainly.

Mr. CLAPP. Do I understand the chairman to say that if we leave the amendment as the committee has it, it leaves the duty upon what we may call, in this debate, the "finished product" as it is under the old law?

Mr. BEVERIDGE. No; it reduces it, does it not?

Mr. ALDRICH. That is a matter of calculation.

Mr. CLAPP. Approximately.

Mr. ALDRICH. Approximately.

Mr. BRISTOW. I should like to inquire what will be the duty on structural steel in the completed form under this provision?

Mr. ALDRICH. Forty-five per cent ad valorem, the same as all other manufactures of iron and steel. I ask that the paragraph may be agreed to.

Mr. SMITH of South Carolina. Mr. President, respecting structural steel of all kinds, I find in the hearings before the

Ways and Means Committee of the House on this schedule some testimony from Mr. Carnegie. When approached as to the question of steel manufactures in America, he said what I shall read:

> Mr. COCKRAN. We would not only be protected against any arbitrary advance in this country, but against any arbitrary exaction——
>
> Mr. CARNEGIE. I am glad you asked that.
>
> Mr. COCKRAN. I want that clear.
>
> Mr. CARNEGIE. My opinion is, and I have stated it over and over again, that if I did not think this was true I would not be prepared to favor a tariff taking it all off at once. My opinion is that the American steel industry is on such a foundation that even if the tariff were taken off I do not believe that any foreign steel rails or steel of any kind would come in here to any extent, gentlemen, now.

The VICE-PRESIDENT. Is there objection to agreeing to the paragraph as amended? The Chair hears none.

Mr. NEWLANDS. Mr. President, as I understand the proposed action of the Senator from Rhode Island, it is simply to restore the duty to the duty fixed by the House, but it leaves the new classification imposed by the Senate committee still standing, and the result of that new classification will be that whilst the duty on merely rolled steel will be $6 per ton, the duty on structural steel, which has been completed by assembling and puncturing, will be $14 per ton if the value is $30 per ton and $16 per ton or more if it is $40 per ton. So this classification means a very substantial increase in the duties fixed by the House upon the perfected structural steel and a very substantial increase upon the duty fixed by the Dingley Act.

Now, then, the Senator, as his justification for that increase of duty, insists that foreign producers are importing into this country structural steel, not simply the rolled steel, but the perfected steel, the assembled and punctured steel, ready to be put in buildings, with the holes all ready for riveting and everything of that kind, so that but little labor will be spent in the arrangement of that structural steel in the building itself in this country; and he insists upon it that these imports have been increasing largely and that their tendency, of course, is to displace so much American labor as has heretofore been engaged in the assembling and the puncturing of the steel. From the protective standpoint that argument is conclusive so far as it goes, provided the price charged by the American producer of the perfected structural steel is a reasonable price.

But I assume that that price has not been a reasonable price and that it has been so high as to encourage the foreign producers of perfected structural steel to introduce it into this country. I suggest that the best way of preventing the foreign importations of this perfected structural steel is to lower the price of the domestic steel. So far as the price of the domestic steel is concerned, I have occasion to say that in San Francisco during the period of construction the price of structural steel was uniformly about $55 per ton, and that the cost of freight was about $15 per ton, leaving the cost of the perfected structural steel at the rolling mills about $40 per ton.

The Senator from Iowa says he understands the price is now $30 per ton, but there seems to be some uncertainty about that. I believe that recently—so it is currently reported in the newspapers—there has been a reduction in the price of perfected steel, both the steel used in mills and the steel used in structures, and that that has been the result of the competition of the independent producers. If, as a matter of fact, within a year or a year and a half the price of structural steel at the factory in this country has been diminished from $40 a ton to $30 a ton, it will doubtless prevent all importations of rival steel in Europe. But as to that we have no exact information. I should like to ask whether there is anyone in the Senate who can give the present price of perfected structural steel, assembled and punctured, at the factory. I would ask the Senator from Pennsylvania [Mr. OLIVER], who has information upon this subject, as to what the price of perfected structural steel—that is, steel that has been assembled and punctured at the factory—is to-day as compared with a year ago?

Mr. OLIVER. I understand there is a difference of something like $8 per ton between the price now and the price a year ago.

Mr. NEWLANDS. What is the price now, may I ask?

Mr. OLIVER. The price of fabricated steel, I think, runs about $30 a ton, or something like that, perhaps a little more, perhaps a little less. The price of imported unfabricated structural material free on board at New York is 1 cent per pound. The cost of fabricating that material in this country runs from $8 to $12 a ton. The cost of fabricating it in Germany will run just about half that, from $4 to $8 per ton. The difference between fabricated structural steel and unfabricated, as it comes from the rolls, is altogether labor, with the exception of the cost of the rivets to put it together.

The differential between the cost of rolled structural material and fabricated material is absolutely, entirely labor, except the small amount that the rivets cost. As the labor over there confessedly costs less than half what it does here, this duty of 45 per cent is certainly not extortionate.

I will say, Mr. President, that one of the most notable buildings that has been erected in this country in the last two or three years—the Singer building, in New York—I am informed was furnished, from first to last, with steel brought over to this country, thereby depriving our manufacturers and our laborers of that much employment. I think this differential of 45 per cent is rather less, if anything, than it will cost, particularly as the specific duty on the raw structural steel, at three-tenths of a cent per pound, is, in the opinion of all who have advised me, utterly inadequate for protection.

Mr. NEWLANDS. Mr. President, I will ask the Senator from Pennsylvania another question, and that is whether the production of the perfected or fabricated structural steel, as he calls it, at $30 per ton gives a profit to the mill?

Mr. OLIVER. I can not answer that, Mr. President, but I would say not. I am not conversant with the figures.

Mr. NEWLANDS. Is the Senator, then, of the opinion that the mills of the country, in lowering their price from $40 per ton for the fabricated steel at the mill to $30 per ton, the present price, have reduced it to a price that is not profitable?

Mr. OLIVER. Generally speaking, I would say that fabricated steel at $30 per ton would net the manufacturer a loss. That would be my opinion, but it is only an opinion.

Mr. NEWLANDS. Then, as I understand the Senator, the entire business——

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Texas?

Mr. NEWLANDS. Certainly.

Mr. CULBERSON. Will the Senator allow me, in connection with what he is saying, to ask the Senator from Pennsylvania a question? As the chairman of the Committee on Finance has stated, the amendment proposed by the Senate committee fixes an ad valorem tariff of 45 per cent under paragraph 119. I will ask the Senator from Pennsylvania if, in consideration of the minimum freight charge of $2.50 a ton, or about an average of a cent per pound, 20 per cent ad valorem would not be sufficient to provide for the difference in the cost of production between Europe and the United States.

Mr. OLIVER. Decidedly not, Mr. President, for this reason: The freight from the German mills to many of the points of consumption in the United States is less than from the Pittsburg mills to the same points of consumption, in addition to which the difference in labor cost alone, I am absolutely certain, is more than sufficient to justify the ad valorem rate of 45 per cent. Do I make myself clear?

Mr. CULBERSON. I understand the Senator; but my information is that the minimum freight cost between the countries is about $2.50 a ton; and if that is taken into consideration an ad valorem of 18 or 20 per cent would more than pay the difference between the cost of production in the two countries.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Will the Senator from Nevada yield to the Senator from Iowa?

Mr. NEWLANDS. I will state to the Senator from Iowa that I propose to yield the floor in a few moments.

Mr. CUMMINS. I merely wish to ask a question of the Senator from Pennsylvania.

Mr. NEWLANDS. Certainly; I yield for that purpose.

Mr. CUMMINS. The Senator from Pennsylvania has said more than once that the protection we now have upon this commodity is inadequate. I should like to know how he explains the fact that during the year 1907 we exported nearly $7,000,000 worth of this commodity and sold it in competition with the world, in the markets of the world, if our protection is inadequate?

Mr. OLIVER. I can not explain that, Mr. President, except upon the theory that perhaps by reason of an excessive desire to keep the mills running full the manufacturers in all probability cut the prices, perhaps below the cost of manufacture. I know that that is done sometimes. I know that I myself have done it. I have in my career as a manufacturer sold goods frequently below the actual cost of production in order to supply the surplus that would keep my establishment running full, and thereby enable me to give employment to all the men for whose well-being I felt myself responsible, and at the same time lower the cost of production to such a point as to enable me to meet all kinds of competition.

Mr. NEWLANDS. Mr. President, I wish to call attention to the fact——

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. NEWLANDS. Certainly.

Mr. TILLMAN. I should like to ask the Senator from Pennsylvania what he would do with the statement of Mr. Carnegie, which I read yesterday, and which I will read again. It is a quotation from the report of the United States Steel Corporation. It is Mr. Gary's report to his directors, in which he said that the steel trust showed $108,000,000 of profit for the year, averaging $15.50 on every ton of steel he sold. If that trust can make $15.50 profit, what is the use to come in here and talk about the difference between the labor cost in Germany and here?

Mr. OLIVER. I am not here as the defender or the advocate of the United States Steel Corporation. I feel that I ought to stand up for all manufacturers of all commodities in this great country and to keep the men as busily employed as possible. I particularly represent, Mr. President, the great body of actual independent manufacturers in this country. There are more iron and steel industries in the State of Pennsylvania which are absolutely and entirely independent of the steel corporation—I not only say more in number, but a far greater proportion of the industries are owned outside of the steel corporation than in it.

There is a gentleman sitting in the galleries here to-day who represents a great concern established sixty years ago by his father, another great ironmaster of this country, which to-day is running under management of the sons and grandsons of those two men, and which has an invested capital of over $30,000,000. Their property is big enough and valuable enough to have justified them, within a few months, to go out and bond their works for $15,000,000 in order to extend their plant. A part of their extensions consist in an immense tin-plate plant, which they are about to establish in direct competition with the United States Steel Corporation.

There is another establishment in my own neighborhood which has been built by citizens of Pittsburg within the past few years, who have invested $10,000,000 of money in it. They are absolutely independent of and competitors of the United States Steel Corporation. As to the independent steel manufacturers of this country, their name is legion, and we are standing up for their interests, not for that great aggregation of capital which appears to be a target for the shots of the gentlemen who wish to reduce duties at this time.

Mr. TILLMAN. Will the Senator——

Mr. NEWLANDS. I will yield the floor in a few moments. I should like to finish what I have to say.

The VICE-PRESIDENT. The Senator from Nevada declines to yield further.

Mr. NEWLANDS. Mr. President, it seems by the Senator from Pennsylvania, who has more knowledge of this subject than most of us, that the price of fabricated structural steel, ready to be put in a building, has been reduced from about $40 per ton to $30 per ton; and it also appears by his statement that the cost of turning steel as it comes from the rolling mill into structural steel is $8 per ton, and that the foreign cost is one-half of that, or $4 per ton.

Now then, upon the basis of the protective policy the Senator from Rhode Island would be justified in adding in addition to the duty imposed upon the raw steel, if I may term it such, as it has passed from the rolling mill, a duty sufficient to give $4 per ton, namely, the difference between the foreign cost of production of fabricating the steel and the American cost of production. But in place of that he proposes to give us a duty of $14 per ton. Now, $4 a ton added to the $6 a ton imposed upon the steel that has passed through the roller would make only $10 per ton of justifiable duty; and yet under the suggestion of the Senator from Rhode Island the duty is to be made $14 per ton.

I should like to inquire what the parliamentary status is regarding this particular paragraph. The Senator, I understand, has withdrawn the amendment increasing the duty upon structural steel from 3 cents per pound or $6 per ton, imposed by the House, to four-tenths of a cent per pound or $8 per ton, but he leaves this classification. I should like to know what action is necessary for us. It is still, I understand, necessary for us to defeat, if we can, this amendment in order to prevent the new classification from going into operation, which would practically increase the duty upon structural steel from $10 a ton imposed by the present law to $14 a ton.

The VICE-PRESIDENT. There is no pending amendment. Without objection, paragraph 119 will be agreed to.

Mr. NEWLANDS. I understand the Senator has simply withdrawn his amendment increasing the duty from three-tenths of a cent to four-tenths.

Mr. LODGE. The other amendment was agreed to.

Mr. NEWLANDS. When was the other amendment agreed to?

The VICE-PRESIDENT. On the first reading.

Mr. ALDRICH. If any Senator desires the yeas and nays taken, I am quite willing.

Mr. LODGE. The Senator from Nevada can move to reconsider the vote by which the amendment was adopted.

Mr. NEWLANDS. I understand that that can be done at any time hereafter.

Mr. ALDRICH. Yes.

The VICE-PRESIDENT. Without objection, paragraph 119 is agreed to.

Mr. TILLMAN. Mr. President, I desire to present some statements for the consideration of the Senate. Probably most Senators have read them, but they have not appeared in the RECORD that I know of. I want to have the comments of the Senator from Pennsylvania [Mr. OLIVER] on them. On page 1783 of the House hearings, Mr. Carnegie having been summoned and appearing as a witness, made this statement——

Mr. ALDRICH. That has already appeared in the RECORD, I will say to the Senator.

Mr. LODGE. It was read by the Senator's colleague this morning.

Mr. TILLMAN. I do not know how much he did read.

Mr. CULBERSON. It can be read again.

Mr. TILLMAN. It can not appear too often, and may finally make its way into the minds of the American people so that they will understand how they are being robbed by the tariff.

Mr. LODGE. Mr. Carnegie's statement might be inserted every morning at the beginning of the debate.

Mr. TILLMAN. It is too long for that. If the Senator wants to cover up Mr. Carnegie's flow of language and wit and humor——

Mr. LODGE. No; I want to save the time of the Senate and not have it read two or three times a day.

Mr. TILLMAN. The Senator is very urgent because I want to put in a few words from Mr. Carnegie; but I am not going to be rushed off my feet by the Senator from Massachusetts.

Mr. LODGE. Certainly I had no thought of entertaining such a forlorn hope.

Mr. TILLMAN. Then, do not attempt to bulldoze me in that way.

Mr. Carnegie had already made the statement that the industry needed no protection. Sombody has read that here. Here is what I want to get to. He speaks of Judge Gary's solicitude for the independent steel companies like our friend over there who has just discussed these independents who are put in here as a pretense for continuing this duty:

> But the solicitude of the Judge for his competitors, or those who should be his competitors, is sublime.
>
> * * * * * * *
>
> It reminds me of one of Æsop's fables, where the monkey wanted to rake the chestnuts out of the fire, but put that duty upon the cats. And that is what Judge Gary is trying to do here. When he told you that his vast company could do without a tariff, that was the judge who spoke. But when he introduced the smaller concerns, that was the lawyer, and he is equally eminent in both.
>
> * * * * * * *
>
> Judge Gary is the ablest man in that business. If I had followed the advice which parties gave me, to gain control of the United States Steel Company when its prices were at $8 or $9 a share, which I could easily have done, I should immediately have said to Judge Gary: "Judge, I want you to remain with me; you are the ablest manager I know;" and I would have doubled his salary, or, better still, I would have followed my practice and made him a partner. The judge spoke the truth, just as Schwab spoke the truth when he told you the cost of our steel rails, which was $15, against your $22; but it was the "judge" who spoke, as I said before, but when he pities the other people, it is the "lawyer;" and the judge is equally eminent in both. I can describe him best by a Scotch term that comes to me, and if there was a Scotchman here I would speak it, but it is not translatable, because I can not find a synonym. The judge is what the Scotch call a "pawky chiel."

In the preceding page he says the judge appeared in a dual capacity there. In one he was the agent of the steel company and spoke the truth; in the other he was using his shrewdness as an attorney in trying to befuddle and cover up the situation.

Mr. Carnegie said further:

> What is best for the country? Remember, I am one who believes that the total abolition of the duties on steel they make will not affect one of these companies to any serious extent.

Again he says:

> Now, I have said he can not figure cost, anyway. That is the same gentleman who told you he had no agreement with other steel companies; that he could sell where he pleased, to whom he pleased, and as much as he pleased—

He was one of those independents whom the Senator from Pennsylvania is so anxious to protect—

> Well, Mr. Chairman, if you had asked him if he had not a sort of understanding, which had the same result as the agreement, he would have had to tell you that he had; and I do not like witnesses to talk in a double sense. We have not only to tell the truth, but we have to tell the whole truth, and I tell it.

Now, Mr. Carnegie has obtained through favoritism in this Congress and its predecessors such a grip upon the American market that he has more millions than I presume the Senate, taking the whole bunch of us, could muster in our own names of right, although there are a great many wealthy men here. He has given away more millions than all the southern Senators here own, ten times over, I expect. Where did he get it? He got it out of my pocket, because I buy nails, steel wire, wagons, and so forth. He got it out of every man's pocket in this country. How does he get it? He gets it through acts of Congress which allow him to collect this duty out of the consumer, because he adds the duty to the cost price of $15.50, and we are helpless to do more than protest.

The VICE-PRESIDENT. Does the Senator from Rhode Island desire that we shall now take up the paragraphs passed over yesterday?

Mr. ALDRICH. Yes.

Mr. BACON. Has paragraph 119 been submitted to the Senate?

The VICE-PRESIDENT. That paragraph has been submitted to the Senate and has been agreed to.

Mr. BACON. I did not so understand. I did not understand that it had been submitted to the Senate.

The VICE-PRESIDENT. The Chair will submit it again; but the Chair did submit it, and there was no objection to agreeing to it.

Mr. LODGE. It was submitted three times.

Mr. BACON. I am not making an issue with the Chair.

The VICE-PRESIDENT. The question is on agreeing to paragraph 119 as amended.

Mr. BACON. Mr. President, I simply desire to ask the Senator from Rhode Island a question. His words, of course, carry great weight, necessarily and properly. The Senator from Rhode Island said he feared that the proposed reduction in the steel schedule would work great injustice to those engaged in the manufacture of steel. I desire to ask the Senator from Rhode Island if his apprehension is that the injustice will be done to the steel company by reason of the fact that the reduction in the rates which are proposed will result in reducing the price of the product to the consumer? Is that the avenue through which the injustice will reach the producer?

Mr. ALDRICH. That is a question a little too complicated to my present state of mind.

Mr. BACON. I will put it a little more simply, then, because I can not give the Senator entire credit for sincerity and candor in that reply. There is no man in this Chamber, and, I presume, very few on the whole North American Continent, who have a clearer view as to the intricacies of the tariff than the Senator from Rhode Island. I do not pretend to approach even in sight-seeing distance of him in that regard, and for that reason I appeal to him for the information.

I do not know that I can express myself any more clearly, but I will try. The Senator said he apprehended that the reduction proposed in the steel schedule in this bill in the rates of tariff would result in great injustice and injury, I think he said, to those engaged in the production of steel. The question which I desire to ask the Senator, and which I have attempted to ask him, is this: Is that apprehension on the part of the Senator based on the belief that the reductions proposed will result in cheaper steel to the consumers in this country?

Mr. ALDRICH. No; not exactly that. My apprehension was that the steel producers of Germany and Belgium might at times throw into this country their surplus stock and sell it for whatever price it would bring here and put out of employment a large number of people engaged in this country in the same industry, and thus give to foreign labor the business which ought to be given to American labor.

Mr. BACON. The apprehension of the Senator is, then, the effect on labor and not the effect on the owners of this enterprise?

Mr. ALDRICH. The effect upon labor must affect the employer, of course.

Mr. BACON. Very well. Then that brings us to the question. The apprehension of the Senator, then, is that by reason of the competition which will result from the introduction of foreign products the price will be lowered to the consumer?

Mr. ALDRICH. No; I will not put it in just that way. I prefer to put it in my own way, if the Senator will permit me.

Mr. BACON. Very well.

Mr. ALDRICH. I say—and that is the same rule which applies to all protective duties, and there is no question about it—that protective duties are levied for the benefit of giving employment to the industries of Americans, to our people in the United States and not to foreigners. That is the whole question about it. Anything which invades that market, which we claim belongs to the American people by the highest possible right, especially if it invades it in a way which is not, perhaps, legitimate, is an injury to the American workman and, therefore, to American industry.

Mr. BACON. Yes; but I want the Senator from Rhode Island to answer my question, whether or not he thinks the competition which will result from the introduction of the foreign product will or will not lower prices to the consumer?

Mr. ALDRICH. Mr. President, that question is at the bottom of the whole protective system.

Mr. BACON. I want to know as a question of fact. I am not talking about what it invades.

Mr. ALDRICH. It is not a question of fact, but it is a question of theory; it is a question of opinion, and nothing else.

Mr. BACON. If the Senator declines——

Mr. ALDRICH. It is a matter of speculation, at which the Senator from Georgia is a past master.

Mr. BACON. No; I am not a past master in anything which is connected with the tariff.

Mr. President, I do not suppose that anybody doubts the fact; but the Senator from Rhode Island declines to answer the question.

Mr. ALDRICH. I do not decline to answer the question.

Mr. BACON. Then, I will repeat the question, and ask the Senator to answer it.

Mr. ALDRICH. I will answer the Senator's suggestion. I say that anything which brings about an injurious reduction of prices in the United States, which puts American laborers out of employment and reduces the purchasing power of the American people, is not only injurious to the interests primarily affected, but is injurious to the people of the entire country.

Mr. BACON. Very well; but still that does not answer my question.

Mr. ALDRICH. I think I have answered the question.

Mr. BACON. The question I am asking the Senator from Rhode Island is not as to what the effect will be in its injury simply, but the direct cause of injury; whether or not that injury is to result from the fact that by reason of competition the consumers of structural steel in this country will get their structural steel cheaper than they are now getting it; and that, as a necessary complement of that proposition, as the consumers get their steel cheaper, the producers must receive less for it. That is the proposition.

Mr. ALDRICH. Mr. President, take a supposititious case of a man who is erecting a steel building in New York, who desires to have that work done, if you please, by the product of American industry. Some foreigner finds that he has a surplus stock and he comes over here and bids lower than any American can bid for the work. That consumer possibly gets a lower price—I have no objection to conceding that—but what is the general effect of it? One man gets a lower price to-day; but suppose the whole American people get lower prices than the article can possibly be made for in the United States, does the Senator, then, think that the consumers, as he calls them, are benefited? Suppose you destroy absolutely the iron and steel industry of the United States; are the American consumers to be benefited by that? Does the Senator suppose that prices would be kept down or that the minute that those foreign gentlemen had control of the American market that the American consumer would not then have to pay more than he is now paying? I think so.

Mr. BACON. Mr. President, I decline to accept the accompanying suggestion of the Senator from Rhode Island that it would result in the destruction of the steel industry. We have every reason to believe that it will not result in the destruction of the steel industry. The fact is that if the importations were limited, as the Senator from Rhode Island suggests, to the amount which might be found as a surplus upon the hands of the German or the English manufacturers, it would be so very small in comparison to the gross product in this country as not to affect prices.

So, Mr. President, the real apprehension is not as to the "dumping"—using a favorite term of those who advocate the protective tariff—the great apprehension is not in the "dump-

ing" here and there of a little surplus, but the real apprehension is that by lowering the rate there may be, not simply a driving out of the market of the American producer—not to that extent at all—but that there may be such an encouragement to importations as will not only bring revenue to the Government, but succeed in lowering materially prices to the consumers of the country, which is the great end that the revision of the tariff, so far as I have any concern in it, is designed to accomplish.

There is no reason to believe, Mr. President, that the iron industry or the steel industry is one which stands upon such a narrow edge that the slightest interference with it is going to topple it over into the abysm of destruction and ruin. On the contrary, all the information we have is that there is no more prosperous industry in the United States, if in the whole world, than the industry of the iron and steel people of the United States. The vast colossal fortunes which have been piled up prove that. The very figures given here to-day by the Senator from Pennsylvania [Mr. OLIVER] of the vast millions that men of his acquaintance are about to invest in this, that, and the other industry prove the vast——

Mr. ALDRICH. Is that a matter of regret to the Senator from Georgia?

Mr. BACON. By no means whatever. I am not regretting it, except in so far as—and I do regret it in this respect, and I am glad the Senator has asked me this question—I do regret it in so far as there has been a condition of affairs in this country which has enabled those men who have piled up these colossal fortunes to make those fortunes out of an undue exaction by extortionate prices from the consumers. I regret it to that extent. I do not regret, Mr. President, the prosperity of those who have engaged in the iron and steel industry; but I do regret the burden which has been placed upon the people, in order that those colossal dividends and revenues should be derived from the iron and steel industry.

But, Mr. President, what I was saying in that regard was merely by way of illustration. I was replying to the inquiry of the Senator, whether or not I would be willing for a condition of affairs which would wreck and ruin all these industries, followed by the usual question as to whether or not, when they were wrecked and ruined, there would not be a corresponding raising of prices by those who would thus be given the monopoly in other countries, and who would take advantage of the opportunity to extort from us. It was following that suggestion, Mr. President, and not by way of inveighing against or finding objection to the amassing of fortunes in the prosecution of this business, except for the very reason which I have given; it was for that reason that I was alluding to the fact that those industries are not in a precarious position. They are in a position of absolute security against all such possibility. They are in a position which the best authorities think is such that, even if all tariffs and all restrictions were removed, they would still have the market.

Mr. President, it does seem to me that it is a most serious question in this day, when everything which the consumers have to use is at such exorbitant prices—everything connected with the iron and steel industry; not simply the structural steel, but the steel which enters into every business of life—every use of those things upon which we must necessarily depend for our comfort. In all of them we have to use the products of the steel industry, and all of them are to-day a burden upon the people.

Of course we are only now speaking of structural steel, but when it is proposed that there shall be this great difference in the duty upon structural steel as it is rolled and structural steel when assembled and made ready for use in a building, I think that it is time that we should see whether this is a duty which is too high or whether it is required for any legitimate purpose. The effect of the duty, Mr. President, it seems to me, would be to absolutely bar all importations. I think I am correct in saying that, as compared with the product of the United States, the importations are now extremely small. Am I not correct in that, I will ask the Senator from Rhode Island? That may be, in the concrete, large; but as compared with the gross, immense product of the United States, the importations of structural steel into the United States are very small.

If the instance given by the Senator of the introduction of steel completed in its form, out of which the Singer Building has been constructed, is one which gives rise to apprehension on the part of those who believe in the protective system that the foreign product is going to usurp the market of the United States, that is a very serious consideration from their standpoint; but they have told us of only one building. Is there any reason to believe that even under the present rates and the present classifications there will be such importations from abroad as will yield a very comparatively small revenue to the Government on account of such importations; and is it not true that, with the reclassification and with the result of the high duty which will accompany it, it will be an absolutely prohibitive duty, and that the Government will get no revenue from it at all?

The VICE-PRESIDENT. Without objection, paragraph 119 is agreed to.

Mr. BRISTOW. Mr. President, I want to inquire of the Senator from Rhode Island in reference to paragraph 119. As I understand the figures given by the Senator from New York [Mr. ROOT], the duty under the present law is about 36.75 per cent.

Mr. ALDRICH. The duty is five-tenths of a cent a pound, to be accurate.

Mr. BRISTOW. It aggregates, so I am advised—and I think it is correct—about 36.75 per cent.

Mr. ALDRICH. That depends upon the value of the product when it is imported.

Mr. BRISTOW. Yes. The figures were made from the value given here. Now, that part of these articles that have been exempted from the provisions of this paragraph—that is, these beams, girders, and so forth, after assembled, manufactured, or advanced beyond the hammering, rolling, or casting state—take a duty of 45 per cent, or an increase of 8¼ per cent over the prevailing duty on those articles.

Mr. ALDRICH. Under any proper construction of the law, they should have paid about 45 per cent under the Dingley Act. There is no proper construction of law, in my judgment, under which those articles would not have been made dutiable at 45 per cent under the existing law.

Mr. BRISTOW. As to those that have not been advanced to this state of hammering, rolling, and so forth, the duty has been decreased to 22½ per cent. I should like to know, if the Senator from Rhode Island has the information available, what per cent of these articles are used in the advanced state which has been exempted from the provisions of this paragraph, and what per cent are used in the state which is still covered by the provisions of this paragraph, in the ordinary commercial use?

Mr. ALDRICH. Does the Senator mean what percentage of articles of this nature were imported in 1907?

Mr. BRISTOW. What per cent of the articles included in paragraph 119 are used in the advanced state which has been exempted from the provisions of this paragraph, and what per cent are used in the state still covered by the provisions of the paragraph?

Mr. ALDRICH. In this country?

Mr. BRISTOW. Yes.

Mr. ALDRICH. They are all ultimately going into the finished product, of course. Nobody uses structural steel in its crude condition, I assume. I never heard of a case of that kind.

Mr. TILLMAN. Will the Senator from Kansas allow me?

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from South Carolina?

Mr. BRISTOW. Certainly.

Mr. TILLMAN. I want to ask the Senator from Rhode Island whether or not the striking out of the words in the House bill, "whether plain or punched or fitted for use," and the substitution of the words in italics, which I suppose are to remain, does not absolutely nullify the House purpose of reducing the duty? In other words, can you use these things unless they are punched?

Mr. ALDRICH. They can be punched in this country with American labor, and they can be fitted in this country.

Mr. TILLMAN. Is that done by hand or by machinery?

Mr. ALDRICH. Largely by hand; almost entirely by hand. The punching may be done by machinery.

Mr. TILLMAN. Are you going to cause a man to ship these things somewhere in the country and pay the freight in order that we may get it into a machine and punch it?

Mr. ALDRICH. No; they punch it on the ground.

Mr. NEWLANDS. Mr. President, I think the Senator——

The VICE-PRESIDENT. The Senator from Kansas has the floor. Does he yield to the Senator from Nevada?

Mr. BRISTOW. I yield.

Mr. NEWLANDS. I think the Senator from Rhode Island is mistaken in saying that the puncturing is done by hand. My understanding is that the puncturing is always done in machine shops. The riveting is done in the building, and is done by hand, but all the holes are punched at the factory before the steel is put in the building.

Right there, if the Senator from Kansas will permit me, in order to clarify the situation, I wish to ask the Senator from Rhode Island whether the effect of his amendment is not this:

Under the present law the duty upon both fabricated and unfabricated structural steel is $10 per ton?

Mr. ALDRICH. The duty was not $10 under existing law. Any fair or reasonable construction of the existing law would have made these articles, as I have stated over and over again, dutiable at 45 per cent ad valorem as "manufactures of iron and steel not otherwise provided for." No man ever had an idea that any such construction of that paragraph relating to structural iron and steel would be made, or that anybody would ever think of bringing completed buildings into this country as structural iron or steel.

Mr. TILLMAN. Is that due to the work of the appraisers?

Mr. ALDRICH. That is due to the misconstruction of the law itself by the courts, and not by anybody else. The Senator from Nevada has had this matter explained to him at least a dozen times, I think, and I hope that he now understands my own view about it.

Mr. NEWLANDS. Well, Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield further to the Senator from Nevada?

Mr. BRISTOW. Yes.

Mr. NEWLANDS. The Senator from Rhode Island states that the present status is that both fabricated and unfabricated structural steel pay $10 per ton duty.

Mr. ALDRICH. Under an erroneous construction of the court.

Mr. NEWLANDS. That is true; under a construction placed by the court upon the statute which the Senator says is erroneous. The present status, then, is that both are taxed $10 per ton. Now, the action of the Senate committee would so result that as to unfabricated steel—the steel which has simply been rolled and has not been assembled and punched—the duty is reduced to $6 per ton; but as to fabricated steel—the steel that has been assembled and punched—the duty is increased to $14 per ton. Did the Senator hear my statement?

Mr. ALDRICH. I think I have heard it at least a dozen times, and the Senator ought to understand my position by this time.

Mr. NEWLANDS. I do not think I have made this statement and put to the Senator the question relating to this particular item until now. I was stating that the effect of the Senate amendment is to reduce the duty on unfabricated steel from $10 per ton to $6 per ton and to increase the duty above the duty now, according to the construction of the court, chargeable against fabricated steel from $10 per ton to $14 per ton. Am I correct in that statement?

Mr. ALDRICH. The Senator is not correct.

Mr. NEWLANDS. Very well, then; I should like to be corrected. I am afraid that I am trespassing too much upon the time of the Senator from Kansas [Mr. BRISTOW], but I should like to know in what respect that statement is defective.

Mr. ALDRICH. If this paragraph should be adopted as it stands, it would impose a duty upon unfabricated structural steel, to use the Senator's own language, of $6 per ton, and upon that fabricated 45 per cent ad valorem—not $14 per ton, but 45 per cent ad valorem—which is the same rate that Congress clearly intended should be imposed upon that article.

Mr. NEWLANDS. I would ask, what does 45 per cent ad valorem amount to per ton?

Mr. ALDRICH. That is a mathematical question, which I trust the Senator from Nevada can answer as well as myself.

Mr. NEWLANDS. The Senator has heard the statement that the value of the fabricated steel is $30 per ton, and that it was, a year ago, $40 per ton.

Mr. ALDRICH. That is, in the United States.

Mr. NEWLANDS. In the United States.

Mr. ALDRICH. That has nothing to do with the foreign value.

Mr. NEWLANDS. The duty is collected upon the valuation abroad, is it not?

Mr. ALDRICH. If the Senator has not arrived at that state of knowledge in regard to tariff matters, I am a little puzzled to go on with the conversation.

Mr. NEWLANDS. I do not profess to be very well informed about tariff matters, and I would be glad to be instructed by the Senator from Rhode Island at any time regarding the facts. I will ask the Senator from Rhode Island if he is able to state the foreign price of fabricated structural steel, ready to put in a building?

Mr. ALDRICH. It depends entirely upon the amount of labor that is put upon it. It may be $1 a ton, it may be $10 a ton, or it may be $20 a ton. That is a question which no man can answer.

Mr. NEWLANDS. And yet the Senator does not hesitate to affirm my statement that, as to the domestic fabricated steel, the price is $30 per ton.

Mr. ALDRICH. I have made no statement about it. I assume the Senator from Pennsylvania [Mr. OLIVER] is correct.

Mr. NEWLANDS. I should like to know, then, how much less is the value of the fabricated steel on the outside than the value of the fabricated steel on the inside, so that we can see just what amount of duty per ton would be paid upon such steel.

Mr. ALDRICH. I stated at the beginning of this discussion, the beginning of my explanation, that the Belgium and German price of structural steel was in the neighborhood of $20 per ton.

Mr. NEWLANDS. Twenty?

Mr. ALDRICH. Twenty dollars per ton. Forty-five per cent of that is $9 a ton, or forty-five one-hundredths per cent a pound. I am willing to give the Senator that information, if that is any help to him.

Mr. NEWLANDS. Then, I understand the Senator to contend that the 45 per cent valuation would give exactly the same duty as imposed now by the Dingley Act, which imposes a duty of five-tenths of a cent per pound, or $10 a ton?

Mr. ALDRICH. Not exactly the same.

Mr. NEWLANDS. Or rather it is a little less. Am I correct, that upon the Senator's statement the foreign price of fabricated steel is $20 a ton, and under the amendment 45 per cent would be imposed upon it, making a duty of $9 a ton, and that under the amendment the duty will be $1 a ton less than under the existing Dingley law? I will be very glad to know if that is the fact, and I inquire of the Senator whether it is the fact.

Mr. ALDRICH. Mr. President, if the Senator has not been advised by the discussions which have been going on for the last three hours, I am not competent to advise him.

Mr. NEWLANDS. Mr. President, it reduces itself, then, to this: That the Senator has declared that, owing to the construction of the court, this form of fabricated steel has been introduced into this country from abroad to the disadvantage of American labor, and that, therefore, it is necessary to raise the duty; and yet when we come to the computation of the factors by which we will ascertain what the duty is, the Senator seriously asserts that the effect of his amendment will be to reduce the duty upon fabricated steel from $10 a ton to $9 a ton. Now, I stand upon the record with the Senator upon that statement.

Mr. BRISTOW. Mr. President, I took the floor to find out, if I could, from the chairman of the committee what was the per cent of these articles used in the less finished and in the more completely finished states. I understood the chairman of the committee to state that practically none was used in the unfinished state. Am I correct in that?

Mr. ALDRICH. No; the Senator is not correct. It is impossible for anybody to say what proportion of the importations of any particular year, of 1907, for instance, were imported finished or what were imported unfinished. That is entirely without the knowledge of any man.

Mr. BRISTOW. The question was not as to importations, but as to our domestic production.

Mr. ALDRICH. Our domestic production is for the purpose of erecting buildings.

Mr. BRISTOW. Yes.

Mr. ALDRICH. It all ultimately goes into building; it may be buildings of one kind or another; it may be bridges; it may be any one of a thousand different forms of structure. It is intended for that purpose, and ultimately it all reaches there.

Mr. BRISTOW. But, Mr. President, here is the classification, and different rates of duty are fixed upon these articles. If there is not any data by which you can ascertain the amount which is used of one class and of the other, it is impossible then to tell whether this is an increase or a decrease of duty.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. Certainly.

Mr. NELSON. It seems to me that the question involved here is very simple. The rate in the Dingley law was 36.75 per cent ad valorem. The difference between that rate and 45 per cent is 8.25 per cent; that is all the increase, while we have reduced the rate on the class of goods covered by the phrase in italics from 36 per cent to 22 per cent. "Iron not assembled, manufactured, or advanced beyond hammering, rolling, or casting," will come in at about 22 per cent, while in the finished product there is only an increase above the existing rate of the Dingley law of 8.25 per cent. Am I correct in that, I will ask the chairman?

Mr. ALDRICH. Yes.

Mr. NELSON. So that is the maximum increase.

Mr. BRISTOW. What I was trying to get at was how much of the steel that comes in at the reduced rate is used and how much that comes in at the increased rate is used—whether more of the steel is used that comes in at the lower rate or at the higher rate. You must ascertain the amount used that belongs to these classes in order to determine whether the aggregate is an increase or decrease of duties.

When I asked the amount of the first classification used, I was told practically none, as I understood the Senator. What I want to get at, if possible, is how much of this that comes in at a duty of 22 per cent do we use and how much that comes in at a duty of 45 per cent do we use. Then we can determine whether or not we are increasing or decreasing the duty on structural steel; and I think it a very important item.

Mr. BURKETT. Let me say to the Senator, in response to that inquiry, that I made an inquiry and tried to find that from some of the departments, with reference to several items, and I was not able to get that from any department. In my opinion there is not any place, unless, perhaps, at the ports of import, where they keep such track of the invoices as to show which do come in. But let me call the Senator's attention to what has been stated with reference to this particular item. It is stated by the Senator from Utah that under that paragraph large quantities came in, for example, at San Francisco during the last year. There is where foreign countries can meet us—on the Pacific coast. They can compete with us on account of the lower freight rates.

Also, the Senator from Rhode Island has suggested at least one great building in New York which has been finished with this competing structural or assembled steel, I think the words are. If the Senator will take the figures of the imports and put together what the Senator from Utah and the Senator from Rhode Island have said, he will very readily see that the very largest part that has come in under this paragraph has been that completed or assembled—if that is the right word to use—assembled structural iron. As the Senator has just stated, and he, I take it, was acting for the committee, the committee has reduced the rate on the structural iron that is not assembled——

Mr. BRISTOW. And which is not used.

Mr. BURKETT (continuing). And has proposed to raise it on that which is assembled, so as to meet what is exactly the probable condition, that the most coming in is the structural material assembled and in form for immediate use.

Mr. BRISTOW. Mr. President——

Mr. BURKETT. But, as I have said to the Senator, I have tried on two or three paragraphs to find out exactly what portion of each was admitted, and I was not able to find out from the department. I do not know whether anybody knows.

Mr. ALDRICH. The officers of the customs can not tell. There is no such record.

Mr. BRISTOW. If it is possible to get the information, without being too insistent, I should like to get it. I do not want to impose upon the patience of the committee or of the Senate.

Mr. NELSON. If the Senator will allow me, I can readily see the difficulty that occurs to the Senator from Kansas, but there are no data, as I understand, from which we can get the exact facts from the archives of the Government. The custom-house returns do not indicate what proportion of the structural steel is assembled and what is not. They do not indicate in what condition they come here; only they are classed at that rate. That is all.

Mr. BRISTOW. Does the steel have to be assembled before it is used in the erection of a building?

Mr. BACON. Oh, yes.

Mr. BRISTOW. If it has to be assembled before it is used in the erection of a building, then the duty is 45 per cent ad valorem on importations of this steel which heretofore has been 36.75 ad valorem. Is that right?

Mr. NELSON. That is correct. It is an increase of 8.25 per cent.

Mr. BRISTOW. Then we are increasing the duty on structural steel 8.25. Is that right?

Mr. NELSON. But reducing it on structural steel not assembled.

Mr. BRISTOW. Which is not used; it can not be used, so we are told, until it is assembled. What is the use to reduce it on an article not used? If they bring it in here not assembled, to assemble it they have to send it somewhere to be riveted. That is not practical, is it? So, as a matter of fact, we are increasing the duty on the only items in this paragraph which it is practical to use. Is that right?

Mr. TILLMAN. That is a part of the hocus-pocus of the game.

Mr. BRISTOW. I should like to know if I have the proper analysis.

Mr. SCOTT. The Senator surely understands that the assembling in Europe is done by cheap labor, and this increase has been put on to protect our home labor, where it is assembled in this country.

Mr. BRISTOW. We are increasing it for the purpose of protecting home labor?

Mr. SCOTT. The Senator knows that in assembling or putting it together in Europe it is done by European labor. If we bring it over here without that, our workmen get a chance to assemble it.

Mr. BRISTOW. The Senator from West Virginia is doubtless well informed upon this matter. What is the process of assembling? After the bars are made into girders and joists, and so forth, they are assembled by riveting. Is that correct? Is not that done by a mechanical process? It is not done by hand, by the blacksmith?

Mr. BURKETT. I think the Senator ought to notice that all of this paragraph is not on beams, I beams, and things like that, but it is all forms of structural shapes. The illustration the Senator from Utah cited was that an agent of a foreign manufacturer of window frames and door frames of steel came here and made estimates, and went home and completed those forms entirely. He then simply brought them in and set them in place. Everything was done over there. It is not all beams. I do not know, but I would imagine, just from what I know of the structural business, that very few of the imports were of beams and such articles as the Senator refers to. It is the higher class of structural steel, and, as is suggested to me by a Senator, the average import price is such as to indicate probably the higher forms of structural steel.

Mr. BRISTOW. It goes through the same process in this country as in any other country in order to prepare it for placing it in the building. Now, what I have been trying to find out is whether this reclassification here takes those articles which are prepared for placing in the building out of that paragraph and increases the duty on them, and whether or not the articles that are left in this paragraph would have to go through another process after being imported before they could be used in the building, and, if they do, it is necessary to send them to a foundry or a machine shop of some kind and have that work done. So it would not be practicable to import them for structural purposes, because the expense of transportation to the factory or the foundry and the cost of the work there would make it impracticable to use them. Do they not come in from abroad in the same state that they are shipped from the local steel manufacturing establishment in this country to the building?

That has been my understanding, and I have been trying to get it plainly before the Senate whether or not we are really, by this change in phraseology, increasing the duty on structural steel. It seems to me that it would be a little more easy to understand by many of us if the duty on this second classification had been fixed a little higher—in tenths of a cent, or whatever it might be—than the way it has been increased. If a statement had been made as to the cost of labor at home and abroad in this additional finishing process, we could better understand this increase, for I can not escape the conclusion that we ought to make this bill so as to provide protection for American labor against foreign competition. And in order to do that we ought to know in detail the amount of protection that is necessary. I regret that we have not such data, because it would make a basis from which we could intelligently proceed and would remove many points of discussion.

Mr. BURKETT. Mr. President, let me say to the Senator, with all deference to his opinion, that in my judgment this is a decrease. There may be classifications that would have the opposite effect, but, in my opinion, we can very well afford to make classifications like this. For instance, a great amount of the ordinary structural steel of which the Senator was speaking could not possibly come in at the high rate of the old law. Now, by this classification that rate has been put down, and there is only contained in the other rate the higher class of structural steel that this bill specifically defines.

Now, in my opinion, that is a reduction by a classification of rates as a whole, rather than an increase, and as I have listened to the discussion and as I have investigated somewhat, in my opinion, this provision is an improvement, and for one I would rather vote for it with that change made than to vote to leave it as the old law contains it—all in one blanket clause.

Mr. BRISTOW. I understood the Senator from Rhode Island to say that a misconstruction of the old law permitted these articles to come in at a lower rate, and for that reason the

duty was increased. As I understood him, that was his justification of the increase. So the Senator from Nebraska must be mistaken or the Senator from Rhode Island was mistaken a while ago.

Mr. BURKETT. No; the old rate absolutely prohibits the lower grades of this structural steel coming in. Now it segregates that part of it as to which the old rate was prohibitory, and reduces it on that part of it, and only increases it on the higher grade.

Mr. BRISTOW. I beg pardon of the Senate for having taken so much time. I was simply trying to get some information, and I am obliged to the Senators who have spoken.

Mr. NEWLANDS. Mr. President, the Senator from Nebraska [Mr. BURKETT] indicates his view to be that as to unfabricated steel, the lower form of steel, this change involves a reduction, and as to the higher forms of steel it also involves a reduction. The Senator from Nebraska must bear in mind that there are almost no importations of the lower forms of steel, the unfabricated steel, and that there is almost no production of the unfabricated structural steel. The economical production of structural steel involves, first, the process of rolling, which is done at the rolling mill, and then the steel is removed to another mill where the assembling and the puncturing are done, and the purpose is to put the structural steel into such shape as to enable it to be put up in the building with the least expenditure of human labor. The first form of steel, therefore, hardly enters into the market, whether produced by our own country or produced abroad, for obviously you would vastly increase the expenditure upon a building if you were to remove the unfabricated steel to the building and then put it through a slow process of being punctured and assembled by human labor instead of by machinery. The reduction in this bill therefore amounts to nothing, because there is hardly any production of the commodity upon which it operates.

Now, let us see how it operates upon the fabricated steel. Under the existing Dingley Act a duty of five-tenths of a cent a pound, or $10 a ton, is imposed, under the construction of the courts, of which the Senator from Rhode Island complains. The Senator has introduced an amendment which is intended to divide this steel into two classes—one the unfabricated, upon which he reduces the duty, and the other the fabricated steel, upon which he professes his purpose to increase the duty. The question is, What is that increase? There is a change made from a specific duty, imposed by the present law, of five-tenths of 1 cent per pound, or $10 per ton, to 45 per cent ad valorem.

In order to ascertain in terms of tons what the ad valorem duty amounts to, it is necessary for us to get the foreign price upon which the ad valorem duty is imposed. The Senator from Rhode Island, when questioned regarding that, states that the foreign price is only $20 per ton, as against $30 here and $40 per ton a year ago. So his statement involves this contradiction: If the foreign price is $20 a ton, and you assess 45 per cent ad valorem upon it, the duty will be $9 per ton; and so the Senator is involved in this contradiction, that whilst claiming that the present duty of $10 is too low, according to his own statement, he proposes a duty that will yield only $9 per ton. And upon a paragraph which comes within the rule laid down by the Senator from New York [Mr. ROOT], as a paragraph which has been amended by the committee and for which it is responsible and which it is compelled to defend and with reference to which it is under obligation to produce information, this is the information that is given to intelligent men in the Senate for their action.

Mr. President, as to the necessity for an increase, the Senator from Rhode Island and the Senator from Utah base their contention upon their statement that foreign steel, fabricated and ready for putting up into a building, as all fabricated steel is—foreign steel does not differ from domestic steel in that particular—has been brought into New York, and whole buildings, so far as steel construction is concerned, have been made of it. We are not told when those importations took place. Did those importations take place when the high rate of $40 per ton for fabricated steel prevailed in this country at the factory, only one year ago, six months ago, or did this take place under the reduced price of steel at $30 per ton, the existing price, a price which presumably is compensatory to the steel factories?

The date is not given. I can but assume that the importations took place when the extravagant price of $40 per ton for structural steel was imposed by the manufacturers in this country, when the foreign price of structural steel, according to the statement of the Senator from Rhode Island was only $20 per ton. Of course under those conditions, with the high price maintained by our domestic steel producers under the protection of a tariff wall which absolutely cut off foreign competition, the foreign producer had only to add the duty of $10 a ton to the $20, the foreign price, to enable him to put that steel into the New York market at $30 per ton, as against the steel of the steel trust at $40 per ton. And possibly this very competition of the foreign producer had the effect of compelling the domestic producer to come down to the reasonable price of $30 per ton for fabricated steel.

The Senator from Rhode Island, in his contention, claims that that beneficial effect of foreign competition must be absolutely eliminated; that when steel in this country is charged for at the rate of $40 per ton by the domestic producers and is charged for at the rate of $20 per ton by the foreign producer, in such a case, where the disproportion of the American price to a fair international price be so exaggerated, the tariff wall should be raised still higher in order to keep out the beneficial competition of the foreign producer; and he accompanies this with information absolutely inaccurate, with information involving a contradiction, for whilst he declares that his purpose is to increase this tariff wall, to raise its level, he at the same time in his computation declares the effect to be to reduce the height of that tariff wall. But whilst the existing duty is $10 per ton, the ad valorem duty of 45 per cent upon $20 a ton, the foreign price, will yield only $9 per ton, and he expects intelligent men to act as to a schedule of this kind upon information involving such contradictions and such inaccuracies.

Mr. JONES. I desire to ask some member of the Finance Committee a question with reference to these words, "or manufactured." I can see a definite classification in the term "but not assembled or advanced beyond hammering, rolling, or casting," but what would be the condition of a beam or girder or joist or any shape of iron or steel that is not manufactured?

Mr. SMOOT. It would just simply be an I beam or——

Mr. JONES. Would it not be manufactured?

Mr. SMOOT. Not beyond rolling or casting.

Mr. JONES. But that is not it. That is a separate classification. It reads:

But not assembled—

That is one form—

or manufactured—

That is another—

or advanced beyond hammering.

And so forth.

I can see what would be the condition of a beam not advanced beyond hammering; but if it is a beam at all, is it not manufactured, and do not those words establish a classification there under which you would shut every one of these articles from this duty?

Mr. SMOOT. The wording of the bill seems to me to be simple. It certainly would not keep out an I beam——

Mr. JONES. Would it not be manufactured?

Mr. SMOOT (continuing). Or a girder.

Mr. JONES. Would not a girder be manufactured, if it is a girder?

Mr. SMOOT. Yes; but it is not manufactured beyond rolling or casting.

Mr. JONES. But that is not the proposition.

Mr. SMOOT. You can not manufacture it without rolling or casting it. It has to be done one way or the other. It either has to be rolled or cast, and that is exactly what we say here.

Mr. JONES. It seems to me you have three qualifying phrases or clauses, and they are independent of each other. If advanced beyond hammering, then it is excepted from the three-tenths of a cent per pound.

Mr. SMOOT. That is true.

Mr. JONES. But when manufactured, you shut it out under the term "or manufactured." It is independent of the other. It seems to me the words open the doors——

Mr. SMOOT. They do not open the doors as to anything except assembled articles or manufactured articles or advanced beyond hammering, rolling, or casting. That simply means this: That any girder or any I beam can come in under paragraph 119 at three-tenths of a cent per pound, but if it is manufactured beyond——

Mr. JONES. No; it does not read that way.

Mr. SMOOT. That is just exactly what it does say.

Mr. JONES. I beg the Senator's pardon.

Mr. SMOOT. It says if manufactured or if advanced beyond——

Mr. JONES. If you leave out the comma and the word "or," you will have your meaning; but if you do not, you have not your meaning.

Mr. SMOOT. I could not agree to that, because I think it is absolutely plain that that is what it means.

Mr. BACON. I desire to ask a question of the Senator from Rhode Island. I will not detain him a minute. I understand the Senator has instanced one case in which structural iron has been brought in in a perfected state and put up in New York—in the Singer Building. Does the Senator regard the now proposed amendment as one which will prevent that in the future?

Mr. ALDRICH. Not prevent it, but make it pay a higher rate of duty; that is all; not prevent it.

Mr. BACON. Does the Senator regard this as a rate which will be so high that there will be no importations under it?

Mr. ALDRICH. Oh, not at all. It will simply make those people pay a little higher price for their material.

Mr. BACON. There is now, as I understand, a very slight importation of structural steel——

Mr. ALDRICH. I do not know what the Senator calls slight. A hundred million pounds is not slight, according to my notion. It may be according to the Senator's.

Mr. BACON. The Senator did not permit me to finish my sentence. I said, according to the production in this country.

Mr. SMOOT. I can tell the Senator just what it would be. If he will look at the book before him, he will see that 1.4 cents a pound is the valuation of foreign structural steel coming in here; that is $28 a ton. Under this paragraph the assembled parts of the structural steel coming here would fall under the 45 per cent ad valorem clause.

Mr. BACON. I understand that.

Mr. SMOOT. And that 45 per cent——

Mr. BACON. I am not talking about those features.

Mr. SMOOT (continuing). Would be $12.60, and the old rate was five-eighths of a cent.

Mr. BACON. I am not asking about those things; I think they are perfectly clear; I do not think there is any confusion about them. I simply want to get the opinion of the committee whether it would be a prohibitory rate.

Mr. ALDRICH. It certainly would not be.

Mr. BACON. I desire to say, before the paragraph is passed, that it is in a peculiar position. There has been an amendment agreed to that, personally, I would not favor. There is an amendment proposed which I do favor. Therefore, we are in a position where we can not reach the one to which I am opposed, except by a motion to reconsider. I understand that those who are opposed to that particular amendment propose now to let the matter go over and to reach it when we come into the Senate.

The PRESIDING OFFICER. The Secretary will read the next paragraph.

The SECRETARY. Paragraph 123, page 35——

Mr. ALDRICH. I promised the Senator from Texas to allow this paragraph to go over still further.

The PRESIDING OFFICER. Without objection, it will be passed over. The next paragraph passed over will be read.

The SECRETARY. The next paragraph passed over is paragraph 124, in the following words:

124. Railway bars, made of iron or steel, and railway bars made in part of steel, T rails and punched iron or steel flat rails, seven-fortieths of 1 cent per pound; railway fishplates or splice bars, made of iron or steel, two-tenths of 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the paragraph. Without objection, the paragraph is agreed to. The next paragraph passed over will be read.

The SECRETARY. Paragraph 125, as follows:

125. Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel, valued at 3 cents per pound or less, thinner than No. 10 and not thinner than No. 20 wire gauge, five-tenths of 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, six-tenths of 1 cent per pound; thinner than No. 25 wire gauge and not thinner than No. 32 wire gauge, eight-tenths of 1 cent per pound; thinner than No. 32 wire gauge, nine-tenths of 1 cent per pound; corrugated or crimped, eight-tenths of 1 cent per pound; all the foregoing valued at more than 3 cents per pound, 30 per cent ad valorem: *Provided*, That all sheets or plates of common or black iron or steel not thinner than No. 10 wire gauge shall pay duty as plate iron or plate steel.

The PRESIDING OFFICER. Without objection, the paragraph is agreed to.

Mr. NEWLANDS. May I ask what amendment has been agreed to in paragraph 125?

The PRESIDING OFFICER. There is no amendment to paragraph 125.

Mr. NEWLANDS. Then what action has been taken in regard to it?

The PRESIDING OFFICER. It was agreed to.

Mr. ALDRICH. It has been agreed to.

The PRESIDING OFFICER. The next paragraph passed over will be read.

The SECRETARY. Paragraph 129, steel ingots, and so forth.

Mr. CULBERSON. I was in the rear of the Chamber when paragraph 124 was agreed to. I desire to submit an amendment to that paragraph.

Mr. ALDRICH. It can be done in the Senate.

Mr. BACON. But we want to do it now.

Mr. CULBERSON. It can be done in the Senate, it is true, but if it is agreeable I should be glad to have the paragraph passed over for the present.

The PRESIDING OFFICER. The paragraph has been agreed to. What is the suggestion of the Senator from Texas?

Mr. ALDRICH. I hope the Senator will not try to raise that question now. There will be plenty of time to consider the question when the bill is in the Senate.

Mr. BACON. The only objection would be that as we well know by the time the bill is reported from the Committee of the Whole much time will have elapsed and Senators will be impatient, and there can not be the same consideration given in the Senate as in the Committee of the Whole.

Mr. ALDRICH. I think so.

Mr. BACON. I think not.

The PRESIDING OFFICER. The next paragraph passed over will be read.

The SECRETARY. Paragraph 129, steel ingots, and so forth——

Mr. CULBERSON. What was done with paragraph 124?

Mr. ALDRICH. It was agreed to.

Mr. CULBERSON. I ask the Senator to allow it to be passed over for the present.

Mr. ALDRICH. I want to dispose of these questions as we go on. The Senator can offer his amendment now or wait until the bill comes into the Senate. I have no objection if the Senator prefers to go on with the consideration of the paragraph now, but I would prefer that he should wait until the bill gets into the Senate.

Mr. CULBERSON. I am not prepared to submit the amendment just now.

Mr. ALDRICH. Then we had better go on with it in the Senate.

The PRESIDING OFFICER. The Secretary will read the next paragraph passed over.

Mr. ALDRICH. One hundred and twenty-nine is the next paragraph.

The PRESIDING OFFICER. The Chair understands that paragraph 128 was agreed to.

Mr. ALDRICH. It was agreed to.

The PRESIDING OFFICER. The Secretary will read paragraph 129. The Chair understands that the amendments of the committee to this paragraph have been agreed to.

Mr. ALDRICH. Then, I ask that the paragraph be agreed to.

The PRESIDING OFFICER. Without objection, the paragraph is agreed to.

Mr. CULBERSON. I wish to invite the attention of the Senator from Rhode Island to paragraph 129, that he may explain it before the paragraph is agreed to. I have not the paragraph before me, but my recollection is that the original paragraph contained 11 different items, and that as amended by the Senate it contains 14, the additional items 12, 13, and 14. Those items have been added by the Senate committee. As I remember, they increase the rate. Item 13, for instance, increases the rate about 49 or 50 per cent, relatively, and item 14 increases the rate 70 odd per cent, relatively speaking.

My information, further, is that in the same grade there were more than one-third of the total importations under paragraph 129 under the Dingley Act. So, apparently, unless the Senator from Rhode Island can explain it, taking into consideration the importations and the reclassification, paragraph 129 makes an increase in the rate. I will ask the Senator if that is not the case, and why this reclassification has been made by the committee, introducing three additional classes, in one of which is included more than one-third of the total importations in 1907?

Mr. ALDRICH. Mr. President, the three brackets to which the Senator alludes are to provide for entirely new classes of steel that were never heard of or known when the act of 1897 was passed. The Senator is more or less familiar, I take it, with some of the very great discoveries which have been made within the last few years in steel making. Steel is now made which costs from 60 to 70 cents a pound. It is called "high-speed steel," and it is used in machinery running at a very high rate of speed and in tools which require frequent hardening. It is steel which in its character is entirely unlike any steel which was known when the act of 1897 was passed.

Some of these discoveries, in the opinion of the people who ought to know about such matters, it is believed may revolutionize the whole business of manufacturing steel in the world. In these products there is used a great variety of new metals

in combination with these various kinds of steel. They are extremely expensive to make. The purpose is to encourage their production in this country, where we certainly want to take advantage of all the new discoveries in the iron and steel industry. We want to be kept abreast of the world not only in questions of armament, in which these steels are largely used, but in all the progressive manufacturing or mechanical purposes.

I think there is not one provision of this bill that has more merit and is more desirable than the three brackets to which the Senator has alluded. The production of these various kinds of steel is absolutely an infant industry, and should be properly taken care of by this act.

The PRESIDING OFFICER. Without objection——

Mr. CULBERSON. In view of what the Chair was about to say, I beg leave to suggest that the best way would be to submit the question to the Senate and not to suggest that unless there is objection an amendment is agreed to. Of course, if the Chair thinks that one objection would defeat the paragraph, it is well enough, but I beg respectfully to suggest that it does not.

The PRESIDING OFFICER. The Chair will endeavor to comply with the wishes of the Senator from Texas.

Mr. CULBERSON. Very well.

The Senator from Rhode Island, as I understood him, states that these three additional grades are inserted because there is a new kind of steel. I do not understand that to appear from this paragraph. I have a memorandum here, prepared partly by myself and partly by an expert, a portion of which at least I will read:

12. The next grade created is that valued above 24 and not above 32 cents a pound, and upon this the duty is 6 cents a pound, or a relative increase of 27 per cent over the 4.7 cents a pound of the Dingley Act.

13. The last grade created is that valued at above 32 and not above 40 cents per pound, upon which the duty is fixed at 7 cents, a relative increase over the 4.7 cents of the Dingley Act of nearly 49 per cent.

14. The last grade created is all valued above 40 cents a pound, and upon this there is proposed a 20 per cent ad valorem, or from 8 cents a pound upward. Upon a minimum basis of 8 cents a pound duty the relative increase is more than 70 per cent above the 4.7 cents a pound of the Dingley Act.

Indicating, Mr. President, that the classification is as to value alone. As I said a while ago, more than one-third of the total importation under paragraph 129, as shown by the imports of 1907, belong to class 13, where the per cent of increase is 49. I invite the attention of the Senator from Rhode Island to my suggestion that this new division is upon a basis of value, and not upon a new kind of steel.

Mr. ALDRICH. I understand that.

Mr. CULBERSON. Of course the Senator may be able to explain it. I am unfortunately one of those Members of the Senate who is not an expert in steel, having had no experience with the matter.

Mr. ALDRICH. Paragraph 129 includes all kinds of steel, and therefore it includes all these new kinds. The only way in which they can be reached for classification is by a classification for value. There were no steels practically in existence with the high prices in 1897. They have been coming in. They came in in 1907. A lot of these new steels came in under the paragraph as it stood, and that is the reason why they appear all in one paragraph, above 30 cents a pound, I think. But some of these steels were then of immense value.

Mr. TILLMAN. I am greatly interested in what the Senator is telling us. Are the inventions of these processes of this steel, which, I take it, are better than cast steel——

Mr. ALDRICH. Very much better.

Mr. TILLMAN. Are these inventions of very high-grade steel American or foreign?

Mr. ALDRICH. Some are American and some foreign. I think the most valuable are English inventions. The Senator from Pennsylvania [Mr. OLIVER] perhaps can give a little more definite information on the subject. I think the more valuable of the inventions are English.

Mr. OLIVER. The additional brackets in paragraph 129 were put in to cover what is known as "high-speed" and "tool" steel. At the time of the enactment of the Dingley law what is known as "crucible steel"—tool steel—was manufactured largely in this country and very little of it, comparatively, was valued above 16 cents a pound. Some of it ran up as high as 20 cents a pound. The market was in the hands of the American manufacturers. They supplied substantially all the tool steel used in this country except a few specialties.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from South Carolina?

Mr. OLIVER. I hope the Senator will not interrupt me, because, in order to cover this matter, I will have to talk consecutively and without interruption.

Mr. TILLMAN. I was simply going to ask the Senator a question, but if he objects I will wait.

Mr. OLIVER. I have no objection, Mr. President, to any question that may be asked by the Senator from South Carolina, but I hope that he will allow me to proceed without interruption in explaining this paragraph.

In 1901 a British manufacturer introduced into this country a new kind of steel. It was made by taking about 80 per cent of the highest grade of Swedish bar iron and alloying it with about 20 per cent of valuable minerals, chiefly tungsten, with a slight mixture of chromium and vanadium. These materials are extremely rare and valuable. The tungsten that goes into this high-speed steel is worth from $1,400 to $1,500 a ton, and as the steel contains almost 20 per cent of tungsten, you can easily realize that the tungsten alone that goes into a ton of this steel is worth between $275 and $300.

The other elements, chromium and vanadium, are equally valuable, although they go in in smaller quantities. The Swedish bars which are used as a basis of this raw material carry under the present tariff a duty of $12 a ton, and under the proposed tariff $8 a ton, all made of charcoal iron.

To show the extent to which this steel invaded our trade I will read the imports of steel valued at above 16 cents per pound which were made in 1901 and the years following. In 1901 it was 778,736 pounds; in 1902, 2,133,461.84 pounds; in 1903, 2,299,439.75 pounds; in 1904, 1,556,313 pounds; in 1905, 1,724,612.50 pounds; in 1906, 2,897,682.24 pounds; and in 1907, 3,535,707.94 pounds.

Now, Mr. President, every pound of this steel that is used displaces at least 5 and sometimes as high as 10 pounds of the ordinary tool steel that was formerly used and made in this country. By reason of this admixture the utility of the steel is so increased that you can put it in a lathe and run the lathe to any speed you want and it will cut iron or cut steel and do its work just as well if it is red hot as it will at any ordinary temperature.

So, as this steel displaces so much of our steel, you can easily understand the inroads that have been made upon the trade of our manufacturers. Our manufacturers have not been idle. This was a secret process, of which not one, but a great many, of our manufacturers have discovered the formula. They are making it to-day, but by reason of the exceedingly high price of the materials entering into it, owing to the fact that it uses up their crucibles faster, it uses up their refractories faster and involves infinitely more labor and more care than had heretofore been used in the art, it is absolutely necessary, if we are to make it in this country, to place upon it a higher rate of duty.

I call the attention of the Senator from Texas and the other Senators who are opposed to this duty to the fact that it does not increase the price of steel to the users of it. When you consider the amount of work that can be done by 1 ton or 1 pound or 1 unit, they are getting the same work done for less money than they heretofore were able to do.

This steel, when it was first introduced, and until our manufacturers discovered the formula, was put upon the American market at 75 cents a pound. The price to-day of some grades of it has come down as low as 34 cents a pound. That is what has been done by our home competition as against foreign competition, for I tell you, Mr. President, there is no tyranny so absolute as the tyranny of a foreign producer who puts goods into a market away from his home.

By the adoption of these amendments you will afford perhaps not adequate protection, but some protection to our manufacturers, and you will be giving to the users of this product their steel at less money than they were paying heretofore for the same amount of work that the steel formerly used would do under the lower rates of duty, and you will be saving money to our consumers and putting the manufacture in the hands of our people instead of those abroad.

Mr. FLETCHER. Mr. President——

Mr. BEVERIDGE. May I ask a question before the Senator from Florida begins?

Mr. FLETCHER. Certainly.

Mr. BEVERIDGE. It is merely this: I listened very attentively to the explanation of the Senator from Pennsylvania, from which I gather, and I want to know whether I am right in gathering it, that this is protecting new steel that has not been in the market before and has not been manufactured here before.

Mr. OLIVER. It is a new article of commerce, Mr. President, that never was heard of prior to 1900 or 1901.

Mr. BEVERIDGE. That being true, of course it follows that the statement in the comparative schedule, that these steel bars heretofore had a certain duty, was erroneous. If this is an absolutely new article, that is incorrect.

Mr. ALDRICH. No; it did pay that rate of duty, because there was no other classification for it; it had to pay that rate.

Mr. CULBERSON. The suggestion of the Senator from Indiana is one I have been endeavoring to bring out, that the same character of steel, valued at the same price, was imported into this country in 1907 at a certain duty, and that the effect of this amendment is simply to increase the duty.

Mr. BEVERIDGE. I do not so understand it. If the Senator will permit me, I understand from what the Senator from Pennsylvania says that instead of being an increase of duty it is a new duty, simply because this steel did not exist when the former law was passed, and the duty which it paid was by reason of a classification made by the appraisers. In reality it has not been specifically provided for by law before.

Mr. TILLMAN. If the Senator from Florida will permit me.

Mr. FLETCHER. Certainly.

Mr. TILLMAN. I note that there were imported in 1907 3,535,707 pounds, valued at 16 cents per pound, and the Senator from Pennsylvania tells us the reason why this steel is so high——

Mr. OLIVER. I beg the Senator's pardon; it is valued at an average of 34 cents a pound—that is, the foreign value.

Mr. TILLMAN. I am only quoting the schedule as we have it printed—"valued above 16 cents per pound."

Mr. OLIVER. I was reading, Mr. President, from the imports and duties of 1894 to 1907.

Mr. TILLMAN. I am not disputing the Senator's statement at all. I am merely giving the statement which we have here, and I was calling attention to the fact that the House committee did not think it worth while to have any hearings on this subject, that there was no light thrown upon it, and that somebody had given the Finance Committee new light—I suppose the Senator from Pennsylvania—which has enabled it to reason out the necessity for this big increase.

Mr. ALDRICH. The people who came before the members of the committee were the people who were engaged in trying to make this high-priced steel.

Mr. TILLMAN. I am not objecting to that at all. I am not finding any fault with this infant industry. I am glad to see the Senator is so solicitous about infant industries, for I am going to remind him about infant industries before we get through with this bill.

Mr. ALDRICH. I am extremely solicitous about this, because I think it is one of the most important things in the bill.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Texas?

Mr. FLETCHER. I do.

Mr. CULBERSON. By the courtesy of the Senator from Florida, I am permitted to make a further suggestion. Under the Dingley Act there were 11 different grades of steel, while by the proposed amendment there are 14. No. 13, which is created by this act, is that valued at above 32 and not above 40 cents a pound, upon which a duty is fixed of 7 cents, a relative increase over the 4.7 cents of the Dingley Act of nearly 49 per cent.

The steel imported in 1907 under No. 13, valued at above 32 cents and not above 40 cents, the average of which is 34 cents a pound, constituted $1,202,672. Considerably more than one-third of the total of the two grades constituted in value about 80 per cent of the imports; in other words, the steel which is described by this act as No. 13, which was imported under the Dingley Act, amounted to over a million dollars.

It is now put in class 13, the duty on which is increased to 49 per cent relatively to the Dingley Act. So that it is not a new kind of steel according to this law, with due respect to the Senator from Pennsylvania—and I know he is perfectly sincere concerning his statement; and he may be right—but, according to this law, the same kind of steel, which is described as No. 13, and upon which the ad valorem increase is 49 per cent, was imported in 1907.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Indiana?

Mr. FLETCHER. Certainly.

Mr. BEVERIDGE. As I gather the drift of this discussion, this really is a new kind of steel which has been invented since the Dingley law was enacted.

Mr. CULBERSON. How can it be a new kind of steel, so far as the importation is concerned, when it came into this country in 1907?

Mr. BEVERIDGE. I will say to the Senator that, in view of the fact that the Dingley Act did not provide for it, because it did not then exist, it was classified by the Board of Appraisers under the only caption under which it could pay any duty at all, which is the reason why it paid this duty. So it is a new kind of steel which did not exist when the Dingley Act was enacted. Is that correct?

Mr. ALDRICH. That is correct. If the Senator from Texas [Mr. CULBERSON] will read paragraph 138, he will find that it was not possible to have imported these articles under any classification except the classification of steel. It is the only place it could come in, for paragraph 129, now under consideration, includes all the steel that is made. A large part of the steel manufactured in the United States is valued at less than a cent a pound, probably; from that up to 75 cents a pound. Paragraph 129 is all-embracing; it includes all classes of steel that are produced in the world.

Mr. CLAY. Let me ask the Senator a question. As I understand, quoting from line 21, "valued above 16 cents and not above 30 cents per pound, 4.6 cents per pound." That was the Dingley law.

Mr. BEVERIDGE. No——

Mr. CLAY. Yes; it was.

Mr. BEVERIDGE. That was the classification under the Dingley law.

Mr. CLAY. That is what I mean—"valued above 30 cents per pound, 15 per cent ad valorem." If I understand it, the Dingley law intended to tax all steel ranging from 16 cents a pound clear up as far as it went 4.6 cents a pound. That included steel worth 40 cents; it included steel worth 32 cents; it included all steel mentioned in the three paragraphs to which the Senator from Rhode Island refers.

Mr. ALDRICH. Undoubtedly.

Mr. CLAY. In other words, as I understand, under the Dingley law, on steel worth 24 cents the duty would be 4.6, and on steel worth above 24 cents and not above 32 cents, the duty would be the same, while under this amendment it would be 7 cents. It strikes me that under the Dingley law all steel in this class, ranging from 16 cents a pound and upward, would be 4.6 cents.

Mr. BEVERIDGE. According to the statement of the Senator from Pennsylvania, this kind of steel was not then invented. So, afterwards, when it was imported, that was the only place it could be put; otherwise it would come in free of duty.

Mr. CLAY. That is true. If that class was not in use at the time the Dingley law was passed, and that class of steel was afterwards manufactured, then, in my opinion, this paragraph 129 would apply to it, and that steel would come in, and has been coming in, at 4.6 cents a pound. It is a very serious question—and I always like to look at a thing in a practical way—to increase the duty on steel of this class from 4.6 cents to 7 cents a pound. It is an increase of almost 80 per cent. The Senator from Pennsylvania [Mr. OLIVER] has made a very clear statement as to the kind of steel this is; but the trouble with me is that if this steel has been coming in here for seven years—since 1901, if I recollect correctly—paying this identical duty, to now change that rate from 4.6 to 7 cents a pound is a very serious question; and there ought to be indisputable facts to sustain such an increase.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Oklahoma?

Mr. FLETCHER. Certainly.

Mr. GORE. I merely want to ask the Senator from Pennsylvania whether this was a patented process?

Mr. OLIVER. Mr. President, I will answer the Senator from Oklahoma that it is not a patented process. It was at first a secret process, but the secret has been discovered, and is now utilized by our American manufacturers.

Mr. GORE. It is, then, available to every man?

Mr. OLIVER. It is available to everybody. This steel is made in Pittsburg and in Reading, Pa.; it is also made in New Jersey; some of it is made, I think, in Chicago, and some in Syracuse, N. Y. Its manufacture is widespread over the country.

While I am up, Mr. President, I want to say that the manufacturers inform me that there are other formulas which they think by other admixtures will enable them—and they are also in the possession of foreigners—to make steel of still higher utility, the price of which may go up to 75 cents or $1 a pound; and which, even at this high price, will still be very much cheaper for use than the low-priced steel. That is the reason why there should be fixed this very low and reasonable ad valorem rate of 20 per cent to cover such things in the future.

Mr. President, before I sit down, if the Senator from Florida will excuse me—and as addressed to my associates who believe in a protective tariff and not to our Democratic friends—I wish to read this quotation:

> The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate. On the other hand, there are other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be raised.

That is from the speech of William H. Taft, in Cincinnati last summer, accepting the nomination as the Republican candidate for the presidency.

Mr. NELSON. Will the Senator from Florida yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. FLETCHER. Yes.

Mr. NELSON. I desire to call the attention of the Senator from Pennsylvania [Mr. OLIVER] to this phraseology in the paragraph under consideration, which is new and which to me is a greater mystery than the increase in the rate. Beginning on line 18 are the words:

> Not advanced in value or condition by any process or operation subsequent to the process of stamping.

That is new in this proposed law. It is not contained in the old law. I should like to understand the mystery or the meaning and the effect of that phrase. Will it operate, as it did in paragraph 119, to put most of this product under the general classification of a 45 per cent ad valorem rate? What does it exclude and what does it include?

Mr. BEVERIDGE. From what point does the Senator from Minnesota read?

Mr. NELSON. The language to which I refer is in paragraph 129, page 37, line 18:

> Not advanced in value or condition by any process or operation subsequent to the process of stamping.

Those are the new words that were injected, and that is the mystery which I should be glad to have explained.

Mr. ALDRICH. That applies to "stamped shapes"—just that one class, and nothing else.

Mr. NELSON. It does not so appear in the bill. There is a semicolon after the words "mill-shafting material," and then the words "pressed, sheared, or stamped shapes."

Mr. ALDRICH. The phrase only applies to those shapes. It does not apply to anything else.

Mr. FLETCHER. Mr. President, of course I do not wish to interfere with the course of the discussion here at all. I rose to submit a statement, which ought to have peculiar value, inasmuch as it is a statement delivered by a gentleman who declares himself to be a manufacturer, a Republican, and a protectionist.

When paragraph 124 was reached the Senator from Texas asked to have it passed over, when the Senator from Rhode Island objected and suggested that any amendment to the paragraph might be offered in the Senate. I understand that an amendment will be offered to the bill in the Senate putting the articles described in that paragraph on the free list.

Mr. ALDRICH. Is the Senator from Florida speaking about paragraph 123 or paragraph 124? I think paragraph 123 is what the Senator has reference to.

Mr. FLETCHER. No, sir; I refer to paragraph 124.

Mr. ALDRICH. Railway bars, steel rails?

Mr. FLETCHER. Steel rails.

Mr. ALDRICH. Did the Senator say "on the free list?"

Mr. FLETCHER. I understand an amendment will probably be proposed, or possibly be proposed, to put them on the free list.

Mr. BEVERIDGE. If the Senator from Florida is speaking about paragraph 129, will he permit me to ask the Senator from Pennsylvania a question before that discussion is closed?

Mr. FLETCHER. If the Senator will allow me, I shall be through in a minute. I want to submit this statement, as bearing upon this general subject in reference to what has been said and read. I might respond that I had been unable to find in the Constitution of the United States or in the laws of the United States any authority in Congress to guarantee reasonable profits to anybody about anything or upon any industry. I am not able to find that there is any authority or power in Congress to discriminate in favoring one industry or manufacture over another. But I submit this statement, which was published in what is called "Tariff Revision," last September, by Mr. H. E. Miles:

> This man—

Referring to a man with whom he had a conversation—

> This man knows that when the Dingley bill was passed the cost of the manufacture of steel rails was $12 per ton in Pittsburg and $16 in England; ocean freight was, and is, about $3.50, making $19.50 the English cost delivered in New York, or 63 per cent above the Pittsburg cost. Imagine any Congressman being so foolish or so daring as to attempt to explain why, with this 63 per cent of "natural protection," $7.80 per ton, or 65 per cent, more protection was given by Congress. The granting of a tariff like this is a farming out of the taxing power for private considerations and to private interests.
>
> Not long after the passage of this bill steel makers, guided by Wall-street promoters, put about $1,000,000,000 of water into one corporation, and partly, at least, by the powers given to them in that tariff by Congress and the President, they have transferred the wealth of the people into that watered stock, in amount not less than $1,000,000 per week, until it has become a most substantial property. Lesser concerns have taken as much more. Sales prices have been doubled. Seeking relief from abroad, domestic users have found the Government of the United States practically preventing relief through importations at one-fourth lower prices, although these lower prices were being gladly met by our makers in neutral markets, and very profitably.
>
> Americans owning factories both in the United States and in Canada are buying Pittsburg steel cheaper for their Canadian factories, and are supplying foreign markets from Canadian factories formerly supplied from the United States. Leading political manipulators, sometimes called "statesmen," and even protectionists, knowingly made all this possible in the name of protection to American industries and labor.
>
> Or consider pig iron. The wage cost at the furnace of converting the raw materials there assembled into pig is, as stated by Mr. Schwab, 41.1 cents per ton of pig produced. Indeed, Mr. Schwab says that this covers, at the best furnace, also maintenance and overhead expenses. This seems almost incredible, but for more than a generation our steel men have taxed the belief of the manufacturing world by the actual facts of their accomplishments. Certainly pig, like all other steel and iron products, is produced cheaper in this country than anywhere else on earth. Mr. Gary fairly conceded this to a congressional committee, which, however, for some reason failed to act upon the information.
>
> In utter disregard of the principle of protection Congress, in the name of the principle thus set at nought, put a duty of $4 per ton on pig iron—a duty about 10 times the total wage cost of production at the furnace.

I submit that statement, Mr. President, as bearing on this subject; and under it it would seem that all claims that there should be a duty to protect a great American industry in this instance vanishes into thin air.

Mr. BEVERIDGE. Mr. President, before the vote is taken—I do not think there will be a vote, perhaps—I want to ask the Senator from Pennsylvania, who has made a most luminous statement about this whole subject, just two questions. Perhaps I was not in the Chamber and he may have already answered them. Can he tell us what is the difference between the cost of production on this particular item of steel here and abroad? That is the first question. The second question is, What is this particular kind of steel used for?

Mr. OLIVER. I would like the Senator to repeat his first question.

Mr. BEVERIDGE. I ask what is this new steel, this new invention, used for; and, then, what is the difference between the cost of production here and abroad? That is all.

Mr. OLIVER. Mr. President, I am sorry that I can not just now give the Senator the figures as to the difference in the cost of production. My information upon that point is general. I think, perhaps, I have it among my papers; but I can not get at it just now.

Mr. BEVERIDGE. Perhaps the committee can give it to us, then.

Mr. OLIVER. No; I do not believe the committee can if I can not, because I think I have given the subject very exhaustive study, and I rather think perhaps that some of the members of the committee have relied on me; but I will be glad to give it later.

Mr. BEVERIDGE. Of course, the rate of $7 must have been based upon the difference in cost here and abroad. I think everybody on both sides of the Chamber is impressed with the Senator's statement. I understand this particular kind of steel did not exist when the present law was passed and that it was put under the classification as stated; otherwise it would have come in free. Therefore, of course, the present rate is based upon the difference in cost here and abroad. That and the explanation of what it is used for would, I think, settle the question.

Mr. OLIVER. Will the Senator repeat his second question, so that I can get a clear understanding of it? I think I can answer it.

Mr. BEVERIDGE. What is this new steel used for?

Mr. OLIVER. Anyone who has ever been in a machine shop perhaps has noticed the working of a lathe. They put a piece of tool steel in the teeth of a lathe; set the lathe to going; and it goes very, very slowly, tearing off and shaping up the tool. As a usual thing, under the old practice, the machinist running that lathe could set the lathe to going, go off and go to sleep for an hour, and come back and set it again at the end of that time. The cutting of tools naturally heats the steel, and

if you would heat the ordinary tool steel, such as is used in this way, beyond a certain temperature, it would not cut, as it would become so heated itself.

Mr. BEVERIDGE. Then this is a hard steel, so hard that it can cut other steel?

Mr. OLIVER. This steel is very hard. By introducing other high-priced ingredients—chromium, vanadium, and tungsten—you can heat the steel red hot and just let it plow along. That is the reason they call it "high-speed steel." You can start the machines going at a high speed, and it does five or ten times as much as the old steel, and will last that much longer.

Mr. BEVERIDGE. How about the cost of production?

Mr. OLIVER. I will have to give it to you later on, because I have not got the items of cost. I do know, though, that from the very nature of things it must cost immensely more than other steel. One element of cost I will now give.

The pending bill levies a duty of $8 a ton on Swedish charcoal iron—and all of this class of steel is made from Swedish iron—which now pays a duty of $12 a ton. Tungsten carries a duty under the pending bill of 25 per cent. Every ton of this steel requires $300 worth of tungsten. The duty upon that tungsten alone amounts to two and a fourth cents a pound—not the cost of the tungsten, but the duty alone, and the tungsten in the steel will cost from 12 to 15 cents a pound. There is a duty of $8 a ton on Swedish iron, and there is 2¼ cents a pound for tungsten. These are two elements of cost that the foreigners do not have to pay. In addition to that we have the increased labor cost, the cost of investment, and the cost of refractories, all of which would bring it up to a point where 4.6 cents per pound does not cover anything like the difference between the cost here and abroad. Twenty per cent ad valorem may make up the difference; but, if so, it will not more than adequately do so.

Mr. TILLMAN. Mr. President, before the Senator takes his seat—I am very much interested in this matter, and he seems to be about the only man here who knows what is the reason for this duty—would he tell me whether we have any tungsten in this country? I have never seen the word, and I may be pronouncing it wrong.

Mr. OLIVER. I understand that there are tungsten mines in this country, but not sufficient to supply our wants.

Mr. TILLMAN. Where are they?

Mr. OLIVER. There are some in Colorado that I know of, but I have been told by a manufacturer of this steel that the country has to rely upon the foreign markets for something like half of the tungsten that it uses to-day.

Mr. TILLMAN. What about the other ingredients—vanadium and chromium, or something like that?

Mr. OLIVER. They are mostly imported.

Mr. TILLMAN. We have none of them here?

Mr. OLIVER. I can not answer that.

Mr. ALDRICH. Several Southern States produce them.

Mr. TILLMAN. I just wanted to know whether you people were gobbling up all these protected things and we did not have anything down our way, unless it might be something that some northern man has gone down and asked you to protect.

Mr. ALDRICH. Virginia and North Carolina both produce the articles referred to.

Mr. HUGHES. Mr. President, I should like to inquire of the Senator from Pennsylvania if he understands that the bill, as amended by the committee, proposes any duty whatever upon tungsten, of which there is not only a production in Colorado to meet the demand, but an exportation in 1907 to Germany of the tungsten metal?

Mr. ALDRICH. I will say to the Senator from Colorado that the committee propose to recommend an amendment putting a duty upon tungsten.

Mr. HUGHES. But as the law stands to-day, I understand there is no duty.

Mr. TILLMAN. Why do you want a duty if we are exporting it?

Mr. ALDRICH. Both Senators from Colorado, I think I can say, believe that by putting a small duty upon tungsten ore they can very largely increase the production in this country.

Mr. TILLMAN. If they are already exporting it, if we are making more than we need, what is the use of any duty?

Mr. ALDRICH. We are not exporting very much of it, I think.

Mr. HUGHES. No. That which was exported was the metal, not the ore. It was exported during the time when they did not need all that they had in the factories at Pittsburg and elsewhere.

Mr. NEWLANDS. Mr. President, I wish to make an inquiry of the Senator from Pennsylvania. I have been impressed with the clear and luminous statement which he has made regarding the steel industry. I may say that I have been impressed throughout with the fullness of his information and his apparent openness and candor upon these subjects. I am sure that if the system of protection presented always as its beneficiaries personalities as attractive as the Senator from Pennsylvania it would be an argument in favor of the system of protection; but as I understand the Senator from Pennsylvania, according to his own statement, is a manufacturer, that he belongs to the employing class, and represents a district which, as I understand, is one of the most highly protected districts in this country——

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Pennsylvania?

Mr. NEWLANDS. Certainly.

Mr. OLIVER. I think the Senator from Nevada was not present yesterday when, in response to a statement made by the Senator from Wisconsin [Mr. LA FOLLETTE], I stated that I was not interested in manufacturing and had not been for about eight years. Unfortunately, the business in which I am engaged is publishing a newspaper.

Mr. NEWLANDS. Mr. President, then I was certainly under a misapprehension. The Senator will recall that the other day he spoke of having been interested at one time in the window-glass industry, and I supposed that he was largely interested in manufacturing. But he does come from a region which is regarded as the most highly protected region in this country, and I wish to inquire as to the effect of this system there, not only upon the employers, but upon the employed; not only with reference to its creation of great wealth, but with reference to its effect in securing the general prosperity and happiness of the wage-earners engaged in the various industries at Pittsburg.

I wish to call his attention to an inquiry which has recently been made under the patronage of the Russell Sage Foundation into the economic conditions that prevail at Pittsburg, Pa. I understand that that inquiry has been made not by radicals, not by anarchists or socialists, but has been made by men who are profoundly interested in sociological questions, conservative men, who are interested in these great problems relating to the general prosperity of the masses of the people, their housing, their clothing, their food, and the ability of a family to maintain itself under the pressure of economic competition.

I have read over some of these papers, though not carefully, and I find that the general summary of these inquiries into conditions there is that the industrial conditions of Pittsburg, where more wealth has been created through protectionism than any other portion of the country, with respect to the average wage-earner are worse than in almost any other part of the country. It is contended for them, if I recollect aright, that even the Sabbath is not observed, that men are engaged in work seven days in the week, that they are engaged in work twelve hours a day, and that the wages are such that it is utterly impossible for a wage-earner to support a family under the conditions which ought to obtain in family life in America. Illustrations are given showing that labor there employed is largely composed of men coming from the southern parts of Europe, men accustomed to a low standard of living, men huddled together five or six in a room; that they are subject to this grinding labor seven days in the week and twelve hours a day, and under conditions which make the factories almost a pandemonium.

I should like to ask the Senator from Pennsylvania whether he has read the reports of the gentlemen who have been conducting this inquiry, and whether he knows if those reports are exaggerated or are correct?

Mr. OLIVER. Mr. President, an answer to that question would be entirely foreign to the subject under discussion, and would require time and preparation—time which nobody has, and preparation which I have not had the opportunity to make. I think I could, and I believe I will some time, refute many of the slanders contained in the publications referred to; but I will not attempt to do so now, when things of more immediate importance are at stake.

Mr. NEWLANDS. I, of course, accept the statement of the Senator from Pennsylvania as to his unpreparedness to make a statement at this time regarding the matter. I differ with him, however, as to the relevancy of the question I have propounded. Throughout this entire discussion the main contention of those who believe as the Senator from Pennsylvania does, in the system of high protection, has been that it has operated to the great advantage and prosperity of the laboring men and of the wage-earners of the country. The contention always is that the high protective duty is necessary, not to protect wealth, but to protect labor. We all know that Pittsburg, Pa., is the very center of protectionism in this country; that there are more

protected industries established there than in any other part of the country; that greater wealth has been accumulated there through the manufacture of protected commodities than in any other portion of the country. It seems to me when we are considering the tariff question, and when we are considering this very schedule which relates to the most prominent industry of Pittsburg, and when the contention is made that these high duties should be maintained and increased, with a view to benefiting the laboring man and advancing his prosperity, it is entirely proper for us to inquire as to whether the conditions of the laboring man in that highly protected community are of the low and ignoble character described by these gentlemen, professors in colleges, sociologists, economists, under the patronage of the Russell Sage Foundation, or whether they are slanderous and untruthful.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. There are several other verbal amendments to the paragraph which I should like to make. I will send the amendments to the desk.

Mr. CRAWFORD. What is the paragraph?

The PRESIDING OFFICER. Paragraph 129.

The SECRETARY. In line 20, after the word "steel," insert the words "bands, circular and other."

Mr. CULBERSON. What page?

The PRESIDING OFFICER. Page 37.

Mr. ALDRICH. Page 37, line 20.

The PRESIDING OFFICER. The question is on agreeing to the amendment which has been stated.

The amendment was agreed to.

The SECRETARY. In line 24, after the word "sheets," insert the word "strip" and a comma.

The amendment was agreed to.

The SECRETARY. In the same line, after the word "plates," strike out the word "and" and insert "of."

The amendment was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended may be agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is 134, page 40, where in line 7——

Mr. ALDRICH. There is an amendment in paragraph 130.

The PRESIDING OFFICER. Paragraph 130.

Mr. ALDRICH. I want to withdraw the committee amendment.

The PRESIDING OFFICER. Without objection, the committee amendment is disagreed to. The amendment will be stated.

The SECRETARY. On page 39, paragraph 130, withdraw the committee amendment, and then, in line 5, strike out "forty" and insert "thirty-five."

Mr. ALDRICH. That reduces the House rate from 40 to 35 per cent ad valorem.

Mr. BEVERIDGE. Paragraph 130?

Mr. ALDRICH. Paragraph 130.

The PRESIDING OFFICER. Is there objection to the amendment? In the absence of objection, the amendment is agreed to.

Mr. BEVERIDGE. According to the comparative statement here, the House has 40 per cent and the Senate 11 cents a pound.

Mr. ALDRICH. That is withdrawn. Eleven cents a pound would be very much higher than 40 per cent on some classes.

The PRESIDING OFFICER. The amendment has been agreed to.

The SECRETARY. The next paragraph passed over is 134, on page 40.

Mr. ALDRICH. Mr. President——

Mr. LODGE. Paragraph 133, line 19.

Mr. ALDRICH. In line 19, after the word "rods," I move to insert "all the foregoing."

The PRESIDING OFFICER. What is the amendment?

Mr. LODGE. "All the foregoing," in line 19, page 39, after the word "rods."

The SECRETARY. On page 39, line 19, after the word "rods" it is proposed to insert "all the foregoing."

The amendment was agreed to.

Mr. ALDRICH. In the next paragraph there are a number of verbal amendments, which I send to the desk.

Mr. CLAY. What is the paragraph?

Mr. ALDRICH. Paragraph 134.

The PRESIDING OFFICER. The Secretary will state the amendments.

The SECRETARY. On page 40, line 8, after the word "foregoing," strike out "valued at more than 4 cents per pound."

The amendment was agreed to.

Mr. CRAWFORD. As I have it here, on the first reading of the bill the amendment reported, for instance in line 7, was an increase of the rate of the House bill from 1¼ to 1¾. Now, what are we doing with that?

Mr. BEVERIDGE. We have not yet reached that.

Mr. ALDRICH. That has not been agreed to. I am proposing several amendments which reduce the rates in some other paragraphs.

Mr. CRAWFORD. When are we to act upon this?

Mr. ALDRICH. Whenever we get through. I suggest that we may act upon it after we get through with the amendments which I have sent to the desk, which are verbal amendments.

Mr. BEVERIDGE. I understand we have not reached that yet.

The PRESIDING OFFICER. The next amendment will be stated.

The SECRETARY. In line 10, strike out "forty" and insert "thirty-five."

Mr. BEVERIDGE. That is a reduction?

Mr. ALDRICH. Yes.

The amendment was agreed to.

The SECRETARY. In line 13, strike out the words "steel strips."

The amendment was agreed to.

The SECRETARY. In line 14 strike out the words "strip steel, or."

Mr. LODGE. So that it will read——

The SECRETARY. "Corset clasps, corset steels, dress steels, and all flat wires, and steel in strips."

The amendment was agreed to.

Mr. ALDRICH. Disagree to the next committee amendment.

The SECRETARY. The committee recommend that the Senate disagree to the amendment in lines 14 and 15.

The amendment was rejected.

The SECRETARY. At the end of line 15 it is proposed to insert the words "made from wire, or tempered steel wire rods," so that it will read:

Twenty-five one-thousandths of 1 inch thick, or thinner.

Mr. ALDRICH. Oh, no; that goes out. That is disagreed to.

Mr. LODGE. That is disagreed to.

The PRESIDING OFFICER. It is restored.

Mr. ALDRICH. I beg pardon.

The SECRETARY. "Made from wire or tempered steel wire rods."

The amendment was agreed to.

The SECRETARY. In line 17, after the word "whether," insert "rolled or."

The amendment was agreed to.

Mr. OLIVER. I should like to ask the Senator from Rhode Island whether the words "not exceeding 10 inches in width" are to be left in line 15.

Mr. ALDRICH. I think those ought to go out. My impression is they ought to.

Mr. OLIVER. My impression is undoubtedly that they should go out, because they are provocative of a great deal of fraud.

Mr. ALDRICH. They are out in the present amendment.

Mr. LODGE. They are out.

Mr. ALDRICH. They are out in the present amendment.

Mr. OLIVER. They are out?

Mr. ALDRICH. They are out in what is being read.

The SECRETARY. In line 17, after the word "rolls," insert "or otherwise produced."

The amendment was agreed to.

Mr. ALDRICH. I suggest that this paragraph as proposed to be amended be read.

The PRESIDING OFFICER. The Secretary will read the paragraph as it will read if amended.

The Secretary read as follows:

134. Round iron or steel wire, not smaller than No. 13 wire gauge, 1 cent per pound; smaller than No. 13 and not smaller than No. 16 wire gauge, 1¼ cents per pound; smaller than No. 16 wire gauge, 1¾ cents per pound: *Provided*, That all the foregoing shall pay duty at not less than 35 per cent ad valorem; all wire composed of iron, steel, or other metal except gold or silver, covered with cotton, silk, or other material, corset clasps, corset steels, dress steels, and all flat wires, and steel in strips, twenty-five one-thousandths of 1 inch thick, or thinner, made from wire or tempered steel wire rods, whether in long or short lengths, in coils or otherwise, and whether rolled or drawn through dies or rolls, or otherwise produced, and all wire not specially provided for in this section, shall pay a duty of not less than 40 per cent ad valorem; on iron or steel wire coated by dipping, galvanizing or similar process with zinc, tin, or other metal, there shall be paid two-tenths of 1 cent per pound in addition to the rate imposed on the wire of which it is made: *Provided further*, That articles manufactured wholly or in chief value of any wire or wires provided for in this paragraph shall pay the maximum rate of duty imposed in this section upon any wire used in the manufacture of such articles and in addition thereto 1 cent

per pound: *And provided further*, That no article made or composed of wire shall pay a less rate of duty than 40 per cent ad valorem; telegraph, telephone, and other wires and cables composed of metal and rubber, or of metal, rubber, and other materials, 45 per cent ad valorem; barbed wire fence, 1¼ cents per pound, but the same shall not be subject to any additional or other rate of duty hereinbefore provided.

Mr. ALDRICH. The one and seven-twentieths should be changed.

Mr. BURKETT. If I may offer an amendment, I move to amend it by making it three-fourths.

Mr. ALDRICH. The proviso should be modified so as to make it read "three-fourths of 1 cent per pound."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. BEVERIDGE. As I gather it, all these amendments taken together are substantial reductions. Is that correct?

Mr. ALDRICH. It is.

Mr. BEVERIDGE. I am very glad to hear that. We are making progress.

Mr. CRAWFORD. It seems to me this amendment ought to be printed, in order that we may have an opportunity to compare the paragraph with the amendment. It is a long amendment.

Mr. ALDRICH. They are mostly changes in phraseology. The only changes in rates are reductions.

Mr. CRAWFORD. There is an increase in line 7, page 40.

Mr. ALDRICH. That is the only increase in the whole paragraph, and there are eight or ten different reductions.

Mr. CRAWFORD. It occurred to me from hearing the proviso read that it added a cent a pound.

Mr. ALDRICH. No.

Mr. CRAWFORD. And put a maximum——

Mr. ALDRICH. The House bill had a rate of a cent and a quarter a pound.

Mr. CRAWFORD. I may be mistaken, but it seems to me——

Mr. ALDRICH. The Senator is mistaken.

Mr. CRAWFORD. It shows the reason for having the amendment printed.

Mr. ALDRICH. The Senator is mistaken. Where a cent a pound is provided in this amendment, it is a cent and a quarter in the House bill.

Mr. SMITH of Michigan. There is no addition to the present Dingley rate——

Mr. ALDRICH. Oh, no.

Mr. SMITH of Michigan (continuing). As to any of the articles embraced in paragraph 134?

Mr. ALDRICH. None whatever.

Mr. SMITH of Michigan. There are several reductions from the House bill.

Mr. BEVERIDGE. Taken altogether, they are substantial reductions.

Mr. CRAWFORD. Why was there an increase in the item in line 7?

Mr. SMITH of Michigan. That is no increase over the Dingley rate.

Mr. CRAWFORD. It is an increase over the House rate.

Mr. SMITH of Michigan. But not over the present law.

Mr. CRAWFORD. Why is it? As I recollect the figures——

Mr. ALDRICH. Because in the opinion of the committee the adjustment was not correct. This very fine wire would not stand the reduction made in the House. That was the opinion of the committee.

Mr. CRAWFORD. As I recollect it, and I went over the case, if the Senator will excuse me—and of course I was interested somewhat in fencing wire, barbed wire, wire used in the West—it occurred to me that the rates were pretty high upon that line.

Mr. ALDRICH. The Senator perhaps was not noticing that the amendment offered by the Senator from Nebraska reduced the duty on fence wire nearly one-half.

Mr. CRAWFORD. Very well.

Mr. BURKETT. The reduction was to three-fourths of a cent.

Mr. ALDRICH. It reduced it nearly one-half.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Michigan. After the word "strips," in line 14, are the words "twenty-five one-thousandths of 1 inch thick or thinner" retained.

The PRESIDING OFFICER. They are restored.

Mr. ALDRICH. They are restored.

Mr. SMITH of Michigan. And the words "not exceeding 10 inches in width" are stricken out.

Mr. ALDRICH. Yes.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. Strike out paragraph 140 and insert the following:

140. Automobiles, bicycles, and motorcycles, and parts of any of the foregoing, including tires, axles, and ball bearings, 45 per cent ad valorem.

Mr. DOLLIVER. I notice tires for automobiles in this paragraph. I understand they are manufactured of rubber. It seems to me more appropriate that they should be included in the sundry schedule, under the head of "Manufactures of rubber not otherwise provided for."

Mr. ALDRICH. The Senator from Connecticut has an amendment, I think, to offer to this paragraph.

Mr. BRANDEGEE. I do not think the amendment I intended to offer touches the point raised by the Senator from Iowa.

Mr. ALDRICH. As long as the Senator has an amendment to propose, I think, perhaps, inasmuch as the colleague of the Senator from Connecticut is very much interested in it, that the paragraph had better be passed over.

Mr. BRANDEGEE. To that I have no objection.

The PRESIDING OFFICER. It will be passed over.

The SECRETARY. The next passed-over paragraph is on page 48, paragraph 151——

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 47——

Mr. BRISTOW. Was 150 passed over?

The PRESIDING OFFICER. The Chair understands there is an amendment to it.

The SECRETARY. On page 47, line 25, strike out the word "one-half" and insert "three-fourths."

The PRESIDING OFFICER. That amendment has already been agreed to. The Secretary will state the next passed-over paragraph.

The SECRETARY. The next paragraph passed over is on page 48, paragraph 151, line 3, after the word "gas," to strike out the word "or."

Mr. BEVERIDGE. Where is that?

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The SECRETARY. In the same line, after the word "liquids," it is proposed to insert "or other material, whether full or empty."

Mr. BEVERIDGE. Nobody can understand where the Secretary is reading, not even the chairman of the committee.

The PRESIDING OFFICER. He is reading from page 48.

Mr. BEVERIDGE. But he said paragraph 151. Nobody knows where he is.

The PRESIDING OFFICER. Paragraph 150.

Mr. LODGE. He said 151.

Mr. BEVERIDGE. He did say paragraph 151.

Mr. ROOT. I ask unanimous consent to offer an amendment to paragraph 151, and to have it referred to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

The SECRETARY. On page 48, line 3, after the word "gas," strike out "or."

The amendment was agreed to.

The SECRETARY. After the word "liquids," in the same line, insert "or other material, whether full or empty."

The amendment was agreed to.

Mr. DOLLIVER. Mr. President, I am absolutely unable to locate the paragraph.

The PRESIDING OFFICER. It is paragraph 150, the third line of page 48.

Mr. LODGE. Has that paragraph been agreed to?

The PRESIDING OFFICER. Without objection, the paragraph as amended is agreed to.

Mr. CRAWFORD. I was called out for just a moment, and I think this is one of the paragraphs I asked to have passed at its first reading. It was simply for the purpose of having some explanation given for the raise in the House rate on the last line of page 47, where the rate is raised from one-half to three-fourths. Perhaps that has been explained.

Mr. BEVERIDGE. What is the question of the Senator from South Dakota?

Mr. CRAWFORD. Has the amendment at the foot of page 47, increasing the rate fixed by the House from one-half to three-fourths cent, been acted on?

The PRESIDING OFFICER. The Chair understands it has been agreed to.

Mr. CRAWFORD. Without discussion at all?

The PRESIDING OFFICER. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The SECRETARY. The next paragraph passed over is 151.

Mr. CLAPP. That will undoubtedly lead to considerable discussion, and I suggest to the chairman that it be passed over.

Mr. ALDRICH. I should like to go on with it now.

Mr. LODGE. Why not go on with it now?

Mr. ALDRICH. We might as well go on with it at one time as another, unless the Senator has objections.

Mr. CLAPP. I think that is the paragraph which requires the placing of the name of the maker on the article.

Mr. BAILEY. That is in the proviso on page 50.

Mr. CLAPP. Yes. It seems to me it is perfectly proper; in fact, I believe that a foreign-made article should be branded "foreign made," so that when we buy it, if anybody wants to buy a foreign article, which I do not, he will see what he is getting. But I do not believe we have any right, in a mere revenue measure, to require the placing of the name of the maker of an article upon it. It conduces in no manner to the collection of the revenue; it adds nothing to the certainty of the collection of the revenue. It may take away from people property which they have acquired in the name of an article, and if there is any disposition to take that up at this time and insist on that phase of it, I should feel inclined to oppose it.

Mr. ALDRICH. There has been a great difference between importers and manufacturers as to the character of this provision. I will say that so far as the manufacturers and importers are concerned, they have agreed to certain changes in regard to marking.

Mr. CLAPP. Has the Senator the changes to propose?

Mr. ALDRICH. I have.

Mr. CLAPP. That may obviate the difficulty I presented.

Mr. BURKETT. A good many of us have had communications on this subject, and if there is any amendment offered, I should like to have it stated.

Mr. ALDRICH. The amendments are in paragraph 151, page 50, after line 20. I will read it as it will be if amended:

Provided further, That all articles specified in this paragraph when imported shall have the name of the maker or purchaser, and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of at least one, or, if possible, on each and every blade thereof.

Mr. BEVERIDGE. Either the maker or the purchaser.

Mr. ALDRICH. Either the maker or the purchaser. That provision is satisfactory to the importers and to the manufacturers.

Mr. CLAPP. The objection to that, as it comes to me from one of our large dealers, is the difficulty of compliance with the provision. It does not say "as near as may be?"

Mr. ALDRICH. No; it does not say "as near as may be." It says "on the shank or tang of at least one, or, if possible, on each and every blade."

Mr. CLAPP. That is just the question, whether it is possible.

Mr. BEVERIDGE. Does not that leave it to his judgment to say whether it is possible?

Mr. CLAPP. That is to say, whether the name of the maker shall be put on or the name of the party for whom it is made.

Mr. BEVERIDGE. I suppose that is optional. The only question is as to whether or not it shall be on every blade. Who is to determine it?

Mr. ALDRICH. "When imported, shall have the name of the maker or purchaser."

Mr. CLAPP. But that does not leave it to the importer.

Mr. ALDRICH. It has to be imported that way.

Mr. BEVERIDGE. The language carries that.

Mr. ALDRICH. The language itself.

Mr. CLAPP. I submit the language does not carry that, and the government officials can say which of those two things shall be done.

Mr. PAYNTER. In addition to the reason which the Senator from Minnesota [Mr. CLAPP] has given as an objection to the provision there is another one, and to show it I desire to have read a part of a letter which has been received by me from one of my constituents. I desire to invite the attention of the Senate to it to see whether there is any merit in it or not. I have indicated the parts of the letter necessary to be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

We have just been reliably informed that there is a paragraph in the Senate substitute bill that requires the name of maker and name of country of origin to be conspicuously placed on the shank or tang of each and every blade of pocketknives and razors that are imported by jobbers in this country. We wish to enter our protest against this, and believe that it will be a serious injury to the jobbing trade throughout the country.

No doubt you are aware that the various large hardware jobbers throughout the country are importing large quantities of the above goods under their special brand and name which they have gotten established at quite a large expense, and were the above substitute tariff bill passed it would reveal to competitors and to the trade in general the name of makers of these goods and put them in a position to purchase these articles without trouble or expense and have the very same patterns that have been created by enterprising importers who study the wants of their trade.

We have no objection whatever to the present ruling, namely, that the name of the country shall be stamped in a conspicuous place on each blade. This, we think, would be entirely sufficient to identify the goods as being a foreign make.

We certainly would appreciate your efforts to so modify this portion of the substitute tariff bill as to let it remain as it is.

Mr. LODGE. Mr. President, this question of marking opens up a question entirely different from any question of rates. It is the same principle that was involved in the question of the pure-food act—that the purchaser should know what he was buying. The practice has been to sell the foreign knife as an American knife. They bring them in, and comply with the present law, with the name of the country of origin etched, as it is called, upon the blade. A moment on the buffing wheel, and that disappears after it gets in, and it is then sold as an American knife, and often of an inferior quality to that which it pretends to be.

I can not see any sound argument why the purchaser should not know what he is buying. If it is a foreign knife made elsewhere, let him know it. If it is a knife made here, let him know it. That is merely honest dealing.

The question of revealing the name of the maker, that is spoken of in the letter, is disposed of by the amendment which allows them to use the name of the purchaser—that is, of the importer in this country—but the name of the country of origin ought to be die sunk on some portion of the knife.

Mr. CLAPP. Will the Senator pardon me?

Mr. LODGE. Certainly.

Mr. CLAPP. I do not think the Senator understood me; at least he did not if his remarks were in any manner intended as an answer. All the men I have heard from have unanimously agreed that it is perfectly proper to stamp the foreign origin of the knife so indelibly that it can not be removed; but they do object to putting the name of the maker on the knife.

Mr. LODGE. That is avoided by the modification of the amendment by the committee.

Mr. CLAPP. I fully agree with the Senator that when an article comes from a foreign country every American ought to be able to tell whether it is home or foreign made.

Mr. LODGE. I merely wanted to emphasize the proposition that under the present system the law is met by simply etching it, as it is called, on the blade, which can be removed in a moment. It is the fraudulent competition of that kind, injurious to the native manufacturer, that, I think, ought to be removed, and it is removed by this amendment. It is not a question of rates at all.

Mr. BAILEY. Mr. President, if we are going to introduce the principle of the pure-food act into this tariff legislation why not apply it to everything? Why not require all importations to be so stamped?

I take no stock in the idea that the Government is under any obligation to advise every purchaser as to the particular kind of an article he is buying. I think, of course, that every seller ought to be obliged to tell what he sells. That is common honesty; and no dealer ought to be permitted to perpetrate a fraud. But I am not able to discern a good reason why this restriction should be applied to this particular article, when, I understand, it is singular in that respect.

Mr. LODGE. If the Senator from Texas will allow me; I may be wrong, it is some time since the act was passed, but I think we have in the pure-food law very drastic provisions about the labeling of articles which have been imported from foreign countries.

Mr. BAILEY. But that proceeded upon the theory that the food contained deleterious or poisonous ingredients and called for a drastic governmental supervision. I am not able to see that the health or life of anybody is involved in the question as to whether a knife was made in one country or in another, whereas it might be a matter of supreme importance as to whether a man purchased flour containing a poisonous ingredient.

Mr. LODGE. A life might be conceivably involved in the use of a knife.

Mr. BAILEY. But it would not depend on where it was made.

Mr. LODGE. It would not depend on where it was made, I quite agree. It seems to me this is simply requiring what every

honest dealer ought to be ready to do. There is not any question that there is any amount of fraud in these things, that an inferior article is brought in from abroad and sold with a false mark as an American article. They not only injure them by underselling them, but they injure them by selling an inferior article in the name of the American article.

Mr. BAILEY. It might be safely left to the business acumen of an American merchant who understands that his prosperity depends upon the fair treatment of his customers.

Mr. LODGE. I am not thinking of the American merchant; I am thinking of the American consumer, about whom we hear so much.

Mr. BAILEY. It is delightful to hear that the consumer is now and then taken into consideration by Senators on the other side.

Mr. LODGE. I knew the Senator would be gratified to find that I was thinking of the consumer in at least this instance.

Mr. BAILEY. It seems to me that it is wholly unwise that we should undertake in tariff legislation to say it, and to say it in such a way as to follow the identity of a particular article.

To my mind the difference between protecting people against fraud that affects their health and even their life is altogether a different proposition from protecting them against the harmless commercial fraud, if any fraud could be harmless, of selling them one knife and giving them another. It might be that they would give them just as good, or it might be that they would give them just a little better. But whether they give them better or worse, it is only at last a question of dollars and cents. I hardly think it worth while for the Government to enter upon a supervision of private business concerns in matters like that.

Mr. LODGE. I think, Mr. President, that it is very common in other countries. I am sure that in England, which is a free-trade country, articles made in foreign countries are stamped, and in Germany, I know, you see a great deal of it there. I think it is not an uncommon provision, both for the protection of the manufacturer and of the purchaser.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. LODGE. Certainly.

Mr. SMITH of Michigan. It seems to me this provision is very wise and very opportune. At a time when there seems to be so much interest in foreign manufacture and the use of foreign goods it might enable the Department of Commerce to locate the customers for those foreign-made goods in America with greater ease, and I favor it for that reason. I should like very much if the committee would enlarge the scope and apply it to furniture and other things we ought to buy at home if we have as good here as in Europe.

Mr. BAILEY. In other words, the mark "Grand Rapids" would add something to the value of the furniture.

Mr. SMITH of Michigan. Exactly; for it is used in Texas and every civilized country.

Mr. BRANDEGEE. I should like to have the amendment read.

Mr. ALDRICH. The suggested amendment?

Mr. BRANDEGEE. The proposed amendment.

Mr. LODGE. The proposed modification is the committee amendment.

Mr. STONE. What was done with the amendment offered by the chairman of the committee?

Mr. ALDRICH. It has not been acted upon yet.

The PRESIDING OFFICER. The amendment has not yet been acted upon. The Senator from Connecticut desires to have the amendment read.

Mr. ALDRICH. It reads:

Provided further, That all articles——

Mr. TILLMAN. What line?

Mr. ALDRICH. Line 20, page 50—

Provided further, That all the articles specified in this paragraph when imported shall have the name of the maker or purchaser, and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of at least one or if possible each and every blade thereof.

Mr. McCUMBER. I wish to ask the Senator from Rhode Island the necessity of compelling the die stamp upon more than one blade.

Mr. ALDRICH. "Of at least one blade."

Mr. McCUMBER. But if you leave in the words "of at least one blade" and leave the rest out of the amendment, it compels somebody to determine when a blade is large enough to make a die stamp on it.

Mr. BEVERIDGE. That is the precise question I asked a moment ago. Who is to decide?

Mr. McCUMBER. If required to be placed upon one blade, why not say the largest blade? That would make it definite; or say "of one or more blades."

Mr. ALDRICH. The custom-house officers, of course, have to decide that question. They are the people who ascertain whether the law is being enforced correctly or not.

Mr. BEVERIDGE. That being true, it is perfectly clear that the words "if possible, more than one blade" do not hurt anything.

Mr. PAYNTER. I desire to ask the Senator from Rhode Island a question. Under the law as it now stands, is the name of the purchaser required to be placed upon the blade?

Mr. ALDRICH. It is not.

Mr. PAYNTER. So this will be an additional requirement?

Mr. ALDRICH. It will be.

Mr. PAYNTER. Under the law as now construed, I understand it is necessary to show that it is of foreign make.

Mr. ALDRICH. Yes.

Mr. PAYNTER. As well as the country of origin?

Mr. ALDRICH. The country of origin.

Mr. BEVERIDGE. Why not strike out the word "maker," since it is optional with the importer, according to the Senator from Rhode Island, whether the name of the purchaser or of the maker shall be stamped upon the blade. Of course the importer never would have the name of the maker stamped there, so why not strike that word out and remove all doubt?

Mr. ALDRICH. I think we had better leave the name of the maker there.

Mr. BEVERIDGE. The suggestion I have just made came from a member of the Senator's own committee.

Mr. ALDRICH. Well, I am sorry. I think we had better change the word "possible" to "practicable." I think that is better.

Mr. HEYBURN. Mr. President——

Mr. NELSON. Will the Senator yield to me a minute to make a suggestion to the Senator from Rhode Island?

Mr. HEYBURN. I yield for a moment.

Mr. NELSON. I suggest to the Senator from Rhode Island to require it only on one blade in the knife, and that the largest blade. I think that is sufficient.

Mr. FLINT. All the blades may be of the same size.

Mr. SMOOT. Mr. President——

Mr. HEYBURN. I desire simply, before further interruptions, to call attention to a feature of this provision with which many Senators may not be conversant. It would be impracticable to require it on one blade of a knife, because the enumeration preceding this provision here includes blades, and knives are seldom made complete at any one place—that is, when made on a large scale. They are made in different places by different classes of artisans, and then they are assembled. They come here in packages of a certain size and certain class, and then they are assembled. They do not come from the same factory. They are not made by the same people. So it would be utterly impracticable to require a stamp only on one blade, and probably allow two or three other blades in each knife to come in without any guaranty such as this is intended to furnish.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. In just a moment. I suggest to the Senator from Rhode Island that the proviso be re-formed so as to read as follows, which would seem to cover the objections:

Provided further, That all the articles specified in this paragraph shall have the name of the maker, firm, or trade name wherever possible, and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade.

That would be satisfactory to the importer.

Mr. BEVERIDGE. It would not be satisfactory to anybody else.

Mr. ALDRICH. I will say that the importers' committee—they have a cutlery committee here—have agreed to the provision I have read.

Mr. HEYBURN. I do not know who that committee may be, but I am speaking from a careful observation of one of the largest, if not the largest, importers in this country. I will read from the letter that accompanies the statement, briefly:

I notice a provision in the cutlery schedule that requires that the name of the manufacturer, as well as the country of origin, shall be stamped on cutlery.

I presume you know that cutlery and other things are, to some extent, made abroad under the special brands of American merchants, the fact that such goods are made abroad being certified by the stamping of the name of the country of origin, where possible to stamp them, and where not possible, the name of the country where manufactured being placed on the labels.

To change the law so as to require the name of the manufacturer would shut off the importation of a large amount of cutlery that is now brought in and pays the Government a large revenue—somewhere between 60 and 100 per cent on the cost abroad.

It looks to me as though the restrictions on the importation of cutlery are already great enough and the tariff high enough, and I think it is bad policy to either increase the duties or add other conditions that will tend to restrict the business further.

The name of the manufacturer of the cutlery made in Germany is a right difficult point to determine, as the conditions under which cutlery is made there make it almost a community enterprise. One family makes the blades, another makes the scales, another the springs, another does the fitting, another the polishing, and the wrapping is probably done at some central point by a party who might be called a "manufacturer," but who is in no sense properly such.

I can not see any point in making this change in the law except that I presume it has been suggested by the American manufacturers in order to entirely shut off this business.

I read that from a man who is at the head of one of the largest concerns in America.

Mr. PAYNTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. HEYBURN. In just a moment, please. And it is from the same source that the suggested amendment comes. The following comment is made in regard to the language of the amendment proposed:

The word "fully" should be omitted, and the sentence left to read "but not finished," etc., etc.

Mr. ALDRICH. I have some further amendments to offer to another part of the paragraph.

Mr. HEYBURN (reading):

As it would then be open to the interpretation that cheap articles that are commercially known as "finished knives," would not be prohibited. It is reasonable to expect that a knife that costs $2 per dozen, foreign value, will be better finished than the knife that costs 50 cents per dozen. If this clause is aimed at so-called "skeleton knives," sold to silversmiths and goldsmiths for the purpose of fitting with solid silver or solid gold handles, then the paragraph should be changed to read—

Mr. ALDRICH. The memorial or brief from which the Senator is reading is the brief of the very men who have agreed to the paragraph as it is now presented from the committee.

Mr. HEYBURN. I desire to correct the Senator. The letter which I read was not from the combination, but is a separate letter from the head of one of the very largest concerns in this business in the United States. He sent me this letter because it contains an amendment that was satisfactory to himself and those with whom he is associated. The Senator has the document that was sent, and I have this personal letter from the head of this great concern.

Mr. PAYNTER. I desire to ask the Senator from Idaho a question.

Mr. HEYBURN. Certainly.

Mr. PAYNTER. If I understood the amendment, the import of it is that on each blade the name of the maker shall be stamped and also the country of origin.

Mr. HEYBURN. The country or origin is to be stamped, not the name of the maker. I will give a little further information.

Mr. PAYNTER. I beg the Senator's pardon, because I knew the importers objected to being required to stamp the name of the maker, and the letter which you have just read, as I understand it, is an argument against doing that very thing.

Mr. ALDRICH. I think the language of the amendment submitted by the committee is right.

Mr. HEYBURN. I should like to have it read again, because I should like to follow it.

Mr. ALDRICH. It reads:

That all articles specified in this paragraph when imported shall have the name of the maker or purchaser, and beneath the same the name of the country of origin——

Mr. HEYBURN. "Maker or purchaser." That is optional with the importer.

Mr. ALDRICH. It is optional with the importer, unquestionably—

and beneath the same the name of the country of origin, die sunk conspicuously and indelibly on the shank or tang of at least one or, if practicable, on each and every blade thereof.

Mr. HEYBURN. I think that would be satisfactory.

Mr. ALDRICH. I think that is all right.

Mr. HEYBURN. I think that would be satisfactory. I merely wanted to present the views of those who have presented the matter to me. I think the amendment would cover it.

Mr. ALDRICH. I have two or three other suggested amendments. In line 3, on page 50, I move to strike out the word "assemble" and to insert the word "assembled."

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. ALDRICH. I move to amend the amendment by striking out the word "fully," so that it will read——

Mr. CLAY. Before that amendment is agreed to, I wish to say that I have a letter from one of my constituents——

Mr. ALDRICH. I should be glad if the Senator would allow me to make these verbal changes.

Mr. CLAY. Very well.

Mr. ALDRICH. I move to strike out the word "fully," in the third line, after the word "not."

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. ALDRICH. I now move to strike out the word "fully," in the fifth line, after the word "upon."

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. ALDRICH. In line 6, after the word "*Provided*," I move to insert the word "further," so as to read: "*Provided further*," and so forth.

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. BURKETT. Mr. President, I should like to ask the Senator from Rhode Island a question. I have observed the course of this discussion. I have over 150 of these letters. I want to say to the Senator that they are practically copies of the brief which has been read from. I want to ask the Senator if he seriously thinks that these letters were written in the interest of the manufacturers of knives in this country or in the interest of the man who is going to import them?

Mr. ALDRICH. Does the Senator from Nebraska refer to the suggested amendment?

Mr. BURKETT. Yes. What is the object of it? Is it in the interest of the home manufacturer or in the interest of the importer?

Mr. ALDRICH. This amendment as suggested has the approval of both the manufacturers and the importers. The original proposition was inserted at the suggestion of the manufacturers of the United States.

Mr. BURKETT. I will say to the Senator that the reason why I asked the question was because when I began to get these letters and to look into the matter, I could not persuade myself that it was altogether in the interest of the manufacturers. The reason I asked the question was to ascertain if the Senator had investigated the matter sufficiently to persuade himself that that was the real object of this amendment, for I am not yet persuaded that it is; and I ask the Senator if, in his judgment, it is so?

Mr. ALDRICH. It is absolutely in the interest of the manufacturers, because if this provision is passed there will be no knives sold in the United States that do not have the maker and the name of the country in which made stamped upon them.

Mr. BAILEY. Did I understand the Senator from Rhode Island to say that both the importers and the manufacturers have agreed to this provision?

Mr. ALDRICH. They have.

Mr. BAILEY. I want to ask the Senator if this is another case where the shepherd and the weaver have reached an agreement?

Mr. ALDRICH. I hope the Senator from Texas understands that, from my standpoint, it is important to get all the information we can from everybody who has information upon these subjects; and I have never hesitated to get information from a manufacturer, an importer, or anybody else whom I thought could furnish me information for use in an investigation.

Mr. BAILEY. But after an experienced member of the Committee on Ways and Means of the other House has detailed the way in which conflicting interests are reconciled in these tariff schedules, I must be pardoned for being a little suspicious about a schedule as to which both sides have agreed.

Mr. ALDRICH. This is another instance of the same kind, I think.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. SIMMONS. Mr. President, I desire to offer an amendment to the amendment.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Nebraska?

Mr. BURKETT. Who has the floor, Mr. President?

The PRESIDING OFFICER. The Senator from North Carolina [Mr. SIMMONS].

Mr. BURKETT. Very well.

Mr. SIMMONS. Mr. President, on page 50, line 13, in the paragraph that we have under consideration, I propose to strike out the words "6 cents each" and insert the words "50 cents

per dozen;" in line 14, to strike out the word "forty" and insert "ten;" in line 15, to strike out the words "10 cents each" and insert "$1 per dozen;" in line 16, to strike out the word "forty" and insert "ten;" and, in line 17, to strike out the words "12 cents each" and insert "$1.25 per dozen."

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. I do.

Mr. SMITH of Michigan. Are these reductions intended to be for revenue?

Mr. SIMMONS. Well, I will not discuss the question of whether they are for revenue or for tariff. This is a proposition to reduce the duty in this bill upon razors.

Mr. SMITH of Michigan. Are the amendments intended to make it easier to buy knives abroad than at home?

Mr. SIMMONS. The proposition is to enable the consumers in this country to secure razors at a reasonable price.

Mr. SMITH of Michigan. For domestic or social purposes? [Laughter.]

Mr. SIMMONS. Down in my country they are sometimes used for social purposes by a certain part of the population, especially the colored population.

Mr. BAILEY. Principally among the Republican population, however. [Laughter.]

Mr. CLAY. If the Senator will permit me to call his attention to the fact——

Mr. SIMMONS. I have one other amendment. In line 17 I move to strike out "fifty" and insert "twenty."

Mr. CLAY. With the Senator's permission, I wish to say that the committee amendment is a remarkable increase, and——

Mr. SIMMONS. I was going to discuss that, if the Senator from Georgia will pardon me for just a moment.

Mr. CLAY. It is an increase of nearly 100 per cent.

Mr. SIMMONS. Exactly. Mr. President, upon razors valued at less than $1.50 a dozen the duty under the present law is 50 cents a dozen and 15 per cent ad valorem. I should say, first, as to razors of that character, that the average import value of razors valued at less than $1.50 per dozen is $1.21 per dozen. Under the House bill it is 50 cents per dozen and 30 per cent ad valorem. Under this bill the duty is 6 cents each, which is equal to 72 cents a dozen and 30 per cent ad valorem. The present equivalent ad valorem duty upon razors of the value of $1.21 a dozen is 56.43 per cent. The duty proposed by the committee is 99.65 per cent, lacking only 0.35 per cent of being 100 per cent upon the value of the razors of this grade. This schedule is an increase of about 100 per cent.

Mr. President, on the next item of this paragraph—razors valued at a dollar and a half and less than $3 a dozen—under the present law the duty is $1 a dozen and 15 per cent ad valorem. Under this bill it is proposed to impose upon them a duty of 10 cents each and 40 per cent ad valorem, or $1.20 per dozen, plus 40 per cent ad valorem, thus raising the present duty from 54.85 per cent to 87.32 per cent.

Upon the next grade of razors the increase is even greater. Razors valued at $3 per dozen under the present law have a duty imposed on them of $1.75 per dozen, plus 20 per cent ad valorem. Under the House bill the duty was $1.75 per dozen plus 30 per cent ad valorem. Under the proposed bill it is 12 cents each and 50 per cent ad valorem, or $1.44 per dozen, plus 50 per cent ad valorem, making an increase in equivalent ad valorem over the present law of about 65 per cent.

Mr. President, I do not know what may be the reasons of the committee for this enormous increase in the duties upon razors. Why the committee thinks it is proper and necessary to increase the duty on common razors, the cheapest of razors, the kind so largely used by my colored constituents—and it is said with some degree of truth that every darkey in the South carries somewhere about his person a razor—why the committee should see fit to increase the duty upon the common razor from 56 per cent, the rate fixed in the present law, to 99.65 per cent is more than I can understand.

I have not investigated it, and the committee may have some good reason for that enormous increase; but I think, Mr. President, when, in a bill that the people have been led to believe would reduce duties, it is proposed to raise the duty from 56 per cent to 99.65 per cent, that the committee ought, at least, to give the Senate some explanation of the reasons leading them to make that enormous increase.

Mr. SMOOT. The question of the price of razors, Mr. President, was thoroughly considered by the committee.

Mr. SIMMONS. I have no doubt about that; but I want to know the reasons why the committee has made this enormous increase, nearly doubling the duty upon the common razor.

Mr. SMOOT. If the Senator will give me the time, I will tell him. In years past the razors manufactured in this country amounted to nearly 90 per cent of all the razors used, but to-day we find that there are only about 5 factories engaged in this industry, whereas some twelve years ago we had 67. Last year there were imported into this country——

Mr. SIMMONS. Will the Senator from Utah let me ask him a question right there?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Certainly.

Mr. SIMMONS. I should like to have the Senator, if he has the data before him, give the Senate the benefit of a statement as to what is the difference between the cost of making a razor of the lower grade here and abroad.

Mr. SMOOT. Mr. President, I can give the Senator the wage scale, if that is what he wants, and that is all I can give.

Mr. SIMMONS. The chairman of the Finance Committee stated to the Senate a few days ago that this bill was being framed upon the definition given by the Republican platform as to the amount of protection that the industries were entitled to—to wit, the difference between the cost of production here and abroad—and that if it could be shown that any item of this bill carried a duty greater than that difference, then the committee would be glad to take that into consideration in connection with any suggested amendment. I want to know—and the Senate is entitled to know, I think—what is the difference between the labor cost of making a dozen razors of this grade here and abroad. This bill puts a duty upon them of practically 100 per cent. Is that the difference in the cost of production of this class of razors here and abroad?

Mr. SMOOT. Mr. President, there is no question in the world that there is that difference. If the Senator will turn to this book, he will find also that the duty on penknives is almost as great as the duty on the lower-grade razors. The average rate in this bill on razors, taking the high-priced razors into consideration, is 66⅔ per cent, and the average rate under the Wilson law was 89 per cent. Under that law Americans manufactured the razors used in this country, but since the Dingley bill became a law, the manufacture of razors in this country has diminished to almost nothing; or, in other words——

Mr. SIMMONS. Will the Senator allow me one question? He says the duty under the Wilson bill was how much?

Mr. SMOOT. Eighty-nine per cent.

Mr. SIMMONS. If that was not sufficient, will the Senator please tell me why the Republican party, when, in 1897, at the end of the life of the Wilson law, they revised the tariff, reduced the duty to 56 per cent?

Mr. SMOOT. Mr. President, that is just what was done, and that is just what has almost driven the razor manufacturers out of America.

Mr. CARTER. Mr. President, I have felt, on general principles, that this was one schedule that ought to be very materially reduced. The statement of the Senator from Utah [Mr. SMOOT] challenges attention. The suggestion is that the present law offers such little protection, or none at all, that the American manufacturers of razors have been driven out of that business. Mr. President, I observe here that the total importation of razors, as shown by the tabulated statement with reference to Schedule C, amounts to less than $500,000 per year; that the total production in the United States amounts to $18,614,929; and that our exports exceed $600,000 per year, or about $100,000 a year in excess of the imports.

Mr. SMOOT. Mr. President, I want to explain to the Senator that all those razors exported are patented articles, such as safety razors and specialties that are made in this country under patent.

Mr. ALDRICH. They include all kinds of cutlery as well as razors.

Mr. SMOOT. Yes; they include all kinds of cutlery as well as razors.

Mr. ALDRICH. There are always large exportations of table cutlery.

Mr. CARTER. That portion of the table which relates to the importation of razors shows a combination of items aggregating less than $500,000 per year.

Mr. ALDRICH. But about 3,000,000 razors. The quantity of razors used in the United States, owing to the greater use of safety razors, is rapidly diminishing; so that practically all the other razors used in the United States are now being imported.

Mr. FLINT. The Senator does not understand, in addition, that the razors that are imported for about $3 a dozen are sold to the consumers for from about $2 to $3 a piece.

Mr. CARTER. Mr. President, this estimate is not based upon the cost to the consumer, but upon the valuation in the customhouse, as I understand. I recall very distinctly a gentleman interested in the cutlery schedule appearing before the committee many years ago when this item was under consideration who made a great impression on me, because he was so deeply affected in talking about razors and jackknives, that he actually shed tears—a very emotional man and easily stirred. I later learned—perchance the information was incorrect, but it may have been correct—that such was the line of duties fixed on this cutlery schedule that the foreigner had been driven out of the market and the whole monopoly given to a few people engaged in the cutlery manufacture in this country.

Mr. SIMMONS. Mr. President——

Mr. CARTER. Now, while on this matter, I wish to call the attention of the Senator from Utah to another proposition, which I should like to ask him to consider in connection with his remarks, if the Senator from North Carolina will indulge me for a moment.

Mr. SIMMONS. I only want to call the attention of the Senator—it may have escaped his attention—to the fact that in 1907 there were imported into this country of razors valued above $3 per dozen only 20,000 dozen, and the total value of them was only $95,981, showing that there are practically no importations of razors.

Mr. CARTER. Mr. President, the proviso to which I direct the attention of the Senator from Utah, beginning in line 20, on page 50, of the bill, reads:

Provided further, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade.

Mr. President, to put that proviso into operation at once would obviously shut out all importations, as far as existing stock is concerned. There may be some cases where the foreign manufacturer has his name as the maker stamped and other cases where the name of the country is stamped upon the blade; but this requires the combination of the name of the maker and the country of origin, and specifies the manner in which the impression shall be made. I suggest to the Senator that it would inevitably follow that this proviso, put into operation at once, would be an absolute prohibition upon the importation of any article of cutlery until new articles could be manufactured to correspond with the requirements of this proviso; and I shall, at the proper time, offer—and I invite the Senator's attention to the subject now—an amendment to that proviso, which will read that "after January 1, 1910," certain things shall be done as to articles manufactured abroad; otherwise I can only reach the conclusion that between the time of the passage of this bill and January 1, 1910, no article of this sort is expected to be imported.

Mr. ALDRICH. I think that is a very good suggestion. I myself think there should be some time allowed. I certainly agree with the Senator upon that proposition.

Mr. CARTER. I am glad the chairman of the committee accepts that view.

EXECUTIVE SESSION.

Mr. ALDRICH. The Senator from Illinois [Mr. CULLOM] tells me it is desirable to have an executive session. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, May 17, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 15, 1909.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Louis Leon Bennett, of Maryland, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet William Pitts Wishaar, of Washington, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet Gordon Thomas Finlay, of Michigan, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet William Williams, of New York, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet John H. Cornell, of Massachusetts, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet Paul Henry Harrison, of Maryland, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

Cadet John Patrick Gray, of Pennsylvania, to be a third lieutenant in the Revenue-Cutter Service of the United States. To fill an original vacancy.

PROMOTION IN THE NAVY.

Lieut. Commander Hutch I. Cone to be engineer in chief and chief of the Bureau of Steam Engineering, in the Department of the Navy, with the rank of rear-admiral.

POSTMASTERS.

ARIZONA.

George D. Burtis to be postmaster at Roosevelt, Ariz. Office became presidential January 1, 1909.

CONNECTICUT.

Frederick W. Wersebe to be postmaster at Washington, Conn. Office became presidential July 1, 1908.

FLORIDA.

Henry W. Driggers to be postmaster at Punta Gorda, Fla., in place of Joshua Mizell, removed.

GEORGIA.

John W. Berryhill to be postmaster at Milltown, Ga. Office became presidential April 1, 1909.

T. K. Dunham to be postmaster at Darien, Ga., in place of Charles R. Jackson, removed. H. B. Lemcke declined appointment.

Hugh B. Sasser to be postmaster at Senoia, Ga., in place of Alice C. Fall. Incumbent's commission expired January 20, 1906.

ILLINOIS.

Alice M. Clement to be postmaster at Lamoille, Ill., in place of Alice M. Clement. Incumbent's commission expired March 3, 1909.

IOWA.

William Carden to be postmaster at Winfield, Iowa, in place of William S. Browning, resigned.

William Robert Law to be postmaster at Waterloo, Iowa, in place of William M. Sindlinger, deceased.

Thomas H. Thompson to be postmaster at Kanawha, Iowa, in place of Bert C. Ellsworth. Incumbent's commission expired January 9, 1909.

NEBRASKA.

George Williams to be postmaster at Cambridge, Nebr., in place of George Williams. Incumbent's commission expired January 20, 1909.

NEW YORK.

Rufus R. Clement to be postmaster at Atlanta, N. Y. Office became presidential April 1, 1909.

Hattie A. Walker to be postmaster at Bergen, N. Y., in place of Hattie A. Walker. Incumbent's commission expired January 9, 1909.

NORTH DAKOTA.

Ezra M. Crary to be postmaster at Edmore, N. Dak., in place of Henry R. Aslakson. Incumbent's commission expired November 23, 1907.

Walter E. Krick to be postmaster at Berthold, N. Dak., in place of Frederick C. Walther, resigned.

OHIO.

Mathias Tolson to be postmaster at Salineville, Ohio, in place of Reuben M. Hull, deceased.

OKLAHOMA.

Elmer D. Immell to be postmaster at Helena, Okla. Office became presidential January 1, 1909.

PENNSYLVANIA.

Jesse Ehrhart to be postmaster at Dallastown, Pa. Office became presidential October 1, 1908.

Frederick D. Freudenberger to be postmaster at Tamaqua, Pa., in place of Charles S. Shindel. Incumbent's commission expired January 10, 1909.

Howell P. Williams to be postmaster at McDonald, Pa., in place of Howell P. Williams. Incumbent's commission expired January 6, 1909.

WASHINGTON.

William H. Imus to be postmaster at Kalama, Wash., in place of William H. Imus. Incumbent's commission expired February 27, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 15, 1909.

SECOND SECRETARY OF EMBASSY.

A. Campbell Turner to be second secretary of the embassy at Constantinople, Turkey.

THIRD SECRETARY OF EMBASSY.

Charles B. Curtis to be third secretary of the embassy at Constantinople, Turkey.

SECRETARY OF LEGATION.

Gustavus L. Monroe, jr., to be secretary of the legation at San José, Costa Rica.

PROMOTIONS IN THE MARINE CORPS.

Second Lieut. William F. Bevan to be a first lieutenant in the Marine Corps.

Second Lieut. John Potts to be a first lieutenant in the Marine Corps.

REAPPOINTMENT IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Brig. Gen. George B. Davis, Judge-Advocate-General, to be Judge-Advocate-General with the rank of brigadier-general.

POSTMASTERS.

ILLINOIS.

John F. Ahrens, at Gillespie, Ill.
George W. Gaultney, at Patoka, Ill.
Edwin A. Mead, at Hebron, Ill.
Noble S. Seager, at Iuka, Ill.
William L. Tohill, at Flat Rock, Ill.

IOWA.

Delbert W. Duncan, at Sioux Center, Iowa.
Andrew F. Newquist, at Stanton, Iowa.

MISSOURI.

Thomas J. Akins, at St. Louis, Mo.

WISCONSIN.

Alvin P. Colby, at Union Grove, Wis.

SENATE.

MONDAY, *May 17, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mary S. Lloyd, administratrix of James Lloyd, deceased, *v.* United States (S. Doc. No. 49), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a resolution of the house of representatives of the Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed in the RECORD, as follows:

House resolution.

Be it resolved by the house of representatives of the Territory of Hawaii, That the Congress of the United States be importuned and urged to so amend an act of the Congress of the United States, entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900; that the same shall and may more efficiently and effectively comply with the desires and satisfy the present needs and requirements of said Territory and its inhabitants, and more nearly conform to existing conditions therein, and aid the development thereof along traditional American lines, and to that end that the Congress of the United States be earnestly urged to enact a bill amendatory thereof, substantially in the following words and figures:

"A bill to amend an act entitled 'An act to provide a government for the Territory of Hawaii,' approved April 30, 1900.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

"SECTION 1. That section 5 of an act entitled 'An act to provide a government for the Territory of Hawaii,' approved April 30, 1900, is hereby amended so that the proviso thereof shall read as follows:

"'*Provided*, That sections 1841 to 1891, inclusive, 1910, and 1912 of the Revised Statutes, and the acts of June 8, 1878; December 23, 1880; July 30, 1886; March 3, 1887; March 2, 1897; March 4, 1898; and June 6, 1900, all relating to the Territories, shall not apply to Hawaii.'

"SEC. 2. That section 26 of said act is hereby amended to read as follows:

"'SEC. 26. That the members of the legislature shall receive for their services, in addition to mileage at the rate of 10 cents a mile each way, the sum of $600 for each regular session, payable in three equal installments on and after the first, thirtieth, and fiftieth days of the session, and the sum of $200 for each special session: *Provided*, That they shall receive no compensation for any extra session held under the provisions of section 54 of this act.'

"SEC. 3. That section 52 of said act is hereby amended to read as follows:

"'SEC. 52. That appropriations, except as otherwise herein provided, shall be made by the legislature.'

"SEC. 4. That section 55 of said act is hereby amended so that the latter part thereof, limiting the amount of indebtedness that may be incurred by the Territory or any political or municipal subdivision thereof, shall read as follows: 'But the total of such indebtedness incurred in any one year by the Territory or any such subdivision shall not exceed 1 per cent of the value of the property in the Territory or subdivision, respectively, as shown by the then last general assessment for taxation, whether such assessment is made by the Territory or the subdivision, and the total indebtedness of the Territory, and of any such subdivision, shall not at any time be extended beyond 7 per cent and 3 per cent, respectively, of such assessed values, but nothing in this act shall prevent the refunding of any indebtedness at any time, nor shall any such loan be made upon the credit of the public domain or any part thereof; nor shall any bond or other instrument of any such indebtedness be issued unless made payable in not more than thirty years from the date of the issue thereof; nor shall any such bond or indebtedness be issued or incurred until approved by the President of the United States.'

"SEC. 5. That section 73 of said act is hereby amended by adding thereto the following:

"'In addition to the other methods of disposing of public lands, under the land laws of Hawaii, as amended by this act, the commissioner, with the approval of the governor and subject to the approval of the board as hereinafter provided, may sell such lands, after public notice as hereinafter provided, the purchaser of each lot, in the event of more applicants than one, to be determined by ballot or lot, at a fixed and stated price per lot, in lots of such area not exceeding 160 acres, as may be deemed requisite for the support of a family, and upon such terms of payment, residence, cultivation, and other terms as may be deemed appropriate for the promotion of bona fide homesteading on the lands in question, and may deliver possession under an agreement to be called a homestead agreement, compliance with the terms of which, and of the laws applicable thereto, shall entitle the purchaser to a patent. The commissioner may also, with such approval, give a preference right to purchase, at a price determined by three disinterested appraisers appointed by him, any parcel of public land that has actually been resided on and improved, or so much thereof, together with such adjoining land as may reasonably be required for a home, to any person who alone, or in conjunction with his predecessors in interest, has for not less than five years immediately preceding the date of sale so actually resided on and improved the same.

"No person shall be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or homestead agreement who or whose husband or wife shall then be the owner of an amount of land which, with the land in question, will exceed 160 acres, or shall hereafter have taken or held any land under any such certificate, lease, or agreement, or under any homestead lease or patent based thereon, or who is an alien, unless he has declared his intention to become a citizen of the United States as provided by law, nor shall any person hereafter become entitled to receive a homestead lease or a patent upon a sale of any kind unless he is a citizen of the United States, nor shall any person who, having so declared his intention, hereafter take or hold under any such certificate, lease, or agreement continue so to hold unless he shall have become a citizen within five years after so taking. No land hereafter disposed of for homestead purposes nor any interest therein or control thereof shall thereafter, whether before or after patent issued, be in any way, directly or indirectly, transferred to or acquired or held by or for the benefit of any alien or aliens or any corporation or corporations, more than 20 per cent of whose stock is owned, held, or controlled by an alien or aliens, or any person or corporation who or which owns, holds, or controls, directly or indirectly, other land or the use thereof which, together with the land in question, exceeds 160 acres in area, provided that this prohibition shall not apply to acquisitions by inheritance or in good faith, in the ordinary course of justice, in the collection of debts, any land in respect of which this provision shall be violated shall forthwith be forfeited and resume the status of public land, and may be recovered by the Territory or its successors in an action of ejectment or other appropriate proceeding. No such certificate, lease, or agreement, or rights thereunder, nor the land covered thereby or any part thereof or interest therein shall, before the patent therefor becomes issuable, be, or be contracted to be, conveyed, assigned, mortgaged, leased, or otherwise transferred or disposed of without the written consent of the commissioner, and noncompliance with the terms of any such certificate, lease, or agreement, or other agreement of sale, or of the law applicable thereto, shall entitle the commissioner, with the approval of such board, with or without legal process, notice, demand, or previous entry, to retake possession and thereby determine the estate: *Provided*, That the times limited for compliance with any such terms may be extended by the commissioner, with such approval, upon its appearing that an effort has been made in good faith to comply therewith. All questions respecting such compliance shall be decided by the commissioner, subject to appeal to the circuit judge in whose jurisdiction the premises in question are situated, and such circuit judge shall have full and exclusive authority in chambers without the intervention of a jury for adjudicating such matters, and his decision shall be final. Any lot not taken, or taken and forfeited, in any tract opened for settlement, or any lot or part thereof surrendered with the consent of the commissioner, which is hereby authorized, shall be subject to sale or other disposition without further notice, in accordance with the law applicable to sales or other disposition of public lands, and any sale, drawing, or allotment may take place at the office of the commissioner or in the district in which the land is situated, for each of which districts the commissioner is hereby authorized to appoint one or more subagents, and the notice of any such sale, drawing, or allotment shall be by publication in one or more newspapers of general circulation, printed, published, and circulated in the Territory, for such period of time as may be determined by the commissioner as giving sufficient public notice of such sale, drawing, or allotment, but such period of time shall in no event be less than sixty days.

"'All lands in the possession, use, and control of the Territory shall hereafter be managed by the commissioner, except such as shall be set aside for public purposes as hereinafter provided; all sales of such land shall be made by the commissioner or under his direction, for which purpose, if necessary, the land may be transferred to his department from any other department by direction of the governor, and

all patents and deeds of such land shall issue from the office of the commissioner, who shall countersign the same and keep a record thereof. Lands conveyed to the Territory in exchange for other lands that are subject to the land laws of Hawaii, as amended by this act, shall, except as otherwise provided, have the same status and be subject to such laws as if they had previously been public lands of Hawaii. And no exchange or sale by which the Territory shall convey land exceeding either 40 acres in area or $5,000 in value, shall be made, without the approval of two-thirds of a board constituted and appointed as provided in section 80 of this act, and until the legislature otherwise provides, said board shall consist of six members and its members be appointed for terms of four years. All orders setting aside lands for forest and other public purposes, or withdrawing the same, shall be made by the governor, and lands while so set aside for such purposes may be managed as may be provided by the laws of the Territory. The commissioner is hereby authorized to perform any and all acts, and, with the approval of said board, to prescribe forms of oaths and make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this section and the land laws of Hawaii into full force and effect. The parts of said laws set forth in the following sections and parts of sections of the Revised Laws of Hawaii are hereby repealed: Section 252 to 254, inclusive; the last three paragraphs of section 262; section 274; section 276, except the first and last paragraphs thereof; sections 279 and 292; the second paragraph of section 296; sections 298, 300, 310 to 312, inclusive; 315, 320, 329 to 333, inclusive; and 347.'

"SEC. 6. That section 79 of said act is hereby repealed.

"SEC. 7. That section 84 of said act is hereby amended so that the last sentence thereof shall read as follows:

"'Nor shall any judge sit in any case in which he may have been of counsel or on an appeal from any decision or judgment rendered by him, and the legislature of the Territory may add other causes of disqualification to those herein enumerated.'

"SEC. 8. That section 91 of said act is hereby amended by adding thereto the following:

"'And any such public property taken for the uses and purposes of the United States by direction of the President or of the governor of Hawaii may be restored to its previous status by direction of the President; and the title to any such public property in the possession and use of the Territory for the purposes of schools, cemeteries, parks, roads, wharves, waterworks, sewer works, electric works, public buildings, or other public purposes, or required for any such purposes, may be transferred to the Territory by direction of the President, and any such property may thereafter be transferred to any city, county, or other political subdivision thereof, by direction of the governor of the Territory when thereunto authorized by the legislature.'

"SEC. 9. That section 92 of said act is hereby amended to read as follows:

"'SEC. 92. The following officers shall receive the following annual salaries, to be paid by the United States: The governor, $10,000; the secretary of the Territory, $5,000; the chief justice of the supreme court of the Territory, $6,000; the associate justices of the supreme court, $5,500 each; the judges of the circuit courts, $4,000 each; the United States district judges, $6,000 each; the United States marshal, $4,000; the United States attorney, $5,000. And the governor shall receive annually, in addition to his salary, the sum of $1,000 for stationery, postage, and incidentals; also his traveling expenses while absent from the capital on official business, and the sum of $2,000 annually for his private secretary.'

"SEC. 10. That section 97 of said act is hereby amended by adding thereto the following:

"'*Provided*, That for the prevention and suppression of infectious and contagious diseases and the improvement of sanitary conditions in Hawaii such sum as shall be necessary, not exceeding $25,000, shall be appropriated annually, to be expended under the direction of the governor as occasion may require.'

"SEC. 11. That section 100 of said act is hereby amended by adding thereto the following:

"'All records relating to naturalization, all declarations of intention to become citizens of the United States, and all certificates of naturalization filed, recorded, or issued prior to June 29, 1906, in or from any circuit court of the Territory of Hawaii, shall for all purposes be deemed to be and to have been made, filed, recorded, or issued by a court with jurisdiction to naturalize aliens, but shall not be by this act further validated or legalized." And be it further

Resolved, That certified copies of this resolution be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Delegate of Hawaii to Congress, the chairman of the Committee on Territories of the House of Representatives, and to the governor of Hawaii.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 28, 1909.

We hereby certify that the foregoing resolution was this day adopted in the House of Representatives of the Territory of Hawaii.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

The VICE-PRESIDENT presented a memorial of the mayor and city council of Clovis, N. Mex., expressing disapproval of the act of the thirty-eighth legislative assembly of that Territory relative to the publication of legal notices and other matters wherein publication is required, etc., which was referred to the Committee on Territories.

He also presented petitions of sundry citizens of New York, Oklahoma, Kentucky, Michigan, New Mexico, Minnesota, Maine, Maryland, Illinois, Pennsylvania, and Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry citizens of Galesburg, Raleigh, Eldorado, McLeansboro, Broughton, Omaha, New Haven, Richview, Walnut Hill, Chicago, Ashley, New Burnside, Odin, Nashville, Mount Vernon, Dahlgren, Dongola, Belleville, Pleasant Plains, Taylorsville, Pawnee, Jacksonville, Dawson, Springfield, Barry, Pittsfield, and Raymond, all in the State of Illinois, praying for the repeal of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. SMOOT presented petitions of sundry wholesale grocers, banking institutions, and business firms of Salt Lake City, Utah, praying for the retention of the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. FRYE presented a petition of sundry citizens of Bucksport, Me., praying for the protection of the carded-wool industry, which was ordered to lie on the table.

Mr. PAGE presented petitions of sundry citizens of St. Johnsbury, Vt., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. PILES presented petitions of sundry citizens of Lynden and Fernalde, in the State of Washington, praying for a reduction of the duty on raw and refined sugar, which were ordered to lie on the table.

Mr. PERKINS presented a memorial of the Printing Pressmen's Union, of Stockton, Cal., remonstrating against the imposition of a duty on post cards, which was ordered to lie on the table.

Mr. RAYNER presented petitions of sundry citizens of Baltimore, Frostburg, and Hagerstown, all in the State of Maryland, praying for the removal of the duty on hides, which were ordered to lie on the table.

SAMUEL LIVERPOOL.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 2403) for the relief of Samuel Liverpool, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs, which was agreed to.

LAWS RELATING TO ALASKA, CUBA, ETC.

Mr. SMOOT. I am directed by the Committee on Printing to report back and recommend the printing of a compilation prepared by the Bureau of Insular Affairs embracing all legislation enacted by the Fifty-ninth Congress relating to Alaska, Cuba, the Canal Zone, the Philippines, and so forth, together with the treaties and proclamations affecting any of the above Territories (S. Doc. No. 47).

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That the papers prepared by the Bureau of Insular Affairs embracing all legislation enacted by the Fifty-ninth Congress relating to Alaska, Cuba, the Canal Zone, the Philippines, etc., together with all treaties and proclamations affecting any of that territory, be taken from the files of the Senate and printed as a document.

ALCOHOL AND OTHER NARCOTICS.

Mr. SMOOT. I am directed by the Committee on Printing, to whom were referred certain papers concerning the study of the alcohol problem, to report them back and ask that they be printed as a document (S. Doc. No. 48).

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That the papers concerning the alcoholic problem and its practical relations to life be printed as a document.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FRYE:

A bill (S. 2435) granting an increase of pension to George L. Dustan; and

A bill (S. 2436) granting an increase of pension to Frederick D. Reed (with the accompanying papers); to the Committee on Pensions.

By Mr. PILES:

A bill (S. 2437) for the relief of Edward L. Wells; to the Committee on Public Lands.

By Mr. WARREN:

A bill (S. 2438) granting an increase of pension to James Early (with the accompanying papers); to the Committee on Pensions.

AMENDMENT TO THE TARIFF BILL.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the calendar is in order. The Secretary will announce the first bill on the calendar.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize

duties, and encourage the industries of the United States, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Hughes	Piles
Bacon	Crane	Johnson, N. Dak.	Root
Beveridge	Crawford	Johnston, Ala.	Scott
Bradley	Cullom	Kean	Simmons
Brandegee	Cummins	La Follette	Smith, Md.
Briggs	Curtis	Lodge	Smith, Mich.
Bristow	Daniel	McCumber	Smith, S. C.
Brown	Dillingham	McEnery	Smoot
Bulkeley	Dolliver	McLaurin	Stone
Burkett	Flint	Nelson	Sutherland
Burnham	Frye	Oliver	Taylor
Burrows	Gallinger	Overman	Tillman
Burton	Gamble	Owen	Warner
Chamberlain	Hale	Page	Warren
Clark, Wyo.	Heyburn	Perkins	

Mr. PILES. Mr. President, I desire to announce that my colleague [Mr. JONES] is necessarily absent for a few moments this morning.

The VICE-PRESIDENT. Fifty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. SUTHERLAND obtained the floor.

Mr. BRISTOW. I ask the Senator from Utah to yield to me for a moment.

Mr. SUTHERLAND. Certainly.

Mr. BRISTOW. I think it was on the 29th of April that a resolution was passed asking the Secretary of the Treasury for certain information in regard to the importation of sugar. I should like to know if there is any possibility or probability of receiving a reply from the department soon. We shall reach the sugar schedule in a few days, and that information is important in order to properly consider the question.

The VICE-PRESIDENT. No answer to the inquiry has come to the desk. The Chair will suggest that a telephone message or departmental telegram would bring the Senator from Kansas the information he desires.

Mr. SUTHERLAND. Mr. President, it is no part of my purpose to discuss the pending bill or any of the schedules therein contained. I am a firm believer in the Republican policy of protection, because, as I interpret the history of my country, whenever a protective-tariff law has been spread upon the federal statute books it has been followed by the prosperity, well-being, and happiness of the American people, and whenever a law has been passed which has ignored the protective policy, precisely the contrary result has followed. I am not a protectionist in spots. I believe that the protective policy ought to be maintained as a whole or abandoned as a whole. I agree entirely with the protective plank which is contained in the last Republican platform.

I believe that the duties should be laid in such a manner as to equalize the difference between the cost of production abroad and at home, but so far as I am concerned, in casting my vote upon the various schedules in the pending bill I shall give the home producer and the home manufacturer always the benefit of the doubt. If I am to err upon either side, I prefer to vote for a duty that is a little too high than to vote for one that is a little too low. If I were going out upon a fishing expedition and the reports were somewhat conflicting as to the depth of the trout streams in the neighborhood where I was going, and it appeared that the depth was anywhere from 14 to 18 inches, I would consider it the part of prudence to equip myself with a pair of wading boots at least 19 inches in height, because I would realize that the burden of carrying the additional length of boots would not be as great as carrying a couple of wading boots full of water if they turned out to be too low.

I shall vote for a duty upon the products of other States precisely the same as I shall for duties upon the products of my own State. I can see no consistency in casting my vote for a protective duty upon lead and lead ores, upon wool, sugar, and hides, which are the principal products of my own State, and declining to vote for a protective duty upon lumber, steel, and the various products of the other States.

I took the floor this morning not for the purpose of discussing the protective policy, but for the purpose of discussing as briefly as the subject will admit the income-tax proposition which has been submitted to the Senate in the form of proposed amendments by the Senator from Texas [Mr. BAILEY] and the Senator from Iowa [Mr. CUMMINS]. I do not intend to discuss the merits of that proposition. I shall occupy sufficient of the time of the Senate if I shall confine myself, as I intend to do, to a discussion of the question as to whether the amendment proposed is valid under the Constitution of the United States.

The Constitution of the United States recognizes and provides for a dual form of government. On the one hand, there is the Federal Government itself, constituting an indissoluble union of all the States. On the other hand, there are the States which make up the Federal Government. Each of these governments is supreme within the limits of its powers. To each of these governments the power of raising revenue is absolutely essential.

The power is conferred upon the Federal Government in broad and general terms, without limitation, as to the subjects upon which the taxes may be imposed. Within the limit of the power of the States, and except as restricted by the Constitution, the power of the States is unlimited; but the Supreme Court of the United States has held from the beginning that neither government may tax the means or the instrumentalities of the other, because, as has been well said, "the power to tax is the power to destroy," and if the Federal Government upon the one hand were permitted to tax the means and the instrumentalities of the States, it might in that way destroy the States. If the States were permitted to tax the means and instrumentalities of the Federal Government, while they perhaps might not destroy the Federal Government, they might greatly embarrass its operations.

I think, in addition to that principle, it was within the contemplation of the framers of the Constitution, and, in my judgment, it accords with sound public policy, that the Federal Government in imposing its taxes shall impose them to the fullest extent possible upon a class of subjects which the States under the Constitution can not, or by common consent do not, tax. Under the Constitution the Federal Government is given the power to impose duties upon imports, and that power is substantially exclusive. By common consent the imposition of internal-revenue taxes upon liquors and upon tobacco has been given over to the Federal Government.

I think that except in cases of necessity the taxes of the Federal Government should be confined to those things as to which either under the Constitution or under the operation of this common consent the power of the Federal Government is exclusive, because when we undertake to impose taxes upon subjects which are also open to state taxation, it is bound to result in more or less confusion and in more or less inequality. It will result in double taxation, in multiple taxation, sometimes. If we impose a tax upon incomes, we are taxing a subject which is also open to the State, a subject which has heretofore not engaged very much the attention of the state taxing power, but a subject which is taxed in some of the States of the Union, and which may be taxed in all of them.

I can illustrate best what I mean by that by calling attention to the proposition which was contained in the bill as it came from the House proposing a tax upon inheritances. Twenty-one, I think, of the States of the Union already impose a tax upon inheritances, and several of the States, through their legislatures, protested to the Congress of the United States against imposing taxes of that class, because it would interfere with and embarrass the State. In the same way, if we impose taxes upon incomes, and as that subject of taxation becomes more popular with the States, we shall find that we are engaged in a conflict of interests which will become more and more embarrassing as time goes on.

So I say that form of taxation or any other form of taxation laid upon the subjects which are also open to the States ought not to be adopted, except in cases of emergency.

Now, I come to a discussion of the question as to whether the tax proposed is valid under the Constitution. One of the great weaknesses of the Confederation was its inability to exact taxes. The Confederation was obliged to collect whatever it did collect in the way of revenue by making requisitions upon the various States. That method turned out to be an utter failure, and it was one of the prime reasons for the calling of the Constitutional Convention and the framing of the Constitution as we have it to-day.

When we come to construe the provisions of the Constitution we must adopt precisely the same tests which are applied by the ordinary, every day citizen when he endeavors to ascertain what is meant by any writing. The rules of statutory construction are simply the rules of common sense which have been crystallized into formal expression. Whenever the layman is undertaking to find out what is meant by any written language he first of all appeals to the language itself. He compares one part of the writing with other parts of the writing and endeavors by an examination of the whole document to ascertain what the writer of it meant. If that is not perfectly clear, he

next inquires under what circumstances the written instrument was prepared, in order to see whether those circumstances will throw light upon the question.

He then inquires how those who have been charged with the duty of acting under the written instrument have acted so as to determine what the practical construction of it has been, and, last of all, or perhaps in connection with the other methods, he inquires what conclusion has been arrived at by others, skilled in the mysteries and subtleties of language, as to the meaning.

Now, I propose to seek these four sources of information upon this subject in the effort to ascertain what is meant by the Constitution when it speaks of direct taxes being apportioned among the several States according to numbers. First of all I shall discuss the language of the Constitution itself; second, the history and the circumstances leading up to and surrounding the adoption of the taxing provisions; third, the practical construction of the language, in order to see whether or not the various acts of Congress which have been passed upon this subject throw any light upon the question; and, fourth, I shall discuss the decisions of the Supreme Court which have from time to time been handed down upon the subject of the meaning of this expression in the Constitution.

THE LANGUAGE OF THE CONSTITUTION.

There are three clauses in the Constitution which we must consider when we come to apply the first test, namely, to read and compare the various provisions in order to see whether or not they will throw light upon what was meant by this particular provision. Those three provisions are as follows: The third clause of section 2, Article I, provides:

> Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers.

The first clause of section 8, Article I, provides:

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

The fourth clause of section 9, Article I, provides:

> No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

It will be observed that the Constitutional Convention seemed to attach a great deal of importance to the proposition that direct taxes should be apportioned among the several States according to the population, because it is twice expressed in the Constitution, and, so far as my memory serves me, this is the only thought which is twice expressed in the Constitution. It is first expressed affirmatively that direct taxes shall be apportioned in this way, and then, apparently for fear that the affirmative proposition would not be sufficiently strong, it is expressed negatively that no capitation or other direct tax shall be laid except according to this rule.

So it is seen that the Constitutional Convention laid special stress upon this particular thing. It is insisted in this argument that the only kinds of direct taxes are a capitation tax and a land tax. I want to call attention to and put in contrast two of these provisions of the Constitution upon that question. The order in the Constitution is not the order in which I shall speak of them.

> That Congress shall have power to lay and collect taxes, duties, imposts, and excises.
>
> * * * but all duties, imposts, and excises shall be uniform throughout the United States.

Why are taxes, the most general term used in the clause, omitted in this limitation upon the exercise of the power? Taking that provision by itself, it is seen that of the four things mentioned, three of them, namely, duties, imposts, and excises, must be laid according to the rule of uniformity. Why did the makers of the Constitution omit the word "taxes" in that enumeration? Because they recognized that "taxes" had already been provided for in another part of the Constitution, where it had been declared that direct taxes should be laid according to the rule of apportionment; and so they provided in this section that duties, imposts, and excises should be laid according to the rule of uniformity. The conclusion, it seems to me, is perfectly clear that, taking those provisions together, what they mean is that taxes which do not fall within the description of duties, or imposts, or excises, are direct taxes and come within the other rule of the Constitution.

I am not without authority on that proposition. Mr. Tucker, in his work on the Constitution, first volume, page 458, speaking upon that subject, says:

> From these uses of the term "taxes" in the clauses mentioned and "direct taxes" in the two clauses mentioned, it would seem that the framers of the Constitution had in their minds certain forms of taxes which they called "direct taxes," and other forms of taxes which were the alternate of "duties." So that taxes which were the constitutional synonym of duties were to be distinguished from the taxes which were "direct taxes." In other words, it would seem to be the true construction of the Constitution that taxes which were "direct taxes" were to be laid according to the apportionment plan, which in the second case where those terms are used is connected with their use, and all other taxes which were not embraced in the term "direct taxes" and were synonymous with "duties," etc., were properly embraced within the terms "duties," "imposts," and "excises."

And again, at page 459, he says:

> This conclusion results from the fact that while the Constitution limits the power of Congress in reference to direct taxes by requiring them to be laid according to the census apportionment, and that duties, imposts, and excises must be uniform throughout the United States, it could not have meant to allow any taxation which was not included within one or the other of these groups.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. Will not the Senator permit me to finish this quotation, and then I will yield? Mr. Tucker proceeds:

> For if it did, then it would follow that taxes which were not direct, on the one hand, or within the terms "duties, imposts, and excises," would be laid at the discretion of Congress without being subject to either of the limits prescribed for direct taxes or for duties, imposts, and excises. It would seem, therefore, to be an inevitable construction of the Constitution that no tax could be laid upon the citizen by Congress which was not either subject to the census apportionment or to the requirement of uniformity, else it would leave to Congress some unrestrained power to lay taxes which were neither direct, nor duties, imposts, and excises. All taxation, therefore, which is not direct "taxation," must have been intended to be a general term embraced in the words "duties, imposts, and excises."

Now, I will yield to the Senator from Idaho.

Mr. BORAH. As I understand the suggestion of the Senator from Utah, it is that keeping out of the clause of the Constitution the Senator has just quoted the word "taxes" indicates that there was a belief in the minds of the framers that taxes measured a different kind of charges to what duties did, and that taxes being left out, it necessarily excluded the idea of uniformity as to that. Then why did they put in the words "direct taxes" at all, if they were using duties and taxes in the sense in which the Senator suggests? Why did they not say that Representatives and taxes shall be apportioned if taxes meant something other than duties?

Mr. SUTHERLAND. I think it might have been expressed in that way, but in the general clause conferring the taxing power they were undertaking to confer it as broadly as language would confer it.

Mr. BORAH. But the Constitution says that Representatives and direct taxes shall be apportioned. Therefore, it would seem to follow that when they used the word "direct" they were distinguishing a certain kind of tax, and that there were other taxes which were not direct taxes.

Mr. SUTHERLAND. I think the word "taxes" in the clause to which I have directed attention is the generic word, which includes direct taxes, duties, imposts, and excises—those four classes—and the capitation tax——

Mr. HEYBURN. Mr. President——

Mr. SUTHERLAND. If the Senator will permit me—and Congress carved out of the general expression "taxes" the three classes, namely, duties, imposts, and excises, which were to be laid according to the rule of uniformity, and carved out of the generic term again the expression "direct taxes and a capitation tax," which were to be laid according to the rule of apportionment.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. HEYBURN. I would inquire of the Senator from Utah if he does not think that the difference between taxes and duties that was in the minds of the framers of the Constitution was that which had always existed? Taxes are the result of the exercise of the supreme power without considering the will of the party taxed. Duties are the result of a contract between the sovereign and the subject. That always distinguished taxes from duties. One of them was the imperial edict of the sovereign power that he taxes. Duties, I repeat, resulted from the agreement that the subject should contribute to the lord of the fee or whatever the supreme power might be. I think that was in the minds of the makers of the Constitution.

Mr. BURKETT. Mr. President——

Mr. SUTHERLAND. Permit me just a moment. Of course the word "taxes" and the word "duties" are subject to a variety of shades of meaning. I am speaking of the way in which I think the words were used in the Constitution.

Mr. HEYBURN. That is what I was speaking of.

Mr. SUTHERLAND. My idea about that is that the word "taxes" is the broadest and the most comprehensive word of all the words that were used; that the word "taxes," as I have said, is generic, and includes all the varieties by which a citizen may be compelled to contribute to the support of the Government.

Mr. HEYBURN. If the Senator will permit me, it will be apparent that a citizen can not be compelled to contribute to the support of the Government through duties, because he may perform no act, do no thing, to which a duty attaches; but as to taxes, he can not avoid them by anything that he can do. These distinctions were carried all through the English law before we adopted it. I think the Senator will find that the reason why they left out "taxes" in the second enumeration was because it was the only one that the citizen could not avoid, but he could avoid paying any of the other duties by avoiding the transactions that carried the duty.

Mr. SUTHERLAND. The Senator may be correct about that.

Mr. BURKETT. I wish to make a suggestion to the Senator in connection with this question. The question was asked at one time in the discussion of the Constitution, in the convention, What are direct taxes? and it was not answered. I have sent for the Madison Papers, and I hope I can find it. I call to the Senator's attention the discussion as to what were indirect taxes. A statement was made there that indirect taxes concerned duties, imposts, and excises. There was that definition given of indirect taxes earlier in the discussion. So far as I have listened to this debate, I have never heard that discussed. I have sent for the Madison Papers, and I think I can turn to it.

Mr. SUTHERLAND. If the Senator will do me the honor to listen to me until I finish what I have to say, he will find that I shall refer to that specific matter.

Mr. BURKETT. I am not only doing the Senator the honor, but I am going to do so in justice to myself, because the Senator from Idaho raised that question.

Mr. SUTHERLAND. It has been sometimes suggested by both the Supreme Court of the United States and by counsel appearing before that court, and upon the floor of the Senate, that there may be a form of tax which is not subject to either of these rules. Nobody has ever undertaken to point out what particular subject which was liable to a tax would not come within either the rule of apportionment or the rule of uniformity; but in some vague, general way it has been stated that perhaps there may be a form of taxation that would not come within either class. In the Pollock case (157 U. S., 557) the Chief Justice, speaking upon that subject, observes:

> And although there have been from time to time intimations that there might be some tax which was not a direct tax, nor included under the words "duties, imposts, and excises," such a tax for more than one hundred years of national existence has as yet remained undiscovered, notwithstanding the stress of particular circumstances has invited thorough investigation into sources of revenue.

If I am correct in the construction of these provisions of the Constitution that imposts, duties, and excises, and those forms of taxation alone, are subject to the rule of uniformity, and other "taxes," or "direct taxes," are subject to the rule of apportionment, let me inquire, What becomes of a tax which is imposed upon the corpus of personal property? Both the Senator from Texas and the Senator from Idaho insist that the term "direct taxes" shall be confined to a land tax; that a tax upon personal property is not a direct tax. Suppose a tax is laid upon all of the personal estate of a citizen. That is not a duty; it is not an impost; it is not an excise. If I am correct in saying and if Mr. Tucker is correct in saying that all taxes must be subject to one rule or the other, it must be a direct tax. The Constitution says that "no capitation or other direct tax shall be laid," and so forth.

Mr. OWEN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SUTHERLAND. Certainly.

Mr. OWEN. I should like to ask the Senator from Utah if he understands by "a capitation and other direct tax," a capitation and other direct tax on the citizen or on the State exclusively, which must be apportioned?

Mr. SUTHERLAND. I heard the Senator's argument upon that subject the other day, and he presented the matter with great ability and plausibility, but I am not prepared to assent to his view. I think that the language in the Constitution with reference to a direct tax meant a tax levied upon the citizen, and not a tax levied upon the State. That was the very thing which the framers of the Constitution were endeavoring to get away from. Under the Confederation the tax in a way was imposed upon the State in the form of a requisition upon the State, but it was found that the States would not comply with the requisitions. So that whole system was abandoned and the power was conferred upon the Federal Congress of imposing direct taxes upon the citizens of the States.

Mr. OWEN. Mr. President, I should like to ask the Senator from Utah how a capitation tax, apportioned upon population, counting three-fifths of the slaves, can be other than a tax on the State exclusively?

Mr. SUTHERLAND. Well, a capitation tax, of course, would not be imposed upon the slave in the sense that the slave would be compelled to pay it, because the slave was property. That was simply the rule by which the amount of the tax was to be measured. The amount of the tax having been ascertained, then it was imposed upon either the property of the State or raised by a tax upon the heads of the various citizens of the State.

Mr. OWEN. Then I understand the Senator from Utah assents to the proposition that the capitation tax referred to in the fourth paragraph of section 9 of Article I of the Constitution is not a direct tax on the citizen.

Mr. SUTHERLAND. No. The Senator misunderstands me if he understands that, because the Constitution itself says that it is a direct tax. It says a "capitation or other direct tax."

Mr. OWEN. The Constitution, Mr. President, says "capitation or other direct tax," but it does not specify whether it is a direct tax on the State or on the citizen. I call the attention of the Senator from Utah to the fact that a capitation tax, a direct tax on a citizen, can not be apportioned under the constitutional rule, and, therefore, must necessarily be a direct tax upon the State. That is a proposition I wish him to answer.

Mr. SUTHERLAND. Mr. President, it was no part of my purpose to discuss that phase of the question; and to enter upon it would lead me entirely too far afield, if the Senator will pardon me for saying so.

Mr. OWEN. I beg pardon of the Senator from Utah. I did not wish to interrupt his argument. I thought perhaps he had considered that.

Mr. SUTHERLAND. Mr. President, I am discussing this tax upon the assumption that the decisions of the Supreme Court in that respect are right—that it is a tax upon the citizen and not upon the State.

I was about to say, when the Senator from Oklahoma interrupted me, that the language of the Constitution is "no capitation or other direct tax." It is manifest that, according to the argument made by the Senator from Texas and the Senator from Idaho, the words "other direct tax" meant but one kind of a tax, namely, a land tax. If it had been intended by the framers of the Constitution that those words "other direct tax" should include a land tax and nothing more, it seems to me that the plain and direct way would have been for the framers of the Constitution to have said so in precise words—to have simply said that "no capitation or land tax shall be laid, except in accordance with this rule."

The Senator from Texas the other day in his discussion called attention to the language of the Articles of Confederation upon that subject, which provided for a contribution from the several States, to be measured by the value of their lands and improvements. So the framers of the Constitution were familiar with that form of expression. If they had not intended to vary the sense which was conveyed by that expression used in the original Articles of Confederation, it is somewhat remarkable that they varied the language. If they had not intended to include more than was included by the terms used in the Articles of Confederation, why is it that they did not use the same language that was used in the Articles of Confederation instead of using an expression which, at least, apparently seems to include very much more?

Upon this same subject the Senator from Idaho [Mr. BORAH] quoted from the plan of Alexander Hamilton, which was that "taxes on land, houses, real estate, and capitation taxes" should be apportioned; and the Senator argued that that was evidence of what was meant in the Constitution by the use of the words "direct tax." The makers of the Constitution had this language of Alexander Hamilton before them. Alexander Hamilton had used in his proposed plan these precise words: "Lands, houses, real estate, and capitation taxes."

Again, I inquire if the framers of the Constitution intended to limit the taxation subject to the rule of apportionment to taxes on land, houses, real estate, and capitation taxes, why did they not adopt the language proposed by Mr. Hamilton instead of taking the general expression "direct tax," which, again I say, apparently means much more than was meant by the language of Mr. Hamilton.

This construction of the Constitution, according to the plain reading of its terms, it seems to me, is fully borne out by the history and circumstances leading up to and accompanying the adoption of the Constitution.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SUTHERLAND. Certainly.

Mr. CUMMINS. Before the Senator passes to a new subject I should like to know definitely whether he assents to the distinction suggested by the senior Senator from Idaho [Mr. HEYBURN] between a tax and a duty.

Mr. SUTHERLAND. No; I do not, as the Senator has stated it. I think that the Senator accurately stated the primitive meaning of the word "duty," but I do not believe that it was used in that restricted sense in the Constitution.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. I do.

Mr. HEYBURN. I think I perhaps was not explicit enough in my statement to convey the full meaning. I intended to submit the proposition that a tax can not be avoided by any act on the part of a subject, while either of the others, imposts or duties, may be avoided by the subject declining to enter into the business that carries with it that class of taxation. That is a distinction about which there can be no doubt.

Mr. SUTHERLAND. I will agree with the Senator to this extent, that a direct tax does imply the idea of coercion.

Mr. HEYBURN. Sovereignty.

Mr. SUTHERLAND. Of coercion upon the subject who is to pay the tax, while the word "duty," which is imposed upon articles of consumption——

Mr. HEYBURN. Which may not be consumed.

Mr. SUTHERLAND. Articles which may be imported.

Mr. HEYBURN. Or which may not be imported.

Mr. SUTHERLAND. The citizen may pay or not, according as he determines to use or not to use the article upon which the particular duty is imposed.

Mr. HEYBURN. Just a word, and then I will be ready to leave the subject to the judgment of the Senate or of those who may choose to consider it.

I reassert that duties may be avoided by the act of the party—that is, the act of the citizen, because he may do nothing that carries with it the duty. Imposts come within the same class exactly, as do also excises. These three, in my judgment, are distinguished from taxes because they belong to an entirely different class of burdens resting upon the citizen. There is nothing on earth that the citizen can do to avoid taxes except to die.

Mr. SUTHERLAND. Then, if I understand the Senator from Idaho, he agrees with what I have said, namely, that by the word "tax" in that clause of the Constitution is meant direct taxes; and by the words "imposts, duties, and excises" are meant indirect taxes. That is precisely what I am contending.

Mr. HEYBURN. I will reply in my own time.

Mr. CUMMINS. I think the Senator from Utah will recognize that that is not the suggestion made by the senior Senator from Idaho. He did not intend to be understood as saying that excises, duties, and imposts were the only indirect taxes that could be levied by the Government. He intended to say that from the very nature of things a duty arose out of the voluntary act of the person upon whom it was imposed, and that a tax was an exercise of sovereignty imposed in an involuntary way upon the persons upon whom it rests. I want to know whether the Senator from Utah assents to that distinction?

Mr. SUTHERLAND. I have stated to the Senator from Idaho exactly what I did agree to, and I dislike to be obliged to say that I assent to language which has been used by others when I have undertaken to put in clear language precisely what my own view is. The Senator can himself make the comparison.

Mr. CUMMINS. Will the Senator, then, permit me to ask one further question?

Mr. SUTHERLAND. Certainly.

Mr. CUMMINS. Would it make any difference in the constitutionality of the statute if the burden that is proposed to be placed upon incomes is called a "duty" rather than "tax?"

Mr. SUTHERLAND. I do not think it would make the slightest difference. I do not think you can change the substance of things by changing the name.

Mr. CUMMINS. Certainly in that respect I agree with the Senator from Utah, but does the Senator believe that there are any indirect taxes other than those that have historically been classified as excises, imposts, and duties?

Mr. SUTHERLAND. If I understand the Senator's question, I do not. I think that those three terms embrace the indirect taxes, and that all other taxes that do not come within one or the other of those descriptions are direct taxes.

Mr. HEYBURN. Mr. President——

Mr. CUMMINS. Just a moment, if the Senator from Idaho will permit me.

Then it is the Senator's view that those burdens which have been heretofore called in various countries and in various States "excises, imposts, and duties" are the only indirect taxes known to the law?

Mr. SUTHERLAND. Or other taxes of the same kind or description.

Mr. CUMMINS. Precisely.

Mr. SUTHERLAND. I would not undertake to say that the various countries of the world have exhausted all the possibilities of the excise and all the possibilities of imposts and of duties; but either those things which have heretofore been treated as excise taxes, or impost taxes, or duties, or things of the same nature, constitute the indirect taxes.

Mr. CUMMINS. But the Senator has not yet attempted a definition that will describe the difference between indirect and direct taxes, except to suggest that excises, imposts, and duties are the indirect taxes. What is the essential difference between a direct tax and an indirect tax?

Mr. SUTHERLAND. Mr. President, the Senator is asking a question that has been answered in a very great variety of ways. I would not undertake to lay down a hard and fast definition.

Mr. HEYBURN. Now, Mr. President——

Mr. SUTHERLAND. I think—if the Senator from Idaho will permit me for just a moment—that the division between direct and indirect taxes is rather a zone than it is a line; in other words, we may put our fingers upon a particular exaction and say this is a direct tax because it lies entirely outside of the zone upon one side, or we may put our fingers on another form of exaction and say this is an indirect tax because it lies entirely outside of the zone upon the other side; but within the zone there may be more or less doubt as to precisely whether or not a particular exaction is a direct or an indirect tax.

Mr. HEYBURN. Mr. President, I would not like to be understood within the limits suggested by the Senator from Iowa [Mr. CUMMINS], that there is only one class of taxes outside of duties, imposts, and excises, and that that is a direct tax. I believe that there is a class of taxes other than duties, imposts, and excises that is dual in character, divisible in its purpose, and that on one side of the line lie direct taxes and on the other indirect taxes, the indirect purely distinguishable from either duties, imposts, or excises. I do not like to anticipate what I will perhaps feel impelled to say in regard to the subject later, but I believe that it is within the power of Congress to levy a class of taxes—strictly taxes—that are not direct, and at a future time I will perhaps ask the Senate to listen to some suggestions on that matter.

THE HISTORY LEADING UP TO FRAMING THE CONSTITUTIONAL PROVISION.

Mr. SUTHERLAND. Now, Mr. President, I come to the consideration of the second source of information which I laid down in the beginning, namely, the history and circumstances leading up to and surrounding the adoption of the Constitution. Under the government of the Confederation there was no power to lay or collect taxes; the only power was to make requisitions upon the various States.

Article 8 of the original Articles of Confederation provided that war and other expenses should be defrayed out of a common treasury.

To quote the language of the article—

> Which shall be supplied by the several States, in proportion to the value of all land, within each State, granted to or surveyed for any person, as such land, and the buildings and improvements thereon, shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint.

This measure of the proportion which should be exacted from each State was found to be utterly unsatisfactory, and Congress in 1783 recommended to the several States that the provision should be altered so as to provide that the common Treasury should be—

> Supplied by the several States, in proportion to the whole number of white and other free citizens and inhabitants, of every age, sex, and condition, including those bound to servitude for a term of years, and three-fifths of all other persons, etc.

It will be observed that there is no provision for, and it is not within the contemplation of this article that the contributions which are exacted from the States shall be raised by a levy upon lands and improvements and houses, but only that the value of the lands, improvements, and houses in each State shall be the measure of the amount which the State shall contribute. That measure being found unsatisfactory, another measure of the amount which the State should be compelled to contribute was formulated by the Congress, namely, that the amount should be measured by the number of population. The

value of lands being found unsatisfactory, it was thought that the number of people in each State would afford a better measure of the ability of the State to contribute than the value of its land.

Mr. BAILEY. Mr. President, will the Senator permit me to interrupt him?

Mr. SUTHERLAND. Surely.

Mr. BAILEY. I think the Senator's statement is not exactly accurate. The change was made because in that day, as in this day, people undervalued their property for the purpose of escaping their taxes, and it was concluded that it was possible to ascertain with exactness the number of people, when it was not possible to ascertain the exact value of the land. They adopted it, not because the population was a more satisfactory method of gauging these contributions, but simply because they could make the ascertainment with exactness when counting the people, and they had not been able to make it with exactness in estimating the value of land.

Mr. SUTHERLAND. The Senator from Texas simply states in another and better way than I have stated or could state what I intended to say. What I say is, that the measurement of the ability of the State to pay taxes by the value of its land was found to be unsatisfactory—I am not undertaking to go into any discussion of the reason—but it was found to be unsatisfactory, and the measurement by population was adopted as being more satisfactory.

Mr. OWEN. Mr. President——

Mr. SUTHERLAND. I yield to the Senator.

Mr. OWEN. Would not such a tax, whether based on the value of land or on population, being a requisition on the State to be paid by the State, be necessarily a direct tax on the State and not on the citizen?

Mr. SUTHERLAND. Mr. President, I am not to be beguiled into a discussion of that subject by the Senator from Oklahoma. I said to him a little while ago that I did not agree with him upon that proposition. I believe that the Constitution did not contemplate a direct tax upon the States as such; but, as I have already stated, to enter upon that subject would be entirely afield from what I had intended to discuss.

THE DEBATE IN THE CONVENTION.

In the Constitutional Convention several plans of taxation were submitted. Among them was the plan of Mr. Pinckney, the plan of Mr. Randolph, and the plan of Mr. Paterson. On July 12 Mr. Morris moved to add to the clause empowering the legislature to vary representation according to the wealth and number of the inhabitants a proviso "that taxation shall be in proportion to representation." Some objection was made to this plan, and Mr. Morris admitted the force of the objection, but stated that he supposed that these objections "would be removed by restraining the rule to direct taxation, because," as he explained, "with regard to indirect taxes on exports and imports and on consumption, the rule would be inapplicable." Of course that is manifest. A duty imposed upon goods imported into this country obviously can not be apportioned among the several States at all, while a direct tax upon the capital and property of individuals of the States can be apportioned with varying degrees of fairness.

Mr. Wilson stated that he "approved the principle, but could not see how it could be carried into execution, unless restrained to direct taxation." We are then told that Mr. Morris modified his motion by inserting the word "direct," and the provision passed in the following language:

> *Provided always*, That direct taxation ought to be proportioned to representation.

After that the Constitution was so framed as to provide that duties, imposts, and excises should be laid according to the rule of uniformity, as I have already discussed.

Taking these circumstances and all the debates together, it seems to me clear that the convention intended that every form of taxation should be subject either to the rule of apportionment or of uniformity.

In fixing the rule of population as the measurement for direct taxation, I think it is apparent from a consideration of the debates in the convention itself and of those in the various state conventions called for the purpose of ratifying the Constitution, that there was no intention to limit the rule to taxes on lands alone. I quote, first, from Mr. Madison. Mr. Madison said:

> Future contributions, it seemed to be understood on all hands, would be principally levied on imports and exports.

This, by the way, was before the provision in the Constitution forbidding export duties had been adopted.

Further on he said that he would admit that the number of inhabitants was not an accurate measure of wealth. Now, observe, it is not the language of Mr. Madison that the number of the inhabitants is not an accurate measurement of the value of their *lands and houses*, but not an accurate measure of *wealth*.

And again, quoting from the debates:

> He contended, however, that in the United States it was sufficiently so for the object in contemplation.
>
> Mr. Gorham said that in Massachusetts it had been found, "even including Boston, that the most exact proportion prevailed between numbers and property."

Not—again it will be observed—between numbers and landed estates, or lands and houses and improvements, but between numbers and *property*. What property? It is not qualified in any way; therefore, *property of every description*.

Mr. HEYBURN. Would it interrupt the Senator if I should ask him a question?

Mr. SUTHERLAND. Not at all.

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. I do.

Mr. HEYBURN. I think there has been a failure to distinguish between tangible and intangible property. The value of real estate is not alone what it will bring as an income. It is the value for which you can sell it, even though it brings you no income. I have been impressed, whenever I have read the last decision of the Supreme Court, with the idea that they got away from that point, and that it is an important distinguishing point. An income tax is a tax upon an intangible thing—a thing that may vary over night or disappear in a day, a thing that may come and go. It is not the same kind of property as the thing from which an income may or may not be derived. That thought has occurred to my mind many times in considering this question.

Mr. SUTHERLAND. Certainly an income from rentals, an income from landed estates, is not an income from an intangible thing.

Mr. HEYBURN. It is not an income from an intangible thing, but it is in itself an intangible, uncertain, indefinite, and varying thing. The house may be rented to-day and not rented to-morrow.

Mr. BEVERIDGE. It may burn up.

Mr. HEYBURN. Yes; as the Senator from Indiana suggests, it may burn up. But I think we must distinguish between the thing of value and the revenue which comes from it or does not come from it, according to the circumstances. I think a direct tax is a tax upon a thing of value, and an indirect tax is one upon a thing that may or may not exist.

Mr. SUTHERLAND. I will undertake to show a little further along—I should be anticipating if I should discuss it now—that a tax upon the income derived from land is, in substance and effect, a tax upon the land itself.

Mr. HEYBURN. Mr. President, I think that that is probably the dividing of the roads in this discussion at all times, whenever it arises.

Mr. SUTHERLAND. But I shall not turn aside to discuss that particular proposition now.

Again, referring to these debates, Mr. Wilson contended that numbers would be a fairly accurate measure of *wealth* and *ability* to contribute to the public wants.

Again, he does not compare the numbers of inhabitants with the value of their landed estates, but regards it as a measure of their wealth and ability to pay taxes.

Doctor Johnson thought that the numbers of population was the best measure of wealth.

Mr. Ellsworth offered an amendment providing that the rule of contribution by direct taxation should be the number of white inhabitants and three-fifths of others; and then added, to quote his language:

> Until some other rule, that shall more accurately ascertain the *wealth* of the several States, can be devised and adopted by the legislature.

I pause to ask here, Mr. President, if it had been intended by the members of that convention that the term "direct tax" should be confined to a land tax, why do they constantly say that the rule of population is the best rule by which to ascertain the *wealth* of these States, the *property* in these States, the *ability* of these States to contribute to the General Treasury?

Mr. HEYBURN. Mr. President, I think the Senator is passing over Mr. Franklin's second suggestion as of less importance, when, as a matter of fact, it was of first importance. The subjects referred to by Mr. Franklin in the second paragraph are those that are directly before us for consideration. What do you tax? He suggests that the *per capita* tax is the safest basis until something else is discovered that may be taxed. What is it that you tax? You tax the house; you do not tax the rent that may come from it. You tax the land; you do not tax that which may be derived from it as profit.

Mr. SUTHERLAND. No; either I do not interpret correctly what Mr. Ellsworth says, or the Senator does not. What he says is that the rule of contribution by direct taxation should be the number of population, until some other rule——

Mr. HEYBURN. Yes; "until."

Mr. SUTHERLAND. Until some other rule that shall more accurately ascertain the wealth of the several States shall be found.

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. He is not talking about the subjects of taxation; he is talking about the rule by which it is proposed to measure the ability of the inhabitants of the State to pay the tax.

Mr. HEYBURN. Is that all of that?

Mr. SUTHERLAND. No.

Mr. HEYBURN. Will you not read Mr. Franklin's statement?

Mr. SUTHERLAND. Then he proceeds:

> The sum allotted to a State may be levied without difficulty according to the plan used by the State in raising its own supplies.

First of all, he discusses the rule of measuring the amount of the contribution, and then he discusses the method by which it shall be raised; and he says, with reference to the latter part of it:

> The sum allotted to a State may be levied without difficulty according the plan used by the State in raising its own supplies.

Mr. HEYBURN. Did not the Senator pass over Mr. Franklin's statement in reading Mr. Ellsworth's?

Mr. SUTHERLAND. No; I have not Mr. Franklin's statement at all.

Mr. HEYBURN. I had it in my mind, and therefore may myself have confused it with Mr. Ellsworth's statement.

Mr. SUTHERLAND. It is reported in these debates that Mr. King upon one occasion asked what was the precise meaning of "direct taxation;" and Mr. Madison informs us that no one answered. I suggested to the Senator from Idaho when he was upon his feet the other day that if the question had been susceptible of as simple an answer as has been attempted to be made by some of the decisions of the Supreme Court and by Senators upon this floor, it is a little remarkable that somebody did not answer it.

Mr. BORAH. Mr. President——

Mr. SUTHERLAND. Just a moment. Evidently it challenged the attention of Mr. Madison, because he took pains to observe and record the fact that no one answered.

According to the contention made here, a direct tax is only a capitation tax or a land tax. If it had been understood by the members of that convention in that way, is it not remarkable that somebody did not say "A direct tax is simply a capitation tax or a tax on land?" No one answered the question, however, because no one in the convention could formulate in his own mind at the moment a precise definition; and no one undertook to formulate it, although, as the debates show both there and elsewhere, the general nature of a direct tax was perfectly understood.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the junior Senator from Idaho?

Mr. SUTHERLAND. I do.

Mr. BORAH. Mr. President, I presume the Senator from Utah will concede that the framers of the Constitution recognized this matter of taxation as one of the most important subjects with which they had to deal, and one with which they had to deal with the utmost accuracy. Does the Senator from Utah believe that after the attention of the makers of the Constitution was called to the meaning of the word "direct" they still proceeded to put into the Constitution a term the meaning of which they did not understand? Does the Senator mean to say that after their attention had been specifically directed to the matter, and they did not know, they still continued to insert in the Constitution a phrase the meaning of which they did not understand?

Mr. SUTHERLAND. No; I have not so said, Mr. President. I have said that the members of the Constitutional Convention did understand, but that they were not able to formulate at the moment a precise definition. My contention is that the framers of the Constitution understood by "direct taxes" taxes upon those subjects which were made the subject of direct taxation in the various States at the time the Constitution was framed. As those subjects differed in various States, they could not have undertaken to make an enumeration of them; and they were unable, as I said, to formulate a precise definition.

Mr. BORAH. In other words, if the question had been asked, "What is a duty?" or "What is an excise?" the same silence would likely have resulted, because it covered a wide range of territory, and it would have taken some time to define it.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the senior Senator from Idaho?

Mr. SUTHERLAND. Yes.

Mr. HEYBURN. Blackstone's Commentaries were the latest legal publication at the time of the sitting of the Constitutional Convention. Mr. Blackstone defines in very explicit language what are direct taxes, and limits them to per capita and land taxes. I presume the framers of the Constitution took it for granted that a principle that was so well established and so generally recognized was sufficient, and, perhaps, settled this question by an aside, one to the other, rather than by a public discussion.

Mr. SUTHERLAND. It may have been, at the time Mr. Blackstone wrote, that the only form of direct taxation which was in use in England was that form to which the Senator has directed attention. But neither Mr. Blackstone nor any other writer upon English law ever intended to say that direct taxes were confined, at all times and under all circumstances, to capitation and land taxes.

Mr. HEYBURN. Mr. President, a very familiar rule of interpreting statutes is that of taking into consideration the origin of the principle which was being adopted and formulated by the party who was enacting a law or making a constitution; and the very knowledge in the minds of the makers of the Constitution that this term had been interpreted by the English law writer of most distinction at that time would be accepted by them as we accept the decisions of the supreme courts of the States from which we take statutes.

Mr. SUTHERLAND. The Senator from Idaho will agree with me that the English Parliament and the English courts have some familiarity with Mr. Blackstone and the various writers upon English law; and the English Parliament and the English courts, having all those authorities before them, and considering all of those authorities, have uniformly held that an income tax is a direct tax.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the junior Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. They never held that, did they, prior to the adoption of the Constitution of the United States?

Mr. SUTHERLAND. No; because prior to the adoption of the Constitution of the United States no income tax had been imposed; and Mr. Blackstone could not have spoken of an income tax at the time he wrote, because if he had he would have spoken of something that did not exist. But the English Parliament and the English judges interpreted Mr. Blackstone's language defining direct taxes in a different manner from that of the Senator from Idaho.

Mr. HEYBURN. Mr. President, there was no occasion for the English courts or the English Parliament to "shy off" from the question of what was and what was not direct taxation, because there was no constitutional limitation that governed the English Parliament in regard to levying a certain kind of tax or that limited them in any way.

Mr. SUTHERLAND. No; but there were evidently other considerations which made it important for the English Parliament and the English courts to assign the income tax to its proper classification; and they assigned it to the class of direct taxes, and not to the class of indirect taxes, with all the information before them from Blackstone and from the other English writers that the Senator from Idaho has before him.

Luther Martin said:

> Direct taxation should not be used but in cases of absolute necessity, and then the States will be the best judges of the mode.

Finally, on September 14, 1787, the provision in section 9 of Article I, "No capitation tax shall be laid, unless," etc., being under consideration, Mr. Read moved to insert after "capitation" the words "or other direct tax."

> He was afraid that some liberty might otherwise be taken to saddle the States with a readjustment by this rule of past requisitions of Congress, and that his amendment, by giving another cast to the meaning, would take away the pretext.

And in that form it was carried.

Mr. OWEN. I wish to call the attention of the Senator from Utah to the report of Luther Martin to the legislature of Maryland, in which he expressly stated that this very Constitution authorized the Congress to lay direct taxes on the citizen in every case.

Mr. SUTHERLAND. I have the report and I shall read from it later on in my remarks.

Now, I want to call attention to the fact that in the debates of the Constitutional Convention there is no hint or suggestion

that direct taxes should be confined to capitation and land taxes, although the question was asked what was meant. The discussion assumed rather a wide range, but nowhere in the debates was it ever suggested that the tax should be confined to a land tax and a capitation tax.

On the contrary, the whole debate from beginning to end indicates that in the minds of the majority population was considered the fair measure, and that landed estates were not considered the fair measure of the ability of the various States to contribute, but that wealth and property generally should be the subjects from which the taxes should be gathered. Population was regarded as the measure of the amount, and the amount itself realized by taxing the wealth and property of the States, and not their landed estates only.

Mr. HEYBURN. I desire to ask the Senator if it is not apparent upon the face of the proceedings that the Constitutional Convention did not get away from the idea of a central government apportioning and levying taxes, for the State to collect and turn in, until almost the last days of the convention? It had been accustomed to it under the articles, and it was only in the latter days of the convention that it adopted the present system, which entirely eliminated the idea of imposing a tax upon the State, to be accounted for to the General Government.

Mr. SUTHERLAND. It was insisted by some that the old plan should be adhered to.

DEBATES IN THE STATE CONVENTIONS.

I now come to a brief discussion of the debates and proceedings in the various state conventions upon the question of the ratification of the Constitution. I shall submit that from a consideration of the various things that were said by the members of these conventions that it was not understood by any of them that the words "direct tax" in the Constitution were used in this restricted sense.

Roger Sherman and Oliver Ellsworth, writing to the governor of Connecticut, September 26, 1787, say:

> It is probable that the principal branch of revenue will be duties on imports. What may be necessary to be raised by direct taxation is to be apportioned on the several States, according to the number of their inhabitants; and although Congress may raise the money by their own authority, if necessary, yet that authority need not be exercised if each State will furnish its quota.

In the Massachusetts convention Judge Dana, after urging the necessity of Congress being vested with the power to levy direct taxes, said:

> It was not to be supposed that they would levy such unless the impost and excise should be found insufficient in case of a war.

Clearly indicating that in the mind of that distinguished gentleman the line of division was between imposts and excises and that character of tax upon the one side and direct taxes upon the other.

Mr. Sedgwick, commenting upon the same subject, said:

> Congress would necessarily take that which was easiest to the people; the first would be impost, the next excise, and a direct tax will be the last; for, * * * drawing money from the people by direct taxes being difficult and uncertain, it would be the last source of revenue applied to by a wise legislature.

In his mind, evidently, the impost and excise included the forms of indirect taxation; all others were direct taxes.

Mr. GORE understood the matter in the same way. He speaks of the imposts and excises being sufficient for the purposes of government in times of peace, but in time of war requisitions must be made to supply the deficiencies of this fund.

Mr. Pierce called attention to the fact that gentlemen in different parts of the House had agreed that Congress would not lay direct taxes except in case of war, for that—

> To defray the exigencies of peace the impost and excise would be sufficient; and, as that mode of taxation would be the most expedient and productive, it would undoubtedly be adopted.

He went on to say, however—

> But, Mr. President, if Congress had the power of direct taxes, in the manner prescribed in this section, I fear we shall have that mode of taxation adopted in preference to imposts and excises.

He was evidently against the system of direct taxation entirely, but in his mind the contrast was between imposts and excises, which he regarded as indirect taxes, and all other kinds of taxes, which he regarded as direct taxes.

In the Connecticut convention Oliver Ellsworth discussed the matter at some length. He first discussed the objection to the clause, that it extended to all the objects of taxation.

Gentlemen in that convention had insisted that the power conferred was altogether too broad; that it should have been limited. But Ellsworth pointed out that while the power had been given to Congress to levy taxes upon all subjects of taxation, it did not extend to all exclusively.

It did not say that Congress should have all these sources of revenue and the States none, but that all, excepting the impost, still lay open to the States.

He said that all nations had seen the necessity and propriety of raising a revenue by indirect taxation—by duties upon articles of consumption.

In the New York convention Chancellor Livingston, after discussing the proposed amendment, that no excise should be laid on the manufactures of the United States, said:

> But if you impose upon the Union all the burdens and take from them a principal resource, what will they do when the imposts diminish and the expenses of government increase? Why, they must have recourse to direct taxes; that is, taxes on land and specific duties.

Mr. HEYBURN. What does he mean by that other expression?

Mr. SUTHERLAND. I do not know precisely what he meant, but I am citing it for the purpose of showing that in his mind the direct tax extended to something beyond the tax on land.

Mr. HEYBURN. What does he name it?

Mr. SUTHERLAND. Specific duties, he calls it. I think in all probability he did not use a happy phrase, but evidently he believed that under the Constitution direct taxes were not confined to a land tax, but extended to something else.

Mr. Jay, discussing the proposed amendment, that direct taxes should not be levied until requisitions had first been made, said:

> It ought to be considered that direct taxes were of two kinds, general and specific. With respect to the latter, the objection could not apply. The National Government would, without doubt, usually embrace those objects which were uniform throughout the States.

Not that under the Constitution they were confined to such objects, but that, considering the expediency of the matter, they would carry out the constitutional provisions so as to tax only such objects as were uniform throughout the States.

In the Virginia convention Mr. Madison, answering the objection that 10 men deputed from that State, and others in proportion from other States, would not be able to adjust direct taxes so as to accommodate the various citizens in 13 States, said:

> Could not 10 intelligent men, chosen from 10 districts from this State, lay direct taxes on a few objects in the most judicious manner?

If these direct taxes under the Constitution were confined to land, what need of 10 men to adjust the direct taxes? What need of 10 men to "lay direct taxes on a few objects in the most judicious manner" if direct taxes meant only a tax upon land?

Again, he said:

> There is a proportion to be laid on each State, according to its population—

Now, mark this—

> The most proper articles will be selected in each State. If one article in any State should be deficient, it will be laid on another article.

Again clearly indicating that it was not in his mind that the direct tax was confined to land, but that it would be laid in the various States upon the most proper articles, and if one article should be deficient in any State, it would be laid upon another article.

Mr. HEYBURN. Would the Senator consider an intangible sum to be derived or not to be derived as an income, as an article within the meaning of the suggestion or expression of Mr. Jay?

Mr. SUTHERLAND. Incomes were taxed. Direct taxes were imposed upon incomes in one or two of the States.

Mr. HEYBURN. Would it come within that definition of an article?

Mr. SUTHERLAND. It would come within that term as used by Mr. Madison——

Mr. HEYBURN. I think that Mr. Jay——

Mr. SUTHERLAND (continuing). As used by Mr. Madison in the Virginia convention.

Mr. BORAH. I presume, perhaps, the Senator from Utah is going to reach that subject. I do not know whether he is or not. But does not the argument which the Senator is now pursuing reason as strongly against an inheritance tax as an income tax?

Mr. SUTHERLAND. I think it does not. I think the inheritance tax proceeds upon an entirely different theory. As I undertook to point out the other day, an inheritance tax is not imposed upon property. It is imposed upon the right to succeed. It is imposed upon the devolution of the property. It is imposed in precisely the same way that a stamp duty is imposed upon a deed by which we transfer a piece of land.

Mr. BORAH. Does the Senator contend that the right to inherit property is not an article within the meaning of the phrase?

Mr. SUTHERLAND. I contend that it is not an article within the meaning of that phrase.

Mr. BORAH. Does the Senator contend that the tax on the right to inherit is any more than the tax on the right to receive an income from the property?

Mr. SUTHERLAND. If the Senator does not understand what I mean, I have evidently not expressed myself clearly. I say again, a tax on the right to inherit belongs to one class and a tax upon the income from real estate or personal property belongs to an entirely different class, just as the stamp duty upon a deed belongs to one class and the tax upon the land belongs to another class.

Mr. BORAH. Under the statutes of every State in the Union, a man has a right to inherit. That is fixed by law. It is a substantial right, and they tax that right. Now, what is that when taxing it? Is it an article? Is it a property right? Is it an interest? Is it something you may sell, something you may realize from, or what is it?

Mr. SUTHERLAND. They are taxing the transfer of property from the dead to the living, whether that transfer is accomplished in pursuance of a statute or in pursuance of a will, just as they are taxing the transfer of the real estate in the case of a stamp duty on a deed from the living to the living.

Mr. BORAH. Let me put it in another way. Suppose I should be so fortunate as to have an uncle die and leave me a vast amount of property. I have the right to inherit it. I could go and transfer that right, sell my interest, and the other party could step into my shoes, might he not?

Mr. SUTHERLAND. Will the Senator repeat the last part of his question?

Mr. BORAH. I can transfer my right to take an interest in this property?

Mr. SUTHERLAND. I think so.

Mr. BORAH. Then he wills to me a certain amount of property. May I not transfer that right?

Mr. SUTHERLAND. I will make the supposition. What is the question?

Mr. BORAH. What am I selling? What am I transferring?

Mr. SUTHERLAND. You are selling your property, your inheritance.

Mr. BORAH. And that is what we are taxing.

Mr. SUTHERLAND. No; we are not taxing the property.

Mr. BORAH. But you are taxing the right to inherit.

Mr. SUTHERLAND. I can not put it in plainer language. What is being taxed in that case is the devolution of property, the transfer of property, and not the property itself, and in that case it is an excise and not a direct tax.

Now, I will quote very briefly from what was said by Mr. Marshall, afterwards Chief Justice of the Supreme Court of the United States, upon this subject:

> The objects of direct taxes are well understood; they are but few. What are they? Lands—

Does he stop there? No—

> slaves, stock of all kinds, and a few other articles of domestic property.

He was speaking of the objects of direct taxes in his own State and they were not limited to land there. He was interpreting the meaning of the phrase of the Constitution with reference to a direct tax by calling attention to what was understood to be a direct tax in his own State. That is the only way that it could have been arrived at.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield?

Mr. SUTHERLAND. In just a moment. That is the only way it could have been arrived at, because the National Government in existence prior to the Constitution never had had any power to tax anything. Therefore, there could have been no direct tax under the National Government, and the framers of the Constitution could only have referred to the direct taxes as imposed in the various States.

Mr. HEYBURN. I should like to ask the Senator from Utah, is there anything other than tangible property enumerated by Chief Justice Marshall?

Mr. SUTHERLAND. No; I will answer the Senator.

Mr. HEYBURN. Absolutely nothing.

Mr. SUTHERLAND. It so happened that in Virginia nothing but those classes of property were taxed, but if Mr. Marshall had been speaking in Delaware, he would have included in his enumeration incomes, because the taxes in Delaware were realized from incomes at that time. Mr. Marshall proceeds:

He—

Referring to a member who had spoken upon the subject—

> then spoke of a selection of particular objects by Congress, which he says must necessarily be oppressive; that Congress, for instance, might select taxes, and that all but landholders would escape. Can not Congress regulate the taxes so as to be equal on all parts of the community? Where is the absurdity of having 13 revenues? Will they clash with, or injure, each other? If not, why can not Congress make 13 distinct laws, and impose the taxes on the general objects of taxation in each State, so as that all persons of the society shall pay equally, as they ought?

Mr. HEYBURN. When was that stated?

Mr. SUTHERLAND. It was stated during the debate in the Virginia convention preceding the ratification of the Constitution.

Mr. HEYBURN. That was, of course, on the basis of the Articles, rather than of the Constitution.

Mr. SUTHERLAND. Not at all. It was——

Mr. HEYBURN. That is the practice that had been in vogue under the Articles.

Mr. SUTHERLAND. The Senator is entirely mistaken. The debate was on the question of the ratification of the Constitution.

Mr. HEYBURN. It had not been ratified and we had not yet a Government.

Mr. SUTHERLAND. But they were attempting to ratify it, and Chief Justice Marshall was discussing the meaning of the phrase in the proposed Constitution. That was not the language of some layman, of some irresponsible person, but it was the language of Chief Justice Marshall. He saw no difficulty in imposing a direct tax upon one class of articles in one State and a different class of articles in another State, and clearly in his mind the direct tax was not confined to a land tax.

Mr. McCUMBER. Will the Senator read the statement again?

Mr. SUTHERLAND. The Senator from North Dakota asks me to read the statement again.

He—

Referring to a member who had spoken upon the subject—

> then spoke of a selection of particular objects by Congress, which he says must necessarily be oppressive; that Congress, for instance, might select taxes, and that all but landholders would escape.

That is, that Congress might select to impose the direct tax only upon land, and in that event all but the landholders would escape. But answering that objection Mr. Marshall said:

> Can not Congress regulate the taxes so as to be equal on all parts of the community? Where is the absurdity of having 13 revenues? Will they clash with, or injure, each other? If not, why can not Congress make 13 distinct laws, and impose the taxes on the general objects of taxation in each State, so as that all persons of the society shall pay equally, as they ought?

Can there be any mistake as to the understanding of Chief Justice Marshall in reference to this phrase in the Constitution? Can there be any doubt that Chief Justice Marshall understood that the term "direct taxes" in the Constitution did not only include land taxes, but included the great variety of subjects of taxation in the various States which were to compose the Union? Mr. Nicholas said:

> Nine-tenths of the revenue of Great Britain and France are raised by indirect taxes; and were they raised by direct taxes they would be exceedingly oppressive. At present the reverse of this proposition holds in this country, for very little is raised by indirect taxes.

Revenue was raised, as he says, in the main, with what apparently in his mind was an immaterial exception, by the imposition of a direct tax, yet we find in all these various States that not only lands, but horses, cattle, stock, and various other objects were the subjects of taxation by the States.

Mr. Nicholas then discusses the objection——

Mr. HEYBURN. I should like to ask the Senator, Did the United States ever under any circumstances levy a tax upon horses and cattle and stock?

Mr. SUTHERLAND. No.

Mr. HEYBURN. Then that reference is to the power of the State and not of the United States.

Mr. SUTHERLAND. I will come to that in a moment. I think I shall be able to show the Senator that Congress has not imposed direct taxes upon that class of articles, not because Congress recognized that it had no power to do it, but because Congress recognized that it was inexpedient to do it.

He then discusses the objection that the General Government ought not to impose direct taxes, because its Members would not be acquainted with the local situation of the people. He answers this by saying that they can get information from every source from which the state representatives get theirs, so as to enable them to impose taxes judiciously, and that the consequence of laying taxes on improper objects would be to decrease the amount collected.

An examination of all the debates from beginning to end, I submit, will show that the members of these various state conventions, called for the purpose of ratifying the Constitution, called for the purpose of debating the meaning of the various phrases in the Constitution, held that the term "direct taxes" included not only taxes upon land but taxes upon all this great variety of objects in the various States.

Luther Martin, in a most elaborate discussion of this subject before the Maryland house of delegates, uses the language which I shall read, and it is so clear and apposite upon this

question that I desire to quote from it upon that particular subject at some length. He said:

By the eighth section of this article Congress is to have power to lay and collect taxes, duties, imposts, and excises. When we met in convention, after our adjournment, to receive the report of the committee of detail, the members of that committee were requested to inform us what powers were meant to be vested in Congress by the word "duties" in this section, since the word "imposts" extended to duties on goods imported, and by another part of the system no duties on exports were to be laid. In answer to this inquiry we were informed that it was meant to give the General Government the power of laying stamp duties on paper, parchment, and vellum. We then proposed to have the power inserted in express words, lest disputes might hereafter arise on the subject, and that the meaning might be understood by all who were to be affected by it; but to this it was objected, because it was said that the word "stamp" would probably sound odiously in the ears of many of the inhabitants and be a cause of objection. By the power of imposing stamp duties the Congress will have a right to declare that no wills, deeds, or other instruments of writing shall be good and valid without being stamped; that, without being reduced to writing, and being stamped, no bargain, sale, transfer of property, or contract of any kind or nature whatsoever shall be binding; and also that no exemplification of records, depositions, or probates of any kind shall be received in evidence unless they have the same solemnity. They may likewise oblige all proceedings of a judicial nature to be stamped to give them effect. These stamp duties may be imposed to any amount they please; and under the pretense of securing the collections of these duties, and to prevent the laws which imposed them from being evaded, the Congress may bring the decision of all questions relating to the conveyance, disposition, and rights of property, and every question relating to contracts between man and man, into the courts of the General Government—their inferior courts in the first instance and the superior court by appeal. By the power to lay and collect imposts they may impose duties on any or every article of commerce imported into these States to what amount they please. By the power to lay excises—a power very odious in its nature, since it authorizes officers to go into your houses, your kitchens, your cellars, and to examine into your private concerns—the Congress may impose duties on every article of use or consumption, on the food that we eat, on the liquors that we drink, on the clothes that we wear, the glass which enlightens our houses, or the hearths necessary for our warmth and comfort. By the power to lay and collect taxes——

Now, observe the language:

By the power to lay and collect taxes, they may proceed to—

To what?—

they may proceed to direct taxation on every individual, either by a capitation tax on their heads or an assessment on—

On what? Not upon their lands, not upon their houses, not upon their buildings, but an assessment—

on their property. By this part of the section, therefore, the Government has power to lay what duties they please on goods imported; to lay what duties they please, afterwards, on whatever we use or consume; to impose stamp duties to what amount they please and in whatever case they please; afterwards, to impose on the people direct taxes, by capitation tax or by assessment, to what amount they choose.

Mr. HEYBURN. On their property?

Mr. SUTHERLAND. On their property.

Mr. HEYBURN. Now, I should like to inquire if the Senator believes that incomes were intended to be included within the property as there referred to?

Mr. SUTHERLAND. Mr. President, the whole purpose of the discussion I am now engaging in is to demonstrate, or attempt to demonstrate, that precisely what I do claim is that incomes were included within that term.

Mr. HEYBURN. I want to say that I am one of those who believe it is within the power of Congress to enact an income-tax law, but I am not in favor of exercising that power. I make this statement so that there may be no misunderstanding.

Mr. SUTHERLAND. I am sorry that the Senator from Idaho differs with me upon that question, because I have a very high regard for his opinion upon a legal proposition.

It is perfectly clear that Mr. Martin understood indirect taxes to be included within the terms "duties, imposts, and excises;" that he further understood that *duties* were to be confined to stamp taxes, *imposts* to duties on imports, *excises* to taxes upon articles of use or consumption, and that all *taxes outside of these* were *direct* taxes on lands or on other property, because he says, and let me repeat a sentence:

By the power to lay and collect taxes, they may proceed to *direct* taxation on every individual by an assessment on their property.

Showing that in his mind the term "taxes" as used in that clause was equivalent to the words "direct taxes" used in other parts of the Constitution.

In several of the States where the question of the ratification of the Constitution was considered, resolutions were introduced proposing to amend the Constitution so that Congress should not lay direct taxes except when the moneys arising from imposts and excises are insufficient for the public exigencies.

Clearly there was a case which did not depend upon the spoken word which is sometimes uttered without much reflection, but they proposed by a solemn written resolution to amend the Constitution so as to confine the laying of direct taxes to cases where the imposts and excises were insufficient. Is there any doubt that in the minds of the members of the conventions which framed that proposed amendment the words "imposts and excises," and in one State the word "duties" was added, were used as the very antithesis of direct taxes, including in the form of indirect taxes those three things, and in the form of direct taxes everything else?

That was the form of resolution in Massachusetts and that was the form of resolution in New York. In South Carolina the language was "that the direct tax should be only imposed when the moneys arising from duties, imposts, and excises," using the very language of the Constitution, "were insufficient." In New Hampshire the language was that "direct taxes should be only laid when the moneys arising from imposts, excises, and from other resources are insufficient for the public exigencies."

And so it is perfectly clear, as it seems to me, that in the minds of the members of these conventions the words "direct taxes" included all forms of taxation that were not included within the three expressions, "duties," "imposts," and "excises."

The object of the whole of the provisions of the Constitution with reference to the subject of direct taxation was to protect the accumulated capital of the citizens of the various States against the inroads of a majority of the representatives. They recognized, as the Supreme Court has repeatedly recognized and pointed out, that the power to tax is the power to destroy, and they did not propose that a majority of the representatives should impose taxes upon the citizens of a particular State or group of States in such way as to make it unfair or so as to destroy property in the States.

LEGISLATIVE CONSTRUCTION.

Now, I come to the question of the legislative or practical construction. Not only is much stress laid upon that particular matter by the Senator from Texas [Mr. BAILEY] and the Senator from Idaho [Mr. BORAH], but much stress has been laid upon it by the Supreme Court in some of the cases. It is pointed out, in the first place, with reference to the carriage tax, that Congress in the early part of its history imposed a tax upon carriages which were used or hired for use, and thereby recognized that it was not a direct tax. Then attention is called to the fact, which is a fact——

Mr. BEVERIDGE. The carriage tax was held to be an excise.

Mr. SUTHERLAND. Yes; the carriage tax was held to be an excise. I will discuss that in a moment. It is true that in all of the laws which have been passed by Congress levying direct taxes they have been limited to lands, houses, and improvements, except in one case where it was extended to slaves. It is argued from that that that amounts to a practical construction of that provision of the Constitution by Congress. If it stood alone and we had nothing else but that, there would be much force in that suggestion, but when we come to consider the history which led up to the adoption of these various laws we find that Congress in limiting its direct taxes to lands and houses and the improvements on land was doing it not because it recognized that that was the limit of its power, but because it recognized that it was not expedient to extend the taxes to any other objects.

THE CARRIAGE TAX.

First of all, let me discuss very briefly the carriage tax. It was clearly understood, as will be seen by the debates, that the tax on carriages was a tax on the use or consumption and not upon the property itself. Let me call attention very briefly to what Mr. Sedgwick said upon that subject. I quote the language which is reported in the Pollock case (157 U. S., 568).

Mr. Sedgwick said, when the proposition was first presented, that:

A capitation tax, and taxes on land and on property and income generally, were direct charges.

Now, notice the language. These are the debates in Congress leading up to the adoption of the carriage tax:

A capitation tax, and taxes on land and on property and income generally, were direct charges, as well in the immediate as ultimate sources of contribution. He had considered those, and those only, as direct taxes in their operation and effects. On the other hand, a tax imposed on a specific article of personal property, and particularly if objects of luxury, as in the case under consideration, he had never supposed had been considered a direct tax, within the meaning of the Constitution.

Mr. Dexter observed that his colleague had stated the meaning of direct taxes to be a capitation tax, or a general tax on all the taxable property of the citizens; and that a gentleman from Virginia [Mr. Nicholas] thought the meaning was that all taxes are direct which are paid by the citizen without being recompensed by the consumer; but that where the tax was only advanced and repaid by the consumer the tax was indirect. He thought that both opinions were just and not inconsistent, though the gentlemen had differed about them. He thought that a general tax on all taxable property was a direct tax, because it was paid without being recompensed by the consumer.

Afterwards, when the bill was put upon its passage in the House, the following occurred, and this is all that did occur, so far as the debate is concerned, when the bill was finally passed.

On May 29, 1794—and I quote directly from the Annals of Congress—this appears:

Mr. Madison objected to this tax on carriages as an unconstitutional tax, and, as an unconstitutional measure, he would vote against it.

Mr. Ames said—

Now, mark you, Mr. Madison and Mr. Ames upon the final debate are the only ones who spoke upon the question, one representing one side of it and the other the other side of it—

Mr. Ames said that it was not to be wondered at if he, coming from so different a part of the country, should have a different idea of this tax from the gentleman who spoke last. In Massachusetts this tax had been long known; and there it was called an excise. It was difficult to define whether a tax is direct or not. He had satisfied himself that this was not so—

Now mark—

The duty falls not on the possession, but the use.

Mr. BEVERIDGE. Mr. Ames thought that if it had been a direct tax he also would have been against it, but he was for it because he did not think it was a direct tax but an excise, as it was so considered in Massachusetts. Is that correct?

Mr. SUTHERLAND. That is correct. He understood that it was not a direct tax, because the duty fell not upon the possession, but upon the use. He went on to say:

And it is very easy to insert a clause to that purpose which will satisfy the gentlemen himself. Mr. Madison had said that the introduction of this tax would break down one of the safeguards of the Constitution. Mr. A. really saw very little danger to the Constitution from it.

Now, the law, in terms, imposes a tax upon carriages kept for use by the owner or kept by the owner for hire to others. I am not quoting precisely the language, but that, in substance, is the language. Therefore it is not a tax directly upon the property, but it is a tax, when reduced to the last analysis, upon the use, upon the consumption.

Mr. BAILEY. Will the Senator from Utah permit an interruption?

Mr. SUTHERLAND. Certainly.

Mr. BAILEY. I think when the Senator examines that statute he will find that those are merely terms of description, and that the tax is upon the carriages described and not upon the use. If I had any doubt about that, that doubt would be solved to my mind by the circumstance that the man who kept a carriage for his own use, though he might not use it in a year, would pay precisely the same tax as a man who kept a carriage and used it every day. In other words, the owner of a carriage who might be abroad or away from home at any given place, and might not have used it once within the twelve months, yet would be compelled to pay the tax the same as another owner who used his carriage every day. That being true, it does not seem possible to conclude that the tax is on the use instead of on the article, because in the cases I have instanced it would not be used in one case, and it would be used daily in the other, and yet the tax would be still the same. It seems to me that the terms of the statute are merely a description of the carriage.

Mr. SUTHERLAND. And so, Mr. President, if any individual who would buy a bottle of whisky had self-control enough not to make use of it for a year, he would pay in the price the excise tax precisely the same as if he had used it in a single day.

Mr. BAILEY. Therefore the excise tax is not on the use of the whisky; it is on the whisky itself. The man who sells it pays an occupation tax, but the man who uses it pays no occupation tax, and the only tax that he pays is on the article. The Senator's illustration is unfortunate for his argument, it seems to me.

Mr. SUTHERLAND. The tax is upon the consumable commodity. It is not upon it as a property, but it is upon it because it is an article of consumption.

Mr. BAILEY. Let us apply the Senator's own illustration. There is an excise occupation tax. Every man who sells whisky in this Republic is required to obtain from the General Government a license, and for that he pays, I believe, the sum of $25; but the sum is immaterial. Then, in addition to that, every man who manufactures whisky has to pay a tax on the article itself. The one is an occupation tax, pure and simple; that is, the revenue license that is issued and paid for. The other is a tax upon the article. One is plainly an excise or an occupation tax, and the other is plainly a tax on the article itself.

Mr. SUTHERLAND. What does the Senator from Texas think Mr. Ames meant when he said, answering the objection of Mr. Madison?—

The duty falls not on the possession, but the use.

Mr. BAILEY. I think Mr. Ames was mistaken, just like I have heard other men in both Houses of Congress quite equal to Mr. Ames explain pending bills, with mistakes sometimes grosser than that. Mr. Ames did not satisfy Mr. Madison with that explanation, and consequently his invention did not serve its purpose. Mr. Madison voted against that law. Mr. Madison followed it from Congress into the public prints, and afterwards into the courts, and attacked it.

Mr. SUTHERLAND. I think, on reflection, Mr. Madison did agree with Mr. Ames, because when Mr. Madison was President of the United States he approved an act almost in identical terms.

Mr. BAILEY. That was because the court had in the mean time decided that Mr. Madison was wrong, and Mr. Madison acquiesced. I use the word "acquiesced" advisedly. Mr. Madison never did adopt the opinion of the court, but he acquiesced in it.

Mr. SUTHERLAND. I think, Mr. President, when we come to consider the circumstance that Mr. Madison was regarded evidently as the spokesman upon that side which declared the statute unconstitutional—for no one else spoke upon that side, but others voted with him—and that Mr. Ames must be regarded as the spokesman for the opposite view—for the majority voted with Mr. Ames and said nothing—it may be well concluded that Mr. Ames spoke the opinion of the majority of the House of Representatives upon that question when he said:

The duty falls not on the possession, but the use.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SUTHERLAND. Certainly.

Mr. BEVERIDGE. This might be pointed out, that whether Mr. Ames was right or wrong, he fortified his opinion by saying that this was the way the tax was understood in Massachusetts, where it had been known for a long time, and he gave the opinion of the State which had employed this method of taxation. It was not his opinion only, but the opinion of the people who had used it. Is that correct?

Mr. SUTHERLAND. That is correct. In addition to that, Mr. Hamilton, in a brief made in the Hylton case in regard to this very tax, called attention to the fact that in England this sort of tax was regarded as an excise tax, while in England, not at that time but later on, an income tax was regarded as a direct tax.

The other question which is suggested here is, that Congress has given a practical construction to this provision of the Constitution.

Mr. BAILEY. Mr. President, will the Senator permit me just there, before he goes further, to make a suggestion?

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Texas?

Mr. SUTHERLAND. I do.

Mr. BAILEY. A final and a sufficient answer to Mr. Ames's explanation is, that when that very law reached the Supreme Court of the United States, although it was elaborately argued and considered from every point of view, there was not a justice there who adopted the suggestion of Mr. Ames. Not one of them construed the law as a tax upon the use of carriages. Judge Chase, it is true, in arguing as to the character of the tax, said it might be considered as a tax on expense, but the court plainly indicated that they understood the difference between a tax upon use or a tax upon occupation and a tax on the property itself. All of the judges in that case treated it as a tax on the identical article of property as such, in so many terms, but in classifying it as to whether it would be an excise or a duty or a tax, whether direct or indirect, Judge Chase, who delivered probably the most elaborate opinion in the case, did describe it as falling within a tax on expense, and not on the use of the carriage.

Mr. SUTHERLAND. Two of the judges—Justice Chase, and I have forgotten now whether the other was Paterson or Iredell—agreed in the view that it was a tax upon expense, and maintainable as such. They seem to imply—because they quote from Adam Smith upon that subject—that if it had been a tax upon revenue, which is another name for income, applied to income, they would not have sustained it, because they quoted from Adam Smith, who sharply distinguishes between a tax upon revenue which he describes as a direct tax, and a tax upon expense, which is an indirect tax.

Mr. BAILEY. The Senator from Utah, who is usually very accurate, will find himself mistaken when he says that anybody else in that case expressed the opinion that this was a tax on expense. I think it was Justice Paterson who closed what he called his "discourse"—rather a peculiar way to describe a judicial opinion, but a very proper way to describe some modern ones, I should say—he concluded his discourse, as he describes it, by that quotation from Adam Smith. I do not say positively, for those matters are not very material and escape the most attentive of us, but still I think the Senator from Utah will find

upon reference to the case that Justice Chase was the only one who undertook to classify it as a tax upon expense.

Mr. SUTHERLAND. Mr. President, I think the Senator from Texas, and not myself, is mistaken upon that matter. Justice Chase, in the course of his opinion, uses this language:

> * * * It seems to me that a tax on expense is an indirect tax, and I think an annual tax on a carriage for the conveyance of persons is of that kind, because a carriage is a consumable commodity, and such annual tax on it is on the expense of the owner.

Mr. Justice Paterson said—and he is the other judge whom I have in mind:

> The impossibility of taxing people in proportion to their *revenue*, by any capitation, seems to have given occasion to the invention of taxes upon consumable commodities; the State, not knowing how to tax directly and proportionately—

He quotes from Adam Smith—

> the *revenue* of its subjects, endeavors to tax it indirectly by taxing their *expense*, which it is supposed in most cases will be nearly in proportion to their revenue. Their expense is taxed by taxing the consumable commodities upon which it is laid out.

So both of the justices concur in the view that this is a tax upon expense.

Mr. BAILEY. The justices did not concur in saying that the particular tax under consideration was a tax on the use of the carriage. Neither of them said that. Justice Chase did treat it as a tax on expense, but Justice Paterson simply was classifying it——

Mr. SUTHERLAND. But they both say that a carriage is a consumable thing; and that being so, the tax upon that consumable thing is a tax upon expense. How would they otherwise tax the use of a thing?

Mr. BAILEY. Now let us reverse it. Then, it can not be a tax on its use.

Mr. SUTHERLAND. Why?

Mr. BAILEY. Because very plainly the tax on the use of a carriage would be from day to day a tax on something consumed—consumed at once, consumed in the use, and the single use of it, as food. A tax on that would be permissible, but it would not be a tax on the use of it.

Mr. SUTHERLAND. The Senator will not insist that consumable commodities are only those which can be consumed at once?

Mr. BAILEY. Oh, no. The Senator does not contend anything of that kind. The Senator is only contending that a description which includes them can not be accurate for the purpose which the Senator has in hand; in other words, a carriage is a consumable commodity, it is true, but the consumption might extend over a period of five or ten years.

Mr. SUTHERLAND. How is it consumed? By the use, of course.

Mr. BAILEY. No; but by the wear and tear. A carriage will last longer when used every day than it will if stood up in a carriage house and not used at all.

Mr. SUTHERLAND. Then it is not consumed. It wears itself out.

Mr. BAILEY. It wears and rusts.

Mr. SUTHERLAND. We do not speak of anything which has been laid away and left alone and left to rust as having been consumed by any person.

Mr. BAILEY. No; but it is consumed, and that kind of a carriage would have paid the tax under the act in question in the Hylton case precisely as would a carriage that had been used every day. Therefore the tax could not have been on the use, but it was on the possession.

Mr. SUTHERLAND. The Senator from Texas certainly would not insist that an article of food which had been laid away and permitted to spoil had been consumed. Neither has a carriage that is laid away and permitted to wear out in that way been consumed.

Mr. BAILEY. The Senator from Utah confirms my argument.

Mr. SUTHERLAND. When we speak of a carriage having been consumed, or other things having been consumed, we mean they have been consumed by use.

Mr. BAILEY. The Senator confirms my argument, if he will permit me. Take the case of food tainted or diseased, and not used at all, and yet it is subject to a tax. You pay the tax just the same whether you throw it to the dogs or feed it to people.

Mr. SUTHERLAND. But because——

Mr. BAILEY. Not because it may be used. Under my argument that would be true; but under the Senator's argument it would be because it was used; in other words, the Senator says that carriage tax was on the use of the carriage, and I say it was on the possession of the carriage, because the tax was levied on a carriage possessed and not used, precisely as on a carriage possessed and used, and the terms of the statute are merely descriptive. They describe the carriage subject to the tax and not the use.

Mr. SUTHERLAND. The Senator from Texas is always so plausible in what he says that I am never quite certain whether he has convinced my intellect or only stirred my emotions, but it seems to me that when the justices of the Supreme Court say that a carriage is a consumable thing, and that the tax is on the expense of the owner, it is not different when analyzed from their having said that it was a tax upon the use of the carriage. I am unable to see the distinction; and either the Senator from Texas or myself is refining overmuch upon the question. I will not undertake to say which.

THE STATUTES IMPOSING DIRECT TAXES.

Now I come to the second branch of this question, the practical construction of the constitutional provision. It is true, as I have said, that by various acts of Congress which have been passed, beginning in 1796, up to and including 1864 or 1865, Congress has always levied these direct taxes upon lands, houses, and improvements. Therefore it is argued by the Senator from Texas and others who agree with him that Congress by that in effect has said that it had no power to impose taxes upon anything else except those objects. I think I fairly state the proposition. That might lead to this conclusion, which is, of course, an extreme one: If Congress had not levied a direct tax at all according to that sort of reasoning it would be a construction upon the part of Congress that it had no power to levy a direct tax upon any article. Certainly that conclusion can not be justly arrived at. I submit when we come to consider the history surrounding the adoption of this first law—and all the other laws were founded upon it—it is found beyond question that Congress confined its direct taxes to this class of property because it recognized that it was expedient to do so, not because it recognized that it had no power to do otherwise. On April 1, 1796, the House having under consideration a resolution calling on the Secretary of the Treasury to formulate a system for direct taxation, Mr. Williams, after expressing his wish to see a plan brought forth by the Secretary, although such tax should be resorted to only in time of war or necessity, said:

> If the tax be indirect, it will be optional with them—

And the context shows that he was speaking of the farmers—

> whether they pay it or not, in times of scarcity, and when their crops return they will purchase a larger quantity, and by that means pay a double tax.

His opinion clearly was that an indirect tax is one imposed upon consumption. He proceeds:

> Indirect taxes are paid at the option of the consumer, and those taxes operate as a spur to industry, as well as an encouragement to their own manufactories.

Mr. Gallatin, during the course of the debate upon this resolution, said:

> By the present resolution the Secretary of the Treasury is ordered to make out such a plan of direct taxation as shall be agreeable to the laws of the different States.

Let me stop there to say that this resolution which was introduced and afterwards passed called upon the Secretary of the Treasury to present a plan for imposing direct taxes agreeable to the laws of the different States. If Congress had been following the dictum in the Hylton case, a direct tax would have been limited to lands, and they would not have submitted to Mr. Gallatin a request to formulate a plan for putting taxes upon the objects which were taxed in the various States. They would have simply followed that dictum and themselves at once imposed taxes upon the articles which had been mentioned by the Supreme Court.

Mr. Gallatin pointed out that the proper objects of direct taxation, in his opinion, were visible, and especially—not alone, but especially—real property; that he thought the only way to tax invisible property was in an indirect way, because of the impossibility of valuing it; and yet his argument concedes that even invisible property may be taxed in a direct way.

Yet in the Eastern States—

He goes on to say—

> Yet in the Eastern States they taxed in a direct way real and personal, visible and invisible, known or supposed property, and it was a question with him whether that was not the chief cause of the prejudices which existed against direct taxation in those States.

Mr. Gallatin thought it would be better if the committee had reported—I call your attention to this—for a tax on *houses and land*, which might be raised without difficulty, instead of the *present plan* to be applied to the laws of the different States and to embrace the defects of all.

That was nearly two years after the decision in the Hylton case. Had it been understood that the dictum in the Hylton case to the effect that direct taxes should be confined to land

taxes was controlling, would not Mr. Gallatin or somebody have said, "Gentlemen, there is no use considering this question; the Supreme Court has decided that the tax must be confined to land." But, instead of doing that, Mr. Gallatin said that he was sorry that the committee had not reported for a tax on houses and lands, which might be raised without difficulty, instead of the present plan. If he believed that the Hylton case was controlling, would he not have said that the committee should have reported for that plan, not because it was the convenient one, but because the Supreme Court of the United States had decided that it was the only one?

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. The Senator from Utah, of course, will remember that Mr. Gallatin was one of the men who insisted that the difference between direct and indirect taxation was the distinction which was made by Adam Smith, that it could be shifted.

Mr. SUTHERLAND. Yes; I will come to that in a moment.

Mr. BORAH. The Senator from Utah knows that the Supreme Court has rejected that doctrine.

Mr. SUTHERLAND. I am not so certain about that. When I come to discuss the decision of the Supreme Court, I am not at all certain that I shall agree with the Senator upon that proposition.

The resolution was finally adopted to report a—

> Plan for laying and collecting direct taxes, by apportionment among the several States, agreeably to the rule prescribed by the Constitution, adapting the same—

Now mark this—

> as nearly as may be to such objects of direct taxation and such modes of collection as may appear, by the laws and practices of the States, respectively, to be most eligible in each.

The original draft of the resolution left out the words "as nearly as may be," so that it read that it should be "adapted to such objects of direct taxation as were most eligible in each State."

But it was recognized, as the debates show, that perhaps that was unwisely tying the Secretary of the Treasury to a hard and fast rule and that he should be given some leeway, and so the words "as nearly as may be" were inserted, leaving him to select from these various objects some of them if he saw fit.

On December 14, 1796, the Secretary of the Treasury, Mr. Oliver Wolcott, jr., transmitted, in response to this resolution, a most elaborate report. He first discusses the revenue necessary to be raised, and he suggests that a direct tax amounting to $1,484,000 shall be imposed. Then he proceeds to give the amount which shall be apportioned to each State in detail. Then he takes up and reviews at great length the taxing laws of the various States and quotes, not in precise terms, but in substance, all the various state laws with respect to the subject of taxation and the modes of taxation. A review of these various laws shows that the systems in force in the various States were utterly different both as regards the objects of taxation and the methods of imposing the tax.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield further to the Senator from Idaho?

Mr. SUTHERLAND. Yes.

Mr. BORAH. Before the Senator from Utah leaves that subject, do I understand the Senator contends that Congress did levy direct taxes on other property than that of land?

Mr. SUTHERLAND. I do not. I have already said that Congress, in all of these laws which have been passed upon that subject, has confined indirect taxes to lands and buildings and the improvements upon land.

Mr. BORAH. Then, whatever the argument of Mr. Gallatin and those other men might have been individually, Congress accepted what the Senator calls "the dictum in the Hylton case."

Mr. SUTHERLAND. No; the Senator misconceives entirely what I have said. What I say is that Congress did not follow the Hylton case at all, the dictum of which was that Congress had no power to levy any other direct tax except upon lands and houses and improvements. Congress expressly recognized by this resolution that it had the power to impose direct taxes upon all the things that were taxed in the various States, and it requested the Secretary of the Treasury to report a plan of direct taxation which should be, in the language of the resolution, "adapted as nearly as may be to such objects of direct taxation as are most eligible in the various States," recognizing——

Mr. BORAH. Mr. President——

Mr. SUTHERLAND. If the Senator will pardon me—clearly recognizing the power to impose direct taxes upon other objects, but, as I shall show the Senator in a moment, the Secretary of the Treasury reported that it was inexpedient to impose direct taxes upon any other objects except land, and pointed out the reasons why the Congress, as a matter of expediency, and not as a matter of power, should impose the taxes upon land.

Mr. BORAH. But the fact remains that, whether the Congress considered it expedient or not, Congress never exercised the power contrary to the dictum, as the Senator calls it, in the Hylton case.

Mr. SUTHERLAND. I have already said so.

Mr. BORAH. And never has in its history?

Mr. SUTHERLAND. Never has in its history.

Mr. BORAH. So expediency has become almost synonymous with power.

Mr. SUTHERLAND. It has been recognized that the opinion of the first Congress regarding the inexpediency of levying a tax upon any other articles was sound; and it has been followed. That is all. Now, let me call attention very briefly to the various things which were the subject of taxation in the States, as shown by this very elaborate report which I have upon my desk. First, there were capitation taxes, which were imposed in Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, North Carolina, and Georgia. Second, taxes on horses and cattle, with certain exceptions, in Vermont, New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, and Kentucky. In Virginia horses alone were taxed. All the stock of farms was included in Rhode Island, New York, Delaware, and Maryland. In all the other States no part of the stock on farms was subject to taxation. Third, taxes were imposed on the mass of real and personal property, with certain exceptions, in Rhode Island, New York, Delaware, and Maryland. In the other States specific objects were designated. Fourth, land was taxed in all the States except Vermont and Delaware.

I call especial attention to the fact that lands in all the States except Vermont and Delaware—and it was pointed out that in the case of the latter State they were about to adopt a tax upon lands, leaving only Vermont out—that lands were taxed in all the States, with this exception, and that they were taxed in a variety of ways in the different States. In Massachusetts and New Hampshire they were taxed according to the produce or supposed annual rent or profit. Fifth, stock employed in trade and manufactures, and money loaned were taxed in some States, but not in all. Sixth, assessments at discretion on supposed property or income of individuals were permitted in various degrees, and under different modifications, in some States. In Delaware, for example, the tax is imposed upon the estimated annual income, without reference to specific objects.

The Secretary of the Treasury then proceeded to lay down the plans which may be considered, as follows:

First. Declaring quotas of different States, fixing time for payment, and prescribing in case of delinquency assessment and collection upon the same objects of taxation and under the same rules by which the last taxes are assessed and collected by the respective States.

He dismisses that plan at once, because he points out that that simply undertakes to put in operation the plan of requisitions which had been an utter failure under the Confederation. The second plan was: Assessment and collection under authority of the United States upon the same objects and under the rules by which taxes were collected in the respective States.

The third plan was: Defining certain objects of taxation and principles of assessment, according to which taxes should be assessed, to be collected under uniform regulations.

These two propositions he considers at length. Let us inquire, then, for a moment, what they are. First, a plan which will impose the taxes upon all the various objects which are taxed in the various States of the Union, which, as I have already shown, includes land, houses, the improvements of real estate, horses, cattle, the mass of personal property, and incomes, resulting from whatever source they may. That is the first plan which he proposed. Next, he proposed a plan which would collect out of these various things which were the subject of taxation in the States some articles which are most eligible for taxation, not imposing the tax upon all the articles, but upon some of them. He said:

> It appears from the account already given of the fiscal systems of the several States that in many instances they have been long established; that in general they are well approved by the people; that habit has rendered an acquiescence under the rules they impose familiar. A presumption in favor of their intrinsic merit arises from their having been enacted by legislatures possessed of a minute and particular knowledge of the circumstances and interests of the respective States; and it may be conceded that so far as the principles of the state systems can

with propriety be adopted by Congress, the hazards of new experiments and the delays incident to the organization of a new plan will be avoided.

He then proceeded to point out objections to this method which arise from the variety and the lack of harmony in the objects taxed by the various States. He says:

If an article is taxed in one State and is entirely exempted or differently taxed in another State, the action of the tax upon the same subject must be different in these different situations; in the State in which the article is taxed it must suffer not only from the new and disadvantageous relation in which it will be placed in respect to other branches of industry, but it must also suffer from competitions of industry similarly employed in other States.

After discussing that phase of it most exhaustively, he concludes:

The Secretary presumes that it has been evinced that there are weighty, if not insuperable, objections against an adoption of the state systems by the United States; the more difficult task of proposing a plan not attended with difficulties of equal or greater magnitude remains to be attempted. To this end, a review of the principal taxes collected in the several States appears to be necessary.

Then he goes on and reviews the various objects of taxation, and among them he points out capitation taxes, taxes on stock and produce of farms, taxes on stock employed in trade and manufactures, and money loaned at interest, taxes on profits resulting from certain employments, and taxes on land, as to which he observes:

A direct tax, in the sense of the Constitution, must necessarily include a tax on lands; it therefore only remains to determine on a mode of assessment, of which the principles shall be, as nearly as possible, certain, uniform, and equal.

He then goes over the various methods of imposing the tax upon land in the various States. He dismisses a tax on quantities as being manifestly unequal. He says that in some States taxes are imposed proportionate to the annual income or rent, but he thinks this does not afford as correct a standard as taxes proportioned to value; that is, the amount for which lands will sell.

And he concludes, finally, his review of the subject, as follows:

It does not appear expedient that the proposed direct tax should be extended to any other objects than have been mentioned. These are as follows:

First. Lands which it is proposed should be taxed ad valorem, but under limitations, to be prescribed by law, in respect to the estimated value of uninclosed and unimproved lands, in districts to be defined.

Second. Houses exceeding in value those most generally occupied by farmers and laborers; which are proposed to be distributed, in each of the States, into three classes, with reference to their value; to be taxed uniformly in each class, at specific rates, to be prescribed by law.

Third. Slaves in general, or of such descriptions as shall be determined by law, to be taxed at one uniform rate.

The plan, which was suggested by the Secretary, was accepted by the Committee on Ways and Means, and that committee reported a resolution substantially approving the plan.

Let me pause for a moment to call attention to the significance of this situation. The Hylton case had been decided. Undoubtedly the Congress was familiar with that case. But instead of following its dictum on the subject of what constitutes a direct tax as a matter of course, when they came to consider the question of formulating a plan for direct taxation they submitted the question to the Secretary of the Treasury, who was to report a plan of direct taxation adapted as nearly as might be to the objects of taxation in the various States.

If there can be a clearer repudiation of the dictum of the Supreme Court in the Hylton case, I am unable to see it. Instead of following it, they repudiated it. Instead of accepting the dictum of the Supreme Court, they set it aside and called upon the Secretary of the Treasury to report to them, not a plan in accordance with that laid down by the Supreme Court, but a plan of taxation entirely different from that laid down in the dictum of the Supreme Court.

Speaking of this plan in the Congress, Mr. Harper, in discussing the advisability of direct or indirect taxes, said:

The whole question was: Which way will be the most convenient to draw the sum wanted from them—

Meaning as between direct taxes and indirect taxes—

whether by a circuitous or indirect mode or by a direct and positive method?

Mr. Henderson, a Member of the House, speaking against direct taxation, said:

The drawing of revenue by coercion from our citizens appears to me one of the most delicate and difficult subjects that Government can engage in.

Mr. Varnum discussed the comparative advantages of direct and indirect taxation, saying that he thought additional sums needed ought to be raised by duties on imposts and excises, this being a method of taxation with which they were acquainted and which experience had taught them the operation of under this Government. He then proceeded:

But such is the variegated interest of the United States, and such their diversified method of levying and collecting direct taxes, that no uniform system of direct taxation can be devised which will apply to the custom of any two of the States; and unless you adopt the rules of some one of the States, your system will be diverse from any one which has ever been practiced upon in any part of this Union. But if you adopt the method which has been prescribed by any one of the state governments, and which may probably be very properly adopted, to suit the circumstances and conciliate the feelings of the people of such State, even in that case you will have the prevailing opinion of the people in 15 States out of 16 directly opposed to your system. And this opinion having been acquired from long experience of the operation of direct taxes (which most of the States have of necessity constant resort to for the support of their state governments and for discharging the debts contracted in the late war with Great Britain), and which, being founded on social circumstances, habits, and attachments, are very hard to be eradicated, will very much retard the operation of the system, if not render it entirely impracticable.

He then discusses the Secretary's report and the three modes therein set forth. He differs with the Secretary respecting his conclusion that the third mode is preferable, because it destroys the equality of taxation and saddles the farmers with an undue burden. He says:

And shall a system of direct taxation be adopted under the Government, which the people have formed upon the principle of equal liberty, which will oblige the industrious farmer to pay a land tax and a tax on his building—which in most instances includes nineteen-twentieths of his property—and all the money holders, holders of all other kinds of property, and those who, from profession or emolument derived from the operation of our Government, are living in affluence be exonerated from any part of the burden, except a small pittance for the houses they live in? * * *

* * * If a direct tax should ever become necessary under this Government, I hope it will embrace all the objects of taxation which have been designated by the particular state governments; and notwithstanding the ingenious reasonings in the Secretary's report against the practicability of the second mode therein stated, I am unable to figure to myself any possible inconvenience which would arise from it on the ground of the objections. And why that system was not adhered to in the report I am at a loss to know, for the resolve directing the report to be made contemplated no other.

All the way through these debates, which I shall not attempt to quote from further, it clearly appears that the differences of opinion were not upon the question of power, but only regarding the question of expediency. There was absolutely no question raised in the debates, from one end to the other, as to the power of Congress to impose direct taxes upon any of these various objects.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Michigan?

Mr. SUTHERLAND. I do.

Mr. SMITH of Michigan. I have been very much interested in the quotations from the contemporaneous debates in connection with the report of Secretary Wolcott. I was rather impressed the other day, when the Senator from Texas [Mr. BAILEY] was speaking, with the idea that he dismissed that matter as having no special bearing upon the situation, because of the liberality and freedom with which we introduce resolutions. I should like to ask the Senator from Utah whether he has reached any conclusion as to the deliberation with which that was done in those times as compared with the present? It seems to me it was in a formative situation; and, being in that situation, that Congress called for information and advice and plans with greater care and solemnity than we do now; and that its action in this respect can not be dismissed with a mere wave of the hand as a practice to which no weight should be attached.

Mr. SUTHERLAND. I think the Senator from Michigan is quite correct about that; and in addition to what he suggests, this may be also considered: The early Congresses were not confronted and embarrassed by the great multiplicity of things with which the modern Congress has to deal. Because of the very fact that there were few questions presented to them, they could consider them with greater deliberation. Here is the Congress of this day having literally thousands of bills introduced at every session—literally hundreds of different questions coming up. It is perfectly manifest that we can not give the various questions as much care, as much deliberation as the early Congresses were able to give them, and history bears out that statement.

But the debates themselves show that this question was considered day after day. One Member would speak upon one side of the question of expediency; another on the other side of the question of expediency. But always it was the question of expediency as to whether this tax should be confined to land, and never the question as to the power to do it. Never was there a suggestion made, when that law was being discussed, that the power of Congress in imposing direct taxes under the Constitution was limited to land, houses, and improvements. But there was a concession and a claim, running through all these debates, that the power of Congress reached to all the various objects of taxation; and it was simply a question of expediency as to whether it should be confined to some of them; and, if to some of them, to which?

Senators say here that the Congress was following the Hylton case, which was decided two years previously. Senators may search in vain the debates upon this very tax law to find a single reference to the Hylton case. The Hylton case was left entirely out of consideration. Nobody in the Congress paid the slightest attention to it. The whole debate was upon the report of the Secretary of the Treasury.

I will simply say, with reference to these subsequent statutes, that the questions were not debated. In view of the fact that they had been thrashed out as fully and completely as they were in the First Congress, which adopted the law, subsequent Congresses simply followed its action without question.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the junior Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. Does the Senator from Utah mean to say that the subject was not again debated by Congress? There was an extensive and prolonged debate in 1813 in which it was discussed in detail.

Mr. SUTHERLAND. Upon what question?

Mr. BORAH. Upon the question of the advisability of levying a direct tax.

Mr. SUTHERLAND. If I said that was not debated, I was in error. It was debated; but what I mean to say is that Congress never debated the question of the power to impose the tax. What they were debating was the question of the expediency of imposing it. The subsequent Congresses simply followed the pathway which had been marked out by the First Congress upon that subject.

Mr. BORAH. Mr. President, one of the great arguments against this tax law has always been that the direct tax was not contemplated to cover anything but land, because it was inexpedient to levy it upon anything else.

Mr. SUTHERLAND. That may be true, but I fail to see how that detracts in any manner from the suggestions that I have made.

Mr. BORAH. It detracts in this way——

Mr. SUTHERLAND. If the Senator will permit me, the claim of the Senator seems to be that because the First Congress passed laws confining its direct taxes to lands and improvements, that is a concession that Congress has no power to impose them upon anything else. That is the argument of the Senator.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. CUMMINS in the chair). Does the Senator from Utah further yield to the Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. Was not this law, confining this tax to lands, enacted at a time when Congress was searching everywhere for something to tax? As said by Justice White, in his dissenting opinion, it is rather remarkable that at a time when Congress was searching for things upon which to lay a direct tax, it nevertheless confined its operations to lands under those circumstances. It is just as strong an argument, it seems to me, in favor of the proposition that Congress understood they could not go further than lands in laying a direct tax.

Mr. SUTHERLAND. It seems to me that that argument fails of its weight when we come to consider the fact that the Members of Congress, dealing with the subject over and over again, asserted that they had the power to impose direct taxes upon all the objects of taxation in the various States, but argued the question only as a matter of expediency.

THE DECIDED CASES.

So much for that. The final and last phase of the matter that I desire to discuss is the decisions of the Supreme Court upon this question. Prior to the Pollock case, five cases were decided by the Supreme Court which are relied upon here and elsewhere as establishing the rule that a direct tax within the meaning of the Constitution includes only a capitation and land tax. Those cases are Hylton *v.* United States (3 Dall., 171), Pacific Insurance Company *v.* Soule (7 Wall., 433), Veazie Bank *v.* Fenno (8 Wall., 533), Scholey *v.* Rew (23 Wall., 331), and Springer *v.* United States (102 U. S., 586).

I have read those cases, every one of them, not only once, but some of them several times, with great care, and I think every one of them, with the exception of the Springer case, can be clearly reconciled with the majority decision in the Pollock case; and inasmuch as the Hylton case is the foundation for the decision of the Supreme Court in every one of the cases which followed, I think a somewhat careful analysis of that case should be made first, because if that case, which was the foundation case upon which the other cases rest, is incorrect, they all fall. If you put in a foundation which is insecure, it makes no difference how high the superstructure may be. When you tear out the foundation, the superstructure comes with it. And if the Hylton case is bad law, necessarily the cases which follow it and depend upon it must be equally bad. When I say the cases which follow, I mean the dictum in the various cases upon the subject of direct taxation.

There were three opinions delivered in the Hylton case, seriatim, by Justices Chase, Paterson, and Iredell.

Justice Chase, after discussing the question of taxation under the Constitution generally, says:

The Constitution evidently contemplated no taxes as direct taxes, but only such as Congress could lay in proportion to the *census*. The rule of apportionment is only to be adopted in such cases where it can reasonably apply; and the subject taxed must ever determine the application of the rule. If it is proposed to tax any specific article by the rule of apportionment, *and it would evidently* create great *inequality and injustice*, it is *unreasonable to say* that the *Constitution intended such tax should be laid by that rule.*

It appears to me that a tax on carriages can not be laid by the rule of apportionment without very great inequality and injustice. For example: Suppose two States, equal in census, to pay $80,000 each, by a tax on carriages of $8 on every carriage, and in one State there are 100 carriages and in the other 1,000. The owners of carriages in one State would pay ten times the tax of owners in the other. A in one State would pay for his carriage $8, but B in the other State would pay for his carriage $80.

Then he goes on to say:

It seems to me that a tax on expense is on an indirect tax; and I think an annual tax on a carriage for the conveyance of persons is of that kind, because a carriage is a consumable commodity and such annual tax on it is on the expense of the owner.

I am inclined to think—

Notice the caution with which he uses the expression—

I am inclined to think, but of this I do not give a judicial opinion, that the direct taxes contemplated by the Constitution are only two, to wit, a capitation or poll tax, simply, without regard to property, profession, or any other circumstance, and a tax on land.

How under heaven can an expression of that kind be tortured into a decision that the only direct tax under the Constitution is a tax on land? Does a judge who undertakes to decide a question say, "I am inclined to think, but of this I do not give a judicial opinion?" Is such an opinion binding authority? It is the purest kind of dictum, and it does not rise to the dignity of dictum ordinarily, because when a judge ordinarily uses the expression, he uses it positively.

Mr. Justice Paterson, discussing the question, said:

I never entertained a doubt that the principal—

Here is another opinion which is said to be the foundation for the decision that direct taxes are confined to land—

I never entertained a doubt that the principal, I will not say the only, objects that the framers of the Constitution contemplated, as falling within the rule of apportionment, were a capitation tax and a tax on land.

He does not say positively that in his opinion these are the only direct taxes, but only that in his opinion those are the principal ones. Then he goes on and discusses the inability to apportion in somewhat the same way that Mr. Justice Chase has done. Then he proceeds:

How would it work? In some States there are many carriages, and in others but few. Shall the whole sum fall on one or two individuals in a State who may happen to own and possess carriages? The thing would be absurd and inequitable. * * * All taxes on expenses or consumption are indirect taxes; a tax on carriages is of this kind, and of course is not a direct tax. Indirect taxes are circuitous modes of reaching the revenue of individuals, who generally live according to their income.

He then says he will close his "discourse"—he does not call it an opinion or decision—by reading a passage or two from Smith's Wealth of Nations. Let me read one quotation:

The impossibility of taxing people in proportion to their revenue, by any capitation, seems to have given occasion to the invention of taxes upon consumable commodities; the State, not knowing how to tax directly and proportionably the revenue of its subjects, endeavors to tax it indirectly by taxing their expense, which it is supposed, in most cases, will be nearly in proportion to their revenue. Their expense is taxed by taking the consumable commodities upon which it is laid out.

Clearly, in the opinion of Adam Smith, which the Supreme Court in this earliest case cited with approval, a direct tax is upon the revenue of the taxpayer, while an indirect tax is a tax upon his expense; and yet the Senator from Texas [Mr. BAILEY] the other day in his remarks said that a tax on expense was not distinguishable from a tax on income. Here we have the Supreme Court asserting and quoting Adam Smith as saying that there is the greatest difference between a tax upon revenue, which is income, and a tax upon expense.

Justice Iredell, on the question of the difficulty of apportionment, discusses the subject in somewhat the same way, and says:

As all direct taxes must be apportioned, it is evident that the Constitution contemplated none as direct, but such as could be apportioned. If this can not be apportioned it is, therefore, not a direct tax, in the sense of the Constitution.

He then, by an illustration, points out the difficulty of apportioning the carriage tax. He further says:

Perhaps a direct tax, in the sense of the Constitution, can mean nothing but a tax on something inseparably annexed to the soil—something capable of apportionment under all such circumstances. A land or a poll tax may be considered of this description.

But nowhere in that decision, from beginning to end, is it asserted in positive terms that, in the opinion of the Supreme Court, the only kind of direct taxes are taxes upon land. "Perhaps it may be," says one; "I am inclined to think," says another; "the principal direct taxes are taxes upon land," says another. And yet Senators assert and the Supreme Court has asserted that this case was authority for the proposition that direct taxes should be confined in this manner.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. I do.

Mr. BORAH. The Senator will concede, I presume, that they did hold that a tax upon personal property was not a direct tax.

Mr. SUTHERLAND. I do not concede that; I concede that they held that a tax upon the use of personal property was not a direct tax.

Mr. BORAH. The tax in this case was laid upon the carriages, regardless of use.

Mr. SUTHERLAND. Let me ask the Senator from Idaho the same question I asked the Senator from Texas. What did Mr. Ames mean by saying that this was not a tax upon property, but a tax upon use?

Mr. BORAH. Mr. Who?

Mr. SUTHERLAND. Mr. Ames, in the debate upon the carriage bill, and he spoke for those who voted in favor of the carriage bill.

Mr. BORAH. That is digressing from the subject which I am discussing. That is what the court decided under the statutes as finally enacted, because the tax was upon carriages, whether used at all or not, and the court sustained the tax.

Mr. SUTHERLAND. No; what the Supreme Court decided in that case was this, and I quote its language:

All taxes on expenses or consumption are indirect taxes; a tax on carriages is of this kind, and, of course, is not a direct tax. Indirect taxes are circuitous modes of reaching the revenue of individuals who generally live according to their income.

It was clearly within the understanding of the members of the Supreme Court that this was a tax upon expense, and not upon property.

Mr. BORAH. It is not very material what we call it, but I presume the Senator from Utah will concede that under that definition we might call any kind of a tax on income a tax upon an expense.

Mr. SUTHERLAND. A tax upon incomes is not a tax upon expense. A tax upon income is a tax upon revenue, which the Supreme Court in that case, quoting with approval Adam Smith, says is a direct tax. They distinguish and place in sharp contrast with one another a tax upon revenue and a tax upon expense.

Certainly the Senator will not contend that an income is not revenue.

Now, taking these various opinions together, the result shows that Justice Chase's opinion is based on three propositions:

First, that the Constitution contemplates no taxes as direct except such as can be fairly apportioned.

Second, that in his opinion the only direct tax contemplated by the Constitution is a capitation and a tax on land.

Third, that the carriage tax is a tax on expense.

Justice Paterson proceeds upon the same grounds, while Justice Iredell bases his decision upon two propositions only:

First, the difficulty of apportionment.

Second, that perhaps the only direct taxes contemplated were capitation and land taxes.

Let us take these two propositions: First, that a direct tax is only a tax upon land, and, second, that a direct tax within the meaning of the Constitution is only a tax which can be fairly apportioned.

I put an illustration to the Senator from Idaho the other day when he was addressing the Senate which I think shows that these two propositions of the judges can not possibly stand together, that they are mutually destructive because they say, first, that a land tax is a direct tax, that a tax upon houses and a tax upon improvements on land is a direct tax, and then they say that only such taxes as can be fairly apportioned among the States are direct taxes.

Now, I submit that these two propositions can not possibly stand together. Let me repeat the illustration which I gave the Senator from Idaho the other day. A tax, according to this test, is one which can be fairly apportioned. Suppose a tax is imposed by Congress upon all buildings in the United States over 12 stories in height, or suppose that a tax is imposed upon all buildings in the United States over the value of $5,000,000 each. According to the first test that is a direct tax because it is a land tax, but according to the second test it is not a direct tax because it can not be fairly apportioned. One or the other of these rules must fall.

Mr. BORAH. Does the Supreme Court anywhere say that only such taxes as can be apportioned are direct taxes?

Mr. SUTHERLAND. The Supreme Court has repeatedly called attention to the fact that Congress has passed laws imposing direct taxes upon land and buildings and houses, and those laws are valid. Does the Senator think a tax upon land is a direct tax, or does he think that sometimes it is and sometimes it is not?

Mr. BORAH. I think a tax upon land is a direct tax, but I maintain that the Supreme Court has not anywhere laid down the rule on which the Senator is now testing its decision.

Mr. SUTHERLAND. Mr. Justice Chase says in his opinion he is inclined to think the direct taxes contemplated by the Constitution were only two, to wit, capitation or poll taxes and taxes on land. Justice Paterson agrees with him. Justice Iredell agrees with Justice Paterson. All three of them agree that a tax on land is a direct tax.

Now, suppose the case I have given by way of illustration, a tax imposed upon all buildings of this description. It is perfectly apparent that such a tax could not be as fairly apportioned as a tax on carriages, because in many of the States of the Union there are no such buildings as that at all, and it is only in a few States that there are many such buildings.

Mr. SMITH of Michigan. And there would be less if this rule prevailed.

Mr. SUTHERLAND. Yes; the number would be very much less if this rule prevailed.

So it seems to me these two propositions have destroyed one another and we must come to the conclusion that either the difficulty of apportioning the tax is no test of its being direct or that its being a land tax is no test of its being direct.

Mr. BORAH. I will not interrupt the Senator again, because I know he wants to get through, but I wish to repeat, so that it will not be misunderstood, that the Supreme Court do not anywhere lay down the rule, in my opinion, by which the Senator is now testing their decision. They have simply suggested the question of apportionment as an argument against it, but they have not said that only such taxes as can be apportioned are direct taxes.

Mr. SUTHERLAND. I do not know how the Senator can spell anything else out of their language. I will not undertake to go over it again. This rule of apportionment would destroy a tax upon land itself. Suppose it was imposed according to the value of the land? Here are two States of equal population, one of them having only one-tenth of the value of land that the other has. It is manifest that in that case the taxes could not be fairly apportioned, because for every dollar that was paid in the one State $10 would be paid in the other upon the same valuation. Or, if a tax were imposed upon the quantity of land in two States with an equal population, one having one-tenth of the area of the other, it is manifest that a direct tax imposed under such circumstances would be paid by an assessment upon a citizen in one State ten times as high as in the other State. The final result of adopting the test which the Supreme Court lays down in the Hylton case would be to declare that even a land tax is not a direct tax. After all, whatever the Supreme Court says upon these two propositions is by way of dictum.

The decision of the court upon the validity of the carriage tax in the end is bottomed upon the proposition that it is a tax upon the expense and upon the use of the carriage and not upon the property itself.

This view is confirmed by comments of Albert Gallatin in his Sketch of the Finances of the United States, written a year or two after the decision. He says:

The most generally received opinion, however, is that by direct taxes in the Constitution those are meant which are raised on the capital or revenue of the people; by indirect, such as are raised on their expense. As that opinion is in itself rational and conformable to the decision which has taken place on the subject of the carriage tax, and as it appears important, for the sake of preventing future controversies, which may be not more fatal to the revenue than to the tranquillity of the union, that a fixed interpretation should be generally adopted, it will not be improper to corroborate it by quoting the author from whom the idea seems to have been borrowed. (Naming Doctor Smith's Wealth of Nations.)

He then quotes from Smith the same statements contained in Justice Paterson's opinion, and continues:

The remarkable coincidence of the clause of the Constitution with this passage in using the word "capitation" as a generic expression, including the different species of direct taxes, an acceptation of the word peculiar, it is believed, to Doctor Smith, leaves little doubt that the framers of the one had the other in view at the time, and that they, as well as he, by direct taxes meant those paid directly from and falling immediately on the revenue; and by indirect, those which are paid indirectly out of the revenue, by falling immediately upon the expense. It has, indeed, been held by some that "direct taxes" meant solely that tax which is laid upon the whole property or revenue of persons to the exclusion of any tax which may be laid upon any species of property or revenue—an opinion equally unsupported by the vulgar, or any appropriate sense of the word itself, and contradictory to the very clause of the Constitution which, instead of admitting only one kind of direct tax, expressly recognizes several species by using the words "capitation" or "other direct tax" and "direct taxes."

Should those considerations be thought correct, it results that all taxes laid upon property which commonly affords a revenue to the owner (whether such property be, in itself, productive or not) in proportion to its value are direct; a class which will include taxes upon lands, houses, stock, and labor, all of which, therefore, must, when laid, be apportioned among the States according to the rule prescribed by the Constitution.

Now, I come to the case of the Pacific Insurance Company against Soulé, reported in Seventy-fourth United States, page 433. That decision was based on the act of June 30, 1864, amended by that of July 13, 1866, which laid a tax on amounts insured, renewed, or continued by insurance companies; and upon the gross amount of premiums received and assessments by them; and upon dividends declared as part of the earnings, incomes, or gains of certain companies (naming them), as well as upon undistributed sums added during the year to their surplus or contingent funds.

That case has been sometimes referred to as though it sustained a statute which imposed a tax upon income, but the statute is upon dividends declared as a part of the earnings, incomes, or gains of certain companies. In other words, the tax is measured by the amount of dividends paid out by the company, which dividends are paid out of course from the earnings, incomes, or gains received. The court declares that this is a tax upon the business of the insurance company, not a tax upon its property, and it calls it a "duty" or "excise." It followed, and they must have had fresh in their minds, the three cases which were decided at the preceding term of the court.

In the first of these cases the court held that a statute which imposed a tax equal to three-fourths of 1 per cent on the amount of deposits in a savings society was not a tax on property—that is, on the money—but on the franchise. In the second case, where the tax was on the amount of deposits for certain periods, it was held to be a franchise and not a property tax. And in the third case, where the statute imposed a tax on the excess of the market value of the capital stock of the corporation over the value of its real estate and machinery, it was held that the tax imposed was a franchise and not a property tax.

So all the way through that case and the cases which preceded, the distinction is made between a tax upon property and a tax upon the franchise or the business of the company, which was not a property tax at all.

In the case of Veazie Bank v. Fenno, reported in Eighth Wallace, page 533, the statute imposed a tax on the circulation of state banks or national banks. It was held that the tax was not a direct tax. Surely not, because it was not a tax upon the revenue; it was not a tax upon the notes, but it was a tax upon the circulation of the notes in a certain way. It was a tax upon the act of doing a thing in a particular way and not upon the thing itself. But the court goes out of its way to discuss the question as to what is a direct tax, and follows in that respect the dictum of the Hylton case. The court concludes as follows:

The tax under consideration is a tax on bank circulation and may very well be classed under the head of duties. Certainly it is not, in the sense of the Constitution, a direct tax. It may be said to come within the same category as the tax on incomes of insurance companies, which this court, at the last term, in the case of Pacific Insurance Company v. Soulé held not to be a direct tax.

The court is in error in saying that the Soulé case involved a tax upon incomes. It was a tax upon the dividends paid out. The decision is right that the tax is not upon the property, but on the right to circulate notes and money.

In the Scholey v. Rew case (23 Wall., 331), it was held that a "succession tax," imposed by the acts of June 30, 1864, and July 13, 1866, on every "devolution of title to any real estate," was not a "direct tax" within the meaning of the Constitution, but an "impost or excise."

The court says: That it is the succession or devolution of real estate which is the subject-matter of the tax, or, "in other words, it is the right to become the successor of real estate upon the death of the predecessor."

The court further says that the question is not affected by the fact that the tax is made a lien on the land, as that is merely a regulation to secure its collection.

I have already, perhaps, sufficiently discussed during the course of the debate that it is a tax not upon the property, but is a tax upon the devolution of the property; and it is precisely of the same description as the stamp duty upon a deed, which is a tax, not upon the land conveyed by the deed, but an excise upon the act of conveying, upon the transfer. So this is not a tax upon the property inherited, but it is a tax upon the transfer of the property inherited.

In the course of the opinion the court refers to the decisions in the English courts, construing the act of Parliament from which the law in question was largely borrowed, where it was held that a succession duty was neither a tax upon income nor upon property, but upon the benefit derived by the individual.

The English courts did not intend to put that in the same classification with the income tax, because those courts have uniformly held that an income tax is a direct tax, and they distinguish the inheritance tax from an income tax.

Now I come to the final case of Springer v. The United States, and I am frank to say that in my judgment that case is authority for the proposition that an income tax is a direct tax. The Supreme Court in the Pollock case does attempt to distinguish it, but I think not very successfully. But that case is based upon the dictum in the Hylton case and upon the dicta in these other cases to which I have referred, and it is dicta after all. So in the end we simply have the Springer case upon the one side of the question and the Pollock case upon the other side of the question, and at most the whole matter may be considered at large.

It is asserted here, and is asserted by the Supreme Court in the Springer case, that a tax upon land is a direct tax, and that a tax upon personal property is not a direct tax. I wish somebody who believes that would point out to me what element of indirection there is in a tax upon the corpus of personal property that is not in the tax upon real estate. Both are paid by the owner of the property and paid ultimately by him. So far as the question of direction or indirection goes there is not a particle of difference between the two cases. Suppose the Senator from Michigan [Mr. SMITH] lives in a house upon his land and I, his next door neighbor, live in a house upon leased land. My lease provides that I shall have the power to remove my house at the end of the lease. The house the Senator from Michigan lives in is real estate. The house I live in is personal property. A tax is levied upon both. What element of indirection exists in the tax upon my house that does not exist in the tax upon the other? Yet, according to these decisions, the tax upon his house is direct and the tax upon my house is indirect.

What element of indirection exists in the tax on rentals derived from land or income derived from personal property that does not exist in a tax on the real or personal property itself? No element of indirection can be pointed out, as it seems to me. What difference in the ultimate result is there between a tax laid on the land in proportion to the rental value or the actual rent received, which would be a direct tax, and a tax on the rent itself? Both taxes fall upon the land. Both are paid out of the land. If my tenant pays me rent and I pay a tax either on the amount of the rent of the land or upon the land itself, the land bears the burden in either case.

We are to look to the substance of things, not to the mere form of things. A tax upon land falls upon the land and a tax upon the rent which comes from the land falls upon the land ultimately as well. If a 10 per cent tax is levied upon the income which I derive from my landed estate, does it not reach it in the most direct and profound manner imaginable? If I own a piece of property that is paying an income of a thousand dollars a year, and a tax is imposed upon that income of 10, or 20, or 50 per cent, can I sell my land for as much money in the market? It affects the land itself directly, not indirectly. The principle is as old as my Lord Coke, because it was he who declared that a conveyance of the profits of land to one and his heirs carries the land itself, because, as he observes, "What is the land but the profits thereof?"

Senators, the other day, in speaking about this matter, said that a conveyance of the receipts of land for a year would not convey the land. That is true, but it is the equivalent of the conveyance of the land for a year, because for the year the person to whom the rents are assigned is getting the entire benefit of the land.

The Supreme Court of the United States has repeatedly decided that where a particular property or a particular status is

not taxable no tax imposed on an incident which substantially falls upon the principal thing can be maintained. Let me take an illustration. Suppose for reasons the constitution of a State should provide that no tax should be imposed upon any fruit orchard for a certain length of time, and the legislature of the State should pass a law providing that the owners of these properties should contribute to the treasury a third of their fruit crop gathered each year, would not that be an evasion of the constitution? It would not be a tax upon the fruit orchard, but it would be a tax upon the proceeds of the fruit orchard and the burden of it would fall upon the orchard itself.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. Certainly.

Mr. BORAH. Could the Senator not find a good illustration also in the inheritance case there?

Mr. SUTHERLAND. I have discussed the inheritance tax with the Senator half a dozen times, and I have said to the Senator that I think the inheritance tax proceeds upon altogether different principles.

Mr. BORAH. When you tax a man's right to inherit and collect it out of the property, taxation there is an incident to the right itself.

Mr. SUTHERLAND. I repeat to the Senator you do not do that any more than you tax the land by imposing a stamp duty upon the deed by which it is conveyed. The two propositions can not be distinguished, in my judgment.

As I have said, the Supreme Court has repeatedly insisted that it was the substance and not the form of the thing to which attention should be paid. Shylock, was it not, who said:

> You take my life,
> When you do take the means whereby I live.

And so you take my land when you take everything that makes my land of any use.

Cases of that character could be multiplied without number. In LeLaup v. Port of Mobile (127 U. S., 640) the Supreme Court held that a tax imposed by a State on the gross receipts of a telegraph company doing interstate business was void. The State not being permitted to tax the business, could not tax the receipts from the business.

In Welton v. Missouri (91 U. S., 275) it was held that a tax on the occupation of selling imported goods was in effect a tax on the goods themselves and invalid, as it interferes with the power to regulate commerce.

In Cook v. Pennsylvania (97 U. S., 566) it was held that a tax on sales by an auctioneer of imported goods in original packages was a tax on the goods themselves.

In Brown v. Maryland (12 Wheat., 419, 444) a tax on the importer of goods was held to be a tax on the goods. The court said:

> A tax on the sale of the article imported only for sale is a tax on the article itself—

And in effect—

> varying the form without varying the substance.

In Railway Company v. Jackson (7 Wall., 262) it was held that the State could not impose taxes on the income derived from bonds where it could not tax the bonds by reason of the fact that they were issued upon railroad property in another State, and therefore beyond the jurisdiction of the taxing State.

In the case of the State Freight Tax (15 Wall., 232, 274) it was held a tax imposed on certain companies proportioned to amount of freight coming into and going out of the State was a tax on interstate commerce and void. The court said: The constitutionality of the law is to be determined "not by the form of agency through which it is to be collected, but upon the subject upon which the burden is laid," and the court submits as the test question: Where does the substantial burden rest?

Suppose the Constitution had declared that no land tax should be imposed at all. Would not the Supreme Court have held within the principles of the cases cited that a tax on rentals derived from land was, in substance, a tax on the land itself?

I undertake to say that there is no distinction in principle between a tax on personal property and a tax upon land, and I may repeat the same question with reference to that. If a tax upon personal property is a direct tax, what is there to distinguish it from a case where the tax is imposed upon the income, which is the incident that makes the personal property valuable?

I come, finally and lastly, to the Pollock case. I shall not attempt to review that case, because I have already spoken longer than I had any intention of doing and much longer than I should have spoken. This is a case which was decided after most elaborate argument and after most elaborate consideration. It has been denounced as having set aside the opinions of the Supreme Court and of Congress for a hundred years. Lawyers and judges are usually conservative. Their training makes them so. They have a high regard, and properly so, for precedent, and a departure from precedent is always made reluctantly. But, after all, a precedent is only the opinion of a former traveler as to the location of the pathway. It is not the pathway itself. A decision is not law in another case. It is only evidence of the law. We may question the opinion of the traveler as to the location of the pathway; we can not question the pathway itself. That is an indisputable finality.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SUTHERLAND. I do.

Mr. BORAH. Then the Pollock case ought not to deter us from enacting a law providing for an income tax?

Mr. SUTHERLAND. The Pollock case ought to deter the Senator from Idaho from enacting it, because he complains of the Pollock case as being a dangerous invasion of the rule of stare decisis, and he ought to be willing to be bound by his own rule upon that subject.

Mr. BORAH. But the Senator says that a precedent is not the law; that it is simply pointing to the pathway and is not the law itself, as I understand him.

Mr. SUTHERLAND. I stand by that. The Senator invokes the rule of stare decisis. I do not. Stare decisis is an adviser, not a dictator. Stare decisis operates by way of persuasion, not by way of compulsion. I submit that there is as much virtue in setting aside a wrong precedent as there is in following a right precedent.

It has been said that this decision in the Pollock case is entitled to little weight because it overrules former decisions; but, on the contrary, it may be entitled to more than ordinary weight, for the very reason that it does overrule the former opinions, if it does so.

The Supreme Court of the United States is the greatest court this world has ever seen. In the year 1895, when the Pollock case was decided, its members were as magnificently equipped in learning and ability as any who have sat in that august tribunal before or since. It is apparent from the reading of this case and the opinion upon the rehearing, that they gave to the question more careful consideration by far than was ever given to it in any preceding case. If the effect of their decision is to set aside the prior decisions of the court for a hundred years, we may be sure that those judges did not do that for light or trivial reasons. The rule of stare decisis was invoked there; indeed it was made the basis of at least one dissenting opinion, that of Mr. Justice Brown; but even if we concede its application, the reasons for a contrary judgment were so imperious and controlling that a majority of the court refused to be governed by the rule. The majority decision in the Pollock case is condemned on the ground that it is a dangerous infraction of the rule of stare decisis, and yet those who make this complaint in the same breath take the astounding position that the Pollock case which is now stare decisis upon that question in its turn shall be reviewed, discredited, and reversed.

Mr. DEPEW obtained the floor.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CUMMINS in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Curtis	Johnson, N. Dak.	Piles
Bailey	Depew	Johnston, Ala.	Rayner
Bankhead	Dick	Jones	Richardson
Beveridge	Dillingham	Kean	Root
Borah	Dolliver	La Follette	Scott
Brandegee	du Pont	Lodge	Simmons
Bristow	Elkins	McCumber	Smith, Md.
Brown	Fletcher	McLaurin	Smith, Mich.
Bulkeley	Flint	Martin	Smith, S. C.
Burkett	Foster	Money	Smoot
Burrows	Frazier	Nelson	Stephenson
Burton	Frye	Newlands	Sutherland
Carter	Gallinger	Nixon	Taylor
Chamberlain	Gamble	Oliver	Tillman
Clark, Wyo.	Gore	Overman	Warren
Clay	Guggenheim	Page	Wetmore
Crane	Hale	Paynter	
Cullom	Heyburn	Penrose	
Cummins	Hughes	Perkins	

The VICE-PRESIDENT. Seventy-three Senators have answered to their names. A quorum of the Senate is present.

Mr. DEPEW. Mr. President, I doubt if it is possible to shed much new light upon the question of the tariff. It has been the subject of legislation for centuries. It has been the cause of many great wars and internal revolutions. The present discussion has wandered far afield. The experience which Senators have had with the wants of their constituents and the requirements of their States has developed the almost insurmountable

difficulties which are in the way of the preparation of a fair and just bill. New York is the largest manufacturing State, and there is hardly an industry in the 2,000 items in this measure which does not directly or indirectly affect our citizens.

One result of this discussion has been to rescue the fame and rehabilitate the reputation of the lamented General Hancock. Little things, single remarks, make and mar the careers of statesmen. General Scott's request that he might delay his letter accepting the nomination for the Presidency until he could take a hasty plate of soup closed his campaign. General Hancock's answer to the committee of notification that the tariff was a local issue in his State of Pennsylvania laughed him out of the canvass. In the cloud of generals who were famous in the civil war he is nearly forgotten. I remember as if it was yesterday the telegram which General McClellan sent to his wife after one of the great battles of the civil war, "Hancock was superb to-day." All that is forgotten by the crowding events of advancing time. But now it is brought home to every Senator and to the whole country that General Hancock uttered a pregnant truth, and his fame is likely to be embalmed in his phrase "The tariff is a local issue" everywhere. It is breaking party lines in States where its productive energies are producing prosperity. The favorite method now of attacking the protective principle is to proclaim loyalty to the principle of protection and oppose its application.

The wool schedule gave to the Senate and the country one of the most entertaining addresses ever delivered upon this floor by the senior Senator from Iowa [Mr. DOLLIVER]. We are apt to think that wool is American as a political question. But wool created and then destroyed Florence and Flanders; impoverished and then enriched Great Britain. Without going into a general tariff discussion, the history of wool is illuminating. In the middle ages the people of civilized countries were clothed in woolen garments. Wool and its manufactured products were the commerce of the world. England grew the wool and sold it to Flanders, where it was turned into the finished product. England did not have the machinery nor could she procure from the Papal states alum, a substance absolutely necessary in those days for the finishing of cloth. But in the reign of Elizabeth alum was found in sufficient quantities in England, and then began the tariff legislation which we have inherited. England placed an export duty upon wool which made it impossible for continental nations to compete with her manufactures. She placed a tariff duty which shut them out of her market.

When Lancashire, the greatest cotton-manufacturing center in the world, demonstrated in a small way that it could make cotton goods, Great Britain prohibited the importation of cotton goods from India into England. Then the great English inventors, Arkwright and Hargreaves, gave to their country the perfected spinning jenny, and Great Britain controlled the cotton market of the world. Her own markets were closed to the foreigner, and the English statesmen saw that this little island, with its growing population which had come from manufactures, must find foreign trade. The greatest of English statesmen, Pitt, saw that the philosophers whose ideas created the French Revolution were controlling the policy of France. Knowing that Great Britain, because of her cheap coal and because of her monopoly of inventions, could make woolen and cotton goods cheaper than France, he proposed to the idealists that there should be free trade. The proposition was hailed by the disciples of Rousseau and Quesnay as an approach to the millennium. In a few years every factory in France was closed. There have been many causes assigned for the French Revolution. Undoubtedly tyranny and bad government had much to do with it, but the French Revolution began in Paris, which was the manufacturing center of France, and then spread to the other manufacturing cities. It was the starving unemployed who had been driven from all occupations by the genius of the British statesman and the folly of their philosophers which more than anything else precipitated and prolonged the French Revolution. Then came the struggle by the Jacobins to support the people from the plunder of the nobility and the cutting off of their heads; then the plunder of the rich business men in every branch; then the plunder of the farmers, because they would not accept the worthless paper money.

A million lives were sacrificed by the French terror, of whom only 2,000 belonged to the noble class and the rest to the productives who still had a little property in their farms or in their small occupations and against whom was directed the rage of the unemployed who had got possession of the Government. Then, when the revolutionists had guillotined each other, Napoleon came to the front. His first idea was that France could be supported by the plunder of the Continent, but that great original genius, when in supreme power, soon saw his mistake and built a tariff wall not only around France, but around the Continent, and the reviving industries of his country provided the means for his wars and recruited, clothed, and fed his armies.

Two men have had dominating influence upon American industries, both men of extraordinary ability, and one a commanding genius of all time. They were Alexander Hamilton and Robert J. Walker. Hamilton was one of those marvelous intelligences which can be accounted for by no rule, who have no predecessors or successors. We know little or nothing of him before he landed in New York at 17. He asked Princeton if she would graduate him if he could do the four years in two, and that sturdy old president, Doctor Witherspoon, said: "No; the curriculum must be gone through." Kings College, now Columbia, in New York, accepted the proposition. Before he was 20 he had so stated in a pamphlet the American argument that its authorship was ascribed to the greatest minds of the revolution. He proposed to Morris, the banker of the revolution, a scheme for refunding the continental currency which would have saved the national credit, and which was substantially adopted during and after the civil war. He organized the customs and the internal revenue of the country upon a basis which continues with few modifications to this day. He found our country purely agricultural. He knew that Great Britain had prohibited manufacturing in the colonies and the entrance into the market of products of any other lands except the mother country. He grasped as no other man of his time did the boundless natural resources of the United States. He saw that if we remained purely agricultural we must be a country of limited populations, widely distributed, and so dependent upon the rest of the world that we never could become a prosperous, powerful, and productive people. He was the first to recognize the fact that there is no limit of growth to a country of sufficient area if it possesses both the raw material and productive power. His report upon manufactures made as Secretary of the Treasury to the Congress is the foundation upon which we have builded the greatest industrial nation the world has ever known.

Robert J. Walker lived and was educated in a part of our country whose almost sole product was cotton. Its people manufactured nothing. They even relied upon outside territory for their food and clothes. The practical question with him was the cheapest products in clothing, food, machinery, and all the necessities of life for a people engaged in one form of agriculture. But it was more than that which created Robert J. Walker. If we read the speeches of the southern statesmen of his period, we find in them a wealth of learning in the classics of English literature and a complete absorption in the theories of Adam Smith. Many of them were educated in the best schools abroad. They had leisure for wide reading and refined culture at home, and they had no touch with or understanding of those thriving industrial communities which were inviting immigration, building cities, constructing railroads, and planting factories beside the water powers. He declared that the tariff should be levied for the purposes of revenue only, and he committed his party to the principle.

The ideas of Hamilton and of Walker have been struggling ever since for the conquest of the world. Hamilton is master of every State in our Union. No matter what plea may be entered as to the purpose for which protection is desired, the Senator who asks for it acknowledges at once the supremacy of Hamilton. Hamilton's policy has repaired the ravages of war. It has created in the States which were—and some still are—dominated by the Walker view new industries, which are developing local and national wealth and supporting large populations. The ideas of Hamilton have crossed the oceans; they have captured every country in the world except Great Britain; they have become the controlling policy in every one of the British colonies. The fight to the death is now going on in the last citadel of Adam Smith, Richard Cobden, and Robert J. Walker—the British Isles. It is a contest which I believe must result there, as everywhere else, in the triumph of the ideas of Alexander Hamilton.

Great Britain's control of the wool and cotton industries now is shared with protective countries whose markets she formerly monopolized. She is fighting with them a losing battle in Asiatic markets, where all the world competes. Her great rival, Germany, with as good machinery and cheaper labor and an equal command of the raw materials, is entering the English market under that well-known economic rule by which manufacturers of every country, in order to keep their mills in operation and their men employed, sell the surplus practically at cost in other countries. This process is filling the English market and driving one industry after another to the wall. Great Britain is grasping slowly the economic fact that anything pro-

duced in another country and sold within her territory puts out of employment and reduces to public charity exactly the number of men in England who are employed in producing this article in Germany.

The unemployed wandering idly about the streets looking for any stray job, however poor it may be, to satisfy the pangs of hunger, see in the shop windows everywhere the things upon which they at one time worked and could make a good living for themselves and families, marked "Made in Germany." It is stated that there are to-day in Great Britain 7,000,000 of unemployed. How to care for them or furnish them support is the most anxious problem of the British statesmen. John Morley has stated in one of his speeches that at one time in the course of their lives 45 per cent of the workingmen of Great Britain who have reached 60 years of age have been in the pauper class.

Great Britain made a tentative experiment recently in protection, though disavowing any such intention. A law was passed affecting patents. Under it the goods manufactured under a foreign patent must to enjoy the advantages of the patent, be made in Great Britain, otherwise the patent was open for use to British subjects. Before that was in operation two years a hundred and thirty millions of continental capital had been invested in England and tens of thousands of the unemployed found again remunerative labor and wages. If England to-day had a tariff which would equalize the cost of production with Germany, Belgium, France, and Holland, including fair wages to her people, she might again become not the workshop of the world, as she once was, but very much nearer to it than she is to-day. Anyway, she could hold her own.

The eloquent and learned speeches which have been delivered here have developed a new kind of protection. The new school believe in the principle, but oppose its application. Our southern friends reject the principle of protection, but believe in its application to their own products. I believe if a committee were appointed, composed exclusively of the Senators on our side who object most violently to this bill, that they would have more difficulty in agreeing with one another than it is understood our Democratic Members had when they caucused the measure.

Human nature is fallible and so is human testimony. When a committee whose ability, experience, industry, and integrity are cordially admitted on all sides, after months of examinations which have included the testimony of both sides, the manufacturer and the importer, and have had constantly at their sessions and to aid in the review of this testimony the trained experts of the Treasury Department, the General Appraiser's Office, and the custom-house, make a report, I hesitate to place my judgment against theirs, when theirs is unanimous, upon subjects on which superficial inquiry and a limited amount of information only are possible to any Senator. I have found that I can do better after hearing the statements of both sides to ascertain if I have gained any information which was not available to the committee in arriving at their conclusions. I know it is possible in the many subdivisions of the different schedules for some article to have had its relations to the markets so changed by invention or discovery that a new light has come not visible before even to the parties most interested; but I have found in all such cases on a fair presentation of the matter if there was anything new the committee had an open mind for a review. There is scarcely an article in these schedules upon which I have not received conflicting testimony from the parties interested, upon which it would be possible to base an argument on either side. But it would be an enormous and an impossible task for any Senator to constitute himself a court of appeal and claim that he had greater sources of information upon which to base a judgment than it was possible during all these months for our committee to obtain. They had the benefit of the 13 volumes of testimony taken by the Ways and Means Committee of the House as well as their own.

The Senators who have criticised so severely the Finance Committee are especially severe upon its chairman, the distinguished Senator from Rhode Island. Some of these Senators complain that the Senate is not informed. Their argument amounts to this: That if the Senate would sit as a committee of the whole month after month and listen to and question the witnesses and sift the testimony, which work has been so faithfully, ably, and laboriously done by the Finance Committee, they would understand the bill. Such a system would produce chaos from which eternity could not evolve order. Some Senators claim that they can not vote intelligently upon these 2,000 schedules unless the chairman of the committee, the Senator from Rhode Island, will furnish a detailed statement with each item of the cost in the country or countries where it was produced and the cost in the United States. Would these critical Senators read the volumes which contained such information after a couple of years had been spent in gathering it? On the contrary, I fear that, still claiming they had no access to information upon which they could intelligently vote, they would demand of this most amiable, as well as most capable, of chairmen, who has so superbly done the work which we elected him to do for us, the data upon which he had furnished these figures and then denounce the data as both insufficient and incorrect.

Nothing so amazes me as the frequent statement of certain Senators that in some way they are deprived of their rights on this floor by the chairman of the Finance Committee, and insisting they will have them, as if anybody stood in their way. There are 91 Members of this body; we are all equals. We have practically no rules. Any Senator can talk when he likes, on any subject he chooses, and as long as he is able. We select our own committees in our own way by vote, and the Committee on Finance, which is so much criticised, received on its appointment the unanimous vote of the Senate. The intelligence of the entire Senate is never so seriously questioned as when such statements are made.

The Senator from Minnesota [Mr. CLAPP], in a very eloquent and attractive address, feared that the Republican party was rushing rapidly and blindly upon the rocks because the pledge of the party and the expectation of the people were that there should be a general revision downward. In my judgment the pledge of the party and the expectation of the people are that we should do exact justice in this matter, upon every schedule in the bill, and upon every one of the 2,000 items which are affected. I believe that the practice of protection, which has made our country what it is and our people what they are, has as firm a hold upon the electorate as ever. I believe that it is thoroughly understood and assented to by the masses that we should so arrange our tariff policy as to constantly enlarge the area of production and employment within our own borders, and do it by imposing a duty which will equalize the cost of production, with due regard to the higher wage which we expect our artisans to have over those which prevail in countries in competition with us.

We have lost sight in this debate of changes in the cost of production; that from 1860 to 1909 wages have more than doubled; that they have advanced 25 per cent since the Dingley bill was enacted; that the hours of labor have been reduced from a third to a quarter; and that, inasmuch as in every production labor is from 60 to 90 per cent of the cost, we have thus increased our cost from 25 to 50 per cent. We have lost sight of the fact that this beneficent but almost revolutionary movement for the benefit of the workers has not advanced in anything like the same proportion in European countries.

Our labor leaders recognize that one of the acute difficulties which meet them is that the immigrants who come here are glad at first to accept from a quarter to a third less in wages than we are accustomed to. It is only the labor unions and the contract-labor laws against immigration which prevent us being swamped in this respect. Congestion of population always results in lower wages and longer hours. When the line is closely drawn between employment and starvation, because there are two, or three, or four, or ten hungry for a single job, there is a loss of independence and individuality, and the doctrine of self-preservation compels conditions which are abhorrent to us. The first principle of that American citizenship upon which must rest our future, as has rested our past, is adequate compensation for the American standard of living and the comforts of the American home. Immigrants, when they first come here and receive our wages on a scale to which they have never been accustomed, are apt to live as they did in their own country, with the result that they save 60 per cent, and in a few years are able to return to the land of their birth as capitalists. That process is going on constantly with us to the extent of hundreds of thousands a year. It is not healthy for our body politic to have that kind of citizenship.

The telegraph, the cable, the flying steamers, have made practically all the world one. No country to-day of the highly organized industrial nations has any superiority over another in its machinery. The inventions of one land are quickly copied and duplicated in another. The German chemists, who are the most expert and patient workers in the world, have produced some 400 different articles out of coal tar. They have enormously enlarged the pharmacopœia of all nations. The formulas are soon understood and other nations can use them. We have the raw material. To the extent to which we can duplicate we have that much more employment among ourselves. To the extent that we purchase on the other side we lose just that amount of employment in our own country. If all the world was alike, if the cost of production was the same everywhere, if wages and hours were the same in all nations and among all

races, then we could have the same conditions that exist between our own States.

The city of Dundee in Scotland had a very large industry in the making from jute of cotton bagging. It was a monopoly. They made the bagging for the cotton not only for the United States, but for all the other countries. Our manufacturers found that with a sufficient tariff this bagging could be successfully produced in this country. It led to the creation in different States of some 300 mills with the employment of many thousands of people. The tariff did not destroy the Dundee factories, because it was not high enough to prevent competition, and the Dundee factories still had other fields than the United States for their operation. But mills were established in India where labor was 30 cents a day, against 75 in Dundee and $1.50 to $2 in the United States. Great Britain being a free-trade country the Dundee millers were bankrupted, and a large population added to the already increasing numbers of the unemployed. Now we are met with a demand to wipe out our own mills and throw out of employment our own people in order to let in this cheap Indian production, with which it is impossible to compete except by tariff protection. Who would be benefited? There are no shrewder manufacturers and merchants in the world than the English, and they control these factories and are already in our market. When they have a monopoly the cost to the cotton farmer will be raised far beyond what he pays to-day and he will be utterly helpless. You may say he could escape that by again renewing the tariff, but it takes hundreds of thousands of dollars to organize a mill, and capital after such an experience would never enter upon the uncertain sea of hysterical legislation.

Eighty per cent of the petroleum in this country is produced from wells owned by 500,000 farmers who are independent producers. It is purchased by the Standard Oil Company, which is a refining corporation and not an oil-producing one, and by a few independent refiners who are still in business. There has been discovered in Mexico, on the coast, an exhaustless field of petroleum. It can be piped to the tank steamers of the Standard Oil Company on the Gulf at 20 per cent of the cost which carries the oil from the Oklahoma field, or New York, or Illinois, or West Virginia. The bogy of the Standard Oil Company creates a sentiment dangerous to the politician against giving any protection to the American farmer who produces oil for fear it might help the Standard Oil Company, when it is as plain as two and two make four that the Standard Oil Company would be the sole beneficiary at the expense of the American independent producers of the free trade in oil between Mexico and the United States.

I might cite a hundred such instances where the changing conditions of production and of cost, as governed by wages, by hours, and by invention, make the rule of a revision downward simply the adoption of practically free trade.

What has been accomplished by protection is happily instanced in our State of New York among many industries. Hats have built up a thriving city at Yonkers and are building other industrial communities in other parts of the State. The protection for men's gloves has created a community of 30,000 people and reduced the price from two and one-half to three dollars, as it was when England had the monopoly, to a dollar and a dollar and a half. Now, the great English manufacturers are moving to Gloversville. An equivalent protection for women's gloves would lead in two years to the employment of 50,000 men to the destruction of the foreign monopoly and would give to our own people an article much cheaper and better than they have now. The same results have followed in a thriving community of 30,000 in the finishing of lumber at Tonawanda and corresponding results at Ogdensburg and other places. I might enlarge this list almost indefinitely.

No country can show figures like these: That since Republican protection became a fixed policy the wealth of the United States has increased six times, our foreign trade three times, the wages in our factories three times, our railroad mileage six times, our foreign commerce three times, and the value of our manufactured products seven times, our exports from 1897 to 1909 300 per cent. Except for these conditions we never could have had our railroads carrying populations to the farms and productive possibilities carrying the factory near to the raw material; we never could have had manufacturing centers which brought the markets to the farmer's door; we never could have had the consumers, whose numbers and whose prosperity give the farmer his opportunity, the manufacturer his opportunity, the merchant his opportunity, the railroad its opportunity, and the steamboat and the canal their opportunities.

There never was greater nonsense than this attempt to establish irreconcilable antagonism between producers and consumers. They are constantly interchangeable. Our country buys one-third of the productions of the earth. Why? Because we have the money. Why the money? Because we have the employment, and with the employment the wages, and with the wages the acquisition of the habits which make the luxuries of to-day the necessities of to-morrow.

My friend, the senior Senator from Iowa, in one of the ablest and most eloquent addresses delivered in this Chamber, has attacked the wool and cotton schedules. That speech has been very widely quoted, more, I think, than any which has been made here. A can of dynamite intelligently exploded will get more headlines and editorial comment than all the railroad trains of the country carrying the products of the farmer to the factories and the market, and of the markets of the country in distributing the results of their sales back to the farms and the factories. Automatic prosperity is like the air we breathe—it has to be questioned to interest anybody.

A close examination of the picturesque presentation of my distinguished friend reduces his criticism more to the manner of administration than to the subject-matter of the law. No tariff act could be prepared covering, as we are attempting to do now, the whole field of protective legislation without having paragraphs which are highly technical. Wool at one time was used only for clothes; now the subdivisions in which it is used are almost infinite. The difficulty of compressing within the law language which will not permit the shrewd and dishonest to escape its protection is exceedingly difficult.

The moment a tariff law is enacted tariff lawyers, importers, and experts are at work to find out how its provisions may be evaded by some change in manufacture or some device in the mixture of other articles which will enable what was intended to be placed under the highest duty to come in under the lowest. That is the most subtle and ingenious method of smuggling. No one can have read over even cursorily this testimony or listened to the people from his own State who are engaged in these manufactures without learning to what extent this species of smuggling is carried on. It is right here that the customs expert must be both able and honest. A deficiency in this respect is the opportunity of the importer and the injury of the domestic manufacturer and home labor.

The appraiser, the customs officer, the treasury official on a salary of five or six thousand dollars a year is thus pitted against the $50,000 lawyer and the $25,000 expert in the service of the importer. It is a magnificent tribute to the civil service of our Government that it has officers to do this work so ably and honestly. There are men in these departments who have ability sufficient to be at the head of great business enterprises or to be Cabinet officers who are proud to serve their country in these minor positions with an intelligence and devotion deserving of the highest commendation.

There is nothing which gives me more pain than to have my idols broken. I wish that those professors of destructive criticism who have murdered William Tell and Arnold Winkelried and almost destroyed our faith in George Washington and Napoleon Bonaparte had never lived. The Bacon cryptograph which demonstrates that there never was a Shakespeare does not appeal to me. Much of the argument made by professing protectionists has been to throw from their pedestals the statues of William Allison, William McKinley, and Governor Dingley. These three eminent creators and advocates of tariff bills are charged to have known little about what they were doing. No one charges them with dishonesty, either in thought or purpose, but the general impression left by the criticisms upon them is that their countrymen were never more mistaken than in the estimate which they have of them that they were the most distinguished as well as the best informed of protectionists. We must believe, if we are to credit the mistakes and failures which they are alleged to have made in 1892 and 1897, that no statesmen ever occupied permanent positions in either House who were so easily fooled. My faith in them is unimpaired.

There is nothing new under the sun, and the oldest of free-trade cries is the one of revision downward. In all the speeches that have been made here, so far as I can recall them, the only open and direct attack upon the protective system as a policy or a system has been from the distinguished Senator from Georgia [Mr. BACON], but attacks have, nevertheless, been effective and deadly, and have produced their impression upon the country because they came from our own household, from those who proclaim their undying faith in the principle, but claim that in practice it leads to nearly all the disastrous results which are charged against it by its open enemies. Congressman Morrison presented the only true rule if we are to adopt a revision downward. He proposed a horizontal reduction in the whole schedule of 25 per cent. To have accepted his plea would have been to admit his contention that there should be no such

thing as a duty upon any article which should equalize the cost of production between this and other countries with due regard to the wages of American labor.

I was a delegate to the national convention at Chicago, and mingled as much as anyone with the representatives of the Republican party. I was one of the vice-presidents. At dinners given to favorite sons I frescoed and covered with flowers of rhetoric their candidates, and while admiring friends prophesied his success, we all, except him, knew that he was in the class of those "mentioned." I spoke at public gatherings and in the halls of hotels for the candidate I wanted, and he, happily, as Vice-President, is the presiding officer of the Senate. I was up as late as the youngest and as early as the oldest member of the convention. The absorbing question was not revision of the tariff, but the hope that Roosevelt would accept and the fear that he might take a renomination. The subject uppermost in all minds was not the tariff, but whether anarchy or sanity would prevail in the resolutions. When sanity won, there were the same progressive predictions of disasters, which were answered at the election by the largest of our popular majorities for Taft and the platform. There was no discussion of, public or private, and no committals to, public or private, any method of the revision of the tariff. There was an understanding, in which all Republicans are agreed, that the constantly changing conditions of production and invention and in cost in different countries not only justified but demanded an examination of the tariff schdules which have been in existence for ten years, with a view to doing equal and exact justice to every one of these items within protective principles which have been inserted in the Republican platform ever since the formation of the party.

There has been brought to my attention by constituents of mine changes which have taken place within the last few years which entirely alter the relations of the American manufacturer to particular articles. There are many industries which have grown up in this country since the Dingley tariff, in which are invested many millions of dollars and employment given to tens of thousands of people. I refer now specially to industries where the raw material has come from India, South America, or the East. The change has come about by the English starting factories in the countries where the raw material is produced and where labor is nominal compared with ours. It is easy to name several industries which were prosperous at one time which are now struggling to live because the manufactured article comes into this country either under no duty, because it was not produced anywhere else at one time, or under a duty which is now wholly inadequate because the English manufacturer in India, South America, and the East has the raw material at his door; has his wages at one-quarter those paid in the United States, and much less when you consider the length of hours; with whom transportation is a negligible quantity; and who, unless the revision is upward instead of downward, will command the American market, drive our manufacturers out of business, and then, with his monopoly, make his own prices to us, his helpless victims. Undoubtedly there are other articles where the perfection of American machinery, the command of the raw material, the opportunities for transportation, and the elements of cost, including higher wages, justify a reduction to a point where the tariff shall not be prohibitive. Competition and not prohibition is the real object of the principle for which we are contending.

The newspapers tell us that France is on the eve of a revolution and that it originates, as always, in Paris. The remark was once made by a distinguished observer that, to maintain peace and order, Paris had to be shot over about once every thirty years. I do not know that there is any truth in this broad generalization, because broad generalizations are seldom true, but it is true, and that has been our history, that it requires a lesson in modified free trade to bring our people to a full realization of its effects. The lambs in their gambols frisked us fifteen years ago into a wool schedule which reduced the flocks from useful producers of national wealth to expensive ornaments on the plains and on the hillsides. The lambs of the present day have forgotten their experience, and it may require 11-cent wool to smash, as it did twelve years ago, the rainbows and dreams of the college idealists and the political theorist.

It has been charged here that the United States Steel Corporation made last year $9 a ton profit in excess of any legitimate return to which they were entitled. As the duty on their product was $7, if that statement is true, it is evident, after taking the entire duty off, they would still have made $2 more than a legitimate return upon their investment. There must be some error in the calculation which would justify the remark quoted by my eloquent friend from Iowa, that the chief practical use of statistics was to keep the other fellow from lying to you. Out of the Carlyle generalization has grown an American one that figures will not lie unless a liar makes the figures. No one charges and no one believes that there has been an intentional misrepresentation of the figures which have been presented by any Senator on any of the schedules in these debates, but if the profits of the United States Steel Corporation had been so preposterous, then the independent companies which are as well situated, without any water in their capital, with the latest machinery and the best of management, would have been able to make large money.

Even if it is true that the United States Steel Corporation made $9 in excess of any fair and legitimate return, even if it is true that the United States Steel Corporation can make iron $2 a ton cheaper than the independent companies, there would still have been for the independent companies $7 of profit in addition to a legitimate return upon their capital. As a matter of fact, they got no return at all.

The question has been raised why we should keep a tariff upon steel to protect independent producers, who have 50 per cent of the business and employment, at the expense of the American public. Why not, in order to reach the United States Steel Corporation, take the tariff all off and let the independent companies be absorbed and the whole iron and steel business of the country placed in one great monopoly? No one would dare argue or urge that, because the sufferers would be the consumers on the one side and the wage-earners on the other, with no possibility of relief in sight. Then why does not the United States Steel Corporation, having the power, as it apparently has, to produce more cheaply, crush its independent rivals? The American business man above all other qualities has good sense. With equal opportunities he fears no rivals. With too great opportunities he fears public opinion and legislation. To crush out the independent steel companies it would be necessary for the United States Steel Corporation to forego dividends upon its common and preferred stock and carry on its business on a scale of meager profits for a number of years, while by dividing and leaving the market open to fair and reasonable competition, with the independent companies controlling one-half of the output and the business, it is enabled to earn profits which keep its works up to the standard, which give value to its bonds and its preferred stock, and which now and then permit a return upon the common. If it had a monopoly and the American market was thrown open to competition, the laws of trade would lead to an understanding with those gigantic trusts which control the markets of Great Britain and of the Continent, especially Germany, to whose tyranny and operations the lamp post would not be an effective remedy. You can hang a man, not a corporation. You can hang a man upon a basis which would bring about the terrors of the French Revolution and the disruption of society, but the United States Steel Corporation is owned by 100,000 stockholders, of whom 27,500 are workers in the mines, the mills, and the furnaces, and on the railroads, and the steamboats of the corporation.

My eloquent friend from Georgia, in his brilliant defense of the South, claimed that the prosperity which has created a new South would have come without any protective tariff, and that the protection which, in our judgment, has made the new South, has created a class who live by placing tax burdens upon their neighbors who owe them nothing and receive no benefits whatever from their existence. Now let us see. At the close of the war the South, as he says, was purely agricultural, and all its property destroyed but land, and, as the Senator from Massachusetts has so ably demonstrated, it was that which presented such a frightful handicap during the civil war upon as gallant, brave, and resourceful a people as ever existed.

Soon after the civil war protection enabled capitalists to take advantage in the South of the principle that where the raw material and the manufactory are side by side there is prosperity for both. Now, see this remarkable result: The manufactured products of the South in 1880 were four hundred and fifty millions; in 1900 one billion four hundred and fifty millions; in 1908 $1,908,000,000. In view of these figures, where is the claim that the South is still an agricultural country and dependent entirely upon agriculture for its living? There is not a person, I believe, interested in the manufacturing industries of the South, who intelligently understands them, who would assent to-day to the repeal of the tariff upon cotton products and iron products because protection is an oppression upon their farming neighbors.

Now, my friend the Senator from Georgia gave a very illuminating exposition, as he always does, the other day upon conditions in the South in reference to the principle of protection. He is the only real, honest free trader who has spoken here, and I love his courage.

Mr. BACON. I will accept a part of it, but not the other.

Mr. DEPEW. The other means, I think, that there are others.

Mr. BACON. No. I am very much obliged to the Senator for connecting my name with the very honorable epithet of honest, but I am not such a doctrinaire as to be a free trader. I believe in a very liberal tariff, but I do not believe in one for the protection of any particular business at the expense of everybody else.

Mr. DEPEW. That means that you are in favor of a tariff for revenue only?

Mr. BACON. The Senator has expressed it with absolute accuracy.

Mr. DEPEW. And that is free trade?

Mr. BACON. No; it is not. It has no relation to free trade. They are as far awide as the poles.

Mr. DEPEW. The relationship is so near that it would take a genealogist to describe the difference.

Now, in that admirable speech of his he defends the South. The South needs no defense. In the North to-day, wherever you may find the northern man of to-day or the northern woman of to-day, there is nothing but fraternal feeling; and, more than that, admiration for the courage and the sacrifice of the South during the civil war for their ideals, under conditions which to any other people than ours would have been absolutely hopeless.

As the Senator says, the South was handicapped so that she could not make her arms, she could not clothe her people, she could not do any of the things necessary for her, except as she got them from the outside.

Mr. BACON. Mr. President, the honorable Senator will pardon me, but I said no such thing.

Mr. DEPEW. Substantially.

Mr. BACON. I did not mean to even imply any such thing. On the contrary, I said that the resources were ample, but that the odds were 5 to 1 against the South, and that the resources there were in the course of a merciless and bitter war absolutely destroyed.

Mr. DEPEW. My memory is at fault. That was the statement of the Senator from Massachusetts. Now we have come to the point I wished to make just now. All her industries were destroyed, all her property of a personal kind was destroyed, her houses were burned, her stock was gone, and she had the bare land to start anew on.

Now, accepting that, suppose there had been no protection, would capitalists have been found in the South for industry, especially for the cotton and iron industry?

Mr. BACON. What is the Senator's question?

Mr. DEPEW. Suppose there had been no protection upon cotton and iron as protection, would capitalists have been found in the South or elsewhere for the cotton and iron industry?

Mr. BACON. Mr. President, if the Senator will permit me to reply, there certainly has been no protection as to the production of cotton.

Mr. DEPEW. I mean the manufacture of cotton.

Mr. BACON. And cotton has not been produced——

Mr. DEPEW. I mean the manufacture of cotton and iron.

Mr. BACON. Well, Mr. President, the manufacture of cotton and iron in the South has grown up after the prosperity had been restored there, but their agricultural products, far from having any assistance from the protective tariff, bore an onerous and grievous burden all the time that they were thus restoring prosperity. The manufactures of the South have been the result of the wealth which has been dug out of the ground by the agriculturists of the South, and without any aid either from the protective tariff or, generally speaking, from any other source outside of their own energy and their own perseverance and labor.

Mr. DEPEW. The manufactures of the South in 1880 were $450,000,000; in 1900, $1,450,000,000; and in 1908, $2,000,000,000, in round numbers.

Mr. BACON. And, Mr. President, all that magnificent growth and development is the surplus profit which has been piled up by the southern people in the prosecution of their agricultural interests at a time when they have borne a most tremendous tax to the manufacturing producer under the protective tariff, when they themselves were receiving no reciprocal benefits from it.

Mr. DEPEW. Now, if that view of the Senator is correct, and if his view is correct that no capital has come in from outside sources, and these manufacturing developments have been wholly by the profits of agriculture in the South, then the profits of agriculture in the South must be beyond anything ever known in agricultural production and in surplus income anywhere in the world. For instance, from 1865 to 1880, when the South is acknowledged to have had no personal property, there was $250,000,000 capital put into manufactures.

Mr. BACON. Mr. President, what is $250,000,000 to a section that makes $800,000,000 worth of cotton and its by-products a year? Of course, when I speak of the agricultural industry, mercantile and other kindred industries grow up with it, and there are reciprocal benefits between those who produce the cotton and those who furnish other things upon which the men who produce the cotton must live.

As I have said, it has been the result of the agricultural industry, and, of course, other industries have accompanied it, but they have been the industries of our own people. If the Senator will figure a little, and not despise figures, as he indicated just now he would be prone to do, he will find that the cotton crop of the South has not only enriched the South and that out of its profits have grown these immense industries of other kinds, manufacturing included, but he will find if he will examine the balance sheets that but for that cotton and but for that agricultural profit which has been made in spite of the protective tariff and not through any aid of it, the balance of trade would have been frequently against the people of the United States.

Mr. President, the cotton crop sends out of this country something like five hundred million dollars a year which is the equivalent of gold, and it brings back into this country either actual gold or keeps gold from going out of the country by furnishing bills of lading, which stand for gold.

Mr. ALDRICH. Will the Senator permit me to ask him a question?

Mr. BACON. With pleasure.

Mr. ALDRICH. What is it that makes the marketing of that great cotton crop of the South possible?

Mr. BACON. The world's demand for it.

Mr. ALDRICH. It is the industrial prosperity of the world, and the industrial prosperity of the United States is the one important and controlling factor in that prosperity.

Mr. BACON. Mr. President, the prosperity of the United States is not the factor which makes the demand of the world for cotton.

Mr. ALDRICH. If you will look at the statistics showing the consumption of cotton in the United States, you will find that we are the great and important factor in the consumption of the cotton of the South.

Mr. BACON. Between two-thirds and three-fourths of the cotton of the South is exported for the consumption of the world—of the whole world.

Mr. ALDRICH. Yes; but $73,000,000 of that comes back to the United States in the form of manufactured goods, every dollar's worth of which should be produced in the Southern States.

Mr. BACON. Oh, well, what may be done is no matter, but what is $73,000,000 compared with this $500,000,000 that comes back in gold for the raw product? If I am not intruding on the Senator from New York, I will say that of course I do not underrate the importance of manufacturing. I am proud of the manufactures of the South. The three States, North Carolina, South Carolina, and Georgia, manufacture, I will not say the most of, but much the larger portion of the cotton that is manufactured in the South, and my State is close up to the other two, South Carolina being in the lead and North Carolina following, and Georgia being behind them. In general manufacturing, the money product of Georgia leads the others. But, Mr. President, the manufacturing industry of the South has been the product and the result of the agricultural prosperity of the South, and it is not due to the protective tariff.

Mr. ALDRICH. Mr. President, one other question. Where would the price of cotton be to-day if you should lose the American market, the market of the producers of the United States, of the men who are employed in the mills and upon the farms of this country? Does the Senator think the cotton growing in the South would be prosperous if it were to depend entirely upon the foreign market?

Mr. BACON. For what?

Mr. ALDRICH. For purchasers.

Mr. SMITH of South Carolina. Let me ask one question. Will the chairman of the Finance Committee state where the price of cotton is fixed?

Mr. ALDRICH. The price of cotton is fixed in the markets of the world and it is fixed by the law of supply and demand. Of that demand the United States furnishes by far the most important portion.

Mr. BACON. Mr. President, if there was not a bale of cotton spun and woven in the United States there would still be the demand for it and there would be the same price of cotton. There has got to be a certain amount of manufactured cotton.

If it were not manufactured in this country, it would be manufactured in another. I am not speaking about the question whether it is to our advantage to have any manufactured here. I am speaking of the question whether the manufacture of cotton here increases the price of the staple of the raw cotton. The world requires more than 13,000,000 bales of cotton to clothe the people of the world in garments that are made out of cotton.

I will not trespass further on the time of the Senator from New York. It is unjust.

Mr. DEPEW. Mr. President, to continue one moment. As I said, from 1865 to 1880 the South got $250,000,000 of capital in manufactures, from 1880 to 1890 she found $650,000,000, from 1890 to 1900 she found $1,150,000,000, and from 1900 to 1908, $2,100,000,000. It would make the farmers of the world stand up and listen if told that that $2,100,000,000 came from the surplus profits of agriculture in the South, by which in that brief period people who had no money and no personal property to begin with could give to manufactures such fabulous capital.

Mr. GALLINGER. And, Mr. President——

The VICE-PRESIDENT. Will the Senator from New York yield to the Senator from New Hampshire?

Mr. DEPEW. Certainly.

Mr. GALLINGER. If we did not have a tariff on the finished product of cotton, and foreign countries were supplying us with cotton goods, as they did in the early days, what would become of the $2,100,000,000 now invested in cotton manufactures in the South?

Mr. DEPEW. I believe that if the protective principle was taken out of our legislation the cotton industries of the South would disappear.

Mr. GALLINGER. Of course they would.

Mr. DEPEW. And with that would come a paralysis of all industries of the South. I believe that if this protective principle was taken out of legislation, instead, as the Senator from Georgia believes, the agriculturists contributing from their surplus for the support of other people, they could do nothing for them, and the iron and coal industries of West Virginia and of Alabama and of Kentucky and of Tennessee would be destroyed.

Mr. BACON. If the Senator will pardon me, I wish to make a statement, in order that what I have said may not be misunderstood. When I speak of the manufacturing industries of the South being solely the representative of the profit upon the agricultural industry of the South, of course I do not mean that absolutely the clear profit made is the only money which has been invested in those industries. Of course the people of the South have utilized their land and other property, which has resulted from this agricultural prosperity as a basis for credit to secure money which they have invested in manufacturing enterprises. Money has been borrowed, but borrowing money by our own people upon satisfactory security is a very different thing from money being sent in by others for investment.

Mr. DEPEW. Repeal the protection upon cotton and you wipe out the manufacturers in North Carolina, South Carolina, and Georgia. Repeal the protection upon iron and the phenomenal progress and development of Alabama, Tennessee, and West Virginia will cease. I do not wish to differ with my friend from Georgia, but it is hard for me to understand, if his statement is correct, that the South found its own capital for these manufacturing enterprises, where a purely agricultural people, who had no personal property in 1865, got two hundred and fifty millions of capital in 1880, six hundred and fifty millions in 1890, one billion one hundred and fifty millions in 1900, and two billions one hundred millions in 1908 and that none of it was contributed from outside sources. The profits of cotton must be beyond precedent.

My friends from Florida, I think, state as fairly as any of the Senators on the Democratic side the Democratic position, which is, that they wish the idea of protection to be entirely eliminated from the schedules and that the tariff should be based upon the Walker doctrine of only sufficient revenue to yield the sum required for carrying on the Government. Upon that basis the junior Senator from Florida made a most eloquent appeal on behalf of a revenue upon pineapples, not for protection, but purely for revenue. Under the schedule proposed by Florida, the duty upon pineapples will be raised to 128 per cent. The distinguished Senator, in the course of his eloquent remarks, said the nerves of the human anatomy were gathered at the base of the spine, and an injury to the base of the spine attacking the whole nervous system led to the paralysis of the entire body. In the anatomy of our country, with the head in Maine, the base of the spine, as he believes, is Florida. Then, a failure to put 128 per cent, not for protection, but for revenue, upon pineapples would lead to national paralysis. We will take care of pineapples, but not on a revenue basis. Under the practice of protection, the national nervous system will be unimpaired.

New York is the largest manufacturing State and has the greatest variety in the product of her mills and her factories. I have been in receipt of at least a hundred letters a day for months and have had at least a thousand of my constituents here upon these questions. They have been the manufacturers and the employees, men and women, in the factories, and the farmers and the people of the localities in which these manufacturing industries are located. There is almost unanimity of sentiment that they are all consumers as well as all producers.

The 30,000,000 people who are in gainful pursuits, eliminating those who are single, and giving an average family to those who are married, make up nearly the entire population of the United States. In their living as well as in their prosperity they are absolutely dependent upon each other. None of them can live by himself and no occupation can exist by itself. It is the interdependence of the industries of our States which constitutes the strength of the American people and the wealth of the American Union. I was asked by Mr. McKinley in 1896 to make campaign speeches through the wheat and corn belts of the West. I found the farmers everywhere looking to free silver or any other panacea for relief from their condition. Wheat was 60 cents and corn 15 cents a bushel. Upon that they could not meet the interest upon their mortgages and they had difficulty in paying their taxes and there was no market for their horses and cattle. Why was there this condition among the farmers? We had a larger population in 1896 than we had in 1890 when they were prosperous. It was because the experiment of modified free trade had closed the factories and turned 3,000,000 wage-earners in possession of jobs to 3,000,000 out of a job and out of money. In other words, the farmer had lost his market because the consumer had lost his job.

We have had since 1897 phenomenal prosperity, employment, and wages, the farmers now getting a dollar and twenty-five cents a bushel for wheat and sixty cents for corn, and there is an open market for their stock. The farmers have paid off their mortgages, they have large surplus in the banks, and they are enjoying a prosperity such as has never been known by any agricultural people in the world and never known by our farmers before. It is because protection has created the market, has created the money maker, has created the money spender, and has demonstrated the interdependence between the farm and the factory and between the producer and the consumer. The rise in the cost of living is not in rents, clothes, boots and shoes, or railroad travel, but it is in food. To suppose that under these conditions the farmers of the country believe that under this principle they are burdened and oppressed in order to support their fellow-countrymen who are engaged in other pursuits and who, by being engaged in these remunerative pursuits, are their consumers and customers, is absurd.

I have admired the Senate all my life. The giants of the early period—the great triumvirate, Webster, Clay, and Calhoun—created the sentiment that this is the most august assembly in the world. But their speeches, wonderful in their literature, covering exhaustively a wide range of subjects, very platitudinous and lengthy, would not command a Senate of to-day. They are devoid of humor, and humor is necessary for a modern statesman. The thoughtful and thoroughly prepared speeches delivered during this session are worthy the best efforts of the greatest reputation of the Senate and more interesting.

An income tax has been urged by the Senators from Texas [Mr. BAILEY], Iowa [Mr. CUMMINS], and Idaho [Mr. BORAH]. It is advocated with great ability and a great array of precedents is cited to support their contention, and the answer of the Senator from Utah [Mr. SUTHERLAND], who has just taken his seat, has been most able and conclusive.

The whole question rests upon these words of the Constitution:

> Direct taxes are to be laid in such a manner that each State shall bear a proportion of the whole tax equal to its proportion of the whole population.

In rendering the opinion of the court in the Pollock case, Chief Justice Fuller summed up his conclusions as follows:

> Our conclusions may therefore be summed up as follows:
> First. We adhere to the opinion already announced that taxes on real estate, being indisputably direct taxes, taxes on the rents or income of real estate, are equally direct taxes.
> Second. We are of opinion that taxes on personal property or on the income of personal property are likewise direct taxes.
> Third. The tax imposed by sections 27 to 37, inclusive, of the act of 1894, so far as it falls on the income or real estate and of personal property, being a direct tax within the meaning of the Constitution, and therefore unconstitutional and void because not apportioned according to representation, all those sections, constituting one entire scheme of taxation, are necessarily invalid.

The object and aim then of these long speeches which are as able as any ever delivered at any time in this body are to have the Senate reverse the Supreme Court. It is better when a decision of the court of last resort is against the judgment of counsel to present to the public what the council would have said if he had been a judge than to adopt the remedy which Judge Grover, of our New York court of appeals, said was the only one left for the defeated attorneys and that was to go down to the tavern and curse the court. One Senator wishes distinctly to challenge the Supreme Court with the idea that the argument and decision in the Pollock case will be reversed. Another Senator wishes to have it introduced as a principle in our political economy, even if the tariff is to be reduced in order that there may not be an excess of income over expenditures.

Unless, as in war times, there is an absolute necessity for an income tax, it is the most direct possible attack upon the protective system. The only way in which the surplus revenues it would produce, and which are not now needed, could be taken care of, would be either a horizontal reduction of the tariff to bring the revenues down to the expenditures or else to enter upon a bacchanalian saturnalia of extravagance.

No one has been able to refute the conclusions of the Finance Committee that the bill under discussion will yield several millions in excess of expenditures. It is claimed that the income tax will produce between sixty and eighty millions of dollars annually. This would create a dangerous surplus and impose a burden for no other purpose than to establish a theory. A theory which will cost the taxpayers of the country, and, in the analysis of distribution, all the people, $80,000,000 which the Government does not need and for which it has no use, is the most expensive educational propaganda ever exploited. It has been suggested by its advocates that the tariff could be reduced to meet the excess caused by the income tax, but a reduction would lead to larger importations and greater revenues and at the same time take our American market from our own workers and give it to their foreign competitors. On the other hand, if a prohibitory tariff was adopted to decrease customs revenues, that would defeat the Republican doctrine of competition with protection and create monopolies.

There is one point which strikes me in the question as to whether the fathers in forming the Constitution intended that the clause providing that direct taxes should be apportioned among the States according to population referred only to revenue from land and not income from personal property. The Constitution was a compromise between the large and populous and the small and sparsely populated States. The small States demanded that in some way they should be protected. The device to protect them was that, regardless of their population, each State should have in the Senate practically two ambassadors with equal vote and equal power. There was as great disparity then as there is now between the States of large population and those of smaller population. The taxing power and its destructive possibilities were thoroughly understood, and the great States of New York, Pennsylvania, Virginia, and Georgia never intended that they should be outvoted and made to bear undue burdens because of the votes in the Senate of the smaller States. There are 15 States with 30 Senators in this body whose aggregate population differs only a few thousand from that of the single State of New York with two Senators. New York has one-seventh of the property of the country. It has one-twelfth of the population. Yet, under an income tax, it would pay 33 per cent of the burdens of the Government. It is absurd to suppose that with the States rights views that existed among the statesmen of the formative period and in the Constitutional Convention they ever intended that any system should prevail which would distribute so unequally the burdens of the Government among the various States.

There is another view which strikes me very forcibly and which has not been presented. The time has come to draw the line between the sources of revenue for the Federal Government and those which shall be left with the States. The Federal Government has unlimited opportunities for revenue through the customs and by internal-revenue taxation of almost limitless varieties and by other methods. The States must deal directly with their people. I was talking a few days since with the Hon. Edwin A. Merritt, chairman of the committee on ways and means of the lower house of the New York legislature, who expressed alarm at the inheritance and income taxes being absorbed by the Federal Government. The expenses of the States, with the public improvements which have become necessary by the extraordinary development of the last quarter of a century, are increasing in geometric ratio.

When I was chairman of the committee on ways and means in the lower house of the New York legislature, forty-six years ago, a tax levy of $8,000,000 would have led to a political revolution. The tax levy this year is thirty-seven millions, and it has increased from twenty-two to thirty-seven within the last decade. There was levied in the State of New York in 1907 by direct taxes—that is, city, village, county, and town—$180,942,341.27, and by indirect tax, $32,339,707.49, making a total of direct and indirect taxes of $213,282,048.76. A direct tax for State purposes has been abolished in our State. The State government is carried on by indirect taxation. This came because of the enormous burdens of local taxation, amounting to $181,000,000 a year. Our indirect taxation comes from taxes on corporations, organization of corporations, inheritances, transfers of stock, traffic in liquor, mortgages, and racing associations, according to the following table:

Tax on corporations	$8,581,223.44
Tax on organizations of corporations	891,423.18
Tax on inheritance	5,435,394.97
Tax on transfer of stock	5,575,986.64
Tax on traffic in liquor	9,697,504.24
Tax on mortgages	2,442,249.73
Tax on racing associations	215,925.29
Total	32,339,707.49

It is evident from this that, with the budget five millions more than the amount raised from these sources last year, the State must soon find other sources of revenue. Several States have already adopted an income tax. No one would advocate that there should be double taxation by the General Government and by the States, for the burden would be intolerable. It seems to me, therefore, that it is a fair claim on behalf of the States that this direct contact with their citizens by inheritance and income taxes should be left to their administration.

My colleague, Senator ROOT, clearly and ably answered the question the other day as to whether the property owners bore a substantial part of the burdens of the Government by proving what they paid and its percentage in the country as a whole. This New York tax levy, I think, is a close and up-to-date illustration of the same point from our own State. I know from personal experience with the estates for which I am counsel that real estate located in the best parts of New York City pay to-day double the taxes which they did eight years ago and without any increase in rents. The effect of this is that the income from real estate in New York is nearer 3 than 4 per cent.

The taxes on railroads in the State of New York are first upon their real estate, at full value, in the several towns, then a franchise tax, then a tax upon capital stock, then a tax upon bonded debt, gross earnings, and dividends. In the case of the New York railroads which pay dividends, this amounts to over 15 per cent of their net income. Of course this is an assessment upon the income of the stockholders to that amount.

The income and expenditures of the Government can be calculated for a series of years to come with almost mathematical certainty. I have heard no criticism which successfully controverts the conclusions of the Ways and Means Committee of the House and the Finance Committee of the Senate. Including pensions, 55 per cent of our total expenditure is on account of war. Expenditures are not likely to increase as fast as revenues, and there will necessarily come in the course of nature, now that forty-four years have passed since the close of the civil war, an annual decrease in pension appropriations. The civil expenditures are entirely in administrative control.

All European nations are burdened with gigantic national debts. These debts are the inheritances of great and little wars. Our national debt has been so reduced since the civil war that it is a negligible quantity compared with our resources. We should enlarge the national debt, not for war but for the most beneficent purposes of peace, if we are to enter upon a proper policy. We have begun on the right course in the Panama Canal by borrowing the money for its construction. It is proper that posterity should bear their proportion of a burden of which they are to be the principal beneficiaries. If we enter upon, as we will in the future, an intelligent and thoroughly prepared scheme of inland waterways, that also should be done by the issue of long-time bonds, for posterity again will be the beneficiaries and ought to bear their share of the burden.

We are all in receipt of letters and resolutions of commercial bodies in reference to the creation of a permanent tariff commission. The Senator from Indiana [Mr. BEVERIDGE] and the Senator from Nevada [Mr. NEWLANDS] have ably and eloquently presented the affirmative of that proposition. They base their argument largely upon the success of the Interstate Commerce Commission; but there is no analogy between the duties performed by and the obligations which rest on the Interstate Commerce Commission and those which would devolve on a permanent tariff body. It is the nature of a commission to seek to enlarge its powers and to exploit its beneficence. A permanent tariff commission, with a permanent lobby representing the 2,000 items in the tariff bill and backed by the influence of the

Senators and Members from the industries are located, would keep alive what the country most deprecates and most fears—a perpetual tariff disturbance. Pass some law quickly and adjourn is what the country wants.

I believe in the scheme outlined by our Committee on Finance of creating from the experts of the Government, who are familiar with every phase of this question and in constant touch with its administration, a body within the existing departments which can inform the President, Congress, and the Secretary of the Treasury of the inequalities as they arise in the practical application of tariff duties, so that without agitation, without an eternal tariff war and a perpetual tariff lobby, with all that means in the disturbance of business, an effective and noiseless machinery would be automatically solving problems as they arise. Such a commission would meet the criticisms upon the ambiguity of the law and the mistakes in its administration, which were so ably presented in the speech of the senior Senator from Iowa.

I noticed in the papers of this morning that William J. Bryan and Governor Johnson, of Minnesota, deplored yesterday the situation of the Republican party. They said that if this tariff bill as suggested either by the House or Senate committee became a law it would lead inevitably to the election of a Democratic House of Representatives two years from now and the Senate and the Presidency to follow four years from now. The tears which they shed should have been caught after the manner of the Pompeians, in a glass bottle, and preserved in the archives of the Smithsonian Institution. I am sorry for the progressive brethren of our own household who are lamenting with great earnestness the impending ruin which they are so fearful will follow if they fail to have their way. I say to our distinguished Democratic sympathizers with Hamlet to the ghost of his father, "Rest, rest, perturbed spirit."

Mr. President, the country wants speedy action upon this subject. In all the phenomenal times of prosperity of the past none of them equal the present in its opportunities and its promise. Large contracts for important construction are held up, the stocks of the merchants are depleted, the storehouses of the manufacturers are empty, the supplies on hand have been used up, and no new production undertaken for fear of the result of the action of this Congress.

The impatient horses attached to the car of progress and prosperity are held in with difficulty, because of their impatience to enter upon the Marathon race of production and development. The fate of parties in power depends upon the effect of their action on the country. If because of this bill, when perfected, becoming a law we enter, as I believe we will, upon another decade surpassing in its beneficent results that which began with the Dingley tariff, popularity will follow prosperity and the party can confidently rely upon the judgment of the people.

Mr. OWEN. Mr. President, on the 7th instant I undertook to show to the Senate that under the Constitution of the United States the direct taxes referred to in that instrument, limiting the broad right of Congress to lay and collect taxes, related alone to direct taxes upon the States of the United States and not to direct taxes upon the citizens. I desire to ask the indulgence of the Senate for a few moments only, that I may submit a few authorities with regard to that matter, in addition to what I have stated heretofore. I shall not take the time of the Senate to go into any elaborate discussion of this matter. I shall dispose of it in a very few minutes, so far as my comments are concerned.

The authority which was given to Congress by section 8 of Article I of the Constitution was the authority "to lay and collect taxes," not to lay and collect duties, imposts, and excises which should be uniform, but "to lay and collect taxes," as well as duties, imposts, and excises, for all that that means, and there was no body of men in the world more capable of determining the value of the omission of an adjective or of a limiting word than was the Constitutional Convention which drew that great instrument. They did not limit the word "taxes." They said that Congress should have the right to lay and collect taxes; and that meant taxes direct and taxes indirect, direct taxes on the United States as component parts of the preceding Confederacy and of the succeeding Union; it meant as well direct and indirect taxes on the citizen. And I wish to again call the attention of the Senate to the proof which I offered as to this proper interpretation out of the debates of the Constitutional Convention, which I shall not here repeat.

I want to call the attention of the Senate to the authorities, and, without reading them, I ask permission to insert in the RECORD the authorities to show that the power of taxation is an inherent attribute of the sovereignty of the United States.

The VICE-PRESIDENT. Without objection, the request will be granted. The Chair hears none.

The authorities referred to are as follows:

POWER OF TAXATION AN INHERENT ATTRIBUTE OF SOVEREIGNTY.

United States: Weston v. Charleston, 2 Pet. (U. S.), 449; Providence Bank v. Billings, 4 Pet. (U. S.), 514; McCulloch v. Maryland, 4 Wheat. (U. S.), 316; North Missouri R. Co. v. Maguire, 20 Wall. (U. S.), 46; Wheeling, etc., Transpt. Co. v. Wheeling, 99 U. S., 273.

Florida: Young v. Thomas, 17 Fla., 171; 35 Am. Rep., 93.

Illinois: Porter v. Rockford, etc., R. Co., 76 Ill., 561.

Iowa: Hanson v. Vernon, 27 Iowa, 28; 1 Am. Rep., 215; Stewart v. Polk County, 30 Iowa, 9; 1 Am. Rep., 238.

Kentucky: Louisville, etc., R. Co. v. Com., 10 Bush (Ky.), 43.

Maine: Allen v. Jay, 60 Me., 124; 11 Am. Rep., 185.

Missouri: Glasgow v. Rowse, 43 Mo., 479.

Nebraska: Tillotson v. Small, 13 Nebr., 202.

Nevada: Ex p. Robinson, 12 Nev., 263; 28 Am. Rep., 794.

New Jersey: State v. Jackson, 31 N. J. L., 189; State v. Parker, 32 N. J. L., 426.

New York: Guilford v. Chenango County, 13 N. Y., 143; Clarke v. Rochester, 24 Barb. (N. Y.), 446.

Ohio: Board of Education v. McLandsborough, 36 Ohio St., 232.

Pennsylvania: Com. v. Mann, 5 W. & S. (Pa.), 416; Kirby v. Shaw, 19 Pa. St., 258.

South Carolina: Ex p. Lynch, 16 S. C., 37.

Texas: Clegg v. State, 42 Tex., 608.

Virginia: Eyre v. Jacob, 14 Gratt (Va.), 422; 73 Am. Dec., 367.

Wisconsin: Knowlton v. Rock County, 9 Wis., 418; Wisconsin Cent. R. Co. v. Taylor County, 52 Wis., 53.

The sovereign right to levy and collect taxes grows out of the necessities of Government—an urgent necessity, which admits no property in the citizen while it remains unsatisfied. The right to tax is coequal with all governments. It springs out of organization of the government. All property is a pledge to pay the necessary debts and expenses of government. (Parham v. Justice, 9 Ga., 352. See also Philadelphia v. Tryon, 35 Pa. St., 401, in which it was said that every man holds his property subject to the taxing power.)

Mr. OWEN. I ask further authority to introduce in the RECORD the authorities bearing upon the proposition that the taxing power of the United States is unlimited unless restricted by the Constitution.

The VICE-PRESIDENT. Without objection, the request is granted.

The authorities referred to are as follows:

TAXING POWER UNLIMITED UNLESS RESTRICTED BY CONSTITUTION.

United States: Weston v. Charleston, 2 Pet. (U. S.), 449; Providence Bank v. Billings, 4 Pet. (U. S.), 514; Lane County v. Oregon, 7 Wall. (U. S.), 77; State Tax on Foreign-held Bonds, 15 Wall. (U. S.), 319; North Missouri R. Co. v. Maguire, 20 Wall. (U. S.), 62; Kirtland v. Hotchkiss, 100 U. S., 497; Hagar v. Reclamation Dist. No. 108, 111 U. S., 709; Railroad Tax Case, 8 Sawy. (U. S.), 248; 13 Fed. Rep., 731; Forbes v. Gracey, 9 Fed. Cas., No. 4924.

California: Mackey v. San Francisco, 113 Cal., 399.

Colorado: Hall v. American Refrigerator Transit Co., 24 Col., 291; 65 Am. St. Rep., 225.

Illinois: Porter v. Rockford, etc., R. Co., 76 Ill., 561; Greenleaf v. Board of Review, 154 Ill., 226; 75 Am. St. Rep., 168.

Kansas: Newton v. Atchinson, 31 Kan., 153; 47 Am. Rep., 487.

Kentucky: Lexington v. McQuillan, 9 Dana (Ky.), 516; 35 Am. Dec., 159; Cincinnati, etc., R. Co. v. Com., 81 Ky., 500.

Louisiana: Second Municipality v. Duncan, 2 La. Ann., 182.

Maine: State v. Western Union Tel. Co., 73 Me., 526.

New Hampshire: Berry v. Windham, 59 N. H., 288; 47 Am. Rep., 202.

New Jersey: Rudderow v. State, 31 N. J., L., 512; Standard Underground Cable Company v. Attorney-General, 46 N. J., Eq. 270, 19 Am. St. Rep., 394.

New York: Chenango Bank v. Brown, 26 N. Y., 467; People v. Flagg, 46 N. Y., 401; People v. Home Insurance Company, 92 N. Y., 328; Lawton v. Steele, 119 N. Y., 232, 16 Am., St. Rep., 813; Astor v. New York, 37 N. Y. Sup. Ct. 560; People v. Molloy, 35 N. Y., App. Div., 136, affirmed 161 N. Y., 621.

Oregon: Crawford v. Linn County, 11 Oregon, 488.

Pennsylvania: Kirby v. Shaw, 19 Pa. St., 260; Pullman's Palace Car Company v. Com., 107 Pa. St., 155.

Tennessee: South Nashville Street Railway Company v. Morrow, 87 Tenn., 492.

Texas: Hutcheson v. Storrie (Tex. Civ. App., 1898), 48 S. W. Rep., 789.

Virginia: Com. v. Maury, 82 Va., 888.

West Virginia: State v. Sponaugle, 45 W. Va., 419.

Wisconsin: State v. Thorne, 112 Wis., 81.

"The power to tax" says Chief Justice Marshall, "involves the power to destroy;" that is, by the levy of a tax equal in amount to the value of the property taxed. (McCulloch v. Maryland, 4 Wheat (U. S.), 431.

Taxation is an incident of sovereign power which acknowledges no limits except the discretion of those who use it, unless it be as to those objects of taxation which have been withdrawn from the general power. (Com. v. Mann., 5 W. & S. (Pa.), 416.)

Mr. OWEN. Mr. President, the income tax has heretofore always been defended on the ground that it is an indirect tax. I hold that that defense is unnecessary, and dangerously weak besides. And without undertaking to pass any judgment with regard to that, I do say that the Constitution of the United States, in the only limitation upon the taxing power imposed upon Congress, where reference was made to direct taxation, meant, and necessarily meant, direct taxation upon the States, and did not mean, and can not by any imagination or ingenuity be made to mean, a direct tax upon the citizen. The limitation in clause 4, section 9, that "no capitation or other direct tax shall be paid unless apportioned," necessarily means a direct tax upon the States, because you can not lay a capitation tax upon

the citizen under the constitutional apportionment. You can lay a poll tax upon the citizen, but the capitation tax, under the constitutional rule of apportionment, was a gross amount fixed by population—men, women, and children, the deaf, the dumb, the blind, sane and insane, and three-fifths of the slaves—and apportioned to the several States. The direct tax limited in this clause likewise was exclusively a direct tax on the States, which alone could be apportioned under the constitutional rule, and since the direct tax on the citizen could not be apportioned, it could not have been referred to in this clause requiring the apportionment of such direct tax. A duty, impost, or excise may be either a direct tax on the citizen or indirect, depending on whether the payee is the immediate consumer. I pay a duty of 10 cents on a few cigars I smoke; it is a direct tax. I pay $100 tax on cigars I sell to my customers, charging each his pro rata; the tax or duty collected is indirect in relation to them.

Congress interpreted the limited right of a "direct tax" on the States in its immediate acts after the adoption of the Constitution. The act of 1798, the act of 1813, and the act of 1815, declared in the most specific terms that "a direct tax" is laid upon the United States—not upon a citizen—to be apportioned under the constitutional rule. Let me see you apportion a capitation tax in any other way than among the several States.

Not only must a capitation tax of necessity be held to mean a tax upon the States in gross, but the other "direct taxes" referred to in the same sentence which are required to be apportioned can not be apportioned in any other way except upon the States. The meaning of that clause is, direct taxes on the States and on nothing but the States, and the only limitation on the power of Congress to lay taxes in the broadest manner on State and citizen is that direct taxes laid on the States shall be apportioned under the constitutional rule.

There are many different kind of taxes; for example, according to method and purpose of the imposition: Federal taxes; state taxes; county taxes; municipal taxes; district taxes, and so forth; capitation taxes on States; direct taxes on State, county, municipality, or citizen; indirect taxes on citizen; ad valorem taxes; specific taxes; duties; imposts; excises; poll taxes; income taxes; occupation taxes; license taxes; personal taxes; real estate taxes; succession taxes; privilege taxes; import taxes; export taxes; commodity taxes; corporation taxes; inheritance taxes, and so forth.

When the Constitutional Convention used the words authorizing Congress "to lay and collect taxes," without limitation, it meant what it said, and the limiting clauses of the Constitution must be confined to the necessary meaning of that language, within the meaning of the language itself. The interpretation which I have given to it is sustained by the previous history and by the subsequent proceedings in Congress, as well as by the debates in the Constitutional Convention bearing upon this matter.

Mr. President, before I take my seat I wish to present an amendment upon an entirely different matter, which, with the indulgence of the Senate, I shall read:

After the last line of paragraph 471d, page 193, insert the following: "That the rate fixed on all articles enumerated in Schedules A, B, C, D, E, I, J, K, L, M, and N of this act shall be reduced 5 per cent per annum of the rate fixed in this act, annually on June 30, for each of the next ensuing ten fiscal years: *Provided*, That if such graduated reduction shall cause a diminution of the annual revenue from any one or more of the articles enumerated therein, the President is authorized and directed to fix the rate on any such article or articles severally at the point at which any such article is found to have the greatest normal revenue-producing power, but not at a rate higher than the rate fixed in this act: *And provided further*, That such rate shall not hereunder be reduced or fixed below the point at which it would produce an amount equal to the difference in the cost of the production of any such article in the United States and abroad.

"The difference in the cost of the production of any such article in the United States and abroad shall be determined by the Secretary of the Treasury, from time to time, upon proper evidence and duly recorded."

Mr. President, at the early convenience of the Senate I shall submit some observations in regard to the amendment now offered.

The VICE-PRESIDENT. Does the Senator from Oklahoma desire his amendment to be printed, and to be considered when the portion of the bill to which it relates is reached?

Mr. OWEN. I should like to have it printed in the RECORD.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The Secretary will report the pending amendment.

The SECRETARY. The pending amendment, offered by the Senator from North Carolina [Mr. SIMMONS], is, on page 50, paragraph 151, line 13, after the words "per dozen," to strike out the words "6 cents each" and insert "50 cents per dozen;" in line 14, to strike out the word "forty" where it appears before the words "per cent ad valorem" and insert "ten;" in line 15, after the words "per dozen," to strike out "10 cents each" and insert "$1 per dozen;" in line 16, to strike out "forty" and insert "ten;" in line 17, to strike out the words "12 cents each" and insert "$1.25 per dozen;" and in the same line, to strike out "fifty" and insert "twenty," so that, if amended, it will read:

That blades, handles, or other parts of any of the foregoing knives or erasers shall be dutiable at not less than the rate herein imposed upon knives and erasers valued at more than 50 cents per dozen and not exceeding $1.25 per dozen; razors, finished, valued at less than $1 per dozen, 45 per cent ad valorem; valued at $1 and less than $1.50 per dozen, 50 cents per dozen and 10 per cent ad valorem; valued at $1.50 and less than $2 per dozen, $1 per dozen and 10 per cent ad valorem; valued at $2 or more per dozen, $1.25 per dozen and 20 per cent ad valorem.

The amendment was rejected.

Mr. STONE. Mr. President, I move to strike out that part of the committee amendment beginning with the word "razors," on page 50, line 11, and ending with the words "ad valorem," in lines 17 and 18, and to insert the following:

Razors and razor blades, finished or unfinished, valued at less than $1.50 per dozen, 50 cents per dozen and 15 per cent ad valorem; valued at $1.50 per dozen and less than $3 per dozen, $1 per dozen and 15 per cent ad valorem; valued at $3 per dozen or more, $1.75 per dozen and 20 per cent ad valorem.

Mr. President, the amendment proposed by the Senator from North Carolina [Mr. SIMMONS], which has just been disagreed to, decreases the duties as fixed in the Dingley Act and, of course, still more decreases the proposed duties as fixed in the committee amendment to the pending bill. What I am now suggesting as an amendment is simply to restore the Dingley rates.

Mr. President, as has been already stated, the increase on these articles is enormous and would be practically prohibitory. I have in my hand a letter from the President of the Simmons Hardware Company, of St. Louis, which is the largest hardware establishment in America, and therefore in the world. Mr. Simmons says:

I have been in this business fifty-three years, and during that time I believe I have bought and sold more razors than any man who ever lived in the United States. I hope I may be considered somewhat as authority on this subject.

He says further:

The rate of wages paid the workmen who make razors in this country is very little more than is paid for the same kind of labor in Germany and England, and the trouble is that we have never made good razors in this country. I doubt if you have ever shaved with a good razor made in the United States or ever been shaved by a barber with one of domestic manufacture. There is a peculiar art in making a razor or grinding it. This art has attained its highest state of perfection in Solingen, Germany, so that English manufacturers often send their blades to Germany to be ground, and then they are sent back to England to be finished and mounted.

I have letters from other large dealers, wholesale dealers, and importers to the same effect.

Mr. President, it seems to me the duty proposed by the committee is beyond all reason, and that the business men who have established a large export trade and who are handling the best class of razors are entitled to some consideration. I offer this amendment as expressive of the view and judgment of a very large class of business men.

Mr. SIMMONS. Mr. President, I was temporarily out of the Chamber when this paragraph was reached and the vote taken upon the amendment I offered yesterday. If I had been in the Chamber, I should have modified my amendment so as to have conformed it very largely to the amendment now offered by the Senator from Missouri [Mr. STONE].

I desire, Mr. President, now to read a few extracts from a letter from Mr. Norvell, president of the Norvell-Shapleigh Hardware Company.

Attached hereto is an article from the Iron Age, which speaks for itself. I shall ask to have it read within a few minutes.

Mr. Norvell says:

We believe in protecting the American laboring man; we believe in building up American manufactures, but we do not believe in tying up the distributers and consumers of this country hand and foot and delivering them bodily to the manufacturers to be done with as they please. * * *

To shut out the importation of razors on account of the small manufacturing industry of this country strikes us as being absurd. To advance the duty to 100 per cent, as proposed, means there will be no revenue for the Government and that the business will be turned over to the cutlery manufacturers on this side, who already have an association—

Meaning a trust, I suppose—

There is practically no competition on cutlery between our manufacturers.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. Yes.

Mr. GALLINGER. The Senator is misinformed when he suggests there is a trust in the manufacture of cutlery. There is nothing of the kind.

Mr. SIMMONS. I beg the Senator's pardon. I did not suggest that. I so understood the writer to say.

Mr. GALLINGER. Then the Senator's correspondent is misinformed, because there is no such trust or combination in this country.

Mr. SIMMONS. He does not say so in specific terms. He says "an association." I interpret that to mean in that connection a trust.

I send to the Secretary's desk and ask to have read what I have marked in brackets from the Iron Age. We have heard a great deal in this Chamber in the last two days about the high prices now prevailing in this country being the result, not of extortionate prices charged by the manufacturers, but of the unreasonable prices charged by retailers and jobbers. The article which I send up deals with that phase of this question, and I think it well to have it read to the Senate.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

There are other interests in this country to consider besides those of the manufacturers.

On many goods, especially in the hardware line, the tariff was placed so high it meant absolute prohibition. The goods stopped coming from Europe. As there were no importations, naturally it followed there was no revenue. So the Government lost out. The entire trade of the country on these lines was turned over to the American manufacturers. Many of these manufacturers formed trusts and selling combinations to protect themselves from each other. Therefore there has been no foreign competition, and there has been no domestic competition. The jobber, the retailer, and the consumer have been at the mercy of the manufacturer.

So we have had the spectacle of a number of manufacturers protected by the tariff, protected by patents on goods and machinery, protected by the copyright laws, and then still further protected by selling agreements. The result has been just what might be expected under such conditions.

Then a number of these manufacturers, having their own nests so nicely feathered, have absolutely forgotten that the jobber should have a percentage of profit on their goods that slightly more than covered the cost of distributing them. In almost every case where manufacturers have been able to bring about this condition they have cut down the profits of jobbers on their goods. This not only true of hardware, but of other lines.

These same manufacturers have then sold their goods to catalogue houses and permitted them to demoralize the retail profit, so the retailers, by reason of this competition, were cut out of their profits.

Therefore we find by this condition that the Government loses revenue, the jobber is compelled to sell the goods at about the cost of distribution, the retail merchant is cut out of his profits by the competition of catalogue houses, while the manufacturers have derived enormous profits.

We believe in protecting our manufacturers; we believe, of course, the Government must have revenue; but we believe the pendulum has swung entirely too far on the side of many of our great manufacturers. Take, for instance, a specific case.

There has been a tariff of about 55 per cent on razors. It is now proposed to advance this tariff to 100 per cent. Razor manufacturing in this country is a very small industry. Razors are made by skilled mechanics. These skilled mechanics in Europe receive good wages. Living in Europe is cheap. We are informed it is impossible to persuade these European razor grinders to come over to this country. Now it is proposed to turn the enormous razor business of this country over to a few American manufacturers. It would be impossible for them to handle the business. The price of razors is already high enough, but this change would mean the price would be doubled to consumers.

Not satisfied with this, the cutlery manufacturers of this country are trying to have a law passed that all cutlery manufactured in a foreign country should not only bear the name of that country, but the name of the manufacturer should also be stamped on the goods. This means the source of supply of every dealer in cutlery in this country would be exposed. This requirement is not made of American manufacturers. Why should it be made of foreign manufacturers or on any other class of foreign importation?

Mr. SMOOT. Mr. President, I desire to say that the committee in considering this paragraph determined that there was no doubt but that there must be an increase over the Dingley rate to even maintain the few manufacturing institutions that we have left in this country.

As I stated last Saturday, some years ago we had 67 of them. To-day there are only 5. We are manufacturing in this country to-day between 17 and 20 per cent of the razors that are used in the country. During the year 1908 there were imported 218,975 dozen razors. The valuation of the same was $463,883.79. The duties paid on the same was $263,935.11, or a total amount of $727,768.90.

I wish, also, to call the attention of the Senate to the fact that that does not include all by any manner of means. They have been sent in here as handles and as blades not assembled, but shortly after entering they would be brought together and form a razor. The reason why they were shipped in that way is because the value of the handles or the value of the blades shipped alone would bring them under the lower class or rate of duty of 45 per cent.

Mr. President, the price to jobbers of all American-made razors manufactured in this country for 1908 amounted to only $140,000. As far as the letter read from the hardware establishment in St. Louis is concerned, I wish to say that the wages of the workers in the United States are nearly three times what the wage is in Germany. Forgers in Germany receive a weekly wage of from $4.30 to $7, while in the United States they receive from $15 to $21. The dry grinders receive $4.30 to $5.70 in Germany and in the United States from $12 to $18. Polishers receive in Germany from $4.30 to $5.70 per week, while in the United States they receive from $12 to $21.

I could go through all the list and compare the wage in Germany with the wage in the United States and it is in about the same ratio.

Mr. STONE. Where does the Senator get the statistics he is reading?

Mr. SMOOT. They can be found at the Department of Commerce and Labor or in the reports made by our consuls showing the amount of wages paid to the workmen in foreign countries.

Mr. STONE. My question was where the Senator got the statistics he has read. What is the paper from which he reads?

Mr. SMOOT. This is signed by Mr. H. L. Henry for the Geneva Cutlery Company, Mr. C. W. Silcox for the Robeson Cutlery Company, and Mr. Tint Champlin for the George W. Korn Razor Company, a committee representing the cutlery manufacturers of this country.

Mr. STONE. Manufacturers of razors?

Mr. SMOOT. A part of them manufacturers of razors.

Mr. SIMMONS. Mr. President, I wish to ask a question for information.

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Certainly.

Mr. SIMMONS. Can the Senator tell us what part of a particular razor is labor?

Mr. SMOOT. I can tell just about the part there is. Out of 10 assorted grades of razors, the cost of labor was $31.11, the material was $5.72, and the total cost was $36.83. In other words, the cost of labor was $31.11, whereas the material cost was $5.72, showing that nearly 87 per cent of the cost of manufacture is labor.

Mr. SIMMONS. Do I understand the Senator to say that the labor cost is 87 per cent of the value of the product?

Mr. SMOOT. It is nearly 87 per cent of the cost of the product.

Mr. SIMMONS. The labor cost alone?

Mr. SMOOT. The labor cost alone.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. Certainly.

Mr. NEWLANDS. I will ask the Senator whether the purpose of this amendment is to increase the domestic price of razors in order to make their production profitable by American manufacturers?

Mr. SMOOT. I am very thankful that the Senator has asked me that question, because I will demonstrate to him, I think, and to every Senator here that if this duty was increased 200 per cent, it would not make one cent's difference to the consumer who buys the razor.

Mr. NEWLANDS. Will the Senator answer my question specifically, whether the purpose of this amendment is to increase the domestic price of razors in order to enable the domestic manufacturers of razors to produce them profitably?

Mr. SMOOT. This amendment, Mr. President, is intended to protect the American manufacturer of razors so that he can manufacture razors in this country as against the cost of manufacturing similar goods in foreign countries. If the Senator will allow me, I will show to him, I think, and all Senators here, that it will not cost the consumer, the purchaser of the razor, a cent more with the increased duty.

Mr. NEWLANDS. Before the Senator enters upon that, will he also answer another inquiry?

Mr. SMOOT. Certainly.

Mr. NEWLANDS. I observe that the reason why this amendment is introduced is that the importation of razors is large as compared with the domestic production.

Mr. SMOOT. That is the fact.

Mr. NEWLANDS. I will ask the Senator where they find the importation of any commodity is very small as compared with domestic production, whether they regard such a duty as practically prohibitory, and therefore reduce the duty?

Mr. SMOOT. So far as I am concerned, it would depend entirely upon my judgment, I will say, as to whether it was

prohibitory or not. If I thought that it was and it could stand a reduction, I certainly would not object to it. If I thought it could not stand a reduction, even though the importations did not amount to more than 10 per cent, I would still insist upon the rate.

Mr. NEWLANDS. In this connection, if the Senator will permit me, I will call his attention to an amendment which I have offered to the pending bill which provides that whenever the importations do not equal one-tenth of the domestic production, then the rate of duty shall be diminished at the rate of one-tenth annually until the importations do equal one-tenth of the domestic production. It seems to me that if the committee is to apply the rule that wherever the importations are large the duty should be increased, they should also apply the rule that where the importations are disproportionately small, the rate of duty should be diminished.

Mr. SMOOT. In relation to the price, the George W. Korn Razor Manufacturing Company, of Little Valley, N. Y., wrote a letter to the Marshall-Wells Hardware Company, of Portland, Oreg., ordering one-fourth dozen of assorted Elliott razors. Elliott razors are made in Germany. That order was filled by the Marshall-Wells Hardware Company on April 21, 1909. The invoice shows one-fourth dozen assorted Elliott razors at $5.50 a dozen, a total of $1.38 for 3 razors. The postage on the 3 razors was 10 cents, making the 3 razors cost $1.48 to the George W. Korn Razor Manufacturing Company, of Little Valley, N. Y.

Mr. President, the 3 razors retail for $9. They cost the George W. Korn Razor Manufacturing Company $1.48, or 49 cents apiece. Here is the razor [exhibiting] as it came through the mail in April last, 3 razors at $3 apiece—$9—and they cost the man who ordered them only $1.48. Remember, they did not cost the Marshall-Wells Hardware Company $5.50.

I say again, Mr. President, if this rate here was increased 200 per cent, it would make no difference to the man who purchases the razor. I thought the other day that I would find out how it was here in Washington.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Will the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. Certainly.

Mr. McLAURIN. I desire to ask the Senator from Utah if the Korn Company bought the razors for the purpose of selling them?

Mr. SMOOT. I take it for granted that that is what they bought them for. This is the invoice.

Mr. McLAURIN. Have they sold them?

Mr. SMOOT. They have not sold these particular razors; I have them in my possession.

Mr. McLAURIN. They have not sold those three razors for $9?

Mr. SMOOT. But I want to say to the Senator from Mississippi that there is no question but what they will sell them for $9.

Mr. BAILEY. Not after the Senator's statement, I think.

Mr. SMOOT. That is a question. I hope the Senator from Texas is absolutely correct, and after this they will not sell them at that immense profit. I can go on here and tell you about razors bought right here in this city. I have an invoice of a razor here that cost $2.50, and I have the receipted bill showing what was paid for it. That razor was made in Germany. The very highest value of razors that are imported in this country, as you will notice by the estimate sheet, is $4.79 a dozen. Here is a receipted bill for $2.50 apiece. If you want the name of the firm, I can give it you.

Mr. ALDRICH. I hope my colleague on the committee will not lose sight of what to me is the most striking part of this case. A large part of the razors that are imported in the United States are imported at a unit of value of 10 cents each, $1.21 a dozen. Did anyone here present ever see a 10-cent razor or anything approximating a 10-cent razor? I venture the statement——

Mr. BACON. I have. A 25-cent razor is the most common razor used by a certain class of population in the South.

Mr. McLAURIN. The best razor I ever saw cost only 25 cents.

Mr. ALDRICH. When was that?

Mr. McLAURIN. Some thirty-five or forty years ago.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. I do.

Mr. SIMMONS. I should like to ask the Senator from Utah one question. I understood the Senator to say that that razor could be imported here delivered in New York for $1.40 a dozen.

Mr. SMOOT. I said the highest valuation placed upon any razor imported here by the Book of Estimates is $4.79 per dozen.

Mr. SIMMONS. I was speaking about that particular razor.

Mr. SMOOT. This particular razor may be even less than that. It could not be higher than the valuation as shown by the invoice.

Mr. SIMMONS. Did you not make a statement as to what those razors cost the hardware dealer?

Mr. SMOOT. I know, as far as the valuations were concerned, that they could not have cost more than $4.79 without the tariff added.

Mr. SIMMONS. And what would that be apiece?

Mr. SMOOT. I am not going to say that these three particular razors cost that much. They may have cost a great deal less.

Mr. SIMMONS. Assuming that those razors cost a dollar apiece imported from Germany, any manufacturer, any dealer——

Mr. SMOOT. But the assumption is wrong to begin with. There is no object in assuming a thing that can not be possible.

Mr. SIMMONS. I was fixing a high price.

Mr. SMOOT. I do not want to go any higher than the valuation. Let us stay right where the value is.

Mr. SIMMONS. Then, we will put it at 40 cents apiece. Could not any hardware man in this country import those razors at the same price?

Mr. SMOOT. You mean the retailer, or jobber?

Mr. SIMMONS. I mean the jobber.

Mr. SMOOT. I think the Simmons Hardware Company, of St. Louis, more than likely would import direct; and a number of other large hardware institutions.

Mr. SIMMONS. That is, any hardware dealer in this country could buy those razors in Germany at the same price the hardware company paid that you read from.

Mr. SMOOT. Not at the same price.

Mr. SIMMONS. Why not, then?

Mr. SMOOT. Because they do not buy in quantities; because their credit is not as good; and there are other reasons.

Mr. SIMMONS. If they could buy in sufficient quantities, any hardware dealer in this country could buy them at the same price that the hardware dealer you read from paid for them?

Mr. SMOOT. If they had the money and paid cash for them and ordered the same quantity, I do not think there is any question about it.

Mr. SIMMONS. I desire to ask the Senator another question. If that razor can be imported from Germany, we will say, at anywhere below a dollar and be retailed in this country at $3, does not that fact show that there is no competition in this country between dealers in that article, and therefore does not that fact alone establish some sort of trade agreement or trust?

Mr. SMOOT. That is exactly what I am trying to establish, and what we are trying to create is competition between the retailers and wholesalers and jobbers of this country.

Mr. SIMMONS. Does the Senator mean to say that at this time there is no competition between hardware dealers in razors in this country?

Mr. SMOOT. There are so few of them, I do not know whether there is very much or not.

Mr. SIMMONS. There may be but few manufacturers, but there are plenty of razors bought in this country, either made here or brought from abroad. The question which I asked the Senator is this: Does the Senator mean to say that there is no competition to-day in the price of razors between the jobbers and the retailers in this country?

Mr. SMOOT. I think the importers, jobbers, and retailers are perfectly willing to make all they possibly can out of razors, and that is exactly what they are doing.

Mr. SIMMONS. How can the Senator reconcile the fact that a razor worth only a dollar, or less than a dollar, is sold in this country for $3 if there is competition in that article?

Mr. SMOOT. Mr. President, razors are not, like sugar, sold every day, and everybody can tell its worth.

Mr. SIMMONS. I do not think there is any difficulty about buying all the razors in this country you want.

Mr. ALDRICH. The Senator from North Carolina must have lost sight of the fact, which the Senator from Utah stated, that the domestic production of razors last year amounted to $140,000.

Mr. SIMMONS. If the Senator will pardon me, I was not talking about the domestic production at all.

Mr. ALDRICH. I am talking about the production of the American market which the domestic manufacturers have. The total amount of the American production was $140,000. The total amount of importations at the foreign value was half a million dollars, and the domestic price, with the duty added, is at least $1,000,000. There are 3,000,000 razors imported costing the American people $1,000,000 as against a production valued at $140,000 in the United States.

Mr. BEVERIDGE. May I ask the Senator from Utah a question? I wish to understand this matter clearly. I understand the Senator to say that there were 67 establishments making razors. How long ago?

Mr. SMOOT. About twelve years ago.

Mr. BEVERIDGE. And under the present law those 67 establishments have been reduced to 5?

Mr. SMOOT. To 5.

Mr. BEVERIDGE. Are those 5 establishments making their present small product at any profit whatever?

Mr. SMOOT. I can only say that they are not, in some cases, from the evidence that they have given not only to me personally, but to the committee.

Mr. BEVERIDGE. So the Senator reasons, I suppose, and the committee also, that if the present duty continues the whole industry will be extinct?

Mr. SMOOT. Absolutely.

Mr. STONE. Will the Senator from Utah permit me? There were 67 establishments manufacturing razors ten or twelve years ago, and the Senator says the number has been reduced to 5 now. What drove those industries out of business?

Mr. SMOOT. Foreign competition.

Mr. STONE. Foreign competition?

Mr. SMOOT. Foreign competition.

Mr. STONE. If the Senator can tell me, what was the difference in price between razors ten or twelve years ago and now?

Mr. SMOOT. I have not the figures here, but I should think that the price is about the same. I do not know that there is any difference to speak of.

Mr. STONE. If a razor costing 40 cents in Germany sold for $3 here, and if the American manufacturer can produce a blade of as good, or approximately as good, quality, does not the Senator think, with the tariff provided in the Dingley Act, the American manufacturer ought to be able to make razors for home consumption and sell them at a price far below that at which the foreign razor is sold, and protect his own market?

Mr. SMOOT. I do not think that, or I would not ask for an increase of duty. Owing to the very fact that the labor in a razor is nearly 90 per cent and the very fact that the labor in Germany costs only about one-third what it does in this country, the present duty of the Dingley law will not allow the American manufacturer to manufacture razors in competition with Germany.

Mr. BEVERIDGE. I wish to ask the Senator just one other question. The Senator from Missouri stated when he offered his amendment that it was impossible to make a razor in this country as good as that made abroad. Can the Senator give any information upon that question?

Mr. SMOOT. Mr. President, the very fact that the cutlery of the United States is made here and made in a better blade is the reason why the American importers here import knives and cutlery from a foreign country and have stamped upon the blade with an asphalt mixture "made in Germany," and as soon as it comes over here they remove it from the blade. Why? Because it is not as good as an American knife.

Mr. STONE. I did not make the statement on my own account attributed to me by the Senator from Indiana. I read the statement from the president of the Simmons Hardware Company, the largest hardware establishment in America, and one of the oldest and most responsible. Mr. Simmons is a man who, as a citizen and in the business world, stands as high as any man in any State in this country. He says that he has been engaged in this business for over a half a century, and he has bought and sold more razors than any other man who ever engaged in the business in this country. He makes that statement, and I simply read from his letter what he stated. I believe that Mr. Simmons would not make an intentional or knowing misrepresentation, and he would not make that statement, with his long experience, unless he absolutely believed it to be true.

Mr. CARTER. Mr. President——

Mr. BAILEY. I wish to ask the Senator from Utah a question.

The VICE-PRESIDENT. Will the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. I yield for a question.

Mr. BAILEY. The Senator from Utah said a moment ago to the Senate that the number of razor-making establishments had been reduced from sixty-odd twelve years ago to five now. Does the Senator from Utah possess the information which will enable him to tell the Senate what became of them? Were they absorbed or did they go into bankruptcy?

Mr. SMOOT. Mr. President, most of them went into bankruptcy.

Mr. BAILEY. Then, Mr. President, it is rather a surprising circumstance that people manufacturing an article that can be sold for 40 cents, while the people who use it are compelled to pay $3 for it, will still go into bankruptcy. I think the American Congress will have a difficult task before them if they undertake to rehabilitate an industry that realizes only 40 cents for an article for which the consumer pays $3. Men who are familiar with industrial conditions in this country for the past twelve years will conclude that the disappearance of those sixty-odd establishments, or, at least, their reduction to 5, is explained by the absorption of 62 by the 5 now existing. That is not without a parallel. Take, for instance, the bagging trust. You might tell us that the number of establishments manufacturing cotton bagging had been reduced and ask for an increase of duty, but those of us who happen to be familiar with that industry know that they were absorbed by a combination and many of their plants closed. I suspect that is precisely what has happened here.

Mr. CARTER. Mr. President, I apprehend the discussion is apt to take quite a wide range, and I should be glad——

Mr. BAILEY. It would if the Senator should undertake to explain that.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Massachusetts?

Mr. CARTER. Yes.

Mr. LODGE. If the Senator will allow me to say a word on the question of combinations, I will say that is not the case in this industry. They have not been absorbing the others; but the others have gone out of existence owing to inability to stand the competition. These are simply the survivors. The existing establishments are no larger than they were, and they have not absorbed the others. It can be seen by the total actual production that what kills them is the sale to the jobbers of a razor at 49 cents which can not be made at that price.

Mr. BAILEY. The Senator from Utah [Mr. SMOOT] has said that it would be precisely the same under an increased duty, that the jobber——

Mr. LODGE. Not at all. Three dollars is the price charged by the retailer, but the American manufacturer sells to the jobber just as the foreigner sells to the jobber, and he can not sell that razor at 49 cents.

Mr. BAILEY. I perfectly understand that.

Mr. LODGE. If he could sell his razors over the counter for $3, he would be all right.

Mr. BAILEY. So the purpose of the increase is to compel the American jobber to pay a higher price to the American manufacturer? That is the purpose?

Mr. LODGE. Not at all; though it would have that effect.

Mr. BAILEY. The purpose is to give the manufacturer a higher price, and the effect will be to make the jobber pay that higher price. The result is precisely the same, whatever the form in which you state the operation.

Mr. SMOOT. Mr. President——

Mr. LODGE. But this industry is reaching the desired point. It will be very briefly extinguished, and then we shall have that admirable situation which the Senator from Georgia desires.

Mr. BAILEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Texas?

Mr. BAILEY. If the Senator from Montana will indulge me for just a moment, I want to make this comment: Under the platform which pledges you to so regulate your duties as to cover the difference in the labor cost of production, the Senator from Utah and his associates have reported to the Senate a rate that is equivalent, upon an average, to practically the whole cost of the article. Therefore your difference assumes that the labor cost is nothing in the Old World, for your rates are 99, 87, and 88 per cent, an average of about 90 per cent. Then the labor cost is nothing on the other side.

Mr. CARTER. Mr. President, manifestly Senators desire to express themselves quite freely, and I am now weary of surrendering my time, so I will relinquish the floor and let the discussion take its course.

Mr. SMOOT. Mr. President, of course, I have not any desire to take the floor. I was simply trying to answer a question

asked by the Senator from Texas [Mr. BAILEY]. I have no desire whatever to go on.

Mr. CARTER. Mr. President, I merely rise to inquire of the chairman of the Committee on Finance as to what disposition has been made or is to be made of an amendment offered by me on Saturday afternoon upon line 21, page 50. I offered an amendment with the belief that some date in the future should be fixed for the operation of this proviso to apply. Senators will remember that this proviso provides:

Provided further, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin die sunk conspicuously and indelibly on the shank or tang of each and every blade.

It occurred to me that this requirement in the law would be equivalent to saying that no article of this kind embraced in this schedule of foreign manufacture could be imported into the United States from any existing stock, and that all importations in the future under the paragraph must of necessity be of articles hereafter manufactured. I do not know that the 1st of January is the proper date to fix, but I submit to the chairman of the committee the propriety of some amendment of that character, and I will leave it with him.

Mr. BEVERIDGE. Mr. President, before getting away from the thing which seems to be rather influential on the minds of a great many Senators—the statement of the Senator from Utah [Mr. SMOOT], that under the present law 67 establishments of this country have been reduced to 4 or 5, the suggestion is made in answer to that——

Mr. CARTER. I would be very thankful if the Senator from Indiana would permit the chairman of the committee to advise me.

Mr. BEVERIDGE. Certainly; but I understood the Senator from Montana to say he would leave the matter with the suggestion which he had made.

Mr. ALDRICH. Mr. President, the suggestion of the Senator from Montana will certainly be adopted, but I am not sure as to what date will be fixed.

Mr. CARTER. I suggest that the paragraph go over, so that the committee may make the proper amendment.

Mr. ALDRICH. If the paragraph goes over until to-morrow morning I shall be glad to report the matter promptly.

Mr. KEAN. We can adopt the present schedule, subject to that amendment.

The VICE-PRESIDENT. The amendment offered by the Senator from Missouri [Mr. STONE] is the pending question.

Mr. ALDRICH. I suppose we might, perhaps, dispose of that amendment.

Mr. CARTER. The amendment proposed by the Senator from Missouri?

Mr. ALDRICH. Yes.

Mr. CARTER. I have no doubt about that.

Mr. BEVERIDGE. I want to ask the chairman of the Committee on Finance if I understood him correctly a moment ago to say that the entire domestic production of this article at the present time is only of the value of $140,000?

Mr. ALDRICH. Yes; last year it was $140,000.

Mr. BEVERIDGE. If that is true, of course it would pretty conclusively demonstrate that there is no considerable trust or combination. We are informed that the total domestic production is only $140,000 and that the importations were over $700,000. I have not heard those figures yet disputed, and when they are not disputed, I take it for granted they are correct. We are also told that 67 establishments have been reduced under the present law to 4, which are not now making any money. Those statements have been made; they have not been controverted, and therefore we must accept them as true until they are controverted. If they are true, of course it could not be a large trust.

Mr. BAILEY. There is one further inquiry which I desire to submit to the Senator from Utah, and that is, if he is prepared to say what the production of the 67 establishments was twelve years ago when they existed, as compared with the production of the 5 establishments now?

Mr. SMOOT. Mr. President, I have not those figures here; but if the Senator from Texas will look at the importations he will find a great increase, and I suppose the increase of importations represented about what was the decline of the home manufacture.

Mr. BAILEY. It might simply measure the increase in cleanliness, Mr. President. It might be caused by the increased use of razors.

Mr. President, there is one other observation which I desire to make. It is a singular condition to me that we are told that, with 5 establishments only to compete with each other, there is no extortionate charge, that there is no combination and no understanding, and yet when we get down to the retail dealers, who are almost numberless, they have some sort of an understanding which enables them to charge $3 for an article for which they pay but 49 cents.

That, Mr. President, is an absurdity on its face. In every town and village in this land almost every establishment that deals in hardware carries a stock of razors. They are all competing for the patronage of the citizen. In the city of Washington there are five times as many people competing for the patronage of the individual who wants to buy razors as there are establishments in the United States manufacturing razors; and yet the intense competition of the retail dealers has not produced a reduction of price, according to the Senator from Utah; and the very intense competition of these five establishments leaves them no way in which to make a living.

Now, one of two things is certain. Of course I do understand that a razor is not an article that is daily bought and sold by the retail establishments. I understand that they are required frequently to carry them for such a length of time that they must have a large profit in order to have a sure profit, but it is taxing our credulity beyond all reason to ask us to believe that the retail dealers of this country habitually realize any such profit as 500 or 600 per cent.

Mr. SMOOT. Mr. President, I do not want the Senator from Texas to become confused as to what the retailer pays. I do not know anything about what Walford, of Washington, pays for this razor [exhibiting] that he sold the other day for $2.50; but I do know that to the importer in this country it can not have cost $7.50 a dozen from the value to be found in the compilation "Estimates of Revenue." I do not know what profits the importer charges the retailer. I can not say as to that; but as I stated here the other day, in the whole trend of the trade from the importer to the consumer is where the great amount of this percentage of increase falls. As to the particular place it falls I can not say.

Mr. BAILEY. Mr. President, if I were a retail merchant, and I found a man buying my wares to prove that I was making an exorbitant profit, I would charge him $2.50 for a razor also; and possibly the merchant knew the purpose for which this razor was bought. But whether that is true or not, I only want to emphasize this point, and then I will detain the Senate no longer: Our friends on the other side are engaged in an earnest, persistent, and systematic effort to compel the American retail merchant to abate a part of his profit and to give it over to the manufacturer. That is exactly the sum of all your set of figures on this increase, and I am willing to adjourn the question to the country on that proposition, especially when I remember that a large majority of the manufacturers grow rich and an overwhelming majority of the retail merchants wind up in the bankruptcy court.

Mr. ALDRICH. Mr. President, I am willing to venture the statement—which I think can not be successfully contradicted—that the prices at which this and similar articles are imported into this country do not in any degree represent the real value of the article.

Mr. BAILEY. You mean the importer swindles the Government?

Mr. ALDRICH. I mean to say that there is the most persistent and flagrant undervaluation of cutlery and of all similar articles by the importer. Take this matter of razors: In the case of razors which are imported, valued at 10 cents apiece, 10 cents does not represent the real value of the razor and the customs valuation does not represent within many per cent the price which those razors are sold for to jobbers in this country, to say nothing about the retailer. I say that the import value does not represent the real value of the goods abroad.

Mr. BAILEY. That hardly answers the illustration of the Senator from Utah, because he shows where they bring them in and sell them for $5 a dozen, and then the retail merchant sells them for $3 each.

Mr. ALDRICH. The importer does not sell them for $5 a dozen. It is true he does not sell them for 10 cents apiece, but he probably sells them for 40 cents apiece, or something of that kind, to the man who sells them for a much higher price later. That is a question which I perhaps may go into hereafter.

Now, as indicative of the change that is taking place in the domestic production of razors as compared with the foreign importation, I will say that in 1898 of the lower class of razors 17,000 dozen were imported, while in 1907, 117,000 dozen were imported. Of the next grade there were 30,000 dozen imported in 1898 and 118,000 dozen in 1907, showing that the foreigner has taken or is taking the whole control of the American market; and the attempt to fix this duty is to give the American producer a fair chance for competition, and nothing more.

Mr. BAILEY. Mr. President, it is hardly according to the Republican platform, I return to say, because, as I read that

singular document. I understood you to promise the people that you would only burden them to the extent that would cover the difference between the labor cost here and the labor cost abroad, plus a fair profit.

Mr. SMOOT. That is just what we are trying to do in this case.

Mr. BAILEY. If that is what you are trying to do, it is not what you have done because——

Mr. ALDRICH. I hope the Senator will correct his statement——

Mr. BAILEY (continuing). Because you have levied a duty of 90 per cent, on the average, of the value of the imported article, and this rate assumes that the labor cost is nothing abroad, because not only have you the tariff to help to cover the difference in the labor cost, but you have the ocean freights and insurance, not inconsiderable items in every importation.

Mr. HALE. Will the Senator allow me a moment?

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. I do.

Mr. HALE. Mr. President, what to me in this discussion is brought out more clearly than anything else, and which is extremely depressing, is the rapid that has been made in the last few years by foreign producers, particularly those of Germany, to get possession of our markets for this product. The statements made by the chairman of the committee [Mr. ALDRICH] and by the Senator from Utah [Mr. SMOOT] show what the discussion upon every schedule in this bill has disclosed—the determined invasion into the American market of foreigners, and especially the Germans. I am not filled with much faith that in this instance the progress of that invasion can be arrested. It is a melancholy exposition that the manufacture of this important article in this country has been practically destroyed. If there is anything in the protective system, the article should be produced by our labor, and we should be able to distribute it here to the jobber and the retailer at a fair rate.

There has been no combination; there has been no absorption here, as has been shown. The dwindling amount of the entire production from year to year establishes that with unerring truth. These 60 establishments, Mr. President—and I think the Senator must see that—have not been absorbed or combined in a trust; they have died, that is what has become of them; they have died under the pressure and under the advance of the foreign manufacturer in gaining possession of our markets.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. HALE. I will in a moment. I am not, I repeat—and I do not want to use much time—I am not much impressed with the belief that at this dying stage, and in view of this German invasion, we can resuscitate the industry. The result will be, in my judgment, I will say to the Senator from Texas and to the Senator from Georgia, what I suppose the Senator from Georgia seeks to reach—the entire extinction of this dwindling branch of American industry; and then we shall have the felicitous condition of the manufacture and dissemination of this article entirely in foreign control, and after that is established and this invasion has been completed and those that have not died do die, the next thing will be the establishment of the prices by the foreigner.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. HALE. Mr. President, I am afraid that this instance is an exposition of that invasion. I have tried before to call the attention of the Senate—not that it is fresh; but I do not think the Senators on the other side or on this side realize it—to the profound determination of this amazing Government of Germany, which means to dominate not only in a military and a sentimental way the politics of the world, but to dominate trade and manufacture; and the thing that Germany to-day looks upon as the apple of its eye is this invasion and the securing of the American market. I am afraid that this industry has gone too far, Mr. President, to be revived.

Mr. BACON. I want to ask the Senator from Maine a question before he takes his seat.

Mr. ALDRICH. I wish to say to the Senator from Texas——

Mr. BAILEY. I yield first to the Senator from Georgia.

Mr. BACON. I want to ask the Senator from Maine a question, and possibly it may furnish a ground for his despair in regard to this industry or an explanation of the probability of the result which he foresees. The present rate of duty under the existing law on razors is an average of 55 per cent. I want to ask the Senator if an industry which can not, with an advantage of 55 per cent, compete against its foreign competitor must not necessarily attribute its failure to compete successfully to the fact that it does not make an article of equal merit with its competitor?

Mr. HALE. Mr. President, part of that has already been answered by the statement of the chairman of the committee, that we do not get anything like a fair valuation. There is no doubt about that.

Mr. BACON. If that is true, if you made the rate of duty 100 per cent or 250 per cent, dishonesty could still circumvent and defeat the demands of the Government to get proper revenue.

Mr. HALE. There is an attempt by the committee in other clauses of the bill—and it will be explained more fully hereafter—to restrain and regulate and control these conditions of fraud, so that the evils of valuation that are now apparent and rife in the custom-house at New York will to a large degree disappear. But I acknowledge to the Senator that those are only incidental conditions. What I wish to call the attention of the Senate to is that under any circumstances, in reckoning upon the rates necessary to maintain what I call the "benefit" of the protective system, we must consider this advance invasion by Germany; and if 55 per cent is not sufficient for that, I would, if I thought it would be efficacious, make it 65 or 75.

Mr. BACON. This bill as reported would make it nearly 100 per cent.

Mr. HALE. I say, in the case of this one item I would be willing to do that; and I should then be merely hoping that against this invasion we could sustain and revive this industry.

Mr. ALDRICH. If the Senator will permit me, the Senator from Texas [Mr. BAILEY] is a little involved in his mathematics, and I want to try to get him straightened out if I can.

Mr. BAILEY. I am glad to have the instruction of the Senator from Rhode Island.

Mr. ALDRICH. Assuming that the price fixed by the reports is the correct one, if it costs 10 cents to produce a razor in Germany and 20 cents in the United States, it will require 100 per cent duty to equalize the conditions in the two countries. That does not mean that it does not cost anything to produce a razor in Germany, or that there is no labor involved in the production of razors in Germany; but it means that it costs twice as much to produce a razor under equal conditions in the United States as it does in Germany. And so far as I am concerned, I shall have no hesitancy in voting for a duty which will equalize the conditions.

Mr. BAILEY. The Senator from Rhode Island would vote unhesitatingly for a duty of 300 per cent.

Mr. ALDRICH. If it was necessary——

Mr. BAILEY. If he thought it was necessary.

Mr. ALDRICH. Certainly. If it was necessary to equalize the conditions, and to give the American producer a fair chance for competition, other things being equal, of course, I would vote for 300 per cent as cheerfully as I would for 50.

Mr. BAILEY. And the Senator from Rhode Island would not hesitate to collect that money, and, if the Government could not spend it otherwise, he would lock it up. Or he might do what a distinguished Senator from Maine once said he would do—that if he had occasion to collect more than the Government could properly spend, he would ship it to the open sea and sink it to the bottom of the ocean. That was once the philosophy of the Republican party. We do not hear quite so much of that now as we did aforetime.

But will the Senator from Rhode Island tell the Senate that the wages in Germany are half what they are in the United States?

Mr. ALDRICH. Not half; in many instances not one-third.

Mr. BAILEY. The Senator can not find an industry in Germany where the wages are below one-third what they are in this country.

Mr. ALDRICH. I think the Senator is mistaken.

Mr. BAILEY. The Senator is not mistaken.

Mr. ALDRICH. Before this discussion is completed, I will present some statements of comparative wages in Germany, Great Britain, and the United States that are very recent—statistics which have been secured for me by the Department of Commerce and Labor, under Doctor Neill; and I think I will show to the satisfaction of the Senator from Texas that German wages are, on an average, about one-third what they are in the United States.

Mr. BAILEY. Mr. President, I commend to the Senator from Rhode Island a new edition of that very excellent and interesting book "Industrial Efficiency," which is a comparative study of the conditions in Germany, Great Britain, and the United States; and he will find no support in it for his statement. He will find that the scale of wages in Germany, even in the case of unskilled labor, is about in the ratio of 75, that in Great

Britain 100, and that in the United States from 125 to 140. I am referring now to unskilled labor.

Mr. ALDRICH. The Senator may be aware that the British Board of Trade has lately been making a very exhaustive examination into comparative wages and costs of living between Great Britain and other foreign countries. Their agents are now in the United States conducting that inquiry. The results of the inquiry, so far as Great Britain and Germany are concerned, have already been published; and I have here the volume embodying them. The results as between Great Britain and the United States have not yet been published. But the Department of Commerce and Labor, at my request, have collected statistics which will enable us to make the comparison fully as between the wages in certain classes of occupations and the cost of living in Great Britain and Germany and the United States in the year 1905. I hope to submit that to the Senate before this discussion ends.

Mr. BAILEY. No work of that kind will ever be reasonably accurate. The Senator from Massachusetts seems a little amused at that statement.

Mr. GORE. Mr. President——

Mr. BAILEY. I will yield to the Senator from Oklahoma in just a minute.

Mr. LODGE. Then there can be no statistics in the world that are worth anything. The importer's statistics are discredited, the manufacturer's statistics are discredited, and now the Senator from Texas says that the official statistics are worthless.

Mr. BAILEY. I did not say "official statistics."

Mr. LODGE. Whose are the statistics that are worth anything?

Mr. BAILEY. I did not say statistics are worthless; but I do say that wage statistics can never be entirely satisfactory, and I will tell you why. To-day the scale of wages in Boston is not the same as it is in Philadelphia, and the scale of wages in Philadelphia is not the same as it is in the city of Washington. That is true not only in this country, but in every country in the world. You can go to Great Britain, and in two towns 50 miles apart you will find different scales of wages; you will find different rent accounts; you will find different levels of civilization and different costs of living.

You will find the same in this country. If you take the scale of wages in the cotton factories of Massachusetts, you will find that they are very much higher than in the cotton factories of South Carolina. Only a few years ago a distinguished Representative from Massachusetts introduced a constitutional amendment authorizing the Congress to regulate the hours of labor, and when pressed before a committee for his reasons, he frankly said that the difference in the scale of wages was so great between the cotton industries of the Southern States and the cotton industries of Massachusetts that they had to have such a regulation in order for the Massachusetts industries to survive.

Mr. GORE. Mr. President——

Mr. BAILEY. But, Mr. President, what I intended to illustrate was this; and when I make the illustration I will hear what the Senator from Oklahoma has to say: That wages vary in the same country and in the same employment even in places only 50 miles apart; and every man who has ever undertaken to make a systematic study of the matter knows perfectly well that anything like an attempt to establish an average wage for any country is largely guesswork. But before I proceed to that, I will hear what the Senator from Oklahoma has to say.

Mr. GORE. Mr. President, I merely wish to suggest to the Senator from Texas that this imaginary invasion of our markets by the Germans, Teutons, Vandals, Goths, and Visigoths has become so intense, and the Germans are so anxious to capture our markets, that their laborers work for nothing, pay a bounty for the privilege, and ship razors over here as ballast on their ships. [Laughter.]

Mr. BAILEY. It is something of a relief, however, to have our friends on the other side invent a new danger. It was formerly the invasion from free-trade England that threatened us. It is now the invasion from protected Germany.

Mr. HALE. Yes; that is true.

Mr. BAILEY. And it is a little remarkable that they now admit that the low scale of wages in Germany is what constitutes the menace; yet in the next breath they will ask us to believe that a protective tariff makes a high scale of wages in any country that adopts it. Yet every Senator on this floor knows that the wages in free-trade England are 25 per cent higher than in protection Germany. So it is a little remarkable that we are now to be menaced with a deluge of cheap-labor-made goods from a highly protected country—a little irreconcilable, I must say, with your favorite argument.

But, Mr. President, admitting that the labor cost in Germany is 50 per cent less, admitting that the labor cost in Germany is 80 per cent less, than it is here, that would not justify this duty, because against that difference in labor cost you have the cost of ocean freight and insurance; you have the profit to be made, and you are now providing, according to your own platform, an excessive duty. There is not a protectionist who believes in the Republican doctrine—well, I will not say there is not a protectionist who believes in it, because I really think the Senator from Maine [Mr. HALE] and the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Massachusetts [Mr. LODGE] represent the Republican doctrine on the tariff question; and it is eminently fit that they should sit three in a row.

Mr. HALE. I hope we do.

Mr. ALDRICH. We are flattering ourselves that we do.

Mr. FLINT. I hope the Senator will not leave me out of that.

Mr. BAILEY. No, Mr. President; the picture would not be complete with the Senator from California left out, because California is more highly protective in its sentiments and in its practices than New England. If you give California a high duty on lemons and raisins, they will give the balance of the country any duty they want on anything else. [Laughter.] But it must be admitted that California is perfectly willing to give to everybody else on their products what they ask for their own.

Mr. FLINT. That is all I wanted the Senator to say.

Mr. BAILEY. The Senator from Texas, of course, is always willing, not only to admit but to assert what is true; and our friend from California is not like some of our other friends, who want a high duty on everything they sell and no duty at all on anything they buy. We will see whether Massachusetts is that kind of a protectionist when we come to the insignificant duty of 15 per cent on hides.

Mr. President, I can understand how a man can be a protectionist. I can not understand how a man can persuade himself to believe that if every man gives every other man something, and then takes an equal something from every other man, everybody is better off. I can not understand that process of reasoning, but I can understand that there are gentlemen who reason that way.

I have always believed that if there is a general contribution to a common fund, and then every man is permitted to take out exactly the same as he puts in, the only result of that procedure would be the trouble and expense of putting it in and taking it out. I have never been able to believe in a system of protection that operated justly and equally on all, because if it did operate equally and justly on all it simply neutralized itself. But this modern protection does not operate equally and justly upon all. This doctrine assesses 17,000,000 men who work, and work for daily wages, in enterprises that can not have the benefit of your protective duties, and gives the assessment thus taken to the two and a half millions who are getting the benefit of it, according to your doctrine of equalizing wages, and then an exorbitant profit to the manufacturers.

I wish to ask the Senator from Utah, with reference to this particular schedule, what are the total wages paid in these five manufacturing establishments?

Mr. SMOOT. I could figure out about what it is. The total production of the razor manufacturing institutions of this country was $140,000 in the year 1908, and of that amount about 90 per cent was paid in wages, which would be $126,000.

Mr. BAILEY. One hundred and twenty-six thousand dollars, and yet they propose to tax us $500,000——

Mr. SMOOT and others. Oh, no.

Mr. BAILEY (continuing). To pay $126,000 in wages.

Now, let us see if my mathematics are again involved. The duty under the present law amounts to $79,904, plus $162,534 and $54,225—about $300,000. The duty under the proposed law would be $141,117, $260,231, and $76,813—$476,000. In other words, you propose to charge the people of the United States over $176,000 more for their razors than they now pay, and your whole expenditure for wages now is only $126,000. We can pay the $126,000 and let the razor makers do nothing and then save $50,000 to the people of the United States. I am in favor of doing it.

Mr. ALDRICH. The Senator from Texas considers that the rate under the present law, which is a pure revenue duty, is imposed also upon the people of the United States?

Mr. BAILEY. Of course the people of the United States have to pay it. The importers pay it to the Government, and then they charge it to the people. I have not yet seen any importer who was charitable enough to pay it to the Government out of his own pocket, and bear the loss.

Mr. ALDRICH. Then the contention of the Senators who believe with the Senator from Texas, that protective duties are added to the cost of the American as well as the foreign article, is also true of a revenue duty?

Mr. BAILEY. Undoubtedly. No Democrat with sense ever denied that, and few Democrats are deficient in that respect. [Laughter.]

Mr. SMOOT. I desire to call the Senator's attention to this one thing, that, no matter whether the increase of duty is made, the consumer would not pay a cent more for his razor.

Mr. BAILEY. That goes back to the proposition whether we pay it to the tariff or pay it to the greedy retail merchant. I resent this imputation upon the retail merchants of the country. I do not believe they are such extortioners as they are pictured here. I have long been associated with them, as a boy in an humble way, and when I came to the bar they were my clients, and I regret to say they had frequent occasion to consult me, because the statistics show that 95 per cent of them lose money.

Mr. SMOOT. Of what?

Mr. BAILEY. Of the retail merchants of the United States 95 per cent lose money. No such percentage of manufacturers have suffered, and I can not bring myself to believe that a class of people of whom but the small ratio of 5 per cent prosper are either dishonest or practice extortion. If they were as dishonest or as extortionate as our friends on the other side describe them, such a large percentage of them would not be compelled to finally settle their accounts before a master in bankruptcy. If we are going to give an advantage to anybody, I do not hesitate to say I would rather give it to the 5,000 retail hardware merchants in the United States than to the 5 razor manufacturers.

Mr. BEVERIDGE. Mr. President, I regret to say that on the showing just made, unless a further showing shall be made, it seems to me no case whatever has been made out for the amendment of the Senator from Missouri [Mr. STONE].

In the first place, it has been stated here by the Senator from Utah [Mr. SMOOT] that before the present law was enacted there were 67 establishments; that now there are only 5. That statement has not been answered. It has been stated here by the chairman of the Committee on Finance that the present total product is only $140,000 a year. That statement has not been answered. That small product shows there can not be any combination or trust which amounts to anything.

It has been stated that the importation is over $700,000 a year. That statement has not been answered. It has been stated that the wages in Germany are only one-third of what they are here. That statement has not been answered. Therefore, very much to my regret, because I earnestly wanted to vote for the amendment of the Senator from Missouri, as it seems to me that no case has been made out for the amendment, I shall have to vote against it.

Furthermore, the Senator from Missouri [Mr. STONE] said——

Mr. BACON. Mr. President——

Mr. BEVERIDGE. Pardon me for a moment, and I will be through.

The Senator said we can not make good razors in this country. In reply to that statement it is shown that we can make the best in the world, so far as this particular item goes. No facts have been shown to the contrary. This case is just the reverse of that cited by the Senator from Wisconsin [Mr. LA FOLLETTE] at the beginning of the discussion as to quebracho. Upon his statement of facts it was necessary to vote with him. But under the statement and the facts in the case, which have no been disputed or denied, no case has been made out for this amendment.

I do not agree with the Senator from Maine that this is true of every schedule. On the contrary, it has appeared to me thus far that the preponderance of testimony has been upon the other side. But in this particular instance, the only instance presented which I have seen, there has not been one fact presented in support of the amendment, and the statements made by the Senator from Utah have not been answered by the proponents of the amendment; and unless those statements are answered I shall have to vote against the amendment, and I am sorry to say it, because I wanted to vote for it.

Mr. BRISTOW obtained the floor.

Mr. ALDRICH. Will the Senator from Kansas permit a vote to be taken upon this amendment, and then I will let the matter go over until to-morrow and move that the Senate adjourn.

Mr. BRISTOW. In two minutes. I should like to inquire——

Mr. STONE. If the Senator will allow me for a moment——

The VICE-PRESIDENT. Will the Senator from Kansas yield to the Senator from Missouri for a moment?

Mr. BRISTOW. I will get through in one minute.

If these five institutions have gone out of business, it is presumable that the men engaged in them have gone into some other occupation more profitable, and we have had the benefit of the labor of those men in other lines of industry, which have been more profitable to them and the people of the United States than if they had stayed in this industry, which it does not seem possible to develop in this country under a 56 per cent premium.

Now, is it not better for us to go into some line of occupation where we can develop successful institutions and conduct business in a successful way where we do not have to have to exceed 56 per cent duty in order to protect them?

Mr. STONE. I desire to ask the Senator from Utah a question. I should like for the Senator, if he will oblige me, to tell me, if he can do it, what razor that is which he said sold for $3 at retail.

Mr. SMOOT. It is the William Elliott & Co. razor, made in Germany.

Mr. STONE. William Elliott & Co. is an American firm.

Mr. LODGE. Yes.

Mr. SMOOT. If I had the time that would be a very nice subject to go into right now, and I could explain to the Senator another fraud which they perpetrate on the American consumer.

Mr. STONE. I do not care about that. Can the Senator tell me who the manufacturer is?

Mr. SMOOT. I think it was marked on here and erased after it came into this country.

Mr. STONE. The Senator informs me there is no name on it. Is the Senator sure it is a German-made razor?

Mr. SMOOT. I am sure, because it says here "Made in Germany."

Mr. STONE. That is stamped on the razor?

Mr. SMOOT. Yes; that is stamped on the razor. It says "William Elliott & Company; made in Germany."

Mr. STONE. Will the Senator tell me from whom he got that razor?

Mr. SMOOT. I told the Senate just exactly where the razor came from. It was bought by the Korn Company, of New York, from a wholesale hardware house in Portland, Oreg.

Mr. STONE. At $3?

Mr. SMOOT. Oh, no. They cost $5.50 a dozen. A quarter dozen would be $1.38.

Mr. CARTER. Mr. President——

Mr. CUMMINS. I wish to suggest that we can not hear on this side the conversation between the Senator from Utah and the Senator from Missouri.

The VICE-PRESIDENT. The conversation is now concluded.

Mr. CUMMINS. We have some interest in this controversy over here.

Mr. CARTER. I really believe that the Senator from Missouri was suppressed by the close proximity of the razor and the demonstration of the Senator from Utah. [Laughter.]

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. STONE].

Mr. LA FOLLETTE. I wish to request of the Senator from Rhode Island that he permit this amendment to go over with the balance of the paragraph until to-morrow morning.

Mr. ALDRICH. I suggest to the Senator from Wisconsin that we have been discussing this very question——

Mr. LA FOLLETTE. I am aware of that.

Mr. ALDRICH (continuing). For several hours. I do not intend to ask for a final vote upon the matter until to-morrow.

Mr. LA FOLLETTE. You do not intend to ask for a final vote on this amendment?

Mr. ALDRICH. Upon the rest of the paragraph.

Mr. STONE. On this amendment, you are asking for a final vote?

Mr. ALDRICH. On this amendment; but I expect that the paragraph will be open to-morrow morning.

Mr. BEVERIDGE. Other amendments will be offered to-morrow.

Mr. ALDRICH. Unquestionably.

Mr. LODGE. This is the amendment of the Senator from Missouri.

The VICE-PRESIDENT. That is the pending question. The question is on the amendment offered by the Senator from Missouri to the paragraph.

Mr. STONE. On that I ask for the yeas and nays.

Mr. PENROSE. Let us have the yeas and nays.

Mr. LA FOLLETTE. I should like to inquire of the Senator from Utah upon what authority he states that there are in this country only five establishments manufacturing razors?

Mr. SMOOT. I have been told by a number of men who appeared before the committee that there were only five, and also the paper I had here was signed by the manufacturers of the

cutlery interests of the United States. I gave the names, but I have it not here. My secretary just took it out or I would read it again.

Mr. LA FOLLETTE. I sent out just after the discussion began to one of the hardware dealers in the city, and here in one single document are the names of eight manufacturers of these razors and of ten manufacturers of safety razors.

Mr. SMOOT. That is different entirely.

Mr. LODGE. That is entirely different. That is covered by a patent.

Mr. LA FOLLETTE. I understand that it is. I know the difference between a safety razor and a common razor. I bear evidence of it every day. I do not believe the Senator from Massachusetts does.

Mr. LODGE. No; I am happy to say I do not. I thought the Senator understood the difference between the razors, but I did not know that he knew that safety razors are covered by a patent, which takes them entirely out.

Mr. LA FOLLETTE. I understood even that.

Mr. LODGE. I am very glad the Senator did understand as much as that.

Mr. SMOOT. I wish to ask the Senator from Wisconsin whether the eight manufacturers whose names he has there are manufacturers, or do they merely assemble the parts together?

Mr. LA FOLLETTE. I asked for the number of manufacturers.

Mr. SMOOT. I think the information the Senator has is not correct.

Mr. LA FOLLETTE. I have the names and addresses and will give them to the Senator. I have no authority for them except the hardware dealer of this city who furnished me the names and addresses of these manufacturers. They are given in a volume which he sent me. However, there is not a great discrepancy between the number furnished me by this hardware dealer and the number stated by the Senator from Utah.

But, Mr. President, with respect to the condition of the business, I was carried back in my recollection to some testimony given by the manufacturers of cutlery before the Ways and Means Committee of the House some twenty years ago. I remember that those manufacturers who appeared before that committee also made a very dubious statement as to the condition of the cutlery business in this country. I remember a list was furnished of those at that time engaged in the manufacture of pocket cutlery. A statement was made of the great difficulty they had to maintain their business with the protection then afforded them, and it was claimed that nearly one-half of the list furnished to the committee had failed in five years and had sustained a loss of nearly half a million dollars.

Mr. President, in less than three years there was published an announcement of the formation of a trust or combination in the cutlery-manufacturing business. I have that announcement, and in it are three of the very manufacturers who made the doleful representations respecting the condition of the cutlery business when the testimony was furnished to the House committee. At the time this list was presented to the committee the total amount of capital invested by these cutlery firms, as stated by them, aggregated $350,000. They had represented the cutlery business as having been in a very reduced condition for many years, and made their appeals for an increase in protective duties to provide against the disaster that they said they feared was about to overtake them. Yet in a short time they set forth in an advertisement a prospectus inviting investment in their proposed organization, stating that their business had been very prosperous for many years.

This combination included four of the leading cutlery companies of the country, and three of these were in the list furnished to the House committee. One was the Miller Brothers Cutlery Company, of Meriden, Conn.; another the New York Knife Company, of Walden, N. Y.; and the third the Walden Knife Company, of Walden, N. Y. When before the Ways and Means Committee they stated the total amount of invested capital at that time to be $350,000. When they organized their trust they did so with a capital of $1,600,000, and this combination included just one company in addition to these three. They organized under the name and title of the United States Cutlery Company, and in this advertisement they say:

> The United States Cutlery Company has been formed to purchase, unite, and take over as going concerns four of the oldest, largest, and best-known business properties in the United States, viz, those of the Miller Brothers Cutlery Company, of Meriden, Conn.; the New York Knife Company, of Walden, N. Y.; the Walden Knife Company, of Walden, N. Y.; and that of Dwight Divine, of Ellenville, N. Y.
>
> The company begun business on or about July 1, 1899.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. Can the Senator tell us whether or not that combination is now in existence?

Mr. LA FOLLETTE. I will say now that for some reason this organization miscarried. I am not informed whether the failure to consummate this combination was a result of the panic of 1893 or what was the cause of the failure. It is not my purpose to demonstrate the existence of a cutlery trust today, but to bring home to the Senate at this time the fact that you can not always rely on men who are to be beneficiaries of legislation for the testimony upon which to enact tariff schedules.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. The Senator, of course, will admit that those companies might have put in additional capital in attempting to organize this combination. My attention was attracted to one of the companies——

Mr. LA FOLLETTE. I know nothing about that. It may be some of these companies proposed to or did put in some additional capital.

Mr. GALLINGER. My attention was attracted by the name of one company that I know is now an independent organization. That is the reason why I asked the Senator the question.

Mr. LA FOLLETTE. They may all be independent organizations at this time. But the fact remains that they attempted to form a combination and made definite and positive statements that their business had been in a very prosperous condition for many years. Here is what they said respecting the financial soundness of these companies for years prior to the time when they represented to the Committee on Ways and Means of the House that the cutlery business had been in a depressed condition.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. What engages my attention at this stage of the discussion is that the Senator from Utah has stated that 62 enterprises of this kind have died in the last few years, only 5 surviving, and that statement has not yet been controverted. Second, that the domestic production is only $140,000 a year, and that statement has not yet been controverted. Again, that the importations amount to over $700,000 a year, and that statement has not yet been controverted; and that the wages in Germany are only one-third what they are here, and that statement has not yet been controverted.

Mr. LA FOLLETTE. I can not state as a fact, but I apprehend——

Mr. BEVERIDGE. I do not know whether it is true or not. Those statements have not been controverted.

Mr. LA FOLLETTE. I apprehend that some of those statements upon which the Committee on Finance relied were based on the evidence of men who gave testimony before the Ways and Means Committee in 1889.

Mr. BEVERIDGE. That may well be. I agree with the Senator about that. I go further. I fully agree that interested parties are not to be given the fullest possible credence. But the point to which I call the attention of the Senator is that up to this hour the proponents of the amendment have not controverted a single statement of fact that has been made upon the other side.

Mr. McLAURIN. Will the Senator from Wisconsin indulge me just a moment?

Mr. LA FOLLETTE. Certainly.

Mr. McLAURIN. I have heard the Senator from Indiana assert time and again "the proponents of the amendment." I should like to know who the proponents of the amendment are.

Mr. BEVERIDGE. The Senator from Missouri [Mr. STONE] is the last proponent, and the Senator from North Carolina [Mr. SIMMONS] was the other proponent.

Mr. McLAURIN. The Senator from North Carolina has never proposed this amendment.

Mr. BEVERIDGE. Not this one, but another amendment, that was voted on while the Senator was out. I will say "the proponent," to be grammatically correct. The point which struck me is that there have not been any so-called "facts" asserted which have been thus far controverted.

Mr. LA FOLLETTE. I say to the Senator from Indiana that the statement made by the Senator from Utah rests upon assertions made by interested parties. That is the reason I inquired

from whom he got his information to the effect that there were but five companies manufacturing razors in this country to-day.

Mr. SMOOT. I had better also state that——

Mr. LA FOLLETTE. I say if it rests on no better authority than the statement of the men who appeared before the Ways and Means Committee of the House of Representatives in 1889, I am attempting to show that it is not very reliable.

Mr. SMOOT. Mr. President——

Mr. LA FOLLETTE. And it is not such authority as the Senate ought to accept upon which to make an increase of 100 per cent in duties.

Mr. SMOOT. I also ought to add——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. In a moment. I wish to complete this statement without further interruption.

The VICE-PRESIDENT. The Senator declines to yield further for the present.

Mr. LA FOLLETTE. When I complete this brief statement, I will yield to the Senator with great pleasure.

Mr. SMOOT. I just want to say——

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield now.

Mr. LA FOLLETTE. I had read to the Senate that portion of the advertisement naming the companies that composed this combination. It proceeds:

These four concerns manufacture about 65 per cent of all the pocket cutlery made in the United States.

This business, with a record of over twenty years, has steadily grown into a profitable undertaking. The manufactured goods now equal the best foreign makes, and it is impossible now to turn the channel of trade back to the foreign manufacturers.

The company acquires, free of incumbrance, all the property of the four concerns used in connection with their business.

The real estate, buildings, machinery, fixtures, patterns, etc., used in manufacturing have been valued, under oath, by experts at	$692,000
Stores and manufactured goods on hand at cost price, and cash in the treasury	440,000
Total	1,132,000

They say further:

Chartered accountants, and, according to their report, the business of these companies has steadily increased year by year, and the net profits for a period of over three years are largely in excess of the sum necessary to have paid 8 per cent dividends upon $800,000 preferred stock, and the amount available for dividends in 1891 was $131,500. From returns already to hand since then, taking into consideration the new works now in operation, which produced no goods up to January, 1892, the profits for 1892 may be fairly estimated to be not less than sufficient to pay 8 per cent on the preferred stock and 15 per cent on the common stock.

The preferred stock amounted to $800,000 and the common stock amounted to $800,000.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. Evidently the Senator is not likely to finish his argument to-night. I will therefore move that the Senate proceed to the consideration of executive business.

Mr. LA FOLLETTE. I think I would conclude in a few moments.

Mr. BEVERIDGE. It is better to yield now.

Mr. LA FOLLETTE. Very well.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 18, 1909, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 17, 1909.

AMBASSADORS.

William Woodville Rockhill to be ambassador extraordinary and plenipotentiary to Russia.

Oscar S. Straus to be ambassador extraordinary and plenipotentiary to Turkey.

CONSULS-GENERAL.

Amos P. Wilder to be consul-general at Shanghai, China.

Charles Denby to be consul-general at Vienna, Austria.

William A. Rublee to be consul-general at Hongkong, China.

COLLECTOR OF CUSTOMS.

Rentfro B. Creager to be collector of customs for the district of Brazos de Santiago, Texas.

PROMOTION IN THE ARMY.

COAST ARTILLERY CORPS.

Second Lieut. Allison B. Deans, jr., to be first lieutenant.

PROMOTIONS IN THE NAVY.

The following-named midshipmen to be ensigns:

Robert W. Cabaniss,
Raleigh E. Hughes,
Claude B. Mayo,
Carter L. Wright,
John W. Lewis,
Rufus W. Mathewson,
Willis W. Lawrence,
Irving H. Mayfield,
Philip H. Hammond,
Harvey W. McCormack,
Ernest D. McWhorter,
Bruce R. Ware, jr.,
Claudius R. Hyatt,
William F. Cochrane, jr.,
George C. Logan,
George H. Laird,
Henry G. Shonerd,
Harlow T. Kays,
Robert C. Giffen, and
Richard E. Cassidy.

Ensign Frank D. McMillan to be a lieutenant (junior grade).

Lieut. (Junior Grade) Frank D. McMillan to be a lieutenant.

The following-named citizens to be assistant surgeons in the navy:

John G. Ziegler,
Glenmore F. Clark,
William M. Kerr,
George A. Riker, and
Tharos Harlan.

POSTMASTERS.

CALIFORNIA.

Manson M. Cochran, at Dinuba, Cal.

MICHIGAN.

Fred P. Baker, at Flint, Mich.

NEW YORK.

George A. Waterbury, at Lyndonville, N. Y.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 17, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

JOURNAL.

Mr. GARRETT. Mr. Speaker——

The Journal of the proceedings of Thursday last was read.

The SPEAKER. Without objection, the Journal will stand approved.

Mr. GARRETT. Mr. Speaker——

The SPEAKER. Does the gentleman rise to a question as to the approval of the Journal?

Mr. GARRETT. I wish to submit a parliamentary inquiry.

The SPEAKER. Relating to the Journal?

Mr. GARRETT. Well, I do not know.

The SPEAKER. Without objection, the Journal will stand approved.

There was no objection.

The SPEAKER. The gentleman from Washington.

Mr. HUMPHREY of Washington. Mr. Speaker——

Mr. GARRETT. Mr. Speaker——

The SPEAKER. The gentleman will be recognized.

Mr. GARRETT. The parliamentary inquiry——

The SPEAKER. The gentleman will state it.

Mr. GARRETT (continuing). Was this: Whether when it was desired to make a point of order upon the reference of a bill it was necessary to make it before the approval of the Journal; and if so, I did desire to make a point of order upon the reference of bills that were presented on the last legislative day.

The SPEAKER. Motions, by direction of a committee, as the rule provides, are in order immediately after the Journal is approved; and unanimous consent is in order at that time also. But in the meantime——

Mr. GARRETT. I do not desire to make a motion. I desire to make a point of order.

The SPEAKER (continuing). The rules provide how a correction of reference of bills shall be made. Does the gentleman rise by the direction of a committee to make a motion to change the reference of a bill?

Mr. GARRETT. Mr. Speaker, it has not been my fortune as yet to go upon a committee, and so I do not arise upon the direction of a committee.

The SPEAKER. Does the gentleman desire to submit a request for unanimous consent?

Mr. GARRETT. I desire to make a point of order upon the reference as to bills.

The SPEAKER. The gentleman from Washington.

INSPECTION OF VESSELS ON NAVIGABLE WATERS.

Mr. HUMPHREY of Washington. Mr. Speaker, I desire to ask unanimous consent for a reprint of the bill H. R. 6865.

The SPEAKER. The gentleman asks unanimous consent for a reprint of the bill indicated.

Mr. CLARK of Missouri. Reserving the right to object, what bill is this?

Mr. HUMPHREY of Washington. It is to provide for the greater security of life and property on the navigable waters, for the inspection of vessels, and other purposes. It is practically a bill for the revision of the laws respecting steam vessels. There is a great demand for copies of the bill throughout the country. I introduced it early so that people might have some knowledge of it.

Mr. CLARK of Missouri. Are the numbers already printed exhausted?

Mr. HUMPHREY of Washington. Yes; and I have been asked for 500 copies myself.

Mr. CLARK of Missouri. Where are you going to put them?

Mr. HUMPHREY of Washington. I am going to give them to these gentleman who are asking for them.

Mr. CLARK of Missouri. But I want to know where they are going to be deposited.

The SPEAKER. They will be deposited under the rule unless the gentleman asks for some other disposition.

Mr. HUMPHREY of Washington. No; I will ask to have them deposited under the rule.

Mr. CLARK of Missouri. That will be in the document room. If you will make it the folding room, I will not object.

Mr. STAFFORD. The proper place for them is in the document room.

Mr. CLARK of Missouri. Yes; and the way that runs, a few people will get them all. The men in charge out there have no reason to object.

Mr. STAFFORD. I will say to the gentleman from Missouri that the Members generally do not desire copies of this bill.

Mr. CLARK of Missouri. Then put half of them in the document room and half of them in the folding room.

Mr. STAFFORD. I do not see why we should encumber the folding room with these bills when it is not necessary.

Mr. CLARK of Missouri. I shall object unless you put half of them in the folding room.

Mr. HUMPHREY of Washington. Then, Mr. Speaker, I will modify my request.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD. If 250 of these bills are deposited in the folding room, how will they be divided among 391 Members of the House?

The SPEAKER. That is hardly a parliamentary inquiry; that is a mathematical question. [Laughter.]

Mr. FITZGERALD. I would suggest to the gentleman from Missouri that these bills are only asked for by persons who live in the seacoast towns. So far there has been no request by Members generally for copies of this bill. I imagine they are wanted up in the district of the gentleman from Washington who is advocating this change of law.

Mr. HUMPHREY of Washington. The gentleman from New York is mistaken; I have had no request from my district for copies of this bill. This change of the law was suggested by a commission appointed for that purpose. They reported that the law be revised in these particulars, and I introduced the bill so as to get it before the people early.

Mr. CLARK of Missouri. The gentleman from New York is mistaken in saying that the country people do not want any of these bills. There are certain libraries all over the country, and institutions like that, that undertake to keep congressional documents. Now, I can get them out of that hole that the gentleman suggests. Instead of printing 500 copies let us have 984 printed, or 1,000. Nine hundred and eighty-four would give us 3 apiece.

Mr. HUMPHREY of Washington. Mr. Speaker, then I will modify my request and make it a thousand copies, because there is already a demand for one-half that number.

The SPEAKER. The gentleman from Washington modifies his request and asks that 1,000 copies be printed, one-half to go to the document room and one-half to the folding room. Is there objection?

Mr. STAFFORD. I object.

FOURTEEN-FOOT CHANNEL ON THE MISSISSIPPI RIVER.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution No. 70.

The Clerk read as follows:

House resolution 70.

Resolved, That the Secretary of War be, and he is hereby, directed to transmit forthwith to the House of Representatives, if not incompatible with the public interest, the report of the findings of the Special Board of Army Engineers authorized under the provision of the rivers and harbors act approved March 2, 1907, to wit: "To examine the Mississippi River below St. Louis and report to the Congress at the earliest date by which a thorough examination can be made upon the practicability and desirability of constructing and maintaining a navigable channel 14 feet deep and of suitable width from St. Louis to the mouth of the river."

The SPEAKER. Is there objection?

Mr. ALEXANDER of New York. Mr. Speaker, reserving the right to object, I desire to make a brief explanation. The gentleman from Missouri on last Thursday very courteously called my attention to this resolution, and since then I have given it some attention. The report asked for at this time was received by the Chief of Engineers a little over a month ago.

It is a mass of evidence, maps, plans, estimates, opinions, and recommendations. It came in a box 3 feet square by 4 feet long, and it was at once referred to the Board of Engineers. No one in the Engineer's Office had time to read it. The Board of Engineers, the five members, have individually read it, and it has been divided into sections for each member to consider, but up to this time no consideration has been given it by the board. This resolution asks for the findings of the commission. I desire to say to the House, and especially to the gentleman from Missouri [Mr. BARTHOLDT], that there are no findings. The report of any board or of any engineer must first go to the Board of Engineers, under the law of 1902. It is not a report, a finished, completed report, until it has been passed upon by that board. Now, this report has gone in due form to the Board of Engineers, but until they have acted it is not a report, and there can not be findings. Local engineers, in making their reports, are authorized under the law to say whether commercial necessity will vindicate the estimated expense. That is the vital point on which all reports usually turn. Will the commercial necessity for the proposed Mississippi River improvement vindicate the proposed expense? This board is not authorized to answer that. Any gentleman who will read the act of 1907, by which the board is appointed, will notice that this information is not called for, but is left for the Board of Engineers. Therefore until the latter board acts there are no findings, and of course none can be given at this time. The principal finding must be the commercial necessity and whether it will vindicate the expense.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question. When does he suppose this Engineering Department is going to make this report unless we pass this resolution?

Mr. ALEXANDER of New York. This resolution will not facilitate the making of or hasten the report. There can be no objection on the part of the Engineer in Chief, or on the part of the Board of Engineers, to making a report whenever it is ready.

Mr. CLARK of Missouri. Would not this resolution hurry them up in getting ready?

Mr. ALEXANDER of New York. I think not, because the Board of Engineers, as every gentleman knows who has served upon the Rivers and Harbors Committee, are industrious and get their reports out as rapidly as possible.

Mr. CLARK of Missouri. There was a report in the newspapers—I do not know how correct it was—that President Roosevelt called for this either in January or February; and there was another report that somebody asked them up there about it, and they said that Congress could go to hell; that they would report when they got ready.

Mr. ALEXANDER of New York. I know nothing of that.

Mr. BARTHOLDT. Mr. Speaker, if my distinguished friend from New York intends to object, I hope he will withhold his objection so that I can make a statement.

Mr. ALEXANDER of New York. Mr. Speaker, I desire simply to repeat that the board can have no possible objection to

making public this report whenever it is ready; but until the findings are made there is nothing to report under this resolution. I suggest to the gentleman from Missouri [Mr. BARTHOLDT] that he does not want an unfinished report sent out to the country at this time. Let me call his attention, in illustration, to the report respecting the improvement of the Ohio River. The Board of Engineers, in their examination, corrected and improved it. To have published it in advance of these modifications would have been premature and unfortunate.

Mr. BARTHOLDT. Mr. Speaker, as the House has noticed from the remarks of the gentleman from New York [Mr. ALEXANDER], this pertains to the great project of a deep waterway from the Lakes to the Gulf. One part of the way of that great project has been surveyed, namely, the part between Chicago and St. Louis. Now, we want to know about the other part lying between St. Louis and New Orleans. The river and harbor bill passed in the Fifty-ninth Congress contained a provision authorizing the Secretary of War to appoint a commission of five army engineers to report upon the feasibility of a 14-foot channel between St. Louis and New Orleans. That board was duly appointed in accordance with that provision. The five engineers met and went all over the route between St. Louis and New Orleans, and after due deliberation and examination and after two years' work spent upon it, they submitted their report to the War Department some time ago.

The people of the Mississippi Valley and of all the States bordering on the Mississippi River, about 20,000,000 in number, want to know what that report is. They are greatly interested in the subject and are entitled to know what is what. Under the very terms of the law under which that surveying board was appointed a report is to be made "to Congress at the earliest date after a thorough examination can be made." Now, there may be no findings, but there certainly is a report which the Bixby Board sent to Washington and submitted to the Secretary of War, and the people are entitled to the information contained in that report. It has been stated, and I think with a great deal of force, by some men who are well acquainted with the way in which these reports are handled at the War Department that the report might be kept back until doomsday. As a matter of fact, this report ought to be made to Congress promptly and it should not be necessary for us to pass a resolution calling for its transmission here.

Mr. RODENBERG. Will the gentleman allow me a question?

Mr. BARTHOLDT. Certainly.

Mr. RODENBERG. Does the gentleman know how long the report of this Board of Engineers has been in the possession of the War Department?

Mr. BARTHOLDT. I was under the impression it was made and sent to Washington three months ago, but was advised this morning by the gentleman from New York [Mr. ALEXANDER] that it reached here only one month ago; but, no matter whether it reached here one month ago or yesterday, no matter whether that report contains findings or not, it certainly contains valuable information. We want to know from the army engineers whether that great project is technically feasible or not, and if it is not feasible, if that report says that it can not be carried out, then we are going to drop this agitation and quit; but if those army engineers say that the plan is feasible, then we want to go ahead, and come back to Congress next December for the purpose of carrying this great project through.

Mr. HUMPHREYS of Mississippi. The gentleman says that if the engineers say it is not feasible we want to drop it, and I presume by "we" he means those who are now advocating this 14-foot project. Suppose the Engineering Board who have made this examination report against it and the Board of Engineers for rivers and harbors and the Chief of Engineers do not concur in the findings, but, having examined all the facts reported, reach an opposite conclusion, that it is feasible, that it is desirable, does the gentleman still want to drop it?

Mr. BARTHOLDT. No; certainly not.

Mr. HUMPHREYS of Mississippi. Does not the gentleman, then, think the better course to pursue, and which is universally pursued in such matters, is to let the report of the examining engineers be submitted to this Board of River and Harbor Engineers, who are the most expert board that we have in our Corps of Engineers, and let them pass their judgment on it first before we undertake to take any action in the matter whatever?

Mr. BARTHOLDT. That is a supposition which would seriously reflect on the experts who are most competent to judge.

Mr. HUMPHREYS of Mississippi. The gentleman is not warranted in saying that, because the Board of Engineers for Rivers and Harbors very frequently disagree with the findings of the engineers who make the investigation, and although the examining engineers sometimes report against the desirability of a proposition, it is frequently the case this board of engineers overturn that and make an opposite report.

Mr. BARTHOLDT. It is hardly to be expected, Mr. Speaker, that five army engineers, all of them competent men, who make a personal examination into a project should be overruled in this manner by any superior board who have no personal knowledge of the engineering difficulties presented in the case.

Mr. HUMPHREYS of Mississippi. Yet that is the course that is always pursued.

Mr. BARTHOLDT. Now, Mr. Speaker, we are opposed to having this report doctored by anybody. We want this report as it comes directly from the hands of the army engineers who made the survey. We want to know what conditions they have found, and we are willing to accept their report and their judgment upon the engineering features of the case. When it comes to the question of the expediency of undertaking this great project, then I think Congress should be the body to pass upon that question and not the Board of Army Engineers or the Secretary of War or anybody else.

Mr. HUMPHREYS of Mississippi. Just a word on that. The gentleman says he does not want the report of the examining engineers doctored. None of us want it doctored, but under the law and under the rule we always proceed upon, the report of this examining board will be sent to Congress undoctored—exactly as it got to the Board of Engineers. We will get that. In addition to that, we will get the judgment of this board upon it. But it will not be doctored by them and not be altered or changed in any respect by them.

Mr. LLOYD. There is no purpose, as I understand it, in the resolution of the gentleman from Missouri to get anything except the report.

Mr. BARTHOLDT. That is all.

Mr. LLOYD. All that you desire and all that is desired by the people of Missouri, in which the gentleman and myself are concerned, is not to get anything at all except information that is already obtained. The information that we have is that the report has been made and is on file. What we want to know is what is in that report, so that we may tell the people what it is.

Mr. BARTHOLDT. I further submit for the consideration of the gentleman from New York [Mr. ALEXANDER], whom we do not wish to antagonize, as we want to keep on good terms with him for obvious reasons, and as we may need his strong aid and cooperation next winter, that in that law of 1902, which creates a board of engineers to which all of these survey reports must be submitted, there is not a word that these reports should be kept secret. They are to become public property under the law as soon as Congress wants to make them public property and common knowledge; and certainly there is nothing in the law which would prevent the transmission of this report to Congress.

The SPEAKER. Is there objection?

Mr. ALEXANDER of New York. I desire to say one word in reply to the gentleman from Missouri [Mr. BARTHOLDT]. There is not the slightest desire on the part of the Board of Engineers or of the Engineer in Chief to suppress this report. If it were ready, they would send it here to-morrow. They will report it at the earliest possible moment.

Mr. RODENBERG. Has the gentleman any idea of when that will be?

Mr. ALEXANDER of New York. No; but it will be before Congress meets in December. It will be made public just as soon as the Board of Engineers can intelligently pass upon it. It has taken five engineers over a year to make the investigation.

Mr. PAYNE. Has not the gentleman by this time convinced himself of his attitude on this question? We want to get on with some other business.

Mr. ALEXANDER of New York. I will say to my colleague from New York that I was convinced before I began, but I wanted to make it plain to the gentlemen who are interested in this Mississippi Valley improvement that there is no intention on the part of anybody to suppress, delay, or withhold this report. Congress will have it the moment it is ready, but we do not want to pick an apple blossom for an apple. We want to wait until the fruit is ripe.

Mr. GRAFF. Will the gentleman yield for a question?

Mr. ALEXANDER of New York. Certainly.

Mr. GRAFF. Has the gentleman from New York any information which leads him to the conclusion that the board will be able to report upon this project before the convening of the next session of Congress?

Mr. ALEXANDER of New York. The Engineer in Chief stated to me on Saturday that it would be ready by the time Congress convened, if not before. I have no doubt of it.

Mr. BARTHOLDT. May I not submit to my friend from New York if, as he says, that report is not ready now, all that is necessary for the War Department to do is to say so to Congress? But I am asked by my people for this information and the legislatures of Missouri and Illinois have passed resolutions in favor of securing it. We are asking here merely to secure this information, so that the people may know whether to go ahead with their agitation or not. Preparations are being made now for a great river and harbors congress, to be held in New Orleans. If that report should be unfavorable here, the people would simply stop making further preparations for that great congress.

Mr. ALEXANDER of New York. Mr. Speaker, the gentleman from Missouri has the information he would get if this resolution went to the War Department and was answered. I object.

The SPEAKER. Objection is heard.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HOLLINGSWORTH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HOLLINGSWORTH. I rise to a question of personal privilege

The SPEAKER. The gentleman will state it.

Mr. HOLLINGSWORTH. Mr. Speaker, in so doing it is necessary, and I ask to have read at the Clerk's desk an editorial published in the Daily Clarion Ledger, of Jackson, Miss., in its issue of April 30, 1909, in which the claim is made that the paper has a larger circulation than any paper in Mississippi, and in bold italics it is announced as "The Official Journal of Mississippi." It was sent to me by mail.

The SPEAKER. The gentleman asks to have read the communication which he sends to the desk, as a basis of a question of personal privilege, as the Chair understands.

The Clerk read as follows:

WAVING THE "BLOODY SHIRT."

The war is supposed to be over, and the country generally without regard to section recognizes the fact; and the days of the "bloody shirt" are also supposed to belong to the past. But not so with Representative HOLLINGSWORTH, of Ohio, who has given notice of his intention to introduce in the House a resolution inquiring into the proposition of this State to present a silver service to the battle ship *Mississippi*, bearing an engraving of Jefferson Davis.

The resolution, which Mr. HOLLINGSWORTH announces he will introduce to-day, is published in the telegraphic news columns from Washington, together with his comments thereon.

The resolution calls on the Secretary of the Navy for information relative to the report that "Mississippi is preparing an elaborate silver service to be presented to the battle ship whose centerpiece bears an engraved portrait of Jefferson Davis." The resolution asks: "By whom and on what authority is such gift to be accepted, and what lesson of loyalty or patriotism is such portrait-engraving intended to teach, and with what ideals of government is it expected thereby to inspire the officers and men now and hereafter to be in control of such battle ship?"

The Secretary of the Navy is asked to ascertain and inform Congress whether or not the proposed gift thus decorated is agreeable or desired by the officers now in command of the *Mississippi*.

Mr. HOLLINGSWORTH, in advance of presenting his inquisitorial resolution, says this effort on the part of Mississippi to have the engraving of Mr. Davis on the silver service follows the line of the resolution introduced by Senator MONEY, challenging the validity of the fourteenth amendment, charging that the Senator seeks to revive unhappy discussions and issues of the reconstruction period. He looks upon the act of Mississippi as "humiliating to four-fifths of the officers and men on board the vessel—the culmination of a maudlin sentiment recently developed, and which seems to manifest itself in sentimental efforts to win the South by such acts as the restoration of the name of Davis on Cabin John Bridge." After making this criticism on one of the last acts of President Roosevelt, Mr. HOLLINGSWORTH says: "This extreme tenderness toward the ruling elements of the South may be wise, but to one who remembers the result of President Hayes's generous acts in extending the same olive branch, doubts and misgivings must be excused."

This man HOLLINGSWORTH is serving his first term in Congress and is evidently a South-hater of the rankest kind, who is seeking to make political capital for the future, an admirer of Rutherford B. Hayes, who, as every one knows, was never elected to the Presidency, but was counted in by the theft of the votes of three Southern States, sanctioned by the infamous electoral commission with its Republican majority.

Raised in a section notorious for its hatred of the South, of southern men and southern institutions, in a restricted and narrow sphere, and with no public experience, and taught to believe that Jefferson Davis was a traitor who should have been tried, convicted, and hung, it is perhaps natural that such a contemptible little whelp should rise up to abuse the man and slander the section that appreciates him. HOLLINGSWORTH belongs to the past, though a young man, to that class of narrow-minded political wretches who think it a virtue to wave the "bloody shirt" and an honor to denounce the South's great chieftain.

HOLLINGSWORTH wants to know all about the silver service, with its design of the man who helped make Mississippi great, which contains no less an engraving of the explorer who discovered the river from which the State takes its name—fitting and appropriate in both cases; a gift from the people of Mississippi, not from the Federal Government, a trophy for the battle ship which bears the name of their State. The design may never have been submitted to the Navy Department, as it surely was never presented to the officers of the boat, for it is not the custom of those who give presents to describe them in advance and inquire if they will be acceptable.

The design of the silver service was selected by the state commission having the matter in charge, by those who raised the money to pay for it, and it was never thought necessary to have the Government's "O. K." thereto; and as to the "officers" of the battle ship, no thought was ever given them, because they are creatures of the Government and have no power to act for themselves—to receive or reject the trophy except as agents of federal power. Therefore it is all nonsense in this little Ohio Congressman to talk about the "proposed gift being agreeable to the officers," or to ask "by whom and on what authority is such gift to be accepted." It will be accepted by the captain of the ship as the representative of the Government, who would violate the proprieties of the occasion by declining or commenting thereon, except under instructions from the Secretary of the Navy.

The gift is Mississippi's, the design is Mississippi's, and the Navy Department has known for months what the design would be, and no word of displeasure has been received, no suggestion as to change made; so it is safe to say that no attention will be paid to the cheap resolution of the political nonentity from Ohio, and the service will be presented without change or friction.

Mr. HOLLINGSWORTH. Mr. Speaker, I also ask the Clerk to read, for the same purpose, the following editorial from the Southern Sentinel of May 6, 1909, published at Ripley, Miss.

The Clerk read as follows:

The Ohio Congressman who got up in the House the other day and raised all manner of sand about the picture of Jefferson Davis being put on the silver service presented by the State to the battle ship *Mississippi* ought to be informed that nobody cares what he says about it. A politically prejudiced gas bag from Ohio can no more cast a reflection upon the life and character of Jefferson Davis than a mangy, flea-bitten, bobtailed cur dog can insult the moon by getting up at 2 o'clock in the morning and barking himself to death at that pale-faced luminary.

Mr. HOLLINGSWORTH. Mr. Speaker, I would like to have order just now.

The SPEAKER. The House will be in order.

Mr. BARTLETT of Georgia. Mr. Speaker, I rise to a question of order. I make the point of order that the editorial just read from the Jackson Clarion, and the one now being read of the same nature, does not raise a question of personal privilege.

The SPEAKER. The Chair has heard the editorial read from the first paper mentioned, but has not heard and does not know what the second editorial contains.

Mr. CLAYTON. I hope, Mr. Speaker, that we may have the benefit of that picturesque description.

The SPEAKER. The Chair can not rule upon the point of order until the Chair knows whether the matter raises a question of privilege or not. The gentleman stated that he does rise to a question of personal privilege, and as a foundation for that question of personal privilege he asks that the editorial be read; and when the editorial is read, if the point of order should be made, the Chair can then rule upon the point of order intelligently. The Clerk will proceed.

The Clerk resumed the reading, as follows:

Everybody in America who knows the history of the two men knows that in point of education, native ability, culture, oratory, legal attainment, character, and unselfish patriotism that Jefferson Davis was a greater man than Abraham Lincoln, and knows furthermore that the cause for which the southern soldier fought was the cause of right. Yet the South entertains no unkindly feeling for the northern soldier and patriot, neither does it think unkindly of the memory of Abraham Lincoln, whose death was a great calamity to the South and made the period of reconstruction more trying and more odious than it would otherwise have been. But Davis is the idol of the South and will continue to be long after that windy misfit from Ohio has been retired by his constituency and everlasting forgotten by the Nation.

Mr. HOLLINGSWORTH. Mr. Speaker, I also ask to have read the following editorial from the Caucasian, of May 4, 1909, published at Shreveport, La., as a part of the basis of my question of personal privilege.

The SPEAKER. The gentleman also sends to the Clerk's desk the following to be read, as he states, as a foundation for his question of personal privilege.

Mr. BARTLETT of Georgia. Mr. Speaker, I raise the point of order now that before a Member can have read at the Clerk's desk a newspaper article as the foundation for a question of personal privilege the Member is required to state that in his opinion it does present a question of personal privilege.

Mr. HOLLINGSWORTH. I so state.

The SPEAKER. The gentleman says he so states, and the Clerk will read.

The Clerk read as follows:

CONGRESSMAN HOLLINGSWORTH.

It would be interesting to know when and where Congressman DAVID A. HOLLINGSWORTH, of Ohio, "fit and bled and died" for his country.

A few days since he lashed himself into a fury at the bare mention of the name of Jefferson Davis. So great was his distemper that he fairly raved as the man from Bitter Creek who fattened on snakes.

It appears that this Congressman from Ohio is disturbed over the fact that the State of "Mississippi is preparing an elaborate silver service to be presented to the battle ship whose centerpiece bears an engraved portrait of Jefferson Davis."

In his fulmination this Congressman from Ohio desired to know why the portrait of Abraham Lincoln was not substituted for Jefferson Davis.

Such manifest ignorance and prejudice is a reflection of discredit inexcusable and unpardonable. Had Congressman HOLLINGSWORTH been informed as he should have been, he would have known that whatever are the designs and ornaments and figures and emblems on this silverware were selected by a commission of men named by the State; that the money for this service was contributed by citizens of Missis-

sippi, and that nothing has been done without the approval of the Secretary of the Navy at Washington.

Lincoln was not a Mississippian, Jefferson Davis was, and there is no part of the history of his State or of the United States which is not enshrined in glorious deeds of war and of statesmanship, as the achievements of the gallant and heroic Jefferson Davis while he lived and while he was in the service of his country.

In revering the memory of Jefferson Davis the State of Mississippi has honored itself and exalted the patriotism of her gallant sons and the devotion and heroism of her daughters. Besides the portrait of Jefferson Davis, every emblem and ornament on this silver service has a direct connection with the historical record of the State.

It is not possible to form at this distance the size nor the caliber of Congressman HOLLINGSWORTH, but, measured by his frothings, he is indeed a little man. If aged enough to have enlisted in the great struggle between the States, he was not one of the brave men who were actively engaged in active service and on the fighting line. Brave men, men who experienced the hardships of the march, the camp, and the bivouac, and the shock of battle do not "wave the bloody shirt." Perhaps Congressman HOLLINGSWORTH was one of the "Home Guards" or one of "Sherman's bums" who robbed defenseless women, old men, and children.

Who is HOLLINGSWORTH?

Has he ever "fit and bled and died" for his country?

Mr. HOLLINGSWORTH. Mr. Speaker, I also ask to have read the following from a Mississippi paper which has just arrived by mail, which also contains, as I think, a basis for my question.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

THAT INFAMOUS RESOLUTION.

One HOLLINGSWORTH, who returns a seat in the Congress of the United States and holds a commission as Congressman from the governor of Ohio, has pulled himself out of obscurity by threatening to introduce a resolution calling upon the Secretary of the Navy to know what of the report that the people of Mississippi are to present a silver service to the battle ship *Mississippi*, with the portrait of Jefferson Davis engraved upon one of its pieces.

I know nothing of HOLLINGSWORTH, his past, or his prospects.

He is a thing to his country men unknown, or rather he was before this untimely deliverance.

But there is no question but that he is an ass of the first magnitude—a demagogue devoid of those qualities which distinguish the higher type of American citizen.

He is evidently of the peculiar class who place a greater estimate upon ignominious notoriety than modest virtue.

In his desperate struggle against oblivion this pusillanimous little creature would revive sectional animosity, tear open the painful wound caused by the most unfortunate war ever fought.

He would array brother against brother, father against son, section against section, revive the animosities of forty years ago, and curse the Republic with hate.

The people of Mississippi have contributed the money to buy the silver service for the battle ship *Mississippi*, bearing the name of their State.

And the people who contributed it believe in the purity and nobility of the life of Jefferson Davis.

They sympathized with him during the war between the States.

They honor his memory and admire beyond expression his superb qualities.

Had the State of Virginia had engraved upon its silver service a portrait of Robert E. Lee, I dare say that Mr. HOLLINGSWORTH would not have threatened Congress with his infamous resolution.

There does not seem to be any objection on the part of the northern people to Lee. On the contrary, his memory is revered by them.

Northern men, in speaking favorably of the men from the South who took part in the war between the States, always mention Lee and Jackson.

And in the North they speak of Lincoln and Grant.

It seems that Jefferson Davis is the one object—the one man against whom all of their venom has been centered.

His name is a target for obloquy and detraction.

Now, if Lee was right, if Jackson was admirable, if there was anything good in either of them brought out by the war, it was done in the service of the government of which Davis was the president.

Lee fought to maintain secession.

Jackson did the same thing.

They represented on the field of battle all that Davis represented in the halls of state.

If Mr. Davis was wrong, Lee was wrong.

If Davis was a traitor, Jackson and every officer and private in the confederate army was a traitor.

The man who holds the position of Secretary of War to-day in the Cabinet of President Taft believes in Jefferson Davis.

And if Davis deserves the contempt and execration that this pusillanimous pigmy from Ohio would heap upon his name, the son of a confederate soldier, who believes in his father's political creed, has no place in the Cabinet of Mr. Taft.

It is a great misfortune that there are men in the North and in the South of the HOLLINGSWORTH type.

It will be a great thing for the Republic when all of them are dead. They are in the way.

Now, I do not know whether the portrait of Mr. Davis has been put on the silver service to be presented to the battle ship *Mississippi* or not. I hope it has. And I hope this protest will not cause his excellency, Governor Noel, to have it effaced.

If they do not want to take it with Mr. Davis's picture on it, let them decline it.

There is one thing certain, if I had anything to do with it now, if the portrait was not on the silver service, I should have it put on the service; and I would put it in such a conspicuous place that it would be impossible to look at the service without seeing the best likeness possible of the incomparable man who served as president of the confederacy, and died the vicarious sufferer for all the South lost in that momentous conflict.

And I would not give a continental tinker's hurrah in hell's half acre for what Mr. HOLLINGSWORTH or any other narrow-minded, prejudiced, cramped, soul-quenched, South-hating, cowardly cuss might say about it.

Mr. HOLLINGSWORTH. Mr. Speaker, I now ask, in like manner, to have read House resolution 64, submitted by me, and also a copy of my interview referred to, as they were published, and constituting the only basis for this editorial attack upon me.

Mr. FITZGERALD. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD. I submit that the Chair should, at this time, decide whether the editorials so far read raise a question of privilege. If they do not, I shall object to the RECORD being encumbered further with editorials such as these. I do not believe that it comports with the dignity of this House to have more of them unnecessarily read. I ask the Chair to rule whether the gentleman has laid a basis for his question of personal privilege.

Mr. HOLLINGSWORTH. Mr. Speaker, I desire to state that this constitutes the basis on which these charges have been made, and I ask that it be read.

Mr. FITZGERALD. The gentleman is entitled to a reasonable latitude to develop whether he has been assailed in his official capacity; but he can not in claiming that privilege encumber the RECORD with editorials of all sorts, on all questions, without some basis for the privilege being laid.

Mr. HOLLINGSWORTH. On the question of latitude——

Mr. FITZGERALD. And if the gentleman is not at this time entitled to the floor because his privileges have been invaded, then I shall object to further editorials of a similar character being placed in the RECORD—I do not care what they are.

Mr. HOLLINGSWORTH. The articles that I now ask to be read——

The SPEAKER. Does the gentleman from Ohio desire to be heard upon the point of order?

Mr. HOLLINGSWORTH. Nothing further than this, Mr. Speaker, that I desire that the Speaker and the House may know that the articles that I am now desiring to have read are the resolution introduced, but not upon the RECORD, and my interview, published and referred to in these articles attacking me, already read, as a basis for the question of privilege, and the remarks which I propose to make.

The SPEAKER. The Chair has listened to the reading of the editorials or papers that were read at the request of the gentleman from Ohio.

The gentleman from Ohio stated that, in his judgment, a question of personal privilege was presented. The Chair listened with as careful attention as practicable, and while there were many things in the editorials that the Chair can conceive were unpleasant to the gentleman from Ohio, and possibly unpleasant to gentlemen on both sides of the House, yet great latitude is sometimes taken and at all times allowed to the press. Severe denunciation constantly abounds, sometimes against all the Members of the House, sometimes against the minority of the House, and sometimes against the majority of the House, and sometimes against various individual Members of the House. If in any communication in the public prints or otherwise an attack is made on a Member in his representative capacity, that would present a question of personal privilege. But after listening to these editorials that have been read, the Chair, following the precedents, and there is a long line of them, is inclined to the opinion that they do not reflect upon the gentleman from Ohio in his representative capacity. Therefore the Chair sustains the point of order, but would recognize the gentleman, if he desires to be recognized to ask unanimous consent that the resolution he refers to, which was introduced, should be read or printed in the RECORD, along with the editorials, and also the interview.

Mr. MACON. Mr. Speaker, before that is submitted, I would like to ask if in the Clarion editorial the resolution introduced by the gentleman from Ohio was not recited. If it was recited in the Clarion editorial, I should object to its being repeated.

The SPEAKER. Only in part, the Chair is informed, was it recited. Is there objection to printing the interview and resolution in the RECORD? [After a pause.] The Chair hears none.

The following is the matter referred to:

JEFF DAVIS SILVER—REPRESENTATIVE HOLLINGSWORTH OF OHIO CALLS A HALT ON THE RECRUDESCENCE OF THE REBELLION.

Representative DAVID A. HOLLINGSWORTH, of the Sixteenth Ohio district, has introduced in the House the following resolution:

"Resolution requesting information from the Secretary of the Navy as to proposed gift of silver service with portrait decorations of Jefferson Davis for use on the battleship *Mississippi*.

"Whereas the dignity and character of the United States Government and its creditable standing at home and abroad require that its battleships should be in command of officers imbued with high American ideals, healthy loyalty, and a just pride in the history and institutions of the Government they serve; and

"Whereas public monuments, paintings, engravings, and other works of art exhibited or used in government buildings, structures, or in other public places belonging to the General Government are intended and should be calculated to inspire reverence for such ideals and teach valuable lessons of patriotism and love of country; and

"Whereas it is reported in the public press and not contradicted that an elaborate silver service set of 62 pieces, with the centerpiece thereof decorated by an artistic portrait engraving of Jefferson Davis, the head of the late southern confederacy, has been purchased for presentation to the battleship *Mississippi* for the permanent use of its officers at social and public functions, to the exclusion of any other service which might be furnished by the Government or presented by other donors; and

"Whereas of the 37 officers now in command of the vessel, including Capt. John C. Fremont, of California, a worthy descendant of a brave Union general in the civil war, only seven were appointed from the States lately adhering to the confederacy, and such proportion of appointments from the different States of the Union is likely to be continued in the future: Therefore be it

"*Resolved*, That the Secretary of the Navy be requested to inform the Congress by whom and on what authority such gift is to be accepted, and what lesson of loyalty or patriotism such portrait engraving is intended to teach, and with what ideals of government it is expected thereby to inspire the officers and men now or hereafter to be in control of such battleship, and especially to ascertain and inform the Congress whether or not the proposed gift of silver service thus decorated and such use of it are agreeable to or desired by the officers now in command of the *Mississippi*."

INTERVIEW WITH REPRESENTATIVE HOLLINGSWORTH.

In an interview with Congressman HOLLINGSWORTH, of Ohio, relative to the gift of silver service, with portrait of Jeff Davis, to battle ship *Mississippi*, he said:

"My resolution speaks for itself. It follows the line, although in contrary direction, of the one introduced by Senator MONEY, of Mississippi, at this extra session, in which he seeks to revive war memories by requiring the Attorney-General to file in the Supreme Court proceedings to question the validity of the fourteenth amendment to the Constitution of the United States. He challenges directly the official records and integrity of the Government and the separate States in the adoption of that amendment. He seeks to revive the unhappy discussions and issues of the reconstruction period. At the same time his State and his people seem to think it quite the thing to place the portrait of President Davis, of the Southern Confederacy, instead of that of President Lincoln, of blessed memory, on the dining service of a United States battleship for use at all social functions, at home and among foreigners, by United States officers in command, many of whom, like Capt. John C. Fremont, are worthy descendants of the patriotic men who fought on the side of Lincoln and against Davis during the civil war.

"I look upon it as humiliating to four-fifths of the officers and men on board the vessel. It is the culmination of a maudlin sentiment recently developed, and which seems to manifest itself in sentimental efforts to win the South by such acts as the restoration of the name of Davis on Cabin John Bridge, at Washington, and Senator MONEY'S resolution to impeach the integrity of the fourteenth amendment and like suggestions which a few years ago would have met with a storm of protests.

"This extreme tenderness toward the ruling elements of the South may be wise, but to one who remembers the result of President Hayes's generous acts extending the same olive branch, doubts and misgivings must be excused. It is all well enough to hide away the scars of the war, but there is such a thing as the pendulum of time swinging backward beyond the perpendicular. The thoughtful men of both the South and the North are content to abide by the impartial judgment of history, and not seek by such puny sentimental displays to divert the thoughts and judgment of the present generation from the eternal truths vindicated and settled by the civil war."

Mr. HOLLINGSWORTH. Mr. Speaker, I now move, as a matter of privilege, that the committee to which my resolution was referred more than seven days ago be discharged and the resolution be now taken up for consideration.

Mr. HAY. Mr. Speaker, I make the point of order that was made some days ago against a similar motion by me, that the committee has not been appointed, and therefore the resolution is not privileged.

Mr. HOLLINGSWORTH. I will refer the Speaker to the Manual, page 500, in which it says that if a resolution fails to reach the committee for any reason, it shall not affect the privilege.

The SPEAKER. To what committee was the resolution referred?

Mr. HOLLINGSWORTH. To the Committee on Naval Affairs, over seven days ago.

The SPEAKER. The Chair is prepared to rule.

Mr. HOLLINGSWORTH. I would like in that connection to say that I have some remarks and I have now completed my statement, and I would like these remarks to go in the RECORD, also.

The SPEAKER. Does the gentleman ask unanimous consent to address the House for a stated time?

Mr. HOLLINGSWORTH. I do.

Mr. SPIGHT and Mr. HARRISON objected.

The SPEAKER. The gentleman from New York [Mr. HARRISON] and the gentleman from Mississippi [Mr. SPIGHT] object. The Chair sustains the point of order at this time. The motion of the gentleman to discharge the Committee on Naval Affairs from consideration of the resolution, in the opinion of the Chair, is not in order, and therefore the Chair sustains the point of order made by the gentleman from Virginia.

Mr. PAYNE rose.

Mr. HOLLINGSWORTH. Mr. Speaker, I have not yet relinquished the floor.

The SPEAKER. The gentleman from Ohio had the floor on a matter of personal privilege. So far as anything comes to the knowledge of the Chair at this time, it seems to the Chair that the gentleman is not entitled to the floor any further, because the point of order has been sustained that within the rules of the House the gentleman has not presented a question of personal privilege. If the gentleman from Ohio has anything in addition to present to the House involving a question of personal privilege, the gentleman will state it.

Mr. HOLLINGSWORTH. I have this further to suggest. I have put in the RECORD the position of the State of Mississippi in regard to this silver-service incident. I have put in the RECORD the resolution and my interview which called forth these vindictive attacks. I have prepared my own views, and I will say to my friends of both the South and the North that after they have listened to them, if they have any objection, I will never rise to another question of privilege. I understood the rule to be that I might move to take my resolution out of the committee after it had rested there seven days. That has been ruled against me. I have no desire to appeal or question the matter further; but I have some remarks that I do not think anyone on either side of the Chamber would object to, if they knew what they were. I now repeat my request for unanimous consent that I may print my remarks in the RECORD, or that I be allowed thirty minutes' time to state them.

The SPEAKER. The gentleman asks unanimous consent in the alternative, first, that he be permitted to print his remarks in the RECORD, or that he be granted thirty minutes' time in which to address the House. Is there objection to the first proposition?

Mr. HARRISON. Mr. Speaker, to both of those requests I object.

The SPEAKER. The gentleman from New York [Mr. HARRISON] objects.

Mr. HOLLINGSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOLLINGSWORTH. Is there objection to my request other than to the amount of time to be consumed?

The SPEAKER. Well, the Chair can not tell what moved the gentleman from New York to object, because the Chair is not a mind reader.

Mr. HOLLINGSWORTH. That is very satisfactory; but I was led to believe that my motion would be in order immediately after the reading of the Journal, and I present a parliamentary inquiry to know whether that is so or not.

The SPEAKER. At this time, in the opinion of the Chair, as the Chair ruled on a former occasion at this session, in the case of a resolution introduced by the gentleman from Virginia [Mr. HAY], a similar motion to this was not in order at that time, as this, in the opinion of the Chair, is not in order at this time.

Mr. HARRISON. Mr. Speaker, I demand the regular order.

PHILIPPINE TARIFF.

Mr PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9135, the Philippine tariff.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Philippine tariff bill, with Mr. OLMSTED in the chair.

The CHAIRMAN. The committee will be in order. The Chair will call attention to the fact that when the committee rose on the last day of meeting there was a motion pending, an amendment offered by the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, I ask that that amendment may be again reported by the Clerk.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Amend by inserting at the end of section 13, on page 115, line 21, the following:

"*Provided*, That the export duties authorized to be collected under section 13 of this act shall remain in force and be operative for two years, and thereafter the amount of the duties named in said section shall be reduced one-fifth each succeeding year for the period of five years. Seven years after the enactment of this law no export duties or other charges shall be levied, collected, and paid upon the exportation of any articles from the Philippine Islands."

Mr. UNDERWOOD. Mr. Chairman, my purpose in offering this amendment is to strike out of the bill the paragraph pro-

viding for an export tax, a means of taxation that I do not believe is worthy of the legislation of this House or is necessary at this time to produce a revenue sufficient to conduct the business of the insular government in the Philippine Islands. I do not think that there is any contention on the part of those who desire this provision to stay in the bill to defend it on the merits or to defend the doctrine of export taxation. I believe they merely contend that it is necessary to keep this clause in the bill in order that sufficient revenue may be had to run the insular government of the Philippine Islands. Now, Mr. Chairman, there is no way in which we can obtain the facts on this question except from the report of the officers of the Insular Bureau. It seems that the Insular Bureau has made two reports. On May 5 a letter was filed with the chairman of the committee by General Edwards, in which he stated that the export duties collected on hemp shipped to all countries last year—that is, the year 1908—were approximately $950,000; on sugar, $190,000; on tobacco, $200,000; amounting in round figures to something over $1,000,000. He states in this letter that the Government could not well dispense with these export duties, stating it on the authority of the Philippine government; but we have a representative of the Philippine government here.

There was a representative of the Philippine government before the Ways and Means Committee, the representative of the Philippine government who was informed on this very question, and that is the collector of customs for the Philippine Islands. On May 6, a day later than the date of this letter of General Edwards, the Insular Bureau filed a report showing the facts which were concurred in by the collector of customs, who is in this city to-day, which report stated that the amount collected from export taxes amounted to only $743,000. Now, that same report said that, by reason of the granting of free trade between the United States and the Philippine Islands, the revenues of the insular government would be reduced as follows: On import duties, $1,537,000; on duties collected on Philippine products in the United States, $269,000; the falling off of export duties would amount to $44,000, making a total of $1,817,000. But the same report shows that by increasing the duties on custom revenues and the internal revenues, as provided by the laws now in force in the Philippine Islands and that will go into effect this year, the receipts will be increased to the amount of $1,175,000 over what they were last year. This report further shows that in the last year the internal-revenue taxes collected in the Philippine Islands were not all used by the insular government, that $3,000,000 of the internal-revenue taxes were turned over to the municipalities and the provinces and used by them, because the insular government had a surplus and there was no necessity for them to use the entire amount of the internal-revenue taxes. That surplus amounted to over $3,000,000. The Insular Bureau in its report to Congress says:

The present internal-revenue law of the Philippine Islands provides that on January 1 next there shall be an increased revenue tax on cigarettes and distilled spirits manufactured in the islands, which will give an annual increase in collection of $800,000—

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask leave of the House to continue for ten minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to continue his remarks for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. It goes on to say:

To meet this remaining deficit, as compared with the revenues of the last fiscal year, there will be the increased receipts of $3,083,000, heretofore paid into the municipal and provincial treasuries. The insular government may retain as much of this as it finds necessary.

Now if you count the increased internal-revenue collections and place in the insular treasury the money that it has been giving to the provinces and the municipalities, and then deduct from that the entire collections of export duties for the last year, it will leave a surplus in the treasury of something over $1,000,000. I think the fundamental objection to the passage of this legislation requiring that articles shipped from the Philippine Islands of a certain kind—copra, tobacco, sugar—shall be taxed before they are exported, is that it taxes the energy of the people; it is a tax on the development of the resources of the islands; it is a tax that has been abandoned for many years by all of the civilized nations; it is a relic of barbarism. The founders of our great Government in adopting the Constitution of the United States provided that no export taxes should be levied by the Government of the United States, realizing that a tax of that kind ties the hands of the people, hampers their ability to compete in foreign markets, prevents the development of their country and their country's resources, and I say it is unfair, it is unjust to levy such a tax on these people, for whom we are legislating.

I say that it is not necessary, that the taxes already collected will be more than sufficient to meet the necessary expenses of the insular government, but in order that we may be absolutely safe and absolutely sure that we do not take the revenues away from their treasury that may be necessary to conduct its business the amendment that I have offered proposes that this present export tax shall remain for two years and thereafter it shall be diminished one-fifth each year for a period of five years before it is entirely taken away. This gives ample time for the insular government to adjust itself to the new conditions, if it needs adjustment. It is not radical. If it turns out hereafter that we have made a mistake and there is not enough money to run the government, why Congress will have ample time to correct its mistake.

But if we enact this bill to-day with this provision in it providing for an export tax on the goods leaving the Philippine Islands, we will adopt a system there that we can not get rid of. When we put that system in the statute books of the Philippine Islands, the insular government will adapt themselves to the system we give them and attempt to do no better. But if we write in the statute books a provision for the gradual repeal of these export taxes, we will put them on notice that they must either by economy reduce expenditures or provide an additional tax, if the present taxes are not enough to support the government—and I believe they are—within the next seven years. If we adopt this amendment, we will put their tax laws on an equal basis with that of the great nations of the world. We will not put them in the class with Turkey and Persia and second-class nations, but we will put their tax laws on the same basis and in accordance with the same high ideals that have been adopted for our own people here at home.

Mr. MACON. Mr. Chairman, I dislike very much to oppose an amendment offered by the gentleman from Alabama, especially so when he is a member of the Committee on Ways and Means that reported this bill. Still, I feel it is my duty as a representative of the people to protest against it upon constitutional grounds. The framers of our Constitution at the time of its adoption saw fit to incorporate the following paragraph as a part of section 9 of the Constitution:

No tax or duty shall be laid on articles exported from any State.

If we had had at that time, Mr. Chairman, outlying territory, if we had had colonial possessions, I am sure the framers of the Constitution would have provided that no export tax or duty should be laid upon articles exported from any State or Territory of or colonial possession belonging to the United States. That being the case, I am opposed to section 13 as carried in the Philippine tariff bill or any amendment thereto except to strike it out, and shall at the proper time move to strike out the entire section. But, recognizing that the friends of the section have the right to perfect it by amendment if they can before my motion to strike out would lie, I take the opportunity of saying now that I am opposed to this particular amendment for the reason just given.

Mr. UNDERWOOD. Will the gentleman from Arkansas allow me to interrupt him?

Mr. MACON. I will.

Mr. UNDERWOOD. I do not desire to be put in the category of being the friend of this section. I opposed it in committee and am opposing it now. I offer this temporary amendment in order that these people may have the opportunity of adjusting themselves to the situation, and I have only taken the position as opposed to these export taxes.

Mr. MACON. I am sure the gentleman, so far as that is concerned, is not in favor of an export tax. He could not be if he is in favor of the maintenance of the Constitution, and I believe he is in favor of its maintenance. But his amendment provides that for two years we shall have the export tax in full force as carried in this provision. After the expiration of that time one-fifth of it shall be stricken out, and so on for five years, and after seven years it is all, I believe, to be eliminated from the bill. But the framers of the Constitution did not say that on and after the period of two years there should be no export tax levied against any of the exports from any of the States. They did not say that after the expiration of two years one-fifth of the export taxes laid against the exports of the States should be abolished. If I vote for this amendment, I will commit myself to a policy of recognizing the principle of an export tax under the Constitution, when, in my judgment, it does not exist.

I also oppose it as I would oppose the enactment of a law postponing the time for the punishment of crime or one allowing it to exist for a stated time. I do not think it would be right to enact that crime should exist for a certain length of

time or that the law punishing it should be suspended for a certain length of time or that the Constitution should be overridden for a certain length of time, and after that time that crime should not be committed, the law no longer suspended, and the Constitution no longer overridden. Therefore I oppose this amendment, and I hope at the proper time the committee will see fit to strike out section 13 and let us live up to the Constitution as adopted by its framers.

Mr. PAYNE. Mr. Speaker, this is one of the most popular of the forms of taxation for the Philippines. It is a taxation upon the more prosperous of the Filipinos, the people who raise these articles that are exported and are doing well.

If it is a land tax, it is a land tax upon those who can afford to pay the tax. There is no question as to the absolute necessity for these export taxes in order to produce revenue to take care of these people. I do not intend to follow the gentleman from Alabama in his figures further than to say that General Edwards says that of the $3,000,000 internal-revenue taxes turned over to the municipalities and the territorial governments there a deduction might be made. He did not say the whole of the $3,000,000 might be, and did not say how much could, but a little could be if necessary for the first year or so to help out the government. It is necessary to have the taxes. They are taxes they have always had there; they are accustomed to them, and like them better than any other form of taxation. I hope the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. UNDERWOOD. I ask for a division.

The committee divided; and there were—ayes 34, noes 34.

So the amendment was rejected.

Mr. MACON. Mr. Chairman, I move to strike out all of section 13, beginning with line 16, on page 114, down to and including line 20, on page 115.

The CHAIRMAN. The gentleman from Arkansas offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out all of section 13, beginning on page 114, line 16, ending with line 20, page 115.

Mr. PAYNE. I make the point of order against that, Mr. Chairman. I think an amendment can only be applied to the last paragraph of the section.

The CHAIRMAN. The gentleman from New York makes the point of order that such an amendment would be in order only as to the last paragraph, the other paragraphs having been read and disposed of.

Mr. MACON. As to the last paragraph?

Mr. PAYNE. The gentleman's motion is to the entire section—to paragraphs which have been already agreed to by the committee.

Mr. MACON. Mr. Chairman, it was distinctly understood that the amendment of the gentleman from Alabama alluded to this whole provision, beginning on page 114, line 16, and including those lines mentioned in my amendment. That being the case, it being mutually understood that his amendment went to the whole provision, I could not make a motion to amend by striking out until that amendment had been disposed of; and hence I insist that the gentleman's point of order can not be well taken, under the circumstances.

The CHAIRMAN (Mr. OLMSTED). Just one moment. The amendment offered by the gentleman from Alabama and just rejected would, if it had been agreed to, affect all the export duties authorized in the section. No point of order was made against that amendment. The amendment now offered is to strike out a portion of the bill which has already been agreed to by the committee.

Mr. PAYNE. Further than that, it was agreed by unanimous consent that we might read to the close of the paragraph, and the gentleman from Alabama could offer his amendment, which was to limit the time. No other amendment was agreed to be pending but simply his, and this leaves the amendment of the gentleman from Alabama [Mr. UNDERWOOD] as if it had never been offered at all.

Mr. MACON. Mr. Chairman, I desire to call the Chair's attention to the exact language of the gentleman from Alabama when he offered his amendment. I will read from the RECORD of last Thursday:

Mr. UNDERWOOD. Mr. Chairman, I desire to offer an amendment which will affect all of section 13.

Thus you see that if I had moved to strike out the first part of section 13, at the time the gentleman from Alabama offered his amendment, the Chair would properly have held that I would have had to wait until the gentleman's amendment had been disposed of—until the friends of the section could have had opportunity to perfect it, if they wanted to do so—before I could have been recognized to make the motion to strike it out. Certainly the Chair will not insist that that would not have been the case at that time.

The CHAIRMAN. At the time that the amendment of the gentleman from Alabama was offered it might or might not have been found out of order if a point of order had been made, but there was no point of order made. The amendment was not agreed to and is not included in the bill. The gentleman is entitled to move to strike out the last paragraph, but not any preceding paragraph which has already been read and agreed to, and is therefore no longer open for amendment. An amendment can only be offered to a paragraph which is under consideration. The motion to strike out the entire section, embracing a number of paragraphs already read and agreed to, is not in order. The Chair therefore sustains the point of order.

The Clerk read as follows:

SEC. 22. That upon the exportation of articles manufactured or produced in the Philippine Islands, including the packing, covering, putting up, marking, or labeling thereof, either in whole or in part of imported materials, or from similar domestic materials of equal quantity and productive manufacturing quality and value, such question to be determined by the insular collector of customs, there shall be allowed a drawback equal in amount to the duties paid on the imported materials so used, or where similar domestic materials are used, to the duties paid on the equivalent imported similar materials, less 1 per cent thereof: *Provided*, That the exportation shall be made within three years after the importation of the foreign material used or constituting the basis of drawback: *And provided further*, That when the articles exported or coverings thereof are in part of materials grown or produced in the Philippine Islands not subject to drawback under this act, the imported materials, or the similar domestic materials of equal quantity and productive manufacturing quality and value entitled to drawback, shall so appear in the completed articles or packages that the quantity or measure thereof may be ascertained: *And provided further*, That the imported materials, or domestic materials entitled to drawback under this act, for which drawback is claimed, shall be identified; that the quantity of such materials used and the amount of duty paid thereon or if domestic materials, paid upon its equivalent, shall be ascertained; and that the fact of their exportation shall be established; and the refund if made shall be paid to the manufacturer, producer, or exporter, to the agent of any of them, or to the person such manufacturer, producer, exporter, or agent shall, in writing, order such refund paid, under and in accordance with such rules and regulations as the insular collector of customs may prescribe: *Provided, however*, That no drawback shall be paid under this section on account of any articles, goods, wares, or merchandise exported to the United States of America or to any Territory or place under the jurisdiction and the control of the Government thereof, wherein such articles, goods, wares, or merchandise are admitted free of duty.

Mr. UNDERWOOD. Mr. Chairman, I desire to offer the following substitute for that paragraph.

The Clerk read as follows:

Amend by striking out all of section 22 and insert in place thereof the following:

"SEC. 22. That upon imported materials used in the manufacture or production of articles in the Philippine Islands, or in the packing, covering, putting up, marking, or labeling of articles grown, produced, or manufactured therein, and upon which the required amount of duty has been paid, there shall be allowed a drawback of the corresponding proportion of the amount so paid, less 1 per cent thereof, upon proof satisfactory to the collector of customs of the exportation of the whole or part of any importation upon which duty has been paid as aforesaid used in any of the ways above set forth: *Provided*, That when the articles exported, or the coverings thereof, are in part of materials grown or produced in the Philippine Islands, the imported materials or the parts made from such materials shall so appear in the completed articles or packages that the quantity or measure thereof may be ascertained: *And provided further*, That the imported materials for which drawback is claimed under this section shall be identified, and the quantity of such materials used and the amount of duties paid thereon ascertained, if necessary; the facts of their use in manufacture, production, or packing in the Philippine Islands and their exportation therefrom determined, and the refund, if made, shall be paid to the manufacturer, producer, or exporter, to the agent of any of them, or to the person to whom such manufacturer, producer, exporter, or agent shall, in writing, order such refund paid, under and in accordance with such rules and regulations as the insular collector of customs may prescribe: *Provided, however*, That no drawback shall be paid under this section on account of any articles, goods, wares, or merchandise exported to the United States of America or to any territory or place under the jurisdiction or control of the Government thereof wherein such articles, goods, wares, or merchandise are admitted free of duty or at any rate of duty lower than the minimum rate of duty applicable to articles, goods, wares, or merchandise imported therein from foreign countries."

Mr. UNDERWOOD. Mr. Chairman, my purpose in offering the amendment is this: The bill introduced in the House, as the chairman of the committee stated, came from the Bureau of Insular Affairs, and it contained a provision in reference to drawbacks similar to that which the Clerk has just read at the desk, which I have offered by way of amendment.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. UNDERWOOD. I will.

Mr. LONGWORTH. Is this provision similar to that in the drawback provision of the Dingley law?

Mr. UNDERWOOD. I think it is. I have not changed it any. I just cut the provisions out of the original bill and offered it by way of amendment. The amendment reads as the

main bill read in reference to drawbacks when it passed the House. The amendment I offer reads as the Dingley bill reads in reference to drawbacks. The main difference is this: The drawback under the Dingley bill must go to the man who imports the goods for the purpose of manufacturing them, and he must show that these imported goods were manufactured and exported again. Now, I have no objection to that class of drawbacks. I think it is a good provision. It may help our foreign trade without injuring anybody. But the provision that is carried in this bill to-day, not asked for by the Insular Bureau, because the bill they sent up here had only the Dingley provision in it, and there was no testimony upon it that I heard on the part of anyone representing the Insular Bureau or the Philippine people that they wanted this new drawback rate.

The new drawback rate provides that whenever a man imports goods into the Philippine Islands under this bill or into the United States under the Payne bill that he can dispose of them if he states that he intends to introduce them for manufacturing purposes, and he can dispose of them to anybody he wants to. If he holds a certificate of the custom-house at any time within three years, he can have similar domestic articles manufactured and export them abroad and call on the Government for a drawback of 99 per cent of the amount originally paid.

Now, I say that that procedure is going to open the door of the Treasury to all kinds of frauds, whether it be in the United States or in the Philippine Islands, and you will not be able to keep up with it. Every man that introduces any goods that come into the United States or into the Philippine Islands that can possibly be manufactured into something else will declare that he introduces them for the purposes of manufacture and will sell them at the highest market price, and if the opportunities of the market afterwards make it profitable within three years, he will manufacture domestic material in place of it and export it again, and claim his drawback from the Government. It opens the door to speculation on the part of the manufacturer at the expense of the Treasury. There is absolutely no need for it in the Philippine Islands. There are comparatively few manufacturers there who import goods for remanufacture. There will be no question or trouble about their tracing the goods they import under the old law. The present law, the law I offer as a substitute, gives ample opportunity for the manufacturing interests to get their drawback if they are doing a legitimate business, and there is no necessity for a change in the law that has not been asked for on the part of the insular authorities.

The CHAIRMAN. The question is on the amendment.

Mr. PAYNE. Mr. Chairman, before the question is taken I want to say a word. The gentleman from Alabama objects because we have a three years' clause in which they may import for manufacture and get drawbacks. He is not aware that under the section he has offered, which was in the Dingley law, the courts have held that they had twelve years, and perhaps longer than that.

Mr. UNDERWOOD. Yes; but that was to the same man; it could not go to some one else.

Mr. PAYNE. Now, the difficulty is that the gentleman has not kept up with the times. The committee of which he is a member has been at work and a new drawback, a better provision than that in the Dingley bill, has been drawn, and when Colonel Colton saw the bill the House sent over to the Senate, and a drawback clause that was a better one than they had, at their earnest solicitation I put in this one instead of the one that was originally drawn and was in the bill as I introduced it.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. UNDERWOOD) there were—ayes 29, noes 48.

So the amendment was rejected.

The Clerk read as follows:

SEC. 23. That containers, such as casks, large metal, glass, or other receptacles which are, in the opinion of the collector of customs, of such a character as to be readily identifiable may be delivered to the importer thereof upon identification and the giving of a bond with sureties satisfactory to the collector of customs in an amount equal to double the estimated duties thereon, conditioned for the exportation thereof or payment of the corresponding duties thereon within one year from the date of importation, under such rules and regulations as the insular collector of customs shall prescribe.

With the following committee amendments:

SEC. 24. That in addition to the taxes imposed by this act there shall be levied and collected on goods, wares, or merchandise when imported into the Philippine Islands from countries other than the United States the internal-revenue tax imposed by the Philippine government on like articles manufactured and consumed in the Philippine Islands or shipped thereto, for consumption therein, from the United States.

The CHAIRMAN. The question is on the committee amendment.

Mr. POINDEXTER. Mr. Chairman, before the question is taken I would like to ask the chairman of the committee whether there are any internal-revenue taxes collected by the Philippine government on goods imported from the United States?

Mr. PAYNE. Do I understand the gentleman to ask if there are any internal-revenue taxes collected in the Philippine Islands?

Mr. POINDEXTER. On goods imported into the Philippine Islands from the United States.

Mr. PAYNE. No; they are collected in the United States, not in the Philippine Islands.

Mr. POINDEXTER. I understand the gentleman's amendment is intended to cover internal-revenue——

Mr. PAYNE. Goods coming from the United States to the islands pay an internal-revenue tax here in the United States, and goods coming from the islands to the United States pay an internal-revenue tax there under this amendment.

Mr. POINDEXTER. That is my understanding. I would suggest that the gentleman's amendment does not cover any internal-revenue taxes levied by the United States. If it is intended to have that effect, it does not have that effect. It refers only to internal-revenue taxes levied by the Philippine government, not to any revenue taxes levied by the United States; and I offer an amendment, Mr. Chairman, to this amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 124, section 24, line 10, after the word "or," insert "imposed by the United States on like articles."

Mr. PAYNE. Mr. Chairman, the only objection to that is that it is already the law, as I understand it. Goods going to the Philippine Islands pay the internal-revenue tax here. I can not point to that provision now.

Mr. POINDEXTER. Mr. Chairman, the amendment is not intended to add internal-revenue taxes. The amendment offered by the committee, as I understand it, is that there shall be levied an import duty, a tariff duty, equal to the internal-revenue tax. It is true, as was stated by the gentleman from New York [Mr. PAYNE], that it is already the law that internal-revenue taxes are levied upon goods imported into the Philippine Islands from the United States; but the purpose of this amendment is to have a tariff tax equivalent to the internal-revenue tax upon goods imported from the United States, thereby accomplishing the object stated by the gentleman from Connecticut [Mr. HILL], a member of this committee, to give a preference in the trade of the Philippine Islands to the manufacturers and dealers of the United States. The amendment offered by the gentleman from New York [Mr. PAYNE], as the chairman of the committee, contains these words:

Or merchandise when imported into the Philippine Islands from countries other than the United States the internal-revenue tax imposed by the Philippine government on like articles manufactured and consumed in the Philippine Islands, or shipped thereto for consumption therein, from the United States.

Now, there are no such taxes levied by the Philippine government upon goods shipped thereto from the United States. The gentleman has just stated that the intention is to cover internal-revenue taxes levied in the United States, and this amendment I offer, by inserting after the word "or," in the tenth line, the words "imposed by the United States Government on like articles," simply has the effect of adding to the tariff, the import duty, an amount equivalent to the internal revenue which is levied and collected by the United States.

Mr. PAYNE. Mr. Chairman, I want to say to the gentleman that none of these liquors can be imported to the islands from the United States without paying our internal-revenue duties, and it is not necessary to put in this amendment here.

Mr. POINDEXTER. That does not reach the point.

Mr. PAYNE. It reaches all the points that I can make out of reading the amendment. I confess that the amendment is rather confusing to me.

Mr. GAINES. Mr. Chairman, what does the gentleman from Washington understand the present law to be? We will assume that whisky is exported from the United States into the Philippine Islands. Does the gentleman understand that that whisky pays an internal-revenue tax here before it is exported? I ask for information.

Mr. POINDEXTER. I would say it pays an internal-revenue tax in the United States, levied by the United States—not levied by the Philippine Islands or the government, as stated in this amendment.

Mr. GAINES. It seems to me, Mr. Chairman, if the gentleman is correct in saying that articles exported from the United States to the Philippines which have already paid in the United States the revenue tax required to be paid here should be charged with an additional tax there it would amount to

an exclusion of such articles made in the United States from competition in the Philippines.

Mr. POINDEXTER. That is not the purpose or effect of this amendment. This is to levy upon like articles imported from other countries a tariff duty equal to the internal-revenue tax which those goods have to pay in the United States before they are shipped, in order to put the two upon an equal basis.

Mr. HILL. That is the exact purpose of the amendment offered by the committee, that the Philippine Islands may get on foreign liquors imported into the Philippine Islands from other countries the privilege of putting upon those liquors after they are imported the same internal-revenue tax that they would put upon them if they were manufactured in the Philippine Islands or imported from the United States, either one.

Mr. POINDEXTER. I understand——

Mr. HILL. That is the purpose.

Mr. POINDEXTER. I agree with that purpose; I am in sympathy with it, but in order to carry it out I offer this amendment, because, unless the provision is amended in this way, the Philippine tariff act now being passed will not include any internal-revenue taxes levied by the United States Government.

Mr. HILL. This authorizes the levying of internal-revenue taxes upon foreign liquors coming direct into the Philippine Islands from countries other than the United States, so that we may have equal and not an unfair competition there, because foreign goods coming into the United States and paying our tariff pay a higher rate of duty than if they went direct to the Philippine Islands. This amendment provides that the Philippine Islands may add the same internal-revenue tax which would be paid if they were the product of the United States and shipped from here.

Mr. POINDEXTER. What internal-revenue tax, may I ask?

Mr. HILL. I do not remember the amount.

Mr. POINDEXTER. What government is it levied by?

Mr. HILL. It is satisfactory to that government, they get the same internal-revenue tax.

Mr. POINDEXTER. But there is no internal-revenue tax levied by the Philippine government upon goods imported into the Philippines from the United States.

Mr. HILL. Yes, there is; and an internal-revenue tax here on importations from the Philippine Islands into the United States and the internal-revenue tax is put on here just as it is on articles from Porto Rico. The internal-revenue tax is assessed and paid in the country of consumption and articles coming from Porto Rico, for instance, cigars, must pay an internal-revenue tax here and articles coming from the Philippine Islands must pay an internal-revenue tax here and our articles going over there pay an internal-revenue tax there. Now, if the foreign liquors or cigars did not bear an internal-revenue tax, of course we would be unable to compete with foreign countries in the Philippine Islands and the committee amendment is to authorize them, in addition to their lower customs duties, to put an internal-revenue tax upon those foreign liquors equivalent to the internal-revenue tax which they would put there on their own or ours and make a fair and equal competition in that way.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is upon the committee amendment.

The question was taken, and the committee amendment was agreed to.

The Clerk read as follows:

SEC. 24. That the insular collector of customs shall, subject to the approval of the secretary of the department having jurisdiction over the customs service, make all rules and regulations necessary to enforce the provisions of this act.

With the following committee amendment:

Page 124, line 13, strike out "twenty-four" and insert "twenty-five."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Also the following committee amendment:

The Clerk read as follows:

Insert a new section, section 26, as follows:

"SEC. 26. That original jurisdiction in all cases arising in the Philippine Islands is hereby conferred upon the courts of first instance of the Philippine Islands and appellate jurisdiction upon the supreme court of the Philippine Islands in matters arising under the act of Congress approved February 20, 1905, entitled 'An act to authorize the registration of trade-marks used in commerce with foreign nations or among the other States or with Indian tribes and to protect the same,' identical with the jurisdiction conferred upon courts of the United States by section 17 of said act.

Mr. GAINES. Mr. Chairman, I move to strike out the last word. I do that, Mr. Chairman, not for the purpose of addressing myself under the rules to the amendment, but for the purpose of asking permission to insert in the RECORD a clipping from a recent issue of the Washington Post, showing that the Canadian government has already begun to take steps to increase the license tax upon timber lands in that country by the exact amount that we determined to reduce the tariff on rough lumber.

The CHAIRMAN. The gentleman from West Virginia [Mr. GAINES] moves to strike out the last word for the purpose of inserting in the RECORD the clipping to which he has referred. Is there objection?

Mr. STAFFORD. Will the gentleman permit a question in that connection? I do not wish to make any objection to the article.

Mr. GAINES. I yield.

Mr. STAFFORD. Was not the Canadian government, prior to any action being taken by our Congress in seeking to reduce the duty on lumber, considering the question of increasing the limits on the crown lands or their stumpage rights?

Mr. GAINES. I will say to the gentleman, I think not.

Mr. STAFFORD. I would like to say to the gentleman, for his information——

Mr. PAYNE. Mr. Chairman, I am going to object to this debate.

Mr. STAFFORD (continuing). In Ottawa we found that an increase of stumpage duties had been considered for a long time.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia [Mr. GAINES]?

There was no objection.

The article is as follows:

CANADA EYES REVISION—HAD HOPED FOR ADVANTAGE TO FARMERS OF DOMINION—LUMBER INTERESTS PLEASED—GENERAL GOVERNMENT WATCHING WITH MUCH INTEREST THE PROGRESS OF THE TARIFF BILL—DISAPPOINTMENT FELT OVER PROBABLE RATES ON GRAINS AND COAL—PLANS OF SHREWD AGRICULTURISTS.

(Special to the Washington Post.)

OTTAWA, *April* 25.

The Dominion government is watching with much interest the progress of the tariff-revision bill at Washington, particularly with reference to the effect which the proposed changes will have upon Canadian industries. It was hoped that some advantage would be gained for the grains and other products of Canadian farms by a reduction of the duties, and also that coal would be placed upon the free list in the new tariff law, and there is much disappointment in the outlook, which seems to indicate that no material changes seem likely to be made.

There is, however, much satisfaction expressed over the report that the duty on Canadian lumber is to be lowered, and a very material advantage thus given to the export trade of the northwestern Provinces. The Dominion government is equally interested with the lumbermen in this phase of the American tariff measure, as it will mean a large increase in Canadian revenues.

LOOKING FOR AN EXCUSE.

For some time the Dominion government, as well as the local governments of the timbered Provinces, has been looking for an excuse to raise the royalties which the timbermen are obliged to pay for the right to cut lumber. Under the Canadian plan timber lands are leased by contract to lumbermen at a stipulated ground rental, and, in addition to this, a crown royalty of 50 cents a thousand feet is exacted when the timber is cut. The provincial royalty when the lands are owned by the Provinces is the same.

The farming element, which predominates in the Parliament, is more or less jealous of the privileges which the timbermen enjoy, and they feel keenly the advantage which lumber is likely to obtain in the American tariff over their own farm products. They have, accordingly, started a movement to grasp that advantage for the government by increasing the timber royalties. Should the American Congress finally decide to reduce the duty on Canadian lumber from $2 to $1 a thousand, it is proposed correspondingly to increase the royalties exacted of the lumbermen from 50 cents a thousand to $1.50 a thousand.

NO HARDSHIP TO LUMBERMEN.

It is argued that this increase would work no hardship upon the Canadian lumberman, whose royalties are now regarded as low, for the reason that he would obtain a like advantage through the reduced rates of duty which he would have to pay in entering the United States market. The advance would be paid by purchasers in the States, and the increase would yield a handsome revenue to the Dominion government. It is likely that the legislatures of the Provinces which own and lease timber lands will pursue a like course. In this way a great burden of taxation would be removed from the Canadian taxpayer, for the reason that the major portion of timber cut in Canada is exported, and under the reduced duty an increased market would be found in the United States.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The Clerk read as follows:

SEC. 25. That all existing decrees, laws, regulations, orders, or parts thereof, inconsistent with the provisions of this act, are hereby repealed, but the repeal of such decrees, laws, regulations, or orders, or parts thereof, shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal takes effect; but all rights and liabilities under said decrees, laws, regulations, or orders shall continue and may be

enforced in the same manner as if said repeal had not been made. Any offenses committed and all penalties or forfeitures or liabilities incurred prior to the time when this act shall take effect under any decree, law, regulation, or order embraced in, modified, changed, or repealed by this act may be prosecuted or punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes and proceedings or to the prosecution of offenses or for the recovery of penalties or forfeitures embraced in, modified, changed, or repealed by this act shall not be affected thereby; and all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the time when this act shall take effect may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed.

Also the following committee amendment:

Page 125, line 4, after the word "section," strike out "25" and insert "27."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. JAMES. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding at the end of line 3, page 126, the following:

"*Provided*, That the provisions of this bill shall continue in force no longer than July 4, 1914, and nothing herein contained shall be construed to mean that it is the purpose of the Congress that the United States shall permanently retain sovereignty over the Philippine Islands, but it is hereby declared to be the settled purpose of the Congress to give the Philippine Islands their independence and all the rights of self-government on July 4, 1914, to the end that the said islands shall be recognized by the United States as a free and independent nation, as was done in the case of Cuba."

Mr. PAYNE. Mr. Chairman, I make a point of order against that. It is not germane.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. JAMES] desire to be heard?

Mr. JAMES. Mr. Chairman, this is a limitation upon the life of this act, and that part of it is certainly germane and will not be questioned by the gentleman from New York [Mr. PAYNE]. In the Wilson tariff law there was a limitation upon the life of the income tax, and it was held germane; and I merely place a limitation upon this act, that it shall run until July 4, 1914, for the reason, as my amendment declares, that we intend at that time to give liberty and independence to the people of the Philippine Islands. It is merely a declaration of the long-delayed and often-promised purpose of the Republican party to give freedom to the people that they have long held in subjugation. And I fixed the term five years longer in order that there may be no objection to it at all, even from a Republican standpoint.

The CHAIRMAN. This is a very long bill, but the Chair has read it through in all its parts, and finds that it contains no provisions whatever except such as relate strictly to the tariff laws of the Philippine Islands, export duties, and kindred matters. There is nothing in the bill relating at all to the question of the sovereignty of the United States over the Philippine Islands or to the giving of independence and self-government to the people of those islands. The amendment offered by the gentleman from Kentucky [Mr. JAMES] seems, therefore, to the Chair to introduce an entirely new subject, not germane to anything found within the limits of the bill. This case is very similar to one which arose when the question of the tariff between the United States and the Philippine Islands was before the House in 1906. An amendment was then offered by the gentleman from Massachusetts [Mr. MCCALL] almost identical with that now offered by the gentleman from Kentucky [Mr. JAMES].

The amendment then offered was:

And provided further, That nothing herein contained shall be construed to mean that it is the purpose of the Congress that the United States should permanently retain sovereignty over the Philippine Islands, but it is hereby solemnly declared to be the settled purpose of the Congress to fit the people of the said islands for self-government at the earliest practicable moment, and when that result shall have been accomplished to leave the government and control of the said islands to the people thereof, to the end that they shall be recognized by the United States as a free and independent nation, as was done in the case of Cuba.

That amendment was ruled out of order as not germane to the bill (5 Hinds' Parliamentary Precedents, 5860.) The occupant of the chair at that time was one in whose decision the present occupant would naturally have considerable confidence, being the same person who now occupies the chair. [Laughter.] The gentleman from Massachusetts, not having equal confidence in the correctness of the ruling—which was a very elaborate and carefully considered one, and need not be repeated here—appealed therefrom. Upon his appeal the ruling of the Chair was sustained by a vote of 198 to 193. That case seems really squarely to rule the question now presented; the point of order must therefore be sustained.

Mr. JAMES. But the McCall amendment, to which the Chair makes reference, contained many provisions, but did not provide any limitation upon the life of the act, which my amendment does. I do not presume the Chair would hold an amendment would not be in order where it is a limitation of the life of the act.

The CHAIRMAN. The bill itself contains no reference to the intention of Congress in regard to retaining sovereignty over the Philippine Islands. The amendment does. It introduces an entirely new subject not germane to the bill, and consequently out of order; and therefore the whole amendment is out of order, because containing matter not in order. The fact that it also contains matter which standing by itself might be in order does not make it in order as a whole.

Mr. JAMES. Then I offer the first part, "that the provisions of this law shall continue in force no longer than July 4, 1914."

The CHAIRMAN. Let the amendment be read.

The Clerk read as follows:

Amend by adding, after line 3, page 126, the following:

"*Provided*, That the provisions of this bill shall continue in force no longer than July 4, 1914."

Mr. PAYNE. I make the point of order it is not germane to this section. This section is the repealing section of a former act.

The CHAIRMAN. Is this offered as an amendment to the paragraph?

Mr. JAMES. I offer it as a new section.

The CHAIRMAN. The Chair thinks that, while not germane to the section just read, it is, as an independent section, germane to the bill, and is in order. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 26. That this act shall take effect sixty days after its passage.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, in view of the fact that there seems to have been a divided court rendering the decision on the amendment offered by the gentleman from Massachusetts [Mr. MCCALL] three years ago, and acting on a suggestion which comes from very high authority that under such circumstances it is well to take the sense of the court anew, I now offer that same amendment.

The Clerk read as follows:

After line 3, page 126, add:

"Nothing contained in this bill shall be construed to mean that it is the purpose of the Congress that the United States should permanently retain sovereignty over the Philippine Islands; but it is hereby solemnly declared to be the settled purpose of the Congress to fit the people of said islands for self-government at the earliest practicable moment, and, when that result shall have been accomplished, to leave the government and control of said islands to the people thereof, to the end that they shall be recognized by the United States as a free and independent nation, as was done in the case of Cuba."

[Applause.]

Mr. PAYNE. I make the point of order against that amendment that it is not germane. It is a little worse than the amendment of the gentleman from Kentucky.

Mr. HUMPHREYS of Mississippi. That is because it was copied from an amendment offered by a Republican. [Laughter.]

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

In section 26 strike out "26" and insert "28," so as to read "section 28."

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following amendment to the title.

The Clerk read as follows:

Amend the title so as to read: "A bill to raise revenue for the Philippine Islands, and for other purposes."

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Mr. Chairman, I ask to go back to page 90, line 10, to offer the following amendment:

The Clerk read as follows:

Page 90, line 10, strike out the words "two dollars and twenty-five" and insert in lieu thereof the words "three dollars and forty."

Mr. MACON. I object, Mr. Chairman.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House.

Mr. MACON. I make the point of order of no quorum.

The CHAIRMAN. A quorum is not required on a motion to rise. The Chair is not certain as to a motion to rise and report. Does the gentleman from Arkansas insist upon his point of order?

Mr. MACON. What do I understand the Chair to ask?

Mr. Chairman, I would like to ask the gentleman from New York, chairman of the committee, what his amendment was that I objected to a while ago?

Mr. PAYNE. It was to increase the duty on beer.

Mr. MACON. I will withdraw that objection.

Mr. STAFFORD. I demand the regular order.

The CHAIRMAN. The question is on the motion of the gentleman from New York that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9135, the Philippine tariff bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PAYNE. Mr. Speaker, I move the previous question on the bill and amendments to its passage.

The question was taken; and on a division (demanded by Mr. MACON) there were—74 ayes and 50 noes.

Mr. MACON. I make the point of no quorum.

The SPEAKER. The gentleman from Arkansas makes the point that no quorum is present.

Mr. PAYNE. I am satisfied of that, Mr. Speaker, and I move that the House do now adjourn.

The SPEAKER. Will the gentleman from Arkansas withhold his point of no quorum until the Chair can submit some personal requests?

Mr. MACON. I will.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR of Alabama, indefinitely, on account of important business.

To Mr. DENT, indefinitely, on account of important business.

To Mr. SIMMONS, indefinitely, on account of important business.

THE TENNESSEE COAL AND IRON COMPANY.

Mr. BURLESON. Mr. Speaker, while the point of no quorum is being withheld, I wish to ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. Does the gentleman from Arkansas withdraw his point of no quorum?

Mr. MACON. I do.

The SPEAKER. Will the gentleman from New York withdraw his motion to adjourn?

Mr. PAYNE. I will withdraw the motion, Mr. Speaker.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of the following resolution, which the Clerk will read.

The Clerk read as follows:

House resolution 60.

Resolved, That the Attorney-General of the United States be, and he is hereby, requested, if not incompatible with the public interest, to inform the House what steps, if any, have been taken by him, or any official of the Department of Justice under his direction, to annul the contract of purchase or acquisition of control of the Tennessee Coal and Iron Company by the United States Steel Corporation.

Mr. BURLESON. Mr. Speaker, that is a simple resolution of inquiry directed to the department.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

LOANS OF TENTS, ETC., TO GRAND ARMY ENCAMPMENT AT SALT LAKE.

Mr. HOWELL of Utah. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

House joint resolution 54.

Joint resolution authorizing the Secretary of War to loan cots, tents, and appliances for the use of the forty-third national encampment of the Grand Army of the Republic at Salt Lake City, Utah.

Resolved, etc., That the Secretary of War is hereby authorized, at his discretion and under such restrictions as are usual in such cases, to loan to the citizens' committee having charge of the arrangements for the forty-third national encampment of the Grand Army of the Republic, to be held in August, 1909, at Salt Lake City, Utah, and to deliver to F. M. Sterrett, the executive director of said committee, for the use of said committee, such cots, tents, and appliances as may be required at said encampment; the same to be delivered to F. M. Sterrett, executive director aforesaid, at such time prior to the date of said encampment as may be agreed upon between the Secretary of War and said executive director: *Provided*, That the said F. M. Sterrett, or his successor in office, shall indemnify the War Department for any loss to such cots, tents, and appliances as not necessarily incident to such use.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MACON. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Utah if this involves any additional expense on the part of the Government?

Mr. HOWELL of Utah. No, I think not; it is within the discretion of the Secretary of War.

Mr. MACON. I want to know whether or not it involves any expense to the Government.

Mr. HOWELL of Utah. It is the usual resolution.

Mr. HAY. Does this require the parties to whom the tents and other property is to go to pay for the transportation?

Mr. HOWELL of Utah. I assume that the Secretary of War will insist that they do that.

Mr. KEIFER. He has no authority to do it in any other way.

Mr. HAY. If it is not provided for in the resolution and the resolution says that these parties shall be furnished with the property, then the Government would have to pay for the transportation.

Mr. HOWELL of Utah. It provides that the property shall be furnished them under "such restrictions as are usual in such cases."

Mr. HAY. I think there can be no objection to inserting that provision.

Mr. HOWELL of Utah. I have no objection.

Mr. HAY. Then let a provision be inserted that it shall be without expense to the Government of the United States.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, line 4, after the word "cases," insert the words "without expense to the Government of the United States."

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

The amendment was agreed to.

The resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

DISCOVERY OF LAKE CHAMPLAIN.

Mr. FOSTER of Vermont. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution No. 55, which I send to the desk and ask to have read.

The Clerk read as follows:

House joint resolution 55.

Joint resolution authorizing the Secretary of War to loan certain tents for use at the tercentenary celebration of the discovery of Lake Champlain, to be held in Burlington, Vt., in July, 1909.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan, at his discretion, to the executive committee of the city of Burlington, Vt., having in charge the arrangements for the tercentenary celebration of the discovery of Lake Champlain, to be held in Burlington, Vt., in July, 1909, 400 tents, with poles, ridges, pins, and 1,500 cots: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered to said committee designated at such time prior to the date of said celebration as may be agreed upon by the Secretary of War and the chairman of said executive committee: *And provided further*, That the Secretary of War shall, before delivering such property, take from the chairman of said committee a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman where there is any precedent for the department loaning tents and materials for purposes of private entertainment.

Mr. FOSTER of Vermont. We passed two resolutions similar to this at the last session.

Mr. STAFFORD. Extending the provisions to what kind of organizations?

Mr. FOSTER of Vermont. One was to some kind of an encampment at Cincinnati—the German Turnfest.

The SPEAKER. Is there objection? [After a pause.] The Chair hears no objection.

The question is on the engrossment and third reading of the joint resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

REVENUES FOR PORTO RICO.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, is hereby amended by inserting at the end of section 31 of said act the following additional proviso:

"*And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropri-

ated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

SEC. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object——

Mr. HARRISON. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. OLMSTED. Mr. Speaker, I hope the gentleman from New York will not object. This is a very urgent matter.

Mr. HARRISON. Mr. Speaker, I am opposed to the bill. I voted against it in the committee and should vote against it on the floor. I object to this method of bringing it up also.

Mr. OLMSTED. The gentleman can of course voice his objection to the bill. The request asks merely for its present consideration, not unanimous consent for its passage; that will be for the House after the bill shall have been considered.

Mr. HARRISON. I do not think it has been referred to the proper committee.

Mr. OLMSTED. Even if it had been referred to no committee, I suggest to the gentleman from New York that it is a matter of such pressing importance that it ought to be considered by the House at the earliest possible moment.

Mr. HARRISON. Mr. Speaker, with all due respect to the opinions of the distinguished gentleman from Pennsylvania, I object.

The SPEAKER. Objection is heard.

PHILIPPINE TARIFF.

Mr. PAYNE. Mr. Speaker, I suggest now to the gentleman from Arkansas [Mr. MACON] that in this general era of good feeling he ought to refrain from making his point of no quorum.

Mr. MACON. Mr. Speaker, the gentleman seems to be a little more courteous now than he was a moment ago when I asked him about the suggestion he made to return to a certain paragraph for the purpose of offering an amendment.

Mr. PAYNE. Oh, I did not understand the gentleman to be referring to that beer amendment. So far as beer is concerned, I am anxious to have it go in on the amended scale. I think it might go in the bill before it becomes a law. It increases the tariff on beer in the Philippine Islands. I will ask unanimous consent that I may offer that amendment now.

The SPEAKER. The gentleman asks unanimous consent——

Mr. PAYNE. No; I shall withdraw that. I have a right to offer it as an amendment, anyway. I also withdraw my request for the previous question.

The SPEAKER. Does the gentleman from Arkansas withdraw his point of no quorum?

Mr. MACON. For the present I do.

The SPEAKER. Has the previous question been ordered?

Mr. PAYNE. No.

Mr. MACON. I desire to ask what the amendment proposes.

Mr. PAYNE. Let the Clerk read the amendment.

The clerk read as follows:

Page 90, line 10, strike out the words "two dollars and twenty-five cents," and insert in lieu thereof the words "three dollars and forty cents."

Mr. MACON. Now, I would like to have an explanation of that. Why is the amendment proposed?

Mr. PAYNE. It was done at the request of Colonel Colton and this commission from the Philippine Islands, which has been very anxious and very urgent in the preparation of this bill. He said he was afraid that the $2.25 was not sufficient, and wanted to increase the duty.

Mr. FITZGERALD. What is this item about?

Mr. PAYNE. It is revenue duty. Of course we all realize——

Mr. MACON. Mr. Speaker, I did not hear the chairman of the committee. This, you say, is an increased tax upon beer of $1 per barrel?

Mr. PAYNE. It increases the tax on beer $1.15. It is for the purpose of getting additional revenue on beer. The gentleman will not object to that?

Mr. MACON. No; I do not object to it.

The question was taken, and the amendment was agreed to.

Mr. PAYNE. Now, Mr. Speaker, I move the previous question.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. MACON. Mr. Speaker, I make the point that no quorum is present.

Mr. PAYNE. Mr. Speaker, I am sorry I so misunderstood the spirit of my friend from Arkansas in the matter of making my amendment.

The SPEAKER. Evidently there is no quorum present.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 2 o'clock and 41 minutes p. m.) the House adjourned to meet on Thursday next.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, reported the same without amendment, accompanied by a report (No. 8), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a request for the return of the findings filed by the court in the case of George G. Hall (H. Doc. No. 29) against The United States—to the Committee on War Claims and ordered to be printed.

A letter from the Acting Secretary of State, submitting a statement as to representation of the United States to the International Antialcohol Congress (H. Doc. No. 30)—to the Committee on Foreign Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for rent of building for storage of Patent Office models (H. Doc. No. 31)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for heating apparatus in Department of the Interior and repairs of the Pension Office building (H. Doc. No. 32)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for immigrant station, Ellis Island, N. Y. (H. Doc. No. 33)—to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. KENDALL: A bill (H. R. 9766) to regulate the issuance of restraining orders and injunctions, and the trial of contempts—to the Committee on the Judiciary.

By Mr. GOULDEN: A bill (H. R. 9767) to prevent and punish the desecration or improper use of the flag of the United States of America—to the Committee on the Judiciary.

By Mr. SLEMP: A bill (H. R. 9768) to establish an experiment station at Norton, Va.—to the Committee on Appropriations.

By Mr. SMITH of California: A bill (H. R. 9769) to provide for the erection of a public building at San Bernardino, Cal.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9770) to provide for a site for a public building at Bakersfield, Cal.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9771) to provide for the disposal of lands chiefly valuable for oil and asphaltum—to the Committee on Mines and Mining.

Also, a bill (H. R. 9772) to divide the southern judicial district of California into three divisions, and to provide for the holding of terms of court at the cities of Fresno, Los Angeles, and San Diego—to the Committee on the Judiciary.

Also, a bill (H. R. 9773) affecting widows' pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9774) appropriating money for the improvement of San Diego Harbor, California—to the Committee on Rivers and Harbors.

By Mr. BROWNLOW: A bill (H. R. 9775) for the erection of a monument to Samuel Doak—to the Committee on the Library.

By Mr. ANTHONY: A bill (H. R. 9776) for the erection of a monument to the memory of Brig. Gen. James Shields in St. Mary's Cemetery, Carrollton, Mo.—to the Committee on the Library.

By Mr. CASSIDY: A bill (H. R. 9777) to provide for the examination and survey of the Cuyahoga River from Cleveland to Akron, in the State of Ohio—to the Committee on Rivers and Harbors.

By Mr. LANGLEY: A bill (H. R. 9778) extending the provisions of an act approved February 6, 1901, entitled "An act amending the act of August 15, 1894, entitled 'An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes,'" to any person claiming any right in the common property of the Choctaw or Chickasaw Indians or tribes—to the Committee on Indian Affairs.

By Mr. MAYS: A bill (H. R. 9779) to provide for the repair, maintenance, and construction and preservation of the public works on the rivers and harbors and for dredging of certain portions of the Apalachicola River and the harbors of Apalachicola and Carrabelle, in the State of Florida, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. HULL of Tennessee: A bill (H. R. 9780) to amend an act entitled "An act to create a new division in the middle judicial district of the State of Tennessee"—to the Committee on the Judiciary.

By Mr. MAYS: A bill (H. R. 9781) to provide for the dredging of a channel through East Pass and Camels Back Shoals at the harbor of St. Andrews Bay, in the State of Florida, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. GREGG: A bill (H. R. 9782) to provide for the digging of a ditch across the channel at Galveston, Tex., for the purpose of laying therein a water main and electric cables to the immigrant station—to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 9783) to establish a fish-hatching and fish-cultural station in the county of Houston, State of Texas—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9784) conferring jurisdiction on the United States circuit court for the southern district of Texas, holding sessions at Galveston, in the case of the schooner *Dreadnaught*—to the Committee on the Judiciary.

Also, a bill (H. R. 9785) to create a new division of the eastern judicial district of Texas, and to provide for terms of court, at Palestine, Tex., and for other purposes—to the Committee on the Judiciary.

By Mr. CAMPBELL: A bill (H. R. 9786) to promote the safety of employees and travelers upon railroads, by compelling common carriers by railroad to equip their locomotives with safe and suitable boilers and appurtenances thereto—to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial of the legislature of the State of Illinois, praying that the taxation of inheritances may be reserved for the States—to the Committee on Ways and Means.

By Mr. CARY: Memorial of the legislature of Wisconsin, asking Congress for the establishment of a permanent, nonpartisan, expert tariff commission—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, petitioning Congress to investigate the stock-exchange business in this country and to check the evils of this system—to the Committee on Interstate and Foreign Commerce.

By Mr. McKINNEY: Memorial of the legislature of Illinois, calling attention to the violation of the river and harbor act of March 3, 1899, by the construction of unauthorized obstructions across the Kankakee River in the State of Illinois, etc.—to the Committee on Rivers and Harbors.

By Mr. WEEKS: Memorial of the legislature of Massachusetts, protesting against the imposition by the Federal Government of a tax on inheritances—to the Committee on Ways and Means.

By Mr. PRINCE: Memorial to improve certain rivers in Illinois, passed by the legislature of Illinois—to the Committee on Rivers and Harbors.

Also, memorial by the legislature of Illinois, relating to old-age insurance—to the Committee on Ways and Means.

Also, memorial of the legislature of Illinois, urging an appropriation for the Lincoln Farm Association—to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 9787) granting an increase of pension to Peter Schoendorff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9788) granting an increase of pension to Alonzo G. Akers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9789) granting an increase of pension to David Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9790) granting an increase of pension to Joseph C. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9791) granting an increase of pension to Henry Robison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9792) to correct the military record of Samuel Cole—to the Committee on Military Affairs.

Also, a bill (H. R. 9793) to correct the military record of James L. Bowers—to the Committee on Military Affairs.

Also, a bill (H. R. 9794) to remove the charge of desertion and grant an honorable discharge to Benjamin F. Church—to the Committee on Military Affairs.

By Mr. ANTHONY: A bill (H. R. 9795) granting an increase of pension to George B. Ashford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9796) granting an increase of pension to Charles T. Jacobs—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 9797) granting an increase of pension to Elizabeth Leinart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9798) granting an increase of pension to Hilery Humphery, alias Umphus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9799) for the relief of estate of William H. Dawson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9800) for the relief of Rev. William Jasper McGhee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9801) for the relief of heirs of Bryant Wheeler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9802) granting a pension to William Jasper McGhee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9803) granting a pension to Henry Kline—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 9804) granting an increase of pension to John Dickson—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 9805) granting an increase of pension to Augustus Barber—to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 9806) granting a pension to John Hedrick—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 9807) granting an increase of pension to Daniel W. Burgess—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 9808) granting an increase of pension to John W. Hall—to the Committee on Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 9809) granting an increase of pension to George S. Dodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9810) granting an increase of pension to Charles H. Hayward—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 9811) for the relief of John J. Nanry—to the Committee on Military Affairs.

By Mr. GREGG: A bill (H. R. 9812) for the relief of John P. Anderson—to the Committee on Claims.

Also, a bill (H. R. 9813) for the relief of W. S. Randolph—to the Committee on War Claims.

Also, a bill (H. R. 9814) for the relief of Harry Devlin—to the Committee on Claims.

Also, a bill (H. R. 9815) for the relief of Simon Longnecker, of El Paso, Tex., and Albert Longnecker, of Galveston, Tex.—to the Committee on War Claims.

Also, a bill (H. R. 9816) granting a military bounty land warrant to John B. Anderson—to the Committee on the Public Lands.

Also, a bill (H. R. 9817) for the relief of the heirs of C. K. Bowen, deceased—to the Committee on Claims.

By Mr. HARRISON: A bill (H. R. 9818) granting a pension to Philippine Stelzle—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 9819) granting a pension to Lewis K. Grigsby—to the Committee on Pensions.

Also, a bill (H. R. 9820) granting a pension to Schofield Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9821) granting a pension to Margie E. Cardwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9822) granting an increase of pension to Robert Morris—to the Committee on Invalid Pension.

Also, a bill (H. R. 9823) granting an increase of pension to Sarah Toney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9824) for the relief of Shadrick Garrett—to the Committee on Military Affairs.

Also, a bill (H. R. 9825) for the relief of Charles G. Jones—to the Committee on War Claims.

Also, a bill (H. R. 9826) for the relief of R. L. Thompson—to the Committee on War Claims.

Also, a bill (H. R. 9827) for the relief of the heirs of J. T. Minton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9828) for the relief of the heirs of James M. Marchbanks—to the Committee on War Claims.

Also, a bill (H. R. 9829) for the relief of the heirs of Dillard McMillen, deceased—to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 9830) for the relief of the widow and children of John W. Geering, of Vallejo, Cal.—to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 9831) for the relief of G. W. Adkins—to the Committee on War Claims.

Also, a bill (H. R. 9832) for the relief of Harriet Auxier—to the Committee on War Claims.

Also, a bill (H. R. 9833) for the relief of Elizabeth Bevins—to the Committee on War Claims.

Also, a bill (H. R. 9834) for the relief of J. William Burroughs—to the Committee on War Claims.

Also, a bill (H. R. 9835) for the relief of Elizabeth Caskey—to the Committee on War Claims.

Also, a bill (H. R. 9836) for the relief of J. F. Clark—to the Committee on War Claims.

Also, a bill (H. R. 9837) for the relief of J. C. Creed, of Winchester, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 9838) for the relief of J. M. Daniel—to the Committee on War Claims.

Also, a bill (H. R. 9839) for the relief of Peter Daniel—to the Committee on War Claims.

Also, a bill (H. R. 9840) for the relief of William H. Dotson—to the Committee on War Claims.

Also, a bill (H. R. 9841) for the relief of Clary Fulkerson—to the Committee on War Claims.

Also, a bill (H. R. 9842) for the relief of Henry G. Gardner—to the Committee on War Claims.

Also, a bill (H. R. 9843) for the relief of M. L. George—to the Committee on War Claims.

Also, a bill (H. R. 9844) for the relief of John E. Groves—to the Committee on War Claims.

Also, a bill (H. R. 9845) for the relief of Phoebe J. Hammond—to the Committee on Claims.

Also, a bill (H. R. 9846) for the relief of John Henry, of Clark County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 9847) for the relief of Mrs. John Wesley Leap—to the Committee on War Claims.

Also, a bill (H. R. 9848) for the relief of E. W. McCormick—to the Committee on War Claims.

Also, a bill (H. R. 9849) for the relief of H. Clay McKee—to the Committee on Claims.

Also, a bill (H. R. 9850) for the relief of Eliza Magowan—to the Committee on War Claims.

Also, a bill (H. R. 9851) for the relief of John T. Magowan—to the Committee on War Claims.

Also, a bill (H. R. 9852) for the relief of Joseph Nickell—to the Committee on War Claims.

Also, a bill (H. R. 9853) for the relief of Col. Azor H. Nickerson—to the Committee on Military Affairs.

Also, a bill (H. R. 9854) for the relief of William H. Nolcini—to the Committee on War Claims.

Also, a bill (H. R. 9855) for the relief of Elijah Patrick—to the Committee on War Claims.

Also, a bill (H. R. 9856) for the relief of Jake T. Patrick—to the Committee on Claims.

Also, a bill (H. R. 9857) for the relief of Merida Risner—to the Committee on War Claims.

Also, a bill (H. R. 9858) for the relief of Wesley Row—to the Committee on War Claims.

Also, a bill (H. R. 9859) for the relief of John J. Sewell—to the Committee on War Claims.

Also, a bill (H. R. 9860) for the relief of James Stafford—to the Committee on War Claims.

Also, a bill (H. R. 9861) for the relief of Zera Welch—to the Committee on Claims.

Also, a bill (H. R. 9862) for the relief of R. F. Wells—to the Committee on War Claims.

Also, a bill (H. R. 9863) for the relief of George H. Witten—to the Committee on War Claims.

Also, a bill (H. R. 9864) for the relief of Gilbert Yates—to the Committee on War Claims.

Also, a bill (H. R. 9865) for the relief of the legal representatives of Adam Baum—to the Committee on War Claims.

Also, a bill (H. R. 9866) for the relief of the legal representatives of James M. Bullock—to the Committee on War Claims.

Also, a bill (H. R. 9867) for the relief of the legal representatives of John Clark—to the Committee on War Claims.

Also, a bill (H. R. 9868) for the relief of the legal representatives of Mrs. Polly Clark—to the Committee on War Claims.

Also, a bill (H. R. 9869) for the relief of the legal representatives of J. M. Fidler—to the Committee on War Claims.

Also, a bill (H. R. 9870) for the relief of the legal representatives of J. M. Fidler and Thomas O. Marrs—to the Committee on War Claims.

Also, a bill (H. R. 9871) for the relief of the legal representatives of Arch Huffman—to the Committee on War Claims.

Also, a bill (H. R. 9872) for the relief of the legal representatives of George W. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 9873) for the relief of the legal representatives of Evan Jones—to the Committee on War Claims.

Also, a bill (H. R. 9874) for the relief of the legal representatives of Thomas O. Marrs—to the Committee on War Claims.

Also, a bill (H. R. 9875) for the relief of the legal representatives of Samuel Marrs—to the Committee on War Claims.

Also, a bill (H. R. 9876) for the relief of the legal representatives of Mary Phillips—to the Committee on War Claims.

Also, a bill (H. R. 9877) for the relief of the administrator of the estate of James K. Hunter—to the Committee on War Claims.

Also, a bill (H. R. 9878) for the relief of Paymaster Robert H. Woods, United States Navy—to the Committee on Claims.

Also, a bill (H. R. 9879) for the relief of Joseph E. Lindsey, surviving partner of John Lindsey & Son—to the Committee on War Claims.

Also, a bill (H. R. 9880) for the relief of the estate of Martin Preston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9881) to correct the military record of Clark Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 9882) to correct the military record of James G. Whit—to the Committee on Military Affairs.

Also, a bill (H. R. 9883) to correct the military record of James Webb—to the Committee on Military Affairs.

Also, a bill (H. R. 9884) to correct the military record of Andrew H. Vanover—to the Committee on Military Affairs.

Also, a bill (H. R. 9885) to correct the military record of Morgan Sowards—to the Committee on Military Affairs.

Also, a bill (H. R. 9886) to correct the military record of John F. Rudd—to the Committee on Military Affairs.

Also, a bill (H. R. 9887) to correct the military record of Henry Ritchie—to the Committee on Military Affairs.

Also, a bill (H. R. 9888) to correct the military record of C. W. I. Pugh—to the Committee on Military Affairs.

Also, a bill (H. R. 9889) to correct the military record of L. C. Prater—to the Committee on Military Affairs.

Also, a bill (H. R. 9890) to correct the military record of W. M. Penix—to the Committee on Military Affairs.

Also, a bill (H. R. 9891) to correct the military record of Harrison Pack—to the Committee on Military Affairs.

Also, a bill (H. R. 9892) to correct the military record of Jesse Osban—to the Committee on Military Affairs.

Also, a bill (H. R. 9893) to correct the military record of Norval Noland—to the Committee on Military Affairs.

Also, a bill (H. R. 9894) to correct the military record of Andrew Napier—to the Committee on Military Affairs.

Also, a bill (H. R. 9895) to correct the military record of Sylvester B. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 9896) to correct the military record of W. J. May—to the Committee on Military Affairs.

Also, a bill (H. R. 9897) to correct the military record of Martin Lunsford—to the Committee on Military Affairs.

Also, a bill (H. R. 9898) to correct the military record of William Linden—to the Committee on Military Affairs.

Also, a bill (H. R. 9899) to correct the military record of David B. Kimbrell—to the Committee on Military Affairs.

Also, a bill (H. R. 9900) to correct the military record of Nelson Joseph—to the Committee on Military Affairs.

Also, a bill (H. R. 9901) to correct the military record of Jacob Heard—to the Committee on Military Affairs.

Also, a bill (H. R. 9902) to correct the military record of John Harvey, sr.—to the Committee on Military Affairs.

Also, a bill (H. R. 9903) to correct the military record of James Grooms—to the Committee on Military Affairs.

Also, a bill (H. R. 9904) to correct the military record of Henry Collins—to the Committee on Military Affairs.

Also, a bill (H. R. 9905) to correct the military record of Jonathan Chany—to the Committee on Military Affairs.

Also, a bill (H. R. 9906) to correct the military record of Levi Carpenter—to the Committee on Military Affairs.

Also, a bill (H. R. 9907) to correct the military record of Jarvey Burks—to the Committee on Military Affairs.

Also, a bill (H. R. 9908) to correct the military record of Stephen Burk—to the Committee on Military Affairs.

Also, a bill (H. R. 9909) to correct the military record of Lewis Bellware—to the Committee on Military Affairs.

Also, a bill (H. R. 9910) to correct the military record of John Barnett—to the Committee on Military Affairs.

Also, a bill (H. R. 9911) to correct the military record of Solomon Back—to the Committee on Military Affairs.

Also, a bill (H. R. 9912) to correct the military record of W. R. Adkins—to the Committee on Military Affairs.

Also, a bill (H. R. 9913) for the relief of the heirs at law of George Boone, deceased—to the Committee no War Claims.

Also, a bill (H. R. 9914) for the relief of the heirs of William O'Bryant—to the Committee on War Claims.

Also, a bill (H. R. 9915) for the relief of the heirs of William Ragan—to the Committee on War Claims.

Also, a bill (H. R. 9916) granting an increase of pension to William H. Smallwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9917) granting an increase of pension to George W. Knox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9918) granting an increase of pension to George H. Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9919) granting an increase of pension to William Billetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9920) granting an increase of pension to George W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9921) granting an increase of pension to Cornelius Meek—to the Committee on Pensions.

Also, a bill (H. R. 9922) granting a pension to Armulda Combs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9923) granting a pension to D. L. Maddox—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 9924) granting an increase of pension to Adam M. Working—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9925) granting an increase of pension to Edwin B. West—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9926) granting an increase of pension to Henry G. Wilson—to the Committee on Invalid Pensions.

By Mr. MOORE of Texas: A bill (H. R. 9927) granting a pension to Richard L. Napier—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 9928) granting an increase of pension to Alexander Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9929) granting an increase of pension to James C. Clouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9930) granting an increase of pension to Julian O. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9931) granting an increase of pension to Avery H. Baucom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9932) granting an increase of pension to Aaron S. Taggard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9933) granting an increase of pension to Elias Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9934) granting an increase of pension to Joseph F. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9935) granting an increase of pension to William H. Furber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9936) granting a pension to M. R. Leonard—to the Committee on Invalid Pensions.

By Mr. PATTERSON: A bill (H. R. 9937) granting a pension to Edwin R. Mears—to the Committee on Pensions.

By Mr. PAYNE: A bill (H. R. 9938) granting an increase of pension to John Boyst—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 9939) granting a pension to Priscilla A. Wallace—to the Committee on Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 9940) granting an increase of pension to George M. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9941) granting pensions to the surviving members and widows of the members of the Forsythe Scouts—to the Committee on Pensions.

By Mr. SMITH of California: A bill (H. R. 9942) granting an increase of pension to Wing Greene—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9943) granting an increase of pension to Cornelius S. Forgy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9944) granting a pension to C. L. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9945) granting a pension to Sarah A. Salter—to the Committee on Pensions.

Also, a bill (H. R. 9946) for the relief of David C. McGee—to the Committee on Claims.

Also, a bill (H. R. 9947) to correct the military record of A. J. Arnold—to the Committee on Military Affairs.

Also, a bill (H. R. 9948) to correct the military record of Frederick Marshall—to the Committee on Military Affairs.

Also, a bill (H. R. 9949) to correct the military record of David Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 9950) to reimburse the Southern Pacific Company the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 9951) granting an increase of pension to John H. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9952) granting an increase of pension to John C. Keach—to the Committee on Invalid Pensions.

By Mr SULLOWAY: A bill (H. R. 9953) granting an increase of pension to George E. Crooker—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 9954) granting an increase of pension to John Hockenmiller—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 9955) granting a pension to John W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9956) to remove the charge of desertion from the military record of T. J. Caskey—to the Committee on Military Affairs.

Also, a bill (H. R. 9957) placing the survivors of Middle Green River Battalion Volunteers of Kentucky in pensionable position—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 9958) granting a pension to Benjamin C. Barnes—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 9959) granting an increase of pension to Samuel J. Mack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9960) granting an increase of pension to Frederick Gardner—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Iowa Association of Cement Users, praying for a continuation of the investigation of structural material by the United States Geological Survey—to the Committee on Appropriations.

Also, petition of Indian Hill Citrus Association, of California, praying for the creation of a national highways commission—to the Committee on Agriculture.

Also, petition of Ramon Reyes and 9 others, of San Juan, P. R., praying for indemnification for their rights as to certain buildings in the San Juan marine—to the Committee on Insular Affairs.

Also, petition of Pacific Religious Liberty Association, protesting against the passage of Senate bill 3940, known as the "Johnston District Sunday bill"—to the Committee on the District of Columbia.

Also, petition of Tulsa Commercial Club, of Tulsa, Okla., praying for an additional appropriation for the improvement of the inland waterways—to the Committee on Rivers and Harbors.

Also, petitions of Benjamin Franklin Council of the Order of United American Mechanics and C. A. Hilton and 22 others, of Denver, Colo., praying for the restriction of Asiatics into the United States—to the Committee on Foreign Affairs.

Also, petitions of Booth & Hodge and 13 others, and A. W. Wolfe and 10 others, of Paris; Wood Brothers and 11 others, of Martinsville; Scudmore Brothers and 14 others, of Casey; John A. Payne & Co. and 8 others, of Kansas; W. E. Horsas and 4 others, of Westfield, all in the State of Illinois, protesting

against the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. Blanckenberg and 37 others, of Danville, protesting against the imposition of a duty on teas and coffees—to the Committee on Ways and Means.

Also, petitions of Frank Beatles, of Galena, and Joseph Jungels and 15 others, of Menominee, all in the State of Illinois, praying for a duty on casein and lactarene—to the Committee on Ways and Means.

Also, petitions of Reader & Elder, of Coshocton, Ohio, and other firms and individuals of the United States, praying for the removal of the duty on sugar—to the Committee on Ways and Means.

Also, petition of United Mine Workers of Krebs, Okla., praying for a duty on oil—to the Committee on Ways and Means.

By Mr. DE ARMOND: Paper to accompany bill for relief of Joshua T. Parrish—to the Committee on Pensions.

By Mr. ESTOPINAL: Memorials of A. C. Hutchinson, superintendent of Division No. 53, Brotherhood of Locomotive Engineers, of Algiers, La., favoring passage of the Burkett boiler-inspection bill (S. 236), and the Borah-Dawson full-crew bills (S. 1936 and H. R. 7553)—to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: Petition of Keasbey & Mattison Company, of Ambler, Pa., against tariff on magnesias and carbonates—to the Committee on Ways and Means.

Also, petition of J. G. Johnson & Co., of Spuyten Duyvil, N. Y., against tariff on silicons—to the Committee on Ways and Means.

Also, petition of L. J. Callanan, of New York, favoring tax on tea—to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of business men of Pana, Ill., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL of New Jersey: Petition of Long Branch Lodge, No. 742, favoring a park for the care of the American elk—to the Committee on the Public Lands.

Also, petition of Methodist Episcopal Church of New Jersey, against all favors to liquor traffic in the tariff bill—to the Committee on Ways and Means.

By Mr. MANN: Petition of South Side Club, of Chicago, favoring lower tariff on sugar—to the Committee on Ways and Means.

Also, petition of Chicago Advertisers' Association, against bill providing for a license tax on display signs—to the Committee on Ways and Means.

By Mr. MACON: Paper to accompany bill for relief of Henry G. Wilson—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Petition of Master Bakers' Cooperative Association of Boston, favoring legislation to stop gambling in food supplies—to the Committee on the Judiciary.

By Mr. SIMS: Petition of Merchants' Exchange of Memphis, favoring placing oleo stearine on the free list—to the Committee on Ways and Means.

By Mr. SULZER: Petition of New York State League of Cooperative Savings and Loan Associations, favoring low tariff on material entering into construction of dwelling houses—to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of Printing Pressmen's Union and Denver (Colo.) Press Association, for duty on postal cards—to the Committee on Ways and Means.

Also, petition of Denver (Colo.) Board of Trade, for creation of a tariff commission—to the Committee on Ways and Means.

Also, petition of citizens of Colorado, against a tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of Fred H. Beecher Post, No. 70, Grand Army of the Republic, of Colorado, favoring pensions for Forsythe Scouts—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: Petition of Ohio Steel Foundry Company (through E. J. Galvin), of Lima, Ohio, favoring a fixed rate of duty on ferrosilicon—to the Committee on Ways and Means.

Also, petition of American manufacturers of paper, makers of felts and jackets, favoring present tariff on news print paper and wood pulp—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of Cincinnati Boot and Shoe Manufacturers' Association, favoring free hides—to the Committee on Ways and Means.

Also, petition of Wisconsin Natural History Society, for free lumber—to the Committee on Ways and Means.

Also, petition of mayor and common council of Neenah, Wis., against reduction of the tariff on news printing paper—to the Committee on Ways and Means.

SENATE.

TUESDAY, *May 18, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Vice-President being absent, the President pro tempore took the chair.

The Journal of yesterday's proceedings was read and approved.

LAWS RELATING TO ALASKA, CUBA, ETC.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, requesting the return to the War Department of a compilation prepared by the Bureau of Insular Affairs, War Department, containing all acts of the Fifty-ninth Congress applying to the noncontiguous territory of the United States and Cuba; all proclamations of the President, and all treaties to which this country was a party issued and entered into during the period of that Congress bearing upon any of that territory, together with the decisions of the Supreme Court of the United States from January 1, 1907, to June 1, 1908, upon cases in which any of this territory was interested, etc., which was read.

The PRESIDENT pro tempore. The printing of these papers was ordered on yesterday (S. Doc. No. 47), and the communication will lie on the table.

INCOME AND INHERITANCE TAXES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, the reports of Special Agent Charles M. Pepper on the laws of the United Kingdom in relation to income and inheritance taxes (S. Doc. No. 52), which, with the accompanying papers, was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 54. Joint resolution authorizing the Secretary of War to loan cots, tents, and appliances for the use of the forty-third national encampment of the Grand Army of the Republic at Salt Lake City, Utah; and

H. J. Res. 55. Joint resolution authorizing the Secretary of War to loan certain tents for use at the tercentenary celebration of the discovery of Lake Champlain, to be held in Burlington, Vt., in July, 1909.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of members of the North Arizona bar, requesting the appointment of Hon. E. M. Doe as associate justice of the supreme court for that Territory, which was referred to the Committee on the Judiciary.

Mr. WARNER presented petitions of sundry citizens of St. Charles, St. Louis, Kansas City, Kirksville, Mexico, and St. Joseph, all in the State of Missouri, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. PAGE presented the petition of C. W. Richmond, of Newport, Vt., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

He also presented a memorial of Memphremagog Grange, No. 424, Patrons of Husbandry, of Newport, Vt., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of sundry citizens of Catawba, Mount Horeb, Perry, Racine, Five Points, Plymouth, Ashland, Galesville, Ettrick, Frenchville, Independence, Whitehall, and Hartford, all in the State of Wisconsin, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Stanley, Berlin, Fall Creek, Oshkosh, Monticello, Milwaukee, Kenosha, Albany, Neshkoro, New Richmond, Readstown, Columbus, Cleveland, Black Earth, Mazomanie, Palmyra, Eagle, and Prairie du Sac, all in the State of Wisconsin, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. FRYE presented a petition of sundry citizens of Madison, Me., praying for the protection of the carded-wool industry, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 2439) to provide for the erection of a granite pedestal and bronze standing statue of Washington Irving on the northwest corner of First and B streets SE., in the city of Washington; to the Committee on the Library.

By Mr. SCOTT (by request):

A bill (S. 2440) for the allowance of certain claims reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the "Bowman" and the "Tucker" acts, and for other purposes; to the Committee on Claims.

COMPANIES B, C, AND D, TWENTY-FIFTH INFANTRY.

On motion of Mr. WARREN, it was

Ordered, That upon the application of the court of inquiry appointed in pursuance of an act of Congress approved March 3, 1909, entitled "An act to correct the records and authorize the reenlistment of certain noncommissioned officers and enlisted men belonging to Companies B, C, and D of the Twenty-fifth United States Infantry who were discharged without honor under Special Orders, No. 266, War Department, November 9, 1906, and the restoration to them of all rights of which they have been deprived on account thereof," said court of inquiry is authorized to withdraw from the files of the Senate for temporary use all papers and exhibits filed in connection with the so-called "Brownsville affray," said papers and exhibits to be returned intact to the Senate files as soon as they shall have served the purpose for which they are desired.

REPORT OF SUPERINTENDENT OF INSURANCE.

Mr. GALLINGER. I submit a resolution, for which I ask present consideration.

The resolution (S. Res. 46) was read, as follows:

Senate resolution 46.

Resolved, That the superintendent of insurance of the District of Columbia is hereby authorized and directed to deliver, through the Commissioners of the District, to the Public Printer texts of part 1 and part 2, together with statistical and percentage tables and abstracts for each, of the sixth annual report, covering the business of 1907, of the department of insurance of the District of Columbia; and be it further

Resolved, That 1,000 copies each of part 1 and part 2 of said reports be published for members of the Senate and House of Representatives; also 700 copies of part 1 and 500 copies of part 2 be published for the department of insurance for distribution by the superintendent of insurance, all of which shall be bound in cloth.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. BULKELEY. I should like to ask the Senator from New Hampshire if there is any necessity for having the resolution considered this morning.

Mr. GALLINGER. The matter was called to my attention this morning. The department of insurance, District of Columbia, turns into the Treasury about $80,000 a year. The expense of conducting it is eight or nine thousand dollars a year. The superintendent made application to have his report printed. Heretofore the money has been found in the contingent fund, but he has no money there this year, and the auditor rules that there is not any money available for this purpose. It is a mere question as to whether we will have the report of the commissioner of insurance printed or not. Calls have already been made for it from all parts of the country. I will allow the resolution to go over until to-morrow, and the Senator can examine it.

Mr. BULKELEY. If the Senator will permit me, I will ask him if this covers the report for the year ending December 31, 1908.

Mr. GALLINGER. No; it covers whatever report the commissioner now has in hand.

Mr. BULKELEY. The report of the preceding year has never been printed.

Mr. GALLINGER. This is that report, then. The commissioner is undoubtedly behind somewhat in this matter; but I presume there is a good reason for it.

Mr. BULKELEY. It is not any fault of the commissioner. I think the report of the year 1907 has been ready for some time, but there are no funds available for its publication. Now it seems another report is ready and the only question is whether the report for the past year is to be printed, with the one of the year before not printed.

Mr. GALLINGER. Let the resolution lie over and I will examine it more carefully.

The PRESIDENT pro tempore. The resolution will lie over.

INDIAN HOME GUARDS OF KANSAS.

Mr. CURTIS. I ask unanimous consent for the adoption of a resolution of inquiry.

The resolution (S. Res. 47) was read, as follows:

Senate resolution 47.

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate a complete roster of regiments Nos. 1, 2, and 3 of the Indian Home Guards, who enlisted in Kansas and served during the late civil war, showing the respective dates of enlistment, the time of service, casualties, and the date of final muster and discharge.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. WARREN. I ask the Senator if these guards were regularly enlisted in the service.

Mr. CURTIS. I understand they were enlisted for the Indian service, and there is some question about the length of time they served.

Mr. WARREN. Then the department has the rolls?

Mr. CURTIS. Yes; as I understand.

Mr. WARREN. They would naturally be with the State, I should think.

Mr. CURTIS. I think you are wrong. I am informed they are in the War Department.

Mr. HALE. I doubt whether under the order of the Senate any business of this kind can be transacted.

Mr. CURTIS. If there is any doubt, I will ask that the resolution be referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. It is so referred, in the absence of objection.

CALLING OF THE ROLL.

Mr. OVERMAN. Mr. President, I suggest the want of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Johnson, N. Dak.	Penrose
Bacon	Culberson	Johnston, Ala.	Perkins
Beveridge	Cullom	Jones	Piles
Borah	Cummins	Kean	Richardson
Briggs	Curtis	Lodge	Root
Bristow	Dick	McCumber	Scott
Brown	Dixon	McLaurin	Simmons
Bulkeley	Fletcher	Money	Smith, Mich.
Burkett	Flint	Nelson	Smoot
Burnham	Frazier	Nixon	Stephenson
Burrows	Frye	Oliver	Stone
Carter	Gallinger	Overman	Sutherland
Clark, Wyo.	Gore	Owen	Tillman
Clay	Hale	Page	Warner
Crane	Hughes	Paynter	Warren

Mr. CRAWFORD. I wish to state that my colleague [Mr. GAMBLE] is absent on business, but will be here in a few minutes.

The PRESIDENT pro tempore. Sixty Senators have responded to their names. A quorum is present.

PROPOSED INVESTIGATION BY COMMITTEE ON FINANCE.

Mr. GORE. Mr. President, I desire to call up Senate resolution No. 45.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be read.

Mr. GORE. In order to perfect the resolution, as on the assurance of the Senator from Maine and the Senator from Rhode Island a portion of it at least is unnecessary, I desire to omit the second resolution in regard to the summoning of witnesses, and so forth. That power resides in the committee already. I shall ask for a vote on the first resolution. I ask that the resolution be read.

The PRESIDENT pro tempore. The Senator from Oklahoma withdraws a portion of his resolution. The resolution, as modified, will be read.

The Secretary read Senate resolution 45, submitted by Mr. GORE on the 15th instant, as modified, as follows:

Senate resolution 45.

Whereas it has been repeatedly asserted and generally admitted in the Senate during the debate on the pending tariff bill that current prices in the United States are unreasonable and exorbitant; and

Whereas there is a radical and irreconcilable division of opinion as to who is responsible for these extortionate prices; and

Whereas there are those who believe that the manufacturers are primarily responsible, and others who believe that the wholesale and retail dealers are responsible; and

Whereas it is important that the truth should be known, that the innocent should be vindicated and the guilty alone charged with the blame and responsibility; Now, therefore, be it

Resolved, That the Committee on Finance or any subcommittee thereof, consisting of representatives of both political parties, are hereby instructed to investigate and report to the Senate at the earliest possible date—

First. The import prices of various articles of general and ordinary consumption.

Second. The wholesale prices of said articles.

Third. The retail prices of said articles.

Fourth. The prices of similar articles of domestic production as fixed, charged, and received by the manufacturers thereof and the wholesale and retail dealers therein.

The PRESIDENT pro tempore. The pending question is on the motion to refer the resolution to the Committee on Finance.

Mr. GORE. Mr. President, I send a clipping to the desk, which I ask to have read. It is from the Boston Traveler, and is an interview with one of the leading retail dealers of Boston.

The PRESIDENT pro tempore. If there be no objection, the paper will be read by the Secretary.

Mr. HALE. Owing to the confusion in the Chamber I could hardly get the purport of the resolution just read. So far as I could tell, it is not the resolution the Senator submitted the other day, but a different resolution. I ask the Senator, because we could not hear his resolution perfectly, Is it the same that was submitted the other day or a modified resolution?

Mr. GORE. The resolution is identical so far as it goes. In order to perfect it I have withdrawn the second resolve, on the assurance of the Senator himself, as well as the assurance of the Senator from Rhode Island, that that part of the resolution at least is unnecessary.

Mr. HALE. What was the part withdrawn?

Mr. GORE. The part relating to the subpœnaing of witnesses, the administration of oaths, and the production of papers. I understand that that power inheres in the committee without repeating the instruction.

The PRESIDENT pro tempore. The resolution will be again read.

Mr. LODGE. Just the resolution, without the preamble.

The Secretary again read the resolution.

Mr. ALDRICH. Mr. President, that clearly involves not only a great deal of time, but a great deal of expense, and it would have to be considered first by the Committee to Audit and Control the Contingent Expenses of the Senate. In the next place, the preamble should be stricken out in any event. Does the Senator from Oklahoma agree to strike out the preamble?

Mr. GORE. Mr. President, I think the preamble sheds some light on the resolution itself and might serve as a guide to the committee charged with the execution of the resolution.

Mr. ALDRICH. It may from the Senator's standpoint be a desirable thing. It may state supposed facts from the Senator's standpoint, but that might not be true of other Senators.

Mr. GORE. What I am driving at is to get the Senator from Rhode Island to view this subject from my standpoint, or to make, at least, a thorough investigation. I do not care whether the standpoint is justified. All I want are the facts and the truth. If the report of the committee should convict the retailers under the charges preferred against them here, for my part I shall be content. If the report of the committee acquits the manufacturers, I shall be content with the truth and the verdict found upon the facts, no matter what the report may be. But that presents the exact issue, and the Senator from Rhode Island must face that issue sooner or later.

Mr. ALDRICH. We are confronted with that issue every minute, I think. So far as I am concerned I would not object to having this inquiry made. I think it is a very important one and has great significance. Of course, it can not be made in time for the pending tariff bill. It may be made in time for the next, if the next does not occur in ten years.

It could not have any effect, of course, upon existing conditions. It is a very proper and appropriate inquiry to make, and as far as I am concerned I have no objection to the committee being ordered to make the inquiry, but I do object to its being made based upon the theory of the Senator from Oklahoma about extortion, and so forth. That is entirely aside from anything contained in the resolution.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Montana?

Mr. GORE. I will yield, if I have the floor.

Mr. CARTER. I inquire whether the resolution does not contemplate an investigation along the same line and for the same purposes contemplated by an expert commission, which has been suggested by an amendment which will probably be incorporated in the pending tariff bill? Some difference of opinion has existed as to the form of the commission. It was originally contemplated that a commission be appointed, vested with certain delegated legislative powers, if you please, but that idea did not seem to meet with very general approval. Now it has been suggested by an amendment to the pending bill that a commission be created, or a bureau in the Treasury Department be brought into existence, by this act, which will be charged hereafter with the investigation of the identical questions contemplated by the resolution of the Senator from Oklahoma.

It would certainly be a useless expense to have the Committee on Finance prosecuting an investigation and the proposed body of experts at the same time covering the same field. If the resolution is to be adopted, it will necessarily obviate all need of the proposed commission or bureau, because it is plain that its line of activities could be extended beyond the scope of the present resolution, and to that extension no Senator would object at all if the Committee on Finance is to conduct the investigation, instead of the bureau of experts contemplated by the proposed amendment. I should think it might be well not to detail out this work of investigation until the Senate shall have determined whether the creation of a board or bureau is wise and expedient, and if such a board or bureau is created in the Treasury Department or elsewhere, manifestly the object of its creation will only be fulfilled by prosecuting inquiries along the line contemplated by the resolution.

There is in connection the Government too much duplication of work. We have in every department of the Government certain lines of inquiry being prosecuted identical with those being prosecuted in other departments. I hope Congress will not make the mistake of providing by a resolution for an inquiry to be prosecuted by Congress, through the Finance Committee, and at the same session of Congress adopt an amendment to a tariff bill directing the Treasury Department to investigate the same identical subject. It is simple folly to needlessly burden the Government by incurring expense connected with two investigations of the same subject at the same time.

The PRESIDENT pro tempore. The Senator from Oklahoma asks for the reading of a clipping which he has sent to the desk.

Mr. GORE. Mr. President, before it is read, I wish to say that not the reasons but the excuses assigned by the Senator from Montana and the Senator from Rhode Island are very transparent not only to me, but to every Member of the Senate and to the country at large. I really admire the striking consistency exhibited by the senior Senator from Montana. He is afraid of an oversupply of information. He is not willing for the Finance Committee to prosecute this inquiry, else we might ordain a commission that should also be required to pursue a similar inquiry. The Senate might indeed be surfeited with an overamount of wisdom and information upon this subject.

Now, that is not the reason. That is a transparent subterfuge. Those Senators have made mistakes. They have charged the responsibility for high prices on the retailers of this country. They stepped on a live wire unwittingly. They are now trying to retreat and to cover their retreat as best they can.

Now, sir, I take very little stock in this tariff commission. I know the object of all commissions. When public opinion becomes aroused, whenever it becomes acute on any particular subject in regard to which the Senate is not willing to respond to public sentiment, then, sir, a commission is to be created, time lost, and public sentiment allowed an opportunity to abate and recede.

I say to Senators on the other side and I say to the American people that these commissions are mere political lightning rods to avert from the two Houses of Congress the thunderbolts of public opinion. That is what they are, nothing more and nothing less.

Now, in response to what the Senator from Montana says, we want this information now. We want it before the present tariff bill is enacted into law. We want to know where the responsibility resides for the prices conceded on every hand to be unreasonable and exorbitant. If the committee exonerates the manufacturers, I am content. If it exonerates the retail dealers, I am content.

But, Mr. President, this is one of those unfortunate dilemmas from which the committee can not escape. It must impale itself on one or the other horn. They are not willing to say that the manufacturers are responsible, and they are not willing to say officially, by a report, that the retailers are responsible. They are disposed to evade the responsibility.

I realize that the Committee on Finance is an overwrought committee. They have been so much occupied in ascertaining the difference between the labor cost of various articles in the United States and in that frightful Germany to the east and Japan to the west, they have been so much occupied in formulating an exact definition for "reasonable profits," that they have not had time and probably will not have time to furnish the information called for in this resolution. Sympathizing with the tremendous labors to which that committee have been subjected, solicitous for their welfare, I am unwilling to impose upon them a task to which they are unequal in the limited time at their disposal. I am perfectly willing that a select committee, unencumbered by these labor costs, shall be designated by the Senate to perform this task, to pursue this inquiry, and to ascertain and report this information to the Senate. I ask the senior Senator from Rhode Island if he is willing to have a select committee charged with these duties?

Mr. ALDRICH. Is it the Senator's idea that we are to delay the passage of the tariff until that committee shall report?

Mr. GORE. Mr. President, if we will appoint a working committee, in three weeks that committee can ascertain whether the statement here made with reference to razors is true or not.

That committee can within a fortnight ascertain whether the statement made with reference to glass pitchers is true or false. That the committee can ascertain whether the statement here made with reference to Haviland china is true or false. It can ascertain whether the statement here made is true with reference to ready-made clothing, whether the retail dealers are extortionate or not. That committee, if disposed to perform its duty, can ascertain that information within two weeks.

I repeat, Is the Senator willing to have a select committee commissioned to this task, for the Democratic members of the Finance Committee have not been exhausted with these labors?

Mr. ALDRICH. Mr. President, the Democratic members of the Finance Committee can carry on this investigation if they see fit. There is no objection to that on anybody's part that I know.

Mr. GORE. Will the Senator allow one or two good Republicans to be designated so that the manufacturers can have their friends at court? We ask for no ex parte investigation. Has the Senator recovered his——

Mr. ALDRICH. I am not sure that the Senator was addressing me. I was not paying, at the moment, attention to the remarks of the Senator as I should have been doing.

Mr. GORE. It probably would have been profitable to the Senator. I ask if the Senator is willing to have one or two good Republicans designated to cooperate with the Democrats. We do not ask, we do not desire, and we can not accept an ex parte investigation. We do not want to give this a partisan cast. All we want is the whole truth, and nothing but the truth, ascertained by men who can not be suspected of partisan purposes, bias, or prejudice.

Mr. ALDRICH. If the Senator simply desires to make a speech upon this subject, Mr. President, that is one thing. If he desires to have this information secured at some time in the future for the benefit of our successors and our children and grandchildren, and will allow the resolution to go to the Committee on Finance, the Democratic members of that committee are always vigilant in the interest of the public, and I have no doubt that some result can be accomplished in the way of a future inquiry upon the subject.

Mr. SIMMONS. I should like to ask the Senator a question. Will he allow the minority members of the committee to be present at the deliberations?

Mr. ALDRICH. We allow the Democratic members of the committee to be present at its deliberations except when we are considering matters of pure party responsibility.

Mr. SIMMONS. Not in considering matters which affect the tariff, and this does affect the tariff.

Mr. ALDRICH. I do not think there would be any trouble about having the Democratic members present. We are always glad to have the Democratic members of that committee present in our deliberations except when we are charged with the responsibility of preparing a tariff bill. I do not think that there has ever been any other meeting of the committee from which they have been excluded. If the Senator will allow the resolution, without further discussion, to go to the committee, I am sure that we will be able to arrive at some proper basis of an investigation upon this subject, if the Senator so desires.

Mr. GORE. I shall insist upon the motion to adopt the resolution.

Mr. OWEN. Will the Senator permit me to interrupt him?

Mr. GORE. Certainly.

Mr. OWEN. I should like to make an inquiry of the chairman of the Committee on Finance. During the last campaign the country was informed that the Republican leaders desired only a tariff which would measure the difference in the cost of production at home and abroad. Why has not the Finance Committee furnished that report to the Senate?

Mr. ALDRICH. We are furnishing it constantly for the information of the Senator from Oklahoma and other Senators who have not the information themselves.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma still further yield to his colleague?

Mr. GORE. Certainly.

Mr. OWEN. I call the attention of the chairman of the Finance Committee to the fact that the Senate has been furnished with no proper report upon this matter by the Committee on Finance. There is no report showing the difference in the cost of production at home and abroad. The voluminous testimony, if it might be so called, a part of which was sworn to and a very great part of which was not sworn to, is no information to the Senate with regard to these particular schedules. To invite a Member of this body to go through 8,000 pages of undigested stuff, prepared by those with a peculiar interest to serve, makes it impossible for a Member of this body to properly pass upon the very basis upon which this tariff was proposed to be written, and when I ask why it has not been done, there is no answer.

Mr. GORE. Mr. President, I will ask for the reading of the clipping which I sent to the desk.

The PRESIDENT pro tempore. If there be no objection, the paper will be read by the Secretary.

The Secretary read as follows:

[From the Boston Traveler, May 13, 1909.]

LARGE-PROFIT TALES FALSE, SAYS FILENE—BOSTON MERCHANT TAKES EXCEPTION TO SENATOR SMOOT'S TARIFF-DEBATE STATEMENT.

Edward A. Filene, the well-known business man of this city, does not agree with Senator SMOOT in his statement that gloves costing $7.50 a dozen retail for $2 a pair.

"I am afraid that the Senator does not know what he is talking about," said Mr. Filene. "The ordinary $1 glove costs from $9 to $10 a dozen, while $2 gloves cost from $16 to $20 a dozen.

"The fact is that competition in gloves is so intense and the margin so narrow that specialty glove stores are steadily being obliged to go out of business, while even the department stores in many cases fail to make their glove departments pay."

Mr. Filene said further that retail competition is so untrammeled that it is impossible for a man familiar with the actual conditions to conceive of such large profits being made as was referred to by some of the Senators in debate.

"The average net profits," continued Mr. Filene, "of retail stores are not more than 5 per cent. I know no store that averages 10 per cent on its sales."

Relative to the alleged sale for $36 of a china dinner set that cost $10.89, spoken of in the debate, Mr. Filene said that where a unique article, on which there can be no competition, is imported, any price the whim of the customer may induce him to pay may be obtained.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. GORE. Yes, sir.

Mr. SMOOT. I should like very much to have the Senate understand that we were discussing the question of the cost of manufacturing gloves, and I have never yet said that the retailer paid only $7.40 for those gloves.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. GORE. Yes, sir.

Mr. NELSON. I suppose we are on razors, not on gloves.

Mr. SMOOT. If the Senator had been listening, he would know very well that the subject-matter presented here was not on razors; it was on gloves.

Mr. President, I do not want the Senator from Oklahoma to try to make it appear that I say that all the profit between the manufacturer and consumer is made by the retailer. No such statement or claim has ever been made. The only statement I have ever made referred to the great difference between the manufacturer's cost and the final price paid by the customer. That is the question and the difference that has been spoken of by every Republican Senator on this floor discussing the subject. It is not all chargeable to the retailer, and I want the retailer to understand that no one has so stated. Even as to the pane of glass that was spoken of, it was the cost of the glass as it entered this country with the duty added, and then the added cost to the consumer through the different stages of trade. That was not by the retailer only. No one stated how many hands that pane of glass passed through before it reached the customer.

Mr. GORE. Mr. President, I wish to say that I have no purpose to misstate the exact issue between this side and the other side of the Senate. I accept the suggestion made by the senior Senator from Utah [Mr. SMOOT]. We do not insist, and have not suggested, that the other side charge the retail dealer as being exclusively responsible for the extortions practiced in this country. As I understand, they join in this indictment the jobbers and the wholesale dealers and the retail dealers of the country. This resolution calls in explicit terms for information upon each particular point, the prices charged by the manufacturers, the prices charged by the wholesale dealers, and the prices charged by the retail dealers. It is full and exact information which the resolution seeks, and which the committee will undoubtedly furnish when it discharges the duties imposed by this resolution.

Sir, I think the Senator from Utah mends the case but slightly when he arrays on one side the manufacturer and on the other side the jobbers, the wholesale dealers, and the retail dealers. I accept his amendment and his suggestion; but I desire to enter a disclaimer in behalf of each and every one of those indicted classes.

I remember the Senator from Utah did say that razors, which were sold to the retailer for $9 a dozen, were resold by him at $2 apiece or $24 a dozen. That, of course, was not a charge; it was a mere intimation, a mere insinuation that the retail

dealer was extorting unreasonable profits from his customers. We want that question investigated, and we want to know the truth and the facts.

The Senator from North Carolina [Mr. SIMMONS] yesterday had an extract read from the Iron Age, which, in express terms, stated that the jobbers, the wholesale men, and the retail merchants were at the mercy of the manufacturers. That is what I believe, and I believe a majority on this side concur in that opinion. We want the matter investigated, and if they be not guilty, allow them to be vindicated. That article from the Iron Age stated and charged in express terms that the retail men, the wholesale men, and the jobbers were at the mercy of the manufacturers, notwithstanding the senior Senator from Maine [Mr. HALE] admitted that the manufacturers were not responsible, notwithstanding the senior Senator from Maine admitted that the middlemen and the wholesale and retail dealers were responsible for prices fixed to the consumer. That is the exact issue which we want determined.

I will merely add, Mr. President, that the common thief, the red-handed assassin are entitled under our form of government to a fair trial by an impartial jury. We do not ask even so much as that for the retail and the wholesale men and the jobbers; but we are willing for such a trial as we can obtain, not by an impartial jury, but by one which may have some predilections in the matter. If Senators on the other side who have made these charges are not willing to fix the responsibility for high prices where that responsibility belongs, then I want to fix the responsibility for that refusal where it belongs.

Mr. GALLINGER and Mr. ALDRICH. Question!

The PRESIDENT pro tempore. The question is on the motion to refer the resolution submitted by the Senator from Oklahoma [Mr. GORE] to the Committee on Finance.

Mr. GORE. I ask for the yeas and nays on that question.

Mr. OWEN. Mr. President, I should like to make a suggestion with regard to the manner in which, under the commercial practice in this country, prices are frequently fixed, even if it be not a uniform rule. As I understand it, it is the practice that the manufacturers determine not only their own price to the wholesaler and to the jobber, but that they go further and require the retailers not to go below a fixed price; and, if they do go below a fixed price, the jobber is compelled to cut that retailer off of his list.

Mr. SMOOT. Mr. President——

Mr. OWEN. One moment. And if the jobber does not carry out this fixed ironclad trade rule, in that case the manufacturer cuts off the jobber. I understand that to be the practice in relation to the cotton goods made in New England, for example, by the American Print Company. It may not be true, but I believe it is true. I have been informed by men capable of knowledge in the matter and in a position to know that it is true. It is well to inquire into the matter as to whether or not it is true. I do not think it is a right thing in the Senate for gentlemen in the body here without information to stigmatize the retailer as guilty of fleecing the public; and I think it is equally reprehensible as a practice to charge any man, whether he is a wholesaler, a jobber, or a retailer——

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I do, with pleasure.

Mr. GALLINGER. What was the exact statement the Senator made concerning the cotton manufacturers of New England?

Mr. OWEN. I said I was informed that the American Print Company imposed a rule upon the wholesaler and the jobber handling their products and upon the retailer that if the goods were sold for less than the price fixed at which the retailer should sell them he was cut off from the handling of those goods; in other words, he was blacklisted.

Mr. GALLINGER. Has the Senator any evidence of that?

Mr. OWEN. I will undertake to furnish the evidence to this committee when the committee is organized and ready for the investigation.

Mr. GALLINGER. It seems to me the Senator ought to furnish it this morning. He is making an accusation, and it is a very serious one.

Mr. OWEN. I am making no accusation. I am simply stating what has been said, and I think it is worthy of an inquiry.

Mr. GALLINGER. Of course, Mr. President, there are thousands of things worth inquiring into, but time is short and human life has its limitations.

In reference to this particular resolution, which the Senator's colleague has introduced, I think every Senator who has taken a sane view of the present situation sees that we can not go into an investigation of that kind and pass the pending tariff bill within any reasonable time.

Mr. OWEN. I ask the Senator why this investigation has not been prosecuted heretofore?

Mr. GALLINGER. I will answer that by saying that I certainly know of no reason why it should have been made.

Mr. OWEN. Does the Senator think that the proposition that this tariff should be based upon a difference in the cost of production at home and abroad affords no reason for this inquiry?

Mr. GALLINGER. I take it for granted that to ascertain the details of that matter, the State Department would have to communicate with our consular agents and other representatives abroad, and that it would be an inquiry that would take months, if not years, to conclude.

Mr. OWEN. A circular letter might do that.

Mr. GALLINGER. How long would it take the agents abroad to ascertain the cost of goods manufactured in the various industrial centers of Europe?

Mr. OWEN. Why has no effort been made in regard to the matter?

Mr. GALLINGER. Well, Mr. President, I answer the Senator by saying that I think the committee has furnished all the evidence that was available in this discussion.

Mr. ALDRICH. The consuls have been engaged in this work for two or three years.

Mr. GALLINGER. And I do think, Mr. President, that we had better turn our attention to the consideration of the schedules of this bill. A gentleman, pretty well informed, stated recently that the country was losing $10,000,000 a day because of the delay in the consideration of this tariff bill; and I have no doubt that that is an underestimate. It seems to me that we ought to give the business men of this country an opportunity to do business.

Mr. OWEN. Who is it that is losing money?

Mr. GALLINGER. The business interests of the United States.

Mr. OWEN. Does the Senator make that charge without specification and proof?

Mr. GALLINGER. I make it upon the authority of a well-known gentleman in the other House; and I think he probably had looked into the matter. He is a man who is not in the habit of making wild statements. I make the statement also upon the authority of business men in this country who are today hoping that Congress will be wise enough to speedily pass this bill, so that they can start up their industries and give employment to labor.

Mr. OWEN. If I understand, Mr. President, there is no adequate answer to my suggestion as to why this inquiry has not previously been made.

Mr. GALLINGER. Mr. President, the inquiry itself is so absurd that it does not require an answer.

Mr. OWEN. It may be absurd, Mr. President, to the Senator who has just taken his seat, and he may regard the pledge made to the American people as ridiculous and unworthy of fulfillment, but I take it when the pledge is made that this tariff bill will be based upon the difference in the cost of production at home and abroad, the legislators in this body should have that information, and it is not absurd to ask for it.

Mr. GALLINGER. Mr. President, why do not the Senator and his associates obtain it? They have as much leisure as any of us.

Mr. OWEN. In answer to that, I will say that the minority members of the Finance Committee were not even honored with the privilege of hearing the matters presented before the majority members of the Finance Committee, and it was the pledge of the Republican platform that I am insisting is not being carried out.

Mr. GALLINGER. Mr. President, that has been thrashed over half a dozen times.

Mr. OWEN. But it has not been answered satisfactorily, and can not be.

Mr. GALLINGER. The members of the minority on that committee have found no particular fault about it, I will say to the Senator, and I do not know why he should.

Mr. OWEN. The reason why I object to this omission is because I represent a State in this body with a million and a half of people, whose interests are involved, and I have a right to know what the facts are upon which this tariff bill is being made; and when I ask for the difference in the cost of production at home and abroad, upon which the Republican party in its last platform declared they would write this tariff bill, I am told that the inquiry is absurd. It is a most unreasonable response.

Mr. DU PONT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Delaware?

Mr. OWEN. With pleasure.

Mr. GALLINGER. If the Senator from Delaware will permit me, the Senator from Oklahoma does not quote me correctly. I did not mean to say that the inquiry was absurd; but I say it is absurd to think that we can obtain the information desired during the pendency of this bill.

Mr. DU PONT. Mr. President, I should like to call the attention of the Senator from Oklahoma [Mr. OWEN] to the provision of this bill for a tariff commission, whose function it would be to inquire into all such intricate questions and to present the information desired, which, in my opinion, it will take a good deal of time to procure and which may be utilized for future reference.

I should like to ask the Senator from Oklahoma if he does not see that the methods of modern business have changed enormously in the last few years? As I understand, no charge has been made against the retailers or the jobbers explicitly, but the general statement has been made that the tariff per se did not necessarily increase the price of articles of necessity or otherwise to the consumer. If one considers the enormous army of runners and business agents that are traveling all over the country, the money paid for advertisements in the leading newspapers, and all those things of this generation, he can readily perceive that there is an enormous amount of money expended in those directions. Somebody has to pay for it. It is evident that the cost of doing modern business, owing to competition between the sellers, whether they be jobbers, wholesalers, or retailers, has increased immensely and must necessarily result in increased cost to the consumer.

Mr. OWEN. In answer to the Senator from Delaware——

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to his colleague?

Mr. OWEN. In just one moment.

Mr. GORE. I merely want to make one suggestion.

Mr. OWEN. I yield.

Mr. GORE. The Senator from Delaware joins the Senator from Montana in suggesting that a tariff commission should ascertain this data. I want to say to those two Senators that the resolution I have offered does not call for a coroner's inquest; it does not ask for a post-mortem investigation; we do not care to inquire into the cause of death; we want a committee of safety, to anticipate and prevent dissolution. [Laughter.]

Mr. OWEN. Mr. President, I should like, in response to the Senator from Delaware, to ask him whether it is a fixed policy agreed upon, and he authoritatively states it, that a tariff commission will be made a part of this bill?

Mr. DU PONT. I have no information——

Mr. OWEN. The Senator made that as a preamble to his remarks.

Mr. DU PONT. In answer to the Senator, I will say that I have no information in that case further than what I have seen authoritatively stated. I do not know whether there has been any official notice of that kind, but I gather information of those things from the public press.

Mr. OWEN. I will say that the Senator from Delaware made that as a preamble for his remarks. I now ask the chairman of the Committee on Finance whether the suggestion made by the Senator from Delaware and by the Senator from Montana is true, that it is proposed to have a tariff commission provided as a part of this measure?

Mr. ALDRICH. Mr. President, if the Senator from Oklahoma had shown his usual industry in examining the amendments suggested by the committee, he would have ascertained that fact for himself.

Mr. OWEN. Then it is a fact?

Mr. ALDRICH. The Senator would know that if he had read the amendment suggested by the committee.

Mr. OWEN. I did not know it, and will carefully examine it.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I do, with pleasure.

Mr. SMOOT. Mr. President, in answer to the Senator from Oklahoma, I wish to say that I am fully aware that in some cases institutions that sell the product of an author—for instance, such as a book—may have a stipulated retail price, but sometimes books are sold to the general trade, and the great department stores will make a "sale day" and sell them many times under the cost. There has been such a thing in this country as the publisher of a certain book stating that he would not sell those goods unless they were sold at a regular price.

Mr. OWEN. The suggestion which I made with regard to cotton goods was one which I thought a very important one, because it relates to a necessary of life, and it bears directly upon the question of whether or not the retailer is guilty of exorbitant charges.

Mr. SMOOT. Mr. President, I do know this——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. With pleasure.

Mr. SMOOT. I do know that the cotton goods which are purchased from the cotton manufacturers in this country, so far as the great institutions that buy them in my State are concerned, are never limited to a price of any kind. They may sell under cost if they wish, or they may have whatever profit they can get over that.

Mr. OWEN. I think there never was a more erroneous statement in the same number of words than that made by the Senator from Utah.

Mr. SMOOT. Well, Mr. President, I am perfectly prepared to prove to the Senator that that is absolutely true.

Mr. OWEN. I should like to have a committee charged to hear the evidence and give us the facts.

Mr. SMOOT. I am not talking of the committee's work at all; I am talking about the absolute facts concerning cotton goods.

Mr. OWEN. The Senator from New York [Mr. DEPEW] well stated yesterday his view with regard to the relative veracity of the testimony submitted to Members of this body, and I do not feel prepared to receive any statement made merely upon the word of some gentleman who has a purpose to serve. We are constantly being misinformed on both sides of every case. Somebody ought to digest the truth and make known the truth, so that the Senate may rely upon it. The matter about which I wished to make an inquiry was, why was it that the Finance Committee, charged with that responsibility and with unlimited means at their disposal, during all of these months have made no such inquiry and made no such digest for our information and guidance as legislators? I think it is a very serious omission. I do not mean to make that statement in a critical or unkind spirit at all, and I think I owe an apology to the chairman of the Committee on Finance in not having observed the amendment proposing a commission.

I confess I had not done so. I have had eight thousand and odd pages of miscellaneous matter laboriously to wade through in a vain effort to get something out of it that I could really regard as a finality; and obviously it is almost impossible; but I will say, with all of the traveling men in the employ of the manufacturers, with all of the information available in the business houses of our own country with regard to prices and to the cost of production of every article made in the known world, that information is available; it is not far distant; it can be obtained; and it ought to be obtained before this bill goes to its passage. It ought to be obtained in three weeks easily; and I believe it could be obtained if a proper inquiry were made.

Mr. CARTER. Mr. President, has the Senator from Oklahoma concluded?

Mr. OWEN. I have concluded, and yield the floor to the Senator from Montana.

Mr. CARTER. Mr. President, one hour of the day has been spent in a characteristic discussion, and it is, I think, proper enough to make some observations upon the discussion itself and the conditions leading up to it.

For many years the Republican party of the country has been charged with maintaining a system of organized robbery under the form of a protective tariff. I at once acquit many enlightened members of the Democratic party from any responsibility whatever for this loose and unwarranted but widely-spread charge. It is astonishing, however, to perceive that in this Chamber there are still Senators of the opposition who adhere to that ancient and discredited notion. The two Senators from Oklahoma have this morning displayed a desire for information that would be very creditable to them as students in an academy, but not at all creditable to Senators of the United States.

The violent presumption may be indulged that a Senator representing a State in this Chamber is familiar with the current literature of the time relating to particular matters engrossing the attention of Congress. It must be known, and is known to both Senators, that the consular reports of the United States, issued with regularity in pamphlet form and subsequently in bound volumes, contain information from every part of the civilized world with reference to the cost of production, market relations, and even social conditions. The Senator from Oklahoma would have the Senate exonerate him

from any responsibility, if you please, in the matter of informing himself and pass over that responsibility to a committee composed of his fellow Senators. The Senator comes forward with the discredited charge, slightly veiled and often made, that the tariff is robbery, that it is based upon injustice, and that it exacts from the people of the country an unjust measure of their substance for the support of special interests.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. CARTER. I do.

Mr. OWEN. Mr. President, I should like to plead guilty to the charge that I regard this tariff bill as little better than a robbery, and I shall at the convenience of the Senate demonstrate that this bill contains precisely what the Supreme Court described as "robbery" in the Topeka case. (Citizens' Savings and Loan Association of Cleveland v. Topeka, 20 Wallace, 655.)

Mr. CARTER. Mr. President, I realize that I was not misquoting, nor did I misinterpret, the views of the Senator, but the Senator brings the charge with the same unfortunate equipment that has characterized those who have made that charge from the beginning.

Mr. OWEN. Mr. President——

Mr. CARTER. Just a moment. The Senator makes the indictment, but he can not establish the venue; he can not particularize or show the character of the property nor the value involved.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. CARTER. Certainly.

Mr. OWEN. With the permission of the Senator from Montana, I shall reduce that matter to a mathematical demonstration within a very few days and submit the proof of guilt so plain that the Senator can not answer the indictment or the proof.

Mr. CARTER. Mr. President, I am now engaged in an earnest effort to show that the Senator from Oklahoma should do that for himself which he seeks to have the Finance Committee do for him. We can not take an intellectual spoon and feed Senators in this Chamber. [Laughter.] They must, Mr. President, inform themselves, or else hold their peace.

Mr. OWEN. Mr. President——

Mr. CARTER. I know the Senator from Oklahoma can, without any difficulty whatever, frame the indictment to which he refers with as much accuracy and truth—and there is very little truth in it—as any other Senator on this floor; and I therefore point to the fact that the demand of the Senator for collated data and specific information made of the Finance Committee is a demand for that which he already has in his possession and which is available to every Senator possessed of an inquiring disposition.

Mr. BACON. Will the Senator permit me to suggest that the party with which he acts has too much need for spoons to feed infant industries to spare one for any other purpose. [Laughter.]

Mr. CARTER. I am very glad, indeed, Mr. President, that the Senator from Georgia is not one of those on this floor who needs the bottle-fed treatment, so far as information is concerned. [Laughter.]

Mr. TILLMAN. Will the Senator from Oklahoma permit me?

Mr. OWEN. I have not the floor. I have been trying to ask the Senator from Montana a question.

Mr. TILLMAN. Well, will the Senator from Montana permit me?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from South Carolina?

Mr. CARTER. Yes; I will yield to any Senator.

Mr. TILLMAN. I want to say that the wish or request of the Senator from Oklahoma is entirely unreasonable, because he is expecting you to furnish a rope to hang yourselves, and you will not do that. [Laughter.]

Mr. CARTER. Mr. President, the Senator from Oklahoma and the Senator from South Carolina have been speaking for a party that for a generation has made certain charges with reference to this protective tariff, and they come here as empty-handed as the day they were born, when they undertake to sustain the charges, and in that naked condition they piteously appeal to the Finance Committee for definite information with which to support their party claims. Where is the system of robbery and what are the proofs with reference to the charges heretofore made by the Senators against this bill or existing law? Why, Mr. President, the senior Senator from Oklahoma [Mr. GORE] presents a resolution asking that a committee of Senators be now deputed to leave this Chamber, where the presence of every Senator is necessary for the proper guarding of the interests of the people or of the State he represents; that these Senators go hence into some committee room or across the ocean to get some particular fact which is unknown to the Senator from Oklahoma; to get some statement of the difference between wages in Hongkong and San Francisco, so that the Senator may be advised with reference to the difference in wages in the two places named.

The task prescribed by the resolution could not be well and faithfully performed short of two years' time. An intelligent preparation of the data called for from original sources by that resolution would require extensive travel, extensive reading, and a careful compilation of statistical matter reduced to percentages and involving a world-wide exploration of social, industrial, and economic conditions generally.

I now submit to the Senate that probably neither Senator from Oklahoma will vote right on this bill because of the lack of this information; but they ought to hold their peace, and permit Senators who do know to proceed with the public business while they are informing themselves.

Mr. OWEN. Mr. President, will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. CARTER. I do.

Mr. OWEN. I should like to suggest to the Senator from Montana that one of the most valuable reasons why the Senator from Oklahoma should not hold his peace is the bringing out of the Senator from Montana, with his brilliant apologies for a very bad bill.

Mr. CARTER. I am making no apology for any bill. I have not mentioned the bill. But since the Senator does bring the matter up, permit me to call his attention to the peculiarities of the assaults made on this bill. There has been no attempt in the course of this discussion to argue the merits of the policy or principle of protection as opposed to the doctrine of tariff for revenue only, or free trade. I think the Senator from Texas very properly said that there was no such thing thought of as free trade. That was an expression cut away and downstream. The only contention existing here, according to his lucid view, was as to the application of the duties with a view to protection, or the application of the duties for the purpose of raising revenue and for that purpose only.

Outside of the Senator from Texas, we have had learned discussions from the opposite side upon special points. The inability of the opposition to assail the doctrine of protection, and their consciousness of that inability, are made manifest by the fact that side issues are industriously selected.

In the course of a discussion some days ago the Senator from Utah made the observation that the high price of articles throughout the country could not be traced exclusively to the protective tariff. Indeed, I think he alleged that it could not be traced to the tariff at all; that the retail price of articles had no special relation to the manufacturer's cost, or to the price at which the manufacturer sold. That statement by the Senator from Utah has been warped and distorted from time to time so that the senior Senator from Oklahoma would have it now read that the Senator from Utah said that the retail dealers of this country were engaged in a vast conspiracy to raise prices without reference to cost; that they were oppressing the people; and that they, and not the protective tariff, were responsible for high prices throughout the country.

I submit that the RECORD itself will show that no such contention was made by the Senator from Utah, nor by any Member on this side of the Chamber. There has been no such charge made in this body. Eulogies upon the retail dealers of the country are, therefore, supererogatory and unnecessary. We all know who the retail dealers are—the men who conduct the stores in the villages and at the crossroads of the country; an honorable, upright body of citizens, constituting at the crossroads, as the merchant does, the only exchange the farmer knows, the place where he sells the eggs and gets the coffee, where he sends the butter and the cheese to market and gets in exchange the calico and the various things the family needs at home. This retail merchant may sell some things at a high price, but he frequently sells other things below actual cost in order to keep goods from becoming shopworn.

But it is useless to go into the details of this relation of the country merchant to the farmer and his other patrons, because there has been no charge made on this floor, and no one pretends to support or suggest the charge, that the country merchants are in combination to raise prices and then to charge the raise to the protective tariff.

The country merchants of the United States as a rule are protectionists. They have observed that under the reign of the

protective policy trade is better, the purchasing power of the people is greater, work is more generally given to men who are willing to work, and wages are better. So that the country merchant, the beneficiary of active trade, is a protectionist in the majority of cases. As a rule, you will find that the country store is the headquarters for the protection propaganda in the neighborhood. The country merchant is not in conspiracy with anybody to create the impression that the high price of goods is attributable to the protective tariff.

On that side track we have lingered for three or four days; and every morning, I doubt not, with almost unvarying regularity, some Senator will be found to rise to defend the country merchant from a charge that has never been made. Thrash out this man of straw, and in some remote quarter it will be understood that the fight was real; that the good name of the country merchant was actually assailed; and that a bold, brave, and fearless statesman rose in his place to defend this kindly citizen, the country merchant, from a gross and violent assault. Mr. President, the side tracks will be numerous, and discussion with reference to the false issues raised will consume time, but will not enlighten anybody upon any line of information worthy of serious notice.

I am gratified to observe that the great body of our colleagues on the opposite side of the Chamber are earnestly, anxiously waiting to vote on the merits of this bill. It may be that the Senator's statement of $10,000,000 per day as a loss to the country because of our continued delay may be but a speculative estimate of an important fact. But that the country's great business interests are affected by uncertainty and doubt no one will seriously question.

No greater injury can be inflicted upon the business of any community than to involve the future in doubt or the basis of calculation in uncertainty. No merchant, no manufacturer in this broad land to-day knows what conditions will be thirty days from now as to an economic measure touching every interest in all the country, from the humblest home to the largest enterprise in all the land. It may not be ten million; it may be only five million; but it may be $50,000,000 per day of injury.

I do know that about 2,000,000 men are alleged to be idle in this country to-day, and I verily believe that the 2,000,000 men who are now idle will be employed inside of thirty days after the passage of this bill, and that, too, without reference to whether a schedule is a shade above or a shade below a given rate.

What the country wants to know is the exact condition that is to obtain for a reasonable time in the future. It wants to know where the bed rock is located, so that it can lay a foundation on it. No prudent business man will violate the old biblical injunction by building on the sand, and the present relation of these tariff schedules to the business world is precisely as the bed of sand to the foundation of the house.

What we desire is to cooperate with our good friends on the other side for a full and free debate on the merits of these policies, if that debate be deemed essential. This carping criticism with reference to a remark made upon one side or the other with a view to getting up speeches for the next campaign little befits the occasion with which we are called upon to deal.

I know that no Senator will deliberately procrastinate. I realize that every Senator on the floor is anxious that the bill be passed and passed at an early day. And I hope that with that understanding we may have universal accord with the proposals to proceed with the consideration of the paragraphs and the disposition of the bill at the earliest possible hour.

Mr. SIMMONS. Mr. President——

Mr. CARTER. I yield to the Senator from North Carolina.

Mr. BAILEY. Mr. President, before the Senator from North Carolina proceeds, I desire to ask the Senator from Oklahoma if he is not willing to modify his resolution so as to refer this matter to a special committee instead of the Finance Committee? A moment's reflection will convince him that it is obviously impossible for the Finance Committee to perform this work pending the consideration of this bill. We must all be here in the Chamber.

Mr. CARTER. Mr. President, I will ask the Senator from Texas how the members of the special committee could attend to this work and be in the Chamber at the same time?

Mr. BAILEY. In view of the fact that they are not specially charged with the consideration or conduct of this bill, they would doubtless willingly perform any duty with which the Senate would specially charge them. I see no reason why a special committee might not undertake the inquiry; and without reference to the period which will be required to conclude it—that being left open—it might be a valuable one. But it is absolutely certain that the Finance Committee could not undertake it.

I therefore ask if the Senator from Oklahoma is not willing to strike out "the Finance Committee," and substitute "a special committee to be appointed by the presiding officer of the Senate," to consist of four Republican and three Democratic Senators, if he chooses to inject the element of politics into it? I see he has suggested that the Finance Committee is composed of members of both political parties. I hope the Senator from Oklahoma can see his way clear to do that.

While I am on my feet, I want merely to make this reply to the Senator from Montana: It is not our fault, nor are we in anyway reponsible for the fact, that a new rule for the construction of a tariff bill has been devised and laid down.

The Republican national convention itself has prescribed the rule according to which this bill should be framed, and I can see no reasonable ground for complaint on the part of those having in charge the measure, that Senators on this side demand of them that they at least demonstrate that the bill falls within the rule prescribed by the convention of their party. It is no hardship to require a Senator having charge of this bill to show that it falls within the requirements of his own party's platform. It is true, as the Senator from Montana says, that every Senator on this floor has access equal to that which the Senators on the Finance Committee have to these public documents, and Senators may work it out to their own satisfaction. But if Senators do not find themselves satisfied with the information accessible or obtainable, they have a perfect right to demand that Senators on the other side shall lay before the Senate and the country facts and arguments that at least will vindicate their bill according to the rule established by their own platform.

Mr. CARTER. I ask the Senator from Oklahoma to permit me to make one observation in reply to the Senator from Texas.

Mr. GORE. Certainly.

Mr. CARTER. It has been often suggested here that the Republican party platform adopted at Chicago made a new rule for the guidance of those called upon to carry the protective policy into legislative enactment. According to my conception of the fact, there never has been any other rule for the guidance of those engaged in protective-tariff legislation. There never was, according to my idea, any disposition on the part of any Republican Congress or statesman to impose a duty higher than that which made up the difference between the cost of wages here and abroad, plus a reasonable return on the capital invested. That rule, of long standing, was crystallized into a plank in the platform at Chicago for the first time, but it was like an old rule of the common law with us from the beginning as a rule of action.

Mr. BAILEY. If that rule was well established and well understood, then the Republican party was engaged in a foolish procedure to promulgate it. I thought, inasmuch as it made its appearance in the Chicago Republican platform for the first time, I was warranted in saying it was the first authoritative enunciation of the rule, although I agree, as the Senator says, that that has been the argument of Republican Senators and Republican orators and editors. But, then, they for the first time, as I understand, succeeded in forcing it into the Republican platform as an authoritative declaration.

I desire to say this, too, while I am on my feet, and then I will not trespass further upon the Senator from Oklahoma. I myself have not complained of this lack of information. I have found more matter available for my use than I have found time to use, and I myself make no such complaint. But Senators on both sides feel—and I am not perfectly sure but that they have a perfect right to feel—that members of the committee will not select from this vast mass of matter—some irrelevant and some relevant—those parts of it which will contribute to the enlightenment of Senators and the country; and I understand that to be the complaint which the Senators from Oklahoma are now making.

Mr. GORE. Mr. President——

Mr. OWEN. Will the Senator from Oklahoma allow me for just a moment?

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to his colleague?

Mr. GORE. Certainly.

Mr. OWEN. I should like to say, as far as my comments are concerned, that I impose no restrictions whatever on the minority members of the Committee on Finance. I understand they were not even permitted to be present when the consideration of the bill was in progress.

Mr. BAILEY. I do not want to do my adversaries an injustice. While that is true, we had a rule of the committee authorizing us to hold our own sessions, at least to employ all the experts we wanted, and we had the same rights they had. They are bad enough at best, and I am not willing to charge

them with being worse than they are. We could have, and did have, all the experts we needed.

Mr. GORE. Mr. President, I desire to say at the beginning that out of deference to the opinion of the Senator from Texas I am perfectly willing to substitute a select committee for the Finance Committee. I am perfectly indifferent as to whether it be a standing or a select committee which performs this task. I am only concerned that the task be performed, and I cherish as tender a solicitude for the health and the happiness of the Finance Committee as any other member of this body.

Now, to the Senator from Montana I desire to say that I disclaim that the charge of conspiracy or organized robbery has escaped my lips. He will search the RECORD in vain to find where I have given utterance to that charge in that form. I must confess, however, that the thought did come to my mind, and that those words came to my lips, as they came to the lips of the senior Senator from Montana, but they escaped his lips instead of mine. But, sir, the circumstances suggest robbery and suggest conspiracy, and they justify the epithets.

I appreciate the lecture read to me in this presence by the senior Senator from Montana, and I may say in my self-defense that my lack of knowledge possibly is due to the fact that the senior Senator from Montana is a member of this august assembly. We all can have free recourse to his universal information, and I understand that he admits that he knows everything about every question. Then why should the ordinary Member like myself concern himself with these arduous inquiries?

Mr. President, in ancient times, before the Diamond Match trust was organized, the ancients kept a fire burning upon their altar, so that those who chanced to lose it in their dwellings could go to the temple and rekindle their fires. The Senator from Montana is one of those splendid luminaries who shine with original luster. The rest of us are mere satellites, which must borrow the light which we reflect. But, like the sun itself, the Senator has spots upon him. He emits darkness as well as light. In one breath he suggests that the information is before us now, and charges my colleague and myself for not taking notice of that fact. In another breath he suggests it could not be obtained in a less time than two years. Others may concern themselves about which statement to believe. There are those who will disbelieve both.

I would not say the Senator is an encyclopedia of information, nor shall I suggest that if there be any truth in the old adage that ignorance is bliss the senior Senator from Montana ought to be supremely happy.

But, sir, the Senator from Montana says that the rule adopted at Chicago was not a new rule, that it was not a new principle, that the Republican party did not proclaim a new policy when it declared for a tariff high enough to measure the difference between wages here and abroad plus a reasonable profit.

That only confirms the suggestion just made. I say to the senior Senator from Montana that it is a new rule; that it is a new principle. I say to him that the national Republican platform of 1892 declared that the tariff rate ought to be high enough to cover the difference between the labor cost abroad and at home. There the platform stopped. The permanent chairman of that convention, as I remember, was the late martyr, McKinley, and if I remember correctly, the senior Senator from Montana was the chairman of the national Republican committee which conducted the campaign upon that platform declaration. Can it be possible that the Senator does not remember the platform upon which he waged that campaign; or is it perhaps because the Republican party admonished by the defeat which it suffered in the contest, fearing a similar calamity, has added this little appendix, "plus a reasonable profit?" And if it does not precipitate an acute attack of appendicitis, the country may well marvel at its failure.

Mr. President, another remark. The senior Senator from New Hampshire [Mr. GALLINGER] has suggested that the country is losing $10,000,000 daily by the delay upon the tariff bill. Whenever that Senator deliberately pronounces judgment upon a proposition I yield my assent. I regard him as the supreme judge upon the subject. For he gravely advanced here the other day the proposition that we on this side contended that the duty was added to the domestic price. In the history of the human race nobody else ever thought that. Nobody ever said that in the history of the world. You may search the tariff debates from the beginning of time to the present hour, and nobody ever suggested that the duty was added to the domestic price. Nobody ever thought or ever suggested that anybody ever thought or said such a thing except the senior Senator from New Hampshire. He has a right to a copyright upon that statement and a patent upon that invention.

I will merely suggest to that Senator that it might be added as a duty to the select committee, of which the Senator should be a member, to ascertain, if this country is losing $10,000,000 a day by the pendency of this bill, how long it would be before there would not be a dollar left remaining in this country. But those who are losing a million dollars a day have a million to lose, and if it be true, I regret it as much as any man on this floor.

Mr. GALLINGER. How much does the Senator think has been and is being lost to the laborers and industries of this country by delay in the consideration of this bill?

Mr. GORE. That would be a matter of pure speculation.

Mr. GALLINGER. The Senator, I think, must have an opinion on that point.

Mr. GORE. I have not figured it out with such absolute accuracy as has the Senator from New Hampshire. The pendency of a tariff bill always disturbs business more or less. But I will suggest to the Senator that the people who are losing a million dollars a day are not the only ones concerned in this measure. The consumers as well as the trusts feel a slight interest in the passage of this bill.

Mr. GALLINGER. Mr. President, the Senator has raised a question that has been frequently raised here, as to consumers. There is one manufacturing establishment in New Hampshire that employs 13,000 people. The chances are that they represent at least twice that number of persons, perhaps three times.

Several SENATORS. Four times.

Mr. GALLINGER. No; some of them are unmarried. Are not they consumers, and is it not important that they should have employment to provide for their families? Who are the consumers of this country as distinguished from the producers, including the men and women who earn wages?

Mr. GORE. Mr. President, this is not the first time that question has been asked during this debate. The senior Senator from Rhode Island, the chairman of the Finance Committee, exclaimed in fine scorn a few days ago, "Who is the consumer?" Mr. President, have the consumers of this country fallen into such hands as this, that they not only have no regard for the consumer, no concern for his welfare, but they even challenge and deny his existence? Has it come to this, that a tariff measure is being revised by those who have not even discovered the consumer? I ask Senators in whose name and for whose benefit is the tariff being revised, if not for the consumer?

Now, I answer the Senator's question. The statement was made a few days ago by the senior Senator from Massachusetts, that 7,000,000 and more were concerned in the manufacturing and mechanical industries of this country and the Senator through some process of reasoning concluded that 30,000,000 were dependent upon those laborers. I would first say to the Senator from Massachusetts that his statement included not only those who were engaged in manufacturing, but those who were engaged in agricultural pursuits, including carpenters, brick masons, stone masons, and men who derive no benefit from protection, but who suffer all its penalties; men who are consumers and not protected manufacturers.

Who are the consumers? Edward Atkinson says there are only a million people in this country who are directly benefited by a protective tariff. But the census of 1900, more elaborate than the senior Senator from Massachusetts suggested, says there are a little more than 5,000,000 people engaged in manufactories in this country. How that Senator arrived at 30,000,000 dependents I have been unable to cipher out. According to that census there were 29,000,000 people engaged in gainful occupations, and there were all told 75,000,000 people in the country. I presume the Senator multiplied his 7,000,000 by 4, making 30,000,000, but if he adopts that rule, then, multiplying 29,000,000 by 4, we have 130,000,000 people in the United States, a self-evident misstatement of the facts.

I accept the census and will admit for the present argument that there are 5,000,000 people engaged in manufactories, and all those are benefited by a protective tariff. Multiply those by 2½, which is the rule we must adopt according to the census return itself. Then you have about twelve or thirteen million people who are benefited by this tariff—twelve or thirteen million out of 75,000,000. I say to the Senator from New Hampshire that the other 62,000,000 people are the consumers.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. GORE. Certainly.

Mr. GALLINGER. During the years 1894, 1895, and 1896 there were taken from the savings banks of New Hampshire, to meet their immediate wants, $12,000,000 by the operatives, the farmers, and the laboring men who had deposited that money

there. What has the Senator to say about those consumers? That money was taken from the banks for the reason that the kind of tariff the Senator is advocating threw them out of employment and they had to go to the savings banks and take their earnings, which they had deposited there, a few dollars at a time, and use it to keep the wolf from the door and to keep their wives and children from suffering. Now, who are the consumers? Were those people consumers?

Mr. GORE. Mr. President, I am glad the Senator has at length discovered the consumers.

The senior Senator from Montana [Mr. CARTER] stated a minute ago that there were 2,000,000 people in this country out of employment and many more million who have no accounts in the savings banks or in any other banks, under a high Republican protective tariff. I am informed Mr. Bradstreet shows that the aggregate amount of failures in 1907 and 1908 exceeded by $140,000,000 the aggregate of failures during 1893 and 1894. I would ask the senior Senator from New Hampshire if those men had been taking their savings to those banks before the Wilson tariff law passed in August, 1894? Did they not begin prior to that date?

Mr. GALLINGER. I will say to the Senator, Mr. President, that it began when disaster came to the country as the result of the success of the Democratic party in that election. I will say, furthermore, to the Senator that with the large amount of deposits in the savings banks of New Hampshire—and it is very large—the average amount is $400 to each depositor. Almost one-half of our people—men, women, and children—have deposits in the savings banks, and they are mostly credited to the operatives in our mills, to our laboring men, and to our farmers.

Mr. GORE. It is well known to that Senator and all Senators that there is an army of unemployed in this country to-day; that soup houses were opened during the last year; that benevolent people distributed bread and other necessaries of life; and that one great city passed an ordinance to give to the unemployed work upon public improvements in order to relieve the distress of their situation.

Mr. GALLINGER. Mr. President——

Mr. GORE. I ask the Senator from New Hampshire this question; it illustrates his position: Suppose the panic of 1907 had been delayed for thirteen months, and a Democratic President had been chosen last November, would not every Republican editor and every Republican Senator have ascribed the panic to the election of a Democratic President?

Mr. GALLINGER. If the Senator will permit me, there is some difference between the recent panic and the panic to which I alluded.

Mr. GORE. I admit——

Mr. GALLINGER. During those three lean years of Democratic ascendency and low tariff our people took $4,000,000 a year from the savings banks of my little State. Last year and the year before they increased their deposits about $600,000 each year.

Mr. BAILEY. And under this bill——

Mr. GORE. That is a splendid illustration of what a protective tariff does for New Hampshire at the expense of the remainder of this country.

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Texas?

Mr. GORE. Certainly.

Mr. BAILEY. I simply want to suggest that under this bill they will take that $4,000,000 out of the pockets of other people instead of from their savings bank accounts.

Mr. GALLINGER. We do not agree to that.

Mr. BAILEY. We do not agree to your statement that it was a Democratic triumph that produced the panic of 1893.

Mr. GALLINGER. We have heard of the Minnesota idea, the Iowa idea, and now we have the Texas idea.

Mr. BAILEY. It is the right idea.

Mr. GORE. The New Hampshire idea is that the community should be licensed by law to put their hands in the pockets of everybody else and increase their savings deposits at the expense of the rest of this great Republic.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. GORE. Certainly.

Mr. GALLINGER. In another body not long ago a distinguished gentleman said:

> The tariff bill is nothing short of an outrage. The witches whom Macbeth met on the heath never brewed a hell broth half so vile as this legislative compound.

Then that gentleman plunged his hands into the caldron of broth and pulled out a prize package inscribed "Lumber" and voted for a duty on it.

Mr. GORE. Mr. President, I remember another passage from that high tragedy. I remember that Macbeth himself had occasion to exclaim:

> "And be these juggling fiends no more believed,
> That palter with us in a double sense;
> That keep the word of promise to our ear,
> And break it to our hope."

No one in this body is better qualified to enact that rôle than the senior Senator from New Hampshire. [Laughter.]

Mr. GALLINGER. That is precisely what this gentleman did. He was arguing against protection, but he voted for a protective duty, as the Senator will probably vote for a duty on agricultural products.

Mr. GORE. Mr. President, I am not deceived by that mocking, miserable sham, and I will not betray the farmers of this country with a Judas kiss. It is a glittering sham that deceives nobody. The man who believes in a tariff on corn ought not to be allowed to run at large anywhere outside of the United States Senate. [Laughter.]

Mr. GALLINGER. We will see when the vote is taken what the Senator's associates will do. I will ask the Senator if he is going to vote for a duty on hides?

Mr. GORE. I will not. Are you?

Mr. GALLINGER. I will answer that question when the time comes. [Laughter.] I am gratified to discover that there is one real free trader on the other side of the Chamber.

Mr. GORE. Mr. President, the term "free trader" has no terrors for me, and yet I am not, and could not be under existing circumstances, a free trader. I doubt not, unless there be a decided change in his opinions, that the Senator from New Hampshire will vote for free hides and for free coal in order to fire his factories.

Mr. GALLINGER. The Senator is not accurate in his statement. He ought to inform himself before he expresses an opinion as to what I will do on this bill.

Mr. GORE. I tried to do that. The Senator declined to inform me. I yield for that purpose now. [Laughter.]

Mr. GALLINGER. I will inform the Senator very promptly that I shall vote for a duty on coal. Now, the Senator stated that I would not do that.

Mr. GORE. I am glad the work of the Senator from West Virginia has had such a beneficial effect.

Mr. GALLINGER. I will answer the Senator on the other point that I propose to hear the arguments on both sides concerning the duty on hides, and I will vote as my conscience dictates at the time. I have not yet made up my mind.

Mr. GORE. Mr. President, that word "conscience" comes charmingly from the Senator's lips.

Now, in passing upon this lumber duty, I know that side has had frequent occasion to chide this side for voting for a proposed duty on lumber. I shall not vote for a duty on lumber, and I will remind the Senator from New Hampshire that the present duty on lumber is 10 per cent ad valorem, and the proposed duty, I am informed, is about 5 or 6 per cent ad valorem. If that Senator desires the people of this country to construct their homes without exorbitant charges, and will include structural steel, nails, window glass, and lumber in one schedule, and fix a uniform rate of 6 per cent, I do not speak advisedly, but I believe that he would command almost the unanimous support of this side of the Chamber.

Sir, when men on this side vote for 6 per cent lumber, why should you not agree to vote for a similar rate of duty on structural steel? Either do that or else cease to banter this side of the Chamber for its support of that which you are pleased to allege is a protective tariff.

Now, Mr. President, back to the point. Senators on that side are fond of sidetracks in this discussion. Alluding to the ten millions, I want to say to the Senator from New Hampshire that the men who are losing a million of dollars in this country are not the retail merchants. My own observation and information has been that the millionaires of this country are not the retail merchants. I know very few who have amassed that fabulous sum. If I am correctly advised, the millionaires of this country are the beneficiaries of a protective tariff. Take the steel trust. We can enumerate several who have amassed millions by your protection, perhaps more than all the millionaire retail merchants in the United States combined. Take other protected interests. You will find those who by unreasonable profits have amassed millions; and the retail merchants and the consumers have been the common victims—the fellow-victims of the same conspiracy and the same robbery. I borrow the words.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Rhode Island?

Mr. GORE. Certainly.

Mr. ALDRICH. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The morning hour has expired.

Mr. GORE. I was not aware of that.

The PRESIDENT pro tempore. Under the well-settled practice in the Senate, the resolution goes to the calendar.

Mr. GORE. I shall not insist, in view of the suggestion by the senior Senator from Rhode Island.

Mr. BAILEY. I ask unanimous consent that a vote be taken on the resolution. It will require but a moment or two.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that a vote be taken on the resolution. Is there objection?

Mr. LODGE. The motion is to refer to the committee, I understand.

The PRESIDENT pro tempore. The motion is to refer to the committee. Is there objection to the request of the Senator from Texas? The Chair hears none.

Mr. GORE. I wish to say merely that I do not object to this proceeding. I have not witnessed it before, but I yield, sir, without complaint.

Mr. BAILEY. I supposed the Senator from Oklahoma wanted a vote on his resolution, and I tried to get it.

Mr. GORE. And I should like to have it. I appreciate the Senators' suggestion.

The PRESIDENT pro tempore. The request was made and no objection was made. A vote will now be taken.

Mr. GORE. I wish first to offer an amendment to strike out the words "Finance Committee or any subcommittee thereof" and insert——

Mr. ALDRICH. That is not in order.

Mr. GALLINGER. That was not the agreement.

Mr. GORE. And to substitute "a select committee consisting of four Republicans and three Democrats."

The PRESIDENT pro tempore. Is there objection?

Mr. ALDRICH. The question is on the motion to refer.

Mr. BAILEY. The Senator will not make any progress by an objection of that kind, because the Senator understands that when I preferred the request for unanimous consent to vote on it I preferred it in view of the interchange that had occurred between the Senator from Oklahoma and myself; and the Senator readily acceded to the suggestion that we propose to have the investigation made by a special committee instead of the Finance Committee. The Senator from Oklahoma said that was entirely acceptable to him.

Mr. GORE. Yes.

Mr. ALDRICH. That motion is not in order.

Mr. BAILEY. The Senator from Oklahoma can change his resolution.

Mr. BACON. He can modify his resolution.

Mr. ALDRICH. But the motion is to refer, and a motion to refer takes precedence.

Mr. BAILEY. But I want you to refer the resolution, just as the Senator from Oklahoma wants to have it.

Mr. ALDRICH. I do not object to the Senator from Oklahoma modifying his resolution, if that is what he desires.

Mr. BAILEY. That is all.

Mr. GORE. I intended to do that, on the suggestion of the Senator from Texas.

The PRESIDENT pro tempore. Will the Senator from Oklahoma send his modified resolution to the desk?

Mr. GORE. Yes, sir; I modify it to meet the suggestion.

Mr. BAILEY. If the Senator from Oklahoma will permit me, in order to save time, I suggest to strike out the words "the Committee on Finance or any subcommittee thereof" and insert "a select committee consisting of three Republican and two Democratic Senators be appointed by the President of the Senate, who are instructed to investigate and report to the Senate at the earliest possible date," if that suits the Senator.

Mr. GORE. That is the suggestion I made a moment ago.

The PRESIDENT pro tempore. The question is on agreeing to the motion to refer the resolution to the Committee on Finance.

Mr. GORE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. RICHARDSON (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE].

The roll call was concluded.

Mr. CURTIS. I desire to announce that the Senator from Oregon [Mr. BOURNE] is paired with the Senator from Arkansas [Mr. DAVIS]; that the Senator from Kentucky [Mr. BRADLEY] is paired with the Senator from Indiana [Mr. SHIVELY]; and that the Senator from Nevada [Mr. NIXON] is paired with his colleague [Mr. NEWLANDS].

Mr. SIMMONS (after having voted in the negative). I desire to inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. SIMMONS. I withdraw my vote.

Mr. NELSON. The junior Senator from Minnesota [Mr. CLAPP] is unavoidably detained from the Chamber. If he were present, he would vote "yea."

Mr. SIMMONS. I have withdrawn my vote.

The result was announced—yeas 50, nays 29, as follows:

YEAS—50.

Aldrich	Cullom	Gamble	Perkins
Borah	Cummins	Guggenheim	Piles
Brandegee	Curtis	Hale	Root
Briggs	Depew	Heyburn	Scott
Brown	Dick	Johnson, N. Dak.	Smith, Mich.
Bulkeley	Dillingham	Jones	Smoot
Burkett	Dixon	Kean	Stephenson
Burnham	Dolliver	Lodge	Sutherland
Burrows	du Pont	McCumber	Warner
Burton	Elkins	Nelson	Warren
Carter	Flint	Oliver	Wetmore
Clark, Wyo.	Frye	Page	
Crane	Gallinger	Penrose	

NAYS—29.

Bacon	Daniel	McLaurin	Smith, S. C.
Bailey	Fletcher	Martin	Stone
Bankhead	Foster	Money	Taliaferro
Bristow	Frazier	Overman	Taylor
Chamberlain	Gore	Owen	Tillman
Clay	Hughes	Paynter	
Crawford	Johnston, Ala.	Rayner	
Culberson	La Follette	Smith, Md.	

NOT VOTING—12.

Beveridge	Clapp	McEnery	Richardson
Bourne	Clarke, Ark.	Newlands	Shively
Bradley	Davis	Nixon	Simmons

So Mr. GORE's resolution was referred to the Committee on Finance.

IMPORTS OF TOBACCO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in response to a resolution of the 20th ultimo, a statement relative to the duties per pound which are levied and collected by foreign governments on imports of tobacco from the United States, and respecting which countries prohibit importations thereof, etc. (S. Doc. No. 50), which, on motion of Mr. DANIEL, was ordered to lie on the table and be printed.

HOUSE JOINT RESOLUTIONS REFERRED.

The following joint resolutions were severally read twice by their titles and referred to the Committee on Military Affairs:

H. J. Res. 54. Joint resolution authorizing the Secretary of War to loan cots, tents, and appliances for the use of the forty-third national encampment of the Grand Army of the Republic at Salt Lake City, Utah; and

H. J. Res. 55. Joint resolution authorizing the Secretary of War to loan certain tents for use at the tercentenary celebration of the discovery of Lake Champlain, to be held in Burlington, Vt., in July, 1909.

THE TARIFF.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is House bill 1438.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment of the Senator from Missouri [Mr. STONE] to paragraph 151.

Mr. STONE. Mr. President, before the vote is taken I desire to occupy a little while in animadverting on some matters discussed on yesterday and into which I have examined somewhat since the adjournment last evening.

However, Mr. President, before doing that I desire to say that it seems to me that the Finance Committee, and others who think as the majority of that committee do, keep in mind while framing this bill but one class of people—the manufacturers. They seem to lose sight, at least to a large degree, of all others. The manufacturers seem to be the subjects of their sole and supreme care. I am sure I am as anxious as any man to see the manufacturing industries of the country prosperous. I recognize the importance of manufacturing, and that manufacturing is one of the great arms of our national activity and industrial strength; but, Mr. President, there are others equally entitled to consideration at our hands. The wholesale merchants and the importers are as much entitled to consideration as the manufacturers.

The wholesale merchants have builded up great and prosperous businesses, starting often from small beginnings, and they, too, add enormously to the industrial activity and welfare of the country; and they, too, employ large numbers of men and pay them generous wages, and upon their wages these men and their families depend for a living. They have men employed in their warehouses, in their sales rooms, and traveling salesmen besides by the thousand.

Then, Mr. President, it seems to me that the thousands of barbers scattered over the country, who are following the tonsorial art for a living, and who use the razor as their chief tool of industry, are entitled to our consideration. Again, putting aside the retail merchants, about whom so many ill things have been said, the people who buy razors for their own use—the private consumers—are also entitled to consideration equal to that given to the manufacturer. My contention is that all should be treated upon a general level of absolute justice and equality. I protest against making just one class the subject of special governmental consideration to the exclusion or detriment of others.

Now, Mr. President, after these general observations, I wish to take up one or two things which were discussed on yesterday. The Senator from Utah [Mr. SMOOT] stated on yesterday that ten years ago, or thereabout, there were 67 concerns engaged in manufacturing razors in the United States.

Mr. SMOOT. Mr. President——

Mr. STONE. And that they had been run out of business by cheap foreign competition, until the number had been reduced to five.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SMOOT. Mr. President, I want to say to the Senator from Missouri that, in examining the testimony given, I find that there were 67 names of such establishments, but they include all that had assembled razors, but not all were manufacturers. In looking at my notes, I find I made a mistake as to the number of real manufacturers, and included those that assembled razors and claim to be manufacturers. This statement is due the real manufacturers of razors, which I gladly make.

Mr. STONE. I do not know how many are engaged in assembling razors. That is a separate and entirely different kind of industry from the manufacturing of razors.

Mr. SMOOT. Mr. President, some of them assemble razors, and they call themselves manufacturers, and so advertise themselves, whereas they never manufacture a blade nor a handle in their shops. I say again to the Senator that the number of establishments named by me includes those who assemble razors.

Mr. STONE. Whatever they may claim to be or whatever they call themselves, they are not manufacturers; at least they are not the makers of razors. They merely put together disjointed parts already manufactured.

Mr. President, I find in the House hearings a brief filed on December 3 last, signed by H. L. Henry, for the Geneva Cutlery Company; C. W. Silcox, for the Robeson Cutlery Company; and Tint Champlin, for the George W. Korn Razor Company.

They open their brief with the statement that they represent over 80 per cent of the razor manufacturers of the United States, and then proceed to say:

In asking you to increase the tariff on the schedule covering razors, finished and unfinished, the undersigned committee, representing 80 per cent of the product of the manufacturers of American razors, submit the following facts for your consideration:

The razor industry in the United States is not controlled by any trust or combination. This is an industry that had not assumed any proportions at the time of the passage of the Dingley bill. There being only one factory in the United States at that time, no one appeared before the committee to ask for any protection.

Since the enactment of the Dingley bill, however, an effort has been made to manufacture razors in this country. Within the last eight years nine factories for the manufacture of American razors have been started, but owing to the inadequate protection afforded by the present tariff five of them have been forced out of business, or at least to discontinue the manufacture of razors. There are to-day only five manufacturers of American razors.

That is all I care to put into the RECORD from that brief. I wish now to read an extract from a statement made by Representative VREELAND before the Ways and Means Committee of the House on November 27 last. He appeared before the committee to advocate an increase of duty on razors, there being, as he said, a manufacturing establishment of that kind in his district. I quote the following:

I assume, Mr. Chairman, that it is the purpose of this committee in revising the tariff not only to provide adequate protection, but to maintain the existence of industries which we now have, and if there is opportunity it will put on duties sufficient to create new industries in this country as the tin-plate industry was created by the last tariff. I want to say that in this country "when the Dingley bill was adopted there was practically no manufacturing of razors in this country. There was only one man trying to make razors." He was making a specialty and selling it not generally on the market. So no one appeared before the committee asking for protective duties or furnishing information upon which proper schedules could be made up. Therefore, this is really creating an industry, the industry of making razors, which I suppose would employ something like 1,000 or 1,200 skilled workmen if they had the right to fill the American market.

Mr. SIMMONS. Mr. President——

Mr. STONE. Let me finish reading this extract—just a line or two—and then I will yield to the Senator.

Under the existing tariff 10 factories in this country, many of which made cutlery, have endeavored to make razors. Five of them have made a failure of it, and discontinued entirely. "There are only at present two firms making razors exclusively in the United States. One is the factory which I represent, and the other is located in Geneva, N. Y."

Now, I yield to the Senator from North Carolina.

Mr. SIMMONS. I have thought, Mr. President, that the Senator from Missouri would probably like to have introduced into the RECORD the statements made by the Senator from Utah [Mr. SMOOT] on last Saturday in regard to this matter, because the statements made last Saturday, in view of the statements of the manufacturers and Mr. VREELAND, show to what degree the Senator from Utah is confused about this whole matter. The statement I suggest that the Senator from Missouri would like to have go into the RECORD at this point is made in the course of a little colloquy between the Senator from Utah and myself. The Senator from Utah was speaking when I interrupted him.

Mr. SMOOT. The question of the price of razors, Mr. President, was thoroughly considered by the committee.

Mr. SIMMONS. I have no doubt about that; but I want to know the reasons why the committee has made this enormous increase, nearly doubling the duty upon the common razor.

Mr. SMOOT. If the Senator will give me the time, I will tell him. In years past the razors manufactured in this country amounted to nearly 90 per cent of all the razors used, but to-day we find that there are only about 5 factories engaged in this industry, whereas some twelve years ago we had 67.

A little bit later, after he had been interrupted again by myself, he answered:

Mr. SMOOT. Mr. President, there is no question in the world that there is that difference—

Referring to the labor cost—

If the Senator will turn to this book, he will find also that the duty on penknives is almost as great as the duty on the lower-grade razors. The average rate in this bill on razors, taking the high-priced razors into consideration, is 66⅔ per cent, and the average rate under the Wilson law was 89 per cent. Under that law—

Meaning the Wilson law—

Under that law Americans manufactured the razors used in this country, but since the Dingley bill became a law, the manufacture of razors in this country has diminished to almost nothing.

Mr. SMOOT. Mr. President, just a word of explanation——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SMOOT. I will again state to the Senator from North Carolina—I do not know whether he was in the Chamber or not when I made the statement to the Senator from Missouri—that the number of manufactories as reported by me as being 67 includes all those who assemble razors. I made this statement to the Senator from Missouri, and now repeat that this is exactly what I meant when I said there were 67. The 67 included those who assemble razors and claim they sell American manufactured razors, and vast quantities are sold as American manufactured razors.

Mr. SIMMONS. But the Senator stated that under the operation of the Wilson law there grew up a sufficient number of razor factories in this country to supply the American demand.

Mr. SMOOT. I did not say "supply all the American demand;" and if you will turn——

Mr. SIMMONS. You said 90 per cent, which is practically all.

Mr. SMOOT. If you will turn to the importations, you will find that——

Mr. SIMMONS. Pardon me. You said that after the Dingley law reduced the rate from 89 to 56 per cent these 67 manufacturers went out of business.

Mr. SMOOT. The 89 per cent, of course, was on the cutlery schedule; but I want to say to the Senator that the importations under the Wilson law were small as compared with the importations now. They have been increasing all the time since; but the razors which purported to be of American manufacture were not all manufactured in this country, but were assembled by men who then claimed that they were manufactured in this country.

Mr. SIMMONS. But, if the Senator will pardon me, the object I had in bringing out his statement of Saturday was to show how badly confused the Senator was upon this whole matter, because the Senator from Missouri has just read a statement from the manufacturers of razors to the effect that at the time the Dingley law was enacted there was but one manufacturer of razors in this country.

Mr. SMOOT. So far as the very man from whose testimony the Senator has read is concerned, he said that there were only five actual razor manufacturers in this country to-day, and that is exactly what I say. In relation to wages, I have a sworn statement from a man direct from Germany as to wages in Germany, and they agree exactly with the wages I quoted, and I would like to have the affidavit put in the RECORD.

Mr. STONE. Wages, Mr. President, is not the question at this moment. We will come to that later. The Senator did say that the industry had grown under the Wilson law until, I think he said, 90 per cent of the razors used in this country were supplied by American manufacturers.

Mr. SMOOT. American manufacturers, as they claimed to be. They assembled the razors here and sold them as of American manufacture, although they were not manufactured here.

Mr. STONE. The statement made on Saturday has been modified by the Senator to-day.

Mr. SMOOT. I said to the Senator, and I say now, that there are some people in the United States now who say they are manufacturers of razors who never manufactured a razor.

Mr. STONE. I accept the Senator's statement; but putting aside those employed in assembling razors, as the Senator designates it, Mr. VREELAND declared that:

> When the Dingley bill was adopted there was practically no manufacturing of razors in this country. There was only one man trying to make razors.

That is the point I am pressing at this time, because of what the Senator from Utah said on yesterday.

Mr. SMOOT. The others were all assemblers of razors and called and advertised themselves as "manufacturers."

Mr. STONE. There was only one manufacturer, according to the testimony, when the Dingley law was enacted.

Mr. SMOOT. And all of the others were engaged in assembling razors.

Mr. STONE. That is an entirely different proposition. It has been suggested that I ask, and I will ask, the Senator from Utah if he can tell how many concerns are now engaged in assembling razors and posing as manufacturers?

Mr. SMOOT. I can not tell exactly how many; but the statements made by men who have been before the committee and also before me personally, are to the effect that at that time there were about 60 who were engaged in that business.

Mr. STONE. Then this illustrates how unwise it is for Senators, like the Senator from Utah and other members of the committee which he adorns, to accept statements made to them by interested parties without further inquiring into the real truth of the matter.

Mr. SMOOT. I want to say, so far as the committee is concerned, that if they have got to choose between two classes of citizens, both, as we believe, thinking they are telling the truth, and we can go to the appraisers in the employment of the Government and they take sides with one or the other, I for one am going to take the advice of the government employees. I think that is the safest way and the best way to do. The government appraisers claim this advance is absolutely necessary to keep alive the industry of razor manufacturing in this country.

Mr. STONE. Mr. President, I will hold no controversy with the Senator from Utah as to whether he will accept preferably the testimony given by manufacturers as against that given by importers or wholesalers, or as to the reliability of testimony given by appraisers. I do say, however——

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. STONE. In just a moment I will yield.

I do say, however, that when a Senator makes a statement on the floor of the Senate to influence the judgment of his colleagues, based upon representations made to him which afterwards are shown not to be accurate, then I am justified in saying that Senators who assume to make statements of fact ought to look closely into the testimony before they make assertions.

Mr. SMOOT. Mr. President, I have tried to make no statement here that has not been the absolute testimony as given by men whom we thought were absolutely reliable.

Mr. STONE. I am sure the Senator has not made any intentional misstatement, but he has made inaccurate statements based upon wrong information.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. STONE. I yield to the Senator.

Mr. GORE. I merely want to ask the Senator from Utah whether, when he states he will believe the government custom-house appraisers, he alludes to the weighing of sugar or the valuation of razors?

Mr. BEVERIDGE and Mr. SIMMONS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Missouri yield, and to whom?

Mr. STONE. I yield to the Senator from Indiana, who first asked me.

Mr. BEVERIDGE. With the permission of the Senator from Missouri, I want to get this thing straight in my own mind. I understood the Senator from Utah to say last night—and his statement was not then controverted—that there were 67 manufacturers of razors at the time of the enactment of the present law, of whom 62 had failed. Is that statement modified now?

Mr. SMOOT. Mr. President, I just modify it in this way, that the statement which was made covered the men who claimed to be manufacturers of razors, all but 5 of whom merely assembled the razors. By taking the blade and the handle, which they did not manufacture, but which they assembled, they turned out and sold the razors as American-made razors. I say this—and it is corroborated by the evidence of the gentleman to whom the Senator from Missouri has referred—that there are only 5 real manufactories of razors now in existence in this country.

Mr. STONE. And only one when the Dingley bill was passed.

Mr. BEVERIDGE. I know; but the statement last night as I understood—and that is the reason I want to get it straight in my own mind—was that there were 67 manufacturers of razors, without any limitation of that term, of which number all had gone out of business except 5; that they had gone out of business because the rates were too low, and that therefore the industry was on the point of entire extinction. Is there any modification of that general statement?

Mr. SMOOT. There is a modification as to all of the 67 being manufacturers.

Mr. BEVERIDGE. That is a pretty large modification, for the whole argument was that 62 manufacturers had gone out of business because the rates were not high enough, leaving only 5, who would probably meet the same fate. That was the argument; and I merely want to get the facts straight.

Mr. STONE. Let me make this statement. I want the Senator to get it straight, for he seemed on yesterday to have his mind pretty well made up on the basis of the statement then given.

Mr. BEVERIDGE. I did indeed, Mr. President, if the Senator will permit me. I understood that there was a statement that 67 manufacturers existed at the time that the present law went into effect, which number, under the operations of the present law, has been reduced to 5—that statement had not been answered or even contradicted—that only 5 now exist, and that they were in process of extinction, unless the rates were raised; and that statement had not been contradicted. Now, it seems that there has been a modification.

Mr. STONE. Now, it appears—and my statement so far stands uncontradicted—that when the Dingley bill was enacted, instead of there being 67 manufacturers of razors, there was only 1, whereas there are 5 now.

Mr. BEVERIDGE. Is that admitted?

Mr. SMOOT. There are 5 now.

Mr. STONE. And I make the further statement that there have never been more than 8 or 9 persons engaged in the manufacture of razors in the United States, and for the most part the manufacture of razors was in conjunction with the manufacture of cutlery.

Mr. SMOOT. As it is to-day.

Mr. STONE. As it is to-day, I presume, although it was said by Mr. VREELAND that the establishment in his district and one other are engaged exclusively in the making of razors.

Now, if I can have the attention of the Senator from Indiana, I will complete my statement. The Senator from Utah varying, as he has, the statement into which he was misled on yesterday, says that there were 67 people engaged in the manufacture of razors and the assembling of razors; but he is not able now to tell me how many persons are still engaged in assembling razors.

Mr. SMOOT. Mr. President——

Mr. STONE. So that we do not know how many of those have gone out of business.

Mr. BEVERIDGE. Assembling is one thing and manufacturing is another. We are not protecting the assemblers.

Mr. STONE. That is entirely different.

Mr. BEVERIDGE. It is entirely different. So why not eliminate them and say how many manufacturers of razors there are? I understood last night there were 67 all told. How many manufacturers are there? Eliminate the assemblers—we are not protecting the assemblers—how many manufacturers were there at the time the Dingley law was enacted and how many are there now?

Mr. STONE. There are five now.

Mr. ALDRICH. I understood from the testimony read by the Senator from Missouri and his statement taken together, that there were eight or nine people engaged purely in the manufacture of razors, and that there is only one now.

Mr. STONE. No; five.

Mr. ALDRICH. Oh, no. I think the Senator read from Mr. VREELAND'S testimony, as I understood, that there was only one.

Mr. STONE. The Senator is mistaken. Mr. VREELAND said there was but one at the time the Dingley law was enacted.

Mr. ALDRICH. No; but the latter part of Mr. VREELAND'S statement, as I understood, was that there were only two engaged at all in the business, and only one of those exclusively in manufacturing razors.

Mr. STONE. No; here is what he says:

> There are only at present two firms making razors exclusively in the United States——

Mr. ALDRICH. Yes; two.

Mr. STONE (continuing)—

> One is the factory which I represent, and the other is located in Geneva, N. Y.

Mr. BEVERIDGE. How many are there manufacturing razors altogether?

Mr. STONE. Five, including the two.

Mr. BEVERIDGE. How many were there when the present law was enacted?

Several SENATORS. One.

Mr. STONE. When the Dingley law was enacted?

Mr. BEVERIDGE. Yes.

Mr. STONE. One.

Mr. SMOOT. That is exactly what is said here—that the manufacturers——

Mr. BEVERIDGE. We are talking about the manufacturers; we are not talking about the assemblers. The Senator does not want to protect the assemblers of imported razors?

Mr. SMOOT. No.

Mr. BEVERIDGE. Then the Senator can not include some 60 assemblers as manufacturers.

Mr. SMOOT. I was speaking of the assemblers furnishing razors in the United States. They were then furnished by assembling, as the small importations of razors will show, twelve years ago, and they have been increasing right along. To-day we are told that if these increases continue the few manufacturers left can not survive with the extremely sharp competition of foreign manufacturers.

Mr. BEVERIDGE. But, Mr. President, the Senator's statement last evening furnished a chain of facts, very briefly, the logic of which facts themselves was unanswerable, which was that there were 67 American manufacturers at the beginning of the present law; that on account of the low rate of duty 62 of those have died; that the 5 remaining are threatened with extinction; and that those who believe in protection as a principle do not intend to see anything of that kind done. Now it appears, if I get it straight, that 60 some odd of these were assemblers and not manufacturers, and that at the beginning of the operation of the present law there was but 1 genuine manufacturer, and now there are 5. That is as far as I can sift out these varying statements. The trouble about that is that that state of facts presents in itself a reverse argument to the state of facts presented by the Senator yesterday afternoon.

Mr. SMOOT. Allow me to say this to the Senator: Taking up the question of the manufacturer alone, and not the assembler——

Mr. BEVERIDGE. That is what I am doing.

Mr. SMOOT. I want to do that. I am told that to-day there are only 5 actual manufacturers, but that they had increased, even under the Dingley bill, to some 10 or 11. So the ones that started up under the Dingley law have been decreased until now there are only 5.

Mr. BEVERIDGE. There is a new statement.

Mr. STONE. I think that is pretty well understood. We need not occupy further time in that particular discussion.

Mr. BEVERIDGE. Does the Senator mean to say that he thinks it is well understood that there were 10? This, again, is an entirely new statement—that there were 10, which have been reduced to 5.

Mr. STONE. No; I did not say that.

Mr. BEVERIDGE. If the Senator admits that, he again admits the argument of the other side.

Mr. SMOOT. The Union Razor Company, of Pennsylvania, closed. They used to manufacture razors, but they are not doing so to-day. The R. W. Case & Sons Cutlery Company, of Bradford, Pa., are not manufacturing razors to-day.

Mr. OVERMAN. What are they manufacturing now?

Mr. SMOOT. They are manufacturing shears.

Mr. STONE. Mr. President, I stated some time since—as the Senator from Indiana would have remembered if he had given attention to what I said—that there never had been, according to this testimony, more than eight or nine persons in the United States who were engaged in any way whatever, directly or indirectly, in the manufacture of razors; that there was one—only one—so engaged when the Dingley law was passed; that there are five now engaged in making razors, two exclusively in that work and three making razors in connection with the manufacturing of other cutlery. As to the three or four others, said in former times to have engaged more or less in the manufacture of razors, I am not informed beyond what I find in this testimony. I do not know to what extent they were manufacturing, or when or why they discontinued it.

But I do not care to go on with that discussion because I think the matter is pretty well understood, except to this extent: I should like to again ask the Senator from Utah if he can tell the Senate how many persons or firms or corporations were engaged in the assembling of razors when the Dingley bill was enacted and how many are engaged in that business now?

Mr. SMOOT. I have not the information which will enable me to say how many there were and how many firms are engaged in that business now, because I have no testimony on the point from any source whatever.

Mr. STONE. Then there may be as many now as there were then?

Mr. SMOOT. Of course I can not say as to that, because I have not the testimony.

Mr. STONE. Very well.

Mr. President, I desire now to say a very few words with reference to the cost of production of razors and the selling prices.

I think, as others have said, that statements as to the difference in the cost of labor in production in the United States and in Germany and other foreign countries, when made by persons who are interested, as were the gentlemen who appeared before the House committee and the Committee on Finance in regard to razors, should be taken with a good many grains of allowance, and not be accepted with entire faith and credit. It is stated, Mr. President, in this brief from which I have quoted, that the rate of wages paid to razor makers in Germany is about one-third what it is in the United States.

Mr. BEVERIDGE. That was the statement last night.

Mr. SMOOT. That is quite true.

Mr. STONE. And the statement made last night, I assume with confidence, was predicated upon the statements made by the manufacturers from whose brief I have quoted.

Mr. SMOOT. The statement made by me was not altogether based on the statements of the manufacturers, because I have here sworn statements from workmen who were formerly employed in Germany and have come from Germany over to this country. I have here the sworn statements of those people.

Mr. STONE. It seems to me rather remarkable that there should be such a wide range of difference in Germany in the scale of wages among workmen employed in substantially similar lines of work.

Mr. BEVERIDGE. What is that statement, please?

Mr. STONE. I am going to make it plain, if I can. There appeared before the Committee on Ways and Means, on February 18 last, Mr. Harry L. Wheatley, representing the American shear manufacturers, asking for an increase in the tariff duties. In a brief signed by him and filed with the committee, he made this statement, among others:

> While the actual wage of a German mechanic is apparently two-thirds of that paid in this country, the difference is really greater. In Germany the work is done entirely by contract and not in a factory. The workman takes to his home the rough material, and with the aid of the family the product is finished.

Now, it appears from the testimony given before the Ways and Means Committee by razor manufacturers and Mr. VREELAND that exactly the same course is pursued in Germany in the making of razors as in the making of shears. That is to say, the steel is taken home and worked up in the family. The conditions, as stated, are identical in the two cases.

I do not pretend to have expert knowledge about these matters, but I have some general knowledge. It seems to me that the production of steel shears, made of highly tempered metal

and capable of being ground or honed to the sharpest edge, belongs to exactly the same class of industry as the manufacture of razors.

I can not understand, therefore, why the making of steel into razors in Germany should bring but one-third the wage received by American workmen, while the German mechanic making a like steel by the same general process into shears receives two-thirds as much as the competing American workman. The situation is such as to cast grave doubt upon the accuracy of assertions made on the floor of the Senate, to influence the judgment of Senators, to the effect that the American workman receives three times as much wage as the German workman, when both are engaged in the same kind of employment.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. SMOOT. Perhaps I had better read later what I have here.

Mr. STONE. Very well.

Mr. President, I am practically through what I wish to say. I will close with this suggestion: Even if it be true that the wage paid the German razor maker is only one-third that paid the American razor maker, still the present duty, which is not less than 55 per cent ad valorem, is more than sufficient to cover the difference in the labor cost of production in Germany and in the United States. I will make this simple illustration: Take a razor, the cost of making which we will place at $1. The Senator from Utah says that the labor cost in this country in the production of that razor would be 80 cents, and that the labor cost of making it in Germany would be 30 cents. The difference, therefore, would be 50 cents. That difference is less than the duty fixed in the present law, which is about 55 per cent. But the committee proposes, through its amendment, to raise the duty until it amounts to 90 per cent ad valorem. It is proposed to add 40 cents or thereabouts to the tax burden, when the duty already more than covers the difference in the cost.

That is all I care to say.

Mr. SIMMONS obtained the floor.

Mr. STONE. If the Senator will pardon me, there is one further matter I desire to refer to.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. I do.

Mr. STONE. Just a moment; there is a matter I overlooked. The Senator from Utah [Mr. SMOOT] called the attention of the Senate on yesterday to what he said was a fact, and no doubt believed to be a fact—that imported razors, which cost the jobber or wholesale dealer 49 cents each, are sold here at retail for $3 each; and to prove it the Senator advanced on me in amiable mood with one of the razors drawn. I then asked him who made the razor, who imported it, and from whom he obtained it, and he answered. After the Senate adjourned I sent the following telegram to Mr. E. C. Simmons, president of the Simmons Hardware Company, of St. Louis:

WASHINGTON, D. C., *May 17, 1909.*

Mr. E. C. SIMMONS,
Simmons Hardware Company, St. Louis, Mo.:

Senator SMOOT said to-day that certain German razors were imported at a cost of 49 cents each to the importer and sold at retail for $3 each. What is cost to importer plus duty and freight of best grade of German razors? And what is wholesale price made by him to trade, and what is customary retail price of same?

He also declared that ten years ago there were 67 razor manufacturers in this country, and only 5 now, others having been driven out of business. Is this correct?

WM. J. STONE.

I have two wires in response; one sent last night; the other this morning. The first is as follows:

ST. LOUIS, MO., *May 17.*

W. J. STONE,
United States Senator, Washington, D. C.:

Both statements absolute mistakes. Razors costing 49 cents usually retail at $1, or at $1.25 after being honed or sharpened. There never were 60 razor makers in this country or one-half that number; there are 5 now.

E. C. SIMMONS.

The second telegram received this morning is as follows:

ST. LOUIS, MO., *May 18.*

Senator WILLIAM J. STONE,
Washington, D. C.:

We have sold lots of those razors in our retail store at $1 each. I can send you St. Louis newspaper clipping where a large retail hardware store advertises them at 89 cents.

E. C. SIMMONS.

As the Senator no doubt knows, the Simmons Hardware Company has several large warehouses; it has large wholesale salesrooms and large retail salesrooms, and here is the statement of this gentleman—whom I do not hesitate for one moment to credit—of things done by himself. He says he imports these razors, 49-cent razors, and that they are retailed in his retail store at $1, and are sold as specialties at 89 cents in another of the stores in St. Louis, and are so advertised now.

I put in that statement from this business man, who stands in the very front rank of the successful business men of this country and in the very front of the citizenry of this country. He would not intentionally commit a falsehood any more than any Senator on this floor or any gentleman anywhere outside of this Chamber.

Mr. BEVERIDGE. From the statement last night it would appear that 49-cent razors were sold at retail at three dollars and a half.

Mr. STONE. That they were being sold at $3.

Mr. BEVERIDGE. Your statement now is that they are being sold at a dollar.

Mr. STONE. Mr. Simmons says a dollar.

Mr. BEVERIDGE. Those statements must be reconciled.

Mr. STONE. Mr. Simmons would not intentionally make a false statement. He says what he has done himself and is doing now as importer, as wholesaler, and as a retailer. He either states the truth as it is or he is guilty of a deliberate falsehood, and the last I believe to be impossible.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I yield the floor. I was occupying it by the courtesy of the Senator from North Carolina [Mr. SIMMONS].

Mr. SMOOT. The Senator thinks this ought to be explained.

Mr. SIMMONS. I yield to the Senator from Utah.

The PRESIDING OFFICER. The Senator from North Carolina yields to the Senator from Utah.

Mr. SMOOT. The Senator thinks it ought to be explained, and with respect to this matter I know whereof I speak. I do not have to take a manufacturer's word for it in any way. It was not to the Simmons Hardware Company that I referred; nor did I speak of the Simmons Hardware Company with reference to this razor.

The invoice is dated April 21, 1909, from Marshall-Wells Hardware Company, of Portland, Oreg. George W. Korn Razor Manufacturing Company, Little Valley, N. Y., ordered from Marshall-Wells Hardware Company one-fourth dozen assorted Elliot razors, German razors. I have here the invoice of those razors from the Marshall-Wells Hardware Company to George W. Korn Razor Manufacturing Company, which says that the price is $5.50 a dozen, or the one-fourth dozen costing $1.38, with postage of 10 cents. The invoice is $1.48; in other words, each razor cost the Korn Razor Manufacturing Company 49 cents, and here are the three razors [exhibiting] marked "William Elliot & Company; made in Germany;" price "$3" on the case. Here they are [exhibiting]; and not only that, but here is a razor made in Germany and purchased from a hardware house in this city——

Mr. McLAURIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. In just a moment I will. Here is a bill for the razor, and any Senator can come and examine the razor and the invoice. On April 21, 1909, the razor cost $2.50. There [exhibiting] is a German razor and there [exhibiting] is the bill from the retail hardware house in the city of Washington. That is what I stated yesterday, and that is what I state to-day.

Mr. GAMBLE. What does the razor cost at wholesale?

Mr. SMOOT. The Senator asks me what the razor costs at wholesale. If he will look in the Book of Estimates, the estimated value of the highest class of razors imported is $4.79. With the duty added would be the limit of cost.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. Certainly.

Mr. BEVERIDGE. Here is the statement of the Senator from Utah—and anything he says in the Senate both sides, I think, take as what he absolutely believes. On the other hand, here is a statement concerning absolutely the same kind of razors, made on the authority of a telegram, which was read by the Senator from Missouri, in which there is a difference of 200 per cent. Yes; it is more than that. One sells for $1; the other for $3.50. These two gentlemen will have to sift those two statements. How does the Senator from Utah know that this very same razor was sold at St. Louis at this price?

Mr. SMOOT. He did not say the same razor.

Mr. BEVERIDGE. A 49-cent razor.

Mr. SMOOT. The telegram to the Senator from Missouri

from the Simmons Company did not say that it was the William Elliot razor, made in Germany.

Mr. BEVERIDGE. But they are 49 cents apiece, both of them.

Mr. SMOOT. They say that the one telegraphed about cost 49 cents and retails for $1. I am speaking of facts here as they actually exist. Here are the goods and here is the razor, with the receipted bill, which was sold at a retail store in the city of Washington on the 21st day of April, 1909.

Mr. BEVERIDGE. I do not doubt that. But the cost is the important thing. I am trying to grope for some explanation as to the divergence in price for razors which are precisely the same. Perhaps it is in the brand. Perhaps Mr. Elliot has built up a trade. Perhaps it is stamped in the blade. I should like to hear the Senator from Missouri on that point.

Mr. SMOOT. "William Elliot" is stamped on the blade, and there is also stamped on the blade "Made in Germany." Those are absolute facts that you can not get around, and that is the condition existing, as I called the attention of the Senate to it yesterday.

Mr. STONE. It is true I did not say in my telegram to Simmons that it was the Elliot razor.

Mr. BEVERIDGE. But 49-cent razors.

Mr. STONE. I said that the Senator from Utah had asserted that a German razor, which had cost 49 cents, was being sold at retail for $3. I did not recall, when I sent the telegram, the exact brand of the razor which the Senator from Utah exhibited or I would have mentioned its name——

Mr. SMOOT. Mr. President——

Mr. STONE (continuing). But it seems to me, if the Senator will permit me, that there can not be any such vast difference in two razors, worth the same amount of money, costing the same amount for production, because one bears the name of Elliot and the other a different name. There is nothing in the mere name of the manufacturer that would add so much value to it.

Mr. SMOOT. Sometimes it makes a great difference in the cost of the goods and also in the sale of the goods.

I call the attention of Senators to the fact that this is the invoice for the razors.

Mr. CLAPP. What does it show?

Mr. SMOOT. It shows that the cost of the three razors was $1.38.

Mr. CLAPP. Where is the authority for the statement that the same razors sold at retail for $3 each?

Mr. SMOOT. Here [exhibiting].

Mr. CLAPP. That is simply the mark on the box.

Mr. SMOOT. That is exactly what they are sold at.

Mr. CLAPP. But the very invoice shows they are not being sold for that, but for very much less than that.

Mr. SMOOT. No; the invoice is the wholesale price, not the retail price.

Mr. CLAPP. That is what we are talking about.

Mr. SMOOT. No; I am talking about the retail price.

Mr. CLAPP. The Senator has no invoice as to the retail price. This whole controversy grows out of discussing two things entirely different.

Mr. SMOOT. I have the receipt of a retail store here, and I have the razor here.

Mr. CLAPP. That is only $2.50.

Mr. SMOOT. That is one razor, and the razors that come in here——

Mr. TILLMAN. Will the Senator tell us what make the $2.50 razor is?

Mr. SMOOT. It is the J. A. Heuckels Twin razor.

Mr. TILLMAN. Made in Germany?

Mr. SMOOT. Made in Germany. It is made at Solingen, Germany.

Mr. TILLMAN. It is hardly possible that any razor made in Germany costs above $6 a dozen.

Mr. SMOOT. That is what I am saying, Senator.

Mr. TILLMAN. But what you are trying to prove is that somebody is getting an exorbitant and extortionate value or price.

Mr. SMOOT. That is the statement.

Mr. TILLMAN. You are about to run one of your retailers up a tree, in other words.

Mr. SMOOT. That is exactly what I am stating here, from the invoices I have at hand. I say if the tariff was increased 200 per cent, it would not make a cent's difference in the cost to the consumer. That is the statement I made yesterday. I showed the very razors here and what they were sold for to prove it. That is how the question came up.

Mr. TILLMAN. Does that prove that if you did not have this tariff somebody would sell those razors cheaper?

Mr. SMOOT. I do not think they would sell them cheaper.

Mr. TILLMAN. Anybody could import them if he did not have to pay a duty, or even with the duty.

Mr. SMOOT. Anyone can import them if he has the money to pay for them.

Mr. TILLMAN. You can go down the street here and see $3 Douglas shoes. Do you not know that you can buy them for less?

Mr. SMOOT. On sales days, perhaps.

Mr. TILLMAN. I suppose sales days come for these razors when anybody has the money to buy them.

Mr. SMOOT. On April 21, 1909, there was no sales day, judging from the invoice I have.

Mr. SIMMONS. Mr. President, there are one or two features of this matter that I desire to discuss before the vote is taken. The Senator from Indiana [Mr. BEVERIDGE], who, I believe, is the leader of what we are in the habit of calling the "insurgents," stated on yesterday that he was anxious to vote for the amendment offered by the Senator from Missouri, but he could not do so because he said the burden of making out a case was upon the proponents, so to speak, of the amendment.

Mr. BEVERIDGE. Oh, no; I beg the Senator's pardon.

Mr. SIMMONS. He said the case had not been made out.

Mr. BEVERIDGE. I said the second part of the Senator's statement, and it was true. I did not say where the burden rests. I have been trying to get at the truth, and I said last night that, much to my surprise, the statements of the Senator from Utah absolutely had not been answered and not even explained.

Mr. SIMMONS. In other words, the Senator said those proposing to amend the paragraph had not made out their case.

Mr. BEVERIDGE. That is true, as yet.

Mr. SIMMONS. I submit, what every lawyer, I think, knows, that the burden of proof in a case, such as we have before the Senate at this time, is upon the Finance Committee, because the existing law imposes a duty of 56 per cent upon this article. The Finance Committee is proposing to change that law and raise the duty practically to 100 per cent. The man who proposes to change the law takes upon himself the burden of showing that there ought to be a change in the law.

Now, Mr. President, what have the committee presented to the Senate to justify this change, outside of the fact that there are more razors imported into this country than are made in the country? I submit to the Senate that the Finance Committee, acting under the platform adopted by the party which they represent which prescribes and defines the protection to which the industries of this country are entitled, after having made a statement to the Senate through its chairman that this bill was to be framed in strict accordance with that definition of the protection the industries were entitled to, have not furnished the Senate any evidence, upon which we could reasonably act, showing that the difference in the cost of the production of this article abroad and here is the amount of duty that they propose to levy against it.

In fact, Mr. President, when you come to the question of labor cost here and abroad, the Senate practically has nothing before it except the uncorroborated statement of the Senator from Utah——

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I hope the Senator will not interrupt me just at this point.

Mr. SMOOT. Just for a minute.

Mr. SIMMONS. Very well.

Mr. SMOOT. Would the Senator from North Carolina object if I at this time put in some sworn statements from men who worked in Germany and also here in the United States?

Mr. SIMMONS. I prefer that at the conclusion of my speech the Senator would put it in the RECORD, but not at this time.

The PRESIDING OFFICER. The Senator from North Carolina will proceed.

Mr. SIMMONS. Mr. President, I have no doubt the Senator from Utah believes every word he has stated with reference to the effect of the Dingley law upon this industry. Senators will remember that yesterday and on Saturday he said that the reduction of rates by the Dingley law from those of the Wilson law had practically destroyed the razor industry. I have no doubt his statements with reference to the difference between labor cost here and abroad are honestly made. But, Mr. President, neither of those statements is supported by the facts. The Senator from Utah, in the goodness of his nature, has allowed the manufacturers of razors to mislead and to deceive him about this matter.

The Senator from Missouri has just shown, with reference to the effect of former tariff laws upon this industry, that the Senator from Utah is wholly mistaken. The Senator from Utah stated on Saturday positively that under the stimulus of the duty imposed by the Wilson law, which he stated was 87 per cent, the production of razors in this country had increased until in 1897, when that act was repealed, the manufacturers in this country were making practically all the razors consumed in this country. The Senator was mistaken about that. The Senator was using that as an argument to show that the reduction of this rate by the Dingley law to the extent of thirty-odd per cent had destroyed the industry, and that it was necessary, therefore, to return to the Wilson rate or to a higher rate in order to restore the industry.

I have no doubt some of the manufacturers of razors told the Senator from Utah that, and that the Senator believed their statement. But if the Senator is furnishing the Senate with information upon which he expects it to act he ought to have verified the statements that he gets from these interested manufacturers. That, I say, he has not done, as the testimony before the Ways and Means Committee, which the Senator from Missouri has read, and which I intended to read if he had not, conclusively shows.

Mr. SMOOT. I think the Senator wants to be perfectly fair in this matter.

Mr. SIMMONS. Of course I want to be fair.

Mr. SMOOT. I will say that the importations show exactly the statement I made to be true, and that, instead of being direct manufacturers they were assemblers of these razors. I think I made that statement plain before.

Mr. SIMMONS. Again, Mr. President, the manufacturers, in my judgment, are playing upon the Senator and upon the Senate in this matter by trying to draw a distinction between the manufacturers of razors and those who simply assemble the parts of razors. The statement which was read by the Senator from Missouri this morning was a statement from three of the largest manufacturers of razors in this country. That statement, if taken as true, is calculated to leave the impression upon the Senate that there are only five manufacturers of razors in this country to-day. That is what the Senator from Utah wishes the Senate to believe.

Mr. SMOOT. That is exactly the statement that was made.

Mr. SIMMONS. Mr. President, that is not, in my judgment, the fact. In my judgment, when these manufacturers are speaking about five they must mean manufacturers who are engaged exclusively in making razors.

Mr. SMOOT. No, Mr. President; that is not what is meant at all.

Mr. SIMMONS. Then if they did not mean that, they have not stated the facts about this matter. If the Senator will just wait for a moment, I will show him the facts about it.

Mr. SMOOT. All right.

Mr. SIMMONS. Yesterday the Senator from Wisconsin [Mr. LA FOLLETTE] presented to the Senate a list of domestic manufacturers of razors, furnished him by a wholesale dealer in this city. In that list 8 domestic manufacturers of razors were enumerated. I find also a list of 10 manufacturers of safety razors, but of manufacturers, as distinguished from this special kind, there were 8. In that list, which I have before me by the courtesy of the Senator from Wisconsin, I find that there is not the name of a single one of the 3 great manufacturers of razors who appeared before the Committee on Ways and Means of the House, and whose statements the Senator from Missouri has just read.

Mr. SMOOT. Mr. President, will the Senator——

Mr. SIMMONS. Admittedly they were the largest manufacturers of this product in the country, and they are not in this list, showing that they ought to be added to that list, making the number 11 instead of 5, as claimed by the Senator from Utah.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. Certainly.

Mr. SMOOT. Will the Senator please read the list of the 8 manufacturers he speaks of?

Mr. SIMMONS. H. Boker & Co., Wiebusch & Hilger & Co., Adolph Kastor, A. L. Silberstein, Smith & Hemenway Company, Jackson Knife and Shear Company, Cronk & Carrier Manufacturing Company. There are three who went before the Ways and Means Committee and, as a committee, represented the other manufacturers, and their names are not in this list. Here is a list of safety-razor manufacturers nearly as long as my arm, but I was not speaking about that.

Mr. SMOOT. I will put in a list of manufacturers here as they exist to-day.

Mr. SIMMONS. Mr. President, I do not mean to say that the gentlemen representing the manufacturers, and who are deeply interested in securing high rates of duties, are not to be credited generally in their statements; but I have discovered in my intercourse with them that unless you interrogate them pretty closely they sometimes withhold a few things to their interest and mislead you about a great many other things to their interest.

Mr. ALDRICH. Mr. President——

Mr. SIMMONS. The statement made by the Senator from Utah yesterday——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. Certainly.

Mr. ALDRICH. I would be glad, if I could, to appeal to Senators to allow a vote to be taken upon this item.

Mr. SIMMONS. I am not going to take much of the time of the Senate.

Mr. ALDRICH. We have been discussing it for the last twenty-four hours. I think we have exhausted pretty much every phase of the question.

Mr. SIMMONS. I think the Senator will admit that the Senator from Utah considerably confused this matter yesterday, and I want to untangle it if I can, and I think I can. The Senator from Utah stated, in effect, yesterday that most of the men who are engaged in the manufacture of razors had, as the result of reducing rates, gone out of business entirely.

My impression, upon reading the testimony before the House, is that nobody has been driven out of business by a reduction of the rate on this article by the Dingley law. Some who were manufacturing razors along with other lines of cutlery have ceased to manufacture them, but they have not failed and gone out of business. There is not in all the hearings a statement of the specific failure of a single specific manufacturer of razors.

Mr. SMOOT. No; not in the statements, but what about W. R. Case & Sons and Case Brothers——

Mr. SIMMONS. If there has been any failure——

Mr. SMOOT (continuing). The Union Razor Company, the Worcester Razor Company, and the Electric Cutlery Company, and so forth?

Mr. SIMMONS. Does the Senator think they have failed and gone out of business or did they simply stop manufacturing razors?

Mr. SMOOT. Certainly they failed in manufacturing razors.

Mr. SIMMONS. They were manufacturing other articles of cutlery, and they simply suspended manufacturing razors.

Mr. President, I do not want to pursue this line of argument further, because the Senator from Missouri has covered it pretty fully, and, I think, has completely overthrown the contention in that respect of the Senator from Utah.

I want now to ask the attention of the Senate a little while for the purpose of showing that the statements made by the Senator from Utah with regard to the difference in the cost of production of these articles here and abroad is not borne out by the facts. The Senator from Utah told us yesterday that the labor cost of making razors was 87 per cent. I think I quote him correctly—if I do not, I would be glad to be corrected.

In other words, according to the statement of the Senator, the duty imposed covers both the labor cost and the material of this article here. By what authority, I want to ask, does the Committee on Finance assume to give to the manufacturers of this country a protection measuring the full cost of labor and material of that product in this country? Who has said that the manufacturers of this country were entitled to a duty upon imports of their products to the full extent of the labor and the material cost? The Republican party did not say so. The Republican party said they were entitled only to the difference between labor and material cost here and abroad, plus a reasonable profit.

Now, Mr. President, I want to discuss for a few minutes what that difference is. The Senator says it is 87 per cent. I have a statement here that I wish to read to the Senate.

I am not going to take any more time, I will say to the chairman of the Committee on Finance, than is absolutely necessary to develop the point I have in my mind; I am just as anxious as he is to get a vote upon this bill. I believe if the Senator will ask for a vote upon the bill the 1st day of June he will not find a single man on this side of the Chamber objecting to fixing that date. The trouble he is having about getting a vote on the bill does not come from this side, Mr. President. It comes from the recalcitrant element in his own party. When he can get their consent to fix an early day he can get ours. Any attempt on the other side to mislead the country into a

belief that the Democrats upon this floor are filibustering or are unreasonably and unduly delaying the consideration of the bill is not justified by the facts in the case.

Now, Mr. President, I want to read from the same statement, signed by the three great manufacturers of razors, from which the Senator from Missouri [Mr. STONE] read a little while ago, upon the point of labor cost in this country and abroad.

It says:

> We are advised that the average proportion of labor to cost of all merchandise imported is about 30 per cent. We know that the proportion of labor to cost of American-made razors is actually over 80 per cent.

Mr. SMOOT. That is what I said.

Mr. SIMMONS. It is about 7 per cent lower than the Senator from Utah fixed it a little while ago. But, Mr. President, I believe—and I think what I am now going to read, when properly analyzed, will show—that the Senator is wrong, and that these manufacturers of razors have not correctly stated the facts. I take it the Senator largely got his figures from the statements of these manufacturers. Fortunately, in the interest of the truth, after making this general statement about the difference beween the labor cost here and abroad, these three manufacturers, representing all the razors manufactured, put in their statement a table showing what they claimed was the difference in the labor cost here and abroad of the laborers in the several different departments which make up the business of manufacturing razors. The table is as follows:

	Weekly wages paid.	
	Germany.	United States.
Forgers	$4.30 to $7.00	$15 to $21
Dry grinders	4.30 to 5.70	12 to 18
Hardeners and temperers	4.30 to 6.00	15 to 21
Concavers	4.30 to 9.00	16 to 24
Polishers	4.30 to 5.70	12 to 21
Razor-handle makers	4.30 to 5.00	12 to 18
Honers	2.50 to 6.00	9 to 15

I have taken the pains to work out what, upon the figures given by these manufacturers, would be the weekly wage in America in this business. I have worked it out very carefully, and I have had an expert to verify those figures. I find that it would be an average of $17 per week. I find, by the simple process of multiplying that by 52, the number of weeks in a year, that according to the statement of the manufacturers the average wage in this industry is $840 a year. You can work it out and you will find that is the amount of it.

Now, Mr. President, I have taken the trouble to make an investigation with reference to the cost of wages in the industries of this country. I find that in all the industries of the country the average cost of labor—I am taking these figures from the Twelfth Census of the United States, 1900—for men is $491; women, $272; and children, $152. I find that in the manufacture of hardware the average yearly cost of wages is $432 for men.

Now, Mr. President, from the same reports I have tried to find out as best I could what was the average annual wage paid in the several States in which this business is most largely carried on.

I find this: Cutlery and edged tools, in New York the average annual pay is $480; in Pennsylvania it is $450; and in Massachusetts, $550.

Then, we have this state of facts: The census reports, taking the whole country, show an average annual wage in this industry of $432, and show an average wage in this industry in New York, Pennsylvania, and Massachusetts of less than $500. When the manufacturers come here before this committee for the purpose of fixing the labor cost of their product, in order to influence the committee, they tell the committee, and file statements to that effect, that they are paying $880 per annum for the laborers employed in their factories, or nearly twice what the record shows is paid in the manufacture of cutlery and edged tools. Therefore I conclude—and I think the conclusion is justified—that they have greatly exaggerated the labor cost in the manufacture of this article, and that instead of being 80 per cent, it is not over 50 per cent greater.

I do not contend, Mr. President, that per diem wages are not lower in Germany than they are in this country; it is probable that they are very considerably less. But when the Senator from Utah [Mr. SMOOT] comes before the Senate—and he has been the chief spokesman in regard to this matter of labor cost abroad—and tells the Senate, as he did in this case, that the labor cost in Germany is only about one-third what it is here in the manufacture of razors, and when a few days ago he held up some picture cards showing pictures of certain scenes here in Washington and told the Senate that those cards could be made in Germany for one-fourth of what they could be made for here, I thought the Senator from Utah was exhibiting a very remarkable degree of credulity, and I think so still. I say I have no doubt there is a difference in the labor cost in Germany and here.

Mr. STONE. Mr. President, will the Senator from North Carolina yield to me?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. SIMMONS. Certainly.

Mr. STONE. Will the Senator from North Carolina permit me to call attention at this point to something very pertinent?

Mr. SIMMONS. I shall be very glad to have the Senator do so.

Mr. STONE. It is pertinent to the matter which the Senator is discussing. I hold in my hand a paper, handed to me a few moments since by Montague Lessler, who was a Member of the Fifty-seventh Congress, and has been writing some of the briefs and doing considerable of the expert work done for the Finance Committee, so he tells me. The chairman of that committee and the other members of it know what value they place upon his statements. I wish to read what he says about the labor cost of razor making in Germany. He says:

> The rates of wages stated in the Senate to-day—

That is, yesterday—

> were given because of the hearings before the Ways and Means Committee in the House of Representatives. The Government of Germany states the rate of wage paid the forgers, hardeners, polishers, handle makers, honers, and grinders, and transmitted them to the State Department at Washington.
>
> The following table shows the average weekly earnings of these workmen, and also the manufacturers, as set forth in the tariff hearings before the Ways and Means Committee.
>
> Actual earnings—

Under that heading follow the earnings in German marks and American dollars, and in a parallel column is a statement which he describes as the "incorrect statement as submitted in the tariff hearings." Now, I read the earnings.

Mr. SIMMONS. What is that, I will ask the Senator? I wish to compare them.

Mr. STONE. At Schmiede forgers receive 35 to 45 marks.

Mr. SIMMONS. What is that in English money?

Mr. STONE. Eight dollars and thirty-two cents to $10.71.

Mr. SIMMONS. In the statement the committee have furnished us it is from $4.30 to $7.

Mr. STONE. The statement made before the committee, as the table shows, was from $4.30 to $7.

At Haerter, the hardeners receive as wages from 42 to 48 marks, or from $10 to $11.43, while the statement to the committee was from $4.30 to $6.

Mr. SIMMONS. The Senator refers to the statement I have just read?

Mr. STONE. Yes.

At Schleifer the concavers (polishers) receive from 65 to 75 marks, or $15.47 to $17.85, as against $4.30 to $9, as stated to the committee.

At Reider handle makers receive from 40 to 44 marks, or from $9.52 to $10.47, as against $4.30 to $5, as stated to the committee.

At Abzieler honers receive from 40 to 45 marks, or from $9.52 to $10.71, instead of $2.50 to $6, as stated before the Ways and Means Committee. The larger wage is the one shown by the report of the German Government to the State Department, while the smaller wage is that given to the Ways and Means Committee of the House of Representatives.

Mr. SIMMONS. Has the Senator from Missouri worked out the difference by comparisons between the rates of wages given here in his table and the rates furnished to the State Department by the German Government?

Mr. STONE. I have not worked it out. The table was handed to me but a moment ago. I will state, however, that it is evident from a casual glance that the wage given by the German Government is just about double the wage given in the testimony before the committee.

Mr. SIMMONS. So, Mr. President, we have this state of facts: We have the manufacturers, for the purpose of influencing legislation in their behalf, giving a statement as to the cost of wages in their factories, which is twice the average wage paid according to the census reports in that industry; and we have them giving a rate in Germany, for the purpose of comparison, at about one-half what it actually is, according to the

statement furnished the State Department by the German Government.

Mr. President, I was going on to say that there may be a difference, and I think there is a difference, in labor cost in Germany and here. Labor is cheaper in Germany than it is here. The per diem rate is very considerably less in Germany than it is here; but I do not believe there is any testimony to support the contention that the actual difference in labor cost in Germany and here is anything like as great as contended by the other side of this Chamber.

I do not think it is anything like one-third the wage here or one-half the wage here. I do not believe the difference is more than 15 or 20 per cent. Why, Mr. President? Because Germany is a great country; the German people are a great people; they are the best scientifically educated and industrially trained people, probably, in the world. It is not conceivable, to my mind, that a people of that class, with this training and this education, would content themselves with receiving one-third or one-fourth of the wages paid in a country so near to them as the United States.

Certainly, Mr. President, there can be no contention that the wages in Germany in this particular industry are so much lower than they are here, because these hearings show upon their face, and these manufacturers make the statement, and the Iron Age, from which I read an extract on yesterday, makes the statement, that repeated efforts had been made to induce these trained razor makers of Germany to come to this country, but that those efforts had been unsuccessful. This would not have been the case if the difference in the wages paid here in that industry and in Germany had been sufficient to attract them.

Germans in other callings—farmers, merchants, brewers—come over here because of the inducements which this country offers, but in this particular industry we have the evidence of the manufacturers themselves that the difference in wages here and there is not sufficient to induce them to come. But whatever is the difference in the wage scale here and in Germany, it is overcome by the greater efficiency and proficiency of the labor in this country. I want to read one statement upon that point taken from the census of 1900. It is the statement of Mr. Mulhall, the great English statistician, who is regarded, I believe, all over the world as probably the greatest authority upon questions of this kind, and of Mr. North, the present Director of the Census, who was at that time chief of the Bureau of Manufactures.

At page 55, part 1, Manufactures, Census 1900, Mr. North says:

> In 1900 there were 1,000,000 more persons employed in our factories than in Great Britain; that the value of our products in 1894 were equal to the combined value of the manufactures of England and France; that Mr. Mulhall computed that each employee in Great Britain produced products to the value of $500, and in the United States to the value of $1,300. Mr. North computed that each factory employee in the United States in 1900 produced goods to the value of $2,450, being nearly five times as much as each employee produced in Great Britain.

Making all due allowances for the increased value of any product because of the tariff, it appears that labor in this country is much more efficient than abroad.

And, according to Mr. North—

> The average product per wage-earner is $2,450, nearly five times Mr. Mulhall's estimate for Great Britain.

In other words, according to Mr. Mulhall, the output per employee in this country is more than twice as great as in Europe.

Mr. President, for the sake of the argument, I will take the estimates of the manufacturers as to the labor cost of making razors as correct. They claim that the labor cost in this country is 80 per cent of the total product, and that the labor cost in Germany is only 30 per cent. That makes a difference in labor cost, according to my calculation, of 50 per cent.

They say that the difference in the material cost—and the Senator from Utah confirms them in that—is about 13 per cent of the total value of the product. Say the material cost is twice as much here as in Germany, the difference in the material cost here and in Germany would be 7 per cent; so that we have, according to the testimony of the manufacturers themselves, a difference in labor cost of 50 per cent and a difference in material cost of 7 per cent, making a difference in labor and material cost of about 57 per cent. It is now proposed to increase the duty on razors from 56 per cent to 100 per cent, or 40 per cent above this difference in labor and material cost. What is that additional 40 per cent for, Mr. President?

The Republican platform further says that the manufacturers are entitled to a reasonable profit in addition. Is it contended that the manufacturers of razors in this country are entitled to a profit of 40 per cent? If they are not, upon what ground does the committee ask the Senate to add 40 per cent after allowing the difference in the labor and material cost of this article as claimed by the manufacturers themselves?

It is a small article, it is true, but an article used extensively by the common people of this country. It is said that every man has not a razor. That is true, especially if he be a city man. Most gentlemen who are fortunate enough to live in the city have access to a barber and they do not bother themselves about razors; but for every man who lives in close access to a barber there are 20 men scattered upon the hills and in the valleys of this country, the very bone and sinew of American manhood, who have to shave themselves; and they generally have to have two or three razors, in order that they may keep them in proper condition. It is a small article, but it is an article of common use among the people, and they are entitled to have it at a reasonable price.

Mr. President, I have felt justified in consuming as much time as I have to-day and on last Saturday in discussing this schedule, not only because of the rights of the consumer of this article but because it illustrates the principle upon which this bill is constructed, and shows that it is being constructed not downward, but upward, not upon the principle that the masses of the Republicans of this country instructed this Congress to construct it, but upon no principle of tariff taxation that has ever been advocated by any living man; constructed, Mr. President, manifestly and obviously in the interest of a few manufacturers of this particular article.

Mr. STONE. Mr. President, I have here the paper to which I referred during the speech of the Senator from North Carolina [Mr. SIMMONS] just concluded, and a part of which I read. I shall not take the time of the Senate to read this entire document, which covers three pages and is a very instructive document, prepared by Hon. Montague Lessler, who, as I said, was a Member of the Fifty-seventh Congress and has been engaged in expert work during the consideration of this bill by the Finance Committee. I ask leave, Mr. President, to print this document in the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none, and that order is made.

The paper referred to is as follows:

> The statement was made in the Senate that 67 razor factories in the United States manufactured razors prior to 1897.
>
> The following were the factories in the United States during the operation of the Wilson bill when the Dingley bill was enacted:
>
> Torrey Razor Company, Worcester, organized 1894.
> Electric Razor Company, Newark, N. J.
>
> Razor factories in existence May, 1909:
>
> J. R. Torrey Razor Company, organized about 1875, Worcester, Mass.
> Challenge Razor Company, organized 1899, Bridgeport, Conn.
> Korn Razor Company, organized 1900, Little Valley.
> Geneva Cutlery Company, Incorporated 1902, Geneva, N. Y.
> J. Wiss & Son Company, Newark, N. J.
> Compton Razor Company, Newark, N. J.
> Robeson Cutlery Company, Rochester, N. Y.
> Claus Razor Company, Fremont, Ohio.
> Jackson Razor Company, Fremont, Ohio.
>
> Nine in number, seven of which started the manufacturing of razors under the Dingley law and in the past ten years.
>
> The statement was made in the Senate that the industry manufactured $140,000 worth of razors a year.
>
> An estimate of the American Razor Manufacturers' Association brings their product up to about one-half million dollars and over. A statement before the Ways and Means Committee gives the figure as $400,000.
>
> The statement was made in the Senate that the percentage of labor in manufacturing of razors was 85 to 90 per cent.
>
> This is an error. The percentage of labor in the cheap razors is about 55 per cent.
>
> ILLUSTRATION.
>
> A domestic razor selling at $2.50 per dozen: Rubber handle, 62½ cents; cases and boxes, 25 cents; blades (steel), 35 cents; total material cost, $1.22½, about 45 per cent, making the labor cost about 55 per cent. J. R. Torrey Company selling a razor at $3.50 per dozen, with double shoulder, comparing favorably with the imported razor costing 9 marks a dozen, which, together with the duty of $1 and 15 per cent ad valorem, makes the cost here $3.55 without freight and insurance, or $3.65 with freight and insurance. The items representing the cost of this Torrey razor are estimated as follows:
>
> | | |
> |---|---|
> | Steel | $0.45 |
> | Handle | .62½ |
> | Boxes | .30 |
> | Division piece | .03 |
> | Total | 1.40½ |
>
> This represents about 40 per cent material, or 60 per cent for the labor. The higher priced razor that is sold by the American manufacturers at $5 per dozen, the percentage of labor would be at the highest 70 per cent.
>
> As to jobbers and retailers of razors, the $3.50 razor herein referred to is sold by jobbers at $5 to $6 a dozen. The retailer sells this at $1, and the question has been raised as to the $2.50 razor bought by Senator SMOOT in Washington. The reason for the high price is because with every such razor a guaranty is given by the dealer to exchange the razor until the same suits the purchaser or user, and it is quite possible that a man will exchange a razor three or four times before he gets one to suit him, and the dealer will then have to have the razor repolished in order to sell it again.

> Statement made in the Senate as to the manufacture of razors and razor blades imported under section 153:
>
> The high year was 1907, and the total amount of razors imported into this country was $832,903.88, bearing a duty of $296,663.20, an average rate of 35.53 per cent.
>
> Statement as to the rate on razors under the Wilson bill:
>
> This was stated to be 89 per cent in the Senate; it was a straight-out ad valorem rate of 45 per cent.
>
> Statement as to the wages in Germany and England of grinders, etc., of razors:
>
> The rates of wages stated in the Senate to-day were given because of the hearings before the Ways and Means Committee in the House of Representatives. The Government of Germany stated the rate of wages paid to forgers, hardeners, polishers, handle makers, honers, and grinders and transmitted them to the State Department at Washington. The following table shows the average weekly earnings of these workmen and also the manufacturers as set forth in the tariff hearings before the Ways and Means Committee:
>
> | | Actual earnings. | | Incorrect statement as submitted in the "tariff hearings." |
> |---|---|---|---|
> | | *Marks.* | *Dollars.* | *Dollars.* |
> | Schmiede (forgers) | 35 to 45 | 8.33 to 10.71 | 4.30 to 7.00 |
> | Haerter (hardeners) | 42 to 48 | 10.00 to 11.43 | 4.30 to 6.00 |
> | Dry grinders | | | 4.30 to 5.70 |
> | Schleifer concavers (polishers) | 65 to 75 | 15.47 to 17.85 | 4.30 to 9.00 |
> | Reider (handle makers) | 40 to 44 | 9.52 to 10.47 | 4.30 to 5.00 |
> | Abzieher (honers) | 40 to 45 | 9.52 to 10.71 | 2.50 to 6.00 |

Mr. McLAURIN. Mr. President, the discussion of this amendment has impressed one thing upon my mind, which I desire to commit to the RECORD. On yesterday the senior Senator from Utah [Mr. SMOOT] read from a document to show certain facts that he claimed were relevant to the consideration of the amendment. It was set forth that there were 67 razor manufacturing establishments in this country some ten years ago, I believe it was, and that there are now but 5. When he was asked to state from what document he read, it turned out to be a document prepared by a committee representing the manufacturers of cutlery in this country.

A very short examination and a very few minutes' investigation by the Senator from Wisconsin [Mr. LA FOLLETTE] developed the fact that there were known to his informant at least 8 manufacturers of razors, an increase of 60 per cent over that which was given by this committee representing the manufacturers of cutlery. That impressed upon my mind that the information that is to be derived from the hearings before the Finance Committee is very unreliable. That information seems to have been derived from the testimony of voluntary witnesses who were interested in the revision of the tariff upward, instead of a revision of it downward, and that it was an ex parte proceeding, where there was no opportunity by anybody who favored a tariff for revenue to cross-question the witnesses who were voluntarily before that committee.

I have myself seen some of these witnesses. I have not seen them before the committee, but I have seen them waiting their turn to get before the committee. I have not seen anybody who looked to me to be one of the consumers of this country. I have seen no man in his plain every-day garb, or no one who seemed to be a laborer. I have never seen any man who was sitting around that door, the cut of whose jib would indicate to me that he was a farmer or a mechanic or a blacksmith or a carpenter or a laboring man. I have seen nobody around that committee with his overalls on. The men present there are the men who wear silk hats, carry gold-headed walking canes, and wear kid gloves. I have no objection to a man wearing kid gloves, and wearing a silk hat, or carrying a gold-headed walking cane, if he is able to do so by money that he has honestly earned, but I do object to these men carrying their gold-headed canes and wearing their silk hats and kid gloves that were bought with money that has been extorted from the consumers of this country by the operation of law.

These are the men who have gone before that committee. They have represented themselves; they have had an ex parte proceeding. Nobody has been there to represent the consumers; nobody has been there to cross-question these people. They have made out a splendid case for themselves; and they have shown in connection with the razor industry that there are only five manufacturing establishments in this country which manufacture razors, whereas it was developed on a very short examination that there were at least eight, and probably a further examination would develop a good many more. I do not know how that is.

They developed for themselves another thing that has been stated here by the Senator from Utah, and that is that the per cent of labor in the making of a razor is nearly 87 per cent. I look over the book that has been furnished to us by the Committee on Finance, and I find that of razors finished, valued at less than $1 per dozen, not one was imported into this country during the year ending June 30, 1907; valued at $1 and less than $1.50 per dozen, not one imported into this country; valued at $1.50 and less than $2 per dozen, not one imported into this country; valued at $2 or more per dozen, not one imported. Then I find, when I run out opposite the words "valued at $1 and less than $1.50 per dozen," the cost of labor was $7,076,018; the value of the product, $18,614,929, which shows a little more than 38 per cent as the cost of labor in the production of this cutlery. So that when you get the testimony of these interested witnesses, they put it up to nearly 87 per cent; but when you get at the figures here given us by the committee, evidently from statistics more reliable than the testimony of these interested witnesses, we find that it is something like 38 per cent, or a very small fraction over 38 per cent. I am not going to charge that the men who appeared before the committee in their own behalf corruptly misstated the truth, but they can not see the truth nor know the truth when they are interested.

As Robert Burns said:

> If self the wavering balance shake,
> It's rarely right adjusted.

The manufacturers who are interested in this matter have brought an indictment against the retailer, and that indictment is being prosecuted by the Senator from Utah [Mr. SMOOT] and the Senator from California [Mr. FLINT] and, I believe, by my friend the Senator from Maine [Mr. HALE].

Mr. HALE. No, Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. McLAURIN. Yes.

Mr. HALE. I have never arraigned the retailers. I have simply said, and believe now, that the condition of business, the passing of the article through the different hands, each stage enhancing the price, carries it way beyond the price at which the manufacturer sends it out to the country. The ordinary retailer, the man in the small town or city, is an industrious and careful man, and is not engaged in any conspiracy.

I will say to the Senator that I do think that what we may call the "great department establishments," or "department stores," which retail goods, are somewhat to blame in this matter. I think they have taken advantage of the revision of the tariff to send out circulars and statements to the effect that prices will be raised and must be raised because of the tariff revision; but I do not think the country retailer has anything to do with that, or is in any way accountable for it. He charges his customers a great deal more than the manufacturer charges, but the course of trade obliges him to do so. My impression is, although I have no detailed figures, that the department stores, the great hives of retail trade, have sought to impress upon their customers the view that they will have to put up their prices because of the revision of the tariff. That is all that I feel can be laid at the door of the retailer.

Mr. McLAURIN. I discharge the Senator from Maine, and he stands acquitted.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. McLAURIN. I do.

Mr. GORE. In order that the Senator from Mississippi may not go amiss as to the views and remarks of the Senator from Maine, I send to the desk what the Senator from Maine stated a few days ago.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield for that purpose?

Mr. McLAURIN. I yield to the Senator from Oklahoma, if he desires it read.

The PRESIDENT pro tempore. If there is no objection, the Clerk will read as requested.

Mr. GALLINGER. What is the request, Mr. President?

The PRESIDENT pro tempore. That certain remarks of the Senator from Maine may be read.

Mr. HALE. If I had had the RECORD here I should have put them in myself, as showing what my attitude has been in regard to the matter. But I am obliged to the Senator from Oklahoma for furnishing the extract.

Mr. ALDRICH. It is not necessary that it be read, is it? It is in the RECORD already.

Mr. McLAURIN. I ask unanimous consent, then, if that will be satisfactory to the Senator from Oklahoma, that it be printed in the RECORD at this point. Is that satisfactory to the Senator from Oklahoma?

Mr. GORE. That will be satisfactory. Of course, I had in view the fact that certain Senators, when these charges are

reiterated, interrupt each speech and insert a sort of an explanation. I should like to have the origin of this discussion presented, so that it may be fully understood.

Mr. McLAURIN. Very well, then; I have no objection to its being read.

The PRESIDENT pro tempore. The Secretary will read as requested.

Mr. ALDRICH. Is the extract a long one?

Mr. GORE. No, sir.

The PRESIDENT pro tempore. It is very short.

Mr. GORE. It is very brief and very pointed, Mr. President.

The Secretary read as follows:

[From page 2031 of the CONGRESSIONAL RECORD of May 12, 1909, from the remarks of Mr. HALE.]

I assert—and I assert that this discussion will disclose and in the end will bring to the mind of the American people the fact—that the rates which we establish for the protection of these great industries, upon articles that are presented to the public, have no relation whatever to the prices that are charged by the manufacturer. It is the middleman, it is the jobber, it is the retailer, who puts on the price, and the citizen in Florida, the housekeeper in Missouri, the family in North Carolina, and the consumer in Wisconsin and Iowa are paying no tribute to the Republican policy of protection, that builds up these manufactures, but are at the mercy of and are controlled by the prices that are charged to them by the middleman.

Mr. HALE. That is precisely what has been my attitude in this matter from the beginning.

Mr. McLAURIN. Mr. President, proceeding from where I left off, I desire to defend the retail merchants and the wholesale merchants against the charge that the prices that are paid by the consumers are to be laid at the doors of the retail merchants and wholesale merchants. I contend that they start with the manufacturer. If you put 100 per cent duty on an article which could otherwise be sold for a dollar, you make the price of it $2. Whenever a wholesale dealer adds a profit to an article, he puts it not only on the $1 original cost of that article, but on the tariff that he has paid to the manufacturer, if it is paid to the manufacturer in this country, or to the importer if it is paid to the importer. So the increase goes on through every intermediate stage until it gets to the consumer, on the $2—not on the original dollar, but on the other dollar which goes to make up the $2.

I want to say for the retailers and the wholesalers that they have not been represented at all in this matter. If any charge is to be brought against them, they ought to have a hearing. One of the first principles I learned when I began to study law was that before you can take judgment against a man the court must have jurisdiction of the subject-matter and of the person; and it must get jurisdiction of the person by serving notice on him, and it must let him have an opportunity to come in and be heard. But in this instance there has been no opportunity for the wholesale man and the retail man to be heard. Judgment has been taken against them by default without jurisdiction ever having been taken of them by summoning them into court and letting them have a hearing before the committee.

Therefore I protest against undertaking to put the blame for this extortion upon the wholesale dealer and upon the retail dealer. Let us put it upon the manufacturer, where it belongs. If we are going to take as our guide the hearings before the Finance Committee or before the Committee on Ways and Means, they ought to be hearings where somebody is allowed to testify in behalf of the consumer, instead of all the witnesses being voluntary witnesses in their own behalf. And there ought to be an opportunity for the cross-examination of witnesses who voluntarily present themselves to give testimony in their own behalf, if they are the only ones who are to be permitted to testify.

Mr. TILLMAN. Mr. President, from the keen debate yesterday afternoon and this morning, it is very evident that there is a demand here for information which it seems difficult to obtain. I have an amendment pending, proposing to add $10,000,000 to the revenues of this Government, and incidentally to protect one of my constituents, by levying a tax of 10 cents a pound on tea. In order that Senators who may feel any interest in this matter may not come to the vote in ignorance, I ask permission, out of order, to have some material which I have gathered, relating to the tea trade, and to the matter of prices, and to the production of tea in South Carolina, printed as a document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none; and the matter presented by the Senator from South Carolina will be printed as a document (S. Doc. No. 51).

Mr. GORE. Mr. President, I desire to say that I was astounded yesterday when the senior Senator from Utah [Mr. SMOOT] stated that ten years ago there were 67 manufacturers in this country engaged in the making of razors, and that the number had dwindled down to about 5. That death rate seemed to make a deep impression on the senior Senator from Indiana [Mr. BEVERIDGE], and, I presume, upon every other Senator present. It certainly was an astounding statement to me; and if it had come from a less authority than the Senator from Utah I could not have believed it. But during that discussion the Senator from Wisconsin [Mr. LA FOLLETTE]—rather too alert to suit some in obtaining information; I might suggest for him a place on the committee on information, and he would probably not require two years to supply the lack of information here—obtained, in a few minutes, information to the effect that there were at least 8 razor manufacturers in the United States.

Last night I wired the Iron Age, in order that we might obtain some reliable data upon this subject; and I present their answer for whatever it may be worth. I think if Senators will mark the location of these razor manufacturers, they will understand why the duty was increased without any reference to the labor cost here and abroad, and will perceive that the high rate is designed to insure high profits rather than high wages.

Mr. President, I send the telegram to the desk.

The PRESIDENT pro tempore. The Secretary will read the telegram sent to the desk by the Senator from Oklahoma.

The SECRETARY read as follows:

NEW YORK, *May 18, 1909.*

Hon. T. P. GORE,
Senate Chamber, Washington, D. C.

Manufacturers of regular razors, not safety, are J. R. Torrey Company, Worcester, Mass.; Clauss Shear Company, Fremont, Ohio; Geo. W. Korn Razor Manufacturing Company, Little Valley, N. Y.; Challenge Cutlery Corporation, Bridgeport, Conn., and Geneva Cutlery Company, Geneva, N. Y., also Robeson Cutlery Company, Rochester, N. Y.; Case Brothers Cutlery Company, Kane, Pa.; Union Razor Company; Tidioute, Pa., with some difference of opinion as to whether they manufacture or not. Perhaps three or four more manufacturers in 1899 than at present. In safety razors approximately 50 manufacturers; constantly changing.

THE IRON AGE.

Mr. BEVERIDGE. Mr. President, the statement that has been referred to did make an impression on my mind last night. It was then stated, and not disputed, that there were formerly 67 manufacturers of razors, which number had, since the passage of the present act, been reduced to 5; these 5 were in the course of extinction, and that the wages paid here were three times as high as those in Germany. This morning it appears, on the contrary, that 62 of these 67 manufacturers were not manufacturers at all, but assemblers of imported razors, which we are not protecting; that at the beginning of the present law there was 1 razor manufacturer, and now there are 5; that the labor of Germany is paid two-thirds what the American labor is paid instead of one-third, as was said here. That point is disputed. And, finally, it is stated that the retail price of a razor costing the importer 49 cents is in some places in the country less than a dollar and at other places three dollars and a half. Those statements made this morning, all but one of which were admitted, also produced an impression upon my mind.

Several SENATORS. Question!

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. STONE].

Mr. McLAURIN and Mr. STONE demanded the yeas and nays, and they were ordered.

Mr. BACON. Before the vote is taken, I desire to state that while I shall vote for this amendment, I shall do so simply because it will be a less rate of duty than that which is proposed in the bill. I think that the amendment offered, if it should be adopted, will still put the duty much too high.

The Secretary proceeded to call the roll.

Mr. RICHARDSON (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE]. If he were present, I should vote "nay."

The roll call having been concluded, the result was announced—yeas 36, nays 43, as follows:

YEAS—36.

Bacon	Culberson	Hughes	Paynter
Bailey	Cummins	Johnston, Ala.	Rayner
Beveridge	Daniel	La Follette	Simmons
Bristow	Dolliver	McLaurin	Smith, Md.
Brown	Fletcher	Martin	Smith, S. C.
Chamberlain	Foster	Money	Stone
Clapp	Frazier	Nelson	Taliaferro
Clay	Gamble	Overman	Taylor
Crawford	Gore	Owen	Tillman

NAYS—43.

Aldrich	Cullom	Hale	Piles
Brandegee	Curtis	Heyburn	Root
Briggs	Dick	Johnson, N. Dak.	Scott
Bulkeley	Dillingham	Jones	Smith, Mich.
Burkett	Dixon	Kean	Smoot
Burnham	du Pont	Lodge	Stephenson
Burrows	Elkins	McCumber	Sutherland
Burton	Flint	Oliver	Warner
Carter	Frye	Page	Warren
Clark, Wyo.	Gallinger	Penrose	Wetmore
Crane	Guggenheim	Perkins	

NOT VOTING—12.

Bankhead	Bradley	Depew	Nixon
Borah	Clarke, Ark.	McEnery	Richardson
Bourne	Davis	Newlands	Shively

So Mr. STONE's amendment was rejected.

Mr. ALDRICH. I move to amend by inserting after the word "that," in line 21, on the fiftieth page, the words "on and after October 1, 1909."

The PRESIDENT pro tempore. The Senator from Rhode Island offers an amendment, which will be stated.

Mr. KEAN. He modifies it.

Mr. ALDRICH. I modify the amendment.

The SECRETARY. It is proposed to modify the amendment on page 50, line 21, after the word "that," by inserting "on and after October 1, 1909."

The PRESIDENT pro tempore. Without objection, the amendment to the amendment is agreed to.

Mr. BACON. I offer an amendment to the paragraph.

The PRESIDENT pro tempore. The Senator from Georgia offers an amendment, which will be stated.

The SECRETARY. It is proposed to strike out paragraph 151, and insert in lieu thereof the following:

Penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, and all knives by whatever name known, including such as are denominatively mentioned in this section, or parts thereof, wholly or partly manufactured, razors and razor blades, finished or unfinished, 40 per cent ad valorem.

Scissors and shears and blades for the same, finished or unfinished, 30 per cent ad valorem.

Mr. BACON. That enumeration, so far as I have been able to effect it, covers all the articles specified or included in paragraph 151.

It will be noticed that the proposition is, instead of the duty specified in the paragraph, so far as concerns knives and things of that kind, that the duty shall be 40 per cent ad valorem; and as to scissors and shears, and things of that class, it shall be 30 per cent ad valorem.

Mr. President, I am not going to occupy five minutes of the time of the Senate, but I simply desire to show what is the present law and what is the proposed law upon these important articles of everyday, common use.

Under the law which now is on the statute books upon knives of the various kinds specified, the cheapest, which are not clasp knives, but simply little blades for pruning and things of that kind, valued at not exceeding 40 cents a dozen—which, of course, are insignificant—the rate of duty is 40 per cent. That is the lowest rate of duty prescribed for any class of cutlery. And then the next rate of duty is for those valued at 40 cents and not more than 50 cents a dozen, and the rate is 64.95 per cent. The present law and the proposed law are the same as to this class of cutlery—64.95 per cent for the class I have just mentioned.

Then for the class higher than that, valued at more than 50 cents and not exceeding $1.25 a dozen, the rate is 93.23 per cent; then, valued at more than $1.25 and not exceeding $3 per dozen, the rate is 91 per cent. Those last two classes, if my information is correct, embrace almost all the classes of knives known as "pocketknives," and that is the rate per cent upon this important article of use so universal in its needs to the entire population of every class in the country.

Then on a still higher class, valued at more than $3 per dozen, which is the highest possible class of importation, the rate is 84.16.

This amendment would include razors, but I shall not say anything about razors, which point has been pretty fully discussed, except to call attention to the fact that the rate is 90 per cent on one class and 87 upon another, and 80 upon the third.

As to scissors, the rate, I think, is the same. The only raise is in the case of razors. The rate is the same—52.20 on scissors, 57 per cent upon the higher grades, then comes 46 and 35.

I simply desire to call the attention of Senators to the fact that if there is to be any revision which shall be of any benefit to the people, it seems to me the revision ought to be particularly in the cases of such articles of common use as the matter of cutlery, for instance, as well as crockery and others which we have already passed. Therefore, Mr. President, I submit the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia.

Mr. BACON. I ask for the yeas and nays on it.

The yeas and nays were ordered.

Mr. BEVERIDGE. Let the amendment be stated.

Mr. LA FOLLETTE. I wish to have the amendment read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to strike out all of paragraph 151 and to insert in lieu the following:

Penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, and all knives by whatever name known, including such as are denominatively mentioned in this section, or parts thereof, wholly or partly manufactured, razors and razor blades, finished or unfinished, 40 per cent ad valorem.

Scissors and shears and blades for the same, finished or unfinished, 30 per cent ad valorem.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment proposed by the Senator from Georgia.

The question being taken by yeas and nays, the result was announced—yeas 28, nays 51, as follows:

YEAS—28.

Bacon	Fletcher	McLaurin	Simmons
Bailey	Foster	Martin	Smith, Md.
Chamberlain	Frazier	Money	Smith, S. C.
Clapp	Gore	Overman	Stone
Clay	Hughes	Owen	Taliaferro
Culberson	Johnston, Ala.	Paynter	Taylor
Daniel	La Follette	Rayner	Tillman

NAYS—51.

Aldrich	Clark, Wyo.	Gallinger	Penrose
Beveridge	Crane	Gamble	Perkins
Borah	Crawford	Guggenheim	Piles
Brandegee	Cullom	Hale	Root
Briggs	Cummins	Heyburn	Scott
Bristow	Curtis	Johnson, N. Dak.	Smith, Mich.
Brown	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burkett	Dolliver	Lodge	Sutherland
Burnham	du Pont	McCumber	Warner
Burrows	Elkins	Nelson	Warren
Burton	Flint	Oliver	Wetmore
Carter	Frye	Page	

NOT VOTING—12.

Bankhead	Clarke, Ark.	Dixon	Nixon
Bourne	Davis	McEnery	Richardson
Bradley	Depew	Newlands	Shively

So Mr. BACON's amendment was rejected.

Mr. NELSON. Mr. President, I desire briefly to call attention to one paragraph of the amendment reported by the Senate committee. I shall not make a motion to amend, but I simply call the attention of the committee to the facts of the case.

If Senators will look at the schedules on their tables they will see that under the head of "knives" there are five different classes of knives and five different classes of duties, running from 40 per cent ad valorem to 93.23 per cent ad valorem. On the top of page 50 there is the following language:

That any of the foregoing knives or erasers, if imported in the condition of assemble, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers valued at more than $3 per dozen.

I will concede that, as a matter of protection, it is fair and just that knives that are imported here in a "condition of assemble" and not finished entirely should pay the full rate of a finished knife. But this amendment goes a step beyond that, and is in the nature of a penalty, to my mind. It makes all these razors not only pay the duty of the finished product, but it makes them pay the duty on the highest class of the finished product.

Mr. ALDRICH. This particular clause does not apply to razors.

Mr. NELSON. No; but it applies to knives. So I wish to make a suggestion, and that is all I can do under the circumstances, as Senators are aware. I suggest that the words "valued at more than $3 per dozen" be stricken out of this amendment. If that be stricken out, I think it would be just and fair, and would be on protective lines. But with these words in, it savors of a penalty.

For instance, on knives coming under the first head there is an ad valorem rate of 40 per cent. You make an assembled knife, if it is not finished, not only pay the duty of such a knife, but to pay the duty of the knife that is over $3 a dozen, which would be, according to this table, 84.16 per cent. In other words, to my mind you penalize it. I will concede that it is perfectly just and clear in the interest of protection, and I am willing to agree where they import an assembled knife, but not completely finished, it should pay the same duty as a finished knife of that class. But when you go beyond that and put it in a higher class it becomes more in the shape of a penalty than of protection.

This is only a suggestion. I am perfectly aware that it would be useless for me to make a motion to amend it.

Mr. ALDRICH. The committee have considered that very point. Of course this is intended to be a penalty for what it seems to the committee is a fraud upon the Government in evading the law, because if knives are permitted to come in in an unfinished condition as they have it is impossible to enforce the law as to the value or as to the character of the importations. They import these blades separately. They

to make a deep impression on the senior Senator from Indiana [Mr. BEVERIDGE], and, I presume, upon every other Senator

Carter	Page		Warren
Clark, Wyo.	Gallinger	Penrose	Wetmore
Crane	Guggenheim	Perkins	

erase the country of origin and sell them for something entirely different from what they are.

Mr. NELSON. But that can not apply to this. It applies to the paragraph relating to razors.

Mr. ALDRICH. Oh, no; these blades are imported separately. They are put on an emery wheel.

Mr. NELSON. What is the phraseology? "If imported in the condition of assemble, but not fully finished." That paragraph reads entirely different from the paragraph relating to razors. The paragraph relating to razors reads as follows:

That blades, handles, and unfinished razors shall pay no less duty than that imposed on finished razors—

And so forth.

That is a different case. But here it is a knife assembled, but not completely finished.

Mr. ALDRICH. What we are intending to cover is the importations of blades in such a shape that the words "Made in Germany" can not be ground off, as is constantly done, and the law evaded. I am not sure whether the penalty here imposed is too much or not, but if the Senator will trust the committee we will make very careful investigation upon the subject, and if we find it is too high we will report a modification.

Mr. NELSON. The Senator understands me?

Mr. ALDRICH. I understand the Senator.

Mr. NELSON. I am quite well satisfied that when they are imported in that condition they ought to pay the duty on the finished article to the full extent. It is only that part of it, to my mind, that penalizes it to which I object.

Mr. SMITH of Michigan. I suppose it was the intention of the committee to exclude this importation and prevent the blades from being assembled in a form which would produce an article entirely different.

Mr. ALDRICH. It was intended to prevent that altogether.

Mr. PENROSE. It is an effort to prevent fraud.

Mr. ALDRICH. Yes; to prevent fraud.

Mr. SMITH of Michigan. So that we may know just what is coming in.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

Mr. STONE. That is, on agreeing to the entire paragraph?

Mr. ALDRICH. Yes.

Mr. STONE. Before that is done, I should like to ask the Senator from Rhode Island a question, with his indulgence. There is a clause on the fifteenth page providing for the stamping of the name of the maker, and so forth, on the imported article. It was amended, I understand, so that the name of the maker or the importer might be stamped at the option of the importer.

Mr. ALDRICH. That amendment was agreed to.

Mr. STONE. That was agreed to and that, I think, improved the text of the bill. What I wish to ask the Senator is in reference to section 11 of the House bill. I have had numerous letters from large dealers, not only in cutlery, but in other things, in reference to section 11. I see it has been stricken out in the bill as reported by the Senate Finance Committee.

Mr. ALDRICH. But the Senate committee has reported an amendment to the whole administrative act, which is on the desks of Senators. The eleventh section, I suppose, is the one the Senator refers to in regard to domestic valuation.

Mr. STONE. I simply desire to ask the Senator whether section 11 was substantially restored.

Mr. ALDRICH. Section 11 is restored, modified.

The PRESIDENT pro tempore. Without objection, the paragraph as amended is agreed to. The Secretary will read the next paragraph and amendment passed over.

The SECRETARY. Paragraph 153, on page 52. The committee proposes to strike out the proviso and to insert a new proviso, as follows:

That none of the above-named articles shall pay a less rate of duty than 45 per cent ad valorem.

Mr. ALDRICH. The committee modify that amendment so as to make the rate 40 per cent ad valorem instead of 45.

Mr. BEVERIDGE. That makes it what the House fixed it?

Mr. ALDRICH. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. BACON. I offer an amendment to the paragraph.

The PRESIDENT pro tempore. The Senator from Georgia proposes an amendment, which will be read.

The SECRETARY. It is proposed to strike out paragraph 153 and to insert in lieu thereof the following:

Table, butchers', carving, cooks', hunting, kitchen, bread, butter, vegetable, fruit, cheese, carpenters' bench, curriers', drawing, farriers', fleshing, hay, tanners, plumbers', painters', palette, artists', and shoe knives, forks, and steels, finished or unfinished, 30 per cent ad valorem.

Mr. BACON. I simply desire to say that the bill reduces the rate from the Dingley rate; but the present rate as proposed in the bill runs from 45 to 80 per cent, speaking generally, without mentioning the fractions. I think that 30 per cent upon this class of goods would be sufficient. I ask for the yeas and nays on the amendment.

Mr. BEVERIDGE. Before the yeas and nays are taken, I would simply suggest to the Senator from Georgia, who is always for revenue and for revenue only, that his amendment would greatly reduce the revenue.

Mr. BACON. I do not know that it would.

Mr. BEVERIDGE. I know it.

Mr. BACON. I think it would increase it.

The PRESIDENT pro tempore. The Senator from Georgia demands the yeas and nays on agreeing to his amendment.

The yeas and nays were ordered.

Mr. DOLLIVER. I desire to have the amendment read.

The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the amendment.

Mr. BRISTOW. I understand the amendment reported by the committee reduces the duty from the Dingley rate about 10 per cent, and the amendment which has been offered by the Senator from Georgia reduces it still further.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment.

The question being taken by yeas and nays, the result was announced—yeas 23, nays 53, as follows:

YEAS—23.

Bacon	Fletcher	Money	Smith, Md.
Bailey	Foster	Overman	Smith, S. C.
Chamberlain	Frazier	Owen	Taliaferro
Clay	Hughes	Paynter	Taylor
Culberson	Johnston, Ala.	Rayner	Tillman
Daniel	McLaurin	Simmons	

NAYS—53.

Aldrich	Clark, Wyo.	Gallinger	Penrose
Beveridge	Crane	Gamble	Perkins
Borah	Crawford	Guggenheim	Piles
Brandegee	Cullom	Hale	Root
Briggs	Cummins	Heyburn	Scott
Bristow	Curtis	Johnson, N. Dak.	Smith, Mich.
Brown	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burkett	Dixon	La Follette	Sutherland
Burnham	Dolliver	Lodge	Warren
Burrows	du Pont	McCumber	Wetmore
Burton	Elkins	Nelson	
Carter	Flint	Oliver	
Clapp	Frye	Page	

NOT VOTING—15.

Bankhead	Davis	Martin	Shively
Bourne	Depew	Newlands	Stone
Bradley	Gore	Nixon	Warner
Clarke, Ark.	McEnery	Richardson	

So Mr. BACON's amendment was rejected.

Mr. BULKELEY. The article covered by this paragraph is one of the most important industries in my State; also those covered by pen and pocket cutlery in paragraph 151, for which the Senate very wisely, I think, provided a proper marking of the same to guard against fraud upon the manufacturer and the public. In line with the marking provided for pocket cutlery I offer a similar amendment to paragraph 153. I have endeavored to have it conform as far as possible.

Mr. ALDRICH. The committee have considered that amendment. If it is in the same form as the other, I think it ought to be adopted.

Mr. BULKELEY. I have filled in the duty as the committee reported.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 52, at the end of paragraph 153, it is proposed to insert:

Provided, That all the articles specified in this paragraph and imported after October 1, 1909, shall have the name of the maker or purchaser, and beneath the same the name of the country of origin indelibly stamped or printed thereon in a place that shall not be covered thereafter.

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is at the foot of page 53, paragraph 160.

Mr. KEAN. No; paragraph 154.

Mr. SCOTT. Paragraph 158, I think, is the next in order.

Mr. ALDRICH. In place of paragraph 157 the committee report the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Rhode Island, from the Committee on Finance, reports an amendment, which will be stated.

Mr. LA FOLLETTE. I wish to have the amendment read.

The PRESIDENT pro tempore. The amendment will be read.

enforce the law as to the value or as to the character of the importations. They import these blades separately. They

The SECRETARY. It is proposed to insert in lieu of paragraph 157 the following:

157. Table, kitchen, and hospital utensils, or other similar hollow ware of iron or steel, enameled or glazed with vitreous glasses, but not ornamented or decorated or lithographed with other printing, 40 per cent ad valorem.

Mr. BEVERIDGE. Is that a matter of classification?

Mr. ALDRICH. It is a matter of classification entirely.

The amendment was agreed to.

Mr. ALDRICH. In paragraph 159 the committee withdraw the amendment.

Mr. SCOTT. I will say to the Senator in charge of the bill that I asked that paragraph 158, in relation to cut nails, go over when the bill was first considered.

Mr. ALDRICH. I think the Senator's request must have escaped the attention of the Secretary, for it is not marked in my copy of the bill.

Mr. SCOTT. I have been sitting here waiting for paragraph 158 to come up. That is my "long suit." [Laughter.] I can prove that the duty there ought to be increased. I have got the facts right here. I know I never expected such a duty to be placed on iron and steel beams of the length and weight described here, and put a higher rate on them than you put on cut nails. I have been waiting fifteen days for this to come up, and I want to restore what the committee has stricken out.

Mr. ALDRICH. I think the Senator had better let that go until the bill gets into the Senate.

Mr. PENROSE. Was not that considered as in Committee of the Whole?

Mr. ALDRICH. We will give the Senator a chance in the Senate.

Mr. SCOTT. I referred a letter to the Senator from Utah [Mr. SMOOT]. I only got back yesterday, and I supposed the matter had been taken up. I ask the Senator from Utah if he does not think that my understanding is correct?

Mr. SMOOT. I have the letter to which the Senator refers, in relation to the nail paragraph; but the committee have not held a meeting since the Senator gave me that letter until last evening; and I did not then have the letter with me so as to take up the subject with the committee.

Mr. SCOTT. I will allow the matter to go over, with the understanding that the committee will give me some consideration.

Mr. ALDRICH. We will.

Mr. SCOTT. This matter is most important to my people. We once held the lead in the nail making of the world, and now we are making scarcely any nails. I want to show the committee how we can get that trade back.

Mr. ALDRICH. In paragraph 159 the committee withdraw the amendment.

Mr. BEVERIDGE. In reference to paragraph 159, I see there is a duty of $7.50 per thousand on horseshoe calks and parts thereof. Where does that leave horseshoe calks?

Mr. ALDRICH. Under manufactures.

Mr. NELSON. What became of paragraph 159?

Mr. BEVERIDGE. That is what we are now on. In that paragraph the committee withdraw the amendment.

Mr. ALDRICH. We were satisfied that the rates established were too high.

The PRESIDENT pro tempore. The amendment was agreed to; and it will be necessary to reconsider the vote by which it was agreed to.

Mr. ALDRICH. I suggest a reconsideration of the vote.

The PRESIDENT pro tempore. Is there objection to the reconsideration? The Chair hears none. The question recurs on the adoption of the committee amendment.

The amendment was rejected.

Mr. ALDRICH. In paragraph 163, I move to strike out lines 11, 12, and 13, and to insert what I send to the desk.

Mr. CRAWFORD. What has been done with paragraph 161?

Mr. ALDRICH. Paragraphs 160 and 161 were, I think, agreed to.

Mr. CRAWFORD. I did not understand that paragraph 160 was agreed to.

The PRESIDENT pro tempore. Paragraphs 160, 161, and 163 were passed over.

Mr. OLIVER. Paragraph 160 was passed over, was it?

The PRESIDENT pro tempore. Paragraph 160 was passed over.

Mr. ALDRICH. With reference to paragraph 160, the Senator from Pennsylvania [Mr. OLIVER] and some other Senators think the rate on wire nails is too low.

Mr. OLIVER. It is entirely too low.

Mr. ALDRICH. The majority of the committee have not yet had an opportunity to take that question up with the care that they intend to, but sooner or later they will report their conclusions to the Senate.

Mr. OLIVER. That is entirely satisfactory to me.

The PRESIDENT pro tempore. That the paragraph shall be passed over?

Mr. ALDRICH. For the present. What is the next paragraph passed over, Mr. President?

The PRESIDENT pro tempore. Paragraph 161, to which the committee propose an amendment—"Spikes, nuts, and washers," and so forth.

Mr. ALDRICH. The committee propose an amendment in that paragraph, in line 5, to strike out "one-half" and insert "three-fourths."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 163, in relation to needles for knitting or sewing machines.

Mr. ALDRICH. I offer an amendment to that paragraph; to strike lines 11, 12, and 13 and insert the provision which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 163, page 54, it is proposed to strike out lines 11, 12, and 13 and to insert:

Needles, for knitting or sewing machines, $1 per thousand and 25 per cent ad valorem; latch needles, $1.25 per thousand and 25 per cent ad valorem.

Mr. ALDRICH. I offer this amendment with full knowledge that the duty upon latch needles is not sufficient to give the American market to the American producer. I hope at some time in the future to be able to persuade the Senate that the duty on latch needles ought to be increased beyond the rate established in this amendment.

Mr. GALLINGER. I wish, Mr. President, the Senator from Rhode Island would agree to make a slight increase in the duty on latch needles from 25 to 35 per cent ad valorem.

The manufacturers of latch needles have petitioned Congress, showing very clearly that they are being underbid to a very great extent in the American market. I shall not stop to read what they say about prices, and of the relative wages between this country and Germany, but I will state, what I have no doubt is correct, that 85 per cent of the cost of making a latch needle is labor, there being a very small amount of material in it.

We imported last year 18,000,000 needles. I have knowledge of this industry for the reason that in the immediate vicinity of my home in New Hampshire there are four establishments which make these needles, and they are having a very hard time of it. They are being underbid and the market is being taken away from them to a very large extent. They have asked a large increase over the rates of duty in the existing law, and it ought to be allowed.

Mr. President, here is a letter which I want to read from a concern with which I am very familiar. They are not making any money, to my knowledge. They are employing skilled labor, and are only able to get along in a very poor way, and they are losing their trade regularly. The treasurer of the company writes me under date of April 5 as follows:—

GEO. H. ADAMS & CO.,
Hill, N. H., April 5, 1909.

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: I am writing you, as one of the latch needle makers of New Hampshire, in regard to the tariff on needles which are being shipped into this country from Germany. As I understand that you are already informed as to the action of the needle makers, I will not go into detail.

I inclose a letter received from a prospective customer which explains itself. This was a case where I quoted a low price, knowing when I did so that Rockford, Ill., knitting mills are nearly all users of the German needles, but, for the reason given, you will see that we failed to receive the business. It seems to me that it is a serious matter to the needle makers of this country, and unless we can receive some help in the way of a higher tariff this branch of business must certainly fall through.

While the number of knitting machines have been steadily increasing, the needle business has at the same time suffered a large falling off.

If you can use your influence in any way to assist in this matter, providing you consider our claims just, I trust you will do so. Thanking you, I am,

Very truly, yours, JEAN M. SHAW, *Treasurer.*

The letter to which Mr. Shaw alludes is as follows:

FOREST CITY FURNITURE COMPANY,
Rockford, Ill., March 31, 1909.

GEORGE H. ADAMS & CO., *Hill, N. H.*

GENTLEMEN: I have your favor of the 27th, and beg to state that I received quotation from Germany on needles which was considerably below what you quoted, hence my reason for not placing order with you.

Thanking you, however, for the interest displayed, I am,

Yours, truly,

O. E. LANDSTROM.

That is the situation of an industry that deserves consideration, and I should like very much—I am not going to ask for the increase that these gentlemen think they ought to have—but I should like very much to have the ad valorem increased and have the bill go to conference in that way.

Mr. BEVERIDGE. Mr. President, the Senator does not intend to press his amendment this afternoon, does he?

Mr. GALLINGER. If this paragraph is to be considered, I will ask for a vote on it. I am not going to occupy any time.

Mr. BEVERIDGE. I am merely afraid it might lead to a discussion, and we are getting along very rapidly.

Mr. GALLINGER. I am not going to occupy a moment more.

Mr. ALDRICH. I ask the Senator from New Hampshire to allow the rate to go at 25 per cent now, and later on the committee will consider the subject carefully. Personally, I sympathize very much with the Senator's view of the matter.

Mr. GALLINGER. This is really a very urgent case, but I am willing, at the suggestion of the Senator from Rhode Island, to let it go over for the present, feeling sure that the committee will see the justice and necessity of increasing the protection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. BULKELEY. Mr. President, I desire to offer an amendment, in the interest of one of the small industries of my State, to strike out the word "crochet," in line 14, and to insert it after "latch needles," in line 12. I will state that in the business of crochet needles the market in this country is almost absolutely monopolized by the German manufacturers.

Mr. ALDRICH. I ask the Senator from Connecticut to withhold that amendment now, and the committee will carefully examine this case, as well as the other.

Mr. BULKELEY. Very well; I withdraw the amendment.

The PRESIDENT pro tempore. Does the Senator from Rhode Island desire to have the paragraph passed over?

Mr. ALDRICH. No; I desire to have it adopted.

The PRESIDENT pro tempore. Then the question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 164, which the committee propose to amend, on page 55, line 6, after the word "printing," by striking out "twenty" and inserting "twenty-five."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The next paragraph passed over was paragraph 167, which the committee propose to amend, on page 55, line 25, after the word "length," by striking out "two" and inserting "three;" on page 56, line 2, after the word "length," by striking out "four" and inserting "five;" in line 3, after the word "length," by striking out "six" and inserting "eight;" and in line 4, after the word "length," by striking out "eight" and inserting "twelve."

The amendment was agreed to.

The paragraph as amended was agreed to.

The next paragraph passed over was paragraph 168, which the committee propose to amend, on page 56, line 8, after the word "otherwise," by striking out "35 per cent ad valorem" and inserting the word "and."

Mr. DOLLIVER. Mr. President, that paragraph I asked to have go over largely out of curiosity, so as to ascertain why the rate provided in the House bill had been changed and why the classification had been so arranged as to change the Dingley rate on a portion of these articles.

The business of manufacturing umbrellas is very widely scattered all over the country, and the necessity for using them is practically universal, yet I notice that the reduction made by the House upon ribs and stretchers seems to have been rejected by the Senate, and the tubes which are now dutiable under paragraph 152 of the Dingley Act at 35 per cent are put in with the ribs and stretchers and are assessed at 50 per cent. I should like to know the reason for it.

Mr. ALDRICH. The Senator from Pennsylvania [Mr. PENROSE] is familiar with this industry and can explain it to the Senator.

Mr. PENROSE. Mr. President, I understand that 35 per cent is the Dingley rate. These frames [exhibiting] are sold to the trade, the small frames for about 8 cents and the others for a little over 11 cents. It appeared when the Dingley bill was drafted that a large part of umbrella frames was of wood; now they are made almost entirely of metal—the shank and every part of them, and these tubes——

Mr. DOLLIVER. Under the Dingley law, if my recollection serves me aright, the duty on that metallic tube was 35 per cent.

Mr. PENROSE. Yes; I understand that; but the shank was of wood when the Dingley law was framed.

Mr. DOLLIVER. I do not recall whether it was that way or not.

Mr. PENROSE. The metal shanks are used very largely now in the umbrella business.

Mr. President, German manufacturers are now making quotations to customers for these umbrella tubes—that is, to the umbrella manufacturers, the people who cover them with silk or cotton or whatever may be the cover—and there is hardly any margin whatever in this business. I am informed that there is no complaint on the price at which they get these frames. There are some 15 concerns in New Jersey, Pennsylvania, and New York which make the frames. I am further informed—and I believe it is correct—that the Japanese are beginning to make these frames, and with the low labor cost in Japan are becoming a serious menace.

Mr. BEVERIDGE. Will the Senator permit me to interrupt him?

Mr. PENROSE. Yes.

Mr. BEVERIDGE. And yet I see that even under the Dingley rate of 35 per cent there was last year only $17,553 of importations, which would not indicate that the domestic concerns are in any grave danger of extinction from the foreigner, if that is correct.

Mr. PENROSE. The domestic manufacturers are in such grave danger that I venture the prediction, without fear of contradiction, that unless the duty is allowed by the Senate at this rate, every one of them will be driven out of business.

Mr. BEVERIDGE. I merely wanted to call the Senator's attention to the fact that the importations last year, all told, were only a little over $17,000 in value.

Mr. PENROSE. That may be, Mr. President, but the Senator will find that there is nothing more misleading than merely to consult statistics and not look at the practical side of these questions. Every month or every half year may alter the condition of the American manufacturers in competition with the German product.

This frame does not enter to any appreciable extent in the cost of an umbrella to the consumer.

I offer these three exhibits:

First. The finished product—a 28-inch umbrella made on a paragon frame.

Second. A 26-inch paragon frame.

Third. A 26-inch solid frame.

The 28-inch paragon frame is sold at 12.08 cents.

The 26-inch paragon frame is sold at 11.33 cents.

The 28-inch solid frame is sold at 8.33 cents.

The 26-inch solid frame is sold at 8.08 cents.

And I also submit the following table giving percentages of the various materials entering the manufacture of the umbrella, with the labor, overhead charges, and profit:

Seven-rib frame umbrella.

	26 inches.	28 inches.
	Per cent.	*Per cent.*
Frame	3.98	3.89
Cover	46.69	47.01
Labor	4.21	3.88
Handle	17.54	16.14
Overhead charge	15.67	15.46
Profit	11.92	12.64
Total	100	100

You will observe what an infinitesimal part of the cost of the umbrella the frame, or hardware, amounts to, being less than 4 per cent of the cost of the finished product.

Mr. DOLLIVER. Would the Senator from Pennsylvania have any objection to allowing the Dingley paragraph to stand? That would give 50 per cent on the ribs and stretchers and allow the present duty upon the tubes.

Mr. PENROSE. No; as I understand, it is one of the important features of the committee amendment to cover the tubes.

Mr. DOLLIVER. I have called attention to the fact that the Dingley rate on the tubes is now 35 per cent.

Mr. PENROSE. I know it is.

Mr. DOLLIVER. And I would not object to a restoration of the Dingley rate on the stretchers, provided the Dingley rate on the tubes is allowed to stand.

Mr. BEVERIDGE. The Senate committee make it 50 per cent on both.

Mr. DOLLIVER. Yes.

Mr. PENROSE. If the Senator will consult the House hearings on page 4333, he will see the statement that the industry in this country has, since the passage of the Dingley bill, been completely revolutionized. This statement is made:

The industry in this country has since that time been completely revolutionized in this respect. The use of wooden sticks or shanks has been practically abandoned in this country, and there has been substituted therefor the steel rod or tube. The industry abroad is rapidly undergoing the same change. The manufacturers of umbrella furnishings in foreign countries are at the present largely engaged in manufacturing articles of this kind for home consumption and for importation to this country.

The manufacture of this steel rod or tube in this country is a growing industry. They are made from sheet steel, made into tubes, swagged and brazed, plugged and swagged, slotted and punched, and into which are inserted a nickel-plated brass thumb spring made on presses. The ferrule end is nickel plated and the entire rod or tube is japanned, the labor in the manufacture of which bearing the proportion to the cost of material of 2 to 1.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the committee.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BEVERIDGE. Is this a committee amendment?

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 56, paragraph 168, line 8, after the word "otherwise," it is proposed to strike out "35 per cent ad valorem" and insert the word "and."

The PRESIDENT pro tempore. The Chair understood that that amendment had been agreed to.

Mr. BEVERIDGE. The amendment now pending is the one in line 9.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 56, paragraph 168, line 9, after the word "finished," it is proposed to strike out "thirty-five" and insert "fifty."

Mr. BACON. If I understand correctly, the amendment proposes to change the House provision, and a vote against the amendment leaves the House provision in the bill.

Mr. ALDRICH. Mr. President, the duty on ordinary manufactures of iron and steel is 45 per cent. We propose to establish a duty of 50 per cent on these stretchers, which, as can be seen by an examination of the samples shown by the Senator from Pennsylvania [Mr. PENROSE], are a very delicate and expensive article to manufacture. There can be no reason in the world why they should not have 5 per cent additional duty as compared to the ordinary manufactures of iron and steel. The committee are fully satisfied from an investigation that the 50 per cent duty is necessary for the industry.

Mr. BEVERIDGE. But the House committee, after several months' hearings, did not think so; and they had the industry at heart. This is an increase, is it not, over the House rate?

Mr. CULBERSON. Mr. President, I simply want to call attention to the fact that, if I am not misinformed, the House in this paragraph reduced the rate from 50 to 35 per cent. The proposition now pending, taking the whole paragraph together, is to restore the Dingley rate on umbrellas; and then not only to restore the Dingley rate on tube, but to increase the rate on tube beyond the rate prescribed by the Dingley Act—in other words, to 50 per cent. That is the proposition upon which we desire the yeas and nays.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee, on which the yeas and nays have been ordered.

The Secretary called the roll.

Mr. CURTIS (after voting in the negative). I desire to inquire if the Senator from Virginia [Mr. MARTIN] is recorded?

The PRESIDENT pro tempore. The Chair is informed he has not voted.

Mr. CURTIS. I desire to withdraw my vote, and to announce my pair with that Senator.

The result was announced—yeas 44, nays 37, as follows:

YEAS—44.

Aldrich	Cullom	Hale	Perkins
Borah	Depew	Heyburn	Piles
Brandegee	Dick	Johnson, N. Dak.	Root
Briggs	Dillingham	Jones	Scott
Bulkeley	Dixon	Kean	Smith, Mich.
Burkett	du Pont	Lodge	Smoot
Burnham	Elkins	McCumber	Stephenson
Burrows	Flint	Nixon	Sutherland
Carter	Frye	Oliver	Warner
Clark, Wyo.	Gallinger	Page	Warren
Crane	Guggenheim	Penrose	Wetmore

NAYS—37.

Bacon	Crawford	Hughes	Simmons
Bailey	Culberson	Johnston, Ala.	Smith, Md.
Bankhead	Cummins	La Follette	Smith, S. C.
Beveridge	Daniel	McLaurin	Stone
Bristow	Dolliver	Money	Taliaferro
Brown	Fletcher	Nelson	Taylor
Burton	Foster	Overman	Tillman
Chamberlain	Frazier	Owen	
Clapp	Gamble	Paynter	
Clay	Gore	Rayner	

NOT VOTING—10.

Bourne	Curtis	Martin	Shively
Bradley	Davis	Newlands	
Clarke, Ark.	McEnery	Richardson	

So the amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will read the next paragraph passed over.

The SECRETARY. The next paragraph passed over is 171, page 57, where, in line 6, after the words "Antimony, as regulus or metal," it is proposed to strike out "three-fourths of 1 cent per pound" and to insert "1½ cents per pound; antimony ore, stibnite and matte containing antimony, 1 cent per pound on the antimony contents therein contained: *Provided*, That on all importations of antimony-bearing ores and matte containing antimony the duties shall be estimated at the port of entry, and a bond given in double the amount of such estimated duties for the transportation of the ores by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores at such establishment, they shall be sampled according to commercial methods under the supervision of government officers, who shall be stationed at such establishment, and who shall submit the samples thus obtained to a government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample, and report the result to the proper customs officers, and the import entry shall be liquidated thereon, except in case of ores that shall be removed to a bonded warehouse to be refined for exportation as provided by law, and the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph."

Mr. BURTON. Mr. President, I desire to oppose the imposition of a duty on antimony ore, at least unless there is an increase in the duty on antimony oxide. The present duty on the oxide is 25 per cent. With this the manufacturers are satisfied, and a considerable industry has been commenced.

Mr. ALDRICH. It is the intention of the committee, if the duty on antimony is fixed at a cent and a half a pound, to change the duty upon the products to correspond with that.

Mr. BURTON. That will be satisfactory, as far as the oxide is concerned. I think, Mr. President, that we should also have some explanation of the reason why a duty is proposed on the ore.

Mr. DIXON. Mr. President, with reference especially to the remarks of the Senator from Ohio, I shall be glad to enlighten him somewhat as to why the committee has acted very justly in fixing a duty on antimony ore. It is only fixed at 1 cent per pound, according to the metallic contents of the ore. As a matter of fact, a little less than 10 per cent of duty is fixed on the ore as against three or four times that amount for nearly every other ore contained in the metal schedule. I will give the figures showing what the United States is using at this time.

During the past few years the United States has imported from one million to over two million dollars' worth of antimony ore and metal every year, rising from 3,900,000 pounds in 1904 to nearly 9,000,000 pounds in 1907. Practically every ton of it is imported at this time, notwithstanding the fact that in 10 or 12 of the Western States antimony ore is found in abundance. It is found all through the mountain ranges of the West. Its importation comes largely from Japan, Mexico, China, and Labrador.

All the committee has given in this amendment is a duty of 1 cent per pound on the metallic contents of the ore—less than

10 per cent duty. I think that in this case the committee has fixed a schedule that will appeal as much to the Senators who believe in a tariff for revenue only as it will to those of us who believe in protection. It is one of the lowest duties in the whole schedule, and I have no doubt that within twelve months from the time this bill is enacted into law, instead of importing all of our antimony, amounting at this time to over $2,000,000 a year, we will produce every pound of it within the United States. As my friend the Senator from West Virginia says, we will have the antimony and our money too.

At this time the whole antimony trade of the world is practically controlled by one house in London. We are utterly at their mercy. A dozen times in the Western States antimony mines have been opened and smelters erected, but the man in London, with his thumb on the button, raises and depresses the price in such a way as to put the western smelters out of business every time they go into commission.

To show the complete control the foreigners exercise over the antimony market, I will state that its price during the last eight years has ranged from 8 to 24 cents a pound. Whenever the price goes up, the western miners try to operate. They are utterly at the mercy of the British manufacturers, however. As soon as a smelter goes into commission, the British manufacturers depress the price of the metal, and the men here go out of business. While they wanted 2 cents a pound, they have only been given 1 cent a pound. I think that if the duty is fixed according to the committee amendment, it will bring about such a continuity of conditions in the metal market that we can produce our own supply here at home.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Michigan?

Mr. DIXON. Yes.

Mr. SMITH of Michigan. Can the Senator from Montana give us figures showing what it costs to install a plant for this purpose?

Mr. DIXON. I will first read the Senator from Michigan a letter I have on my desk from some men out West, who started to put up a smelter and came in conflict with the men over across the water. It is addressed to my friend from Colorado [Mr. GUGGENHEIM]. He says:

DENVER, COLO., *May 9, 1909.*

If not too late, I would respectfully request that you use your kind offices to assist us in trying to secure some relief from the foreign import of antimony "crude" products. We are the owners of large deposits of stibnite ore in Nevada. Mr. ———, of the Cookson antimony trust, has visited the property, and says we have the largest deposits known in the United States; but he also says that we can not operate the property on account of the fact that the mines in southern Australia, China, and other foreign countries are able to reduce their low-grade ores, putting it into what they term "crude"—a product of sulphide carrying about 74 per cent metallic antimony—which is admitted duty free, the same as ore. This, together with the very low water freights, practically precludes the working of our mines. Our transportation is, of course, much higher, and, while we are ready to install reduction works, we feel it is a great injustice to have to meet the cheap foreign labor and transportation on a product that is admitted free under the present tariff as "ore," which, in fact, is not ore at all, but almost a refined product.

We believe we are as much entitled to protection on our antimony products as are the lead producers on their ores.

Anything you may be able to do for us will be gratefully appreciated.

It is signed by the Antimony King Mining Company, J. M. Pine, treasurer. The mine is situated in the State of Nevada.

I have on my desk another letter from a gentleman at Butte, Mont., who two years ago became interested in an antimony smelter in Utah. They got it in operation, produced some metal, when the trust put the price down 3 or 4 cents a pound, and they went out of commission:

BUTTE, MONT., *March 23, 1909.*

Hon. JOSEPH M. DIXON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: During the recent copper excitement, when money was plentiful, we organized this company and erected a concentrator, thereby exhausting our funds. We can produce concentrates running 65 per cent antimony. Had we an additional volatilization plant, we could undoubtedly produce star metal on the ground, but owing to the present conditions, and the necessity of accepting whatever the Cookson interests dictate, our company does not have a look in.

It might interest you to learn more of our antimony deposits, its inexhaustible supply of this ore, the vast quantities of stibnite which are found in it, and I can furnish you reports thereon, if desired. Indeed, the United States Geological Survey has devoted considerable time to our property in years gone by, and in the archives of this department in Washington may be found a report thereon. We have all along believed were there a duty placed on this product we could profitably work this deposit, and, naturally, we are heart and soul in favor of the work undertaken by you, and certainly will do all we can to assist you.

Trusting that I may see you in Montana, if perchance this letter reaches you before your departure for the West, I am,

Very sincerely, yours,

L. P. SANDERS.

I know of my own knowledge of a mine and a smelter, situated on the backbone of the mountains between Idaho and Montana, where the same thing occurred some ten years ago. In addition to the letters from which I have quoted, I know of another antimony mine in Nevada and another in Washington. There are five or six antimony smelters through the West which have tried to operate, and they have all been thrown into bankruptcy by the absolute dictation of the one single antimony company which controls the markets of the world.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Montana yield to the Senator from Indiana?

Mr. DIXON. With pleasure.

Mr. BEVERIDGE. The Senator first said that all of our importations came from Japan, and then he said that the whole antimony business is controlled by London. Does the London concern control the Japanese mines?

Mr. DIXON. The London house, which is the mother house, imports the ores from Japan and China and Mexico and reduces them to the star metal in London.

Mr. BEVERIDGE. It controls all these mines elsewhere?

Mr. DIXON. Yes.

Mr. BEVERIDGE. Except here?

Mr. DIXON. Yes. I have on my table a circular from the same firm in Cleveland, Ohio, in whose behalf, I presume, the Senator from Ohio is interested, saying that last year they imported direct from China a million and a half pounds of antimony, sulphide ore, or stibnite, which is the form in which the ore occurs——

Mr. DU PONT. I should like to ask the Senator from Montana what duty he thinks is necessary to protect the miners of the West?

Mr. DIXON. It ought to be 2 cents a pound. The committee in their wisdom have fixed it at only one, and while we do not believe it will be sufficient—one and one-half on the metal and one on the ore——

Mr. DOLLIVER. Does this metal occur in connection with other metal-bearing ore?

Mr. DIXON. Only in insignificant quantities; there is some antimony found in connection with lead ore, but a very, very small amount.

Mr. DOLLIVER. What proportion of antimony is found in the lead ores which come in from Mexico?

Mr. DIXON. That I can not answer. But the antimony that is found in the lead mines in this country is probably not 5 per cent of the amount that is used.

Mr. CARTER. I can state as a fact that the antimony is regarded as a waste. The quantity is negligible. It is not saved.

Mr. DOLLIVER. I notice in the smelting of lead ore it appears to be recovered.

Mr. CARTER. The presence of antimony in a given ore—lead, copper, or any other ore—is a detriment to that ore. It makes the ore base and more difficult to smelt.

Mr. DOLLIVER. Is not the antimony recovered in the reduction of the lead?

Mr. DIXON. About 1 per cent——

Mr. CARTER. About 1 per cent.

Mr. DIXON (continuing). Of the antimony used, and that is in a low form, because it is hard to separate.

Mr. DOLLIVER. I do not wish to appear to be hostile to the mining interests, but this is a metal which appears to enter into the manufacture of type metals and britannia and babbitt and a great variety of ware. If the duty on the metal contents, the product of the ore, is so high, on the principle of compensation we will have to follow them to the ends of the earth in the duties on these articles of common use in the country.

I should like to inquire what evidence there is that this rate, 1½ cents a pound, as contrasted with the rate established by the House, is necessary for the maintenance of a fair profit in these mining enterprises?

Mr. DIXON. All tariff schedules are largely a matter of estimates. There is no mathematical certainty, I apprehend, in connection with any schedule. Lead carries 2⅛ cents.

Mr. DOLLIVER. No.

Mr. DIXON. Pig lead. This ore is only 1 cent, as against 1½ cents for lead.

Mr. DOLLIVER. The Senator will notice we are acting on the theory that these duties on the crude ore operate to lift up the price of the whole body of such products in the country, and therefore when we come to assess duties on pig lead we have to advance the duty, and so in the articles of final manufacture the rates become apparently very high.

Mr. DIXON. But in this case, if the Senator from Iowa will notice, the rate fixed by the committee is less than 10 per cent. It is one of the lowest rates in the whole schedule.

Mr. DOLLIVER. But the rate fixed by the House committee after taking testimony upon the subject seems to be very much less.

Mr. DIXON. I know positively that the House committee never took a bit of testimony. It had no hearings on the antimony schedule. It took it from the old rate. The Wilson Act, the McKinley Act, and the Dingley Act carried the same rate on antimony that the House bill now carries. As a matter of fact, under those schedules——

Mr. DOLLIVER. Usually these indorsements arising out of the flight of time have an effect to establish a rate rather than to dispute it.

Mr. DIXON. But the fact is patent and apparent, and we can but regard it now that the old schedules have resulted in not a ton of antimony ore being mined in this country, except a little, about 1 per cent, as I recall the figures, a side product of some of the lead mines, thus giving to miners in foreign countries a complete control of the production of this most important metal, when we ought to be producing all of the $2,000,000 worth of antimony that we now import here at home.

To-day we are absolutely at the mercy of foreigners. The fixed ammunition and shrapnel shell now used in the United States Army and fired from American guns must contain a certain percentage of antimony. During the Jap-Russian war one of the factors that contributed to increase the price from 8 to 24 cents a pound was the fact that the Japs shot most of the antimony they had been producing at the Russians instead of exporting to the United States as they had been doing previous to that war.

Mr. SMITH of Michigan. Mr. President——

Mr. DIXON. I will yield to the Senator from Michigan.

Mr. SMITH of Michigan. I am impressed with the idea that the cost to establish a smelter for the purpose of utilizing this antimony ore is so great that unless we fix a duty which is fairly compensatory and sufficient to induce capital to go into an enterprise of that kind we shall not make any headway at all. I am deeply impressed with the necessity that we ought not to be dependent upon the foreign supply for this article. The fact that is has been on the free list hitherto, I think, is no argument at all.

Mr. LODGE. Oh, no.

Mr. SMITH of Michigan. Yes; the ore is on the free list now.

Mr. DOLLIVER. Antimony ore, which is the crude sulphide, is on the free list, but antimony is now dutiable.

Mr. SMITH of Michigan. That is exactly what I am talking about. I should like to have the Senator from Montana tell us, if he can, about what it would cost to establish the business in this country.

Mr. DIXON. In the way of a duty?

Mr. SMITH of Michigan. No; in the cost of smelting.

Mr. DIXON. To be perfectly frank with the Senator from Michigan, I would not be able to answer that question, except I know that a smelter is always a very expensive proposition to erect. I should say, off-hand, that $50,000 would be a fair estimate of the cost of an average smelter.

Mr. SMITH of Michigan. Does the Senator believe that if we fix this duty at 1 cent it will be sufficient to encourage capital to go into this industry?

Mr. DIXON. In my judgment, it ought to have been 2 cents.

Mr. SMITH of Michigan. Then I hope the Senator from Montana will move to amend the committee's amendment in that respect.

Mr. DIXON. In the widespread feeling among Senators that there ought to be tariff revision downward, my judgment is that the committee hardly had the moral courage to give us what we really need and what they really believed we should have.

Mr. SMITH of Michigan. We could not certainly revise this rate downward. It is at the bottom now, and antimony ore is on the free list. Why should we not fix a rate that will establish this industry?

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kansas?

Mr. DIXON. Certainly.

Mr. CURTIS. I should like to ask the Senator from Montana if it is not true that the industry would not be developed in this country without a duty; but if a duty is placed upon it, it will be developed?

Mr. DIXON. That is my conscientious, firm faith and belief. I wish to say one other thing to the Senator from Rhode Island. At this time the United States Government is absolutely at the mercy of foreign governments so far as the ammunition that is used in our army and navy is concerned. If a foreign war broke out to-morrow and our coasts were blockaded, we would not have the antimony mines developed in this country to supply this ammunition for the United States Army and Navy. That consideration alone would make it the patriotic duty of every Senator here present to see that this most meritorious amendment is made to the House bill.

Mr. BEVERIDGE. Mr. President, I merely wish to say that it seems to me with the statement made by the Senator from Montana [Mr. DIXON] the case has been made out. The fact that this is in the absolute control of one London house and that even for the antimony in our army we are dependent upon foreigners establishes a case.

But the proposition of the Senator from Michigan [Mr. SMITH] to raise the rate 100 per cent more than the committee proposes, is not supported by the facts thus far. Unless there is some answer to the statement of the Senator from Montana, the case has been made out either from the point of view of revenue or from the point of view of protection.

Mr. SMITH of Michigan. If the Senator from Indiana will give us his assurance that this is a fair rate and will establish the industry in the United States, I am content to take his judgment.

Mr. BEVERIDGE. I do not know. The Senator from Montana seems to think it will. If that is true, there is no use in raising the duty except it be for revenue.

Mr. NIXON. Mr. President, it is not my intention to take up any of the time of the Senate on these questions, but I wish simply to corroborate what the Senator from Montana [Mr. DIXON] has said. I am myself personally familiar with this industry and I am familiar with the property he refers to in my State. I know all the circumstances connected with it. I know the property was being conducted upon lines that were paying its stockholders until the price was reduced and the mine was closed down. I had several letters from interested parties in connection with it, and they gave me to understand that with the duty which the committee have seen fit in their wisdom to place upon this metal they will be able to reopen this particular property. I trust that the Senate will vote in favor of the duty proposed by the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the committee.

Mr. HEYBURN. Mr. President, I do not desire to leave the question just where it is. I had hoped that the committee would give us at least 2 cents a pound. We have partially developed enough undeveloped antimony mines in Idaho to produce more than we import. Several times they have just reached the condition where they could work at a profit, but they have been compelled to close down under just the circumstances stated by the Senator from Montana. One of those mines at least, which is in the very camp in which I live, is in such a condition today that could the prices be maintained it would be a steady producer of antimony. The deposit, in the nature of a ledge, is very large and it is a very high grade. They have erected the plant and they have spent a great deal of money, but they have been compelled to close down.

There is a great deal in the suggestion that this Government is at the mercy of the foreign market, for which we must pay. We could not compete in time of war; we would not be able to match, so to speak, the ammunition and the necessary equipment of other countries. They would have it and we would not have it. We would have to use some substitute for it, and there is no substitute for it known in the world.

I had hoped that the committee would make the rate 2 cents instead of 1 cent.

Mr. ALDRICH. The committee gave quite a great deal of attention to this subject. They are very anxious to have antimony produced in the United States. They believed that the rate suggested was sufficient to reestablish the industry here, and I still think so. If the Senate agrees to this proposition, and then the committee find later that an additional duty will be required, they will report that fact to the Senate.

Mr. GUGGENHEIM. Mr. President, to remove a possible misapprehension I am led to say that the American Refining Company are not purchasers of antimonial ores. It is a fact that antimony in lead ores is disadvantageous and injurious in the smelting of lead-silver ores. However, a little of the antimony is collected in the refining of the bullion, and it is sold to the consumers of this country, but the quantity is nominal.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. ALDRICH. I offer an amendment, to be added at the end of the paragraph. I move to insert:

Antimony, oxide of, 1½ cents per pound and 25 per cent ad valorem.

Mr. BEVERIDGE. What does that mean? What is the change proposed?

Mr. ALDRICH. Oxide of antimony now pays 25 per cent ad valorem as a chemical salt. This adds simply 1½ cents a pound to the duty.

Mr. BEVERIDGE. Differential?

Mr. ALDRICH. Differential.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to. The next paragraph passed over will be read.

The SECRETARY. Paragraph 173——

Mr. ALDRICH. I ask that there be a reconsideration in that case in order to enable the committee to make a change.

The PRESIDING OFFICER. The Senator from Rhode Island moves a reconsideration of the vote whereby paragraph 173 was agreed to. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. ALDRICH. I desire to withdraw the amendment and to change 12 cents to 10 cents a pound.

The SECRETARY. It is proposed to disagree to the committee amendment in lines 9 and 10 and in line 10, before the word "cents," to strike out "twelve" and insert the word "ten," so as to read:

173. Bronze powder, brocades, flitters, and metallics, 10 cents per pound; bronze, or Dutch-metal or aluminum, in leaf, 6 cents per 100 leaves.

Mr. BEVERIDGE. That is a reduction of 2 cents from the House rate?

Mr. ALDRICH. It is.

The PRESIDING OFFICER. The Chair understands the Senator to ask that the committee amendment be disagreed to?

Mr. ALDRICH. I ask that the committee amendment be disagreed to.

The PRESIDING OFFICER. Without objection, it will be disagreed to. The Senator from Rhode Island moves to strike out "twelve," before the word "cents," in line 10, and to insert the word "ten." The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

The SECRETARY. The next paragraph passed over is paragraph 178, hooks and eyes.

Mr. ALDRICH. I suggest that that paragraph be agreed to, and then we will investigate the question, unless the Senator from Connecticut has an amendment to offer now.

Mr. BULKELEY. I have an amendment to leave the rate 5½ cents a pound.

Mr. ALDRICH. I think we had better let it go at the present rate and we will make an investigation.

Mr. BEVERIDGE. Just as the needle matter did.

The PRESIDENT pro tempore. The paragraph will be agreed to, if there be no objection. The Chair hears none.

The SECRETARY. The next paragraph passed over is, on page 61, paragraph 182, chrome or chromium metal.

Mr. ALDRICH. The committee have some amendments to suggest to paragraph 177. On page 59, line 1, I move to strike out "ten" and insert "five," so as to read:

Tinsel wire, lame or lahn, made wholly or in chief value of gold, silver, or other metal, 5 cents per pound.

The amendment was agreed to.

Mr. ALDRICH. In line 3, I move to strike out "ten" and insert "five," so as to read:

Bullions and metal threads, made wholly or in chief value of tinsel wire, lame or lahn, 5 cents per pound and 30 per cent ad valorem.

The amendment was agreed to.

Mr. ALDRICH. In line 5, after the word "ornaments," I move to insert "toys" and a comma.

The amendment was agreed to.

Mr. ALDRICH. In line 7, I move to strike out "ten" and insert "fifteen," so as to read "15 cents per pound and 60 per cent ad valorem."

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to.

Mr. BEVERIDGE. I wish an explanation of the last amendment proposed. The first amendments of course are acceptable; but this raises the rate from 10 to 15 cents per pound.

Mr. ALDRICH. This is an arrangement of all these articles. On the wires and more expensive goods, which are absolute luxuries, we have increased the rate as it should be increased.

Mr. BEVERIDGE. The rate is increased only on the luxuries?

Mr. ALDRICH. We have reduced the rate on two and increased it on one. I am willing to let it go over and bring it up afterwards if it is not satisfactory.

Mr. RAYNER. What became of paragraph 177?

The PRESIDENT pro tempore. It is proposed to amend the committee amendment by increasing the rate to 15 cents a pound.

Mr. RAYNER. What changes have been made in the last line?

Mr. ALDRICH. We modify the committee amendment by making the rate 15 cents instead of 10 cents a pound.

Mr. RAYNER. I should like to ask the Senator from Rhode Island why that change is made. Ten cents is about 10 cents too much. I do not see why you should add 5 cents more.

Mr. ALDRICH. I have already explained that the committee propose to reduce the rate on two clauses and to increase the rate on the other. The increase is on "laces, embroideries, braids, galloons, trimmings, and so forth, made wholly or in chief value of tinsel wire, lame or lahn, bullions, or metal threads," which certainly is an article of luxury. An increase can not be opposed by any Senator upon any reasonable ground, I think.

Mr. RAYNER. What is the luxury about it?

Mr. ALDRICH. It is gold and silver lace. It is not a matter of common use in Maryland or in any State, I take it.

Mr. RAYNER. I do not know anything about its use in Maryland, but is it the kind of tinsel wire used on Christmas trees?

Mr. ALDRICH. No; it is not.

Mr. RAYNER. What is the tinsel used on Christmas trees? It is called "tinsel" or "lahn."

Mr. ALDRICH. The metal thread used on Christmas trees we propose to reduce.

Mr. RAYNER. To reduce from 10 cents to 5?

Mr. ALDRICH. From 10 cents to 5.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The paragraph as amended will be agreed to. Paragraph 178 is agreed to.

The SECRETARY. Paragraph 182, chrome or chromium metal.

Mr. HEYBURN. I do not understand that paragraph 181 was passed over.

Mr. ALDRICH. No; paragraph 181 has not been passed over.

Mr. HEYBURN. I desire to consider paragraph 181.

Mr. BURTON. I have introduced an amendment relating to salts of thorium. There is some question as to where it properly belongs. In the form in which it was introduced it was for insertion at the end of paragraph 181. I should like to ask the committee to consider that amendment.

Mr. ALDRICH. The committee have considered the amendment offered by the Senator from Ohio, but we have not yet arrived at a conclusion. The rates suggested by the Senator from Ohio seem to the committee to be very high, but we will consider them further.

Mr. BURTON. I will ask that that paragraph be passed over.

Mr. PENROSE. I wish to say that I intend to move to put this monazite sand on the free list at the proper time.

Mr. HEYBURN. This might be the proper time. I intend to move to restore the present duty.

Mr. ALDRICH. I think, perhaps, in this conflict of interests we had better let the paragraph go over for the time being. Then we will take up paragraph 182.

Mr. HEYBURN. It is understood that paragraph 181 is passed over.

Mr. ALDRICH. The rates on monazite sand and thorite go over for consideration hereafter. The Senator from Ohio [Mr. DICK], I understand, wants paragraph 182 to go over. Is it on account of ferrosilicon, or some other product covered by the paragraph?

Mr. DICK. Ferrosilicon.

Mr. ALDRICH. The low grade or high grade?

Mr. DICK. The low grade.

Mr. ALDRICH. Does the Senator want more than $4 a ton?

Mr. DICK. We want $6 a ton.

Mr. ALDRICH. Then I suppose we will have to let that paragraph go over until we can reconsider it further.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 183, nickel, nickel oxide, alloy of any kind, and so forth.

Mr. OLIVER. What became of paragraph 182?

Mr. ALDRICH. Paragraph 182 goes over.

Mr. LA FOLLETTE. What was done with paragraph 181?

Mr. ALDRICH. Paragraph 181 went over. The next is paragraph 183, which I ask may be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The SECRETARY. The next paragraph passed over is paragraph 189, at the top of page 64, watch movements.

Mr. DOLLIVER. I desire to direct the attention of the chairman of the committee to paragraph 186, which seems to have been passed.

Mr. ALDRICH. We have suggested an amendment to that paragraph, to strike out all after "ad valorem."

Mr. DOLLIVER. That is what I was going to suggest.

Mr. ALDRICH. The committee recommend that amendment. I think it has been agreed to; I am not sure.

Mr. LODGE. The next paragraph is 186, on page 62.

Mr. ALDRICH. In line 24, after the words "ad valorem," I move to strike out the rest of the paragraph.

The SECRETARY. On page 62, paragraph 186, pins with solid heads, and so forth, line 24, after the words "ad valorem," it is proposed to strike out the remainder of the paragraph.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph is agreed to as amended.

The SECRETARY. The next amendment passed over is paragraph 189, watch movements, and so forth. The committee propose to strike out all of the paragraph and to insert a new paragraph.

Mr. LODGE. That paragraph has been read. I think it has been adopted. There is a typographical error in line 4. After the word "having" the word "not" should be inserted.

The PRESIDENT pro tempore. That has been agreed to.

Mr. LODGE. Then, in line 14, before the word "clock," I move to insert the word "lever." That seems to me to make it correspond.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be stated.

The SECRETARY. In the committee amendment, on page 65, line 14, before the word "clock," insert the word "lever."

The amendment to the amendment was agreed to.

Mr. LODGE. In line 23, I move to strike out the word "sixty" and to insert "3 cents per dial and forty."

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment to the amendment, which will be stated.

The SECRETARY. In the committee amendment, in line 23, page 65, strike out the word "sixty" and insert in lieu the words "3 cents per dial and forty."

The amendment to the amendment was agreed to.

Mr. KEAN. I should like to suggest an amendment in line 3, after the word "movements," to insert "including those used for watchmen's time detectors."

Mr. LODGE. I have no objection to that.

Mr. TILLMAN. Would not that cause a little confusion? Do time detectors have jewels? You will get the grammar badly mixed, I am afraid.

Mr. ALDRICH. I suggest to the Senator from New Jersey that he withdraw that amendment, and the committee will consider it later.

Mr. KEAN. I withdraw the amendment to the amendment.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The paragraph as amended will be agreed to.

Mr. BURKETT. I should like to ask the Senator from Rhode Island or the Senator from Massachusetts a question. I notice in changing the schedules, paragraph 189, for instance, in the fourth line, the rate has been raised from 35 cents to 65 cents; then the next one has been reduced from $1.50 to $1.35, making, as it seems to me, a peculiar sort of change, also a peculiar kind of difference between a 7 and an 11 jewel watch. I do not know whether that is a mistake or has it been estimated for?

Mr. LODGE. No; I think the House fixed the duty on watches having not more than seven jewels at 70 cents, and the Senate reduced it to 65. The Senate kept the increased provision, which is an increase over the Dingley rate, which was 50 cents and 25 per cent ad valorem. This provision of the House bill substitutes a specific duty. In the Dingley law the rates were compound rates. The only increase is in the first rate which, I repeat, the House put at 70 and we reduced to 65 cents. The second one, 7 but not over 11 jewels, is just the same as the average ad valorem collected during the last two years; and the third is the same. The others are somewhat less.

Mr. BEVERIDGE. Does that include all classes of watch movements?

Mr. LODGE. Yes; all classes of watch movements which are enumerated in the schedule.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

Mr. BEVERIDGE. Mr. President, does that include the proviso beginning in line 23?

Mr. LODGE. Certainly. That proviso is a part of the House bill.

Mr. BEVERIDGE. Upon that——

Mr. LODGE. We have modified it somewhat.

Mr. BEVERIDGE. I have been out of the Chamber for a moment; and I merely want to call attention to what, perhaps, attention has already been called, that if you inscribe or have engraved on the watch the country of origin and also the name of the manufacturer, then I want to suggest that you provide only for the name of the country, and not for the name of the manufacturer. I think the provision ought to be modified accordingly.

Mr. LODGE. The House provision is:

Shall have the name of the manufacturer and of the city, town, or village, and country of manufacture cut, engraved, etc.

We struck out "city, town, or village," leaving the name of the manufacturer and the country of manufacture.

Mr. BEVERIDGE. I think that with reference to these watches and charms——

Mr. LODGE. "Charms" are not named here.

Mr. BEVERIDGE. There are many watches used as charms. I am going to call attention to——

Mr. LODGE. They are not included in this paragraph unless they are watches.

Mr. BEVERIDGE. Yes; but I say that there are some watches used as charms. The reason which was yesterday applied to cutlery, where cutlery was imported and the name of the country and the name of the manufacturer were directed to be put on, applies far more to watches, because it is physically impossible for many watches to be inscribed not only with the name of the country, but with the name of the manufacturer, when the retail dealer here has, in the case of cutlery, a perfect right to put his name on also; and we agreed yesterday that the name of the manufacturer of cutlery need not be put on knives. Why on watches?

Mr. LODGE. Mr. President——

Mr. BEVERIDGE. There are many ladies' watches——

Mr. LODGE. I believe I have the floor.

Mr. BEVERIDGE. I thought I had it, but perhaps the Senator had it. I am glad for him to go ahead.

Mr. LODGE. I thought I had the floor, but I am perfectly willing to yield it until the Senator has finished.

Mr. SCOTT. Has not the paragraph been adopted, and are not both Senators out of order?

Mr. BEVERIDGE. No; the paragraph has not been adopted. We are not doing things in that way.

Mr. LODGE. The amendment has been adopted; but, of course, it can be discussed.

I was simply going on to say that there is no watch so small—as I can demonstrate to the Senate in two minutes—on which there can not be legibly imprinted the name of the maker, or, if you choose, the importer—I see no objection to having that, as was done in the case of knives—and the country of origin. There is not the slightest difficulty in putting it on the clock movement. I will illustrate: First, there [exhibiting] is a little medal, smaller than any watch made, smaller than the "eighteen," which is the smallest. It was struck at the Philadelphia mint. On it, perfectly legible, is the inscription, "United States Mint, Philadelphia, 1882," and on the back is engraved the Lord's prayer. It is a little medal which is commonly sold at the mint, and is merely used to show how perfectly easy it is to make the markings. There [exhibiting] is a watch which is one of the smallest watches used. On the back of it is engraved "Fifteen jewels, Francillon, St. Imier, Switzerland." It is perfectly legible on that watch. The whole of that and the number of jewels is imprinted on the back of the watch.

Mr. BAILEY. I think a man who could get along with a watch of that size could get along without any at all.

Mr. LODGE. If the Senator is curious to examine it, it is a little Swiss watch.

Mr. BEVERIDGE. It is a lady's watch.

Mr. BACON. I suppose there is a good reason for it, but it does not occur to me, and therefore I ask the Senator if he will kindly state what is the object sought to be accomplished by the requirement of these inscriptions upon watches of the name of the manufacturer, the place of manufacture, and so forth?

Mr. LODGE. I will tell the Senator in a moment why it has become so very necessary to have the engraving done. I thought I had it here, but this is one which will answer, and I will send for the other in a moment. There is a maker of watches in this country, which are extremely well known, named Ball. He makes watches particularly for the use of railroad men, conductors, engineers, and so forth to whom it is very important to have a good movement.

The movement, though often placed in an inexpensive case, is a valuable one and is a standard one among railroad men. I have sent for one, which I have here, which was sold—and I have the affidavits about its sale—on which appear the words "Time Ball Special," to give the impression that it is one of Ball's watches, and underneath "7 jewels, adjusted." It has never been adjusted. The adjustments of a watch are each a separate process, involving a great deal of care and labor. They are adjusted to temperature and are adjusted to four or five different positions, so that they will maintain their accuracy in any position or in any temperature. Each adjustment is a separate process, and is an expensive process. This watch, of which I am speaking which was marked "Time Ball Special," had never been—here it is; I have it in my hand—adjusted at all. It is a Swiss watch of the very commonest kind. It has, however, on it "Time Ball Special; 7 jewels, adjusted." It is a 7-jewel watch of a very common manufacture—the lowest grade—and, as I have said, it has never been adjusted. It was sold as an American watch, as a Ball watch, and sold, of course, at a low price, for $5 or so. That is an example, merely, of the necessity of marking. It is absolutely necessary to prevent the frauds which in this article are probably more ingenious and more elaborate than in almost any other article of manufacture.

Mr. BURKETT. Let me ask the Senator what the committee has provided in the bill to prevent that? I have received two or three communications from watchmakers saying that that is a fraud that is practiced, and that some law should be provided to regulate it. What has the committee provided to meet this case?

Mr. LODGE. The language of the committee amendment is:

Provided, That all watch and clock dials shall have indelibly painted or printed thereon the country of origin, and, if attached to movements, in addition to the country of origin shall have the name of the maker, or makers, of such watch or clock movements indelibly painted or printed thereon, and that all watch movements, lever clock movements with jewels in the escapement, and cases of foreign manufacture shall have the name of the manufacturer and country of manufacture cut, engraved, or die sunk conspicuously and indelibly on the plate of the movement and the inside of the case, respectively, and the movements shall also have marked thereon by one of the methods indicated the number of jewels and adjustments, said number to be expressed both in words and in Arabic numerals.

That is to avoid having the word "adjusted" on it or having "jewels" on it without any reference to the number of jewels. Watch movements sell on the number of jewels. That is what classifies them, until you get up to the very highly jeweled watches, in which there are no frauds, practically, they being so expensive; but the jewel is what decides the grade of a watch, and it is necessary to have the name of the maker on the movement, because the name of a maker in the case of a watch is very largely a guaranty of what the watch is and of its quality.

Mr. BEVERIDGE. Is the Senator through?

Mr. LODGE. I am, and I yield the floor.

Mr. BEVERIDGE. The reasoning that applied in the case of cutlery and the conclusion that we arrived at in the case of cutlery applies far more in the case of watches. It was decided yesterday afternoon, I believe, that it was not wise to require the name of the maker to be stamped into the shank of the knife, but that the name of the country was sufficient, and we all remember the debate——

Mr. LODGE. This is a wholly different case. I do not, however, want to interrupt the Senator.

Mr. BEVERIDGE. I am going to draw the parallel.

Mr. LODGE. There is no objection in the matter of the case to having inscribed the name of the manufacturer as you would on a knife, but the name of the maker on the movement is essential to proving the quality of the watch. That is exactly what needs to be secured.

Mr. BEVERIDGE. The Senate proviso reads:

Provided, That all watch and clock dials shall have indelibly painted or printed thereon the country of origin—

That is the first thing—

and, if attached to movements, in addition to—

That is, the dial shall have in addition—

the country of origin shall have the name of the maker, or makers—

That is No. 2—

of such watch or clock movements indelibly painted or printed thereon—

That is on the dial, not on the movement—

and that all watch movements, lever clock movements with jewels in the escapement, and cases of foreign manufacture shall have the name of the manufacturer and country of manufacture cut, engraved, or die-sunk.

And so forth.

Mr. LODGE. Mr. President——

Mr. BEVERIDGE. Pardon me just a moment. It is provided that all this shall be upon the dial. Now, Mr. President, in the case of many watches that all of us have seen, ladies' watches, watches that are used for charms, to mark them in that way is, first of all, absolutely a physical impossibility, notwithstanding the statement that has been made; and, second, it destroys the watch or the watch charm for the very purpose for which it is worn. Then upon the dial it destroys its beauty. There is not a single reason that has been advanced, either in the case of cutlery or in the case of watches, for the stamping of the name of the manufacturer that is not subserved by putting on merely the name of the country.

We all know very well that if this provision goes in it certainly will increase smuggling. These are watches and watch charms that are not made in this country; but I venture to say that there is not a town of any size in any State of this Union where there are not jewelers who sell watches of our own manufacture and who also have built up a trade in these little imported watches that are not made and can not as yet be made in this country.

That being the case, Mr. President, when you take away from those local jewelers who have built up this trade and who, as in the case of cutlery manufacturers, as an advertisement for themselves and as a local guaranty to customers have had their own name engraved upon the watches instead of the name of the manufacturer, you deliberately destroy that branch of their business. That is true in a great number of cases of small jewelers in every town in this country. Every purpose is subserved by merely putting on the name of the country; but to put on, in addition, the name of the manufacturer would simply ruin that business to no good end.

In addition, if you encourage smuggling, Mr. President, or if you stop the importation of these little watches, which, as I say, are used as ladies' watches and as charms, you take off the revenue. You destroy one of the purposes of the bill, and you do not accomplish any more than if you merely put on the name of the country.

Now, this applies to the dial. I submit, Mr. President, that that part of the amendment should be modified. The Senators in their anxiety—in which I share—to protect the manufacturers of watches must take into consideration also the trade in every city and town in this whole country, which is built up by every jeweler as a part of his business. They have as much right, or a greater right——

Mr. BURROWS. Mr. President——

Mr. BEVERIDGE. Just in a minute, because I shall be through in a minute.

They have a greater right to have their names engraved on the watch than the importer of cutlery has to have his name engraved on his goods. We agreed yesterday that he might do that, and that the name of the country was sufficient. Therefore I trust that the committee will remodel this portion of the amendment in accordance with this suggestion, which I think will serve every purpose.

Mr. BURROWS. I understood the Senator from Indiana to say that the amendment should be modified. What amendment does the Senator propose?

Mr. BEVERIDGE. What I propose as the most reasonable and easy way is to have the committee take it into consideration and reshape this proviso; but if I were to offer an amendment now, I think the most feasible way to do it——

Mr. BURROWS. The Senator does not offer an amendment now?

Mr. BEVERIDGE. I shall if I must, but I hope the committee will take it up and reshape it. I am discussing the committee amendment. If I had to offer the amendment now, I would frame it in such a way that merely the name of the country would be engraved and not the name of the manufacturer and all that. That would be quite sufficient. If we do it in the case of cutlery, why should we not do it in the case of watches?

Mr. LODGE. Where the dial is imported separately the only requirement is that the country of origin shall be painted upon it.

Mr. BEVERIDGE. But if attached to movements——.

Mr. LODGE. If it is attached to a movement—that is, if it is a complete watch—it is required that, in addition to that, the maker's name shall be marked, because otherwise they can put an American name on the watch movement and make it appear as if the movement had been made here.

Mr. BEVERIDGE. How could that be if the name of the country of origin was also stamped there?

Mr. LODGE. But that is only for the dial.

Mr. BEVERIDGE. Then, let us remove everything but the name of the country with reference to the dial.

Mr. LODGE. If the inscription only had reference to the dial it would enable them to put an American movement behind the dial or a foreign movement behind the dial. The object is, if the watch is complete, to have it known by the maker's name as well as the country. The name of the maker is the great guarantor of the goodness of a watch. It is entirely different from the case of pocket cutlery. The dial is to have, as I have said, merely the names painted on.

Now, as to the business of watchmaking, I merely want to say a few words. Mr. President, American invention has revolutionized the entire business of watchmaking. We were the first to make watches by machinery. There is not a kind of watch, whether a cheap or a costly watch, the least expensive or the most expensive, or the smallest or largest of watches, which can not be made, and is not and has not been made, in this country. We had complete control of the watch business until foreigners adopted our machinery and gradually habituated themselves to making watches in the same way.

The proviso will not affect the revenue one way or the other; it will only secure the honesty of the product and prevent undervaluation and frauds upon the revenue to a very large extent.

Mr. BEVERIDGE. Mr. President, just one word more. I came in when this provision was being discussed. The Senator says that the name of the maker upon the watch is the great guaranty of the watch. It happens to be a matter of fact that all the local dealers in every town and in every city in this country are the real guarantors of these watches. That is the reason they want their names on them, if any name goes on them. If they sell a good watch and their name is upon it, it becomes a perpetual advertisement, and if there is anything the matter with it the purchaser brings it back and has it repaired; whereas if it bears the name of a maker abroad, they, the local jewelers, are not only deprived of that, but they can not build up their business in that particular thing.

I have not yet heard why the same reasoning that is applied to cutlery does not apply far more to watches. I trust that the Senator from Massachusetts will do several of us the kindness to let this matter go over until to-morrow morning, because we can not get a vote on it to-night.

Mr. TILLMAN. Can we not get a vote to-night?

Mr. BEVERIDGE. No; I do not think that can be done.

Mr. SCOTT. I ask if the amendment has not already been adopted?

Mr. BEVERIDGE. Some of us are called from the Chamber once in a while——

Mr. LODGE. The matter came up, and it has been thoroughly discussed. The whole marking question was thoroughly discussed in regard to knives.

Mr. BEVERIDGE. Oh, yes; and why are you not willing to accept what was done with reference to knives?

Mr. LODGE. The Senator, of course, can carry it over; but we might just as well finish it now.

Mr. BEVERIDGE. It is in the interest of time that I want to carry it over.

Mr. LODGE. The amendment was up and thoroughly considered by the committee and by a subcommittee of the full committee. It has been very carefully prepared, and, until the Senator spoke, I thought it had been adopted and that the Senator was satisfied with the explanation. Of course, if the Senator wishes to discuss it further, he can carry it over perfectly easy; but there is nothing to gain by passing it over, and we might as well settle it now as at any other time.

Mr. BEVERIDGE. I want to say, with reference to the thorough discussion of the committee, that the same thing occurred with reference to cutlery, and yet the Senate, after a discussion of the whole matter——

Mr. TILLMAN. Mr. President——

Mr. BEVERIDGE. Wait a moment until I get through with this sentence. After a discussion of the whole subject, the committee agreed to modify what the committee itself had previously done with reference to cutlery.

Mr. ALDRICH. But I will suggest to the Senator from Indiana that the modification by the committee in that case was preceding the discussion.

Mr. BEVERIDGE. That is all right. If it preceded the discussion, so much the better, and the committee deserves so much the more credit, but there was a good deal of discussion here in regard to the matter. It has not been shown that the reason which finally resolved our action in that case, under which merely the name of the country will be placed on cutlery, does not also apply to watches, and I think we are prepared to show that it applies with more force in the case of watches. I have, I want to say to the Senator, a very large correspondence upon this subject, as I know other Senators have—yes, as all of us have—and it is in the interest of time, I say with all frankness, that I suggest that this paragraph go over until to-morrow morning. I do not think we will take ten minutes on it then. Senators are not prepared for it now.

Mr. LODGE. I thought the Senator desired that we should pass it over altogether.

Mr. BEVERIDGE. Oh, no.

Mr. LODGE. I have no objection to its going over until morning.

Mr. TILLMAN. Mr. President, while I am enjoying in a quiet way the contest between the Senator from Massachusetts and the Senator from Indiana——

Mr. BEVERIDGE. Not "contest."

Mr. TILLMAN. I meant a contest of words rather than of wit.

Mr. BEVERIDGE. That is true; there is no wit in watches.

Mr. TILLMAN. Can not the Senator see a difference between a knife and a delicate piece of machinery upon which a man, for instance, a railroad engineer, depends for his life and the lives of his passengers, and all that kind of thing in keeping a schedule?

Mr. BEVERIDGE. And yet the reasoning, so far as the fixing of the name of the country alone, applies in the case of the railroad watch quite as much as in the case of cutlery; that is, the purchaser is safeguarded as much by the name of the country as by the name of the maker; and in the case the Senator from Massachusetts cited, that fraud would have been absolutely impossible if the name "Switzerland" had been stamped on the watch.

That is a plain and sufficient answer to that. I do not object to anything that will prevent fraud, but I am talking about the business of every little dealer in the Senator's own State and every other State who has built up a business in selling these little watches.

Mr. TILLMAN. And you want them to print their own names and perpetrate a fraud on somebody?

Mr. BEVERIDGE. Not at all; that is obviously the thing I want to prevent, but I do not want to take their business away from them. Furthermore, I do not want the revenue taken from the Government; but, as the Senator from Massachusetts has agreed to let the subject go over until to-morrow, I do not desire to take any more time upon it.

Mr. TILLMAN. I have got nothing to do with running this machine, but I thought the Senator from Rhode Island was anxious to get along with the schedules of the bill.

Mr. BEVERIDGE. We are getting along right now.

Mr. TILLMAN. Why, then, do we not have a vote on this amendment?

Mr. BEVERIDGE. Because it is going over until to-morrow morning. The Senator from Massachusetts has agreed to that.

Mr. TILLMAN. If the Senator wants to bulldoze me, I will sit here until 12 o'clock to-night to get a vote on it.

Mr. BEVERIDGE. It has been agreed that the paragraph may be passed over.

Mr. TILLMAN. If those high muck-a-mucks over there agree to let it go over, all right. [Laughter.]

Mr. LODGE. Mr. President, the Senator from South Carolina is absolutely right in the contention he has just made. I hold in my hand the watch of which I was speaking, that was sold marked "Time-Ball Special." If the name of the true maker had been on that watch it could not have been fraudulently sold.

Mr. BEVERIDGE. Nor could it have been fraudulently sold if the name "Switzerland" had been there.

Mr. LODGE. Certainly it could. There is no name of any country there. But that does not make any difference.

Mr. SMITH of Michigan. But it is not against the law to put "Switzerland" on that movement. Switzerland does not make any watches. Somebody in Switzerland makes them, but Switzerland does not make them.

Mr. BEVERIDGE. Oh, the country of the maker is what is meant, as in the case of cutlery.

Mr. SMITH of Michigan. But it is no offense to write "Switzerland" on it.

Mr. LODGE. The distinction between watches and cutlery is that one is a knife and the other is a watch. The whole system of manufacture and all the purposes of the articles are entirely different. What is quite sufficient on a knife is very insufficient on a watch. I use this merely as an illustration of

the kind of fraud that is being perpetrated; and when the Senator from South Carolina puts it in that way, this watch is a complete illustration of what he says.

Mr. BEVERIDGE. Illustrations were given yesterday of great numbers of frauds in cutlery committed in the same way. Whether it is fraud in the one case or the other case, it is fraud. But I shall be obliged if the Senator will let this matter go over until to-morrow morning.

Mr. LODGE. It is a little more important that a watch should be accurate, especially in the hands of railroad men, to whom this fraud applies, than that a knife should be a little better or a little worse. In the case of the knife it is not quite so important.

Mr. ALDRICH. I suggest to the Senator from Indiana that he let this paragraph be readopted, if he is willing——

Mr. BEVERIDGE. Let it go over until to-morrow morning.

Mr. ALDRICH. And then, if the Senator to-morrow morning shows reasons for any change——

Mr. BEVERIDGE. The Senator from Massachusetts [Mr. LODGE] is willing that it shall go over until to-morrow morning. We can dispose of it in ten minutes then.

Mr. LODGE. Of course I want it disposed of to-night; but the Senator can carry it over if he chooses to talk against it.

Mr. BEVERIDGE. Oh, no; not at all. I said that we are not prepared and have not looked over our correspondence sufficiently to pass on it at this time. I think we can dispose of it in ten minutes in the morning.

Mr. LODGE. Ten minutes in the morning is apt to be a long ten minutes. This matter has been under consideration by the committee for a very long time, and the Senate has heard all the debate. The amendment was agreed to, and the matter was reopened by unanimous consent.

Several SENATORS. "Vote!"

Mr. BEVERIDGE. No; you agreed that it should go over, and I want it to go over.

Mr. LODGE. I did not agree to it. I had no right to agree to it. I said that as far as I was personally concerned, I had no objection to its going over.

Mr. BEVERIDGE. The Senator from Rhode Island says that the Senator from Massachusetts is the Senator, who, as a member of the Committee on Finance, has this matter especially in charge; and I hope it will go over.

Mr. SCOTT. Mr. President, I rise to a point of order. Does the RECORD show whether or not this paragraph was adopted?

The PRESIDENT pro tempore. It was agreed to, but agreed to with a great deal of rapidity——

Mr. SCOTT. But the RECORD will show that it was adopted?

The PRESIDENT pro tempore. And the Senator from Indiana rising, the Chair regarded it as an open question.

Mr. BEVERIDGE. Yes. Now, let it go over, and we will get along.

Mr. LODGE. I have no objection to letting it go over until to-morrow morning, so far as I am concerned.

The PRESIDENT pro tempore. Senators in favor of the——

Mr. BEVERIDGE. No; it is agreed, Mr. President, that it shall stand over until to-morrow morning.

Several SENATORS. "Vote!"

Mr. LODGE. If I agree that this paragraph shall go over, I want to have a time agreed upon for a vote upon it.

Mr. BEVERIDGE. On this amendment?

Mr. LODGE. On this amendment.

Mr. BEVERIDGE. So far as I am concerned, you can vote upon it within half an hour from the time we meet.

Mr. LODGE. Very well, Mr. President. Then I ask that we agree to take the vote upon this paragraph at half past 10.

Mr. BEVERIDGE. You had better make it 11. [Laughter.] I will say, so far as I am concerned, I shall not occupy the attention of the Senate for ten minutes; perhaps not for five minutes.

Mr. CLAPP. Will the Senator from Indiana yield for a moment?

Mr. BEVERIDGE. Certainly.

Mr. CLAPP. It strikes me that we can just as well vote on this matter to-night. We know whether or not we propose to invade the domain of this business. I am not going to suggest the question of the legal right to do that; but I do, as a citizen and a Senator, protest against putting in this bill provisions that have no earthly reference to either protection or revenue, and are clearly an invasion of private rights. We know what we are doing. Let us take the vote now and settle this question one way or the other.

Mr. BEVERIDGE. Mr. President, I make this suggestion: We have lost some time already, and the Senator from Massachusetts has agreed to let the matter go over until to-morrow morning; and the Senator from Rhode Island has also agreed to take the vote at half past 10 o'clock.

Mr. LODGE. I have no personal objection to its going over, provided that a time be fixed when we can take a vote upon it.

Mr. BEVERIDGE. I will agree to that.

Mr. LODGE. But I can not dictate the will of the Senate. It is for the Senate to say what it will do.

Mr. BEVERIDGE. Certainly; but the Senator from South Carolina [Mr. TILLMAN] said he was willing that that course should be taken, so far as he was concerned.

Mr. TILLMAN. What—that this shall go over? No, indeed! I said that if it was left to me I would see you sit here until midnight before it would go over.

Mr. BEVERIDGE. I am always glad to see the senior Senator from South Carolina, at midnight or at any other time.

Several SENATORS. "Vote!"

Mr. PENROSE. I call for the yeas and nays.

Mr. BEVERIDGE. Well, if Senators wish to vote now, I am perfectly willing to do so. But the rights of thousands of retail jewelers should be considered, and many other Senators think the same thing. This subject will be considered, too, when the bill reaches the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

Mr. BEVERIDGE. Now, it will be brought up in the Senate; so it is just as well.

The PRESIDENT pro tempore. The next paragraph passed over is 190, on page 66.

Mr. SMOOT. On behalf of the Committee on Finance, I send to the desk and ask that it be read a committee amendment on paragraph 190, and also, at the same time, a committee amendment on page 67, line 10.

Mr. BAILEY. Let them be printed.

Mr. SMOOT. I ask that they be read and printed.

The PRESIDENT pro tempore. The Senator from Utah, on behalf of the committee, offers an amendment to paragraph 190, which will be stated.

The Secretary read as follows:

On page 66, strike out all of line 14 after the figures "190" and up to the word "Provided," on line 15, and in lieu thereof insert the following:

"Zinc-bearing ore of all kinds, including calamine, containing less than 20 per cent of zinc, one-quarter of 1 cent per pound on zinc contained therein; containing 20 per cent of zinc and less than 25 per cent, one-half of 1 cent per pound on the zinc contained therein; containing 25 per cent of zinc and less than 30 per cent, three-fourths of 1 cent per pound on the zinc contained therein; containing 30 per cent of zinc or more, 1 cent per pound on the zinc contained therein."

Also—

On page 67, line 10, after the word "one" insert the words "and one-third;" and in the same line strike out the word "cent" and insert in lieu thereof the word "cents;" in line 11 strike out the words "one-fourth" and insert in lieu thereof the words "one-half;" in line 13, strike out the words "one-half" and insert in lieu thereof the words "three-fourths;" so that paragraph 191 will read as follows:

"Zinc in blocks or pigs, 1½ cents per pound; in sheets, 1½ cents per pound; in sheets, coated or plated with nickel or other metal, or solutions, 1¾ cents per pound; old and worn out, fit only to be remanufactured, 1 cent per pound."

Mr. ALDRICH. This is a pretty important amendment, and I imagine the Senate would like to see it in print before taking it up for consideration. There are only two other paragraphs of the metal schedule——

Mr. CLAPP. Will the Senator yield for a moment?

Mr. ALDRICH. Certainly.

Mr. CLAPP. I wish to suggest that the committee can to-night, in connection with this amendment, furnish a statement somewhat similar to the statement we already have with relation to the duty under this amendment, the existing duty, and the duty proposed by the House.

Mr. SMOOT. There is no existing duty on zinc ore, but the duty on the products from zinc ore under the proposed amendment will be decreased from the existing Dingley rates.

Mr. BACON. Mr. President, I was going to suggest to the Senator that when the reprint is made we be also given information as to the change in the equivalent ad valorem.

As it is a specific duty, we can not form a correct idea as to the change. I would suggest that as this is a specific duty, it might be well also, if it is going to be printed, if the Senator can indicate the change in the equivalent ad valorem.

Mr. ALDRICH. I think that can be done without difficulty, so that we can have the statement here in the morning.

Mr. STONE. What was the suggestion of the Senator from Rhode Island about the amendment?

Mr. ALDRICH. That this amendment be printed; and I think we can have a statement printed and on the desks of the

Senators in the morning to show what the effect will be on the ad valorem of this proposition as compared with the House proposition.

Mr. STONE. Is it the intention to consider it to-morrow?

Mr. ALDRICH. Yes, sir; the first thing in the morning. These are quite substantial reductions on a great many of the classes.

Mr. STONE. Yes; but I think at least the first, the amendment to section 190, ought to lie over until another day. There are marked changes in the House bill that I should like to look into.

Mr. ALDRICH. I shall not ask the Senate to act upon the amendment until there is a full opportunity for examination. I would be glad if we could dispose of the remaining paragraphs of the metal schedule.

The PRESIDENT pro tempore. They have been disposed of.

Mr. ALDRICH. They have been disposed of? I have an amendment in the nature of a substitute to paragraph 192, which I should like to have adopted.

Mr. GALLINGER. We will have to reconsider the paragraph.

Mr. ALDRICH. I ask that the paragraph be reconsidered, for the purpose of offering the amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Rhode Island, on behalf of the committee, offers an amendment, which will be stated.

The SECRETARY. In place of paragraph 192, the committee reports the following:

192. Cans, boxes, packages, and other containers of all kinds (except such as are hermetically sealed by soldering) composed wholly or in chief value of metal lacquered or printed by any process of lithography whatever, if filled or unfilled and whether their contents be dutiable or free, 4 cents per pound and 35 per cent ad valorem: *Provided*, That none of the foregoing articles shall pay a less rate of duty than 55 per cent ad valorem; but no cans, boxes, packages, or containers of any kind of the capacity of 5 pounds or under shall pay less duty than if the same were imported empty, and the dutiable value of the same shall include all packing charges, cartons, wrappings, envelopes, and printed matter accompanying them, when such cans, boxes, packages, or containers are imported wholly or partly filled with merchandise exempt from duty (except liquids and merchandise commercially known as drugs) and which is commonly dealt in at wholesale in the country of original exportation in bulk or in packages exceeding 5 pounds in capacity.

Mr. BACON. I should like to inquire of the Senator from Rhode Island if that is not the clause which contains the particular provision to which I asked his attention some days ago?

Mr. ALDRICH. It is; and the changes which have been made, I will say to the Senator from Georgia, are to restrict its application. As originally prepared and presented, it would have covered sardines and all that class of goods, and as changed it exempts from its provisions all that class of material.

Mr. BACON. I think that is a very important change.

Mr. ALDRICH. Yes.

Mr. BACON. I should like to know, if the Senator can explain, in so far as it does apply, what it does apply to. If sardines and articles of that kind are exempted——

Mr. ALDRICH. It applies, for instance, to this class of goods. There has been imported——

Mr. BURKETT. Mr. President, this is a paragraph in which some more of us are interested, and I can not hear the Senators.

Mr. ALDRICH. It applies to importations of this kind. It has been the habit of certain people to import, say, from Canada, 5-pound packages containing tea, which is on the free list, but those packages were valuable; that is, they were lithographed, they were practically works of art, and under the law as it now stands those packages came in free, because tea was free. So there were certain people sending tea to China and putting it up in 5-pound packages which were of themselves practically works of art, and importing those packages into the United States free of duty.

The same thing was true as to a large class of articles coming in from Germany, where highly decorated containers of tin were imported without duty because the contents were free or because the contents were liable to a low rate of duty.

Mr. TILLMAN. I submit to the Senator from Rhode Island that this is a long amendment, and we have not even had time to read it. I suggest that it be printed along with the other and go over.

Mr. ALDRICH. That is all right. I have no objection to that. It is a modification in the direction of liberality of an amendment which has already been agreed to.

Mr. TILLMAN. We will be very glad to discover that in the morning, and will take the Senator's word for it in the meantime.

Mr. BACON. I suppose the words "except such as are hermetically sealed by soldering" were inserted——

Mr. ALDRICH. If the amendment is adopted and if in the morning the Senator from South Carolina sees anything in it to criticise, I will move to have it reconsidered.

Mr. TILLMAN. Will the Senator then immediately move an executive session?

Mr. ALDRICH. I will after it is agreed to.

Mr. BURKETT. This is paragraph 192?

Mr. ALDRICH. Yes. It has already been adopted, and this is in the direction of liberalizing it.

Mr. BURKETT. Here is a long substitute for paragraph 192. I listened to its reading as well as I could and I could not understand what it means. I have several letters here objecting to paragraph 192 the way it is. I hope this amendment does reach all of those objections.

Mr. ALDRICH. I think it does. I have no objection to its being printed.

Mr. BURKETT. If it goes over, I do not know that I shall have any objection to it.

Mr. DOLLIVER. I should like to inquire what is the parliamentary status of paragraph 195. I desire to offer an amendment to it.

The PRESIDENT pro tempore. It was agreed to when read before.

Mr. DOLLIVER. It was agreed to on the first reading of the bill, with the understanding that amendments could be later offered. I desire to offer an amendment to that paragraph.

Mr. ALDRICH. I give notice that when we have completed the articles in the remaining paragraphs of the metal schedule, I shall ask the Senate to go back and act upon the paragraphs which have been passed over in Schedules A, B, and C.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 19, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 18, 1909.

CIVIL SERVICE COMMISSIONER.

William S. Washburn, of New York, to be a Civil Service Commissioner, vice James Thomas Williams, jr., resigned.

COLLECTOR OF CUSTOMS.

John G. Bair, of Montana, to be collector of customs for the district of Montana and Idaho in the State of Montana, in place of Charles M. Webster, deceased.

APPRAISER OF MERCHANDISE.

Herbert J. Grant, of Ohio, to be appraiser of merchandise in the district of Cuyahoga, in the State of Ohio, in place of Miner G. Norton.

COLLECTORS OF INTERNAL REVENUE.

Alfred N. Rodway, of Ohio, to be collector of internal revenue for the eighteenth district of Ohio, in place of Frank McCord, resigned.

Willis G. Bowland, of Ohio, to be collector of internal revenue for the eleventh district of Ohio, in place of David H. Moore, resigned.

UNITED STATES MARSHAL.

Hyman D. Davis, of Ohio, to be United States marshal for the northern district of Ohio, vice Frank M. Chandler, term expired.

RECEIVER OF PUBLIC MONEYS.

Charles C. Hoag, of Oklahoma, to be receiver of public moneys at Woodward, Okla., vice Edward S. Wiggins, deceased.

GOVERNOR OF ALASKA.

Walter E. Clark, of Connecticut, to be governor of Alaska, to take effect October 1, 1909, vice Wilford B. Hoggatt, resigned.

COMMISSIONER OF IMMIGRATION.

William Williams, of New York, to be commissioner of immigration at the port of New York, N. Y., in the Department of Commerce and Labor, vice Robert Watchorn, resigned April 26, 1909.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Second Lieut. Edward H. Pearce, Twenty-second Infantry, to be first lieutenant from April 5, 1909, vice Dillingham, Eighteenth Infantry, promoted.

Second Lieut. Joseph O. Mauborgne, Sixth Infantry, to be first lieutenant from April 13, 1909, vice Gibson, Third Infantry, promoted.

TO BE PLACED ON THE RETIRED LIST.

With the rank of brigadier-general.

Col. Edgar S. Dudley, judge-advocate.
Col. Owen J. Sweet, Twenty-eighth Infantry.

With the rank of lieutenant-colonel.

Chaplain Charles S. Walkley, Coast Artillery Corps.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

Rev. John Rivera, of Porto Rico, to be chaplain with the rank of first lieutenant, from May 14, 1909, to fill an original vacancy.

MEDICAL RESERVE CORPS.

Dr. Thomas Collins Austin, of South Carolina, to be first lieutenant, from May 15, 1909.

POSTMASTER.

Charles J. Tiffany to be postmaster at Clyde, Ohio, in place of Benjamin F. Jackson. Incumbent's commission expired February 4, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 18, 1909.

COLLECTOR OF CUSTOMS.

John G. Bair to be collector of customs for the district of Montana and Idaho.

UNITED STATES CIRCUIT JUDGE.

William M. Lanning to be United States circuit judge for the third judicial circuit.

UNITED STATES DISTRICT JUDGES.

Edward E. Cushman to be United States district judge, third division, district of Alaska.

John Rellstab to be United States district judge for the district of New Jersey.

William I. Grubb to be United States district judge for the northern district of Alabama.

Charles A. Willard to be United States district judge for the district of Minnesota.

George Donworth to be United States district judge for the western district of Washington.

UNITED STATES ATTORNEY.

William G. Whipple to be United States attorney, eastern district of Arkansas.

UNITED STATES MARSHAL.

Harry J. Humphreys to be United States marshal for the district of Nevada.

ASSOCIATE JUSTICES, SUPREME COURT, ARIZONA.

Ernest W. Lewis to be associate justice of the supreme court of the Territory of Arizona.

Edward M. Doe to be associate justice of the supreme court of the Territory of Arizona.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Louis Leon Bennett to be a third lieutenant.
Cadet William Pitts Wishaar to be a third lieutenant.
Cadet Gordon Thomas Finlay to be a third lieutenant.
Cadet William Williams to be a third lieutenant.
Cadet John H. Cornell to be a third lieutenant.
Cadet Paul Henry Harrison to be a third lieutenant.
Cadet John Patrick Gray to be a third lieutenant.

PROMOTION IN THE NAVY.

Lieut. Commander Hutch I. Cone to be Engineer in Chief and Chief of the Bureau of Steam Engineering, in the Department of the Navy, with the rank of rear-admiral.

POSTMASTERS.

ARIZONA.

George D. Burtis, at Roosevelt, Ariz.

ARKANSAS.

James W. Harper, at Mansfield, Ark.
B. D. Muzzy, at Carlisle, Ark.

CONNECTICUT.

Frederick W. Wersebe, at Washington, Conn.

GEORGIA.

John W. Berryhill, at Milltown, Ga.
T. K. Dunham, at Darien, Ga.
Hugh B. Sasser, at Senoia, Ga.
Isaac A. Smith, at Tennille, Ga.
Leon P. Wimberly, at Abbeville, Ga.

ILLINOIS.

Alice M. Clement, at Lamoille, Ill.

IOWA.

William Carden, at Winfield, Iowa.
William Robert Law, at Waterloo, Iowa.
Thomas H. Thompson, at Kanawha, Iowa.

NEBRASKA.

George Williams, at Cambridge, Nebr.

NEW YORK.

Rufus R. Clement, at Atlanta, N. Y.
Hattie A. Walker, at Bergen, N. Y.

NORTH DAKOTA.

Ezra M. Crary, at Edmore, N. Dak.
Walter E. Krick, at Berthold, N. Dak.

OKLAHOMA.

Elmer D. Immell, at Helena, Okla.

PENNSYLVANIA.

Frederick D. Freutenberger, at Tamaqua, Pa.

WASHINGTON.

William H. Imus, at Kalama, Wash.

SENATE.

WEDNESDAY, *May 19, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

Mr. BEVERIDGE. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Indiana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Culberson	Hughes	Piles
Bacon	Cummins	Johnson, N. Dak.	Richardson
Beveridge	Curtis	Johnston, Ala.	Root
Borah	Dick	Kean	Scott
Brandegee	Dillingham	La Follette	Smith, Md.
Bristow	Dolliver	Lodge	Smith, S. C.
Brown	du Pont	McCumber	Smoot
Bulkeley	Elkins	McLaurin	Stephenson
Burkett	Fletcher	Martin	Stone
Burrows	Flint	Nelson	Sutherland
Burton	Frazier	Oliver	Tillman
Carter	Frye	Overman	Warner
Chamberlain	Gallinger	Page	Warren
Clapp	Gamble	Paynter	
Clay	Guggenheim	Penrose	
Crane	Hale	Perkins	

Mr. PILES. My colleague [Mr. JONES] is necessarily absent for a few minutes this morning.

The VICE-PRESIDENT. Sixty-one Senators have answered to their names. A quorum of the Senate is present. The presentation of petitions and memorials is in order.

PETITIONS AND MEMORIALS.

Mr. BURTON presented a petition of the Western Reserve Chapter, Daughters of the American Revolution, of Cleveland, Ohio, praying for the enactment of legislation providing for the maintenance of Fort McHenry as a permanent garrison post, which was referred to the Committee on Military Affairs.

Mr. SMOOT presented petitions of sundry citizens, dry goods merchants, and candy manufacturers of Salt Lake City and Sugar City, in the State of Utah, praying for the retention of the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. BRANDEGEE presented a petition of Local Union No. 47, International Typographical Union, of New Haven, Conn., praying for the retention of the proposed duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. NELSON presented a petition of sundry citizens of Minnesota, praying for the repeal of the duty on hides, which was ordered to lie on the table.

Mr. WARREN presented petitions of sundry citizens of Lovell, Worland, and Cowley, all in the State of Wyoming, praying for the retention of the present duty on all grades of sugar, which were ordered to lie on the table.

He also presented a petition of the Indian Fighters' Association of Denver, Colo., praying for the enactment of suitable pension laws in behalf of the survivors who served in the regular and volunteer forces of the United States on the frontiers during the Indian wars prior to January 1, 1882, which was referred to the Committee on Pensions.

Mr. DICK presented a memorial of sundry consumers and independent producers of oil of Prairie Depot, Ohio, remonstrating against the repeal of the duty on crude oil, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Fremont, Ohio, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. PAGE presented the petition of E. E. Whitcomb, of South Fairlee, Vt., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Joint resolution relating to investigation of stock exchanges.

Whereas the recent wheat deal has again demonstrated to the American people that even the bread supply of our land is at the mercy of speculators; and

Whereas the recent panic has demonstrated that it is unwise and unsafe for our country to allow the control of our great commercial and industrial conditions to exist in the hands of stock gamblers without check of any kind; and

Whereas it is of interest to all citizens to know the means by which the huge combine of money in Wall street can be manipulated, and it is also the interest of the welfare of all the people that the white light of publicity should be thrown upon the stock-exchange business in general: Therefore be it

Resolved by the assembly (the senate concurring), That we request our delegation in Congress to use every effort to bring about the thorough investigation of stock-exchange business in this country, and that a most rigorous and searching investigation be at once instituted of the methods of buying and selling in these exchanges, their relation with the banking system, and the great financial interests; and be it further

Resolved, That our Representatives in Congress are hereby requested to introduce such remedial legislation into our National Congress as will effectually check the evils of this system; and

Resolved, That a copy of the foregoing be immediately transmitted by the secretary of state to each of the Senators and Representatives of this State in the Congress of the United States.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was ordered to lie on the table and be printed in the RECORD, as follows:

Senate joint resolution 52.

Joint resolution petitioning Congress for the establishment of a permanent, nonpartisan, expert tariff commission.

Whereas for many years the tariff has been the subject of political contention, which has led to periodical upheaval and uncertainty in the commercial activities of the Nation, that it has not always been adjusted in manner to best promote and protect the industrial interests as a whole, and has too often been dealt with as a purely political question without giving full consideration to the grave economic principles involved in the same.

Whereas a study of the methods under which other great commercial nations of the world are handling these subjects leads to the conclusion that the United States must call into its service in the near future the aid of a trained body of men to enable us to meet intelligently the various perplexing questions arising out of the general adoption of maximum and minimum tariffs by several of our strongest competitors for the world's trade: Therefore, be it

Resolved by the senate (the assembly concurring), That we respectfully memorialize the Congress of the United States to speedily enact such legislation as will create a permanent, nonpartisan tariff commission with semi-judicial functions, such as the power to summon witnesses, which shall make an unbiased investigation of the operation of our customs duties, regulation, and classification, hear complaints, study domestic and foreign market conditions, and report to the Executive and to Congress from time to time such modifications as in their judgment may safely and properly be made in the interests of the general welfare.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. STEPHENSON presented a memorial of sundry cigar makers of Madison, Wis., remonstrating against the admission of cigars from the Philippines free of duty, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Wisconsin, praying for the removal of the duty on hides, which was ordered to lie on the table.

He also presented a memorial of the mayor and common council of Green Bay, Wis., remonstrating against a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of the mayor and common council of Appleton, Wis., remonstrating against a reduction of the duty on news printing paper, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 2441) for the relief of the next of kin of Stewart & Co., and the heirs of C. A. Weed, for whom A. P. H. Stewart was agent; to the Committee on Claims.

By Mr. DU PONT:

A bill (S. 2442) granting an increase of pension to Thomas Hutt (with the accompanying papers); and

A bill (S. 2443) granting a pension to James H. Jones (with the accompanying papers); to the Committee on Pensions.

By Mr. BEVERIDGE:

A bill (S. 2444) granting a pension to W. J. Vigus (with the accompanying paper); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. SMOOT, on behalf of the Committee on Finance, submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. JOHNSTON of Alabama. I submit an amendment intended to be proposed by me to the pending bill, which I ask may be read.

There being no objection, the amendment was read and ordered to lie on the table, as follows:

Amendment intended to be proposed by Mr. JOHNSTON of Alabama to the bill H. R. 1438:

Provided, That nothing contained in this act shall prevent the admission free of duty of the following articles: Lumber, laths, shingles, doors, and door locks and hinges, window frames, window sashes, bricks, lime, cement, slate roofing, nails, carpenters' tools, common window glass not exceeding 16 by 24 inches, tin plate for roofs, linseed oil, and white lead.

SAFETY UPON RAILROADS.

Mr. LA FOLLETTE. I submit a resolution, and I will ask for its consideration to-morrow.

The resolution (S. Res. 48) was read, as follows:

Senate resolution 48.

Resolved, That the Interstate Commerce Commission be directed to furnish the Senate a list of all common carriers by railroad subject to the provisions of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, with the respective miles of road operated by each, which have failed to comply with the order of the commission of March 3, 1908, requiring monthly reports of all employees on duty for more than the statutory period; also, what carriers, if any, have filed suits to enjoin the commission from enforcing said order, with the result of such suits.

The VICE-PRESIDENT. The Senator from Wisconsin asks that the resolution may go over for consideration to-morrow.

Mr. HALE. There was much confusion in the Chamber. What was done with the resolution?

The VICE-PRESIDENT. It went over until to-morrow.

REPORT OF SUPERINTENDENT OF INSURANCE.

Mr. GALLINGER. Mr. President, I submitted Senate resolution No. 46 yesterday, which went over at my request. I ask that it may lie on the table subject to my call. I want to perfect it.

The VICE-PRESIDENT. Without objection, it is so ordered.

THE TARIFF.

The VICE-PRESIDENT. The calendar is in order. The Secretary will state the first bill on the calendar.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment offered by the committee to paragraph 192.

Mr. BEVERIDGE. Mr. President, I wish to give notice now that I reserve the right when the bill shall have reached the Senate to present amendments to paragraph 189, and I have particular reference to the proviso in that paragraph. I am aware that that notice might be given later, but now is as good a time as any. It had been my earnest hope that it might have been discussed in half an hour this morning and disposed of. It had been my still more earnest hope that it might have been discussed, as it well could have been, last night and have been disposed of then.

But a situation was created which prevented that, Mr. President, and so this matter will be brought up in the Senate. We shall find out then whether or not the tens of thousands of retail

and wholesale jewelers of this country who think that their rights are invaded and business partly destroyed by this proviso are to be denied even a brief half hour's hearing in this body.

We shall find out whether tens of thousands of retail and wholesale jewelers, whose business is as dear to them as the great interests of the watch trust are to it, can not have a hearing, even of a brief half hour in the Senate of the United States. We shall find out whether these honorable business men in every city and town of the Nation can not have their case even presented to the Nation's lawmakers.

Yesterday afternoon I was called from this Chamber for only a moment—I think it was the only moment I was absent from the Chamber—and while I was absent, in what the RECORD shows the President of the Senate himself declared was a very hasty procedure, the whole paragraph with this offensive proviso was adopted. When I rose to present some very brief views upon that question I and all here who were interested were met with the objection, as the RECORD shows, from the junior Senator from West Virginia [Mr. SCOTT] that this proviso and the whole section had been agreed to and that everybody was out of order who ventured to discuss it. That objection was persisted in by the Senator from West Virginia [Mr. SCOTT], as the RECORD shows, and finally a condition was created here which made it perfectly clear that not even a limited discussion could be had; that not even a brief presentation of the rights of the men who feel that their business is imperiled by this proviso could be submitted to the Senate; and, while the Senator from West Virginia [Mr. SCOTT] may not have intended such a result, yet the RECORD has gone out; and every retail and wholesale jeweler in his State will know that the person who led the opposition to the consideration or even the presentation of their case before this body was their junior Senator.

Mr. President, I was told last night that when the bill reaches the Senate everybody will be in such haste and so tired that Senators will not listen to those men or to anyone, and that this proviso will pass without discussion. If that is the scheme, it will fail. Let those who entertain that fond hope abandon it. For we shall find out whether even in that late day the business interests of tens of thousands of reputable retail and wholesale men throughout this country are to be sacrificed without even a brief hearing. Only half an hour was asked this morning, an hour at the outside—only ten minutes for myself—to represent the views of those who have a right to have their views presented.

Mr. President, protection is not the point in this proviso; no, but destruction is the point. We want to protect the watch manufacturers of this country. No person wants that done more earnestly than I. I will vote for every cent of protection they need. But that is not the question here involved. The question involved in this proviso is not at all whether we shall protect the American watch industry, and it ought to be and is protected, but the question here is whether or not we shall ruthlessly destroy, for the benefit of that great monopolistic combination, the watch trust, the business interests of men who are making their living as retail and wholesale jewelers and watch dealers in this country.

When I rose yesterday afternoon I had not intended to say as much in presenting their claims as I have said this morning. But a disposition was evinced last night which we have seen offensively exhibited before in considering this bill. It is such exhibitions which have been the only thing that in reality has delayed the bill. I want to forward this bill with all possible speed, but not at the expense of a poor half hour's hearing of tens of thousands of business men in this country whose interests are as dear to them as the great watch combination's interests are dear to it, and far more righteous.

So, Mr. President, these methods and those who practice them are delaying this bill and nothing and nobody else. To present their cause to this body, is their inalienable right, Mr. President. That they shall at least be heard is their historic privilege as American citizens, and, deeper than that, as men in whose veins runs the blood of our race. Even criminals are heard before they are condemned. Shall honorable citizens be despoiled without at least the same consideration?

A brief hearing when asked would have saved much time, because now the whole question will be investigated and submitted to the Senate as it should be. No objection of a Senator who has gotten into the bill all he wants and now wishes to jam it through to the exclusion of other people's interests will prevent us in the future.

So, Mr. President, I see fit to say this much in reserving the right to offer amendments when the paragraph reaches the Senate; and the cherished expectation of those who think that they can pass a matter of this kind by denying a hearing, however brief, in the Committee of the Whole, and then—when we get to the Senate to find everybody so tired that no one will listen to these men—those hopes will be dashed to pieces; for these tens and scores of thousands of American business men shall be heard. If they are wrong, let us vote against them; if they are right, let us vote for them; but let us do neither without hearing them.

Mr. DOLLIVER. I desire to ask my friend from Indiana if he would state a little more fully what the complaint of the retail jewelers is in respect to this provision.

Mr. TILLMAN. If I may be permitted——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. In order that I may be permitted, if possible, to get some light which I did not have last night, and that the Senator from Indiana may have the fullest opportunity, I suggest to the chairman of the Committee on Finance that we reconsider the vote upon this paragraph, and give the Senators the balance of the day to tell us wherein the people are being robbed of their rights.

Mr. BEVERIDGE. No, Mr. President, that phase of the question, so far as I am concerned, has been closed. I tried to stand upon my rights and upon the courtesy of the Senate last night merely in order to voice briefly the interests and, as they think, the rights of tens of thousands of American citizens, but that was made impossible by the creation of a situation with which we are becoming familiar. Now, I stand further on my right and reserve it for the Senate. I am not prepared this morning to go into the matter as fully as it will be gone into then. That course would have been the course to pursue last night, but now it is too late. So once more we see how unfairness delays the bill.

Mr. CULBERSON. I desire to ask the Senator from Indiana if he understands that under the rules of the Senate he must reserve the right to move to amend when the bill reaches the Senate?

Mr. BEVERIDGE. I have just done that. I will say to the Senator from Texas.

The VICE-PRESIDENT. The reservation, however, is not necessary.

Mr. BEVERIDGE. I will state that there has been a difference of opinion here upon that point, and so that no question might arise, the first thing I did, I will say to the Senator from Texas, was to serve notice that I now reserve that right.

Mr. CULBERSON. I ask the Senator if he understood that that was necessary?

Mr. BEVERIDGE. Yes; I have heard it stated that it was necessary. Certainly it is the practice. Anyhow, I will take no chances.

Mr. CULBERSON. My understanding is that at this moment a notice to reserve is not at all necessary, but that a Senator can move any character of amendment after the bill is reported to the Senate.

The VICE-PRESIDENT. Surely no harm can come from it.

Mr. BEVERIDGE. No harm whatever; and it has been the practice; and I saw fit in view of the situation thus created to take no chances.

Mr. PAYNTER. Mr. President, I have just ascertained that it is marked by the Clerk that paragraphs 193 and 194 have been agreed to. If so, it was when the bill was first read. I desire that those paragraphs shall be passed over.

Mr. ALDRICH. Paragraph 192 is now under consideration.

The VICE-PRESIDENT. On the first reading, paragraphs 193 and 194 were agreed to.

Mr. PAYNTER. I simply desire to call attention to the fact that I shall desire to have them considered when reached in regular order.

Mr. ALDRICH. I ask that the amendment proposed by the committee to paragraph 192 be adopted.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee to paragraph 192.

Mr. BURKETT. I wish to ask the Senator from Rhode Island a question before it is adopted. I have had several communications with reference to some of the cheaper grades of fish. The Senator from Massachusetts, as I understood a few days ago, moved an amendment relative to kippered herring, and so forth, and which I understood adjusted the matter. However, since that time I have had several communications stating that the same question is also involved in paragraph 192, raising the tariff on cans.

Mr. LODGE. It is, and it has been provided for, by the words "such as are hermetically sealed." That takes them all out.

Mr. ALDRICH. It excludes all fish cans.

Mr. BURKETT. That removes the excess of duty.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee to paragraph 192.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended will be agreed to, without objection.

Mr. ALDRICH. The committee propose an amendment to paragraph 194.

Mr. BACON. I wish to inquire of the Senator from Rhode Island if that is not the paragraph we were on yesterday afternoon, to which the Senator said he intended to offer an amendment to-day?

Mr. ALDRICH. Yes; the amendment is on the Senator's desk. It is the amendment offered last night. It excludes from the terms of the paragraph all sardines and everything that is hermetically sealed, and applies only to boxes in chief value of metal lacquered or printed by any process of lithography. It applies only to those particular things.

Mr. BACON. The object being to prevent the class of importations which the Senator designated yesterday evening——

Mr. ALDRICH. Exactly.

Mr. BACON (continuing). Where boxes in themselves valuable were brought in on the plea that they contained nondutiable articles.

Mr. ALDRICH. That is precisely what is intended to be covered by the paragraph, and nothing else.

Mr. PAYNTER. Is it the purpose now to pass on paragraph 193? I think it might as well be disposed of.

Mr. ALDRICH. Has the Senator an amendment to suggest to that paragraph?

Mr. PAYNTER. I desire to call the attention of the Senate to paragraph 193.

Mr. ALDRICH. I ask that the vote by which the paragraph was agreed to may be reconsidered.

The VICE-PRESIDENT. Without objection, the vote will be reconsidered.

Mr. LODGE. Paragraph 193?

Mr. ALDRICH. Paragraph 193.

The VICE-PRESIDENT. The vote on paragraph 193 will be reconsidered, no objection being heard.

Mr. PAYNTER. Mr. President, I wish to call the attention of the Senator to that paragraph. The present law imposes a duty of 45 per cent ad valorem upon bottle caps. A reputable citizen and business man of Kentucky, who is an earnest Republican, who contributes his time and reasonable expenses to support that cause, has invited my attention to this paragraph of the bill, and in doing so he has written me a letter in relation to it. I desire, in this connection, to call the attention of the "progressives" on the other side of the Chamber to what he says. He says that the understanding was—and I infer that he voted the Republican ticket upon the idea—that the tariff was to be a revision downward, and not upward. He also makes a remark that is worthy of consideration when he says that an industry that can not be sustained when it is protected by an ad valorem duty of 45 per cent does not deserve to exist.

It is a singular fact that the duty has been increased upon bottle caps, notwithstanding the record before us shows that not one has been imported into the country. I do not know whether there is an anticipation that the Germans will take possession of our market or that some other country may do it, but at any rate no bottle caps have been imported into this country, and still the rate has been increased 10 per cent ad valorem. With the permission of the Senate, I should like to have the letter read by the Secretary.

The VICE-PRESIDENT. Without objection, the Secretary will read the letter.

The Secretary read as follows:

BERNHEIM DISTILLING COMPANY,
Louisville, Ky., March 31, 1909.

Hon. THOMAS H. PAYNTER,
United States Senate, Washington, D. C.

DEAR SIR: We beg to call your attention to the provision in the new tariff bill in Schedule C, whereby the rate on colored and decorated bottle caps is to be advanced from 45 per cent to 55 per cent. We are very large consumers of these bottle caps, and naturally we feel that our interests should be consulted, as well as that of the manufacturer. We understood, as good Republicans, that this was to be a revision downward and not a revision upward, and in this particular manufacture we can see no reason whatever why the rate should be raised. Domestic manufacturers are doing well under the present rate, and we think that if they can not live with a protective duty of 45 per cent, they do not deserve to live at all. The principal raw metal used in this manufacture is lead, and the duty on that is being reduced, so that will give the domestic manufacture a new advantage, so there is no possible necessity of advancing the duty on caps.

Feeling sure that you will not object to our writing you as being interested in this matter, we beg to remain,

Very respectfully,

BERNHEIM DISTILLING COMPANY,
By L. S. BERNHEIM.

Mr. LODGE. Will the Senator allow me a moment?

Mr. PAYNTER. Certainly.

Mr. LODGE. The Senator is mistaken, I think, in saying that none have been brought in. They came in under the nonenumerated articles, and therefore are not classified. A large number were brought in; millions were brought in.

It appears by the tables that none were brought in, but they came in under the basket clause of articles not enumerated. Also, the duties on lead have not yet been reduced.

Mr. PAYNTER. At any rate, if they were brought in, the rate of duty was 45 per cent ad valorem. I should like very much to see the party of which I am a humble member triumph in the coming election, but at the same time I would be delighted to be able to give to my Republican constituents the assurance that the Republican majority had kept faith with those whose votes gave the Republican party power at the last election. However, I will not be able to do so if the amendment of the Finance Committee is sustained. I do not think there is any reason why this duty should be increased. I trust the Senate will not agree to it.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senator to the fact that when the House adopted this rate the duty on lead was lower than the rate that has been established by the Senate, and all these caps contain at least 95 per cent lead. Therefore the rate we are keeping here is even a lower rate than that fixed by the House.

Mr. PAYNTER. I should like to ask the Senator a question. Does the rate fixed by the Senate increase the duty that previously existed upon lead?

Mr. SMOOT. That is, on pig lead?

Mr. PAYNTER. Yes.

Mr. SMOOT. No; the duty on pig lead is the same as it was.

Mr. PAYNTER. Then there is no necessity for increasing the duty on bottle caps for the reason given by the Senator from Utah.

Mr. SMOOT. The increase is upon the fancy lacquered caps or the highly finished product. Lithographing the man's name upon it and the work of finishing is the great part of the cost of the cap itself.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to. No objection is heard. The Secretary will state the amendments to paragraph 194.

The SECRETARY. The committee propose to strike out the proviso beginning on line 16, page 68, in the following words:

Provided, however, That all embroidery machines and lace machines, lever or go through lace machines imported prior to July 1, 1911, shall be admitted free of duty.

Mr. ALDRICH. I ask that the proviso be stricken out.

The VICE-PRESIDENT. The question is on agreeing to the amendment striking out the proviso.

Mr. BEVERIDGE. What is the effect of that, Mr. President?

Mr. ALDRICH. The paragraph as it came from the House admitted embroidery machines and lace-making machines free of duty up to July 1, 1911. The Senate committee have changed it so as to admit two classes of machines free of duty. The effect of the present amendment is to strike out all and not let any of them in.

The committee found that there were quite a number of people in this country who had imported these machines of various kinds and had paid duty on them, and they are now in use in this country, and it would be probably an unfair discrimination to let other people import machines free of duty.

Mr. PAYNTER. I propose to offer an amendment that the duty be fixed at 10 per cent ad valorem. I do not think there ought to be any duty. I do not know that I fully understand the Senator from Rhode Island.

Mr. ALDRICH. My proposition is to strike out the proviso entirely.

Mr. PAYNTER. What would be the effect of that?

Mr. ALDRICH. Then if lace machines come in they will pay the same rate of duty as other machines.

Mr. PAYNTER. That would be 45 per cent.

Mr. ALDRICH. Forty-five per cent. There are two or three million dollars' worth of lace machines now in this country.

Mr. BEVERIDGE. Do we make any lace machines in this country?

Mr. ALDRICH. Not at all.

Mr. BEVERIDGE. If we do not make any——

Mr. ALDRICH. We are liable to make them.

Mr. BEVERIDGE. Then this duty is on a liability.

Mr. STONE. The Senator from Rhode Island stated that he wanted to put on this duty because somebody else had brought in machines upon which they had paid a duty and that it would be an unfair discrimination to permit others now to bring them in free. Was that his statement?

Mr. ALDRICH. Yes; that is one statement I made.

Mr. STONE. On that theory we would not put anything on the free list at any time or reduce it.

Mr. ALDRICH. The House provision proposed to admit lace and embroidery machines into this country for a certain period free of duty.

Mr. STONE. Why was that?

Mr. ALDRICH. I suppose on the theory of encouraging embroidery and lace manufacturing in this country. That is the only reason I can imagine. I am convinced myself that there are a large number of manufacturers in the United States who are now engaged in producing embroidery and lace by machines that have been imported and upon which a duty has been paid. I have very grave doubt personally about the policy of admitting any machinery into the United States free of duty. This is a very advanced stage of metal manufacture, and I am perfectly certain that the mechanical genius of the mechanics of the United States will in time enable them to produce machinery for every possible purpose. As a matter of fact, machines are now being constructed in the United States for the production of lace, and I think it would be unfair to all the interests, perhaps, to make this exemption.

Mr. PAYNTER. Mr. President, I do not propose to address myself to the question of clothing or of articles for personal adornment, but to a question that affects the acquisition of knowledge. My remarks shall be confined to the question of reducing the duty on typesetting machines.

Mr. ALDRICH. That is not involved in the proviso.

Mr. PAYNTER. Mr. President, my attention was called to the question, which I will discuss briefly, by one of my constituents, who is a man of intelligence and character, and whose suggestion was worthy of investigation. He is the editor of a weekly newspaper in my State. I made a sufficient investigation to satisfy me that the amendment which I shall discuss should be adopted. The duty on linotype and typesetting machines, under the present law, is 45 per cent ad valorem. Under the House bill it is 30 per cent ad valorem. The amendment, if adopted, would reduce it to 10 per cent ad valorem. The present duty is certainly prohibitive, as no such machines have been brought into the country. Such machines are of so useful a character that publishers and newspapers should be able to obtain them at a reasonable price. The price of the machines is such now that they are not within the reach of any but those who do a large and prosperous business. But few country newspapers can afford them. They should not be deprived of them by a prohibitive duty.

So far as I can learn, it has not been made to appear to the Ways and Means Committee or to the Finance Committee that any duty is necessary to protect the manufacturers of them Indeed, I do not believe that any duty on them is necessary to protect the manufacturer. This is the only country, save Canada, where the duty is 10 per cent, that imposes a duty on linotype or composing machines. This country is a large user of such machines. If the price was reasonable, the use of them would be enormously increased. There is one manufacturer of linotype machines in this country, and that one, I am told, holds several hundred patents for parts of the machine and for composing machines, and but few of them are in use. It would seem that the Government has given this manufacturer an abundant protection by the numerous patents which have been granted. One manufacturer should not be given the absolute control of our market for the sale of these useful machines. Those who use them should be allowed to purchase them in a competitive market, not one where the price is fixed by the manufacturer. The price fixed is excessively high. It amounts to an extortion on those who are able to buy, and works a great wrong upon those who are unable to buy, by reason of the exorbitant price. Besides, it inflicts a great wrong upon the reading public.

The present prices are a hindrance to the dissemination of useful knowledge, a tax upon knowledge. The tax thus imposed in not for revenue, as none is derived therefrom. It is imposed and is for the benefit of a single manufacturer. By reason of patents the manufacturer of linotype machines enjoys a monopoly of the market, as no machines exactly like it can be made and sold here. The manufacturer also enjoys another monopoly, because the prohibitive duty prevents the importation and sale of composing machines in our market.

The linotype machine in use in this country was invented in 1884–5 and placed on the market in 1888. I am advised that these machines are sold at 300 or 400 per cent profit. While this information can not be exact, yet there are some circumstances which go to prove that the profits of the company are enormous. By an examination of a book entitled "Washington Securities, 1909," the information is obtained that the Mergenthaler Linotype Company was incorporated under the laws of the State of New York on December 16, 1895. The business is that of manufacturing, selling, and leasing linotypes and other printing-office machines and appliances. The machines are sold at from $1,500 to $3,600 each, and are leased for a term of six years at from $500 to $775 per year. The company has further income from the sale of parts and supplies. Its plant is located in the Borough of Brooklyn, N. Y. It maintains agencies in New York, Chicago, San Francisco, and New Orleans, and foreign agencies are being established.

On February 23, 1909, the stockholders voted to purchase 75 per cent or more of the stock of the British Linotype Machinery Company (Limited), which owns the Canadian-American Linotype Corporation, and 65 per cent of the stock of the Mergenthaler-Setzmaschinen-Fabrik, of Germany. The capital stock of the Mergenthaler Linotype Company is $15,000,000, $10,996,000 par value $100. Its assets are $18,433,166.76, a part of which is a surplus fund of $7,389,932.65.

The statement in the book to which I have just referred is as follows with reference to dividends:

April 1, 1896, to April 1, 1897, 16 per cent; July 1, 1897, 2½ per cent; October 1, 1897, to December 31, 1900, 10 per cent regular and 10 per cent extra; March, 1901, June, 1901, and September, 1901, 2½ per cent each; December, 1901, 2½ per cent regular and 3½ per cent extra; and since then to 10 per cent regular, payable quarterly on the last days of March, June, September, and December, and 5 per cent extra, payable with the regular December dividend.

The stock is now selling at about 208, which shows it is making immense profits, and is declaring large dividends. In order to make the stock attractive to the public, the action of the company is given with reference to the proposition to buy the controlling interest in foreign companies, presumably the only companies that could compete with this machine with its product in foreign markets or in the markets in this country.

The mere statement of the fact shows that the company has the purpose of acquiring the absolute control of the markets of the world where these machines may find sale. By reason of the high duty that has been fixed upon composing machines, it has destroyed all competition in this country. As an evidence of the fact, many composing machines have been patented, but only three or four are manufactured, and there seems to be no competition in their sale. Perhaps there is an agreement between these manufacturers in relation to the matter.

It may be said that duty is necessary to protect the manufacturer from competition in the American market. I do not think it is. The Mergenthaler Company certainly does not really believe so, because it states in a book entitled "Washington Securities, 1909," that it is preparing to establish foreign agencies. Of course, that is an admission that it can sell the machines in foreign countries in competition with typesetting machines manufactured in those countries. Otherwise it would be folly to establish foreign agencies. If it can do this, it certainly ought to have no apprehension of serious competition here.

The rapid growth in wealth of the company, as shown by its dividends and almost seven and one-half millions of a surplus fund, shows that there is no occasion for fear of any kind of competition. The average increase of the surplus fund during the past four years amounts to nearly $1,000,000 per year, which is about equivalent to the 10 per cent upon the paid-up capital stock.

The facts show that a monopoly exists. In an editorial which appeared in the Bath County (Ky.) World, it is said:

By reason of this monopoly on composing machines, two manufacturers are enabled to demand from $3,000 to $3,600 for machines that cost them only from $500 to $750 to manufacture; one of these same manufacturers, and another of a different class of machines, each get $1,500 for a product whose estimated cost is only from $250 to $300; and a third manufacturer gets $1,100 for a machine the estimated cost of which is about $225. This matter affects chiefly the country publishers. The city publishers can and do pay the exorbitant prices demanded, but thousands of country publishers are not able to do so and must continue to resort to laborious and tedious hand composition, whereas but for this monopoly they would be able to buy composing machines at from $500 to $1,000, possibly the best make of machine at the latter figure.

The Publishers' League issued a bulletin, giving some information in regard to composing machines, and, among other things, said:

Every publisher recognizes the necessity of composing machines. The pages of nearly every daily newspaper, and of most magazines, are set by mechanical means. *In offices where they are not used, it is due largely to their excessive cost.* It is a well-known fact that if composing machines were sold at a reasonable price, that would give a fair profit to the manufacturer, thousands more would be in use.

Those publishers who are now compelled to pay a high price in purchase, or submit to exorbitant rentals, would be able to use more machines and see better returns for the money invested in this class of machinery.

A saving of from $1,000 to $1,500 in the price of a machine, or the reduction in rental to, say, $200 per year, would mean a degree of prosperity to which publishers are entitled. *Weekly newspapers now compelled to rely upon an indifferent quality of labor for hand composition, could enjoy the advantages of machine composition at a reasonable cost.*

The responsibility for the present high price of composing machines rests with the Mergenthaler Linotype Company, of the United States. Through the protection afforded by an import duty of 45 per cent, through the impotent and incomplete laws of the Patent Office, through oppression and intimidation and the suppression of competitive machines, this concern has been able to hold up publishers and compel them to pay tribute to their monopoly.

Mr. BURKETT. Mr. President, I should like to ask the Senator from Kentucky a question.

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. PAYNTER. I do.

Mr. BURKETT. Do I understand the Senator's amendment is in regard to linotype and type-setting machines provided for in this paragraph?

Mr. PAYNTER. Yes; my proposition is to reduce the duty to 10 per cent ad valorem. So far as I am personally concerned, I should be very glad to put them on the free list, but anticipating that there might be some opposition to the suggestion that they may come in free, I propose to fix the duty at 10 per cent.

Mr. BURKETT. I understood the Senator to say he would strike them out of this paragraph, and I was going to call his attention to the fact that that would leave them under the general provision in the next paragraph at 45 per cent. I did not understand that the Senator proposed to reduce the duty to 10 per cent ad valorem.

Mr. PAYNTER. If what the Senator from Nebraska suggests is true, of course that ought to be corrected. My attention had not been called to that. Upon reflection, I can say the effect of my amendment will not be as suggested by the Senator from Nebraska. My amendment clearly substitutes 10 per cent for the previous rate of duty.

The present tariff (45 per cent) prohibits competition. Remove the duty and composing machines will be sold at a fair price and still yield a reasonable profit to their makers.

When the linotype was first placed on the market it sold for $3,000, and the estimated cost of manufacture was $1,500. To-day the selling price is $3,000, and in some instances $3,600, although the cost of manufacture, *according to expert testimony*, has been reduced to less than $500 per machine. Such improvements as have been made are charged to the publisher at extraordinary rates. For instance:

Simplex linotype costs to build, $500; selling price, $3,000; rental, $500 a year.

Standard two-letter linotype costs to build, $500; additional cost of improvements, $25; selling price, $3,125; rental, $600.

Duplex linotype costs to build, $600; additional cost of improvements, $35; selling price, $3,250; rental, $600.

Double magazine costs to build, $750; additional cost of improvements, $100; selling price, $3,600; rental, $700.

The official report of the Mergenthaler Linotype Company for the year ending September 30, 1905, states that during the year previous 868 machines were sold for $2,436,978. *The gross profit on these sales, involving less than half a million dollars to manufacture, was more than $2,000,000. Surely the publishers in the United States have paid well for their machines.*

Had American inventive genius been given an opportunity, there would not exist to-day any monopoly in composing machines. There would have been at least 100 different composing machines on the American market and the United States would have been the manufacturing center of this class of machinery for the entire world. It is not through any lack of brains that there are not any other machines on the market. *Patented improvements on composing machines have been brought out by the hundreds, not for the purposes of manufacturing, but simply to be shelved.* Inventors have been literally scared into subjection, and every effort toward competition has been stifled. For what reason? Simply to permit the Mergenthaler Linotype Company to occupy the field alone.

There are 13,000 country newspapers in this country without composing machines. Their type are set in the same old way. They should have the chance to obtain at reasonable prices modern instrumentalities to produce their papers to meet the demands of a progressive and exacting reading public. The means of obtaining, giving, and disseminating knowledge should be produced as cheaply as possible. Every facility for the press should be afforded. The Government can not put its functions to a more beneficial use than in lending the necessary aid in the education of the people and the distribution of knowledge. The country newspaper is intended to meet the need of the towns and country. As there is a segregated population in the cities, there is such a demand for the great daily newspapers that they obtain immense circulation. While the country newspapers can not obtain so great a circulation as the dailies, still they supply the demand for newspapers in their respective localities. Their weekly arrival is as anxiously awaited by their patrons as are the dailies by their patrons. They are just as much needed and appreciated in their sphere of circulation as are the dailies in theirs. The country newspaper carries interesting news; is instructive and useful. It contains a record of important events of the week, gives an account of the acts of public servants, and contributes largely to the formation of public opinion and greatly aids in the creation of a healthy public sentiment for the enforcement of the penal and remedial statutes of the country. An honest and independent press is essential to the preservation of the rights of the people. Let us hope that it possesses both of these attributes.

The following quotation is attributed to Richard Brinsley Sheridan, in Bent's Short Sayings of Great Men. In supporting the liberty of the press, in 1810, he said:

Give them a corrupt House of Lords, give them a venal House of Commons, give them a tyrannical prince, give them a truckling court, and let me have but an unfettered press; I will defy them to encroach a hair's breadth upon the liberties of England.

If Congress would safeguard the independence of the press it should not retain on our statute books laws which prevent newspapers from obtaining the material they need at reasonable prices, for their prosperity and success remove from their pathway obstacles which do not conduce to independence.

I believe that 10 per cent ad valorem is more than sufficient to protect a manufacturer of composing machines in a home market.

I appeal to the Senator from Rhode Island [Mr. ALDRICH] to accept my amendment. If he does, he will not do an injustice to anyone, but will give the struggling country newspapers hope for the future and render his country a great service.

Mr. CLAY. Mr. President, I ask that paragraph 213 of the bill be read.

The PRESIDING OFFICER. Without objection, that paragraph will be read, at the request of the Senator from Georgia.

The Secretary read paragraph 213, as follows:

SCHEDULE E.—SUGAR, MOLASSES, AND MANUFACTURES OF.

213. Sugars not above No. 16 Dutch standard in color, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, thirty-five one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; and on sugar above No. 16 Dutch standard in color, and on all sugar which has gone through a process of refining, 1.90 cents per pound; molasses testing not above 40°, 20 per cent ad valorem; testing above 40° and not above 56°, 3 cents per gallon; testing above 56°, 6 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

Mr. CLAY. Mr. President, I do not want the Senate to reach the conclusion, because I have several pages of manuscript here on my desk, that I intend to occupy much of the time of the Senate. I do not intend speaking exceeding forty or fifty minutes, and probably I shall be able to complete my remarks in less time than that.

Mr. President, I shall devote these remarks almost entirely to the sugar schedule. I will say, before I begin that discussion, that I am one Senator, and I speak for myself, and I believe that I voice the sentiment of the people of Georgia when I say that I hope by the 1st day of June the Senate will vote on the bill and let the country know what we intend to do in regard to the tariff. We are all now fully aware of the fact, Mr. President, what the Senate intends to do in regard to the passage of this bill. We have seen by the votes which have been taken that this bill, in all probability, will pass the Senate just as the Finance Committee has reported it, because on the different test votes it has been demonstrated that a majority of the Senate will sustain the Finance Committee, and it is useless to keep the Senate here for weeks or months, until August or September, discussing this bill. We shall not do the country any good by delay unless we can accomplish some results.

Again, the Senator from New York [Mr. DEPEW], in his discussion the other day, referred to the fact, when he was addressing my colleague [Mr. BACON], that the Democratic party was absolutely a free-trade party. Mr. President, I insist that a tariff for revenue sufficient to support this Government, expending a billion six hundred thousand dollars a year, will give all the protection that the most ardent protectionist could possibly desire.

Neither Alexander Hamilton nor Henry Clay ever contemplated that such protection would be given to the industries of our country as a tariff for revenue sufficient to support the Government at this time would give.

Again, I do not subscribe to the doctrine that we ought to have in this country, generally speaking, free raw material. I believe that a tariff for revenue for the purpose of supporting this Government ought to be levied in such a way as to do substantial justice to every section of our country and to every product of our country.

Mr. President, if the Democratic party was in power and I had anything to do with shaping tariff legislation, I should insist that a tariff for revenue should give the same consideration to the State of Massachusetts and to the State of Indiana that it did to the State of Georgia; and if the Republican party

believes in a tariff for protection, it is manifestly just that the Republican party shall levy that tariff so that the burdens and benefits accruing under it shall be distributed to every section of our country.

But, Mr. President, I did not rise upon this occasion for the purpose of discussing the tariff generally. I will say, however, before I begin the discussion of the sugar schedule, that I noticed the Senator from Utah [Mr. SMOOT] said something the other day on the floor of the Senate during the course of his remarks that I have heard here before. He was speaking of the tariff in regard to the razor manufacturing industry in this country, and the Senator told the Senate that 90 per cent of the cost of razors came from labor. I was at one of the departments this morning, and I was unable to find any manufactured article where 90 per cent of the cost went into labor. The Senator from Utah, Mr. President, read a statement from the manufacturers of razors. That was a colored statement; and, I fear, in many instances, this bill has been framed and based upon the testimony of those interested when the whole case was not heard. Every argument that I have heard upon the floor of the Senate to sustain an increase has come from those who were deeply and vitally interested in the result.

But, Mr. President, I shall confine my remarks to the sugar schedule. I regard the sugar schedule as one of the most important in this bill, because during the last twelve years one-sixth of the revenue flowing from customs duties has come from taxation on sugar.

The American people are great consumers of sugar. The consumption of sugar in the United States for the year 1908 was 3,185,789 tons, about 81 pounds per capita. Nearly two-thirds of this sugar came from foreign countries into the United States. Under the present law there were imported into the United States for the fiscal year ending June 30, 1907, 2,329,564 tons of sugar. This included the sugar coming from Hawaii free of duty. We received 347,509 tons of sugar paying the full tariff duty. We received from the Philippine Islands 10,700 tons of sugar, from Cuba 1,340,000 tons, from the Hawaiian Islands 418,102 tons, and from Porto Rico 212,853 tons. The total amount of beet sugar produced in the United States last year was only 440,200 tons, and the total amount of cane sugar produced was only 335,000 tons. Thus it will be seen that only a small amount of the sugar we use in the United States is produced in our country. The American Sugar Refining Company, called the "sugar trust," goes into foreign countries, purchases raw sugar, brings it into this country after paying tariff duties, refines it, and sells it to the people of the United States. The American Sugar Refining Company, commonly called the "sugar trust," owns the principal sugar refineries in the United States, and is almost without competition in refining sugar. In calculating the cost of sugar to the American people we must understand the tariff duties levied by Congress on raw sugar and refined sugar; we must know what advantage the American Sugar Refining Company, or the sugar trust, has over foreign refineries. We must clearly understand that the tariff duty on refined sugar is nearly 2 cents per pound, and is so high as to almost entirely prohibit the importations of foreign sugar into this country. We must clearly understand that the American Sugar Refining Company, commonly called the "sugar trust," controls nearly all of the refineries in the United States, controls the entire market in the United States both as to raw and granulated sugar.

The beet grower and the cane grower of sugar both are compelled to sell to the sugar trust in order to get raw sugar refined and ready for the market, and are bound to take the price fixed by the sugar trust. Now, what does the tariff on sugar cost the American people annually? The total duties collected on raw sugar for the year 1907 were $54,310,082. This vast sum was paid by the American people who consumed sugar in tariff duties on one of the necessities of life. Look at the price of sugar in London, Hamburg, and New York. This clearly illustrates what the tariff on sugar costs each American consumer. I insert the average market values per pound of refined sugar in London, New York, and Hamburg from 1904 to 1908:

		Cents.
1904—	London	3.65
	New York	4.77
	Hamburg	2.49
1905—	London	4.06
	New York	5.26
	Hamburg	2.97
1906—	London	3.41
	New York	4.52
	Hamburg	2.29
1907—	London	3.50
	New York	4.65
	Hamburg	2.30
1908—	London	3.22
	New York	4.96
	Hamburg	2.64

Mr. FOSTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. CLAY. I prefer not to yield until I get further on, because I want to keep to the line of my argument if I can.

Mr. FOSTER. Very well.

The PRESIDING OFFICER. The Senator from Georgia declines to yield.

Mr. CLAY. The average wholesale price of granulated sugar in Hamburg for 1908 was 2.64 and in New York 4.96 cents per pound. As I have before said, the American people consume about 81 pounds of sugar per capita annually. When the new census is completed I believe the figures will show 90,000,000 people in the United States. If each person in the United States consumes 81 pounds of sugar annually, the total amount consumed would be 7,200,000,000 pounds, provided we have 90,000,000 people. Now, I have said that sugar was selling in Hamburg at 2.64 cents per pound at wholesale prices and in New York at 4.96 cents per pound. Now, what is the difference in the selling price in New York and Hamburg? Two and thirty-two one-hundredths cents per pound. Multiply the number of pounds the American people consume by the difference of price in Hamburg and New York markets and you will ascertain how much more the same amount of sugar would cost in the United States than in Hamburg.

I have some figures and facts which go to show that the average difference, taking the last dozen years, would be 1.89 cents per pound. Take this as a definite basis and multiply the number of pounds of sugar we consume by the difference of price in Hamburg and New York markets and it will amount to $136,080,000. These figures may not be absolutely correct, but they are substantially so. I am basing this calculation on a population of 90,000,000 people. The Government only gets fifty-three millions in customs duties, leaving eighty-three million and eighty thousand, most of which goes to the sugar trust. Only a small part of it, if any, goes to the grower of beets or to the producers of raw cane sugar. The American people have paid taxes on an average of fifty millions per year during the last twelve years on sugar, amounting to fully $600,000,000. The American consumers of sugar have paid to the American Sugar Refining Company, commonly called the "sugar trust," at least fifty-five millions per year in profits, amounting in twelve years to $660,000,000.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. CLAY. I would like to get along——

Mr. SMOOT. I was just going to ask the Senator where he gets those figures. I have the figures here from Willett & Gray.

Mr. CLAY. I got my figures from the Agricultural Department; I did not get them from the American Sugar Refining Company. I got them from a department that represents the American people.

The American people are not aware of the fact that if the sugar we import came into this country free of any duty, both raw and refined, the cost of sugar to the American consumer would be reduced nearly one-half. I am not insisting that both refined and raw, or either, should come to this country free of duty, but there ought to be a substantial reduction over the rates fixed in the Dingley law. The argument has been made that sugar is a great revenue producer and that we expend a large amount of money and must resort to this tax on the American consumer in order to raise revenue to carry on the expenses of our Government. Why should we take one of the necessities of life used by the entire American people and increase its cost to the consumer one-half when the amount of the revenue now produced by sugar could easily be supplied by an income tax? The Senator from Texas [Mr. BAILEY] estimates that if this income-tax amendment to the tariff bill is adopted it will produce in revenue the sum of $80,000,000.

Mr. NELSON. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. CLAY. I would rather go on, because I do not desire to consume the time of the Senate.

Mr. NELSON. Just a moment for a suggestion, which I think will help the Senator. There seems to be some mistake about the profits. They can not have made that much, for they have been obliged to cheat the Government to the extent of two and a quarter million dollars, I believe.

Mr. CLAY. I like to yield to the Senator always; but he is making part of my speech. [Laughter.]

Yes, they have had us give them free sugar from the Hawaiian Islands since the Dingley law was passed; they have had us give them free sugar from the island of Porto Rico; they have had us give them concession sugar from the island of Cuba; and,

notwithstanding that fact, they have stolen from the Treasury of the United States during the last seven years more than $9,000,000.

The Senator from Iowa [Mr. CUMMINS] has also introduced an income-tax amendment, and he sets forth figures to show in the event it is adopted it will produce forty or fifty millions of revenue. Who will deny that it is to the best interests of the American people to take the tariff off of sugar and give to the American people cheap sugar costing about one-half what they now pay for granulated sugar and to supply this loss of revenue by taxing incomes above $5,000? I have no war to make on wealth, but an income tax is a just and proper tax. A citizen who owns a million of dollars or a half million with an income of $50,000 per year is able to pay the income tax, and by reason of the protection that his property receives at the hands of the Government, and by reason of the benefits accruing to him as a citizen from the Government, ought to be willing to bear the burdens of the Government in proportion to his wealth. The Government is called upon almost daily to interfere with strikes and prevent the destruction of property and to protect men of great wealth engaged in operating railroads, coal fields, iron furnaces, and to save their property from destruction. It is just and right that those who have been successful in business and who have accumulated large wealth and who have been the recipients of such benefits from the Government should take from their income a reasonable sum to assist in paying the expenses of the Government. They receive more benefits from the Government than the plain citizen who works for his daily bread. They look to the Government to protect their wealth, and how any patriotic citizen who is so fortunate as to enjoy a large income and who is so fortunate as to have his property protected from all danger by the strong arm of the Government can oppose paying an income tax I can not understand.

Let us give to the American people cheap sugar. Let us grasp the sugar trust by the throat and strangle it to death and keep in view the interest, the happiness, and welfare of the plain people of America. We must remember that sugar is an important article of food daily consumed by every man, woman, and child in the country. This being true, the people had the right to expect that the Finance Committee of the Senate would treat it as a necessity and tax it accordingly; but, on the contrary, it has been singled out as a subject of attack equal to 78 per cent of its bond value. I have been confronted with facts and figures which show that this food product pays a tax of nearly 80 per cent, while many articles of luxury in this country are taxed at much lower rates. Why should we place a tax on sugar at nearly 80 per cent and only 45 per cent on automobiles? Why should we place a tax on sugar of nearly 80 per cent and 10 per cent on diamonds? Why should we place a tax of nearly 80 per cent on sugar and 35 per cent on costly furs? Why should we place a tax of 80 per cent on sugar and only 50 per cent on expensive feathers and trimmed hats? I have figures and facts before me which clearly show that the American Sugar Refining Company, commonly called "the sugar trust," has repeatedly sold considerable quantities of sugar for export at nearly 2 cents per pound less than the price quoted in the domestic market. Why should the American Sugar Refining Company be placed in a condition by law which enables the company to sell to the American people at nearly 5 cents per pound and to export and sell in other countries at 3 cents per pound? If the American Sugar Refining Company, commonly called "the trust," can export and sell sugar at 3 cents per pound abroad and this trust sells the same sugar in America at nearly 5 cents per pound, who can wonder that the sugar trust has doubled, and even quadrupled, its investments yearly?

I have been dealing with the year ending June 30, 1908. Take the sugar we imported in 1907, 3,726,339,201 pounds. At Hamburg prices this sugar would cost $100,611,158, while at New York prices the same sugar would cost $181,125,523. The difference would be $80,514,365 against the American people. The Payne bill provides that sugar testing 96° shall pay a duty of $1.68½ per hundred pounds, and for each degree above 96° 3½ cents per hundred pounds shall be added until refined sugar is reached, and when this is done an extra 7½ cents per hundred pounds shall be added, which excess is called a refiner's differential. This makes the duty on refined sugar $1.90 per hundred pounds, while under the Dingley law the whole duty on refined sugar is $1.95 per hundred pounds. Before the American consumer or merchant can purchase refined sugar in foreign countries (except Cuba), a tariff of nearly 2 cents per pound must be paid; consequently the sugar which the consumer buys in America is without competition. The tariff is so high on refined sugar that the foreign refiner of sugar can not send his sugar into America. Last year only 219 tons of refined sugar came into the United States from foreign countries. By reason of this legislation the American people are helpless. They necessarily must purchase their sugar from the sugar trust and pay the price fixed by the trust, for the trust is without competition. It is inconceivable to me how the Finance Committee of the Senate and the Ways and Means Committee of the House in revising the tariff have neglected so vital an interest affecting the entire American people. The sugar trust, so far as I know, has had no representative here, either before the Ways and Means Committee, or the Finance Committee of the Senate. Judging from the treatment which the sugar trust has received, this corporation needed no representative before either committee. The Finance Committee has granted the trust all the favors desired without a hearing and so has the Ways and Means Committee of the House.

Under the bill reported the consumer of sugar in the United States must continue to pay 5 cents per pound for the sugar consumed. We must remember that the American workingman during the last few years has had a hard time to earn a living. We must not only consider the wages which he draws, but we must consider the necessaries of life which he consumes. Flour has almost doubled in value, meat and meal have advanced in price, so has clothing, and it costs the American workingman nearly twice as much to live to-day as it did twelve or fifteen years ago. We must strive to decrease the cost of living, and we must not by legislation create fortunes for any particular class. We must not create conditions by legislation which will enable the rich and powerful to double their fortunes at the expense of the plain people of America. We must not forget that sugar is one of the necessaries of life and that the American people spend nearly $400,000,000 per year for sugar and that the cost of sugar could be reduced at least one-third by a proper revision of the tariff. Now, what is the differential? When we find the tariff rate fixed on 100 pounds of raw sugar and the tariff rate fixed on 100 pounds of refined sugar and subtract the one from the other, this will leave the differential allowed the sugar refiners of the United States as against the sugar refiners of foreign countries. I have heard it said that the differential under the Dingley bill was 26½ cents per hundred pounds and 21½ cents under the Payne bill—that is, the differential between the tariff on raw and refined sugar. That is raw sugar testing 96°.

Such a statement is not a fair one and can not be borne out by the facts. Last year we had imported into this country 347,509 long tons of sugar, which paid the full tariff duty of $1.68½ per hundred pounds, while refined sugar paid a duty of $1.95 per hundred pounds under the Dingley law, which would leave a differential of 26½ cents per hundred pounds and which would leave a differential of 21½ cents per hundred pounds under the Payne bill. Mark you, this is the differential on sugar coming into this country which pays a full duty. Concession sugar coming into the United States may be summed up as follows; that is, raw sugar which does not pay a full duty:

	Tons.
Philippines	10,700
Cuba	1,340,400

And this raw sugar comes into the United States with a reduction of 20 per cent of the tariff fixed by the Dingley bill, consequently raw sugar coming from Cuba pays a duty of only $1.48½ per hundred pounds, and the differential in favor of the refiner on sugar coming from Cuba would be 20 cents per hundred greater than sugars paying full duties. In other words, the sugar trust engaged in refining sugar, instead of paying a tariff duty of $1.68½ per hundred pounds on raw sugar coming from Cuba, would pay a tariff duty of only $1.48½ per hundred pounds, and the sugar refiner, instead of having a differential of 21½ cents under the Payne bill, would have a differential of 41½ cents per hundred pounds on all sugar coming from Cuba.

We receive sugar free from the Hawaiian Islands; consequently the American sugar refineries, commonly called "the trust," purchase raw sugar in the Hawaiian Islands without the payment of any duty whatever, and we receive from these islands 418,102 tons of raw sugar, and we receive from Porto Rico, without any duty, 212,853 tons of raw sugar. In fact, most of this raw sugar was produced in these islands by the American sugar refineries at a cost of about 2 cents per pound. This great trust has purchased the sugar plantations in those islands and dominates and controls the production and price of raw sugar therein. Now the sugar trust, by reason of the reciprocity treaty with Cuba, purchases raw sugar at 20 cents per hundred pounds cheaper than before the ratification of the reciprocity treaty with Cuba. Notwithstanding this fact the sugar trust continues to sell refined sugar at the same price,

pocketing the reduction that was intended for the American and Cuban people, and adding this 20 cents per hundred pounds to its colossal fortunes. The American sugar refineries control the production of sugar in the Hawaiian Islands, and we receive from those islands 418,102 tons of raw sugar and from Porto Rico 212,853 tons of raw sugar, without any tariff duties, and notwithstanding this fact the trust did not give the American people the benefit of this free sugar; but, being without competition, continued to sell refined sugar to the American people for the same price.

Neither did the people of those islands receive any substantial benefits by reason of this reduction on tariff duties. In fact, the information I have leads me to the conclusion that the sugar trust has purchased large plantations in Cuba, controlling the production of sugar in that island and producing sugar, which this corporation refines, at less than 2 cents per pound. It will do no good to reduce the tariff on raw sugar and allow the high tariff to remain on refined sugar. The sugar trust, controlling practically all of the refineries in the United States and the tariff being so high on refined sugar that foreign competition is destroyed, can keep up the price of refined sugar, regardless of the fact that the trust is able to buy raw sugar at reduced prices. We must allow sugar to come into this country even free of duty if by such competition we can destroy the American Sugar Refining Company. It does no good to give the sugar trust cheap raw sugar to refine when the trust refines it and continues to sell to the American consumer as though a tariff duty was paid of $1.68½ per hundred pounds. This trust has wrung millions wrongfully from the pockets of the American people, and deserves no mercy or consideration at the hands of the American Congress. We must not get a mistaken idea in regard to the average differential between refined and raw sugar. The calculation heretofore has been made on the theory that the American Sugar Refining Company pays a tariff of $1.68½ per hundred pounds on all raw sugar coming into this country, when this is not true. If you will take the sugar imported into this country paying full duty, the sugar coming from the Philippines with a reduced duty, the sugar coming from Cuba with a tariff reduced 20 per cent over the Dingley bill, and the free sugar coming from the Hawaiian Islands and Porto Rico, you will find that the average tariff duty paid on sugar by the sugar trust, instead of being $1.68½ per hundred pounds, amounts to $1.04.

I hold in my hands a statement furnished me by an expert, which I am sure correctly describes the situation:

	Long tons.
Full dutiable sugar	347,509
Concession sugar in the Philippines	10,700
Concession sugar in Cuba	1,340,400
Free sugar in Hawaii	418,102
Free sugar in Porto Rico	212,853
Total	2,329,564

The total duties on all raw sugar were $54,310,082. The sugar refiners of this country got all of this raw sugar at a tariff cost of $54,310,082, or $23.31 a long ton. The raw sugar when equalized in this way amounts to 1.04 cents per pound. In other words, when you take the sugar coming into this country paying the full duty and the concession sugar coming from the Philippines and Cuba and the free sugar coming from Hawaii and Porto Rico and equalize the tariff duties, the sugar trust pays $1.04 per hundred pounds on all raw sugar received instead of $1.68½ per hundred pounds. In fixing the present rate for refined sugar five one-hundredths of a cent was deducted from the old rate of $1.95 per hundred pounds, so that the present differential between 96° sugar and refined sugar is 21¼ cents per hundred pounds. Now, the real tariff paid on raw sugar by the sugar trust is $1.04 per hundred pounds. The duty on refined sugar is $1.90 per hundred pounds as fixed in the Payne bill. There is no reason for adding the differential of 21¼ cents per hundred pounds on refined sugar to $1.68½, the duty on raw sugar testing 96°. This assumes that the refiners pay $1.68½ per hundred pounds on all raw sugar, while, as a matter of fact, they only pay $1.68½ on 341,961 long tons of sugar. On all dutiable refined sugar the trust pays on an average $1.37 per hundred pounds, and all imported raw sugar $1.04 per hundred pounds; that is, when we add together the sugar paying full duty and the concession sugar coming from the Philippines and Cuba and the free sugar coming from Hawaii and Porto Rico. If 21¼ cents be assumed as a proper differential and the Payne bill makes that assumption, then it should be added to what imported raw sugar as a whole costs refiners, to wit, $1.04 per hundred pounds, and not to what a particular item costs them, $1.68½ per hundred pounds.

The duty on refined sugar, even from a Republican standpoint, should not be more than one hundred and twenty-five and a half hundredths, instead of one hundred and ninety hundredths, as the Payne bill proposes. The duty imposed in the Payne bill on refined sugar proceeds on the idea that the refiners have actually paid $1.68½ per hundred pounds on all raw sugar imported, when in fact the trust has paid this duty only on 344,961 tons of raw sugar. The sugar trust actually get 2,329,564 tons of raw sugar at a duty of $1.04 per hundred pounds and the differential of 21¼ cents per hundred pounds should attach to this and not to the duty of $1.68½ per hundred pounds. This calculation is made on sugar testing 96°.

This analysis has been furnished to me by an expert familiar with the sugar business, and, I believe, will be found to be absolutely correct. I have considered the figures myself most carefully and made comparisons, and I challenge a successful contradiction of these figures. It is amazing to me with what indifference the Ways and Means Committee of the House and the Finance Committee of the Senate have treated this subject, of such vital importance to the entire people of the United States. We were called in extra session to make a substantial revision of the tariff, and here is one item, by reason of existing duties, that costs the American people nearly $400,000,000 per year, and there has not been given to this item the slightest attention. Such a revision of the tariff is a sham and a humbug. I quote from the Washington Times an article full of meat on this important subject, and the figures and facts set forth therein will be found to be absolutely correct. The Washington Times asked the question:

> Who gets the benefit of the high protection which the Dingley law places on sugar? Practically the same protection is retained by the Payne and Aldrich bills. Somehow or other it makes the American people pay for sugar about $113,000,000 more per annum than they would pay if they got the prices which prevail abroad. The Government gets $52,000,000 of that excess in revenue. But whence goes the rest? Does it go to the beet-sugar producer?

The Times further adds:

> The testimony adduced before the Ways and Means Committee of the House seems to indicate that most of the benefits go to the trust.
>
> The trust controls a large proportion of the beet-sugar producing capacity of the country. If the beet-sugar people get the benefits, then the sugar producer gets much of it. But does the beet-sugar producer need it? Does he need all he gets under the present law?
>
> The answer in part is to be found in the simple statement of some trade facts. Denver is the point of origin of a great beet-sugar traffic. The Colorado granulated sells in Denver at $5.25 per hundred. The same sugar is shipped 1,000 miles east, to Chicago, pays the highest freight rates on the continent, and sells for $4.85. The Colorado market is monopolized by the Colorado producers because of the long distance from the Hawaiian sugar at the Pacific or the Cuban sugar at the Atlantic coast; so Colorado, which ought to have sugar at $4.85, less the freight to Chicago, is held up for 40 cents more than it ought to pay.

The article, going further, says:

> Now let the Pacific coast situation be investigated. Beet granulated is produced in California at large profits. The Hawaiian sugar, 450,000 tons annually, is practically duty free, and the San Francisco refineries are the nearest to it. California should have the cheapest sugar in the United States; yet San Francisco quotes $5.40—55 cents more than Chicago and 15 cents more than Denver.
>
> Sugar at Chicago ought to cost more than at either Denver or San Francisco. In fact, it costs considerably less.
>
> This is possible simply because there is such an immense margin for manipulation within the limits of profitable prices that the trust charges just what it pleases, wherever it pleases. So the trust has a general deal with the Hawaiian producers of raw sugar, by which it takes practically their entire output and hauls it to New York by way of the Pacific for refining. California is left to the tender mercies of the California beet-sugar producers, and pays the highest price on the continent, or nearly that, when it ought to have the lowest.
>
> Whether the beet-sugar industry could continue in business if the protection were reduced is the subject of a difference of opinion. It is noted, however, that most of the witnesses before the Ways and Means Committee who were neither sugar-trust agents nor beet-sugar people believed that a reduction of one-half or thereabouts in the duty would be perfectly safe, so far as concerned the beet interests. The substance of all this testimony—the only testimony from people not concerned in the trust—was well stated by Claus Spreckels, of the Federal Sugar Refining Company of New York. This company refines about one-tenth of the sugar refined in the country. Mr. Spreckels declared that the tariff as now adjusted gives all the advantage to the trust. He said:
>
> I would be perfectly satisfied if you should agree upon free trade in both raw and refined sugars. I would prefer absolute free trade to the present schedule, under which the sugar trust is the principal beneficiary and enabled to exact special privileges and conditions on sugars produced in Louisiana and the Hawaiian Islands.

Mr. Spreckels said:

> I claim that beet-sugar factories in proper localities, such as Colorado, California, Utah, Idaho, and Oregon, should, and I am informed can, produce granulated sugar at 2.5 cents per pound.

> As far as Louisiana is concerned, I contend that the sugar trust is in position to seize, in its discretion, a large share if not all of the benefit of the protection granted, and as far as our colonies are concerned they are to-day able to produce sugar in competition with the rest of the world.

Mr. Spreckels further said:

> Under the circumstances I believe the sooner our Government reduces and gradually wipes out entirely the duty on sugar the better it would be for the country and all concerned.

The article in the Times was well written, and commenting upon Mr. Spreckels's testimony, says:

> This from a man who is fighting the sugar trust, and who, though his business is small in proportion to that of the trust, is willing to take his own chances in the competition with the duty entirely removed.
>
> Mr. Spreckels does not believe the beet people need the protection; he does not think the Louisiana growers get it, because the trust takes it away from them; he finds that the colonies can compete with the world and take care of themselves, and finally, as an independent refiner, he would prefer free trade in sugar.

Well does the Times say:

> This testimony seems to point the conclusion that the sugar trust is the only real beneficiary from the tariff as now adjusted.
>
> Once more the question may be asked: "Is the sugar trust worth what the country is paying to maintain it?"

The Times, concluding this editorial, says with force:

> There ought to be some way of getting answers to that question. If the Finance Committee is not prepared to give a convincing answer it has not done its duty well.

The article written in the Washington Times above quoted in my judgment is unanswerable. I doubt if the Finance Committee of the Senate will attempt to answer it. The Washington Post, one of the great newspapers in this country, in an editorial recently published, plainly tells Congress the way to secure a cheaper sugar is to reduce the excessive duty on refined sugar. The Habana Post, published in Habana, Cuba, in an editorial which I hold before me, says:

> The sugar imported from Cuba is raw. It is imported by the trust. By the time it is refined and reaches the consumer the price is just as high as it was before Cuban reciprocity. The trust gets its raw material cheaper, sells at the same old figure, and pockets the difference. The money made out of Cuban reciprocity should be in the Treasury or in the pockets of sugar consumers. Not a dollar of it gets away from the trust.

The same paper says:

> The way to secure cheaper sugar is to reduce the excessive duty on refined sugar. Let the sugar trust surrender a part of its exorbitant protection. Give foreign refined sugar a chance to make fair competition with the sugar trust. Then the consumer may receive some benefit.

The Habana Post was quoting from the Washington Post, and says:

> Our contemporary is right in demanding reduced duty on refined sugar. Little of the refined product is imported by the United States and the decrease in revenue from this source would be comparatively nil. Lower duty on refined sugar would unquestionably help to solve the problem of cheaper sugar in the United States.

What do we understand by the term "sugar trust?"

The American Sugar Refining Company is commonly called the "sugar trust." This trust has constantly violated both the criminal and civil laws of our country. It is unconscionable and has continually robbed the American people since its organization. Instead of knocking at the door of Congress seeking to increase its fortunes at the expense of the masses of the people by reason of favorable legislation, its officers and those directing and controlling its formation and operation ought to be at the bar of the criminal courts on trial for most serious criminal offenses, and instead of enjoying their ill-gotten wealth they deserve to be serving long terms in our federal prisons.

I hold in my hands a short editorial from a reputable newspaper in New York, published many years ago, paying its respects to the American Sugar Refining Company. This editorial says:

> Press reports of the trial of the sugar trust, ended yesterday by a jury verdict of guilty, hardly have brought out the shocking nature of the charge and of the evidence to support it. It was a case of plain stealing of the most contemptible kind. False weights were systematically used in order to defraud the Government, so the jury found, and their verdict of guilty also included the finding that this habitual cheating could not have been carried on without the knowledge of the officers of the corporation. This makes up about the most damning case against a rich company that we have had. Here was no question of rebating or secret trade agreements, but just pilfering day after day. The fat hand of the sugar trust was filching daily from the Treasury till. For depravity and sneaking meanness this would be hard to beat.

I hold in my hands a semimonthly publication published by the Tariff Reform Club, No. 2 Williams street, New York City, published in New York, July 30, 1890, worthy of the attention of the Finance Committee of the Senate. This article gives facts and figures showing that for the last two years previous to the publication the profits of the sugar trust in 1888 were 27½ per cent, and 24½ per cent in 1889 on its nominal capitalization of $50,000,000, over two-thirds of which was water. On its real valuation the profits for 1888 were over 92 per cent and for 1889 over 80 per cent. Every cent of the profits of sugar refining in 1888–89, above a fair profit, was taken from the consumers of sugar in this country in the form of an indirect bounty that could never have been squeezed from the people of this country had sugar been on the free list. I quote from a speech made in the House when the Dingley bill was under consideration by Mr. Swanson, who was a Member of Congress from Virginia and who is now governor of his State. It was a masterly speech against the tariff fixed in the Dingley bill on sugar, and the argument produced by him on that occasion, in my judgment, is unanswerable. Mr. Swanson said:

> Let us examine and see the immense profits made by the sugar trust on account of the beneficial legislation given it by Congress.

Mr. Swanson further said:

> Senator Jones, of Arkansas, told me that when the Wilson bill was under consideration he wrote to Bradstreet and to Dun to furnish him an estimate of the value of the property owned by the trust. They fixed its value at about $10,000,000.

Mr. Swanson further said:

> The best evidence is that when organized not over $9,000,000 in cash was put into the trust. It was organized in 1887. With this amount of original investment the company was capitalized at $37,500,000 of preferred stock and $37,500,000 of common stock.

Mr. Swanson said during the debate that the preferred stock could be sold to-day at $115 per share, which would make it worth about $43,000,000. The common stock could be sold to-day at about $145 per share, which would make it worth about $45,000,000. Thus the trust to-day could dispose of its stock for about $88,000,000. Thus by a sale to-day they could pay about $9 for every $1 in cash put in. But this does not measure entirely the great profits received by its organizers.

Quoting further from Mr. Swanson, he said:

> It has paid a dividend of 7 per cent on its preferred stock and of 12 per cent on its common stock annually, which would make an aggregate of $7,100,000 each year. Thus the company pays each year a dividend of about 70 per cent upon the real money invested. For the last seven years these dividends would aggregate more than $50,000,000, which, added to what could be received for the stock to-day, would make it about $138,000,000. Thus those who contributed to the organization of this trust can to-day, after seven years, receive about $15 in value for every $1 put in.

Mr. Swanson, further describing the trust, said:

> There is scarcely anything in the annals of speculation or investment that can rival the profits made by these favorites of legislation. Then it must be remembered that these vast profits have been made during times of distress and of business depression, while merchants, manufacturers, farmers, and those engaged in other enterprises and industries have been depressed and many become bankrupt, yet this favored trust has been each year growing richer and making greater profits. While others have gone to wreck and ruin this trust has attained unsurpassed prosperity. How has this come about? How has the trust been enabled to make these vast profits? It has been done alone by favors which Congress has bestowed upon it. Their opportunity has come alone from law.

He could have added:

> These large profits have been made at the expense of the American people.

Mr. H. O. Havemeyer, in a sworn statement, said that nowhere in the world could sugar be more cheaply refined than in the United States. If this be true for refined sugar, it should be as cheap to the American as to the English consumer, and if it were not for the duty sugar could not for any length of time sell in the United States more than one-fourth cent higher than in England, including the cost of transportation.

From the best information I have been able to obtain, the sugar trust was formed in November, 1887, by the consolidation of 20 of the leading refineries, whose total true value at the time the trust was formed was estimated to be between seven and ten millions of dollars. While the actual value of the property of the trust was not greater than $10,000,000, the sugar trust stocked the company at $50,000,000. By dismantling certain plants and annexing others, the trust reduced the number of refineries in operation to 10, with a total capacity of 28,500 barrels. Outside of the trust there were only 5 refineries, with a total capacity of 10,400 barrels. Of late years it has been impossible to secure any accurate returns of the profits of the American Sugar Refining Company. If the profits were so large as I have described up to the passage of the Dingley bill and a few years after the passage of the Dingley bill, of late years the profits must necessarily have been much greater. The cheaper the sugar trust can buy raw sugar from abroad and bring it into this country the greater the profits they make on refining it, and the more free sugar the trust is able to buy with the present high tariff on refined sugar the greater will be the profits of the trust. Now, when the duty on raw sugar is $1.68½ per hundred, and this duty has to be added to the price of raw sugar, and the duty on refined sugar

is $1.90, the difference in the tariff between refined and raw sugar would only be 21¼ cents per hundred. Every time the tariff on raw sugar is reduced, which enables the sugar trust to purchase raw sugar at low rates, such reduction goes to the sugar trust, because the sugar trust has no foreign competitor, for the reason that the duty on refined sugar is so high foreign countries can not afford to attempt to ship it into this country. The present tariff law allows the sugar trust an absolute monopoly of the sugar market in the United States. The sugar trust buys raw sugar from abroad and at home as cheaply as possible, refines it, and sells it at a high price, because foreign countries can not afford to pay $1.95 per hundred on refined sugar and export it to this country.

Sugar from the Hawaiian Islands has been coming into this country free for many years even before the Dingley law was enacted, but at the time the Dingley law was enacted only a small amount of sugar was produced in the Hawaiian Islands. Each year the sugar industry has developed wonderfully in those islands, and every pound of that sugar comes into this country free of duty, and the sugar trust buys it without paying any tariff duties, manufactures it into refined sugar, and sells it to the American people at about 5 cents per pound, selling it at the same price the trust sells sugar on which it pays a duty of $1.68½ per hundred, and instead of the American people getting the benefit of the free sugar which comes from the Hawaiian Islands the sugar trust gobbles it up and the Government gets no revenue from the sugar coming from the Hawaiian Islands, and neither do the American people get any benefit in the way of reductions.

From information which I have in my possession I am sure the American sugar refineries control the production of sugar in those islands either directly or indirectly.

In 1898 the Hawaiian Islands produced 499,766,798 pounds of sugar, which came into this country free of duty; in 1899, 462,299,880 pounds; in 1900, 504,713,105 pounds; in 1901, 690,800,832 pounds; in 1902, 720,553,357 pounds; in 1903, 774,825,420 pounds; in 1904, 763,492,092 pounds; in 1905, 832,721,387 pounds; in 1906, 746,602,637 pounds; in 1907, 821,014,811 pounds; in 1908, 1,077,570,637 pounds; from July 1 to December 31, 1908, 383,448,790 pounds. Most of this sugar was produced by the American sugar refineries. These refineries purchased plantations in the Hawaiian Islands and produced sugar at less than 2 cents per pound. If this sugar had paid a tariff duty of $1.68½, the revenue to the United States would have been $132,014,236. The Dingley bill did not contemplate that the American sugar refineries would ever receive this amount of free sugar from the Hawaiian Islands. If the sugar trust received this amount of free sugar from the Hawaiian Islands without paying the $1.68½ per hundred, there ought to have been either a corresponding reduction in refined sugar to the American people or an increased price to the people of the Hawaiian Islands. This is impossible, because most of the sugar produced in those islands was produced by the American refineries. Not only has the sugar refineries had the benefit of free sugar from the Hawaiian Islands, as above stated, but they have been the recipient of other favors at the hands of the Government of the United States.

Porto Rico became a part of the United States after July 25, 1901. In 1900 Porto Rico produced 52,212,796 pounds of sugar; in 1901, 142,956,601 pounds; in 1902, 183,817,049 pounds; in 1903, 226,143,508 pounds; in 1904, 259,231,607 pounds; in 1905, 271,319,293 pounds; in 1906, 410,554,618 pounds; in 1907, 408,149,992 pounds; in 1908, 469,205,082 pounds; from July 1 to December 31, 1908, 58,297,520 pounds of sugar. So soon as Porto Rico was made a part of this country after July 25, 1901, sugar came from Porto Rico to the United States free of any tariff duty and the sugar trust purchased this raw sugar without paying a cent of tariff duty. When annexation took place, and even before, the sugar trust purchased large plantations in Porto Rico and took control of the production of sugar in those islands. Wherever the sugar refineries produced their own sugar in those islands it cost about 2 cents per pound. The American sugar refineries, commonly called "the trust," have been wideawake looking to the production of raw sugar in the Hawaiian Islands, Porto Rico, and Cuba. The sugar trust has purchased, either directly or indirectly, large tracts of sugar lands in those islands producing an abundance of raw sugar at about 2 cents per pound; consequently since the passage of the Dingley Act the trust has been able to purchase a large part of raw sugar refined at low prices. Congress was not aware of the fact that the sugar trust was to have the benefit of this free sugar at the time Porto Rico was annexed to the United States, for this sugar coming from Porto Rico had paid the same tariff duty that raw sugar paid coming from either France or Germany into this country. The revenue going into the Treasury on the sugar coming from Porto Rico since 1901, if the Dingley rate had been imposed, would have amounted to $39,175,242. Who received the benefit of this vast sum? The benefit going to the people of Porto Rico was hardly appreciable. The sugar trust undoubtedly received the greater part of this sum. If this corporation had manifested the slightest interest in the welfare of the American people when this free sugar was received from Porto Rico, most assuredly a reduction would have been made to the American consumer corresponding to the reduction in refined sugar. This is not the only special favor the American Sugar Refining Company had from the American people. The reciprocity treaty with Cuba took effect December 27, 1903, fixing the duty on sugar at 20 per cent less than the regular rates; consequently when the sugar trust bought raw sugar in Cuba and brought it into this country for the purpose of having it refined and ready for use, instead of paying a tariff duty of $1.68½ per hundred, the trust received the sugar with a tariff duty of $1.48½, and necessarily the raw sugar purchased in Cuba by the trust was at a much lower rate than the raw sugar purchased from either France or Germany or anywhere else outside of the United States.

The sugar trust, after the reciprocity treaty with Cuba, immediately invested large amounts in sugar plantations in Cuba and began the cultivation and production of raw sugar. The raw sugar produced in this way cost the trust about 2 cents per pound. The argument was made, and at the time it was made I thought it was true, that when raw sugar came into this country cheaper by reason of the reduction of the tariff duty, then the American consumer would necessarily receive refined sugar at a lower rate. But such was not the case. This selfish corporation instead of reducing the price on refined sugar purchased the raw sugar in Cuba at a reduced rate or produced it at 2 cents per pound, refined it in America, and sold it at the same prices, without making the slightest reduction; consequently most of the reduction on raw sugar in Cuba went to benefit the American Sugar Refining Company, commonly called the "sugar trust." How much did the sugar trust receive by reason of this reduction? Mark you, when the American sugar refineries received the right by law to bring raw sugar from Cuba with a reduction of 20 per cent over the Dingley bill, the American refineries immediately purchased large sugar plantations in those islands, controlling the production of sugar and producing it at about 2 cents per pound.

In 1904 Cuba produced 1,964,922,816 pounds of sugar, which came into this country with a reduction of 20 per cent over the Dingley bill; in 1905, 1,924,842,312 pounds; in 1906, 2,522,590,500 pounds; in 1907, 3,166,163,975 pounds; in 1908, 2,462,063,894 pounds. From July 1 to December 31, 1908, 552,405,387 pounds.

By reason of the reduction of the tariff of 20 per cent over the rates fixed in the Dingley bill, or by reason of the duty remitted, $41,071,313 was taken from the Treasury of the United States, and the American consumers of sugar did not receive any reduction whatever in the price of refined sugar. Most of this vast sum intended to be for the benefit of the American and Cuban people went into the pockets of the American Sugar Refining Company. I say the people of Cuba did not receive any substantial benefit by increase of price in raw sugar, and that this vast sum went to the sugar trust, and I produce the figures to sustain my position.

In 1901, before the reciprocity treaty with Cuba, the average price of raw sugar was $2.40 per hundred pounds; in 1902, $1.85 per hundred pounds; in 1903, $1.78 per hundred pounds—and the reciprocity treaty went into effect December, 1903; in 1904, $2 per hundred pounds; in 1905, $3.12 per hundred pounds; in 1906, $2.16 per hundred pounds; in 1907, $2.18 per hundred pounds; in 1908, $2.59 per hundred pounds.

Mark you, the price of raw sugar in Cuba in 1901 was $2.40 per hundred pounds, and the first year after the reciprocity treaty went into effect the price of raw sugar in Cuba was $2 per hundred pounds, a decrease instead of an increase.

I repeat, neither did the American people nor the people of Cuba receive any substantial benefit by reason of this reduction. This demonstrates that a reduction of the duty on raw sugar without a reduction of the duty on refined sugar, will be of no substantial benefit to the American people.

On March 8, 1902, Congress fixed the duty on sugar coming from the Philippine Islands into this country at 75 per cent of the regular rates, making a reduction of 25 per cent; and from that day until the present time raw sugar has been coming from the Philippine Islands into the United States at 75 per cent of the regular rates. Not the slightest benefit has ever accrued to the American consumer by reason of this reduction. During this time since the Dingley law was enacted the duty on refined sugar has been $1.95 per hundred pounds. The cheaper sugar re-

fineries of this country can buy raw sugar, the greater the profits of the trust. The trust was enabled by reason of these tariff laws to buy raw sugar at an exceedingly low price. The trust in reality fixed the price of beets consumed by the refineries. The trust fixed the price of raw cane sugar and they supplied almost the entire market in the United States with refined sugar because the tariff on refined sugar is so high, being $1.95 per hundred pounds; companies engaged in refining sugar have no foreign or domestic competition. Think of it! The American sugar refineries during the last dozen years have received the principal part of the $132,014,236 on the free sugar coming from the Hawaiian Islands. That is, if a tariff had been imposed on this sugar of $1.68½ per hundred pounds, this amount of revenue would have gone into the Treasury and would have been added to the cost of raw sugar used by the sugar trust.

Surely, some substantial benefit ought to have gone either to the people of the Hawaiian Islands or to the people of the United States by reason of this free sugar. The sugar trust has received the principal part of $41,071,313 lost to the Treasury by reason of the adoption of the Cuban reciprocity treaty. This treaty was made in good faith and those of us who supported it expected a substantial benefit both to the people of Cuba and to the American people. This same corporation has received a large part of the $39,175,242 lost to the Treasury by reason of free sugar coming from Porto Rico, which sum ought to have gone either to the people of Porto Rico or to the American consumer of sugar. Congress intended that the American consumer should have the benefit of the free sugar coming from the Hawaiian Islands into this country and the free sugar coming from Porto Rico into this country and the reduction in the duty on sugar coming from Cuba into this country and the reduction in the Philippine sugar coming into this country. The argument was made that both the American consumer and the people of these islands would be benefited by these sugar concessions. I doubt if one dollar of this vast sum has gone into the pockets of the American people and certainly this large amount was lost to the Treasury of the United States. If, in its early history, this corporation organized in the State of New Jersey with ten millions of capital, has made as high as 91 per cent on its actual investments, who can estimate its profits for the last seven or eight years with an abundance of free sugar coming from the Hawaiian Islands, Porto Rico, and a reduction of the tariff on sugar coming from Cuba and the Philippine Islands? If the same rate of duty ($1.68½ per hundred pounds) had been charged on sugar coming from the Hawaiian Islands, Porto Rico, Cuba, and the Philippine Islands during the last ten years, the sugar brought from these places to the United States would have paid into the Treasury $212,220,773. This vast sum has not gone to the American people. It has not gone into the Treasury of the United States. Notwithstanding the fact that Congress intended that this free sugar and concession sugar from Cuba and the Philippines should give to the American consumer a reduction in refined sugar, the sugar trust, grasping and selfish, forgetful of the necessities of the American people, has placed most of the duties received into its coffers. If there had been a corresponding reduction on refined sugar, so that the sugar trust would have had foreign competitors, then the sugar refineries of this country would necessarily have had competition, and these reductions, amounting to over two hundred millions, would have gone in part to the American consumers and not to the American Sugar Refining Company. The American people would be astounded if they had the facts and figures going to show the profits made by the sugar trust during the last dozen years.

I have said the reduction of the tariff of 20 per cent on raw sugar in Cuba December 27, 1903, over the Dingley rate gave no substantial benefit to the people of Cuba, and neither did the reduction reduce the price of refined sugar to the American people; thus necessarily this reduction went into the pockets of the sugar refineries of the United States. The facts and figures which I have set out in my argument heretofore demonstrate this proposition to a mathematical certainty. No one contends that the American consumer received his refined sugar any cheaper than he did before. It is true that raw sugar sold higher in the Hawaiian Islands than in Cuba, and some substantial benefit went to the people of the Hawaiian Islands by reason of the sugar coming to this country free, but the inhabitants of those islands have produced only a small part of the sugar produced there annually. The sugar refineries of the United States recognized that sugar could be produced in those islands cheaper than anywhere else in the world, and that sugar had no tariff duty to pay coming from Hawaii and a reduced duty to pay coming from Cuba. The sugar trust has taken advantage of these conditions and has bought most of the sugar lands in Hawaii and actually controls the production of sugar in those countries at a cost of 2 cents per pound, and the cost of refining ranges from three-eighths to five-eighths of a cent per pound. I am informed that of late years the cost of refining has been reduced to one-fourth of a cent per pound; consequently the sugar refineries in this country owning plantations in the Hawaiian Islands produce their raw sugar at about 2 cents per pound. The cost of refining can not exceed one-half cent per pound. The total cost of production and refining would be 2½ cents per pound, and the trust sells this sugar to the American people at from 4½ cents to 5 cents per pound, doubling their money on every pound of sugar sold to the American consumer. The same can be said of Porto Rico. The American sugar refineries control most valuable sugar lands in Cuba and produce raw sugar there at less than 2 cents per pound, bringing it to this country with a reduction of 20 per cent over the Dingley bill, refine and sell it to the American consumer at a profit of 1 cent per pound—that is, if I have been correctly informed in regard to the amount of money that it costs the refineries to produce raw sugar on their plantations in Hawaii and Cuba. The most grasping and unconscionable trust to be found anywhere is the American Sugar Refining Company, commonly called the "sugar trust." The steel trust and the Standard Oil, in point of dishonesty and unscrupulous conduct, are suckling babes in comparison to the sugar trust.

The sugar trust now controls and owns a majority of the stock in the sugar-beet factories of this country—that is, about 51 per cent of the stock. When the Dingley Act was passed, nearly all of the raw sugar we used came from foreign countries——

Mr. FOSTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. CLAY. Certainly.

Mr. FOSTER. I do not want to interrupt the Senator, but he is stating a historical fact now as to the reduction of the tariff on sugar by congressional action in so far as Cuba is concerned. I should like to ask him whether every sugar producer in this country, beet and cane, did not violently protest against this action of Congress, and did not the Senator from Georgia vote for that treaty?

Mr. CLAY. I voted in favor of the reciprocity treaty with Cuba. I believed that sugar would come into this country cheaper. I believed that the people of Cuba would probably get a little more for their sugar. I found that I was mistaken; that the trust, while buying its raw sugar cheaper, continued to sell its refined product to the American people at the same price.

We only import into this country now 340,000 tons a year on which the importer pays a duty of $1.68½ per hundred pounds. At the time the Dingley bill was passed we imported into this country more than 2,000,000 tons, paying a duty of $1.68½ a hundred. There has been a revolution in the situation since the Dingley bill passed. And for this Congress to sit here and simply allow the Dingley rate to stand when the sugar trust is receiving to-day one-third of its sugar without paying any duty, is criminal to the American people.

I say to you that you will put into the pockets of the trust hundreds of thousands and millions of dollars if this tariff law stays upon the statute books for ten, twelve, fifteen, or twenty years.

The differential between 96-degree sugar and refined sugar is 26½ cents per hundred pounds, as fixed by the Dingley bill——

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. CLAY. Yes.

Mr. SMOOT. I know the Senator wants to be fair.

Mr. CLAY. I do, most assuredly. I proposed to get through in forty minutes, but I find I will not be able to do it.

Mr. SMOOT. I think the Senator from Georgia wants to know what the actual differential is to-day between the raw sugar coming into this country and the refined sugar.

Mr. CLAY. I understand it as well as I do my A, B, C's.

Mr. SMOOT. May I ask the question I have in mind?

Mr. CLAY. Yes.

Mr. SMOOT. I will ask the Senator if a duty of $1.90 per hundred pounds, on the basis of 96 per cent sugar, does not give to the refiner a differential of only 7½ cents?

Mr. CLAY. I will answer that.

Mr. SMOOT. Is not that true?

Mr. CLAY. No. I take this position, and I know I am right. I do not always know I am right, and I never say I am right unless I feel that I am on sure ground. I think I can give

you the entire sugar schedule. Raw sugar, testing 75°, pays a tariff duty of 95 cents per hundred pounds.

Mr. SMOOT. That is true.

Mr. CLAY. On every degree above that it pays a tariff of 3½ cents additional until it reaches 100°.

Mr. SMOOT. That is true.

Mr. CLAY. When it reaches 100° there is, under this bill, 7½ cents additional duty placed on it. Under the Dingley bill it was 12½ cents per hundred pounds.

Mr. SMOOT. That is the differential of 7½ cents.

Mr. CLAY. I understand what the differential is. I am giving you the whole law. I thought at one time that nearly all of the sugar that comes into this country was either 95 or 96° sugar. That is not true.

Mr. SMOOT. If it came in at 81°, or if it came in at 75°, or any other percentage, the same differential would apply.

Mr. CLAY. Why, Mr. President, the census reports show that most of the sugar ranging from 96° to 100° is consumed as raw sugar and is never refined.

Mr. SMOOT. Why, Mr. President——

Mr. CLAY. Five per cent of the sugar that we consume in this country, Mr. President, is a high class of raw sugar. Sugar ranging from 96° to 100° is a very high-class sugar. We do not refine much sugar between 96° and 100°, if the reports of the Census Office are correct.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. CLAY. Yes.

Mr. SMOOT. All I want the Senator to understand is what the real differential is. I say, Mr. President, that to-day, no matter what the percentage of the sugar is——

Mr. CLAY. I will answer the Senator's question right now.

Mr. SMOOT. Under the bill, as reported to-day, with a duty of $1.90, the differential is 7½ cents; and when the duty was $1.95 the differential was 12½ cents. I care not what the test of sugar may be, whether it is 80 per cent or 90 per cent.

Mr. CLAY. I know what I am talking about and I am not guessing at it. I know that what I have said is correct, because I have gone over it repeatedly, and I state to the Senator that the differential between 96° sugar and refined sugar is 26½ a 100. Am I correct?

Mr. SMOOT. Absolutely.

Mr. CLAY. I know I am right about it.

Mr. SMOOT. That which——

Mr. CLAY. Ninety-seven degree sugar——

Mr. SMOOT. Wait a minute.

Mr. CLAY. I want to answer the question.

Mr. SMOOT. I want to tell the Senator.

Mr. CLAY. I do not want any instruction on it. I know exactly how to answer it.

Mr. SMOOT. Your statement only half states it.

Mr. CLAY. Up to 100°——

Mr. SMOOT. I want the Senate to understand it. On 96°, of course, there is 26½ cents difference, but, mind you, there are 4 additional points on refined sugar, because refined sugar is 100 per cent, and if each one of these points represents 3½ cents amounts to 14 cents, deducted from 26½ cents, leaves 12½ cents differential. On the $1.90 rate there is 5 cents less; and the Senator knows these are the facts.

Mr. CLAY. If the Senator had kept his seat quietly I would have explained the very point that he has been trying to explain.

Mr. SMOOT. The Senator admits——

Mr. CLAY. Will the Senator give me a half minute and let me get through? I will then explain it in brief.

Mr. SMOOT. That is all I want.

Mr. CLAY. I stated that the differential between sugar testing 96° and refined sugar was 26½ points. On sugar testing 97° and refined sugar the difference is 3½ points less. On sugar testing 98° the difference is still 3½ points less. On sugar testing 99° the differential is 3½ points less. On sugar testing 100° there is a differential of 7½ cents. Does the Senator think I understand it?

Mr. SMOOT. That is just exactly what I stated.

Mr. CLAY. Then if the Senator had been quiet he would have gotten the information. I have not tried to point out anything in this case except what I can sustain by the evidence.

Mr. SMOOT. Does the Senator say that the differential on refined sugar under the bill as reported here at $1.90 is only 7½?

Mr. CLAY. The difference on 100° refined sugar is 7½.

Mr. SMOOT. Is not all the sugar refined here by the refiners 100°?

Mr. CLAY. All refined sugar is 100°.

Mr. SMOOT. That is what the committee——

Mr. CLAY. I want to go along with this argument. It is an imposition on the Senate and an unnecessary consumption of time. I do not intend to do it, and I never have done it.

Mr. FOSTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. CLAY. Certainly.

Mr. FOSTER. It is a practical proposition which is presented to this body. I ask the Senator this practical proposition—whether it is not a fact that the difference between refined sugar to-day and raw sugar is, under the Dingley bill, less than ever in the history of this country? That is a practical proposition, which goes to the consumer.

Mr. CLAY. I will say this to the Senator: If the same conditions existed to-day that existed when the Dingley law went into effect, when the tariff on refined was $1.95 and on raw sugar $1.68½, that would be true. But I insist that conditions have changed, that an abundance of free sugar has come into this country; and the average differential instead of being 12½ cents, as under the Dingley law on refined sugar, at this time is 91 cents, and I believe I can demonstrate it to the Senate.

Mr. FOSTER. I admit the free importation of sugar from all these islands; I admit for the sake of the argument every statement the Senator from Georgia has made; but I submit to him this practical proposition: With free sugar coming from Hawaii, Porto Rico, with concessionary sugar coming from Cuba, is it not a fact that the difference between raw sugar and refined sugar—that which the consumer obtains—is under the Dingley bill less to-day than ever in the history of sugar production in this country?

Mr. CLAY. I do not think so.

Mr. FOSTER. Is not that a fact?

Mr. CLAY. It is not. I do not think so. I will say to the Senator——

Mr. FOSTER. I can demonstrate it, I think, beyond any controversy.

Mr. CLAY. When I get through with my remarks I will yield to hear the speech of the Senator and to answer any questions which Senators may desire to ask.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. CLAY. Most assuredly. I am going to quit directly and continue some other day.

Mr. CLAPP. I think, in describing the reciprocity treaty with Cuba, the Senator omitted a very important fact. It was one of the most truly reciprocal arrangements I ever knew of, because the rate of duty which we took out of sugar just about corresponded with the advance in price of the stock of the American Sugar Refining Company. It was truly reciprocal.

Mr. CLAY. Will the Senator repeat that? I did not catch it.

Mr. CLAPP. I say, in discussing the Cuban reciprocity treaty, when any schoolboy ought to have seen that the only purchaser of raw sugar was the trust, and that reducing the duty on raw sugar would not benefit the American consumer, nevertheless we adopted that plan of reciprocity; and I say it was truly reciprocal, because the proportion of points we reduced the duty just about corresponded to the increase of points in the stock market of the stock of the American Sugar Refining Company.

Mr. CLAY. I quite indorse the speech of the Senator from Minnesota. There is no contention between us in the least on that point.

We are to have under this bill 300,000 tons of free sugar from the Philippine Islands.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Nevada?

Mr. CLAY. Certainly.

Mr. NEWLANDS. Did I understand the Senator to say that the present importations from the Philippine Islands amount to 300,000 tons?

Mr. CLAY. No; I did not say that. Our present importations from the Philippine Islands are only a small amount, I think 10,400 tons; but I will say to the Senator this bill provides that hereafter the people of the Philippine Islands shall be allowed to import into this country 300,000 tons of sugar free of duty. The sugar that comes from the Philippine Islands at this time pays a duty of 75 per cent of the Dingley law. The sugar that comes from the Philippine Islands in the future will be absolutely free to the extent of 300,000 tons.

Mr. FOSTER and Mr. SMOOT addressed the Chair.

Mr. FOSTER. Will the Senator allow me to ask him a question?

The VICE-PRESIDENT. To which Senator does the Senator from Georgia yield?

Mr. CLAY. I will yield to both. I will yield first to the Senator from Louisiana and then to the Senator from Utah.

Mr. FOSTER. If we have free sugar in the Philippine Islands, Hawaii, and Porto Rico, and then practically have free sugar from Germany and the other sugar-producing countries of the world, what will become of the domestic industry?

Mr. CLAY. I will reach that point later. I am not in favor of free sugar. I believe we ought to reduce the duty on refined sugar since we have given the trust so much cheap raw sugar, so that there will be only a small difference between the tariff on the refined sugar and the tariff on raw sugar. In fact, I would abolish the differential.

Mr. FOSTER. Will the Senator give me an idea as to what he would suggest as a proper reduction on refined sugar?

Mr. BORAH. Mr. President, I can not hear the Senator from Louisiana. I should like to hear him.

Mr. FOSTER. I ask the Senator if he will suggest what he thinks is a fair reduction on refined sugar and a fair reduction on raw sugar.

Mr. CLAY. When the Dingley law was passed Mr. Dingley thought that the differential of 26½ points between 96° sugar and refined sugar was about right. I mean after it reached 100 points it ought to have 12½ cents additional. If now we are getting raw sugar in this country that has reduced the average tariff on raw sugar from $1.68½ to $1.04, even if you follow the Dingley law there must be a corresponding reduction in the duty on refined sugar. Mr. Dingley insisted that under no circumstances should the differential be more than 12½ points after it reached 100, or more than 26½ points on 96° sugar. It is now 91 cents.

Mr. SMITH of Michigan. Mr. President——

Mr. CLAY. In one moment. I will first yield to the Senator from Utah.

Mr. SMOOT. The Senator made a statement that all the refineries were in the hands of the sugar trust. Mr. Spreckels testified before the Ways and Means Committee—and he, by the way, is an independent refiner—that from 50 to 60 per cent of all the sugar refined in America is refined by independent refiners.

Mr. CLAY. I am not in close touch with either Mr. Spreckels or the sugar trust. I never talked with them about it. I do not know what they think about it.

Mr. SMOOT. Does the Senator say that all the refineries in this country are owned or controlled by the American Sugar Refining Company?

Mr. CLAY. No; I do not. I will tell you what Mr. Moody says on trusts. He says himself that 90 per cent of the sugar refined in this country is either refined by the trust or by subsidiary companies that the trust controls.

Mr. SMOOT. I have stated that the figures show that there is not 28 per cent or nearly 28 per cent——

Mr. BRISTOW. Mr. President——

Mr. CLAY. I will yield to the Senator from Kansas as soon as the Senator from Utah gets through.

Mr. BRISTOW. I should like to ask if the Senator will give me permission to ask the Senator from Utah a question.

The VICE-PRESIDENT. The Senator from Georgia has yielded to the Senator from Utah, and he has promised that he will yield to the Senator from Kansas when the Senator from Utah has concluded.

Mr. BRISTOW. By permission of the Senator from Georgia and of the Senator from Utah, I should like to ask the Senator from Utah a question.

The VICE-PRESIDENT. Will the Senator from Georgia yield for that purpose?

Mr. CLAY. Yes.

Mr. BRISTOW. I should like to know where the Senator from Utah gets his figures, and what is his source of authority?

Mr. SMOOT. The testimony of Mr. Spreckels before the Ways and Means Committee.

Mr. BRISTOW. That is your source for the amount of money the trust has invested in beet sugar?

Mr. SMOOT. No.

Mr. BRISTOW. What is the source?

Mr. SMOOT. The source is the statement of their resources and liabilities as published and sworn to.

Mr. BRISTOW. The statement of the sugar trust?

Mr. SMOOT. It is the statement of their resources and liabilities, the annual statement that they publish.

Mr. BRISTOW. Whose statement?

Mr. SMOOT. The statement that the sugar refining company itself published for its stockholders.

Mr. BRISTOW. The sugar trust's statement as to the amount it controls?

Mr. SMOOT. That is exactly what I said. I do not see how anybody else knows, if they do not know.

Mr. BRISTOW. I just wanted your authority, and I have it.

Mr. SMOOT. It is made public; everybody knows it.

Mr. CLAY. Is the Senator from Utah through?

Mr. SMOOT. In relation to the sugar trust owning sugar lands in Hawaii, does the Senator know that they own one acre of land there?

Mr. CLAY. Mr. Spreckels, the old gentleman, originally did own those lands; but the information I have here, and which I am going to put in the RECORD before I get through, is that since his death that interest has been sold out.

Mr. SMOOT. Mr. Spreckels is competing in this country in refining sugar with the sugar trust, and the sugar trust, I am told, does not own an acre of land in Hawaii.

Mr. SMITH of Michigan rose.

Mr. CLAY. Now I will yield to the Senator from Michigan; but I want to get through. I will be through in a few minutes, I am sure.

Mr. SMITH of Michigan. I was very much interested in the statement of the Senator from Georgia as to the productive sugar capacity of the Philippine Islands. As I understood him, upon some one's information he asserted that there was a possibility of producing 1,000,000,000 tons of sugar in the Philippine Islands.

Mr. CLAY. I do not know it myself. I have been informed that in five years that country could bring into this country at least 300,000,000 tons of sugar annually.

Mr. SMITH of Michigan. Does the Senator from Georgia believe that it is good policy to develop the sugar industry in the Philippine Islands to that extent?

Mr. CLAY. I certainly would not be in favor of admitting free sugar from the Philippine Islands into the United States at all if you are going to allow the present tariff duty to stand on refined sugar. I am not in favor of free sugar.

Mr. SMITH of Michigan. I am very glad to hear that.

Mr. CLAY. If sugar is made a revenue producer, and we are compelled to have revenue, I would not insist that free sugar ought to be brought into this country. I want the Senator to understand me. I insist that inasmuch as we now have free sugar coming to this country from the Hawaiian Islands and free sugar from Porto Rico and concession sugar from Cuba, with the probability of free sugar coming here from the Philippine Islands, by all means the duty on refined sugar should be greatly reduced, because the refiner gets his sugar much cheaper than he did before.

Mr. SMITH of Michigan. The reason why I asked the Senator from Georgia the question was because of the general sugar situation in the world——

Mr. CLAY. Mr. President, I can not yield for a speech. I am glad to yield for a question.

Mr. SMITH of Michigan. I have no intention of making one.

Mr. CLAY. I will yield for a question.

Mr. SMITH of Michigan. If the Senator does not care to be interrogated, I will cease.

Mr. CLAY. No; go on.

Mr. SMITH of Michigan. If there is to be a thousand million tons of sugar produced in the Philippine Islands——

Mr. CLAY. I did not mean a thousand million tons——

Mr. SMITH of Michigan. That is what the Senator said.

Mr. CLAY. It was a slip of the tongue.

Mr. LODGE. The Senator meant to say 300,000 tons.

Mr. CLAY. Yes.

Mr. SMITH of Michigan. I beg the Senator's pardon. I understood that he did say it.

Mr. CLAY. If I did, I did not mean it. In speaking rapidly one can easily fail to make a distinction between a hundred thousand million and a hundred thousand.

Mr. SMITH of Michigan. The Senator from Georgia did not make that statement, because——

Mr. CLAY. I would not stand for a statement of that kind.

Mr. SMITH of Michigan. Let me say to the Senator that a well-recognized sugar statist tells us that the capacity of Cuba alone for sugar production is 5,000,000 tons, nearly twice the ability of this country to consume; and with that area, which is many times multiplied in the Far East—I do not think the Philippine Islands could produce as much sugar as the Senator stated, or half that amount, or as much as Cuba could produce—I would take it as a most serious handicap to the people of the Philippine Islands to encourage them to produce a product which they could not sell for a profit in any country of the world.

Mr. CLAY. I did not rise for the purpose of discussing that feature of this case. I intended to present in a logical way, and I believe I could have done so if I had not been interrupted so often, the reason why, in my judgment, the tariff on refined sugar ought to be reduced.

Senator BAILEY said the American Sugar Refining Company would be the recipient of that reduction, and his words have absolutely come true to-day. We have taken $41,112,000 out of the Treasury since that treaty was ratified and we have neither given it to the American people nor to the people of Cuba.

The benefits of that reduction have gone into the pockets of the American Sugar Refining Company. The Senator from Texas [Mr. BAILEY] predicted that this reduction would go to the sugar trust.

Mr. SMITH of Michigan. Mr. President——

Mr. CLAY. I hope the Senator will let me get through.

The VICE-PRESIDENT. The Senator from Georgia declines to yield.

Mr. CLAY. I will yield directly.

Mr. SMITH of Michigan. I wish to make the observation that the Senator from Texas is not the only man who made that statement.

Mr. CLAY. Then I am glad to know that there are two Senators, one on one side and one on the other, who were right.

Mr. SMITH of Michigan. It is not difficult to get the Senator from Texas and myself to agree upon any sound policy.

Mr. CLAY. Then I should think the Senator from Michigan on all propositions would agree with the Senator from Texas.

Mr. SMITH of Michigan. Almost all, except those extreme views of Democracy.

Mr. CLAPP. The only thing that staggered those of us who fought against that treaty was that a man of the discernment of the Senator from Georgia failed to see it as we did at the time.

Mr. CLAY. I am one of those Senators when I make a mistake am always ready to confess it and to correct it. I never thought it was any crime for a man to acknowledge that he was wrong.

Mr. CLAPP. Certainly not.

Mr. FOSTER. I wish to ask the Senator only one question.

Mr. CLAY. Certainly. I yield for that purpose.

Mr. FOSTER. Was that the price of sugar in Cuba or was it the price of sugar in New York?

Mr. CLAY. It was the price of sugar in Cuba.

Mr. FOSTER. I ask the Senator what was the price of that same sugar in New York?

Mr. CLAY. Those figures I have not now before me.

Mr. FOSTER. That is the standard to judge by.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. CLAY. Certainly.

Mr. NELSON. Does not the Senator from Georgia think that the discount of 20 per cent on Cuban sugar is enough of a differential to the sugar trust without giving them anything extra?

Mr. CLAY. I should think so.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Will the Senator from Georgia yield to the Senator from Idaho?

Mr. CLAY. Certainly.

Mr. BORAH. I simply want to ask the Senator, by way of information, if he has any accurate information as to the extent to which the sugar trust controls the beet-sugar industry?

Mr. CLAY. My information leads me to believe at least 51 per cent of the stock of the beet factories.

Let us go further into the history of the sugar trust. Let us see what refineries it controls; what power it possesses to control the production and price of raw and refined sugar; what profits it has made out of the American people. Then let us see whether or not this infant industry deserves any special favors at the hands of Congress. Of late years it has been difficult to ascertain its earnings. The trust has successfully concealed from the people its operations. Every day in the year since it was organized the sugar trust has violated the criminal laws passed by Congress to protect the American people against these unlawful and wicked combinations. The trust has filched the Treasury of the United States out of more than ten millions of revenue that justly belonged to the Treasury of the United States, needed to pay the legitimate expenses of the Government. Mr. Moody, in his work, The Truth about Trusts, gives a brief history of the sugar trust. Mr. Moody says:

The trust was incorporated under New Jersey laws January 10, 1891, as successor to the Sugar Refineries Company, otherwise known as the sugar trust, which was itself formed in 1887 to consolidate the sugar-refining business of the United States. The property acquired in 1891 consisted of over 20 refineries located in New York, Boston, New Orleans, St. Louis, San Francisco, and Portland, Oreg.

Since its formation in 1891 the company has acquired control of other corporations from time to time and formed many new ones, and it now has large interests in the sugar-beet business, and also in Cuban sugar plants.

Among the sugar-beet plants which it controls or dominates are the following:

American Beet Sugar Company, Colorado and California; Alameda Sugar Company, Alameda, Cal.; Valley Sugar Company, Saginaw, Mich.; Saginaw Sugar Company, Saginaw, Mich.; Alma Sugar Company, Alma, Mich.; Bay City-Michigan Sugar Company, Bay City, Mich.; Tawas Sugar Company, East Tawas, Mich.; Peninsular Sugar Refining Company, Caro, Mich.; Sebewaing Sugar Refining Company, Sebewaing, Mich.; Sanilac Sugar Refining Company, Sanilac, Mich.; Menominee River Sugar Company, Menominee, Mich.

The National Sugar Refining Company of New Jersey, which was formed in 1900 to consolidate the Mollenhauer Sugar Refining Company, of Brooklyn; the National Sugar Refining Company, of Yonkers; and the New York Sugar Refining Company, of Long Island City, began as rivals of the sugar trust, but are now operated in entire harmony with that company. This is also the case with several so-called "independent" properties which were ostensibly formed to fight the trust.

Capital stock authorized and issued, $45,000,000 7 per cent cumulative preferred and $45,000,000 common stock; par, $100. The preferred stock has no preference as to assets. Dividends on the preferred have been regularly paid at the rate of 7 per cent per annum since the formation of the company. Common-stock dividends were paid at the rate of 12 per cent per annum from 1894 to January, 1900. In 1900, 7½ per cent; 1901 to date, 7 per cent per annum.

The sugar trust, from its inception, adopted the policy of making no public statements to its stockholders regarding earnings or financial conditions. The only statement which becomes public regarding this corporation is that which it is obliged to file with the State of Massachusetts annually. This statement is simply an annual balance sheet showing the assets and liabilities of the corporation in a greatly condensed form, issued on December 31 of each year.

Officers: Henry O. Havemeyer, president; Arthur Donner, treasurer; C. R. Heike, secretary; directors: H. O. Havemeyer, W. B. Thomas, John E. Parsons, Lowell M. Palmer, J. Mayer, C. H. Senff, and Arthur Donner.

New York office, 71 Wall Street.

II. HISTORY.

The American Sugar Refining Company was incorporated at Trenton on January 10, 1891, to take over the entire assets and business of the various companies represented by the certificate of the Sugar Refineries Company, which was itself reorganized in June, 1890. The sugar trust was originally formed in 1887, but in 1889 the trust, after two years of practically no competition and very large profits, began to feel the vigorous competition of the plants built by Claus Spreckels at Philadelphia, Pa., and also Arbuckle Brothers, Claud Doscher, of New York, and others. This keen competition continued for several years and was not ended until the absorption of all competitors a few years later.

In January, 1892, the stock was increased to the full amount authorized, the proceeds to be used for buying up other refineries and for buildings. Accordingly, in March of that year a controlling interest was purchased in the E. C. Knight Company, of Philadelphia, $800,000; the Franklin Sugar Company of Pennsylvania, $5,000,000; the Spreckels Sugar Refining Company of Pennsylvania, $5,000,000; and the Delaware Sugar House, $96,000. Legal proceedings to prevent the completion of these sales were instituted, but were ultimately set aside. These purchases practically eliminated the Philadelphia competition.

Dividends were begun on the common stock in July, 1891, when 4 per cent was paid. In 1892 the company paid 10½ per cent; 1893, 11½ per cent; 1894, 12 per cent; and from 1894 to January, 1900, the rate paid was 12 per cent per annum. In 1900 the rate was reduced to 7½ per cent, and since that year 7 per cent only has been paid.

During the period from 1894 to 1900 the competition with the trust was not severe, and its earnings were said to be very large. Its most important competitors were Arbuckle Brothers and one or two less important concerns. At this time the beet-sugar industry had not developed to any extent.

On June 2, 1900, the National Sugar Refining Company of New Jersey was formed as a consolidation of the Mollenhauer Sugar Refining Company, of Brooklyn; National Sugar Refining Company, of Yonkers; and New York Sugar Refining Company, of Long Island City. The capacity of this company was stated to be about 3,500,000 pounds of refined sugar per day. This company was formed as a rival to the large trust, and its capital consisted of $20,000,000, one-half common and one-half preferred. It has, however, operated in complete harmony with the larger corporations.

In March, 1899, the American Beet Sugar Company was formed under New Jersey laws to consolidate beet-sugar plants at Oxnard and Chino, Cal., and Norfolk and Grand Island, Nebr. These four factories were said to have a capacity of 3,450,000 tons daily. Shortly after its formation the company erected a fifth factory at Rocky Ford, Colo., with a capacity of 1,000 tons daily. The capital of the American Beet Sugar Company consists of $5,000,000 6 per cent preferred and $15,000,000 common stock. Dividends have been regularly paid on the preferred from the beginning.

This company operated for several years as a rival to the American Sugar Refining Company, or "sugar trust," but early in the year 1903 harmonious relations were brought about between the competing interests, and it is now authoritatively stated that the sugar trust owns or controls a majority of the Beet Sugar Company's stock.

Since 1901 several large sugar plants have been established in Cuba, one of which is known as the "Chaparra Sugar Company." The latter is controlled by the same interests that dominate the National Sugar Refining Company of New Jersey, and is therefore in harmony with the trust. While the trust itself does not announce its investment holdings in other companies to its stockholders in detail, yet these holdings are without doubt much more extensive than those named above. In its balance sheet to the State of Massachusetts, on December 31, 1902, its investments in other companies were given a valuation of $45,270,776, which was an increase of more than $6,000,000 over the same item one year previous.

This last increase was chiefly represented by the purchase of a number of Michigan beet-sugar factories during 1902. The American Beet Sugar purchase does not figure in the 1902 report.

It will be noted that while the sugar trust proper produced but 57 per cent, yet in view of the fact that a number of the so-called "independent" refineries are really allied with the sugar trust (as are also the leading beet-sugar producers), the trust really dominates the market as completely as it would if it directly produced 90 per cent. Full details are given in text.

During the year 1903 further acquisitions were undoubtedly made in the line of controlling the beet-sugar industry.

NOTE.—So many analyses and reviews of the famous sugar combination have appeared during the past ten years and the subject has been worn so threadbare that the writer will not give space here to any particular review of the subject. A feature which, however, stands out very conspicuously is the trust's practical domination of the entire American market. Although supplying technically only about 53 per cent of the consumption, yet the ramifications and influences of the combination among its ostensible rivals are so complete that its control over the situation, as far as America is concerned, is all inclusive. It is a splendid example of one sort of monopoly—the kind of monopoly which has been succinctly described as a combination of "special privilege, efficient labor, and brain power."

In response to a resolution adopted by the Senate the Secretary of the Treasury gives valuable information in regard to this trust. I insert from that report on pages 5 and 6, Exhibit G, giving the cases now pending against the sugar trust for violation of the criminal laws:

EXHIBIT G.

UNITED STATES CUSTOMS SERVICE,
Port of New York, April 8, 1909.

SIR: I am in receipt of letter of Assistant Secretary Reynolds (64453 C. A. H.) dated the 6th instant, inclosing copy of Senate resolution dated the 1st instant, relative to sugar matters, and inviting attention to paragraph 5, which reads as follows:

"He is also directed to inform the Senate what suits are pending in the United States courts by the Government against the sugar trust or any branch thereof and the nature of such suits."

In accordance with department's request I have conferred with the United States attorneys for the southern and eastern districts of New York, respectively, and inclose herewith letters from them dated the 7th and 8th instants, respectively, such letters covering all civil proceedings now pending in their jurisdiction as well as criminal cases arising out of the so-called "sugar frauds."

I have to state that since March 27, 1909, the American Sugar Refining Company has paid into this office the sum of $1,239,088.38, being the duties found due upon reliquidation of various entries of said company on the ground of fraud. In addition there was paid into this office the sum of $17,458.20 on October 9, 1908, pursuant to a reliquidation, there having been a discrepancy between the weight returned by the United States weigher and the actual weight as appeared from his dock book as applied to an importation ex steamship *Ellerie*, December 1, 1899, warehouse bond No. 8212, entry No. 194738, the counsel for the American Sugar Refining Company having stipulated for a reliquidation after the error had been discovered by this office more than a year subsequent to date of importation.

Respectfully,

WM. LOEB, JR., *Collector.*

The SECRETARY OF THE TREASURY,
Washington, D. C.

DEPARTMENT OF JUSTICE,
OFFICE OF UNITED STATES ATTORNEY,
EASTERN DISTRICT OF NEW YORK,
Brooklyn, N. Y., April 8, 1909.

SIR: I beg to acknowledge receipt of your letter of the 8th instant, No. 85876, requesting me to furnish you with a report of all cases which are now pending in my jurisdiction, and the status thereof, relative to the importation of sugar, etc. In reply I submit to you herewith the following list of criminal cases pending in this district growing out of the alleged frauds in weighing sugar at the docks of the American Sugar Refinery Company in Brooklyn:

Calendar No.	United States versus—	No.	Violation.
727	Thomas Kehoe	1	Sec. 9, chap. 407, laws 1890.
729	Oliver Spitzer	2	Sec. 26, chap. 407, laws 1890.
745	Patrick J. Hennessey	.....	5440, Revised Statutes.
	James F. Halligan, jr	.....	
	John R. Coyle	.....	
	Jean M. Voelker	.....	
	Thomas Kehoe	.....	
	Oliver Spitzer	.....	
751	Oliver Spitzer	4	5451, Revised Statutes.
760	John R. Coyle	.....	Sec. 9, chap. 407, laws 1890.
761	James F. Halligan, jr	.....	Sec. 7, chap. 407, laws 1890.
762	Patrick J Hennessey	.....	Sec. 9, chap. 407, laws 1890.
763	Jean M. Voelker	.....	Do.
	Patrick J. Hennessey	.....	
	James F. Halligan, jr	.....	
	John R. Coyle	.....	
775	Jean M. Voelker	.....	5440, Revised Statutes.
	Thomas Kehoe	.....	
	Oliver Spitzer	.....	
	Ernest W. Gerbracht	.....	
	Andrew Portavecchia	.....	

In all the above cases pleas of not guilty have been entered. The cases have been on the calendar a number of times and have been from time to time adjourned. They will be called again on Thursday, April 15, 1909.

WM. J. YOUNGS,
United States Attorney.

The COLLECTOR OF CUSTOMS,
New York City.

DEPARTMENT OF JUSTICE,
OFFICE UNITED STATES ATTORNEY,
SOUTHERN DISTRICT NEW YORK,
New York, April 7, 1909.

(United States *v.* American Sugar Refining Co. of N. Y.)

SIR: In accordance with your request, I beg to state that there are pending in this office the following cases and claims against the sugar trust and its New York branch:

1. An action in the circuit court to recover a million and a quarter dollars for duties out of which the Government alleges that it was defrauded by the company's using a fraudulent device upon the scales. This case covers entries which since its institution have been reliquidated by the collector of customs at this port at an aggregate amount of $1,239,088, and it is expected that the duties will be collected under this reliquidation instead of under the pending suit. The collector found the fact of the fraud as a basis for these reliquidations, and the company is making payments in protest. I am informed by the company's counsel that the company now concedes the fact of the fraud and the main principles on which the reliquidation by the collector was based.

2. An action against the American Sugar Refining Company of New York in the district court for the southern district of New York for about $134,000 penalties for some of the above-mentioned frauds. This case was tried in February and resulted in a judgment for the Government for the full amount. The time of the defendant to sue out a writ of error has not yet expired, but it is understood that the company expected to pay the judgment.

3. Additional fines may be levied against this corporation and possibly also against the New Jersey corporation for their fraudulent entries not covered by the above suit.

4. I have now under way negotiations with the sugar trust (the New Jersey corporation) looking to the restitution to the Government of about $1,000,000 further duties out of which the Government claims to have been defrauded by the New Jersey corporation during a period which began at the time the Dingley tariff act went into effect and ended when the frauds were discovered. If the pending negotiations should fail, suits will be instituted to recover these duties.

Very respectfully,

HENRY L. STIMSON,
Special Assistant to the Attorney-General.

The COLLECTOR OF CUSTOMS,
New York, N. Y.

Recently the public press has announced that the sugar trust has paid into the Treasury more than $2,000,000, of which large sum its officers and agents had robbed the Treasury of the United States. Suit is now pending in New Jersey against this trust to recover a million of dollars for revenues due the Government, and it is admitted by the officers of this company, including its counsel, that this unprincipled organization has robbed the American people of this vast sum and which they are now trying to compromise. Officials representing the Government who have made an investigation into these fraudulent transactions, believe that the American Sugar Refining Company has robbed the Treasury of more than $9,000,000 justly due the Treasury. It deserves no mercy at the hands of Congress and most assuredly no favors at the hands of Congress. The criminal and civil laws ought to be rigorously enforced against it, and the best way to destroy it is to give it healthy foreign competition.

I do not believe the beet farmers have received any substantial benefits in the sale of their beets to the factories by reason of existing law. From the best information I have been able to secure the beet-sugar factories, many of them under the control of the sugar trust, have been largely benefited by reason of existing rates on sugar. I hold in my hands Senate Document No. 22, from the Secretary of Agriculture, which ought to be reliable on this subject. He tells us that the average price of beets sold to the refiners has been between $4.75 and $5 per ton. Beets containing 12 per cent of sugar bring $4.50 per ton. Beets with 14 per cent of sugar bring $5 per ton. A ton of beets weighing 2,000 pounds would produce 280 pounds of sugar. This sugar would bring in the market, selling at the price of 4½ cents per pound, $12.60. The cost of the beets deducted from the sales of the sugar would leave $7.60. Now, when you get the cost of refining and deduct that sum from $7.60, you have the profits made by the beet-sugar refineries on a ton of beets.

The average price of beets per ton, as will appear from the table furnished by the Agricultural Department, for the last eleven years is as follows:

	Per ton.
1897	$4.10
1898	4.38
1899	4.60
1900	4.73
1901	4.60
1902	4.84
1903	4.86
1904	4.95
1905	5.10
1906	5.10
1907	5.20
1908	5.35

In corroboration of what I have said as to the profits made by the beet-sugar refineries, I quote an article from the Washington Times of date April 4, as follows:

Nobody knows from what they have told us just what the expense of making beet sugar in this country is.

In 1901 Consul Wyndham, of Great Britain, made a report to the British Government on the beet-sugar industry of the United States, which was published in the Blue Books and is in the Library of Congress. He had no object in view except that of getting the truth. He estimated the cost of beet sugar produced in a mill with a capacity of 1,000 tons per day in Colorado, Nebraska, or Illinois at 2½ cents a pound. At that time the mills were paying about $4 a ton for beets and were getting about 4.1 cents a pound from the jobbers for their product. The labor cost of their yearly output of 24,000,000 pounds of sugar was estimated at $54,000, or only a quarter of a cent per pound. At the prices ruling under the tariff the American consumers were making these infant industries a profit of $534,000 per year on an investment of $537,000, or almost 100 per cent. Their product realized them a profit of 2.2 cents a pound.

If the foreign producer gets his labor for nothing, the difference in labor cost is in his favor, and the tariff necessity of the American sugar manufacturers can not be more than a third of a cent per pound.

The article still further says:

Mr. Wyndham's figures are as good to-day as when he made them.

Mr. J. R. Kelsey, of Addison, Mich., who recently appeared before the Ways and Means Committee of the House, said:

I was one of the first to raise beets in this neighborhood, and each year I have been trying to make up for what I lost the year before. This year I raised in round numbers 13¾ acres, on which I made a profit of nothing minus $2. The crop brought me $504 and it cost me $506, and still I am only about 30 miles from the Blissfield (Mich.) factory, where they are marketed.

I have read from an article in a farm paper a letter written by Mr. J. R. Downey. The writer says:

I am glad to see you turning your guns on the beet-sugar graft. I indorse all Mr. Fessenden says in regard to their agents, and will add that, in my opinion, with very little trouble they could organize an Ananias Club of their own. I raised six crops for them, and I send you one of my contracts and statements from the company. You can figure out how much of the farmers' share I got for six years' work. I learned that each year they found a new way of getting a little more of it, but they had not got to docking a man for what he could not raise.

Mr. Downey submits his statement, showing his crop netted him a profit of $53.22.

The sugar-beet factories have made money. They are making money. Many of them are under the control of the sugar trust. They do not deal with the beet farmers justly in buying their beets. The sugar-beet factories have joined with the sugar trust in fixing the price of beets, and in fixing the price of sugar produced from beets as well as sugar produced from cane.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., May 8, 1909.

Hon. ALEXANDER S. CLAY,
Senate of the United States.

DEAR SIR: In harmony with your telephonic message I had my expert, Mr. Bryan, give me an estimate from his own experience of many years in a beet-sugar factory of the cost of making a ton of beets into sugar. He also cites you to some material of the same kind in the tariff hearing which you, doubtless, have already seen.

I hope this information is what you desire.

Respectfully,

H. W. WILEY, *Chief.*

Inclosure: Memorandum to Dr. Wiley, dated May 8, 1909, from A. Hugh Bryan.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., May 8, 1909.

Memorandum to Doctor Wiley:

As regards the cost of manufacture of one ton of beets into sugar, I would say that—

One hundred pounds of sugar beets $3 to $3.50, average $3.25, to manufacture. The beets from which this was manufactured cost $5 a ton, plus about 50 cents freight, and contained 10 per cent sugar. The amount of sugar in one ton was then 320 pounds and the amount of the sugar recovered as white sugar was 88 per cent of 320 pounds, or 282 pounds. Then the cost of the beets was $5.50÷2.82 pounds, or $1.95, which would make the cost of manufacture $1.30 a hundred pounds, or in this case $1.30×2.82=$3.66 a ton.

In the "Tariff hearing before the Committee on Ways and Means of the House of Representatives, Sixtieth Congress, first print No. 5, Monday, November 16, 1908," page 328, Mr. Carmen N. Smith, representing the Owasso Sugar Company of Michigan, stated that "the cost of labor in the factory is 47 cents a hundred, supplies 63 cents a hundred, which would make $1.10 a hundred pounds as the cost of manufacture, exclusive of cost of beets. Taking 15 per cent as the sugar content of beets and 85 per cent of that extracted as white sugar, then a ton of beets gave 255 pounds of white sugar and the cost of manufacture of a ton of beets was then $2.80.

On page 336 Mr. F. T. Shoals, of Cleveland, Ohio, secretary and treasurer of Continental Sugar Company, gave in his testimony the pounds of sugar produced and tons of beets used, which, figured out, would equal 213 pounds of sugar to a ton of beets. In the cost of manufacture he gives the total wages of operating the plant and also the total amount paid for coal, coke, lime rock, etc. Summing up this and dividing by the pounds of sugar produced, we have $1.41 as the cost of manufacture of 100 pounds of sugar. This multiplied by 213 pounds gives $3 as cost of manufacture for one ton of beets. If insurance and freight is added, the cost goes up to $2.13×$1.78=$3.79 for one ton of beets.

A. HUGH BRYAN.

But, Mr. President, I desire to be accurate in my figures. Now, who reaps the benefit of this high prohibitive duty on refined sugar? What part of it goes to the growers of beets in the United States, and what part of it goes to the sugar-beet refineries? I have sent to the Agricultural Department to find out the average prices paid the farmers for sugar beets during the last eleven years, the cost per ton for beets each year, the cost per ton for converting beets into refined sugar, the net profits per ton to the sugar refineries after the beets are converted into refined sugar, and this calculation demonstrates that only a small profit goes to the beet farmer, while the sugar refineries make large and unreasonable profits. The Agricultural Department surely can be trusted to make this calculation, which is attached hereto, and which I would ask be made a part of the RECORD. I take it for granted that these figures are absolutely correct. Surely no Senator will question their accuracy.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. CLAY. I will yield.

Mr. SMOOT. The Senator must know that the farmer gets over 2 cents a pound on the sugar contained in the beet. That is the price the sugar factories in all the Western States pay for the beet. Is not that true?

Mr. CLAY. I presume the Senator from Utah got his information from the same place.

Mr. SMOOT. No, Mr. President; I got this information from absolute experience, and I know whereof I speak. I know what they pay for beets in the Western States, and I know how much saccharine they carry. I know, and so does the Senator know, that so far as the price of beets to the farmer is concerned the price paid is over 2 cents on the sugar content.

Mr. CLAY. If my friend will just keep quiet, I will show him how much the beet buyers have paid for beets in the last eleven years.

Mr. SMOOT. I know——

Mr. CLAY. I have that information from the Agricultural Department. I sent to the Agricultural Department and had that department give me the price of beets per ton each year since 1897. I had the department also give me the number of pounds of sugar which a ton of beets make, how much it cost to convert the beets into sugar, also how much the sugar sold for, and what profit the refiner made. Say what you please about the Agricultural Department, I have always found that the man who occupies the head of that department is an honorable and a reliable man.

Mr. SMOOT. I fully indorse that remark, and I am perfectly willing to stand by what the Agricultural Department says as to the amount of sugar in a ton of beets and as to the cost per ton.

Mr. CLAY. I am glad I am able to find something that the Senator from Utah will stand by.

Mr. President, I deny that either the beet grower or the cane grower has made——

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. CLAY. Certainly. I was on another subject. I will leave that.

Mr. SMITH of Michigan. I was in hopes the Senator would let that stand.

Mr. CLAY. I will let it stand later on.

I have a letter from the Agricultural Department, and I want the Senator from Utah to see that I am correct. I will yield to him if I am incorrect. In 1897 the price of beets per ton was $4.10; in 1898, $4.38 per ton; in 1899, $4.60 per ton.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. CLAY. I will yield.

Mr. SMOOT. I wish to say right now, that the beet-sugar farmers in the State of Utah, in the State of Idaho, and in the State of Colorado receive more than $4.10 a ton for their beets, and always have done so. I say that to-day they are receiving $4.75 a ton, not at the factory, but loaded on the cars near the place where the beets are raised.

Mr. CLAY. I have given the report of the Agricultural Department in reply to a resolution introduced by my friend the Senator from Montana [Mr. CARTER]. The Senator has just stated that he will stand by what the Agricultural Department said.

Mr. SMOOT. On the question as to the amount of sugar, I said the sugar costs 2 cents a pound based on the price paid for beets grown in my State, and I say so yet.

Mr. CLAY. The Senator then says he will stand by a part of the report of the Secretary of Agriculture and a part of it he will not.

Mr. SMOOT. The Senator asked me to interrupt him if the figures were not right, and I say now that the farmers in the States of Utah and Idaho get $4.75 a ton for the beets.

Mr. CLAY. How much did you pay in 1900?

Mr. SMOOT. I do not think there has been any change for many years.

Mr. CLAY. The Agricultural Department furnished me this in reply to a letter I addressed to the Agricultural Department, which I will put into the RECORD.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. CLAY. Certainly.

Mr. NELSON. I presume the figures the Senator from Georgia gives are the average for the whole country.

Mr. CLAY. That is right.

Mr. NELSON. Not for any particular State.

Mr. CLAY. I said what the Agricultural Department gives as the average price of beets per ton, as will appear from the table furnished by the Agricultural Department, for the last eleven years.

Mr. NELSON. Will the Senator now give the amount of sugar which is produced from a ton of beets?

Mr. CLAY. I am going to do that. I asked the Department of Agriculture to give to me accurately, to make it absolutely correct, the number of pounds of white sugar that a ton of beets made, and they sent back the figures. They said that a ton of beets would average 282 pounds of white sugar; that a ton of beets cost the refiner, on an average, $5; that converting those beets into sugar cost $3.60, making a total of $8.60; and the refined sugar from a ton of beets sold in the market for $4.32 more than it cost the refiners.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. CLAY. I do.

Mr. SMITH of Michigan. The Senator from Georgia, I know, means to be perfectly accurate and correct.

Mr. CLAY. I do.

Mr. SMITH of Michigan. But quoting from Senate Document No. 22, being a letter from the Secretary of Agriculture, I find that for the year 1905, which seems to be the year on which he predicated his statement from a number of reports secured from all sections of the country, it appears that about $5 per ton, on an average, was paid to the farmer for the beets, the price, however, often depending upon the saccharine content, which in the Mississippi Valley runs the price up to $5.50 per ton.

Mr. CLAY. Mr. President, the American Sugar Refining Company has violated the criminal laws of this country since it was organized, and the American Sugar Refining Company absolutely dominates our sugar markets to-day in this country. The American Sugar Refining Company fixes the price of raw sugar in this country. The cane farmer and the beet farmer can not get his sugar refined anywhere else. There are not enough independent refiners to do it.

Mr. SMITH of Michigan. The beet-sugar factories refine their own sugar. I understand the Senator to say, and it is true, that since the establishment of these beet-sugar factories the quantity of refined sugar which is produced in the world is much greater than before the beet industry was established, and the price has accordingly fallen.

Mr. CLAY. At the time the Dingley bill was passed my recollection is that we produced less than 200,000 tons of beet sugar, while now we produce about four hundred and forty or four hundred and forty-seven thousand tons—I am not certain which. The production of beets has about doubled in the last ten years. I have no misstatements to make to this Senate.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Montana?

Mr. CLAY. Certainly.

Mr. CARTER. The statement of the Senator from Georgia with reference to the average yield to the farmer in the way of profit on sugar beets challenges my attention, because it is somewhat in conflict with information received direct from those engaged in producing sugar beets.

If the Senator will permit me to explain, I think the low average proceeds from the attempt to raise sugar beets in sections of the country little adapted to the culture of sugar beets. Originally the attempt was made in certain portions of the Mississippi Valley with little success. At Billings, in the State of Montana, a beet-sugar factory, which is producing about 1,200 tons per day, has wrought wonders in the agricultural community tributary to that factory. My information from the farmers engaged directly in the production of beets is that they raise from 15 to 20 tons per acre, and that the cost of cultivation is about $20 per acre. Indeed, they are able to contract for the culture of the beets at $20 per acre. They receive $5 a ton and upward for the beets at the station where loaded on the cars, or at the factory if hauled there in wagons. A brief calculation will show, I think, that the average receipt per acre is over $75 and even reaches as high as $100 per acre. Assuming $80 to be the average receipt by the farmer for the beets raised on each acre, and $20 per acre as the amount of expense, it follows that there exists a profit of about $60 per acre per year.

In the production of the sugar beets in the Yellowstone Valley of Montana it is said, and I have no doubt truly, that the climate and soil of that region happen to be better suited to the culture of these beets than any other; but this would yield, I submit to the Senator from Georgia, in the regions especially adapted to the growth of the beet, $3 or $4 per ton instead of less than $2 per ton, as the Senator has suggested as the average shown by the figures of the Agricultural Department.

I submit to the Senator for his consideration the fact that the low average to which he refers is the result of ill-advised experiments in sections of the country not adapted to beet culture at all.

Mr. CLAY. Mr. President, I wrote to the Agricultural Department and asked the department to give me the average price paid for beets all over the country. There are not very many States producing beets. I also asked the Agricultural Department to give me the average amount of sugar made from a ton of beets, the cost of refining, and the average price received for the sugar after it was refined. The statement which I shall insert in the RECORD is in reply to my letter.

Mr. SMITH of Michigan. Mr. President, will the Senator object to an interruption?

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. CLAY. I do.

Mr. SMITH of Michigan. I notice by this report, which is exceedingly interesting, that within the last twelve years there has been paid out for beets at the factories to the American farmer $121,063,619.

Mr. CLAY. I have all of that in my statement here, and also how much is paid by the refiners and how much was paid for the beets to the farmers. I have that in full, and I expect to insert the document.

Mr. SMITH of Michigan. The Senator from Georgia, of course, recognizes the desirability of diversifying the products of the American farmer in that manner, does he not?

Mr. CLAY. Yes.

Mr. SMITH of Michigan. And that anything which will help such diversification will add to the volume of sugar produced in the world and tend, of course, to make the price a little lower to the consumer?

Mr. CLAY. There have been very slight changes in the price of refined sugar in the past twelve years.

Mr. SMITH of Michigan. The Senator does not question the wisdom of our course with reference to the production of domestic sugar?

Mr. CLAY. I do not believe any substantial benefit has gone to the beet grower. The testimony taken before the Ways and Means Committee states that in the State of Colorado, in the State of Utah, and in the States of California and Idaho beets can be produced cheaper than anywhere else in the world. The Senator does not get my point. My point is simply this: I want to show, on account of the changed conditions in this country in regard to the admission of free sugar, that we ought to reduce the tariff on refined sugar; and I think the Senator from Michigan agrees with me.

Mr. SMITH of Michigan. If I do not annoy the Senator I should like——

Mr. CLAY. I have been speaking for an hour and a half. I hope the Senator will let me get through.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. CLAY. Certainly.

Mr. BACON. I should like to know whether he has stated the amount of revenue the Government gets from the importation of refined sugar?

Mr. CLAY. Last year only 219 tons of refined sugar came from foreign countries to our country.

The Agricultural Department tells us that the farmer sells his beets for about $5 per ton to the sugar refineries. These beets contain 16 per cent sugar. The amount of sugar in one

ton of beets is 320 pounds and the amount of sugar recovered as white sugar would be 88 per cent of 320 pounds, or 282 pounds. The cost of refining is $1.30 per hundred pounds. Let us see what profits the refineries make out of a ton of beets. The refiner pays the farmer $5 for a ton of beets; the cost of converting the beets into refined sugar at $1.30 per hundred would be $3.66; adding this to the cost of the beets we have $8.66, the total cost of the 282 pounds of refined sugar realized by the refiner from the ton of beets. Now, how much does the refiner receive for the 282 pounds of refined sugar obtained from the ton of beets? The wholesale price of refined sugar in New York is $4.96 per hundred pounds. This would give to the refiner $12.98 for his refined sugar realized from his ton of beets, a profit of $4.32. Thus the refiner makes a profit on each ton of beets almost equal to the price the farmer receives for his beets. After the farmer pays for his labor in cultivating the beets, he realizes in profits less than $1 per ton and in many instances he loses money, while the sugar trust makes a clean profit of $4.32 on each ton of beets purchased and converted into sugar. We produce annually in this country about 440,000 tons of beets. The sugar trust makes a profit of $4.32 per ton in manufacturing these beets into sugar, while the farmer who cultivates the beets makes a profit of not exceeding $1 per ton—that is an average profit.

Now, who gets the benefit accruing by reason of this high duty on sugar. The American consumers do not get it, neither does the grower of beets. Then, who does get it? The question is easily answered. The sugar trust, beyond dispute.

Will we continue to legislate in the interest of criminals and against the interest of the American people? If this sugar schedule shall be enacted into law in the interest of these confessed criminals, who have openly combined and confederated to destroy all competition and who have wrenched wrongfully from the American people more than fifty millions per year in profits and who have robbed the Government of at least ten millions of revenue justly due the Government, then what hope has the American people?

The operations of the sugar trust with the Government and the indictments now pending against the employees of the trust demonstrate beyond question that those in control of this combine are criminals and have been criminals since its organization. The defense that the officials have not been connected with this underweighing and smuggling against the Government is not worthy of the consideration of any intelligent man. These employees drawing small salaries, working for wages, were directed by those high in authority. The officers of the sugar trust were not even willing to make a reasonable divide with the employees who committed these crimes, giving them each $5 per week extra for stealing, while such thefts brought to them and their associates on an average of more than two hundred thousand per month.

How long will the American people tolerate this conduct? How long will we continue to legislate for the benefit of this class of criminals and against the interests of the American people?

If the sugar trust can find a defender on the floor of the Senate, then we have reached a condition of affairs most deplorable. If we are to continue to legislate millions of profits into the pockets of this class of men at the expense of the American people, then let us adopt the sugar schedule provided by the Finance Committee of the Senate.

If we are to continue to rob the American people of more than fifty millions per year that justly belongs to them for the benefit of the sugar trust, then let the American people know it and let us see if they will approve it. I insert some figures and facts sent me by the Agricultural Department in regard to the cost of refining beet sugar. I also insert a letter written from McKeesport, Pa., April 27, 1909, to a Member of Congress, that correctly describes the situation relative to the trust, leaving out the name of the Member of Congress to whom it was addressed. This letter was addressed to a Representative from Kansas.

MCKEESPORT, PA., *April 27, 1909.*

SIR: I have been delayed in answering your favor of recent date owing to press of business, due to moving my grocery business to a new location.

You ask me for my authority in stating in my letter to the Hon. JOHN DALZELL that the profit of the beet-sugar industry would be found eventually stowed away in the pockets of the sugar trust. You also desire to know if I have made any personal investigations of the subject.

To the latter question I can state that beyond keeping as well posted as possible on a matter which is naturally of so much interest to me, I have made no extended personal investigation.

The fact that the sugar trust controls the domestic beet-sugar industry is one that is never disputed in sugar circles, and proof that such a condition does exist is readily obtainable. The statement which the sugar trust makes shows that they have $22,000,000 invested in domestic beet-sugar factories. How much more is in the hands of their directors is not stated, but it is a well-known fact that this stock is placed so as to control the whole. The beet-sugar factories of the country are for the most part divided up into groups and controlled by parent companies.

For instance, the Great Western Sugar Company is one of these, operating quite a number of the larger factories, and produces in all about one-third of our total domestic beet-sugar production.

Mr. H. C. Havemeyer, until his death, was president of this company. The president is now Mr. H. E. Morey, whose office is at No. 117 Wall street, New York, the American Sugar Refining Company's building.

The American Beet Sugar Company is another one of these parent companies, and Mr. J. Moody, in his book, The Truth About the Trusts, on page 64, says the following in reference to their relation with the American Sugar Refining Company:

"The capital of the American Beet Sugar Company consists of $5,000,000 6 per cent preferred and $15,000,000 common stock. Dividends have been paid regularly on the preferred from the beginning.

"This company operated for several years as a rival to the American Sugar Refining Company, or sugar trust, but early in the year 1903 harmonious relations were brought about between the competing interests, and it is now authoritatively stated that the sugar trust owns or controls a majority of the Beet Sugar Company's stock."

Mr. C. D. Warren, president of the Michigan Beet Sugar Company, you will note, is the gentleman who, acting with authority for all the domestic beet-sugar men, made an agreement with Mr. Taft that, provided he would not insist on lowering the sugar schedule in the interest of the consumer, they would not fight against the admission of Philippine sugars, up to 300,000 tons, free of duty.

The country thought we were to have a substantial revision of the tariff. Senator DOLLIVER demonstrated there has been no substantial revision so far as the woolen schedule is concerned. It is in reality an increase over the Dingley law.

Senator CUMMINS has demonstrated that there has been no substantial reduction in steel and iron that can possibly be of any benefit to the consumers' market. There has been a continued and persistent effort on the part of Mr. ALDRICH, the chairman of the Finance Committee, to reenact the Dingley law. There are Republicans on the other side of the Chamber who recognize the obligations they owe to the American people, and they have resisted manfully the tariff bill as framed by the Finance Committee of the Senate, and they deserve credit for their good work. We ought to give to the American people a reduction of at least one-third over the existing law on sugar. We ought to give to the American people free hides, free lumber, free materials for the preparation of fertilizers, free salt, free twine, free bagging and ties, and if there is any deficiency in the revenue, let us make it up by the passage of a proper income tax.

The most severe arraignment that I have read against the Republican party was made by Senator ALDRICH, who is considered the head of the Republican party in the Senate, though many of its valuable members no longer bow to his will and dictation.

In his opening tariff speech, delivered on the floor of the Senate on April 19 last, is a severe arraignment of the Republican party, and from his own confession he has been derelict in the discharge of his duty to the American people.

What did he say? I quote his exact language:

From an investigation more or less superficial I am myself fully satisfied that the appropriations made last year could have been reduced at least $50,000,000 without impairing the efficiency of the public service. There are periods in the life of a nation when the spirit of extravagance pervades the atmosphere and the public money is scattered right and left, often without reference to the results to be secured. I hope and expect to see a radical reform in this direction. We have within the past few years created many unnecessary bureaus and multiplied employees beyond the possibility of efficient work.

And the Senator could have said that every one of these extravagant items had his approval and support.

Senator ALDRICH further said:

No one committee or official has been charged with the duty of attempting to coordinate expenditures with revenue, and extravagant and unwise appropriations have been made without reference to the economical administration of the Government.

In this work of necessary reduction in expenditure and in reform in methods of appropriation to which the Senate is pledged, I am authorized to say that we shall have the earnest support and active cooperation of the President and the administration.

Mr. BEVERIDGE. Mr. President——

Mr. CLAY. One moment. When I heard those words from the Senator from Rhode Island—and we all know his untiring industry and his great ability—I said to myself, in the future no item will pass the Senate that ought not to go in an appropriation bill.

Mr. BEVERIDGE. I merely wanted to say that the statement the Senator quotes from the speech of the Senator from Rhode Island was pretty hard on the Appropriations Committee as then constituted.

Mr. CLAY. Yes, Mr. President. I am a member of that committee, and the RECORD will bear me out that time and again on this floor I have tried to reduce appropriations, but we were never able to get the Senator from Rhode Island to help us.

Mr. ALDRICH. The Senator is very much mistaken in that. In the first place, I am not a member of that committee; but

my voice and my vote have always been for economy in the Senate; and I am not quite so sure about my friend from Georgia.

Mr. CLAY. I will give the Senator a week to examine the RECORD to find any extravagant items that I have voted for.

The Senator in this speech admits that we are spending $50,000,000 each year more than we ought to expend to administer this Government. I challenge the Senator to point out during the last twelve years a single instance where he has made any effort to reduce our expenditures. The Senator is the leader of the Republican party. The country believes he molds and shapes its policy. Why, during this last session of Congress, when an effort was made to increase the salary of the President to $100,000 per year and to almost double the salaries of the federal judges, the Senator from Rhode Island exerted every influence possible to secure the increase. When an effort was made by the Senator from Maine [Mr. HALE] to cut down the expenses of the navy, the record will show that the Senator from Rhode Island was the first Senator to vote against reducing the expenditures in the Navy Department. When an effort was made to force the banks to pay 2 per cent interest on nearly $300,000,000 of money on deposit in those banks belonging to the American people, the Senator from Rhode Island was the first Senator to vote against such amendment. If the Senator openly admits on the floor of the Senate that each year we have spent $50,000,000 of money more than we ought to have spent, and he has never raised his voice against this extravagance and has never pointed out to the Senate or the country what items of extravagance could have been avoided, then he has been derelict in his duty to the people of his State and the country. When did the Senator become clamorous for economy and reform? Ah, Mr. President, when he saw that the income tax in all probability would become a law, he became alarmed and endeavored to show the country that we could produce enough revenue and reduce the tariff downward to support the country without an income tax. And he was exceedingly anxious when the income tax confronted him to cut down the expenses of the Government to avoid the adoption of an income tax.

When the Senator from Maine [Mr. HALE] moved to reduce the naval expenditures of the country nearly $6,000,000, whose name was first called? That of the Senator from Rhode Island, and he voted against the reduction.

Mr. ALDRICH. Mr. President, I take it for granted that economy is a question of intelligence in expenditures, and I would be quite willing, if the occasion required and I had the time, to discuss these propositions with the Senator from Georgia.

The Senator is mistaken in his last proposition as well as in his first. I voted with the Senator from Minnesota on that proposition.

Mr. CLAY. Then, if he did, I will give the Senator credit for it and say that for once he was right.

The Senator has surely forgotten that speech. This tariff bill provides for a customs court, to be composed of five judges, drawing a salary of $10,000 per year each; a marshal, clerk, and attorney-general, $10,000 per year each; and four assistants, at a salary of $6,000 per year each; and will cost annually a quarter of a million dollars.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. CLAY. Certainly.

Mr. ALDRICH. I have not only not forgotten that speech, but I am endeavoring to carry it into practical effect. The general estimate of the amount of money which is lost to the Government of the United States by undervaluations and by erroneous interpretations of law is from fifty to sixty million dollars a year. Many cases have been tried before a court in New York that involved from one to ten million dollars a year, at which the Government was not properly represented. But I do not intend to go into that question now. I think every man who has examined the question, whether on the committee or off the committee, believes that the expenses of this court for ten years would be often saved in a single case.

Mr. CLAY. Yes; the economy the Senator stands for means increased expenditure every time. I say the statement made by the Senator from Rhode Island is a reflection upon the courts of the great State of New York.

Mr. ALDRICH. Mr. President, the courts of the great State of New York do not decide customs cases at all, I believe.

Mr. CLAY. The federal courts do.

The Senator has not been consistent. He has never been an economist. He has never stood for economical, plain, simple government. We do not think alike. I do not criticise his integrity or his intelligence. I appreciate his great ability. The Senator believes in a strong central government—the government of the classes and not the government of the masses. He represents what is called in his party the "Stalwarts." If he had his way, he would not change our tariff laws. He is satisfied with the Dingley law.

Many members of his party differ with him. Their views have been expressed on this floor time and again in the interest of the masses of the people. By their votes and speeches they have demonstrated that on many public questions they are in line with the Democracy.

Mr. President, this tariff bill, if enacted into law in its present shape, will give no substantial relief to the American people. The question may well be asked: Why was Congress called in extra session and the American people put to the extra expense of an extra session of Congress if we simply intend to reenact the Dingley law?

If the President of the United States entertains now the views which he so often expressed during his canvass, he can not regard this measure as a substantial revision of the tariff downward.

Mr. NEWLANDS obtained the floor.

Mr. ALDRICH. I should like to have the pending amendment stated, so that we may take a reckoning as to where we are.

Mr. NEWLANDS. I have the floor.

The VICE-PRESIDENT. The Senator from Nevada has the floor. Will he permit the pending amendment to be stated?

Mr. NEWLANDS. I do not wish to speak regarding the pending amendment.

Mr. MCLAURIN. Let the pending amendment be stated.

Mr. NEWLANDS. Very well.

The VICE-PRESIDENT. Without objection, the Secretary will again state the pending amendment.

The SECRETARY. On page 68, line 16, it is proposed to strike out the proviso at the end of paragraph 194, reading as follows:

Provided, however, That all Lever or Gonghrough lace machines, including machines for making lace curtains, nets, or nettings, imported prior to July 1, 1911, shall be admitted free of duty.

Mr. NEWLANDS. Mr. President, if I understood correctly the Senator from Georgia [Mr. CLAY] in his very clear and interesting speech, he claimed that the price of sugar in this country is about double what it is in other countries, and that American consumers pay over 4 cents a pound for their sugar, while in other countries they pay about 2 cents a pound. A difference of 2 cents a pound on sugar amounts to $40 a ton; and as the total consumption of sugar in the United States is over 3,000,000 tons annually, it means that the American people pay over $120,000,000 more per annum for their sugar than they would if they received it at the international price. That $120,000,000 additional cost imposed upon the American consumer is caused by a tax imposed upon imported sugar; and the question arises as to how much of that $120,000,000 the Government of the United States receives as revenue.

Upon referring to the statistics we find that the total amount of revenue received from sugar is only $59,000,000, so that over $60,000,000 annually of additional cost imposed upon the American people for their sugar goes to other interests. It goes in part to the producers of sugar in this country, in part to the producers of sugar in islands having certain relations to the United States and in part to the sugar trust.

With reference to this diversion of revenue I have to say that we find that by reason of favors to insular countries the amount of revenue which the United States receives from this tax has been constantly diminishing. We annexed Hawaii. Under ordinary conditions Hawaii, as a foreign country, would be compelled to pay, on its 400,000 tons of sugar imported into the United States, $40 a ton, or about $16,000,000 annually. That duty is entirely remitted by reason of annexation. There is no complaint to be made of course, so far as I am concerned, regarding annexation. I favored annexation. But this illustrates my point—that $16,000,000 which otherwise would have gone into the Federal Treasury goes now to the planters in the Hawaiian Islands, and goes to them as a price above the international price which they would otherwise receive if they did not have the advantage of this favored market.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. NEWLANDS. Certainly.

Mr. HEYBURN. It was suggested to my mind that if it were not for the fact that this Hawaiian sugar comes in free we would not import anything like that amount.

Mr. NEWLANDS. Possibly not. Possibly Hawaii would not be able to produce that amount. The very fact that Hawaii re-

ceives a price in these markets double what she can receive in any other country in the world has, of course, stimulated production in the Hawaiian Islands.

Then we have Porto Rico. Under the conditions that existed prior to the annexation of Porto Rico the 200,000 tons of sugar which she now produces would have been compelled to pay a duty of nearly $40 per ton, or $8,000,000 per annum. That has been remitted; and Porto Rico producers now receive $8,000,000 more in the price of their sugar, in this favored market, from the domestic consumers of the United States, than they could by any possibility receive anywhere else in the world's markets.

We come now to Cuba. Cuba, at the close of the Spanish war, was producing only about 300,000 tons of sugar annually. Her present product is 1,400,000 tons, according to the statement of the Senator from Georgia [Mr. CLAY]. Upon that 1,400,000 tons there is remitted one-fourth or 25 per cent, of the duty which would otherwise be taken. Cuban producers, whether those producers be the American sugar trust owning lands in that island or the native producers themselves, thus receive for their product $14,000,000 annually more than they would be able to get in any other market in the world; and that $14,000,000 is lost to our National Treasury.

I opposed the reciprocity treaty with Cuba. I opposed it because I felt that ultimately Cuba must become a part of the United States; and I felt that if we would simply take advantage of the economic conditions and refuse to her a commercial treaty which would give her this large bounty, economic necessity would compel her to apply to us for political union instead of commercial union. I should have been glad to see Cuba admitted as a Territory of the United States, with the ultimate prospect of statehood; for I regard that island as the most valuable of all the islands with which we have had to deal. She has a population to-day of only one and a half or two million people, and an ability to support 14,000,000 or 15,000,000 people. As it is, we are bribing Cuba, by this bounty of $14,000,000, to maintain her independent position, and enabling her to receive in this country $14,000,000 annually more than she could receive anywhere else in the markets of the world. I have been against commercial union with Cuba. I have always been for political union with Cuba.

We come next to the Philippine Islands. The fatal policy which we have pursued with reference to the islands of the world, resulting in a bounty to those islands, and allen abstraction of revenue from the United States Treasury, is about to be pursued there. The committee recommends that 300,000 tons of Philippine sugar annually be admitted into this country duty free. What does that mean? That the Philippine producers, whether those producers be the sugar trust, which will own the sugar lands in that country, or the native producers themselves, will receive nearly $40 per ton more for their sugar than they can get anywhere else in the world. And $40 a ton upon 300,000 tons means $12,000,000 annually paid to the Philippine producers and lost to our National Treasury.

I am opposed to this arrangement. I believe that it will, in the end, prove injurious to the Philippine people themselves; that it will place their industry upon stilts, just as we have placed the industries of this country upon stilts; and that a day of reckoning will come. I believe that when independence finally comes the industries of those islands will be prostrated, by reason of the fact that they will be compelled to accept the world's prices, and will no longer receive the favored prices of the United States.

I am against this bounty to the Philippine Islands, because it will tie those islands effectually to us for all time. It will tie the people of those islands to us. The producers of sugar, receiving those $12,000,000 annually, will object to the severance of relations that gives them this favored market in the United States. It will also build up in that country great American interests, great property interests, receiving a bounty from the consumers of the United States in the shape of an increased price for sugar. Therefore we will have interests at home that will be influential in legislation here and will prevent the final proper solution of the Philippine question, which means, according to the declarations of both parties, ultimate independence for the Philippine Islands when they shall have become fitted for self-government.

The parties may differ as to the time; the parties may differ as to the policy of declaration. One party may be in favor of now fixing the time definitely at ten, fifteen, or twenty years hence; and the other party, according to the declaration of Mr. Taft, may prefer to leave the time as a question to be determined in the future by a test of the capacity of the people themselves for self-government. But both parties unite on this policy of ultimate independence for the Philippine Islands, and the sentiment of the country is in favor of it. The people of this country do not believe in maintaining valueless islands 7,000 miles away, in contact with all the belligerent forces of the world, where at any time an electric spark may light up a war that will cover this entire country, and involve it in expenditures equal to, if not surpassing, the expenditures of the Boer war. The traditions of the country are against holding a people in subjection against their consent, and this sentiment will grow.

What effect will the action which you propose to take have upon the policies of both parties, as thus far declared through their leaders? What effect will it have upon the sentiment of the Filipino people themselves? You propose to subsidize those people. You propose to subsidize the great sugar interests of this country that will be interested in production there. You propose to give them a bounty of $14,000,000 annually from the American consumers; and then you expect that it will be an easy task, when the American people shall come to the conclusion that the possession of those islands is undesirable, to cut the tie that binds them.

There is but one way of dealing with the Philippine Islands consistent with humanity and integrity. That is to regard those islands as a separate unit, absolutely distinct in their form of government, absolutely distinct in their fiscal system, absolutely distinct in their industrial system, dependent upon us in no way except in the commission itself which forms the connecting link. If we do not complicate their industrial system with ours, if we do not complicate their fiscal system with ours, all we will have to do in the future will be to substitute Filipino commissioners for the American commissioners; and they will then go out as a nation, with a distinct industrial system of their own and a distinct fiscal system of their own, able to contend in the world for the world's prices.

But if you feed them upon the bottle of protection and of subsidy, and accustom them to prices in these favored markets double those which they could get anywhere else in the world, when separation comes you will throw them upon the world absolutely helpless in the economic struggle that will take place.

Mr. President, the Senator from Georgia [Mr. CLAY] has opened up a most important question—one of the most important questions that has been presented to us. It shows how the tariff tax is added to the cost of every article to the American consumer; how that tax is diverted from the Federal Treasury into the pockets of the interests that are connected with the production of the various commodities. It tends to show the folly of our policy regarding these islands in the ocean—these islands in these heated regions that have been unable to maintain themselves in their economic struggle with the temperate region even in such products as sugar, which have been heretofore regarded as the exclusive monopoly of the tropical regions. It shows the absolute folly of building them up by bounties and subsidies, particularly in the case of the Philippine Islands, if we wish to absolutely separate them from us, give them an individual life, and train them to struggle with the world for competitive prices.

I hope that the speech of the Senator from Georgia [Mr. CLAY] will be widely read and that the statistics will be carefully considered by the Senate; and I hope that both parties will unite in preventing this monumental blunder with reference to the Philippine Islands, which will result in enfeebling the people themselves in their struggle for economic equality with the rest of the world, which will accustom them to the bottle of subsidy, which will build up industries here and there that will be opposed to separation, and which, when separation finally comes, will cast those islands outside of the favored markets of the United States in a fatal struggle with the rest of the world without the industrial and economic training essential to its successful conduct.

The PRESIDING OFFICER (Mr. DIXON in the chair). The question is on agreeing to the amendment proposed by the committee.

Mr. STONE. Mr. President, I wish to make a single observation before the vote is taken. The proviso as it came from the House of Representatives was:

That all embroidery machines and lace-making machines, including machines for making lace curtains, nets, or nettings, imported prior to July 1, 1911, shall be admitted free of duty.

The Senate committee has stricken out the words "embroidery machines and lace-making" and inserted "lever or go-through lace."

Mr. ALDRICH. That amendment has been withdrawn. The proviso has been stricken out entirely.

Mr. STONE. The Senator from Rhode Island withdraws the Senate amendment?

Mr. ALDRICH. I have moved to strike out the entire proviso.

Mr. STONE. As I understand, the Senator withdraws the Senate amendment in the proviso and moves to strike out the whole proviso.

Mr. ALDRICH. That is right.

Mr. STONE. Now, upon that I wish to say just a word with a view to emphasizing and attracting particular attention to a remark made by the Senator from Rhode Island this morning when this proposed amendment of his to strike out was under consideration.

Mr. President, the Senator from Rhode Island has been the victim—I am sure the unwilling victim—of a shower of compliments in the last two or three or four weeks that ought to satiate him unless he is a vainer man than I think him to be. He already stands knee deep in flowers, and I do not care to throw an additional bouquet on the heap. Still a statement made in plain language, not in fulsome language, would be permissible and not violate the rule that I have suggested for my own observance.

The Senator from Rhode Island we know to be one of the—I will not say the only—important individual force in congressional legislation. He is one of the strongest factors—I will not say the only strong factor—in this particular legislation, although his position as chairman of the committee gives him exceptional prominence. I know, too, that he is one of the recognized leaders in the country of the Republican party, and therefore a statement coming from him is entitled to some special consideration. When he makes a startling statement it is well to pause a little just to think about it and try to estimate its significance.

This morning the Senator said that lace-making machines ought not to be put upon the free list because some machines of that kind had at some time in the past been imported, upon which the importer had paid a duty, and that it would be an unjust discrimination to put them upon the free list now and permit others in the future to import them free of duty.

Mr. President, that is a very far, radical advance, even on the declarations of the Chicago platform. That platform declared that a tariff should be levied sufficient to cover the difference in cost of labor production in this country and abroad, to protect labor, and that the duty should be made still higher for the purpose of insuring a profit to the manufacturer who employed the labor. That was a new and bold declaration of party policy.

But now the Senator from Rhode Island advises us that a machine should not be put on the free list because, forsooth, some persons have paid a duty upon such machines in the past. If that is to be the policy of the country, then we are closed at once against the possibility of putting anything on the free list or of reducing the duty upon it.

Mr. President, moreover, the Senator from Rhode Island said there were no machines of this kind made in this country—not one——

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. I think I stated, and if not I will now state, that there is every probability that they will be made in the United States at an early day; and I will state further, what I did not state before, that parts of the foreign machines used in some of the countries abroad are of American invention, and they should be of American manufacture.

Mr. STONE. Machines made abroad may be made in accordance with some American invention, but they are not manufactured in this country. There is no capital invested in them. There is no labor employed in their manufacture.

But the Senator says we may tempt or encourage or induce some one or another to enter upon this enterprise, to invest capital and employ labor in the making of these machines. This tariff, therefore, is to be maintained, this exaction is to be made upon persons who need these machines and must buy them abroad if they buy them and have them at all, not to protect even an infant industry, but merely to tempt or induce somebody to venture upon the enterprise. These, Mr. President, are the things which I wish to emphasize because they are new declarations of party policy. That is all I care to say.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. McLAURIN. There is a good deal of objection to that.

Mr. PAYNTER. I have an amendment pending, but it should be changed in view of the fact that the proviso has been stricken out. I withdraw the amendment and move the amendment I send to the desk, because it would not be intelligible if it were left the other way. I offer this amendment in lieu of the other.

The PRESIDING OFFICER. The Senator from Kentucky offers an amendment which will be stated.

The SECRETARY. On page 68, line 16, after the words "ad valorem"——

Mr. PAYNTER. In line 11, strike out the words——

The SECRETARY. In line 11, strike out the words "linotype and all typesetting machines"——

Mr. PAYNTER. And add——

The SECRETARY. And in line 16, after the words "ad valorem," add:

Provided, On linotype and all typesetting machines, 10 per cent ad valorem.

Mr. PAYNTER. I think that meets it; and on that question I demand the yeas and nays.

Mr. ALDRICH. I believe all these linotype machines are patented. I think every one of the articles covered by the amendment of the Senator from Kentucky is a patented machine. He might, by the adoption of this amendment, be doing the very thing the linotype company would like to have done—that is, they might like to bring the machines in here for their own use or sale at 10 per cent and thereby take the work away from American mechanics for the benefit of foreign mechanics.

I understand that none of these machines can be sold in this country except by the consent of the linotype company—whatever the name of it is—the Mergenthaler Company.

Mr. KEAN. The Mergenthaler Company.

Mr. PAYNTER. I am very glad to be able to relieve the Senator from Rhode Island of any apprehension on that score. I have received a letter from the president of that company, in which he complains very bitterly because composing machines are singled out for a reduction of the duties thereon. So the Senator need not have any apprehension on that question.

Mr. ALDRICH. Is it or is it not a fact that the machines are patented machines?

Mr. PAYNTER. Yes; they are patented.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

Mr. PAYNTER. On that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. BORAH. Let the amendment be again reported.

The PRESIDING OFFICER. The Secretary will again state the amendment offered by the Senator from Kentucky.

The SECRETARY. On page 68, line 11, it is proposed to strike out the words "linotype and all typesetting machines," and add, in line 16, after the words "ad valorem," the following:

Provided, On linotype and all typesetting machines, 10 per cent ad valorem.

Mr. BURKETT. I submit to the Senator from Kentucky that that does not read very well. It seems to me it should read: "*Provided*, That."

Mr. ALDRICH. The word "Provided" does not need to be there.

Mr. PAYNTER. It follows the proviso. I studied it very carefully.

Mr. ALDRICH. The proviso is stricken out. All the Senator needs to say is "linotype and typesetting machines, 10 per cent."

Mr. BURKETT. I think it would be better to leave out the word "Provided," at least. The proviso has been stricken out.

Mr. PAYNTER. I am quite willing to leave out the word "Provided." It means the same thing.

Mr. BRISTOW. I should like to inquire if the Senator from Kentucky has any information as to what would be the difference in the cost of manufacturing these machines abroad and here? I am in hearty accord with reducing the duty on linotypes, but I think they ought to be made in this country.

Mr. PAYNTER. That is a matter of not very much importance. If these gentlemen have carried out their design they have a controlling interest in the foreign companies. They say they have made a proposition, and they expect to buy 75 per cent of the capital stock owned in competing foreign countries.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Kentucky [Mr. PAYNTER].

The Secretary proceeded to call the roll.

Mr. WARREN (when his name was called). I am paired with the Senator from Mississippi [Mr. MONEY]. I do not see him in the Chamber, and I withhold my vote.

The roll call was concluded.

Mr. RICHARDSON. I am paired with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 35, nays 43, as follows:

YEAS—35.

Bacon	Culberson	Johnston, Ala.	Rayner
Bailey	Cummins	La Follette	Simmons
Borah	Daniel	McLaurin	Smith, Md.
Bristow	Dolliver	Martin	Smith, S. C.
Brown	Fletcher	Nelson	Stone
Burkett	Foster	Newlands	Taliaferro
Chamberlain	Frazier	Overman	Taylor
Clapp	Gore	Owen	Tillman
Clay	Hughes	Paynter	

NAYS—43.

Aldrich	Curtis	Hale	Perkins
Brandegee	Dick	Heyburn	Piles
Briggs	Dillingham	Johnson, N. Dak.	Root
Bulkeley	Dixon	Jones	Scott
Burnham	du Pont	Kean	Smith, Mich.
Burrows	Elkins	Lodge	Smoot
Burton	Flint	McCumber	Stephenson
Carter	Frye	Nixon	Sutherland
Clark, Wyo.	Gallinger	Oliver	Warner
Crane	Gamble	Page	Wetmore
Cullom	Guggenheim	Penrose	

NOT VOTING—13.

Bankhead	Clarke, Ark.	McEnery	Warren
Beveridge	Crawford	Money	
Bourne	Davis	Richardson	
Bradley	Depew	Shively	

So Mr. PAYNTER's amendment was rejected.

Mr. McLAURIN. I offer an amendment to paragraph 194.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out the words "printing presses, sewing machines, and typewriters," and to add at the end of the paragraph the following:

Notwithstanding anything in this bill contained, printing presses, sewing machines, and typewriters, when imported into this country, shall be exempt from the payment of duty.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. McLAURIN. Mr. President, I do not suppose that there is any possibility, to say nothing of a probability, of getting a majority of the Senate to listen to any appeal on behalf of those who are not able to come here and represent themselves before the committee. But at the risk of incurring the impatience of the Senate I am going to make some suggestions in reference to the amendment which I have just proposed.

I see here by the estimated revenues document furnished to Senators that in paragraph 194, of machinery not elsewhere specified, there were imported into this country for the year ending June 30, 1907, $4,978,090.67 worth and exported $58,690,651 worth. The tariff was 45 per cent. I see in the line that includes printing presses, sewing machines, and typewriters the following:

Cash registers, linotype and all typesetting machines, machine tools, printing presses, sewing machines, typewriters, and all steam engines, no importation at all.

The exports were $35,317,448. The census of manufactures for the calendar year 1904 shows $132,539,087. The tax on these articles is 30 per cent ad valorem; revenue none.

There must be no necessity for protection in this matter, and it does not make any difference with me whether there is a necessity for protection as it is called protection by the committee and by the Republican majority in the Senate. There is no necessity for extortion, and if anybody is to be protected it ought to be those who use these articles.

I see a man clothed in purple and fine linen get in his automobile and start out and pass a printing office. He finds that printing-office man has bought his press, and, as he is not able to employ all the help he needs, he must work at it himself, as I know from observation is the fact in a good many places in this country. As he goes by that printing office, he finds that the man has bought a printing press. One-third of it, or nearly one-third of it, is per cent that he has paid.

He goes along a little farther, and he passes where there is a young lady working on a typewriter. She is compelled to make her living. Senators may sneer at the idea of any protection for that class of people, but they are American citizens.

Mr. LODGE. The Senator is speaking now of a patented article, and under our laws they are given a monopoly here.

Mr. McLAURIN. I am not talking about——

Mr. LODGE. The typewriter is patented.

Mr. McLAURIN. But the patents have run out on a great many of them

Mr. LODGE. Not on typewriters.

Mr. McLAURIN. I think the Senator is mistaken about that.

Mr. LODGE. The Senator will find that there are parts of all these machines patented. All the improvements are patented.

Mr. McLAURIN. Then let us let in the foreign typewriter and kick that patent out.

Mr. LODGE. You can not buy that patented machine except here. You are proposing to give them a chance to make it abroad and make our people pay double.

Mr. McLAURIN. Are there no typewriters made abroad?

Mr. LODGE. There are a great many American typewriters. Here they are sold under a patent.

Mr. McLAURIN. Are there none made by any foreigners?

Mr. LODGE. I have never seen them.

Mr. McLAURIN. Then what is the necessity for this provision?

Mr. LODGE. Because our manufacturers of typewriters would then make them abroad and bring them in here. They would have absolute control of the market under the patent and get them made by cheaper labor elsewhere.

Mr. McLAURIN. Mr. President, if there is no typewriter made anywhere in the world except here——

Mr. LODGE. I did not say that, for I do not know. I say I never happened to see abroad anything but American typewriters.

Mr. McLAURIN. Then give that girl who works on a typewriter the benefit of the doubt.

Mr. LODGE. The benefit of what doubt?

Mr. McLAURIN. Whether there are any made in any other portion of the world or not. The Senator does not say that any are made anywhere else.

Mr. LODGE. The American typewriter is usually used abroad because it is an American invention.

Mr. McLAURIN. This girl is making her living by typewriting. To be sure, she is not able to ride in an automobile, but she sees one passing by her door. When she buys that typewriter out of which she is making her living, she pays $90 for it, and $30 of that is per cent.

We go along a little farther and we see some woman out on the farm sewing on a sewing machine. She has paid probably $60 for that machine, and $18 of that is per cent. That helps to make up the amount of money that enables this man to ride in his automobile. He stops there to get a drink of water, and while he is getting his drink of water he enters into conversation with this lady. He says to her, "What did that sewing machine cost?" She says, "It cost $60. I have been told that $18 of that is per cent. Now, inasmuch as that is so, I should like to have it at $42. Have you anything to do with that?" "Oh, I am a protected manufacturer. The law protects me." "Well," she says, "am not I an American citizen, and have not I any right to protection either?" "Why, you are protected in the fact that you buy this machine and you give me the money that enables me to run my factory." "Can you not run your factory without taxing the people who have to make a living by sewing? I have my little children around me here. I have five or six for whom I have to make their wearing apparel, and I make it on this sewing machine. Must I pay taxes in order that you may be enabled to ride in this splendid automobile by my house?" "But you are protected." "How am I protected?" "You are protected in your needles." "How am I protected in my needles? I am not a manufacturer of needles." "But you do not have to pay any per cent on your needles." "They tell me that I have to pay a heavy per cent on the needles. You will not put them on the free list." She goes along through this dialogue with him until after a while he says, "I see you have a gourd out there. You drink your water out of it. We have that on the free list. You do not have to pay anything on that." She says, "I do not know about that. We raised that gourd, and before we could prepare the gourd for use we had to boil it in a pot and the pot had a tax on it. So I have had to pay a tax for boiling the bitterness out of the gourd, and then when I went to cut it I had to cut it with a knife, and there is a tax on the knife. You do not exempt that from duty and I have had to pay a per cent on the knife with which I have cut the gourd. So in everything in the world I use you tax me in order that you may ride in this automobile."

Now, I say to Senators, the people are going to hold you to an account for this, and they ought to do it. You may be mad with power, you may have been elected to office time and again, and the people may have committed to your charge the administration of this Government until you have come to the conclusion that you are not responsible to anybody, but they will hold you responsible.

I offered the other day an amendment to the bill to exempt from duty the agricultural implements that the farmer uses to cultivate his crops, the husband of the wife who has paid her money for the purpose of keeping up the manufacturers of sewing machines and typewriters and printing presses. This woman who has done that has a husband who is out in the field hoeing and plowing, with implements that are taxed high, for the purpose of making provision to feed your body and the

clothing that clothes you. You voted that down. The people are going to call you to an account, and they ought to call you to an account, mad as you may have become with the power that has been committed to your charge. I may not be able to present it to the people, but there are those who will present it to the people all over this country.

But were I Brutus,
And Brutus Antony, there were an Antony
Would ruffle up your spirits, and put a tongue
In every wound of Cæsar, that should move
The stones of Rome to rise and mutiny.

You tax everything that these people consume. You make them pay the expenses of this Government, and when you are called upon to contribute a small modicum of the expenses of government by an income tax you laugh it to scorn and say it is double taxation. You know it is not double taxation. It is a righteous tax that you ought not only to be willing to pay, but that you ought to be anxious to pay. You do not pay your proportionate share of the expenses of the Government when it is levied by customs taxes. You only pay on the imported goods that you use. You do not pay on imported goods in proportion to the amount that is paid by the humble man who follows the humble walks and the humble callings of life. You ought to be compelled to do it, and the people of this country are going to hold you to an account. You said to them last year in effect—you did not say in words, but you intended them to understand that you were going to revise the tariff downward. You have not done it, and you now say you never said you were going to revise it downward. You did not in your platform use the word "downward," but you knew, and every man who went before the American people as a Republican campaign orator in the last campaign knew, as I knew, that the people understood when you spoke of a revision of the tariff that you would revise it downward, and no man rises in his seat to say he did not understand at that time that the people understood it was the intention to revise the tariff downward.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. McLAURIN. Yes, sir.

Mr. HEYBURN. I do not think I stand alone, but I say for myself that I took occasion wherever I went to say that the Republican party was not pledged to a downward revision, but that it was to be a revision of the tariff along intelligent lines, and, perhaps, in many cases it would raise it.

Mr. McLAURIN. Mr. President, I accept the statement of the Senator from Idaho, but I want to say to him that that did not get out on him. I never heard of it before, and I do not think anybody else ever heard of the Senator having made a speech last year in which he said that the revision meant a revision upward instead of a revision downward. If it did not mean a revision downward, it meant a revision upward, because a revision meant a change in the tariff. Who will say it did not mean a change of the tariff when you spoke of revision? Because if you did not intend to raise it or lower it there could be no revision of the tariff.

Mr. HEYBURN. The few Democrats there were in the State of Idaho heard us and used it against me, but the people were with us.

Mr. ALDRICH. Will the Senator allow me?

Mr. McLAURIN. With pleasure.

Mr. ALDRICH. Mr. President, it is really refreshing to hear the kind of a speech which the Senator from Mississippi is now making——

Mr. McLAURIN. After the strenuous efforts of the Senator from Rhode Island, I am glad to have an opportunity to refresh him.

Mr. ALDRICH. From a man who has courage enough to be a free trader without apology and without excuse.

Mr. McLAURIN. I make no apology for being a free trader, so far as we can be free traders and get a revenue sufficient to defray the expenses of the Government when that Government is administered economically.

Mr. ALDRICH. But I hope that my friend from Mississippi will agree with me that it is doubtful, to say the least, whether he is authorized to speak for the Republican party.

Mr. McLAURIN. Mr. President, I am only speaking of what the Republican party did and what they said. I know that the whole trend of Republican oratory last year was that they intended to revise the tariff downward; that that is what they meant, and the people understood them to mean that. If they had not, they probably would not now be revising this tariff; but it would be revised by the friends of the consumers, instead of by those who are extorting from the consumers.

Mr. President, this amendment ought to be adopted. There ought not to be any desire or disposition to tax the printing presses of the country, to tax the sewing machines of the country, or to tax the typewriters. The people who work on sewing machines and typewriters are people who are compelled to work. They do not perform that work for fun. They do it because they are compelled by their necessities to work, to use a common expression, to make buckle and tongue meet.

I repeat, Mr. President, this amendment ought to be adopted, but I do not expect a Republican Senate to adopt it. The time will come when it will be done, and I want to say to the Republican Senate that I take no part in the statements that have been made here that we are making a tariff for ten years or twelve years. My friend from Georgia [Mr. CLAY] this morning, who made a splendid and a very instructive speech, was mistaken when he said that he thought we were making a tariff for ten years or more. My friend from Indiana [Mr. BEVERIDGE], whom I do not now see in his seat, who is constantly telling us about what length of time we are making this tariff for, is mistaken about that. We are making a tariff which could be made to last for many years; but it will not be so made because of the obstinacy of the majority of the Republican party, commonly known as "standpatters." We are making a tariff that will last for two years and a little more than that, because your bill ought to be labeled "A bill to elect a Democratic Congress," instead of "A bill to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," as you have entitled it. That is what it will accomplish.

Mr. SMITH of Michigan. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Michigan?

Mr. McLAURIN. I always love to hear the Senator from Michigan.

Mr. SMITH of Michigan. Are we to understand from the Senator from Mississippi that when the Democratic party do get into power they are going to turn over the cash-register manufacturing, the printing-press manufacturing, the sewing-machine manufacturing, the typewriter manufacturing, and the steam-engine manufacturing to our competitors on the other side of the ocean?

Mr. McLAURIN. Has the Senator from Michigan seen anything in my amendment about linotypes or cash registers or anything except sewing machines, printing presses, and typewriters?

Mr. SMITH of Michigan. Well, does the Senator propose to have free trade in those?

Mr. McLAURIN. I surely would, if I had the power. I can not speak for the Democratic party, but only for myself, a humble member of it, and a partisan.

Mr. SMITH of Michigan. Does the Senator from Mississippi believe his party will enact that kind of legislation if they get into power?

Mr. McLAURIN. Mr. President, "sufficient unto the day is the evil thereof."

Mr. SMITH of Michigan. Yes; it is sufficient; that is true. [Laughter.]

Mr. McLAURIN. Whenever the Democratic party gets into power—if it is the Democratic party—it will not enact a tariff that will be for extortion, but a tariff for revenue, and revenue alone.

Mr. SMITH of Michigan. Mr. President——

Mr. McLAURIN. I say, if the real Democratic party gets into power, which I hope will be the result of the mismanagement of this bill by the Republicans——

Mr. ALDRICH. What does the Senator mean by the "real Democratic party?"

Mr. McLAURIN. I mean Democrats who are Democrats.

Mr. ALDRICH. What is the line which the Senator would draw?

Mr. McLAURIN. Will the Senator tell me what is the line between his class of Republicans in this Senate and the "insurgents?"

Mr. ALDRICH. We are all Republicans on this side.

Mr. McLAURIN. Yes; and we are all Democrats on this side. [Laughter.]

Mr. BEVERIDGE. Except on iron ore and other things.

Mr. GALLINGER. We are a happy family.

Mr. McLAURIN. Yes; we are a very happy family, because we see your family in such distress. I see some very anxious countenances on the other side of the Chamber, and I have been seeing them all along. When I heard the splendid speech that was made in favor of the consumer, which proposed to reduce the tariff as your party promised to do—and I thought it one of the best speeches I have heard in this body since I have been here by a Republican, one of your number, all of whom, as the Senator from Rhode Island says, are Republicans—when I heard

that Senator make a speech which advocated the interests of the consumer, as well as the consumer's rights, I saw some very sick faces on the other side of the Chamber; and while the Senator from New Hampshire [Mr. GALLINGER] was not among the sickest of them, I will say that he was not among the healthiest looking men at that time.

Mr. President, I have said about all I intended to say on this subject. I did not intend to say this much and would not have done so had I not been interrupted by Senators, but I want a yea-and-nay vote on the amendment.

Mr. ALDRICH. Will the Senator tell us why he curbed his youthful enthusiasm in this matter by only putting in three articles out of all those on the free list? Why not put them all on the free list?

Mr. McLAURIN. Is that relevant to the question whether these three articles ought to be on the free list, I will ask the Senator?

Mr. ALDRICH. It would seem to me so. If the Senator from Mississippi is so exceedingly anxious about the consumers, why not give them everything free?

Mr. McLAURIN. I ask the Senator the question, Is he willing, if I put them all on the free list, to vote for such an amendment?

Mr. ALDRICH. I am not willing to vote for any part of this amendment.

Mr. McLAURIN. No. Then I would suppose that it were better for the Senator from Rhode Island to let me prepare my own amendment——

Mr. ALDRICH. Certainly.

Mr. McLAURIN (continuing). Instead of his preparing it. I give no reason for not putting the other articles on the free list; but I have given a good reason why these articles should be put on the free list. I think I could give reasons for putting others on the free list if I were called upon to do so and if they were in the amendment; but it would not be germane to the amendment to give any reason why others should be put on that are not put on in the amendment. It is germane, however, to give the reason why I think these ought to be put on the free list.

There is not a dime's worth of revenue obtained from any of these articles, neither from printing presses, sewing machines, nor typewriters; nor is there a dime's worth of revenue from all these listed in those two lines which I have read; and yet there was $35,313,448 worth exported from this country. I hope the Senate will give me a yea-and-nay vote on the amendment.

Mr. CLAPP. Mr. President, before the vote is taken, I propose, with the indulgence of the Senate, to submit a few remarks, especially for the benefit of my Democratic brethren.

There are some Republicans on this side of the Chamber who recognize the fact when a party meets in convention, makes a platform, and selects a standard bearer—who was recognized even in advance of the making of the platform as being the standard bearer—that the attitude of that standard bearer as to the interpretation of the platform has some force; and whatever may have been the arguments of men in the campaign last fall, when we come to sum up the entire situation in the inaugural address of the President delivered in this Chamber on the 4th of March, it is a plain, clear declaration that the spirit of this revision should be that of a downward revision. He accentuates that, and merely speaks of the exception, if any, to the contrary of that position. I believe that there are Democrats in this Chamber who would like to see that kind of a revision; Democrats who would rather see that kind of a revision than take the chances which may come to them, possibly, of a revision which will not stand popular approval. If there are, I feel for them upon this question. Where the House or where the Senate committee have made a reduction of the Dingley rate, it does seem to me that it is unfair and unwise for us to attempt to go further than that. Upon that plan we may unite and we may possibly get a revision of the tariff along this line. In this very schedule the committee has reduced the Dingley rate of 45 per cent to 30 per cent, I believe.

Mr. ALDRICH. That is right.

Mr. CLAPP. To 30 per cent. If we can go through this schedule upon any such approximation as that, we will have fulfilled this pledge; we will have given this country a tariff revision that will stand for years to the best interests of every American citizen in avoiding again the clamor, the excitement, and the depression incident to tariff revision.

I want to say to the Senator from Mississippi [Mr. McLAURIN], who has just taken his seat, that if he is in earnest, it seems to me, while it is not my province to administer any lecture to any man——

Mr. McLAURIN. I did not catch the last remark of the Senator. Did he say if I am in earnest?

Mr. CLAPP. If the Senator is in earnest in seeking a revision along the line he has laid down——

Mr. McLAURIN. Does the Senator doubt that I am in earnest about it?

Mr. CLAPP. Wait until I get through—revision along the line he has laid down as being the promise of the Republican platform—I say if it is the desire of the Senator, then it seems to me that he is simply interfering with the carrying out of that desire with amendments such as he has offered to-day and such as the one he offered the other day.

Mr. McLAURIN. Will the Senator allow me to interrupt him?

Mr. CLAPP. Certainly.

Mr. McLAURIN. I am not desirous of a tariff on the line of the Republican platform. The Republican platform, as I understand, proposes, after making good the difference between what it costs for labor in this country and labor abroad, to then guarantee to the manufacturer here a profit over and above that. That would absolutely exclude all importations from abroad, because if you equalize the difference in cost between foreign production and the cost of domestic production and then add to the domestic producer a reasonable profit on that, it would be impossible for the importer to come in.

Mr. CLAPP. Mr. President——

Mr. McLAURIN. One word further. The three articles which I have proposed in this amendment to put upon the free list produce no revenue at all to this country.

Mr. CLAPP. That is true.

Mr. SCOTT. Will the Senator from Mississippi allow me a minute?

Mr. McLAURIN. Certainly.

Mr. SCOTT. I will say to the Senator from Mississippi that this duty is a reduction of the duty in the Wilson-Gorman bill, framed by your own party. That bill had 35 per cent on sewing machines and typewriters, and now we propose to make it 30 per cent.

Mr. McLAURIN. Is the Senator from West Virginia willing to go back to the Wilson-Gorman bill and take that?

Mr. SCOTT. I just thought I would call the Senator's attention to it.

Mr. McLAURIN. If not, it is not relevant.

Mr. SCOTT. Would the Senator from Mississippi join with me in an effort to take the Wilson-Gorman bill?

Mr. BEVERIDGE. That far?

Mr. SCOTT. No; I am talking about the whole bill.

Mr. McLAURIN. I would take it in preference to the bill you are going to adopt here. I commend the Walker tariff as better.

Mr. SCOTT. The American people do not want it.

Mr. McCUMBER and Mr. KEAN addressed the Chair.

The VICE-PRESIDENT. Does the Senator from Minnesota yield, and to whom?

Mr. McCUMBER. If the Senator does not so desire, I will not interrupt him.

Mr. CLAPP. I am willing to yield——

Mr. McCUMBER. I will not take the Senator's time now.

Mr. CLAPP. I want to say here, Mr. President, that I believe in these debates; instead of a man starting in and insisting upon making a speech he has outlined, it is infinitely better to permit interruptions. If there is any light to be thrown on a subject, it may be thrown upon it in that kind of a debate.

Mr. McCUMBER. Mr. President, then I will take occasion for just a moment's interruption upon a matter concerning which I thought I would speak to the Senator from Mississippi, and that is in regard to the revenue obtained from sewing machines and other machines, and the fact that we receive no revenue justifying us in placing them upon the free list. The Senator is usually conservative, but I must say that he has somewhat abandoned his usual attitude in these tariff discussions. The Senator understands as well as I do that the same manufacturing companies have their branches and their manufacturing establishments in the Old World. I think the Singer Company, for instance, has one in London, has it not?

Mr. KEAN. They have one in Canada——

Mr. McCUMBER. Yes; and one in Berlin.

Mr. KEAN (continuing). One in Germany and one in Russia.

Mr. McCUMBER. And one in Russia.

Mr. KEAN. I should like to say to the Senator that they have an establishment in my town which employs nearly 9,000 people, and they employ in the distribution of sewing machines over the United States more than 50,000 people.

Mr. McCUMBER. But, Mr. President, the point is that these machines are manufactured on the other side of the ocean and are supplying the demand on that side. If we place them on the free list, what do we gain by it? They will simply be manufactured there, shipped over to this country, and sold for

exactly the same price that our manufacturers now sell them, and our laborers on this side of the ocean will be entirely thrown out of employment. I do not think there can be any question about that.

I do not believe, and I do not believe that the Senator thinks, that taking the duty off of those sewing machines would reduce the price a single cent. The only question is whether they shall be manufactured in this country for a given price, or whether they shall be manufactured by laborers in another country by the same manufacturers, brought over to this country, and sold in the markets of this country for practically the same price at which they are being sold to-day. I want to correct the Senator——

Mr. McLAURIN. Will the Senator allow me to ask him a question?

Mr. McCUMBER. In a moment I will. I want to correct the Senator's statement as to the matter of valuation. I think he will find it to be the fact that sewing machines sell all the way from $18 to $30 apiece; some of them may cost $30, depending on the finish; but they can be purchased within those limits. Now, the only thing, as I have said before, is the question where this manufacturing will be done. I now yield to the Senator.

Mr. McLAURIN. I should like to ask the Senator, if these machines are being made in this country and abroad by the same people, how it is that $35,000,000 worth of them are exported from this country?

Mr. McCUMBER. The reason is, Mr. President, that they are not manufacturing very much abroad. Our sewing machines seem to satisfy the people of the old countries, and they are willing to buy the American make. They are practically, or nearly, as I understand, the only machines that are sold on the other side; but they are manufactured as well on that side.

Mr. KEAN. Will the Senator yield to me for a moment?

Mr. McCUMBER. Certainly.

Mr. KEAN. I can tell the Senator that the sewing machine manufacturers of this country are chiefly shipping to South America. Very large exportations of sewing machines manufactured at Elizabeth are made to South America and to countries that do not have factories.

I want to add to what I have already said that the employees of the company in Elizabeth receive their wages weekly, and that the company distributes in wages to their employees nearly $125,000 every week.

Mr. McLAURIN. I do not care to what country those machines are exported if the same people are manufacturing them here and abroad. If they are all manufactured by the same concern, what difference does it make whether there is a tariff on them or not, and whether they are shipped to South America or to any other country?

Mr. McCUMBER. The difference is that they can be manufactured a great deal cheaper in Germany and in Russia than they can be manufactured on this side.

Mr. McLAURIN. Then, why are they sent from this country there?

Mr. McCUMBER. And without this tariff, of course, they would all be manufactured exclusively on the other side and shipped here, and it would not make any difference in price to the consumer.

Mr. McLAURIN. If there are now more than are consumed in this country manufactured in this country, and they are exported to Germany and other countries, I can not see how it would make any difference if they were put on the free list. I again express my doubt about there being just one trust in all this business. I think in all the world they might get up two or three trusts for sewing machines, and they might get up some competition.

Mr. KEAN. This is not a trust at all.

Mr. McLAURIN. I do not know what it is, if they are the same people.

Mr. KEAN. I only spoke of one company; there are numerous companies.

Mr. McLAURIN. There are other companies?

Mr. KEAN. Yes; there are other companies.

Mr. McLAURIN. Then they would compete, would they not?

Mr. KEAN. They do compete.

Mr. McLAURIN. They are cut off from competition here by the tariff.

Mr. KEAN. I beg the Senator's pardon. They are not cut off by the tariff at all.

Mr. McLAURIN. I ask the Senator from North Dakota if he would be willing to vote for a tariff of 10 per cent? He speaks of my conservatism and nonconservatism, and I have retrograded, according to the Senator from North Dakota, lately, but from the conservatism to which I had entitled myself in his estimation I want to know if I will be so conservative as to put the rate at 10 per cent if the Senator from North Dakota will support with his usual eloquence and ability a tariff of that amount?

Mr. McCUMBER. I certainly would not.

Mr. McLAURIN. I thought so.

Mr. McCUMBER. The reason I would not is that the difference in the cost of production at home and abroad, in my opinion, is fully 30 per cent; and that is the only tariff we have placed upon the machines, about 30 per cent ad valorem. I believe that by taking off the 30 per cent you would probably close some of the factories on this side, and just to the extent they were being closed on this side you would necessarily transfer the manufacture to the same amount on the other side.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the junior Senator from Minnesota yield to the senior Senator from Minnesota?

Mr. CLAPP. Yes.

Mr. NELSON. I want to say to the Senator from North Dakota that American sewing machines are sold by scores and scores in Europe for a much less figure than we can get them for here.

Mr. McCUMBER. I think the Senator——

Mr. NELSON. And of our manufacture.

Mr. McCUMBER. But I think the Senator will find that they are also manufactured there. I do not understand that they are all shipped from this country and sold there.

Mr. NELSON. They are by the scores and by the hundreds shipped from this country and sold there.

Mr. McCUMBER. I think the Senator is mistaken. I think they are manufactured there. I should like to ask the Senator what reason on earth would there be for making a machine on this side at an extra cost when they have got their shops on the other side that can make them 30 per cent cheaper than they could be shipped from this side? I think the Senator will find on investigation that the Singer sewing machine that is sold on the other side of the ocean is also manufactured on that side.

Mr. NELSON. I know, Mr. President, that when I was across the ocean some nine or ten years ago I found a variety of American sewing machines sold for less than we could get them for in this country. I do not have to go to any statistics to ascertain that for I found it out with my own eyes.

Mr. McLAURIN. Mr. President, I wish to say that, according to this estimate, one-fourth of those produced in this country are shipped abroad—exported.

Mr. CLAPP. Now, Mr. President, to resume. When I referred to the analysis of our platform by the Senator, I referred to the analysis as he had stated it; namely, that this should be a revision downward. If he believes in that, it seems to me the proper thing for him and for other men who do believe in it, to act as much together upon that proposition as they can. We shall not, however, reach that end by constant efforts to put these various items on the free list. I propose to stay here, if necessary, all summer to get a reduction of this tariff; but there is no use of our wasting our time in making attempts to put matters upon the free list simply for the sake of getting a vote upon them, and I believe that we simply weaken our case when we attempt it.

Mr. BEVERIDGE. Mr. President, will the Senator from Minnesota permit me to interrupt him?

Mr. CLAPP. With pleasure.

Mr. BEVERIDGE. I merely wish to observe that, as I understand, both the House bill and the Senate bill, as reported, make a reduction upon these machines of 15 per cent. Is that correct?

Mr. CLAPP. Yes.

Mr. McLAURIN. No, sir; there is no reduction at all.

Mr. BEVERIDGE and Mr. CLAPP. Oh, yes.

Mr. McLAURIN. The House bill provides a duty of 30 per cent and the Senate bill provides a duty of 30 per cent.

Mr. CLAPP. But it is 45 per cent under the existing law.

Mr. McLAURIN. No; by the present law it is "(n. e.)"—I do not know what that means unless it is New England, or northeast, or something of that kind.

Mr. CLAPP. They would then come under section 195, which would make the duty 45 per cent. The Senate committee has reduced it; and where the committee does that, it does seem to me that we would make headway if we would all join together and go along on that line.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Mississippi [Mr. McLAURIN], on which he has demanded the yeas and nays.

The yeas and nays were ordered and taken.

Mr. CLARK of Wyoming (after having voted in the negative). I notice that the Senator with whom I am paired, the

Senator from Missouri [Mr. STONE], is not present, and I therefore desire to withdraw my vote.

Mr. McCUMBER (after voting in the negative). I desire to ascertain whether the junior Senator from Louisiana [Mr. FOSTER] has voted.

The VICE-PRESIDENT. The Chair is informed that he has not.

Mr. McCUMBER. I have a general pair with that Senator, and I therefore withdraw my vote.

Mr. RICHARDSON. I wish to announce that I am paired on this question and on all questions connected with this bill with the Senator from Arkansas [Mr. CLARKE], and therefore am not at liberty to vote.

The result was announced—yeas 23, nays 53, as follows:

YEAS—23.

Bacon	Gore	Money	Smith, Md.
Bailey	Hughes	Newlands	Smith, S. C.
Chamberlain	Johnston, Ala.	Overman	Taliaferro
Culberson	La Follette	Paynter	Taylor
Fletcher	McLaurin	Rayner	Tillman
Frazier	Martin	Simmons	

NAYS—53.

Aldrich	Clay	Gallinger	Perkins
Beveridge	Crane	Gamble	Piles
Borah	Crawford	Guggenheim	Root
Brandegee	Cullom	Hale	Scott
Briggs	Cummins	Heyburn	Smith, Mich.
Bristow	Curtis	Johnson, N. Dak.	Smoot
Brown	Dick	Jones	Stephenson
Bulkeley	Dillingham	Kean	Sutherland
Burkett	Dixon	Lodge	Warner
Burnham	Dolliver	Nelson	Warren
Burrows	du Pont	Nixon	Wetmore
Burton	Elkins	Oliver	
Carter	Flint	Page	
Clapp	Frye	Penrose	

NOT VOTING—15.

Bankhead	Clarke, Ark.	Foster	Richardson
Bourne	Daniel	McCumber	Shively
Bradley	Davis	McEnery	Stone
Clark, Wyo.	Depew	Owen	

So Mr. McLAURIN's amendment was rejected.

The VICE-PRESIDENT. Is there objection to agreeing to the paragraph?

Mr. NEWLANDS. Mr. President, I have an amendment to that paragraph. I move, on page 68, line 13, paragraph 194, that the word "twenty" be inserted instead of "thirty," making the duty 20 per cent instead of 30 per cent.

The VICE-PRESIDENT. The Senator from Nevada proposes an amendment, which the Secretary will report.

The SECRETARY. On page 68, line 13, before the words "per centum," strike out "thirty" and insert "twenty."

Mr. NEWLANDS. Mr. President, with reference to this amendment, I will state that I do not generally favor placing any of these articles upon the free list. I believe that almost everything should pay a fair duty. Hence, I should prefer a low duty upon these necessary articles to putting them upon the free list.

Mr. BEVERIDGE. Mr. President, will the Senator permit a question?

Mr. NEWLANDS. Yes.

Mr. BEVERIDGE. What evidence has the Senator that his duty of 20 per cent is any fairer than the duty fixed by the House and the committee—30 per cent—which is a 15 per cent reduction from the present law? If he can give any facts or reasons why it is any fairer, it will enlighten us somewhat.

Mr. NEWLANDS. Mr. President, I am proceeding upon my general rule, which, in the absence of evidence to the contrary, usually governs me. That is, that upon articles which may be regarded as necessaries, such as sewing machines and other articles covered by this paragraph, there should be no higher duty than from 20 to 30 per cent.

Mr. BEVERIDGE. This is 30 per cent.

Mr. NEWLANDS. Very well; but I think this is one upon which the duty should be 20 per cent, and I believe that upon articles regarded as luxuries there should be no duty in excess of 50 per cent.

I have therefore moved that this particular duty be reduced from 30 to 20 per cent, and I will ask for the yeas and nays nays on the amendment.

Mr. BAILEY. Mr. President, something like three weeks ago I observed what I then believed was an effort to neutralize the effect on the Republican party of the dissensions within it over this tariff question, by creating in the public mind a belief that equal or even greater dissensions exist within the Democratic party over the same question. I have watched with close attention the development of that plan of campaign, and I am now fully convinced that it was deliberately and systematically inaugurated to obscure the differences on that side of the Chamber by exaggerating and even misrepresenting the differences on this side.

I do not say that the Senators here are responsible for it, because I am inclined to believe they are not; and it may have originated without any general understanding, and was taken up because it afforded Republican editors such an inviting opportunity to escape the injury which their party seemed doomed to suffer from its divisions. But however that may be, it has progressed until it is now almost universal among Republican newspapers and Republican leaders outside of Congress; and I am persuaded that the only hope which these partisans now indulge of escaping the consequences of their own division is through making the country believe there are still more serious divisions among us. I am the more persuaded to that belief because in all of these misrepresentations concerning the differences on this side there seems to be a studied absence of any allusion to the differences on that side.

Mr. HALE. Mr. President, will the Senator yield for a question?

Mr. BAILEY. Certainly.

Mr. HALE. I am a little at a loss to find what is the complaint of the Senator from Texas.

Mr. BAILEY. It is not against the Senator from Maine, because I will do him the justice to say he does not do by indirect methods the things as to which I am about to make complaint.

Mr. HALE. Exonerating me, Mr. President, does not resolve the doubt that I have as to what is the real ground of the Senator's complaint. The divisions—I will use that word—which have been shown in debate and in votes, upon this side and upon that, are not such divisions as are created by conspiracy or by newspaper comment. They are divisions that, to my mind, are in a certain way fundamental.

Mr. BAILEY. The Senator from Maine misapprehends what I am about to say. I am neither attempting to explain nor to complain about differences. I am about to call the attention of the Senate and the country to a studied and systematic effort to exaggerate the differences that do exist, and to pretend that differences exist which do not exist.

Mr. HALE. Did the Senator ever know, in his large experience in both branches of Congress, an occasion where there were divisions, and almost revolts and insubordination in his party, and, if I may use the same terms, in our party, where everything of that kind has not been exaggerated by the press? There has been a studied purpose on the part of the press, and is to-day, to give prominence to such matters. There is something picturesque, Mr. President, in the idea of insubordination and revolt and dissension on the Democratic side; and it is equally so on the Republican side.

The Senator will never see the day when such things will not be taken up by the press and exaggerated.

In a day's debate here, if there is a symptom or an appearance of dissent from the common party action upon the Senator's side of the Chamber on various articles in the schedules involving action by the party and dissent from it, an earnest discussion between the Senator from Louisiana and the Senator from Mississippi, or between another Senator and another Senator, at once the newspapers make that the feature of the day. The same thing is true if there is on this side, Mr. President, a serious discussion involving the general attitude of the party in favor of protection.

It is my belief and expectation that this bill will ultimately emerge as a strong protection measure; there will be reductions, but the final outcome of the bill will not be an abandonment of the doctrine of protection. Almost everybody on this side believes in that. Very few men go beyond that. But if in the course of the discussion a Senator upon this side of the Chamber—I need not enumerate, I need not call names—expresses a contrary opinion upon a schedule, and he has an issue with the chairman of the committee or with other members of the committee or with other Members of the body, the whole force and the whole display of newspaper comment will be upon that feature and will exaggerate it.

The Senator never will see the day when that will not be the fact. This, which we may call "revolt" or this dissent from the general position of the party by new men or by old men, will always be taken up by the newspapers, and will be the main feature of their comment, because it is picturesque.

I do not think the Senator ought to say, because of that, that there is a widespread conspiracy anywhere to exaggerate these differences. In the end no serious rift will appear. When the Senator from Mississippi, who is a Simon-pure, old-fashioned free trader—as near as the climate will permit—introduces, and instead of being remorseful says that he is proud of it, a Simon-pure free-trade proposition, he will find nearly everybody on that side voting with him; and he will find, as the last vote disclosed, almost every Republican voting against him. This shows that at the bottom there are the old lines of difference between protection—for which this bill will stand when it goes through, I predict—and the Simon-pure doctrine of free trade, or the evasion of that, the doctrine of tariff for revenue only, the latter will get most of the votes upon the other side.

But, Mr. President, in some schedules, on some important features of this bill, there will be a rift, and men on this side, honest in their expression and belief, will not follow the committee.

Mr. McLAURIN. Mr. President, will the Senator allow me to interrupt him for one moment?

Mr. HALE. Certainly.

Mr. McLAURIN. Mr. President, there is no difference on the strict words of a tariff for revenue between the Senator's party and me. I am for a tariff for revenue for the Government only. The Senator's party is for a tariff for revenue for the manufacturer; and we just differ on that.

Mr. BACON. I wish to inquire, if I should now interrupt the Senator from Mississippi, who would have the floor?

The VICE-PRESIDENT. The Senator from Texas has the floor, and he yielded it temporarily to the Senator from Maine.

Mr. HALE. I am speaking temporarily by the indulgence of the Senator from Texas, who is always indulgent and generous in conducting debate. I was saying——

Mr. BACON. I will say to the Senator, by way of apology, that I thought interruptions ought to be limited as amendments are—not to go beyond the second degree.

Mr. HALE. When the Senator from Texas calls me to order, and says I am unduly trespassing on his patience and on the patience and endurance of the Senate, I will drop into my seat at once.

Mr. McLAURIN. In answer to what the Senator from Georgia says, I merely desire to say that the Republican party and I are both for a tariff for revenue—I for a tariff for revenue for the Government, and that party for a tariff for revenue for the manufacturers first and the Government incidentally.

Mr. HALE. Mr. President, I was saying, or attempting to say, that upon important schedules in this bill there will be found on this side those who really believe an improvement can be made, and who, perhaps, exaggerate the constant cry of revision downward, which never was put into the Republican platform; but I do not question the sincerity of those Senators. I do not say it is conspiracy on their part, or on the part of anybody, except, possibly, the newspapers, to exaggerate their position.

Now, when we come to the Senator's side, there will be schedules—I could name them, although we have not reached them, with the ken of a prophet—where Senators upon the other side will take a view opposed to the general run of their party and the old-fashioned principles of the party. But they will be serious. It will be upon matters affecting them and their constituents, and I have not been one of those, as Senators will bear me out, who have engaged in tanning the other side with being inconsistent. I do not deem them inconsistent. All of the tariff schedules have to be taken together, and there will be instances time and again when there will be these defections from the general line pursued by the party. There is no conspiracy, there is no disposition to exaggerate this, except, as I have said, that any Senator who takes a position which itself is a kind of picturesque attitude, attracts the attention of the newspapers.

I am not a prophet nor the son of a prophet, but I predict that when we get through, as we shall, and the final upshot is the question of the passage of this bill, which will be found to have many reasonable and suitable reductions of tariff duty, but which will be broad and large as every such measure passed by a Republican Congress has been, a thoroughgoing protection bill, and a vote is taken, these divisions, which the Senator fears are being exaggerated, will disappear, and a pretty nearly united vote will be found upon one side of this Chamber for the bill as finally reported, and a pretty nearly united vote will be found upon the other side against it, and the two parties will go into the forum of public observation and scrutiny and decision upon the bill as passed—for and against.

While I know the philosophic mind of the Senator from Texas, and that he does not live in the realm of mares' nests and does not discover or believe he discovers generally what has no real existence, I think his apprehension on this score of exaggeration of the difference has not the usual merit or weight that things presented by him do have. I am not in any way fearful of that.

Mr. BAILEY. Mr. President, when I conclude I think the Senator from Maine will change his opinion. I think also, however, that what the Senator from Maine has said about the final attitude of the parties and the final judgment of the country has been well and accurately said. But I am now undertaking to call the attention of the Senate to certain facts, and I candidly say I am more interested in calling the attention of the country to them than I am in calling the attention of the Senate to them, because I believe this trouble exists outside of the Senate and not inside.

Now and then some Republican Senator, with more flippancy than sincerity, talks about our inconsistency. But no Senator here, at least no Senator who ought to be here, believes it. They all perfectly understand that the attitude of the Democratic party to-day upon the tariff question is probably more nearly one, both as to sentiment and as to action, than ever before in the history of this country.

Mr. President, when the Walker tariff bill was pending in this body it passed to its third reading by the vote of the Vice-President, who indicated from his high place that if he were a Senator from Pennsylvania representing that smaller constituency, he would vote "nay," but as the Vice-President of the United States and speaking for the larger constituency, he voted "yea."

And these divisions which have existed time out of mind upon these questions are not new. It is a matter of some satisfaction to me to believe that the Democratic party is to-day more nearly united than ever before in its history, both in its sentiment and, as it will appear finally, in its vote.

I am not one of those sensitive and delicate souls that complain every time our political adversaries attempt to save themselves by attacking us, and I could easily understand this exaggeration and misrepresentation concerning the votes and the attitude of the Democratic party if it were confined to Republican newspapers, for although I do not believe it defensible even for Republicans to misrepresent Democrats, it has been so usual for them to do so that I have become accustomed to it. But those misrepresentations the country will appraise at their proper value and for them intelligent men, at least, will allow a proper discount.

But some of the people now engaged in this propaganda of misrepresentation and exaggeration can not offer a partisan excuse. This morning's Washington Post prints what apparently is a statement given out on behalf of a distinguished gentleman who was once a candidate for the presidential nomination of the Democratic party, and who, if all signs are not at fault, intends again to become a candidate for that nomination. This article appears under a New York date line, and proceeds to say that Governor Johnson is of the opinion that the Democratic Senators who have betrayed their constituencies will not be able to lead their constituencies so far astray as the Senators themselves have gone. I know how unreliable these newspaper reports are, and what I say is said only upon the assumption that this correctly represents the view of Governor Johnson. If it does, he could spend his time more profitably at home studying the tariff question than in thus early seeking the favor of Democratic voters in the several States.

More than that, Mr. President, if this interview or statement was either given out or authorized or sanctioned by Governor Johnson, he shows himself so utterly reckless of the truth as to disqualify him for high service in any station. Assuming a great division among the Democrats in the Senate, he attempts to explain it, and his explanation is that the railroads of the South have interested themselves in this legislation, and that they have overcome the conscience and the principles of some Democratic Senators. Governor Johnson owes it to himself, to the Democratic party, to the cause of candor, and, I might well say, to the cause of truth to specify those whose votes and whose speeches furnished him a predicate for that slander upon the Democrats of the Senate. Instead, sir, of swelling this volume of misrepresentation and exaggeration, if he is worthy to wear the honors of the Democratic party and to receive its nomination, he would not publish an unfounded imputation upon the honor and fidelity of Democratic Senators who are striving faithfully and honestly to do their duty by their party and their country. I challenge Governor Johnson, and I challenge the smaller politicians who will repeat his calumny, to show by the record where any Democrat in the Senate has cast a vote that will give the semblance of countenance to the charge which he has made.

Strangely enough, in this same morning paper that printed this grossly unjust attack of Governor Johnson there is printed another article from the New York Tribune. I have no reproach for the New York Tribune, because I have never expected

fair treatment for the Democratic party or for Democratic Senators at its hands. It takes as the text of its sermon to Democrats the vote on iron ore, and it complains against us because we would not vote to give the steel manufacturers of this country their raw material free of duty.

There was a time, Mr. President, when the Democrats of the United States labored under that kind of a hallucination, but, happily, that time has passed, and never again can any man speaking in the name and on behalf of the Democratic party advocate the fatal and foolish policy of giving the manufacturers of the United States their raw materials without a tax while still leaving a tax on their finished product.

When the Democratic party was seduced into the belief that it could bribe New England with this kind of a tariff doctrine, they did propose to put iron and wool and many other articles on the free list, and great apostles of Democracy invaded the precincts of New England banquet halls and sought to persuade the manufacturers assembled there from their Republican allegiance by promising them greater favors than the Republican party had accorded them. They stood there and declared that though the Republican party gave them a tariff on their finished product, it charged them a tax on their raw material, while the Democratic party proposed to take all the duty off their raw material and still leave them a duty on their finished product sufficient to command the American market. But you can call the roll of this Senate, and the Senators who taught that doctrine are no longer here. The Democratic party repudiated that heresy, as it was bound to do under the teachings and traditions of our Democratic fathers.

The gravest criticism which Robert J. Walker, in his famous report on the tariff question, made against the Whig tariff act of 1842 was that it laid a higher rate of duty on the manufacturers' finished product than it did on the raw material out of which it was made; and yet men who profess adherence to the opinions and doctrines of Robert J. Walker affront our intelligence and our sense of justice by demanding that we give the manufacturer his raw material without any tax, and still leave him to tax the American people on his finished product.

I desire to incorporate into the RECORD the New York Tribune's complaint, which reads thus:

> The Republican party is not committed unconditionally to the policy of free raw materials.

That is true. The Republican party is not committed unconditionally to deal with the tariff according to any fixed or settled principle, and it amuses me immensely to hear some Republican Senators, when they make a reduction of 5 per cent, rise up and in an unctuous manner declare that "we are making progress," because half the time that reduction is made on some material which the manufacturer wants to import. It is no relief to the American consumer at all, but a benefaction to the American manufacturer; and that is precisely the kind of a favor which we refused to bestow on the steel trust and about which the New York Tribune complains:

> The Republican party is not committed unconditionally to the policy of free raw materials. With Republicans their admission free is entirely a matter of expediency. If they can be admitted without harm to domestic industry and are needed to supply the wants of domestic manufacturers, sound protection policy justifies their admission. Under protective tariffs hides have been admitted free, and it is believed by a great majority of protectionists that they should be put again on the free list. It is the same with coal and iron ore.

Mark you, "it is believed by a great majority of protectionists." Do you know why they want to take the duty off the manufacturer's raw material? So that they can make a deeper cut on the manufacturer's finished product and still leave the manufacturer the old profit. That is exactly it. The consistent Republicans are the Republicans who believe in protection for everybody, the producer of the raw material as well as the manufacturer of the finished product. The consistent Democrat is the Democrat who does not believe in protection for anybody, but who believes that every man who imports an article that will yield a revenue ought to be compelled to pay for the privilege of importing it. Between these two party creeds stands a faction of each party. There are some Democrats who believe in the doctrine of free raw material, and there are some Republicans who believe in it if it suits their purpose.

That I have not misinterpreted this criticism against us I want to make still more apparent by reading a passage from a paper that calls itself "The Dallas Morning News," published at Dallas, Tex. It does not pretend to be a Democratic paper. I believe it sometimes calls itself an "independent Democratic paper," but my experience has always been that an independent Republican in the North is one who votes the Democratic ticket, and an independent Democrat in the South is one who generally sympathizes with the Republican party.

This paper calls itself an independent Democratic paper, and here is its explanation as to how the vote of Democratic Senators against giving the steel trust its raw material free fell like a pall upon the pious souls of tariff reformers. Listen:

> The result of this wholesale desertion of Democrats over to the Aldrich standard on this particular rate has had a disheartening effect on the tariff reformers, as the placing of iron ore on the free list was the basis for the cuts which the Payne bill made in the products of the steel trust.

In other words, they did not intend to take anything from the steel trust. The scheme was to reduce its cost of production and leave its profits undiminished.

Mr. President, we might just as well have this matter understood here and now. I speak for nobody but myself. I am not authorized to speak for anybody but myself. But never will I give the steel manufacturer his raw material free until I can take the tariff from the finished products of his mill. Never will I vote to give the shoe manufacturer free hides until I can take the tariff from his shoes. Never will I vote to give the woolen manufacturer free wool until I can take the duty from the woolen clothes he makes. I will vote to give a manufacturer the raw material which he buys free of all taxes when the revenue necessities of the Government will permit us to emancipate his finished products from tariff duties; but not until then.

For instance, take the duty on ore. It is 25 cents per ton, or less than 10 per cent ad valorem. Will anybody say that is protective? Take the duty on hides, and they complain that some of us favor that; it is 15 per cent, and a large quantity of hides that Congress intended should pay a duty has been admitted free by a ruling of the Treasury Department. The law allowed a calf's hide to come in, and the wise men of the Treasury Department proceeded to rule that a hide was a calf's hide until it weighed over 25 pounds. Except for that ruling of the Treasury Department, the duties on hides would to-day be fetching the Treasury more than $3,500,000. Of that sum, it is true, they disburse something like $1,000,000 in drawbacks.

In 1907 the Government, even under this misconstruction, as I believe, of the Treasury Department, collected more than $3,100,000 in duties on hides, and paid back something like $900,000 in drawbacks, leaving a net revenue of more than $2,000,000. Yet men say that because I vote for a 15 per cent duty, which yields more than $2,000,000 to the Public Treasury, I am betraying the Democratic party!

Mr. President, under the Walker tariff law, which is generally accepted by Democrats as an ideal expression of their views and principles, the average duty never fell below 24 per cent.

I have sometimes seen it stated as low as 19 and 20, but if you will examine the book issued by the Government, you will find that under that law the average duties never rose above 27 per cent and never fell below 24 per cent. Yet they say that I violate the doctrine of the Democratic party because I vote for a duty 50 per cent lower than the average duty of an ideal Democratic tariff law.

The men who talk that way, Mr. President, are either ignorant or vicious. A man can say it is wrong, and I will debate the merits of it, but when a man tells me it is un-Democratic to vote for a duty of 15 per cent that will raise a revenue of $2,000,000 I will not vex my civil disposition by arguing that question with him.

The Democratic view, as I understand it, is this; Recognizing the necessity of collecting a large sum of money through the custom-houses to support the Government, we will vote to levy a duty on any article that will raise revenue, and the only exception we make to this rule is in favor of those articles of common and daily use which all men must buy.

I voted for the amendment of the Senator from Mississippi [Mr. McLAURIN] to put all farming implements and mechanics' tools on the free list, and I never cast a vote in my life that accorded better with my judgment and my conscience. If you ask me if they are a necessary of life, I answer that a man must have tools to do his work, and I answer further that tools are so necessary that the statutes of every State in this Union exempt them from execution sale.

The very States represented by Senators who voted against taking the tax from them will not allow a creditor to take a mechanic's tools on execution in payment of an honest debt. You deem it so important, and you wisely deem it so, that the mechanic shall have the tools with which to earn a living for himself and family that you deny the sheriff, armed with the writ of the State, the right to enter upon his premises and take his tools. You count them sacred, even against all honest obligations. And yet, while you will not permit an honest creditor to take them in satisfaction of a debt, you refuse to let him buy them free of tax.

If you want another illustration, I will vote for a tax on tea, but not for a tax on coffee. A tax on coffee would raise a round sum in revenue, but it is an article of universal use. It gives comfort and strength to the poor as they go about their daily toil and refreshes them when they come from it at nightfall; and as a concession to the hard circumstances of such men I refuse to tax it. On the other hand, I will cheerfully vote for a duty on tea because, as I understand it, the people who consume tea are well able to pay a moderate tax on it.

I might detain the Senate with other illustrations, but these are sufficient. Let no man charge us with the advocacy of protection until we vote for a duty that shall at least rise above the average duties of the Walker tariff law. As long as we vote only for moderate duties, never exceeding 20 or 25 per cent, it is an outrage upon truth and justice and decency for men to assail us and pretend to think that we have abandoned our principles.

To Senators who think it a Democratic virtue to proclaim that they are free traders, I put this question: Suppose we should come into power at the next election. Suppose that a great change in public sentiment would elevate our candidate to the Presidency, return a majority to the House of Representatives, and give us control of this body. Does any man imagine that we could keep a free-trade pledge? No, sir. Obligated by the necessities of the Government, as we would be, to raise a vast sum of money, we would be compelled to resort to collections through the custom-houses, and I warn Democrats who allow their imagination and their emotion to take possession of their judgment against the wrath of that day when we come into power and are unable to fulfill the rash promises which they make to the people.

We can never administer this Government and defray its legitimate expenses without a tariff duty, and we will be fortunate indeed if we ever see the hour again when we can lay a tariff whose rates will not average more than 25 per cent. Between the lower rates, like 12, 15, and 20 per cent, upon the articles of common necessity and the higher rates of 50, 80, and even 100 per cent upon articles of luxury, the Democratic party will make, as it has always made, its selection; but it is an Utopian dream for any man to suppose that, clothed with power in every department of the Government, we could ever give the people of this country the blessings of free trade or could ever enact a tariff law whose rates would fall below the average of 25 per cent.

My attention has just been called to another case, and, as it mentions my name, I think I ought to incorporate it in the RECORD. The Courier-Journal of May 17—these things would be more persuasive to me if they came from sources that have always been loyal in their support of the Democratic party and its candidates—published an editorial paragraph that runs this way:

> Senator BAILEY, demanding that the magnates of the steel trust—

And, by the way, that is what excited the ire of some of these papers like the Chicago Tribune. It was my suggestion of putting men in jail that provoked them to write the editorial which they did and by which I feel greatly complimented. My rule in this world is to esteem the censure of some men as high a tribute as the praise of other men. I go by the rule of contraries with papers like the New York Tribune and the Chicago Tribune; the worse they say of me the better I like myself.

The Courier-Journal says:

> Senator BAILEY, demanding that the magnates of the steel trust be put in jail, votes to put them in palaces by voting for a tariff on iron ore and against the old Democratic doctrine of free raw materials.

The old Democratic doctrine of free raw materials! How old? Old enough, thank God, to have perished before this day; and yet not so old as that it ever received the indorsement of the Democratic fathers. It was, in a season of madness and folly, proclaimed as a Democrat doctrine; but it has long since been rejected as a Democratic heresy.

Mr. SMITH of Maryland. Mr. President, I wish to say that upon general principles I agree entirely with the Senator from Texas [Mr. BAILEY]. He spoke in regard to free iron ore. I voted for free iron ore, and I have no apology to make for casting my vote that way. My idea in voting for free iron ore was not in any way to help the steel manufacturers, because, in fact, when you take the steel manufacturers or those who manufacture the largest proportion of the steel product of this country, they are opposed to free iron ore. They are opposed to it because they themselves control the iron ore. They control 85 per cent of the free iron ore of this country. Hence they want a duty in order that the independent steel manufacturers may be put at a disadvantage. I voted for free iron ore because I wanted competition, and I believed that in voting for free iron ore I would help, if I were successful in securing free iron ore, to bring about a competition which would not benefit the United States Steel Company.

The steel manufacturers east of the Allegheny Mountains are at a very great disadvantage compared with those west of the Allegheny Mountains, because they can not get their ore except at an increased price—I understand at about $1.60 a ton. My object in voting for free iron ore was that these independent manufacturers might be able to get the ore from which they make their steel products, in order to compete with the United States Steel Company, which owns or controls 85 per cent of the iron ore of this country.

I do not make these remarks in the way of apology, but in order to give my views as to why there should be free iron ore in order to stop to an extent a monopoly.

Mr. BAILEY. Mr. President, I had no thought of suggesting that the Senator from Maryland was influenced in casting his vote by a desire to benefit the steel trust, and I was in private conversation advised of his view; but that view is not comprehensive enough. The trouble with it is, that when two corporations are engaged in competition against each other, it requires us to sacrifice our principle to aid one of those corporations in its contest with the other. That system of dealing with the tariff, carried to its logical conclusion, would not only lead us to abandon the only effective method of dealing with the trusts, but would reduce our tariff legislation to other than revenue purposes. That can never succeed. Because this corporation is engaged in a competition with that corporation is no reason why we should give either corporation its raw material free of duty. If the corporations really compete against each other, that is a benefit to the American people, and we ought not to discourage it by giving to the one or to the other a favor which might determine the supremacy between them.

I said the other day, and I say now, that the only effective and sovereign remedy for the trust evil is to be found in the criminal courts of this Republic. We must lay our taxes for revenue to support the Government and then we must resolutely set ourselves to the task of putting into the common jail the men who will not obey our antitrust laws. I decline to consider the tariff, not as a question of taxation, but as a means of regulating contests between different corporations.

But, Mr. President, I did not rise to make that explanation. I only rose to emphasize the fact that at last the difference between the Senator from Maryland and the Senator from Texas is a difference over a question of fact and not over a question of principle. The Senator from Maryland believed that he was serving a useful purpose when he voted for free iron ore; and I freely say that the 8 or 9 Democratic Senators who voted with him believed the same way; but I just as confidently assert that the 16 Democratic Senators with whom I voted were actuated by a principle as high as ever governed men. Our view was that all corporations ought to be compelled to pay their taxes share and share alike, and if one corporation obeys the law and the other does not, to put the officers of the offending corporation in jail and let the contest between honest, law-abiding competitors proceed.

Mr. SMITH of Maryland. Mr. President, I have no disposition whatever to criticise any Democrat who voted for a duty on iron ore, but there is a semblance of competition in regard to steel manufactures in this country. There is no question in my mind but that the United States Steel Company and those west of the Allegheny Mountains did want a duty on iron ore; and there is no question but what the independent manufacturers did not want a duty on iron ore.

Mr. BAILEY. Will the Senator permit me to interrupt him?

Mr. SMITH of Maryland. Certainly.

Mr. BAILEY. The Senator perfectly understands that no corporation or no manufacturer wants a duty on his raw material.

Mr. SMITH of Maryland. It is a fact that they did want a duty on this because they do not buy any iron ore, but they have their own iron ore, and it is to their interest for their competitors to pay as high a price as can be obtained for it.

Mr. BAILEY. If the Senator will pardon me, that argument can be reduced to an absurdity in this way, that whether they do not buy or whether they do buy, there is one thing certain, they do not sell the iron ore.

Mr. SMITH of Maryland. No; they sell the manufactured product.

Mr. BAILEY. They sell the manufactured product.

Mr. SMITH of Maryland. I agree with that.

Mr. BAILEY. So, if you have no tax on iron ore, there is no tax on that which they do not sell.

Mr. SMITH of Maryland. They did want a duty on iron ore, and I know it.

Mr. BAILEY. Mr. President, they felt more at liberty to talk with the Senator from Maryland about it than they did to me.

Mr. SMITH of Maryland. Possibly they did, but such, nevertheless, is the case. It was to their interest in order that their competitors might not have an equal advantage with them. As to the revenue on iron ore, it is so small that the advantages accruing from free iron ore in this country are more than met by the advantages of the shippers of the product in this country in having vessels coming in here laden instead of coming in here light to transport their product.

Mr. BAILEY. There is the real basis of the opinion of the Senator from Maryland. It is to give certain Atlantic ports an advantage of certain trade by the remission of certain duties. I do not complain that that is true, because it is only a part of the general line of argument which led the Senator from Maryland and others representing Atlantic seaboard States to try to equalize the seaboard and the interior by the abolition of those duties. Now, Mr. President——

Mr. SMITH of Maryland. Go ahead, sir.

Mr. BAILEY. I thought the Senator was through.

Mr. SMITH of Maryland. I am not.

Mr. BAILEY. I beg the Senator's pardon. I thought he had resumed his seat.

Mr. SMITH of Maryland. I have not.

Mr. BAILEY. I will wait until the Senator does so.

Mr. SMITH of Maryland. I want to say with regard to the advantage which would be given to the Atlantic coast in the export of their commodities, that that certainly would not intimidate me into voting for it. At the same time that, in connection with the fact that it was creating a competition between the independent steel manufacturers of this country and the United States Steel Company, who own the iron ore of this country, induced me to vote for free iron ore.

Mr. TILLMAN. Will the Senator, before he takes his seat, answer me a question?

Mr. SMITH of Maryland. If I can.

Mr. TILLMAN. He stated a moment ago that he did know that the steel trust wanted a duty on iron ore. Will he give us the source of his information?

Mr. SMITH of Maryland. Well, I do not know that I care to give the source, but I have it. I was called upon in regard to the matter, and urged to vote for a duty on iron ore by people representing the United States Steel Company or some of their subsidiary factories.

Mr. TILLMAN. Does the Senator know that there is a single independent steel manufacturer?

Mr. SMITH of Maryland. I think so. I do not know.

Mr. TILLMAN. I will read again something I read in the Senate some days ago. It is the testimony of Mr. Carnegie, who ought to know something about steel. He has filled his pocket with hundreds of millions of dollars taken from the pockets of the consumers by act of Congress under the leadership of our friends on this side of the Chamber.

Mr. BAILEY. Not this side.

Mr. TILLMAN. I am pointing right to the side over there—the Republican side of the Chamber.

Mr. BAILEY. But the trouble of it is the RECORD does not show which way your finger points.

Mr. TILLMAN. All right. I thank the Senator for keeping me from making a mistake. Here is what Mr. Carnegie says:

> That is the same gentleman who told you he had no agreement with other steel companies; that he could sell where he pleased, to whom he pleased, and as much as he pleased. Well, Mr. Chairman, if you had asked him if he had not a sort of understanding, which had the same result as the agreement, he would have had to tell you that he had; and I do not like witnesses to talk in a double sense. We have not only to tell the truth, but we have to tell the whole truth, and I tell it.

Mr. Carnegie says that they are under the direction and control and have an agreement with each other, and the steel trust compels them, in a way, to sell at certain prices, which it fixes. I do not want any controversy with the Senator from Maryland. I give him full credit for doing what he believes to be his duty in trying to give some so-called "independent steel manufacturers" down in Baltimore free ore. I have no fault to find with him for voting that way; but, as I voted the other way, I do not want anybody to assail me or impugn my motives as undertaking to bolster up the steel trust, because the Senate has been told——

Mr. SMITH of Maryland. I will say to the Senator from South Carolina that I said that I did not criticise his vote or any other man's vote.

Mr. TILLMAN. I was rather trying to get after these so-called "Democratic" papers at Louisville, Ky., and Dallas, Tex., which are undertaking to say that the Democratic party is split wide open. When this iniquitous bill, which our friend from Rhode Island [Mr. ALDRICH] is trying to engineer through, and will succeed in doing—let us round up and show the country that we are Democrats still.

Mr. SMITH of Maryland. I am not responsible for the papers of this country, either Republican or Democratic; but I am responsible for my vote.

Mr. BAILEY. Mr. President, there is only one thing I want to say in reply to the suggestion which the Senator from Maryland has made, and that is, that whenever we consent to waive our principles, which require all of the manufacturer's raw material to pay a duty, in order that we may help one corporation as against another corporation, we generally find that we have been victimized by precisely the conditions the Senator from South Carolina now lays before the Senate upon the sworn testimony of Mr. Carnegie. Mr. Carnegie perhaps knows more about the condition of the steel industry in the United States than any other one man; and he tells the Ways and Means Committee that, after all, there is an understanding between the so-called "competing companies" that makes real competition impossible. If that is true, and that it is true I have no doubt, then the only effect of taking the duty off of iron ore was to violate our general principle against untaxed raw material for the sole and only purpose, or rather, I will say, with the sole and only effect of aiding a combination that is part of a colossal conspiracy against the commerce of the United States.

Mr. OVERMAN. Mr. President, do I understand the Senator to say that we voted for it with that as "the sole and only purpose?"

Mr. BAILEY. No.

Mr. OVERMAN. I understood the Senator to say that; but he then withdrew it and said "the sole and only effect." We want to get in no party division here. I will not answer the Senator, but I do want to understand what he did say. I hope he did not say that.

Mr. BAILEY. If the Senator from North Carolina had been attending closely, he would have perceived that I at once saw the impropriety of phrasing it in that way, because the purpose with which you do a thing and the effect of having done it are sometimes as wide apart as the poles. I have seen the most honest of men produce a bad effect; but I never knew an honest man to do a thing with a bad purpose; and before I concluded the sentence I saw that it was not a correct expression and withdrew it, or, rather, I corrected it.

I pass that, however, as a mere difference among Democrats over a question of fact, and in saying that I am but repeating what I have already said.

I want for one moment to call the attention of the Senate to another argument that assails us at every point: Every time a man wants a thing done he tells us that the trusts do not want it done, and every time he does not want a thing done he tells us that the trusts do want it done. Two excellent gentlemen spent an hour with me the other day trying to convince me that the Standard Oil Company wants free oil. I am going to vote to put oil and all the products of it on the free list—and, by the way, our Republican friends must not forget that the State which I in part represent is now one of our largest oil-producing States—but no oil is imported, and therefore a duty on it will not bring any revenue to the Treasury, and its only effect is to increase its price to the people of the United States who must use it for light and heat.

So it is, Mr. President, from day to day and from schedule to schedule, these arguments are pressed upon us—sometimes honestly and always with some effect—but I have one answer to every argument of that kind. I shall vote to levy taxes with a view to revenue and to justice and I shall vote for laws with teeth in them to send the men who conspire against the commercial peace and commercial competition in these United States to prison for that offense.

We must separate the one from the other, and then, when they tell us that a trust wants a thing done, call them before the grand jury and make them tell where that trust is located, for if it be a trust, we have a law condemning it; and we have men who have taken an oath to execute that law. So it is easy enough to solve questions of that kind if only we enforce the law.

I want to say this, Mr. President, and then I have said all I intend to say this afternoon about it: I can take the office of the Attorney-General of the United States to-morrow, and, if they will let me select my assistants, I can break up every unlawful combination in the United States in the next two years.

All you need to do is to prosecute and convict one or two of them, and that will be the end of it. When I say I can do it I do not assume to be a better lawyer or so good a lawyer as the gentleman who occupies that high position. I have had very little experience with the prosecution of criminal cases, but I have no doubt that those laws can be enforced. Neither have I any doubt that the sensible thing for us to do is to enforce the laws that we have instead of continually making more laws.

If any man doubts the justice of my criticism, I only need to remind him that in all the proceedings of this Federal Government against the men who have violated our antitrust laws the action has been against the corporation, and not against the individuals. The same facts that would convict the corporation, and sentence it to pay a fine, will convict the officers of the corporation and sentence them to prison. A corporation can not act except through its authorized agents and officials; and whenever a corporation commits a crime, it commits it through the act of some authorized agent or official. Therefore it is as plain as the day that if, instead of prosecuting the corporation and sentencing it to pay a fine, you will prosecute the officer, you can send him to prison, and if you will do that, in a little while they will not be able to find men with respectability enough that they are willing to trust them, who will accept their offices and violate the laws of this Republic.

Only the other day—and perhaps we ought not to comment on it here, and I will not comment by name or by specification, but I will allude to the circumstances—within the last ten days, in one of the southern towns, eminently respectable and prosperous men have been found guilty of a violation of our antitrust laws, and two of them have been sentenced to serve a term in the common jail. I am willing to go on record here and now that that action will dissolve that trust. It is the same with all men who violate the law. Suppose you would merely fine a man who stole money, how long do you think it would take you to suppress the crime of theft? Suppose that you allowed a man who stole a million dollars to pay a fine of $100,000. The honest man would not be tempted to steal by that premium on theft, but every scoundrel in the country would be looking for an opportunity to steal something if he could acquit himself to the majesty of law by surrendering to the State a part of what he had stolen.

Yet that is exactly the premium that you are to-day putting upon the violation of your antitrust laws. You tell these men to go on and violate the law and that, if they are caught, you will only take from them a part of what they have first taken from the people, and if you happen to take a little more than they have already taken from the people, they soon supply the deficiency by taking still further sums from the helpless victims your law subjects to their avarice. But instead of taking their money, take their liberty; and my word for it, Mr. President, we shall hear no more in the Senate Chamber of the United States about remitting taxes to rich and prosperous people in order to help them sustain themselves in competition against other rich and prosperous people.

Mr. RAYNER. Mr. President, I have only a few words to say; and I do not intend to make any speech.

I agree with the Senator from Texas [Mr. BAILEY] in some things that he has said, and I disagree with him in other things that he has said. I agree with him on his general propositions of party policy. I disagree with him as to the facts of this particular case. And that is a question upon which each one of us must form his own opinion.

I voted for free iron ore, and I will vote for it again and again; and I do not regret my vote. On the contrary, I am glad that I voted that way. I voted for it for this reason and for this motive, and for no other motive: I thought it was a move in the direction of breaking down the United States Steel Corporation, which, in my judgment, is one of the greatest monopolies in the United States. I may be wrong, and the Senator may be right; but that was my motive in voting for it. I believed when I voted for free iron ore that the United States Steel Corporation owned about 85 per cent of the raw material in the United States. If the United States Steel Corporation was not in control of the raw material, the argument of the Senator might be logical. I assert that the raw material is practically controlled by the United States Steel Corporation. I apprehend that every one of us who, from honest motives—just in the same way that those who voted the other way voted from honest motives—voted to put iron on the free list, did so in order to break down this great monopoly that is dominating the American market.

Mr. President, I want to say this to the Senator from Texas: I think the proposition that he has stated is a very important one. I agree with him upon the general proposition which he states in reference to the policy of the party in connection with raw materials. I think it would be perfectly ridiculous for us to stand here and vote for raw materials for the benefit of the manufacturer, and then keep up the duty on the manufactured product. I do not think there is a Democrat here that will dissent from the views of the Senator from Texas on this branch of the question. I want to read just a few lines from the platform of the Democratic party at the time Mr. Cleveland was nominated, that sustain the general proposition of the Senator from Texas:

> We denounce the McKinley tariff law enacted by the Fifty-first Congress as the culminating atrocity of class legislation; we indorse the efforts made by the Democrats of the present Congress to modify its most oppressive features in the direction of free raw materials.

But it did not stop there. It went on to say:

> And cheaper manufactured goods.

In other words, when you give your manufacturer his raw materials free, take off the compensating duty upon the manufactured product. When you give him free iron ore, lower the duty upon the manufactured products of iron. When you give the woolen manufacturers of New England free wool, lower the duty upon manufactured woolen goods. When you give them free hides, if you can, lower the duty upon leather and shoes and all the products of free hides.

That does not mean for a moment that I am not in favor of voting for free raw material in cases where it is impossible to lower the duty. That does not bind me to say that I do not intend to vote for free hides, for I do intend to vote that way, notwithstanding that it is impossible for me here in this presence to lower the duty upon the manufactured product. I believe, not as a question of party policy, but as a question of economy, that whenever you give a manufacturer raw materials free, you necessarily, by competition, cheapen in the American market the product of his manufacture.

Mr. President, that is about all that I desire to say, except this: I want to be perfectly frank about this, just as the Senator from Texas is in voting the other way, and as we all are. I do not think there is any great difference between us upon questions of party policy, but there is a great difference between us upon some of these schedules. I apprehend that each one of us is absolutely honest in the motives that induce him to vote one way or the other on the various schedules. If the manufacturing interests of my State had asked me to vote for free iron ore simply for the purpose of giving them free iron ore and to keep the duty up on the manufactured product, I would not have acceded to the proposition. I stand here now ready to vote for a reduced duty upon every manufactured product that the competitive steel industries of the United States are manufacturing. Bring out your lower duty upon every manufactured product into which iron enters, and I will vote for that lower duty.

I voted for free iron ore simply because I believed, and I believe now—and I have not heard a word from the Senator from Texas upon the facts which contradict the view that I had when this schedule was up—that my vote helps to break down one of the greatest monopolies of the country. And I want to be understood about this: Without regard to reducing the duty upon the manufactured product, whenever I can vote for a free raw material that will break down and destroy these monopolies that are oppressing the American market, I propose to vote for free raw material. The difference between us is simply upon a question of fact.

Another thing I shall not do is this: I shall never stand in this Hall and vote for a protective duty. I do not mean for a moment to say that there is any difference of opinion between us upon that subject. Whenever you have a duty proposed that is not a revenue duty, but is a protective duty, in either my own State or my own city or any other place, I shall vote against it. I say that because I believe in a constitutional tariff for revenue, and I will never change my opinion about that. I do not think this Government has the right to levy any duty except a duty for revenue.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

Mr. NEWLANDS. Mr. President, the Senator from Indiana [Mr. BEVERIDGE] asked me what reason I had for this amendment. As I understand it, the status regarding this particular paragraph is as follows:

The articles enumerated in this paragraph, such as sewing machines, and so forth, are not enumerated in the present tariff law. They fall under the general basket clause which imposes a duty of 45 per cent. The House has specially enumerated these articles in the proposed bill, and suggests a duty of 30 per cent, and my amendment calls for a reduction of that duty to 20 per cent.

The reasons why I urge the reduction are these: The statistics furnished to us by the committee show that the annual exports of these articles amount to $35,000,000; that the total annual production in this country amounts to $132,000,000, and that there are no imports. Wherever there are no imports of any article that is an indication to me that the existing duty is a prohibitory one. Therefore the present duty of 45 per cent is condemned.

But why place the duty at 20 per cent, according to my amendment, instead of 30 per cent? Simply because there have been no imports whatever; and I believe that wherever the statistics show that there are no imports of any given article, the existing duty should be very materially reduced.

Another reason I have for this amendment is that most of these articles—all of them, I believe—are under the control of combinations and trusts in this country which have practically stifled free competition at home. I regard it as good policy, and the Democratic party has so declared in its platform, wherever a product is controlled by a domestic trust, and domestic competition is stifled, to introduce foreign competition; and the only question that remains is whether we shall put that article upon the free list absolutely and bring against the domestic monopoly the full force of foreign competition or whether we shall moderate the foreign competition by imposing some lower duty.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. NEWLANDS. I prefer to go on with my statement.

The VICE-PRESIDENT. The Senator from Nevada prefers not to yield.

Mr. NEWLANDS. I will yield to the Senator toward the close, but just now I wish to go on consecutively.

Mr. SMITH of Michigan. I simply wanted to ask the Senator from Nevada——

The VICE-PRESIDENT. The Senator from Nevada prefers not to yield.

Mr. NEWLANDS. Mr. President, this duty therefore I placed at 20 per cent. It is a revenue duty, or I hope it will be. I hope it will not prove a prohibitory duty. If I thought so I would still further reduce it. But it is introduced in a tentative way, with a view to introducing foreign competition in order to prevent domestic monopoly and with a view to obtaining revenue by the reduction of duties from which at present no revenue is obtained.

I am now ready to answer the question of the Senator from Michigan.

Mr. SMITH of Michigan. I was simply going to ask the Senator from Nevada if he believed in free trade on these two items with respect to which he seeks to amend the rates?

Mr. NEWLANDS. I have already stated that——

Mr. SMITH of Michigan. Does the Senator believe in free trade on these two items—cash registers and sewing machines?

Mr. NEWLANDS. Yes. I voted to put them on the free list.

Mr. SMITH of Michigan. I know you voted for it, but I want to know whether you believe in it.

Mr. NEWLANDS. I voted then upon the assumption that almost all these articles are controlled by a trust, and I was therefore absolutely warranted in voting to place them upon the free list. I prefer, however, to move along tentatively in the way of a reduction of duty, so that foreign competition may be introduced as a factor in breaking up the domestic monopoly, at the same time producing revenue and without the destruction of any American industry.

I wish to say, with regard to the question of free trade and the free list——

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. Will the Senator yield to me for just a moment to bring to his attention a little item of testimony which I find in the hearings?

Mr. NEWLANDS. Certainly.

Mr. BEVERIDGE. We can not hear the Senator from Wisconsin.

The VICE-PRESIDENT. Will the Senator speak a little louder?

Mr. LA FOLLETTE. I wish to bring to the attention of the Senator a bit of evidence, upon the sale of sewing machines in this country and abroad, which I find in the tariff hearings, furnished by a Mr. Arnold, who testified before the Ways and Means Committee. He is a manufacturer of varnish, and appeared before the committee to request that there be no lowering of the duty on his product, not because the conditions of the business required the duty to be maintained, as he stated, but because he preferred not to have the business disturbed. He was examined by members of the committee and was testifying with respect to varnish.

Mr. COCKRAN. But, as a matter of fact, you are able to compete with the foreigner?

Absolutely—

The witness answered, and he continued:

We go into the foreign countries and compete with the world. We sell the goods, and those shipments are increasing from year to year, the goods being sold at a profit. There is no dumping ground for varnish. I have sold goods in foreign countries—all over the world—myself as far back as 1882. I do not believe this story about giving away goods to get rid of them. I will say that I sold sewing machines in 1882 abroad at a price of $19.50 for the same machines that were selling in this country for $65, and they were not made anywhere else excepting in this country. And I will say, too, that I made money out of it.

Then Mr. POU took a hand in questioning the manufacturer:

Mr. POU. And the same kind of machines were sold as here?

Mr. ARNOLD. Yes; and at a price of $65. I sold plows in South Africa for $8.50 that you could not buy for less than $12.50 up to $20 in this country. And I say that all this rubbish about dumping goods in foreign countries is nonsense.

Now, on the subject of typewriting machines, everybody knows that typewriter machines are sold in this country at about $100 apiece. I am informed that they have been sold abroad for $35 apiece for years.

There has been a typewriter combination for years. As early as 1893 the manufacturers organized under the laws of New Jersey for the purpose of controlling the business. The trust was incorporated as the "Union Typewriter Company." The following concerns were consolidated: The American Writing Machine Company, the Remington Typewriter Company, the Densmore Typewriter Company, the Smith-Premier Company, and the Yost Writing Machine Company. Total capital issued, par value, was $18,015,000. The element of monopoly is strong, consisting of tariff benefits, patents, trade-marks, and so forth.

They control the business in this country absolutely and compel American purchasers to pay the exorbitant price of $100 for machines which they sell abroad at $35.

Mr. BEVERIDGE. May I ask the Senator whether those companies make abroad the machines which they sell abroad cheaper than they do at home, or do they export them?

Mr. LA FOLLETTE. They are made here and are sent all over the world.

Mr. BEVERIDGE. Of course the Senator knows and we all know—and I want to hear him upon that point—that everything manufactured in any country, regardless of its policy, whether protective or free trade, is sold, for various reasons, outside of that country cheaper than at home. One of the reasons is the occupation of new markets. One is the disposal of surplus. I want to know whether either one of those causes operated in this instance?

Mr. LA FOLLETTE. I am very certain they do not. That these type machines have been sold cheaper abroad than at home for many years is a matter of almost common knowledge.

Mr. NEWLANDS. I am very glad to have the information presented by the Senator from Wisconsin regarding sewing machines and typewriters. The evidence seems to be conclusive, and it is a matter of common knowledge that with reference to these two commodities it has been the custom of the manufacturing companies in this country to sell abroad at prices very much less than those charged at home, and the price charged abroad is compensatory to them. That is one of the considerations.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. Does the Senator know what difference there is between the wholesale price of a sewing machine in this country and the wholesale price in foreign countries?

Mr. NEWLANDS. I do not.

Mr. SMOOT. I want to tell the Senator. There is this question to be taken into consideration: I know that many of the manufacturers of this country sell sewing machines in carload lots at a very low rate. I know they have sold as low as $19 apiece, and then they are retailed—that is, to the consumer—for $60 or $65.

I desire to call attention to the fact that that is on account of the way the business is done in this country, and it is never done the same way in a foreign country. I know they have an agent, and they go from door to door. They sell the machine on time, and if they can get as the first payment what the machine cost they will take an old machine in, and they will call it $60 or $65, whereas that machine the manufacturer has sold as low as $19. Does not the Senator know that that is the absolute fact?

Mr. NEWLANDS. I do not.

Mr. SMOOT. Mr. President, I know it is the fact.

Mr. McLAURIN. Will the Senator allow me to ask the Senator from Wisconsin a question?

Mr. NEWLANDS. Certainly.

Mr. McLAURIN. The price at which this sewing machine was testified to have been sold I understood to be $95 or $100 instead of $60.

Mr. LA FOLLETTE. Sixty-five dollars.

Mr. SMOOT. That is an entirely different machine.

Mr. BEVERIDGE. It was the Senator from Wisconsin——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. I yielded to the Senator from Mississippi, whose question——

Mr. McLAURIN. In the testimony of Mr. Arnold that he read as to sewing machines which were selling in Europe for $35, I believe it was, as I caught it, they were selling in this country at about $90 or $100.

Mr. LA FOLLETTE. They were selling abroad for $19.50, and were selling in this country at $65 at that time.

Mr. McLAURIN. Sewing machines?

Mr. LA FOLLETTE. Yes, sir. The Senator must have had in mind the figures I gave with respect to typewriting machines.

Mr. McLAURIN. Those were sold at $35 in foreign countries and a hundred here. I had that in my mind.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. Certainly.

Mr. BEVERIDGE. I merely want to ask the Senator from Wisconsin, who called attention to these figures, what he has to say with reference to the statement of the Senator from Utah about the wholesale price in car lots?

Mr. SMOOT. Sewing machines.

Mr. LA FOLLETTE. I have nothing to say about that, because I did not give any figures on sewing machines except such as I read from the testimony.

Mr. BEVERIDGE. I wish the Senator from Utah would make his statement again, because I was diverted and did not hear it. But I got the impression that the wholesale price wiped out that difficulty. If the difficulty can be disposed of, I should like to have the whole facts presented. So I ask the Senator from Utah to state it again. We were all diverted by conversation.

The VICE-PRESIDENT. Does the Senator from Nevada yield for that purpose?

Mr. NEWLANDS. Certainly.

Mr. SMOOT. I now make the statement again, that the manufacturers of sewing machines in this country sell in carload lots at about $19 apiece for sewing machines that are sold to the consumer for $60 to $65; and I went on to explain why that was—the heavy expenses of men traveling from door to door and selling the machine at $65, with a first payment made, and taking old machines at a high price. It is the system of selling machines in this country. It does not exist in a foreign country.

Mr. McLAURIN. Will the Senator allow me to ask him where he gets this information?

Mr. SMOOT. I get the information from the very fact that I have seen these invoices to institutions in my own State that have bought the machines in carload lots. So it is not the manufacturer; it is the mode of doing business.

Mr. LA FOLLETTE. It is perfectly apparent the witness was not stating the wholesale price abroad. He was speaking of the sale of single machines there, as he was speaking of the sale of single machines in this country, and was making the comparison to show that they were sold abroad at the lower price. It would have been entirely misleading and an imposition upon the committee had he been dealing in one case with the wholesale price and in the other with the retail price.

Mr. SMOOT. I simply called attention to the fact that the manufacturer has only to do with the wholesale price, and I wanted to say that much for the manufacturer.

Mr. NEWLANDS. In answer to the Senator from Utah, I wish to say that he makes the usual answer which he has always made during the consideration of the pending bill when he has been confronted with the high prices prevailing in this country regarding certain articles and commodities as compared with the foreign market, and that he invariably endeavors to charge the imposition of these high prices not upon the manufacturer, but upon the retailer.

Mr. SMOOT. I have not said anything in relation to the retailer here any further than I have said that the mode of handling the sewing machines is such that in my belief it actually compels him to sell at the high price in order to pay the expenses attached thereto. In England, I will tell the Senator, the machines are, in the stores, sold exactly the same as any other commodity, and in this country in some instances, especially of late, the same way of selling machines is coming into vogue.

Mr. NEWLANDS. Well, Mr. President, accepting the Senator's amendment, I understand his statement to be that the methods of business conducted by retailers in this country are such as to result in the charge of a price in this country amounting to two, three, and four times the amount that is charged in other countries in the retail business for such commodities.

Mr. SMOOT. Mr. President, I want the Senator to be perfectly fair in this matter. I have already stated that it is not the custom in everything; but in the sale of sewing machines, which we are discussing now, it has been the custom in the past to take an old machine and give a good price for it. They take that off the price, but they never again sell the old machine for the amount they allow for it. That is to be taken into consideration. I do not believe that in the end the retailer makes such a very big profit, when the way of selling the goods is taken into consideration.

Mr. BEVERIDGE. Mr. President, let me ask the Senator from Utah what the facts are along the line he is talking in the case of typewriters?

Mr. SMOOT. I have had no experience whatever with typewriters. I know nothing about the wholesale cost. I do not know anything about how they are sold.

Mr. BEVERIDGE. The Senator does not answer the Senator from Wisconsin.

Mr. SMOOT. I do not answer the Senator from Wisconsin on the question of typewriters, because I know nothing about them.

Mr. NEWLANDS. Mr. President, we have the evidence, then, unanswered so far as typewriters are concerned, that the charge in this country is $100 for each typewriter, and abroad the charge is $35. Whilst the Senator from Utah objects to the precise method in which I speak of his general replies to and defenses regarding the charges of high prices in this country as compared with abroad, yet the fact remains, generally, that he states the conditions of business and the customs of business are such in this country as to result in many commodities in an imposition upon the purchasers of a price two, three, and four times as high as that imposed in foreign countries.

The American people are interested in the fact that high prices prevail throughout this country, that prices have advanced out of proportion to the advance of wages in the country, that a given wage will not buy as much of commodities as it would years ago; and the country demands some satisfactory answer regarding the question. We charge that the high prices are largely due to the protective system. The Senator denies it. The denial is made generally by that side of the House, that the high tariff wall is raised and that domestic competition between rival competitors gradually reduces the price behind the protection of the tariff wall, and this, too, in the face of the fact that prices are constantly advancing.

Inasmuch as the Senator from Utah has raised the contention that these high prices are not due to the protective system, but that on the contrary the protective system lowers domestic prices instead of raising them above the average of the world, and that these high prices are chargeable to the customs and methods of retail business throughout the country, I suggest to him that it is time the Finance Committee were making an inquiry into that question. The duty devolves upon them to report immediately to the Senate the resolution proposed by the Senator from Oklahoma [Mr. GORE], calling for the appointment of a special committee to inquire into these abuses, ascertain their cause, and point out a method of their correction; and that this is a pertinent inquiry now that ought to proceed pari passu with the inquiry into our tariff conditions. If such a special committee is appointed, it can, before the close of the debate upon this subject, make a report, and then we will be acting upon definite information rather than upon conjecture and innuendo, as we are compelled to act now. The lack of fullness of information many of us have called attention to throughout this debate. We lack that fullness of information which a committee sitting as a commission regarding this matter under the instructions of the Senate and bound to give it every fact within its reach should give.

Mr. President, so far as the Democratic side of the Chamber is concerned, it is charged that there are certain inconsistencies and certain differences, just as there are upon the Republican side. I do not deny that certain inconsistencies in view and opinion and in vote exist upon this side of the Chamber. But they are not appreciable. For instance, one or two of the Senators upon this side of the Chamber voted for a protective duty upon lead. A few Senators on this side of the Chamber will doubtless vote for a protective duty upon sugar and upon rice. A few

more will doubtless vote for protective duties upon cotton fabrications. But when you consider the vast area of duties covered by the bill, that there are 4,000 articles under 400 items or paragraphs with reference to which we can make inquiry as to excessive duties, it will be apparent that inconsistencies or differences as to those few items are absolutely inconsequential.

The Senators who appear to be thus inconsistent are probably justified by the public sentiment of the communities which they represent. I can understand what the sentiment of a community like the State of Louisiana would be, which has been largely built up upon the protective system as to sugar and as to rice. I can imagine how destructive it might be to the prosperity and the energies of that State if suddenly those duties were withdrawn and if, instead of being able to obtain in our domestic markets for sugar a price double the world's price, they were compelled to settle down quickly and immediately to the world's price.

I can understand how the people of a community agreeing with us in the general principle that a protective system can not be justified, yet having their industries built upon the abuses of that system, might demand of their representatives that they should not rudely withdraw the props from under their industries, that they should not rudely knock them off their stilts and reduce them to confusion.

So it may be with other cases, but as a rule you will find that upon the vast bulk of these items the Democratic party will stand for a reduction of excessive duties, and that is the only practical question before the Senate. The practical question before the Senate is not whether we shall have tariff for revenue or tariff for protection. The question is whether duties absolutely far in excess of the requirements of the protective system itself shall be reduced. That is the only practical question, and upon such a question the progressives of the other side of the Chamber and the consistent proponents of a tariff for revenue upon this side of the Chamber can stand together. So far as I am concerned, I trust this debate will last until the country is convinced, as it will be convinced, whatever may be the final vote upon the pending bill, that these abuses exist; and that the only remedy is to elect a Senate and a House of Representatives that will reduce the excessive duties. That is the only practical question.

Mr. President, the imports into this country aggregate about $1,100,000,000, of which six hundred million are dutiable. You collect an average duty of 45 per cent and you raise from it nearly $300,000,000. We do not advocate the raising of a less amount in the aggregate than $300,000,000, for we believe that amount is essential to the conduct of the business of the country and that we must from customs duties raise at least that amount.

So, we are not for free trade. We are for a tariff for revenue, and we are for a tariff that will produce as revenue $300,000,000. We claim that that can best be done and that this deficit will be cured by absolutely reducing the excessive duties, so that the commodities which they cover can be introduced into this country and pay duty instead of perpetuating the present condition under which high duties are imposed and yet little or no revenue collected.

If we were to impose a duty on the entire list of imported articles, aggregating $1,100,000,000, we would have to impose a duty of nearly 30 per cent in order to raise $300,000,000. So the Democratic party can not stand for an average duty of less than 30 per cent. Our theory is that the necessaries of life should be taxed upon a different basis from the luxuries of life. If we are to have an average duty of 30 per cent, and if we are to have a difference of duty between the duties on the necessaries of life and the duties on the luxuries of life, we are necessarily compelled to make the duties on the necessaries of life below 30 per cent and the duties on the luxuries of life above 30 per cent. Any Democrat upon a question of luxury, outside of spirits and tobacco, which, of course, are always subject to high taxes, can vote for a duty upon luxuries of at least 50 or 55 per cent, or even more, without involving the charge of inconsistency, and he can vote for a duty of between 20 and 30 per cent upon the necessaries of life. But he can also exercise his judgment as to whether the condition is such as to warrant him in putting a particular commodity upon the free list or putting it upon the revenue list. He is not to be charged with disregard of party principles either by his party associates or by the other side if he exercises his judgment either one way or the other. The principle is as I have described it. Upon matters of detail Democrats may well differ as to whether a particular necessary of life shall be put upon the free list or whether a tax shall be imposed upon it. If you look through the votes thus far, outside, perhaps, of the duty on lead, you will find that every one of the votes upon this side of the House is in accordance with the principles of the party.

So far as the duty on iron is concerned, that is purely a revenue duty. A Democrat could exercise his judgment as to whether he would put upon it a revenue tariff or whether he would put it upon the free list. He might regard iron as the basic material upon which all the steel industries and iron industries are based as a necessary of life, and if he chose to do so he might vote to put it upon the free list. He might feel that that particular basic material was under the control of a great trust and combination in this country, as I believe it to be, and that the only way of introducing competitive energies in this country would be to let iron ore in free, so as to stimulate domestic competition, or he might, in pursuance of his view that the revenue demanded it, impose reasonable revenue duties upon it.

That is what the Democrats have done. They have not acted together as a unit, but they have acted entirely consistently with Democratic principles, whether they voted for a revenue tariff of 25 cents a ton or whether they voted to put it on the free list.

Mr. ALDRICH. Mr. President, will the Senator consent to take a vote upon the pending amendment?

Mr. NEWLANDS. I will state to the Senator from Rhode Island that I think his question is entirely unwarranted. I doubt the propriety of a Senator interrupting another Senator whilst he is making a speech and insisting upon a vote.

Mr. ALDRICH. I can not insist upon the Senator's stopping, of course.

Mr. NEWLANDS. No, sir; I think not.

Mr. ALDRICH. I was only making a request.

Mr. NEWLANDS. Now, Mr. President, I wish to call attention to this particular schedule. The average rate of wages paid under the metal schedule is only $556 per annum, and yet we know how enormous fortunes have been created under this schedule and under the protective system. Will you tell me that the average wage of $556 given to every worker in these industries is a sufficient wage upon which to support a family? Is not that the wage of poverty? Are you not face to face with the fact that the same protection system which has created these enormous fortunes has at the same time made the average wages of the numerous employees, working, as I am told, in the city of Pittsburg seven days in the week and twelve hours in the day, only $556?

If this is the great prosperity to which you refer as the vindication of your system, I beg of you to try a system of tariff for revenue, for you will find that in the unprotected industries of the country the wages are in excess of $556.

Mr. RAYNER. Mr. President, I do not desire to interrupt the Senator from Nevada, but in the conclusion of the few remarks I made just now I omitted just one line and a half from the platform of 1908. In 1908 Mr. Bryan was nominated for President and Mr. Kern, of Indiana, was nominated for Vice-President. I do not believe they were elected, but the platform says:

> We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list.

If iron is an article that comes into competition with a trust-controlled product, and the United States Steel Corporation controls the trust, ought iron, or ought it not, to be placed on the free list, in accordance with the platform? I should just like the Senator's opinion on that subject.

Mr. NEWLANDS. Regarding that, as I have already stated, any Democrat could consistently with Democratic principles vote for putting iron either upon the free list or upon the revenue list. The party may give him a specific instruction regarding it, and the specific instruction which seems to have been given by the Democratic party at the last convention was where a product is in such a condition as to be controlled by a trust to vote to put it upon the free list. But there still remains the determination of the question as to whether the product is controlled by a trust. That is left to the individual judgment of every Democrat. I understand that Democrats on this floor differ as to that fact, and so I do not question any man's vote regarding iron.

Mr. President, I was speaking of the protective system under this particular schedule, which has built up the enormous and swollen fortunes, with which every man here is familiar, and with which the country is familiar; and yet the fact remains, according to the very statistics furnished by the committee itself, that the wage of every wage-earner is only $556 a year, and that upon that sum every wage-earner must maintain a family, educate his children, and maintain his household, in the face of the high prices that have prevailed throughout the country, that have increased from 25 to 50 and 100 per cent; in the face of increasing rent, and in the face of increasing prices for all commodities that are needed in ordinary life.

We have only recently had presented to us the survey called the "Pittsburg survey," a report made by scientific men, sociologists, and economists, under the direction of the Russell Sage foundation, of the economic conditions of the city of Pittsburg, which is acknowledged to be the greatest beneficiary of the tariff system. Read that survey and you will be indignant that such industrial conditions could exist in this country. You will find there the story how men work seven days in the week, Sabbath and all. You will find the story how those men work, without control as to the hours of the day, from ten to twelve hours a day. You will find there the story that these factories are almost entirely manned by foreigners from southern Europe living under conditions that are critical; four and five of them living in a single room. These are the conditions which are referred to as conditions of prosperity in the city which has been the greatest beneficiary of the tariff system.

Mr. OLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Pennsylvania?

Mr. NEWLANDS. Certainly.

Mr. OLIVER. Mr. President, the Senator from Nevada has three times alluded to the seven days' work in the city of Pittsburg. I want to say that in no establishment in the city of Pittsburg or in the Pittsburg district is seven days' work carried on, except in blast furnaces. Everybody familiar with the industry knows that the operation of a blast furnace is a continuous operation, and it is impossible to suspend the work.

In connection with that, I wish to ask the Senator from Nevada what is the universal custom in the State of Nevada with regard to six days' or seven days' work? I will answer that. For my sins I was condemned to spend Sunday in the State of Nevada within the last year, and I know there is no such thing known as Sunday in the State. It is the universal custom there to work seven days in the week. I myself have some interests in that State, and my associates and I endeavored to induce the operatives to work only six days in the week, but were unable to do so, they saying that it was the custom of the country to work seven days, and that they did not know there was such a day as Sunday. It is a State where the faro table and the roulette table are a part of the furnishment of every hotel in the State—not of the barroom, but of the office part of the establishment—and guests can not get away from it. I spent one day—the sorriest day I ever spent—in the city which is the Senator's home. The only place where I could get away from the rattle of dice and the clink, clink of the faro chips was by going to the Carnegie library, given to the city of Reno by one of Pittsburg's millionaires. [Laughter.]

Mr. NEWLANDS. Well, Mr. President, I will ask the Senator from Pennsylvania whether the gambling games, the faro and the keno games, and so forth, to which he refers are the result of the protective system? If they are, we should vote for abolishing the protective system.

So far as conditions in Nevada are concerned——

Mr. BRIGGS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS. Yes.

Mr. BRIGGS. I should like to call the attention of the Senator from Nevada to the fact that in Pittsburg, as in nearly all the other iron districts, the hours of work are regulated by agreement between the labor unions and the manufacturers—principally by the labor unions—and I think that if the Senator will investigate pretty carefully he will ascertain that none of the labor unions allow twelve hours of work, except possibly where a man is on piecework or is paid by the ton or by the finished article.

While I am on my feet, I will ask——

Mr. NEWLANDS. I will ask the Senator whether it is not a fact that since the Homestead affair there have been no labor unions in the iron industries of Pittsburg?

Mr. BRIGGS. I think there is a regular scale there in most of the mills.

Mr. NEWLANDS. I am told that there is not; that the unions were effectually broken up then, and that they have not been in existence since. If my memory is correct, I found that fact stated in the report of one of the gentlemen who took part in the Pittsburg survey; and the fact that employees there are utterly unable to protect themselves by union is referred to. That is one of the reasons given for the extraordinary condition of labor which exists there.

Mr. BRIGGS. Mr. President, I would say, in reply to that, that within a month I have seen in the newspapers accounts of a conference to determine the rate of wages in some of the mills around Pittsburg.

Mr. NEWLANDS. We can refer to the Senator from Pennsylvania, who doubtless has knowledge upon the subject. I ask him whether labor unions do exist in Pittsburg with relation to the metallic industries there?

Mr. OLIVER. I will answer the Senator from Nevada by saying that in almost every branch of industry there are labor unions, but in many of the establishments there are not. I presume that of the workingmen in the Pittsburg district probably 75 per cent belong to labor unions. In the Homestead district, to which the Senator refers—that is, at Homestead—I believe there is no trade union in control. They work what is known as "open shop;" that is, they make no distinction between union and nonunion men; but I will state that, while I am only speaking from recollection, I do not believe that the conditions of squalor, to which the Senator so eloquently refers, are even in that wonderful document referred to as existing in and about Homestead, because, if so, the statement is utterly and absolutely false. Homestead is a prosperous community. The working people as a general thing are well housed, are well taken care of, and they are contented.

I will further say that the condition of seven days' work in the week does not exist in Homestead at all. There are no blast furnaces in Homestead. The plant is altogether devoted to finishing, and the blast-furnace industry is not there at all. The workingmen there work on what they call "twelve-hour turns," or, really, eleven-hour turns. They go to work a 7 o'clock in the morning; there is an interval of an hour at noon; and they get out at 6 o'clock in the evening. The night turn go on from half past 6 to 7, and they work, with an interval for supper in the middle of the night, until 6 o'clock in the morning. The plant works only six days a week. I think if the Senator would at any time take the trouble to stop off at Pittsburg—and I should be very glad to entertain him—he would change his mind about the conditions existing in and around that great city.

Mr. NEWLANDS. Mr. President, I wish to continue what I have to say with the utmost fairness. I am very glad to hear anything which the Senator from Pennsylvania has to say regarding the conditions in Pittsburg. I do not pretend to know anything of my own knowledge. I have quoted my authority—the authority of the survey made by men of prominence, not socialists, not extremists, but men who have an interest in the humanities of life, who have been interested in sociology; and under the direction of that great educational foundation—the Russell Sage foundation—and I do not think that I have exaggerated——

Mr. BRIGGS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS (continuing). I do not think I have exaggerated what they have said. I do not pretend to know anything about this of my own personal knowledge. If the Senator from New Jersey will wait for a moment, I shall be glad to listen to him.

The Senator from Pennsylvania [Mr. OLIVER] has referred to the information which I have given, based entirely upon the report of the Pittsburg survey, by referring to certain conditions which he alleges exist in the State of Nevada, and of which he seems to have personal knowledge; for I assume that he has been in the gambling houses, and so forth, to which he refers, and I hope he was a winner.

Mr. OLIVER. They were right in the office of the hotel where I was staying, in the Senator's own city.

Mr. NEWLANDS. I have no doubt of it. But I must say one thing, Mr. President, that the system of protection can hardly be charged with that abuse, though it can be charged with a great many abuses in this country. All I can say with reference to gambling and with reference to the hours of labor and wages in the State of Nevada is that Nevada is a State of great freedom; that it has been accustomed to view with apprehension any attempt to restrain the individual liberty of the citizen. The people there have felt that any man had a right to ruin himself if he chose. The sentiment, however, has changed in that particular, and I am glad to say that during the past year an act was passed absolutely abolishing gambling in the State of Nevada.

Now, as to the wages which prevail there, the average wage of the miner there is not——

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS. I do.

Mr. KEAN. I should like to ask the Senator is that law enforced?

Mr. NEWLANDS. That law is not in force as yet, but that law is to go into force at a certain time in the future, and it will be operative before long.

Mr. McLAURIN. Will the Senator allow me to ask him just one question?

Mr. NEWLANDS. Yes.

Mr. McLAURIN. The Senator was speaking of the great freedom that was exercised by the people of the State of Nevada. Does that freedom go to the extent of allowing a man to stop at a hotel where gambling is carried on in the office?

Mr. NEWLANDS. Oh, yes. I have no doubt that the statement of the Senator from Pennsylvania [Mr. OLIVER] is correct.

Mr. RAYNER. Mr. President, is there any schedule here about gambling? [Laughter.] What paragraph or duty are we on? What schedule are we on?

Mr. NEWLANDS. Now, as to the wages, I have to say that the wages throughout the mining region of Nevada are about $4 a day, and that they are not a result of the protective system. I have also to say that the hours of labor are eight a day, and that they are not a result of the protective system. Nevada is a very progressive State. Whilst individual liberty has prevailed there to a very large degree and whilst we have only recently inaugurated a system of restraining the liberty of the individual where that liberty may result in an injury to the community, yet we have been in advance in progressive legislation. We have on our statute books to-day an eight-hour law; we have an employer's liability act; and we have the referendum, under which any act passed by the legislature can be referred to the supreme legislature—the people. We are about to inaugurate, through constitutional amendment, the initiative and the recall. So we have there a government of the people, for the people, and by the people. As a result, many abuses which have hitherto existed are gradually being wiped out, and as a result of this progressive action upon the part of the State of Nevada we have a condition of the laboring man there far in advance, I think, of that of the condition of the laboring man in almost any other State; certainly in advance of the condition of the men who are engaged in these metal industries, which are obliged, according to the contention of the other side, in order to maintain themselves and to create these enormous fortunes, to impose duties upon foreign importations amounting from 25 to 80 per cent.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS. I do.

Mr. KEAN. I heard the Senator mention the word "recall."

Mr. NEWLANDS. Yes.

Mr. KEAN. Is that in force at the present time?

Mr. NEWLANDS. No. I said a moment ago that they were in process of passing these two constitutional amendments.

Mr. KEAN. I should like also to ask the effect of the word "recall;" what it means in legislation?

Mr. NEWLANDS. The Senator will pardon me if I do not go at length into these refinements. An attack was made upon my State in a humorous way, and I simply met it by showing the progressive action of the people of that State, which has resulted in industrial conditions that give more freedom of opportunity in that State than in almost any other State in the Union, and that the result of it is that the average man in that State, which has not a single protected industry in it, receives an annual wage that enables him to support a family in comfort, to educate his children, to maintain his household, an average wage far in excess of that enjoyed by the metal workers, according to the statistics supplied us by the committee, who have an income of only $556 a year, as compared with the fortunes amounting to millions wrested from the American people through the industries protected by this bill.

Mr. BURKETT. Mr. President, before the question is put on the amendment of the Senator from Nevada [Mr. NEWLANDS], I want to call attention to the evidence that was taken in this matter in the House. I find in the hearings that there was some evidence taken, especially upon the question of sewing machines. I have been, as everybody must have been who has any particular information as to what a sewing machine costs, somewhat amused at the statements that have been made here to-day with reference to the cost of sewing machines in this country. I undertake to say that the price of sewing machines in the United States in twenty years has not been $65. No person who has paid money for a sewing machine has had to pay for it over $35. A fancy cabinet may have cost more, or in trade he may have nominally paid more.

However, I want to call attention to the evidence that was presented in the House. There was a firm of manufacturers in New York interested in reducing the tariff on sewing machines, and they wrote at some length to the committee. Their letter is found on page 2260 of the hearings. After setting forth the lack of need of so great protection on sewing machines, they finally got down to a rate of 25 per cent; and that is the lowest rate suggested by those appearing before the committee advocating the reduction of the tariff on sewing machines. So far as I can find, as I have said, 25 per cent is the lowest rate suggested by those advocating a reduction. The committee have reduced it to 30 per cent.

On the other hand, there appeared before the committee representatives of some of the sewing machine companies, who said that they could not stand any reduction, and insisted on the old 45 per cent rate being retained. It seems to me the committee acted very wisely in the matter.

As I have said several times, I am going to favor all the reductions that, in my opinion, ought to be made, but I am not going to vote for a reduction that might in any way interfere with any factory in this country. I am not particularly blaming the Senator from Mississippi, looking at the tariff question as he does, for introducing almost any sort of an amendment to these schedules; but, so far as my own vote is concerned and so far as the vote of any Republican believing in a protective-tariff policy is concerned, he ought to be careful, it seems to me, that he does not vote for a rate that is below absolute safety and that will guarantee maintaining factories in this country. If we err I prefer to err on the side of keeping the manufactory in this country.

It seems to me in regard to this schedule, and considering the evidence which I have looked over, that when the House has reduced this tariff from 45 per cent to 30 per cent, within 5 per cent of the lowest demand made by anybody who appeared before the committee asking for such a reduction, it has gone a long, long way in that direction, and it seems to me, as protectionists, we ought not to go below that rate. That is a reduction of 33⅓ per cent. If they had made the same reduction on some other articles that I would like to see a reduction of duty on, the bill would be entirely satisfactory to me, and, in my opinion, satisfactory to many others.

I call attention to this evidence, because in all that has been said we have gotten away from the real question at issue, and that is where the point of safety is in reducing schedules.

Mr. McLAURIN. Mr. President, will the Senator allow me to ask him a question?

Mr. BURKETT. Certainly.

Mr. McLAURIN. Has the Senator taken into consideration the fact that the tariff, which has been reduced, as the Senator from Nebraska has said, 33⅓ per cent, is still absolutely prohibitive, and that under the present tariff there has been exported one-fourth of the product of these machines made in this country?

Mr. BURKETT. Yes, Mr. President, I have thought of that; but, in my opinion, there are, perhaps, on most of this machinery covered by this paragraph enough patents to protect them in this country anyway. I am not disturbed by the fact that there are not any sewing machines brought into this country. I do not want any sewing machines brought into this country from anywhere, I will say to the Senator very frankly. I do not want to see a sewing machine which has been manufactured anywhere else on earth sold in the United States of America. There is no complaint about the price of sewing machines——

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. BURKETT. I will in a moment. There ought not to be any complaint in the United States about the price of sewing machines. There may be complaint about the price of automobiles and about the price of typewriters, but there ought not to be very great complaint about the price of sewing machines. If the Senator will go down on F street, he will find that he can buy a sewing machine there all the way from $19 up, and "up" means, of course, according to the kind of case the machine is placed in. There is enough competition, in my opinion, in the sewing machine business in this country to keep the prices down to the very lowest plane.

I do not want to throw down the bars and let in sewing machines, or any other machinery, for that matter, from other countries so long as there is sufficient competition at home to keep the price down. In my opinion, we ought to be satisfied with the one-third reduction in the duty on that article unless we have some more evidence that a greater cut is advisable. I only rose to call to the attention of the Senate this evidence because it has not been called to the attention of the Senate in this debate.

Mr. CRAWFORD. Mr. President, just a word before the vote is taken. A statement has been made here that the present duty is practically prohibitive and that there are no importations. I find that paragraph 194 of the present bill specifically names a number of articles, such as machine tools, printing presses, sewing machines, typewriters, steam engines, and several other articles which in the existing law are listed under the general term of "machinery," which bear a duty of 45 per cent. Under that paragraph there were imported articles valued at $4,978,090, upon which a duty was paid of $2,240,140. That is quite a good deal of duty upon that importation. It is impossible to say what the items of the imports were, because this statement does not give the details.

While I have favored, and do now favor, reducing the rates wherever it can be done intelligently and safely, I can not vote to simply make a stab in the dark here, and reduce the rate on these different items, machine tools and the other items, to 10 per cent, inasmuch as the committee have already made a cut of 15 per cent and it does appear that there were importations amounting to $4,978,090, paying a duty of $2,240,140.

Mr. McLAURIN. Mr. President, the Senator from South Dakota is speaking of——

Mr. CRAWFORD. Paragraph 194.

Mr. McLAURIN. I understand he is speaking of one set of items, and the amendment is in reference to another. If the Senator will look further down under "cash registers, linotypes," and so forth, he will see that no revenue at all was derived and there were no importations.

Mr. CRAWFORD. If the Senator will permit me, I understand that those articles under the existing law come under the general term "machinery."

Mr. LODGE. If the Senator will pardon me, there is, of course, no entry of revenue, because they come in under the nonenumerated class, and the Senator from South Dakota is perfectly right. They come in under the general machinery clause.

Mr. McLAURIN. The Senator from South Dakota was speaking of machinery not elsewhere specified.

Mr. LODGE. Certainly he was.

Mr. McLAURIN. And that is the machinery of which $4,978,090.67 worth was imported and $58,690,651 exported. But of cash registers, linotypes, and all typesetting machines, machine tools, printing presses, sewing machines, typewriters, and steam engines, there were $35,317,448 worth exported, and not a dime's worth imported, according to this book—and I am going according to the book—that is furnished by the committee.

Mr. LODGE. If the Senator will carry his investigation just two lines farther, he will see, under "present law," the letters "n. e."

Mr. McLAURIN. I thought that meant "New England" or "northeast;" but I have been informed since I have been here that it means "not enumerated."

Mr. LODGE. It means "not enumerated." Therefore they can come in under the general clause of machinery.

Mr. McLAURIN. Why were they not enumerated? They are enumerated so as to show the amount of exports of these articles. You do show the amount of the exports.

Mr. LODGE. Certainly; but for purposes of duty they come in under what is known as the "nonenumerated clause" or "basket clause," which takes in all machinery not otherwise specially provided for.

Mr. McLAURIN. That is what you have here—"machinery, not elsewhere specified."

Mr. LODGE. That is it.

Mr. McLAURIN. And you put that down, and then you put the other items right under that.

Mr. LODGE. In italics. They are not enumerated, and they come in under the head of "machinery, not elsewhere specified," as the Senator from South Dakota correctly pointed out.

Mr. McLAURIN. Then it gives us very insufficient, not to say inaccurate, information.

Mr. LODGE. But if the Senator will allow me one word more, under these basket clauses or nonenumerated clauses, as they are called, the articles are returned, as a rule, simply under the clause. No record is kept of the different articles. It is simply so much under the clause "machinery, not elsewhere specified."

Mr. McLAURIN. But there is a record here of the amount of exports.

Mr. LODGE. Certainly. Exports are a different thing.

Mr. McLAURIN. If that had been added to the other, it would have shown the exports.

Mr. LODGE. The exports come from another source. The goods are entered for export.

Mr. McLAURIN. I understand that, since the Senator has explained it.

Mr. LODGE. For import they are simply entered as "machinery, not elsewhere specified."

Mr. McLAURIN. Yes. If you add the exports, then the $35,000,000 to the $58,000,000, you will get something like $94,000,000. Disregarding the odd hundreds of thousands you get something near $94,000,000 of exports. They are divided so as to make them, at one place, $58,000,000, and at another——

Mr. LODGE. No; you deduct the $35,000,000. They are part of the $58,000,000.

Mr. McLAURIN. Oh!

Mr. LODGE. Yes; they are part of the "machinery, not elsewhere specified." I can assure the Senator that that is correct.

Mr. McLAURIN. So that whenever it is against the manufacturers it must be deducted.

Mr. LODGE. No, Mr. President. Those articles are specified for export. They are not specified for import. When they are specified for export and are given as $35,000,000, or whatever it is, they are to be taken from the general total. In one case there is a record of the exports. There is no record of the details of the imports.

Mr. McLAURIN. Is the $132,000,000 to be taken from the $722,000,000?

Mr. LODGE. What does the Senator mean?

Mr. McLAURIN. That is the value of the product.

Mr. LODGE. Yes; I should suppose so.

Mr. McLAURIN. With the explanation of this explanation, Mr. President, I will leave that part of the subject.

I want to call attention now to what was said by the Senator from Nebraska [Mr. BURKETT]. He says he does not desire to see foreign-made sewing machines come into this country. The Senator from Utah [Mr. SMOOT] said that these machines, which were sold by the wholesalers to the retailers at $19 apiece, were sold by the retailers at from $60 to $65, I believe.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. McLAURIN. I do.

Mr. SMOOT. I stated that they are sold at distant points, where the salesman goes with a wagon and calls at the house, at a high price, where an old machine is taken in part payment.

Mr. McLAURIN. What are they sold for when cash is paid?

Mr. SMOOT. I know that there are lots of them sold for $30, and I have been told that you can go down here now and buy a good many of them for $27.50.

Mr. McLAURIN. Then, were these people who were selling them for a high price, and taking the old machines in part payment, juggling with the purchasers?

Mr. SMOOT. I said that it was a custom, and I know that it is a custom in many parts of this country; and then they quote that price as the retail price of the machine.

Mr. McLAURIN. If you put it at $60, that is an increase of over 300 per cent. The Senator seems to think that when he has found a case where he has seen them sold at $30, that is a great bargain that the purchaser has gotten. Even that would be over 50 per cent increase over the value of the machines. I do think, where none of them are imported, that 300 per cent on the cost price is too much to charge to those who have to work with sewing machines, and therefore have to purchase them.

Mr. RAYNER. Mr. President, I rise to a parliamentary inquiry. I have no reference to this last colloquy; but I should like to know whether Rule XIX is still in force, or whether it has become obsolete by nonuser, misuser, or abuse? I will read the last four lines of this rule, because I agree with the Senator from New York that we ought to have some business methods in conducting this debate:

> No Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

If that rule is in force, Mr. President, does it mean that when a Senator speaks more than twice there shall be leave of the Senate, or does it mean that if he proceeds without leave the President of the Senate will infer that there is leave?

The VICE-PRESIDENT. The Chair thinks the latter is the proper construction.

Mr. McLAURIN rose.

Mr. RAYNER. I am not referring to this last colloquy.

Mr. McLAURIN. I suppose this has reference to me; and I wish to say that there is not a Senator in this Chamber who speaks oftener in one day than the Senator from Maryland.

Mr. RAYNER. Mr. President, if the Senator had heard what I said, he would not say that. I said that I had no reference to him at all, and it is because he did not hear me that he has made the remark he has. When I rose, I said I had no reference at all to this colloquy. I had intended early in the day to call attention to the rule. There is no one in this Chamber who speaks less than I do. I do not suppose there is anyone in this Chamber who does speak who speaks less than I do. But I had no reference at all to the Senator from Mississippi, not the slightest, and I so stated.

I intended earlier in the day, and I intended yesterday, to call the attention of the President to this rule, and to see whether we could not proceed with some greater expedition than we are now doing. Of course if it is impossible, the rule has practically become obsolete and antiquated.

Mr. FRYE. Let us have a vote.

Several SENATORS. Vote!

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nevada [Mr. NEWLANDS], on which there is a demand for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I am paired with the senior Senator from New York [Mr. DEPEW]. If he were present, I should vote "yea."

Mr. GUGGENHEIM (when his name was called). I am paired with the senior Senator from Kentucky [Mr. PAYNTER]. As he is not in his seat, I withhold my vote.

Mr. McCUMBER (when his name was called). I believe the junior Senator from Louisiana [Mr. FOSTER] has not voted, and in his absence I withhold my vote.

Mr. TALIAFERRO (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. SCOTT]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CURTIS. I wish to announce that the Senator from Oregon [Mr. BOURNE] is paired with the Senator from Arkansas [Mr. DAVIS]; the Senator from Delaware [Mr. RICHARDSON] is paired with the Senator from Arkansas [Mr. CLARKE], and the Senator from Kentucky [Mr. BRADLEY] is paired with the Senator from Indiana [Mr. SHIVELY].

Mr. FLINT. I am paired with the senior Senator from Texas [Mr. CULBERSON]. I transfer the pair to the junior Senator from Michigan [Mr. SMITH], and will vote. I vote "nay."

The result was announced—yeas 29, nays 43, as follows:

YEAS—29.

Bacon	Cummins	La Follette	Smith, Md.
Bailey	Daniel	McLaurin	Smith, S. C.
Beveridge	Dolliver	Money	Stone
Bristow	Fletcher	Nelson	Taylor
Brown	Frazier	Newlands	Tillman
Chamberlain	Gore	Overman	
Clapp	Hughes	Rayner	
Clay	Johnston, Ala.	Simmons	

NAYS—43.

Aldrich	Crane	Gallinger	Penrose
Borah	Crawford	Gamble	Perkins
Brandegee	Cullom	Hale	Piles
Briggs	Curtis	Heyburn	Root
Bulkeley	Dick	Johnson, N. Dak.	Smoot
Burkett	Dillingham	Jones	Stephenson
Burnham	Dixon	Kean	Sutherland
Burrows	du Pont	Lodge	Warner
Burton	Elkins	Nixon	Warren
Carter	Flint	Oliver	Wetmore
Clark, Wyo.	Frye	Page	

NOT VOTING—19.

Bankhead	Davis	McEnery	Scott
Bourne	Depew	Martin	Shively
Bradley	Foster	Owen	Smith, Mich.
Clarke, Ark.	Guggenheim	Paynter	Taliaferro
Culberson	McCumber	Richardson	

So Mr. NEWLANDS's amendment was rejected.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to. The Chair hears no objection.

Mr. ALDRICH. Has paragraph 195 been disposed of?

The VICE-PRESIDENT. It has, on the first reading.

Mr. DOLLIVER. Mr. President, I desire to offer a suggestion as to paragraph 195, the general basket clause of the metal schedule. I desire to suggest that in line 23, the third word, "part," be stricken out and the words "in chief value" substituted.

Mr. President, the language in nearly all the other schedules conforms with the suggestion I have made, and I think very properly, because the various paragraphs intend to include all the articles that are known, and the basket clause catches articles which may have been omitted by failure to recall their names, the purpose being to prevent any articles manufactured from metals from escaping some tariff rate.

Put in the form in which this clause stands in the metal schedule, it operates, I think, to confuse any rational classification of merchandise, and I desire to call the attention of the chairman of the committee to the fact that within very recent years the most astonishing variety of articles has been transferred to this basket clause from the schedules to which they belong, and in which Congress placed them.

For example, Treasury decision 28187 holds that silver pellets, such as are sometimes used to disguise the situation when one comes home very late at night, an ordinary medicinal preparation, covered with an almost imperceptible coating of silver, or supposed silver, are now dutiable under the metal schedule.

A recent Treasury decision, 27883, puts into the metal schedule a bunch of feathers tied up or held together by an ordinary little wire.

A recent Treasury decision, No. 24946, transfers shoes with a negligible percentage of metal nails in their composition from the schedule where they would naturally belong to the iron and steel schedule.

A recent Treasury decision, No. 28255, transfers furniture with a slight addition of metal tacks or other metallic ornamentation from the furniture schedule.

I hold in my hand decisions of the courts of the United States making mattresses composed of hair and waste of cotton dutiable under the metal schedule as manufactured in whole or in part of some of these metals when they appear only in fractional quantities.

I have here also a recent decision that a piece of furniture with any kind of metal in any part of it under the present law is dutiable under the basket clause of the metal schedule. I have not been able to locate any articles that are actually intended by Congress to be included in this schedule. It catches nearly everything except manufactures of metal.

Therefore I think that these basket clauses ought to be framed so as not to make the classification of articles of merchandise ridiculous in the eyes of the community. That has been done with respect to cotton goods. In order to get into the cotton schedule, goods must be manufactured in chief value of cotton. In order to get into the jute and linen schedules, the chief value must consist of those materials. In order to get into the silk schedule the same is true, and I think it is a very wise provision.

There is no trouble in separating the articles upon that basis. I want articles manufactured in chief value of any of these metals to be dutiable here, and I think a very slight attention to the classification will suggest the propriety of excluding from the metal schedule articles in which the metals appear only in fractional or insignificant proportion.

Mr. TILLMAN. Do I understand the Senator to tell us that by these decisions of the appraisers and the courts, and one thing and another, articles have been transferred to the metal schedule with an increase of duty or a decrease in duty?

Mr. DOLLIVER. Usually an increase of duty. These pellets, for example, were dutiable at 25 per cent as a medicinal preparation.

Mr. TILLMAN. And then they were put in here at 45 per cent?

Mr. DOLLIVER. These feathers—unmanufactured feathers—were 20 per cent.

Mr. TILLMAN. What scheme of interpretation would a man with any sense employ to transfer these things to the metal schedule?

Mr. DOLLIVER. It is not a question of interpretation. The law provides that an article, when manufactured in whole or in part of any of these metals, shall pay a duty of 45 per cent.

Mr. TILLMAN. It is a kind of dragnet.

Mr. DOLLIVER. The suggestion I make is that the language should be such as to relieve the courts and the appraisers from making a decision of that sort, by providing that this clause shall be applicable to articles wholly manufactured from metals or where the metal is its chief value. That is the only suggestion I make.

Mr. ALDRICH. The act of 1883, in the nonenumerated provisions, reads precisely as this does. Precisely the same language was employed in the act of 1890. The same language was employed in the act of 1894, prepared by Mr. Wilson, and passed the Senate without any amendment. The same language was used in the act of 1897, word for word—the Dingley Act.

So, for twenty-five or twenty-eight or twenty-nine years the unbroken practice of the Senate and of the House has been to maintain this phraseology. The purpose of it is stated fully in Notes on Tariff Revision, prepared by the Ways and Means Committee of the House, and which is now before Senators for their examination.

There has been great difficulty in the past in determining the chief value of a great variety of articles that are in part of metal, and attempts are constantly being made to admit at lowered rates of duty articles upon the ground that they were in chief value of some other material.

In the Tariff Notes there are enumerated 18, 20, or 25, perhaps 30, different decisions which, in the opinion of the Committee on Ways and Means, make it absolutely necessary that this language should be retained in the present law.

I think the Senator from Iowa is entirely mistaken in his suggestion that this ought to be changed. The only purpose of a change would be to allow a great variety of articles to come in at a lower rate of duty than has heretofore been imposed upon them by this paragraph.

This provision, as I said, has been here a long time; it has been tested; it has been adjudicated. There has been no

trouble from it, so far as I know. No complaint has ever been made except upon the part of certain people who want to have admitted into the United States at a much less rate of duty a great variety of articles on the claim that their chief value was something else.

I could, if I had the time and if the Senate desired to hear it, take up these cited cases and show by a great variety of cases that the courts and the general appraisers have administered this law wisely, and I can see no reason for making the change.

Mr. DOLLIVER. What the Senator has said is just as applicable to the cotton schedule as to this. It is just exactly as applicable.

Mr. ALDRICH. It is not applicable to the cotton schedule, because no such condition ever existed there.

Mr. DOLLIVER. Exactly; but articles manufactured partly of cotton and partly of something else come in——

Mr. ALDRICH. The Senator from Iowa probably is aware, as I am, that the "not otherwise provided" paragraph in the cotton schedule and in the linen schedule and all the textile schedules except wool provide the same rate—45 per cent—while under this schedule there is a constant attempt being made to introduce articles into the United States at 20 or 25 per cent for the purpose of evading the law.

Mr. DOLLIVER. If it will not trouble the Senator from Rhode Island; I should like to know what articles the committee has in mind as being included in this paragraph.

Mr. ALDRICH. If the Senator will take his Notes on Tariff Revision and read them——

Mr. DOLLIVER. The notes on tariff revision were made by a young man, I believe, an attorney in the customs division of the Treasury; and while they are very valuable, I very much prefer to know what the committee intended to include in this paragraph.

Mr. ALDRICH. I suggest that the Senator read the cases that are cited on page 247 of Notes on Tariff Revision. I think the Notes on Tariff Revision may have been prepared by a young man, but if they were, he was a young man of ability, certainly——

Mr. DOLLIVER. Undoubtedly.

Mr. ALDRICH (continuing). And judgment. They had the approval of the Committee on Ways and Means of the House.

Mr. DOLLIVER. But the thing I wanted to get at was what articles were in the minds of the committee which had not been enumerated in the metal schedule and yet naturally fall in the basket clause.

Mr. ALDRICH. Will the Senator look at those cases? It is not necessary for me to take the time, I think.

Mr. DOLLIVER. It would not take much time to say if one article manufactured out of any of these metals was in the mind of the committee as properly belonging in this basket clause.

Mr. ALDRICH. Sieves, for instance, were claimed to be in chief value of horse hair, and were admitted at 30 per cent; fishing flies, in chief value of feathers. A great variety of articles are included in this memorandum showing that the purpose of Congress was—and so far as this paragraph is concerned, the purpose of the committee was—to have these articles pay a proper rate of duty.

Mr. DOLLIVER. I have no objection in the world to an article manufactured out of material the chief value of which is included in this list of metals paying its rate, but I think it is unnecessary and likely to be more or less troublesome to have a list of articles a great deal longer than I have undertaken to give here, because I have not finished my reading of the decisions included in the schedule that was intended to cover other kinds of goods.

Mr. NELSON. I find here on the page cited by the Senator from Rhode Island an illustration that fits this case. It reads:

Wreaths made of artificial flowers and wire were held dutiable, nevertheless, as articles or wares wholly or in part of metal not specially provided for.

Mr. DOLLIVER. Of course nobody would deny that such articles as that ought to be dutiable under the schedule at the rate provided and applicable to them.

I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered.

Mr. BACON. I ask that the amendment may be read.

The VICE-PRESIDENT. Without objection, the Secretary will read the amendment.

The SECRETARY. In paragraph 195, page 68, line 23, before the words "of iron," it is proposed to strike out the word "part" and insert the words "chief value," so that it will read:

Articles or wares not specially provided for in this section composed wholly or in chief value of iron, steel, etc.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from Iowa [Mr. DOLLIVER].

The Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Michigan [Mr. SMITH] and vote "nay."

Mr. GUGGENHEIM (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. PAYNTER], who is not here; so I will not vote.

Mr. McCUMBER (when his name was called). I again announce my pair with the junior Senator from Louisiana [Mr. FOSTER]. He being absent, I will withhold my vote.

Mr. TALIAFERRO (when his name was called). I again announce my pair with the junior Senator from West Virginia [Mr. SCOTT]. As he is absent, I will withhold my vote.

The roll call was concluded.

Mr. WARREN (after having voted in the negative). I wish to ask if the Senator from Mississippi [Mr. MONEY] has voted.

The VICE-PRESIDENT. The Senator has not voted.

Mr. WARREN. I withdraw my vote, as I am paired with the Senator from Mississippi [Mr. MONEY].

The result was announced—yeas 30, nays 40, as follows:

YEAS—30.

Bacon	Clay	Hughes	Simmons
Bailey	Crawford	Johnston, Ala.	Smith, Md.
Beveridge	Cummins	La Follette	Smith, S. C.
Bristow	Daniel	McLaurin	Stone
Brown	Dolliver	Nelson	Taylor
Burkett	Fletcher	Newlands	Tillman
Chamberlain	Frazier	Overman	
Clapp	Gore	Rayner	

NAYS—40.

Aldrich	Crane	Gallinger	Page
Borah	Cullom	Gamble	Penrose
Brandegee	Curtis	Hale	Perkins
Briggs	Dick	Heyburn	Piles
Bulkeley	Dillingham	Johnson, N. Dak.	Root
Burnham	Dixon	Jones	Smoot
Burrows	du Pont	Kean	Stephenson
Burton	Elkins	Lodge	Sutherland
Carter	Flint	Nixon	Warner
Clark, Wyo.	Frye	Oliver	Wetmore

NOT VOTING—21.

Bankhead	Depew	Money	Smith, Mich.
Bourne	Foster	Owen	Taliaferro
Bradley	Guggenheim	Paynter	Warren
Clarke, Ark.	McCumber	Richardson	
Culberson	McEnery	Scott	
Davis	Martin	Shively	

So Mr. DOLLIVER's amendment was rejected.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. ALDRICH. I desire to give notice that I will ask the Senate to consider the passed-over articles of the chemical schedule to-morrow morning.

I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 20, 1909, at 10 o'clock a. m.

SENATE.

THURSDAY, *May 20, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PUBLICATION OF LEGAL NOTICES.

The VICE-PRESIDENT presented a communication from the secretary of the Territory of New Mexico, which was referred to the Committee on Territories and ordered to be printed in the RECORD, as follows:

(Certificate of comparison.)

TERRITORY OF NEW MEXICO,
OFFICE OF THE SECRETARY.

I, Nathan Jaffa, secretary of the Territory of New Mexico, do hereby certify that there was filed for record in this office, at 9 o'clock a. m., on the 18th day of March, A. D. 1909, council substitute for House bill No. 213, an act relative to the publication of legal notices, passed by the thirty-eighth legislative assembly of the Territory of New Mexico in 1909; and also, that I have compared the following copy of the same with the original thereof now on file, and declare it to be a correct transcript therefrom and of the whole thereof.

Given under my hand and the great seal of the Territory of New Mexico, at the city of Santa Fe, the capital, on this 14th day of May, A. D. 1909.

[Seal.]

NATHAN JAFFA,
Secretary of New Mexico.

Council substitute for House bill No. 213.

An act relative to the publication of legal notices, and other matters wherein publication is required, regulating the price to be charged therefor and providing a penalty, repealing certain sections of the compiled laws of New Mexico of 1897, and for other purposes.

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. All legal notices, and all matters which are by law required to be published, shall hereafter be published in the English language in an English newspaper, and such publications shall also be made in Spanish in a Spanish newspaper in all counties wherein a Spanish newspaper is published, and for the purpose of this act any newspaper which is published and printed partly in the English language and partly in the Spanish language shall be considered a Spanish newspaper. The publications, the printing of which are hereby required to be made in English, shall in all cases be made in a daily newspaper whenever a daily newspaper is published in the county wherein such publication is required, and shall be inserted in such daily newspaper once each week, on the same day of the week, for four consecutive weeks. In all cases the last insertion of any publication shall be at least four weeks before the return day of any process or day fixed for a sale or other action concerning which such notice is given; and in any city, incorporated town, or county in which no such daily newspaper is published, such legal and other notices required by law to be made or given by publication shall be published four times in four successive issues of a weekly newspaper published within such county; and if there be no newspaper published in such county, then publication shall be made in some daily newspaper published in the Territory of New Mexico of general circulation in such county.

SEC. 2. All public notices now or hereafter required by law to be given or publications required to be made by any board of county commissioners shall be published in both Spanish and English, and such notices shall be published by the city council or board of trustees, or any incorporated city, town, or village, if in the judgment of such city council or board of trustees the best interests of such city, town, or village so require; provided there be in such county, city, town, or village newspapers published in both languages.

SEC. 3. Before a proposed ordinance or franchise shall be finally adopted or granted by the city council of any city or board of trustees of any incorporated town, such ordinance or franchise shall be published in full in some newspaper published in such city, town, or village, and if no newspaper be published in such city, town, or village, such ordinance or franchise shall be posted in three of the most public places in such city, town, or village, one of which places shall be the post-office, for at least three days before final action on such ordinance or franchise is taken; and after the passage and approval of any ordinance by the city council of any city, or the board of trustees of any incorporated town or village, notice shall be given by the publication of such ordinance by one insertion in three consecutive issues of a daily newspaper, and in any city, town, or village where there is not published such daily newspaper such ordinance shall be published two times in consecutive issues of a weekly newspaper, and if there be no newspaper published in such city, town, or village three copies of such ordinance shall be posted in three of the most conspicuous places in such city, town, or village, one of which places shall be the post-office, for at least ten days; and all such ordinances and franchises shall take effect upon the completion of such publication.

SEC. 4. The city council of each incorporated city and the board of trustees of each incorporated town or village shall within ten days after any regular or special meeting of such city council or board of trustees cause to be published in one issue of a newspaper a copy of the minutes of such meeting for the information of the people of such city or town.

SEC. 5. All notices and publications required by law to be made or given shall be inserted in a newspaper of general circulation, which has been regularly published and issued for at least nine months next preceding such publication.

SEC. 6. The legal rate for the publication of all notices and other matters required by law to be made shall be 30 cents per hundred ems of the type in which the notice or publication is set for the first insertion thereof, and 20 cents per 100 ems of the type in which the notice is set for each subsequent insertion; and any publisher of any newspaper who shall charge or exact an additional rate than that herein specified shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $500.

SEC. 7. All publications required to be made by any county, city, incorporated town, or village shall be paid for out of the general fund of such county, city, incorporated town, or village.

SEC. 8. Any public official or officials required by law to make, or cause to be made, publication in a newspaper of any matter of public record, who shall fail or refuse to make such publication, or cause the same to be made, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500.

SEC. 9. Notice of sale of all property belonging to nonresidents, sold under execution or by order of court, when the judgment shall exceed $100, shall be published two times in a daily newspaper, which newspaper shall be designated as the official newspaper of New Mexico by the secretary of the Territory, and upon such designation all notices of sale of property of nonresidents shall be published as herein provided, and the costs of such publication shall be taxed together with costs of sale.

SEC. 10. Hereafter each insurance company, either life or fire, doing business in the Territory of New Mexico, shall be required to publish at least one time in the manner herein provided for, in each county in the Territory of New Mexico in which such company may be doing business, annually, a statement of the financial condition of such company.

SEC. 11. Sections 2611, 2612, 2613, 2614, 2615, and 2616 of the Compiled Laws of New Mexico of 1897 and all acts and parts of acts in conflict with this act are hereby repealed; and this act shall be in full force and effect from and after its passage: *Provided*, That this act shall not affect any publication being made at the time of the passage of this act.

CHAS. A. SPIESS,
President of the Council.

WM. F. BROGAN,
Chief Clerk of the Council.

E. A. MIERA,
Speaker House of Representatives.

E. H. SALAZAR,
Chief Clerk House of Representatives.

Approved this 17th day of March, A. D. 1909.

GEORGE CURRY,
Governor of the Territory of New Mexico.

Filed in office of secretary of New Mexico, March 18, 1909, 9 a. m.
NATHAN JAFFA, *Secretary.*

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Surety Association of America, of Baltimore, Md., praying for a modification of the requirements and practices in the business of furnishing customs bonds and for a reorganization of the system under which customs bonds are now required to be executed, which was referred to the Committee on Finance.

He also presented a memorial of the city council of Las Vegas, N. Mex., remonstrating against the provisions of the legislative act of that Territory relative to the publication of legal notices and other matters wherein publication is required, which was referred to the Committee on Territories.

Mr. JONES presented petitions of sundry citizens of Fruitland, Turk, and Seattle, all in the State of Washington, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. LA FOLLETTE presented a memorial of sundry citizens of Appleton, Hortonville, and Medina, all in the State of Wisconsin, remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of North Anson, Me., praying for a readjustment of the wool schedule to remedy the inequalities detrimental to the carded woolen industry, which was ordered to lie on the table.

Mr. DEPEW presented a petition of Chenango Lodge, No. 252, Brotherhood of Railroad Trainmen, of Norwich, N. Y., praying for the passage of the so-called "Burkett boiler-inspection" and the "Borah-Dawson full-crew" bills, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Poplar Ridge and Aurora, in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of New York, praying for the creation of a permanent tariff commission, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Brooklyn, New York City, Glens Falls, Cortland, and Rochester, all in the State of New York, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. SMOOT presented petitions of the Weber Club and the Business Men's Association of Ogden, of sundry farmers of Kanesville, Wilson, Taylors, West Weber, Marriott, and Hooper, all in the State of Utah, and of sundry farmers of Lewiston, Preston, and Whitney, all in the State of Idaho, praying for the retention of the present rate of duty on all grades of sugar, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2445) granting an honorable discharge to Peter Fleming (with the accompanying paper);

A bill (S. 2446) granting an increase of pension to Joshua Brown Hannum;

A bill (S. 2447) granting an increase of pension to James R. Holdeman;

A bill (S. 2448) granting an increase of pension to Theodore Parker (with the accompanying papers); and

A bill (S. 2449) granting an increase of pension to George H. Teagarden (with the accompanying papers); to the Committee on Pensions.

By Mr. RAYNER:

A bill (S. 2450) for the relief of N. Lehman & Bro.;

A bill (S. 2451) for the relief of the heirs of Isaac R. Maus, deceased;

(By request) a bill (S. 2452) for the relief of the heirs of Jasper M. Jackson and Anna D. Jackson, deceased; and

A bill (S. 2453) for the relief of the estate of Alexander F. Dulin, deceased; to the Committee on Claims.

AMENDMENT TO THE TARIFF BILL.

Mr. PILES submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will read the next paragraph passed over.

Mr. ALDRICH. In paragraph 192 there is a verbal correction that I should like to have made by unanimous consent.

Mr. BRISTOW. Mr. President, I suggest the lack of a quorum.

The VICE-PRESIDENT. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Hale	Perkins
Bacon	Cullom	Hughes	Piles
Beveridge	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Jones	Scott
Bristow	Daniel	Kean	Simmons
Brown	Depew	La Follette	Smith, Md.
Bulkeley	Dick	Lodge	Smith, Mich.
Burkett	Dillingham	McCumber	Smith, S. C.
Burnham	Flint	McLaurin	Smoot
Burrows	Frazier	Martin	Stone
Chamberlain	Frye	Nelson	Sutherland
Clapp	Gallinger	Nixon	Taylor
Clay	Gamble	Page	Warner
Crane	Guggenheim	Paynter	

Mr. SIMMONS. I desire to announce that my colleague [Mr. OVERMAN] is necessarily absent from the city to-day.

The VICE-PRESIDENT. Fifty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. ALDRICH. I ask unanimous consent to modify the amendment adopted yesterday as paragraph 192. I desire to insert, in line 10 of the amendment, after the word "under," the words "subject to duty under this paragraph."

Mr. NELSON. What paragraph is it?

The VICE-PRESIDENT. Paragraph 192.

Mr. ALDRICH. It is simply a verbal amendment to make the meaning of the paragraph clear. It is inserted at the suggestion of the Senator from Georgia [Mr. BACON].

Mr. BACON. The amendment which the Senator from Rhode Island has proposed is one which carries out the purpose, as I understand it, which the committee indicated yesterday. So far as we are able to judge, it does effect the purpose.

Mr. ALDRICH. I think there is no question about that.

Mr. BACON. In other words, the exception being made in the former part of the paragraph, the insertion of those words will make the provisions of this clause relate back to the first part.

Mr. NELSON. I ask the chairman of the committee if it changes the exception?

Mr. ALDRICH. Yes; it changes the exception so as to make it perfectly clear that the provision adopted in the first part in regard to hermetically sealed goods shall also apply to the proviso.

The VICE-PRESIDENT. Is there objection to agreeing to the amendment? The Chair hears none, and the amendment is agreed to.

Mr. ALDRICH. I ask unanimous consent to take up paragraph 21, it being my purpose to go on and dispose of the various paragraphs we have passed over, as far as possible.

The VICE-PRESIDENT. Without objection, that order will be followed. The Chair hears no objection. The Chair calls the attention of the Senator from Rhode Island to the fact that paragraph 5 was also passed over.

Mr. ALDRICH. I have an understanding with the Senator from South Carolina [Mr. TILLMAN] that that paragraph is not to be taken up in his absence.

The VICE-PRESIDENT. Paragraph 21, then, will be read.

The SECRETARY. In paragraph 21, line 1, page 8, the first committee amendment was agreed to. The second committee amendment is in line 5, after the word "quebracho." The committee propose to strike out "not exceeding in density 28° Baumé, one-half of 1 cent per pound; exceeding in density 28° Baumé, seven-eighths" and to insert "one-half," so as to read:

Extracts of quebracho, one-half of 1 cent per pound.

Mr. LA FOLLETTE. I believe there is an amendment pending to the amendment of the committee, and a roll call was ordered upon it.

Mr. BEVERIDGE. Let it be read.

The VICE-PRESIDENT. The Secretary will state the pending amendment to the amendment of the committee.

The SECRETARY. In the committee amendment, strike out "one-half" and insert "one-fourth," so as to read:

Extracts of quebracho, one-fourth of 1 cent per pound.

Mr. DANIEL. Mr. President, on the amendment offered by the Senator from Wisconsin, I wish to say some words before the vote is taken.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. DANIEL. Certainly.

Mr. LA FOLLETTE. I do not think the amendment to the amendment was reported. The committee amendment was read by the Secretary, but I did not hear the pending amendment.

The VICE-PRESIDENT. The Secretary will again state the amendment to the amendment.

Mr. LA FOLLETTE. Some Senators did not hear it, and it is for their information that I desire to have it read again.

The SECRETARY. The committee reports in favor of striking out, after the word "quebracho," the words "not exceeding in density 28° Baumé, one-half of 1 cent per pound; exceeding in density 28° Baumé, seven-eighths" and to insert "one-half," so as to read:

Extracts of quebracho, one-half of 1 cent per pound.

The Senator from Wisconsin [Mr. LA FOLLETTE] moves to amend the amendment by striking out "one-half" and inserting in lieu "one-fourth," so that it will read:

Extracts of quebracho, one-fourth of 1 cent per pound.

The VICE-PRESIDENT. The yeas and nays have been ordered on agreeing to the amendment of the Senator from Wisconsin to the amendment of the committee.

Mr. DANIEL. Mr. President, in the view which I shall advocate, the proposition of the pending act—that is, seven-eighths of 1 cent per pound—is a correct, scientific and useful rate of duty for the tariff on the solid tanning extract known as "quebracho," with a half cent on the liquid extract of the same essence. I shall therefore oppose the amendment offered by the Senator from Wisconsin to reduce the rate fixed by the committee amendment from half a cent a pound to a quarter of a cent a pound; and I shall also oppose the committee amendment to the Payne bill regarding both amendments as bases of the perpetuation of an error.

Quite a history hangs around this provision in the bill, and I shall endeavor to state the different stages that this matter has been through.

The quebracho tree is a growth of subtropical countries, such as the Argentine, Paraguay, and southern Brazil and Buenos Aires.

The name "quebracho" is Portuguese, and signifies "ax-breaker," a name attached to it on account of its density and hardness.

The name did not appear in commerce until the last quarter of a century, and in recent years it has become common on account of a tanning extract produced from it.

The French are said to have introduced it into France experimentally in 1875.

Samples were brought to the United States in 1883, experimentally also, but it was not until the tariff act of July 24, 1897, known as the "Dingley Act," that it appears to have been mentioned as a commodity of tariff taxation.

EQUALIZATION OF TARIFF ON THE LIQUID AND THE SOLID POUND OF QUEBRACHO EXTRACT.

According to my conception, an error was made in the Dingley Act, or rather a mistake committed, by placing a half cent per pound on quebracho extract for tanning purposes without distinguishing between the liquid pound and the solid pound. The solid pound is nearly double in intensive power and in value to the liquid pound.

The case is a peculiar one. It has no twin, and I am pretty sure has no close kindred in any of the multitudinous items of this bill.

This is a case in which a tariff provision leaked or was dissipated and evaporated by reason of a changed method of manufacture. Powerful foreign rivals in South America began to get the best of our domestic manufacturers of tanning extracts to such degree that while our products decreased from six and one-half million dollars to less than $3,000,000 in value, the chief imports produced out of the quebracho tree increased from $637,000 to $3,315,000, according to the selling prices in this country.

It is proposed in the pending act to put seven-eighths of a cent tax on the solid quebracho and a half cent on the fluid, so as to proportion the tax laid to the amount and potency of the tanning extract imported. I favor this proposition because, in my view, it will produce a tendency and exercise an influence toward the accomplishment of these good purposes:

First, it will reduce the Dingley tariff on the quebracho extract by 6¼ per cent.

NO INCREASE, BUT A REDUCTION OF TARIFF ASKED.

It is not for an increase of the tariff that I am asking. It is for an equalization of tariff or its approximate. If the proposition as the Payne committee had it is effected, there will be a reduction of the Dingley tariff by 6½ per cent and the better service, as I think, of all American interests involved.

In the second place, instead of destroying or mutilating our American industries, those who are making chestnut-oak extracts will preserve a competitive relation between foreign and domestic manufacturers, a situation evidently in the interest of the people and greatly commended by political economists.

In the next place, Mr. President, I think it will preserve the existing revenue from foreign importations and in likelihood increase it, for the need of the quebracho extract is growing daily; and at a reasonable rate, which does not prohibit it, I think it is sure to find a constantly enlarging market in this country.

And, in the next place, which can not be an indifferent consideration, it will steady and assure the employment of many American laborers, instead of scattering them away from broken-down American establishments.

Finally, it will give to the American manufacturers what they have not now on account of the Dingley Act—a fighting chance. Such, it is believed, will be the result of the proposed amendment of the law.

THE DIFFERENCE OF FOREIGN AND DOMESTIC LABOR COST—THE DEMOCRATIC VIEW.

I think that the question of labor is extravagantly stated in some cases, but neither the Democratic party nor the Republican party have ever been indifferent to it; nor should they be. I feel careless of the criticism made upon me that I said in a recent address we must respect labor and put the difference in labor cost in favor of our American laborers. It has been so long that not only the platform declaration of the Democratic party, but also those advocated by its leaders, with whose utterances I am familiar, that I think it useless and trite to pause to defend it. But I will insert here the Democratic platform of 1888, and refer to the utterances of President Cleveland in his messages. The Democratic platform of 1888 says: "Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, *with due allowance for the difference between the wages of American and foreign labor*, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continued operations. In the interests of American labor, which should in no event be neglected, the revision of our tax laws contemplated by the Democratic party should promote the advantage of such labor by cheapening the cost of necessaries of life in the home of every workingman and at the same time securing to him steady and remunerative employment. Upon this question of tariff reform, so closely concerning every phase of our national life, and upon every question involved in the problem of good government, the Democratic party submits its principles and professions to the intelligent suffrages of the American people."

WHAT WAS ASKED BEFORE THE HOUSE COMMITTEE.

In the hearings on these subjects both sides have appeared. The foreign elements, who are seeking to get quebracho upon the free list and who declare that they will be so justified in asking, have constantly pleaded for a lower tariff than any committee has felt justified in giving them. On the other hand, quite recently the American manufacturers asked before the Payne committee for a tax of 1 cent per pound upon liquid extract and 10 per cent ad valorem. Neither party was favored by the committee, but they pursued a moderate course, and a course much lower with respect to a rate of taxation than has been pursued in many cases. A tax of fifty one-hundredths was a very low tax on the American extract. It was cut in two practically by the manufacturers who produced the foreign extract quickly turning from the liquid extract to the solid, and thus nearly double weight through the tariff. They seek now to reduce it by another half, and if this is done, such is the present situation of the foreign industry and such our own situation in the United States, it is almost self-evident that a great trust, with its headquarters in London, with its capital provided by both Germany and England, will be seated steadily in the saddle. Unless history reverses itself, instead of diversified industries all over this country competing with it, you will have a broken-down lot of American industries and a triumphant and high-priced foreign master.

Now, I proceed, Mr. President, to show a little more in detail the relations of this matter.

AMERICAN MANUFACTURERS.

The American manufacturers of extract are in the old colonial States of New York, Connecticut, Virginia, North Carolina, and Pennsylvania, and also Tennessee and West Virginia.

The 23 tanning extract factories in the United States are located as follows:

	Plants.
Virginia	9
West Virginia	1
North Carolina	6
Tennessee	4
Pennsylvania	1
New York	1
Connecticut	1
Total	23

The 9 factories in Virginia are at Stokesville, in Augusta County; the Excelsior plant, at Broadway, in Rockingham County; at Basic City, in Augusta County; at Lynchburg, in Campbell County; at Buena Vista, in Rockbridge County; at Bristol, in Washington County; at Damascus, in Washington County; at Big Stone Gap, in Wise County; and Stamford, at Lynchburg, in Campbell County.

As I am informed these 23 factories when running full have an annual capacity of 425,000,000 pounds of liquid extract. Of this quantity 317,000,000 pounds is chestnut extract, which would have a value of $3,962,500; the balance is quebracho, with a value of $2,500,000. Total value would be $6,462,000.

Labor required at full capacity, over 7,000 men.

Wages which would be paid annually, over $4,000,000.

In 1904, as I am told, every American extract plant was running full capacity; since then the output has decreased gradually to about 50 per cent at the present time.

Since the adoption of the solid form of manufacture, and since the Dingley Act, either by accident, oversight, or otherwise, put the same tariff on the extract of quebracho without distinguishing between the liquid and solid forms, the American interests have been withering and the Argentine interests have been increasing every day.

THE PROPOSED REDUCTION OF DUTY WHICH I FAVOR.

I ask you to observe that the extract manufacturers are not asking for an advance in duty, as the rate of one-half cent in the Dingley bill was placed on the liquid extract containing 35 per cent of tannin, and since 1905 it has been imported in solid form containing 65 per cent tannin, which was equivalent to reducing the Dingley duty by nearly half, whereas to carry out the intent of the Dingley bill it requires a duty of seven-eighths cent or more on the solid extract to equalize the difference in value. This difference between liquid and solid is recognized by all European countries, extract of a density of 28° Baumé being the dividing line between liquid and solid.

On the contrary, reduction of duty is proposed in this wise: The seven-eighths of 1 cent will only apply to the solid extract—not to the fluid. Seven-eighths of a cent per solid pound is not equal to the present rate of one-half cent or fifty one-hundredths on the fluid pound. On the contrary, it amounts to ninety-four one-hundredths on the solid pound, which has twice as much potency in tannin, and in 1 pound contains the percentage of the liquid pound in tannin value, equal to forty-seven one-hundredths instead of fifty one-hundredths, the extant tariff under the Dingley Act. This is a little over 6 per cent reduction of the Dingley rate.

The proposed reduction is not a sweeping or a destructive reduction, but one that will conserve every American interest and leave full play to the competitive forces, both foreign and American, without assuring final success to either.

THE JEFFERSONIAN PRINCIPLE OF COMPETITIVE TARIFFS.

Whenever there is a fair fight between an American and a foreigner for the control of American things, not involving oppressive or monopolistic charges on the people, I stand with the American.

It is only when American enthusiasts overstep the line which seems to me that of wisdom and fair play that I would seek to restrain them by abating excesses, so that the disproportionate burdens may be removed from our fellow-Americans.

The experience of history, from generation to generation, has denoted that if we allow the reins of control to slip from our hands and pass to those of aliens, they will immediately increase the cost of whatever we get from them.

In the course I am pursuing I have Thomas Jefferson as one of the sponsors for it, and it is sound Democracy of an old and well-attested brand.

Jefferson advocated a metallic circulation that will take its proper level with the like circulation in other countries, and then he says:

> Our manufacturers may work in fair competition with those of other countries, and the import duties which the Government may lay for the purpose of revenue will so far place them above equal competition.

THE DINGLEY TARIFF ACT OF 1897.

Now, Mr. President, I turn to the adoption of the various tariff acts. Paragraph 22 of the Dingley Act, the act of 1897, provided as follows:

> 22. Extracts and decoctions of logwood and other dyewoods, and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this act, seven-eighths of 1 cent per pound; extracts of quebracho and of hemlock bark, one-half of 1 cent per pound; extracts of sumac, and of woods other than dyewoods, not specially provided for in this act, five-eighths of 1 cent per pound.

In that form the Dingley Act went into effect.

It will be observed that the tax thus fixed in section 22 in the Dingley Act in 1897 was "on extracts and decoctions:"

> (1) On logwood;
> (2) Other dyewoods;
> (3) And extracts of bark, such as are commonly used for dyeing or tanning and not specially provided for in this act—

seven-eighths of 1 cent per pound.

These provisions included all tanning extracts except those in that section specified, viz:

> (1) Extracts of quebracho and of hemlock bark, one-half of 1 cent per pound.
> (2) Extracts of sumac and of woods other than dyewoods not specially provided for in this act, five-eighths of 1 cent per pound.

The rate of seven-eighths of 1 cent per pound applied, of course, to all the chestnut-oak extracts, chestnut oak being a term applied indiscriminately to extracts made of chestnut-oak wood or bark or of mixtures thereof. At any rate, the American extracts made from the woods or barks which are common, and, indeed, abundant in this country, were all covered by seven-eighths of 1 cent per pound.

Some of the extracts of quebracho and of hemlock bark, which were fixed at one-half of 1 cent per pound, were prepared and marketed at that time in a liquid form, and the quebracho extract was of a density of 28° Baumé.

EVAPORATION OF THE TARIFF FROM THE LIQUID QUEBRACHO EXTRACT.

For some years after the Dingley Act of 1897 the quebracho extract continued to be marketed in a liquid form and generally in barrels, but in a few years the form of manufacture was changed and it was put upon the market here in solid cakes packed in bags.

A pound of quebracho extract made in these solid cakes was a great deal more in amount as a tanning element than it had been when it was taxed at a half cent per pound in its liquid shape. In fact, the cake was nearly doubled in value per pound as compared to the liquid value per pound.

In short, the tariff of a half cent per pound on the quebracho liquid pound was a wholly different thing. When that liquid was transformed into a solid, with its nearly redoubled intensive power, the tariff evaporated just in proportion as the percentage of tanin in the pound of goods increased.

There is 35 per cent of tannin, as I wish to repeat and impress upon the Senate, in a pound of quebracho liquid, and 65 per cent of tannin in a pound of quebracho solid. It would consequently take ninety-four one-hundredths of a cent to operate in the same way on quebracho importation as fifty one-hundredths of a cent, or a half cent, had operated before the change. The consequence was that the tariff on quebracho was so reduced that it rapidly increased in sales in our market, while the American extracts declined. In short, the tariff was thus reduced on quebracho extract from a half cent a pound to twenty-seven one-hundredths of 1 cent—that is to say, 23 per cent.

THE PENDING PAYNE TARIFF ACT.

The pending act, as introduced into the House of Representatives March 17, 1909, and as committed to the Committee of the Whole, contained in paragraph 21 certain provisions which would work out an economical correction of the disparity I have pointed out, and the House adopted it. It is as follows:

> 21. Extracts and decoctions of logwood and other dyewoods and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this section, seven-eighths of 1 cent per pound; extract of nutgalls, one-fourth of 1 cent per pound and 10 per cent ad valorem; extract of Persian berries, 20 per cent ad valorem; chlorophyll, 20 per cent ad valorem; *extracts of quebracho, not exceeding in density 28° Baumé, one-half of 1 cent per pound; exceeding in density 28° Baumé, seven-eighths of 1 cent per pound;* extracts of hemlock bark, one-half of 1 cent per pound; extracts of sumac, and of woods other than dyewoods, not specially provided for in sections 1 or 2 of this act, five-eighths of 1 cent per pound; all extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, not containing alcohol and not medicinal, and not specially provided for in sections 1 or 2 of this act, 15 per cent ad valorem.

Thus we perceive that section 21 of the Payne Act, as passed by the House of Representatives, fixes the tariff of seven-eighths of 1 cent on the solid extract only—that is, on the extract "exceeding in density 28° Baumé," as well as on "the extracts and decoctions of logwood and other dyewoods, and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this act." It was in this manner that the Payne Act equalized the competitive relations existing naturally between the quebracho extract and the other extracts and decoctions of logwood and other dyewoods mentioned. At the same time it contained the tax of one-half of 1 cent per pound on the extracts of quebracho not exceeding in density of 28° Baumé. Thus the extracts and decoctions of logwood and other dyewoods, such as are commonly used for dyeing and tanning, were placed on the same footing with the quebracho extract, and a tariff more scientific was created.

ALDRICH SENATE BILL.

We come now to the proposed Senate amendments to the Payne bill in the Senate measure before us.

The reported Senate bill provides for the striking out of the words which are in brackets, dispensing with the difference in density of the extract, and putting, just as before, a rate of one-half of 1 cent per pound upon the product. Section 21 of the Payne bill, as recommended by the Republican members of the Senate committee, is as follows, the words proposed to be amended being in brackets. I should like to have that inserted in my remarks.

The PRESIDING OFFICER (Mr. BURKETT in the chair). Without objection, it will be inserted.

The matter referred to is as follows:

> 21. Extracts and decoctions of logwood and other dyewoods, and extracts of bark, such as are commonly used for dyeing or tanning, not specially provided for in this section, seven-eighths of 1 cent per pound; extract of nutgalls, *aqueous*, one-fourth of 1 cent per pound and 10 per cent ad valorem; extract of Persian berries, 20 per cent ad valorem; chlorophyll, 20 per cent ad valorem; extracts of quebracho, [not exceeding in density 28° Baumé, one-half of 1 cent per pound; exceeding in density 28° Baumé, seven-eighths] *one-half* of 1 cent per pound; extracts of hemlock bark, *and of mangrove bark*, one-half of 1 cent per pound; extracts of sumac, and of woods other than dyewoods, not specially provided for in [sections 1 or 2 of this act] *this section*, five-eighths of 1 cent per pound; all extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, not containing alcohol and not medicinal, and not specially provided for in [sections 1 or 2 of this act] *this section*, 15 per cent ad valorem.

Mr. DANIEL. And it is justly proposed to reject the Senate amendment to effectuate the change in the form of quebracho manufacture and to fix the same tariff on its solid as existed under the Dingley Act in its liquid form.

The Senator from Wisconsin [Mr. LA FOLLETTE] has proposed the amendment to strike out the half cent for the solid quebracho extract and to insert twenty-five one-hundredths of a cent per pound. This means greater destruction to many American industries which manufacture tanning extracts and puts the foreign quebracho rival in possession of our markets.

It is my hope that both this amendment and the committee amendments will be voted down, and that the proposition of the Payne bill of seven-eighths of 1 cent per pound on the foreign extracts will be confirmed and become the law.

Having thus stated this case in its simple legal relation, we have those who ask a much higher tariff or a somewhat higher tariff, and we have the foreign competitors, who have already succeeded in their form of manufacturing in getting the tariff reduced half and now deliberately ask that that half be again halved, with intimations that they desire its abolition. But a medium course was pursued.

Thus, Mr. President, we have an ideal relation produced by the various manufacturers of the world, one in which the American manufacturer has the advantage of his raw material near all his factories, with the sea between him and his foreign competitors. So, under this situation each party will be striving to do its best, and it will be to the one who does the best that will go the trade.

This is not a satisfactory relation according to all preachments of the Republican party, and it is due to their dissatisfaction with this relation that we have often had specific, cumulative, and ad valorem tariffs. If we were pursuing their example in many cases, such a tariff would be asked in this case.

THE MIDDLE GROUND.

I believe in, and I am in this case approaching, what I consider to be the moderate middle-ground. Not only is it the fact, Mr. President, that the American tanning-extract makers arose to their position without the domination of an American trust, but within the menace and manifested purpose of an inchoate, if not completed, foreign trust. We have it in the advertisements and in the papers of those who are trying to get the American tariff obliterated or so decreased as to leave scarce any chance for the American manufacturer that they formed a trust in 1907, which was broken down by the hard times which flooded the whole country.

THE FORMING TRUST.

It rests upon information which I believe to be correct, though it is very difficult to get correct and assured information on such topics, that the manufacturers in Argentina are banded together. We know that the Klipstein house, of New York, is

their common agent. We know, furthermore, that Klipstein went to South America and tried to form a trust in 1907. We have it from financial reports, which we believe to be correct, that after their success in getting ahead of the American manufacturers by this twist in the Dingley tariff, they have formed a trust in the city of London, and I have the following statement of facts from a gentleman whom I regard as perfectly reliable and honest:

In 1900 a business was formed in London in the name of Harteneck & Co. (German) and capitalized at	$800,000
In 1901 this business was incorporated as the Forestal Company (German) of Argentina, at	1,350,000
In 1906 this business sold out to an English syndicate for	5,000,000
In 1908 it was reorganized as the Forest Land, Timber and Railways Company at a capitalization of	9,000,000

In one of the advertisements which is associated with it, the schemes of the people who are getting control of this foreign extract of quebracho, it is said:

In the month of October, 1898, Carlos Harteneck sailed from Antwerp with the machinery and practical extract makers for the new plant. Before sailing a conference was held in Antwerp between Mr. Harteneck and Mr. E. C. Klipstein, of New York, to arrange for the direct shipment to the United States of the product of the new Argentine plant.

The new plant was located on the "French" Railway, in the Province of Santa Fé, at a place called Calchaqui. The erection of the plant was pushed so vigorously that *A. Klipstein & Co. received the first shipment* on account of their contract in April, *1909*.

The success of this venture was such that in 1904 the brothers Portalis, of Buenos Aires, large owners of quebracho land, joined the Hartenecks and the *Compania Forestal del Chaco* was formed to operate the Calchaqui works and to build a new factory with a capacity for 20,000 tons of extract yearly some 300 miles north of Calchaqui, and still further in the heart of the Chaco wilderness. Not only an extract plant but a town and 50 miles of railroad has to be built.

So energetically was this enterprise pushed that the new city *Villa Guellermina, in May*, 1905, began *shipping extract to the United States*, whose requirements meantime had increased to 18,000 tons yearly.

In 1906 a third plant was completed with a capacity of 7,000 tons yearly, while the consumption in the United States went up to 30,000 tons of Argentine extract, besides the liquid extract made by the two American manufacturers.

Such large operations necessitated more money for conducting them, and therefore the *Forestal Company* was merged into *The Forestal Land, Timber and Railways Company*, with a capital of *£1,900,000 sterling*—furnished largely in *England*. This capital has since been increased to *£1,890,690* ($9,000,000), additional quebracho lands purchased, and also the extract plant at *Peguchu*, on the Parana River, with a capacity of 7,000 tons yearly.

At the present time the *Forestal Land, Timber and Railways Company operates 4 plants*, producing *yearly 50,000 tons of solid extract.*

The capital now, as I am advised, is $9,000,000. It has been stated, Mr. President, in the advertisements of this new and imposing combination, that the quebracho extract, made from the quebracho tree, is necessary to help the chestnut extract of this company and to provide the most serviceable tanning fluid. To some extent this may be true; but I have either here or in my office as fine a piece of sole leather as I have ever seen. It was prepared with 90 per cent of chestnut tannin and 10 per cent of quebracho. The chestnut extract as an element for tanning has certain advantages; the quebracho has certain advantages; and the combination of the two makes the best.

GIVE AMERICANS A FIGHTING CHANCE—NO PROHIBITIVE TARIFF.

Therefore it is not unwise that we should not put any prohibitive tariff on the quebracho extract. We should give to them both a fighting chance. A fighting chance in life is the great thing that equitable and honest minds desire to have. In any fair fight—and the tariff all over the world is becoming a fight—that does not involve oppression, greed, sharp practice, or something of the sort, I stand in all things on the side of the American. It is a natural instinct of a patriotic man to do so; and he ought to do so. When you go to building five and six story tariffs, with towers and steeples on the top—specific, cumulative, compensatory, ad valorem, prohibitive, and all that—I must speak to them, examine, and when they overpass what is just, fair, and equitable to the American man, I vote against them. Show me what the just thing is and, I do not care what name you call it, I am for it. Conjurers sometimes use the names "protection" and "free trade" without distinctive meaning. I may vote for a 10 per cent tariff on lumber in some form, and when I do I fear I shall be immediately proscribed by such new enthusiasts as perhaps my distinguished friend from Indiana [Mr. BEVERIDGE] as voting for a protective tariff.

Mr. BEVERIDGE. Oh, no. I will commend the Senator for voting for a protective tariff, but not for departing from the principle of revenue.

Mr. DANIEL. I do not wish to inject a debate into my own.

Mr. BEVERIDGE. No.

Mr. DANIEL. You will never lose an opportunity nor lack the wit to avail of it to hammer anybody on any side, and I leave you to improve that opportunity as you may find it; but when either you or any other high protectionist is expounding the difference between protection and tariff for revenue, I hope one of you will tell me where the line lies. I note that some are frequently asking the Democrats where the line lies, but never have been able to discover it yourselves, although you may fling the Democratic man over on the protective line if he thinks it is injudicious to remove some revenue tariff that is extant.

Now, if we are to indulge in criticisms and satires on each other on account of the use of these terms, I hope that the gentlemen will hereafter hang their criticisms or satires upon some definition upon which the applicability of their remarks may be tested.

GENERAL PRINCIPLES BEFIT PLATFORMS.

I observe, too, that there are large tendencies toward free trade in this body. It is not unnatural that there should be, whatever may be the motive actuating the minds that move toward it. For instance, I see we are told by some that we must put everything upon the free list which is controlled by a trust. If we should adopt that as laying down a primary, elemental, and moral law with which to proceed, we should play right into the hands of a great many of the largest and most onerous trusts. General principles, defining the large relations of government, are the only things that have any permanent home in platforms, and the only ones that ought to get lodgment there at all. Going into refined schedules, which may be shifted by to-morrow's invention, or a chemical or a mechanical process, or by a complete turn in the course of trade, is merely reckoning without your host. It is in the great general lines that have divided men since the Revolutionary war that men most differ and that men may more properly differ. Each side is in some degree right; and in finding the balance is the great operation of inquiry of the human mind, which will lead us to that which is highest and best.

AN AMERICAN CASE.

Mr. President, I am confronted here with a case that is broadly American in all of its aspects. It is not sectional; it is peculiar in the fact that my own State of Virginia has more of these chestnut-extract establishments than any other State; but they have gone along so quietly in their business that they have never been challenged by anybody as doing anything illegal to advance it. They are not associated with any trust that I have ever heard intimated, and they have grown up under the laws which you created, not making them the favorites of Congress, but giving them, as matters stood, a living chance. But for that leak in the Dingley law—I do not blame them, its authors, for it, or the foreigners; but it was on account of the miscarriage of a moderate tariff that this leak occurred, and that this question arises. Otherwise they would have been all right and been able to maintain their competition.

If you will look, Mr. President, at the scale of rates of the article of quebracho, especially if you are one who is accustomed to read market reports and to note the fluctuations in the values of such products, you will see the creeping methods of the trust denoted in the exchange by the advance of these combinations of quebracho extractors to the consummation of their purpose.

THE GERMANS AND THE ENGLISH.

The Germans and the English are not only the most progressive, but they are the most aggressive people in the world. The rise of the Germans since the days when Stein and others taught them how to organize and their succession of military chieftains at the head of the Government disciplined and imperialized and trained their forces has been one of the most remarkable of all the demonstrations of human history.

I wish to avoid in every way we can collisions and just grounds of complaint from other nations; but we know their wary methods; we know the great capital they have behind them; we know the studious, scientific industry of scholarship which they apply to them; and under these conditions, with strifes ahead of us, I should be slow to crush out any sort of well-doing and honest American industry which was not backed by an oppressive tariff.

PROPOSITIONS.

So, Mr. President, without going further at this time, I submit these propositions: First, that seven-eighths of a cent per pound is a reasonable and, in large measure, an habitual tariff on extracts; second, that it is necessary to equalize the difference between the solid and the liquid extract by putting on that tariff; third, that it is desirable to do so to give a fair fighting chance for success to 23 American establishments which are now organized, with capital invested, and labor at hand, and which must inevitably diminish and wither if this equalization is not made. I see nothing in it objectionable to any party creed.

Things extant and things concrete are always greater than things abstract. The abstract sciences are the only things that we know of that are perfect and represent divinity in complete accuracy and nicety of their lessons; but it is only with

things concrete with which we can deal here; and concrete science applied for human good remains, so far as men are concerned, a thing that is divine, if it be faithful and truthful.

Mr. SMITH of South Carolina. Mr. President, my attention has been called to the particular paragraph which we are now discussing. I want to say at the outset that there has been some discussion pro and con as to what constitutes a Democrat and what constitutes a Republican, and as this is my first attempt at national legislation, I wish to say that I have some ideas; and this American extract, coming as it does from the bark of the oak and the chestnut, illustrates this particular point. I find that in the mountains of North Carolina, South Carolina, and Virginia vast areas are absolutely being deforested to get the bark from which this extract is taken.

One of the great questions before us to-day is the preservation of our forests. That is a permanent good. The secondary consideration is getting from the outside those things which can substitute cheaply for us those elements which enter into the manufactured product and preserve for us those things that are of permanent good. Last year in South Carolina and in parts of North Carolina a flood, 7 feet higher than was ever known in the history of my State, swept from the mountains to the seaboard, entailing a greater loss than the income duties from this would amount to for a score of years. Millions and millions of property were swept away by the uncontrolled floods that came by reason of the fact that the watersheds had been denuded, and the downpour of rain, having no check, swept into our rivers and swept crops and property away. Here we are spending money, taxing our ingenuity to preserve our forests, and attempting to put a tax on that which would substitute these tan-bark extracts.

The same is true in reference to our lumber. In our attitude toward forest preservation and the saving of the crops from the mountains to the seaboard that are dependent upon whether or not the rivers overflow, we are met with the argument that a tax on lumber would preserve our forests. I got a little note the other day from a gentleman in Texas which seemed to me to illustrate our attitude. He said we have a tax of $2 a head on the wolves of the plains—these little coyotes that destroy a good deal of property—and he said that he did not think that the tax of $2 a head would be instrumental in propagating wolves. We are putting a $2 tax on lumber; we are putting a duty on tan bark; and then, on the other hand, we are attempting to legislate for forest preservation.

I want to say right here, in this connection, that, so far as the revenue feature of this bill is concerned, it does not interest me after all so much as the preservation of the forests intact on the watersheds of Virginia, North Carolina, and South Carolina. That has got to be done. I do not think there is any question of Democracy or Republicanism involved in it. The question of a high protective tariff should not enter into this discussion on this particular schedule. It is simply a question of preserving that which is of inestimable value to every man who is interested in the production of cotton and in the production of grain on the seaboard between the mountains and the ocean. If you were to go with me, even in my section of the country, you would see thousands upon thousands of acres destroyed just for the purpose of getting this bark.

I know that a great many mountaineers are engaged in this industry, and it may be their livelihood; but I am persuaded that it is not so much for sake of the mountaineer that this duty is wanted. The American laborer has been made the object of solicitude on both sides; and yet I have never heard of any man who, when he declares a dividend of 40 or 50 per cent from the profits of his business, puts his hand in his pocket and voluntarily divides with the labor that helps produce it. We only encourage labor when labor encourages us; and this protective tariff, from start to finish, is not for the purpose of benefiting labor. There is not a man on this floor who believes that we are voluntarily legislating here for the benefit of labor.

The forests have got to go; the cotton fields of my State have got to go; the grain growers of the West have got to pay their quota, in order to bolster up the idea that the American Congress is committed to the salvation and preservation of the American laborer. Cut the forests off the watersheds and leave the fields at the mercy of the floods, take the proceeds from the fields and the laborers from the fields, and all for the so-called "benefit to labor," and yet labor to-day is organizing itself to keep from being ground between the upper and the nether millstones.

Mr. DANIEL. Mr. President, if I am not obtrusive, I should like to ask my distinguished friend from South Carolina if he has read the views of the forester of the Biltmore estate in the tariff hearings—the statement of Mr. Kerr—on the production of these extracts from the wastes of chestnut wood? I find them in the compilation of tariff hearings pertaining to the manufacture of American extracts. I think that his statements would modify my friend's views.

Mr. SMITH of South Carolina. Well, Mr. President, I have been there; I spend my summers there; and there is not a more pitiable destruction going on in America to-day. I take it that on the other side and on this side we may differ as to certain minute details, but I do hope that we are all Americans, not Democrats and Republicans, when it comes to the welfare of this country, but deep down in heart we are all Americans, looking for the welfare of America, whether in Massachusetts or in South Carolina. The great question to consider here is not the question of expediency for to-day, but the permanent benefit and perpetual good of the Nation at large. I have been up there and seen for myself, and I have seen hundreds and hundreds of acres denuded and the timber left on the ground when it was not used for paper pulp.

Here we have a tax to keep out the importation of timber to take the place of our failing supply of paper for publication. Whatever else may be involved, I say here and now that if we propose to preserve that which is rapidly disappearing—the lumber supply of this country—here is a good place to start right now. Wood pulp is used in paper manufacture; the bark is used in the manufacture of tanning extracts; and the two inducements are sweeping the hillsides of this country and the forests.

I do not stand here as an advocate of free raw materials, so called. I stand here for the purpose of seeing that the man who produces the raw material under a republican form of government has as much right to the consideration of the Government as the man who makes the finished product. If in the nature of the case you can not protect the producer of the raw material, according to the eternal laws of justice you have no right to protect at his expense the man who makes the finished product.

The contention of this side, as I understand it, is that there are millions of people engaged in production of raw material who, by the very nature of the case, can not become the beneficiaries of the protective policy, and in framing this bill you are not following the doctrine of equal rights to all and special privileges to none.

I am not here criticising anybody; I am simply trying to take care first of my section and next of the whole country at large. The cotton crop of the South can not be affected without it meaning more to England, as Henry W. Grady said, than the invasion of a foreign army. There is not a shower that falls in my section of the country that is not telegraphed the world around, and there is not a frost that comes that is not of vast moment to the entire civilized world, and yet in spite of the tremendous position that my section of the country occupies; in spite of the fact that we produce that crop which is one of the two primary considerations of the human family, viz, what we shall eat and what we shall wear, my section answering the last question and the West answering the first question, and out of these two the world looks for its food and its clothing—and yet we have got to be sacrificed in order that the profits that come from these favors of God shall pour in an unceasing stream into the coffers of those who need no protection.

I have said this much in reference to forest preservation, because upon the preservation of the forests depends that great stretch of country that lies from the shadow of the mountains to the sea. It is enough for us to buy fertilizers now. The boll weevil is already invading our territory, and to the added cost of fertilization comes the added cost of fighting this pest that is not to be exterminated. We are making that upon which the whole world is waiting to be clothed. The element of cotton has entered so far into the uses of the human family that it has become really the king of the fibers. Flax, wool, and silk have gone before its steady march, giving to the toiling nations of the earth a cheap form of clothing that is as good and as serviceable as that which comes from the other three fibers; and yet in every single measure brought here no consideration is extended to that section, which, without protection or the consideration of the Government, is making the foundation of the wealth of New England and that upon which the very commercial structure of England is dependent. Yet she must become the hewer of wood and the drawer of water and suffer from every single act of legislation that comes before this body. There is no protection from floods; no protection from the inroads of free competition; and I do enter my protest, Mr. President, against the passage of any act that lays or

threatens to lay any further burden upon my already overtaxed section.

Mr. SIMMONS. Mr. President, there are some Senators in this Chamber who think that we can regulate everything in this country through the tariff.

We constantly hear it asserted here when a Senator is in favor of a duty that the trusts are opposed to it, and when a Senator is opposed to a duty that the trusts are in favor of it, and we are asked to raise or remove the duty because of the supposed attitude of the trusts. Undoubtedly, Mr. President, there is a connection between the tariff and the trusts. There are duties which foster and shelter the trusts. That is generally the case with excessive and prohibitory duties, and where that is clearly the case these duties ought to be either reduced or removed. But we can not effectually regulate the trusts through the tariff. In the last analysis we have got to rely upon the civil and criminal laws against these conspiracies—the civil law to dissolve them, and the criminal law to punish them.

When we were discussing the lumber schedule we were told that the way to protect our forests was by a duty on lumber, and now comes the Senator from South Carolina and advises us that the way to protect not only our forests but our waterways is through removing the duty on quebracho, and the Senate is solemnly assured that unless we reduce this duty on quebracho one-fourth of 1 cent that our forests will be destroyed and torrential floods will destroy the navigability and water power of our streams. Carried to its logical conclusion, the position of these Senators is that we must not use our forests for lumber or for tannin extracts or for any other purpose lest we destroy them.

Mr. President, I am very much obliged to the Senator from South Carolina [Mr. SMITH] for his solicitude about the forests in western North Carolina. I have had some communication with the people of that particular section upon this very question, and I have some measure of familiarity with the conditions up there. I have not had a single letter from a constituent of mine living in the Appalachian region of my State, where this tanning is carried on, suggesting that the making of tannin out of chestnut oak was in any way injuriously affecting the forests or the water flow of streams in that section.

There was a time in the beginning of this industry when these trees were cut, the bark peeled off, and the tree left in the woods. That was a waste that nobody could justify; but that time has passed. These trees, when the bark is taken off of them for tanning purposes, are either manufactured into lumber or used for the purpose of making extract.

These trees are not used for the bark until they have become ripe. When a tree is ripe and ready to be cut, there is no law of economy which interdicts its being cut and used for whatever purpose it may be valuable. It is economy to have it out of the way. The chestnut oak is a rapid-growing tree. It is very much like the loblolly pine of eastern North Carolina. If you cut down the ripe pine, in ten or fifteen years you can get another cutting almost as good as the first.

The growth of the smaller trees is accelerated by removing the mature trees, which tend to utilize and exhaust the fertility of the soil and retard the growth of the young trees. The same is true with reference to the chestnut oak. These trees grow at an elevation of from 2,000 to 5,000 feet. Most of this land is worthless for farming purposes.

In cutting down the ripe trees you do not clear away the forest and thereby cause the undue precipitation of the waterfall, resulting in the floods about which my friend from South Carolina has just spoken. You leave the undergrowth; you leave the smaller trees. Every protection remains that the Senator from South Carolina contends for, so far as water precipitation and flow is concerned. You simply give the smaller trees a better opportunity to grow, and, as I say, in a very few years, ten or fifteen years, you have another crop of ripe timber, and this process will continue, under careful cutting, indefinitely.

I have made some little investigation into this matter, because there is no Senator in this body who favors more ardently than I the preservation of our forests and the protection of the watersheds of our streams in such a way as to prevent constantly recurring floods. I have, therefore, as I say, made some investigation in my own State as to the effect of this cutting. The result of that investigation has convinced me that the amount of timber that is being cut there for tanning purposes, and the way in which it is being cut, is such that it is not seriously injurious to the forests or to the proper regulation of the water flow of streams in that section.

It is not the mature tree that regulates the water flow so much as the small growth, especially the undergrowth. That is not at all affected in this part of the country, because we do not remove and cut away the chestnut tree for the purpose of converting the land into farms, thereby leaving it bare. As I say, the elevation is so great, and the land is of such a character, that it is not suitable for farms. If you were to cut away all these trees, the smaller ones and the mature ones, you would still leave an undergrowth there which would, in most cases, afford ample protection to the land and the streams.

Mr. President, I desire to incorporate in my remarks, with reference to the effect upon the forests of this tanning industry, a letter from the chief forester of the great Biltmore property in western North Carolina, comprising several hundred thousand acres, owned by Mr. George Vanderbilt. He is a great authority, I believe, next to Mr. Pinchot, the greatest authority in this country upon the subject of forestry. He lives right there in those mountains. He discusses the very question raised by the Senator from South Carolina, and answers it conclusively:

FOREST DEPARTMENT, BILTMORE ESTATE,
Biltmore, N. C., December 15, 1908.

CHAMPION FIBER COMPANY,
Asheville, N. C.

GENTLEMEN: In response to the queries contained in your letter of December 15, I beg to make the following statements:

1. In western North Carolina, on the property in my personal charge, comprising 180,000 acres, second growth of chestnut will be fit for removal within thirty years from the first cutting, on an average.

The forest department of the Biltmore estate in my charge is footing on a thirty years' rotation in chestnut, which means to say that we intend to cut over in 1938 the same lands which we have been cutting in 1908.

2. Under conditions of careful and systematic cutting, with sylvicultural care, the average acre of land in western North Carolina produces close to 1 cord of chestnut per acre per annum.

3. Chestnut is growing from elevations exceeding 5,000 feet down to elevations of 2,000 feet. It is occupying soil unfit for agricultural purposes. It does not grow in the bottom lands along the river, whereon alone agricultural pursuits are found to be remunerative.

Chestnut is growing, and chestnut will and should be growing, on nonagricultural lands occupying notably the northern or cool aspects of the Appalachian Mountains at altitudes running between 2,000 and 5,500 feet.

Chestnut is found usually on sloping land, which, converted into farms, is sure to erode viciously within ten years from the clearing. Such land, as a consequence, should be kept under forests and should never be turned over to the plow.

4. Assuming that the domestic demand for chestnut extracts expands to an annual consumption of 3,000,000 barrels, an area of chestnut-producing lands of 3,000,000 acres, approximately, would be required to fill the American demand for tanning material by American chestnut extract.

5. From the forester's standpoint nothing can be better than the maintenance of a high price of wood goods.

No one will raise cotton unless it pays to raise cotton, and no one will raise chestnut in second growth unless the prospects of a remunerative outcome of the investment are good.

Forestry as a business must obey the same economic law which agriculture obeys as an economic enterprise. Goods are raised in the forest which it pays to raise.

Forestry in the southern Appalachian region will receive a very severe blow if foreign tanning materials are allowed to compete, without bounds and limits, with the tanning material grown on our native soil.

Unless the Congress of the United States finds ways and means to protect the financial results of forestry there will not be any forestry in the country of Stars and Stripes and dollars and cents.

Hoping that I have answered your queries, I am,

Very respectfully, yours,
C. A. SCHENK.

The duty proposed is a pure revenue duty, because the quebracho tree does not grow in this country, and no quebracho extract is manufactured here except from a few logs imported from the Argentine Republic. So that every cent that is collected under this duty will be revenue and go into the Treasury.

Mr. President, it is manifest—and I do not think the committee will disagree with me about this—that there ought to be a differential between the liquid extract of quebracho and the solid extract. The amendment of the committee makes no distinction. And yet, as a matter of fact, in a pound of liquid extract there is only 35 per cent of tanning matter, while in a pound of solid extract there is 65 per cent of tanning matter. If you permit, as this bill does, both the solid and the liquid to come in under the same duty, it is very obvious that the liquid extract will pay twice as much duty as the solid extract. The effect has been, and will be in the future, that no liquid will be introduced, and the solid extract alone will come in.

At the time the Dingley rate was fixed—and I believe the Senate bill continues the Dingley rate—there was no quebracho extract coming into this country except the liquid extract. Now, there is practically none coming in except the solid extract. So that the Dingley rate of half a cent was twice as much as the same rate under present conditions of importation.

Last year, Mr. President, we received a revenue of about $382,000 from this quebracho extract. It has been argued that it is in the interest of the manufacturers of chestnut-oak tanning material to let this extract come in at a low rate, because by mixing it with the home product a superior article is produced, thereby providing a larger market for the American product.

I concede that the mixture of the two extracts makes a better article in some respects; it gives a richer color, but I deny that it improves the quality of the leather; there are those who contend it does not produce as good a quality. It was not until about 1897 that quebracho was imported into this country at all. How did we tan our leather up to that time? We tanned it with chestnut-oak extract, just as we could do to-day if there were no quebracho shipped into this country. I repeat, it made just as good leather as we are making to-day. Probably the color was not quite so rich; but as far as all the essential qualities of good leather are concerned, the extract of the chestnut oak will to-day make just as good leather as a mixture of that extract with quebracho.

In 1902 only about 3,000 tons of quebracho extract were imported into this country. In seven years the imports have increased to 67,000 tons, and it is estimated by the importers that there will be needed for the use of our manufacturers during the present year 70,000 tons of solid quebracho.

At first we imported only liquid quebracho. Now we import the solid extract. Seventy thousand tons of solid quebracho are equal to 140,000 tons of liquid quebracho. While there has been during the past few years this enormous increase in the amount of quebracho imported and consumed, the amount of chestnut extract used has fallen off about one-half. It is apparent that this foreign product is rapidly driving out of our market the product of the home manufacturers.

Again, Mr. President, in 1898, shortly after we began to import quebracho, chestnut extract was selling for 2½ cents a pound in barrels. In that year quebracho was bringing from 4 to 4¼ cents a pound.

In 1909 the price of chestnut extract, the American product, has fallen to a cent and a quarter a pound, while the price of quebracho is to-day quoted from 4¼ to 4½ cents a pound. One has fallen off nearly half, while the other has actually increased in price.

What is the cause of this? It is this, Mr. President: The whole quebracho business is controlled by five manufacturing corporations in Argentina, and they are in a hard and fast trust. They absolutely fix the price of their product. While the price of the American product, which is free from trust control, has declined in nine years from 2½ to 1¼ cents per pound, the price of the foreign product, under trust control, has been maintained and slightly increased.

Mr. President, there is no one asking that the duty upon quebracho be reduced or removed except the tanners of leather. They are demanding not only free quebracho, but free hides; while they resist any reduction in the duty on their product.

I submit that the cattle raiser is entitled to as much consideration as the maker of leather, and I submit that the 23 manufacturers of chestnut extract—6 of which are located in North Carolina and 9 in Virginia—are also entitled to equal consideration, and if there is any way by which we can save this industry from demolition by this foreign trust, I believe it is our duty to do it.

Mr. LA FOLLETTE. Mr. President, the manufacture of leather depends upon certain barks and extracts of bark for tanning. Oak and hemlock have been the products most largely used. The supply is rapidly diminishing. Chestnut oak is also an important tanning agent; but, as I am informed, the supply of chestnut oak is rapidly diminishing. Right in the section referred to by the Senator from North Carolina [Mr. SIMMONS], I am informed by the junior Senator from Tennessee there is a large area of mountain country which a few years ago was well wooded with the chestnut oak. It has been completely denuded in a short period of time, the timber having been cut off in order to secure the bark to manufacture into chestnut extract. The junior Senator from Tennessee says that within his recollection the river flowing along the base of these mountains has diminished to one-third its former size since the chestnut-oak timber was cut from those mountain sides.

Aside from its effect upon the tanning industry and the price of leather to the consumer, the amendment which I have offered, reducing the duty upon quebracho extract, is even more important, as tending directly to conserve our forests and restore our water courses.

Mr. President, as I have been advised by those who know all about this business, the supply of hemlock, which has been the chief substance used in tanning many kinds of leather, is, excepting in the extreme northwestern portion of this country, practically exhausted. It will last but a few years longer in both Michigan and Wisconsin. It is wise, sir, for us to do anything within reason to prolong the life of the oak and the hemlock in this country.

It was fortunately discovered a few years ago that the quebracho tree, a native of Argentina, could be converted into a valuable tanning agent. It was found that the extract of quebracho could not be used except in combination with hemlock, oak, and other material.

Mr. President, it can not be made to appear in this debate, because it is not true, that quebracho comes in competition with the chestnut extract or with any other bark or extract produced in this country for tanning purposes. The tanners state that they are unable to produce a salable leather from the quebracho extract or from the chestnut extract alone. I have no doubt that it is possible to make an exhibition sample of leather tanned by quebracho extract or by chestnut extract alone; but I deny that either can be used to make a salable commercial product except it be used in combination with the other, and I deny that quebracho extract can be used to make a salable commercial product unless used in combination with one of our native tanning agents.

Mr. SIMMONS. I should like to ask the Senator if we did not tan hides before the importation of this article began?

Mr. LA FOLLETTE. We certainly did; but we did not with the chestnut extract alone as a tanning agent. It was used in combination with other tanning extracts.

Mr. SIMMONS. Made in this country?

Mr. LA FOLLETTE. Made in this country, the supply of which is very rapidly diminishing, just as chestnut oak is.

Mr. SIMMONS. I should like to ask the Senator——

Mr. BURKETT. Mr. President, we are unable to hear a word of the discussion.

Mr. SIMMONS. I should like to ask who is asking for the reduction of the duty on this article. Is anybody doing it except the leather manufacturers?

Mr. LA FOLLETTE. No one except the tanners, so far as I know.

Mr. SIMMONS. They want free hides and free quebracho and everything else free, but they do not want anything taken off of their products.

Mr. LA FOLLETTE. They have consented to a reduction of the duties on leather in this bill, and many of the tanners who have discussed the subject with me have said that if they can be given these tanning extracts free, with free hides, they would agree to put their product on the free list. But the Senate refuses to make a fair beginning in any direction which will benefit ultimately the consumers of this country. You keep the duties on all the important basic products just as high as possible to serve some one exercising a single control of the products or some small but powerful body of interested individuals, and tax all the consumers of the country to maintain such duties.

Mr. President, there are just two manufacturers of quebracho in this country. It is stated that one of them has recently transferred his establishment to Argentina, because it is an economic folly to attemp to build up the business of manufacturing quebracho extract here. For many years these two institutions struggled along trying to do it. They imported the wood from Argentina. The freight charge upon the wood is a heavy burden. In the first place, it has to be transported about 1,500 miles from the interior and then freighted from Buenos Aires to New York. The impossibility of maintaining that business as an economic proposition was realized, and one of those manufacturers transferred his business to Argentina and is building his factory in the forest where he can get his raw material near at hand. The other manufacturer is the man who has furnished nearly all of the data upon chestnut extract which has been quoted in this debate. Realizing the weakness of his own case, he had very little to say about his own establishment when he appeared before the Committee on Ways and Means, but he was the special champion of the manufacturer of chestnut extract. He is the man who maintains the lone industry at Stamford, Conn. He asks a duty high enough to enable him to transport quebracho wood from Argentina to Connecticut—when it takes 4 tons of wood to make a ton of extract—and enough duty in addition to meet the difference in the cost of labor and afford him a reasonable profit.

I am not seeking to strike down any industry that can be maintained in this country as a reasonable, economic proposition. But I maintain the materials required for tanning which we produce in this country are rapidly diminishing, and I protest against levying a high duty upon an imported product which we can use in combination with our native extracts and barks. Such a duty imposes unnecessary burdens upon manufacture, which finally fall upon the consumer. Canada offers all these extracts free to her tanning industries. Manufacturers in other lines have transferred their business to Canada. Is it wise to impose unnecessary burdens upon the tanning in-

dustry and make it more profitable for them to move their tanneries to Canada or the Argentine?

And now, Mr. President, I wish to submit evidence in support of the statement which I make, that quebracho extract does not in any degree compete with chestnut extract.

I make the following statement upon the authority of Mr. A. H. Lockwood, editor of Hides and Leather, the leading trade paper of the tanning industry:

Quebracho and chestnut-wood extract are not interchangeable commodities. Our natural bark supply is rapidly becoming exhausted and what are called blended tannages are used.

Blended tannages consist of chestnut-wood extract, quebracho, and frequently other substances blended together in the tan vat, just like blended coffees or wines. One substance is used for color, one for weight, and another for strength of tannic acid.

Quebracho imparts color and tanning strength. The chestnut-wood extract gives weight and solidity. This chestnut-wood extract is not an adulterant, but is a necessity in the making of sole leather. One of the great essentials of sole leather is that it shall have body, substance, density, and this is given to the leather by the chestnut-wood extract.

As the chestnut-wood extract is essential, so also is the quebracho. These products go hand in hand. Either can not be used successfully without the other.

Myrabolans is another product used in making blended tannages. It is on the free list. Its use is not as extensive as that of quebracho.

When this subject was first before the Senate I received a letter from Harry K. Grubb, a tanner, of Parsons, W. Va., which I wish to read. I have no doubt the writer of the letter is known to the Senators from that State, and they can inform the Senate as to his credibility. I do not know him. He is a tanner and makes his own chestnut-wood extract. So he is a manufacturer of that product. He says:

HON. ROBERT M. LA FOLLETTE,
United States Senate.

DEAR SIR: I notice your remarks in CONGRESSIONAL RECORD of May 5, 1909, relative to quebracho-extract duty, and wish to say that you are correct in your statements. Might say in connection with this that we manufacture our own chestnut extract, but, at the same time, we also purchase quebracho extract to be used with the chestnut extract we make ourselves. I mention this to show you that your statement that the two extracts are used together is correct, for we most certainly would not purchase quebracho extract if we thought that chestnut extract was just as good. I beg to remain,

Yours, very truly,

J. K. MOSSER COMPANY,
Parsons, W. Va.
HARRY K. GRUBB, *Manager.*

WASHINGTON, D. C., *May 6, 1909.*

I will now submit the statement of another tanner of Kenosha, Wis., whom I personally know to be a most reliable man, and one who has spent his whole life in the business of tanning leather:

THE NEW WILLARD,
Washington, D. C., May 6, 1909.

HON. ROBERT M. LA FOLLETTE,
386 Wyoming Avenue, Washington, D. C.

MY DEAR SENATOR: Owing to the constantly diminishing supply of bark, both oak and hemlock, tanners in the last few years have been forced to find other tanning substitutes. The two agents most generally in use by the heavy-leather tanners—sole, harness, and belting—are quebracho and chestnut wood extracts. Neither one, in my opinion, are as good as bark, but they make the best substitute obtainable, and they seem to work best in a combination of the three. Quebracho is the harshest of the three. I have never seen a good piece of leather made from it alone. Chestnut-wood extract leaves the leather too coarse and open. The three together make a very good substitute. As the bark supply continues to diminish we would have to use more quebracho and chestnut-wood extract, but owing to the harsh nature of the quebracho I believe the larger proportion used will be of the chestnut-wood extract. It is no wonder the hemlock forests disappeared when, before we commenced using extract three years ago, our one shop ground nearly 60,000 cords of bark.

Thanking you very kindly for the attention you gave our committee this afternoon, I am,

Very sincerely, yours,

C. W. ALLEN.

The secretary of the National Association of Tanners sent me a statement in regard to this matter, from which I shall read, and then I will not detain the Senate further in relation to this subject.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Certainly.

Mr. GALLINGER. I am interested in this discussion. I assume that there is a scarcity of bark for tanning purposes.

Mr. LA FOLLETTE. Yes; and this scarcity of bark is a very serious handicap to the tanning industry of this country.

Mr. GALLINGER. I assume furthermore that the inferior quality of leather we are now getting is due to the fact that these extracts are being used instead of the bark which was used in the olden time.

Mr. LA FOLLETTE. I am not advised as to that.

Mr. GALLINGER. If the Senator was even as much of a farmer as I am, he would know that we used to buy harness that would last a good many years, while it is almost impossible today to buy harness that will last any considerable time. I think they are making leather very much as they are washing——

Mr. LA FOLLETTE. I am enough of a farmer, if the Senator will permit me to interrupt him, to say that I do know that to be the fact. I suspect I am more of a farmer than the Senator. The only home I have is on a farm.

Mr. GALLINGER. I am glad to know that. I have an impression that they are using our leather to-day very much as they are washing our linen in Washington. In place of using soap they are using chloride of lime. It produces a very pleasing effect to the eye, but, unfortunately, it is very detrimental to our purse.

Yet I take it there is no remedy for this condition, if the bark is disappearing from the country, as the Senator suggests. I feel a certain degree of sympathy with the position the Senator takes. I shall support the amendment the committee has reported, it being a reduction from the duty placed on this article by the House as the bill came to us.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. Certainly.

Mr. LODGE. I think the inferiority in tanning comes more from the chemical processes which are being used, owing to the disappearance of the oak and the hemlock, rather than to these wood extracts. But I may be mistaken on that point. My own impression is, and it is quite a strong one, that the quebracho extract, united with the chestnut extract, makes a very excellent tanning mixture, better than the chemicals, and as near, probably, to the old oak and hemlock tanned leather as it is possible to get. I think quebracho has proved a great success in tanning. I know all the tanners of leather are profoundly interested in the use of that extract.

Mr. LA FOLLETTE. It is my information that quebracho is better combined with the chestnut-wood extract and other tanning agents which we produce in this country than anything which has been discovered up to the present time. As the Senator from Massachusetts says, it makes a compound that takes the place of the natural tanning barks that were used from the establishment of the industry down to the time when the supply of barks made it necessary for the tanners to find a substitute.

Now, Mr. President, I will ask the Senate to listen to the statement made by the secretary of the National Association of Tanners. He says:

The use of quebracho is the foundation of the chestnut-extract industry, because chestnut extract can not be used alone in tanning. It absolutely requires about 70 per cent of some other tanning agent to render it possible to use 30 per cent of chestnut extract.

I think that is variable. I think in producing certain kinds of leather they can use about an equal quantity of chestnut extract with the quebracho, but for heavier leather it requires more of the quebracho.

Quebracho extract has proved to be just the necessary material, and since its introduction the manufacture of chestnut extract has been developed to its present proportions.

Before the advent of quebracho the only plant making chestnut extract after a struggling existence went into bankruptcy.

It is historically true that the price of quebracho extract has in no way affected the price of chestnut extract. The production of chestnut extract began seriously about the year 1898.

From these facts it is evident that the more quebracho extract there is used the more chestnut extract there can be used, and hence for the benefit of the chestnut extract industry itself the duty on quebracho extract should be reduced to one-fourth cent per pound in order to increase its use and thereby increase the use of chestnut extract.

It is not true that there is a monopoly in Argentina controlling quebracho extract, but if it were the same monopoly would control the wood, and in that case any duty on the extract here would simply be that much extra burden on the tanning industry here. It is even possible that the leather industry would be driven from the United States to the Argentine Republic, where both free hides and cheap quebracho extract are obtainable. This would ruin the makers of the chestnut extract in America.

The foregoing statements are strikingly confirmed by Canada, which puts no duty on either quebracho or chestnut extract. Since the Dingley bill was passed Canada has become, next to the United States, the largest consumer of both extracts. Her imports of chestnut extract were largest when quebracho extract was lowest—that is, when it sold at 2½ cents per pound.

The statement made by the manufacturers of domestic tanning extracts that the request for a lower duty on quebracho extract was made by New York importers alone is without foundation.

Our membership, as large consumers of both chestnut wood and quebracho extracts, unanimously petitions that the duty on quebracho extract be fixed at one-fourth cent per pound.

NATIONAL ASSOCIATION OF TANNERS,
JOHN E. WILDER, *Secretary.*

Mr. DANIEL. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Virginia?

Mr. LA FOLLETTE. Certainly.

Mr. DANIEL. Will the Senator permit me to ask him what he considers to be the best combination in proportion of the two extracts, chestnut and quebracho?

Mr. LA FOLLETTE. I have been informed by tanners that it depends upon the kind of leather to be produced; that heavier forms of leather require a different combination than upper or finer leather, and that in some leathers in which both are used it requires about a 50 per cent mixture of chestnut and quebracho.

Mr. DANIEL. With the Senator's permission, I should like to exhibit a specimen of sole leather.

Mr. LA FOLLETTE. Certainly.

Mr. DANIEL (exhibiting). This is a piece of sole leather tanned in Pennsylvania. I get it from a reliable source. Of course, I do not know anything personally. In it was used 10 per cent of Argentine quebracho extract and 90 per cent of chestnut extract. It looks to me like a first-class article, though I am no judge.

Mr. LA FOLLETTE. I have no doubt that the sample which the Senator presents could have been produced by using the chestnut extract alone, but I venture to say that it can not be sold upon the market if tanned with less than 30 per cent of some other product combined with it. That is the information I have. I do not, of course, speak from personal knowledge.

I was called out of the Chamber while the Senator from Virginia was speaking to meet the president of the Eisendrath Tanning Company, of Racine, Wis., who wished to make a statement on this subject. In order not to be detained, I asked him to dictate what he had to say. His letter has just been handed me. It is as follows:

WASHINGTON, *May 20, 1909.*

HON. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: As a tanner of leather during a period of forty years in Illinois and Wisconsin, I am thoroughly familiar with all the tanning agents commonly employed in the industry, and I assert positively that quebracho extract, while a valuable tanning material, is always used in connection with other tannins. Different blends are used according to the kind of leather produced. As a practical tanner, I would say that quebracho extract can not be employed in making leather successfully except in combination with other wood extracts. Chestnut-wood extract, while a valuable tanning agent, can not be used alone. To be used successfully, it must be combined with some other tanning agent, and quebracho is the most successful agent which has been combined with it. The more quebracho used the more chestnut-wood extract can be used. So that instead of being competitors, the one is an aid to the consumption of the other.

Sincerely, yours,

B. D. EISENDRATH,
President B. D. Eisendrath Tanning Company, Racine, Wis.

Mr. President, the Senate has been occupied already for a considerable period with the consideration of this amendment, and I do not wish to protract the debate, but it does seem to me that it presents a case where there should be a reduction of duty to the revenue basis; that it will promote the manufacture of chestnut-wood extract in this country; and that it will be a valuable aid to the tanning industry in cheapening their product to the consumer.

Mr. SIMMONS. Will the Senator, before he takes his seat, let me ask him a question or two?

Mr. LA FOLLETTE. Certainly.

Mr. SIMMONS. I was very much interested in the Senator's statement. I understood the Senator to admit that the only persons asking for a reduction of this duty are the tanners.

Mr. LA FOLLETTE. They are the only ones who have communicated with me with respect to it; they are the only ones I have heard from.

Mr. SIMMONS. The tanners of leather are asking not only for free quebracho, but for free hides, while they are not willing to abate one jot or tittle of their protection.

Mr. LA FOLLETTE. I understand they are willing to reduce the duty upon their finished product.

Mr. SIMMONS. In the pending bill, while it proposes to take the duty off of hides, the amount that is retained for the benefit of the tanners is not affected; it is in effect the same as the present law, or a little bit higher, probably.

Mr. LA FOLLETTE. I understand that it is in effect a reduction.

Mr. SIMMONS. There is a reduction in amount of duty, but with free hides the amount of the duty retained will be the same protection as the old duty; probably it will be a little higher; certainly not lower.

Mr. LA FOLLETTE. I have gathered my information, I will say to the Senator, from my interviews with the representatives of this industry. I will not say that they have been unanimous in voicing this view, but the very great majority of those who interviewed me said if they could have this quebracho extract reduced and could have free hides, they would be willing to stand for free leather.

Mr. SIMMONS. That is the part of the statement of the Senator that interested me.

Mr. LA FOLLETTE. It interested me.

Mr. SIMMONS. I want to say to the Senator that when the shoe people first appeared before the Ways and Means Committee they said if they could get free hides they would be willing to have free shoes. In about a week they returned and took all that back.

Now, we have quite a number of tanners in my State, and nearly every one of them, through a representative, has been here to see me and try to get me to agree to vote for free hides. The largest one came the other day. When I told him that I would not vote for free hides under any circumstances unless leather and shoes were also put on the free list, he said: "We tanners do not care about the duty on leather. If we can get free hides it will be perfectly satisfactory." I said, "Go and put that in writing, sign it, and send it to me." He said he would do it. In about two or three hours after that I got a letter from him inclosing a very lengthy argument in favor of putting hides on the free list and retaining the duty on leather, and not saying a word about the conversation he had had with me.

I hope very much that the Senator is right in saying that the tanners of leather are willing that the product shall go on the free list, because I should like to see, and I think the interest of the consumer of the shoes of this country requires, that hides and leather and shoes should all be put on the free list; but if one goes on the free list the rest ought to go on the free list.

Mr. LA FOLLETTE. Well, Mr. President, I think that question is not now before us.

Mr. SIMMONS. The Senator introduced it.

Mr. LA FOLLETTE. There is a good deal to be said on the position as it has been stated by the Senator from North Carolina. But, coming back to the question which is now before the Senate——

Mr. SIMMONS. I just wish to express the hope that the Senator was right in stating that the tanners were willing that the duty might come off their product provided it was taken off of hides.

Mr. LA FOLLETTE. I have no doubt that if the duty is taken off of hides, both the manufacturers of leather and manufacturers of shoes should take a reduction down at least to a point needful to prevent the importation of products in large volume under extraordinary market conditions. These leather industries in this and in the competing countries have reached pretty nearly a basis of equilibrium as regards the cost of production. But some small measure of protection might be necessary to prevent a flooding of the markets at a time when the conditions changed very markedly and very suddenly.

But that has nothing to do, Mr. President, with the proposition that is before the Senate. I believe the amendment which has been offered here is one that for every sound reason should appeal to Senators for their support, and with that I shall submit it.

Mr. BRANDEGEE. Mr. President, the adoption by the Senate of the amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE] would certainly entirely destroy the business in this country and drive it down to the Argentine Republic. The Dingley law originally provided a duty of half a cent a pound upon quebracho extract. At that time the extract was made in liquid form, and in that form it contained a percentage, as they call it, of 35 degrees efficiency.

In 1904 the Argentine people, instead of making this extract in the liquid form, made it in solid form, evaporating and driving off the water, and they exported it into this country, a pound of solid extract containing an efficiency of 65 per cent tanning efficiency to the pound. So if, after 1905, an importer imported into this country 1 pound of quebracho extract, he imported the equivalent of 2 pounds, or twice the tanning efficiency that he would have done at the time the Dingley law was passed. That was equivalent, therefore, to cutting in two the protection granted by the Dingley law to this industry.

The House committee fully realized the situation and endeavored to correct that change of conditions made by the invention of this solid extract by the provision in the House bill raising the duty upon the extract of 28° Baumé to seven-eighths of 1 cent, and I may say in passing that the 28° Baumé simply means solid extract. Now, the Senate committee has reduced it to one-half, which is the same as the old Dingley rate.

The industry located in my State, to which the Senator from Wisconsin has referred, has had all it could do during the last five years, since the invention of this solid extract, to maintain itself at all. They have not made one penny of profit, and if the amendment of the Senator from Wisconsin should prevail, that business, with all the hands they employ and all the capital they have invested, will be driven from this country down into the Argentine Republic, or else they will abandon the business.

I have no sympathy with the plea so often set up by the tanners as to what they will do if they are given all their raw materials free. I believe that every producer of any article of import in this country is deserving of protection, and I for one will never vote to take the duty off of any product for the purpose of giving somebody raw material free as long as he maintains and asks a duty upon his manufactured product.

To show how the change of the production of this extract from liquid to solid has affected the industry, it is only necessary to call the attention of the Senate to the fact that in the year 1901 the Americans had 65 per cent of this business and 35 per cent was imported; in 1908 the Americans had dropped from 65 to 30 per cent of the business and given 70 per cent of the business to the foreigners.

Mr. SMITH of Michigan. What was the first year the Senator stated?

Mr. BRANDEGEE. I referred to the year 1901, in which the Americans had 65 per cent and the foreigners had 35 per cent. In 1904 the Americans dropped to 50 per cent and the foreigners rose to 50 per cent. In 1905 the Americans dropped to 46 per cent and the foreigners rose to 54 per cent.

In 1906 the Americans had 54 per cent and the foreigners had 46 per cent. The decrease was not continuous and uniform. In 1907 the Americans dropped to 35 per cent and the foreigner increased to 67 per cent.

Mr. SMITH of Michigan. If the Senator will pardon me, was that 33 per cent of the gross amount?

Mr. BRANDEGEE. Yes.

Mr. SMITH of Michigan. Does that show an increased volume of consumption?

Mr. BRANDEGEE. Yes. I will give the Senator the figures. In 1908 the American product was 30 per cent and the foreigners increased to 70 per cent. In the nine months ending March 30, 1909, the American had dropped to 24 per cent and the foreigners had increased to 76 per cent.

Mr. SMITH of Michigan. Will the Senator permit me to ask him a question?

Mr. BRANDEGEE. Certainly.

Mr. SMITH of Michigan. I should like to ask whether the increase in importations has not been largely due to the disappearance of the ingredients formerly used here and the disappearance or scarcity of tan bark?

Mr. BRANDEGEE. I am not sufficiently informed as to the details of the trade to say to what the increased importation was due, except, I suppose, in a large measure, it was due to the fact that the foreigners manufactured it cheaper in Argentina with the cheaper labor and the cheaper cost of plant.

Mr. SMITH of Michigan. I am inclined to think that the importations which the Senator has just read, showing a large increase from year to year, were due to the necessity rather than the desire of the domestic user, and that he has been driven to import his extract because of the scarcity of the material here necessary for his work.

Mr. BRANDEGEE. Without positively denying the statement of the Senator from Michigan, because, as I said, I am not sufficiently informed upon this subject, my opinion is strongly the other way, because the industry in my State, about which I am speaking, has for the last four years been running only on half time and has been producing only half what it could have produced if it could have profitably produced and supplied the demand.

Mr. GAMBLE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BRANDEGEE. Certainly.

Mr. GAMBLE. The statement has been made in the discussion that one of these establishments is in his own State. I should like to be informed as to the capital invested in the enterprise and the number of people employed in it.

Mr. LA FOLLETTE. I am unable to hear the Senator.

Mr. BRANDEGEE. I can answer the question, I think. Mr. President, I am informed that there is over a million dollars invested in this plant, and I believe, although I will not say definitely, that they employ some 700 hands.

Mr. LODGE. How many men are employed in this industry?

Mr. BRANDEGEE. I believe there are 7,000 men employed in this industry in this country.

Mr. LODGE. In making quebracho?

Mr. BRANDEGEE. No; but that and chestnut extract.

Mr. LODGE. I am speaking of chestnut extract.

Mr. GAMBLE. I am speaking of this particular industry.

Mr. BRANDEGEE. I can not answer the Senator any more accurately than I have done.

Mr. GAMBLE. I think the senior Senator from Wisconsin stated that there were two factories producing this product in the United States.

Mr. LA FOLLETTE. There is but one now, though there were two. There never have been more than two.

Mr. GAMBLE. And that one is located in the State of Connecticut.

Mr. BRANDEGEE. Mr. President, I understand that there are two factories here, and the proprietor of one of them attempted to establish his business in Argentina, being, as he thought, about to be driven out by the conditions of the trade, and he is now considering whether he can permanently maintain the business there. He states that, unless this inequality which has grown up since the passage of the Dingley rate upon this article is corrected, he will move to Argentina, where he has a plant, and will operate it there and abandon his American plant. I can say as to the establishment in my State, there is no doubt that that course will be taken, because it can not be prevented.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to the Senator from Minnesota?

Mr. BRANDEGEE. I do.

Mr. NELSON. I understand that there is only one factory, and that it employs only about a hundred hands. Is that all?

Mr. BRANDEGEE. I understand there are a great many more than that employed.

I say that if the Finance Committee wants to do justice to this industry, instead of reducing this duty of one-half cent per pound, which it has recommended, to one-fourth of a cent, which would be just as fatal to the industry as putting this product upon the free list—instead of reducing it, it ought to be raised to the House provision; that ought to be restored. I shall not make a motion to that effect, but shall leave that for the consideration of the conference committee.

If there is any sincerity in Republican professions of maintaining and establishing American industries and not driving them out of the country and allowing the capital and labor of foreign countries to enjoy what we ought to be conferring upon our own people, I hope that the amendment offered by the Senator from Wisconsin will not prevail.

Mr. SMITH of Michigan. Mr. President, I think the Senate is entitled to all the information upon this matter that is available. I have a letter here from one of the most prominent tanners in the State, a man whom I know very well personally, a student, and a man who would state the thing just as it is. I ask that it be read for the information of the Senate.

The VICE-PRESIDENT. Without objection, the letter will be read.

The Secretary read as follows:

WALLIN LEATHER COMPANY,
Grand Rapids, Mich, May 10, 1909.

Hon. WILLIAM ALDEN SMITH,
United States Senator, Washington, D. C.

DEAR SENATOR SMITH: I wired to you to-day as per copy herewith. Since I saw you last I have been carefully studying the duty on quebracho extract, and am convinced that this duty is of no value to the manufacturers of extract in this country, except to the two firms who are making quebracho extract from logs brought in from South America. There are only two firms making quebracho extract in this country—one in Stamford, Conn., and one in Brooklyn.

The fight for an increased duty on tanning extracts has been mostly carried on by a large group of chestnut-extract manufacturers located in the Alleghenies, principally in Virginia and farther south.

If I believed that a reduction in the duty on mangrove extract (which comes largely from East India) or quebracho extract (which comes from South America) threatened to any extent the prosperity of the chestnut-extract manufacturers of our own country, I would be in favor of a substantial duty on these imported extracts, because I am a protectionist, and believe in protecting our American industries. But the facts are that, to a very large extent, the imported extracts and the chestnut extract supplement each other, and to a large extent the use of chestnut extract will be stimulated by cheaper imported extracts; and it is my honest belief that if the tanners of this country have the advantage of cheap quebracho and mangrove extracts free of duty, such as the Canadian tanner has, that the use of domestic chestnut extract will be increased. The chestnut-extract manufacturers of this country are now shipping their extract to Canada, where the Canadian tanner brings in mangrove and quebracho extracts free of duty.

As absolute verification of the above statements, I would say that during the past six months quebracho extract has advanced in this market more than the entire amount of the present duty of one-half cent per pound, and yet chestnut extract sold last week at the lowest price that I have ever known it to be sold.

The chestnut-extract manufacturers have, indeed, been selling extract at a very low price, and some of them have felt that this was due to the competition of quebracho and mangrove extracts. The fact is, however, that the chestnut-extract manufacturers a few years ago were making money very rapidly, and this stimulated an increase in the production of chestnut extract of over 100 per cent in about two years. This immense increase in production has resulted in an overburdening stock of extract, with the resulting low price now prevailing.

Yours, truly,

V. A. WALLIN.

Mr. MARTIN. Mr. President, the questions involved here have been so thoroughly discussed, and, indeed, practically exhausted, that I shall not occupy, I think, five minutes of the time of the Senate in further debating them. It is a little remarkable that the tanners of the country, getting very liberal

duties on their own manufactures and the products of what they manufacture, should not be satisfied with that, but should come here undertaking to present what they claim to be matters of special importance to the manufacturers of this extract.

Mr. LODGE. What does the Senator call a liberal duty?

Mr. MARTIN. Well, I think the tanners are now getting, or expecting to get, 10 per cent on sole leather, and up to 25 per cent.

Mr. LODGE. They have got 5 per cent as proposed in this bill.

Mr. MARTIN. I do not think the Senator from Massachusetts will be content to let them be limited to 5 per cent.

Mr. LODGE. That is not a very extravagant duty.

Mr. MARTIN. I did not say they were getting extravagant duties. I said they were being—as the Senator from Massachusetts is quoted in the paper as saying some time ago—pretty well protected, pretty well cared for in this bill, and will be pretty well cared for.

Mr. LODGE. I never said anything about the leather industry.

Mr. MARTIN. As a general proposition, the manufacturers of the country——

Mr. LODGE. I was speaking of the cotton industry; but I do not think the duties are very high on the products of the tanners.

Mr. MARTIN. Mr. President, the Senator from Massachusetts seems to be very sensitive about the matter. I have not charged that the duties were extravagant. I said that the tanners of the country were getting pretty fair duties on leather and the products of leather.

Mr. LODGE. Is the Senator willing to make the duty on quebracho 5 per cent?

Mr. MARTIN. I am willing to make the duty on quebracho——

Mr. LODGE. If the Senator is willing to make the duty on quebracho the same as the duty on sole leather, I think there will be no trouble.

Mr. MARTIN. Mr. President——

Mr. BACON. Can we also agree to make the duty on shoes 5 per cent?

Mr. LODGE. Shoes are reduced to 15 per cent.

Mr. MARTIN. I think the Senator——

Mr. LODGE. I do not know whether the Senator from Georgia is relying on revenue duties—because a revenue duty is a protective duty for yourself and something else for your neighbor—but the duty on boots and shoes proposed in this bill is 15 per cent. It has been cut to 10 per cent.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from North Carolina?

Mr. MARTIN. I will yield to the Senator from North Carolina directly.

Mr. SIMMONS. I simply want——

Mr. MARTIN. I will yield to the Senator from North Carolina directly, but not at present. I say to the Senator from Massachusetts [Mr. LODGE] that the reduction of this duty, even if adopted as reported by the Finance Committee, is a reduction practically of about 50 per cent.

Mr. LODGE. A reduction on what?

Mr. MARTIN. On quebracho.

Mr. LODGE. The present duty is half a cent, and we are giving it the present duty. It is not a reduction.

Mr. MARTIN. Yes, sir; that duty of half a cent a pound was fixed in the Dingley bill when, as an article of commerce, quebracho was imported as a liquid; but now as an article of commerce it is imported as a solid.

Mr. LODGE. I am aware of that.

Mr. MARTIN. That is an increase of 100 per cent, approximately, in the tanning extract carried or in density. So that, although the duty of the Dingley law was half a cent a pound, that half a cent a pound was fixed when it was imported as a liquid. Now, when it is imported as a solid of twice the density of the liquid product, I say, if you keep the duty at the same rate of half a cent a pound, it is a reduction of 50 per cent. Is the Senator willing to see that reduction of 50 per cent on leather and the products of leather?

Mr. LODGE. Mr. President, the duty on sole leather has been reduced from 20 per cent to 5 per cent. The Senator from Virginia can find out by a little calculation whether that is more than 50 per cent or not.

Mr. MARTIN. The Senator from Massachusetts picks out a single commodity. I say that the leather paragraphs are far more than 10 per cent, and they have not been subjected to any such reduction as that.

Mr. SIMMONS. It is on that point I wish to interrupt the Senator.

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from North Carolina?

Mr. MARTIN. I will be obliged if the Senator——

Mr. SIMMONS. I wanted to get that statement. Undoubtedly the Senator from Massachusetts is correct in stating that the duty on leather is reduced to 5 per cent, but that is only on a certain kind of leather—sole leather.

Mr. MARTIN. That is what I have said to the Senator.

Mr. LODGE. I am speaking of sole leather.

Mr. SIMMONS. As to many other kinds of leather, there is a protection of from 15 to 25 per cent.

Mr. MARTIN. The Senator from Massachusetts restricted his statement to that particular kind of leather.

Mr. President, I say that I think the tanners are being very well cared for——

Mr. LODGE. I am not speaking of leathers in which the tanning extracts are used.

Mr. MARTIN. The tanning extracts, to a certain extent, are used in the tanning of all leathers.

Mr. LODGE. Oh, no; not of the finer skins.

Mr. MARTIN. Surely the Senator from Massachusetts does not undertake to say that these extracts are used only in the manufacture of sole leather?

Mr. LODGE. Oh, no; not at all; but that is the principal product in which they are used.

Mr. MARTIN. I say it is a product used in the tanning business generally. I am not an expert in it, and I am not going to undertake to differentiate all the uses that it is applied to; but I do say that the tanners of this country have been pretty well cared for, even if they do not get free hides. They are here clamoring for free hides, which would be just as much a protection to them as is the duty on the manufactured product. When they get the materials out of which they manufacture free of duty or at a low rate, it is worth just as much to them as the duty on the article that they manufacture.

I say, Mr. President, that I think things have come to a pretty pass when the best information we can get with relation to this schedule on quebracho has to come from the tanners. The manufacturers of quebracho extract do not take that view of it, and I think that if the leather manufacturers are to take care of their own interests they had better let the manufacturers of chestnut extract, which competes with quebracho extract, look to their own interests. They do not need the assistance of the tanner to say what is best for the manufacturers of chestnut extract in this country.

I think, Mr. President, a reduction of 50 per cent is a pretty fair cut, and it is conceded and not denied by anybody, and can not be denied by anybody who knows anything about this question, that when you leave the duty as the Committee on Finance reports it, at one-half a cent a pound, it is practically a reduction of 50 per cent from the duty which was fixed by the Dingley Act, because when that half a cent a pound duty was fixed in the Dingley Act this article was imported as a liquid, while now it is imported as a solid, of twice the density and twice the value that it had at the time the Dingley Act was passed.

I respectfully submit to the Senate that, independent of any question of protection, independent of any question of free trade, and independent of any party question, the duty as fixed by the committee should not be lowered. I dislike to see party questions brought into the consideration of a tariff bill. We all want, or ought to want, and I believe do want, a bill framed on fair, just, and equitable lines, applying its benefits and its burdens equally to all sections of the country and to all industries of the country. If that rule is to prevail, Mr. President, I say you have dealt harshly with the manufacturers of chestnut extract when you reduce the duty over 50 per cent. It is a greater cut than is being made on many other articles—I will not say that such a cut has not been made on some articles, for no doubt it has been; but it is a far greater cut than the average, and the proposition to reduce it to a quarter of a cent is a harsh and unreasonable treatment of this industry.

I sincerely hope that the report of the committee will be adopted and this duty will be left at one-half of 1 cent per pound, which is, as I have said, a reduction of 50 per cent from the rate fixed by the Dingley Act.

Mr. LODGE. Mr. President, if the Senator from Virginia will allow me, I do not want him to misunderstand me. I am going to vote for the rate proposed by the committee; I have no intention of doing otherwise, but it was only when he spoke of the duties given to the tanners that I wanted to call his attention to the fact that, if this was a 50 per cent cut on the extract of quebracho which they use, their principal product, which is

sole leather, was cut 75 per cent, and that I did not think they could be said not to have borne their share of the reduction, so far as the bill stands at the present time.

Mr. MARTIN. I had supposed, until the Senator's interruption, that he was in accord with the committee, of which he is a member.

Mr. LODGE. I have just stated, Mr. President, that I was going to vote for the committee amendment.

Mr. MARTIN. I merely alluded to that statement made by the Senator from Massachusetts, which I heard and understood, and added that I had supposed all along that was his position, although I did get a little doubtful when he interrupted me at the time he did; but I am gratified to know that my first interpretation of his position was correct.

Mr. LODGE. I thought the Senator was unnecessarily reflecting on the advantages of the tanners, as compared with the makers of quebracho extract—for I do not think the chestnut extract has really anything to do with the matter—but on that I did not think they were so extraordinarily well treated as the Senator seemed to think they were.

Mr. MARTIN. Mr. President, I have told the Senator from Massachusetts several times, and the RECORD will bear me out, that I have at no time stated they were treated with any extraordinary extravagance. I said they had gotten pretty fair consideration in the bill; and I think the Senator from Massachusetts will admit that if they had not gotten pretty fair treatment he would be here now clamoring for them to have such treatment. I have not charged that they were getting any extravagant or unreasonable protection or had been cared for in any unjust manner, but I said that, treated as they had been, I thought it was as little as they could do to let the extract people alone and not undertake to dictate to them what kind of duty should be put on their article of manufacture.

Mr. DANIEL. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to his colleague?

Mr. MARTIN. I yield to my colleague.

Mr. DANIEL. I beg leave to call the attention of the Senator from Massachusetts and my colleague to the fact, which has not been mentioned, but which appears conspicuously all through these papers and hearings; that is to say, the tanners, in their petitions here, have been actuated by the foreign quebracho-extract men to appeal to Congress to do what the quebracho men want. It was not upon the initiative of the tanners, but they are being used by other people respecting a collateral tariff.

Mr. MARTIN. Mr. President, I have no criticism whatever to make of the tanners. I am simply asking that justice may be done to this industry. I think only meager justice will have been done to it when you give it a duty which is a reduction of 50 per cent from the duty fixed by the Dingley Act.

Mr. SCOTT. I desire, on behalf of a firm that is making chestnut extract, to send to the desk and have read a portion of a letter.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE TANNERS AND DYERS' EXTRACT COMPANY,
Charleston, W. Va., April 12, 1909.

Hon. NATHAN B. SCOTT,
Washington, D. C.

DEAR SIR: The domestic extract manufacturers use chestnut wood almost entirely, and it is a material that is practically worthless for any other purpose, and in working up this timber it is taken clean, so there is a revenue derived that otherwise would be left to rot, thereby giving employment to a large number of people in this and other States in which are located similar industries.

The duty of seven-eighths cent per pound, as covered by paragraph 21, Schedule A, of the Payne bill, would mean the additional cost of only one-half of 1 cent per pair on shoes, so the duty will not be felt by the consumer, and it will mean the life of the domestic-extract business, which, on account of the increased consumption of quebracho extract during the past few years, has been on the verge of its deathbed.

Directly and indirectly in the State of West Virginia we employ about 700 men, and in their behalf as well as for our own protection we appeal to you, in order that we may not be forced out of business by a combination of foreigners whose own governments have prohibitive duties, and they are dumping their South American product into this country at the expense of the local manufacturers.

Yours, very truly,

THE TANNERS & DYERS' EXTRACT CO.
WM. P. STINE, *Manager.*

Mr. LA FOLLETTE. Mr. President, the Senator from Connecticut [Mr. BRANDEGEE] made one point to which I wish briefly to reply. He called attention to the diminishing supply furnished by the local manufacturer and to the great increase year by year in importation of the product. That is true for two reasons, first, because the demand for quebracho used in connection with other extracts has been increasing every day, and because economically it is not possible to build up this industry unless it is given a duty that is absolutely prohibitory. You might just as well try to raise pineapples in North Dakota. You might do it, I suppose, as a hothouse proposition, but when you seek to build up an industry where you must import your raw material, the freight upon it costing four times as much as the freight upon the extract, you are confronted with a proposition for which no reasonable man can stand.

Mr. CLAPP. Mr. President——

Mr. LA FOLLETTE. Just a moment. The prices of this product have not varied with the increased importations, and the encroachment upon the production of the local manufacturers has not been made, because their prices have been forced down by increased importations. This product is selling to-day exactly at the same point at which it was selling one year after the duty was laid upon it in 1898. That is all I have to say.

I yield now to the Senator from Minnesota.

Mr. CLAPP. As the Senator is more familiar with the subject than I am, I desire to ask him a question. I listened with interest to the speech of the Senator from Virginia and to the letter which the Senator from West Virginia had read, but I am unable to see any relation between the duty on this particular item and the industry represented by the letter of the Senator from West Virginia. I understand there is no such relation. I would simply like to have the Senator make it plain.

Mr. LA FOLLETTE. I went over that ground, and I do not wish to weary the Senate with repetition. From all the information I can get, there is not a pound of quebracho extract that competes with a single pound of chestnut extract. There is a manufacturer in the State of West Virginia who has written me a letter. I have read it to the Senate, but there are many Senators here now who were not here at that time—the Senator from West Virginia among them. I am not acquainted with this man, but I have no doubt the Senator is. He may not be reliable; I do not know about that; but I will read the letter in the Senator's presence. It is dated May 6, and is as follows:

Hon. ROBERT M. LA FOLLETTE,
United States Senate.

DEAR SIR: I notice your remarks in CONGRESSIONAL RECORD of May 5, 1909, relative to quebracho-extract duty, and wish to say that you are correct in your statements. Might say in connection with this that we manufacture our own chestnut extract, but at the same time we also purchase quebracho extract to be used with the chestnut extract we make ourselves. I mention this to show you that your statement that the two extracts are used together is correct, for we most certainly would not purchase quebracho extract if we thought that chestnut extract was just as good.

I beg to remain,

Yours, very truly,

J. K. MOSSER COMPANY,
Parsons, W. Va.
HARRY K. GRUBB, *Manager.*

WASHINGTON, D. C., *May 6, 1909.*

Mr. SCOTT. Mr. President, I will say to the Senator from Wisconsin that Mr. Grubb is a very reputable man, and any statement that he may make may be believed.

Mr. LA FOLLETTE. Mr. President, if I get the meaning of this letter, it is just this: Here is a tannery that has connected with it an establishment for the manufacture of chestnut-bark extract. This factory is located where the raw material for the manufacture of chestnut extract is at their very door, according to the statement of the Senator from West Virginia.

Is it to be supposed that they would purchase an imported article, that has to be transported into this country all the way from the Argentine, if they could produce something that would take its place which they could themselves manufacture? They purchase this quebracho extract and use it in combination with chestnut extract which they manufacture, because they can turn out a good product that commands the respect and the patronage of the trade.

I do not believe, Mr. President, that it is necessary to add one word to what has already been said. You can maintain this duty; you can possibly maintain this institution in Connecticut on its unsteady legs for a time, but you are making a bill which is not in accord with any principle of a rational protective policy.

Mr. BRANDEGEE. Mr. President, the argument and the philosophy of the Senator from Wisconsin [Mr. LA FOLLETTE], that no business should be tolerated in this country which imports its raw material, are, it seems to me, absurd. By a parity of reasoning——

Mr. LA FOLLETTE. Mr. President, I was unable to hear what the Senator said. I understood him to be quoting me, and I want to be certain that he quotes me correctly.

Mr. BRANDEGEE. I was not quoting the Senator from Wisconsin, but was alluding to his argument. I said that the argument and the philosophy of the Senator from Wisconsin seemed to me to be absurd, and would result, if carried to their logical conclusion, in the doctrine that no industry is to be tolerated in this country which imports its raw material.

That theory, if applied in practice, would drive out of this country every manufacturer of rubber boots and shoes and rubber goods. According to the theory of the Senator from Wisconsin, if I understand it, all the rubber-manufacturing concerns should go to Africa or South America, where the raw material is produced, and make their goods there with foreign labor. The adoption of that theory, it seems to me, would drive out of this country many of our manufacturing plants.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. SIMMONS (when Mr. OVERMAN's name was called). I desire to announce that my colleague is unavoidably absent from the city to-day. I think, although I do not know, that if he were here, he would vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the Senator from North Carolina [Mr. OVERMAN]. As he is absent, I withhold my vote.

Mr. SCOTT (when his name was called). I have a pair with the senior Senator from Florida [Mr. TALIAFERRO], and as he was called to Baltimore to-day on important business, I withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a pair for the day with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BRIGGS. I am paired with the Senator from Alabama [Mr. JOHNSTON]. If he were present, I should vote "nay."

Mr. CURTIS. I desire to announce my pair with the senior Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 29, nays 38, as follows:

YEAS—29.

Bacon	Chamberlain	Gamble	Rayner
Bailey	Clapp	Gore	Smith, Mich.
Bankhead	Clay	Hughes	Smith, S. C.
Beveridge	Culberson	La Follette	Stephenson
Borah	Cummins	McCumber	Tillman
Bristow	Dolliver	McLaurin	
Brown	Fletcher	Nelson	
Burkett	Frazier	Paynter	

NAYS—38.

Aldrich	Depew	Hale	Penrose
Bourne	Dick	Heyburn	Piles
Brandegee	Dixon	Johnson, N. Dak.	Root
Bulkeley	du Pont	Jones	Simmons
Burnham	Elkins	Kean	Smith, Md.
Burrows	Flint	Lodge	Smoot
Burton	Foster	Martin	Warner
Crane	Frye	Nixon	Wetmore
Cullom	Gallinger	Oliver	
Daniel	Guggenheim	Page	

NOT VOTING—24.

Bradley	Curtis	Newlands	Shively
Briggs	Davis	Overman	Stone
Carter	Dillingham	Owen	Sutherland
Clark, Wyo.	Johnston, Ala.	Perkins	Taliaferro
Clarke, Ark.	McEnery,	Richardson	Taylor
Crawford	Money	Scott	Warren

So Mr. LA FOLLETTE's amendment was rejected.

Mr. ALDRICH. Mr. President, I move the adoption of the committee amendment.

The VICE-PRESIDENT. The question is now upon the committee amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will report the next amendment.

The SECRETARY. Also, in line 8, the committee proposes, after the words "extracts of hemlock bark" and the comma, to insert "and of mangrove bark."

Mr. LODGE. I ask that it be passed over for the present.

Mr. ALDRICH. I withdraw the amendment. I do not want any more amendments passed over.

The VICE-PRESIDENT. The committee amendment is withdrawn.

Mr. ALDRICH. I now ask for the insertion of a new paragraph after paragraph 32 as amended.

The VICE-PRESIDENT. Without objection, paragraph 21 is agreed to.

Mr. ALDRICH. After paragraph 32, I move to insert, as a new paragraph, "Cotton-seed oil, 3 cents a gallon."

The VICE-PRESIDENT. The Secretary will report the new paragraph.

The Secretary read as follows:

32½. Cotton-seed oil, 3 cents per gallon.

Mr. BEVERIDGE. What is the present duty on cotton-seed oil?

Mr. ALDRICH. Four cents a gallon.

Mr. BEVERIDGE. Was there not a colloquy here the other day, as shown by the RECORD, the result of which was to the effect that cotton-seed oil might go on the free list?

Mr. ALDRICH. I do not know what the RECORD shows. I think one or two Senators said——

Mr. BEVERIDGE. The Senator participated in that colloquy.

Mr. ALDRICH. I think one or two Senators said it might go on the free list; but the committee are satisfied it ought not to be on the free list, and they therefore recommend this reduction of duty.

Mr. BEVERIDGE. I think I remember a colloquy between the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Georgia [Mr. BACON], in which the Senator from Rhode Island himself proposed that cotton-seed oil should go on the free list.

Mr. ALDRICH. Oh, no; I did not say that.

Mr. BEVERIDGE. And the Senator from Georgia [Mr. BACON] said he was not willing to consent to it at that time.

Mr. ALDRICH. Oh, no; the Senator is mixed in his memory.

Mr. BEVERIDGE. No; I am clear and accurate in my recollection, as the RECORD shows.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I do.

Mr. TILLMAN. It is possible that there may be some makers of cotton-seed oil in the South who have seen the Senator's committee and have requested this duty. But if there are any Senators from the South who are in favor of it, I do not know who they are, and I should like to have them speak up.

Mr. BACON. What was the point?

Mr. ALDRICH. The question of putting cotton-seed oil on the free list.

Mr. BACON. I beg the Senator's pardon. I desire to hear what the Senator from Indiana [Mr. BEVERIDGE] said with reference to myself. I did not catch it.

Mr. BEVERIDGE. I asked the Senator from Rhode Island if there was not a colloquy on the floor, when this subject first came up, in which the Senator from Rhode Island suggested—or perhaps I did it myself—to the Senator from Georgia [Mr. BACON] that cotton-seed oil might go on the free list; and I remember the Senator from Georgia saying at that time that he was not yet ready to see it go on the free list.

Mr. ALDRICH. I think not.

Mr. BACON. On the contrary——

Mr. BEVERIDGE. I think it will be found exactly that way in the RECORD.

Mr. BACON. I said, on the contrary, that if it did not bring in any revenue, it might as well go on the free list; and the RECORD will bear me out in that statement. I am in favor of its going on the free list.

Mr. BEVERIDGE. Very well.

Mr. TILLMAN. And as everybody knows that there is no revenue from it, and as everybody knows that the South exports millions of dollars' worth of it, it seems to me absurd for the Senator from Rhode Island to undertake to say this is anything in the line of protection. Why he wanted to put it on this list as bearing a duty of 3 cents a gallon I do not know, but I presume he can explain it.

Mr. ALDRICH. I think so. The producers of cotton-seed oil have suggested that a duty be placed upon the article for the purpose of preventing a dumping of cotton-seed oil upon the American market under conditions which might be unfavorable to the United States.

Mr. TILLMAN. Who is going to dump any cotton-seed oil here?

Mr. ALDRICH. The producers of oil from American seed in Germany or in other countries, where they are at this moment practically paying a bounty for the production of cotton-seed oil. Nobody can tell precisely what will happen, and I think as a matter of justice this duty ought to be imposed.

Mr. CLAY. Will the Senator allow me to ask him what the present duty is?

Mr. ALDRICH. Four cents a gallon.

Mr. CLAY. At this time? That is the Dingley law?

Mr. ALDRICH. That is the Dingley law.

Mr. CLAY. And the Senator proposes to make this rate the same as that contained in the Dingley law?

Mr. ALDRICH. No; I propose to reduce it to 3 cents a gallon.

Mr. SIMMONS. What percentage is that? How much ad valorem is it?

Mr. ALDRICH. I think it is about 10 per cent. That is my recollection.

Mr. SIMMONS. It is my impression that it is about that.

Mr. ALDRICH. It is not over 10 per cent. It is a duty for revenue in case of the starting of the dumping process to which I have referred. I say without any hesitancy that the conditions in some foreign countries are such that they are trying to encourage the production of this oil by bounties, or what is equivalent to bounties, and I think in the long run this is a very desirable duty to impose upon this article.

Mr. BEVERIDGE. I will suggest to the Senator from Rhode Island that the Senators from the section of the country where this very product is manufactured not only do not fear any dumping, and not only do not request this duty, but are actually against it. Applying the rule that the Senator from Rhode Island applied here one morning concerning the lead schedule, that the Senators from the States where the thing is produced ought to know whether a given duty is necessary or not, would it not follow, if he carries out the same logic he advanced in the case of the lead schedule, that there ought not to be any duty on cotton-seed oil, since the Senators from the very States where it is produced are not in favor of it?

Mr. ALDRICH. I do not think I have advanced any such doctrine, nor do I hold any such doctrine. I think all the industries of the United States, whether they are located south of one line or north of it, east of one line or west of it, are entitled to fair treatment under this bill; and, so far as I am concerned, I intend to extend fair treatment to every industry, no matter where it is located.

Mr. BEVERIDGE. But the Senators from the section where this industry is located do not say this is fair treatment. They do not ask for it.

Mr. ALDRICH. One Senator may ask for one thing and other Senators may ask for another; but they are not preparing this bill. They are not responsible for its condition.

Mr. MONEY. That is true.

Mr. ALDRICH. We are; and I say that whatever may be the opinion of individual Senators upon this subject, I have no doubt myself that this duty should be imposed.

Mr. BURKETT. Mr. President, I will say to the Senator from Rhode Island that under the Wilson bill cotton-seed oil was free, as I understand it. This dumping process does not seem to have obtained according to whether there was a tariff or whether there was not, if I read this table aright; and I have followed it through several years.

Mr. ALDRICH. But conditions have absolutely changed in regard to the production of cotton-seed oil abroad. There are several governments that are at this moment engaged in an attempt to have cotton seed imported into their country, and to produce there the oil for their own use, and to drive out of business so far as they can the American producers of cotton-seed oil.

Mr. BURKETT. I want to say, Mr. President, that one year when it was free 7,621 gallons came in, the next year only 103, the next year 25, and the next year the importation rose to 808.

Mr. ALDRICH. But the Senator apparently does not understand the statement I have made, which is that the conditions have entirely changed. To-day Austria, Germany, and several other European countries are making every effort to import the seed from the United States and to encourage the production of cotton-seed oil in their own countries, to prevent the exportation of oil from this country, and upon occasion to send their oil to this country. Whatever may be the opinions of individual Senators upon the subject, I know that the people who are engaged in producing cotton-seed oil in the South hold the same opinion that I do with reference to the matter.

Mr. TILLMAN. Does the Senator want the men who produce the cotton seed to have any consideration here? Are the millions of farmers down there who produce cotton seed in order to sell it to be shut in, and compelled to let the trust monopolize our market, and not export any cotton seed if they want to?

Mr. ALDRICH. Not at all.

Mr. TILLMAN. That is exactly the purpose of this amendment.

Mr. ALDRICH. I beg the Senator's pardon; there is no such purpose.

Mr. TILLMAN. That will be the effect of it, then. I will not say that is the purpose, but that is the effect.

Mr. ALDRICH. Is the present law, which provides a duty of 4 cents a gallon, doing that? Has anybody undertaken to show that a duty of 4 cents a gallon is producing that result?

Mr. TILLMAN. Suppose France and Germany should put a duty on cotton-seed oil, and admit cotton seed free? They are importing millions of gallons of cotton-seed oil to be used in adulterating olive oil, or to be transformed into olive oil.

Mr. ALDRICH. Unquestionably.

Mr. TILLMAN. Very well. If they want to import cotton seed and produce the oil themselves, why not let them do it?

Mr. ALDRICH. Does the Senator mean he would prefer to have that done in France rather than in the United States?

Mr. TILLMAN. If it gives us a better market for cotton seed; yes. We do not want to be shut in and be compelled to let the cotton-seed mill trust fix the price of cotton seed in our country.

Mr. BACON. Mr. President, if the Senator from Rhode Island will permit me, I desire to say to him that what is the principal interest in reference to cotton-seed oil, the principal interest of the producers of cotton-seed oil, and the principal interest of cotton-seed producers back of the oil producers, is that they shall not be deprived of their foreign market for oil. The danger to which I wish to call the attention of the Senator from Rhode Island is this: France is one of the largest consumers of cotton-seed oil, and the high rates of duty which are imposed upon the products of France coming into this country are constantly putting in jeopardy, and have for twelve years put in jeopardy, the interests of the cotton-seed oil producers by the danger that it involves, which results from it, of the raising of the duty by France upon cotton-seed oil imports.

The Senator knows, and everybody who is connected with this business knows, that for more than ten years past we have stood upon the very edge where the Government of France, with its maximum and minimum rates of tariff, has been threatening to put cotton-seed oil imports up to the maximum rate, which would have been a most serious injury to the cotton-seed oil product of this country. There is the danger. It is not the danger of other oils coming into this country and coming into competition with it, but that the markets of the world will be closed to the export of cotton-seed oil or put under such embarrassment as to make its exportation unprofitable.

Mr. ALDRICH. The Senator must be aware, if he has——

Mr. BACON. I have not quite finished, if the Senator will pardon me.

This matter has been particularly brought to my attention not only by the fact that I am from the section which produces this product, but am on the Committee on Foreign Relations and have been for twelve years, and we have had negotiated with France one treaty which in its provisions was designed to prevent the consummation of that danger—the danger that France would put the maximum duty upon the importation of cotton-seed oil.

Since that time, as the Senator well knows, there have been revivals of those negotiations, and there has been elaborate testimony taken before the Committee on Foreign Relations with a view to reciprocal agreements which would guarantee and insure to cotton-seed oil the benefits of the minimum tariff; and the Senator himself has been present at some of those hearings. There is the danger—the danger that in protecting certain industries in this country such high protective duties will be put upon imports into this country of French manufacture as to cause France to retaliate by putting cotton-seed oil at the maximum rate of duty. There is our danger. There is no danger of importations of cotton-seed oil into this country, but there is great danger of the other.

Mr. ALDRICH. Mr. President, when the provisions of this bill in regard to maximum and minimum rates are before the Senate I shall be very glad to discuss that matter with the Senator from Georgia. I am, of course, entirely familiar with the attempts which have been made to negotiate reciprocity treaties with France upon the basis of reciprocal reductions or reciprocal advantages.

I will say to the Senator, what he already knows, and I think I am not disclosing executive secrets when I say it, that the opinion of the Senate was almost overwhelmingly against the character of treaties which the Senator has referred to, and they were not ratified by the Senate.

Mr. BACON. I do not agree with the Senator about that.

Mr. ALDRICH. Whatever may have been the sentiment of the Senate, they were not ratified.

Mr. BACON. I know they were not.

Mr. ALDRICH. I think it is perfectly safe to say that no treaty of that kind will be ratified.

Mr. BACON. Very well.

Mr. ALDRICH. I think the suggestions in regard to the maximum and minimum rates will be absolutely efficacious in doing away with all the suggestions made by the Senator from Georgia in the direction he has named.

One word more about cotton-seed oil. The Senator from Georgia is as well aware as I am that in East Africa, in Egypt, and everywhere else throughout the world where there is any possibility of raising cotton, all the governments and everybody interested in the prosperity of those countries are trying their best to raise some kind of cotton and some variety of cotton that may be sent to the United States. I suppose the Senators are aware that we imported, in the year 1907, 95,000,000 pounds of Egyptian cotton, for which we paid practically 20 cents a pound.

Mr. MONEY. Seventeen.

Mr. ALDRICH. More than that, I think.

Mr. MONEY. Seventeen cents, and 90,000,000 pounds.

Mr. ALDRICH. The Senator from Mississippi and I probably have different years in mind, because certainly in one year—I will not undertake at this moment to state which year—we imported 95,000,000 pounds, at an average valuation of 20 cents a pound.

I agree with what the Senator from Indiana [Mr. BEVERIDGE] says. If the whole South and all the Senators from the South object to this duty, I shall not insist that it be imposed. But having in view a great American interest and a great American industry, I desire to state what I think should be the action of the Senate upon this question. I do not pretend to know better than you do, gentlemen, as to what the future may bring forth, and if it is the universal sentiment of Senators upon the other side that this duty should not be imposed, I shall withdraw the amendment.

Mr. BEVERIDGE. Mr. President——

Mr. BACON. Will the Senator from Indiana allow me?

Mr. BEVERIDGE. Yes; I will.

Mr. BACON. I simply desire to say that if these importations or possible importations are such as the Government will derive revenue from, I will favor it. Otherwise, I am absolutely opposed to it. I do not believe the Government will derive any revenue from it, and therefore I am in favor of this article going on the free list.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. BACON. I do.

Mr. SMOOT. I wish to say that I favored a duty of 3 cents a gallon upon cotton-seed oil on account of the representations made by men from the South.

Mr. CUMMINS. I wish the Senator from Utah would speak a little louder.

The VICE-PRESIDENT. The Senator from Utah will speak a little louder.

Mr. SMOOT. I will. The facts are these: In Austria at the present time they allow cotton seed to come in free, but they impose a duty upon the oil of 27 cents. The same is true in Germany—not the same amount, the same principle. Under those conditions, they say, cotton seed going into Germany and into Austria is manufactured into oil, and the seed coming from South America, Egypt, and India at a very small freight rate, they can manufacture in those countries now, with free seed, cotton-seed oil, and if there is no duty they can ship to the border States of America cheaper than the product can be produced here. It is for that reason that I have supported the duty of 3 cents per gallon.

Mr. TILLMAN. Cheaper than it can be produced in the South, with negro labor at 50 and 75 cents a day? Whoever told the Senator that lied to him, and he knew he was lying—and I do not care who he is.

Mr. SMOOT. There are many countries which have cheaper labor than 50 cents a day. I think you could go to Germany to-day and find that the men working in those mills producing oil are not receiving an average of 50 cents a day.

Mr. BEVERIDGE. Mr. President, the rule was stated here by the Senator from Rhode Island in the discussion of the lead schedule, when a question was asked as to the sources of information, that when Senators who live in a certain section which produces a commodity upon which we propose to put a tariff stated what the necessities of that section are, with reference to that particular article, that that was influential and practically, he said, controlling. The Senator says no, but I think his memory is at fault; his memory is not always trustworthy. For example, I recall that when I had read from the RECORD the remark the Senator inadvertently made about not having read the House hearings, he said that he referred to orange mineral in them; yet he was, as a matter of fact, talking about cotton when he said that he had not read the House hearings. So I think my recollection is more accurate than the Senator's.

What struck me as peculiar is that there should be, out of a clear sky, a proposition to impose a duty upon a product from a section whose Senators do not ask it and some of whom are vociferously protesting against it. When we ask for an explanation for this curious proceeding we find that the explanation does not depend upon a single present fact, but upon anticipation. This is a duty upon anticipation. This is a tax on expectations. This is a proposed tariff upon "maybes" and "perhaps-sos." It does not have the force of any established commercial fact.

On the contrary, in the comparative statement furnished by the committee itself we find that last year the exports of this product were $17,074,403, and the imports were only $9,342. It would not seem that any industry was in very much danger of foreign competition, which Senators admit does not now exist, but exists only in imagination and anticipation, when such industry imports only $9,000 and exports $17,000,000.

The Senator says "There is no telling what they may import," but had not the Senator better wait until we can tell—at least until this imaginary danger can be seen upon the distant horizon?

Mr. SMOOT. Mr. President——

Mr. BEVERIDGE. Wait a moment. Not only does it not have the basis of any established commercial fact as shown by the exports and imports prepared by the committee itself, but neither does it have the demand of the section where it is produced. And, furthermore, it does not have the sanction of a revenue-producing measure, because I find here that under the present law the total revenue from this source was hardly over $1,000 last year, and that would not go very far in supporting the Government. Now I yield to the Senator.

Mr. SMOOT. My suggestion to the Senator was that the importations were very light. He must remember the fact that it was 4 cents a gallon. Can the Senator say that there would have been only that much importation if it had been 3 cents a gallon?

Mr. BEVERIDGE. I can no more say what might have been in the future or the past than the Senator can say. But I will say this: Does the Senator think that the industry is very much in peril when it exports, to compete with the very industries abroad which he thinks are going to extinguish this one, $17,000,000 and more, whereas the imports are only $9,000?

Mr. MONEY. Mr. President, it must be very gratifying to a Senator from a cotton State, born on a cotton plantation, and making cotton all his life, to find such a lively and benevolent interest manifested in the people of his section of country and its product by a gentleman from Utah and one from Rhode Island, who make no cotton and do not know anything about it.

Mr. SMOOT. I can say to the Senator that we can grow cotton in Utah.

Mr. MONEY. But you have not grown it there. You may be able to grow oranges in hothouses.

Mr. ALDRICH. Mr. President——

Mr. MONEY. I am going right on, and I ask Senators not to interrupt me.

Mr. ALDRICH. Will the Senator allow me to withdraw this amendment?

Mr. MONEY. Certainly; but I am not going to withdraw my remarks. I have some remarks to make on this subject.

The PRESIDING OFFICER (Mr. HEYBURN in the chair). The Senator from Mississippi declines to yield for that purpose.

Mr. MONEY. I want the Senate to understand this case. I do not know anything about the Senator from Rhode Island and the Senator from Utah understanding it, but I want the Senate to understand the position they seem to place us in by a paternal desire to benefit our constituents without our wish.

There are a good many oil mills in my State. Mississippi is the third cotton-producing State in the Union. I want to say that we know cotton from the time it is put in the ground and is put through the gin and the press and the compress and goes to market, and we are more familiar with it than anybody else. I note very carefully what the Senator from Rhode Island says about the danger to come from East Africa and from every other country.

Mr. ALDRICH. The dangers that I have suggested were not imaginary statements of mine. They were statements made to me by cotton-seed oil producers of the section of country in which the Senator from Mississippi lives.

Mr. MONEY. Very well. It does not make any difference to me whose imagination it comes from. I am from a cotton State, and there the cotton producer has never communicated his imagination to me.

Mr. BEVERIDGE. It is merely a repeated imagination.

Mr. MONEY. It is a cumulative sort of concern. Like a snowball, it gathers as it goes.

In 1863, when we were in the war between the States and cotton went to a dollar and a half a pound, there was a convention held at Manchester of 27 countries capable of making cotton, because a dollar and a half a pound was a little too much for anybody to successfully attempt to work the raw cotton in competition with linen, wool, hemp, and so on. Every possible effort was made and it was successful, to some extent, in the Orient. Lord Dalhousie, who at that time was viceroy of India, spent $48,000,000 in making railroads to develop the Punjab district and bring the cotton down to Bombay. Every effort has been made to extend cotton cultivation over the earth as far as it would grow. I want to say that the South does not appear in competition. The Senator alluded to cotton selling at 20 cents, but that is not the ordinary price. I tell him that the price for two years has been about 17 cents in the market.

Mr. ALDRICH. The importations for 1907 were 99,462,105 pounds, and the average unit of value was 19.9 cents a pound.

Mr. MONEY. What was it in 1908?

Mr. ALDRICH. I have it not for 1908.

Mr. MONEY. That was a year later. You will find that it was 90,000,000 pounds, and that 17 cents a pound was the price.

Mr. ALDRICH. I think very likely; but I do not want the Senator from Mississippi to act under a misapprehension about the reason the committee had for proposing this amendment. A large number of cotton-seed oil producers came before the members of the committee, accompanied by four or five southern Senators, who vouched for their respectability, at least, and honesty about this matter.

Mr. MONEY. Nobody disputes about their honesty.

Mr. ALDRICH. For that reason the committee proposed the amendment. I thought it was the universal feeling of Senators on the other side that this provision ought to be inserted in the law. I withdraw it.

Mr. MONEY. It is a poor lawyer who argues a case after he has got the verdict; but some things have been said here that ought to be answered.

I want to say that I have not had a communication from a single oil mill in Mississippi that asked me for this, but they say that you put oleo stearin on the free list, and you have taken it off the free list and put it on the tax list. That is the only thing they have ever requested me to see to. It was on the free list. It is one of the most important elements in compound lard, which the oil mills are largely interested in the manufacture of. That is the one thing they are interested in. Nobody approached me and asked me about cotton-seed oil.

Mr. ALDRICH. I did not say the Senator from Mississippi was one of the four or five southern Senators.

Mr. MONEY. I understood that you did not, because it was not so. I was not one of them. I repeat what I have said, that I have not had a single request in regard to cotton-seed oil. The people are my personal, as well as political, friends who are engaged in this business, and they have asked me but for one thing, and that is for free oleo stearin, oleo stearin being admitted into Great Britain free of taxation, and the process of making compound lard is so extensive that the mill men have been using a great part of it in composing that ordinary culinary material. They want to have oleo stearin put on the free list, and they ask nothing for their oil.

Mr. ALDRICH. I have now the figures for 1908 here, if the Senator would like to hear them.

Mr. MONEY. Certainly.

Mr. ALDRICH. The importations were 70,000,000 pounds, valued at $14,000,000, and the unit of value was 21.

Mr. MONEY. I will admit that is true. It makes no difference to me whether it is 17 or 20.

A few years ago the Corps Legislatif of France proposed to put a duty on oil, as was done in Italy, and it was afterwards revoked. I went myself to the late lamented and most distinguished Secretary of State, Mr. Hay. I represented to him the inequity of this proceeding. We were then negotiating a treaty of reciprocity with France, which the Senator from Rhode Island was so anxious to defeat and so instrumental in defeating. I requested the Secretary of State to take diplomatic steps at once to stop that bill. He could not see his way to do it. I then suggested retaliation, and he did it. He succeeded in having that bill withdrawn from the Corps Legislatif.

I do not want to be put in the attitude here of neglecting anybody's interest in Mississippi, and I will not be put in the attitude of trying to protect an interest in Mississippi or anywhere else in this world, because, as I have said here over and over again, there is no authority to do that thing. And Congress and this committee proceed all the time ultra vires when they undertake to do that thing.

Now, let us see about the danger that arises from this. In the first place, cotton seed is extremely bulky. A ton of cotton seed makes considerable space in shipping in any vessel in the world; I do not care how it is arranged for it. You have got to stand all the risk in shipping cotton seed, and there is risk about it. I am aware that these gentlemen on that committee know nothing whatever of it. It is what the farmer calls "heating." Cotton seed is one of the hottest things in the world when it becomes heated, as it is called, and then it is absolutely worthless. It will not germinate and the oil dries out of it. There are a thousand dangers attending the transportation of cotton seed.

It is simply ridiculous for Senators to rise in their places and tell the Senate that we in the Southern States that produce over 13,000,000 bales of cotton, when from each bale of cotton they get over half a ton of cotton seed—that is, over 6,500,000 tons of cotton seed—with an oil mill in almost every county in the State, certainly at every important junction or railroad town, can not take care of ourselves in cotton-seed oil.

I tell the Senator if he will be kind enough to take oil off the tax list and place oleo stearin on the free list, he will comply with the real and the general wishes of the cotton-seed producers.

Mr. ALDRICH. I know nothing about the wishes of the cotton-seed producers except the statements which were made to the committee, and made by respectable men——

Mr. MONEY. Oh, they were all respectable.

Mr. ALDRICH (continuing). Vouched for by five or six Senators from your point of view. If both the Senators and the producers are at fault, I certainly have done everything I can to make amends by withdrawing the amendment.

Mr. MONEY. The Senator has acted very fairly and very kindly, and I want to ask him to go a step further, for this product is used in every cotton-seed mill in the South, and it is not represented here in person or by proxy or by people with Senators accompanying them; I ask you to put oleo stearin on the free list.

Mr. ALDRICH. We will consider that question.

Mr. MONEY. It has been on the free list. I know you will consider it when you come to it, but a favorable answer I do not expect.

There is another thing touched upon by my friend from South Carolina [Mr. SMITH] which you should consider. How is it that the man who makes the raw material has no consideration in this body? It is only a man who manufactures something who is considered a business man. The farmer who goes out and works from early morn until dewy eve is not a business man. The lumberman who fells trees in the forest is not a business man. He does not figure on any pay roll. Nobody is a business man unless he buys or sells or manufactures or insures somebody or changes money over a bank counter. I have heard it stated all around; I have seen it in the newspapers; I have had some letters addressed to me personally, with certain compliments to me of a left-handed sort, with the wish that we might deal with this question like business men, and that everything would be done right if business men would do it. I should like to see a committee of business men draw a bill. They could draw a tariff bill that is right in giving them what they want, but to frame a whole bill is something utterly beyond their comprehension. The same thing happens when they ask for a free list. One is just as bad as the other. As a matter of fact, we can not get the honest truth from men on either side of the question that has been before the Senate. I am not imputing it as any fault to these gentlemen. Nobody says that the men who come here are not honest men, that they do not tell what they think, but it is one of the infirmities of human nature that when they come to ask a favor they make the best possible of their side and suppress or put in the background all that can be said against them. When a man comes here to have an article taxed, or when a man comes here to have an article put on the free list, you can not get a straight story from either one of them. Naturally, without any intention of deceiving anyone, they go according to their interests. But the great masses of the people who do not send anybody here, the mass of consumers, the people of the United States, working to produce the raw material, have had no representative here asking for anything for them.

I want to say another thing while I am up, though I am continuing these remarks much longer than I intended. It seems to me that the making of revenue has been entirely lost sight of on this floor. There is a sort of a craze for putting things on the free list, and we have been told here that it is Democratic doctrine. I deny that it is Democratic doctrine. I recollect one platform, from which my distinguished friend

from Maryland [Mr. RAYNER] read here, prepared, I believe, by Grover Cleveland. It was all for the free list. Who ever said that, before or since? Senators may ask me, Are you not going to stand on your platform? I can retort, Are you going to stand on yours? If you want to know about my standing on mine, I say no—not all of it. I am not disloyal to my party because I do not choose to follow every single policy which they adopt. I am a Democrat from principle—I suppose I always will be—but I am open to conviction, and the very moment that I see the policies that are advocated by that party are not best for the prosperity and happiness of the people of this country and the preservation of their liberties, I will turn to any party that can show better. If I did not do that I would not be a good citizen, much less a good Senator. I could not be a good citizen if I cleaved to an organization regardless of its policies. It is not simply because of the name or past history; it is because of its living principles. The living principles of the Democratic party with reference to tariff taxation is to raise revenue, and for nothing else whatever, and it is just as much opposed to a free list of raw materials as it is to a tax list of wrought materials. Is there any reason, is there any sense or justice, for the making of revenue that raw material, that engages the industries of more than two-thirds of the people of this country, shall be put on the free list and everything that the people buy put on the tax list? I think the junior Senator from Texas answered well. The papers may charge, as one of the editors did, that they should not vote for a protective tariff to save the soul from hades.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. MONEY. Certainly.

Mr. ALDRICH. Did he vote with his party associates yesterday to put several manufactured articles upon the free list?

Mr. MONEY. I do not recall any such vote.

Mr. ALDRICH. It was day before yesterday.

Mr. MONEY. I do not recall a vote then.

Mr. BEVERIDGE. It was the amendment of the Senator from Mississippi [Mr. MCLAURIN].

Mr. MONEY. I am not quite sure; but that was an exceptional case, and there was no revenue in it.

I want to say that I am not a fanatic on the subject of keeping everything off the free list. When it means something in a case of that kind, which is neither protective nor revenue bearing, and when I see such things that do not bring any revenue, then I do not see why they should not go on the free list. If you could show me something that brings revenue, I will say, No free list for that; but I should like to know why things should be placed on the tax list when they do not produce revenue and do not protect anybody either. It was the sewing-machine amendment that the Senator from Rhode Island probably alluded to.

Mr. BEVERIDGE. No; it was the McLaurin amendment about trace chains, and so forth.

Mr. MONEY. I was not here when that amendment was voted on. I do not know anything about it.

Mr. President, it is a matter of absolute indifference to me, personally and officially, what any newspaper or anybody else says about my course here. I am willing that Senators who surround me on both sides of this Chamber should do what they conceive to be their duty. We are from different localities; we are surrounded by different interests; and I am sorry to say we take a different view of the organic law of our being. I wish that it were otherwise. I can never hope that in a Republic covering the whole continent from ocean to ocean and from the Lakes to the Gulf there should be a unison of interest all the time; but there can be, as there should be, a correct and proper and unanimous understanding of the Constitution under which we live and which gives a being to this Senate and has permitted us to be here at all. That is a question which is ignored. We are told that it is too academic. Why? Because the protective policy has been so long approved by the majority of the people of the United States.

I want to make a free criticism. Without any disrespect to the people of the United States, I say that they do not consider these things very much. I have known a man who violated the Constitution, without seeming to know it, all the time, and he had the popular applause all the time.

Mr. President, it is only in the Senate and in the coordinate branch of the other House of Congress that people are called upon to study the Constitution and to see how far their authority extends to impose burdens upon the people of this country, whether just or unjust. I declare again here to my friends my earnest belief that whenever you take the burden from any man and put it upon another to promote a private enterprise and provide for private fortunes, you are proceeding against the Constitution and you have exceeded your authority.

Mr. ALDRICH. May I ask the Senator a question?

Mr. MONEY. Certainly.

Mr. ALDRICH. Does not the Senator think that it is a matter of public thanksgiving that all the people of the United States are not continuously thinking about the Constitution of the United States?

Mr. MONEY. Well, I expect from the point of view of the Senator from Rhode Island it is, but not from mine. I have heard a long time ago, away back when people were making sacrifices for liberty, that eternal vigilance was the price of liberty; but here it is laissez faire—let well enough alone. You are getting along first rate. You are doing business. You are making money. You are not properly distributing money, but you are accumulating it. You are making it. How? By imposing burdens upon one set of people in order to promote the private interests and individual fortunes of another set. When the statement and the table which I filed the other day, carefully compiled, was announced false, without reading, by an honorable and distinguished Senator, my friend here forgot that I had used the words of the Supreme Court of the United States and the most distinguished jurists in this country and not my own language, although my thoughts ran in accord with theirs.

Mr. President, if we could get the people to think more, we would have reason for thanksgiving. The difficult task of self-government is almost beyond human achievement. It has been a signal failure from the beginning of time until to-day, because our form of government is artificial, the most artificial ever known in the world. It is unnatural; it is abnormal; and its constant disposition is to revert, as in the case of all flora and fauna.

It is because they become so much engaged in profits and gain that they cease to consider the principles upon which they have their existence; for one of the greatest men ever produced by New England—and you may say he was the father of American independence, Sam Adams—when contesting the ratification of the Constitution along with Patrick Henry and Thomas Jefferson and Richard Henry Lee and others, said in a letter to Richard Henry Lee:

> We have achieved a great liberty; we have wrought out a great Constitution; but my only fear is that our people, who are now poor and simple and love liberty because they have made sacrifices for it, will after a while grow rich and will prefer their riches to their liberty.

O my prophetic soul! If that has not come to the verge of verification to-day, then I can not read the signs of the times.

Mr. President, it does seem to me that it is not at all out of place even on the tariff bill to examine into the authority of the Senate and of the Congress to put upon the people the burdens which ought not to be borne except to defray the expense of that organized society which secures to them life, liberty, and the pursuit of happiness.

I do not intend to make a speech, because I am not able to do it. But, Mr. President, when we go along in this mechanical business way, I am sorry to say, to consider only how much good you can do to a few favored individuals, to use the strong arm of the United States Government to pull a man and take from him something that belongs to him by his own toil and right and give it to any other human being, to protect his interest, to promote his interest, to secure his interest, then we have committed a wrong. You may call it by any name you please, but the desire to get somebody else's money or property for nothing is about as universal as human nature itself, and it is very hard to distinguish in the motive between the man who steals into your hall and steals your coat from your hatrack and carries it off and another man who asks the law to aid him in stealing the hat off the head or the coat off the back of another to give to a man who is engaged in making a living for himself.

Something is given for nothing; nothing in compensation and nothing to be returned in service of any sort. Commerce is an exchange of services, they say; yet we are having a bill here to regulate commerce in this country which had its foundation principle, as announced by the distinguished Senator from Rhode Island [Mr. ALDRICH], in this very principle—that it was done to protect every American industry. Well, how are you going to protect some American industries without taxing other American industries? I have submitted tables, which I believe to be correct, and I ask the gentlemen in this Senate to critically examine them and investigate them, and, if there is any fault in them, I want it pointed out, not for their benefit, but for my own, because I can not see how a man of self-respect or a man who cares to advance at all will submit a proposition which he believes to be false. Even if he waives the danger of detection and exposure, as a matter of fact, for himself, does he want to make a mistake? It does not make any difference whether it is intentional or unintentional so far as his self-

respect is concerned; but he can have it criticised and corrected. That I am willing to do, and, if that table is worth anything, it will stand the test.

The table submitted by me and one submitted by the distinguished senior Senator from Georgia [Mr. BACON] very early in the debate show that, while about $300,000,000 is collected by the taxgatherers for the revenue of this country—that is, to protect society—there is about $2,000,000,000 that is collected and put into the pockets of the men who have nothing to do with the administration of the Government whatever, which goes to private citizens and to private industries and enterprises.

I should like to know by what rule of morality and by what rule of constitutional law that is done. As I have said here, I believe, once before in making a few remarks, the school of protectionists seems to raise up a school of morality individual and peculiar to itself. It does not accord with any school of morality on earth; it does not accord with any moral code laid down in any religion of which I have ever heard, and I have studied every one that I have heard of with profound concern and interest, I will say, because I want to get at the truth. With no human code of morality does it square itself. "Thou shalt not covet thy neighbor's goods." "Thou shalt not steal." These commands are obviously necessary to the conduct of human affairs; they are not omitted from any code of morality, either religious or any other sort, that has ever been extant in the world, nor ever will be, because society can not exist without them. They are a corrective force, a conservative force of society. Yet there are honorable gentlemen whom I would trust with my life, as honest as they can be, yet they are governed by such a perversion—I will say a sort of moral strabismus—that they can not see straight upon this question of morality.

I am no preacher, and I do not intend to get off on the moral side of this thing, because I know very well that nobody is going to debate the moral side of this question here nor anywhere else, because there is only one side to it, and nobody can make an argument on the other side.

Mr. President, when the free-trade struggle ran for twenty years in Great Britain, it seemed like the better element in society, as they called it, were all for the high protective tariff that was destroying the industries of Great Britain. That seems like a singular statement; it would seem to be a sort of paradox, but it was the truth. They were destroying the industries of Great Britain at the dictation of the most enlightened and honorable class of men in the world—the landowners of Great Britain—men who, in succeeding generations, have been capable of any sacrifice for the public good, because the great income tax which brought last year $165,000,000 to the British exchequer is upheld by the people who pay it, who do not try to skulk around and avoid the burden of the general government, which they have imposed more lightly upon lower shoulders than theirs.

Yet it took twenty years of struggle to convince the voting masses of Great Britain that there was something dishonest, immoral, oppressive, and tyrannical in a protective system. So they had the annual motion of Villiers, that got to be called the "annual motion" because he made it every year, the same thing over and over again; but it took all the eloquence of John Bright, the wit of Sydney Smith, the splendid logic of Richard Cobden, the persistence of George Purcell, and of Robert Peel and others, until it broke down under this continual hammering. Then the Irish famine came along and accentuated the situation, and they had a free-trade law in Great Britain. They call it free trade. Is it free trade? They talk here about free trade. What is free trade? What do you call free trade? We speak of Gibraltar, Hongkong, Singapore, and other English cities as free ports, because there is no taxation upon goods going into those ports; but that is not what England calls free trade.

Here is the English tariff circular [exhibiting]—about 40 schedules, comprising hundreds of articles. That is what is called free trade in England, but it is not free trade in the sense that nothing is taxed. They make as much revenue off of tariffs and customs with 40,000,000 people as we do with 90,000,000 people, and that is called free trade. What is free trade in England? When there is free competition in trade, it is called free trade. When England raises her taxes $2.50 a gallon on spirits, she puts on an excise duty of $2.50, so as to put the home manufacturers exactly on a competitive level with the manufacturers of other countries; and her greatest revenue is derived from those things which she never makes at all—tobacco, tea, coffee, cocoa, and so forth.

Mr. ALDRICH. Is the Senator from Mississippi aware that, in the treatment of beer, for instance, Great Britain levies a protective duty upon beer?

Mr. MONEY. I was not.

Mr. ALDRICH. The Senator had better examine that question.

Mr. MONEY. I will take the Senator's word for it that they do have protection on beer; and I suppose that there is something peculiarly favorable to beer, or they would not impose such a duty, because the English really consume more beer than any other people in the world. They consume more than the Germans do.

Mr. ALDRICH. They impose an internal tax on beer, and they have a duty on beer which is much greater, and which is prohibitory as to foreign beer.

Mr. MONEY. I will take the Senator's statement as correct, and I think it is quite likely you will not find a general rule in this world that has not its exceptions, for it has become a common saying that by the exceptions you prove the rule; and I do not know of any rule in the world that does not have its exceptions. But I am speaking of a general fact that will not be denied. That is what free trade is in Great Britain.

Mr. President, I do not want to address the Senate at length to-day. I do not know that I shall do so at all. These remarks were called forth simply because the question came up as I came through the door, although I had not heard that it was coming up to-day. The Senator from Rhode Island has very kindly consented to listen to Senators from my section in regard to this one article which is in controversy now; but I have strayed away and have gone pretty far afield, I admit, perhaps because I did not take note of the landmarks.

At any rate, I got pretty far away from the subject; but I desire to say that I do not want the Senator from Rhode Island or any other Senator to think that I am here simply finding fault with him or anybody else. I want the whole Senate to understand that I do not find fault with any Senator for any vote he may cast. I do not care whether it is for free trade or for a tariff for revenue or a tariff for protection to American industries. He acts according to his lights; he is doing what he thinks is best. I want to give credit to every Senator in this Chamber for doing what he thinks is his duty.

I want to say, moreover, that I think every Senator owes it to himself and to his constituents to give expression to the reasons why he votes for anything, and that the time consumed in hearing such remarks by Senators for the benefit of the home constituents—and there is where it ought to go—is well spent. By that I do not mean that I would unnecessarily protract the discussion of this question. I should hope that the remarks would be pertinent to the schedules under which they were delivered, more so than mine have been to-day, because they have been extremely desultory.

Mr. BEVERIDGE. Mr. President, do I understand that the Senator from Rhode Island withdraws the amendment, and that this article goes on the free list?

Mr. ALDRICH. Yes.

Mr. TILLMAN. It remains on the free list; it is already there.

Mr. SIMMONS. Mr. President, with the consent of the Senate, before this matter——

The PRESIDING OFFICER. The Chair will state, before the Senator from North Carolina proceeds, that the amendment has been withdrawn, and that paragraph 40 is the next paragraph passed over.

Mr. SIMMONS. Mr. President, I want, by unanimous consent, to make a statement with reference to the matter which has just gone over. I do not suppose any Senator will object to my making that statement. The Senator from Mississippi [Mr. MONEY] was proceeding a little while ago, as I understood, by unanimous consent, there being nothing before the body.

Mr. President, I am not going to make any objection to the committee withdrawing this amendment; but I do not, by my silence, wish it to be understood that I assent to the proposition that this article ought to go upon the free list. I do not think that there ought to be a large duty placed upon it, but I do think that there ought to be some duty placed upon it. The present law imposes a duty of 4 cents a gallon, which is equivalent to 11½ per cent ad valorem.

The rate now imposed is about 9 per cent ad valorem—a very small duty. Some revenue has been derived from the present duty, though not very much. In 1907 we imported about 26,000 gallons, and the revenue amounted to about $1,000. It is not, therefore, so much on account of the present importations as on account of what I am certain will be the future importations of this article that I think a duty ought to be put upon it.

Mr. President, in the State of North Carolina we manufacture all the cotton we make. It is the only State in the Union where all the cotton that is raised is manufactured. As a result of that my State gets out of its cotton crop just about

four or five times as much as it would get if we did not manufacture any of it. In my State all the cotton seed we raise we manufacture into oil. As a result of that, we get two or three times as much out of our cotton seed as we would get out of them if we did not manufacture them into oil.

Mr. President, it is said that there is no danger of any competition from Europe in this particular product, because, it is said, we make three-fourths of the cotton seed of the world and therefore we need not fear competition from abroad in this product. We do not raise any greater proportion of the cotton seed of the world than we raise of the raw cotton of the world. We raise just the same proportion of the one as we raise of the other. We raise about three-fourths of all the cotton of the world, and we raise about three-fourths of the cotton seed of the world. The fact, Mr. President, that we raise three-fourths of the raw cotton of the world has not protected us against European competition in cotton goods. So, as a matter of fact, for years Europe has been importing about two-thirds of our raw cotton, manufacturing it into cotton goods, sending cotton goods back to us, and selling them to such an extent in competition with our manufactures of cotton that the Republican party, carrying out its policy of protection, has felt justified in putting a duty of about 43 per cent ad valorem upon imports of cotton goods to protect cotton goods made in this country against the cotton manufactured in Europe out of our raw cotton.

Mr. President, if they have been able to do that with reference to our raw cotton, why can they not do that with reference to our cotton seed? The manufacture of cotton is an old industry; the manufacture of cotton seed into oil is a new industry. Up to this time Europe has not made much oil to send over here in competition with us; but Europe is getting ready to import our cotton seed and to convert them into oil.

It is said that cotton seed can not be transported across the Atlantic without material injury. I talked to a leading cotton-seed oil man a few weeks ago about this matter—Colonel Haskell. He stated to me that the story that cotton seed can not be transported across the ocean because of their being subject to "heating" was a myth; that there was not a pound of cotton seed upon the American Continent that could not, by linting, be put in condition to stand water transportation without injury. He said that last year he had himself shipped to Europe 10,000 tons of cotton seed, and that he had a friend engaged in the business who had also shipped 10,000 tons abroad in that year.

Now, as a matter of fact, Germany is to-day constructing, and has nearly finished, cotton-seed oil mills of sufficient capacity to convert 500,000 tons of cotton seed into oil annually, and she will buy the bulk of the seed from America. I do not object to selling her all the seed she wants, if we can spare them and she will pay the price; but if Germany buys annually 500,000 tons of our cotton seed and in addition to her present output converts them into oil, is it not absolutely certain that she will export a part of this oil to this country, just as Europe is shipping cotton goods made of our raw cotton to this country? It is for the purpose of protecting our own manufacturers against this probable contingency that I think this article ought not to go upon the free list. I am not going to make any fight about it, because I do not want to enter into any controversy with my associates on this side. I recognize the fact that the majority of them are against me upon this proposition, but not all of them. I will not enter into any controversy about it, but I want to state here, so that it may become a matter of record, that I do not consent to the proposition that cotton-seed oil ought to go on the free list.

Mr. President, I repeat, I rose simply for the purpose of making a statement, so that I might make a record of my position, but I want to say before I conclude that when this matter was first proposed to the Senate, I made an argument in favor of a small duty on this product. That speech was published in the leading papers of my State a few days after it was made, and I have not had a word of protest from anybody in my State on account of it; but, on the contrary, I have received letters of commendation from my State, from men interested in this matter as well as from farmers interested in the price of seed.

Mr. CLAY. Mr. President, just a word. I do not desire to do the Senator from Rhode Island any injustice, and it is proper that I make a statement of a minute or two. It is true that gentlemen engaged in the cotton-seed oil business in my State, living near Atlanta, came to me and said they wanted a letter of introduction to the chairman of the Finance Committee; that they were engaged in the cotton-seed oil business, and that they desired to be heard, stating that they were liable to have competition in Germany of a most serious nature and character. I did give those gentlemen a letter of introduction to the Senator, saying that they were men of the highest integrity and splendid business capacity, and what I said was true.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. On page 11, line 23, paragraph 40, after the word "unmanufactured," it is proposed to strike out "one dollar and fifty" and insert "seventy-five."

Mr. ALDRICH. The Senator from Missouri [Mr. WARNER] was anxious that this amendment should not be agreed to. I do not see him in the Chamber at the moment.

Mr. CURTIS. I ask the chairman of the committee to consent to let the matter go over until the Senator from Missouri returns.

Mr. WARNER entered the Chamber.

Mr. CURTIS. The Senator from Missouri is here now.

The PRESIDING OFFICER. Section 40 was passed over at the request of the Senator from Missouri.

Mr. ALDRICH. I will ask the Senator from Missouri if he is ready to go on now.

Mr. WARNER. I will ask the Senator to let the paragraph go over for to-day.

Mr. ALDRICH. Then, it may go over until to-morrow; but I will try to take it up at that time and dispose of it.

The PRESIDING OFFICER. The amendment will be passed over until to-morrow. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over was paragraph 42.

The PRESIDING OFFICER. That paragraph was passed over at the request of the Senator from Connecticut [Mr. BRANDEGEE].

Mr. ALDRICH. I think the Senator from Connecticut has no objection to that paragraph being agreed to, and I ask that it may be agreed to.

Mr. BRANDEGEE. I have no objection.

Mr. ALDRICH. I ask that it be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in paragraph 42.

The amendment was agreed to.

Mr. ALDRICH. Let the paragraph be agreed to as amended.

The PRESIDING OFFICER. The amendment will be stated, so that it will be in the RECORD.

Mr. ALDRICH. That has all been previously read.

Mr. SCOTT. It has been read, and it has all been agreed to.

Mr. ALDRICH. I ask that the paragraph be agreed to as amended.

Mr. SIMMONS. What paragraph is that?

Mr. ALDRICH. Paragraph 42.

The PRESIDING OFFICER. In the absence of objection, the paragraph as amended will be agreed to. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 51, on page 13.

Mr. CURTIS. I desire to offer an amendment in line 14, page 13, to strike out the word "seven" and insert in lieu thereof the word "six," so as to make it read "six-eighths cents per pound."

Mr. ALDRICH. "Three-fourths," I think, would be better phraseology; that is the usual phraseology.

Mr. CURTIS. Then I move to strike out the word "seven-eighths" and insert in lieu thereof the word "three-fourths."

Mr. ALDRICH. The committee are willing to accept that amendment.

The VICE-PRESIDENT. Is the amendment offered as a committee amendment? The Secretary will state the amendment.

The SECRETARY. On page 13, line 14, paragraph 51, it is proposed to amend the amendment of the committee by striking out "seven-eighths" and inserting "three-fourths."

The VICE-PRESIDENT. That is stated as a committee amendment.

Mr. ALDRICH. The committee agree to that amendment.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. The Senator from Kansas has the floor. Does he yield to the Senator from Georgia?

Mr. CURTIS. After I make a statement. I have proposed the amendment, and, as I understand, the committee agree to it. It is not a committee amendment.

The VICE-PRESIDENT. The committee agree to it, so that it becomes a committee amendment.

Mr. GALLINGER and others. Oh, no.

Mr. CURTIS. I do not care whose amendment it is.

Mr. ALDRICH. The committee will modify their amendment so as to read "three-fourths," instead of "seven-eighths."

The VICE-PRESIDENT. That is as the Chair understood.

Mr. BACON. I simply desire to call attention to the fact that upon my copy of the bill I find a note that that paragraph had been passed over at the request of the senior Senator from Wisconsin [Mr. LA FOLLETTE]. He is not in his seat. That is the point to which I wish to call attention. We are considering paragraph 51, are we not?

Mr. ALDRICH. Yes; but it would hardly be necessary to pass it over, unless the Senator has some authority to speak for that Senator and to request that it go over.

Mr. BACON. I have none whatever. He has never said a word to me about it. I find that memorandum, and I presume that is the fact. The Senator is only temporarily absent. He has been in his seat.

Mr. ALDRICH. The Senator can suggest any amendment if he comes in.

Mr. BACON. That is sufficient, of course, if the Senator lets the reservation stand.

Mr. PENROSE. If we are going to pass over a paragraph because a Senator is not present, we will never get through.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Kansas [Mr. CURTIS].

Mr. BRISTOW. Mr. President, referring to the duty on white lead, it appears that my colleague has offered an amendment reducing the duty from 2⅞ cents a pound to 2¾ cents a pound, making a reduction of one-eighth of 1 cent per pound. The bill as it came from the House provided for a duty of 2⅜ cents per pound. The Senate amendment increased it four-eighths of a cent. They now accept the amendment offered by my colleague, reducing the rate to two and three-fourths, an increase of three-eighths over the House provision.

I want to oppose this amendment because it is an excessive duty on a product that is controlled by a trust and which charges the American people exorbitant prices for this product. The duty on pig lead was fixed by the Senate at 2½ cents per pound. The duty fixed by the House on white lead was 2⅜ cents, making a differential of two-eighths of a cent per pound between pig lead and white lead.

I did what I could, and protested as much as I was able, against increasing the duty on pig lead above the rate fixed by the House. The Senate fixed a differential between lead ore and pig lead, as Senators will remember, of five-eighths of a cent a pound. There is not a line of evidence before this body, nor has there been any presented, to show that it costs the smelters five-eighths of a cent a pound to reduce lead from ore to pig lead. There is evidence here that it costs $8 a ton, and no evidence that it costs more. The Senate fixed a differential of twelve dollars and a half a ton—four dollars and a half a ton more than it costs the smelters to take the lead ore through that process of reducing it to pig lead.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. HEYBURN. I would suggest to the Senator from Kansas that the lead bullion is not reduced to white lead where it is smelted or converted into bullion, but it is frequently shipped entirely across the continent.

Mr. BRISTOW. That may be; but I was just preparing for the remarks I intended to make in regard to white lead. In fixing a differential of twelve and a half dollars a ton for a process that costs but $8 a ton all told, it appears from the information that I have been able to collect that the Senate has made a present to the smelter trust of the United States of one and a half million dollars, for which they do not give the American people a dollar's worth of service in return. Under this amendment it is proposed to present another trust with almost an equal amount of money, when there is no evidence here to demonstrate that it is at all necessary from the standpoint of protection.

I want to read from the hearings of the House in regard to this. I read from page 2380 of the hearings.

It has been alleged here that since the duty on pig lead was increased over that fixed by the House, it is necessary to give a corresponding increase in the duty on white lead, because white lead is made from pig lead. Mr. Burbridge, of Idaho, who, I suppose, is a reliable man—if he is not, the Senators from Idaho can say so—said:

If reference be made to the table attached hereto, showing the prices of pig lead and dry white lead for the years 1895 to 1907, inclusive, it will be seen that there is not a direct relation between the two prices. Taking the period of ten years, 1898 to 1907, during which the present tariff has been in existence, and comparing it with the period of three years, 1895 to 1897, during which the tariff was only one-half of the present tariff, we find the prices averaged as follows:

	Pig lead.	Dry white lead.
	Cents.	*Cents.*
1898-1907	4.527	5.500
1895-1897	3.263	4.958
	1.264	.542

Showing that although in the earlier period the price of pig lead was 1.264 cents per pound lower than in the later period the price of white lead was only 0.542 cent lower.

In the fall of 1907 the price of pig lead fell 2½ cents per pound, but the price of white lead fell only three-fourths cent per pound.

Clearly showing that there is no relation between the selling price of white lead and that of pig lead. When pig lead falls in price white lead may come down to some extent, or it may not.

Again, Mr. John B. Winfield, on page 2451, in referring to the price of white lead, said—this refers to the trust or combination that controls it:

PUEBLO, COLO., *December 12, 1908.*

WAYS AND MEANS COMMITTEE,
Washington, D. C.

GENTLEMEN: As substantial evidence of the injustice to the American people of the present duty on lead, I wish to draw your attention to the fact that the resident of Canada buys his white lead to beautify and preserve his house, barn, railroad cars, etc., at 4 cents per pound—made in Germany—while the American neighbor just across an imaginary line is compelled to pay 6 to 6½ cents for an inferior quality of the same common necessity. Why?

Very sincerely, JOHN B. WINFIELD.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Was the Senator from Kansas satisfied with the differential made by the House between pig lead and white lead?

Mr. BRISTOW. I am satisfied with the duty fixed by the House on pig lead and white lead.

Mr. SMOOT. I asked, Mr. President, whether the Senator was satisfied with the amount of the differential between lead bullion and white lead as fixed by the House?

Mr. BRISTOW. I am not satisfied with the differential which the Senate is trying to fix, or which the Committee on Finance is trying to fix.

Mr. SMOOT. Then, Mr. President, I will tell the Senator in another way what the House has done.

Mr. BRISTOW. Very well.

Mr. SMOOT. The Senator is arguing here as to what the House has done in this matter. I want to tell him what the House did do.

The House placed on lead bullion a duty of 1½ cents. It placed a duty on white lead of 2⅜ cents. In other words, there is a differential of seven-eighths of a cent per pound. The Senate has placed on pig lead a duty of 2½ cents. And now it is proposed to place a duty of 2¾ cents on white lead, or a differential of only five-eighths of a cent per pound. So, as far as the action of the Senate is concerned, there is a quarter of a cent difference now between the differential——

Mr. BRISTOW. Why? Why does the Senator fix that differential?

Mr. SMOOT. Why do I do so?

Mr. BRISTOW. Yes, sir.

Mr. SMOOT. Simply because it takes that amount, as the testimony will show here, to take lead bullion and convert it into white lead.

Mr. BRISTOW. I will ask the Senator to cite the testimony which is his authority for that statement.

Mr. SMOOT. I did not know, Mr. President, that this matter was coming up to-day, or I should have had the evidence here. But I want to ask the Senator from Kansas whether he has any evidence that it does not cost that much, or even more?

Mr. BRISTOW. There is evidence here, furnished by the Senate committee, that the white lead of this country is controlled by a trust.

Mr. SMOOT. The Senator does not mean the Senate committee, of course.

Mr. BRISTOW. I mean evidence has been furnished for the information of Congress to the effect that but one-fourth of 1 per cent of the amount of white lead that is consumed in the United States is imported.

Mr. SMOOT. Mr. President, we were talking about the differential between the bullion and the white lead itself.

Mr. BRISTOW. There is but one-fourth of 1 per cent of our white lead imported. This legislation will compel the people of this country in the future to pay from two and a quarter to two and a half cents a pound more for their white lead than is paid across the line in Canada. There is not a bit of evidence submitted here by the Senator from Utah, or by the Committee on Finance, to show that there is any added cost in manufacturing that would exceed that covered by the one-quarter of a cent a pound differential which would exist if the Senate amendment was rejected.

On page 457 of the hearings there is a letter which was written to President Taft. It reads as follows:

COLUMBUS, OHIO, *December 4, 1908.*

Hon. WILLIAM H. TAFT,
Hot Springs, Va.

DEAR SIR:

* * * * * * *

In purchasing dry white lead, which carries a 40 per cent duty, there is a practical monopoly on the article in this country.

There is, practically speaking, but one place to purchase, and yet a protection of 40 per cent. We do not think this is fair and right.

We see statements in the paper that those who have anything to say should appear before the commission at Washington. A good many in the trade, having but the one place to purchase, feel cowed.

Yours, very respectfully,

THE HANNA PAINT MFG. CO.,
By J. B. HANNA, *President.*

It is proposed to impose a duty here that will perpetuate this condition in the United States, thereby prohibiting and forbidding the American people to have any other place to go to buy this commodity, which is used in every home on this continent. Senators may be satisfied to cast their votes that way. I do not think it is right, and I am here to protest against it.

Again, on page 414 of the hearings, the following appears:

The present rates represent an ad valorem duty of about 60 to 65 per cent in the case of white lead, 45 to 55 per cent on orange mineral, 50 to 60 per cent on red lead. Surely this is more protection than the National Lead Company needs, and helps them in their control of the market.

That these duties are prohibitive is shown by the fact that the imports (1903–1906, inclusive) bear the following small percentage ratio to the American products: White lead less than one-fourth of 1 per cent, red lead between 3 and 4 per cent, orange mineral and litharge, combined, less than 3 per cent. These small imports are possible only because of the greater uniformity and superior quality of the foreign goods. A reasonable duty and fair competition would do more than anything we know of to raise the standard of American goods.

That is from a statement made by Mr. F. A. Reichard, of New York.

I suppose, Mr. President, it is useless for me to stand here and talk against the adoption of this amendment. The experience we have had in considering these amendments of the committee to the bill has not been very encouraging for getting practical results. But, at the same time, I want to stand here and protest against legislation that perpetuates a monopoly that is imposing on the American people. If the Senate defeats the amendment offered by the committee there still remains a differential between pig lead and white lead of one-quarter of a cent a pound; and there is no evidence offered here that that is not abundant. I have asked, and I should like to again inquire, if any member of the Committee on Finance has any evidence to show, and will submit it to the Senate in defense of its amendment, that there is needed more than a quarter of a cent differential? Is there any reason why the Senate of the United States should enact into law a duty that will perpetuate a monopoly, when there is not a Senator who will stand on this floor and say that that monopoly does not exist?

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. As I understand the amendment, it proposes to change the present law by reducing the rate downward from seven-eighths to three-fourths of a cent. Is that correct?

Mr. BRISTOW. That is the amendment of the committee as modified, if I understand it.

Mr. SMITH of Michigan. I thought that was the amendment of the colleague of the Senator from Kansas.

Mr. GALLINGER. It is.

Mr. BRISTOW. If I understand the parliamentary status, it is this: My colleague offered an amendment reducing the duty as fixed by the Senate committee to six-eighths of a cent, and the chairman of the Finance Committee accepted the amendment, so it now becomes the committee amendment.

Mr. SMITH of Michigan. That seems to be as far as they are willing to go.

Mr. BRISTOW. Yes; and I am talking against the committee amendment, in favor of defeating the committee amendment, modified by the acceptance by that committee of the amendment offered by my colleague, and asking that the House provision shall stand.

Mr. BEVERIDGE. How much lower is the House provision than the Senate provision as amended? It is lower——

Mr. BRISTOW. Three-eighths of a cent.

Mr. BEVERIDGE. That is the House provision.

Mr. SMITH of Michigan. I should like to ask the Senator from Kansas, if we were to defeat the amendment of his colleague, which is a material reduction from the present law, what assurance have we that any lower rate will be fixed?

Mr. BRISTOW. If the Senator will permit me, if we defeat the amendment which is now the amendment of the Senate committee, the House provision will stand, which is 2⅜ cents per pound.

Mr. SMITH of Michigan. This is a substantial reduction from the present law. That is the point I make.

Mr. BRISTOW. The point——

Mr. NELSON. The amendment proposes only one-eighth of a cent reduction.

Mr. SMITH of Michigan. It is one-eighth of a cent downward.

Mr. NELSON. If we reject the Senate committee amendment, as modified by the Senator from Kansas [Mr. CURTIS], it will leave the House provision, which is a proper reduction.

Mr. BRISTOW. That is exactly as I understand it, and that is the reason I am making an argument against accepting the Senate committee amendment, as modified by the chairman of the committee, by accepting the amendment offered by my colleague; and in contending for that I contend that the differential which will then exist between pig lead and white lead will be one-fourth of a cent per pound, and that is abundant, and the Senate committee offers no evidence that it is not.

Mr. SMITH of Michigan. It seems to me we are in a position where we must either adopt the amendment of the Senator from Kansas, which makes it 2¾ cents a pound, or take the amendment of the committee, at 2⅞ cents a pound.

Mr. BEVERIDGE. Oh, no.

Mr. SMITH of Michigan. If that is the alternative——

Mr. BEVERIDGE. Oh, no; it is not.

Mr. SMITH of Michigan (continuing). Then I would much prefer the amendment of the Senator from Kansas.

Mr. BEVERIDGE. The Senator is all mixed up.

Mr. NELSON. That is not the alternative. The alternative is to adopt the Senate committee amendment, with the amendment proposed by the Senator from Kansas; and if you reject that amendment as amended, it leaves the House provision to stand.

Mr. BEVERIDGE. That is right.

Mr. SMOOT. In other words, the Senate Finance Committee have accepted two and six-eighths instead of two and seven-eighths, which now becomes the committee amendment.

Mr. BEVERIDGE. That is right.

Mr. NELSON. If the Senator from Kansas will allow me——

Mr. BRISTOW. Certainly.

Mr. NELSON. I further wish to say—and it is a notorious fact, and this book of notes shows it—that white lead, as it is called, ground lead; that is, mixed in oil—and it is nearly all that—is adulterated with barytes, so that you can scarcely get any pure white lead to-day. I read from the report:

White lead is frequently adulterated, the usual adulterant being barytes.

It is almost impossible to-day to get any pure white lead.

Mr. SMITH of Michigan. I do not understand that the amendment relates to that feature of it.

Mr. NELSON. They mix it. How can you segregate it? It comes under the clause which places the duty according to the chief value of the product. If the chief part is white lead, although there may be one-quarter of barytes mixed in, they charge on the white lead.

Mr. DU PONT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Delaware?

Mr. BRISTOW. Certainly.

Mr. DU PONT. I should like to ask the Senator from Kansas whether he does not think, so far as the interests of the consumer are concerned, that the quality of the white paint is more important than the price. My observation is that the consumer generally is forced to buy a very bad and inferior article, which does not last. That is really the greatest cause of complaint. He ought to be willing to pay a good price if he can get a good article, but he now pays a good price and gets a very bad article.

Mr. BEVERIDGE. That is right.

Mr. BRISTOW. If the Senator from Delaware remembers, in some part of the testimony I read it was stated that but one-fourth of 1 per cent of the amount consumed was imported, and that amount was imported only because the importer could get a superior quality to that which is offered here for sale at 2¼ cents a pound more than it can be bought for in Canada.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. BRISTOW. Certainly.

Mr. McCUMBER. If I understood the Senator correctly, he stated that there was imported only one-fourth or one-half of 1 per cent of the amount consumed.

Mr. BRISTOW. One-fourth of 1 per cent.

Mr. McCUMBER. I notice that in the schedule which we have before us it is shown that in 1907 there were imported 617,507 pounds, and the production for that year was 14,669,000 pounds. That would make nearly 5 per cent.

Mr. BRISTOW. Just one minute, please. If the Senator will notice, the 14,669,000 is dollars instead of pounds.

Mr. McCUMBER. The Senator is correct, and I stand corrected.

Mr. BRISTOW. And if the Senator will figure it out, he will find that the importations equal one-fourth of 1 per cent of the entire amount.

Mr. McCUMBER. I say the Senator is correct.

Mr. BRISTOW. Now, Senators, I want to appeal to you, and to ask if the Senate thinks it is right to absolutely prohibit the importation of this product, which is used in every home in this country, when the sole beneficiary of such legislation is admittedly a trust that controls the price and the output. I think that is all I have to say.

Mr. NELSON. I want to add that it is an adulterated trust. They adulterate most of their products.

Mr. BEVERIDGE. Mr. President, the paint that they put on houses, as I was told by a Senator sitting back here a moment ago—in his own experience, within a year—either fades or scales or falls off within a year or a year and a half, and that is because of the complete control of this product, as indicated.

The House, after long hearings, put what was supposed to be a correct rate upon this article. Even as modified by the Senator from Kansas, the committee rate is much higher than the House rate, and no reason or fact for it has been shown.

Mr. SMOOT. I should like to correct the Senator from Indiana. He said the House rate was right. Does the Senator from Indiana——

Mr. BEVERIDGE. No; I did not say the House rate was right. I said the House fixed it at a much lower rate even than as modified by the Senator from Kansas.

Mr. SMOOT. I will ask the Senator this question: Is he willing to accept the same differential between lead bullion and white lead that the House fixed? Would he vote for the same differential?

Mr. CRAWFORD. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from South Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gore	Paynter
Bacon	Crawford	Guggenheim	Penrose
Bailey	Cullom	Hale	Perkins
Bankhead	Cummins	Heyburn	Piles
Beveridge	Curtis	Hughes	Rayner
Borah	Depew	Johnson, N. Dak.	Root
Bourne	Dick	Jones	Scott
Brandegee	Dillingham	Kean	Simmons
Briggs	Dixon	La Follette	Smith, Md.
Bristow	Dolliver	Lodge	Smith, Mich.
Brown	du Pont	McCumber	Smoot
Bulkeley	Elkins	McEnery	Stephenson
Burkett	Fletcher	McLaurin	Stone
Burrows	Flint	Martin	Taliaferro
Burton	Foster	Money	Taylor
Carter	Frazier	Nelson	Tillman
Chamberlain	Frye	Nixon	Warner
Clapp	Gallinger	Oliver	Warren
Clay	Gamble	Page	Wetmore

The VICE-PRESIDENT. Seventy-six Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Kansas will proceed.

Mr. BRISTOW. Mr. President, I wish to add a very brief review of the question which is before the Senate. I will state that the question now is whether or not the Senate committee amendment to the bill amending paragraph 51 shall increase the duty on white lead from 2⅜ cents per pound to 2¾ cents per pound. The original amendment of the Senate committee to the House bill increased the duty from 2⅜ to 2½. An amendment to the committee amendment was offered by my colleague [Mr. CURTIS] fixing the duty at 2¾, which amendment was accepted by the chairman of the Committee on Finance. So the question before the Senate now is, Shall the Senate fix 2¾ as the duty on white lead?

My contention is that 2⅜, the amount fixed by the House, is abundant. That is a differential of two-eighths or one-quarter of a cent per pound over the duty on pig lead from which white lead in part is made. I further declare—and I have read from the testimony taken by the Ways and Means Committee to show that white lead is manufactured and the control of it is in the hands of a trust—that white lead is selling in the United States for 2¼ cents a pound more than it sells across the Canadian line.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. Does not the Senator know that Canada pays a bounty on lead produced in Canada?

Mr. BRISTOW. Does Canada pay a bounty on white lead produced there?

Mr. SMOOT. Lead is the base of white lead, and the Senator must know that Canada pays a bounty on lead.

Mr. BRISTOW. What bounty does it pay?

Mr. HEYBURN. Eight dollars a ton.

Mr. SMOOT. I think it is $8 a ton.

Mr. BRISTOW. Is that the same kind of information that was furnished us by the Senator from Utah in regard to the assembling and manufacture of razors?

Mr. SMOOT. Well, Mr. President, I think it is about as good information as the Senator has ever given in this Chamber.

Mr. BRISTOW. I have read from testimony given to the Committee on Ways and Means. I should like the Senator from Utah, if he will, to cite some evidence before this body which shows that one-quarter of a cent a pound is not enough for the differential.

Mr. SMOOT. Any evidence the Committee on Finance may submit, if the Senator does not desire to accept it, he rejects it; he never takes it into consideration.

Mr. BRISTOW. When have I had an opportunity to reject such evidence? You state that I reject it. Again I ask, When has the Senate committee ever furnished evidence where I have challenged its reliability, except that relating to the manufacture of razors?

Mr. President, since white lead is controlled by a trust, since that trust adulterates it and it is of an inferior quality, since it is costing the people of the United States 2¼ cents a pound more than it costs the people in Canada across an imaginary line, since the differential in the duty which the House has fixed is a quarter of a cent more than that on pig lead fixed by this body, and there is no evidence presented by the Committee on Finance to show that that is not enough, since there is but one-fourth of 1 per cent of the entire amount that is used imported, I ask the Senate if it is willing to go on record and maintain that duty? There never has been presented to a legislative body in this country evidence of a case where a duty contributes more to the sustaining of a trust that not only adulterates its products, but charges an exorbitant price for them. I want the Senate to pass upon that question, and I ask for a roll call when the amendment is submitted.

The VICE-PRESIDENT. The Senator from Kansas demands the yeas and nays on agreeing to the amendment of the committee.

The yeas and nays were ordered.

Mr. HEYBURN obtained the floor.

Mr. CLAPP. Mr. President, one moment.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. CLAPP. I wish to make a parliamentary inquiry. Would it be in order to offer an amendment to the amendment now pending?

The VICE-PRESIDENT. The Chair thinks it would, because the amendment having been accepted by the committee, it is practically an original amendment.

Mr. CLAPP. Then, before the vote is taken, I shall desire to offer an amendment.

Mr. HEYBURN. Mr. President, we have listened to much about trusts and about the adulteration of white lead. It has nothing whatever to do with the question of a proper duty upon white lead. The question here is whether we must protect our white-lead industries in this country against importations and the competition of white lead in other countries. We produce

in the United States only about one-third of the lead in the world. We have two-thirds out against us. It is ultimately all reduced to bullion. When it is in the shape of bullion or white lead, as it may be, base or otherwise, it can be corroded into white lead. White lead is a very large item of commerce.

We produce in this country of white lead $14,669,591 worth. That is represented in part by raw material and in part by the machinery and the plant requisite to convert it and partly by wages. It embraces those three items. They all represent the investment of American capital or American labor. They are practically the same in my judgment.

The Senator from Kansas has discussed this question without any reference to the locality where the article is produced. He has made no allowance whatever for the transportation of the bullion from the place of its production to the place of its conversion. He has assumed that the lead was mined and that it was smelted and that the white lead was produced and used all at the same place. Lead ores that are reduced to pig lead or bullion in Colorado and transported to Omaha or New Jersey or San Francisco for the purpose of being corroded into white lead bear a freight charge that represents more than any possible differential that is proposed in this case. Those are legitimate charges against the product. Then the great bulk of the product is at one of five places in the United States, and it must then from those places where it is produced as white lead be transported to the market.

The foreign importations arrive at seaboard towns, and they are distributed through the commercial representatives who handle that product and bear their expense of freight. But the American producer is not interested in that freight item. He is interested in the cost to him of transporting his raw material, which in this case is lead bullion, to the place, first, of conversion, and, second, of distribution, and, third, of use.

The price of white lead varies in this country to the consumer under the rule of location. White lead at points 50 miles from a railroad, hauled there in wagons, will command a very much greater price and cost the consumer much more than lead that is to be used in some place on the line of a railroad. The lead that is to be transported from the distributing point, which is ordinarily the wholesaler, say, in Chicago, to a point in North Dakota or Arizona commands an entirely different price.

Now, that is the relation the consumer bears to these articles, and that is true not only of this schedule but of a dozen others that we have been discussing.

The question of the cost to the consumer has been assumed to be uniform. It is not. It varies in every part of the United States. I wonder if the Senator from Kansas could tell the cost of the white lead to the consumer to-day at some point in his State 20 miles from a railroad. Does he know the price he would pay to the merchant who handles it in his town?

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. It is a well-known fact that any article of this kind will cost more in a town off a railroad, where the transportation costs more, but I have read from the testimony of a gentleman who resides in the State of Colorado, who says that the cost of white lead on the American side of the imaginary Canadian line is 6¼ cents a pound, while it is 4 cents across the line on the Canadian side. It might be 10 cents a pound in some remote town or community in Nevada or Idaho or in some place a long distance from a railroad.

Mr. HEYBURN. We have already, at least tentatively, protected the American lead producer against the competition across the Canadian line in regard to the basis of white lead. Now, under what rule of consistency would you leave the door open to the product and close it against the raw material? We have the raw material in this country for the purpose of conversion into the condition of use. What inducement would there be to convert our raw material of lead into white lead for consumption on this side if the lead could come over from Canada or Mexico free, or comparatively free, or at a less rate than would represent the difference in the conditions of production and transportation? What object would there be?

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. The House bill gives a differential of one-fourth of a cent as between pig lead and white lead, and that differential is abundant, so far as any evidence that has been presented to the Senate to the contrary shows.

Mr. HEYBURN. That is $5 a ton.

Mr. BRISTOW. Certainly.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. I do not know much about white lead, but I am very much interested in the observations that are being made by the Senator from Idaho with respect to transportation. I understand it is his position that this differential is necessary in order to equalize transportation.

Mr. HEYBURN. Well, that was one item.

Mr. CUMMINS. Precisely. Now, what point in the United States do you take in order to determine what differential shall be necessary to equalize transportation?

Mr. HEYBURN. I take the seaboard, where the foreign product lands, as the basis upon which to determine the equity between the foreign producer and our own. I then give our own producer and our own consumer, one the credit and the other the debit, for the cost of taking it to the place of use.

Mr. CUMMINS. Then I understand, Mr. President, it is the view of the Senator from Idaho that the duty upon lead, upon any form of lead, upon any product of lead, should be sufficient to compensate for the transportation from Idaho or Colorado to New York as against the ocean transportation from some country across the sea.

Mr. HEYBURN. No; I have been unfortunate in my use of language if I have left any such impression on the mind of the Senator from Iowa, because I did not present the question from that standpoint at all. I was attempting to demonstrate the absolute failure of attempting by any rate to give equal benefits or facilities to all the people who claim to be consumers.

Mr. CUMMINS. In that respect I concur entirely with the Senator from Idaho. More than once in this debate there has crept into the discussion the suggestion that it is our duty to equalize freight rates, and it will be found by many of these schedules that there is such an attempt. I for one disclaim any adherence to any political doctrine that attaches a duty to any article in the effort to equalize rates of transportation.

Mr. HEYBURN. Mr. President, I am not going to enter upon a consideration of the question of equalizing rates of transportation, because while it might possibly by a strained construction be brought into the consideration of the principles I have suggested, yet it is not at all a necessary principle in the solution of this question.

I was illustrating a condition, not proposing a theory. We are here to meet existing conditions in the legislation upon these tariff schedules, and we are under no obligation to attempt to determine upon any evidence every mooted question that might be brought up. We might just as well take up the question as to the reasonableness of wages that are paid in the mines, we might just as well take up the question of the economy of the treatment of the ores, and consider whether some improvements can not be made in those respects.

Mr. CUMMINS. In the suggestion that we at once put out of our consideration the great inequality in freight rates that exists, not only in comparison between our own country and other countries, but which exist in still more startling inequality within the borders of our own country, I agree with the Senator entirely; and I now ask the question which really concerns me, at least, and respecting which I have heard very little in this debate: What is the difference in the cost of reducing pig lead to white lead in this country and our competing countries? I should like to have the Senator from Idaho answer first what is the cost of the entire operation of reducing pig lead to white lead per pound.

Mr. HEYBURN. I think I will have no difficulty in shedding some light upon that question, if the Senator will state where the pig lead is and where the corroding plant is. Then I will tell him.

Mr. CUMMINS. I am assuming that pig lead has in some way or other met the corroding substance at the plant.

Mr. HEYBURN. That it has traveled on a free pass?

Mr. CUMMINS. I do not know how the Senator rides in Idaho. I fancy that is yet fashionable in Idaho. It is not in Iowa.

Mr. HEYBURN. We have not that privilege in the transportation of our metals and ores or anything else, and never have had it. Of course, it must be obvious to the Senator and to all within my hearing that the question of the cost of converting pig lead into white lead depends upon the facilities; it depends upon the geography, upon the freight rates, and a hundred other things. Then, again, does the Senator suppose that the lead is corroded in the open air, without any machinery or plant or expense? I would state candidly that after the pig lead is at the corroding plant it costs nothing to corrode it but the expenses of assembling these conditions. The difference between

the rate on the ore here and the proposed rate accepted by the committee represents $5 a ton on the pig lead.

We produce our lead ores far from smelting processes, even. We ship them to the smelters at distant points. We ship large quantities to Leadville, Colo., and pay the freight on it. If it is reduced to bullion there or pig lead, it must go another thousand miles or two to a corroding plant and pay its way. It must be handled. It must be placed on board cars. It must pay all the little incidental expenses that surround everything that is shipped from one point to another; and when it is landed, there must be an expensive plant there that some one must have built and paid for before the lead arrives. When it arrives there, it is taken from the cars, not without expense, and it is placed within the process of corroding. The mere corrosion of it costs practically nothing. It costs something, of course, but it is not a big item.

Now, you must take those things into consideration when you are talking about equalizing these duties. The difference of $5 a ton, I undertake to say, will not cover the bullion that is sent from some of the greatest smelting centers in the country to the nearest corroding plant. Some of it comes, I think, from the State of New Jersey. We are farther from corroding plants in the great lead-producing and smelting centers than Mexico is, and Mexico can produce bullion enough to supply every pound of white lead that is used in this country. They do not need to ship their ores nor their bullion here if they can get a free market, or a comparatively free market, for their white lead. They can keep it in Mexico, reduce it to bullion, reduce it to white lead, and send the white lead in here, and put it up against something like 65 per cent of the white lead that is made out of our bullion.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I should like to inquire if the white lead produced in Mexico would not have to pay a duty of 2⅜ cents per pound under the bill as it came from the House, or one-quarter of a cent a pound more than the bullion would have to pay? What, therefore, would be the object in reducing it to white lead in Mexico and pay an additional duty of one-quarter of a cent because of such reduction?

Mr. HEYBURN. Because it would have the advantage of the difference between these two differentials.

Mr. BRISTOW. The advantage, when it is against them? It is one-quarter of a cent more on white lead than it is on pig lead.

Mr. HEYBURN. White lead is worth more than pig lead when it is in the market.

Mr. BRISTOW. Certainly.

Mr. HEYBURN. They bring in a higher priced commodity and thereby benefit by it.

Mr. BRISTOW. It depends, therefore, on the cost of the process of changing from pig lead into white lead. What is that cost in this country and abroad?

Mr. HEYBURN. I have been giving Senators a basis upon which they may estimate that difference. It is not convenient when you are on your feet addressing the Senate to solve every mathematical problem that may be submitted to you. I can do it at a desk. The Senator from Kansas is at his desk, and can readily do it.

There is another item which is not inconsiderable. There is tied up every day in the year in this country more millions of dollars in unconverted bullion than I would undertake to estimate without making the actual figures. An interval of months, of many months, must intervene before that dead, idle capital is gotten into such shape that it can be realized upon. That is one of the items of expense. Does the Senator have any knowledge as to the cost of a corroding plant?

Mr. BRISTOW. Would not that same process have to be gone through in any other country in the process of transforming from pig lead to white lead?

Mr. HEYBURN. I am not concerning myself as to the inconvenience or expense that people of other countries are subjected to.

Mr. BRISTOW. But would it not be the same process exactly—the same delay and the same investment?

Mr. HEYBURN. I hope it would be more. I am not trying to see how I can contrive a way by which the foreigner can derive some advantage over us.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. Did I correctly understand the Senator to say that, on an average, it costs about $5 a ton to make pig lead into white lead?

Mr. HEYBURN. No; I did not say that, nor anything like it.

Mr. NELSON. What does it cost?

Mr. HEYBURN. I assembled a number of the items. It would aggregate more than that.

Mr. NELSON. How much?

Mr. HEYBURN. I want to know what items the Senator refers to. I have just enumerated the items.

Mr. NELSON. You stated the aggregate of the items.

Mr. HEYBURN. I have already stated that $5 was not more than enough to pay the expense of converting the bullion into white lead.

Mr. NELSON. If the Senator will allow me, the difference between a duty of 2⅛ cents on pig lead and 2¾ cents on white lead is five-eighths of a cent. That is equal to $12.33 a ton for converting pig lead into white lead.

Mr. HEYBURN. Yes; but the Senator is assuming that this bullion comes from the smelter in the shape of pure lead. There are other items than those I have enumerated. I am merely illustrating the principle in question. When our lead comes from the smelters it is not pure lead, but it has to go through the process of refining and separating. We have bullion that comes out in the shape of a combination of lead, copper, silver, gold, and other metals.

Mr. NELSON. Do you not get a duty of a cent and a half on converting ore into base bullion, and then you get 2⅛ cents for converting it into pig lead or refined lead? That includes both the reduction and refining of it. So you have a right to start with a basis of 2⅛ cents for refined lead; and here you make a differential between that and this of 12.33 cents a pound for converting it into white lead.

Mr. HEYBURN. If the Senator will carry out the line of his reasoning, he will go back and begin with the ore in the ground and the miner taking it out. I have started at the right point; but if I were to go back and follow all these items of expense, of course we would include those suggested; but I do not intend to do it. It is not necessary to do so in order to illustrate the necessity and the wisdom of the duty proposed by this amendment as it has been amended.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I do.

Mr. SMOOT. I want to suggest to the Senator from Idaho that the differential in the Senate bill is five-eighths of a cent and the differential in the House bill is seven-eighths of a cent.

Mr. NELSON. Oh, no.

Mr. SMOOT. The Senator had better figure it again and see. The House bill rate on bullion was 1½ cents and on this it is 2⅛. That is a difference of seven-eighths of a cent, whereas the Senate——

Mr. NELSON. But you have increased the differential here from 2⅜ to 2⅞.

Mr. SMOOT. I want the Senator——

Mr. NELSON. Does the Senator deny that fact? Is that not in the bill?

Mr. SMOOT. I want to say that——

The PRESIDING OFFICER. The Senator from Utah [Mr. SMOOT] has the floor.

Mr. SMOOT. The duty the House put on was a cent and a half on the bullion. Will the Senator deny that?

Mr. NELSON. That also included pig lead.

Mr. SMOOT. That is just what I intended to say.

Mr. NELSON. It included pig lead and refined lead.

Mr. SMOOT. That is right. That is just what I wanted to say. The House rate was a cent and a half, was it not?

Mr. NELSON. Yes.

Mr. SMOOT. The rate on white lead in the House was 2⅝.

Mr. NELSON. But you segregated it and made it a double rate, and placed 2⅛ cents on the refined product.

Mr. SMOOT. The difference is between 1½ on pig lead in the House bill and 2⅜ on white lead. They have in their bill a differential of seven-eighths of a cent, whereas in the Senate committee bill the rate on pig lead is 2⅛ cents. The Senator from Kansas [Mr. CURTIS] has offered an amendment, which the committee accepted, of 2¾ cents. Therefore the Senate committee differential is five-eighths of a cent, instead of seven-eighths, as in the House bill.

Mr. HEYBURN. Mr. President, I sought to avoid wrapping up this question in extraneous suggestions. Of course the lead does not come out of any process pure and ready for the corroder at all. It has to be prepared for it, for when you make white lead, you make it out of pure lead.

Mr. NELSON. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I do.

Mr. NELSON. I understood the Senator to say they ship their lead ore down to Leadville.

Mr. HEYBURN. We ship some of it there. We ship it to eight or ten different places.

Mr. NELSON. Where do you ship it when you want to have it reduced to white lead?

Mr. HEYBURN. We never do want to have it reduced to white lead. The purchaser has that under consideration. No mine owner follows his ore beyond the sampler.

Mr. NELSON. Who follows it, then?

Mr. HEYBURN. The next commodity man, whoever he may be.

Mr. NELSON. Is he not the refiner—the man who runs the refinery?

Mr. HEYBURN. No; the refiners have nothing to do with that ore until it goes to them in the shape of lead ready for refining.

Mr. NELSON. Where does it go, then?

Mr. HEYBURN. I might give the history of it. It would be rather interesting, perhaps.

Mr. NELSON. I should like to hear it.

Mr. HEYBURN. The Senator speaks of it as though it were some item, and single in character. We ship our ore to Pueblo, to California, to Leadville, to Omaha, to Illinois, to Helena, and I might name some other places, according to the character of the ore, sometimes according to the necessities of the smelter, and so forth. There are no two carloads of ore that are alike in combination, in value, or in the requirements of treatment. In mining a block of ore 10 feet square, there is that lack of uniformity that runs through the entire process of treatment—a different per cent of iron, a different per cent of silica, and a different per cent of lead. All of these questions enter into the requirements in considering the methods and the place of treatment.

Mr. NELSON. May I ask the Senator another question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. Is it not a fact that as to most of your lead ores the silver found in them amounts to more in value than the lead you extract from them? Is it not a fact that you would rather mine them for silver than for lead?

Mr. HEYBURN. It is not. The silver is a by-product of the mines. There are exceptions, of course. I have known mines which would between daylight and dark develop into an entirely different character of mine. I have known mines that were running lead ore to suddenly strike copper ore, and, instead of producing 30 ounces of silver and 65 per cent of lead, would produce a product of from two to three or four hundred ounces of silver. Those conditions change so rapidly and so continually that there is no fixed rule on the subject.

Those ores all require different treatment, according to the percentage of silica and according to the percentage of iron, and they have to be treated in view of the combination which they contain. But I am getting away off; I am being led off by these questions. It is not necessary to consider them.

The differential proposed here by the Senate amendment is lower than I think it should be; but I have yielded to it, because in the consideration of this bill we must at times yield. No Senator can have his own judgment affirmed in every case.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. Certainly.

Mr. BRISTOW. I should like to inquire what duty the Senator from Idaho thinks ought to be fixed?

Mr. HEYBURN. Well, that would require me to say what is the difference between my judgment and that of the Finance Committee; and I am not going to do it, inasmuch as, if I were going to do it, I should put it in the shape of an amendment.

Mr. BRISTOW. Does the Senator think that the importations are too large and that the duty therefore ought to be raised?

Mr. HEYBURN. I would be very glad to see the importations decrease. I am content with the judgment of the committee, because they have considered the question of the revenue that is to be produced. From the selfish standpoint of a producer, or one representing producers, of course the higher the duty the larger our market at home; but we are also here considering the question in a broader way, and we must keep an eye on the question of the revenue to be produced.

Mr. BRISTOW. Does the Senator think that an increase in the rate would increase the revenue?

Mr. HEYBURN. Just for the purpose of answering that question, I will accept the statement of the Senator from Kansas made in regard to Canadian white lead coming over the line. It is not necessary for me to determine hypothetical questions in arriving at a conclusion in regard to this matter. The reduction by the committee is an ample reduction.

There is no hardship accruing to the farmer out of these conditions at all. The farmers are not complaining. I have letters and petitions by the score from farmers petitioning for a retention of the existing duties on lead ore and its products.

The farmers gather their wealth from the miners. The millions of dollars paid in wages buy our farmers' products. Before the mines of the Coeur d'Alene country were discovered it was a wilderness unpeopled, and since the mines have been discovered and developed we have there right around those mines ten or twelve thousand people that otherwise would be out competing with somebody else, perhaps in Kansas, for a livelihood.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. HEYBURN. Certainly.

Mr. SMITH of Michigan. I understood the Senator to say that the cost of corroding a ton of pig lead was not a very large item of expense?

Mr. HEYBURN. No; it is like fermenting; you put substances in and the rest is a chemical process.

Mr. SMITH of Michigan. Then, of course, no large amount of labor is required?

Mr. HEYBURN. I mentioned the labor. Of course the labor in assembling is like the labor in picking apples, bringing them to the cider mill, filling the cider mill, and making the cider, and then you are ready to convert it into vinegar.

Mr. SMITH of Michigan. That process in Mexico would be very much less expensive than in our own country?

Mr. HEYBURN. Certainly.

Mr. SMITH of Michigan. One more question. I understand this bill reduces the Dingley rate——

Mr. HEYBURN. Yes; very materially.

Mr. SMITH of Michigan (continuing). Quite materially—about $2 a ton. The Senator from Idaho is a very excellent lawyer, and I should like to ask him whether, if we reduce this a little further, as proposed, it would have any effect to dissolve the trust that seems to control it in the estimation of the junior Senator from Kansas [Mr. BRISTOW]?

Mr. HEYBURN. Mr. President, I have long since ceased to be appalled by the threat of a trust in every case. We are not bothered with the trusts, nor is the farmer bothered with the trusts in this matter. The only time he ever thinks of them is when, during a political campaign or some lecture tour, his attention is called to the fact that he is being hurt. He never knew it. He simply gets his first notice and first advice, and probably feels his first imaginary pains, through the eloquence and oratory of those who must have an issue, those who must have some startling sensation to spring upon the people. I have not been in this body as long as some, but I have been here some time, and I have never met these hobgoblins face to face. I have read descriptions of them, and I have heard the terrible things that they would do; but I have not seen American industry paralyzed; I have not seen farms deserted, machinery stilled, and the mines silent because of the trusts. Those men do not care who pays them their wages; they do not care who buys their product; and the farmer does not care. I see they are now——

Mr. NELSON. Mr. President——

Mr. HEYBURN. In a moment. I see they are now talking amongst themselves of forming one of the most gigantic trusts in the world. These trusts are ghosts. [Laughter.]

Mr. NELSON. Will the Senator yield to me a moment?

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. I do not know what the conditions of the farmers out in Idaho may be, but I want to say to the Senator from Idaho that the farmers in Minnesota are not so stupid that they are not conscious when they encounter a trust.

Mr. HEYBURN. Mr. President, I am very glad to have such an account of the farmers of Minnesota. I know something about the conditions of the farmers of Idaho. They are a thinking people, and they do not believe every foolish story that is told them. They are intelligent enough to sift the

stories down and determine the truth that lies under them; and that is that a man alone in the world would mean nothing in the way of prosperity, but that it is the bringing together of men and the weapons with which men fight in this world that makes business and makes markets and makes opportunities; and that is what our people want. They only want the opportunity to pursue their industries and their enterprises. They ask nothing more; they will take care of the rest. And that is the only duty that the Government owes to the people—opportunity. It owes no man anything directly from the Government to the man. Under our system of government, the best and only good government is that which gives the people an opportunity, each according to his own worth.

There is no reason, knowing the facts as I know them, from the ore in the ground to the paint on the building, why, merely for the purpose of keeping an imaginary promise, we should scale down this duty. Talk about the paint peeling off the building! What has that got to do with this? Talk about the adulteration of paint! What has that got to do with this?

Mr. NELSON. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I do.

Mr. NELSON. I understood the Senator to say that the chief cost of reducing pig lead to white lead was the transportation, and that after you got it to the reducer it practically cost nothing.

Mr. HEYBURN. I am sorry the Senator——

Mr. NELSON. Then it will follow from that that you will need a differential of $12.32 a ton to get the pig lead to the reducer.

Mr. HEYBURN. I am sorry the Senator understood me in that way, because I would like to feel that I have expressed myself so fully and so plainly that nobody could misunderstand me.

Mr. NELSON. The Senator from Michigan [Mr. SMITH] also understood the Senator that way.

Mr. HEYBURN. I would rather have that from the Senator from Michigan. I enumerated a number of items of expense. The Senator evidently was so paralyzed with the first one that he did not hear the others. [Laughter.]

Mr. SMITH of Michigan. I understood the Senator from Idaho perfectly, as I always do. He is a clear speaker, and does not mislead.

Mr. HEYBURN. Thank you.

Mr. SMITH of Michigan. Mr. President, we have heard very much talk about the effect of this tariff on the farmer, and I should like to have the Secretary read a brief quotation from a speech made by one of the great leaders of the Democratic party, when the last tariff revision was undertaken by that party.

Mr. NELSON. Will the Senator allow me?

Mr. SMITH of Michigan. Yes.

Mr. NELSON. I submit that is not fair. This discussion is now on this side of the Chamber.

Mr. SMITH of Michigan. No; it is on the other side.

Mr. NELSON. We do not want the Democratic party in this affair.

Mr. SMITH of Michigan. It is on the other side.

Mr. BAILEY. That is the constant practice in trying to divert attention from the breach over there.

Mr. HEYBURN. I should like to say a word here.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

TARIFF WILL CRUSH THE FARMER.

Protection has been our cannibal tree, and as one after another of our farmers has been driven by the force of circumstances upon that tree and has been crushed within its folds, his companions have stood around and shouted, "Great is protection!" * * * Thus in every State, so far as these statistics have been collected, the proportion of home-owning farmers is decreasing and that of tenant farmers increasing. This means but one thing—it means a land of landlords and tenants; and, backed by the history of every nation that has gone down, I say to you that no people can continue a free people under a free government when the great majority of its citizens are tenants of a small minority. Your system—protective tariff—has driven the farm owner from his land and substituted the farm tenant. (William J. Bryan; speech on the protective tariff in the National House of Representatives, March 16, 1892.)

Mr. HEYBURN. Mr. President, I have either heard that or something like it very frequently. I have heard it prophesied that if the policy of the Republican party was adopted, if the Government of this country was intrusted to it, men would be homeless and poverty stricken; that the land would flow with blood, and anarchy would be rampant; and that the laborers would be out of employment. I heard it all in 1896, when that condition, in a measure, did exist, and I saw the Republican party come into power and apply the principles of protection, for which we stand in this hour, and——

Mr. NELSON. Mr. President——

Mr. HEYBURN. Just a moment. (Continuing.) I saw the records of the counties in every State cleared of the mortgages; I saw the borrower become the lender; I saw the idle man industrious at profitable occupation; I saw that building which had become racked with the blight of free trade painted with the "white lead" of Republican prosperity, with a higher duty on it than we are proposing to put upon it to-day. [Laughter.]

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. NELSON. Was not that in the good old days, when, instead of a duty on lead, you forced us to buy silver at the rate of 4,500,000 ounces a month, whether we wanted it or not?

Mr. HEYBURN. Gracious alive! That silver ghost has arisen in the Senate of the United States again. [Laughter.] I will allow it to take care of itself. I am not going to be led off into a discussion of the silver question. I never followed the silver god out of the Republican party.

Mr. NELSON. But you are following the lead god. [Laughter.]

Mr. HEYBURN. Why does not the Senator finish his speech? I was waiting for the Senator to finish. I am not following it out of the Republican party, and I am not going to follow different gods of any kind out of the Republican party and in the interest of anything in this country. I am not going to abandon the principle of protection for which the Republican party stands.

Mr. President, no one need undertake to rob the Republican party of the glory of its achievements under the banner of protection. Never was the hour so dark or the country so desolate that the protective-tariff policy of the Republican party has not lifted it up into the sunshine of prosperity. Can the Senator from Minnesota [Mr. NELSON] tell me on what occasion this political doctrine has failed to meet the requirements of the American people?

Mr. NELSON. I will answer the Senator. The nearest it came to doing so was when you compelled us to buy your silver at the rate of 4,500,000 ounces a month.

Mr. HEYBURN. That is stale.

Mr. SMITH of Michigan. That was not the fault of the tariff.

Mr. HEYBURN. No; it was the fault of a lot of reactionary theorists who did not understand the Government under which they lived. They only thought they did; and enough of them got together to tamper with the wheels of prosperity for a few brief years; that is all——

Mr. NELSON. I concur with the Senator.

Mr. HEYBURN (continuing). Until the Republican party got back into power and started things right again. There is nothing to be gained by opening up the consideration of that question.

The existing duty on white lead is higher than we are proposing to make it. Are the farmers of this country suffering because of it? Are their buildings lacking in paint and polish because of it? I think not. I remember coming down through the great valleys of the West just before the Republican party enacted the Dingley tariff bill—in fact, before the election—and remarking how badly the country needed painting. I remember coming down again shortly afterwards and admiring the work of the painter. [Laughter.] The farmer must have something to buy paint with. If he has nothing to buy it with, he will not buy it; it does not matter what the price is. And if he has prosperity, he will buy it, regardless of the price.

The farmers of this country are to-day the money loaners of this country. They are the capitalists of this country. With wheat at the price quoted to-day and with every other product of the farm at the price it now brings, they are not complaining. A banker in a neighboring State told me recently that his institution was maintaining its magnificent palace for the purpose of guarding the money of the farmers; that if a man wanted to borrow money, he did not come to the bank but went to the farmer, and all they ever knew of it was through the check of the farmer coming in to make the loan.

That is the condition out in our country. The farmers there have grown prosperous because of the great mining industries that make a market that pays the farmer twenty millions a year or more for his supplies, for which he would have a very much decreased market in the absence of those industries.

Of course, in the case of any of these schedules, you can by assuming false premises arrive at the conclusion that the country is crying out for relief. From what does this country to-day want relief? The people are not needing or demanding it. All they desire is that this question shall be settled, and that its settlement shall leave no threatened disturbance behind it; that its settlement shall be such as to give no man or set of men the power to change it.

The great value of the law, as was said by the great commentator, lies in its unchangeable and fixed character. The law that contains any element of a promised change is a dangerous law. People will not attempt to adjust themselves to it until they know that it has passed beyond the possibility of change by the people.

The people of the United States are to-day within the walls of this Chamber. We are the only representatives of the people in this hour. Each man came from a community that trusted him. And here assembled, it is useless and vain to talk about conditions outside and beyond as a guide to us in determining upon our duty. We bring the knowledge here, and we have it here. We are the people, and all the people of the United States, here to-day in the Senate of the people.

Mr. CURTIS. Mr. President, I want to say just a word on this amendment. It reduces the rate fixed in the Dingley bill on white lead by one-eighth of a cent a pound. Surely that is a concession.

My colleague says that this industry is controlled by a trust. I find, in Ingalls's work on The Mineral Industry During 1907, at page 651, the following:

A concession of from one-eighth to one-fourth of a cent a pound on white lead was made last year as a result of aggressive competition.

If this industry is controlled by a trust, it is not likely there would have been aggressive competition.

I also find, in the same work, that the author says:

Last year the industries of the consolidated interests and the independent plants were employed to almost their full capacity.

This is also evidence tending to show that this industry is not wholly controlled by a trust.

The distinguished Senator from Minnesota [Mr. NELSON] said "the trust" was "an adulterated trust," because it sold adulterated paints. I submit to the Senator from Minnesota, if he desires to have his barn or his house painted and is willing to pay for first-class paint, he may stipulate in the contract for the use of white lead, and he will get it. That is the experience of every Senator in this body.

I submit that the amendment is below the rate fixed in the Dingley bill; and I hope it will be agreed to.

Mr. DU PONT. Mr. President, something has been said here about the adulteration of paint; but I do not think it has been shown at all that these adulterations are made by the makers of white lead. If there be adulterations, they are presumably made by those who are engaged in grinding the white lead with oil and in selling prepared paint. In my judgment, if we really wish to benefit the consumer we should endeavor to pass appropriate legislation in the future which will prevent the adulteration of paint, as we have already done in the case of the food we eat.

Mr. BRISTOW. Mr. President, I am in thorough accord with the suggestion of the Senator from Delaware [Mr. DU PONT]. I believe that legislation should be enacted that will prevent the adulteration of these prepared paints.

Referring to the suggestion of my colleague as to whether or not the white-lead industry of this country is controlled by a trust, I will state that it is a matter within the knowledge of everyone engaged in the business of handling white lead commercially that it is controlled by a trust and that its prices are fixed by the trust.

While a great many eloquent remarks have been made here in regard to the glories of the Republican party, with which I am in thorough accord, and there has been much defense here of the protective system, for which I stand, I have failed to hear anyone state what is the cost of reducing pig lead to white lead abroad and here, and whether or not one-fourth of a cent a pound is ample protection for the labor that is involved in assembling it. It has been said that there is no cost in the process of reduction.

If it does not cost over one-fourth of a cent a pound in this country more than it costs in other countries to reduce pig lead to white lead, why do you want a duty of more than one-fourth of a cent a pound? And if it does cost more, how much does it cost? That is the question we are considering.

We are not engaged in a political campaign here, trying to determine whether or not the Republican party should be perpetuated in power. We are here trying to determine what is legitimate protection for an American enterprise or industry. And I think it would be more to the satisfaction of Senators who have inquiring minds to know whether six-eighths, or three-eighths of a cent a pound as a differential is necessary for the proper protection of this industry.

One-fourth of 1 per cent of the amount of white lead consumed annually in this country is imported, and no more, which is evidence that the tariff is prohibitive. I appeal to the intelligent judgment of the Senators here as to whether or not this white-lead industry is controlled by a trust or combination. That is shown here by the testimony presented by the House committee. That is the testimony that I have heard from every man who handles paint.

The price of this product is of deep interest to every mechanic in this country who is engaged in the construction and painting of buildings. It does not affect the farmer alone. It affects every man who has a home. I, for one, am not willing to vote for a duty that has not been demonstrated to be necessary, and that is an actual evil and against the public welfare.

Mr. GORE. Mr. President, the senior Senator from Idaho [Mr. HEYBURN] made one statement that was gratifying to me. He said the trusts are ghosts. I merely wish to say that I did not even know that the trusts were dead. But if the Department of Justice of this country will do its full duty, it will open up a ghost factory and will make ghosts out of these trusts.

Mr. PENROSE. Mr. President, as an illustration of the elevated character of the statesmanship which has delayed the business of the Senate for half a day, I desire to call the attention of the Senate very briefly to the following figures, which I have had carefully compiled, and which can not be contradicted:

In the case of ready-mixed paints, which are the paints usually used by the oppressed farmer to decorate his premises, 10 gallons are required to paint a farm house or cottage of from 6 to 10 rooms. In that 10 gallons of mixed paint there are 43 pounds of metallic lead, equal to 54 pounds of dry white lead. The House rate on 52 pounds of white lead, at 2⅜ cents per pound, amounts to a little over $1.23 in painting a house of from 4 to 5 rooms. The Senate rate on 52 pounds of white lead, at 2⅞ cents, which is the difference in controversy to-day, equals a little over $1.49. This makes the issue in altercation before the Senate of the United States, and the issue apparently delaying the public business and causing a loss of millions of dollars every day to the American producer, the sum of 25 cents in painting a farm house. [Laughter.]

Mr. CUMMINS. I did not intend, Mr. President, to say one word with respect to this matter, but in view of the statement just made by the Senator from Pennsylvania [Mr. PENROSE] I should look upon myself as faithless to every sentiment I hold dear if I did not refer to it in the terms in which I feel with regard to it. To suggest that the paint trust, if there be a paint trust, or any other trust, can rob the American people with impunity, simply because it robs them equally and takes but small amounts from each of them, is abhorrent to my sense of duty.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. PENROSE. For the information of the Senator from Iowa, I will inform him that the figures which I have quoted come from a very reputable firm in Philadelphia, which is not in the paint trust.

Mr. CUMMINS. I have not one particle of doubt with respect to the accuracy of the statement made by the Senator from Pennsylvania, if he adds to it his own verification; but the thing against which I protest is the suggestion that the trust, or the combination, or the individual—I care not which it be—may be set loose to steal from the American people because it steals only 25 cents.

My manhood resents a robbery of that kind, if it be a robbery, just as emphatically and indignantly as it resents a robbery of all I have. Suppose, Senators, that a foreign pirate instead of a home pirate were to land upon our shores and say, "I levy an exaction of 25 cents upon every American citizen." How many would yield to it? How many would so far abdicate their manhood and desert the traditions of their fathers and yield to such a demand, even though it might not represent the luxuries of a single day?

I do not like to see that sentiment introduced in this debate. If this product is entitled to a duty of 2⅞ cents per pound, then give that duty to the product; but if it is entitled to a duty of only 2⅜ cents per pound, then to give it a duty one farthing greater would be to abandon every high and honorable sense that the men of America possess.

I do not agree with the Senator from Idaho [Mr. HEYBURN] in his eulogy upon trusts. I hope his voice will not be accepted as the voice of the Republican party as he lifts it in eulogy of this modern tendency.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I am somewhat astonished that the Senator should think I delivered any eulogy of the trusts. I did not think the occasion required that I should express my real view about trusts. Had I my way and were the power within my grasp, I would destroy every one of them before to-morrow morning. But is there a white lead trust?

Mr. CUMMINS. I do not know.

Mr. HEYBURN. Neither do I.

Mr. CUMMINS. Whether there is a white lead trust or not, anyone who heard the Senator from Idaho could not possibly escape the conclusion that he believed that the ordinary sentiment that somehow or other, by some combination or other, competition in many of our important products is stifled or at least impaired in its force, was a mere whim, a mere hobgoblin, if you please, in order to disturb the serenity of the weak and ignorant farmers of the West.

Mr. HEYBURN. If the Senator from Iowa will permit me, I was directing my remarks to the single question before us, and the Senator said in reply to my question that he does not know that there is any white lead trust.

Mr. CUMMINS. I do not know——

Mr. HEYBURN. I should like permission to say further that there is no man to-day who watches more closely and anxiously than I the attempts going on, which I hope will be successful, to destroy the trusts that do exist. Merely because, like the Senator from Iowa, I do not know of any white lead trust, I am not to be held up as being in sympathy with any other trust.

Mr. CUMMINS. I am doubly glad that I made the reference I did, because I am sure the country would have understood from the Senator from Idaho that he believed that trusts or monopolies were a mere idle dream——

Mr. HEYBURN. This trust?

Mr. CUMMINS (continuing). Of some ignorant farmers; and I have given him the opportunity to correct that impression. Some day or other he will be grateful to me.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. CLAPP. I wish to ask the Senator from Idaho why, if he was dealing only with the simple proposition of a lead trust, he referred to this subject in the plural, when he spoke of trusts as ghosts?

Mr. HEYBURN. I should like to see the Reporter's notes before I undertake to determine whether I spoke in the plural. But that is rather a fine distinction.

Mr. CLAPP. I beg the Senator's pardon. It is not a fine distinction. Every Senator in this Chamber understood him as referring to trusts and the trusts collectively as ghosts.

Mr. HEYBURN. Are all of them dead?

Mr. CLAPP. I believe that would be the verdict of every Senator in this Chamber. It is not a fine distinction.

Mr. HEYBURN. I have never undertaken to guess what a verdict was until I heard it rendered. I shall not in this case anticipate. The Senator knows, doubtless, that there is before one of the standing committees to-day—and there has been for several sessions—a bill which I introduced, which could not leave in the mind of anyone any doubt as to my attitude upon this matter.

Mr. CLAPP. I did have it in mind when the Senator spoke, and I wondered how the Senator would reconcile his utterance with the paternity of that bill.

Mr. HEYBURN. The atmosphere may be a little clearer now to the Senators to whom it seemed murky, but there never has been an hour or day when my sentiment in regard to that question has not been known.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. I do.

Mr. BAILEY. I merely wish to ask if the Senator from Michigan did not have another extract from a Democratic speech to introduce?

Mr. SMITH of Michigan. Yes; I have several, including some from the Senator from Texas.

Mr. BAILEY. I commend them to the careful consideration of the Senator from Michigan.

Mr. SMITH of Michigan. I have considered them very carefully, and I think the Senate will be glad to consider them later.

Mr. BAILEY. I know, Mr. President, that the Senator from Michigan will not be able to produce anything that I have said which I will modify or retract. I would only make this suggestion to him, that if he will search what I have said in the proper spirit, he will be greatly benefited by the attention which he gives it.

Mr. SMITH of Michigan. There is no doubt of that, but it is difficult to catch the spirit.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do; it is interesting.

Mr. SMITH of Michigan. I recollect very distinctly some prophecies by the Senator from Texas regarding the effect of the Dingley law if we insisted upon its passage.

Mr. BAILEY. The Senator from Michigan will find that I made a report on that bill, in which I described the trusts that were certain to come as the evolution of it, and if I had vanity enough, I would reproduce that report now to show its fulfillment, and I would call for my witnesses the distinguished Senator from Iowa [Mr. CUMMINS], the Senator from Idaho [Mr. HEYBURN], as he has revised his view of it, and the Senator from Minnesota [Mr. CLAPP].

Mr. SMITH of Michigan. That was not the special part of the Senator's prophecy that I had in my mind. I had in mind the statement of the Senator from Texas when the Dingley bill was under consideration, that if it brought about prosperity, well and good; perhaps no criticism would fall upon it; but he gave it as his opinion that it would not bring prosperity to the country.

Mr. BAILEY. That is still my opinion.

Mr. SMITH of Michigan. The Senator is as much in error now as he was then.

Mr. BAILEY. I think I could demonstrate to anybody except a blind protectionist that God's seasons and nature and the energies of people produced the prosperity which this country has enjoyed.

Mr. CUMMINS. Mr. President, we are far away from the tariff question.

The PRESIDING OFFICER. The Senator from Iowa is entitled to the floor.

Mr. BAILEY. The Senator from Iowa will permit me simply to say to the Senator from Michigan that if he will take the reports of the Agricultural Department, he will find a difference between the crops of the United States from 1893 to 1896, as compared with the years from 1896 on, that will explain and fully explain the difference in the condition of the country. He will find that not only the crops were more abundant but he will find that we found a larger patronage for those crops in the other countries of the world. I think that even so extreme a protectionist as the Senator from Michigan will scarcely insist that a protective tariff in the United States enabled our competitors in the other portions of the world to buy more largely of our agricultural products. Of course, if the Senator will contend that, then he is beyond all hope of convincing, and he is not amenable to an argument.

That is what I mean; and when the Senator is ready to reproduce for the edification of the Senate or for the embarrassment of the Senator from Texas that quotation from my speech, I will be delighted in my own time, without trespassing further on the time of the Senator from Iowa, to have that out with him.

Mr. CUMMINS. Mr. President, resuming my argument at the point of interruption, I reexpress my pleasure and delight in the statement made by the Senator from Idaho, because it indicates that he sees clearly the greatest problem of modern times. Above and beyond every other task laid upon the American people, and which will by them be intrusted to the American Congress, is the task of fostering, stimulating, and protecting the competitive factor in American business.

No matter why—it is unnecessary to inquire—every intelligent man knows that the tendency of modern times is to stifle, to destroy, to annihilate competition. I charge this tendency upon no political party, upon no association. It arises out of the commonest motives of the human heart, and it has taken possession of American business. Unless we are alert and intent in extending the same fostering care to competition that we have extended to protection, the industrial enslavement of the American people is as sure as time is coming.

Therefore I have offered an amendment to this bill, which I do not intend to discuss at the present time, but which I wish to present to the Senate at an appropriate time, which will declare that whenever competition, substantial competition—I do not mention trusts, I do not mention monopolies—but whenever competition ceases upon any article or commodity in the United States, then the American people shall have the right to seek, without restriction or without limitation, the competition of the

world. I wish to establish that proposition as it seems to me by an overwhelming weight of history as well as observation; but I do not intend to discuss it at the present time.

I am not voting upon these schedules with any regard to the existence or the nonexistence of a trust. I do not think that we can establish a particular schedule because we believe or do not believe that a trust exists with respect to the manufacture or the production of the commodity. I shall give my vote in accordance with what I believe to be the truth respecting the comparative cost of producing the article here and elsewhere.

Therefore, to me the particular discussion before us is not whether there is a lead trust or whether there is a paint trust, but it is whether 2⅜ cents per pound will furnish a sufficient protection for this industry or whether we need 2¾ or 2⅞, as was proposed by the committee.

Once more, I desire to refer to a speech of the Senator from Idaho, and I hope that he will make the same correction here that he has done in the other part of his discourse. In an impassioned and eloquent climax, he seemed to lead Senators to believe or want them to believe that the Republican policy required 2¾ cents per pound upon white lead, and that anyone who did not believe in 2¾ cents per pound—neither more nor less—was either faithless to the political doctrines of his party or had never espoused the principles of the party to which the Senator and I belong. Did he not intend that the Senate should so believe?

Mr. HEYBURN. I do not think that my language could be construed so as to be subject to mean that I stated that, because a member differed with me, he was not faithful to the Republican party. I certainly said nothing that could be so construed.

If the Senator will pardon me a moment, I will say that in something more than six years I have been a member of this body I have on several occasions made a statement like this: I believe that the principle of protection fosters individual prosperity, that it enables the individual to engage in business for himself on a safer and better and more profitable basis. I believe in individual enterprise. I believe that the larger the per cent of men engaged in any occupation on their own account the higher the grade of civilization. I think that one of the elements that tends to degrade men is that pay-window stoop that they get. When they go up to get an assured certainty it takes just a little from their dignity. The man who works for himself or who is engaged in business for himself steps a little higher, a little firmer, than the man who is engaged or occupied at the privilege of another.

That is the way I look at it. It is because I believe this and because I believe that protection offers the opportunity for men to engage in business for themselves that I am a protectionist.

Mr. CUMMINS. Mr. President, again the Senator from Idaho and myself are in absolute and perfect accord. I believe in giving every man his opportunity. I believe that the highest type of manhood is only seen when the struggle is severe. I do not believe that civilization can live or develop in the atmosphere of ease and comfort and luxury. I entirely agree with the Senator from Idaho. But again I recall him and the Senate to the impression I received from his discourse, which was that if one did not believe in and vote for 2¾ cents per pound upon white lead, then he was not faithful to the doctrine of protection; or, in other words, that the policy of the party involved just 2¾ cents, and that if 2⅜ were adopted, the policy of the party would have been abandoned.

I can not agree to it; and I am sure the Senator does not now insist that there can be any such interpretation of our party faith. I for one believe, upon the statements of the Senator himself, that one-quarter of a cent per pound between the duty on pig lead and the duty on white lead is amply sufficient to protect Americans in the process of turning pig lead into white lead, and therefore I shall vote for a duty of 2⅜ cents per pound, if I ever get an opportunity to do it.

Mr. ALDRICH. I appeal to the Senate to permit a vote to be taken upon this paragraph. We have discussed almost everything else except the duty upon white lead. If we are going to make any progress with the bill at all, we will have to take votes more frequently than we are seeming to do.

Mr. CLAPP. Will the Senator pardon me? I agree that we may have broadened out in this discussion, but repeatedly and repeatedly it was sought to confine it to the question asked as to the difference in cost of producing this article here and abroad, and every time that question was brought forward and we were trying to get an answer to it, we got a peroration on a protective tariff.

Mr. ALDRICH. I think the Senate is advised upon this question, and I appeal to Senators to allow a vote to be taken upon it.

Mr. BRISTOW. Mr. President, I will occupy the attention of the Senate but a very few minutes. I want to read from a speech delivered by Congressman PERKINS, of New York, bearing upon the question as to whether there is a white-lead trust. It has been asserted here on the floor by my colleague that there was no such trust. I want to submit the evidence that has been accumulated bearing upon this point. Mr. PERKINS, a Member of Congress from New York, says:

> The American Smelting Company was organized in 1899, very shortly after the passage of the Dingley bill. It was made up by a combination of smaller companies and was organized with a capital of $65,000,000, one-half preferred, at 7 per cent, and one-half common stock, which was afterwards increased to $100,000,000, one-half preferred and one-half common. Out of that hardy tree has grown a considerable number of vigorous offspring. There have been since organized and are owned or controlled by that corporation, first, the Federal Mining Company, with a capital of $30,000,000, $20,000,000 preferred and $10,000,000 common stock; next, the American Smelters' Securities Company, with a capital of $77,000,000, $47,000,000 preferred and $30,000,000 common stock; last, the United Lead Company, with a capital stock of $25,000,000, $10,000,000 preferred and $15,000,000 common stock.

John Moody, in his book entitled "The Truth About the Trusts," says:

> NATIONAL LEAD COMPANY—THE LEAD TRUST, ALLIED WITH THE SMELTERS' TRUST—STANDARD OIL DOMINATION.
>
> Incorporated under New Jersey laws December 7, 1891, as successor to the National Lead Trust. The property of the company consists of white-lead works, smelters, and refineries in New York, Pennsylvania, Missouri, Ohio, Massachusetts, Illinois, and other States, and comprises 26 plants. It manufactures white lead, oxides, and kindred products, also castor oil, American and Calcutta linseed oil, linseed-oil cake and meal and refines and smelts lead.
>
> In December, 1902, a movement was on foot to consolidate this property with the Union Lead and Oil Company and the American Linseed Company, but the plan was not carried out. Relations are harmonious, however.

Mr. Lissberger, of Brooklyn, N. Y., presents a tree here in which he says that from this combination referred to in Mr. PERKINS's speech has grown a number of these trusts, one for the—

> National Lead Company; capital, $50,000,000. Controls, through United Lead Company, 65 per cent of white lead, lead oxide, sheet lead, lead pipe, shot, lead traps, and bends produced in the United States.

Mr. H. E. Miles, of Racine, Wis., in the tariff hearings recently taken by the Ways and Means Committee, in a table which he presents, says:

> United Lead Company (lead trust) controls 85 to 95 per cent.

Mr. President, it seems to me that the evidence is conclusive that there is a lead trust, which is to be protected from competition, which is to be maintained by a duty that will put into the pockets of that organization over a million dollars a year. This money is being exacted from the American people for the benefit of this trust, and for which it gives them nothing whatever in return. I stand here and with all the earnestness at my command protest against the action of this body.

The PRESIDING OFFICER. The question is on the amendmen of the committee, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I desire to announce my pair with the senior Senator from Oklahoma [Mr. OWEN]. Were he here, I should vote "yea."

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. If he were present, I should vote "yea."

Mr. SIMMONS (when Mr. OVERMAN's name was called). I desire again to announce the absence of my colleague [Mr. OVERMAN] from the city, and to state that if he were here he would vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. OVERMAN]. He is absent from the Chamber, and I will withhold my vote.

Mr. SUTHERLAND (when his name was called). I again announce my pair with the junior Senator from Tennessee [Mr. TAYLOR]. If he were here, I should vote "yea."

The roll call was concluded

Mr. CURTIS. I have been requested to announce a pair between the junior Senator from New Jersey [Mr. BRIGGS] and the senior Senator from Alabama [Mr. JOHNSTON].

Mr. BURNHAM (after having voted in the affirmative). I withdraw my vote, as a pair has been arranged between me and the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 41, nays 32, as follows:

YEAS—41.

Aldrich	Depew	Johnson, N. Dak.	Root
Borah	Dick	Jones	Scott
Bourne	Dillingham	Kean	Smith, Mich.
Brandegee	Dixon	Lodge	Smoot
Bulkeley	du Pont	McCumber	Stephenson
Burrows	Elkins	McEnery	Warner
Burton	Frye	Nixon	Warren
Carter	Gallinger	Oliver	Wetmore
Clark, Wyo.	Guggenheim	Page	
Crane	Hale	Penrose	
Cullom	Heyburn	Piles	

NAYS—32.

Bacon	Clapp	Frazier	Nelson
Bailey	Clay	Gamble	Newlands
Bankhead	Crawford	Gore	Paynter
Beveridge	Cummins	Hughes	Rayner
Bristow	Daniel	La Follette	Simmons
Brown	Dolliver	McLaurin	Stone
Burkett	Fletcher	Martin	Taliaferro
Chamberlain	Foster	Money	Tillman

NOT VOTING—18.

Bradley	Curtis	Owen	Smith, S. C.
Briggs	Davis	Perkins	Sutherland
Burnham	Flint	Richardson	Taylor
Clarke, Ark.	Johnston, Ala.	Stively	
Culberson	Overman	Smith, Md.	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

The next paragraph passed over is paragraph 52.

Mr. ALDRICH. I ask that the committee amendments to that paragraph be adopted.

The PRESIDING OFFICER. The committee amendments were agreed to upon the first reading, and the paragraph was then passed over.

Mr. ALDRICH. I ask that it be agreed to as amended.

The PRESIDING OFFICER. If there be no objection, the paragraph as amended will be agreed to. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over was paragraph 53, zinc, oxide of——

Mr. ALDRICH. Until the zinc duties are fixed, I think that paragraph had better go over.

Mr. TILLMAN. Mr. President, I ask the indulgence of the Senate for a moment while I presume to give some advice to the distinguished chairman of the Committee on Finance. We have just spent the best part of the day in what I consider as a useless wrangle—I do not reflect on any of the speakers who have expressed themselves—resulting always in the same victory by from 6 to 10 votes for the astute manager who is in control of this bill. Before we begin another wrangle I want to call attention to a method of relief which he might call on to get more frequent votes. I read from Rule XIX of the rules of the Senate:

1. When a Senator desires to speak, he shall rise and address the presiding officer, and shall not proceed until he is recognized, and the presiding officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the presiding officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate.

I am not in favor of a gag rule, and no man would resent or resist such a rule more promptly than I; but if this continued discussion of the question of protection—this glorious goddess who hovers on the other side and once in a while alights over here [laughter]—if we are to have a repetition, day after day, of this profession of faith, and men grow eloquent and outdo the American eagle in flying up in the skies, and we consume time indefinitely while we are told by those who are interested that the American industries are perishing and throttled, and that everything is at a standstill, why does not the Senator who is in charge of the bill do something to expedite its passage? Is he afraid that the "progressives" will get more recruits if he undertakes to apply the rules of the Senate?

Mr. ALDRICH. Mr. President, I am not sure that I do not deserve the criticism of the Senator from South Carolina; but I have been hoping that what seemed to me to be an unnecessary discussion, both of the paragraphs and of the bill itself, would soon cease.

Mr. TILLMAN. But the flood of talk grows wider and deeper every day, apparently.

Mr. ALDRICH. Oh, not deeper. [Laughter.]

Mr. TILLMAN. I did not intend to convey the idea that there was any depth of wisdom or reason in it, but just simply that the water or the air or whatever else it is flowing through this Chamber was there. [Laughter.]

Mr. ALDRICH. I have very strong hope that in the immediate future what seems to be an absolutely unnecessary and futile discussion will cease and we will get down to a practical discussion of the paragraphs.

Mr. TILLMAN. Well, but we are discussing the paragraphs now.

Mr. ALDRICH. I understand——

Mr. TILLMAN. And then we roam off into all manner of excursions.

Mr. ALDRICH. We are nominally discussing the paragraphs.

Mr. TILLMAN. Only nominally.

Mr. ALDRICH. But really discussing everything else under the sun, I think, but the paragraphs. I shall, however, try from this on to expedite the consideration of the bill, and I accept the criticisms of the Senator from South Carolina because I think they are deserved.

Mr. BACON. I should like to inquire of the learned Senators whether, in reference to this rule about prohibiting speaking more than twice, the interruptions of Senators or the injection of remarks are considered as within the prohibition of the rule; because, if they are, my friend from South Carolina will be found to be one of the chief offenders.

Mr. TILLMAN. Certainly, they are not. I think we can always rely upon the justice and fairness of the presiding officer, although he may not be the Vice-President.

Mr. BACON. I was simply suggesting—I do not think the Senator from South Carolina heard me—that he is the principal offender.

Mr. TILLMAN. I submit that I am not the principal offender and that I always say something when I interrupt, even though the Senator from Georgia may not like it.

Mr. BACON. That is true. I frequently do not like it—I will be very frank with the Senator—but the Senator did not hear what I said. I did not say that the Senator spoke in the way of set speeches more frequently than others, but I said that if every interruption and every injection when somebody else was speaking was counted as a speech, the Senator from South Carolina would be found among the chief offenders.

Mr. TILLMAN. When I begin to interrupt a man on any paragraph more than twice, I will be bottled up, or bottled down, or buckled up, or whatever it may be, by the presiding officer. [Laughter.]

Mr. BACON. And the galleries will have very much less to amuse them if you are.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Minnesota?

Mr. TILLMAN. I do.

Mr. CLAPP. Mr. President, I would suggest that during the last few minutes the two Senators have transgressed the rule four times by speaking to one another without first addressing the Chair.

Mr. TILLMAN. I was in possession of the floor and am not compelled to address the Chair.

Mr. CLAPP. Then I was going to say——

Mr. TILLMAN. You did not yourself address the Chair then. [Laughter.]

Mr. CLAPP. I submit, Mr. President, that I did address the Chair and was recognized by the Chair. Am I not right?

The PRESIDING OFFICER. The Chair inquired of the Senator from South Carolina if he would yield to the Senator from Minnesota, and he yielded.

Mr. CLAPP. Then I did address the Chair.

The PRESIDING OFFICER. The Senator from Minnesota has a right to the floor by courtesy of the Senator from South Carolina.

Mr. CLAPP. I was going to suggest to the Senator from Rhode Island [Mr. ALDRICH], though he hardly needs the suggestion, that in making this concession to the Senator from South Carolina [Mr. TILLMAN], it might be wise to insist, as a part of the price of concession, that the Senator from Rhode Island should have the hearty cooperation of the Senator from South Carolina in complying with the concession.

Mr. TILLMAN. I make no bargains with anybody on the other side of the Chamber; but I will say that if the Senator from Rhode Island will make an earnest and an honest effort to have this debate proceed according to the rules of the Senate, and have the Chair appealed to to stop any Senator who gets up here a dozen times on the same paragraph, I will cooperate cheerfully.

Mr. ALDRICH. Mr. President, it is my intention, at an early day, to satisfy the Senator from South Carolina, and I trust every other Senator, that this bill is to be proceeded with morning, afternoon, and night until it is disposed of.

Mr. TILLMAN. We do not want any "night" when we get seven hours here.

Mr. CLAPP. I rise to a point of order. [Laughter.]

Mr. TILLMAN. Mr. President, will the Senator from Rhode Island yield to me?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I yield to the Senator from South Carolina.

Mr. TILLMAN. I want to say that if the Senate will begin to compel obedience to its own rules, that no man be allowed to speak unless he addresses the presiding officer and gets permission to speak, and that no man shall be allowed to speak more than twice on any paragraph without we all consent because we want to hear what he says, we shall progress, and we shall get

votes; and if the Senator will always roll up his usual majority, it will soon be seen that it is absolutely useless and a waste of time to continue to have all of these—I do not want to offend anyone, because somebody might castigate me—but these speeches for home consumption are getting to be a little too frequent for my comfort [laughter]; and I submit that we can make progress, and substantial progress, if we obey the rules.

Mr. ALDRICH. I will do the best I can to follow the instructions of the Senator from South Carolina in the future; and I thank the Senator for his suggestion.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

Mr. PAYNTER. I should like to ask the Senator from Rhode Island a question, and I really have a burning desire to have it answered. He says that this discussion is unnecessary and fruitless. I should like to understand what he means by that. Does he mean that it is unavailing to make any opposition to the amendments of the Finance Committee, and therefore it is unnecessary to have any discussion, or is it so uninteresting and lacks use in informing the country, that it ought not to take place?

Mr. ALDRICH. Mr. President, the discussion I had reference to was what seemed to me a useless repetition of statements and arguments. I do not know—perhaps I am unusually sensitive on the subject—but I think the Senate will agree with me that we have had to-day useless repetitions of the same statements and the same arguments, if they can be dignified by that term.

Mr. BEVERIDGE. And most of them from the Senator's own side.

Mr. ALDRICH. I do not know what the Senator means by my "own side." I thought he was on my side.

Mr. BEVERIDGE. I am, but not upon this particular amendment.

Mr. TILLMAN. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Indiana will address the Chair, and get permission of the Chair before proceeding.

Mr. PAYNTER. I think I have the floor, and I simply want to say that I agree with the Senator from Rhode Island that so far all the discussion has been fruitless.

Mr. BACON. If I may be pardoned for saying one word—and I will occupy but one moment in saying it—I think there is a greater need of dignity and decorum in the Senate than there is of the economy of time.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. Page 14, line 13, paragraph 56: Lead, acetate of, white—the committee propose, after the word "white," to strike out——

Mr. ALDRICH. I modify the amendment by reducing the rates one-eighth in each case.

The PRESIDING OFFICER. The amendment as modified will be stated.

The SECRETARY. In line 13 it is proposed to strike out "two and seven-eighths" and insert "three and one-eighth;" in line 15, to strike out "one and seven-eighths" and insert "two and one-eighth;" in line 16, to strike out "one-eighth" and insert "three-eighths;" and in line 17, to strike out "one-fourth" and insert "five-eighths."

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. Page 14, paragraph 58, bichromate and chromate of potash. In line 20, after the words "chromate of," it is proposed to insert the word "potash;" and in the same line, before the word "cents," to strike out "one and one-half" and insert "two and one-fourth."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. LA FOLLETTE. I hope, Mr. President, that this amendment will not prevail. I believe the House provision should stand. I trust, at least, that the duty will not be changed from that fixed by the House unless the committee furnish some good reason for making this increase.

In making an investigation with respect to any of the duties provided for in this bill, a Member of the Senate not a member of the Committee on Finance is compelled to rely, very largely, upon the testimony taken by the Ways and Means Committee of the House. With reference to this particular paragraph I have read, as carefully as I could, all the testimony taken. It covers many pages of the House hearings, and I am wholly unable to find any reason in the material furnished to that committee for making this duty a fraction of a cent more than 1½ cents per pound.

Bichromates are used in coloring, printing, dyeing, and also in tanning. The first testimony furnished to the Ways and Means Committee of the House upon this subject I find on page 482, and I wish to read, for the information of the Senate, a statement in relation to this paragraph and the duty which this product should carry. This communication, which is addressed to the chairman and members of the Committee on Ways and Means of the House, was submitted by Mr. C. J. Matthews, of Philadelphia. He wrote:

I wish to bring to the attention of yourself and the Ways and Means Committee the present duty on bichromate of potash and bichromate of soda, and ask in behalf of the consumers, among whom are the leather and morocco manufacturers, paint and color manufacturers, woolen manufacturers, cotton manufacturers, wall-paper manufacturers, and others, that this duty be lowered, and the consumers thereby relieved from being at the mercy of the monopoly, who, through this duty, have been enabled to pile up large profits to the detriment of such consumers, and at the same time have cut out, with the aid of this duty, competition of any sort.

I think that tariff is all right, except where same fosters monopoly, and in the case of the protection given to bichromate of soda and bichromate of potash, the former 2 cents a pound and the latter 3 cents a pound, which is equivalent to 46 per cent on the potash and 36 per cent on the soda, based on the published price of this article in trade journals abroad, which are 3¼ pence on potash and 2¾ pence on soda, equal to 6½ cents for potash and 5½ cents for soda, though both these prices can be shaded very considerably where an actual purchase is made.

I would further call your honorable committee's attention to the fact that the manufacture of the above-named articles is controlled by one concern in this country. Three concerns formerly manufactured these articles, and they entered into a combination and advanced their prices 15 per cent, but after a short time this combination was abandoned on account, I suppose, of the fear that they were violating the Sherman Act, and then a single company was formed, in which the principal officers of the three original companies to the combine held the chief offices and direction.

Further, while these manufacturers were selling independently at 6 cents a pound for the bichromate of soda and 8 cents a pound for the bichromate of potash, and secretly sold to large buyers at 5¾ cents and 7¾ cents, led to the purchase of the Baltimore Chrome Works, and just at that time they fully contemplated the building of other works.

The American monopoly has controlled in the very recent past the Scotch manufacturers. This control was brought about by shipping large quantities of their product into England, thereby breaking the Scotch manufacturers' price in the home market and thereby bringing them to terms. Recently the monopoly has tried the same tactics on the German manufacturers and tried to intimidate them in the same manner in which they intimidated the Scotch manufacturers, but, fortunately, the German manufacturers rather courted the shipment of goods into the German market, as it would have then shown your committee that the Americans were able to sell their product in competition with the foreign goods.

I ask, Mr. President, the attention of the Senate to this statement, because it furnishes to the Senate the only facts submitted up to the present time for fixing a duty in conformity with the rule laid down in the Republican platform—that is, by determining the measure of the difference between the cost of production in this country and in competing foreign countries. Mr. Matthews says further:

The cost of labor entering into the manufacture of bichromate of potash and bichromate of soda is not over 1 cent a pound. In fact, in my estimation, that would be a very high percentage compared to the cost.

In view of the above facts I would ask, or rather suggest, that the duty on these two articles be equalized at not over 1 cent a pound.

I might further add that the cost of chrome ore, soda ash, coal, lime, etc., as used in the manufacture of bichromates is no more in America than abroad.

And, furthermore, the actual amount of capital invested in the manufacture of the above-mentioned articles in this country will not exceed $2,000,000, and the employees will not exceed 1,000; while the consumers, as mentioned in my first paragraph, have hundreds of millions of dollars invested and employ hundreds of thousands of help.

Now, Mr. President, there is a specific statement laid before the Committee on Ways and Means for their guidance in determining the cost of production. It might have given more details, but at least it placed in the possession of that committee some facts of importance. The committee evidently gave heed to these facts, as is attested by the measure of duty which they finally reported to the House upon this product.

In opposition to the statement of Mr. Matthews I find one submitted by the Mutual Chemical Company of America, of which Mr. F. W. White is president. Mr. White denies Mr. Matthews's statement that to-day there is only one manufacturer of bichromates in this country. I will read his language:

Mr. Matthews makes the statement that there is only one manufacturer to-day of bichromates, while there are at least three who are absolutely independent.

That statement raises an issue. It is met by an additional statement from and the testimony of Mr. Matthews.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Wisconsin yield to the Senator from Vermont?

Mr. LA FOLLETTE. I will yield presently. I wish to get all the facts before the Senate.

Mr. PAGE. I wished to ask a question at this point.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Vermont?

Mr. LA FOLLETTE. Certainly.

Mr. PAGE. Just a question. Do I understand the Senator from Wisconsin to say that there is only one manufacturer of chrome in this country?

Mr. LA FOLLETTE. I am giving the facts, Mr. President, as I glean them from and as they were presented in the testimony taken by the Ways and Means Committee. When I have completed the statement the Senate can judge for itself as to the weight which should be given to these statements. In so far as I can, I shall give the facts as presented upon both sides—not fully, but the salient facts as I gather them from an examination of the testimony.

Mr. PAGE. I think that statement is erroneous.

Mr. LA FOLLETTE. I shall now place before the Senate the counter statement, the statement of Mr. White, made in opposition to that of Mr. Matthews. This is in relation to the number of manufacturers producing this material in this country. Mr. White denies that there is but one manufacturer, and states there are three absolutely independent companies manufacturing bichromates.

Mr. White makes another point, and that is with respect to the labor cost. He says that the cost of labor in the manufacture of bichromates is far more in this country than in Europe. That is all he says in answer to the statement of Mr. Matthews that the labor cost is fully covered by a duty of 1 cent per pound.

It is a rather vague statement coming from a man whose business was arraigned; a rather vague statement coming from one in full possession of all the facts and who knew to the last fraction of a cent the wage cost, the labor cost, of manufacturing this product.

Mr. Matthews presented some further facts to the committee as to the business in this country, the number of manufacturers engaged in it, and as to whether they were independent or under one ownership or control. I want to bring those facts to the attention of the Senate.

He says—I am now reading the statement of Mr. Matthews, which follows the statement made by Mr. White, president of the Mutual Chemical Company, and in reply to it:

The letter of Mr. F. W. White, president of the Mutual Chemical Company of America, has just come to my notice, and, inasmuch as his letter particularly applies to my letter to you under date of November 19, asking that the tariff on bichromate of potash and bichromate of soda be lowered, I feel it my duty in behalf of the National Morocco Manufacturers' Association, of which I am chairman of the chemical section, to state, in the first place, that in anything I am doing toward the relief of the morocco manufacturers from the hands of a monopoly I am not influenced by any representative of any bichromate importer in this country.

Second. I notice that Mr. White makes the statement "that there are three manufacturers of bichromates in the United States to-day that are absolutely independent." I would ask your body to request Mr. White to state who these three makers are. If there are independent manufacturers, they manufacture for their own consumption only, and the only manufacturer selling goods to the consumers to-day is the Mutual Chemical Company of America, the formation of which company I will refer to later.

* * * * * * *

Referring again to the combination mentioned by Mr. White, I wish to say to you that the Mutual Chemical Company of America consists of an amalgamation of the Henry Bower Chemical Company of New Jersey and the American Chrome Works, of Arlington, Mass. The consolidation was incorporated in New Jersey on October 7, the directors of the new company being the owners or stockholders of the companies heretofore mentioned. I attach a clipping taken from the Chronicle, dated October 31, 1908, showing the companies consolidated therein. The sale of the different companies has been made, as I notice in a statement made by the Henry Bower Chemical Company to a commercial agency, under date of December 3, that they hold over $2,000,000 value in stock and notes of the Mutual Chemical Company of America.

The exhibit which he files, being an advertisement from the Journal of Chemical Industry of November 16, 1908, published in London, is as follows:

EXHIBIT A.

John & James White, 7 West George street, Glasgow, Scotland, manufacturers of bichromate of potash (crystal, powder), soda (patent crystal, cake, powder). Agents: E. O. Jepson & Co., Leeds, Yorkshire district; Tennants & Co., Manchester, Liverpool, Lancashire district; D. W. Greenbough & Son, London, London district; Leisler, Bock & Co., Glasgow, Continent and export; J. L. & D. S. Riker, New York, U. S. A.

He also appends the following, taken from the Chemical and Financial Chronicle of October 31, 1908:

Mutual Chemical Company of America—Consolidation.—Through this company, incorporated in New Jersey on October 7, the Mutual Chemical Company of New Jersey interests have taken over and merged with that property the Baltimore Chrome Works (the Henry Bower Chemical Manufacturing Company) and the American Chrome Company. The authorized capital stock is $4,000,000, consisting of $2,000,000 common and $2,000,000 6 per cent cumulative preferred stock, par value of shares $100. The concerns included in the merger are the three largest manufacturers of bichromate of soda and potash in the country, and, it is stated, handle practically the entire business in this line. New bonds, if any, not known.

The directors of the new company are Frederick W. White (president), Herbert M. Kaufman (general manager), William R. Peters, Junius Beebe, and George R. Bower. The treasurer and secretary is Sumner White. New York office, 92 William street.

[The Henry Bower Chemical Manufacturing Company was organized early in 1906 under the laws of Pennsylvania and took over the property, franchises, and business of the Baltimore (Md.) Chrome Works Company, the Kallon Chemical Company, of Philadelphia, and the Ammonia Company, of Philadelphia. The company issued at organization fully paid common stock of $2,000,000, first preferred 6 per cent stock $500,000, and second preferred 6 per cent stock $150,000; also 6 per cent thirty-year redeemable gold coupon mortgage bonds aggregating $750,000, which have all been paid off. The entire issue of bonds and first preferred stock, it was reported, was taken at par by Mrs. Annie M. Walker, of Philadelphia, and the entire issue of second preferred stock by W. L. Rowland, of Philadelphia.]

Mr. Bower, of the Henry Bower Chemical Manufacturing Company, filed with the Ways and Means Committee statements, inclosing letters which he had received from leather manufacturers asking that this duty be not reduced, and stating that they were entirely content with the duty of 3 cents per pound. But the Ways and Means Committee were evidently impressed with the belief that those letters, coming from the manufacturers of morocco leather to one of the officers of this combination, were not the free expression of those manufacturers with respect to their views upon this duty. And whether they were or not, they were for the most part mere generalizations. They did not meet the specific and definite statements of Mr. Matthews.

So, Mr. President, after a full consideration of all the facts in the case, the Ways and Means Committee fixed this duty at one and a half cents a pound. This rate is half a cent more than the only definite statement which they had before them with respect to the difference in the labor cost of producing this material. I submit, Mr. President, that with these facts presented to the Senate, this increase in duty over the House provision should not be adopted without some statement from the Finance Committee which shall bear directly upon the question of the difference in the cost of production in this country and in competing countries.

No such statement has been presented. I believe therefore that this amendment should be rejected.

Mr. McCUMBER. Mr. President, I have here a table of comparative prices of bichromates in the United States and in Europe. It may probably be subject to some question, because it is presented by those who are interested in upholding the present duty; but I will ask that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made.

Mr. LA FOLLETTE. I was unable to hear the exact statement of the Senator from North Dakota, and I should like to ask him whether or not he has supplied figures which show the difference in the cost of production between this and foreign countries?

Mr. McCUMBER. That is the purpose of this table.

Mr. LA FOLLETTE. Will the Senator please state what is the difference in the cost of production?

Mr. McCUMBER. I have just sent it to the desk, and the Secretary can read it. It will take only a minute.

Mr. LA FOLLETTE. Let me inquire of the Senator, before he takes his seat, whether what he has sent to the Secretary's desk is simply a statement of difference in prices or whether it is a statement of the actual difference in the cost of production in the two countries?

Mr. McCUMBER. The statement will show for itself, if the Secretary will read it.

The Secretary read as follows:

Table of comparative prices.

	United States prices.	European prices for European buyers.	European prices for export to United States.
	Cents.	*Cents.*	
Bichromate of potash	8¾	6¾	6 cents in bond in Philadelphia.
Bichromate of soda	6¾	5¾	4¼ cents in bond in Philadelphia. 4¼ cents in bond in New York. 4¼ cents in bond in Milwaukee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURNHAM (when his name was called). I again announce my pair with the junior Senator from South Carolina [Mr. SMITH.]

Mr. CHAMBERLAIN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. OLIVER].

Mr. CLAPP (when his name was called). My pair is absent. I should vote "nay" if he were present.

Mr. FLINT (when his name was called). I again announce my pair with the senior Senator from Texas [Mr. CULBERSON]. If he were present, I should vote "yea."

Mr. McCUMBER (when his name was called). I again announce my pair with the junior Senator from Louisiana [Mr. FOSTER]. Were he present, I should vote "yea."

Mr. PERKINS (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. OVERMAN].

Mr. SUTHERLAND (when his name was called). I again announce my pair with the Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 40, nays 20, as follows:

YEAS—40.

Aldrich	Clark, Wyo.	Gallinger	Penrose
Beveridge	Crane	Gamble	Piles
Bourne	Cullom	Guggenheim	Root
Brandegee	Depew	Hale	Scott
Brown	Dick	Heyburn	Smith, Mich.
Bulkeley	Dillingham	Johnson, N. Dak.	Smoot
Burkett	Dixon	Kean	Stephenson
Burrows	du Pont	Lodge	Warner
Burton	Elkins	Nixon	Warren
Carter	Frye	Page	Wetmore

NAYS—20.

Bacon	Cummins	Jones	Newlands
Bailey	Dolliver	La Follette	Paynter
Bristow	Fletcher	McLaurin	Rayner
Clay	Gore	Martin	Stone
Crawford	Hughes	Nelson	Taliaferro

NOT VOTING—31.

Bankhead	Culberson	McCumber	Shively
Borah	Curtis	McEnery	Simmons
Bradley	Daniel	Money	Smith, Md.
Briggs	Davis	Oliver	Smith, S. C.
Burnham	Flint	Overman	Sutherland
Chamberlain	Foster	Owen	Taylor
Clapp	Frazier	Perkins	Tillman
Clarke, Ark.	Johnston, Ala.	Richardson	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I ask that the next paragraph passed over be stated.

The SECRETARY. Paragraph 69, page 17, in line 9, after the word "soda," the committee proposes to strike out "1 cent" and insert "1¼ cents," so as to read:

69. Bichromate and chromate of soda, 1¼ cents per pound.

Mr. BURKETT. Was 59 passed over?

Mr. LODGE. No.

Mr. ALDRICH. It has been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended is agreed to.

The SECRETARY. In paragraph 71, line 16, page 17, it is proposed to strike out "30 per cent ad valorem" and insert "three-eighths of 1 cent per pound," so as to read:

71. Hydrate of, or caustic soda, one-half of 1 cent per pound; nitrite of soda, 2 cents per pound; hyposulphite and sulphide of soda, three-eighths of 1 cent per pound.

The amendment was agreed to.

The paragraph as amended was agreed to.

The SECRETARY. On page 20, paragraph 85——

Mr. BURTON. I do not quite understand the amendment there, or the object of the amendment.

Mr. ALDRICH. Which amendment is that?

Mr. BURTON. I have an amendment to change the rate on sulphide of soda.

Mr. ALDRICH. There is an amendment which has been offered by the Senator from Ohio which has not been read?

Mr. BURTON. Yes; on sulphide, containing more than 35 per cent.

Mr. ALDRICH. The committee agree to the amendment which has been offered by the Senator from Ohio.

The PRESIDING OFFICER. Without objection, the vote agreeing to the amendment and to paragraph 17 as amended will be reconsidered, and the paragraph is open.

The Senator from Ohio [Mr. BURTON] offers an amendment, which will be stated.

The SECRETARY. It is proposed to amend the paragraph so as to read:

71. Hydrate of, or caustic soda, one-half of 1 cent per pound; nitrite of soda, 2 cents per pound; sulphide of soda containing not more than 35 per cent of sulphide of soda, and hyposulphite of soda, three-eighths of 1 cent per pound; sulphide of soda, concentrated, or containing more than 35 per cent of sulphide of soda, three-quarters of 1 cent per pound.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I give notice that to-morrow morning I shall call up the paragraphs in Schedule B which have been passed over.

EXECUTIVE SESSION.

Mr. BEVERIDGE. Let us have an executive session.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 21, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nomination received by the Senate May 20, 1909.

ASSISTANT TREASURER OF THE UNITED STATES.

Oscar L. Whitelaw, of Missouri, to be assistant treasurer of the United States at St. Louis, Mo., in place of Thomas J. Akins, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 20, 1909.

GOVERNOR OF ALASKA.

Walter E. Clark to be governor of Alaska.

COMMISSIONER OF IMMIGRATION.

William Williams to be commissioner of immigration at the port of New York, N. Y.

COLLECTOR OF CUSTOMS.

George W. Huntley to be collector of customs for the district of Miami, Ohio.

COLLECTOR OF INTERNAL REVENUE.

Willis G. Bowland, to be collector of internal revenue for the eleventh district of Ohio.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May 20, 1909.*

The House met at 12 o'clock noon and was called to order by its Chief Clerk, W. J. Browning, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 20, 1909.

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, for Speaker pro tempore for this day.

J. G. CANNON.

Mr. DALZELL assumed the Chair as Speaker pro tempore.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Monday, May 17, was read and approved.

PHILIPPINE TARIFF BILL.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York [Mr. PAYNE] on ordering the previous question on the Philippine tariff bill and amendments thereto, to its final passage.

Mr. MACON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twelve gentlemen are present; not a quorum.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 5 minutes p. m.) the House adjourned to meet on Monday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Department of Commerce and Labor, transmitting the report of Special Agent Charles M. Pepper on the laws of Great Britain as to income and inheritance taxes (H. Doc. No. 34)—to the Committee on Ways and Means and ordered to be printed.

A letter from the Attorney-General, transmitting a reply to the inquiry of the House as to an annulment for the purchase of the Tennessee Coal and Iron Company by the United States Steel Corporation (H. Doc. No. 35)—to the Committee on the Judiciary and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John H. Fout, administrator of estate of George Fout, deceased, v. The United States (H. Doc. No. 36)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Peter H. Harlan, administrator of estate of George B. Harlan, deceased, v. The United States (H. Doc. No. 37)—to the Committee on War Claims and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BATES: A bill (H. R. 9961) authorizing that commission of ensign be given midshipmen upon graduation from the Naval Academy—to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 9962) to reimburse the State of Oregon for moneys expended during the civil war—to the Committee on War Claims.

By Mr. ENGLEBRIGHT: A bill (H. R. 9963) to provide for the erection of a public building at Grass Valley, Cal.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of California: A bill (H. R. 9964) to provide for the disposal of lands chiefly valuable for oil and asphaltum—to the Committee of the Public Lands.

By Mr. KINKAID of Nebraska: A bill (H. R. 9965) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to equip their locomotives with safe and suitable boilers and appurtenances thereto—to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 9966) relating to the compensation of letter carriers in the rural-delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. BURLESON: Resolution (H. Res. 71) requesting the Secretary of Commerce and Labor to advise Congress as to the status of the investigation of market fluctuations of cotton—to the Committee on Agriculture.

By Mr. HAMILTON: Memorial of the legislature of the Territory of Hawaii, asking that Congress amend the law creating a territorial government for Hawaii—to the Committee on the Territories.

By Mr. CHAPMAN: Memorial of the legislature of Illinois, protesting against inheritance tax, etc.—to the Committee on Ways and Means.

Also, memorial of the legislature of Illinois, relating to old-age insurance—to the Committee on Ways and Means.

Also, memorial of the legislature of Illinois, relating to an appropriation for the Lincoln farm—to the Committee on Appropriations.

By Mr. FOSTER of Illinois: Memorial of the legislature of Illinois, protesting against the violation of river and harbor act of March 3, 1899, in reference to Kankakee River in the State of Illinois—to the Committee on Rivers and Harbors.

By Mr. HOWELL of New Jersey: Memorial of the legislature of New Jersey, opposing inheritance tax—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9967) granting a pension to Samuel Thomas Smith, alias Thomas Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9968) granting a pension to William R. Phillips—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 9969) granting an increase of pension to Ananias Swihart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9970) granting an increase of pension to Richard Murphy—to the Committee on Invalid Pensions.

By Mr. BARTLETT of Nevada: A bill (H. R. 9971) granting an increase of pension to Lewis D. Hills—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 9972) granting an increase of pension to Cyrus J. Stockton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9973) granting an increase of pension to Isaiah Clark—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9974) granting an increase of pension to Joel B. Bacan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9975) granting an increase of pension to William Sheffer—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 9976) granting an increase of pension to William Fralley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9977) granting a pension to Barbara Locklar—to the Committee on Pensions.

By Mr. COVINGTON: A bill (H. R. 9978) granting an increase of pension to Oscar Ernst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9979) granting an increase of pension to Annie M. Wallace—to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 9980) granting a pension to William I. Armstrong—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9981) granting an increase of pension to Harmon Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9982) granting an increase of pension to Harvey C. Veatch—to the Committee on Pensions.

Also, a bill (H. R. 9983) granting an increase of pension to John W. B. Morriss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9984) granting an increase of pension to Milton Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9985) granting an increase of pension to Monroe Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9986) granting an increase of pension to Charles A. Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9987) granting a pension to Augusta M. Syphers—to the Committee on Pensions.

Also, a bill (H. R. 9988) authorizing the appointment of Col. James Jackson to the rank of brigadier-general—to the Committee on Military Affairs.

By Mr. HOWELL of New Jersey: A bill (H. R. 9989) granting a pension to Jane E. Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9990) granting an increase of pension to Max Sekel—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9991) granting an increase of pension to John J. Wiltse—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 9992) for the relief of Edward L. Wells—to the Committee on Private Land Claims.

By Mr. LAFEAN: A bill (H. R. 9993) granting an increase of pension to James J. Poleman—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 9994) granting an increase of pension to Gabriel M. Settlemire—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 9995) removing the charge of desertion from the military record of Dennis W. Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 9996) removing the charge of desertion from the military record of William Karch—to the Committee on Military Affairs.

Also, a bill (H. R. 9997) to remove the charge of desertion from the military record of John Upton—to the Committee on Military Affairs.

Also, a bill (H. R. 9998) granting a pension to Jesse Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9999) granting an increase of pension to Duncan Medley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10000) granting an increase of pension to Elisha Clark—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 10001) granting a pension to William D. Gibson—to the Committee on Pensions.

Also, a bill (H. R. 10002) granting a pension to Harry G. Brandenburg—to the Committee on Pensions.

Also, a bill (H. R. 10003) granting an increase of pension to Andrew J. Fortner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10004) granting an increase of pension to Monroe Pettigrew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10005) granting an increase of pension to Isaac B. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10006) for the relief of L. D. Bryant, jr.—to the Committee on the Post-Office and Post-Roads.

By Mr. SMITH of Michigan: A bill (H. R. 10007) granting an increase of pension to Albert A. Forbey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10008) granting an increase of pension to George Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10009) granting a pension to Clara Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10010) granting a pension to Freeman A. Cobb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10011) granting a pension to Lucy A. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10012) granting a pension to Edward H. Dickerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10013) to correct the military record of Joshua Herringon—to the Committee on Military Affairs.

By Mr. SMITH of Texas: A bill (H. R. 10014) to reimburse Hilery Windham for loss of money order funds—to the Committee on Claims.

By Mr. STURGISS: A bill (H. R. 10015) granting an increase of pension to Jacob Zirkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10016) granting an increase of pension to Andrew A. Stewart—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 10017) granting an increase of pension to Solomon Robertson—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10018) granting a pension to Sarah Wade Garnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10019) granting a pension to Eugene U. Proctor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10020) granting a pension to James Mesker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10021) granting an increase of pension to Thomas M. Garrison—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ENGLEBRIGHT: Memorial of legislature of California, against an inheritance tax—to the Committee on Ways and Means.

Also, petition of J. J. Jackson and others, of California, against a tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of J. E. Gries and others, of California, favoring a tariff on casein—to the Committee on Ways and Means.

Also, petition of J. M. Foley and others, of California, against tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of Merchants' Exchange, of Oakland, Cal., against reduction of tariff on wool—to the Committee on Ways and Means.

Also, petition of R. Castagona and others, of California, against a tariff on tea and coffee—to the Committee on Ways and Means.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, against a national consular school—to the Committee on Foreign Affairs.

By Mr. FULLER: Petition of D. M. Frederiksen, of Chicago, Ill., favoring a horizontal reduction of the tariff—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of New York City, for a permanent tariff commission—to the Committee on Ways and Means.

Also, petition of J. C. Wistz, of matting importers' committee, of New York City, favoring 4 cents per yard duty on matting—to the Committee on Ways and Means.

Also, petition of American builders of machines for paper making, against reduction of tariff on paper and pulp—to the Committee on Ways and Means.

Also, petition of American manufacturers of paper makers' felts and jackets, favoring reduction of present duty on news print paper and wood pulp—to the Committee on Ways and Means.

Also, memorial of legislature of the State of Illinois, for improvement of the Kankakee and Iroquois rivers of Illinois—to the Committee on Rivers and Harbors.

By Mr. HAYES: Petitions of Chamber of Commerce of Portland, Oreg.; traffic bureau of Merchants' Exchange of San Francisco, Cal.; Associated Shippers of Los Angeles, Cal.; transportation bureau of Seattle Chamber of Commerce; Traffic Association of Tacoma, Wash.; and Merchants and Manufacturers' Association of Sacramento, Cal., against division of powers now exercised by the Interstate Commerce Commission and against railways controlling water rates, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL of Iowa: Memorial of legislature of Iowa, favoring appropriation to improve post-roads in Iowa and for acquisition of land for a national park at the confluence of the Wisconsin and Mississippi rivers—to the Committee on the Post-Office and Post-Roads.

By Mr. HUMPHREY of Washington: Petition of Washington Grange, No. 82, of Vancouver, Wash., favoring parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. LANGHAM: Petition of New Bethlehem Window Glass Company, against reduction of duty on window glass—to the Committee on Ways and Means.

By Mr. MACON: Paper to accompany bill for relief of Gabriel M. Settlemire—to the Committee on Invalid Pensions.

By Mr. MURPHY: Petitions of various farmers' unions of Texas County, Mo., for parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. OLDFIELD: Paper to accompany bill for relief of Samuel A. Strond—to the Committee on Invalid Pensions.

Also, petition of John C. Farr, against a tariff on tea and coffee—to the Committee on Ways and Means.

By Mr. PAYNE: Paper to accompany bill for relief of John Boyst, of Lyons, N. Y.—to the Committee on Invalid Pensions.

By Mr. RAINEY: Petition of citizens of Manito, Ill., against parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Hull, Ill., for repeal of tariff on lumber—to the Committee on Ways and Means.

Also, petition of business men of Jacksonville, Fla., against advance of duties on razors—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of the Shepord Company, of Providence, R. I., opposing increase of duty on foreign gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Wool Sorters' Union of Providence, R. I., and vicinity, against reduction of tariff on textile goods—to the Committee on Ways and Means.

Also, petition of Rhode Island Horticultural Society, against importation of and interstate traffic in infected honey and bees—to the Committee on Interstate and Foreign Commerce.

Also, petition of J. C. Hall & Co., of Providence, R. I., and 33 of their employees, asking for increase of duty on lithographic products—to the Committee on Ways and Means.

SENATE.

FRIDAY, *May 21, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT. The Secretary will read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. The Journal should be first read before any business intervenes.

Mr. STONE. I did not desire to intervene in order to transact any business. I intended to intervene that I might make a suggestion that there is no quorum present.

The VICE-PRESIDENT. Until the reading of the Journal has been concluded, not even that suggestion can be made. Before the Journal is approved, the suggestion can be made, under the rules of the Senate. The Secretary will read the Journal.

The Journal of yesterday's proceedings was read and approved.

SUGAR IMPORTATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to resolution No. 40, submitted by Mr. BRISTOW on the 29th ultimo, reports from the collectors of customs at New York, Boston, Philadelphia, New Orleans, San Francisco, and Port Huron, showing the amounts of raw sugar imported by sugar refineries at those ports during the fiscal year ended June 30, 1908, etc. (S. Doc. No. 53), which, with the accompanying papers, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a memorial of sundry citizens of Clarksburg, W. Va., remonstrating against an increase of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Wheeling, Morgantown, and Independence, all in the State of West Virginia, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CULLOM presented sundry papers to accompany the bill (S. 303) granting an increase of pension to Jacob Souder, which were referred to the Committee on Pensions.

Mr. PAGE presented petitions of sundry citizens of St. Johnsbury, Vt., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURKETT presented a petition of Subdivision No. 303, Brotherhood of Locomotive Engineers, of Chadron, Nebr., praying for the passage of the so-called "Burkett boiler-inspection" and "Borah-Dawson full-crew" bills, which was referred to the Committee on Interstate Commerce.

Mr. OLIVER presented a petition of Laughlin Lodge, No. 633, Brotherhood of Locomotive Firemen and Engineers, of Pittsburg, Pa., praying for the passage of the so-called "Burkett boiler-inspection" and "Borah-Dawson full-crew" bills, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Welcome Council, No. 134, Junior Order of United American Mechanics, of Pittsburg, Pa., praying for the enactment of legislation to prohibit the immigration into the United States and the Territory of Hawaii of all Asiatics except merchants, students, and travelers, which was referred to the Committee on Immigration.

He also presented a memorial of Local Grange No. 1020, Patrons of Husbandry, of Indian Orchard, Pa., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Westfield and Sabinsville, in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DILLINGHAM presented petitions of sundry citizens of Cavendish, Vt., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of Local Grange No. 117, Patrons of Husbandry, of Lorraine; of Local Grange No. 66, Patrons of Husbandry, of Orwell, and of sundry citizens of Perch River, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Schenectady, N. Y., praying that the lowest possible rate of duty be placed on sugar imported into the United States, which was ordered to lie on the table.

He also presented a memorial of sundry importers of foreign hops and dealers in and importers of American hops in the United States, remonstrating against an increase of the duty on imported hops, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Buffalo, N. Y., praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

He also presented a memorial of Local Grange No. 66, Patrons of Husbandry, of Orwell, N. Y., and a memorial of Local Grange No. 117, Patrons of Husbandry, of Lorraine, N. Y., remonstrating against the increase of the duty on imported gloves, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKETT:

A bill (S. 2454) granting an increase of pension to Alfred N. Scott; to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 2455) granting an increase of pension to Joseph L. Buckley (with the accompanying papers); to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 2456) granting an increase of pension to Charles H. Bartlett; to the Committee on Pensions.

By Mr. BURNHAM:

A bill (S. 2457) granting an increase of pension to John F. Clough; to the Committee on Pensions.

A bill (S. 2458) to amend the act of March 3, 1883, commonly known as the "Bowman Act," and the act of March 3, 1887, commonly known as the "Tucker Act;" to the Committee on Claims.

By Mr. CRAWFORD:

A bill (S. 2459) authorizing the Minnesota, Dakota and Pacific Railway Company to build a bridge across the Missouri River; to the Committee on Commerce.

AMENDMENTS TO THE TARIFF BILL.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BROWN submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. ELKINS submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

THE PHILIPPINE ISLANDS.

The VICE-PRESIDENT. The morning business is closed.

Mr. STONE. Mr. President, before we take up the tariff bill in regular course I wish to occupy just a few moments of the time of the Senate. I desire to place a matter in the RECORD, and I may as well do it now as at any time. It is an interview printed in a paper a few days ago given by Mr. OCAMPO, one of the Resident Commissioners of the Philippine Islands at Washington. This interview concerns the relations existing between the United States and the Philippine Islands. It is my purpose at the proper time to offer an amendment to the pending bill declaratory of the purpose of the United States with reference to those islands. I wish to insert this matter in the RECORD, hoping that Senators will take occasion to read it.

Mr. ALDRICH. What is the nature of the article to be printed in the RECORD?

Mr. STONE. I had just stated, while the Senator's attention was diverted, that it is an interview recently printed given out by Mr. OCAMPO, one of the Philippine Commissioners. It is not long.

Mr. ALDRICH. I have no objection.

Mr. STONE. Permit me to say that Mr. OCAMPO is a real Filipino of high class, and thoroughly representative of his people. He is well qualified to express their feeling and sentiment upon public questions, and has been delegated to do that.

Mr. President, I believe the longer we maintain political relations such as exist now with the Philippine Islands and people the worse it will be for all concerned. The closer our political and industrial life becomes identified with theirs, the more difficult it will be for us to sever relations with them, because the firmer will become our foothold and the greater the reluctance on the part of many influential men to yield any larger liberty to those people or anything more nearly approximating autonomy in government.

I believe if we go on as we are, if we establish free trade, for instance, with the islands and continue our present connection with them, not many years will elapse until the great resources of those islands—their fields and forests and mines and their principal industries—will be in a large measure absorbed and controlled by Americans.

It is because of that belief which I entertain, and which Mr. OCAMPO entertains, that I desire to insert this interview of his in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

In reply to a question about a statement that appeared Tuesday morning in the Washington Post purporting to be a protest against free trade between this country and the Philippines from some Filipinos residing in Boston, Mr. OCAMPO, one of the Resident Commissioners from the Philippine Islands, said:

"When I spoke in the House last month, discussing the proposed free trade relations between this country and the Philippines as contained in the Payne bill, I clearly stated that the establishment of such relations would inevitably hinder the political aspirations of the Filipinos; in other words, their constant and profound desire of being an independent country would be imperiled by such commercial ties.

"The Philippine assembly, the true representative of popular sentiment, has, in conjunction with the upper house, which is composed largely of Americans, expressed itself before this in opposition to free trade, and since the passage of the bill by the House of Representatives, the feeling against it has grown more intense for the reasons stated above, apart from the economic view point of the matter, which also is in no way encouraging, because it necessarily will embarrass the Philippine government financially.

"This free-trade proposition is a case of life and death with us. The ambition of the Filipinos to live an independent life is one which is undeniable and persistent, and any measure tending to oppose it would only stir the people of the islands and operate to prevent the development of a better feeling between Americans and Filipinos.

"The Filipinos who signed the protest have done nothing more than to give expression to a feeling universal in the islands against free trade for the consequence it would bring to the islands in the long run.

"I hope that no one will think that in expressing the aspiration of the Philippine people for ultimate reasonably prompt and absolute independence, I am lacking in or that they have ceased to feel profound gratitude for the opportunity that the American Republic gave us to be rid of Spain. Surely in the land of Washington, Jefferson, and Adams it can be permitted us to express the wish that we may be allowed to govern ourselves. It ought to be understood that in the centuries of protest against the rule of Spain we were not merely trying to throw off one foreign yoke to go under another.

"Providence in its wisdom made us a different race. Our problems are not those of Europe or America, and we can not approach their consideration with the same mind. What is best for Europe or America is not necessarily best for Asia, and Asiatic problems ought better be left to the people of that part of the world for solution. But one idea we do have in common, and that is a desire to be permitted to govern ourselves. This thought is stronger with us than the desire for more economic gain, and while we would like the greatest possible commercial prosperity, we are willing to defer it rather than forever lose our hope of independence by an artificially rapid development through American corporations. I concur in the protest of the Filipinos who reside in Boston."

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next paragraph passed over is on page 20, paragraph 85, as follows:

85. Lime, 5 cents per 100 pounds, including weight of barrel or package.

Mr. JONES. It was my understanding that when paragraphs to which no amendment had been offered by the committee have been passed over amendments by individual Senators are not in order until after the committee amendments have been disposed of.

Mr. ALDRICH. They are in order now.

Mr. JONES. They are in order now?

Mr. ALDRICH. Yes; under the present procedure of business the amendments of individual Senators are in order.

Mr. JONES. I did not understand that. I desire to say that some data with reference to this paragraph I have not yet received, and I wish to recur to it later on.

Mr. ALDRICH. I suggest to the Senator from Washington to allow the paragraph to be agreed to, and if subsequently he has an amendment to offer it can be offered either in the Senate or by general consent as in Committee of the Whole. I will see that the Senator loses no rights in relation to the matter.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Washington yield to the Senator from Maine?

Mr. JONES. Certainly.

Mr. HALE. I have the same interest in this product the Senator has, and under the suggestion made by the chairman of the committee I am sure that no rights of his or mine will be lost. If the paragraph is adopted for the present, the Senator and I will confer and bring it up in the Senate.

Mr. JONES. That will be satisfactory to me.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to.

Mr. BURTON. Was not an amendment proposed to paragraph 82 referring to magnesite brick and chrome brick?

Mr. ALDRICH. The committee had an amendment which I think, has been agreed to. There was an amendment suggested to paragraph 82, I think, proposed by the Senator from Ohio.

Mr. BURTON. I have not the phraseology of it before me, I will say.

Mr. ALDRICH. The Senator from Pennsylvania perhaps has the amendment of the committee if it has not been agreed to.

Mr. PENROSE. I have the amendment. In line 5, on page 19, I move to add the words "magnesite brick, chrome brick, and."

Mr. ALDRICH. That amendment was agreed to by the committee, and I thought it had been agreed to by the Senate.

Mr. PENROSE. It does not alter the present law. It conforms to judicial decision and puts it in statutory phraseology.

Mr. NELSON. The RECORD does not show that it has been adopted.

Mr. ALDRICH. I thought it had been adopted. I was mistaken.

Mr. PENROSE. I offer it now.

The VICE-PRESIDENT. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. On page 19, line 5, after the words "ad valorem" and the semicolon, insert "magnesite brick, chrome brick, and," so as to read:

Magnesite brick, chrome brick, and brick other than fire brick.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to. The next paragraph passed over will be read.

The SECRETARY. On page 20, line 7, in paragraph 86, the committee propose, before the word "cents," to strike out "forty" and insert "twenty," so as to read:

Plaster rock or gypsum, crude, 20 cents per ton.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. CURTIS. I ask for a yea-and-nay vote on the amendment.

Mr. ALDRICH. I hope the Senator will not ask for the yeas and nays. It will simply take the time of the Senate.

Mr. CURTIS. I will let it go.

The VICE-PRESIDENT. The Senator from Kansas demands the yeas and nays on agreeing to the amendment of the committee.

The yeas and nays were not ordered.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I should like to have the paragraph agreed to with the understanding that later on the committee may recommend a specific rate in place of the ad valorem rate on Keene's cement.

The VICE-PRESIDENT. Is there objection to the committee returning to it?

Mr. ALDRICH. The committee may ask to return to it.

Mr. NELSON. What was done with paragraph 85?

Mr. ALDRICH. Paragraph 85 has been agreed to. I ask that paragraph 86 be agreed to as amended.

The VICE-PRESIDENT. Without objection, paragraph 86, as amended, is agreed to. No objection is heard. The next paragraph passed over will be read.

The SECRETARY. Paragraph 87, pumice stone.

Mr. ALDRICH. I ask that the paragraph be agreed to; but the committee may have an amendment to substitute a specific duty in that case.

Mr. BROWN. I wish to suggest that this paragraph has been passed over twice, on the first reading at my request and on the second reading at the request of the committee. My understanding, also, is that the committee has practically agreed upon an amendment. I have understood that the amendment is agreeable to the people interested in this business. I am very much in hopes that the committee may offer that amendment now, if it will do so.

Mr. ALDRICH. The committee think there ought to be an amendment, but the Senator is misinformed if he thinks they have agreed upon any particular amendment. I think there ought perhaps to be a change in the paragraph.

Mr. BEVERIDGE. Can not that be done during the day?

Mr. ALDRICH. I do not know whether it can or not. I suggest that the paragraph be agreed to, and if we subsequently agree upon an amendment, I will ask the Senate to reconsider its action.

Mr. BROWN. I can not consent to the adoption of the paragraph with the understanding that possibly the committee may offer an amendment to it. I have been led to believe by members of the committee that there would be an amendment offered—not that there might be, but that there would be.

Mr. ALDRICH. The Senator from Nebraska of course can offer any amendment he desires.

Mr. BROWN. I understand I have that right, but I have found from observation that the committee amendment is the one that is adopted. I should like to have that amendment presented now, if the committee will do so. If not, I will offer an amendment myself.

Mr. BEVERIDGE. If the chairman of the committee will offer the amendment during the day, will that satisfy the Senator?

Mr. ALDRICH. I will say to the Senator from Nebraska that as soon as I get an opportunity to consult with various members of the committee as to this particular amendment, I will then state to the Senate frankly whether we think it ought to be adopted or not.

Mr. BROWN. I am willing to have the paragraph passed over, but not adopted.

Mr. ALDRICH. It can be passed over for the present.

The VICE-PRESIDENT. Without objection, the paragraph will be passed over.

Mr. PENROSE. I desire to offer an amendment to paragraph 88, which I believe has been accepted by the committee. On page 21, line 12, after the words "fluor spar," I move to insert

the words "and feldspar." I believe this amendment was offered by the Senator from Kentucky [Mr. BRADLEY], who is not here to-day.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 21, line 12, after the words "fluor spar," insert the words "and feldspar."

The amendment was agreed to.

Mr. ALDRICH. The Senator from Kentucky has an amendment pending to this particular clause to make the duty $3 a ton instead of $1.50 a ton.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

Mr. BURTON. On what is that?

Mr. ALDRICH. On fluor spar. The Senator from Kentucky is still ill. The committee are willing to accept the amendment, and I ask that it may be adopted.

Mr. RAYNER. I should like to ask the Senator from Rhode Island why is this duty put upon fluor spar? I understand that it is found in only one State, and there is not much of it left in that State.

Mr. ALDRICH. It is found in several States.

Mr. RAYNER. In what States?

Mr. ALDRICH. In Kentucky, Tennessee, and various other States. It is found in a number of other States.

Mr. RAYNER. I think not, Mr. President. It is found in Kentucky, and Kentucky is the only State in which it is found. I should like to have the amendment passed over for the present.

Mr. SMOOT. The product is found quite extensively in the State of Illinois.

Mr. RAYNER. The testimony before the Senator's committee does not show that to be the fact.

Mr. BEVERIDGE. But before the House committee.

Mr. CULLOM. I can state that it is found in Illinois in large quantities.

Mr. RAYNER. All I desire to say is that the testimony does not show it.

Mr. CULLOM. I do not know what the testimony shows, but I know the fact.

Mr. RAYNER. I should like the amendment, at least, to be passed over so that I can look at it. I have had quite a number of communications on the subject.

The VICE-PRESIDENT. The Senator from Maryland asks that the amendment be passed over. Without objection, it will be passed over.

Mr. ALDRICH. I will take it up later in the day, after the Senator has had a chance to examine it.

The VICE-PRESIDENT. Without objection, the amendment is passed over until later in the day.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. The amendment presented by the Senator from Kentucky [Mr. BRADLEY] has not yet been stated. Will the Senator permit the amendment to be stated so that the RECORD will show it?

Mr. CULBERSON. Certainly.

The SECRETARY. It is proposed to strike out, after the words "fluor spar," the words "crude or crushed, ground or otherwise treated or manufactured, $1.50 per ton" and insert the words "or gravel spar, crude, $1 per ton; crushed, ground, or otherwise treated, $3.50 per ton."

Mr. ALDRICH. The committee do not accept anything of the amendment except the rate of $3 a ton on fluor spar.

Mr. PENROSE. The amendment adding the words "and feldspar" has been adopted, I understand.

The VICE-PRESIDENT. That amendment has already been adopted.

Mr. CULBERSON. Mr. President, with the indulgence of the Senate I propose to take advantage now of the latitude of debate to submit some general observations upon the pending bill, and that not at length.

Mr. GALLINGER. Will the Senator allow the next paragraph to be acted upon, as I may be absent, and I am quite interested in it? I think it will be passed in a moment. It is paragraph 89, mica.

Mr. CULBERSON. Very well.

Mr. ALDRICH. I am willing that the paragraph in regard to mica shall be acted upon, but I am not certain but that the committee may have an amendment to offer to the paragraph later on. The committee withdraws its amendment to the paragraph as it stands, and I am willing that the paragraph shall be agreed to, but I give notice that subsequently the committee may report a different provision.

Mr. NELSON. Mr. President——

Mr. CULBERSON. If it provokes debate, I hope the Senator will let me make my observations now.

Mr. GALLINGER. The Senator from Texas yielded to me, and I was about to say if there is to be any debate on the matter, I will not ask that it be considered now.

Mr. NELSON. Mr. President, I rise to a question of order. I am here all the time trying to keep track of the bill. If amendments are agreed to, I want to know what they are. If the committee have any amendments to a paragraph, I insist that those amendments shall be presented before we vote on the paragraph and not after it is passed over, and then afterwards say that it shall be amended. By such a proceeding we do not know where we are.

Mr. ALDRICH. I made the suggestion, if the Senator had listened to me with his usual attention——

Mr. NELSON. I am trying to keep track of the bill here, and I want to know what amendments are offered.

Mr. ALDRICH. For the very purpose which the Senator now suggests, I said the committee might subsequently have an amendment to offer.

Mr. NELSON. Then, do I understand that paragraph 88 is passed over?

Mr. ALDRICH. That was passed over at the request of the Senator from Maryland [Mr. RAYNER].

Mr. NELSON. Very well; that is all.

The VICE-PRESIDENT. The Chair suggests, however, to the Senator from Rhode Island that the Secretary has not yet stated the amendment to paragraph 88, as the Senator desires it to be offered, and the Senator will again indicate it to the Secretary, so that it may be stated and the RECORD may show it.

Mr. ALDRICH. On page 21, lines 13 and 14, strike out "$1.50 per ton" and insert "$3 per ton."

The VICE-PRESIDENT. By unanimous consent the amendment will be passed over for the present.

Mr. GAMBLE. Mr. President——

The VICE-PRESIDENT. The Senator from Texas has the floor. Does he yield to the Senator from South Dakota?

Mr. CULBERSON. I prefer to go on now.

Mr. GAMBLE. Do I understand that paragraph 89 has gone over for the present?

The VICE-PRESIDENT. It has not been taken up.

Mr. ALDRICH. It has not been taken up yet.

Mr. GAMBLE. I want to be heard on that paragraph.

Mr. CULBERSON. Mr. President, I stated a moment ago that I would take advantage, with the indulgence of the Senate, of the latitude of debate to submit some general observations upon the pending bill, and that not at any great length. Before attempting to apply them, as I shall do only in a very general way, to the great question of tariff taxation now pending here, let me state somewhat briefly my conception of the fundamental principles of the Democratic party.

Mr. ALDRICH. I beg the Senator's pardon. Did the Senator say he expected to occupy only a few minutes?

Mr. CULBERSON. I said that I would speak comparatively briefly, and I think when I have finished the Senator from Rhode Island will agree that I have kept my promise. If that were not the case, I think all Senators will bear witness that I have occupied very little of the time of the Senate in this debate, and even outside of that I am entitled to occupy as much time as I want; and I intend to do so.

Mr. ALDRICH. My suggestion was not in that line at all.

Mr. CULBERSON. I understood the facetious character of the suggestion of the Senator, and it was none the less out of place.

Mr. ALDRICH. I beg the Senator's pardon. My suggestion was not as to the time the Senator has occupied. He has occupied very little time, of course, and I realize that; but when he was stating, as I understood him to state, that he proposed to lay down the fundamental principles of the Democratic party, I thought it would probably take him more than a few minutes to perform that task.

Mr. CULBERSON. It occurred to me, in view of the speech of the Senator from Rhode Island at the outset of the debate, in which he undertook to lay down the Democratic doctrine, that probably some of us on this side from time to time should do so. As I said, Mr. President, before attempting to apply them to the question of tariff taxation now before the Senate, I want to state, somewhat briefly, my conception of the fundamental principles of the Democratic party.

The Democratic party arose, in some measure, from the character of the Constitution of the United States and the relation of the several States to the Union which that instrument established, but in a better and larger sense perhaps it sprung from the essentials of individual right and public authority. Since the adoption of the Federal Constitution the founder, in his lifetime, and the loyal adherents of the Democratic party in every generation, as opposed to the Federalist, the Whig, and the Republican parties, have contended for the proper limitation and restriction of all public authority, for the separation and independence of the three great divisions of government, and for such construction of that Constitution as would maintain, unimpaired, the just and constitutional distribution of state and federal powers.

While the Democratic party stands more resolutely than any other party for the rights of the States and is their foremost and historic champion, it is not the state-rights party alone; and, while it contends for all the constitutional powers of the General Government, it is not the Federal party. It is, rather, Mr. President, the party of the Constitution.

Jefferson rightly declared that the essential principles of our Government, which affect this particular subject, consist "in the support of the state governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies;" and, on the other hand, "the preservation of the General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad."

Besides the natural and inherent objection to a strong government, with its tendency to encroach upon private rights and to vex, harass, and oppress the citizen, the Democratic party conceives that especially in a great country like the United States, with a population spread over a far-extended continental territory, the people immediately affected and concerned can best regulate their own local and domestic affairs, and that a consolidated, central government will in time become extravagant, corrupt, and oppressive. Instead of consolidating, it would therefore decentralize the Government within its fair constitutional limits, as was the aspiration of the founders, not only because that is the constitutional mandate, but also because within that principle lies the public welfare, for the nearer the seat of power is placed to the people the more responsive will it be to their will, and the farther it is removed from them the more it will be disregarded. It has insisted that the Government of the United States is one of limited and enumerated powers, and as declared in the tenth amendment—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

As a necessary consequence, Mr. President, the Democratic party for more than a century has combated the great mass of implied powers in the Federal Government contended for by Alexander Hamilton and the several political parties which have succeeded to his views.

Not content, sir, with the progress of the ancient doctrine of implied powers, the imperious and baseless dogma of constructive constitutional amendment has very recently been boldly proclaimed by one of the great leaders of the Republican party, and the Democratic party should resist it as it would an army with banners.

But, Mr. President, as I have already suggested, the organic principles of the party are even stronger than constitutional law. The political philosophy of the party finds deeper root than in the interpretation of the limitations and safeguards of a written Constitution, precious though they be.

While believing in such a Constitution, and while part of its mission is to preserve the one under which we live as the best hope of mankind yet devised, the great aim of the party is to achieve and perpetuate personal and political and religious freedom. Appealing to the philosophic truth of history, the party bears ever in mind that the natural course of affairs is for government to encroach upon private rights, for the functions of government to be perverted, "for freedom to lose and government to gain ground."

This inevitable movement, Mr. President, would unduly enlarge the powers of state and abridge the rights and liberties of the citizen. The political philosophy of the party, indeed, rests upon those manhood liberties to which Jefferson gave imperishable voice in the Declaration of Independence, in the Bill of Rights which he forced into the Federal Constitution, and in his first inaugural address.

This philosophy is woven indestructibly in the belief that free institutions are founded in unceasing and sleepless vigilance; in the fearless restriction of government to its legitimate purposes; in jealousy and distrust of rulers and not in faith and confidence in them; in equal rights to all and special privileges to none; in the theory that the government is best which governs least; in individualism and not paternalism; in dispersion, not concentration, of governmental power; in the limitation of taxation to the necessities of a frugal administration; and in an abiding conviction of the efficacy and wisdom of popular sovereignty. These are its proverbs; in these are comprised the vital forces of Democracy.

For more than half a century the Democratic party, almost without interruption, conducted the Federal Government in consonance with these principles and made it the marvel of the world. The Republican party, on the other hand, like the Federalist and the Whig parties of which it is the successor, antagonized these principles, both those of a constitutional and those of a more general character.

During and since the civil war, and partly by reason of the reactionary and centripetal forces it developed, Republican policies largely prevailed. They have resulted in evils inseparable from such policies; in extravagance, and sometimes in profligacy and corruption; in the decline of individualism and the growth of paternalism; in the dwarfing of home rule; in the overthrow of state authority; in the creation of favored and privileged classes; in the perversion of the functions of government; in the encroachments of government upon the natural and reserved rights of the people; in the imposition of taxation not for public purposes alone but for private purposes also; and in the centralization of irresponsive and often despotic power at the capital.

When we turn, Mr. President, to the question of tariff taxation and apply to it the basic principles of the two great parties which are pertinent, it is obvious that they are antagonistic and irreconcilable. Whatever may be thought of the several schedules of the pending tariff bill, the measure as a whole is avowedly constructed on the principle of protection; that is, on the principle that the power of the Government may be used to tax imports, not primarily to raise revenue to support the Government, but primarily to protect American producers and manufacturers against foreign competition, whereby the price of the home articles to American consumers may be enhanced to the extent of the tax. By legislative decree, by operation of law, a burden is laid upon consumers not based upon natural trade conditions, not their share of the expenditures of government, but is levied for the sole purpose of augmenting the profits and private fortunes of manufacturers and producers. This is the Republican doctrine of protection, stripped of sophistry and embellishment. It is founded neither in constitutional nor moral right, and is opposed to the nature, the spirit, and the genius of our institutions.

Individual Democrats may doubtless be found who believe in free trade or in protection, yet the Democratic party believes in neither. It stands for a revenue tariff—that is, for a tariff which will admit imports and yield revenue primarily—and is opposed to a protective tariff, whether the duties are levied on finished products or on raw material. Under whatever grant of federal power it is sought to be justified, a tariff law which compels the great body of consumers of the country to pay mere tribute to those from whom they purchase is a gross and palpable abuse of legislative authority.

No greater or more unjust burden in the guise of taxation was ever laid upon a free people than that contained in the present tariff law. With astonishing candor, it has been admitted by some who took part in framing the law that the rates were deliberately placed excessively high, higher than the demand of the most rapacious protectionist, in order to negotiate reciprocity treaties with foreign countries, and yet such treaties have not been negotiated, or if negotiated have not been ratified. For twelve years the people have borne the burden, for twelve years they have poured part of their earnings into the coffers of the oil, the sugar, and the steel combinations, out of which monuments in benevolences and in charities have been erected throughout the land to those whose avarice and greed and lawlessness wrung the exactions from the toiling millions; and now that tariff revision in some form can no longer be postponed, it is said with familiar and characteristic audacity that it must be done by the friends and beneficiaries, who would fasten the indefensible and vicious system upon the country.

While it is not my purpose to discuss the pending bill to-day in detail, something of the oppressive character of the present law and the failure to relieve it by the proposed measure should be succinctly pointed out. The average existing ad valorem rate on all articles is 44.88 per cent. In 1906 tariff taxes actually paid on 91 groups of articles were 100 per cent or over. It has been estimated by a leading Republican and protectionist that under the Dingley Act the people pay to the protected interests annually a mere tribute or subsidy of at least $500,000,000. This is practically divided among the trusts, among them the sugar trust receiving $20,000,000, the oil trust $20,000,000, and the steel trust $80,000,000 yearly. Notwithstanding the exorbitant rate now imposed, the pending bill carries a higher one, an average rate of 46.45 per cent, or 1.57 per cent over the Dingley rate.

Mr. Jefferson asserted as a just limitation upon government that after making provision for an economical and efficient

administration it should not take from the mouth of labor the bread it has earned. At the bottom of this is the Democratic doctrine of individualism and its opposite is the Republican doctrine of paternalism, the one embodying the idea, as applied to taxation, that the property of the citizen may not be taken except for public purposes, and the other that it may also be taken for private advantage. As long as a large part of the revenue of the Federal Government is raised by taxes on imports, as is now the case, incidental and unavoidable benefit will accrue to American products by lessening foreign competition, even when such taxes are imposed on a purely revenue basis. A tariff levied, however, not for necessary revenue, but wholly for protection is perhaps the highest and most pernicious form of paternalism, because in addition to imposing unnecessary taxation the powers of government are grossly perverted in order to enhance the private interests of the favored class. Against such injustice and such perversion of the taxing power the Democratic party has ever protested, and the practical consequences which have followed the protective system justify the condemnation.

The protective policy has fostered a dependence upon government for the promotion of trade and industry which is hurtful to individual effort and detrimental to general prosperity. It has increased the cost of living enormously, out of all proportion to the increase in wages when that has occurred, and thus in the end has injured the wage-earners. It has enabled protected interests to sell cheaper to foreign than to home markets and to demand extortionate profits from the people of the United States. Under the operation of the Dingley Act during the past ten years the steel corporation alone exacted perhaps $250,000,000 more from American consumers than it would have been satisfied with from foreign consumers. The protective tariff has undoubtedly encouraged and contributed to the formation of trusts and combinations in trade in this country by stifling foreign competition and limiting the field of operations of these combinations, for the larger the field the more difficult will be its control and monopoly. It has created a favored and privileged class, and has enabled that class to amass colossal fortunes, which are used to bind the protective system upon the people by degrading and debauching the suffrage and the national conscience. Mr. President, although there is penury and want in every community in the land, and although this is due in part to the burden which the people bear for protection's sake, yet the wealth of its beneficiaries rivals the wildest dreams of kings. These vast fortunes, challenging the credulity of mankind, are not the fruit of unaided individual or corporate effort, but result in large degree from the operation of these unequal and unjust laws.

The Democratic party makes no war upon wealth nor would it embroil capital and labor nor embitter the poor against the rich. But on this subject it would gradually embody in legislation equality of right; it would dissolve the government copartnership with special privileges and protected interests, and it would not by law give to any man or class a favor or advantage above another in the race and struggle of life.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 89, to which the committee amendment in line 15 has been withdrawn?

Mr. GALLINGER. Let that go over, Mr. President.

Mr. ALDRICH. I ask that the paragraph may be agreed to as it stands; but I give notice, as I said before, that the committee may later on recommend an amendment.

Mr. GAMBLE. Mr. President, when this paragraph was reached on the first reading of the bill it was suggested by the chairman of the Finance Committee that it be passed over, and he coupled that request, as I recall it, with the suggestion that the committee might report an amendment placing mica on the free list.

Mr. ALDRICH. My statement was that a large number of industries specially engaged in the electrical business believed that mica should be on the free list. They have made certain statements to that effect to the committee, and have asked to be further heard with reference to it. The committee are now willing to agree to the House provision, but if it should appear to them later on that some change should be made, they reserve the right to recommend an amendment.

Mr. GAMBLE. It was my purpose, Mr. President, when this paragraph was reached to submit some observations thereon, because of the great interest of the western part of our State in the production of mica. If, however, the paragraph is not to be finally disposed of at this time I would not care now to unduly take up the time of the Senate. If it is proposed to take up the paragraph later I should like an opportunity to be heard, and possibly at some length.

Mr. ALDRICH. I will give the Senator from South Dakota due notice when the paragraph is to be taken up.

Mr. GAMBLE. Mr. President, the reduction as proposed from the Dingley Act of 1897 on unmanufactured mica is from 6 to 5 cents a pound and on the manufactured article from 12 to 10 cents a pound. The ad valorem duty of 20 per cent remains as in the existing law. The industry is being very rapidly developed in this country against most active foreign competition, and it occurs to me, Mr. President, the rate of duty provided by the present law should be retained, in justice to this industry. The people of 11 States are interested in this industry, and are producers of mica. There has been an immense increase in the production of this article during the past two or three years, and at this time nearly 50 per cent of the consumption of the United States is produced in this country as against the importations from abroad.

The importation for 1908 was 1,310,877 pounds, with a valuation of $567,550. The domestic production for the year 1907 was 1,060,182 pounds, with a valuation of $349,311. The domestic production for the year 1902 was 373,266 pounds. It will be observed the production during the five years increased nearly 400 per cent.

The statistics for the year 1908 show a very marked decrease in importations over that of 1907. For the former year the importations were 1,310,877 pounds, against 3,448,452 pounds for the latter.

Mr. NELSON. To what paragraph does the Senator refer?

The VICE-PRESIDENT. Paragraph 89 is before the Senate.

Mr. GAMBLE. Mr. President, I am addressing myself briefly to paragraph 89. I repeat, this industry is largely in process of development. The product is essential to the development and to the uses of many industries, and should receive the protection and encouragement. There are inexhaustible mines of this product in South Dakota, where last year one-third of the mica in the United States was produced. A large plant in the western part of the State has been successfully operated for the past two years. I am informed another of equal capacity is being installed and will be in operation within the next sixty days. I am assured from the extensive and rich supply in that region, with both plants in operation, they will be able to produce a sufficient supply for all the electrical uses of the entire country. The production of mica is largely in competition with the cheapest labor in the world. The largest importations for 1908, as shown by the statistics of the Government, were from India.

Mr. ALDRICH. Will the Senator permit me to ask him a question?

Mr. GAMBLE. Yes, sir.

Mr. ALDRICH. Among the representations which were made to us by people who wanted lower duties on this product, or the placing of it on the free list, is that it is controlled by one concern, and that to keep this duty up would simply be for the benefit of the trust. I should like to have the Senator from South Dakota explain to us whether or not that is true, and how many people there are engaged in the production of mica in this country.

Mr. GAMBLE. I have not the statistics at hand at this moment to show the number of people employed in this industry, but they are scattered over 11 of the States of the Union.

In the matter of trusts, I have more particular knowledge in relation to conditions in my own State.

In the vicinity of Custer, from a report of the Geological Survey just issued, there are 13 mines, 4 of which, I am informed, are operated and owned by the Westinghouse Company. It is my understanding the 9 other mines are owned and operated by independent concerns and individuals.

North Carolina has been the largest producer of mica and has the greatest number of producing mines. In no sense do I understand this industry is owned or controlled by a trust, and have never heard such a statement made. The production comes from so many States and from such an extended area I do not believe such a condition is likely to occur.

Mr. President, it is my purpose, on account of the statement made by the chairman of the committee, to take the time of the Senate on this paragraph only for a moment. As I stated before, the largest importation is from India; and the statistics of last year show an importation of 543,722 pounds from that country, where there are between fifteen and sixteen thousand people engaged in the mining of mica at the lowest possible wages. Against such competition the American laborer should receive the full measure of protection.

Mr. ALDRICH. Can the Senator from South Dakota give us the relative wages in South Dakota and India upon this product?

Mr. GAMBLE. The comparative rate of wages between India and this country has been frequently given during this debate. The rate there is only a few cents per day, and is only a fraction of the rate of wages paid in this country. The information furnished us by the Finance Committee is that mica from India can be mined and landed in this country at a price lower than the cost of production at some of the mines in the United States.

It seems to me, Mr. President, the rate of the present law should be retained. If the paragraph is to be again taken up, I will not longer detain the Senate at this time. However, should the committee propose a further amendment of the nature suggested, I will again ask to be heard at greater length.

Mr. ALDRICH. I do not ask to have it go over. I ask the Senate to agree to the House provision.

Mr. GALLINGER. Mr. President, the Senator from Rhode Island is undoubtedly incorrect, or he is the victim of misrepresentation, when he imagines that mica is controlled by a trust. It is not. We have independent companies operating in the little State of New Hampshire and doing considerable business.

The Senator asked about the wages in India as compared with the wages in this country. I understand that they get 8 or 10 cents a day in India, and we pay considerably more than that in the United States.

But what I rose for more particularly was to call attention to a fraud that has been perpetrated in the importation of mica, and to ask the chairman of the committee, or some member of that committee, if we will be reasonably protected against that fraud if the paragraph shall be agreed to as it came from the House of Representatives? Here is a piece of mica [exhibiting] imported from India. That was called "rough trimmed" mica. It is almost a complete sheet of mica; in fact, it looks like a complete sheet to me; and yet the Board of Appraisers in New York ruled that that was rough-trimmed mica, and it came in and was accepted as rough-trimmed mica. The friends of this industry propose that the words "thumb trimmed" shall be inserted in place of "rough trimmed," that having been a former process by which they broke off the edges with the thumb, but I understand that has been abandoned. The Board of Appraisers, as I am informed, have since decided that this character of mica can not come in as "rough trimmed;" but the question I wanted to ask was whether it may not come in almost as completely manufactured as this under the term "rough trimmed?" What protection have we, as a matter of fact, against this fraud that has been perpetrated and which, it seems to me, may be continued only in a less degree? The Senator from Utah [Mr. SMOOT] has given a good deal of consideration to this matter, and I will ask him if he thinks we will be really protected, as we ought to be, in reference to this matter if we agree to the House phraseology and leave in the words "rough trimmed?"

Mr. SMOOT. My opinion is that to entirely protect the American mica the words "thumb trimmed" should be used instead of "rough trimmed."

Mr. GALLINGER. Yes; and the Senator understands this piece which I have here was at one time imported and passed the custom-house as "rough trimmed." Now I understand that decision has been reversed; but may it not be imported not in quite as complete a form and yet be admitted as "rough trimmed?"

Mr. SMOOT. The decision of the court in New York was that whenever it comes in in shapes and forms it always comes under a higher rate, and wherever it is sickle cut, then it comes under a lower rate. It is true that in the past that form of mica did come into this country, or they tried to get it into this country, as "rough trimmed."

Mr. GALLINGER. They did actually, I think, at one time, did they not?

Mr. SMOOT. At one time they did.

Mr. GALLINGER. I am quite willing to have the paragraph agreed to with the phraseology of the House; but will take occasion to repeat what the Senator from South Dakota [Mr. GAMBLE] said, that I can see no earthly reason why the rates on this product should be reduced from those in the existing law.

Mr. DU PONT. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Delaware?

Mr. GALLINGER. Certainly, I yield.

Mr. DU PONT. Why would not the term used by the Senator from Utah, "in shapes and forms," be a complete protection? I suggest that to the Senator from New Hampshire. People in my State also are interested in the mica industry.

Mr. GALLINGER. I understand, Mr. President, that the committee are going to give this matter further consideration with a view to making this paragraph conform to what some of us think it ought to be, if in their wisdom they think it necessary to change it; but I think for the present we had better agree to it as the House passed it.

The VICE-PRESIDENT. Without objection, paragraph 89 is agreed to, the committee amendment having been withdrawn. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 94—gas retorts.

Mr. ALDRICH. I will say that the committee proposes to ask that the paragraph regarding pumice be adopted as it came from the House. I do not know whether the junior Senator from Nebraska [Mr. BROWN], whom I do not see in the Chamber at this time, but who is interested in it, desires to offer an amendment or not. Perhaps I had better defer action upon it until the Senator comes into the Chamber. We will take up, therefore, the next paragraph—carbons and gas retorts.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 94, page 23. The committee proposes, in line 12, to strike out "$3 each" and insert "30 per cent ad valorem."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. In lines 14 and 15 the committee proposes to strike out "35 per cent ad valorem" and insert "70 cents per 100 feet."

Mr. ALDRICH. The committee modifies its amendment in that respect and moves to insert the words which I send to the desk.

The VICE-PRESIDENT. The Secretary will state the amendment as modified.

Mr. ALDRICH. The amendment is to take the place of lines 14 and 15.

Mr. BAILEY. What page?

Mr. ALDRICH. Page 23, line 14, after the words "ad valorem," to strike out "carbons for electric lighting, 70 cents per hundred feet," and insert the words which I send to the desk.

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. On page 23, line 14, after the words "ad valorem," it is proposed to modify the committee amendment by striking out the words "carbons for electric lighting, 70 cents per hundred feet," and insert "carbons for electric lighting made entirely from petroleum coke, 35 cents per hundred feet; if composed chiefly of lampblack or retort carbon, 65 cents per hundred feet."

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

Mr. LA FOLLETTE. Mr. President, I hope that amendment will not be adopted. Electric carbons are used in every city in America and in nearly every village. They are also used by every industrial and commercial establishment of any size in this country. The rate under the existing law is 90 cents per hundred carbons. That is equal to about 47 per cent ad valorem.

The House took considerable testimony upon this subject, and fixed a rate of 35 per cent ad valorem; and the Senate bill as first reported proposed a duty of 70 cents per hundred feet, an increase of 55 per cent over the existing rate. The committee amendment proposed this morning makes a new classification. It proposes a rate of 35 cents per hundred feet on low-grade carbons and a rate of 65 cents per hundred feet on high-grade carbons.

Mr. President, this rate of 35 cents per hundred feet on low-grade carbons in this new classification has no significance whatever.

There are no low-grade carbons imported into this country, and there can be none. That statement is based upon the testimony of Mr. Crider, secretary of the National Carbon Company, who appeared before the Ways and Means Committee, representing this monopoly, which is the sole producer of high-grade electric carbons and dominates the market for low-grade carbons in this country.

Mr. Crider says:

> The common grade of carbon is made from petroleum coke (a raw material that they do not have at a reasonable price abroad).

At another place in his testimony he reaffirms that statement in language equally definite, clear, and positive. Just what the purpose of the committee was in making this new classification and this apparent reduction in the duty, I do not know. It has not been explained. I shall be glad to hear an explanation when it is made. None has been offered, but a vote has been demanded upon this amendment.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I do.

Mr. SIMMONS. I have just come into the Chamber; and as I did so I heard the Senator say that this reduction was an

apparent one. Perhaps the Senator had, before I came in, given the reasons for that statement. I did not hear them, however.

Mr. LA FOLLETTE. I will say to the Senator from North Carolina that I was speaking especially of the new classification and the 35-cent rate that is provided for low-grade carbons. I had just read the testimony of the secretary of the National Carbon Company, which has a monopoly of the manufacture of high-grade carbons and controls the market of low-grade carbons in this country, to show that low-grade carbons are not manufactured at all in foreign countries, because they can not get, at reasonable prices, the petroleum coke out of which these low-grade carbons are made.

Mr. SIMMONS. I wish the Senator to understand that I am in entire sympathy with him in desiring a reduction in the duty. I had heretofore supposed that a reduction had been made, because I noticed in our Book of Estimates that the duty under the present law is 90 cents per hundred, while under the Senate bill it is 70 cents per hundred.

Mr. LA FOLLETTE. The Senator is misled by the figures. The duty under the present law is about 47 per cent. It is 46.79 per cent.

Mr. SIMMONS. Yes; but I was not speaking about the ad valorem duty.

Mr. LA FOLLETTE. I mean the ad valorem equivalent.

Mr. SIMMONS. I was not speaking about the ad valorem equivalent.

Mr. LA FOLLETTE. I beg the Senator's pardon.

Mr. SIMMONS. The ad valorem equivalent indicates there has been a reduction of about 10 per cent; but the specific duty is 90 cents per hundred under the present law, and under the Senate bill 70 cents per hundred, which would indicate a reduction. The ad valorem rate also indicates a reduction; but I understood the Senator to say that the reduction is only apparent.

Mr. LA FOLLETTE. Those figures are utterly misleading. They show an apparent reduction, but if correct would show an increase of 55 per cent over the existing rate. I am speaking of the amendment as first reported by the committee. The amendment proposed by the committee this morning is an increase of about 45 per cent over the existing rate.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do.

Mr. GORE. I wish to ask the Senator if it is a fact that in one case the duty is laid per hundred and in the other case it is laid per hundred feet? Is that true or not?

Mr. LA FOLLETTE. That is true.

Mr. GORE. The reason why I asked the question is that I have here a letter from a party concerned, who says that in the change of the duty from so much per hundred to so much per hundred feet there is concealed a "joker" that will result in a large and unreasonable increase.

Mr. SIMMONS. That is the reason I asked the question.

Mr. LA FOLLETTE. There is really an increase instead of a decrease.

Mr. SIMMONS. I wanted to see the "joker" worked out. I noticed that myself.

Mr. LA FOLLETTE. I do not care to call it a "joker" or to charge anyone with bad faith. But in effect and in operation it will work out as an increase of duty of 55 per cent as first reported in the Senate bill, and 45 per cent as proposed in this last committee amendment.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do.

Mr. GORE. I wish to state that the reason I used the term "joker" was that I remembered that the word was used in the letter to which I have referred. I am not responsible for the expression; and I am sure that if any such consequence should follow, it will be due to mere oversight on the part of the committee and not due to design.

Mr. LA FOLLETTE. Oh, certainly.

Mr. JOHNSON of North Dakota. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. LA FOLLETTE. I do, if it is for a question.

Mr. JOHNSON of North Dakota. Before we leave the point about the so-called "increase" in the duty on carbons, whereas on the face of it there is an apparent reduction, I should like to ask the Senator from Wisconsin if this is not a fact: At the time the present law was written, the only carbons that were known to commerce under this schedule were about 11 inches long, and the present law levied on them a duty of 90 cents per hundred; and afterwards the importers invented a method of circumventing our tariff laws by making these carbons 6 feet long and subsequently cutting them off, so that they could import under this duty of 90 cents per hundred a much larger quantity than the framers of the law contemplated? Is it not true that in that way the importers really wrote our tariff law in this respect, and very largely reduced the duty on this article?

And is not that the only excuse or semblance of excuse for the Senator's contention that there is a "joker" in this language? We are now revising the tariff law for the purpose of bringing it up to date and correcting these inequalities which have not been written in our laws, but have been crowded into them by the ingenuity of importers.

Mr. LA FOLLETTE. I will say to the Senator that when he interrupted me I was about to take up this very proposition and present it fully to the Senate.

It is true that the importers did increase the length of the carbons for importation, and thus obviated what otherwise would have been a prohibitive duty. It is also true that the courts held that they could lawfully do that. And I think it will appear that this was not more ingenious than the advantage that was taken by somebody who must have imposed on the conferees in getting into the conference report the rate that was fixed by the Dingley law. That rate put upon a product that is manufactured largely by mechanical processes a duty from 100 to 150 per cent, laying the foundation, as it did, for the formation of the carbon monopoly that we have in this country to-day, with headquarters at Cleveland, Ohio.

I desire to place before the Senate all the facts that I have been able to gather relating to this subject.

The reason for this change in the duty on electric-light carbons is that under the present law, which fixes the duty at 90 cents per hundred, the carbons are imported in double lengths—that is, twice the length required for ordinary use, which is about 1 foot. I will say to the junior Senator from North Dakota [Mr. JOHNSON] that it would not be possible to import such carbons in 6-foot lengths. I have no doubt the importers would do it if they could. I am not apologizing for or defending the importers.

I presume they tried to import these carbons, under the provisions of the Dingley bill, in lengths as great as it was possible to handle without loss by breaking; and I think they found, upon trial, that they could not import them longer than double lengths without sustaining a greater loss from breakage than gain from increasing the length of the carbons.

Under the present law, which fixes the duty at 90 cents per 100, carbons are now imported in double lengths—that is, twice the length required for the ordinary use, which is about 1 foot. But in computing the ad valorem equivalent under the duty proposed by the Finance Committee, the rate is given on the assumption that 12-inch carbons are imported.

Under the present law probably 80 per cent, certainly a large proportion, of the carbons imported are imported in 2-foot lengths. Two hundred feet of carbon is imported for a duty of 90 cents, which is about equivalent to a 47 per cent ad valorem. Under the proposed amendment of the Senate committee, as I have before stated, 200 feet of carbon would be subject to a duty of $1.30, an increase in the duty over the existing rate of 45 per cent, thus making a great increase in the existing rate instead of a great reduction, as would appear on its face.

Mr. President, I am ready to stand for an increase of the rate in this bill whenever it can be justified as necessary to encourage production in this country, and there is reasonable hope that the higher duty will increase production and, under competition, reduce the cost to the consumer.

Mr. SIMMONS. Will the Senator from Wisconsin pardon me?

The PRESIDING OFFICER (Mr. ROOT in the chair). Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I do.

Mr. SIMMONS. If the Senator is right in his contention—and I think he is—and if all the carbon came in in lengths of 2 feet, under the present law the rate would be only 45 per cent per foot, would it not?

Mr. LA FOLLETTE. The ad valorem equivalent is about 47 per cent.

Mr. SIMMONS. This is a specific raise of 30 cents per hundred feet.

Mr. LA FOLLETTE. Twenty cents per 100 feet, I think.

Mr. SIMMONS. No; the difference between 45 and 70.

Mr. LA FOLLETTE. The pending amendment is 65 cents per 100 feet.

Mr. SIMMONS. I was not here when the amendment was introduced.

Mr. LA FOLLETTE. The Senate committee has offered as a substitute for this proposed amendment to the bill an amendment which makes a new classification, putting a rate of 35 cents per 100 feet on the low-grade carbon and a rate of 65 cents per 100 feet on the high-grade carbon.

Mr. SIMMONS. I was not in the Chamber when the amendment was offered.

Mr. LA FOLLETTE. The representative of the National Carbon Company, of Cleveland, Ohio, the so-called "carbon trust," argued before the House committee that the Government was being defrauded on account of the increased length of the carbons. This argument has been repeated here. The senior Senator from Massachusetts [Mr. LODGE], the first time this paragraph was read for consideration, made that statement, and made it, I suppose, upon information which came from the same source. The suggestion of the Senate amendment is that the importers, and the consumers, who may fairly be assumed to have benefited by the reduced price made possible by the practice of the importers, are now to be punished by this increase of duty. It may be that Congress did not, in fixing the duty in the Dingley bill, contemplate that the length of the carbons should be increased for import. The length of the carbons imported at the time of the enactment of the Dingley bill was the commercial length of about 12 inches; maybe a trifle below that. Because I want the Senator to have full possession of all the facts I have, I will say that on the enactment of that law, and for the purpose of bringing——

Mr. BEVERIDGE. Mr. President——

Mr. LA FOLLETTE. In just a moment.

Mr. BEVERIDGE. Very well.

Mr. LA FOLLETTE. For the purpose of bringing in the carbons at all, the importers did increase the length. If they had not done so they would have been up against the barrier of a prohibitory duty ranging from 100 to 150 per cent—that is, the rate under the Dingley law—assuming it to have been intended to apply to carbons of just that length and not to have permitted the importation of carbons of greater length. But the court decided that it did permit the importation of carbons of any length, and simply gauged the duty by the number of carbons imported. A hundred carbons paid a duty of 90 cents, no matter what their length. It was soon found that owing to the large percentage of breakage they could not be imported in lengths exceeding 2 feet.

I now yield to the Senator from Indiana.

Mr. BEVERIDGE. I wish to ask the Senator a question. I gather from his argument that the Senator is assuming that the duty fixed by the Senate committee is an increase over the present law. Is that right?

Mr. LA FOLLETTE. It is an increase over the present law. It is not an assumption. It is a fact. I think that is very clear.

Mr. BEVERIDGE. I see here—I have not studied this—in the comparative statement that the present law is 90 cents per hundred carbons, the Senate bill is 70 cents per hundred feet, and the House bill is 35 per cent ad valorem. Therefore, the Senate rate at first was made 5 per cent. I understand that an amendment has been brought in by the Finance Committee which reduces that 5 cents per hundred feet, which makes the ad valorem about what the House rate is, which, as I understood from the Finance Committee the other day, is a reduction. Is the statement of the Finance Committee correct in that connection?

Mr. LA FOLLETTE. It is not correct at all. I will restate that, because I desire the Senator and every other Senator to understand it, if it can be made clear. I should like the attention of the Senator from Indiana, since he asked me the question, if the Senator from Rhode Island will permit. It is not quite fair when one has been asked to restate a proposition to have the Senator who asked it engage in conversation.

Mr. BEVERIDGE. The Senator shall have my entire attention.

Mr. LA FOLLETTE. The percentage rate given by the Finance Committee in the table of estimates is computed upon the assumption that the carbons are imported at a 12-inch length under the Dingley law. If they had been imported at that length, the ad valorem equivalent stated in the tables furnished by the Finance Committee would have been correct.

The Dingley law made it impossible to import carbons into this country at all at the rate of duty it fixed, if they were imported at the 12-inch length. But the law did not specify the 12-inch length, and the importers changed the carbons and imported them—after they found out what they could do in packing, and so forth—in 24-inch lengths. When imported in this length, the duty of 90 cents per hundred carbons amounts to 45 cents per hundred feet and, on the actual importations, to 47 per cent ad valorem. This ad valorem, given in the committee's table, is taken from the statistics of Imports and Duties, furnished by the Bureau of Statistics, and is correct. But the mistake or misstatement is made in computing the ad valorem rate of duty under the proposed amendment. The duty under the amendment is estimated on a basis of 70 cents a hundred carbons, disregarding the double length and disregarding the fact that the duty proposed is 70 cents per hundred feet, which would be $1.40 per hundred carbons of the length now imported, or 55 per cent more than under the present law.

Mr. BEVERIDGE. Let me ask the Senator a question right here, so that I may clearly understand it.

Mr. LA FOLLETTE. That is at 90 cents under the present law.

Mr. BEVERIDGE. I understand.

Mr. LA FOLLETTE. That is the way the carbons have been imported.

Mr. BEVERIDGE. I know. Let us see if we can get it clear. When the Dingley bill was passed carbons were imported at 12 inches, and the law provided 90 cents per hundred.

Mr. LA FOLLETTE. Yes, sir.

Mr. BEVERIDGE. Just as soon as they found they could import them at a greater length they still paid 90 cents a hundred for the 24-inch, just as they had paid it before for the 12-inch.

Mr. LA FOLLETTE. That made the duty on importations of last year about 47 per cent ad valorem.

Mr. BEVERIDGE. Yes; it practically cut the duty in two.

Now, I wish to ask the Senator whether it was the intention of those who framed the Dingley law to provide a rate of 90 cents, assuming that the carbons were 12 inches long?

Mr. LA FOLLETTE. That is anticipating somewhat what I intended to say, but I will answer it right here. I presume it was the intention of whoever secured that phraseology to get that high rate of duty, which, expressed in the ad valorem equivalent, would have been from 100 to 150 per cent and absolutely prohibitory. I do not believe it was the intention of the Congress which adopted that law to fix a 100 to 150 per cent rate, because when the Dingley bill passed the House of Representatives it carried an ad valorem rate of 50 per cent; so that, so far as the House of Representatives expressed its legislative intention in reference to the duty necessary, it put it at 50 per cent. The bill came to the Senate, and in conference was changed to this particular phraseology, which, as applied at that time to importations, worked out to be a duty of 100 to 150 per cent——

Mr. BEVERIDGE. Right here——

Mr. LA FOLLETTE (continuing). And bears upon its face some of the characteristics of a "joker."

Mr. BEVERIDGE. That is very important. I will see if I catch it clearly. I understand when the House passed the Dingley bill, it fixed the rate at 50 per cent ad valorem.

Mr. LA FOLLETTE. Yes, sir; the Senator is right.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from Indiana?

Mr. BEVERIDGE. And the change to the specific rate of 90 cents per hundred was made in the Senate or in conference?

Mr. LA FOLLETTE. In conference.

Mr. BEVERIDGE. Of course, it could not have been changed in conference unless the Senate had made some change in the bill. It could not otherwise have been changed in conference. However, that is immaterial.

Mr. LA FOLLETTE. It was changed in conference.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. BEVERIDGE. I wish to state to the Chair that I was not trying to take the Senator from Wisconsin from his feet, and I had been recognized by the Chair; and having been recognized by the Chair, and the Senator from Wisconsin having yielded to me to ask him a question, I was entirely within my rights.

The PRESIDING OFFICER. The Chair is bound to inform the Senator from Indiana that he made several observations, not asking for recognition——

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (continuing). Unless the Chair failed to notice the request of the Senator from Indiana.

Mr. BEVERIDGE. Mr. President, we might as well have this ruling settled here and now as at any other time. Is it understood to be the ruling of the Senate that when one Senator interrupts another to ask him a question, and gets the Senator's permission and asks him the question, in the succeeding questions which he asks, that interruption having been permitted by the Senator, he must for each question while he is still on the floor get the Chair's attention and again the consent of the

Senator? Because, if that is the ruling, of course we would take up more than two-thirds of the time in merely asking the Chair every time. That is an interesting proposition.

The PRESIDING OFFICER. In the opinion of the Chair, there must be some limit to the extent to which a general conversation shall continue, and the Chair supposed in this case that the conversation had gone as far as the request of the Senator from Wisconsin intended that it should go.

Mr. BEVERIDGE. Then, of course, that would mean that in asking a series of questions which the Senator occupying the floor had conceded the right to have asked him, it is for the Chair to determine whether a Senator is through asking his questions and the Senator through answering them or not, and it is not for Senators to determine.

Mr. LA FOLLETTE. Now, Mr. President, I do not believe that it was the real legislative intent to put a prohibitory duty upon carbons. I find on reference to the testimony with respect to the history of this duty that in enacting the Dingley bill the Senate simply struck out the House duty of 50 per cent and threw the matter into conference; the provision which became the law was reported as a part of the conference report not therefore subject to amendment, and it had to go through in that form as a part of the conference report and without reference to its merits.

Mr. President, I do not believe that the question whether the duty imposed in the Dingley law worked out in practice as some people intended it should and wanted it to work out is very material in this discussion. Certainly an evasion or purpose to evade the law is not so clearly established as to warrant us here in enacting a punitive duty that will impose an unwarranted burden upon the public. It does not make any difference what these importers have done; the question that confronts the Senate is where this rate shall be fixed under all the existing circumstances.

The existing rate of duty is already high, and by implication the Senate Finance Committee recognized this in their compilation. They purported to be reducing the duty to 36 per cent ad valorem, or practically to the rate carried in the Payne bill.

In contrasting the House bill and the bill reported by the Finance Committee I do not wish to be understood as always favoring the rates imposed by the House bill. But it is worthy of careful consideration that the Ways and Means Committee of the House spent months in the investigation of this subject and in the preparation of the bill which they reported.

After they heard the testimony upon both sides and presumably weighed it, they wrote into that bill a rate of 35 per cent as their judgment of a fairly protective duty to impose upon these high-grade carbons. That rate represented a slight reduction from the present law. I submit that when this committee reverses the action of the other House and asks the Senate to vote for a duty increasing the present rate 45 per cent some facts and reasons should accompany that request.

Mr. RAYNER. Mr. President, would it interrupt the Senator from Wisconsin——

Mr. BEVERIDGE. Mr. President, I call the Senator from Maryland to order. According to the ruling of the Chair, the Senator from Maryland did not address the Chair.

Mr. RAYNER. I beg pardon; I said "Mr. President." The Senator from Indiana ought to be a little more particular about his criticism.

Mr. BEVERIDGE. I am not at all criticising the Senator from Maryland.

Mr. RAYNER. I said "Mr. President" when I rose.

Mr. BEVERIDGE. The Senator was not recognized. I called the Senator to order to show how absurd the ruling is.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. If in trying this case out it is necessary to take testimony, I want to say that the Senator from Maryland did address the President of the Senate, and then, in a lower tone of voice, asked me if he might interrupt me.

Mr. RAYNER. I distinctly addressed the President. It is a pity the Senator from Indiana had not something more important to do than to make a criticism of that sort. He is wasting most of the time over there, anyway.

Will it interrupt the Senator from Wisconsin if I ask him one or two questions?

Mr. LA FOLLETTE. Not at all.

Mr. RAYNER. I am with the Senator on this proposition. I have received a communication. I did not want to break into the current of the Senator's discussion. It reads as follows:

According to the rate of duty now proposed by the Finance Committee of the Senate the importation of carbons will be absolutely impossible, and the entire business will fall into the hands of the National Carbon Company, of Cleveland.

I do not want to read some other lines that are personal.

The National Carbon Company has already, as admitted by their secretary in the hearing before the Committee on Ways and Means, absolute control of the business, and therefore must be considered a trust. In fact, it is one of the strongest trusts in the country, and the only competition it has is the imported article.

* * * * * * *

I might add that the capital stock of the National Carbon Company is $10,000,000, of which $4,500,000 is preferred, on which they pay 7 per cent, and $5,500,000 common, which is all water and on which they are paying 4 per cent. The common stock has been selling for six months at 65 and will no doubt go up to 100 if the Senate bill is passed.

As I said the other day——

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. I do not want——

Mr. BURTON. If the Senator will yield to me a moment, I wish to ask the Senator from Maryland if he vouches for that statement?

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin has the floor and declines to yield further.

Mr. LA FOLLETTE. If the Senator from Maryland has not completed his statement, I will yield.

Mr. RAYNER. I only want to ask the Senator whether he knows anything about the facts. As I said the other day, I do not know who to believe on either side, but I do believe the Senator from Wisconsin, and I want to know whether it is true or not from either the Senator from Wisconsin or the Senator from Ohio. It is just information which has been given to me, and I do not know whether it is reliable or not.

One other word and I will sit down. In this same communication occurs the following paragraph:

Competition against the carbon trust by manufacturing the carbons over here is excluded for the mere reason that the raw material for the manufacture of carbons has to be bought from the Standard Oil Company, which is closely related to the carbon trust.

If anybody can throw any light on this communication I should be glad to hear from the Senator from Wisconsin or anybody else. That is all I wanted to say.

Mr. LA FOLLETTE. I think I will cover this case in the course of my remarks. I think I will be able to show the facts with respect to the existence of this National Carbon monopoly and its capitalization. I do not think the question will be involved in any doubt.

It was suggested by the senior Senator from Massachusetts [Mr. LODGE] when this subject was up for consideration at the first reading of the paragraph, and I think in response to a question which I submitted to him, that the only consumers interested in this commodity are wealthy corporations who can well afford to pay more for what they use. I think he stated that the Westinghouse Company and the General Electric were the principal purchasers of these high-grade carbons.

Mr. President, if such a contention were true it would not warrant imposing the proposed duty. It makes no difference who the consumer is, the duty should be fixed with reference to justice and to existing economic conditions, and it should not be fixed to promote a monopoly of the business in this country and to suppress competition.

But in this case, Mr. President, the consumers, the purchasers of these carbons, really compose the great body of the people of the country. They buy these carbons when they make their purchases in a dry-goods store that is lighted by the consumption of these carbons. They buy these carbons when they pay an electric-light company in a village or city for the light which they consume. They buy these carbons when they pay their taxes in every municipality which owns its own electric-light plant.

Mr. President, according to the last census there were 3,600 central electric-lighting stations in this country. Of course, that number is greatly increased now. One-fourth of those plants, according to the census, were under municipal ownership, and there, of course, every cent of overcharge in the purchase of these carbons is paid directly by the taxpayers. The city of Chicago alone pays something over $30,000 a year for electric-light carbons. Of course, a great proportion of these carbons are used by industrial and commercial establishments of the country. The suggestion that the selling price of this commodity is a matter of no concern to the public begs the whole question of the regulation of public-utility companies. It may be these concerns generally would make no voluntary reduction in their charges to the public if their carbons cost them less, but the people are more and more taking these questions into their own hands. In my own State no public-utility corporation is allowed to charge whatever it pleases for its services.

In other States similar legislation has been and is being enacted, and ultimately, Mr. President, every State in this Union will put all the public-service corporations of that State absolutely under control and regulation either by state authority or by municipal authority.

My attention was first attracted to this subject by a letter which I received from a dealer in carbons in Milwaukee. After the statement of the Senator from Massachusetts that only a few great corporations in this country were the real purchasers of these carbons, I wired my constituent in Milwaukee to know who his patrons were, and I got a telegram in reply, saying that—

We sell to consumers, electric-light stations, industrial plants, and people who produce their own light.

Subsequently I received a letter from Mr. E. E. Cary, a New York importer, who testified before the House committee, and in this letter he states:

The fact, which is well known to the electrical fraternity, is that the National Carbon Company practically have the entire central-station business of inclosed electric carbons in this country. The importers sell to very few electric-light companies, as the National Carbon Company are in a position to cut their selling prices to a prohibitive point as against the cost of the importation.

I received, also, from Mr. L. E. Frorup, another New York importer, a letter inclosing the following statement:

Every city, town, and village in this country using arc lamps must have carbons, and we submit that it is manifestly unfair that this enormous industry should be placed absolutely in the hands of a gigantic monopoly that has already admitted that they control 80 per cent of the business of the country and are now using every means, political and otherwise, to keep the foreign-made carbons out of the country.

I know of no authority for the statement that the only consumers of these carbons are the Westinghouse and General Electric companies or rich electric-lighting companies, other than the suggestion made here the other day by the Senator from Massachusetts [Mr. LODGE]. On the other hand, a very large proportion of the first-hand consumption is by small consumers and municipal lighting plants, and of the whole consumption it must be manifest, upon any fair consideration, that the people are the consumers who will finally pay this tax.

As an indication of the extent of the use of these "high-grade" carbons for electric lighting over the country, I will put in the RECORD the advertisement of the National Carbon Company in Electrical World for last November:

COLUMBIA.

Inclosed arc carbons produce a greater amount of light for a given consumption of current than any other carbons made. That is why they are the cheapest to use. That is why they have been adopted by practically all lighting companies in the United States.

NATIONAL CARBON COMPANY,
Cleveland, Ohio.

On the 13th of last month (April) the city of Chicago advertised for bids for 2,060,000 electric-light carbons. The amount of the contract, at the prices at which it was awarded to the National Carbon Company, or its representative, was over $30,000—$31,237.50. The standard "high-grade" carbons were furnished at $23.50 to $25 per thousand. The most that the representatives of the carbon trust have claimed that it cost to produce these carbons, including factory cost, packing, depreciation, and interest on their capitalization is $16 to $18 per thousand, and it is claimed with much force of supporting circumstances that the actual cost is about half of that amount.

When this duty was under consideration here a few days ago, I asked the Senator from Massachusetts, who seemed to have a great deal of information on this subject, how many establishments there are engaged in the production of these carbons in this country. It was my understanding that the only American producer of carbon of the kind affected by this duty was the National Carbon Company, of Cleveland, the head of the so-called "carbon trust." But the Senator assured me that there were a great number of manufacturers of these carbons scattered throughout the country.

Subsequent investigation leads me to the conclusion that my first impression was correct and that the Senator from Massachusetts was in serious error in his statement. All testimony submitted to the House committee, both by the representative of the National Carbon Company and the importers, as well as the letters which I have received, are of one accord on this point. I will not weary the Senate by quoting the testimony of the importers, but I desire to call attention briefly to the evidence submitted in the public hearing of the House committee by J. S. Crider, secretary of the National Carbon Company.

The only kind of electric-light carbons of any importance imported into this country are the so-called "high-grade" carbons used in inclosed arc lights. This is the testimony of Mr. Crider, found on page 1055 of the House hearings. He says:

The only carbons in which the importers are interested (since the copper-coated petroleum coke grade is not made by their principals)—

That is the grade upon which it is here proposed to fix the duty at 35 per cent. That grade is not imported. It is not made by the foreign manufacturers. It can not be imported into this country. I do not know just what was the intended purpose of that 35-cent rate. But its effect on the Senate might be to sugar coat the 65-cent rate, which is prohibitory on the grade of carbons which is now imported. Repeating the testimony of Mr. Crider:

The only carbons in which the importers are interested (since the copper-coated petroleum coke grade is not made by their principals), and the only carbons really involved in this issue, are high-grade carbons, the consumption of which we believe to be about 40,000,000 per year.

So that the high-grade carbons are the only carbons affected by this duty.

I find that when Mr. Crider was before the House committee he was asked practically the same question which I addressed to the Senator from Massachusetts, but his answer was different. I quote from the testimony, page 1062:

Mr. UNDERWOOD. Is there any other manufacturer in this country that manufactures these high-grade carbons except the company that you represent?

Mr. CRIDER. I do not know of any other manufacturer of the high-grade arc-lighting carbons in the United States.

It is fair to presume that if there were any the secretary of the National Carbon Company would have them located.

Mr. UNDERWOOD. And you have a monopoly of the American market, therefore?

Mr. CRIDER. Practically that, because we are the only concern that has been able to make it. There are a number of other carbon manufacturers, but they do not make the high-grade electric-light carbons.

It seems to me that this concern is proved to be a monopoly by its own evidence. There is no competition in this country to protect the American consumer against the extortion of this monopoly.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. Can the Senator tell us why those other companies can not make these high-grade carbons? Has the duty anything to do with keeping them from the manufacture of that class of goods?

Mr. LA FOLLETTE. No; but I think the existence of the National Carbon Company has to do with it. I think the Senator from New Hampshire pretty well understands why this market is in the control of the National Carbon Company, a $10,000,000 organization, connected as closely as this one is with the Standard Oil interests and having as close an association with the producers of the raw material from which these products are made, to say nothing about the power in the markets of a great organization of that kind as against the individual manufacturers. I think he pretty well understands why this market is in the control of the National Carbon Company.

Mr. GALLINGER. If the Senator will permit me, my attention was attracted by his observation that there were other manufacturers——

Mr. LA FOLLETTE. Of low-grade carbons.

Mr. GALLINGER. But they did not manufacture this particular class of goods, and I could not quite see why they might not go into that manufacture if they chose to do so and if it was profitable as a business. I can not imagine why American capital will not enable them to do so; that is all.

Mr. LA FOLLETTE. They are made, in the first place, out of different raw material, and for reasons which, I think, the business interests of this country and the consumers of this country have come to pretty well understand this field is occupied by this organization which controls.

Mr. Crider further testified (p. 1062) that his corporation was capitalized at $10,000,000—$4,500,000 preferred stock and $5,500,000 common stock. On this capitalization he said they are paying 7 per cent on the preferred and 4 per cent on the common. He was unable to give the committee any information as to the actual value represented by the capitalization.

The committee sought diligently to obtain that information. It is claimed by others—the importers—that the common stock of this company is water. Mr. Crider further stated (p. 1063) that in addition to paying these dividends the company had piled up a surplus of $400,000 and had made improvements and betterments of its plant out of earnings.

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. Yes.

Mr. CRAWFORD. I understood the Senator to say that the low-grade carbons are made from petroleum coke, but I do

not understand what the high-grade carbon is made of. I have not heard that stated. What is it?

Mr. LA FOLLETTE. It is chiefly gas-retort carbon and lampblack. The consolidated gas companies of the country have pretty absolute control of that product. If the Senator has studied the merging and consolidation of business by these companies, he will be able to determine from an investigation of this subject how these different institutions, industrial, commercial, and transportation, run together in their control into the hands of a very limited number of men.

Now, Mr. President, as confirmatory, if any confirmation were needed, of this statement made by the secretary of the National Carbon Company with respect to this organization, I want to read just a few lines from the report of one of the leading commercial agencies of this country. The report says:

This company was incorporated in 1899, under the laws of New Jersey, with an authorized capital stock of $10,000,000, of which $4,500,000 is preferred and $5,500,000 common stock. The company is a consolidation of the National Carbon Company and similar concerns. The company controls plants in various parts of the country, some operated as independent corporations and others directly under the main company, but have always declined to furnish names and locations of the latter companies.

That the difference in the cost of production between this and foreign countries does not warrant this proposed duty seems conclusively established. The labor cost in this product is comparatively small. It is distinctly a machine product. The principal labor cost is that involved in handling and packing the carbons after they are made.

The representative of the carbon trust before the House committee failed to give the details of the domestic cost of production in any manner that would enable a comparison of the cost of producing 1,000 carbons in this country with the cost abroad, or that would shed any light upon the reasonableness of this proposed duty of $6.50 per thousand feet of carbon. He claimed that the cost of production of high-grade carbons in this country was $16 to $18 per thousand. This cost, he said, included interest on investment, salaries, labor, cost of material, depreciation, and cost of packing, including the packing boxes. In the comparison that he did give of the domestic and foreign cost he gave what he claimed were the prices for the cost of the material used. The prices which he gave for the cost of material in this country were practically twice as high as the prices which he gave on these materials in foreign countries (p. 1060). These same figures for domestic cost of material presumably are the basis of his computation of cost of production in this country at $16 to $18 per thousand. These claims, made by Mr. Crider, are clearly extravagant in the light of common sense, because, with the exception of lampblack, all of these materials may be imported free from the countries in which Mr. Crider says they may be bought for about half the price which he pays for their use in domestic manufacture.

On the comparison of the cost of production between this country and Europe, I desire also to read a paragraph or two from a statement which is sent me from Mr. L. E. Frorup, of New York:

The representative of the National Carbon Company has stated, before the Ways and Means Committee, that the cost of production in this country of the ordinary lighting carbons of one-half inch diameter and 12 inches long, is $16 to $18 per 1,000. This can hardly be borne out by facts, and it has been generally admitted by other manufacturers that have since been driven or bought out that the cost does not exceed $7 per 1,000. This would appear to be nearer right, and we question if the same carbons can be produced for any less in Europe, even allowing for the difference in wages, as it is a well-known fact that a great many more carbons can be produced in a given time by American methods in this country than can be done in the average European factory.

Our carbons are made in Berlin, and we doubt very much if the scale of wages in a city like Berlin is any lower than in the city of Cleveland. In Cleveland all the material necessary for the manufacture of carbons is right at hand. In Berlin it is the contrary, and all material must be brought from considerable distances.

In any event, a carbon, such as above referred to, costs us $12 per 1,000 feet, plus the cost of cutting, repacking, plus at least 10 per cent for breakage in transportation from Europe, and other incidental charges, exclusive of the duty.

The writer believes in the principle of protection, believes that American manufacturers should be given a fair protection as against cheaper foreign production, but is opposed to any law that becomes merely the tool of injustice and monopoly.

On pages 1074–1075 of the House hearings, Mr. E. E. Cary gives a detailed statement of the cost of manufacture and transportation of the imported carbon. This cost, including the transportation and the cost of remanufacture in New York, totals up to $9.71 per thousand carbons, commercial size. This committee amendment proposes to impose a duty of $6.50 per thousand feet upon these carbons. Nowhere in any public evidence that I have been able to find is it shown, or attempted to be shown, that the difference between the foreign and domestic cost of production equals or approximates this amount. Why should this prohibitive duty be imposed to destroy the only protection which the American consumer has against the extortion of a self-confessed and absolute monopoly without proving that there is any legitimate necessity for it?

Mr. President, this National Carbon Company is said to be the head of a combination of carbon manufacturers in this country which embraces nearly all the makers of low-grade carbon, as well as the absolute monopoly of the production of high-grade carbon. It was testified before the House committee that the trust uses its absolute monopoly of the one kind of carbons to compel all users of both kinds to buy also the other kind from the trust, and it thereby drives its rivals out of business. So that this duty on the high-grade carbon operates to perfect the trust control of the entire carbon situation and to maintain and perfect a tariff-protected monopoly in an important article of general public use throughout the entire country.

For example, the electric-lighting company of St. Louis, I believe, uses only the high-grade carbons. On its business the importers can compete and do compete. On this contract the price has been driven down by this competition from $24 to $22, and from $22 to $20, and finally to $18, and below this point the importers can not compete. So the National Carbon Company is furnishing this St. Louis Electric Light Company at $18 per thousand. Now, a few days ago the city of Chicago advertised for bids for electric-light carbons. It uses both the low-grade and the high-grade carbons. The low-grade carbons can not be imported because of the prohibitive tariff, and because they are not manufactured, as stated by Mr. Crider, abroad at all. They must be bought from the trust. But the trust will not furnish these carbons unless it can furnish the high-grade carbons also. So the importers can not bid on this contract, and the result is that the city of Chicago pays $23.50 and $25 for its high-grade carbons, the same carbons that the St. Louis company buys for less than $20, because its business is such that the importers can compete for it.

Mr. President, this is only a little trust, but it is a growing trust, and it is a bad trust, and this protection in this bill offers a good illustration of what we see in paragraph after paragraph, if Senators will dig down into the testimony and gather the facts bearing upon this great bill. Its representative went before the House committee and asked that this word "feet" be inserted in this schedule, so that the duty would be thereby practically doubled. It is admitted by everybody that the present duty imposed according to the number of carbons imported is wasteful and irrational in operation, but no cause has been shown in any public hearing for an increase in the rate of duty. The House, after public hearing and full consideration, fixed a duty of 35 per cent ad valorem, which was a slight reduction from the existing law.

The bill came here and went to the Committee on Finance, and without any public hearing, and upon consideration presented to them in secret—that is, presumably presented to them, but of that we have not been informed—the Finance Committee changed and increased the duty practically first 55 and then 45 per cent above the existing law.

We find in the original committee amendment the duty presented in the precise form and nearly at the high rate designated by the representative of this trust to the House committee and rejected by that committee.

Mr. President, this is relatively a small matter, but it is the product of a vicious system of legislation. It is typical, I believe, of many of the amendments in this bill. I felt warranted in directing attention to it not because of its intrinsic importance, but because of what it shows of the character and policy of this legislation and of the legislative procedure of which it is a product.

Mr. President, I will ask to submit a telegram and a letter from Mr. Robert W. Kiewert, of Milwaukee, and ask to have them printed in this connection.

The VICE-PRESIDENT. Without objection, the papers referred to will be printed in the RECORD.

The papers referred to are as follows:

CHARLES L. KIEWERT COMPANY,
Milwaukee, U. S. A., April 17, 1909.

Hon. ROBERT LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: This company pays the United States Government approximately $35,000 to $40,000 per year duty moneys through various ports of entry and is vitally concerned as to the final adjustment of the pending revision of the tariff.

The importations consist mainly of electric-light carbons, now taxed 90 cents per hundred pieces and are to be taxed 35 per cent ad valorem under H. R. 1438 (Report No. 1), Schedule B, 94.

Information has reached us that in the United States Senate this was revised to 70 cents per 100 feet, which means an advance of more than 50 per cent over present conditions, and for this reason: The Dingley tariff reads 90 cents per 100 pieces, which was absolutely prohibitive had it not been for the fact that carbons, instead of being made in the usual commercial length of 12-inch, 10-inch, and 9½-inch, were then produced by foreign manufacturers in double lengths, enabling the importers to cut the carbon sticks in half, and likewise the duty. In this way only was the importer able to compete with the National Carbon

Company, of Cleveland, Ohio, the sole manufacturers of this much-needed commodity in the United States, who have bought up all the plants in this country and merged them into a monopoly.

Approximately 75,000,000 carbons are consumed annually in the United States; of this amount 60,000,000 carbons are made and sold by the National Carbon Company.

Fifteen million carbons are imported by various importers.

A high tariff, such as is proposed by the Senate bill, will shut out competition and impose a hardship upon the consumers.

Regular electric-light carbons should be subject to 30 to 35 per cent ad valorem, but the proposed tariff ought to be amended by adding provision for

FLAME CARBONS

used in flaming arc lamps—the new powerful light distributor seen in front of places of amusement, used for lighting foundries, factories, etc. This kind of a carbon can not be produced in satisfactory quality by the National Carbon Company, due to the fact that the manufacture is kept a secret by the foreign makers.

Flame carbons should not be subjected to more than 20 per cent ad valorem, in order to further the use of flame lights for street lighting and commercial purposes.

We plead to you, as citizens of Wisconsin, that you protect our interests.

Respectfully,
CHAS. L. KIEWERT COMPANY,
By ROBERT W. KIEWERT.

P. S.: A schedule showing the present tariff, the proposed Payne tariff of 35 per cent ad valorem, and the Senate's amendment of 70 cents per 100 feet, applied to the carbon business, is attached herewith.

FLAME CARBONS.

These carbons can not be cut, but remain intact. Here is a popular size:

Dingley tariff. 9 by 10 by 600 millimeters—

	Per 1,000.
Cost	$40.00
Duty	9.00
Freight	1.00
Total	50.00

Payne bill, 35 per cent—

Cost	40.00
Duty	14.00
Freight	1.00
Total	55.00

An increase of 55 per cent, which would put an effective damper on the business of selling flame lamps for lighting factories, foundries, and streets.

Senate bill, 70 cents per 100 feet, 9 by 10 by 600 (23 inches)—

Cost, (per 1,000 pieces 23-inch length)	$40.00
Duty, 25,000 inches (duty $7 per 100 feet, 1,200 inches)	13.42
Freight	1.00
Total	54.42

An increase of 50 per cent. Practically the same applies here as to what is said where the 35 per cent duty is taxed. Besides it will be a rather tedious task for the collector of customs to ascertain the exact amount of duties to be paid.

Here are some facts about a popular size of regular electric-light carbons:

½ by 12 solid carbon is sold at (average price) $24.

Imported cost, per 1,000 pieces	$13.00
Duty (duty $9 per 1,000 pieces carbons, imported in double lengths and cut)	4.55
Cost of cutting	.75
Freight	1.00
Total	19.55

National Carbon Company sells at, per 1,000, $20 to $24.

Domestic cost, per 1,000 pieces	10.00
Profit	14.00
Total	24.00

The Payne bill calls for 35 per cent ad valorem.

Imported cost, per 1,000 pieces, brought in in single lengths	13.00
Duty	4.55
Freight	1.00
Total	18.55

The Senate bill calls for 70 cents per 100 feet.

Imported cost, per 1,000 pieces of 12-inch lengths (1 foot)	13.00
Duty	7.00
Freight	1.00
Total	21.00

Making it impossible to secure large business where the National Carbon Company offers at $20.

MILWAUKEE, WIS., *April 23, 1909.*

Hon. ROBERT M. LA FOLLETTE,
United States Senator, Washington, D. C.:

Domestic cost of production high-grade electric-light carbons about $8 per thousand, or $10 including selling expenses, salaries, advertising. While labor cost here is about 50 per cent higher, living expenses bear the same relation. Senate's proposed tariff of 70 cents per hundred feet would give National Carbon Company 150 per cent profit. We sell to consumers, electric-light stations, industrial plants, and people who produce their own light urge you to have amendment inserted covering flame carbons. See my letter. [Have telegraphed New York importers to give you additional facts.]

ROBERT W. KIEWERT.

Mr. LA FOLLETTE. I hope that the committee amendment will not be adopted.

Mr. BACON. Mr. President, I do not desire to consume the time of the Senate in the repetition of anything the Senator from Wisconsin has already said, but I only desire to say that I have had similar communications to that spoken of by the Senator from Maryland and the Senator from Wisconsin. I want to ask the Senator from Wisconsin, however, if I correctly understood him in his statement, that these carbons can practically only be imported in 2-foot lengths?

Mr. LA FOLLETTE. The importers have tried to import them in longer lengths, but it has been found that the breakage is a greater loss to them than any gain which they would make in a lowering of the duty by so importing them. So they are now importing them in 2-foot lengths.

Mr. BACON. That was the inquiry I desired to make, because I recall a statement made, I think, by the Senator from Massachusetts [Mr. LODGE] when the paragraph was formerly before the Senate, to the effect that the evil was the abuse of the law by the importation of carbons of very great lengths, which could be cut up into shorter lengths; but I understand from the Senator from Wisconsin that by experience it is shown that it is practically only 2-foot lengths that are imported or that can be profitably and advantageously imported. I thought that was an important fact, and I was very much impressed by the statement first made by the Senator from Massachusetts that the length could be very much greater than that.

Mr. LODGE. I have been informed that they could be very much longer than that.

Mr. BURTON. Mr. President, a few simple considerations, briefly stated, will, I think, sufficiently dispose of this question.

In the first place, I should like to ask the Senator from Utah [Mr. SMOOT] whether representatives of the carbon companies and of the electric-light companies of the country—one representative of each—did not appear before him and express their acquiescence in a rate of 65 cents per hundred for high-grade carbons?

Mr. SMOOT. Mr. President, not only did I have one meeting with a representative of the users of carbons, General Harries, and also with Mr. Crider, the representative of the carbon makers, but I had a great many meetings. It was agreed between General Harries, representing the consumers of these carbons, and Mr. Crider, representing the National Carbon Company, that there should be a rate of 65 cents a hundred on high-grade carbons and a rate of 35 cents a hundred on the low-grade carbons.

Mr. BURTON. That, Mr. President, would seem to leave the question before us as one not between the producer and the consumer, but between domestic interests and the importer. There are, however, some other questions which I think might be briefly touched upon.

Prior to 1897 no carbon was known with a greater length than 12 inches. The understanding of the trade included two kinds of carbons; one a trifle less than 12 inches and one about 7 inches in length, with some intermediate lengths. The Dingley law, so called, provided for this rate of duty:

Carbons for electric lighting, 90 cents per hundred.

Under any rational interpretation of that expression, it would mean a carbon less than a foot in length, for among the millions which have been burned in this country, not one at that time was in general use of a greater length than 1 foot. It was a staple article of commerce.

For reasons which it is unnecessary to explain—indeed, I do not quite understand them myself—after the appraiser had decided that this meant a carbon stick less than a foot in length, and after the Treasury Department, in a letter of October 28, 1897, had directed the collector of customs at New York City to interpret this provision as meaning a carbon less than a foot in length, it was nevertheless decided that they might be imported, under the payment of this duty, in sizes of a greater length. It is not necessary to use names. Names do not after all have very great significance. I will not say this was a fraud, but it was at least a bald and palpable evasion which the Finance Committee in its recommendation to the Senate sought to correct, and they should have sought to correct it.

Now, as regards the rate of duty in the bill, I want to make just a few remarks. The rate under the Wilson bill was 30 per cent. Under that rate domestic manufacturers made about 10 per cent of the total number of carbons consumed in this country. Under the first and natural interpretation of the provision of the Dingley law, that it means carbons a foot in length or less, by 1903, 70 per cent of the carbons used in this country were made by domestic producers. Then, under the custom of bringing them in in sizes of 2 feet or more in length, the domestic production gradually dropped in proportion, and it is now about 50 per cent.

There has been a very vigorous newspaper campaign instigated by the importers of this article. I know of none advocating any contention on any particular schedule who have taken the newspapers into their confidence more than the importers of this article, and but for that I think we should

look at this paragraph dispassionately, with very little question as to the judicious thing to do.

There is ample opportunity under the 65-cent rate of duty to bring in these carbons and make a profit. The claim of the importers has been that they could be manufactured abroad and landed at New York City for 95 cents per hundred feet, each stick 1 foot in length. Add 65 cents to that, and that would make $1.60. Under the payment of a duty of 45 cents, they could bring them in for approximately $1.40. They have been selling them for $2.30, realizing a profit of the difference between $1.40 and $2.30 on the sales that they have been making.

I want to call attention to the effect of the domestic production on prices. In 1897, when the Dingley Act was passed, the price of these carbons was $27.25 per thousand; in 1908 it was a little less than $23 per thousand, showing a reduction of about 15 per cent. I want to say to the Senate that if I thought the adoption of this amendment would raise the price of those carbons I would not vote for it, although it is a local industry.

I believe the omission to provide a remedy for this evasion would be more likely to cause an increase of price than would a local monopoly; and I must confess that, if there is to be a monopoly anywhere, much as I would deprecate it, I should very much prefer that it should be in my home city than to have it exist in some foreign land.

I have a letter, which I shall ask to have printed in the RECORD, from the American Carbon and Battery Company, of East St. Louis, Ill., in which they ask for a duty. They state that they have prepared a plant and expect to market their output of high-grade electric-light carbons about the 1st of July or the 1st of August. I ask permission to have the letter inserted in the RECORD, without reading.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Ohio? The Chair hears none, and permission is granted.

The letter referred to is as follows:

AMERICAN CARBON AND BATTERY COMPANY,
Signal Hill, East St. Louis, Ill., May 3, 1909.

Hon. THEO. E. BURTON,
United States Senate, Washington, D. C.

HONORABLE SIR: We respectfully draw your attention to proposed tariff rate on carbon products in general and particularly as applied to high-grade carbons for electric arc lamps.

We started the manufacture of carbons some eight years ago, commencing in a small way to make carbon specialties, and gradually increased our line with the growth of our business until to-day we manufacture a complete line of carbon, with the one exception of carbons for electric lighting. For the past twelve months we have been experimenting and preparing our plant for the manufacture of high-grade electric arc-light carbons in expectation of marketing our product about July or August, 1909.

We have not entered into the manufacture of arc-light carbons before this time owing to foreign competition and due to the fact that the manufacturing costs of carbons were high and profit afforded by line but slight. The foreign manufacturer, owing to low costs of raw materials and labor, is able to produce carbons at much lower cost than American manufacturers, and owing to the loophole afforded by the old tariff rate, which specifies duty of $9 per thousand, irrespective of length, foreign competitors could bring in carbons in several lengths, thereby reducing duty much lower than it was the intention of the old tariff bill to establish.

We believe the tariff should afford sufficient protection to American manufacturers to equalize the advantage secured by foreign competitors owing to exceptionally low cost of raw materials and labor. The rate suggested for electric-light carbons (10 cents per hundred feet), under paragraph No. 94, and carbon products in general (35 per cent ad valorem), under paragraph 93, is hardly sufficient to cover the difference in manufacturing costs, and for this reason the bill should certainly not carry any lower duty when finally passed.

We would ask that you exert all efforts possible to see that rates fixed by Finance Committee are not reduced in any way. We hope the favors we ask from you will not conflict materially with your views and that you will be able to extend to us the favors asked.

Yours, very truly,

AMERICAN CARBON & BATTERY CO.,
HAROLD J. WRAPE, *Secretary.*

Mr. BURTON. I understand there is no monopoly in this industry. I understand $20,000 or less will provide any existing carbon plant, of which there are many competitive concerns, for the manufacture of high-grade carbons.

Now, just a word about the proposed duty of 35 per cent on low-grade carbons. I myself do not think that the duty on low-grade carbons makes very much difference; but a newspaper campaign of a great deal of intensity has been indulged in, in which reference has been made to the high rate of duty on petroleum or low-grade carbons, and it was largely, I conjecture, to disprove this argument that this provision for petroleum carbons at 35 cents a hundred was inserted. There is no impossibility in their being made abroad; but it is not likely they will be, as the supply of petroleum there is not so great.

Mr. President, I have lived at Cleveland for some time, and if this company is a trust I do not know it. It is proceeding with its business and enlarging its plant, employing a large number of men, paying them liberal wages, adding to the prosperity of the city, and, as I believe, to the prosperity of the country. This question should be settled on broad, general principles, rather than on any accusation relating to the nature of this organization.

I also ask to have printed in this connection the letter from the Treasury Department, dated October 28, 1897, to which I referred a few moments ago.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The letter referred to is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., October 28, 1897.

COLLECTOR OF CUSTOMS, *New York, N. Y.*

SIR: The appraiser at your port calls the attention of this department to the fact that manufactures of carbon electric lighting are imported at your port in lengths from 32 to 40 inches, and are claimed by importers to be entitled to entry under paragraph 98 of the act of July 24, 1897, at the rate of 90 cents per hundred as carbons.

The appraiser states that prior to the passage of the present tariff act carbons for electric lighting were exclusively imported in lengths from 7 to 12 inches, and that the present importation in lengths from 32 to 40 inches is purposely designed to evade the payment of duties which the act contemplated.

In view of the facts stated, and in order to reach an authoritative decision on the subject, you are hereby directed to classify such carbons at the rate of 90 cents per hundred, according to the commercial length which existed at the time of the passage of the tariff act of July 24, 1897, so that sticks of carbon 36 inches in length would be chargeable with duty as consisting of three carbons of 12 inches each, and other lengths in proportion.

Respectfully, yours,

W. B. HOWELL,
Assistant Secretary.

Mr. STONE. Mr. President, I do not want to consume time, but I should like a little information, if I can obtain it, with reference to some matters that have been submitted to me by a correspondent. I have in my hand a letter from the Wesco Supply Company, of St. Louis, and I gather from it that there are at least three distinct classes or kinds of carbons. I will read a few lines from the letter. It sets forth what I have in mind:

Regular electric light carbons should be subject to 30 per cent to 35 per cent ad valorem; but the proposed tariff ought to be amended by adding provision for flame carbons, used in flaming arc lamps——

Mr. BURTON. If I may be permitted to interrupt the Senator——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. If the Senator will let me complete a few more lines, I will then yield.

Mr. BURTON. Certainly.

Mr. STONE. The writer continues:

the new powerful light distributors, which are seen in front of places of amusement and used for lighting foundries, factories, and so forth. This kind of carbon can not be produced of satisfactory quality in the United States, due to the fact that the process of manufacture is kept a secret by foreign makers.

Flame carbons should not be subjected to more than 20 per cent ad valorem in order to further the use of flame lights for street lighting and commercial purposes.

That ends the reading, and I now yield to the Senator from Ohio.

Mr. BURTON. I would say, Mr. President, that the flaming-arc carbon, as it is called, is a special carbon. It is from 24 to 27 inches in length. The high-grade carbons are placed one over the other with a vacuum between, while the flaming-arc carbons are placed almost side by side, not exactly parallel, but with the tips coming near together, so that the current is transmitted at the lower end of the two carbons. It is not used on any large scale, but most frequently in the front of theaters and other similar places for display or advertisement. I do not believe there would be any objection to a provision in the bill relating to them except that it would be almost impossible to prevent fraud in importations. If an amendment should be drawn, it should clearly discriminate between the different classes of carbons. If this can be accomplished, I do not see that there would be any objection.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I yield.

Mr. SMOOT. In answer to the Senator from Missouri, I will state that the committee have had this matter under consideration and are now trying to see if we can not frame an amendment to cover the flaming arc-light carbon. I should like to have it understood that in adopting this paragraph of course we will reserve the right to bring in an amendment covering the flame carbons, to which the Senator from Missouri has referred.

Mr. STONE. I can see, of course, Mr. President, that there might be difficulty in the administration of the present law in

preventing fraud, but it would be easy to insert a provision that would discriminate between the two kinds of carbons.

Mr. SMOOT. There is no discrimination other than——

Mr. STONE. But I said "to discriminate."

Mr. SMOOT. The flaming arc carbon is a very small carbon in size. The diameter is very small, and therefore in lighting it is consumed a great deal faster, some seven or eight times as fast, I think, as the ordinary carbon, and, of course, it gives a very much higher degree of light. As the Senator from Ohio [Mr. BURTON] says, it is simply used as an advertising light.

Mr. STONE. Well, my correspondent says it is also "used for lighting foundries, factories, and so forth."

Mr. ALDRICH. Mr. President, the committee have already under consideration the suggestions of the correspondent of the Senator from Missouri, and before this bill passes and becomes a law they will be able to report their conclusions upon it.

Mr. STONE. So the Senator from Utah [Mr. SMOOT] informs me. I would like to inquire of the Senator now on the floor, the Senator from Rhode Island, whether the duty on flame carbons, used exclusively in flaming arc lamps, could be made lower than the duty on other carbons by a proviso in this paragraph?

Mr. ALDRICH. Possibly; but I am not able to answer that question positively at the moment.

Mr. STONE. I should like to ask the Senator from Ohio, if he will permit me, whether, in his judgment, a duty of 20 per cent ad valorem on that particular kind of carbon would be adequate.

Mr. BURTON. I should not think that would be symmetrical with the other provisions relating to carbons. I would state also that some local companies are now experimenting in the manufacture of flaming-arc carbons. They are of a different construction from the other carbons. There is a metallic substance—wire, or something similar—which is run through the center; also their diameter is less, I believe. They are making efforts to manufacture them, and as yet their manufacture is not regarded as hopeless.

Mr. STONE. Mr. President, I will not offer any amendment. I will leave the matter in the hands of the committee for the present. Unless something, however, is proposed, I will suggest an amendment in the Senate.

Now, before the Senator calls for a vote—I do not care to delay it—but, as bearing upon the vote about to be taken, I wish to read ten lines, perhaps, from a letter very recently received, since this amendment reported by the Senator from Utah was presented. This letter is from Hugo Reisinger, of 11 Broadway, New York, engaged in the business of furnishing electric lights and lighting products. He says:

Since I had the honor of writing to you regarding the duty on electric-light carbons, an amendment has been proposed by Senator SMOOT, changing the Senate Finance bill rate of duty from 70 cents per 100 feet to 35 cents per 100 feet on carbons made of petroleum coke; all other kinds, 65 cents per 100 feet.

This looks like a material reduction at first sight, but, in fact, is only a reduction of 5 cents per 100 feet, inasmuch as carbons made of petroleum coke are neither manufactured in Europe nor imported—

In other words, they are wholly a domestic product, according to this statement—

A reduction of 5 cents per 100 feet on carbons which are imported, from the enormous rate of duty of 70 cents per hundred feet, amounts to so little that the import of carbons will be just as impossible at the rate of 65 cents per 100 feet as it would be at the rate of 70 cents per 100 feet.

I read that by way of supporting the contention of the Senator from Wisconsin.

Mr. ALDRICH. Mr. President, the Senator from Ohio [Mr. BURTON] has stated this question very clearly; but there is one aspect of it that I desire to call to the attention of the Senate.

In 1897 there were no carbons in existence, certainly none imported into the United States, that exceeded 12 inches in length. The Congress of the United States imposed a duty of "90 cents per hundred" on carbons, meaning, without the slightest doubt, 90 cents on a hundred carbons less than 12 inches in length. The importers, with the ingenuity that always characterizes them, and leads them to endeavor, on account of their self-interest, to break down the American tariff, succeeded in getting from the courts an interpretation that a carbon 24 inches or 36 inches in length should bear the same rate of duty as a carbon 12 inches in length, notwithstanding the decisions of the Treasury Department and of the appraisers. What was the result? It was to reduce the duty that was intended one-half in the case of a 24-inch carbon and two-thirds in the case of a 36-inch carbon, if such a thing be possible.

What happened? Through this plain case of evasion, of fraud—I call it a fraud; I am a little less sensitive about the use of words than the Senator from Ohio—through this fraud upon the revenue and upon domestic producers, these gentlemen succeeded in getting from the courts an interpretation of some possibly doubtful language, language that perhaps was not as definite as it might have been, reducing these duties.

What is the proposition of the committee at this time? Not to restore the full duty, but to restore to a large extent the duty intended by Congress in 1897.

Under the original act the duty of 90 cents a hundred was virtually reduced to 45 cents a hundred by importing carbons twice the length of those that were in contemplation at the time the act passed. The suggested amendment of the committee makes the duty 65 cents a hundred. Upon the basis of the evasive duty, the duty which was fixed by the courts instead of by Congress, that is an increase above the present law.

But what is the duty of Congress? Are we obliged to perpetuate every fraud that importers have imposed upon the people of the United States? Is that the kind of revision of the tariff to which the party we represent is committed? If, by misinterpretation of the law, of the plain intent of Congress, these gentlemen have succeeded in reducing the duties that Congress meant to impose, are we here to perpetuate that fraud? And are we to be confronted with the suggestion that because we are trying to carry out the plain intent of Congress, we are increasing the existing duties?

I think not. I do not understand my duty in that way; and I do not believe that the Members of the Senate will so interpret their duty.

Mr. RAYNER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Rhode Island yield to the Senator from Maryland?

Mr. ALDRICH. I do.

Mr. RAYNER. I should like to ask the Senator from Rhode Island whether the courts were parties to that fraud?

Mr. ALDRICH. I have nothing to say about the courts. The Senator from Maryland knows as well as I do that a large number of the best lawyers in the United States are to-day employed in devising schemes by which duties can be evaded and the plain purpose of Congress misinterpreted.

Mr. RAYNER. But are the federal courts helping those lawyers?

Mr. ALDRICH. I am quite willing to admit that in this case the language used, "90 cents per hundred," was perhaps indefinite. I agree to that. I have taken part in the preparation of quite a number of tariff bills, and, with the assistance of officers of the Government and of everybody who was in favor of having the law enforced as it should be, we have always endeavored to use language that had no doubtful meaning; that was susceptible of but one construction. I can say truthfully that whatever language has been used in all these acts has in many cases been interpreted by the courts in a manner entirely different from the intention of Congress. That may have been, if you please, the fault of Congress in using language that could be construed in two different ways. But when the question is presented to Congress itself, whether or not it will perpetuate one of these frauds, the responsibility is with us, and not with the courts.

Mr. BAILEY. Mr. President, it is unfortunate that the Senator from Rhode Island [Mr. ALDRICH] did not follow the more moderate language of the Senator from Ohio [Mr. BURTON], and describe this as an evasion rather than as a fraud. I am not able to denounce a man for dishonesty because he brings himself within the terms of the law as finally construed by the courts. Every man in the world will pay just as light a tax as he can pay under the law; and he is an unusually good citizen if he pays all the tax the law requires him to pay.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. Conceding that to be true, and supposing that such a man is acting entirely within his rights, which I concede——

Mr. BAILEY. Then, if he is, he is not committing a fraud.

Mr. ALDRICH. I did not say that these men were committing frauds. I said the result was a fraud upon the revenue, and a fraud upon domestic production.

Let me go a step further: Conceding what the Senator says to be true, when a matter of this kind is brought to the attention of Congress, which is legislating upon the subject, does not the Senator concede that it is our duty to correct the evasion, or whatever it may be termed?

Mr. BAILEY. Undoubtedly, Mr. President. From the point of view according to which our friends on the other side legislate, they esteem it their duty to raise rates whenever they are low enough to permit competition. On this side, according to our view, we would reverse that process. The tables which we

have here, submitted by the Senator from Rhode Island, show an estimated reduction of the revenue by raising the rate. The Senator from Rhode Island several days ago advanced before the Senate the doctrine that lowering the duties would result in increasing the revenue. But he has not applied his doctrine in this case, or else his experts did not apply it for him; because, according to this estimate as I read it, the present law brings in a revenue of $73,000 under this item, while it is estimated that the Senate bill will bring in a revenue of $57,000.

Mr. ALDRICH. Mr. President, the Senator from Texas, of course, understands how these estimates are made, and by whom they are made. The expert who made that examination and who made that estimate, of course, contemplated that under the present law the rate was 90 cents per hundred—it could not be made in any other form—and that 70 cents was a reduction. He had not taken into consideration the construction which had been placed by the court upon the length of the carbons.

Mr. BAILEY. But the revenue that has been received is an actuality, and not an estimate. The revenue to be received, of course, is only an estimate. It is estimated that less will be received under the law as it is now proposed than has been received under the law as it now exists.

Mr. ALDRICH. But if the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. Yes.

Mr. ALDRICH. The Senator will realize that if the present rate is 45 cents per hundred and the new rate is 65 cents per hundred, the revenue will be increased.

Mr. BAILEY. That will depend, of course, upon the volume of importations.

Mr. ALDRICH. Yes; I mean with the same volume.

Mr. BAILEY. But I was not calling the attention of the Senator and of the Senate to this apparent inconsistency. I was only calling attention to it for the purpose of saying that, as a Democrat, of course I would not vote for a duty that laid a higher tax on the people and brought a lower revenue to the Government.

But, Mr. President, the special circumstance which moved me to take the floor was to protest against both extremes. Protectionists, like the Senator from Rhode Island, seem to regard every importer they encounter as a public enemy. That is one extreme. I think it is a false opinion, however, because I believe that in the economies of this world importers serve their uses as well as other people. If we were all producers and nobody was left to exchange our products, the world would make less progress than it does.

The other extreme—and it is one that I occasionally find—is that some men hate the sight of a factory, and regard a manufacturer in almost the same light in which the Senator from Rhode Island and his school regard an importer.

My own opinion is that both are useful people in this world. But my own opinion also is that neither of them ought to be allowed to put his hand into the pocket of anyone else. The importer ought not to be allowed to put his hand into the Treasury and take out the just dues of the Government. I am willing that any provision of law that will render that impossible shall be adopted. I also think that the manufacturer is one of the most useful men in society. He not only consumes and thus furnishes a market for our raw materials, but he finishes them into a product ready for our comfort and our use.

But the trouble is that the manufacturer seems to think, and our friends on the other side seem to think with him, that because he performs this useful service for society he should be permitted to tax society beyond all conscience and beyond all justice.

The manufacturers of this country have reached the point where they are no longer content with the moderate profits that other men are willing to accept as a return upon their capital and upon their enterprise. Only yesterday I read an extract from a speech delivered by a man of close connection with and wide experience in a certain industry, which I will not name now, because one of my friends intends to refer to it in his speech. But the profits of that business, as stated by this man familiar with it, were astounding. They startled the imagination. They even satisfied the dreams of avarice and surpassed anything that I had supposed any legitimate industry of this country returned to the people who owned and controlled it.

Mr. SCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I do.

Mr. SCOTT. Will the Senator tell us how many hundreds and thousands of manufacturing concerns, of which you read nothing, have had money invested for years and never have derived a cent of profit from it?

Mr. BAILEY. I never have come across that kind.

Mr. SCOTT. I could point the Senator to very many of them, right from memory, if I cared to do so.

Mr. BAILEY. But the prosperity of the Senator from West Virginia is a standing contradiction to the statement that manufacturers are not prosperous.

Mr. SCOTT. I think it is just as well——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I do.

Mr. SCOTT. I think it is just as well now as at any other time to make the announcement that, so far as my connection with any manufacturing establishment is concerned, I am used as president of a company in which I was once actively engaged, but am now simply nominally; that the amount of stock I have in any manufacturing establishment, especially in glass, would not afford the Senator a good comfortable living for six months.

Mr. BAILEY. Of course the Senator from West Virginia understands, and all the other Senators understand, that my reference was not intended to imply that he was interested in tariff legislation. That is a low kind of argument to which I am not in the habit of resorting.

Mr. SCOTT. Oh, I did not take it in that way. The Senator knows that.

Mr. BAILEY. Yes. I used the Senator, however, to illustrate how manufacturers can prosper to such an extent that they are able to retire from business and devote their services to the country's welfare. The Senator from West Virginia, I am glad to say, is one of that kind.

I have no prejudice against manufacturer or importer. In fact, I have taught myself to free my mind from prejudice against every class. Every man in this country who does any kind of useful work contributes something to the wealth of the Nation and the happiness of the people, and I would not subtract one farthing from his honest accumulation or his honest earnings. But what I protest against is that we shall enable by the law one man, who is making much, to take something from other men who are making less. I do not believe we ought to enact a law enabling a man who is making a little to take something from a man who is making much. But I doubly protest against legislation which enables those who are making much to take from those who are making but little.

So far as I have been able to learn, even from the protectionist standpoint there is no call upon the generosity of Congress to increase the profit of this particular line of manufacture. My understanding is that they are not crying for help, so far as I know—and I seldom myself inquire about those matters, because it does not interest me, so far as making a tariff bill is concerned, whether a man makes money or not. My doctrine is that if a man can not make money by pursuing one kind of business, he ought to quit that business and go into some other kind where he can make money. I have no patience with a system that taxes people engaged in profitable employments in order to pay bounties to people to induce them to engage in unprofitable employments.

But, looking at it from the point of view from which the majority legislate, I can see absolutely no excuse and no defense for increasing the cost of every electric light used by the people of these United States in order to increase the profits of people who, if we are to accept what is commonly understood, are already prosperous enough.

Mr. STONE. Mr. President, just a word or two before the vote is taken. I do not know much about carbons—about the cost of production or the cost to the consumer—and I doubt if any Senator on this floor would assume or pretend to be an expert; but there are men in the country, manufacturers and dealers, who know all about the business.

The Senator from Rhode Island proposes by the amendment to increase the duty on carbons about 50 per cent, and the reason he assigns for it is that under the existing law a practical fraud, working as an evasion of the law, is perpetrated against the Public Treasury. However that may be, Mr. President—and I do not enter into it—there is a question whether the application of the present tariff law, under the decisions of the court, does not impose a duty ample, and more than ample, for the proper protection, so called, of the American industry.

Mr. President, I read a bit ago a brief extract from a letter written to me by the Wesco Supply Company, of St. Louis. The general manager of that company, in his letter, says this, among other things:

> The Dingley tariff reads 90 cents per 100 pieces, which was absolutely prohibitive had it not been for the fact that carbons, instead of being made in the usual commercial length of 12 inches, 10 inches, and 9½ inches, were then produced by foreign manufacturers in double lengths.

In other words, this dealer, who I suppose is an importer, although as to that I am not advised, states that if the carbons

had not been manufactured and imported in double lengths, but had been manufactured in ordinary lengths used in actual consumption, the duty would have been absolutely prohibitory; that the rate would not permit them to come in at all except for the fact that they were manufactured in double lengths. If that statement is true——

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. I do.

Mr. BURTON. The statement is so clearly an error that I feel called upon to notice it. The claim of the importers is that they can not bring the article here at 90 cents; but it does not sell below $2.30. How can a 65-cent or a 45-cent duty or any other duty less than a dollar and ten or twenty cents be prohibitory? I notice that that statement has been made repeatedly by dealers, who evidently all got it from the same source.

Mr. STONE. I have not any doubt that the Senator from Ohio has more particular information in regard to this matter than I have, as the chief manufacturer of carbons is a corporation resident in his own State. But, Mr. President, without entering into any controversy with the Senator from Ohio as to the facts, I present this statement from a business man of high character and large experience for what it is worth as a matter of evidence before the Senate, and along the same line I wish to read the concluding sentence of the other letter to which I adverted this morning. Hugo Reisinger, of New York, protesting against the increase of these duties, says:

> If you have means to look into the affairs of the National Carbon Company, of Cleveland, and see the enormous business which it has been doing the past years at the old duty and the fabulous profits which it has been making at a time when every line of business was at a standstill, you will surely come to the conclusion that the carbon trust needs no further protection, and that it is the consumers who need the protection and not the trust.

Mr. President, if it be true that this corporation constitutes substantially what is known as a "trust" and monopolizes the manufacture of this article, and if, notwithstanding the industrial depression which has so widely prevailed for months past, when the cloud was thickest and darkest, this concern conducted its business without any appreciable loss in volume and has been making very large profits upon its product, why should additional burdens in the form of taxation be laid upon the consumers of this country for the further protection and benefit of this monopoly?

Mr. FLETCHER. Mr. President, as I understand the situation in regard to this paragraph, the Senate committee proposes to amend the bill as it came from the House by striking out the ad valorem rate and inserting the rate of 70 cents per 100 feet. That has been amended further by making the rate 70 cents per 100 feet on all carbons except those manufactured from petroleum coke, on which the duty shall be 65 cents.

Mr. BURTON. It is 65 on the high grade and 35 on the petroleum coke grade.

Mr. FLETCHER. Sixty-five?

Mr. BURTON. On the high grade.

Mr. FLETCHER. Thirty-five per cent on the petroleum coke grade?

Mr. BURTON. Yes.

Mr. FLETCHER. As I understand further, there are no carbons of petroleum coke exported from or manufactured in Europe. It would seem that a reduction of 5 cents a hundred on other carbons would not any more let in importations than the rate as proposed originally of 70 cents per 100 feet.

I offer this amendment to the amendment as now proposed. In line 15 I move to strike out the word "sixty-five," which the committee propose to substitute for "seventy," and in lieu thereof to insert "thirty-five," so that the rate of duty shall be 35 cents per 100 feet of carbon without reference to the materials from which it is made.

The PRESIDING OFFICER. The Senator from Florida offers an amendment to the amendment, which will be stated.

The SECRETARY. On page 23, line 15, strike out "sixty-five" and insert "thirty-five."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. BEVERIDGE. Mr. President, I wish to ask the Senator from Utah, or some other Senator on the Finance Committee, two questions concerning points brought out in this debate which have impressed me.

The first is this: The Senator from Ohio [Mr. BURTON] has stated that the rate fixed in the Senate committee amendment was so fixed after both the consumer and the producer had agreed to it. The first question I wish to ask is whether that is accurate. I am not questioning the Senator from Ohio, of course, but I want to hear about it.

The second question is this: I have understood from the Senator from Utah and others that the reduction brought in the other day by the Senator from Utah from the committee amounts in reducing it in ad valorem terms to about the ad valorem fixed by the House. Those are the two points. Is that true?

Mr. SMOOT. Mr. President, in answer to the first question asked by the Senator from Indiana, I will state that the representative of the consumers of the electric-light carbons and the representative of the manufacturers of the electric-light carbons agreed that 65 cents is a proper rate of duty. Further, answering the second question——

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. Certainly.

Mr. BEVERIDGE. So we have it clearly and authoritatively stated, and thus far not controverted, that this rate is satisfactory both to the consumer and producer?

Mr. SMOOT. To the representatives——

Mr. STONE. That is important.

Mr. SMOOT. I say, to the representatives of the consumers and of the manufacturers.

Mr. STONE. Who represented the consumers?

Mr. SMOOT. I stated that General Harries appeared in my committee room and stated that he was representing the consumers, and I judge he was, and also Mr. Crider was representing the manufacturers of carbon.

Mr. STONE. I am particularly inquiring as to the representative of the consumers and who the consumers were whom he represented.

Mr. SMOOT. I suppose the great bulk of them.

Mr. STONE. By what authority?

Mr. BURTON. Will the Senator from Utah allow me to ask a question?

Mr. SMOOT. Certainly.

Mr. BURTON. Is it not true that there was a meeting of electric-light companies or their representatives and they chose General Harries and perhaps one other to act as their representatives here at Washington?

Mr. SMOOT. I was so informed, but I would not like to state it, because I do not know that that meeting occurred. However, it was so told to me.

Now, Mr. President, in relation to the importations of carbon, if the Senator from Missouri will turn to page 62——

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. Certainly.

Mr. BEVERIDGE. Before the Senator goes on I wish he would not forget the second question, which was whether our understanding was correct that the amendment the committee has brought in has reduced the rate in ad valorem terms to the rate fixed by the House.

Mr. SMOOT. The House fixed the rate at 35 per cent ad valorem, and that is on the high-grade carbon. Those carbons sell for $23.50 and $25.50, according to the letter from the city of Chicago which was read by the Senator from Wisconsin.

Mr. STONE. I wish the Senator would state if it is not a fact—I so understood—that the House ad valorem rate is higher than the Senate committee rate.

Mr. SMOOT. No; Mr. President, that is not correct. Take the basis of the cost of the high-grade carbons at New York at $18. The 35 per cent ad valorem as carried in the bill as passed by the House would make it 63 cents a hundred, and our rate here is 65 cents a hundred.

Mr. BEVERIDGE. So the Senator figures, as I understand it, and that is the statement of the committee, that the last amendment to their amendment practically reduces the Senate rate to what the House rate was, within a difference of perhaps 1 or 2 cents?

Mr. SMOOT. That is correct. We also further reduce the lower grade, as stated here, to 35 cents a hundred feet.

Mr. BURKETT. Mr. President——

Mr. SMOOT. I will be through in just a minute. The Senator from Missouri quoted from Mr. Hugo Reisinger, of New York, a number of letters. I want to quote also from him. I send to the desk and ask to have read a statement made by him in the Electric World of April 22, 1909.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

GERMANS MAY MAKE CARBONS IN AMERICA.

[Electric World, April 22, 1909.]

Hugo Reisinger, the principal importer of carbons for arc lamps in this country, and representative of some of the most important manufacturers in Germany, both of flaming-arc and inclosed-arc carbons, announces that if the new schedules of tariff which is proposed in the Aldrich bill becomes a law he will establish a factory for the manufacture of carbons in this country, which will be backed by German capital to any amount that is necessary, and which will manufacture the same carbons that are now imported from Germany. He says that such a factory can be established in this country to compete in the carbon business, and that the result of such competition will be the practical cutting in half of the present prices charged for carbons to consumers. Mr. Reisinger says that there is plenty of money available for this purpose just as soon as it is determined that the present high rates of duty will be maintained, or that an increase is to be adopted. He says: "I know that such a factory in this country would speedily bring the carbon trust to terms, and that the consumer would get all the benefit. We would have the advantage of a thoroughly modern, compact plant, and we would not have to pay dividends on inflated capital."

Mr. LODGE. As the statement has been made and in something the Senator from Missouri read concerning the gigantic profits of this company, I merely wish to call attention to the fact that it is all in evidence before the Ways and Means Committee, by which it appears that the company paid "7 per cent on the preferred stock, and at the present time," Mr. Crider says, "we are paying 4 per cent on the common stock. For some years it did not pay anything."

Mr. NELSON. How much?

Mr. LODGE. They first paid 2 per cent, and 3 per cent, and this year 4 per cent.

Mr. NELSON. Can the Senator inform me how much stock is preferred and how much is common, and how much it is capitalized for?

Mr. LODGE. The capital stock was $4,500,000 preferred and $5,500,000 common; no bonds.

Mr. NELSON. I understood from the Senator from Ohio that they could establish such a factory or plant for a few hundred thousand dollars.

Mr. LODGE. The Senator knows, of course, that these electric-light carbons are only about 15 per cent of the company's business. They are only a very small fraction of the company's business.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield further to the Senator from Minnesota?

Mr. LODGE. I merely wished to put in that. It shows a dividend on the common stock—first nothing, then 2, 3, and 4 per cent. It was not extravagant.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I do not desire to occupy the floor in my own right.

Mr. NELSON. Will the Senator from Massachusetts allow me a moment?

Mr. LODGE. I yield the floor entirely.

Mr. BURTON. Mr. President, I will state that I think the Senator from Minnesota misunderstood me. What I said was that in establishing the manufacture of carbons they could provide the additional equipment for the making of these electric-light carbons for about $20,000. I will state that of the total business of the National Carbon Company probably its manufacture of carbons for lighting is not more than 20 per cent.

Mr. BEVERIDGE. Before the Senator takes his seat, since he was the first authority for the statement that the consumers and producers had agreed upon this rate, which if it is true, of course, very largely obviates our difficulties; there seemed to be expressed some question, when the Senator from Utah stated in confirmation of what the Senator from Ohio had said that General Harries represented the consumers—I do not know who he is; I never heard of him. The Senator from Ohio has just said that the consumers had had a meeting and elected General Harries to represent them, which establishes his authority. I would be glad to know if my understanding is correct, because it is conclusive in my mind unless it is denied.

Mr. BURTON. I will state to the Senator from Indiana that I have no information on this subject except at second hand, though every presumption is in favor of its correctness. My information is that there was a convention of men interested in electric lighting, including the leading corporations, and that a committee was chosen to appear here at Washington and represent their interests, a sort of a committee on legislation, especially with a view to the tariff bill that is pending. That is the extent of my information. I have no reason to doubt its accuracy.

Mr. STONE. Mr. President, I made a statement a moment ago which several Senators negatived. The duty as reported in the Senate amendment in the first instance was higher than that fixed by the House in the bill.

Several SENATORS. Oh, no.

Mr. STONE. Senators say "no" again, and that is evidently correct as to the electric-light carbons, but I have tables sent me by a large manufacturer and importer and jobber of electric machinery, telephone supplies, and so forth, and they show what I shall state as to what are called "flame carbons." I should like the attention of the Senator from Rhode Island, but the Senator from Utah will answer as well as the Senator from Rhode Island. In these tables he gives the duty on 1,000 carbons under the Dingley law, the Payne bill, and the Senate committee bill on flame carbons. There were three items in each. These, I believe, are what he calls carbons 23 inches in length.

The first cost is $40 per 1,000. The duty under the Dingley law would amount to $9 per 1,000, so he says, and he has figured it out; I have not. I have accepted these tables as being correct. The duty under the Payne bill would be $14 per 1,000, or an increase of 55 per cent, while the duty under the Senate bill as first reported would be $13.42 a 1,000, or about 50 per cent. I speak now of flame carbons, and I will ask the Senator from Utah whether that statement is correct?

Mr. ALDRICH. We have not taken up that subject yet. I promise the Senator from Missouri that we will take it up, but it is not now before the Senate.

Mr. STONE. The bill covers that character of carbons?

Mr. ALDRICH. It covers it, but we are trying to get some classification of it.

Mr. STONE. I understand; but the Senator was not giving his attention when I asked the Senator from Utah a question. He was talking about some entirely different matter from what I was talking about.

Mr. ALDRICH. I think the Senator has read that same letter at least three or four times, and I have tried to give as good attention as I could to its various provisions. I thought he understood that the matter of flame carbons was not finally disposed of.

Mr. STONE. I understand what the Senator says about that. There is no occasion for petulance on his part.

Mr. ALDRICH. Oh, no; I have none.

Mr. STONE. The question I asked the Senator from Utah was, whether, after reading what I read from the tables, it is a fact that the duty now prescribed in the bill on flame carbons in the Senate amendment is not higher than the rate fixed by the House?

Mr. SMOOT. I think that the best way to answer is by the same table, that on that particular carbon the rate will be a little higher than 35 per cent, as provided in the House bill.

Mr. LA FOLLETTE. Mr. President, at the present time carbons coming into this country are dutiable at 45 cents per hundred feet. Why do I say that? Because 90 cents per hundred carbons, imported in 2-foot lengths, makes 45 cents per hundred feet. The present duty yields 47 per cent of the value of the carbons, and that is substantially the figure placed in the Book of Estimates furnished by the committee.

A duty of 65 cents will yield, in round numbers, an ad valorem of 70 per cent. It is juggling with figures to make any other statement. The House, after most mature deliberations on the subject, fixed a rate of 35 per cent ad valorem.

Now, Mr. President, with reference to an agreement here between the consumer and the producer, I want to say that my good friend from Indiana——

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. Before the Senator leaves that point—I am interested in what he is saying—the Senator stated that the rate of the Senate committee would be 65 per cent ad valorem. Is that correct?

Mr. LA FOLLETTE. No.

Mr. BEVERIDGE. How much—70 per cent?

Mr. LA FOLLETTE. I say that, at 65 cents per hundred feet, it will yield about 70 per cent ad valorem.

Mr. BEVERIDGE. I understood the Senator from Utah to say that the last amendment of the Senate reduced it to about 35 per cent. So there is exactly 100 per cent difference between the two statements. How is it to be reconciled?

Mr. LA FOLLETTE. It is a very simple matter of computation. Any Senator can make it for himself by taking the figures as given in the table of imports and applying the rate of duty provided in the pending amendment.

I desire, Mr. President, to call attention to the statement of the Senator from Utah [Mr. SMOOT] as to an agreement made between the consumer and the producer by which the rate of

duty was fixed at 65 cents per hundred feet. The Senator from Utah said that in the making of this agreement General Harries represented the consumers. Who authorized this man Harries to represent the people of Wisconsin or of Indiana, who are consumers and who pay for these carbons? If he bore a commission from some large electric-light corporation and entered into an agreement with this monopoly, I should like to know something about the consideration before I should consent to bind the people of Wisconsin by that agreement. He never was authorized to represent the public, who are the consumers of these carbons.

Mr. President, with respect to the statements of the Senator from Rhode Island as to the manifest intention of Congress in fixing the duty at 90 cents per hundred in the Dingley law, I desire to call attention to the manner in which this particular paragraph was framed in 1897.

The record shows that the House fixed the duty at 50 per cent ad valorem. An amendment to increase this rate was proposed in the Senate. It was not adopted. The deliberate action of the Senate upon this matter was not only in its failure to adopt this proposed amendment, but also to strike the House provision from the bill, thus making the paragraph one of the subjects of conference between the Houses. The rate of the present law was fixed in conference. Under conditions as they existed in 1897 in the carbon business, carbons came into this country in lengths of 12 inches and under. The fixing of the duty at 90 cents a hundred carbons was in practice the fixing of the duty at from 100 to 150 per cent ad valorem.

The action of the House of Representatives in fixing the rate at 50 per cent ad valorem was the deliberate action of that body. The deliberate action of the Senate was to refuse to increase the rate fixed by the House and to refuse to adopt the House provision. The rate as it finally appeared in the law did not represent the deliberate action of either body. The item was considered not separately, but with a mass of other items. There could not then be a separate vote upon each item. The report must be accepted or rejected as a whole. So far as the deliberate judgment of Congress found expression in the action of either House, it was for a 50 per cent duty in one branch and against an increase of this duty in the other. When the record is analyzed it seems to me that it was manifestly not the intention of Congress to have ever fixed a duty of 100 or 150 per cent upon these carbons. The highest rate which may be said to have been representative of the judgment of Congress was 50 per cent, and that is practically the duty collected at the present time.

Now, Mr. President, I think the suggestion of the Senator from Missouri is very pertinent. Has the National Carbon Company been prosperous under the existing rate with the imports coming in as they do, in 2-foot lengths, bringing the rate down to a 47 per cent duty? On the statement of the secretary of the company itself before the Ways and Means Committee, they were paying 7 per cent on their preferred stock and 4 per cent on their common stock, and, applying the knowledge that the students of the subject of the organization of these great combinations must have, where no bonds are issued the common stock is always at least so much additional water. When you take the best testimony that can be gotten from the highest authority of this country as to the extent of the control of the business of this great corporation here, I think that the Senate can not afford to go on record as raising this duty from 47 per cent to 70 per cent, the rate which will be applied to these high-grade carbons, the only kind that is imported into this country, if the Senate committee amendment is adopted.

I want to incorporate in the RECORD before the vote is taken the exact facts with respect to the organization of this company and its holdings.

The National Carbon Company—

And I am reading from John Moody, recognized by every student and by every trained man in this country who has made a study of this problem as the highest authority in the country—

NATIONAL CARBON COMPANY.

[The carbon trust.]

Incorporated under New Jersey laws January 16, 1899, as a consolidation of the following companies engaged in the manufacture of lighting carbons, carbon brushes for generators and motors, carbon batteries, carbon diaphragms and back plates for telephones, carbons for electrolytic purposes, and kindred products:

American Carbon Company, Noblesville, Ind.
Brush Carbon Works, Cleveland, Ohio.
Faraday Carbon Company, Jeanette, Pa.
Globe Carbon Company, Ravenna, Ohio.
National Carbon Company, Cleveland, Ohio.
Partridge Carbon Company, Sandusky, Ohio.
Phœnix Carbon and Manufacturing Company, St. Louis, Mo.
Solar Carbon and Manufacturing Company, Pittsburg, Pa.
The Standard Carbon Company, Cleveland, Ohio.
Thomson-Houston Carbon Company, Fremont, Ohio.
The Washington Carbon Company, Pittsburg, Pa.

The foregoing companies covered practically the entire carbon industry of the United States.

Capital stock authorized and issued, $4,500,000 7 per cent noncumulative preferred, and $5,500,000 common. Par, $100. Dividends on preferred, 7 per cent per annum.

No bonded debt.

The net earnings of the company during the past four years have been as follows: Year ending January 31, 1900, $451,687; 1901, $508,739; 1902, $586,812; 1903, $594,371.

That statement was published in 1904. In the testimony before the Ways and Means Committee, Mr. Crider, the secretary of the company, says that its business has become more and more prosperous year by year. Its prosperity increased as it has reached out and controlled a larger field of production and established a fixed standard of prices, so that the company now pays 7 per cent on its preferred and 4 per cent on its common stock.

Mr. President, reminding the Senate again of the statement of Mr. Crider before the Ways and Means Committee as to how this company applies its earnings, as to the surplus it is accumulating, and how improvements and betterments are paid for out of its earnings, the richness of this company's field will be better understood by reading further from this statement:

Number of plants acquired 11
Proportion of industry controlled (about) ..... per cent 87
Products: Lighting carbons, carbon brushes, batteries, diaphragms, etc.
Element of monopoly: Important (patent rights, etc.).
Total capital issued, par value, $10,000,000.

Mr. President, I have gone more fully into this subject perhaps than its importance—though it is important—warrants, because it illustrates the general character of many provisions of this bill, and should put Senators upon inquiry with respect to the bill as a whole.

Mr. BURKETT. Mr. President, I undertook to ask a question of the Senator from Utah [Mr. SMOOT] when he had the floor. He has apparently gone out of the Chamber. I also tried to ask a question of the Senator from Massachusetts [Mr. LODGE], and he has gone out of the Chamber. I think I shall now have to ask the chairman of the Committee on Finance, although he was not engaged in that colloquy. In the statement which the committee has prepared for us, the present rate on this article is given as 46 per cent; the rate, according to the House bill, is 35 per cent; and the Senate bill has brought in a rate of 36.39 per cent. As the Senator from Utah has said, it has amended it and still further reduced it; but it can not reduce it much more to get it down to the 35 per cent of the House. I should like to ask the chairman of the committee, if the tariff is practically the same as in the House bill, why all this fuss and all this time taken to change it from an ad valorem to a specific duty?

Mr. ALDRICH. Mr. President, as a protectionist, whenever a specific duty can be used, I think it clearly the duty of Congress to impose one. There is not a shadow of doubt in my mind about that question, and I hope there is not any in the mind of the Senator from Nebraska.

Mr. BURKETT. I think, Mr. President, it is not a sufficient test as to whether a Senator is or is not a protectionist that he favors a specific or an ad valorem duty, because I think nobody disputes the fact that the men who made this bill in the other House, especially the great leaders of the Ways and Means Committee, were as strong advocates of protection as this country has ever had. I cite, also, the fact that as the bill is made up, and as all protection bills are made up, there has never been much consideration given as to whether a duty should be specific or ad valorem.

Mr. ALDRICH. The Senator is very much mistaken about that proposition.

Mr. BURKETT. I may be; but I know enough about tariff legislation to know that it is not practical at all times to make a specific rate——

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. BURKETT (continuing). And when it is not practicable to make a specific rate, then you have to adopt an ad valorem rate. As we go through the bill we find a great many paragraphs which have both specific and ad valorem rates; so I think it is not a test of a Senator being a protectionist whether he is in favor of a specific or an ad valorem rate. What I want to know is, if there is not any difference, what is all this time being consumed about? What is all this fuss being made about?

Mr. ALDRICH. I have been asking myself that question for five hours. I think that the Senate were as well qualified to

vote upon this question five hours ago as they are now. I think they are ready to vote upon it at any time when Senators will permit them to do so.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. BURKETT. I do.

Mr. LA FOLLETTE. While the Senator from Nebraska is on the matter of the change from ad valorem to specific rates, let him read the first three lines of the three paragraphs, where for some reason or other a specific duty was changed to an ad valorem rate, resulting in an increase of some 200 or more per cent, and in the same paragraph, without any change in party allegiance so far as I know, the committee shifts around and changes from a specific rate to an ad valorem rate, or changes from an ad valorem rate to a specific rate, working out an increase of 55 per cent over the existing rate, and, taking it as they have changed the amendment now pending, it substantially means 45 per cent over the existing rate.

Mr. BURKETT. I was not going to make any specific illustrations, because I think the general knowledge of everybody is sufficient to dispute the contention of the Senator from Rhode Island. I am rather surprised that he stated it here. It is one of those things which rather shakes people's confidence in working out this bill, I am frank to say. I do not believe that that rate has been changed from an ad valorem to a specific rate without some object other than to conform to the rules of protection. I believe that there is some other purpose in it.

This is not a matter that I have any particular interest in, and I probably should not have attempted to speak but for the difference in the figures given by the Senator from Wisconsin [Mr. LA FOLLETTE] and those given by the Senator from Utah [Mr. SMOOT]. I followed the figuring of the Senator from Wisconsin, and also that of the Senator from Utah in response to an inquiry of the Senator from Indiana.

I have had some two or three letters from those who use these carbons in my State. They are not importers; they have no particular concern in importers more than in manufacturers. They are interested in supplying light. They are honorable men; they are men whose word I would take for almost anything that they knew about. They have said to me that this does change the rate, and that it will change the cost of carbons to the men who buy them.

I do not understand why the duty could not have been left ad valorem just as well as in the case of retorts, which is immediately before it. If it is intended not to change the rate. There must be a difference, I take it, and I have gathered it not only from the letters I have received, but I know also that another Senator here showed me a letter which he had received to the same effect. There must be a difference in the length of these carbons. With a specific rate, a man who buys the shorter carbon is going to pay more tariff than the man who uses the longer carbon.

I asked the question fairly, and I did not expect to be told that one had to favor that change in method to be a good protectionist or anything of that sort. In my opinion, there must be some other reason why this change has been insisted upon and urged by those who manufacture these carbons other than simply being a protectionist. I believe, in short, from what information I can get and from the letters which I have had upon this subject, that this change does increase the rate and that it is going to raise the price of carbons to the consumer.

Upon the rate that we have had nobody has contended, so far as I have heard, that the manufacturer of this product has not been making a good income. I want him to make good money. I do not want to drive his industry out, as I have said half a dozen times.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Rhode Island?

Mr. BURKETT. I do.

Mr. ALDRICH. Will the Senator from Nebraska tell us frankly who the gentlemen are who are the consumers of these carbons in Nebraska who have found fault about these rates?

Mr. BURKETT. I have some letters from some of the electric-light companies.

Mr. ALDRICH. From anybody else who consumes carbons in Nebraska except the electric-light companies?

Mr. BURKETT. Well, no; I do not think I have.

Mr. ALDRICH. Are those gentlemen of whom the Senator is speaking the subjects of public charity?

Mr. BURKETT. I will say, Mr. President, that, according to a great many of those gentlemen, including the gentleman who wrote to me, the supplying of light for little towns and the running of electric-light plants under such conditions is almost a charitable proposition. A good many of those little towns out there have electric-light plants that are not exceedingly paying institutions. The companies make money on private lighting, but on that they furnish to the towns they do not make very much, as I understand it. I remember the hearing that we had, even in this city of Washington, on the subject of electric lighting demonstrated that the electric-light company furnishes light to the District at very little, if any, profit. I think that that is generally the case with a light plant. They provide light to a city at a good deal less profit than they do to individuals, and in most of the little towns where they manage to have electric street lighting the plants are not very great financial successes. I doubt if any of them are making very much money. But that is neither here nor there.

Mr. ALDRICH. Those people are all monopolists, I take it, every one of them.

Mr. BURKETT. Yes; they are very fortunate to have one plant in those little towns. But if we are going to increase the cost of carbons, it will result finally in reaching the consuming public. It seems to me that the chairman ought to give us some better reasons than he has given us for this change. I have listened very carefully to this discussion. I do not want to vote against the committee or its recommendations, if the chairman can show to me that the committee provision is better than the House provision. The House committee considered this a long time. Those who made the bill in the House are all protectionists, and I should like to know, before I vote to change the House rate, persuaded as I am by my correspondents that it is an increase, why it has been increased?

Mr. GORE. Mr. President, I wish to say that the proposed increase of this duty is in perfect harmony with the entire plan of tariff revision as proposed in the pending measure. There seems to be a manifest purpose on the part of the other side to levy an increased duty on light of every description, or, at least, to levy a duty upon light. They have imposed a tax upon window glass, which is nothing more nor less than levying an impost upon the sunlight of heaven. Not only does natural light, which has been provided by Providence, come under the ban of this protective tariff, but even artificial light is to share the burdens of protection. Higher authority than myself has said that there are those who prefer darkness rather than light. The reason for that preference I do not now remember; but, Mr. President, we are now dealing directly with a trust, or with one of those ghosts which flitted about the Senate Chamber on yesterday.

That the National Carbon Company is a monopoly is admitted, and is not denied. There is one conclusion at least upon which everybody can agree. It is true that the Senator from Ohio [Mr. BURTON] says that if the National Carbon Company is a trust, he is not aware of that fact.

Mr. President, the high character of that Senator no doubt serves as a shield to protect him against the confidence of that trust; but, while that statement is a compliment to his high character, it is no proof whatever that this concern is not a monopoly. One that is in a situation to know has stated, I believe under oath, that the company was a monopoly. In the hearings before the House Ways and Means Committee, Mr. UNDERWOOD, of Alabama, propounded this question to the secretary of this company, "You have a monopoly on the business?" And the secretary of the concern answered, "Practically that"—practically a monopoly.

Mr. President, if it has a practical mononopoly, no matter whether it is a theoretical monopoly or not, it is one of those ghosts which are calculated to flay the people in excessive charges. Mr. Crider, secretary of this company, is one of the sanctified manufacturers who can not sin, and is not a perjured importer. The only instance where the testimony of a manufacturer has been impeached is when he made the confession that his concern, about which he probably knows more than anybody in the Senate, was a monopoly. He may not be better advised than anyone else, but we are at least to indulge that presumption until we have proof to the contrary.

Not only that, Mr. President, but it has been charged here that the National Carbon Company is an adjunct of the Standard Oil trust, and is a subsidiary concern. That charge has not so far been denied. Before this debate has progressed much further we will hear in this Chamber a good deal about hostility—I will not say "affected hostility"—to the Standard Oil Company. There will be a sham battle pulled off before long against that concern. Now, sir, here is an opportunity to demonstrate real opposition to this great and gigantic monopoly.

The Senator from Utah [Mr. SMOOT], the high priest of the high tariff, the annointed apostle of protection, has said here that there is a combination between this monopoly and the electric-light companies of the country. The fact that the trust is

increasing in magnitude does not enhance its character or its credibility. I challenge the right of that Senator and I challenge his credentials to speak for the consumers of Oklahoma; I impeach his power of attorney to represent both the monopoly and the consumer. No man can properly represent both sides to a contest of that kind. How he succeeded in obtaining this testimony from the consumers that they were willing to pay a higher price on carbons, I do not know. It must be some divine afflatus, some heavenly illumination, by which he overpowered and mesmerized the consumers of this country.

I have not heard any clamor on the part of consumers of any kind to have their burdens increased, but I have been struck—I had almost said with the folly of contending that the electric-light companies are consumers. They are mere conductors, through which this electric charge passes from the carbon trust to, I may say, the ultimate consumer. If the price of carbons is increased, the electric-light companies must do one of two things: They must either raise their rates to the ultimate consumer or else diminish their profits—God save the mark—profits which are the objects of the most tender consideration on the part of the Finance Committee.

There is one electric-light man in my State who is not a party to this combination of the electric-light companies and the electric-carbon companies. I send to the desk and ask to have read a letter which I have received from him, beginning with the sentence that is underscored. The rest is purely personal.

The VICE-PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

THE STETTMUND ELECTRIC COMPANY,
Chandler, Okla., February 18, 1909.

* * * * * * * *

I noticed that while the Committee on Ways and Means are in session regarding the revision of the tariff, that the National Carbon Company, of Cleveland, the so-called "carbon trust," is trying to have the duty on electric carbon increased by adding to the present wording of the duty paragraph the word "feet."

The paragraph referred to is 98, reading: "Carbon for electric lighting, 90 cents per hundred." Now, if the word "feet" were put after "hundred" it would be "per hundred feet," which would mean an increased duty of $9 per thousand.

These carbons are made in this country at a cost of $10 per thousand and sell at $24. You can see that there is no more protection needed along this line.

The records of this State show that only 18 per cent of the electric companies are making expenses. If the additional duty of $9 were put on, it would mean greater expense. The thousands of electric companies in the United States are entitled to more protection than the carbon trust, which wants to corner the market and make greater profits.

"A friend in need is a friend indeed," and I would be pleased to have you use your influence in lowering the duty, and do all in your power to keep the paragraph from being amended by the word "feet."

With best wishes to yourself, I remain,

Your friend, H. G. STETTMUND.

Mr. GORE. Mr. President, I confess that I feel very much flattered by his allusion to my "influence," but he does not understand the methods of the Committee on Finance. This electric-light man at least has signed no commission to General Harries to represent him before the Finance Committee or any other committee.

I wish that the testimony of those interested parties who may or may not own stock in the National Carbon Company had been reduced to writing and placed before the various Members of this body so that this illumination might not have been confined to the members of that select body.

I share the indignation expressed by the chairman of the Finance Committee at the fraud practiced in connection with this or any other schedule of our revenue laws. I shall join with him in carrying on a crusade against all frauds in every department of our Government. No man will suspect that this change from 90 cents per hundred to 65 cents per hundred feet was inspired by any but the most lofty and statesmanlike motives; but why add "feet" to these ghosts, to enable them to stalk with greater facility through Congress or to enable them to fly and seek security from the foreign competitor, from those hideous Germans and Japs?

Mr. President, this is the vital point in this connection: Has the National Carbon Company been able to pay reasonable wages to its laborers and to realize a reasonable profit under the existing duty? If you answer in the affirmative, then you must vote against this proposal. If you answer in the negative, then the question is open as to what would be a reasonable guaranty and insurance of profit.

The testimony adduced here demonstrates that this is a rather prosperous concern; that last year they paid 7 per cent on a preferred capital stock of $4,500,000 and 4 per cent on $5,500,000 of common stock—may I say watered stock? That expression has been challenged, and in answer to the challenge I merely say that the company was organized in the State of New Jersey. [Laughter.]

Mr. President, is 7 per cent on preferred and 4 per cent on common stock a reasonable profit or not? We are now approaching a test of the committee's conception of "a reasonable profit." The amount of the company's surplus, unfortunately, I am not able to state. They have, Mr. President, under the sheltering wall of the present tariff, been able to monopolize the electric-light carbon business of this country. According to their own admission they have been able to drive their competitors from the field, if they ever had any competitors; they have been able, notwithstanding the fraud and the low duty, to realize a high return of profit; they have been able to realize 7 per cent on the preferred and 4 per cent on the common stock; and all this notwithstanding the fraud perpetrated against them and the low rate of the existing duty!

No one has stated, and no one will state, that they have not enjoyed sufficient protection to insure the difference between the labor cost here and abroad and to vouchsafe a reasonable profit to this trust and this monopoly.

Mr. President, this amendment joins the issue squarely. It is in the direct interest of the National Carbon Company, an admitted trust. We are asked to increase its profits. We can by the vote on this amendment determine who are the friends and who are not the friends of this trust; and if the allegation that this concern is an adjunct to the Standard Oil Company goes unchallenged and undenied, then we have, sir, an additional issue presented to this Senate, and will now have an opportunity to vote to increase the enormous profits of the Standard Oil trust and its auxiliaries, or to vote against the enhancement of their enormous, outrageous, and unreasonable profits. That, sir, is the issue presented to the Senate.

Mr. BURTON. Mr. President, I do not desire that the Senate shall believe, because I fail to answer in extenso much that has been said this afternoon, that the statements made in opposition to this amendment are correct. I have never heard in the city of Cleveland the slightest intimation that the Standard Oil Company had anything to do with the National Carbon Company. Its list of stockholders is entirely distinct and is scattered over the country. If anyone made that statement in Cleveland, it would be supposed that it was the product of a diseased imagination or some muckraking attack upon those who are engaged in legitimate business. I have never heard it termed a "trust."

I am not here with any brief for the National Carbon Company; I am here, in the first instance, for a local industry, and for a fair and a judicious tariff. Is every organization which is prosperous to be placed in the pillory, as this has been today? Is it to be subjected to false accusations and to groundless suspicion? Certainly, if this had been done in the past, our country would be much nearer to the condition when the tomahawk was prevalent and the prairies were unsettled. Must you pounce on any corporation or any man simply because he is successful? I do not know whether there was any "water," as you call it, added to the stock of the National Carbon Company; but I do know that its success is due largely to twenty years of excellent business endeavor.

One man, who is now dead—a Mr. Lawrence—contributed more to bring about its success than anyone else. He devised improved processes. This was his favorite enterprise among other important business enterprises. He added to the economy with which the different articles could be made and placed upon the market, the assembling of the material, and so forth.

Taking up one statement that has been made here, I will state that it is not true that this company has been enjoying during these months of depression the same prosperity which it enjoyed before. Their trade has fallen off very largely—15 per cent in the case of this item of electric carbons.

There is one other point that I did not make before—and I will detain the Senate only a few minutes. I really do not think we will add to our knowledge of this subject or our ability to pass upon it dispassionately and properly by making accusations against these corporations, unless we know the grounds of those accusations. This is not an organization that has made great profits. It is not an organization that is a trust—certainly not in the ordinary sense of the word.

As I stated before, when the Dingley bill was passed, in 1897, 10 per cent of the carbons used in this country were made at home, and 90 per cent of them were imported. Under the first interpretation placed upon the law—which, I submit to the Senate, was the honest interpretation—interpreting it to mean a carbon stick a little less than a foot long, the domestic production grew to 70 per cent in the six years from 1897 to 1903. Then commenced this importation of double and triple lengths. Since that time the home production has gradually

gone down, until now, instead of being 70 per cent as in 1903, it is 50 per cent or less of the total consumption. In the year 1907 there were imported something like 8,000,000 of these carbon sticks, no doubt of an average length of more than 2 feet each, amounting to about 2,000,000 sticks of commercial length or something more than half of the domestic consumption. This gradual increase of importation and the gradual falling off of home production—and it was not so gradual, after all—show the danger to this as a domestic industry.

We who are protectionists in this Chamber must meet this question: Are you willing that there shall be a fair and rational interpretation of the law of 1897 as it was intended, or do you intend to allow this duty to be so decreased that the manufacture of this article will pass from this country to another country?

It does not answer that question to fill the air with denunciations of trusts and monopolies. There is not any monopoly there.

I have already read to the Senate a letter from a manufacturer in the State of Illinois, in which he says that in July or August his factory will be ready to put these carbons on the market. Any other carbon company that has the requisite skill and ability and the very small capital necessary can manufacture them as well.

We can not obscure this issue. The amount of importation in proportion to the total consumption is increasing year by year and month by month.

I am perfectly aware that there has been a campaign made in this case by the agents of the importers which has involved more publicity and more recklessness of accusation than perhaps in relation to any other item or paragraph in this bill. But I appeal to the Senate to stand by an American industry and give it fair play, and to rectify that which, to say the least, has been an error, if not a fraud, in the interpretation of the act of 1897.

Mr. President, I trust the committee amendment will prevail.

Mr. LA FOLLETTE obtained the floor.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. HALE. I do not ask the Senator to yield. I must insist. Mr. President, on the enforcement of the rule which was brought to the attention of the Senate last evening by the Senator from South Carolina [Mr. TILLMAN].

Mr. LA FOLLETTE. Mr. President, I believe I was recognized; and I rise to offer an amendment to the pending amendment.

The VICE-PRESIDENT. The Senator can be recognized for an amendment; but when the observance of the rule is insisted upon, the Senator can not be again recognized to speak on this amendment.

Mr. LA FOLLETTE. Mr. President, if I offer an amendment, can I not be recognized to speak on that amendment?

The VICE-PRESIDENT. The Senator may offer his amendment.

Mr. LA FOLLETTE. It would certainly be a strange rule that would prohibit it.

Mr. HALE. Mr. President——

Mr. LA FOLLETTE. I desire to state my amendment, if I may have the floor for that purpose.

I move to amend the pending amendment by substituting "36 per cent ad valorem" for the entire provision; and on that amendment I desire to be heard.

The VICE-PRESIDENT. The Secretary will state the amendment.

Mr. HALE. Let the amendment be read.

The VICE-PRESIDENT. Will the Senator from Wisconsin kindly send his amendment in writing to the desk? The Secretary has not it clearly in mind.

Mr. LA FOLLETTE. I will, if the Secretary will kindly furnish me with a copy of the pending amendment. I have not had that, and I could not frame my amendment in writing to cover it without having it before me.

I will say, Mr. President, that I could have finished what I intended to say in two minutes if the Senator from Maine [Mr. HALE] had not insisted upon my laying the foundation for being heard.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine rise to a point of order?

Mr. HALE. No. I have learned that I can depend on the Senator when he makes a statement. I will withhold my point for two minutes.

Mr. LA FOLLETTE. If I may be heard for a couple of minutes, it is all I desire. I have offered the amendment for the moment for the opportunity to be heard.

Mr. MONEY. Mr. President, I ask the Senator from Wisconsin to allow me one moment.

The VICE-PRESIDENT. Does the Senator yield?

Mr. LA FOLLETTE. Yes; if I may be permitted to yield.

Mr. MONEY. I simply desire to make a parliamentary inquiry. Has the Chair ruled that when any Senator has spoken twice on an amendment, and he then offers another amendment, he is not to be permitted to be heard on the latter amendment?

The VICE-PRESIDENT. The Chair has not ruled upon that question.

Mr. LA FOLLETTE. Mr. President, I simply wish to say, in conclusion, upon this subject, and in reply to what the Senator from Ohio [Mr. BURTON] has just stated, that I have heard no charges made in this debate with respect to this company being a monopoly that were not based upon the testimony of the secretary of that company, given before the Committee on Ways and Means of the House. I will take just one minute to refer to what he said.

Mr. BURTON. May I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. Yes.

Mr. BURTON. It depends somewhat on the Senator's definition of a monopoly. Suppose a company at one time is manufacturing all that is made of an article, and yet other companies are entering the business, or could enter it. Does the Senator call that a monopoly?

Mr. LA FOLLETTE. No; and I will say to the Senator from Ohio that that is not the testimony of the secretary of this company. If he will be patient for a moment, I will read it:

> Mr. UNDERWOOD. Is there any other manufacturer in this country that manufactures these high-grade carbons except the company that you represent?
>
> Mr. CRIDER. I do not know of any other manufacturer of the high-grade arc-lighting carbons in the United States.
>
> Mr. UNDERWOOD. And you have a monopoly of the American market, therefore?
>
> Mr. CRIDER. Practically that, because we are the only concern that has been able to make it.

That comes pretty near being a definition of the strictest sort of a monopoly.

Now, with reference to "water." The Senator from Ohio [Mr. BURTON] says he does not know anything about any water in this company. I know he states exactly the fact when he says that; but I desire to read just a question and answer from Mr. Crider on that subject:

> Mr. UNDERWOOD. It was stated here to-night by one of the witnesses that in the organization of your company only a certain percentage of the capital was actual cash and the rest was water. How was your company organized?
>
> Mr. CRIDER. The company was not organized until January 16, 1899, instead of 1897, as has been testified. I was not one of the incorporators of the new company, and I can not tell you just how much real value there was in it.

Mr. President, it seems to me that answer from the secretary of this company, who knows its records and who must have known every step of its progress from its inception to the hour that he was testifying, is a confession.

He says further:

> Mr. CRIDER. We are paying 7 per cent on the preferred stock, and at the present time we are paying 4 per cent on the common stock. * * *
>
> Mr. UNDERWOOD. Have you a surplus?
>
> Mr. CRIDER. We have a surplus of, I think, about $400,000. I have forgotten the amount.

Mr. GORE. Mr. President, I wish to say, in response to the Senator from Ohio [Mr. BURTON] that, in the first instance, he disqualified himself as a witness in this case; at least, he stated in this presence that if this concern was a monopoly he did not know it. He has since screwed his courage and his conscience up to the point of saying there is no monopoly, and that this company is not a monopoly.

The Senator's denial would command my instant belief if it were weighed in the balances against the testimony of anyone other than the secretary of this concern. I felt justified in believing that the secretary of this monopoly knew more about it than the Senator from Ohio. But, sir, it seems we were mistaken. That, however, merely turns upon the difference in the definition of the word "monopoly."

Merely because this was the only company engaged in this industry in the United States, and merely because it entirely controlled this business, Secretary Crider drew the erroneous conclusion that it was a monopoly. But the Senator from Ohio has a different definition for the word "monopoly." His definition commands my credence; and I conclude that he is right in his assertion that this concern, which has exclusive control of the American market, is not a monopoly. I conclude that the secretary of this corporation misrepresented the facts. I conclude that he maligned his own company. I conclude that he slandered the National Carbon Company. And I yield my ready

belief to the very reasonable statement and conclusion of the junior Senator from Ohio.

But the Senator did not say whether this corporation is an adjunct of the Standard Oil trust or not. I listened attentively for a denial on that score. We know that the Standard Oil Company has had considerable business in the city of Cleveland. We know that it has considerable influence or connection with the raw material from which these carbons are made, and he has not yet denied that this concern was subsidiary to the Standard Oil trust.

Mr. President, I am not in the confidence of the Standard Oil Company; I neither enjoy nor covet such a relationship with that concern; but if any Senator will rise in his place and avow such a confidence, will admit such a relationship, if any Senator will say he has inside information coming from the Standard Oil trust which is authoritative, then, sir, I shall accept the statement from that higher authority than has yet been presented.

The VICE-PRESIDENT. The question is on agreeing to the committee amendment.

Mr. LA FOLLETTE. I should like to have a statement of the question.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 26, paragraph 94, lines 14 and 15, it is proposed to strike out "carbons for electric lighting, 35 per cent ad valorem," and to insert:

> Carbons for electric lighting, made entirely from petroleum coke, 35 cents per hundred feet; if composed chiefly of lampblack or retort carbon, 65 cents per hundred feet.

The VICE-PRESIDENT. The question is on agreeing to the amendment which has been stated.

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. If he were present, I should vote "yea."

Mr. SIMMONS (when Mr. OVERMAN's name was called). I desire to state that my colleague is unavoidably absent from the city to-day. If present, he would vote "nay" on this amendment.

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. In his absence, I withhold my vote.

Mr. JONES (when the name of Mr. PILES was called). My colleague has been called from the Chamber by important business, and he asked me to announce that he is paired with the junior Senator from South Carolina [Mr. SMITH] to-day and to-morrow. If he were present, he would vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague is unavoidably absent from the city, and is paired with the Senator from Washington [Mr. PILES]. If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. FLINT. I am paired with the senior Senator from Texas [Mr. CULBERSON]. I transfer the pair to the junior Senator from Idaho [Mr. BORAH], and will vote. I vote "yea."

The result was announced—yeas 43, nays 36, as follows:

YEAS—43.

Aldrich	Cullom	Guggenheim	Penrose
Bourne	Depew	Hale	Root
Brandegee	Dick	Heyburn	Scott
Briggs	Dillingham	Johnson, N. Dak.	Smith, Mich.
Bulkeley	Dixon	Jones	Smoot
Burnham	du Pont	Kean	Stephenson
Burrows	Elkins	Lodge	Sutherland
Burton	Flint	McCumber	Warner
Carter	Frye	Nixon	Warren
Clark, Wyo.	Gallinger	Oliver	Wetmore
Crane	Gamble	Page	

NAYS—36.

Bacon	Clay	Gore	Owen
Bailey	Crawford	Hughes	Paynter
Bankhead	Cummins	Johnston, Ala.	Rayner
Beveridge	Curtis	La Follette	Simmons
Bristow	Daniel	McLaurin	Smith, Md.
Brown	Dolliver	Martin	Stone
Burkett	Fletcher	Money	Taliaferro
Chamberlain	Foster	Nelson	Taylor
Clapp	Frazier	Newlands	Tillman

NOT VOTING—12.

Borah	Culberson	Overman	Richardson
Bradley	Davis	Perkins	Shively
Clarke, Ark.	McEnery	Piles	Smith, S. C.

So the committee amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. No objection is heard. The Secretary will report the next amendment passed over.

The SECRETARY. Paragraph 97, page 26, unpolished, cylinder, crown, and common window glass.

Mr. ALDRICH. I ask to go back to paragraph 87, and I ask that the paragraph, which was passed over for the time being, be agreed to.

The VICE-PRESIDENT. The Senator from Rhode Island asks to return to paragraph 87. Is there objection? The Chair hears none.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. Is there objection to agreeing to paragraph 87?

Mr. BROWN. I have an amendment which I desire to propose to that paragraph.

The VICE-PRESIDENT. The Senator from Nebraska offers an amendment to paragraph 87, which will be stated.

The SECRETARY. In lines 13 and 14 strike out the words "$6 per ton" and insert "three-eighths of 1 cent per pound;" in lines 14 and 15 strike out the words "15 per cent ad valorem" and insert in lieu the words "one-fourth of 1 cent per pound."

Mr. ALDRICH. I suggest to the Senator from Nebraska that he allow the paragraph to be agreed to and let his amendment, which largely increases the duty above the House bill and above the present law, go to the committee for consideration. I think, perhaps, he will preserve his rights in that way, and the matter can be reported upon by the committee in the Senate or at a later day by unanimous consent while the bill is in Committee of the Whole.

Mr. BROWN. I suggest to the chairman of the Finance Committee that as long as he proposes to have the paragraph go over, with the understanding that we shall possibly go back to it, even though we adopt it now, the fair and reasonable way is to let the paragraph and the amendment both go over without action. There certainly can be no reasonable objection to that request. I have offered an amendment to the paragraph, which is pending. The Senator is willing to have the paragraph go over, to be brought back for amendment some time, if it is adopted now.

Mr. ALDRICH. That is, if the committee should so conclude.

Mr. BROWN. That is it exactly. If the committee makes up its mind to come back to it. I appeal to the Senator from Rhode Island whether I am asking anything that is unfair——

Mr. ALDRICH. No; I do not——

Mr. BROWN (continuing). When I ask that this paragraph, with the amendment, go over?

Mr. ALDRICH. We must dispose of this bill, and we must dispose of the paragraphs which have been passed over. I think my suggestion is entirely fair to the Senator from Nebraska, that the committee, which have not yet been able to consider the amendment he has proposed, will take it up and consider it at a future time and will, if their judgment agrees with that of the Senator from Nebraska, report an amendment to the paragraph. But I see nothing in my suggestion that we agree now to the House provision, subject later to revision, to which the Senator can object. That has been done in several cases. We are treating the Senator from Nebraska the same as we have treated every other Senator in this regard.

Mr. PENROSE. I was treated in that way in a great many cases.

Mr. BROWN. It never has been done except with perfect agreement and accord with the Senator who was trying to amend a paragraph amended.

Mr. ALDRICH. We have treated all the same in every case.

Mr. SCOTT. I know a paragraph was passed which the chairman of the committee promised me he would go back to. It is one of the most important paragraphs to my section of the country in the bill, and I allowed the paragraph to be adopted.

Mr. BROWN. That may be true; but this particular paragraph has a little history that perhaps did not apply to the other paragraphs that have been passed. The record of the Senate will show that on the first reading this paragraph was passed over at my request; on the second reading it was passed over at the request of the committee; and I state now the fact to be that I was led to believe, and did believe from the statement of the chairman and other members of the committee, that an amendment would be brought in by the committee. I have had an amendment pending to this paragraph for weeks.

Mr. GALLINGER. Let us vote on it.

Mr. BROWN. There has been no report of the committee upon it yet.

Mr. President, I do not want to delay this paragraph. I do not want to insist on a vote on the amendment now, if the committee is considering the possibility of offering an amendment along the same line. But it does seem to me that when the paragraph goes over it ought to go over with this amendment.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair will state to the Senator from Nebraska that his amendment was offered on the 15th of April and was ordered to lie on the table and be printed. It is not pending.

Mr. BROWN. It has been printed and is lying on the table.

Mr. CURTIS. I should like to suggest to the junior Senator from Nebraska that if he will permit paragraph 87 to go over, it will be in exactly the same position as paragraph 86, that went over this morning at the suggestion, I understand, that amendments to it will be considered.

Mr. ALDRICH. The Senator from Nebraska appeals to me to allow this paragraph to go over until to-morrow morning, and I can not very well decline to accede to his request.

Mr. GALLINGER. Each Senator has the same right in this matter that every other Senator has, and in giving my consent that it may go over I want to serve notice that when it is up again I shall insist upon its being considered and settled.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over. The Secretary will state the next paragraph.

The SECRETARY. Paragraph 97. The pending question is on the amendment of the Senator from North Carolina to the amendment of the Senator from Iowa.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

Mr. ALDRICH. The committee have in preparation an amendment to that paragraph which we have not yet been able to complete. Several Senators are interested in the subject, including the Senator from Iowa, with whom I have not been able to confer as to the precise terms of the amendment. I therefore am not able at this moment to take up this paragraph for consideration.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over. The next paragraph will be stated.

The SECRETARY. The next paragraph passed over is paragraph 100, on page 27.

Mr. ALDRICH. On page 27, line 7, in paragraph 93, I have a committee amendment to suggest. I ask that the paragraph be reconsidered for the purpose of submitting the committee amendment.

The PRESIDING OFFICER. Without objection, it is so ordered, and the paragraph is reconsidered.

Mr. ALDRICH. In line 7, I move to strike out the words "or carbon," and at the end of the paragraph to insert "carbon, 20 per cent ad valorem." It reduces the duty from 35 per cent to 20 per cent on carbon.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Rhode Island.

The amendment was agreed to.

Mr. McCUMBER. I wish to submit an amendment to paragraph 97, as a substitute. I ask that it may be printed and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 100. Cast polished plate glass.

Mr. ALDRICH. That is the paragraph in relation to plate glass, and the suggestion is that the House paragraph be agreed to. I believe there is no pending amendment to it.

The PRESIDING OFFICER. There is none. The question is on agreeing to the paragraph.

Mr. OLIVER. Mr. President, that paragraph and the other paragraphs relating to plate glass were passed over upon the assurance of the chairman of the Committee on Finance that that committee would consider an amendment and would report it. I seriously object to having the paragraph adopted as it stands. It would be a great injustice to the manufacturers of plate glass. I think that the promise made by the chairman of the Finance Committee for the consideration of the suggestions made by the manufacturers, and his promise to consider an amendment making some modification in these various paragraphs, ought to be carried out, and that the Senate ought to have the opportunity of voting upon them.

I believe the Senate would be prepared to vote and to adopt at least some of the amendments that have been suggested. I myself would have offered the amendments before if it had not been the understanding that some like modification of the paragraphs would be offered by the committee.

Mr. CUMMINS. Mr. President, I am not satisfied, either, with the House provision, but I assume it is for a different reason than the one which moves the Senator from Pennsylvania. In order that the matter may be brought before the Senate, I move to amend paragraph 100, in line 17, on page 27, by striking out the word "ten" and inserting the word "eight," and in line 19 by striking out the words "twelve and one-half" and inserting the word "ten."

I have no objection, if it is thought desirable by the committee, that the paragraph shall go over and be considered at the time the window-glass paragraph comes before the Senate; but, if it is to be adopted or rejected now, then I desire my amendment to be considered.

All I have to say with respect to my amendment is this: The House raised the duty upon these two kinds of glass, these two sizes known as "the smaller brackets," in the one case 2 cents a foot and in the other 2½ cents a foot. Under the Dingley law plate glass not exceeding 384 square inches bore a duty of 8 cents per square foot. Above that and not exceeding 720 square inches it carried a duty of 10 cents a square foot.

What I ask the Senate to do is to be content with the duties of the act of 1897 and not to raise those duties above the requirements of the law under which we have been operating for twelve years.

I do not intend this afternoon to enter upon a careful investigation of the testimony with regard to the cost of making plate glass. There is a very wide difference of opinion. I desire to say that the plate-glass manufacturers have presented to me, and I have no doubt to other Senators, a very complete showing with respect to the cost which attends this manufacture. While I have some reason to believe that they are mistaken in some respects, I do not intend to ask Senators to enter upon a close and critical examination of the evidence which has been submitted. It would be impossible in an argument that would fall within the lines permissible here to consider that testimony.

It is sufficient to say that the plate-glass manufacturers claim that it cost them substantially, in normal times, 32 or 33 cents per square foot to manufacture plate glass. They claim, also, that it does not cost abroad more than 14 cents per square foot. I asked one of the chief manufacturers of the United States this question: "Do you see any reasonable hope of being able to produce plate glass in this country for less than the amount you have given me?" He was not willing to aver that in the immediate future, at least, this commodity could be produced for less than it is now costing. That means that we are attempting to bridge the difference between 14 cents a foot and 32 cents a foot by our tariff duty. I have some doubt, if this disparity is to continue always, whether we ought to attempt to bridge it by tariff duties; but I do not put my argument at this time or my vote upon that proposition.

I have moved to reduce the duties as fixed by the House upon the smaller sizes for this reason: The plate-glass manufacturers during the year 1908 have been selling the smaller stock size which is described in the bill at 11, 12, 13, and 14 cents per square foot. They say that it costs them 32 cents per square foot to make that glass; and if their figures are correct, there is a sense in which that is true, because they cast this glass. It is all of the same size, and the smaller sizes result from breakage, from defects, and other incidents to the manufacture.

But for years, and now, in the market the smaller sizes take a lower price, and what we ought to do is to protect them against importation; that is all. We do not attempt to revolutionize that business; we are not here to classify their various kinds of glass and determine how they shall sell it. When you take a piece of glass of the smaller size, not exceeding 5 square feet or 3 square feet, the question is, What duty is necessary to protect our manufacturer against his foreign competitor? If that glass sells, as it does in our country, for 11 and 12 and 14 cents a square foot, it is the height of folly, it is the extreme of absurdity, to put a duty upon it such as is suggested in the provision made by the House. So it is, substantially, with the higher size.

I have a great deal of material here; and I want to say that these manufacturers have been entirely candid and fair. They have disclosed to me the process by which they have sold their glass during the last year and the year before, and their statements do not differ materially from the statements presented to me by the much despised class, whom we have been accustomed here to put out of consideration, by calling them "importers." There is no serious difference between them. I assert that the very sizes of glass which are sought here to be protected by duties, respectively, of 10 cents a square foot and 12½ cents a square foot are selling now to persons in the city of Washington or anywhere in the United States, by manufacturers, at not to exceed 16 cents a square foot, and there is much of it being sold at less than 12 cents a square foot.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. OLIVER. I will ask the Senator from Iowa if he does not know—and if he does not know, I do know—that glass is

sold altogether upon averages? The man who wants to put up a building has all sizes of glass to deal with, and the manufacturer or the jobber who sells the glass sells it invariably upon averages. It is the same way with other articles. One article in particular which I know about is nails. The larger sizes of nails have from the very inception of the industry been sold below cost, but when you take the average of the large nails and the small nails the manufacturer can obtain a price that will net an average profit. The manufacturer to-day or any other day who sells a 10-penny or a 12-penny nail sells it at a loss and has to make up his profit upon the smaller sizes, upon which he makes more.

The plate-glass business is directly the reverse. From the money the manufacturers make upon the small sizes they net a loss invariably. The reason for that is that at the beginning of this industry plate glass was only used in very large sizes. As a consequence, when there was any breakage they would cut the pieces up into smaller sizes and sell them for what they could get. From this grew the custom of quoting small sizes at very low prices and getting a higher price for the larger ones. But in the development of the industry the demand for small panes of glass has grown to such an extent that they are now in regular demand. The manufacturer in order to fill his orders must take the large plates and cut them up so as to satisfy his customers in such sizes as they want. As a result, as the industry exists to-day, the small sizes are sold not only at a loss but at a very great loss. The manufacturers ask, and I think they are entitled, to have a higher rate of duty fixed upon these small sizes, and they are willing to concede a very large reduction in the rate of duty on the larger sizes.

I did not intend to trespass so far upon the time of the Senator from Iowa, but I felt that this explanation should be made just at this time.

Mr. CUMMINS. Mr. President, I am very grateful to the Senator from Pennsylvania for taking a part of my time, because he has made a better argument for the amendment I propose than I could possibly have made myself. He has stated the case with extraordinary clearness, and his statement comes from, I think, a profound knowledge of the business. I believe it to be true that the plate-glass manufacturer must make his profit upon the large sizes, provided he charges up against all his plate glass an equal cost of manufacture. That is to say, after having his metal ready for casting, it is rolled out upon a plate or die. There it is of the same size, and of course it costs just as much to manufacture, save the polishing, a piece that is not larger than your thumb nail, and that you can not use for any purpose whatsoever, as it does to manufacture a piece that goes into general use.

But I thank the Senator from Pennsylvania for making it clear that in the manufacture there must be these losses; there must be this waste; there must be this breakage. All these things are incident, and necessarily incident, to the manufacture of plate glass. But when these things do happen, then the human mind is so constituted, and the markets of the world are so organized, that the manufacturer can not sell these small pieces of glass for as high a price as he sells the larger pieces, even though they be just as good and even though they cost him just as much.

Mr. SUTHERLAND. Will the Senator yield to me for a question?

Mr. CUMMINS. Certainly.

Mr. SUTHERLAND. I understood the Senator to say that glass of this description, namely, containing 720 square inches, was sold in this market at from 10 cents to 13 cents per square foot. Do I quote the Senator correctly?

Mr. CUMMINS. Please repeat the size.

Mr. SUTHERLAND. Seven hundred and twenty square inches.

Mr. CUMMINS. No, sir; I did not so state, or I did not intend to so state. I said the smaller size, the "first bracket," as it is ordinarily known to the trade, has been sold, and is now being sold, at from 11, 12, 13, 14, and 15 cents a square foot. I can tell the Senator in a moment what the next bracket is being sold for. I did not suppose I could, but I must affirm the proposition suggested by the Senator from Utah. Here is an invoice of glass from the Pittsburg Glass Company. It is, I assume, much the largest manufacturer of this commodity in the United States. Here is the next size, 3 to 5 square feet, and the price is 14 cents a square foot.

Mr. SUTHERLAND. I am not questioning the Senator's figures at all.

Mr. CUMMINS. I am sure of that. I did not know that any part of that bracket was or had been sold for so low a price.

Mr. SUTHERLAND. I was not undertaking to challenge or contradict what the Senator says in reference to the selling price of the glass, but I wanted to direct the Senator's attention to the fact that we imported last year of that character of glass—the size stated in the paragraph, 720 inches and under—nearly a million dollars' worth.

Mr. CUMMINS. I think a little over a million.

Mr. SUTHERLAND. No; of that particular size.

Mr. CUMMINS. Of 720 square inches and under.

Mr. SUTHERLAND. Nine hundred and twenty-nine thousand two hundred and fifty-nine dollars is the amount as reported here.

Mr. CUMMINS. But if you include the smaller size, 16 by 24, you will find it amounted to more than a million.

Mr. SUTHERLAND. That is true. I am only including one size. The import price quoted here is 20 cents in round figures. I can not understand—and what I would be glad to have the Senator explain, if he has any information upon that subject, is—how glass could sell in this country from 12 to 14 cents a square foot, and yet be imported from foreign countries in that enormous quantity to be sold in competition with that price? In other words, I can not understand how any foreign producer could import glass to this country, pay a duty of 10 cents per square foot, and sell it in competition with glass in this country if sold at from 10 to 14 cents per square foot.

Mr. CUMMINS. The explanation of that is very easy.

Mr. NELSON. Will the Senator let me ask him a question?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. It is shown here that the import price for the smallest size of glass is from eighteen and a half cents per square foot up to twenty-seven and a half cents.

Mr. CUMMINS. Mr. President, the explanation is exactly the same that I gave the other day with respect to common ground cylinder glass. There is no glass imported in these sizes of the ordinary glazing stock. The glass which is imported is used mainly for mirrors in furniture and for mirrors for general use, small in size, and for other purposes that require extraordinary or unusual finish and brilliancy, and our manufacturers do not attempt, so I have been informed, to compete seriously in that trade.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. CUMMINS. I do.

Mr. OLIVER. I wish to say that the Senator has not been correctly informed in that respect. Our manufacturers compete on everything, with the very best qualities of plate glass for mirrors and for all other purposes. I want to correct the statement he has just made.

Mr. CUMMINS. Mr. President, I understand that; but I understand further that there are no importations—no substantial importations—of plate glass of that size for glazing purposes. It then becomes simply a question of selecting glass with reference to its being used for mirrors in furniture and other things of that sort. You should not compare glass that is used for only one purpose, and that is fit for only one purpose, with that which is intended for another purpose and that is fit for another purpose. All our glass, or substantially all our glass, of these sizes is sold in the American market by American manufacturers for less than similar sizes, although intended for a different purpose, can be bought for abroad.

What is here proposed is to put such a duty on these smaller sizes as will enable our domestic manufacturers to so increase their price as to prevent the indirect competition, if you please, between the good and the poor; in other words, we will be paying, if this amendment is adopted, for common stock glazing plate glass, the price which we ought to pay for the finest selection of mirror glass. I feel sure that the committee does not intend to do any such injustice to our people. You know that to put a duty of 10 cents a square foot upon a piece of glass that sells for 11 or 12 cents in our own markets by our own manufacturers is absurd. It is not only absurd, but it is an injustice; it is not only an injustice, but it is an imposition upon those who are compelled to use or who do use this glass. It is not necessary for the protection of our manufacturers. I want them to make this glass at home, provided they can in the end reduce that vast difference between the cost abroad and the cost here.

There is not a man here who does not know that the company whose appeal I have just read was organized in order to consolidate and concentrate within itself all of the plate-glass manufacture of the United States, and that there was a time—

and in this respect I am sure the Senator from Pennsylvania [Mr. OLIVER] could come to my support again if he would—there was a time when it practically had embraced within its own limits the entire plate-glass manufacturing of this country; but its profits were so alluring and its prosperity was so amazing that other companies entered the business, just as I hope they always will when an attempt is made to monopolize any considerable industry in our country.

Now, however, it manufactures—I can not remember just the proportion, but it probably manufactures a little more than one-half, possibly less than one-half, of all of our plate glass. But there are something like 11 independent plate-glass manufacturers in the East, or in that part of the country lying east of Chicago. I am perfectly willing to give them a high duty upon their large sizes, a duty that bears some proportion and some relation to the selling price of their glass; but I am not willing to give them a duty that is practically 100 per cent of their own selling price in their own country. If we do that, and if we do not attempt to discriminate between these kinds of glass and put upon each a duty that will fairly protect it against the foreign manufacturer, then we will have failed to compose a tariff measure that will command the respect and the confidence of the people of the United States.

It can not be true that we are to add duties here without regard to their necessity. I am not, however, speaking now about duties necessary to protect these manufacturers in certain sizes of glass; I leave that for future consideration; but I do say that when you have the facts—and no one dare dispute them—that this very glass on which you are imposing a duty of 10 cents a square foot and 12½ cents a square foot is selling from 11 cents a square foot to 18 cents a square foot in our own country, you can not, if you have in view the principles of protection and the welfare of the people of the United States, insist upon increasing this duty.

I am willing, so far as I am concerned, to stand upon the law as it has been for now twelve years; but I am not willing to increase these duties and thereby give an opportunity to increase unduly the prices of this important commodity.

Mr. SMITH of Michigan. Mr. President, this is a very important item in the tariff bill—important to the glass manufacturer and important to the consumers, numbering many large and small furniture-manufacturing establishments in this country. I do not believe that the consumers of glass would make an unfair exaction. I think it is their disposition to pay a reasonably fair profit to the glass manufacturers of this country, and I feel very sure that the glass manufacturers are interested in seeing their principal customers get this product at a reasonable price.

The bill as we have it before us seems to be unamended as it came from the House of Representatives, and the disposition of the committee seems to be to have at least informal action upon this schedule to-day. I should like to suggest that the Committee on Finance extend to the Furniture Manufacturers' Association and to the glass people an opportunity to be heard upon this schedule, and that if we do pass it informally to-day, we shall be given a full opportunity, with the new light and the new information that would come to us, to have this matter taken up again in the Senate later. Now, if that would be at all agreeable to the Senator from Iowa, who has an amendment of considerable merit, and to the chairman of the Committee on Finance, I should like to make the suggestion.

Mr. ALDRICH. What is the suggestion?

Mr. SMITH of Michigan. That a conference between these people should be arranged while the bill is still pending in the Senate.

Mr. ALDRICH. Mr. President, what I desire in this case, as in the case of the paragraph just passed over, is that we shall agree to the House provision, and that the committee will then hear both the manufacturers of plate glass and the furniture people who are interested in having the rate lowered, with a view of seeing if any reasonable arrangement can be made for amendment. The House provision then would stand, in case there were no amendment. It seems to me that that is a very good way to dispose of the whole subject.

Mr. CUMMINS. I beg the Senator's pardon.

Mr. SMITH of Michigan. Would that be agreeable to the Senator from Iowa?

Mr. CUMMINS. I gathered, although I was interrupted just at that moment, that the suggestion was to agree to the paragraph now.

Mr. SMITH of Michigan. Informally to pass it.

Mr. CUMMINS. And then rest in the hope that the Finance Committee might make some change in it hereafter?

Mr. SMITH of Michigan. Mr. President, I would hardly be satisfied to leave it there. The chairman of the Finance Committee says that he will get these people together and see if some agreement can not be perfected between them which will be satisfactory.

Mr. ALDRICH. Mr. President, I did not say "get them together;" I said that we would confer with the different parties in interest and see whether any amendment could be made that was satisfactory to the committee. That is my notion about it.

Mr. SMITH of Michigan. If that is done, I can see a possible advantage to all concerned.

Mr. CUMMINS. I assume—at least it is probable—that when we take the vote that is what will be done; but the suggestion of the Senator from Rhode Island does not even offer any midway position. I have no doubt that with regard to this paragraph or any other, if he becomes convinced before the bill leaves the Senate that any particular paragraph is wrong, he will be the first to suggest that it be righted; but I do not see in his suggestion any change at all in the general situation.

Mr. ALDRICH. It is very easy for the Senator from Iowa to test the Senate upon this amendment. I am quite willing that it should be voted upon now.

Mr. SMITH of Michigan. I should much prefer, Mr. President, that if it is to be voted upon, it be voted upon in the light of information that may be gathered from a meeting of the consumers and the manufacturers of this product. There is a very important industry concerned in the consumption of this product; and I do not believe they have been before the Committee on Finance. They are fair, and would not make any exaction that was not creditable to them as prudent business men. If they do come together with the glass manufacturers and both can be made to see wherein our action could be helpful to each, then I think we ought to be permitted to have that solution.

Mr. ALDRICH. Mr. President, in justice to the members of the committee, I must say that the committee have heard a great many people on this subject upon both sides of the question, and I think that they have not neglected any phase of it. There is a very wide discrepancy of opinion in this matter. The manufacturers of plate glass are perfectly certain that if these rates are established the industry will stop in this country, or at least be seriously crippled; and the purchasers of plate glass, especially the furniture manufacturers, think the rates of the House bill are too high. I am not at all certain that we can ever arrive at any conclusion as between these two contending factions; but the committee will give their very best thought and consideration to this question, and be able, if they believe that any amendment ought to be adopted, to suggest some amendment before the bill leaves the Senate.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. I do.

Mr. ROOT. Mr. President, I contemplated at one time offering the same amendment which has been offered to-day by the Senator from Iowa [Mr. CUMMINS]. At that time evidence had been produced in behalf of the importers of plate glass and a certain number of furniture manufacturers in the State of New York to the effect that the foreign factory cost of the manufacture was but 14 cents per square foot and that the domestic factory cost of manufacture was but 18 cents per square foot. Since that time evidence has been brought to my attention apparently establishing the fact that the domestic cost is about 26 cents per square foot. If that be true—and it seems to be true so far as can be developed with my very insufficient means of testing the value of the evidence produced—if that be true, it presents an entirely different state of affairs to be dealt with.

While I was satisfied that the difference in the cost was only between 14 and 18 cents a square foot, it seemed to me that the increase of duty by the House was not justified. If the difference is between 14 and 26 cents a square foot, then it would seem to be justified. If that question of fact can be any further or more satisfactorily resolved, I should be very much gratified. I do not know whether it can be with the machinery at our command.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I want it clearly understood that my purpose in making this suggestion is to facilitate a proper understanding between the consumers and the producers of glass, that neither one may be injured by this bill; and I have in mind the possibility that, upon a hearing between the parties interested, they may be able to come to some conclusion that will be mutually advantageous; such, for instance, as a flat rate on all sizes. It might be acceptable to the trade generally.

Mr. CUMMINS. That is precisely what the manufacturers of plate glass want.

Mr. SMITH of Michigan. What is that?

Mr. CUMMINS. That is what they want—a flat rate on all sizes.

Mr. SMITH of Michigan. It is possible that the furniture people will want it.

Mr. CUMMINS. It does not make any difference to me what the furniture people want. That would not suit me.

Mr. SMITH of Michigan. At any rate, suppose they would come together and thrash this matter out, and that when this bill comes up in the Senate we act in the light of the information that we then have. Does not the Senator from Iowa believe we can act more intelligently then, and does he not believe there will be better opportunity for effectuating our purpose than there would be to-day?

It is no satisfaction whatever to me to have an amendment offered to-day that will not be accepted by the Senate, because that is a blank cartridge; it goes nowhere and accomplishes nothing. If we can accomplish something by hearing these people, I shall be very glad. I should like to see something accomplished that would be helpful to both, if possible. I know that is a difficult task; but the Senator from Iowa is actuated by the same desire as myself to see this tariff bill framed equitably and fairly, in order that our industries may prosper and that we may make and use our own products.

Mr. CUMMINS. Mr. President——

Mr. NELSON. Will the Senator yield to me for a minute?

Mr. CUMMINS. Yes.

Mr. NELSON. I desire for just a moment to call the attention of the Senator from New York [Mr. ROOT] to these facts:

I understood him to say that the manufacturers of this glass have made it clear to him that it costs 26 cents per square foot. I find that the import price on the lower grade is 18½ cents per square foot. Adding that to the import price, we have a total of 26½ cents, or half a cent more than the difference between the import price and the tariff rate.

In the case of the next bracket, under which there seems to have been the greatest importation, the import price is 20.3 cents. Adding to that the Dingley rate of 10 cents, we have a total of 30 cents and a fraction. So that, if it costs the manufacturers 26 cents a square foot to make this glass here, they still have under that bracket a margin of 4 cents a square foot, which seems to me to be ample protection.

Will the Senator from Iowa [Mr. CUMMINS] allow me to make a suggestion to him, with a view to expediting business? It is to let the amendment be disposed of now and trust to the committee. If it does not effect a reasonable reduction, the item can be excepted when the bill is reported to the Senate. Then the amendment can be offered there, and we can have a yea-and-nay vote.

Mr. BEVERIDGE. That is a wise solution.

Mr. NELSON. I am willing, for once, although I confess I have not much reason for it, to trust to the fairness and generosity of the committee. [Laughter.]

Mr. BEVERIDGE. Mr. President——

Mr. CUMMINS. It is somewhat embarrassing, when one's friends insist upon a course, to be compelled to doubt its wisdom. I yield to the Senator from Indiana.

Mr. BEVERIDGE. I was merely about to indorse what the Senator from Minnesota [Mr. NELSON] has said. It seems to me that what he has proposed is an unusually wise disposition to make of the matter at this time, and one that will not result in the loss of anyone's rights.

Mr. CUMMINS. I could not quite catch the remark of the Senator from Indiana.

Mr. BEVERIDGE. I said that I merely wanted to indorse, in a sentence, what the Senator from Minnesota has said. It seems to me to be a wise and practical solution of this matter at the present moment, and one that will not result in the loss of anyone's rights.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. NELSON. I want to remind the Senator that that is the style of the Senator from Indiana in pronouncing "Amen." [Laughter.]

Mr. CUMMINS. Mr. President, my position was embarrassing enough when approached only by my friend the Senator from Minnesota; but when to that is added the persuasiveness of my friend from Indiana, I assure you that my position is painful to the last degree.

I can not, however, see what this is all about. No matter what we do now, there will be an opportunity to offer an amendment to this paragraph in the Senate. I can not imagine that the chairman of the Finance Committee will become angry at me, or at anybody else, because I have offered this amendment, and therefore be less open-minded than he otherwise would be. That is not possible.

Mr. NELSON. Will the Senator from Iowa allow me to interrupt him a moment?

Mr. CUMMINS. I will.

Mr. NELSON. I should have been more candid with the Senator than I was a moment ago. I could see signs of "scrapping" between the furniture men and the glass men, and therefore I felt like acceding to the disposition requested by the Senator from Rhode Island.

Mr. CUMMINS. Mr. President, I want to suggest, in answer to the statement of the Senator from Michigan, that because a shot fired in this Chamber does not take effect here it does not necessarily follow that it is a blank cartridge. There is something else to be considered than merely securing votes. I offered this amendment because I believed it to be right. I believed this to be a sufficient duty upon this article. If I had not so believed I should not have offered it. I assume that when the bill comes into the Senate either the Senator from Michigan or the Finance Committee, if it is in the meanwhile so advised, will or can offer any amendment that may be necessary to meet new conditions.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I have no doubt at all about the sincerity of the Senator from Iowa in offering this amendment; but I very much fear that the amendment, even with the merit it possesses, may not be able to get such a hearing to-day as it may be able to get later with further information. I should very much dislike to see Senators by a formal vote committed against the proposition of the Senator from Iowa, or committed against any similar proposition of my own, and then have to undo that action by testimony that may later be taken.

I think that if we informally pass this paragraph, with the understanding that the Committee on Finance will hear these people, who are greatly interested in this matter—the consumers whom I speak for now, representing an investment of over $40,000,000 of capital, and the cost of labor being the predominating charge in all that they do—we may, with that information, be able to reach a fair conclusion. That is my motive and my hope.

Mr. CUMMINS. I hope profoundly that we may have a better opportunity to consider this matter in the Senate, and that the Senator from Michigan will add his influence to my own to prevent an increase in the duties upon these sizes of glass. And while I can not recognize that there is any difference between a formal and an informal adoption of the paragraph——

Mr. ALDRICH. None whatever.

Mr. CUMMINS (continuing). Nevertheless, I shall yield to his suggestion, and shall not at the present time insist upon a vote on my amendment. But I give notice that if, when we reach the Senate with this paragraph, the Senator from Michigan [Mr. SMITH] does not move to reduce these duties, as I have moved now to reduce them, I shall then renew my amendment.

The PRESIDING OFFICER. The Senator from Iowa withdraws his amendment.

Mr. CUMMINS. And I hope the Senator will see his way clear to take this action then, because his people are as much interested in this particular matter as they can be in any subject in the bill.

Mr. SMITH of Michigan. The Senator from Iowa may rest assured that whatever may be the outcome of this hearing will be the basis of my action. I have no interest to subserve except a public interest, and hope that the producer of glass in this country and the consumer may be able to agree upon a fair and reasonable price.

Mr. CUMMINS. I am very sure of that; and being sure of it, I doubt not that the Senator will offer this amendment when the time comes.

Mr. ALDRICH. I understand that the Senator from Iowa withdraws his amendment. I therefore ask that the paragraph may be agreed to.

Mr. GORE. Mr. President, in view of the withdrawal by the Senator from Iowa of his amendment, I have only this to say: It is not my intention, now or at any other time, to discuss the glass schedule; but it is my intention at all times to join one issue whenever that issue can be joined.

The people of this country believe in a tariff revision. In my judgment, the majority of them believe in a revision downward. The Republican party promised to revise the tariff. I

will not say what they meant, but I believe I know what the people understood. Yet I can not speak advisedly even upon that point. But there is a political party that believes in placing trust-made articles, in great measure, on the free list. It seems to be the policy of the dominant party to increase in the pending bill the tariff on trust-made articles. I wish, as often as possible, to join this issue between the protected manufacturers upon the one hand and the unprotected people on the other—between the protected combinations that enjoy excessive profits as a result of the tariff and the unprotected consumers that pay those excessive profits.

I do not charge that there is a plate-glass trust in this country; but I believe that a few years ago there was one in this country. I think I have evidence upon the point that is conclusive. And while the energies of that trust were devoted to a material so brittle that often its trip to the consumer broke it, it may be the object, and if not the object it may possibly be the effect, of the proposed increase to resuscitate that deceased trust, to resurrect that dead monopoly, and to reincarnate the ghost of the glass trust.

I send to the desk two letters written by the Pittsburg Glass Company itself. Of course there are grave Senators who will assert that this company did not know what it was writing about, and who will cast their own guess into the balance against the deliberate declaration of the company. As the Finance Committee is to reconsider this schedule, I desire to have these letters read. They shed a white light upon the methods of the glass trust when it was alive. They shed a white light upon the business methods prevalent in this country among the trusts. I commend them to the consideration of those Senators who innocently believe in the mild methods of the protected manufacturers toward those who retail the finished articles in this country.

Mr. ALDRICH. I ask the Senator to allow the letters to be printed in the RECORD without being read. They have undoubtedly been printed once at the expense of the Government.

Mr. GORE. They are very brief.

Mr. ALDRICH. I ask the Senator to allow them to be printed in the RECORD. It certainly can serve no useful purpose to have them read here.

Mr. GORE. I should rather have them read.

Mr. ALDRICH. The Senator must realize that he is taking up the time of the Senate in having read something that has already been printed by the Government. He certainly can not expect to change any votes upon this subject. The letters to which he refers have been in print for six months, and I assume that every Senator interested in the subject has read them.

Mr. GORE. I do not expect to change any man's vote on this bill. I know that there are men on the other side, including the chairman of the Finance Committee, who, like Ephraim of old, are joined to their idols, and who will vote in their interest no matter what the truth discloses here. I do not expect to influence their decision; but I intend to shed this light upon the bill for the benefit of the Senate and for the benefit of the people of the United States, and no effort on the part of the Senator to suppress light here or elsewhere will have any influence with me.

The PRESIDING OFFICER. Without objection, the letters will be printed in the RECORD without being read. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. Mr. President——

Mr. GORE. I want the letters read, unless objection is made.

The PRESIDING OFFICER. The Chair made the announcement that they would be printed in the RECORD.

Mr. ALDRICH. I shall not insist upon my objection, of course, but I reiterate it is a useless waste of the time of the Senate.

Mr. RAYNER. Mr. President, has not the Senator a right to have them read?

Mr. ALDRICH. I think not, but I will not raise that question.

Mr. RAYNER. Has he not a right to have them read as a part of his speech? I have never known such an objection to be made.

Mr. ALDRICH. I think not, but I will not make any objection. I will not raise the question.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[Page 208, Industrial Commission, Trusts and Combinations.]

PHILADELPHIA, PA., *October 27, 1900.*

GENTLEMEN: We have just been advised by our general office that any permission that has been given to the jobbers whereby they were allowed to import plate glass must be at once withdrawn, and we hereby beg to notify you to this effect.

We will ask you to send to this office at once a memorandum of any foreign glass that you may have ordered which you have not received. Please include in this memorandum that which may already be on the water, as well as the portion that has not yet been shipped from abroad. Kindly give this matter your prompt attention, and oblige

Yours, truly,

PITTSBURG PLATE GLASS CO.

The other letter, which is also signed "Pittsburg Glass Company," reads:

PHILADELPHIA, PA., *November 30, 1900.*

GENTLEMEN: At a meeting of the manufacturers and "A" jobbers of plate glass in Pittsburg, on the 14th instant, it was resolved that no "A" or "B" buyers would be permitted to import plate glass or to purchase plate glass that had been imported into this country. The manufacturers will expect all the "A" and "B" buyers to conform strictly to this resolution.

The PRESIDING OFFICER. The question is on agreeing to the paragraph as amended.

The paragraph, as amended, was agreed to.

The SECRETARY. The next paragraph passed over is 107, on page 29.

Mr. ALDRICH. Before we take up that paragraph, I desire to offer an amendment on page 28, line 23, after the word "glass." I send it to the desk.

The SECRETARY. On page 28, paragraph 104, line 23, after the word "glass," strike out the comma and insert the word "or;" and after the word "pebble" strike out the words "or paste."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On page 29, line 7, I offer the amendment I send to the desk.

The SECRETARY. On page 29, line 7, paragraph 105, after the word "form," insert:

Including those used in the construction of gauges.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I think the next is paragraph 107.

The PRESIDING OFFICER. It is.

Mr. ALDRICH. There was an amendment offered by the Senator from Missouri [Mr. STONE], which the committee can not accept and which could not be accepted. I will ask that the paragraph go over, reserving to the Senator from Missouri any rights which he would have if present.

The PRESIDING OFFICER. It will go over.

The SECRETARY. The next paragraph passed over is 116, on page 32.

Mr. ALDRICH. It will have to go over again.

The PRESIDING OFFICER. Without objection, it will be passed over.

Mr. GUGGENHEIM. It is in order to offer an amendment to paragraph 115½.

Mr. ALDRICH. We have not yet reached that.

Mr. GUGGENHEIM. We are at 116 now, I believe.

Mr. ALDRICH. One hundred and fifteen and a half has been passed over. I suggest to the Senator that he reserve his amendment until it is again reached.

To paragraph 123 the senior Senator from Texas [Mr. CULBERSON] has an amendment. I have promised that the paragraph should not be taken up in his absence.

Mr. STONE entered the Chamber.

Mr. ALDRICH. I suggest to the Senator from Missouri, who was absent when this matter came up, that I examined the amendment which he has suggested, and it would not be possible for the committee to accept it. It is altogether too wide.

Mr. STONE. The amendment as to glass?

Mr. ALDRICH. Yes; on glass.

Mr. NELSON. What has been done with paragraph 116?

Mr. PENROSE. It went over.

The PRESIDING OFFICER. It has gone over.

Mr. NELSON. The other day?

Mr. STONE. What is the number of that paragraph?

Mr. ALDRICH. One hundred and seven. The Senator can offer the amendment in the Senate, if he desires.

Mr. STONE. The Senator stated that he was in sympathy with the general idea.

Mr. ALDRICH. I was, but when I came to examine the amendment I found it altogether too comprehensive in its character.

Mr. STONE. The Senator suggested at that time that he thought it was too comprehensive, but——

Mr. ALDRICH. I will confer with the Senator some time in regard to it, and we can offer an amendment in the Senate, if we can agree upon the terms.

Mr. STONE. I have no objection to that. Only I am afraid the Senator will not agree.

Mr. ALDRICH. Paragraph 140, I think, is the next one. Paragraph 123 has gone over at the request of the Senator from Texas [Mr. CULBERSON], who desires to have it stricken out and the article put on the free list.

The SECRETARY. Paragraph 140, page 45——

Mr. CUMMINS. What was done with paragraph 116?

The PRESIDING OFFICER. It was passed over.

Mr. ALDRICH. It was passed over again.

The SECRETARY. The committee propose to strike out paragraph 140, as printed in the bill, and to insert a new paragraph, with the same number:

140. Automobiles, bicycles, and motor cycles, and parts of any of the foregoing, including tires, axles, and ball bearings, 45 per cent ad valorem.

Mr. ALDRICH. The committee modifies the amendment by striking out the word "tires," in the thirteenth line, and inserting the word "finished," after the word "and," in the twelfth line.

The PRESIDING OFFICER. Which "and?"

Mr. ALDRICH. The second "and."

The PRESIDING OFFICER. So as to read "finished parts?"

Mr. ALDRICH. Yes.

The SECRETARY. In line 13 of the committee amendment, it is proposed to strike out the word "tires," and in line 12, after the word "and" and before the word "parts," to insert "finished."

Mr. DOLLIVER. I should like to ask the chairman of the committee what effect the last amendment will have?

Mr. ALDRICH. It will make the castings, the various crude parts which might be used for automobiles, dutiable at the rate they would bear if they were not enumerated.

Mr. DOLLIVER. Does it restore tires as a part of the paragraph?

Mr. ALDRICH. Certainly not.

Mr. DOLLIVER. If they are finished?

Mr. ALDRICH. I should say absolutely not.

Mr. DOLLIVER. My idea was—I do not want to insist upon it—that parts of the machines manufactured of rubber ought to be disposed of in the paragraph concerning manufactured rubber.

Mr. ALDRICH. That is the intention of the committee, and I have no doubt it is carried out by the language used, "if not finished."

Mr. DOLLIVER. But the tires are finished, as a rule. They are a part of the machines. I got the notion they might be included in the term "finished parts."

Mr. LODGE. They could not be held to be a part of the machine.

Mr. ALDRICH. I do not think so.

Mr. LODGE. That certainly is not intended.

Mr. BRANDEGEE. I should like to ask the chairman of the committee what the object of the committee is in changing the House provision in that paragraph? In other words, the House provision applies to automobiles, bicycles, and motor cycles, and parts thereof. The Senate provision practically repeats that same language and then proceeds to mention certain articles which are parts thereof. Unless it mentions all articles that are parts thereof, it would seem to me to exclude them.

Mr. LODGE. Axles were put in, for example, because the very next paragraph refers to axles, and it was thought necessary to include them specifically here. Otherwise they might be thrown under the other paragraph.

Mr. BRANDEGEE. If that is the object of the committee, I will suggest that there are other parts that should be enumerated. My colleague has an amendment to cover that point.

Mr. BULKELEY. I had in mind the same question which my colleague asked the chairman. While the provision as contained originally in the bill as sent here by the House would be preferable, I think, to mentioning the various parts of automobiles, bicycles, and motor cycles, instead of the substitute for the provision sent in by the committee I move to amend by inserting on line 13, page 45, after the word "axles," the following——

Mr. ALDRICH. I think there is no substantial difference between the Senate committee amendment and the House provision; and if it is to lead to any discussion or controversy, I will withdraw the committee amendment and allow the House provision to stand. There is no substantial difference.

Mr. BRANDEGEE. Unless the Senator does object to it, I think the language of the House is much simpler and can not possibly lead to any confusion.

Mr. ALDRICH. Then I withdraw the amendment of the committee.

Mr. BULKELEY. I withdraw the amendment I was going to propose.

The PRESIDING OFFICER. The amendment of the committee is disagreed to, without objection; and the question is on agreeing to the paragraph.

Mr. LODGE. That leaves out the word "finished."

Mr. ALDRICH. Perhaps we had better put in the word "finished."

Mr. BRANDEGEE. Allow me to call the attention of the Senator from Massachusetts to the word "axles." I do not think that that word needs to be in the paragraph.

Mr. LODGE. I was not speaking about the word "axles," but the word "finished," which is not in the House provision and is in ours, and it is important.

Mr. BRANDEGEE. I do not object to having the word "finished" inserted.

Mr. LODGE. I move the word "finished" be inserted in the House provision before the word "parts" in each case.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 9, before the word "parts," insert the word "finished."

Mr. LODGE. It will have to appear in three places. I think the Senate committee amendment is much better.

Mr. BULKELEY. I understand that if the word "finished" is inserted in this paragraph, when the articles that are enumerated there as connected with these various machines come in in an unfinished condition, they come in under the basket clause providing the same rate, 45 per cent, on unfinished parts.

Mr. ALDRICH. If they are metal, unquestionably.

Mr. BAILEY. What will be the purpose of inserting the word "finished," and thus taking them out of the basket clause and putting them in this paragraph? No good purpose could be served by it.

Mr. ALDRICH. I think there might be some cases where castings might be made dutiable at 45 per cent by this paragraph, when otherwise they would come in at a lower rate of duty, as all castings of steel or iron whatever.

Mr. LODGE. Castings come in under a special paragraph. There are a number of such things. I do not know why they should go into the basket clause necessarily.

Mr. BAILEY. Castings coming in in that way differ from the parts of an automobile?

Mr. ALDRICH. Unquestionably.

Mr. BAILEY. That being true, it being expressly provided for, it would pay this duty instead of any other duty. In other words, there would be a general enumeration including them.

Mr. ALDRICH. My impression is that the Senator from Texas will conclude, upon consideration, that the construction of tariff acts of this nature has been that where an article is mentioned specifically it bore the rate mentioned in that paragraph and not otherwise enumerated.

Mr. BAILEY. That would be the rule of construction in law.

Mr. ALDRICH. If axles were mentioned in the paragraph by themselves, even if they were parts of an automobile, they would be dutiable as axles and not as parts of an automobile.

Mr. BAILEY. I think the rule would be different. If they were a part of an automobile and imported as a part of an automobile, then they would fall under the provision relating to automobiles and parts thereof, and the axles coming in under the general provision would be axles not falling under the special provision. That is undoubtedly the rule.

Mr. ALDRICH. But if the rate upon axles is lower than the rate upon parts of an automobile, they never would be imported as parts of an automobile, but always as axles.

Mr. BAILEY. That is undoubtedly true, because everybody will bring it in in the best way possible.

Mr. BULKELEY. I should like to ask the chairman of the committee, if there is no objection, to insert the word "unfinished," so as to read "and parts thereof, whether finished or unfinished."

Mr. ALDRICH. I think that would not be necessary. I think we had better leave the language as it is, "automobiles and parts thereof."

Mr. BULKELEY. All right; I do not press it.

Mr. BAILEY. I can probably learn a little about an automobile right here. I want to know if the automobile axle is susceptible of use for purposes other than that of automobiles.

Mr. ALDRICH. The rear axle certainly would not be. I should think very likely the front axle might be used for other purposes.

Mr. BAILEY. If from their nature and character they are only fit for use on automobiles, they could not be brought in under the pretense that they were for some other purpose.

Mr. ALDRICH. No; but they would import them as axles, without any reference to their use, and they are dutiable at a specific rate as axles. There is a provision in the next paragraph for axles.

Mr. BAILEY. Probably the appraiser or officer, possessing some technical knowledge of the automobile, would be able to say that it is an automobile axle. I wonder if the chairman of the committee is prepared to say whether this duty of 45 per cent is the maximum revenue-producing duty or whether he thinks a higher duty would fetch more revenue.

Mr. HALE. Mr. President——

Mr. BAILEY. I have asked that question of the chairman of the committee. I regard this as essentially a luxury.

Mr. HALE. I will yield for the present.

Mr. BAILEY. Of course, if the Senator from Maine would answer it, the answer would be accepted from either Senator.

Mr. HALE. I had another thought in my mind which I think will appeal to the Senator. I think the House provision probably covers the subject, but if the provision of the House is agreed to without amendment it passes from all further consideration, and the suggestions made by the Senator from Texas and other Senators would be unavailing, because they could not be considered in conference. It takes very little in the way of a change to leave a matter open. I should say if the word "finished" is inserted, or any word, it leaves the subject to the consideration of the two Houses when they meet in conference. It would be safer and better to do that than to foreclose it now by accepting the House language with no amendment.

I think I should agree with the Senator from Texas that any increase of the duty that could be afforded and could be paid by the owners of automobiles, which are not only a luxury but a nuisance, would be extremely proper for the Senate to consider, but all of that will be left to the wisdom of the conference between the two Houses if any amendment is made. The word "finished" leaves the whole subject open, which I think is better, though I would be willing to agree to the House proposition unless we should raise the duty and do something to limit, to control, and regulate, if possible, this new introduction.

Mr. BAILEY. I wonder if a mere amendment inserting the word "finished," where both provisions fix the same rate, would leave the rate open. My understanding is that we collected something more than $1,700,000 the last fiscal year from the importation of automobiles.

Mr. HALE. Which is in itself a small mitigation for their presence.

Mr. BAILEY. I thoroughly agree with the Senator, although he and I are probably the only ones not reconciled to these "red devils." Probably we may hereafter become reconciled ourselves.

Mr. HALE. I think the Senator and I are behind the times, but I am very glad to have his company.

Mr. BAILEY. Mr. President, I never can be very far out of place while I am in hailing distance of the Senator from Maine. [Laughter.] But if we can raise more money by reason of this duty I would not hesitate to raise it, because the article is at best a luxury, and at worst, as the Senator from Maine very properly says, a nuisance. I would make people who import luxuries which are also nuisances pay for the privilege, and I would only be deterred by the fear that an increase in the duty might decrease the importations. In this, like in all other duties levied upon luxuries, I would stop only at the maximum revenue-producing point.

Mr. LODGE. I suggest that the House form has two needless repetitions. The form of the Senate paragraph is much better, and I suggest that we substitute for the House provision the words of the Senate committee:

Automobiles, bicycles, motor cycles, and finished parts of any of the foregoing, 45 per cent ad valorem.

That is precisely the same in effect as the House provision, which involves unnecessary words.

Mr. HALE. Will the Senator leave out the including words?

Mr. LODGE. Yes; leave out those words.

Mr. DOLLIVER. Mr. President, I do not pretend to know whether 45 per cent is an excessive duty upon the tires of automobiles, but I would not like the RECORD to leave me under the suspicion of not knowing that if we put these finished parts in the paragraph the word "tire" is ineffective, because it looks to me as if the tire is a finished part of an automobile.

Mr. ALDRICH. It is easy enough to take care of that by suggesting "not including tires."

Mr. DOLLIVER. Or by correcting the phraseology of the rubber paragraph.

Mr. ALDRICH. No; I think it would be better to say here "not including tires."

Mr. President, in answer to the question of the Senator from Texas—which, of course, is a serious question—as to what rate would bring the most revenue, I have no question whatever that within a very few years the great mass of the automobiles that are used in this country will be made here. There can be no question about that. I think the American automobiles today are the best in the world; but there are now, and will be for some time to come, a great many people, undoubtedly, who will buy some fancy makes of French or German automobiles. I am inclined to think that if we make the rate any higher we would in the end get less revenue.

Mr. TILLMAN. And we would not get rid of automobiles.

Mr. ALDRICH. And we would not get rid of automobiles, because they are here to stay.

Mr. TILLMAN. They are bound to stay.

Mr. ALDRICH. No duty that we can impose upon them would exclude them from use. So the committee thought probably 45 per cent would be the best rate we could use for revenue.

Mr. BAILEY. If that is the judgment of the committee, and my own judgment is not clearly contrary to it, I shall not insist, because I would regret very much to vote for an increased duty even on a luxury and have it result in a decreased revenue.

Mr. BACON. I was not in while the debate was going on, but I want to say that in a conversation the other day with a gentleman very much more conversant with automobiles than I am, he stated the fact that practically under the present duty but one class of automobiles are imported at the present time. He gave me the name. It is a French machine. I do not remember it.

I do not propose to take any issue with the committee on the subject because I quite agree with the closing words which I heard from the chairman and also from the Senator from Texas, that the end to be accomplished is to get the best revenue we can from this importation. I only stated that fact in order to know whether it accords with the information which the committee has as to practically but one machine being imported.

Mr. ALDRICH. That is not correct.

Mr. BACON. I do not state it as being exclusively so, but speaking generally.

Mr. ALDRICH. It is not correct. There are at least half a dozen leading makes of automobiles that are imported largely.

Mr. BACON. I have no information on the subject myself.

Mr. ALDRICH. Eight or ten makes would include certainly most of the importations.

Mr. BAILEY. If we could have the name of the maker and the country from which they come engraved on them, we could tell which Senators are riding in imported automobiles.

Mr. ALDRICH. The foreign makers look out for that.

Mr. HALE. The Senator need not be alarmed about that. The marks will be on the machine.

Mr. BAILEY. According to my belief, the marks of the people ought to be on some of the Senators who ride in imported automobiles.

Mr. ALDRICH. I hope no Senator would ride in an imported automobile.

Mr. BAILEY. I saw the Senator from Rhode Island riding in a very finely finished one, and I wondered if it was made in this country.

Mr. ALDRICH. It was made in this country. It was made in Detroit, Mich.

Mr. SMITH of Michigan. We are very proud of it.

Mr. BULKELEY. We are not accustomed in this body to give the information from parties interested in these matters of tariff a great deal of weight, but I should like to read a few words from a letter from a gentleman representing the manufacturers of bicycles, automobiles, and motor cycles, in which he says:

The changes and insertion asked for are not important enough—

Neither the provision as presented by the House nor by the Senate—

in the opinion of our automobile and bicycle manufacturers, to delay the harmonious passage of the paragraph; and I have the authority from H. B. Joy (Packard Motor Car Company), chairman of the automobile manufacturers' tariff committee, and Col. George Pope (Pope Manufacturing Company), chairman of the bicycle manufacturers' tariff committee, to state that paragraph 140, either as it appears in the House or Senate bill, is acceptable to our manufacturers, and that we do not object to the omission of the word "finished"—

Or its insertion; but, like all our other people in Connecticut who are interested in this as they are in other industries of the country, they ask for a speedy passage of this whole measure.

Mr. ALDRICH. I ask that the paragraph as we now have it be read.

The PRESIDING OFFICER. The Secretary will read the paragraph as modified.

The SECRETARY. Strike out the House provision and insert:

140. Automobiles, bicycles, and motor cycles, and finished parts of any of the foregoing, not including tires, 45 per cent ad valorem.

Mr. ALDRICH. That is right.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. HEYBURN. Mr. President, I had hoped the committee would find that this particular importation would stand a very much higher duty. I am in entire sympathy with the expressions of the Senator from Maine and the Senator from Texas. I believe no greater imposition has entered this country at any time than these great snorting steam machines that occupy that which belongs to the people, who can scarcely support a handcart, and drive the people out from that which is their own.

Mr. SMITH of Michigan. No only occupying, but destroying, the roads.

Mr. HEYBURN. Yes; destroying the roads. I have never had any sympathy with them. I have always felt perfectly satisfied to have those who desire to own and keep them have roads of their own upon which to run them, but I never dreamed that any court in the United States would hold, as it has been held, that they have an equal right upon the public highways with other vehicles and with the people who have a right to walk upon them.

The roads were never made nor were the road laws of the country ever passed in contemplation of such a use. They are made throughout the country by the taxes and the labor of people who never can afford to own these machines, and they must stand off or flee to some place of safety as this great engine of destruction goes over the roads.

I think I am not narrow in mind in regard to these things. I look at it from a practical standpoint. I have known, and every man in this room has known, of carriages driven by women being tossed aside and people injured or killed by these machines. I have in my mind more than one instance of the kind. They shout with glee as they see the farmer flying through the air, his horses in one direction and the farmer in another. Why, it is a subject of jest in the papers. The automobile goes along, and the farmer is distributed over the fence, perhaps into his own field.

I had hoped that the committee would find that this tax upon pride might pay at least 100 per cent, because that is all it is. No one ever bought a foreign automobile, except as instigated by the pride of ownership of something of superior name, if not of quality. I hope that the committee may find, before the question is finally disposed of, that imported automobiles will bear a duty of 100 per cent.

Mr. BEVERIDGE. Mr. President, I rise merely to congratulate the committee, and especially the Senator from Maine [Mr. HALE], upon his resourcefulness in forwarding this bill and saving time by the introduction into this discussion of the advisability of having automobiles in this country, and as to whether they are nuisances, which has now consumed about half an hour, with no reference to the tariff.

Mr. HALE. Mr. President, I do not suppose that I have intruded in this discussion in the four weeks in which the bill has been before the Senate one minute where the Senator from Indiana has intruded twenty minutes. I have been very careful not to consume time and not to make suggestions that consume time. I am not eager to appear in the public prints. I do not wait until the discussion of the day is nearly terminated, and then intrude myself into the discussion, in order that I may appear in the newspapers.

I bide my time. I keep no account with the Committee on Finance, debit and credit, voting with them half the time and voting against them half the time. I will not submit to the implied censure of my young friend from Indiana, and it would be well for him to curb his impatience in criticising older Senators—not better Senators. I say to him that I shall not appear here in disturbing the progress of this bill, as he appears constantly to do; but when the time comes that I see fit to make a suggestion, I shall make it without any hesitation, and the Senate will notice the difference between him and me in this regard.

Mr. BEVERIDGE. Mr. President, I am surprised that the Senator from Maine, who had been indulging in pleasantries upon this subject, which were enjoyed by us all, could not have also taken in the spirit in which it was given the pleasantry indulged in by me to the extent of just one sentence—for that was what it was, of course. The suggestion was a mere pleasantry, following the spirit of levity in which the Senator from Maine and other Senators had indulged, and properly indulged. It involved no criticism whatever, but came of the fact that this humorous discussion, which was not at all as to what should be the rate of duty on automobiles, but whether they were a nuisance or not, had, as a matter of fact, consumed considerable time. There was no criticism in that; not at all. Nevertheless, since the subject has been raised I am forced to say this: I have heard a good deal in the last two or three days about delaying the bill. This is not the first time.

As to the personal suggestions of the Senator from Maine concerning myself, they call for no reply or even notice. I have had the RECORD searched, and it will show that I have not occupied as much time, nor a small fraction as much time, as any Senator here who has actively supported the committee or any Senator here who has actively opposed it. Yesterday evening, however, I will say, now that this subject is up, there was a good deal of comment upon this matter; and the RECORD will disclose that more than half of the time taken yesterday, after the discussion was practically closed, on the paragraph we were considering—I say more than half the time which was taken yesterday, after we thought we were ready to vote, was taken by Senators supporting the committee.

I had no idea that this mere pleasantry would raise this question; but since it is raised, those facts ought to be noted. I am one of those who believe that we should confine ourselves in the haste—considerate haste, not inconsiderate haste—that now ought to govern us to the concrete discussion of the schedules.

Rebukes have been uttered here—yes, showered upon Senators—because they saw fit to discuss the bill at greater length than others thought they should. They were performing what they thought was their conscientious duty; but that did not save them from criticism. I have not been so criticised, because I have not occupied the floor very much. I have been upon the floor a good many times, but not at any length, so that the criticism is not directed at me. That is the reason that I can speak freely now about delaying the bill. I say now that the RECORD shows that what I have said is true, and yesterday was a good illustration of that.

I do not think the Senators supporting the committee who took that time yesterday are to be criticised for that at all, and they are not being criticised; but neither should those who have been in the discharge of what they thought was their conscientious duty and their obligation to their constituents be criticised for opposing the committee if they thought that was carrying out the duty imposed upon them by their oath of office.

Now, Mr. President, I only interjected a single sentence, which was brought out by the engaging jollity of the Senator from Maine; but it does not seem that the constant talk about delaying the bill should perhaps be emphasized so much hereafter, in view of the fact that we have had at least half an hour taken in entertaining and nerve-relieving pleasantries, for which no person who has been against the committee amendments at times is responsible.

I did not mean to criticise anybody for this waste of time; but this sensitiveness compels me to again remark that it has been wasted, and uselessly wasted, and not by those who have opposed the committee, either.

Mr. HALE. Mr. President, I hope the Senator from Indiana hereafter, when he is indulging in pleasantries, will label his article.

Mr. BEVERIDGE. I think my pleasantry was quite apparent to everybody except, I am surprised to say, the Senator from Maine, who usually has a keen eye for those things; but I think that he was unusually sensitive, because he recognizes that he has been responsible for this half-hour delay which, of course, he was very anxious to avoid.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. STONE. Mr. President, I rise simply to call attention to the fact that we are making progress. [Laughter.]

Mr. ALDRICH. Mr. President, in that connection, as there seems to be an era of good feeling, I desire to say that, while I shall not ask for a time to be fixed to-night for taking a vote upon this measure, I shall ask to-morrow that a time be fixed at as early a day as possible for taking the final vote upon this bill and all of its amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GUGGENHEIM. I wish to have a telegram read.

Mr. HALE. Mr. President, I wish——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Maine?

Mr. GUGGENHEIM. Certainly.

Mr. HALE. I wish to introduce a resolution, which I ask be read and referred to the Committee on Finance.

The PRESIDING OFFICER. The resolution proposed by the Senator from Maine will be read.

The resolution (S. Res. 49) was read and referred to the Committee on Finance, as follows:

Senate resolution 49.

Resolved, That until otherwise ordered the Senate shall meet at 11 o'clock a. m.; that at half past 5 a recess shall be taken until 8 o'clock p. m.; and that the Senate shall adjourn for the day not later than 11 o'clock.

Mr. GALLINGER. I ask that the pending amendment be stated.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. It is proposed by the Committee on Finance to strike out paragraph 140 of the bill, and in lieu thereof to insert a new paragraph, as follows:

140. Automobiles, bicycles, and motor cycles, and parts of any of the foregoing, including tires, axles, and ball bearings, 45 per cent ad valorem.

Mr. GALLINGER. Mr. President, I have a substitute which I desire to offer for that amendment, and I will only occupy a moment in reference to it.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. It is proposed to insert as a substitute for the committee amendment the following:

140. Automobiles and finished parts thereof, not including tires, 50 per cent ad valorem; bicycles and motor cycles, including the finished parts thereof, not including tires, 45 per cent ad valorem.

Mr. GALLINGER. Mr. President, the only point in which that amendment differs from the amendment of the committee is that it puts the high-priced automobiles, which are imported from France, Italy, and possibly other countries, at 50 per cent, instead of 45 per cent. It will send the matter to conference, and I feel quite confident, if it is looked into, the committee will agree that this is one source where they will find a greater additional revenue without doing any harm. The men who import limousine machines and other foreign machines will not balk at paying an additional 5 per cent.

Mr. ALDRICH. I accept that amendment in lieu of the committee amendment.

The PRESIDING OFFICER. The committee amendment is withdrawn. The question now is on agreeing to the amendment of the Senator from New Hampshire [Mr. GALLINGER].

Mr. TALIAFERRO. Mr. President, are we not entitled to a vote on that amendment?

The PRESIDING OFFICER. The Chair so understands.

Mr. TALIAFERRO. I call for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no objection, the paragraph as amended will be agreed to.

Mr. LA FOLLETTE. Before the vote is taken upon the paragraph as amended, I rise for the purpose of securing some information. I have here a copy of a circular letter which I received, inclosed with another letter, which states that the circular letter is sent out by the Automobile Manufacturers' Association. I wish to read two or three paragraphs of this circular letter as bearing upon the construction which may be placed upon this amendment. It says:

The automobile industry of this country is under obligation to the tariff committee of the Associated Automobile Manufacturers, headed by Benjamin Briscoe and Henry B. Joy, who are to be congratulated on the fact that the pending tariff provisions conform to their ideas generally.

Several paragraphs follow, in which the provisions of the Dingley law are discussed, and the claim is made that great advantage and greatly increasing duties will come from the construction of the pending paragraph. Then, at the conclusion, citing an illustration, this follows:

Let us take gas-engine cylinders as an illustration. Assuming the cast-iron cylinders of an ordinary four-cylinder engine, weighing 250 pounds, cost 10 cents per pound, the duty under the present Dingley tariff law is, at eight-tenths of 1 cent per pound, $2.

Under the proposed law, these cylinders would, if classified as castings valued at more than 2 cents per pound, be assessed, the foreign market value remaining the same, $8.75, the rate of duty under this classification of the current act being 35 per cent ad valorem.

In commenting upon this provision, the man who sent me that illuminating circular said:

I inclose herewith copy of a circular letter which the automobile association is sending out to its members. You will see that they congratulate Henry B. Joy and another member of their tariff committee in getting the Senate committee to change the wording of the Payne proviso so that anything that is imported to be used in the making of an automobile in this country is to carry 45 per cent duty, being the rate upon the automobile itself. The circular clearly states that a cylinder-casting for an automobile engine would come in at $2 if it were brought in for other purposes than for automobiles, but under Mr. Joy's magnificent manipulation, when used on an automobile it would pay $8.75. In my judgment this is the kind of protectionism we curse.

These people make no claim that $2 is too low a rate. They make no effort to raise the rate as a matter of protection to American manufacturers who cast these cylinders; either they are regardless of all other manufacturers or they assume that $2 is enough, and then they rejoice that by manipulation their committee gets for themselves $8.75.

No one has been so noisy and noisome as Henry B. Joy. We imported $3,000,000 of automobiles and exported $5,000,000 last year. A good many automobile manufacturers think no duty at all is needed. I, however, agree that the great majority of them need a considerable protection; whether so or not. I wholly disapprove of such efforts as are praised in the inclosed circular.

Mr. President, I would not have read that letter, except that I know the writer to be a man of high standing and of very accurate information. From a study of the paragraph, I am not able to determine whether the criticism of it is well founded and I place the matter before the Senate with the sole purpose of securing information.

Mr. ALDRICH. The word "finished" was inserted in the amendment to cover cases like that suggested by the Senator from Wisconsin. I think it does this. I think that the crude parts, casting parts, would pay the same rate of duty they do now, and not the higher rate suggested by the writer of the letter.

Mr. LA FOLLETTE. As there will be further opportunity for investigation before the matter is finally disposed of in the Senate, I do not care to take any more time upon the subject to-night.

Mr. ALDRICH. At the end of paragraph 134, on page 41, I offer the amendment which I send to the desk. I will first ask if paragraph 140 as amended was agreed to?

The PRESIDING OFFICER. It was agreed to.

Mr. ALDRICH. Then I offer the amendment I send to the desk, to come in as paragraph 134.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add, at the end of paragraph 134, page 41, the following:

Wire heddles or healds, 25 cents per thousand, and, in addition thereto, 40 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. I am not sure whether the provisions in regard to marking in paragraph 153 were adopted or not. I think they were, however.

Mr. GORE. Mr. President, I should like to ask the Presiding Officer or the Senator from Rhode Island if section 134 is now agreed to?

Mr. ALDRICH. Yes; it has been agreed to.

Mr. GORE. I have had an amendment for some time that I desired to present to that paragraph. Will there be an opportunity to do so later?

Mr. ALDRICH. There will be an opportunity in the Senate.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

Mr. CRAWFORD. What was done with paragraph 153?

The PRESIDING OFFICER. The Chair understands it was agreed to on the first reading. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 160. Wire nails made of wrought iron or steel——

Mr. ALDRICH. I think that was agreed to on the first reading.

The PRESIDING OFFICER. Without objection, the paragraph is agreed to.

Mr. BURTON. Mr. President, amendments are pending to that paragraph, changing the rate from one-fourth of a cent a pound to one-half a cent a pound. I think that paragraph was passed over.

Mr. ALDRICH. If those amendments are to be offered, I ask that the paragraph go over.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 181, page 60, Metallic mineral substances in a crude state——

The PRESIDING OFFICER. The Chair understands the committee amendment has been agreed to there. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

Mr. ALDRICH. What paragraph is that?

The PRESIDING OFFICER. Paragraph 181.

Mr. BURTON. There is also another amendment relating to that paragraph pertaining to chrome or chromium metal——

Mr. HEYBURN. Mr. President, paragraph 181 has not been agreed to. It went over. That is the paragraph which carries monazite sand and thorite.

Mr. ALDRICH. That is the paragraph we are now considering.

Mr. HEYBURN. I desire to have that taken up for some consideration, because I shall ask the restoration of the present duty and desire to give some——

Mr. ALDRICH. The Senator from Ohio has an amendment, I think, to that paragraph. I was about to ask that it be agreed to as amended here, with the understanding that we will take the matter up later. The committee are not ready to act upon it finally now.

Mr. BURTON. I would state, Mr. President, that I would like to address the Senate at some length, perhaps for ten or fifteen minutes, upon an amendment to that paragraph.

Mr. ALDRICH. Is the Senator ready to do so to-night?

Mr. BURTON. I should prefer a later time.

Mr. ALDRICH. Then the paragraph had better go over.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 182. The committee propose to strike out all of the paragraph as contained in the bill and to insert——

The PRESIDING OFFICER. The amendment has heretofore been read. The question is on agreeing to the amendment.

Mr. ALDRICH. The committee have an amendment, in line 19, after the word "ferrosilicon," to insert "valued at $90 a ton or less, or."

The PRESIDING OFFICER. Is that a modification of the committee amendment?

Mr. ALDRICH. Yes.

The PRESIDING OFFICER. The amendment as modified will be stated.

The SECRETARY. On page 61, line 19, paragraph 182, in the committee amendment, after the word "ferrosilicon," it is proposed to insert "valued at $90 or less, or."

Mr. ALDRICH. "Valued at not exceeding $90 a ton," I think would be better phraseology.

The SECRETARY. In paragraph 182, page 61, line 18, after the word "ferrosilicon," it is proposed to insert "valued at not exceeding $90 per ton or."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BURTON. Is this not a very great increase of the duty as it now is?

Mr. ALDRICH. No; $4 a ton is not a very large increase.

Mr. BURTON. I refer especially to chrome or chromium metal.

Mr. ALDRICH. I think the present rate is 20 per cent ad valorem, and this is 25, which is not a very large increase. These metals are all used, as the Senator from Ohio knows, in the production of new classes of steel; they are all expensive metals to produce; and I would suggest that I think the rates are all right. If they are not, when the bill reaches the Senate we will try to make satisfactory amendments.

Mr. DICK. Mr. President, I desire to offer an amendment increasing the rate on the cheaper or lower grades, those containing not more than 15 per cent, and which in the bill stand at $4 a ton, to $6 per ton.

Mr. ALDRICH. I hope the Senator will not offer that amendment now.

Mr. DICK. Why not?

Mr. ALDRICH. A large number of Senators, a number of people interested in blast furnaces, and people who are engaged in producing pig iron and various forms of metal, are desirous of having the rate decreased from $4 to $2.50 a ton.

Mr. DICK. This large number ought to be willing to allow a sufficient protection to this industry to give it a chance to live in this country. I do not care to press the consideration of this matter at this time if the chairman of the committee wishes to have it passed over; but I am unwilling that this industry, which is struggling to live in this country, and which can live if given sufficient protection, shall be eliminated from consideration.

We can make in this country all the ferrosilicon of the cheaper grade that is consumed in this market, with a tariff that will insure the home market to the home producer. A duty of $6 will do it. A duty of $4 will not do it; a duty of $5 will not do it; but one of $6 will. And the pending amendment will be pressed for consideration, unless the Senator in charge of the bill thinks it wiser to have it go over.

Mr. ALDRICH. Four dollars a ton is the present rate. It is the rate fixed in the House bill. A good deal of pressure was brought to bear upon the committee to reduce it to the same rate as pig iron, which is $2.50 a ton. It now bears the same rate that pig iron does in the present law. It is true that the producers in Ohio and some of the other States thought the rate ought to be increased to $6. If this paragraph can be agreed to, the committee will give the matter further consideration, and will hear the Senator from Ohio [Mr. DICK].

Mr. PENROSE. That is the best way.

Mr. SMITH of Michigan. The Senator refers to the amendment proposed as to ferrosilicon?

Mr. ALDRICH. Yes; the amendment proposed by the committee.

Mr. SMITH of Michigan. I do not see just why that should be offered.

Mr. ALDRICH. I think it is a fair and proper amendment.

Mr. SMITH of Michigan. It seems to me it tends to shut out all products of a less value than $90 a ton.

Mr. ALDRICH. I think not. I think it has just the opposite effect.

Mr. SMITH of Michigan. Then, if it sold for, say, $60 or $70 a ton——

Mr. ALDRICH. It would pay a duty of $4 a ton.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. Yes.

Mr. TILLMAN. I simply wish to remark that, as I understood it, the proposition of the Senator from Ohio would make this duty a prohibitive one.

Mr. ALDRICH. Hardly that, I should think. Ferrosilicon is a very important element in the production of steel.

Mr. TILLMAN. The Senator from Ohio stated that if the duty was raised to $6 we would produce in this country all we needed, but that we could not do it at a duty of $4.

Mr. DICK. No, Mr. President; the Senator from South Carolina misunderstood my statement. I said we could produce here all that is consumed in this country. I did not say that a $6 rate would be prohibitive and give us the market, but it would put the American producer upon precisely the same footing with the foreign producer in this country and in this market.

Mr. TILLMAN. But, if I understood the Senator—and I think the reporter's notes will show that I am right—he stated this: That $5 or $4 would not do it, but $6 would. Would do what? Would enable us to produce all that we need in this country.

Mr. DICK. No; that was not what I meant.

Mr. TILLMAN. If you did not mean it, very well. Just say what you mean, and then I will not undertake to comment on what you say.

Mr. DICK. It is sometimes pretty difficult to have the Senator from South Carolina understand just what is meant, especially when he is disinclined to agree.

Mr. TILLMAN. That is a reflection, Mr. President, under which I am not willing to labor.

Mr. DICK. What I meant to impress upon the Senate, Mr. President, was that this industry will go out of existence in this country unless sufficient protection is afforded it. A dozen years ago we had in this country a dozen of these furnaces. To-day but two exist. These two will go out of blast and out of business for good if the foreign competitor is allowed, under this low rate, to usurp the entire American market. So far as the industry in this country is concerned, it would be as well to let this substance come in free as to put a $4 tariff upon it. Of course it will continue to produce revenue. We consume about 150,000 tons of it annually. I repeat that we could make it all in this country. We have the ingredients, the labor, and the opportunity.

Mr. TILLMAN. The Senator said a little while ago that at times it is a little difficult for me to understand what is said. I confess that when a murky statement is made I can not see through it. I do not profess to be able to see through mud. [Laughter.]

The Senator has just stated that we consume annually 150,000 tons of this material. That means we import practically all we consume. Is not that the meaning of the statement? He said our own furnaces were going out of blast.

Mr. DICK. Our own furnaces are going out of blast. We do import about 150,000 tons of the substance annually.

Mr. TILLMAN. Of what—ferrosilicon?

Mr. DICK. Ferrosilicon of the lower grade; and we produce in this country about 15,000 tons annually.

Mr. TILLMAN. The statement given us by the Finance Committee says that we import 12,000 tons annually. There is considerable difference between 12,000 tons and 150,000 tons.

Mr. DICK. I am not responsible for the report. The information I have is derived from those who are engaged in the business, and who ought to know. Ferrosilicon containing not more than 15 per cent of silicon, commonly known as "blast-furnace ferrosilicon," is at present classified in the same schedule as pig iron and pays the same duty of $4 a ton, as stated by the chairman of the Finance Committee.

The Payne bill, paragraph 182, reads:

Chrome or chromium metal, ferromanganese, ferrochrome or ferrochromium, ferromolybdenum, ferrophosphorus, ferrotitanium, ferrotungsten, ferrosilicon, ferrovanadium, manganese metal, molybdenum, titanium, tantalum, tungsten or wolfram metal, 15 per cent ad valorem.

The Senate bill increases the duty on all the items in the paragraph, but takes out ferromanganese, making it dutiable at $2.50 a ton, the same as pig iron, and separates ferrosilicon, containing not more than 15 per cent of silicon, leaving the duty as it is at present, at $4 a ton.

The paragraph as now proposed reads:

Chrome or chromium metal, ferrochrome or ferrochromium, ferromolybdenum, ferrophosphorus, ferrotitanium, ferrotungsten, ferrosilicon containing more than 15 per cent of silicon, ferrovanadium, molybdenum, titanium, tantalum, tungsten or wolfram metal, valued at $200 per ton or less, 25 per cent ad valorem; valued at more than $200 per ton, 20 per cent ad valorem. Ferrosilicon containing not more than 15 per cent of silicon, $4 per ton.

To make it possible to continue the manufacture in the United States of this low-grade ferrosilicon it is absolutely necessary that the duty be increased from $4 a ton to $6 a ton.

Ferrosilicon is used by every maker of open-hearth steel and steel castings. It is a common ferro alloy used to deoxidize the molten steel. It disappears and is lost in the operation. It gives temper to the steel, but being used in such comparatively small quantity, only about 1 per cent, does not add to the cost of the steel in any appreciable degree, but is valuable as giving a certain pliability.

Blast-furnace ferrosilicon is a low-grade pig iron and is cheap compared to the other alloys named in the same paragraph. The market prices of these alloys, so far as I have been able to learn them, is as follows:

Ferromanganese, 80 per cent. Present selling price about $42 per ton ex-ship seaboard.

Manganese metal, 92 to 93 per cent. Sold at 75 cents per pound within the last five years, or $1,680 a ton.

Ferromolybdenum. We can not find what is the selling price, and possibly it is not a commercial metal.

Molybdenum metal, 98 per cent. Sold at about $1.50 per pound in small lots about a year ago, or $3,360 a ton.

Ferrotitanium, 10 per cent. Present selling price, 15 cents per pound in small quantities and 12½ cents per pound if sold in ton lots, or $280 to $336 a ton.

Titanium. This metal is not now produced, I am told.

Ferrovanadium, 33 per cent. Present selling price is 5 cents per unit of contained vanadium per pound, or about $5 per pound of contained vanadium, or $11,200 a ton.

Ferrotungsten, 70 to 75 per cent. Sold at 50 cents per pound in small lots several years ago, about 1904, or $1,120 a ton.

Tungsten metal or wolfram metal, 98 per cent. Sold at 65 cents per pound in small lots about 1904, or $1,465 a ton.

Ferrochrome or ferrochromium, 50 to 60 per cent. Has sold at $400 per ton within about four years.

Chrome or chromium metal. We can not find that it is made or used.

Ferrophosphate (probably means ferrophosphorus), 20 per cent. Has sold at about $50 per gross ton delivered, Pittsburg, within five years.

Ferrosilicon, 10 per cent. Present selling price, $23, Pittsburg, Pa. Ferrosilicon, 50 per cent. Electrolytic, $62, Pittsburg.

Tantalum. We can not find anything about this metal.

It is possible these other alloys need the higher protection proposed in the bill. The low-grade ferrosilicon clearly needs additional protection. Bulletin No. 78, Census Bureau, shows that the production of open-hearth steel in the United States increased, from 1900 to 1905, 91.2 per cent, and of steel castings, 62.2 per cent, while the production of ferrosilicon decreased, and would have been wiped out entirely but for the business boom of 1906. The reason for this lies in the steadily increasing inability of the domestic manufacturer to compete with the foreign maker. I have a number of recent quotations from importers on ferrosilicon delivered f. o. b. this country, duty paid, and the average price is $23 a ton. This is the actual selling price in normal conditions of 10 per cent silicon, which is the standard. For each 1 per cent of added silicon the price per ton increases $1. At this rate the cost of manufacture abroad is not over $17 a ton. I quote from a statement showing the operation of one furnace in the United States making ferrosilicon containing less than 15 per cent silicon, covering a period of four years:

1905.

	Tons.	Value.
Ore	17,182	$54,424.95
Limestone	8,843	7,349.02
Coke	14,125	50,963.09
Coal	16,870	29,214.14
Total raw material	57,020	132,951.20
Paid to employees		25,462.25
Manufacturing expense		13,500.27
Selling expense		1,695.35
Total expended		173,609.07
Average cost		21.83

In operation 216 days, made 7,991 tons; average silicon, 10.88 per cent.

1906.

	Tons.	Value.
Ore	31,534	$107,357.26
Limestone	17,029	14,419.66
Coke	21,635	81,227.22
Coal	27,030	33,788.63
Total raw material	97,228	236,792.77
Paid to employees		45,376.02
Manufacturing expense		22,773.39
Selling expense		6,481.23
Total expended		311,423.41
Average cost		21.10

In operation 332 days, made 14,712 tons; average silicon, 10.70 per cent.

1907.

	Tons.	Value.
Ore	36,542	$130,339.86
Limestone	17,825	15,298.48
Coke	24,997	95,538.13
Coal	30,017	37,521.50
Total raw material	109,381	278,697.97
Paid to employees		50,891.21
Manufacturing expense		27,535.08
Selling expense		5,900.83
Total expended		363,025.09
Average cost		21.58

In operation 356 days, made 16,841 tons; average silicon, 10.25 per cent.

1908.

	Tons.	Value.
Ore	9,160	$29,954.73
Limestone	4,914	3,931.17
Coke	6,739	21,378.08
Coal	8,091	10,085.09
Total raw material	28,904	65,349.07
Paid to employees		13,460.46
Manufacturing expense		26,527.56
Selling expense		3,550.72
Total expended		108,887.81
Average cost		24.60

In operation 101 days, made 4,435 tons; average silicon, 10.17 per cent.

The following figures give the itemized cost per ton to produce ferrosilicon in blast furnaces in this country, covering a period of the past five years. They show the item of labor is the largest single constituent of the cost:

	Ore.	Limestone.	Fuel.	Labor.	Manufacturing expense.	Selling expense.	Total.
1905	$6.81	$0.92	$8.91	$3.18	$1.09	$0.32	$21.83
1906	7.30	.98	7.81	3.08	1.55	.38	21.10
1907	7.74	.91	7.90	3.02	1.63	.38	21.58
1908	6.75	.89	7.09	3.04	5.98	.85	24.60
1909	7.22	.86	7.74	2.80	1.70	.60	20.92
Average for 4 years	7.32	.93	7.96	3.06	2.03	.43	21.73

The cost for February, 1909, was somewhat more.

	Per cent.
Ore	7.92
Limestone	.92
Fuel	7.94
Labor	2.84
Manufacturing expense	2.05
Selling expense	.66
Total	22.33

This one Ohio furnace shipped 44,596 tons in all, distributed as follows:

	Tons.	Per cent.
Pittsburg territory	24,439	54.8
East of Pittsburg	11,292	25.3
Total		80.1
West of Pittsburg	8,865	19.9
Total	44,596	100

The difference in cost between this country and Europe is made up principally of the difference in the cost of labor. The cost per ton of making the alloy in the United States is $21.73, made up as follows:

Fuel	$7.96
Ore	7.32
Limestone	.93
Labor	3.06
Manufacturing expense	2.03
Selling expense	.43
Total cost	21.73

The highest single item of cost is the fuel. They use a mixture of 1.5 tons of coal and 1.8 tons of coke. As it takes 2 tons of coal to make a ton of coke, this mixture equals about 5 tons of coal to 1 ton of alloy made.

	Per ton.
Cost of mining coal in Ohio	$0.90
Cost of mining coal in England	.45
Advantage to foreign manufacturer in cost of mining coal	.45

The figures given by the Labor Bureau as the cost of mining coal in Great Britain were 30 to 45 cents per ton. The larger have been used.

If our miners were on the same basis as their miners, we would save on fuel alone $2.25 per ton in producing our alloy.

We pay our common laborers $1.50 to $1.75 per day, while foreign countries, as per Bulletin No. 54, Bureau of Labor, pay from 50 cents to $1 per day. The difference in the prices paid semiskilled and skilled labor are much greater. If our scale of wages were on the same basis, we would save $1.50 per ton on labor in production.

If the ore miner worked under the same conditions in this country as in Europe, there would be a saving in ore of at least 50 cents per ton, which would mean a saving of $1 per ton in production, as it takes a little more than 2 tons of ore to produce 1 ton of alloy.

There would also be a saving in freights and cost of material used for repairs, and so forth, which would reduce the manufacturing and selling expenses at least $1 per ton.

Summary of saving in the cost of production if labor conditions in this country were the same as in England:

Fuel	$2.25
Labor	1.50
Ore	1.00
Manufacturing and selling expenses	1.00
Total saving	5.75

Comparison of wages of occupations represented in the manufacture of ferrosilicon containing not more than 15 per cent of silicon. Taken from Bulletin No. 54, Bureau of Labor, year 1903:

	Great Britain.	United States.
	Per hour.	*Per hour.*
Blacksmith	$0.1740	$0.2351
Boilermakers	.1719	.2848
Bricklayers	.2002	.5472
Carpenters	.2028	.3594
Iron molders	.1787	.3086
Laborers	.1019	.1675

If wages and living conditions were the same in this country as in Great Britain there would be a saving, as shown above, which would put the American manufacturer in position to compete with the English manufacturer without any duty.

If, however, we are to maintain the high standard of the American workman, it is necessary to have a sufficient duty to cover the differences in the labor conditions.

As it requires $6 per ton to do this, and the request of the American producer is in accord with the plan of this legislation, why, then, are they to be denied adequate protection?

The following figures show how impossible it is for the American article to compete with the foreign product:

Pittsburg territory.

American cost price per ton at furnace, figuring no profit	$21.73
Freight per ton to Pittsburg	1.90
	23.63
Foreign selling price per ton Pittsburg, on $4 tariff	23.00
Advantage to foreigner over domestic absolute cost price	.63
Selling price per ton Pittsburg of foreign, at $6 tariff	25.00
Domestic cost price Pittsburg, figuring no profit, as above	23.63
Profit to home manufacturer if a $6 per ton duty were imposed	1.37

This profit represents less than 6 per cent per annum on the investment.

Philadelphia territory.

Domestic cost price per ton, figuring no profit	$21.73
Freight per ton to Philadelphia	3.30
	25.03
Selling price per ton of foreign, at $4 per ton tariff	22.50
Advantage per ton to foreigner over domestic cost price	2.53
Domestic cost price per ton delivered Philadelphia, as above	25.03
Selling price per ton for foreign, at $6 per ton tariff	24.50
Advantage to foreigner, even at $6 per ton tariff	.53

This shows the domestic producer can not compete with the foreign product in the Philadelphia territory, even with a $6 per ton tariff. In figuring the foreign cost of production, in order to prove beyond a reasonable doubt the necessities of the case of the domestic producer, let us assume the value of the foreign product at $25 per ton Baltimore, duty paid, which we know is abnormal:

Value per ton of foreign at Baltimore, duty paid		$25.00
Deducting tariff per ton under present law	$4.00	
Deducting for ocean freights and incidental expenses	2.00	
Deducting profit to importer for tying up capital	1.00	
Deducting profit to foreign manufacturer	1.00	
		8.00
Cost per ton of foreign product at port of export		17.00
Domestic cost per ton at furnace		21.73
Foreign cost per ton at port of export		17.00
Advantage of foreigner in cost of manufacture		4.73

With a $6 per ton tariff, the domestic producer would enjoy a profit of $1.27 per ton provided the freight rate from the domestic furnace to the point of consumption was the same as the freight rate from the seaboard. This means a profit of 5½ per cent per annum on the investment.

As neither the act of 1897 nor the Payne bill provide a tariff on blast-furnace ferrosilicon as distinct from electric-furnace ferrosilicon and other alloys, the domestic manufacturers ask that the proposed tariff legislation provide a specific duty of not less than $6 per ton on blast-furnace ferrosilicon.

The principal use of blast-furnace ferrosilicon is in the manufacture of steel castings. Its consumption has increased in this country in the last decade with the marvelous growth of the steel-casting industry, while its production in this country has decreased. The Columbus and Hocking Coal and Iron Company at one time had five furnaces; a New York company, two furnaces in the same district; the Ashland Iron and Mining Company, two furnaces; making nine in all. In 1903 there were three furnaces left in the Ohio district and two in Ashland. Now, one furnace alone is left producing this material, the two furnaces of the Ashland company having been shut down for a year and a half, waiting to resume in case adequate protection is obtained. If adequate protection is not obtained, the last domestic manufacturer will be compelled to discontinue the manufacture of ferrosilicon, and the many users in this country will be entirely dependent upon the foreign manufacturer for their supply.

This country is the largest consumer of blast-furnace ferrosilicon in the world, and produces all the raw material necessary for its manufacture.

The snuffing out of this industry would mean not only a loss to our workmen, but to all the men employed in furnishing the raw material.

Had this industry grown in this country as it has in Europe we would have at least 10 furnaces, representing an investment of at least $5,000,000, consuming 1,093,810 tons of raw material and expending $3,630,250.90 annually in this country, giving employment to at least 3,000 men. Why should not this industry receive sufficient protection to encourage its growth?

The figures of cost of material, as given above, compared with those of the United States Steel Corporation, show that the domestic plant is well located and the cost of raw material is not excessive. Figures taken from Tariff Hearings before the Ways and Means Committee, Schedule C, part 1, pages 1683 and 1684. Statement made by Judge E. H. Gary, representing the corporation.

	United States Steel Corporation.	Domestic makers of ferrosilicon.
Ore cost per ton delivered at furnace	$4.70	$8.41
Fuel cost per ton delivered at furnace	3.93	2.35
Limestone cost per ton delivered at furnace	1.06	.84

The above figures show that the domestic producer can assemble raw material at a lower cost than the United States Steel Corporation. The higher cost of making the alloy per ton over that of pig iron is due to the larger amount of fuel and limestone necessary to produce a higher grade of product and the larger amount of labor involved per ton and the higher manufacturing cost due to more frequent and expensive repairs necessary in the production of a high-grade article.

The increase of duty asked for blast-furnace ferrosilicon is not to be compared with the increases given other alloys named in the same paragraph, as is shown by the following comparison of tariff bills:

	Dingley bill, ad valorem.	Senate bill, ad valorem.	Increase.
	Per cent.	*Per cent.*	*Per cent.*
Ferrochrome	1.74	20	1,049
Tungsten	.40	20	4,900
Ferrosilicon containing more than 15 per cent of silicon	5.54	25	351
Ferrosilicon containing not more than 15 per cent of silicon	[a] $4.00	[a] $4.00	([b])

[a] Specific. [b] No increase.

There were once nine furnaces in this country making ferrosilicon, representing an investment of over $3,000,000. Only one remains, and that must shut down if the duty is not raised to $6 a ton. The use in this country amounts to at least 150,000 tons a year, which would mean the output of about ten furnaces, which is the number of furnaces which are in successful operation in Great Britain alone. Even with a duty of $6 a ton the Ohio producer could not successfully compete in the Philadelphia market, which consumes 25 per cent of the product used here. Only the Pittsburg territory, using 55 per cent of the product, would be open for the present home producer, with the additional protection which is here asked for. With the last American furnace closed, the foreign maker will raise the price. The home product is equal to the foreign, and only needs adequate protection to secure the maintenance of another profitable home industry, employing thousands of men. I know of no fair protests against this slight increase here asked for, and there is no good reason why it should not be granted.

Mr. TILLMAN. That is another evidence that the information furnished to us is not always reliable. But I am not responsible for that, either. [Laughter.]

Mr. CRAWFORD. Mr. President, in regard to ferrosilicon, I became somewhat interested in what information I could get from some Ohio manufacturers who were in my office. I confess that they impressed me with the difficulties under which they are laboring in their effort to maintain the industry. Really, this is one of the very few cases in which I have felt that there is justice in the demand for an increase in the duty.

I do not pretend to speak with very much knowledge upon the subject. Perhaps the Senator from Ohio [Mr. DICK] can give the Senate some information in regard to these figures:

In the volume entitled "Imports and Duties, 1894-1907," on page 491, under the heading "ferrosilicon," it is stated that in 1902 the imports were only 3,567.63 tons. The very next year they jumped up to 23,795.35 tons.

In 1904 and 1905 they fell to something like 6,000 tons. In 1906 and 1907 they began to increase.

The gentlemen to whom I have referred said, as I remember their statements, that ferrosilicon is a sort of tonic that is used in some processes of making steel, and that more is imported than is manufactured in this country. They added that unless the duty is raised the entire manufacture of ferrosilicon will go out of the country.

But the figures given by the Senator from Ohio [Mr. DICK] are somewhat surprising to me, because in this statement the total imports for 1906 are given as only 10,275.20 tons, and those in 1907 as 12,653.12 tons. As I remember it, these gentlemen said that they manufactured a still smaller quantity than that in this country.

Mr. ALDRICH. I am inclined to accept the amendment of the Senator from Ohio [Mr. DICK] and make this rate $6 a ton.

Mr. LA FOLLETTE. I hope the paragraph will not be disposed of to-night. I have some data relating to the matter that I should like to consult.

Mr. ALDRICH. If the Senator will allow it to be disposed of to-night, I will see that the Senator's rights are preserved in regard to making an amendment hereafter.

Mr. DU PONT. Mr. President, I should prefer to have it go over until to-morrow.

The PRESIDING OFFICER. The amendment as amended will be reported.

Mr. HEYBURN. Mr. President, I understood that some Senator had the floor. I have not so far had an opportunity of calling the attention of the Senate to the item of tungsten, which is included within this enumeration.

Mr. ALDRICH. As I understand, the Senator from Idaho desires an amendment upon tungsten ore, as the Senator from Colorado does, and not upon the metal.

Mr. HEYBURN. I want to cover the metal and the ore.

Mr. ALDRICH. The metal is covered by this provision.

Mr. HEYBURN. I want to cover both.

Mr. ALDRICH. The metal is covered in this paragraph.

Mr. CUMMINS. Mr. President, we can not hear a single word of the colloquy that is going on.

Mr. BAILEY. The shepherds and the weavers are getting together.

Mr. HEYBURN. If I may have the attention of the Senate for a moment, I think I may save some time.

The PRESIDING OFFICER. The Senator from Rhode Island [Mr. ALDRICH] has the floor.

Mr. HEYBURN. I thought I was recognized and had the floor. I beg pardon of the Chair.

Mr. ALDRICH. If I have any right to the floor, I yield it to the Senator from Idaho.

Mr. HEYBURN. I had the floor when the Senator rose.

The PRESIDING OFFICER. The Senator from Idaho [Mr. HEYBURN] has the floor.

Mr. HEYBURN. Mr. President, the item of tungsten is a comparatively new one and has not heretofore been provided for; but, as was said a few days since by the Senator from Pennsylvania, I believe, it has become an article of very great importance. Its use has made it possible for us to manufacture a class of steel that this country has never before been able to produce.

We mine tungsten ore in large quantities, and its production in our State is increasing enormously. It is proper, therefore, that along with other ores and metals tungsten should receive the protection to which it is entitled. The mere fact that it may, perhaps, have been an unfamiliar subject to the committee, or to the Senators, affords no reason why it should be rushed through.

It is a very reasonable assertion that tungsten mining, at the present rate of development, will in the immediate future become one of the most important of the mining industries of the country. We not only have the mines developed and are producing the ore in large quantities, but we are now making preparations to enlarge the production and build very extensive works.

Tungsten is worth more than iron or steel. It is a very valuable product. The annual production is worth a very large sum of money, and it is not reasonable that the market should be left open until Congress again revises the tariff on a rate that amounts to no protection at all.

When this question comes up again Senators will find that this item will be stated in millions of dollars instead of a few hundreds of thousands. I say that because it has revolutionized steel making in the United States. It will continue to revolutionize it until we will make just as fine spring steel as is made in the world, and we will produce the mineral that makes it possible to do it in our own country with our own labor. So I suggest——

Mr. ALDRICH. Will the Senator allow me to make a suggestion?

Mr. HEYBURN. Yes.

Mr. ALDRICH. The duty on tungsten is 25 per cent ad valorem.

Mr. HEYBURN. Yes.

Mr. ALDRICH. Will the Senator tell us what the metal is worth to-day?

Mr. HEYBURN. The metal, according to its quality, is worth about 20 cents a pound.

Mr. ALDRICH. That is $400 a ton.

Mr. HEYBURN. Yes.

Mr. ALDRICH. This rate would be $100 a ton.

Mr. HEYBURN. Yes.

Mr. ALDRICH. Does the Senator think that is too little?

Mr. HEYBURN. I do. I think it is too small in an industry which is just being developed in this country. It is not out of proportion for a metal of that kind.

Mr. BURTON. If I may have the attention of the Senator from Idaho and the Senator from Rhode Island——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. HEYBURN. Certainly.

Mr. BURTON. I do not think we ought to act hastily upon this item, but for a different reason from that stated by the

Senator from Idaho. This article, tungsten, which is coming to be used as a very valuable ingredient in steel, is now dutiable at $4 a ton. According to the statistics for the year 1907 (Imports and Duties, p. 491), while but a small quantity was imported, it was valued at $993 a ton, and paid $4 per ton. At 25 per cent ad valorem when valued over $200 per ton, the duty would be about $200, or fifty times as great a duty as we now levy. If it is worth less than $200 a ton 20 per cent ad valorem, would mean, on a ton of maximum value at the latter rate, $40. It seems to me some very sufficient reason should be given why there should be such an enormous increase as is proposed in this rate of duty.

Mr. HEYBURN. I suggest it is in order that this industry may be developed. That can not be done without capital, nor by mere assertion. It is a mining proposition. These ores are found under circumstances similar to those under which silver ores and gold ores are found, and they are required to be mined from the ground and treated by most expensive processes. Not only has its former scarcity given it value, but the method of producing it and fitting it for application in the process of which it becomes a part are expensive. It is a very important question. I entirely agree with the Senator from Ohio that it ought not to be passed over lightly.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. HEYBURN. Certainly.

Mr. ALDRICH. My information is entirely different from that of the Senator from Idaho. My information is that tungsten is worth $1,200 a ton, instead of $993, as stated by the Senator from Ohio, and then duty would be $300 a ton under the present price of tungsten. It seems to me to be a reasonable rate on a crude metal.

Mr. HEYBURN. I do not think there is any State in the Union which has quite as much interest in this question as has the State which I represent in part, and I think we ought to have more knowledge on the subject. I shall ask that the paragraph go over until that item——

Mr. ALDRICH. I rather think we ought to have more knowledge if the Senator thinks $400 a ton is not sufficient.

Mr. HEYBURN. It is not out of proportion to a dozen schedules here.

Mr. ALDRICH. But the Senator said $993 a ton, and my understanding is it is $1,200 a ton.

Mr. HEYBURN. It depends upon the quality. It depends upon the condition to which it has been reduced——

Mr. ALDRICH. It depends upon the metal——

Mr. HEYBURN (continuing). As with all other metals. Metals which have a certain amount of alloys in them are not worth so much as those chemically pure.

Mr. NELSON. I find by examining the Tariff Notes that it is worth from $1,000 to $1,500 a ton.

Mr. ALDRICH. I think that is correct.

Mr. NELSON. And if you take 25 per cent on that, it is a pretty good duty.

Mr. ALDRICH. That is the way it seemed to the committee, but we may be wrong.

Mr. HEYBURN. This item should not be run over rapidly. It is one of importance.

Mr. ALDRICH. We are not trying to run over it rapidly. It has been reported here for some time.

Mr. HEYBURN. I think we might very fairly and reasonably put a specific duty on it, because they will send it here in a condition where the valuation placed upon it will be favorable to the country exporting it and against the industry in this country. I would rather have seen a specific duty placed on it.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Texas?

Mr. HEYBURN. Yes.

Mr. BAILEY. Before we determine whether we shall pass over this item or not, I should like to ask the chairman of the committee if he will not move that when the Senate adjourns to-day it be to meet on Monday?

Mr. ALDRICH. I can not consent to that.

Several SENATORS. No.

Mr. BAILEY. We have been coming here at 10 o'clock in the morning and staying until after 5 o'clock in the afternoon. I do not know what is the case with other Senators, but for almost a month I have been unable to dispose of my mail.

Mr. ALDRICH. If the Senator will allow me to make a suggestion——

Mr. BAILEY. I think we ought to have at least one day that we may dispose of the accumulations which demand our attention. If one of a Senator's constituents writes him, he is entitled to an answer inside of two weeks.

Mr. ALDRICH. I am going to make a suggestion which I think will save any trouble about the matter. It is my purpose to take up the lumber schedule to-morrow morning, and I know myself of four or five formal speeches that will be made upon that subject, and I can assure the Senator and the Senate that if we take up the lumber schedule we will not take any votes upon it until Monday.

Mr. BAILEY. That is just simply an invitation for Senators to absent themselves from the Senate while other Senators are addressing the Senate.

Mr. ALDRICH. No; I did not intend that.

Mr. BAILEY. That is a very polite way, at least.

Mr. ALDRICH. No; I did not intend that.

Mr. BAILEY. The Senator from Rhode Island knows that I have no disposition at all to delay this measure. This is the first time in the history of tariff legislation that the minority has offered no kind of obstructive tactics. We have our opinion of the bill. Those of us who have not yet expressed it are ready to express it, and we are content to take the vote and let the country decide between us.

Besides, we know very well—at least, we think we know; we have gone far enough to see—that the committee have a fixed majority, and that however we may struggle, however we may offer amendments, there will be no substantial modifications of this bill except such as the committee agrees to.

Feeling that way about it, I think nothing is to be gained for the country or for the Democratic party or for any other cause by delay. But I do feel that Senators are entitled to a day now and then out of the Senate that they may devote themselves to those matters which call for attention. I think our constituents have a right——

Mr. ALDRICH. I will agree now that there shall be nothing done to-morrow except the consideration of the lumber schedule, and that there shall be no votes taken.

Mr. BAILEY. In other words, the Senator from Rhode Island means that there will be nothing done except speaking.

Mr. ALDRICH. Except a day of general debate upon the lumber schedule, which is sure to come—perhaps several days. We shall not save any time by——

Mr. BAILEY. If it is true that the lumber schedule is going to occupy several days, then I give notice that I am going to offer the income-tax amendment to-morrow. I am not going to let the lumber schedule or any other schedule that will require three or four days and probably result in amicable arrangements to go ahead of the income-tax amendment.

Mr. ALDRICH. The Senator, of course——

Mr. BAILEY. The Senator from Rhode Island, of course, will have the floor, and he will have the eye of the Chair, and he can call that up probably before I can offer the other.

Mr. ALDRICH. I hope so.

Mr. BAILEY. I think the Senator can be relied upon to get that advantage. But, then, in view of the fact that the Senator announces that he intends to exclude it in that way, I should like to get an agreement this afternoon that we vote on the income-tax amendment immediately after the lumber schedule is disposed of.

Mr. ALDRICH. I think the Senator from Texas was not in the Chamber when I said that to-morrow I would try to get a time fixed for a vote upon the bill. I did not make the other suggestion at that time, because the Senator from Texas was not present, and I knew his desire to have a vote taken. I should be very glad, so far as I am concerned, to arrange with the Senator from Texas and the Senate to have a time fixed for taking a vote upon the income-tax proposition and the bill generally.

Mr. BAILEY. The Senator knows I have no objection to that. I am especially anxious for a vote on the income-tax amendment, because I have a very well-founded suspicion that there has been a systematic effort to reduce our strength on the income-tax amendment, and I think the quicker we vote on it the more votes we will have.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Nebraska?

Mr. ALDRICH. Certainly.

Mr. BURKETT. I understood the Senator from Rhode Island to say that he could assure Senators that there would not be any vote taken to-morrow; that the Senate would consider the lumber schedule. But some of us have amendments which we wish to offer to that schedule and to have them voted on. I do not understand how the Senator can prevent votes.

Mr. ALDRICH. What I said was that I knew there were formal speeches to be made, which would take the time of the Senate to-morrow; and I think it is much better to have it understood by the Senator that no votes are to be taken upon the lumber schedule to-morrow.

Mr. BURKETT. And that only formal speeches shall be made?

Mr. HEYBURN. Then there will not be a quorum.

Mr. ALDRICH. There will be a quorum of the Senate present. Senators need not be troubled about that.

Mr. BURKETT. There ought to be.

Mr. ALDRICH. There will be; there is no question about that.

Mr. BAILEY. You can bring them here, but you can not keep them here.

Mr. ALDRICH. I think so.

Mr. BAILEY. If the Senator will try that to-morrow, he will find he lacks the ability to do it, because he can not keep everybody here.

Mr. ALDRICH. I feel very certain that we can.

Mr. BAILEY. All right; we will see about that. I move that when the Senate adjourns to-day it adjourn to meet on Monday.

Mr. CUMMINS. Will the Senator from Texas withhold that motion for just a moment?

Mr. BAILEY. I will.

Mr. CUMMINS. I wish to ask about the reply which the Senator from Rhode Island made to the Senator from Texas with regard to fixing a time for voting upon the income-tax proposition. I am quite anxious that it shall be voted upon, but I do not want the time fixed without my hearing it, and I could not hear the reply.

Mr. ALDRICH. I simply stated that so far as I personally was concerned I would be very glad to have a time fixed for taking a vote upon the income-tax amendment and the bill generally.

Mr. CUMMINS. Does that mean that you are not willing to fix a time for a vote upon the income-tax proposition until the time is fixed for voting upon the bill?

Mr. ALDRICH. I am not willing at present. That is what I meant to say.

Mr. CUMMINS. I could not hear just what the Senator said, and therefore I made the inquiry.

Mr. ALDRICH. I was trying to compose any differences with the Senator from Texas about the lumber schedule, and therefore I made the suggestion which I did. I certainly hope that the party responsible for this legislation will not consent to have the Senate adjourn from to-day until Monday. I withdraw the suggestion which I made about to-morrow, because I am extremely anxious that the bill should pass.

Mr. CULLOM. It had better go over regularly.

Mr. ALDRICH. It had better go over regularly until to-morrow.

Mr. BAILEY. I will withdraw the motion if the Senator from Rhode Island will agree on a day when we may take a vote on the income-tax amendment.

Mr. ALDRICH. I can not make any agreement upon that subject.

Mr. BAILEY. How can the Senator expect us to agree to his request to fix a day for the final vote on the bill when he will not agree to fix a day for a vote on an amendment to the bill?

Mr. ALDRICH. I will agree to them jointly, as far as I am concerned, and make an agreement to vote on the bill at the same time.

Mr. BAILEY. I will agree to them disconnected myself. I do not think it is necessary that we agree to vote on the bill before we vote on the amendments, because the orderly procedure requires us to vote on the amendments before we vote on the bill.

I want to say, in addition to the statement I made a while ago—a very frank statement—I have not been unaware of what has been going on here to defeat the income-tax amendment. I was moved twice before to prefer this request, because I felt the ground slipping from under us. I want to be frank again, and say to the Senator from Rhode Island that there are a number of Senators who from time to time are called away for one reason or another—some by illness and some by engagements of a quasipublic kind. They want to be here, and I believe that if a day can be agreed upon in advance we will have the satisfaction of seeing perhaps, the fullest vote cast on that particular amendment which has been cast in the Senate in quite a season.

I think, for the accommodation of Senators, to enable them to be here if it is possible, we ought, in common fairness, to fix a day far enough in advance to enable all to come who are now away.

Mr. ALDRICH. The orderly method of procedure would be to fix a time for taking the final vote upon the bill. Then I would certainly be willing, after that has been done, to fix a day for taking the vote on the income tax and upon the other important schedules and amendments to the bill. I think that would be the orderly course, and until that is done I can see no reason for fixing a time for voting upon any one of the numerous amendments to this measure.

Mr. ELKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I do.

Mr. ELKINS. It is now 15 minutes after 5. I hope the Senator in charge of the bill will let the paragraph which has been under discussion be passed over.

Mr. ALDRICH. I do not see how I can do anything else, with the great variety of views that have been expressed on the subject.

Mr. BAILEY. I ask for a vote on my motion, that when the Senate adjourns to-day it adjourns to meet on Monday.

Mr. DANIEL. Mr. President——

Mr. BAILEY. I withdraw the motion until the Senator from Virginia can be heard.

Mr. DANIEL. Mr. President, I wish to make a very few remarks. I should like to inquire beforehand if the Senator from Rhode Island has finished reporting the bill?

Mr. ALDRICH. We have finished reporting a bill, but that we shall report amendments to the bill from time to time, of course, the Senator from Virginia understands.

Mr. DANIEL. Have the committee reported all the subjects included in the complete bill?

Mr. ALDRICH. They have not.

Mr. DANIEL. I just wanted to know that. The most extensive conceivable accommodation has been extended to the chairman of this committee. We went into this debate without having seen the bill and without the Senator having reported it, except in part. Such parts as he has pleased to give us have been retailed to the Senate, and he is not yet done with the process of the evolution of the bill.

Mr. ALDRICH. Mr. President——

Mr. DANIEL. I have the floor, if you please.

Mr. ALDRICH. Would the Senator like to have an explanation?

Mr. DANIEL. No, sir; not now. Running explanations have been going on, and I want to make my observation and stop.

There is no man in the Senate who is more anxious than I am to conclude this debate and let what is going to happen happen. I have not delayed the Senate consciously one moment, and I have made only such remarks as I felt I was called on to make.

On the contrary, Mr. President, while every courtesy in the way of parliamentary accommodation outside of the committee has been extended, it is well known that whenever Democrats objected that they were not permitted to attend committee meetings, which is unparliamentary and against law, as I understand parliamentary law, we were told to wait and we could thrash everything through the Senate. Our presence in the Senate has been constantly burdened with inquiries about which we should have been as well informed as any of the rest of the committee.

I took the position at the beginning that it was not parliamentary for a committee to pass on anything without the privilege of the presence of every member. I do not understand that anyone gainsays it. Certainly no one here replied to or joined issue on that proposition. I do not deny that Senators of committees, majorities of committees, minorities, or any other body of Senators have the right, unincommoded, uninterfered with, to hold any kind of private consultation that they please.

If I were mistaken in any conception which I formed as to what was done in the private consultations of the members of this committee, it was through their own statement and on times and occasions when I was not present. It was stated by the next senior member of the committee, the Senator from Maine [Mr. HALE], that they had had hearings; that officials of the Government were there to participate in it, and so on. Since then two members of the committee on the Democratic side, who had never made known to me their views before, one of them the Senator from Texas, have informed the Senate that if the Democrats had been in power they would have done the same thing.

I can only answer for myself. I aver that I would not have done the same thing, and that I do not think the same thing, whether done by Democrats or Republicans at any time heretofore, was the right thing. So much for that. I let it drop. I have not incommoded the Senate by any restatement of my views, for I know that I am helpless either to summon the rights of parliamentary law or to change a result which has been thus established.

I will say one thing as to the Democrats who are said to have so acted some seventeen or more years ago—that all of them are passed away, and that I would be glad if some of them were

living to give their explanation of it. But I will not gainsay a word which has come to us from the Senator who has just spoken.

Mr. President, we are not going to get through one bit earlier than we will in the natural course of events by overpressure upon a wearied body. Senators have attended here habitually. I am in the same situation that, no doubt, every other member of the committee, if not of the Senate, is in. I have piles of mail concerning this subject, in which, in the due course of things, the correspondents would receive, as they are entitled, a reply; but it can not be done when we have our minds occupied with determining how we shall vote on different propositions and necessarily occupied in attendance upon the Senate.

But the Senator from Rhode Island can rely upon this body, for we know its sense as well as he does. There is not going to be any undue delay. It is as important to some Senators to lay their views before the Senate in a fitting way as it is to other Senators. Such a prodigious matter as this, which he hopes, and his side hopes, may be of long continuity and bring peace to the country, can not be disposed of by dragooning. That is one thing which the Senate always flinches from doing, and which they will not permit, in my judgment, to be done. I do not mean to intimate that that is the spirit of the Senator, but, having been aroused here by a few jests on yesterday of the Senator from South Carolina, he seems to have gotten into an instant passion of haste and to wreak it upon the Senate.

Mr. President, it would help the movement of this body to adjourn over until Monday. My colleague [Mr. MARTIN] has gone away. The lumber schedule is very important. He will be back here Monday. Of course, the Senate is not going to stop for one man at any time, but there was no contemplation of that matter coming up to-morrow. I think we had better go along with such matters as they arise in their due course and let it come later. That is all I have to say.

Mr. ALDRICH. Mr. President, as far as the colleague of the Senator from Virginia is concerned, he came to see me before he left the Chamber and I explained to him precisely what was going to happen; that the lumber schedule would be taken up to-morrow, and that there would be nothing but speeches; and he said that was perfectly satisfactory to him.

I think every Member of the Senate will agree that there has never been a time in the memory of anyone who has any knowledge of the subject, when a tariff bill was before the Senate, that more hours have not been occupied in its discussion and consideration than in the tariff bill which is now before the Senate. In 1890, when I had charge of the McKinley bill in this body, the Senate met every day at 10 o'clock and remained in session continuously until 6, and a large part of the time had evening sessions. In 1897 the same thing was done.

The Senate certainly have not remained in session to an undue length of time at any time since the pending bill has been before the Senate, and it is not my purpose, certainly, to crowd the Senate. I have shown no such disposition. But it is the paramount duty of this body to pass the bill, and to pass it as speedily as possible. So far as I have any responsibility about the matter I intend to ask the Senate to stay here not unreasonably, but certainly every day, until the bill is disposed of.

Mr. BAILEY. Mr. President, perhaps the architects of this Capitol are partly responsible for the inconvenience of long sessions. It is built on the principle of a jail. It is a house within a house. I have never been able to spend seven consecutive hours here without leaving it with a headache, and I know that is the experience of some other Senators, at least.

I believe that the interests of the country shall be above the personal comfort or the personal convenience of Senators, but it seems to me when a Senator is giving from fifteen to eighteen hours every day to the service of his country, it is not unreasonable for him to consult his comfort by taking one day in a month, even if he asks it for personal reasons.

But in this case, speaking for myself—I assume it fairly states the case of other Senators—I expect to employ that one day, if I can have it free from the sessions or demands of the sessions of the Senate, in correspondence with those people who have a right to expect a reasonably prompt reply to the letters which they write. I am sure the Senator from Rhode Island has so many letters that he has quit reading them. He lays them aside. They may permit that in Rhode Island, but they do not permit it in Texas and they do not permit it in many other States.

I think that if we can give one day in two weeks to our correspondence it is as little consideration as we can show those people. I myself would rather come here at night and have an occasional day. I can employ myself about my correspondence and many of these letters concern these very questions, as the Senator from Virginia has said. And your constituent does not feel any too well pleased with the fact that he writes you a letter about a schedule and gets an answer to it after the tariff bill has passed. If he can make and does make a sensible suggestion he is entitled to recognition at the hands of a Senator. I do not know how others feel, but I was taught that common politeness requires us to make an answer to a civil letter received from anybody under any circumstances. The correspondence of a Senator is the work of a man. It has become a burden. It is a burden that occupies altogether more of our time than is well for the knowledge we ought to acquire and for the knowledge which the discharge of our duties does require.

Still I see no way out of it in this day of general enlightenment. Men have learned to write, and men exercise their talent in this way. If I could find a constituency that could not write I think I would move out there. Probably I would find after I got there that they voted the Republican ticket, and I would not be able to come to the Senate from a State like that. But at the same time this correspondence has grown until every Senator here knows that I but speak his experience when I say that it takes almost half our time to answer our letters. If it does take half our time ordinarily and we stay here continually without the intermission of a day, it simply means that some of us will have too much work in explanations and letters after the tariff bill is disposed of, and when my distinguished friend from Rhode Island is on the high sea bound for a vacation in the Old World. I think he ought to consent that some of us who are not going to take a vacation may take a day off now.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. BAILEY. My motion is pending and has precedence. I withdrew the motion merely——

Mr. ALDRICH. But the motion to adjourn takes precedence.

Mr. BAILEY. It does not. A motion to adjourn to a day takes precedence. I submit that matter to the Chair.

Mr. ALDRICH. A motion to adjourn is always in order.

Mr. BAILEY. But a motion to adjourn to a day takes precedence. It is proper for the house to fix a time to which it will adjourn before it is to adjourn.

Mr. ALDRICH. On some subjects I will be glad to submit to the superior judgment of the Senator from Texas; but it is undoubtedly the fact that a motion to adjourn is always in order.

The PRESIDING OFFICER. Rule XXII provides that—

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.
Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 22, 1909, at 10 o'clock a. m.

SENATE.

SATURDAY, *May 22, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT being absent, the President pro tempore took the chair.

The Journal of yesterday's proceedings was read and approved.

FOREIGN PRODUCTS IN DOMESTIC MARKETS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in further response to resolutions of March 6, 1909, and April 5, 1909, additional reports of the consular officers of the United States relating to the practice of selling foreign manufactured goods in this country at a lower price than the domestic price (S. Doc. No. 16, part 2), which, with the accompanying papers, was ordered to lie on the table and be printed.

RIVER AND HARBOR BALANCES.

Mr. BURTON. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. J. R. 33) relating to the provisions of section 10 of the sundry civil act of March 4, 1909, to report it favorably without amendment, and I submit a report (S. Rep. No. 4) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDENT pro tempore. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Senate joint resolution 33.

Resolved, etc., That the provisions of section 10 of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes," approved March 4, 1909, shall not be construed as applying to the unexpended balance of any river and harbor appropriation the use of which may be essential, in the judgment of the Secretary of War, for the further maintenance or prosecution of the work to which it pertains as heretofore authorized by Congress.

Mr. HALE. Mr. President, I do not like to interfere with the Senator, but I think he must be aware of the fact that the resolution or bill, whichever it may be, is entirely opposed to the order of business which was established by the Senate, that no legislation should be taken up excepting the census and the tariff bills until after the tariff bill had been disposed of. I will say to the Senator that I have no doubt, because the case has been presented to me from the department, that it is a case of need, but I suppose there have been a dozen different committees who have desired to have exceptions made in their cases and to have legislation passed for needed relief, and the only way is to deal with all alike.

I hope the Senator will do what others have done. Whenever we get out of the jam and can take up the action of all the different committees I shall help the Senator and the other Senators in getting measures through, but I can not consent that the joint resolution shall go through and the others remain unacted upon.

Mr. BURTON. Mr. President, I trust the Senator from Maine will withdraw his objection, at least until the measure is briefly explained. It stands in a class by itself, because until the section was adopted in the sundry civil act of March 4 last, under express conditions of law, the river and harbor balances were not covered back into the Treasury, but were retained for future expenditure or application. There are obvious reasons for that. An emergency may arise from a storm which may cause congestion in a channel or injury to some public work, which may require immediate reparation and the expenditure of money. River and harbor works differ from other public works in that they are of a continuing nature. An improvement may be authorized, but its prosecution and the expenditure of the appropriation are frequently postponed because of litigation. There are two or three pending illustrations of that.

The policy of retaining these funds to the credit of the various improvements was the settled policy of legislation until this section was inserted last winter. The act of June 20, 1874, provided a general rule that unexpended balances of appropriation should be carried to the surplus fund after two fiscal years—

Provided, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors—

And so forth.

Congress thus made an express exception in 1874 as to appropriations relating to river and harbor improvements.

Mr. BAILEY. Mr. President, I suggest the absence of a quorum.

Mr. HALE. Will the Senator withhold that until this matter passes over on my objection?

Mr. BAILEY. Certainly; I do not wish to interfere with it.

Mr. CLAPP. Will the Senator from Ohio pardon an interruption?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. CLAPP. The Senator from Ohio must know without my suggesting it that there is nothing personal, of course, in what I am going to say, but if the Senator from Maine should withdraw his objection, I should feel constrained to press the objection. I do not think that at this time the entering wedge ought to be permitted as against the rule we have established. There is not a day that we do not have to say to our constituents, "There is no use talking, we can not expect to get the measure through at this time." The only way we can be consistent is to make a rule for all. I shall feel constrained to interpose an objection if the Senator from Maine does not.

Mr. HALE. Let me also say that as soon as the tariff bill is completed here——

Mr. BAILEY. Mr. President, I insist on the point of no quorum.

Mr. HALE. Will the Senator allow me to complete the sentence?

Mr. BAILEY. I can not refuse the Senator that.

Mr. HALE. As soon as the tariff bill is completed here and goes to the House, it is the intention to take off the embargo and then this and other measures can be considered.

Mr. BURTON. Is the point of no quorum insisted on, or will the Senator from Texas kindly permit me to finish my remarks? It will take but a moment.

Mr. BAILEY. Of course I do not want to interfere. I simply want to keep my assurance to the Senator from Rhode Island that I would help him to keep a quorum here to-day, and that he will not do any business unless he does keep a quorum. But I will suspend that until the Senator from Ohio finishes.

Mr. BURTON. The exceptional claims of this joint resolution are based upon the fact that it is a restoration of the law to what it formerly was and had been for nearly thirty-five years. I have no doubt this provision was inserted without a sufficient consideration of the claims of this class of improvements. I want to say to the Senators from Maine and Minnesota that important public works will suffer if this measure be allowed to be postponed until the passage of the tariff bill. Contracts naturally and necessarily have to be made at this season of the year. In fact, quite a number of them already have been delayed by reason of the provisions of the last sundry civil act.

I want to say another thing. The river and harbor act of the last session was passed in reliance upon the utilization of these balances, and it would be almost an act of bad faith to the respective localities scattered through the Union in many States to deny to them the use of the balances remitted which the joint resolution would restore.

It seems to me it is altogether an exceptional case, not like an ordinary measure, and that the Senator from Minnesota, always facile in explaining matters to his constituents, will without the least difficulty be able to explain his permission to allow the joint resolution to pass.

Mr. CLAPP. If the Senator will pardon me, the trouble is that there will be other matters that will be urged with the same force, and if we begin now there will be no end to it. As I understand the situation, if this is done before the 1st day of July, it answers every purpose. We have at least six weeks in which to do it. It is like everything else, and if you once open the door it is hard after that to draw the line. I do not want to be an objector, but——

Mr. BURTON. I will state in this connection that the Senator's impression is hardly correct, because in important cases contracts have to be made, and those contracts can not be made unless the department is assured of the amount available. For instance, there is one case at Petersburg, Va., where there is a most pressing emergency, and it is desirable that the contract should now be made and the work prosecuted as rapidly as possible. Then, again, in other places the emergency has arisen or might arise at any time.

I think it is altogether easy to show to the Senate that, no other claims for appropriation or for the application of money can be presented here with anything like the same merit or in which there is the same universality of interest. This is not an appropriation. It is restoring the status of those funds to the condition in which they have been under existing law from 1874 to 1909, a period of about thirty-five years.

It is impossible for Senators and Members of the House to keep track of every bill. I should most assuredly have objected to this provision in the sundry civil act if it had been called to my attention at the time it was passed, and I have no doubt numerous Senators would have made the same objection had they been aware that it was included.

The PRESIDENT pro tempore. Objection being made——

Mr. BURTON. Do I understand that there is objection?

Mr. CLAPP. Yes; I object.

Mr. HALE. The Senator from Minnesota tells me if I do not object he will.

The PRESIDENT pro tempore. The joint resolution will take its place on the calendar.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the petition of Frank Simper, a resident of the State of Iowa, praying Congress to authorize him to bring action in the courts of the District of Columbia for the loss of certain property in that State, which was referred to the Committee on the Judiciary.

Mr. GUGGENHEIM. I present a telegram which I received yesterday and which I should like to have the Secretary read and to have inserted in the RECORD. It is signed by a number of prominent people of Denver and by the governor of the State, as well as the mayor of Denver.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read the telegram.

Mr. BAILEY. Mr. President, I renew the point that there is no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Hale	Perkins
Bacon	Crawford	Heyburn	Piles
Bailey	Culberson	Hughes	Root
Beveridge	Cullom	Johnson, N. Dak.	Scott
Borah	Cummins	Jones	Shively
Bristow	Depew	Kean	Simmons
Brown	Dick	Lodge	Smith, Mich.
Burkett	Dillingham	McCumber	Smoot
Burnham	Fletcher	McLaurin	Stone
Burrows	Flint	Nelson	Sutherland
Burton	Frye	Overman	Tillman
Chamberlain	Gallinger	Owen	Warner
Clapp	Gamble	Page	Warren
Clay	Guggenheim	Paynter	

Mr. PAYNTER. I desire to announce that my colleague [Mr. BRADLEY] is absent from the Chamber by reason of illness. He has been absent for the last two or three days owing to the same cause.

The PRESIDENT pro tempore. Fifty-five Senators have responded to their names. A quorum of the Senate is present. If there be no objection, the Secretary will read the petition in the nature of a telegram sent to the desk by the Senator from Colorado [Mr. GUGGENHEIM].

There being no objection, the petition was read and ordered to lie on the table, as follows:

DENVER, COLO., *May 20, 1909.*

Hon. SIMON GUGGENHEIM,
Senate Chamber, Washington, D. C.

Strong sentiment in Colorado that best interests of business demand prompt disposition of tariff legislation. Trust you will do all possible for speedy determination.

JOHN F. SHAFROTH,
Governor.
R. W. SPEER, *Mayor.*
H. M. TELLER,
D. H. MOFFATT,
J. A. THATCHER,
C. B. KOUNTZE,
DENNIS SHEEDY,
Chamber of Commerce.
By F. L. BARTLETT,
President.

Mr. GUGGENHEIM presented petitions of sundry citizens of Denver, Berthoud, Hillrose, Lafayette, Lyons, Fort Lupton, Goodrich, Ault, Lucerne, Orchard, Fort Morgan, Greeley, Sterling and Wellington, all in the State of Colorado, praying for a retention of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FLETCHER. I present a resolution of the house of representatives of Florida, which I ask may be read and referred to the Committee on Commerce.

There being no objection, the resolution was read and referred to the Committee on Commerce as follows:

Whereas the beautiful and historic Suwanee River, if properly improved, would be an important means of transportation through the most fertile sections of the State of Florida: Therefore be it

Resolved by the house of representatives, That our Senators and Representatives in Congress be requested to use all laudable means to procure an appropriation for the dredging and removing of the shoals and otherwise improving said river.

Resolved further, That the chief clerk be instructed to transmit copies of this resolution to each of our Senators and Representatives in Congress.

Adopted March 5, 1909.

J. G. KELLUM,
Chief Clerk of House.

Mr. SHIVELY presented petitions of the Connersville Buggy Company, of Connersville; of C. A. Niblick and sundry other citizens of Decatur; of O. A. Baker and sundry other citizens of Huntington; of Oskar Duenweg and sundry other citizens of Terre Haute; of F. M. Allen and sundry other citizens of Berne; of J. A. Mackey and sundry other citizens of Logansport; of C. D. Knight and sundry other citizens of Coatesville; of O. F. Brown and sundry other citizens of Westfield; of Mossman, Yarnell & Co., of Fort Wayne; and of the Seymour Saddlery Company, of Seymour, all in the State of Indiana, praying for the removal of the duty on rawhides, which were ordered to lie on the table.

Mr. BURTON. I present a joint resolution of the legislature of Ohio, which I ask may be read.

There being no objection, the joint resolution was read and ordered to lie on the table, as follows:

House joint resolution 12.

Joint resolution relative to requesting Congress to remove the duty on lumber, timber, and their raw products.

Whereas the researches of the National Conservation Commission, under the direction of the President, indicate the exhaustion of the domestic forests within twenty to thirty years, which will be a national calamity; and

Whereas in this State and in all others lumber and its products are one of the necessaries of life and in general use by all our people; and

Whereas the only present practical means of extending the duration of our domestic forests is to reduce the drain on them; and

Whereas the price of lumber and all forms of wood continuously advance, thereby imposing a great hardship on our people; and

Whereas the Government should not be a party by its fiscal legislation to the imposition of these exorbitant prices: Therefore be it

Resolved by the general assembly of the State of Ohio, That our United States Senators and Representatives in Congress are hereby respectfully requested to use all honorable means within their power to have all duties on lumber, timber, and their raw products forthwith removed, and to have the same placed as soon as possible on the free list.

Resolved further, That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of our said Representatives in Congress, and to the Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee of the National House of Representatives.

GRANVILLE W. MOONEY,
Speaker of the House of Representatives.
FRANCIS W. TREADWAY,
President of the Senate.

Adopted March 5, 1909.

OHIO, UNITED STATES OF AMERICA.
OFFICE OF THE SECRETARY OF STATE.

I, Carmi A. Thompson, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office, and in my official custody as secretary of state, as required by the laws of the State of Ohio, a joint resolution adopted by the general assembly of the State of Ohio on the 5th day of March, A. D. 1909.

In testimony whereof I have hereunto subscribed my name and affixed my official seal at Columbus, this 19th day of May, A. D. 1909.

[SEAL.] CARMI A. THOMPSON,
Secretary of State.

Mr. ROOT. I present a memorial of the International Longshoremen's Association and the Amalgamated Woodworkers' International Union, of Ogdensburg, N. Y., which I ask may be read.

There being no objection, the memorial was read and ordered to lie on the table, as follows:

To the United States Senate, Washington, D. C.:

Whereas the tariff bill is now before the Senate for consideration, and it being rumored that it is proposed to put dressed and manufactured lumber on the free list; and

Whereas such a course would, in our judgment, lead to the closing of the planing mills, box shops, and lumber yards in Ogdensburg, and necessitate their removal to Canada, thereby depriving the members of the labor unions named in the following resolution of their only means of employment and livelihood here:

Resolved, therefore, That we, the members of Locals No. 217, No. 238, and No. 429, of the International Longshoremen's Association, and Local No. 239, of the Amalgamated Woodworkers' International Union of America, at Ogdensburg, N. Y., numbering about 800 men, and employed for the most part in the plant of the Skillings, Whitneys & Barnes Lumber Company, at Ogdensburg, N. Y., in mass meeting assembled on the 15th day of May, 1909, do hereby most earnestly and solemnly protest against putting dressed and manufactured lumber on the free list.

WILLIAM M. KELLY,
President Local I. L. A. No. 217.
HARLOW A. OLMSTED,
Vice-President Local I. L. A. No. 217.
JOHN J. KELLY,
President I. L. A. Local No. 238.
EDMOND RAMIE,
Secretary I. L. A. Local No. 238.
LOREN D. WILSON,
President I. L. A. Local No. 429.
ADOLPHUS A. DOWNEY,
President A. W. I. U. of A. Local No. 239.
WM. J. BLAKELY,
Recording Secretary A. W. I. U. of A. Local No. 239.

Mr. SUTHERLAND presented petitions of sundry citizens of Syracuse, Wilson, Kanesville, Marriott, Plain City, North Ogden, West Weber, Willard, Brigham, and Perry, all in the State of Utah, praying for the retention of the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. DEPEW presented a petition of Local Union No. 9, Wall Paper Machine Printers and Color Mixers' Association, of Sandy Hill, N. Y., praying for an increase of the duty on wall paper, which was ordered to lie on the table.

He also presented a petition of Subdivision No. 419, International Brotherhood of Locomotive Engineers, of Brooklyn, N. Y., praying for the passage of the so-called "Burkett boiler-inspection" bill and the "Borah-Dawson full-crew" bill, which was referred to the Committee on Interstate Commerce.

Mr. PILES presented a petition of sundry citizens of Tacoma, Wash., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

AMENDMENT TO THE TARIFF BILL.

Mr. GUGGENHEIM submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. McLAURIN. Mr. President, the administration of the business affairs of the Government ought to be conducted upon the same principle upon which is conducted any other well-

managed business or establishment. All extravagance and useless expenditure of money should be eschewed.

In theory, at least, all the people of this country have formed a partnership to equally protect the life, liberty, and property of every member of the organization. Everyone has surrendered so much of his natural liberty and natural right as is necessary to the accomplishment of this purpose. To do this, it is necessary to have laws, and officers to expound, administer, and execute such laws. It is proper to make all necessary military and naval preparations to defend the honor and integrity of the body politic and of the country against foreign aggression.

One of the rights surrendered by every member of the society is a right of the Government to tax him proportionately to the benefit received by him to raise revenue to defray the economical expenses of the Government. To tax any man more than this is an act of tyranny that can not find any justification in morals or principle.

To the lawmaking department is committed the power and the duty of determining what laws will protect life, liberty, and property, and what expenses should be therefor incurred, and what proportion of taxes shall be levied upon the different members of society to raise the revenue sufficient to meet these expenses. For the lawmaking department to be unfaithful, unjust, or inequitable in the discharge of this duty is just as reprehensible as it is for the officers of a private corporation to be untrue to the duty and powers and functions committed to them.

The Constitution, Article I, section 8, authorizes Congress—

> To lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States.

This is the whole authority of Congress to lay or collect taxes, and the only purpose for which taxes can constitutionally be laid or collected.

Every Member of Congress, when he enters upon the discharge of his duties, obligates himself to support this Constitution, which is an obligation that he will not, so far as his voice and vote goes, lay or collect any taxes for any purpose except to pay the debts and provide for the common defense and general welfare of the United States.

The fact that there is no power or authority in the administration of the Government to which an appeal can be taken, and that can review the motives and purposes of a legislator in the laying and collecting of taxes, is not a reason for the loose construction of the Constitution and the usurpation of power and authority not therein conferred; but it ought to be a strong incentive to a strict construction of the Constitution, and to the abnegation of any power or authority that is not constitutionally conferred, but which may be with impunity exercised.

There is a principle of law universally accepted, or to be more accurate, legal maxim, "That the naming of one is the exclusion of all others." So that when the Constitution says that Congress may lay and collect taxes, it virtually says that nobody else is authorized to lay and collect taxes.

There is another principle of law that is universally accepted that—

> No power delegated by the Constitution to one branch of the Government can be legally delegated by that branch to anybody else.

It follows, therefore, than when the Constitution delegates to Congress the power to lay and collect taxes, Congress has no authority to delegate that power to manufacturers, or to anybody else.

Congress is to lay and collect taxes, and out of the taxes thus collected Congress is to pay the debts, and Congress is to provide for the common defense, and Congress is to provide for the general welfare of the United States. No money can be lawfully applied to the payment of the debts, or applied to the provision of the common defense, or applied to the provision of the general welfare of the United States, except it be appropriated by Congress. The money thus collected for the purposes enumerated forms the Treasury of the United States; and in section 9, Article I, of the Constitution it is said that no money shall be drawn from the Treasury, but in consequence of appropriations made by law.

I have called attention to the consideration of these provisions of the Constitution that it may be seen how utterly preposterous is the loose construction of the Constitution which claims authority of Congress to delegate to the manufacturers the power to collect taxes from the consumer under that grant by the Constitution to Congress of the power to collect taxes to provide for the general welfare of the United States.

In the early years of the Government a school of politicians resorted to this loose construction of the Constitution that they might, as they claimed, nourish infant industries until they were able to stand alone; and expressed the intention of then returning to a sane, sound, and logical construction of the Constitution.

Out of that false construction and misguided patriotism has grown up the iniquitous system known as the "protective policy," but which in fact is a policy of extortion. This is an exemplification of the danger attending the first step out of the "straight and narrow way," which, if long pursued, must inevitably lead to destruction. Under this policy of extortion, denominated by its advocates "protection" for the sake of euphony, the consumer is required to pay to the manufacturer the price of his product with a reasonable profit, and in addition thereto the equivalent of the tariff laid on the article consumed.

This additional amount of the tariff thus laid on the article consumed is taxes unconstitutionally collected by the manufacturer from the consumer. That the manufacturer is thus permitted to add the equivalent of the tariff to the price of his wares is the avowed purpose of the extorsive tariff. That he is supposed to do so, I quote from the junior Senator from Iowa when he was speaking of the conduct of a vice-president of a certain railway company. He said: "I suppose he, or his company, takes from you whatever he can, and that seems to be the habit in these days." If, then, the manufacturer has the power to take, and it is the habit to take, whatever he can, he adds the equivalent of the tariff to the price of his goods.

The junior Senator from New York on the 11th day of this month said:

> In 1895 and 1896, when we had a duty of 30 per cent on these articles included in paragraph 192, the revenue was not substantially different from the revenue which is now derived from the present duty of 55 per cent.

He had to explain this failure of the 30 per cent tariff to produce more revenue than the 55 per cent tariff by saying that—

> Our people had not the money with which to buy china ware from abroad or anywhere else, and, therefore, no greater revenue was produced by the revenue duty of 30 per cent than is produced by the protective duty of 55 per cent.

The scarcity of money was caused by the panic of 1893, which panic was under a Republican tariff law enacted in 1890, and which threw its shadow over the four succeeding years.

I may be pardoned for digressing long enough to read this further from the speech of the junior Senator from Iowa, which will be found on page 1879 of the RECORD:

> But if he takes from you, or if his company takes from you $25 per ton, based on the actual transportation from Salt Lake City to New York City, then, I believe, the people of Utah ought quickly to awaken to some sense of the slavery under which they are held and try to emancipate themselves.

I commend this thought to the consumers of the United States, and apply it by saying that they ought quickly to awaken to some sense of the slavery under which the extorsive tariff holds them and try to emancipate themselves.

The beneficiaries of the extorsive tariff are the ones who advocate and proclaim its beneficence. They patriotically claim the American markets for themselves, because, they say, they are American producers. When they are thus advocating a policy that makes them rich at the expense of those upon whom they have no claims for pecuniary contributions, their bursts of fervid eloquence and rhythmic rhetoric and flights of fancy are direfully pathetic. They convince themselves that they are really influenced by a spirit of patriotism to advocate laws that will enable them to rob their fellow-citizens.

This is not strange, for it has been said, "We believe that without which our nature would be dissatisfied, and this belief takes its rise in the feelings—the blind expressions of intellectual want—which form the first stage toward completed insight." But it is strange that they can so illusionize themselves as to believe that they are influenced by the disinterested and unselfish desire to exclusively benefit the laboring man. I commend to them one of the proverbs of the ancient Greeks—"Know thyself."

I crave your indulgence while I devote a minute or two to this interesting subject. I find, if my information and inquiry are correct, that the dutiable importations for 1907 were, in round numbers, $780,000,000; that the customs receipts were $329,000,000, which would show that the tariff paid on dutiable goods imported averaged a little more than 42 per cent for that year. Our domestic production was a little more than $14,000,000,000; our exports nearly $2,000,000,000; so that the domestic productions consumed amounted to a little more than $12,000,000,000. If we include in that the 42 per cent of the tariff, the manufacturers have been the beneficiaries of the tariff to the extent of $3,550,000,000, in round numbers.

The wages paid to laborers in 1904 amounted to $2,331,938,518. A liberal estimate for 1907 would be two and a half billions of dollars paid to laborers. So that the manufacturers were the

beneficiaries of the tariff more than $1,000,000,000 in excess of what they paid to laborers for labor.

If I were addressing a convention of protected manufacturers, I would say to them: You have collected, through the tariff, under the guise of benefiting labor, $3,550,000,000 and you have only delivered to laborers $2,500,000,000; you are, therefore, in debt to them for all the work they have done, and you are further indebted to them in the sum of $1,050,000,000, which you have collected in their name and fraudulently withheld from them.

I do not claim that the figures that I have given are perfectly exact, but they are accurate enough, for all practical purposes, to show that the manufacturers neither need this protection to enable them to compete with foreign producers, nor do they pay to laborers whom they employ the amount of money they collect in their name; indeed, they do not pay them out of their own pockets anything, but require the consumers to pay them their wages, and then withhold one-third of that which the consumers pay for wages of the laborers.

Returning to the discussion before this digression, I can not consent to that doctrine that as a Democrat I should vote for a tariff bill to raise revenue sufficient for the extravagant administration of the Government. I can understand how Republicans, who have extravagant and profligate ideas of the administration of the Government, after having voted for extravagance and profligacy, will vote for the collection of exorbitant revenues to meet such profligate expenditures; but I do not feel called upon to vote for a tariff bill to raise revenue more than sufficient, in my judgment, to meet the expenses of an economical and business administration of the Government. As a Democrat, I feel that it is my duty to endeavor to limit the expenses of the Government to its reasonable requirements, and to vote for the raising of a revenue sufficient to meet these expenses.

I think the Philippine Islands are a burden that we should throw from our shoulders. In so doing we could, and ought to, reduce the army and navy expenditures a hundred millions of dollars.

We can, and ought to, reduce the expenditures on account of pensions. The pension laws ought to be equal and uniform. There should be no private pension bills. If one man, an ex-soldier, with a certain disability, is pensioned, another man, an ex-soldier, with the same disability, ought to be pensioned an equal amount. The private soldier who performed the drudgery of camp life and incurred most of the dangers in battle and on the sentinel's post should have a pension equal to the officer who enjoyed the distinction and privileges and authority of the army and had the best of the camp and was exempt from many of the dangers to which the private soldier was exposed.

It is no answer to say that the officer was of a higher rank and received a higher salary during the time he and the private soldier were in the actual active service of the country. They have both been relegated to private life and are private citizens, who are, or ought to be, on a perfect equality before the law. The pension laws are not for the payment to either of these men for the service he has rendered; but having done military service to his country, these laws are intended to recognize such service; and if by misfortune he should fall upon evil days, the Government for which he fought will in this way shelter him. This is the only principle upon which pension laws can be enacted.

There are other places that will occur to those in authority, if they are looking for them, where the expenses of the Government are greater than they should be and can be reduced and ought to be reduced.

When these expenses are reduced to the reasonable necessities of governmental expenditure the taxes raised to defray them ought to be levied and collected by some system that will apportion them among the taxpayers in proportion to the benefits of government received.

I do not inveigh against the rich man. I like to see men become rich, but I want them to become rich out of the proceeds of their own industry and not out of the proceeds and earnings of others. The rich do not pay customs taxes in proportion to their wealth as much as do those of moderate means. Let me illustrate this: The man worth $3,000 must use strict economy if he purchases less than $300 a year of dutiable goods. One hundred dollars of this is a tax paid to the Government if he buys imported goods and paid to the manufacturer if he buys domestic goods. This tax amounts to one-thirtieth of what he is worth.

The man worth $3,000,000 would have to consume $300,000 of dutiable goods, and thereupon pay a tax of $100,000 before he would pay a proportionate part of the expenses of the Government. The man with $30,000,000 would have to consume $3,000,000 of dutiable goods and pay $1,000,000 of taxes to the Government before he would pay in proportion to the man worth $3,000.

You know the rich do not pay their proportion of the expenses of the Government. The man worth $3,000,000 has a thousand times as much protection from the laws of the country as the man with $3,000; and the man with $30,000,000 has ten thousand times as much protection from the laws of the country. All these men, or a good many of them, are unwilling to pay in proportion to the benefits derived from government.

I do not say that a man ought to pay more than his proportionate share of the taxes to support the Government merely because he is rich, but I do say that he ought not to be exempt from payment of his proportionate share of the Government's expenses merely because he is rich. You may say that men can not be compelled to buy dutiable goods and thus contribute to the revenue of the Government. That is true. Neither can men of small means live without buying more dutiable goods than multimillionaires are required to buy in proportion.

The law in laying and collecting taxes should be mindful of both these facts and should lay and collect taxes with reference to both of them. To make this levy of taxes somewhat more equal, it is proposed to collect a revenue of 2 or 3 per cent upon the incomes of all persons in excess of $5,000 a year. There is opposition to this because it is said that it impinges that part of section 9, Article I, of the Constitution, which says that no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration directed to be taken.

A great deal of learning and investigation by the courts have been devoted to this clause of the Constitution, which seems to me to require for its interpretation nothing but a plain, practical reading. After all the investigation and learning devoted to it by the courts the Supreme Court of the United States for a hundred years held that a law imposing an income tax does not violate this clause of the Constitution. With the long train of decisions that accumulated within the century staring them in the face, the Supreme Court in the Pollock case by a majority of one declared that an income tax is violative of this clause of the Constitution.

At once upon reading this clause it is discovered that the framers of the Constitution mentioned capitation tax as a direct tax. This is shown by the use of the word "other." Then, when capitation is specified as a direct tax, and all other direct taxes are excluded, by a familiar rule of construction other direct taxes must be of the same kind.

A capitation tax is defined to be a tax upon each head of persons without reference to property. Then, any other direct tax must be a tax without reference to property; a tax upon the individual and not upon his property. Manifestly, when the framers of the Constitution used the word "capitation," it occurred to them that there might be some way of evading its force by some other word that would tax the individuals instead of the property of the country, and to prohibit that it was stated "or other direct tax." And for this reason nobody did or could answer the query propounded to the convention, "What is a direct tax?"

A capitation tax, which is a tax without reference to property, is the only direct tax that can be imposed. If the taxing of any property could be denominated a direct tax, then the taxing of all property is a direct tax. A man's business is his property, and if you tax his business, it is as much a direct tax upon his property as to tax his land. All the refinement of the learning of the courts for a hundred years has never been able to show that it is any less the taxing of property to tax a man's business or profession than to tax his land.

The only thing required by the Constitution is that the tax shall be equal and uniform. So that when a tax is imposed upon an income it does not violate this clause of the Constitution. And as it is demonstrable that an income tax is absolutely necessary under the provisions of this bill to in any degree equalize the burdens of raising revenue for the Government, it is a tax eminently proper.

It has been estimated by the proponent of this amendment for an income tax, the Senator from Texas [Mr. BAILEY], that it will produce a revenue of from sixty to eighty millions of dollars.

Another item of revenue production that would be just and fair would be the imposition of a head tax upon immigrants. Twenty millions of dollars could thus be raised through those who come to our country to enjoy the blessings of liberty. If they are worthy to come, they will not object to paying something for the privileges they receive. If they are not worthy, a head tax can not be raised too high in order to exclude them.

If you are in earnest in your desire to benefit the labor of the country, here is an opportunity for you to do something for them. You ask the Government to allow you to tax the consumer because, you say, you want to benefit the laborers. Your plea is that you do not want the American laborer to have to compete with the cheap labor of Europe. If you are sincere,

here is an opportunity for you to show it. Exclude the cheap labor of Europe by putting a head tax high enough to prevent that cheap labor's entrance.

After raising $70,000,000 from an income tax and $20,000,000 from a head tax on immigration to this country, you will then, if you desire to be equitable and just in the enactment of your tariff laws, reduce the duty on articles used by the plain laboring people of the country.

When I say laboring people, I mean those who labor, not only with their hands but with their brains—the man who labors in the field and factory, behind the counter and in the offices of the professions, in the schoolroom, and in every other vocation.

You can do another thing. You can take the tax off farm implements and the tools of carpenters and blacksmiths and of workingmen. A few days ago I offered an amendment looking to the putting of farm implements, carpenter's tools, and blacksmith's tools upon the free list. You voted it down. Afterwards I offered an amendment in an effort to put printing presses, sewing machines, and typewriters on the free list. You voted that down.

If you will reduce the extravagance and profligacy of the Government and impose these taxes that I have just mentioned, you can then put farming implements, carpenter's tools, blacksmith's tools, printing presses, sewing machines, and typewriters and other necessary articles upon the free list. You can then, and even now, with your bill as it is, afford to put bagging and ties on the free list.

The amount of bagging manufactured in the United States last year was 83,650,000 yards, and 16,350,000 yards imported. The revenue realized by the Government on bagging and ties was a little more than $120,000. I hear Senators in their places say to the Senate that there are in their States certain industries which require that you shall lay a tax upon the importation of products such as theirs, enough to enable them to tax the consumers sufficient to keep these industries in operation, and they call that "protection."

I do not ask you in behalf of the cotton growers of the South to lay a tax upon anybody, or upon anybody's property, for their benefit, but I do ask you not to lay a tax upon them for the benefit of somebody else. All I ask for the cotton growers of Mississippi is that you do not, directly or indirectly, tax the product of their toil.

There is scarcely anything in Mississippi that is benefited by a tariff. When other individual States have legislation in this bill for the benefit of the industries of those States, is it not as reasonable to ask for the same consideration for the State of Mississippi?

The people of the South produce about 12,000,000 bales of cotton annually. It requires the labor of about 6,000,000 of people. The laborers each get about $100 in the cultivation of this crop. True, they raise other crops—corn, oats, wheat, and so forth—but the crop to which they look for ready money is the cotton crop.

I judge a fair average for this crop is 10 cents a pound—$6,000,000 a year put into circulation, and going to make up the balance of trade with the world in our favor, and without which the balance of trade would be against us. Cotton is the only product of the United States that will, at all times and under all circumstances, bring to this country the gold of Europe. And this by the labor of men and women who are not benefited one particle by any provision of tariff taxation.

These people ask you to give them free bagging and ties; that is, to take the tariff off of bagging and ties, and thus save to them from three to five millions of dollars a year of the money they earn. In behalf of these people, I ask you to do this act of justice. If you will not do this, then I say away with your honeyed expressions of interest in the South.

These laborers work the entire year to make, gather, and prepare for market the cotton which they are glad to sell for 10 cents a pound. When it is converted into the plainest articles of manufacture it is worth from 35 cents to $1 a pound. In the plain manufacture it turns out from 4 to 8 square yards to the pound. In the fine fabrics produced from cotton the increased value to the manufacturer is relatively greater.

It has been said that when the farmer sells his bale of cotton he sells the bagging and ties at the price of the cotton, and thereby receives more for the bagging and ties than he pays for them. That is a mistake. When the cotton reaches Liverpool, where the price of cotton is fixed, 30 pounds a bale is deducted for tare, and that on account of the bagging and ties, and of course the purchaser in this country must necessarily calculate that in the price he makes.

I ask leave to print in the RECORD as an appendix a table showing the prices of cotton from 1860 to 1907, and I call attention especially to the price of cotton in 1864, which shows the estimate put upon this staple by the world at a time of its greatest scarcity.

The PRESIDENT pro tempore. The Chair hears no objection.

The table referred to will be found at the end of Mr. McLAURIN's remarks, as Appendix B.

Mr. McLAURIN. Mr. President, loath as I am to occupy the time of the Senate, I can not conclude what I have to say without expressing my most solemn protest against the amendment which proposes to tax coffee. This is not any longer an article of luxury. In three-fourths of the homes of this country it is an article of dire necessity. Thousands of men and women, who work that they may eat and live and have clothes and shelter, would drag themselves through their day's labor suffering the tortures of excruciating headaches if they could not have a cup of coffee for breakfast. It is true that in many cases they are compelled to use a cheap quality; nevertheless, they must use some coffee of some quality. To place a tax upon these people of 5 cents a pound upon their coffee, and deny the rich the benefits of paying an income tax, is a species of iniquitous legislation that I am not prepared to believe even the Republican party will enact.

If I were enacting this bill, I would take all the tax off tobacco. I would not encourage the use of tobacco. I think it is a deprecable habit. But there are millions of people who have used it so long that they think they can not live without it, and far the greater number of these are people who can not well afford to have to pay an extortionate price for tobacco.

I intended to say something before I concluded in behalf of the reduction of the tax on sugar. The tariff on all raw sugar should be the same and there should not be any tariff on refined sugar. The sugar trust has made hundreds of millions of dollars out of the tariff that has been enacted for their benefit, and with these hundreds of millions of dollars they ought to be able to live in comfort the balance of their lives, and I am told that when one of them dies he does not take a nickel of it with him to the next world.

But as I have already occupied too much of the time of the Senate, I will ask leave to print, as an appendix to what I have to say, a table on sugar, which I will send to the desk.

Now, Mr. President, in conclusion I have but a few more words to say. In the days of the Roman Empire the right to tax provinces was sold by the government to the highest bidder. The purchaser of this right paid the money for it into the treasury. The operation of this system was so tyrannical that they became a byword to the taxpayers and were called "publicans." In this day and in this Government the right is given to certain interests and interested persons to tax the people, and they pay nothing for it. They tax without remorse, and they are called "Re-publicans."

Mr. President, I ask leave to have printed in the RECORD as an appendix to my remarks a table I have prepared on the sugar schedule.

The PRESIDENT pro tempore. The Chair hears no objection.

The table referred to, marked "Appendix A," is as follows:

APPENDIX A.

Sugar production of the world, 1906–7.

[From report No. 86, United States Department of Agriculture, and prepared in the Division of Foreign Markets, Bureau of Statistics.]

		Long tons.
1. Cane sugar, United States, including Louisiana, Texas, Hawaii, and Porto Rico		845,871
2. Cuba		1,427,673
3. Other West Indies		279,631
4. Mexico		108,000
5. Central America		19,000
6. South America		610,151
7. Asia		3,455,446
8. Africa		349,000
9. Oceanica		249,000
10. Europe		16,400
Total cane sugar		7,360,172

United States production 11.48 per cent of the world's production.

1. Beet sugar, United States	long tons	431,796
2. Beet sugar, Canada	do	11,367
3. Beet sugar, Germany	metric tons	2,238,000
4. Beet sugar, Austria-Hungary	do	1,344,000
5. Beet sugar, France	do	756,000
6. Beet sugar, Russia	do	1,470,000
7. Beet sugar, Belgium	do	283,000
8. Beet sugar, Netherlands	do	181,800
9. Beet sugar, other countries	long tons	445,000
Total beet sugar		7,160,163

The long ton is 2,240 pounds; the metric, 2,204.622.

Licht, the European compiler, uses the metric ton, and American compilers do not change. The difference—35 pounds—is immaterial in a general argument or calculation.

The United States production of beet sugar, 431,796 tons, is about 6.03 per cent of the world's production.

Total world's production of sugar.

Cane	long tons	7,360,172
Beet	tons	7,160,163
Total		14,520,335
Deducting 95,000 tons for difference between the metric and long ton for Europe		95,000
Total world production	long tons	14,425,335

The United States production of cane and beet sugar is slightly more than 8.8 per cent of the world's production.

These figures are not exactly correct, as the Bureau of Statistics includes the sugar from the Philippines in Asia.

The production of the Philippine Islands in 1907 was 145,500 long tons of cane sugar. Should it be deemed advisable to consider this a United States production, the figures will stand:

United States cane sugar, 991,371 long tons, or 13.4 per cent of the world's production of cane sugar, and 9.8 per cent of the world's production of both cane and beet sugar.

Sugar consumption of the world, 1907.

	Long tons.
Foreign sugars in United States	2,337,352
Domestic	656,627
Total United States consumption	2,993,979
World's production	14,520,335
World's consumption outside the United States	11,526,356

United States consumption, 25.96 per cent of all the rest of the world—20 per cent of the world's production.

Of the total quantity consumed in the United States in 1907, nearly 80 per cent was imported from either foreign countries or our insular possessions.

	Tons.
Imported from Hawaii	392,871
Imported from Porto Rico	210,000
Imported from Philippines	145,500
Total imported from insular possessions	748,371
Imported from all sources	2,337,352
Total imported from foreign countries	1,588,981

About 53 per cent of the United States consumption comes from foreign countries, 25 per cent from our insular possessions, 8.1 per cent from Louisiana and Texas, and 13 per cent of domestic beet sugar.

Character of the importations as to duties.

Nearly 85 per cent of the sugar imported comes from Hawaii, Porto Rico, the Philippines, and Cuba, under tariff concessions, while about 15 per cent comes from other countries and pays full duties.

Cuba alone furnishes about 58 per cent of the foreign sugar consumed in the United States, and about 45 per cent of all the sugar consumed in the same country. Nearly all the imported sugar is made from cane, less than 1 per cent of the imports in 1907 being from beets.

Imported sugar in 1907, with concessions.

	Long tons.
From Hawaii, free	418,102
From Porto Rico, free	212,853
From Philippines, 25 per cent less than regular rates	10,700
Cuba, under reciprocity, 20 per cent less than regular rates	1,340,400
Total, with concessions	1,982,055

Imported sugar, with full duties.

	Tons.
Raw cane, from 95 cents to $1.75½ per hundredweight	347,509
Raw beet	6,789
Refined beet, $1.95 per hundredweight	949
Refined cane	50
Total dutiable	355,297
Total with concessions	1,982,055
Total imports	2,337,352

Paying full duties, about 16 per cent; free, about 28 per cent; with concessions, about 55 per cent.

Character of importations as to conditions.

	Tons.
(a) Imports paying full duties:	
Raw cane sugar	347,509
Raw beet sugar	6,789
Total raw sugar	354,289
Refined cane	50
Refined beet	949
Total refined sugar	999

But little more than one-fourth of 1 per cent of the importations were of refined sugar.

	Tons.
(b) Imports, with concessions:	
Raw sugar (no refined sugar)	1,982,055
(c) Imports, with duties and concessions:	
Raw, with concessions	1,982,055
Raw, with duties	354,298
Total raw	2,336,353
Total refined	999

The percentage is too insignificant to calculate.

Raw and refined sugar.

Willett & Gray have compiled the following table, which has been adopted by the Department of Agriculture in Report No. 86.

Consumption of refined and raw sugar in the United States and quantities refined by different classes of refiners in 1907:

Classes.	Quantities.	Percentage refined.
Refined sugar manufactured by:	*Long tons.*	
American Sugar Refining Co	1,401,061	49.27
Independent refiners	1,064,827	37.44
Beet-sugar factories	375,354	13.19
Hawaiian cane-sugar factories	1,674	.06
Foreign refiners	1,068	.04
Total refined	2,843,928	100
Raw sugar consumed	150,051	

About 5 per cent in 1907, and, if the two preceding years be considered, less than 5 per cent of the sugar consumed in the United States is used in a raw, unrefined condition, while more than 95 per cent is refined.

About one-half of the sugar refined is turned out by the American Sugar Refining Company, about three-eighths by the independent refineries, one-tenth by American beet-sugar factories, and only the smallest fraction of 1 per cent by foreign refineries. In fact, the high rate of duty on refined sugar—$1.95 per 100 pounds, or nearly 2 cents a pound—practically bars out all importations of refined sugar and creates an excessive importation of raw sugar to be refined by American refineries, at a rate of profit nearly equal to the duty on refined sugar. In other words, the price of refined sugar in the United States has been raised to the consumer to the advantage of the American refineries without a corresponding increase to the Government in revenues. Duties which should have improved the government revenues have been silently changed into profits for American refineries.

The import prices for sugar not above No. 16 Dutch standard in color, cane, were for the year 1906–7 as follows:

1906.	Cents.
July	0.0198
August	.0216
September	.0196
October	.0196
November	.0196
December	.0190
1907.	
January	.0221
February	.0215
March	.0207
April	.0208
May	.0228
June	.0234

Average for a year=0.0208 cent per pound.

The wholesale price for standard A for 1907 was 0.0445 per pound, and for granulated 0.0465. The export price of sugar refined in 1907 was 0.0386 cent, or about 4 cents a pound.

In other words, the average foreign cost per pound was 2.08 cents in 1907, while the wholesale price of granulated sugar in New York for the same year was 4.65 cents per pound, and the export price of all refined sugar 3.86 cents.

The consumption in the United States for 1907 was 2,993,979 long tons, or 6,706,512,960 pounds, an average of 77.5 pounds per capita, or 387.5 pounds per family of five.

SUGAR SCHEDULE E.

1. A most complicated one. This paper, however, will endeavor to present its actual workings in 1907: Molasses, not above 40°, duty 20 per cent. Cuba, 20 per cent less 20 per cent. No. 3229, imports 170,651.53 gallons, duties $5,053, ad valorem 20 per cent; from Cuba, 20,402,994 gallons, duties $92,215.20, ad valorem 16 per cent.

2. Above 40 and under 56, 3 cents a gallon; Porto Rico, 15 per cent of 3 cents; Cuba, less 20 per cent. No. 3230, imports at 3 cents, 888,945.50 gallons, duties $26,668.37, ad valorem 15.51 per cent; Porto Rico, 1,344,060 gallons, duties $8,048.28, ad valorem 2.05 per cent; Cuba, 990,271 gallons, duties $23,766.50, ad valorem 27.93 per cent.

3. Over 56°, 6 cents a gallon; Porto Rico, 15 per cent of 6 cents; Cuba, 6 cents less 20 per cent. No. 3231, imports at 6 cents, 10,910 gallons, duties $654.60, ad valorem 34.76 per cent; Porto Rico, 3,584 gallons, duties $32.26, ad valorem 4.13 per cent; Cuba, 217.25 gallons, duties $10.46, ad valorem 9.61 per cent.

No. 3232. Sirup, refined, 20 per cent; imports, 33,457 pounds; duties, $509.20; ad valorem, 20 per cent.

Molasses above 40° are practically prohibited. Between 40 and 56° a great quantity comes in, but it is nearly all from Porto Rico, whose rate is practically a free one. A better schedule, possibly, would combine Nos. 3229, 3230, 3231, and 3232 into a simple schedule, molasses and sirup, at an ad valorem rate of 20 per cent, with concessions to Cuba and Porto Rico.

Beet sugars.	Pounds.	Duties.	Ad valorem.
			Per cent.
No. 3229, not above 75, 0.95 cent per pound	1,939	$18.42	36.12
No. 3247, not above 88, 1.405 cents per pound	6,090,088	93,995.74	69.39
No. 3253, not above 94, 1.615 cents per pound	306,396,095	4,948,296.46	78.26
No. 3254, not above 95, 1.65 cents per pound	9,995,095	114,759.07	76.56
No. 3255, not above 96, 1.685 cents per pound	28,523,776	480,625.63	87.16

No. 3253 produces nearly all the revenue. A better classification would seem to be a single item for all beet sugars of all degrees, polari-

scopic test, with a rate of 1 cent a pound. This would not hurt the beet-sugar men of the United States and would help consumers.

Cane sugars.	Pounds.	Duties.	Ad valorem.
			Per cent.
No. 3259, not above 75, 0.95 cent per pound	1,236,009	$11,742	23.89
Cuba, 20 per cent off	6		10
Philippines, 25 per cent off	3,360	23	36.27
No. 3260, not above 76, 0.985 cent per pound	3,405	33	54.10
No. 3261, not above 77, 1.02 cents per pound	45,898	4.68	40.12
No. 3262, not above 78, 1.055 cents per pound	6,148	64	30.08
No. 3263, not above 79, 1.09 cents per pound	52,768	575	42.42
No. 3264, not above 80, 1.125 cents per pound	55,538	624	40.08
No. 3265, not above 81, 1.16 cents per pound	739,831	8,581	107.49
Philippines, 25 per cent off	131,830	1,146	27.27
No. 3266, not above 82, 1.195 cents per pound	5,090	60	25.45
Philippines, 25 per cent off	11,501	103,080	43.29
No. 3267, not above 83, 1.23 cents per pound	35,266,696	433,780	91.08
Philippines, 25 per cent off	9,258,693	80,841	44.88
No. 3268, not above 84, 1.265 cents per pound	303	3	27.36
No. 3269, not above 85, 1.3 cents per pound	2,968	38	30.34
Philippines, 25 per cent off	17,136	167	48.71
No. 3270, not above 86, 1.335 cents per pound	4,672,119	54,362	82.68
Philippines, 25 per cent off	6,293,444	63,013	46.39
Cuba, 20 per cent off	169,158,508	1,806,612	62.90
No. 3271, not above 87, 1.37 cents per pound	74,579	1,021	46.16
Philippines, 25 per cent off	16,354,078	165,469	61.40
No. 3272, not above 88, 1.405 cents per pound	31,634,257	444,461	81.81
Philippines, 25 per cent off	18,228,855	192,086	48.60
Cuba, 20 per cent off	966,972	11,205	69.43
No. 3273, not above 89, 1.44 cents per pound	1,265,067	18,216	87.73
Philippines, 25 per cent off	8,717,685	94,150	43.65
Cuba, 20 per cent off	959,725	11,056	56.70
No. 3274, not above 90, 1.475 cents per pound	1,016	14	36.56
No. 3275, not above 91, 1.51 cents per pound	116,296	1,754	120.19
No. 3276, not above 92, 1.545 cents per pound	52,091	804	64.99
No. 3277, no importation in 1907.			
No. 3278, not above 94, 1.615 cents per pound	20,935,311	338,105	75.33
Cuba, 20 per cent off	5,599,019	72,300	67.34
No. 3279, not above 95, 1.65 cents per pound	38,615,356	637,153	70.65
Cuba, 20 per cent off	2,904,241,322	38,335,965	59.84
No. 3280, not above 96, 1.685 cents per pound	593,412,212	9,998,995	60.46
Cuba, 20 per cent off	8,271,423	1,148,649	64.36
No. 3281, not above 97, 1.72 cents per pound	14,243,666	244,991	97.64
No. 3282, not above 98, 1.755 cents per pound	1,621,428	28,456	69.40
Total	3,980,128,265	54,310,082	

Average duty 1.37 cents per pound on imports regular, and with concessions. Four hundred and eighteen thousand one hundred and two long tons came in free from Hawaii. This is equal to 936,548,480 pounds. The refiners get this much free sugar and 3,980,128,265 pounds at an average duty of 1.37 cents per pound. Adding the free and dutiable sugars, we have a total of 4,916,676,745 pounds of raw cane sugar, which comes to the American refineries at a tariff cost of $54,310,082, or an average duty rate of 1.104 cents per pound. The tariff rate on refined sugar is 1.95 cents per pound, which makes the real differential to the refineries 0.846 cent, instead of 0.26½ cent, as claimed by them. Their argument rests on 96° sugar, which carries a duty of 1.685 cents, and gives a differential of 0.265 cent. Ninety-six-degree sugar, however, covers but 678,623,635 pounds of import, while 95° sugar covers 2,942,856,678 pounds, or three-fourths of the raw cane sugar imported. The differential on the 95° sugar is 0.3. Granting a loss of 5½ pounds for refining, or 0.14 cent, the protection left refineries on 95° sugar is 0.16 cent, or about one-sixth, instead of one-eighth as argued. But it is misleading to argue the rate of protection on either 95° sugar or 96° sugar. The protection is really the differential between the average rate on all imported raw cane sugar, free and dutiable, which is (1.95 less 1.104) 0.846 cent. It is illogical to deduct anything for the 5½ pounds loss in refining, inasmuch as this is a common loss to both foreign and domestic refineries; but granting it at their claim of 0.14 cent, the differential is then 0.706 cent, instead of 0.125 as claimed—seven-tenths cent per pound, instead of one-eighth cent. The difference between 0.706 cent, the protection actually received by the refineries, and 0.125 cent, the amount admitted, is 0.581 cent, or more than one-half cent a pound filched from the pockets of the consumer, without corresponding advantage to Government, and transferred to the pockets of the refineries. Four billion nine hundred and sixteen million six hundred and seventy-six thousand seven hundred and forty-five pounds of raw sugar come in and go to the refineries at a revenue or tariff cost to them of $54,310,082. Allowing one-nineteenth loss for refining, an allowance not permitted by reason of law, inasmuch as foreign refiners must suffer the same loss, we have left 4,657,905 pounds of sugar, ostensibly protected at one-eighth cent, but really protected at seven-tenths cent. In other words, by reason of selecting a most important grade of sugar, 96°, but by no means the most important item, as 95° sugar covers three-fourths of the raw cane sugar imported, and by ignoring the fact that the refineries get the benefit of all other items, and more especially the free sugar, the important fact is lost sight of that imported raw sugars come to the refineries at 1.104 cents a pound and that the real protection is seven-tenths, instead of one-eighth, and that thereby more than one-half cent per pound is treacherously conveyed to the pockets of the refineries without adding to government revenues.

One-half cent on 4,657,905,328 pounds of raw sugar amounts to $23,289,567 profit for the refineries. This half cent enters into the wholesale price of all the 6,706,512,960 pounds of refined sugar consumed in the United States and represents a charge to the consumers of $33,532,564 at wholesale prices.

This is not all. There is no reason for the allowance, in fact and in argument, of the loss of refining of 5½ pounds, or about one-nineteenth of import. All refineries suffer the same loss and the allowance is not valid. The real protection enjoyed by the refineries is $1.95, less the average tariff rate on free and dutiable sugars, 1.104 cents, or 0.846 cent per pound, or nearly seven-eighths cent a pound, instead of the one-eighth so confidently relied upon. The difference between seven-eighths cent absolutely received and one-eighth cent argued and defensible is six-eighths cent, or three-fourths cent per pound, or an unwarranted profit to refiners of three-fourths cent a pound on the 3,980,128,265 pounds of raw sugar actually imported at concession rates, and the 4,916,676,745 pounds free and dutiable, and, as well, the entire 6,706,512,960 pounds consumed, or a total of $50,298,347 profit to the refiners, a sum equal to the Government revenue on all raw sugar imported.

The above calculations exclude 212,000 tons of raw sugar imported from Porto Rico free, which, if calculated, will make the differential that much greater.

WHAT ARE THE SUGAR PROFITS?

The Census Department, in Bulletin No. 57, for Manufacturers, 1905, gives the following facts:

Sugar and molasses refining.

Number of establishments, 1905	344
Salaries paid 1,886 officials and clerks	$2,153,679
Wages paid 13,549 workmen	7,575,650
Miscellaneous expenses	8,600,754
Materials	244,752,802
Total expenses	263,082,885
Value product	277,285,449
Profit	14,202,564
Capital	165,468,320

Or a profit of a little more than 8 per cent.

This on its face shows its absurdity. Analyzing the figures, we find that "Miscellaneous expenses" cost more than labor, a thing easily explainable in some minor industries, but entirely unusual in a business of the magnitude of sugar. This statement, at least, negatives all reason for protection on the Taft idea of a difference between domestic and foreign wages. In sugar refining, labor is the least element of value, as reported by its managers, except salaries paid officials and clerks. Labor costs sugar refiners, according to their own showing, seven two-hundred-and-sixty-thirds of all their expenses, or about 2.6 per cent. The tariff on refined sugar $1.95 per hundredweight, to cover the difference between foreign and domestic labor, can well be abolished:

(1) Because it produces no revenue, and (2) because the labor cost of sugar refining in the United States is practically nothing, a measly 2.6 per cent of the expenses. Analyzing the showing further, we find that the cost of materials is enormous—sufficiently enormous to cast a doubt on the accuracy of the returns:

	Cost of materials.	Cost of labor.
Boots and shoes	$197,000,000	$69,000,000
Bread	155,000,000	43,000,000
Carriages	61,000,000	30,000,000
Cars	151,000,000	142,000,000
Clothing	185,000,000	57,000,000
Clothing, women's	130,000,000	51,000,000
Cotton goods	286,000,000	96,000,000
Foundry	324,000,000	229,000,000
Hosiery	76,000,000	31,000,000
Iron and steel	620,000,000	141,000,000
Leather	191,000,000	27,000,000
Lumber	183,000,000	50,000,000
Paper	111,000,000	32,000,000
Slaughtering	706,000,000	37,000,000
Sugar	244,752,802	7,575,650

In sugar refining the labor cost is but one thirty-second of the cost of materials, as shown by the refiners. The import price of sugar was about 2 cents in 1907, and the average duty 1.104 cents. Had the refiners bought all the sugar imported which paid duties, viz, 3,980,128,265 pounds, and the free sugar, 936,548,480, or a total of 4,916,676,745 pounds, at the import price, 2 cents, the entire cost, without duties, would have been $98,333,534. Had they paid all the duties the Government received for raw sugar, $54,310,082, the cost of raw materials would have been $152,643,616. It is true that there are other materials used in refining, but the raw material is the very largest part of it; freights go to miscellaneous expenses, and the return $244,752,802 for material is $92,000,000 more than the raw sugar cost, duties added, and fully $50,000,000 more than the cost of all raw materials. The returns to the Census Department are evidently prepared for an emergency—doctored to suit the case, and the profits instead of being $14,202,000, are fully $64,000,000, or about 30 per cent of the capital. In other words, while $14,202,000 profits are admitted, a further profit of $50,000,000 is covered up in tariff technicalities and classifications coupled with doctored returns to the Census Office.

GENERAL REMARKS.

This cane-sugar classification was evidently intended to show accurate scientific determinations, but the most casual examination of its working will show that for all practical purposes it is useless. The

very greatest number of the items or numbers cover few importations and yield little revenue. To retain and operate them casts upon the Government an extra expense for their scientific determination, without any corresponding advantage, leads to confusion in settlements and arguments, and blinds the public to the real merits of the question.

This paragraph has 24 items or numbers producing a revenue of $54,310,082, of which two items, or Nos. 3279 and 3280, produce $50,930,628, leaving $4,189,300 for the remaining 22 items, and one of these, No. 3270, produces nearly $2,000,000; 21 items of the paragraph may appear scientific, but are worthless in a practical commonsense tariff schedule, whose object is to win money, although disguised to win labor votes. The two items yielding the greatest revenue carry an ad valorem rate of 90.46 per cent and 64.36 per cent.

Sugar, continuation of Schedule E.

	Pounds.	Duties.	Ad valorem.
			Per cent.
Maple sugar, No. 3295, 1.95 cents	4,318,995	$84,220.00	72.57
Maple sugar and sirup, No. 3301, 4 cents	2,579,024	103,160.00	49.65
Candy and confectionery:			
No. 3304, 4 cents and 15 per cent	232,915	13,068.00	66.58
Cuba, 20 per cent off	6,003	278.00	38.58
Candy and confectionery, n. s. p. f.:			
No. 3305, 50 per cent	250,394	37,141.00	50
Cuba, 20 per cent off	575	52.00	40
Sugar cane:			
No. 3306, 20 per cent		1,120.00	20
Cuba, 20 per cent off		.48	16

Duties produced.

Molasses	$154,956
Sugar beet	5,637,694
Sugar cane	54,310,082
Total	60,102,732
Maple sirup	103,160
Sugar cane	1,120
Maple sugar	84,220
Candy and confectionery	50,529
Total revenue, Schedule E	60,341,761

The total duties collected on merchandise for the year 1907, according to the Statistical Abstract, page 655, amounted to 329,480,040

Duties, Schedule E	60,341,761
Duties on sugar alone	59,947,776

Practically one-fifth of the tariff revenue is collected from sugar alone.

Taking the refiners' returns to the Census Department for salaries paid officials and clerks, wages paid labor, and miscellaneous expenses, the cost of refining becomes a simple proposition. The cost of materials does not enter into the cost of refining. They report:

Officials' and clerks' salaries	$2,153,679
Wages	7,575,650
Miscellaneous expenses	8,600,754
Total expenses of refining	18,330,083

They refine 3,000,000 tons. The price per ton for refining is $6.11. The price per pound is 0.27 cent per pound, or about one-fourth cent per pound. The refineries claim that this cost is from three-eighths to five-eighths cent per pound, another instance of the truth of the doctrine of total depravity, so far as it pertains to sugar manufacturing.

APPENDIX B.

Prices of cotton and its manufactures.

MIDDLING COTTON AND STAPLE MANUFACTURES OF COTTON IN THE NEW YORK MARKET: AVERAGE PRICES, 1860 TO 1907.

[Prepared by Mr. Joshua Reece, jr., to 1892; since then by Mr. Alfred B. Shepperson, of New York.]

Calendar year.	Middling cotton, per pound.[a]	Standard sheetings, per yard.	Standard drillings, per yard.[a]	New York Mills, bleached shirtings, per yard.[b]	Standard prints, per yard.	64 by 64 printing cloths, per yard.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1860	11.00	8.73	8.92	15.50	9.50	5.44
1861	13.01	10.09	9.58	15.33	9.71	5.33
1862	31.29	18.55	18.94	21.00	14.40	9.81
1863	67.21	36.04	33.41	35.33	21.24	15.20
1864	101.50	52.07	53.02	48.35	33.25	23.42
1865	83.38	38.04	37.33	49.58	29.00	20.24
1866	43.20	24.31	25.14	45.90	21.15	14.13
1867	31.59	18.28	18.70	35.21	16.58	9.12
1868	24.85	16.79	16.49	26.05	13.83	8.18
1869	29.01	16.19	16.49	24.79	14.00	8.30
1870	23.98	14.53	14.98	22.50	12.41	7.14
1871	16.95	13.00	13.64	20.83	11.62	7.41
1872	22.19	14.27	15.14	20.66	12.00	7.88
1873	20.14	13.31	14.13	19.41	11.37	6.69
1874	17.95	11.42	11.75	18.04	9.75	5.57
1875	15.46	10.41	11.12	15.12	8.71	5.33
1876	12.98	8.85	8.71	13.58	7.00	4.10
1877	11.88	8.46	8.46	12.46	6.77	4.38
1878	11.22	7.80	7.65	11.00	6.00	3.44
1879	10.84	7.97	7.57	11.62	6.25	3.93
1880	11.51	8.51	8.51	12.74	7.41	4.51

[a] Including 1881 and since, the prices of standard drillings are net; raw cotton prices are also net for the entire period.
[b] After 1905 the figures represent Wamsutta Mills shirtings.

Prices of cotton and its manufactures—Continued.

Calendar year.	Middling cotton, per pound.[a]	Standard sheetings, per yard.	Standard drillings, per yard.[a]	New York Mills, bleached shirtings, per yard.[b]	Standard prints, per yard.	64 by 64 printing cloths, per yard.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1881	12.06	8.51	8.06	12.74	7.00	3.95
1882	11.56	8.45	8.25	12.95	6.50	3.76
1883	11.88	8.32	7.11	12.93	6.00	3.60
1884	10.88	7.28	6.86	10.46	6.00	3.36
1885	10.45	6.75	6.86	10.37	6.00	3.12
1886	9.28	6.75	6.25	10.65	6.00	3.31
1887	10.21	7.15	6.68	10.88	6.00	3.33
1888	10.03	7.25	6.75	10.94	6.50	3.81
1889	10.65	7.00	6.75	10.50	6.50	3.81
1890	11.07	7.00	6.75	10.00	6.00	3.34
1891	8.09	6.83	6.41	10.64	6.00	2.95
1892	7.71	6.50	5.00	10.25	6.25	3.39
1893	8.50	5.90	5.72	9.75	5.25	3.39
1894	6.94	5.11	5.07	9.50	4.90	2.75
1895	7.46	5.74	5.69	9.85	5.25	2.86
1896	7.93	5.45	5.48	9.50	4.66	2.69
1897	7.00	4.73	4.75	9.25	4.70	2.48
1898	5.94	4.20	4.10	8.00	3.96	2.06
1899	6.88	5.28	5.13	9.50	4.25	2.69
1900	9.25	6.05	5.95	10.75	5.00	3.21
1901	8.75	5.54	5.48	10.25	4.62	2.84
1902	9.00	5.48	5.52	10.50	5.00	3.11
1903	11.18	6.25	6.37	10.75	5.00	3.25
1904	11.75	7.13	7.31	10.50	5.00	3.44
1905	9.89	7.00	7.00	9.00	4.75	3.13
1906	11.50	7.25	7.37	10.93	5.12	3.63
1907	12.10	7.62	7.62	13.00	6.00	4.02

[a] Including 1881 and since, the prices of standard drillings are net; raw cotton prices are also net for the entire period.
[b] After 1905 the figures represent Wamsutta Mills shirtings.

During the delivery of Mr. McLAURIN's speech,

Mr. OWEN. Will the Senator from Mississippi yield to me to make a request?

Mr. McLAURIN. With pleasure.

Mr. OWEN. I ask the consent of the Senate to have printed as a document an article by Mr. James G. Parsons on "Protection's favors to foreigners" (S. Doc. No. 54).

The PRESIDENT pro tempore. The Senator from Oklahoma asks unanimous consent that there may be printed as a document the paper which he sends to the desk.

Mr. McLAURIN. And in the RECORD, I suggest.

Mr. OWEN. And in the RECORD.

Mr. ALDRICH. What is the request?

The PRESIDENT pro tempore. Will the Senator from Oklahoma state what the paper is?

Mr. OWEN. It is a paper prepared by James G. Parsons, showing the favors of the tariff to foreigners.

Mr. ALDRICH. What is asked to have done with it?

Mr. OWEN. To have it printed as a Senate document and in the RECORD.

Mr. ALDRICH. I object to its being printed in the RECORD, and I think the practice of having matters of this kind printed as public documents ought not to be extended too far. I object to its being printed in the RECORD.

The PRESIDENT pro tempore. The Senator from Rhode Island objects to its being printed in the RECORD.

Mr. ALDRICH. I do not object to its being printed as a document.

The PRESIDENT pro tempore. The Senator from Rhode Island does not object to the paper being printed as a document.

Mr. OWEN. I so understood. I do not care to read it into the RECORD at this time.

Mr. KEAN. How large a document is it?

Mr. OWEN. It is a document of 60 or 70 pages.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none, and the order is made.

After the conclusion of Mr. McLAURIN's speech,

Mr. BAILEY. Mr. President, I did not want to interrupt the very excellent and instructive address of the Senator from Mississippi, but now, as he has concluded, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Bristow	Burton	Crane
Bacon	Brown	Carter	Culberson
Bailey	Bulkeley	Chamberlain	Cullom
Bankhead	Burkett	Clapp	Cummins
Bourne	Burnham	Clark, Wyo.	Curtis
Brandegee	Burrows	Clay	Daniel

Depew	Heyburn	Nixon	Smith, Mich.
Dick	Hughes	Overman	Smoot
Dillingham	Johnson, N. Dak.	Owen	Stone
Dixon	Johnston, Ala.	Page	Sutherland
Elkins	Jones	Perkins	Taylor
Fletcher	Kean	Piles	Tillman
Flint	La Follette	Root	Warner
Foster	Lodge	Scott	Warren
Frye	McCumber	Shively	
Guggenheim	McLaurin	Simmons	
Hale	Nelson	Smith, Md.	

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

Mr. ALDRICH. Mr. President, I gave notice on yesterday that I would to-day ask that a time be fixed for a final vote upon this bill. I now ask that the Senate agree that on Wednesday, the 5th, I think it is, of June the final vote be taken upon the bill and all pending amendments without further debate.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. The Chair will state the request of the Senator from Rhode Island. It is for unanimous consent that the final vote be taken on this bill and all pending amendments on Wednesday—the first Wednesday will be the 2d and the second Wednesday the 9th day of June——

Mr. DANIEL. I object.

Mr. ALDRICH. I meant to have stated the 5th of June, but I will make it Wednesday, the 2d.

Mr. DANIEL. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

Mr. CUMMINS. Mr. President, has objection been made?

Mr. SCOTT. Yes.

Mr. CUMMINS. I rose to say that I hope the Senator from Rhode Island [Mr. ALDRICH] will not insist upon his request. There are certain Senators of the Republican faith who honestly believe that the duties reported by the committee should, in some instances, be reduced. There ought to be an opportunity for an expression of our views upon those subjects. I can not think that the Senators who so believe have unduly retarded the progress of the bill up to this point. I think they have, in the main, confined themselves somewhat strictly to the exact point at issue as the various items have appeared.

Personally, I am just as anxious that this bill shall be speedily disposed of as is the Senator from Rhode Island. I think it is our duty to pass along with it just as rapidly as we can, having in view all the time a full and fair discussion of the points of difference.

If there has been any error—and I do not accuse any Senator of committing any error—it has been in the desire to widen the scope of the discussion. So far as I am concerned—and I know that I speak for some Republican Senators who believe in a reduction of these duties—I intend to do whatsoever I can, and I know they will do whatsoever they can, to speed this bill just as fast as it can be speeded, giving an opportunity for a fair expression of our views as the various paragraphs appear.

Mr. ALDRICH. Mr. President, I fully appreciate the position of the Senator from Iowa [Mr. CUMMINS]; and of course I have no idea of trying to prevent a full discussion of the remaining paragraphs and schedules of the bill. I think the Senator from Iowa will agree with me, without saying who is responsible for it, that there has been a good deal of what seemed to me irrelevant discussion upon the bill. I hope that we shall be able to go ahead with the discussion of the remaining paragraphs and schedules; and I hope that at an early day we shall be able to arrive at a general agreement in regard to fixing a time for a final vote.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Maine?

Mr. ALDRICH. I do.

Mr. HALE. Will the Senator permit me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. HALE. What proportion of the bill, considered by pages, has the Senate passed upon in the four weeks' time that we have been here considering the bill? I ask the question in order that the Senator may, in his answer, bring before the Senate the important fact that only a small portion of the text of the bill has thus far been considered, and that we must give constant attention to the real purposes of the bill.

Mr. ALDRICH. Mr. President, in number of paragraphs we have passed over about one-half of the dutiable list. My impression is we have passed over a much larger proportion than that of the paragraphs which will be in dispute. Of the remaining paragraphs, at least half are matters about which, I imagine, there will be no contention. So I think the majority of the disputed paragraphs have already been passed upon by the Senate.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. I do.

Mr. BAILEY. I simply want to interpose a remark in reply to the statement of the Senator from Rhode Island that there has been a good deal of irrelevant discussion. I venture to say that the RECORD will disclose that there has been less irrelevant discussion—indeed, there has been less general discussion—on this bill than on any other tariff bill in the history of the country. The discussion here has been confined almost entirely to a discussion of schedules and items. And while—as I think will always happen in the consideration of a bill of this kind, and even with a less important bill—some time has been spent in digression, I do not think the Senator from Rhode Island can safely say that any of it, or that much of it, in any event, has been wasted in irrelevant discussion.

Mr. CLAPP. Mr. President, while this matter is up I want to take the liberty of making a suggestion to the chairman of the Finance Committee regarding the resolution offered yesterday by the Senator from Maine [Mr. HALE], proposing to change the hour of meeting from 10 to 11 o'clock. In my humble way I suggest that we retain 10 o'clock as the hour for the opening of the morning session, and that, beginning next Monday, we proceed with evening meetings. I would not curtail the morning session by an hour.

I hope the committee will see its way clear to report the resolution in such shape as to retain 10 o'clock as the hour of meeting, and provide for evening sessions.

The PRESIDENT pro tempore. The Secretary will report the pending amendment.

The SECRETARY. On page 61, paragraph 182, line 20, it is proposed to strike out "four" and insert "six."

Mr. ALDRICH. I suggest that the amendment might be disposed of at this time. I think there is no particular objection to it, and before we go on with another schedule I should like to have the pending amendment disposed of.

Mr. HEYBURN. I should like to have the amendment reported again before the question is put.

The PRESIDENT pro tempore. The Secretary will again report the amendment.

Mr. CUMMINS. On what page is it?

The SECRETARY. On page 61, paragraph 182, fixing the rate on ferrosilicon valued at not exceeding $90 per ton and containing not more than 15 per cent of silicon, the amendment of the committee reads "$4 per ton." It is proposed to amend that by striking out "four" and inserting "six."

Mr. LA FOLLETTE. Mr. President, when this paragraph was up yesterday I understood the Senator to say that it could be recurred to for amendment without moving to reconsider.

Mr. ALDRICH. Yes; that is my purpose now.

Mr. LA FOLLETTE. Then, if this amendment is adopted——

Mr. ALDRICH. It will still be open.

Mr. LA FOLLETTE. With the understanding that it will be open for amendment without moving to reconsider——

Mr. ALDRICH. Or I will myself move to reconsider.

Mr. LA FOLLETTE. With that understanding, I shall interpose no objection. That is, it will be open for amendment in the committee?

Mr. ALDRICH. Yes; I understand.

Mr. BEVERIDGE. It will be open in the Senate anyhow.

Mr. ELKINS. Mr. President——

Mr. ALDRICH. If the Senator will permit me, I hope this amendment will be disposed of now.

Mr. ELKINS. I will say, that if it is distinctly and clearly understood that this matter can be again taken up for consideration, I am willing to have it disposed of now, as suggested. My State is interested in this industry, and at the proper time I want to say something about the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, which has been stated.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. HEYBURN. Just a moment, Mr. President. Paragraph 182 includes tungsten. I understand it is agreed that the ore will be specified, with the usual provision for sampling the value of the tungsten in the ore. While it is not so expressed now, with that understanding I shall not insist upon a postponement of action upon the paragraph.

Mr. ALDRICH. It is the intention of the committee to report a separate provision for tungsten ore.

Mr. HEYBURN. With that understanding, I will not insist upon a postponement.

The PRESIDENT pro tempore. The Secretary will state the next paragraph passed over.

Mr. ALDRICH. I ask that the lumber schedule be now taken up.

The SECRETARY. Schedule D, at the top of page 69. The first paragraph passed over is 196—"Timber, hewn, sided, or squared," etc.

Mr. ALDRICH. I move to strike out the words "otherwise than by sawing" and that the word "or" be inserted before "sided."

Mr. CRAWFORD. Mr. President, I think the chairman of the Finance Committee made the statement very plainly that there was to be no roll call on this bill to-day. My colleague——

Mr. ALDRICH. This is simply a change of phraseology.

Mr. NELSON. I desire to say to the Senator from South Dakota that this amendment restores the Dingley rate in the case of this paragraph and is what we who believe in free lumber advocated.

Mr. CRAWFORD. I was not rising to object to that.

Mr. ALDRICH. There will be no vote except by unanimous consent.

Mr. CRAWFORD. My colleague went away with the understanding that there were to be no votes taken to-day.

Mr. ALDRICH. There will be none, except by unanimous consent. I thought everybody was in favor of this.

Mr. LODGE. This is merely an amplification of the paragraph.

Mr. CULBERSON. I suggest to the Senator from Rhode Island that unanimous consent on the part of those present would not live up to the agreement of yesterday.

Mr. ALDRICH. I withdraw the suggestion. There was no agreement. I withdrew the statement yesterday; but I am not raising the question now. I withdraw the amendment and will offer it later.

Mr. DANIEL. I will remind the Senator from Rhode Island that he did not withdraw the statement that there would be no vote.

Mr. ALDRICH. I beg the Senator's pardon; I did.

Mr. DANIEL. I did not hear that.

Mr. ALDRICH. I did; I took it back. I afterwards withdrew the statement.

Mr. STONE. When did the Senator afterwards withdraw it?

Mr. ALDRICH. Yesterday; but that is not a matter of any consequence. I am not going to press this amendment.

Mr. LODGE. Then, the paragraph goes over?

Mr. ALDRICH. The paragraph goes over.

Mr. CRAWFORD. I did not rise for the purpose of making an objection. I simply wished to call attention to the fact that my colleague is absent; and he is interested in this matter. He went away with the understanding that there was not going to be a roll call to-day.

Mr. ALDRICH. But the Senator's colleague is in favor of this amendment. However, I shall not press the point now. It may go over until some later time.

Mr. CRAWFORD. I did not rise with any reference to this particular proposition; and I certainly do not want to interpose any obstacle to its adoption.

Mr. McCUMBER. Mr. President, I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from North Dakota submits an amendment, which will be stated.

The SECRETARY. Strike out paragraphs Nos. 197, 199, 200, 201, 203, 204, and 205, in Schedule D; also strike out all of paragraph No. 708, free list, after the word "planking," line 25, page 220, and insert in lieu thereof the following:

And all kinds of lumber, timber, laths, shingles, pickets, palings, staves of wood, clapboards, paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, and all other lumber not specifically provided for.

Mr. McCUMBER. Mr. President, I have already spoken at some length upon the question of free lumber, and I am not going to reiterate what I have said or make any further address. The matter has already been quite thoroughly considered. But in again proposing this amendment, it seems to me proper to epitomize in a very few short sentences my reasons for advocating free lumber.

I move this amendment for free lumber, Mr. President, for the following reasons:

First. Under the relation the forests of the United States bear to consumption in the United States, a protective policy as applied to the lumber industry has no warrant or justification in principle.

I advocate free lumber again, because, on account of the limited supply of the raw material, the forests, the industry itself, must necessarily become exhausted in a comparatively few years, and it will be brought to a speedier termination in exact proportion to its expansion.

I favor free lumber for the further reason that just to the extent that our forests diminish by exhaustion the price of lumber must necessarily increase.

It is therefore evident, Mr. President, that the reverse of the principle of protection should be applied to lumber. The duty should be discontinued, because the prices of lumber—which are to-day excessive as compared with the prices of former years—have increased so rapidly as to become a source of danger to the very best interests of the country.

It may be stated that the price of lumber has gone down considerably within the last year. But that has been due to economic conditions in this country; and as soon as normal conditions return, the prices will undoubtedly go back to the old rates. And I believe, Mr. President, they will rise even above those old rates.

While the cost of production has increased during the last fifteen years only from 25 to 40 per cent, the price of the lumber itself has increased from 50 to more than 200 per cent.

I believe the time has passed for any further protection of that industry, because it has been conclusively shown that no business in the United States has given such enormous profits year in and year out, for the last fifteen years, as the lumber business.

I believe in free lumber because we are paying out for the conservation of our forests immense sums of money, while we are aiding in the destruction of those forests by a duty which, at least to some extent, will keep out foreign importations, and to the extent that it keeps out those foreign importations it is accelerating the destruction of home forests.

I believe in this reduction because the disastrous floods resulting from the denudation of our forests have already caused losses of millions upon millions of dollars to the American people. I also propose it because the tariff mainly benefits the great holders of the stumpage, of lands purchased in many instances for about 15 cents per thousand, which have advanced in value in a great many instances as high as 2,000 per cent, and because this advancement will far more than offset any possible diminution of profits by a reduction of the tariff.

I believe that this should be put upon the free list because the tariff is not needed for protection. The evidence is overwhelming that the cost of production, on the average, is as great in Canada—our only competitor—as it is on this side of the Canadian line.

I support the proposition for free lumber because the consumers themselves have an interest in the subject far above that of the producer. Not only have the consumers of the present generation an interest in this subject, but the consumers in the years to come will be deeply and more deeply interested as they behold our great forests almost totally destroyed. I favor the reduction because there is a systematic effort on the part of the great lumber interests of the country to-day who own timber on both sides of the line—in Canada and in the United States—to retain this duty upon lumber until they have disposed of their holdings on this side of the line; and as soon as their American holdings become exhausted, they will be ardent supporters of free lumber.

Mr. President, I have stated again and again that I do not expect by the reduction in the tariff that we will seriously reduce the price of lumber. On the contrary, I insist that the diminishing supply of the raw material at the rate at which it is being diminished yearly will be an absolute guaranty of rising prices under ordinary conditions. This being true, there is no danger whatever of closing any of the American mills. The advancing prices and the growing demands of an increasing population will more than keep pace, in my opinion, with any possible importations from Canada.

I support this reduction also, Mr. President, because we are able not only to compete with the Canadian producer at the very doors of his mills, but we are able to compete with him in all of the great markets of the world. While, in the lumber trade between Canada and the United States, to-day we receive more from Canada than we export to that country, our exportations are growing more rapidly than the importations from Canada, and while in the last ten years, say, the Canadian exports abroad have increased in the neighborhood of about 50 per cent, our exports to the same markets have increased from about 150 to 200 per cent, thus indicating very clearly that we are able to compete with the Canadian producer of lumber both in this country and outside of it.

I am in favor of this reduction because it will favorably affect every home builder in the United States, not, as I have stated, by suddenly reducing the cost of the American product, but by preventing a too rapid rise of that cost. It will act, and act favorably, as a regulator of those prices. The interest of economy demands the conservation of our forests. The interests of the lands that are destroyed by floods demand it. The interests of navigation fed by the streams conserved by our forests also demand this conservation.

Mr. President, it is frequently asserted that the consumer does not make himself heard here. The consumer has been heard

throughout the United States upon the question of the lumber tariff. The National Grange, representing 1,000,000 farmers, declared for free forest products at the annual meeting in Washington November 18, 1908. The Democratic National Convention at Denver last July, largely of the consuming class, declared for free lumber, thereby expressing the popular and also the historic attitude upon that question. A number of the Republican States, including my own, Minnesota, Ohio, a strong Republican State, as we have heard to-day, and, I believe, Wisconsin, have resolved in favor of free lumber; and Minnesota and Wisconsin are both largely interested in the production of lumber.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I do.

Mr. BORAH. I assume the Senator from North Dakota does not quote the Democratic platform as being a very strong factor in this matter since the interpretation of it in this Chamber.

Mr. McCUMBER. It ought at least to have some weight with those who are following the banner of that party and who helped to make that platform.

Mr. BORAH. But we are told that platform was not made under such conditions as to represent the popular cry.

Mr. McCUMBER. It undoubtedly represented the cry of a certain portion of the American public.

Mr. BORAH. I desire to say, in answer to that, that that portion of the Democratic platform was not discussed to any considerable extent in the Northwest.

Mr. McCUMBER. That is very true; but the question of free lumber was discussed very much in that section of the Northwest in which I live.

Mr. CRAWFORD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from South Dakota?

Mr. McCUMBER. I do.

Mr. CRAWFORD. The Republican party in the State of South Dakota most emphatically in its platform declared in favor of the removal of the tariff upon lumber.

Mr. McCUMBER. I mention this as showing that some of the strongest Republican States in the Union, by their representatives, either in legislature or by the representatives of their party in convention, have declared most emphatically for free lumber, and it is not to be assumed that they are free traders because they believe that some products should be placed upon the free list any more than the Senator from Idaho can be said to be a free trader because he will vote, undoubtedly, that a large number of articles be placed upon the free list.

We view it in this way: The lumber industry is not and can not be a growing industry; in a very short time it must necessarily be extinguished; and therefore will soon, and in the very near future, become a product only of foreign lands, to be imported. We support it because we desire to conserve the great national resources of our country just as long as they can be conserved for the benefit of the American people, and because we believe that we not only gain in the conservation of our forests, but we gain in many other things that are dependent upon such conservation.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield.

Mr. BORAH. I merely suggest, in answer to the suggestion of the Senator from North Dakota, that I believe that protection, if it is anything at all, is a system. If it is to be confined to this or that particular schedule, it is a privilege, and a privilege is always wrong and can never be justified. Unless we discuss the protective policy upon the theory that it is a system which builds up all the industries of the United States and diversifies those industries and gives opportunity for labor to be employed in all of the different industries, it can not be justified at all. There is no argument in the world by which you can justify the building up of one industry under the policy of protection. It must be a system to include the whole country, or it is not justified upon any theory whatever.

Mr. McCUMBER. There is where we possibly agree. The only difference is that the Senator is considering a proposition where it is impossible to expand the industry, because just to the extent that you expand it you diminish an exhaustible commodity which can last but a few years. Already we have probably reached the limit of lumber production in the United States. The greater the expansion to-day, necessarily the greater the contraction to-morrow.

If I believed, as, possibly, the Senator does, that we had an inexhaustible supply of timber in this country, and also believed it was not in the hands of a comparatively few people who could dominate the price, I then would be in favor of protecting this product the same as I would be of protecting the fabrics of the mills.

But the conditions are entirely different. The policy which declares in favor of a protective tariff for building up an industry by expanding it and thereby reducing the value of the commodity to the consumer, and also to give added work for the American laborer, has absolutely no application, because, as I have said, the material itself is bound to be exhausted in such a short time that we can not expand the industry.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield to the Senator.

Mr. BORAH. It seems to me that the Senator falls into the error which so many of the conservationists adopt in discussing the question of timber conservation. They assume that because the timber which the God of Nature gave us is to be exhausted as it was left to us, that that is the end of the supply. It is a fact that the only means by which we can replenish it is by the cooperation of man with nature by the replanting of lands which are not fit for anything in the world except to produce timber. There is one great industry in the United States to-day which has already planted and is to-day supplying all the timber that is necessary for that particular industry.

It is incredible to me that the human race is going to perish rather than plant trees upon those lands where nothing else will grow except trees. We have simply arrived at a point where the timber is only exhausted as nature gave it to us, and we have arrived at a point where mankind must take hold of it and replant trees where timber must grow. When we do that we will find that we have enough land in this country which will supply nothing but timber to supply to the full satisfaction and necessity of the entire people. Instead of taking the duty off, if you are going to increase that which has been, you will put a duty on, if you are consulting alone the question of conservation.

Mr. McCUMBER. Mr. President, I am not at all afraid that the American public are going to perish because of the exhaustion of our timber supply. Why? Because while they may wake up too late in the day, as they have already done, to properly conserve their forests, they will be obliged by the necessity of conditions to reforest all of the mountain ranges of the United States. It will be a slow job. It will be a project that will require not a few years, but a few centuries. It will be a project that will require not a few thousand or a few million dollars, but billions of dollars before we can ever bring our forest sections up to a condition where they will be able to supply the demands of the people, and I am not satisfied that they ever will supply that demand.

Mr. President, when the Senator travels from one ocean to the other over that vast section of land which was once covered with these immense forests, when he recalls that we, perhaps, have not used any more than what the American public demanded, and yet when he sees a third of a mighty State covered with nothing but black stumps, those solitary reminders of the past glory of our forests, and sees around them nothing but a few willows, some poplars, and some other woods that will never grow into timber, he will become convinced that it is going to take some few years for us ever to reforest that country with the same timber that we have to-day. Out in the Senator's own State he will find trees that are a thousand years old and probably are still growing. He will find that that which they are cutting to-day is probably mostly over a hundred years old, and it will require, in my opinion, at least a hundred years to reforest the sections that we have cut off and to produce good, merchantable timber.

I am willing to admit that you can take some little tree in a lawn and turn your hose on it and water it and care for it and you can produce a pretty good tree in twenty-five or thirty years, but you are not going to do it out in the country where the land has been once deforested.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield to the Senator.

Mr. BORAH. May I ask the Senator in what respect the taking off of this duty would regulate the manner of cutting trees in the forests?

Mr. McCUMBER. I discussed that at considerable length a few weeks ago. It was not my intention to take up and rediscuss it again to-day, but to place in a very few short sentences my reasons for the amendment, all of which were included in the former statement. Of course, I could go into the

question of reforesting and the question of the use of the tops and the increased destruction when lumber is low in price, but that subject has already been discussed.

Mr. BORAH. I am well aware that the Senator discussed it at length, and I will do him the credit to say that I have read his speech some two or three times with a view of arriving, if I could, at some conclusion upon that very proposition. No one yet has undertaken to state how that would conserve the forests in that particular and has supported it with any arguments or any facts.

The fact is that it is a generalization which the facts dispute. I ask the Senator now to tell me in as specific a way as he can how the taking off of the duty would conserve the forests.

Mr. McCUMBER. May I ask the Senator one question right here?

Mr. BORAH. Yes.

Mr. McCUMBER. Does the Senator believe that by taking off the duty we would increase the importations from Canada?

Mr. BORAH. I think so; on certain kinds of lumber, unquestionably.

Mr. McCUMBER. All right. Mr. President, we will say that we need for the use of the American public next year 4,500,000,000 board feet of lumber. Now, we only need that quantity. If we import the 500,000,000 feet from Canada, that means 500,000,000 feet that will be cut for use in the United States. That is a case of simple mathematical calculation.

Mr. BORAH. That is very simple. Is that the answer?

Mr. McCUMBER. That ought to be the answer. If the Senator needs any further answer, if his ideas are on different lines, I will try and answer him.

Mr. BORAH. Permit me to say that undoubtedly if you follow it no further that would be true. However, the people who cut lumber in this country are not going to cease cutting, but they are going to continue to cut, and they must cut in competition with the Canadian forces; and they will only cut such portions of the lumber out of which they can make a profit, and that which they can not make a profit out of they will permit to rot in the forest. The result will be that you are not conserving the forests, but you are bringing in competition the cutting of the best lumber and the rest will be wasted.

Mr. McCUMBER. That is a double-edged sword that cuts both ways. It cuts deeper backward than it does forward. If the importation from Canada reduces the price of lumber, as our theorists on the other side say that it will, they say that they are forced to cut only the most valuable of that lumber; that they can use only a certain portion of the log cut, and that other portions will go to waste. That is their argument. That is the argument of Mr. Pinchot. But they forget another thing that is clearly established by the hearings. If lumber is excessively high, the owners of the stumpage that has been cut over once never resist the temptation to cut the smaller timber again before it gets its growth. As was suggested by one of the witnesses before the Ways and Means Committee, they are cutting, in Minnesota to-day, saplings that are fit for only laths and lumber, and which they only cut when lumber is high. So, what you will gain on the one side you more than lose on the other; you are deforesting more rapidly than ever by the higher price of lumber.

Mr. President, I did not intend to take up any more time in the discussion of this subject. I think it has been shown, and shown very clearly, that by diminishing the supply the prices are bound to soar upward in any ordinary conditions of the country, and that no mills will be closed; but by the importation of a certain amount of Canadian lumber we will not only be able somewhat to regulate the prices, but we will be enabled to stem the too rapid depletion of our present forests.

Mr. SUTHERLAND. Before the Senator takes his seat, I understand the Senator's position to be that if lumber is put upon the free list the importation of Canadian lumber will increase and the production of lumber in our own forests will consequently decrease. Do I correctly apprehend the Senator's statement?

Mr. McCUMBER. That would follow, as a natural result. In other words, we would not produce for home consumption quite as much if we were not drawing from the other source.

Mr. SUTHERLAND. The Senator has insisted that the supply of timber in this country is not inexhaustible. Is it not also true that the supply of Canadian timber is not inexhaustible?

Mr. McCUMBER. That is true.

Mr. SUTHERLAND. That being so, if we put lumber upon the free list, and the result of that is to materially increase the importation of lumber from Canada, is it not quite likely that the Canadian government will put an export duty upon their product, and the final result of that will be that the export duty put on the lumber by the Canadian government will increase the price upon this side in precisely the same way as the import duty imposed upon this side would do, and with the further result that the export duty put upon the lumber in Canada will go into the Canadian treasury and to that extent deprive the Treasury of the United States of the amount which it would receive from the present import duty?

Mr. McCUMBER. Mr. President, I am not looking for any export duty upon Canadian lumber to any extent in the near future. The Senator must remember that while the Canadian lumber supply is less than that in the United States, the population is something like one-tenth of the population in the United States; and so the Canadian government, in proportion to its population, has a very much greater supply of standing timber than this Government has. To-day, while they are conserving to a certain extent, they are naturally looking for markets for their product, and if we take off the tariff I am not at all afraid that they will immediately put an export duty upon it. If they did, of course it would counteract what we have done, and leave us in practically the same condition we are in to-day.

Mr. BAILEY. Mr. President, I think a quorum of the Senate ought to be here to hear this interesting colloquy, and I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Johnson, N. Dak.	Root
Bacon	Crawford	Jones	Scott
Bailey	Cullom	Kean	Shively
Beveridge	Cummins	La Follette	Simmons
Borah	Curtis	Lodge	Smith, Md.
Bourne	Daniel	McCumber	Smith, Mich.
Brandegee	Depew	McEnery	Smoot
Bristow	Dick	McLaurin	Stephenson
Brown	Dillingham	Money	Stone
Bulkeley	Dixon	Nelson	Sutherland
Burkett	Elkins	Oliver	Taliaferro
Burnham	Flint	Overman	Tillman
Burrows	Foster	Page	Warner
Chamberlain	Frye	Penrose	Warren
Clapp	Guggenheim	Perkins	Wetmore
Clark, Wyo.	Heyburn	Piles	
Clay	Hughes	Rayner	

Mr. CRAWFORD. I desire to state that my colleague [Mr. GAMBLE] is unavoidably absent and it will be impossible for him to be here perhaps during to-day's session. I make that statement now in reference to this roll call, and any future one that may be taken to-day.

Mr. TILLMAN. I wish to announce that my colleague [Mr. SMITH] is unavoidably absent, and is paired to-day with the Senator from Washington [Mr. PILES].

The PRESIDENT pro tempore. Sixty-six Senators have responded to their names. There is a quorum present.

Mr. BAILEY. Nobody seems desirous to proceed. I move that the Senate adjourn.

Mr. LODGE. On that I ask for the yeas and nays.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas that the Senate adjourn.

Mr. LODGE. I will allow the Chair to put the question first.

The PRESIDENT pro tempore. The question is on agreeing to the motion that the Senate adjourn.

The motion was not agreed to.

Mr. ELKINS. Mr. President, I wanted to speak this morning, but my friend on the committee has made some suggestion which I should like to look up. I am so surprised that the committee have free-trade notions imbedded in their rock-ribbed principles that I do not know where they took them up. In wandering over the plains of North Dakota, under the stars of night, the Senator from North Dakota might find some theory to justify him. Because a man is sick and is well again, he wants to make him sick so that he will last longer. That is his idea of the conservation of our industries. I am just debating in my own mind whether to speak to-day or to defer speaking until Monday.

Mr. BAILEY. I suggest to the Senator from West Virginia that he ought to wait until Monday. He has already observed that the only way to keep Senators here is to make the point of no quorum, and then they come in, and as soon as the roll call is finished they disappear. If I were in the place of the Senator from West Virginia, I would wait until Monday to make my speech.

Mr. CLAPP. I hardly think the remark of the Senator from Texas applies. If the Senator from West Virginia would prefer to speak to-day, I think the Senate would be very glad to remain here and listen to him.

Mr. BAILEY. I know that it is true, except the fact that so many Senators understood yesterday afternoon that there would be practically a cessation of all business to-day that they are about their correspondence and their other work.

Mr. ALDRICH. The Senator could not have understood that in the face of the statement which I made.

Mr. BAILEY. The Senator from Rhode Island says I could not have understood that, because he said, with very considerable emphasis, that there would not be anything done to-day except general debate, and then, later on, he did, as he has said, withdraw that.

Mr. ALDRICH. The only statement I made was that there would be no vote on the lumber schedule to-day.

Mr. BAILEY. Nothing but general debate.

Mr. ALDRICH. No; I did not say that. The RECORD will show.

Mr. BAILEY. I may be mistaken; but I believe I will resort to the RECORD to see. The Senator from Rhode Island has a habit of saying things and then saying he did not say it. From the RECORD I read the following:

> Mr. ALDRICH. I will agree now that there shall be nothing done to-morrow except the consideration of the lumber schedule, and that there shall be no votes taken.
>
> Mr. BAILEY. In other words, the Senator from Rhode Island means that there will be nothing done except speaking.
>
> Mr. ALDRICH. Except a day of general debate upon the lumber schedule, which is sure to come—perhaps several days. We shall not save any time by——

Then there was an interruption. I think I was not mistaken. I thought when I made the statement I was not mistaken.

Mr. ELKINS obtained the floor.

Mr. ALDRICH. If the Senator had read a little further, he would have seen that I said:

> I think it is much better to have it understood by the Senator that no votes are to be taken upon the lumber schedule to-morrow.

I afterwards withdrew the whole proposition.

Mr. BAILEY. I understand that, and I did not contradict the statement that the Senator afterwards withdrew it, but he withdrew it under such circumstances that it did not impress the Senators. I understood it because I happened to be engaged in the colloquy, but there was not one Senator in ten who understood, until the Senator said so this morning, that he had withdrawn the statement made. But the fact that he withdrew it confirms my statement that he made it.

Mr. ELKINS. Mr. President, it looks to me like neither the Senator from Rhode Island nor the Senator from Texas wants to have the bill expedited from what has just occurred. The time of the Senate has been consumed for ten or fifteen minutes.

The PRESIDENT pro tempore. The Senator from West Virginia is entitled to the floor.

Mr. ELKINS. Mr. President, West Virginia is interested in the duty on lumber, coal, and oil, which are the three leading products of the State, and I may say in a measure leading products of the South.

West Virginia is in an unfortunate position so far as the pending bill is concerned. It would seem that the Committee on Finance, that reported the bill, is not overfriendly to her products. What is termed as the "progressives" in this honorable body—I do not mean this in any offensive sense—I greatly fear will not vote for a duty on coal, oil, and lumber, calling them "raw materials." The Finance Committee has gone so far as to put oil on the free list; coal is in suspense; and the duty on lumber is reduced 50 per cent in the bill, and the most violent free trader as to lumber, coal, and oil I have ever known is a leading member of the committee from the State of North Dakota [Mr. MCCUMBER]. I hope I do not do him any injustice when I make this statement. These two powerful elements in the Senate shake hands across the chasm that divides them on everything else and seem to agree as to the products of West Virginia. What is to be the outcome I do not know. West Virginia, it appears, can not get the relief she deserves from the Finance Committee, and I know in her distress she can not get sympathy from the "progressives."

The Senator from North Dakota argues that because a product is not long-lived its life ought to be prolonged by putting it on the free list. Timber, he says, can not last long; and as a remedy to prolong its life, it should not have a duty, should not be protected, no matter what becomes of the people who own timber lands, or the money they have invested, of their mills and plants, of their homes and means of making a living, and of the wage-earners employed in the lumber industry. No matter what the injustice may be, his aim is to prolong the life of timber, even if he destroys the lumber industry; but he does not fail, however, to vote the highest duties on the products of his State, even if they should be short-lived. He seems to be the author of his own peculiar theory as to putting some products on the free list because they are short-lived and can never be reproduced when once exhausted. I am sure he will remain the undisputed author of this new and strange doctrine; no one will want to take the honor from him. I have recently gone over all of the great writers on political economy, Jevons, Ricardo, John Stuart Mill, Walker, Adam Smith, and others, and none hints at such a theory or notion as that advanced by the Senator from North Dakota.

Mr. President, I agree fully with what the Senator from Idaho [Mr. BORAH] stated in reply to the remarks of the Senator from North Dakota, when he said that protection is either a principle or not. Protection can not be a great cardinal principle, an important national policy, and at the same time be local and distributed around in spots. I do not wish to offend the Senator from North Dakota, but he seems to favor protection in spots. He is what may be termed a "spotted protectionist." He is for high duties on all the products of his State and no duties or protection on many of the products of other States.

Now, let us see what duties the Finance Committee has reported on farm products in the pending bill. The committee increases the duty 5 cents a bushel on oats. That is about 20 per cent increase. North Dakota raises oats, and yet the Senator is a revisionist downward when he comes to the products of my State; not only downward, but downward clear out of sight, until he reaches the free list. The Senator and the committee put 5 cents a bushel more on wheat, an increase of 25 or 30 per cent, and increases the duty on rye to 100 per cent. The duty on buckwheat is increased 5 cents a bushel, again a 25 per cent advance. Rice is the only product of the South that gets an increased duty, a raise from 1½ to 2 cents per pound.

The duty on corn is increased from 15 to 20 cents a bushel, and no nation on earth can compete with us in corn, nor does any nation wish to do so. I can not understand what the committee meant by advancing the duty on corn, nor on wheat, rye, and barley.

Mr. ALDRICH. Mr. President, will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. Is the Senator from West Virginia opposing these increases on agricultural products?

Mr. ELKINS. Not at all. I am not opposing them in any way. All I ask is, that the distinguished Senator will put a fair duty on the products of West Virginia, which are worth just as much—yes, more in many localities—and entitled to the same consideration. All I desire is that the Finance Committee be just, fair, and consistent. This is all I ask for West Virginia at the hands of the committee; nothing more; no discrimination against our products.

Mr. ALDRICH. Is the Senator from West Virginia trying to make a trade with me or with the Senator from North Dakota [Mr. MCCUMBER]?

Mr. ELKINS. I had rather trade with the chairman of the committee, the Senator from Rhode Island. [Laughter.] He can deliver more, and I think West Virginia would get better treatment from him.

Mr. MCCUMBER. The Senator from West Virginia has already got very much the best of me in the trade. I have voted for protection on about a dozen articles in my State; but in looking over this bill I find I have voted for protection for about 300 articles in his State. Therefore, for the few—eight or ten—in my own State the Senator has got about 300 in these schedules. So I do not think the Senator can complain very much.

Mr. ELKINS. If you have left out one product not highly protected in your State, tell me. I will give you plenty of time.

Mr. MCCUMBER. That does not answer the question. I say that I have voted for three or four hundred articles for your State, while I have taken but eight or ten for myself.

Mr. ELKINS. We have not three or four hundred protected articles in West Virginia. The Senator is mistaken.

Mr. MCCUMBER. If the Senator will allow me to take the bill and go over the items with him——

Mr. ELKINS. I am not through with the Senator yet.

Mr. BAILEY. Will the Senator from West Virginia permit me to interrupt him a moment?

Mr. ELKINS. I want to say why I had rather trade with the Senator from Rhode Island [Mr. ALDRICH] than with the Senator from North Dakota [Mr. MCCUMBER].

Mr. BAILEY. Because the Senator from Rhode Island can deliver the goods. I know why. [Laughter.]

Mr. ELKINS. Yes, Mr. President, he can. But I must go on.

Mr. BAILEY. But I wanted——

Mr. ELKINS. I want to say that the Senator from Rhode Island is broad, liberal, and a fair protectionist; he does not confine protection to the products of his own State, but he is handicapped on his committee. He can not always get the products protected which he desires. He is liberal, and generally fair, but he is influenced by his environment. No man can emancipate himself from the influence of his colleagues, and I greatly fear at the solicitation of my friend from North Dakota and other members of his committee he has consented to a partial injustice in dealing with the products of West Virginia.

Mr. BAILEY. Will the Senator from West Virginia yield to me?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Texas?

Mr. ELKINS. Yes.

Mr. BAILEY. I just wanted to direct the attention of the country to the fact that, after all, his principle of protection is mere bargain and trade in application.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. I think that will be more or less apparent on both sides of the Chamber before this lumber schedule is disposed of.

Mr. ELKINS. I want to get the "progressives" and the Finance Committee together long enough to vote some of the products of West Virginia on the dutiable list, and not allow her leading products to go on the free list.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Texas?

Mr. ELKINS. I do.

Mr. BAILEY. I thought, perhaps, we might reach an agreement. Responding to the suggestion of the Senator from Rhode Island [Mr. ALDRICH], I would be delighted to vote for a duty on every article on the dutiable list, even 10 per cent higher than the present duty on lumber is; and we can on this side agree to vote on this bill on next Monday morning, if you will construct it on that principle.

Mr. ELKINS. We would like——

Mr. ALDRICH. Mr. President, we have heard——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. We have heard that suggestion on several occasions.

Mr. BAILEY. But never acted on it.

Mr. ALDRICH. I have responded once, and I will make the same response again, that 10 per cent is now supposed to be protection on lumber by its friends; and whatever rate is a protective rate and gives to our industries fair treatment, whether it be 10, 20, 30, 40, or any other per cent, I am for; but I am afraid that the Senator from Texas is not.

Mr. BAILEY. The Senator from Texas will vote for 10, 12, 15, or 20 per cent duty on any article, except the common necessities of life, that will put revenue into the Treasury of the Government. That is my position.

Mr. ELKINS. I think the Senator from Texas is more liberal than the Finance Committee is toward lumber, and I thank him for it. He does not want to see the products of the South put on the free list while products of other States are highly protected.

Mr. BAILEY. I am not more liberal, but more just.

Mr. ELKINS. I will not discuss this question just now. I am trying to reach the mind of the chairman of the Finance Committee and convince him he has not done justice to lumber, oil, and coal in the pending bill.

But let us see what the Finance Committee has done besides what I have stated. I do not understand how a committee broadly for protection can single out a lot of products in one State and advance the duty on them from 25 to 100 per cent when not one of them needs such an advance, either from the standpoint of revenue or protection, and when there is little or no importation of any of these products. I find 100 per cent duty on rye. Think of that! My friend from North Dakota seems to have had influence enough with the other "progressives" on the committee in framing the bill to secure high protection on all the products of his State, and then comes into the Senate and makes free-trade speeches as to products of West Virginia and the South.

Now, as to lemons and oranges. Away over on the Pacific the great State of California, an empire, lies like a ribbon on the edge of the Republic, 3,000 miles distant. California fares well in the pending bill. The duty on lemons is advanced 50 per cent, besides all of her citrus fruits, berries, prunes, olives, and raisins are highly protected. Further down in the bill I find hay has a duty of $4 a ton, which shuts out hay from Canada. I suppose hay is sacred; corn is sacred; rye, wheat, barley are all sacred, but lumber and the investments in lumber are not sacred. A man who has an investment in a lumber mill or in oil or in coal gets scant consideration at the hands of the committee.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Kansas?

Mr. ELKINS. I do.

Mr. CURTIS. Does the distinguished Senator from West Virginia not believe that his industries have been protected to a greater extent than have the farming interests of this country?

Mr. ELKINS. No; I know they have not been.

Mr. CURTIS. Have not your industries all been built up under the protective system?

Mr. ELKINS. They have; but that is not what I am complaining about. What I object to is that the Finance Committee wants to cut down the leading products of West Virginia and put them on the free list.

Mr. CURTIS. Your industries have been built up by protection.

Mr. ELKINS. Surely; I fully agree with the Senator. We built them up under protection given the country under the Morrill, McKinley, and Dingley bills.

Mr. CURTIS. And are you objecting to giving the farmers protection on hay and other farm products?

Mr. ELKINS. Not at all. I will vote with the Senator for the amplest protection on hay, corn, and all the products of his State, with pleasure; but I want to say here that if there is to be protection, I want it all along the line for all American products competing with foreign products. I do not want a duty of 50 to 100 per cent in some States on some products, and the products of my State placed on the free list. I have made no objection to the protective rates in the bill, and I have voted uniformly with the committee on all their amendments. My contention is not against protecting all American products, but I do not want discrimination against the products of my State, and I do not think the committee has done West Virginia products quite justice.

Mr. President, do you find long-staple cotton on the dutiable list? Do you find a duty on any cotton, much less advancing the duty 25 to 100 per cent? One hundred and seventy-eight thousand bales of long-staple cotton were imported last year into the United States. Severe competition, and no hint of a duty—not even 5 per cent. Is this fair? I appeal to the Senate whether, in making a great bill under a national policy to which the Republican party is committed, is it fair, just, or right? Long-staple cotton and all cotton is an agricultural product as much as hay, corn, wheat, rye, barley, and all other agricultural products highly protected. Why protect these and keep cotton on the free list?

Mr. ALDRICH. I am not sure whether the Senator is addressing his criticism to the committee or to the Senator from North Dakota.

Mr. ELKINS. Both.

Mr. ALDRICH. The committee have not reported any provision for free lumber.

Mr. ELKINS. A 50 per cent reduction is getting uncomfortably close to it.

Mr. ALDRICH. Is it?

Mr. ELKINS. Do not go any further, I beg of the committee. I think it has gone too far, and I become alarmed when a leading member of the committee appeals again and again that lumber be placed on the free list.

Mr. ALDRICH. If the Senator——

Mr. ELKINS. If you are apologizing for that, I will yield.

Mr. ALDRICH. If the Senator is talking about free lumber, the committee have not reported in favor of free lumber; and while the Senator from North Dakota [Mr. MCCUMBER], a member of the committee, will vote for free lumber, I think he is the only member of the committee who will do so.

Mr. ELKINS. I will tell the Senator what the Finance Committee has done. West Virginia products were in the low-duty class in the Dingley bill. Lumber was protected at about 12 per cent ad valorem—only $2 on a thousand feet. Fifteen million dollars of American money went out of this country to pay for lumber under that duty. In the face of this the committee reduced the duty to 5 or 6 per cent ad valorem, yet I know the chairman is a good protectionist.

Mr. ALDRICH. Mr. President, of all the important items which have been passed upon in this bill, nine-tenths of them

in number are items in which the State of West Virginia is very much interested——

Mr. ELKINS. I do not agree with the Senator. West Virginia is not interested in producing one-third of the articles in the bill.

Mr. ALDRICH (continuing). With duties ranging from 60 to over 100 per cent. So I would suggest to the Senator that I think it would be better taste and better judgment on his part to talk about the lumber schedule without reference to what his State has received in the paragraphs of the bill that have already been passed upon.

Mr. ELKINS. It might be better judgment if the distinguished Senator objects; but there is no question about the taste in this discussion. As to matters of taste we learned long ago from the ancients "De gustibus non disputandum est." This is good philosophy, even in these modern days. That may be Choctaw, I will say to the Senator from Rhode Island, if he wants to know what it is. [Laughter.]

Mr. President, I do not mean to make any complaint whatever against the chairman of the Finance Committee. I know he is a protectionist and wants to be just and fair; and whatever infirmities possess him and are apparent in him in the conduct of this great transaction of framing a tariff bill they are not due to what he feels, but are due to his surroundings. He can not help this great disparity in the schedules, some enjoying high duties and others none. I know what he means by "West Virginia products." I know we have greater products than lumber. I have named them. We have iron, steel, glass, and many other products, and I may say with our deposits of coal, oil, and gas, our water power, and our great advantages in reaching the markets east and west, one day West Virginia will rival Pennsylvania and New England in mills and manufacturing plants. This is her sure and certain destiny.

Mr. President, according to a table I have, the products covered by a duty and are protected may be divided into three classes. The first, running from 50 per cent to 270 per cent, may be called the "high-duty class." The medium class is from 25 per cent to 50 per cent, and the low-duty class is from 5 or 6 to 25 per cent ad valorem. Unfortunately, West Virginia products already fall in the low-duty class.

West Virginia has not been too ambitious as to her products. She was willing to remain in the low-duty class. She did not ask an advance in duties or more protection. If it is found necessary to reduce duties, why select products already in the lowest class of the dutiable list? Why not reduce on products enjoying a duty from 50 to 170 per cent, such as sugar, woolen and cotton goods, gloves, and many others?

Mr. President, in the pending bill oil is put on the free list, we do not know where coal is yet, but I am hopeful about it. We do know that the duty on lumber has been cut in two, reduced 50 per cent, and we know that the duty on steel has been considerably reduced. Five or 10 per cent off the high-duty class would have been only a slight reduction on single articles, but the aggregate would have been considerable.

Mr. President, we ought to decide in making this bill one thing that has disturbed the country since Hancock's time, and that is whether the tariff is national or local in principle and application, whether in making a tariff there should be fair dealing and no discrimination. I believe a majority of the people of this country have so often declared in favor of a protective policy as a principle that it ought to be adhered to in making a tariff bill. I believe all American products competing with products from abroad in our home markets ought to have some measure of protection, some share in the distribution of duties, and I think this rule, if adhered to, would satisfy fair-minded people and all good protectionists.

The Government requires the raising of sufficient revenue, if duties should be justly and fairly distributed, to protect every American industry needing protection. I think the chairman of the Finance Committee will agree to this. The free list should not be increased by putting on it American products competing with foreign products; but rather there should be placed a duty on all foreign products that compete with American products, the rates to be fixed according to the conditions and the rule laid down in the Republican platform. I will be perfectly willing, so far as the products of West Virginia are concerned, to do that. We do not ask high protection or high duties; we are willing to be left in the low-duty class, but object to putting any of the West Virginia products on the free list or reducing the already low duties now laid upon them.

I believe the average duties of 45 per cent in the pending bill could and should be reduced by reducing the duties on highly protected products and putting more duty, low or high, as the case may be, on all foreign products competing with American products. That would be a just, fair, and equitable revision of the tariff, such as promised in the Republican platform and in the speeches made by President Taft before and since the campaign. I want to adhere precisely to that rule, principle, or policy in making this tariff. In other words, I want to treat as nearly as may be all American products alike. I mean in the matter of affording some protection. I do not mean all alike as to rates. Tariff rates should be adjusted according to labor conditions and the difference between the cost of labor here and abroad. One thing above all others, in making the present tariff bill, we must protect American wage-earners in their wages and employment against foreign labor.

As I have said, under the Dingley bill the rates of duty on the products of West Virginia were fair, though in the lowest class. We had a duty of $2 a thousand feet on lumber—that is, about 12 per cent; on coal we had 67 cents per ton, and a countervailing duty on petroleum and its products, which afforded protection. Under the Payne bill the duty on lumber is reduced 50 per cent; the Finance Committee has not yet reported the duty on coal, but it places oil on the free list and concurs in the reduction of 50 per cent on lumber.

I am trying to get justice for my State and its products, and I desire to be just to the chairman of the Finance Committee in all I say and ask.

Mr. President, putting a low duty on some of the products of West Virginia and putting others on the free list is an unjust discrimination. I am proud to stand by, defend, and be loyal to my people and my State and their interests here and elsewhere. There are no better and no more patriotic people in the wide world. Why should these products I have just named be discriminated against? Human beings, good and worthy citizens, are engaged in the business of owning and managing these great industries in my State and in other States; wages are paid; capital is invested; employment furnished to thousands of good people, and whole communities are built up and around the production, sale, and transportation of coal, oil, and lumber. Must these great industries be stricken down or impaired while sugar, tobacco, shoes, cutlery, gloves, cotton and woolen goods, and many other products enjoy protective duties ranging from 50 to 200 per cent? From the standpoint of revision of the tariff downward such an adjustment would not be fair, and from the standpoint of a fair and equitable revision it would not be just. West Virginia products can not stand any reduction of duty, while the products I have named can.

There is another suggestion I wish to make. If there is to be a general reduction of duties, I am willing that the products of my State and section, although they are in the low-duty class, should stand their fair share of reduction with the products of other States; but I am not willing that they should be reduced at the rate of 50 per cent and others put on the free list when there is no corresponding reduction in the duty on highly protected products of other States and sections. Coal, oil, iron, steel, and lumber constitute 80 per cent of the manufactured products of West Virginia.

To better illustrate my position, a farmer, a coal operator, a timber owner with his sawmill, and the owner of a woolen mill are all located near the Canadian border doing business, their industries having been in active operation for many years. Each has all of his capital invested, employing labor, paying wages, each making reasonable profits, educating his family, and all being good citizens.

The products of all four industries, however, compete in our market with products of like industries in Canada, and all enjoy some degree of protection under the Dingley bill and are prosperous. Now, I wish to ask if, in revising the tariff, it is just and fair to continue high duties and ample protection on the woolen manufacturer's products and on the farmer's products and levy a low duty, or none at all, on the coal operator's coal and the timber owner's lumber?

Under these circumstances the coal operator and lumber producer would be greatly injured if the duties were taken off their industries or if they should be greatly reduced. So far as the coal operator and the timber owner are concerned, this would not be revision, but destruction.

Is this fair? These people live there together. They are honest people, and good citizens, and have all their money invested, and, say what you please, if you let Canadian lumber in free or reduce this duty, it will destroy or impair the lumber industries of the United States as far as Canadian lumber can be hauled by rail cheaper than our lumber can be hauled.

I know it will be in the interest of the people of the State of the Senator from North Dakota to have free lumber in a sense. Locally it would, and so far as his State is concerned; but we are making a tariff bill not for one State or its products, but for the whole country. The American people believe in protection. How can we ever make a tariff bill if we levy duties on the products of a dozen or so States and deny protection to the products of other States? This will not do; this is the narrow and selfish view, and will not work.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. ELKINS. Yes.

Mr. McCUMBER. I appreciate the fact that during the last forty or fifty years of protection the people of my State and of the Northwestern States generally have, year in and year out, never surrendered the banner of the protective policy, and they have been growing immensely wealthy and have produced millionaire upon millionaire, while the poor people in West Virginia, with their coal and their iron and their thousands of manufacturing industries, have all become very, very much pauperized. Now, as I look at the happy countenance of the Senator from West Virginia, I can hardly believe that he is one of those who has suffered so very much from a protective duty that has so benefited the northwestern section and from which the Senator from West Virginia has received no benefit whatever. [Laughter.] I think, Mr. President, if the Senator will allow me, he will find that we have stood by protection about as long and about as often as even the people of West Virginia, even when we were getting the benefit only indirectly.

I want the Senator to understand that the Senator from North Dakota, in his own State and in all the Northwestern States, has been preaching protection for a good many years. While we could not show directly to our farming constituents that they got the direct benefit, we could show them that by building up the great industries of the East, by seeing every smokestack sending up volumes of smoke, like a prayer of incense rising to the skies and prayers of thankfulness for Republican policy, we got our benefit; but at the same time the Senator must recognize—I am not going to take the Senator's time, but he has alluded very often to me—the Senator must recognize that every one of these smokestacks is an argument, when it is alive, for protection, and that every man that is working under it preaches most eloquently for that policy.

We have stood by you upon all of those matters. We have stood by you when lumber advanced from $12 per thousand up to $40, and we never said a word about it; but when you wanted to get it up to $50 or $60, and exhaust the entire lumber supply of the country in a very few years, then we said—and our people, I think, said correctly—that is not an object that ought to be further protected.

Mr. ELKINS. Mr. President, the value of lumber has not reached such a price as that which the Senator states. Twenty dollars a thousand feet for rough lumber is the prevailing retail price—the price at the mills is much less—and there is no use talking about it being forty or fifty dollars per thousand.

Mr. President, I said nothing about what the Senator and his people have done in the past. So far as I know, he and they have been good protectionists. What I complain about is the Senator's present position as a member of the Finance Committee, which is while protecting all the products of his State he wants to put the leading products of West Virginia on the free list. In this bill the farmers have hay, wheat, barley, and all agricultural products highly protected. They are making money, and I am glad of it. Our coal and lumber operators buy their hay and buy their wheat, meat, and corn, all highly protected, while the Senator urgently pleads to put the products of West Virginia on the free list. In the past the Senator from North Dakota and others of like mind may have been good protectionists, but are they now, when they ask that important American products competing with foreign products shall go on the free list because, as I believe, their States do not produce them?

Mr. McCUMBER. I think, Mr. President, if the Senator will allow me——

Mr. ELKINS. I hope the Senator will not make a speech in asking a question.

Mr. McCUMBER. I think one-half the farmers of my State will trade their entire farms for what the Senator from West Virginia himself owns as a single individual——

Mr. ELKINS. Mr. President, this personal reference to me——

Mr. McCUMBER (continuing). So I do not think they have become so very rich, and I do not think the Senator from West Virginia has become so very poor.

Mr. ELKINS. Mr. President, the Senator is in error as to his statement about exchanging half the farms of his State for what I own in West Virginia. I do not know how to meet this except to say what I own in West Virginia is greatly exaggerated, and the value of a few farms would cover it; but I am glad to say nearly all I own in the world is in West Virginia, and I am proud of it. It is a great State to live in and invest in, but I stand here not for my own interests, but the general good and interests of the entire State and her people. I must, and will, defend both and see that they have justice.

Mr. President, there is no use saying anything to divert attention from the main point in this debate. I know it hurts when a protest is made against injustice and discrimination, and I sympathize with the Senator from North Dakota in the unpleasant and unfortunate position in which he finds himself in trying to be a protectionist in his State and a free trader in my State, as to its products.

Mr. McCUMBER. The Senator never wasted his sympathy more than he does in a case of this kind.

Mr. ELKINS. He is appealing to prejudice when he talks about the millionaires of West Virginia. We will have neither millionaires, nor wages, nor industries of any kind if our products are put on the free list. West Virginia does not produce millionaires, but produces lumber, coal, iron, and oil—great products needing protection. She has nothing artificial. [Laughter.] I am sure I do the Senator no injustice when I say that next to being an able Senator, as he is, from his State he would like to be a millionaire. Being a millionaire is a disease that is catching—I mean everybody is standing around trying to catch the disease.

Mr. President, the coal operator makes only 15 cents on a ton of coal, and the Senator makes 30 cents a bushel on his barley, wheat, and other agricultural products due to the protection. I know he does not like to hear this. We make little on our products, while our capital invested is enormous.

Mr. McCUMBER. If the Senator would multiply it, I would like it better.

Mr. ELKINS. I sympathize with the farmers all over the country. Protection gives them our home market, the best in the world. I am not opposing a duty on farm products. I am a protectionist. I want duties on all foreign products competing with American products high enough to keep our home markets for our own people and high enough to protect our wage-earners against the low wages of foreign labor. I am not willing to destroy or impair, even in the slightest degree, the industries of any State. I want them all to have a fair chance and prosper.

Mr. SCOTT. Will my colleague allow me?

Mr. ELKINS. Yes.

Mr. SCOTT. You are going to vote for all these?

Mr. ELKINS. Every one of them, whenever the chairman of the Committee on Finance brings them before the Senate for a vote. [Laughter.] I do wish Senators would vote the same way on the products of West Virginia.

Mr. SCOTT. That is, we are loyal.

Mr. ELKINS. We are loyal, but the Senator from North Dakota is not loyal to the broad principle of protection—surely not in its application. The Senator does not need this protection on his farm products, except it may be, possibly, on hay and on cattle. He should not ask it, and in the same breath ask coal, oil, and lumber to be put on the free list.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Michigan?

Mr. ELKINS. For a question.

Mr. SMITH of Michigan. I would like to suggest to the Senator from West Virginia that, while they may need this tariff on hay, when the Wilson bill was the law of the land they had their hay on their farms; they did not have any market for it.

Mr. ELKINS. Yes. I thank the Senator from Michigan. I remember well under the Wilson bill—because our mills and mines were closed—the farmers' hay remained in the field unused.

Mr. President, I will now take up seriatim the arguments made by the free traders of the Senate on lumber. I do not like the idea of calling Republicans free traders; but I am bound to do so, especially when they are on the Finance Committee and ask that important competing American products go on the free list.

Let us look at the history of this matter of duties on lumber. I want to give a brief review of the lumber industry for a long time back. The Senator from North Dakota talked several hours on this question, and his speech was very able and very entertaining.

ALWAYS A DUTY ON LUMBER EXCEPT UNDER WILSON LAW.

Mr. President, from 1846 until now, more than sixty years, there has been a duty on lumber, except under the Wilson law, which provided for free lumber, and we had it for a period of three years when the Democrats had every department of the Government. If the Republicans had controlled every department of the Government, lumber would not have been on the free list; but under the Wilson law not only every industry of the United States was disastrously affected, but lumber especially. Ninety per cent of the mills of West Virginia were closed, shut down, and the grass grew in the roads leading to the mills until we got relief under the Dingley bill. It is now proposed by the

Finance Committee to reduce the rate on lumber, already in the low-duty class, as I said before, and increase the duty on other products manufactured in other States and parts of the country.

Mr. McCUMBER. Will the Senator allow me to ask him a question?

Mr. ELKINS. Just a question.

Mr. McCUMBER. I want to ask the Senator if, during that period of what he calls "free trade in lumber," there was any particular increase in the lumber importations from Canada?

Mr. ELKINS. Mr. President, the Senator does not know the history of the lumber industry in this country or he would not have asked this question.

Mr. McCUMBER. I want to ask whether there was any, because——

Mr. ELKINS. Absolutely, yes; an enormous quantity of lumber was imported.

Mr. McCUMBER. There has been an increase since then.

Mr. ELKINS. An increase, yes; both during and since the Wilson law.

Mr. McCUMBER. Not as much was imported then as we import now.

Mr. ELKINS. This country has expanded during the fifteen years that have elapsed since then. I will tell him that the lumber from the northern part of West Virginia that formerly reached New York and New England was driven out of these sections by the Wilson law and our mills shut down.

Mr. McCUMBER. The point that I was making——

Mr. ELKINS. I am making this speech; or I am trying to, at least.

Mr. McCUMBER. I do not know; I thought the Senator was talking to me. Will the Senator allow one question?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. ELKINS. Yes; this time.

Mr. McCUMBER. Very well. I think the Senator will find that while it is true that the mills in his State and a great many of those elsewhere in the United States were closed, all other mills were closed as well and there was no money in the country to buy lumber.

Mr. ELKINS. Especially, however, was the lumber industry prostrated.

Mr. SCOTT. I will ask the Senator from North Dakota whether there was not at that time an export duty on lumber from Canada, and whether that was not the reason it did not come in?

Mr. ELKINS. It came in even with an export duty.

If the Senator will give me his attention, I will state that last year we imported, in round numbers, 782,000,000 feet of lumber, valued at $15,000,000, or about $19 a thousand. The revenue derived from this source was only $2,230,000. From this it would seem that the $2 duty cut very little figure. Think of fifteen millions of American money going out of this country to buy foreign timber, when we had so much timber standing untouched in our forests, giving employment to foreign mills and foreign wage-earners! Think of the $2,000,000 revenue, and that much timber saved from being cut in our forests being our only return for the $15,000,000 paid in gold to the lumbermen of Canada.

Is the present duty so high that it keeps out lumber? Not at all. If the duty on lumber had been as high relatively as on other articles, it would have been $5 a thousand on lumber. This might have prevented another recurrence of sending $15,000,000 of American money out of the country to buy products we have at home.

People can not limit themselves to the products of their own States and their own wishes in making a tariff. The various sections of this country are too closely connected for that. The South can not go forward in the industrial race of the Nation unless she has the same opportunities and enjoys the same advantages as other sections. She can not make the race handicapped with her products on the free list and the products of other sections enjoying high protection. If her finished and manufactured products are on the free list, or bear only a very low duty, while others are highly protected, she can not achieve the prosperity and progress to which she is entitled. She would not have a fair chance; she would stand still while other sections would grow and move forward.

The Canadian importers bought this lumber, paid the duty, and made money. If they had not made money they would not have imported the lumber. They made money. The duty on lumber ought to be $4 or $5 a thousand feet, if you put it on the same basis as woolen or cotton goods, wheat, rye, or barley. It ought to be $10 a thousand feet to keep pace with the highly protected products of the Eastern States.

Mr. President, last year we sold to Canada 782,000,000 feet of lumber—not much when we consider that one State alone, Washington, has 800,000,000,000 feet of standing lumber.

I am mistaken about the standing timber in the State of Washington. I should have said the Pacific coast States—Washington, California, Oregon, Idaho, and Montana—have, according to the best estimates, 1,400,000,000,000 feet of standing timber. We cut 40,000,000,000 feet a year. With the present annual production, it would take thirty-six years to exhaust the timber of these States if you did not touch another stick of timber in the country. The Senator from North Dakota [Mr. McCUMBER] must permit a Senator from a lumber State to know something about these statistics and figures. The Senator has a sort of hallucination—I will not say "hysteria"—about the exhaustion of timber. I am astonished when he has this spasm of apprehension about saving the forests. I want to save his barley and wheat as much as he does, but they will give out long before lumber gives out. Your soil will become poor and exhausted, as other soils have. There is no denying these facts.

Mr. McCUMBER. I understand that the Senator does not want interruptions.

Mr. ELKINS. I am glad to answer questions from so amiable a person as the Senator from North Dakota.

Mr. McCUMBER. If the Senator asks the question of me, I will answer it; but I do not want to interrupt the Senator.

Mr. ELKINS. The Senator had three hours for his speech, and he has made these statements.

It will take more than thirty-six years' consumption, according to some statisticians, to exhaust the lumber of the Pacific Coast States, cutting 40,000,000,000 feet a year, our present production. We have the second crop in some States, and in Maine we have the second and third crops. We can with care and attention prolong the life of this industry, without ruining it by letting foreigners come here and enjoy it as we do. According to the theory of the Senator, let the lumber industry live; it is virile and vigorous now. But if we let in lumber free to compete with the lumber of the United States, the man who has only a few hundred acres of timber, while he can go on with the industry, and it will last longer, he will make nothing. How is his family to live? How is the man himself to live? How is he to pay wages? It simply drives him out of business, because if a man can not make anything in his business he will give it up. It is true the timber on the few hundred acres will last until the foreign timber gives out. The life of the timber would be prolonged, it is true; meantime the owner of the timber would be ruined. The Senator seems to be reckless on this branch of the subject.

EXTENT AND IMPORTANCE OF THE LUMBER INDUSTRY.

There is invested in the lumber industry in the United States $600,000,000 of just as good money as is invested in the Senator's farms. I do not mean all of this for the Senator from North Dakota. I am addressing myself to him because he is a leading and conspicuous member of the Finance Committee—a protection committee, too. There are 30,000 sawmills operated and from 600,000 to 700,000 men employed, on whose labor 3,500,000 people depend. That is an enormous industry, an enormous investment.

I do not say that free lumber would affect all the people owning lumber in the same way, not at all. Free lumber would destroy these industries on the Canadian border to the extent of millions of dollars; and generally it would have the effect of lowering the price of lumber all over the country. Mexican lumber would come into the Southern States, and Canadian lumber from the North. That is the effect it would have on the lumber business world.

If the price of a commodity is reduced, wages must come down. The best form of distributing wealth known to society thus far is through the payment of wages; if business is good, wages are good, then the distribution of wealth is greater. We know how to accumulate money, but we have not learned how to distribute it wisely and in the best way that it should be distributed. Let us maintain good wages and not break down the best means for the distribution of wealth we have learned thus far, founded in justice, by breaking down our home industries.

The retail price of lumber varies from seventeen to twenty dollars per thousand feet. For the last two years it has been much lower. The Senator has repeatedly stated, and I believe other Senators have also said, that it is forty or fifty dollars per thousand feet. The latter figures refer to planed lumber and some fine or hard woods, but they are all too high, even for retail prices. All the machinery, tools, implements, and appliances connected with or used in the making of lumber are highly protected and most expensive. The Senator voted for a duty on every one of these things; yet he wants to make lumber free.

I assert, Mr. President, that there is no such thing as a lumber trust or lumber combination. I have heard of one man up in the Northwest—Mr. Weyerhaeuser—who is said to have bought up all the timber in his section of the country. He has

not bought it all, I am sure. From what I hear he is simply a sort of individual walking trust by himself; and everyone else has the same right that he has to buy timber lands. I dare say the Senator and his constituents would buy them, too, if they could.

There are about 50 timber holdings in the United States that exceed 1,000,000,000 feet of stumpage. Timber holdings are general, and as honestly held as farm lands.

In transportation, lumber stands third in railroad tonnage in the United States. Lowering the duty on lumber, or impairing the industry in any way, will have the effect of closing many mills. I do not say it will close all the mills, but it will close many of them. It will also reduce wages and reduce the volume of business on the railroads and in the country. All this should be prevented, and can be by maintaining the present duty of $2 a thousand feet, or, better, increasing it to $4, to keep pace with present duties on many articles.

If the standing timber were confined to Pennsylvania, New Jersey, New York, and New England, and lumber protected as the manufactured products of those States, I am sure the duty would be double what it is now, or $4 per 1,000 feet. I make this statement after reading the schedules. Look at the protection the people of those sections and States enjoy on their principal products. I vote for that protection. I am making no war on it. But why should the committee deny us protection on our products?

If all the forests could be assembled in one place in the East and Northwest, what protection lumber would have! And we would vote for it. It makes some difference just where a product is raised or grown as to the share of protection it gets.

Timber lands are at this moment being bought in Canada and Mexico and held for a reduction of the duty on lumber, or its being placed on the free list. There is an organized force at work here, I am told, composed of the agents of railroad owners and the owners of foreign timber lands, to keep the duty off lumber in the present tariff, although lumber has been protected for more than sixty years. So far as I can learn, the importers and American owners of timber lands in Canada are most clamorous for free lumber.

I will give one example to support what I say; I could cite others: The Mexico Transportation Company (Limited), organized under the laws of Great Britain, with a capital of $40,000,000—a company organized under the laws of a foreign country, with foreign capital—has commenced the construction of a railroad to timber lands it has purchased in Mexico, about 300 miles from El Paso. These timber lands bear good pine lumber. They cost the purchasers, I am told, only about $1 an acre. They will cut from 4,000 to 5,000 feet per acre. This company has already acquired 2,700,000 acres of these lands. The estimate of the timber now standing is 8,000,000,000 feet, which is ready to be shipped into the United States as soon as the railroad can be built.

This company took the action in respect to building the railroad to which I have referred, notwithstanding the duty of $2 a thousand on lumber. They bought this tract of land, fully recognizing the duty. If the duty is taken off, of course they will make that much more. I suppose that is what these Senators want—to let this foreign company thrive and grow fat at our expense and break down our industries. These are able men, wise men, and they put $40,000,000 in building a railroad and buying these lands to ship lumber to the United States, knowing what return they were going to get; and yet there are Senators willing to give them our home markets.

Mr. President, as a general proposition free lumber would reduce the earnings of American railroads; it would reduce wages in the United States; it would break down industries that live on lumber. We should keep our home market for lumber the same as we do for other products and not open it to foreign lumber. I can not name a product of the State represented so ably here by my distinguished friend the Senator from Massachusetts [Mr. LODGE] that does not enjoy a reasonable—I may say, a high—degree of protection, if it competes with a foreign product. I say "reasonable," although many people think it is unreasonable. I vote for it, however. I do not say the Senator is going to vote for free lumber. I do not charge him with that. I am merely illustrating. But there is not a thing Massachusetts produces that has not high protection if it competes with foreign products.

LUMBER IN THE SOUTH.

Mr. President, I have given in a brief way the general outlines of the lumber industry in the United States. Let us now look at the lumber industry in the South, and I invite the attention of southern Senators to what I am about to say. Next to cotton, lumber is the chief industry of the South. It brings annually to the South $100,000,000. It is a good friend—a great friend. The people of the South agree with me—and I belong to the South—in having no apprehension about its giving out. We are not afraid of its giving out in this generation or in ten generations. It is the most important factor in southern industry. It continues the year around. Cotton comes in once a year, and then the business is over for the next six months. The lumber business, however, is a continuing one, and it is doing more to help the South than any other industry.

The South should not be indifferent to the striking down of its second largest industry, when other sections enjoy high duties. The South has to fear Mexico; the Northwestern and New England States have to fear Canada in the lumber industry.

I wish the Republican party could learn, and learn now, in making this bill, to treat the people of the South, in the matter of protection to their industries, as fairly and justly as it treats other sections. I think we would have more Republicans down South if we did. We may not think we need them, but I think the time is coming when we will need them perhaps to take the place of free traders elsewhere.

Let us give the South the same protection on their products other sections enjoy. I do not mean necessarily to the same extent; I mean the same kind of protection that is given to other sections of the country. I do not want a duty of 50 or 100 per cent on lumber. We can get along without it. But merely because we can get along with a slight duty, do not deny us the little that we have.

The South has power in this Chamber to-day, if it would unite, to write into this bill reasonable protection on all her industries, the same as other sections of the Union enjoy. It seems to me Senators should stand together in a common cause to bring about this result. By refusing to do this they will only render aid to the States wanting lumber free and wanting all other products highly protected.

The South can not prosper equally with other sections of the country if what she produces and manufactures is put on the free list or only a very low duty imposed. Under such conditions she would be obliged to sell her products at low prices and pay high prices for what she consumes.

LUMBER IN WEST VIRGINIA.

Take the State of West Virginia: There are about 1,900 sawmills in the State of West Virginia, with a capital invested of $20,000,000. That is all good, hard money, just the same as is invested in the farm lands and in the products of New England, New Jersey, and Pennsylvania. It is not "stage money," but real money. And now the Senator says: "Well, let that capital be impaired; that does not make any difference. That does not affect North Dakota."

There are about 1,500 sawmills in operation in West Virginia, with a capital of $20,000,000; about 15,000 men are employed; the wages paid are about $3,700,000 annually. The value of the product last year was about $20,000,000.

West Virginia is one of the great timber States of the Union. Seventy-three per cent of its area is covered with timber, and to reduce the present duty from $2 to $1 would work a great injustice to this most important industry, the third in importance in the State. We have tried free lumber, and know the disastrous results. We have had all the experience we want or need with free lumber.

A reduction of $1 in the duty would open some of our markets to Canada, close a great many sawmills, reduce the value of timber lands, number of men employed and their wages, and would diminish the transportation of lumber over our railroads.

These are far-reaching and serious results, and yet some Senators contemplate them with the most complacent indifference. "High duties on everything North Dakota produces, and no duty on what West Virginia produces;" that seems to be the motto of the Senator from North Dakota and Senators who sympathize with him.

West Virginia has had experience with free lumber. In 1894, under the Wilson bill, 90 per cent of the mills of West Virginia were closed, grass grew in the roads leading to them, and Canada took most of the lumber trade West Virginia had as far south as New York City.

Before the passage of the Wilson bill there were two large elevators built in New York City with lumber from West Virginia for the New York Central Railroad.

I am sorry I do not see present the distinguished Senator from New York who then presided over that great railroad with so much ability. After the Wilson bill was passed, two were built of Canadian lumber. Do you want any greater illustration of the effect of free lumber? Free lumber will take the trade away from us as far south as Pittsburg.

The Senator from North Dakota is alarmed at the advancing price of lumber. I will show him later on wages have increased much more. He is not alarmed because of the advance in meat,

hay, wheat, and barley and other products of his State. They may advance in price, and the poor people who are struggling to get them may suffer, but these products need protection to keep up the price. Let them advance, but great industries like lumber, oil, coal, and iron should take care of themselves and not advance in price.

The advancing price applies equally to other products.

New York was once a wheat-producing State. Forty or fifty years ago it shipped flour West. Now it produces but little wheat, the soil having become exhausted. You can not renew it. If it could be done it would have been done in New York and Ohio. New York now gets all of her wheat and flour from the West. Yet the Finance Committee, and especially the Senator from North Dakota, demands long and loud that the wheat, barley, and rye of his State have the highest duties.

How much has the duty of $2 a thousand to do with the high price of lumber? If the price is going sky high, as the Senator said in his able speech the other day, $2 did not prevent $15,000,000 of our money going into Canada to buy Canadian lumber. The importer would pay the duty and go on importing. If we are going to get lumber up to $50 a thousand, as the Senator says, Canada will pay the duty and flood the country. So his argument answers itself.

Mr. President, I think, with proper attention to tree planting, we may reforest the country largely and preserve our forests, at least as long as free-trade Senators can preserve the soil of their States.

I will not detain the Senate much longer. I desire to give some figures with respect to the lumber industry—cost of producing lumber, wages paid here and in Canada.

In the tariff-hearings before the Ways and Means Committee of the House, on page 3162, the following appears:

Taking the Forest Service report of the output of lumber, lath, and shingles, as distinct from the other manufactures of wood, and which are not under discussion in this brief, and reducing lath and shingles to board measure, the value of the 1907 lumber output, on the basis of $15 per M feet, f. o. b. mills, was $630,735,000. As compared with other commodities it is as follows:

	Value.
Lumber products, 1907	$630, 735, 000
Wheat, 1908	546, 827, 000
Cotton, 1907	640, 311, 538
Wool, 1907	129, 410, 942

I may add: Hay, $744,000,000; corn, $1,616,000,000. Hay is highly protected in order to protect the farmers of the Northwest, and I am glad of it, though this adds to the cost of the hay the lumberman and coal operator of West Virginia buy.

Mr. BACON. I wish to say to the Senator that the unprotected article of cotton, which he has just mentioned, is worth more than $640,000,000. With its by-products—that is, the seed—it is $800,000,000.

Mr. ELKINS. Eight hundred million dollars. I accept that correction. The Senator is right.

I will name the value of the crops of Minnesota, Nebraska, Kansas, North Dakota, and South Dakota for last year:

Value of all crops (including corn, wheat, oats, barley, rye, buckwheat, rice, and Kaffir corn).

Minnesota	$113, 092, 602
Nebraska	92, 056, 580
Kansas	112, 684, 696
North Dakota	53, 928, 010
South Dakota	44, 069, 331
Total	415, 831, 219

These five States want free lumber. It is to their interest, in a local sense, to have lumber free; but shall we, who have other things to protect, vote this high protection for their products and pay it out of our own pockets, while they vote against a duty on our products?

Think of the annual products of lumber being one-third more in value than the agricultural products of the five States I have named, all enjoying high protection!

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. ELKINS. Certainly.

Mr. SIMMONS. I want to ask the Senator what were the figures as to the annual product of hay?

Mr. ELKINS. Seven hundred and forty-four million dollars last year.

Mr. SIMMONS. What is the amount of the protection?

Mr. ELKINS. Four dollars a ton.

Mr. SIMMONS. Does Canada raise much hay?

Mr. ELKINS. Yes, sir; she does; and she is a rival of all these States. That is the reason they have the duty of $4 on a ton of hay.

Mr. SIMMONS. I desire to state to the Senator that we buy probably one-third of all the hay we use in my State—and I think that is true of the South—from the West; and year before last I think timothy hay of the West sold in the town in which I live for $26 a ton.

Mr. ELKINS. That is right. We buy hay from the Northwestern States to supply the horses used in the mines and the lumber industries of my State and for use in the camps. We are glad to do it. There is no objection to it. But I can not conceive why that section is opposed to protecting our products modestly. Twelve per cent ad valorem is all we ask, and they get 20 per cent increase in addition to an existing high duty on all their products.

The value of the following products applies to 1906:

Coal at mouth of mine		$513, 079, 809
Lumber		621, 151, 388
Petroleum	$92, 444, 735	
Natural gas	46, 873, 932	
		139, 318, 667

I said there was no trust or combination in lumber. I read from the House hearings.

[Page 3183, Tariff Hearings. From brief of D. E. Skinner and others representing the Pacific coast lumber and timber interests and 190,000 wage-earners.]

DIVERSITY OF INTEREST MAKES LUMBER COMBINATIONS IMPOSSIBLE.

Combinations or trusts are only possible where the raw material entering into an article can be controlled. In the case of the lumber business of the United States this is an impossibility, for the sufficient reason that the number of firms, corporations, and individuals engaged in the manufacture of lumber aggregated, according to the last census, in excess of 43,000, and the number of sawmills aggregated 28,850. Just stop and analyze for a moment the utter absurdity of attempting to bring into anything like a combination 43,000 men, representing 28,500 different mills. The average man who has ever tried to get even his neighbor in the same line of trade to act with him in any legitimate form of policy or respect fair trade ethics will realize at once the weakness of this statement regarding combinations among lumbermen. So much for the producer of lumber.

Distribution of mills.

There are 28,850 saw and shingle mills in the United States, according to the United States Census and Forest Service Bulletin "Forest Products, No. 2," issued November 18, 1908. These are as follows:

New York	2, 185
Pennsylvania	2, 131
North Carolina	1, 668
Virginia	1, 652
Kentucky	1, 451
Arkansas	1, 146
Tennessee	1, 104
West Virginia	1, 044
Washington	1, 036
Indiana	999
Ohio	987
Maine	927
Missouri	916
Michigan	906
Alabama	892
Mississippi	823
Georgia	788
Wisconsin	778
Texas	673
Oregon	644
Vermont	612
New Hampshire	544
Louisiana	531
Massachusetts	518
Illinois	499
Minnesota	429
South Carolina	365
California	321
Florida	302
Idaho	247
Connecticut	236
Colorado	230
New Jersey	166
Montana	130
Oklahoma	129
Delaware	106
Iowa	100
Utah	80
Wyoming	73
South Dakota	64
New Mexico	52
Rhode Island	41
Arizona	12
All other States	6
Total	28, 850

The foregoing proves that the lumber-manufacturing industry is in so many hands that its control by a trust is impossible.

The production of these mills in 1907 amounted to 40,256,154,000 feet of lumber, 3,663,602,000 laths, and 11,824,475,000 shingles. At the present time this product bears 12 per cent duty, which is practically a revenue-producing duty and not a protective tariff, and hence should not be reduced.

AS IT AFFECTS THE PACIFIC COAST.

The output of the Pacific coast States during the year 1907 was as follows:

State.	Number mills.	Lumber.	Lath.	Shingles.
		Feet.	*Pieces.*	*Pieces.*
Washington	1,309	3,777,606,000	430,791,000	6,886,542,000
Oregon	644	1,635,563,000	281,000,000	300,000,000
California	321	1,345,943,000	99,000,000	707,421,000
Idaho	247	513,788,000	65,000,000	.....
Montana	130	243,814,000	10,000,000	.....
Total	2,651	7,616,714,000	876,791,000	7,893,963,000

The estimated amount of stumpage in these States is 1,400,000,000,000 feet, which at the present rate of output would require ninety-three years to exhaust. In other words, owing to the rapid growth of timber on the Pacific coast, another crop of timber will be ready for harvest before the present crop is garnered. In fact, there are localities in the State of Washington where a second crop is now being cut, the first being harvested in 1853. It may also be stated that the standing timber has been greatly underestimated. It is safe to say that the standing timber on the Pacific coast is nearer 1,400,000,000,000 feet than 800,000,000,000 feet.

There is a second crop of timber coming on in a great many of the Pacific States, also in other States.

There are many reasons why Canada can undersell the United States. Taxation is one; transportation is another; lower wages another. The excessive taxation of American mills and American lands helps the Canadian producer. One can go to Canada and get a lease, according to the House hearings, and pay rental, and when he stops cutting, that is the end of the business. When Americans owning lands stop cutting, they own the lands and have to continue paying taxes.

Mr. President, there is another feature about Canadian lumber. Much of it reaches the United States by water. From the Georgian Bay country, through the streams and rivers flowing into Lake Superior, they can bring down the lumber for $1.75 a thousand and reach all the great markets, whereas we pay from $10 to $12 by rail when it is moved within 800 or 900 miles of Chicago and other cities on the Lakes and from the South or the Pacific coast.

The amount of lumber imported into this country from Canada has increased extensively both in volume and value per thousand feet, as the table below will show:

Importations of lumber from Canada.

Year.	Feet.	Value.	Per thousand.
1892	663,226,000	$7,540,700	$11.37
1893	742,351,000	8,277,331	11.06
1894	514,461,000	6,134,204	11.92
1895	600,790,000	6,859,078	11.41
1896	786,001,000	8,503,641	10.82
1897	883,770,000	9,073,312	10.26
1898	338,134,000	3,499,569	9.91
1899	423,720,000	4,186,664	9.88
1900	680,069,000	7,464,208	10.27
1901	490,570,000	6,343,826	12.93
1902	664,751,000	9,288,970	13.88
1903	719,135,000	10,568,066	14.69
1904	586,459,000	8,744,398	14.91
1905	705,896,000	10,726,273	15.20
1906	944,275,000	14,592,634	15.45
1907	924,963,000	15,867,631	17.15
1908	782,789,000	14,989,179	19.14

There has been an increase in wages. I want to give the figures:

Comparative average wages paid by pine sawmills of Wisconsin, Minnesota, and Michigan.

	1893.	1898.	1900.	1902.	1904.	1906.	1908.
Foremen	$3.19	$3.85	$4.50	$5.00	$6.00	$7.00	$6.50
Millwrights	2.55	2.88	3.50	3.75	3.80	4.00	3.25
Engineers	2.55	2.80	3.50	3.50	4.00	4.50	4.00
Sawyers	3.50	4.50	5.25	5.50	6.00	6.50	6.00
Setters	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Edger men	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Trimmer men	2.00	2.50	2.60	2.60	2.75	2.80	2.50
Graders	2.25	2.50	3.00	3.00	3.25	3.25	2.50
Tallymen	2.00	2.25	2.25	2.40	2.50	2.60	2.25
Pilers	1.55	1.75	1.90	2.00	2.15	2.25	2.15
Blacksmiths	2.00	2.50	3.00	3.00	3.09	3.25	2.75
Laborers	1.25	1.75	1.80	1.85	1.90	2.00	1.75
Sorters	1.50	1.80	1.90	2.00	2.25	2.50	1.95
Boom men	1.50	1.65	2.00	2.15	2.25	2.50	2.25

Lumber has increased from 30 to 60 per cent in the last ten years, I admit, but wages in the lumber industry in the United States have increased much more.

Here is a comparison of wages in Canada and the Pacific coast States:

WAGES.

Brief of D. E. Skinner et al., representing Pacific coast lumber interests before the Ways and Means Committee of the House.

Comparison of wages, Canada and Pacific coast States.

Following are average daily wages on Puget Sound, in the State of Washington, and in western British Columbia:

	Puget Sound.	British Columbia.
Circular sawyers	$4.77	$4.00
Edger men	3.01	3.00
Setters	2.71	2.75
Circular filers	4.80	4.00
Planer foreman	3.63	3.75
Planer hands	2.28	2.00
Tallymen	2.66	2.25
Engineers	3.20	3.50
Firemen	2.40	2.00
Common labor (white)	1.97	1.85
Average	3.14	2.91

Oriental common labor in British Columbia, 80 cents to $1.50.

In a mill cutting 100,000 feet of lumber per day 25 men are skilled and 75 unskilled. On the basis of white labor the British Columbia lumber manufacturer still has the advantage in the cost of labor over his American competitor. In the case of oriental labor, which predominates in British Columbia saw and shingle mills, the advantage is pronounced. The wages of the 75 Orientals, at an average of $1.15 per day, would be $86.25, while the wages of 75 American unskilled laborers would be $169.75. It will be conceded, perhaps, that this item alone would enable the British Columbia lumber manufacturer to undersell his American competitor, provided the duty be removed.

The foregoing statement of wages for Puget Sound was compiled from reports received from over 100 sawmills. The British Columbia statement is from the Reliable Labor Agency, of Vancouver, British Columbia, and is included in Exhibit B. (See Exhibit B.) Covering the cost of labor in eastern British Columbia—a section covered in the testimony of Mr. Lynch—the affidavit of Mr. F. D. Becker, of Seattle, Wash., may throw some light. This is included in Exhibit C.

I have here a statement showing the difference in wages paid in Maine and Canada, right across the border, and it is 30 to 40 per cent higher in Maine than Canada. I will insert this also:

Col. Albert Clarke, of Boston, Mass., furnishes statement of Canadian and Maine lumber labor cost.

DECEMBER 7, 1908.

Hon. SERENO E. PAYNE,
Chairman Committee on Ways and Means,
Washington, D. C.

SIR: In my statement of Friday evening, November 20, I promised to furnish figures of the wages in lumber mills and forests in the State of Maine and in Canada. In compliance therewith I give figures furnished to me by Mr. James W. Parker, treasurer of the St. John Lumber Company, of Portland, Me., and a table of the wages of similar employees in the Province of Quebec and in the mills of J. R. Booth, of Ottawa, Ontario.

In Maine:	
Setters	$2.50
Doggers	2.00
Sawyers	5.50
Edgers	3.00
Common labor	1.50 to 1.75
Carpenters	2.00
Teamsters	1.75
Pilers	4.00 to 6.00
In Canada:	
Setters	1.50
Carriage riders	1.25
Sawyers	1.75 to 2.00
Edgers	1.50 to 1.66
Common labor	.70 to .90
Carpenters	1.00
Horse teamsters	.90
Filers	1.75 to 2.00

In Maine the wages paid in the woods in the winter of 1907–8 were $26 to $35 per month and board—the $35 being paid to teamsters and choppers. Wages are lower this winter, because so much labor is out of work. They range from $24 to $30.

In Canada the wages in the woods ranged from $8 to $18 per month and board during the winter of 1897.

As to the cost of the lumber in building a house, Senators speak as if lumber were nearly all the cost that goes into a house. It is but a small percentage of the cost of a house. I have two exhibits here, taken from the hearings in the House, in which lumber was $821, including everything, in a house costing $9,000; $637 in a house that cost $4,564.

EXHIBIT 1.—JULY, 1908.

Estimated cost of six-apartment building, Benton street, Portland, Oreg.:

Excavating and concrete	$795.00
Plumbing	1,320.00
Painting	398.00
Plastering	582.00
Brickwork	158.00
Tin work	88.00
Roof	138.00
Millwork (90 per cent labor)	982.00
Hardware, paper, and nails	198.00
Insurance and permit	11.30
Cartage	8.00
Electrical work	182.00
Window and door frames	197.00
Tile work	94.00
Heating plant	1,383.00
Lumber, 48,000 feet	624.90
Carpenter work	1,872.00
Total	9,031.80

EXHIBIT 2.—AUGUST, 1907.

Estimated cost of eight-room residence, East Seventh and Broadway streets, Portland, Oreg.:

Excavating and concrete	$420.00
Plastering and brickwork	450.00
Plumbing	470.00
Painting	235.00
Millwork (90 per cent labor)	535.00
Electrical work	65.00
Tin work	80.00
Heating plant	480.00
Hardware, paper, and nails	95.00
Permit, insurance, and cartage	16.00
Shingles, 22,000	63.80
Tile work	85.00
Window and door frames	56.00
Lumber, 28,000 feet	518.50
Carpenter work	1,015.00
Total	4,564.30

From this it appears the cost of lumber in building a house is only from 8 to 12 per cent.

There is another thing which must be considered. There are substitutes for lumber—glass and cement are being used extensively. Cement is protected 25½ per cent, and a good many concrete houses are going up. In the mining regions of West Virginia, we have had under consideration, and serious consideration, the question whether we would not take cement and glass and make a durable house, and in the end it would be cheaper than making it out of lumber.

The effect of removing the duty, according to the hearings of the House, would be most disastrous. I will ask that the following extract from these hearings be inserted as part of my remarks:

The removal or the material reduction of the existing tariff would only enable those who operate under Canadian timber licenses to flood the American markets with their low grade product to the detriment of both American labor and employers, without benefiting the average consumer, who would be obliged to pay as much for the ordinary grades of lumber he purchases as he does at present.

It would prevent the American manufacturer from utilizing the raw product to as close an extent as he now does; hence would increase the waste in our forests. It would hasten the destruction of the Canadian forests and would reduce the revenue of our Government.

The wages paid in the Pacific States only last year were $127,000,000, and those are the States which would be most seriously affected.

Another argument for free lumber is, it would help the conservation of the timber in our forests. In taking this position Senators insist that we put the burden of conservation on the individual, by denying him protection, when the State ought to bear the burden of conservation. All States, all governments, should reforest and conserve their natural products and should pay the expense out of the treasury and not punish the individual by imposing the burden on him. Now, are we to make the industry unprofitable in order to conserve the forests? Suppose that were to apply to everything else. But the moment you make the lumber industry unprofitable for the purpose of conservation or any other purpose it will be abandoned. But why single out one industry? This theory or argument simply means confiscation.

Mr. President, England is about to adopt a policy of reforestation. The Government proposes to select 9,000,000 acres for this purpose. The present chancellor of the British exchequer, Mr. Lloyd George, has approved of a plan which will involve the expenditure of about £400,000,000, but at the end of a certain number of years, I think eighty years, the Government will get back £562,000,000. This will give employment, if carried out, to 200,000 persons.

Germany gives employment, I believe, to 200,000 people in restoring her forests. She does not put the expense of conservation on the individual, but on the Government. I will ask to insert in the RECORD an editorial on this subject from the Washington Post.

The editorial referred to is in part as follows:

A ROYAL COMMISSION.

It recommends the carrying out of a national scheme of afforestation, the acquiring by the state of 9,000,000 acres of land for that purpose, and the planting of 150,000 acres yearly, the total outlay at the end of a rotation term of eighty years being estimated at £400,000,000. As a set-off to this prodigious outlay, the opinion of the commission is that the value of the property would in the eighty-first year be £562,075,000. The reason given by the commission for dealing annually with one-sixtieth instead of one-eightieth of the land to be planted on a rotation of eighty years is that "the 'unemployed' problem is so insistent on receiving public attention as to justify some departure from the theoretical ideal"—a statement which is in itself highly significant.

Whatever may be thought of the budget proposals of the present chancellor of the British exchequer, Mr. Lloyd George—and some of them are sensational, if not revolutionary—it is to his credit that, though faced by a deficit of £15,762,000 and by an unprecedentedly heavy naval expenditure, at which, in his own words, the taxpayers will absolutely shudder, he has yet had the courage to grapple with this problem and to propose a remedy. He does not, it is true, go the whole way with the royal commission; but at least he has made a beginning.

Under his scheme, as outlined in his five-hour speech, the resources of the country are to be systematically developed, reafforestation is to be promoted by a tax out of public funds, and a new forestry department is to be created for the United Kingdom. The figures he employed make out an unanswerable case. In Germany, out of a total area of 133,000,000 acres, 34,000,000, or about 25 per cent, are wooded; in France, out of 130,000,000 acres, the percentage is 17; in Belgium, out of 7,208,000 acres, the figure is also 17 per cent; while in the United Kingdom, out of 77,000,000 acres, only 2,000,000, or 4 per cent, are under wood. In Germany, in 1906, £8,000,000 were paid annually in salaries for the formation, administration, and preservation of forests, representing the maintenance of about 200,000 families, or about 1,000,000 souls; and in working up the raw material yielded by the forests wages were earned annually to the amount of £30,000,000 maintaining about 600,000 families, or 3,000,000 souls. In the United Kingdom, on the other hand, the number of people directly employed in forest work is only 16,000. The contrast is so striking as to need no comment. The proceedings of the forestry department of Great Britain and Ireland will be followed everywhere with the greatest interest.

Statistics show the following interesting facts:

Lumber and lumber products:	
Value of product	$580,022,000
Wages paid	$183,021,000
Wage-earners' share per cent	32
Average duty, Senate bill do	5-6

Can any other schedule in the pending bill make any such showing, wages 32 per cent, while the duty is 5 to 6 per cent? The duty is generally much larger than wages.

Mr. President, all that I ask is that in this national policy of protection West Virginia and the South have a fair show. We are already in the low-duty class and we are satisfied to remain there. We do not want our products to be put on the free list nor the duties reduced. They ought not to be reduced in fairness. I appeal to a Republican Senate and a Congress committed to protection, for fairness and justice in the framing of a tariff bill so far as the leading products of West Virginia are concerned.

Mr. SCOTT. Mr. President, I merely desire to add a word to what my colleague has said, and very ably said, indeed, in regard to the South.

I am sorry there are not a few more of my Republican colleagues in the Senate Chamber. I desired to call their attention to the fact that in the dark days of the civil war, when a certain portion of the country was trying to make it appear that the war was a failure, when that great and good man, one of the greatest, I think, that the world has ever produced, President Lincoln, was almost ready to throw up his hands in despair, when gold was at a great premium, when an election was to be held in the fall, it was thought in all probability that the next Congress of the United States would be Democratic and that the policy of the country and the policy of President Lincoln would not be upheld for the lack of means to support the army, that it was the border Southern States which came to the rescue and upheld the hands of President Lincoln and made it possible for him to carry that war to a successful termination. Notwithstanding that many of the great Republican States like Massachusetts, New York, and Pennsylvania failed to elect a united Republican delegation then, the States of Delaware and Maryland, the States of West Virginia, Kentucky, and Missouri sent enough Republican Members to Congress in that election to save this country from the disgrace of having to ask the soldiers of the Republic who were offering up their lives to go without their pay and of having the war declared a failure.

Mr. President, we of the border States ask for nothing more than we are willing to give to any other State in this Union. I am willing to vote for a tariff that is fair and right to every section of the country, whether we produce any of the articles in my State or in the Southland. The southern people are not selfish; they are a generous people; they are warm-hearted; and they only ask for themselves what they are willing to give to others. I hope when it comes to lumber, coal, and oil, and when it comes to other articles for which we are asking only a fair protection in the great bill that is before the Senate, the South, not particularly West Virginia, but the entire South, will be taken care of; and I predict, as I did a few days ago, that the time is not far distant when the greatest protectionists, the most earnest advocates of the principle of protection, will come from the so-called "Southern States." I ask in fairness and candor, and, as I stated before, on the same line that we are willing to give to others, to the farmer, and to the mechanic, and to the laborer, that the same measure may be meted out to us.

I ask the chairman in charge of the bill if it is in order to offer an amendment?

Mr. ALDRICH. There is an amendment pending to the paragraph.

Mr. SCOTT. While I have the floor, I wish to call the attention of the Senate to the fact that brier wood, laurel, and such like woods were put on the free list by the Senate committee. In the House there was a duty of 25 per cent placed on these woods. If the committee will restore to the present bill the 25 per cent rate that was in the House bill, we can go on in this country and make pipes. We have the wood and the laurel root growing along the entire length of the Allegheny Mountains. But, owing to the competition of cheap German labor, that industry has virtually gone out of existence. This [exhibiting] is a sample of the laurel root that is grown all along the Allegheny Mountains. If the committee will restore the rate the House gave us, 25 per cent, we can build up in this country a great industry in making the so-called "brier-root" or "laurel-root" pipes. This [exhibiting] is an imported pipe, made from the wood of Italy or some other foreign country, and I hold in my other hand [exhibiting] a pipe made out of laurel root and laurel wood in this country. Of course the wood of these pipes is stained. We can make just as good pipes here, and it will

build up an industry that will give employment to hundreds and thousands of men. Certainly that is in the line of the policy of protection. When the pending amendment is out of the road, I shall offer an amendment to restore the rate fixed by the House.

Mr. CLAPP. Mr. President, I would suggest the want of a quorum at this time.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clapp	Frazier	Penrose
Bailey	Clark, Wyo.	Frye	Perkins
Bankhead	Clay	Guggenheim	Piles
Beveridge	Crane	Heyburn	Root
Borah	Crawford	Hughes	Scott
Bourne	Cullom	Johnson, N. Dak.	Smith, Md.
Brandegee	Cummins	Jones	Smith, Mich.
Bristow	Daniel	Kean	Smoot
Brown	Depew	La Follette	Stephenson
Bulkeley	Dick	McCumber	Sutherland
Burkett	Dillingham	Money	Taliaferro
Burnham	Dixon	Newlands	Tillman
Burrows	Elkins	Oliver	Warner
Burton	Fletcher	Overman	Warren
Carter	Flint	Page	Wetmore
Chamberlain	Foster	Paynter	

The PRESIDING OFFICER. Sixty-three Senators having answered to their names, a quorum of the Senate is present.

Mr. HEYBURN. Mr. President, I am actuated to speak upon this occasion only by the representation that at least one question of prime importance affecting the lumber schedule will be voted upon before the schedule is laid aside. I am not fond of talking in anticipation of possible questions that may arise hereafter. I want to feel that there is an interest, or that I can create one, before I undertake to discuss questions of political or economical importance.

The lumber business is the second largest business in the United States. It interests more people than any other business in the United States, because it interests every man, woman, and child who has a home and who must be a consumer of lumber. Homes are made of lumber. The great forests were intended for a permanent protection to the human family from the discomforts of life. If I believed as the Senator from North Dakota [Mr. MCCUMBER] has expressed himself, I would be in mortal terror for fear that the human family would freeze to death at some time. But an industry that produces 7,000,000,000 feet of lumber west of the Rocky Mountains is not to be lightly considered by those who live east of the Rocky Mountains. An industry that west of the Rocky Mountains has 3,000 sawmills in operation, of the minimum value of $60,000,000 in investment, is an industry entitled to the first consideration. An industry that pays $130,000,000 in wages every year in the United States for the support of the people of the East as well as the West is an industry not to be lightly considered. Of the $130,000,000 paid in wages west of the Rocky Mountains in the lumber business, two-thirds of it finds its way East. It goes to buy the cotton and the wool and the cloth and the furniture and utensils and everything that goes to make up the accumulated necessities of the household. It buys the product of your mines. In our camp there is more than $6,000,000 in machinery, mined and forged and cast in the foundries and the mines of the East or the Middle West, and the East has been paid for it. The tools that are used in these forests amount to millions of dollars. They came from the East. We make none west of the Rocky Mountains. New England shoes that are worn come from the East. We make none of them west of the Rocky Mountains. I say this in order that we may not fail to comprehend that this is not a western question that can be divorced from the consideration of those questions that interest the East. Turn 130,000 men out of employment in the West, what effect does it have upon the prosperity of the East? They cease to buy your products; they cease to send to you their products; and you have to find two things—another market for your products and another place to buy your necessities.

The Senator from Virginia [Mr. DANIEL] propounded the interrogatory as to what is protection, and asked for a definition of it. I had it in mind, without interrupting the Senator at that time, to reply that protection is the imposition of those duties and conditions that put the foreign competitor under a strain in our market, and whether that strain is light or great is the question for consideration in adjusting these duties. No duty is protective that does not put the competitor under that handicap. It is based upon the same principles that govern us in our household. We see to it in the household that the family eats at the first table, and the casual stranger takes chances after the family is fed. That rule is just as old as the human race. It was the rule of the old patriarchs. In the early dawn of government the first government was the patriarchal form, where the head of it said:

We will look first to the interest of the family, and then we will cast our vision abroad to include those next entitled to consideration.

That is the rule of the American people. That is the rule of nations. That is the reason why the Nation exists. Otherwise we need no Constitution; we need no geographical lines; we roam the world, as the Arab roams the desert, selecting to-day and to-morrow and at another time the choice of location.

Mr. President, this Nation grew directly out of the necessity for the establishment of a protective tariff. As I said earlier in the discussion of this question, in a moment when I had the floor, the first necessity for the call of the convention that made the Constitution grew out of a dispute as to the right of intertrade between Virginia and Maryland. They agreed to submit it to Alexander Hamilton, and he took it under consideration, in order that he might advise them. It resulted in the calling of a convention. At the time the call was issued no one ever dreamed that they were going to make a Constitution at all. Not half the members went there with the knowledge that they were called together for the purpose of making a Constitution of the United States. The idea developed out of the necessity that arose from the discussion of the question. It was a progressive necessity, becoming more imminent, more pressing, every day, until finally they said, "Well, the old foundation found in the Articles of Confederation is no longer sufficient; we must make a Constitution;" and they made it.

I am not going to wander off into the field of history or reminiscence, except only to ask you to bear in mind that the best evidence of the intention of men who act in an assembly is to be gathered from the acts of the men when the assembly is broken up. The Constitutional Convention, in making the Constitution, provided for the legislative branch of the Government and gave it its powers. What was the first thing that they did? The presumption is that the first thing they did was the thing of first necessity, in their judgment. They passed a protective tariff act, and they named it in its title and specified in its text that it was for the purpose of affording protection in the field of competition between this, then new, country, and the outside world. In other words, it for the first time spread the table for the American people. That bill was signed on the 4th of July by President Washington, and it was the first act of the First Congress of the United States.

There is an indication of the intention and the purpose expressed by those who made the Government that it was bound to consider, and we can not disregard it. Had they told you otherwise at another time, you would have reproached them with the fact that we are going to take your act in judgment rather than your statement. They expressed the principle of a protective and discriminative tariff in that bill. They did not leave it to doubt. They enumerated, practically and substantially, the same classes of items that we enumerate to-day. They enumerated the items that we are to-day considering with reference to their relation to the tariff question, as to whether their production involves a competitive idea or whether it is something that we may treat merely as a revenue-producing item, or whether it is something that should come in free.

At that time the population was scattered sparsely along the Atlantic coast. When the Constitution was made that portion which constitutes the real Government of this country to-day territorially did not even belong to the United States. The people knew nothing of its resources or its possibilities as to its natural state or its future population.

When I listened to the argument of the Senator from North Dakota I thought of an idea some writer gave me at one time by inquiring what must have been the condition of Adam's mind when he first saw the sun go down; in other words, the idea of a man that as soon as reverses meet him feels that there is no possible redemption, no possible hereafter. He sees a man cut a tree, and he throws up his hands with horror and says, "The tree has gone; I shall never see it again; and what am I going to do for trees?" while right at his back and all around him nature is renewing herself with the seasons and with the decades and with the centuries—new geology, new growth of everything.

I am not so constituted, and I doubt if there are many so constituted, as to lose faith in the ability of the God that governs, to perpetuate the great instruments of the universe in all of its branches.

Why, the Senator complains that water runs downhill; he complains that the earth is washed from the crags of the mountains into the valleys. He would rather have all the soil which constitutes the fertile valley of the Potomac River upon the mountain tops; he would rather have the soil of the Ohio, the Mississippi, the Platte, the Missouri, and the Arkansas valleys up at the head of the streams, in the crags of the mountains,

and the beds of those valleys exposed as they were when they were created; for those valleys grew, and they were slower in growth than the great forests of which the Senator despairs so much. History shows us the effect of this process at the mouth of the Tigris and the Euphrates rivers, which at one time debouched into the Persian Gulf, 50 miles above, and to-day are one river, with a new country as large as the State of Massachusetts. It did not exist in those old times when the patriarch Abraham and his cotemporaries were wandering over that country, a new country that came down from the mountains, a storehouse laboratory, where nature makes her soil and furnishes the great valleys and plains that constitute the great fertile, producing States of the Union. Would you keep it up on the mountains? Right here, within a mile of the Union Depot, you can see, on a small scale, the thing of which the Senator complains, transpiring right here under the shadow of the Capitol—great gullies washed out of these mountains which, when I first remember them, were fertile tobacco fields, and they are now abandoned farms being washed into gullies that, with their environments, correspond with the great rivers of the West; yet Congress, sitting within half an hour's ride of them, does not feel exercised over it.

Why should we, in discussing this economic question relative to the tariff, attempt to divert the minds of others by a discussion of these processes of nature that have been going on from the beginning of time and will go on forever? Merely draw the parallel between the things at home that we do not think it worth while to give a moment's attention to and those things that, because they are far away, form the basis of very charming fairy stories.

Mr. President, the question is, from a business standpoint, Shall we retain the existing duty on lumber? The solution of that can only be found in a consideration of the relations which the lumber industry to-day and to-morrow, viewed in the light of yesterday, and the judgment and wisdom that grows out of it, may shed upon the question. Lumber in the State of Idaho of what I shall call the "standard grade"—and I shall discuss the question from that standpoint—costs us something like $25.50 a thousand on the cars at the market. I have heard much talk here about the cost of lumber. Sometimes it was stated very high and sometimes very low, as it seemed to fit the circumstances—and I say that without any intention to reflect upon those who stated it—but I am speaking from the concrete situation.

Idaho—and I will take that State for a text—cuts about 600,000,000 feet of lumber every year. We have about 3,000 logging camps. We have $20,000,000 invested in plants. I mean by that the milling plants and the timber plants that correspond to them. We pay $20,000,000 in wages in Idaho in the lumber business. We pay it to men who within thirty days have distributed it into the channels of industry. They have paid it to the grocer who bought his coffee from the man who bought it from the New York coffee house, who bought his flour from the mills that ground the wheat of the Dakotas as well as of Idaho. They have spent it for the beef that comes to us sometimes from our own market and sometimes from Chicago; they have spent it for clothing that was made in the South or in the North or in the East, and there you get your distribution of it. Shut it off, as you did in 1896, when I saw every mill stand still for three years in that Northwest, and I saw the men who should have been employed and earning wages go into other fields of labor seeking wages, with the result only of depressing wages, as competition always does. I saw them transformed from consumers to men who neither produced nor consumed.

I have heard much of the consumer's interest here; that he was to be considered. The only real, Simon Pure consumers I know are Members of Congress in the two Houses, because they do not do much but consume. [Laughter.] I do not know what they could be credited with producing. Seriously speaking, however, out in the great world the producer is a consumer, and the consumer is a producer. The men in our mines produce the ores and consume the fruits of the soil and of the loom in fair and equal proportion. It may do for a stampede cry in a political campaign to undertake to align the people in columns, and say, "this represents the consumers" and "that the producers," and then attempt to antagonize them and have a battle royal. This, however, is not a political campaign. This is going on in the Senate of the United States. It is the performance of the duties of government which rest upon us. There ought to be no political alignment upon these questions of economics; but there is, and there always will be. There was in the First Congress, and there will be in all future Congresses.

Mr. President, it was stated time and again in the convention that discussed the adoption of the Constitution that it was contemplated from the beginning that the expenses of the Government should be paid from the receipts at the ports of the United States and that every other source of revenue that was to be used, or might be used, for that purpose was only to be used in case of necessity; that the rule was that we were to collect the moneys necessary to pay the expenses in the ports. Because of that, and in order to clear the financial deck, every State was deprived of that power, which is one of the few powers that the States were deprived of, so far as financial or economical questions were concerned. The States were deprived of the power to levy any duty, because the Government realized the necessity of having no rival in that field for the collection of revenue. That is the foundation principle of this Government. Every presumption is in favor of it, and none against it. Every presumption is against raising revenue in any other way than by duties collected in the ports and internal revenues, which are in the nature of fines levied upon certain industries within our own country. The States may do neither. The Government has the sole right.

On these other mooted questions, the income tax and the inheritance tax, the Government has no exclusive right at all. It reserves to itself no exclusive right to collect or derive revenue from those sources, but gave the right to the States to enjoy that exercise, reserving to itself only that which every Government must reserve against the hour of direst need—the right in the hour of necessity to resort to those means—and the Government should never resort to them except where it has first exhausted the sources of revenue contemplated and provided for by the Constitution of the United States.

The reason that we ask the retention of the present duty on lumber is because under that law, with a knowledge of its existence, with the presumption that the law will never be changed, which is a fair presumption in every case, we have builded up a great industry, not for our own aggrandizement, but, primarily, in order to afford a livelihood for those who engage in it, and secondarily, to supply the demands of the country with the necessary lumber.

We builded first, before we sent you any of it, the great cities on the Pacific slope; we builded the great cities of Seattle, Tacoma, San Francisco, Portland, Spokane, and all that great line of cities. They took hundreds of thousands and millions of feet of lumber to build them.

Mr. CULLOM. And Los Angeles.

Mr. HEYBURN. Yes; Los Angeles. Not only that, we built the cities through Montana and some in the Dakotas with our lumber. They could not, however, have builded them without borrowing from a neighbor nation had it not been for our production. Did you borrow it from a neighbor? To what purpose? Would you transfer the wages represented by our exports last year to Canada? When money goes abroad in that way it never comes back; it never finds its way back into the channels of American business or commerce. Would you have sent the $1,825,000, represented by the Canadian lumber in wages that came in last year—and last year was an off-year product of something like $300,000,000—would you have sent those wages to Canada?

For what? To gain an advantage for the consumer of that lumber? You would gain none, because the foreign market is like a seesaw—you put another weight on our end of the board, and their end goes up higher; you take the weight off of our end, and their end goes down lower; that is all. They do not allow any possible margin of profit to escape them. If they found that they had not competition in this country to hold them down with the tariff on it, they would raise their prices.

They can cut lumber, in round figures, for a dollar a thousand less at any time in Canada than we can cut it; and in many parts of British Columbia they can cut it for two dollars and a half less than we can. We have got to strike averages in making a bill of this kind, and I want the average to be high enough to protect all classes; I want it to be high enough to protect the man who can pretty near compete with them, and I want it high enough to protect the man who can not compete with them at all except for the tariff.

Of course, there are some industries that thrive in this country, because of the especial circumstances that surround them, without any duties at all. Take lead ores, for instance. I know of ores that need no duty, because of the peculiar rich and favorable conditions that surround them; but then we can not adjust our duties to individual cases of that kind; otherwise we would drive out the people who really need protection. So it is with the lumber schedule. One cent on the wrong side of the balance sheet means bankruptcy as much as would a dollar. It is a question of whether or not the enterprises can live and pay their bills. A boarding-house keeper with a $12 board bill can put them in the hands of a receiver as quickly as an overdrawn bank account. We have now in the hands

of a receiver one of the biggest lumber concerns that ever came to Idaho. When the panic came on they had a very large stock of lumber on hand, and they could not carry it. Like other business men, of course, they carried a line of financial credit in order to sustain their great business. When the financial panic came, the banks were no longer open to them and they were thrown into the hands of a receiver, and are there to-day. They have one of the most magnificent plants in the United States, with every modern improvement and facility for making lumber.

Mr. President, I find the acoustic properties of this room are much better when there is a larger attendance, and I would suggest that there is hardly enough to make a cushion for my voice.

Mr. BEVERIDGE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gore	Perkins
Bacon	Clay	Guggenheim	Piles
Bailey	Crane	Hale	Rayner
Beveridge	Crawford	Heyburn	Root
Bourne	Cullom	Hughes	Scott
Brandegee	Cummins	Johnson, N. Dak.	Smith, Md.
Bristow	Curtis	Jones	Smith, Mich.
Brown	Daniel	McCumber	Smoot
Burkett	Dillingham	McEnery	Sutherland
Burnham	Elkins	Money	Warner
Burrows	Fletcher	Nelson	Warren
Burton	Flint	Oliver	Wetmore
Carter	Foster	Overman	
Chamberlain	Frazier	Page	
Clapp	Frye	Paynter	

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present.

Mr. HEYBURN. Mr. President, it is not my intention, under the circumstances, to attempt to conclude my remarks upon this question this afternoon. I think it would be unprofitable and unwise to do so. I will, however, before yielding the floor call the attention of the Senate to some expressions of sentiment and statements of facts from Idaho on this question. I have a telegram here from the manager of the largest lumber mill in the world—and that is saying a great deal—dated April 23, addressed to myself in response to an inquiry for facts. He says:

APRIL 23, 1909.

Hon. W. B. HEYBURN,
Washington, D. C.:

About 20,000 men directly engaged in production of lumber in Idaho, with average wage $3.10 per day. There are many more indirectly dependent on lumber operations. No oriental labor employed in lumbering in our State.

WM. DEARY.

William Deary is the manager of that company.

I have a telegram from one of the most considerable railroad owners and operators and mill and lumber men in the United States—I do not mean in regard to railroads, but certainly one of the large operators in the Northwest, who has built whole lines of railroad there that are operating. He is interested in some of the largest lumbering enterprises in that country. This telegram is dated the 1st of May, and is addressed to myself.

SPOKANE, WASH., *May 1, 1909.*

Senator W. B. HEYBURN,
Washington, D. C.:

It will please me very much to have you do all you can to retain the present tariff on lumber; the manufacturers are having all they can do to keep their mills going and employees at work under present conditions. If there is a deduction in tariff, matters will be in bad shape.

F. A. BLACKWELL.

Here is another one I received yesterday from Sand Point. There are two very large plants at Sand Point, among the largest lumber plants of the country:

SAND POINT, IDAHO, *May 20, 1909.*

Hon. W. B. HEYBURN,
Senate Chamber, Washington, D. C.

Trust you will do everything possible to secure $2 duty on lumber. Lumber industry even under existing tariff is in a deplorable condition.

T. J. HUMBIRD.

They are in the lumber business, and it means a great deal to this country that they are in the lumber business. If they were not, then I am afraid the Senator from North Dakota and myself and others might have to go out and whipsaw our own lumber, as I have had to do in my life, in order to make a house to live in. I wonder if the Senator ever whipsawed any lumber? You take an 80-pound saw upon a scaffold, roll the log upon it, and there is one man up above and one man down in the pit, and one man pulls the saw up and the other pulls it down, and the sawdust is thrown down the neck of the man underneath; and they keep that up. I have paid $120 a thousand feet for whipsawed lumber, and I have never begrudged the price, because I knew I would not want to saw it myself for that amount. So we will not reproach a man because he has built a large modern mill and is supplying us with the lumber for our houses free from burdens of that kind.

Another telegram from the Potlatch Company:

About 20,000 men directly engaged.

That is the telegram the confirmation of which I read. He revises his figures in that telegram. He says:

Collective distribution of wages and supplies, $10,000,000. The other figures stand.

That is, the figures in this telegram stand. That is a correction of figures that were not consistent, and about which I further inquired.

I have another telegram here to which that correction applies:

Eight big mills cut, 1908, 264,000,000. Expect to cut 310,000,000, 1909. Value said 8 plants, $5,000,000. One hundred and twenty-two smaller plants cut approximately 250,000,000, 1908. Expect to cut 1909, 350,000,000 feet. Value said plants, $12,000,000.

That is, the value of these lesser plants.

Working capital all mills—

That is, the mills enumerated here—

$20,000,000. Distribution wages: To laborers, $10,000,000; to farmers, supplies to feed men, $5,500,000.

He merges those items because they deduct the supplies they furnish the men from the wages of the men. They pay them $3.10 a day, and charge them up with a reasonable amount for board, which is not complained of.

To feed horses—

The stock employed in the hauling and dragging of these logs in the woods—

$3,000,000 annually. Reduction transportation charges imperative, instead of tariff reduction, to reduce price lumber to consumers and still protect wage-earners and farmers of our State.

I have other telegrams here about the methods and the cost of dressing this lumber, tonguing and grooving it, and those other processes. When I take up the subject again I shall briefly treat of them.

I want to say right here that the charge, direct or implied, of vandalism in the forests has no foundation whatever. No man ever cut a tree for his own amusement, except, perhaps, that great English statesman, of whom it is said that he went out every morning and cut down a tree before breakfast. But men do not go to the frontier in those forests and cut trees for their own amusement. They do not cut them unless somebody wants them cut, and is ready to buy them and make use of them. Lumber is not cut or manufactured to rot on the ground. When it is cut and manufactured, it is done to build cities and towns and homes and barns and fences and railroads—to substitute civilization for the hollow silence that rested in that country and in those forests when I first knew them.

Mr. President, I think I shall suspend for to-day when I have called attention to the fact that was referred to by the Senator from Minnesota and the Senator from North Dakota in regard to the great waste of lumber from fires. I felt somewhat curious about that. We have in our State a fire-protection patrol and board which is part of the organization of the state government. They have statistics, and those statistics somewhat surprised me. I sent for them, and this is the response:

In Idaho we have a fire patrol, covering the dry season in the timber, independent of the Forestry Service. It is maintained under the law of the State. It covers the forests of north Idaho.

I will say that there are 20,000,000 acres of forest reserves in Idaho; so some of the little patches of timber land elsewhere would probably lose their importance when compared with those great fields.

There are nine associations operating together—

That is, nine subdivisions of this forestry fire patrol—

The law provides that the state board of land commissioners shall divide the State into fire districts, with due consideration as to the forest area. A chief fire warden is appointed by the board for each district, and each chief warden appoints as many deputies as are found necessary.

This is the method of this State of "vandals" that you have heard held up here by the Forestry Service, which has asked you to provide protection against them, almost to incarcerate them, for fear they would destroy the timber on the public lands of the State they love so well, where they have made their homes. That is the way they organize.

The wardens patrol the districts under orders of the chief warden during the fire season. The object is to detect the fires in their incipient stage and put them out—

Not to report on them to Washington, and telegraph for orders; but when they detect fires, it is their duty to put them out—

And when not able to handle them alone, to get help and control them. These wardens under the law are state appointees, and have police power to make arrests without warrants, and can compel assistance to control the fire when required.

Each member of the association—

That is, each of these men that form the association—

is assessed on his acreage—

His acreage of timber lands—

to pay the costs, and the State is assessed on the same basis.

That is done because the State has large ownership of lands that are scattered all through these timber areas.

The officers of the association are elected yearly, and serve without remuneration.

These are the "vandals" of Idaho!

The associations forming this association during 1908 were as follows—

This is an interesting column—

The Coeur d'Alene Fire Association; 14 members, 23 patrolmen; 358,060 acres; cost—

This was cash paid out in the year 1908—

$26,548.98.

That is the district in which I am so fortunate as to live.

The Clearwater Association, whose territory adjoins this, has 9 members, 27 patrolmen, and an acreage of 268,790 acres. Cost during 1908, $7,312.09.

Adjoining that is the Potlatch Association. Number of members, 10; patrolmen, 10; acreage, 314,068 acres; cost, $9,738.36.

Pend d'Oreille: That is the one from which the telegram from Mr. Humbird came to-day. I am sorry I have not here, and I can not state them offhand, the figures which will enable me to give the investment in mills in that district. It is a good many millions of dollars. This is the Pend d'Oreille district. It has 17 members—that is, there are 17 associations of lumbermen there that join together. It has 15 patrolmen, and covers 300,840 acres. During the year 1908 it spent $8,870 in putting out these fires.

To summarize, I will state that the fire associations that cover the timber lands of north Idaho expended, in 1908, $52,469.43 in putting out fires; and they spent it out of their own pockets, because they are assessed according to their acreage to pay that money—these "vandals" of Idaho!

Thirty townships covered by the Coeur d'Alene Association are within the limits of the Coeur d'Alene and Palouse Forest Reserves, and are supposed to be protected by the Forestry Service of the Government; but a large item of the expense of the association is the care of this territory within the forest reservation.

That is a nice story to read and reflect upon in view of what we have heard here about the necessity for the Forestry Service, with its chief telling the people in his annual report that we owe the safety of our timber lands and of the Government's property to the watchful care over the forest reserves of the Forestry Service. And yet we find the people in Idaho, at their own expense, putting out these fires and saving this timber.

During the year 1908 the Clearwater Association handled 15 fires, built 2 miles of wagon road—

That is, this association that I have spoken of, that covers 268,790 acres of land. They—

Handled 15 fires, built 2 miles of wagon road, 19 miles of new trail, and opened up 40 miles of old trail. The fires in this district were started—

How do you suppose?—

by lightning.

Every one of the 15 fires in that district last year was started by lightning. Yet we are told here with horror of the carelessness of the frontiersman and of the homeseeker in starting fires and burning up the Government's forest lands. Last year there were 15 fires in that district of over 250,000 acres, and every one of them was started by lightning.

I can appreciate this. I have lived in those mountains for more than a quarter of a century. I sat on my porch one evening about 5 o'clock and saw a bolt of lightning strike a dead tree just across the gulch from me and set it on fire. It started a fire that it took hours to put out. When the lightning struck that tree, which was dead and partly rotten, it threw the fragments of the tree over an area of perhaps an acre. Each separate firebrand started a new fire for itself. On more than a dozen occasions in my experience in those great forests I have seen the lightning start the fires, and the poor prospector and immigrant is charged with doing it. And yet every one of the fires in that district last year was started by lightning.

In 1908 the Coeur d'Alene Association handled 80 fires—

That is a neighboring one—

57 of which were controlled by the patrolmen alone. Fifty of these fires were started by lightning.

I will tell you how the others were started directly.

The Pend d'Oreille Association in 1908 handled 130 fires, 105 of which were handled by the patrolmen alone.

Very few of the fires in this district were set by lightning, the railroad engines and section crews being the greater source of danger. One-half of the limits of this association are within the Government's reserves and supposed to be adequately protected by the Forestry Service, but the timber owners find it necessary to expend these large sums of money and at least three months of sleepless vigilance in order to safeguard their own and the government property, for it is necessary for them to protect the property of others, in many cases, in order to protect their own. Much has been said by and for the Government and its methods as to its endeavor to protect the forests from fire, but if its methods had been as faithful to fighting fires in timber as they have been in fighting them in camp or the press of the country, the timber owners would not have to spend so much money in the forest reserves. As a sample of the efficiency—

I am taking this from the official report—

As a sample of the efficiency of the government patrol, there is herewith included a portion of the Clearwater Association's report for the years 1905, 1906, 1907, and 1908:

"In 1905 there was fire on the reserve, which started at a point, French Mountain, in 36-6 E, and ran east 11 miles. This fire was approximately 11 miles long and 3 miles wide. During the year 1905 we never had the pleasure of seeing a forest ranger."

The report of this association gives numerous instances similar to the above.

One of its members told me he saw the forestry ranger, supposed to take charge of this question, and told him, at the forks of the St. Joe River, of the existence of the fire, about 13 miles away, and he was about 10 miles from the nearest point where he could communicate with the outside world; and the forestry officer said: "I will go down and report it to Washington." The gentleman said he gathered up some men in the timber and went up, and he had been fighting the fire three days and had it under control when the forestry officer came again, and he said he had been ordered to inspect and report the condition. That is the cooperation.

But I am not here to indict the service. I am here only to give these official facts.

Mr. President, I think, with the permission of the Senate, I will suspend my remarks for the afternoon, with the privilege of resuming them when the Senate is again in session and this paragraph is under consideration. I have dealt largely with the general and preliminary questions. I desire to present some specific facts controlling the question as to the advisability of retaining the present duty.

Mr. McCUMBER. Mr. President, I understand the Senator in charge of the bill is desirous of an early adjournment this afternoon, and I will take not to exceed five minutes in replying very briefly to some of the arguments that have been given here in defense of the retention of the duty upon the lumber imported into this country.

Mr. President, I have not heard one single, solitary statement here to show that a reduction of tariff on lumber would destroy the business of a single mill in the United States.

Mr. HEYBURN. I will give you some.

Mr. McCUMBER. I have heard the argument that the lumber interest is not doing so well to-day as it was a year ago, or prior to the little financial flurry that we had in 1907. I have not heard any argument that demonstrates that a reduction of the tariff will necessarily reduce the price of lumber, and I think I have established clearly by the figures I have given that it will not reduce the price; that all we can hope for it is that it will prevent the price from mounting too high and too rapidly.

Mr. President, the Senator from West Virginia [Mr. ELKINS], who is not in his seat, adduced two or three arguments in favor of the retention of the present duty. But when you simmer them down and get at the foundation of them, the only arguments that he made were that inasmuch as I have been in favor of placing a duty upon the farm products of my State, therefore he should have a duty upon the products of his State, and especially upon lumber and iron and coal and oil.

I have never been laboring under the idea that this was the rule by which we determined whether or not an article should go upon the dutiable list. I supposed we took into consideration, first, whether the article itself needed protection and, second, whether the protection was for the best interests of the American people; and if it can be established to my satisfaction, first, that the lumber industry does need the protection; secondly, that that protection would ultimately result in benefits to the American people, not immediately, not to-day, but at least for a few years in the future, I should certainly vote for a protective duty.

I can see a vast difference between those articles which we produce month after month reproduced again and again, and which we can go on producing indefinitely without exhausting anything, and those articles the supply of which, in the very nature of things, can not last more than a very few years—resources which we should retain for the best interests of the American people just as long as it is possible to retain them.

Mr. President, the Senator from West Virginia constantly alluded to the higher prices of farm products, and again and again he stated, substantially, that I was satisfied so long as beef kept

advancing, so long as the price of agricultural products kept advancing, although his people might be starving for those articles; that I had no heart for them.

It is probably proper to diverge for just one moment at this time and analyze honestly and fairly the condition of the American farmer, and I do not care whether it is on the plains of the Dakotas, in the hills and dales of Maine, or wherever it may be, and let us see whether we are reaping all the benefits of this tariff and whether the poor laborers in the mills are suffering as the result.

I want to tell the Senator from Idaho and the Senator from West Virginia that every article which is produced upon the farm to-day requires more expended energy for the value of the product than any other article produced on the American Continent, and I can establish that beyond any possibility of doubt. Mr. President, I can appreciate the difference between the farmer who rises at 4 or 5 o'clock in the morning, keeps on with his work continuously until 9 or 10 o'clock at night, and the laborer in the mines or mills of West Virginia, receiving his $3 or $4 or $5 a day for eight hours of labor. I have compared the work of the laborers upon the great public buildings with the labor on our farms. Before the chime of the hour of 4 o'clock had died upon the listening ear, I have seen the uplifted hammer fall, with the nail half driven in its course, the hoisted mortar dry in the hod, while the sun was still high in the heavens.

God knows I want to see the laborer paid good wages for his services. I believe the best interests of this country demand that the value of labor shall go higher and higher as the years go on. I believe that the very best interests of this country will be subserved when the child of the laborer can sit side by side with the child of the owner of great mills in any of the great universities of this country. I know it can not be done in one moment; I know that the struggle to reach that condition will require a great many years; but I believe the time is coming when labor will reap the legitimate proportion of the value of the things it produces. But I want to see my farming community equally well served.

What is the farmer on the plains of North Dakota and South Dakota and in Maine doing when your laborer here stops work in your mills at 4 o'clock in the afternoon? I can see him out on the prairies, the beads of sweat trickling down his sunburnt face, with at least six or seven hours of hard labor to be accomplished before his tired limbs can rest. I want to measure the value of the product of his labor with the value of the laber of the constituents of the Senator from West Virginia, who has accused me of wanting to injure his people for the benefit of my own. I can establish to the satisfaction of the Senator or any other man upon the face of the earth that we put in more hours of labor, five times over, to produce a dollar's worth of property than any laborer in any mill in his State.

Mr. HEYBURN. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. HEYBURN. I wish to make a suggestion to the Senator from North Dakota as a further reply. What is the man thinking about when he quits work in the lumber woods at the mill? He is just thinking, How am I going to sell this product I am working on, and who is going to buy it?

Mr. McCUMBER. I have gone over that matter. If I agreed with the Senator that the great forests of this country were inexhaustible, if I believed that all the government experts who have measured every acre of the timber land in this country were falsifiers or did not know anything about the subject, if I believed that we could raise, as the Senator from Idaho thinks, merchantable timber in ten or fifteen or twenty years, if I believed that we were reforesting all of our vast timber lands as rapidly as he believes we are doing, I probably would be just as high a lumber protectionist as he is. But as I travel from Minneapolis to Duluth, a distance, I think, of about 120 miles—is it not, I will ask the Senator from Minnesota?

Mr. NELSON. Yes.

Mr. McCUMBER. As far as I can see, where there was once one great pine forest we can see nothing but burnt stumps; and as I travel over that great State of Minnesota, which forty years ago had one-third at least of its acreage in those mighty forests, and now look upon it to-day, nearly all of that a black, burned, destroyed district, I ask the Senator from Idaho if he can tell us where we have reforested that section of the country. I have gone through sections of Idaho. I have gone through those valleys. I know something about them. As you look out from the train window upon the mountain side you still see the old black stumps, and you do not see anything else. As I went through Oregon a few years ago I drove along one of the great rivers of that State and for miles and miles along the valley, as I looked up the mountain side there was nothing but the same fire-devastated districts. There was not even a shrub left that you might cling to to help you in ascending it. Yet we are told that they are still reforesting.

Mr. President, the $4,000,000 appropriated by Congress last year to reforest what was destroyed is an answer to the claim that we are reforesting about as rapidly as we are deforesting the country.

I was going to tell the Senator from West Virginia [Mr. ELKINS] something about the cost of the production of things upon the farm, when these farmers and their wives and their children are working sixteen hours a day. The Senator from West Virginia forgets that the farmer spends two-thirds of his working life before he is the owner of his farm and before he owns the capital which he invests in his business. Now, let us take any one of his products as an illustration. Take the product of wheat, that the Senator is complaining about. As I have said, two-thirds of the farmer's working life is given to hard labor before he earns and owns his farm. Then what? He must plow it and he must harrow it several times, and then he must seed it, and then he must care for it prior to harvest, and then he must harvest it, he must cut it, he must bind it, he must pick it up two or three times and put it back when the wind scatters it over the field, he must set it out to dry whenever there has been a heavy rain, he must then stack it, he must hire his men and thrash it, and finally he must haul it to the mill. That represents the farmer's labor upon that wheat.

We will suppose, for instance, that he gets on an average, as he has got lately out in my section of the country, say, 90 cents a bushel for that wheat. What becomes of it? It now leaves his hands. Then there is the expense of transporting it to the mill, which is certainly not above 10 per cent; the grinding of it by the miller; the sending of it to the baker; and the baker making it into bread and selling that bread for 5 cents a loaf. The baker receives about $4 a bushel for that grain. The farmer receives about 90 cents. The amount of expended labor upon that bushel of wheat by the farmer is four times the amount of labor expended upon it after it leaves his hands and is converted into bread. Yet by the time it leaves the baker it is four times as valuable as it was when it left the hands of the farmer.

I can give you another illustration that will probably be still more startling than that.

Mr. SCOTT. Mr. President, will the Senator allow me? I do not want the Senator to use up all his energy in talking to me. I believe it was my colleague who had the colloquy with him. I have spent as many hard days on a farm perhaps as the Senator from North Dakota. I know all about the hours of the farmer. I have put the harness on horses before daylight and hitched up before breakfast. I know all about it. The Senator need read me no lecture about farming.

Mr. McCUMBER. I know the Senator knows all about farming. I referred, of course, to the Senator's colleague, who was speaking upon this subject.

But I want to give you another illustration. Here is the farmer. Two-thirds of his life, I say, is spent in earning his farm at the present prices of farm lands anywhere in the United States. He raises a bushel of tomatoes, for instance. Let us make a little calculation on that. You will find that he has got to plow the land. He has then got to harrow it. He has then got to plant his seed. He has then got to sow it. He has then got to water those vines. He must then keep the bugs off of them. He must then gather his tomatoes and then haul them to market from 1 to 10 miles. What does he get for them at some seasons of the year? Sometimes as low as 25 cents a bushel. I have known them to be that cheap.

Now, I will follow that same 25-cent bushel of tomatoes into your restaurant right down here where the Senators take their meals, and I will see what they pay for them then. It passes through the wholesaler, possibly also the retailer, to the restaurant. Let us see the rapid advance in price the moment other labor operates upon them. You will pay 25 cents for one of those tomatoes down here in the restaurant when it is sliced. There are about 300 tomatoes in a farmer's bushel, because they are always well heaped up and they are good, honest bushels. The farmer gets 25 cents for that bushel. Then the restaurant man gets 25 cents apiece, or $75, for that same bushel!

That is not all, Mr. President. If the farmer is well enough off to go into that restaurant, he will pay the value of 300 tomatoes for the privilege of eating one that he has raised. And he will not stop there. He will have to go into his pockets, if he is going to be treated nicely, and give the colored waiter who serves him another quarter, another 300 tomatoes, for slicing that one. There is a little illustration of the difference between the value of his labor that is put upon a given article before it leaves the farm and the value of the labor that operates upon that product after it leaves the farmer's hands.

So it is with every other product of the farm. I am not satisfied to allow anyone to say here that our farmers are getting rich and we are wanting to put things upon the free list so that we will grind down somebody else. I could tell the Senator from West Virginia, if he were here, that we raise more wheat than anything else in our State, and when he goes down to this same restaurant he does not pay a cent for his bread. It is so cheap that they give it away the same as they give away water. They do not even charge for the butter that goes on it that is raised by the farmer. There is the farmer's labor and his product, the staff of life served in almost every restaurant in the United States absolutely free, because it is of such insignificant value.

I want to say, before I close, one word upon the tariffs that are placed upon the farmer's products. If I can not demonstrate when we reach that schedule that every one of the products on which I have asked a tariff to be levied should be levied upon it, then I am willing that it should be reduced.

But I know something about the conditions of the Northwest to-day. I know the growing conditions of our Canadian border line for 2,000 miles. I know some of the conditions that will confront us before another ten years shall elapse, and I am going to guard the interests of those people for the next ten years. Why? Because before the expiration of that time we will not be exporting one bushel of wheat from the United States. Then we will have the direct benefit of that tariff. I know how we are going to be received on the other side of this question just as soon as that condition arises. Then the cry will go up over this country for free food. I know what the farmers, who have stood by you during years of hardship to build up your industries, will meet, because I have observed it in every other country—as in Great Britain, where the laborer said, "We demand cheaper food," and the tariff went off food products.

When we get that condition, Mr. President, I hope to see the farmers in my section as thoroughly organized as the labor unions are to-day; and if they are organized, I will tell you, you are going to have a pretty difficult task in cutting down the duties upon breadstuffs for the benefit of anybody upon the face of the earth.

Mr. President, I have talked, perhaps, a little longer than I intended to do in the closing of this matter, but I want to say just one word in reference to the forests, in answer to the Senator from Idaho. He says that these forests were intended by the Almighty for the permanent use of the people. Well, Mr. President, if they were so intended, then I must say that the will of the Almighty has been signally frustrated by the rapacity of His children, because, as I look over the country, we are not going to keep them for the future; we are not going to protect them for the permanent interest of the American people, but they will be out of existence in about thirty years, as can be demonstrated with mathematical accuracy, even after allowing for the annual growth of those same products.

The Senator thinks that these are inexhaustible, I know. But, Mr. President, the Senator from Idaho differs from every man in government employ who has carefully measured the amount of timber there is in the United States, who has carefully calculated the consumption in the United States, and who has carefully estimated reproduction. Those experts say we will practically exhaust our forests within the next thirty years, at the present rate of consumption.

The Senator said another thing—that I was in favor of keeping the soil upon these mountain sides. I judge from the argument of the Senator from Idaho that he is in favor of running the soil down to the ocean. He thinks we need the floods, that we may bring the soil down from the mountain side to resoil the farms in the valley.

Mr. President, has any farm ever received any benefit from the soil from the mountain side? I would keep it there. The Senator from Idaho would send it all into the ocean, because there is where it does go. I would rather have it upon the mountain sides as a retained soil for the benefit of future conservation than to despoil those mountain sides to-day and denude the timber lands and have, as a result of that, the destruction of both forest and farm.

Mr. SCOTT. Mr. President, I am very sorry that my colleague [Mr. ELKINS] was not present in order to defend himself against the very earnest and, at least, very energetic talk of my friend from North Dakota.

I was surprised at many of the illustrations he gave. They were so thoroughly ridiculous that I was surprised the Senator would make them. For instance, in quoting the price of a tomato, he does not think it is necessary for the man who keeps a restaurant to have tablecloths, knives and forks, dishes—which are often broken—napkins, and servants in order to serve the tomato. I could go on indefinitely, but the Senate is not here to listen to a discussion of that kind, and I will turn it over to my colleague, who, I have no doubt, will reply.

Mr. McCUMBER. I want the Senator to understand that the farmer has to have hoes, pitchforks, machinery, horses, and all those things just as well as the restaurant keeper needs spoons, and so forth.

Mr. President, I was simply attempting to illustrate how rapidly the value of the product advanced just as soon as it left the farmer's hands, not for the purpose of criticising these men, but for the purpose of showing that labor employed in any other industry receives far greater remuneration for a given number of hours than on the farm; and I think I have established that.

Mr. SCOTT. There is no one, I think, who will say that I have not always been willing and perfectly anxious to do the farmer justice. He is the hardest working man, I think, in the country; he labors longer hours. I have been there, and I know of the life myself. I do not know whether the Senator from North Dakota ever labored on a farm, but I myself have. I want to say, Mr. President, I am in favor of protecting the farmer and everything he produces, everything that grows, the same as I am in favor of protecting the man who is engaged in manufacturing or in any other pursuit in this country.

Mr. President, who is suffering to-day? Is it the farmer? In conversation with a hotel keeper in southern California, whom I have known for years, who runs one of the finest winter resorts in that southern climate, he told me that in the last two or three years he has missed the eastern man, the manufacturer, the merchant, the banker, but his house has been overrun with the farmer, with his wife and his children; that they all have plenty of money, and his rooms were not too good nor his table too expensive for any of them. I was very glad, indeed, to hear it. So the depressed and downtrodden farmer in the last few years has certainly had an equal advantage with those of us who have been engaged in manufacturing.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, May 24, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 22, 1909.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

Charles B. Elliott, of Minnesota, vice Charles A. Willard, to be effective upon the date of the resignation of the latter.

RECEIVER OF PUBLIC MONEYS.

George H. Kimball, of Eureka, Cal., to be receiver of public moneys at Eureka, vice Daniel J. Foley, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 22, 1909.

ASSISTANT TREASURER.

Oscar L. Whitelaw to be assistant treasurer of the United States at St. Louis, Mo.

INDIAN INSPECTOR.

Ernest P. Holcombe to be an Indian inspector.

RECEIVER OF PUBLIC MONEYS.

Charles C. Hoag to be receiver of public moneys at Woodward, Okla.

POSTMASTERS.

NORTH CAROLINA.

Jesse C. Randall, at Bryson City, N. C.

OHIO.

Peter Schatzman, at Glendale, Ohio.
Charles J. Tiffany, at Clyde, Ohio.
Mathias Tolson, at Salineville, Ohio.

OREGON.

Benjamin P. Cornelius, at Hillsboro, Oreg.
F. O. Minor, at Bend, Oreg.

PENNSYLVANIA.

Jesse Ehrhart, at Dallastown, Pa.
Howell P. Williams, at McDonald, Pa.

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-FIRST CONGRESS, FIRST SESSION,

ALSO

SPECIAL SESSION OF THE SENATE.

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CONGRESSIONAL RECORD,

SIXTY-FIRST CONGRESS, FIRST SESSION.

SENATE.

MONDAY, *May 24, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT resumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

Mr. PERKINS presented petitions of sundry citizens of San Francisco, Oakland, Bay Point, Isleton, Collinsville, Vallejo, Los Angeles, Concord, and Martinez, all in the State of California; praying for the removal of the duty on hides, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Oakland, Cal., praying that an appropriation be made to enlarge the federal building in that city, which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of sundry farmers' unions, paper mills, sugar factories, grape and fruit growers, and wool growers, all in the State of California, relative to the duty on sulphur in its crude and refined state, etc., which was ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of sundry citizens of Ironton, Algoma, Racine, Milwaukee, Viroqua, Eau Claire, Bangor, Mindoro, Dodgeville, Walworth, Bruce, Rice Lake, De Forrest, Waterford, New London, Baraboo, Elk Mound, Bristol, Strum, Mattoon, Rosendale, Portage, Barron, Chippewa Falls, Watertown, Green Bay, Tomahawk, Sparta, Alma Center, Randolph, Reedsville, Oconto, Adell, Washburn, Ashland, Almena, Gladden, Hillsboro, Richland Center, Marinette, Port Washington, Monroe, Rhinlander, Beaver Dam, Warrens, Plymouth, and Cascade, all in the State of Wisconsin, praying for the removal of the duty on hides, which were ordered to lie on the table.

Mr. HEYBURN presented petitions of sundry citizens of Whitney and Franklin, in the State of Idaho, praying that no change be made in the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. ROOT presented petitions of Orwell Grange, No. 66, Patrons of Husbandry, of Orwell; of sundry citizens of Perch River, Three Mile Bay, Orwell, Denmark, Brooklyn, Oxford, Hastings upon Hudson, Waddington, Cazenovia, Tully, Onondaga, New York City, Newark, Pine Island, Amity, Pond Eddy, Buffalo, Rochester, Sodus Point, Limerick, Clayton, Ardonia, Clintondale, and Ballston Spa, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of Orwell Grange, No. 66, Patrons of Husbandry, of Orwell, N. Y., remonstrating against any increase being made in the duty on imported gloves, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 52, Cigar Makers' International Union, of Elmira, N. Y., remonstrating against the free importation of cigars from the Philippine Islands, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Syracuse, N. Y., remonstrating against the imposition of an import duty on teas in bulk, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for the passage of the so-called "parcels-post" bill, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Chamber of Commerce of Buffalo, N. Y., praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Schenectady, N. Y., praying for the imposition of a low rate of duty on sugar imported into the United States, which was ordered to lie on the table.

He also presented a petition of the New York State League of Cooperative Savings and Loan Associations, praying for the reduction of the duty on materials entering into the construction of dwelling houses, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 149, of Saratoga Springs, N. Y., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. SMOOT presented petitions of sundry bankers of Ogden; of sundry beet growers of Lewiston; of sundry merchants of Ogden; of sundry farmers of Warren, Kanesville, West Weber, Hooper, Richmond, Cove, Slaterville, Marriott, Ogden, Wilson, and Farr West, and of sundry citizens of Wampa, all in the State of Utah; and of sundry farmers of Teton, Rexberg, and Blackfoot, in the State of Idaho, praying for the retention of the present rate of duty on all grades of sugar, which were ordered to lie on the table.

Mr. LODGE presented a petition of sundry citizens of Boston and Cambridge, in the State of Massachusetts, praying for a reduction of the duty on wheat, which was ordered to lie on the table.

Mr. NELSON presented sundry papers to accompany the bill (S. 2322) granting an increase of pension to Carrie Engberg, which were referred to the Committee on Pensions.

Mr. DU PONT presented petitions of sundry citizens of Smyrna, Del., praying for the reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. RAYNER presented a memorial of Typographical Union No. 12, of Baltimore, Md., remonstrating against the imposition of any duty on news print paper and wood pulp.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOLLIVER:

A bill (S. 2460) granting a pension to Harrison H. Vaughn; and

A bill (S. 2461) granting a pension to Benjamin C. Sparks; to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 2462) granting an increase of pension to William G. Lewis (with the accompanying papers); and

A bill (S. 2463) granting an increase of pension to David C. Nigh (with the accompanying papers); to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2464) relating to claims before the Court of Claims and the testimony before same; to the Committee on the Judiciary.

By Mr. McENERY:

A bill (S. 2465) for the benefit of the Citizens' Bank of Louisiana;

A bill (S. 2466) for the relief of the Louisiana State Bank; and

A bill (S. 2467) for the benefit of the Citizens' Bank of Louisiana; to the Committee on Claims.

AMENDMENT TO THE TARIFF BILL.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

COMMITTEE ON PUBLIC EXPENDITURES.

Mr. ALDRICH. I offer a resolution, which I ask may be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 50) was read, as follows:

Senate resolution 50.

Resolved, That the Committee on Public Expenditures be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make investigations as to the amount of the annual revenues of the Government and as to the expenditures and business methods of the several departments, divisions, and branches of the Government, and to report to the Senate from time to time the result of such investigations and their recommendations as to the relation between expenditures and revenues and possible improvements in Government methods; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recesses or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, expert, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

Mr. BEVERIDGE. The resolution is in the usual form except in one particular. It says that they may sit "by subcommittee or otherwise." That is not usual.

Mr. ALDRICH. It is usual.

Mr. BEVERIDGE. Not the words "or otherwise." What do you mean by "otherwise?" The full committee?

Mr. ALDRICH. The full committee. It follows exactly the usual language.

Mr. BEVERIDGE. We are all familiar with this kind of a resolution. Let it go to the committee, and it can be looked into.

Mr. ALDRICH. It goes to the committee.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the Calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize

duties, and encourage the industries of the United States, and for other purposes.

Mr. OWEN. Mr. President, I have in my hands a very remarkable statement relative to the frauds perpetrated on the people of the United States by the so-called "sugar trust." This account points out one of the most evil and insidious consequences of the building up in this country of these gigantic organizations under protection from competition by this so-called "tariff," which has led to poisoning the fountain of information to the people of the United States, and which has led to the evil consequences by which even a fraud of this magnitude, where millions of dollars have been stolen from the people of the United States, is not mentioned by the leading papers of the city of New York, but, on the contrary, full-page advertisements of the American Sugar Refining Company appear in lieu of the truth which ought to be made known to the people of the United States.

I desire to have this statement read by the Secretary.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE CHASE OF THE SUGAR SMUGGLERS—STORY OF THE STUPENDOUS CUSTOMS FRAUDS IN NEW YORK—HOW THE SYSTEM WAS BUILT UP—HOW IT WAS DETECTED—SUGAR SCALES REGULARLY "FIXED"—SCHEME JUST DISCOVERED THE SEVENTH EMPLOYED TO CHEAT THE GOVERNMENT OF ITS REVENUES—TRUST HAS REPAID MORE THAN TWO MILLIONS.

[The Washington Times, Sunday, May 23, 1909.—By Allen D. Albert, jr.]

The United States Government has arraigned the American Sugar Refining Company as a smuggler. The American Sugar Refining Company has confessed its inability to clear itself. Wherefore, yesterday morning, the United States Government accepted from the concern the return of $2,135,486.32 as booty, and seven men stood before the bar of the Nation's court to answer, in the stead of an impersonal corporation, the charge of crime.

In all the varicolored story of trading on the seas there has been no smuggling like this. In all the transformation of business from a matter of barter hand to hand to a matter of an organization that in this instance seemed in power to rival the Government itself there has been no suit at law and no response to punishment like this. In all the cogwheeling of men, whether among that people which in bondage under the Pharaohs was set to making bricks without straw or among them whose sweat bought the luxury of the Louis, there can have been no story more tragic than that of six of these seven.

They were men so insignificant in the roster of the great company they served that they did not even have names upon its books, but responded, as do convicts, to numbers. They are men who have imperiled future liberty, the name given to wife and son, and daughter, for $5 a week. They are men who did not share otherwise in a single dollar of the millions which were coined—and by the judgment of a jury, going unlawfully—into the coffers of their employers. Yet these men are also men, by the judgment of this same jury, who were making of every day for six years an ingenious living, pertinacious, shadowed lie.

TRUE STORY OF THE SMUGGLING CASES.

The signboards of the remarkable story which underlie this smuggling are these:

Just north of the Williamsburg bridge on the Brooklyn shore of the East River is the Havemeyer and Elder refinery of the American Sugar Refining Company. Here smuggling has occurred, according to the evidence and the finding of a jury, from December 1, 1901, to November 20, 1907. There is further evidence that similar frauds at these docks reach back beyond 1896.

The particular device in use when the discoveries were made and the agents of the refining company were arrested last November consisted of a corset steel set into the post of a platform scale. But this was only the latest of seven such devices introduced, detected, forbidden, but not punished, and discarded in turn for some more ingenious contrivance working the same result.

COMPANY FIRST SUED IN TEST CASE.

The company was sued for $134,000 as a test case. It has chosen, without formality of appeal, not only to pay that sum, but to pay also the aggregate of the Government's claims in other cases not even brought to trial—a total of more than $2,000,000. Had the Government sued for the forfeiture of all the sugar, any part of which was underweighed, and was under the law subject to seizure, the total involved in these actions must have exceeded $65,000,000. Not even counsel for the defendant company has suggested any means by which a single cent of the duties withheld could go to the workmen whose false weighing was the means of the fraud.

CASES DATE BACK TO 1904 AND WHITE HOUSE.

The inquiry into the practices at these docks and the suspicion that fraud was practiced there date back to 1904 and the White House in Washington. When this inquiry resulted in the arrests on the docks three years later and the news was carried to the president of the company, H. O. Havemeyer, that great financier was seized with an attack of heart trouble, sank rapidly, and in ten days died. The trial of the civil action for the recovery of the customs dues began February 5 last and ended an even month later in the award of every cent claimed by the Government. Yet, up to this time, only three partial statements of the cases have appeared, most of the newspapers in the city of the trial have published less about it than about single misdemeanors of only the mildest interest, and no single adequate study of the situation has even been attempted.

SMUGGLING OF AN OLDER DAY.

The smuggling of an older day was a brave lawlessness. Light craft with raking masts sailed down the very path of storms to land the master's stores in hidden coves. Hand on pistol stock, knife in belt, roaring songs in the open water and muffled oars offshore, lanterns darkened with broad felt hats, cases heaped high with West Indian rum, the rarest weaves of Cashmere and Cathay, the ivory of Africa, and the gold of Spain—these were the old mounting of the smuggler, the old setting of his little play at life. And he himself was the very fulfillment of individuality. As he was fearless, as he fought hand to hand with Her British Majesty's sailors, as by recklessness or impudence or dare-devilry he slipped in and out the coast guard, he succeeded. Read of him where you will, in Scott or Stevenson, in Tennyson or Kipling, moralize as you may on his crime, there still will come the thrill of adventure as you visualize great galleon and little sloop, the dingy courtroom and moonlighted water.

OLD PIRATE SETTING NOT IN THIS.

But the warm color is gone out of the later picture. Here is no brave lawlessness, no fulfillment of individuality. Here is no singing and laughter. Here is no life in the open air, with the lungs filling deep and the heart pounding before a fight. See what is here.

The Havemeyer and Elder refineries overtop all Williamsburg. Only the new bridge towers above these ugly piles of blackened brick. In the upper floors, floors that look down on the masts of American ships of the line in the navy docks to the south, are processes so valuable and so secret they have not even been patented. Murky smoke hangs about the black windows. Out in the river shuttles the ceaseless line of tugs, ferries, freighters, tramps, and passenger craft. Every integer in the picture tells of its presence with noise. The boats toot incessantly. The refinery whirs. Down on the docks, dirty and gray as the view higher in the air, sounds the rattle of ratchet and chain, the puff puff of the donkey engine, the roll and quick jangle of the trucks as they drop on the iron platform of the scales, the grunted patois of workmen of a score of racial types, none of them American.

SHIPS FROM ALL THE NATIONS.

In the slips are ships from every country where sugar grows. They are not schooners. They are steel freighters with foreign and geographical names like *Strathyre* and *Chichuahua*, painted white and with utility stamped everywhere. Some come from Chile, some from Egypt, some from the Philippines, some from Peru, some from Java.

"This is the largest institution of its sort in the world," says counsel for the company. "The amount of sugar that is melted at that refinery in one year ranges from 1,080,000,000 pounds to 1,200,000,000 pounds." It must draw on all the world for its supplies, and it does.

The docks are several blocks long. They are not so long, however, that they are not kept piled high with fat bags of sugar. "Puff puff," goes the donkey engine on the ship. "Dump," fall the bags of sugar from the rope loop. "Rattle," go the trucks along the planks. "Clink clink," go the scales. Round and round the circle of Poles and Slovaks, trucks, and sugar winds and winds.

All day long it keeps up. All day long the men sweat and swear. All day long the scales are weighing 100 truck loads an hour. All day long the sugar is being dumped in piles, with here and there the brown coarse stuff oozing out of a hole and being immediately swept, with the dirt of the floor, into security from the slightest possible waste. And all day long over the whole landscape, upstairs and down, astream and ashore, hangs a smell like cooking molasses. Eyes, ears, and nose are all challenged and all perforce confess the domination of the view by this empire of business.

SCALES TO SHOW WHAT GOVERNMENT GETS.

Seventeen slips make up the docks. They stand away from the main buildings like teeth to a comb. At the base of each slip is a weighing house. There is seemingly nothing extraordinary about it. Anyone who has ever seen a ton of coal weighed will know how the scales look and will understand the process from platform to weigher's pad. But these balances have a particular use. Each one of the 17 has been provided by the American Sugar Refining Company, that the Government may know the amount of sugar imported at these docks, and so withdraw from funds deposited by the company with the collector of the port the amount of import duty to be charged. That is the only use of these scales. But near by are others of a very different type. They are old-fashioned open-air steelyards and they are in the hands of men employed by the sugar growers to determine the quantity of that product when it has reached the refinery. These steelyards are operated by contractors who are paid by the grower of the sugar and—though they have no official status whatever—are called "city weighers."

The case of the 17 holes is the case of these 17 little scale houses. In each scale house is a little hole. And it is the use to which that hole was put which withheld from the collector of the port the $200,000 now repaid.

HOW THE FRAUDS WERE BROUGHT ABOUT.

At one end of the seat in the scale house, the end nearer the door, sits the government weigher. His business is to determine how much sugar is in each truck load. He has exclusive control over the scale. But with him, at the end farther from the door, was allowed to sit a checker for the company. His business was to note the weight of each load, enter it on a pad, and then compare the totals of his page with the totals of the government page. That was at least supposedly his business.

The American Sugar Refining Company maintained 13 such checkers on the docks. Seven of them were subject to irregular assignment. But for ten years the other 6 have never lacked for work. If only 6 scales were to be used, these 6 checkers were assigned. If 6 scales were to be used the day through and others only part of the day, these 6 were set at the former benches. Their names are Kehoe, Voelker, Boyle, Coyle, Halligan, and Hennessy. Say them aloud to yourself, putting an "and" between Boyle and Coyle and pause a little after you say Halligan. You will never forget them, then, any more than the jury could forget them when the assistant district attorney had rolled them off, like a college yell, the first two or three times. The assertive personality of the 6 is that of Coyle. And Coyle, the other 5 of the "big six," and the irregular 7 were all under the direct charge of Oliver Spitzer, dock superintendent, and, in the term of the workmen, "the company on the dock."

TREASURY AGENT AND HIS SUSPICIONS.

As the result of three years of pugnacious hard work there stood on the dock of this refinery the morning of November 20, 1907, with what he believed to be a chance to "get the gang," one Richard Parr, special agent of the Treasury. He had come there by agreement with a former employee of the company, Richard Whalley. The latter had reported to Parr that whenever a draft of sugar was put upon the scales the company checker in the scale house dropped his left hand at his side in a peculiar way. The understanding between Whalley and the Treasury agent was that if the practice was observed next day a signal should be given.

Parr came with another agent, James O. Brzezinski. Almost immediately they received the signal from Whalley. Parr went roundabout and quickly to another scale house. He pushed open the door. Just after he entered another draft of sugar was weighed—which is a fact of great interest in view of what followed. In the meantime the two

truck loads just taken from the platform were called back and reweighed. Here is the result:

The draft which Parr had seen weighed tipped the scale at the figure in the weigher's record.

But of the two other drafts, one now tipped the beam at 14 pounds more than the records of three minutes before and the other indicated a corresponding increase of 18 pounds.

PARR DISCOVERS THE STRIP OF STEEL.

The company checker, Kehoe, was meanwhile crouching down in the dark corner of the scale house. His left arm was held in the corner. His face changed color, not once, but many times.

"What are you monkey-doodling with down there?" demanded Parr.

"Nuthin'." answered Kehoe.

But Parr ordered Kehoe out of the way, ran his own hand beside the stanchion in the corner of the scale house and his fingers fell on a thin strip of steel, wound with string to protect the fingers, protruding from the scale post.

Things happened quickly in the ensuing five minutes. Kehoe "ducked," stopped only when told he was under arrest, and then denied all knowledge of the spring which Parr held in his hand. Two of the company's checkers in other scale houses were immediately relieved. One vacated his post without waiting for a substitute. And that is the record of all the checkers at work that morning. When the three other scale houses were inspected, as soon as could be done without losing Kehoe, no springs were found. But holes were found, and there were abundant signs that these holes had held springs a good many months.

Spitzer was the man of authority on the dock. He had hired these men. He kept their records. He wanted to know what was going on. "What did he do?" was asked of Parr in the course of the civil action. The agent's answer was:

"Took me by the arm and walked with me a few paces and said, 'We will have to fix this thing up, and not expose this thing and get a lot of people into trouble.' I said that if there was any trouble it was their own fault, and he said that was all right, that we would have to fix it up; that there was a lot of Masons around here, and they would all be in trouble if the thing was exposed, and he talked along that line for some time.

TRIES TO BRIBE THE TREASURY AGENT.

"And he said that if I would report the scales out of order that I could name my own price; that he would hand me the money and no one would know anything about it, and no one would ever know how I got the money; that he would cut his right arm off before he would tell about it. I told him there was no chance. He said he had fixed up many a one before. I said I understood he was a good 'fixer,' but he could not do anything with me. He said: 'Send Brzezinski over to me,' and I said: 'Brzezinski won't leave the scale house.' I would not have him leave the scale house, and I walked away from him.

"At that time Mr. Hyatt (a government weigher) was just about approaching the scale house. Mr. Spitzer said that that was Mr. Hyatt, the government weigher, and I asked him if that was the scale expert, and he said no, he was a government weigher in charge of the district. And I said (to Hyatt): 'I have something to show you,' and Spitzer hurriedly came in and rushed right in between us and got in conversation with Brzezinski and shortly after—after he talked for an instant or so—I overheard him say: 'We are all Masons, and this thing has got to be fixed up,' and Brzezinski turned to me and says: 'Dick, this man says you are all right.' And I says: 'Nothing is all right with me; everything goes as it lies.' Mr. Spitzer left the scale house and I escorted Mr. Hyatt over to the far end of the scale and Brzezinski asked him—made some questions."

GOVERNMENT COUNSEL INTERRUPTS.

Counsel for the Government here interrupted with:

"When was it Mr. Spitzer said to you at that time?"

The answer was direct—

"He said: 'You're a damn fool you didn't take the money.' He said: 'My offer goes yet, if you lose the iron.'"

"Sure he used that expression, 'if you lose the iron?'"

"Yes—positive."

As far as is known, Spitzer had not seen the spring in Parr's pocket. Indeed, he himself testified that he did not see it until several months later. At any rate he was expeditiously tried for attempted bribery. A Brooklyn jury acquitted him chiefly because Brzezinski changed front on the stand. Parr held his ground, however, and in the course of the civil action against the sugar company flatly charged his former associate in the service with perjury. Brzezinski has in the meantime been dismissed from the employ of the Government.

Why was this "iron" so important to Spitzer? Let's go back to the scalehouse and find out. With Deputy Surveyor of the Port James P. Vail in Kehoe's place I stepped on the platform. My weight was read as 162 pounds. Then Mr. Vail called:

"Now watch!"

SHOWS HOW THE SPRING WORKED.

The beam oscillated vigorously, the weight was changed to balance it, and then the reading came:

"You're falling off. You only weigh 154 pounds."

The corset spring had been put to work. A pressure of one ounce from that little strip of steel on the inside had offset 48 ounces of weight on the outside.

On scales of this pattern the actual weight on the platform is balanced by the much lesser weight on the bar because of two intermediate walking beams or transmission bars. One of these is above the poise bar, the other below. This spring was inserted so as to engage the lower transmission bar and, while allowing it to swing a little, yet pressed down upon it. The effect was a reduction of each truck load on the entry of the government weigher by from 10 to 44 pounds.

There were 17 of the scales and there was a hole in each of them. Above the hole in most instances a cleat had been nailed for the apparent purpose of guiding the operator's hand as he reached down in the dark. In one case the hole had been reenforced with tacks after it had worn large. In another it had been plugged and bored new and then painted; and the remarkable thing about this post, which was introduced in evidence, was that even this coat of paint had had time to grow old and wrinkled.

CASE WOULD BE HARD FOUGHT.

On this showing the Government might have obtained the duty on the sugar that was meanwhile smuggled in; but the case would have been hard fought. The Six and Spitzer were immediately segregated. Kehoe, who is believed to be a devout Catholic, is said not to have been to church since the detection of the spring, in November, 1907.

So the attorneys set out to compare the government weighings with those at the steelyard scales. District Attorney Henry L. Stimson had taken into association with him Assistants W. T. Denison, H. R. Buckner, Robert Stephenson, and H. S. Demming. They were opposed by the firm of Parsons, Closson & McIlvaine, John B. Stanchfield, H. F. Cochrane, and James B. Sheffield. If the latter group was to be overcome at all, it must be by virtue of a strong case strongly fought.

A score or more of accountants worked steadily for six months to complete this tabulation of the weights upon which the sugar company paid duty, with the rates upon which it paid the producers. At first the work had to wait upon information laboriously collected from the shippers. Then the Government was moved to issue a subpœna upon the company for its records.

But the company chose to do voluntarily what it could have been compelled to do, and so gave to the district attorney certain books which revealed this very comparison. They are called "pink books." They consist of two small diary-like volumes pasted together, and one of the smaller records is that of the checker in the scale house, while the other is that of the corresponding checker at the city weigher's balance. *In other words, for the entire period covered by the Government's claim the American Sugar Refinery had in its possession records which established every ounce of difference in these two weights.*

BOOKS SHOW HOW MUCH WAS LOST.

The parallel was never more deadly. It is before me as I write. *The column of instances where the duty weight equals or exceeds the purchase weight is practically empty. The column of instances where the weight upon which the company was to pay duty was less than the weight upon which the company was to base its purchase was practically full. The total of the discrepancies against the Government in the period covered by the suit was 6,272 tons. And these differences fell to normal the very day of Parr's discovery.*

Occasional exceptions to the general rule puzzled the government attorneys considerably. Thus, out of 50 cargoes unloaded in 1902, there were 2 which weighed slightly more on the government scales than on the steelyards; in 1903 there were 2 out of 49; in 1904 there were 2 out of 66; in 1905 there were no exceptions out of 57; in 1906 there was 1 out of 66; and to the date of the discovery in 1907 there were 15 exceptions out of 62 cargoes.

Well, Surveyor Clarkson and Deputy Vail were on the docks on the days of the 2 exceptions of 1902. One of the exceptions in 1903 is due to the fact that the sugar came in hogsheads which had to be scored with their weight, and it would obviously never do to let them go to the city weighers marked under their true volume. The 15 exceptions in 1907 were doubtless due to the more frequent visits of agents of the collector. And so on.

TRIAL FOUGHT LONG AND BITTERLY.

The trial was bitterly fought. But the jury was out only an hour and ten minutes. Perhaps the explanation lay as much in facts which were incidental to the main issue as to the story of the 17 holes, and the parallel columns of figures.

One such incidental was the testimony of *Mr. Havemeyer's confidential clerk, O. H. O. Schmelter.* In the charge of the court his contribution to the case was abridged in this form:

"In addition to that, Mr. Schmelter states that *Mr. Havemeyer on one occasion asked him to make out a list showing the differences in the two weighers' weights, and that he did so*, but that Mr. Havemeyer never asked him afterwards to see them. He states that at the end of each year, I think, or at the end when he made out his first lot of these lists, he spoke to *Mr. Heike (secretary of the company)* about it; showed them to him; told him what they were; and *Mr. Heike said he had better go on and keep making them out, and that he did so thereafter, and year by year, after making out these reports, took them over and showed them to Mr. Heike, and Mr. Heike made a brief examination of them.*"

Another incidental was the extra pay of the "Big Six." Coyle could get work anywhere there might be need for a hustler, but the others probably earned as much here as they could hope to get in New York. Nevertheless, these six were picked by the cashier, and paid beyond their fellows. Thus the indorsement on Voelker's envelope would be "*75¢—$13.50,*" *though it would be found to contain, and Voelker had long been accustomed to expect, $18 instead of the sum marked.*

HOW MEMBERS OF SIX WERE PAID.

Again, a witness of long and reputable experience in the customs service testified that when he came on the docks as head government weigher, Dock Superintendent Spitzer invited him to go every month to the cashier and get an envelope. *A former employee at the company's office swore that he had seen custom-house officials come to the sugar company's cashier and receive money "very many times,"* and the *cashier named was not called to deny the charge.* Most of this was, of course, contradicted by representatives of the company.

Further, in this connection, it was testified that too much activity on the part of the customs men had not been theretofore desired in the collector's office. A former weigher, who swore that he had noted a strange wobbling of the scale beam, was asked why he had not reported it. "*I did not want to commit suicide, did I?*" was his answer.

Another *significant incidental was the showing as to "invoice-weight" cargoes.* These are simply cargoes of which the weight set forth in the invoice is taken as the basis for the company's payment to the shipper, instead of weights taken anew from the city weighers in New York. In the case of invoice-weight cargoes, therefore, there could be no idea that the city weighers were in collusion to discredit the sugar company. Yet the parallel column made for the dock weighings might almost be transferred and applied to the invoice weights. *The result is an enormous excess over the government weight* up to the significant date of November 20, 1907.

UNIQUE DEFENSE BY COMPANY LAWYERS.

But the most impressive incidental to one who studies the record of the case is the defense put forth by such lawyers as Messrs. Parsons and Stanchfield. Here it is:

That the whole thing—a total equivalent to a dividend between 3 and 4 per cent on the capital stock of the company—is a tempest in a tea-pot. That the corset-steel and 17-holes story is a "plant" made up by Whalley and perhaps Parr to constitute a case. That the discrepancies are legitimate and due to more carelessness on the part of the government weighers than on the part of the city weighers; to the fact that the city weighers were paid by the hundred pounds weighed and the government weighers by the day; to the influence of the wind and tide and general confusion about the docks.

An abundant answer to all this is that the discrepancies due to the carelessness of everybody, to the different methods of pay, to wind and tide and general confusion have all disappeared since November 20, 1907. Finally, the attorneys fell back substantially on the declaration *that the officials of the company had nothing to do with the specified conduct of Spitzer and the "Big Six," and would make it mighty hot for anybody who said they had.*

But the wind theory deserves some special attention. The slips, said the attorneys, are so many funnels for the wind. It sweeps in from the river, blows itself underneath the docks, and then buoys up the scale platforms. The wind has reformed since November 20, 1907.

CERTAIN FACTS TO UNDERSTAND SUITS.

Certain facts outside the record must be stated for any full understanding of even the civil suit.

Water was thrown on the platform at one time when the tare weights were being calculated. This would dry before the sugar came along and distort the calculations of the Government by the weight of the water for every draft.

Another plan was to have the checker put his foot on the beam shown in the illustration and press down. This had precisely the effect of the corset steel.

Deputy Vail undertook, in 1902, to standardize the tare allowances for trucks on this dock. He fixed upon a pattern truck. It and its like were inspected and accepted only after proving to weigh uniformly 200 pounds each. Then the trucks were identified by being painted red. *Within a few days afterwards the red trucks were weighed again. They were found to have shrunk from 6 to 15 pounds each.* Since that day the Government has bullied the trucks under its own supervision and stamped them with its seal.

Another happening had to do with the balance ball on the scales. The checker was the only person save the weigher, near enough to that ball to touch it. *Yet the weigher found himself required to balance his scales anew every little while.* This was called "rolling the ball," and it gave the six—Kehoe, Voelker, Boyle and Coyle, Halligan and Hennessy—the name *"The Roly-Poly Six."*

KEHOE CAUGHT ONE TIME BEFORE.

Evidence was introduced that *in 1897 Kehoe was caught hanging a weight inside the scale house* for the purpose of bearing down the scale after the weigher had balanced it in the morning. The witness was a weigher named Conlon, and Kehoe admitted on the stand that Conlon had found such a weight, though he denied all personal knowledge of it.

The sixth method was simply to take the sweepings right under the Government's nose and *not weigh them at all.*

Each of these practices was discovered and corrected by the surveyor of the port, Gen. James S. Clarkson, or his deputy, Mr. Vail. The trucks were stamped with "U. S." *The balance ball was locked* in place. *Water on the platform* was occasion enough *not to weigh* upon it. *The transmission bar was curved* so that the checker's foot could not reach it. *Sweepings were watched. And now that the corset stay has been found through the Treasury Department, checkers are excluded altogether from the scale houses.*

Is it true that this apparent intelligence of the American Sugar Refining Company through seven practices questionable, to say the least of them, year after year, indicates compliance by United States authorities? It may. But on a diligent examination of the office of collector of the port, I am rather surprised that there has not been more compliance than that there should have been any. *The civil service has been "horn-smuggled." Influence was as potent inside the old customs house as outside.* Until this year the very office of collector has been the bait for every political worker who could flip himself hard enough to lunge at it.

TWO OFFICIALS, GOOD AND HONEST.

But there is no evidence that either the deputy or the surveyor was anything other than a good subordinate and an honest man. The service gets its policy from the collector and from the Secretary of the Treasury. If the sugar trust was not to be pressed too hard—that was all there was to it. So device after device was adopted to prevent what the attorneys for the company call "discrepancies," and nothing else much was done. The port of New York is a big port. The surveyor must be the outdoor executive in the collection of $220,000,000 a year. He can be kept busy with his subordinates without sitting around on a dock to watch every "Roly Poly Six" that somebody suspects. It is a pleasure to certify that General Clarkson and Mr. Vail are now giving loyal and resourceful support to a collector who means business.

But it is noteworthy that the latest light-fingering on the docks of the Williamsburg refinery was not discovered through the New York custom-house. On the contrary, the hunt was conceived in Washington and directed throughout from the White House. There is still an intimate knowledge of the case in the office of the President, and the force which refuses to be "buffaloed" still finds its source in the Executive.

PARR, BEGINNER OF THE CAMPAIGN.

Richard Parr was the beginner of the campaign. A chain of circumstances, largely personal, brought him, as an old acquaintance, to William Loeb jr., in the latter's office as secretary to the President, in the spring of 1904. The upshot of their talk was this:

That Parr had been a sampler on the docks of the sugar company; that he had entered the customs service through civil-service examination; that he felt he could not rise so rapidly there as in the capacity of a special agent of the Treasury; that, if he could be appointed special agent, he believed he could "get the dots" on a species of fraud being practiced on the sugar docks that meant millions to the Government.

Acting for the President, Mr. Loeb had Parr appointed as special agent. Mr. Roosevelt knew practically nothing about the customs branch of the Government, and he felt that his secretary, who had been a clerk in the New York custom-house way back in 1891, could better be trusted as to policies and methods for that service than he; but he followed the development of the situation with the keenest interest, noted that Parr had made a distinct success of his first assignment—the detection of certain smuggling across the Maine border—and was impatient that the Treasury Department found so much work for him to do elsewhere than on the sugar docks.

LOEB AND PARR WORK SIDE BY SIDE.

Mr. Loeb and Parr, in a certain sense, worked together. The Secretary to the President had brought down from New York rather clear ideas how the operation of the New York custom-house could be improved. With the idea that General Clarkson could help, he had been active in having that gentleman made surveyor, back in the days when Mr. Loeb was assistant secretary. Now Parr was probing frauds wherever he could find them, the weaknesses of the service were spreading themselves out for both men to see, and both of them were turning back as often as exceptionally busy programmes would permit, to Parr's plans to turn the light on the sugar docks.

At this stage Richard Whalley came across the horizon. In resentment because, according to him, the American Sugar Refinery would not pay him extra as a "roly poly" and for hanging a weight on the scale arm and for "histing" his foot on the transmission bar, he set out for Washington to inform the authorities. Assistant Secretary Beekman Winthrop joined hands with Mr. Loeb in the cause by appointing Whalley a special agent. The newcomer then set off, in November, 1907, to obtain employment on the docks as a representative of the shipowner whose cargo was being unloaded.

His task was to stand before one of the scale houses and count the bags as they came across the dock. In this position he claims to have noticed that the company's checker, Hennessy, would drop his left hand every time a draft was weighed. This led him to think that kicking the beam, rolling the ball, throwing water on the scales, hanging weights on the upright, substituting light trucks for heavy trucks, and slipping sweepings past unweighed had been superseded. So he arranged the signal which Parr and Brzezinski were to receive that eventful morning of November 20.

THE AGENTS WERE MARKED MEN.

After that Parr and Brzezinski were marked men. The former was attacked with every kind of ammunition. His life was threatened, his home was invaded, a putative record of earlier misconduct was produced, and his position in the Treasury service was endangered. Brzezinski has since been dismissed. It is unquestionable that immediately after the capture of "that iron" from Kehoe, the usefulness of Brzezinski abruptly ceased.

Meanwhile the whole New York customs department had taken on life with the coming of Mr. Loeb. "When did the reorganization of this bureau begin?" I asked one of the officials. "Just the day the new collector came," was the reply. It is true. From that day to this there has been more fire under the customs furnace in our greatest port than ever before. Mr. Vail found the cheese and fig smugglers. General Clarkson and Mr. Vail cooperated with Mr. Loeb's very capable deputy, Mr. Stuart, to rid the rolls of their ornaments.

When I was in New York the lasso was being thrown at still another class of offenders. Even New York—after Parkhurst, Seth Low, Lexow, and McClellan—is losing its breath. As one of the city officials put it: "My Lord, I did not know there was such an office as collector of the port before."

DISCOURAGED BY THE NEWSPAPERS.

A newspaper man finds it hard to write down that the greatest discouragement in all this fight came from his own profession. Yet that is the fact. A prime object of the prosecutions now pending has been that this kind of crime be made as contemptible as any other. A prime object in the civil action against the American Sugar Refining Company was that so rich and powerful a corporation might be made to answer before the bar of American public opinion. But both these objects have up to this time been strangely defeated.

Without attempting to explain the situation among New York newspapers, the reporter for this paper sets forth these facts:

That less was printed on the discovery of these dock frauds and the return of the verdict than on second-rate suits in city courts; that there were printed in several of the papers full-page advertisements reading simply, "The American Sugar Refining Company, Offices, Wall street, New York;" that only the New York Evening Post published such accounts of such a trial as it might have been expected to publish, and very brief accounts were expected of the Post; that only that newspaper and the Sun have undertaken since to set forth in review the facts therefore omitted.

GREAT FIGHT ONLY BEGINNING.

The fight will go on with the newspapers of New York or without them. The "Roly-Poly Six" and Spitzer have already answered at the bar to criminal indictment. They will be tried as speedily as the suit against their employer for sequestered duties. There is no fear of the sugar trust in the office of the district attorney, in the office of the collector of the port, in the office of the President of the United States. Every official whose connection with these dock frauds can be traced will be haled into court, that the jury may determine how high up the crime reached. Honest newspapers, officials, jurymen, will alike find bulldog spirit for this case in this definition of the civil suit by Attorney Stanchfield, speaking for the company:

"The charge is that, over a period of years, the American Sugar Refining Company of New York has been systematically, in season and out of season, from 1901 down until the close of 1907, engaged in stealing from the United States."

The finding of the jury as to that charge was "Guilty." The work now ahead is to find out who it was that was guilty. There will be no smell like that of cooking molasses in the courts of the United States.

Mr. OWEN. Mr. President, this is a very remarkable record of the persistent fraud perpetrated upon the revenues of the United States by one of the greatest beneficiaries of the tariff. I congratulate the administration of the United States upon having detected and exposed this fraud. Human beings are much alike in the world, and frauds must occur under any administration whatever. I do not care to comment upon this particular fraud, although one of great magnitude, in any other aspect than to point out the fact that the so-called "sugar trust" is shown to be receiving benefits of between fifty and eighty million dollars a year from the people of the United States. Every child who eats a piece of candy pays a tax upon it to this organization. Eighty million dollars means a dollar per capita, because the consumption of sugar, where people are able to supply themselves with food, is distributed very uniformly among prince and peasant; among the very rich and the very poor. When this organization is permitted by our laws to tax the poor, and the extremely poor, at the rate of a dollar per capita for their private purse, which is already bursting with wealth, I think it is time for the Senate of the United States to observe this sugar schedule and to cut out from this schedule

that part of it which peculiarly serves this organization and does not serve the people of the United States; which does not even serve those who produce raw sugar in Louisiana, in Colorado, or in other States.

I want to ask why it is that the words "Not above No. 16 Dutch standard in color" are not stricken out of this bill? They ought to be stricken out. I ask that the Finance Committee shall consider and report to the Senate why those words shall not be stricken out of the schedule, and I make the motion that the Finance Committee report to the Senate why these words shall not be stricken out of paragraph 213, Schedule E.

Mr. TILLMAN. Will the Senator please repeat the words he desires stricken out?

Mr. OWEN. I desire to have stricken out the words, "Not above No. 16 Dutch standard in color," where they appear in Schedule E, paragraph 213, page 72.

The VICE-PRESIDENT. There is a pending amendment, which has not yet been disposed of.

Mr. ALDRICH. Regular order, Mr. President.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is an amendment offered by Mr. McCUMBER to strike out paragraphs Nos. 197, 199, 200, 201, 203, 204, and 205, in Schedule D; also strike out all of paragraph No. 708, free list, after the word "planking," line 25, page 220, and insert in lieu thereof the following:

And all kinds of lumber, timber, laths, shingles, pickets, palings, staves of wood, clapboards, paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, and all other lumber not specifically provided for.

The VICE-PRESIDENT. That amendment must be disposed of before any other amendment than an amendment to it can be considered.

Mr. OWEN. I was not aware, Mr. President, of the pendency of this particular amendment. At its conclusion, I shall offer this proposed resolution.

Mr. ALDRICH. I would state to the Senator from Oklahoma that the sugar schedule has not yet been reached. It probably will be reached this afternoon, or, I hope so anyway. Then the Senator's amendment will be in order.

Mr. OWEN. I offer no amendment. I offer a resolution of instruction to the chairman of the Committee on Finance.

Mr. BEVERIDGE. Hardly to the chairman, but to the committee.

Mr. OWEN. To the committee or to the chairman, who is the committee.

Mr. BEVERIDGE. That is true. Mr. President, has morning business closed?

The VICE-PRESIDENT. Morning business is closed.

Mr. BEVERIDGE. Out of order, then, I ask permission to introduce an amendment, which I send to the desk, and which I desire may lie on the table for the present.

The VICE-PRESIDENT. Without objection, the amendment will be received out of order, printed, and lie on the table.

Mr. BEVERIDGE. This, Mr. President, is an amendment placing licorice extracts, paste, rolls, and so forth, on the free list, where the House placed them. As everybody knows, I suppose, licorice is very largely used in the manufacture of tobacco; in fact, is absolutely indispensable; and yet the monopoly of licorice of that kind is now, I believe, entirely in the hands of the American Tobacco Company.

Mr. KEAN. I beg the Senator's pardon. There are independent factories in the State of New Jersey.

Mr. BEVERIDGE. We will discuss that question a little later on. The independent companies who manufacture tobacco are compelled, for the most part, to buy their licorice of the American Tobacco Company or to pay an exorbitant price for that which is imported. The House put this on the free list, but the Senate committee struck out the provision. To restore it to the free list is the object of my amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER], which has been stated.

Mr. ROOT. Mr. President, before the Senate disposes of the paragraph providing for a differential upon dressed lumber, I wish to ask that consideration be given to a great number of establishments and employees who are engaged in the planing and dressing of lumber along the American side of the water boundary between the United States and Canada. Early in the history of the building of the dwellings for our people all along the pathway of emigration to the West, there grew up along the southern borders of the Lakes a chain of lumber yards and lumber-dressing establishments to supply the wants of the moving and growing communities. When the lumbering camps were established in the forests of Michigan and Wisconsin, instead of establishing planing mills at the camps, the cheap Lake freights made it practicable to transport the rough lumber to points on the south of the Lakes nearer the points of distribution and to dress the lumber at those points. Accordingly, these establishments grew up, and as the lumber of Michigan and Wisconsin decreased the same establishments began to include Canadian lumber in their work; so that now they are engaged in the dressing of rough lumber, which is brought from our western forests and from Canadian forests, and the millions of feet of lumber which you see upon the "comparative statement" as imported into the United States during the past few years go chiefly to these lumber-dressing establishments, which are taking the rough lumber from the forests of Canada and manufacturing it into material fit and ready for use in building and in the various constructions where lumber is used. There are such establishments at Ogdensburg, on the St. Lawrence; at Tonawanda and Buffalo, near the outlet of Lake Erie; at Erie, at Cleveland, at Toledo, at Detroit, at Chicago, at Saginaw, at Bay City, and at many other points along the southern edge of the boundary waters. Many millions of dollars are invested and many thousands of men are employed in these planing and dressing mills. In Tonawanda and Buffalo alone there are over 10,000 men employed. Directly dependent upon them, it is fair to estimate, are fifty to sixty thousand people. Over $20,000 a day in wages are paid to them; that is to say, in the neighborhood of $7,000,000 a year.

At the other points which I have mentioned the number of men employed and the amount of the wages paid will probably come, upon a fair average, very near to the figures which I have given for Buffalo and Tonawanda.

This interest is plainly worthy of the careful attention of the Senate in applying the rule of protection to the construction of this tariff act. I do not ask, Mr. President, that there shall be any deviation from the rule upon which we are framing this act in behalf of the lumber-dressing interests of northern New York, but I do ask that for the protection of their manufacturing industry they have the benefit of the same rule which is applied to other industries in this bill.

I ask the Senate to consider the conditions under which this industry is conducted for the purpose of applying the rule, and the first consideration to which I call attention is the fact that, while the duties recommended in the Finance Committee report upon the products of these planing mills—that is to say, dressed lumber—amount to a little less than 12½ per cent ad valorem on an average, Canada, stretching along the northern border of the same water boundary, imposes a duty on dressed lumber of 25 per cent ad valorem; so that under the committee report, if that be adopted by Congress, it will be giving to this great industry less than one-half the protection that Canada gives to the same industry on the other side of the lakes and boundary rivers. Twelve and a half per cent upon dressed lumber will bar the planing mills of Canada from the markets which build up the growing communities of the United States, and 25 per cent, or double that barrier, will bar the American dressed-lumber mills from the market which is building up the growing communities of Ontario and the western Provinces of Canada.

The second consideration is that while these establishments are paying in every State high taxes upon their lumber yards, their mills, their machinery, and their stock on hand, for the support of our Government, Canada gives to every planing mill which will move across the border to the edge of her forests and establish this industry in her territory a remission of taxes for from fifteen to twenty-five years. So that the duty which we are imposing upon dressed lumber, if we adopt the committee report, is but placing upon the product that comes from Canada a burden for the support of our Government to balance off the tax that is imposed upon the property of our planing mills for the support of our state and municipal governments.

Nevertheless, if the conditions under which the industry is conducted are such that there is no occasion to make up for the difference in the cost of production—nevertheless, I say, there would be no ground for imposing a differential duty upon dressed lumber. But, Mr. President, the conditions are widely different. In the first place, the information which I have received—information coming from very trustworthy sources—indicates to me that the estimate of the cost of dressing lumber, as stated by the Senator from North Dakota [Mr. McCUMBER], in his very interesting and impressive argument last week, omitted many elements of expense, and that the figures which he had been led to believe were the correct figures were altogether too low.

The actual cost of conducting the business of dressing lumber in the mills of the United States involves three different elements. In the forests of Canada there is no rent to be paid for the ground where the planing mill may be established. In

Buffalo, in Tonawanda, in Chicago, and in all the other places where these establishments have so long existed for the benefit of our people on our side of the line, the prosperity which has grown up under our system has resulted in the requirement that heavy rental be paid for the ground upon which the lumber yards are placed and upon which the mills stand.

The next element is that of handling the lumber. The lumber comes in mill runs from the Canadian and the western forests; that is to say, unsorted, just as it comes from the mill. It comes down in the lumber vessels, and when it reaches Buffalo or any of the other ports it has to be taken from the vessel, transported to the lumber yard, sorted, piled up each class and kind by itself, left to dry, and then carried to the planing or dressing mill, and from that mill after it is dressed taken to the car for transportation as dressed lumber.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Maine?

Mr. ROOT. Certainly.

Mr. HALE. I desire to interrupt the statement which the Senator is making only to ask him, generally, what his view is as to the rate upon the different forms of dressed lumber. The Finance Committee, with regard to these different processes of dressing lumber and the duty applied to each, have followed, as the Senator knows, the House bill and running through the different forms of dressing lumber. The present law, the Dingley law, as to each one of these particular forms is higher than the House bill and higher than the Senate Finance Committee report, as found in this bill. I do not know but what the Senator has stated that; but is it his idea that for the protection of this most essential and large industry the present rates of the Dingley law or something like them should be maintained? Does he believe that this industry should receive more than either the House bill or the Senate bill, as reported by the committee, has given to it in their provisions?

Mr. ROOT. My impression, Mr. President, is that the differential of the Dingley Act is at just about the right point to maintain a healthy opportunity for business and a healthy restraint upon business.

Mr. HALE. That answers my question, Mr. President.

Mr. ROOT. That is to say, I do not think there can be a reduction from those differentials which would not result in the transfer of a large proportion of our planing mills to Canada, because I think that those differentials are no greater than necessary to enable the American planing mills to make a fair profit on their product, while I think that an increase of those differentials would withdraw the corrective and restraining effect of possible Canadian competition in case our planing mills should endeavor to charge too great a profit upon their product.

Mr. President, I was about to deal with the question of the cost of conducting the planing-mill business in the United States, and I had stated that the difference arises from the fact that heavy rental has to be paid upon lumber yards and mill sites here. With that, of course, comes the difference in taxation, arising from the fact that our mills have to contribute largely to the support of the Government, while in Canada they are free from that obligation. I also stated that there were various elements of cost in the actual dealing with the rough material and transforming it into the dressed material, one being the cost of handling. The next, of course, is the cost of dressing; and, as the Senator from Maryland [Mr. SMITH] has just suggested to me, the position of the mills on our side involves the necessity for carrying heavy fire insurance. Now, as to the actual cost of dressing——

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. May I ask the Senator from New York whether, to his knowledge, the cost of finishing lumber is any greater in the State of New York or anywhere along the Canadian boundary east of Michigan than it is west of that section? Is there anything in the handling that necessarily makes it cost any more? Has the Senator any information on that point?

Mr. ROOT. My information is that the eastern cost is higher than the western cost. The Senator from Maine can probably give better information upon that than I can. The general statement is made to me that in the northeastern part of the country the cost is very considerably higher on our side of the line than it is on the Canadian side of the line. As to the difference of cost between the eastern American mills and the western American mills I am not prepared to say.

Mr. McCUMBER. My reason for asking the question is that I have numerous communications from those who are engaged in the manufacture of lumber in Michigan, in Minnesota, and west of that line, and especially one in my hand from the Brooks-Scanlon Lumber Company, of Minneapolis, a lumber company that is manufacturing not only in Minnesota, but in the Southern States; and in speaking of this subject, the writer of this letter says:

> We are operating one large sawmill in Minnesota and two in Louisiana. The cost of finishing lumber in the planing mill at the Minnesota plant for the year 1908 was 48.7 cents per thousand feet and 45.8 cents per thousand feet at the Louisiana plants. This cost includes repairs and supplies and covers all lumber sent through the planing mill, but does not include lumber shipped in the rough.

Then he says:

> Our Minnesota cost is higher than the average cost for mills in that territory, due to the fact that our trade is a special one, which requires a large amount of work on the high-grade stock put through the planing mill.

Then he goes on to describe how the work is done, and says that they sell most of their cheaper lumber in the rough and only finish the higher grades; but he establishes the fact, according to his statement, that finishing even the higher grades does not, in any of the mills that he operates, exceed 45 cents per thousand, and that this is higher than the average. That is the reason I asked the Senator whether or not there was something in the peculiar method of handling that made the cost so much more East than in the West.

Mr. ROOT. Yes, Mr. President; there is a very marked distinction. I take it that the mills referred to in the letter just read by the Senator from North Dakota are mills at the forest.

Mr. McCUMBER. I did not understand the Senator's statement.

Mr. ROOT. I think they are mills which are in the lumber region, and the cost, which I understood to be 49 cents at one of the mills, probably fairly represents the cost in the Canadian mills. I have no reason to believe that it costs substantially more in a mill at the forest in Minnesota to dress lumber than it does in a mill at the forest in Canada. There may be differences in individual mills, but in general I think not.

Mr. HALE. Mr. President——

Mr. ROOT. Will the Senator allow me for one moment? But as between these establishments in Ogdensburg, Buffalo, Tonawanda, Erie, Cleveland, Detroit, and Chicago, around which have grown up great cities during the half century of their existence, and the mills, whether in Canada or the West, which are situated at the forest, there is a very wide distinction. The 10,000 men who are working in the mills at Buffalo and Tonawanda are not living upon lumber-camp supplies. They have homes and families and food and clothing and opportunities of life that befit American citizenship in American cities, and the cost of maintaining that labor under those conditions is necessarily higher than the cost of maintaining labor at the lumber camps.

Mr. HALE. Will the Senator permit me to make a suggestion?

Mr. ROOT. I shall be very happy to yield.

Mr. HALE. This is a suggestion brought out by the statement of the Senator from North Dakota. It struck me, as I think it must have struck the Senator from New York and any other Senator listening who is interested in this subject, as a remarkable thing that the correspondent of the Senator fixes one rate as the cost of finishing lumber—42 cents was it?

Mr. McCUMBER. The Senator is mistaken, although this is intended to include all lumber finished through those mills. It does not mean on one side or on two sides, but the average cost of the entire work.

Mr. HALE. As I said, what struck me with surprise was the Senator's statement that 42 cents—was it——

Mr. McCUMBER. Forty-four to 45 cents.

Mr. HALE (continuing). That 44 to 45 cents covered the cost, additional to rough lumber, of the entire process of manufacturing and dressing in different forms. That seemed to me a very remarkable statement, because all legislation heretofore has had, and the schedule made up by the House in its bill and by the Committee on Finance in its bill in accord with the House has, a very marked sliding and increased scale, according to the different processes that are put upon the rough lumber.

For instance, planed or finished on one side, $1.50 per thousand feet; planed or finished on two sides, $2 per thousand feet; planed or finished on three sides, $2.50; and on four sides, $3. If planed on one side and tongued and grooved, $2 per thousand feet; planed on two sides and tongued and grooved—another process—$2.50 per thousand feet.

I know something about the lumber business, having lived in a community largely interested in that article, and it is to me,

as I think it must be to the Senator from New York, a matter of surprise that any one rate, particularly so low as 42 to 45 cents, would cover all the processes that have been cared for heretofore in every bill, either passed by Congress or submitted for its decision by any committee, in a sliding scale. The Dingley rates are higher still, being $2 per thousand feet on lumber finished on one side, $2.50 on lumber finished on two sides, $3 on lumber finished on three sides, and $4 upon lumber finished on four sides.

Mr. McCUMBER. The differentials are the same.

Mr. HALE. And $3.50 for lumber tongued and grooved on one side or two sides. What I wanted was that the Senator from North Dakota [Mr. McCUMBER] should tell me, and tell the Senator from New York, and tell the Senate, whether he believes that this 40 to 45 cents, applied without regard to the nature and extent of the process, is claimed to be enough compensation for this great industry for all the work in finishing or dressing lumber. It seems to me a very remarkable statement that is made by the correspondent of the Senator.

Mr. McCUMBER. Mr. President, if I may take one moment of the time of the Senator from New York, to reply to the inquiry of the Senator from Maine. I will say that when I discussed the lumber schedule some time ago I attempted to establish the fact that the average cost of planing only one side of the lumber as it came from the saw was only about 15 cents per thousand, and of course there would be a little added to that, as it is planed on two sides, and a little more added to it, necessarily, as they groove one edge and tongue the other; but the information I have is that while these mills do all of this finishing, the average cost of finishing everything that the mill turns out is only about from 44 to 45 cents per thousand. Now, I might have gone further, I think, probably, in the same letter, and have shown that in some of the very highest or most complete finishing it runs as high as 60 to 75 cents per thousand, 75 cents being the limit, and that only in special cases; and that all of the ordinary finishing, such as would be used in flooring, in siding, and in lumber that is generally in use, which we call "finished lumber," and not finished for the purpose merely of spiking together to make a frame or something of that kind, could all practically come within the 50 cents per thousand limit.

Mr. ROOT. Mr. President, I think I will ask the Senate to indulge me in having read a brief letter from the president of the Amalgamated Woodworkers' International Union of America, giving the views of the men who do the work.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the letter.

The Secretary read as follows:

AMALGAMATED WOODWORKERS' INTERNATIONAL UNION OF AMERICA,
Washington, D. C., May 11, 1909.

Hon. ELIHU ROOT,
Washington, D. C.

MY DEAR SIR: Referring to statements made by several Senators in speeches advocating the elimination of that portion of the tariff schedule pertaining to *dressed lumber*, wherein it was asserted that it costs only 15 cents per M for dressing lumber. Speaking from many years' experience in operating woodworking machinery and an intimate practical knowledge of the subject—representing as I do the employees of all the larger planing mills in this country as president of the Amalgamated Woodworkers' International Union of America—I know it to be a fact that no lumber could be dressed at the low cost mentioned, not even surfaced on one side.

In the first place, it takes at least two men to operate the machine—one to feed it, receiving an average wage of 22 cents per hour, and the other to receive the lumber from the machine, or offbear, at an average wage of at least 15 cents per hour—making a total cost of 37 cents per hour wages for actual labor performed in handling the lumber.

It would take approximately one hour's time to grind the ordinary knives for surfacing and from 20 to 30 minutes' time to set the knives and get the machine ready to start. Each different pattern of lumber run through the machine requires a change of the knives or cutters, depending on the type, width, and thickness of the pattern. In filling orders for various kinds of lumber it is necessary to make frequent changes in the knives. It is also necessary to sharpen them three or four times a day, depending on the character of the material run, thus increasing the cost of labor above the 37 cents per hour paid to the men who actually operate the machine.

In addition to this, there is a general expense entailed of repairs to machines during the year, rebabbeting, supplies, cost of power, depreciation, general administration expense, insurance, taxes, etc.

I would consider, from my practical experience, *that 1,000 feet of lumber of average width, dressed per hour*, on the modern machine, to be a reasonable conservative amount; therefore proving conclusively that it would be utterly impossible to dress lumber with the most modern machinery at the low cost per M stated, *and I would consider a cost of at least 75 cents per hour to be a fair estimate on the general run of lumber.* On the complicated patterns of dressing, like ceiling, partition, drop siding, and on the more narrow lumber, like 6-inch and 4-inch strips (of which a large amount is dressed), the cost would increase proportionately.

I have attended many conferences in endeavoring to fix the wage scale between the owners of planing mills and the various members of our union, during which I have heard discussion as to the cost of dressing, and I know from my intimate and personal knowledge that the above figures are conservative as to the actual cost submitted to me at these different conferences.

Very truly, yours,

D. D. MULCAHY, *President,*
Amalgamated Woodworkers' International Union of America.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Maine?

Mr. ROOT. Certainly.

Mr. HALE. Will the Senator let me right here, in connection with what has just been read, put in some figures given on this subject as to the cost of dressing lumber in the largest establishment in the State of Wisconsin?

Mr. ROOT. Certainly.

Mr. HALE. I will read it, because I have read it carefully:

> Cost of dressing or planing lumber: There is an established price for planing and dressing lumber in Wisconsin, Michigan, and Minnesota in use by all manufacturers. At the present prices of labor it is hardly enough to cover the actual cost.

Then follows the list:

> Surfacing one or two sides, 50 cents per thousand feet.
> Dressing and matching, $1 per thousand feet.
> Resawing, $1 per thousand feet.
> Dressing and matching and resawing, $2 per 1,000 feet.
> Planing mills in the cities that do custom work charge about double those prices.
>
> R. E. MACLEAN.

He represents that very great industry, and I trespass upon the time of the Senator from New York to put this in, because it is in the line of the figures shown by him.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. With the Senator's permission, I desire to say that what he has quoted there is not the cost of doing this work, but the price which is charged by a mill expecting to make a profit, of course, from the customer on any of the work done in those particular mills. There is a vast difference between the cost of producing a thing or doing a thing and the price that is charged for doing it.

While I am on my feet, I want to suggest to the Senator from New York that what his people are mostly interested in is the question of the differential. Now, has the Senator ever thought that he might make the differential a little greater by reducing the tariff upon the rough lumber, instead of increasing it upon the finished lumber, and that reducing it might give them the same differential?

Mr. ROOT. Mr. President, I quite agree with the suggestion made by the Senator from North Dakota, that what interests this chain of lumber-dressing establishments is the differential, and that it is of not so much consequence to them what the rate upon rough lumber is, because they are now and probably will more and more continue to be dressing rough lumber that comes from Canada, brought down by the cheap freight rates on the Lakes.

Mr. McCUMBER. The point I wanted to call to the attention of the Senator is that while the bill as it came from the House has reduced already the cost of the raw material in those mills one-half, it has not reduced, as I understand, the differentials in the Dingley Act.

Mr. ROOT. I so understand.

The Senator from North Dakota has given me two thoughts to work upon, and I will take them up one at a time. One was in his response to the Senator from Maine as to the figures the Senator from Maine gave with respect to the cost of dressing lumber, which the Senator from North Dakota suggests is the price charged by the planing mills for doing the work rather than the actual cost of doing it.

There came to me, among the many business men who were disturbed by rumors of a reduction of the differential and who anticipated the necessity of transferring their business to Canada, a number who were importing the rough lumber and dealing in lumber, but having it dressed by other establishments. I found by examining them that the prices which they paid to other establishments located in the same place ran along appreciably above the amount of the differential as arranged in the present Dingley tariff.

But, Mr. President, I happen to have at hand——

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Minnesota?

Mr. ROOT. Certainly.

Mr. NELSON. I wish to call the attention of the Senator from New York to the fact that the tables furnished us by the Finance Committee show that the average import price of rough timber was $17.02 per thousand, while lumber planed on one side was $12.50 a thousand; planed on two sides, $17.40 per thousand; planed on one side and tongued and grooved, $15.71 per thousand, and planed on two sides and tongued and grooved, $17.26 per thousand, showing two classes of dressed lumber that are imported and sold at less than the price of lumber not dressed.

Mr. ROOT. If the Senator from Minnesota will permit me to deal with that subject later, I will come to it in a very few minutes. The explanation of it rests in facts which have already been stated by the Senator from North Dakota in his former remarks on the subject.

The second thing which I wish to say regarding the observation of the Senator from North Dakota as to the price of dressing lumber is that I happen to have on my desk very good evidence that in making those charges for dressing lumber the lumbermen of our Lake cities are not making an unconscionable profit. I say I have here evidence—and I think it is the best kind of evidence it is possible to have—that this business does not, under the existing differential, make any more profit than it is reasonable that it should make and that it is necessary that it should make if it is to continue in prosperity. That evidence is contained in a letter from the secretary of this same association—the Amalgamated Woodworkers' International Union. If there is anybody in the world who has an immediate interest to inquire into the profits a business establishment is making, it is the man whose wages are regulated by the possibilities afforded by the profits.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. May I ask the Senator if he does not think that the books of the company itself would be better evidence of the profits and the cost in any particular line than the mere statement of the laborer who is doing the work?

Mr. ROOT. I think if we could have a master in chancery take up the books and spend six months over them and ascertain what was the basis of all the charges and credits, he might bring out a result which would be more satisfactory and trustworthy. But I do not think, situated as we are, with practically no opportunity to scrutinize the system of bookkeeping, that the statements in the books are quite so valuable as the practical conclusion reached by men who are trying to get their wages up as high as they can.

The secretary of this international union writes in a letter written from Chicago the 5th of May of this year:

> On the 1st of last January, when a number of our contracts had expired—

That is to say, the contracts between the union and the mill owners—

> On the 1st of last January, when a number of our contracts had expired, and in bringing up the question of new contracts for our employees for the year, after a thorough discussion of conditions, the employers showed us they could not possibly make us any further advances under present conditions. We are thoroughly familiar with the fact that if the extra duty which is added for dressed lumber is taken off, as practically all of the lumber shipped in here from Canada comes in the rough, allowing it to come in here dressed would necessarily take from our members just that amount of work. If the tariff on dressed lumber is retained, the lumber will continue to come here in the rough, giving to the members of our association the work of dressing it here.
>
> Owing to the fact that in most cases the cost of living and cost of supplies is much less in Canada than in this country, also that the planing mills in Canada are located largely in small towns where the cost of house rent would be materially less than it is in the large cities of the United States, like Milwaukee, Chicago, Detroit, Cleveland, Buffalo, and North Tonawanda, where at least 80 per cent of the planing mills are located at which Canadian lumber is dressed when shipped into this country, naturally Canada can dress lumber for some less cost than this country, and, in addition to that, in shipping lumber by cars from Canada she would get a great advantage for the reason that by dressing lumber the weight is materially reduced.

Mr. President, that brings me to another element of difference, and that is that the cost of handling lumber is entirely caused by the establishment of these great lumber yards and dressing mills at points on the south side of the Lakes, and that cost is almost entirely absent where planing mills are set up at the forests and take the rough lumber as it comes from the sawmill. The cost of handling, of transporting, of storing, of piling, of assorting, of getting it from the vessel to the yard, from the yard to the mill, and from the mill to the car is estimated, by the gentlemen who have been bringing information to me upon the subject, at $2 a thousand. By carefully scrutinizing and comparing, my impression is that a dollar and a half a thousand is a fair and reasonable statement of the additional cost which is imposed upon the American dressing mills in the cities I have enumerated over and above the cost of dressing lumber in Canada, and that is in addition to the cost of the actual dressing, which is treated of in the letter which has been read from the desk.

Now, let me say a word about the reason why dressed lumber can be brought into this country cheaper than rough lumber. It is the reason for the extraordinary figures read by the Senator from Minnesota [Mr. NELSON], and the fact was mentioned with his customary fairness of statement by the Senator from North Dakota [Mr. McCUMBER] the other day. It is that lumber is transported at a freight rate which is fixed by weight and that the dressing of lumber reduces the weight so that dressed lumber can be brought from Canadian points to the New York market at from $1.16 a thousand feet to $1.47 a thousand feet less than the rough lumber can be brought.

The differential in favor of dressed lumber established by the railroads in fixing their freight rate to balance off against the differential which we establish in this bill to protect and save our own American lumber yards is as follows:

From Ottawa to New York, $1.16 a thousand; from Georgian Bay to New York, $1.41 a thousand; from Lakeville, Ontario, $1.25 a thousand; from Pembroke, Ontario, $1.34 a thousand; from Cache Bay, Ontario, $1.47 a thousand.

Mr. President, as the basis of these differentials to which we apply the rule of protection under this bill, the elements of difference in the cost of conducting the business in this country as compared with the cost of conducting it from Canada, you have, first, the greater cost of the actual work of dressing as established by the men who do the dressing themselves. You have, second, the cost of maintaining the lumber yards and lumber mills near the great centers of population along the southern shores of the Lakes. You have, third, the obligation to pay taxes for the support of our governments, from which the Canadian mills will be and are relieved. You have, fourth, the cost of handling, which amounts in this item alone to more than the tariff differential contained in the Dingley Act; and you have, fifth, the fact that the differential against the American mill owner and in favor of the Canadian mill owner in freight will amount to more than the average differential in the bill.

Under those circumstances, Mr. President, I want to call the attention of the Senate to the fact that these are no new industries built up to speculate upon the possibilities of the protective tariff. I have here a letter from the owner of planing mills in the city of Ogdensburg, on the St. Lawrence, who says, "I have conducted this business for fifty-three years." This great business was established as a necessity for the people of the United States to build up our country. These establishments furnished the outlet for the forests of the West. The thousands, the tens of thousands of men who are now at work in these mills ask for nothing but such legislation as will make the possibility of continuing to conduct a business that was established long before the Dingley Act or the McKinley Act, before the civil war, before the question of competition with Canada was heard of. For the necessity of some such protection I beg to ask the Senate to listen to the words of one of the leading mill owners of Ogdensburg, who states what I believe to be truly the condition of mind of the men who are conducting these great business establishments. He says:

> There is not a doubt in my mind that we should have to abandon our plant in Ogdensburg if the proposed schedule—

That is a schedule which had been reported to reduce the differential—

> There is not a doubt in my mind but that we should have to abandon our plant in Ogdensburg if the proposed schedule goes into effect, and other mills, such as those at Newport, Vt.; Rouses Point, N. Y.; Burlington, Vt.; Tonawanda and Buffalo, N. Y.; and many others similarly situated would be compelled to do likewise.
>
> Personally, I have larger interests in Canada to-day than I have in the United States. I am a stockholder or a director in the following Canadian corporations:
>
> Clanedish Lumber Company, at Lakefield, Ontario.
> Tamagami Lumber Company, at Callender, Ontario.
> Strong Lumber Company, at Toronto, Ontario.
> Campbell-McLaurin Company (Limited), Montreal, Quebec.
> Cache Bay Lumber Company, Cache Bay, Ontario.
>
> And I should be benefited if the duty was removed completely on both rough and dressed lumber, or even if it was cut in half on both rough and dressed lumber, but, Mr. Hill, we have 500 men in Ogdensburg, many of whom with me have grown gray in the service of this company, and I can not see them turned out of employment without trying to help them. The times of the Wilson bill are so vividly impressed on my mind that I feel very deeply on the subject, and it is hard for me to see the philosophy of letting Canadians manufacture our lumber while our own men suffer in enforced idleness.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. Possibly I did not catch everything that was in that letter, but, as I understand the position of the writer, it is that he would be benefited by the reduction one-half and he would be further benefited if there was no duty whatever. I wish to ask the Senator how the owner could be benefited unless those in his employment would also be benefited. In other words, I can not quite understand how that which would injure the employee would be a benefit to the employer.

Mr. ROOT. The Senator from North Dakota probably failed to observe what was said in the beginning of the extract that I read. It was that this gentleman has larger interests in Canada than he has in the United States, and he enumerated half a dozen Canadian companies in which he is interested.

Mr. McCUMBER. I will state that I failed to hear that.

Mr. ROOT. I think, Mr. President, that that is true in a great many cases. I think that many of the capitalists, who are owners of these establishments on our side of the border, have gone to Canada and have obtained possession of large lumber interests there, and that the real interest to be protected here is the community that has grown up about every one of these establishments; and for the protection of those great industrial communities, that present as good a type of American citizenship as can be found anywhere in the United States, I submit to the Senate that we may afford to give a differential upon dressed lumber that will amount to at least one-half as much protection as Canada gives to the men who are dressing lumber on her side of the border.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. CRAWFORD. Will the Senator allow me?

Mr. HEYBURN. Had the Senator finished?

Mr. ROOT. I was intending to finish, but the Senator from South Dakota asked leave to ask me a question.

Mr. HEYBURN. Of course, I am not desirous of displacing the Senator from South Dakota. I gave notice on Saturday that I would resume my remarks this morning, but it is not material if the Senator from South Dakota wishes to ask a question.

Mr. CRAWFORD. I wish to ask only one question.

Mr. HEYBURN. All right.

Mr. CRAWFORD. The remarks of the Senator from New York are directed almost entirely to the question of an additional differential. The question I desire to ask is what reason there is for serious apprehension that some reduction of the differential shall be made when the present differential is practically prohibitive; that is, the importations of finished lumber under the present differential are very small compared with the importations of rough lumber. So it would seem to me that some reduction might be made which would not be ruinous, but would result in healthful competition.

Mr. ROOT. Mr. President, may I say two things in response to that question? One is that there is not an established business of dressing lumber to any general extent with which we have to compete in Canada. The thing we have to fear is the transfer of business or the building up of mills in Canada to supply our markets. The other point is that I am assuming the duty on rough lumber is going to be reduced by Congress, and of course that will be a reduction of the protection to dressed lumber as well as to rough lumber. The committee reports a fixed duty on rough lumber and a duty on dressed lumber, and the differential must be protection.

Mr. HEYBURN. Mr. President, I will informally take up the question that was just being discussed by the Senator from New York [Mr. ROOT] and supplement it by a statement that is necessarily a part of the question. I suggested on a previous occasion that the cost of dressing lumber did not consist alone in labor or in the investment or in the items that have been enumerated. I communicated with a man who is in charge of the work of dressing lumber, who is responsible for its performance and knows the facts. He writes me under date of May 12, in response to an inquiry which I made of him. After saying that on his return to his office he finds my letter on his desk, he proceeds:

> I have noted carefully what you say, and replying to same would say that we pay freight on the actual weight, and not on estimates, but I want to go into the matter a little further with you, in order to show you the loss we are to instead of the gain, in dressing lumber.
>
> While it is true that there is a gain in the dressing of lumber, that gain is not to us, but to the consumer, as we make prices f. o. b. here, with the freight added.
>
> Now, to start with, it does cost some labor to dress lumber, but that is only a small item in the expense of dressing lumber, for the waste that we have and the drop in grades is very much more important, and very much more costly by three or four times, than what the actual cost of dressing the lumber is. It would be a great advantage to the manufacturers of lumber if it could be shipped in the rough.
>
> When you take a dry board and surface it on two sides, if there is a knot in that board that is not absolutely tight and interwoven well into the fiber, it is sure to be knocked out of the board, which will drop that board out of No. 1 common to No. 3. Now, the spread in price between those two grades is about $8 per 1,000, and the drop from No. 1 to No. 3 amounts to about 17 per cent. The drop between No. 2 common and No. 3 is greater than between No. 1 and No. 2, and will easily figure up 25 per cent. While the spread in price is only about $3 per 1,000, still you can see what an immense less there is in those two grades in dressing the lumber than in shipping it in the rough. You take matched lumber, which is dressed on four sides; the drop in grades would be almost twice as much as the lumber that was surfaced on two sides, and the spread in price would run between 75 cents to $1 per 1,000 more than the lumber surfaced on two sides.

I bring that in to supplement the items that were given by the Senator from New York. It will be seen that the necessity for compensating our lumber dealers upon dressed lumber is not based alone upon the question of wages or freights. I suggested on a former occasion that the grade of the lumber is frequently changed by the mere fact of the disclosures made by dressing it.

Mr. President, that goes to the question of differentials. I can not add much to what the Senator from New York has said upon that question, except that I carry on West the conditions and the arguments to be deduced from the conditions. The difference between the rough lumber and the dressed material west of the Rocky Mountains is greater than it is in the East. The conclusion of the Senator from New York is well founded, based upon the conditions existing along the St. Lawrence and the Great Lakes, but in the Pacific lumber regions every item enumerated by the Senator from New York is emphasized because of more expensive conditions as to labor, as to transportation, and as to stumpage.

Open an account on a thousand feet of lumber in Idaho and you have these items. It takes the labor of three and a half men to produce a thousand feet of lumber in a day. I have that from those who produce the lumber. I have it from actual pay rolls and actual names. It is not the estimate of some bureau nor of some theorists. That makes each thousand feet of lumber cost $9.30 in wages—that is, at the saw.

The stumpage in our country costs at a minimum $4 per thousand. The average freight on the lumber cut in Idaho to the place of use is $12.50. I have that from a table about which there can be no controversy. I have taken the freights that were actually paid to the average points of shipment. So I have that thousand feet of lumber charged up with $25.80 without counting anything for the use of money which represents the investment in the mills and in the timber.

I was asked recently the average price of lumber in Idaho. I stated that it was about $20 to $22 a thousand. I was then asked how we could pay $25 and sell it for $22. I am not at all surprised at that inquiry, because it would seem to come naturally. Our lumber is about two-fifths first grade and three-fifths lower grade. What we lose on the lower grades we make up on the high grades, because we have a great deal of lumber that is worth twice $20 a thousand. We have none that is worth less than $16 a thousand. The high grades make up the deficiency that would seem to exist between the cost of producing it and the price at which it is sold. In the white-pine forests in our State I think you may say that the timber that is being cut and has been cut for the last few years will average five cuts of commercial timber to the tree, 16 feet in length. Sixteen feet is the standard of length in our country. Of course, it is cut of all lengths.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Certainly.

Mr. McCUMBER. Another question that would naturally arise to one not acquainted with the lumber business is why certain grades of lumber should be continually sold for less than the cost and the difference be made up on the higher grades. In other words, why could not the higher grades be sold for a little less and the lower grades be also sold for a profit? That is a question that would naturally arise at least in behalf of the consuming trade. What is there in the lumber conditions that requires any part of the product continuously to be sold at less than its cost?

Mr. HEYBURN. The answer is obvious. No man, intelligent and thrifty, wants to engage in the cutting of trees under conditions which will involve leaving two-thirds of the tree lying on the ground unused. All business is made up on the basis of averages. There is no commercial business in the world that makes a profit on every item that constitutes the business. That is equally applicable to lumber. The tree must be cut down, and when you cut the first cut of it you cut all of it. You can not cut down a part of a tree. The tree being down, the question is, How are you going to realize the best advantage from that tree? We will say that it will cut lumber for 80 feet of its length. That divides it into five 16-foot cuts, and I use that because it is a common decimal. You take the first two cuts and you are apt to have clear lumber out of them that will sell away above the price that I have mentioned. The other three will cut lumber that must be disposed of according to the condition in which you find it when it comes from the saw. It may be very knotty or not very knotty; some of one grade and some of another. It is run through the saw, and the sorting takes place as it is borne from the saw. The clear lumber goes into piles by itself and the knotty lumber is put into other piles. The profits must be based upon a calculation of averages upon that tree.

Now, our lumber scale is white pine, about two and one-half to six million feet to the quarter section; that is, to the farm. They do not count the cedar; they do not count the spruce, nor the larch, nor other woods. They only count the white pine in estimating the value of the timber. It is always safe to say that the other timbers of value are probably as 3 to 5. The average varies.

I have found myself asking the question of the Senator from North Dakota, in my mind, frequently since I listened to his remarks, as to whether or not, having exhausted the timber of Canada in twenty years—which, I believe, is the limit given it—we would not be compelled to resort to our own timber at the end of that time. I have never heard the Senator suggest the condition that would exist after we had exhausted Canada's timber; and yet it seems to me that it must inevitably present itself to us, I hope within the generation of the Senator from North Dakota.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Certainly.

Mr. GALLINGER. I want to ask the Senator where he gets his statistics that lead him to suggest that Canadian timber will last twenty years? It is conceded that Canada has not more than one-third of the timber the United States has; and it has been contended here that our supply, if we get nothing from abroad, will not last more than from twenty to thirty years.

Mr. HEYBURN. Those are not statistics. I would not dignify those by calling them "statistics." I should have to invent a new name for that kind of prophecy; but I merely say, taking the statement as it is given, that we are to shut off the use of our timber and resort to the use of Canada's timber and exhaust it, and leave those poor wretches up there to freeze or to live in tents.

Mr. GALLINGER. Yes; but, Mr. President, what I meant to suggest to the Senator was that whether they are statistics or guesses—of course they are guesses rather than statistics—no one has yet suggested that Canada's lumber would last twenty years.

Mr. HEYBURN. I know; but I did not want to present the picture in its full horrors, you know. I wanted to put it mildly, and not to send out a message that would bring terror to the hearts of the Canadians at all.

Mr. President, assuming that within twenty years our present rate of the use of timber would exhaust the Canadian supply, then the Canadians will have to come down here to get timber. It would promote immigration from the north. They would be compelled to come down here and help us eat up our timber.

O, Mr. President, the whole picture that is drawn resolves itself into such a concrete mass of absurdity that no reasonable discussion can be based upon it. All that you can do is to hold it up and say: "Look at that picture!" That is all.

Mr. President, there is no more probability of exhausting the timber of this country or of Canada within any period that can be fixed by any person outside of an insane asylum than there is that air will be exhausted or vitiated. I have heard such prophecies. I went over and attended a meeting in the Congressional Library building here during the last session of Congress, and I heard a man stand up there and prophecy evil because of the escape of gases from the surface of the earth. He had it charted and platted and calculated, and he could tell you how the great supply of gases within the earth was being exhausted, as though it had commenced yesterday and he had discovered the leak, when, as a matter of fact, the conditions that he was picturing had been going on since the dawn of creation.

So it is true in regard to lumber and prophecies of the exhaustion of lumber. Trees grow, and always have grown. So we may drop out that question, and bring the question of a reasonable tariff upon lumber down to existing conditions, based upon the assumption that the conditions are going to exist. What element of nature has ever been exhausted in this world? Can any Senator name one? There are a number of them, an essential part of creation itself, upon which human life has depended. What one has been exhausted? What one has given any reasonable evidence of being exhausted? Have we just reached some period in the world's history that indicates the fading out of this great globe and the destruction of the human race? Such arguments are useful only for the purpose of diverting the minds of those who are called upon to consider them. The real issue, the question here is: Shall the people of the United States control the lumber industry, or shall it be controlled by the Canadians, who are not a part either of the Government or of the great human sympathy that constitutes our Nation? There are two sides to the Nation; there is the cold-blooded legal country, or nation; and then there is a sympathetic and patriotic nation. It is the last that protects the first.

Mr. President, our annual output of the Pacific slope, as I said the other day, is two thousand million feet. Are we going to bring that to an end and stop producing it? To what extent? How much would the Senator from North Dakota have us produce? A half, and send half of the wages to some other country? A quarter, and send only a quarter? Injure our people a little, or destroy them altogether? Where is the line to be drawn? At present we have a rate of duty that barely gives us the turn of the balance in our favor. The wages that men are receiving in the woods and in the mills are not claimed to be exorbitant, are they? Does anyone claim that the wages should be cut? If so, how much? Would you cut the wages of the men who work in the mills and in the forests?

I should like to have some statement. Is there any man bold enough in public or in private life to propose, without the existence of any extraordinary conditions, that you shall dock the wages of the lumbermen at all, or propose a rate to which you shall cut them? I think not. Is there anyone here so unacquainted with business methods as to suppose that you can compel men to continue to employ wage-earners against their will or upon a basis of profit fixed by law? Does anyone dare to introduce a measure here limiting the profits that a sawmill owner shall make, that the wholesale dealer shall make, that the retail dealer shall make, or to fix a price that the consumer shall pay? If you can not, if you dare not, propose that, then where are you going to fix the line? Is it somewhere in the indefinite cry of "reduce the tariff"—somewhere up in the air or down under the ground—or can you give figures for it, and say, "You shall sell your lumber for so much a thousand, you shall pay so much a thousand for stumpage, you shall pay so much a sack for flour, and you shall pay so much a day for wages?" Does anyone want to see this Government on that basis? Is there anyone here who can tell where to apply the knife to cut away what he claims to be the superabundant private benefit? Where will you do it? In the price of stumpage? You can not compel any man to sell it. In the price of labor to the man who cuts the tree? He will make his terms with you or he will quit work. In the profit of the mill? The mill will shut down, like the great Lewis mill in our country is shut down and standing idle to-day, and another one as great on Puget Sound, with boards nailed over the windows.

Mr. President, I am not making these remarks to go out to the country. The circulation of the CONGRESSIONAL RECORD is not great enough to reach to all corners of the country. The daily press does not appreciate the importance of public questions to that extent which tempts them to send out the discussion of this question. I prefer to talk to the Senators who are to consider and vote upon this measure, and I suggest that there is not a quorum of them present.

The VICE-PRESIDENT. The Senator from Idaho suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gore	Overman
Bacon	Crawford	Guggenheim	Page
Bailey	Cullom	Hale	Penrose
Beveridge	Cummins	Heyburn	Perkins
Borah	Curtis	Hughes	Piles
Bradley	Daniel	Johnson, N. Dak.	Rayner
Brandegee	Depew	Johnston, Ala.	Root
Briggs	Dick	Jones	Scott
Bristow	Dillingham	Kean	Shively
Brown	Dollivor	La Follette	Simmons
Burkett	du Pont	Lodge	Smith, Md.
Burrows	Elkins	McCumber	Smith, S. C.
Burton	Flint	Martin	Smoot
Carter	Foster	Money	Stephenson
Chamberlain	Frazier	Nelson	Sutherland
Clapp	Frye	Newlands	Taliaferro
Clark, Wyo.	Gallinger	Nixon	Tillman
Clay	Gamble	Oliver	Wetmore

The VICE-PRESIDENT. Seventy-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. HEYBURN. Mr. President, I was asking some questions, and there was no Senator present who seemed inclined or able to answer them. I thought, perhaps, with a larger attendance I might get an answer to the question as to what per cent of the $120,000,000 in wages paid in the lumber industry in this country you propose to eliminate, because the amendment to which the discussion is now directed certainly does propose to eliminate some part or all of it. I want to know whether you are going to take it off of the per diem or eliminate the individual factor in it.

I also inquired, in the absence of some of you, how many of these mills, and which ones, you were going to silence? Were you going to silence the mills on the Pacific slope or the mills in the South or the mills in the North? The proposition will silence them, some or all; and I should like some one who stands sponsor for this measure to suggest how much of the wages paid are to be transferred to the Canadian mills and how much are to be retained, because the merchants in this country and the farmers in this country have got to adjust their next year's business to the conditions that will confront them, and if, instead of paying $120,000,000 in wages, you are only going to pay $50,000,000, they have got to reduce their business and their stock and their hopes, and they will reduce their bank account. If you are going to run a thousand mills, instead of three thousand, the men who have the money invested in those mills will be interested to know if they are among those to be eliminated from the field of active industry.

If you do not answer these questions here, you will have to answer them when the election day comes around and you want to hold up to the people the fruits of the Republican party and its methods of government.

I have been going up and down this country for thirty-six years, telling the people as the elections came around that the Republican party stood for protection, and for a measure of protection that would keep the foreigner out of the fields of competition. If $2 will keep him out, it does not follow that a tariff of a dollar and a half will do it. If you are voting for a dollar and a half, or going to, because you simply want to make a reduction without calculating the basis upon which you make it, you will afford no protection; and less than protection is as bad as none, not only in lumber but in every other field.

The Republican party objected to the horizontal cutting down of the tariff because it must inevitably in many schedules cut below protection. A duty of $4 is of no value at all if it takes $4.25 to constitute protection. Just dare go back to the American people, after the support they gave you last fall, and tell them that you have abandoned the principle of protection and have adopted the principle of compromise or something else.

Mr. President, the farmer will be inquiring "where is the market for my produce, the market that I had last year in the hundred thousand camps of men who were engaged in the lumber trade?" The lumber industry is the second largest item in the farmers' market, and when he asks "Where is this market that I had on election day?" and you say to him, as you must if you do this thing: "Why, those people are not at present engaged in any employment; they have no reserve with which to buy your products, and you will have to either carry them over or not produce them." He will respond: "I sowed this field of wheat, I planted these crops under the promise of the Republican party that it would maintain the conditions that would insure me a market." Then, what will you say? "Well, we only reduced the duty slightly; we only shut off your prosperity a little." You might as well be choking a man, and, merely because you do not choke him to death, excuse yourself for partially choking him because you do not completely do it.

Mr. President, I feel that the hour has come when those in this Chamber who stand for the principles of the Republican party, and not for experiments, have got to stand up and speak up for the Republican party and its principles.

A few months ago a great wall came up from off in the darkness and the dust of discontent, which always exists in the minds of the minority. Probably some one may have said, "What is that great clamor; what is all that noise about?" "Why, it is the shout of the people for a revision of the tariff." Well, they did not stop to inquire what people or what element of the people. Some one said, "It is a cry of the people;" and a few Republicans, then in temporary control, got scared; but those who had fought in the ranks of protection and Republicanism knew and told them that that cry came from the discontented Democracy, not discontented because the conditions of the country were not prosperous, but discontented because they were not in power and in office; and they were trying to scare the Republican party so that it would take to the woods and abandon Republican principles; and I saw then that the cause of that fear and dread, while it may seem harsh to say it, was that the offices seemed to be slipping from them. But I have been a good while in politics, and I think I may safely say that that cry found its echo first in the minds of those who were afraid that the Republican party was not strong enough or strongly enough inclined to keep them in office or to put them there; but the old stalwart wing of the Republican party——

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. DOLLIVER in the chair). Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. I do.

Mr. BORAH. I do not want to be placed in the position of delaying the proceedings here, but I think this measure is important enough so that if we are to consider it at all, we ought to consider it all together, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Overman
Bailey	Crawford	Gamble	Page
Bankhead	Culberson	Gore	Penrose
Beveridge	Cullom	Hale	Perkins
Borah	Cummins	Heyburn	Piles
Bradley	Curtis	Hughes	Root
Brandegee	Daniel	Johnston, Ala.	Scott
Briggs	Depew	Jones	Shively
Bristow	Dick	Kean	Simmons
Brown	Dillingham	La Follette	Smith, S. C.
Burkett	Dolliver	McCumber	Smoot
Burnham	du Pont	McEnery	Stephenson
Burrows	Elkins	Martin	Sutherland
Burton	Flint	Nelson	Taliaferro
Carter	Foster	Newlands	Tillman
Clapp	Frazier	Nixon	Warner
Clark, Wyo.	Frye	Oliver	Wetmore

The PRESIDING OFFICER. Sixty-eight Senators have responded to their names. A quorum is present. The Senator from Idaho will proceed.

Mr. HEYBURN. Mr. President, when the absence of a quorum was suggested, I had started to say that the stalwart wing of the Republican party stands for no partial measures, stands for nothing less than protection that protects, stands for nothing less than a discriminating tariff that shuts the foreigner out of our market so long as our own people can supply it; and at Chicago, when that fear and fright came over those who were making the platform and caused them to promise, in the hour of their fright, that they would be good according to Democratic principles and the Populist cry, and said: "Oh, yes; do not strike us; let us have the power; we will call a special session even; we will do anything; we will promise you to revise the tariff"—and some of them have gone so far as to say that they promised to revise it downward—the Republican party was not all at that convention.

The stalwart Republican sentiment took up the banner that was unfurled by that convention, and carried it forward throughout this country to victory; not upon the promise that they would abandon Republican principles, but upon the promise that they would keep their pledges according to the faith and the measure of Republican principles.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I do.

Mr. CLAPP. I simply want to ask the Senator now whether he wants hereafter to recall the suggestion that the promise in the platform was made through a sense of fear.

Mr. HEYBURN. Mr. President, I have had that celluloid question asked me about forty times, and I have answered it in my own way. I understand the question to be in substance, Do I intend to stand for the Republican platform?

Mr. CLAPP. No; I do not mean any such thing.

Mr. HEYBURN. Then I will be glad to hear the Senator's statement of it.

Mr. CLAPP. Nor do I ask now for the Senator's interpretation of that platform; but I ask him now, and call his attention to it, whether he wants hereafter to recall the suggestion that that promise was put in the platform from a sense of fear by the men in control of that convention.

Mr. HEYBURN. I do not care, Mr. President; I am not afraid of ghosts——

Mr. CLAPP. Very well.

Mr. HEYBURN. I do not care where I meet a statement of mine, in the day or in the night, or where or I meet it, if I have made the statement.

Mr. CLAPP. Mr. President, I hardly think that would bear analysis. The other day, in the heat of debate, the Senator did make the statement which, when it was challenged, he claimed the right in a measure at least to modify——

Mr. HEYBURN. The Senator is mistaken about that.

Mr. CLAPP. Now, if he means to stand by the proposition that that was put into that platform by the party managers from a sense of fear, I want him to realize it, because that is in the last analysis precisely what was meant by the statement.

Mr. HEYBURN. Fear of what?

Mr. CLAPP. I do not know or care.

Mr. HEYBURN. Very well, now; I will repeat my language as I used it, not as the Senator quoted it. I said: "Fear that

they would not get nominations, or that they would lose office. Whoever were responsible for it were either there, or supporting men who felt that way." Is that plain enough?

Mr. CLAPP. I will discuss the question later.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. I do.

Mr. CLARK of Wyoming. The matter has been brought up several times as to the verdict of the people upon the revision of the tariff. I should like to suggest to the Senator from Idaho, if the verdict in the last election was not a verdict, that the tariff should be revised according to the Republican system of protection, rather than revised according to the Democratic system of a tariff for revenue only.

Mr. HEYBURN. Yes, Mr. President; and the verdict was something more. The verdict of the American people was "We will trust the Republican party; we will trust it according to the measure of its wisdom, in convention or out, and we know that when it comes to act responsibly, it has always given us good results;" and had the people in the convention promised other things in that platform, only a fraction of the Republican party was there, and the people knew the Republican party well enough to know that even though, inadvertently, it might make expressions that sounded badly, it could be trusted in the hour of its responsibility.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. CLAPP. I want to remind the Senator that before this thing is through he will be confronted by the proposition that the people trusted the Republican party with a promise which, according to the Senator's own statement, was made from a sense of fear.

Mr. HEYBURN. I beg pardon. I was interrupted by a colleague, and did not hear the Senator's remark.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Yes.

Mr. TILLMAN. In this happy family which we find on that side of the Chamber, we discover that those people who have timber which they want to cut and manufacture into lumber are clamoring for a tariff, while those who live on the prairies and in the States where the timber is exhausted are clamoring for free lumber.

Mr. HEYBURN. I do not find it.

Mr. TILLMAN. Well, I find it; and I think the Senator will find it before he gets through.

Mr. HEYBURN. I do not find it.

Mr. TILLMAN. What is the matter with our friend from North Dakota [Mr. McCUMBER]? Is it not because North Dakota has no trees?

Mr. HEYBURN. I think I will not become personal in regard to the Senator from North Dakota, because I can refer to my own State. More than half of it is not forest, but plains and valleys.

Mr. TILLMAN. I know that, but I am speaking about those States where they have no trees at all, practically.

Mr. HEYBURN. Yes. I think I will leave the Senator from North Dakota to make his own case. I am not here to attack him.

Mr. TILLMAN. I am not attacking him. I am just asking the Senator to explain the inconsistency in the Republican camp.

Mr. HEYBURN. The fact is, I am holding the floor for a few minutes, at least——

Mr. TILLMAN. It is really an antagonism of personal and local interests.

Mr. HEYBURN. Well, Mr. President, I have seen some evidence of that in the votes and action of other Senators besides those referred to. I am holding the floor, for the few minutes that I shall occupy it here, to express myself upon the question. What is the protection to which the Republican party is pledged? It is not to protect the individual who happens to be in a position to protect himself. It is protection that is universal in its application. It is not a local question, as has been said. It is a general principle, with local application, and that is true of every law that we have passed.

I know the vote that is to be taken is merely as to whether or not there shall be any duty on lumber, but I claim the privilege of occupying the attention of the Senate for a reasonable time upon these questions which seem to me important; and I make these remarks in order to recall to the minds of Senators the fact that because we are asked at this time to vote between free trade and protection there is behind it all, and there will be behind it within a few hours, the question What measure of duty will afford protection? It is my intention, so far as I may, to speak and vote for the retention of the existing duty on lumber. The people in that part of the United States who are most interested in it demand it. Even though at this time it is merely a vote as to whether it shall be free trade or some duty yet to be fixed, I have thought fit to present these ideas. I did not do it to attack the Republican party. I did it to sound the bugle call to bring real Republicans to the front—men who are Republicans from principle, always Republicans, and are never found fighting under any other banner.

Mr. President, I will defer any further remarks until this matter shall come before the Senate on a question as to what duties shall be levied upon lumber and the products of it.

Mr. BURKETT. Mr. President, before the amendment of the Senator from North Dakota [Mr. McCUMBER] is put to the Senate for a vote, I desire to submit a few remarks in support of it. I have listened with a good deal of interest to the addresses which have been made on this subject for the last two or three weeks, and had I had opportunity earlier in the session I should have made more extended remarks upon this subject than I shall now. I am going to promise to the chairman of the committee, who I know is anxious to get a vote, that I will not detain the Senate more than a few minutes.

Mr. SCOTT. I suggest the absence of a quorum, Mr. President.

Mr. ALDRICH. I hope the Senator will withdraw that suggestion.

Mr. SCOTT. The Senator from Nebraska does not want to speak to empty benches.

Mr. BURKETT. Do not make the suggestion.

Mr. SCOTT. I withdraw it.

Mr. BURKETT. In my opinion, there is a quorum here. I would rather have the quorum that is here than to try to get some one else who would not stay.

Mr. President, while I listened to the Senator from Idaho [Mr. HEYBURN] to-day complaining of the attempt of some of us to place this article on the free list, I looked over the free list, and I found that that list has not been made according to the theory the Senator from Idaho suggested.

I find, if I can read the free list aright, that it is not made up according to any particular theory, but according to the exigencies of each particular case and the emergencies of the occasion. I find a good many things on the free list that come into competition with things that are manufactured and produced here. I wish also to call the attention of the Senate to the fact that even in this bill the committee have placed on the free list fence posts and kindling wood, which are very important items of lumber production.

I find also on the free list—and it has been there for a good many years—binding twine. We all know it comes into competition with our manufactures, and, in fact, has driven them out. But it has been because the Congress at some time have believed that it was for the best interest of the greater number that binding twine should be placed upon the free list rather than to protect a factory or two here or there which might be interested in manufacturing it.

I also listened to the remarks of the Senator from New York [Mr. ROOT] this morning, pleading for some local industries up in his State, and I realize their importance to the particular towns that the Senator from New York suggested. But while the Senator from New York was speaking upon the importance to those towns and to the men who were employed in these factories of having the rough lumber brought into America and here planed and dressed, I took out our book of imports and I found how insignificant, after all, was that little planing-mill industry to the great lumber industry of the country which we are considering in this bill.

I call attention to these facts, because in making a tariff bill we must consider the best interests of the greatest number of people of this country. In my opinion it is of more importance to the people, it will build up more industries, and it will enable the people to support more industries, if they can have their lumber cheaper.

As I listened to the remarks of the Senator from Washington [Mr. PILES] a few days ago——

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. Would it inconvenience the Senator to state what industries it would start to take the duty off of lumber?

Mr. McCUMBER. It would build homes.

Mr. BURKETT. I will say that I might not be able offhand to give a great number of industries which might be started. It would suffice nothing if I did. In making a general statement one may not always be prepared to particularize. But I do undertake to say that there are many articles on the dutiable list of this bill, where, if they could be admitted at better rates, more favorable rates, other factories would be started. Of course it may not always be advisable to do it. Free iron ore would start some iron factories. Of course, as has been suggested to me, we could at least perhaps build more homes if we would bring in more lumber.

Mr. BORAH. That is a generalization. There ought to be some facts submitted to support it.

Mr. BURKETT. Of course, I realize that it has been combated all the way through here that reducing the tariff would make cheaper lumber, and yet we have had on the free list for a long time logs. Why was that? Now, they propose, as I understand, to reduce the tariff on rough lumber. I am one of those who believe that by putting lumber on the free list it will reduce the price of lumber to the consumers in this country, and if it does not, I am here to ask the question which I asked the Senator from Washington several days ago, when he was making his speech: If it will not reduce the price of lumber, why are the people representing those States wherein the lumber is located so much concerned about the proposition to reduce the tariff?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. The people of the Northwest are concerned for the reason that they would not get the price. The price would not be reduced, but it would be paid to Canadian manufacturers instead of American manufacturers.

Mr. BURKETT. Of course, that is only an assertion.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. BURKETT. I do.

Mr. NELSON. I desire to say to the Senator from Idaho that the price would be reduced, and it would not be reduced for the benefit of the Canadians. Our lumber manufacturers import logs from Canada and saw them in this country. They get them in free of duty, and they sell that lumber to us at just the same price that they ask for lumber made from our own logs.

Mr. BORAH. If the Senator will permit me for just a moment——

Mr. BURKETT. Certainly.

Mr. BORAH. The Canadian manufacturer has been shipping lumber into this country for the last seven or eight years, and has had the advantage of $7 or $8 a thousand, but he has been selling it to the American consumer for the same price that the American manufacturer has; and it is not fair to presume that he would cease to have that same ambition to put the money in his pocket if he had $2 more advantage of the situation.

Mr. NELSON. Will the Senator from Nebraska yield?

Mr. BURKETT. Certainly.

Mr. NELSON. I wish to tell the Senator from Idaho that on the northern boundary of our State there are mills that make a business of sawing our lumber and shipping it to Winnipeg and selling it in competition with Canadian lumber. The large share of the lumber sold in the city of Winnipeg, the metropolis of western Canada, is lumber made in the State of Minnesota.

Mr. BORAH. I am not concerned about what the man in Canada gets his manufactured lumber for. But the Senator fails to sustain his position that the American consumer will get it any cheaper. That is the only man about whom I am concerned.

Mr. NELSON. If he shall not get it any cheaper, what effect would the removal of the duty have?

Mr. BORAH. The duty keeps the operation on this side of the line instead of on the other side of the line.

Mr. SCOTT. Mr. President, I suggest the enforcement of the rule.

The PRESIDING OFFICER. To what rule does the Senator from West Virginia refer?

Mr. SCOTT. The rule that Senators shall address the Chair and get the permission of the Senator entitled to the floor before interrupting.

The PRESIDING OFFICER. The Senator from Nebraska had yielded to interruptions, as the Chair understood it.

Mr. BURKETT. I had yielded.

I have risen particularly to-day, I will say, to impress upon the Senate—and it is along the line I have tried to suggest a time or two heretofore—that in making this bill of 1909 we ought at least to bring it up to 1909. When I asked a question of the committee the other day as to why a certain rate was made, it was suggested that it was in the Dingley Act, and I insisted that that was not answer enough to satisfy me. Conditions might have justified the Dingley rates ten years ago that do not now exist. And in making a bill to-day, it seems to me, we ought to consider conditions as they exist to-day.

For example, logs are on the free list. We stopped bringing logs into this country long, long ago in any important quantity. Long ago the logs that could be cut and floated down into this country—and that is the only means of transportation that is practicable to bring them in here—were cleared away, and logs on the free list have not been of any consequence to the people for a good many years. A little later on——

Mr. ELKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. BURKETT. I do.

Mr. ELKINS. The importation of 782,000,000 feet of lumber for which we paid $15,000,000, American money, did not seem to affect the price one way or the other. The importation was at the rate of $19 a thousand, and that was the price in this country and it was maintained.

Mr. BURKETT. The importation of what—logs?

Mr. ELKINS. No; lumber.

Mr. BURKETT. Oh!

Mr. ELKINS. Rough lumber came into this country at $19 a thousand feet, and that was the market price.

Mr. BURKETT. Yes.

Mr. ELKINS. They paid the duty and must have made some money, or they would not have shipped it in.

Mr. BURKETT. Very little came in.

Mr. ELKINS. It did not reduce the Canadian importations of it, for which we paid $15,000,000. It did not reduce the price of lumber.

Mr. BURKETT. A very small percentage of what we use, as I stated a moment ago, and it cuts very little figure in the price. We have now gotten way beyond the proposition of rough lumber.

Mr. ELKINS. I hope the Senator will vote for a duty on rough lumber.

Mr. BURKETT. I will vote to reduce it on rough lumber and finished, too, I will say to the Senator.

Mr. ELKINS. On the rough lumber it is just as the Senator stated. He admits that it did not change the price. Why pay out this $15,000,000 of American money, good money, and take it away from the employment of thousands of people and prostrate American industries by giving up the $15,000,000 when the price did not go down? The price was $19 a thousand. You may look at all the statistics you want on the subject.

Mr. BURKETT. Mr. President, as I was about saying, when we put logs on the free list, and that was a good many years ago, it might have been possible to float them down the river, but conditions have changed since that time. By and by, instead of being able to float the logs down the river, when the timber got farther back from the streams, they had to manufacture it to meet the requirements of the transportation facilities. It was quite natural under the protective theory that the rate on finished lumber should be higher than on rough lumber. But to-day we have gotten as far away from the rough-lumber proposition as we are from the log proposition. There is scarcely any such thing as rough lumber any more. The dealers do not handle it, and the manufacturers finish it on one or more sides.

You can not buy a stick of rough lumber to-day in the retail yards of the Mississippi Valley, and that condition has prevailed for ten years. Why? Because the lumber manufacturers have found that it is more profitable to handle finished lumber than rough lumber. They have found that they save more in freight rates than it costs to finish it. So when you reduce the rate on rough lumber and leave a differential on finished lumber you are begging the entire question, because the rough lumber is not of any importance in the lumber controversy aside from a few localities like those the Senator from New York spoke of a few moments ago. There is no use reducing the tariff on rough lumber when nobody uses it or can buy it. If you want to bring the bill up to 1909 include in your reductions finished lumber—the kind we are now using.

In my opinion this differential on finished lumber is simply a humbug. Very plainly speaking, it is a travesty upon the entire proposition. If we are going to reduce the tariff on any sort of lumber, let us reduce it upon the kind of lumber we are consuming in this country.

The two great propositions that the Senator from Washington [Mr. PILES] raised in his remarks the other day have been carried through this entire debate by those who insist on keeping up this tariff. They are the only arguments that I have heard made in favor of the present schedules. The first was the cheap lumber waste bugaboo, and the second was the cheap labor competition that he says this country has to meet.

If I have been able to read the evidence contained in these hearings right, the men who are interested in this matter of a tariff on lumber are the men who own the stumpage in this country. As I stated the other day, the men who have appeared before the committee advocating a high tariff on lumber have mostly been stumpage owners. I believe I asked the Senator from Washington if that was not a fact.

Mr. PILES. Mr. President——

Mr. BURKETT. Perhaps I can anticipate the Senator's reply. He said that the State of Washington was a large timber owner also. Was that the question he was going to suggest?

Mr. PILES. I did not quite understand what the Senator said. I understood the Senator to say he asked me some question which I did not answer, and which has not yet been answered. I did not understand what the question was. I did not hear the Senator plainly. The Senator can tell me just what the question was. I did not hear him.

Mr. BURKETT. I asked the Senator from Washington the question whether or not it was not entirely a stumpage proposition in this country.

Mr. PILES. That is the question?

Mr. BURKETT. Yes.

Mr. PILES. I thought I answered the Senator very clearly when I submitted the resolution of the Shingle Weavers' Union, for instance, representing some 14,000 men; a telegram from the president or secretary of the State Federation of Labor, representing some 25,000 men; the resolution of the legislature of the State of Washington; resolutions from the commercial bodies of that State, in which it was shown that the removal of the duty would very greatly injure the business and the labor of the State.

Certainly it is not a mere contest between stumpage owners. It affects about 110,000 men in one State who are engaged at labor in the business, and some 500 ships that are fitted up on the Pacific Ocean to carry lumber. It affects the entire business interests of the whole country.

Mr. BURKETT. I thought I had at hand here, but I have not, a statement from a paper from the Senator's own State upon that exact point. Perhaps later on I will find it. It states that it is a stumpage question.

But I do not want to go into that. I was only referring to it in passing. As I have gone through the evidence that has been taken by the Ways and Means Committee upon this question, I have observed that practically every man who appeared before that committee has been interested in stumpage.

Mr. BORAH. Mr. President——

Mr. BURKETT. I will yield in just a moment. I doubt if anybody believes that whatever shall be done with this lumber schedule that our mills will not go on manufacturing lumber just as they have in the past. They may not be able to credit as much on their stumpage accounts as they would if they did not have competition with Canada, but in my opinion every mill will go on manufacturing lumber and every laboring man therein will be employed as fully and at as good wages as he has been given in times past.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. In just a moment. Only two or three weeks ago, in coming in on the train, I met a man who is manufacturing lumber and interested in the lumber business in many ways and in many places throughout the country. He was interested in mills in at least three different sections of the United States.

He revealed to me the startling information that at that time his company was making lumber and selling it at less than the stumpage price; that the price of stumpage was forced up to such a point that they could make more money selling it as stumpage than as lumber. But they were compelled to keep the machinery going and to sell at the prevailing prices of lumber. Now I will hear the Senator from Idaho.

Mr. BORAH. I was going to say, in order to be exactly accurate as to the witnesses who appeared before the Ways and Means Committee with reference to the question of stumpage, it should not be overlooked that most of those who appeared against the duty own stumpage in Canada.

Mr. BURKETT. As I said the other day in a running debate I had with the Senator from Washington [Mr. PILES], I thought it very probable that this question was a good deal of a contest between the men who have stumpage in Canada and the men who have stumpage in America; but inasmuch as I believe by favoring the man who has stumpage in Canada we would help the consumer of lumber in this country, I am willing to help the man who has stumpage in Canada, if it does help him any.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. The Senator has answered my question by saying, when it is between the Canadian and the American, he will vote to favor the owner of Canadian stumpage.

Mr. BURKETT. Yes; the Canadian stumpage owner.

Now, I want to read some letters in response to the first objection to reducing the tariff that has been made, and that is the cheap-labor bugaboo. When the Senator from Washington was making his admirable address the other day, I called attention to the testimony of some of the witnesses upon this question. But since the Senator's address I have had called to my attention several statements made from those who are working in mills to show the contrary to what the Senator said with reference to the employment of oriental labor in Canada and in the northwestern part of the United States.

On page 3130 of the hearing there is some evidence that I did not succeed in calling to the Senator's attention, and that is as to the effect that the interior or mountain mills of British Columbia have 60 per cent of the lumber-producing capacity of the Province, and out of 4,000 men in the mills, and perhaps 8,000 all told, employ not to exceed 400 Orientals.

I also had called to my attention by a prominent lumberman, after the close of the debate on that day, that the Fraser River Mills, at New Westminster, the largest in the Province and on the coast, too, about a month ago replaced all their Orientals with whites, and before that time only 13 per cent of their pay roll went to Orientals. The whites will be paid more money, but are considered cheaper in results.

I want, also, to read a letter which has come to a Senator upon this question. It is written by an employee in one of the mills and is in direct response to the statement of the Senator from Washington that there is no oriental labor employed in the mills of Washington and Oregon. I will state that he has requested that his name should not be made public, but the Senator can see the letter at any time he wishes. I will read it, but I will not use the name of the writer.

Mr. PILES. I have never said that there were no Orientals employed in the mills of Washington.

Mr. BURKETT. The Senator laid a good deal of stress upon the different kind of labor that was employed in the mills in America and the mills in British Columbia, and he said it was because of this oriental labor, the cheap labor that was used over in British Columbia that they could not use here in America, that we could not compete on an equality with the finished lumber coming into this country from Canada.

Mr. PILES. If the Senator will permit me right there, I will explain that situation to him. It is estimated by those who know that out of the hundred and ninety thousand men employed in the lumber and shingle business on the Pacific slope there are between 1,500 and 2,000 Orientals employed. There are, I am reliably informed, no Orientals employed in the mills in the cities of Washington.

Mr. BURKETT. Let me read to the Senator this letter, because it quotes what I recollect the Senator did say:

SIR: Seeing in to-day's Post-Intelligencer, of Seattle—

It was evidently published in the Senator's own town paper—

Seeing in to-day's Post-Intelligencer, of Seattle, that Senator PILES, of this State, yesterday made a statement that "only two mills in this State employed oriental labor," may I be permitted to offer my own personal experience?

I have worked in mills both inside and outside of the "association," as the monopoly is generally termed here, and the following mills are still employing Japanese help, viz: St. Paul and Tacoma Mill Company, Tacoma, Wash.; Wallace Lumber Company, Startup and Seattle (Mr. Startup, one of the owners, is a prominent association official); the Atlas Lumber and Shingle Company, McMurray and Seattle, Wash. (Mr. Patten, the owner in part of the Atlas Company, is universally detested by the white laboring men of this State on account of his Japanese proclivities. Besides being one of the foremost of the association, I think he is one of the high officials). These I know are association mills, whilst I can not say for the following: Page Lumber Company; Eagle Gorge Mill, King County, Wash.; Kent Lumber Company, Barneston and Seattle; the big mill at Mukilteo, near Everett, Wash.; the Hewitt & Lea Mill, at Wilburton, close to Seattle; the Minnesota Lumber Company, at North Avon, Skagit County, Wash., offices at Mt. Vernon, same county; a small mill at Fredonia, within 24 miles of the preceding one; the big mill at Gold-Bar, near Startup, offices at Seattle; whilst the Puget Lumber Company, operating mills at Port Gamble and Port Ludlow, employ Chinese cooks and Japanese help in the kitchen. There are also Japs working near Napavine on the Northern Pacific Railroad between Tacoma and Portland; also at Fidalgo Mill, near Anacortes, Skagit County, Wash. (I do not know if these two are working, but I know that all the above are really oriental propositions.) There are several more that I could give, but I have only given those which I can personally vouch for.

Now, I am handed another letter this morning, and I will say I will not give the name of the writer, but the Senator can see the letter. It is written in the handwriting of the author:

Senator S. H. PILES, of Washington, undertook to inform you that your information was incorrect, and that there was only two mills in the State employing Japanese. He undoubtedly knew that he was misrepresenting matters to you, or else he was woefully ignorant of the conditions in the State he is supposed to represent. There is no question but that a large number of the mills employ Japanese here, probably a majority of them, although I can not say positively. I will give you the names of a few concerns near to Seattle who I know do employ Japanese.

Then he recites here five different concerns that are employing all the way from 30 up to 200 Japanese in each mill. He proceeds:

If the lumbering interests of this State were afraid of the competition from the Canadians, is it not rather singular that this State should ship hundreds of cars of lumber to Winnipeg and northwest Canada annually and compete with Canadians in their own territory? The tariff on lumber has not benefited anyone but the few lumber mill companies, as the wages of lumbermen are lower in this State and Oregon than they are in British Columbia.

Then he finishes up the letter by stating that he is an employee.

Mr. PILES. Will the Senator permit me? In the remarks which I made to the Senate on the lumber question I do not recollect having said anything about the number of Orientals employed in the mills in the State of Washington. In interrupting some Senator who some days before had spoken upon this subject, I remember stating that there were, according to the information I had, but two shingle mills that employed Orientals in the State of Washington. I do not know how I am quoted, for I have never looked up my remarks in that interruption, but what I had reference to was shingle mills. It is admitted in the testimony before the Ways and Means Committee that there are some fifteen hundred or two thousand Orientals employed in the States of the Pacific coast out of the 190,000 men employed. It would be ridiculous to say there were only two mills that employ them. My information is that there is not a mill in any of the cities in the State of Washington that employs Orientals. They are employed to some extent in the outside mills. The mill the Senator has mentioned is not in a city. It is on land owned by the mill company, in Kitsap County. A number of the mills doubtless employ Chinese cooks and help around the camp, and in several of those mills they employ Orientals actually in millwork. There is no doubt about that, but that amounts to nothing as compared with the number employed in British Columbia.

Now, I have here an estimate of the number employed. It is insignificant as compared with what is employed in British Columbia. On that point I should like to read just one or two telegrams. Here is a telegram I should like to submit:

SEATTLE, WASH., *May 16, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Less than 2 per cent of men engaged in lumber industry in this State are Orientals, most of these in cargo mills in competition with Canadian mills.

CHARLES R. CASE,
President Washington State Federation of Labor.

I assume the president of the State Federation of Labor ought to know all about this matter. It is his business to investigate and look into it. Since I made my remarks in the Senate on the subject of lumber, some days ago, he has. I should judge from the following telegrams, been investigating the question with considerable care:

VANCOUVER, BRITISH COLUMBIA, *May 19, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Personally investigated lumber and shingle mills, Vancouver and New Westminster; 90 per cent of employees Orientals.

CHARLES R. CASE,
President Washington State Federation of Labor.

Here is another telegram, dated May 22, from Victoria, British Columbia, which I will read:

VICTORIA, BRITISH COLUMBIA, *May 22, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Over 90 per cent of labor employed in sawmills on Vancouver Island are Orientals. No self-respecting white man can live or work in open competition with them.

CHARLES R. CASE.

Mr. BURKETT. Mr. President, in my opinion——

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. Will the Senator give the name of the party who wrote that letter?

Mr. BURKETT. I said before I read it that the writer asked that his name be not made public. The Senator can read the letter, if he wishes to do so. I will not publish the name of the writer. He is employed, I will say, in these lumber mills, and he has not wanted his name made public. He is not in a position to have it done, and I will not take the liberty to give it out. I so stated before I read the letter.

But I was about to say, Mr. President, I have only referred to that, not intending to go into any particular discussion over it to-day, because we went into it at some length when the Senator from Washington was addressing the Senate two or three weeks ago. I read it only for the purpose of showing that, while there may be some oriental labor employed in Canada, there is also without doubt some oriental labor employed in the State of Washington. I only wanted to use it to impress the fact that the more you go through this evidence and the more information you get, it demonstrates the proposition that, so far as the cost of production is concerned, we can produce lumber here in the United States without any fear of any competition with Canada except alone from the one question of stumpage.

That brings me back to the statement I made a moment ago, that, in my opinion, the stumpage men are the people who are interested in this question, and if the tariff goes off of lumber it does not mean that a single mill is going to stop in this country; it does not mean that a single man is going to be thrown out of employment, but it does mean, perhaps, where there is cheaper stumpage in Canada to compete with the stumpage in America that the stumpage men on this side of the line are going to have to take something less for their stumpage.

A moment ago I tried to find a clipping from the Washington Herald, from the Senator's own State. I want to read it now. It is from a paper that advocates protection and from a paper that is interested, because it is in that section of the country and because it says it is interested in this lumber question. I want to read it to the Senate, as it shows exactly the position of one who writes there on the ground.

The Northwest is especially interested in the lumber-tariff issue, and there are lumbermen who are already telling what disastrous things will befall the lumber industry of this section if the new tariff schedule, consisting in the main of a reduction in the duty of 50 per cent, goes into effect. The Northwest certainly wants to see nothing done to injure the lumbermen, but we can see no sense in widespread calamity howling. If the policy of some of the lumbermen is to "throw a scare" into the Northwest, it is ill advised, for it only results in a feeling of industrial unrest and uncertainty that is disconcerting to all business interests, and, we believe, it is unjustified.

All residents of Everett and of the Northwest know what a few years have done to the loggers of this section. Logging has made more men wealthy in a shorter time than has any other branch of the lumber industry or any other business in which men of the Northwest are interested. The loggers, who have acquired much of their timber at low prices, are the kings of the lumber business. They have dictated prices, boosting them unceremoniously when they wished, and those mills buying in the open market, and that means the majority, have been compelled to pay the price or go out of business.

Then, omitting some, the article goes on to say:

Bearing that fact in mind, it is hard to see why the loggers can not easily absorb that tariff reduction, or at least the larger portion of it. Cheaper logs will mean cheaper lumber, that, if we are threatened with the Canadian product, will be able to meet the latter on the same comparative footing they hold at present. It can't be denied that lumber prices are high, and that is what has raised the cry of the Mississippi Valley States for free lumber. Let the loggers pay their share of the game and not seek to convert Washington's greatest natural resource into wealth in a few short years and the price of lumber will drop, we can stand the proposed tariff reduction, and the cry for free lumber from the Middle West will cease. It is a big question, but its solution along the line of the proposed tariff bill under no circumstances means the destruction of the lumber industry. At the worst it will bring about a readjustment. It is better for the Northwest to have a reduction in the lumber tariff now than be called upon to face a time when the great majority of the country, in a way that can't be refused, demand free lumber, and unless something be conceded at this time, that day will come.

While that article does not go as far as I should like to go and give free lumber now, nevertheless, coming from a paper published in that section of the country, and a Republican paper also, it does justify me in the position which I have taken, that the proposition which confronts us here is the proposition of the logging interests of this country.

Mr. SCOTT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. BURKETT. I do.

Mr. SCOTT. I merely want to ask the Senator—I presume that his object is to get a lower rate on lumber for the people of the Northwest—does the Senator think if we should take the duty entirely off lumber that would accomplish that result or not?

Mr. BURKETT. In my opinion, it would; and what I have read, if the Senator recollects, from the article published in this paper in the State of Washington, also reenforces that state-

ment. There is in these tariff hearings—I am not going to take time now to read them, for I am not going to talk long—there is in these hearings abundance of evidence to show that the opening up of our markets to Canadian lumber does mean cheaper lumber to the consumer, at least it will help to prevent the greedy stumpage men from forcing lumber higher. But if that is not true, then I ask why this great lobby, which has been here in Washington trying to prevent the reduction of the tariff on lumber? If it will not reduce the price, why the opposition from the Senators from States representing those industries? As I said a moment ago, in my opinion, this is not going to close a single mill in this country. I should not want to see a mill closed.

But America is to-day competing with all the world. I have a list of countries here showing that we are sending lumber to all the world. We are competing with Canada everywhere else on earth; and yet we are afraid that we can not compete with her here in America. In my opinion, there is no logic in that sort of a proposition, and we can not sustain ourselves in making a tariff bill and imposing a high tariff upon things in which we can compete successfully, and are competing in all the markets of the world, with the very nation that we seem to be most fearful of.

The other great proposition that the Senator from Washington laid stress on was the question of low-grade lumber. His argument was that free lumber meant destruction of the forests; that we could not use the low-grade lumber, and that would go to waste. I submit to the Senate that until Mr. Pinchot came into this discussion with that letter of his, stating that protection was needed to conserve the forests, the free-lumber proposition was in great deal better shape, to say the least, than it has been since.

I want to suggest, however, that Mr. Pinchot occupies on this question exactly the same position that all the great stumpage owners occupy when they give their evidence. Mr. Pinchot controls the greatest amount of stumpage of any man in this country; he controls the greatest amount of stumpage of any man in the world. He has been here before Congress year after year asking for more appropriations to look after the great timber reserves. We have seen that proposition of his combated vigorously here on the floor of the Senate. Nevertheless we have granted him the money to care for the forests and extended his authority until to-day he controls more stumpage than any human being. Very naturally Mr. Pinchot wants to make a good showing, he realizes that he must accomplish something out of these forests that he has undertaken to control; and in his official position he is as anxious to get as much out of the stumpage he controls for the sake of his record in this matter as the men who privately own stumpage. So I say all of them, from Mr. Pinchot down to the State of Washington, down to the men who have testified in their private capacity, they are all stumpage owners, and they are interested in forcing up the price of stumpage in this country.

I have, however, been interested in observing how the press of the country received the judgment of Mr. Pinchot. I picked up the other day a paper from a town in Florida commenting upon the position that he took. I understand they are in favor of a tariff on lumber down there. But they considered his contention as a joke. Speaking of his article, the paper said:

FROM A TREE STANDPOINT.

Any idea that a man nurses all the time ultimately looks bigger to him than all else out of doors. Gifford Pinchot has written a letter on the tariff to Chairman Payne of the Ways and Means Committee.

Mr. BORAH. Mr. President——

Mr. BURKETT. Let me read this through. The article continues:

He holds that the fundamental question at issue in the lumber tariff is forest conservation. Mr. Pinchot is chief forest conservator. If it had been his business for years to take care of tadpoles, he would declare the fundamental question at issue in the drainage discussion was the conservation of tadpoles.

When Mr. Pinchot combats the idea that a removal of the duties on lumber would preserve our forests, he is fighting a windmill. Nobody who has thought of the subject thinks it would. Why, then, do men use such an argument for free lumber?

We do not know by what process of reasoning Mr. Pinchot arrives at the conclusion that a removal of the duty on lumber would not benefit the consumer. If this is true, it is strange that sawmill men are making such a fight to retain the duty. If a reduction of the duty would not reduce the price to the man who buys, surely it would not reduce it to the man who sells.

Now I will yield to the Senator from Idaho.

Mr. BORAH. I want to ask the Senator from Nebraska whether he takes the position that the duty on lumber, or the taking off of the duty, would conserve or not conserve the forests? As Mr. Pinchot's views are not answered, neither are they supported. I simply want to know the Senator's position.

Mr. BURKETT. Mr. President, if taking the duty off of lumber will bring lumber into this country, in my opinion it will save that much of the forests here. Of course I understand the position taken by the Senator from Idaho and the Senator from Washington. When the Senator from Washington was making his address the other day and was speaking of the fact that there would be so much waste low-grade lumber, I asked him the question: "What is going to prevent this low-grade lumber being manufactured? Is it competition in the same grade from Canada, or the reduction in price of what is produced in the United States?" And, Mr. President, that question never was answered. What is going to stop the manufacturing of low-grade lumber in this country? Is it going to be the competition of low-grade lumber from Canada, or is it going to be the reduction of the price in the United States?

The Senator undertook to say in reply that they had a different kind of process of buying stumpage in Canada; that they buy their stumpage according to what they use, and that in the United States they had to buy the whole tree. Therefore, if that means anything, in my opinion it means that they would only use the best part of the stumpage, because that is all they would have to pay for; they would only make the highest-priced lumber, and that is the lumber that we would have to compete with. In my opinion, one of two things is true: Either this is going to reduce the price of lumber to the consumer, or the people who are producing lumber in this country are not going to be injured either in the production of second-grade lumber or in the production of first-grade lumber.

Mr. President, I want to speak particularly on one point, and then I am going to close, and that is upon the matter of the differential. There may be a reason, perhaps, for putting a tariff on lumber; but, in my opinion, there is no longer a valid reason for putting a differential tariff upon finished lumber. That is only giving the manufacturer a bounty for doing what is profitable for him to do. For example, I have here some quotations of lumber prices of a certain lumber manufacturer. It quotes lumber to be shipped at a certain price, with freight prepaid. Then at the bottom of the price list there is a footnote, which adds this:

If you need rough lumber, add $2.25 to these prices.

This shows that the lumber manufacturers can furnish finished lumber cheaper, and would rather do it, than rough lumber. Yet we are imposing a differential, a higher duty on the finished lumber than we are imposing upon the rough lumber.

As I said a moment ago, originally the log was of importance in making up this schedule, and when we wanted to give the manufacturer a little advantage we excluded logs and put them on the free list. But now we can not bring in any logs. Then we wanted to force as much manufacturing to be done in this country as possible, so, away back in 1872, we put an additional tariff upon finished lumber; that is, we let logs in free and rough lumber in cheaper than finished lumber. But to-day finished lumber occupies the same position in the market as rough lumber did then. This has all been brought about by the manufacturer for his own benefit. Let me tell you how. I can remember, twenty years ago, when the lumber producer cut down the size of his lumber. The 2 by 4 he cut down to 1¾ by 3¾, or thereabouts. He cut down the 2 by 6 to 1¾ by about 5¾, and he made the same prices. He made money by saving lumber and selling those reduced sizes at the same prices.

It went on a little further, when the lumberman again wanted to raise his income without apparently raising his price. So he conceived the idea of selling lumber and prepaying the freight. Until about a dozen years ago, when a lumber dealer in a local town bought lumber, he bought it at the factory and paid his own freight to the point where he sold it. But about a dozen years ago the manufacturer changed his plan of selling lumber and agreed to ship it to the local dealer and prepay the freight. They added the price of the freight to the price of the lumber; and in order to make money on that operation they started to plane off one or two or more sides of that lumber. In doing this they reduced the weight and saved on the freight. As has been shown by the price schedule to which I have referred, it is worth two dollars and a quarter more to them to send lumber before it is dressed than it is to send lumber after it is dressed. They have done that thing as a money-making proposition. It is not a thing they have to do; it is not a thing that it is particularly desirable that they should do, to plane off the 2 by 4, to plane off the fencing, and dress the other lumber they have sent out; but they do it as a money-making proposition. In my opinion it is wrong; it is a travesty upon the justice of things to put on a tariff to protect those men in the doing of that on which they are already making from two to three dollars a thousand feet.

There is one question on which you can not fool the people. Every farmer who buys lumber in my State or in any other State realizes that he can not buy rough lumber if he wants to. He must buy planed lumber, and he knows he must buy it because it is of advantage to the men who produce the lumber to make that dressed lumber, and he knows that this higher protection is for doing a thing that the manufacturer is making money to do and which it is to his advantage to do. Therefore, I ask, why at the same time should we protect him two or three dollars in addition to the profit he already has by dressing this lumber?

Mr. President, I think I have nothing further to add to this debate. It has already extended over considerable time. I am not going to combat the Senator from Idaho [Mr. HEYBURN] as to what different men in their campaign speeches may have said with reference to the revision of the tariff. I suspect, from what I have heard here, that a good many different positions were taken upon the proposition of revising the tariff in the last campaign. Out in my section of the country I know we believed that revision meant a revision downward wherever we could do so, without injury to our American industries. I do not believe, however, that our people understood we were going to reduce the tariff to an extent that would distress our manufacturers or close any of our factories; but I do believe that our people understood that in the twelve years since the Dingley bill was enacted conditions had so changed that some industries that needed protection a dozen years ago would need less now; and that the revision of the tariff in the main was to be a revision downward. But I will not speak generally of it, because that would probably bring on a controversy.

I am going to say, however, that, so far as lumber is concerned, that one item, above all the other items of the four thousand included in this bill, was singled out in every county, in every town, in every campaign speech that was made during last fall, and our people did hope that the tariff on lumber should at least be reduced.

I took that position, not because I believed in free trade generally, but because I do not believe a reduction will hurt the industry, and because I believe that for the greatest interests of the greatest number in this country we ought to put lumber on the free list, just as our predecessors put binding twine on the free list, just as they put broom-corn on the free list, just as they put ice on the free list, and oil cake on the free list; and just as this committee themselves have put fence posts and kindling wood on the free list, and also cedar and lignum-vitæ and some other kinds of woods. In my opinion, responding to the demand of the greatest good to the greatest number, we ought, in justice, put all lumber on the free list up to the stage that it appears in the lumber yard for the use of the average consumer in this country.

Mr. TILLMAN. Mr. President, will the Senator from Nebraska inform me why it is, although we were told the other day that there were only five razor manufacturers in this country, that 80,000,000 Americans were compelled to pay those five fellows a tribute and increase the price of razors, if you are going to put lumber on the free list. I am going to vote to put lumber on the free list, but I just wanted to understand the contradictions in the reasonings and the arguments on that subject, if possible.

Mr. BURKETT. I did not understand the Senator's question, if it was a question.

Mr. TILLMAN. I say it was brought out the other day in the debate that there were only five men in the United States manufacturing razors, and yet the duty on razors was held in the bill by almost the solid Republican vote.

Mr. BURKETT. Mr. President, let me say with reference to the proposition of making razors, that the evidence showed that four-fifths of the razors that were consumed in this country were made over in Germany. When that is the condition with anything that America ought to produce and can produce, I would be in favor of putting a tariff on it and making them come to America to manufacture razors or anything else.

Mr. TILLMAN. What about the "greatest good to the greatest number?" That is all that provoked me to make the inquiry.

Mr. BURKETT. In my opinion, as I said a moment ago, it would be to the greatest good to the greatest number to put lumber on the free list.

Mr. BORAH. Mr. President, the question asked by the Senator from South Carolina [Mr. TILLMAN] of the Senator from Nebraska [Mr. BURKETT] illustrates the unfortunate position of the man who thinks as a protectionist and argues as a free trader. The great foes of the protective policy have always been within the ranks of protection—those who would make an exception in favor of or against a particular industry. Such men overlook the fact, or, seeing it, ignore the fact that, as I said the other day, unless the policy of protection is a system it can not be justified at all. There is no way either in constitutional law or in morals by which you can properly lay a tax to sustain an industry or to enable an industry to live when otherwise it could not live, and thereby, in a sense, to tax one individual for the benefit of another, except upon the theory that as a policy or system it develops our natural resources, diversifies our industries, gives employment to the different dispositions and desires of men, and creates and maintains a home market. Upon any other theory, the protective system is a privilege—a wrong, if not a fraud—and those who argue for the free-lumber schedule must do so with the full knowledge of the fact that they are presenting an argument which undermines the whole superstructure of protection.

If the farmer can ask for free lumber or free anything which he buys, the man in the mill, whether manufacturer or laborer, has the same right to ask for free articles which he purchases, because it must be a conceded fact that to single out any one particular industry and take off the duty is, in all probability, to lower the price of the product of that industry to the consumer. For further illustration, if good old New England, the home of protection as well as of culture and wealth, should so far forget herself as to demand free hides, the western rancher and the western farmer would have a right in return to demand free saddles, free harness, free shoes, and free everything else that is made out of hides; and we arrive pretty soon, Mr. President, at the point where the great French economist and the most subtle of logicians, M. Bastiat, would have placed us years ago, and that is a condition of freedom of exchange with each other and with all the world.

There are those who contend that, after competition has been driven from the field in a particular industry, protection should be taken away from that industry. I am inclined to agree with the proposition that you may maintain that position if you have the evidence to disclose the fact that competition has been driven from the field, because in such an instance the protection must necessarily to some extent be a burden, without the corresponding power of competition to lower the price to the consumer. But I would only follow that rule, Mr. President, in such instances as where the competition had been removed and where it was in all probability not to return.

Those who argue for free lumber, therefore, must do so upon some legitimate basis consistent with the policy of protection, or they must be satisfied to stand forth and argue for free lumber upon the same basis that nine-tenths of the schedules could be argued against so far as duties are concerned in this bill. The real question is whether or not the removal of the duty from lumber will lower the price to the consumer, or rather whether or not the lowering of the duty on lumber will still retain the industry and yet lower the price to the consumer.

The American farmer will not appreciate the eulogies which are delivered upon him here in this Chamber unless some result in a practical, positive way accrues to him, because the American farmer is a very practical citizen; in other words, he will not appreciate the eulogies which have been pronounced and the discussion of the denuded hillsides unless, as a result of that, he can maintain his home market and still have his lumber cheaper than he has it to-day.

Mr. President, there has been a peculiarity about this discussion upon the part of those who argue for free lumber. One class of the advocates of free lumber insist that it will conserve our forests.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. CARTER in the chair). Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. BORAH. I do.

Mr. McCUMBER. The Senator says that the northwestern farmers will not be satisfied unless they can have their lumber cheaper than they have it to-day. I think that I can speak for them, and I will say that they will be satisfied if they can hold the price down as low as it is to-day. They will not be satisfied if it again mounts to the price that it was two years ago, or three years ago, or four or five or six years ago. They are practically satisfied to-day; and their efforts are to conserve our own forests and to allow an amount of lumber to come in that will check the tendency to a very rapid rise in price the moment that we get back to normal conditions.

Mr. BORAH. Mr. President, I do not propose to indulge in a controversy with the Senator from North Dakota as to what the farmers really want, because I know he is an expert upon

that subject, and he perhaps is better informed than myself; but I am perfectly willing to present this matter upon the basis which he has just stated.

I was going to say, Mr. President, that the arguments of those who are contending for free lumber are involved and, if I may say so, with all due respect to the gentlemen, somewhat contradictory. One class of them insists that it will conserve the forests; that every time you cut down a tree in Canada it indicates that a tree upon the American side will be preserved; in other words, that the lumber interests here will not use up very much lumber, and the forests of the American side will not be used to such an extent as they will be if the duty upon lumber is maintained. That must necessarily, Mr. President, be upon the theory that the American forests are not going to be used; that the tree is going to be permitted to stand. If that is true, it necessarily reduces the source of supply, which is the basis of the argument of those who insist that lumber will be cheaper because we have broadened the source of supply.

The Senator from Minnesota [Mr. NELSON] presents the facts which show that free lumber will widen the source of supply and thereby reduce the price to the consumer. The Senator from North Dakota [Mr. MCCUMBER] presents the facts, equally conclusive as presented by him, that it will not reduce the price, but will have a tendency to conserve the forests.

In my opinion the facts are against them upon both those propositions. I might leave it by simply calling the attention of the Senate to the fact that you can not conserve forests and utilize them; and you can not reduce the price, in my judgment, unless you broaden the source of supply, unless you allow the competition which must necessarily exist between the American manufacturer and the manufacturer abroad.

The Senator from Minnesota, a few days ago, in speaking of this matter, used this language, and it is the basis of all other arguments which take that position:

> The people of the great Northwest, the upper Mississippi Valley, the heart of this continent, have been looking forward to a revision of the tariff; and whenever they referred to a revision of the tariff they meant a revision downward and never a revision upward.

Those who advocate a duty upon lumber in this Chamber do so under the strict interpretation of the Chicago platform. We do not ask for any deviation either from the letter or the spirit of that platform; and we are perfectly willing, in our contention here, to accept any and all interpretations of that platform which were placed upon it when the candidates for the high office of the Presidency were interpreting it before the people. No one will contend that anyone interpreted the platform adopted at Chicago to mean the destruction, the impairment, or the jeopardizing of any industry for which it was necessary to have protection in order to preserve it. I want to read here a statement from the President, made during the canvass, in which he said:

> I come now to the question of the tariff, its revision, and its relation to the unlawful trusts. The Dingley tariff was adopted immediately after the election of Mr. McKinley. Since that time we have passed through the Spanish war and have had a decade of prosperity and an increase and expansion of trade unexampled in the history of this or any other country. The Republican principle of the protective tariff is, as I understand it, that through the customs-revenue law a tariff should be collected on all imported products that compete with American products which will at least equal a difference in the cost of production in this country and abroad, and that proper allowance should be made in this difference for the reasonable profits to the American manufacturer. The claim of protectionists—and it has been abundantly justified in the past—is that protection secures a high rate of wages and that the encouragement it gives to the home industry operating under the influences of an energetic competition between American manufacturers induces such improvement in the methods of manufacture and such economies as to reduce greatly the price for the benefit of the American public and make it possible to reduce the tariff without depriving the manufacturer of needed protection and a good profit.
>
> The present business system of the country rests on the protective tariff, and any attempt to change it to a free-trade basis will certainly lead only to disaster.

Now, Mr. President, that was one of the noted speeches of the campaign, in which the platform upon which the candidate was standing was interpreted—as the President understood it; and in sustaining our position, as we can, we are perfectly willing to accept the platform in its literal interpretation, as that interpretation was made before the great masses of the people who passed upon it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from New Hampshire?

Mr. BORAH. I will.

Mr. GALLINGER. Will the Senator permit me to read an extract from the speech of acceptance of the Republican vice-presidential candidate?

Mr. BORAH. I will.

Mr. GALLINGER. The distinguished gentleman who at present presides over this body was likewise on the Republican ticket as a candidate for the high office of Vice-President. This is his utterance when he was notified of his nomination:

> First, then, let me say that I am a protectionist. I am sufficiently practical to value the utility of a fact higher than the beauty of a theory. I am a protectionist because experience has demonstrated that the application of that principle has lifted us as a Nation to a plane of prosperity above that occupied by any other people. I especially commend that plank of our platform which promises an early revision of the tariff schedules. That pledge will be fulfilled in an adjustment based in every particular upon the broad principles of protection for all American interests; alike for labor, for capital, for producers and consumers. The Dingley bill when enacted was well adapted to the then existing conditions. The developments of industrial prosperity in a decade, which in volume and degree have surpassed our most roseate expectations, have so altered conditions that in certain details of schedules they no longer in every particular mete out exact justice to all. In this readjustment the principle of protection must and will govern. Such duties must and will be imposed as will equalize the cost of production at home and abroad and insure a reasonable profit to all American interests. The Republican idea of such profit embraces not alone the manufacturer, not alone the capital invested, but all engaged in American production, the employer and the employed, the artisan, the farmer, the miner, and those engaged in transportation and trade; broadly speaking, those engaged in every pursuit and calling which our tariff directly or indirectly affects.

I thank the Senator for permitting me to put this into the RECORD.

Mr. BORAH. A great deal has been said, Mr. President, in this Chamber and elsewhere with reference to the meaning of the Chicago platform. I am one of those who believe that the Chicago platform meant an honest and faithful revision of the tariff, and that that revision was understood in the public mind to be a revision downward, but always within the lines of sufficient protection to American industries and American labor.

This, Mr. President, did not mean, as was so often pointed out during the campaign by the President himself, but that there might be instances in which it would be necessary to raise the duty in order that the principle of protection might be preserved; but undoubtedly it did mean, in a general way, that when the duties could be lowered, within the policy and principle of the party of protection, that that should occur, and that rule should be adopted and carried out in good faith.

But, Mr. President, there was nothing better understood by the great mass of the American people during the last campaign than that there should be no injudicious, indiscriminate, or unfriendly attack upon the underlying and fundamental principles of the protective policy. There was nothing better understood than that whatever revision should take place by the American Congress should be within the light of that great principle and within the integrity of that principle. The people understood that just as fully and just as completely as they understood that they would take hold of the tariff and undertake to adjust irregularities and abuses which may have grown up in the last ten years. They had an opportunity to pass upon this question. It was directly presented. It was accentuated, not only by the platforms but by the candidates themselves. One of the candidates had been reared in the school of protection. He was pledged to the policy, and it was understood that whenever he directed the revision of the tariff it would be in the effort to preserve the protective policy with reference to all these industries.

The other candidate had been reared in the school of tariff for revenue only. Both candidates were pledged to revision. One of them was a friend of protection, the other was an enemy of protection; and the American people said, with an overwhelming voice, "Give us revision, but give it to us by the friends of the American protective policy, in order that it may be preserved as the Republican party has preserved it in this country in the last fifty years."

If they had been desirous of having a revision here which should ignore the protection of American industries, they had an opportunity to cast their votes in accordance with that desire. They did not do so, which meant, when there is fair interpretation of the platform, that the American people wanted revision; but above all and beyond all they wanted the great policy of protection preserved in the industrial system of the United States.

There never was a time, Mr. President, when the protective principle was so universally accepted, North, South, East, and West, as at the present time. We have our matters to adjust and conditions to meet; high prices, and those incidents and things which have been discussed here; but it is not yet the belief of the majority of the American people that you can meet those conditions and adjust those situations by tearing down the barriers and removing the walls, so that the foreign manufacturer may take possession of the American market.

There never was a time either, Mr. President, in my judgment, when it was so essential and so necessary carefully to guard the protective principle as it is to-day. All duties should be lowered which can be lowered and the policy and principle of protection

preserved; and so far as I am concerned, I am perfectly willing to meet this timber schedule, or any other schedule which is presented in this Chamber, upon that basis; but when it is contended that the American people understood that in this question of revision we should ignore that principle, an effort is made to insert in that platform something which was never there, and which no one ever conceived of. No man went into the country where I lived, or any part of it, and advocated the doctrine which has been advocated in this Chamber as the principle which should prevail in reference to revision; that is, that it should be downward, regardless of the principle of protection.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I will.

Mr. CLAPP. I have spent a great deal of time trying to remain in the Chamber and have read speeches to which I did not listen, and have not yet heard anyone on this side insist upon any such claim. If there is any claim here that the tariff should be revised ignoring the principle of protection, I should like to have that claim located. It certainly has not been uttered while I have been in the Chamber, nor has it appeared in any speeches from our side that I have read.

Mr. BORAH. Well, Mr. President, of course I do not know just how the Senator interprets the language of the Senator from Minnesota [Mr. NELSON] when he said here a few days ago that the protective policy was building up the monopolies of this country and that timber should go upon the free list. I do not know how the Senator interprets the language of the Senator from North Dakota [Mr. MCCUMBER] when he says that an industry that employs 800,000 men should be turned over to the foreign manufacturer.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. BORAH. Always.

Mr. CLAPP. I have listened to the speeches of my colleague and to the speeches of the Senator from North Dakota, and I do not recall either of them suggesting that an American industry should be turned over to foreigners. It is true, and I think the Senator will agree to it, that if there are monopolies in this country, they may have grown up; and if they grew up within the last ten years, they may have grown up under an unduly high protective tariff. But this building up of a man of straw for the purpose of having the exercise of striking him down does not, in my mind, conduce to the settlement of the real question, and that is, How much tariff is needed in order to preserve, in the present instance, the timber industry or any other industry of the country?

Mr. BORAH. I would not refer to the colleague of the Senator from Minnesota as a man of straw. I think he made the statement I said he made, and any fair interpretation of it is to that effect.

Mr. CLAPP. I ask the Senator from Idaho if my reference to a suppositiious case of striking down a tariff could be fairly interpreted as a suggestion from me that my colleague is a man of straw——

Mr. BORAH. Oh, no.

Mr. CLAPP (continuing). And warranted the response of the Senator from Idaho?

Mr. BORAH. Oh, no; not at all. I am aware that the Senator from Minnesota does not regard his colleague in that light at all. He referred to what I had said as being the building up of a man of straw, while I had drawn it from the lips of his colleague. He can draw his own inference.

Mr. BURKETT. Will the Senator permit me to ask him whether the fact that a Senator advocates putting the rest of lumber on the free list indicates that he is against the protective policy any more than putting fence posts and kindling wood and cedar and lignum-vitæ and mahogany and rosewood and the others that the committee have already put on there indicates that they are deserting the protective tariff policy? They have already put on over half of them, at least, by name on the free list. We are only insisting that they put on the rest, the lumber that we use. We do not use much rosewood in the Missouri Valley. We do not use much lignum-vitæ and mahogany out there; and by name they put on two or three times as much on the free list as we want to put there; and because we ask that the rest go on the free list we are branded as free traders and as abandoning the protective policy. Why should we thus be branded, when the committee themselves have done what they have, and yet disclaim that they are free traders?

Mr. BORAH. If the Senator from Nebraska will prepare an amendment putting those articles on the dutiable list, I will support it.

Mr. BURKETT. The Senator does not answer the question, but he turns around and asks something else.

Mr. ALDRICH. The Senator from Nebraska admits—of course he knows—that none of the woods to which he has referred is produced in the United States, and that no American industry is affected by their being on the free list.

Mr. BURKETT. The Senator from West Virginia brought in a box full of samples of some kind of woods which, I understood him to say, were included in this list.

Mr. ALDRICH. Brierwood for making pipes; but that is an entirely different proposition. These hard woods are already on the free list, and no American industry is affected by it, and the comparison made by the Senator he must himself admit has no relation to this matter.

Mr. BURKETT. We produce fence posts and kindling wood in this country, certainly.

Mr. BORAH. I do not object to the Senators proceeding, but they should do it in an orderly way, that I may keep run of it.

The Senator from Minnesota [Mr. NELSON] a few days ago said:

> My objection to the duties levied upon lumber rests upon the fundamental fact that it is fostering and building up one of the greatest and worst monopolies in the country.

I thought, Mr. President, when I heard that language that I had heard it somewhere before. I was like the member of the legislature, either in Massachusetts or Arkansas, or some other good State, who heard the Lord's prayer by the chaplain, when the session was opened, and said he was certain he had heard it somewhere before.

It has long been a contention in this country that the protective policy builds up monopolies. It has not usually come from this side of the Chamber. It has usually been presented with a great deal of effect from the other side of the Chamber. But I want to say that if that is true, if it does build up monopolies or if the legitimate result of it is to build up monopolies, this bill should be sent back to the committee and reconstructed upon a different basis entirely; and it will be very difficult after this doctrine, this new revelation by the Senator who has been lately to the island of Patmos, goes out to the American people to sustain the protective policy before the people of this country.

It has been advocated since the day when some people charged Alexander Hamilton with promulgating it for the purpose of protecting the moneyed interests of the country at that time. It has been advocated upon every political battlefield from 1860 to the 3d of November, 1908, and it has been as successfully met not only by the arguments of the men who do not admit, but as successfully met by the judgment of the great American jury—the men who vote in this country.

I turned back to find the source of this argument, which has been submitted from this side of the Chamber, and I find, among others, the statement of Roger Q. Mills in the great debate of 1888. He said:

> It builds up palaces; it concentrates wealth; it makes great and powerful magnates, but it distributes none of its beneficence in the homes of our laboring poor.

Mr. McMillin, discussing the proposition, said:

> While the Government has thrown up its tariff walls without, monopolists have joined hands within for the purpose of putting up prices and plundering the people through the devices known as "trusts," "pools," and "combines."

Mr. Wilson, who was afterwards the father of the Wilson bill—a bill which will be remembered in this country a good while after to-day, said:

> Similar trusts are springing up constantly in the articles protected by your tariff and beneath its favoring shelter.
>
> I have quite a list here which a friend has gathered from the columns of a single great paper—the New York Times—but I have no time to read them to-day.

I might quote indefinitely the arguments which were made in 1888, in 1894, and which to an extent prevailed in 1894. It was precisely the argument which the Senator from Minnesota has submitted against the second greatest industry in the United States.

Now, let us see the answer to that. Thomas B. Reed was one of the giant intellects of this country. He was not only an adept in legislation, but he was a statesman. He did not possess the art of popularizing himself as some men of lesser ability did, but even when he stood alone he was a host. And he answered that, saying:

> I suppose that during the ten years last past I have listened in this Hall to more idiotic raving, more pestiferous rant, on that subject than on all the others put together. And yet I do not regret it. What a beautiful sight it is to see the revenue-reform orator go into action against monopoly. Nelson, as he stood blazing with decorations on the decks of the *Victory* on the fatal day of Trafalgar; Napoleon at Friedland, as the Guard went cheering and charging by; Thomas Sayers, as he stripped for the championship of England when Heenan had crossed the lifting waters; the eagle soaring to his eyrie; the royal

man-eating Bengal tiger in his native jungle; nay, the very bull himself, the strong bull of Bashan, as he uplifts his bellow over the rocky deserts of Palestine, are all but pale reminders of one of these majestic creatures.

It is an old subject, an old principle, applied to the timber industry, the second greatest industry in the United States, with $800,000,000 invested, 800,000 men employed, 29,000 sawmills, and purchasing more of the farm products of Minnesota and Nebraska than any other industry in the United States.

It is not a question alone whether or not it will bring you cheaper lumber, but it is a question whether you will preserve that which is the basis of the projective policy, and that is the home market.

Idaho alone has 20,000 of her men employed at $3 a day in this industry. The Pacific coast pays $127,000,000 a year to labor in this industry. One hundred and ninety thousand men are employed in it upon the Pacific coast. That is only a portion of this great industry which has been built up by a $2 rate into a "vast monopoly"—$19 lumber, and yet they base upon that the proposition that it has been built up by a $2 duty. This duty could be sustained as a revenue duty, if it were necessary to do so.

The importations from Canada for the last seven or eight years have increased about 300 per cent. The price of lumber from Canada has increased about 100 per cent. It has not been undersold by reason of the fact that Canada sent it in. It was all sold at the same price. Only a few weeks ago there came into the harbor of San Francisco a ship laden with railroad ties. They had been cut in oriental forests. They had been hauled to the seashore, not by horses, but by human beings. They had been shipped across the ocean and paid the duty, and yet sold in the American market for the price at which American labor could not cut them and bring them to a railroad. You pass laws excluding the Orientals for the reason that we can not compete with them in this country, but what difference does it make to the American laborer whether his competitor stands upon American soil or upon oriental soil if the competition drives the men from the field of labor just the same? And unless you have that industry protected it must inevitably follow that it is subject to the same competition as every other industry and based upon the same principle.

The Senator from North Dakota, speaking a few days ago, said:

First and superior to every other question is the question of protection. That stands preeminently far above the idea of revising downward, or on a horizontal scale, or revising upward. The first duty that is imposed upon the American Congress, if I understand the voice of the American people, is that this country shall still go forward under the banner of protection.

I agree with the Senator perfectly. The first duty that is imposed upon this American Congress, if I understand the voice of the American people, is that this country shall go forward under the banner of protection. That is good doctrine. It is orthodox. It is not only orthodox, but upon it rests the industries which have been built up in this country.

I want to say to the Senator from North Dakota that it can apply to the timber industry itself as effectually as it can to any other industry, and you can not take it away from the timber industry any more than you can from any other. The question of the protection of lumber is just the same as the protection of any other industry.

The second proposition—

Said the Senator—

and that is subservient to the first, is that we shall revise downward, but always maintaining a sufficient wall against foreign importations to protect the American manufacturer, the American farmer, and the American laborer.

Again the Senator said:

The third duty that is imposed upon this Congress is to raise sufficient revenue to conduct the affairs of the Government as economically and properly administered.

Now, those are the three fundamental principles, well stated, succinctly stated, and they are controlling. What is the exception? Why is timber excepted? It is excepted, says the Senator from North Dakota, because we want to conserve our forests. Let us discuss that for a few moments, and then I will not detain the Senate longer.

In the first place, Mr. President, it appears that at least 20 or 25 per cent of our timber holdings are now in forest reserves. Unquestionably it is not necessary to take the duty off to protect that which is in forest reserves. That is under the control of Mr. Pinchot.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. Certainly.

Mr. CLAPP. If the Senator will pardon a question, is it not a fact that—of course under regulations designed to conserve the timber, yet nevertheless under regulations which at the same time invite lumbermen—if conditions prove profitable, the timber is constantly being sold within the forest reserves?

Mr. BORAH. Exactly; but it is being sold under the control of the Government, and certainly the question of the tariff does not affect the Government in that proposition. The sale conserves the timber, I admit, as suggested by the Senator, and certainly the price of lumber is not controlled by the question of the duty.

Mr. CLAPP. That is true; nobody would suggest that the tariff had anything to do with that; but the suggestion was that the demand and the price for timber would find its relation in the effort to purchase the timber in the forest reserves.

Mr. BORAH. Mr. President, I do not understand how the question of a duty can have very much relation to this 25 per cent which is now under the control of the Government. It is constantly there. It may sell it at any price, or sell it as it chooses, or not at all; and it can not affect it, in my judgment, either in the matter of producing it or anything else. It is there under complete and absolute control.

The Senator from Minnesota says that the balance of timber outside of forest reserves has now been gathered up by these monopolies; practically, as he says, all of it. So we have, first, the timber which is in the possession of the State or the Government, and second, the timber which is now under the control of the monopoly. They argue, then, that by taking off this duty it will conserve or preserve the timber owned by these two great influences—the Government and the monopoly.

As I have referred to the timber in the forest reserves, I will now refer for only a moment to the timber in the control of those who are called "monopolists." Do you think that when you take the duty off of lumber, if there is a combination with reference to these prices, that you will confine it alone to the American side of the line? On the other hand, if there is a necessary reduction in the price of lumber, upon whom will it be visited? It will be visited upon the man whose wages are reduced in the mill. It will be visited, as it is in every instance where they are in control, as it is said they are in this instance, upon the man who does the work, because the profit will not be sacrificed by those who are in absolute and complete control of the situation if the two positions are correct.

Mr. President, I have occupied a longer time than I expected. I expect to return to this subject when we come to the question of the amount of duty upon lumber.

Mr. McCUMBER. Mr. President, I wish to take up a few minutes' time in replying very briefly to some of the arguments that have been given here in support of the old Dingley rates on lumber. There has been a great deal of discussion upon the proper construction to the Chicago platform. Everyone who has spoken upon the question of a high protective duty upon any article has insisted that the provision of the Chicago platform, standing first for protection, necessarily compels everyone who marched to the banner of protection to vote for a protective duty on every article that could be considered in these tariff schedules.

The Senator from Idaho has accused me, at least inferentially, of not following my own theories. I ask him what his opinion is about the necessity of a tariff upon binding twine? The committee has reported in favor of placing binding twine on the free list. Does his allegiance to the principles of protection require him to put that upon the protected list? Certainly he is just as much bound to vote to put that article upon the protected list as I am bound, being a protectionist, to vote to put lumber upon the dutiable list.

Mr. President, the underlying principle of the protective policy is that it compels the consumer to pay an additional sum to-day, compels the greater number to pay a greater price for a given commodity to-day by an assurance that it will pay a less price for it to-morrow. That is the Republican policy, and reduction in cost has been its result wherever it has acted upon the great products of this country. No man can deny for a single moment that if we had remained a free-trade country we would be paying two or three or four times as much for all of the great manufactured articles that we use in the country as we are paying to-day. But that does not necessarily mean that there shall be no free list upon the schedules that we are to pass upon.

Mr. President, nothing is ever gained in debate by a misstatement of the position of your adversary, and yet in nearly all of the discussion upon this lumber question very few of those who have favored the higher protective duties have correctly stated my position before the Senate.

Mr. BORAH. Mr. President——

Mr. McCUMBER. I tried to make myself absolutely clear in the very beginning of this discussion and to show why I believe that the timber lands in this country should not be further protected. I could repeat that.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield, Mr. President.

Mr. BORAH. When I stated the position of the Senator from North Dakota, I read from the RECORD. I do not think he will contend that I misstated his position.

Mr. McCUMBER. If the Senator had stopped there, no complaint would have been made, but when the Senator goes further than that and says that my position is inconsistent, because I believe in closing up these mills and throwing these laborers out of employment for the benefit of the Canadian producer, then the Senator from Idaho very erroneously states my position——

Mr. BORAH. Mr. President——

Mr. McCUMBER. In one moment. Because, Mr. President, I have made it as clear as it is possible for the English language to make it, that in my candid judgment not a single mill will be closed.

Mr. BORAH. I stated the position of the Senator, and then I stated my conclusions from his position. I am aware that he contends it would not have that effect, but I did not myself draw that inference from his position.

Mr. McCUMBER. I said, and I state again, that the underlying principle of the policy of protection to-day has no application to the lumber industry in the United States. I think I gave the propositions the other day, in short statements, and as clear as I could express it. I will reread those particular propositions. I said:

But whenever, by reason of the exhaustion of the raw material out of which any article is manufactured, the price must become more and more to the customer, the reason for the protection fails, and with it should fall the duty which is given that protection.

I further said:

The third principle is that protection gives employment to our own people. But here again it can only be justified when such employment can either be increased by the protection or at least remain stationary.

There is no economic gain which decreases the opportunity for future employment in an exact ratio to the increase of present employment. There is no principle of protection which will sacrifice the immediate future to the present.

I gave it as my opinion that the exhaustion of the lumber supply in this country had gone on to such an extent that the time had arrived in the history of the country when lumber should no longer be protected.

The senior Senator from Idaho [Mr. HEYBURN], in discussing this subject, of course, discusses it from a standpoint that the timber resources of this country are practically inexhaustible. If his proposition is true, there is not the slightest foundation for my argument. It seems to me that in a discussion of this matter we should consider the proposition made by our opponents fairly and honestly. The Senator from West Virginia insisted that anybody who thought that the lumber supply was going to be exhausted in thirty or forty or one hundred years or in two hundred years was laboring under a hallucination, and the Senator from Idaho, going one step further, and a pretty big step, insisted a few moments ago that there was no more prospect of exhausting the timber supply of this country than there is of exhausting the air that we breathe, and that anyone who takes a different view of that subject must be insane.

Mr. President, there are a great many people who argue this question upon the basis that anyone who disagrees with them to the slightest degree must be to that extent laboring under a hallucination, and if they disagree entirely they have certainly gone mad. Anyone who takes that position has reached a condition where his own sanity may be seriously questioned.

But I want to go over this statement for a single moment, because it all rests upon the proposition as to whether or not the lumber supply will practically be exhausted in a very short time. If it is inexhaustible, it may well be protected. If it is rapidly reaching a state of exhaustion, it should not be protected. I first call attention to Mr. Pinchot's testimony, and to what he says with reference to the lumber supply. The Senator from Idaho and the Senator from West Virginia may accredit it to his hallucination or insanity. I notice that whenever he says that a higher duty upon lumber will conserve our forests they give him credit for sanity. They then admit that he has lucid intervals.

Mr. President, I will assume that he is reasonably sane all the time and quote from his evidence upon the question how long the lumber supply of the country will continue. He says in these hearings:

As to the growth on the total area of forest land in this country it is estimated at about 12 cubic feet per acre per annum. That is because so much of the forest is in bad condition. There probably would be 40 cubic feet per acre per annum if our forests were properly handled. We are cutting timber three and one-half times as fast as we grow it, and this is very rapidly reducing the supply.

I would ask the Senator from Idaho, Is that statement correct or incorrect, that we are cutting about three and a half times as rapidly as we are producing? That does not take in fire ravages or any other destructive agency.

Mr. BORAH. I do not know whether it is correct or not, but I am willing to admit, for the sake of this argument, that it is; and, being correct, it is all the more necessary that we shall establish a high protective tariff to induce the people to plant trees.

Mr. McCUMBER. That is, Mr. President, to make the lumber so extremely high that the people will plant trees for their crops instead of grain and other cereals. I hardly think the Senator can get very many to follow him in that argument. Mr. Pinchot says:

Of all the forests in the United States about one-fourth of the acreage is held by the Nation and the States and three-fourths in private ownership. This three-fourths contain about four-fifths of the standing timber. It is safe to say that not to exceed 1 per cent of the privately owned timber is being handled in a conservative way; the rest is being cut without any reference to the future. About 18 per cent of the whole area, including the national and state forests, is being handled in a conservative way.

And yet the Senator from Idaho insists that all or practically all of these lumbermen are protecting the forests so that they may raise another crop of trees.

The rest is being cut without any reference to the future. About 18 per cent of the whole area, including the national and state forests, is being handled in a conservative way. This means, briefly, that although our forests at present are producing only one-third of what we use, we are still taking no thought of the future and are allowing them to be destroyed, practically unchecked, except for the one-fourth of the total area that is in the government or state ownership, so that the forest situation is a most serious one. We use four or five times as much timber per capita as the other large nations. Our whole civilization has been accustomed to an enormous use of wood, and when the shortage comes, as it is coming, it is going to be a very serious one. The destruction of our forests will also have a very serious effect upon our water supply. We estimate now that there is in the neighborhood of 2,500,000,000,000 feet of timber in the United States.

And I am specially desirous, Mr. President, that those Senators who desire to consider this question from the standpoint of the conservation of our forests will at least have some idea of what timber we have and about how long it is liable to last.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield, Mr. President.

Mr. BORAH. I should like to read here the position of one of the great foresters of the world in regard to what I stated a few moments ago, if I do not interrupt the Senator.

Mr. McCUMBER. I have no objection at all.

Mr. BORAH. Doctor Schenck says:

The forest can be conserved only by the production of trees and by applying to the trees the rule of economic sense. The gigantic forests which now stand we do not mean to conserve them; that is not the idea. Those trees have reached their prime, and those trees must be cut as surely as wheat must be cut when it is ripe. So it is with timber. We have cut these matured trees, and what we want to conserve by national conservation is not the trees, but the productiveness of the soil; the production of trees and not the tree itself.

Mr. McCUMBER. There is no disagreement on that at all. I am not assuming that we will not cut those trees that are ripe, but I am assuming that we will cut them, and then I am estimating on that proposition and that argument, about how long before they will be exhausted, and then I can apply the same argument to the matter of reforesting and see how long it will take us to grow those trees.

Mr. BORAH. I understood the Senator to say that he did not take very much stock in the proposition of replanting.

Mr. McCUMBER. No, Mr. President; I do not take a great deal of stock in the matter of replanting; that is true. I take a great deal more stock, however, in the protection of that section which has already been partially denuded, keeping it free from forest fires, keeping it free from the ravages of the lumbermen who want to cut the trees as soon as they can make a scantling out of them; and if we can do that, we can, in a century or so, get pretty fair forests where they have already been denuded. Mr. Pinchot says, further:

We estimate now that there is in the neighborhood of 2,500,000,000,000 feet of timber in the United States and that the total use of wood for all purposes is about 100,000,000,000 feet a year. At that rate our forests would be exhausted in about twenty-five years.

That is, even at the present rate of consumption.

As a matter of fact they will not be exhausted in that time, because of the growth which will take place and a lessened consumption caused by higher prices.

Now, that is right along the argument that I have been making. I do not claim that we are going to exhaust all of our lumber supply in twenty-five or thirty years. I have stated again and again that as we near the completion of the exhaustion, we will send the prices up so high that we will be compelled to find other sources of building material.

But there is no question in my mind that we are approaching very rapidly a position where we are going to suffer as a nation very seriously from a shortage of wood.

Now, this is by a government expert, whom I am assuming, for the purposes of this argument, to be absolutely sane.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. I will ask the Senator if the 2,500,000,000,000 feet that the Senator speaks of is timber as contradistinguished from hard woods that are used for other purposes—for instance, for fuel?

Mr. McCUMBER. Mr. President, I understand it is intended to cover all; and the hundred billion includes lumber and wood used for other purposes.

Mr. GALLINGER. I have no doubt a hundred billion is relatively correct, although we use about forty billions of timber——

Mr. McCUMBER. About forty-two and a half billions, probably, this year.

Mr. GALLINGER. The matter that I am interested in is as to whether two billion five hundred millions included all the woods of the United States, because if that is an estimate, made even by a scientist, it seems to me he is very far short of the mark.

Mr. McCUMBER. The Senator is quoting the wrong figures entirely. The amount is given as two thousand five hundred billions.

Mr. GALLINGER. That is what I meant to say.

Mr. McCUMBER. Not two billion five hundred millions.

Mr. GALLINGER. I quoted the article correctly in the first place. I want to repeat it, and I want to say that, in my opinion, that must be far below the mark, if it includes all of the woods of the United States.

Mr. McCUMBER. I do not think it is far beyond the mark. I want to call the attention of the Senator from Idaho [Mr. HEYBURN] to another pretty good authority upon the question of the denudation of the forests, not only of this country, but of the entire world. The Senator from Idaho in his flight of oratory asked us to designate a single thing that had ever yet been exhausted in the world; and because we were not ready to immediately say that any one of these great natural resources has ever so far been exhausted, it necessarily follows that they never will be exhausted. The argument of forty years ago was that the great forests of Minnesota were inexhaustible.

The white pine is exhausted to-day, and the other pine is nearly exhausted in the States of Michigan, Wisconsin, and Minnesota. That, it seems to me, ought to answer the very optimistic idea of the Senator from Idaho, that there would be no immediate exhaustion of our timber supply.

Mr. President, every argument that has been made in favor of the protective policy as applied to lumber has been an argument based upon the inexhaustible supply of timber in the United States, and to that extent such arguments are without foundation. My argument, based upon the fact that the timber supply is about to be exhausted, has not been met in any single argument, but rather avoided.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. McCUMBER. I do.

Mr. CLARK of Wyoming. I understand that the United States has in its timber reserves at present something like 150,000,000 acres.

Mr. McCUMBER. It has about 25 per cent.

Mr. CLARK of Wyoming. Of this probably 100,000,000 acres is in fact timber land. Has the Senator from North Dakota any information as to the comparative amount of the timber land of Canada with the reserve timber land in the United States, leaving out of calculation the land held in private ownership in the United States?

Mr. McCUMBER. I understand, as a general proposition, that the timber supply of Canada is about one-third of what the timber supply of the United States is.

Mr. CLARK of Wyoming. Then, the conclusion would be that the entire timber supply of Canada would be substantially equal to, and possibly a little more than, the reserve timber supply of the United States. The reserve timber supply of the United States being in such condition that it is impossible of exhaustion, it comprises an indefinite and indeterminate supply for the indefinite future.

Mr. McCUMBER. Let us suppose that there are a hundred million acres of actual timber land that can not be entirely exhausted. That would not in fifteen years give us, at the present growing rate of consumption, one-tenth of the lumber that would be necessary in the United States.

Mr. President, the argument of the Senator from Idaho has been along the line—and all of his arguments have been along that line—that there was no necessity whatever of conserving our forests, and that the world has never been injured by the deforesting of any section. There was a conference held on the conservation of our natural resources at the White House on May 13, 14, and 15, 1908. One of the papers read was by Mr. R. A. Long. I understand that he is one of the men who has peculiar knowledge upon this subject, having made a great many reports upon it, and being thoroughly acquainted with the subject-matter.

Mr. GALLINGER. Where is he from?

Mr. McCUMBER. He is from Kansas City. I want to read a little of what he says. He first speaks of the timber supply of the cities of Tyre, of Sidon, and of Joppa. Then, speaking further on that subject, he follows with this statement:

The rain-bearing clouds still float above the mountains of Syria; but they pass on over the bare and heated rocks, and the brooks and small streams of Palestine no longer exist, and throughout Syria stone furnishes the only material for building, and wood is as precious as silver.

May it not be true that the destruction of Tyre and Sidon was in great part in consequence of the destruction of these forests, which has rendered that country a barren desert, supplying a scanty sustenance to the sparse population—its beauty, its fertility, its usefulness gone? So the physical geographers assure us.

In "Sinai and Palestine," by Dean Stanley, an authoritative record, appears the following:

"The countless ruins of Palestine, of whatever date they may be, tell us at a glance that we must not judge the resources of the ancient land by its present depressed and desolate state. They show us, not only that 'Syria might support tenfold its present population, and bring forth tenfold its present product,' but that it actually did so. And this brings us to the question which eastern travelers so often ask, and are asked on their return, 'Can these stony hills, these deserted valleys, be indeed the Land of Promise, the land flowing with milk and honey?'"

Speaking further on he says, referring to the ancient writers:

Plato writes that the consequences of deforestation is the "sickening of the country." Cicero, in one of his philippics, designates those engaged in forest devastation as the "enemies of the public interests."

Mesopotamia, one of the most sterile countries in the East, was once praised on account of its fertility, where, according to Herodotus, "the culture of the grape could not succeed on account of the moisture;" and the Euphrates River, once the source of an ample water supply, is swallowed up in this desert.

Greece shows the progress of a similar decadence. Sicily, once the never-failing granary of the Roman Empire, while it was well wooded, is now entirely deforested, and crop failures are the rule. Cæsar and other Roman writers describe the "vast forests" throughout the entire territory. Since then thousands of square miles have been deforested. Many countries, where the destruction has been most reckless, have taken systematic measures to control the destruction and secure the reproduction of exhausted areas. To this they have been driven, not only by the lack of timber and fuel, but also by the prejudicial effects exerted upon the climate and the irrigation of the country by this denudation.

China has paid absolutely no attention to the preservation of her forests; hardly a twig left in what was her great forest fields, while Japan, close by, has 59 per cent of her total area under forests, and the Government has reserved under its control a very large part of the whole. Compare the conditions of these two countries, side by side, and draw your own conclusions.

Mr. President, there is an answer—not one answer, but many answers, and vivid answers—to the question of the Senator from Idaho as to whether at any place in the world the timber supply has been exhausted.

The junior Senator from Idaho [Mr. BORAH] insists that a higher duty, by advancing the price of lumber, will necessarily protect the forests of this country. I think that I have shown almost conclusively that the higher the price of lumber the greater devastation among the younger trees in the forests; but if I have not made myself absolutely clear upon that point, I want to call attention to the testimony given before the Ways and Means Committee by one who seemed to be pretty thoroughly acquainted with the matter. I now read from page 3153 of the hearings the statement of Edgar H. Bucklin, of Ithaca, N. Y. He is dealing mostly with the lumber districts of Maine, Vermont, and New Hampshire, where it is claimed that we need the higher protective duty in order to utilize all of your larger trees and not leave some of them to rot upon the ground; and here is what he says:

Experience and observation show that when there is a demand for lumber of that (low) grade at a good profit there is also a demand for lumber from small trees, and trees that should be left standing for the future supply are all cut into lumber, even trees of 5 inches diameter on the stump, and the forest is denuded.

Again he says:

One of the reasons of the large supply in the market of low-grade lumber is that, on account of the high prices that have prevailed, a large proportion of lumber has been cut that should have been left standing for future growth.

I think those extracts answer the claim of the Senator from Idaho. Again Mr. Bucklin says:

When only the larger timber was taken, several cuttings were made at different times from the same land, and the tops and stumps were finally used up, as has been done generally in the State of Michigan.

The tariff on low-grade lumber tends to increase the destruction and cutting of small trees and the consequent destruction of the future forest. Canada more wisely admits all those grades free of duty upon which our tariff is $2 per thousand in the rough and $3 per thousand if planed, like common house studding, joists, rafters, and general dimensions.

The result (of our policy) is that the public are forced to use at high prices a poor grade of lumber that will soon decay, and the future supply is exhausted in the destruction of the young trees.

Mr. Bucklin says that in New Hampshire 3-inch logs are cut, and that in New York hemlock is cut if it will make a piece 4 inches square and 10 feet long. "The cutting of small trees," he says, "is general throughout the eastern portion of our country, and, in a lesser degree, is taking place in the West."

This is an answer, Mr. President, to the arguments that high prices will conserve the forests.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield to the Senator.

Mr. GALLINGER. I think the gentleman from whom the Senator from North Dakota quotes is laboring under a misapprehension so far as New Hampshire is concerned. In New Hampshire we have a state forestry commission, and, in addition to that, we have a volunteer forestry commission, made up of public-spirited men of means, who are devoting their time, or a portion of their time, to solving this problem. The result is that in New Hampshire, under the direction of these two forestry commissions, our forests are being very largely conserved. In addition to that, we are reforesting to a very considerable extent. The forester of the state forestry commission, an educated forester, is giving a great deal of his time in that direction. Of course, there may have been instances where small trees have been cut in New Hampshire, as doubtless they have been everywhere, but the policy of the State is against lumbering in that way, and we are doing the very best we can to provide for the future by taking care of the younger trees.

Mr. ELKINS. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. McCUMBER. I yield to the Senator.

Mr. ELKINS. Mr. President, the theory of conserving the forests, according to the Senator's argument, would place the burden on the individual owner. It happens that the individual purchases these timber lands the same as the farmer purchases his farm lands, and he holds them as his only means of business, to help raise his family. Now, the Senator wants to put the burden of preserving or conserving the standing timber by having it free, so as to let in foreign lumber, as I understand him, the ultimate object being to prolong the life of the timber—in other words, conserve the same, make it last longer.

In all other countries the conservation of forests and natural resources is the concern of the state and not of the individual. The Senator's argument leads to the injury of the individual to the extent of confiscation of his property in the public interest. What does he propose when the lumber of Canada and Mexico are exhausted? If these countries are to supply us, this must happen soon. The State must meet the question of conservation and not the individual. We should not destroy the business of the timber owners, strip them of their industries and means of a livelihood by making foreign lumber free in order to conserve our forests. The duty of conservation of our timber rests upon the Government and not the timber owner.

I remember that in the Boer war, when England wanted to raise money to carry on the war, a duty of 1 shilling was proposed on all exports of coal. One of the arguments was that the coal would be conserved by an export duty. If our Constitution permitted, the Senator might be nearer right if he proposed an export duty on lumber rather than let the burden fall upon individual owners by making it free and foreign lumber take our markets.

Mr. GALLINGER. We can not have an export duty under the Constitution.

Mr. ELKINS. No; of course we can not lay an export duty, as it is against the Constitution; but that is the theory of other governments; but if we could, it would not be good policy, nor fair and just, because it would be placing a burden belonging to the Government on the individual.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield to the Senator from Minnesota.

Mr. CLAPP. Waiving the constitutional difficulty of an export duty, I will ask the Senator if it is not a fact that, measuring the exportation of lumber from the United States to Canada in the last six years against the importation of lumber from Canada to this country, an export duty would not have brought more revenue to the Government?

Mr. ELKINS. We exported, if the Senator from North Dakota will allow me——

Mr. McCUMBER. I yield to the Senator.

Mr. ELKINS. We exported to Canada $15,000,000 worth of lumber last year, and that is a good deal. I do not know precisely what amount was imported from Canada, but I do not believe it was quite as much as that.

What I want to say is that the conservation of the forests is a matter of public concern, and properly so. Then why impose it on the individual? Men have invested all their fortunes in the lumber business, and why should we tell them now that they can not carry on their industry the same as their neighbors engaged in other business? It is right to tell them, "You are to prolong the life of timber by having your business made a languishing one, by which you can make no money?" Whenever you have a man in a position where he can not make money, he will abandon the business. That does not apply, I am willing to say, to all the lumber industries of the United States; but as to those bordering on Canada and Mexico, that would be the result if we had free lumber.

Mr. McCUMBER. Mr. President, it has never occurred to me in this debate that if I could secure the adoption of this amendment I was going to render homeless all the people who own timber land or that I was going to pauperize the Weyerhaeuser interest that owns about one-seventh, as I understand, of the entire timber supply of the United States, outside of what the Government owns, or that they would seriously suffer; nor do I believe that those men who bought their timber lands ten or fifteen years ago for about 15 cents per thousand and have seen them increase in value about 2,000 per cent, would be seriously injured if we should succeed in getting more lumber in from Canada.

I have stated again and again—and anyone who will study this question carefully will agree with me—that, considering the extent to which we are consuming our forests in the United States, considering the devastation of the forests in Canada, and the number of homes that are being built upon our western plains, under normal conditions in the next few years the demand is going to be greater than ever before, and that is itself a guaranty against a decreasing valuation of the lumber product. Those who have bought that product at almost nothing are not going to lose anything if we succeed in holding the price down to about what it is at the present time. Everyone of us know that the value of lumber for the last seven or eight years has been fixed, not entirely according to the question of supply and demand, but according to the limit of the ability of the American people to buy it. We were more prosperous from 1897 to 1907 than we had ever been before in our history.

Mr. DOLLIVER. Mr. President——

Mr. McCUMBER. Just a moment. We had more money than ever before; and, having more to spend and making more, we could still live and pay those exorbitant prices; but that condition could not continue forever; and even before the expiration of the year 1907 the price of lumber had already begun to go down, because it had got so high the people could no longer afford to purchase it.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. Certainly; I yield to the Senator.

Mr. DOLLIVER. I should like to ask the Senator from North Dakota upon what theory his amendment proposes to strike out section 199, which seems to be applicable to the tropical hard woods?

Mr. McCUMBER. I do not seek to strike it out. The amendment should not include paragraph 199.

Mr. DOLLIVER. If paragraph 199 is retained in the amendment, it would place on the free list tropical hard woods in all stages of manufacture.

Mr. McCUMBER. The amendment was not intended to cover that.

Mr. DOLLIVER. I should like to ask the Senator upon what theory he omits paragraph 202 from his amendment?

Mr. McCUMBER. That paragraph, Mr. President, covers articles upon which considerable labor has been expended.

Mr. DOLLIVER. More labor than on clapboards or shingles?

Mr. McCUMBER. I think so. "Hubs, for wheels, posts, heading bolts, stave bolts, last blocks, wagon blocks," I considered that that is not the lumber that is in general use.

Mr. DOLLIVER. On what theory do you put stave bolts on the dutiable list and put staves on the free list?

Mr. McCUMBER. I would state, Mr. President, that this matter is as it came over from the House. I have not tried to change it, because I did not consider that any of the articles mentioned there were of such general use as to require an amendment.

Mr. DOLLIVER. Staves on the free list did not come over from the House, but that change seems to be accomplished by one of the provisions of the Senator's amendment.

Mr. McCUMBER. I do not think the same rules apply to the articles mentioned in this provision that apply to all this other lumber that I have been discussing.

Mr. DOLLIVER. But you strike out the paragraph which provides a duty on staves, and at the same time leave the paragraph which preserves a very considerable duty on the material out of which they are made, which would seem favorably to affect the stave industry of some other country.

Mr. McCUMBER. I do not think that is correct.

Mr. DOLLIVER. Is it not true that your amendment puts staves on the free list?

Mr. McCUMBER. My amendment relates to paragraphs 197, 199, 200, 201, 203, 204, and 205.

Mr. DOLLIVER. Your amendment strikes out paragraph 204, which includes staves of wood of all kinds. That transfers them to the free list, if your amendment prevails; but you have omitted to put on the free list the materials out of which they are made.

Mr. McCUMBER. There would be nothing against that. That would be no criticism, certainly, that while the material might be admitted free the product should not come in free, after labor had been expended upon that material.

Mr. DOLLIVER. But the material has already had a good deal of labor expended upon it. The stave bolts are in the process of manufacture.

Mr. McCUMBER. Well, Mr. President, I suppose the wood is in the process of manufacture the moment the tree is cut down, but nevertheless it is not manufactured by being merely split into bolts.

Mr. DOLLIVER. I would like to ask the Senator another question. He seems to put staves on the free list, without disturbing at all the duties that are provided for barrels, casks, and the things manufactured out of staves.

Mr. McCUMBER. Mr. President, raw cotton is upon the free list and manufactured cotton is upon the dutiable list. The same reasoning would apply to this. I have cited the Senator to those cases in which there has been considerable labor expended, and I do not wish to take them off the dutiable list.

Mr. DOLLIVER. Mr. President, I have always understood that the putting of the duty upon the material out of which a thing is made naturally results in a somewhat higher duty upon the finished product. I think I have heard the Senator make that general observation. Yet I find that he has taken all these materials out of which barrels, casks, and boxes, and doors, sash, and blinds, and things of that sort are made, and conveyed them to the free list, and left these high rates of duty undisturbed on the materials out of which they are made.

Mr. McCUMBER. Yes, Mr. President; I have also included the lumber that goes into sash and doors and into many other manufactured articles, and have asked that it be put upon the free list; but I am not asking that the sash or the doors or anything manufactured from that lumber should be put upon the free list.

Mr. DOLLIVER. That is the very point to which I desire to call the Senator's attention.

Mr. McCUMBER. I understood the Senator——

Mr. DOLLIVER. The duties on sash, doors, blinds, and furniture and all that have been carefully and, as we supposed, scientifically, laid, in view of preserving certain duties on lumber as the product out of which they are made; but the Senator puts the material on the free list without giving attention, it seems to me, to the effect it might have on the propriety of the rate on the finished products.

Mr. McCUMBER. Mr. President, if the Senator was very desirous of maintaining a proper ratio between the raw product and the finished product, if we should adopt an amendment providing for the raw product, it would then be time enough to consider the proper differential for the manufactured product; but I propose to take only one proposition at a time; and then if this should be adopted, if the Senator thinks we should lower the other, he can present his arguments, and I for one will listen to them.

Mr. President, I do not know that there is any necessity of discussing the matter any further. I appreciate the fact that with the solid wall of protection on lumber which I find on both sides of this Chamber, the chances of the adoption of this amendment are not very bright, but I did wish to present my reasons for asking that lumber be placed on the free list, and I feel that all those reasons are absolutely valid.

Mr. DOLLIVER. Mr. President, if an amendment were presented here to put lumber on the free list, as that expression is understood in some sections of the country, it would appeal very strongly to me as a thing that might properly be considered; although I am bound to say that the amendment which has been offered by my friend from North Dakota [Mr. McCUMBER] reaches out in so many directions, covers such a great variety of things about which there has not been any public discussion, so far as I have heard, that I shall have very great difficulty in supporting that amendment in gross; and I desire to say a word or two about the lumber duties themselves.

The doctrine of protection, which has always been attractive to me, is national in its scope. There has never been any demand in the State of Iowa for any duty upon lumber.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. Yes.

Mr. CLAPP. I want to suggest to the Senator that it strikes me that the proper place to begin with this thing is just where the Senator from North Dakota proposes to begin; and if that be adopted, there will then be abundant time to preserve or to develop a condition that will preserve the proper relation between those products of lumber and the lumber itself.

Mr. DOLLIVER. There is some force in that, but it is not probable that it will reach that stage.

Mr. CLAPP. It is not probable if it is not favored; but it does seem to me that it is hardly the way to get at it, to go to throwing bricks at the other end of the house.

Mr. DOLLIVER. I do not desire to throw any bricks.

Mr. President, I do not myself believe that the American people have made up their minds to do a harsh and injurious thing to any community in the United States. I have spent a good deal of time in studying the operation of our lumber tariff. There never was a time in the history of the Government, from 1842 until to-day, when lumber was dutiable at all, that it was not dutiable at a higher rate than it is now. The duties on lumber and the products of wood entered into the tariff of 1842 and, except under the Wilson bill, stayed there throughout the whole period of subsequent tariff agitations, now for nearly three-quarters of a century. I do not think those duties are needed now as they were in those early times, and yet there are corners of our country where they may be needed now.

There has never been an imported board brought into the State which I have the honor in part to represent. There never will be, whether lumber goes on the free list or not. No man can bring in a board from Canada or from any other section of the outside world and sell it, except through the mercantile organizations, which control the distribution of lumber in the United States. So I do not feel as if I could state to the public that putting sawed boards on the free list would operate to disturb the lumber prices which prevail in the community in which I reside.

Lumber was put on the free list in 1894, and I was so interested to observe the effect of that provision of law that I made long journeys to the frontier to see how the lumber duties were operating, or, rather, how the policy of free trade in rough lumber was operating. At the city of Duluth I found a bridge being built of lumber, connecting the city of Duluth with the city of Superior, a magnificent structure over a mile long, connecting two of the greatest lumber yards in America, but being constructed out of lumber brought in from Georgian Bay, notwithstanding the fact that grass and oats were growing on the tops of the most imposing piles of sawed lumber there that I ever looked at in my life.

Mr. CLAPP. I want to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. Certainly.

Mr. CLAPP. I want to ask the Senator why that was? Does he not realize that that was done before the system had developed of bringing that long timber from the Far West which we now get?

Mr. DOLLIVER. I do not know, but I remember the impression it made upon my mind, that while it did not affect my own people in the community where I lived, it might operate

adversely to the people who were trying to conduct the lumber business along the Canadian frontier; and I have never been surprised that the people of Maine, Vermont, and New Hampshire have felt less inclined toward free lumber, notwithstanding the rapid disappearance of their own forests, than some other sections of the country have been.

I went out to the Pacific coast and there had an opportunity to see how free trade in lumber was working on that far-off boundary of the United States. I was impressed by the fact that the remnants of Canadian lumber yards in British Columbia, in queer-looking craft of one sort and another, were being carried into every harbor of our Pacific Ocean under a foreign flag, sneaking even into Seattle and Tacoma, into San Francisco, Los Angeles, San Diego, and down that shore, delivered to our people in the place of that which was for sale in lumber yards in all those cities, but which could not be sold in the face of this competition.

To-day, if lumber goes on the free list, it might seem that it would not seriously affect those good people in Washington and Oregon, and yet it must be evident that lumber taken out of Vancouver Island and out of British Columbia ports can be carried down the Pacific coast in cheap vessels under a foreign register, with a freight rate discriminating in their favor very largely compared with our own coastwise freight rates. We might create the very singular situation there of people living outside of the United States enjoying a rate for ocean transportation based upon the standard fixed by tramp steamers, taking lumber from Vancouver Island and from British Columbia into every seaport of the Pacific coast, to the disadvantage of our own people who are manufacturing lumber at Portland and Seattle and in northern California.

Mr. President, I have often said to our people that if I could see any distinct and certain advantage to them in putting lumber upon the free list, I would be very much inclined to help them without inquiring very closely into how it would affect other sections of the country. But the more I have thought about the lumber question the more I have come toward the conclusion that what is proposed to be done in the amendment which has been offered by my honored friend the Senator from North Dakota will probably do the people whom we try to serve no good or little good, and at the same time may be a harsh and injurious stroke against our friends who have gone out into the mountain country and into the Pacific coast country and have there built up this great industry.

It is the fourth industry of the American people—agriculture, the metals, the textiles, the manufactures based upon wood. It employs nearly a million men in the United States. It has invested nearly a billion dollars. It has a product which makes it the fourth industry of our people.

The census of 1900 shows that at that time it was the chief manufacturing industry of 31 States of the Union, including my own, and an important industry in every State of the Union and in every Territory and in all our islands of the sea.

I doubt very much whether we approach the problem with wisdom when we take this article, representing such an investment and such an employment of labor so widely scattered, and put it upon the free list, without any regard to the influences that afford either the labor it employs or the capital that is invested in it, and without any attempt to secure from Canada a corresponding concession. I confess that I am in very strong sympathy with those of our fellow-citizens who are trying to make their living in remote regions of our country. Many of them have gone to Idaho, Washington, and Oregon from my own State, and without exception they look upon this policy as damaging to them. They say that the market which they have on the Pacific coast is their basis of profitable operation.

It is that market which underlies the permanent and steady prosperity of their industry. They say that free trade in lumber would expose their local market throughout the whole length of the Pacific coast to an immediate and damaging invasion from the coasts of British Columbia.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. DOLLIVER. I do.

Mr. McCUMBER. I desire to ask how that possibly can be, when those same sections are exporting to Australia and to Asia generally at least three times as much as the Canadians are exporting and are selling it in competition with British Columbia in all the foreign markets?

Mr. DOLLIVER. That is the exact question which I asked in more than 20 sawmills on the north Pacific coast. They said that the mills in Canada were sending to England and to their own eastern seaboard the first-class lumber which they produced, and the tragedy of the situation was that they were unloading on the coast cities of the United States the remnants of their lumber yards which they could not sell either in London or in Montreal. So we had the strange spectacle of our own industry prejudiced and in some cases totally destroyed, as they informed me.

Now, my doctrine of protection is as broad as this continent. If this doctrine is cast away where these scattered sawmills are concerned, it would be difficult to find any place for its application.

I do not propose, making an honest and conscientious study as I have tried to make of our industrial system, to intentionally expose to loss or injury even the humblest occupations of the American people; and hard as I have tried to get the consent of my own mind to it, I am not willing to take this industry, representing so vast an investment, representing the employment of so great an army of hard-working people, and put it in unconditionally upon the free list. It ought to retain a small duty at least, a duty large enough to be of consequence, when we seek, as we surely will at some time, a more reasonable trade relation with Canada than now seems probable. If a present of the revenue now derived from the lumber duties is to be made to citizens of Canada, we ought surely to accompany the gift with a request for reciprocal concessions on the same articles exported into the Dominion over duties very much larger than we now exact from these people.

The rates proposed are materially reduced from existing law, but not excessively cut down. I do not believe there is such a difference between the industrial situation on the two sides of the Canadian line as some have stated. Not only is the reduction of existing rates upon rough lumber possible, but a corresponding and well-considered readjustment of rates upon lumber in various stages of finishing ought to be made. I should like to see that done. I should like also, although I indulge in a very vain hope I am afraid, to see the duty upon lumber assessed upon the value of the product, so that we would not have the rates very high on some grades and very low on others. I should like to see carried out in the lumber schedule the principle for which I contend in all the great schedules of this tariff law—a reduction of rates, an equalization of rates, a modernization, if you please, of the system, so that it may stand the criticism that will fall upon it during the next ten years. I do not believe a step in that direction is taken when industry so universal as this is throughout this country is selected to be sacrificed.

I do not agree with those who think that the $1 rate fixed by the House is an excessive duty on lumber. I know that there is sold in Chicago lumber which pays the duty and pays a freight, and so small is the freight rate and so small is the duty that it effectually displaces sawed boards from all sections of the Southern States. But I do not intend to suggest that the rate of duty ought to be made so high that lumber from Louisiana can be put into Chicago on the same terms that lumber comes there now from Georgian Bay. Such a thing would not be practicable. But I wish this moderate duty, which is too low for full protection and too low even for maximum revenue, preserved as fixed by the House, so that the coast cities of America and the border line between us and Canada may not be subjected, in hard times, to the process of dumping the refuse of foreign lumber yards, which can not be sold advantageously in other markets.

Mr. CLAPP obtained the floor.

Mr. PILES. I wish to ask the Senator a question.

Mr. CLAPP. I yield for that purpose.

Mr. PILES. I wish to correct a statement made by the Senator from Minnesota for the benefit of the Senator from Iowa. He asked him the question if he did not know that in 1894 the mills on the coast were not in a position to furnish the long timber required.

Mr. CLAPP. Before that is answered I want to disclaim asking any such question.

Mr. PILES. What was your question?

Mr. CLAPP. I asked him if he was not aware that the system under which that long timber was brought into use had not been introduced.

Mr. PILES. We had mills on Puget Sound in 1894, and many years before that, prepared then, as they are now, to produce the long timber the Senator referred to. The Great Northern Railway Company gave us a rate in 1893, which was in force in 1894, which enabled us to transport timbers of the character referred to across the continent.

Mr. CLAPP. The dates furnished by the Senator agree with my view that the rate was to go into effect in 1893, but it takes time to develop a system by which you can bring that product across to the center of this continent. I live in that section and I saw the lumber, and it was only afterwards that the system was developed and that it was brought there to any extent.

Mr. President, I think the Senator from Iowa has laid down, for once, the correct rule upon which to base our judgment. If he believes, as he undoubtedly does, what he states as to the condition, then he is warranted in voting as he follows that judgment. I can not believe that. I want to remind the Senator from Iowa that he and I were together in a struggle in the Senate at a time when we were about all there was of it for a year or two, when men whose great success in life seemed to entitle them to be regarded as oracles in their business, as the success of the lumbermen to-day would entitle them to be regarded as oracles. They came here and the Senator from Iowa and myself heard the same story from those men, and with all the prestige of their great success they predicted disaster would follow as the result of our efforts. They undertook to enunciate that as an infallible statement upon their part, based upon their knowledge of the situation. The Senator knows that we went through that struggle, that month after month and year after year we gradually gained strength until finally we passed a law, and he knows that the predictions and prophecies of those men who claimed the right to prophesy, based upon their great success, and who would hardly permit humble men like him and me to challenge their judgment, failed after all. It may be, Mr. President, that to-day the men who have successfully managed the lumber business may be mistaken in that fear born of excitement incident to this tariff debate.

Mr. President, everything has a beginning, although it may sometimes look to us here as though some things will never have an ending. This tariff discussion had a beginning. I have been entertained somewhat in this Chamber. I have sat here and listened to arguments made for protection by those who are opposing us in our attempts at revision, and I have seen the nod of approval of Eastern Senators, as though those arguments were novel. They are not new, original, or novel. They are the arguments that have been made out in the Middle West for years, the arguments we have used.

I was somewhat interested by the senior Senator from New York [Mr. DEPEW], who told of the many years he had borne aloft the banners of protection, and how he conjured us to stand by the men who in all these years had borne aloft those banners, and he referred to my speech as an effort to differentiate between the producer and the consumer. It may sound egotistical, but I submit that my analysis here, made on the 7th day of May, that the interests of the consumer and producer were interwoven from one ocean to the other has not been surpassed in any of the outbursts of eloquence in defense of protection made here since that day.

While it is true that the Senator from New York may have held aloft the banners longer than some of us, he has not held them in the fray where we have held them aloft. It is one thing, sir, to talk protection to the people who, on the very first entry made upon their ledger, can see the advantage of protection and to talk protection to men who can only see that advantage as it comes indirectly to them in the widespread prosperity of a country a year or two years after the man who is the direct beneficiary of it sees that advantage.

The Senator from New York has preached protection where the very first entry on the ledger shows the advantage of protection. We have preached it where it took one and two years for the indirect benefit of protection to reach the people among whom we have held aloft the banner. I want to say, in all kindness to him, that I thought then, and I think now, it comes with ill grace from him to characterize himself as the life-long champion of protection and to make the suggestion that we have abandoned the principles of protection simply because we insist that the promise to revise the tariff shall be carried out in the spirit in which it was made and accepted.

I hear every day on this floor the assertion made that there are so many hundred millions of dollars invested in an enterprise; that there are so many thousand men employed in that enterprise. I witnessed last Saturday a strange spectacle to be witnessed within protection ranks. Two Senators were each claiming that he had voted for more things for the other than the other had voted for things for him. Mr. President, that is not my idea of protection. Unless protection can be as wide as the country it has no justification. The fact that men have invested in an enterprise is no warrant for a tariff unless that tariff is actually needed to preserve and maintain the integrity of that industry within our midst.

In 1897, after a long period of depression, the Republican party came into power, and they passed the Dingley tariff law. That, in connection with some changes in reference to our financial system, was followed by a marvelous development in this country. Prices bounded skyward as they never had bounded before, and that has continued during all the years that have passed; and to-day, despite the criticisms or the suggestions of others, I still maintain that it was that law which went far toward reviving the decayed and paralyzed industries of this country.

But, Mr. President, there came a time when the men who got the indirect benefits of this system began to see a great process not only by which great fortunes were made, but by which they began to feel here and there a limitation upon the individual activity and the individual rights of the American citizen, and then began this demand for a revision of the tariff.

Mr. President, it meant something. The great United States Steel Company was not demanding a revision of the tariff. The lumber interests of this country were not demanding a revision of the tariff. None of the great industries were demanding a revision. Then, from whom came the demand? It must have proceeded upon the theory that somehow in the growth of this great industrial life conditions had changed and a change was necessary in the tariff itself.

The national convention met last summer and made its declaration not in response to the demand of the great protected interests in this country, but in response, if in response to anything, to the demand of the people. The Senator from Idaho this morning suggested that there was nothing to respond to; that it was the product of a fear; but, anyhow, it came from a source other than the protected industries of this country, and it meant something.

I have watched for years the course of our President. I have seen him in almost every capacity that a public man holds, except that of legislator, and I yet have to see that man show any evidence of acting or making promises because of the shadow of a fear. That promise at Chicago was made in accord with his will and purpose, undoubtedly, because he was recognized then as the certain candidate of the party that made the promise.

He emphasized that promise upon the platform, and on the 4th day of March, if the senior Senator from New York had been here, he would have listened to the words of our President when he reviewed the question of the revision of the tariff. It was the plain, unmistakable import of those words that the spirit of that revision should be a downward revision. It was not to strike down American industries, for I do not believe there is a man on this floor who would uphold such a policy. I stand here in the presence of my Democratic friends and say I do not believe there is a man on the other side of this Chamber who would knowingly strike down an American industry. When we talk of revision within the limits of that promise we must remember that that promise all the time implies the protection of our industries within the limits prescribed in the platform, the difference in the cost of production here and abroad.

I shall not probably repeat that declaration. I shall sit here from this time on and let men float into this Chamber and make a set speech suggesting and perhaps broadly announcing that we have abandoned this principle, and probably I shall not reply to it, for I think perhaps little is gained by that kind of a discussion.

Let us apply this principle to the lumber industry and what do we find? We find that in 1897 under the stimulus of the combined activities of this country the lumber industry sprang up and developed as it had never developed before. We find in addition to that the price going skyward on lumber; and, gentlemen, we find in addition to that that we face a constantly decreasing supply.

Protection means not alone protection to the man who is operating a sawmill, but it means the application of that principle in its broad application to the American people. One element of that protection is the conservation of the forest products of this country. The Chief Forester has come to this body and the other with a suggestion that it will conserve the forest products of this country to stimulate the cutting of timber. It is a novel proposition, indeed, that you will conserve timber by making it important and gainful to the man who cuts the timber to cut all he possibly can of the timber.

It shows, Mr. President, one of the faults of our Government, and that is, vesting either by direct law or even in a quasi official capacity in any man outside of Congress the prerogative of advising Congress. I hold that man in high regard. I am a thorough friend to forestry, although I do believe that, differing in its relations to state lines from drainage and reclamation, it should in the main be the subject of state supervision. In this complex Government of ours we find excesses in the great cities, and we find extravagance in the central government. We find the best result of responsibility in the state government. While it may perhaps savor a little of heresy with reference to bygone

traditions, I am inclined to think that whatever a State can do it had better do, than to devolve the doing upon the Federal Government.

But to return to the proposition of conserving the forests, a new condition has grown up in the lumbering business that has been lost sight of in this discussion, and that is that the lumbermen themselves, the great lumbermen of this country, are beginning to recognize the importance of preserving their timber and to treat it as a continued investment, not only for them but for those who are to come after them. Already to-day some of the greatest lumbermen of this country are pursuing a policy of cutting out the timber which has passed the point where it will improve in value, and preserving and retaining the timber which will hereafter gain in value.

That is more potential as a principle, a factor in conservation, because that springs from the incentive of investment itself and not from any theory. Whatever we do to encourage that policy conserves forestry, and whatever we do to discourage that policy encourages the untimely cutting down of young and immature trees.

It does seem to me that there is an element which we are losing sight of. In the broad application of this principle we must recognize the interest to the American people of conserving the timber so far as it is practicable to do so, and we can not do that by stimulating the cutting down of the timber.

But some one says, "Well, you will lessen the production." Very little, indeed. I want to say to the Senate, I want to say to the Senator from Iowa—and he knows whatever I say I say in all graciousness of spirit and purpose—that with the growing demand in this country for building material, with the lessening supply from day to day of the timber of the country, there is no danger of a foreign invasion of lumber that will materially interrupt the present operation of the lumber industry.

My friend from North Dakota sounded the keynote this afternoon when he said that he did not expect to reduce the price of lumber, but, if possible, to prevent its advance.

Now, there is another thing, Mr. President, that I am going to take the liberty to suggest to the Senate. In the South there can not be any fear of Canadian competition. The only fear must be along the boundary line between the United States and Canada. We are peculiarly situated with reference to Canada. Wherever American timber touches Canada it touches Canadian timber. Wherever American mining interests touch Canada they touch Canadian mining interests, and all that separates them is an imaginary line.

I invite the study of Canada to every student of government and statesmanship. They have one of the best governments in the world to-day. Their government has been characterized by a standard of statesmanship absolutely unknown to us in the vast multitude of our products. In the vast sweep of the American zone, from the Gulf to that northern line, there has come to us a development, of course, far in excess of any that Canada has experienced; but when you get down to the basic principles of applying government to the development of a country, we may well take lessons from Canada.

They have so wisely administered their affairs that even with their narrow zone they are becoming a power which must be reckoned with. By wisely seeking their internal development instead of wasting their strength and resources in military expenses they are to-day ready with a loyalty which wins admiration and with a generosity which is commendable—ready to help the mother country.

There is another thing to be considered. Along this Canadian border, with nothing but an imaginary line to cross, it is idle in my judgment, and idle in my experience and observation, to talk about any great difference in wages on one side or the other. When a man, by a day's walk, can go from a mill on that side to a mill on this side, from a field on that side to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or upon the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe, of the cheap wage scale of Europe—when we realize that the wage-earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country—there may be wisdom in attempting to maintain an artificial wall between his country and ours. But when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equivalent of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall.

In dealing with Canada, we are confronted by two very peculiar conditions. One is governmental, and the other is economic. Under the government of Canada they can impose export duties. We can not. Under the government of Canada, with the various Provinces of that country, one Province may have a tariff and another may not have a tariff. We can have no such condition as that.

I want to say that what seems to be an advantage to America is Canada's advantage in the last analysis, and that is the greater wealth of the American manufacturer. Just as soon as he sees that it is advisable to cross that line and establish his factory there, he has the wealth with which to do it, as has been illustrated in the establishment on the Canadian side of agricultural-machine industries and investments. They have no such surplus capital with which to invade this side of the line with factories, and what at first blush would seem to be our advantage in our great wealth becomes a disadvantage when we realize that we must, by tariff legislation—and it has got to be wise legislation—guard against American investment going over there. Yet without that tariff wall built along an imaginary line, with no natural difference, the manufacturer would retain his business here.

Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when, even with the protective policy as firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely to the basis of revenue as required by that country and this.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. CLAPP. With pleasure.

Mr. BEVERIDGE. I ask the Senator whether it is not a fact that that very cause has now operated to induce a great deal of American capital to go to Canada instead of remaining here?

Mr. CLAPP. It has caused some of that; and it has caused a great many others, who still retain their factories here, to go over there and build factories to supply the Canadian demand. It is an artificial line, and no genius can for any great length of time maintain that artificial line. Sooner or later we have got to recognize that fact.

Now, Mr. President, in regard to the lumber rate, applying what, to my mind, is the most satisfactory principle of all the evidence in this tariff discussion to the lumber question, I can see no necessity whatever for a tariff upon lumber, in view of the insignificant importation of lumber to this country and the vast production within our own midst. I want to tell the Senator from Iowa that a prominent lumberman once told me that Iowa itself was a market for more pine lumber than all the world outside of the United States. With that market to supply, with this timber in our midst, with our mills here, with our investments here, with the demand increasing and the supply diminishing, I do not believe that the American lumber interests will suffer one iota by taking off this duty. If I did, I would agree with the Senator. I would not stand here to strike down any industry.

But I want to remind the Senator that while the fact is urged that millions are invested in this industry, that fact, instead of being evidence of the necessity of retaining the tariff, would rather indicate the successful and permanent character of the industry and as no longer requiring this duty. It is more evidence, to my mind, of the ability of the industry to maintain itself.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. CLAPP. With pleasure.

Mr. FLETCHER. I should like to ask the Senator from Minnesota if it is not a fact that Canada imported into the United States more than four times as much lumber as the United States sent into Canada last year; and also if it is not a fact that the import duties of Canada are twice as great as the import duties of the United States?

Mr. CLAPP. As to the first question, I can not answer definitely. I can only answer it by saying that the total importations into this country would not menace one great lumber plant in the country. As to the second, I agree with the Senator from Florida; and I have been arguing that at some time and in some way we have need to meet Canada upon a different basis. With our population of 90,000,000 we may boast of our commercial superiority; but when we realize that we have the wealth to put into plants there and that they will go to Canada

if they are not operated here; when we realize that under their constitution they can impose conditions which we can not impose, we may as well open our eyes to the fact that we have got to meet this question, that we have got to get on a broad basis of dealing with Canada other than the narrow and artificial one upon which we deal with Canada to-day.

I say again, referring to the infinitesimal importation of lumber and the vast exportation of lumber from the Pacific coast to other points, the fact that the boundary line is absolutely imaginary, and if we undertake to maintain a higher scale of wages on this side, a day's walk would bring laborers to our mills—in view of these facts and circumstances, I do not believe that it is necessary or important to maintain this tariff.

When it comes to differentials, I invite the attention of the junior Senator from New York [Mr. ROOT] to the table of figures before me, which shows that the very first differential is in itself practically sufficient to minimize the importation of finished lumber from the Canadian side.

Mr. BAILEY. Mr. President, when this bill is passed, the protection clock strikes 12. The American Congress will never again, within the life of the youngest in this Chamber, be called upon to consider a tariff bill with rates approaching those specified in the measure now under consideration. The differences which have manifested themselves among Senators on the other side have been pronounced, and, in my judgment, some of them are irreconcilable. The difference between the high protectionist of New England and the moderate protectionist of the Middle West can not be accommodated by raising duties, and the only accommodation possible is on a basis of reduction.

Those differences themselves would have made division enough in the Republican party; but they might have been compromised, because both sides profess—and I will agree both sides are sincere in professing—themselves protectionists. Agreeing on the principle, it would not be difficult, perhaps, for New England's representatives to make concessions in rates that would measurably satisfy their Republican associates of the Middle West; but when the free-trade doctrine once finds a lodgment, as it has on the other side of the Chamber, then nobody can compute the trouble which they are destined to encounter.

Whenever one Republican reaches a point where he wants free trade in what he buys and protection on what he sells, the entire system is doomed. Our New England friends for many years have been gradually and effectively impressing upon their party associates the manufacturers' doctrine of free raw material, and while the Republicans of the West, the Middle West, and the farther West have steadfastly and sturdily resisted that, it has still made great progress, as is evidenced by the free list of the pending bill. Our friends of the Northwest have learned that free trade is an excellent thing for purchasers, and now they imitate the wisdom, not to say the selfishness, of their New England neighbors by demanding the right to buy what they need free of duty.

How long, Mr. President, can these warring factions live peaceably in the same party? Just as certainly as this bill passes—and it is as certain to pass as that time endures—it marks the hopeless division of the Republican party on the tariff question.

The Senator from Rhode Island [Mr. ALDRICH], if the newspapers are to be believed, will not be with us when we make the next tariff bill, for the report runs that he has resolved to retire and enjoy his well-earned rest.

So, when the next tariff bill is framed—in ten or twelve years, as will be the case, judging the future by the past—from his retirement he can witness the struggle, and he will witness the next struggle for duties very much lower than those for which the Republican protectionists of the Middle West now contend.

The country is resolved on that. That is the explanation of why there are so many revisionists on the other side. I do not mean to say that the people have made these Senators revisionists; but I am willing to say these Senators have made the people revisionists. It is not merely a response to public sentiment that induces so many Republican Senators to stand here and denounce these exorbitant duties, but it is an obedience to their own convictions; and it was in following those convictions that they have addressed their people and created a widespread and irresistible demand for this revision down.

Of course I would be better than human if I could find it in my heart to regret the division that exists among our friends on the other side, because out of that division will come many good results. First will come the success of an opposition party; and the success of an opposition party from time to time is desirable in this country. No party was ever, and no party will ever be, good enough to be trusted with the unbroken confidence of the American people for a long period. It is in the nature of men; if clothed with power for many years they will not remember their responsibility to the people.

The next good result undoubtedly will be a very great reduction in our tariff duties, and a corresponding relief for the consumers of the United States.

Mr. President, I have been somewhat entertained by the argument between our friends as to whether lumber was entitled to protection or not, and yet when I look at the rate of duty, now imposed upon it I find that the duty on rough lumber is less than 12 per cent, and that that 12 per cent duty on lumber pours into the Treasury of the United States the splendid sum of $1,700,000. Upon the entire lumber or wood schedule—most of it lumber—the average duty will not be much more than 12 per cent, and on that moderate duty the Government collects more than $3,000,000.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. I do.

Mr. CLAPP. I want to ask the Senator whether, in reaching that conclusion, he takes into account the proposed rate on finished lumber? It may be that he does. I ask it more to get the information than through any criticism.

Mr. BAILEY. Yes, sir; and, Mr. President, I want to say that, of course, the differential for which the distinguished Senator from New York [Mr. ROOT] contended this morning, and the differential for which other Republican Senators will contend, does not appeal in any degree to me. A differential duty is essentially and purely a device of protection. I can understand how no consistent protectionist could vote against it, but I can not understand how any consistent Democrat could vote for it. Our theory is to treat everybody alike; and if on a raw material worth $100 we levy a duty of 25 per cent, the importer pays to the Public Treasury $25.

If he takes it to his factory and then through a process of manufacture adds $100 to the value of the material, the duty ought still be 25 per cent; and the double value of the article would compel the importer to pay $50 to bring it in, and thus the manufacturer receives precisely the same return upon the value which he adds to an article as he paid on his raw material when he imported it.

I would not vote for any schedule which recognizes and establishes a differential, because, like the compensatory duty, it is essentially and purely a method of protection.

But Mr. President, I am not able to see how a Republican can contend that a duty of less than 12 per cent, yielding more than $3,000,000, is a protective duty; and yet our friends on the other side have absolutely ignored the revenue phase of the question. The only suggestion that has been made on this floor to-day was that of the Senator from Idaho [Mr. BORAH], who said that the duty was defensible, if on no other ground, for the sake of the revenue it yields.

I want to show my Democratic friends—of course they know it just as well as I do, and most of them know it better—that in the Democratic tariff act of 1846, about which Democrats speak so often and about which they are justified in always speaking, the duty on lumber was nearly double what it is in the existing law. Of course Senators all remember that the schedules of the Walker tariff act were not arranged according to the commodities or articles. There was no wool schedule, no metal schedule, and no earthenware schedule. The schedules in that act were arranged alphabetically and according to the rate of duty imposed, beginning with the Schedule A, which imposed the highest rate of 100 per cent, and that duty was laid on brandy and other similar luxuries. Schedule B, as I now recall, levying a duty of 40 per cent, was the next one.

The next was Schedule C, which levied a duty of 30 per cent; the next was Schedule D, which levied a duty of 25 per cent; and the next was Schedule E, which levied a duty of 20 per cent; and Schedule E, levying that duty of 20 per cent, included lumber. I will read it:

> Boards, planks, staves, laths, scantlings, spars, hewn and sawed timber, and timber to be used in building wharves.

This ideal Democratic tariff measure, whose duties were supposed to be adjusted with scientific precision from a Democratic point of view, levied a duty of 20 per cent on lumber; and yet we hear men say now that Democratic principle requires us to put lumber on the free list.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Montana?

Mr. BAILEY. Yes, sir. I know what the Senator has in his hand, but it has no terrors for me.

Mr. DIXON. I have been very much interested in the Senator's description of the apparent inconsistencies on this side of the Chamber, and I am frank enough to say, with some degree of truth, I think. But now, as the great expounder of Democratic doctrine, how does he at this time square his present declaration of a tariff for revenue on lumber with that provision of the Democratic national platform adopted at Denver last June, which declared:

> We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list?

Mr. BAILEY. I understand that, just as I do the declaration for free raw materials generally. I utterly refuse to be bound by it, because it is not a Democratic doctrine. I understand it was declared by a Democratic convention, but, Mr. President, yielding obedience, absolute and implicit obedience, to any declaration of principles which my party may make—and when I can not yield that obedience I will withdraw from membership in it—I yet refuse to allow a set of delegates, selected by the people absolutely without reference to a question of that kind, but selected almost solely with a view to the candidacies of men, to assemble in a convention and assume the function of legislators. The business of a national convention is to declare the principles of the party; and if they are not willing to trust the Senators and Representatives belonging to that party to apply those principles according to wise details, they ought to select some other Senators and Representatives, and they will have to do it in my case. That is my answer.

Mr. President, the Walker tariff act was the consummate wisdom of a Democratic Secretary of the Treasury, and perhaps the greatest Secretary of the Treasury the Democratic party ever contributed to the Nation; and I say that, admitting at the same time that I do not revere his memory. He sat in this Senate from my native State, whose people honored him as they would have honored one of their own flesh and blood, and yet, when that cruel conflict between the sections came, he bore the commission of the General Government to a foreign nation and libeled the people of Mississippi. I have not forgotten that, and I shall not forget it. But, holding his memory in abhorrence for that disloyal deed to the people who had loved, honored, and trusted him, I yet pay him the just and well-deserved compliment of saying that the Democratic party has never contributed to a cabinet created since the foundation of this Republic an abler man than Robert J. Walker; and, even among his adversaries, he is esteemed in intellect second only to Alexander Hamilton among the men who have occupied the high position of Secretary of the Treasury.

I prefer to accept the doctrine written in a Democratic bill upon the recommendation of the greatest of Democratic Secretaries of the Treasury, written there deliberately after weeks and months of consideration, than to surrender my judgment and my conscience to a national convention whose delegates were not authorized or commissioned to speak upon such matters of detail.

More than that, Mr. President, I have the satisfaction in this case of living up to the Democratic doctrine, without the suspicion of a desire to serve the people whom I have the honor in part to represent in this Chamber. It makes no difference to the people of Texas whether you impose a duty on lumber or put it on the free list, for freight rates make it impossible for Canadian imports to affect the price of lumber in Texas.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Will the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I will.

Mr. ALDRICH. I agree with the Senator from Texas in his admiration of Mr. Robert J. Walker. The Democratic party have twice since 1846 had the opportunity in the House of Representatives to frame a tariff bill. Once they had the control of both Houses and prepared and passed a tariff bill. Those bills were as unlike the act of 1846 as the act which is now pending in this Senate is unlike the first tariff bill passed in 1789.

Mr. BAILEY. That is true; and there is an explanation for that, but it would require more time than I now care to consume in making it, and, besides, it is not relevant.

Mr. President, having said what I did about Mr. Walker, I think I am required to be a little more specific than I was. I dismissed him with the statement that he had libeled the people of my native State who had honored and trusted him, and that statement needs some qualification. What Mr. Walker did do was this: As the agent of the Government of the United States in Great Britain, he told the British people that Jefferson Davis, once a Senator here, afterwards, and at the time Mr. Walker made the misrepresentation, president of the Confederate States, had advocated and secured the repudiation of the Mississippi state debt.

Walker did not have the excuse of ignorance for making that statement. He knew it was not true. He knew that when that Mississippi public debt was repudiated Jefferson Davis had not entered public life. He knew that a part of the time that the controversy raged Mr. Davis was an officer in the Army of the United States, from which he resigned; and when the question was at its point of decision, Mr. Davis was spending seven years of retirement in diligent study, in the quiet of his Briarfield plantation, and took absolutely no part in that controversy. And yet, with a knowledge of that fact, Mr. Walker, in order to prevent the sale of confederate securities, represented to the British people that Mr. Davis was responsible for the repudiation of Mississippi's public debt.

Now, Mr. President, I want to say, and I can not reiterate it too often—because no matter how much I reiterate it, it will be misrepresented—that a Democrat must vote for low duties which raise revenue and must not vote for high duties to afford protection. But when I state this Democratic maxim some shallow-minded men call me a "protectionist." They seem to think that a Democrat must vote for every motion to put any article on the free list, and when we point to a low rate, a good revenue, and fortify the low rate and abundant revenue with the authority of an ideal Democratic tariff act, they still say we are protectionists.

Mr. President, I would like to see a Democrat of that kind make a tariff act. What would he do? He would have nine-tenths of our imports on the free list and one-tenth on the dutiable list, and the more articles he would put on the free list the higher he would be compelled to make the duty on those left on the dutiable list, and it is the sagacity of our Republican friends, who understand that, which furnishes the explanation of such a long free list in the pending bill.

For the enlightenment of Democrats and Republicans alike, I want to show you that the shortest provision in the Walker tariff act was its first, and one of the shortest was its last schedule. The first was the schedule whose duties reached 100 per cent, and it was just three lines. I will read them:

> Brandy or other spirits distilled from grain, or other materials; cordials, absinthe, arrack, curacoa, kirschwasser, liqueurs, maraschino, ratafia, and all other spirituous beverages of a similar character.

That was the shortest. Now, except for the provisos, one of the shortest schedules of that act was its free list, and that free list was largely confined to articles that were not for sale and were not brought into the United States for the purpose of selling them. And yet, when Mr. Walker was advising Congress how to construct a tariff act, he advised that if this act, as then framed, would not raise sufficient revenue, not to put a higher duty on any of the dutiable articles, but to take some articles off of the free list and put them on the dutiable list.

The philosophy of that is apparent. The more numerous the articles on which you lay a duty, the lower we can make the duty on every article.

To illustrate: Suppose you have 2,000 articles imported, and you have $300,000,000 of revenue to raise through your custom-houses. If you place 1,000 articles on the free list, you are compelled to make the other 1,000 articles raise the $300,000,000. In other words, under a tariff bill so constructed, a thousand articles must yield $300,000,000; whereas under a tariff bill where a duty was levied on every imported article, 2,000 articles would raise the $300,000,000. The more numerous the subjects of taxation the less onerous the tax can be made on every subject. That is elementary. That is so plain that the marvel is that any man has ever misunderstood it.

The free list is not a Democratic invention, except in rare instances. The free list is a Republican invention. They understand that by taking the duties off of those articles which they do not choose to protect, they can make an excuse for laying a higher duty on those things which they do choose to protect.

Mr. President, the Senator from Minnesota [Mr. CLAPP], at the conclusion of his very interesting address, indulged in a burst of generosity. I do not say that in any satirical sense, because he is both a just and a generous man; and while I do not agree with him upon the principle which underlies the construction of a tariff bill, I do pay him the compliment of saying that I believe he earnestly strives to do what he thinks is best for all the people. In a burst of generosity the Senator from Minnesota turned to us and said that there is not a man on this side who would strike down an American industry; and he is right. But, Mr. President, while no man on this side would strike down an industry, neither would any man on this side compel a thousand men to hold up any one man's industry. That is our objection to your protective tariff.

Mr. ALDRICH. Will the Senator yield?

in this country. No party was ever, and no party will ever be, good enough to be trusted with the unbroken confidence of the

Mr. BAILEY. Yes, sir. I know what the Senator has in his hand, but it has no terrors for me.

Mr. BAILEY. Certainly.

Mr. ALDRICH. When did the doctrine of free raw material cease to be a Democratic doctrine?

Mr. BAILEY. When men like myself came into power in the Democratic party.

Mr. ALDRICH. Were there any exponents of that doctrine before the Senator from Texas——

Mr. BAILEY. Oh, yes.

Mr. ALDRICH. Or since, outside of the Senate Chamber? I have failed to observe them.

Mr. BAILEY. If the Senator from Rhode Island will read the Democratic platform of 1896 on the tariff question, he will find the renunciation of the old doctrine. I drew it, and I drew it with that distinct idea in my mind.

Mr. ALDRICH. But, Mr. President——

Mr. BAILEY. If the Senator will permit me, one of the purest and best men who ever occupied a seat in this Chamber, or who ever served this Republic in any capacity, offered it in the Democratic platform committee. I drew it at the request of the late John H. Reagan, who was, in that convention, a delegate from our State.

Mr. ALDRICH. But Grover Cleveland was still living.

Mr. BAILEY. And did not support the ticket.

Mr. ALDRICH. And the galaxy of brilliant men who made the Democratic party great in his time were then alive, and no one of them, and no leader of any conspicuous character except the Senator from Texas, at that time was courageous enough to say that the Democratic party proposed to abandon the doctrine of free raw materials.

Mr. BAILEY. The Senator from Rhode Island surprises me. About Mr. Cleveland I shall utter no word of censure. He has accounted in another place for the deeds done in his body, and, at least until the clods have settled on his grave, he shall be exempt from my reproaches; but without intending to suggest that he refused to support our party, though our party had three times supported him, the Senator from Rhode Island is not unmindful of the fact that Mr. Cleveland and the brilliant men who, he says, made the Democratic party, did not then support the Democratic ticket, and it was not merely on the money question, about which many men honestly differed, but it was also on the tariff question; because, while speaking in the name of Democracy, they spoke against the Democratic party and denounced us for having abandoned the Democratic attitude on the tariff question as well as for having assumed a false attitude on the financial question.

Mr. ALDRICH. There was one man who at that time was even perhaps more conspicuous in Democratic circles than Mr. Cleveland—Mr. William J. Bryan. He was then, as he is now, so far as we can judge by his platforms and his doctrines, in favor of free raw materials.

Mr. BAILEY. If that was true, it would not convince me. It is true that Mr. Bryan came into Congress under Mr. Cleveland's administration; or rather, Mr. Bryan was serving his second term when Mr. Cleveland was inaugurated the second time. It is true, and we make no concealment of it, as we make no explanation of it, except to state the fact, that at that time the Democratic party did advocate the doctrine of free raw materials. The Democratic party did not, as a party, believe in it. It was a matter of expediency with nearly all of them. In our southern country we were told that if we would agree to take all the burden off of the manufacturer's raw material he would agree to relieve us from some of the burdens imposed upon us when we purchased his finished product; and to that proposition we yielded our support; but it never convinced our judgment.

It was not only an absurdity, but it was the grossest absurdity that any set of men ever attempted to impose on any other set of men in the history of American politics. Think of it. For a hundred years the Democratic party had denounced protection as a special favor to manufacturers; for a hundred years the Democratic party had denounced the manufacturers as the advocates and beneficiaries of an unjust system of taxation; and yet, all at once, by some mysterious and unexplained and unexplainable power, we were persuaded to change our attitude and to solemnly announce that we would give the beneficiaries of the protective tariff the benefit of free trade. Denouncing protection as a robbery of the many for the enrichment of the few, denouncing it as a system of special favor, we were persuaded to agree that the very beneficiaries of protection in what they sold should be the only people in the United States to enjoy the advantage of free trade in what they bought. There never was anything more absurd and unjust. It was indefensible then; it is indefensible now; and in my judgment no real Democrat will ever again attempt to defend it as a policy of the Democratic party.

That men make mistakes I grant you. But I have the candor to repudiate in express and unequivocal language the mistakes which my Democratic predecessors have made, and it is a pity that the Senator from Rhode Island does not imitate my example.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. When I finish the Senator will probably see the point. I have an income-tax amendment pending to this bill. The Republican party passed the first income-tax law. It passed it, I grant you, in a time of war, but it passed it when the Government of the United States was spending less money than it is spending to-day in these piping times of peace. Now, when they came to repeal it, in time of peace, the most distinguished Republicans resisted its repeal and declared that it was a sound and philosophic method of taxation. Why do you not say they were wrong, or else vote like they voted?

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. The Republican party, charged with the greatest responsibility ever placed upon any party, imposed, under the stress of those days, many onerous taxes. That constitutes, in my judgment, no reason why we should reimpose onerous duties at this moment.

Mr. BAILEY. That answer would suffice if we did not have an onerous government to support. But the Senator from Rhode Island can not forget that with eighty years of history behind us—eighty glorious years; eighty years of peace, contentment, and marvelous progress—when the rude alarm of that great war called this country to arms, the expenditures of the Federal Government were only about $60,000,000—a frugal government; a happy people, of simple tastes and habits—and we were expending the sum, then sufficient, now considered paltry, of $60,000,000. Eighty years we lived, we prospered, we were honored abroad and content at home, and yet the expenditures for the federal administration took but $60,000,000 from the energies and from the savings of the American people.

In these last fifty years or less we have multiplied that expenditure from $60,000,000 to $600,000,000, and, not content with that wasteful extravagance, we have now multiplied six hundred million by almost two.

As against the $60,000,000 which the Government was spending in 1861 we have a burden now of more than a billion every year, and yet the Senator from Rhode Island seems to forget that a burden can be as great in time of peace as it is in time of war. Who would have prophesied that the Republican party, born in a protest against what it called the arrogance and wealth of a class, would ever have so forgotten its primitive lessons that now its great leaders stand here and denounce those of us, or, if they do not denounce us, they denounce our protestations against this modern extravagance?

If the Senator from Rhode Island will go back to the earlier and the better, the simpler, and happier days of this Republic and retrench these expenses, I will agree to withdraw the income-tax proposition. In other words, if he will lift the burden under which the toiling and consuming masses are stooping to-day, I will not quarrel with him about how he lifts it. I protest against the injustice which lays upon the people who toil, and who toil, thank God, without much complaint, this enormous burden of a billion dollars every year.

Mr. President, if you will add what our towns, our cities, our counties, and our States are spending to the stupendous sum which the Federal Government is spending, it amounts to more than the value of our cotton and our wheat and our corn crops all combined. This vast sum would be too much for any kind of a government, and for the kind which you are now giving the people it is a criminal waste.

Let the Senator from Rhode Island and those associated with him in responsibility for this administration reduce this burden until the people can bear it without subtracting from their comfort and their happiness, and I will join him. But unless they retrench the expenditures until they shall reach a point where the people can endure them without serious inconvenience, I shall insist to-day and to-morrow and all the to-morrows that come, as long as I have the honor to remain a Senator, until an income tax is adopted as a part of our fiscal policy; and it will be advocated within the next ten years by Senators who will vote against it in this Congress.

Why, sir, the very argument—and I violate nobody's confidence when I say that—with which they are seeking now to persuade Republican Senators to vote against the income-tax

made the misrepresentation, president of the Confederate States,

Mr. ALDRICH. With the Senator's [illegible]

amendment is that they will try this bill, and if it does not raise revenue enough, they will have an income tax of their own. To some Senators they say they will frame a law agreeable to the opinion of the Supreme Court, but they select their man when they make that statement. They never make that to a lawyer who is entitled to a license to practice in any court, because there is not a lawyer in America entitled to admission to the bar who does not know that it is impossible to frame a law conforming to the decision of that court which could pass the Senate or any other body of sensible men that you could assemble in the United States; for the only law that would conform to the decision of that court would be a law that exempts the incomes arising from colossal fortunes and taxes only the incomes that arise from the exercise of brain and muscle. A good many people would escape the tax if it were laid on the exercise of brain who would have to pay it if it is laid on the income of property.

I am anxious for the vote, because I want to see how much progress they have made with that kind of persuasion. I do not call it an argument, for it is not an argument. When this measure was first introduced, we had a clear majority for an income tax. A vote will disclose if that majority has been converted into a minority. I am eager to see whether that is true, and the country wants to learn the truth.

So anxious am I, Mr. President, to know the result that I now ask unanimous consent that the Senate vote on the income-tax amendment to the tariff bill before it adjourns on Thursday next.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that on Thursday next a vote be taken on the income-tax amendment.

Mr. ALDRICH. I have already suggested several times in the hearing of the Senator from Texas that I shall object to fixing any time for a vote upon the income tax or any of the other provisions of the bill until we can agree to take a final vote on the bill itself.

Mr. BAILEY. That is unreasonable. I am perfectly willing myself for the Senator to have a vote on his bill. I interpose no objection, and I only ask that I may have a vote on my amendment. When the vote is taken on my amendment, I will not object to the Senator's request for a vote on his bill; and if Senators on that side object, he can apply his discipline.

Mr. ALDRICH. I am in hopes that within a very short time we can get a general agreement, which will include everybody on both sides of the Chamber, for fixing a time to vote on the bill.

Mr. CLAPP. I wish to remind the Senator from Texas that the only time it came to the point of an objection, if I remember correctly, the objection came from his side.

Mr. ALDRICH. The Senator from Virginia [Mr. DANIEL] objected.

Mr. BAILEY. There was an objection before that on your side.

Mr. ALDRICH. I will compromise with the Senator from Texas by taking a vote on the pending amendment now, if that will be agreeable to him.

Mr. BAILEY. I want to give notice to this effect, that just as soon as the pending amendment is disposed of I shall offer the income-tax amendment. I give that notice in fairness and in justice to everybody, so that all Senators may know. Of course the better place for it would be at the conclusion of the bill. It could then be sectionized. But that is a mere matter of form and unimportant, because in the conference committee they can transpose it and insert it at the end of the bill, with the sections numbered without any trouble.

Mr. ALDRICH. We are now considering the dutiable list of the tariff, and I will assume that the Senate will not proceed to the consideration of a provision which is entirely foreign to that. I assume they will not.

Mr. BAILEY. Of course the Senator means to say by that that he will make a point of order that it is not germane.

Mr. ALDRICH. No; I will ask the friends of the bill, who are considering the bill by paragraphs, to go on with the consideration and not take up any extraneous matter.

Mr. BAILEY. I have agreed time and again, and every Senator on this side has agreed, that for the convenience of those in charge of the bill they might pass provisions, and they have gone from the first to the last, and then back to the first and then to the middle. All that has been done by common agreement, by unanimous consent, nobody attempting to impede it, nobody attempting to waste any time.

This matter must be voted on. I want to say, furthermore, and I say it so that everybody can understand it, the distinguished Senator from Iowa [Mr. CUMMINS] has also an income-tax amendment. If we can not adopt one, we shall try to adopt the other. If we can so arrange the provisions of one as to be acceptable to all friends of an income tax, we will do that. If we can not do that, then we will do the best we can in that direction.

If the Senator from Rhode Island will withhold his objection and allow us to take a vote on my amendment on Thursday, I think undoubtedly he will expedite the consideration of his own measure. Somebody else can object. I give notice to the Senator from Rhode Island now that if he objects to my request I will object every time he prefers a request to fix a day to vote on the bill. I do not make that as a threat, but I simply say that we are going to fix a time for a vote on this amendment before we will ever fix a time for a vote on the bill. I say, besides that, I will not couple them again. The Senator from Rhode Island will permit me to vote on this amendment before he ever gets unanimous consent to vote on his bill. That is the orderly way, and I hope the Senator will not interpose an objection.

Mr. McCUMBER. I wish to amend my amendment so that it will be limited somewhat. I move to strike out all after the word "measure," in line 8, page 69, paragraph 197, down to and including the rest of the paragraph. That simply leaves the paragraph read:

> Sawed boards, planks, deals, and other lumber of white wood, sycamore, and basswood, 50 cents per thousand feet, board measure.

It leaves in all of the other schedules except the part of paragraph 197 following the word "measure;" for instance, it leaves in paragraphs 199 and 200, paving posts and so forth; paragraph 201, clapboards; paragraph 202, hubs for wheels and so forth; and it also leaves in laths, pickets, and shingles.

Mr. ALDRICH. I ask that a vote be taken by yeas and nays on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Dakota.

Mr. McCUMBER. I offer it as a substitute for the former amendment.

Mr. ALDRICH. There is no objection, I take it, to the Senator modifying his own amendment.

Mr. McCUMBER. Very well; I withdraw the other amendment and substitute this amendment for it.

Mr. STONE. I ask that the amendment be read.

The SECRETARY. Instead of striking out all of paragraph 197, it is proposed to strike out all of the paragraph after the word "measure," in line 8——

Mr. McCUMBER. I am not affecting anything now but paragraph 197. I move to strike out all of paragraph 197, after the word "measure," in line 8.

Mr. DANIEL. I ask that the words proposed to be stricken out be read.

Mr. ALDRICH. The effect of the amendment, I understand, is to put rough lumber and finished lumber on the free list.

Mr. JOHNSTON of Alabama. I have a substitute that I desire to offer.

The PRESIDING OFFICER. The Senator from Alabama offers an amendment to the pending amendment.

Mr. JOHNSTON of Alabama. I offer as a substitute what I send to the desk.

Mr. BEVERIDGE. Is the amendment in order?

Mr. GALLINGER. Certainly, it is in order.

Mr. JOHNSTON of Alabama. It is not an amendment to a committee amendment.

The PRESIDING OFFICER. The Chair understands that it is a substitute for the amendment of the Senator from North Dakota.

Mr. ALDRICH. Which is an amendment to the provision of the House.

Mr. BEVERIDGE. And not an amendment to the committee amendment?

Mr. ALDRICH. It is not.

Mr. CULLOM. It is in order.

The PRESIDING OFFICER. The amendment proposed by the Senator from Alabama will be read for the information of the Senate.

The SECRETARY. It is proposed to insert as a substitute the following:

> Nothing contained in this act shall prevent the admission free of duty of the following articles: Lumber of all kinds, laths, shingles, doors, and door locks and hinges, window frames, window sashes, bricks, lime, cement, slate roofing, nails, carpenter's tools, common window glass not exceeding 16 by 24 inches, tin plate for roofs, linseed oil, and white lead.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Alabama [Mr. JOHNSTON] to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER].

it as a policy of the Democratic party.

Mr. JOHNSTON of Alabama. Mr. President, I merely want to say that I suppose every Senator on this floor recognizes how important it is that our people should be enabled to make their homes. If we could have every family in the United States in possession of their own homes in fee simple, we would have the best security for peace and good order that could be obtained.

I propose in this substitute to put other articles than lumber on the free list, articles that go into the making of a home. I shall not detain the Senate or prevent the Senate from taking a vote, but I will ask leave to print in the RECORD a table of the duty on the articles suggested by the amendment to be placed on the free list. It was prepared by experts.

The PRESIDING OFFICER. In the absence of objection, the matter referred to by the Senator from Alabama will be printed in the RECORD.

The matter referred to is as follows:

Tariff on house materials for frame house—average ad valorem rates under the Dingley law in 1907 compared with the Aldrich bill.

Paragraph.		Article.	Rates of duty.		Average ad valorem rate.	
Aldrich.	Dingley.		Dingley.	Aldrich.	Dingley.	Aldrich.
					Per ct.	Per ct.
197	195	Lumber, per M feet	$2.00	$1.00	11.75	5.88
		Lumber, planed, tongued, and grooved, per M feet	$3.50	$2.50	19.10	11.46
201	199	Clapboards, per M feet	$1.50	$1.00	5.99	3.98
203	201	Laths, per M pieces	$0.25	$0.20	9.63	7.69
205	203	Shingles, per M	$0.30	$0.30	13.77	13.77
211	208	Manufactures: Doors, window frames, etc., per cent	35	35	35.00	35.00
107	113	Window sash, glass of chief value, per cent	45	45	45.00	45.00
82	87	Brick, per cent	25	25	25.00	25.00
		Brick, glazed or enameled, per cent	45	45	45.00	45.00
		Brick, glazed tiles, per square foot	$0.08	$0.08	46.37	46.37
85	90	Lime, per 100 pounds, weight of barrels included	$0.05	$0.05	20.55	20.55
84	89	Cement, per 100 pounds, weight of barrels included	$0.08	$0.08	25.25	25.25
112	117	Stone, except marble, per cubic foot	$0.12	$0.12	23.51	23.51
	118	Stone, hewn, dressed, or polished, per cent	50	50	50.00	50.00
115	120	Slate roofing, per cent	20	20	20.00	20.00
160	162	Nails, wire, per pound	$0.00¼	$0.00¼	25.00	12.50
167	169	Screws, 1 to 2 inches, per pound	$0.06	$0.05	33.64	28.04
195	193	Tools, carpenter, etc., per cent	45	45	45.00	45.00
166	168	Saws, hand, per cent	30	25	30.00	25.00
97	101	Glass, common window, not exceeding 16 by 24 inches, per pound	$0.01¼	$0.01¼	71.59	71.59
100	104	Plate glass, cast, polished, finished or unfinished, not exceeding 24 by 30 inches, per square foot	$0.10	$0.12½	49.25	61.69
180	182	Above 24 by 30 inches and not exceeding 24 by 60, per foot	$0.22½	$0.22½	81.73	81.73
145	147	Lead, sheets, pipe, etc., per pound	$0.02½	$0.02½	48.99	48.99
195	193	Bathtubs, etc., articles composed wholly or in part of steel, including plumbers' supplies and pumps, per cent	40	45	40.00	45.00
128	134	Tin plate for roofs, gutters, etc., per pound	$0.01⅛	$0.01⅛	46.25	32.39
51	55	White lead, per pound	$0.02¼	$0.02¼	46.13	46.13
49	53	Varnish, spirit, per gallon	*$1.32	(b)	104.23	35.00
33	37	Linseed oil, per gallon	$0.20	$0.15	49.67	37.25
411	402	Paper, hangings, per cent	25	25	25.00	25.00
403	394	Sheathing paper and roofing felt, per cent	10	10	10.00	10.00

* And 35 per cent.
b 35 per cent.

Average Aldrich rate on all lumber, and manufactures of, for frame house, 17.55 per cent ad valorem.
Average Aldrich rate on all brick, stone, etc., 29.46 per cent ad valorem.
Average Aldrich rate on all nails, hardware, etc., 32.63 per cent ad valorem.
Average Aldrich rate on glass for frame house, 71.70 per cent ad valorem.
Average Aldrich rate on plumbers' supplies used for frame house, 35.96 per cent ad valorem.
Average Aldrich rate on paints and varnish used for frame house, 39.46 per cent ad valorem.
Average Aldrich rate on paper hangings, etc., used for frame house, 17.50 per cent ad valorem.

Recapitulation of average rates on—	Per cent.
Lumber, and manufactures of	17.55
Brick, stone, etc	29.46
Nails, hardware	32.63
Glass	71.70
Plumbers' supplies	35.96
Paints, oils, and varnishes	39.46
Wall paper, sheathing paper, etc	17.50

NOTES ON BUILDING MATERIALS USED IN FRAME HOUSES.

Only about 2 per cent of the federal customs revenue is derived from such material, the large tax on homes is therefore not justified by the little revenue produced.

The great advance in the price of building materials since the Dingley law went into effect has produced a great reduction in the ad valorem rate of duty on articles entered under a specific duty—for instance, on sawed lumber (under the general tariff) the duty is $2 per thousand. In 1895 the value of this class of lumber was valued by the government appraisers at $8.97 per thousand, and the ad valorem rate of duty was equal to 22.29 per cent. In 1907 the valuation was 17.02 per thousand feet, equal to an ad valorem rate of duty of 11.75. Thus all the specific duties have been reduced by the advance in values.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. JOHNSTON] as a substitute for the amendment of the Senator from North Dakota [Mr. MCCUMBER].

Mr. BEVERIDGE and Mr. OVERMAN demanded the yeas and nays, and they were ordered.

The Secretary called the roll.

Mr. CHAMBERLAIN. My colleague [Mr. BOURNE] is paired with the Senator from Oklahoma [Mr. OWEN].

Mr. BURROWS. I desire to state that my colleague [Mr. SMITH of Michigan] is paired with the junior Senator from Mississippi [Mr. MCLAURIN]. If my colleague were present, he would vote "nay."

Mr. SMITH of South Carolina (after having voted in the affirmative). I overlooked the fact that I am paired with the senior Senator from Wyoming [Mr. WARREN]. I therefore withdraw my vote.

Mr. MONEY. My colleague [Mr. MCLAURIN] is necessarily absent from the Senate. He is paired with the Senator from Michigan [Mr. SMITH].

The result was announced—yeas 13, nays 64, as follows:

YEAS—13.

Bacon	Frazier	Overman	Tillman
Bankhead	Gore	Paynter	
Clay	Hughes	Rayner	
Culberson	Johnston, Ala.	Taylor	

NAYS—64.

Aldrich	Crane	Frye	Nixon
Beveridge	Crawford	Gallinger	Oliver
Borah	Cullom	Gamble	Page
Bradley	Cummins	Guggenheim	Penrose
Brandegee	Curtis	Hale	Perkins
Briggs	Daniel	Heyburn	Piles
Bristow	Depew	Johnson, N. Dak.	Root
Brown	Dick	Jones	Scott
Burkett	Dillingham	Kean	Shively
Burnham	Dixon	La Follette	Simmons
Burrows	Dolliver	Lodge	Smith, Md.
Burton	du Pont	McCumber	Smoot
Carter	Elkins	McEnery	Stephenson
Chamberlain	Fletcher	Martin	Sutherland
Clapp	Flint	Money	Warner
Clark, Wyo.	Foster	Nelson	Wetmore

NOT VOTING—14.

Bailey	Davis	Richardson	Taliaferro
Bourne	McLaurin	Smith, Mich.	Warren
Bulkeley	Newlands	Smith, S. C.	
Clarke, Ark.	Owen	Stone	

So the amendment of Mr. JOHNSTON of Alabama to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from North Dakota [Mr. MCCUMBER].

Mr. MCCUMBER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DANIEL. Mr. President, I ask that the words proposed to be stricken out may be read.

The PRESIDING OFFICER. The Senator from Virginia requests that the words proposed to be stricken out be read. The Secretary will read as requested.

The SECRETARY. On page 69, line 8, after the word "measure," it is proposed to strike out the remainder of paragraph 197 in the following words:

Sawed lumber, not specially provided for in this section, $1 per 1,000 feet board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, 50 cents per 1,000 feet board measure; and if planed on one side and tongued and grooved, $1 per 1,000 feet board measure; and if planed on two sides and tongued and grooved, $1.50 per 1,000 feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

The Secretary proceeded to call the roll.

Mr. SMITH of South Carolina (when his name was called). As I have previously announced, I am paired with the Senator from Wyoming [Mr. WARREN], and therefore I withhold my vote. If he were present, I would vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. My colleague [Mr. WARREN] is unavoidably absent from the Chamber. If he were present, he would vote "nay."

Mr. BURROWS. I again announce the pair of my colleague [Mr. SMITH of Michigan] with the junior Senator from Mississippi [Mr. MCLAURIN]. My colleague also desires me to state, as he is necessarily absent from the Senate, that if present he would vote "nay."

persuade Republican Senators to vote against the income-tax

Mr. MONEY. My colleague [Mr. MCLAURIN] is absent on account of sickness in his family. If he were here, he would vote "nay." He is paired with the junior Senator from Michigan [Mr. SMITH].

The result was announced—yeas 25, nays 56, as follows:

YEAS—25.

Beveridge	Crawford	Gore	Paynter
Bristow	Culberson	Hughes	Rayner
Brown	Cummins	Johnson, N. Dak.	Shively
Burkett	Curtis	La Follette	Stone
Burton	du Pont	McCumber	
Clapp	Frazier	Nelson	
Clay	Gamble	Newlands	

NAYS—56.

Aldrich	Cullom	Hale	Perkins
Bacon	Daniel	Heyburn	Piles
Bailey	Depew	Johnston, Ala.	Root
Bankhead	Dick	Jones	Scott
Borah	Dillingham	Kean	Simmons
Bradley	Dixon	Lodge	Smith, Md.
Brandegee	Dolliver	McEnery	Smoot
Briggs	Elkins	Martin	Stephenson
Burnham	Fletcher	Money	Sutherland
Burrows	Flint	Nixon	Taliaferro
Carter	Foster	Oliver	Taylor
Chamberlain	Frye	Overman	Tillman
Clark, Wyo.	Gallinger	Page	Warner
Crane	Guggenheim	Penrose	Wetmore

NOT VOTING—10.

Bourne	Davis	Richardson	Warren
Bulkeley	McLaurin	Smith, Mich.	
Clarke, Ark.	Owen	Smith, S. C.	

So Mr. MCCUMBER's amendment was rejected.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. OVERMAN. I ask the Senator if he will not withhold that motion and let us have an executive session?

Mr. ALDRICH. It is late, and I think the Senator had better let that go over until to-morrow.

Mr. CULLOM. Yes; let it go over until to-morrow.

Mr. OVERMAN. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 25, 1909, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 24, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

THE JOURNAL.

The Clerk began the reading of the Journal of the proceedings of Thursday, May 20.

Mr. MACON. Mr. Speaker——

The SPEAKER. Without objection, the—for what purpose does the gentleman rise?

Mr. MACON. Mr. Speaker, I have been trying to get the Speaker's ear for a moment. For the approval of the Journal of the important things that occurred on the last legislative day of the House we ought to have a quorum present, and for that reason I make the point that there is not a quorum present.

The SPEAKER. The Journal has not yet been read.

Mr. MACON. I make the point at this time, Mr. Speaker, because I think there ought to be a quorum present before we approve the Journal of the last legislative day. I think we ought to have a quorum present before it is read even.

The SPEAKER. The gentleman from Arkansas makes the point that there is no quorum present. The Chair will count. [After counting.] The Chair is unable to count more than 175.

Mr. PAYNE. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The question was taken, and the motion was agreed to.

Mr. BARTLETT of Georgia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT of Georgia. Mr. Speaker, will the House on this call be called upon to vote on the approval of the Journal?

The SPEAKER. The Journal has not even been read, and the gentleman from Arkansas makes the point that there is no quorum present. The Doorkeeper will close the doors.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. I would ask the Chair if the Chair was not putting the usual formula that the Journal be adopted, provided nobody objected? Does not that imply that the Journal had been read?

The SPEAKER. The Chair was under the impression that the reading of the Journal had been completed, but finds, on inquiry from the Clerk, that he had not finished the reading of the Journal; and pending the reading of the Journal the gentleman from Arkansas [Mr. MACON] made the point of order that a quorum was not present. Now, that point having been made, no action can be had in the absence of a quorum, save alone to try to get a quorum on the one hand or to adjourn on the other.

Mr. CLARK of Missouri. The reason of my inquiry is that it was my understanding that the Chair was in the act of putting the usual formula as to adopting the Journal, if nobody objected, when the gentleman from Arkansas [Mr. MACON] impinged on the same.

The SPEAKER. The Chair was stating the question, but supposed that the Clerk had concluded the reading of the Journal; but the Chair is informed that the Clerk had not, and the point of the gentleman was made pending the reading of the Journal. The Chair could only find 175 Members present, and the gentleman from New York [Mr. PAYNE] moved the call of the House, which motion is in order; and the Chair, under the rule, has directed the doors to be closed and is about to ask the Clerk to call the roll.

The Clerk thereupon proceeded to call the roll, when the following-named Members failed to answer to their names, viz:

Adamson	Denver	Hubbard, Iowa	O'Connell
Allen	Dickema	Hughes, N. J.	Olmsted
Ames	Dixon, Ind.	Hughes, W. Va.	Page
Anderson	Dodds	James	Palmer, A. M.
Andrus	Draper	Johnson, Ky.	Palmer, H. W.
Anthony	Driscoll, D. A.	Johnson, Ohio	Perkins
Ashbrook	Driscoll, M. E.	Johnson, S. C.	Peters
Barnhart	Durey	Kahn	Poindexter
Bartholdt	Edwards, Ga.	Keifer	Pray
Bartlett, Nev.	Edwards, Ky.	Kendall	Pujo
Beall, Tex.	Elvins	Kennedy, Iowa	Reeder
Bell, Ga.	Esch	Kinkead, N. J.	Reid
Bennet, N. Y.	Fairchild	Kitchin	Reynolds
Bennett, Ky.	Ferris	Knapp	Rhinock
Bingham	Fish	Korbly	Richardson
Booher	Flood, Va.	Lafean	Riordan
Boutell	Foelker	Langham	Robinson
Bowers	Fornes	Langley	Rothermel
Brantley	Foster, Vt.	Law	Rucker, Colo.
Broussard	Foulkrod	Lindsay	Saleeb
Brownlow	Fowler	Lorimer	Saunders
Burke, Pa.	Fuller	Lovering	Scott
Burke, S. Dak.	Gallagher	Lowden	Shackleford
Burleigh	Gardner, Mass.	Lundin	Sherwood
Burnett	Garner, Pa.	McCall	Simmons
Byrd	Gill, Md.	McGuire, Okla.	Slemp
Calder	Gill, Mo.	McHenry	Small
Cantrill	Gillett	McKinlay, Cal.	Smith, Iowa
Capron	Gilmore	McKinley, Ill.	Snapp
Carlin	Godwin	McKinney	Southwick
Carter	Goldfogle	McLachlan, Cal.	Sparkman
Chapman	Good	McLaughlin, Mich.	Steenerson
Clayton	Gordon	McMorran	Sterling
Cocks, N. Y.	Goulden	Madden	Stevens, Minn.
Conry	Graham, Ill.	Malby	Sulzer
Cook	Graham, Pa.	Mann	Tawney
Cooper, Pa.	Greene	Martin, S. Dak.	Taylor, Ala.
Coudrey	Griest	Miller, Kans.	Washburn
Covington	Griggs	Miller, Minn.	Webb
Cox, Ohio	Gronna	Millington	Weeks
Cravens	Hamill	Mondell	Weisse
Crow	Hanna	Moon, Pa.	Wheeler
Crumpacker	Hardy	Moore, Tex.	Willett
Currier	Harrison	Morrison	Wilson, Pa.
Davidson	Haugen	Morse	Woodyard
Dawson	Hitchcock	Mudd	Young, Mich.
De Armond	Hobson	Norris	Young, N. Y.
Dent	Howell, Utah	Nye	

The SPEAKER. One hundred and ninety-seven Members have answered to their names on this call. A quorum.

Mr. PAYNE. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The doors will be opened; the Clerk will read the Journal.

The Journal of the proceedings of Thursday last was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KNAPP, indefinitely, on account of sickness in family.

To Mr. BARTLETT of Nevada, for one week, on account of sickness.

To Mr. MCKINLAY of California, for one week, on account of sickness.

To Mr. MCMORRAN, indefinitely, on account of important business and sickness.

To Mr. REEDER, for two weeks, on account of illness.

WITHDRAWAL OF PAPERS.

Mr. LEE, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of C. C. Bryan, Fifty-ninth Congress, no adverse report having been made thereon.

Mr. STEVENS of Minnesota, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Mary Smith, Sixtieth Congress, no adverse report having been made thereon.

CHANGE OF REFERENCE.

Mr. CLARK of Missouri. Mr. Speaker, I ask for a change of reference of the bill (H. R. 9310) granting an increase of pension to William L. Carr. It is a pension bill of a Mexican veteran that ought to have gone to the Committee on Pensions, but accidentally was sent to the Committee on Invalid Pensions.

The SPEAKER. Without objection, the change will be made to the Committee on Pensions.

There was no objection.

LEAVE TO PRINT.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MESSAGES FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

ELECTRIC RAILWAY BETWEEN PONCE AND THE PLAYA, PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States (H. Doc. No. 40), which was read, referred to the Committee on Insular Affairs, and ordered to be printed.

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stat. 716), I transmit herewith copy of an ordinance passed by the executive council of Porto Rico on April 29, 1909, entitled:

"An ordinance further amending an ordinance passed by the executive council of Porto Rico April 19, 1907, entitled 'An ordinance supplementary to an ordinance entitled "A franchise granting to W. S. H. Lothrop, his heirs, successors, and assigns, the right to construct and operate an electric street railway in certain streets in the city of Ponce, and between the city of Ponce and the Playa thereof,"' passed by the executive council on the 27th day of February, 1901."

WILLIAM H. TAFT.

THE WHITE HOUSE, *May 20, 1909.*

ELECTRIC LINE BETWEEN SAN JUAN AND RIO PIEDRAS, PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States (H. Doc. No. 41), which was read, referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stat., 716), I transmit herewith a copy of an ordinance passed by the executive council of Porto Rico on May 6, 1909, entitled:

"An ordinance granting to the San Juan Light and Transit Company the right to own, extend, and operate certain electric railway lines between the city of San Juan and the town of Rio Piedras, in the island of Porto Rico, and to supply electric light and power to the public."

WILLIAM H. TAFT.

THE WHITE HOUSE, *May 24, 1909.*

PHILIPPINE TARIFF BILL.

The SPEAKER. The pending question is the motion of the gentleman from New York to order the previous question on the so-called "Philippine tariff bill" (H. R. 9135).

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on the amendments. Is a separate vote demanded on any amendment? If not, the vote will be taken on the amendments en bloc.

No separate vote was demanded.

The question was taken; and the amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Speaker.

The House divided; and there were—ayes 139, noes 68.

So the bill was passed.

Mr. PAYNE. Mr. Speaker, there is an amendment to the title.

The SPEAKER. Without objection, the title will be amended.

There was no objection.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I would like to ask unanimous consent to take up for consideration on Thursday of this week the Porto Rican bill reported from the Committee on Ways and Means.

Mr. HENRY of Texas. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. PAYNE. Mr. Speaker, I think we will find another way to take it up, if we can have a quorum.

Mr. WILSON of Illinois. Take it up now.

Mr. PAYNE. No; some action will have to be taken by the committee.

Mr. HENRY of Texas. I will reserve the right to object, at the request of the gentleman from Tennessee.

Mr. PAYNE. Is the objection withdrawn?

Mr. HENRY of Texas. I reserve the right to object.

Mr. GARRETT. Mr. Speaker, I wish to ask the gentleman from New York what sort of an agreement he will make respecting debate on the bill?

Mr. PAYNE. Mr. Speaker, so far as I am concerned, I will agree to any reasonable unlimited debate.

Mr. GARRETT. I want to say to the gentleman that I have made up my mind, so far as I am concerned, that I shall not take the responsibility of objecting to this bill. I understand that this is the Olmsted bill?

Mr. PAYNE. Yes.

Mr. GARRETT. I do not believe that that bill ought to pass this House like a bridge bill or like a bill granting a right of way over a quarter of an acre of public land. I think it is a grave and serious bill. I think there is a grave and serious condition and, so far as I am concerned, I am not going to take the responsibility of objecting, but I believe there ought to be some chance for an expression of opinion by those who may not agree with the terms of the bill.

Mr. PAYNE. Mr. Speaker, so far as I am concerned, I will say to the gentleman that I am in favor of using the whole of Thursday for general debate if necessary, and the whole of Monday next. I have no disposition at all to try to rush the bill through without consideration.

Mr. HARDWICK. Will the bill be read under the five-minute rule?

Mr. PAYNE. Oh, yes; and I shall request that it be considered in Committee of the Whole House until the consideration of it is completed, to be taken up on Thursday.

Mr. HENRY of Texas. Mr. Speaker, inasmuch as the gentlemen who have been on the Committee on Insular Affairs heretofore seem to desire this course, I am willing to defer to their judgment, and if they wish to enter into an agreement with the gentleman from New York [Mr. PAYNE] about considering the bill, I shall not renew the objection.

Mr. CLARK of Missouri. Mr. Speaker, I would like to make one remark about this. I do not want to make any speech about this bill myself, and I do not think there are more than two or three men in the House who have a present intention of making a speech about it.

Mr. PAYNE. I do not think so either.

Mr. CLARK of Missouri. But I do believe that if somebody were to make a short, cracky speech on that subject it might precipitate a very interesting debate. For that reason I would not want any limit to the time.

Mr. PAYNE. Well, I do not propose to put any limit on it at all, but to allow the most liberal debate. Of course it would be subject, if it should run along unreasonably, to a motion to conclude debate.

Mr. CLARK of Missouri. Oh, of course.

Mr. PAYNE. Then my request for unanimous consent is, Mr. Speaker, that the House resolve itself into the Committee

of the Whole House on the state of the Union on Thursday next, immediately after the reading and approval of the Journal, for the consideration of that bill, to be considered subject to a motion that the committee rise, that bill have precedence until it is completed, and that general debate shall continue through Thursday, if necessary, and also through Monday next, if Members desire to speak.

Mr. GARRETT. And to be confined to the bill itself.

Mr. PAYNE. Yes; and the debate to be confined to the bill itself. I am obliged to the gentleman for putting in that provision.

Mr. LIVINGSTON. Why not do it now?

Mr. PAYNE. Well, the gentleman from Pennsylvania [Mr. OLMSTED], who introduced the bill, is not present, and I do not desire to go on in his absence.

The SPEAKER. The gentleman from New York asks unanimous consent that on Thursday next, immediately after the reading and the approval of the Journal, the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the so-called "Porto Rican bill" (H. R. 9541). Is there objection?

Mr. MACON. Mr. Speaker, I think we better wait until we get to it. We may not be living next Thursday.

Mr. GARRETT. And to add to that request that debate shall be confined to the bill.

Mr. MACON. There is no reason why we should go on in that way, Mr. Speaker, and I object.

The SPEAKER. And the gentleman from New York adds to the request that debate shall be confined to the bill. The gentleman from Arkansas objects.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry or a suggestion: I suppose that on the call of committees this bill will be in order, providing I have authority from the Committee on Ways and Means to make a motion. I have not any such authority at this time, and therefore I refrain from making any such motion; but I give notice that I shall endeavor to get that authority before next Thursday and make the motion so that the bill can come up as I have suggested, notwithstanding the objection that comes from the gentleman from Arkansas [Mr. MACON], and at that time I shall endeavor to carry out fully my idea of giving a general chance for debate on the bill.

Mr. MACON. Mr. Speaker, in response to what the gentleman says, inasmuch as he mentions me, I will say that I object on the ground that I do not think it is wise for us to make agreements so far ahead in matters of this kind.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry. Would it then be in order to make that motion?

The SPEAKER. The Chair is of opinion that after the committees have been called through, notwithstanding calendar Wednesday, the House not meeting now under a prior order upon Wednesdays, the House would have the power under the rules on the motion of any Member to resolve itself into the Committee of the Whole House generally.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER. And in Committee of the Whole House on the state of the Union it will be competent for the committee to take up this bill.

Mr. FITZGERALD. Mr. Speaker, does the gentleman from New York expect to dispose of the President's message before he proceeds to the consideration of the bill?

Mr. PAYNE. Mr. Speaker, that depends on whether that would come up before the call of committees. I call for the regular order.

The SPEAKER. The gentleman from New York demands the regular order.

Mr. FITZGERALD. Mr. Speaker, I submit that the unfinished business is the motion of the gentleman from New York to refer the message of the President of the United States to the Committee on Ways and Means.

Mr. PAYNE. Mr. Speaker, I am ready to meet any question that comes up, and I call for the regular order.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the regular order is the motion of the gentleman from New York to refer the President's message to the Committee on Ways and Means.

Mr. PAYNE. That is for the Speaker to decide.

The SPEAKER. The pending question, the Chair is informed by the Journal clerk, is upon the motion made by the gentleman from New York [Mr. PAYNE] to refer the President's message, the so-called Porto Rican message, to the Committee on Ways and Means. The question will be taken on the motion of the gentleman from New York to refer that message to the Committee on Ways and Means.

The question was taken, and the motion was agreed to.

The SPEAKER. The gentleman from New York demands the regular order, and the Clerk will call the committees.

The Clerk began and concluded the call of committees.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Porto Rican bill, No. 9541.

Mr. GARRETT. And pending that, Mr. Speaker——

Mr. PAYNE. Mr. Speaker, I will change that motion and move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. PAYNE. Mr. Speaker, pending that motion, the gentleman from Tennessee [Mr. GARRETT], I understand, wants to make some suggestion about the time for debate.

Mr. GARRETT. Mr. Speaker, the first motion of the gentleman from New York was that the House resolve itself into the Committee of the Whole House on the state of Union for the consideration of the Porto Rican bill, and, pending that, I wished to ask about time, but now the motion is that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. PAYNE. I understand that that is the only bill that is before the Committee of the Whole House on the state of the Union. What does the gentleman suggest about debate?

Mr. GARRETT. That debate be confined to the bill.

Mr. PAYNE. I have no objection to that. Has the gentleman any other suggestion?

Mr. GARRETT. That is all. I have no request for extensions even.

Mr. PAYNE. The gentleman from Tennessee makes the request that debate be confined to the general subject of the bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate on bills on the Union Calendar be confined to the bill that the committee considers. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union, Mr. TOWNSEND in the chair.

PORTO RICO.

Mr. PAYNE. Mr. Chairman, I call up the bill H. R. 9541.

The CHAIRMAN. The gentleman from New York moves that the committee take up the bill H. R. 9541.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

Be it enacted, etc., That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, is hereby amended by inserting at the end of section 31 of said act the following additional proviso:

"*And provided further,* That if at the termination of any session the appropriations necessary for the support of government shall not have been made an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

SEC. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. PAYNE. Mr. Chairman, I only want to say a word this morning in regard to this bill, because I expect to turn it over to the gentleman who introduced it on Thursday when he is here. The first section of the bill simply carries out the suggestions of the President in his message which he lately transmitted to this body and to Congress, and provides that the appropriation of the preceding year may be expended in case for any reason the appropriation bill fails between the two houses of the legislature. This is the same identical provision that has been in the Philippine law for the last three or four years—ever since the creation of the lower branch of the legislature in the Philippine Islands—and has worked there without friction and carries out the suggestion of the President in his message. Of course I suppose that every Member has read the message of the President. If they have not, I hope they will not fail to do so.

It has not been printed as a House document, for the reason it has been held up in the air for the last two or three weeks and was not referred until this morning to the Committee on Ways and Means; but in order to escape that I have included

a copy of the message in this report. Section 2 of this bill makes the further provision authorizing that all reports required by law to be made by the governor or any official of Porto Rico to any official in the United States shall hereafter be made to an executive department of the United States, to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department. The original Porto Rican act provided for at least reports to four different officers in different departments of the Government in regard to particular branches of the service; so that those reports are scattered through four different departments, and there is no unity or head to the business; this simply provides that these reports be sent to some executive department, to be designated by the President of the United States, and the President is authorized to place all these affairs in that executive department. A similar provision is in the Philippine bill, and under it all the reports of all of the executive business in reference to the Philippine Islands go, as the House knows, to the Insular Bureau in the War Department.

Now, Mr. Chairman, that is all I desire to say at this moment. Does the gentleman from Tennessee desire to ask a question?

Mr. GARRETT. Yes. The last section of the bill which the gentleman just explained—of course, this bill is to meet an emergency——

Mr. PAYNE. Certainly.

Mr. GARRETT. Now, would not the gentleman be willing for the last section to go out?

Mr. PAYNE. That seems to be a reform so obvious, I will say to the gentleman, upon reading it, that it seemed to the committee that it ought to go into the bill and be provided for now. It is very obvious that that should be done. Of course the civil government part of this law came here from the Senate, and that matter was not fully considered at that time. It was the early legislation in regard to the general government of these islands and this scattering of the reports to four different departments or bureaus of the Government in four departments went into that law; but later when the House and Senate considered the matter when the Philippine bill was up, they concluded to send it to one department, and that is to the War Department, where it was originally placed. I understand, possibly, that this would not go to the War Department, but to some other department of the Government. For that reason it is here, and I would not at this present time agree to any amendment striking it out.

Mr. GARRETT. I want to say to the gentleman, that so far as my examination has extended—and I have examined that somewhat carefully—I do not really see any objection to the last section.

Mr. PAYNE. Well, I could not see any when it was brought to our attention.

Mr. GARRETT. The last section does not involve a matter of legislation that goes beyond an emergency?

Mr. PAYNE. Yes and no. This seems to be important that this thing should be done at once. However, that is a matter of detail in the bill. My own impression is—and I think the members of the Committee on Insular Affairs will agree with me in that—that this old law ought to be considered by that committee and important amendments agreed to.

Mr. GARRETT. I understand that it is the desire of both the administration and the parties in Porto Rico, who are supposed to be against the administration, that there shall be a revision of the so-called "Foraker Act."

Mr. PAYNE. I can see how that would be. I had no information on the subject.

Mr. GARRETT. Why can not that section go into the revision of the bill?

Mr. PAYNE. That is a matter for after consideration. I will be glad to hear anything the gentleman has to say, when he makes his speech, in regard to that.

Mr. GARRETT. The gentleman does not understand that I am going to make a speech.

Mr. PAYNE. I supposed the gentleman was.

Mr. GARRETT. It is not my present intention.

Mr. PAYNE. I will state to the gentleman that I am disappointed. I have nothing further to say on the subject, Mr. Chairman. I reserve the balance of my time. I do not know whether any other gentleman wishes to address the House this morning or not. Does the gentleman from Porto Rico [Mr. LARRINAGA] desire to address the House?

Mr. LARRINAGA. Yes.

Mr. PAYNE. Mr. Chairman, I reserve the balance of my time.

Mr. CLARK of Missouri. Mr. Chairman, I want to make two statements, and then I will yield thirty minutes to the gentleman from Porto Rico. My own judgment about this thing is that Porto Rico ought to be erected into a Territory, with a full territorial government, and let the people work out, under the general supervision of Congress, their own destiny. In the second place, I have tried in the committee and in a general way here to get this limitation that we are putting on them, whatever it is, confined to one year, but the sentiment of the committee was against it, and it was pretty hard to do it anyway under the Foraker Act. And before this is over, if it runs along, I may enlarge on these two ideas. For the present I yield thirty minutes to the gentleman from Porto Rico [Mr. LARRINAGA].

Mr. LARRINAGA. Mr. Chairman, do I understand that the time allowed to me by the gentleman from New York [Mr. PAYNE] is to be added to the thirty minutes of the gentleman from Missouri [Mr. CLARK]?

Mr. PAYNE. I suppose the gentleman can be recognized in his own right if he wants more time. I reserve my time.

Mr. CLARK of Missouri. Mr. Chairman, in order to simplify the matter, I ask that the gentleman from Porto Rico have an hour.

Mr. PAYNE. Let him have his hour.

The CHAIRMAN. The gentleman has an hour, under the rules, in his own right.

Mr. LARRINAGA. Mr. Chairman, I honestly believe that the happiest day of my life would be the day when I could rise on the floor of this House and express the sentiment of the people of Porto Rico toward this Nation, and yet not to have anything to say in the shape of a protest against something that has been done in Porto Rico or on the working of the Foraker Act, so repugnant to our people. Whether I will be the man or whether some one else will be, it matters not; but, I repeat, that day will surely be a happy one for the Commissioner from Porto Rico. But it has been my painful duty always to stand here and be disagreeable to the Members of this House, because the Commissioner from Porto Rico must always protest against that organic act. But I do not wish to dwell any more on that, and will proceed to the matter under consideration.

The bill introduced by the gentleman from Pennsylvania proposes to add at the end of section 31 of the Foraker Act an additional proviso:

And provided further, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

Mr. Chairman, I am going to read a condensed statement of the facts in connection with the present difficulty in the legislature of Porto Rico.

From the inception of the civil government in Porto Rico there has been a tendency on the part of the executive council to have its own exclusive way. The house of delegates has been but a body of mere figureheads. One of the members of the executive council had the nerve and the honesty to tell us so.

In the first part of March, 1900, the council (upper house) sent to the lower house (house of delegates) an appropriation bill. Since the governor in his message gave assurance of great contraction in the revenue of the insular treasury, recommending at the same time the necessary economy in the appropriations, the committee on ways and means of the house of delegates wished to cut down the high salaries of the officials and all employees according to a scale, as follows:

	Per cent.
Salaries from $500 to $1,000	5
Salaries from $1,001 to $2,000	10
Salaries from $2,001 on	15

This reduction of salaries would make possible the carrying on of public works and schools without any risk of running into a deficit, and the continuous progress of schools and roads could be maintained, as it has been, increasing from year to year since the control in the island of the Union party took place, in 1904, 1906, and 1908.

The financial committee (ways and means) did away with some of the offices of the federal court, which court is repugnant, on account of its attitude, to the people of Porto Rico; said reductions not applying to the salaries of the judge and the district attorney, nor of the marshal, which are fixed by the organic act, and the legislature, therefore, has no power to alter them.

The house approved the recommendations of the committee on finance. The appropriation bill, thus amended, went back to the council, which did not concur to the amendments.

One after another three different committees were appointed, and all of them failed. This took place at the last moment before the closing of the legislature. Meanwhile the executive council was leaving without any consideration several house bills—a bill organizing a division of the island into several counties, in the same manner in which they are established in the States of New York, New Jersey, etc.; a bill to establish manual training schools; a bill for the establishment of an agricultural bank; and others with a tendency to self-government, such as the election of mayors, councilmen, and judges by the vote of the people instead of by appointment of the governor; and another giving some representation to the taxpayers in the board of appraisers, and also on school laws.

This constant practice on the part of the executive council of ignoring the lower house had been creating a profound feeling of resentment in the latter, and therefore a tendency to resist.

Mr. DOUGLAS. Will the gentleman yield just at that point?

Mr. LARRINAGA. Certainly.

Mr. DOUGLAS. Will the gentleman kindly advise us what printed matter he is reading from?

Mr. LARRINAGA. A brief that I have here, in which all these facts are given, from a committee of the house of delegates.

Mr. DOUGLAS. Is it published as a document here?

Mr. LARRINAGA. It is not; but it has been printed and distributed to every Member of this House and the Senate.

Mr. DOUGLAS. I thank the gentleman.

Mr. LARRINAGA. The gentleman will find it among his papers at his office, I am sure.

The hour for the adjournment of the legislature was fast drawing near and the members were preparing to retire a minute after 12 o'clock.

Meanwhile Treasurer Willoughby and Attorney-General Hoyt, for the council, and Mr. Munoz Rivera and Mr. Soler, for the lower house, were trying to come to an understanding. They agreed to go before the governor, who agreed to call an immediate extra session in order that, through having some bills from each house agreed upon, the appropriation bill could be adjusted in a way satisfactory to everybody.

Mr. Willoughby and Mr. Hoyt presented a list of the bills in which the executive council was mostly interested, and Mr. Munoz and Mr. Soler those of the house.

The interview with the governor resulted in his giving a proclamation calling the members of the legislature to an extra session for the next day, March 12, 1909.

The house was ready to withdraw its amendment to the appropriation bill and to accept it as the executive council desired it, adopting the same attitude as to the other bills.

During the last hours of the 13th day of March the house was ready to pass the council bill, but the council insisted in objecting to the house bills.

The education bill was entirely denatured and shortened, reducing it to a mere remnant of the original. The bill relating to the mayors and the municipal councilmen was destroyed, leaving the appointment again to the governor and not to the people. The bill regarding the appraising of the property and the one relating to police reforms were postponed indefinitely.

It was impossible for the house to yield in every point and the council holding entirely its position as to every measure. In view of the situation, at about 9 o'clock in the evening the house decided to withdraw its concessions in the appropriations bill regarding the federal court, and, sustaining the others, declaring at the same time to be always willing to compromise.

Mr. Chairman, the economies regarding the federal courts had already been withdrawn; the house was ready to compromise and was always willing to compromise.

The house continued to await the action of the council, hoping that the council would be willing to make some concessions to the people's desires, so that public opinion might obtain some satisfaction. The executive council was obdurate and decided to carry out its ideas at any rate.

On Tuesday, March 15, at 2 o'clock in the morning, the house was yet patiently waiting, every member occupying his seat. All of a sudden the executive council decided to adjourn and close the legislative session.

The rest everybody in the United States knows. They took the next steamer and came here to Washington. They have been here about two months. They had the ear of the President and every Member of the Senate and House they were pleased to see. They have been here for two months pleading for powers that will be to the detriment of the people of Porto Rico. They have been holding a club over us and calling us all sorts of names in the press. This work has been going on all the time, and they have been doing all they could to foster a sentiment against the people of Porto Rico. They can not for a moment think the Porto Rican people are entitled to any rights. The Senate committee heard these men the other day. The Attorney-General found that the President's bill was not good. It failed to cover the ground and remove the difficulty. They found that the bill was too liberal. They found that the Foraker Act was poor. The Senator from Ohio had failed to cast in appropriate verbiage his ideas. He had failed entirely to put in words the meaning and the principles of that act.

The other gentleman, Mr. Willoughby, said that he wanted to come before Congress to have the power of concurrence taken away from the house of delegates, because it was a club that the lower house had been wielding over their heads for nine years. Mr. Chairman, there is no such thing. The only club that is being wielded is that sword of Damocles that has always been dangling over our heads, and that is now before us.

From the very first day they said, "If you do not agree to everything we will go to Congress, and Congress will take from you that power, and we will have the power to appropriate all the money we want." That is all they want. As I said before, one of them had the honesty to say so, to tell us that the house of delegates were mere figureheads. I heard that gentleman, the secretary of Porto Rico, before the committee, when he came, almost trembling, and asked that committee to remove from us that power, the power to agree in the appropriations, because he said we wanted "to trade in legislation." I thought that gentleman was about to collapse and faint as these words passed his lips, "trade in legislation."

Mr. Chairman, before this deadlock for nine years the house of delegates has been yielding and yielding, and have done nothing but what the executive council wanted to do. Now this deadlock has come because the house of delegates could not stand any longer the pressure of public opinion. The people could not understand why, if that body exists, they can not pass that bill establishing an agricultural bank to help the poor farmers. Right after the cyclone of 1899 the house of delegates, which was not formed of members of our party, but of the other party, tried to pass a similar bill for the relief of the agricultural classes, but the executive council would not agree to it, although they were their political friends. Those gentlemen asked for a loan for this agricultural bank, but it was refused.

We have seen day after day, Mr. Chairman, the small farms of our country people sold at public auction to pay five and ten and fifteen dollars of taxes, and all of these small farms have gone into the hands of wealthy men. Yes, Mr. Chairman, for nine years the papers have been full of advertisements of small farms sold at public auction. Year after year we have introduced that bill, and they have refused to pass it. The people can not understand why we can not stand on our rights and have that bill passed. Who is going to make me believe that the President of the United States, if he had been properly informed, the man whom you have seen here day after day coming to Congress, going before the Committee on Insular Affairs, gathering all information for an agricultural bank for the Filipino farmers, would have accepted the reason given by the executive council; that they could not accept that agricultural bank scheme because the finances of the islands would not stand it?

Mr. Chairman, the first time that the treasury of Porto Rico borrowed money has been last year, when the executive council voted a million dollars for the improvement of roads and bridges. Every year we have appropriated hundreds of thousands of dollars for the building of new roads.

Mr. HILL. Will the gentleman yield for a question?

Mr. LARRINAGA. Yes, sir.

Mr. HILL. Do I understand that the agricultural bank, the charter of which was refused, was a bank of which the capital was to be furnished by private subscription, or was it an agricultural bank which the government was to establish and guarantee?

Mr. LARRINAGA. The insular government proposes to give a guarantee to the parties that would furnish the money.

Mr. HILL. It is not the ordinary bank where the capital is furnished by private subscription which is objected to, but it is the guaranty of the government that is objected to.

Mr. LARRINAGA. Yes; we have plenty of credit. We have always been a money-loaning country.

Mr. HILL. Let me supplement that by another question. Is it the gentleman's opinion that if the agricultural bank is chartered, it could secure private capital without the government guaranty?

Mr. LARRINAGA. Well, who would furnish it then?

Mr. HILL. Why, the stockholders. They would take their own chances and make their own loans. Does the gentleman in his judgment think that such a bank could be organized and be successful without the government guaranty?

Mr. LARRINAGA. I hardly think so in a colony governed as Porto Rico is.

Mr. HILL. Then the difference of opinion between the two parties is whether the government shall guarantee this institution or whether it shall be a private institution.

Mr. LARRINAGA. No; there is no such thing. Let me tell the gentleman that I hardly think that any bankers or any financial association would be willing to loan their money under those conditions in a country which of itself has no representation, and therefore no responsibility. The guaranty is to come from the present government, constituted as it is, because that is the only personality there.

Mr. HILL. And it was on that question of whether the government should assume that responsibility or not that the bill failed.

Mr. LARRINAGA. Yes; and has been failing for the last nine years, because the executive council would not have it so.

Mr. PARSONS. Was this bank to loan money on coffee lands?

Mr. LARRINAGA. On any agricultural lands of all kinds.

Mr. PARSONS. Was it not particularly designed to loan money to small coffee planters?

Mr. LARRINAGA. No.

Mr. HILL. To loan money on sugar or anything else.

Mr. LARRINAGA. On sugar, tobacco, coffee, oranges, pineapples—anything that the planter and farmer produce.

Mr. PARSONS. Was it not the situation of the coffee planters that led to the suggestion of an agricultural bank so that they could be able to borrow money to rehabilitate their lands?

Mr. LARRINAGA. Not particularly that I know of. I remember that when we introduced the first scheme for that bank they objected, and the only reason they could give was this: That if we gave money to people who had their property mortgaged, they would pay the mortgages, which in a large measure were held by Spaniards, and the Spaniards would take the money and go home. They think the Porto Ricans are the most stupid people on earth.

Mr. HILL. I do not wish to interrupt the gentleman too much, but if he will permit, I desire to ask him another question. What was the proposed capital of this bank?

Mr. LARRINAGA. When it was first suggested, it was right after the cyclone, and we then wanted more money—$5,000,000.

Mr. HILL. And how much of that was to be furnished by the government?

Mr. LARRINAGA. Not a cent.

Mr. HILL. All to be furnished by private subscription?

Mr. LARRINAGA. Yes.

Mr. HILL. And the government was to guarantee the loans?

Mr. LARRINAGA. Yes; the insular government.

Mr. HILL. And the difference between the two parties is that one says they do not want the government to guarantee the loans and the other does. Is that the proposition?

Mr. LARRINAGA. They do not give any reason. They do not want any bank at all. If they can find anybody who will furnish the money without a guaranty of the government, we are willing to take it, but who will do that in a colonial government?

Mr. SMITH of California. Are there not some banking institutions there under the present law?

Mr. LARRINAGA. Yes; but what we want the small farmers to get is a cheaper rate of interest.

Mr. SMITH of California. But there may be private banks organized under the laws as they now exist.

Mr. LARRINAGA. Yes; but the interest is very high in Porto Rico, and that is why we want to help the farmers with the establishment of an agricultural bank.

Mr. HUMPHREYS of Mississippi. What is the rate of interest?

Mr. LARRINAGA. There is no fixed rate. The commercial houses loan at anywhere from 12 to 18 per cent, with a mortgage on the property. The interest the banks charge is from 9 per cent up, the man paying every expense, and I have had the information that it goes up to a good deal more than that.

Mr. HUMPHREYS of Mississippi. No legal rate of interest has been fixed under the law?

Mr. LARRINAGA. Not at all. Well, the legal rate is supposed to be 9 per cent—or the custom, as the gentleman will understand.

Mr. HUMPHREYS of Mississippi. There is no rate beyond which they can not contract?

Mr. LARRINAGA. No. Nine per cent has been always accepted. Mr. Chairman, those gentlemen of the council gave the reason that we could not afford to guarantee those two millions. As I was saying, last year they asked us for a loan of $1,000,000 to improve roads and bridges. It was not much wanted.

By increasing our yearly appropriation a couple of hundred thousand dollars, we had to pay no commission, no interest, and in the time necessary to expend the million borrowed we would have by ordinary appropriation gotten those roads built. But our house of delegates would not appear as denying a cent either for roads or schools, and we accepted, and that is the only money that our treasury owes to-day—$1,000,000.

Mr. HILL. Will the gentleman allow me to ask him one further question?

Mr. LARRINAGA. Yes.

Mr. HILL. The roads are now maintained by the districts, and not by the general government?

Mr. LARRINAGA. The small roads or trails by the municipalities, but the main roads in general are maintained by the insular government.

Mr. HILL. Does Porto Rico have any debt?

Mr. LARRINAGA. None at all; but we owe for that $1,000,000.

Mr. HILL. But they did not vote that?

Mr. LARRINAGA. We did, and it has been or is being expended on roads. Our house of delegates would never refuse a dollar for roads or schools.

Mr. HILL. But previous to this the roads had been maintained by the municipal districts?

Mr. LARRINAGA. No, sir; the roads have been maintained by the insular government, even in the time of Spain, though some of them were maintained by the Government of Spain engineers, but with our money. I refer to the military roads. The balance were built by us. I was chief engineer of the insular works for twelve years, and I know everything about it.

Now, there is another scheme on for a loan of $3,000,000 more. It is not a bad scheme, and the house has agreed with the council to loan them that money.

Mr. HILL. For roads?

Mr. LARRINAGA. No; for irrigating a part of our southern coast of the island, where dry weather sets in every four or five years. From time immemorial we had that scheme. We engaged a very able and well-reputed English engineer, Mr. Webb, to study out a system of irrigation for that part of the island. But the next year it rained, and for three or four years it rained; and you must know that the people of Porto Rico are exactly like all other people in the world—when they do not see any danger in sight—they do not care to take any precaution.

When a dry year came again they took up that irrigation business, but it took some months for the preparation of it, and as it rained again they dropped it, and they have done that for about fifty years. Now, two years ago there was a long spell of dry weather. The crop was lost, and they took up the scheme again. Now they say they are going to do it, rain or shine, and I hope they do it.

Mr. HILL. But that is not one of the points of difference at the present time.

Mr. LARRINAGA. I was going to tell the gentleman. We are owing $1,000,000, and if this is carried out it will be $4,000,000; but this loan is to be repaid. This is a money-making proposition, because the lands in the southern part of the island are very rich, and if planters can insure their crop the planters who use the water are going to repay the capital and interest, so it is not going to be any load on the Porto Rican treasury. So, in fact, we are only owing $1,000,000, that the executive council wanted last year. But even assuming that these three million are lost, that the planters could not be compelled to pay for the water they are going to use, and that the insular government would be compelled to pay every cent of it, which is absurd, making then $4,000,000 debt in all, I tell you, gentlemen, that these $4,000,000 would not be any great burden for the Porto Rican treasury.

Some thirty-six years ago we had to pay for our slaves. During those two years when we had a complete republican form of government, as Spain had gone into a republic, an election was held to establish the community of Porto Rico in a republican form of government, and we elected 16 men to the lower house, full-fledged representatives, and 6 senators to the upper house, and instructed them that the first thing to do was to free the slaves, as the republic had freed the whites. And those men went and did it, and we took our financial business into our hands, made a loan of $7,000,000, and paid every slave owner, and in a few years paid every cent of the capital and interest. So that we can not admit, as the executive council thinks, that $4,000,000 is too much for Porto Rico. They are very much mistaken. I suppose they believe so in good faith; but they have been told time and time again that Porto Rican property is to-day worth a good deal more than it was before; that by the mere fact of the American flag being on the land property has risen three times in value generally; and I tell you, gentlemen, many years ago our property was appraised at $160,000,000; and if you multiply that by two or three, what is the value of the property in Porto Rico?

Now the law allows us to loan 7 per cent of that capital or fourteen or fifteen millions and upward; yet those gentlemen come to the President, who has no time to see into these little things of a little bit of a country, who has no time to take everything up and hear everybody, and they give him that reason—that they rejected that bill because Porto Rico could not afford it. But they can afford to go on selling to the rich men the property of the poor, because these last can not pay the $5 or $7 tax on their property. Porto Rico can make an appropriation for that agricultural bank just as easy for $2,000,000 as the United States could make it for $200,000,000 for any national enterprise.

Mr. DOUGLAS. Will the gentleman yield for a question?

Mr. LARRINAGA. Certainly; with the greatest pleasure.

Mr. DOUGLAS. I would like to find out for my own information and that of the committee. As I understand it, you speak about a committee from the executive council.

Mr. LARRINAGA. That came here—a commission.

Mr. DOUGLAS. There was also a committee coming from the Unionist party of the house of delegates.

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. What hearings did they have, Mr. Commissioner, in Washington, and before whom?

Mr. LARRINAGA. We went to see the President first. Then we went to the Secretary of the Interior, to whom the President referred us, and then I believe the President and the Secretary of the Interior had another meeting with them.

Mr. DOUGLAS. Then, as a matter of fact, the President referred both sides to the Secretary of the Interior?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. How many days were consumed in the hearings before the Secretary?

Mr. LARRINAGA. One session only. It lasted several hours.

Mr. DOUGLAS. Was each side fully heard?

Mr. LARRINAGA. I believe so.

Mr. DOUGLAS. And neither side asked for any more time? Each side presented the matter to the Secretary of the Interior?

Mr. LARRINAGA. Yes.

Mr. DOUGLAS. And he made a report to the President?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. Then is it not true that both sides appeared before the President and the Secretary of the Interior?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. Then, as a matter of fact, did not the President give a full opportunity to both sides to be heard in this matter?

Mr. LARRINAGA. Yes; they were heard. The reason why I am speaking only of the commission of the executive council before the Senate committee is because those gentlemen of the house of delegates, being private citizens, with their own business to attend to, had already gone away when the Senate called on me to represent them, I suppose, and also called the other three gentlemen who were here.

There is one other thing we object to. Those gentlemen are always here in Washington instead of attending to their business in Porto Rico, seeing every friend of the President and every Member of Congress. They have been here two months, and in those two months have tried to disparage the people of Porto Rico with literature which they or their friends, which amounts to the same thing, are publishing all through the press of the country.

Mr. DOUGLAS. Who are the gentlemen you speak of, Mr. Ward and Mr. Willoughby?

Mr. LARRINAGA. Mr. Ward and Mr. Willoughby and Mr. Hoyt, the attorney-general.

Mr. DOUGLAS. Is it not true, I will ask the gentleman, that they did not come to Washington, or propose to come, until the committee was appointed by the Unionist party to come and make certain representations to the President?

Mr. LARRINAGA. It was just the contrary. They said to the committee of the house, the committee of conference, "We will adjourn," and left, and it was learned that they would come by the next boat and then the members of the house agreed also to send a committee on the same boat, but they came with their own money.

Now, Mr. Chairman, the other reason they give for not accepting the other bill of the house——

Mr. GILLESPIE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Porto Rico yield to the gentleman from Texas?

Mr. LARRINAGA. Certainly. I want to make a parliamentary inquiry, Mr. Chairman. May I be allowed to inform the Members who may wish to ask me questions that they are at liberty to rise without asking the permission of the Chair, so far as I am concerned?

The CHAIRMAN. The Chair will take care of that.

Mr. GILLESPIE. Before you get off of that agricultural bank, I want to ask you what per cent of the real estate values did they propose the bank should lend?

Mr. LARRINAGA. Forty per cent of the real value. At the time of this last agricultural scheme I was not there, but the one we had been presenting for many years before fixed 40 per cent of the actual value of the property appraised by the treasurer and other appraisers of the land. I do not quite remember.

Mr. GILLESPIE. Now, another question. Did you propose to limit the rate of interest on those lands by that bank?

Mr. LARRINAGA. Of course.

Mr. GILLESPIE. What was the limit?

Mr. LARRINAGA. In this bank, do you mean?

Mr. GILLESPIE. Did you say that the bank could not lend money except at a certain rate of interest or no higher than a certain rate?

Mr. LARRINAGA. It was limited to 6 per cent in the previous one. I suppose they had fixed the same rate in this.

Mr. GILLESPIE. You say that the average rate of interest there now is from 9 per cent up?

Mr. LARRINAGA. I have seen a pile of deeds that high [indicating] composed of 18 per cent first mortgages.

Mr. DOUGLAS. Was that in quite recent times?

Mr. LARRINAGA. The banks of Porto Rico and San Juan loan at 9 per cent.

Mr. DOUGLAS. Is there any commercial paper now in Porto Rico, except the 7 and 8 per cent?

Mr. LARRINAGA. No; the gentleman is right.

Now, Mr. Chairman, the other bill that they objected to, and which was presented by the house, was a bill to establish a manual training school. They say that it was against the Foraker Act. They have failed to show how. If, in the management of the school, some rules would conflict with the Foraker Act, I suppose if they had been willing to sit there and compromise the objectionable feature would have been removed. In that connection I have to tell you that they wanted to establish a manual training school because the first one had been a failure; and the best thing that could occur did happen for the building, and everything connected with it, when Divine Providence burned it one night; and I need not say anything further on that. I was a member of the commission appointed by the governor to investigate that fire, and I had better pass over it.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for a minute?

Mr. LARRINAGA. Certainly.

Mr. HUMPHREYS of Mississippi. The gentleman said that if they had been willing to stay there the objections to this bill would have been compromised?

Mr. LARRINAGA. Yes.

Mr. HUMPHREYS of Mississippi. Just what do you mean—the executive council?

Mr. LARRINAGA. They adjourned and left. When the regular session of the legislature closed, the governor called an extra session, and in that extra session they were trying to adjust things. But they would not yield a line from their position. They wanted, as they had always done, to have their own way, because they understood that the lower house was afraid of their coming to Washington to represent us before Congress and before the Executive in the way they had been doing it, and that fear kept us back all the time. They expected we would yield to them, and that there was no use of their being on hand. They took advantage of that opportunity to come and have Congress do as they always expected you to do.

Mr. HILL. Will the gentleman allow me to ask him another question?

Mr. LARRINAGA. Certainly; with pleasure.

Mr. HILL. The first manual training school, that you say was burned by Divine Providence, was a failure. Was that in the way of the building proper, or in the management?

Mr. LARRINAGA. That building cracked and there were constant complaints against it; it had to be propped up and was a failure all through.

Mr. HILL. Was it a failure as to the school, or simply a failure as to the building? What was the cause of the failure?

Mr. LARRINAGA. I can honestly give no reason to the gentleman. In those first days the confusion in the administration of the country was so great, which I believe is always the state of affairs when a new government is inaugurated, that the school was not properly managed, and the building was not properly constructed. That was an incident to the first days' régime. But I want to state that in these days our government is running more normal, and in the present condition I do not think such a thing would take place. The other bill they objected to was a bill to have the municipal judges elected, and not appointed by the governor.

Mr. HUMPHREYS of Mississippi. If the gentleman will permit me, I think it was stated in some of the papers filed here, I think by a gentleman who represented the executive council, that the purpose of the house of delegates in advocating this manual-training school was to take the entire system of education out of the hands of the constituted authorities and put it into other hands. Now, is that an exact statement?

Mr. LARRINAGA. How can the gentleman from Mississippi [Mr. HUMPHREYS] imagine that by establishing a particular school a whole system of education can be changed?

Mr. HUMPHREYS of Mississippi. What is the gentleman's opinion about that; that that was an accurate or an inaccurate statement?

Mr. LARRINAGA. I could not tell whether it was proper, because I fail to see how the Foraker Act covered that point at all.

Mr. HILL. The first manual-training school was under the control and direction of the insular government. It was not established by any municipality, but by the insular government, was it not?

Mr. LARRINAGA. Yes. It was established by the insular government, which amounts to saying by the executive council.

Mr. HILL. They did not object to it, then. After it was destroyed, what is the reason that it becomes at once a cause for difference of opinion?

Mr. LARRINAGA. Not at once. Nine years have elapsed.

Mr. HILL. Why is it that there is a difference of opinion now after they both united previous to the destruction of the first school?

Mr. LARRINAGA. Because they did it all then. We did not unite to do it. And now we want to have a little share in the establishing of it. That is about all. I will tell the gentleman from Connecticut [Mr. HILL] that if it has come to pass that the desire of a people to control their own affairs is a crime, then in the name of my people I shall have to plead guilty. We do want self-government. [Applause.]

The other bill, as I was about to say, Mr. Chairman, was a bill to elect the municipal judges. We do not want those judges appointed by the governor. The reason for it is just the very reason that they give not to have them elected by the people. They say that if those judges are elected—the municipal judges, the justices of the peace—they will be a weapon in a political party.

Then their confession is that the whole country belongs to that party and that those judges will represent the true opinion of the people, and that is true. They want to keep those appointments of municipal judges in the hands of the governor, because they can more easily incline a man to help them in political plans than have the whole people accord to their desires. No, Mr. Chairman, our administration of justice in Porto Rico has always been good and honest from time immemorial. Our supreme court of justice is held in as high esteem by the people of Porto Rico as your Supreme Court here is by the people of this country. I remember when we conspired against Spain. I remember the time when all of the jails were filled with Porto Ricans, because we did conspire. Some policemen tortured some of our people to find out the truth, we represented to Spain, and the Spanish judges stood by the people and indicted the police, and the governor was removed by cable. Our people have been educated to respect the administration of justice. We are a law-abiding people and not what we are represented by those gentlemen here in those papers.

Mr. Chairman, to show you why we want to take from the hands of the governor the appointment of those judges, I will cite you an instance. Just on the recommendation of Governor Post a vacancy in the supreme court of the island has been filled with a lad who never practiced law, only because he is a friend of the administration; because he is a friend of the governor. Nevertheless, those gentlemen and their papers, who are opposing us in the press, are attacking Governor Post; and Governor Post has been helping them all the time. He was instrumental in recommending to the President to appoint that lad to a seat on the supreme bench of the island, which has been a shock to the whole country

Ever since Governor Winthrop went there political oppression has ceased. The elections have been fair, and that is the reason we have carried the whole island, from one end to the other; and we will do so every year unless that executive council, encouraged by the bill that you are going to pass, goes back to the policy of 1900 and 1902 and uses the same methods to place their friends in the house of delegates.

At that time elections were carried by the clubs and the revolvers of the police, when homes were attacked, when institutions were assaulted and destroyed, and when people were kept from the polls by violence. That is what they want to go back to. Mr. Chairman, I had myself to go down with my friends on the streets of San Juan and fight the mob that attacked our house. Public property was destroyed and not a single arrest made. I had to go down with my friends into the streets to fight, so as to prevent the fights taking place in the parlors of our homes amongst our wives and children. But, like the henchmen of tyranny, they were cowards and ran. But when they caught one of our men alone they clubbed him to death in the streets. A decent man could not sit in any public place without being attacked. Yes, Mr. Chairman, those are the times they long for; but the one who stopped that was, as I said before, a friend of President Taft, Governor Winthrop. That was his crime, and that is the reason they are assaulting him in their press. That is the reason they are assailing Governor Post, because he does not fall back to those times. I am not defending Governor Post. I just have told you what he has done respecting the appointment of that gentleman to the supreme court. Last year only, he opposed me and beat me before the Executive in the appointment of a member of that executive council, a native who had been there eight years, a man that could not be elected by the people to fill any office in the land.

Mr. HARDWICK. Will the gentleman yield for a question?

Mr. LARRINAGA. Yes.

Mr. HARDWICK. Is the governor siding with the executive council or with the house of delegates?

Mr. LARRINAGA. Just at this moment nobody can tell, because the press of the executive council is attacking him savagely. Next to traitor he is called every name in the vocabulary.

Mr. HARDWICK. Has he taken any public position about those acts?

Mr. LARRINAGA. Not at all. On the contrary, those two appointments against our party had been recommended by him. On my side, here in Washington, where I am best informed, he has sided with the other people.

Mr. HARDWICK. As far as those bills which you have been describing to us are concerned, does Governor Post side with the executive council or with the house of delegates, or has he taken any public position about these legislative matters?

Mr. LARRINAGA. I believe he has taken no stand. His willingness to see a compromise arrived at has been shown by his ordering the legislature to have an extra session the next day, and my impression is that he was very sorry that both houses did not come to some agreement.

Mr. Chairman, I desire now to finish my remarks. I know what the fate of this bill is going to be. You are a patriotic people, but you are wrongly informed. Those people have represented us as we are not. As I told you before, when we used the best of judgment with our internal economic affairs in the times of the republic, we had, and we deserved it, the praise of the whole world. Every nation in the world pointed to Porto Rico as a model people, but I am not going to give you the opinion of other people.

Mr. BORLAND. Will the gentleman permit an interruption?

Mr. LARRINAGA. Yes.

Mr. BORLAND. There is one more matter of dispute there which I did not hear the gentleman from Porto Rico touch upon, and that is in relation to the assessment of property for taxation.

Mr. LARRINAGA. I thank the gentleman for that suggestion. Mr. Chairman, I believe the customs of a people should be indulged, if not fully respected. From time immemorial, in the old times of Spain, our assessments were made by a committee of the highest taxpayer, the middle taxpayer, and the smallest taxpayer. Well, our people look to that and want to get at it. Why? Because any man from Nebraska or California or Massachusetts who is appointed to do that does not know anything about it.

He does not know the language, so he can not go among the people and get information. He has not been in business there, and he does not know what the value of the land is; and therefore we want to pass that bill giving to the people of Porto Rico some participation in the assessments of property.

Mr. HARDWICK. And they do not appoint native Porto Ricans to those places?

Mr. LARRINAGA. Americans, as a rule; but, of course, I can not say if there is not one or two Porto Ricans among them. But this is not the case; we do not object to these appointments because the appointees are Americans. We have Americans in our municipal councils who have been elected by the people. What we wished to establish by that law is that the treasurer, together with the taxpayers, would appoint the municipal board of appraisers.

Mr. HARDWICK. But does the governor or the treasurer appoint Porto Ricans at all?

Mr. LARRINAGA. He appoints anybody he chooses.

Mr. HARDWICK. But, as a matter of fact, has he appointed any Porto Ricans at all?

Mr. LARRINAGA. No, sir; I think not.

Mr. HARDWICK. I just wanted to know the fact.

Mr. LARRINAGA. That was the other bill they objected to. Now, gentlemen, why did they not accept one of those bills so as to have some shadow of a reason?

Mr. BORLAND. I do not want to delay the gentleman's speech, but——

Mr. LARRINAGA. I am very happy to yield.

Mr. BORLAND. I notice in the message of the President he stated that the proposed change of the method in assessing property for taxation would put it in the hands of the largest taxpayers of the district. What is the ground for that assertion, and do you agree with that?

Mr. LARRINAGA. None at all. The executive council wishes to insinuate, I suppose, that we will take the millionaires—we have none in Porto Rico—and appoint them, so that they will put the taxes on the poor people and the wealthy people will go scot-free. They always start from the supposition that we are the meanest people on earth.

Mr. HARDWICK. Before the gentleman passes from that point—did I understand the gentleman to say just now that the treasurer had not appointed any Porto Ricans?

Mr. LARRINAGA. I can not say if in any particular case he has. I have been here four years—almost all the time in Europe and the United States—and I could not say it in some particular case he might not have appointed some, but not that I know of.

Mr. HARDWICK. But you do mean to say in the majority of the cases they have appointed people of the United States rather than Porto Ricans.

Mr. LARRINAGA. The bill goes to that end; because one thing is appointing any man and another thing is appointing a taxpayer. The bill calls for the appointing of a board of appraisers by the treasurer, together with some taxpayers.

Now, gentlemen, you are about to pass this bill. Here are two parties. You are going to decide this case on the statement of three men—well, they represent six, that is true—but they are the interested parties; they are the parties who fear that if you give us a more liberal organic act they may lose their offices. Now, the other party; who are they? They are the men who have been slandered as being politicians and only willing to grab hold of the administration of the island, and so forth.

The CHAIRMAN. The time of the gentleman from Porto Rico has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed.

Mr. PAYNE. Mr. Chairman, how much more time does the gentleman require?

Mr. LARRINAGA. Ten minutes.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for fifteen minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LARRINAGA. I thank you, gentlemen. This is the complexion of that house: They have 34, because 1 has died. I will not read the names, as they will not tell anything to you. There are eight sugar planters—taxpayers. They are those politicians who want to grab the administration. Thirteen lawyers. It happens in our house of delegates the same as it does here; it is funny. [Laughter.] I am not a lawyer, myself.

Mr. Chairman, I am a civil engineer, but the majority are lawyers; and I tell you, gentlemen, these lawyers are taxpayers, 90 per cent of them; they are proprietors; they are the men said to be in the interest of a grabbing administration. Now, there are four coffee planters. Among those coffee planters you will find not only lawyers, but civil engineers, who have studied their profession in this country; and there are two newspaper editors and proprietors; there are three farmers; and there are—we always take them in—two representatives of the laboring class. The labor party is not strong enough to elect any ticket, and we always take some—sometimes we have had even four, but now we have two. And that is the complexion of the house of delegates, as against these six gentlemen, who, no matter how good they may be, must of necessity know less about our people, our customs, and our laws than those 34 gentlemen who had the benefit of an education here in the universities of the United States and those of Europe and who own property and are the taxpayers. Now, you are going to pass on this bill. These gentlemen of the council say that we are incapable; that we are not prepared; that we are a mongrel race, a degenerate people and incompetent, lazy, and so forth; but, gentlemen, as against that I do not want you to take the authority of our people, but I want you to take the authority of the men who have been there in the executive council, but who could not hold there. It seems that the atmosphere is not good enough for that type of men.

Dr. Martin Brumbaugh, superintendent of schools in Philadelphia, will tell you about the Porto Rican people. I do not want you to take the opinion of the Old World. I want you to take the opinion of Professor Brumbaugh, who was the one who changed the Spanish system of schools for the American system.

Mr. MOORE of Pennsylvania. Will the gentleman tell us whether the conditions have improved, and whether they improved under Dr. Martin Brumbaugh's administration?

Mr. LARRINAGA. The conditions not only improved, but they are the foundation of a beautiful system of education.

Mr. MOORE of Pennsylvania. The system inaugurated by him was entirely welcome to the people?

Mr. LARRINAGA. Not only welcome, but it was so much so that if we had to elect an executive council by the vote of the people I would present the name of Professor Brumbaugh, and he would be elected. And not only he, but there is Prof. MacCune Lindsay, who took his place. These gentlemen have been in touch with the people on account of their offices. Read what Professor Lindsay said in his speech at the Mohonk conference about the Porto Ricans.

Mr. MOORE of Pennsylvania. I only wanted to ask you if you would not tell us whether the conditions had continued to improve, so far as the rank and file of the Porto Rican people are concerned, by reason of educational methods introduced under American auspices?

Mr. LARRINAGA. Certainly; they have.

Mr. MOORE of Pennsylvania. They have improved generally throughout the Island?

Mr. LARRINAGA. Certainly.

We had $600,000 before, and we will have a million dollars in the country now devoted to education, very soon.

Mr. MOORE of Pennsylvania. I want to ask you whether the English or the Spanish language is spoken in the executive council's meetings?

Mr. LARRINAGA. Both.

Mr. MOORE of Pennsylvania. In your legislative branch only the Spanish language is spoken?

Mr. LARRINAGA. Sometimes we had Americans. We had two or three Americans, and those natives who spoke English used to discuss in English. I have done it.

Mr. MOORE of Pennsylvania. May not some of the differences of opinion, so far as the people of the island are concerned, arise from the fact that they do not thoroughly understand each other?

Mr. LARRINAGA. Let me tell the gentleman from Pennsylvania that I would be willing to amend the Foraker Act, making that executive council elective by the people, if they were to be all Americans—and we will find plenty of them down in Porto Rico—and the gentleman will see that there is no misunderstanding between Americans and Porto Ricans on account of the language.

Mr. MOORE of Pennsylvania. I want the gentleman to understand that I am in thorough sympathy with what he is driving at. I have been on the island. I do not quite agree with him as to the eligibility of all the natives of the island to vote for President of the United States. I question whether some of them are ready for that at this time. I want to ask the gentleman—and I am entirely friendly in my inquiry—if there had been a better understanding between the English and Spanish speaking people on the island if conditions would not continue to improve?

Mr. LARRINAGA. Not only the difference in language is no objection, but our people take to English readily. Let me tell the gentleman that forty years ago I was a protectionist of the American manufacturers there.

I introduced stone breakers, steam rollers, and steam portable engines, and I built the first railroad in the island introducing American rolling stock, which cost 45 per cent higher than the European material. And I established a free school for teaching English—broken English, of course.

Mr. PARKER. I want to ask the gentleman, during the time that he has left, if he has any suggestion as to what action should be taken, so as to allow the courses in schools to go on during the next year under the present situation of affairs, when no appropriations are made by the Porto Rican legislature?

Mr. LARRINAGA. That makes me think that the gentleman believes that the bill is not going to pass.

Mr. PARKER. This bill is one suggestion; what suggestion does the gentleman make so that the courts and schools may go on?

Mr. LARRINAGA. I suggest, Mr. Chairman, that you do just as the President has advised—that the budget of the previous year go on, provided that the Foraker Act is taken up by the Committee on Insular Affairs and amended in a liberal sense. If the gentleman from New Jersey will accept my resolution, I will introduce one providing that the Foraker Act be revised at the next session of Congress, and the budget of last year shall go on.

Mr. BORLAND. Mr. Chairman, would the gentleman permit me to ask him this: Would he advise the restriction of this act to one year?

Mr. LARRINAGA. I would be in favor of restricting or limiting the power of the executive council. Now, if this is to go to the hands of the executive council, I would be in favor of doing that which would most restrict their power.

Mr. BORLAND. As I understand, your suggestion was for the continuation of last year's budget?

Mr. LARRINAGA. That would be under this act, if it is passed.

Mr. BORLAND. Until the Foraker Act can be amended.

Mr. LARRINAGA. Until it can be revised by the Committee on Insular Affairs at the next session of Congress.

fill any office in the land.

tion that we are the meanest people on earth.

Mr. BORLAND. Would it be a part of your suggestion that the pending bill be limited to one year?

Mr. LARRINAGA. That the provisions of the bill continue only until the act can be amended at the next session of Congress in the best interests of the people there.

Mr. HILL. But suppose the Foraker Act was not amended to meet the approval of the party objecting. What other course should be pursued?

Mr. LARRINAGA. I really do not know, unless it be to make a new and better one.

Mr. HILL. Very well; it is a political party; and they have their political differences there just as we do here.

Mr. LARRINAGA. I will tell the gentleman that the other party is for self-government, also.

Mr. HILL. I concede that they are all patriots, as we are, on both sides of the controversy.

Mr. LARRINAGA. Yes, sir.

Mr. HILL. Suppose the Foraker Act was not amended to meet the views of the gentleman. What would you do for next year?

Mr. LARRINAGA. Next year there will be no trouble. The minute you take that club from the executive council they will be more reasonable; and so will the house of delegates, not having this constant menace, being then more responsible to the people. This is human nature. Then, if after all there should be trouble again, let them come before a committee of the House. Let that committee study the bills and the points of contention and decide the case. Then both parties will think twice before coming here without just and good reasons.

Mr. GARRETT. May I ask the gentleman this: If I understand the question of the gentleman from Connecticut, he would suggest that the Congress might study with profit the legislation that was proposed by the house of delegates as a condition precedent for the passage of the appropriation bill.

Mr. LARRINAGA. Certainly; and pass upon it.

Mr. GARRETT. The gentleman from Connecticut, if the gentleman will permit me, is familiar with the fact that the power of the press has been the mainstay of English liberty for a thousand years; and the gentleman from Connecticut, if he will read the demands that were made by the house of delegates of Porto Rico, will be at great trouble to answer or to show where there was not justice in those demands.

Mr. HILL. Oh, well, Mr. Chairman, the "gentleman from Connecticut" is perfectly able to judge for himself in regard to that without having a rule laid down by the gentleman from Tennessee. I have visited Porto Rico and know something of the conditions that exist in Porto Rico. I do not believe it is well to decide any question between two political parties, even in the United States—purely political questions, coming between two political parties in the United States—before hearing both sides.

I do not believe the gentleman from Tennessee would advocate any course of action to be taken without hearing both sides in regard to the matter. I think we should pass this bill as it stands, and at the same time give full opportunity to all parties to present their views and have them considered by a proper committee of this House; and, if such a bill is introduced, it will go before a committee of which the gentleman from Tennessee is a member, and we will give just such careful consideration to it as we can.

The CHAIRMAN. The time of the Commissioner has again expired.

Mr. DE ARMOND. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended ten minutes more, as most of his time has been taken by colloquy.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, if the gentleman will permit me one moment, I shall impose further on the gentleman's courtesy——

Mr. HILL. Oh, I think I have more confidence in the gentleman's judgment than he has in mine.

Mr. GARRETT. Those questions, of course, will have to be determined at that time.

Mr. PAYNE. Mr. Chairman, how does the gentleman from Tennessee get the floor?

The CHAIRMAN. The chair understood that the gentleman from Porto Rico had yielded to the gentleman from Tennessee.

Mr. LARRINAGA. Mr. Chairman, I have only a few words more to say, because I want to close my remarks. I see that I am imposing upon the attention of the House, and if I were to present all of the points in this controversy it would take a great deal of time. I was speaking of the opinion of those people in regard to the people of Porto Rico, and I was telling you that I did not want you to take the opinion of our people or the opinion of the people of Europe. I want you to take the opinion of those two commissioners of education of Porto Rico. I want you to take the opinion of President McKinley, when he told our delegation, "Gentlemen, do not worry; we are going to make of your country the envy of the Latin-American countries; we are going to do full justice to your aspirations." Take the opinion of President Roosevelt, when he said to another commission from Porto Rico that very few people are in the condition that the people of Porto Rico are, socially, politically, and economically. Do not take my opinion. Take the opinion of Governor Winthrop, here in this message. I could read you many paragraphs to the same effect, but I desire only to read the last four or five lines. In that he says:

> It is a great satisfaction to be able to report that, in spite of the very great interest manifested in the elections and the natural difficulties in applying a new law, the campaign was remarkably free from unpleasant incidents. The self-control and respect for law observed at the voting booths should be a cause of pride and congratulation to all Porto Ricans.

Mr. Chairman, I do not want to use the evidence of two years ago. I want you to read the report that is just fresh in the Executive Mansion, the report of General Wood, who, coming from Porto Rico the other day, says that our soldiers could not be better. You have seen them here in Washington, and yet they are calling us cowards in some newspapers—those three gentlemen who would not dare to stand before any member of the house of delegates and tell him in his face what they have been telling in the press of this country. Those soldiers, Mr. Chairman, are the descendants of the men that in the last two centuries have fought for our country and have beaten back the British and the French and the Dutch. They are the same men. They represent the men that some day will have to fight shoulder to shoulder with your own soldiers under that flag. [Applause.]

I know, gentlemen, that you are going to pass this bill. We will have to submit. But in the controversy between those men who represent a system repugnant to our people and those 34 men who represent the wealth and the intelligence of my country let God Almighty in heaven and the American people in this free land be our judges. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and had come to no resolution thereon.

ADJOURNMENT.

Then, at 2 o'clock and 27 minutes p. m., on motion of Mr. PAYNE, the House adjourned to meet on Thursday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. M. E. Arrowood, administratrix of estate of William Cousey, deceased, v. The United States (H. Doc. No. 38)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Marion B. Young and Geno D. Weller, sole heirs of Samuel C. Young, deceased, v. The United States (H. Doc. No. 39)—to the Committee on War Claims and ordered to be printed.

Message and accompanying papers, transmitting a copy of an ordinance passed by the executive council of Porto Rico on April 29, 1909 (H. Doc. No. 40)—to the Committee on Insular Affairs and ordered to be printed.

Message and accompanying papers, transmitting a copy of an ordinance passed by the executive council of Porto Rico on May 6, 1909 (H. Doc. No. 41)—to the Committee on Insular Affairs and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10022) requiring chairs or stools to be provided for female clerks and help in stores, etc.,

in the District of Columbia—to the Committee on the District of Columbia.

By Mr. KEIFER: A bill (H. R. 10023) to amend section 4877, Revised Statutes of the United States—to the Committee on Military Affairs.

By Mr. WICKLIFFE: A bill (H. R. 10024) for the erection of a federal building at Covington, La.—to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 10025) to provide for use of water power at Dam No. 2, on White River, Arkansas—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON: A bill (H. R. 10026) for the purpose of improving the navigation of the Tennessee River over the Elk River Shoals and the Big and Little Muscle Shoals in connection with the development of the water power thereof by the Muscle Shoals Hydro-Electric Power Company—to the Committee on Rivers and Harbors.

By Mr. SMITH of Michigan: A bill (H. R. 10027) for the erection of a statue of Sequoyah, a Cherokee Indian, the inventor of the Cherokee alphabet—to the Committee on the Library.

By Mr. PETERS (by request): A bill (H. R. 10028) to establish a variation of the measurement of time—to the Committee on the Judiciary.

By Mr. SLAYDEN: A bill (H. R. 10029) to create a bureau of harbors and waterways under the Department of Commerce and Labor—to the Committee on Interstate and Foreign Commerce.

By Mr. AIKEN: A bill (H. R. 10030) dividing the State of South Carolina into two judicial districts, providing for the appointment of a district judge, etc.—to the Committee on the Judiciary.

Also, a bill (H. R. 10031) to limit the effect of the regulation of commerce between the several States and Territories as to certain commodities—to the Committee on the Judiciary.

Also, a bill (H. R. 10032) to increase the compensation of carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Colorado: A bill (H. R. 10033) to secure to the members of the Third Regiment Colorado Volunteer Cavalry, who served during the late civil war, and their widows and minor children, the benefit of the provisions of the general pension laws and of the act of June 27, 1890, and the act of February 6, 1908, and to restore the status of said regiment—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10034) to pay railway postal clerks actual and necessary traveling expenses—to the Committee on the Post-Office and Post-Roads.

By Mr. MOORE of Pennsylvania: A bill (H. R. 10035) for the erection of a cold-storage building for the Department of Agriculture—to the Committee on Public Buildings and Grounds.

By the SPEAKER: Memorial of the lower house of the Porto Rican legislature, protesting against proposed amendments to the organic law relating to the legislature—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, praying for the creation of a permanent tariff commission (nonpartisan) with judicial functions—to the Committee on Ways and Means.

Also, memorial of the legislature of Hawaii, praying that the title to the several waterworks systems, public highways, parks, squares, etc., be ceded back to the Territory—to the Committee on the Territories.

Also memorial of the legislature of Massachusetts, protesting against the imposition by the Federal Government of a tax on inheritances—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, praying for the exclusion of Asiatics—to the Committee on Foreign Affairs.

Also, memorial of the State of Illinois, praying for legislation to encourage old-age insurance—to the Committee on Ways and Means.

Also, memorial of the State of Wisconsin, praying for national encouragement to the Interparliamentary Union for discussion of international arbitration—to the Committee on Foreign Affairs.

Also, memorial of the State of Illinois, praying for an appropriation for the Lincoln Farm Association—to the Committee on Appropriations.

Also, memorial of the legislature of the Territory of Hawaii, praying for the enactment of legislation for certain amendments to the organic law of the Territory of Hawaii—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10036) for the relief of Jeremiah Looper—to the Committee on War Claims.

By Mr. ANDREWS: A bill (H. R. 10037) granting an increase of pension to James Martin—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 10038) granting an increase of pension to Samuel E. Allmon—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 10039) to remove the charge of desertion from the military record of Hiram Binkley—to the Committee on Military Affairs.

Also, a bill (H. R. 10040) for the relief of the estate of John Z. Hamel, Davidson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10041) for the relief of the estate of W. S. Huggins, Davidson County, Tenn.—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 10042) granting an increase of pension to Jasper D. Lacy—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 10043) granting an increase of pension to Charles W. Merriam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10044) granting a pension to Ellen Harrington—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 10045) granting a pension to Martha Thompson—to the Committee on Pensions.

Also, a bill (H. R. 10046) granting a pension to Zachariah Cassedy—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 10047) granting a pension to Susan K. Stork—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 10048) granting an increase of pension to Johnson H. Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 10049) granting an increase of pension to Martha M. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10050) granting an increase of pension to Michael Kelliher—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 10051) granting an increase of pension to George C. Presley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10052) granting an increase of pension to John G. Lang—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 10053) granting an increase of pension to James Tucker—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 10054) granting an increase of pension to Nelson R. Harrington—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 10055) granting an increase of pension to Phoebe Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10056) granting an increase of pension to William B. Norman—to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10057) granting an increase of pension to William L. E. Trueax—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10058) granting an increase of pension to Joseph E. Cox—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 10059) granting a pension to Lottie A. Dunn—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 10060) granting an increase of pension to George B. Van Pelt—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 10061) for the relief of Edward L. Wells—to the Committee on Private Land Claims.

By Mr. JOYCE: A bill (H. R. 10062) granting an increase of pension to John T. Waxler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10063) granting an increase of pension to James K. Meyler—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 10064) granting a pension to Annie M. Kiely—to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 10065) for the relief of Edward Korp and Anna Korp, parents of John J. Korp, deceased—to the Committee on Claims.

By Mr. KOPP: A bill (H. R. 10066) granting an increase of pension to John F. Whitford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10067) granting an increase of pension to Edwin Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10068) granting an increase of pension to Ransom Jackson—to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 10069) granting an increase of pension to George W. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10070) granting an increase of pension to Eli W. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10071) granting an increase of pension to Charles F. Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10072) granting an increase of pension to Elizabeth Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10073) granting a pension to Catherine Konnermann—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10074) for the relief of the estate of Julia E. Rightor, deceased—to the Committee on War Claims.

By Mr. MOSS: A bill (H. R. 10075) granting an increase of pension to David Argray—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10076) granting an increase of pension to William G. Cooper—to the Committee on Invalid Pensions.

By Mr. NICHOLLS: A bill (H. R. 10077) granting an increase of pension to Eli Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10078) granting an increase of pension to David Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10079) granting an increase of pension to Seth E. Stanton—to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 10080) granting an increase of pension to James P. Gay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10081) granting an increase of pension to John J. Stockholm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10082) granting an increase of pension to Morris McClen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10083) granting a pension to George H. Woodruff—to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 10084) granting an increase of pension to Louis C. Withaup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10085) granting an honorable discharge to Peter Fleming—to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 10086) granting an increase of pension to Almira L. Clay—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 10087) granting an increase of pension to Louisa Jacobs—to the Committee on Pensions.

By Mr. STURGISS: A bill (H. R. 10088) granting an increase of pension to Nimrod Austin—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 10089) granting an increase of pension to Charles Hinman—to the Committee on Pensions.

By Mr. TENER: A bill (H. R. 10090) granting an increase of pension to Anna M. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10091) granting an increase of pension to Samuel Nutting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10092) granting an increase of pension to Harriet McIlvaine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10093) granting an increase of pension to C. M. Lindley—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10094) granting an increase of pension to John A. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10095) granting an increase of pension to William P. Borah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10096) granting an increase of pension to Calvin Beauchamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10097) granting an increase of pension to W. R. Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10098) granting a pension to Charles R. Carneal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10099) granting a pension to Frederick Ballor—to the Committee on Pensions.

Also, a bill (H. R. 10100) granting a pension to J. H. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10101) granting a pension to Lydia Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10102) granting a pension to Mary Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10103) appropriating $300 to the heirs of Howard Newman, deceased—to the Committee on Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 10104) granting an increase of pension to C. E. P. Lance—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 10105) granting a pension to William T. Hunter—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Local Union of the United Mine Workers of America, at Canonsburg, Pa., protesting against the decision of Chief Justice Wright, of the District of Columbia, against Messrs. Gompers, Mitchell, and Morrison—to the Committee on the Judiciary.

Also, petition of Magic Council of the Order of United American Mechanics, of Connellsville, Pa., and other councils of the same order at McKeesport and Cokeville, Pa., praying for the exclusion of Asiatics—to the Committee on Foreign Affairs.

Also, petition of American Association of Masters, Mates, and Pilots, praying for the passage of House bill 15657 (60th Cong., 1st sess.), concerning life and property at sea—to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Association of Employing Lithographers, praying for tariff duties which will equalize the difference between American and foreign wages—to the Committee on Ways and Means.

Also, petition of Tualatin Grange, of Sherwood, Oreg., and R. J. Bunton, of Burlington, Kans., praying for a reduction of the duty on sugar—to the Committee on Ways and Means.

Also, petitions of Jennie Roach and 45 others and Mrs. L. A. Thompson and 36 others, of Pittsburg, Pa., protesting against an increased duty on women's gloves—to the Committee on Ways and Means.

Also, petition of Hattie A. Jenks, of Chicago, Ill., and 54 others, protesting against the increase of duty on leather gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Republican Club of the City of New York, protesting against the creation of a permanent tariff commission and against the frequent revision of the tariff—to the Committee on Ways and Means.

Also, petition of Agnes Myers and 43 others, of Pittsburg, Pa., protesting against an increase in the rates of duty on gloves—to the Committee on Ways and Means.

Also, petition of Hardt & Klippel and John W. Hattle and other firms and individuals, of Lyons, N. Y., protesting against an increase in the duty on women's gloves—to the Committee on Ways and Means.

Also, petition of Parker Improvement Association, of Parker, Ariz., protesting against legislation to enable private parties to acquire land on the Colorado River available for dam sites—to the Committee on the Territories.

Also, memorial of legislature of New Mexico, praying for an exercise of the supervisory powers of Congress as to acts of the territorial legislature, relating to the publication of legal notices—to the Committee on the Territories.

By Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of Levi P. Hyatt—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of New York: Petition of Chamber of Commerce of Buffalo, N. Y., favoring a permanent tariff commission—to the Committee on Ways and Means.

By Mr. ANDREWS: Memorial of the mayor and city council of Clovis, N. Mex., praying Congress to disapprove an act of the thirty-eighth legislative assembly of the Territory of New Mexico, known as the "publication law"—to the Committee on the Territories.

Also, memorial of the city of Albuquerque, N. Mex., praying Congress to disapprove an act of the thirty-eighth legislative assembly of the Territory of New Mexico, known as the "publication law"—to the Committee on the Territories.

By Mr. ANDERSON: Petition of A. S. Downs, of Martel, Ohio, against second-grade rubber not being stamped as such—to the Committee on Interstate and Foreign Commerce.

Also, petition of American Gypsum Company, against reduction of duty on gypsum—to the Committee on Ways and Means.

Also, petition of Zorn-Hornung Company, against a duty on hides—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of Trades and Labor Council of Racine, Wis., against any reduction of duty on cigars coming from the Philippines—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of Carter, Macey & Co. and John Emmans, of New York City, opposing removal of duty on tea—to the Committee on Ways and Means.

Also, petition of Faxon, Williams & Faxon, of Buffalo, N. Y., favoring reduction of duty on wheat—to the Committee on Ways and Means.

Also, petition of New York State Cooperative League of Savings and Loan Associations, opposing reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of B. F. Couch & Co., of Buffalo, N. Y., favoring tariff on glue—to the Committee on Ways and Means.

Also, petition of Jewelers' Board of Trade of New York City, favoring a tariff commission—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Association, favoring free hides—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Isaac Prouty & Co., of Spencer, Mass., for free hides—to the Committee on Ways and Means.

Also, petition of National Woolgrowers' Association, for free wool—to the Committee on Ways and Means.

Also, petition of Darling & Co., of New York City, for reduction of duty on glue—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Works, for revision of duty on wool—to the Committee on Ways and Means.

Also, petition of New Idea Publishing Company, Butterick Publishing Company, and Standard Fashion Company, all of New York City, for free pulp—to the Committee on Ways and Means.

Also, petition of E. & J. Burke, of New York City, for increased duty on malts—to the Committee on Ways and Means.

Also, petition of F. D. Mott & Co., of New York City, favoring a duty on tea—to the Committee on Ways and Means.

Also, petition of G. W. Loft, of New York City, for free cocoa—to the Committee on Ways and Means.

Also, petition of Hall & Ruckel, of New York City, for free soda ash—to the Committee on Ways and Means.

Also, petitions of La Manna Azema & Farnam, Collin D. Mawer Company, Alart & McGuire, and other olive importers, all of New York City, for reduction of duty on olives—to the Committee on Ways and Means.

Also, petition of Powers & Mayer, for reduction of duty on diamonds—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Manufacturing Company, for free hides—to the Committee on Ways and Means.

By Mr. FULLER: Paper to accompany bill for relief of Nelson R. Harrington—to the Committee on Invalid Pensions.

Also, petition of Worlfel Leather Company, of Morris, Ill., for free hides—to the Committee on Ways and Means.

Also, petition of American Clay Producers' Association, of Macon, Ga., against proposed reduction of duty on wood pulp and paper—to the Committee on Ways and Means.

Also, petition of Chicago Advertising Association, of Chicago, Ill., against the proposed license tax on display signs—to the Committee on Ways and Means.

Also, petition of Norvall Shapleigh Hardware Company, of St. Louis, against increase of duty on razors—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of New York wholesale merchants, opposing any change of duty on hosiery—to the Committee on Ways and Means.

Also, petition of Rosenstein Brothers (Incorporated), of New York City, favoring reduction of duty on fish—to the Committee on Ways and Means.

Also, petition of Kirtland Bros. & Co., of New York City, favoring free gun shells—to the Committee on Ways and Means.

Also, petition of post-card manufacturers and allied trades, favoring an increase of duty on post cards and other lithographic prints—to the Committee on Ways and Means.

Also, petitions of Lace and Embroidery Association and J. Boesch & Sons, of New York City, favoring protection on laces—to the Committee on Ways and Means.

Also, petitions of Dr. S. C. Minor and E. & J. Burke, of New York City, favoring free malt—to the Committee on Ways and Means.

Also, petition of Powers & Mayer, of New York City, favoring protection of precious stones—to the Committee on Ways and Means.

Also, petition of the Butterick Publishing Company, New Idea Publishing Company, and the Standard Fashion Company, favoring free wood pulp—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Company, favoring free wool—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Manufacturers Association favoring free hides—to the Committee on Ways and Means.

Also, petition of Alart & McGuire, La Manna, Azema & Farnan, and C. D. Mawer & Co., all of New York City, favoring reduction of duty on olives—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of A. M. Lorentz and 21 others, of Mankato, Minn., favoring removal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HARDWICK: Paper to accompany bill for relief of Mary P. Walker—to the Committee on Invalid Pensions.

By Mr. HAYES: Paper to accompany bill for relief of Julia A. Ray—to the Committee on Invalid Pensions.

Also paper to accompany bill for relief of James Burke—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Petitions of Thomas P. Baker, of Walterboro, Colleton County, S. C., and Department of Indiana, Grand Army of the Republic, approving bill opposing portrait of Jefferson Davis being placed on silver service of battle ship Mississippi—to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Francis W. Leiper—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Paper to accompany bill for relief of Jane E. Higgins—to the Committee on Invalid Pensions.

By Mr. HUFF: Petition of citizens of Scottsdale, West Newton, and Ligonier, Pa., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Lodge No. 310, Brotherhood of Locomotive Firemen and Engineers, of Derry, and Lodge No. 601, of Youngstown, both of the State of Pennsylvania, favoring bills H. R. 7553 and S. 326 and S. 1986—to the Committee on Interstate and Foreign Commerce.

By Mr. KEIFER: Petitions of Craig Brothers and 37 others, of Washington Court House, Ohio; Duffey Brothers and 38 others, of Circleville, Ohio; and G. H. Kraft & Son and 15 others, of Asheville, Ohio, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. KELIHER: Petition of consumers of wheat products of the city of Boston, Mass., against proposed tariff on wheat—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of hardware dealers of Bena, Minn., urging adoption of paragraph No. 151, H. R. 1438, as recommended by the Senate Finance Committee—to the Committee on Ways and Means.

Also, petition of Cigar Makers' Union of St. Cloud, Minn., against tobacco schedule of the Philippine tariff—to the Committee on Ways and Means.

Also, petition of business men of Cokato, Minn., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. MOORE of Pennsylvania: Petition of Italian Society I. M. S. Bartaglieri Vac Marmora, for adoption of October 12 as a holiday in honor of Columbus—to the Committee on the Judiciary.

By Mr. OLDFIELD: Papers to accompany bills for relief of Rachael C. Groves, Monroe Pettigrew, and Isaac B. Carter—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolutions of Elm City Lodge, No. 284, Brotherhood of Locomotive Firemen and Engineers, of New Haven, Conn., favoring H. R. 7553, relative to the safety of employees and travelers upon railroads—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Ohio: Petition of J. H. Dubrow and others, manufacturers of Columbus, Ohio, against increase of duty on thorium nitrate—to the Committee on Ways and Means.

By Mr. THOMAS of Ohio: Petition of citizens of the Nineteenth Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petition of W. F. Baitty, secretary of Cigar Makers' Union No. 313, of Lima, Ohio, against free Philippine cigars—to the Committee on Ways and Means.

Also, petition of C. F. Hickok, of Sidney, Ohio, favoring a rate of 2 cents per pound on Canadian maple sugar—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of citizens of Fond du Lac, Wis., favoring a duty on tea and a retaliatory tax on coffee—to the Committee on Ways and Means.

SENATE.

TUESDAY, *May 25, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read.

The VICE-PRESIDENT. Without objection, the Journal will stand approved.

Mr. BAILEY. I object.

The VICE-PRESIDENT. Objection is made. The question is on the approval of the Journal. [Putting the question.] The ayes appear to have it.

Mr. BAILEY. I suggest that there is not a quorum present.

The VICE-PRESIDENT. The Senator from Texas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clapp	Hale	Piles
Bailey	Clay	Heyburn	Rayner
Beveridge	Crane	Johnson, N. Dak.	Root
Borah	Culberson	Jones	Scott
Bradley	Cummins	Kean	Simmons
Brandegee	Curtis	La Follette	Smith, Md.
Briggs	Depew	McCumber	Smith, Mich.
Bristow	Dick	McEnery	Smoot
Brown	Dillingham	Martin	Sutherland
Burkett	Flint	Nelson	Taliaferro
Burnham	Foster	Oliver	Tillman
Burrows	Frazier	Overman	Warner
Burton	Gallinger	Page	Warren
Carter	Gamble	Penrose	
Chamberlain	Gore	Perkins	

The VICE-PRESIDENT. Fifty-eight Senators have answered to their names. A quorum of the Senate is present. The question is on the approval of the Journal.

The Journal was approved.

W. S. H. LOTHROP.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 40), which was read and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stats., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stats., 716), I transmit herewith copy of an ordinance passed by the executive council of Porto Rico on April 29, 1909, entitled "An ordinance further amending an ordinance passed by the executive council of Porto Rico April 19, 1907, entitled 'An ordinance supplementary to an ordinance entitled "A franchise granting to W. S. H. Lothrop, his heirs, successors, and assigns, the right to construct and operate an electric street railway in certain streets of the city of Ponce and between the city of Ponce and the Playa thereof,"' passed by the executive council on the 27th day of February, 1901."

WM. H. TAFT.

THE WHITE HOUSE, *May 20, 1909.*

SAN JUAN LIGHT AND TRANSIT COMPANY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 41), which was read and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stats., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stats., 716), I transmit herewith a copy of an ordinance passed by the executive council of Porto Rico on May 6, 1909, entitled "An ordinance granting to the San Juan Light and Transit Company the right to own, extend, and operate certain electric railway lines between the city of San Juan and the town of Rio Piedras, in the island of Porto Rico, and to supply electric light and power to the public."

WM. H. TAFT.

THE WHITE HOUSE, *May 24, 1909.*

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of L. S. Strauss *v.* United States (S. Doc. No. 55); and

In the cause of J. Patrick McGee, administrator of Clement Calhoun, deceased, *v.* United States (S. Doc. No. 56).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel schooner *Sally*, J. D. Farley, master (S. Doc. No. 57), which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel brig *Drake*, Jonathan M. Tredick, master (S. Doc. No. 58), which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 9135) to raise revenue for the Philippine Islands, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. BURKETT. I have here several petitions from various towns in Nebraska addressed to my colleague and myself urging the retention of the present sugar schedule. I introduce them all together, but they include 103 petitioners from Omaha, 43 from Mitchell, 38 from Minatare, 101 from Morrill, 85 from Bayard, 238 from Scottsbluff, 67 from Culbertson, 61 from Hershey, 12 from North Platte, and 31 from Grand Island, making 779 petitioners. They are all to the same effect, in behalf of the sugar producers, of which Nebraska has a considerable feature of production, urging the retention of the present sugar schedule.

The VICE-PRESIDENT. The petitions will lie on the table.

Mr. GALLINGER presented petitions of sundry citizens of Middleton, Sandborn, Union, and North Haverhill, all in the State of New Hampshire, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. WARNER presented petitions of sundry citizens of Missouri, praying that hides be placed on the free list, which were ordered to lie on the table.

Mr. DICK presented petitions of sundry citizens of Akron, Middletown, Rockford, Cleveland, Troy, Versailles, Elyria, Springfield, Bellaire, Green Springs, Blanchester, Batavia, Cincinnati, Uhrichsville, Chillicothe, Painesville, Columbus, Ironton, Lynchburg, Manchester, Ottawa, Lancaster, Bedford, and Jamestown, all in the State of Ohio, praying that hides be placed on the free list, which were ordered to lie on the table.

Mr. CURTIS presented a petition of the Independent Refiners of the Mid-Continental field of Independence, Kans., praying for the imposition of a duty of at least 50 per cent ad valorem on Mexican crude oil and its products, which was ordered to lie on the table.

Mr. GUGGENHEIM presented petitions of 2,554 citizens of Denver, 400 citizens of Brush, 109 citizens of Johnston, 49 citizens of Peckham, 396 citizens of Longmont, 182 citizens of Eaton, 285 citizens of Windsor, 363 citizens of Fort Morgan, 139 citizens of Kersey, 108 citizens of La Salle, 381 citizens of Fort Collins, 67 citizens of Atwood, 212 citizens of Berthoud, 173 citizens of Sedgwick, 62 citizens of Hillrose, 31 citizens of Brighton, 328 citizens of Pueblo, 628 citizens of Loveland, 32 citizens of Walsenburg, 353 citizens of Arkansas Valley, 95 citizens of Wellington, 182 citizens of Julesburg, 48 citizens of Lafayette, 41 citizens of Lyons, 105 citizens of Fort Lupton, 54 citizens of Goodrich, 21 citizens of Ault, 18 citizens of Lucerne, 54 citizens of Orchard, 241 citizens of Greeley, and of 450 citizens of Sterling, all in the State of Colorado, praying for the retention of the present rate of duty on sugar, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2468) granting an increase of pension to Caroline B. McCrea (with the accompanying paper); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 2469) to grant an honorable discharge to Alfred Childers; and

A bill (S. 2470) to correct the military record of John Tudor; to the Committee on Military Affairs.

A bill (S. 2471) for the relief of Elizabeth Bevins;

A bill (S. 2472) for the relief of the Baptist Church of Schoolfield, Ky.;

A bill (S. 2473) for the relief of the estate of Matthew A. McCain; and

A bill (S. 2474) for the relief of the estate of Richard White; to the Committee on Claims.

A bill (S. 2475) granting an increase of pension to Sam M. Anderson;

A bill (S. 2476) granting a pension to Susan Jones;

A bill (S. 2477) granting a pension to Lewis W. Dillion; and

A bill (S. 2478) granting a pension to William Lee; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. BRADLEY submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes; which were ordered to lie on the table and be printed.

Mr. TALIAFERRO submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes; which was ordered to lie on the table and be printed.

Mr. ELKINS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes; which was ordered to lie on the table and be printed.

CIVIL-SERVICE EMPLOYEES FROM KENTUCKY.

Mr. BRADLEY. I submit a resolution, for which I ask immediate consideration.

The resolution (S. Res. 52) was read, as follows:

Senate resolution 52.

Resolved, That the Civil Service Commission is hereby directed to communicate to the Senate, at the earliest practical day, a list of the names of those now in the service charged to the State of Kentucky, including the city or town and the county which clerk or employee claims as his or her residence and the date of his or her appointment; also a statement as to the number to which said State is entitled under the provisions of the civil-service law.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HALE. I am not at all certain that the resolution does not in spirit countervail the order of the Senate as to legislative business, but there being, perhaps, some doubt about it, and as I can conceive of no one having any objection to the resolution, I will not raise the point of order on it.

The resolution was considered by unanimous consent, and agreed to.

WAGES IN GERMANY.

Mr. LA FOLLETTE. Mr. President, I submit a resolution which I send to the desk, and I ask for its present consideration.

The Secretary read the resolution (S. Res. 51), as follows:

Senate resolution 51.

Whereas the German Government, upon formal request made by this Government, transmitted several months ago to the Secretary of State an official statement in relation to the wages paid in Germany to workmen in various occupations; and

Whereas the Senate is from day to day endeavoring to ascertain the difference in the cost of production between foreign and domestic manufactures in order to determine the just rate of duty to be levied upon foreign imports, and it is of the highest importance that the Senate should have before it at this time all facts which may aid in its deliberations:

Resolved, That the President, if not incompatible in his judgment with the public interest, be, and he is hereby, requested to transmit to the Senate the statement of the German Government in relation to the wages paid to German workmen, for the use of the Senate in connection with its consideration of the pending tariff bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. I ask that it may be read again.

The Secretary again read the resolution.

Mr. HALE. My attention was diverted. Has the resolution the usual clause that the President shall communicate the information at his discretion, if it is not incompatible with the public service?

Mr. LA FOLLETTE. It has, I will state to the Senator from Maine.

Mr. KEAN. That clause is in the resolution.

Mr. ROOT. I suggest to the Senator from Wisconsin whether the recital may not be a little strong, that there was a formal request by our Government upon the German Government? I think we ought to be a little careful about committing the Senate to a recital of facts without being pretty certain whether they are accurate.

Mr. LA FOLLETTE. I have been informed, upon what I suppose to be very reliable authority, that the German Government furnished this information upon the request of this Government. I care nothing at all about the preamble to the resolution; I am entirely willing that the preamble shall be stricken out. I desire to secure for the Senate the information which I am certain is in the possession of the Secretary of State.

Mr. ROOT. I quite agree with the purpose of the Senator from Wisconsin.

Mr. SMITH of Michigan. I should like to inquire whether the Senator from Wisconsin has in mind getting information relating to the wage in other countries than Germany?

Mr. LA FOLLETTE. The purpose of my resolution is to secure information with respect to wages in various occupations in Germany. I am advised that the German Government some months ago transmitted to this Government a statement of the wages paid in various occupations in Germany. We are endeavoring to fix duties in this tariff bill upon a basis of the difference in cost of production of foreign and domestic manufactures. A statement by the German Government upon this subject ought to be very helpful to the Senate at this time, and I offer the resolution with a view of obtaining this important information without delay.

The Senator from Michigan will remember that we were discussing the subject of razors a few days ago, with a view of determining what duty should be fixed upon that product. In the course of that debate it was asserted by some member of the Committee on Finance that the average wages paid in Germany were from $4 to $6.45 per week in the manufacture of razors. The following morning the Senator from Missouri [Mr. STONE] submitted a statement, which he said had been handed to him by a former Member of the House of Representatives, said to be employed at the present time by the Finance Committee. That statement represented that the German Government had transmitted information to this Government giving the wages paid in various occupations, including the manufacture of razors. It purported to give a table which showed the actual wages paid at the present time to be from 61 to 111 per cent higher than the German wage rate as stated by a member of the Committee on Finance in the course of the debate on the day before. This was a very great discrepancy, and but emphasized the necessity of the Senate's very great need of accurate and reliable information to guide us in our efforts to determine the cost of production.

It occurred to me that if there were reliable information upon the German wage rate which had come to this Government under some sort of official sanction from the German Government as to its correctness, it would assist greatly in our deliberation to have that information before the Senate. I could not conceive of anyone objecting to our having the benefit of it.

Mr. SMITH of Michigan. My object in rising was simply this, that I have given some attention to the question of wages in various foreign countries, and I have particularly in mind now the wage that prevails in the iron and steel industry in Sweden. I know that that information is accessible to the Senate, if desired.

It seems to me that the preamble to the resolution indicates a desire upon the part of the Senate to proceed with legislation in the light of information that is obtained from Germany. I dislike very much to have it go out that we are leveling our attention upon the wage scale of any particular country. It seems to me that the President might properly be asked for such information as the department may have from all countries.

Mr. LA FOLLETTE. If the Senator will permit me to interrupt him, I am very certain that the language of the preamble, if he observed it closely, bears no such construction as that. It simply recites the fact that such information has been obtained.

I think that perhaps the suggestion of the Senator from New York, that we should not make as a statement of fact that it was obtained upon the request of this Government, has some point to it, because on that proposition I have no official information.

Mr. SMITH of Michigan. I think if the Senator from Wisconsin——

Mr. LA FOLLETTE. But I am entirely willing to have stricken from the resolution the preamble and allow it to be put upon its passage. There ought not to be any objection to the immediate passage of the resolution calling for this information.

Mr. SMITH of Michigan. I should like to see the preamble stricken out, and I should like to have the resolution call for

much information as is obtainable through our consular service, which, undoubtedly, the President can readily transmit.

Mr. LA FOLLETTE. I hope that the Senator from Michigan, if he desires that information, will call for it in a resolution which he may frame and present himself. I trust he will not delay either the passage of this resolution or the transmission of these facts to the Senate by calling for a mass of other material that might postpone a response to this resolution for some weeks.

Mr. HALE. Will the Senator from Wisconsin yield to me for a moment?

Mr. LA FOLLETTE. Certainly.

Mr. HALE. I merely wish to suggest that the conditions as recited by the resolution perhaps apply only to Germany, and do not perhaps apply to other nations, Sweden among others. Therefore I think there can be no objection to the passage of the resolution calling upon the President, with the limitation that it is to be transmitted if it is compatible with the public service, for this particular information respecting German labor, and that it should be sent to the Senate. It seems to me that as the resolution recites a condition applicable to Germany, the Senator from Michigan should be content to let the resolution go through and then introduce any resolution touching Sweden that he finds the facts justify. I do not know that Sweden has sent in, by request, as Germany has, statements about labor, and therefore it seems to me that it is proper that this resolution should be confined to Germany; and if the Senator from Michigan finds there information from Sweden he can offer a separate resolution.

Mr. SMITH of Michigan. I understand the Senator from Wisconsin proposes to strike out the preamble and let the resolution stand in that form.

Mr. LA FOLLETTE. Yes, sir.

Mr. SMITH of Michigan. He prefers to do that.

Mr. LA FOLLETTE. I amend it in that form.

Mr. SMITH of Michigan. The Senator prefers to do that rather than include any other country?

Mr. LA FOLLETTE. I do.

Mr. SMITH of Michigan. Then certainly I will not object.

The VICE-PRESIDENT. The Secretary will read the resolution as now presented by the Senator from Wisconsin.

The Secretary read as follows:

Resolved, That the President, if not incompatible in his judgment with the public interest, be, and he is hereby, requested to transmit to the Senate the statement of the German Government in relation to the wages paid to German workmen, for the use of the Senate in connection with its consideration of the pending tariff bill.

Mr. LA FOLLETTE. Upon the suggestion of the Senator from New York, I will amend the resolution further by inserting after the words "the German Government" the words "or its officers." The document may have come from the officers of the German Government and, technically, may not have been received from the German Government.

The VICE-PRESIDENT. The Secretary will read the resolution as now modified.

The SECRETARY. After the words "the German Government" insert the words "or its officers," so as to make the resolution read:

Resolved, That the President, if not incompatible in his judgment with the public interest, be, and he is hereby, requested to transmit to the Senate the statement of the German Government, or its officers, in relation to the wages paid to German workmen, for the use of the Senate in connection with its consideration of the pending tariff bill.

The resolution as modified was agreed to.

LEAF TOBACCO.

Mr. FRAZIER. I ask for a reprint of Senate Document No. 390, Hearings on the Relief of Tobacco Growers. I am advised that the print has been entirely exhausted, and there is very great demand for this document.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That 500 copies of the Hearings on the Relief of Tobacco Growers before a subcommittee on internal revenue of the Committee on Ways and Means, House of Representatives, Fifty-eighth Congress, second session, February 4 and 25, 1904, be printed for the Senate document room.

COST OF PRODUCTION.

Mr. OWEN. I ask the consent of the Senate to have a report of Carroll D. Wright, on the cost of production of certain articles in the United States, Great Britain, and Belgium, reprinted as a document (S. Doc. No. 2[illegible], 55th Cong., 3d sess.).

Mr. GALLINGER. I will ask the Senator what is the date of that report?

Mr. OWEN. Eighteen ninety-eight.

Mr. GALLINGER. Eleven years ago?

Mr. OWEN. Yes.

Mr. GALLINGER. It seems to me, Mr. President, it will not be of much interest at this late day, but I will not object.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That 500 copies of a report on the total cost and labor cost of transformation in the production of certain articles in the United States, Great Britain, and Belgium, by Carroll D. Wright, Commissioner of Labor, December, 1898, be printed for the Senate document room.

HOUSE BILL REFERRED.

H. R. 9135. An act to raise revenue for the Philippine Islands, and for other purposes, was read twice by its title and referred to the Committee on the Philippines.

TOBACCO TAX.

Mr. BRADLEY. Mr. President, I simply rise for the purpose of announcing that on Friday morning next, after the regular order of business, I desire to address the Senate on the proposed repeal of the 6 cents tax on leaf tobacco.

DUTY ON IRON ORE.

Mr. STONE. Mr. President, a day or two since, Col. William J. Bryan was interviewed at Toledo, Ohio, and the interview has been reported through the Associated Press. I will read a brief extract from that interview, printed in the Washington Herald:

As to the Democrats who voted for the imposition of duties, they have, as a rule, defended their conduct on the ground that the duties voted for were revenue duties, and they have not been high duties. Measured on an ad valorem basis, the duty on lumber and on iron ore are but a small portion of the price. I think that the Democrats who voted for the duty made a mistake.

Mr. President, I have had the honor and pleasure of sustaining cordial and rather intimate relations with Mr. Bryan for a good many years, and those relations still exist. I can speak, therefore, in a feeling of respect and kindliness regarding him. And at this point I might say that it has become a habit for our friends on the other side of the Chamber to speak disparagingly and sometimes almost sneeringly of Mr. Bryan. That is not a difficult or dangerous thing to do from this place of security. It does not require much courage to attack under such circumstances. I doubt whether Senators who speak in this tone would adopt it if Mr. Bryan had a seat in this body and could reply for himself.

I do not hesitate to say—indeed, I take pride in saying—that I entertain for Mr. Bryan not only a high respect, but an affectionate regard. I believe that he is one of the most masterful and commanding intellectualities who has appeared in American public life during this generation.

Moreover, there is none to question the entire integrity of his opinions, the honesty of the man, his high character, or his sincerity. But, Mr. President, all men are fallible, all men make mistakes, and Mr. Bryan makes mistakes like other men. I have not always agreed with him, but I have never doubted his sincerity. I think in this matter he is mistaken, honestly so; and when he says he thinks that the Democrats who voted against free iron ore made a mistake, I do not agree with him.

Mr. President, I am one of the 18 Democrats who voted to put a duty of 25 cents per ton on iron ore. The 18 Democrats who voted that way are Messrs. BACON, BAILEY, BANKHEAD, CHAMBERLAIN, CLAY, DANIEL, FLETCHER, FOSTER, FRAZIER, JOHNSTON of Alabama, MCENERY, MARTIN, PAYNTER, SIMMONS, STONE, TALIAFERRO, TAYLOR, and TILLMAN. Ten Democrats voted to put iron ore on the free list, viz, Messrs. CLARKE of Arkansas, CULBERSON, GORE, HUGHES, NEWLANDS, OVERMAN, RAYNER, SHIVELY, SMITH of Maryland, and SMITH of South Carolina. How the 5 Democrats who were absent or paired, and therefore are not recorded, would have voted, I do not know. Up to this time there are only two questions upon which Democratic Senators have divided to any appreciable extent—on iron ore and lumber; in fact, as a rule they have voted together and the same way. Mr. President, when the question of putting a duty on iron ore was before the Senate, I was hesitant and somewhat uncertain as to what was the right and proper thing to do; but in the end the best judgment of which I am capable, not only as a party man, but as one desirous of promoting the best policy for the public welfare, I conceived it to be my duty to vote as I did. I believe in the doctrine of a revenue tariff, and this whether considered from the standpoint of the constitutional power vested in Congress to levy tariffs or from the standpoint of economic policy. I believe that tariffs should be levied with the primary object of producing a needed public revenue, and that the duties should be as widely distributed and laid upon as many articles as possible, always, of course, having in view the needs of the Government; and I hold that the burden should be made lightest upon articles of common use and heaviest upon others.

Under present circumstances I doubt the wisdom, or I might more properly say the feasibility, of an extended free list; but at the same time, having in view the needs of the Treasury, I favor admitting free of duty as many articles of common necessity as possible where the articles are controlled by a monopoly. I do not as a general proposition subscribe to the notion advocated by some of free raw materials to those who manufacture them, and at the same time allow protective duties on the manufactured products. Succinctly stated that is my view of the Democratic position on the tariff question. Now, in applying this view to the case of iron ore, the first fact confronting me was that the duty of 25 cents per ton was a purely revenue duty, and in no sense a protective duty. Twenty-five cents per ton on ore is equivalent to about 10 per cent ad valorem. That means that under that rate all ores coming from the outside into this country for consumption, except that coming from Cuba, would pay a duty of approximately 10 per cent. Under our reciprocity agreement with Cuba, ores from that island would come in under a reduced rate, and would pay 20 per cent less than ores from other foreign mines. In other words, placing the rate at 25 cents per ton, while foreign ores generally would pay 10 per cent ad valorem, Cuban ores would pay 8 per cent. Whether in the one case or the other manifestly the duty is very low.

Mr. President, ever since we have had tariff laws, and we have had them for more than a century, there has been a duty on iron ore. In all our tariff laws up to this time, whether made by Democrats, Republicans, or others, a duty has been laid on these ores.

The duty of 25 cents per ton, for which I voted, is the lowest duty ever imposed upon iron ore in any tariff bill ever enacted by the American Congress. Even the Walker bill, that wisest, best arranged, and most celebrated of Democratic tariff measures, laid a duty on these ores almost double that provided in the bill before the Senate; and a duty of 40 per cent was laid on those ores in the Wilson bill. And so, Mr. President, at the very inception of my investigation and consideration of this subject, I was confronted with this situation and with these facts. Therefore, it seemed to me, unless some excellent reason could be given to the contrary, that I ought to vote to impose this low revenue tax, and I felt that in doing so I was following not only Democratic policy, but Democratic precedent. Of course, this was a question about which Democrats might well and consistently differ. The question was whether iron ore should go on the free list, or be subject to a low revenue duty. Whenever that question as related to any article is presented to a Democratic legislator it is one he is at liberty to decide according to his own judgment—according to his own view of the whole situation—and this he can do without in any degree violating his party obligation or ignoring his party policy. Hence, when 10 Democrats voted for free ore, and 10 Democrats, too, who have the confidence and respect not only of this body, but also of the entire membership of the Democratic party throughout the country, so far from criticising what they did, it tended rather to accentuate the doubt in my mind as to the correctness of my own conclusion. But, Mr. President, I listened attentively to what was said on both sides of the Chamber during the debate, and gave such time as I could to a personal examination of the matter. The chief arguments against the tax were two in number. The first was that iron is a natural resource of the United States and that it ought to be conserved as far as possible. It was argued that if outside ore, mined with cheaper labor, could be admitted free, that it would be used in much larger quantities, and that to the extent that the use of foreign ore was increased to that extent the use and absorption of domestic ore would decrease, or relatively so, and in that way, it was said, our own supply would be husbanded. This contention, however, seemed to me so remote in its possibility that it did not appeal to me strongly; and then against that contention it was urged, it seemed to me with great force, that an almost nominal revenue tax of 8 to 10 per cent would not have the effect of materially limiting importations, but that, on the contrary, substantially as great a quantity would come in under that tax as would come if the ores were free.

There was a wide difference expressed in debate as to the amount of iron ore in the United States. Some placed the amount so low that it was said that, at the present rate of annual consumption, the supply would be exhausted in fifty years, while others placed it so high that it was said that, at the same rate of absorption, it would require hundreds and even thousands of years to exhaust it. I think there were extreme statements made upon both sides; but, taking it all in all, I have no doubt that the known and available supply of iron ore in the United States is sufficient, at the present rate of consumption, to last probably for several centuries. It did not seem to me, therefore, that there was much force in the contention that ore should be admitted free in order to conserve our resources.

The second argument against the tax was predicated upon the assertion that the United States Steel Corporation, known as the "steel trust," favored the imposition of a tariff duty on iron ore. It was asserted that this great corporation had acquired possession and control, through ownership and leaseholds, of enormous areas of land containing iron ore, and that in consequence that corporation practically held a monopoly of the American supply. One Senator, at least, and perhaps others, asserted that the trust controlled about 85 per cent of the iron-ore area of the United States. Assuming these almost incredible statements to be true, it was urged that foreign ore should be admitted free in the interest of independent manufacturers of iron and steel. Now, Mr. President, it is undoubtedly true that the "steel trust," so called, has obtained possession and control of a large acreage of ore-bearing lands, but to say that the trust controls 85 per cent, or even 50 per cent, of these lands is, to my mind, a gross exaggeration. The Senator from Alabama [Mr. JOHNSTON] says that the trust and its allied interests do not in any way control as much as 50 per cent of the ore lands and mines of his State, and the Senator from Michigan [Mr. SMITH] declares, as a matter of personal knowledge, that the trust does not control as much as 50 per cent of the ore lands of his State.

The same is declared to be true as to the lands and mines of other States. In fact, it is affirmed that in some of the States, as in Virginia, where great quantities of iron ore exist and are mined, the trust has no property interests whatever. Mr. President, to my mind it is perfectly evident and clear that if we should exclude and shut out every acre of ore lands owned or controlled by the trust there would still be left vastly more than could be used by all the iron and steel industries of the country, including the trust, for a century. Of course, I may be wrong as to this, but I do not believe so. I have the utmost confidence that my estimate in this behalf is at least approximately correct. If this be so, then the independent manufacturers of steel and iron, if indeed there really are any such, can obtain their domestic supply on equal terms with the trust; and if that be true, then of what peculiar advantage would free ore be to the "independents?" If foreign ore should be made free, the trust could go out into the world and buy and import as well as the "independents," and at least upon equal terms with them. One would hold no advantage over the other.

But it has been asserted that the steel-trust magnates favored a duty on iron ore. The junior Senator from Maryland [Mr. SMITH] stated that some person, I do not know whom, who in some way represented the trust, I do not know how, had said to him that the trust favored a tariff duty on ore. As for myself, I have no acquaintance, so far as I have knowledge, with any person connected with the steel trust in any capacity whatever. I am sure I have never at any time received any advices, suggestions, or information from any such person—not that I would have been unwilling to have heard what they might have had to say, if they had anything to say, but, as a matter of fact, I have never been in any way communicated with by anyone connected with the trust as to its position. I am frank to say that in my view of the situation, as I have stated it, I am unable to perceive how the imposition of this duty can possibly work to the advantage of the trust, or how free ore would contribute to its disadvantage. I must have clearer, more definite, and certain evidence than has been submitted to convince me to the contrary. I can not ignore what seems to me to be the plain truth of this situation, and be thrown off my feet and stampeded because some one exhibits the specter of the steel trust. I must be controlled in my action by facts as I see them, and not by the fear of some remote and improbable danger.

Again, Mr. President, this further fact stands out and can not be overlooked: Enormous iron-ore deposits have been recently discovered and are now being rapidly developed on the northern coast of Cuba. These great properties have been acquired, ostensibly, at least, by the Bethlehem and the Pennsylvania steel companies. These ores can be mined cheaper in Cuba than in this country, and they can be shipped to our seaports by water at a comparatively light transportation charge. Therefore it is altogether probable that the great bulk of foreign ores coming to the States will come from these Cuban mines, owned, as I have said, by the Bethlehem and Pennsylvania steel companies. In the management of these companies, at least of the Bethlehem, Mr. Schwab is a central and commanding figure. And who is Mr. Schwab? He was educated in the iron and steel industry under

the tutelage of Andrew Carnegie, and he was at the head of the great Carnegie works when they were sold to the trust. He received pay for his stock in the Carnegie plant, amounting to millions, in the stocks and securities of the steel corporation, and thereafter for a long time served as the president of the great corporation known as the "trust." Several years ago he retired from the presidency of that corporation to take charge and direction of the Bethlehem establishment. But does anyone suppose that he has severed his connection with the trust; that he no longer holds its stock and securities in large amounts, or that he is not still intimately connected and vitally interested in that stupendous organization? Are there any so credulous as to imagine that the corporation with which Mr. Schwab is at this time immediately and prominently identified is independent? Rather is it not more reasonable to suppose that these Schwab enterprises are in some way allied with the greater corporation? Mr. President, while I can not speak with knowledge, I have little or no doubt that when Mr. Schwab's Cuban mines begin to empty their ores into our markets the trust will share with the Schwab company in whatever benefits may accrue. It seems to me, therefore, that free ore would work no harm to any of these great establishments, but would be of greater benefit to them than to anybody else. As I view this subject, I would not be willing to give free admission to the foreign products of these great corporations.

Instead of giving to them this foreign raw material free, I believe it wiser and better to require them to contribute something to the Treasury on their importations. It is true that, reckoning on the basis of importations made in former years and assuming that the importations will not be increased in future, the revenue would not exceed $250,000; but, Mr. President, it is asserted with plausibility and with apparent good reason that when the Schwab mines in Cuba are fully developed and importations from those mines begin, that there will be millions of tons of ore imported every year; and if that expectation shall be realized, then the revenue produced therefrom would amount to several millions of dollars. I think it better to put that money in the Treasury than to leave it in the pockets of Mr. Schwab and his associates.

Mr. President, these are the reasons which induced me to vote to impose this slight revenue duty on imported iron ores. The senior Senator from Maryland [Mr. RAYNER] read a clause from the Denver platform in which the Democratic convention declared, in substance, that trust-controlled productions should be put on the free list. I subscribed to that declaration when it was written, and I was on the platform committee, and I subscribe to that declaration now. Others may interpret the declaration differently, but, to my thinking, it has no possible application to the case in hand. In saying that trust-controlled articles should be put on the free list, the convention did not intend to declare, and in fact did not declare, that the raw material of a trust, or in which a trust is interested, made abroad, should be admitted free through our ports to be manufactured in this country into products highly protected. An interpretation of that kind would be wholly at variance with the purposes the convention had in mind when the platform was promulgated.

So, Mr. President, while I do not in the least criticise any Democratic Senator who took the other view and stood for free ores, I do not believe that those of us who voted for the duty made a mistake, nor do I think we in the least degree ignored the obligation, if there be any obligation—and I think there is—imposed upon those of us who hold commissions from Democratic constituencies to support the declarations of our national platform. I do not hold myself above criticism from any source, and I do not object to criticism when fairly made; and so in this instance I do not protest against Colonel Bryan expressing his opinion, but I think we understand the situation here better than he does, and that we understand these questions fully as well as he does, and hence the confidence I have in the correctness of my vote has not been shaken by the expressed view of my distinguished friend.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SHIVELY. Mr. President, in the near future I may bespeak the indulgence of the Senate while I discuss the alleged general principle underlying the proposed measure of custom-house taxation. To-day I employ a few minutes to direct attention to three certain amendments reported by the Finance Committee as parts of the pending bill. This I do now for the reason that these amendments vitally affect not only the dutiable paragraph now under consideration, but all of the dutiable paragraphs and a part of the free list in section 1 of the bill, and should be kept in mind as these paragraphs are considered.

Section 1 describes each of the several thousand articles which shall be subject to import duty, prescribes a rate of duty to be imposed on each article, and names the articles to be admitted free of duty. That the rates of duty in this section prescribed and discussed here from day to day are to be the rates of duty leviable and payable under the proposed legislation is the theory on which the discussion in the Senate and the public press of the country has proceeded, and is the theory to which all petitions and remonstrances coming to the Senate have been addressed.

It is shown by the statistics laid before the Senate by the Finance Committee that on this theory the duties in 9 of the 14 schedules are to average higher than in the corresponding schedules of the present law; in 4 they are to average lower; and in 1 to average the same as in the present law. Notwithstanding these increases in a majority of the schedules, the dutiable paragraphs in section 1 exhibit only the more or less remotely possible or contingent rates and not the actual rates to be in force, say, in one year from to-day. The real rates to be in force after a certain date are disclosed by the 3 amendments to which the attention of Senators is now invited.

On the 12th day of April the Finance Committee reported the dutiable paragraphs and free list of the bill, the same being section 1. The opening words of section 1 are amendatory of the bill as it came from the House and read as follows:

That on and after the day following the passage of this act, *except as otherwise specially provided for in the second section of this act*, there shall be levied, collected, and paid upon all articles when imported from any foreign country into the United States or any of its possessions (except the Philippine Islands) the rates which are by the schedules and paragraphs of the dutiable list of this section prescribed, namely:

Then follow the paragraphs we have had under consideration from day to day. I will italicize for the RECORD certain words of these amendments to invite special attention to them. It will be noted that the rates of duty prescribed in section 1 are made subject to the exceptions provided for in section 2.

On the 29th day of April the Finance Committee reported to the Senate a series of amendments, which are printed in the RECORD at page 1652. The first of these amendments is as follows:

On page 224, after line 16, at the end of section 1, insert:

"The provisions of the dutiable list and the free list of this section shall constitute *the minimum tariff of the United States*."

It will be noted that the words of this amendment are made the concluding words of section 1, now under consideration. By these words the duties prescribed and the free list in section 1 are not to constitute the tariff, the general tariff, or the prevailing tariff, but only "the minimum tariff of the United States." Then what is to be the real tariff of the United States? This question is answered by the further amendment reported as a part of the bill by the Finance Committee and reading as follows:

After section 1 insert as a new section the following:

"SEC. 2. That from and after the 31st day of March, 1910, except as otherwise specially provided for in this section, there shall be levied, collected, and paid on all articles when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands), the rates of duty prescribed by the schedules and paragraphs of the dutiable list of section 1 of this act, *and in addition thereto 25 per cent ad valorem;* and there shall also be levied, collected, and paid the following rates of duty on articles upon the free list in said section 1, namely: On coffee, 5 cents per pound; or tea, 10 cents per pound; *which rates shall constitute the general tariff of the United States: Provided*, That whenever and so long as the President shall be satisfied, *in view of the character of the concessions granted by the minimum tariff of the United States*, that the government of any foreign country imposes no terms or restrictions, either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, *or in any other manner, directly or indirectly*, upon the importation into or the sale in such foreign country of any agricultural, manufactured, or other product of the United States, which *unduly* discriminate against the United States or the products thereof, and that such foreign country imposes no export bounty or prohibition upon the exportation of any article to the United States which *unduly* discriminates against the United States or the products thereof, and that such foreign country accords to the agricultural, manufactured, or other products of the United States treatment which is *reciprocal and equivalent*, then, upon proclamation to this effect by the President of the United States, all articles when imported into the United States, or any of its possessions (except the Philippine Islands), from such foreign country shall, except as otherwise herein provided, be admitted under the terms of the minimum tariff of the United States as prescribed by section 1 of this act. The proclamation issued by the President under the authority hereby conferred and the application of the minimum tariff thereupon may, in accordance with the facts as found by the President, extend to the whole of any foreign country, or may be confined to or exclude from its effect any dependency, colony, or other political subdivision having authority to adopt and enforce tariff legislation, or to impose restrictions or regulations or to grant concessions upon the exportation or importation of articles which are, or may be, imported into the United States. Whenever the President shall be satisfied that the conditions which led to the issuance of the proclamation

hereinbefore authorized no longer exist, he shall issue a proclamation to this effect, and thereupon and thereafter the provisions of the general tariff shall be applied to the importation of articles from such country. Whenever the provisions of the general tariff of the United States shall be applicable to articles imported from any foreign country, they shall be applicable to the products of such country, whether imported directly from the country of production or otherwise. To secure information to assist the President in the discharge of the duties imposed upon him by this section, and information which will be useful to Congress in tariff legislation and to the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries, and all conditions affecting the same."

From these three amendments, reported as parts of the proposed act, it is too plain for controversy that the duties prescribed in section 1 plus 25 per cent ad valorem and 5 cents per pound on coffee and 10 cents per pound on tea are "from and after the 31st day of March, 1910," to "constitute the general tariff of the United States." These combined rates are the rates that from and after the date named are to be operative, assessable, and enforceable at every custom-house in the United States. They are expressly declared to be "the general tariff of the United States." Every presumption would be in favor of these rates as the duties to be levied and collected, and none other.

How long, and as to what countries, are these rates to continue? Permanently as the act itself and as to all countries, except in the case of any country whose import duties, export duties, trade regulations, charges, exactions, and foreign commerce provisions in other undefined respects become the subject of inquisition by the President of the United States and are found in none of these respects to "unduly discriminate against the United States or any products thereof," and are found in all these respects to present terms "reciprocal and equivalent" to the "concessions granted in the minimum tariff of the United States," in which case the President may make proclamation of these findings and set in operation the "minimum tariff of the United States" as to the products from that particular country.

These provisions, unlike the act of 1890, do not present a case where on certain contingencies the President was authorized to remove by proclamation any one or all of five articles from the free list and subject them to certain duties named in the act. Nor do they present a case, like the act of 1897, wherein a limited number of specified articles are subjected to additional 20 per cent duties to be remitted on the negotiation of reciprocal trade agreements with reference to them. The rates prescribed in section 2 are to be the actual and prevailing rates. The rates prescribed in section 1 are all made conditional and contingent, and could only become operative as rates chargeable against all dutiable imports when the President shall have performed the physically, if not legally, impossible function assigned to him by the proviso in section 2. I say physically impossible for the reason that the proviso makes the judgment of the President final as to what shall constitute undue discrimination and as to what shall constitute treatment reciprocal and equivalent, and requires such mastery of facts in wide and complicated detail as to render the task, even with all available assistance, impossible of intelligible performance within the time of a presidential term.

It is not my purpose at this time to go into a discussion of the constitutional validity of the proviso in section 2, but rather to note the consequences bound to flow from this section whatever may be the decision of the courts in regard to it. I am aware of the case of Field *v.* Clark, 143 United States Supreme Court Reports, and only suggest, first, that the decision of the question arising on the proviso in the proposed section 2 was not necessary to the decision in that case; and, second, that that case is distinguishable in other material respects from the case certain to arise on this section. Should the court reject the proviso in section 2 as an attempted delegation of legislative power to the executive department in contravention of the Constitution and sustain the lines of section 2 preceding the proviso as fixing, in connection with section 1, a clear definition of the legislative intent as to what shall be the general tariff of the United States, then the rates prescribed in section 1 plus the 25 per cent additional prescribed in section 2 would be and remain the only rates of duty to be levied and collected at the ports of the United States. Should the court hold that the taint of invalidity on the proviso extends to the preceding lines as being dependent on and inseparable from the proviso, then there would remain in the act no definition of what shall constitute the general tariff of the United States, and recourse might well be claimed to the act of 1897 as the unrepealed and only existing tariff of the United States.

On the other hand, should the question never be raised, or if raised, should the court hold that section 2 and all other parts of the act are in all respects free from constitutional invalidity, what is the situation that would confront the country with reference to the rates of duty on imports? The rates of duty named in section 1 plus the 25 per cent additional named in section 2 will have gone into effect on March 31, 1910. For convenience, these combined rates may be called the maximum rates. These maximum rates will continue in effect until the President shall become satisfied as to a long series of things existing under the governments of foreign countries, and by proclamation from time to time make exceptions to the maximum rates and set in operation, in the cases of these exceptions, the minimum rates. There is nothing in the proposed act requiring the President to become satisfied. He could not be enjoined to become satisfied, nor mandamused to make proclamation if he were satisfied. Meanwhile the maximum rates would be in full force and effect.

Conceding, as I freely do, that the President would not shrink from a duty imposed by law, and would, amid the other multitudinous duties of his office, prepare to begin the work of satisfying himself in pursuance of the proviso in section 2, what is the magnitude of the task set before him? The Senate spends days in an effort to satisfy itself as to just what a given paragraph in the pending bill means, and whether it involves undue discrimination in favor of or against this or that product, and in the opinion of not a few Senators weeks are necessary to unfold the mysteries of the sugar schedule alone.

Months are required in digging out the inequalities and mischiefs in the existing law and framing a measure to correct them. And at the end of these months the views of different Senators as to what in a given case constitutes due or undue discrimination are so far apart as to hardly conflict. Yet the President is assigned to the task not only of mastering all the intricacies and puzzles of our own proposed tariff law, but also to open an inquiry into and master the complicated mechanism of the import duties, export bounties, trade regulations, other regulations, charges, and exactions of the government of every other country on earth whose people seek to trade with the people of the United States; and not only of such government, but of the government of any dependency, colony, or political subdivision under such government "having authority to adopt and enforce tariff legislation, or to impose restrictions or regulations, or to grant concessions upon the exportation or importation of articles which are or may be imported into the United States."

If the President survives this task, then he must proceed to satisfy himself in each case as to whether the government of any foreign country or any colony, dependency, or political subdivision thereof, having power to enact tariffs and prescribe trade regulations, does, by, any import duty, export bounty, trade or other regulation, charge, or exaction, or in any other respect, directly or indirectly, not simply discriminate, but "unduly discriminate against the United States or any products thereof;" and not simply whether such duties, bounties, trade or other regulations, charges, or exactions are in themselves not discriminatory against the United States, but whether they do not "unduly discriminate against the United States or the products thereof" in "view of the character of the concessions granted in the minimum tariff of the United States."

The President must be satisfied in all these respects, defined and undefined, and satisfied in each of these respects with reference to and from the standpoint of the "concessions granted in the minimum tariff of the United States." The "concessions granted in the minimum tariff" are to be regarded as framing up obligations against foreign countries which can only be canceled by what section 2 calls "treatment which is reciprocal and equivalent." For the representative of a foreign government in conference with the President's representative from the Department of State to prove that in the matter of import duties, export bounties, regulations, and everything relating to foreign trade, his government treats all nations equally and alike and discriminates against the products of none could be of no avail. The natural answer of the President's representative would be that he is operating under an act of Congress; that he is acting in view of the "concessions granted by the minimum tariff" prescribed in that act; that these concessions call for concessions from the foreign government that shall be "reciprocal and equivalent;" that the plea by the foreign government of its equality of treatment of all nations not only does not meet these concessions, but renders the country under such government ineligible to the benefits of the "minimum tariff of the United States." If the ambassador should reply that for his government to adopt a preferential and special rate policy would be to raise up enemies and precipitate his country into wasteful and disastrous tariff and commercial wars with neighboring nations, the Secretary of State could only rejoin that he regrets the deadlock, but in the absence of reciprocal concessions the maximum tariff must remain the tariff of the United States.

The tariff of the United States as defined in section 2 would raise the duty prescribed in section 1 on lumber to over $5 per thousand. It would make the duty on steel rails and all other dutiable products of iron or steel much higher than in the present law. In brief, the proposed act would make the general tariff of the United States higher in every schedule and on every dutiable article than in any tariff law in the country's history. It would postpone and transfer the contest for the retention of prizes in the lottery of taxation from the Halls of Congress to the executive department. The beneficiaries of the proposed act would fight to the death the remission of the additional 25 per cent ad valorem duty in their effort to retain in full their darling franchises in the taxing power of the Government. There the issue would lie between "the concessions granted by the minimum tariff of the United States" and the reciprocal equivalents granted by foreign governments. The interested and organized avarice of the country would be enlisted on the side of the maximum rates. The scattered millions of American consumers would be helpless in a tribunal committed to the doctrine of wealth by statute and prosperity by taxation.

This conclusion is reenforced not only by the well-nigh numberless obstructions raised by the language of the proviso in section 2 to putting in force the minimum rates, but as well by the uniform experience of the country under laws professedly designed to the same end. The additional 20 per cent ad valorem on certain articles in the Dingley Act was proclaimed as trading stock on which to secure concessions and annex trade. For some reason the trade treaties negotiated in pursuance of these clauses in the Dingley Act were consigned by the Senate to the limbo of forgotten dreams, and the domestic beneficiaries of the exceptional rates are to this hour left in full enjoyment of whatever usufruct flows from them.

In what I have said I have not pretended to discuss the policy or expediency of the proposed system of minimum and maximum rates, but have confined my effort to showing what the actual rates will be. Nor do I now propose to discuss this phase of the question further than to suggest that coveted cessation of tariff agitation never can be induced by the proposed legislation. Thus far the Finance Committee have secured a majority in favor of every amendment which they have reported and on which they have insisted. It is only prudent to assume that the proposed section 2 is presented in the confident expectation of its adoption. Should this expectation be realized and the maximum rates go into effect, they are bound to prove so prohibitive of commerce and barren of revenue as to provoke general revolt against the folly that established them. Then the slow and tedious process of changing or refusing to change from the maximum to the minimum rates on the thousands of articles in the dutiable schedules according to the varying attitudes of foreign governments would leave all industry and enterprise related to or dependent on foreign commerce in such perplexing uncertainty and hopeless confusion as to excite general demand for relief from an intolerable situation. Permanency of legislation on the tariff can never attend a maximum rate prohibitive in character nor a minimum rate resting on the shifting sands of foreign interests or caprice. In any event, revenue can not be raised nor commerce served by a project that practically would prevent the one and destroy the other.

Mr. BEVERIDGE obtained the floor.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Rayner
Bacon	Crane	Heyburn	Root
Bailey	Crawford	Hughes	Scott
Bankhead	Cummins	Johnson, N. Dak.	Shively
Beveridge	Curtis	Johnston, Ala.	Simmons
Borah	Daniel	Jones	Smith, Md.
Bourne	Depew	Kean	Smith, Mich.
Bradley	Dick	La Follette	Smoot
Brandegee	Dillingham	Lodge	Stephenson
Bristow	Dolliver	Martin	Stone
Brown	Elkins	Money	Sutherland
Burkett	Fletcher	Nelson	Taliaferro
Burnham	Flint	Oliver	Taylor
Burrows	Foster	Overman	Tillman
Burton	Frazier	Owen	Warner
Carter	Frye	Page	Warren
Chamberlain	Gallinger	Penrose	Wetmore
Clapp	Gamble	Perkins	
Clark, Wyo.	Gore	Piles	

The VICE-PRESIDENT. Seventy-four Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Indiana will proceed.

Mr. BEVERIDGE. Mr. President, the revision of the tariff is not a subject of immediately recent discussion. The movement for the revision of the tariff began perhaps two or three years, or even longer, ago; and two years and a half ago, I mean in 1906, it may be said to have become general. It pervaded New England as well as California. It was vigorous in the Middle West; and perhaps the most effective proponent of any revision of the tariff at all was the man upon whom fate even then had already turned the calcium light of the great distinction he now enjoys.

BEGINNING OF THE "REVISION" MOVEMENT.

On September 5, 1906, when the question was whether or not we should have *any* revision at all, the now President made a formal and carefully prepared address at Bath, Me., which was telegraphed and printed throughout the country, and even reproduced in the press of Great Britain and other foreign countries. It was the first expression of the more conservative members of our party that there ought to be *any* revision at all. At that time, and almost up to the time of our convention, it was the earnest and sincere belief of many of the strongest men in our party that *no* revision at all was necessary; and certain eminent Senators in this body gave an expression to that belief.

They said that the Dingley rates had produced enormous prosperity; that business was adjusted to it; and that no reason was manifest in the law itself or in the conditions why *any* revision should occur at all. So the first question was whether or not we should have *any* revision; and upon that the now President said, speaking formally, at Bath, Me., September 5, 1906:

THE PRESIDENT'S FIRST "REVISION" SPEECH.

Speaking my individual opinion and for no one else, I believe that since the passage of the Dingley bill there has been a change in the business conditions of the country, making it wise and just to revise the schedules of the existing tariff. The sentiment in favor of a *revision of the tariff* is growing in the Republican party, and in the near future the members of the party will doubtless be able to agree on a reasonable plan.

But the work of the present session, which was pressing in its urgency, could never have been accomplished if there had been introduced into Congress and the councils of the party the heated discussions certain to arise over the questions of the revision of the tariff.

How soon the feeling in favor *of revision* shall crystallize into action can not be foretold, *but it is certain to come*, and with it those schedules of the tariff which have inequalities and are *excessive* will be readjusted. The reasonable prospect of a revision of the tariff by the Republican party on conservative lines should certainly be greatly preferred by those who favor revision, and yet believe in the protective system, to legislation which is always threatened by the incoming of a Democratic Congress and a Democratic administration under the battle cry, "A protective tariff is a robbery of the many for the benefit of the few," and to the disaster to general business which inevitably follows. (New York Tribune, September 6, 1906.)

TRACING GROWTH OF THE "REVISION" SENTIMENT.

This, Mr. President, was the first gun fired by Mr. Taft in favor of the proposition that we should declare for *any revision at all*. He declared for *revision*. It was so accepted by the press of the country. It was so accepted by the party. The next morning it was printed in practically every newspaper of the land. Almost all of them had editorials on the subject, interpreting this speech to mean that the Republican party proposed to revise the tariff; and even at that day the editorials commenting upon this, said that it meant a revision which would generally lower the duties. I shall not stop at this time to introduce these editorials. I shall introduce them later if anyone again says "Who pledged us to a revision downward." But at present I am merely reviewing the crystallization of the general sentiment for a revision of the tariff, so that we may see just what it means.

I have never criticised any Senator or any man for expressing what his belief was as to the revision of the tariff. If Senators who are as honorable as everybody else think that it does not mean a "revision downward," they are not to be criticised for that; nor are they, on the contrary, to criticise those who equally earnestly and equally honestly think reverse—and they shall not so criticise us.

The question now is where lies the burden of the evidence as to the meaning of our platform. Since this subject has been introduced, it seems to me not only opportune but absolutely necessary that we should, as fully as we can in this brief time, thrash the matter out this morning.

THE PRESIDENT'S SECOND "REVISION" SPEECH.

So we find that the conservative sentiment of our party in favor of tariff revision began with the speech of Mr. Taft at Bath, Me., September 5, 1906. It was followed in his speech at Columbus, Ohio, August 19, 1907, in which Mr. Taft said:

"Objection is made to revision upon the ground that we are enjoying business prosperity, that this will be disturbed by a proposal to change the tariff, and that we should wait until hard times before we revise. The revision proposed is to be by the Republican party and is not to be a departure from the protective principle, but in conformity with it. It will affect only those persons injuriously who are making an unreasonable profit out of an excessive rate. The present prosperity is not dependent on such a profit. If it were, then it would not be the prosperity of the whole business community, but only of a few

agricultural products. More than this, it demands complete and ample protection for American workingmen; and when I speak of our workingmen, Mr. President, I refer not only to those who toil in the factory or in the shop, but to the millions who till the soil; and who, by their skill and industry in the varied pursuits of agriculture, produce the great crops which after all are at the bottom of our national prosperity.

Now, Mr. President, I have no doubt but that the distinguished Senator from Rhode Island, who is chairman of the Finance Committee, will say that in the framing of the present bill it was the intention of the committee to give equal and adequate protection to our agricultural interests. It is true that the bill continues the absolutely prohibitory duty on southern rice; that it fully and adequately protects the fruit crops of the Pacific States and of the South, as well as hay, barley, cheese, and even cabbage, in which the States bordering upon Canada are largely interested; and that under its provisions our great staple—wheat—which we export in very large quantities, is covered by a duty of 30 cents a bushel.

I believe, however, Mr. President, that I can show that this sound and salutary principle has not been carried out in the case of one important agricultural product. I refer to the ordinary white potato, which, under paragraph 261, is protected by a duty of 25 cents a bushel, and will present the following facts:

For nine years, beginning with 1899, the importations of potatoes, mainly from Germany, England, Ireland, the Bermudas, and so forth, have been as follows:

Fiscal year ended June 30—	Rate of duty.	Bushels.	Value.	Value per bushel.
1899	25 cents per bushel	530,410	$294,311.15	$0.555
1900	do	155,409.58	147,129.63	.947
1901	do	369,457.26	223,396.97	.605
1902	do	7,658,592.55	3,160,851.12	.413
1903	do	358,299.82	238,236.19	.665
1904	do	3,158,049.72	1,897,400.76	.601
1905	do	169,256.46	160,316.77	.95
1906	do	1,942,489.52	844,855.32	.435
1907	do	169,869.57	187,081.57	1.10
Total		14,512,068.23	7,125,218.48	

The above table does not include the importation of potatoes from Porto Rico and Cuba, given in the following tables:

FROM PORTO RICO (MAY 1, 1900–JUNE 25, 1901).

Fiscal year ended June 30—	Rate of duty.	Bushels.	Value.	Value per bushel.
1901	15 per cent of 25 cents per bushel.	34	$23.00	$0.676

FROM CUBA (RECIPROCITY TREATY, DECEMBER 27, 1903).

1904	25 cents per bushel less 20 per cent.	3,003.42	$2,271.90	$0.560
1905	do	11,673.52	7,087.40	.607
1906	do	15,243.38	7,989.50	.523
1907	do	5,798.69	4,773.57	.823
Total		36,729.01	22,113.46	

The figures for the year 1908 are not available, but from October 1, 1908, to May 15, 1909, there were imported into the port of New York alone 5,150,025 bushels.

Large shipments of potatoes are being made to other Atlantic ports, as well as to New York, and in this connection I will send to the clerk's desk the following extract from the Washington Evening Star of the 3d of May, which I ask may be read and incorporated in these remarks.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the extract.

The Secretary read as follows:

BRINGING POTATOES FROM IRELAND.

[From the Washington Evening Star of May 3, 1909.]

Potatoes are being imported from Ireland to aid in meeting the great demand for the tuber in this country. Aboard one vessel which arrived at Baltimore a few days ago were 47,377 bushels of the vegetables from the farms of county Antrim in the Emerald Isle, and it is stated that some of these potatoes are on sale in this city. It is stated that many thousand tons of potatoes have been brought into the port of Baltimore from the Irish farms during the past winter and this spring, and they are still coming by every vessel from Liverpool and other English ports.

Mr. DU PONT. The farmers of the whole Atlantic seaboard, from Maine to Florida, as well as those in many other portions of this country, are deeply interested in the culture of potatoes. The gross production in this country in 1908 was 278,985,000 bushels, 5,000,000 bushels being grown on the Delaware-Maryland-Virginia peninsula alone.

The official weight of a round hoop barrel of potatoes, or of a sack of potatoes, is 180 pounds, being three bushels at 60 pounds each.

A Kent County (Del.) farmer, who sells his potatoes to a commission merchant in Philadelphia at $2.35 per barrel, pays:

1. For the barrel and cover	$0.27
2. Freight to Philadelphia at 17 cents per 100 pounds	.50⅖
3. Hauling from the railroad to the commission merchant, Philadelphia, per barrel	.10
4. 10 per cent commission to the commission merchant	.23½
Total, per barrel	.91 7/10

This leaves $1.43 3/10 per barrel, or 47.96⅔ cents per bushel, out of which must come all cost of production; and it is to be observed that this cost on the Delaware-Maryland-Virginia peninsula is considerable—the ground must be very carefully and repeatedly worked before planting; the average amount of fertilizer required is 1,200 pounds per acre, three times that required for wheat; and the protection of the potato vines from insects involves constant labor for a considerable period.

Now, Mr. President, the foreigner pays:

1. Ocean freight, per sack	$0.23
2. Duty of 25 cents per bushel	.75
Total, per sack or barrel	.98

This leaves $1.37 per barrel, or 45⅔ cents per bushel.

To the 98 cents per barrel which the foreigner pays for ocean freight and customs duties must be added the profit which the American dealer expects to make out of the imported potatoes. When potatoes are selling at $2.35 per barrel, the dealer takes from the American farmer 33⅓ for commission and hauling, and it is evident that he expects to make as much as this on his foreign potatoes. Indeed, on the principle of despoiling the Philistines, we can fairly assume that he would want to make a little more, and it is not unreasonable to conclude that his profit would be at least 35 cents; which amount, added to 98 cents freight and duty, makes a total of $1.33, leaving the foreigner $1.02 per barrel, or 34 cents per bushel, out of which he still has to meet the expense of his sacks and of placing his goods on board ship in Europe, the average cost of which is probably not very great. We may then safely assume that the foreigner ships his potatoes to America when the net returns to him are about 25 cents per bushel, and he can afford to do this on account of the insignificant price he pays for his labor.

When the wholesale price of potatoes in the Boston, New York, Philadelphia, and Baltimore markets reaches $2.35 per barrel, importations begin in direct competition with the potatoes raised in the States on the Atlantic seaboard, and in indirect competition with those of the States lying farther west, it being impossible for the western farmer to compete with the foreigner by reason of the high railway rates on potatoes.

In the interest of justice to the agriculturist of the Atlantic seaboard, Mr. President, I offer the following amendment to paragraph 261, which I now send to the Secretary's desk.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 80, paragraph 261, "Potatoes," strike out "twenty-five" where the words appear before the word "cents" and insert in lieu "forty-five," so that, if amended, it will read:

Potatoes, 45 cents per bushel of 60 pounds.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 262, page 81.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. In line 5, after the word "bushel" and the semicolon, it is proposed to strike out down to and including the words "ad valorem," in line 9, and to insert:

Mushroom spawn, and spinach seed, 1 cent per pound; beet, except sugar beet, carrot, parsnip, radish, turnip, and ruta-baga seed, 4 cents per pound; cabbage, collard, kale, and kohlrabi seed, 8 cents per pound; egg plant and pepper seed, 20 cents per pound; seeds of all kinds not specially provided for in this section, 10 cents per pound.

Mr. ALDRICH. Mr. President, I desire to modify the amendment by inserting the words I send to the Secretary's desk.

The VICE-PRESIDENT. The Senator from Rhode Island modifies the amendment. The Secretary will report the modification.

The SECRETARY. In line 11 in the committee amendment, after the word "carrots," insert the following:

Corn salad, parsley.

the whole revision sentiment; first, that there *should be a revision* of the tariff, as voiced by Mr. Taft in his speech at Bath, Me., in 1906; and, second, *what* that revision means as it was interpreted in the heat of the campaign.

Now I shall quote as nearly as I have been able to get them together, in this very brief time, the President's complete views. I intended to read them yesterday afternoon, when the Senator made his reference, and I sent down and had them looked up. But no opportunity offered to present them yesterday. Last night I read them carefully, and I say now that they present to my mind the most balanced, considerate, sane expression upon this subject that I have ever read in the entire literature of tariff discussion.

Mr. BORAH. Mr. President——

Mr. BEVERIDGE. Will the Senator please let me read this?

The VICE-PRESIDENT. The Senator from Indiana declines to yield.

THE PRESIDENT'S SECOND *campaign* "REVISION" SPEECH.

Mr. BEVERIDGE. I quote from a speech at Cincinnati, September 22, 1908. Mr. Taft said:

Another thing the Republican party pledges itself to, fixes the date when it will do it, and tells you how it will do it, is the revision of the tariff.

The Dingley tariff has served the country well, but its rates *have become generally excessive*. They have become excessive because conditions have changed since its passage in 1896. *Some* of the rates are probably too low, due also to the change of conditions.

But, on the whole, THE TARIFF OUGHT TO BE LOWERED in accordance with the Republican principles and the policy that it has always upheld of protection of our industries.

Mr. HEYBURN. What is the Senator reading from?

Mr. BEVERIDGE. It is a speech delivered by the President in Cincinnati, September 22, 1908. Mr. Taft proceeds:

That is, every schedule ought to be arranged so that the tariff on the products of the factory, farm, and mine shall be equal to the differential between the cost of their production in this country and the cost of material, the cost of labor, and the manufacturer's interest and profit.

It is not an easy thing, of course, to reach this difference. The examination to be made should be *fair and impartial* between the manufacturer and the consumer.

Now Mr. Bryan is greatly concerned, and says that no such tariff revision can be made in view of the fact that the protective industries control the Republican party. I deny this. If there are protective industries that are enjoying too great profits under the present tariff, then they would have opposed revision altogether.

The *movement in favor of revision has arisen within* the Republican party and *is pressed forward by members of the* Republican party.

The revision which they desire is a revision *which shall reduce excessive rates* and at the same time preserve the industries of the country. It took some time, as it always does in a party, to crystallize this sentiment.

It has been crystallized, and the party is determined to see *that this revision*—

What revision? Why, the kind he is describing, of course—

shall go on by fixing the date when it is to begin and prescribing the rule by which it is to be carried on.

I wish *there to be no doubt in respect to the revision of the tariff. I am a tariff revisionist, and have been one since the question has been mooted.*

The Members of Congress who are elected this time are to be elected by constituencies that, we may infer from the action of the Republican convention, are strongly in favor of a reexamination and a revision of the tariff.

Under those circumstances we have the right to say that the revision will be made *upon just and fair lines*, and that the plighted faith of the party will be carried out as formulated in the platform. I do not mean to say that manufacturing interests will not, of course, try to use their influence with respect to the tariff. They can and ought to. From them we must get evidence as to what the cost of production is. But evidence must be taken *from other sources*, so that we shall have a fair and impartial hearing. (Cincinnati Enquirer, September 23, 1908.)

That, I think, Mr. President, was the second utterance during the campaign. This second one I take from the Milwaukee (Wis.) Sentinel of September 25. As nearly as I can remember, it is, perhaps, the most notable speech that our candidate made during the admirable campaign he conducted. It was in answer to the speech of Mr. Bryan on the tariff question, and was said to have been very carefully prepared. It was delivered September 24, 1908, at Milwaukee:

PRESIDENT'S THIRD CAMPAIGN "REVISION" SPEECH; "THE TARIFF MAY PROPERLY *be reduced*."

The encouragement which industry received—

Under the policy of protection—

leads to the investment of capital in it, to the training of labor, to the exercise of the inventive faculty of which the American has so much, and in practically every case in which adequate protection has been given the price of the article has fallen, the difference in the cost of producing the article abroad and here *has been reduced*, and the *necessity for maintaining the tariff at the former rate has ceased*.

The business community has knowledge that the changes to be made by the Republican party will be made on the principle that no domestic industry will be injured or destroyed by the reduction in the tariff. They do not know this with the Democratic changes, but are advised that necessarily some of the industries, each time the tariff is changed toward a revenue basis, must be sacrificed to carry out the principle. If the history of the tariff has shown anything, it is that the threat of a revenue tariff in a business community depending on a protective tariff means business disaster.

But it is asked *why* it is necessary to change the Dingley tariff. The Dingley tariff has been in operation now more than ten years. That is a period longer, I think, than the operation of any protective tariff that we have had.

It is intended under the protective system, by judicious encouragement, to build up industries as the natural conditions of the country justify—

Listen—

to a point *where they can stand alone and fight their own battles in competition with the world.*

"And fight their own battles in competition with the world"—well! None of us ever used words more forcible than those, no, nor half as forcible. We are quite modest, it would appear, when our feeble syllables are contrasted with the President's vigorous outspokenness. He continues:

Improved machinery and training, due to our inventive genius, together with an extending home market, certainly *reduce the cost of production*.

Treasury and court decisions have given constructions to the tariff different from those intended by its authors.

Just as the Senator from Rhode Island [Mr. ALDRICH] said the other day had been the case with some schedule that we were discussing.

There are many articles in common use to-day which were unknown when the Dingley tariff bill was enacted. Conditions with respect to the cost of articles abroad *have changed* just as they have changed in this country, so that the *difference* between the cost of production at home and abroad ten years ago was in many instances different *and less* than it is to-day.

Much criticism has been made because of the fact that in some of the protected industries the product is sold abroad and in foreign markets at a less price than that at which they are sold here. At first, this seems conclusive argument to show that the tariff is too high and that the manufacturer is deriving a greater benefit than he should on the proper principle of the protective system; but we learn that it is a common practice in free-trade countries, as well as in protection countries, to sell at lower prices abroad than at home, and that this is due to a desire to dispose in bulk of a surplus product or to the competition in a new field of trade and to the desire to keep up the business organization and maintain a growing concern even when the product sold abroad is sold without profit or even at less than cost.

Still it must be admitted that such a practice, if it is constant through all seasons, suggests that *the tariff may be properly reduced*.

I am sorry I do not see anyone present now who said on this floor that our party did not declare for a revision downward. I wanted those particular Senators to hear this. Alas! Why are not *they* here?

And that the tariff is greater than the differential between the cost of production at home and abroad, and *that it should therefore be reduced*.

I can say that our party is pledged to a *genuine* revision—

Why was the word "genuine" used?—

and as a temporary head of that party, and President of the United States, if it be successful in November, I expect to use all the influence that I have by calling immediately a special session, and by recommendation to Congress to secure a *genuine and honest revision*—

THE PRESIDENT'S THIRD *campaign* REVISION SPEECH CONTINUED; "A SUBSTANTIAL REVISION DOWNWARD" PROMISED.

Why did the President say *"genuine and honest* revision"—why not merely "revision?"—

of the tariff in accordance with the principle of protection laid down in the platform, based upon the examination of appropriate evidence and impartial as between the consumer and manufacturer.

I have every reason to believe that the returning Congress, if it be Republican, will come there anxious and earnest to treat the tariff question fairly and energetically, but with due regard to the maintenance of the protection principles on the one hand and to the interests of the consuming public on the other.

The rank and file of the Republican party are in favor of *this* revision, but insist that it shall be in accordance with the time-proven policy of the party of protection. Under these circumstances there can be no doubt that the representatives elected by the party will come to Congress imbued with the necessity of honorably and strictly carrying out the plighted faith of the party to make a new tariff on the principle stated.

It is my judgment, as it is that of many Republicans, that there are *many schedules of the tariff in which the rates are excessive*, and there are *a few* in which the rates are not sufficient to fill the measure of conservative protection.

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican platform—

I call especial attention to this—

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican platform will be, on the whole, a *substantial* REVISION DOWNWARD, though there probably will be a FEW exceptions in this regard. (Milwaukee Sentinel, September 25, 1908.)

After this let no Republican say that we have no authority for insisting on "a revision downward;" for our candidate, the highest authority in our party, said, when appealing to the American people on the stump, that this revision we now are engaged upon, would be not only a "revision downward," but he put it stronger and said that it would be "a *substantial* revision downward."

As the temporary leader of the party, I do not hesitate to say with all the emphasis of which I am capable, that if the party is given the mandate of power in November it will perform its promises *in good faith*.

THE PRESIDENT'S FOURTH *campaign* "REVISION" SPEECH; "A SUBSTANTIAL REVISION DOWNWARD" AGAIN PROMISED.

Another speech upon this subject was delivered at Des Moines, Iowa, September 25, 1908, where, if I remember correctly, Mr. Bryan had delivered his speech upon the tariff question—one of a series of speeches, first on trusts, then on tariff, and then on something else that he delivered. In that speech Mr. Taft said:

The party is pledged to a *genuine* revision—

That word "*genuine*" again, you see—

and as the temporary head of that party, and President of the United States, if it be successful in November, I expect to use all the influence that I have by calling immediately a special session and by recommendations to Congress to secure a *genuine and honest* revision of the tariff in accordance with the principle of protection laid down in the platform, based upon the examination of appropriate evidence and *impartial as between the consumer and manufacturer*.

It is my judgment, as it is that of many Republicans, that there are *many* schedules of the tariff *in which the rates are excessive*, and there are a *few* in which the rates are not sufficient to fill the measure of conservative protection.

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican party will be, *on the whole, a* SUBSTANTIAL REVISION DOWNWARD, though there probably will be a few exceptions in this regard.

As the temporary leader of the party I do not hesitate to say with all the emphasis of which I am capable that if the party is given the mandate of power in November, it *will perform its promises in good faith*. (Des Moines Register and Leader, September 26, 1908.)

What "*promises*" did our leader pledge us to "perform in *good faith?*" Why, to use his exact words formally spoken at Milwaukee and repeated at Des Moines, "a revision of the tariff," which would be "a *substantial revision downward*."

Now, Mr. President, that this was also the opinion of others than the leader of the party who has been quoted here, and the full and round quotations from whom on all sides of this question I have given, so far as I could collect them in so brief a time, I will refer——

Mr. HEYBURN. Would it interrupt the Senator, before proceeding to a new branch of the subject, to make an inquiry? The Senator does not intend to give us the impression that the then candidate, now President of the United States, intended to indorse the doctrine, "We favor an immediate revision of the tariff by the general reduction of duties?"

Mr. BEVERIDGE. I mean to give out no "impression" at all. I merely mean to quote his words.

Mr. HEYBURN. There was a party——

Mr. BEVERIDGE. I merely mean to quote the President's words. I give out no "impression." I leave the "impression" to the Senate and the country. The words are plain—they leave no room for "impressions" or inferences. I will tell the Senator the point, too, of this thing. The Senator from Idaho [Mr. BORAH] partly quoted the President yesterday. I remembered all these quotations before, and when the debate proceeded and I sat here and heard distinguished gentlemen say that they did not think that there was such a thing as "revision downward" in the mind of the people or anybody else, it became necessary to show them that they are mistaken.

"REVISIONISTS" HAVE HIGHEST AUTHORITY.

We who believe in a "revision downward" have been reproached for having such a view. If we should think that a rate here and there is excessive, we are quite as earnest and, as I shall attempt to show, far wiser protectionists than the Senator. I will say to the Senator that I have the warmest feeling, as he knows, personally for him; yet that he himself has been one of those who come very near the verge in using his really charming eloquence in condemning those who thought a differential ought to be one-eighth per cent lower, as though they were clear out of the Republican party because of that one-eighth per cent.

Mr. HEYBURN. Mr. President, if the Senator will permit——

Mr. BEVERIDGE. No; the Senator must pardon me. I can not yield for questions like that. I give the President's words; I state the facts. We deal here too much in "impressions." Let us get down to facts.

Mr. HEYBURN. I merely wanted to call the attention of the Senator from Indiana to the fact that there was a party that made a campaign upon that declaration of principles. It was not the Republican party, was it?

Mr. BEVERIDGE. There was a party that made a campaign upon a declaration of principles that its members are not keeping here. I have nothing to do with that. I criticise no other man. I maintain merely the integrity of our own position. I merely say that when a great body of Republicans think that it is the wisest protection to keep duties down to the point of the difference in the cost of production here and abroad, it is not to be said by anyone that such men are not protectionists. I shall show in a moment that such men are much wiser protectionists than those who would imperil the whole system by keeping the duties higher than justice demands. It is the latter who are endangering the policy of protection; it is the former who are saving it.

Mr. HEYBURN. Mr. President——

THE PRESIDENT'S PUBLISHED VIEWS ALONE GIVEN; NOBODY HIS MOUTHPIECE.

Mr. BEVERIDGE. No; I want to read the rest of this before I yield. I do not care to get into a debate now, but I shall be glad to do it hereafter.

The next expression, Mr. President, was one that was quoted here yesterday. And I wish to repeat that I merely quote the words of our great leader, the President, as authoritatively published in pamphlets or reproduced in the public prints. I do that on my own authority; I speak without even his knowledge; it is not for anybody but himself to interpret his language—but when part of his language is quoted, it is due to the whole country, and especially to ourselves, that all his language should be quoted as nearly as possible.

He said—we all heard him—in his inaugural delivered on the 4th of March last:

INAUGURAL ADDRESS: REVISION DOWNWARD.

A matter of most *pressing* importance is the revision of the tariff. In accordance with the promises of the platform upon which I was elected, I shall call Congress into extra session to meet on the 15th day of March, in order that consideration may be at once given to a bill revising the Dingley Act.

This should secure an adequate revenue and adjust the duties in such a manner as to afford to labor and to all industries in this country, whether of the farm, mine, or factory, protection by tariff equal to the difference between the cost of production abroad and the cost of production here, and have a provision which shall put into force, upon executive determination of certain facts, a higher or maximum tariff against those countries whose trade policy toward us equitably requires such discrimination.

It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the *reduction* of rates in certain schedules and will require the advancement of *few*, IF ANY.

That is from the President's inaugural—one of the most weighty and solemn statements his exalted office calls on him to make. In it he did not modify his former declarations, carefully and deliberately made in the campaign, which I have read to the Senate. No! Instead he declared that a protectionist revision—

will permit the *reduction* of rates in certain schedules and—

Mark this well—

will require the advancement *of few*, IF ANY.

"If any"—"few, if any;" that was stronger than the President put it during the campaign. And this from his inaugural, too.

Mr. HEYBURN. "It is thought," the President says.

Mr. BEVERIDGE. Yes; but "it is thought" by whom—it is the President's inaugural address, remember. He continued:

The proposal to revise the tariff made in such an authoritative way as to lead the business community to count upon it necessarily halts all those branches of business directly affected; and as these are most important, it disturbs the whole business of the country.

It is imperatively necessary, therefore, that a tariff bill be drawn in *good faith* in accordance with *promises made before the election* by the party in power, and as promptly passed as *due consideration* will permit.

"*Promises* made *before the election*." I have just read what those "promises" were, and the President in his inaugural address says that "It is *imperatively* necessary that a tariff bill be drawn in *good faith* in accordance with *promises* made before election." "Imperatively necessary," "good faith," "promises"—these are strong words.

Nor was that all. I take from the New York Tribune a clipping which I remembered to have seen when the President's speech before the Ohio Society was delivered there, and its accuracy as a great Republican newspaper, I suppose, will not be questioned. This was at the Ohio Society's twenty-third annual dinner, December 17 last. The President-elect on that occasion is reported by the Tribune as follows:

Mr. Taft dwelt almost wholly upon the revision of the tariff, which he singled out as the *most important declaration* made at the last national convention, and, *after having previously referred to the veto power of the Chief Executive*, said, with all the emphasis of which he was capable:

"*Better no revision at all, better that the new bill should fail*, unless we have an *honest and thorough* revision on the basis laid down and the principles outlined in the party platform." (New York Tribune, December 18, 1908.)

If anyone really entertained doubts before, let them dissolve in the strong light of these strong words: "Better no revision at all; *better that the new bill should fail*, unless we have an *honest* and *thorough* revision." What kind of a revision that is the President explained in the campaign.

The principles outlined in the party platform he explained and defined during the campaign on at least three occasions.

On at least two notable occasions he said that, upon the whole, it meant "*a substantial revision downward*," but, in some cases, he said in his inaugural address, "*a few, if any*," it may mean an increase.

MEMBER OF FINANCE COMMITTEE ITSELF THINKS AS DOES THE PRESIDENT.

Mr. President, that that also was the view of others I have merely to quote a remarkable paragraph from the speech of a member of the Finance Committee, made in this body, as to his understanding of that language. He is a young man, a vigorous one, and we all admire his industry, his ability, and his courage. In starting out his great speech on the lumber schedule—a speech that caught the commendation even of those opposed to him—he said this as the result of his studious consideration of what our platform and campaign promises meant—

Tariff revision—

I quote from the speech of the Senator from North Dakota [Mr. McCUMBER], a member of the Finance Committee—

Tariff revision this year is *universally understood* to mean *revision downward*.

He had not been the first to say that, as these speeches of our great leader the President, show. "Revision downward" was no new phrase coined for the occasion by those who are fighting for what they think is an "*honest* revision"—to quote again the President's words. It had been used before; it was current in the campaign; it was hammered out in the heat of battle when the people were inquiring what was meant.

Senator McCUMBER, a member of the Finance Committee, said, in his carefully prepared speech:

Tariff revision this year is universally understood to mean *revision downward*. The public expect, and have a right to expect, from every public address made in the last political campaign, that there will be a *general reduction in our tariff duties*.

Why? Because they understood and believed, as a rule, that the Dingley tariff was *altogether too high* and that rates could be reduced on many articles without serious injury to the protected business. So the public, I think, reasonably expected from all of the arguments that were made during the last campaign that, generally, *the revision would be downward*.

WHAT PROTECTION MEANS.

Mr. President, it seems to me that these are true interpretations of our party platform. They appear to me to be reasonable, carefully uttered, well balanced, and conservative. I never was so much impressed with that fact, as I said a moment ago, as when I came again last night to read over these pronouncements. They defined, so far as my vote and my attitude are concerned, my position with precise exactitude as to what is protection. It is not a difficult thing to tell. The President has perhaps expressed it with a nice precision that it has not received from any other interpreter within twenty years. It is such a tariff as will measure the difference between the cost of production here and abroad, and, he adds, "a reasonable profit to the manufacturer."

Mr. BORAH. Mr. President——

Mr. BEVERIDGE. Pardon me a minute. In a minute I will yield.

Every man upon this side of the Chamber is that kind of a protectionist. We mean to protect every industry——

Mr. GALLINGER. Except lumber.

Mr. BEVERIDGE (continuing). As much as it needs, and no more. We mean, according to the expressions of the President, to take the tariff entirely off when, as he says, it *serves no good purpose* and when the industry has grown by its aid to such proportions and such strength that "*it can stand alone and fight its battles in competition with the world*."

I challenge any man upon this side of the Chamber to be a more devoted adherent to the great policy of protection than I. I drew it into my blood with the earliest moments of my life; I have seen its splendid results manifested ever since I reached the years of comprehension—but I am not blind to its excesses.

I look back with pride and inspiration upon those who founded and those who nourished the protective policy from the time of Washington and Hamilton, and then of Clay, who called it "the great American system;" and then of Lincoln, whom it helped to keep great armies in the field; and then to McKinley, and down to the days of Taft; and, on the whole, I have seen it here, as it has done elsewhere, shower blessings upon all over whom it in beneficence hangs.

THE *real* ENEMIES OF PROTECTION.

Mr. President, the Senator from Idaho well said yesterday another thing, and that was this—I quote his words—"The great foes of the protective policy have always been in the ranks of protection." Yes, but who are they? They are those who think schedules sacred. But the conditions of the world change, and therefore their unyielding attitude places them in the path of progress. That has been the case with every unwise maintenance of every great policy.

Does anybody doubt that the greatest enemy to English rule in this country—which elsewhere has been, generally speaking, so good throughout the world and such a help to civilization—does anybody doubt that its greatest enemy was not the colonists at all, who yearned to stay loyal to the British flag at first; but that its greatest enemy was King George and his bigoted adviser, Lord North? They did not then maintain British policy with the wisdom which elsewhere it has since been maintained. No! They would grant nothing, yield nothing, and so their dominion broke of its own rigidness.

In the same way, the enemies of the protective policy are, as the Senator said, within the ranks of protection, and, as has been true throughout all of history, they are those who insist that a schedule is sacred, and that men may not question an excessive rate without showing disloyalty to a great principle of public and economic policy.

I do not blame them for that. I excuse them, as I hope they will do if they have any criticism to find of me. Doubtless they are sincere, but I point out that throughout the history of politics and public life, involving revolutions and changes of policy, it always has been those who would never yield, those who occupy a position of malediction toward any person who even questioned the details of a policy, who have been its greatest enemies, its final destroyers.

It is not those who would take injustice and ancient abuses out of protective schedules and make them modern and just and accurate who are the enemies of the protective policy. Its real enemies are those who every time we try to make protective schedules up-to-date and just cry out that we are attacking protection. It is the Lord Norths and the King Georges in thought, feeling, and method who are the real enemies of protection.

NO DIFFERENCES IN PRINCIPLE IN OUR PARTY; ONLY IN DETAILS.

Except in this I do not think, Mr. President, that the differences, so-called, are real within our party. There is not a man upon this side of the Chamber who is known as an "ultraprotectionist" that I do not concede to believe sincerely that that is the truest way of maintaining the policy. I know that there is not a man upon this side who wants to reduce rates that he thinks excessive, or at least inquire into them, who does not want to do it for the very reason that thereby he thinks he is supporting the great principle to which we all in common are equally attached. The latter are the wiser, more farseeing friends of protection than the former, and the sounder legislators, if history is any test.

The differences are differences in the degree of reduction, differences in the degree of rates. There is no difference in principle. It never will be found that men ever will be divided in the end who are with equal sincerity devoted to a principle. But it is not fair to say, and it will not be permitted that it shall be said, that those who believe, as the President has said, that "rates are excessive," or some of them, and therefore ask that they be reduced, shall be contemned as being any less earnestly protectionists than others; for we think we are equally earnest and more wise protectionists. That we are equally earnest, we know; that we are more farseeing and more wise protectionists, time will show.

Mr. President, I have heard much here about the Dingley law until it has come to be almost the atmosphere of this Chamber that the Dingley law was the only possible expression of the theory of protection.

Well, if that is so, why have any revision at all? I want to and I expect to see this bill so modified and changed by the mutual thought and labors of us all that the so-called "Aldrich bill" in the end, if it becomes a law and receives the President's signature, will receive greater commendation than the Dingley law ever did; and we "revisionists" are doing our best to help it to that position. But mark this: It will reach it by reductions and not otherwise—by "a substantial revision downward," and not otherwise.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Michigan?

Mr. BEVERIDGE. Certainly; I yield to the Senator.

Mr. SMITH of Michigan. I should like to ask the Senator from Indiana, in view of the splendid tribute the Senator has paid to the Dingley law and the acknowledged achievements of our country under it, if those who had a hand in its passage might not be pardoned for feeling a just pride in it?

PRIDE A POOR COUNSELOR.

Mr. BEVERIDGE. I never blamed any parent for pride in his child. I am not criticising them for their pride. But

pride is a poor counselor. Their pride is all right; but it has grown with the years as they have passed until, perhaps, they think that there is something sacred about that law. There is nothing sacred about any human institution; there is nothing divine about any human statute. This is a business measure.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Michigan?

Mr. BEVERIDGE. I do, indeed. I always yield to the brilliant junior Senator from Michigan.

Mr. SMITH of Michigan. I recall very well a similar scene to this when the Dingley law was passed. There were men in Congress at that time who differed almost as widely upon this measure.

Mr. BEVERIDGE. Our differences are not so very wide—sometimes an eighth of 1 per cent, sometimes a tenth of 1 per cent, and sometimes a fourth of 1 per cent; sometimes several per cent; sometimes more, sometimes less. The differences are as to the justice and wisdom of rates and not as to the principle of protection. But if we "revisionists" think that an eighth of 1 per cent means extortion we resist it not only in the name of justice but in the very name of honest protection as well.

Mr. SMITH of Michigan. Our differences are not very wide; but I have been wondering, as I have been listening to the Senator from Indiana, who has quoted quite generously from the President, whether, if we proceed with as much wisdom and as much good faith in perfecting this bill as we have already shown and the bill finally secures the signature of the President, whom the Senator extols so highly—I wonder whether the President will not deserve the commendation of his countrymen rather than their censure.

Mr. BEVERIDGE. I am expecting, Mr. President, that he will deserve their commendation. I do not indulge in prophecy; it is hazardous; but I join the Senator from Michigan in the prophecy that the President will deserve the commendation of the country even more in the future than he has in the past, and he has deserved in the past as much as he has got; and that is his full measure of appreciation. Does that suit the Senator?

Mr. SMITH of Michigan. Yes; almost anything the Senator from Indiana says pleases me. I am bound also to say, to his credit, that what he says usually reaches a very large audience among the American people; and I dislike very much to have it appear that there is any real division in the Republican ranks, all of whom are gathered under the banner of protection. I dislike very much to have it go out that there is a serious division here, when it has already been shown that we have with practical accord reduced many schedules in this bill.

In my opinion, Mr. President, we are meeting the promises of the President in our daily work on this measure, if I understand his promises correctly—and it was my good fortune to be with him upon many occasions in the campaign—and if we proceed with as much consideration for the promises he made to the country as we run along from day to day in the future as we have done during the last month, in my opinion the Republican party will have justified the continued confidence of the country.

Mr. BEVERIDGE. I hope so. I will say to the Senator that he has not listened attentively to me if he has heard anything in my remarks that has indicated a division in our party. The argument has been and the expression has been to the contrary. Nobody has said anything about a division except those who are not members of our party.

Mr. SMITH of Michigan. Mr. President——

Mr. BEVERIDGE. No; I do not want to be interrupted now. I say that there must be conceded to those who think that schedules should be reduced, as much and as full a measure of devotion to the protective principle as we are ready to concede to you whom we think to be economically in error.

Mr. SMITH of Michigan. Mr. President——

Mr. BEVERIDGE. The Senator will pardon me——

The VICE-PRESIDENT. The Senator from Indiana prefers not to yield further.

Mr. BEVERIDGE. Oh, no; go ahead. I can not resist yielding to the Senator.

Mr. SMITH of Michigan. I cheerfully agree with the Senator in that conclusion; but, if I do not interrupt him against his will, I want to refer to one expression which he made regarding the exportation of our products and the sale in Europe cheaper than at home.

Mr. BEVERIDGE. I did not say a word about it.

Mr. SMITH of Michigan. You read something about it.

Mr. BEVERIDGE. I read something from the President about it, and I read that only because I wanted to get his whole expression, so that no man could come in and say I had given but a part of it.

Mr. SMITH of Michigan. In just one word, if the Senator from Indiana will permit me, I want to say that it does not annoy me at all to think that goods made in excess of our needs in this country may be sold in Europe cheaper than at home.

Mr. BEVERIDGE. It does not annoy me at all, and it did not annoy the President at all. The President gave in two or three lines an excellent answer to that—the answer we all know of.

Mr. SMITH of Michigan. Let me give one in one sentence.

Mr. BEVERIDGE. You can give another one if you want.

Mr. SMITH of Michigan. The wages that were paid to the men who produced the surplus products were the wages that are prevalent in our own country and not the wages of Europe. So that, if we pay the standard American wage in the manufacture of a product to be exported to Europe, I am the last man that will complain about the price the manufacturer gets for it over there.

Mr. BEVERIDGE. Nobody ever said that anybody was complaining of that; nobody ever heard of it. The Senator is introducing another subject. What the Senator said sounds just as good as it is true. I do not think—and my admiration for him is unbounded—that the Senator has improved very much upon the President's explanation. Nobody who keeps up with the economic conditions of the world complains that goods are sold abroad cheaper than at home.

The Senator illustrates what I said a moment ago about the tendency of human beings to become monomaniacs. The Senator is not that; but he has talked and thought so much about our importations and exportations that he thinks it was referred to, when, as a matter of fact, it was not. I agree with the Senator about that, and we both agree with the President on that. There is no essential difference among students of economy upon that. I was very glad to hear the Senator upon it; but it was not quite to the point.

There has been no advertisement of the dissensions here, except an attempt at it from a source outside ourselves. We "revisionists" are doing what we think is the wisest thing by the country, and therefore the wisest thing by our party, when we insist on reductions.

DEMOCRATIC PROPHECIES OF REPUBLICAN DEFEAT ALWAYS FOLLOWED BY REPUBLICAN VICTORIES.

Of course, Mr. President, our fate as a party is bewailed by others. That is an old story. The Democratic party always bewails our fate before elections; and then always bewails its own fate after elections. I have heard in the ten years that I have been here every single session a prophecy, lurid in its vividness, that we were going to meet disaster, that the seeds of disintegration were planted in our breasts, and that our party death was near, but I never found it to come true. After each prophecy, increasing in violence as they have been, I have always found our victory increasingly pronounced.

It has been said that there is free trade on this side of the Chamber. No, Mr. President, not a single microbe of it. Those who are called "reductionists" upon this side, as I have said four or five times believe that they are acting in the interest of the protective principle more fearlessly, and with more farseeing wisdom, than those who maintain the old attitude that there must be no yielding to conditions. No; there is no free trade here, but will anybody deny that there is protection over there? Of course it is there; the votes and some of the franker speeches show it; but as the Senator from North Dakota [Mr. McCUMBER] pointed out the other day, the votes on that side show the unwise zeal of the convert rather than the seasoned wisdom of the life-long protectionist.

PROTECTION'S "ROLL CALL" OF SOUTHERN STATES.

Why, Mr. President, if it were not for one great local question, protection would have swept the South in the last campaign, as, in my judgment, it will sweep the South within two campaigns to come. If protection should to-day call the roll of the States, I think that you would almost find now what certainly protection will find when it calls the roll of the States in a few brief years, that the Northern States would answer "Here," and, as their names are called, Southern States will answer "Here;" Tennessee will answer "Here;" Georgia will answer "Here;" Alabama will answer "Here;" Florida will answer "Here;" and even Mississippi, perhaps, will answer "Here." Kentucky and Missouri have answered "Here" already; and Oklahoma nearly answered "Here" in the last election—she will shout "Here" in the next.

I see this great economic system, which Henry Clay declared was "the American system," invading—no, captivating—the South, whose people it is enriching. If there is any change at

all, looking into the future, it will be that New England may become increasingly free trade, and that the South will become increasingly protectionist. I could wish only that these new southern converts would realize that protection votes on certain things are no longer needed, or rather that protection on those things is no longer needed.

The junior Senator from Maryland [Mr. SMITH], whom I am coming to respect with an increasing measure of admiration because of his fearless openness of speech, in defending his intended vote for a tariff on lumber frankly said that it was for a measure of protection.

It is immaterial to me, Mr. President, by what name Senators call a thing, whether revenue or whether protection, so the result be the same. Senators on that side have said that they voted for a tariff on iron ore as a *revenue* duty; Senators on this side have, in the same moment, declared that they voted for the same tariff on the same thing as a *protection* duty.

The protective theory is conquering the Democratic party, and perhaps the great division of the somewhat distant future between parties will cease to be that of the tariff at all, because it will come to be universally recognized, even by extreme theorists, that the protective tariff is the settled policy of the American Republic, regardless of parties; and that parties will then divide upon other questions.

I have not criticised Senators on the other side for not voting as their platform pledged them to vote. That is their business—they can settle that with their party. I have heard the Democratic platform, or certain planks of it, renounced by Democratic Senators, but I recall that at least five, perhaps six, Senators, now sitting in this body, helped to write that platform.

NO REVENUE TARIFF ON IRON ORE AND LUMBER IN ENGLAND.

We are told now that a revenue tariff requires a duty on iron ore, lumber, and various other things. A duty on these things is said to be demanded by the theory of a revenue-only tariff. But is it? The ideal revenue-only-tariff country of the world is Great Britain. I hold in my hand the English customs tariff. I do not find iron ore there. I do not find lumber there. The English revenue-only legislators did not think that a revenue-only tariff demanded any duty on these things. But they did think a revenue duty is demanded on coffee; and so I find coffee in the English revenue-only customs law—but not lumber, not iron ore.

A tariff for revenue only, Mr. President, is one laid upon those articles which will produce the most revenue. Articles that will produce the most revenue are those which everybody here consumes and which nobody can raise here. Therefore, if anybody is sincerely for a tariff for revenue, he is, first of all, in favor of a tariff on coffee, because everybody in America uses coffee and nobody in America produces coffee. The same is true of cocoa, and of a great many other necessities of the people. Those are the great revenue-producing subjects. Yet do we hear any party daring to go before the American people and declare that they propose to put a duty of any kind upon the articles like those upon which the British revenue puts it?

Mr. President, just this word further about a tariff for revenue only. Those who have noted—I will not say studied—the progress of tariff movements throughout the world must know that a tariff for revenue only has deliberately been abandoned by every modern nation in the world, excepting only Great Britain; and that even in Great Britain the largest reform that that Empire has seen since Cobden's day is the present movement for the abandonment of what Mr. Balfour, who is leading that movement, calls "the moth-eaten and outworn system of a tariff for revenue only," which, he says, if continued, will bankrupt the United Kingdom.

TARIFF-FOR-REVENUE-ONLY COUNTRIES.

Nothing is more certain in the future than that that movement, backed by the progressive producers of the United Kingdom, led by such men as Chamberlain, their theories voiced by such mighty intellects as Balfour, will succeed within less than a decade. They themselves know that so thoroughly that out of their own private pockets the manufacturers of Great Britain have established a great board of experts to prepare a protective tariff bill to be ready against the day of their success. And it is a literal fact of history that no reform movement in the English-speaking world has made such rapid progress as the protective theory is making in Great Britain.

Outside of Great Britain I believe the only countries to-day that adhere to a tariff for revenue only are China, Turkey, Afghanistan, Beluchistan, Abyssinia, and such other like progressive countries. All others are protective countries. In Germany the system of protection sprang up, and it did for her what it did for us. It built her factories, it opened her mines, it developed her industries, it made her rich; and then, because of her narrow confines, she saw that she must capture the markets of the world, and with the methods of the studious German mind she took and developed our single protective system into a double protective system—a system that gives one tariff to countries which will not grant her concessions, and a better one to those that do; a system so advanced that in ten years it has given Germany almost the leading place in the world of foreign trade.

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

Mr. BEVERIDGE. Certainly.

Mr. SUTHERLAND. Is Germany developing any tariff revision downward?

Mr. BEVERIDGE. No; but what she does is to revise downward and upward, *according to the facts*. The German tariff *is far lower than ours*. The brief history of that, though I do not want to take much time on it, is this: That greatest practical mind, undoubtedly, that Europe has produced in the last half century, Prince Bismarck, was, as we all know, originally a free trader. But he was a student. He was a man who thought that each new day had something to teach him. He was a person who thought that the rolling years were intended for enlightenment. He was not a man who fixed himself upon a narrow position and stood there, regardless of the teachings of the world. And so Prince Bismarck, as he himself declared, converted to the protective theory by the experience of the United States, deliberately influenced the German Empire to adopt that system; and they have taken it, as they usually do most things, and improved upon it.

But I will not go further on this, because I merely intended to call the attention of my tariff-for-revenue-only friends to the fact that the only countries in the world to-day that cling to what Mr. Balfour calls "the worn-out and moth-eaten system of a tariff for revenue only" are Great Britain, which is about to abandon it, Turkey, China, Persia, Abyssinia, Beluchistan, and some other equally progressive countries. I do not think the American people are going to imitate them.

Some Senator said something here a few moments ago about divisions in the Republican party. I think it was my friend from Michigan who said that. I do not know that I can better close than by saying that nobody within our party can have, *and nobody without our party need have*, any alarm for our party future; because when all is done it will be found that excesses have been reduced and justice established, all by one broad, general principle, and an equal desire among us to do exactly what is right from our different points of view. And, so when the day of battle comes, the Republican party will be found disciplined, compact, aggressive, marching forward in the future, as it has in the past, to victory for itself and to blessings for the Nation.

Mr. ALDRICH. Mr. President, it is not my purpose to ask the Senate to proceed further with the lumber schedule at this time. The committee are convinced that there should be somewhat of a readjustment between the rates upon rough and finished lumber different from those contained in the bill as reported from the committee, and they will at a subsequent date report to the Senate some amendments in that line. I ask the Senate to proceed this morning to the consideration of Schedule E.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none.

Mr. KEAN and Mr. LODGE. Let it be read.

The SECRETARY. The first paragraph in that schedule passed over is No. 213, as follows:

213. Sugars not above No. 16 Dutch standard in color, tank bottoms, sirups of cane juice, etc.

The VICE-PRESIDENT. No amendment is pending to this paragraph.

Mr. FOSTER obtained the floor.

Mr. BORAH. Mr. President——

Mr. FOSTER. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I want to detain the Senate only a moment. The remarks I made yesterday, which have led to the long discussion this morning upon the part of the Senator from Indiana, based upon an interpretation of the President's position on this subject, have been fully borne out by the somewhat extended speech of the Senator from Indiana. I apprehended when he arose that it was for the purpose of distinguishing in some measure the parts which he quoted from the portion of the President's message which I quoted. I find, however, that instead of distinguishing, the quotations made from

the President's messages and speeches fully corroborate and sustain not only the quotation which I made, but the interpretation I placed upon the quotation. I did not feel it was necessary to go so far into the matter as has the Senator from Indiana, but I quoted from the President's speech a single paragraph which covered his views in entirety upon the subject—that he was in favor of revision and revision downward, always within the line of the protective principle; that he believed that generally the schedules should be lowered, sometimes raised, always for the purpose of preserving the policy and the principle of protection.

Now, with a quotation from what I said myself, I will leave the RECORD to speak to those who will read it. I said:

I am one of those who believe that the Chicago platform meant an honest and faithful revision of the tariff, and that that revision was understood in the public mind to be a revision downward, but always within the lines of sufficient protection to American industries and American labor.

The Senator from Indiana has not quoted anything from the President in contravention of that principle or that interpretation of it.

Mr. BEVERIDGE. If the Senator will permit me, I thought the Senator's own language with reference to that most admirable quotation from the President ought to be supplemented by everything the President said, and especially in view of the fact that I had heard the expression on this floor by high authority, "Who ever heard anybody pledge anybody to revision downward?"

Mr. BORAH. In that respect the Senator was not quoting from the Senator from Idaho. I again said:

This, Mr. President, did not mean, as was so often pointed out during the campaign by the President himself, but that there might be instances in which it would be necessary to raise the duty in order that the principle of protection might be preserved; but undoubtedly it did mean, in a general way, that when the duties could be lowered, within the policy and principle of the party of protection, that that should occur, and that rule should be adopted and carried out in good faith.

It was all right to quote the President's messages and speeches in full. It would be enlightening to the public to have them complete in the RECORD. But so far as the principle is concerned, it was contained in the paragraph which I quoted, and is not in any way modified by the quotations made or by the inference of the Senator from Indiana.

Mr. SIMMONS. The Senator from Louisiana [Mr. FOSTER] is about to enter upon the discussion of a very important question, and there are very few Senators present. I think it would be well to have a call of the Senate.

The PRESIDING OFFICER (Mr. BRADLEY in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gallinger	Paynter
Bacon	Culberson	Gamble	Penrose
Bailey	Cullom	Guggenheim	Perkins
Bankhead	Cummins	Heyburn	Piles
Beveridge	Curtis	Hughes	Rayner
Borah	Daniel	Johnson, N. Dak.	Richardson
Bourne	Depew	Johnston, Ala.	Root
Bradley	Dick	Jones	Shively
Brandegee	Dillingham	Kean	Simmons
Briggs	Dixon	La Follette	Smith, Md.
Bristow	Dolliver	Lodge	Smith, S. C.
Brown	du Pont	McEnery	Smoot
Burkett	Elkins	Martin	Stephenson
Burrows	Fletcher	Money	Stone
Carter	Flint	Oliver	Sutherland
Chamberlain	Foster	Overman	Tillman
Clapp	Frazier	Owen	Warner
Clark, Wyo.	Frye	Page	Warren

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, a quorum of the Senate is present. The Senator from Louisiana will proceed.

Mr. FOSTER. Mr. President, in discussing the sugar schedule, I propose to treat the subject very largely from an historic as well as economic point of view. I shall make no appeal to prejudice or passion through the introduction of matter not properly belonging to a discussion of the tariff, but will place the merits of the proposition squarely before the Senate, and ask that the same treatment be accorded sugar as has been given the other great industries affected by this bill.

I will show from the history of this legislation, beginning with the first act of 1789, that a duty has always been imposed upon sugar, with the solitary exception of the McKinley bill, and that different rates have been levied on the different grades, the lower bearing a lower rate, and the higher grades a higher rate, with a differential always provided for the refined. I will show that not only has this been our fixed policy in time of peace or stress of war, irrespective of what party has been in power, but that the men authorized to speak for the Democratic party have pronounced the sugar duty to be the ideal producer of revenue, as well as the most just and evenly distributed tax that can be levied by the Government for its maintenance and support.

I hope to demonstrate that the policy of continental Europe has been to encourage and develop the sugar industry in those respective countries, making them absolutely independent in this necessary article of life, and that economic considerations and wise statesmanship demand that this country adopt a similar policy; and, further, that continental United States is not only capable of producing all the sugar necessary for the demands of its people, but will actually do so, unless there is adverse or hostile legislation by this Congress.

I will show that the taxes upon sugar under this bill are less than those imposed by any of the countries of continental Europe, and that the consumer in the United States pays less for his sugar than the consumer living in any of those countries, even in those that stand ready to flood our markets with their surplus product.

I will show that while all other food staples, together with the products of the forest, field, and factory, have within the last decade advanced from 20 to 40 per cent the price of sugar within that time has remained practically stationary.

I will attempt to show that it is a wise and just policy not only to encourage the full development of our agricultural interests, but at the same time to encourage the growth and development of our manufactures; and I hope to demonstrate that the enormous amount of capital which has been invested in good faith in the sugar industry of this country, the vast numbers of our people who are dependent on it, the diversified interests that are affected for weal or woe by its welfare, and the large revenue it yields with the least cost to the people, warrant fair and even generous treatment at the hands of Congress.

Mr. President, if it can be shown, as I have indicated, that, with the solitary exception of the McKinley Act, every tariff law from the foundation of the Government until the present has placed sugar on the dutiable list, with a higher rate on refined than on raw, and that every political party that has arisen to a commanding position in this country has subscribed to that doctrine, there ought to be some convincing reason to justify a departure from this established policy.

If it can be demonstrated that the tariff on sugar is lower in this country than in the sugar-producing countries of Europe, and that in addition to being the cheapest necessary of life entering into the daily consumption of our people the price to the consumer in the United States is cheaper than to the consumer in those countries, then I submit that no just complaint can be urged against the present tariff legislation on sugar by either the consumer, the taxpayer, or the lawmaker. Finally, if it can be shown that the revenue from sugar under the present bill is necessary for the support and maintenance of the Government, then that revenue should not be reduced or destroyed.

I now propose to take up and consider the treatment of sugar by the various acts of Congress, beginning with the first act in 1789 and coming down to the present law. I do this not only to establish the fact that by all parties throughout our history sugar has been considered a proper and legitimate subject of tariff legislation, but also to show that throughout this policy the legislative mind has made a distinction between the duties imposed upon the different grades of sugar running from the raw to the refined.

The act of Congress of July 4, 1789, carried a duty of 1 cent a pound on raw sugar, 1½ cents on partially refined, or clayed, and 3 cents on fully refined.

At that time there was no sugar raised in the United States.

In 1790 these duties were increased from 1 to 1½ cents on raw, and from 1½ to 2½ cents on partially refined, or clayed, and to 5 cents on refined sugar, which was increased to 9 cents per pound in 1794.

From 1797 to 1804 the duty was 2½ cents on raw and 9 cents on loaf or refined sugar. This was prior to the Louisiana Purchase.

These duties were increased 100 per cent under the act of 1812, and were so to continue until one year after the treaty of peace with England.

In April, 1816, the duty on raw sugar was 3 cents per pound; 4 cents on partially refined; 10 cents on lump; and 12 cents on loaf or refined sugar.

These rates remained practically unchanged until the act of 1832, when they were reduced to 2½ cents on raw sugar and 3½ cents on refined sugar, which rates were maintained until 1842.

Under the act of August 30, 1842, raw sugar was kept at 2½ cents, all other sugars when advanced beyond raw state 4 cents

per pound, and the duty was increased to 6 cents on all grades which were refined.

Under the provision of the act of 1846, known as the Walker Tariff Act, duties were placed on sugars of all kinds at 30 per cent ad valorem. By the act of 1857 it was reduced to 24 per cent, and under that law sugar was retailed at from 5 to 6 cents per pound.

On December 24, 1861, during the civil war, sugar was placed in the tariff act at the rate of 2½ cents per pound, on grades not above No. 12; and on the higher grades it was put at 5 cents per pound; while the act of 1862 made it 2½ cents on raw not above No. 12; 3½ cents above No. 15 and below No. 20; and 4 cents on higher grades.

The acts of 1864 up to 1869, inclusive, placed the rate on raw sugar at 3 cents and retained the rate on refined at 3½ and 4 cents. The act of 1861 was the first in which Congress adopted the Dutch standard, which applies to color, and it should be borne in mind that No. 16 and all below this are dark sugars.

Under the acts of 1870 and 1872 the duty was placed on all sugars from No. 7 to No. 10 at 1½ cents per pound; No. 10 to No. 13 at 2 cents; No. 13 to No. 16 at 2½ cents; No. 16 to No. 20 at 3½ cents; and above No. 20 at 4 cents per pound.

The act of 1883 placed a duty on sugar ranging from 1.40 cents per pound on raw sugar, below No. 13, and adding 0.04 cent per pound for each additional degree of strength. On sugars above No. 13 and up to No. 16 it was at 2.75 cents per pound; above No. 16 and up to No. 20 at 3 cents per pound; above No. 20 at 3.5 cents per pound.

Under the McKinley bill, while raw sugar was free, there was a duty of half a cent per pound levied on all sugar above No. 16 Dutch standard, to which was added one-tenth of a cent per pound on all sugar exported from bounty-paying countries.

Under the Wilson bill there was a duty of 40 per cent ad valorem on all sugars under No. 16, Dutch standard; and upon all sugars above No. 16 a duty of one-eighth of 1 per cent, or 12½ cents per hundred, in addition; so that a refiner under that law received 12½ cents per hundred—just what he receives under the present law with one-tenth of a cent per pound on all bounty fed sugars.

By the act of 1789 it will be seen that the difference between raw sugars and refined sugars was 2 cents per pound.

In 1791 the difference between raw and refined sugar was 7½ cents per pound; and from 1797 to 1804 the difference was also 7½ cents per pound.

In 1842 the difference between raw and refined sugars was the difference between 2½ and 6 cents, or 3½ cents.

Under the present law, or the Dingley Act, the duty on 96° sugar is 1.68½, with 3½ cents per 100 pounds on every additional degree up to 100° and a differential of 12½ cents, equaling 1.95 cents per pound on refined sugar.

The bill under consideration reduces the differential from 12½ cents to 7½ cents, making the duty on refined sugar 1.90 cents per pound.

Under the McKinley bill raw sugar was free, but a differential was imposed on refined of five-tenths of a cent per pound, or 50 cents per hundred pounds.

Under the Wilson bill all sugars above No. 16 Dutch standard paid an additional duty over the 40 per cent ad valorem of one-eighth of 1 per cent, or 12½ per cent per hundred pounds.

From these citations it is shown that a duty has been imposed upon sugar by every party in control of the Government since its foundation, and in each and every one of these tariff acts, except the Walker Act, a different rate of duty has been imposed upon the raw and the refined.

WHAT GREAT DEMOCRATS HAVE SAID.

Let us again turn back the pages of history and see how the Democratic leaders have stood on this question. The first radical revision of the tariff occurred in 1816, and the act of April 16 of that year was based on the report submitted to Congress in response to a resolution of the House by Alexander J. Dallas, the Democratic Secretary of the Treasury under President Madison.

That report was one of the ablest of our early state papers. It was written in the broadest spirit of patriotism. It was marked by a complete absence of sectionalism. As an illustration of the fact that the fundamental principles of economic legislation do not change, it was said of this great Democratic paper, by the senior Senator from Iowa, when as a member of the other branch of Congress he was discussing the present tariff law in 1897, that if called upon to pick out from the economic literature of our country an official document that completely stated the working principles his party was then striving for, he would take this letter of Secretary Dallas.

In pointing out the same diversity of interests that has again come to plague us, and in counseling a broad and statesmanlike treatment, Mr. Dallas said:

> The social compact is formed on the basis of a surrender of a part of the natural rights of individuals for the security and benefit of the whole of society. The federal compact is formed on the basis of a surrender of a part of the political rights of each State for the benefit and security of the whole confederation. Hence, in the attempt "to conciliate the various national interests which arise from the pursuits of agriculture, manufactures, trade, and navigation," it is necessary to recollect that the common object of the Nation will not invariably correspond with the separate objects of individuals, or of their professions, nor with the respective objects of the respective States, or of the industry of their inhabitants.

In this broad spirit the Democratic party proceeded to the consideration of the needs of the country, then just emerging from the second war with Great Britain. Substantially the same arguments were advanced against the sugar schedule of that bill as are heard to-day, but Congress, recognizing its importance as a revenue-producing article, rejected the efforts made to secure lower rates, and provided a tariff with the following duties: Three cents on raw sugar, 4 cents on partially refined, 10 cents on lump, and 12 cents on loaf.

The bill was reported by Mr. Lowndes of South Carolina, chairman of the Committee on Ways and Means, and Mr. Huger, also of South Carolina, offered a substitute, providing lower rates. The debate that followed was one of the most interesting of that session, and John C. Calhoun and other great leaders of the party participated. It will be found on pages 1238 to 1262, inclusive, of the Annals, first session, Fourteenth Congress.

In opposing the substitute of Mr. Huger, Mr. Robertson of Louisiana said:

> My friend from South Carolina, the chairman of the Committee on Ways and Means [Mr. Lowndes], who, I hesitate not to say, is better acquainted with the fiscal concerns of the nation than any member of this House, has recommended the duty which I now advocate; he tells you explicitly that it is required by the necessities of the Government. Impartial and intelligent as he is, he has not said as much in regard to any other tax.

The report of the debate continues:

> Mr. Lowndes made a few remarks on the same side. He argued that the manufacture of sugar demanded encouragement as strongly as any other, and that he thought the duty provided by the bill was even too low, being a very small increase on the specific duty; and that it was as necessary for the purpose of revenue as the protection of the article.
>
> Mr. Calhoun made a few remarks against the motion [to reduce the duties]. He dwelt on the great importance of the article, and the expediency of encouraging its production in our country, by which our supplies would be so much more certain; and enforced particularly the necessity for encouraging all those articles at home, for which we now depended on the West Indies, to which the trade was so precarious.

The instances where the Democratic leaders have stood for the development of the sugar industry could be cited in great number, did time permit.

I will come, however, to more recent years, and show from the utterances of our party leaders, with whom many of you were personally acquainted, that Democratic principles have not changed so far as concerns the treatment of sugar as the ideal article for raising revenue, and likewise the importance of encouraging and building up this interest as a great domestic industry.

The sugar duties were exhaustively considered by Hon. Daniel Manning, Secretary of the Treasury in Mr. Cleveland's first Cabinet, who was recognized as one of the leading authorities on economic problems of his day, and who was thoroughly versed in the principles and policies of his party in matters of tariff legislation.

In the annual report he submitted at the second session of the Forty-ninth Congress, wherein he advocated the repeal of the war taxes, for which the country was clamoring, he said:

> We need just now to get $150,000,000 from imports—

and proceeded to consider—

> The cheapest and best taxes to retain.

On this point he said:

> Another proposal is to reduce taxation by cutting down the tax on whisky, tobacco, and beers, and removing the duty on sugar.
>
> Nobody pays a tax on tobacco except the consumers of tobacco. They are willing to pay for the luxury, and they ask no relief. Any probable reduction of the tax on whisky would be more likely to increase the revenue than to diminish it. The price of sugar has fallen to an exceedingly cheap rate.

And here I will remark that sugar then sold for a much higher price than now, the price then being 6.02 cents per pound, while now it is 4.86 cents a pound.

> Our own sugar crop is so very small a part of the total amount of sugar we consume that sugar ranks next to articles wholly produced abroad, like tea and coffee, in suitability for taxation, on the ground that its consumption is universal; that the tax is easily and cheaply collected; that the increased price paid by the consumers is an unconsidered trifle, and that what is taken from the taxpayers goes into the taxpayers' treasury, not into a few private bank accounts.

pronounced the sugar duty to be the ideal producer of revenue, | cents, all other sugars when advanced beyond raw state 4 cents

And right here, Mr. President, I may remark that the fundamental error made by the opponents of the tariff on sugar is that the amount of the tariff, according to them, goes directly to the producer or manufacturer of sugar, when in fact it goes into the national coffers, and nearly every dollar of the tax imposed is returned to the people in the way of supporting and maintaining the Government.

Like the casting away of the revenue from coffee and tea in 1872—

Continues Mr. Manning—

> the removal of the tax on sugar, which gives us our easiest and next to largest single item of revenue ($51,778,948), at an annual cost of less than 90 cents per head, is now pressed forward to avert the repeal of other taxes which are desired to operate an incidental and private benefit by enhanced prices to the domestic consumers of a large domestic product. These incidental and private benefits, in fact, are subject to all the deductions I have already mentioned, and are subject to the chief deduction that the endeavor to make our tax laws exclude foreign competition in our home markets promotes the success of that competition, besides effectually preventing the sale of our surplus product—our labor product—in foreign markets. But the incidental benefit of the sugar tax to our cane-sugar producers, who are under the harrow of beet-root sugar competition and German bounties, which have driven them to improved processes and already lowered the price of sugar more than removal of the whole tax, is not got by excluding foreign sugar, for the great bulk of our sweetening comes from climates more tropical than ours. Nor does it prevent our sales in foreign markets of imported sugar refined and increased in value by the processes of American labor.

One of the best expositions of the Democratic doctrine on this question may be found in the speech of Hon. John G. Carlisle, Speaker of the House, and Secretary of the Treasury in Mr. Cleveland's second Cabinet, which he delivered May 19, 1888, in the House. He said:

> But, sir, let us see what would be the effect of the repeal of the duty on sugar, the effect upon the revenue, and upon the people who are compelled to pay taxes in some form for the support of the Government.
>
> The latest report I have at hand shows the total amount of sugar produced in this country and the total amount consumed for the year 1886, and they show that the domestic production was 202,754,486 pounds, while the total consumption was 3,111,640,000 pounds. It thus appears that considerably less than one-tenth of the domestic consumption is produced at home and that the remainder is imported and pays duty at the custom-house. The duty collected during the last fiscal year was $57,000,000. Now, assuming that the whole amount of the duty is added to the price of the domestic article, it is clear that whenever $1 is taken out of the pocket of the consumer on account of this increased price more than $10 are paid into the Public Treasury for the support of the Government and the discharge of its obligations.
>
> The repeal of this duty, therefore, while it would undoubtedly reduce the revenue, would afford very little relief to the people in comparison with the relief that would be afforded by the repeal of duties upon many other articles in common use.

PRICES FOR LAST THIRD OF CENTURY.

Having shown what has been the policy of this Government toward sugar, practically since its foundation, by all parties, and especially what have been the views of the leading Democrats, my purpose now is to show the ruling prices of raw and refined sugar for the last third of a century.

From the figures presented it will be seen that not only has the general trend been in the direction of a lower price of sugar, and consequently in favor of the consumer, but it will likewise be shown that in this period none of the other food staples show such an absence of fluctuating prices. On the contrary, as I expect to show later, not only have the food products, but likewise most other products of the forest, field, and farm advanced from 20 to 40 odd per cent during the period mentioned.

I purpose first, Mr. President, to show the wholesale price of granulated sugar per pound at New York, and the average price per pound in foreign countries, beginning with 1871 and coming down to and including the year 1907. I will ask permission to have the table inserted in the RECORD as a part of my remarks. I quote it from the Statistical Abstract of the United States, issued by the Department of Commerce and Labor.

There being no objection the table was ordered to be printed in the RECORD as follows:

Year.	Sugar.					
	Imports.		Average cost per pound in foreign country.	Wholesale prices of granulated at New York (per pound).	Total consumption.	Consumption per capita.
	Quantity.	Value.				
	Pounds.	*Dollars.*	*Cents.*	*Cents.*	*Tons.*	*Pounds.*
1871	1,277,473,653	64,621,239	4.94	13.12	663,174	37.6
1872	1,509,185,674	81,213,001	5.37	12.37	708,717	39.1
1873	1,568,304,592	83,716,953	5.35	11.36	745,558	40.2
1874	1,701,297,869	81,887,463	4.95	10.50	783,557	41.0
1875	1,797,509,990	73,330,556	4.35	10.61	791,600	40.3
1876	1,493,977,472	58,120,583	4.04	10.51	775,565	38.5
1877	1,654,556,831	84,978,182	4.91	10.73	745,250	46.1
1878	1,537,451,934	73,090,968	5.06	9.07	773,472	38.6
1879	1,834,365,836	72,078,688	4.10	8.81	831,896	40.7
1880	1,829,291,684	80,087,720	4.18	9.80	956,784	42.9
1881	1,946,745,205	86,670,624	4.41	9.70	1,012,206	44.2
1882	1,990,152,374	90,439,675	4.41	9.35	1,134,994	48.4
1883	2,187,667,665	91,637,992	4.37	8.66	1,224,011	51.1
1884	2,756,416,896	98,264,607	3.61	6.75	1,309,383	53.4
1885	2,717,884,633	72,519,514	2.67	6.53	1,298,880	51.8
1886	2,689,881,765	80,773,744	2.84	6.23	1,459,280	56.9
1887	3,136,443,240	78,411,224	2.50	6.02	1,381,714	52.7
1888	2,700,284,282	74,245,206	2.75	7.13	1,519,253	56.7
1889	2,762,202,967	88,543,971	3.21	7.89	1,416,474	51.8
1890	2,934,011,560	95,094,382	3.28	6.27	1,476,377	52.8
1891	3,483,477,222	105,728,216	3.03	4.65	1,888,851	66.3
1892	3,556,509,165	104,408,813	2.93	4.85	1,853,370	63.8
1893	3,766,445,347	116,255,784	3.09	4.84	1,906,758	64.4
1894	4,345,193,881	126,871,889	2.92	4.12	2,012,714	66.7
1895	3,574,510,454	76,462,832	2.15	4.12	1,949,744	63.4
1896	3,896,338,557	89,219,773	2.29	4.53	1,960,086	62.5
1897	4,918,905,733	99,066,181	2.01	4.50	2,070,978	64.8
1898	2,689,920,851	60,472,749	2.25	4.97	2,002,902	61.5
1899	3,980,250,569	94,964,120	2.39	4.92	2,078,968	62.6
1900	4,018,086,330	100,250,974	2.49	5.32	2,219,847	65.2
1901	3,975,005,840	90,487,800	2.28	5.05	2,372,316	68.7
1902	3,031,915,575	55,061,097	1.82	4.46	2,566,108	72.8
1903	4,216,108,106	72,088,973	1.71	4.64	2,549,643	70.9
1904	3,700,623,613	71,915,753	1.94	4.77	2,767,162	75.3
1905	3,680,922,998	97,645,449	2.65	5.26	2,652,216	70.5
1906	3,979,331,430	85,450,088	2.15	4.52	2,864,013	76.1
1907	4,391,839,975	92,896,253	2.11	4.65	2,993,979	77.5

Mr. FOSTER. This table shows, Mr. President, that the wholesale price of granulated sugar in New York in 1871 was 13.51 cents per pound, and that the average cost of raw in foreign countries was 4.95 cents per pound; that in 1877 the New York price was 10.73 cents for refined, while the foreign price was 4.91 cents per pound raw. In 1887 the New York price was 6.02 and the foreign price 2.50 cents per pound. In 1897 the New York price was 4.50 and the foreign price 2.01 cents per pound, while in 1907 the New York price was 4.65 and the foreign price 2.11 cents per pound. These figures, Mr. President, show that the difference between the domestic and the foreign market prices was much greater in former years than it is at present. I judge, Mr. President, that the above table shows the general average of prices in the leading foreign ports, as the figures show a slight variation of the Hamburg prices as given by Willett and Gray from 1900 to 1907, both years inclusive. While this shows the price of sugar in certain exporting markets of the Old World, yet at the same time it must be remembered, as I will hereafter conclusively establish, the price of sugar to the consumer in those countries, excepting England, is much higher than to the consumer in this country.

Mr. BRISTOW. I should like to inquire why the retail price in foreign countries is so much higher than the wholesale price?

Mr. FOSTER. I will discuss that as I proceed.

I shall next take the price of sugar under the tariff bill of 1883 and institute comparisons with the prices of sugar under the McKinley, Wilson, and Dingley bills, showing the average quotations of raw and granulated under each, and the margins between the raw and granulated, and I will also ask that this table be included as part of my remarks in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection and it is so ordered.

The tables referred to are as follows:

1883 Commission tariff.

	Raw centrifugal, per pound.	Granulated, per pound.
	Cents.	*Cents.*
1887	5.88	6.02
1888	5.93	7.13
1889	6.57	7.89
1890	5.57	6.27

Under the 1883 Commission tariff, the average price of raw sugar was 5.89 cents; the average price of granulated, 6.84 cents per pound—a difference of 0.95 cent.

McKinley tariff.

	Raw centrifugal, per pound.	Granulated, per pound.
	Cents.	*Cents.*
1891	3.92	4.65
1892	3.32	4.35
1893	3.69	4.84
1894	3.34	4.12

Under the McKinley tariff, the average price of raw sugar was 3.57 cents per pound; the average price of granulated, 4.49 cents—a difference of 0.92 cent.

Wilson bill.

	Raw centrifugal, per pound.	Granulated, per pound.
	Cents.	*Cents.*
1895	3.23	4.12
1896	3.62	4.53
1897	3.56	4.50

Under the Wilson bill the average price of raw sugar was 3.47 cents per pound; the average price of granulated, 4.38 cents per pound—a difference of 0.91 cent.

Dingley bill.

	Raw centrifugal, per pound.	Granulated, per pound.
	Cents.	*Cents.*
1898	4.24	4.97
1899	4.42	4.92
1900	4.57	5.32
1901	4.05	5.05
1902	3.54	4.46
1903	3.72	4.64
1904	3.97	4.77
1905	4.28	5.26
1906	3.69	4.52
1907	3.76	4.65

Mr. FOSTER. Under the Dingley bill these tables show that from 1898 to 1907 the average price of raw sugar was 4.02 cents and the average price of granulated 4.86, the margin between raw and refined being 0.84 of a cent, or 84 cents a hundred pounds, showing a smaller margin between the raw and refined than under any other preceding tariff bill, being 7 cents less than under the Wilson bill, 8 cents less than under the McKinley bill, and 11 cents less than under the Commission bill of 1883.

In 1898, the year after the passage of the Dingley bill, raw sugar sold at 4.24 cents per pound and granulated sold at 4.97 cents. In 1907 raw sugar sold for 3.76 cents per pound and granulated at 4.65 cents.

In 1887 raw sugar sold for 5.38 cents per pound, while in 1898 the same sugar sold for 4.24 cents per pound and in 1907 for 3.76 cents.

In 1889 raw sugar sold for 6.57 cents per pound, and in 1907 it sold for 3.76 cents per pound; and granulated sugar during the year 1889 sold for 7.89 cents per pound and in 1907 for 4.65 cents per pound.

In 1900 and 1901 raw sugar sold for over 4 cents per pound and granulated over 5 cents per pound; in 1906 and 1907 raw sugar sold for 3.67 and 3.69 cents and granulated for 4.62 and 4.65 cents, respectively.

This margin between raw and refined includes the cost of refining, such as labor and fuel, the wear and tear and depreciation of expensive machinery, the cost of packages in which the sugar is delivered to the market, the refiner's profit and jobber's commission, and the loss of sugar involved in the process of refining, which has been estimated by experts to be 7 pounds in every 100.

Mr. President, these facts and figures incontestably contradict the very elaborate and ingenious argument of the junior Senator from Georgia.

These figures, on the contrary, demonstrate that the selling price between raw and refined was greater under every other tariff than it is to-day.

Again, it is urged that the difference between raw or similar grades of sugar in this country and the foreign markets can not be justified, and considering the low price of foreign when compared with domestic sugars it is urged that the tariff ought to be lowered in order to cheapen the commodity to the home consumer. The figures which I have heretofore presented show that this disparity has always existed, and there is no greater reason now than in years past for any change in our policy.

But there is another factor which has escaped the attention of those who advocate a departure from our traditional policy, and that factor is the difference between the domestic and export prices of foreign sugars. There is an export price and a home price, and the fact is shown by the very best authority that the export price is far below even the cost of production. I read from the testimony before the Ways and Means Committee on this phase of the subject (p. 3292):

It appears from the foregoing that the actual selling price of granulated sugar f. o. b. Hamburg is less than the amount the American manufacturers pay the farmers for the sugar in the beet before they begin the process of manufacture. Further, that this average Hamburg selling price of granulated sugar is $1.36½ less than the lowest range of average cost to manufacture beet sugar in the United States. It must be remembered that the Hamburg prices above referred to are the selling prices and not the cost prices. They include the first cost of raw material, the cost of manufacturing, and the manufacturer's profit, the sum total of which, as stated above, is less than the American manufacturer pays the farmer for the sugar in the beet before he begins the process of manufacture.

If it is urged that the European sugar producer can not afford to sell 88-degree sugar at an average price of $2 per hundred pounds and granulated sugar at an average price of $2.385 per hundred pounds, let it be remembered that during the years in question, namely, from 1900 to 1907, the beet-sugar industry of Europe has thrived as never before, as shown by Senate Document No. 250, entitled "Production and Commercial Movement of Sugar," compiled by O. P. Austin, Chief of Bureau of Statistics, Department of Commerce and Labor.

On this same point I wish to read from the report of the British tariff commission, printed in London in 1907, all the more convincing since, for the purpose of this discussion, the evidence adduced before and the conclusions reached by a British commission must be regarded as strictly impartial.

In section 7 of paragraph 4 that report says:

The unfair character of foreign competition in the British market is constantly dwelt upon in the evidence. The continental kartells facilitated the dumping on a large scale in the United Kingdom, and this kartell organization was only rendered possible by the heavy state bounties and preferential export freight rates. Cases are quoted in the evidence in which German refined sugar was sold in this country at a price 1 shilling 8 pence per hundredweight, or about 20 per cent below the cost of production.

The kartell, as the Senate knows, was abolished by the Brussels Convention in 1903, but that the practices of state stimulation that grew up with that system still continue, and enable the German sugars to be sold for export at less than the cost of production, is shown by paragraph 17 of the same British report. It says:

The comparative prices of the imported and home-refined sugar are stated thus in the evidence of a Liverpool firm of refiners: "So-called 'first marks' sugar for import into Great Britain was in 1904 (the year after the kartell was abolished) bought at about 9 shillings 10 pence f. o. b. Hamburg (equal to 2.46 cents per pound). The cost of production is 9 shillings for the raw sugar, taking the roots at their minimum value, plus about 2 shillings 6 pence for the cost of refining—total 11 shillings 6 pence per hundredweight. Hence, German refined sugar sold in this country at a price of 1 shilling 8 pence per hundred pounds below the cost of production. Countries adhering to the Brussels Sugar Convention have been allowed to give native refined sugar a protection of 6 francs per 100 kilos (nearly 2 shillings 6 pence per hundredweight) in their home markets. In consequence the surplus that they can not consume, caused by the recent enormous overproduction, has been sent to Great Britain and sold at a price below the price of producing similar sugar in this country."

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Michigan?

Mr. FOSTER. Yes, sir.

Mr. SMITH of Michigan. If that is true, then they must make up in the domestic price in Germany for that lost abroad. Is the Senator going to speak upon that feature of the matter?

Mr. FOSTER. Yes; I was intending to do so.

Mr. SMITH of Michigan. As a matter of fact, they do charge their own people higher than they charge the English people.

Mr. FOSTER. I am going to show that they charge their own people higher than they do the English people or anybody else on the face of the earth.

Having shown the rate of duties imposed by this Government on sugar, and the price of sugar in this country under those various acts, I now purpose to show that the taxation or duties imposed by all countries of continental Europe are much higher than it has been the policy of this country to impose, and especially are they higher than the duties under the Dingley Act or the bill under consideration.

Conclusive information to this effect has recently been furnished by the State Department, in response to a resolution of the Senate. It shows the amount of duties per hundred pounds imposed by foreign governments on sugar, and I will ask permission of the Senate to have them inserted as part of my remarks.

The PRESIDING OFFICER. In the absence of objection, permission is given to insert the matter referred to by the Senator from Louisiana.

The statements referred to are as follows:

Duties, taxes, etc., on sugar in foreign countries—Rates of duty on sugar.

Tariff No.

AUSTRIA-HUNGARY

Ex. 19. Raw sugar (cane and beet) below 98 per cent polarization, per 100 pounds — $3.99
Refined sugar as well as kinds of sugar with a polarization of 98 per cent and above, per 100 pounds — 4.03
NOTE.—Sugar enjoying an export premium is subject to a surtax established by the Brussels Sugar Convention.

20. Sugar of other kinds, i. e., glucose, starch sugar, grape sugar, fruit sugar, milk sugar and the like, sugar for coloring purposes, per 100 pounds — 2.40

BELGIUM.

60. Sugar:
Juice and raw beet and cane sugar, per 100 pounds — 1.75
Refined, per 100 pounds — 1.75
NOTE.—Raw and refined sugar is subject also to a surtax of $0.4825 per 100 pounds.

DENMARK.

Sugar, molasses and sirup:
243. Candy, and sugar in loaves, sheets, cakes, and the like, whole or divided; honey; also powdered sugar with a polarization of over 98 per cent; also grape sugar, or starch sugar, or grape or starch sirup; and caramel, per 100 pounds — 1.22
244. Powdered sugar with a polarization of more than 86 per cent, but not more than 98 per cent, per 100 pounds — .79
NOTE.—Powdered sugar (No. 244) may be imported for the use of refineries at a duty of $0.72 per 100 pounds when not polarizing more than 96 per cent.
245. Other powdered sugar with a polarization of 86 per cent and under; common white sirup, and dissolved and other liquid sugar, including cane juice, from which the sugar has not been separated, per 100 pounds — .49

FRANCE.

90. Sugar:[a]
Produce of French colonies and possessions [b]—
In powder (including poudres blanches), according to its estimated refined yield, per 100 pounds net of refined sugar — 2.19
Refined—
Other than candy, actual weight net per 100 pounds — [c] 2.37
Candy, actual weight net per 100 pounds — [c] 2.53
91. The produce of foreign countries—
In powder, the estimated refined yield thereof being—
98 per cent or less per 100 pounds of refined sugar net — [d] 2.19
More than 98 per cent per 100 pounds net actual weight — [d] 2.89
Refined—
Other than candy, per 100 pounds net actual weight — [d] 2.89
Candy, per 100 pounds net actual weight — [d] 3.06

GERMANY.

176. Cane, beet, and other sugar of the chemical composition of cane sugar (saccharose), refined, per 100 pounds — 2.03
Other, solid and liquid, of all kinds; masse cuite and sugar drainings (sirups and molasses); beet-root juice, maple juice, per 100 pounds — 1.99
177. Starch sugar (grape sugar, glucose, dextrose, maltose), fruit sugar (laevulose), and other kinds of fermentable sugar not otherwise mentioned, crystallized, or in the form of sirup; also dextrin sirup; burnt sugar of all kinds; sugar for coloring purposes, free from dextrin (for coloring rum) or containing dextrin (for coloring beer); sugar coloring, per 100 pounds — 4.33
Milk sugar (lactose), per 100 pounds — [d] 8.66

ITALY.

14. Sugar:
(a) Of first class, per 100 pounds — 8.085
Sugar shall be considered as of first class when on being refined it yields more than 94 per cent. The yield is calculated by deducting from the saccharose percentage the proportion of soluble ashes multiplied by 5. Sugars mixed with materials of a nature to decrease the yield shall also be considered as of the first class.
(b) Of second class, per 100 pounds — 7.72
14. bis. Milk sugar, per 100 pounds — 5.26
15. Glucose:
(a) Solid, per 100 pounds — 3.51
(b) Liquid, per 100 pounds — 2.63
Solid and liquid glucose are liable, over and above the import duty, to the surtax of manufacture equal to the respective internal tax of manufacture.

[a] Law of July 5, 1904, exempts from duty crystallized sugar polarizing less than 95° and also sirups produced in the "turbinage" of sugar which after denaturation in the establishment where they have been manufactured are to be used for the feeding of cattle. By another law of the same date, sugar which, after previous denaturation shall be used in the manufacture of beer, is to be exempt from the duty leviable thereon. Sugar of countries paying bounties on that product is subject to special countervailing duties.
[b] Only products which are imported direct shall be considered as produce of French colonies and possessions.
[c] Includes refining tax.
[d] With an additional $0.48 per 100 pounds net on the actual weight.
[e] This is the general rate to which imports from the United States are subject; the conventional rate is $4.33 per 100 pounds.

NETHERLANDS.

There is no import duty on sugar, but an excise tax is levied at the following rates:
a. Sugar candy not being below the standard fixed for the purpose by the minister of finance, per 100 pounds — $5.21
b. Melis, lump, and all other sugars not specially mentioned, per 100 pounds — 4.93
c. Raw sugar:
Of a richness not below 98 per cent, per 100 pounds — 4.93
Of a richness below 98 per cent, per 100 pounds — [e] .109
d. Bastard sugar (dutiable as raw sugar).
f. Feculae sugar, solid, granular, or in powder, also sugar known as masse, rasped, or pulverized in any other manner, per 100 pounds — 3.29

For the purposes of this law, by saccharine richness is meant: (a) In the case of raw sugar the percentage of polarization after deducting twice the percentage of glucose contained in the sugar and four times the ashes obtained by combustion of the sugar after separating insoluble matter. (b) As to bastard sugar, the percentage of polarization.

In regard to sugar of a saccharine richness below 98 per cent fractions of a unit shall be disregarded.

Tariff No.

RUSSIA.

22. Sugar:
Raw, sugar pounded or ground, without the admixture of lumps, per 100 pounds — $6.42
Refined, lump and candy, in loaves and pieces, per 100 pounds — 8.56

SPAIN.

616. Sugar, glucose, liquid caramel, and similar products, per 100 pounds — 7.46

UNITED KINGDOM.

Sugar:		
Not exceeding 76° of polarization	per 100 pounds	$0.179
Exceeding 76° and not exceeding 77°	do	.195
Exceeding 77° and not exceeding 78°	do	.20
Exceeding 78° and not exceeding 79°	do	.207
Exceeding 79° and not exceeding 80°	do	.212
Exceeding 80° and not exceeding 81°	do	.222
Exceeding 81° and not exceeding 82°	do	.228
Exceeding 82° and not exceeding 83°	do	.235
Exceeding 83° and not exceeding 84°	do	.242
Exceeding 84° and not exceeding 85°	do	.249
Exceeding 85° and not exceeding 86°	do	.256
Exceeding 86° and not exceeding 87°	do	.263
Exceeding 87° and not exceeding 88°	do	.27
Exceeding 88° and not exceeding 89°	do	.278
Exceeding 89° and not exceeding 90°	do	.288
Exceeding 90° and not exceeding 91°	do	.297
Exceeding 91° and not exceeding 92°	do	.306
Exceeding 92° and not exceeding 93°	do	.317
Exceeding 93° and not exceeding 94°	do	.326
Exceeding 94° and not exceeding 95°	do	.335
Exceeding 95° and not exceeding 96°	do	.344
Exceeding 96° and not exceeding 97°	do	.354
Exceeding 97° and not exceeding 98°	do	.363
Exceeding 98°	do	.396

NOTE.—Of the above-mentioned countries, France is the only one which grants tariff concessions on imports of sugar from its colonies.

Mr. FOSTER. These tables confirm the statement issued by the committee of wholesale grocers, formed to present the facts concerning the domestic sugar industry, showing that—

The people of Austria-Hungary are taxed $2.39 per hundred pounds on raw sugar and $3.50 per hundred pounds on refined sugar, plus a surtax of 47 cents per hundred pounds on raw sugar and 52 cents per hundred pounds on refined sugar, making the total tax on raw sugar $2.86 per hundred pounds and on refined $4.02 per hundred pounds.

The people of Russia are taxed $2.49 per hundred pounds on domestic sugar, while the duty on imported sugar is $6.39 per hundred pounds on raw sugar and $8.56 per hundred pounds on refined sugar.

The people of Spain are taxed $3.06 per hundred pounds on domestic sugar and on imported raw sugar $3.53 per hundred pounds, and on imported refined sugar $3.58 per hundred pounds.

The people of Germany are taxed $1.51 per hundred pounds on all domestic sugar, while the tax on imported raw sugar is $1.98 per hundred pounds, and on imported refined sugar $2.03 per hundred pounds.

The people of Italy are taxed $5.88 per hundred pounds on domestic sugar below 94 degrees and $6.14 per hundred pounds on domestic sugar above 94 degrees. On imported sugar they are taxed $7.70 per hundred pounds on sugar below 94 degrees and $8.07 per hundred pounds on sugar above 94 degrees.

Mr. TILLMAN. Is not that prohibitive?

Mr. FOSTER. It is practically prohibitive, and the Senator will find that every country in continental Europe producing sugar has a duty upon it intended to be prohibitive. As I expect to show as I go on the injustice of the reduction proposed in this bill is that it will operate solely against the producers in this country. They have no other market to which they could ship, except England, and even there they will have to pay a duty of 40 per cent per hundred pounds.

[a] For every per cent of saccharine richness, but so that the duty shall not be less than $3.20 per 100 pounds.

Mr. TILLMAN. Do I understand the Senator that we would have no place to ship to?

Mr. FOSTER. No place except England; but we make no shipments to England, because we consume more sugar now than we produce.

Mr. TILLMAN. But we are buying sugar abroad and do not want to ship any from America. We want to get our own sugar cheaper if it can be done.

Mr. FOSTER. If you will open the door to German sugar and to all the other sugars in the world, I think you will get it cheaper here, but at the cost of destroying every cane and beet sugar producer in this country, and when this has been wrought we would pay our tribute to foreign countries for all time to come in higher prices than we now pay for our domestic sugar.

Mr. SMITH of Michigan. According to the Senator's statement a moment ago, we are getting it cheaper than any other country in the world.

Mr. FOSTER. We are paying less for it in this country than any other country in the world, except England.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. FOSTER. I do.

Mr. BRISTOW. Did I understand the Senator from Louisiana to say there was a prohibitive duty on the importation of sugar into Italy?

Mr. FOSTER. That is the way I read the reports.

Mr. BRISTOW. Therefore, I suppose that Italy produces all the sugar that it consumes?

Mr. FOSTER. No, sir.

Mr. BRISTOW. Then there could not be a prohibitive duty on importations, could there?

Mr. FOSTER. I am stating what the duty is. If I said "prohibitive," I possibly ought to have qualified my remarks. Italy does consume quite a quantity of sugar and receives a very large revenue, as I shall show later.

Mr. SIMMONS. What is the amount of sugar produced by Italy?

Mr. FOSTER. I do not think I have those figures. I can show the Senator, however, as I proceed, what is the revenue derived in Italy from the tax and the tariff upon sugar.

Mr. SIMMONS. I do not wish to interrupt the Senator. I thought probably he had the information for which I asked.

Mr. GALLINGER. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New Hampshire?

Mr. FOSTER. Certainly; I yield.

Mr. GALLINGER. I have not been quite as attentive possibly as I ought to have been; in fact, there has been some confusion; but I have noticed during the pendency of this bill that some criticisms, possibly in the Chamber, at any rate in the public press, have been made that we were paying in this country a very much higher price for sugar than England was paying. Do I understand the Senator from Louisiana to say that we are paying less than all other countries except England?

Mr. FOSTER. Except England.

Mr. GALLINGER. I think that is very important.

Mr. FOSTER. I am sorry I have not been able to get the retail selling price of sugar in England.

Mr. GALLINGER. I think the statement has been persistently made that we are paying 2 or 3 cents more per pound for sugar in this country than is paid in England. The Senator then does not know whether that is accurate or not?

Mr. FOSTER. No; I do not know whether it is accurate.

Mr. GALLINGER. I think the matter to which the Senator has called attention is a very important matter to bring out that the people of England are getting sugar very likely a little cheaper than we and that we are getting it cheaper than the people of the other nations of the world. That I had never heard stated before.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. FOSTER. Certainly.

Mr. BRISTOW. I should like, if the Senator will be kind enough to do so, for him to state why it is that other countries pay more in the retail market for their sugar than we do. What is the reason for that?

Mr. FOSTER. It is on account of the taxes imposed upon sugar in the way of consumption and excise taxes and the tariff.

Mr. BRISTOW. Yes; it is a local tax on sugar in European countries, something like our tax on whisky and spirits.

Mr. FOSTER. Yes; it is a consumption and excise tax, but that makes no difference to the people, they pay more for their sugar than we do.

I read, however, a part of this statement.

The people of France are taxed $2.36 per hundred pounds on domestic sugar, while imported raw pays an additional 48 cents per hundred pounds, and refined sugar 52 cents per hundred pounds, making the total tax $2.84 per hundred pounds on raw and $2.89 per hundred pounds on refined.

The people of Holland are taxed $4.82 per hundred pounds on sugar testing 98 degrees or more. Thirty-seven florins is deduced for each degree less, but the minimum shall not be below $3.21 per hundred pounds.

The people of Belgium are taxed $1.75 per hundred pounds on domestic sugar, with an additional surtax of 48 cents per hundred pounds, making a total tax of $2.23 per hundred pounds.

The people of Sweden are now taxed $3.60 per hundred pounds on imported refined sugar and $3 per hundred on imported raw sugar, but the tax is to be slightly decreased in 1913.

It is also interesting to note how our neighbor, the Dominion of Canada, deals with this question. It was shown at the hearings on this bill held by the Ways and Means Committee that the difference in the Canadian general tariff between refined sugar and 96 degrees testing raw sugar is 0.425 cent per pound, whereas in the Dingley tariff the difference is only 0.265 cent per pound.

SUGAR AS A REVENUE PRODUCER.

From this array of tariffs it will readily be seen that sugar the world over is one of the principal objects of taxation, and that the countries of continental Europe have not only imposed an excise or consumption tax, but have practically erected a prohibitive tax against the importation of foreign sugars, as a rule providing a higher rate of duty on the refined than is levied on the raw article. It further shows that wherever man has set up a well-ordered government it is one of the leading producers of revenue, and our own country is no exception in the treatment of sugar as a revenue producer.

The United States leads the list, notwithstanding the enormous remission to our colonies and Cuba, the remission equaling one-half of what we actually collect. The year 1907 may be taken for illustration. The United States that year collected $60,284,059.04 on sugars, and furthermore granted to Cuba, Hawaii, Porto Rico, and the Philippines the enormous tariff remission of $30,405,429.

This, as I expect to show later, is one of the wrongs and injustices in this measure pending before Congress.

Great Britain for the fiscal year ending March 31, 1908, retained for home consumption 3,548,222,160 pounds of sugar, on which a total duty of $30,672,479 was collected.

Germany from her internal revenue and customs duties on sugar collected over $35,000,000; France over $29,000,000.

Mr. TILLMAN. Has the Senator the figures of the internal-revenue taxation of sugar in those various countries?

Mr. FOSTER. I can read them right here.

Mr. TILLMAN. I will be glad to have the figures showing how the nations of the world charge their own producers of sugar. I have had the suggestion in mind—that is, I have thought about it in a cursory way—as to whether we could not put some kind of a bonus on home production of sugar and make all these outsiders pay revenue to support our Government.

Mr. FOSTER. The table from which I have read, and which I am going to make part of my remarks, shows exactly the amount collected from the internal revenue and the customs revenue.

Mr. TILLMAN. I want the pound levy—the amount of money that they collect by the pound or the hundred pounds, or something like that.

Mr. FOSTER. I think the Senator will find that in the statement which I have heretofore submitted.

Mr. TILLMAN. I was called out unavoidably, and I did not hear the Senator.

Mr. FOSTER. I ask permission, Mr. President, to submit this table and have it printed in the RECORD.

The PRESIDING OFFICER. In the absence of objection permission is granted.

The table referred to is as follows:

Total revenue from sugar of principal countries in Europe.

Country.	Calendar year.	Internal revenue.	Customs revenue.	Total revenue.
		Dollars.	*Dollars.*	*Dollars.*
Germany	1908	35,711,200	119,700	35,821,900
France	1907	25,661,300	4,010,900 40,000	29,712,200
Austria	1906	27,480,110		
Hungary	1906	8,659,777	4,653	36,144,540
Russia	1907	52,255,640	.....	52,255,640
Netherlands	1907	8,993,864	.....	8,993,864
Belgium	1907	3,372,642	44,744	3,417,386
Denmark	1907	867,520	446,488	1,314,008
Spain	1907	4,618,531	6,439	4,624,970
Italy	1907	14,591,485	3,837,226	18,428,711

Mr. FOSTER. Having shown the treatment of sugar as a revenue-producing article by the various tariffs and other taxes imposed by this and foreign countries, I propose to show the difference in the price of sugar to the consumer of this country and the principal countries of continental Europe.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from North Carolina?

Mr. FOSTER. Certainly.

Mr. SIMMONS. Before the Senator leaves that point, I understand that we import a great deal of raw sugar into this country, but it is my understanding that we import very little refined sugar.

Mr. FOSTER. Yes, sir.

Mr. SIMMONS. I do not know whether the Senator proposes to discuss that feature of this subject later on; but, if he does not, I should be very glad if the Senator would give us his information as to the reason why we do not import practically any refined sugar.

Mr. FOSTER. I touch upon that later on, but not fully. I expect, however, to discuss that fully during the debate.

I propose to show the difference in the price of sugar to the consumers of this country and of the principal countries of Continental Europe.

This information has recently been furnished by the Secretary of Agriculture in response to a request from the Senate.

The average price of granulated sugar in this country is 4.86 cents per pound, and the data furnished by the Secretary shows that the range of retail prices of lump sugar in continental Europe before and since 1903 is far above this price, as will appear from the annexed tables:

Retail prices of lump sugar in European cities named.

[In cents per pound.]

City.	Average, 1901-2.	Average, 1904-1907.a	Increase.	Decrease.
Naples and Milan	.....	13.5	.....	.....
Amsterdam	9.1	9.4	0.3	.....
Madrid	.....	8.9	.....	.....
Stockholm	.....	7.6	.....	.....
Vienna	8.5	7.2	.....	1.3
Budapest	8.4	7.2	.....	1.2
Paris	.....	6.3	.....	.....
Dresden	7.8	6.0	.....	1.8
Bremen	7.6	5.9	.....	1.7
Brussels	9.2	5.8	.....	3.4
Copenhagen	.....	5.6	.....	.....

a Owing to inadequate returns, the averages for Naples and Milan and for Madrid cover only three years (1905–1907) and for Copenhagen two years (1905, 1907).

The following table gives as fully as possible the retail prices of lump sugar in various cities of continental Europe during the years 1900–1908:

Retail prices of lump sugar.

[Cents per pound.]

City.	1900.	1901.	1902.	1903.			1904.	1905.	1906.	1907.	1908.
				Average for year.	Jan.–Aug.	Sept.–Dec.					
Naples	.....	.....	.....	13.3	13.4	13.0	.....	14.4	13.8	.....	.....
Milan	.....	.....	.....	.....	.....	.....	.....	.....	.....	12.2	12.3
Amsterdam	9.7	9.3	8.8	8.8	8.8	9.1	9.3	9.9	9.1	9.3	9.7
St. Petersburg	.....	.....	.....	.....	.....	.....	.....	9.1	.....	.....	.....
Madrid	.....	.....	.....	.....	.....	.....	.....	8.4	9.0	9.3	9.7
Stockholm	.....	.....	.....	7.1	7.1	7.1	7.3	8.1	7.4	7.5	8.0
Vienna	8.5	8.5	8.5	8.0	8.5	7.1	7.1	7.6	7.2	6.9	7.4
Budapest	.....	8.4	8.4	8.2	8.4	7.8	7.1	7.6	6.7	7.3	7.4
Paris	.....	.....	.....	.....	8.6	.....	6.1	7.1	6.1	6.1	5.8
Dresden	.....	7.8	7.7	7.3	7.9	5.7	6.0	6.6	5.7	5.8	.....
Bremen	.....	7.4	7.7	7.0	7.6	6.0	5.8	6.4	5.7	5.8	6.0
Brussels	10.0	9.8	8.6	7.4	8.3	5.5	5.5	6.5	5.2	5.9	6.0
Copenhagen	.....	.....	.....	.....	.....	.....	.....	6.1	.....	5.0	.....

Retail prices of granulated sugar in these four cities for the years 1900–1908 are given in detail in the following table:

Retail prices of granulated sugar.

[Cents per pound.]

City.	1900.	1901.	1902.	1903.			1904.	1905.	1906.	1907.	1908.
				Average for year.	Jan.–Aug.	Sept.–Dec.					
Amsterdam	9.3	8.9	8.5	8.5	8.4	8.8	8.9	9.6	8.8	9.0	a9.3
Berlin	6.5	7.1	7.2	6.8	7.2	5.8	5.3	5.1	5.1	5.1	.....
Bremen	.....	7.1	7.2	6.7	7.3	5.3	5.3	5.7	5.1	5.1	5.3
Dresden	.....	.....	7.0	6.5	7.2	5.2	5.1	5.6	4.9	5.3	.....

a Average of first two quarters.

The price paid for lump sugar in Milan in 1907–8 was over 12 cents per pound; in Amsterdam it was over 9 cents a pound; in St. Petersburg it was over 9 cents a pound; in Madrid it was over 7 cents a pound; in Budapest it was over 6 cents a pound; in Paris it was over 6 cents a pound; in Bremen it was over 5 cents a pound; and in Brussels over 5 cents a pound, showing that every sugar-producing country in the world sells to its people sugar from 1 to 5 cents a pound higher than it is sold to the consumers in this country.

Mr. SUTHERLAND. Is the Senator quoting prices by the hundredweight or——

Mr. FOSTER. By the pound.

Mr. SUTHERLAND. I mean when sold by the hundredweight.

Mr. FOSTER. No, sir; I am quoting the retail prices. The facts and figures here presented demonstrate that every other sugar-producing country in Christendom except Denmark imposes a higher tariff or taxes on this article than is imposed by this Government; that practically a prohibitive tariff wall has been built to prevent the importation of any sugar into these countries; that large revenues are derived from these taxes on sugar for the support of these governments; and, finally, that the price of sugar to the American consumer is lower than in any European country except England.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. Yes, sir.

Mr. TILLMAN. The point I should like to have the Senator explain, if he feels willing to do so, is this: The South produces a great deal of cotton and annually exports five or six million bales. Germany produces, I understand, a great deal more sugar than it uses, and so does France.

Mr. FOSTER. Yes.

Mr. TILLMAN. Now, the fact that these two countries, as well as Austria-Hungary, produce sugar in large quantities would indicate, unless there is local taxation, or some discrimination of some kind in favor of refining, that those people are bound to get their sugar about like we get our cotton. If anybody should undertake to tell me that we are going to help the South by putting a tariff on cotton I would simply laugh at that man as being almost an idiot. It is the same way with putting a tariff on sugar to help protect sugar in Germany or France; but if there is a local tax or a special tax which raises the price to the consumer there I can understand the result. We do not have a tax on cotton in the South other than in so far as it is so much property, and really we do not tax it at all because it is generally sold as fast as it is produced. If, however, a man lays cotton to one side and holds it, it becomes part of his property, and he has to pay taxes on it; otherwise there is no tax, as the Senator knows.

Mr. FOSTER. What I am trying to say, Mr. President, is that in all the sugar-producing countries of the world, either by tariff or tax, the consumer is compelled to pay more for his sugar than is the consumer in this country.

Mr. TILLMAN. You mean the retail price that the consumer has to pay, although they produce it right there.

Mr. FOSTER. Right there; yes, sir.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. FOSTER. Yes, sir.

Mr. BRISTOW. If there were local consumption taxes on cotton, that is if each bale of cotton was assessed by the local taxing authorities so much, it would correspond to the local taxes imposed on sugar that is produced in Germany, for instance, or that enters into consumption there.

Mr. FOSTER. They have a different system over there. So far as the excise tax or the consumption tax is concerned, the Senator may be correct; but, as I understand, they have a different governmental system. The government practically regulates the price in those countries.

Having shown that sugar is cheaper to the consumer in this country than in continental Europe, I shall next show that sugar is relatively the cheapest article of food the American people consume, and that while every other product of the field and factory in the last ten years has advanced in price from 20 to 40 per cent, the price of this article has practically remained the same, and that the American consumer, considering what he pays for every other article of food, has no just cause to complain of this price.

It is true that this Congress has been literally bombarded by petitions, memorials, and letters for a reduction of the duty on sugar, but an investigation of the sources of these petitions will

I read, however, a part of this statement.

Italy	1907	14,591,485	3,837,226	18,428,711

disclose the fact that they do not originate with the body of the consumers of this country, but are rather the emanation of an organized and interested source.

Evidently literary bureaus have been established to distribute circulars, dodgers, and stereotyped letters in every village and hamlet in the country, asking Congress to remit or reduce the duties on sugar, and all of these appeals are sent from the same central origin. Doubtless every Senator has received a flood of yellow circulars, purporting to be signed and probably are signed by different citizens in his State, living in different localities, yet they are mailed to the Senate in one common envelope, post-marked Wall street, New York. A sample of these circulars I herewith exhibit, and doubtless other Senators have received similar documents. No heed or attention should be paid to them. They do not indicate any public sentiment or desire, or any public judgment or opinion on this subject, but are manufactured evidence distributed for the purpose of influencing legislation.

The American people are fair and just. If it be shown that the sugar tariff under the operation of the Dingley law and the present bill works no hardship or injustice upon them, I do not believe that they can reasonably demand or will demand any change or modification of the sugar schedule. Especially is this true when it can be established beyond controversy that sugar is cheaper than any other food staple which the people consume, and it can further be established that while there has been a progressive advance in the price of all other necessaries of life the price of sugar has remained practically stationary.

Mr. TILLMAN. If it does not interrupt the Senator's argument——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. Yes.

Mr. TILLMAN. I want to ask him if he has given any attention, as doubtless he must have done, to any method by which we can get sugar just as cheaply as we can now, or more cheaply, without paying such tribute to the sugar trust?

Mr. FOSTER. I will discuss that later.

Mr. TILLMAN. I am perfectly willing to help tax everybody to help Louisiana and Michigan and the balance of them a little while, just as is done in Europe, but I should like to stop this forty or fifty million dollars which the Senator from Georgia [Mr. CLAY] showed the other day the sugar trust had stolen from us.

Mr. FOSTER. I will discuss that later on.

Mr. TILLMAN. If the Senator is going to discuss it, I will wait.

Mr. FOSTER. I do not think the figures justify any such exaggerated statements as have been sent out.

Mr. President, I propose to show the progressive advance in the price of all the necessaries of life during the last decade and compare that with the price of sugar and its advance, in order to establish the fact that in a spirit of fairness and justice the producers of sugar in this country ought to be treated fairly, just as every other producer is treated under this bill.

The government statistics, appearing in Bulletin No. 75 of the Bureau of Labor, show the comparative advance in the prices of certain articles from 1896 to 1907. These figures were reproduced in the Republican Campaign Book for 1908 and show the following per cent of increases:

Comparative advance in prices of certain related commodities, 1907, compared with 1896.

[Compiled from Bulletin No. 75, United States Bureau of Labor.]

	Per cent.
Cattle	39.18
Fresh beef	26.74
Hogs	77.78
Hams	38.20
Sheep	61.25
Mutton	39.93
Corn	104.72
Cornmeal	96.90
Wheat	41.45
Wheat flour	19.08
Cotton, upland middling	50.00
Cotton bags	51.20
Calico	27.50
Cotton flannels	48.56
Cotton thread	35.34
Cotton yarns	43.98
Denims	39.85
Drillings	46.91
Hosiery (cotton)	7.62
Print cloths	84.16
Sheetings	35.73
Shirtings	40.35
Tickings	34.79
Average for cotton goods	41.07

	Per cent.
Wool	72.10
Blankets (all wool)	33.26
Broadcloths	46.30
Carpets	36.59
Flannels	44.15
Horse blankets (all wool)	44.16
Overcoatings (all wool)	43.94
Shawls	20.09
Suitings	51.59
Underwear (all wool)	24.92
Women's dress goods (all wool)	76.65
Worsted yarns	75.45
Average for woolen goods	44.06

The following figures are taken from the tables given in the Republican campaign text-book for 1908 and not only give the purchasing power in sugar of the several farm commodities named, in 1896 and 1907, respectively, but show how enormously those commodities have advanced in value as compared with sugar:

As showing the relative purchasing power of these articles, 10 bushels of corn in 1896 would have bought 56 pounds of sugar; in 1907 it would have bought 113 pounds of sugar. Ten bushels of wheat would have bought 141 pounds of sugar in 1896, and in 1907 it would have bought 195 pounds of sugar.

Mr. TILLMAN. The Senator will recall that sugar is protected, but that corn and wheat are not.

Mr. FOSTER. I am simply showing the relative advance in price to the consumer of these various articles, regardless of the question of protection or the tariff on them.

Mr. TILLMAN. Suppose there had been no protection. I do not like the idea of saying that sugar is protected, because it is a great revenue yielder, and it has been the time-honored policy to obtain revenue from it. I do not like to have the appearance of undertaking to advocate the taking from one American citizen and putting into the pockets of another under the idea of protection; but if we are going to get revenue, and a big revenue, and it is an article that has been used to obtain revenue from almost from the beginning of the Government, that is another thing.

Mr. FOSTER. My purpose is to show that the American consumer has no need to complain of the price of sugar, and that is my only purpose. In 1896, 100 pounds of pork would have bought 74 pounds of sugar. In 1907 it would have bought 132 pounds of sugar, showing that the purchasing price of corn, wheat, etc., has advanced much more than the purchasing price of sugar. A table shows this in detail:

Article.	Pounds of granulated sugar.	
	1896.	1907.
10 bushels of corn	56.9	113.5
10 bushels of wheat	141.5	195.1
10 bushels of oats	39.7	96.8
100 pounds of pork	74.1	130.7
Beef on the hoof, per 100 pounds	97.8	122.3
20 pounds of butter	73.5	114.9

The comparative purchasing power of 100 pounds of sugar between the years 1898 and 1909 will also be seen in the following table, furnished me by the Treasury experts who have been assisting the Democratic members of the committee:

Goods purchased at wholesale in New York market for 100 pounds standard granulated sugar.

Article.	January, 1898.	January, 1909.
Coffee, Rio, standard No. 7	77.8 pounds	67.2 pounds.
Leather, middle weight, pak	15.0 pounds	11.3 pounds.
Rubber, new fine Para	6.0 pounds	3.9 pounds.
Rice (good)	99.2 pounds	81.8 pounds.
Tea (choice), Japan	23.1 pounds	18.1 pounds.
Pig iron, Bessemer	0.49 ton	0.25 ton.
Steel rails	0.25 ton	0.16 ton.
Petroleum, refined, in barrels	0.92 barrel	0.51 barrel.
Wheat, No. 2 red, winter	5.03 bushels	4.09 bushels.
Corn, No. 2, mixed	14.86 bushels	6.64 bushels.
Oats, No. 2	17.48 bushels	8.13 bushels.
Lard, prime	98.71 pounds	45.41 pounds.
Pork, mess, new	0.55 barrel	0.26 barrel.
Beef, family	0.45 barrel	0.27 barrel.
Cotton, raw	83.84 pounds	47.34 pounds.
Wool:		
Ohio XX	17.71 pounds	13.09 pounds.
Kentucky and Indiana ¼ blood	22.55 pounds	15.89 pounds.
Copper	45.50 pounds	30.58 pounds.
Tin	38.87 pounds	15.60 pounds.
Lead	135.52 pounds	105.95 pounds.
Zinc	125.57 pounds	86.41 pounds.
Tin plate (Bessemer steel, IC, 14x20)	130.53 pounds	114.40 pounds.
Cattle, on the hoof, native steers, top price	91.85 pounds	59½ pounds.
Hides:		
No. 1 packs, native steers	44.69 pounds	28.26 pounds.
No. 1 calfskins	37.43 pounds	25.07 pounds.

These comparisons incontrovertibly establish the fact that the American consumer has no just cause of complaint as to the price of sugar, and that this Congress would be guilty of a great wrong and injustice should it reduce the duties on this article and leave practically unchanged the duty upon every other article entering into the daily needs of the people.

The average increase of price on cotton goods during the ten years mentioned was 41.07 per cent, and the duty on these goods is practically the same in this bill if not higher than under the Dingley bill. The advance in the price of woolen goods during that same period was 44.06 per cent, yet practically the same duty is maintained on those goods in this bill as under the Dingley bill, and so on through the list.

The bill maintains practically the same tariff on cattle, hogs, wheat and everything that is used and consumed by the sugar industry, such as machinery, implements of husbandry, live stock, and so forth, and yet all the batteries of revision and reduction are directed against this article.

What spirit, it is fair to ask, animates the Senator who would make a sacrifice of this industry while at the same time maintaining unchanged the other schedules I have mentioned?

But, Mr. President, there is a broader consideration to be given to the production of sugar in this country.

That country is most independent which possesses all of the supplies necessary for the comfort, happiness, and progress of its people in times of peace, and necessary and essential in times of war. The aim of wise statesmanship should be to build up a domestic production capable of supplying whatever it has been necessary to import and thus create an industrial independence.

The United States to-day, under the growth and development of her marvelous resources, is the most independent nation upon the earth. Should our country to-day become involved in war, and every port of entry be blockaded by hostile fleets, the wealth of our mines, the products of our fields and factories, the materials of our forests, and our inland transportation facilities would render us absolutely independent of the outside world. Yet, at the same time, in the matter of sugar it would find us practically as France was found during the Napoleonic wars.

Mr. OVERMAN. I will ask the Senator if the money that is made on sugar is not made by the trust, and if they do not fix the price of the sugar, so that the farmer realizes very little profit, and that is the reason we furnish so little raw sugar in this country?

Mr. FOSTER. I think the trust has a great deal to do with the fixing of the price, but the people no longer consume the raw material. There is no demand at all for the raw material.

Mr. TILLMAN. I do not want to interfere with the Senator in the orderly presentation of his argument, but before he gets through I should like to have him explain what is the exact meaning of No. 16 Dutch standard, and why we hold on to that. In other words, if we did not have it, would we not get a good, dry, granulated brown sugar, that had not been purified except in a very slight way in the kettle, at a much lower price, and have it answer all ordinary purposes for domestic use, the same as it used to do when I was a boy? I have no doubt the Senator, when he was a youngster, like myself, got the closet key from his mother and ran his hand down in the sugar barrel and got a lump of sugar and sneaked off with it under his coat, and found it very, very good.

Mr. FOSTER. I will say to the Senator that I never did such a thing in my life. [Laughter.]

Mr. TILLMAN. The Senator has missed one of the most glorious experiences of childhood, if he never got a chance at the sugar barrel. You know stolen apples are always sweetest, so they say.

Mr. SMITH of Michigan. He could get the sweetness from the cane, instead of the sugar.

Mr. TILLMAN. It is not all equal to it. But I just want to see if we can get some explanation as to why this No. 16 Dutch standard sticks and holds on here, and keeps us from getting a good, dry, granulated brown sugar at a living rate.

Mr. FOSTER. I will state to the Senator that I think I am fully prepared to answer that when the time comes. I have not taken that up in this discussion, because I was a little anxious to see from what source the proposition would come for the abolishing of the Dutch standard. I think I can show, beyond any controversy——

Mr. TILLMAN. I confess I am as ignorant of what 16 Dutch standard means as I am of Sanskrit almost, except that in a general, vague way, I know it relates to the percentage of saccharine under the polariscope, or something like that.

Mr. FOSTER. Oh, no; you are wrong.

Mr. TILLMAN. I hope somebody will tell us what it means, and why we hold on to it.

Mr. FOSTER. I think I can give the Senator information on that subject before I conclude. Now, a wise government policy, it seems to me, would dictate the encouragement and development of the domestic production of sugar so that we would be capable of supplying the demands of our own people.

This has been the course pursued by every nation in Europe, especially as regards this industry. Her rulers are too familiar with the danger of being cut off from this necessary of life. In fact, as the Senate knows, the beet-sugar industry, now one of the most universal and profitable of that Continent, had its birth just about a century ago in the rigors of war. It was created by the great Napoleon when the world was in arms against him on land and sea, and his people were without sugar. The British fleet hovering upon his coasts intercepted all vessels carrying sugar to the suffering people of France; but he arose equal to this, as every other occasion that confronted him until his star had set, and, summoning the leading savants, devised the process of extracting sugar from beets to supply what he could not obtain from the Tropics.

It would be impossible to estimate all that Napoleon did for France, but it may be safely asserted that in nothing did he render her and all mankind a greater blessing than in creating the beet-sugar industry. France now exports sugar wherever there is a demand for her product, and the culture of the beet has spread from the steppes of Russia to the shores of the Mediterranean Sea, and has crossed the ocean to find a firm footing in the United States and Canada.

Some idea of the development of this industry in continental Europe is shown by the fact that the German area under sugar beets has nearly trebled in twenty-five years; the Austrian area has more than doubled in twenty years; the Belgian area has doubled in twenty-five years; and the French area has increased by about 10 per cent. During the manufacturing season of 1907 and 1908 the production of beet sugar in continental Europe was: Germany, 2,129,597 tons; Austria, 1,425,000 tons; Russia, 1,410,000 tons; France, 728,000 tons; Belgium, 232,000 tons; Holland, 175,000 tons; and the other continental countries, 435,000 tons.

It seems to me, Mr. President, that, as just stated, the wise governmental policy would be to develop this industry to the capacity of meeting the demands of the American people. Let us see if this can be done and accomplished without any artificial stimulation of the industry through legislation, favoritism, or discrimination.

The total amount of sugar produced during the crop year 1907–8 and placed upon the market of the world was 6,909,481 tons of cane and 6,972,200 tons of beet, making a grand total of 13,881,681 tons.

GROWTH OF INDUSTRY IN THIS COUNTRY.

The total consumption of sugar in the United States in the year 1908 was 3,185,789 tons, or about 22 per cent of the entire production of the world; that year the output in the United States proper was about 760,000 tons. This was something less than 6 per cent of the world's production, although it amounted, roughly speaking, to about a quarter of what we consumed.

It is interesting to note the development of the sugar industry in this country during the two decades preceding the crop year just given. In 1887 we produced 800 tons of beet and 80,859 tons of cane sugar. Louisiana, after many vicissitudes, including a widespread devastation in her sugar belt from overflows of the Mississippi River, and other causes not necessary now to mention, was at that time again on the road to reestablishing her great industry. Not the least of her difficulties, however, arose from the unsettled policy of the Government with respect to its treatment of sugar, and while such an uncertain policy was continued capital was very cautious about investing in that industry.

The following table shows the remarkable increase in the domestic production of sugar from 1877 to 1907:

Production of sugar in continental United States.

Crop year.	Beet.	Louisiana.	Other States.	Total.	Increase in—
	Long tons.	*Long tons.*	*Long tons.*	*Long tons.*	
1877–78	100	65,671	5,330	71,101	
1887–88	255	157,971	9,843	168,069	First decade over 136 per cent.
1897–98	40,398	310,447	5,737	356,582	Second decade over 112 per cent.
1907–8	413,964	335,000	12,000	760,964	Third decade over 113 per cent.

This substantial growth was made notwithstanding the fact that the business conditions of this country were disturbed and, it might be said, upset by three tariff acts, marking the change of control from one of the two great political parties to the other.

An examination of these laws will show that no other industry in all our multifarious economic system was subjected to such violent and extreme treatment. Congress rang all the changes on the sugar schedule. It was tossed about, from the free list with an incidental bounty to the domestic producer in the first of these bills, to the ad valorem column in the second bill, and finally wound up in the present law based on a specific duty.

Under such a vacillating system, with no prospect of a settled policy on the part of the Government toward sugar, capital, as stated, necessarily sought out other fields of investment. Notwithstanding this unsatisfactory condition of affairs, however, the sugar industry continued to grow and wax strong, so that in the ten years between the passage of the last tariff act and the crop of 1907–8 the yield of sugar in this country has increased to 413,954 tons of beet and 335,000 tons of cane; and while the growth of the cane production continues steady, there is no other industry of any magnitude that can report such progress as has been made in the cultivation of the sugar beet. The number of beet factories increased in the ten years following the passage of the Dingley bill from 7 to 63, an increase of 800 per cent; the capital invested went up from $2,250,000 to $70,000,000, an increase of 3,100 per cent; the area planted expanded from 41,272 acres to 370,984 acres, an increase of 800 per cent; the yield in tonnage of beets grown went up from 389,385 tons to 3,767,871, an increase of 900 per cent; and that the farming was done along scientific lines is shown by the fact that there was an increased yield in the tonnage of beets per acre during the ten years of 6 per cent, while the yield of sugar per acre increased from 2,192 pounds to 2,500 pounds, or 14 per cent. Under these improved methods, too, the yield per acre to the farmer has increased from $38.95 to $55.88 per acre, or 43 per cent, while the total value of the crop has increased from $4,072,050 to $43,488,306, or 1,000 per cent.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. Certainly.

Mr. TILLMAN. The Senator, I presume, will acknowledge that this marvelous growth in the production of beet sugar and in the production of cane sugar is due to the tariff?

Mr. FOSTER. I think very largely to the tariff. It may have been——

Mr. TILLMAN. If the tariff were changed and this artificial stimulation were withdrawn, would these industries go backward and dwindle?

Mr. FOSTER. My frank opinion is if you take the tariff off you might just as well say the industry is gone.

Mr. TILLMAN. In other words, the balance of us who grow corn and wheat and oats and cotton have to buy our sugar at a little higher price in order that the cane-sugar growers and the beet-sugar growers may live?

Mr. FOSTER. No; I do not put it that way at all, Mr. President. I think the cotton growers and the wheat growers and the growers of other agricultural products in this country have to support this Government; I think they have to stand their pro rata of the taxation; and I know they are willing to stand it.

Mr. TILLMAN. Undoubtedly.

Mr. FOSTER. When they can support their Government by paying as small a quota as is required by sugar they have no cause to complain.

Mr. TILLMAN. I agree to all that, and if you will simply separate the beet producer and the cane producer of sugar from the trust, I will go the limit in helping the Senator to nourish his little baby down there. It is a pretty old baby, though. It is 150 years old, or something like that. The sugar-beet industry is only ten to fifteen years old. But I am willing to help both of these babies along and to furnish some milk from the cotton plantation and the corn plantation, and all that sort of thing. But I confess I can not see the justice of making us support Mr. Havermeyer with his automobiles, which are such a terror to my friend, the Senator from Texas [Mr. BAILEY].

Mr. FOSTER. We will discuss that later on, Mr. President.

Possibly no more striking illustration of the importance this industry now occupies in our industrial system can be given, than the following tables, from The American Sugar Industry and Beet Sugar Gazette, showing the principal disbursements made in 1908, and also in the last ten years:

	1908.	1898 to 1908.
For beets	$21,867,000	$141,737,774
Fuel	2,146,000	13,909,968
Coke	185,000	1,199,185
Limerock	666,000	4,316,887
Sacks and barrels	1,073,000	6,954,984
Sundry supplies	1,073,000	6,954,984
Salaries of officers, clerks	703,000	4,556,714
Workmen	3,737,000	24,222,530
Repairs and new machinery	1,332,000	8,633,773
General expense	2,294,000	14,869,276
Freight on sugar, at 30 cents per 100 pounds	2,781,000	16,881,198
Total	37,857,000	244,237,223

In addition to this showing, it is claimed that if the vast sums invested in lands, irrigation ditches, railroads, and trolley lines, as a direct result of beet culture in the West, were added to the disbursements, the amount expended in establishing this industry in the United States during the past ten years would be close to $500,000,000.

It reads more like fiction than fact, and there is nothing in our industrial record, or at least in the agricultural part of it, that will bear comparison with the beet-sugar industry.

WHAT SECRETARY WILSON SAYS.

And yet, Mr. President, many of the sections that now enjoy the blessings of this great industry were in the forefront of the fight that was waged against sugar when the last tariff bill was being framed. A representative of Colorado, who followed Mr. Dingley in the discussion of this schedule, on March 22, 1897, asked:

> Why put sugar on the protected list and hides on the free list? Every poor farmer raises a few cattle, but few grow sugar. We have been aware for forty years that we had as fine sugar-beet soil and as suitable a climate, reaching from Virginia to California, as they have in Central Europe. Why have we not utilized it in beet growing? The growing of other crops, even at the low prevailing prices, was more profitable. We have tried beet growing. We know that we have in Colorado as good beet-growing soil as there is in the world. But you can not find Americans to do as they do in Germany—to take thirty loads of fertilizer and with it coat an acre of land, and then have the whole family go out and weed it and plow it, and loosen the roots and pull them up by hand. We will never do that in this country.

And yet, Mr. President, we find that no State in the Union has profited from this industry to the same extent as Colorado. Since that speech was delivered 16 factories, with a daily capacity of 12,500 tons, have been erected in that State, and the report of the Secretary of Agriculture, issued a few days ago (Senate Document No. 22), showed that the comparative increase in irrigated lands devoted to general farming and to sugar-beet growing increased in Colorado from 47.8 per cent in 1900 to 118 per cent in 1905, an increase of 150 per cent in five years.

Secretary Wilson adds that:

> From the best information I have it may be stated: The beet-sugar industry has been one of the most potent factors developing agricultural conditions, not only in sugar production but in all agricultural features, and the building of such a plant is the incentive for projecting many other improvements, such as the dairy, creamery, breeding of animals, and preparing the same for market, also the fruit industry, cereal and alfalfa production, canneries, preserving fruit, and many other things. It is and will continue to be the most important medium developing the benefits and promoting the success of our national reclamation act.

The Secretary says that its effect upon the value of the lands has been quite marked. Areas that were used for grazing purposes and valued at from $3 to $5 an acre are now worth from $100 to $300 per acre, while in the Mississippi Valley and farther east rent charges have generally doubled, quite often trebled, with the introduction of the sugar factory.

When hearings were being had by the Senate Committee on the Philippines during the Fifty-ninth Congress, Mr. W. C. Welborn, the director of agriculture for the islands, testified that Germany had built up the largest beet-sugar industry in the world, her crop amounting to about 2,250,000 tons, worth in the raw state about $110,000,000 in round numbers, on an area covering less than 1 per cent of her territory. The German beet area is, in fact, less than the area of three average counties in the Western States.

These facts are all the more interesting because it has been the favorite contention of those who advocated a reduction of duty on sugar, when that schedule has been discussed on previous occasions like this, that we could never sufficiently increase the domestic production to meet the requirements of the American people. It was claimed that the limited area of territory suited to the cultivation of sugar made their argument unanswerable, and so long as our domestic output was derived solely from the cane crop, this was to a certain extent true.

But the letter of the Secretary shows that this favorite argumen is no longer tenable. Speaking of the possibilities of production, he says:

> A map has been prepared showing not only the theoretical sugar-beet belt, but the actual location of every factory established in the United States since the period of successful operation began. The possibility of growing beets of satisfactory quality within this belt has been determined, not only by a great number of experiments, but by actual production for factory use. A careful determination made in the Bureau of Soils indicates that the sugar-beet belt contains a total area of 428,000 square miles, or 274,000,000 acres.

The Secretary points out that during the fiscal year 1907–8 we imported from strictly foreign sources—that is, not including Hawaii, Porto Rico, and the Philippines—1,666,795 short tons of sugar. As our average production for the past five years has been 2,400 pounds to the acre, he estimates that it would require 1,389,000 acres to produce all the foreign sugar now consumed by the American people, or only 1 acre out of every 197 adapted to the culture of the sugar beet.

We have already seen by the figures quoted from the American Sugar Industry and the Beet Sugar Gazette, that the area increased from 41,272 acres in 1897 to 370,984 acres in 1907, or about 800 per cent.

A very simple calculation will show that if the industry only increases half as fast in the next decade as it did during the ten years following the passage of the Dingley bill, American farms will supply all the sugar we now take from foreign countries.

But, Mr. President, it is within the range of probabilities that this consummation will be reached even earlier, for we must not forget that in the period taken for comparison the production was nearly six times as great in the last year as in the first, the beet production in this country having grown from 81,697 tons in 1897 to 483,611 tons in 1907.

The conclusions of Secretary Wilson are worthy of the most serious consideration of the Senate. He says:

> If, therefore, beets had been grown on only 1 acre out of every 197 acres of the adapted area, the beets produced would have yielded enough sugar to replace all the foreign sugar we used. Speaking in round numbers, we would at the present time have to grow beets on only one two-hundredth part of our demonstrated sugar-beet area (in addition to the area already in use) to make this country self-sustaining in the matter of sugar. If we suppose but one-fourth of the sugar-beet area to be actually devoted to crops, the growing of beets on but 1 acre out of every 50 tilled acres would enable us to stop using foreign sugar.

WHAT LEADING REPUBLICANS HAVE SAID.

Mr. President, the possibilities of this great industry have long been recognized by the dominant party, which stands pledged to its encouragement. This is clearly indicated by the utterances of its leading men.

Mr. Dingley, the author of the measure that bears his name, in addressing the House, July 19, 1897, said:

> It should be borne in mind that the general increase in duty on sugar made in the proposed tariff has been made not only to increase the revenue but also to further encourage the production of beet sugar in this country and furnish a new crop for our farmers. * * * I believe that the time has come when the production of our own sugar from the beet ought to be and can be successfully entered upon, and thus the seventy-five millions—soon to be one hundred millions—sent abroad for the purchase of our sugar will ultimately be distributed here to our farmers.

Mr. PAYNE, author of the present bill, and a member of the Ways and Means Committee at that time, speaking on the same day, said:

> Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We know that sugar would produce an enormous revenue; and besides all that, we know that an adequate protective tariff would build up the industry in this country, and as it was gradually built up, the revenue from that source will be reduced; by and by the revenue will come in more largely from other sources, and when this industry is fully established and revenue from sugar ceases, the reduction will keep pace with the increase. The thing will regulate itself; we will not disturb our tariff in the next quarter of a century.

General Grosvenor, also a distinguished member of the same committee, addressing the House, March 24, 1897, said:

> We propose that instead of sending $125,000,000 a year to the foreign countries of the world, most of which goes to pay labor in the production of sugar, we will make it possible for every pound of sugar that we want to be produced in the United States of America.
>
> The Republican party comes and offers to the agriculturists of this country this magnificent boon. We will protect the interests of the country in all directions from further demoralization; and we ask you to turn aside hundreds of thousands of acres of the splendid lands of all these States from the production of corn, oats, wheat, potatoes, and cotton, to be put into an already overstocked market, to the production of sugar, and give to the farmers upon the farming lands of the country a better market, with less competition, than they have now.

Those assurances, Mr. President, were taken by the country to be sincere. Coming, as they did, from three of the most representative men in the Republican party, they were supposed to indicate the party policy, and acting on them, our people, and especially the American farmers, have invested millions of dollars in the sugar industry. In response to these Republican requests, they have ceased, in fact, to "overstock the home market with corn, oats, wheat, potatoes, and cotton," and have built up in the great stretches of the West an industry, as we have seen, without a parallel in the wonderful story of that section, filled with great deeds and mighty accomplishments.

TRIBUTE TO THE WEST.

Mr. President, it is difficult to conceive what has been accomplished during one generation in the section now being planted in the sugar beet west of the Missouri. But little more than a quarter of a century ago much of this land was a trackless waste, on which great herds of sheep and cattle pastured. "There was little water and no wood," and the deserts of Gobi and Sahara were hardly less inviting. But, before the matchless energy of the West, all difficulties have disappeared. The western farmer "harnessed the wind" to draw the waters from their subterranean hiding places, even as they do in Holland to pump out the seepage of the sea, and wherever a windmill with irrigation ditches was established the desert was made to blossom like a rose.

Irrigation is now conducted upon a larger scale. The Government and many large private concerns are engaged in the work of reclamation. Millions of dollars have already been expended, much more is projected, and the Reclamation Service measured by the returns is one of the most beneficial of the public works.

When we reflect what has been accomplished, no one can doubt that the problem of our sugar supply will early be solved, now that the West has engaged in sugar culture.

It is true that by the importation of free sugar from our colonial dependencies a conflict has been precipitated between the Anglo-Saxon of this country on the one hand and the cooly labor of the Orient and the cheap labor of the Tropics on the other. With anything like an equal contest, however, I have an abiding faith that the American farmer will come out victor in that struggle. If this new industry is given a fair show the West will rise equal in this as in every other emergency, and in a few years will become the sugar bowl, as well as the granary, of the continent.

The millions of dollars which we are yearly sending abroad will be kept at home, and the thousands of laborers in the beet fields and factories, living according to American standards, will consume far more of our manufactured products than the island peoples with their primitive wants, whom we are now enriching by the purchase of their crops.

Mr. President, if the policy is carried out which is advocated by some of the members of this body, by which there is to be a setback to the sugar industry of this country, I prophesy that in less than a decade the American farmer will be wiped out of existence——

Mr. TILLMAN. The sugar farmer.

Mr. FOSTER. Oh, Mr. President, I am not talking about sugar farmers. The product of the American farm will be destroyed and this country will be flooded with the product of the cheap labor of the Orient. I do not stand for any such policy.

Let us examine the matter from the standpoint of the public revenues and ascertain if our finances will permit the sugar schedule to be lowered, in view of our steadily increasing expenses and the dwindling revenues with which we are called upon to meet them.

In his last annual report the Secretary of the Treasury stated that for the fiscal year 1908 the disbursements had exceeded the revenues by $50,070,201.15, while in the estimated budget for the current fiscal year 1909, made in conformity with law, this deficit was estimated to be doubled, having grown to the enormous sum of $114,000,000.

The rate at which the Government is traveling along the road to debt and financial disaster is strikingly shown by the Secretary when he explains the difficulty in making the budget. He points out that the rapid growth of net receipts and net disbursements at intervals of ten years since the lowest point after the civil war is indicated by the following figures:

Year.	Net receipts.	Net disbursements.
1878	$257,446,776	$236,964,327
1888	379,296,075	259,653,950
1898	405,321,335	443,368,562
1908	601,126,118	659,196,319

If interest on the public debt is excluded, the ordinary expenditures for carrying on the Government, including payments for pensions and many public works, has grown from $135,000,000 in 1878 to $638,000,000 in 1908, or an increase in a generation of nearly 400 per cent.

As will be seen by the Secretary's figures, the deficits start from the time this Government assumed an imperialistic rôle following the Spanish war, for while there have been years since then that record a surplus, the steady tendency is to fall behind under the increasing burden of military expenditure.

The Secretary, in forecasting the probable receipts and disbursements for the fiscal year 1909, submitted the following estimate:

FISCAL YEAR 1909.

The revenues of the Government for the current fiscal year are thus estimated upon the basis of existing laws:

From customs	$270,000,000.00
From internal revenue	250,000,000.00
From miscellaneous sources	62,000,000.00
From postal revenues	206,796,956.00
Total estimated revenue	788,796,956.00

The expenditures for the same period are estimated as follows:

For the civil establishment	$153,000,000.00
For the military establishment	128,000,000.00
For the naval establishment	125,000,000.00
For the Indian service	17,000,000.00
For pensions	161,000,000.00
For public works	90,000,000.00
For interest on the public debt	22,000,000.00
For postal service	206,796,956.00
Total estimated expenditures	902,796,956.00
Or a deficit of	114,000,000.00

The condition of the public finances was shown to be even more deplorable by the chairman of the Appropriation Committee of the House on the day that the last Congress adjourned. In defending the course of his committee when it refused to accede to executive and popular clamor for greater expenditures, he said that "the aggregate amount of estimates for appropriations during the past eight years, including the fiscal year 1910, equaled the enormous sum of $7,291,341,806.29. Upon these estimates Congress has appropriated during that period the sum of $7,007,859,183.46, being $283,502,622.83 less than the amount estimated." The rapidity with which our national expenditures had been increasing during the period referred to was shown by comparing the total appropriations for the fiscal year 1903, amounting to $796,633,864.79, with the total appropriations at the last session for the fiscal year 1910, amounting to $1,044,014,288.23, the difference between the amount required for the public service eight years ago and the amount required now being $247,380,433.44.

This increase he explained in several ways, but the two primary causes leading to this result have been, first, the popular and executive demands upon Congress for appropriations from the Federal Treasury for the exercise of rights and functions belonging exclusively to the States, and, second, the abnormal and unnecessary war expenditures in time of peace.

Calling attention to the fact that at the beginning of the Sixtieth Congress he had warned the House that the estimates of expenditures exceeded the estimated revenues by $118,000,000, the chairman added that the warning had neither been acted on by Congress nor the executive branch of the Government, and as a result there would be a deficit in the neighborhood of $150,000,000 by July 1 next.

If the estimates submitted by the executive departments, together with amounts carried in bills supported by public clamor, had been acceded to, the chairman informed the House "that the deficit instead of being in the neighborhood of $150,000,000 would exceed $500,000,000."

The estimated expenditures for 1910 already exceed those for 1909 by $65,590,552.01, reaching a total of $968,387,508.01; whereas the estimated revenues for that year are only $825,340,712, the deficit for the year being thus already placed at $143,046,796.01.

The worst part of it all is that there appears to be no prospect of relief. An examination of the several appropriation bills for the next fiscal year will show this. The increases have been as follows:

Agriculture, $1,322,930; army, $5,815,222.73; diplomatic and consular, $78,611.16; District of Columbia, $677,256.64; navy, $14,271,313.58; Indian act, $1,381,550.13; Military Academy, $1,685,886.46; post-office, $11,991,478; sundry civil, $25,651,818.70.

The reductions have been as follows:

Fortifications, $1,146,634; legislative, executive, and judicial, $854,429.50; pensions, $2,145,000.

From this statement it will be seen that with the exception of pensions the reductions accomplished have been trivial compared with the enormous increases carried in the larger bills.

The figures also bear out the contention of the chairman of the House Appropriations Committee that the greater part of the national expenditures are on the military side, on account of wars that have occurred, or in preparation for wars of the future, five of the bills being as follows:

Army	$101,197,470.34
Fortifications	8,170,111.00
Military Academy	2,531,521.33
Navy	136,935,199.05
Pension	160,908,000.00

In addition, there were carried in the other bills items properly chargeable to the army and navy, amounting to $116,000,000, which brought the appropriations for the military side of the Government in the last Congress up to $525,742,301.72, or just about one-half of the entire expenditures.

The headlong rate at which the country is traveling since it entered upon the present military programme is shown by the expenditure for the army and navy before and since the Spanish war. From 1891 to 1898 the average annual appropriations were $23,825,922.54 for the army and $27,579,300.48 for the navy.

From 1903 to 1910 the average annual appropriations have been $83,014,660.84 for the army, and $102,403,029.71 for the navy. The increase since the war has amounted to $473,000,000 for the army, and $598,589,333.87 for the navy, over and above what it cost to maintain the two establishments for the same length of time, prior to that war.

The Association of International Conciliation has just issued in pamphlet form an article contributed to the Atlantic Monthly last month, by Rev. Dr. Charles E. Jefferson, in which former Secretary Cortelyou is cited as having said that while in thirty years our population has increased 85 per cent and our wealth 185 per cent our national expenses have increased 400 per cent; but I think that this can be shown more clearly, especially the extent of the burdens militarism is responsible for, by the following table, showing the increase in population, revenues, and expenditures during the past three decades. If more clearly shows how, in pursuing this phantom, we have not only reversed our traditional policy, but are rushing headlong to financial disaster in violation of the economic laws that govern nations as well as men.

It shows that we have been eating up our substance at a rate nothing can justify short of the dire necessities of actual war.

	Period 1880 to 1890.	Period 1890 to 1900.	Period 1900 to 1910.
	Per cent increase.	*Per cent increase.*	*Per cent increase.*
Appropriations	3	75	55
Population	18	24	18
Receipts	27	43	22

Here is a story so plain that he who runs may read. Before we joined Europe in the mad race for increased armaments our resources were carefully husbanded and expenditures were made with a due regard for the funds in the Treasury, but since 1898 economy has been thrown to the winds, the appropriation bills have grown at a rate exactly two and a half times greater than the revenues, and there can be but one ending for such a story—we must either start the printing presses turning out bonds for future redemption or we must at once add new taxes to the burdens of the people.

I am not at all optimistic, Mr. President, as to the reduction of the expenditures to any very appreciable extent. It is true that the distinguished chairman of the Finance Committee, when reporting this bill, informed the Senate that he estimated a reduction of $35,000,000 in the expenditures for the fiscal year 1911 below those of the fiscal year 1910, which latter estimates were made under the last administration and were based upon existing appropriations.

The Senate, however, was not informed how this retrenchment is to be made. The chairman contented himself by saying that the expenditures already estimated for 1910, "amounting to $700,000,000, could be materially reduced by executive or legislative action, or both." He also informed the Senate "that as a result of an investigation more or less superficial he was convinced that $50,000,000 could have been saved in the last appropriations without reducing the efficiency of the public service," and held out the hope that in the future substantial relief could be expected from a more careful system of checking the expenditures in all branches of the Government by the newly created Committee on Expenditures.

I believe it will be as freely admitted that no one has striven more faithfully than the distinguished Senator from Rhode Island and the senior Senator from Maine to check the spirit of extravagance which has characterized the conduct of the

Government in recent years. I do not believe, however, that many Senators will follow the Senator from Rhode Island in his optimism regarding reduced expenditures in the early future—as much as we all wish that it could be so.

Where are the reductions to be made, and what direction will this retrenchment take?

The diplomatic and consular service, while requiring under any circumstances but a small fraction of what the other branches of the Government cost, reflects, nevertheless, the steady tendency to increased appropriations.

So, likewise, the Department of Agriculture. There has been an increase of more than 10 per cent in the last bill, notwithstanding the heavy cuts in the estimates made in committee. Not only is there no likelihood of a reduction in this department, but there is every prospect of additional appropriations; and for one, Mr. President, I heartily favor more liberal expenditures in this direction.

When we consider the vastly increased scope of work that has been undertaken by this department in recent years and the value of its investigations in adding to the wealth of the Nation, not only should no reduction be expected from this quarter, but it would be the part of wisdom to expend some of the money we are throwing away on our military establishment in extending the splendid work of the Agricultural Department.

The reduction can not take place in the appropriations for rivers and harbors, because our revenues to-day are not sufficient to meet the demands for this branch of national improvement, and popular sentiment is not only opposed to any reduction in this direction, but many of the leading men of the country are advocating the issue of $500,000,000 in bonds to meet the urgent demands of this branch of the public service.

The proposed plan of increased pay for the army of officials and employees in all the civil branches of the Government affords little prospect for any relief in that quarter, while the sundry civil bill, which annually grows larger as Congress accedes to the appeals from every quarter of the country for additional public buildings and other works, indicates that no diminution in the public expenditure may be looked for there.

Nor can we expect any material reduction in the pension roll. As the survivors of the great armies of half a century ago answer the last roll call, their vacated places are taken by the soldiers of our recent war or those who have succumbed to such a frightful extent in the benevolent assimilation of the Philippines.

And, finally, it would seem there is litle hope from the army and the navy, for the very figures submitted by the chairman of the Finance Committee show there has been a regular, steady, and progressive increase in the expenditures of the military and naval establishments, as side by side they march in stately tread toward an empty Treasury.

Until recent years our people were taught that militarism was the refuge erected by tyrants against the resentments of those whom they oppressed, but in the last ten years we have caught the contagion of the military fever. We have been straining every energy to increase our armaments on land and sea, until, as Doctor Jefferson points out, even rich America is groaning under the burden of keeping pace with the other nations proclaiming allegiance to the Prince of Peace.

I have nowhere seen the policy we are pursuing so well described as in the article just cited, and I will quote a brief extract from Doctor Jefferson. He says:

> The extravagance of the militarists will bring about their ruin. They cry for battle ships at ten million each, and Parliament or Congress votes them. But later on it is explained that battle ships are worthless without cruisers, cruisers are worthless without torpedo boats, torpedo boats are worthless without torpedo-boat destroyers, all these are worthless without colliers, ammunition boats, hospital boats, repair boats; and these all together are worthless without deeper harbors, longer docks, more spacious navy-yards. And what are all these worth without officers and men, upon whose education millions of dollars have been lavished? When at last the navy has been fairly launched, the officials of the army come forward and demonstrate that a navy, after all, is worthless unless it is supported by a colossal land force. Thus are the governments led on, step by step, into a treacherous morass, in which they are at first entangled, and finally overwhelmed.
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> All the great nations are to-day facing deficits, caused in every case by the military and naval experts. Into what a tangle the finances of Russia and Japan have been brought by militarists is known to everybody. Germany has, in a single generation, increased her national debt from eighteen million dollars to more than one billion dollars. The German minister of finance looks wildly round in search of new sources of national income. Financial experts confess that France is approaching the limit of her sources of revenue. Her deficit is created by her army and navy. The British Government is always seeking for new devices by means of which to fill a depleted treasury. Her Dreadnoughts keep her poor. Italy has for years staggered on the verge of bankruptcy because she carries an overgrown army on her back. Even our own rich Republic faces this year a deficit of over a hundred million dollars, largely due to the one hundred and thirty millions we are spending on our navy. Mr. Cortelyou has called our attention to the fact that while in thirty years we have increased our population by 85 per cent, and our wealth by 185 per cent, we have increased our national expenses by 400 per cent.

This jealousy between the nations to excel in armaments is feeding on its own appetite. Improvements by one begets a like desire for expenditures on the part of all. We can hardly look for relief for some years yet to come, and this being so, the custom-houses are called upon to yield all that the traffic will bear.

Therefore, it may properly be asked, if, with a deficit on hand and increased expenditures projected for the future, is it wise or prudent to tamper with a schedule already yielding more than $60,000,000, and which has proven the sheet anchor of the Ship of State in every financial storm?

From the statement made by the chairman in reporting this bill it is plain that enlarged revenues must be found somewhere, and this being so, why should the source of millions that will flow into the coffers of the Government from the tariff on sugar be abolished or reduced?

In fact, Mr. President, it is not going too far to state that if we are to maintain and support the Government on a cash basis, the sugar schedule of this bill must be preserved.

Cut off the fifty-odd millions of dollars expected to be yielded by the duty on sugar, and I again frankly ask, Upon what articles or items will you increase the duty in order to meet this reduction? Will you place it on the clothes we wear, on the food we eat, on the necessaries or luxuries of life? These are already taxed to their full limit.

We can not afford to bankrupt the Government. We can not afford to pass a revenue bill which will not yield sufficient revenue for the support of the Government, economically and honestly administered, and I challenge any Senator upon this floor to point out any article, either on the dutiable list or off the dutiable list, upon which a tariff can be placed which will yield the necessary revenue in a manner less burdensome to the people than the duty on sugar.

Mr. President, it is my deliberate judgment that no article of domestic production, either manufactured or agricultural, has been so unjustly treated by the provisions of this bill as the sugar industry. Not only has the differential on refined sugar been reduced from 12½ cents to 7½ cents, equivalent to a reduction of 40 per cent, but there is a provision which authorizes the importation free of duty of 300,000 tons of sugar from the Philippine Islands.

This amount of 300,000 tons fills up the measure of our needs of imported sugars, and fully supplies the entire requirements of the United States for raw sugars to meet its annual consumption of more than 3,000,000 tons.

With the necessity removed for importing a single pound of full duty paid sugar, as the result of the proposal to bring in these 300,000 tons from the Philippines duty free, the sugars that come from Cuba become the highest dutiable sugar imported, and as these pay 20 per cent less than the Dingley rates, the tariff is consequently reduced to this extent; this is, 20 per cent.

So it will be seen that this bill strikes off 20 per cent of the tariff that raw sugar has heretofore enjoyed, and 40 per cent of the refiners' differential.

I look upon this Philippine provision as full of menace and danger to the domestic sugar industry of the United States. Mr. President, it is useless to attempt to deceive ourselves about the situation. The American industry, whose bulwark and support is the white American farmer, can not compete with the Asiatic labor of the Orient; and with free sugar from Hawaii, the product of Chinese and Japanese labor, free sugar from Porto Rico, concessionary sugar from Cuba, and free sugar from the Philippines, every thoughtful legislator must acknowledge that the cane and beet industry of the United States is in peril.

Why add to that danger adverse legislation upon tariff lines affecting our rates and standards? Why make harder the struggle that the beet industry is making against the invasion of the Orient? Why make more difficult the unequal contest which the Louisiana sugar producer is waging than it already is by seeking to open up opposition to these industries through a flood of sugar from continental Europe?

Now, Mr. President, the effort to strike down the differential or to reduce the duty on refined sugar is claimed to be directed against the trust. Right here I wish to state that I am no defender of the trust in any manner, fashion, shape, or form. I neither justify nor excuse any of its monopolistic methods nor any of its illegal practices. I do not believe, however, that you are going to injure the trust by any such legislation as is contemplated. You are simply going to hurt the producer, and the producer alone.

When I first heard of the proposition to reduce the duty on the higher grades of refined sugar, together with my colleague, I sent the following telegram to many of the prominent sugar producers of my State:

What in your judgment would be the effect on the sugar industry of our State should the differential on refined sugar be removed?

I received the following replies:

DONALDSONVILLE, LA., *April 28, 1909.*

Senators S. D. MCENERY and MURPHY J. FOSTER,
Washington, D. C.

Answering your telegram, believe that removal of differential would be injurious to Louisiana sugar industry.

HENRY C. BRAUD.

NEW ORLEANS, LA., *April 28, 1909.*

Under existing conditions, the sugar planters would lose the entire differential. If the sugar refineries were put out of business, then the future would be uncertain.

JOHN DYMOND.

NEW ORLEANS, LA., *April 29, 1909.*

The effect of removal would be disastrous. Advise opposing any reduction of present Dingley bill provision.

CHARLES A. FARWELL.

PLAQUEMINE, LA., *April 28, 1909.*

Removal of the differential on refined sugar will reduce prices of Louisiana sugar and injure our industry, and in time would probably seriously cripple it.

ANDREW H. GAY.

NEW ORLEANS, LA., *April 29, 1909.*

I believe removal differential on refined injurious to sugar industry. May as well remove benefit derived from making sugar ready for consumption, as foreign sugars would come in refined instead of raw, the refining of which gives work to many thousands. Should differential be removed or reduced, which we strongly advise against, it is absolutely necessary that whatever is removed should be added to rate on raws, otherwise industry will be practically ruined.

CHARLES GODCHAUX.

NEW ORLEANS, LA., *April 29, 1909.*

Your telegram received. Advocate retention of differential as now in law 1897 (Dingley bill). Any reduction would injure Louisiana producers.

WALTER GUION.

RATCLIFFE, LA., *April 29, 1909.*

It is consensus of opinion at meeting here that removal would be extremely detrimental. Boll weevil ruined cotton, Congress should not ruin State by destroying sugar. All sugar below 96 test is at mercy of trust, and all above would be crippled.

JOHN MARKS.

NEW ORLEANS, LA., *April 28, 1909.*

The removal of the differential would be very injurious to our industry. Foreign refined sugars would flood our markets and depress all of the Louisiana sugars, especially high grades, which we are going into largely, at much expense.

HENRY MCCALL.

HOUMA, LA., *April 29, 1909.*

Abolition of the differential on refined sugar would injure Louisiana sugar industry to the extent of the differential.

EDMOND M. MCCOLLAM.

NEW ORLEANS, LA., *April 28, 1909.*

Removal of differential on refined sugar might throw business into hands of foreign refiners, which would lower prices of our grocery grades as well as of our refining grades, practically of all of our sugars.

J. C. MURPHY.

NEW ORLEANS, LA., *April 29, 1909.*

We fear change. Think result may be to lower all sugars.

E. A. PHARR.

THIBODAUX, LA., *April 29, 1909.*

Your telegram of yesterday reached me to-day. The removal of differential would seriously injure the Louisiana sugar industry.

W. H. PRICE.

HOUMA, LA., *April 29, 1909.*

Ruination.

JOHN D. SHAFFER.

NEW ORLEANS, LA., *April 29, 1909.*

Replying your telegram, refineries are large buyers of Louisiana sugar. If the price at which they sell be reduced, the price at which they buy would be apt to be reduced also, meaning necessary injury to sugar interests from lowered prices.

T. S. WILKINSON.

ADELINE, LA., *May 17, 1909.*

Please use your influence in having the sugar schedule passed as reported by the Finance Committee without change. My reason for asking this is, not only the personal one that on Adeline we are making white granulated sugars which go into direct consumption and which would be unfavorably affected if the differential were lowered or by any change in the clause relating to the Dutch standard, but also because my firm conviction is that it is only a question of a few years when the entire product of Louisiana will be made into granulated sugar on the plantation. This I think will be the solution of the problem and will give to the planter the profit now being made by the refiner. In conversation a number of other planters have told me they intend doing this next campaign.

B. A. OXNARD.

These replies are from Democrats and Republicans alike. They are from citizens of intelligence and integrity, who perfectly understand the effect of this legislation, and I agree with them thoroughly.

In order to discuss this phase of the question intelligently, it is well to understand the law covering the differential and the position that the sugar trust holds, not so much by reason of the differential as by reason of the situation brought about through free and concessionary sugar now entering this country.

Under existing law, 96-degree sugar, commonly called "centrifugal sugar," the kind usually produced in Cuba, Hawaii, Porto Rico, and Louisiana, when imported into the United States pays a duty of $1.68½ per hundred pounds. For each degree that sugar tests above 96 an additional 3½ cents per hundred pounds is added, so that under the general provision of the law the duty on 100-degree sugar should be $1.68½ plus four times 3½ cents, or $1.82½ per hundred pounds. To this $1.82½ per hundred pounds there is added under existing law a refiners' differential of 12½ cents per hundred pounds to cover the difference in labor cost in the act of refining in this country as compared with the similar cost in foreign countries. This 12½ cents is called the refiners' differential, and when added to $1.82½ makes the duty on refined sugar under existing law to be $1.95 per hundred pounds.

The Payne bill proposes to reduce the duty on refined sugar to $1.90 per hundred pounds, thereby cutting the refiners' differential from 12½ to 7½ cents per hundred pounds. It is now proposed to take off this remaining 7½ cents, or refiners' differential, and leave the duty on refined sugar at $1.82½ per hundred pounds, which would be the regular duty provided by the bill governing the duties to be fixed on raw sugar.

The advocates of this proposed change advance three arguments in favor of the proposition: First, such a change will reduce the cost of sugar to the ultimate consumer in the United States. Second, such a change will serve to curb the sugar trust. Third, such a change will increase the revenues of the United States.

Let us examine each of these arguments in turn.

First, will the proposed change reduce the cost of sugar to the ultimate consumer? The utmost that it can reduce the cost of sugar would be the amount of reduction of duty, namely, 12½ cents per hundred pounds. The per capita consumption of sugar in the United States is 81 pounds. If a man bought his annual supply of sugar at once and secured the benefit of the entire reduction he would save 10 cents on his year's supply of sugar. If he should buy six months' supply of sugar he would save 5 cents, or, in other words, the cost of a pound of sugar; but no one buys sugar in this way. The ultimate consumer seldom buys more than 5 pounds of sugar at a time. The total reduction on this 5 pounds would be five-eighths of a cent, which the ultimate consumer would never receive. The net result of the proposed change, as far as the ultimate consumer is concerned, is thereby nothing, and the entire reduction of 12½ cents per hundred pounds will go to the middlemen and the refiner.

Second. Will the proposed change curb the power of the sugar trust? The sugar produced in continental United States, Porto Rico, Hawaii, and Cuba, together with the 300,000 tons to be admitted free from the Philippines, is sufficient to supply the annual needs of the entire United States. The normal increase in production in these localities is even greater than the increased consumption in the United States. This free and concessionary sugar must be marketed in the United States. If there is any attempt to market it in continental Europe it will be found that every country in that continent maintains a prohibitive sugar tariff. If an attempt is made to market it in England it will be found that such sugar must pay about 40 cents per hundred pounds duty. As long as it can be marketed in the United States, under the protection afforded by any tariff whatsoever, it will not go to England and pay a duty.

All the free and concessionary sugar produced in continental United States, Porto Rico, Hawaii, Philippines, and Cuba must find a market in the United States. This fact is well known by the refiners of sugar in this country. If these refiners are deprived of a legal differential on raw and refined sugar, they will simply wait for the producers of free and concessionary raw sugar to consent to sell their sugar at a price which will establish a commercial differential, or at least an equivalent of the existing differential. In other words, the producer of free and concessionary raw sugar will be obliged to sell his sugar

to the refiners of the United States at a price which the refiners are willing to pay.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. I do.

Mr. TILLMAN. If I understand the Senator's statement, it is that, not only the consumer is at the mercy of the trust, and has to pay whatever it sees fit to charge, but that the producer of the sugar is at the mercy of the trust, and has to take whatever the trust sees fit to give. If that is not an artificial condition produced by law, I should like to know what it is.

Mr. FOSTER. To a certain extent the Senator is correct, but not wholly so, in my judgment.

Mr. TILLMAN. Does the Senator contend, if we were to do away with this differential in favor of refined sugar to the trust and allow sugar to be imported, whether refined or not refined, just as though it was common sugar or unrefined sugar, that people would not buy the brown sugar at a reduction of a cent or a cent and a half, if we were getting as much of sweetness or saccharine, or whatever you call it, in preference to white sugar.

Mr. FOSTER. I think that you are going to have no brown sugar used to any extent in this country, because everybody has been educated up to a taste for the higher grades, granulated and white.

Mr. TILLMAN. We can not get it.

Mr. FOSTER. Why can you not get it?

Mr. TILLMAN. I do not know. I can not find it in the markets.

Mr. FOSTER. You can get it, for it is made in my State, but the demand for it is very limited.

Well, perhaps I have taken up too much of the time of the Senate; but I will tell the Senator that the whole process of making sugar has undergone a change in this country.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from Utah?

Mr. FOSTER. Certainly.

Mr. SMOOT. Answering the Senator from South Carolina [Mr. TILLMAN], I will say that colored sugar can come in free of duty from Porto Rico now, if there were any sale for it, but there is no sale for it. The American people are buying refined sugar.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from Michigan?

Mr. FOSTER. I do.

Mr. SMITH of Michigan. I want to say to the Senator from South Carolina [Mr. TILLMAN], who has several times called attention to the desirability of getting this raw sugar in free, so to speak——

Mr. TILLMAN. I want to get rid of that cent and eighty points or that above or below "sixteen Dutch standard." That is what I want.

Mr. SMITH of Michigan. The Senator is greatly troubled over the Dutch standard.

Mr. TILLMAN (to Mr. SMITH of Michigan). Please explain it, if the Senator from Louisiana [Mr. FOSTER] will let you.

Mr. SMITH of Michigan. It will take me but a moment to do it if the Senator from Louisiana will permit me.

Mr. FOSTER. Certainly.

Mr. SMITH of Michigan. In the first place, the Senator's anxiety to get free raw sugar——

Mr. TILLMAN. No; I do not want free raw sugar.

Mr. SMITH of Michigan. That is practically what the Senator wanted.

Mr. TILLMAN. No.

Mr. SMITH of Michigan. You wanted to get the kind of sugar that you were able to get out of the barrel when you were a boy, and have some of it stick to your fingers.

Mr. TILLMAN. Yes.

Mr. SMITH of Michigan. The Dutch standard represents the line between raw and refined sugar. The Dutch Government authorizes one firm in Amsterdam to prepare these samples, and their samples of No. 16 are accepted throughout the world as the line of demarcation between raw and refined sugar. The tariffs of many countries have recognized and adopted them. The United States has always done so. Every year these Dutch standard samples are put up in glass bottles and brought to this country to be used by our appraisers in the adjustment of tariff duties. They are also used by all sugar-producing countries buying duty sugar and selling to customs countries. All countries producing sugar for manufacture, or raw sugar, use this standard.

They begin at No. 8, which is a light brown; No. 9, a little lighter; No. 10, a little lighter, and so on up to No. 16, which is a recognized standard, between light and dark raw.

Mr. TILLMAN. What becomes of 17, 18, 19, and 20?

Mr. SMITH of Michigan. They have found 16 to be the best measure from which to start.

It is whitened by taking out the sirup. Where the raw is naturally above No. 16 in whiteness it has been customary in Cuba, for instance, to add a sirup to lower the standard to the degree fixed as No. 16. For much raw sugar is known to have been whitened by sulphur, and was not pure.

One of the most important purposes of the No. 16 Dutch standard is to protect the consumer against being imposed upon by a seemingly refined sugar equal in color to the granulated sugar, but containing less sweetness. The Scotch manufacturer can produce a sugar of this kind.

Take that 16 Dutch standard out of the law and it will bring in bleached sugar whether it has the degree of sweetness and purity which the Senator from South Carolina would desire or not. Therefore, it is not a serious situation which the Senator has suggested, but a simple one, made merely for the purpose of bringing the civilized world into an understanding of what the standard of color should be as between purchasers and manufacturers of sugar. Now, have I made myself at all clear to the Senator from South Carolina?

Mr. TILLMAN. It is exactly as clear as mud.

Mr. SMITH of Michigan. Then, I can not elucidate it further.

Mr. FOSTER. This explanation seems clear to me, but, if possible, I would like to make it just as clear to the Senator from South Carolina. I would therefore state that the Dutch standard consists of types selected and determined by authorities in Holland, who classify and grade sugars according to color.

The standard sugars are contained in bottles, marked and sealed, and are used to determine more easily and with certainty the character of certain sugars passing through the custom-house and their dutiable rate.

First. It is indispensable in all cases where a differential is imposed to protect refined sugars, because it settles at a glance the rate that should be imposed upon bright sugars, which by their color would come into competition with granulated beet or cane sugars, or sugars which have gone through a refining process. It might be disputed whether certain sugars were liable to the refiners' differential, on the ground that they had not been technically refined; the Dutch standard, No. 16 provision, would subject them to the same duty by eliminating the need of determining whether they had been technically refined or not; and in this way the Dutch standard provision protects the high-grade cane sugar not refined but manufactured on the plantation for direct consumption.

Second. The Dutch standard must be incorporated in the law also so as to levy the highest rate of duty on certain sugars made in Scotland, which by some secret process are made attractive to the eye, reaching toward No. 20 Dutch standard in color, but measuring as low as 85 degrees by polariscopic test. In view of this manufacture, the retention of the Dutch standard in this tariff bill, becomes imperative, unless the Congress of the United States deliberately lends itself to opening the door of opportunity to the most easily perpetrated fraud upon its people, which would follow the fixing of the polariscopic test as the sole test for admitting these Scotch sugars to the United States market.

From appearance these sugars, which are in no way adulterated, would deceive the ordinary purchaser into buying them as high-grade refined white sugars, so they would always find a market at nearly the same price as the best granulated refined.

If so, the fraud upon the consumer is patent and flagrant.

Say that he buys his 100 pounds of pure sugar at $5; each pound of sucrose will cost 5 cents. If he buys 100 pounds of Scotch refined sugar for $5, he will pay $5 for 85 pounds of sucrose, or 5.88 cents for each pound of sucrose, or nearly one cent per pound above its true value.

The aiding and abetting of this kind of fraud by the elimination of the Dutch standard is intensified, when you consider that Congress is asked by such eliminating course to admit this kind of sugar at a duty of $1.30 per 100 pounds; while the sugar with which it would compete would have to pay $1.90 per 100 pounds.

Mr. TILLMAN. But I want to ask the Senator one or two questions——

Mr. FOSTER. Mr. President——

Mr. TILLMAN. Of course, always with the permission of the Senator from Louisiana, who has the floor. I do not want to interfere with the even flow of his speech, for I have listened to it with probably more interest than to any speech which has been delivered in this Chamber, certainly in the last day or two.

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. I do not object to the Senator asking a question, but I am going to ask the Senator from Michigan not to be too long in answering it.

Mr. TILLMAN. I had rather the Senator from Louisiana would answer it, because I was going to remark that the Senator from Michigan talked about sulphur being used as an adulterant to get rid of the color.

Mr. SMITH of Michigan. And to whiten the low grades of sugar.

Mr. TILLMAN. And I have heard the Senator from Louisiana say that a row occurred in the Agricultural Department with Doctor Wiley in regard to the use of sulphur in the sugar refineries in Louisiana, and that if the Government had not sat down on Doctor Wiley and in some way sidetracked him, they would have been absolutely ruined, but that now they are using sulphur down there.

Mr. SMITH of Michigan. There is no disagreement among the manufacturers of sugar as to the desirability of using or not using sulphur. That is not regarded——

Mr. TILLMAN. Sulphur is a very good antiseptic and an all-round physic. They used to give it to me once in a while when I was little. It has no terrors for me. I will take some sulphur any time.

Mr. SMITH of Michigan. I will say to the Senator from South Carolina that he had all he wanted of it when the free sugar was on the statute-books.

Mr. TILLMAN. I want good brown sugar, such as I used to get when I was a boy, and not have to pay the sugar trust 2 cents a pound extra for it.

Mr. SMITH of Michigan. I am going to make this explanation and see if the Senator from South Carolina can understand it: Sixteen Dutch standard is the yardstick—simply the yardstick—of the sugar industry, by which a certain degree of purity is determined by color. That is all there is to it. The sole use of that language is to use a language that the world has grown to comprehend.

Mr. SMOOT. That is to prevent fraud.

Mr. FOSTER. Mr. President——

The VICE-PRESIDENT. The Senator from Louisiana has the floor.

Mr. FOSTER. This is the net result of the proposed amendment, and will not, therefore, curb the power of the trust, but will give it still more power in forcing the producer of free and concessionary raw sugar to take the price which the trust is willing to pay. The entire reduction in tariff will come out of the price to be paid the producer of raw sugar, and not the refiner.

Will the proposed amendment increase the revenues of the United States collected from the importations of sugar?

It has just been shown that the amount of free and concessionary sugar, which must be marketed in the United States, is sufficient to supply our needs. It has also been shown that this sugar must be sold in the United States. As long as these conditions prevail there is no room for imported raw sugar in this country. If the planters of free and concessionary sugar continue to produce sugar, it must come to the United States, and it fills our entire wants.

Under the proposed legislation there can be no material increase in the imports of refined sugar. We will still be receiving the output of Porto Rico and Hawaii sugar, free of duty, and we will be collecting our regular duty on the imports of Cuban sugar. The revenue of the United States will not be increased, because no increased amount of refined sugar will be imported as a result of the passage of the proposed amendment.

If, however, we should grant for the sake of argument that the importations of refined sugar shall increase, then these importations must take the place of some free and concessionary sugar we are now raising. When such importations do occur, they must supplant that free and concessionary sugar, which costs the most.

The blow will fall entirely upon the domestic beet and cane crop produced in continental United States.

The effect of this reduction will be either the destruction of the refining interests in this country or the destruction of the domestic production. Do we wish to break up the refining or manufacturing interests of the country so far as sugar is concerned? We may wish to break up and destroy the evil and monopolistic practices of the American Sugar Refining Company, commonly called the "sugar trust," but I believe that the proper way to reach that offending corporation is through prosecution in the courts for violation of the Sherman antitrust law and for its established criminal practices.

It has always been the policy of this Government to maintain a differential between our manufactured material and the raw. Our philosophy has been to create a normal development between the factory and the farm, to encourage our great agricultural interests, but not to be merely producers of raw material alone.

We want the output of the field converted into the finished product fit for the consumption of the people, and no student of political economy would advocate the development of one at the expense of the other.

We produce raw cotton for all the world, but in pursuit of this traditional policy we have learned to convert that material into the most finished fabrics, capable of supplying the needs of our people, while our hides have led to the building up of a leather manufacturing and shoe trade without a peer in all the world.

I can not for a moment, Mr. President, believe that any Member of this Senate would break down and destroy the great sugar-refining interests of this country because the sugar trust has been guilty of a long list of wrongs, evil practices, and crimes against the people and the Government alike.

Mr. TILLMAN. Right there, Mr. President, if the Senator will permit me, we have recently been told in the press that they have caught up with the tricks of the sugar trust in weighing sugar and that there has been restored to the Treasury a couple of million dollars, or something like that, of stolen profits. Are any of the fellows who did that going to be punished? Here is a concrete case right before us, with an opportunity to put somebody in stripes. They have confessed their guilt in a way, inasmuch as they have made restitution, and are we going to sit down now and compound the felony? Is the new Attorney-General going to start in and let these fellows go scot-free?

Mr. FOSTER. Would you let that affect the tariff bill?

Mr. TILLMAN. They got so much out of our pockets—they have got a little out of mine and every other man's in America who uses sugar—that I should like to see somebody put in the penitentiary for it. They could not have gotten this money if it had not been for the tariff law.

Mr. FOSTER. I do not agree with the Senator as to that.

Mr. TILLMAN. The Senator does not agree with me. I have got my notion, and it is worth just so much and no more.

Mr. FOSTER. It is worth a great deal more than mine, I admit, but I hope the Senator will pardon me if I differ with him upon that proposition.

It is true that this trust has outraged every principle and precept of honest business and trade; that it has sought by every device to wring unjust tribute from the sugar producer of this country; and it may be true that, by a system of deceits and frauds upon the Government, it has robbed the Treasury of millions of dollars. Yet that, in my opinion, Mr. President, does not justify injuring the interests of the sugar producers of this country in order to punish a lot of petty criminals.

Mr. TILLMAN. Petty?

Mr. FOSTER. Well, put them down then as big criminals. If the trust has violated the criminal laws of the country, let the persons who are responsible be brought before the criminal courts; and if, upon fair trial, guilt be established, let stripes be placed upon the offenders. That is the remedy.

If they have engaged in violating the Sherman antitrust law, let them be haled before the civil courts and adequate punishment be meted out to them. But do not punish the producers of cane sugar in my country, the producers of beet sugar in the West, or the independent refiners for these crimes and offenses, for which they are in no manner responsible, nor ought justly to be held responsible.

According to a table furnished me by the experts who are assisting the Democratic members of the committee, 49.27 per cent of the sugar refined in this country is the product of the American Sugar Refining Company, while 37.44 per cent is the output of the independent refineries, 13.19 per cent of the beet sugar refineries, .06 per cent of the Hawaiian refineries, and .04 per cent is the product of foreign refiners.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. FOSTER. Yes.

Mr. TILLMAN. This ghost, or whatever it is, of an independent manufacturer who is not under the trust control and does not receive orders from the trust—the steel trust and others—is always paraded in here. I recollect, in running around the West a little a year or two ago, that I was told that Spreckels had divided this country with a geographical line, beyond which the American Sugar Refining Company dared

not ship a pound of sugar on threat of a war in prices. Is that true or not? I will ask some of those who live out there in the West. I heard the story from very reliable sources.

Mr. SMOOT. Mr. President, all I can say is that Mr. Spreckels testified before the Committee on Ways and Means, that there was absolutely no understanding between his independent refinery and the American Sugar Refining Company.

Mr. TILLMAN. But that does not answer my question as to whether or not there is a geographical line somewhere near St. Louis——

Mr. FOSTER. Mr. President——

Mr. TILLMAN. Beyond which this sugar concern is debarred from shipping any sugar.

Mr. FOSTER. Mr. President, I have no authority for making the statement, but I have always understood that the independent refiners were not in any conspiracy with the trust. I know nothing about it, but I simply judge from the course of trade that they are not in any collusion with the trust. I have a statement, which I will put in the RECORD, from Mr. Hatch, manager of an Hawaiian plantation, stating that it is untrue that the properties on that island are under the control and management of the trust; and I do not believe that the beet refiners of this country are under the control, management, or domination of the trust.

Mr. SMITH of Michigan. The beet raisers are not.

Mr. FOSTER. Senators from the beet sugar States are here upon this floor and can give the information; but I know the fact that the trust has absolutely nothing to do with the sugar production in my State.

I submit to the Senators upon this floor, Is it a wise policy to destroy the refining industry? Only recently it has begun to develop along independent lines. It has attracted millions of independent capital, and dotted the country from one ocean to the other with competing plants capable of supplying the contributing territory with its own sugar and relieving the people of paying further tribute to the trust.

The wish and hope of every one of us has been that the beet and cane industries of this country would flourish and prosper in order that our own farms and plantations might supply this great necessary of life to the people; and now that we are about to accomplish this result, the patient work of years is threatened with destruction.

Mr. President, the beet industry is the natural competitor of the sugar trust. If I were seeking to build up the sugar trust, the first move I would make would be to destroy the beet-sugar industry in this country, because it turns out the finished product, and I submit that if you strike out the differential you will be playing into the hands of the trust, for it is upon this that the beet industry must depend if it is to grow and wax strong, so that it can fight the rival giant.

I do not believe, Mr. President, that as the sugar industry of this country grows, as it promises to, that the sugar trust or any other trust can control, absorb, or monopolize its output.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. FOSTER. Yes.

Mr. HEYBURN. The Senator asked for some information, and I happen to have it at hand. I have a neighbor who produces 50,000 tons of beets a year and makes some 12,000,000 pounds of sugar who is not in the trust.

Mr. FOSTER. During its infancy the trust may harass and dominate the beet industry for a while, but with expansion I see no more reason why there should be a sugar trust than any other agricultural trust in this country.

I do not, Mr. President, and I can not believe that the American Refining Company controls the independent refineries of this country. I know these charges are frequently made, and while I have no authority to deny the charge or direct information, yet I have always understood that the independent refineries were free to act as they saw fit. Nor do I believe the trust controls the great beet industry of the West.

In the brief submitted to the Ways and Means Committee November 19, 1908, Hon. F. M. Hatch, for years the minister of Hawaii to the United States, makes the following statement concerning the way in which Hawaiian sugars are sold in the United States:

The statement made by Mr. C. A. Spreckels that Hawaiian sugars are sold at a rebate of three-eighths of a cent a pound is not correct. Hawaiian sugars are, in fact, sold in New York at one-tenth of a cent a pound off. This covers two-thirds of the Hawaiian output. One-third is sold in San Francisco, being all that that market will take under a rebate of one-quarter of a cent a pound. The Crockett Refinery, an independent refinery controlled by Hawaiian interests, is the purchaser there. The rebate in New York of one-tenth of a cent, or $2 a short ton, is not in any sense a result of the tariff. It is a concession which is considered reasonable to make in consideration that the purchaser, the American Sugar Refining Company, binds itself for a term of years to take all the Hawaiian cargoes on arrival at the market price, less this rebate. The Hawaiian producers are thus saved the danger of having to store cargoes awaiting the purchaser, and the alternative of being obliged to make sacrifice sales in the periods of a glut of sugar in the market. This cost of trade has grown up in consequence of the great distance of Hawaii from market and the impossibility of selling the crop in Honolulu.

Mr. Spreckels's statement or intimation that the trust is directly or indirectly an owner in Hawaiian plantations is without a shadow of foundation of fact, so far as the undersigned is informed and believes.

(Signed) F. M. HATCH,
Representing Hawaiian Sugar Planters Association.

Mr. Hatch shows conclusively that the refiners in the United States pay the same price for Hawaiian sugars that they pay for Cuban sugars, with the exception of a nominal $2 per ton, or one-tenth of a cent per pound deduction, in consideration that the purchaser "binds himself for a term of years to take all Hawaiian cargoes on arrival at market price, less this rebate," thus saving the Hawaiian planters all expense of storage, and assuring them an immediate sale of their sugar upon arrival at port.

In view of this fact it is idle to maintain that the sugar refiners of this country, in purchasing the Hawaiian crop, get the advantage that would accrue if these sugars came in free of duty and were bought at the world's price without the tariff cost to the purchaser. As far as the refiner is concerned, these sugars are on practically the same basis as the Cuban sugar, their price to the refiner being one-tenth of a cent per pound less than the price of Cuban sugar.

The same line of reasoning would apply to the sugars from Porto Rico.

Destroy our refining interests and what an opulent field for exploitation the markets of the United States will become for the surplus product of Europe, what a golden stream of American wealth would flow into the coffers of the Old World.

The American people have become the greatest sugar consumers on earth and the refined article constitutes the bulk of what is used, so if the refiners of this country are destroyed the American consumer must be supplied by foreign refiners or go without.

We are now annually sending to Hawaii over $30,000,000 for sugar; to Porto Rico over $7,000,000; to Cuba something over $60,000,000; and some $2,000,000 to the Philippines, making more than $100,000,000 annually drained out of this country which could otherwise go into all the channels of American trade did we but produce at home what we consume.

And now that we are in a fair way toward correcting this great economic leak, it is proposed not only to stifle the beet and cane sugar industries, upon which we must depend if we are to keep this money at home, but also to destroy another great domestic industry, and compel the American consumer to pay tribute to the foreign refiners.

But, Mr. President, if this course is persisted in it will be the producer and not the trust who will be called upon to suffer. These refiners have invested millions and millions of dollars in their enterprises. At the head of their institutions are the shrewdest and sharpest men in the business world. They know perfectly well that the product of the cane fields of Louisiana and the crops of Hawaii, Porto Rico, the Philippines, and Cuba can find no other market than our own. They will simply, therefore, as I said before, deduct the differential we deny them from the price they pay the producers of sugar in this country. They will keep down the level of their prices sufficiently below the European refiners to exclude foreign sugar from our markets, and in the war of competition the sugar industry of the United States will be ground down and destroyed. Then we must look to our island possessions in the Tropics or to Europe for our sugar, for in that contest, Mr. President, the domestic sugar industry will have been destroyed. We can not compete in production with the pauper labor of the Orient or with Europe and its low standard of living. The American farmer will be made the victim of our blind resentment against the sugar trust, and as that great malefactor stalks through the ruins of our domestic industry it will grow stronger and richer as it fattens upon free sugar from our tropical possessions.

APPENDIX.

The sugar schedule under tariff acts passed by Congress from 1789 to 1909.

ACT OF JULY 4, 1789.

From and after August 1, 1790.

Sec. 1. On brown sugars	1 cent per pound.
On loaf sugars	3 cents per pound.
On all other sugars	1½ cents per pound.
On molasses	2½ cents per gallon.
On all goods, wares, and merchandise, other than teas imported from China or India, in vessels not of the United States, etc	12½ per cent ad valorem.

Sec. 3. Drawback of 99 per cent allowed for duties on goods, etc., exported within twelve months of payment of same.

Sec. 5. A discount of 10 per cent on all duties imposed by this act on goods, etc., imported in United States vessels, etc.

Sec. 6. This act to continue and be in force until June 1, 1796, and from thence until the end of the next succeeding Congress, and no longer.

ACT OF AUGUST 10, 1790.

Preamble. And whereas the support of the Government and the discharge of the said debts render it necessary to increase the said duties.

From and after the last day of December next (1790).

Sec. 1. On brown sugar ..... 1½ cents per pound.
On loaf sugar ..... 5 cents per pound.
On all other sugar ..... 2½ cents per pound.
On molasses ..... 3 cents per gallon.

Sec. 2. An additional 10 per cent shall be made to the several rates of duties above specified, and imposed on goods, etc., which shall be imported in vessels not of the United States.

Sec. 3. Drawback clause, 99 per cent. (Similar to sec. 3, act July 4, 1789.)

Sec. 7. Continuance of this act, proviso, Legislature of United States can substitute rates, etc.

ACT OF MAY 2, 1792.

Sec. 4. That after the last day of June next (1792) there shall be, in addition to the present duty thereupon, a duty of 2½ per cent upon all goods, wares, and merchandise not above enumerated or described, which, if imported in ships or vessels of the United States, are now chargeable with a duty of 5 per cent.

ACT OF JUNE 5, 1794.

(Term "refined" used in this act for first time and duty on that sugar raised to 9 cents.)

Sec. 12. After September 30, 1794 (in addition to the duties now imposed), on refined sugar ..... 4 cents per pound.

ACT OF JUNE 7, 1794.

Sec. 1. After June 30, 1794, articles imported in vessels of the United States shall pay duties as follows, over and above the duties now payable, on clayed or lump sugar ..... 1 cent per pound.

ACT OF JANUARY 29, 1795.

Sec. 1. After the last day of March next (1795) the present duty on clayed sugar shall cease, and there shall be paid:
On all white clayed or white powdered sugars ..... 3 cents per pound.
On all other clayed or powdered sugars ..... 1½ cents per pound.
August 10, 1790, brown sugar, 1½ cents.

ACT OF MARCH 3, 1797.

Sec. 1. After June 30 next (1797) the following, in addition to those now in force, shall be paid:
On all brown sugars ..... ½ cent per pound.
On all molasses ..... 1 cent per gallon.

Sec. 2. Applies to sugar candy and cocoa imported.

Sec. 5. That on account of the additional duties on brown sugar and molasses by this act, the following sums shall be added to the drawbacks, now allowed by law, after the last day of December next (1797), on all sugars, refined and exported ..... 1 cent per pound.
The other article is spirits distilled from molasses.

ACT OF MAY 13, 1800.

After the 30th day of next June, additional to now in force.

Sec. 1. On all brown sugar ..... ½ cent per pound.
On all sugar candy ..... 2½ cents per pound.
On all molasses ..... 1 cent per gallon.
On all merchandise now paying 10 per cent ..... 2½ per cent.

ACT OF FEBRUARY 25, 1801.

ACT OF JULY 1, 1812.

Sec. 1. Additional 100 per cent on all merchandise, etc., now in force, imported into the United States after the passage of this act.

ACT OF FEBRUARY 1, 1816.

Act of July 24, 1813, laying duties on sugar refined in the United States, continued in force by this act.

ACT OF FEBRUARY 5, 1816.

Sec. 1. Continues act of July 1, 1812 (additional duties), until June 30 next (1816).

Sec. 2. After the 30th day of June next (1816) there shall be added an additional duty of 42 per cent to that now imposed by the law for allowance and drawback, etc., on merchandise until a new tariff of duties shall be established by law.

Sec. 3. Re commercial treaties and tonnage.

ACT OF APRIL 27, 1816.

Sec. 1. Molasses ..... 5 cents per gallon.
Brown sugar ..... 3 cents per pound.
White clayed or powdered sugar ..... 4 cents per pound.
Lump sugar ..... 10 cents per pound.
Loaf sugar ..... 12 cents per pound.
Sugar candy ..... 12 cents per pound.

ACT OF MARCH 3, 1821.

Reexportation of distilled spirits from molasses or sugar refined within the United States.

ACT OF MAY 22, 1824.

Sec. 1. Additional 12½ per cent ad valorem on articles now paying a duty of 7½ per cent, not herein specified. (No change in sugar.)

ACT OF MAY 29, 1830.

Redrawback on spirits from molasses, etc.

ACT OF JULY 14, 1832.

Sec. 2. On brown sugar in casks ..... 2½ cents per pound.
On sirup of sugar cane, in casks ..... 2½ cents per pound.
On white clayed sugars ..... 3½ cents per pound.

ACT OF MARCH 2, 1833.

Sec. 1. After December 31, 1833, all articles mentioned in the act of July 14, 1832, or by any other act which shall exceed 20 per cent on the value thereof, $\frac{1}{10}$ part of such excess shall be deducted; after December 31, 1835, another $\frac{1}{10}$ part of such excess shall be deducted; after December 31, 1837, another $\frac{1}{10}$ part of such excess shall be deducted; after December 31, 1839, another $\frac{1}{10}$ part of such excess shall be deducted; after December 31, 1841, $\frac{1}{2}$ of the residue of such excess shall be deducted; after June 30, 1842, the other $\frac{1}{2}$ shall be deducted.

ACT OF SEPTEMBER 11, 1841.

Sec. 3. Redrawbacks on exported refined sugars made from foreign sugars, and rum from molasses.

ACT OF AUGUST 30, 1842.

After passage of this act.

Sec. 8. On raw sugar (commonly called brown sugar) not advanced beyond its raw state, by claying, boiling, clarifying, or other process ..... 2½ cents per pound.
On sirup of sugar, or sugar cane ..... 2½ cents per pound.
On brown clayed sugar ..... 2½ cents per pound.
On all other sugars, when advanced beyond the raw state, by claying, boiling, clarifying, or other process, and not yet refined ..... 4 cents per pound.
On refined sugars (whether loaf, lump, crushed, or pulverized, and when, after being refined, they have been tinctured, colored, or adulterated) ..... 6 cents per pound.
On sugar candy ..... 6 cents per pound.
On molasses ..... 4½ mills per pound.
Proviso.—Inspection provided to detect frauds by false entry as molasses on all sugars and molasses.

ACT OF JULY 30, 1846.

Schedule C: Sugar of all kinds ..... 30 per cent.
Molasses ..... 30 per cent.
Sirup of sugar ..... 30 per cent.

Sec. 6. Re merchandise in public stores after the passage of this act.

Sec. 7. Sec. 12, act of August 30, 1842, re goods, etc., coming from Cape of Good Hope, etc., time of.

ACT OF MARCH 3, 1857.

Sec. 1. Schedule C: Molasses ..... 24 per cent.
Sugar of all kinds ..... 24 per cent.
Sirup of sugar ..... 24 per cent.

ACT OF MARCH 2, 1861.

From and after April 1, 1861.

Sec. 5. On raw sugar, commonly called muscovada or brown sugar, not advanced beyond raw state by claying or other process ..... ¾ cent per pound.
On white and clayed sugars, when advanced beyond the raw state by claying or other process, and not refined ..... ¾ cent per pound.
On refined sugars, whether loaf, lump, crushed, or pulverized ..... 2 cents per pound.

Sec. 5. On sugars, after being refined, tinctured, colored, etc ..... 4 cents per pound.
On sirup of sugar or sugar cane, and concentrated molasses or concentrated melada ..... ¾ cent per pound.
On sugar candy ..... 4 cents per pound.
On molasses ..... 2 cents per gallon.
On confectionery of all kinds not otherwise provided for ..... 30 per cent.

ACT OF AUGUST 5, 1861.

After passage of act.

Sec. 1. On raw sugar, commonly called muscovado or brown sugar ..... 2 cents per pound.
On sugars not advanced above No. 12, Dutch standard, by claying, boiling, clarifying, or other process. 2 cents per pound.
On sirup of sugar or sugar cane, and concentrated molasses, or concentrated melada ..... 2 cents per pound.
On white and clayed sugar, when advanced beyond the raw state, above No. 12, Dutch standard, by clarifying or other process and not yet refined ..... 2½ cents per pound.
On refined sugars, whether loaf, lump, crushed, or pulverized ..... 4 cents per pound.
On sugars after being refined, when tinctured, colored, etc ..... 6 cents per pound.
On sugar candy ..... 6 cents per pound.
On molasses ..... 5 cents per gallon.

Sec. 4. After passage of this act there shall be allowed on all articles wholly manufactured of materials imported, on which duties have been paid when exported, a drawback equal in amount to the duty paid on such materials and no more, * * * provided that 10 per cent shall be retained for use of the United States.

ACT OF DECEMBER 24, 1861.

Same classification as the act of August 5, 1861: only change in rates.
On raw sugar, etc ..... 2½ cents per pound.
On sugars not advanced above No. 12 Dutch standard, etc ..... 2½ cents per pound.
On sirup of sugar, etc ..... 2½ cents per pound.
On white and clayed sugars, etc ..... 3 cents per pound.
On refined sugars, etc ..... 5 cents per pound.
On sugars after being refined, tinctured, etc ..... 8 cents per pound.
sugar candy ..... 8 cents per pound.
molasses ..... 6 cents per gallon.

ACT OF JANUARY 11, 1862 (JOINT RESOLUTION).

Certain goods in warehouse to pay duties under former act (December 24, 1861) * * * excess of duties to be refunded.

ACT OF JULY 14, 1862.

After August 1, 1862.

Sec. 1. On sirup of sugar, etc ..... 2 cents per pound.
On all sugar not above No. 12 Dutch standard in color ..... 2½ cents per pound.
On all sugar above No. 12 and not above No. 15 Dutch standard in color ..... 3 cents per pound.
On all sugar above No. 15, not store-dried, and not above No. 20 Dutch standard in color ..... 3½ cents per pound.
On all refined sugar in form of loaf, lump, crushed, powdered, pulverized, or granulated, and all store-dried or other sugar above No. 20 Dutch standard in color ..... 4 cents per pound.
On sugar candy, not colored ..... 6 cents per pound.
On all other confectionery made wholly or in part of sugar ..... 10 cents per pound.
On sugars after being refined, when tinctured, etc ..... 10 cents per pound.

ACT OF APRIL 29, 1864 (JOINT RESOLUTION).

That until the end of sixty days from the passage of this resolution, 50 per cent of the rates now imposed on goods, wares, merchandise, and articles imported (except unsized printing paper used for books and newspapers exclusively) shall be added to the present duties now charged on importation.

ACT OF JUNE 27, 1864 (JOINT RESOLUTION).

Continues the joint resolution of April 29, 1864, in force until July 1, 1864 (three days).

ACT OF JUNE 30, 1864.

After July 1, 1864.

Sec. 1. On all sugar not above No. 12 Dutch standard in color ..... 3 cents per pound.
On all sugar above No. 12 and not above No. 15 ..... 3½ cents per pound.
On all other confectionery, not store-dried, not above No. 20 ..... 4 cents per pound.
Refined sugar, in form of loaf, etc., and all store-dried or other sugar above No. 20 Dutch standard in color ..... 5 cents per pound.
On sugar candy, not colored ..... 10 cents per pound.

Sec. 1. On all other confectionery, not otherwise provided for, made wholly or in part of sugar, and all sugar after being refined, when tinctured, etc., valued at 30 cents per pound or less ..... 15 cents per pound.
On all confectionery valued above 30 cents per pound, or when sold by the box, package, or otherwise than by the pound ..... 50 per cent ad valorem.
On molasses from sugar cane ..... 8 cents per gallon.
On sirups of sugar cane, etc ..... 2½ cents per pound.

Sec. 18. Cape of Good Hope, 10 per cent additional.

ACT OF JULY 28, 1866.

Sec. 11. Re machinery for manufacture of sugar from beets, for one year free of duty.

ACT OF MARCH 2, 1867 (JOINT RESOLUTION).

Sec. 2. After the passage of this resolution, machinery for the manufacture of beet sugar, and imported for that purpose only, shall be exempted from duty.

ACT OF JULY 14, 1870.

After December 31, 1870.

Sec. 21. On all molasses ..... 5 cents per gallon.
On tank bottoms, sirups of sugar-cane juice, melada, concentrated melada, and concentrated molasses ..... 1½ cents per pound.
On all raw or muscovado sugar above No. 7, Dutch standard in color and on all other sugars not above No. 10, Dutch standard in color ..... 2 cents per pound.
On all other sugars above No. 10 and not above No. 13, Dutch standard ..... 2½ cents per pound.
On all other sugars above No. 13 and not above No. 16, Dutch standard ..... 2¾ cents per pound.
On all other sugars above No. 16 and not above No. 20, Dutch standard ..... 3½ cents per pound.
On all sugars above No. 20, Dutch standard in color ..... 4 cents per pound.
On all refined, lump, crushed, powdered, or granulated sugar ..... 4 cents per pound.

ACT OF DECEMBER 22, 1870.

Amend section 21 of the act of July 14, 1870, as follows:
On all sugar not above No. 7, Dutch standard, in color ..... 1¾ cents per pound.
On all sugar above No. 7 and not above No. 10 ..... 2 cents per pound.
On all sugar above No. 10 and not above No. 13 ..... 2½ cents per pound.
On all sugar above No. 13 and not above No. 16 ..... 2¾ cents per pound.
On all sugar above No. 16 and not above No. 20 ..... 3½ cents per pound.
On all sugar not above No. 20 ..... 4 cents per pound.
On all refined loaf, lump, crushed, powdered, or granulated ..... 4 cents per pound.

ACT OF MARCH 3, 1875.

Sec. 3. That on all molasses, concentrated molasses, tank bottoms, sirups of sugar-cane juice, melada, and on sugars according to the Dutch standard in color, imported from foreign countries, there shall be in addition to the duties now imposed upon the several articles and grades therein designated ..... 25 per cent ad valorem.
Provision.—Concentrated melada, how classed; melada, defined; products of sugar imported in bags, etc., considered as sugar; drawback on refined sugars, amount retained.

ACT OF MAY 4, 1882.

Repeal of discrimination duties on goods produced east of Cape of Good Hope.

ACT OF MARCH 3, 1883.

All sugars—
Not above No. 13 Dutch standard—
Not above 75 degrees ..... 1.40 cents per pound.
For each additional degree ..... 0.04 cent per pound.
Above No. 13 and not above No. 16, Dutch standard ..... 2.75 cents per pound.
Above No. 16 and not above No. 20, Dutch standard ..... 3 cents per pound.
Above No. 20 ..... 3.50 cents per pound.

ACT OF OCTOBER 1, 1890 (M'KINLEY LAW).

All sugars—
Not above No. 16, Dutch standard ..... Free (after Apr. 1, 1891).
Above No. 16, Dutch standard ..... $\frac{1}{10}$ cent per pound, and an additional $\frac{1}{10}$ cent per pound from bounty-paying countries.
After being refined, when colored, etc. 5 cents per pound.
Bounty, 2 cents per pound.

ACT OF AUGUST 27, 1894 (WILSON LAW).

All sugars—	
Not above No. 16, Dutch standard	40 per cent.
Not above No. 16, Dutch standard (if bounty is paid by exporting country	40 per cent and $\frac{1}{16}$ cent per pound.
Above No. 16, Dutch standard	40 per cent and $\frac{1}{8}$ cent per pound.
Above No. 16, Dutch standard (if bounty is paid by exporting country)	40 per cent and $\frac{3}{16}$ cent per pound.

ACT OF JULY 24, 1897 (DINGLEY LAW).

All sugars, not above No. 16 Dutch standard—	
Not above 75 degrees	0.95 cent per pound.
Not above 76 degrees	0.985 cent per pound.
Not above 77 degrees	1.02 cents per pound.
Not above 78 degrees	1.055 cents per pound.
Not above 79 degrees	1.09 cents per pound.
Not above 80 degrees	1.125 cents per pound.
Not above 81 degrees	1.16 cents per pound.
Not above 82 degrees	1.195 cents per pound.
Not above 83 degrees	1.23 cents per pound.
Not above 84 degrees	1.265 cents per pound.
Not above 85 degrees	1.3 cents per pound.
Not above 86 degrees	1.335 cents per pound.
Not above 87 degrees	1.37 cents per pound.
Not above 88 degrees	1.405 cents per pound.
Not above 89 degrees	1.44 cents per pound.
Not above 90 degrees	1.475 cents per pound.
Not above 91 degrees	1.51 cents per pound.
Not above 92 degrees	1.545 cents per pound.
Not above 93 degrees	1.58 cents per pound.
Not above 94 degrees	1.615 cents per pound.
Not above 95 degrees	1.65 cents per pound.
Not above 96 degrees	1.685 cents per pound.
Not above 97 degrees	1.72 cents per pound.
Not above 98 degrees	1.755 cents per pound.
Not above 99 degrees	1.79 cents per pound.
Not above 100 degrees	1.825 cents per pound.
Above No. 16 Dutch standard, and sugars that have gone through the process of refining	1.95 cents per pound.

Mr. McENERY. Mr. President, the very elaborate and able argument of my colleague [Mr. FOSTER] leaves little to be said on the present schedules in relation to sugar; but what I have to say on that subject will be preceded by some remarks which I desire to make on tariff legislation and the relation of the Democratic party thereto.

Mr. President, in addressing the Senate it is not my purpose to make an elaborate speech, nor is it my intention to make a special defense of my course in the extra session of the Senate in supporting the pending bill. My object is to give some information on tariff legislation to show that the fathers of the Republic believed that protection to American industries—to domestic manufactures—was a necessity from the conditions which confronted the country in the beginning of its career as a separate and independent nation. In my opinion, there has been a forgetfulness of early history and conditions in the discussion of tariff bills and tariff legislation. On this subject Democrats have been, and will be, divided as to the benefits of a protective tariff. Unanimity of views is rarely attainable on any subject; and it is to be expected that in tariff legislation, where interests are diverse and sectional and animosities exist, views will be widely divergent, according to the interest of localities.

To thoroughly understand the complex system of tariff legislation it will be necessary to refer to the colonial history of this country. The policy of Great Britain was then as it is now. It was self-seeking. There was a disregard of the fundamental principles of equity and justice. There was a trampling under foot of labor. There were restrictive laws with severe penalties, with the design to reduce the colonies to absolute dependency and servitude, to compel them to depend upon Great Britain for their necessary supplies, with the inevitable result of reducing them to industrial bondage.

The system was to constitute Great Britain the sole buyer of the raw produce of the colonies and the sole seller to them of manufactured products. The understanding of this selfish policy is the key to all the meaning of the tariff problem.

When the colonist attempted the manufacture of cloth, the House of Commons passed a resolution in 1710 that the erecting of manufactories in the colonies had a tendency to lessen their dependence upon Great Britain. In 1733 the exportation of hats from province to province was prohibited, and the number of apprentices in the hatter's trade was limited. In 1750 the erection of any mill or other engine for splitting or rolling iron was prohibited. Pig iron, however, was allowed to go to Great Britain to be manufactured and sent back again. Lord Chatham declared that he would not permit the colonies to make a hobnail. To prevent the establishment of manufactories there was a prohibition of the immigration of artisans of woolen machinery, of cotton machinery, and artificers in cotton, of iron and steel making machinery, and workmen in those departments of trade. In 1799 there was a prohibition of the export of colliers lest other countries, and particularly the colonies, should acquire the art of mining coal.

Of these parliamentary acts Thomas Jefferson spoke in earnest condemnation, characterizing them—

> An instance of despotism to which no parallel can be produced in the most arbitrary ages of British history.

Remonstrance was made and retaliating methods adopted by voluntary association. But this produced only additional restrictive legislation; but this resistance had assumed in the minds of the people such shape that it soon became a matter of national concern. When the Continental Congress assembled, September 5, 1774, it became a matter of national action. The Continental Congress passed a series of resolutions looking toward redress by means of retaliation. Among other things, they recommended to the provincial assemblies "to exert their utmost endeavors to provide for the culture of hemp, flax, and cotton, and the growth of wool in the several colonies; to take the earliest measures for creating and establishing in each colony a society for the improvement of agriculture, arts, manufactures, and commerce, and forthwith to consider the best ways and means of introducing and improving the manufacture of duck, sailcloth, and steel."

Industrial independence and political independence in that early day were regarded as essentially twin objects to be gained in order to make this country absolutely and truthfully independent of the world. The Revolutionary war was fought for commercial and industrial independence.

Thomas Jefferson, in a letter to Benjamin Austin, in 1816, said: "Experience has taught me that manufactures are now as necessary to our independence as to our comfort."

There was a continuous effort on the part of the colonies to release themselves from dependence on Great Britain for their manufactured supplies, so that they could manufacture their own raw materials into finished products. This was the starting point of protection to domestic manufactures. It was the creative principle in forming a "more perfect union," and it found expression in the tariff of 1789.

In McMaster's History of the People of the United States, third volume, pages 495 and 496, it is stated:

> It has often been said, and truly, that the protective system of the United States began on the 4th day of July, 1789, when Washington signed the first of our many tariff laws. The day was well chosen, for that act was a second declaration of independence. It was a formal statement that henceforth domestic manufactures were to be encouraged in the United States; that henceforth we were to be industrially independent, and that the goods, wares, and merchandise of foreign nations should come into our ports on such terms as best suited our interests.

No manufacturing interest had been developed when this act became a law. The peace of 1783 swept away the stimulating effects of the war, and there was precipitated upon the 13 independent States the evils of unrestrained foreign competition.

The fourth article of the Articles of Confederation, ratified by the delegates of the 13 colonies, July 9, 1778, provided:

> The people of each State shall have free ingress and egress to and from every other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof, respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State to any other State of which the owner is an inhabitant.

Congress had no authority to enact a general tariff on imports without the consent of every one of the States. This authority was steadily refused.

The States were politically independent, but they could not counteract the policy of other nations. The States became jealous of each other, and each attempted to check the prosperity of the others. Each State having the right to regulate its own trade, under the Articles of Confederation, imposed upon foreign products, as well as those of its sister States, only such duties as its self-interest dictated. Each State attempted by separate navigation acts to secure trade to its own vessels. The selfish policy of some States counteracted the policy of others.

The States being unable, or unwilling, to agree upon uniform rates of duties on foreign imports, foreign nations passed such laws as they deemed best suited to destroy the trade, commerce, and manufacturing interests of the States in order to extend their own trade and commerce, and to keep up their own manufacturing interests. Great Britain prohibited trade by the States with the West Indies. Her navigation acts destroyed our navigation. Foreign vessels and goods were freely admitted into the States, while those of the States were heavily burdened with duties in foreign ports. The prices of our exports were at the will of foreigners, and the money of our people went abroad to enrich the merchants and manufacturers of Great Britain.

Shipments of all kinds of goods were made to the States by foreign nations. There was an era of unrestricted free trade. Goods were cheap; every species of goods cheaper that they could be made at home. As a consequence domestic manufacturers, small and insignificant in number, could not exist. The weaver, the shoemaker, the hatter, the saddler, the sugar baker, the brewer, and the rope maker were reduced to bankruptcy. The merchants who imported largely because of the demand for cheap goods were involved in the general ruin.

Chief Justice Marshall, in his "Life of Washington," fifth volume, page 75, says of the States under his free-trade policy:

> On opening these ports an immense quantity of foreign merchandise was introduced into the country, and they were tempted by the sudden cheapness of imported goods and by their own wants to purchase beyond their capacity for payment. Into this indiscretion they were in some measure beguiled by their own sanguine calculations on the value which a free trade would bestow on the produce of their soil and by a reliance on those evidences of the public debt, which were in the hands of most of them.

To the same purpose I also call your attention to Bancroft's History of the Formation of the Constitution, appendix, volume 1, pages 432–439, and to Ramsey's History of South Carolina, page 428, and following. In volume 3, pages 465, 466, and 468, of Hildreth's History of the United States, is an interesting account of the conditions following this free-trade era. Among other things he says:

> The large importation of foreign goods, subject to little or no duty and sold at peace prices, was proving ruinous to all these domestic manufactures and mechanical employments which the nonconsumption agreements and the war had created and fostered.
>
> Immediately after the peace the country had been flooded with imported goods, and debts had been unwarily contracted for which there was no means to pay. The imports from Great Britain in the years 1784 and 1785 had amounted in value to $30,000,000, while the exports thither had not exceeded $9,000,000.

The distress became so great that there was an inability to pay taxes. There was no money in the country. It had gone abroad to pay for goods imported. There were alarming sacrifices under judicial process of real and personal property. There was a bitter feeling of resentment among the masses of the people. There was hostility to organized society. There was a bitter feeling against lawyers, the courts and judges, and the creditor class and law. There was a popular clamor for stay laws, for a law making property in kind legal tender, for installment plans, and all sorts of radical relief measures. The whole land was filled with excitement and apprehension, and it began to grow into a conviction that the war of independence had been a useless struggle. It finally dawned upon the masses that all these evils originated from excessive importations, draining the country of money, leaving no coin in the country, without which society will always show and give evidence of discontent.

There was a spirit of insubordination throughout the land and there was disintegration promised everywhere.

In New Hampshire an armed force marched to Exeter and was dispersed by the militia. There were mobs in Connecticut. In Massachusetts one-third of the people were disaffected to the Government. Insurrection took place, followed by Shay's rebellion, which was not suppressed until the spring of 1787. Three western counties in North Carolina declared their independence and set up a state government. Washington County, in West Virginia, sympathized with the movement for the purpose of becoming a part of the new State. A convention of the people of Maine was held at Portland to erect that part of the country into an independent Commonwealth.

The sacrifices of many years, which secured peace and liberty, were about to be abandoned, because of the intense suffering everywhere. No one can read the records of that time without coming to the conclusion that the primary cause of the distress was the excessive importations and the scarcity of money under a free trade and extremely low-tariff régime.

The Constitution of the United States owes its origin principally to the ruin of every kind of trade, commerce, and industry under the Confederation. The Confederation was broken down by the inability to regulate trade and encourage manufactures. When Congress met under the Constitution there was a demand for the immediate exercise of the ample powers it had been given. Petition after petition was laid before Congress from every section of the country, from all classes of the people, stating the distress of the people because of the decline of manufactures and the increase of importations. Sole power, they said, had been given to the Government to regulate trade and lay duties on imports, and this power the petitioners begged Congress to use without delay. The prayers were heard and granted by Congress, and before the session closed the first tariff for the protection and encouragement of manufactures was enacted.

In 1793 Washington spoke of protection in his address to Congress. He said the interest and safety of a free people required it; that they should promote such manufactures as would make them independent of others for necessaries, and above all for military supplies. The House sent the address to the Secretary of the Treasury, and at the next session Hamilton's famous report was received.

Hamilton, like Jefferson, was a protectionist, favoring the protection of nascent industries. If living to-day, he would not support a heavy duty to foster the industries already established and self-sustaining, a protection which would accrue solely to the benefit of the manufacturers and to no one else.

This is the estimate placed upon him as a protectionist by his biographer, Mr. LODGE, Senator from Massachusetts and a supporter of the present bill. During this time, among the people who had suffered from the effects of importations, there was great excitement and enthusiasm in the interest of home manufactures. A rage for manufacturing swept over the country.

The Philadelphia Premium Society offered prizes for specimens of broadcloth, forest cloth, fancy cloth for vests, woven cloth, and thread. The people of Charleston organized the South Carolina Homespun Company and sold a thousand shares a day. The people of Richmond decided to erect a mill for spinning cotton.

The people of Petersburg agreed to wear homespun and organized the Petersburg Manufacturing Society and sold 25,000 shares in a few hours. The Petersburg troop of cavalry decided to appear on the Fourth of July uniformed in white Virginia cloth. In other places in Virginia and Tennessee there were declarations in favor of homemade goods. Warehouses were erected for the storage and sale of American-manufactured products.

In the larger cities associations were formed for the encouragement of domestic manufactures. Each man and woman who joined one of these associations was pledged to wear no garment of which the raw products were not grown and the fabric made within the United States. The enthusiasm spread among tradespeople, merchants, and mechanics to state legislatures and to households.

From 1809 to 1812 the legislative records of the States contain evidences of the progress of the industrial revolution.

The water-power cities of Massachusetts, Rhode Island, and Connecticut became the centers of the woolen and cotton industries. The hills were covered with Merino sheep. Iron works and salt works, paper and cotton mills, thread works, factories for making cotton cloth, woolen cloth, axes, scythes, and edge tools were erected. The farmers of Ohio engaged in raising wool; in Kentucky, hemp. Kentucky monopolized hemp, having at Lexington 9 ropewalks and 4 cotton-bagging mills; and Kentucky also made hats, boots, and shoes. She furnished also Windsor chairs, rope twine, fish lines, seine twine, cables, and cotton bagging and sailcloth to the country. These strides to wealth were made in a few years from the adoption of the Constitution of 1810. The nonimportation act had some effect in bringing about such an industrial revolution, but it was mainly due to the declared purpose of the Government to protect, foster, and encourage home industry.

President Madison, in order to keep alive these domestic industries, which had increased in usefulness during the European wars, urged the passage of the tariff act of 1812 as a means to preserve and promote the manufactures which had sprung into existence and attained an unparalleled prosperity during the period of the European wars.

Calhoun and Lowndes demanded that protection to home industries should no longer be secondary to a tariff for revenue only. These men thoroughly understood the history of the times which led to the formation of the Federal Constitution. It is safe to say that no statesman of that day and time controverted the fact that the Constitution intended that protection should be given to American industry.

It was through Madison's influence, supplemented by the efforts of Jefferson, that led to the formation of the Federal Constitution. The necessary course to follow was to form a government of power and strength, one enabled to deal singly with foreign governments and one of central power to regulate trade and commerce. The disorders following unrestricted foreign competition among the States was the most potent cause leading to the convention to form a constitution, to organize a more perfect union.

Mr. Madison said that to interpret the Constitution it is necessary to be acquainted with the nomenclature therein used and the history of events leading to its formation and adoption.

Mr. Madison, who understood the Constitution better than any other person, in his speech in Congress in the debate on the first tariff bill, made memorable by its declaration of a purpose to encourage and protect manufactures, said:

> The States that are most advanced in population and ripe for manufactures ought to have their particular interest attended to in some degree. While these States retained the power of regulating trade,

they had the power to protect and cherish such institutions. By adopting the present Constitution they have thrown the exercise of this power into other hands; they must have done this with an expectation that those interests would not be neglected here.

The clause in the Constitution to regulate trade and commerce was a specific grant of power to impose a tax for the purpose of protecting domestic manufactures. The colonists refused to submit to a tariff for revenue only; but when it came to the regulation of trade and the imposition of a tax for protection, they entered no complaint. They refused to submit to a tariff for revenue without representation; but when the question presented was the regulation of trade and an import tax was levied, they submitted, as it had reference to the several parts of the Empire in which they were all interested.

The distinction between a law for revenue only and the protection of manufactures by a law regulating trade and commerce was always understood. It was a matter of inquiry in the complaint of the colonists. In his examination before the House of Commons, in 1766, Benjamin Franklin, in explicit language, recognized this difference:

Q. What will be the opinion of the Americans on these resolutions asserting the right of Great Britain to tax America?—A. They will think them unconstitutional and unjust.

Q. Was it an opinion in America before 1763 that the Parliament had no right to taxes and duties there?—A. I never heard any objection to the right of laying duties to regulate commerce, but a right to lay internal taxes was never thought to be in Parliament.

Q. On what do you found your opinion that the people of America make any such distinction?—A. I know that whenever the subject has occurred in conversation it has appeared the opinion of everyone that we would not be taxed by Parliament when we were not represented. But the payment of duties levied as regulations of commerce was never disputed.

Q. Can you name any act of assembly or public act making such distinction?—A. I do not know that there was any. There was never any occasion to make such till now you have attempted to tax us. That has occasioned the distinction, in which I think every assembly on the continent and every member in any assembly has been unanimous.

In the debates in Parliament the distinction between a tariff for revenue only and the imposition of a duty in the regulation of trade was clearly and distinctly stated—the former being considered unauthorized taxation, as the colonies were not represented, and the latter justifiable, or rather legal and proper, as the court of the supreme authority in the Government of Great Britain. I have not the time to refer to the debates, but refer to the speech of Lord Chatham, January 14, 1776, on the right of taxing America, and to his speech on January 20, 1775, on the question of removing the British troops from Boston.

Edmund Burke agreed with Lord Chatham, and he laid much stress between revenue laws and the regulation of commerce.

Among the early proceedings of the Congress of Independence, October 14, 1774, is the declaration in the unanimous resolution—

That they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal policy, subject only to the negative of their Sovereign in such manner as has been heretofore used and accustomed; but from the necessity of the case and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such acts of the British Parliament as are bona fide restrained to the regulation of our external commerce for the purpose of securing the commercial advantages of the whole country to the mother country and the commercial benefits of its respective members, excluding every idea of taxation, external and internal, for raising a revenue on the subjects of America without their consent.

The British Government too late attempted to conciliate the colonies by relinquishing the demand to tax them without representation for revenue only. After the surrender of Burgoyne, a bill was introduced in Parliament—

For removing all doubts and apprehensions concerning taxation by the Parliament of Great Britain in any way of the colonies and plantations of North America.

The recital in the bill declared—

It expedient to declare that the King and Parliament of Great Britain will not impose any duty or tax for the purpose of raising a revenue in the colonies, except only such duties as may be expedient to impose for the regulation of commerce.

From the foregoing historical recital it will be observed that previous to and during the Revolution there was a wide distinction between a tariff for revenue only and a tariff which imposed duties in the regulation of commerce; that duties for regulation of commerce never aimed at revenue, although incidentally they might accrue, and that when the power "to regulate commerce with foreign nations" was ingrafted into the Constitution it was put there with the meaning of the words as understood at the time, and which had been a matter of controversy, and that it was authority specially granted to Congress to impose duties on imports for the protection of domestic manufacture and interest; that it was in addition to the grant of power to lay and collect taxes, duties, imposts, and excises to pay the debt and provide for the common defense and general welfare of the United States.

The history of the times and the declaration of statesmen prove that the power was granted to remedy the lack of power in the Confederation to regulate commerce and to protect domestic interests from the disastrous effects of foreign importation. It was a power to be exercised—not one to lie dormant and idle. It was a trust imposed upon Congress to be exercised in the interest of American manufacturing interests and American labor. When the Constitution was formed there was but one mind on this subject—Madison, in a letter to Cabell, so states it.

Before the present Union was formed the States demanded the insertion and the exercise of this power. The words used were familiar to the people and the framers of the Constitution. There was no doubt as to their meaning. Among the first acts of Congress was the exercise of this power. A tariff for revenue only was never designed or contemplated by the builders of our great political structure.

The fundamental principle is for a protective tariff, or, as is expressed in some Democratic platforms, a tariff for revenue with incidental protection. In either case it is protection. Free-trade policy has no place in our system of government. Revenue to support the Government must be raised by constitutional methods. Practice and experience have shown the most desirable means is by tariff. No tariff can be levied without carrying protection to a greater or less degree. No tariff law was ever enacted by a Democratic Congress and approved by a Democratic President without affording protection to some industry. The tariff law levying the lowest ad valorem duties was the Walker tariff of 1846. This carried duties of from 5 to 100 per cent, and had distinct protective features.

The Wilson-Gorman tariff act, which has been replaced by what is called the "Dingley bill," was notorious for some of its protective features. It was admitted to be such by its supporters; but excuses were made for its enactment by prominent Democrats, who voted for it on the plea of moral duress. This "moral duress" did not emanate from Republicans, but from the coercive power of a Democratic caucus.

The history of the country preceding the adoption of the Constitution affords absolute authority for the assertion that in the framing of the Constitution there was the translation of precedence and experience into constituted authority and obligation for the defense of home interests against foreign trespass.

During the last few weeks it has been customary among some, who, if they do not absolutely entertain free trade ideas, approach them very closely in their clamors for low tariff rates, to proclaim that Jefferson, Madison, Monroe, Jackson, and Tilden were not protectionists, but were advocates of a tariff for revenue only. Jefferson was probably the closest observer of events among the fathers of the country. He was well acquainted with the vast movement which led to the formation of the Constitution. He knew the cardinal idea was national unity and national defense. He knew the primary demand was for a central authority to regulate commerce and to protect the country from excessive importations from foreign countries which were destroying the industrial methods of the States.

D. Humphries wrote to him November 20, 1788, from Mount Vernon:

The arts of peace are progressing in the old States perhaps more rapidly than they have ever before done. The spirit of improvement is gaining ground. The three great bridges lately erected in Massachusetts do that State great credit. The enterprise in trades and manufactures has, during the last year, for the first time, made the exports from there considerably more valuable than the imports into it.

Such a letter could only have been addressed to one in full sympathy with the promise of a great industrial revival. The feebleness and inefficiency of the confederation was behind, and even before the legislative machinery of the Constitution could be put in force it was believed that the promised protection in tariff legislation would bring prosperity. Confidence waved her enchanted hand over the scene, capital ceased to keep aloof from industrial undertakings and took hold of ventures, and industry began to ply her trade.

It detracts from the fame of the great founder of the Democratic party to say that he was not in full sympathy with this industrial movement, which promised to carry the country onward in progress so that it would soon become the first nation of the earth.

I say that Jefferson adhered to the protective doctrine, just as Hamilton announced it, during his life. In his second annual message he prescribed as a duty to be performed by Congress, "To protect the manufactures adapted to our circumstances." The first revenue act of 1789 distinctly announced that it was not only for revenue, but for protection, also.

Section 1 of the act reads:

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported.

When Jefferson became President, under this act there was likelihood of there being a surplus revenue. In speaking of the method of disposing of it, he said:

Shall we suppress the imposts (duties) and give that advantage to foreign over domestic manufactures?

This question he answered in the negative.

He more specifically said:

The general inquiry now is: Shall we make our own comforts, or go without them at the will of a foreign nation?

He, therefore, who is now against domestic manufactures must be for reducing us either to dependence upon that nation or to be clothed in skins and live like beasts in caves and dens. I am proud to say that I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comforts.

Again he said:

The prohibitive duties we lay on all articles of foreign manufacture, which prudence requires us to establish at home, with the patriotic determination of every good citizen to use no foreign article which can be made by ourselves, without regard to difference of price, secures us against a relapse into foreign dependency.

In 1817, nine years before his death, he said:

The history of the last twenty years has been a significant lesson for us all to depend for reliance on ourselves alone; and I hope twenty years more will place the American hemisphere under a system of its own, essentially peaceable and industrious, and not needing to extract its comforts out of the eternal fires raging in the Old World.

This was written during a period of heated tariff discussion, after the tariff act of 1816, which was essentially protective to domestic manufactures.

Calhoun and Lowndes, Democrats, supported the bill. It was during this time that Calhoun said, in April, 1816:

Capital employed in manufacturing is calculated to bind together more closely our widely spread Republic.

In 1815 the House of Representatives instructed the Secretary of the Treasury to report a new tariff. George M. Dallas, afterwards a Democratic candidate for Vice-President on the ticket with James K. Polk, in obeying this command, made a strong plea for protection. While performing the task assigned him, he said he had ever been mindful of the fact that the United States had always regarded the establishment of home manufactures as a chief object of its policy.

I do not think anyone has been bold enough to deny the records of Monroe and Madison as being highly favorable to the encouragement by tariff legislation of American industries.

But what about Jackson, who, next to Jefferson, is looked upon as a Democratic authority?

During the short time of his service in the United States Senate he expressed decided opinions as to the constitutional powers of Congress. He voted in the affirmative on eight different bills providing for internal improvements by the General Government, and his vote in favor of the tariff of 1824, a tariff founded entirely on the principle of protection, afforded evidence that he held opinions in accordance with those of Mr. Adams, Mr. Clay, and Mr. Calhoun, who at that time was not of the opinion that a tariff bill should be constructed for revenue only. He carried the States of New York, Pennsylvania, and Illinois on his record as a protectionist. The tariff act of 1828 became a law during the presidential election, and its details were arranged so as to meet political exigencies. It was protective in its general features.

It was observed that the act did not furnish sufficient protection to woolen manufactures. A bill was therefore reported by Mr. Mallary, chairman of the Committee on Manufactures, of the 27th of January, 1830, to regulate the entry of the importations of woolens. It was passed, and became a law by the signature of Andrew Jackson on December 7, 1830.

In 1823 he made it clear, from the following letter, that he favored protection to American industries:

HERMITAGE, NEAR NASHVILLE, *May 17, 1823.*

SIR: A few days since, I had the pleasure to receive the grass hat which you had been pleased to present and forward to Mrs. Jackson, as a token of the respect and esteem entertained for my public services. Permit me, sir, to return to you my grateful acknowledgment for the honor conferred upon us in this token. Mrs. Jackson will wear with pride a hat made by American hands and made of American materials. Its workmanship, reflecting the highest credit upon the authors, will be regarded as an evidence of the perfection which our domestic manufactures may hereafter acquire, if properly fostered and protected. Upon the success of our manufactures, as the handmaid of agriculture and commerce, depends, in a great measure, the independence of our country, and I assure you that none feel more sensibly than I do the necessity of encouraging them. For this instance of your respect and esteem, and the flattering language with which you have noticed my public services, accept, sir, my most sincere thanks.

With great respect, your very obedient and humble servant,

ANDREW JACKSON.

Col. ROBERT PATTERSON, *Philadelphia.*

Samuel J. Tilden was a protection Democrat in the sense that Jefferson and Jackson and Monroe and Madison were favorable to the encouragement of home industries by tariff legislation. I make this statement on the authority of the New York Commercial Advertiser, a paper which makes no reckless statements; also upon the authority of Bigelow's Life of Tilden, which contains, under Tilden's own signature, a declaration of his protective ideas. It is true that his biographer says that there were reasons to believe he had modified his views, but he qualifies this statement by saying that in all the discussions of tariff during his active and eventful life there is no statement from him to that effect.

Samuel J. Randall, a protection Democrat, was repeatedly honored in his State and in the Nation by the Democratic party. I might also add the name of Silas Wright, the greatest Democrat of his day on the continent. He had no peer, and he was an avowed protectionist until he came to Congress in 1846 and voted for the Walker tariff bill, and he could do so without any violence to his principles by the protection that it afforded.

I may further add that it is gratifying, Mr. President, that at this session of Congress we notice a great change of opinion among Democrats in voting here for a tax on raw materials, when at one time it was considered a cardinal principle of Democracy that raw materials should be admitted free. I hope that the conditions of the country, its necessities, and the liberality generally which is prevailing among all classes of the people may dictate to the Democrats that they will abandon all of the absurd theories of free trade and of a low tariff and come with the great body of the people and vote for a liberal protection to all the manufacturing interests of the country, to make them independent, as the fathers of the Republic declared, of all foreign countries.

What has been the record of the party on this tariff question? We need go back no further than to the platform of 1884. It was a platform for protection. It fully met the constitutional requirement for the raising of a revenue by tariff, and at the same time affording protection to American industries. The tariff plank in that platform recited:

Knowing full well, however, that legislation affecting the operations of the people should be cautious and conservative in method, not in advance of public opinion but responsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all interests. But in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth.

This is exactly what is being done by this bill. It is making a reduction, and, so far as my examination of it has gone, there has been no injury to any domestic industry, nor has there been imposed in any of its schedules any burden upon the people.

From the foundation of this Government taxes collected at the custom-house have been the chief source of federal revenue. Such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice—all taxation shall be limited to the requirements of economical government. The necessary reduction and taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

The platform of 1888 also said:

Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations.

This is a clear enunciation of the principle of a tariff to raise a revenue and at the same time afford protection. Under these platforms there is ample authority for the present tariff bill.

The Chicago convention which nominated W. J. Bryan put in its platform even a stronger declaration. The word "only" was purposely omitted. Under this platform I have the authority of a prominent and influential journal, a supporter of the bolting Indianapolis convention, for saying that ample authority can be found for the sustaining of my course in supporting the Dingley tariff bill. I accept its interpretation of that platform, and those who criticise my course and conduct must repudiate the declaration not only of that convention, but of the Democratic convention and platforms of 1884 and 1888.

The South is undergoing an industrial revolution. Manufacturing interests are daily springing into prominence. These, with the agriculture and mining interests, will require in any tariff bill adequate and impartial protection. The young Senators of the South, who have voted for the protection of local interests, approach near the sealed springs of prosperity. But a short step forward and they will unlock them and stand in the gray dawn of a splendor in industrial development that awaits the South. The fact is, opposition came from the South to the tariffs of 1824 and 1828 because she was exclusively agri-

cultural and dependent upon slave labor. It was a sectional opposition. Slavery has gone. The South is no longer exclusively agricultural. Her future greatness and influence must spring from the addition of mining and manufacturing wealth to her agricultural interests. These facts are dawning upon her. Her younger statesmen will understand them.

I affirm that the true doctrine of Democracy is in line with the rapid and progressive development of our country. I deny that its principles are directed to the destruction of our industrial system, the putting out of furnace fires, the silencing of the busy hum of our looms or the whirring of our wheels, or, worse than all, to the paying of a premium to foreign pauper labor and the impoverishment of our toilers in every industrial occupation.

In Hamilton's report (1790) upon "commerce and manufactures," there is not one thing said that is not good Democratic doctrine. It committed the Nation to the protective system. It brought the people, irrespective of party, to the support of the tariff act of 1789, which was the practical beginning of a protective era lasting until 1816. All tariff legislation until that date was protective; all received the support of both parties—Federalists and Republicans (Democrats). The tariff act of 1794, which increased duties to raise a greater revenue, found stronger support among Republicans (Democrats) than among Federalists. The Republicans were more inclined to its support because of their opposition to the excise tax of the previous session. On March 23, 1804, an amended tariff act was passed still further increasing duties. The Republicans were in power, and Thomas Jefferson, the great apostle of Democracy, was President.

The acts amendatory of the act of 1789 were all in the line of protection. During this period Washington said in his message:

> Our agriculture, commerce, and manufactures prosper beyond example—every part of the Union displays indications of rapid and various improvement, and with burdens so light as scarcely to be perceived.

Mr. Adams, in his last message, said:

> I observe with much satisfaction that the product of the revenue during the present year is more considerable than at any former period.

Thomas Jefferson, in his second annual message, said:

> To protect manufactures adapted to our circumstances is one of the landmarks by which we shall guide ourselves.

That tariff produced an excess of revenue. In speaking on the subject, in his sixth annual message, he said:

> Shall we suppress the imposts and give that advantage to foreign over domestic manufactures? On a few articles of more general and necessary use the suppression, in due season, will doubtless be right; but the great mass of the articles on which imposts are laid are foreign luxuries, purchased only by the rich who can afford themselves the use of them.

At the present day, if duties were imposed only upon articles used by the rich and high enough to provide the revenue needed by the Government, there would be absolute prohibition, which has been so much discussed as the ruling idea in the bill sent to this Senate by the House. In a special message, in May, 1809, President Madison said:

> It will be worthy of just and prudent care of Congress to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have recently been instituted or extended by the laudable exertions of our citizens.

The tariff of 1808 was protective in laying an impost duty on cordage, glass, nails, salt, and many manufactures of iron. Protection of textiles and of unmanufactured iron had received no attention, but the Berlin and Milan decrees and the English orders in council and the declaration of war against Great Britain drew attention to the necessity of a revenue tariff with protective features.

Mr. Madison urged the passage of the tariff act of 1812 "as a means to preserve and promote the manufactures which have sprung into existence and attained an unparalleled maturity during the period of the European wars." Calhoun and Lowndes joined with Clay in a demand that protection to home industries should no longer be secondary to a tariff for revenue only. The Republican party of that time, to which the present Democratic party is a successor, quoted the report of Hamilton to sustain their position upon which the earlier tariff acts had been based.

This position of the Republicans caused the Federalists to ignore the traditions of their party faith and to take the anti-protection side of the controversy. The Democratic tariff of 1812 imposed the highest rates of duty since the foundation of the Government until 1842. It was, it is true, a war tax, in aid of Democratic support of the war. The existing rates doubled. Sugar received protection to the extent of 5 cents per pound, coffee was taxed 10 cents, tea 36 cents, pig iron 30 per cent, bar iron 30 per cent, cotton manufactures 30, woolen 30, and silk 25.

The tariff act of 1816 was in its entirety protective, rendered necessary by the recent war, by its futility was in taking from it protection after three years. In 1819, when protection under the act reached the minimum, Great Britain began to flood the country with her surplus wares. More than twice the quantity needed by this country was imported. There was depression in business, and general bankruptcy was the result. Thomas H. Benton described the condition of the country as follows:

> No price for property, no sale except those of the sheriff and marshal, no purchaser at execution sales save the creditor or some money hoarder, no employment for industry, no sale for the products of farm, no sound of the hammer save that of the auctioneer knocking down property. Distress was the universal cry of the people; relief the universal demand thundered at the doors of legislatures—state and federal.

Relief was offered in the extension for seven years of the provisions of the tariff act of 1818. It was abortive. A panic lasting for several years followed, and relief became imperative. President Monroe urgently recommended "additional protection to those articles which we are prepared to manufacture." The tariff act of 1824 was framed. Mr. Calhoun now became the leader of the free traders.

Andrew Jackson and James Buchanan supported the bill, which recognized the doctrine of protection in a revenue bill more emphatically than any former revenue act. Opposition to the bill was more on sectional lines than from any well-defined principle. The bill fully recognized the "American system" as a living principle in our politics. Sugar received an import duty of 3 cents per pound; coffee was taxed 5 cents; tea, 25 cents; salt, 20 cents; pig iron, 20 per cent; bar iron, $30 per ton; glass, 30 per cent and 3 cents per pound; manufactures of cotton were taxed 25 per cent, and silk 25 per cent.

There was such improvement in the financial and industrial condition of the country that the supporters of the act were encouraged to try further efforts in the direction of raising the revenue, with incidental protection, a necessary and desirable adjunct. In the Twentieth Congress the Democrats were in the majority, but they were divided over the tariff. Those of the North voted with the Whigs and passed the tariff act of 1828. Jackson had carried New York, Pennsylvania, and Illinois by his protective tariff record, and the act was in a measure a Jackson tariff law.

This act also emphasized the "American" idea, and there was protection in every change of the act of 1824. Jackson said of the protective act of 1824–1828, in his message of 1832:

> Our country presents on every side marks of prosperity and happiness unequaled, perhaps, in any portion of the world.

Responding to the charges that these tariff acts were unconstitutional, null, and void, because they were protective in principle and unjust and oppressive, Andrew Jackson, in his second annual message, December 7, 1830, used the following language:

> The power to impose duties on imports originally belonged to the several States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them, and consequently if it be not possessed by the General Government it must be extinct.
>
> Our political system would thus present the anomaly of a people stripped of the right to foster their own industries and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power thus surrendered by the States must be within the scope of the authority on the subject expressly delegated to Congress. In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

This is a correct enunciation of the doctrine of raising revenue by tariff legislation with protection.

No stronger and more convincing argument was made for the adoption of the Constitution than that the States, by impost duties and customs, regulated exclusively by one body, would be enabled to encourage manufacturers and free themselves from the boots and shoes, ready-made clothing, hats, nails, sheet-iron hinges, and other utensils of iron which Great Britain imposed upon them, and the freedom from the regulations of the flour market by Spain through her navigation acts. Said one:

> It will have energy and power to regulate your trade and commerce—to enforce the execution of your imposts, duties, and customs. Instead of the trade of this country being carried on in foreign bottoms, our ports will be crowded with our own ships and we shall become the carriers of Europe. Heavy duties will be laid on all foreign articles which can be manufactured in this country and bounties will be granted on the exportation of our commodities; the manufacturers of our country will flourish; our mechanics will lift up their heads and rise to opulence and wealth.

The history of the times preceding the adoption of the Constitution abounds in such arguments in favor of its adoption.

The history of tariff legislation shows that the general tendency of public opinion is in the direction of a tariff for revenue, and protection necessarily following as an inseparable incident. The policy of this bill, at least, is for a protection of American industries. That a tariff bill on this principle will be enacted is a certainty.

Louisiana is vitally interested in the production of salt, lumber, rice, sugar, sulphur, and cotton. The pending bill makes no discrimination in the arrangement of the schedules for revenue against these products. Why should she stand idly by and decline to accept the benefits to be derived from the necessary levying of revenue by impost duties?

Call it what you will—protection or a revenue tariff with incidental protection—millions of dollars have to be raised and the benefits of protection from it distributed. Why, then, should the people of Louisiana resist the building of cotton factories, furniture factories, the erecting of sawmills, the opening and improving of sugar fields, and the erection of central factories, the opening of salt mines, and hundreds of other industries that are just now coming into existence? I say, so long as it is the policy of this Government to have a protective law, it would be a suicidal policy for the people of Louisiana to decline to demand the benefits tendered in a law which is general in the arrangement of its schedules and impartial in the duties it imposes and nonsectional in its character.

The South is more interested in the proper levying of a tariff than any other section of the country. Her development and manufacturing interests in the last three decades have been marvelous. This has been in spite of free-trade ideas and the free-trade policy. Had there been a demand for adequate protection to her cotton mills and other industries, her wealth would have doubled. Field and factory, the spindle and the plow being in close relationship, would have doubled her productive capacity, which have given tenfold value to her lands, would have multiplied her population with an intelligent and industrious people, would have rescued her from debt, and there would be now no borrowing from foreign mortgage syndicates, where principals are doubled in five years by usurious interest.

The Democratic platform in 1892 recognized the right, and demanded a tariff bill in which the duties imposed should be general and impartial. As a Democrat, I have a right to demand that that platform shall be carried out. If in a tariff bill framed by the Republican party I find a near approach to the constitutional principle announced in that platform, no Democrat can consistently question my motives for supporting it.

I stand to-day with Jefferson and Jackson on the tariff issue founded on sound constitutional interpretation. There is not a State in the Union which, if it had the power, would not exercise it to protect its domestic interests. It is known to all that this absence of self-protection led to the jarring jealousies under the Articles of Confederation and resulted in the present power in the Constitution for the laying of import duties and the regulation of commerce by the Federal Government and prohibiting their exercise to the States.

There is no restriction in the Constitution in the exercise of this power limiting it to a tariff for revenue only. On the contrary, it was the intention that the power should be exercised in the interest of protecting the industries of each State, which the States separately, when they had the power, were unable to do. A tariff for revenue without protection was never contemplated by the founders of this Government. There may be difference of opinion as to the schedule rates in a tariff bill, but on the facts presented in each case any Democrat has a right to exercise his individual opinion for the best interests of the country. Neither the Democratic party nor the Republican party has a right to demand that any man shall forfeit his allegiance to the Constitution by joining a party demand for an administration of affairs contrary to that Constitution.

A bitter partisan and sectional animosity was engendered by the act of 1830, which considerably reduced the rates of duty provided in the act of 1828. It was unsatisfactory to southern Democrats because it did not entirely eliminate the protective principle. There was a demand for the affirmation of a free-trade policy. This demand was to some extent appeased by the act of 1832, which placed coffee and tea on the free list, but, like the act of 1830, it did not entirely eliminate the protective theory—did not repudiate the doctrine of protection—and was therefore displeasing.

Nullification and the force bill were the results, and the turmoil finally led to the compromise act of 1833. Like all compromises, it lacked strength and stated nothing affirmatively. There was a gradual repeal of protective duties and a partial abandonment of the doctrine of protection. Confusion and uncertainty arose, and the policy of the Government on tariff measures was undefined. Biennial reductions, as provided in the act, soon brought the rates of duty to a point where there was no protection. There was a calamitous panic in 1837, in which the money loss was calculated at $1,000,000,000.

Prices fell to ruinous rates. There was no market for farm products. The revenue fell 25 per cent and the Government had to borrow to pay current expenses. After fruitless efforts to enact a tariff law, framed with pronounced protective features, the act of August 10, 1842, became a law.

Under the scaling act of 1833, there was laid a uniform duty of 20 per cent. This was changed by putting cotton goods to 30 per cent, woolen to 40 per cent, silks to $2.50 per pound, bar iron to $25 per ton, pig iron to $9 per ton, sugar to 2½ cents per pound, and left tea and coffee on the free list.

While the act was not such as was originally intended as a protective measure, it afforded substantial relief to the country. President Polk, in his message in 1846, said:

> Labor in all its branches is receiving ample reward. The progress of our country in resources and wealth and in the happy condition of our people is without example in the history of nations.

The act of 1846 provided for rates ranging from 5 to 100 per cent and introduced the vicious system of ad valorem duties and affirmed the doctrine of revenue without protection, but had some protective features. It disappointed the northern wing of the Democratic party. The country this time escaped the usual disaster of rapid reduction in tariff rates because of adventitious circumstances.

The Mexican war created a demand for breadstuffs and supplies; the discovery of gold in California increased the demand for labor, mining implements, agricultural products, and shipping, besides increasing the money values of this country. On the other hand, European countries were in revolution from 1848 to 1851. Instead of exporting, they demanded food supplies from abroad. The German war and Irish famine created a demand for breadstuffs. These adventitious aids, like the embargo acts and orders in council, proved to be powerful protective agencies.

When they ceased to exist, say in 1854, true economic conditions asserted themselves. Our exports declined, manufactories suspended operations, and foreign imports reappeared in our markets to an alarming extent. The Thirty-fourth Congress went over to a free-trade policy in the passage of the tariff act of March 2, 1857. Immediately thereafter foreign goods flooded the country, for duties along the entire line of imports of leading articles were reduced almost to the rates of the compromise act of 1833.

Within six months after the passage of the act there was a great panic. Ruin was widespread and all branches of industry were disastrously affected. There were 5,123 failures, and the Government had again to borrow money for current expenses. The public debt increased $46,000,000, and the expenditures exceeded the receipts by $77,234,116. President Buchanan, in his message, said:

> With unsurpassed plenty in all the productions and all the elements of natural wealth our manufactures have suspended; our public works are retarded; our private enterprises of different kinds are abandoned; thousands of useful laborers are thrown out of employment and reduced to want. We have possessed all elements of material wealth in abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is in a deplorable condition.

The tariff act of 1861 increased duties all along the line. The act was framed on just principles to provide a needed revenue, and at the same time to incorporate and confirm the doctrine of protection, giving a helping hand to labor and encouraging home production and manufactures. There were several amendments subsequently made to the act, all in the line of protection, and rendered necessary by the exigencies of war.

The act of 1872 reduced duties considerably and added largely to the free list. Very soon thereafter, in 1873, a panic followed. Whether this panic was the result of this reduction or a decrease in the circulation medium and demonetization of silver is a question of fact not yet ascertained.

The issue in the campaign of 1888 was free trade versus protection. The McKinley bill was the logical sequence of the campaign, just as the Wilson bill was that of 1892. It is said that a protective tariff bill will not yield revenue. The McKinley Act, whatever may be said of it in other respects, demonstrated the contrary to be true. It raised all the necessary revenue for current expenses and provided a surplus.

The Wilson bill, in its original intent, carried the doctrine of free trade—that is, of low tariff—to the extreme. The idea was

that protection of any kind was opposed to the interest of a free and prosperous people. The bill as modified proved a disastrous failure. The sugar schedule did not respond to what was expected of it because of its ad valorem rate, and the income tax was eliminated, both of which were relied upon for a large revenue.

We have had tariff acts carrying protection with the imposition of duties from 1789 to 1842, and from 1861 to 1894, and low tariffs in 1783, 1816, 1833, 1846, and 1894. We are told that taking the two decades, 1840 to 1850 and 1850 to 1860, and regarding the first as a period most affected by the low ad valorem tariff of 1846, the comparison is in favor of the latter; but no account is taken of the disaster which followed the reduction of the tariff of 1816, 1832, and 1833.

In the decade of 1850 to 1860 it will be remembered that the adventitious circumstances—the Mexican war, revolutions in Europe, discovery of gold in California, and the Irish famine—all had the effect of protective agencies. From this partial and imperfect résumé of tariff legislation, it will be noted that the parties have occupied different positions on the tariff question and that leading statesmen have changed their opinions, dictated by party necessity or by local self-interest.

It may be truthfully stated that the Government has no such thing as a tariff policy. It is time, in my opinion, for one to be asserted which will be certain and permanent. The tariff policy ought to be taken out of party politics and relegated to the business methods of the Government. If it could be estimated, I think the loss to the people of the United States by the frequent changes of tariff laws, the unsettling of values, and the insecurity of investments would express an amount that would bewilder the mind.

It is urged as an argument against a tariff embodying any protective idea that it will cause an additional price to be added to the protected article and thus impose a burden upon the consumer.

In 1790 Mr. Hamilton asserted that—

> Internal competition is an effectual corrective of monopoly and in the end leads to a lower scale of prices for protected manufactures than prevailed for foreign.

Experience has demonstrated this to be correct. It is within the memory of many Senators that in certain lines of goods European nations practically monopolized the trade in this country, and we had to pay high prices for them. By protecting the manufacturers of such goods, they have multiplied in this country. They fully equal the imported goods, and we now get them at a greatly reduced price. They are within the reach of the poorest.

With a judicious tariff, manufactures will multiply, labor and capital will find profitable employment, as new and inexhaustible fields will be opened to each, domestic merchants will find ready sale at remunerative prices, while commerce and interstate trade will be stimulated by the distribution of both raw materials and manufactured products, the Nation will approach complete independence in the employment of skilled labor, and there will be a harmonious development in all sections and in all the great interests of the people. To accomplish this, a tariff bill ought to be impartial as to individuals and as to sections.

Every industry that needs protection to keep it in active existence and free from injurious foreign competition ought to receive it, not to such an extent as to enrich the beneficiaries and to impose an unnecessary burden upon the people, but fully enough to provide a revenue for all possible needs of the Government, to encourage domestic production and manufactures, to create competition at home, and to raise the country to a plane of perfect and complete independence.

There was a crying demand for industrial and commercial independence, for, in the language of one of our early statesmen:

> Foreign nations were passing such laws as they judged most likely to destroy our commerce and extend their own. The arm which had struck for independence in the field was palsied in the workshop, the industry which had been burdened in the colonies was crushed in the free States, and the mechanics and manufacturers of the country found themselves, in the bitterness of their hearts, independent—and ruined.

What happened then will again occur, if we invite by a low tariff the importation of foreign goods. Cheap labor abroad will always enable the foreign manufacturer to undersell our home products if duties be low, inflicting cruel wrongs upon our skilled and intelligent labor. We do not want to degrade this labor. We do not want to close a single factory and turn its operatives out upon an inhospitable world. The only means of raising adequate revenues is by tariff legislation, and if we, in the interests of foreign manufacturers, impose low tariff duties, disregarding revenue necessities and adequate protection to domestic industries, our revenue will be scant, our Government be degraded and embarrassed, and our labor, thus discriminated against, sordid and malcontent.

Whenever Congress attempts tariff legislation there are Democrats who contend for and vote for the protection of the industries of their States. They endeavor to get as high protection as possible, and it is a rare instance when one offers an amendment to reduce the tariff rate applicable to the interests in the State he represents. In this way they aid and assist in making the tariff protective, and then vote against it because it is protective.

A principle can not be violated in one particular instance without discrediting the whole doctrine which it supports. It would be more consistent to vote for the bill, unless in other respects it is objectionable. There can be no excuse for voting against it by those who helped to make it protective because it is of that character.

The history of the party on the tariff question and the conduct of the masses of the party and the declaration of its leaders have been equally inconsistent.

District, state, and national platforms have been at variance. The national platforms have declared for a tariff for revenue only and a tariff with incidental protection.

This "incidental protection" is thus expressed by Mr. Madison:

> In adjusting the duties on imports to the object of revenue, the influence of the tariff on manufacturers will necessarily present itself for consideration. However just the theory may be which leads to the sagacity and interests of individuals the application of their industry and resources, there are in this, as in all cases, exceptions to the rule.

This means a discriminative duty in favor of industries which exist, but which would cease to exist unless protected. What was a theory with Hamilton became a fact in the enunciation of incidental protection in Democratic platforms and in the consideration of the Wilson bill, with its protective features, in parts of the act.

I have recited these facts not to impeach the integrity of the party, in no way to detract from the brilliant record it has made, but to show that the tariff question has never been an element of Democratic fealty.

The tariff question is an economic one, and it ought to have no place in party platforms. It should not be disturbed by party defeats and party successes. The bill under discussion should become a law and remain on the statute books at least a sufficient time to demonstrate its merit and its defects.

During the period of reconstruction and of the infamous governments which were imposed upon the people, old line Whigs and Democrats united as one body in efforts to get rid of negro domination. While the struggle lasted, there was no tariff issue presented to the people of the South. The problem was far above free trade and protection. Now that the danger of the supremacy of the negro in government has in a great measure been removed, it is but natural that men who hold views of protection should seek the opportunity of pressing their convictions.

The South has been solidly Democratic from necessity. In the efforts to secure good and honest government by placing white men in power she lost sight of minor interests which, though subordinate to the great and all-absorbing issues confronting her, are nevertheless important for her development and welfare. In Louisiana many of those who acted promptly and effectively in overthrowing carpet-bag government were men who had been reared and educated in the Whig school of politics. There were and are Democrats whose services to the party are not less than those of any Democrat in the Union. These men hold to the view that I have but indifferently expressed.

Two Senators from Louisiana opposed the tariff act of 1857, because it failed to provide adequate protection to the interests of their State. These men were dear to the State of Louisiana and to the South; both were leaders in the movement of secession. One was originally from the North, the other originally a British subject. They believed their allegiance was first to their adopted State. They threw her into war in devotion to what they believed to be a preservation of her honor and conducive to her interests. There is now no divided allegiance. We are not, and I hope we will never be, called upon again to make our choice between allegiance to federal and state governments; but in all the material interests which affect Louisiana, in all matters of legislation which will promote her interests, when the choice is presented to me of voting for them or party measures which would lay her fair surface bare and desolate, I have no hesitation in saying, and I utter the statement with the proudest satisfaction, that I will, regardless of party discipline, vote in favor of any measure that will bring prosperity to my State; and in doing this I will not, to promote such interests, endeavor to destroy the interests of other communities. I want all to share alike in the benefits of legislation. I do not want to see sectionalism and favoritism encouraged.

It is difficult, Mr. President, to conceive how any tariff bill can be enacted into a law without carrying some degree of protection with it. The greater the amount to be raised, the greater is the amount of protection afforded. If a revenue of $200,000,000 is to be raised, it necessarily follows that $200,000,000 of protection must be placed on the different industries of the country in the various sections.

The question presented is how to impartially place this amount and what industries need the greatest protection to make them self-supporting and beyond foreign competition, in what sections the protection inevitably following this levy shall be placed, the effort being to produce the greatest good to the country in all sections and in every industry.

The whole question, then, in framing a revenue law is as to the proper arrangement of schedules. It really becomes a question of schedules, not any underlying principle, except what is right and just. It is the duty of each Senator, without reference to party, to aid and assist in the proper framing of the schedules and to direct the application of the money to be raised in such a manner as to promote the best interests of the country, in a manner that will promote the happiness and contentment of the people by imposing the least burden upon them.

The policy of arbitrarily objecting to schedules to make a record for an ensuing campaign, in my opinion, is inexcusable.

In order to frame the pending bill an estimate was made of the amount necessary to be raised. The schedules and paragraphs were arranged for this purpose. There was at least apparent consistency in the whole. To go through the bill and cut down rates by a half or a fraction of a cent is to disturb the symmetry of the bill, to make patchwork of it, and in the end to destroy its usefulness as an instrumentality for raising a revenue for the Government.

I do not mean to intimate that objectionable schedules should be received, but some measure, at least, should be proposed to take the place of the one rejected. I mean to say that the charges of robbery, and so forth, and objections made simply to make a record for campaign uses are not right or proper.

A protective tariff will be the means of inviting labor because of high wages, and capital because of greater profits. A protective tariff will materially reduce the profits of foreign manufacturers and this will cause them to move their factories here, and this added capital and factories will increase the protective energy, and consequently competition. We will "import factories and export goods." This was the reason for the argument against a protective system by Mr. Buchanan, who said:

> Our domestic manufactures have been saved by the election of James K. Polk from being overwhelmed by the immense capital which would have rushed into them for investment, and for the expansion of the currency which would have annulled any protection short of prohibition.

I do not think that anyone will deny it would be a good result if a protective tariff would bring capital here with a rush for investment.

> The tariff on any class of goods is just as much a protection to all classes of the people as to those engaged in the occupation so protected.
>
> Primarily, wages, salaries, and profits of all classes are measured by the tariff rates on the average amount of tariff on all imports when rightly distributed, whether in an industry that is protected or not, excepting that continually wages are increased to the maximum, while profits and income on capital are reduced to a minimum percentage compared with wages, although when the panic comes and the demoralization takes place capital generally meets bankruptcy, which throws labor out of employment and, for the fraction who find a job, drops wages to a minimum insufficient for the laborer to place himself and family in comfort or above want. It makes hard times for all classes.

I have endeavored to show that protection to American industries is a constitutional obligation; that a tariff for revenue only was never contemplated by the fathers of the Republic; that revenue and protection are separate provisions in the Constitution, the former being provided for by a distinctly constitutional method, but as a most convenient means of raising revenue for the support of the Government a tariff was resorted to; that the constitutional obligation to encourage and protect the industries of the country still remains. This is clearly demonstrated by the first tariff law and the amendments to the same.

Mr. President, I see it is about the usual hour of adjournment. I should like to make some remarks particularly directed to the sugar schedule, and, with the permission of the Senate, I will now suspend and take the floor in the morning to finish my remarks.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, May 26, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 25, 1909.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. Richard T. Yeatman, Eleventh Infantry, to be brigadier-general from May 22, 1909, vice Kerr, retired from active service.

MEDICAL CORPS.

First Lieut. Wallace E. Sabin, Medical Reserve Corps, to be first lieutenant in the Medical Corps, with rank from May 22, 1909, vice Wilson, resigned.

APPOINTMENT IN THE NAVY.

James D. MacNair, a citizen of New York, to be a chaplain in the navy, from the 20th day of May, 1909, to fill a vacancy existing in that grade on that date.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 25, 1909.

DISTRICT JUDGE.

Henry Groves Connor, to be district judge for the eastern district of North Carolina.

CIVIL SERVICE COMMISSIONER.

William S. Washburn, to be a Civil Service Commissioner.

SENATE.

WEDNESDAY, *May 26, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of Local Grange No. 304, Patrons of Husbandry, of Camden, N. Y., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented the memorial of Fred H. Kable, of Cleveland, Ohio, remonstrating against the imposition of a duty on tea and coffee, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Williamson, N. Y.; Grand Rapids, Mich.; Upland and Tornado, W. Va.; Cain and Dabney, Ky.; Grant, Ala.; Alameda, Cal.; Nashville, Holdenville, and Texmo, Okla.; and of Sulcarte, Ill., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the retention of the present duty on sugar, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Forest, Kenton, Union, and Grant, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. CURTIS presented petitions of sundry citizens of Caldwell, Kans., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table and be printed.

He also presented petitions of sundry citizens of Herrington and Marion City, in the State of Kansas, praying for the removal of the duty on hides, which were ordered to lie on the table.

Mr. OLIVER presented a petition of 15 citizens of Carnegie, Pa., praying for the removal of the duty on hides, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Kelton, New London, Landenberg, Elkview, and Oxford, all in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of Local Lodge No. 207, Benevolent and Protective Order of Elks, of Pottsville, Pa., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. ALDRICH presented a petition of sundry citizens of Rhode Island, praying for the removal of the duty on hides, which was ordered to lie on the table.

Mr. STONE presented a petition of E. L. Beal, of Republic, Mo., praying for a reduction of the duty on refined sugars, which was ordered to lie on the table.

He also presented a petition of Cotton Belt Lodge, No. 204, Brotherhood of Locomotive Firemen and Enginemen, of Forn-

felt, Mo., praying for the passage of the so-called "Burkett boiler-inspection" bill and also of the "full-crew" bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying for the enactment of legislation providing for the investigation of the trade conditions at home and abroad, which was referred to the Committee on Finance.

He also presented a petition of the Master Bakers' Association of Kansas City, Mo., praying for the enactment of legislation prohibiting gambling in wheat or options on wheat, which was referred to the Committee on the Judiciary.

He also presented a memorial of Local Lodge No. 184, Independent Order of B'nai B'rith, of Kansas City, Mo., remonstrating against the proposed increase of the tax on immigrants to $2 per head, which was referred to the Committee on Immigration.

He also presented petitions of sundry shoe manufacturers and of sundry citizens of Kansas City, Atlanta, Kirksville, Callao, Chillicothe, St. Louis, Bevier, Brookfield, Macon, Joplin, Cameron, and La Plata, all in the State of Missouri, praying for the repeal of the duty on hides, which were ordered to lie on the table.

Mr. BOURNE presented a petition of 47 citizens of La Grande, Oreg., praying for the retention of the present duty on all grades of sugar, which was ordered to lie on the table.

Mr. BURROWS presented petitions of 331 citizens of Saginaw, 1,657 citizens of Bay City, 16 citizens of Monroe, 1,262 citizens of Gratiot, 298 citizens of Isabella, 154 citizens of Osseo, 218 citizens of Tuscola, 388 citizens of Huron, 47 citizens of Sanilac, 58 citizens of Genesee, 319 citizens of Shiawassee, 233 citizens of Lapeer, 97 citizens of St. Clair, 24 citizens of Lenawee, 84 citizens of Wayne, 16 citizens of Montcalm, 93 citizens of Macomb, and 143 citizens of Menominee, all in the State of Michigan, remonstrating against any reduction of the present duty on sugar, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 2479) for the relief of the Watson Mill Company, of the city of Wichita, State of Kansas; to the Committee on Claims.

A bill (S. 2480) granting an increase of pension to Zacaria L. Michaels;

A bill (S. 2481) granting an increase of pension to Clayton S. Flowers;

A bill (S. 2482) granting an increase of pension to William Lee; and

A bill (S. 2483) granting an increase of pension to Mortimer L. Milledge (with the accompanying papers); to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 2484) to provide for the purchase of a site and for the erection of a public building thereon at Portland, Oreg.; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO THE TARIFF BILL.

Mr. CLAY. I submit an amendment striking out paragraph 213 and inserting a new paragraph. I will not ask that it be read, but will ask that it be printed in the RECORD and that it be printed and lie on the table, and at the proper time I will call it up.

The VICE-PRESIDENT. If there be no objection, it will be so ordered. The Chair hears no objection.

The proposed amendment is as follows:

Amendment intended to be proposed by Mr. CLAY to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Strike out paragraph 213 and insert the following, to be known as paragraph 213, in lieu thereof:

"Sugars, tank bottoms, sirup of cane juice, melada, concentrated melada, coacrete and concentrated molasses testing by the polariscope not above 75°, 30 cents per hundred pounds, and for every additional degree shown by the polariscope test, 2 cents per hundred pounds additional, and fractions of a degree in proportion. And on all sugar which has gone through a process of refining, $1 per hundred pounds; molasses testing not above 40°, 20 per cent ad valorem; testing above 40° and not above 56°, 3 cents per gallon; testing above 56°, 6 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test."

Mr. BEVERIDGE. I submit an amendment which I ask may be printed and lie on the table. This amendment, I will say, is designed to correct what is known in the tobacco trade as the "coupon nuisance," and when the whole subject comes up I will say more about it.

The VICE-PRESIDENT. Without objection, the amendment will lie on the table and be printed.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

SUMMARY OF LAND LAWS.

Mr. CLARK of Wyoming. I present a summary of our most important land laws. This is an article prepared for the annals of the American Academy of Political and Social Science by the Senator from Minnesota [Mr. NELSON], chairman of the Committee on Public Lands. It contains so much of general information, and accurate information, in regard to our land laws and is of such general importance that I ask that it be printed as a document (S. Doc. No. 59).

The VICE-PRESIDENT. Without objection, the request will be complied with. The Chair hears no objection.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. HALE. I think the Senator from Louisiana [Mr. McENERY] has the floor on the pending bill. I do not know whether he desires to go on now or not.

Mr. STONE. I make the point of no quorum.

The VICE-PRESIDENT. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beveridge	Crane	Gallinger	Penrose
Brandegee	Crawford	Gamble	Perkins
Bristow	Cullom	Hale	Piles
Brown	Cummins	Hughes	Root
Burkett	Curtis	Kean	Scott
Burnham	Dick	Lodge	Smith, Md.
Burrows	Dillingham	McEnery	Smith, Mich.
Burton	Fletcher	Martin	Smoot
Carter	Flint	Nelson	Stone
Chamberlain	Foster	Oliver	Sutherland
Clapp	Frazier	Owen	Tillman
Clay	Frye	Page	Warner

Mr. PILES. I wish to announce that my colleague [Mr. JONES] is unavoidably absent for a short time this morning.

The VICE-PRESIDENT. Forty-eight Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Louisiana will proceed.

Mr. McENERY. Mr. President, yesterday I had something to say in relation to the South's interest in protection and also that it had been announced in the Senate by a distinguished Senator that he had called the Democratic party away from its ancient anchorage in one of its heresies. There is undoubtedly a change of sentiment going on in the South in relation to protection, and I hope the Senators from the South who have supported protection on every industry in their respective States may extend the vision of their horizon and reach out and urge protection to great national interests.

To show that such a sentiment is going on, I will read from an address recently made by Col. Robert J. Lowry, a citizen of Atlanta, Ga., president of the Lowry National Bank, of the city of Atlanta. He said:

In the Southern States we have grown commercially and industrially in a most remarkable degree within the past twenty-five years. We have become a manufacturing section as well as an agricultural one. We produce both raw material and manufactured articles of commerce, and the manufacturing element of our growth has assumed such proportions as necessarily to force a change in our political views. A shining example of this great industrial growth is your own fair city, of which our whole State is justly proud. Now, after all, what are political views? They are simply the principles espoused by any section which when put in practice promise the most for the material welfare of that section. In view of our growth as a manufacturing section, therefore, we can now see the folly of free trade, and in order to protect these industries we must change our position upon that much-debated subject, the protective tariff.

The history of the position of the southern people upon this tariff question is one which plainly illustrates the truth of the saying that "it's altogether owing to whose ox is gored." Away back in the early history of this country the southern people were ardent protectionists. We, as a section, were very much opposed to European commercial invasion. In 1789 the first tariff act was passed, intended primarily to protect home manufactures. That idea seemed to be its sole purpose, and that argument has always been and always will be the strongest which can be presented as a reason for its perpetuation. In 1812 it was very difficult, on account of the British-American war that year, to obtain any manufactured goods at all from abroad; and after that war was over a higher protective tariff was imposed for the reason that the American manufacturers wished to continue their business, but they could not compete with English manufactured goods.

When this higher tariff was imposed, England retaliated and imposed a tax upon cotton from the Southern States of the Union in favor of

cotton from India, her own province, and of course the southern planters then began to ship their cotton North, to be used in northern mills. The protective tariff kept out English goods and made a market for southern cotton, and hence the planters in the South were ardent protectionists. Then, when England removed her tax on southern cotton, the tariff against English-made goods was not removed, because it was necessary to protect the manufactories of the East. Then the southern planters became free traders, or antiprotectionists, because more than one market was open to them for their cotton, and they wanted to sell at either place, but at the same time buy under a free-trade law, so as to buy at the cheapest possible price.

Such is an outline of the causes which led up to the shifting of the South's position upon the tariff. Conditions now have completely changed, and we have industries to protect, factories of all kinds having sprung up all over the South by reason of an abundance of raw material and the saving of transportation. We know that men have come here from everywhere and put their money into all sorts of industrial enterprises. We know that we must support the policy of protection by tariff, if we grow as an industrial section. We know that our political views must change, though the same conditions will not lead us to the support of the tariff which led our forefathers to be protectionists.

In view of the great industrial revolution which has taken place within the hitherto agricultural Southern States, the time has come for us to realize the change; that we must have these hundreds and hundreds of factories protected, just as New England industries have been for the past hundred years; that we are now manufacturing goods, as New England has been for the past century; that our manufacturing is as yet in its infancy; and that we do not want foreign goods, made by cheap foreign labor, pouring into this country to supplant the output of our own mills and cutting down the dividends on the very capital which has made our industrial growth possible, as well as the wages of our employees.

All of our cotton mills, woolen mills, knitting mills, fertilizer plants, lumber and sawmill plants, foundries, and the hundreds of different branches of our industrial development, need the same wall of protection around them, which the Eastern States have heretofore demanded and received. If they survive and grow, as the Southern people desire, we must favor a tariff well-nigh prohibitive of foreign goods made by cheap, half-fed labor of European countries.

Nearly every southern Senator here from a State in which there is a sawmill favors a tariff on lumber. So do I, to the utmost limit, because it has become a great industrial interest in the South and also in some of the Western States.

In the State of Louisiana there are 584 saw and planing mills, giving employment to approximately 38,544 employees, whose incomes, at the minimum figure of $2 per day, would amount to $77,088, or $2,004,288 per month. This money is practically all spent among the merchants, farmers, bankers, doctors, lawyers, and others in Louisiana.

The annual output of the mills in Louisiana foots up 2,972,119,000 feet. Valued at $15 per thousand, mill run, this would bring into the State $44,581,785 yearly. Ninety-three per cent of all the lumber manufactured in Louisiana is shipped out of the State. At an estimated value of $44,581,785 per annum, the income to Louisiana from this source alone in ten years would amount to $445,817,850.

The repeal of the $2 tariff on lumber would cost Louisiana, therefore, $5,944,238 per year, or, in ten years, $59,442,380, to say nothing of the loss the railroad and transportation companies would sustain.

The lumber industry of Louisiana furnishes employment to more adult male employees than any other industry in the State. Forty-one per cent of all the standing timber in the State is owned by the farmers, merchants, and other original owners.

The total production of lumber in the United States last year, or rather in 1907, was 40,000,000,000 feet, valued at approximately $500,000,000.

Not only this, Mr. President, but this industry has within the last ten or fifteen years promoted many other industries, particularly the building of railroads. I think within the last four or five years there have been more railroads projected and built in Louisiana than in any other State in the Union. This is principally owing to the lumber industry of that State. These railroads have been built in order to reach the great pine forests which exist in nearly every portion of that State. They are not tramways, but magnificently equipped roads connecting with nearly all the roads in the United States.

Besides this the lumber industry has built up large and prosperous towns, some of them approaching the dignity of cities. One town I know of I visited in 1887, with a population of about 1,500 people, and it now has a population of 12,000, with magnificent buildings, some factories, lighting and water privileges, and everything of that kind. So it is in other portions of the State. Towns have been built up reaching to a population of 5,000 people, and they are not there to stay only during the existence of the lumber industry. They follow the cutting down of the timber with improved farms, and this population stands as a result of the industries created by the lumber interests, and there will be no decline there as long probably as the State itself shall be in existence.

Mr. President, I want to know from the southern Senators who have voted and expect to vote for a tariff upon lumber, what difference they find between that and imposing a high tariff on the importation of sugar. They have so voted, as they proclaim, in order to satisfy the demands of their party for the purpose of raising revenue. Compare the revenue from the importation of lumber, amounting, I think now, to probably $2,000,000, with the $60,000,000 that was brought into the Treasury of the United States by the tax on sugar.

Therefore, I appeal to the southern Senators to go beyond their localities and abandon their absurd idea and theory of a tariff for revenue only and vote for and be liberal in supporting the industries of the United States. They have claimed that sugar should come in free, practically, because it is one of the prime necessaries of life. These gentlemen profess to follow Thomas Jefferson in every theory that he enunciated, and they hold in sublime faith every utterance that he made. He said repeatedly, and so did Washington, that there should be a duty upon the necessaries of life, for the reason that this country should not be dependent upon any foreign government for necessaries required for the use of the people.

But I do not urge the tariff on sugar on the ground that it is a revenue-producing object. I put it on a higher plane, the absolute necessity of this Government becoming independent of any foreign nation for any necessary which it requires for its support and its maintenance. Break down the tariff on sugar and the country will be overrun with sugars from Europe, refined and granulated, to such an extent that it will stop every beet-sugar factory in the United States and stop the culture of cane in the State of Louisiana.

Heretofore, Mr. President, we have been dependent upon sugar as a revenue-producing agent for the tariff, but now it has grown to be a great national industry, one that, carried to the full measure of its success, will not only supply this country with all the sugar that it consumes, but will enable us to supply the world's demand for sugar. This is the declaration of the Secretary of Agriculture. I believe 23 States are immediately interested in this industry, and its progress in recent years has risen to a magnitude that surprises everyone. No one twenty years ago thought that the beet-sugar interests would gain such headway. It promises at not a distant day to supply all the domestic wants and a little further on all of the world's demand. In Louisiana, according to good authority, if all the land in the State available for sugar culture were placed under cultivation, it could supply one-half of the sugar now consumed in the United States. Unfortunately there has been an uncertainty in tariff measures and people have been reluctant to place their money in an industry that in the future might be destroyed by a low tariff or by the admission of sugar free. There were other crops there that they could grow, cotton and rice, but now it is dawning upon those people, since the appearance of the boll weevil, that portions of that State must be devoted to the culture of cane.

Misfortunes, Mr. President, sometimes bring with them corresponding benefits. In the extreme northern portions of the State there will soon, I think, begin the culture of cane and its manufacture into granulated sugar.

I have here a letter from a Louisiana planter, a resident of Ouachita Parish, one of the extreme northern parishes of the State, in which the writer says:

Sugar cane and cotton are destined to become in the future the chief money-producing crops from the delta plantations of north Louisiana. It is said that 75 per cent of these lands are encumbered with debts due to local banks, cotton factors, and land loan companies.

Some of which I referred to yesterday.

Some staple crop or crops must be discovered to at least meet the yearly interest on said indebtedness. Cane growing on our cotton plantations has never been tried except by negro renters who would have a "patch," of which a portion of the cane would be stolen by other negroes. In the hill parishes, between the Ouachita and Red rivers, the white farmers plant cane patches along the branch valleys and produce by the one-horse mill and an open kettle a very fine sirup.

The retail country merchant has gone back on homemade molasses or sirup as an article of merchandise. The small hill farmer is beginning to pack his sirup in tin cans, and thereby finds a local market. We speak from experience when we say that the sirup in the can will turn to sugar if opened and kept a while. While north Louisiana cotton lands will not yield as many tons of cane per acre as south Louisiana, we incline to the belief that the yield of sugar will be satisfactory.

The boll weevil has created a good demand for sugar cane for planting purposes. We know of 20 acres in plant and first and second stubble on one plantation. The cane will grow here, but much mission work is necessary before a central sugar plant can be erected.

So it will be all over northern Louisiana. As was said by the director of the Louisiana sugar experimental station, Louisiana will, if the industry is properly encouraged, produce one-half of the sugar consumed in the United States.

Now, Mr. President, in regard to the other crops of the South, whenever there is a calamity, when some insect appears which affects the crop, immediately there is an appeal to the General Government for assistance, and large sums of money are appropriated in order to destroy the pest, either by finding

some means by which it can be poisoned or by advanced measures of cultivation under which it can do no damage. Where does this money come from? It comes from the Treasury of the United States, and there must be money put there in order to meet such demands. While people are opposing a duty on sugar that produces such a revenue, which enters the Treasury of the United States, they are getting back what they have paid on the tariff for sugar. It comes back to them with interest.

It may be said in behalf of their appeal, which I approve, that the cotton industry is of such great proportions that this Government can not suffer the loss hardly of a single pound. Apply this reasoning to the great sugar interests of this country. If we can produce all the sugar that we consume and supply the European demand for sugar, it will favorably compare in amount with that of any other agricultural product.

But the chief fight seems to be, Mr. President, upon what is called the "sugar trust." Conceding the idea that a tariff on sugar is designed purposely for the benefit of that trust, innocent people must suffer because, as they state, they receive no benefit from the tariff.

I do not know whether the sugar trust owns any interest in any beet-sugar factory or not. I do not know positively whether it has made a combination with any other factories or not. I do not know whether it has a combination with any other refinery, of which there are a great number in this country. At any rate, the primary motive in imposing this tariff upon sugar is for the purpose of keeping out the refined sugars of Europe in order that we may completely develop the sugar industry in this country. The "sugar trust," so-called, have nothing to do with it. They have a right to buy sugar and to refine it, provided they do not enter into any combination which violates the law in reducing the price of sugar or in any way creating a monopoly. If they have done this, there is a law which can send them to the penitentiary, as has been demanded in this body, but we should not make the innocent people suffer. Why should we crucify the people in order to wreak vengeance upon the sugar trust? Why make them the vicarious sacrifice for the original sins of the trust? Adam was driven out of Paradise with the temptation of a single apple; and these people, who are demanding a low tariff on sugar or its free admission, have handed this sugar trust not only one apple but hundreds of them, in the way of the introduction of free sugar, thus lowering the price of domestic sugar. They have voted for every item for the introduction of raw sugar free into this country; and the sugar trust, having the money, have entered the market, and they have bought the raw sugar, which they had a right to do, if they were not violating some law.

They have welcomed here the sugar from Cuba. They voted for the reciprocity treaty with Hawaii. And to-day they would open the commerce of the world to raw sugar and bring it here for the purpose of aiding the sugar trust, notwithstanding they would consign to poverty the thousands of people who are dependent upon that interest for their livelihood.

Not only that, but they would inflict a great injury upon the country by depriving it of the possibility of becoming independent of every other country in the production of sugar, and by depriving it of its great revenue and the profit which would be derived from shipping it abroad and supplying the world, probably at cheaper rates, when the industry meets its full development, than possibly can be done in Europe even with their cheap labor.

Mr. President, other countries have expended vast sums of money in order to create sugar industries. How much has France spent since the time that Napoleon first encouraged the cultivation of the beet and its manufacture into sugar? How much money has Germany spent? Millions of dollars; and Germany to-day is holding her sugar for the purpose of getting a market in the United States and destroying the industries of our own country. She is looking not only to this country for the introduction of her manufactured sugar, but for all her other manufactured goods. I notice by the papers that there were 189,000 pairs of stockings landed in the city of New York on the 19th of May, every one of which will be labeled "Made in Germany." So it is with her other industries. Break down the tariff wall in the interest of foreigners and the consequence will be the destruction of our own manufactures.

I need not call attention particularly to the great advances which have been made in the cultivation of the beet-sugar industry, but the report of the Secretary of Agriculture shows that—

In 1896 the total daily beet-slicing capacity of American factories was 4,000 tons; in 1908 it was 50,000 tons.

In 1896 the United States produced from beets 36,000 tons of granulated sugar, valued at $3,261,000; in 1906 we produced 484,000 tons, valued at $43,753,000.

In 1896 American farmers planted 41,000 acres to sugar beets; in 1906 they planted 376,000 acres.

In 1896 the price paid for beets was $4.10 per ton, and in 1908 it was $5.35 per ton.

In 1898 American farmers found a market for 364,000 tons of beets, and in 1906 they marketed 4,236,000 tons.

In 1898 these farmers received $1,564,000 for their beet crop, and in 1906 they received $21,604,000 for the crop.

In 1897 the American farmer's gross return per acre of sugar beets was $39, and in 1906 it was $57.

Is there any other industry which shows such a vast increase in such a short time as the beet-sugar industry?

Is it not worthy of encouragement? With this rate of increase, Mr. President, how long would it be before it would reach that rapid development which would enable us to supply the world's demand for sugar?

Other nations have seen the benefits of this great industry and, as I have said, have spent vast sums of money for it. Even in Italy within the last few years the sugar industry is recuperating the worn-out lands in that country. I now read from a consular report on that subject:

THE SUGAR-BEET INDUSTRY IN ITALY.

Since the sugar-beet industry has assumed such large proportions in the State of Wisconsin, our readers will be interested in knowing something concerning sugar-beet raising in other States and countries. United States Consul James E. Downing, of Milan, furnishes the following information concerning the sugar-beet industry of Italy:

"All the sugar produced in Italy is refined from the sugar beet. No cane sugar is produced, and therefore a small quantity is imported to meet a special demand, and imports in 1906 amounted to only 12,412 tons, the largest import since 1902, when it amounted to 20,011 tons. Austria supplied more than one-half of the total imported in 1906, France, Belgium, and the United Kingdom following in their respective order.

"The 100,000 acres under sugar cultivation in Italy were formerly almost waste ground, with the exception of a small amount of fruit grown thereon. To-day this ground yields from $40 to $60 worth of beets per acre. Formerly the fruit grown on the ground brought from $25 to $40 per acre. This increase means a great deal to Italian agriculture in general. It raised the wages paid for farm labor about 2½ cents per acre, and gives employment to large numbers of factory hands at from 60 cents to $1.10 per day. There are at present about 26,000 persons employed in the sugar industry in Italy."

This industry has been of comparatively recent origin in Italy. Just as it has done in Italy, it has done in this country, and it will do more in the future. We have the report from the Secretary of Agriculture that land, which was worth probably from $5 to $10 an acre, has gone up as high as $250 an acre. We have it that the beet has gone up in price from $4 to $5 per ton. Wages have gone up correspondingly. The industry employs more people than are employed in the beet factories in Italy. In Louisiana alone there are 25,000 people dependent upon the sugar industry in the factory and in the field.

What we need, Mr. President, is some settled policy in regard to the development of this industry. Capital is easily frightened, and every time there is a revenue bill this question comes up in reference to the free admission of sugar from foreign countries. It kept back the beet-sugar industry for many years until the passage of the Dingley law, when it was thought that the tariff was placed there with some reasonable degree of certainty. Look at the period of existence and the improvement of this industry under the Dingley law. It has gone up to such figures as I have just quoted.

I now read from the Louisiana Sugar Planter:

THE REFINERS' SUGAR DIFFERENTIAL.

The Dingley tariff bill now in force, apart from its levy of 0.035 of a cent per pound duty upon all raw sugar, levies a differential of one-eighth of a cent per pound over and above the raw-sugar duty on all refined sugars and on all sugars, whether refined or not, above No. 16 Dutch standard in color.

The term "raw sugar" now ordinarily means sugar of 96 per cent sucrose content, as determined by the polariscope. Carried on in a large way, as all the sugar refiners do their business, it costs one-half cent per pound of sugar refined to buy enough raw sugar of 96 test to make 100 pounds of refined and to refine it, put it in barrels, and ship it. This half cent per pound is, of course, over and above the cost of 100 pounds of raw sugar of 96 test, but covers the cost of the increased quantity necessary to secure 100 pounds of refined as well as the whole process of refining, packing, and shipping. This was so definitely determined that after the adoption of the tariff-commission bill, March 1, 1883, a number of very prominent sugar refiners failed between that date and 1888, when the leading features of the present sugar refiners' combination were effected. During this five years preceding 1888 the margin of difference between 96 test raw and granulated of 100 test averaged very slightly over 50 cents per hundred pounds, and this brought failure to many refiners. As soon as the new combination was got into working order the margin between 96 test sugar and granulated rose to about 90 cents, and has fluctuated between 90 cents and $1.20 per hundred pounds ever since, usually fluctuating between 90 cents and $1.

The next point that we desire to make is that the present schedule of duties on raw sugars and the differential are so carefully calculated as to just exclude foreign refined sugar. In fact, our readers will recall the very considerable exports of American refined sugar to Europe last fall, the same being made presumably out of Java sugar, which had to pay a full rate of duty to enter into this country, and which when exported as refined sugar made from the Java sugar, was entitled to a rebate of all the duty paid upon the sugars, less 1 per cent. We may have some doubts as to whether or not the calculations of the Treasury Department are accurate as to the exact relation of the refined sugar and its by-products to the raw sugar consumed in the process of manufacture, but any way, exportations of such sugar were made to a very considerable extent the latter part of last year, while

at the same time the prices of refined sugar in this country were so high as to attract the attention of European refiners who stood ready to send their sugars in to us whenever any possible margin of profit developed itself. To state the case again, the margin between 96 test raw sugar and 100 test granulated, if above 90 cents invites European competition, and if below 90 cents is only permitted to go below for some ulterior purpose, frequently, it appears, for the purpose of bulldozing the holders of raw sugar. Time and again when the sugar refiners need sugars the most they have quietly marked down their own margin 10 or 15 cents per hundred pounds and displayed indifference as to the purchase of sugars; and when these influences brought about a sufficient demoralization among sellers, they took in all the sugar they could get at the desired quotations, and, of course, then claimed that they did not desire to make any further purchases at such prices. If 90 cents per 100 pounds be the limit that excludes foreign competition, it is manifest that if the refiner's margin is cut off 12½ cents he must buy his produce 12½ cents per 100 pounds cheaper than now if he is to maintain his 90 cents per 100 pounds manufacturing differential. In other words, 12½ cents per 100 pounds off of refined sugar would lower the level of values of all of the so-called "privileged sugars," that come into the United States market, say those of Louisiana, Texas, the beet sugar from our Western States, and cane sugar from Hawaii and Porto Rico; and experience shows that it would have the same effect upon the Cuban crop, unless they held their sugars back in Cuba in a defiant sort of way, such as to compel the trust to come to them. This defiant attitude of the Cuban planters has not been assumed during recent years as it was a generation ago, the reciprocity treaty taking the backbone out of the Cuban planters, as they realized they had no other market than ours to sell their sugars to and they generally submitted to what seemed to them the inevitable. They sold at whatever prices were offered to them.

The inquiry would naturally arise as to whether or not we who produce the so-called "privileged sugars" ought not to display greater financial strength. President Taft seems to think this way when he said that so long as the United States has to import any substantial part of the sugars that it consumes, the level of values of raw and privileged sugars must be the world's level of values plus our protective duties. This view of the matter is entirely erroneous, from the fact that the producers of sugars can not hold them until the end of the sugar year, when there may be a deficit of 10 per cent in the sugar imports that would not be filled with sugars from the outside world, not privileged, such as those from Java, for instance.

If there were no direct interest whatever in favor of the sugar refiners, the refiners would almost surely be driven out of business. There is no other great industry similar to it in this country but what has a margin of protection granted to it in the present tariff system. If there were no protection granted to the sugar refiners whatever, there would be an invasion of this country with high-grade beet sugars and with very light-colored low-grade Scotch refined sugars, and gradually with high-grade sugars from all parts of the world, as even Mexico is now producing pure white sugars right on the sugar plantations, just as used to be done on scores of plantations in Louisiana sixty years ago. The present organization and cooperation of the sugar refiners has certainly one merit, and that is they render the sugar markets of the world comparatively steady. While they are disposed to bear down raw sugar values just to the point that will exclude the importations of refined, nevertheless they have stood ready at that point to buy all of the raw sugar offered to them. As recently as twenty or twenty-five years ago, low-grade sugars were very frequently sold in New Orleans at prices that bore little relation to their intrinsic value. We have in mind now a certain lot of common second sugars that was sold to the sugar refiners at 1½ cents per pound when the duty on sugar of that grade and test was 1¾ cents per pound. With a large buyer on the spot ready to buy sugars on some common basis, such inequalities in values as we have referred to become practically impossible.

Our sugar refiners in the United States have brought the process of refining up to such a fine art, furnishing refined sugars of such purity and color as can nowhere else be found, that they have tended to lead the American consumers to become very critical in regard to the quality of the sugars they consume. The demand for yellow and brown cane sugars has practically ceased to exist in the United States. In the manufacture of beet sugars, which now constitute in the commercial world over one-half of the total supplies of sugar, it was long ago found essential for the sugar factories to turn out sugars white in color and practically pure sucrose in order to get rid of the offensive natural odor of raw beet sugar. While there are some beet-sugar factories in Europe manufacturing raw sugars still and selling them to other establishments to be there refined, it is generally considered on the Continent that the raison d'être of the European sugar refiner has passed away and the fabricant now turns out enough pure, white sugar to supply the whole sugar world, what little may be needed in the way of loaves or cut loaves being manufactured by the few refineries that still exist. Our American sugar refiners sometimes talk very independently, and the Spreckels people have even been carrying on a propaganda advocating the serious lowering or entire removal of the duty on raw sugars. They must know what they are talking about; and if they do, they know that they could hardly have any duty on refined if they eliminated the duty on raw sugar imported into this country; and when it comes to a close call between the American sugar refiner and the German and Austrian sugar manufacturers, the latter would be able to hold their ground successfully in the markets of the United States. The American sugar refiners are very skillful and control immense sums of money, but still the money has to earn some interest, the wages of labor are high, and in these two elements the Europeans have a very marked advantage over us.

It is certainly to the interest of the sugar planters of Louisiana and the United States generally at the present time that the full differential on refined sugars should be maintained. If it be not maintained, the American level of values for refined sugars will be depressed accordingly and the American level of values for 96 test will be depressed correspondingly. The New York quotations of April 22 for American granulated were $4.80; first marks of German granulated, basis of New York, duty paid, $4.78. Twelve and a half cents would give a profit to the German exporters, and we should have thousands of tons of German sugar on our already overloaded market.

In this connection it is proper to call attention to the fact that the Scotch sugar refiners are among the most skillful in the world, and by their skillful manipulation they can produce sugars of low sucrose content and polariscopic test that are practically white in color. The American discrimination against these low-test, refined sugars, they being practically excluded from this country because they must pay the differential of 12½ cents per hundred pounds, being above No. 16 Dutch standard in color, has had disastrous influence upon the Scotch sugar-refining industry, which a generation ago was quite flourishing. The American sugar refiners have always seemed to have had a very wholesome fear of the canny Scotchman and his handsome, but cheap sugars. Greenock, near Glasgow on the Clyde, was the first city in the world to have a sugar exchange, which it had thirty or forty years ago, when thousands of tons of Scotch sugars came to the United States. The tariff commission bill of March 1, 1883, ended their career in this country, but the sugar refiners have a wholesome fear of them still, and it is fair to infer that we who produce sugars of 96 to 98 test would also be injured by an invasion of sugars of 10 per cent lower test and of equal or superior color. We had rather let the sugar tariff stand as it is, and we believe that it is to the interest of all concerned, consumers and producers, that this should be done.

The trust's protection runs to our beet-sugar refiners, to more or less of Louisiana sugar refined in and about New Orleans by so-called "independent" refiners and to Porto Rico sugar, and to so much of Hawaiian sugars as come to the coast; that is, outside of trust contract. So that the trust does not enjoy a monopoly of this "differential" protection, as I look at it.

It is by no means clear that a repeal of the differential, striking out all duty on refined sugar, would operate practically to reduce the price that refiners would charge the people for refined sugar.

Again, the differential—at present 26¼ cents per 100 pounds, and as proposed, 22½ cents per hundred (a reduction of 4 cents, or 20 per cent per 100 pounds)—does not seem excessive, compared with the one-half cent rate under the McKinley law, nor with the differential under the Wilson law, when it was one-eighth cent plus the ad valorem difference and the amount of duty paid on the value of 100 pounds of refined.

For example, assuming that it took 107 pounds of raw to make 1 pound of refined, the trust paying duty on it at 40 per cent ad valorem, the duty on the 107 pounds, at 3 cents a pound, was $3.21 (40 per cent was $1.28). If foreign refined came here valued at, say, 3½ cents a pound, the duty was (100 by 3½ cents) $1.54, to which add the one-eighth cent ($0.125); total, 26¼ cents as the protective differential, as against the 22½ cents proposed by this bill.

Sugar was lower in 1892–1896 under a greater differential than in 1907 under a lesser or equal differential.

1892, wholesale price of refined in New York	$4.34
1896, wholesale price of refined in New York	4.53
1907, wholesale price of refined in New York	4.80

The truth seems to be that the trust's profits appear to depend on things other than its differential.

If anyone desires to "hit" the "sugar trust" for any cause, he should seek by a clause in this bill to denounce or put an end to the Cuban treaty that expired December 27, 1908, and by which the "trust" profits on raw from 17 to 33 cents a hundred.

	Consumption.	Duty.	Per capita consumed.	Wholesale price New York refined.
	Tons.		*Pounds.*	
1881 (high duty)	1,309,000	$47,500,000	52.4	$6.76
1892, bounty act (free sugar), ⅛ cent differential	1,853,000		63.8	4.34
1896, Wilson bill, 40 per cent ad valorem and ⅛ cent differential	1,900,000	29,800,000	62.5	4.53
1907, Dingley Act	2,990,000	60,100,000	76	4.80

Average wholesale price of refined in New York:

1908	$4.95
1907	4.65
1906	4.51½
1905	5.25+
1904	4.77
1903	4.64
1902	4.45+
1901	5.05−
1900	5.32

Average wholesale price of 96° centrifugals in New York:

1908	$4.04
1907	3.75
1906	3.68+
1905	4.27+
1904	3.97+
1903	3.72
1902	3.54
1901	4.09+
1900	4.56
January 9, 1909, refined	4.45
January 7, 1909	3.73
Difference only	.72

Or less than three-fourths cent per pound.

Mr. President, this same question about the abolition of the differential came up in the discussion of the Dingley bill. Senator Jones, of Arkansas, had made a motion to strike out the differential, and he said that he wanted the poor people to have

cheap sugar; that he wanted them to have what was called "the poor man's sugar," and he alluded to the No. 6 imported by the Standard Refining Company, managed, I think, also by Cook & Co., of New York. That sugar, which he called "the poor man's sugar," was a very beautiful sugar. I exhibited some of it to the Senate in 1897. It had a most beautiful color and was most attractive in appearance, but it was deceitful in taste. It was a cheat and a fraud. Under the McKinley law it came to this country in vast quantities. You could not go to a grocery store anywhere in the country where you would not find that sugar on sale. With free sugar or a low tariff it will come here again. That was "the poor man's sugar."

Of what was that sugar composed? That sugar polarized 83.6; its value was 4.06; its relative value is only 3.97S. Louisiana sugar, a little darker in color, which polarized 98.6, was worth in New Orleans at the same time 3$\frac{3}{16}$ cents a pound, having only 2 per cent of water, while this "poor man's sugar" had 16½ per cent of water.

After Adam had been condemned and driven from Paradise—I do not know anything about theology, but I think the preachers believed that there was still a little taint of original sin, and that you had to wash it out with water. So these people think there was some of this original sin among the people engaged in the sugar industry, inheriting it from the sugar trust; and they have put this water into the sugar and expect the people to drink it down with a little sugar and wash out the original taint. [Laughter.] That is about the only effect it would have—in the imagination.

The sugar industry in Louisiana is far-reaching in the benefits it distributes throughout the country. I only mention this industry, leaving it to those who live in the beet-sugar districts to show what vast advantages flow, commercially, from the cultivation and manufacture of beets. In Louisiana we employ in the factories the most skilled labor; we pay the very highest wages and employ the most costly machinery, the machinery in the sugar houses costing from one hundred thousand to two hundred and fifty thousand and three hundred thousand dollars. All that machinery has to be bought outside of Louisiana. I recollect in 1897 I received letters from Cleveland, Cincinnati, Pittsburg, and some other cities relative to sugar machinery, all of which was to go to the State of Louisiana. Then they buy all their chemicals abroad. They use the finest mules in the world. To draw a sugar plantation plow requires from 2 to 8 mules. This class of mules are the very finest which can be produced.

They are raised in Kentucky, in Tennessee, and in Missouri. Our planters send out there and buy a vast number of mules. I know the State of Tennessee, for instance, almost worships the mule, and I am inclined to think that that is brought about a good deal by the big purchases which the sugar planters of Louisiana make. I recollect once going into a court room in a town in Tennessee. There was a judge, who probably was not excelled by anyone in the State of Tennessee for ability and character. He was in his seat, and on his right was a picture of a jack. [Laughter.] Nobody who did not have great admiration for the mule and the benefits it brought to him would have there hanging such a picture in the court room and having it the handmaid of justice.

Mr. President, just as certain as I am standing here, if a low tariff is placed upon sugar, so that the Germans can reach here with their refined sugar and the Austrians can reach here with their refined sugar, and the Italians, who are now shipping their sugar here with the other beet-producing and beet interests in Europe, can reach here, I say that, within twelve months after the introduction of that sugar, there will not be a single plow running in the cane fields of Louisiana, there will not be a single beet raised anywhere in the beet-raising States; the industry will go out of existence and will be entirely at the mercy of the people who will have a monopoly and impose higher prices than we now pay for sugar.

The VICE-PRESIDENT. The Secretary will state the pending paragraph.

The SECRETARY. Paragraph 213, page 72.

Mr. NELSON. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Burkett	Crawford	Frazier
Bacon	Burnham	Cullom	Frye
Bailey	Burrows	Cummins	Gallinger
Bankhead	Burton	Curtis	Gamble
Beveridge	Carter	Dick	Guggenheim
Bourne	Chamberlain	Dillingham	Heyburn
Brandegee	Clapp	Dolliver	Hughes
Bristow	Clark, Wyo.	Flint	Johnston, Ala.
Brown	Crane	Foster	Kean
Lodge	Oliver	Rayner	Stephenson
McCumber	Overman	Root	Stone
McEnery	Page	Scott	Sutherland
Martin	Paynter	Simmons	Tillman
Money	Penrose	Smith, Md.	Warner
Nelson	Perkins	Smith, S. C.	Wetmore
Nixon	Piles	Smoot	

Mr. PILES. I announce that my colleague [Mr. JONES] is unavoidably detained from the Senate Chamber this morning.

The VICE-PRESIDENT. Sixty-three Senators have answered to the roll call. A quorum is present.

Mr. BRISTOW. Mr. President, I ask that the paragraph we are now considering be read.

The VICE-PRESIDENT. The paragraph has once been read. If there be no objection, the paragraph will be again read. The Chair hears no objection. The Secretary will read paragraph 213.

The Secretary read as follows:

213. Sugars not above No. 16 Dutch standard in color, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, thirty-five one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; and on sugar above No. 16 Dutch standard in color, and on all sugar which has gone through a process of refining, 1 cent and ninety one-hundredths of 1 cent per pound; molasses testing not above 40°, 20 per cent ad valorem; testing above 40° and not above 56°, 3 cents per gallon; testing above 56°, 6 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

Mr. BRISTOW. I desire to offer the amendment which I send to the desk, and ask that it be read.

The VICE-PRESIDENT. The Senator from Kansas offers an amendment to the paragraph, which will be stated by the Secretary.

The SECRETARY. In paragraph 213, line 23, page 72, after the word "sugars," strike out the words "not above No. 16 Dutch standard in color;" also on page 73, in line 6, after the word "proportion," strike out the words "and on sugar above No. 16 Dutch standard in color."

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. BRISTOW. I desire to offer another amendment to the same paragraph. I send it to the desk and ask that it be read.

The VICE-PRESIDENT. Is it an amendment to the amendment?

Mr. BRISTOW. No, sir; it is an amendment that I have prepared.

The VICE-PRESIDENT. The pending amendment ought to be disposed of first, as but one amendment can be pending at a time. The amendment, however, can be stated.

The SECRETARY. On page 73, line 8, after the word "and," strike out the word "ninety" and insert in lieu thereof the words "eighty-two and one-half."

Mr. BRISTOW. Mr. President, I have listened to the discussion of the sugar schedule with a great deal of interest, and I was very much interested, especially in the address delivered yesterday by the junior Senator from Louisiana [Mr. FOSTER]. It was, in my judgment, a very fine historical review of the sugar tariffs and the sugar industry of the United States. The discussion, however, has been proceeding upon the assumption that an effort was being made to destroy the sugar industry of this country. Indeed, it has appeared to me during the discussions that have occurred in this debate that whenever a Senator endeavors to reduce an existing duty, he is at once accused of undertaking to destroy the industry that is affected by that duty. The burden of the argument by both the Senators from Louisiana has been that it is necessary to maintain this paragraph as it is now in order to prevent this industry from being destroyed.

Mr. President, I hope to show at least some reasons why the amendments that I have offered may be accepted and adopted by Congress without in any way injuring the industry of sugar production in the United States. I want to say now that there is not a Senator here who is more interested in preserving the sugar-producing industry in the United States than I am. There has been a studied effort by those in charge of this bill to put the Republicans who are termed "progressives" in the attitude of making an assault upon the protective-tariff system. I am a Republican and am as earnestly devoted to the fundamental principles of the party as any Member of this body. I am a protectionist because I believe it is a wise policy.

What is the purpose of protection? In the early history of our country we had a sparse population that lived mostly by the pursuit of agriculture; and the great Hamilton, in order to transfer the source of supply for manufactured articles of domestic use from Europe to the United States, advocated the

imposition of a tariff upon the importation of such manufactured articles. His purpose was to encourage our American industries and transfer the factories from abroad here. We had a country of vast undeveloped resources, and to develop those resources was the purpose of the original protective-tariff legislation.

So we contend to-day, as a party, that protection is a wise policy whenever it can be used to develop an undeveloped resource; and that has been demonstrated in the one hundred and thirty years of our country's history. After the industries were established, then those favoring the protective tariff advocated the continuance of the duty in order to make up the difference between the wages that were paid here in our factories and the wages paid abroad. We had a sparsely settled country. There was not such a supply of labor here as there was in European countries; and there being practically unlimited opportunity, the demand for labor was great and the wages therefore higher. As a result it cost more to produce a given article here than abroad. Costing more to produce such article, it was necessary that that difference in the labor cost should be made up by a tariff on imports in order to sustain the industries which had been established. The Republican party has always advocated protection for these two reasons—that is, to develop our undeveloped resources and protect the wages of American workmen—and for no others.

Whenever we have ascertained the difference in the cost of the unit of production here and abroad, it is our duty to impose a tariff equal to that difference, so as to give the American industry an ample opportunity to compete with foreign industries of a similar character; but when you advance the duty beyond that mark, then it ceases to be a legitimate protective duty. We are not justified in maintaining a duty for the purpose of maintaining prices beyond that point, because then, instead of sustaining an established industry, you are gratifying the greed of the men who are in control of the industry.

Mr. President, I have made these few general remarks before I enter into the discussion of the sugar schedule, because I do not intend that the Republicans who are standing here in this body for a reduction of the duties in this bill shall be branded as against the protective policy. They are not; they are trying to preserve it and defend it against its most dangerous enemies. The men who to-day are demanding that the exorbitant duties in this bill be enacted are the worst enemies of the protective policy. They are trying to make it, instead of the symbol of prosperity and progress, the symbol of graft and greed.

THE DUTCH STANDARD.

Now, what about the sugar schedule? The first amendment that I have offered would strike out the Dutch-standard provision. What is the Dutch standard? We heard a good deal of talk about it yesterday. The junior Senator from Michigan [Mr. SMITH]—and I am sorry he is not here—said yesterday, with great enthusiasm and vigor, that it was the yardstick that measured the purity of the sugars of the commercial world.

I have the Dutch standard, in part at least, here [exhibiting bottles of sugar of various grades of color]. The Dutch standard is a provision which the Dutch Government established many years ago for measuring the purity of raw sugars that were imported into Holland from the West Indies, where the sugar was produced.

Mr. LA FOLLETTE. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER (Mr. PAGE in the chair). The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Paynter
Bacon	Crane	Hale	Penrose
Bailey	Crawford	Heyburn	Piles
Bankhead	Cullom	Hughes	Rayner
Beveridge	Cummins	Johnson, N. Dak.	Root
Bourne	Curtis	Johnston, Ala.	Simmons
Bradley	Daniel	Kean	Smith, Md.
Brandegee	Dillingham	La Follette	Smith, Mich.
Bristow	Dolliver	Lodge	Smith, S. C.
Brown	Fletcher	McCumber	Smoot
Burkett	Flint	McEnery	Stephenson
Burnham	Foster	Martin	Stone
Burrows	Frazier	Nelson	Sutherland
Burton	Frye	Nixon	Tillman
Carter	Gallinger	Oliver	Warner
Chamberlain	Gamble	Overman	
Clapp	Gore	Page	

The PRESIDING OFFICER. Sixty-six Senators have answered to their names. A quorum of the Senate is present.

Mr. BRISTOW. Mr. President, as I was saying, the Dutch standard for testing the purity of sugar was decided upon many, many years ago by the Dutch brokers who were importing sugars from the West Indies. Afterwards it was adopted by a number of the nations of Europe. They did not all adopt the Dutch standard, but many of them did. At that time there was no method of testing the purity of sugar except by color. It consists of 20 bottles of sugar of various colors of lightness numbered from 1 to 20.

According to this standard the lower colors represent the baser sugars, and the higher colors represent the purer sugars. This sample which I hold here in my hand is No. 20. When this system was adopted, No. 20 represented the purest and best sugar. Since then, I understand, higher numbers have been added, until we now have even lighter sugars. These samples which I have here were secured from the Treasury Department and from the Agricultural Department, and are properly sealed and stamped.

THE POLARISCOPE.

Afterwards, in the development of the sugar industry, the polariscopic test was adopted. The polariscope is an instrument which passes a flat ray of light through sugar in solution, and measures the saccharine purity of that solution. It is very accurate, and will determine exactly what foreign substance is in the sugar that is dissolved.

Since the polariscopic test was discovered nation after nation has accepted it as the most accurate method of measuring the saccharine purity of sugar, and the Dutch standard has gradually gone out of use. It has been declared time and time again that color does not measure the purity of sugar. Under the present method of manufacturing sugar by what is called the "centrifugal process" a sample may be light in color but low in saccharine quality, or it may be dark in color and high in saccharine quality. As far as I have been able to learn, there has always been a higher duty charged on the purer sugar than was charged on the lower grades of sugar; so that the natural tendency was, when color was the standard, to reduce the color so that it would come in under a lower duty, a perfectly natural thing to do. Sugars of a high degree of saccharine quality would be reduced to a dark color by mixing an ingredient like lime, or something of that kind, and come in under one of these lower numbers, thereby getting to the market at a lower rate of duty; and after they had come in, the dark color could be taken out.

This fraud—or I do not know that it should be termed "fraud," but this method of evasion—led to the adoption of the polariscopic test by the greater number of nations in the commercial world. In the phraseology of the present law we adopt the polariscopic test of measuring the amount of duty that shall be paid on sugars, and the Dutch standard is introduced into that law for the purpose of preventing the lighter grades of raw sugar coming into the market at the duty that they would come in under, according to the polariscopic test.

I have some other samples here which, with the indulgence of the Senate, I will be glad to exhibit, to illustrate what I am trying in my imperfect way to demonstrate to the Senate. This bottle contains a sample of sugar the polariscopic test of which is 90. That is a sugar that is down probably as low as 12 of the Dutch standard, or about that.

Now, in this other bottle is a sample of a sugar that is above 16. This is called "Java crystal." It is a Java sugar which is above 16 Dutch standard, and it could not come in under this law without paying the same duty that refined sugar would pay—$1.95—under the present law. It tests 97° by the polariscope. This sugar could not be imported, although it is not a refined sugar, without paying the full duty of refined sugar. The duty that that sugar would pay under our present law, if the Dutch standard was removed, would be $1.72 per hundred pounds, because it tests 97.

Mr. BEVERIDGE. What does it pay now?

Mr. BRISTOW. It would pay now, if it came in, $1.95, but it does not come in. Why does it not come in?

KEEPS GOOD RAW SUGAR OUT OF THE MARKET.

The broker in New York, when he buys the sugar, buys it upon the basis of 96° test by the polariscope. The polariscope measures the degree of purity, and you will remember that the lowest degree fixed in this law of ours is 75. If the sugar tests 75° under the polariscope, the duty is 95 cents per hundred pounds, and for each additional degree of purity there is added 3½ cents per hundred pounds until we get up to 100, which is pure sugar, and then the duty for "unrefined" pure sugar would be $1.82½, as the maximum duty on raw sugar. But 100° sugar is pure sugar. It is, in fact, refined sugar, so that the duty on refined sugar by polariscopic test, which we now have, would be $1.82½. This sample measures 97, but is above 16 Dutch standard in color, and it would not come in, because no sugar above the 16 Dutch standard can come in unless it pays the full duty. The full duty which that sugar would pay would be $1.95, because of the Dutch-standard clause. The duty that it would

pay if measured by the polariscope would be $1.72. Therefore the importer of this sugar would be penalized the difference between $1.72, the duty which it would be required to pay under the polariscopic test, and $1.95, which it has to pay under our present law, or 23 cents per 100 pounds, because it is too light to escape the Dutch-standard provision and too dark to sell in competition at the same price with refined sugar. He would therefore lose 23 cents on the 100 pounds.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Will the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I think the Senator wants to be perfectly fair in his statement in relation to that. Is it not true that that sugar, coming from Porto Rico and Hawaii, may come in free of duty?

Mr. BRISTOW. Yes; certainly.

Mr. SMOOT. The argument the Senator is making is that the American people can not have this sugar, because it pays a higher rate of duty; whereas that very same sugar can come in here, if the American people want it, free of duty.

Mr. BRISTOW. Will the Senator please wait until I reach that part of my argument, and then I will be glad to answer him.

Mr. SMOOT. That is a perfectly legitimate inference.

Mr. BRISTOW. You are anticipating what you think I am going to say.

Mr. SMOOT. I do not want to anticipate what the Senator is going to say. I am simply asking the Senator a question—whether that is not so?

Mr. BRISTOW. If the Senator will give me an opportunity, I will answer that all sugar comes in free from Porto Rico and Hawaii.

Mr. SMOOT. Therefore, this sugar that you are saying can not come in here can come in free if the American people want it.

Mr. BRISTOW. I decline to allow the Senator to draw me into a discussion that is not pertinent to the subject I am now considering.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. The Senator from Kansas declines to yield further.

Mr. BRISTOW. Now, to get back to where I was. I was discussing duty-paid sugar and not free sugar, because this is a bill, as I understand it, for raising revenue, and we are trying to agree upon a duty on the importations of sugar from countries that have to pay an import tax.

As I was saying, if that sugar came in [again exhibiting the bottle] it would come in paying a duty of $1.72 if there were no Dutch standard. In order to avoid being penalized 23 cents per hundred pounds on this sugar because it is slightly above No. 16, but which measures 97 by the polariscopic test, the manufacturer discolors it so as to make it darker than No. 16, and then it comes in as raw sugar of a lower grade. If you will examine the table of importations of sugar that the Senate Committee on Finance has furnished us, you will see that the great bulk of our importations are 95 sugar and not 96. Why? Because if it is too light they run the risk of having it held up at the port and assessed the full duty of refined sugar, and to make it certain that it will be below the No. 16 and come in without that penalty, they make it darker, and the polariscopic test is kept down for that reason. So the most of our sugar comes in testing 95 and below 16; practically all below the 16.

Mr. FOSTER. Will the Senator, as a matter of information, give the difference in sugar contents between the sugar of which he is now speaking and No. 16 Dutch standard?

Mr. BRISTOW. This has not been measured, so I can not give it. I asked the Secretary of Agriculture to furnish me a bottle tested by both methods. He was unable to do it, because these were sealed and had not been tested by the polariscope.

Mr. FOSTER. What I wish to know is whether, as a matter of fact, the sugar contents of this bright-colored sugar are not much lower than the sugar contents in that of which you are speaking?

Mr. BRISTOW. That may be. I will discuss that later.

HOW PRICES ARE GRADED.

Now, if I can get the connection without repeating too much and wearying the Senate, I said that in order to avoid the penalty of paying the full duty on refined sugar the importer seeks to get on the safe side. So he wants the sugar to be darker than the 16 and he also wants to import it below the 96 polariscopic test. Ninety-six is the standard fixed by the refiners for measuring the value of sugar. If a refiner buys a thousand tons of sugar, he contracts for that sugar at a certain rate, according to the polariscopic 96° test, say, $3.95, to use just the figures that come to my mind, for 96-test sugar. If it is over 96, he will pay an advance of one thirty-second of a cent per pound additional, as a rule. I have a contract here, which I will submit:

Sold for account of J. Dow to Adam Roe.

About 50,000 bags Cuba centrifugal sugar, June shipment by steamer or steamers to New York.

At 2.625 per pound, United States currency, cost and freight, net landed weights. Basis, six days' sight drafts against shipping documents.

Basis 96° test, adding one thirty-second cent per pound for each degree above 96° or deducting one-sixteenth cent per pound for each degree below 96° down to 94°; on sugars testing under 94°, allowance to be at rate of three thirty-seconds cent per pound for each degree down from 94°, fractions in proportion.

Buyer to provide marine insurance.

He gets one thirty-second of a cent per pound more for each degree over the 96; that is, 3⅛ cents a hundred. So the broker who imported this would pay if it was $3.95, on 96 test, $3.98⅛ for this 97 sugar. But the producer is required to pay 3⅛ cents more duty. He would get 3⅛ cents more money for the sugar from the broker, but it would cost him 3⅛ cents more duty to get it in. So he does not want to send any sugar here that tests more than 96, and he does not send it in any great amount, unless he gets caught on a lighter sugar than he intended to produce.

My contention is that to remove the Dutch standard will give us an increased revenue on the amount of sugar that we import, because it will remove the motive for the importer to reduce the grade of sugar so as to get it below 96° and No. 16 in color. If the importer did not have to have that dark color below No. 16, he could sell it in the open market for consumption, but as it is, the refiner is the only market he has. You take the importer of sugar and let him bring it in under 16, like that [exhibiting bottle], or even a little lighter than that, and he can not sell it in the American market for consumption. The people will not buy it. It is too dark.

Mr. SMITH of Michigan. They do not know just what it is.

Mr. BRISTOW. The American people do not like sugar that is too dark. They will not buy it. If there was an opportunity to market this Java crystal sugar, which is a good quality and above the No. 16 and which is very popular in England, being used there a great deal, it would find a ready market here. If there were no restrictions as to color on the importations of this light brown sugar, we would have a great deal of it coming in, to be used for the preserving of fruit and in family use, such as the Senator from South Carolina [Mr. TILLMAN] referred to yesterday, and we would get an additional duty over and above what we now get. Instead of 96° being the line drawn here for importations, we would have a great deal of 97 and 98 sugar imported, and for every additional degree over 96 we get an additional 3⅛ cents per 100 pounds duty. So there can be no question in the mind of any man who has studied this subject that the removal of the Dutch standard would give us more revenue than we now get. It can not be denied——

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. The suggestion of the Senator from Kansas that by the removal of the Dutch standard we would undoubtedly increase the consumption of this so-called "refined" Java sugar——

Mr. BRISTOW. Not refined; raw sugar.

Mr. SMITH of Michigan. With a semblance of refinement.

Mr. BRISTOW. Not a semblance; simply a little lighter color.

Mr. SMITH of Michigan. He pointed to the fact that England consumed large quantities of this sugar. I desire to ask the Senator whether the importation of that sugar into England has not had the effect of lessening sugar refining in England and has not been one of the instrumentalities to almost break it down. I do not know whether or not I am correct.

Mr. BRISTOW. I want to say this in respect to that: The importation of this sugar will give to the American people an opportunity to buy a fine light-colored sugar without paying toll to the refineries of this country when they do not want to.

Mr. SMITH of Michigan. And in competition with the American production of refined sugar.

Mr. BRISTOW. To a degree; yes.

But I want to ask if you propose to prohibit the American people from buying that quality of sugar [exhibiting bottle] under a duty of $1.75 per 100 pounds, which they would have to pay the United States Government if they desired to buy it.

Mr. SMITH of Michigan. Does the Senator from Kansas want an answer?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. I would answer that question by saying this: The American consumer gets his sugar in a refined state cheaper than in any other country in the world except England, and that to break down our domestic industry, which

has developed a refined sugar, for the mere purpose of substituting a cheaper but a very good sugar from Java would mean but a temporary benefit to the American people, because after you have thrown that discouragement into the domestic production of sugar, and have lessened the enthusiasm and the interest of our people in its development, and have frightened the capital that has been invested in it—when that has been accomplished, I undertake to say to the Senator from Kansas, the price of imported sugar from Java will be as high, nearly, as the cost of refined sugar now.

Mr. BRISTOW. That declaration is just as accurate as the Senator's statement on yesterday that the Dutch standard was the yardstick for the measuring of the purity of sugar the world over.

Mr. SMITH of Michigan. Oh, not the purity. The Senator could not have understood me to say "the purity." The purity is the polariscopic test.

Mr. BRISTOW. What was your remark?

Mr. SMITH of Michigan. The Dutch standard is the color test. It was applied long before this other test was applied as the measure of determining the kind of sugar they were buying.

Mr. BRISTOW. The RECORD will show that the Senator declared yesterday——

Mr. SMITH of Michigan. No.

Mr. BRISTOW (continuing). He declared yesterday that the Dutch standard was the yardstick that measures sugar in the commercial world, upon which commercial transactions were based.

Mr. SMITH of Michigan. If the Senator understood me to say that it was to the sugar world what the yardstick was to the mercantile world, I will not change it; but so far as its fixing a degree of purity, I do not want the Senator to understand me as saying that. I would not say it.

Mr. BRISTOW. What part of the world would you consider as the commercial world?

Mr. SMITH of Michigan. I was speaking of sugar-producing countries entirely. I had reference only to those.

I do not intend to interrupt the Senator further. I want to hear what he has to say, and I am going to listen with some profit.

Mr. BRISTOW. I was saying that the removal of the Dutch standard color test will permit the higher grade brown sugars to come in at the duty fixed by the polariscopic test, which is the one that measures their purity, and we would get more of the high grade and less of the low grade, and therefore we would get more duty.

The Senator from Michigan is alarmed, fearing that this sugar would then become a competitor of the beet-sugar producer, who produces only the refined sugar.

Mr. BEVERIDGE. Will the Senator allow me to interrupt him?

Mr. BRISTOW. Certainly.

Mr. BEVERIDGE. I want to understand the Senator's point. Do I understand it to be that he would remove the color test, which is unscientific and inaccurate, and substitute therefor the polariscopic test, which is scientific and accurate, as to the purity of sugar? Is that the whole thing?

Mr. BRISTOW. All, except, I will say, the polariscopic test is in the law. It does not require to be substituted. It is the test which we have now. I would remove the other.

Mr. BEVERIDGE. The color test is unwise, unscientific, and inaccurate, and you would leave the other, which is scientific and accurate?

COLOR TEST SERVES THE TRUST.

Mr. BRISTOW. I would remove the color test, because under the color test the sugar which is imported is dark and has to go to the refinery instead of to the public. That is all there is to it. The only purpose that the color test serves is to force the sugar which would go to the public direct, or the greater part of it, to pass through the American sugar refinery, and let that refinery take a toll of about 90 cents per hundred pounds from the American people. That is the only purpose it serves.

I will show before I get through, or at least I will endeavor to show, that it would not harm the beet-sugar industry at all or the cane-sugar industry. It would help the cane sugar of Louisiana, because it would restore the market that once existed for this high-class brown sugar in the United States which was destroyed by the incorporation of the Dutch-standard provision in the Dingley law.

Mr. President, it would not only increase our duties, but it would give the American people a sugar which is satisfactory to them, for ordinary household uses, at a cheaper price, but not at the expense of the American producer, because that sugar could not come in without paying $1.72 per hundred pounds duty to the American Government. That is the protection which the sugar producer has, whether he is producing cane or whether he is producing beet sugar.

The only party who can possibly be affected by removing the Dutch standard is the sugar refiner, because you are not removing from the sugar producer a penny of protection. He has the full protection that he always had. If the importer brings the sugar in, he would pay a higher duty to the Government than he now pays, because for every degree of purity it contains he is assessed 3⅛ cents a hundred pounds more duty to protect the American sugar producer from just that competition.

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. I want the Senator to understand that I am not asking it in any spirit of antagonism. I wish to understand the matter. The individual I am interested in is the beet-sugar grower.

Mr. BRISTOW. I am the same way, as far as the sugar producer goes.

Mr. SUTHERLAND. I want to protect him. As I understand, sugar which is colored as highly as some which the Senator exhibited here can be bleached by some chemical process, so that to all appearances it is as white and as good as the pure beet sugar which we produce in this country. Suppose you get rid of the color test and rely entirely upon the polariscopic test; that is, simply determine the saccharine contents of the sugar, the question which I desire to submit to the Senator is this:

We will suppose that the process of bleaching is gone through with, that the sugar which is bleached contains only 75 or 80 per cent of saccharine matter. When that sugar is imported into this country, of course, the experts at the port of entry can apply their test and determine that it carries only 75 or 80 per cent, and the duty is paid accordingly. It would be a low rate of duty. But when that sugar is put on sale in the grocery store, the purchaser of it, the consumer of it, has no way of applying the polariscopic test. He can only judge by appearances; and to all appearances that sugar, although it contains only 75 or 80 per cent saccharine matter, is just as good as the 100 per cent sugar. In that way, will it not operate against the beet sugar in this country? In other words, will not the purchaser of the sugar at the grocery store be deceived by the color of the sugar; and in that way will it not be brought into unfair competition with the beet sugar of this country? I hope I make myself clear to the Senator.

Mr. BRISTOW. I understand the Senator. I was anticipating that very question from somebody before the discussion was through.

I should like to inquire what protection the consumer has now from adulterated sugar? We are getting 500,000 tons from Hawaii and 230,000 tons from Porto Rico. Of course the sugar goes through the American Refining Company, but what protection have the American people from the sugar trust adulterating its sugar? It buys thousands and thousands of tons of black sugar, blacker than that a great deal [exhibiting bottle]. Why may it not bleach that sugar and put it on the market as refined sugar, just the same as you are anticipating from some foreigner? The trust could do that. Is the reason that it is not doing so because it is too honest? I do not think that anybody will contend that.

Mr. OWEN. Does the Senator mean to question the honesty of the American Sugar Refining Company?

Mr. BRISTOW. It has been questioned by a higher authority than I am. If the American Sugar Refining Company will deliberately hire subordinates by paying them a bonus every month to cheat and defraud the Government by a system of false weights, out of a million and more dollars every year, would they not, if they could, bleach sugar that costs them about a cent and a half a pound and put it on the market for $4.85 a hundred pounds?

The truth is that bleached sugar will remain white for a time, but it then loses its color, and it can not be marketed successfully. There is hardly a State in this Union that does not protect the consumer of food by pure-food laws, and we have a national pure-food law. If the American Sugar Refining Company, a broker, or anybody else undertakes to put impure sugar on the American market, there is a law which the Congress of the United States has enacted to make them answer in the criminal courts. Sugar would be no more easily adulterated by a producer in Jamaica than it would be by a producer in Louisiana. Why do not the Louisiana planters, who occasionally have sugar that measures as high as 98 by the polariscopic test, bleach it and sell it for refined sugar and escape the tyranny of the sugar trust under which they are groaning now, as the Senator from Louisiana knows?

No, Senators, that question, asked honestly, I know, by the Senator from Utah, and which has been in the minds of other Senators, is a fiction thrown into this debate by men who are anxious to have the Dutch standard retained because it pours into the coffers of the sugar trust millions of dollars a year.

WHAT DR. WILEY SAYS.

Now, Mr. President, I want to read you what some other people say about the Dutch standard. I will first read from an article by Dr. Harvey W. Wiley, of the Agricultural Department. Doctor Wiley in an article in The Forum, written some years ago, in speaking of the Dutch standard, says——

Mr. SMITH of Michigan. What year was it?

Mr. BRISTOW. This is volume 24, No. 6, The Forum, 1898:

From a strictly scientific point of view, the only objectionable feature of the sugar schedule is the Dutch standard of color—

Now, he is writing as a scientist, not as a political economist or as a legislator—

In former times, when the Dutch merchants dealt only in Java sugars, and the polariscope was not in commercial use, the color standard was a useful method of discriminating between sugars of different saccharine strength. Now it is possible to make a nearly white sugar which will not give a polariscopic reading of above 85, and a very dark one—below No. 16, in fact—which will polarize nearly 100.

Demonstrating that the Dutch standard is no longer useful as the measure of pure sugars. It was, at the time it was adopted, the best measure in existence.

Mr. FOSTER. Will the Senator from Kansas yield to me a moment?

Mr. BRISTOW. Certainly.

Mr. FOSTER. Is not that the very objection to the abolition of the Dutch standard—that you get a very low grade of sugar at a very high color, and you can impose that upon the American people as a very pure sugar?

Mr. BRISTOW. Why is that not done now?

Mr. FOSTER. I am asking if that is not the fact?

Mr. BRISTOW. I think that it is not.

Mr. FOSTER. Is it not a fact that sugar of a very low standard can be very highly colored?

Mr. BRISTOW. Certainly.

Mr. FOSTER. And that sugar will pay a very low duty.

Mr. BRISTOW. Not at all; the low standard——

Mr. FOSTER. If you abolish the Dutch standard, paying a very low duty under the polariscopic test, it can then be put upon the market and sold as a very high-grade sugar, when the people, in fact, are not buying sugar, but buying an article very low in saccharine.

Mr. BRISTOW. Let me inquire——

Mr. FOSTER. I am asking in good faith.

Mr. BRISTOW. I know; but let me inquire of the Senator from Louisiana if it is done now in Louisiana?

Mr. FOSTER. How do you mean?

Mr. BRISTOW. Do you put upon the market a sugar very low in saccharine quality, but highly colored?

Mr. FOSTER. I have simply to ask the question, and it carries with it its answer. Does the Senator know the people of Louisiana?

Mr. BRISTOW. I am just inquiring if that is not done in Louisiana?

Mr. FOSTER. Of course there is nothing of that kind done there.

Mr. BRISTOW. It is not done in Louisiana.

Mr. FOSTER. But is it not a fact that there are one or two factories, probably a larger number of factories, especially in Scotland, that highly color the very low grade of sugar, bringing it into this country, paying a very low rate of duty, and then selling it to poor people as a high grade of sugar, when, in fact, it is not a high grade of sugar?

Mr. BRISTOW. My understanding is that that is not done, because the duty is so high that it is not practicable to export sugar from Scotland to the United States. I do not believe any sugar comes from Scotland to the United States of any consequence.

Mr. SMITH of Michigan. It did come here under former legislation.

Mr. BRISTOW. It might under a 40 per cent ad valorem duty, but not since there has been a duty of $1.68 on 96-test sugar.

Mr. SMITH of Michigan. I do not think it has since the Dingley Act.

Mr. BRISTOW. Not since the Dingley Act; and it is not the Dutch standard that keeps it out, but it is the high duty on raw sugar under the polariscopic test.

Now, I will proceed. Doctor Wiley says:

It is a pitiable spectacle to see a great nation, the largest sugar consumer in the world, confiding the standard of its revenue from this great staple to an irresponsible foreign broker! The makers of sugar the world over will fill the orders received from the importers of this country with a product over or under No. 16, as may be desired. The grade of color will have no constant relation to saccharine strength. It is easy to see that there will be no burning desire among our importers to pay the differential of 12.5 cents per hundred pounds, when, by dumping a little molasses or lime into the kettle during manufacture, the same saccharine grade of sugar can be secured with a dark color, and that amount of duty saved.

It serves another purpose as well as saving the importers the duty, and thereby depriving the Government of it. It compels that sugar to go to a refinery here and pass through that refinery before it gets to the American market, and in passing through about 90 cents per hundred is added to the cost. The only result of keeping the Dutch-standard provision in the bill is to compel during the years to come the same toll to be paid by the American people to the refiners in New York that they are paying now. I want to ask the Senate of the United States if it thinks it is justified in continuing such a provision.

Now, I will continue to read from Doctor Wiley:

It is not claimed that the differential duty is for the benefit of the sugar growers in this country. Any protection afforded to them is properly given in the direct tariff, as determined by the polariscope. The injection of the Dutch color standard into the tariff bill was either a case of heredity—it having existed in former bills—or else it was due to some influence brought to bear upon our legislators. It is not probable that a company consisting mostly of lawyers, sitting in a star chamber to determine the methods of levying duties, would think of the abuses to which the Dutch standard could be subjected.

That is true; unless the legislator goes into the details by original investigation he would never notice the effect it might have. So it got in there by inheritance or by accident, as Doctor Wiley said. Now, continuing, he says:

If our people understood the unfair and unscientific discriminations imposed by the Dutch color standards, they would soon find means of abolishing them.

This paper, having been written from a scientific point of view, has nothing to do with a differential duty. The latter is solely an economic question. But we have a right to protest against an unfair, partial, and false standard for ascertaining the grade of sugars on which the differential is paid.

Doctor Wiley, as we all know, is an eminent scientist, and his word should have some weight with us upon a scientific question.

Mr. SMITH of Michigan. Mr. President, I simply want to interrupt the Senator long enough to say that that article by Doctor Wiley was written before the domestic beet-sugar industry had scarcely started at all. He did not have in mind, I believe, the changed conditions which had grown up in the sugar world. Otherwise, I hardly think he would have put the question off in the summary manner in which he did. That article was written in 1898, and we did not get well started in the beet-sugar industry until after that time.

Mr. BRISTOW. The beet-sugar industry is not affected by the Dutch standard.

Mr. SMITH of Michigan. Oh!

Mr. BRISTOW. The beet-sugar people make no low-grade sugar. They make only the refined sugar. They do not put upon the market any sugar that does not test practically 100. It is a refined sugar, and you can not destroy the market for refined sugar so as to disturb the beet-sugar industry by putting upon the market the lower grades of sugar.

You may enable the American people to buy a first-class pure sugar at a less price than refined, but when they do they get an unrefined instead of a refined sugar. For one, I speak representing a State that is producing sugar beets and beet sugar in great abundance, but while we have growing factories, I want to say that I can not feel it consistent with my duty as a Senator of the United States to say to the American people that they can not buy a good first-class pure brown sugar if they want to because I have refined sugar to sell. It is a tyranny that no free country should or would submit to, and the American people will not.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. I agree with the Senator from Kansas in that statement. The only answer to the Senator's fear is that if the American people want a cheap low-grade sugar they can get it in abundance from their own immediate territory. There is no limitation upon the right of Hawaii to send her cheap sugar here, if the American people or the people of Kansas want it.

Mr. BRISTOW. Then why do you object to removing the Dutch standard, if that is the case?

Mr. SMITH of Michigan. Because I think the commercial world has been accustomed to that standard and it operates to no disadvantage to the American consumer. Therefore I would not render the sugar world chaotic by striking out a standard that is recognized wherever sugar is produced. If it operates

as the honorable Senator from Kansas would have us believe it operates, then I think it would be tyrannical; but I do not think it does.

Mr. BRISTOW. The Senator says that he does not want to render the sugar market of the world chaotic by removing the standard of measure that exists the world over. I want to say to him that there are only 8 nations out of 45 that to-day use the Dutch standard in any way whatever, and that there is not a single one of the leading nations of Europe that has it to-day. Holland herself has abandoned it.

Mr. SMITH of Michigan. Those countries that are using it are the sugar-producing countries having customs duty and those doing business with us.

Mr. BRISTOW. They are not.

Mr. SMITH of Michigan. Oh, yes.

Mr. BRISTOW. I beg the Senator's pardon; they are not.

Mr. SMITH of Michigan. Does not the East Indies use it? Does not Cuba use it?

Mr. CUMMINS. Mr. President, I wish to make a suggestion. It is that when Senators on the opposite side of the Chamber engage in a colloquy they shall talk loud enough so that we all may hear them.

The VICE-PRESIDENT. The Chair has made that suggestion at various times.

ABANDONED BY OTHER COUNTRIES.

Mr. BRISTOW. I wish to relieve the mind of the Senator from Michigan, for I want him to vote for this amendment. I say that he is mistaken in his notion. I hope he will concede that this Dutch standard is no longer of any commercial use; that it is discarded. After having examined the tariffs of some 45 nations, I have here a list of those that use the Dutch standard and those that do not, and I propose to read it. I have here a list of the nations which do not longer use the Dutch standard in testing sugar. I might say here that Great Britain never did use it. They had a color standard of their own and used it until the polariscopic test was brought into use; and since then they have used the polariscopic test alone, just as we ought to do here. The nations that do not use it—of course a number of them used it at one time, but do not now; they have discarded it—are as follows:

Countries that do not use Dutch standard—1908:

United Kingdom, South African Union, Australia, Austria-Hungary, Belgium, Bulgaria, France, Tunis, Germany, Greece, Holland, all Dutch colonies, Italy, Montenegro, Norway, Russia, Roumania, Finland, Servia, Spain, Switzerland, Korea, Persia, Honduras, Costa Rica, Mexico, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Uruguay, Venezuela, Cuba, Haiti, Dominican Republic. (Kelley's Customs Tariffs of the World, 1908.)

None of them use the Dutch standard. Many have abandoned it. You can go to Kelley's Customs Tariffs of the World for 1908 and examine it for yourself, and you will see that no Dutch standard is used by these nations.

Mr. OWEN. Mr. President, I should like to inquire whether the business in the sugar trade of those countries is chaotic?

Mr. BRISTOW. I have not heard anything about it. I will give you the names of the eight nations that do use it, and the only nations that do. They are British India, Canada, Denmark, Portugal, Sweden, China, Japan, and the United States. I want to appeal to the Senate and ask if it proposes to retain that provision in this law which has been abandoned by every one of the leading commercial nations of the world that has heretofore used it? I think it is a very pertinent question to ask.

Mr. President, I do not want to take too much time here; but there is another observation of Doctor Wiley's that it seems to me is very pertinent, and I should like to read it. Doctor Wiley, in another article in The Forum, in volume 23, says:

By retaining the obsolete system of valuing sugars according to the Dutch standard of color, however, this difficulty is only increased.

Referring to the difficulty of harmonizing conflicting colors, and so forth, which has been disturbing the Senator from Michigan—

One hundred years ago, when the Dutch colonies produced cane sugar in a uniform manner by the same process of manufacture, the character of the sugar was rather definitely determined by its color—

That is, one hundred years ago, when all sugar was made in the same way by the old process of boiling as it was then, there was practically a uniform color. This test was then much more reliable than now—

but modern systems of manufacture have rendered such tests absolutely worthless. The retention of this standard in our customs duties is the open sesame to favoritism and every conceivable fraud.

DAVID A. WELLS'S VIEWS.

That is Doctor Wiley's statement. David A. Wells, a well-known authority, in referring to this matter, says:

What is of one color in cloudy weather may be another in sunshine, and the simple process of drying alone may cause a difference of one or more numbers in grade in any given sample of sugar. There have undoubtedly been cases where the delay contingent on holding a cargo of sugar for reexamination and resampling has, from drainage and drying, subjected the importer to a very considerable additional amount of duty.

That duty which may be saved accounts for the low-grade raw sugars coming into this country and taking a lower duty, when, if the Dutch-standard provision were removed, a higher grade would be imported, paying the higher duty. So it has a tendency to force the importation of dark and undesirable sugars, thereby compelling them to go to the refiner, making the refinery the sole market for the sugars that come in. This I have said before, and I want to repeat now—for it can not be repeated too many times—is the only purpose that the Dutch-standard provision will serve in this bill. So much for the Dutch standard.

THE DIFFERENTIAL.

I now want to discuss the second amendment. The second amendment provides that this bill shall be amended so as to substitute the words "eighty-two and a half" for "ninety," making the duty on pure 100° sugar $1.82½, instead of $1.90. It is now $1.95. The House bill as it comes to us reduces it 5 cents—from $1.95 to $1.90 per hundred. The second amendment which I have offered—and which I ask be voted on separately from the first, because they are two distinct propositions—is to take away that which is termed "the differential."

It has been alleged here with great positiveness that the differential of 7½ cents is what the refiner gets as his protection. There could not be anything more misleading. If that declaration is made by one who has studied the question, he purposely tries to mislead. To the casual observer it is misleading. What is the differential? Is it 7½ cents? What is 100 sugar as tested by the polariscope? The Dutch standard is not in this. This discussion relates to the polariscopic test only. Refined sugar is rarely 100° pure. Practically all sugar has impurities of some kind; it is not wholly saccharine, but there are some other chemical ingredients in it. Here [exhibiting] is a bottle of refined sugar. Here [exhibiting] is a bottle of unrefined sugar testing 99.85. This [exhibiting] only lacks fifteen one-hundredths of being a pure refined sugar. That [exhibiting] is refined sugar. There they are. If that [exhibiting] was 100, it would be as white as that [exhibiting], as pure as that. Of course, it could be discolored, and in its natural state it might not be quite so white, for it would not have a blue-white color, caused by passing through boneblack in the refining process.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from South Carolina?

Mr. BRISTOW. Certainly.

Mr. TILLMAN. Is the sugar, which the Senator says is refined, the natural sugar?

Mr. BRISTOW. That [exhibiting] is the natural sugar.

Mr. TILLMAN. Why is one whiter than the other?

Mr. BRISTOW. The whiter sugar is that which has passed through boneblack. That gives it what they call a "blue-white."

Mr. TILLMAN. That is refined?

Mr. BRISTOW. It is refined. This [exhibiting] has not gone through the process of refining. If it goes through the process of refining, you would have to pay about 75 cents a hundred more for it than you would now pay.

Mr. TILLMAN. What is the cost of passing it through the refining process?

Mr. BRISTOW. It costs all the way from 25 to 65 cents per hundred, depending upon what authority you cite. That is a hard thing to find out, because only the refiners know the exact cost, and it is hard to get them to tell.

Mr. TILLMAN. Still the money fills up their coffers?

Mr. BRISTOW. Still we have to pay them for it. We pay from about 75 to 90 cents a hundred for that process. Now I want to ascertain if it is worth it.

Mr. TILLMAN. I just want to ask the Senator, if he will pardon me——

Mr. BRISTOW. Certainly.

Mr. TILLMAN. I wish to ask whether or not it is possible to obtain the sugar, a sample of which he holds in his right hand—the unrefined sugar—in the market?

Mr. BRISTOW. No; because if you put this [exhibiting] on the market at the same price that that [exhibiting] is placed there, this, being slightly darker, would not sell.

Mr. TILLMAN. Still those two pay the same duty as the refined sugar does, $1.95?

Mr. BRISTOW. Certainly; the importer has to pay the same duty on this [exhibiting light bottle] that he would on that [exhibiting darker bottle]. They are both unrefined sugars and both above No. 16 Dutch standard, although one is darker than the other, but you would have to pay the same duty on both of those sugars. You would have to pay just as much on each [exhib-

iting], although there is 3° difference in their saccharine strength. Under this Dutch-standard provision the duty is just as much on that [exhibiting the low-degree light bottle] as it is on this [exhibiting the high-degree dark bottle]. This [exhibiting] does not come in, because it will not sell to the public against the white refined sugar. It is a fine-flavored pure sugar, but is discolored.

Mr. TILLMAN. Not at the same price?

Mr. BRISTOW. Not at the same price. It will not sell. This [exhibiting same bottle] does not come in, because, as I have stated, it would not sell to the public against the refined sugar because of its color; and so it has but one purchaser, the refiner.

Mr. TILLMAN. If the color test, or this Dutch standard was removed, we could get the natural sugar for three-fourths of a cent a pound less?

Mr. BRISTOW. You could get that, I think, for from 60 to 75 cents a hundred less.

Mr. SMITH of Michigan. What sugar is that?

Mr. BRISTOW. This is Java, testing 99.85.

Mr. SMITH of Michigan. These are all Java sugars?

Mr. BRISTOW. Not all of them. Here is Louisiana sugar [exhibiting a bottle]. I got that because I wanted the Louisiana Senators to feel at home.

Mr. SMITH of Michigan. Are any Michigan sugars there?

Mr. BRISTOW. No.

Mr. TILLMAN. They seem to be very much inclined to stick to the Dutch, however.

Mr. SMITH of Michigan. We have the Dutch up our way.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I understood the Senator to say that the sample to which he now refers is white sugar. Of what grade is it?

Mr. BRISTOW. Ninety-nine and eighty-five one-hundredths.

Mr. SMOOT. Does the Senator say that there is 60 cents difference between the price of that sugar and refined sugar?

Mr. BRISTOW. I said it could be sold for 60 to 75 cents per hundred less.

Mr. SMOOT. How does the Senator make that out?

Mr. BRISTOW. Because it has not gone through the process of refining, and that cost has not been added to the cost of its production.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator to the fact that whenever sugar is 96 per cent, the duty is 168½ cents, and this sample would be 3.85 per cent more, and each extra per cent above 96 per cent will cost 3½ cents. So there could not be a difference of 60 cents per 100, as the Senator says, under the present bill.

Mr. BRISTOW. The Senator is mistaken in the application. If he will wait just a minute, I will relieve his mind of the trouble it is in.

Mr. SMOOT. My mind is not troubled at all; not in the least.

Mr. BRISTOW. The Senator is talking about the duty, while I am talking about the value in the commercial market. The duty on this would be $1.82½ if it came in without the Dutch standard restriction.

Mr. TILLMAN. This is the Java sugar?

Mr. BRISTOW. It is the Java sugar.

Mr. FOSTER. Mr. President——

Mr. SMOOT. Just a minute, if the Senator will allow me, and then I will get through.

Mr. FOSTER. Certainly.

Mr. SMOOT. So long as the Senator from Kansas admits that the duty upon this is as he states it now, I have nothing more to say—not a word—because that is just exactly what I said.

Mr. BRISTOW. Certainly. There has not been any discussion as to that. This [exhibiting] would pay $1.82½, just what I say it ought to pay.

Mr. SMOOT. Where do the 60 cents come in?

Mr. BRISTOW. That is what the people pay for it when they get it and eat it and what they would save if the Dutch-standard provision were removed.

Mr. SMOOT. The Senator certainly must know that the value of sugar is based upon its saccharine content, and the market value of any sugar, whether 96 per cent or 99.85 per cent, is based upon the value of the saccharine content of the sugar. It would be exactly the same upon the sugar shown.

Mr. TILLMAN. Will the Senator allow me to interrupt him?

Mr. SMOOT. Certainly.

Mr. TILLMAN. If we are going to base the test on the saccharine content, why fool with the Dutch standard?

Mr. SMOOT. This is the polariscopic test. I will say to the Senator. I will explain the Dutch standard later. I do not want to now trespass upon the time of the Senator from Kansas.

Mr. BRISTOW. I should be glad to have the Senator explain the matter after I get through.

Mr. SMOOT. I will do so.

Mr. BRISTOW. I shall be glad to have the Senator from Utah make the explanation, and I may trouble the Senator by interrupting him when he is doing so.

Mr. SMOOT. Certainly; I shall be glad to have the Senator interrupt me at any time the Senator wishes.

Mr. FOSTER. I do not like to interrupt the Senator, because I know how embarrassing it is to be interrupted; but the sample of sugar which he has brought from Louisiana, I understand, polarizes from 92 to 96?

Mr. BRISTOW. At 92.

Mr. FOSTER. I wish to say to the Senator that the great majority of the sugars of Louisiana polarize at from 96 to 98; and I do not think the specimen he has is a fair sample of Louisiana sugar.

Mr. BRISTOW. I do not know about that. This was given to me by the Agricultural Department as a sample of Louisiana sugar. I have no other knowledge as to that.

WHAT IS THE DIFFERENTIAL?

Now, Mr. President, getting back to the differential. What is the differential? When the Dingley bill was passed we imported sugars from many countries, and all of them paid the full duty provided—$1.685 on 96° sugar. That duty was paid on all of the sugar that came in, except that coming from Hawaii, which came free then, the same as it does now.

In 1898, the first year after the Dingley law became effective, we imported 1,799,410,487 pounds of raw sugar, upon which a duty of $1.685 was paid, on the basis of the 96 test; so that the differential at that time between 96 sugar and refined sugar was 26½ cents—the difference between $1.685 and $1.95. That was the differential then. If all sugar imported had been pure sugar, the differential would have only been 12½ cents; but it was not pure sugar. Importations are based on 96 sugar; so the differential was 26½ cents.

The Dingley bill was made to fit conditions at that time. What has happened since then in the matter of the fixing of duties on raw sugars? The duty on refined sugar has not been changed; it is still $1.95. We first acquired Porto Rico, and the sugar from that country came in free to the United States. Prior to the enactment of the Dingley bill it paid $1.68¾ duty. Now it pays none; it comes in free. Porto Rican sugar has therefore been added to the volume of free sugar that pays no duty, and it is available to the refiners to purchase for whatever they can secure it for from the producer.

Next we made a treaty with Cuba, by which Cuban sugar was given a discount of 20 per cent in the duty, and then we granted Philippine sugar a 25 per cent reduction.

In the fiscal year 1908, the last fiscal year, we imported of full-duty-paid sugar from various countries 1,044,000,000 pounds, in round numbers. From Porto Rico we imported 469,000,000 pounds of free sugar; from Cuba we imported 2,462,000,000 pounds, with 20 per cent of the duty off; and from the Philippines we imported 29,462,000 pounds of sugar, with 25 per cent off.

Mr. BACON. Will the Senator please give that in tons?

Mr. BRISTOW. I have not reduced it to tons, I am sorry to say.

Less than one-third of the sugar imported into the United States paid the full duty last year. The other two-thirds came in free or with a concession of 20 or 25 per cent. When the Dingley bill was passed, it all came in full duty paid. Now but one-third of it comes in full duty paid; and there has been a reduction of 20 and 25 per cent in the duty paid on the larger portion of that which does pay a duty, and that from Porto Rico has come in free. So that the average duty paid on the sugar imported last year from countries that paid the full duty in 1898, the first year after the present law was passed, was $1.277 per hundred pounds. That is what was paid. The duty paid last year was $1.277 per hundred pounds. Ten years ago it was $1.685. The duty on refined sugar has remained at $1.95. So that the differential has been increased from 26½ cents to 67.3 cents. The differential under the law as it exists now is 67.3 cents.

The differential on the sugar from these same countries was 26½ cents, and now it is 67.3 cents. The differential has been increased 40 cents a hundred by subsequent enactments since the Dingley bill was passed. There is no escape from this conclusion, for these are figures taken from actual transactions; there is no theory about it. The table I will insert in the RECORD:

Raw sugar below No. 16 Dutch standard—Average duty collected, 1897–1898 and 1907–1908 on sugar from countries that paid a duty in 1897, and differential, figured on basis of 96° sugar.

[Imports from Senate Document 15, Sixty-first Congress, first session.]

1897–1898.

	Pounds.	Duty. Cents.	Duty paid.
Full duty paid	1,799,410,487	× 1.685	= $30,320,066.71

Average, 1.685 cents.

1907–1908.

	Pounds.	Cents.	Duty paid.
Full duty paid	1,044,198,096	× 1.685	= $17,594,737.92
Porto Rico, free	469,205,082		
Cuba, 80 per cent duty	2,462,063,894	× 1.348	= 33,188,621.29
Philippine Islands, 75 per cent duty	29,462,800	× 1.26375	= 372,336.14
	4,004,929,872		51,155,695.35

Average duty per pound, 1.277 cents.

Duty on refined, 1897	1.95
Average duty per pound, raw sugar, 1897	1.685
Average differential of refiner, 1897	.265
Present duty on refined	1.95
Present average duty, raw sugar	1.277
Present average differential of refiner	.673
Less	.265
Increase in average differential of refiner	.408
Present average duty	1.277
Differential established in 1897	.265
Necessary duty on refined to give refiners same differential as in 1897	1.542

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

Mr. BRISTOW. Certainly; I will be glad to do so.

Mr. SUTHERLAND. How does the Senator arrive at the figures which he has given that the average duty was $1.275?

Mr. BRISTOW. Take the number of pounds that come in at full duty paid, multiply that by the amount of the full duty, and that will give you the amount of duty paid on the sugar. If a million pounds come in, paying $1.685 per hundred pounds, then multiply the number of pounds by the duty, and you get the total amount of duty that is paid on that sugar, do you not?

Mr. SUTHERLAND. Does the Senator, in making that computation, add the quantity of sugar that comes in free to the quantity of sugar that pays a duty?

Mr. BRISTOW. The quantity of sugar that comes in free now from Porto Rico that did not come in free at the time the Dingley bill was passed.

Mr. SUTHERLAND. The Senator adds the two together——

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. Wait a moment. The Senator adds together the sugar which comes in free——

Mr. BRISTOW. Hold on now. Let me qualify that. I mean free from the country that paid full duty when the Dingley law was enacted.

Mr. SUTHERLAND. Yes; I understand. The Senator adds the sugar from Porto Rico——

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. Which comes in free, to the sugar which continues to pay a full duty?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. And from that he computes the average which he gives here?

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. But the sugar which comes in free from Porto Rico in the raw state also comes in free in the refined state; so that there is no differential in the sugar which comes from Porto Rico at all?

Mr. BRISTOW. But they do not happen to refine sugar in Porto Rico, and they do in New York. That is all.

Mr. SUTHERLAND. I am perfectly aware of that; but there is no differential and there can not be any differential upon Porto Rican sugar, for it all comes in free. You can only compute the differential if sugar in one condition comes in at one price and sugar in a different condition comes in at a different price.

Mr. BRISTOW. The differential is the difference between the amount of duty that was paid on raw and refined sugar. If you reduce the duty that is paid on the raw sugar and do not reduce the duty paid on refined sugar, you increase the differential between the duty on raw and refined, do you not?

Mr. SUTHERLAND. I can not agree with the Senator on his computation at all.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. The Senator's figures would be absolutely correct if the refiners did not pay more for the sugar from Porto Rico than they do for sugar from Cuba or from the Philippines. If that were so, the Senator's figures would be correct; but that is not the case. The refiners have to pay more for the sugar they get from Porto Rico and Hawaii than they do for the sugar they get from Cuba or from other foreign countries.

Mr. BRISTOW. The amount that the refiners pay for the sugar from those countries will have a bearing on their profits. That is true.

Mr. SMOOT. Certainly; and a bearing upon the differential which you are trying to make it appear is their profit. I believe the Senator wants to get at this thing fairly——

Mr. BRISTOW. Certainly.

Mr. SMOOT (continuing). And I positively state that I can show him to-day the quotations on sugar from Porto Rico and also the quotations on sugar from Cuba, and they are entirely different, as the Senator knows, because he received the absolute quotations from a firm in New York not long ago.

Mr. BRISTOW. Usually they differ.

Mr. SMOOT. Well, always.

Mr. BRISTOW. Possibly.

Mr. SMOOT. Well, Mr. President, I will take every day's quotations from the very day that Porto Rican sugar was admitted free, and there never has been a day but that the sugar from Porto Rico has been higher than the sugar from Cuba.

Mr. BRISTOW. That is usually the case, but I doubt if it can be shown that it has always been the case, though it may have been.

Mr. SMOOT. No; I stated that there was a difference. The Senator from Kansas said "sometimes," and I said there was always a difference.

Mr. BRISTOW. Oh, there may be a difference always; yes; but the purport of your argument is that the Cuban and Porto Rican gets the full benefit of the reduction of the duty that has been given the sugar from those countries, which is not true.

Mr. SMOOT. Then, Mr. President, that is just exactly what the Senator is trying to cut out here with the differential of 67 cents, as he says, whereas before it was only 26½ cents.

Mr. BRISTOW. The difference between the Senator and myself is that he is trying to figure from the basis that all of the reduction in the duty has been given to the people of Porto Rico and the people of Cuba. My contention is that it has not; and the profits of the refiners in handling Cuban and Porto Rican sugars since the reduction in duty have increased over what they had at the time the Dingley law was passed just so much as they could beat down the Cuban and Porto Rican prices. If there had been added to the price of the sugar produced by the people of these islands the full amount of the reduction in duty, the profits of the refiner would have been the same as contemplated in the Dingley law. But that has not been the result. I do not care to go into that, because it was covered very fully by the Senator from Georgia [Mr. CLAY].

Mr. SMOOT. If that is the position the Senator takes, I will state that I shall later answer both the Senator from Georgia and the Senator from Kansas and give the absolute figures.

Mr. BRISTOW. All right; we shall be very glad to have them; at least I will; and I take it for granted the Senator from Georgia will.

HAS BENEFITED THE TRUST.

Now, Mr. President, I declare that the changes in the law that have been made since the Dingley bill was passed have resulted in the increase of the differential from 26½ cents to 67$\frac{3}{10}$ cents. If the Senator from Utah had given me time, I would have proceeded to explain that the refiners only get so much of this 40 cents increase as they are able to get out of the Cubans and Porto Ricans by beating down the price of sugar. During times when the market is flooded with Cuban sugar, and there is a pressure on the part of Cuban planters to dispose of their crop, the price is reduced more than the 20 per cent, until at times during the last four years or five years some Cuban sugar has gone to Great Britain, because the American refiners were so greedy to take to themselves the entire reduction provided in the reciprocity treaty that they reduced the price so low that it was more profitable to Cuban planters to market in Great Britain than in New York. When any Sena-

tor on this floor attempts to establish the fact that by this reduction of 5 cents on refined sugar the differential is reduced from 12½ to 7½ cents, he is arguing from a false basis. In the year 1907 there were only 355,000 tons, out of a consumption of almost 3,000,000 tons, that came in and paid the full duty. The Senator from Utah would measure the profits to the refiners on the two and one-half million—no; not two and a half million, but, I should say, one and three-quarter million tons—the amount imported that paid duty.

Mr. SMOOT. The Senator was right in stating it at two and a half millions.

Mr. BRISTOW. I was speaking of the consumption, and not the importation. One and three-fourths millions is about the amount imported from countries that paid full duty formerly. The Senator figures the same differential on all sugar that is figured on the 355,000 tons that now pays full duty, and does not take into account the enormous profits which the refiners have made by beating down the price of sugars that have had the duty concessions. Take Hawaii alone: The American Sugar Refining Company has a contract with an association of Hawaiian planters by which it agrees to take all their sugar and pay the New York price the day before the sugar arrives, and they will take all that comes at that price, less $2 per ton. The American Sugar Refining Company get enormous quantities of this sugar at the market price, less $2; and that reduction amounted last year to a profit of from six to nine hundred thousand dollars.

WHO PAYS THE TARIFF?

Now, Mr. President, who pays the tariff on sugar? This is one case where the defenders of this bill will not contend that the foreigner pays the tax, for he does not. If the Senate has the patience to follow me in this, I want to demonstrate that the statement made upon this floor by the defenders of this provision that the American consuming public has received the benefit of the reduction of duty and of the admission of free sugar is not correct. There has been no substantial reduction made in the price of refined sugar as a result of this reduction in the tariff.

The claim is made that when Cuban raw sugar goes down to, say, 30 cents a hundred less because of the 20 per cent reduction in duty, half or more of that goes to the benefit of the consuming public. If the Senate has patience with me, I will demonstrate that that is a fallacy and that the American consuming public gets practically no benefit, but that every dollar that is taken from the Cubans has been paid to the refiner, and that he in turn has not yielded anything of consequence to the American consumer, and that the large beneficiaries of the tariff reductions that have been made to tropical countries have been the sugar refiners and not the public. I am free to say, from the figures I have been able to make, that the Cuban has gotten between 10 and 15 cents a hundred more for his sugar than he would have gotten if this reciprocity treaty had not been entered into; but while he is getting 10 or 15 cents, the American refiner has been getting from 18 to 23 cents. He has been getting the big end of it, and the American public has received no benefit.

CONSUMER NOT BENEFITED.

Now, I will illustrate that in this way: Take the price of refined sugar in Europe for the five years before the Cuban reciprocity treaty was entered into; that is the world price. Take the price for the same period of time on refined sugar in New York, and there is a difference. I have figures on price of sugar at Hamburg and New York that are interesting.

[Figures taken from Willett & Gray's Sugar Trade Journal, December 26, 1907, page 7, and January 7, 1909, page 8, and from Senate Document 24, Sixty-first Congress, first session, page 4.]

Year.	Average price granulated sugar, New York.	Average price granulated sugar, Hamburg.	Differ-
	Cents.	*Cents.*	*Cents.*
1899	4.910	* 2.53	2.380
1900	5.32	* 2.64	2.68
1901	5.05	* 2.28	2.77
1902	4.455	* 1.79	2.665
1903	4.638	* 2.12	2.518
1904	4.772	2.49	2.282
1905	5.256	2.97	2.286
1906	4.515	2.29	2.225
1907	4.649	2.39	2.259
1908	4.957	2.64	2.317

* Bounty, 0.32 cent. From United States Department of Agriculture, Bureau of Statistics, Bulletin No. 30, page 27.

	Cents.
Average, New York, 1899–1903	4.876
Average, New York, 1904–1908	4.829
Difference	.047
Average, Hamburg, 1899–1903	2.27
Bounty	.32
Total	2.59
Average, Hamburg, 1904–1908	2.56
Difference	.03
Average, New York, 1899–1903	4.876
Average, Hamburg, 1899–1903, including bounty	2.59
Difference	2.286
Average, New York, 1904–1908	4.829
Average, Hamburg, 1904–1908	2.56
Difference	2.269

Now, from 1899 to 1903, inclusive, a period of five years, the average price of refined sugar in New York was $4.876 per hundred pounds. The price in Hamburg, plus the bounty paid by the German Government for sugar that was exported during this period, was $2.59 per hundred pounds, leaving a difference of $2.286. That is, refined sugar was $2.286 per hundred pounds more in New York during that period than it was at Hamburg.

Mr. BEVERIDGE. With the export duty added in Hamburg.

Mr. BRISTOW. Yes; with the duty added here and the bounty added there. That was the difference in the world's market on refined sugar there and in New York. Now, during the five years succeeding, if the American consumer got the benefit of the Cuban reduction, there ought to be less difference in the price of refined sugar in New York and Hamburg than there was during that time, because the refined sugar ought to have come down here as much as raw sugar was reduced.

Now, the price of refined sugar in Hamburg during the five years from 1904 to 1908, inclusive, was $2.56 a hundred pounds, and in New York it was $4.829 per hundred pounds, making a difference of $2.269 per hundred pounds during the last five years.

The difference between the Hamburg price of refined sugar for the first five years and the last five years was 3 cents a hundred pounds. That is, it was 3 cents per hundred pounds cheaper during the later period, while the New York price of refined sugar for the last five years was 4.7 cents per hundred pounds less than for five years preceding, leaving a net reduction in the cost of refined sugar during those periods of time in the United States of 1.7 cents per hundred pounds, being the difference between the decline in Europe and here. That is what the American consuming public got as a result of free sugar from Porto Rico and concession sugar from the Philippines and Cuba—1.7 cents per hundred pounds, and that is all. The rest of it went to the Cubans and the American refiners; and nobody will claim, under the most extravagant computation, that the Cubans got more than half of it. They did not, in fact, get to exceed 12 or 15 cents per hundred pounds.

EUROPEAN SUGAR DOES NOT COME IN.

Now I want to read from a brief statement from Willett & Gray, in discussing this question. They are the leading sugar statisticians of the United States. I wrote to them and asked them for statistics showing relative prices in Europe and here, and they replied, saying:

Replying to your inquiry, you will note that the average price of granulated f. o. b. Hamburg for the last five years was 2.556 cents per pound, against New York average for the same time of 4.829 cents, a difference of 2.273 cents. In order to ship the German granulated to New York, it would have been necessary to pay not only $1.95—

I asked them this question: If there is a difference of $2.26 per hundred pounds between the price of granulated sugar in Europe and the United States, since our duty is only $1.95, it leaves a difference of 31 cents; and I asked them why it was that European sugar did not come in here when the market in New York was 31 cents higher, duty paid, than it was in Hamburg. I thought there ought to be a movement of refined sugar from Europe to the United States, because the Hamburg exporter would have 31½ cents margin to go on. So they wrote me this letter as the result of that inquiry:

In order to ship the German granulated to New York, it would be necessary to pay not only $1.95 duty, but also 20 cents, to cover freight, insurance, landing charges, etc., making the cost 4.706 cents landed, leaving a margin of only .123 cent per pound, which was not sufficient to effect sales here, because such German granulated is not as good in quality as American granulated, not being as thoroughly refined.

Which is an evidence that German granulated can not compete with American sugars at a difference of 31 cents in favor of Germany over and above our tariff, because of the expense

in shipment, as well as the depreciation as to grades. We have a cleaner, better sugar.

Now, if they can not market their refined sugar here, with a difference of 31 cents in their favor, what harm is it going to do to the American refiner to take off 7½ cents more from this duty? That would make a difference of 38½ cents, plus the 5 cents already taken off, or 43½ cents in all. Now let us see.

Mr. FOSTER. Will the Senator yield?

Mr. BRISTOW. Yes.

Mr. FOSTER. What good will it do the German sellers to take it off, and what good will it do the American people if it will not allow the German sugar to come in?

WOULD HAVE A TENDENCY TO LOWER PRICES.

Mr. BRISTOW. The American refiner will sell his sugar, in my judgment, at 7½ cents per hundred pounds less, because he is that much nearer competition. As it is now, he is in no danger of competition. There is practically no refined sugar that comes in; and if you reduce it 7½ cents per hundred pounds, it will have a tendency to reduce the price which the American consumer pays; and as far as the beet-sugar producer is concerned, it can not interfere with him, for this reason: He has the profits of production as well as the profits of refining. He gets all of the protection that goes with the $1.82½ duty on raw sugar. That is his protection against foreign competition; and there is no disposition here on the part of anyone that I have heard speak to take away from the American sugar producer a dollar of the protection which he now has; but we do want to take from the American Sugar Refining Company the graft that it now has as a result of the phraseology of this law.

Mr. OWEN. The beet-sugar producer has the inland freight in his favor, too.

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. If I understand the Senator's position, it is that he does not want to injure the beet-sugar producer in this country.

Mr. BRISTOW. Nor the cane-sugar producer in Louisiana.

Mr. SUTHERLAND. Neither one, of course. He does not desire to injure the domestic producers of sugar in this country.

Mr. BRISTOW. No.

Mr. SUTHERLAND. But he does want to strike at the American Sugar Refining Company.

Mr. OWEN. At the graft.

Mr. BRISTOW. I want to qualify that by saying that I have no desire to strike at the American Sugar Refining Company, any more than I would at any other institution that has, as a result of the phraseology of this law, an opportunity to take an unfair advantage of the commercial conditions and reap an unjust and exorbitant profit for handling a staple commodity.

Mr. SUTHERLAND. The Senator thinks the American Sugar Refining Company are obtaining an unfair advantage.

Mr. BRISTOW. Oh, certainly.

Mr. OWEN. That has been demonstrated.

Mr. SUTHERLAND. And therefore I do not think I misstate his position when I say that he does desire to strike at the American Sugar Refining Company——

Mr. OWEN. At the graft.

Mr. SUTHERLAND (continuing). But not at the sugar producers of the United States.

Mr. BRISTOW. That is correct.

Mr. SUTHERLAND. Now, if that is so, why does not the Senator offer an amendment increasing the duty on raw sugar, instead of reducing the duty on refined sugar?

Mr. BRISTOW. Because I think the duty on raw sugar is already enough.

Mr. SUTHERLAND. If that were done, then the full measure of protection would be afforded to the beet-sugar grower and the cane-sugar grower of Louisiana, and by raising the import duty upon raw sugars, the differential would be made less.

Mr. BRISTOW. I notice the point which the Senator makes.

Mr. SUTHERLAND. And if the Senator will permit me, in addition to that——

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. In addition to that, the Treasury of the United States would not suffer by reason of cutting down the duty on refined sugar. It seems to me that would be the necessary result.

Mr. BACON. If I may be permitted, I understand the proposition of the Senator from Utah to be about this: Recognizing the fact that there is now an improper exaction from the consumers which goes to the benefit of the sugar trust, the Senator from Utah would still require the consumer to labor under the same burden of injustice, but simply transfer it from the sugar producers to the sugar trust, leaving the consumers where they are now.

Mr. SUTHERLAND. I do not concede the position of the Senator from Georgia that the consumers are laboring under any disadvantage; and if the Senator from Kansas will permit me further to trespass upon his time to answer that, I will say that in the United States during the last ten years the price of sugar has not advanced materially, while it has advanced in most of the foreign countries.

Mr. BRISTOW. I beg to correct that statement. It has not advanced in foreign countries, but has declined during the last five years.

Mr. SUTHERLAND. My information was to the contrary.

Mr. BRISTOW. That is a mistake.

Mr. SUTHERLAND. I know it has advanced in some countries of Europe.

Mr. BRISTOW. What countries?

Mr. SUTHERLAND. I think I can give the reference in a moment.

Mr. BRISTOW. I would be glad if the Senator would do so, because I think he is mistaken so far as the wholesale price of sugar goes. I think I know what the Senator has in mind, and if he will pardon me, I will anticipate it by saying that he is considering the advance in the selling price of sugar to the people of foreign countries, the local consumption price.

Mr. SUTHERLAND. Precisely.

Mr. BRISTOW. Now, I want to read a statement from a letter of Mr. Secretary Wilson, of the Agricultural Department, in regard to the selling price of sugar in foreign countries.

HOW THEY TAX SUGAR IN EUROPE.

It has been stated here that the American consumer gets his sugar so much cheaper than the consumer in other countries that he is a very fortunate individual. That is true; he is a fortunate man because he lives in a country which does not impose the burden of local taxation on the necessaries of life; and when the effort is made here to compare the retail price of sugar in European countries with the retail price here as an argument in favor of this duty, it comes from a man who is either misinformed or intentionally trying to mislead—one of the two.

We have a duty here on the consumption of tobacco and whisky and other alcoholic beverages, which we levy for the purpose of raising funds to carry on our Government. It is our internal-revenue tax. The difference between our country and European countries is that they levy this tax on sugar and other such necessary commodities instead of upon the articles upon which we levy it. Sugar is of universal consumption. If we levied an internal-revenue tax upon the consumption of sugar, we would get a tremendous revenue. I do not want to believe that any Senator who occupies a seat in this great body would willfully undertake to make such a comparison in the defense of this infamous provision in the tariff law, to perpetuate which an effort is now being made. Secretary Wilson says:

The consumption duty on refined sugar was as follows: In Germany, prior to September 1, 1903, $2.16 per hundred pounds, subsequently $1.51; in Austria-Hungary, $3.50 per hundred pounds; in France, prior to September 1, 1903, $5.25 (with certain exemptions).

If you levied an internal-revenue tax of $5.25 on sugar here, I think the sugar producers would rebel, as well as the people who have to buy it. Yet that is the comparison that an effort is apparently being made to inject into this discussion.

Mr. FOSTER. Is the Senator referring to my statement yesterday?

Mr. BRISTOW. No.

Mr. FOSTER. Because I stated to the Senator yesterday that I was not by any means looking for the cause, but I was stating what the consumer paid for sugar in those countries, regardless of the cause, whether it came from the consumption tax or the tariff duty.

Mr. BRISTOW. I desire to say that I was not attributing to the Senator from Louisiana an improper motive in the statement. I inquired at the time he was speaking, if he will remember, in regard to the cause of the excessive retail price of European sugar.

Mr. FOSTER. And I told you——

Mr. BRISTOW. And he stated frankly what it was. But I have heard it said in the sugar discussion time and again that the Americans were securing sugar so much cheaper than the people in any other civilized country that they had no cause of complaint, and I want to emphasize the reason why we are getting it cheaper. It is because we do not levy these internal consumption taxes on sugar in order to get money for our Government.

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of North Dakota in the chair). Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. Certainly.

Mr. JONES. I should like to ask the Senator whether he has any data showing what the retail price is in these countries as compared with ours, after deducting what you may term "the special taxes?"

Mr. BRISTOW. I have not figured it out, because, as the Senator from Louisiana said yesterday, there are some European countries where sugar is all disposed of through certain organizations at a fixed price. The government, I believe, if it does not absolutely fix the price, influences it very largely, does it not? So that it is not the free and open commercial market which we have. The government in some countries in order to get revenue and bolster up its financial resources, requires sugar to be sold at a certain price.

WOULD HELP CANE AND BEET SUGAR PRODUCERS.

Mr. President, I have not the slightest desire that this bill shall be changed in any way so as to impose any burden upon the sugar producers of Louisiana or of the West. I believe that when sugar advances to the pure stage of 100°, it ought to pay $1.82½ per hundred pounds duty. In my judgment, $1.82½ per hundred pounds duty is all that the beet-sugar producers of this country have any right to ask the American people to give them as protection. It is true that under this law they have advanced remarkably in the amount of beet-sugar production. I am greatly pleased that that is true, because it has convinced me that beet-sugar production is practicable in the United States and that we can in time produce a very large part of the sugar we consume. The beet-sugar production has increased, since the Dingley bill was enacted, in 1897, from 45,000 tons to 425,000 tons last year.

Mr. OVERMAN. What was it the first year?

Mr. BRISTOW. Forty-five thousand tons, and during twelve years it has advanced from 45,000 tons to 425,000 tons.

As a result of this legislation a great deal of capital has been invested in beet-sugar enterprises. That being the case, it would not be right for this Government to enact any law which would seriously injure that investment.

Production of beet sugar in the United States.

	Short tons.
1897	45,246
1898	36,368
1899	81,729
1900	86,082
1901	184,606
1902	278,406
1903	240,604
1904	242,113
1905	312,921
1906	483,612
1907	463,628
1908	425,884

NOTE.—From Senate Document 22, Sixty-first Congress, first session. Letter from the Secretary of Agriculture.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. In fact the industry ought to be encouraged rather than discouraged. If it becomes so general in its productivity that we can get at home practically all the sugar we need, you will not only have solved the question of the American Sugar Refining Company's interest in the proposition, but will have stimulated an actual competitor of that company. We refine the sugar in the beet-sugar factories. We take it in as beets at one end and take it out as refined sugar at the other. If the investor and sugar manufacturer can only be given confidence enough in the stability of our policy to encourage their going into the business, it seems to me we shall have solved rather completely the question of the exactions of the refining company.

Mr. BRISTOW. I regret to say that the American Sugar Refining Company, not as a company, but the men who control it as individuals, have acquired a very large holding in our beet-sugar factories. Many of them they control. This is the first time in sugar legislation when we see the same lobbyists for the beet-sugar man and the American refiner knocking at our doors. Heretofore there has been a contest between the producer and the refiner. That contest has been removed, and now the beet-sugar men in whose factories neither the American Sugar Refining Company nor any of its agents have any holdings, are afraid to antagonize it, because of its tremendous power, and the producers of Louisiana are here working in harmony with the American Sugar Refining Company. Why? Because they are afraid of its power, and they know—and it will not be denied—that it has them by the throat, to use the term of Mr. CLARK when he was interrogating one of their representatives before the Ways and Means Committee of the House.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. The Senator from Kansas, I think, and I will agree entirely that in its inception the beet-sugar-producing industry in this country was a direct and threatening menace to the American Sugar Refining Company. Is not that correct?

Mr. BRISTOW. In its inception; that is correct.

Mr. SMITH of Michigan. That hostility continued until Cuban reciprocity was undertaken, and the threat which appeared, growing out of the possible annexation of Cuba, the greatest sugar-producing area in the world, I think, disturbed many of the independent investors in sugar plants, and the more timid sold their holdings. I do not know to whom, nor do I know who now owns them. I know the one nearest to my own home city is absolutely independent of the trust, and I know that the Michigan sugar organization has not changed a single officer or director from the time of its inception until this moment.

Mr. BRISTOW. I want to interject here, with the permission of the Senator from Michigan, that you do not have to change the directors in order to get control of the financial management of an institution.

Mr. SMITH of Michigan. Oh, well, the Senator need not tell me that. I understand that perfectly. But what I desire to do is to give this important industry in our own country such standing and stability under our law as will permit independent enterprises of that character here, and anything calculated to disturb that confidence will operate, I think, upon the mind and the pocket of the ordinary holder of sugar stock in this country; and I am very much afraid that they may be so alarmed that they will dispose of their holdings and not undertake new enterprises, and that the result will be to strengthen the hold of the one refining company upon the country.

Mr. BRISTOW. I agree with the Senator that up until the time when the Cuban reciprocity law was enacted there was a rivalry between the beet-sugar industry and the American Sugar Refining Company.

Mr. SMITH of Michigan. There was.

Mr. BRISTOW. The American Sugar Refining Company won in that contest, which was waged here with such great force and vigor, and then——

Mr. SMITH of Michigan. They did not——

Mr. BRISTOW. If you will permit me to finish—then the beet-sugar interests evidently concluded that it was wise to make up with the trust instead of to fight it. Is not that the truth in plain words?

Mr. SMITH of Michigan. The Senator says the American Sugar Refining Company won. I call his attention to the history of that occasion, with which I am very familiar; and if they won, they won after one of the most stubborn fights made in Congress in many years.

Mr. BRISTOW. That may be true.

Mr. SMITH of Michigan. They did not win with my vote, and they can not win now with my vote.

Mr. BRISTOW. That may be true. I do not want to question the judgment of Senators who supported Cuban reciprocity because they believed, first, that we were under obligation to help a struggling country, which was a very laudable purpose, and, second, that the tendency would be to reduce the price to the American consumer. The Senators who contended for the enactment of that reciprocity treaty had laudable motives, and fought for what they thought was right. The Senators who contended against it saw a different result. Time has demonstrated that the Cubans did get some benefit.

Mr. SMITH of Michigan. The Cuban planter?

Mr. BRISTOW. Yes; he got some benefit.

Mr. SMITH of Michigan. The Cuban laborer?

Mr. BRISTOW. I think the Cuban laborer got some benefit.

Mr. SMITH of Michigan. I do not think it affected his wage.

Mr. BRISTOW. I think the Cuban did get some benefit, but the American people did not. So, on the one side, those who contended for Cuban reciprocity were right, as far as Cuba was concerned; and, on the other side, as far as the American people were concerned, they were not. I think that is true.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. I was one of those who, in the House of Representatives, voted against the Cuban reciprocity bill. I believed it to be unwise then, and I believe it to be unwise now. I think the result of it was simply to take out of the Treasury of the United States somewhere in the neighborhood of ten or twelve million dollars per annum, and to benefit the Cubans very little, and to reduce the price of sugar in this country not at all.

But I want to ask the Senator one question. In the colloquy between him and the Senator from Michigan, they have been discussing the interest of the American Sugar Refining Company and the various beet-sugar companies, and I think both of them are overlooking the interest of the American farmer in the controversy. I call the attention of the Senator from Kansas to the fact that since the Dingley law went into effect in 1897 the price which the American farmer has been receiving for his beets has gone from $4.10 per ton to $5.35 per ton, and to-day the American beet-sugar farmers are receiving an aggregate of nearly $20,000,000 per annum for their product. It seems to me that they have an interest in the maintenance of this duty as well as the factory people.

WOULD NOT TAKE A CENT FROM THE FARMER.

Mr. BRISTOW. I want to impress now upon the Senate that there is no disposition here to take from the American sugar-beet farmer a penny of his reward. There is no disposition here to disturb or in any way injure the American beet-sugar producer—none whatever. I do hope that the Senators who feel it their duty to defend this bill will defend it from the standpoint of the desirability of the amendments that I have offered. I am not disturbing, by these amendments, the American sugar-beet producer. I am helping him, as I think I can demonstrate to the Senator from Michigan; and if I can demonstrate it to him, I hope the amendments will be adopted.

Mr. SUTHERLAND. Will the Senator permit me one further remark?

Mr. BRISTOW. Certainly.

Mr. SUTHERLAND. I wish to say to the Senator from Kansas that, in my judgment, if this duty is cut from $1.95 to $1.82½ per hundred, the burden of it will fall upon the men who are producing sugar beets in this country, because I do not believe for one moment that the factories will sacrifice their profits, but I believe they will simply say to the sugar-beet farmers of my State and of the other States, "the duty upon sugar has been cut from $1.95 to $1.82½, and we will have to cut down the price we are paying you for your beets;" and the ultimate result of it will be that the sugar-beet farmer in this country will bear the burden, and nobody else.

Mr. BRISTOW. Mr. President, that is the fallacious argument that is always made in regard to discussing a slight reduction in these duties. I have great respect for the Senator from Utah and his judgment on almost any subject. But before I forget it, I wish to continue my remarks relating to the statement which the Senator from Michigan made—that is, that the reduction of this duty 7½ cents per hundred pounds would destroy the confidence of the American investor in the stability of the American beet-sugar enterprise.

Mr. SMITH of Michigan. I do not say it would; I say it would have a tendency to do so.

Mr. BRISTOW. I want to ask the Senator if he does not think that it would be a great deal better for the American sugar-beet producer to stand independent and alone and not contend against legislation which is not directed at him, but to weaken the power of the greatest enemy that he has in American commercial life—the sugar trust?

Mr. SMITH of Michigan. Mr. President, I should like to answer that.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Michigan?

Mr. BRISTOW. Certainly.

Mr. SMITH of Michigan. The American beet-sugar producer is very keen to keep this market, one of the greatest markets for sugar in the world. He is very keen not only to get it but to hold it. With the acknowledged character of our soil for the production of sugar beets, nothing in the world can prevent the growth and development of that industry to the maximum capacity of our people to consume except a lessening of confidence in the stability of the governmental policy.

The Senator from Utah says that this burden will fall upon the beet growers. I wish I could take that same view for the purpose of agreeing with my distinguished friend from Utah, whose judgment I always respect. But I hardly believe that the beet-sugar manufacturer is in a position to cut down the beet grower very much. If you threaten the sugar-beet grower with a reduction of price you will drive him out of that business entirely, because we have to humor and coax the beet grower now to get him to devote his attention to that crop at all. There are only certain classes of our people who occupy themselves with the cultivation of sugar beets. The independent factory that I spoke of at Holland, Mich., in my old congressional district, has a Dutch element in the population that have taken quite readily to the cultivation of sugar beets, but I hardly believe that the farmer can be made to compensate for this reduction in the price of his beets. I rather fear that, not being able to put it upon him and not being able to get it from any other source, the man who has his all in that business will get out of it to the best possible advantage to himself, even if he has to do the unholy thing of parting with it to the American Sugar Refining Company, his only antagonist.

Mr. CLAPP. Will the Senator from Kansas pardon an interruption?

Mr. BRISTOW. Certainly.

Mr. CLAPP. This is a matter we are all vitally interested in. I fully agree with the Senator from Michigan that whatever happens, the beet-sugar makers can not load the burden on the farmers. The difficulty with the beet-sugar industry is to get the beets, and the industry is in no position to punish the farmers. Go through the record of the beet-sugar factories that have failed and the record time and again is that they failed because there were no beets. The Senator from Michigan will agree with me, will he not, that there can be but two possible competitors to the beet-sugar manufacturer, the American Sugar Refining interest, whatever it may be, and foreign sugars?

Mr. SMITH of Michigan. Yes.

Mr. CLAPP. Then before this debate closes I would like to have the Senator from Michigan, or some one else who is opposed to the view of the Senator from Kansas, analyze and answer this question.

The Senator from Kansas has shown that the present price of European sugar is 31 cents less than the New York price and we get no foreign refined sugar. So clearly reducing this differential as proposed by the Senator from Kansas, it would seem to me would still leave a difference that would prevent the coming in of foreign sugar in competition with the American beet-sugar manufacturers.

If that is true, what is there in the proposition of the Senator from Kansas that gives the American sugar-refining interest any advantage over the beet-sugar producers which it does not have to-day? On the contrary, if it had any effect on the American sugar-refining interest, would it not lessen the power of that force in its competition with the beet-sugar industry? Before this debate ends I will be glad to have the Senator analyze and answer that question. I ask the pardon of the Senator from Kansas, yet I realize that what the Senator from Kansas wants is a discussion of these questions.

Mr. BRISTOW. Certainly; I have no objection.

Mr. CLAPP. I realize that it does not embarrass him to be interrupted.

Mr. BRISTOW. Right on that point I want to continue to read from Willett & Gray, because it has a bearing upon this immediate phase of the discussion in regard to the amount of refined sugar that was imported from Europe. Continuing, they say:

In the years 1901 and 1902 the difference in prices of German and American granulated was greater, say, 2.79 cents and 2.67 cents, when considerable refined was shipped to the United States from Europe, amounting to 39,274 tons in 1901 and 19,003 tons in 1902, against only 1,257 tons in 1908.

During those years—1901 and 1902—the German Government was paying a bounty of 32 cents per hundred pounds on exported sugar. The difference then between the New York price of refined sugar and the Hamburg price of refined sugar—and I should like the attention of the Senator from Michigan to this——

Mr. CLAPP. We lost the date.

Mr. BRISTOW. In 1901 and 1902. At that time the German Government was paying 32 cents per hundred pounds bounty on exported sugar, and the difference in German sugar in Hamburg, duty paid, and American sugar in New York was for those two years 72 cents and 84 cents per hundred pounds. That differential was so great that it induced some foreign sugar to come here. So it may be taken as a matter of fact that the American sugar producer has at least a 50 cents per hundred pounds protection over and above the $1.95 duty against the importation of refined sugar from Germany. It can not possibly affect the importation of refined sugar to reduce this duty 7½ cents.

Now, Mr. President, as to the protection of $1.82½ per hundred pounds——

Mr. FOSTER. Will the Senator let me ask him a question?

Mr. BRISTOW. Certainly.

Mr. FOSTER. Was there not at that time and during those years a countervailing duty by which all bounty-paid products coming to this country had to pay about one-tenth?

Mr. BRISTOW. I do not remember.

Mr. FOSTER. I think you will find that to have been the case.

Mr. BRISTOW. That would not affect the case any, because the difference in cents was 72 and 84 in the selling prices. Whatever the duty was, it would not have affected the price here.

Mr. FOSTER. I understood at that time there was a differential of 12½ cents, and in addition to that there was one-tenth of 1 per cent as the countervailing duty upon sugar coming from bounty-paid countries.

Mr. BRISTOW. If the Senator will permit me, I am not speaking of per cents of duty, but of the actual commercial difference in the quotations. The quotations in New York were 72 cents higher than the quotations in Hamburg, plus the duty of $1.95.

Mr. FOSTER. But not plus the differential.

Mr. BRISTOW. No; not plus the differential, but plus the duty. With that 72 cents margin it did not come in in any appreciable quantities.

Mr. President, I have continued this discussion longer than I intended, but I want to deal, before I quit, with another feature of it, and that is the Louisiana cane-sugar producers. There is no desire here in any way to injure the sugar production of Louisiana.

The greatest enemy, as the Senator from Michigan has said, of the sugar producer is the sugar trust, because it wants to buy the sugar after it is produced, put it through the process of refining, and then sell it to the American people for a very large margin, and because of its organization and its power over the commerce of the country as it relates to sugar it has practically acquired a monopoly of the sugar business. It gets a very large part of the sugar that comes from Cuba. It gets nearly all of that which comes from Hawaii. It gets the most of that which comes from Porto Rico. It gets the sugar that comes in free and under the concessions. The independent refiner has not been so successful, although some of them are getting a foothold in Cuba.

In Louisiana the sugar is sold to the American refiner very largely—probably 90 per cent of it, is it not?

Mr. FOSTER. About 67 per cent.

Mr. BRISTOW. I understood Mr. Colcock to say about 90 per cent.

POWER OF THE TRUST.

To show the power of the sugar trust over the sugar market, I want to read from the testimony of the representative of the Louisiana sugar producers before the Ways and Means Committee. His replies were in response to questions asked by Mr. UNDERWOOD:

Mr. UNDERWOOD. Isn't it a fact that the sugar raised in Louisiana, the cane sugar, is practically all refined by the American Sugar Refining Company?

Mr. COLCOCK. Not all of it. The trade takes plantation sugar over 16 Dutch standard for direct consumption.

Mr. UNDERWOOD. I am talking about what is refined, not what the trade takes in brown sugar, or what is refined, not what the referring to sugar that is actually refined. I am Sugar Refining Company practically consume or refine all of the cane sugar that is refined in this country?

Mr. COLCOCK. The cane sugar produced in Louisiana?

Mr. UNDERWOOD. Yes.

Mr. COLCOCK. That is a question. There is only one other refinery who buys that sugar, and that is the so-called "Henderson Sugar Refinery," and the proportion of their purchases to that of the American Sugar Refining Company is about 1 to 8.

Mr. UNDERWOOD. In other words, the American Sugar Refining Company refined about 90 per cent of it?

Mr. COLCOCK. Of what goes into the pot—is melted.

Mr. UNDERWOOD. Is not the value of the cane sugar in Louisiana, the price of it for refining purposes, practically fixed by the American Sugar Refining Company and not by the markets of the world?

Mr. COLCOCK. I should say absolutely; not practically, but absolutely.

Mr. UNDERWOOD. Absolutely fixed by the American Sugar Refining Company?

Mr. COLCOCK. Absolutely.

Mr. UNDERWOOD. Therefore, isn't it a fact that last year the Louisiana sugar producer sold his sugar to the American Sugar Refining Company at a price largely below the world's price, with the tariff duties added?

Mr. COLCOCK. Not only last year, but to-day.

Mr. UNDERWOOD. Please state to the committee how much the difference was between what you sold your sugar to the American Sugar Refining Company for and the world's price, with the duty added.

Mr. COLCOCK. In Hamburg, on Thursday of last week, the quotation for sugar was 4.16 cents. The New York quotation on our board for 96 test sugar was 3.94 cents. The price paid by the American Sugar Refining Company for very nearly all of the sugar offered that day on the basis of 96 test was 3.62½ cents.

From this testimony it appears that the Louisiana planters sold their sugar for 31½ cents less than the New York price.

Mr. SMITH of Michigan. Will the Senator tell us how he is going to remedy that discrepancy?

Mr. BRISTOW. If the Senator will permit me, I will get to that pretty soon. If I do not, I ask him to call my attention to it.

Mr. SMITH of Michigan. If you can not remedy it by bringing equality, I am sure you do not want to make it worse by any course you may pursue. I am positive of that.

Mr. BRISTOW. Mr. President, I do not want to proceed to read here, when Senators who are most interested pay no attention.

Mr. OWEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crawford	Hughes	Perkins
Bailey	Cullom	Johnson, N. Dak.	Piles
Borah	Cummins	Johnston, Ala.	Rayner
Bourne	Curtis	Jones	Root
Bradley	Daniel	Kean	Scott
Brandegee	Dick	La Follette	Shively
Briggs	Dillingham	Lodge	Simmons
Bristow	Dixon	McEnery	Smith, Mich.
Brown	Dolliver	Martin	Smith, S. C.
Burkett	Elkins	Nelson	Stephenson
Burnham	Fletcher	Nixon	Tallaferro
Burrows	Flint	Oliver	Warner
Burton	Foster	Overman	Warren
Chamberlain	Frye	Owen	Wetmore
Clapp	Gallinger	Page	
Clark, Wyo.	Gamble	Paynter	
Clay	Gore	Penrose	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present.

Mr. BRISTOW. For the benefit of the Senators who were out when I began reading this testimony, I will state that the price of raw sugar, as shown by this evidence of Mr. Colcock, who represents the sugar producers of Louisiana, was not the world price plus the duty, but 31½ cents a hundred pounds less than the world price plus the duty; and Mr. UNDERWOOD, of the Ways and Means Committee, was interrogating Mr. Colcock as to the reasons for that.

Mr. UNDERWOOD. Then the Louisiana sugar planter and producer, by reason of the sugar trust being the largest purchaser in the American market, does not receive the full benefit of the tariff under the Dingley law?

Mr. COLCOCK. By no means. I have explained how much we get of it. The Dingley rate is $1.68⅓, but owing to this concession to Cuba of 34 points, we have to sell on the basis of what the American refiner and the refiners in general—I do not speak of the American Sugar Refining Company alone, but all of the American refiners pay the same price—practically, for the sugars, based upon the Cuban value. Porto Rico, for instance, sends her sugar in free. She does not get $1.68⅓ protection, but she gets about $1.34, probably a little more. But the whole rake-off does not end. They rake off three-sixteenths to five-sixteenths of a cent more, on the ground that they have to transport the sugar to New York and melt it there; so the price they pay us is three-sixteenths of a cent, on the average, under the Cuban price. Last year, owing to the panic, they increased that rake-off. This year they have increased the rake-off again.

Mr. UNDERWOOD. And the cane-sugar producer of this country is absolutely in his hands and dependent upon them to fix the price for the market.

Mr. COLCOCK. They are the best buyers that we have.

Mr. UNDERWOOD. And you could not sell the product unless you sold to them?

Mr. COLCOCK. That I am not prepared to say.

Mr. UNDERWOOD. Is not there very little refined sugar imported into this country in comparison with the sugar below the 16 Dutch standard or molasses?

Mr. COLCOCK. There would be no reason to import it, and lose money on it.

Mr. UNDERWOOD. Are the importations of refined sugar very small?

Mr. COLCOCK. Very small.

So that there is practically none now imported. On page 3264, referring to this matter, Mr. CLARK, of the Ways and Means Committee, asked Mr. Colcock this question:

Mr. CLARK. Another thing, the difference between the cane-sugar men and the beet-sugar men is that you have nothing on top of earth to do with this differential on refined sugar, and they have a differential on refined sugar plus the tariff that you get on the raw sugar?

Mr. COLCOCK. That is correct.

That is a very important point in considering the beet-sugar industry of the United States. I want the Senators who are interested in the beet-sugar industry to bear that in mind. The beet-sugar producer gets the profit of production the same as the Louisiana planter gets it; and, in addition to that, he gets the profit of refining. His are the profits of both processes. The Louisiana planter, with his present facilities, can not turn out refined sugar; he sells his sugar raw. It then goes through the process of refining, which adds about 90 cents to its selling value, and that 90 cents, with whatever profit it represents, the beet-sugar producer receives for his product. So he gets both the profits of production and of refining. Therefore, since he produces refined sugar, sugar grading 100, he gets the top price for his product. Under the provisions of the bill as amended, he will get a protection of $1.825 per hundred pounds. In my judgment, that is ample protection.

The American people ought not to be required to pay a higher protection on a commodity of universal production like this than $1.825 per hundred pounds. If sugar can not be successfully produced with that margin, then we had better go into some other line of business and buy our sugar, instead of producing it. But I want to say that it can be produced with great profit in that part of the United States that is adapted to beet-sugar production.

Continuing, Mr. Colcock says:

Mr. CLARK. That is their situation?

Mr. COLCOCK. And I do not want to hurt them; they are our neighbors.

Mr. CLARK. That I understand; that is the difference in the situation. What is the reason you do not start refineries?

Now, I want to call the attention of the Senate to this:

Mr. COLCOCK. Because we are afraid.

A very frank and truthful statement—

Mr. CLARK. Afraid of what?

Mr. COLCOCK. Afraid that when we come to sell the sugar, not to the American Sugar Refining Company alone, but the people who refine sugar independently also, will undersell us wherever we try to deliver our goods.

Mr. CLARK. A cutthroat game?

Now, continuing, Mr. PAYNE, the chairman of the committee, asks Mr. Colcock this question:

The CHAIRMAN. I would like to ask why you do not refine this sugar? I understood you to say that you are afraid. What are you afraid of?

Mr. COLCOCK. Suppose we put, say, $1,000,000 into a refinery; we would have to have $1,000,000 of working capital besides. Now, then, we begin to sell the sugar, selling it to a company at Vicksburg, say, at 5 cents a hundred under the price offered by the American Sugar Refining Company—

This is a Louisiana association, and he is speaking of the Vicksburg, Miss., market, which is a short distance away. Mr. Colcock continues:

Then they offer to sell it at 10 points lower; then the other company cuts them 10 points, and so on; and as there are only about 28 points that can be possibly cut, in two days we would be out of the game altogether.

The CHAIRMAN. All you are afraid of is the competition of the refining companies?

Mr. COLCOCK. Undoubtedly; we are afraid of that.

The CHAIRMAN. I understood you to say, in reply to a question by Mr. UNDERWOOD, that there had been a time when you did not get a fair price for sugar from the refining company?

Mr. COLCOCK. We did not get it last year, nor this year.

The CHAIRMAN. Not this year, but you did get it last year?

Mr. COLCOCK. No; we did not last year. There was a reason for it last year, but there is no reason for it this year.

Mr. President, I can not understand why the Louisiana sugar producers are here contending against legislation which will take from this powerful monopoly a part of the resources by which it has crushed competition and reduced the price of their sugar, according to the statements of the secretary of the association, from 30 to 40 cents a hundred pounds below the world's market——

Mr. BACON. Mr. President, will the Senator permit me to ask him a question for information?

Mr. BRISTOW. Certainly.

Mr. BACON. The Senator has brought to the attention of the Senate the testimony of an officer of that association, from which it appears that the sugar trust—if I may so term it—secured the Louisiana crop at a less price than it was worth and a less price than was paid for it at other times. The question I desire to ask the Senator, if he has made the investigation, is whether, at the time that the sugar trust were thus getting raw sugar at a cheaper rate, it reduced the price of refined sugar or not?

FIXES THE RETAIL PRICE.

Mr. BRISTOW. I have not the price of refined sugar at that particular date; but the price of refined sugar during the last five years since we have had free sugar from Porto Rico, sugar from Cuba at a 20 per cent reduction, free sugar from Hawaii—which has increased from 230,000 tons ten years ago to 540,000 tons last year—and sugar at a 25 per cent reduction from the Philippines, during that period, with this tremendous volume of free and reduced duty sugar coming in, the reduction in the price of refined sugar to the American consuming public has been but 1.7 cents per hundred pounds, and during that time the trust has driven down the price of raw sugar in Louisiana and has driven down the price of sugar in Cuba so as to absorb the entire 20 per cent itself. They have been getting the sugar from Hawaii at a reduced price, which reduction alone yields them, net, about $700,000 a year; and now, when we undertake to take from this bill the provision upon which they have built this tremendous power, the strange thing is that those who represent the beet-sugar industry in the United States and the cane-sugar producers of Louisiana come here and contend against it. There is, in my humble judgment, but one answer, and that is that they are weak and are afraid to antagonize this tremendous commercial power.

Mr. President, does this power rest only upon the fixing of the price of the raw sugar which it buys? We will hear what Mr. Colcock has to say in regard to that. I read from page 3262 of the tariff hearings:

Mr. BOUTELL. And I presume, from your evidence to the effect that the refiner dictates the price which they shall pay for the raw material, that they also dictate the price which the jobber shall pay for refined sugar?

Mr. COLCOCK. Not only that, but they also tell him how much he shall sell it for.

They fix the price which the Louisiana planter must accept for his product; they fix the price which the jobbers shall pay to them; and then, according to this testimony, they fix the price that the jobber shall sell it for. Is there a Senator on this floor who believes that it is to the interest of the American people to perpetuate such power in the hands of any one institution over a great staple of life's food? I again declare that the only possible effect of the keeping in of the Dutch-standard provision is to perpetuate that power.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. Certainly.

Mr. BORAH. Do I understand the Senator from Kansas to say that the effect of the Dutch standard was to perpetuate the power of the corporation of which he spoke?

Mr. BRISTOW. Yes.

Mr. BORAH. I do not want to have the Senator digress from the course of his argument, but would he state briefly why that is true, because, to my mind, that is a very interesting feature of this discussion?

Mr. BRISTOW. The sugar of 16 Dutch standard is so dark a sugar that it can not find a market in the United States except to the refiner. So that when the importer of sugar comes to this great market to dispose of his product, he finds but one purchaser, the refiner, because he can not bring sugar here that is light enough to sell in the open markets to the consumer. So he is compelled to take it to the refiner. The refiner purchases it, puts it through the process of refining, adds about 90 cents per hundred pounds for that operation, and then sells it to the American public. The effect of the Dutch standard is to confine the market for dark sugars or for raw sugars from abroad to the refiners only. Take it away, and they could bring in the product of their factories, if it was high grade, and sell it in the open market, paying the duty that is fixed upon raw sugar. Is that plain?

Mr. BORAH. I was not intending to interrupt the Senator further.

Mr. BRISTOW. I am glad to be interrupted.

Mr. BACON. I want to suggest to the Senator that he stated the matter very much more elaborately when he went over the ground before, and in reply to the Senator from Idaho, he has failed to state one material fact, and that is, when it passes the Dutch standard, even though it may be very low in degree as compared with the refined sugar, it has to pay the duty of the full refined sugar. That is the important fact.

Mr. BRISTOW. Yes; it pays the full duty of refined sugar. I will not go into it elaborately, because I have already done that. Now, continuing:

Mr. BOUTELL. So that there is then a combination which fixes the price which the jobber charges the retailer?

Mr. COLCOCK. A combination in the refining industry; yes.

Mr. BOUTELL. So that all retailers that buy their sugar, buy it at a uniform price, that is the same grade of sugar?

Mr. COLCOCK. Well, yes; practically.

Mr. UNDERWOOD. In other words, the American Sugar Refining Company dictates the price at which you shall sell your sugar to them, and also dictates the price at which the jobber shall sell the sugar to the public?

Mr. COLCOCK. They do; but they do not tell us that we have to sell it to them; they say we can sell it to somebody else.

Mr. UNDERWOOD. But you are bound to sell it to them because you have no other purchaser, so that they dictate the price to you at which they buy and they dictate the price to the jobber at which he shall sell?

Mr. COLCOCK. That is my impression; yes.

Mr. BOUTELL. So that the dictation with reference to this material goes on down until it leaves the hands of the retail dealer?

Mr. COLCOCK. It looks to me that way, Mr. Boutell.

Mr. President, something has been said in regard to who would bear the burden of this reduction of 7½ cents per hundred on refined sugar, whether it would be the beet farmer or the refiner. The Secretary of Agriculture has furnished me a statement here in which he gives the average number of pounds of sugar extracted from a ton of 2,000 pounds of beets in the various States of the Union, and then averages our entire production. According to the Secretary of Agriculture, we get out of a ton of 2,000 pounds of beets 314.8 pounds of refined sugar (1908–9), which sells for about 5 cents a pound, making a total of about $15.70 for the sugar taken from a ton of beets. The average price of beets is about $5 per ton.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. I should like to have the Senator again state how much sugar they get out of a ton of beets.

Mr. BRISTOW. The Secretary of Agriculture, in a statement that I received from him this morning, says that the average in the United States in the year 1908 was 316 pounds.

Mr SMOOT. Mr. President, in Senate Document No. 22, on page 14, the Secretary of Agriculture, Hon. James Wilson, says

that the average extraction of sugar based on the weight of the beets for 1907, 1906, 1905, 1904, 1903, 1902, and 1901 was 11.6 per cent, or 233 pounds of sugar from a ton of beets.

Mr. BRISTOW. The Senator is massing a number of years. I was giving it for the year of 1908.

Mr. SMOOT. I will take last year, the yield of which was the very highest that is known; and the Secretary of Agriculture says also on the same page that the per cent was 12.47, or 249 pounds.

Mr. BRISTOW. It is 336, according to the statement which I have from the Secretary, received from him this morning, for the same year.

Mr. SMOOT. There is certainly something wrong——

Mr. BRISTOW. There may be——

Mr. SMOOT (continuing). Because I know that beets do not yield that much; and here is the Secretary's own statement, which every Senator has upon his desk.

Mr. BRISTOW. I will put this in the RECORD, and the Senator can have that out with Secretary Wilson.

Mr. SMOOT. I have the Secretary's own statement. Is the letter which the Senator has signed by Secretary Wilson?

Mr. BRISTOW. I beg the Senator's pardon. I will put this in the RECORD, and I will put the Secretary's letter in if the Senator wants me to do so; or, if he does not, I will pass it over to him and he may examine it.

Mr. SMOOT. I do not ask that. I ask whether Secretary Wilson signed that letter stating that last year there were some three hundred and odd pounds of sugar extracted from a ton of beets? That is a simple question, and the Senator can answer it.

LETTER FROM SECRETARY WILSON.

Mr. BRISTOW. I will read from the Secretary's statement. He says:

> In compliance with the request in your letter of the 20th instant, I have the honor to send you herewith three statements showing for each of the last ten years (1) the price of raw sugar in Hamburg, Magdeburg, Prague, and Paris; (2) the price of raw sugar in New Orleans; and (3) the average extraction of sugar per ton of beets in the various beet-producing States.
>
> That letter is signed "James Wilson, Secretary," and to that letter is attached this table:
>
> DEPARTMENT OF AGRICULTURE,
> OFFICE OF THE SECRETARY,
> *Washington, D. C., May 24, 1909.*
>
> DEAR SIR: In compliance with the request in your letter of the 20th instant, I have the honor to send you herewith three statements showing for each of the last ten years (1) the price of raw sugar in Hamburg, Magdeburg, Prague, and Paris; (2) the price of raw sugar in New Orleans; and (3) the average extraction of sugar per ton of beets in the various beet-producing States.
>
> The European prices, except for Magdeburg, have been compiled from trade papers; the Magdeburg price is derived from the official sugar statistics of the German Empire. The internal-revenue duty on sugar in Germany, Austria-Hungary, and Paris is collected on sugar after it has been refined, and is consequently not included in the price of raw sugar.
>
> New Orleans prices refer exclusively to the period of four months, November to February, inclusive, during which from 80 to 85 per cent of the total output is marketed.
>
> The yield of sugar per ton of beets shown for 1899–1900 was derived from the census returns; for 1904–5 and subsequent years, from annual reports of this department, entitled "Progress of the beet-sugar industry in the United States;" for intervening years, from the Willett & Gray's Sugar Trade Journal.
>
> Discussion as to the cost of the production of beet sugar has appeared frequently in the reports on the progress of the beet-sugar industry. The latest statement is contained in the report for 1907, pages 13–16. A marked copy of that report, together with an article from the Yearbook for 1906, entitled "Methods of reducing the cost of producing beet sugar," has been mailed to you, under separate cover.
>
> Very respectfully,
>
> JAMES WILSON, *Secretary.*
>
> Hon. JOSEPH L. BRISTOW,
> *United States Senate.*

Average yield of sugar per ton (2,000 pounds) of beets in the principal beet-growing States.

[Pounds.]

Year.	California.	Colorado.	Idaho.	Michigan.	Nebraska.	Utah.	Wisconsin.	Other States.	Total United States.
1899–1900	244.4	(*)	(*)	163.7	(*)	(*)	(*)	184	205.7
1900–1901	205.4	219.7	.....	210.7	146.4	219.7	.....	153.6	212.1
1901–1902	216	219.7	.....	211.2	214.7	217.4	207.1	207.9	214.4
1902–1903	248.3	244.7	.....	212.8	215.6	225.9	204.1	221	231.8
1903–1904	240.4	215.9	219.5	229	253.4	236.5	215.7	233.1	230.5
1904–1905	314.8	312.8	297.6	302.6	301.6	295.4	290.8	313	306.6
1905–1906	345.4	294.2	289.4	313	240	280.6	300	315.6	305.6
1906–1907	334	294	338	290	274	290	272	288	298
1907–1908	339	308	336	302	(*)	326	302	302	316
1908–1909	353.2	277	316.8	342.2	(*)	282	334.4	304.4	314.8

* Not separately shown.

(Secretary Wilson's correction later of this table found at end of remarks.)

Mr. SMOOT. Then the Secretary says, does he, that the average extraction of sugar from beets in the United States is three hundred and some odd pounds of sugar to the ton?

Mr. BRISTOW. Three hundred and fourteen pounds for the years 1907 and 1908, 298 pounds for the years 1906 and 1907, and 306 pounds for the years 1905 and 1906, and so forth.

Mr. SMOOT. I can now see very plainly from the statement what the Senator means. The Senator means that it is the average sugar in the beet; but practically you do not get all the sugar that is in the beet. Here is the statement of the Secretary: He says that the average sugar in the beets for the year 1908 was 15.74, which would be the same, perhaps, as the figures the Senator has there; but the average amount of sugar extracted, based on the weight of the beets, is only 12.47 per cent for that same year. The Senator certainly, if he knows anything about the extraction of saccharine from beets, knows that it can not be all extracted. Therefore he has started to figure upon the sugar content of the beets, and not upon the sugar extraction, and where will it take him?

Mr. BRISTOW. If the Senator will curb his impatience for a moment, I will read this letter again.

Mr. SMOOT. I ask the Senator if the statement that I have made is not correct?

Mr. BRISTOW. It is not.

Mr. SMOOT. Well, then, I will let the statement of the Secretary of Agriculture say whether it is right or whether it is wrong.

Mr. BRISTOW. I am willing to leave it to him; and the Senator can go over and discuss this with him at his leisure. If the Senator from Utah will note, the Secretary says:

> The average extraction of sugar per ton of beets in the various beet-producing States—

Was the figure given. I do not know whether those figures are right or not. The Secretary of Agriculture has given them to me over his signature, and I received them this morning.

Mr. SMOOT. I have here the Senate document containing the statement of the Secretary of Agriculture.

Mr. BRISTOW. Now, Mr. President, since, according to the Secretary of Agriculture, there were for the years 1907–S 316 pounds of refined sugar extracted from a ton of 2,000 pounds of beets, which sold at about 5 cents per pound, it shows that the net value of the sugar extracted from a ton of beets was $15.80. The factory paid on an average about $5 a ton, a little more last year—I think $5.30 a ton—making the profits of the manufacturing and handling business about $10.50 per ton. I take it for granted that in States adapted to the culture of beets there is ample profit, and that this slight reduction of 7½ cents per hundred pounds will certainly not close any beet factories in the United States.

It is apparent, it seems to me, that the amendments I have submitted to this bill are such as should be accepted by the Finance Committee, unless the interests of some others than the American sugar-beet producers are at stake.

Now, the question was asked me as to why this high-grade brown sugar does not come in from Porto Rico and Hawaii. It is because the American Sugar Refining Company control the product of Hawaii and Porto Rico, and they do not want this kind of sugar put on the American market, because it would take from them in a degree the market for the refined sugar which they want to sell. Then they want to refine it before it is sold. But they want the Dutch-standard provision kept in, which will necessitate the coloring of this high-grade sugar, so as to compel it to come in at a color grade that can not be marketed, except to the refiner and which the refiner alone will purchase. If they did not control, through their contracts and in various other ways, the manufacturing and the refining of the sugar in these islands, there is no reason why it should not come in. If they are powerful enough to control the raw-sugar product of the world, it will not come in, even if the 16 Dutch standard is taken out. But I do not believe they have yet reached that power, or the financial relation to things, that enables them to absolutely dominate the sugar production of the earth. If they ever do get such control and also acquire complete control of the beet-sugar industry of the United States, then the American people will be helpless. But before that is done I think we should first take off this differential, do away with the Dutch standard, and let us see if it is possible to develop independent sugar-producing enterprises in this country; and if it is, and the production increases, then the law of supply and demand and competition will reduce the price. If at the end of ten years more the price has not been materially reduced, then it will be the imperative duty of the American Congress to reduce this duty on all sugar below $1.82½.

I have talked much longer than I expected, and longer than I wanted to, and I know I have very imperfectly covered this question, because it is very intricate.

I have studied it as best I could in the leisure moments I have had during the last month, since the consideration of this bill was begun. I am here asking the Senate not to injure a legitimate American enterprise, not to destroy any American institution that has been built up under the protective policy, not to antagonize the findings of the Committee on Finance; but to change this phraseology, thereby permitting the American market to be opened somewhat to the sugars that might come in from other countries, or in competition with the sugar refineries. So I yield the floor, believing that the Senate will recognize the force of these facts which I have so imperfectly presented, and hoping that this reduction will be made.

Mr. President, I ask leave to print some tables that I did not read.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Kansas? The Chair hears none.

The tables are as follows:

Production of cane sugar in the United States.

	Short tons.
1857–1858	160,985
1858–1859	216,547
1859–1860	133,325
1860–1861	137,362
1861–1862	269,915
1862–1863	51,520
1863–1864	42,530
1864–1865	5,600
1865–1866	10,340
1866–1867	25,200
1867–1868	25,760
1868–1869	50,401
1869–1870	52,416
1870–1871	89,152
1871–1872	78,176
1872–1873	67,416
1873–1874	54,320
1874–1875	71,120
1875–1876	86,240
1876–1877	99,680
1877–1878	79,521
1878–1879	125,440
1879–1880	103,929
1880–1881	142,651
1881–1882	85,537
1882–1883	159,373
1883–1884	151,472
1884–1885	112,981
1885–1886	151,377
1886–1887	95,641
1887–1888	187,952
1888–1889	172,378
1889–1890	152,883
1890–1891	248,585
1891–1892	185,290
1892–1893	291,634
1893–1894	305,413
1894–1895	364,696
1895–1896	271,817
1896–1897	322,088
1897–1898	353,976
1898–1899	278,829
1899–1900	167,094
1900–1901	366,017
1901–1902	364,325
1902–1903	372,903
1903–1904	258,812
1904–1905	340,768
1905–1906	300,376
1906–1907	248,326
1907–1908	388,640

NOTE.—From Statistical Abstract, 1907, page 163.

Sugar production.

Fiscal year.	Hawaii.	Cuba.	Porto Rico.	Philippines.
	Short tons.	*Short tons.*	*Short tons.*	*Short tons.*
1898–1899	283,806.72	387,691.20	60,385	104,100
1899–1900	289,543.52	345,568.16	39,200	70,319
1900–1901	360,037.44	712,158.72	89,600	62,048
1901–1902	355,610.08	932,202.72	95,200	88,073
1902–1903	437,980.44	1,118,743.36	95,200	100,800
1903–1904	387,456.36	1,165,055.36	145,600	91,080
1904–1905	426,345.12	1,302,848.96	162,400	119,700
1905–1906	429,212.00	1,330,198.88	238,560	162,998
1906–1907	440,015.52	1,508,993.76	235,200	162,900
1907–1908	521,122.56	1,344,000.00	243,040	168,000

Hawaii.—Figures, 1898 to 1902–3, compiled from Willett & Gray, December 10, 1903, page 3; 1902–3 to 1908, compiled from Willett & Gray, November 25, 1908, page 466.

Cuba.—Figures, 1898 to 1903–4, compiled from Farmers' Bulletin No. 30, 1904, page 80; 1903–4 to 1908, compiled from Farmers' Bulletin No. 52, 1908, page 46.

Porto Rico.—Figures, 1898 to 1903–4, compiled from Senate Document No. 250, Fifty-ninth Congress, first session, pages 11–12; 1903–4 to 1908, compiled from Farmers' Bulletin No. 52, 1908, page 46.

Philippines.—Figures prior to 1903–4 are exports. (Figures compiled from Willett & Gray's Sugar Journal.)

Sugar imported into the United States from Hawaii, Porto Rico, Cuba, and the Philippines.

Fiscal year.	Hawaii.	Porto Rico.	Cuba.	Philippines.	All other countries.
	Short tons.	*Short tons.*	*Short tons.*	*Short tons.*	*Short tons.*
1898	249,883	40,209	220,113	14,745	811,000.99
1899	231,149.04	53,601.3	331,771.83	25,812.64	1,347,789.58
1900	252,356.55	36,279.00	352,727.96	24,745.27	1,282,934.4
1901	345,440.42	68,600.9	549,702.18	2,346.67	1,435,451.67
1902	360,276.68	91,908.52	492,107.54	5,712	1,515,957.94
1903	387,412.71	113,026.75	1,197,983.89	9,386.67	900,703.49
1904	368,246.05	129,615.8	1,409,778.86	23,514.95	967,842.47
1905	416,360.69	135,659.99	962,421.16	27,499.99	774,705.88
1906	373,301.32	205,272.3	1,251,295.25	29,362.34	578,675.63
1907	410,507.41	204,074.99	1,583,081.99	35,253.15	548,183.12
1908	538,785.32	234,602.54	1,231,031.95	14,731.4	524,279.6

NOTE.—From Senate Document No. 15, Sixty-first Congress, first session, pages 2–3, letter from Assistant Secretary Commerce and Labor.

Figures, 1898, from Statistical Abstract, 1907, page 719, also 1904; figures for 1901, Porto Rico, Statistical Abstract, 1907, page 719; Porto Rico, 1899–1900, Statistical Abstract, 1904, page 351; Cuba, 1899–1905, Statistical Abstract, 1904, page 351; Philippines, 1899–1903, Statistical Abstract, 1904, page 353; other countries, 1899–1904, Statistical Abstract, 1907, page 719.

Consumption of sugar in the United States.

	Calendar year—			
	1908.	1907.	1906.	1905.
Total consumption of sugar in United States, long tons	3,185,789	2,993,979	2,864,013	2,632,216
Compared with preceding year (increase), long tons	191,810	129,966	231,797	134,946
Compared with preceding year (increase), per cent	6.406	4.538	8.806	4.876
Consumption consisted of:				
Domestic cane (Louisiana and Texas), long tons	390,888	264,968	267,947	334,522
Domestic beet, long tons	493,200	375,410	300,317	220,722
Maple, long tons	11,000	10,000	6,000	9,000
Molasses sugar, long tons	5,910	6,249	8,150	11,880
Total domestic, long tons	900,998	656,627	582,414	576,124
Hawaii (cane), long tons	453,250	418,102	343,857	376,497
Porto Rico (cane), long tons	185,685	212,853	193,978	124,928
Philippine Islands (cane), long tons	45,089	10,700	41,900	14,673
Cuba (cane), long tons	916,742	1,340,400	1,165,994	1,101,611
Total on which tariff concession allowed, long tons	1,600,766	1,982,055	1,745,729	1,617,709
Foreign raw cane, long tons	543,518	347,569	337,057	412,590
Foreign raw beet, long tons	139,363	10,780	175,827	22,161
Foreign refined beet, long tons	1,687	949	2,734	1,844
Foreign refined cane, long tons	57	59	252	1,818
Total foreign on which full duty assessed, long tons	684,625	355,297	535,870	438,383
Amount refined by—				
American Sugar Refining Co., long tons	1,364,286	1,401,061	1,408,503	1,325,692
Independent refiners, long tons	1,147,712	1,064,827	1,031,831	939,557
Beet-sugar factories, long tons	492,969	375,338	309,059	200,477
Hawaiian cane factories, long tons	15,442	1,674	16,964	17,292
Foreign refiners, long tons	1,744	1,008	2,986	3,662
Total amount refined sugar, long tons	3,022,153	2,843,928	2,760,343	2,506,680
Per cent refined sugar manufactured by—				
American Sugar Refining Co.	45.14	49.27	51.03	52.89
Independent refiners	37.98	37.44	37.38	37.48
Beet-sugar factories	16.31	13.19	10.87	8.79
Hawaiian cane factories	.51	.06	.61	.69
Foreign refiners	.06	.04	.11	.15
Consumed in raw or plantation state, long tons	163,636	150,051	103,670	125,536
National Sugar Refining Co. production (included with independent refiners), long tons	315,000	306,000	296,000	290,000
Average difference between raw and refined, per pound	$0.884	$0.863	$0.829	$0.978

NOTE.—From Willett & Gray's Weekly Statistical Sugar Trade Journal, January 9, 1908, page 10; January 7, 1909, page 2.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., May 26, 1909.

DEAR SIR: I regret that the table showing the average yield of sugar per ton of beets in the various beet-producing States, submitted with my letter of the 24th instant, requires correction in the last five years. By a clerical mistake, the statistics showing the "average sugar in

beets" were inserted instead of the "average extraction of sugar based on weight of beets." A corrected table is herewith inclosed.

Very respectfully,

JAMES WILSON, *Secretary.*

Hon. JOSEPH L. BRISTOW,
United States Senate.

Average yield of sugar per ton (2,000 pounds) of beets in the principal beet-growing States.

(Figures in italics incorrect.)

Year.	California.	Colorado.	Idaho.	Michigan.	Nebraska.	Utah.	Wisconsin.	Other States.	Total, United States.
	Lbs.	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*
1899-1900	244.4	(*)	(*)	163.7	(*)	(*)	(*)	184.0	205.7
1900-1901	265.4	219.7	.....	210.7	146.4	219.7	.....	153.6	212.1
1901-1902	216.0	219.7	.....	211.2	214.7	217.4	207.1	207.9	214.4
1902-1903	248.3	244.7	.....	212.8	215.6	225.9	204.1	221.0	231.8
1903-1904	249.4	215.9	210.5	220.0	253.4	236.5	215.7	233.1	230.5
1904-1905	*315.8*	*312.8*	297.6	302.6	*301.6*	*295.4*	*290.8*	*313.0*	*306.6*
1905-1906	*315.4*	*294.2*	289.4	*315.0*	*295.0*	*293.0*	*300.0*	*315.6*	*306.6*
1906-1907	*334.0*	*294.0*	338.0	290.0	*274.0*	*290.0*	*275.0*	*288.0*	*298.6*
1907-1908	*353.0*	*306.0*	356.0	302.0	(*)	*326.0*	*302.0*	*302.0*	*316.0*
1908-1909	*353.2*	277.0	*316.8*	*312.2*	(*)	*291.0*	*334.4*	*304.4*	*314.8*
Correction.									
1904-1905	250.0	222.0	240.0	234.0	232.0	236.0	218.0	246.0	233.8
1905-1906	287.4	209.4	213.8	246.4	193.2	217.4	229.8	230.0	234.8
1906-1907	276.2	234.8	248.8	239.0	230.6	211.2	222.0	180.8	228.4
1907-1908	301.2	222.2	311.0	243.2	(*)	252.0	247.0	227.4	246.0
1908-1909	277.8	220.6	254.4	279.0	(*)	234.0	266.0	244.4	249.4

* Not separately shown.

Mr. OWEN. Mr. President, I shall detain the Senate for a few moments only. On Monday I called the attention of the Senate to a critical, painstaking review of the frauds which have been perpetrated upon the people of the United States by the American Sugar Refining Company. It was an account of the recent frauds, in which they confessed themselves guilty of having stolen not less than $2,000,000, and paid it to the Treasury of the United States, having been detected in this fraud and corrupt conduct which has extended over a period of years. I called attention to this account, which stated on its face that this great corporation, engaged in this fraudulent course of cheating the United States of revenues during a period of years, had kept a daily record of the fraudulent weights by which they had defrauded the people of the United States. This account shows that this was the seventh different way in which they had defrauded the people of the United States, those different methods being:

First, by throwing water on the platform of the scales when the tare weights were being calculated.

Second, to have the checker put his foot upon the beam of the scales, by which a fraudulent weight was given.

Third, after the Government detected a fraud in the trucks which were used and caused new trucks to be made and painted red, so that they might be identified, these trucks were immediately afterwards changed in weight, so as to perpetrate a fraud in the weights of the sugar imported into this country.

Fourth, by the action of the extra-paid hired weighers of the sugar trust in moving the balance ball on the scales.

Fifth, by the hanging of a weight in the scale house, so as to give a fraudulent weight.

Sixth, by taking the sweepings right under the nose of the government officials, as the account states, and not weighing them at all.

Seventh, this last process of the needle made of a corset steel and injected into the scales through a hole bored in the standard, by which the scales were made to falsely register the weights, and by which over $2,000,000 was confessedly stolen. And when this account was presented, I desired of the Senate committee that the diagram showing these scales might be made a part of the RECORD. I regret to say that that diagram was not put in the RECORD. I now ask the consent of the Senate that this diagram go into the RECORD.

Mr. SMOOT. Mr. President, I desire to inform the Senate that the Committee on Printing, at a meeting held a month or more ago, decided that all cuts, diagrams, and photographs should be eliminated from the CONGRESSIONAL RECORD. A resolution was presented in the committee, which was accepted; and a number of Representatives, as well as Senators, have asked since that time to have diagrams placed in the RECORD. They have been refused, and that is only in accordance with the resolution passed by the committee. I have in mind a request of the Senator from Washington [Mr. PILES] to print diagrams of some shingle mills and other objects affecting his speech on the lumber question. He wanted those inserted in the RECORD, but it was refused, and refused only upon the ground that the committee thought it was a very unwise thing to do. And I wish to say to the Senator from Oklahoma now, that so far as I personally am concerned, I would not have cared one whit whether the diagram to which he refers went into the RECORD or not; but if we yield in this one instance, I do not know when we can stop. I call to mind now at least half a dozen Representatives who have made similar requests, and they have all been consistently refused.

Mr. OWEN. Mr. President, I acquiesce in the wisdom of the view of the Committee on Printing that, as an ordinary matter, the RECORD ought not to be encumbered with various diagrams which are not of great importance, because they are somewhat difficult to put in the RECORD. It takes some time to have the diagrams prepared, and for that reason, and because of the cost, I agree with the committee that it is not wise, as a rule, to use such diagrams. But here is a case where there has been a wholesale fraud upon the United States which ought to be understood, and this diagram shows in the clearest possible way exactly how it was committed. I desire, therefore, that this shall be an exception to the usual rule, and I ask unanimous consent that it be permitted.

Mr. SMOOT. I do not think there is one member of the Committee on Printing who doubts for a moment that these frauds have been committed.

Mr. OWEN. Oh, I suppose not.

Mr. SMOOT. I for one say now that I condemn them just as strongly as does the Senator from Oklahoma.

Mr. OWEN. It is not a matter of condemnation; it is a matter of publicity.

Mr. SMOOT. Of course it is in the power of the Senate to instruct the Committee on Printing to have the cut inserted in the RECORD. But the very next Senator or the very next Representative who has something that seems especially important to him will make the same request, and I certainly hope the Senate will stand by the action taken by the Committee on Printing.

Mr. OWEN. I ask unanimous consent.

The VICE-PRESIDENT. Is there objection?

Mr. GALLINGER. I object.

The VICE-PRESIDENT. Objection is made by the Senator from New Hampshire.

Mr. BEVERIDGE. Has not the Senator from Oklahoma, in view of the objection, a photograph of the scale which he could pass around, so that Senators could see it?

Mr. OWEN. I do not have a photograph. I submitted the cut, and the cut which was submitted, I thought, ought to have gone into the RECORD, because it ought to be given publicity, which the CONGRESSIONAL RECORD alone can give. If the Senator from New Hampshire thinks it ought not to be given such publicity, he has a right to object.

Mr. GALLINGER. Mr. President, the Senator from Oklahoma will not put me in that attitude if he tries to do it. I think I have quite as great an interest in the public welfare as has the Senator from Oklahoma. I am a member of the Committee on Printing, and I agree with the other members of the committee that we should not go into the matter of illustrating the CONGRESSIONAL RECORD, and for that reason I objected.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. The senior Senator from Oklahoma still has the floor.

Mr. OWEN. I yield to my colleague.

Mr. GORE. I merely suggest to my colleague that possibly the rule of the Committee on Printing does not extend so far as to include the printing of such matter in a public document, and publicity might be secured in that way.

Mr. GALLINGER. I think that is a wise suggestion, and I certainly would have no objection to that if the Senator desires to have it printed as a document.

Mr. OWEN. I ask, therefore, that the account which I submitted on Monday, with the illustrations, shall be printed as a document (S. Doc. No. 60).

Mr. SMOOT. I have no objection whatever to that.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oklahoma? None is heard.

The order was reduced to writing and agreed to, as follows:

Ordered, That there be printed as a Senate document the article entitled "The Chase of the Sugar Smugglers," etc., appearing in the CONGRESSIONAL RECORD under date of May 24, 1909, together with the illustrations.

Mr. OWEN. Mr. President, I have but one more word to say. I do not intend to detain the Senate, but I call attention to this fraud upon the people of the United States by the American Sugar Refining Company, because it has the most important bearing upon the words "not above No. 16 Dutch standard in color," in paragraph 213. These refiners are the only beneficiaries of those words. It enables them to take advantage of the consumers of the United States without benefiting the producers of either cane or beet sugar in the United States; and it is a question whether or not this corporation, making, as it does, out of the people of the United States, in any contingency, untold millions of dollars, shall be allowed to have this special favor at the hands of the Senate by retaining these words whose sinister bearing has been so brilliantly, forcibly, and unanswerably set forth by the Senator from Kansas [Mr. BRISTOW].

Mr. BURROWS. Mr. President, it is not my purpose to enter into a discussion of the technical questions in connection with this schedule. That part of the debate has been so ably covered by others—by the Senator from Georgia [Mr. CLAY] and the Senators from Louisiana—that I propose at this time to offer only some general observations in relation to the beet-sugar industry in the United States and the bearing of this schedule in relation thereto.

Mr. President, Schedule E of this bill prescribing the rate of duty to be imposed upon the various kinds of sugar coming into the United States conforms in all essential particulars to the bill proposed by the Committtee on Ways and Means and already approved by the House of Representatives. As thus framed the only material change from existing law is that which reduces the duty on sugars testing "above No. 16 and all sugars that have gone through a process of refining" from $1.95 per hundred pounds to $1.90 per hundred pounds. The Committee on Finauce concurs in this reduction and reports the bill to the Senate with the recommendation that the schedule as thus framed be agreed to.

A general assault has been made on this schedule, chiefly because of the duty on refined sugar and the supposed connection of the American Sugar Refining Company, commonly called "the trust," with the sugar industry, and no assault made has been more violent and aggressive than that made by the Senator from Kansas [Mr. BRISTOW], who has just taken his seat.

Let me say at the outset that the course of the American Sugar Refining Company, as recently disclosed, has been so scandalous and reprehensible as to forfeit public confidence in its integrity and business methods and bring reproach upon the entire refining industry.

If the American Sugar Refining Company was the only interest involved in this controversy, it would find few friends here or elsewhere. But there are other interests to be considered. There are 64 beet-sugar factories in the United States, each a refinery, which turned out in 1908 425,884 tons, or 851,786,000 pounds of refined sugar, and any blow inflicted upon the American Sugar Refining Company would necessarily injuriously affect the cane planters of the South and the great and growing beet-sugar industry of the North and West, in which the farmers and planters of 20 States are directly interested, and would, in a broader view, affect all the people of all classes and of all the States by exposing this agricultural industry as a whole to serious and disastrous foreign competition, resulting not only in arresting the further development of sugar production in this country, but speedily overthrowing the industry itself. It is in behalf of this industry I propose to speak.

Mr. President, if there is any one doctrine to which the Republican party adheres with greater fidelity than another, it is the policy of protection to American industries and American labor. In season and out of season, in victory or defeat, it has adhered with unyielding tenacity to this cardinal principle of its political faith.

PROTECTION.

In levying duties upon imports the Republican party has always taken care to so adjust rates as not only to raise revenue for the needs of government, but at the same time create and develop new industries which in their unfolding would give enlarged employment to labor, increased opportunity for the investment of capital, open fresh avenues for human endeavor, and promote the general welfare of the American people.

To this end new enterprises have always been the objects of special care and solicitude, and under this policy numberless industries have been created and established.

One of the latest and most striking illustrations of this policy is to be found in the tin-plate industry. By the act of 1890 the duty on tin plate was advanced for the avowed purpose of "making the duty on foreign tin plate high enough to insure its manufacture in this country." It accomplished that result. At that time there were only four mills in the United States, producing but 4,000 tons of tin plate, while our annual consumption was more than 300,000 tons. In 1889, the year before the imposition of this duty, we imported $21,000,000 worth of tin plate, and ten years later, in 1899, only $2,000,000 worth. By the last census report it appears that the number of establishments has increased to 36 and the value of output to $39,283,360. This is but one of the many industries brought into existence through the fostering care of the American Government.

The pending proposition has to do with another industry of vital concern to the American people, involving the production of a prime necessity of life, and directly affecting the great agricultural interests of the United States. We are the largest consumers of sugar of any nation on the globe, totalling, in 1908, 3,072,589 tons. Of this enormous consumption we produced last year from beets 380,000 tons; from cane, 390,888 tons; from maple, 11,000 tons; and from molasses sugar, 5,910 tons, a total domestic product of 787,798 tons. In addition, we received from Hawaii 453,250 tons, from Porto Rico 185,085 tons, and from the Philippine Islands 45,089 tons, making an aggregate from the States and our insular possessions of 1,471,222 tons, leaving a balance to be supplied from foreign countries necessary to meet the home demand of 1,601,307 tons.

The problem confronting us to-day is whether we shall produce this sugar from our domestic beets and cane, or abandon our fields, continue to pay tribute to foreign countries, and send abroad $100,000,000 annually to supply ourselves with this prime necessity of food, every dollar of which ought to be kept at home to enrich our farmers and diversify our agricultural products.

Mr. President, that we can produce sugar from the beet is no longer problematical. The Secretary of Agriculture states, under date of May 1, 1909:

> We have demonstrated conditions of soil and climate favorable to beet culture in an area of at least 274,000,000 acres, and that it will only take 1 acre out of every 200 of this to produce all the sugar we now import from foreign sources.

He estimates—

> That if the sugar beet were grown throughout those portions of the United States adapted by nature and with the aid of irrigation to its culture, with a system of rotation including the cultivation of the beet every fourth year, 15,000,000 tons of beet sugar could be produced in the United States annually, or more than the world's total production of sugar at the present time.

Experiments have been made and proven successful in 16 States and Territories, and we have but to adhere to the policy which the Republican party has heretofore pursued to insure at no distant day its successful and permanent establishment.

What would it mean, may I ask, to the American people, to American capital, and American labor, and particularly to the American farmer and planter, to develop this industry to the full extent of producing our entire consumption of sugar?

It appears from the report of the Secretary of Agriculture that we have already established in this country 64 factories in 16 different States and Territories, representing an invested capital of $70,000,000.

I have a table showing the amount of beets raised in 1897 and in 1909, which I ask leave to insert in the RECORD without reading, from which it appears that in 1897 the total of sugar beets harvested was 389,000 tons in round numbers; in 1908, 3,414,000 tons. The amount paid to the farmer for beets in 1897 was $1,596,000, and in 1908, $18,269,000. Without going into details further, I will state as the result of the ten years' trial since the beginning of the industry we have produced in this country 24,245,000 tons of beets and paid to the farmers $121,000,000.

The VICE-PRESIDENT. Without objection, the request is granted.

The table referred to is as follows:

The influence of the beet-sugar industry on other American industries.

Factory disbursements, 1897, 1908, and 1897–1908. Quantity and price of beets based on report of the Department of Agriculture (S. Doc. No. 22, 61st Cong., 1st sess., p. 16). Brokerage based on 3 cents per 100 pounds of sugar. Freight on sugar averaged at 30 cents per 100 pounds. Depreciation based on 5 per cent per annum of cost of plants. All other figures based on the 1905 census report for the campaign of 1904.

[Compiled by Truman G. Palmer, secretary American Beet Sugar Association.]

	1897.	1908.	1897-1908.
Tons of sugar beets harvested	389,385	3,414,891	24,245,925
Price of sugar beets per ton	$4.10	$5.35	.....
Total paid for beets	$1,596,478	$18,269,667	$121,063,619
Wage-earners, $1.143 per ton of beets	$445,067	$3,903,220	$27,713,093
Officers of corporations, $0.131 per ton of beets	$51,009	$447,351	$3,176,217
General superintendents, clerks, etc., $0.330 per ton of beets	$128,487	$1,126,914	$8,001,154
Miscellaneous expenses, $0.919 per ton of beets	$357,845	$3,138,285	$22,282,004
Fuel, $0.563 per ton of beets	$219,224	$1,922,584	$13,650,435
Lime rock, $0.162 per ton of beets	$63,080	$553,212	$3,927,830
Coke, $0.068 per ton of beets	$26,478	$232,213	$1,648,724
Barrels and sacks, $0.233 per ton of beets	$90,727	$795,670	$5,649,302
Mill supplies, $0.047 per ton of beets	$18,301	$160,509	$1,139,557
All other materials, $0.315 per ton of beets	$122,656	$1,075,691	$7,637,407
Freight on sugar, at 30 cents per 100 pounds	$271,476	$2,555,804	$16,927,194
Depreciation, $0.923 per ton of beets	$359,402	$3,151,044	$22,378,988
Brokerage on sugar, $0.008 per ton of beets	$26,478	$232,213	$1,648,724
Total	$3,776,718	$37,564,768	$236,844,337

Tons of sugar produced, 1897 to 1908, 2,821,199.

Mr. BURROWS. Beyond this, Mr. President, contemplate what it would mean to our people if this industry could be so developed as to supply the entire demand for the American market. We would not only keep at home the $100,000,000 annually sent abroad for foreign sugar, but it would mean the building of 300 additional factories, which would require in their construction, equipment, and operation $330,000,000.

To supply all our factories, then, with the raw material would require annually the production of 19,017,000 tons of beets, for which the American farmers would receive yearly the sum of $102,813,000. To this must be added an outlay for coal, transportation, mill supplies, and labor aggregating more than $225,000,000 annually. It will not do to say that such a development of the industry is not attainable. It has been demonstrated that we have a vast area of territory, stretching from the Atlantic to the Pacific, especially adapted to the cultivation of sugar beets, and it is the expressed opinion of the present able Secretary of Agriculture that if the present protection accorded to this industry should be continued with adequate protection it will not be ten years before we will produce from our farms and factories all the sugar required for our home consumption.

NATIONAL ENCOURAGEMENT.

The development of this industry to the extent already attained is attributable in a large measure, if not entirely, to the protective policy.

LEGISLATIVE ENCOURAGEMENT.

The tariff act of 1890, bearing the name of its illustrious author, provided a bounty of 2 cents per pound annually for every pound of sugar produced from cane or beets or other named sources in the United States. The Committee on Ways and Means in submitting that bill to the consideration of the House of Representatives accompanied it with a report prepared by William McKinley himself, in which it was confidently predicted that the protection accorded the sugar industry of 2 cents per pound would insure the establishment of this industry and the ultimate domestic production of all the sugar required for our home consumption.

In presenting the measure to the House of Representatives, Mr. McKinley declared:

> While giving the people free and cheap sugar we have at the same time given to our producers, with their invested capital, absolute and complete protection against the cheaper sugar produced by cheaper labor of other countries.

Under the stimulating influence of this legislation, the sugar industry took a fresh impetus and the output of sugar increased from 131,000 tons in 1890 to 337,000 tons in 1894, while the product of beet sugar alone advanced from 3,000 tons in 1890 to 20,000 tons in 1894, in the brief period of four years.

In 1897 the tariff was again revised and the sugar industry given special encouragement. A measure formulated by Nelson Dingley and sanctioned by President McKinley would necessarily inspire confidence in the purposes of the dominant party to see to it that so long as that party remained in power the sugar industry would be fostered and encouraged. The people had a right to rely upon the assurances thus voluntarily given. Mr. Dingley in presenting the measure to the House of Representatives accompanied it by a report in which he called special attention to the "increase of the duty on sugar," and set forth in no uncertain words the benefits expected to accrue to the farmers and planters of the United States. I quote from that report:

> We have increased the duty on sugar from the 40 per cent ad valorem imposed by the present tariff on raw sugars to 1.63 cents, with a countervailing duty on all sugars equivalent to the net export bounty paid by any country in order to increase our revenue and at the same time afford sufficient protection to enable our own farmers and planters to ultimately produce whatever sugar we may require for consumption. The production of cane sugar is a large and, under proper protection, a growing industry now.
>
> The production of beet sugar in at least 23 States of our Union, which only seven years ago was regarded as of doubtful promise, is no longer an experiment, but a demonstrated success with such protection as we recommend, which is less than those bounties given at the inception of sugar production by Germany, France, and other European countries, which now produce about two-thirds of the world's sugar.
>
> The time has come—
>
> Said Mr. Dingley—
>
> when every effort should be made to open up new crops to our farmers, and thus diversify and promote our agriculture; and no crop in sight affords more hope of success or greater advantages to the whole country.
>
> To open up such a new and valuable crop to our farmers is a boon which Congress should not hesitate to give, especially at a time when it can be done in the interest of revenue.

Mr. Dingley, in presenting the bill to the House, called special attention to that provision of the measure relating to the duty on sugar and the advantages sure to follow its enactment into law, saying:

> It should be borne in mind that the general increase of duty on sugar made in the proposed tariff has been made not only to increase the revenue, but also to further encourage the production of beet sugar in this country and furnish a new crop for the farmers, who are being sorely pressed as to our large wheat surplus by Russian and South American competition. I believe that the time has come when the production of our own sugar from the beet ought to be and can be successfully entered upon, and thus the seventy-five millions—soon to be one hundred millions—sent abroad for the purchase of our sugar ultimately distributed here to our own farmers. Already, indeed, it has been demonstrated that we can successfully produce beet sugar here, and the proposed duty placed on that article will gradually bring this about, while for the time being affording increased revenue.
>
> Certainly nothing can be done to so successfully *clip the wings of the sugar trust* as to develop our beet-sugar industry. Sugar-beet factories turn out their product in a refined form, and thus become the efficient competitors of other refiners. The successful establishment of the sugar-beet industry in even half of the 26 States which can and will successfully grow sugar beets under the proposed tariff would speedily end any sugar trust, and would at the same time confer immense benefit on our farmers and on all of our people.

The statement of the Senator from Georgia in relation to the necessity of refining the beet-sugar product is an error, for every ounce of sugar coming from the beet-sugar mills is refined and ready for the market.

Such, Mr. President, is the history of the legislative encouragement given to this industry by reason of which its present development has been attained, and its future reasonably assured. It will thus be seen that for the last twelve years everything that legislative enactment could do to promote and encourage the establishment of this industry in the United States has been done. More than this, the administration itself has repeatedly and persistently, through the executive department, the Secretary of Agriculture, made special effort in many ways to encourage the establishment of this industry, and particularly by the employment of special agents to investigate the subject, and bring the advantages of sugar culture home to our people. For the last ten years special reports have been made by experts, under the direction of the Secretary of Agriculture, as to the adaptability of our soils and climate to the culture of the sugar beet in the United States, and no expense has been spared to induce the farmer and the planter to embark in the enterprise. Indeed, since the fiscal year 1898, Congress has made an annual appropriation for the investigation of the domestic sugar production, and from that date until the present hour the Department of Agriculture has annually distributed to the farmers, planters, free of charge, a large quantity of seeds as an inducement to them to undertake the inauguration and development of this great industry. The special agents' reports since 1897 have annually been sent to the President of the United States and transmitted to Congress, published, and distributed among the people for their enlightenment, guidance, and encouragement. In the last few years hundreds of thousands of dollars have been expended by the Agricultural Department in the promotion and establishment of this single industry. It will be seen from this hasty review that heretofore no act of encouragement has been omitted to induce capital to embark in this venture, and our agriculturists to diversify their farm products by devoting extended acreage to the culture of sugar.

STATE OF MICHIGAN.

Mr. President, I have already shown the extent to which this industry has been established in this country at large, and its possibilities for the future, but I desire to call special attention to the industry in my own State, with which I am personally somewhat familiar.

Encouraged by the inducements held out by the National Government, the people of Michigan entered upon the culture of sugar beets with alacrity and enthusiasm, devoting their acreage and their fortunes to the establishment and upbuilding of an industry which has already been of great advantage to our farmers and given promise of rapidly increasing benefits.

Prior to 1898 there was not a beet-sugar factory in the State of Michigan, and to-day there are 16, requiring for their construction and equipment $15,000,000, and their successful operation necessitating last year the planting of 81,073 acres of beets, producing 611,295 tons of beets of the average value in the United States of $5.35 per ton, yielding an income to our farmers in a single year of $3,270,000.

But the advantage of this American industry does not stop here. To run the 16 factories in Michigan a full campaign of one hundred days required, last year, 193,500 tons of coal, costing $503,100; 68,700 tons of lime rock, worth $144,270; 8,244 tons of coke, valued at $49,464; 350,000 pounds of sulphur, $8,000; 208,000 yards of filter cloth, costing $20,500; 36,000 gallons oil, for which we paid $7,500; chemicals worth $27,500; 1,224,000 sugar bags, valued at $134,640; and cooperage stock of the value of $125,000.

In addition to this, more than $75,000 were expended for miscellaneous supplies necessarily used in running these factories. Strike down this industry and you cut off all these other additional sources of profitable employment, and by so much contract the field of industrial activities.

But this is not all. Four thousand men were employed in our factories, to whom was paid more than $900,000 in wages, and this exclusive of farm laborers. The railroads received for freight charges for hauling the incoming and outgoing product $750,000, while the value of the product of beet sugar produced in our State last year, estimated at 4½ cents per pound, was $7,677,000.

But, Mr. President, from the moment the beet-sugar industry began to assume commanding proportions in the United States the "sugar trust," so called, became its natural and implacable enemy. It saw in this new industry, with its rapid development, a most dangerous rival, for it not only refined sugar, but produced the raw material out of which the finished product was made and by a single process converted it into granulated sugar ready for market. The American Sugar Refining Company produces no raw sugar, but it secures its raw material in the open market and then converts it by a refining process into the finished product. It is the refining of sugar in the modern beet-sugar factory that has excited the animosity of the American Sugar Refining Company and prompts it to make war on the beet-sugar industry of the United States. In the prosecution of this warfare there is no measure which human ingenuity could suggest that it has not employed. It invades the market of its rival and offers its product in competition at such a ruinous price as to preclude the possibility of gain to its competitors; it cripples the factory by seeking to dissuade the farmer from continuing the culture of beets; where it can not control it will crush; where it can not destroy it will debauch; and, finally, taking up the cry that "something must be done for the consumer," it fleeces the consumer while at the same time it defrauds the public Treasury.

From the beginning of the debate on this provision a studied and persistent effort has been made to influence Senators against the entire sugar schedule by inveighing against the American Sugar Refining Company, called the "sugar trust," with the hope of inducing a majority of the Senate to overthrow and destroy the protective system as embodied in this section.

It is sought to make it appear that the beet and cane sugar interests of the United States are in league and combination with the sugar trust, and together are conspiring to plunder the people. Nothing can be further from the truth.

I hold in my hand several affidavits from officials connected with the beet-sugar factories in the State of Michigan, which show how fallacious and groundless these statements are, and I present, first, the affidavit of the secretary of the St. Louis Sugar Company, of St. Louis, Mich., which is as follows:

ST. LOUIS SUGAR COMPANY,
St. Louis, Mich., May 15, 1909.

This is to certify that the undersigned is secretary of the St. Louis Sugar Company, a corporation owned and controlled by 247 stockholders; that I am in a position to know these stockholders personally and all interests connected with this company, and make affidavit that the American Sugar Refining Company nor any other combination of interests has any connection, either directly or indirectly, with this company.

B. C. HUBBARD,
Secretary St. Louis Sugar Company, St. Louis, Mich.

Subscribed and sworn to before me this 14th day of May, 1909.
[SEAL.] ALICE M. CHURCH,
Notary Public in and for Gratiot County, Mich.

I submit, also, the following additional affidavits:

E. Wilson Cressey, being duly sworn, says that he is the secretary of the German-American Sugar Company, of Monitor Township, Bay County, Mich.; that he is familiar with the names of all the stockholders of said company, and that the American Sugar Refining Company has no interests in the German-American Sugar Company, either directly or indirectly, through its officers or in any other way; and, further, that a large number of those holding stock in the German-American Sugar Company are farmers living in the vicinity of the factory.

E. WILSON CRESSEY.

Subscribed to and sworn before me, a notary public in and for Bay County, Mich., this 15th day of May, 1909.

JAMES A. SCOTT.

STATE OF MICHIGAN, *County of Menominee, ss:*

On this 24th day of May, 1909, before me personally appeared F. L. Brown, to me known to be the secretary of the Menominee River Sugar Company, of Menominee, Mich., who, being first duly sworn, deposes and says that to his certain knowledge the American Sugar Refining Company, nor any of its officers or directors, either directly or indirectly, own or control a majority interest in the stock of the Menominee River Sugar Company, nor do any of the officers or directors of the said American Sugar Refining Company hold any office or representation on the board of directors of the Menominee River Sugar Company.

F. L. BROWN.

Sworn to and subscribed before me the day and year aforesaid.
[SEAL.] V. B. DE MORAINVILLE,
Notary Public.

STATE OF MICHIGAN, *County of Bay, ss:*

Be it known that on this 14th day of May, A. D. 1909, personally appeared before the subscriber, James E. Davidson, of Bay City, Mich., who makes this affidavit and swears that he is the secretary and treasurer of the Mount Clemens Sugar Company, which is located at Mount Clemens, Mich., and also that he is secretary and treasurer of the Rock County Sugar Company, which is situated at Janesville, Wis., and that he is personally acquainted with all of the stockholders who hold stock in the Mount Clemens Sugar Company, and that he also personally knows all of the stockholders who hold stock in the Rock County Sugar Company.

He swears that none of the stock of the Mount Clemens Sugar Company is held by the American Sugar Refining Company, or the so-called "sugar trust;" also, that none of the officers, directors, or stockholders of the American Sugar Refining Company, or so-called "sugar trust," hold or own any of the stock in the Mount Clemens Sugar Company, either directly or remotely; also, that none of the stock of the Rock County Sugar Company is held by the American Sugar Refining Company, or the so-called "sugar trust;" also, that none of the officers, directors, or stockholders of the American Sugar Refining Company, or so-called "sugar trust," hold or own any of the stock in the Rock County Sugar Company, either directly or remotely.

He also makes an affidavit and swears that he has charge of the books and stockholders' list of the Mount Clemens Sugar Company, and also the Rock County Sugar Company, and is fully conversant with all of the affairs, stockholders, and business connected with both of these companies. He also swears that none of the stockholders of the Mount Clemens Sugar Company or the Rock County Sugar Company own any stock in the American Sugar Refining Company, or the so-called "sugar trust," or have any interest in that company.

JAMES E. DAVIDSON.

Subscribed and sworn to before me this 14th day of May, A. D. 1909.

C. L. MARTIN,
Notary Public in and for Bay County, Mich.

OWOSSO SUGAR COMPANY,
Owosso, Mich., May 14, 1909.

I, Bertram E. Smith, assistant secretary of Owosso Sugar Company, of Owosso, Mich., make the following affidavit:

The Owosso Sugar Company owns and operates two beet-sugar factories, one located at Owosso, Mich., and one located at Lansing, Mich.

The American Sugar Refining Company is not in any way financially interested in the Owosso Sugar Company, neither directly nor indirectly through its officers, directors, stockholders, or agents.

BERTRAM E. SMITH.

STATE OF MICHIGAN, *County of Shiawassee, ss:*

On this 14th day of May, A. D. 1909, before me, a notary public within and for said county, personally appeared Bertram E. Smith, to me known to be the person who executed the foregoing affidavit and acknowledged that he executed the same as his free act and deed.

[SEAL.] L. B. DOLSEN,
Notary Public.

MENOMINEE, MICH., *May 23, 1909.*

Hon. J. C. BURROWS,
United States Senate Chamber, Washington, D. C.:

The statement that the American Sugar Refining Company or any of its officers or directors owns or controls a majority of the stock of this company is wholly untrue. Will send affidavit to that effect immediately.

MENOMINEE RIVER SUGAR CO.,
By CHARLES I. COOK, *President.*

Mr. BURROWS. Since coming into the Senate to-day I have received a dispatch from one of the most prosperous beet-sugar factories in our State, located at Holland, which is as follows:

HOLLAND, MICH., *May 26, 1909.*

Senator J. C. BURROWS,
United States Senate, Washington, D. C.:

Wish to state that we are positively in no way connected with the American Sugar Refining Company, known as the "sugar trust," either directly or indirectly. We make this statement just as positively as we can—willing to make affidavit to this effect.

C. M. MCLEAN,
Secretary Holland Sugar Company.

From this, Mr. President, I think it will be evident that the charge is absolutely groundless that the beet-sugar industry, so far as Michigan is concerned, and I think it will appear so far as other States are concerned, is in any way connected with the sugar trust. I trust this will be sufficient to at least put Senators on their guard, and that they will not be deceived by such misrepresentations.

More than this, Mr. President, I hold in my hand, and I desire to submit to the Senate, remonstrances against the modification of this schedule signed by 5,638 farmers, from 18 different counties in our State, and my colleague [Mr. SMITH of Michigan] has a like number of petitions to be presented, all of them imploring the Senate to let this schedule alone in the interest of the farmers of our State. I will read one of these petitions, from a single county, signed by 144 farmers:

To the honorable the Senate of the United States:

> We, the undersigned residents of the State of Michigan, are interested in the beet-sugar industry, and particularly the raising of sugar beets in this State, and we realize that any reduction of the duty from the present rate would be disastrous to the beet-sugar industry in this State and in the United States, and will work great damage to the farmers in the business of raising sugar beets and indirectly seriously affect the general business interests of all the beet-sugar-producing States; it will compel the sugar factories, in order to live, to so reduce the price of sugar beets to the farmers that they can not afford to raise them, and it will thus work ultimate ruin to the beet-sugar industry.
>
> The farmers, even under present conditions, require every encouragement possible to induce them to raise sugar beets, and they are just beginning to be educated and interested in that line of business. The ultimate result from a reduction from the present duty would not only be to drive the farmers out of that line of business, but to render valueless the many millions of dollars now invested in the beet-sugar business in the United States and deprive many thousands of laborers of employment in that line of business.

We therefore petition your honorable body to see to it that no legislation is passed reducing the present rate of duty on the sugar coming into the United States, and your petitioners will ever pray.

SAM'L GREEN (and 144 others),
Saginaw County.

In this connection it is gratifying to know that President Taft is in accord with the sentiment herein expressed, as appears by the following quotation from a speech made at Greeley, Colo., October 2 last:

I understand you are interested here a good deal in beet sugar, and I also understand that some people have intimated that I was against beet sugar. I deny it. I would not do anything that would injure the beet industry in any way, and the Republican platform pledges the Republican party to take no action which will not leave adequate protection to the beet-sugar interests.

That a reduction of the duty on refined sugar from what has been provided in the bill would prove disastrous to the American industry there can not be the slightest question. I have neither the time to recite nor the Senate the patience to hear the voluminous and oftimes conflicting testimony as to the cost of production of sugar in the various sugar-producing countries of the world. It would be a tedious task. For my present purpose I am content to accept the established and unquestioned fact that the average price of refined granulated sugar for Hamburg for the past eight years is $2.36½ per 100 pounds. The Michigan manufacturer pays the farmer for the sugar in the beets $2.40 per 100 pounds before beginning the process of manufacture, while the average price paid for sugar in the beet throughout the entire United States, as established by the last report of the Secretary of Agriculture to the Senate, under date of April 26, 1909, is $2.30. It will thus be seen that the Michigan manufacturer actually pays the farmer for the sugar in the beet more that the selling price of the finished product of granulated sugar f. o. b. Hamburg.

The freight from Hamburg to New York is only 1 cent more than the freight from Saginaw to Detroit, the nearest market place of any importance to the Michigan farmer. Add to this the proposed duty suggested by the Senator from Georgia of $1.25½, and it would make the price at Hamburg $3.62. Add to that the freight of 11 cents to New York, and the refined sugar from Hamburg can be laid down in New York City for $3.73. Against such low-priced sugar the American sugar-producing factories can not compete.

But we are told that the sugar trust must be destroyed. Grant it. It has no defenders here. But how destroyed? There are two methods suggested for accomplishing this end. One is to overthrow the industry in which the trust exists, and the other is to enforce the law against unlawful combinations and trusts.

There is no difficulty in destroying a trust if you destroy the industry in which the trust is formed. I have no patience, however, with that theory which proposes to destroy a trust by demolishing the industry with which it is connected. Either of these methods would be effective, but the first punishes the innocent as well as the guilty, and inflicts permanent injury on the industry itself; the latter course punishes the offenders while permitting the industry to survive.

Suppose that there were a dozen factories engaged in a particular enterprise, and six of them, if you please, go into a combine and six remain independent, fighting the combine and struggling for the market. The proposition to put the product made by the combine on the free list would overthrow the industry itself, and, I grant you, destroy the combine; but the better course to pursue, and the only legitimate method, is to punish the offender while permitting the industry to survive.

This latter method of dealing with this unlawful combination under this administration was clearly foreshadowed in an address to the bar of New York by the present able and accomplished head of the Department of Justice, and it is the only method that appeals to the common sense of the American people. He said in that address:

No American business man to-day can truthfully say he does not know that it is a crime for a railroad to give, or a shipper to accept, a rebate from the established interstate rate. The work of the present administration is none the less important than was that of the last in continuing to enforce the laws of the country and in endeavoring to effectuate the intent of the people, speaking through Congress, in preventing the things which the people have come to believe to be inconsistent with the welfare of the Republic.

It may be—it probably is—true that in the movement to impress upon the whole business world the meaning and force of certain laws, and the necessity of attention and obedience to them, some suits were instituted and some prosecutions commenced without sufficient consideration and without adequate cause.

When such conditions are found to exist the present administration will not hesitate to withdraw the suits or dismiss the prosecutions. Such action must not, however, be taken as any indication of an intention by this administration to abandon in the slightest degree the vigorous, impartial enforcement of the law.

THE PRICE OF PEACE IS OBEDIENCE.

We have heard frequently of late from representatives of certain business interests of the country cries of "Let us have peace!" and "Let us alone!" The price of peace is obedience to law.

But certain of the principles underlying that law are assuredly now understood, and any attempt at this time, with the present construction of that law agreed upon by all the higher courts, to combine, in the form of a trust or otherwise, with the obvious intention of restraining commerce among the States or of creating a monopoly of an important part of that commerce, would evidence such deliberate intention to break the law as to justify and compel the Government to use all or any of the remedies given by law adequate to prevent the accomplishment of such purpose and to punish the attempt.

As evidence of the determination of the administration to enforce the law, I present a memorandum from the Department of Justice which shows that since the 1st of March, 1909, there has been collected from the American Sugar Refining Company, for underweighing of sugar, and paid into the Treasury of the United States $2,135,486.32, and from the New York Central and Hudson River Railroad, for rebating, $136,000. I submit this as evidence of the determination of the administration to enforce the law.

The VICE-PRESIDENT. Without objection, the request will be granted.

The memorandum referred to is as follows:

OFFICE OF THE ATTORNEY-GENERAL,
Washington, D. C., May 24, 1909.

Statement showing the amounts of money collected through the office of the United States attorney in New York City, as follows:

Amount collected from the American Sugar Refining Company, by reason of underweighing of sugars:		
Amount of judgment March 5, 1909, $134,116.03, with interest		$135,486.32
Amount to compromise all civil claims, etc		2,000,000.00
Total		2,135,486.32
Amounts collected from New York Central and Hudson River Railroad Company, for rebating:		
Verdict November, 1906	$18,000	
Verdict October, 1906	108,000	
Verdict March, 1909	10,000	
		136,000.00
Total collected in both classes of cases		2,271,486.32

Mr. BURROWS. In the light of these facts there can be no question of the purpose of the administration to rigorously enforce the law. But the suggestion is sometimes made that the trusts can be destroyed by exposing them to unrestrained foreign competition. What a disastrous remedy! Under such a law all the foreign manufacturer would need to do to break up an American industry would be to come here and establish the foreign industry, form a combine, and then invoke the enforcement of the law against trusts and combines, and so secure the American market for the foreign producer. But I will not enlarge upon this.

The folly and injustice of the attempt through customs duties to destroy trusts and combinations was never more forcefully and completely answered than by ex-President Roosevelt in his letter of acceptance of September 12, 1904, in which he says:

At the outset it is worth while to say a word as to the attempt to identify the question of tariff revision or tariff reduction with a solution of the trust question. This is always a sign of desire to avoid any real effort to deal adequately with the trust question. * * *

The question of tariff revision, speaking broadly, stands wholly apart from the question of dealing with the trusts.

I ask Senators who believe in the efficacy of destroying trusts by lowering or removing duties to give heed to this:

No change in tariff duties can have any substantial effect in solving the so-called "trust problem." Certain great trusts or great corporations are wholly unaffected by the tariff. Almost all the others that are of any importance have, as a matter of fact, numbers of smaller American competitors, and of course a change in the tariff which would work injury to the large corporations would work not merely injury but destruction to its smaller competitors; and equally of course such a change would mean disaster to all the wage-workers connected with either the large or the small corporations. From the standpoint of those interested in the solution of the trust problem such a change would therefore merely mean that the trust was relieved of the competition of its weaker American competitors, and thrown only into competition with foreign competitors; and that the first effort to meet this new competition would be made by cutting down wages, and would therefore be primarily at the cost of labor. In the case of some of our greatest trusts such a change might confer upon them a positive benefit. Speaking broadly, it is evident that the changes in the tariff will affect the trusts for weal or woe simply as they affect the whole country. The tariff affects trusts only as it affects all other interests. It makes all these interests, large or small, profitable; and its benefits can be taken from the large only under penalty of taking them from the small also. * * *

It is but ten years since the last attempt was made by means of lowering the tariff to prevent some people from prospering too much. The attempt was entirely successful. The tariff law of that year was effectually prevented anybody from prospering too much, and labor from prospering at all. Undoubtedly it would be possible at the present time to prevent any of the trusts from remaining prosperous by the simple expedient of making such a sweeping change in the tariff as to paralyze the industries of the country. The trusts would cease to prosper; but their smaller competitors would be ruined, and the wage-workers would starve, while it would not pay the farmer to haul his products to market. The evils connected with the trusts can be reached only by rational effort, step by step, along the lines taken by Congress and the Executive during the past three years. If a tariff law is passed under

which the country prospers, as the country has prospered under the present tariff law, then all classes will share in the prosperity. If a tariff law is passed aimed at preventing the prosperity of some of our people, it is as certain as anything can be that this aim will be achieved only by cutting down the prosperity of all our people.

I have only to say in conclusion, so far as I am concerned I am for this schedule as it stands. Let us pass it as it is, giving protection to a great American industry while unlawful combinations are being broken up and destroyed by the irresistible force of law and so permit the industry to go on untrammeled and unimpeded in its legitimate development.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas to paragraph 213.

Mr. NELSON. On that I call for the yeas and nays.

Mr. CLAY. What is the amendment? Let it be reported.

The VICE-PRESIDENT. If there be no objection, the amendment will be again reported.

The SECRETARY. On page 72, lines 23 and 24, strike out the words "not above No. 16 Dutch standard in color;" on page 73, lines 6 and 7, strike out the words "and on sugar above No. 16 Dutch standard in color."

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. On the amendment, the Senator from Minnesota demands the yeas and nays.

Mr. NELSON. If the Senator from Utah desires to speak, I withdraw the demand.

Mr. SMOOT. Mr. President, the beet-sugar industry of this country twenty years ago did not exist; to-day it has reached splendid proportions; within two decades it is capable of development until every pound of sugar consumed upon our soil shall be produced by American workmen in American-built mills from beets grown by American farmers. This industry sprang into existence under the protection of the McKinley tariff; it has been fostered and developed under existing law; and, in my humble judgment, it must surely and speedily perish unless there shall be extended to it a reasonable protection until such time as, through the prevalence of superior methods, it can combat single handed and successfully in the markets of the world. Senators can but agree that there is no American industry not fully developed which holds out to the farmer, the mechanic, and the laborer greater prospects of profitable and abundant employment, and to the consumer a greater certainty of buying that which he consumes at a low price from his neighbor and compatriot.

The Senator from Georgia, in his able and vigorous speech of last week, expressed what no doubt was, in his own heart and in the heart of every Senator who heard him, a great solicitude for the domestic sugar growers and producers. But he argued quite fallaciously, as I shall endeavor to show, that neither the Louisiana cane sugar nor the beet sugar required the measure of protection now enjoyed by them and which it is proposed, under the Payne bill, as reported to the Senate, to continue to them. In arriving at his conclusion that a tariff of $1.25½ per 100 pounds on refined sugar would be sufficient he was, I submit, disregardful of actual facts and conditions. I do not recall that he even ventured a speculation as to what cane sugar costs, and his figures respecting the cost of beet sugar were unauthentic, self-contradictory, and inconclusive. It seems to me that the Senator was absorbed in, and that his judgment was warped by, the contemplation of the existence, the power, and the avarice of the sugar trust. He pictured the trust, and I have no disposition or intention to criticise his picture, as altogether disreputable and wicked—as a soulless, even a sinful corporation. The Senator told us in effect that this corporate monster has the Louisiana cane planters by their financial throats; that it controls all the beet-sugar factories of the country; that it buys raw sugars of our insular possessions, of Cuba, and of the world at its own prices, refines them at a nominal cost, and sells them to the American people at a profit to itself of fifty million dollars per year. He reminds us of the lamentable existence of gigantic frauds upon the customs perpetrated by this company, or its employees, on the docks at Williamsburg, N. Y.

I hold no brief for the so-called sugar trust. To the extent that my voice may be potential in these matters, I demand in the name of the people that the American Sugar Refining Company if, and whenever, guilty, shall be held civilly and criminally to answer for its violations of our civil and criminal laws.

But, Mr. President, it has been the purpose of certain Senators who have addressed us, if I apprehend the force of their argument, to condemn our domestic sugar interests to sure destruction by the withdrawal of indispensable protection upon the allegation that our cane and beet sugar industry is the little brother in crime of that great offender, the trust. In other words the argument proceeds upon the theory that the trust and the domestic industry are so inextricably interwoven that in order to destroy or injure the trust, it is unavoidable that its alleged little brother should perish with it. Such a theory, appealing as it does to so many and having after all a certain basis of reason, deserves attention, and it is my purpose to invite the attention of the Senate, for a few minutes, to the inquiry whether, after all, the American Sugar Refining Company is a dominant factor in our domestic sugar industry. As a result of this investigation it will be discovered that the trust holds less than 30 per cent of the capital of the beet sugar companies of the country. Having in view the probability that even this admitted community of interest may be sufficient to condemn the beet-sugar industry, I shall briefly invite your attention to a few facts and figures, which may convince you, as they have convinced me, that neither is the dictatorship of the trust as unlimited nor its profits as enormous as represented. As I said before, this is not submitted as a defense of the so-called trust except and only so far and to the extent that the fortunes of the trust and the beet-sugar industry are charged and held as being one and inseparable.

I quote from the speech of the Senator from Georgia, wherein he says:

We must understand clearly that the American Sugar Refining Company, commonly called "the trust," controls nearly all the refineries in the United States—controls the entire market in the United States, both as to raw and granulated sugar.

Mr. Spreckels, an independent refiner of thirty-three years' experience and an advocate of free sugar, speaking on the control of the market price of raw sugar, gave the following testimony before the Ways and Means Committee November 17, 1908, page 3392:

The CHAIRMAN. And at some time, I understand you to say, you pay the full price of the world's market for Cuban sugar. The great bulk of the Cuban sugar comes in here at a discount below the world's price?

Mr. SPRECKELS. The great bulk does; yes.

The CHAIRMAN. And that price you pay is the market price in New York, of course; and what fixes that?

Mr. SPRECKELS. The supply and demand.

The CHAIRMAN. Well, supply and demand, of course; but the world's market has something to do with it. Does the price at which the American Sugar Refining Company buys it have anything to do with it?

Mr. SPRECKELS. No more than if I buy it. It is a question of supply and demand.

Speaking of the control of the refined market, the same witness said, on page 3394:

Mr. BOUTELL. Have you any understanding or agreement with reference to prices with any other refinery?

Mr. SPRECKELS. Absolutely none.

Mr. BOUTELL. Absolutely independent?

Mr. SPRECKELS. Absolutely independent.

Mr. Stillman, representing Arbuckle Brothers, refiners of sugar, appeared before the Ways and Means Committee November 17, 1908. The following extracts are taken from this gentleman's testimony, as reported on page 3422:

Mr. HILL. Do I understand you to say that you are connected with Arbuckle Brothers?

Mr. STILLMAN. Yes, sir.

Mr. HILL. And I understood you to emphasize the fact that they are an independent concern?

Mr. STILLMAN. Yes, sir.

Mr. HILL. How long have they been "independent?"

Mr. STILLMAN. Ever since they have had a sugar refinery.

Mr. HILL. Is there any agreement between the Arbuckle Brothers and the American Sugar Refining Company?

Mr. STILLMAN. No, sir.

Mr. HILL. Has there been at any time?

Mr. STILLMAN. No, sir; not at any time. There has been constant war.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER (Mr. DIXON in the chair). Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I do.

Mr. BRISTOW. I should like to inquire of the Senator if there has not been, according to the public press, a working agreement entered into recently between Arbuckle and the sugar trust, and that the discount of 15 cents per hundred pounds which Arbuckle was giving has been withdrawn and no longer exists?

Mr. SMOOT. I have seen a statement in the press to that effect, but I understand from the parties interested that it is not true.

Mr. BRISTOW. It is true, however, that the discount has been withdrawn, is it not?

Mr. SMOOT. My information is otherwise.

Mr. BRISTOW. I wish to say that the New York financial papers stated a few days ago that such an understanding had been reached, and that the discount which had been made by the Arbuckles was withdrawn as a result of that understanding.

Mr. SMOOT. As far as the price of sugar is concerned, I will reach that subject in a little while.

Concerning the Senator's statement that "the American Sugar Refining Company controls nearly all the refineries in the United States," it is well to note that the evidence of the only two refineries of raw sugar who appeared before the Ways and Means Committee, as quoted above, directly contradicts this statement. Mr. Stillman stated (p. 3423) that his concern, Arbuckle Brothers, "refine from 200,000 to 300,000 tons of sugar during the year," and Mr. Spreckels (p. 3391) says that the company of which he is president, the Federal Sugar Refining Company, refines 9 per cent of the entire sugar consumed in the United States.

The output of these two concerns is, therefore, about 18 per cent of our entire consumption.

Willett and Gray's Weekly Statistical Sugar Trade Journal, January 7, 1909, page 2, says that the percentage of sugar manufactured by the American Sugar Refining Company in 1906 was 51.03 per cent; in 1907, 49.27 per cent; in 1908, 45.14 per cent.

The Senator from Georgia says:

> The beet grower and the cane grower of sugar both are compelled to sell to the Sugar trust in order to get raw sugar refined and ready for the market, and are bound to take the price fixed by the Sugar trust.

Has this statement any foundation in fact? The Senator should have known that every one of the 64 beet-sugar factories in the United States makes granulated sugar, which is sold direct to the trade. They do not put a pound of raw sugar on the market. Neither the trust nor any other refiner buys a particle of this sugar. Every barrel or sack of beet sugar made in this country goes on the market in direct competition with the output of the eastern refiners. That is where the shoe pinches; and, as plainly stated by Mr. Stillman, before the Ways and Means Committee, is the very reason why such refiners want a lower tariff or free sugar. They would stifle this competition. The Senator's statement that the cane grower is compelled to sell to the Sugar trust at a price fixed by the Sugar trust is scarcely more correct than is his corresponding statement concerning the beet grower.

On page 3391 of the Ways and Means Committee hearings Mr. Spreckels says that he buys his raw sugar in Java, Cuba, and Porto Rico. He states that he is unable to buy Hawaiian sugars because the same are under contract with the American Sugar Refining Company. He states further that he has actually offered the Louisiana planters more for their sugar than they are willing to sell it to the trust.

On page 3425 Mr. Stillman, representing Arbuckle Brothers, says that the reason their refinery does not use Hawaiian sugar is that they are not willing to buy it on such favorable terms as are offered by the American Sugar Refining Company. He states further that his company uses Louisiana raws, paying for the same the full market price. It thus appears that the planters have an opportunity to sell their sugar to refiners who are admittedly independent, at prices which, at least in some cases, are even above those offered by the trust.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I do.

Mr. BRISTOW. Does not the Senator think that the testimony of the secretary of the Louisiana Sugar Planters' Association would be better evidence as to that than Mr. Spreckels's?

Mr. SMOOT. I know one thing, that Mr. Spreckels to-day has men traveling over every State where beets are raised and where beet sugar is manufactured asking the people there to sign these little slips petitioning Congress to have sugar put on the free list.

Mr. BRISTOW. Certainly; but that has not anything to do with the question I asked the Senator, which was whether the testimony of the secretary of the Louisiana Sugar Planters' Association was not better evidence as to where their market was for their products than that of Mr. Spreckels.

Mr. SMOOT. I did not quote Mr. Spreckels on that. I quoted from Mr. Stillman, where he does say that his company uses Louisiana raw and pays the full market price, and that is good enough evidence, coming from a man who purchases the sugar.

Mr. BRISTOW. And the secretary of that association says they sell seven-eighths of the production of Louisiana to the trust.

Mr. SMOOT. I have not said what percentage they sell to the trust. They need not sell to the trust unless the trust gives them more for their product than Mr. Stillman or Mr. Spreckels, or any other of the independent refineries.

Mr. BRISTOW. The Senator read a statement from Mr. Spreckels saying that the Louisiana planters had refused to sell to him when he offered them more than the trust was paying, did he not?

Mr. SMOOT. Yes, I read the testimony of Mr. Spreckels.

Mr. BRISTOW. And that was what Mr. Spreckels stated in his testimony, was it not?

Mr. SMOOT. He said his prices, at least in some cases, were above those offered by the trust. I do not know where the trust may have offered higher prices.

Mr. BRISTOW. It is a fact, is it not, that the Louisiana planters sell to the trust at a cheaper price than they will sell to Mr. Spreckels?

Mr. FOSTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Louisiana?

Mr. SMOOT. I do.

Mr. FOSTER. If Mr. Spreckels states that the Louisiana sugar planters refuse to sell to him for a higher price than the American Sugar Refining Company offers, I want to state to the Senator that I do not believe Mr. Spreckels.

Mr. TILLMAN and Mr. BAILEY. Nor does anybody else.

Mr. BRISTOW. The reason I called attention to that was that the Senator was using that evidence of Mr. Spreckels to bolster up his argument.

Mr. SMOOT. I am using the evidence here, or stating here what Mr. Stillman said, that he had purchased raw sugars in Louisiana.

Mr. BRISTOW. Did not the Senator read from Mr. Spreckels's statement that he had offered more money than the trust was paying, and did not get the sugar?

Mr. SMOOT. In some cases, as his testimony shows. But that does not say that Mr. Stillman or any other independent refiner could not offer more money than the trust paid to secure that sugar.

Mr. BRISTOW. I was not inquiring as to Mr. Stillman's testimony, but as to Mr. Spreckels.

Mr. SMOOT. Resuming my statement where interrupted, the evidence submitted for the consideration of Congress in my judgment proves exactly the opposite of the statement submitted by the Senator from Georgia, that both the sugar-beet growers and the cane-sugar growers are obliged to sell their product to the trust at prices fixed by the trust.

Another specification in the indictment against the trust is that in the purchase of raw sugar from Cuba, the Philippines, Porto Rico, and Hawaii the trust gobbles up the tariff concessions, giving the people of the United States no benefit at all from these concessions and awarding the producers of sugar in those islands "no substantial benefits" from the concessions.

Do the facts substantiate this assertion?

Since the annexation of Hawaii in 1898 the output of Hawaiian sugar has been increased from 198,000 tons to 453,000 tons. Since Porto Rico was granted free trade with the United States the output of sugar from that Island has increased from 35,000 tons to 255,000 tons. Since Cuba was granted a 20 per cent concession in our tariff in 1903 her crop of sugar has increased from 1,000,000 tons to 1,400,000 tons.

If these islands get no benefit from the tariff concessions awarded them, it seems most strange that their sugar industry should develop by such leaps and bounds since the concessions were granted. The plain, unvarnished truth is that these islands have been more prosperous under their present tariff relations with the United States than ever before. Their sugar industry has developed faster and is now in a more flourishing condition than ever before. If the islands were getting no benefit from these concessions, such an industrial condition would, of course, be impossible. It is preposterous to say that a 20 per cent concession or free trade with the best sugar market in the world would not work untold advantage to tropical cane-producing islands, especially when the market is guarded by a protective tariff. To reduce our sugar schedule is to subvert the governmental policy adopted toward our insular possessions and dependencies. Such action strikes at the sugar industry of these islands as well as at the domestic sugar industry of the United States.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. Certainly.

Mr. BRISTOW. I apologize for interrupting the Senator from Utah, but I should like to know how much of this 34

cents reduction the Senator thinks the Cubans have received. What part of it.

Mr. SMOOT. If the Senator will wait, I will state from the prices of the sugar as sold how much of that 20 per cent concession the Cuban planter gets.

At our ports of entry we receive *free* sugar from Porto Rico and Hawaii, 25 per cent concessionary sugar from the Philippines, 20 per cent concessionary sugar from Cuba, and full duty paying sugar from the rest of the world. To maintain that the planters in Porto Rico, Hawaii, Philippines, and Cuba receive no benefit from concessions accorded those islands necessitates maintaining that the same grade of raw sugar has at least four different prices in our markets, depending entirely upon the country of origin. Such a supposition is entirely contrary to the facts in the case.

Mr. BRISTOW. I should like to inquire of the Senator who has stated in the discussion here that Hawaii and Porto Rico have received no benefit as the result of free sugar.

Mr. SMOOT. I made a quotation in the beginning of my remarks from a speech delivered here. If the Senator will read it, he will find out.

Mr. BRISTOW. Of course if the Senator declines to answer the question, I can not help it, but I should like to know what Senator has said that Hawaii and Porto Rico have received no advantage as the result of free sugar.

Mr. SMOOT. I again refer the Senator to the quotations that I have given before, and I have taken them from the RECORD.

Mr. BRISTOW. Do I understand that the Senator refuses to answer the question?

Mr. SMOOT. Only in this way.

Raw sugars of corresponding grades have a price in our markets which is independent of the country of origin. The man who pays 100 per cent duty nets less for his sugar than the man who pays 80 per cent, and he in turn nets less than the man who pays 75 per cent; while the man who pays no duty nets the maximum returns on his sugar.

Fortunately this statement——

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Certainly.

Mr. CUMMINS. I am very much in hopes that nothing will be done here that will injure the beet-sugar interest. I should like, before the Senator passes to the subject he is evidently about to enter upon, if he would tell the Senate whether in his opinion free sugar from Porto Rico, free sugar from Hawaii, the concession sugar from Cuba, injure the beet-sugar interest, or whether that interest would be better served if the sugar from all the outside world (and I am now speaking geographically rather than as a matter of government) paid the usual ordinary duty?

Mr. SMOOT. Mr. President, my opinion is that, so far as the domestic sugar is concerned, the beet sugar and the cane sugar as well would be benefited if the sugar from all the dependencies and the concessionary sugar from Cuba did not come in at a reduced rate.

Mr. CUMMINS. Then it follows that in granting to Cuba a concession of 20 per cent and in proposing to give to the Philippine Islands the admission of 300,000 tons of sugar free, we have inflicted one blow and are about to inflict another upon the beet-sugar interest.

Mr. SMOOT. If we produced all of the sugar we consume, or even nearly so, then it would be a vital blow to the beet-sugar industry and the cane-sugar industry of this country. I will try to show in my remarks from the figures paid for Cuban sugar, under the 20 per cent concessionary price, the benefit that the Cuban planters receive on account of the 20 per cent concession.

Mr. CUMMINS. Aside from your general interest in the welfare of the country, which I know is universal, our object here ought to be largely to protect the beet-sugar factories. Is not that true? And the Louisiana cane grower.

Mr. SMOOT. And the Louisiana cane grower, of course.

Mr. CUMMINS. That is the motive which ought to guide the Senate in fixing these duties, is it not?

Mr. SMOOT. That is the motive which led me in supporting this schedule; and also I think I should say that sugar is a proper article from which to raise revenue for maintaining the Government.

Mr. CUMMINS. The severest competitor, if competition exists, known to the beet-sugar factory, is the American Sugar Refining Company, is it not?

Mr. SMOOT. I think that if the sugar refining company could buy free sugar at a less price than the world's price of sugar with the duty added they would then become a severe competitor of the beet-sugar industry of this country.

Mr. CUMMINS. If you could relieve the beet-sugar men of the domination, so far as price is concerned, of the American Sugar Refining Company, you would have taken a long step toward the prosperity of the beet-sugar men, would you not?

Mr. SMOOT. They have nothing whatever to do with the beet-sugar interests, and if we should completely destroy them it seems to me we would escape from this American trust to a greater sugar trust across the water.

Mr. CUMMINS. I did not mean to infer just at this time, nor to have you infer just at this time, that the American Sugar Refining Company financially controls the beet-sugar factories; but I take it——

Mr. SMOOT. I did not catch that last remark.

Mr. CUMMINS. I take it you will admit that the American Sugar Refining Company has such a grasp upon the business that it does fix the price of refined sugar substantially.

Mr. SMOOT. No; I do not think that the American Sugar Refining Company fixes the price of sugar. I have here the quotations and also a letter from Willett & Gray showing that the Federal Refinery and many of the independent refining companies not only lead in the advance, but they lead in the decline, of the sugar price on the New York market. I have here, I suppose, a couple of dozen notices showing this fact on different dates in different years, and every one of them shows that the Federal Refining Company or other independent companies led not only in the advance of the price, but also in the decline.

Mr. CUMMINS. The reason why I ask it is that one of the principal beet-sugar men in the country, whose name I shall not give, because I take it that part is in confidence, told me within a day or two that the price at which the beet-sugar men had to sell their sugar was fixed absolutely by the American Sugar Refining Company, and if this interest were relieved somewhat of that they might be able to do better than they have done.

Mr. SMOOT. The facts in the case do not show that they do fix the price, and therefore I would be——

Mr. CUMMINS. At any rate, we will agree to this extent, I am sure, that it is not for the benefit of the beet-sugar interest that the sugar-refining interest shall have any further advantages or benefits.

Mr. SMOOT. No, Mr. President; and I do not propose, nor does this bill propose, to give them any further advantages, but it proposes to reduce the differential they have had in the past of 12½ cents per hundred pounds to 7½ cents per hundred pounds.

Mr. CUMMINS. Precisely; and if it can be shown to you that the beet-sugar interest would be promoted by destroying the differential entirely, would you not favor it?

Mr. SMOOT. If it would transfer the refining of all our sugar to some foreign country, I would not favor it.

Mr. CUMMINS. But may I ask one more question?

Mr. SMOOT. Certainly.

Mr. CUMMINS. If the beet-sugar men would so develop their properties that they could supply all the refined sugar used by the people of the United States, with a duty of $1.90 or $1.95 upon refined sugar, do you not believe that that would be the best possible condition that could be created in this business?

Mr. SMOOT. Yes, Mr. President, I will say to the Senator I certainly do; and I believe we can produce all the sugar we use and it could be done providing the duty on foreign sugars coming into this country is maintained.

Mr. CUMMINS. Precisely.

Mr. SMOOT. And I believe that if it was distinctly understood in the United States that the present rate of duty would be maintained for a quarter of a century, by the end of that quarter of a century we could produce all the sugar consumed in this country.

Mr. CUMMINS. But the Senator will agree that such a condition could not be brought about without very materially lessening the profits of the refining business, I am sure.

Mr. SMOOT. No, Mr. President, I really think to-day that under the rates of this bill, with a differential of 7½ cents a hundred pounds to the refiner and with $1.90 duty on refined sugar the cane and beet sugar factories could control this market. But the trouble is the tariff question has been unsettled. For a few years, beginning with 1900 and up to 1904, the factories increased in great number, but they have not been increasing of late because of the unsettled course that may be pursued in the future relative to the sugar tariff.

Referring again to my general remarks before interruption: Fortunately this statement of a general truth is fully substantiated by direct evidence submitted to the Ways and Means Committee. Mr. F. M. Hatch, for years minister of Hawaii to the United States, in a letter to the Ways and Means Committee, under date of November 19, 1908, and reported in Schedule E, Hearings, page 3441, says:

WASHINGTON, D. C., *November 19, 1908.*

Committee on Ways and Means, Washington, D. C.

GENTLEMEN: F. M. Hatch, of Honolulu, on behalf of the Hawaiian Sugar Planters' Association, submits to the committee the following statement:

The statement made by Mr. C. A. Spreckles that Hawaiian sugars are sold at a rebate of three-eighths of a cent a pound is not correct. Hawaiian sugars are, in fact, sold in New York at one-tenth of a cent a pound off. This covers two-thirds of the Hawaiian output. One-third is sold in San Francisco, being all that that market will take, under a rebate of one-quarter of a cent a pound. The Crockett Refinery, an independent refinery controlled by Hawaiian interests, is the purchaser there. The rebate in New York of one-tenth of a cent, or $2 a short ton, is not in any sense a result of the tariff. It is a concession which it is considered reasonable to make in consideration that the purchaser, the American Sugar Refining Company, binds itself for a term of years to take all Hawaiian cargoes on arrival at the market price less this rebate. The Hawaiian producers are thus saved the danger of having to store cargoes awaiting a purchaser and the alternative of being obliged to make sacrifice sales in periods of a glut of sugar in the market. This course of trade has grown up in consequence of the great distance of Hawaii from market and the impossibility of selling the crop in Honolulu.

Mr. Spreckles's statement or intimation that the trust is directly or indirectly an owner in Hawaiian plantations is without a shadow of foundation of fact, so far as the undersigned is informed and believes.

F. M. HATCH,
Representing Hawaiian Sugar Planters' Association.

This statement shows conclusively that the Hawaiian planter receives within one-tenth of a cent per pound of the full market price in New York, and that this slight concession is considered reasonable in view of the fact that the purchaser binds himself to take the sugars upon arrival, thus relieving the seller of all storage charges and losses from forced sales on a glutted market.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Will the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. Certainly.

Mr. BRISTOW. I see the Senator has now impeached his witness, Mr. Spreckels. What about Mr. Hatch? Have you anyone to corroborate or impeach his testimony later on?

Mr. SMOOT. Because a man testifies to the price of sugar that he has offered in a particular instance, more perhaps than at other places, there is no need for the Senator to get up and say his testimony is impeached. Does the Senator say that the statement of Mr. Hatch is not true?

Mr. BRISTOW. No; I was not discussing Mr. Hatch's statement. I was just inquiring whether we should take it without any qualification.

Mr. SMOOT. I will let the Senate decide as to whether Mr. Hatch's testimony is correct. The Senator can get all the evidence outside of Mr. Hatch's statement that he desires on this subject from Willett & Gray, of New York, from whom the Senator quoted today.

Mr. BRISTOW. Mr. President——

Mr. SMOOT. I do not want to be led off on other questions at this time.

Mr. BRISTOW. If the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Utah decline to yield?

Mr. SMOOT. I do not decline to yield to any Senator if he has anything to present relative to the particular question that is being discussed.

Mr. BRISTOW. Referring to Willett & Gray, referred to some time ago by the Senator as to the Arbuckle matter, I would like to read this paragraph and ask if that is his understanding. I read from Willett & Gray's Sugar Journal of May 20, 1909:

The adjustment—

Speaking of the adjustment between Arbuckle and the American Sugar Refining Company—

The adjustment of this difference in refiners' methods has been brought about by mutual concessions, and the close of the week finds the consignment plan largely eliminated, and the Arbuckle circular rebate of 15 cents per barrel withdrawn. A few prominent cities are still retained as distributing centers, say about one-fifth of the former number.

Then later, in another paragraph:

After a little time to adjust matters to the new conditions, the selling of refined should be on a more healthy basis than at any time hitherto.

Later.—At the close Federal advanced their prices to basis of 4.85 cents, less 1 per cent, the same as quoted by all other refiners.

Would not that indicate that there had been an agreement entered into by these competing refiners?

Mr. SMOOT. Not at all. The statement there says the Federal, and that is not the American Sugar Refining Company, advanced the price.

Mr. BRISTOW. They "advanced their prices to the basis of $4.85, less 1 per cent, the same as quoted by all other refiners."

Mr. SMOOT. Of course sometimes the Federal leads and sometimes the American Sugar Refining Company leads. As far as the statement of Willett & Gray is concerned, I can show a statement here and a letter from them to the effect that more often than otherwise has the Federal or the Arbuckle led the prices, both as to increase and as to decline.

Mr. BRISTOW. There seems to have been an understanding on the 20th of May by which they were all quoting the same price, was there not?

Mr. SMOOT. I can not say whether there was any understanding or not. I am not going to say, because I do not know whether there was or not.

Mr. BRISTOW. This would indicate that there was, would it not?

Mr. SMOOT. Not necessarily, because one man quotes the same price that another quotes.

Now, if the Senator will allow me to go on with my argument, because that is immaterial, I will proceed.

The evidence, therefore, shows that the producer of insular raw sugar does get a substantial part of the concession in tariff—that, in fact, he gets it practically all.

Does the American consumer get any benefit from these concessions?

The refiners of sugar make their profit out of the difference between the prices of raw and refined sugar. After deducting the cost of refining from this margin, the remainder is the refiner's profit. With a given cost of refining, the only way to increase the refiner's profit is to increase the margin between raws and refined. For the four years prior to the Cuban 20 per cent concession the margin between raws and refined was 89.7 cents per 100 pounds; for the four years since the establishment of that concession the margin has been 87.5 cents per 100 pounds. The margin between raws and refined is actually less now than it was before the Cuban treaty of December, 1903. Therefore, the refiner has not so great an opportunity for profit making as he had before the enactment of these concessions in the sugar schedule. Moreover, for the four years prior to Cuban concession our price for raws averaged 2 cents per 100 pounds below Hamburg, parity duty added, while since the Cuban concession it has averaged 16 cents below Hamburg, parity duty added. The refiner is buying his raws 14 cents further under Hamburg parity duty added than he did before Cuban concession, and is maintaining 2 cents less margin per 100 pounds than he did before Cuban concession. The American consumer is, therefore, getting about 16 cents per hundred pounds benefit from Cuban concession.

Fortunately, we have direct testimony corroborating these market conditions. One of the three witnesses who appeared before the Ways and Means Committee to advocate the reduction of the duty on sugar was Mr. Edwin Atkins, of Boston. This gentleman owns extensive plantations in Cuba and has been in the sugar business all his life. On page 3356 of Schedule E Hearings he makes this statement:

The cost of refining is generally admitted to be about 62 cents a hundred pounds, and if the refiner gets a margin between the cost of his raw sugar and the price of his refined of 90 cents a hundred pounds during the year, he makes the difference between the cost of refining, 62 cents, and 90 cents, which gives him a profit of about 28 cents a hundred pounds. I mention that to contradict the statement—it has not been made here—that the refiner, we will not say the trust, gobbles this differential which was given to Cuba. The figures show this is not so. He can not get it. He could not get it if he wanted to; there is too much competition among the refiners themselves.

Mr. BRISTOW. Mr. President, I regret very much——

The PRESIDING OFFICER. Does the Senator from Utah yield further to the Senator from Kansas?

Mr. SMOOT. Mr. President, I would very much prefer to go on, and then I will answer any question that the Senator wants to ask. I will submit these figures, and I can demonstrate beyond the question of a doubt that they are correct.

The PRESIDING OFFICER. The Senator from Utah declines to yield further at this time.

Mr. SMOOT. Apropos of the inquiry as to whether the trust buys Cuban and other insular sugars at its own prices and without the benefit of our tariff concessions to the producers, I submit a letter from Willett & Gray, dated May 22, 1909. This letter, it will be observed, makes the very interesting statement that changes in price of sugar are almost invariably led by the independent Federal and Arbuckle refineries and followed by the American—an assertion amply proved by reference to their daily bulletins, which I have examined—and one quite inconsistent, it seems to me, with the supposition that the trust

sways and toys with the market as it sees fit, fixing and changing prices at its will, with the rest of the sugar world looking helplessly on and hobbling along behind as best their crippled condition permits.

Mr. President, I ask permission to insert the letter of Willett & Gray in the RECORD without reading.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted. The Chair hears none.

The letter referred to is as follows:

WILLETT & GRAY,
No. 82 Wall street, New York, May 22, 1909.

DEAR SIR: Your kind favor of the 21st inst. is received and noted.

I have an advance copy of Senator CLAY'S speech, which certainly places him at the foot of the kindergarten class in sugar in Congress. It is a well-established fact that changes in price are almost invariably led by the Federal or Arbuckle refineries and followed by the American. I could send you hundreds, if not thousands, of such changes taken from our file of "dailies."

I send you just a few occurring at the present time. A few in 1908, 1907, 1906, etc, which will answer your purpose no doubt.

In the same way it can be shown that the Federal or Arbuckle are much more often leaders in an advance or decline in raws than the American, and that when advanced the American has to pay the rise.

It is proved conclusively that the Porto Ricans get the full remission of duties, or rather as much of it as Cuba gets, by the record of sales of Cubas and Porto Ricos and other sugars on the New York market at or about the same time. For instance, in replying to a request of Senator BRISTOW a few days ago, we quoted the following sales:

"On March 26, 1909.—Sales Cuban sugar, 96 test, at 2.625 cents, cost and freight, plus one-half per cent marine insurance and duty, equal 3.985 cents per pound, duty paid.

"Sales Porto Rico sugar, 96 test, at 3.985 cents landed (no duty).

"On March 27, 1909 (market a shade firmer).

"Sales San Domingo sugar, 96 test, at 2.304 cents, cost and freight equal 4 cents per pound, duty paid.

"On March 30, 1909 (market firm).

"Sales Cuban sugar, 96 test, at 2.65 cents, cost and freight 4.02 cents, duty paid.

"Thus the refiner pays as much for duty-free sugar from Porto Rico as for sugar from Cuba paying 1.348 cents duty, and as for sugar from San Domingo paying 1.685 cents duty, and the Porto Rico and Cuban planters receive the full benefit of tariff concession based on the *New York* market."

Neither Porto Rico nor Hawaii get the *full* benefit of the remission, because Cuba doesn't stand pat and get her full 34 cents benefit, but all get as much benefit as Cuba chooses to take.

In 1908 Cuba sold all the way from 0.011 cent per pound in August, when crop was ending, to 0.357 per pound in February (when crop receipts were largest), below world's prices, the average for the year being 0.155 cent per pound, leaving 0.182 cent per pound benefit to Cuba planters out of the 0.337 cent per pound differential of reciprocity treaty.

Porto Rico and Hawaii got full Cuba parity on all sales, but no more hence sold at 0.155 cent per pound average less than full-duty basis of Hamburg during 1908.

Yours, very truly,

WALLACE P. WILLETT.

Mr. SMOOT. The Senator from Georgia makes the following statement concerning the holdings of the American Sugar Refining Company:

The American Sugar refiners, commonly called the trust, have been wide awake, looking toward the production of raw sugar in the Hawaiian Islands, Porto Rico, and Cuba. The sugar trust has purchased, either directly or indirectly, large tracts of sugar land in these islands, producing an abundance of raw sugar at about 2 cents per pound.

In a discussion of the conditions in each of the islands above mentioned the Senator repeats this statement, even going to the extent of saying that the American Sugar Refining Company, commonly called "the trust," absolutely owns and controls a large proportion of the plantations in each of these islands. Is there one particle of evidence to show that this statement is true? In fact, it is authoritatively stated that the sugar trust does not own, either directly or indirectly, an acre of sugar land in Hawaii, Porto Rico, or Cuba. When the American Sugar Refining Company made application to have its stock listed on the New York Stock Exchange it reported, under oath, all its holdings. This report is found in Willett & Gray's Weekly Statistical Sugar Trade Journal, February 4, 1909, page 46. In this report it makes the following statement:

All the property of the American Sugar Refining Company is located in the United States. The dock and warehouse property in Cuba which it formerly owned was sold last year.

It was stated by the Senator from Georgia that nearly two-thirds of the sugar consumed in the United States came from foreign countries into the United States. To secure this percentage of foreign imports he considers the sugar received from Porto Rico, Hawaii, and the Philippines to be imported from foreign countries. Later he considers the imports from these insular possessions to be domestic sugar which the refiner buys without any tariff cost to the purchaser.

The fact is that the only foreign sugar we imported consisted of about 350,000 tons full duty paying sugar and the Cuban crop, which together made up one-half our consumption.

When the Philippines shall send us the 300,000 tons duty free sugar provided for in this bill, the only foreign sugar entering the United States will be that received from Cuba, which, under our treaty with that island, will pay 80 per cent of the full tariff rate.

The Senator further says:

The sugar trust now controls and owns a majority of the stock in the sugar-beet factories of this country—that is, about 51 per cent of the stock.

In speaking of the profits of these factories, he says:

The sugar trust makes a clear profit of $4.32 on each ton of beets purchased and converted into sugar.

If this language means anything, it means that the sugar trust owns a majority interest in the 64 beet-sugar factories in the United States, and is making a profit of $4.32 per ton on the beets worked. Let us consider these propositions separately and in detail.

First. As to the ownership of the beet-sugar factories. There is not a particle of evidence either before the Ways and Means Committee or the Finance Committee to substantiate the assertion that the sugar trust owns a majority of the stock in the beet-sugar factories of the United States; in fact, there is considerable evidence to the contrary.

Until two years ago the stock of the American Sugar Refining Company, known as "the sugar trust," was never listed on the New York Stock Exchange, consequently no public statements of its financial condition were printed. When a corporation makes application to the New York Stock Exchange to have its stock listed it must file a complete sworn statement of its financial condition, and a similar statement must be filed each succeeding year. The penalty for making a fraudulent statement is the expulsion of the stock of the corporation from the exchange. Under this rule the American Sugar Refining Company has filed with the New York Stock Exchange two financial reports—one for December, 1907, the other for December, 1908. An examination of these reports shows that the total investments this corporation holds in other corporations amount to a little less than $22,000,000. The brief of the American Sugar Refining Company, submitted to the Ways and Means Committee, and published in Schedule E Hearings, page 3431, contains the following plain statement concerning the holdings of that company in the beet-sugar industry of the United States:

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I do.

Mr. BRISTOW. I should like to ask for information, if the Senator will consent, if he knows where this $22,000,000 is invested? In what companies have the so-called sugar trust invested this $22,000,000 in stock?

Mr. SMOOT. Mr. President, my argument is along the line that the beet-sugar companies have $70,000,000 in capital stock, that all of the interest the American Sugar Refining Company has in stock of other companies is about $22,000,000, and that, therefore, it is impossible for them to control 51 per cent of the capital stock of the beet-sugar companies. If the Senator wants any further evidence, I have affidavits from sugar factories in this country stating that the trust do not control 51 per cent of their stock.

Mr. BRISTOW. Can the Senator inform the Senate what is the market value of beet-sugar stock so purchased?

Mr. SMOOT. I can inform the Senator as to the market value of the stock in the Utah and Idaho Sugar Company. It is about $8.90 per share of $10.

Mr. BRISTOW. The reason I asked the question is that if the stock is selling, as I am advised—my information may be wrong—in some instances for thirty or forty dollars on the hundred, this $22,000,000 properly invested would certainly gain control of a very large part of the stock.

Mr. SMOOT. I know that a great many of the sugar stocks are not selling at par. I know that the Utah and Idaho stock is not; the Amalgamated preferred is not. I do not, however, want to go into that question further at this time.

Mr. BRISTOW. What I wanted to get at, if it was possible to do so, was what companies which are producing beet sugar has the trust acquired control of as the result of the investment of this $22,000,000?

Mr. SMOOT. I have not the list of the companies in which the Sugar Refining Company owns stock; and so I can not give that information to the Senator now.

Mr. BRISTOW. Very well.

Mr. SMOOT. The brief of the American Sugar Refining Company submitted to the Ways and Means Committee contains the following:

There apparently exists uncertainty as to whether the American Sugar Refining Company is interested in the beet-sugar industry of the United States. There is no mystery about it. The annual statement for 1907 contains an item which states the fact that the company is interested in the beet industry.

* * * * * * *

The interest of the American Sugar Refining Company in the beet-sugar factories of the United States is less than 29 per cent of the total beet-refining capacity for working beets into refined sugar.

The report made by the Secretary of Agriculture to the Senate under date of April 26, 1909, furnishes independent and authentic confirmation of this statement. In the report it is stated on page 13 that the total investment of capital in the beet-sugar business at the close of 1908 was $70,000,000. If the American Sugar Refining Company owns 29 per cent of this, their holdings in the beet sugar industry amount to $20,300,000. If we subtract this from the total amount which the sworn statement of the American Sugar Refining Company gives as their holdings in other corporations, we have $1,700,000 invested in other corporations than beet-sugar factories. It would thus be seen that the sworn statement made by this corporation to the New York Stock Exchange, the testimony of their secretary before the Ways and Means Committee, and the report of the Secretary of Agriculture harmonize perfectly. I have it also from the officers of most of the beet-sugar companies of the United States, in the form of affidavits, that their several companies are not controlled by the American Sugar Refining Company or so-called trust. Instead of the trust having, as claimed, the majority interest in all the beet-sugar factories of the United States, its actual holdings amount to less than 29 per cent, leaving over 71 per cent of the investments in this industry in the hands of other people. In every case where this corporation has an interest in beet-sugar factories the entire management of the company is vested in a local board of directors, with local offices and local management.

Second. We now wish to consider the assertion that the profit of manufacturing a ton of beets into sugar is $4.32. The Senator claims to base this conclusion upon the report of the Secretary of Agriculture to the Senate under date of April 26, 1909, but he entirely misconstrues that report.

Right here I may state that Secretary Wilson telephones that an employee informs him that a letter signed by himself and addressed to Senator BRISTOW and by Senator BRISTOW read to the Senate to-day, purporting to give the facts as contained in his report to the Senate, is evidently a mistake if it gives the figures differently from those set forth in Senate Document No. 22, and that he will correct the statement in the letter.

A gentleman from the Agricultural Department—I thought I had his card here—has called on me and told me that he himself made the mistake; that it happened exactly as I stated to the Senator at the time I interrupted him. The call was made since the Secretary of Agriculture has heard of the statement made by Senator BRISTOW, as quoted from the letter, that there was some 316 pounds of beet sugar extracted from a ton of beets.

Mr. CLAY. Does the Senator refer to the document from which I read?

Mr. SMOOT. No; I refer to a statement made by the Senator from Kansas [Mr. BRISTOW] in the Senate to-day.

Mr. CLAY. I thought the Senator had reference to a document which I read; which document stated that a ton of beets made 282 pounds of sugar.

Mr. SMOOT. I might say now that the Secretary of Agriculture's statement shows that that is not so.

Mr. CLAY. The Secretary of Agriculture says that is not true?

Mr. SMOOT. Absolutely.

Mr. CLAY. Mr. President, I addressed a letter to the Secretary, to which he replied. That reply is published in my remarks made the other day. It gives the price of beets and says that a ton of beets make about 282 pounds of refined white sugar. I have the letter here, and I can put my hands on it in a moment.

Mr. SMOOT. Mr. President, perhaps that is another letter such as the one written to the Senator from Kansas [Mr. BRISTOW], but here is the statement by the Secretary of Agriculture in Senate Document No. 22.

Mr. BRISTOW. Mr. President——

Mr. SMOOT. It was this very document from which the Senator from Georgia was quoting a great many of his figures. If we will look at Senate Document No. 22, signed by Secretary Wilson, on page 14, we will find that the average sugar in beets for 1908 was 15.74 per cent, but the average extraction of sugar based on the weight of beets was 12.47 per cent, and the average for the six years given below was 11.67 per cent, or 233 pounds to the ton of beets.

Mr. CLAY. Mr. President, with the Senator's permission, I have the letter here before me, dated May 8, 1909, and I will read from it:

As regards the cost of manufacture of 1 ton of beets into sugar, I would say that—

One hundred pounds of sugar costs $3 to $3.50, average $3.25, to manufacture. The beets from which this was manufactured cost $5 a ton, plus about 50 cents freight, and contained 16 per cent sugar. The amount of sugar in 1 ton was then 320 pounds, and the amount of the sugar recovered as white sugar was 88 per cent of 320 pounds, or 282 pounds.

That is from Doctor Wiley, who is the chemist of the Agricultural Department.

Mr. SMOOT. I have heard from the Secretary of Agriculture, Mr. Wilson, that the figures in this document are absolutely correct, and they are the figures prepared by the Agricultural Department.

Mr. CLAY. Does the Senator say to the Senate that the Secretary of Agriculture denies the facts contained in this letter addressed to me on May 9, 1909?

Mr. SMOOT. Mr. President, I have not heard from the Secretary of Agriculture on that particular letter, but he does deny the figures as stated in the letter the Senator from Kansas read to-day.

Mr. CLAY. The letter of May 8 was in reply to a request that I sent to the Secretary of Agriculture, asking the number of pounds of sugar contained in a ton of beets, and how much it cost to refine it. The calculation was made by the Department and sent to me at my request.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. Yes.

Mr. CARTER. I have no doubt whatever, Mr. President, that the Secretary of Agriculture is right in both cases, precisely as he would be right in the case of an assay of a given quantity of gold ore. One ton might show $50 gold, while an average of 100 tons would only show $30 or $20, as the case might be. The sample referred to by Doctor Wiley undoubtedly produced the amount of sugar he stated. The figures presented by the Senator from Utah are undoubtedly based upon a general average of production, extending over many samples from many sections. For instance, in some parts of the West the amount of saccharine matter is found to be much greater than in a beet-growing region 100 miles distant from that particular place. The amount of saccharine matter in beets grown in the Rocky Mountain region, where the days are long and the sunshine therefore continuous for many hours, is a much greater percentage than where the beets are grown in a cloudy region, with little sunshine and unfavorable conditions.

Mr. SMOOT. A note has just been handed to me which says that the letter to the Senator from Georgia [Mr. CLAY] contained figures furnished by Mr. Bryan, of the Chemistry Bureau, whose figures Secretary Wilson disavows. He took simply the figures of one factory for one year.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Michigan?

Mr. SMOOT. Yes.

Mr. SMITH of Michigan. I am sorry that I did not hear what the Senator from Utah said with reference to the statement attributed to the Secretary of Agriculture this morning by the Senator from Kansas [Mr. BRISTOW].

Mr. SMOOT. I will state it again.

Mr. SMITH of Michigan. Do I understand the Secretary of Agriculture has denied the statement attributed to him this morning?

Mr. SMOOT. He says the figures quoted in that letter are not correct. The figures quoted, as I myself told the Senator when he read them, related to the average sugar in the beets for 1908 instead of to the average extraction of sugar based on the weight of beets. The clerk from the department has told me himself that he made a mistake in the column, that he took the figures that were given of the average sugar in the beet instead of taking the average extraction of sugar based on the weight of the beets.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. Certainly.

Mr. CURTIS. With the permission of the Senator, I should like to say that I have a letter from the superintendent of a beet factory at Garden City, Kans., in which he says:

A high average of the sugar content of the beet would be 15 per cent; our own average this past year was 14.7 per cent, which is the highest beets that we have raised in this valley. An excellent saving in the factory would be a basis of 85 per cent of the sugar content. Beets running 15 per cent will produce, if 100 per cent were saved, 300 pounds of sugar per ton of beets. On a saving of 85 per cent a ton of beets will make 255 pounds of sugar.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Utah yield to the junior Senator from Kansas?

Mr. SMOOT. Yes; I yield.

Mr. BRISTOW. I want to inquire if Secretary Wilson has said that he did not write me the letter which I submitted here this morning, giving specifically the figures that I quoted?

Mr. SMOOT. I did not say that the Secretary made any such statement. The Secretary makes the statement that there was an error made by the clerk in the department, and I had the clerk's name here a moment ago. He came and told me himself that he did make the error, and that the figures quoted and placed in the letter to the Senator from Kansas were not the correct figures.

Mr. BRISTOW. Are we to understand that the letters written to the Senator from Kansas and the Senator from Georgia are both wrong, and that those to the Senator from Utah are right?

Mr. BEVERIDGE. The Senator from Montana [Mr. CARTER] showed that both are right, Mr. President.

Mr. SMOOT. I am not quoting from any letter; I am quoting from a public document, which I believe to be absolutely correct. The letter that was written to the Senator from Georgia [Mr. CLAY] was based upon one single State and for one single year.

Mr. CLAY. If the Senator will permit me—I do not like to interrupt Senators, as I believe when a Senator is making a speech he ought to be permitted to get through with it; and I will reply to the Senator from Utah at the proper time—when the Secretary of Agriculture, through his different bureaus, sends to us information that we ask and says it is reliable under his own signature, I have not much patience, if it be true, that Senators can go there and get a verbal statement saying all those calculations are absolutely incorrect. I have always had the highest confidence and the greatest respect for the distinguished Secretary of Agriculture; and, Mr. President, I must confer with him myself. I have heard nothing that would cause me yet to change my high opinion of that distinguished gentleman; and I will not say aught against him until I look into the matter and give it most diligent attention.

Mr. SMOOT. I think that is perfectly correct; and I think that when the Senator looks into it he will find that Senate Document No. 22, signed by Secretary Wilson, is correct.

The Senator claims that the extraction of sugar is 282 pounds per ton of beets. At the bottom of page 14 of the report above mentioned it will be seen that the average per cent of extraction is 11.66, or 233 pounds per ton of beets. This is 49 pounds less than given by the Senator from Georgia. The value of 49 pounds of sugar at 4½ cents a pound is $2.20. This certainly must be subtracted from the $4.32, reducing the profit more than one-half, or to $2.12 per ton. The Senator further gives the cost of beets from which this sugar is made as $5 per ton, whereas in the report above mentioned the Secretary plainly states, on page 16, first paragraph, that the cost of beets is $5.35 per ton, or 35 cents a ton more than the price fixed by the Senator. Subtract this 35 cents from $2.12, we find that the correction of these two errors alone reduce the manufacturers' profit on a ton of beets from $4.32 to $1.77. There are other items that should be taken into consideration, as shown conclusively by the census figures of 1905. I submit a table giving the cost of producing 100 pounds of granulated sugar as shown by the census figures of 1900 and 1905. I shall content myself by calling the attention of the Senate to the figures shown in the closing paragraphs of this table, from which it appears that in 1899 but 203 pounds of sugar was the average extraction per ton of beets; that the average for 1904 was 228.2 pounds, and that the cost of producing 100 pounds of beet sugar in 1899 was $4.84 and in 1904, $4.24.

Mr. President, I have a table here showing the capital invested in the beet-sugar industry, and granulated sugar produced; the expenses of producing the same; the value of all products; the expense per ton of beets; the results per ton of beets; the campaign results; and giving a detailed statement of the total cost of manufacturing beets. I ask permission to insert the table in the RECORD, if there be no objection.

The VICE-PRESIDENT. In the absence of objection permission is granted.

The table referred to is as follows:

Capital invested in the beet-sugar industry.

[Census Bulletin No. 61, pp. 59–69.]

	1904.	1899.
Land	$1,737,948	$682,705
Buildings	11,466,749	3,891,371
Machinery, tools, and implements	25,696,825	14,420,325
Cash and sundries	14,022,942	1,964,118
Total	55,923,459	20,141,719

Capital invested in the beet-sugar industry—Continued.

BEETS WORKED AND GRANULATED SUGAR PRODUCED.

Tons of beets worked	$2,175,417	$794,688
Pounds of granulated sugar produced	496,618,314	115,686,356

EXPENSES.

Officers of corporations	$284,781	$114,300
General superintendents, managers, clerks, etc	719,855	242,375
Wage-earners	2,486,702	1,092,207
Miscellaneous, including rent of offices, taxes, and insurance	1,999,855	441,384
Sugar beets	11,345,785	3,485,320
Fuel	1,225,015	453,036
Limestone	351,893	.....
Coke	148,721	.....
Sulphure	30,408	.....
Barrels, purchased as such	80,970	.....
Sacks, purchased as such	424,903	.....
Mill supplies	102,897	18,933
All other material	656,397	477,437
Freight	119,887	369,070
Depreciation[a]	2,608,128	915,584
Total	21,985,897	7,609,646

VALUE OF ALL PRODUCTS.

Granulated sugar	$23,493,373	$5,580,527
Raw sugar	431,229	1,642,054
Molasses	221,667	25,102
Beet pulp	202,070	21,822
All other products	46,025	54,352
Total	24,393,794	7,323,857

EXPENSE PER TON OF BEETS.

Officers of corporations	$0.131	$0.144
General superintendents, managers, clerks, etc	.330	.305
Wage-earners	1.143	1.374
Miscellaneous, including rent of offices, taxes, and insurance	.919	.555
Sugar beets	5.210	4.390
Fuel	.563	.570
All other material and freight	.881	1.089
Depreciation	.923	1.152
	10.100	9.579

RESULTS PER TON OF BEETS.

Value of all products per ton of beets worked	$11.213	$9.216
Expense per ton of beets[c]	10.100	9.579
Profit per ton of beets	1.113	.....
Loss per ton of beets[c]	.....	.363
Betterment in financial results for factory per ton of beets	1.476	.....

CAMPAIGN RESULTS.

Total expense	$21,985,897	$7,609,646
Value of raw sugar and by-products	$900,421	$1,743,230
Net expense chargeable to granulated sugar produced	$21,085,476	$5,866,416
Quantity of granulated sugar produced ....tons	496,618,314	115,686,356
Cost of producing granulated sugar per 100 pounds[c]	$4.24	$8.07
Selling value of granulated sugar per 100 pounds	$4.70	$4.82
Difference between cost and selling price[c]	[d]$0.46	[e]$0.25

[a] Not separately classified in 1900 census, but included under "All other material."

[b] For 1904, 5 per cent on $40,162,574; for 1899, 5 per cent on $18,311,696.

[c] In 1899 an abnormally large amount of raw sugar was carried over, owing to which fact the quantity of granulated sugar, as shown in the above Census table of 1899, does not represent either the real extraction of sugar from the beets or the fair cost of production per 100 pounds.

[d] Gain.

[e] Loss.

Mr. SMOOT. Dr. Guilford L. Spencer, the distinguished sugar expert who prepared the 1899 Census data on beet sugar (1900 Census, vol. 14, p. 548), says:

A quantity of raw sugar or low-grade massecuite is carried forward each year by most of the factories, which renders it impracticable to ascertain the exact quantity of sugar manufactured from the beets grown in any one year. Assuming that the factories operated in 1898 carried forward to the next crop relatively the same quantity of sugar as in 1899, and deducting this amount and crediting the sugar carried forward in 1899 to the crop of that year, we obtain a total of 161,474,100 pounds, or 203 pounds of sugar per ton of beets, or 10 pounds of sugar per 100 pounds of beets, as the yield from beets grown in the census year. In view of the high average percentage of sugar in the beets, as shown in Table 7, page 4, this yield is disappointing. It is probably in a measure due to the deterioration of beets at new factories not fully prepared for work when the roots were harvested. Such deterioration was reported at several factories.

Carrying out the figures on this basis and allowing for the expense of working up the raw sugar we get the following comparative results for the 1899 and 1904 campaign:

Campaign results.

	1904.	1899.
Total expense, including cost of working up raw sugar	.....	$7,908,219
Total value of by-products	.....	$101,276
Total expense chargeable to granulated sugar	$21,085,476	$7,806,943
Cost per 100 pounds of granulated sugar	$4.24	$4.84
Net gain per 100 pounds in 1904 factory results	$0.60	.....
Selling value of granulated sugar per 100 pounds	$4.73	$4.82
Difference between cost and selling price	[a] $0.49	[b] $0.002
Sugar extraction per ton of beets .....pounds	228.2	203

[a] Gain. [b] Loss.

The accuracy of the Census figures, which show a profit of but 49 cents per hundred pounds, 1905, is confirmed by the fact that the dividends paid on the preferred stock of the various companies owning beet-sugar factories is only from 6 to 7 per cent, and that the stock of nearly every beet-sugar company in the United States can be purchased below par.

According to the figures of the Secretary of Agriculture, a ton of beets, which costs $5.35, makes 233 pounds of sugar; that is, factories pay the farmers $2.30 per hundred pounds for the sugar that can be extracted from a ton of beets. This is the cost of the raw material before beginning the process of manufacture. The average export price of granulated sugar, f. o. b. Hamburg, for the last eight years is $2.36½ per hundred pounds. No better illustration could be given of the necessity for a protective tariff in order to enable the beet sugar industry of the United States to live. It should be noted, as shown conclusively by the Senator from Louisiana, from the report of the British tariff commission, Volume VII, paragraph 17, that Europe exports its beet sugar at a less price than the cost of manufacture. The British tariff commission report shows that the cost of producing granulated sugar in Germany with the minimum cost for beets is $2.46 per hundred pounds, which is 9½ cents per hundred pounds below the German average export price for the past eight years. This commission's report further shows that in the year 1904, even after the abolition of the European cartels by the Brussels Convention, Germany sold its sugar in England at 37 cents per hundred pounds below the cost of manufacture. It did this in order to kill off the English refining industry. Its tactics have succeeded so well that whereas a few years ago England refined 97 per cent of the sugar she consumed, to-day she is refining but 45 per cent of her own consumption. So serious is this destruction of an English industry that the British tariff commission recommends the establishment of a protective duty on sugar with a refiners' differential of 25 cents per hundred pounds. That Europe would pursue the same policy with reference to the sugar industry of the United States is self-evident if this country would adopt a low tariff which would give them an opportunity to invade our market. The reason that European refiners can afford to sell their sugar for export at less than the cost of production is that under their system of government control they are allowed to charge enough higher price to their home consumer to make up for the loss on their export trade. If they could kill off the domestic sugar of the United States and have free access to our market, they would, immediately following such a condition, raise their export price above the cost of manufacture, and thereby relieve their own citizens of the excessive price they are now paying for sugar.

And here let me say that it appears from the data given by the Senator from Georgia that, taking the last dozen years, the average difference between the Hamburg and New York prices of refined sugar is 1.89 cents per pound—an average less than the tariff of 1.90 cents per pound. The Senator's own figures show that refined sugar in London, after paying the British tariff of 39.6 cents per 100 pounds, was 62.4 cents per 100 pounds higher than in Hamburg for five years, beginning 1904.

Thus we are confronted with the puzzling fact that in trust-ridden America sugar has not for a dozen years brought the foreign price plus the tariff (to say nothing of the freight and other expenses), while in free-trade England the people have paid the Hamburg price and the revenue tariff and then the enormous increment of 62.4 cents per 100 pounds.

In view of the charges that have been made frequently on the floor of this Chamber, and of the approximate accuracy of which perhaps all of us have become more or less convinced, it becomes interesting to inquire as to the profits of the sugar trust—to ascertain if possible whether, in fact, it is making as much, or anywhere nearly as much, money out of the American people as it has been and is so habitually charged and as we have been persuaded to believe.

From the statement made by the American Sugar Refinery Company of its profits, as published in Willett & Gray's Weekly Journal of March 25, 1909, it appears that during the year ending December 27, 1907, that company made a net profit of $8,749,291.62.

In view of the circumstances, and in particular consideration of the fraudulent practices of some of the company's employees, we may consistently reject this statement as of doubtful accuracy unless we find it corroborated by extrinsic evidence. I have looked around to ascertain what corroboration or refutation this statement might merit from facts and figures available to us from independent sources and find that the accuracy, or approximate accuracy, of the trust's figures may be established by the following facts, figures, and calculations:

Profit of the American sugar refiners.

According to Willett & Gray's Sugar Statistical Trade Journal of January 7, 1909, page 2, the amount of sugar refined in 1907 by the American Sugar Refining Company was .....gross tons	1,401,061
Amount of sugar refined in 1907 by the independent refiners .....gross tons	1,064,827
Total gross tons of sugar refined by seaboard refiners	2,465,888

Two million four hundred and sixty-five thousand eight hundred and eighty-eight gross tons of 2,240 pounds each equals 5,523,589,120 pounds.

Average 1907 New York price of 96° sugar (W. & G.), $3.756 per 100 pounds. Total cost of 5,523,589,120 pounds of raw sugar, duty paid, $207,466,007.

The average net loss of weight in refining raw sugar and thereby separating the dirt and impurities from the sugar is 7 pounds per 100, or 7 per cent. Seven per cent of 5,523,589,120 pounds is 386,651,238 pounds.

Deducting the 386,651,238 pounds of waste material from the 5,523,589,120 pounds of material imported gives the output in granulated sugar 5,136,937,882 pounds.

The cost of barrels or double bags in which the granulated sugar is marketed is a known quantity, the variation from year to year being from 10 to 12½ cents per bag, containing 100 pounds of sugar; 51,369,378 bags, at 11¼ cents each, equals $5,779,055.

To ascertain the total amount the refiners received for their product we multiply the pounds sold by the average price received. The New York wholesale price of granulated sugar, per 1907 (W. & G.), was $4.649 per 100 pounds; 5,136,937,882 pounds at $4.649 per 100 pounds equals $238,816,241.

Total amount received by the refiners for their output		$238,816,241
Cost of raw sugar	$207,466,007	
Cost of packages	5,779,055	
		213,245,062
Total amount left refiners for cost of refining, repairs, depreciation of plants, and for profits		25,571,179
$25,571,179 divided by 5,523,589,120, the number of pounds refined, equals, per 100 pounds		46.3 cents

It is stated that the Hawaiian planters sell their sugar to the refiners at a discount of one-tenth of 1 cent per pound below the prevailing market price at the time of their arrival; also that a discount is made on Louisiana raw sugars, and perhaps the Porto Rican planters also allow a discount; but whatever the truth may be in these cases, the fact remains that after deducting the loss in weight and refining and the cost of packages, so far as the consuming public is concerned, 46.3/10 cents per 100 pounds is the net amount the refiners received in the year 1907 over and above the cost of raw sugar, landed in New York, duty paid, with which to defray the cost of refining, repairs, depreciation, and profit.

Pursuing the inquiry one step further with the object of ascertaining the profits of the trust in 1907, we figure as follows:

2,465,888 tons of sugar cost refiners	$207,466,007
Refiners received for sugar	238,816,241
Difference	31,350,234
James H. Post, president National Sugar Refining Company, before Industrial Commission (vol. 1, p. 150), gave cost of refining, outside of loss in weight, including packages, as $0.348 per 100 pounds applied to 5,523,589,120 pounds equals	19,222,090
Leaving for profit	12,128,144

The American Sugar Refining Company refined 56 per cent of the 2,465,888 tons.

Fifty-six per cent of $12,128,144 equals $6,791,743, which for the year 1907, based on Post's statement as above, would be the profit of the trust.

But, as I stated before, the company gives its 1907 profits as $8,749,291.62, an amount $1,957,548.62 in excess of the profits arising from the refining of sugar, but this excess, it would seem, might very easily be realized from about $50,000,000 of investments, loans, cash on hand, and so forth, the enumeration of which appears in the report mentioned.

Again referring to the allegation that the "sugar trust" reaps, gobbles, an annual profit of $55,000,000, we arrive at the utter absurdity of this estimate and reach an approximate confirmation of the figures furnished by the trust from a consideration of the figures specifically employed by the Senator from Mississippi in his speech of May 14, 1909, and

referred to by the Senator from Georgia, but not stated exactly in his speech of last week.

Both of these Senators, in discussing the cost of sugar to the American people through direct and indirect taxation, invite attention to the fact that there were consumed in the United States in 1907, 2,903,979 long tons of sugar, which it was calculated had been increased in price the full amount of the duty, namely, 1.95 cents per pound. It was shown that the Government collected $60,135,181 revenue on the sugar imported, and it was assumed that the balance, consisting of $70,641,821, had gone chiefly—to the extent at least of $54,000,000, according to the estimate of the Senator from Georgia—into the capacious pockets of the American Sugar Refining Company.

Let us, therefore, direct our attention to the facts, with the purpose of ascertaining where this enormous balance goes, and what are the profits of the trust.

WHERE DOES IT GO?

Senator MONEY's estimate of the increased cost of sugar by reason of the tariff		$130,777,002
Of the total consumption of 2,903,979 long tons, practically all except the 375,410 tons of beet sugar was raw sugar which was refined before being marketed. In the process of refining the 2,618,569 tons of raw sugar there was a loss of 7 per cent in weight or 183,300 tons of dirt and impurities. This 183,300 tons of dirt was not marketed, and hence the people did not pay any part of $1.95 per 100 on it; 183,300 gross tons at $1.95 per 100 pounds amounts to $8,006,500 and should be deducted at the outset		8,006,500
Balance		122,771,502
Duty collected by United States		60,135,181
Balance		62,636,321
Duty remitted on 418,102 tons from Hawaii [a]	$13,136,237	
Duty remitted on 212,853 tons from Porto Rico [a]	6,530,400	
Duty remitted on 1,340,400 tons from Cuba [a]	10,346,449	
Duty remitted on 10,700 tons from the Philippines [a]	233,327	
Total duties remitted on Cuban and colonial sugars	30,246,413	
		30,246,413
Balance		32,389,908
Protection on 264,968 tons, Louisiana and Texas sugar [b]	8,325,294	
Protection on 375,410 tons, beet sugar [c]	16,397,908	
Protection on 16,249 tons, maple and molasses sugar [b]	510,543	
Protection to home producers	25,233,745	
		25,233,745
Balance representing the protection afforded refiners		7,156,163

From this balance we conclude that the refiners aggregated a profit of $7,156,163, of which approximately $4,000,000 would go to the American Sugar Refining Company or "trust." The additional $2,300,000 profit shown in their statement is easily accounted for by the profits made by buying Cuban, Porto Rican, and Hawaiian sugars at a slight differential below the world's price with tariff added.

In an effort to show how enormous are the profits of the sugar-refining industry in this country, the Senator from Georgia said:

I have figures and facts before me which clearly show that the American Sugar Refining Company, called the "trust," has repeatedly sold considerable quantities of sugar for export at nearly 2 cents per pound less than the price quoted in the domestic market. Why should the American Sugar Refining Company be placed in a condition by law which enables the company to sell to the American people at nearly 5 cents per pound and to export and sell in other countries at 3 cents per pound. If the American Sugar Refining Company, commonly called the "trust," can export and sell sugar at 3 cents per pound abroad and this trust sells the same sugar in America at nearly 5 cents per pound, who can wonder that the sugar trust has doubled and even quadrupled its investments yearly?

The following is a correct statement of the total refined sugar exported by the American Sugar Refining Company from January 1, 1904, to January 2, 1909:

Year.	From Brooklyn refinery.	From Jersey City refinery.
	Pounds.	*Pounds.*
1904	10,102,562	440,650
1905	11,943,566	.....
1906	9,374,048	.....
1907	13,898,623	.....
1908	15,406,810	8,122
Total	60,725,629	448,772

[a] From page 2, Senate Doc. No. 15, 61st Congress, 1st session.
[b] Based on government figures for Hawaii of $31.42 per ton. Treasury figures.
[c] Based on $1.95 per 100 pounds.

The total quantity exported represents less than 1 per cent of the total production of these same refineries during the same period of five years.

Every pound of the above-mentioned exports was sold at the same price as quoted on that same day for domestic delivery.

The Senator ought to know that under the drawback provision of the tariff law the exporter of this sugar would be entitled to a drawback from the National Treasury to the amount of 99 per cent of the duty paid on the import sugar from which the above-mentioned refined sugar was made. The American Sugar Refining Company did not sell its goods cheaper abroad than at home, the apparent difference in price being simply the amount of the drawback received under the general provision of the tariff law. The only reason why the company was able to ship this sugar abroad was the fact that sugar at the time of shipment when credited with the amount of the drawback was actually cheaper in the United States than abroad. Any student of market conditions knows that during the winter, when the great bulk of Cuban, Louisiana, and domestic sugar is put upon the market, the price of raw sugar in the United States, less duty, ranges from 30 to 50 cents per hundred pounds less than the world's price. This enables the domestic refiner, under the provisions of the drawback law, to export his sugar in competition with the world's market. During these same months of low prices for raw sugars, the price of refined has been correspondingly low in the United States, thus giving to the ultimate consumer in the United States the entire advantage of such reduction.

It is a matter of fact that is established by examination of market reports, that whereas the average difference between raw and refined sugar in this country is about 87 cents per hundred pounds, that during the entire winter months when we have low-priced Cuban raws the margin between raw and refined sugar is reduced to 65 to 75 cents per hundred pounds. This is caused by the fact that during these months the refined sugar made from the domestic beet crop bears the market price, thus giving the consumer the benefit, not merely of the low-priced raw, but of the low-priced refined.

The Senator from Georgia says:

We must remember that the American workingman, during the last few years has had a hard time to earn a living. We must not only consider the wages which he (the laborer) draws, but we must consider the necessaries of life which he consumes. Flour has almost doubled in value. Meat and meal have advanced in price, so has clothing, and it costs the American workingman nearly twice as much to live to-day as it did twelve or fifteen years ago.

The Senator is to be congratulated for this statement, and he should remember in this connection that sugar is one of the few necessities of life which has *not* advanced in price during the period to which he has made reference. In spite of this universal upward trend in all values, sugar has actually decreased in price under the Dingley bill, as is shown by the following average prices for the past nine years:

	Per hundred pounds.
1900	$5.32
1901	5.05
1902	4.555
1903	4.638
1904	4.772
1905	5.256
1906	4.515
1907	4.649
1908	4.957

In fact, the consumer's price of sugar in the United States is less than the consumer's price of sugar in any country of continental Europe. This is shown conclusively by the report of the Secretary of Agriculture to the Senate, under date of April 26, 1909, pages 23, 24, and 25. The only European country in which the consumer pays less for his sugar than the United States is England, and the difference is not very marked in that country. The report of the United States consul at Liverpool, as furnished to the Secretary of State, shows that the consumers in that city pay from 4 to 5 cents a pound for their sugar. This should be compared with the consumer's price in New York, Boston, Baltimore, or New Orleans, corresponding American cities in which refineries are located.

The report of the Secretary of Agriculture to the Senate under date of April 26, 1909, states, on page 23, that—

Sugar prices generally on the continent of Europe range much higher than in this country. For the years 1904–1907 the average retail price of lump sugar in Naples and Milan was 13½ cents per pound; in Amsterdam, 9.4 cents; in Madrid, nearly 9 cents; in Stockholm, 7½ cents; in Vienna and Budapest, 7½ cents; in Paris, 6½ cents; in two German cities, nearly 6 cents; and in Brussels, 5¾ cents.

I can not refrain from mentioning the statements of the Senator from Georgia specially directed at our beet-sugar industry in Utah. He made the assertion, upon what authority I can not conceive, that Mr. Joseph F. Smith, the president of the Utah-Idaho Sugar Company, received an annual salary of $20,000.

Perhaps the Senator arrived at this figure from customary salaries in companies of about the size of the one mentioned, which has a paid capital stock of over $11,000,000.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Will the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. Yes.

Mr. BRISTOW. I want to ask the Senator if he is offering the retail price of sugar in these foreign countries? He quoted one country at 13 cents a pound.

Mr. SMOOT. All are the retail prices.

Mr. BRISTOW. The Senator offers them as a retail price list?

Mr. SMOOT. I was talking of what the consumer pays, and that is the retail price.

Mr. BRISTOW. And comparing that with what the consumer pays in this country?

Mr. SMOOT. Yes.

Mr. BRISTOW. What is the purpose of that argument? Is it to convey the idea that sugar is worth more there than here?

Mr. SMOOT. I thought perhaps the country would like to know, and perhaps some Senators would like to know, the retail price of sugar in foreign countries.

Mr. BRISTOW. Why is it more——

Mr. SMOOT. If the Senator will allow me to conclude, then I will——

The VICE-PRESIDENT. The Senator declines to yield further.

Mr. BEVERIDGE. Why is it?

Mr. SMOOT. If the Senator wants to know, I will explain. Germany and other foreign countries have an internal-revenue tax upon sugar; and not only do they have an internal-revenue tax, but they have a high tariff wall to keep out sugar from any other country, and they make the consumer pay a high price for sugar.

Mr. GALLINGER. And get a very high revenue from it.

Mr. SMOOT. And get a large revenue.

Mr. BRISTOW. That is, if I understand the Senator aright, they impose an internal-revenue tax on sugar consumption there, similar to the tax we impose on tobacco and liquors here.

Mr. SMOOT. Some of them do and some of them do not.

Mr. BRISTOW. Do those countries, where the price is so much higher than ours, impose such an internal-revenue tax?

Mr. SMOOT. Mr. President, it is now 5 o'clock, and I do not care to go on any further with this discussion in this direction——

The VICE-PRESIDENT. If the Senator declines to yield, of course the Senator from Kansas will not attempt to interrogate him.

Mr. SMOOT. I wish to say to the Senator that Mr. Smith's salary from that company is and does not exceed the princely figure of $2,400 per year. I wish further to say to him and to the Senate that if it were true, which it is not, that Mr. Smith fixes the prices paid for beets, he might justly be hailed as the farmers' friend, since the farmers are doing so well in beet culture that they are clamoring for greater beet acreage and for more factories.

The suggestion of the Senator from Georgia concerning the tariff to be levied on sugar is found in the following quotation from his speech:

> On all dutiable refined sugar they pay on an average of 0.0137 cent pure, on all imported raw sugar 0.0194 cent; that is, when we add together the sugar paying full duty and the concession sugar coming from the Philippines and Cuba and the free sugar coming from Hawaii and Porto Rico. If the 0.0214 cent paid be assumed as the proper differential, and the Payne bill makes that assumption, then it should be added to what the imported raw sugar as a whole costs refiners, 0.0194 cent, and not to what a particular item costs them together, 0.01685 cent.
>
> The duty on refined sugar, even from a Republican standpoint, should not be more than one hundred and twenty-five and a half hundredths, instead of one hundred and ninety-hundredths, as the Payne bill proposes.

The Senator divides the customs receipts from sugar by the total amount of duty-paying, concessionary, and free sugar imported into the United States, and obtains an average rate of $1.04 per hundred pounds, which he claims is the measure of protection afforded the domestic sugar producer. He then subtracts $1.68¼, the present duty on 96° sugar, from $1.90, the proposed duty on refined sugar, obtaining a difference of 21½ cents, which he claims is the refiners' differential provided for in the tariff bill now under consideration. This 21½ cents he adds to the average rate of duty, namely, $1.04, and obtains $1.25½ per hundred pounds, which he claims is the maximum duty on refined sugar which even a protectionist can claim under existing conditions. Let us examine the logic of this position. Suppose the duty on sugar were fixed at 5 or 10 cents per pound and that no sugar should be imported except from Porto Rico and Hawaii, which sugar would come in free, then the customs receipts from sugar would be nothing, and we would have zero for the average rate of duty, and, according to the Senator's logic, there would be no protection to the domestic industry, while in reality we would be having a prohibitory tariff; in other words, a prohibitory tariff affords no protection to a domestic industry.

Nor is this all. Let us examine this proposition from still another view point. Suppose the present Congress adopts the Senator's suggestion and passes a law providing for a duty of $1.04 per hundred pounds on raw sugar and $1.25½ per hundred pounds on refined sugar. If, now, the Sixty-second Congress follows the plan suggested by the Senator from Georgia, it will take the total customs receipts from sugar, divide the same by the amount of sugar imported, whether duty paying or free, and will then obtain a quotient of about 40 cents on raw sugar and 61½ cents on refined, which, from the line of reasoning now put forth, should be the average duty per hundred pounds of sugar imported.

The Sixty-third Congress, convening four years from now, if it should follow the plan outlined, would be justified in again revising the sugar schedule on the basis of approximately 20 cents as the average rate of duty, and the consequent measure of protection. It will thus be seen that in the course of the next three Congresses our entire sugar schedule would vanish and we would establish free trade under the plan proposed by the Senator.

By two distinct lines of reasoning, it is obvious that the proposed plan leads to an absurdity and would result in a perpetual revision of the sugar schedule by each succeeding Congress until absolute free trade in sugar is reached. Nor is this all.

The Senator from Georgia has shown that the average rate of duty on full duty-paying, concessionary, and free sugar imported into the United States is $1.04 per 100 pounds, a reduction of 64½ cents from the general tariff on raw sugar. The bill now under consideration increases the amount of free sugar by 300,000 tons, to come in from the Philippines. Consequently the effect of free and concessionary sugar in reducing the rate fixed in the bill to a low average rate will be even greater than under the present law. But let us suppose that it will be the same. If our tariff law should provide for a duty of $1.04 on raws, then the 80 per cent sugar from Cuba and the duty-free sugar from Porto Rico, Hawaii, and the Philippines would reduce this figure by 64 cents, and give us an average duty of 40 cents per 100 pounds on raws. But the tariff on refined is $1.25, and the working refiners' differential would be 85 cents per 100 pounds, against the 86 cents concerning which the Senator now complains so vigorously.

The net results following the plan suggested would be to reduce our annual customs receipts from sugar from $60,000,000 to $23,000,000; to kill our domestic beet and cane sugar industry; and to intrench the sugar trust more firmly than ever in its control of the American market. Unwittingly the Senator has played into the hands of the very people he is trying to destroy. It would be difficult to frame a tariff schedule that would assist the sugar trust more than the one suggested by the Senator from Georgia. Certain it is that the plan has been advocated by an eastern refiner. If it would help the latter, it certainly would help the trust five times as much, as its business is five times greater. Touched by the cry of cheap sugar for the people, the Senator has put forth a plan which if adopted would deliver to the trust the absolute monopoly of the American market.

Mr. CLAY. With the Senator's permission——

The VICE-PRESIDENT. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Certainly.

Mr. CLAY. Then I am very hopeful, if that be true, that I will have the support of the Senator from Utah for that measure.

Mr. SMOOT. Mr. President, I have gone carefully over the figures, and I think I can demonstrate to the Senator himself from the figures that they are absolutely correct and there is no mistake.

Mr. CLAY. The Senator says my figures will certainly result in favoring the trust, and the Senator has been making an argument in favor of the trust; therefore, I thought the Senator would be in favor of my figures.

Mr. SMOOT. I have made no argument in favor of the trust. I do not speak one word of commendation of the trust. But when statements have been made here that affect not only the trust, but affect the beet-sugar industry and the cane-sugar industry of the country, I think it is proper to call the attention of the Senate to them, and in doing so I should not be charged with defending the trust.

If any Senator wishes to curb the power of the sugar trust, let him join in enacting and in maintaining as long as necessary such a tariff on sugar as will encourage the development of our domestic sugar industry to the point where we shall produce within our borders all the sugar we consume.

To produce our supply of sugar from home-grown beets would require from 350 to 400 beet-sugar factories. Does anyone dream that such a number of concerns could be consolidated in a trust? As the senior Senator from Iowa has well said, "You can not form a trust unless you can control the raw material." The Secretary of Agriculture, in his report to the Senate April 26, 1909, says that we have 274,000,000 acres of sugar-beet land in the United States, and if 1 acre in 200 of this land is devoted to the cultivation of beets our yield of sugar would equal our entire consumption. With such a bountiful opportunity for securing the raw material from which to make sugar it would be impossible to form a beet-sugar trust. The surest way to limit the power of the sugar trust is to encourage the erection of beet-sugar factories whose output—granulated sugar, a finished product—is sold direct to the people in competition with sugar refined by the trust.

The people will get their sugar cheaper than if it is refined by one or two corporations from imported raws. An enormous drain on our national resources will be saved. A great national industry will be established, thousands of workmen will find employment in these factories, and hundreds of thousands of farmers will grow the beets from which we will make our own sugar. The issue is clear-cut and well-defined. Shall half a dozen refining companies which can be easily combined in a trust refine our sugar from imported raws, for which we shall send abroad from $100,000,000 to $200,000,000 yearly, or shall this sugar be made from home-grown beets by 350 factories which can not be combined in a trust and this money kept at home? The reduction of the proposed tariff rates will accomplish the first result; the plan offered by the Finance Committee will accomplish the second.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened, and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 27, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 26, 1909.

DIRECTOR OF THE CENSUS.

Edward Dana Durand, of California, now Deputy Commissioner of Corporations, to be Director of the Census in the Department of Commerce and Labor, vice S. N. D. North, resigned.

SURVEYOR OF CUSTOMS.

Edward L. McConnaughey, of Ohio, to be surveyor of customs for the port of Dayton, in the State of Ohio. Office now vacant.

PROMOTIONS IN REVENUE-CUTTER SERVICE.

Cadet Engineer Charles Albert Eaton, of Massachusetts, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Charles Herman Johnson, of Minnesota, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Clinton Philo Kendall, of New Jersey, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Howard James Kerr, of New York, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Ambrose Elwood Lukens, of New York, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Charles Joseph Odend'hal, of Maryland, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Cadet Engineer Henry Charles Roach, of Massachusetts, to be third lieutenant of engineers in the Revenue-Cutter Service of the United States, to fill an original vacancy.

Third Lieutenant of Engineers John Frederick Hahn to be second lieutenant of engineers in the Revenue-Cutter Service of the United States, to rank as such from March 29, 1909, in place of Second Lieutenant of Engineers Frank Gerome Snyder, promoted.

Second Lieutenant of Engineers Frank Gerome Snyder to be first lieutenant of engineers in the Revenue-Cutter Service of the United States, to rank as such from March 29, 1909, in place of First Lieutenant of Engineers Eugene Prescott Webber, promoted.

CALIFORNIA DÉBRIS COMMISSION.

First Lieut. Charles T. Leeds, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission, provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Maj. Charles H. McKinstry, Corps of Engineers, United States Army, to be relieved.

PROMOTION IN NAVY.

Rear-Admiral William P. Potter, United States Navy, to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear-admiral, for a period of four years from the 1st day of July, 1909, vice Rear-Admiral John E. Pillsbury, United States Navy, resigned.

CONSULS-GENERAL.

Alphonse Gaulin, of Rhode Island, now consul of class 3 at Havre, to be consul-general of the United States of America of class 4 at Marseilles, France, vice Horace Lee Washington, nominated to be consul of class 1 at Liverpool.

John L. Griffiths, of Indiana, now consul of class 1 at Liverpool, to be consul-general of the United States of America of class 1 at London, England, vice Robert J. Wynne, resigned.

John H. Snodgrass, of West Virginia, now consul of class 3 at Kobé, to be consul-general of the United States of America of class 4 at Moscow, Russia, vice Hunter Sharp, nominated to be consul of class 3 at Lyons.

CONSULS.

William E. Alger, of Massachusetts, now consul of class 8 at Tegucigalpa, to be consul of the United States of America of class 8 at Puerto Cortes, Honduras, vice Albert W. Brickwood, jr., nominated to be consul of class 9 at Tapachula.

Homer M. Byington, of Connecticut, now a consular assistant, to be consul of the United States of America of class 9 at Bristol, England, vice J. Perry Worden, resigned.

Ralph C. Busser, of Pennsylvania, to be consul of the United States of America of class 8 at Erfurt, Germany, vice Will L. Lowrie, nominated to be consul of class 7 at Carlsbad.

Albert W. Brickwood, jr., of Arizona, now consul of class 8 at Puerto Cortes, to be consul of the United States of America of class 9 at Tapachula, Mexico, to fill an original vacancy.

Charles M. Caughy, of Maryland, now consul of class 7 at Malaga, to be consul of the United States of America of class 5 at Milan, Italy, vice James E. Dunning, nominated to be consul of class 3 at Havre.

Benjamin F. Chase, of Pennsylvania, to be consul of the United States of America of class 8 at Leeds, England, vice Lewis Dexter.

Henry P. Coffin, of Pennsylvania, to be consul of the United States of America of class 8 at Mazatlan, Mexico, vice Louis Kaiser, resigned.

Robert T. Crane, of Maryland, now a consular assistant, to be consul of the United States of America of class 9 at Guadeloupe, West Indies, vice Joseph M. Authier.

George A. Chamberlain, of New Mexico, now consul of class 5 at Pernambuco, to be consul of the United States of America of class 3 at Lourenço Marquez, East Africa, vice W. Stanley Hollis, nominated to be consul of class 5 at Dundee.

Carl F. Deichman, of Missouri, now consul of class 7 at Tamsui, to be consul of the United States of America of class 6 at Nagasaki, Japan, vice George H. Scidmore, nominated to be consul of class 3 at Kobé.

Alexander V. Dye, of Missouri, to be consul of the United States of America of class 8 at Nogales, Mexico, vice Samuel T. Lee, nominated to be consul of class 7 at San Jose, Costa Rica.

Frank Deedmeyer, of Alabama, to be consul of the United States of America of class 9 at Charlottetown, Prince Edward Island, vice Franklin D. Hale, nominated to be consul of class 7 at Trinidad.

Henry C. A. Damm, of Tennessee, to be consul of the United States of America of class 9 at Cornwall, Ontario, Canada, vice John E. Hamilton.

James E. Dunning, of Maine, now consul of class 5 at Milan, to be consul of the United States of America of class 3 at Havre, France, vice Alphonse Gaulin, nominated to be consul-general of class 4 at Marseilles.

Stuart J. Fuller, of Wisconsin, to be consul of the United States of America of class 8 at Gothenburg, Sweden, vice Edward D. Winslow, appointed consul-general of class 6 at Stockholm.

Cornelius Ferris, jr., of Colorado, to be consul of the United States of America of class 9 at Asuncion, Paraguay, vice Edward J. Norton, nominated to be consul of class 7 at Malaga.

Robert Frazer, jr., of Pennsylvania, to be consul of the United States of America of class 8 at Valencia, Spain, vice Charles S. Winans, nominated to be consul of class 7 at Seville.

Charles A. Holder, of Colorado, to be consul of the United States of America of class 9 at Rouen, France, vice Oscar Malmros.

Franklin D. Hale, of Vermont, now consul of class 9 at Charlottetown, to be consul of the United States of America of class 7 at Trinidad, West Indies, vice Thomas P. Moffat, nominated to be consul of class 6 at Bluefields.

Charles L. Hoover, of the Philippine Islands, to be consul of the United States of America of class 8 at Madrid, Spain, vice Richard M. Bartleman, appointed consul-general of class 5 at Buenos Aires.

W. Stanley Hollis, of Massachusetts, now consul of class 3 at Lourenço Marquez, to be consul of the United States of America of class 5 at Dundee, Scotland, vice John C. Higgins.

Augustus E. Ingram, of California, now a consular assistant, to be consul of the United States of America of class 6 at Bradford, England, vice Erastus Sheldon Day.

Leo J. Keena, of Michigan, to be consul of the United States of America of class 8 at Chihuahua, Mexico, vice Lewis A. Martin.

Will L. Lowrie, of Illinois, now consul of class 8 at Erfurt, to be consul of the United States of America of class 7 at Carlsbad, Austria, vice John S. Twells.

Marion Letcher, of Georgia, to be consul of the United States of America of class 8 at Acapulco, Mexico, vice Maxwell K. Moorhead, nominated to be consul of class 7 at St. John, New Brunswick.

Samuel T. Lee, of Michigan, now consul of class 8 at Nogales, to be consul of the United States of America of class 7 at San José, Costa Rica, vice John C. Caldwell.

Andrew J. McConnico, of Mississippi, to be consul of the United States of America of class 9 at St. Johns, Quebec, Canada, vice Charles Deal.

George B. McGoogan, of Indiana, now consul of class 9 at La Paz, to be consul of the United States of America of class 7 at Progreso, Mexico, vice Edward H. Thompson.

Charles K. Moser, of Virginia, to be consul of the United States of America of class 8 at Aden, Arabia, vice Wallace C. Bond, appointed consul of class 7 at Karachi.

Samuel MacClintock, of Kentucky, to be consul of the United States of America of class 8 at Tegucigalpa, Honduras, vice William E. Alger, nominated to be consul of class 8 at Puerto Cortes.

Maxwell K. Moorhead, of Pennsylvania, now consul of class 8 at Acapulco, to be consul of the United States of America of class 7 at St. John, New Brunswick, Canada, vice Gebhard Willrich, nominated to be consul of class 6 at Quebec.

Thomas P. Moffat, of New York, now consul of class 7 at Trinidad, to be consul of the United States of America of class 6 at Bluefields, Nicaragua, to fill an original vacancy.

Edward C. Norton, of Tennessee, now consul of class 9 at Asuncion, to be consul of the United States of America of class 7 at Malaga, Spain, vice Charles M. Caughy, nominated to be consul of class 5 at Milan.

Albert W. Robert, of Florida, to be consul of the United States of America of class 8 at Algiers, Algeria, vice James Johnston.

Samuel C. Reat, of Illinois, now consul of class 9 at Port Louis, to be consul of the United States of America of class 7 at Tamsui, Formosa, vice Carl F. Deichman, nominated to be consul of class 6 at Nagasaki.

Louis J. Rosenberg, of Michigan, now consul of class 7 at Seville, to be consul of the United States of America of class 5 at Pernambuco, Brazil, vice George A. Chamberlain, nominated to be consul of class 3 at Lourenço, Marquez.

John A. Ray, of Texas, to be consul of the United States of America of class 9 at Muskat, Oman, vice William Coffin, appointed consul of class 8 at Tripoli.

Fred C. Slater, of Kansas, to be consul of the United States of America of class 8 at Sarnia, Ontario, Canada, vice Neal McMillan.

Frederick Simpich, of Washington, to be consul of the United States of America of class 9 at Bagdad, Turkey, vice William C. Magelssen, appointed consul of class 7 at Colombo.

George B. Schmucker, of Florida, to be consul of the United States of America of class 9 at Ensenada, Mexico, vice Everett E. Bailey.

Hunter Sharp, of North Carolina, now consul-general of class 4 at Moscow, to be consul of the United States of America of class 3 at Lyons, France, vice John C. Covert.

George H. Scidmore, of Wisconsin, now consul of class 6 at Nagasaki, to be consul of the United States of America of class 3 at Kobé, Japan, vice John H. Snodgrass, nominated to be consul-general of class 4 at Moscow.

Lucien N. Sullivan, of Pennsylvania, to be consul of the United States of America of class 9 at La Paz, Mexico, vice George B. McGoogan, nominated to be consul of class 7 at Progreso.

P. Emerson Taylor, of Nebraska, to be consul of the United States of America of class 9 at Port Louis, Mauritius, vice Samuel C. Reat, nominated to be consul of class 7 at Tamsui.

Gebhard Willrich, of Wisconsin, now consul of class 7 at St. John, New Brunswick, to be consul of the United States of America of class 6 at Quebec, Canada, vice William W. Henry.

Charles S. Winans, of Michigan, now consul of class 8 at Valencia, to be consul of the United States of America of class 7 at Seville, Spain, vice Louis J. Rosenberg, nominated to be consul of class 5 at Pernambuco.

Horace Lee Washington, of the District of Columbia, now consul-general of class 4 at Marseilles, to be consul of the United States of America of class 1 at Liverpool, England, vice John L. Griffiths, nominated to be consul-general of class 1 at London.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 26, 1909.

UNITED STATES ATTORNEY.

John I. Worthington to be United States attorney, western district of Arkansas.

RECEIVER OF PUBLIC MONEYS.

George H. Kimball to be receiver of public moneys at Eureka, Cal.

POSTMASTERS.

MISSISSIPPI.

John L. McCoy, at Richton, Miss.

OHIO.

Edson B. Conner, at Bremen, Ohio.

SENATE.

THURSDAY, *May 27, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FRENCH SPOLIATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel brig *Two Brothers*, Alexander Forrester, master (S. Doc. No. 61), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel schooner *Willing Maid*, Comfort Bird, master (S. Doc. No. 62), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the New York yearly meeting of the Religious Society of Friends, praying for such action on the part of the Government as will tend to accomplish a reduction of armaments among the nations of the world, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Merchants' Association of New York, praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

Mr. WARREN presented petitions of R. D. Carey and 29 other citizens of Douglas, of Carson Adams and 67 other citizens of Wheatland, of H. M. Dillon and 36 other citizens of Wheatland, and of W. A. Sickler, irrigation manager, and 26 other citizens of Powell, all in the State of Wyoming, praying for the retention of the present rate of duty on sugar, which were ordered to lie on the table.

Mr. DEPEW presented a petition of the Merchants' Association of New York, praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

He also presented a petition of the employees of Snyder & Black, engravers, of New York City, N. Y., praying for an increase of the import duty on lithographic products, which was ordered to lie on the table.

He also presented memorials of the members of the New York Tribune composing room, of New York City; of the Gaelic-American composing room, of New York City; of the New York Times composing room, of New York City; of the composing room of Louis Weiss & Co., of New York City; of the New York Herald composing room, of New York City; of the employees of the Frank A. Munsey Company, of New York City; of members of the Brooklyn Times composing room, of Brooklyn; and of the C. G. Burgoyne Book Chapel, of New York City, all in the State of New York, remonstrating against the imposition of a duty on news print paper and wood pulp, which were ordered to lie on the table.

Mr. WARNER presented the petition of G. M. Chase & Son and 19 other citizens of St. Joseph, Mo., and a petition of the Ryley-Wilson Grocery Company and sundry other manufacturers of Kansas City, Mo., praying for the retention of the present rate of duty on sugars, which were ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of John F. Toomey and 33 other citizens of Brillion, John O. Lindgren and 46 other citizens of Oconto, R. D. Fisher and 32 other citizens of Shiocton, Otto Boelter and 28 other citizens of Clintonville, William Peters and 33 other citizens of South Kaukauna, George J. Hemminger and 45 other citizens of Granville, A. E. Bingham and 11 other citizens of Janesville, L. O. Griffith and 3 other citizens of Janesville, Peter J. Monat and 27 other citizens of Janesville, Charles Espe and 42 other citizens of Morrisonville, H. H. Tyler and 61 other citizens of Prairie du Chien, E. H. Fiedler and 18 other citizens of Evansville, C. T. Hudson and 61 other citizens of Milton Junction, E. H. Hall and 57 other citizens of Janesville, W. W. Wood and 35 other citizens of Janesville, G. W. Leisman and 38 other citizens of Fort Atkinson, A. M. Stone and 51 other citizens of White Water, E. C. Evans and 6 other citizens of Westley; P. H. Marks, of Janesville; Hans Johnson and 47 other citizens of Deerfield, A. G. Howe and 27 other citizens of Stoughton, William Minton and 18 other citizens of Union Grove, C. A. Brown and 15 other citizens of Corliss, Clifford Akin and 20 other citizens of Janesville, and of John Huben and 35 other citizens of Green Bay, all in the State of Wisconsin; and of J. M. Hoague and 19 other citizens of Freeport, C. B. O'Connor and 6 other citizens of Harvard, and of R. J. Sarsay and 9 other citizens of Elgin, all in the State of Illinois, praying for the retention of the present rate of duty on sugar, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE (by request):

A bill (S. 2485) establishing a universal standard of time; to the Select Committee on Standards, Weights, and Measures.

By Mr. CURTIS:

A bill (S. 2486) to regulate the interstate commerce shipments of intoxicating liquors; to the Committee on the Judiciary.

By Mr. MONEY:

A bill (S. 2487) for the relief of the heirs, devisees, and legatees of Willis Lowe; and

A bill (S. 2488) for the relief of the estate of Ann M. Meehan, deceased; to the Committee on Claims.

By Mr. BEVERIDGE:

A bill (S. 2489) providing for the purchase of a site and the erection thereon of a public building in the city of Mount Vernon, Ind.; to the Committee on Public Buildings and Grounds.

A bill (S. 2490) granting an increase of pension to John R. Kissinger (with the accompanying papers); to the Committee on Pensions.

UNIVERSAL AND INTERNATIONAL EXPOSITION AT BRUSSELS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 63); which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

On January 5, 1909, my predecessor recommended to the Congress that an appropriate provision be made for participation by the United States in a Universal and International Exposition to be held at Brussels in 1910, in response to the invitation extended by the Government of Belgium.

No action on this recommendation having been taken by the Sixtieth Congress, and the invitation having been again extended by the Belgian Government, I renew the recommendation.

I transmit herewith a report of the Secretary of State, which has my cordial indorsement, stating reasons why it is desirable that the United States should take part officially in this exposition and showing the importance and necessity of an appropriation for the purpose being made during the present session of Congress if the United States is to take part in the exposition.

WM. H. TAFT.

THE WHITE HOUSE, *May 27, 1909.*

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Kansas [Mr. BRISTOW], which will be stated.

The SECRETARY. In paragraph 213, page 72, line 23, after the word "sugar," strike out "not above No. 16 Dutch standard in color;" and on page 73, lines 6 and 7, to strike out "and on sugar above No. 16 Dutch standard in color."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BRISTOW. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Carter	Flint	Page
Bacon	Chamberlain	Foster	Penrose
Bailey	Clapp	Frye	Perkins
Beveridge	Clay	Gamble	Root
Bradley	Crane	Gore	Scott
Brandegee	Crawford	Hale	Smith, Md.
Briggs	Culberson	Hughes	Smith, Mich.
Bristow	Cullom	Johnson, N. Dak.	Smoot
Bulkeley	Cummins	Jones	Sutherland
Burkett	Curtis	Kean	Tillman
Burnham	Depew	Lodge	Warner
Burrows	Dick	Martin	Warren
Burton	Dillingham	Overman	

The VICE-PRESIDENT. Fifty-one Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. BRISTOW. Mr. President, there was some discussion yesterday in regard to the accuracy of the figures furnished me by the Secretary of Agriculture in regard to the amount of sugar that is extracted from a ton of beets. I desire to read a letter which I have received from the Secretary of Agriculture in regard to his former communication. It is as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., May 26, 1909.

DEAR SIR: I regret that the table showing the average yield of sugar per ton of beets in the various beet-producing States, submitted with my letter of the 24th instant, requires correction in the last five years. By a clerical mistake, the statistics showing the "average sugar in beets" were inserted instead of the "average extraction of sugar based on weight of beets." A corrected table is herewith inclosed.

Very respectfully,

JAMES WILSON, *Secretary.*

Hon. JOSEPH L. BRISTOW,
United States Senate.

The table referred to changes, as the amount of sugar extracted from a ton of beets throughout the United States for the year 1908, 316 pounds per ton to 249.4 pounds per ton. Similar changes are made in the figures given for the respective States.

I wish to say that this change in figures has no material effect upon the conclusion reached in my discussion yesterday. I want to further state in regard to the assistance which the Department of Agriculture has given me in this discussion, that I have always found that department, the head of the department and the subordinates, accommodating, prompt, and very efficient in responding to requests that I have made. This is a mistake which a clerk is likely to make if he is rushed or in any great haste in running down columns of figures. I do not want to offer any criticism. It might have been embarrassing, but, fortunately, it was not, as the figures do not in any way change the conclusion that anyone must reach on considering the question in all of its bearings.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Kansas [Mr. BRISTOW].

Mr. CUMMINS. May I ask what the amendment is?

The VICE-PRESIDENT. It is the amendment offered by the Senator from Kansas yesterday, and it has already been reread this morning. It proposes to strike from the bill the words "not above No. 16 Dutch standard in color," and the words "and on sugar above No. 16 Dutch standard in color."

Mr. CUMMINS. Mr. President, before the vote is taken, I desire to say a very few words with respect to it. I shall not ask the Senate to follow me through the labyrinth of contradictory statistics. I have given some study to the sugar schedule, and I desire to submit a phase of it which, as it seems to me, is rather more fundamental than has yet been suggested in this discussion.

I assume that Republican Senators, at least, intend by these duties to protect some American interest, and the inquiry I propound is, What American interest is intended to be protected by the duties imposed by this tariff? It seems to me that if we will look squarely at this subject we must agree that the conflict between beet sugar and cane sugar is irrepressible; it will be never ending; and, so far as this country is concerned, it is utterly impossible to protect, to foster, and guard the interests of the cane-sugar refiner and the beet-sugar manufacturer at the same time in the same law.

I for one believe in the picture painted by the senior Senator from Michigan [Mr. BURROWS] yesterday. Driven to choice, I am compelled to select as the beneficiary of our legislation, so far as my voice and my vote are concerned, the beet-sugar manufacturer, and to look primarily to the development of that business in the United States.

It is unquestionably true that we have a territory highly fitted for the production of sugar beets sufficient to supply every pound of sugar now used or that will be used by the American people. I believe that we ought to supply within our own territory the entire demand of the American people. The ideal position, as it seems to me, is enough beet-sugar manufactories to make 3,000,000 tons of sugar, with a competition between them that will reduce the price to a fair American level.

If we intend to accomplish that, if that is the end for which we are striving, then we ought to look carefully into the general framework of this schedule, for I believe, and I assert, that, adjusted as it is, it gives the beet-sugar manufacturer into the hands and puts him at the mercy of the cane-sugar refiner, and that there can be no great development of the beet-sugar interest, and that there will be no such development as I have mentioned, until you give to the beet-sugar manufacturer an advantage that he does not have under the schedule.

I know that the Senators from Louisiana will think that I am unmindful of the interests of that great State. If the only cane-sugar territory within the United States was within the State of Louisiana, there would be no difficulty whatever in reconciling the output from Louisiana with the output from the beet-sugar factories, because we could easily absorb the sugar produced in the State of Louisiana without seriously crippling the growth and development of which I have spoken. But we must add to Louisiana, Porto Rico; and add to Porto Rico, Hawaii; and add to Hawaii, the Philippine Islands, because the thing we are about to do in practical effect opens up to the Philippine Islands the markets of the United States in sugar without any restriction whatsoever, and we must take into account further that there is a likelihood that within a short time Cuban sugar will also come free into the United States. I make no prophecy; I do not know that that will happen; but without appearing to even suggest that there will be any change in the sovereignty of that island, I think every Senator here feels that it will not be very long until Cuban sugar will also enter the ports of the United States without duty.

When you take these things into consideration, it is perfectly apparent that the real struggle of the future must be between cane sugar and beet sugar; and if you, my friend from Michigan, want to supply the market of the United States with beet sugar, if instead of producing 400,000 tons, as we did last year, you want the manufactories of the United States to turn out 3,000,000 tons, as you so beautifully expressed yesterday and which must be the hope of every Senator here, what will you do with the sugar from Cuba and the sugar from Porto Rico and the sugar from Hawaii, with their opportunities for growth and development, and the sugar from the Philippines? Do you not see that in endeavoring to protect this industry you must choose between the extension of the cane fields and the development and the growth and the establishment of beet-sugar factories? To me it is as obvious as any fact which the world accepts.

That being true, I pass to the next position, which naturally grows out of the thing I have said. I believe that the sugar schedule discriminates in favor of the cane-sugar refiner. I believe that its end and its object is—I will not say the intentional object is, but its effect—to put the beet-sugar manufacturer at the mercy of the cane-sugar refiner and to build up the cane-sugar refiner. I am not here to discuss in any disparaging way the American Sugar Refining Company.

I know somewhat about its operations; but I consider it simply as a sugar refinery. If we are to build up the sugar refiner, if we are to make a market here, an unlimited market, a profitable market, for the cane grower of Louisiana and of Cuba and of Porto Rico and of Hawaii and of the Philippine Islands, and if their raw sugars are to be converted into refined sugars and sold in the American market, tell me where the beet-sugar manufacturer will find his opportunity to enter, absorb, and occupy the same market? The beet-sugar manufacturer is in direct competition, under normal industrial conditions, with the cane-sugar refiner.

Mr. FOSTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Louisiana?

Mr. CUMMINS. I do.

Mr. FOSTER. Does the Senator think that the cane sugar of Louisiana can compete with the cane sugar produced in Hawaii and the Philippines and in Cuba?

Mr. CUMMINS. I did not hear the Senator's question.

Mr. FOSTER. Do you think that sugar can be produced as cheap in Louisiana as it can be produced in Hawaii or the Philippines?

Mr. CUMMINS. If that question is propounded to me, and if I understand it aright, I think it can not be. I think it costs more in Louisiana to produce cane sugar than it does in either Hawaii or the Philippine Islands or in Porto Rico——

Mr. FOSTER. There is no doubt about that.

Mr. CUMMINS (continuing). And a great deal more than it will cost in Cuba when relations have so changed that Cuban sugar shall come in free. That is precisely the suggestion I made a few moments ago. If Louisiana stood alone as a part of the territory of the United States that had the right to free admission to our markets, there would be no difficulty, as I said before, in taking the output of Louisiana, which would, pro tanto, diminish the output, of course, of the beet-sugar manufactories. But we could well be content with diminishing the market of the beet-sugar manufacture so much. However, I repeat, when you broaden that territory and take in so vast an amount, so great an area of sugar-cane land, then you have a competitor that, if it succeeds, will take the whole American market and leave no opportunity whatever for the beet-sugar manufacturer.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. CUMMINS. Certainly.

Mr. CLAPP. I do not ask the Senator from Louisiana to answer in the time of the Senator from Iowa, but at this juncture I wish to ask the Senator from Louisiana a question which I should like to have answered. Assuming that you can not raise cane sugar as cheap in Louisiana as you can in the other countries where cane is produced. I should like to ask the Senator from Louisiana to explain how the cane interests of Louisiana can be benefited by constantly cheapening the price of raw sugar that is coming in here and simply protecting the refiner in the refined sugar. I would not ask the Senator to take the time of the Senator from Iowa, but as he sees fit later I should like to have the question answered.

Mr. CUMMINS. My answer to the Senator from Louisiana was simply an answer to a plain question, and I think of the truth of that answer there can be no doubt whatsoever. With regard to the extent of the production which Louisiana has, and whether it could be changed for the better, I am not now speaking. I am endeavoring to impress upon the Senate the obvious fact that you have here a competition between two great sources of supply—one the cane sugar, the other the beet sugar. The cane-sugar territory already within the limits of the United States, or within her protection, can be easily enlarged to supply all the sugar that the United States will consume. On the other hand, the beet-sugar manufacture or beet-sugar interests can be very easily enlarged and developed so as to supply the entire demand of the United States.

Now, the choice which you must make here and now is whether you want the cane sugar to take possession of our markets or whether you want the beet sugar to take possession of our markets. You can not choose both. We are at the parting of the ways, and you will be compelled either to favor such a schedule as will put the business into the hands of the cane-sugar refiners of the United States or as will put the business into the hands of the beet-sugar producers of the United States, for you can not with any legislation—it is beyond the power of

man—destroy or suppress this natural, never-ending competition between the producers of cane sugar and the producers of beet sugar.

I reassert that this particular schedule—not intentionally, I assume, although it would not disparage any man if I were to say intentionally—puts this business into the hands of the cane-sugar refiner. This schedule invites the utmost importation and the utmost volume of raw cane sugar into the hands of the American refiners; and every pound of refined sugar made by these refiners displaces a pound of sugar that might be made by the beet-sugar producers of the United States. You can not serve, in this instance, two masters—I will not say that one is God and the other mammon, but they are two separate, individual, contrary interests, and you can not by any combination of words serve the interests of both.

Mr. FOSTER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield further to the Senator from Louisiana?

Mr. CUMMINS. Certainly.

Mr. FOSTER. I am very much interested in what the Senator is stating, and to a certain extent I agree with him. I will join hands with him in keeping out, as far as possible, every pound of sugar coming from those islands. There is a provision in the bill which authorizes the importation free of duty of two or three hundred thousand tons of sugar from the Philippine Islands. Of course, I do not propose to ask the Senator how he will vote upon that proposition; but it looks to me as though voting against that provision and defeating it would go a far way in the direction of remedying the evil of which the Senator complains. But what remedy will the Senator suggest as to the probable percentage, as he has stated, between the cane-producing countries of the Orient and the beet-producing people of the country.

Mr. CUMMINS. Mr. President, I do not intend to suggest any remedy. I believe, if we admit 300,000 tons of Philippine sugar free, it will be another blow inflicted upon the beet-sugar interests of the United States.

Mr. CURTIS. I should like to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I do.

Mr. CURTIS. I should like to ask the Senator if he believes there is any danger of our receiving, in the near future, 300,000 tons of sugar from the Philippine Islands?

Mr. CUMMINS. I am not so familiar with that subject as is the Senator from Kansas, probably, but my information is, if he means the immediate future, the next year or two or three, there is no danger, but that there is capacity there to produce, and if it is sufficiently inviting to capital, the production will follow.

Mr. CURTIS. I should like to state to the Senator that under the most favorable circumstances the most sugar ever produced in the Philippine Islands was about 262,000 tons, and I believe that there is no danger from importation of sugar from the Philippine Islands, and the duty will benefit the Philippine people in their markets in China and Japan, which are the natural markets for the Philippine sugar.

Mr. CUMMINS. I have not a particle of doubt that the admission of this sugar free will benefit the Philippine Islands. I have not one suspicion of doubt about it.

Mr. CURTIS. Mr. President——

Mr. CUMMINS. I do not believe it will benefit the people of the United States, and they are the people for whom I am particularly concerned, although I do not say that I will not vote for the admission of this sugar. It may be that the white man's burden will create an obligation on my part to do this much for the Philippine Islands, but I will be perfectly conscious when I do so vote, if I do, that I am not furthering the interests of the beet-sugar producer of the United States.

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Kansas?

Mr. CUMMINS. I do.

Mr. CURTIS. I wish to add to the statement, if I might, that evidence taken in the Philippine Islands discloses that the price of the Philippine sugar furnished China and Japan was the New York price, less the freight from Hongkong to New York. That is why I said it would benefit them in China and Japan.

Mr. CUMMINS. I agree entirely with the Senator from Kansas upon that point. I was not looking at it from the point of view of the Philippine Islands. I remember that since Porto Rico has had free admission to the markets of the United States her sugar production has multiplied several times.

I remember, too, that since Hawaii has had free admission to our markets, her sugar production has very greatly increased. I am told—I take this upon the opinions of others—that if Cuba had free admission to the markets of this country, she would supply every pound of sugar that we consume without any difficulty whatever. Therefore, I recur to my original proposition, that the real struggle in the United States is between beet sugar and cane sugar.

You gentlemen in whose States are developed great beet-sugar manufactories must take your choice now whether you will help to fill up this market with cane sugar, refined by the American Sugar Refining Company and other sugar refining companies, or whether you will help to fill it up with the products of your own factories. If I can show you, as I believe I can, that the schedule as it is now proposed is an aid rather to the cane-sugar refiner than to the beet-sugar producer, then you ought to stand for the thing that will help our manufacturing interests as well as our farmers who are tending toward the production of sugar beets.

I recognize that the doctrine of protection, while beneficent, while stimulating and fostering, is somewhat cruel, just as the doctrine of competition is cruel. I recognize that when you so frame this law that it will help as it ought to help the beet-sugar producer, you will not be helping the cane-sugar producer, no matter where he is or where his cane fields are.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. TILLMAN. Under the stimulating influence of the tariff we produce beets over all of the northern part of the United States that will make sugar and make it profitably. We only produce cane sugar in Louisiana, although it can be produced all along the Gulf coast, in Florida, and other places, but not in competition with the Cuban sugar. I do not understand the Senator from Iowa to mean that he is against fostering the cane-sugar industry, but that his main solicitude is to foster the beet-sugar industry throughout the country. Is that what the Senator means?

Mr. CUMMINS. Mr. President, the Senator from South Carolina did not hear the early part of my address.

Mr. TILLMAN. I think I have heard all that the Senator has said, and he is now expressing his anxiety——

Mr. CUMMINS. Permit me, then, to repeat what I said, that if we had to consider Louisiana alone, if that was the only cane-sugar territory that had free admission to our market, or that would have, there would be little difficulty in taking care of her limited output and at the same time fostering the beet-sugar factories in the more temperate regions; but when you add to the free cane sugar of Louisiana the free cane sugar of Porto Rico, of Hawaii, and of the Philippine Islands, then you have introduced a problem that can be solved only by selecting one or the other of these sources of sugar.

Mr. TILLMAN. I was not able exactly to understand the Senator's reasoning, for I did not think it was possible that he was antagonistic to assisting Louisiana, but that he was mainly solicitous of the beet-sugar interest because he saw in that a possibility of supplying the entire national demand. I can not see, for the life of me, why Louisiana can not be aided and assisted without making a pet of the beet-sugar industry.

Mr. CUMMINS. Mr. President, she can.

Mr. TILLMAN. The way to do it, however, would be not to permit the cane sugar of the tropics—the Philippines, Hawaii, Cuba, and all those countries—to be dumped in here to the disadvantage of both of these industries.

Mr. CUMMINS. Mr. President, the suggestion of the Senator from South Carolina re-creates the very problem that I have tried to outline. We have already joined to the United States enough cane-sugar territory to supply our demand, practically.

Mr. TILLMAN. Even without beets at all?

Mr. CUMMINS. Precisely.

Mr. TILLMAN. Under our fostering tariff legislation we can get all the sugar we want from Cuba and Hawaii and Porto Rico without any beet sugar at all; but, under the tariff, beet sugar is now entering more and more largely every year into our consumption; and under the protection which the Senator wishes to give it—and I am willing—we shall have beet sugar grow by leaps and bounds, until we shall make a great deal more than we do now—several hundred thousand tons additional every year.

Mr. CUMMINS. And when the beet-sugar manufacturers have made all the sugar that we can consume, where, then, will be Louisiana or Porto Rico or Hawaii or the Philippine Islands with regard to our market?

Mr. TILLMAN. Louisiana happens to be inside the continental United States, thank God, and you can not hurt her by

any legislation you enact here—that is, if you are going to foster beet-sugar production.

Mr. CUMMINS. I hope not to hurt her. I hope the Senator from South Carolina will not understand that I am in favor of taking the duty off of raw sugar—and the raw sugar is the thing which Louisiana produces. If I would make any change at all, concerning which suggestions are to be made hereafter, I would rather raise the duty on raw sugar than to reduce it.

Mr. TILLMAN. I understood the Senator to be addressing himself to the problem as to how to foster beet sugar and Louisiana cane sugar without having the trust get the benefit of it.

Mr. CUMMINS. Not wholly, Mr. President. I believe, as I again repeat, that the struggle between beet sugar and cane sugar is perpetual.

Mr. TILLMAN. Undoubtedly.

Mr. CUMMINS. I do not believe that it can be prevented. Here are two competitors, therefore, drawing their product from different sources of supply. The United States is called upon to deal with that subject, and, in dealing with it, in the very nature of things it will be compelled to so adjust its duties that the cane sugar is more favored or the beet sugar is more favored, for, given that competition between these two products, you can not adjust a law that will be profitable for both.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I should like to suggest to the Senator from Iowa that, while this antagonism may be very great, it is not nearly so great as it was when the beet-sugar industry was started in this country.

Mr. CUMMINS. Mr. President, the Senator from Michigan does not read history as I do, if that be his conclusion.

Mr. SMITH of Michigan. Mr. President——

Mr. CUMMINS. Let me answer. I will answer your question and your suggestion just as candidly as I can.

Mr. SMITH of Michigan. I had rather have an answer than a criticism, because I happen to know something about this.

Mr. CUMMINS. I will give you an answer, together with the criticism of the suggestion at the same time, because your statement embraced both a question and an argument; and, therefore, in replying to the question, I am at liberty to also reply to the argument.

In 1897 there were 8 or 9 or 10—I do not remember just how many—beet-sugar manufactories in the United States. They produced something like 40,000 tons of sugar. In five or six or seven years the beet-sugar interest grew to its present proportions, and the beet-sugar capacity is no greater now than it was five years ago. Why? Simply because the cane-sugar refiners came to the conclusion that the beet-sugar production had reached as large proportions as they could safely allow it to reach. You can not at the present time found or establish a beet-sugar factory without the assent and the concurrence of the American Sugar Refining Company.

Mr. SMITH of Michigan rose.

Mr. CUMMINS. Now, just a moment, and I will tell you why. I am not asserting that by ownership of stock the American Sugar Refining Company controls all the beet-sugar factories in the United States. I know it does not. It is quite likely, quite true, that in the State of Michigan your beet-sugar factories may be owned entirely by local capitalists and local manufacturers, but the position of the American Sugar Refining Company in this business is such that no man, if he has any financial sense whatever, will enlarge or establish beet-sugar production unless he knows that he can act in harmony with the American Sugar Refining Company, and therefore——

Mr. SMITH of Michigan. Mr. President——

Mr. CUMMINS. Allow me just to draw my conclusions. Therefore, for five years this sugar refining company—or I am willing to put it in the plural if it is offensive to anyone in the Chamber—these refiners have had such a grip upon the business, that the beet-sugar interests have grown only as they have assented and as they have approved.

Mr. SMITH of Michigan. Now, Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. Mr. President, the absence of optimism in my distinguished friend, the Senator from Iowa, reminds me of a similar scene when the present tariff law was under discussion in the House of Representatives. I then heard a prominent Democrat, who was selected by his associates to follow Mr. Dingley in the discussion of the Dingley law, say that it was an idle dream to think that certain Western States, including his own, could successfully engage in the beet-sugar industry.

The difficulties were so many that, west of the Missouri River the beet-sugar producer has been undersold by the American Sugar Refining Company in the price of his product in order to drive him out of business; yet under those discouragements what does history show? It shows that within ten years after the prophecy of Congressman Bell, of Colorado, the beet-sugar industry had been established in his own State, and that those beet-sugar factories in his own State to-day feed 4,500,000 people with the sugar produced within the borders of Colorado. Now, pessimism has no attractions for me; and the statement that our people can not draw products from their own soil, which are necessary to their daily life, has no foundation in fact. So long as sugar is a necessity of life, there will be found men with courage enough and enterprise enough and optimism enough to plant sugar beets and to refine them for use.

Mr. CUMMINS. Mr. President, the Senator from Michigan is always delightful; he is always charming, and, as it seems to me, sometimes irrelevant and immaterial [laughter], for I have said no word that conflicts with anything he has uttered. It has become his habit, whenever anyone criticises a single word or phrase in this schedule, to rise and declaim with respect to the possibilities of the future and the glories of the American Republic under the doctrine of protection. I am always glad to hear that declamation recited in a manner in which he is a master and superior, I am sure, to anyone in this Chamber; but I take some pleasure in recalling him occasionally to the point at issue.

I am more optimistic than you. I have more faith in the American Republic than you; but I have vastly less faith in this particular schedule than you have. That is the only difference between you and me.

Mr. SMITH of Michigan. And in every other schedule.

Mr. CUMMINS. Nearly every other schedule, because I have believed that there was opportunity to reduce these duties at many points and still preserve the doctrine of protection and still add to the glories and the growth of the American people; but on every occasion on which the Senator from Michigan has risen, he departs immediately from the point in order to declaim these eulogies upon a principle that no one disputes. He reminds me of what a famous after-dinner speaker once said with regard to the sentiment of a toast to which he was assigned. He rose, and, after reading the toast, said it was his observation, and certainly his experience, that the subject of an after-dinner speech was simply a point from which the speaker might depart, and to which he was never expected to return. But now, if I may, I will return to the real question.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. Certainly.

Mr. CURTIS. May I make one suggestion to the Senator?

Mr. CUMMINS. Certainly.

Mr. CURTIS. I remember when the Philippine tariff bill was before the Ways and Means Committee of the House, of which I then had the honor of being a member, the beet-sugar people stated that they did not build more factories and would not put money into factories because they were afraid of the unlimited importation of sugar from the Philippine Islands, and that if the amount was limited to 300,000 tons, they thought there would be no danger from the Philippine production, and that then they would invest their money. I say that was the argument presented to the Ways and Means Committee at that time.

Mr. CUMMINS. I assign the disinclination of the men with money to enlarge, as they ought to enlarge, the beet-sugar business of the United States to a fear growing out of the knowledge that the sugar refiners absolutely fix the price of the product; that this schedule enables them to fix the price of the product; that by reason of their exorbitant profit in the manufacture of cane sugar, or the refining of sugar, they can, and they do, establish the price of sugar; and no man—I repeat it—no man who is prudent and cautious in commercial affairs will invest his money to a very great extent in a beet-sugar factory when the American Sugar Refining Company can fix the price of his product without knowing that he is in concert and in harmony with the power to which he must yield. I do not say that he wants to yield to that power; but it is one that has been established over him without his consent.

Mr. SMITH of Michigan. If I understood the Senator from Kansas [Mr. BRISTOW], if the Senator from Iowa will pardon me——

Mr. CUMMINS. Yes.

Mr. SMITH of Michigan (continuing). He dealt with considerable emphasis upon the world's price of sugar being fixed in Hamburg. I suppose the American Sugar Refining Company fixes it there as well as here?

Mr. CUMMINS. Does the Senator from Michigan understand that I am simply repeating the argument of the Senator from Kansas? I have a view on this subject of my own.

Mr. SMITH of Michigan. It has a very familiar sound.

Mr. CUMMINS. Yes. So there are, then, two very familiar sounds floating around the Chamber.

Mr. SMITH of Michigan. Yes; there seems to be.

Mr. CUMMINS. In order to verify what I say, I will read briefly from the testimony of Mr. Colcock. I should like to ask the Senator from Louisiana, if he is in the Chamber, whether or not Mr. Colcock is a reputable man? It seems to be necessary here to support the character of witnesses when they are called. He is the gentleman who appeared before the Ways and Means Committee of the House, representing the Louisiana cane-sugar producers.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I do not want to annoy my friend from Iowa——

Mr. CUMMINS. Do not mention it.

Mr. SMITH of Michigan (continuing). But it seems to me that the statements of these witnesses would carry more weight than their character. If the statements are fallacious, I do not care what the character of the man may be; and if the statements are sound, it does not matter from whom they come.

Mr. CUMMINS. However, the Senator from Michigan has possibly one test to detect fallacy, and I may have another.

Mr. SMITH of Michigan. I hope not.

Mr. CUMMINS. And therefore I think that it is of some value to know that the man who is testifying is acquainted with his subject and does not, intentionally, at least, depart from the truth.

Mr. SMITH of Michigan. There are some things——

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from Michigan?

Mr. CUMMINS. Yes.

Mr. SMITH of Michigan. There are some things, if the Senator will pardon me, upon which we ought to be able to agree and upon which we do agree. We certainly can agree upon the necessity of producing our own sugar, if we can.

Mr. CUMMINS. Mr. President, it is very gratifying that we can agree upon that proposition. I am standing here trying to show, first, that we can produce our own sugar; second, that it ought to be beet sugar; and upon those two things the Senator from Michigan and myself entirely agree.

Mr. SMITH of Michigan. Perfectly.

Mr. CUMMINS. And, third, that if you want the beet-sugar producers to supply the market, then you will have to change the schedule a little; and, as I have not yet reached the place at which I am to point out the respects in which the schedule should be changed, I venture to say that the Senator from Michigan will not disagree with a proposition that I have not made. I read from Mr. Colcock. He is the man who represented the Louisiana cane growers. Mr. UNDERWOOD asked him this question:

> Mr. UNDERWOOD. Is not the value of the cane sugar in Louisiana, the price of it for refining purposes, practically fixed by the American Sugar Refining Company and not by the markets of the world?
>
> Mr. COLCOCK. I should say absolutely; not practically, but absolutely.
>
> Mr. UNDERWOOD. Absolutely fixed by the American Sugar Refining Company?
>
> Mr. COLCOCK. Absolutely.
>
> Mr. UNDERWOOD. Therefore isn't it a fact that last year the Louisiana sugar producer sold his sugar to the American Sugar Refining Company at a price largely below the world's price, with the tariff duties added?
>
> Mr. COLCOCK. Not only last year, but to-day.

Mr. SMITH of Michigan. Every day.

Mr. CUMMINS. Every day; and, therefore, when a beet-sugar factory is proposed in a community, the very first inquiry is, "Can I dispose of my product at a fair profit? If I can not, then I refuse to invest the capital necessary to create the industry. The thing that I know, and the thing that the world knows, is that the American Sugar Refining Company, as it is now ordered, or in connection with the other cane-sugar refiners of the country, fixes the price of my product; and if I have the sense which ought to keep me out of the poorhouse I will not invest my money, therefore, in a beet-sugar factory, subject to those vicissitudes, and, possibly, to the injustice which grows out of absolutely uncontrolled and unrestricted power." That is the reason. Senators, you may blink it if you will; you may refuse to recognize it if you will; but the reason that the beet-sugar industry in the United States has languished in the last four or five years, the reason that it has not grown as it should have grown, is that the cane sugar of the country fixes the price; and you have adjusted a schedule that enables the cane-sugar refiner to dominate the situation; and I ask you to emancipate yourselves from that tyranny and from that control.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. SMITH of Michigan. I should like to ask the Senator whether before we had beet-sugar factories in the country that same identical condition did not exist?

Mr. CUMMINS. No.

Mr. SMITH of Michigan. Why?

Mr. CUMMINS. Simply because the power of the American Sugar Refining Company had not been established. It takes a little while for us to recognize a hidden and a secret master; it takes a year or two, or a few years, to unearth and discover the power that such an industrial tyrant can exercise.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. The Senator from Iowa is always interesting.

Mr. CUMMINS. That is a compliment, Mr. President, that I know precedes a rebuke.

Mr. SMITH of Michigan. No; it does not; you are mistaken. You might need it, but I am not going to give it to you. The Senator from Iowa is always interesting, but, fortunately or unfortunately, I will not say which, he is not familiar with the discussions of this identical schedule when the Dingley law was passed or he would know that the hydra-headed monster that alarms him so much now was just as active then as it is to-day; but notwithstanding the towering menace of the Sugar Refining Company, our citizens have embarked in the enterprise; they have made some money, they have afforded the farmer a market, and they have sold to the consumer his sugar cheaper than ever before, notwithstanding all those dire conditions named by my friend. So I did not rebuke you.

Mr. CUMMINS. No; Mr. President, the Senator did not rebuke me; he rather corroborated me, which is an exceedingly rare thing for the Senator from Michigan to do.

Now, I am not so unfamiliar with the discussion in the House of Representatives in 1898 as the Senator from Michigan thinks I am. On the contrary, I have been a very diligent student of the passage of the Dingley tariff law, and I know, and you know, that it was said to the beet-sugar producers that this particular schedule would relieve them of the control of the cane-sugar refiners. They believed it, and they went on diligently from that time until, in four or five years, they had multiplied nearly ten times their capacity for sugar. In the meantime the sugar refiners had not been indolent. They had been devising ways and means to establish over the beet-sugar producers the same domination which they had exercised over other fields before.

Mark you, now, there was one man in Congress, possibly more, and in the Senate, too, who knew that this would not develop the beet-sugar industry as it should. There was one man who knew that, in order to overcome the advantage that this law would give to the sugar refiner, something independent and additional ought to be done for the beet-sugar producer. There was one man, at least, who was not deceived, and he was a very wise man, and he was not a Populist, he was not a Democrat; but he was a Republican, who stood in the front rank of the Republicans of the Senate, whose memory is cherished here, and whose wisdom is applauded with each recurring day.

I refer to my distinguished predecessor, the late Senator from Iowa, Mr. Allison. He saw a great deal more clearly than you seem to have observed the effect that this law would have upon this business and the way in which it would give power to the cane-sugar refiner; and he sought to protect in another way and to stimulate and foster in another way the beet-sugar producer; and if the Senator from Michigan——

The VICE-PRESIDENT. The Chair will suggest to the Senator from Iowa that both he and the Senator from Michigan have inadvertently transgressed the rule by addressing another Senator in the first person. The rule provides that a Senator shall address another Senator only in the third person. The Chair is sure the two Senators have violated the rule inadvertently, but he thought it wise to call their attention to it at this time.

Mr. CUMMINS. I may be pardoned on account of my inexperience, but the Senator from Michigan is inexcusable. [Laughter.]

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. BACON. Mr. President, I wish to say, in connection with the suggestion just made by the Chair, that I think it is a very timely thing to bring to the attention of the Senate, because the transgression of that rule is not confined to those who have the excuse the distinguished Senator from Iowa has just given; but we are all in greater or less degree offenders, including myself, upon occasions.

It is an extremely important rule in parliamentary practice; one not only conducive to decorum in debate, but absolutely essential to decorum in debate; and I take advantage of the opportunity presented by the suggestion from the Chair, not only to plead guilty myself, but to ask the attention of other Senators to it. The fundamental rule in parliamentary intercourse is that Senators should only be addressed in the third person, and should only be spoken of in the Chamber in the third person; and it is a safeguard against asperities in debate and personalities of all kinds. I take advantage of the opportunity to say what I do, because I myself am sometimes an offender. I remember that once a former Senator from Massachusetts, Mr. Hoar, who bore a very distinguished part in the annals of this Chamber, was calling attention to the same thing, and in doing so he used this expression, that there was but one "you" in the Chamber, and that was the presiding officer; that "you" could be applied to the Senators as a body and to the presiding officer as a representative of the body in its entity; but that it could never under any circumstances be applied to an individual Senator; and I trust, Mr. President, that I may be excused for emphasizing the very timely suggestion of the presiding officer in regard to this matter.

Mr. CUMMINS. Mr. President——

Mr. SUTHERLAND. If the Senator will permit me, before he resumes the thread of his argument——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SUTHERLAND. I understood the Senator to say that the beet-sugar business of this country had languished during the last five years. Just what does the Senator mean by that—that it has not been making satisfactory progress; that there have been no new factories established, or what?

Mr. CUMMINS. Practically that.

Mr. SMITH of Michigan. That it has been practically stopped?

Mr. CUMMINS. That the capacity of beet-sugar factories is not greater now than it was five years ago.

Mr. SUTHERLAND. Either the Senator from Iowa misunderstands the situation, or I do. I understand that during the last seven years there have been 40 new factories established in the United States; that since 1897 there have been 74 altogether, and more than half of them during the last seven years; that 15 of those 40 have been established during the last three years; so that we have had more than a third of the 40 that have been established during the last seven years established in three years.

It seems to me, if I am correct in those figures, and I think I am, that the beet-sugar industry of this country has been making rather satisfactory progress. Now, if the Senator will permit me, let me call his attention to the facts. The letter of the Secretary of Agriculture, being document No. 22 of the Senate, Sixty-first Congress, first session, which was sent to the Senate in response to a resolution, shows that, in 1897, 3 factories were built; in 1898, 9 factories; in 1899, 12 factories; in 1900, 5 factories; in 1901, 5 factories; in 1902, 6; in 1903, 9; in 1904, 4; in 1905, 6; in 1906, 12; in 1907, 2; and in 1908, 1.

Mr. CUMMINS. If the Senator will read, at the same time, the statement of the factories that have been abandoned in that period, he will have a complete statement of the situation.

Mr. SUTHERLAND. If the Senator will permit me, I have read that, and I will read it directly from the report of the Secretary of Agriculture. Probably that will be more satisfactory than my own statement. He says:

It appears from the foregoing table that during the six years of the first period 41 factories were put in operation, of which 17 failed later, the percentage of failures being 41 when based on number of factories and 33 when based on aggregate capacity. On the other hand, during the seven years of the last period only 2 of the 40 factories completed and operated failed later, the per cent of failure being only 5. These figures most forcibly demonstrate the increasing stability of the beet-sugar industry.

Then the Secretary proceeds:

Of the 19 factories which failed, 2 were later restored to usefulness under new managements—those at Grand Junction, Colo., and Menomonee Falls, Wis.; all or part of the machinery from 11 others has been utilized in new factories in other localities; 2 were destroyed by fire; and 3 are standing fully equipped, and may resume operations at some future time.

So, with all due respect to the Senator from Iowa, I must disagree with him when he says that the beet-sugar industry of this country has languished during the last two years.

Mr. CUMMINS. The statement that I made is found in the testimony before the Committee on Ways and Means of the House. The question whether the industry has languished or not is one of words. It is possible that I ought not to have used the word "languished;" but if you should apply that strictness of interpretation to the entire debate that goes on in the Senate, we would need the services of a schoolmaster, rather than a statesman, I think. What I meant to say was that the capacity of the beet-sugar factories had not materially increased, I think I said, in the last four or five years, and I attempted to give the reasons for it. I see I have not a reference to the statement here, but I am sure I am not mistaken in the view that that statement is given in the testimony before the Ways and Means Committee. But I now refer to the incident to which I have referred——

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. TILLMAN. I have in my hand the Statistical Abstract for 1907, and, following the Senator's argument, I have looked up some figures, which I will give him, if he has no objection.

Mr. CUMMINS. I have none.

Mr. TILLMAN. I see that during the winter, or what they call "the campaign of 1905–6," there were produced in this country 625,000,000 pounds of sugar from beets, and in the campaign of 1906–7 there were produced 967,000,000 pounds of sugar from beets, showing an increase of over 300,000,000 pounds, and that is nearly 50 per cent; so that if there was a little period of depression, all the figures are here, and the increase was not so great during the preceding five years. In 1901–2 it was 369,000,000 pounds; in 1902–3, 436,000,000 pounds; in 1903–4, 481,000,000 pounds; in 1904–5, 484,000,000 pounds; showing that there was not much progress during those four years. But it leaped up to 625,000,000 pounds in 1905, and the following year 967,000,000. I do not know what it was last year, but it does not seem to me that the Senator has much foundation for his opinion in regard to depression, stagnation, or lack of progress of the beet-sugar industry during the last five or six years.

Mr. CUMMINS. That statement may be entirely accurate, and mine still wholly true.

Mr. TILLMAN. We are all tangled up with so many figures here that contradict each other. We had an illustration of that yesterday, when the Secretary of Agriculture seemed to have sent conflicting figures or statements in here.

Mr. CUMMINS. I take this statement from the testimony before the Ways and Means Committee with regard to the capacity of the beet-sugar factories. I was not speaking of the production. If I should deal with the question of production, that would admit other considerations which I do not think are material to the point I make.

But now I return to the passage of the Dingley law and the view that Senator Allison had with regard to what was necessary to help and establish the sugar-beet industry. It seems that during its progress through the Senate Mr. Allison said:

I offer this morning two or three amendments to the bill, which I do not ask to have considered at this moment, but I offer them now in order that they may be sent to the printer immediately and returned at an early hour during the morning. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 200, after line 14, insert as a new section:

"SEC. —. That on and after July 1, 1898, and until July 1, 1903, and no longer, there shall be paid from any moneys in the Treasury not otherwise appropriated, under the provisions of section 3689 of the Revised Statutes, to the producer of sugar made from beets grown within the United States during the calendar year 1898 and each succeeding calendar year until July 1, 1903, a bounty of one-fourth of 1 cent per pound."

Mr. JONES of Arkansas. On what many of us hoped would be the last day of the consideration of this bill the committee comes in with what is unquestionably the most radical departure from what has been the practice of the Government for a century in tariff taxation as an amendment.

Then the RECORD shows that several Senators addressed to Mr. Allison the remark, "Withdraw it." Mr. Allison said:

In view of what has been stated by Senators on the other side of the Chamber, that the amendment will lead to a prolonged debate, I withdraw it. I agree with what has been so well stated by the Senator from Nebraska [Mr. Thurston], that it is not the purpose or wish of those who wish to pass the bill to introduce into it any new questions which will prolong the debate. Therefore, if in order, on behalf of the committee, I ask leave to withdraw the amendment.

It is therefore apparent that Senator Allison, in order to overcome what he believed to be the inequalities of the sugar

schedule and the discrimination which he believed to be practiced against the beet-sugar people, introduced an amendment giving to the beet-sugar men a bounty of a quarter of a cent a pound in order to insure their prosperity and their development.

Mr. SMITH of Michigan. Mr. President, in order that——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. In order that the RECORD may show a similar state of mind in my own State at that time, I want the Senator from Iowa to note that the State of Michigan also passed a bounty law before the time referred to, because it was so deeply interested in the development of this industry; so that the Senator from Iowa, Mr. Allison, and the people of my State were in perfect accord as to the wisdom of doing whatever was necessary to stimulate this industry.

Mr. CUMMINS. I have no doubt of the statement just made by the Senator from Michigan. The Senator is desirous of promoting the interests of the beet-sugar industry. So is his State; so is my State; so is every State; and the only question is, How can it best be done? Now, the Senator from Michigan seems to think that it can best be done by making it exceeding profitable to refine cane sugar in the United States; whereas I think the interests of the beet-sugar men would be promoted by making it unprofitable to refine cane sugar in the United States, or, at least, to withdraw from the cane-sugar refiner the opportunity to make undue and excessive profits, and thereby supply the market which the beet-sugar producer ought to supply.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa further yield to the Senator from Michigan?

Mr. SMITH of Michigan. I do not think I have abused the courtesy of the Senator from Iowa.

Mr. CUMMINS. I yield with great pleasure, Mr. President. I want the Senator from Michigan to understand that there is no reluctance or mental reservation about my yielding to him.

Mr. SMITH of Michigan. And I know I have not abused the patience of other Senators. If the Senator will recall, I have not taken very much time in this entire tariff discussion, and I do not propose to.

Mr. TILLMAN. Mr. President, this is a private conversation, so far as the Senators over here are concerned.

Mr. SMITH of Michigan. But I will not permit the Senator from Iowa to describe my interest in the beet-sugar industry in the manner in which he has done. I will not permit you to say without contradiction that I propose——

Mr. CUMMINS. Mr. President, I ask the protection of the Chair. [Laughter.]

The VICE-PRESIDENT. The Chair begs to state to the Senator from Michigan that the person now addressed is the Senator from Iowa and not "you."

Mr. SMITH of Michigan. I am glad that the Senator calls for the protection of the Chair. I ask only for the approval of my constituents, and I will not offend the proprieties of the Senate, and know that my learned friend from Iowa will not do it.

Mr. CUMMINS. I sought the protection of the Chair only to carry out the eminently appropriate views expressed by the Senator from Georgia [Mr. BACON].

Mr. SMITH of Michigan. And if the Senator from Iowa and myself will always adopt his views, we will never violate the Senate rules.

Mr. CUMMINS. I have yet much to learn with regard to the proprieties and manners of the Senate.

Mr. SMITH of Michigan. The Senator is a very apt pupil.

The Senator says I would keep the rate of duty high upon refined sugar in order to assist the beet-sugar development of my State. Is that correct?

Mr. CUMMINS. I have not stated any such thing; but I assume that the Senator from Michigan is simply making the inference that seems to him to be the correct one.

Mr. SMITH of Michigan. If I misunderstood the Senator, I certainly am not going to take his time. Did not the Senator say that that was my view, evidently?

Mr. CUMMINS. What I said was that evidently the Senator from Michigan believed that he could best protect the beet-sugar manufacturer by making it profitable for the cane-sugar refiner to do business in the United States.

Mr. SMITH of Michigan. Exactly. I utterly repudiate that statement, Mr. President. I would help the beet-sugar producer by giving stability to our government policy in sugar tariffs. That is the way in which I would encourage that industry, and not by making it unfairly profitable to the sugar-refining companies, as the Senator has suggested.

Mr. CUMMINS. I am very glad to know the views of the Senator from Michigan upon this point. Unfortunately the Senator from Michigan, instead of expressing his views in an independent way and in his own time, always expresses them as a part of somebody else's speech.

Mr. SMITH of Michigan. I withdraw it. My friend is so generous and so emphatic that he tempts his colleagues to interrupt him, and I have fallen into the habit. I assure him, however, that I would not do so were the Senator not gifted in debate and amply able to readily reply.

Mr. CUMMINS. I am not criticising that, save that it is not always quite fair to the Senator who has the floor, inasmuch as an interruption of that kind necessarily anticipates something that has not yet been said.

I declare again that if those who favor the present paragraph are moved by those reasons which usually actuate men in construing language, they must think they can best protect the beet-sugar manufacturer by making the cane-sugar refiner as prosperous as he can be made. I have just the other view. I do not want to injure the cane-sugar refiner except as that injury must necessarily result from due protection to the beet-sugar manufacturer. I think every pound of sugar turned into the market by the cane-sugar refiner displaces just so much of the product that ought to be put into the market by the beet-sugar producer, and therefore if I were adjusting this schedule I would adjust it so that the cane-sugar refiner at least would have a more difficult time than he now has in turning raw sugar into refined sugar; and that brings me finally to the amendment before the Senate.

I am speaking now of the amendment which eliminates from this schedule the Dutch color standard. It is of course old; it is unscientific; it is useless; it is absurd for any other purpose except to turn into the cane-sugar refiner all possible importations of raw sugar. That is the only office it can serve; and that is why I say I am simply amazed that anyone who has at heart the interest of the beet-sugar producer can for a moment hesitate with respect to the propriety of eliminating from this schedule that test of introduction into our market.

Mr. FOSTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Louisiana?

Mr. CUMMINS. I do.

Mr. FOSTER. As a matter of information, do I understand the Senator to contend that the Dutch standard is used in this country as a test of sugar reaching to 96? Do I understand the Senator to contend that the Dutch standard is in operation as to all sugar coming into this country?

Mr. CUMMINS. It is not. It is not in operation as to those sugars which come in free of duty.

Mr. FOSTER. But sugars coming in subject to duty; do I understand the Senator to hold that the Dutch standard applies to all sugars coming into this country subject to duty?

Mr. CUMMINS. I hardly understand the question. As I view the law, all sugar coming into this country, all lighter than the Dutch standard No. 16, pays the same duty as refined sugar. That is true, is it not?

Mr. FOSTER. If I understand the Senator, I do not think it is true.

Mr. CUMMINS. And all sugar that comes into this country below the Dutch standard No. 16 must necessarily be refined, in order to be used at all, and therefore the effect of the Dutch standard is to prohibit the importation of raw sugar above the Dutch standard and to turn all the raw sugar under the Dutch standard into the hands of the cane-sugar refiner. That is the effect of the Dutch standard.

Mr. FOSTER. That answer compels me to ask the Senator what he understands by the Dutch standard.

Mr. CUMMINS. I would be a very dull listener if I did not know something about the Dutch standard in view of what occurred yesterday.

Mr. FOSTER. Do I understand the Senator to hold that all sugar coming into this country subject to duty must come in subject to the Dutch standard?

Mr. CUMMINS. Not at all; the Dutch standard does not subject anything to anybody. If the sugar comes in, and if it is sixteen or under, then it pays the duty according to its saccharine purity. If it comes in over sixteen in color, then it pays duty as refined sugar.

Mr. FOSTER. Then the Dutch standard does not apply to any sugar under 16 coming into this country?

Mr. CUMMINS. In the sense in which the Senator from Louisiana evidently uses the phrase, I affirm his proposition.

It applies in the sense that there it stands, ready to take hold of the article if it rises to that point in color, but if it is below 16, then it pays duty simply according to the saccharine purity.

Mr. FOSTER. I understood the Senator to say that we were applying to all sugars coming into this country the obsolete Dutch standard color system. I ask him does he understand that sugars coming into this country under 16 Dutch standard are tested by the polariscope or by the color?

Mr. CUMMINS. If it is under 16 Dutch standard in color, it is decided only by the polariscope.

Mr. FOSTER. That is the fact.

Mr. CUMMINS. If it is over that, then the polariscope disappears, and it is tested and the duty is paid according to refined sugar. I understand the Dutch standard. I have given a good deal of study to it, and I think I know something about its application, and the effect of that provision in our law is first, to prevent the importation of any raw sugar, upon which duty is paid, over 16 Dutch standard, and it is, of course, to turn into the cane-sugar refiner all the sugar of that standard or below, because if it is imported of that color or below it must go to the cane-sugar refiner. It can not go to the trade; it is not usable, in a general way, below the standard I have mentioned. So we are here devising, apparently, a scheme to give to the American cane-sugar refiner every pound of sugar that can be brought into America, whether from free countries or whether from dutiable countries.

My conclusion from that is not so much antagonistic to the Senator from Louisiana as it is to assert that we are not giving the beet producer a fair show. We are opening the gates for the introduction of enough refined sugar to supply all our demands. How can the beet-sugar man prosper under those conditions unless he can undersell his cane-sugar competitor? That is the only way in which he can take the market. If you so adjust this schedule that there is a vast profit to the cane-sugar refiner, you have to just that extent put a restriction and a burden upon the beet-sugar producer. Although you may not agree with me to-day upon that proposition, I hazard the prediction that the time will come when we will be compelled to choose between these things. It is therefore that I favor the striking out of this useless, unnecessary, burdensome, unjust restriction in our tariff law. I do not assert that striking it out would bring to the ultimate consumer sugar one penny less than the price at which he now gets it. It might, if the American taste would change and if the American market would take unrefined sugar. I do not know whether it will or not. There are some countries in which the market will take unrefined sugar. I am not predicting that our market will. I am not particularly anxious that our market shall. It will not hurt my feelings at all if the high taste and the high tests of Americans shall still demand and still insist upon refined sugar.

But I do not intend to allow my vote or my voice to bring that sugar from the cane-sugar refiner instead of from the beet-sugar factory. There is the point upon which Senators appear to differ from me. I assert, and it seems to me obvious, that the Dutch standard does help to get this sugar into the hands of the cane-sugar refiner.

I would a great deal rather they would take the sugar above the Dutch standard in color, of 17, 18, 19, or 20. If that could be put upon the market, and if Americans would take it, it would be vastly better for the beet-sugar producer than to put it into the hands of the cane-sugar refiner and allow him to dominate the market and to present it in competition, direct, positive, unescapable competition, with the beet-sugar producer.

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. SUTHERLAND. I confess to the Senator from Iowa that I do not understand very much about the Dutch standard. Sometimes I have a suspicion that I do understand something about it, but when I come to investigate my mental processes, I am in doubt. However, I want to put this question to the Senator: Whenever sugar is above No. 16 Dutch standard in color, does that not indicate that it has undergone some process of refinement, that it has been advanced from the natural condition which it has when it has been first turned into the raw sugar?

Mr. CUMMINS. Mr. President, a part of the Senator's question I answer no, and a part of it I answer yes. He has asked two questions which are contradictory; that is, he has asked two questions in one, and their parts are contradictory to each other.

The Senator asks me if sugar above the Dutch standard No. 16 has not passed through some process of refining. I say no. He asks me, and he uses it as an alternative or as meaning the same thing, whether it has not been advanced beyond the No. 16 standard or color test. I say, yes; it has been advanced by some revolutions of the centrifugal wheel or machinery that throws off the molasses.

Let us see now about this. I have not known much about sugar. I have eaten a good deal of it in my time, but I never have been led to inquire into it scientifically until now. I ought not, of course, to attempt to instruct the Senator from Utah. He comes from a beet-sugar country, and knows better than I do about it. I will address myself to the other Senators.

Mr. SUTHERLAND. We have nothing to do with the Dutch standard, however, in my State.

Mr. CUMMINS. Fortunately not. The sugar crystal is white. No matter whether it comes from beets or whether it comes from sugar cane, the sugar crystal is as white as snow. But when it is precipitated it is covered by molasses or molasses pellicles, and possibly some other impurities, and it is the covering of the sugar crystal that gives it its color. For instance, suppose that glass were half filled with sugar of the Dutch standard No. 16 in color. If you were to pour it out into a mortar and take a pestle and grind it, it would become almost white without any process whatsoever, except the mere crushing of the sugar crystals. So the original covering of the crystals would not be in the same proportion, if you please, to the surfaces as they were before.

That is all there is in the matter of color in sugar. It is the covering of the sugar crystal that gives it its color, and it may be molasses, it may be something in the nature of resin, possibly, or some other impurity of that kind. All that the sugar refiner does in the world is to take that sugar and dissolve it in water and pour it into a tube filled with boneblack, and it comes out at the other end molasses water, just as pure and as clear as the water from a mountain spring. Then the refiner evaporates the water, and he has white refined sugar.

The Dutch standard is one that has no relation, or no close relation, to sweetness or to saccharine purity. It has relation only to color, and the sugar producers of Cuba, Santo Domingo, and other countries from which dutiable sugar comes have a lot of trouble in keeping the color of the sugar below the sixteen standard in order that they may bring it in.

What I am asking the Senate is, What possible good can that test be to the beet-sugar man? That is the question. It turns more sugar into the cane-sugar refinery than would otherwise go there. That is as sure as that the sun rises in the morning and goes down at night. What do you want the cane sugar to go into a sugar refinery for? To take the place, apparently, of the sugar that comes refined from the beet-sugar factory.

Mr. BACON. The Senator seems to be entirely familiar with these processes. I should like to have him tell us, as a matter of information, how it is that beet sugar is made only as refined sugar? I ask purely for information. I am not informed myself how it is, but I understand that beet sugar is produced only in the refined state.

Mr. CUMMINS. That is true.

Mr. BACON. I desire to know why it is that that should be true in the case of beet sugar and not true in the case of cane sugar. What is the difference in the process of manufacture that produces those different results?

Mr. CUMMINS. There is a fundamental difference in this: The molasses or the impurity that arises from the manufacture of beets is very obnoxious to the smell or taste. The beet sugar crystallizes in an entirely different way from the process of the cane sugar. In manufacturing beets into sugar there is a great vat or inclosure filled with beets, and they are lifted up and poured into a trough, and there they begin and go down, conveyed by carriers and every other sort of machinery. That beet is never touched by human hands again until it rolls out of a spout pure white granulated sugar.

So the process is wholly different. Of course in cane sugar, with which the Senator from Georgia is entirely familiar, you put the juice into a vat or pan and boil it and purify it, and gradually it crystallizes, precisely as maple sugar crystallizes from the sap of a maple tree. Sometimes the crystals of the cane sugar are small, sometimes large, depending a great deal upon the way in which the process is carried on and the skill with which it is carried on. As I said, it takes a pretty skillful man in making cane sugar, unless the cane is very bad, to keep in the process of manufacture the sugar below the Dutch 16 standard. That is what has to be done in order to bring the sugar into the United States tested only by its saccharine purity, because the moment it rises above, so that any human being would use it on his table, or use it even in his kitchen, then we impose the full duty of $1.95 a hundred upon it.

I say, therefore, that the man who wants to sustain beet sugar, who believes that that is the industry that should prosper, that it is from that source we should get our supply in the future, can not stand here for the retention of this test in our

schedule. I speak now, and have spoken, with regard to the amendment of the Senator from Kansas, with regard to striking it from the law. I say strike it from the law because it is a discrimination against the beet-sugar producer. I say strike it from the law because it is useless, unnecessary, unjust, and unscientific, and, as was so well exhibited yesterday, it has been abandoned by 40 of the principal nations of the world. It gives no stability to business; it adds no safety to business, and compels the whole world which exports sugar to the United States under duties to pay tribute to the cane-sugar refiner.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. Certainly.

Mr. TILLMAN. I want to get a little information. The Senator mentioned a moment ago that there was something about the beet which was very offensive, and that beet sugar had to be refined to the fullest extent to make it palatable. Did I understand the Senator correctly?

Mr. CUMMINS. Substantially.

Mr. TILLMAN. Then, I want to ask the Senator how he reconciles that statement with the fact with which we are all familiar, that that is not true of the ordinary garden beet, which is a form of the sugar beet? The sugar beet has only been evoluted from the common beet by selection and processes of getting seed which tested a high degree of saccharine. Why is not that the case with the garden beet which is boiled in kettles on our stoves and which our mothers and our cooks have been boiling for us? Somebody must have been giving the Senator some misinformation on that subject.

I absolutely suspect that this trouble about the process of refining and not being allowed to stop beyond the full refinement is a humbug. I believe that you can make good brown sugar from beets just as much as you can make good brown sugar from cane, and that this difference between refining and the 16 Dutch standard, to which the Senator is so much opposed, and which I do not like myself, is a humbug. It is intended, he said, to compel the sugar to go through the refining kettles of the American sugar trust and shut us off in getting good, honest brown sugar, such as we used to use when we were boys.

Mr. CUMMINS. I yield to the Senator from South Carolina as a scientist. I can only say that I have spent some time in beet-sugar factories, and I know——

Mr. TILLMAN. Do they ever put any chemicals with the beets in making beet sugar?

Mr. CUMMINS. The Senator from South Carolina can not tell me anything about the smell of a beet-sugar factory, because I have been there.

Mr. TILLMAN. I do not dispute that at all, but I assert what the Senator and every other man here knows, that in the table beet there is no inherent trouble with the beet itself, and there must be some chemical put in to bring about that scent.

Mr. CUMMINS. I do not speak as a scientist. I speak only as observation teaches.

Mr. ALDRICH. Will the Senator permit me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. The Senator has two or three times alluded to the fact that the tariffs of other countries do not assess duties by the use of the Dutch standard of color. Will the Senator, who seems to have great knowledge upon this subject, be kind enough to tell us what the tariff of Germany, for instance, is?

Mr. CUMMINS. I asserted that yesterday the Senator from Kansas [Mr. BRISTOW] stated that about 40 countries had abandoned the Dutch standard, the color standard, as I remember it.

Mr. ALDRICH. In their tariffs. I suppose the Senator means? I thought the Senator from Iowa might have had some knowledge himself on the subject.

Mr. CUMMINS. I simply reiterated the statement of the Senator from Kansas. My position here is that it ought to be eliminated, if every country in the world had it.

Mr. ALDRICH. The Senator's statement was that these other countries used the polariscopic test in their tariff. The Senator was mistaken; and I did not know but that he might have some knowledge on the subject.

Mr. CUMMINS. I did not assert that, and the Senator from Rhode Island must contest that point with the Senator from Kansas. I am simply arguing that so far as our country is concerned this test can have but one effect.

Mr. BRISTOW. I did not hear the remarks of the Senator from Rhode Island.

Mr. ALDRICH. I was asking the Senator from Iowa for information as to what the German tariff on sugar is. Perhaps the Senator from Kansas can give us that information.

Mr. BRISTOW. I have some information about the American tariff on sugar.

Mr. ALDRICH. I understand; but the Senator was quoted by the Senator from Iowa as authority upon the tariffs of other countries, and I should like to test his knowledge upon several of those countries.

Mr. BEVERIDGE. Mr. President, the Senator from Rhode Island can tell us authoritatively whether it is true that all nations in the world have abandoned the Dutch standard excepting only 12, which were read here yesterday.

Mr. ALDRICH. It is not.

Mr. BEVERIDGE. It is not true?

Mr. ALDRICH. It is not true.

Mr. BEVERIDGE. That statement was made yesterday.

Mr. ALDRICH. I will say that no country I know of uses either the polariscopic test or the Dutch standard test in its tariff. They never had it.

Mr. BEVERIDGE. Did Holland never have it?

Mr. ALDRICH. Holland had it, of course.

Mr. BEVERIDGE. And she abandoned it?

Mr. ALDRICH. Of course not.

Mr. BEVERIDGE. She still retains it?

Mr. ALDRICH. Of course.

Mr. BRISTOW. I did not catch that remark.

Mr. ALDRICH. I was asking for information, to try to confirm some of the statements that have been made here, what the German tariff is. The German tariff has been mentioned specifically by several Senators. Probably the Senator from Indiana, who seems to have knowledge on this subject, may be able to state it.

Mr. BEVERIDGE. No, Mr. President, I am trying to search for knowledge. Therefore, when the Senator from Rhode Island was putting the question—and there seemed to be a question as to the statement that was accepted by everybody from the Senator from Kansas yesterday—that the Dutch standard had been abandoned by these countries, before we went any further I wanted to know what the facts are. I am a searcher for information on this question, and I think the Senator from Rhode Island, above all men here, can give it to me. I ask again if it is true, because I am interested, if Holland had the Dutch standard and if Holland ever abandoned it?

Mr. ALDRICH. The Dutch standard was originated in Holland.

Mr. BEVERIDGE. Has it abandoned it?

Mr. ALDRICH. It has not abandoned it. No country has abandoned it in commercial uses. I am speaking about commercial uses in trade.

Mr. CUMMINS. Mr. President, this colloquy must not become general.

Mr. ALDRICH. I simply want to make a protest here against all similar statements made by the Senator from Iowa and other Senators unless they furnish some information on the subject.

Mr. RAYNER. Mr. President——

Mr. CUMMINS. The Senator from Iowa simply reiterated the statement made by the Senator from Kansas.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. BRISTOW. Mr. President——

Mr. ALDRICH. That statement might go around the circle indefinitely and be accepted by everybody. I would be glad to have somebody furnish some facts to base it upon.

Mr. BEVERIDGE. The Senator from Rhode Island says it is not true. So we have the issue.

Mr. CUMMINS. I yield to the Senator from Kansas.

Mr. BRISTOW. The Senator from Kansas desires to state that he will stand by what he read yesterday as a fact, regardless of the opinion of the Senator from Rhode Island.

Mr. ALDRICH. Will the Senator be willing to tell us what the tariff of Germany is?

Mr. BRISTOW. I am not discussing the tariff of Germany.

Mr. ALDRICH. That is one of the countries the Senator——

Mr. BRISTOW. I am discussing the tariff bill which the Finance Committee proposes the Senate shall pass. In the statement yesterday I said that the Dutch standard was not now used by Holland, and I recited 37 nations that did not use it. A number of the 37 have abandoned it that formerly used it, and some of them never used it.

Mr. BEVERIDGE. That is the issue.

Mr. ALDRICH. I ask the Senator now to tell us what the tariff of Germany is. That is one country the most conspicuous of all. I should like to test the Senator's information on

this subject by asking him to state to the Senate what the tariff of Germany is.

Mr. RAYNER. Mr. President——

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. I do.

Mr. RAYNER. Why does not the Senator from Rhode Island call in the Senator from Utah [Mr. SMOOT]? He can tell him. No one else appears to know.

Mr. CUMMINS. I see that the Senator from Kansas is still on his feet. If he desires to say anything further, I will yield to him.

Mr. SMITH of Michigan. I wish to interrogate the Senator from Kansas.

Mr. BRISTOW. I desire to say that in discussing this question I was discussing it from the standpoint of what it is desirable, in my judgment, to incorporate into the pending tariff bill. I am not very familiar with the tariff of Germany; I can not inform the Senator from Rhode Island as to its details; but he knows that the Dutch standard does not measure the purity of sugar in Germany.

Mr. ALDRICH. That was not the question, Mr. President.

Mr. BRISTOW. That is the question that is before this body that is being discussed.

Mr. ALDRICH. Oh, no; that is not the question at all. The question is what the tariff of these various countries is, what standard is used, and what test is used in the tariff of the various countries.

Mr. BACON. I should like to suggest, with the permission of the Senator from Iowa, that it is very unkind in the Senator from Rhode Island to keep us in suspense. He evidently has this important practical piece of knowledge so essential in the determination of this question; and he ought to inform us and not try to put Senators on the stand.

Mr. ALDRICH. I am more or less familiar with the tariffs of those countries, and my information is entirely different from what has been said here. So I wanted to find out, if I could——

Mr. BACON. We are burning with curiosity.

Mr. ALDRICH. In due time I hope the Senator will be gratified.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I am not going to interrupt the Senator from Iowa except to ask the Senator from Kansas a question. He says that the Dutch standard is not now used in Holland. Is that correct?

Mr. BRISTOW. Yes, sir.

Mr. SMITH of Michigan. Does Holland import any duty sugar?

Mr. BRISTOW. I do not know.

Mr. SMITH of Michigan. That is very essential for you to know.

Mr. BRISTOW. I am not familiar with it.

Mr. SMITH of Michigan. If they do not import any duty sugar, they would have no use for the Dutch standard.

Mr. BRISTOW. The Senator from Michigan yesterday declared that the removal of the Dutch standard from the bill would precipitate financial chaos in the commercial world.

Mr. SMITH of Michigan. Oh, the Senator has been dreaming. I never mentioned such a thing as that. If his speech was in the RECORD this morning, he would not find any such utterance. The Senator says he has enumerated a number of countries that have abolished the Dutch standard color test on raw sugar. I would like to ask him now if he knows what countries in the world, outside of our own, impose a customs duty on sugar.

Mr. BRISTOW. There are a number.

Mr. SMITH of Michigan. How many?

Mr. CUMMINS. Mr. President, I decline to yield for this controversy. The Senator from Michigan will have all the time he desires; the Senator from Kansas will have all the time he desires; and it is not fair, as it seems to me, to interject a debate between these two eminent gentlemen in my speech.

Mr. SMITH of Michigan. I do not want to do that.

Mr. CUMMINS. Mr. President, it is a little difficult for me to keep the thread of my argument in view of the interruptions; but I was reaching this conclusion when last suspended, namely, that this Dutch standard of color can have no other effect except to make it necessary that all the sugar that comes here under duties shall be refined.

I am not asserting that if the principal object of my care was the American sugar refiner, I would not insist upon the retention of these words; but inasmuch as I have declared that the principal object of my solicitude, in so far as this tariff law is concerned, is the beet-sugar industry, I protest against an unnecessary standard that will inevitably turn into the American sugar refiner all the importations of sugar.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I would be glad to know the force of the Senator's argument if I could. Does he mean to say that to protect beet sugar he would exclude the cane sugar from this country entirely?

Mr. CUMMINS. I have no doubt, Mr. President, that the Senator from Rhode Island will some time reach that point. A very high protectionist would reach that point; and you would exclude it, except from our own territory, which of course you could not control; but if you would apply the same rule to the sugar business that you apply to all other kinds of business you would put duty on cane sugar that would absolutely exclude it from the American soil and permit our beet-sugar producers to supply the whole market.

Mr. ALDRICH. Mr. President——

Mr. CUMMINS. That would be the policy of any protectionist if it were not that we have within our own territory cane-sugar-producing regions.

Mr. ALDRICH. I asked the Senator from Iowa a question about his own views, and he has taken up the time in stating what my views are, which I prefer to state myself. But I should like to put the question in another form.

Mr. CUMMINS. That is quite a common habit here.

Mr. ALDRICH. If the Senator does not want to answer the question in the form I put it, I will put it in another form. Does he think that the importation of cane sugar into the United States ought to be made easy or difficult for the protection of the beet-sugar producers of the country?

Mr. CUMMINS. The answer to that question is easy. It ought to be made difficult.

Mr. ALDRICH. Therefore the Senator proposes to reduce the duties upon cane sugar and——

Mr. CUMMINS. When have I proposed to reduce the duties on sugar? When?

Mr. ALDRICH. By striking down every duty which is imposed for the protection of the beet-sugar people.

Mr. CUMMINS. Ah! The Senator from Rhode Island does not exhibit his usual keenness of interpretation. I say that the striking of these words from this schedule will not disturb the duty upon raw sugar. On the contrary, if I had my way about it, I would favor a duty, whether it be 1.90 or 1.95 or 1.82½, upon refined sugar, enough to protect our growing industry, if you please, in the beet-sugar regions. Then I would put a duty upon all cane sugar imported according to its saccharine purity and leave no differential whatsoever for refining sugar in the United States. That would not reduce the duty on sugar.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. Does the Senator think that striking out the words "No. 16 Dutch standard" will encourage the importation of sugar into this country or discourage the importation?

Mr. CUMMINS. Mr. President, that depends entirely upon whether the American market will take unrefined sugar. We have now educated the taste of the people to a point that it refuses substantially unrefined sugar. If that taste should change, then the lighter sugars in color and higher in saccharine quality could come in, and be used at a lesser price than the refined sugar. I would rather—this is my position—put the beet-sugar producer against that kind of a competition than against the competition of the refined sugar at the hands of the sugar refiner.

Mr. ALDRICH. Is the Senator willing to admit that the duties on white sugar would be very materially reduced by striking out the words which he suggests should be stricken out?

Mr. CUMMINS. I would not be willing to so admit.

Mr. ALDRICH. What is the purpose, then, of striking out those words?

Mr. CUMMINS. There are two purposes: First, to allow the sugar lighter in color than No. 16 to come in and be used without refining and at whatever duty is required by the polariscopic test of sweetness or purity. That is the first effect it might have, and would depend entirely on whether the American market would take these light sugars at a less price, however, than the refined. The second result that would be accomplished by it would be to turn away—of course that is a corollary of the first—from the sugar refiner part of the sugar that he now buys and now puts through his process of refining.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The Senator, I think, will admit that a No. 20 sugar or a No. 18 or a No. 19 sugar would pay, under the bill as it stands, $1.90 duty; and sugar testing 78, but still of No. 20 color, would pay about 1 cent a pound; in other words, the effect of this proposition would be to reduce upon that class of sugar, white in color, but testing very low by the polariscope, one-half. Does the Senator think that that reduction would be beneficial to the sugar industry of the United States?

Mr. CUMMINS. Mr. President, the Senator from Rhode Island has now stated the only possible purpose in the retention of these words, if you will disregard the interests of the sugar refiners, and I say that the tariff is not the place to protect the American people against adulterated food. There are other laws and other ways in which to protect us against frauds of that character that can be employed to much greater advantage than you can employ the duties in the tariff law.

Mr. ALDRICH. Mr. PRESIDENT——

The PRESIDING OFFICER. Does the Senator from Iowa again yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The Senator's answer would be those sugars may not be adulterated. It is not a question of adulteration at all. It is a question of saccharine strength. The other components may be one thing or another. They are not necessarily deleterious at all. But is the Senator willing to admit the statement which I made that the effect of striking out this provision would be to let in sugars of the color of 20 or below—from 18 to 20—at less than half, or at about half, what the present law does?

Mr. CUMMINS. Mr. President, I am willing to admit that, physically, that is possible; that if you can, as I am told by some operation you can, bleach the molasses color of sugar, or whatever other coloring the crystals may have, you can bleach those—I call them "impurities," although that may not be the proper word—that sugar might come in upon the duty prescribed for its saccharine purity; but that sugar could not be sold to the American people for sugar. It does seem to me a little inaccurate to say that such sugar contains no impurities, because pure sugar, we will assume, tests 96 or 100; and whatever you have in that which reduces the saccharine test of purity of that sugar to 75 or 80 is an impurity.

Mr. ALDRICH. No.

Mr. CUMMINS. It is an impurity, so far as the sugar is concerned. It may not be deleterious. I rather agree with the Senator from Rhode Island upon that point. I can perceive that possibly there is some sugar which you could import—sugar of a lower quality, not injurious to health. I do not speak with authority upon that subject; but I do know that if that sugar were to be admitted, as it ought to be admitted, upon the saccharine test, there is a way in which we can protect the American people from such impure sugar without compelling all the raw sugars of the world, or those that we import, to pass into the hands of the sugar refiner.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. Yes.

Mr. ALDRICH. I should like to get, if I could, from the Senator from Iowa, who, as I understand, is speaking more or less as a friend of the beet-sugar producers of this country, an answer to my suggestion.

Mr. TILLMAN. Mr. President, we can not hear the Senator from Rhode Island.

Mr. ALDRICH. I said I should like to ask the Senator a question, if I could get an answer, because, as I understand, he is speaking more or less for the interests of the beet-sugar producers of the United States. Does the Senator believe that a provision of law which allowed white sugar, which could come into actual competition with the sugar produced by the beet-sugar manufacturers of the United States, to come in at half the present rate of duty, would be beneficial to the beet-sugar producers of the United States?

Mr. CUMMINS. Mr. President, that operation would not be beneficial to the beet-sugar producers of the United States, and my suggestion does not involve any such result.

Mr. ALDRICH. If the Senator will permit me, the striking out of those words involves that very act, and can be shown to be nothing else.

Mr. CUMMINS. Mr. President, at that point the Senator and myself disagree. I do not believe that there is any process that can be used that will whiten sugar so that it will be permanent, and so that it can be substituted for real sugar. I can not think for a moment that it is necessary, in order to guard the American people against that sort of fraud and that impurity of manufacture, if you please, that we shall maintain this artificial and, as I think, unscientific standard of measuring sugar. After all, it comes, even upon the confession of the Senator from Rhode Island, to the one end, that, in order to secure pure sugar for the American people, we must have all of the cane sugar pass through the hands of the American sugar refiner. That is the ultimate end of the observations made by the Senator from Rhode Island.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa again yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The Senator is trying to shift the issue on to what he calls "adulterated sugar." There is no such thing as adulterated sugar. Seventy-eight-test sugar is not adulterated sugar. Eighty-three and 85-test sugars, which come into this country, are not adulterated sugars. They may contain substances which are not necessarily beneficial, but they are not substances which are deleterious. Up to within a very few years everybody in the United States—the Senator from Iowa, myself, and everybody—used brown sugars. There was no suggestion that they were deleterious. They were not adulterated sugars at all. That is not what I am talking about. They were natural sugars, produced by processes which did not eliminate all the substances, except the crystals of the sugars. I repeat they are not adulterated sugars. They would come into this country and would be sold to the consumers in this country in direct competition with the beet sugar. That is the fact; and you propose by this process, which I will not characterize at the moment, to absolutely destroy the benefits of a tariff to the beet-sugar producers of the United States.

Mr. CUMMINS. Mr. President, the variety of the human mind is so infinite that we can reach varying conclusions apparently from the same premises. Tested by the things which I believe I know and the things that have come to me from the study of this subject, the statement of the Senator from Rhode Island merely confirms what I am trying to prove. I know that light sugar could enter if this standard were stricken out. That is just what I want—some light sugars of high saccharine quality and light color test entering. I do not mean fraudulent sugars, which the Senator has in his mind, but which he disclaims are fraudulent. It is not quite accurate to say that an article that tests 75° by the polariscope is unadulterated sugar. It may not contain anything which is injurious to health, but it has in it a great deal that is not sugar, and which ought to be removed before the article becomes merchantable. But when you present to me a sugar 19 or 20 in color and of the 92 or 94 or 96 test, that sugar would come in at the rate that is established by the bill.

Mr. ALDRICH. Is the Senator willing to admit that those sugars would come into competition with the beet sugars produced in the United States?

Mr. CUMMINS. My answer to that is, inasmuch as the Senator combines the legal possibilities of admission at the custom-houses with the practical admission to our markets for our people, my answer is no; they would not come into competition, because no country would permit its people to be so defrauded and so deceived, and no dealer would dare to enter upon a business that would destroy his reputation within a single month. We have a standard of sugar in our country, and if a white sugar comes in and is sold by a dealer it must conform practically in its standard of sweetness to the sugar that comes from the refiner and from the beet-sugar manufacturer.

Mr. ALDRICH. Mr. President, take two other examples. Take Cuban centrifugal, which tests 96, and which can be made as white as granulated, and to-day, under the changes suggested by the Senator from Iowa, that would be 1.32 from Cuba as against 1.90, or a reduction of about fifty-eight one-hundredths. That would come into competition immediately with the beet-sugar product of the United States at every point. Does the Senator believe that that is a wise thing to do?

Mr. CUMMINS. No.

Mr. ALDRICH. That is the proposition.

Mr. CUMMINS. That would not happen either under the suggestion I have made——

Mr. ALDRICH. It will happen just as sure as one day follows another, and it can be shown beyond question that it will happen.

Mr. CUMMINS. Mr. President, it is utterly impossible to happen——

Mr. SMITH of Michigan. No.

Mr. CUMMINS. My friend the Senator from Michigan assures me that it will happen, and of course he has great support in the Senator from Rhode Island; but I say it would not happen.

Mr. ALDRICH. Why not?

Mr. CUMMINS. The reason it would not happen is that if you take this sugar schedule and attach a duty to the refined sugar, whether it be $1.95 or $1.90—I am not arguing as to the extent of the duty necessary to protect the American market in refined sugar, and you will bear me witness that I have not suggested the degree of duty necessary to accomplish that result—but when you have established the duty upon refined sugar and then levy an equivalent duty on all the sugar that is brought into our market, the Senator from Rhode Island knows that a sugar which tests 96° can not enter our market at a rate of duty of $1.32 if the refined 100° sugars pay $1.90 or $1.95.

Mr. ALDRICH. But, Mr. President, the Senator proposes to adhere strictly to the polariscopic test.

Mr. CUMMINS. I do.

Mr. ALDRICH. And 96 sugars would pay then, as they pay now, $1.32 from Cuba; and whether they were white or not would depend upon whether this provision in regard to the Dutch standard be maintained. If they were imported below No. 16, then there would be no active competition, if you please, between the 96° sugar and the beet sugar, but when you permit the sugar producers of Cuba to bring 96-test centrifugals into this country white, they immediately come into competition with the beet-sugar producers of the United States at every point in our country, and you permit those sugars to be brought in fifty-eight one-hundredths of a cent a pound less than they can be brought in under the proposition of the committee.

Mr. CUMMINS. Mr. President, the Senator from Rhode Island is carrying on his computation upon the basis of the bill that is presented. He has not apparently heard what I have suggested, and which forms the basis of all that I have said.

There are two things that I would do with this sugar schedule: First, strike out this standard of color, and, second, destroy entirely the differential which has been so frequently mentioned here as being necessary for the cane-sugar refiners. I will carry out the computation.

Suppose that 100° sugar—to give an illustration that will be more easily understood—bears a duty of $1.90; suppose we reduce—although I do not say that is the right figure, for I have yet to reach a conclusion upon that—but suppose we reduce the duty 3½ cents a hundred pounds on each reduction in degree as shown by the polariscope; then, when your Cuban sugar of 96 test comes in, it will come in under a duty of 14 cents less than the refined sugar. Fourteen cents a hundred pounds from $1.90 a hundred pounds is $1.76 a hundred pounds. That is what the Cuban sugar, to which the Senator has referred, would pay under the plan that I believe to be necessary for the protection and preservation of our own manufacturers; and that is the thing which will put the sugar refiner upon an even plane with the beet-sugar man. He will then have abundant opportunity in the sugars that come in without paying duty to reap all the reward that he is entitled to; but he will not be so prominent and will not be so dominant in the business as he is now. Some little part of his great profits will be withdrawn from him; and in just so far as you withdraw them, you give the beet-sugar man a chance to live.

Mr. ALDRICH. Will the Senator permit me to ask him one more question, and then I will not further disturb him?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I have about reached the end of my argument.

Mr. ALDRICH. I will ask the Senator just one more question.

Mr. CUMMINS. I will gladly answer it.

Mr. ALDRICH. Does the Senator think that the same rate of duty ought to be imposed upon 96-test sugars that are 16 in color and 96 sugars that are 20 in color?

Mr. CUMMINS. I do.

Mr. ALDRICH. That is the whole controversy.

Mr. CUMMINS. I do believe that the duty should be imposed, Mr. President, exactly as you impose the duty on lead ore—upon the lead—whether it is 20 per cent, or 30 per cent, or 50 per cent. You should impose a duty upon the sugar, not upon the impurities that may be in the sugar, and not upon the coloring of the sugar crystals.

Mr. ALDRICH. If the Senator will permit me, I will ask him one other question. Does the Senator think that No. 20 sugars, 96 test, would compete in this country with the products of the beet-sugar factories?

Mr. CUMMINS. In a way, Mr. President. As I have said many times, if the American taste should be so changed as to demand or consume the brown sugars or the unrefined sugars, then the unrefined sugars would compete with the products of the beet-sugar factories; but they would not so unfairly compete with the products of the beet-sugar factories as would that same sugar after it had passed through the hands of the cane-sugar refiner and had been put into competition or into opposition with him as exactly the same thing and at a price fixed absolutely by the American Sugar Refining Company——

Mr. ALDRICH. Is the Senator willing to admit that 96 sugars, 20 in color, under the suggested amendment, would pay fifty-eight one-hundredths of a cent less duty than they do under the present law?

Mr. CUMMINS. I have not computed it, and I do not know; but you will observe——

Mr. ALDRICH. I have computed it, and I do know.

Mr. CUMMINS. Then I would be very glad if the Senator would state it positively as a statement, rather than as a question.

Mr. ALDRICH. I state it as a fact.

Mr. CUMMINS. Very well; I accept that.

Mr. ROOT. Mr. President, I do not desire to interrupt the Senator in the course of his argument, but I should like to ask permission to present a paper——

The PRESIDING OFFICER. Does the Senator from Iowa yield for that purpose?

Mr. ROOT. I will say to the Senator from Iowa that I rose because I understood that he was about to conclude.

Mr. CUMMINS. I am.

Mr. ROOT. And I wish to present a paper.

Mr. DANIEL. Mr. President——

Mr. CUMMINS. I will be through in a few moments. I now yield to the Senator from Virginia [Mr. DANIEL], who desires to ask me a question.

Mr. DANIEL. Mr. President, as I am advised, sugars are whitened by refinement and also by bleaching, and the darker sugars which appear from Cuba are generally bleached. They appear to be white, and are so much like refined sugar that the eye will not distinguish them. The question is this: If you put the same tariff on both of these sugars, refined sugar and sugar above No. 16 Dutch standard, is not that Dutch-standard sugar bleached and not refined, and will it not result in bleached sugar passing on the market and being imposed upon the people as refined sugar with an underdegree of saccharine matter in it?

Mr. CUMMINS. Mr. President, the question propounded by the Senator from Virginia is exactly the question asked a few moments ago by the Senator from Rhode Island, and I answer it in the same way. Theoretically it would be possible to bring in bleached sugar of low polariscopic test; but practically and commercially it would not be possible, because our laws with respect to fair dealing in trade and the established practices and customs of the people would not permit a fraud of that character. Therefore, I am not at all terrified by any such suggestion as that, because that can be done now. The Louisiana cane-sugar refiner can adulterate his sugar and put it on the market if he wants to; but why does he not?

Mr. FOSTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Louisiana?

Mr. CUMMINS. Certainly.

Mr. FOSTER. Does the Senator mean to say that the Louisiana producers adulterate their sugar?

Mr. CUMMINS. I hope the Senator will not think I said that; but it is suggested here that we can not strike out this color test, because it will permit some person of fraudulent disposition to deceive those who are to use or eat sugar and to put upon the market a white sugar too low in the polariscopic test.

Now, I say that if that is practical, if that were found to be commercially possible, we have the sugar territory, in Louisiana and Porto Rico and Hawaii, and all of the sugar manufacturers or producers could resort to that way of deceiving the people if they wanted to. The fact that they have not done so and are not doing so is conclusive with me that it would not occur in those countries from which sugar is imported under duty.

Mr. FOSTER. Does the Senator understand that the question of adulteration is involved in this proposition at all? It is not a question of the adulteration of sugar; it is simply putting upon the market a low grade of sugar, the color of which has been improved, and selling that low grade of sugar in competition with high-grade sugar. There is no question of adulteration.

Mr. CUMMINS. Mr. President, I will answer the Senator from Louisiana by asking him another question. That is quite a familiar way of answering questions here, I have discovered. I ask him, if it is profitable, why do not the planters in Louisiana, or the sugar men of Louisiana, put upon the American market a white sugar of low polariscopic test and sell it for the same price at which the American Sugar Refining Company sells its 100° or its 96° sugar?

Mr. FOSTER. Because it would be dishonest to do so.

Mr. CUMMINS. And so I believe that all the other sugar producers are honest; and therefore we need not guard ourselves against any such contingency.

Mr. FOSTER. Will the Senator yield to me again?

Mr. CUMMINS. Yes.

Mr. FOSTER. It is not a question of the adulteration of sugar.

Mr. CUMMINS. I understand that, Mr. President.

Mr. FOSTER. There is absolutely no such question; but under the operation of the pending bill, if it shall become a law, if the 16 Dutch standard is abolished, the foreign manufacturer of sugar can bring into this country a low-testing grade of sugar highly colored, pay the lowest duty upon it, and bring that sugar in competition with the higher grades of sugar; for instance, the principal imports of sugar into this country are from Cuba. This sugar comes in at about 95 or 96° paying, according to the polariscopic test, the duty imposed upon that character of sugar. Now, we in the State of Louisiana make a certain grade of sugar called "yellow clarified" or "white sugar." We make also the 96° test, which goes practically to the refiner; but the 98°, what is called the "yellow clarified"—the white sugar—goes very largely into the trade; and, as I have stated, the telegram I received the other day shows that this business is growing considerably in Louisiana.

Now, if you abolish that standard, you simply permit the Cuban to wash his sugar, give to it a high color, pay a low duty upon it, and put it upon the market in competition with our sugar, when his is an inferior sugar, and the reason he can sell it is simply through the deception practised upon the eye. The buyer of sugar by retail has no polariscope. He can not test the sugar that he is buying, and this washed sugar or this highly colored sugar from Cuba can come in competition with our sugar, which is a higher grade sugar, and the purchaser will not get a pure sugar. He will not get the best grade of sugar, but an inferior grade, and not know it, by reason of the color. If you abolish——

Mr. CUMMINS. I am sure the Senator does not intend to keep me standing while he makes a speech.

Mr. FOSTER. No.

Mr. CUMMINS. I am very glad to yield for any question.

Mr. FOSTER. That is all I was going to say.

Mr. CUMMINS. Now, what was the Senator's question?

Mr. FOSTER. I think the Senator asked me some question—what was the practice of the Louisiana sugar planters, or what might be their practice, in the matter of the adulteration of sugar. I beg pardon of the Senator if I took up his time.

Mr. CUMMINS. No; not at all. I made this last suggestion simply in order that I might keep my remarks connected, in accordance with my former observations. Now, I answer the Senator from Louisiana. He is afraid that if we allow white sugar—that is, artificially produced white sugar—to come in, of low polariscopic test, our merchants will sell it to our consumers, who have no polariscope, and that therefore they will buy a 75° sugar, believing that they are buying the 96° sugar. It would be just as profitable for the Louisiana planter to do that as it would be for the Cuban planter to do it.

The Louisiana planter is here without any duty. The Cuban planter pays a duty on his sugar according to the polariscopic test, no matter what color it may be. If it is above No. 16 Dutch standard, he pays the full duty, and he would make money, if at all, by palming off upon the people a sugar white in color but low in sweetness; and the Louisiana planter could do just the same thing if he wanted to do it. It is not fair to assume that the Cuban planter would do, in violation of the laws of morality and in violation of the customs of trade, what the Louisiana planter refuses to do, because he wants to obey the laws of honesty and fair dealing.

Mr. TILLMAN. In behalf of the consumers, of whom I am one, I want to protest against the proposition that we are such fools that when we go into a grocery store we will not be able to detect by the moisture whether or not there is any remnant of molasses left in the sugar, no matter what the color of it may be. Long ago, when the tariff was different, we bought a white C sugar, just as white as the sugar we now get, the loaf sugar, or cut sugar, or granulated sugar; but it was moist, and it would always harden in the barrel, so that you would have to take a pickax, almost, to dig it to pieces to get the sugar dish full; and I find that the American consumer will always protect himself against this fraud of which the Senator from Rhode Island and the Senator from Louisiana speak, and about which they are so solicitous. Our people are not all idiots.

Mr. CUMMINS. I think the Senator from South Carolina has really suggested the remedy which we ought to apply in such a case, and in every other case. We do not have to procure a guardian to accompany the American people all their lives, even if we do have to erect a support sometimes by which our manufacturers may be sustained.

Mr. President, I have now finished my remarks. I am perfectly aware that they have been disjointed and somewhat disconnected. They were properly arranged in my own mind before I began; but if any Senator can stand here and pursue any preconceived plan in submitting a question to the Senate, he will be more successful than I have seen any Senator in debate. But I have attempted to show, first, that the color standard proposed in this law ought to be eliminated, not only for the sake of the consumer, but in order properly to protect the beet-sugar producer; second, that the differential, which is said to be granted in order to sustain the cane-sugar refiners in the United States, should be annihilated, and we should allow all our sugars to come in upon a duty fixed, first, as to refined sugar, the 100° sugar, and then downward according to the saccharine contents of the sugar imported. In that way we can reduce the cane-sugar refiner to a fair profit, and we will stimulate and promote the welfare of the beet-sugar manufacturer.

Mr. SMITH of Michigan. Mr. President, in order to throw some light on the Dutch standard controversy, I am going to send to the desk and have read a letter from Mr. F. R. Hathaway, one of the prominent officers of the Michigan Sugar Company, representing the beet-sugar industry of my State, a man who has given more thought and study to this question than almost any other man I know. I hope the information he gives may be useful to the Senate.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the letter.

Mr. SMITH of Michigan. I should like to have the attention of the Senator from Kansas [Mr. BRISTOW] to this letter, and I wish I might also have the attention of the Senator from Iowa [Mr. CUMMINS].

The VICE-PRESIDENT. The Secretary will read.

The Secretary read as follows:

WASHINGTON, D. C., *May 26, 1909.*

Hon. WILLIAM ALDEN SMITH,
United States Senate.

DEAR SIR: Sugar can be whitened either by bleaching or refining. You can bleach 93° sugar so that it will be as white as refined granulated sugar testing 100°. The consumer who buys such sugar gets 93 pounds of sweetness and pays for 100 pounds. Such sugar is a fraud on the consumer, who has no means of detecting the difference.

With the Dutch standard provision in the law 93° bleached sugar can not enter the United States under terms of this bill without paying a duty of $1.90 per 100 pounds. With the Dutch standard provision left out, it would only pay $1.58 per 100 pounds.

If the people want to buy brown sugar that has not been refined, they have 1,000,000 tons of such sugar absolutely duty free to draw from, the product of Hawaii, Porto Rico, and Louisiana.

Respectfully,

F. R. HATHAWAY.

Mr. ROOT. Mr. President, it is not my purpose to enter upon the discussion of this schedule; but there came to me yesterday three of my constituents from New York who are engaged in the refining of sugar, all of them known to me as men of high character and standing in the community in which they live. They made certain statements to me which I asked them to put in writing over their signatures; and in order that the Senate may not pass upon the question which is now before it under the impression that there are no genuine and bona fide refiners of sugar in the United States except the American Sugar Refining Company, I ask the Senate to permit the reading from the desk of this statement.

The VICE-PRESIDENT. If there be no objection, the Secretary will read.

The Secretary read as follows:

WASHINGTON, D. C., *May 26, 1909.*

The refining of cane sugar in the United States is done by the American Sugar Refining Company and the National Sugar Refining Company, and by the following independent refining companies:

Arbuckle Brothers, of New York.
The Federal Sugar Refining Company, of New York.
The Warner Sugar Refining Company, of New York.
The McCahan Sugar Refining Company, of Philadelphia.
Henderson's Sugar Refining Company, of New Orleans.
The Hawaiian Sugar Refining Company, of San Francisco.
The Revere Sugar Refining Company, of Boston.

The amount of sugar refined by the American Sugar Refining Company and the National Sugar Refining Company in the year 1908 was 66.85 per cent, say 1,679,286 tons.

The amount of sugar refined by the above-named independent companies in the year 1908 was 33.15 per cent, say 832,712 tons.

The undersigned J. F. Stillman is manager of the sugar business of Arbuckle Brothers. He states of his own knowledge that Arbuckle Brothers are entirely independent of the American Sugar Refining Company, and that that company has no interest whatever therein, and that there is no agreement whatever as to prices between the two.

The undersigned Pierre J. Smith is secretary of the Federal Sugar Refining Company. He states of his own knowledge that the Federal Sugar Refining Company is entirely independent of the American Sugar Refining Company, which has no interest whatever therein, and that there is no agreement whatever as to prices between the two.

The undersigned C. M. Warner is president of the Warner Sugar Refining Company. He states of his own knowledge that the Warner Sugar Refining Company is entirely independent of the American Sugar Refining Company, which has no interest whatever therein, and that there is no agreement whatever as to prices between the two.

The undersigned further state that as to the other independent companies they are familiar with the sugar business, and to the best of their knowledge the American Sugar Refining Company has no interest in them or any of them.

J. F. STILLMAN.
PIERRE J. SMITH.
C. M. WARNER.

Mr. OWEN. Mr. President, I have listened with interest to the Democratic Senators from Louisiana urging a tariff rate on sugar which will give "protection" to the sugar planters of Louisiana, Colorado, and other States, and the citations of the junior Senator from Louisiana, quoting Washington, Jefferson, Madison, Andrew Jackson, and various great Democrats down to Samuel J. Tilden, showing that they approved—incidental—protection under a revenue-producing tariff.

I have observed the vote of various Democratic Senators for a revenue duty, with its incidental protection, on lumber, iron, and so forth, and various Democratic speeches favoring a duty on articles produced in their several States, with rates which carried incidental protection to such industries.

It has been suggested in various ways that the action of these Senators was not Democratic. Mr. President, I do not agree with the suggestion that this is necessarily a just criticism of their action.

Mr. President, the first duty of a Democratic representative is to represent the will of the people who have sent him. He has no right, in my opinion, to disregard the well-known wishes of the great majority of the people of his State, and should resign if he can not represent them.

He has a right to believe, however, that when he is nominated and elected by the Democrats of his State he is elected by those who believe substantially in the teaching of Democracy. And I respectfully submit that these Senators have not violated the true canons of the Democracy when they vote for a tax on lumber, or on lead and zinc, or hides, or on pineapples, when they represent the wishes of the majority of the people of their States, provided always that the duty imposed is not prohibitive, does not prevent competition, and is laid at a point not in excess of a maximum revenue-producing point.

Article I of section 8 of the Constitution lays down the authority of Congress, which every Senator must construe on honor to the best of his judgment and according to the dictates of his conscience—

That the Congress shall have power to levy and collect taxes, duties, imposts, and excises to pay the debts and to provide for the common defense and general welfare of the United States.

When, under the color of raising the revenue for the common defense and general welfare of the United States, a duty is imposed having for its purpose to prevent importations and prevent a revenue being derived from such pretended revenue law, it is a transparent wrong, a violation of the spirit of the Constitution itself, and is not Democratic doctrine. Taxation can only have for its legitimate object the raising of money for public purposes and the proper needs of government economically administered, and the exaction of moneys from citizens for other purposes and to favor private interests at the expense of all the people is not a proper exercise of this power. No one has more strongly expressed than Cooley the distinction between a duty imposed for revenue under the constitutional authority and a duty imposed for the purpose of preventing imports, and thereby protecting some industry from competition. Cooley says:

It is only essential that the legislature keep within its proper sphere, and should not impose burdens under the name of taxation *which are not taxes in fact;* and its decision as to what is proper, just, and political must then be final and conclusive. (Con. Lim., 7th ed., p. 678.)

John Marshall said, in McCulloch v. Maryland (4 Wheat., 316):

The power of taxing the people and their property is essential to the very existence of government, and may be legitimately exercised on the objects to which it is applicable to the utmost extent to which the government may choose to carry it. The only security against the abuse of this power is found in the structure of the government itself. In imposing a tax the legislature acts upon its constituents. This is, in general, a sufficient security against erroneous and oppressive taxation. The people of a State, therefore, give to their government a right of taxing themselves and their property; and as the exigencies of the government can not be limited, they prescribe no limits to the exercise of this right, resting confidently on the interest of the legislator and *on the influence of the constituents over their representative to guard them against its abuse.*

And in the case of Providence v. Billings (4 Pet., 514) he said:

The power of legislation, and consequently of taxation, operates on all persons and property belonging to the body politic. This is an original principle, which has its foundation in society itself. It is granted by all for the benefit of all. It resides in the government as part of itself, and need not be reserved where property of any description, or the right to use it in any manner, is granted to individuals or corporate bodies. However absolute the right of an individual may be, it is still in the nature of that right that it must bear a portion of the public burdens, and that portion must be determined by the legislature. *This vital power may be abused;* but the interest, wisdom, and justice of the representative body and its relations with its *constituents furnish the only security* where there is no express contract against unjust and excessive taxation, as well as against unwise legislation generally.

With the consent of the Senate, I desire to insert in the RECORD an extract from Cooley and from the decisions of the Supreme Court upon this point.

The VICE-PRESIDENT. Without objection, consent is given. The matter referred to is as follows:

THE PURPOSES OF TAXATION.

Constitutionally a tax can have no other basis than the raising of a revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is, not to raise a revenue, *but to discourage and indirectly prohibit some particular import for the benefit of some home manufacture, may well be questioned as being merely colorable,* and *therefore not warranted by constitutional principles.* But if any income is derived from the levy, the fact that *incidental protection* is given to home industry *can be no objection to it,* for all taxes must be laid with some regard to their effect upon the prosperity of the people and the welfare of the country, and their validity can not be determined by the money returns. This rule has been applied when the levy produced no returns whatever; it being held not competent to assail the motives of Congress by showing that the levy was made, not for the purpose of revenue, but to annihilate the subject of the levy by imposing a burden which it could not bear. (Veazie Bank v. Fenno, 8 Wall., 533.) Practically, therefore, a law purporting to levy taxes, and not being on its face subject to objection, is unassailable, whatever may have been the real purpose. And perhaps even prohibitory duties may be defended as a regulation of commercial intercourse.

LEVIES FOR PRIVATE PURPOSES.

Where, however, a tax is avowedly laid for a private purpose, it is illegal and void. The following are illustrations of taxes for private purposes. A tax levied to aid private parties or corporations to establish themselves in business as manufacturers (Loan Association v. Topeka, 20 Wall., 655, 663; Allen v. Jay, 60 Me., 124); a tax, the proceeds of which are to be loaned out to individuals who have suffered from a great fire (Lowell v. Boston, 11 Mass., 454); a tax to supply with provisions and seed such farmers as have lost their crops (State v. Osawkee, 14 Kans., 418); a tax to build a dam, which, at discretion, is to be devoted to private purposes (Attorney-General v. Eau Claire, 37 Wis., 400); a tax to refund moneys to individuals, which they have paid to relieve themselves from an impending military draft (Tyson v. School Directors, 51 Penn., St., 9; Crowell v. Hopkinton, 45 N. H., 9; Usher v. Colchester, 33 Conn., 567; Freeland v. Hastings, 10 Allen (Mass.), 570; Miller v. Grandy, 13 Mich., 540); and so on. In any one of these cases the public may be incidentally benefited, but the incidental benefit is only such as the public might receive from the industry and enterprise of individuals in their own affairs, and will not support exactions under the name of taxation.

But, primarily, the determination what is a public purpose belongs to the legislature, and its action is subject to no review or restraint *so long as it is not manifestly colorable. All cases of doubt must be solved in favor of the validity of legislative action,* for the obvious reason that the question is legislative, and only becomes judicial when there is a plain excess of legislative authority. A court can only arrest the proceedings and declare a levy void when the absence of public interest in the purpose for which the funds are to be raised is so clear and palpable as to be perceptible to any mind at first blush. (Broadhead v. Milwaukee, 19 Wis., 624, 652; Cheaney v. Hooser, 9 B. Monr. (Ky.), 330, 345; Booth v. Woodbury, 32 Conn., 118, 128; Hammett v. Philadelphia, 65 Penn. St., 146; Tide Water Co. v. Coster, 18 N. J. Eq., 518.)

But sometimes the public purpose is clear, though the immediate benefit is private and individual. For example, the Government promises and pays bounties and pensions; but in every case the promise or payment is made on a consideration of some advantage or service given or rendered or to be given or rendered to the public, which is supposed to be an equivalent; and the law for the payment has in view only the public interest, and does not differ in principle or purpose from a law for the payment of salaries to public officers. The same is true where a State continues the payment of salaries to officers who have been superannuated in its service. The question whether they shall be paid is purely political and resolves itself into this: Whether the State will thereby probably secure better and more valuable service, and whether, therefore, it would be wise and politic for the State to give the seeming bounty.

Where a law for the levy of a tax shows on its face the purpose to collect money from the people and appropriate it to some private object, the execution of the law may be resisted by those of whom the exaction is made, and the courts, if appealed to, will enjoin collection or give remedy in damages if property is seized. But if a tax law on its face discloses no illegality, there can in general be no such remedy. Such is the case with the taxes levied under authority of Congress; they are levied without any specification of particular purposes to which the collections shall be devoted, and the fact that an intent exists to misapply some portion of the revenue produced can not be a ground of illegality in the tax itself. In cases arising in local government an intended misappropriation may sometimes be enjoined; but this could seldom or never happen in case of an intended or suspected misappropriation by a State or by the United States, neither of them being subject to the process of injunction. The remedies for such cases are therefore political and can only be administered through the elections. (Cooley's Principles of Constitutional Law, Chap. IV, p. 57, The Powers of Congress.)

The bills of rights in the American constitutions forbid that parties shall be deprived of property except by the law of the land; but if the prohibition had been omitted, a legislative enactment to pass one man's property over to another would, nevertheless, be void. (See Cooley's Con. Limitations, p. 208.)

Nor, where fundamental rights are declared by the Constitution, is it necessary at the same time to prohibit the legislature, in express terms, from taking them away. The declaration is itself a prohibition, and is inserted in the Constitution for the express purpose of operating as a restriction upon legislative power. (See Cooley's Con. Limitations, p. 209.)

Cooley also states on page 587, in speaking of the power of taxation, as follows: "Taxes are defined to be burdens or charges imposed by the legislative power upon persons or property, to raise money for public purposes."

Again, on page 598, he says: "Everything that may be done under the name of taxation is not necessarily a tax; and it may happen that an oppressive burden imposed by the Government, when it comes to be carefully scrutinized, will prove, instead of a tax, to be an unlawful confiscation of property, unwarranted by any principle of constitutional government. In the first place, taxation having for its only legitimate object the raising of money for public purposes and the proper needs of government, the exaction of moneys from the citizens for other purposes, is not a proper exercise of this power, and must therefore be unauthorized."

The Supreme Court of the United States, in the Topeka case, said:

"To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprises and *build up private fortunes is none the less a robbery because it is done under the forms of law and is called taxation.* This is not legislation; it is a decree under legislative forms." (20 Wallace, 664, in Loan Asso. v. Topeka.)

Mr. OWEN. Mr. Cooley, in Constitutional Limitations, points out with great force that a legislator has no constitutional right, under the color of imposing a duty by which to raise revenues, to pass a law which, in fact, has the purpose to prevent importation and the raising of revenue by such pretended duty, but which in reality has for its purpose *to build up private fortunes by preventing competition.*

The Democracy has declared in one of its planks in the platform of 1892 in favor of a tariff for "revenue only," which is only another way of saying that duties shall not be imposed for any other *purposes* than revenue; that they shall not be imposed for the purpose of excluding importations and giving monopoly to combinations in this country, against which the Democracy has continually protested since 1892; but this language can not justly be construed to mean a declaration against incidental protection. The fact that it was so unjustly construed led the Democrats to drop the word "only" in the platform of 1896, thus affirming the doctrine of the Democracy that incidental protection is entirely just when equitably distributed.

Every *tariff for revenue* and *for revenue only* carries with it an unavoidable "protection." This unavoidable protection is called "incidental protection"—that is, a protection incidental to the raising of revenues under a constitutional tariff.

To say, therefore, that it is undemocratic to demand the incidental benefits or incidental protection of a revenue-producing tariff to be equitably distributed is utterly unreasonable and absurd. The very essence of Democracy is *equality before the law* and *under the law,* and since every tariff for revenue carries an incidental protection, it is perfectly just and perfectly right to ask that its benefits be equitably distributed. I therefore have no fault to find with Democrats who, representing their own States, demand a tariff for revenue which shall give incidental protection to their own States.

I venture to say that the Democratic Senators from Louisiana would probably cease to represent that State if they ignored the wishes of the people of that State in laying a revenue-producing duty carrying incidental protection to the sugar planter.

I should myself vote for a lower duty on sugar and increase the competition with the American Sugar Refining Company, whose exactions I think too great. Indeed, I favor free lumber, paper and wood pulp, free iron, free coal, free wool, and free hides, and free raw materials as a general rule. But I shall not take issue with the Democratic Senators of Louisiana because they represent the will of the constituency which sent them *nor read them out of the party.* If the Senators from Louisiana advocated a duty so high as to exclude foreign sugar from our country, cutting off potential foreign competition and establishing a complete monopoly behind a tariff wall for the sugar planter, I should then say, that although they claimed to be Democrats and claimed to represent a Democratic State, they were not Democrats on this sugar schedule and that their State was not Democratic in regard to this schedule, but, notwithstanding that fact, I should even in that contingency *still be glad to see their cooperation in every other respect with the organized Democracy.*

Mr. President, I can not approve the view of those statesmen who lay down too hard and fast or dogmatic rule by which they approve or condemn a man who claims to be a Democrat, and would refuse political association to a man who believes with the Democracy in the body of the Democratic doctrine, but represents occasionally a local interest at variance with a national platform. No member of any great political party agrees in every particular with every other member of that party. There must be greater or less differences among six or eight millions of people as to what constitutes Democracy, and as to what constitutes Republicanism. As I understand the differences the Democratic doctrine insists on freedom of speech, freedom of the press, freedom of conscience, the equality of all citizens before the law, the greatest good to the greatest number, the faithful observance of constitutional limitations, and believes in as great a measure of decentralization as is consistent with the strict exercise of the national function, while the Republican party generally believes in the greatest exercise of the national function, unmindful or in willful disregard of the reserved rights of the States, although against this is recently appearing some respectable Republican reaction, and therefore the tendency of the Republican party is to give constantly increasing powers to the centralized government, while the Democratic party insists that the powers of government should be retained as near to the people as possible. The Democratic party would trust the people more; the Republican party would trust the convention leaders of the people more; the Republican party would exclude foreign competition, actual or potential, for the benefit of certain favored individuals and the enrichment of private persons and corporations, while the Democratic party would favor a tariff for revenue carrying incidental protection, but not to the extent of cutting down the revenue by being above the maximum revenue-producing point or cutting off foreign competition and so establishing monopoly.

Both parties declare themselves attached to purity of government, and both parties practice it just in degree as the judgment and the consciences of the local constituencies require.

The Democrats in 1892 denounced Republican protection as a fraud, a robbery of the great majority of the American people for the benefit of the few. It should be observed that it was not protection or incidental protection which was denounced as a fraud; it was "Republican protection" which was denounced as a fraud, as a robbery of the great majority of the American people for the benefit of the few. It was pointed out at the same time by this Democratic platform that this robbery of the great majority was due to monopolies built up as a natural consequence of the prohibitive taxes, which prevented free competition. There is an element of justice and wisdom in so drafting our revenue tariff as to afford incidental protection to American industries. And a tariff for revenue which imposes a duty upon articles of international trade high enough to produce a proper revenue will always be found high enough to protect American labor and the American manufacturer who desires of his fellow-citizens nothing more than a tariff rate which shall equal "the difference in the cost of production at home and abroad."

The Republican party pretends to stand for this, but in the Senate and House have utterly disregarded this rational standard, have ignored "the difference in the cost of production," which will not equal 20 per cent, and written a tariff averaging more than 100 per cent higher than would be required to equal "the difference in the cost of production at home and abroad." They have written a tariff to prevent legitimate competition, and in this manner promote monopoly and favor special persons and corporations at the expense of all the people.

It seems to me that the Democratic party contains within itself and should welcome and embrace all of those whose sympathies are, in the main, with the Democracy, and not impose too narrow or too dogmatic standards of Democracy, which will tend to disintegrate that great party of the people and make its future success impossible.

The first duty of a patriotic minority is to become a majority and write its principles into the laws.

The PRESIDING OFFICER (Mr. ROOT in the chair). The question is on agreeing to the amendment submitted by the Senator from Kansas [Mr. BRISTOW].

Mr. BRISTOW. Mr. President, there has been some discussion here this morning in regard to the Dutch standard, and I feel like I should say a word or two further on the subject.

I made the statement yesterday that there were very few of the commercial nations of the world that now use the Dutch standard. I read a list of 37 that did not use it. Some on that list did formerly use it and have since abandoned it. Quite a large number on that list never used it. It seems to me that that is all it is necessary to say in regard to that feature. The statement I made that 37 out of the 45 nations referred to did not use it is correct and will not be disputed by any Senator on this floor. I may read in this connection a brief extract from one of the works of David A. Wells. He says:

The classification of sugars on the basis of color for revenue purposes was at one time adopted by nearly all the great sugar-importing

countries—that is, the United States, Holland, Belgium, France, Norway, Sweden, and Denmark. Color was also the system used in Great Britain up to 1874, although she never made use of the Dutch standard. In nearly all these countries the Dutch standard has been abandoned.

Mr. President, in regard to the importation of raw sugar of low saccharine strength and bleaching it white so as to put it upon the American market as a refined sugar in competition with refined sugar, it is, in my judgment, a temporary subterfuge made to defeat this amendment. If it is practicable as a commercial proposition to import sugars that are dark, that will grade 75 or 80, according to the polariscope, and whiten them by a process here other than refining, why is it not done now? What is there to prevent any importer from importing raw sugar, grading, say, 75 test by the polariscope, and passing it through this process of whitening and putting it upon the market in competition with refined sugar? He would only pay the duty required by the polariscopic test. Then he could whiten it and make an enormous profit by becoming a competitor of the sugar trust and the sugar refiner. The truth is that such a process is not a practical commercial proposition, and everybody who has given any attention to the subject knows it.

What is there to prevent the planters of Hawaii from making that kind of white sugar and sending it here into the American market to sell? Nothing. The only purpose in defending the Dutch standard as it is now defended is to protect the American sugar refiners and to permit them to collect toll from the American people.

The statement made in the communication presented to the Senate by the Senator from New York [Mr. ROOT] is not denied. There are refineries in the United States that refine sugar other than those controlled by the American Sugar Refining Company. It has not been denied that the American Sugar Refining Company refines not to exceed 50 per cent of the refined sugar that is consumed in the United States, and that the remainder is refined by beet-sugar plants and independent refineries, and some small part imported. But there is no evidence that the American Sugar Refining Company has not the power to determine the cost of sugar to the consumer and the price which is paid to the producer. It is well known in the commercial world that the American Sugar Refining Company is as controlling a factor in sugar transactions as the United States Steel Corporation is in the steel business.

It is customary in this debate, whenever an effort is made to take from a great, dominating commercial institution a part of its power by an equitable adjustment of tariff duties, to appeal pleadingly for the independent, and in this case it is the independent refiner who will be crushed if the power of the great corporation is somewhat curtailed.

It is not my inclination to attack a great corporation because of any prejudice against wealth or financial success in the business world. But there are some fundamental requirements that are necessary for the welfare of the American public that should be given consideration here. The only purpose in maintaining the Dutch standard in this country is to prevent the foreign sugars that might be salable here from being offered to the American public at a fair price after having paid the duty they have to pay according to their saccharine strength. In preventing that, you reduce their color to a state that makes them unmarketable, except to the sugar trust, or the sugar refiners, who are dominated by the trust. If the process of making white sugar of low saccharine strength were practicable, it would be practiced in Louisiana to-day; it would be practiced in Porto Rico; it would be practiced in Hawaii; but it is not practiced in any of these countries, and it can not be learned from any scientific authority that can be obtained that the highly colored coarse sugar will not in time return to its original dark color, and even to a darker color.

So I want to appeal to the Senate not to be diverted by these arguments, which are not sound and which are made for the purpose of maintaining the present condition, which is onerous and burdensome to the American sugar producer as well as to the consuming public.

I ask for the yeas and nays on agreeing to my amendment.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded "nay."

Mr. BACON. I ask that the amendment be read.

The PRESIDING OFFICER. Without objection, the amendment will be read.

The SECRETARY. On page 72, line 23——

Mr. BACON. I should like to ask, as a matter of information, whether anyone has a right to object to the reading of the amendment?

The PRESIDING OFFICER. The Senator from Georgia is better informed than the Chair upon that question.

Mr. LODGE. Let us not debate it.

Mr. BACON. I protest against the habit which is growing up when a question is put that the Secretary is in haste to call the roll before anyone has had an opportunity to ask even that an amendment be read. In any question a Senator has a right to know what the vote is upon. It is the first right of a Senator or of any member of a deliberative body to know what the question is.

The PRESIDING OFFICER. There seemed to be no objection to reading the amendment, and the Chair directed it to be read. In the absence of objection, the Secretary will read the amendment.

Mr. BACON. I do not recognize the right of anybody——

The PRESIDING OFFICER. The roll call had commenced and one Senator had answered to his name.

Mr. BACON. One has a right to be informed at any stage of the question upon which he is called to vote.

Mr. LODGE. Let the amendment be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kansas will be read.

Mr. ALDRICH. I withdraw my vote, if that is necessary.

Mr. BACON. The Senator can do as he pleases, but I shall insist on my right, and I shall not waive it in any particular.

The SECRETARY. In paragraph 213, page 72, line 23, after the word "sugar," it is proposed to strike out the words "not above No. 16 Dutch standard in color," and, on page 73, lines 6 and 7, to strike out the words "and on sugar above No. 16 Dutch standard in color."

Mr. ALDRICH. The Senator from Kansas has proposed two amendments. I suggest that to save time the vote be taken on both together.

Mr. BRISTOW. No.

The PRESIDING OFFICER. The roll will be called on agreeing to the amendments of the Senator from Kansas.

Mr. BRISTOW. I should like to inquire if it is parliamentary to suggest the lack of a quorum before taking the vote. I do not think there is a quorum of the Senate here.

Mr. TILLMAN. A roll call will disclose the presence of a quorum.

Mr. NELSON. The Senator has the right to suggest the absence of a quorum at any time.

Mr. BRISTOW. I suggest the absence of a quorum.

Mr. LODGE. The roll call will develop a quorum.

Mr. BRISTOW. I would prefer to suggest the lack of a quorum, and then, after the quorum is here, to have the roll called on agreeing to the amendment, if that is parliamentary.

Mr. LODGE. The roll call has been ordered on the amendment.

The PRESIDING OFFICER. The Chair thinks that the only thing that can be done is to have the roll called on agreeing to the amendment. A roll call was ordered and had commenced, and while the roll call is proceeding the Chair does not see how it can do anything more than to direct the Secretary to proceed with the calling of the roll.

The question was taken by yeas and nays.

Mr. CLARK of Wyoming (after having voted in the negative). I wish to ask if the senior Senator from Missouri [Mr. STONE] has voted?

The PRESIDING OFFICER. The Senator from Missouri [Mr. STONE] has not voted.

Mr. CLARK of Wyoming. I have a pair with that Senator. As he has not voted, I desire to withdraw my vote.

Mr. OWEN. I should like to make a parliamentary inquiry with regard to the recording of pairs which have not been announced on the floor.

The PRESIDING OFFICER. The Chair has no knowledge regarding pairs. It is a matter entirely personal among Senators, and it is not one in which the Chair can interfere.

Mr. SMITH of Michigan (after having voted in the negative). I am paired with the Senator from Mississippi [Mr. MCLAURIN]. I voted under the impression that he was present, but as he is not present, I desire to withdraw my vote. If the Senator from Mississippi were present, I understand that he would vote "yea." I should vote "nay" if he were here.

The result was announced—yeas 36, nays 47, as follows:

YEAS—36.

Bacon	Crawford	Johnston, Ala.	Paynter
Bailey	Culberson	Jones	Rayner
Bankhead	Cummins	La Follette	Shively
Beveridge	Daniel	Martin	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Smith, S. C.
Chamberlain	Frazier	Newlands	Taliaferro
Clapp	Gore	Overman	Taylor
Clay	Johnson, N. Dak.	Owen	Tillman

NAYS—47.

Aldrich	Crane	Gallinger	Penrose
Borah	Cullom	Gamble	Perkins
Bourne	Curtis	Guggenheim	Piles
Bradley	Depew	Hale	Root
Brandegee	Dick	Heyburn	Scott
Briggs	Dillingham	Kean	Smoot
Bulkeley	Dixon	Lodge	Stephenson
Burkett	du Pont	McCumber	Sutherland
Burnham	Elkins	McEnery	Warner
Burrows	Flint	Nixon	Warren
Burton	Foster	Oliver	Wetmore
Carter	Frye	Page	

NOT VOTING—8.

Clark, Wyo.	Davis	McLaurin	Smith, Mich.
Clarke, Ark.	Hughes	Richardson	Stone

So Mr. BRISTOW's amendment was rejected.

The PRESIDING OFFICER. The question now arises upon the second amendment offered by the Senator from Kansas [Mr. BRISTOW]. Without objection, the Secretary will read the amendment.

The SECRETARY. In paragraph 213, page 73, line 8, before the word "one-hundredths," strike out "ninety" and insert "eighty-two and one-half," so that if amended it will read: "1 cent and eighty-two and one-half one-hundredths of 1 cent per pound."

Mr. BAILEY. I thought the motion that had been voted on was to strike out certain words in line 23, page 72, and that the next motion would be to strike out, beginning with the word "and," in line 6, page 73.

Mr. BRISTOW. The amendment just voted upon was to strike out, on page 72, line 23, after the word "sugars," the words "not above No. 16 Dutch standard in color;" and also to strike out, on page 73, line 6, after the word "proportion," the words "and on sugar above No. 16 Dutch standard in color."

Mr. BAILEY. Do I understand that we voted on both those amendments at once?

Mr. ALDRICH. Yes.

Mr. BRISTOW. The one amendment involved the striking out of both clauses.

Mr. BAILEY. I was at lunch when the Senators were summoned to a vote. If I had known that that motion included both propositions, I would have insisted upon also striking out, in addition to the words which the motion of the Senator from Kansas included, the words immediately following and down to the word "molasses," in line 9. I do not think we would make much progress by simply striking out the words "Dutch standard in color" and then leaving the words "and on all sugar which has gone through a process of refining."

The way to eliminate the differential entirely from this bill is to strike out everything, beginning with the word "and," in line 6, down to and including the word "pound," in line 9, on page 73. That would destroy the differential, which is the protection to the sugar trust, as well as to all other sugar refiners. If, however, we had simply succeeded in striking out the words "Dutch standard in color" and still left that expression with respect to sugar which has gone through a process of refining, the sugar trust would then claim its differential upon the ground that its sugar had gone through a process of refining. The Senator's present motion now reducing the duty from 1.90 to 1.82½ cents is intended, of course, to eliminate the 7½ cents per hundred differential.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kansas [Mr. BRISTOW].

Mr. CUMMINS. Mr. President, I do not quite understand the matter as just expressed by the Senator from Texas [Mr. BAILEY]. There is a sense, of course, in which the words "through a process of refining" would apply to the process used by the sugar planter or the sugar factory in throwing off, through the centrifugal force, the particles of molasses attaching to the exterior of sugar crystals; but, as known to the trade, the process of refining does not include that purification, if you please, which is carried on by the southern sugar factory or planter. Therefore I think that the amendment as presented by the Senator from Kansas [Mr. BRISTOW] covers the whole subject. The pending amendment presented by the Senator from Kansas destroys the differential, but it destroys it by reducing the duty on refined sugar to 1.82½ cents instead of 1.90 cents.

I am just as earnestly in favor of protecting the beet-sugar manufacturer now as I was when I made my address this morning; but, while I am in favor of destroying the differential, I am not in favor of destroying it by reducing the duty on refined sugar. Therefore I shall not be able to vote for the amendment now proposed by the Senator from Kansas.

Mr. BACON. If the Senator from Iowa will yield to me for a moment, I wish to ask him for information in what way he would destroy the differential if it is not destroyed by the amendment proposed by the Senator from Kansas?

Mr. CUMMINS. If I were adjusting it, I would leave the duty on refined sugar at $1.90 and raise the duty on raw sugars up to that point, so that there would be no differential, measured by the different descending saccharine tests.

Mr. BAILEY. Mr. President, I was not mistaken in the view which I expressed a moment ago; and that view is perfectly understood by Senators who are interested in the beet-sugar industry. The motion submitted by the Senator from Kansas [Mr. BRISTOW] was intended to strip the sugar trust of its special protection; but by leaving the other words the beet-sugar factories would be undisturbed, and it is absolutely certain that as soon as you had stricken out the "Dutch standard in color" the American Sugar Refining Company and all other cane-sugar refiners would have brought themselves under the remaining language of the act. So, in my opinion, in trying to save the beet-sugar refiner and strike the American sugar trust, we would have missed the point at which we aimed.

I desire to incorporate this in the RECORD, because had I been on the floor instead of at lunch when the motion was about to be submitted, I would have sought to include the additional words which I have indicated.

Mr. President, responding to what the Senator from Iowa [Mr. CUMMINS] has said, I would agree to almost any method of eliminating the differential in favor of the sugar trust. My own view would be to allow the duty to rise under a polariscopic test, because that approaches as nearly to an ad valorem duty, increasing with the increasing value of the sugar, as it is possible for us to devise while applying a specific duty. If I could not strike off the sugar trust's differential, I would feel inclined to increase the duty on raw sugar, so as to absorb it; but as I can not do that, my only chance of depriving the sugar trust of its license to rob the American people is to vote for the pending amendment.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Kansas [Mr. BRISTOW].

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. NIXON (when his name was called). I have a pair for the afternoon with the junior Senator from Arkansas [Mr. DAVIS]. If he were here, I should vote "nay."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. MCLAURIN]. If he were present, I should vote "nay."

The result was announced—yeas 32, nays 53, as follows:

YEAS—32.

Bacon	Crawford	Martin	Shively
Bailey	Culberson	Money	Simmons
Bankhead	Daniel	Nelson	Smith, Md.
Beveridge	Fletcher	Newlands	Smith, S. C.
Bristow	Frazier	Overman	Stone
Chamberlain	Gore	Owen	Taliaferro
Clapp	Johnston, Ala.	Paynter	Taylor
Clay	La Follette	Rayner	Tillman

NAYS—53.

Aldrich	Crane	Gallinger	Penrose
Borah	Cullom	Gamble	Perkins
Bourne	Cummins	Guggenheim	Piles
Bradley	Curtis	Hale	Root
Brandegee	Depew	Heyburn	Scott
Briggs	Dick	Hughes	Smoot
Brown	Dillingham	Johnson, N. Dak.	Stephenson
Bulkeley	Dixon	Jones	Sutherland
Burkett	Dolliver	Kean	Warner
Burnham	du Pont	Lodge	Warren
Burrows	Elkins	McCumber	Wetmore
Burton	Flint	McEnery	
Carter	Foster	Oliver	
Clark, Wyo.	Frye	Page	

NOT VOTING—6.

Clarke, Ark.	McLaurin	Richardson	Smith, Mich.
Davis	Nixon		

So Mr. BRISTOW's amendment was rejected.

Mr. BAILEY. I offer the amendment which I send to the desk, to be inserted on page 73, after paragraph 213.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 73, after paragraph 213, it is proposed to insert:

Amendment intended to be proposed by Mr. BAILEY to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, viz: On page 73, after paragraph 213, insert the following:

That from and after the 1st day of January, 1910, there shall be assessed, levied, collected, and paid annually upon the gains, profits, and income received in the preceding calendar year by every citizen of the United States, whether residing at home or abroad, and by every person residing in the United States, though not a citizen thereof, a tax of 3 per cent on the amount so received over and above $5,000; and a like tax shall be assessed, levied, collected, and paid

annually upon the gains, profits, and income from all property owned and of every business, trade, or profession carried on in the United States by persons residing elsewhere.

Such gains, profits, and income shall include the interest received upon notes, bonds, and all other forms of indebtedness, except the obligations of the United States, States, counties, towns, districts, and municipalities; all amounts received as salary or compensation for services, except such as may have been received by state, county, town, district, or municipal officers; all profits realized within the year from the sale of real estate purchased within two years previous to the close of the year for which the income is estimated; the amount of all premiums on bonds, notes, or coupons; the amount received from the sale of merchandise, live stock, sugar, cotton, wool, butter, cheese, pork, beef, mutton, or other meats, hay, grain, vegetables, or other products; money and the value of all property acquired by gift, bequest, devise, or descent; and all other gains, profits, and income derived from any other kind of property, or from rents, dividends, interest, or from any profession, trade, business, employment, or vocation, carried on in the United States or elsewhere, or from any other source whatever: *Provided, however*, That it shall be proper to deduct from such gains, profits, and income all expenses actually incurred in conducting any business, occupation, or profession, including the amounts actually expended in the purchase or production of merchandise, live stock, and products of every kind; all interest, due or paid within the year on existing indebtedness, and all national, state, county, town, district, and municipal taxes, not including those assessed against local benefits; all losses actually sustained during the year, incurred in trade or arising from fires, storms, or shipwreck, and not compensated for by insurance or otherwise; all debts ascertained to be worthless, and all losses within the year on sales of real estate purchased within two years previous to the year for which profits, gains, or income is estimated, but no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate; the amount received from any corporation, company, or association as dividends upon the stock of such corporation, company, or association if the tax of 3 per cent has been paid upon its net profits by said corporation, company, or association as required by this act: *Provided further*, That only one deduction of $5,000 shall be made from the aggregate income of all the members of any family composed of one or both parents and one or more minor children, or husband and wife, but guardians shall be allowed to make a deduction in favor of each and every ward, except where two or more wards are comprised in one family and have joint property interests, when the aggregate deduction in their favor shall not exceed $5,000.

There shall be assessed, levied, and collected, and paid, except as herein otherwise provided, a tax of 3 per cent annually on the net gains, profits, and income over and above $5,000, of all banks, banking institutions, trust companies, saving institutions, fire, marine, life, and other insurance companies, railroad, canal, turnpike, canal navigation, slack water, telephone, telegraph, express, electric light, gas, water, street railway companies, and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized, but not including partnerships.

The net gains, profits, and income of all corporations, companies, or associations shall include the amounts paid to shareholders, or carried to the account of any fund, or used for construction, enlargement of plant, or any other expenditure or investment paid from the net annual profits made or acquired by said corporations, companies, or associations. But nothing herein contained shall apply to States, counties, or municipalities; nor to corporations, companies, or associations organized and conducted solely for charitable, religious, or educational purposes, including fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, or associations and dependents of such members; nor to the stocks, shares, funds, or securities held by any fiduciary or trustee for charitable, religious, or educational purposes; nor to building and loan associations or companies which make loans only to their shareholders; nor to such savings banks, savings institutions, or societies as shall, first, have no stockholders or members except depositors and no capital except deposits; secondly, shall not receive deposits to an aggregate amount, in any one year, of more than $1,000 from the same depositor; thirdly, shall not allow an accumulation or total of deposits, by any one depositor, exceeding $10,000; fourthly, shall actually divide and distribute to its depositors, ratably to deposits, all the earnings over the necessary and proper expenses of such bank, institution, or society, except such as shall be applied to surplus; fifthly, shall not possess, in any form, a surplus fund exceeding 10 per cent of its aggregate deposits; nor to such savings banks, savings institutions, or societies composed of members who do not participate in the profits thereof and which pay interest or dividends only to their depositors; nor to that part of the business of any savings bank, institution, or other similar association having a capital stock, that is conducted on the mutual plan solely for the benefit of its depositors on such plan, and which shall keep its accounts of its business conducted on such mutual plan separate and apart from its other accounts. Nor to any insurance company or association which conducts all its business solely upon the mutual plan, and only for the benefit of its policy holders or members, and having no capital stock and no stock or share holders, and holding all its property in trust and in reserve for its policy holders or members; nor to that part of the business of any insurance company having a capital stock and stock and share holders, which is conducted on the mutual plan, separate from its stock plan of insurance, and solely for the benefit of the policy holders and members insured on said mutual plan, and holding all the property belonging to and derived from said mutual part of its business in trust and reserve for the benefit of its policy holders and members insured on said mutual plan. All state, county, municipal, and town taxes paid by corporations, companies, or associations, shall be included in the operating and business expenses of such corporations, companies, or associations.

It shall be the duty of all persons of lawful age having an income of more than $5,000 for the preceding year, computed on the basis herein prescribed, to make and render a list or return, on or before the second Monday in March, of every year, in such form and manner as may be directed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to the collector or a deputy collector of the district in which they reside, of the amount of their gains, profits, and income, as aforesaid; and all guardians and trustees, executors, administrators, agents, receivers, and all persons or corporations acting in any fiduciary capacity, shall make and render a list or return, as aforesaid, to the collector or a deputy collector of the district in which such person or corporation acting in a fiduciary capacity resides or does business, of the amount of gains, profits, and income of any minor or person for whom they act, but persons having less than $5,000 income are not required to make such report; and the collector or deputy collector shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return if he has reason to believe that the same is understated; and in case any such person having a taxable income shall neglect or refuse to make and render such list or return, or shall render a willfully false or fraudulent list or return, it shall be the duty of the collector or deputy collector to make such list according to the best information he can obtain, by the examination of such person or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a willfully false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a list or return, or of rendering a false or fraudulent return: *Provided*, That any person or corporation, in his, her, or its own behalf or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, that he, she, or his or her or its ward or beneficiary was not possessed of an income of $5,000 liable to be assessed according to the provisions of this act; or may declare that he, she, or it, or his, her, or its ward or beneficiary has been assessed and has paid an income tax elsewhere in the same year, under authority of the United States, upon all his, her, or its gains, profits, and income, and upon all the gains, profits, and income for which he, she, or it is liable as such fiduciary, as prescribed by law; and if the collector or deputy collector shall be satisfied of the truth of the declaration, such person or corporation shall thereupon be exempt from income tax in the said district for that year; or if the list or return of any person or corporation, company, or association shall have been increased by the collector or deputy collector, such person or corporation, company, or association may be permitted to prove the amount of gains, profits, and income liable to be assessed; but such proof shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the collector or deputy collector. Any person or company, corporation, or association dissatisfied with the decision of the deputy collector in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If dissatisfied with the decision of the collector, such person or corporation, company, or association may submit the case, with all the papers, to the Commissioner of Internal Revenue for his decision, and may furnish the testimony of witnesses to prove any relevant facts, having served notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed. Such notice shall state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give: *Provided*, That the Government may at the same time and place take testimony upon like notice to rebut the testimony of the witnesses examined by the person taxed. The notice shall be delivered or mailed to the Commissioner of Internal Revenue fifteen days previous to the day fixed for taking the testimony, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness. Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit: *Provided further*, That no penalty shall be assessed upon any person or corporation, company, or association for such neglect or refusal or for making or rendering a willfully false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue, so as to give the person charged an opportunity to be heard.

Every corporation, company, or association doing business for profit in the United States shall make and render to the collector of the collection district in which it has its principal office, or if it has no principal office then in which it is transacting business, on or before the second Monday in March in every year, a full return, verified by oath or affirmation, in such form as the Commissioner of Internal Revenue may prescribe, of all the following matters for the whole calendar year next preceding the date of such return:

First. The gross profits of such corporation, company, or association, from all kinds of business of every name and nature.

Second. The expenses of such corporation, company, or association, exclusive of interest, annuities, and dividends.

Third. The amount paid on account of interest, annuities, and dividends, stated separately.

Fourth. The amount paid in salaries, with a list of all officers, employees, and persons receiving more than $5,000 per annum, stating the name and address of such officers, employees, and persons.

Fifth. The net profits of such corporation, company, or association, without allowance for interest, annuities, or dividends.

And any corporation, company, or association failing to comply with the requirements of this section shall forfeit as a penalty the sum of $1,000 and 2 per cent of the amount of taxes due, for each month until the same is paid, the payment of said penalty to be enforced as provided in other cases of neglect and refusal to make return of taxes under the internal-revenue laws.

The taxes herein provided for shall be assessed by the Commissioner of Internal Revenue and collected and paid upon the gains, profits, and income for the year ending the 31st of December next preceding the time for levying, collecting, and paying said tax; shall be due and payable on or before the 1st day of July in each year; and to any sum or sums annually due and unpaid after the 1st day of July as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be added the sum of 5 per cent on the amount of taxes unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same becomes due, as a penalty, except from the estates of deceased, insane, or insolvent persons.

Any nonresident may receive the benefit of the exemptions hereinbefore provided for by filing with the deputy collector of any district a true list of all his property and sources of income in the United States and complying with the provisions of section —— of this act as if a resident. In computing income he shall include all income from every source, but unless he be a citizen of the United States he shall only pay on that part of the income which is derived from any source in the United States. In case such nonresident fails to file such statement,

the collector of each district shall collect the tax on the income derived from property situated in his district subject to income tax, making no allowance for exemptions, and all property belonging to such nonresident shall be liable to distraint for tax: *Provided*, That nonresident corporations shall be subject to the same laws as to tax as resident corporations, and the collection of the tax shall be made in the same manner as provided for collection of taxes against nonresident persons.

It shall be the duty of every collector of internal revenue, to whom any payment of any taxes is made under the provisions of this act, to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made such collector shall, if required, give a separate receipt for each tax paid by any debtor, on account of payments made to or to be made by him to separate creditors in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their respective demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor to justify him in withholding the amount therein expressed from his next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid, and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

Sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particulars thereof, set forth or disclosed in any income return by any person or corporation, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof, to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law, any income return or any part thereof or the amount or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office and be incapable thereafter of holding any office under the Government.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, in case of a special tax, on or before the 31st day of July in each year, in case of income tax on or before the 1st Monday of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, verified by oath or affirmation, to the collector or a deputy collector of the district where located, of the articles or objects, including the amount of annual income, charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles, and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath or affirmation by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post-office a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law, within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person on being notified or required as aforesaid shall refuse or neglect to render such list or return within the time required as aforesaid or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is false or fraudulent, or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books, at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects liable to tax or the returns thereof. The collector may summon any person residing or found within the State in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State, he may enter any collection district where such person may be found, and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned.

"SEC. 3176. When any person, corporation, company, or association refuses or neglects to render any return or list required by law, or renders a false or fraudulent return or list, the collector or any deputy collector shall make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector, and on his own view and information, such list or return, according to the form prescribed, of the income, property, and objects liable to tax owned or possessed or under the care or management of such person, or corporation, company, or association; and the Commissioner of Internal Revenue shall assess all taxes not paid by stamps, including the amount, if any, due for special tax, income or other tax, and in case of any return of a false or fraudulent list or valuation intentionally he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax. In case of neglect occasioned by sickness or absence as aforesaid the collector may allow such further time for making and delivering such list or return as he may deem necessary, not exceeding thirty days. The amount so added to the tax shall be collected at the same time and in the same manner as the tax unless the neglect or falsity is discovered after the tax has been paid, in which case the amount so added shall be collected in the same manner as the tax; and the list or return so made and subscribed by such collector or deputy collector shall be held prima facie good and sufficient for all legal purposes."

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas.

Mr. ALDRICH. I move that the consideration of the amendment be postponed until the 10th day of June.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the consideration of the amendment be postponed until the 10th day of June.

Mr. BAILEY obtained the floor.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Kansas?

Mr. BAILEY. I yield.

Mr. BRISTOW. I have another amendment to the sugar schedule, which relates to the duty on sugar. If it could be considered before we go into the discussion of the amendment offered by the Senator from Texas, without the Senator from Texas forfeiting any right he would otherwise have, I would appreciate it.

Mr. BAILEY. I am entirely willing to yield to the Senator from Kansas for that purpose, with the understanding that the pending amendment——

Mr. ALDRICH. I object to that. We might as well dispose of this matter now.

The VICE-PRESIDENT. Objection is made. The amendment of the Senator from Kansas can only now be offered by the Senator from Texas first withdrawing his amendment or by unanimous consent.

Mr. BAILEY. Mr. President, the "Senator from Texas" will not withdraw the amendment, because the "Senator from Texas" fears that the Senator from Rhode Island might have other matters to occupy the attention of the Senate.

Mr. President, this is one of the rare instances in the history of legislation where the chairman of a great committee in charge of a great measure is not willing to facilitate a vote on one of the most important amendments offered to it. The Senator from Rhode Island has from time to time exhibited some degree of impatience at the delay in the progress of his measure; and yet, impatient because he can not reach a vote on the final passage of the bill, he refuses to consent to the disposition of the most important amendment that has been or will be offered to it—the most important both because of the principle involved and by reason of the revenue which would be collected under it.

The Senator from Rhode Island will find it somewhat difficult to persuade the country that he is sincerely anxious for an early vote upon his bill itself, while he seeks to delay a vote on the principal amendment. His present motion fixes the consideration of this amendment beyond the time which, only two days ago, he asked for a final vote upon the passage of his bill. I think the RECORD will disclose that even within the last week the Senator from Rhode Island preferred the request that the final vote on the passage of the pending bill and all amendments should be set down for the 5th of June; and yet to-day he moves to postpone this amendment until the 10th of June. Surely the Senator from Rhode Island can not wonder if I doubt his thorough and perfect sincerity in heretofore asking for such an early vote upon the bill itself.

Instead, Mr. President, of postponing this amendment until practically every schedule has been disposed of, the natural, orderly, and proper sequence would have been to have disposed of it before proceeding to the consideration of the various schedules. I say that for this reason—and when I state it the force of it will be obvious to every Senator—the committee in the beginning of its task was, of course, required first to ascertain the amount of revenue which it was needful to provide by this bill, and, accordingly, with that amount of revenue constantly in their minds, all of these duties were adjusted. Now, sir, if, instead of requiring the tariff duties to raise $320,000,000, the Senate had adopted an income tax which would provide $80,000,000, there would be but 75 per cent of what they now

intend to raise necessary to be collected from customs duties, and therefore every rate in this tariff bill would have been adjusted—and they would have been compelled by the necessities of their situation to adjust every rate in this tariff bill—with a view to the collection of this $80,000,000 from an income tax; and yet, strange to say, the Senator from Rhode Island and his associates on the committee insist that they shall be permitted to go through with this bill, which they constantly avow will raise enough revenue without any additions or amendments, until they have perfected it, and then they will be permitted to stand up here and say that it raises all the revenue which the Government needs, and therefore this amendment would simply impose unnecessary taxation.

Now, what I want to do, and what I believe the country has a right to demand that the Senate shall do, is, first, to determine whether or not an income tax shall be levied; and if that question shall be determined in the affirmative, then every other rate and schedule in the act must be dealt with accordingly; while on the other hand, if the Senate, by deliberate action, shall reject this income-tax amendment, then it can address itself to these schedules with the single purpose of so framing them that they will raise the necessary $320,000,000.

I appeal to our friends on that side who are sometimes described as "progressive Republicans," and who have been striving from the beginning to reduce what they themselves denounce as the exorbitant rates of this bill, and I ask them if they are willing to wait until the Finance Committee have finished their work, arranged their rates, perfected their schedules, and are thus able to say that an income tax is wholly unnecessary?

If you progressive Republicans are in earnest—and I believe you are—then let us here and now take the judgment of the Senate. Let us here and now determine if we intend to raise any important amount of revenue outside of these tariff duties; and if we so decide, then the chairman of the Finance Committee, with all his skill in the management of this measure and with all his power among his political associates, will find it impossible to resist a reasonable reduction in its rates. The chairman of the committee now says that the bill as he has reported it will raise enough money. Then, certainly, if we add an amendment which of itself will yield some $80,000,000, the chairman of the committee must agree to reduce the collections under the customs provision of the law. It will not do for him to answer and say that if he reduces the rate he will increase the revenue and thus aggravate the situation, because we answer that statement by saying that if we can not reduce the duty on all things, which I think we can, and thus remit to the consumer of every article a proportion of the burden which he bears to-day, we can at least transfer some of the common necessities of life to the free list, and we can afford a much needed relief in that manner. But whether it shall be by transferring particular and necessary articles to the free list or whether it shall be by a general reduction running through every schedule, the obvious and sensible thing for the Senate to do is to decide whether it intends to collect this $80,000,000 from an income tax and then adjust all schedules to that decision.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Will the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. I do.

Mr. CLAPP. Realizing and appreciating the force of what the Senator says, if this proposed income tax was, without any question, to be taken as a matter of course as to its validity, I do concede the force of the argument that it ought to be disposed of before we attempt to fix the schedules with reference to the customs revenue. I shall vote against the motion, because I shall vote against any motion to fix any time or place any limitation upon our right to vote here. But I want to ask the Senator if he thinks it would be wise to adopt this amendment, and then—no matter how thoroughly he and I and others are convinced of the validity of it—still risk a revenue measure based upon the absolute elimination of any question as to the validity of this amendment? I think that is a matter which should commend itself to our very serious consideration.

Mr. BAILEY. I thoroughly agree with the Senator from Minnesota. If Congress was not required by the Constitution to convene every year, and if, as a matter of fact and under the law as it now stands, Congress would not convene within the next eight months, I should hesitate about passing any law that might leave the Government without the means to promptly meet its current expenses. But in view of the fact that Congress must convene the first of December, and in view of the fact that Congress is apt to be in session when the final decision in this case is rendered, if it shall be taken to the courts, and will thus be able to supply any deficiencies between the revenue and expenditures immediately and without embarrassment to any department of the Government, I have no hesitation in voting to put the amendment on this bill. If Congress, like some of the state legislatures, only met in biennial session, I would even go so far as to insert in this bill an authority that the bill will probably carry, even if this amendment is rejected, to borrow money to meet unexpected deficiencies.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Montana?

Mr. BAILEY. I do.

Mr. CARTER. I ask the Senator this question, for the purpose of ascertaining whether or not I correctly understand his position: Do I understand the Senator to mean that he would raise by customs duty only such an amount as equaled the deficiency in the revenue raised by an income tax?

Mr. BAILEY. The Senator states it differently, I think, from what he intends to state it. If he means to ask me if I would deduct from customs duties the amount to be collected through the income tax, I answer "yes."

Mr. CARTER. Then I will put my question in a different form. The Senator, according to my understanding, would first pass an income tax, and rely upon customs duties to raise such revenue as the income tax did not raise to meet public necessities. The amount of the revenue duties would therefore be dependent upon the proceeds of the income tax, instead of having the proceeds of the income tax rest on deficiencies arising from the failure of the customs dues to meet the needs of the Government. Do I correctly understand the Senator?

Mr. BAILEY. The Senator undoubtedly understands me, and has stated my position correctly. I do not propose the income tax as a mere means of providing for an emergency. I propose it as a deliberate, fixed, and permanent part of our fiscal policy.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator yield further?

Mr. BAILEY. I do.

Mr. CARTER. I understand, then, that the Senator would depart from the policy which has prevailed from the beginning, of resorting to an income tax as an emergency measure, and would now and hereafter rely upon an income tax as a main basis of revenue.

Mr. BAILEY. Not as a main basis.

Mr. CARTER. As one of the chief sources of revenue, relying upon customs dues as only an incidental source to make up deficiencies.

Mr. BAILEY. Mr. President, that does not precisely state my position. I recognize, as I stated here, that we will collect three times as much from the custom-houses as we hope to collect through this income tax; but it is not an experiment for us to fix the rates of a tariff bill, with a view to other sources of governmental income. For instance, how did the Senator from Rhode Island [Mr. ALDRICH] and his associates determine the amount of revenue which they were required to raise by this bill? They first considered the expenses of the Government; they then took the collections from all other sources, including the Post-Office Department and the collections from internal revenue; and subtracting them from the total expenses of the Government, they ascertained the amount which they were required to raise through customs taxation. With the amount which they were required to raise thus fixed, they proceeded to levy their duties accordingly. And I have no doubt in this world that it would be just as sensible for us to decide this income-tax question and lay it aside, if we adopt it, as so much revenue for which the tariff act need not provide as it was for the committee to take under consideration and into account every other source of revenue now enjoyed by the Government before they began to fix their duties.

Every rate in this bill—I will not say every rate, either, because some of them are designedly and purely protective and prohibitory, but I will say that every schedule in this bill—is drawn, even by the extreme protectionists, with a view to the revenue which must be collected through the customs. In other words, there are probably duties here that would be higher than they are except for the necessities of the Government. The Senator from Rhode Island and the most ultra of the protectionist Senators in this Chamber can not escape, and do not attempt to escape, the fact that a tariff bill must be drawn so as to produce a given amount of money.

Now, in drawing that tariff bill to raise that given amount of money, undoubtedly they distribute the rates purely with a view of protection; and it is possibly true that if the Government needed no money at all, the extreme school of protection would still levy tariff duties for the purpose of protecting our home industries against foreign competition; but while they

are animated by this purely and essentially protective purpose, they can not escape, and do not attempt to escape, the necessity for raising revenue. Therefore, according to their own proceeding, they ought to take this $80,000,000 into account, if it is to be collected, and lay it aside, just as they laid the collections under the internal-revenue law aside, just as they laid the post-office receipts aside, and calculate, with this added to the other present and permanent sources of revenue, what the deficiency would be, and raise that deficiency through the custom-houses.

Mr. President, I am not inclined, upon the motion to postpone, to occupy the time of the Senate in discussing the merits of the question. I shall perhaps find some other occasion for that, and I am content to have stated, as they appear to me, the reasons why the motion to postpone ought not to prevail.

I took the Senate into my confidence a few days ago and explained to it my great anxiety for a vote. I am no novice here. I know how bills are passed and how amendments are rejected. I know the arguments and the persuasion at the command of a majority, and I know the outside influences which from time to time have been employed to insure the defeat of this income-tax amendment. I am perfectly sure that the quicker we vote on it the more votes it will receive, and I make no concealment of that fact.

Mr. President, before I resume my seat, I believe I will call attention to an article which was printed last Sunday, I believe, in the New York Times. The Senate will recall that something like a week or ten days ago I stated that I believed there had been a deliberate and systematic effort made to misrepresent the attitude of Democratic Senators with respect to the tariff schedules. I then confined my statement to tariff rates. But last Sunday my attention was called to an article which goes much further than a mere effort to exaggerate our differences and misrepresent our attitude. I find in the New York Times of Sunday, under a Washington date line, a statement that the income-tax amendment was introduced for the purpose of aiding the Senator from Rhode Island. I want to read the matter, and then I wish briefly to comment on it. Referring to the Democrats of the Senate, this article proceeds:

> They are headed by that distinguished son of Texas, JOSEPH WELDON BAILEY. Again and again BAILEY has taken a position on one flight or another in the Senate that has played directly into ALDRICH's hand. His action on the income-tax amendments, now pending, is the latest demonstration of his willingness to help his Rhode Island leader out of a difficult situation. He has maneuvered so as to divide the adherents of the income-tax proposition while apparently favoring it, and himself introducing an amendment providing for such a tax. The result, despite the efforts of the real friends of an income tax to effect a compromise, will no doubt be to defeat the proposition which ALDRICH has been vigorously opposing.

Of course the man who wrote that is an infamous liar, and I am not therefore at all surprised that he wrote this particular lie. I am, however, very greatly surprised that a paper like the New York Times could be induced to print it, because it is a challenge to the intelligence of every man who reads that paper. Of course the miserable creature who penned this libel did not attempt to explain how I have assisted, or how I could assist, those in charge of the measure by introducing an income-tax amendment, and he did not do so because he knew that the dullest man who read it would easily detect the fallacy of any explanation which he could invent. Unable to explain it, because it was not susceptible of explanation, he simply made the statement on the calculation that if he could make one man in twenty who read his article believe his lie he had helped his side just that much.

Mr. President, this creature, and all his kind, forget that for twelve years I have been trying to force the adoption of an income-tax law. I offered an income-tax amendment to the war-revenue measure when a Member of the House, something like eleven years ago. From that day till this I have been an earnest advocate of it, and these men know it, but they do not want the people to know it, and they seek to create the impression that Democrats are trying to muddy the water and to aid the men in charge of this bill. If any other Democrat had proposed this amendment, they would have told about him the same lie they have told about me.

Mr. President, suppose I reverse the position. Suppose the Senator from Iowa [Mr. CUMMINS] had introduced his amendment, and then I had introduced mine. A shallow-thinking man might find some extenuation, and an ignorant man might find some excuse, for saying that my purpose in introducing a second amendment was to divide the friends of an income tax. But the RECORD shows—and every Senator recalls—that I introduced my amendment a week before the Senator from Iowa introduced his. And yet there is no suggestion that that Senator, a distinguished Republican, was trying to divide the honest friends of an income tax.

But the suggestion is that this side, which made the first attempt to secure the adoption of such an amendment, are actuated by some purpose to disturb the harmony and divide the councils and dissipate the strength of those who favor this just and wise and philosophic system of taxation.

I go further, Mr. President. Suppose I had introduced the kind of an amendment which the honorable Senator from Iowa has introduced. Suppose I had graduated the tax as he has. These people would have said at once that I had tried to introduce a new and a dangerous question before the Supreme Court upon the rehearing. Or suppose I had concurred with him, and had levied a tax on the individual and exempted all corporations. Every penny-a-liner who will repeat that libel would have sworn that I was trying to exempt the great corporations and to lay the burden of government upon the man of flesh and blood, made in the image of his God. If I had introduced that kind of a proposition, they then might have excused themselves for such a libel.

But that, Mr. President, is in line with the deliberate, sedate, and steady policy, not only to misrepresent individual Democrats, but to misrepresent all on this side. I desire, however, in this public and explicit way, to acquit Republican Senators of that charge. I do not believe they have inspired it. I doubt if a Republican Senator in this body is low enough to associate with a man who would write a lie like that. I know if he would he is not fit to associate with the other Senators here. A fearless, a truthful, an incorruptible press is the greatest safeguard of a free republic. But a venal, a treacherous, and a lying newspaper is one of the most corrupting agencies that can exist in a free government. The man who defames an honest representative of the people is almost as vile as the man who defends a dishonest one.

Mr. President, so far as I am concerned, I am ready to support any measure which will at all commend itself to my conscience and my judgment, having for its object a relief for the consumers of this country and a tax on those who are able to bear it. I believe we ought to decide that question now. I know we must decide it later.

I understand what is the present programme on the other side, and I will put it in the RECORD, in the hope that it will deter them from following it out. I will at least have the satisfaction of having outlined it for them in a public way. Their present plan is to move to postpone the present consideration of this amendment, and then when the time comes that they must vote, according to their own motion, they intend to refer it to the Judiciary or some other standing committee of the Senate. That is their purpose. And thus they hope and plan to prevent a direct and decisive vote on the question, so that every man who advocates an income tax at home and votes against an income tax in the Senate can say he did not vote against adoption of this amendment.

I do not think there are many Senators of that kind. I know there ought not to be a single one of that kind. A Senator whose judgment and conscience tell him this amendment ought not to be the law, ought to be willing to vote against it. He ought to be willing to take his political destiny in his hands and sacrifice it, if need be, as a tribute to his conscientious judgment. If a Senator believes it is a just and a wise and an equal tax, why postpone the adoption of it? Surely it is as fair to tax a man on an enormous income as it is to tax him on a moderate appetite, and, as between your tariff schedules that tax men on what they eat and wear, and an income tax which assesses them according to what they own, I think the people of this country will have small difficulty in choosing.

Mr. CUMMINS. Mr. President, as Senators know, I have also proposed an amendment imposing an income tax. I am as deeply interested in the subject as can be the Senator from Texas, and I have been somewhat concerned in the efforts that have been made to embroil the advocates, the defenders, and supporters of an income tax sitting upon opposite sides of this Chamber. I very earnestly hope that these efforts will be unsuccessful, and that, when the moment arrives, the income-tax amendment, whether it comes from the Senator from Texas or whether it comes from a Senator upon this side of the Chamber, will receive the full strength that is here in favor of such a provision in the law.

I say for myself that I prefer in some respects the amendment I have presented; and I may say, in passing, that in deference to the wish of friends of the income tax upon this side of the Chamber I have eliminated from my amendment its graduated feature, hoping that I might in that way gather together all the strength there is here for a measure of that character. But while I like it better, if the amendment proposed by the Senator from Texas shall first come on, I shall vote for his amendment. I shall do whatever I can to see to it

case is rendered, if it shall be taken to the courts, and will thus be able to supply any deficiencies between the revenue and ex-

would still levy tariff duties for the purpose of protecting our home industries against foreign competition; but while they

tor, a distinguished Republican, was trying to divide the honest friends of an income tax.

posed by the Senator from Texas shall first come on, I shall vote for his amendment. I shall do whatever I can to see to it

that we commit ourselves to the policy of raising a part of the revenue necessary to carry on the affairs of our Government by a tax of this character.

But I can not agree wholly with the Senator from Texas with regard to the logical procedure. If I were helping to create a law, having as my guide simply the raising of a revenue upon imports, I would quite agree that the reasonable thing would be first to fix the revenue to be created by the income tax. However, inasmuch as I am doing what I can—although some of my Republican friends think my efforts are very ill directed—not only to create a revenue by duties upon imports, but to protect our markets against unfair competition, from my point of view, the time at which we ought to consider the income-tax amendment is the moment we pass from a consideration of the paragraph which imposes duties upon imports and before we pass to other portions of the bill.

I believe that in our work touching duties we ought to give some consideration to the part that that income tax is to play in the drama of our Government. I am one who is firm in the belief that when you pass this law, if it is passed precisely as it came from the committee, or if passed as we have reason to believe it will be passed, there will still be a deficiency of $40,000,000 a year between it and the necessities of our Government. Therefore I have no fear whatsoever that we will create such a revenue in this bill, aside from the income tax, as will make it unnecessary to impose a burden of that character. That is one of the reasons why, believing that we did not need protection on iron ore, I voted for free iron ore, for I wanted no revenue from that source. That is the reason, in part, why I voted for free lumber, believing that we need no protection upon lumber; that it is amply able to care for itself. I would rather raise the revenue that is created by an impost on lumber by an income tax.

So we pass on through the bill, and when we reach that part of our work I believe there will be no doubt in the minds of Senators that we will need some revenue from an income tax. We can then determine better than at any other time whether the tax shall be 2 per cent or 3 per cent or 1 per cent.

Therefore, as a sort of composition of the whole subject, I ask unanimous consent to take up the income-tax amendments as soon as we have considered and disposed of the paragraphs imposing duties on imports, and that we continue that consideration until the matter is disposed of. That involves a direct vote upon the income-tax amendment and suggests, at least, that there be no motion to refer these matters to the Judiciary Committee or any other.

Mr. ALDRICH. Mr. President, it would be impossible to get unanimous consent to that suggestion.

Mr. BAILEY. If the Senator from Rhode Island will agree that we may have a direct vote on the amendment, I will cheerfully concur in the suggestion of the Senator from Iowa.

Mr. CUMMINS. I very much hope the Senator from Rhode Island will not make the unanimous consent impossible. It can not do the country any harm to have a vote upon the income-tax amendment.

Mr. BAILEY. I want to say to the Senator from Iowa, before the Senator from Rhode Island responds, that while I think now is the time to settle it, I do not regard that as of sufficient importance to justify any division among the friends of the measure. I will agree to let the Senator modify his motion to take it up then and dispose of it. All I want is a distinct understanding that we are to have a direct vote instead of an indirect one. I prefer to vote now, but will yield that preference.

Mr. CUMMINS. I understand that the rules of the Senate preclude a motion of that character; that is, the motion must be to postpone to a time fixed, and that what I have suggested can only be accomplished by unanimous consent.

Mr. ALDRICH. Mr. President, I am willing to agree that this amendment and that all amendments with reference to the income tax shall be postponed and be taken up immediately after the agreement upon the schedules of the bill, to be then proceeded with and disposed of according to the rules of the Senate. I do not intend to make any agreement as to any particular disposition or as to any votes upon any particular amendments or proposition.

Mr. BAILEY. The Senator from Rhode Island, then, declines to agree that we may have a direct vote on the question.

Mr. ALDRICH. I can not agree to that, because that is a matter for the majority of the Senate at the time to dispose of.

Mr. BAILEY. A unanimous agreement would bind not only the majority but every Senator. An agreement of that kind, I think——

Mr. ALDRICH. I have never known in my experience an agreement of that kind made. I think this is the first time I have ever heard a suggestion of that kind made. It is simply impossible for me to agree to bind the Senate as to any particular form of disposition to be made of the proposition.

Mr. BAILEY. The Senator from Rhode Island is not asked to bind the Senate. The Senator from Rhode Island is asked to allow the Senate to bind itself, and it would do it, in my opinion, except for his objection.

Mr. ALDRICH. I think not. It is my purpose, in making the motion which I have made, to have the income tax taken up on the date to which it would be postponed if the motion should prevail, and it was my further purpose, if the schedules have not then been disposed of, to move a further postponement of the consideration until the schedules are disposed of. It seems to me perfectly apparent, and it must be to everybody, that the orderly way to dispose of the bill is to go on and consider the bill by paragraphs and by schedules, and fix upon the rates and upon the consequent revenue which may be expected from them. After that is accomplished we can then tell whether an income tax is necessary and what rate of taxation should properly be fixed.

So all this seems to me to be premature. It does not affect really, I think, the judgment of the Senate, and I do not believe it misleads anybody in the country either. I shall object to any arrangement by unanimous consent which includes any agreement to vote in any particular way upon that amendment.

Mr. CUMMINS. Mr. President, I hoped very much that the Senator from Rhode Island would not prevent unanimous consent to the disposition of the income-tax amendment at the time and in the manner I suggested. I can not conceive a reason that will prevent or ought to prevent a vote upon this subject on its merits. However, I recognize that if the subject were postponed until June 10, or if it were determined now, the amendment would be subject to the motion that is in the mind of the Senator from Texas and in the mind of the Senator from Rhode Island.

Therefore I bow to what seems to be an imperious necessity, and I ask unanimous consent to take up and consider the income-tax amendments immediately after the disposition of the paragraphs relating to the duties upon imports, without further qualification.

Mr. BAILEY. Mr. President, I am not going to agree to that unless I can get an agreement to vote on the direct question.

Mr. ALDRICH. As far as I am concerned, I have no objection to the suggestion of the Senator from Iowa. In fact, I have no disposition to try to prevent the Senate from considering this question. I realize that it is bound to come up and bound to be disposed of. I am quite willing to accept the suggestion of the Senator from Iowa as far as I am concerned.

Mr. BAILEY. I do not intend for the Senator from Rhode Island and the Senator from Iowa to get together, if I can help it. I withdraw that objection.

The PRESIDING OFFICER (Mr. CARTER in the chair). The Senator from Iowa asks unanimous consent that upon the completion of the schedules of the pending bill the amendment known as the "income-tax amendment" be taken up by the Senate——

Mr. CUMMINS. I beg pardon of the Chair; I put it in the plural.

The PRESIDING OFFICER. That the amendments be then taken up for consideration. Is there objection?

Mr. DOLLIVER. There appears to be an amendment to the amendment to strike out the House provision in respect to an inheritance tax. I think that ought to be considered in the same connection.

Mr. ALDRICH. I think that would be included in the order for amendments relating to an income tax.

Mr. BEVERIDGE. It would not, perhaps, be necessary, I will say; but such an amendment may be offered as a substitute for the income tax. Any legislative procedure of the kind will necessarily be included in the unanimous consent.

Mr. BAILEY. Mr. President, the request is now pending. Of course the motion of the Senator from Rhode Island will be disposed of. I will leave it to go that way, because I believe that a number of Republicans on that side who say they are in favor of an income tax and who, I have no doubt, will favor it, would feel constrained to vote for the motion of the Senator from Rhode Island. Rather than to divide the friends, I ask the Senator from Rhode Island if he will not modify his motion to postpone until the schedules have been disposed of?

Mr. ALDRICH. That is taken care of by the unanimous consent.

Mr. BAILEY. Not exactly. I have another idea in my mind. I do not know but what the Senator from Rhode Island would arrange it so that the particular amendment I have offered would not be voted on.

Mr. ALDRICH. Oh, no; I have no such purpose.

Mr. BAILEY. The way it is now I am certain to get a vote on it, because if his motion were to prevail to postpone it, he would have to dispose of——

Mr. ALDRICH. It is my purpose to withdraw the motion to postpone.

Mr. BAILEY. Yes; and then leave the whole matter open; and when the time comes——

Mr. ALDRICH. The amendment of the Senator from Texas would certainly be included in the proposition of the Senator from Iowa.

Mr. CUMMINS. It is so intended, at least.

Mr. BAILEY. It is, if I can get the eye of the Chair, and I have had some experience in that line.

Mr. ALDRICH. I think the Senator from Texas will have no trouble in getting the attention of the Chair.

Mr. BAILEY. I have the matter now where I know I can get some kind of a vote on it. I think I——

The PRESIDING OFFICER. The Chair understood, and so stated, that the request of the Senator from Iowa for unanimous consent included all amendments relating to the income tax.

Mr. BAILEY. Mr. President, that is absolutely nothing. A unanimous consent of that kind amounts to nothing, because it is only equivalent to agreeing that the Senate will consider an amendment that has been offered. That is playing, as it were. That can be done without any unanimous consent. I do not ask the permission of the Senator from Rhode Island to offer an amendment in this body. I do not ask any Senator's permission when I offer one, except the one who happens at that particular time to occupy the Chair.

The request made here now amounts absolutely to nothing; it involves nothing; it concedes nothing; it gives us no right that we do not enjoy under the rules, and abridges a right that we do enjoy, because if this unanimous consent shall be entered upon the record, I would feel myself bound in good faith to observe it, and I would feel precluded from offering any amendments on this subject until the time specified by the Senator from Rhode Island. I am asked here and now to withdraw an amendment I have pending and upon which I can not be deprived of a vote of some kind, and I am rewarded for my courtesy in that respect by an assurance that at some time I shall have the right to do what nobody could prevent me from doing anyway. That is not exactly the kind of an arrangement that appeals to me.

The PRESIDING OFFICER. The Chair understands the Senator now to object to unanimous consent.

Mr. BAILEY. I do object.

The PRESIDING OFFICER. Objection is made.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nevada.

Mr. CUMMINS. I do.

Mr. NEWLANDS. I wished to make an inquiry regarding this unanimous consent. I believe that has been disposed of by an objection.

Mr. KEAN. It has been objected to.

Mr. CUMMINS. I was about to suggest to the Senator from Texas that I really think he takes a narrow view of this subject and of the scope and effect of the unanimous consent for which I asked. If the Senate now enters into an agreement, and that is the effect of the unanimous consent, when these paragraphs have been disposed of, and they must be disposed of some time, thereupon it will take up any amendment that may be offered for the purpose of imposing an income tax and proceed to the disposition of those amendments.

Mr. BAILEY. But the Senator from Iowa must know that it needs no unanimous consent to that effect. That is not only a concession on our part without any equivalent concession on the other part, but it is absolutely denying ourselves a right that we otherwise enjoy. No rule in the Senate can prevent the Senator from Iowa or the Senator from Texas from offering these amendments, either now or when the schedules are disposed of; and therefore we are invited to cross our hands and let the Senator from Rhode Island tie them for us, while he gives us nothing, not even the poor assurance that we can have a direct vote upon the proposition.

Mr. CUMMINS. The Senator from Texas can not get me in any quarrel with him, because I want to preserve the strength we have for the income tax, but he is in error in regard to the effect of the unanimous consent. Suppose we wait until these paragraphs are disposed of and the Senator offers his amendment, as he has a right to do, as he can, and suppose then the Senator from Rhode Island should move to postpone the consideration of that amendment until sometime later——

Mr. BAILEY. He reserves that——

Mr. CUMMINS (continuing). Then you are again prevented from the consideration of the thing in which you are interested. Now, this unanimous consent will compel——

Mr. BAILEY. No; he reserves that right.

Mr. CUMMINS. He does not object.

Mr. BAILEY. He does reserve the right to make a motion to postpone or to refer.

Mr. CUMMINS. I do not so understand it.

Mr. BAILEY. I consented to it if he would agree to give us a vote.

Mr. CUMMINS. There is a difference between——

Mr. BAILEY. The Senator from Rhode Island explicitly refused to bind himself against a motion to refer.

Mr. ALDRICH. I understand this agreement to be to take up these amendments after these other matters are disposed of, and keep them before the Senate until they are disposed of—disposed of by the rules of the Senate.

Mr. BAILEY. Let me ask the Senator from Rhode Island, Could we not do that without this unanimous consent?

Mr. ALDRICH. Not necessarily.

Mr. BAILEY. Why can we not? Name the rule that prevents me from offering an amendment. I could not perhaps get a majority of the Senate to agree to it, but even a majority of the Senate can not keep me from presenting it.

Mr. ALDRICH. Oh, no.

Mr. BAILEY. You can not keep me from choosing where I present it. I would have under this unanimous-consent agreement no more right than I have now, because I can force the consideration of it. Of course the Senate can dispose of it then as now, but the Senator from Rhode Island will not look serious when he tells me that he is making a concession to us in the agreement for which unanimous consent is now asked.

Mr. ALDRICH. I make a concession——

Mr. BAILEY. He seems confused now. [Laughter.]

Mr. ALDRICH. I am making the same concessions that are always made in these unanimous-consent agreements; that is, to fix a time to proceed to the consideration of a measure, and to proceed with the consideration of it until it is disposed of by the Senate.

Mr. BAILEY. This measure is now before the Senate; and any Senator can offer any amendment at any time that he can secure recognition from the Chair. The Senator from Rhode Island will go to his room and laugh at us if we agree to this request, for the effect of it is simply to say that he will agree that we shall have the right to do what we have a right to do anyway. Of course I object to it.

Mr. ALDRICH. I was not a party to this agreement between the Senator from Iowa and the Senator from Texas, but I seem to be the only party criticised about it. The Senator from Iowa made a suggestion which the Senator from Texas accepted. I accepted, and now I am the only party who seems to be criticised.

Mr. BAILEY. I saw you had the best of us, and I withdrew it before it was too late.

Mr. CUMMINS. I have no doubt that the Senator from Texas is able to take care of himself, as he has established many times heretofore. I feel that I am able to take care of myself as well. Therefore I limit the unanimous consent for which I ask to my own amendment and allow the amendment of the Senator from Texas to take its course.

Mr. BAILEY. I object to that. I am not going to separate them.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I do.

Mr. NEWLANDS. I wish to ask the Senator from Rhode Island whether his understanding of this unanimous consent is that it will prevent him when the income tax comes up for consideration from moving its postponement or the reference of the question to a standing committee?

Mr. ALDRICH. Mr. President, the Senator's acute observation of what is going on in the Senate has misled him this time. There is no proposition before the Senate.

Mr. NEWLANDS. I understand that we are now considering the question of unanimous consent——

The PRESIDING OFFICER. Objection has been made——

Mr. NEWLANDS (continuing). Asked for by the Senator from Iowa [Mr. CUMMINS], to which the Senator from Rhode Island [Mr. ALDRICH] gave his assent; and the question has now arisen as to what is the meaning of that unanimous consent.

The PRESIDING OFFICER. Objection was made to the request for unanimous consent, both as to the last and the first proposition presented by the Senator from Iowa.

Mr. CUMMINS. I should like to answer the question of the Senator from Nevada.

Mr. NEWLANDS. As I understand, the Senator from Iowa yielded to an interruption from me for the purpose of presenting that inquiry.

Mr. CUMMINS. Precisely.

Mr. NEWLANDS. The Senator from Iowa has made this request for unanimous consent upon the assumption, as I understand, that we shall have a direct vote when we get through with these schedules upon these income-tax amendments, and that they will not be subject to a motion for postponement or for a reference to a standing committee. Is not that the understanding of the Senator from Iowa?

Mr. CUMMINS. Mr. President, I did originally ask for a unanimous-consent agreement that would prevent a motion to refer the income-tax amendments to a standing committee or to any other committee. That was refused. I then asked for a unanimous-consent agreement that would put the Senate upon the consideration of these amendments immediately after the disposition of the paragraphs imposing duties on imports, to continue until the amendments were disposed of. I assumed, and still assume, that such unanimous-consent agreement would prevent a motion to postpone to any future time——

Mr. ALDRICH. Oh, no.

Mr. CUMMINS (continuing). Inasmuch as the very purpose for which I asked the unanimous-consent agreement was to bring on the consideration of the subject at that time.

Mr. NEWLANDS. I ask whether the Senator from Rhode Island assented to that unanimous-consent agreement with the understanding which has been expressed to us by the Senator from Iowa?

Mr. ALDRICH. Mr. President, I stated that my understanding of the agreement was that the amendments should be taken up and kept before the Senate until they were disposed of under the rules of the Senate.

Mr. BAILEY. Now, Mr. President, a question. Under the rules of the Senate, would the Senator from Rhode Island have the right to move either to postpone or to refer the proposition to a standing committee?

Mr. ALDRICH. Unquestionably.

Mr. BAILEY. And the Senator from Rhode Island intends to do it.

Mr. ALDRICH. Mr. President, I have not expressed any purpose of that kind. I have stated that the matter would be disposed of under the rules of the Senate. Just what disposition that would be, would be subject to the wishes of the majority of the Senate, and not to my wishes.

Mr. BAILEY. The Senator from Iowa [Mr. CUMMINS] and the Senator from Nevada [Mr. NEWLANDS] both understand the purpose of the Senator from Rhode Island. All the Senator from Rhode Island will agree to now is that the Senator from Iowa and myself may have such rights as the rules of the Senate accord us, and absolutely no more than that under this unanimous-consent agreement.

Mr. CUMMINS. Whatever may be the intent of the Senator from Rhode Island I do not know; but that was not the unanimous consent for which I asked; it was not the unanimous consent that was granted, save, as I understand, for the objection of the Senator from Texas.

Mr. BAILEY. Mr. President——

Mr. CUMMINS. Just a moment.

Mr. BAILEY. You want that corrected at once. The Senator from Texas cordially joined in that request, yielding his judgment upon the statement that they would give us a direct vote. The Senator from Rhode Island refused to have the unanimous-consent agreement as construed by the Senator from Iowa, and upon his refusal to accept that construction I made the objection.

Mr. ALDRICH. There should be no misunderstanding of the statement as I made it. I am willing that the matter shall be taken up by the Senate, and kept before the Senate until it is disposed of.

Mr. BAILEY. Ah, Mr. President, but let us be frank.

Mr. ALDRICH. I am perfectly frank.

Mr. BAILEY. But does the Senator from Rhode Island intend to move to refer that proposition?

Mr. ALDRICH. I do not know. I intend to reserve all the rights which I have or——

Mr. BAILEY. And to surrender none.

Mr. ALDRICH (continuing). That any other Senator has.

Mr. BAILEY. And we surrender ours. That is the kind of trades the Senator from Rhode Island frequently tries to make; but that is not the kind he will make with me.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. TILLMAN. The fencing of these experts has got me a little confused, though I think I smell something up the creek. [Laughter.] I want to ask somebody who may be willing to answer, if we have men here who are willing to vote for an income-tax amendment who will prefer to dodge it by voting to postpone it?

Mr. GALLINGER. We will find that out on the vote.

Mr. CUMMINS. Time alone can tell.

Mr. ALDRICH. Mr. President, there may be Senators here who are honestly in favor of an income tax who might not be in favor of it if we furnish sufficient revenue by this bill to obviate the necessity of unnecessary and onerous taxation.

Mr. BAILEY. Now, the gentlemen on the other side understand the line of action.

Mr. BEVERIDGE. We do.

Mr. CUMMINS. Mr. President, the Senator from Texas [Mr. BAILEY] will understand that I am not the guardian of the Senator from Rhode Island [Mr. ALDRICH]. I asked for a unanimous-consent agreement, which was that we take up this matter and proceed with its consideration. If the Senator from Rhode Island had it in his mind to reserve the right to postpone the consideration of that amendment to some other time, he was, I am sure, inaccurate in interpreting the consent for which I asked. The unanimous consent for which I asked was that this amendment should be taken up for consideration, and a motion to postpone the amendment for consideration to some future time would be inconsistent with and repugnant to the very consent for which I asked. If the Senator from Rhode Island says that he does not understand that he surrenders the right to postpone the consideration of this amendment to another time, then, of course, he is not consenting to the matter for which I asked.

Mr. ALDRICH. Mr. President, I have never had any purpose to move the postponement of the consideration of the amendments. I could not do that under the unanimous consent. I could make a motion, or any other Senator could make a motion, to refer or to commit or any of the other motions that are authorized by the rules; but I had no idea of doing anything except carrying out the agreement in perfect good faith; not to postpone the consideration to another and further time if it was important that the Senate should take any particular action upon the subject not inconsistent with the agreement to keep the matter before the Senate until it was disposed of. Of course, I should have a right to make those motions; and I do not intend, and I think there could not be any intention on the part of anybody, if this agreement is entered into, to postpone the consideration in violation of the agreement.

Mr. BEVERIDGE. It could not be done under the agreement.

Mr. CUMMINS. That is as I understood the Senator. But, further, my consent embraces the agreement to proceed with the consideration as against a motion to postpone to a future time. If that consent is granted, I think we have made great headway on the income-tax amendments.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. CUMMINS. I do.

Mr. LA FOLLETTE. I should like to ask the Senator from Iowa what distinction there would be between a motion to postpone consideration to another time and a motion to refer to the Committee on the Judiciary or to any other committee? That would work a postponement indefinitely of this proposition.

Mr. CUMMINS. So far as the inquiry of the Senator from Wisconsin is concerned, Senators have the right to do that now.

Mr. LA FOLLETTE. Then, what is accomplished by a unanimous-consent agreement that the matter be taken up and considered until disposed of? That will effect nothing, so far as the vote is concerned, unless it includes a proposition that the amendments shall not be referred, because that is only another means of postponing them indefinitely.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. I do.

Mr. CULBERSON. I simply suggest to the Senator from Iowa to put his request, as he interprets it, to the Senate, and ask unanimous consent of the Senate to take up these amendments immediately after the disposition of the schedules of the bill, to be considered and determined by a direct vote of the Senate.

Mr. GALLINGER. Oh, no.

Mr. CUMMINS. I understand that that request was refused. I asked unanimous consent to so dispose of the matter, and it was not given. I believe that it would further the interests of the income-tax amendments if the second request that I made were granted. That request is, that at the close of the consideration of those paragraphs imposing duties on imports the income-tax amendments—I care not how you phrase that part of it—be taken up and proceeded with until disposed of, not, however, to be disposed of by a motion to postpone to some future time. I suppose that we are men of honor. We understand the spirit of agreement. I believed that that would facilitate the agreement, as well as the disposition of the subject; I believe so still; and I ask unanimous consent in the terms I have now stated.

Mr. BAILEY. Mr. President, pending that I desire to be indulged for a moment. Of course the Senator from Iowa is able to take care of himself.

Mr. CUMMINS. Will the Senator yield to me for just a moment?

Mr. BAILEY. Certainly.

Mr. CUMMINS. It is manifest that there can be no unanimous consent upon any subject whatever——

Mr. BAILEY. I am not sure about that.

Mr. CUMMINS (continuing). And I therefore withdraw my request for unanimous consent.

Mr. ALDRICH. Let us have a vote, then, on the motion.

Mr. BAILEY. Mr. President, just a moment. I think when the Senator from Iowa reads the transcript of the stenographic notes of what has just transpired, he will not be entirely satisfied with the situation in which he has left himself. He preferred a request, and, in preferring it, he interpreted it. His interpretation was that his request required a direct vote on the income-tax amendment or amendments. I stated from my place here that while I believed it preferable to dispose of the matter now, with a view to the adjustment of the schedules according to the disposition of the income tax, yet, to avoid any friction between the advocates of the policy, I would yield my judgment and cordially concur in the request of the Senator from Iowa.

The Senator from Rhode Island declined to allow that unanimous consent entered upon the record with the understanding that it should bring the Senate to a direct vote upon the question. I think I know—though I do not get it from any Senator on the other side authorized to speak—that their programme is exactly what I have already outlined. They have verified my understanding of the first half of it by moving to postpone the consideration of my amendment, exactly as I prophesied they would, and I have no shadow of doubt that they will in time verify the second half of my prophecy by moving to refer the income-tax amendments to the Judiciary Committee.

I made that prediction in a bare, but, I think, a vain hope that I might deter them from it; but that they have not been moved from their determination is apparent now, because the Senator from Rhode Island refuses his consent to the request of the Senator from Iowa when the Senator from Iowa construes it.

The Senator from Iowa will also recall that the Senator from Rhode Island, in reply to me, declared that the Senate would proceed with the consideration of these amendments under the rules of the Senate. Now, what are the rules of the Senate? Here are the motions:

To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.

Under the rules of the Senate the Senator from Rhode Island—and he reserved his right expressly to act under the rules of the Senate—would have the right to move to commit the amendment to the Judiciary Committee as clearly as he would have the right to amend it. Am I not stating the interpretation of the rule as the Senator from Rhode Island understands it?

The Senator from Rhode Island nods his assent. Therefore, if the Senator from Iowa had obtained the unanimous consent for which he asked and in the terms in which he asked it, the Senator from Rhode Island would have been at perfect liberty to move either to postpone until the next session of this Congress—because the motion to postpone is one of the motions under the rules of the Senate, and the Senator from Rhode Island expressly reserved his right to act within the rules——

Mr. ALDRICH. I stated to the Senate that I had no intention to move to postpone to any future time, and I was perfectly willing that the agreement should include the fact that no motion to postpone was intended.

Mr. BAILEY. Now, include the words "to refer," and we will agree to the unanimous consent.

Mr. ALDRICH. The Senator has made that suggestion half a dozen times, and I have stated positively that we could not consent to that.

Mr. BAILEY. Therefore, Mr. President, what difference would it make whether the Senator from Rhode Island moved to refer it to a committee or to postpone it indefinitely, for if you send it to a committee, according to our experiences, that is equivalent to postponing it indefinitely? What I want—and I will agree to any unanimous consent that secures that right—is a direct, unequivocal vote on the question. I want every Senator to record his judgment, not whether the matter ought to be further investigated, but whether the Congress of the United States should lay a tax upon the incomes of our prosperous classes. That is all I ask.

Mr. HALE. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. Certainly; I do.

Mr. HALE. Everything of this kind must be disposed of, if any agreement is made as to the time when it shall be taken up, by the action and the will of the Senate. All that I understand the Senator from Texas seeks, and that the Senator from Iowa now seeks, is that when the schedules of the bill are completed the income-tax proposition shall be taken up and considered by the Senate; and it has been substantially agreed that there shall be no motion for delay—that is, to postpone.

Now, the Senator says that what he wants is an ironclad agreement by the Senate to-day, this day of May, that when the Senate, under the agreement, takes the matter up, it shall be bound to certain restrictions as to its motions. The Senator loses no right——

Mr. BAILEY. And gains none.

Mr. HALE. Yes; he gains this, under the proposition of the Senator from Iowa, that when we are through with the schedules we take up the income-tax amendments.

Mr. BAILEY. Are you not bound to do that anyway?

Mr. HALE. No.

Mr. BAILEY. How could you avoid it?

Mr. HALE. Because there are a hundred other different propositions in the bill that a majority of the Senate might conclude to go to, and not take up the income tax until the whole bill had been completed.

I wish to say that, as I understand the feeling upon this side and of the committee, this proposition is not a thing that can be avoided; it will come up; it will be disposed of by the will of the Senate when it comes up, and the Senator loses no right by the agreement; and when the schedules of the bill are completed, no motion can be made to take up any other part of the bill. We go to the income-tax propositions and consider them under the rules of the Senate.

The Senator is afraid that a motion will be made to refer to the Committee on the Judiciary or to some other committee. If, when that time comes, Mr. President, the Senator has the majority of the Senate at his back, the Senate will vote down the proposition to refer to the committee and will vote directly upon the amendments.

Mr. BAILEY. The Senator from Texas does not think that he will have a majority if we wait until that time, and that is the reason the other side want to wait; and it is the very reason I do not want to wait.

Mr. HALE. Mr. President, I do not know what the Senate would do to-day or what it will do when the schedules are completed, but, to me, it is a fair, serious, honest proposition, with no gain or loss to either side, as it is now presented by the Senator from Iowa. If the agreement is entered into when we reach the consideration of the amendment, if any motion is made, as it can be made under the rules of the Senate, to commit the proposition to the Judiciary Committee, if a majority of the Senate does not want that done, it will vote it down. We will come to a direct vote by the will of the Senate, and that will dispose of the whole thing. I take it that the Senator from Iowa realizes that situation.

Mr. DANIEL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Virginia?

Mr. BAILEY. I do.

Mr. DANIEL. Mr. President, I should like to ask the Senator from Maine or the Senator from Iowa a question. Would

have ever heard a suggestion of that kind made. It is simply

arrange it so that the particular amendment I have offered would not be voted on.

but that is not the kind he will make with me.

the Senate.

Mr. GALLINGER. Oh, no.

they consent to add to the request of the Senator from Iowa, for unanimous consent, the words "and disposed of by direct vote before the adjournment of this session?"

Mr. HALE. That has been proposed and objected to.

Mr. BEVERIDGE. It has been objected to.

Mr. DANIEL. Then I understand it will not be consented to.

Mr. BACON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Georgia?

Mr. BAILEY. I do.

Mr. BACON. With the permission of the Senator from Texas, I desire to submit an observation to the consideration of the Senate. As I understand the motion of the Senator from Rhode Island, it is that the amendment offered by the Senator from Texas shall be postponed for consideration until a future date—the time stated. Am I correct?

Mr. ALDRICH. That is, that the consideration be postponed, to put it slightly different.

Mr. BACON. Yes; the consideration. In other words, that it be removed now from the consideration of the Senate to a time fixed.

Mr. President, I have not the slightest doubt in my mind—not a particle—that there is no warrant in parliamentary law for any such motion, and I think I can sustain that contention beyond a possibility of doubt. Of course, I mean in saying "the possibility of doubt" not to exclude the fact that other Senators may be equally convinced the other way; but upon every principle of parliamentary law that motion is without support and, so far as I know, absolutely without precedent.

Mr. President, the proposition is this: According to a well-recognized and indisputable principle of parliamentary law, as an original proposition, in the absence of any rule to vary it, when an amendment is offered, it can not be removed from the consideration of the body temporarily without carrying with it the original proposition.

Every man at all familiar with parliamentary law knows that is a fundamental proposition in parliamentary law. When an original proposition is before a body and an amendment is offered, in the absence of any special rule to control it, according to parliamentary law a motion to dispose of that amendment in any other way than to vote upon it will carry with it the original proposition. Everybody knows that fact.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I will, if the Senator insists, but I have not yet stated my proposition, and it might be well for me, before the Senator makes an inquiry, to state my proposition.

Mr. GALLINGER. I wish to call the attention of the Senator to the fact that under general parliamentary law we can not table an amendment without carrying the main question with it.

Mr. BACON. I assume that the Senator does not suppose that I am ignorant of the rule of the Senate with reference to that, and I am coming to it.

Mr. GALLINGER. And under the rule of the Senate, general parliamentary law is overruled.

Mr. BACON. But it is not overruled in this particular, and that is what I am trying to prove, if the Senator will give me an opportunity to do so.

Mr. GALLINGER. We think it is on all fours with it.

Mr. BACON. I wish to state the proposition consecutively, and therefore I repeat that according to general parliamentary law an amendment can not be disposed of by a motion to postpone it in any way; to lay it upon the table, or in any other way. The simple reason is this: If an amendment is offered to a substantive proposition, to postpone it and then go on and decide the substantive proposition to which it is offered as an amendment, is to defeat the amendment in an indirect way; and therefore that rule of parliamentary law stood in the way absolutely as a barrier in the Senate to the disposition of any amendment in any way except by a vote upon it.

Now, that was found by the Senate to be inconvenient. It was not in order, according to parliamentary law, to move to lay an amendment on the table without carrying the main proposition with it, and therefore the Senate passed a special rule varying the general parliamentary law. The general rule of parliamentary law being that no amendment could be disposed of by a postponement of any kind, the Senate passed this rule, found on page 18 of our manual:

When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

That is now the law of the Senate. Without that a motion to lay an amendment on the table would not be in order except with the result stated. Why? Not because previous to that we had any rule that an amendment should not be laid upon the table, but because there was a general rule of parliamentary law controlling not only this body, but every other body recognizing parliamentary law, which said that no amendment could be disposed of in a collateral way, but that it must be met by a direct vote; that if it was disposed of in a collateral way, the main proposition should go with it, in order that the amendment should not lose its place.

Now, to what extent did the Senate vary the general rule by the adoption of this special rule? No further than its terms expressed; no further than to say that, while it is true that an amendment can not be disposed of in a collateral way as a general thing, we do provide that it may be disposed of in a particular way, and in only a particular way, and that is by a motion to lay upon the table. There is no doubt about the fact that the Senator from Rhode Island would be in order to move to lay it upon the table, because we have a rule which, while utterly inconsistent with the theory of parliamentary law, is nevertheless binding upon this body, and that rule permits it to be laid upon the table; but in no other respect is the general rule of parliamentary law varied which says that an amendment can not be disposed of in a collateral way. And so, Mr. President, I do not think there is any question about it. There is certainly no question in my mind that the rule has been varied to that extent and to that extent only. There is no question of the existence of the rule. No man who knows anything of parliamentary law will deny that, and there is no question that we have only varied it to that extent and no further. We have varied it only to the extent of saying that an amendment can be laid upon the table, and we have not in the slightest particular varied in any other way the general rule of parliamentary law that an amendment can not be disposed of collaterally.

Mr. HALE. What does the Senator say to the rule beginning at the bottom of page 20?

Mr. BACON. That has nothing to do with it.

Mr. HALE. Will the Senator read it?

Mr. BACON. Oh, yes; that is the order in which motions can be made; but, of course, those motions have to be legal motions, proper motions; and if the Senator will give me his attention, I think I can satisfy him of it.

PRECEDENCE OF MOTIONS.

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.

Mr. HALE. Mr. President——

Mr. BACON. Now, will the Senator pardon me a minute? He has asked me a question, and he should allow me to answer it. I can not answer two questions at once. The Senator has asked me a question, and I am proceeding to give him the best reply I know.

Now, suppose that there had been no rule such as that I have read from on page 18, which permits an amendment to be laid upon the table; would the Senator say that, even in the face of the general parliamentary rule which I have repeated and which no man can dispute, it would still be in order to move to postpone an amendment to a day certain?

Mr. HALE. Undoubtedly.

Mr. BACON. I will suggest to the Senator from Maine, when he says "undoubtedly," that he has been trained in a very different school of parliamentary law from any of which I have ever had any knowledge.

Mr. HALE. Undoubtedly, under the rule to which I have called the attention of the Senator, and which he has just read, whenever a question is before the Senate. Is not the amendment offered by the Senator from Texas, or the amendment offered by the Senator from Iowa, or any other amendment, a question before the Senate? The rule is intended for the guidance of the Senate.

Mr. BEVERIDGE. What is the question?

Mr. HALE. The amendment.

Mr. BEVERIDGE. Certainly.

Mr. HALE. There is no other question, and can not be. Until that amendment is disposed of in some way it is the ever present and engrossing question before the Senate; and in framing the rules, a way has been provided to dispose of a question; and so carefully is it provided, that the order of motions which can be made for the disposition of the question before the Senate is given in concise and indisputable terms; and that becomes

and is, as the Senator from Indiana says, the law under which the Senate is acting.

Mr. BACON. I have the greatest confidence in the Senator from Maine as to most matters which pertain to the Senate. He is a Senator of very large experience, very industrious, and has given closer attention to the business of the Senate than possibly any other Senator who is now a Member of it; but I must confess that I have not a very high estimate of the knowledge of the Senator from Maine of the science of parliamentary law. Parliamentary law is a science, just like the common law, depending upon principles; and any proposition must be defended or overturned according as it may agree with those general principles.

Now, the matter of the order of precedence of questions is no new matter. It is as old as parliamentary law. The questions the Senator has had me read are questions which have existed from the foundation of parliamentary law as to precedence; but the Senator will search in vain, and I challenge him to do it, not only this afternoon but at any other time; he may take all the books on parliamentary law he can find in the Library of Congress, and he will fail to find anything which will support the proposition that an amendment can be removed from the consideration of the body by a motion to postpone it to a time certain or to any other time. On the contrary, I assert that it is beyond the possibility of question as a fundamental proposition in parliamentary law, outside of any particular rule which may be adopted by a body, that an amendment is dependent upon the original proposition, and that you can not remove the amendment from the consideration of the body without the original proposition going with it; and it was only because of the inconvenience that that occasioned that the Senate adopted a rule permitting a motion to lay an amendment upon the table without taking the original proposition with it. In the absence of this particular rule which is found in our manual, a motion to lay upon the table would be entertained; but if carried, it would carry the entire proposition to the table; and it was to avoid that result that the Senate adopted a rule by which the motion to lay upon the table should not carry the original proposition with it to the table; and if the general principle of parliamentary law should prevail, according to the rule which would have required a vote to lay an amendment upon the table to have carried with it also the principal proposition, a motion to postpone an amendment to a day certain would have also carried with it the original proposition for consideration on the same day.

Mr. LODGE. Mr. President——

Mr. BAILEY. Mr. President, I have not yielded the floor.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. LODGE. Mr. President, I believe I have not spoken before on this question.

Mr. BACON. I asked the Senator from Texas to yield to me.

The PRESIDING OFFICER. The Senator from Texas yielded to the Senator from Georgia.

Mr. BAILEY. Mr. President, I desire to occupy only a moment, and that in reply to what was said by the Senator from Maine.

You may always be certain that when the Senator from Maine is not absolutely candid, it is a hard case, because he is one Senator in this Chamber who, as a rule—and I believe this afternoon is the only exception I have ever known him to make—is absolutely candid.

The Senator asks the Senate to believe that we who insist upon the disposition, and the prompt disposition, of this case would acquire some new right by assenting to a request for unanimous consent that after all the other things have been done we may do this. Or, if the Senator is not satisfied with that way of stating it, I will state it in this way: That after we have disposed of all the schedules—and that includes the right of every Senator to offer any amendment to any schedule, and surely when we have done that we will have finished our work—we may then offer these income-tax amendments.

Mr. President, I aver, and I will stake my reputation for candor upon it, that we have that right full and perfect without any unanimous consent. Therefore what do we gain?

Mr. HALE. Does not the Senator concede that a fitting time to consider this amendment, a suitable time, is not now, when we are considering the customs schedules? This is not a matter of customs duties. It comes within what I suppose the Senator and I, with our experience in legislation, would call the "internal-revenue features." There are none of those in the customs schedules. I do not use the word offensively, but is it not rather intrusive that the Senator should ask us to consider the income-tax amendment when we are not considering and have not reached that branch of the revenue under which the income tax could be taken up and considered? Is it in any way seeking to impair the natural right of Senators when the committee ask that the consideration of the income-tax proposition, which we know we have to consider—which we know we have to face—shall be postponed until we have considered the customs schedules?

If the Senator will allow me, I was not consciously uncandid when I stated that if that agreement was made, the Senator would lose no rights; the advocates of the income-tax proposition would lose no rights. But I agree with the Senator from Iowa that something is gained in its being determined now; that when the schedules have been disposed of we will take up this proposition, and none other, until the Senate shall dispose of it.

I like to agree with the Senator from Texas; I appreciate his complimentary phrase—from no one would it come more agreeably than from the Senator from Texas—but I hope he will not think in making that proposition there is anything unfair or uncandid. I think the Senator from Texas gains something; I think the Senator from Iowa gains something by the consent to take up at that time this proposition and dispose of it, as the Senate will at that time desire to dispose of it.

Mr. BAILEY. Mr. President, the Senator from Maine will not deny that the Senator from Iowa or I have the right, when recognized by the Chair, to offer these amendments now. Therefore when you give us the right to offer them at the end of the bill, you give us absolutely no right which we do not now possess. But, on the contrary, you abridge our right to offer them anywhere by confining us to offering them at the conclusion of the bill. I can not comprehend how a Senator can say that when I have a right to offer an amendment anywhere, I gain something by agreeing that I will not offer it until the end of the bill.

Mr. HALE. Mr. President——

Mr. BAILEY. Now let me finish.

Mr. HALE. Yes; I will not interrupt the Senator.

Mr. BAILEY. The Senator will let me finish that. The Senator says the Senate agrees to do nothing else. Of course not, because the Senate will have done everything there is to do, except this particular matter.

Mr. HALE. No.

Mr. BAILEY. You reserve the right to dispose of every schedule before you dispose of this amendment.

Mr. HALE. The customs schedules.

Mr. BAILEY. I understand. The other parts are not schedules. They are mere paragraphs or sections. I used the word "schedules" accurately.

Differing with the Senator from Maine, I would have decided this question first instead of last, for the reasons I have already stated to the Senate, and which I will not consume time by repeating. I think it was necessary for us to know how much revenue was required to be raised by this bill before we began to fix the schedules or the rates of the schedules, and consequently the orderly and natural place for the decision of this question was at the very beginning of the bill.

I tried time and again to obtain a unanimous-consent agreement to fix a day. That request each time was denied. The Senator from Rhode Island did not deceive me at all with his objection. I do not mean to say he intended to deceive me. But when the Senator from Rhode Island objected to fixing a day, I knew why. I know now. The Senate knows now, because he admits it, and that is because he thinks they will be stronger against this amendment as the time progresses than they are now. Let me see if I state it correctly in effect. The Senator says he does not want to vote on it until he gets through the schedules, because he believes that he can then show that there will be revenue enough, independent of an income tax, and he proposes to appeal to Republicans that, with an abundant revenue, they shall not vote to levy a new tax.

It is passing strange that the most ardent opponents of the income tax are the sponsors for this motion, if it is not intended to assist in defeating the proposition I have made.

Mr. HALE. Right here, will the Senator allow me?

Mr. BAILEY. I will.

Mr. HALE. The Senator says he gains nothing if he consents to this proposition. Let me tell him what he does gain. He makes the proposition, and at once the Senator from Rhode Island, the chairman of the committee, moves to postpone it until the 10th of June. If this agreement is made, no such motion can be made.

Mr. BAILEY. No; but a motion can be made to refer to a committee, and what is the difference?

Mr. HALE. There is a great deal of difference.

Mr. BAILEY. What is the difference?

Mr. HALE. There is a great deal of difference.

Mr. BAILEY. Explain it to the Senate.

Mr. HALE. But to-day the Senator is met by the motion to postpone. It is agreed that when we take this up, if we do, after the schedules are completed, there shall be no dilatory motion of that kind made.

Mr. BAILEY. No; but there will be a motion to send it to a committee.

Mr. HALE. That is not a dilatory motion.

Mr. BAILEY. But it disposes of it without a direct vote, and that is what I do not intend to have done, if I can prevent it.

Mr. HALE. The Senator gains this: There will be no more motions to postpone, if the agreement is made. It will come right square at once to the proposition on the amendment, if the Senate wants it, or if somebody moves to commit it, and the Senate wants that. But the Senator will get rid of every motion to postpone, and I think the Senator from Iowa feels that that is a great advantage.

Mr. CUMMINS. Precisely. I hoped we might have unanimous consent to vote directly upon the income-tax amendment. That was denied. The next best thing is to get a vote on the motion to commit, if you please, and I preferred the request for unanimous consent in order to eliminate just such motions as that which the Senator from Rhode Island has now made—a motion to postpone the consideration of the amendment to some other time. I believe we would gain an advantage by such a unanimous-consent agreement, or I would not have asked for it, and I believe the Senate ought to consent to it. But when a request for unanimous consent creates debate, intense and earnest, as this has created, evidently that is the end of the matter, and I therefore have withdrawn the request for unanimous consent.

Mr. BAILEY. The Senator from Rhode Island moves that we postpone this until the 10th of June. That is earlier than we would reach it under the request for unanimous consent. The Senator from Rhode Island, let me tell him, will not have disposed of these schedules by the 10th of June.

Mr. ALDRICH. Then I will say to the Senator from Texas that I shall then move to postpone again until we have reached it.

Mr. BAILEY. So I notify the progressives who say they favor an income tax to see the dish the Senator sets before them—a postponement after a postponement.

Mr. CUMMINS rose.

Mr. BAILEY. I yield to the Senator from Iowa.

Mr. CUMMINS. I am sure that the Senator from Texas does not intend to challenge the sincerity of the progressives of the Senate.

Mr. BAILEY. No——

Mr. CUMMINS. We are just as much in favor of an income tax as are the Senators upon the other side, and I hope no degrees of fidelity will be conferred. Let me say that we on this side who are in favor of the income tax—I speak now for most of them. I am sure—believe that the time to take up that subject and dispose of it is when we have finished these schedules, and we intend to bring about that result if we can do it.

Mr. BAILEY. Mr. President, I have not said anything to challenge the sincerity of the Senator from Iowa, but I do very distinctly challenge his wisdom about this particular question. I want to tell the Senator from Iowa now that when he finds himself agreeing with the Senator from Rhode Island, and they are on different sides, he will be wiser after the event than he was before.

Mr. CUMMINS. All I can say is that up to this time I have not voted oftener with the Senator from Rhode Island than has the Senator from Texas.

Mr. BAILEY. Mr. President, the Senator from Rhode Island has been right twice during this session, and I voted with him both times. He has been wrong all the other times, and I voted against him. The Senator from Iowa can not say as much.

Mr. President, the Senator from Iowa knows as well as I do what is going on with this income-tax amendment. The Senator from Iowa knows that we are not as strong to-day as we were three weeks ago.

Mr. CUMMINS. Mr. President——

Mr. BAILEY. Does the Senator think so?

Mr. CUMMINS. So far as the Republican Senators are concerned, we are stronger now than we were three weeks ago.

Mr. BAILEY. We can adopt the income-tax amendment this afternoon, if that is true. All we need to do is to vote down the pending motion and call the roll on the amendment. If you are stronger than you were two weeks ago, we can defeat the motion to postpone and adopt the amendment this afternoon. Does the Senator want to adopt it now?

Mr. CUMMINS. There are more Republican Senators in favor of an income tax, in my opinion, now than there were three weeks ago. That is not synonymous with discussing and determining the income tax at this time, rather than at the close of the schedules.

Mr. BAILEY. Would the Senator adopt it this afternoon, if he could?

Mr. CUMMINS. I will.

Mr. BAILEY. Then we can do so if we are stronger on the Republican side than we were three weeks ago.

Mr. CUMMINS. I shall vote against a postponement of the motion on this subject.

Mr. BAILEY. Three weeks ago a Republican Senator showed me a list of 17 Republican Senators who then favored this amendment. I have that list now; and if there have been no defections, we can adopt this amendment now. Since the Senator says he intends to vote against the motion, if there have been no losses, we will vote down the motion of the Senator from Rhode Island, and I will be ready to vote on the main proposition without a moment's discussion.

But I want to admonish all friends of the income tax on both sides that if we postpone it until the Senator from Rhode Island is ready to vote, we will not carry it, for he will stay here until the dog days before he will allow us to come to a vote on this question, if he can help it, until he feels reasonably sure of defeating it.

I do not complain that the Senator from Rhode Island does that. I presume that any other Senator opposed to a proposition as important as this would seek delay after delay until he was ready to vote. The Senator from Rhode Island is so uncertain now about being able to defeat it, even when we reach the end of the bill, that he will not agree to take a direct vote on the main proposition. I have offered to agree to a postponement of it here and now, if the Senator from Rhode Island will agree, in the presence of the Senate and have it entered upon the record, that we shall have a direct vote on the main proposition.

Mr. BORAH rose.

Mr. BAILEY. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, as far as I am individually concerned, I am ready to vote upon an income tax at any time. I have had the opinion, to some extent, that it would be proper to submit to the programme of the Senator who has charge of the bill, and it was my disposition to do so. I think, however, there is one thing that those loyally in favor of an income tax ought to guard against, and that is the possibility of not having a direct vote upon the measure at all.

I believe that we owe it to ourselves since this discussion has taken the trend that it has, and we owe it to the country, and I want to say to the leaders of the Republican party that we owe it to the Republican party, to meet this measure squarely and vote for it directly, and either vote it up or vote it down. It is a measure which involves, in my judgment, not only a question of interest to the great masses of the people, but it involves in another way the integrity of the constitutional power of this Government. It has been discussed for the last four or five years; it has been discussed here in the Senate for the last two or three weeks, and we ought to be prepared to say to the American people that we either favor this measure or that we do not.

I appeal to the Senator from Rhode Island to consent here and now not only that we may take it up when the schedules are finished, but that there shall be no interference with a direct vote upon the measure.

Mr. BAILEY. Mr. President, that would settle all disagreement here this afternoon. I think now is the time, but the question as to when you do a thing that ought to be done is a mere matter of form and is wholly unimportant when compared with whether or not you do it. I yield that, and if the Senator from Rhode Island will respond to the sensible suggestion of the Senator from Idaho, I am ready to consent to it.

Mr. ALDRICH. Mr. President, my responsibility as the Senator in charge of this bill would be violated and I should abdicate my functions as a Senator if I should not, by every means in my power, press the consideration of the bill to a conclusion upon the schedules relating to the tariff before any additional taxation is suggested or voted upon.

I can not consent to the suggestion of the Senator from Idaho, for the reason that I think it is our imperative duty to determine first what the forms of taxation or the rates of duty shall be under the bill before we take up the question of additional taxation.

Mr. BAILEY. I borrow the expression, and say "Let us determine the form" before we go any further.

Mr. ALDRICH. The Senator from Texas has stated positively and definitely that it is his purpose, if the income tax should be adopted, to go back and revise the tariff schedules of the bill.

Mr. BAILEY. Therefore we ought to adopt it first, so that we would not have to go back.

Mr. ALDRICH. I say to every friend of this measure, sitting on either side of this Chamber, that if we now take up the question of an income tax and proceed to the consideration of it to the exclusion of all the tariff schedules, and if we adopt a tax which will levy on the people of the United States $80,000,000, I shall be ready to join the Senator from Texas in revising the schedules. It would be our imperative duty to revise them, not in the interests of protection, but for the opposite reason.

Mr. BACON. The Senator means in the interests of the consumer.

Mr. ALDRICH. If Senators sitting on this side of the Chamber desire deliberately to abandon the protective policy and to impose an income tax for the purpose plainly avowed by the Senator from Texas to reduce and destroy the protective system, I will say to those Senators that I do not intend to consent to that programme so far as I am concerned; and that I intend, so far as it is within my power, to proceed with the consideration of the bill; and that when the schedules are completed we will then take up the propositions involved in the income tax and consider those. But until, under the leadership of the Senator from Texas, this bill is taken from my charge, I intend to press its consideration, and I say that to every Senator. I do not intend to be swerved from that duty by any suggestions from any source.

Mr. BAILEY. Mr. President, that is a right touching appeal to the loyalty of the Republican side. I have no idea that they are going to displace the Senator from Rhode Island or select me as their leader on this particular occasion.

But the Senator from Rhode Island risks quite too much when he appeals to Republicans that they must put their conscience and judgment in duress, or that if they vote the way they think they are voting to depose him from the leadership of his party in the Senate.

The Senator from Rhode Island, unwittingly, of course, made a strong argument in support of my position and against his motion, because he says that if we adopt this income tax we must go back and revise the schedules. I want to adopt it to begin with so that we will go on and revise them in accordance with what we have done. The Senator from Rhode Island makes it manifest, indeed he asserts, that after he has finished the bill and after he has laid it here as the work of his hands it will produce revenue enough, and that if we then adopt an income-tax amendment we must go back and revise the tariff bill under the leadership of the Senator from Texas.

The Senator from Texas can never aspire to equal the Senator from Rhode Island in his knowledge of the tariff and in his management of men, but in a spirit of becoming modesty I must be permitted to say that the Senator from Texas could make for the people of the United States an incomparably better tariff bill than the one the Senator from Rhode Island is now engaged in making. I not only would make it better in that I would make the duties lower, but I would make it better still in that I would lift from the backs and the appetites of the toiling millions of this Republic and lay a large part of the burden of this Government upon the incomes of those who could pay the tax without the subtraction of a single comfort from their homes.

We are ready to go to the American people upon that proposition; and yet as I stand here this evening in the presence of my colleagues and my countrymen I affirm that I would rather see this income tax adopted and have it eliminated from politics than to have the advantage which I know your defeat of it will give to the Democratic party. I do not pretend to know much about the people's sentiment; I am not accurate in gauging what the voters think; but if I can judge by the voluntary messages which have come to me, and, singularly enough, most of them have come from Republican States, if I can judge of what the people think by what a part of them have said to me, I have no hesitation in saying that, submitted to a direct vote of the people of the United States, 9 voters out of every 10 would vote to impose this income tax.

Yet the Republican party, in the face of this universal and overwhelming demand, will stand here and trifle with the judgment and conscience of Republican voters and refuse to lighten the burdens of the American people. If you choose to do it, the responsibility and the injury are on you; the advantage and the victory will come to us.

And yet, seeing an advantage of that kind, I have conferred more freely with Republicans upon this measure than I have with Democrats. The fact is, my Democratic associates have done me the honor to take my judgment about it, and they have not demanded of me many explanations or amendments. Most of the time that I have spent in conference on this amendment has been spent with Republican Senators who have at heart not only the welfare of the country, but the success of the Republican party.

Gentlemen, go ask them; put it to them. Do you believe they are truthful men? Ask them how the vote would stand, and they will answer you, as I now declare, that nine men out of every ten believe this is a wise and a just and an equal system of taxation. If it is, you may postpone it, but that is all you can do. You can not ultimately defeat it. You have no chance to reduce the expenditures of the Government, and therefore your only chance to meet these enormous and increasing expenditures is to lay a part of the burden upon the incomes of the rich. You will do it. Your consciences and your judgment now demand of you to do it now, and it is only a party loyalty, to which the Senator from Rhode Island has but just now appealed, that restrains you.

If I were framing an issue upon which the embattled hosts should decide the next election, I would not ask a better advantage than this. I would not ask a greater assurance of success than that we may go to the country advocating the reduction of tariff duties and the levy of an income tax, while you are opposing both. If you dare to repudiate this demand of the people, if you turn a deaf ear to this voice that calls upon you for justice, yours is the responsibility, ours will be the triumph.

Mr. LODGE. Mr. President, I want to say a word, as the question of order has been raised.

The PRESIDING OFFICER. The Chair does not understand that any question of order was presented.

Mr. LODGE. I do not know that it has been put in the direct form, but the question of order was raised by the Senator from Georgia. I merely wish to say that if we were under general parliamentary law, no doubt it would have great weight resting on the principle of an amendment not being separable from the original.

But, Mr. President, we are not under general parliamentary law. We are living under the rules of the Senate, which is a very different proposition. I served in the House of Representatives for some weeks under general parliamentary law, and it was a very different system from the system under which the Senate does or fails to do business. Senators would find a great many rights and privileges which they are very much attached to sadly curtailed if they were put under general parliamentary law.

Now, Mr. President, we are doing business, or trying to, under the rules of the Senate in accordance with the general proposition which is laid down in Jefferson's Manual and familiar to everybody—

> It is proper that every parliamentary assembly should have certain forms of questions so adapted as to enable them fully to dispose of every proposition which can be made to them.

And those are enumerated. We have adopted a series of motions under the rule which is found on page 20, Rule XXII. It is a great deal more than precedence of motions. The rule is: "When a question is pending, no motion shall be received"—except the enumerated motions. They are not limited, and they can be applied in any case. They are not under the control of general parliamentary law.

Moreover, Mr. President, if we turn to Rule XXVI, which applies to motions for reference, which is all that this contest is about (it is an attempt to cut off the motion to commit, which is one of the privileged motions), we find that the motions are made for reference, not of a question, not of a bill, but of a subject. It is made as broad as possible that any subject can be referred; and if at any time a Senator chooses to move the reference of a subject to a committee, that motion is in order in the line of precedence established by the Senate in Rule XXII.

Mr. President, I do not think there can be any doubt that the motion is in order.

Now, one word about the income tax and the proposition which has been made. I am not likely to be very much prejudiced against an income tax, for we have one in my State and have had one always, in addition to a general property tax. I believe, without going into a constitutional question, that it is an eminently proper tax to levy when necessity requires.

But, Mr. President, there is a great deal more involved in this question than the mere question of the imposition of an income tax. The Senator from Texas stated that he believes nine out of ten of the people of this country want an income tax. They embodied in the Democratic platform, which I hold in my hand, a declaration in favor of an income tax last year, and we put none in our platform. I did not observe at the election that nine out of ten supported the proposition for an income tax.

But, Mr. President, that is only by the way. We are here to decide what is best for the public business and what is best for the country. The country intrusted the work of the revision of the tariff to the Republican party, and the Republican party in each Chamber has undertaken that work and is responsible for it when it is done. If in the middle of the custom schedules, before we know what the rates are to be, before we have any idea as to what, on the final summing up, our income from imposts and duties is likely to be, we are to inject an income tax carrying seventy or eighty million dollars, we utterly and totally change the character of the bill. It makes no difference, as far as that goes, whether it is at the end or in the middle. We have gone half way through the schedules imposing duties. We should have to change them all. We should have to cut off in all directions, for it would be, to my mind, a very great mistake to impose by internal-revenue taxes, added to customs duties and imports, an amount of taxation largely and obviously in excess of our needs.

Mr. President, after the schedules are agreed to, and we can determine what deficit, if any, exists, we can then determine not only whether we need an income tax or whether we need an inheritance tax or a tax on the dividends of corporations, but we shall then be in a position to determine how much, if any, of such taxes should be imposed. Up to this point the bill has been intrusted to the majority on this side of the Chamber. They are responsible for the result; they are charged, under their platform, not only with the duty of revising the tariff and raising sufficient revenue for the needs of the Government, but they are charged specifically with the maintenance of the protective system. If the two things are to remain together, if we are to have sufficient revenue and the maintenance of the protective rates, it is impossible to tell what other taxes are needed until we know what the rates may be.

I do not mean to be unduly partisan, Mr. President, and I have nothing but admiration for my friend from Texas [Mr. BAILEY]; but, on the whole, I think, so long as we are charged with the making of this bill, we had better do it under the Republican organization and under Republican responsibility.

There is one thing much worse for the country, much worse for the party, and much worse for every individual than whether we have an income tax or whether we leave it off, or just how high or just how low we make the rates, and that is to have the legislation fail entirely. It would be better to proceed with caution and circumspection, so that we may not endanger the passage of any legislation, and find ourselves thrown back without revision and with a continued tariff agitation pending over the country with the Dingley law rates.

Mr. BACON. Mr. President, I shall occupy the attention of the Senate but for a moment in replying to what the Senator from Massachusetts has said upon the question of parliamentary law. The Senator says that we are not acting under general parliamentary law. We are acting under general parliamentary law, except so far as the general parliamentary law has been varied by particular rules. The only particular in which the rule says that an amendment shall not be removed from the consideration of the body by any collateral motion is the rule which permits that amendment to be laid on the table. I am not going to discuss that any further, because I have stated the proposition, I think, quite fully. I am very frank to say that I had hoped, when it was stated, that it would be so apparent in its correctness that it would not be necessary to proceed further with its discussion.

I challenged the other side, and I repeat the challenge, to show any rule in any work on parliamentary law which permits it, or any precedent by any parliamentary body which has ever practiced it. I make that broad challenge, not simply for the present—for, of course, it will take some investigation to find a precedent, and Senators will have the whole range of parliamentary practice within which to make the search—but I will prophesy that they will not find it, whilst I have to go but a very short distance to find a precedent to the contrary.

I presume Senators who disagree with me this afternoon will not dispute the precedent when it is found in our own body. But the Senator from Maine and the Senator from Massachusetts both rest their contention upon the fact that in the order in which it is stated motions may be made, there is the specification of the motion to postpone to a day certain, and it is argued that therefore that must be now permitted which otherwise would not be permitted. I shall not stop to discuss that, Mr. President, because I think it is really so very untenable as to not require discussion. That is simply a question of order of precedence. If you extend it to the field of jurisdiction, it is only those things which legitimately belong to it that can be in order.

Unfortunately for the Senators, in that enumeration there is also the authority to make a motion to commit. Therefore any argument which would be used in support of the contention that a motion to postpone to a day certain is in order, would apply with equal force to a motion to commit. Unfortunately, we have a precedent in the Senate, in which the Senate on a vote decided that that motion was not in order, and the Senator from Massachusetts and the Senator from Maine were both present when that precedent was established, and doubtless contributed to the result one way or the other. I will read it. It so happens that the point of order was made by the junior Senator from Texas [Mr. BAILEY]. It occurred in the Fifty-ninth Congress, first session, on May 9, 1906, and is found in the CONGRESSIONAL RECORD, at pages 6552 and 6559:

The railroad rate bill (H. R. 12987) to amend an act to regulate commerce, etc., being under consideration in Committee of the Whole,

On motion of Mr. Hopkins, to refer an amendment as amended, together with a proposed amendment thereto, to the Committee on Interstate Commerce,

Mr. BAILEY raised a question of order: That it was not in order to refer to a committee an amendment to a pending bill, and the Senate decided by a vote of 25 yeas to 48 nays that it was not in order. (See CONGRESSIONAL RECORD, pp. 6552–6559.)

Mr. President, when I stated my proposition, my distinguished friend from Massachusetts nodded his assent, that the same rule which would control in the case of a motion to commit would apply and control in the case of a motion to postpone to a day certain.

It might be stated that that rule would remove from the Senator from Texas the apprehension which he had that the Senator from Rhode Island would move to commit when the time came for consideration, if we had a general agreement that the proposition should be considered at a certain time. I would only reply to that, that the same influence which would cause the Senate now to override—which they would now do if they should persist in maintaining the motion of the Senator from Rhode Island—the same consideration which would induce them to override the proposition as contained in this parliamentary question, would also induce them to set aside this precedent and to commit, if they had the votes to do it.

Mr. President, I have not made any motion. I have not made any point of order, for the reason, as stated by me, that I supposed when I suggested so plain a parliamentary proposition as this one, buttressed by every principle of parliamentary law, the Senators on the other side would recognize it and yield the point; but as they evidently do not do so, it would be a vain thing to offer it, for the reason that if they have got the votes to pass the motion made by the Senator from Rhode Island, they also have the votes to vote down the point of order.

Mr. LODGE. On the question of parliamentary law, if we were proceeding under general parliamentary law, the amendment of the Senator from Texas [Mr. BAILEY] would be ruled out in a minute, because it is not germane. So we are not proceeding under general parliamentary law, but, as I stated before, under the rules of the Senate. The precedent which the Senator from Georgia produced simply meant that the Senate at that moment did not care to refer those amendments.

Mr. BACON. I suppose that it now means that the Senate at this moment proposes to support the proposition of the Senator from Rhode Island [Mr. ALDRICH].

Mr. LODGE. Very likely; but I am speaking of the general principle. There is not an appropriation bill which goes through this body where we do not refer amendments to the committee. We have done so in this bill. Amendments have been introduced here and have been referred since this bill has been under consideration.

Mr. BACON. If so, it has been by consent. The Senator can not show a precedent——

Mr. LODGE. So is this by consent. This would be by consent after the Senate has voted.

Mr. BACON. That is a very different thing. The consent does away with all rule; but I prophesy the Senator can not find a precedent for the position that, upon a vote, the Senate, or any other parliamentary body, has ever referred an amendment or postponed an amendment to a day certain.

Mr. LODGE. Unanimous consent is a vote, Mr. President.

Mr. BACON. That is a different thing.

Mr. GALLINGER. It is a unanimous vote.

Mr. LODGE. It is absolutely equivalent to a vote.

Mr. BACON. The Senator begs the question there.

Mr. LODGE. Whether that is so or not, Mr. President, I think it is equivalent to a unanimous vote; but to call one a consent and the other a vote is, it seems to me, begging the question, to begin with. Unanimous consent implies a unanimous vote, of course. That is only differing over words.

Mr. BACON. You would not need any unanimous consent if you do it by vote.

Mr. LODGE. If I understand the distinction which the Senator makes, that you can do anything by unanimous consent, I quite agree.

Mr. BACON. If the Senator will pardon me, we have unanimous consent to do a thing when it is not in order to do it by a majority vote. That is when we ask consent.

Mr. LODGE. Certainly.

Mr. BACON. Otherwise we do it by vote.

Mr. LODGE. You could not exclude these motions if you did not have unanimous consent. They are all privileged.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. Certainly.

Mr. NELSON. I was about to say, Mr. President, that I expect my colleagues here regard me as a kind of heretic on a great many of these tariff schedules; but, if it is permissible for a heretic to speak on this occasion, I want to suggest this thought to Senators: No man in this Chamber, no matter how ardent a friend he may be of an income tax, can ever guarantee to us what the Supreme Court may do. The Supreme Court, if the question is put up to them again, may decide as they did in the last decision; and what would be the effect?

If we frame this bill on the theory of supplying a part of our revenues from the income tax and the Supreme Court should decide against it, it would leave the country entirely without sufficient revenue. So, Mr. President, while, as a general proposition, I am in favor of an income tax, it seems to me that the only safe way to proceed in this case to guard against any contingency that might happen by an adverse decision of the Supreme Court is to proceed with the tariff bill and complete it on the theory that that bill will supply us with sufficient revenue.

I may add as a postscript—and then I will sit down—that I was very warmly in favor of an income tax, but it has occurred to me since the vote on the lumber schedule that there is less reason for an income tax than ever before, and that we probably shall have revenues enough without it. [Laughter.]

Mr. NEWLANDS. Mr. President, I do not know whether the Senator from Rhode Island has withdrawn or not his motion to postpone.

Mr. LODGE. No.

The PRESIDING OFFICER. The motion is pending.

Mr. NEWLANDS. But what I have to say will apply to the situation, whether the pending question be the motion of the Senator from Rhode Island or the amendment of the Senator from Texas.

I wish to state briefly my views upon the question of an income tax. I shall favor an income tax, and I shall vote for any amendment for an income tax, whether it be a graduated tax or a flat tax, or a tax limited in its operations. I shall vote for any income tax that does not violate the essential principles of what an income tax should be.

As to the necessity for an income tax, I wish to call the attention of the Senate briefly to the fact that there is to-day a deficiency which it is hoped to remedy by economy in administration. The country is intent upon constructive work in the future, constructive work which as yet has not been undertaken in any comprehensive way. The country has already undertaken the constructive work of irrigation, and has provided a fund for that purpose derived from the sales of the public lands. It has entered upon the constructive work of the Panama Canal, and has provided for that work by the issue of bonds. The country is determined to enter upon other constructive work, the development and the improvement of the waterways of the country; and there is a popular demand, voiced by both parties, that that work shall be entered upon in some scientific and comprehensive way, and that there shall be a total annual expenditure upon it of at least $50,000,000.

In addition to this the country will doubtless enter upon constructive work on its public buildings in some orderly way under a bureau of construction and arts, utilizing the talents of the great architects and artists and the great constructors of the country, and there will be a demand that at least $30,000,000 annually be spent in this work.

We have there before us at least $80,000,000 of constructive work annually, which must be provided for.

While I should, if necessary, vote for bonds to carry out a part of this work—that relating to the waterways—I think it is incumbent upon us to provide in our general scheme of taxation for ample revenue that will cover this great constructive work which must be conducted by the country, in addition to the constructive work of our navy, in addition to the constructive work of our fortifications, in addition to the constructive work of our irrigation system, and in addition to the constructive work of our Panama Canal system. Eighty million dollars, therefore, in addition, must be provided. I believe that there is but one way of providing for it, and that is by an income tax; and, regardless of the revenue afforded by this bill, which will all be used for administrative purposes, there will still be the ever-present demand for $80,000,000 annually in order to meet the great constructive work of the future.

As the administrative expenses of the Government, amounting to over $600,000,000 annually, are to be paid by taxes on consumption, derived from internal revenue and customs, it is but fair that the additional burden, made necessary by needed public improvements, should be imposed upon wealth; and a tax on the surplus incomes over and above $5,000 annually, gradually increasing with the income, is a tax upon that form of wealth which can best stand the burden. I believe we should test this question now, in the light of the new views presented in the recent debates, and not leave the present decision to get the sanctity which age will give it. I believe that unless the Nation now asserts its right to this form of taxation the States will gradually adopt it; and then, when a time of emergency comes, the objection will be made that we ought not to reach out for fields of taxation already occupied by the States. In time of emergency, such as war, this tax may be required to save the life of the Nation; and we should assert now the right of the Nation to this form of taxation, or it may be forever lost.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. BACON. I think, Mr. President, where there has been a debate on a question that, whenever a motion is to be put to the Senate, it ought to be stated what the motion is. The Chair puts the question, and the Secretary, without giving an opportunity for any Senator to even ask that the question be stated, begins to call the roll. That seems to have become the invariable practice.

The PRESIDING OFFICER. The Chair stated that the question was on the motion of the Senator from Rhode Island.

Mr. BACON. Yes, sir; but I desire to know what that motion is.

The PRESIDING OFFICER. That motion, as the Chair understands, is to postpone the consideration of the amendment presented by the Senator from Texas [Mr. BAILEY] until the 10th day of June. The Secretary will call the roll.

The Secretary resumed the calling of the roll.

Mr. SMITH of Michigan (when his name was called). I am paired with the Senator from Mississippi [Mr. MCLAURIN]. If he were present, I would vote "yea."

The roll call was concluded.

Mr. DANIEL. I desire to announce that my colleague [Mr. MARTIN] is paired with the Senator from Oregon [Mr. BOURNE]. If my colleague were present, he would vote "nay."

The result was announced—yeas 50, nays 33, as follows:

YEAS—50.

Aldrich	Crane	Gamble	Penrose
Beveridge	Crawford	Guggenheim	Perkins
Bradley	Cullom	Hale	Piles
Brandegee	Curtis	Heyburn	Root
Briggs	Depew	Johnson, N. Dak.	Scott
Brown	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burkett	Dixon	Lodge	Sutherland
Burnham	du Pont	McCumber	Warner
Burrows	Elkins	McEnery	Warren
Burton	Flint	Nelson	Wetmore
Carter	Frye	Oliver	
Clark, Wyo.	Gallinger	Page	

NAYS—33.

Bacon	Cummins	La Follette	Smith, Md.
Bailey	Daniel	Money	Smith, S. C.
Bankhead	Dolliver	Newlands	Stone
Borah	Fletcher	Overman	Taliaferro
Bristow	Foster	Owen	Taylor
Chamberlain	Frazier	Paynter	Tillman
Clapp	Gore	Rayner	
Clay	Hughes	Shively	
Culberson	Johnston, Ala.	Simmons	

NOT VOTING—8.

Bourne	Davis	Martin	Richardson
Clarke, Ark.	McLaurin	Nixon	Smith, Mich.

So Mr. ALDRICH's motion was agreed to.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 28, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 27, 1909.

PROMOTIONS IN THE NAVY.

Capt. Herbert Winslow to be a rear-admiral in the navy from the 27th day of May, 1909, vice Rear-Admiral Edwin C. Pendleton, retired.

Commander William Braunersreuther to be a captain in the navy from the 27th day of May, 1909, vice Capt. Herbert Winslow, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 27, 1909.

PROMOTION IN THE ARMY.

GENERAL OFFICER.

Col. Richard T. Yeatman to be brigadier-general.

POSTMASTER.

Henry W. Driggers, at Punta Gorda, Fla.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May 27, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Monday, May 24, was read and approved.

THE TARIFF ON COTTON BAGGING AND TIES.

Mr. BARTLETT of Georgia. Mr. Speaker, I ask permission to print in the RECORD certain telegrams which have been received relative to the matter of the tariff on cotton bagging and ties and the costs to the producer. I do not desire to make any speech, but simply to print this information.

The SPEAKER. The gentleman from Georgia asks unanimous consent to print in the RECORD certain telegrams touching the tariff upon cotton bagging and ties. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTLETT of Georgia. Mr. Speaker, in reply to efforts being made to have cotton bagging and ties placed on the free list, some have contended that the cotton planter is paid for same at the price received for the cotton, without deduction for the bagging and ties, and that the cotton spinner does not allow for the tare, as represented by the weight of the bagging and ties. This contention, I knew, was not capable of being sustained by proof. To show what the truth is, the gentleman from Texas [Mr. BURLESON] and myself have sought and obtained the information contained in the telegrams which we have received, and which are as follows:

WASHINGTON, D. C., *May 25, 1909.*

Hon. W. W. GORDON,
Savannah, Ga.:

Opponents free bagging and ties claim producer is paid for same at price of cotton by spinner without deduction for tare. Please wire what deduction is made for bagging and ties, and in what way and how considered in fixing price. Does rule apply to both foreign and domestic spinners?

C. L. BARTLETT.

SAVANNAH, GA., *May 26, 1909.*

Hon. C. L. BARTLETT,
House of Representatives, Washington, D. C.:

Offers from Europe name a price which includes cost of freight, marine insurance, and 6 per cent tare on a 500-pound bale. Six per cent would be 40 pounds, which covers 16 pounds for 8 yards of bagging, 8 pounds for 8 ties, and 8 pounds for natural drying of cotton and consequent shrinkage in weight; nominally, the farmer is paid for bagging and ties, but the spinner can't spin them. He sells them for junk; consequently the price he offers is a figure arrived at after deducting what his loss will be on the bagging and ties; also is true that farmer in reality is not paid for bagging and ties. American spinners usually get 28 pounds tare, and also deduct from price they pay for cotton the loss they will sustain on the bagging and ties.

W. W. GORDON.

NEW ORLEANS, LA., *May 26, 1909.*

Hon. A. S. BURLESON,
House of Representatives, Washington, D. C.:

Your contention in dispatch concerning tare on cotton is true. When the farmer buys bagging and ties he pays therefor some 9 cents per bale more than he would pay if free. When the spinner buys from the farmer he deducts from the worth of the cotton the amount of his loss by bagging and ties. Therefore the spinner does not pay the tariff profit that goes to the manufacturers of bagging and ties and the farmer does. But even if spinner did pay, antagonists' argument is not strengthened, because spinner would add excess to manufactured product and thus increase the cost to consumer. In either case the trust collects the profit and the people pay.

W. B. THOMPSON,
President New Orleans Cotton Exchange.

NEW ORLEANS, LA., *May 26, 1909.*

Hon. A. S. BURLESON,
House of Representatives, Washington, D. C.:

It is a well-known fact that all buyers on both sides of the Atlantic allow in the prices they pay fully enough, if not more than enough, to offset the weight of bagging and ties on a bale. As a general thing 6 per cent is allowed for tare by foreign spinners. While all spinners practically buy on the basis of tare, care is generally taken that allowances always equal and frequently exceed actual tare.

HENRY G. HESTER.

NEW ORLEANS, LA., *May 26, 1909.*

Hon. A. S. BURLESON,
House of Representatives, Washington, D. C.:

Referring to my previous dispatch for your information, Carolina mills have a rule that they will not allow for more than 24 pounds bagging and ties on a compressed bale and 20 pounds on an uncompressed bale. If bagging and ties exceed that in weight, the seller must refund the difference.

C. LEE MCMILLAN.

NEW ORLEANS, LA., *May 26, 1909.*

Hon. A. S. BURLESON,
Washington, D. C.:

Cotton exporters calculate 6 per cent tare for bagging and ties; eastern spinners, 22 to 25 pounds per bale. Carolina mills' rule 4 reads: "On compressed cotton the tare should not exceed 24 pounds, and on uncompressed cotton, 20 pounds per bale." Cotton producers pay for their bagging and ties. Any spinner will give more for 500 pounds net cotton than for a bale weighing 500 pounds gross, including bagging and ties.

C. LEE MCMILLAN.

NEW ORLEANS, LA., *May 27, 1909.*

A. S. BURLESON,
House of Representatives, Washington, D. C.:

All cotton sold for export deducts 6 per cent tare for bagging and ties; domestic mills claim 4 to 5 per cent tare.

NORMAN EUSTIS,
Acting Chairman Cotton Factory Association.

NEW ORLEANS, LA., *May 27, 1909.*

A. S. BURLESON,
Washington, D. C.:

Cotton sold for export carries 6 per cent deduction for tare; domestic mills calculate about 5 per cent.

NEW ORLEANS COTTON BUYERS AND EXPORTERS' ASSN.,
A. J. WEST, *President.*

These telegrams are from gentlemen of the highest character and standing in the business world, whose word will be accepted by all who know them as absolutely the truth.

Gen. W. W. Gordon, of Savannah, Ga., is a prominent cotton merchant, a buyer and exporter of cotton for many years, and who is in every way qualified by information, knowledge, and experience to give testimony on this subject; and there can be no question that his statements contain the absolute truth.

The other telegrams are from the president and secretary of the New Orleans Cotton Exchange and other prominent and reliable merchants, cotton buyers, and exporters of that city. No one who is familiar with the facts and who has the proper regard for the truth will assert that the cotton planters are paid for the bagging and ties at the price paid for the cotton when it is bought by the spinners. Such a statement does not convey the truth, and those who oppose placing the bagging and ties used in baling the South's cotton on the free list must find some other pretext, because the assertion that the former is paid for the bagging and ties when he sells his cotton is absolutely without foundation, and these telegrams prove this without question.

JOHN RIVETT.

Mr. KINKAID of Nebraska. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 9609, and it will be necessary to ask for a suspension of the rules.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the following House bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9609) to grant to John Rivett privilege to make commutation of his homestead entry.

Be it enacted, etc., That John Rivett be, and he is hereby, granted the privilege, at his option, to make commutation of his homestead entry of the southwest quarter of section 28, township 22 north, range 50 west, sixth principal meridian, in the State of Nebraska, as provided by law for the making of commutation of homestead entries; and that private act No. 167, for the relief of John T. Rivett, approved February 24, 1909, be, and the same is hereby, repealed.

The SPEAKER. Is there objection?

Mr. LIVINGSTON. Mr. Speaker, I want to ask what is the necessity for legislation? Why did he not make this entry under the law?

Mr. KINKAID of Nebraska. If the gentleman will pardon me, the purpose of this bill is to correct a mistake made in the name of a private bill passed at the recent regular session. The initial "T" was used as an initial, when it should not have been used.

Mr. LIVINGSTON. I remember it, Mr. Speaker, and it ought to be corrected.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KINKAID of Nebraska, a motion to reconsider the last vote was laid on the table.

Mr. PAYNE. Mr. Speaker, I ask for the regular order.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

UNIVERSAL AND INTERNATIONAL EXPOSITION, BRUSSELS.

The SPEAKER laid before the House the following message from the President of the United States (S. Doc. No. 63), which was read, referred to the Committee on Foreign Affairs, and ordered to be printed.

The Clerk read as follows:

To the Senate and House of Representatives:

On January 5, 1909, my predecessor recommended to the Congress that an appropriate provision be made for participation by the United States in a Universal and International Exposition to be held at Brussels in 1910, in response to the invitation extended by the Government of Belgium.

No action on his recommendation having been taken by the Sixtieth Congress, and the invitation having been again extended by the Belgian Government, I renew the recommendation.

I transmit herewith a report by the Secretary of State, which has my cordial indorsement, stating reasons why it is desirable that the United States should take part officially in this exposition and showing the importance and necessity of an appropriation for the purpose being made during the present session of Congress if the United States is to take part in the exposition.

WM. H. TAFT.

THE WHITE HOUSE, *May 27, 1909.*

The SPEAKER. The gentleman from New York demands the regular order. The Clerk will call the committees.

The committees were called.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar, Mr. TOWNSEND in the chair.

Mr. PAYNE. Mr. Chairman, I call up the bill H. R. 9541.

The motion was agreed to.

Mr. DOUGLAS. Mr. Chairman and gentlemen of the committee, it is my wish to say a few words in reference to this bill and the recommendation of the President thereon. And I desire heartily to assure the members of the committee that I do so in no partisan spirit whatever. I am sure that those who have taken the deepest interest in the welfare and progress of Porto Rico, and who know most about the progress of the island are those who have most deeply regretted the action of the house of delegates in bringing on the crisis which now confronts them and us and makes this bill necessary. It seems to me that whatever our individual views may be with reference to the future of Porto Rico or the duty of the Congress with reference to Porto Rico now or in the immediate future, there ought not to be any serious difference of opinion with reference to our action in the present crisis in that island. Whether we believe, as was said by the distinguished gentleman from Missouri [Mr. CLARK], that the time has come to erect Porto Rico into a territorial government and let her work out her own salvation, or not; whether we believe we have gone too far in giving self-government to the Porto Ricans, or not far enough; or whether we believe, as some of us do, I think, that perhaps we have gone too far in some directions and not far enough in others, I submit that it ought not to influence our views with reference to the recommendations of the President with regard to the present crisis and the bill which has been introduced by the gentleman from Pennsylvania [Mr. OLMSTED].

It seems to me that, briefly stated, the situation in Porto Rico amounts now to just this: The government there consists of a governor and two houses of congress or legislature. The upper house is known as the "legislative council," and the lower house is known as the "house of delegates." They have been unable to agree. They have adjourned without passing any appropriation bill for the carrying on of the government during the next fiscal year, and I submit that the house of delegates has assumed simply this position with regard to the legislation that it desires: It demanded that the executive council or upper house should purchase the passage of the appropriation bill by yielding their convictions regarding other parliamentary measures and bills which the house of delegates had passed.

I submit to the Members on both sides of this Chamber that it is absolutely impossible for us to assent to any such condition or to any such proposition.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. DOUGLAS. I will.

Mr. FITZGERALD. Has not the gentleman read of similar conditions in the history of England, where the Crown withheld from the people certain rights, and where the representatives of the people insisted upon and obtained such rights? Was it then claimed that representative government was a failure because the representatives of the people had insisted upon and obtained what they were contending for?

Mr. DOUGLAS. I have, of course, read of such events in the history of England and this country; but that, in my judgment, is by no means the present situation in Porto Rico. As I was saying——

Mr. SHERLEY. I would like to ask the gentleman a question. How is the upper house constituted?

Mr. DOUGLAS. How is the upper house constituted?

Mr. SHERLEY. Yes; how are the members selected?

Mr. DOUGLAS. They are appointed by the President.

Mr. SHERLEY. That is a very important fact that ought to be brought out in connection with the subject.

Mr. DOUGLAS. I thought all of the members of the committee knew it, as I am sure the gentleman from Kentucky knew it. Whatever may be the constitution of either house it is by the organic law under which Porto Rico is governed made a coordinate branch of the Porto Rican legislature. And for one house to say to the other house, "We will stop the wheels of government and substantially destroy the execution of the laws and of the courts, and the general movement of government in the island unless you agree to certain bills which we want to pass," I submit that whatever the constitution of the upper house or the lower house may be, that that sort of thing amounts to anarchy, and nothing else. It amounts to revolution, and nothing else.

While I am perfectly willing to admit, as the gentleman from New York [Mr. FITZGERALD] intimated, that revolution may be justified in cases of oppression, I submit, and shall attempt briefly to show, that there is no such oppression in Porto Rico that has called for any such revolution there.

Now, I want briefly to call the attention of the House to that part of the message of the President, which, I think, fairly discusses the differences between the legislative council and the house of delegates.

It is found on page 2 of the Senate document in which the President's message is published and is as follows:

In the last regular legislative assembly the house of delegates passed a bill dividing the island into several counties and providing county governments, a bill to establish manual-training schools, a bill for the establishment of an agricultural bank, a bill providing that vacancies in the offices of mayors and councilmen be filled by a vote of the municipal councils instead of by the governor, and a bill putting in the control of the largest taxpayers in each municipal district the selection in great part of the assessors of property.

The executive council declined to concur in these bills. It objected to the agricultural-bank bill on the ground that the revenues of the island were not sufficient to carry out the plan proposed, and to the manual training school bill because in plain violation of the Foraker Act. It objected to the change in the law concerning the appraisement of property on the ground that the law was intended to put too much power, in respect to the appraisement of property for taxation, in the hands of those having the most property to tax. The chief issue was a bill making all the judges in municipalities elective. Under previous legislation there are 26 municipal judges who are elected to office. By this bill it was proposed to increase the elective judges from 26 to 66 in number and at the same time to abolish the justices of the peace.

I want to say a word with reference to these various bills. There was one other bill, House bill 76, to which the upper chamber refused its consent, and that was a bill to legalize cockfighting and create one cockpit in each municipality, control of which should be leased to the highest bidder.

Mr. LARRINAGA. Will the gentleman yield to me?

Mr. DOUGLAS. Certainly.

Mr. LARRINAGA. This is the first time I have heard any reference whatever to any such thing.

Mr. DOUGLAS. I am sorry to hear it.

Mr. LARRINAGA. Let us have both sides.

Mr. DOUGLAS. But I can give the gentleman the newspaper containing the bill in full, which I read, and it is also contained in the report that I have seen with reference to the last session of the House.

Mr. HUMPHREYS of Mississippi. Is that one of the measures that was in controversy between the two houses?

Mr. DOUGLAS. I have understood from one gentleman that it was. Whether or not he was correct in so stating I do not know; but such a bill was passed by the legislative assembly, as I saw in the newspaper called the "Democracio," published by Mr. Munoz Rivera, the leader of the Unionist party. I saw that such a bill was passed, and I wrote to a friend in Porto Rico and got a copy, and it was so stated in the letter. If I am misinformed, I am glad of it.

Now, with reference to the other bills: The first bill referred to is a bill creating an agricultural bank. I have no disposition to discuss the merits of that bill. That question has been before the assembly of Porto Rico for years. It has been referred to again and again in the reports of the governors there. This was a bill that provided that $2,000,000 should be borrowed by the State to lend again to agriculturists at a decreased rate of interest, or a lower rate of interest than the ordinary rate prevailing in the island. Whatever may be said, whatever may be the individual opinion of the Commissioner or myself, or you, or anyone in reference to the merit of that bill, it is a bill which did not meet the approval of the executive council, and it was a bill upon which, I submit, honest and honorable legislators may well differ.

Now, with reference, in the next place, to the bill creating a training school, or industrial training schools, in the island. This was a very elaborate bill, which created a great deal of interest, and about the wisdom of which I think men might plainly differ, because it seemed to me to go further than there was any necessity for going. The organic act—the Foraker Act, as we commonly call it—provides that educational matters shall be within the direct purview of the Commissioner of Education, and that he shall approve of all expenditures for school purposes in the island. Now there are, as you know, six executive departments there, the heads of which are members of the executive council. The executive council allowed the lower house to create a seventh department, known as the "department of health, charities, and corrections," and that was, as the house of delegates desired it should be so, placed under a Porto Rican as its head. This bill under consideration provided that this new department, these new industrial schools, should be placed under the department of charities and corrections, so that it would fall within the superintendency of the Porto Rican who is at the head of that department.

Understand me, I have not the slightest objection to the advancement in every direction of the Porto Ricans to places of importance and office provided for in the development of the island. But surely the Porto Ricans have nothing to complain of in that regard. The President in his message points out—and I think he rather understates than overstates the fact—out of in the neighborhood of 3,300 offices of all sorts in the island of Porto Rico, less than 12 per cent are held by Americans, and over 88½ per cent are held by Porto Ricans.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. DOUGLAS. Yes.

Mr. HUMPHREYS of Mississippi. Since the Foraker Act has been in effect have any Porto Ricans been appointed to any of the departments of the government of Porto Rico?

Mr. DOUGLAS. The Porto Rican of whom I have just spoken and whose name I have forgotten—the Commissioner no doubt could tell us—is at the head of this department of health, charities, and corrections.

Mr. LARRINAGA. Will the gentleman permit me to explain that point?

Mr. DOUGLAS. I would rather have the gentleman do it in his own time.

Mr. HUMPHREYS of Mississippi. That is the only one, is it not?

Mr. DOUGLAS. Yes.

Mr. HUMPHREYS of Mississippi. Under the Foraker Act five of this executive council must be Porto Ricans?

Mr. DOUGLAS. Yes.

Mr. HUMPHREYS of Mississippi. Ever since we have been in the island the men who compose that executive council, the executive officers, the heads of the departments, have been Americans, have they not?

Mr. DOUGLAS. I believe that is true. Whether it has been universally true or not I do not recall.

Mr. HUMPHREYS of Mississippi. Does not the gentleman think that Porto Ricans are entitled to have a little more say in the administration of their affairs than that?

Mr. DOUGLAS. I do, Mr. Chairman; and in a speech that I made to a rather depleted committee at the last session of Congress I said so. I felt so very heartily. As I say, we have progressed too fast along some lines, and not fast enough along others. Now, then, with reference to this matter, the essential trouble with the proposition—with the bill; House bill No. 36—the especial defects of the bill and the reason why it was opposed by the legislative council was because it was a plain violation of the organic act; so that even if men might, as they certainly might, fairly differ with reference to the merits of the bill, there could be no substantial difference that it was the duty of the legislative council to decline to concur in a bill which was substantially an abrogation of one of the most important parts of the organic act.

In the next place, Mr. Chairman, the bill relating to the appraisement of property for taxation is one of the points at issue. This was one of the bills about which the two houses both radically differed. Under the present law the property of Porto Rico is appraised for taxation by a group of men or a committee from the treasury department, made up of both Americans and Porto Ricans, having no object but to bring about a fair appraisement of the property, real and personal, for taxation. The bill about which the two houses differed, and which was passed by the house of delegates, was this: It provided for a board of 5 men in each municipality for the appraisement of property for taxation; to be made up, first, of the president of the local council; second, of the tax collector of the municipality; and then the other three, a majority of the appraisers, were to be selected by lot from the names of the 20 largest taxpayers in the municipality. I submit, Mr. Chairman, that to create a board in Porto Rico a majority of which is drawn by lot from the very men whose property is to be taxed is simply to insure beforehand an unjust, or more than likely to insure an unjust, appraisement of property.

In the next place and finally, the act about which the houses especially differed was the one with reference to the appointment of the municipal judges and the abolition of justices of the peace. I want to call the attention of the committee to the fact that the President in his message demonstrates clearly that this was the act about which the greatest difference existed, and that perhaps if this had been conceded by the executive council the appropriation bills would have been passed. The President in his message, if you will remember, goes on to say that when this committee of the house of delegates called upon him he proposed to them that if they would pass the appropriation bills he would send a man, or, as he expresses it, "a representative of the Government" of the United States to Porto Rico to carefully inquire into this legislation and to try to bring about harmony.

ADJOURNMENT OVER DECORATION DAY.

Mr. PAYNE. Mr. Chairman, I will ask the gentleman from Ohio if he will permit an interruption for a moment?

Mr. DOUGLAS. Yes.

Mr. PAYNE. Mr. Chairman, I am going to ask unanimous consent that the committee rise informally in order that I may make a request of the House that when it adjourns to-day it adjourn to meet to-morrow at 12 o'clock; and that when it adjourns to-morrow it adjourn to meet on Tuesday next, so that we will have a chance to get over Decoration Day without a meeting of the House. I do not think there would be any objection to that on either side of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MACON. Mr. Chairman, the gentleman has not taken anybody into his confidence as to why he wants to do this.

Mr. PAYNE. Mr. Chairman, I stated what I supposed showed the reason. My intention was to ask that when the House adjourns to-day it adjourn to meet to-morrow at 12 o'clock, in order that we may adjourn to-morrow until Tuesday, running over Decoration Day, which is next Monday. Of course unless we do meet to-morrow, we can not adjourn over, except to Monday, because that would be beyond the three-day limit, under the Constitution. That is the reason for the request, made for the accommodation of Members on both sides of the House.

Mr. MACON. Mr. Chairman, that explanation is entirely satisfactory, but I wanted the gentleman to take us on this side of the House into his confidence, so that we might understand why it was necessary to change the time for the convening of the House.

The CHAIRMAN. Is there objection?

There was no objection.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9541, and had come to no resolution thereon.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 12 o'clock, and that to-morrow when the House adjourns it adjourn to meet on Tuesday next at 12 o'clock. I think I have stated the purpose so that all Members understand.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. TOWNSEND in the chair.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. DOUGLAS. Mr. Chairman, I was saying at the time of the interruption that the President had made the proposition, which I have stated, to the committee from the house of delegates, and which he has also set forth in his message. The reply of the delegates to that suggestion indicates what the real crux of the situation actually was. They answered in effect that if in the proclamation—that is, the proclamation calling for an extraordinary session for the passage of the appropriation bills—the judicial and municipal reforms would be mentioned; and if the executive council would agree that the present justices of the peace be abolished and municipal judges created in every municipality, and that vacancies occurring in mayorships and judgeships be filled by municipal councils as provided by this so-called "municipal bill" passed by the house at the last session, then the commissioners believed that the appropriation bills would be passed in the house as introduced in the council without delay.

In other words, Mr. Chairman, the proposition was fairly made that if this bill abolishing the justices of the peace and creating municipal judges in every municipality, to be elected by the local council, were passed, then they would pass the appropriation bills. Now, I want to say a word or two with reference to that proposition. I can not discuss it at any length, because I doubt if the House would care to listen to any lengthy argument concerning it.

I do believe, and I think that anyone will agree with me who has carefully studied the situation in Porto Rico both before and since our occupation, the very greatest reform, the most wholesome thing, next, perhaps, to the large increase in education which has been accomplished, has been the purification of the administration of justice by the local courts in Porto Rico. It is impossible for us, I think, to conceive, unless we have given the matter some careful consideration, either concerning Porto Rico or some country of like character, how low the local administration of justice may fall and how it may paralyze local business and the local relations of the people. The truth about it is that prior to our occupation and for a time since, as has been pointed out by men as friendly and loyal to Porto Rico as a whole as any men can possibly be, the administration of justice was a matter purely of personal favoritism, of bribery, and of political influence. That is the literal truth with regard to the matter; and this law which was attempted to be forced, as a political measure purely, upon the executive council, meant simply a return to those conditions. Now, Mr. Chairman, I dislike to say so much. I have, indeed, the very warmest and most cordial feeling for the island of Porto Rico and the greatest faith in its progress, materially, intellectually, and politically; but such I believe to be the literal truth; and the object of this measure was to destroy the system now in force in the island, which is admittedly giving satisfaction to the people of the island, and to substitute for it 66 municipal judges, many of them in small municipalities where they do not need a judge at all, and to add to each judge a marshal and a secretary, and to make those positions spoils of political office. I submit, as was said on the floor of the municipal council by one of the members, that this surely means a return to conditions which had been found intolerable and which no one really having the interests of the island at heart desires to see reestablished.

Now, that is the measure for which the legislative assembly distinctly undertakes to barter the whole question of passing the appropriation bill. They simply say, If you will throw these 3 times 66 officers into our hands for distribution by us, we will pass this bill. I submit, without regard to partisan feeling in the matter, that it was a question about which honest men certainly might differ, and that the executive council was justified, and more than justified, in saying, "We can not purchase even the passage of the appropriation bill by the rehabilitation of that old system in the island."

Now, gentlemen of the committee, I have said substantially all that I care to say on this subject. I submit that the principle for which the house of delegates contended was absolutely inadmissible—that they should go to the President or go to the executive council or go to the governor of the island and treat with him for the passage of the appropriation bill upon the condition that a coordinate branch of the legislature should yield its convictions and agree to certain measures to which it was conscientiously opposed. In answer, now, to the gentleman from New York [Mr. FITZGERALD], I am perfectly willing to admit, and, indeed, any Anglo-Saxon can not but admit, that the right to refuse supplies is inherent to meet oppression. That doctrine no one in America who has read the history of his own or mother country can for a moment deny; but the whole question, then, is, Have we oppressed the Porto Rican people? It is folly for anybody who knows a scintilla about the true conditions in Porto Rico to pretend that we have oppressed that people. It is true, as the President in his message has said, that Porto Rico has been "a favorite child of the United States." Free trade with Porto Rico costs us $15,000,000 a year. They have an abundant measure of self-government. What is self-government?

I defy any man to adequately define it in any way that will not include Porto Rico within the definition. They substantially govern themselves in every essential respect. More than that: What State in the Union expends through its own legislature any taxes raised from the people of that State for customs duties and internal revenue? Not one. And yet the legislature of Porto Rico to-day expends the whole of the revenues of the island, derived not only from local taxation, which is not one-half of the total revenues of the island, but also expends more than one-half of the total revenue derived purely from United States taxes, internal revenue, and customs duties. Where is there another part of this whole domain of ours that has any such privilege? The gentleman himself, the distinguished Commissioner from Porto Rico, paid as high a tribute to the material prosperity that has followed the flag into Porto Rico as I can pay when he declared that every particle of the farming land and real estate of Porto Rico to-day is worth three times what it was when we took possession of that island. There can be no doubt about the material prosperity of Porto Rico in every direction. The balance of trade, which was nearly $12,000,000 against them, has been changed into a balance last year of nearly three and a quarter millions of dollars in their favor.

I am perfectly willing to admit that there are things dearer to men than prosperity; but I do believe that any careful consideration of the present condition of things in Porto Rico will bear out the statement of the President that they have a substantial measure of self-government. In certain directions I believe this self-government might be increased; in others I believe it ought to be diminished. In view of the fact that the house of delegates, without just cause, has tied up, or proposes to tie up, the government of Porto Rico, under circumstances such as I have detailed, we in this House ought to pass this bill without serious opposition. No one is more solicitous to gain the approval and good will of the people of that island than the half dozen young Americans who are there in charge of the executive departments and who work disinterestedly and intelligently for the good of the island.

In conclusion, let me urge that, without regard to partisan feeling, we unite in passing this bill so earnestly recommended by the President, which will provide for carrying on the government of Porto Rico whenever for any reason new appropriations are not made.

It certainly will have a bad effect in Porto Rico if the political leaders there are encouraged by our vote to think that we are a House divided against itself so far as Porto Rico is concerned. Their political leaders, misguided as I believe them to be, should receive no support in this House for the course they have pursued and the unfortunate crisis which they have created. Feeling, therefore, as I do, most cordially anxious for the promotion of the prosperity and political rights of the people of that island, I very sincerely hope that the vote of this House upon this measure will not be divided by the center isle. [Applause.]

Mr. GARRETT. Mr. Chairman, I am perfectly well aware of the fact that a very grave and delicate situation—aye, a

very embarrassing situation—exists in the island of Porto Rico, but I shall see that situation cured by the passage of this bill in its present form with very great regret.

The gentleman from Ohio [Mr. DOUGLAS], who has just concluded his able remarks upon this question, appealed, it seemed to me, that there should be no word spoken against this measure, because of the bad effect that it might have in Porto Rico. Mr. Chairman, I do not know how much force there may be in the suggestion which the gentleman from Ohio offered in that respect, but I feel that as a Representative, charged with the duty of a Representative, I ought to express my honest opinion upon this question.

The Foraker Act is to Porto Rico what the Constitution of the United States is to the United States. It is the organic, the fundamental, law of the island. Under the terms of that fundamental law the legislative power of the island is vested in two bodies—the executive council and the house of delegates. The executive council consists of 11 members, all of whom are appointed by the President of the United States, by and with the consent of the Senate. At least 5 of these, under the terms of the act, must be natives of Porto Rico. The house of delegates consists of 35 members, elected by the people of the island, and to these two bodies is delegated all the legislative authority of the island, subject, however, to the power of repeal, reserved to the Congress of the United States by the Foraker Act.

Under the constitution granted by the Spanish Crown to Porto Rico in 1897 the majority of the executive council, or the body which corresponds to what is now the executive council, were required to be elected by the people of Porto Rico. It is true that there are subjects now within the jurisdiction of the legislature of Porto Rico under the Foraker Act that were not within the jurisdiction of the Porto Rican legislature under the constitution of 1897 granted by Spain, but within the limits of the powers that were delegated the assembly as constituted under the constitution granted by the Crown of Spain was more supreme, was more in the hands of the people of Porto Rico, than it is under the Foraker Act.

Mr. DOUGLAS. Will the gentleman from Tennessee yield for a question upon that point?

Mr. GARRETT. Certainly.

Mr. DOUGLAS. I want to call his attention, if he will permit me, to this paragraph in the remarks I made to the committee on the 16th of January in reference to the decree of November 25, 1897:

> Under this decree of November 25, 1897, the governor-general represented not the people of Porto Rico, but the King of Spain. He had power to appoint all of the officers of the insular government. He had the power to pardon or reprieve criminals. He had the right to promulgate or to suspend the laws. In the name of the King he could call or prorogue a session of the insular legislature. He had power to suspend, if in his opinion public order required it, certain essential guaranties relating to personal liberty, and in effect to declare martial law. And to enforce all this authority, he was made commander in chief of all the land and naval forces of the island. It is idle to pretend that such powers as these are consistent with any reasonable degree of local autonomy or of political liberty.

Does the gentleman from Tennessee find anything amiss or contrary to the facts in this statement?

Mr. GARRETT. Oh, I have stated, Mr. Chairman, that greater powers are conferred under the Foraker Act—that is, a wider range of subjects; but the suggestion I offered was that under the Spanish constitution of 1897 the people had more power over such subjects as were conferred, because the majority of the executive council were elected as well as all the house of delegates.

Mr. LARRINAGA. Will the gentleman permit?

Mr. GARRETT. Certainly.

Mr. LARRINAGA. Not only that, but the gentleman from Ohio [Mr. DOUGLAS] may read article 44, which says:

> ART. 44. No executive order of the governor-general, acting as representative and chief of the colony, shall take effect unless countersigned by a secretary of the cabinet, who by this act alone shall make himself responsible for the same

Mr. DOUGLAS. Will the gentleman yield?

Mr. GARRETT. I will yield.

Mr. DOUGLAS. Referring again to my remarks on that day, I will read in reference to the constitution of the Porto Rican legislature, to which the gentleman from Tennessee (Mr. GARRETT) refers, what I then said on this subject:

> The upper house of the so-called "parliament" was composed of 15 members, who must each be the owner of real estate yielding an annual revenue of 4,000 pesos, or Spanish dollars; and of those 15 rich landowners, 7 were to be appointed by the governor-general. The lower house was composed of 1 representative for each 2,500 inhabitants. Moreover, this insular parliament was not permitted to make any appropriations of money for purely insular purposes until what was called the "state budget" was provided for—such as the army and navy, the church (which in 1897 enjoyed a revenue of $235,000 from the insular treasury), post-offices, coast defenses, quarantine lighthouses, etc. The duty on goods and products passing from Porto Rico to Spain and from Spain to Porto Rico was to be fixed by agreement between the island and the mother country.

Now, does the gentleman think that this statement was incorrect, and if correct, does he still maintain that this legislature was more representative or free than at present?

Mr. GARRETT. I will let it go at that. I do not propose to argue or undertake to compare the general conditions in Porto Rico now with what they were during Spanish occupation. I do not subscribe to the sentiment that I sometimes hear, that Porto Rico is in a worse condition than it was while Spain held it. I know that many make that assertion, but I doubt if it is true. I do not believe it is true, but there are those who believe it is. What I was stating as to Porto Rican parliamentary powers was merely a little statement of history. I do not want to go into any further controversy about that, because it is wholly immaterial in this discussion. For the past several years the house of delegates in Porto Rico, elected by the people, responding to the wishes of those who elected them, have been seeking to obtain certain legislation. The executive council has uniformly refused this legislation. I do not mean that all the legislation that they demanded this last session has been demanded for several years, but some of the acts have been. It was persistently refused by the executive council, composed of six Americans and five Porto Ricans. At length the situation became such that the members of the house of delegates who have been elected again and again by the people, anxious to respond to the wishes of those who elected them, representing the sentiments of their constituents, determined to take the only course that was left, and that course was the course which has been taken by English-speaking peoples for a thousand years. "The power over the purse" has been the mainstay of English liberty for a thousand years. So this house of delegates refused to pass the annual appropriation bill unless the executive council would concur in some other legislation.

Mr. HARDY. Can the gentleman give, right in this part of his remarks, the vote by which the assembly adopted or took the stand that it has, whether it was unanimous?

Mr. GARRETT. It was a unanimous vote of the house of delegates; and it is my information that some of the members—two or more of the native members—of the executive council stood with them on a part of the legislation they desired.

Mr. SCOTT. Does the gentleman not think it ought to be stated in this connection that all of the members of the house of delegates belong to the same political party, as an explanation of the unanimity of the vote?

Mr. GARRETT. That is my understanding. I understand that Porto Rico is as solid politically in the house of delegates as Kansas is in this House. [Laughter.]

Mr. HUMPHREYS of Mississippi. Will the gentleman permit me to ask him a question for information?

Mr. GARRETT. Certainly.

Mr. HUMPHREYS of Mississippi. How are the delegates to the legislature chosen?

Mr. GARRETT. By popular vote.

Mr. HUMPHREYS of Mississippi. By popular vote of the island or by districts?

Mr. GARRETT. By districts. There are seven districts; five representatives from each district.

Now, Mr. Chairman, I think it is pitiful that affairs have reached the point where the drastic action proposed in this bill is thought to be necessary.

I think it marks a distinctively backward step in the colonial policy of the Republic. I think it is painful that a power once extended to a people should be withdrawn from that people. I am not willing, until, at least, I know more than I have been able to learn about the conditions, to take that practically revolutionary step, and allow this modification, this limitation, upon the power of the chosen representatives of the people of Porto Rico over the expenditures. This bill simply provides that if hereafter the legislature fails to pass an appropriation, then it shall be deemed to be passed in amount equal to that last appropriated. It almost destroys the power of the house of delegates over appropriations.

Mr. SCOTT. Can the gentleman state what his alternative would be?

Mr. GARRETT. I will say this to the gentleman: I think I should be willing, if this bill were amended so as to provide that the majority of the executive council should be elected by the people of Porto Rico, to let this proposed condition as to appropriations go in. Failing that, my next alternative would be to refuse to pass the bill, let the governor call an extra session of the legislature, and let the executive council make some concessions. I do not think the house of delegates has done all the wrong and do not think it should have to do all the yielding.

Mr. SCOTT. Well, in the event that the executive council could not be made to yield any concessions, and the Congress of the United States had in the meantime adjourned, the condition which would remain would, of course, be that the government of Porto Rico would fall to pieces for lack of financial support. What position would the gentleman take in that situation, which is, I think, more than remotely possible?

Mr. GARRETT. I will say if this Congress were to adjourn without taking action, that the executive council would find its way clear to make some concessions. That would be my judgment about it. I would risk that as one guess, anyway.

Mr. SCOTT. If the gentleman will pardon one more question: Is the gentleman willing to say that if he were a member of the executive council of Porto Rico he would be willing to pass all of the bills, the failure to pass which has been alleged as the reason of the action of the house of delegates in this matter?

Mr. GARRETT. Well, Mr. Chairman, I will say this. I do not know about that manual training school bill which is said to be in conflict with the Foraker Act—in just what respect I have not been able to determine, because I have not had an opportunity of examining the bill in its entirety. If it is in conflict with the Foraker Act, I take it that the courts would hold it to be unconstitutional anyway, but if it is in conflict, of course that ought not to pass. Outside of that, however, I believe that the other propositions they asked for are entirely reasonable and easily defensible, and I think the purpose of that act was good, but can not say as to its constitutionality.

Mr. HARDY. Will the gentleman yield right there?

Mr. GARRETT. Yes.

Mr. HARDY. If it is in conflict with the Foraker Act, the fundamental law of the island, should the passage of that conflicting law even stand in the way of an arrangement or an adjustment by the executive council with the legislative body, because the courts would hold that to be void and its passage should not be considered of such importance by that council?

Mr. GARRETT. I think that is true, and as a governmental proposition I think it would be better to take that chance even than to strike this fundamental blow at the power of the people of Porto Rico over the purse of Porto Rico.

Mr. SCOTT. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. SCOTT. Would the gentleman be willing to support that proposition in relation to selecting the board of appraisers or assessors, which provides that the selection shall be made, as I understand it, from among twenty of the largest taxpayers in the district?

Mr. DOUGLAS. By lot.

Mr. GARRETT. Let me ask the gentleman from Kansas, Who is better qualified and who has a better right to assess taxes than the men who are going to pay the taxes?

Mr. SCOTT. Under Anglo-Saxon conditions such as prevail in the United States, there is of course but one reply to the gentleman's question, but if he were familiar with the conditions that exist in every Spanish-speaking country that I know anything about, he would hardly ask that question, because he would realize that the levy of the assessment by the men who own the largest amount of property would mean that the poor would pay the taxes and the rich would escape.

Mr. LARRINAGA. Will the gentleman allow me right there to explain to the gentleman from Kansas?

Mr. GARRETT. Certainly.

Mr. LARRINAGA. The bill was intended to substitute the present appraisers of the property for municipal boards, to be appointed by the treasurer of Porto Rico and by the taxpayers. So it was very little participation asked in behalf of the people who furnish the money, but leaving yet in the hands of that master of our purse, the treasurer of Porto Rico, the appointment. The fact is, Mr. Chairman, that those gentlemen will not yield to any of the bills whatever, because it has been their rule not to do it.

They never wanted to compromise either on the training-school bill, that they say is in conflict with the Foraker Act, or any other. They think that the minute they yield the least little bit of right or consideration or personal respect to one of the other members, the whole structure of the colonial system in Porto Rico will crumble down to dust. That is their feeling, and that is the cause that blinds them as to accepting anything, no matter how reasonable it is. Gentlemen here may see that we are reasonable in this or that, but they will always fail to see it.

Mr. GARRETT. Now, Mr. Chairman, I understand that that appraisement system is the old system which they had. I understand that about half the tax assessors down there now are young men from the United States who are given positions down there, who know practically nothing, however bright and intelligent they may be, about property conditions in Porto Rico; and I strongly suspect that those people have some good reason for desiring a change from the present system of assessment. But, Mr. Chairman, the President's message practically states, and, as I understand it from every source, it is conceded, that the main thing in the way of agreement between delegates and council was the matter of the judges; and I understand it is practically conceded that if the executive council would have agreed to the substitution of municipal judges in place of justices of the peace, and made them all elective, as 26 municipal judges are now, the difficulty would have been settled and the appropriation bills would have been passed. Now, I want to talk just a moment about that judgeship matter.

There are four classes of courts in Porto Rico—justices of the peace, municipal judges—and I am not speaking now of the mayors of the towns—the district court and the supreme court. There are 40 justices of the peace who are appointed by the governor, perhaps by and with the consent of the executive council—I don't remember just how that is. There are 26 municipal judges elected by the people. The other places are appointive. Now, the only court at which the house of delegates struck was the lowest court of the island.

Mr. DOUGLAS. Will the gentleman yield?

Mr. GARRETT. In a moment. The only judges that they asked the right to elect were the very lowest grade of judges. They elect already 26 municipal judges. Why, if they are competent to elect that grade of judge, are they not competent to elect the lower grade of justices of the peace?

Mr. DOUGLAS. Will the gentleman deny that the lower house struck at the United States district court?

Mr. GARRETT. I think it did, but——

Mr. DOUGLAS. I think the gentleman stated that it did not. In other words, they undertook to reduce 90 per cent of the salary of every person connected with the district court of the United States.

Mr. GARRETT. Yes. They have some prejudice down there against the federal court. That is true, but subsequently they withdrew that. They did not insist on that as the condition precedent to the passing of the appropriation bills. They did file a protest about that matter, but they withdrew that.

Mr. DOUGLAS. I beg the gentleman's pardon. They actually passed the bill and struck off the last figure from every salary, making $1,800 one hundred and eighty dollars and $1,000 one hundred dollars, etc.

Mr. GARRETT. I understand, but they did not make the acceptance of that by the executive council a condition precedent to the passing of the appropriation bills.

Mr. DOUGLAS. It is difficult to tell just what they did make the condition precedent.

Mr. SCOTT. Will the gentleman yield?

Mr. GARRETT. I yield to the gentleman from Kansas.

Mr. SCOTT. I think without any qualification the last statement of the gentleman from Tennessee [Mr. GARRETT] may bear a wrong interpretation. It is true that the bill to which allusion has been made was not insisted upon as the condition precedent to the passage of the budget, but that was for the reason that in the consultation which was held between the members of the council and the members of the house and the governor certain bills were selected which the two Houses agreed would be considered. The executive council refused absolutely to give any consideration to this bill, and for that reason it was not included in the list.

Mr. GARRETT. I thank the gentleman for that statement, and just on that I want to say that I believe—though I have not given consideration to it—that the federal court down there ought to be sustained by this Government anyway. I do not believe Porto Rico ought to have to sustain that federal court. Tennessee does not sustain out of her revenues the federal judges and the federal courts existing there.

Mr. HILL. But Tennessee does not draw the customs duties and internal revenues that Porto Rico does.

Mr. GARRETT. That is true.

Mr. LARRINAGA rose.

Mr. GARRETT. I yield to the gentleman from Porto Rico.

Mr. LARRINAGA. Mr. Chairman, I will say to the gentleman from Connecticut [Mr. HILL] in all kindness, that we will be very willing to yield all of those revenues and many more in order that we may obtain some of the rights that the State of Tennessee enjoys to-day. [Applause.] Mr. Chairman, some time ago, in the last legislature, I was musing upon the course of my country when I heard a young man on the other side of this Chamber shout "we would rather have liberty without prosperity than prosperity without liberty." My heart bounded, Mr. Chairman. I looked and saw it was a young man from Missouri, and I then thanked God Almighty that my grandchil-

dren hail from the State of Missouri from which that gentleman comes. Mr. Chairman, what the gentleman from Ohio [Mr. DOUGLAS] was saying about the reducing of 90 per cent of the salaries, does not amount to anything.

In the first place, it does not touch the judge or the marshal or any other of the employees which, by the Foraker Act, have their salaries fixed by the Government here. It only affected the petty clerks, and then even that was entirely withdrawn, and the council confess it, and it has no bearing on this argument at all. We pay the federal court, it is true. We are willing to pay, because we have some other advantages financially; but if I was to go into that perhaps I would take too much of the time of the gentleman from Tennessee [Mr. GARRETT]. But, I repeat, give us some of the rights of the State of Tennessee and you will hear in Washington the hurrah coming from Porto Rico to bless you gentlemen, and you may take all of the revenues.

Mr. GARRETT. Mr. Chairman, I think it is well enough for us simply to bear in mind that we are not dealing with infants. From such information as I have been able to obtain, I am going to venture the assertion that the Porto Rican house of delegates, consisting of thirty-five members, or thirty-four now, one having died since his election, will compare favorably with the legislature of any State in the Union.

They stand representing a constituency whose wishes they respect, and they have had the courage to take the only recourse left, to use the only weapon they had to try to bring about that which the people desired, and that which the people did desire appeals very strongly to my reason and my sense of justice. It is true, of course, that much favor has been shown to Porto Rico by the United States. It is true that when the storm swept the island and destroyed the coffee plantations we spent something like $200,000 there. It is equally true that last year, when Messina was destroyed, we spent money there. It is true that some fifteen millions of trade has gone to Porto Rico from this country, but is the seller the only man who is benefited? The mistake which gentlemen make is to assume that in a trade the man who sells is the only man who is benefited. If they have sold to us we have bought from them what we wanted, and the transaction certainly is equal, and we do not owe it to them to destroy the power over the purse simply because in the past we have bought from them some fifteen millions of dollars' worth of stuff that we wanted.

Now, Mr. Chairman, I do not really know that I care to say anything further upon the matter, except——

Mr. CANDLER. Mr. Chairman, I desire to ask the gentleman this question as a matter of information. You spoke about the right of the governor of Porto Rico to reconvene the house of delegates and this executive council. What power does he possess? I ask this for information. Has he the power of veto or the power to control in any respect beyond the power of appointing some officers?

Mr. GARRETT. He appoints justices of the peace down there.

Mr. CANDLER. Is that the extent of his jurisdiction?

Mr. GARRETT. No; he appoints many officers. Of course he has no power over initiating legislation. He has veto power. Of course he has the power to call the legislature in session.

Mr. CANDLER. He recommends legislation in his messages and then he has the right to veto legislation after it passes.

Mr. GARRETT. Yes, sir; he did call the legislature in this case; he called a special session of the legislature, which remained in session three days and then adjourned without taking any action because of the condition there—the failure of the executive council to yield. That, I repeat, Mr. Chairman, is substantially all I have to say upon the matter.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I desire to ask the gentleman for some information before he takes his seat: Is there a property qualification there for exercising the right of suffrage?

Mr. GARRETT. None now.

Mr. HUMPHREYS of Mississippi. The gentleman from Kansas suggested that under the law proposed by the legislative council the rich would require the poor people to pay all the taxes. Have the poor people the right to vote in the matter of officers and members of the legislative council, and if that be true, does not that answer the suggestion of the gentleman?

Mr. GARRETT. I think so. The suggestion of the gentleman from Kansas was, they were going to create 5 members of the board of appraisers, 3 of whom would be drawn by lot from 20 of their highest taxpayers, and the suggestion of the gentleman from Kansas was, that being the case, those largest property owners would relieve themselves of taxation and impose it on the poorer people. Now, I apprehend that, having the right of suffrage, the poor people are competent to take care of that.

Mr. HUMPHREYS of Mississippi. I suppose it is also true that the poor people of Porto Rico are in a majority. [Laughter.]

Mr. GARRETT. Well, I should not be surprised if that were true.

Mr. GREGG. May I ask the gentleman a question?

Mr. GARRETT. Yes.

Mr. GREGG. Is there a law requiring uniformity of taxation; could they discriminate?

Mr. GARRETT. I am not thoroughly familiar with the taxing law——

Mr. GREGG. In other words, could the tax board discriminate on the property to be taxed, or does the law require uniformity of taxation?

Mr. GARRETT. I am not familiar with the details of their tax statute. I am hardly familiar with the details of the tax laws of my own State, but I understand there is an act which is supposed to bring about uniformity of taxation in so far as the law possibly can.

Mr. GREGG. They could not put taxes upon one character of property and not upon all property?

Mr. GARRETT. Not under the law, not at all; that would be in plain violation of the Foraker Act itself.

Mr. LARRINAGA. The gentleman is right. The taxation was to be uniform, and we wanted to give a kind of a protection. We appointed the men to take charge of the vote. It was left to the treasurer, and the treasurer was to bring that about. Now, I will tell the gentleman from Tennessee, in connection with that, and in connection with the protection of the poor man, after the cyclone a bill was passed in the lower house condoning all the taxes of the small farmers who could not pay, and the executive council refused, and instead of trying to help the poor people, the treasurer of Porto Rico has been year after year selling at public auction all those little farms for four or five or six dollars of taxes, and wealthy men are gathering in all that property and destroying one of the best features of Porto Rico, which is division of property.

Mr. GARRETT. If the committee will pardon me just a moment. I want to add this to what I have said. I want to invite the attention of gentlemen to the specific language in the bill offered by the gentleman from Pennsylvania [Mr. OLMSTED]. It is very broad and sweeping in its terms. It is very near the language of the Hawaiian and Philippine laws, but there is quite a distinction as to them. They have never had the power in respect to appropriations that the Porto Ricans have enjoyed to some extent under Spain and to a large extent under us. Under this amendment here, suppose the legislature should make a wildly extravagant appropriation one year, and the next year fail to make any, it still leaves it within the power of the governor to utilize the same extravagant appropriation. Or suppose in the judgment of the house of delegates in the future the appropriation for some specific work should be stopped, I submit that under the terms of this bill it can not be stopped unless the governor and council decide that the appropriation is not necessary to maintain the government.

It vests wide and sweeping power in the governor. This bill will simply reduce the house of delegates to a nonentity, and so far as its future is concerned it might as well disband. It practically lodges all legislative power in the council.

Now, this other thing, and I am going to quit. I have no doubt this bill will pass this body, but what will happen to it in the other end of the Capitol I do not know.

Mr. HILL. Will the gentleman kindly state to the House what the qualifications are for suffrage in Porto Rico?

Mr. GARRETT. They have to be 21 years of age.

Mr. HILL. And do they have to know how to read or write?

Mr. GARRETT. No; I do not think so.

Mr. HILL. Everybody has the right to vote, practically, that is 21 years of age?

Mr. GARRETT. That is my understanding.

Mr. HILL. I would like to ask the Delegate from Porto Rico if that is correct?

Mr. LARRINAGA. Yes, sir.

Mr. HILL. And yet you ask for the same form that we have in Tennessee.

Mr. GARRETT. And in Connecticut.

Mr. HILL. And in Connecticut they are required to read and write, and read intelligently, and have a residence there.

Mr. DOUGLAS. Will the gentleman from Tennessee [Mr. GARRETT] yield?

Mr. GARRETT. I will.

Mr. DOUGLAS. I was simply going to say that certainly the gentleman from Tennessee would admit a very marked difference between the illiteracy in Tennessee and in Porto Rico if he knew anything about the conditions.

Mr. GARRETT. I have no doubt that is true, I will say to the gentleman; but I will tell you that we make a mistake, gentlemen, in talking about this matter of self-government.

Mr. DOUGLAS. No doubt about it.

Mr. GARRETT. Every tribe in Africa governs itself in some way. Porto Rico never will, so long as the Spanish blood preponderates there, govern itself like we govern ourselves, but she can govern herself satisfactorily to herself and I am in favor of letting her do it.

Mr. HILL. You would give them absolute freedom for withholding appropriations for the orderly and intelligent government of Porto Rico, by their own action, if a condition precedent was that the upper house refused to ratify and transfer the allegiance of the island to Spain?

Mr. GARRETT. If the upper house refused what?

Mr. HILL. If the upper house refused to agree to an act transferring allegiance to Spain.

Mr. GARRETT. That is not pertinent.

Mr. HILL. It is as pertinent as the course now being taken.

Mr. GARRETT. The house of delegates would have no authority to pass an act transferring allegiance to Spain. I submit with all possible——

Mr. HARDY. If the gentleman will permit, from the understanding that I have of this suffrage question, at least three-fourths of the States have, and in Texas until recently we had nothing but manhood qualification for suffrage there, the same as in Porto Rico. Now, there is a poll tax to be paid, and we are starting on the line of property qualification for voting there, the wisdom of which I very much doubt. I think that the original American idea was that free manhood suffrage was the ideal of the lover of freedom. It is applied to these Spanish people; and I do not think that we ought to apply one rule to ourselves and another to some one else; for the whole history of the human race is a struggle upward from a lower condition, yet we propose to deprive these people of the opportunity to struggle upward in the field of self-government.

Mr. GARRETT. I thank the gentleman from Texas for his suggestion. I do not believe that the gentleman from Connecticut used his characteristic candor in his question.

Mr. HILL. I admit the question was an extreme question, but it is a question that might occur, and occur on all fours with what has occurred now in Porto Rico.

Mr. GARRETT. It was decided some forty years ago that the people of the States themselves could not secede; and I have acquiesced in that. I am not going to quarrel over things that are dead. Our fathers fought that out; and I am going to leave that proposition that way. [Loud applause on the Democratic side.] We have had no dealings with any question in respect to secession since, I believe, except in the case in which our Government ratified the secession of Panama from Colombia, because we were supposed to need Panama in our business. [Great laughter and applause.]

Just one word further that I desire to say. I suppose this bill will pass this body. I do not know what will happen to it in the other body. Perhaps if they do not pass it we can hold up an appropriation some time and force them to do it. [Laughter.] But at any rate, I wish to say, in all seriousness, I believe the conditions in Porto Rico testify to the necessity for a revision of this Foraker Act. I believe whatever the fate of this bill may be that at the ensuing session of Congress in honesty and in justice we ought to approach the revision of that organic law. There have never been many political differences here about Porto Rico, everybody and every party agreeing that Porto Rico ought to be ours, Porto Rico herself agreeing, and meeting our soldiers in 1898 with flowers and not with guns. It is undoubtedly true that many of the provisions of the Foraker Act are very unsatisfactory to the majority of the people there, very unsatisfactory in the judgment of men whose intelligence, whose character, and whose rights entitle them to respectful consideration. Whatever the fate of this bill may be I shall insist at the regular session that we take up the Foraker Act and proceed to see if we can not remove some of the difficulties. [Loud applause.]

Mr. OLMSTED. Mr. Chairman, we all agree with the statement of the gentleman from Tennessee, that this is not a question in which politics ought to enter or have any place in this House. We have heard from the gentlemen who have already spoken very considerable discussion in respect to the form of government now obtaining in Porto Rico, and as to that which preceded it under Spanish rule. While there is no manner of doubt that the present is vastly superior to any that ever preceded it, it is quite possible that the so-called "Foraker Act," which now bears to the people of Porto Rico much the same relative position as the Constitution of the United States does to us, needs to be revised. It is more than probable that it ought to be revised. If so, the proper time to do that will be at a regular session of Congress, when the committees have been appointed; when testimony may be heard; when both sides and all sides may be heard fully and the report of the committee presented to this House so that it may act with all the information and intelligence possible.

But on this occasion, Mr. Chairman, it is my purpose in the few minutes I shall occupy to confine my remarks as strictly as possible to the bill immediately before the House and to the necessity for its passage.

We have all read the President's message. The gentleman from Ohio [Mr. DOUGLAS] has just quoted from it as showing the demand for this proposed legislation. To state in a very brief way the occasion for this action, let me say that the Porto Rican legislature at its last regular session failed to pass the usual appropriation bills for the current and necessary expenses of the government. Its fiscal year ends on the 30th of June, the same as ours. The governor called the legislature into extra session, as he was authorized to do. I will read from the report of the governor of Porto Rico, addressed to the Secretary of the Interior here at Washington, showing exactly what occurred. In a communication dated March 17, 1909, he says:

> At 10 o'clock on Friday, the 12th, the extra session convened, and I sent in a message which permitted them to consider those bills which the council and house appeared to desire most.

I infer that that included not only appropriation bills, but other bills which were in dispute between the two houses. And he continues:

> And I also warned the legislature informally that a special session of Congress would convene on the 15th, and that they must come to some settlement before that time, otherwise congressional action would be sought. The legislature sat through Friday and Saturday, then adjourned over until Monday morning.
>
> On Sunday, the 14th, a general assembly of delegates of the Union party from all over the island was held in San Juan, which all the members of the lower house attended. Certain resolutions as to the policy of the party were adopted at this assembly, in secret session.
>
> On Monday the attitude of the house was more inflexible, and it came to the point where they actually refused to pass the appropriation bills unless the council accepted certain house measures which the council would not accept. On Monday afternoon I received a cable from Mr. Winthrop, asking me whether the extra session had passed the appropriation bill. I then verbally notified the leaders of both houses that unless the appropriation act was passed by midnight I should cable to Washington requesting congressional action.
>
> The house remained firm in its attitude, and at about 3 o'clock in the morning they were absolutely deadlocked and the leaders of both houses realized that no further action was possible, and they therefore adjourned without passing the appropriation act.

Now, Mr. Chairman, I do not propose to attempt to demonstrate that the blame for that action or lack of action rests entirely upon either branch of the Porto Rican legislature. It is not necessary for the purposes of this case for us to decide who was to blame. The object of this bill is to meet a condition, not necessarily to determine the exact cause of it. Perhaps each side has some grievances. Perhaps the Porto Rican house felt very much as this House has sometimes felt, that its rights were being trampled upon at the other end of the Capitol. We have sometimes rebelled. I have heard loud declamations on this floor as to the arbitrary action of the upper body. Sometimes we were right, perhaps, and sometimes there were reasons that we did not fully consider. Perhaps the house of delegates was entirely at fault. But whoever may have been right or whoever may have been wrong in the first instance—and I may say to-day that, on the face of the papers, the house of delegates seems to have been more in the wrong than the other body—but no matter which side was right or wrong, no matter what revision ought to be made in this Foraker Act, the fact is that we are face to face with this situation: That the general session of the Porto Rican legislature having adjourned, and the extraordinary session having adjourned, and there being no provision whatever for the payment of the necessary expenses of the insular government after June 30, 1909, it is up to Congress to do something:

The President has told us what we ought to do. There is no man living, I think, who understands the Porto Rican situation or is better prepared to advise concerning it than he, and he has suggested to us the provisions in the Philippine and the Hawaiian bills on this subject and recommended the adoption of something of that kind to cover this case and bridge over the difficulty until the Porto Rican legislature shall compose the difference between its two houses and act.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. Will he yield, Mr. Chairman?

The CHAIRMAN. Does the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. CLARK of Missouri. Has the gentleman considered the fact that they did not make appropriations as either revolutionary or demonstrating their unfitness for self-government?

Mr. OLMSTED. Mr. Chairman, that is one of the subjects that I propose to avoid discussing. Whether determined one way or the other, its determination would not affect or destroy the necessity for this bill.

Mr. CLARK of Missouri. The reason I ask the gentleman is this, that in 1874 the legislature of West Virginia got at loggerheads and adjourned without passing a single solitary appropriation bill. That cost me two or three hundred dollars. I happened to be the president of the state college down there, and they gave me warrants and I had to shave them, and that is the lesson which has been burned into my mind so that I shall never forget it. It seems to me, if it was revolutionary down there in Porto Rico to do that kind of thing, then the West Virginians were revolutionary when they did it.

Mr. DOUGLAS. The gentleman will admit, whether it is revolutionary or not, it is uncomfortable.

Mr. CLARK of Missouri. Certainly.

Mr. OLMSTED. Mr. Chairman, it is just exactly to prevent the school-teachers in Porto Rico and the judges of the courts and everybody else concerned there from having to shave Porto Rican warrants that this bill is to be passed, and I have no doubt the gentleman from Missouri will give it his cordial support for that and other reasons. As I have said, I have not felt it necessary to discuss whether their action was revolutionary or not, or to determine upon which side to lay the blame. The question we are to meet here is what ought to be done in this crisis. There is absolutely no appropriation now for the payment of the expenses of that government after June 30, 1909. Now, we have in the law which Congress passed providing for the Philippine government this provision:

And provided further, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purpose shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

That language is quoted word for word in this bill and is the provision in the bill. We do not attempt here to determine which side ought to yield. We provide that until they do come together—and this provision of law will stand only until the legislature does come together and pass an appropriation—the old appropriations which were passed by both branches and approved by the governor shall remain in force. They are to be treated as reenacted for the ensuing fiscal year unless the legislature shall act. Unless we do this there will be absolute paralysis of governmental functions down there. There are over 3,000 school-teachers there.

Mr. HUMPHREYS of Mississippi. Does the gentleman think it practicable to limit the duration of this amendment to one year?

Mr. HILL. That provision is not in the others.

Mr. HUMPHREYS of Mississippi. I understand that. But is there any serious reason why it should not be done?

Mr. OLMSTED. It could be done, but I see no serious reason why it should be done. In the Hawaiian and Philippine acts we made that a permanent provision. If they want to change the existing appropriations, they will get together and do it. If they are satisfied with them, as they are, they may omit to make appropriations. If we should make it run for one year, and then a bill revising the Foraker Act should be offered at the next session of Congress and get in controversy between the two Houses and fail of passage, we might be in the same condition a year from now that we are in to-day, and have to pass the bill over again. It seems to me that it is better to leave it just as it is in this bill. If, in the general revision of the Foraker Act, it shall be found necessary to put in some other provision, or limit the operation of such provision, that can readily be done at that time. But it seems to me that at the present time we had better put it in this form, as we have it in the Philippine act.

Mr. Chairman, there are in Porto Rico over 3,000 schools, in which there are over 100,000 pupils. They will all have to stop unless those teachers are willing to accept warrants and submit to having them shaved; and I do not see how they will even get warrants, because there is no authority of law for the drawing of warrants, unless this bill is passed. Those schools will have to stop, the courts will have to stop, the administration of justice will have to stop, and all the governmental functions in Porto Rico will have to stop. That is a condition of affairs which the people of the United States can not submit to for a moment. Further than that, we did, in the so-called "Foraker Act," make an express provision that there shall be paid out of the revenues of Porto Rico on the warrant of the auditor-general, countersigned by the governor, the salaries of the governor, of the secretary, of the attorney-general, of the treasurer, of the auditor, of the commissioner, of the commissioner of the interior, the commissioner of education, the chief justice of the supreme court, the associate justices of the supreme court, the marshal of the supreme court, the United States district judge, the United States district attorney, and the United States district marshal. They are all specified in the act of Congress.

There can be no doubt about the appropriation that must be made for them. They are declared by act of Congress. The action of the Porto Rican legislature sets the act of Congress absolutely at naught. Not only does it control the purse down there, but it takes control of the act of Congress, and their action, if permitted to stand, if no appropriation is provided for, not only will disgrace Porto Rico and financially bankrupt it, but the Government of the United States will be absolutely disgraced, because we are responsible for the conduct of affairs down there. We are not responsible for the financial affairs in the State of Tennessee or in the State of West Virginia. They may appropriate or not appropriate, as they please, but the Government of the United States is responsible for the government of Porto Rico, and when that government stops for want of funds, the Government and the people of the United States will be disgraced in the eyes of all of the nations of the world. Now, it seems to me, Mr. Chairman, that there can be no serious objection to this bill. I have heard none urged, and I shall therefore refrain from consuming further time, merely expressing the hope that the bill may be passed very soon.

I reserve the balance of my time.

Mr. MARTIN of Colorado. Mr. Chairman, if a new Member can ever be said to feel glad on such an occasion, I can say that I feel glad to be able to crack the ice a little at a time when the business of the House is in such a state of ease that the indulgence will not materially harm anybody but myself, and also, I notice, when I am unembarrassed by any larger attendance than ought properly to be here when we are merely engaged in making or amending a government for an alien people. The government of Porto Rico as it is now constituted was wound up and set going by the Congress some eight or nine years ago; I believe it was in 1900. It appears now that it has run down, and that it is proposed, through the medium of the amendment to its organic law now before the House, to furnish that government with some sort of a Keeley motor or perpetual motion attachment by means of which, like Tennyson's brook, it will run on forever. [Applause and laughter.]

When the President's special message, relating to the conditions in this island and recommending this remedy, was read to the House, I gave it very close attention, and I have since read it with considerable care, because, in common with all other Members of the House, sometime in April I had received what purported to be the brief of a commission of the house of delegates of Porto Rico, detailing their statement of the legislative difficulties existing in that island. These two statements, I think, Mr. Chairman, furnish a basis for some observations about the workings of the colonial policy of the United States in general, and in the island of Porto Rico in particular.

Before proceeding to consider the issue presented by the message and the brief, I want to note in passing the make-up of the legislative department of Porto Rico, which has been alluded to at some length by the gentleman from Tennessee [Mr. GARRETT], because I believe that in the very make-up and constitution of that body there was sown the seeds of discord and disruption which find fruitage to-day in the conditions existing in that island. The Porto Rican legislature, under the organic act, commonly known as the "Foraker Act," as has been stated, consists of an executive council, appointed by the President, and a house of delegates, selected by the people of the island. There are 11 members of this executive council, only 5 of whom must be natives of the island, and I want to call attention to the fact that only 5 of them are natives of the island. The other 6, the controlling number—the majority—being Americans, in which respect that body would appear to be inferior to the one referred to by the gentleman from Ohio [Mr. DOUGLAS] a little while ago, the council existing under the Spanish régime, which he stated consisted of 15 members, only 7 of whom should be appointed by the Crown, or by the Crown through the governor-general.

Mr. GARRETT. Will the gentleman permit? I did not catch the remark of the gentleman from Ohio, which the gentleman has just quoted. That was prior to the Spanish constitution of 1897, of which he was speaking?

Mr. MARTIN of Colorado. Yes.

Mr. GARRETT. Subsequent to the Spanish constitution of 1897, that executive council or upper house, whatever it was called, I do not remember, consisted of 35 members, 18 of whom were elected and 17 appointed.

Mr. MARTIN of Colorado. The substance of the gentleman's statement, as I remember it, was that under the Spanish rule the minority of the body only were appointed by the Crown or by the Crown through the governor-general, while now under American rule a controlling majority of the executive council are aliens or Americans. But not only that, Mr. Chairman, these six Americans fill all of the administrative offices of the island with the exception of governor, so that as a matter of fact they constitute the bulk of the government. In other words they are "it" in the island of Porto Rico. And I might ask, Mr. Chairman, what precedent does the history of popular government or representative government afford for such a governmental structure as we have created in the island of Porto Rico? Where in all the history of free institutions will a model for such a government be found? Not only is the merging of the executive and the legislative functions repugnant to every theory of free government and utterly contrary to the American system of government, but the vesting of these dual functions in the hands of aliens could not more surely result in disruption and trouble if the system had been designed to that end, and I am not surprised that trouble has grown out of it. This was the logical and inevitable result; and the very fact that it has been so long in coming to a head entitles the people of Porto Rico to the pacific and peace-loving character which has been given them by Governor Winthrop and other Americans who have been there.

It appears now that the division between the executive council and the house of delegates has become so marked that they adjourned without passing the annual appropriation bill to meet the expenses for the fiscal year beginning on July 1 next, and it is proposed by the pending amendment to the organic law of the island to indefinitely extend the operation of the existing appropriations.

The case of the house of delegates is stated in the brief and it has been ably stated upon the floor of this House by Mr. LARRINAGA, the Commissioner from the island. To show that the case of the executive council, and of the executive council only, is stated in the message of the President, I want to call attention to the closing paragraph of that message, which I shall ask leave to read in order that it may be incorporated into the RECORD. The President in his message said:

There is not the slightest evidence that there has been on the part of the governor or of any member of the executive council a disposition to usurp authority or to withhold approval of such legislation as was for the best interests of the island, or a lack of sympathy with the best aspirations of the Porto Rican people.

The President goes on to say in his message that this action of the house of delegates in Porto Rico in refusing to pass the annual appropriation bill in retaliation for the action of the executive council in refusing to pass certain reform measures favored by the house, demonstrated—and I quote from the message—

Demonstrates the willingness of the representatives of the people in the house of delegates to subvert the government in order to secure the passage of certain legislation.

No language, I take it, could be more harsh or condemnatory of those people than this language in the message, and no statement of their case by the executive council could logically be more extreme than that which we might anticipate in a message containing this language.

Furthermore, the President goes on to suggest, and it is true the suggestion is veiled in nice language, that those people are ungrateful for what the United States has done for them; that they are incompetent for self-government; that we have been overgenerous in this regard; and he intimates that in addition to the passage of this amendment it may be found necessary to revise the organic act of Porto Rico in the way of further restrictions upon the powers now supposed, at least, to be possessed by the legislature of the island.

The Commissioner from Porto Rico has said that the newspapers of this country, in commenting upon the difficulties in Porto Rico, have deluged its people with abuse, and I think myself that the language of the message and the general trend of it justify the summarization which finds expression in the headlines of a Washington daily newspaper, showing what the press of the country thinks about the attitude of the administration as reflected in the message. I read from the headlines of the Washington paper referred to, as follows:

Taft would cut voters' power in Porto Rico—President, in message to Congress, urges some change in Foraker Act—Plays assembly for derelictions.

I have noticed during this session of Congress that it has been popular to quote party platforms, and in the light of the attitude of the administration toward the people of the Porto Rican Island and their representatives, I want to quote from a political-party platform, and I want to ask how the party promises in that platform comport with the performance which it is proposed shall be given those people through the action of Congress. I read from the Republican national platform of 1908, under the head of "Colonial," as follows:

We believe that the native inhabitants of Porto Rico should at once be made, collectively, citizens of the United States, and that all others properly qualified under existing law residing in said islands should have the privilege of becoming naturalized.

Mr. DOUGLAS. Will the gentleman yield?

Mr. MARTIN of Colorado. Yes, sir.

Mr. DOUGLAS. As one who has been in favor of a certain measure of citizenship for the Porto Rican people very heartily for many years, I would like to have the gentleman point out, if he can, in what respect the amendment proposed by the gentleman from Pennsylvania [Mr. OLMSTED], or the President's message, in whole or in part, takes issue with or differs from that. The President does not in any respect or anywhere refer to the question of citizenship for Porto Rico or Porto Ricans, but appeals for the meeting of an emergency which has been brought upon the country by an act of the house of delegates.

Mr. MARTIN of Colorado. I shall not at this time notice how the amendment affects this question, but I hope to have something to say a little later, if I have sufficient time to get that far in my remarks; but with reference to the message of the President, the only construction I can place upon it is that it points in a direction opposite to full citizenship and toward a restriction of such powers as they now have, and a deprivation of the semblance of popular government that we have constructed in those islands. That is how I view that matter.

This language, "collective citizenship," may be said to be a little ambiguous. I think full citizenship means statehood; and if it does not mean that, then I want to contend that it does mean what was promised in another national platform, namely, the Democratic national platform, from which I read, under the heading of "Alaska and Porto Rico," as follows:

We demand for the people of Alaska and Porto Rico the full enjoyment of the rights and privileges of a territorial form of government, and that the officials appointed to administer the government of all our Territories and the District of Columbia should be thoroughly qualified by previous bona fide residence.

I take the pleasure at this time of incorporating into the RECORD in the consideration of this amendment for the assurance of the Porto Rican people the unqualified pledges of the two great controlling political bodies in this country, the one to give them what it calls "collective citizenship" and the other a complete territorial form of government.

Mr. SCOTT. Will the gentleman yield for a question?

Mr. MARTIN of Colorado. I will, sir.

Mr. SCOTT. The creation of a Territory implies the ultimate creation of a full-fledged State. Does the gentleman believe that Porto Rico should now, or at any time in the future, be made a State of the Union?

Mr. MARTIN of Colorado. I would like to ask the gentleman, in turn, before answering that question, to interpret the term "collective citizenship."

Mr. SCOTT. My understanding of the term as used in the Republican platform is to confer upon the people of Porto Rico all the civil rights that are enjoyed by citizens of the United States in any part of our dominion.

Mr. DOUGLAS. Residing in Porto Rico or elsewhere.

Mr. HARDY. I should like to interrupt the gentleman——

Mr. MARTIN of Colorado. The gentleman may interrupt me.

Mr. HARDY. My recollection is that in the days of the old Roman Empire, when full citizenship was conferred upon the people of some conquered nation, they had the right to participate in all questions of government that any citizen of Rome had, and the term "collective citizenship" in its large and real sense meant to give them the right of freemen.

Mr. MARTIN of Colorado. I thank the gentleman for the definition, and I will make reply to the question of the gentleman from Kansas as to whether I favor the erection of Porto Rico into a Territory at this time by saying that I most emphatically do; and that if Porto Rico, after being erected into a Territory, is denied statehood as long as some of our Territories have been denied it in the southwestern portion of this country, it ought to be fully qualified at the end of that time for admission as a State. [Laughter and applause.]

I do not want to drift away from the subject, Mr. Chairman, but I never got hold of this little pocket manual until this morning, which, I see, gives all the Republican and Democratic platforms from 1856 down to date. I happened to look at the first platform, and the first thing I saw in the first plank of the first platform adopted by the Republican party was the following language, in which the convention pledged itself to the mission—

Of restoring the action of the Federal Government to the principles of Washington and Jefferson.

Not Hamilton, the man who is now being touted by some as the model constructor of government in all time and who wanted about the same kind of government in this country that we have given the Porto Ricans.

I want to ask, Mr. Chairman, where in the teachings of Thomas Jefferson will be found any authority for the construction of such a government as we have set up in the island of Porto Rico? So I think I can say that in the discussion of this bill I am taking the position of the restoration of the action of this Government to the principles of Thomas Jefferson with reference to that territory.

There is a feature about the Porto Rican message of the President which furnishes to my mind a very striking contrast to that delivered to the Congress when this session convened. This session of Congress was called together to legislate upon a subject vital to the interests of 90,000,000 American people, and that message was universally remarked upon as being of unprecedented brevity. In some 300 words we were told to get busy and legislate on the tariff. Whether that legislation should be up, down, or sidewise, the message did not indicate. Ninety million of American people and Congress waited, and waited in vain, for the single word that would indicate the direction our activities ought to take. Then came a message dealing with a million people of an island in the Atlantic Ocean and their squabbles, filling three columns of a newspaper, finely printed; and it was not lacking in point. In fact, it was very pointed, and the President indicated that he possessed both the words and the force wherewith to express himself with reference to the condition, as to what was to blame, who was to blame, and what ought to be done about it. In a message of 300 words Congress was turned adrift on the high seas of tariff legislation without mariner or compass, where we are still drifting, while more than 3000 words, and very strong and decided words, were employed to point the way of Porto Rico's little craft into the harbor of carpetbag government. [Laughter and loud applause.]

And that is not all, Mr. Chairman, about this situation, and it is not the worst of it, in my judgment. There are four bills now pending before Congress, two of them dealing with our domestic concerns and two of them with our colonial possessions. I say it is a waste of time for Congress to neglect the vast interests of the American people to make and amend governments for people about whom we know little or nothing, about whom we care little or nothing, and with whom we have little or nothing in common. They take up the time of Congress, and the very discussions that have occurred here to-day indicate how little fitted we are to consider the merits of the controversy now before us.

Mr. Chairman, it was said by that great apostle of human liberty, whose mantle has since covered so many of the sins of his party, that no man is good enough to govern another man without that other man's consent; and it is attributed to Jefferson that he refused to write the constitution of another people because he was not qualified to do so. Even if a Member of Congress were good enough to legislate for and govern Porto Rico, I submit that the measures over which its legislative bodies are at loggerheads indicate that he is not wise enough, and the slightest reflection should serve to satisfy him that he never will be wise enough. However, I do not care to moralize about colonialism at this time. I simply want to direct attention to the aspects of this situation that appeal to me as reasons why Congress ought to go very slow in acting upon the recommendations of the President, unless there shall be coupled with this action some action holding out a hope or promise to the people of Porto Rico that that situation down there is not only going to be remedied, but remedied for their benefit instead of the benefit of a carpetbag government.

Mr. OLMSTED. Will the gentleman yield for a question?

Mr. MARTIN of Colorado. Yes, sir.

Mr. OLMSTED. Does the gentleman think that a carpetbag government in which the entire membership of one branch of the legislature is elected by the people and five-elevenths of the upper branch also elected by the people?

Mr. MARTIN of Colorado. I undertook to show at the outset of my remarks, I will say to the gentleman from Pennsylvania, that the executive council of Porto Rico was so constituted, a controlling majority being Americans, and combining with their legislative capacity all of the administrative offices, they virtually controlled the island.

Mr. OLMSTED. But they can not pass a law without the concurrence of the lower branch, which is composed entirely of natives.

Mr. MARTIN of Colorado. No; they can not. But they can keep the island at a standstill and prevent the people, through their representatives, enacting such legislation as the people desire.

Mr. HARDY. Will the gentleman yield for a question?

Mr. MARTIN of Colorado. Yes, sir.

Mr. HARDY. Does not it also appear from the action now that when they can not pass legislation they seem to think they have a right to come to Congress to pass it for them—those six members?

Mr. MARTIN of Colorado. I believe that the executive council of Porto Rico, to the best of my information, is now in session in Washington and has been in session here ever since it adjourned in San Juan.

Mr. SCOTT. Will the gentleman yield?

Mr. MARTIN of Colorado. Yes, sir.

Mr. SCOTT. In response to his last statement, I wish to say that there has not been during any time this winter more than three members of the executive council in Washington, and there is now only one.

Mr. OLMSTED. And that there were three members of the lower branch here.

Mr. SCOTT. And three members of the lower branch were also here, but they have now returned. I rose to ask the gentleman if he does not think in all candor that his argument in respect to a carpetbag government falls to the ground in the presence of the fact that, so far as the records show, there never has been on any important measure a nationality line of division in the executive council. In other words, upon not a single one of the bills which are now in controversy was the vote in the executive council divided so that the Americans were all on one side and the Porto Ricans all on the other.

Mr. GARRETT. Will the gentleman permit me to ask a question right there? Was there not one of those bills—I think the county bill, making the counties—on which the five native Porto Ricans voted for the bill? They did not on the others, I should say.

Mr. SCOTT. I am not certain which bill it was. It was one of those six bills upon which all Porto Ricans did not vote, in accordance with the vote that had been taken in the house, but upon not a single one of them was the vote unanimous.

Mr. HUMPHREYS of Mississippi. Did the Americans divide at all?

Mr. SCOTT. Oh, yes; frequently.

Mr. HUMPHRIES of Mississippi. On this proposition?

Mr. SCOTT. I do not know about that.

Mr. DOUGLAS. Will the gentleman from Colorado permit me to interrupt him before he proceeds?

Mr. MARTIN of Colorado. Mr. Chairman, I want first to answer the gentleman from Kansas [Mr. SCOTT]. I want to say this: He may consider my bump of suspicion rather largely developed, but I want to beg of him the right to reserve a very healthy doubt about the class of Porto Ricans who were so fortunate as to be appointed by the President of the United States to the executive council of Porto Rico. I must have some evidence to satisfy my mind about the patriotism and devotion to the true interests of their country of those gentlemen, more than the mere fact that they have Spanish blood in their veins.

Mr. DOUGLAS. I can assure the gentleman from personal acquaintance with them all that they are of the highest type of citizenship in Porto Rico. I want to call the gentleman's attention to this sentence in the President's message and ask him in what respect he disagrees with it:

The great body of substantive law now in force in the island—political, civil, and criminal code, codes of political, civil, and criminal procedure, the revenue, municipal, electoral, franchise, educational, police, and public works laws, and the like—has been enacted by the people of the island themselves, as no law can be put upon the statute books unless it has received the approval of the representative lower house of the legislature. In no single case has the Congress of the United States intervened to annul or control acts of the legislative assembly. For the first time in the history of Porto Rico the island is living under laws enacted by its own legislature.

If that is true, is it not inconsistent with the charge that the government is a carpetbag government?

Mr. MARTIN of Colorado. Mr. Chairman, in reply to the gentleman, I will say that there is no doubt in my mind that in the early days of this experiment, with this queerly constructed government, and before prejudice had time to crop out and factional lines manifest themselves, a great deal of cooperative work was accomplished, but it was due, in my judgment, very largely to the newness of the situation and before the real attitude of this Government upon local autonomy, or home rule, became manifest to the people of Porto Rico. The novelty of the thing seems to have worn off on both sides, and situation down there were new, I think it is rather too evident for argument at this time that under that system of legislative government further progress is almost at an end.

I have referred, Mr. Chairman, it is true, to that government as a "carpetbag" government, and it is a severe term, but I believe that it is a term that is justifiably used, and I want to say that I for one distrust the source of the information which the President has received and which he has placed before the Congress as to the conditions which are existing down there; and it must be evident to every Member that the administration does rely wholly and solely upon the executive council and not at all upon the house of delegates for the facts and conditions which he has presented to us.

Those men down there constituting the executive council are the appointees of the adminstration, holding office under the administration, owing their very bread and butter to the administration, and I want to say that it is unfortunate at least for the people of Porto Rico that the presentation of the conditions existing down there is based upon alleged facts or statements coming from such a source.

Mr. SCOTT. May I ask the gentleman if there is any material difference in the statement of the facts as presented by the members of the executive council and presented by the committee from the house?

Mr. MARTIN of Colorado. I will undertake to show in a little bit that there is one very material difference between the allegations as to the material facts between these two parties. I say that the President has received his information from deeply and intensely interested parties to begin with, from men who could not qualify to sit as jurors in that case, and, yet, upon their verdict we are asked to enter up a sweeping judgment for one party as against the other. Even if they were witnesses, a jury would be strictly charged as to the weight and credibility to be given their statements, because of their bias or prejudice through the interest which they have in the issues down there, and the outcome of those issues.

Mr. Chairman, we have had an experience in this country with what I term a "carpetbag government," and that is a government made up of men from some other section of the country, or some other country, over whose selection the people governed have no voice, a government imposed not by consent, but by superior power upon them; and no right-minded man would want to return to that condition in this country. And the successors in interest of that class of people in this country have fallen into such disrepute with the very gentleman who penned this message to Congress that he proposes to reorganize his party in that section of the country by disregarding that class of people and by recognizing men who have some other interest than their mere salaries and self-aggrandizement, who have some real interest in the country itself. And it is passing strange to my mind, in view of that fact, in view of the fact that he can see so little virtue in his present party leadership in the South, that he can see so much virtue in another specie of the same genus in Porto Rico, and which enables him to present a statement of the situation down there wholly creditable to the executive council and wholly discreditable to the representatives of the people, who have, he says, by their action demonstrated their entire willingness to subvert that government.

The personnel of the house of delegates has been described by the Commissioner from Porto Rico [Mr. LARRINAGA]. He has shown you that of the 35 members of that body, more than one-third are lawyers; that the remainder are civil engineers and planters, a couple of labor leaders, and that more than 80 per cent of them are college-bred men. That is the class of men who make up this body which it is said has shown what substantially amounts to treason in the island of Porto Rico.

They have got some interest in that island besides their salaries; they are not down there governing an alien people as their reward for having been handy around some political headquarters during the campaign [applause and laughter on the Democratic side], and expecting to pull out of there with what little they can save from the ruck when the job ends. Those delegates did not get their present positions——

Mr. DOUGLAS. Will the gentleman yield? Does the gentleman personally know the men about whom he speaks?

Mr. MARTIN of Colorado. No; I do not personally know them. I know the system they represent, and that is all I want to know. [Applause on the Democratic side.]

Mr. DOUGLAS. The gentleman was not speaking of the system. He was speaking of the men.

Mr. MARTIN of Colorado. I say, Mr. Chairman, the house of delegates of Porto Rico are not holding office as a reward for carrying water to the elephant; they are holding it because they belong to Porto Rico and because Porto Rico belongs to them, because, when they die, their bones and blood will mingle with the dust that gave them birth and which sustains them all through life. They leave their business, their plantations, and law offices, and for a paltry $5 a day spend two months every year legislating for their country. Now, what do these men say about the crux of this matter? They deny that the house ended all proceedings by adjourning, and they undertake to fix the blame for this action and the resultant crisis upon the executive council, and with such particularity that what they state ought to be a matter of record, which ought to be capable of verification if they have stated falsely. I want to call attention to the statement on page 3 of the brief:

On Tuesday, March 15, at 2 o'clock in the morning, the house was yet patiently waiting, every member occupying his seat. All of a sudden the executive council decided to adjourn and close the legislative session.

And that was done, leaving the house, as the brief shows, in full session with every member present. Now, I ask whether that looks like this executive council has attempted in good faith to reach an agreement with the house of delegates; or does it look as if they put an end to the proceedings down there knowing that they might run up here to Washington and pour their appeal into the sympathetic ear of the President and have him get them what they want from Congress.

Mr. SCOTT. Mr. Chairman, the gentleman knows, of course, the statement that he has just quoted is very strongly contravened by the representatives of the council.

Mr. MARTIN of Colorado. Yes.

Mr. SCOTT. I think that ought to be stated as a matter of fairness.

Mr. MARTIN of Colorado. I think the representatives of the council, if they were pinned down to the ultimate proposition, would not deny the exact statement of facts here, but would say that it had become apparent to them that further negotiations would be fruitless; that the house had taken such a position that they had just as well adjourn.

Mr. DOUGLAS. With the gentleman's permission, let me state to the gentleman that in conversation with two gentlemen with reference to the statement, they assured me this was a fact: That the speaker of the house, about half past 1 in the morning, sent word to the executive council asking them if they were ready to adjourn, and if so, for them to send the usual formal announcement of that fact to the house and they would both adjourn; and that was done and that is made the excuse for the statement in the brief.

Mr. LARRINAGA. With the permission of the gentleman from Colorado, that statement has been made, the gentleman from Colorado is right, and the speaker of the house in a public document has discredited and denied that statement and said that such a thing never occurred.

Mr. SCOTT. With the permission of the gentleman from Colorado, I would like to ask the gentleman from Porto Rico if it is not a fact that before any suggestion of an adjournment was made the council had acted upon all the bills upon its calendar and had nothing before it for consideration in the absence of action of the house?

Mr. LARRINAGA. But they had refused all of those bills of the house and wanted to pass some of their own, including the appropriation bill.

Mr. CLARK of Missouri. With the permission of the gentleman from Colorado, I would like to ask the gentleman from Kansas a question; and that is, if within his memory the House has not repeatedly taken short recesses the very last night of the session because we had nothing to do, waiting for the Senate to transact business?

Mr. SCOTT. Exactly; and the Senate was transacting business——

Mr. CLARK of Missouri. How do you know the Senate was transacting business?

Mr. SCOTT. We take judicial notice of those things.

Mr. CLARK of Missouri. They are mighty slow about transacting business, if that is the case.

Mr. SCOTT. I agree with the gentleman that sometimes such has been the case, but he will hardly assert there has ever been a time when this House has been idle because the Senate was refusing to transact business.

Mr. CLARK of Missouri. No; but the House, as the gentleman very well knows, has been idle at the close of the session

because somebody over in the Senate was consuming time filibustering on some proposition or other.

Mr. SCOTT. Undoubtedly that is true, but that is not quite on all fours with the state of affairs in Porto Rico.

Mr. CLARK of Missouri. The thing I can not understand, to save my neck, about this is why we are called on to condemn Porto Ricans for doing the very identical thing we do ourselves in our state legislatures or Congress whenever it suits our convenience to do it.

Mr. OLMSTED. There is nothing in this bill that condemns it.

Mr. SCOTT. I do not care to take up any more time of the gentleman from Colorado, but in my own time I shall express some observations on that subject.

Mr. GAINES. If the gentleman will permit, I would like to know whether the gentleman from Kansas clearly meant to imply that the senate or the executive council had completed its business, or meant to imply all the business before both houses had been somehow disposed of when adjournment took place.

Mr. SCOTT. With the gentleman's permission——

Mr. MARTIN of Colorado. I yield.

Mr. SCOTT. I will answer very briefly, because I intend in my time to discuss the matter more at length, by saying that I meant only to give the impression that the council only had completed its calendar, but that business still remained on the calendar of the house.

Mr. MARTIN of Colorado. I think it is true that the council had completed all their business, because all they wanted was the appropriation. They did not have any other business that I ever heard of except that. It may be said that it would take a court of inquiry to determine which body first adjourned, but it is fairly discernible which of them is the more blameworthy for the condition resulting in that action.

It is further urged against the house of delegates as showing its guilt, both by the executive council and the President, that the house, through its representatives who came to Washington, presented an ultimatum which must be complied with before they would do business of any kind or consider an appropriation bill with the executive council; and, as I have listened to the arguments here, it seemed to me that all the reforms they have ever demanded down there have become mixed up in the minds of the members with reference to what they finally did disagree over, when a close examination will reveal the fact that the ultimatum was very limited indeed in its scope.

This matter of reducing the salaries of employees in the federal court was long ago abandoned. And I want to read from the language of this so-called "ultimatum" itself to show that, with one exception, every other reform demanded by the house of delegates was practically abandoned or subordinated for the time being. I find this paragraph, setting out the so-called "ultimatum" of the representatives of the people:

However, if in the proclamation calling for an extraordinary session the judicial and municipal reforms would be mentioned, and if the executive council would accept that the present justices of the peace be abolished and municipal judges created in every municipality, and that vacancies occurring in mayorships and judgeships be filled by the municipal councils, as provided in the so-called "municipal bills" passed by the house in its last session, then the commissioners believe that the appropriation bills will be passed in the house as introduced in the council without delay.

So it appears from this statement that at that time they had for the time being abandoned all these reforms except the single one of abolishing the justices of the peace and electing municipal judges in their stead and filling vacancies in the office of mayor by the municipal council, just as they are filled, by the way, in this country. It is true they asked that some of these other reforms be mentioned, and that was quite natural. They wanted them mentioned for the purpose of keeping them alive, but after asking that these other reforms be mentioned, then it is true they did say that the reform affecting the municipal judges must virtually be conceded to them.

And what, may I ask, was the objection to conceding this reform, an objection which found approval by the President and who incorporated and laid stress upon it in his message to the Congress. I will read from the message:

The change was objected to on the ground that the election of municipal judges had already interfered with the efficient and impartial administration of justice, had made the judges all of one political faith and mere political instruments in the hands of the central committee of the Unionists, or dominant party.

And that, to my mind, is a very significant statement, that if we allow the people of Porto Rico to select their judges they would all represent one political party. The significance of that statement is that the people of Porto Rico are now so united against the policy of this Government and against its administration in that island, that if they were granted the powers we enjoy, politically speaking, they would elect all of their officials in opposition to the policy of this Government. That is the significance of that statement to my mind. And it is the most severe arraignment and characterization of our present attitude toward those people and the kind of government we are giving them down there that could be framed by any opponent of the system—the mere statement by its proponents that, if we gave those people the opportunity, they would show a united front and show they were unanimously and, as the saying goes, enthusiastically opposed to our policy in their island.

I have not gone into, and I am not going into, the merits of this legislation down there. I have heard it discussed on the floor, and practically all of it seems to come within the purview of the organic act. The principal question seems to be with reference to the wisdom or desirability of this legislation from our standpoint, and not whether it is legal; and if it is not legal, why, from what little knowledge I have of how it works in this country, I would be perfectly willing to trust the supreme and federal courts of Porto Rico, appointed by the President of this country, to take care of that sort of legislation. And it strikes my mind, as has been stated, that they were following ancient and well-established precedents in attempting to get these reforms. I happened to belong to a legislature once myself, and the two houses got at loggerheads, and the one in which the appropriation bill was pending held it up and refused to pass it, and the governor had to call an extra session of the legislature in order to pass the bill. There was an extra session called in Porto Rico, but I can not think it was in very good faith. I can not think that any particular effort was made down there in this two-day special session to get these two bodies in harmony. I do not know the governor of Porto Rico—he is probably a very nice gentleman—but I do know, if he were governor of an American State and allowed such a condition to come about as has come about down there and had dealt with it as incompetently as he has that situation, what the people would do to him the next time they got a crack at him.

I have wondered what would have happened in that respect if it were not for the fact that it so occurs that Congress is in session at this time. We are not supposed to be in session, and I am seized with the suspicion that if we had not been in session the administration would not be confronted with this situation, nor would the people of Porto Rico. [Applause.] The government down there is, indeed, a feeble thing if it is dependent upon the extraordinary situation that just at this juncture the American Congress should be in session.

But, I repeat, these people were availing themselves of a well-established precedent since parliaments first throttled kings, and one which indicates that they are sufficiently sophisticated for self-government. In fact, they seem to be educated right up to the American standard of the game; and if I did not know anything more about the people of Porto Rico than this one act of their using as a club on the other house an appropriation bill, I should say that they were a very highly developed people. [Laughter and applause.] It is the very highest standard of which I have cognizance, but with Congress in session in Washington it failed to work in Porto Rico. And now, because the ways of those people down there are not our ways, do not conduct their affairs as we would have them, we are to consider them a failure or a lot of ingrates worthy only of condemnation, and to have what little semblance of self-government they possess restricted or taken away from them.

The truth is that every recurrence of trouble in these island possessions of ours—we call them "insular" possessions, again demonstrating the error of the poet when he said there was nothing in a name, "that a rose by any name would smell as sweet." We have our "insular" committees and "insular" possessions. In England they call them "colonial" possessions; and that is what they are. And here is a colonial possession which does not seem to be as well off in the form of its government as a great many of England's colonial possessions. Our idea is that they have not yet progressed to that high state of civilization which justifies us in intrusting them with the power of governing themselves. I say the truth is that every recurrence of these troubles shows the mistake we made when we grafted the European colonial policy upon this country, a policy which seems to be working, both in Porto Rico and the Philippine Islands, to the unanimous dissatisfaction of those peoples, and in our own country to the demoralization of our own ideals of government, our principles, and traditions.

What, may I ask, is our compensation, past, present, or prospective, for this departure?

So far as Porto Rico is concerned, it is set out in the message of the President at some length. It appears we have conferred upon them a great many blessings, from our standpoint, and improved their conditions, and we have no doubt done so in a material sense. We have built a great many schools, but it was out of the taxpayers' pockets. We have built a

great many miles of road, but we have built them out of the taxpayers' pockets——

Mr. FOSTER of Vermont. Would you expect that we should build them out of our own pocket?

The CHAIRMAN. The gentleman has consumed an hour, and his time has expired.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to conclude his remarks.

Mr. OLMSTED. I believe the gentleman ought to specify some time.

Mr. CLARK of Missouri. Well, fifteen minutes, then.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Colorado may proceed for fifteen minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MARTIN of Colorado. No; I would not build them out of our pocket; but I would not take too much credit to myself for building them out of their pocket, either. [Great laughter.]

Mr. SCOTT. Is it not a fact that these roads are built out of our money, built out of money that every State in the Union contributes to the Federal Treasury in customs duties and internal-revenue taxes?

Mr. MARTIN of Colorado. In that way, yes; for, in addition to these benefits which the President has pointed out, we are losing, he says, $15,000,000 a year of customs duties by reason of free trade with Porto Rico, and, as the island's land valuation is only $100,000,000, it appears that in seven years' time the United States will lose in tariffs alone the entire value of the land of Porto Rico as compensation for the blessings we are conferring upon them by providing them with a government they do not want and running it for them.

So that, at whatever angle of the question you look, Mr. Chairman, the venture is a benefit to the people of Porto Rico and a loss to the people of the United States. I do not think anybody will claim that we will ever be repaid other than with the rewarding consciousness that we have elevated these people, according to our notions, from their benighted condition to a state of enlightenment where they will be able after a while to conduct their own affairs.

It is the same in the Philippine Islands as it is in Porto Rico, only magnified a hundredfold. It is said those islands have cost this country now more than $700,000,000, and that we would not get it back in a hundred years; and what is our compensation for that condition? Everybody knows that the Philippine Islands is the weak spot in the armor of this Government to-day; that it is the heel of Achilles, so to speak, in Uncle Sam's anatomy. Everybody knows that there might be struck a blow in a fortnight which would cost a hundred dollars and a hundred men to retrieve for every dollar and every man the blow cost. Where does the agitation for a great navy come from, for a fleet in the Pacific as large as that in the Atlantic? What is the mainspring and inspiration of that demand? And I am not going to say that I am going to deny it. It comes from our possession of those islands, and it does not come from any other source, because there are not enough people in Asia to put a foot on the Pacific coast or who would ever attempt it.

But there is where a blow could be struck that would wound the pride of this country and its pocketbook, just as the pocketbook of Russia and her pride were wounded in the same locality. We have given them free trade and imposed a tariff on them against all the rest of the world. They do not ask for free trade. They ask us for independence, for self-government. But I can not go into this now.

It is said the people of Porto Rico are more blameworthy than the Filipinos because they came to us voluntarily. They rushed into our arms, and now they are to be blamed because they want to take their doll rags and play with them themselves. It is true they did come to us voluntarily. In the outburst of enthusiasm following the Spanish war they did come to us. Some of them now think they jumped out of the frying pan into the fire. The novelty has worn off. They are facing the real thing in the way of government by a huge country which has not even the sympathy of their former masters, the sympathies and ties of race and language and temperament and religion and social customs, and all that these mean; but mind you, I do not coincide with the view that Spain was better to them or would do better by them. I do not believe it at all.

But it is a fact in their minds, and that is what we have got to deal with. We have got to deal with the fact in the Porto Rican mind, and not the fact as it may in cold truth be; and the question is, How are we going to deal with it? Are we going to deal with it by still further restricting their powers of self-government or are we going to take the rational line of enlarging those powers and doing such things as reforming that legislature down there and making it a real legislature, leaving the administrative officers of the island to perform their proper functions and the legislature its proper functions; and, as I have said, the governor with the veto power and the federal and supreme courts appointed by the American President will look after the rest. I say, let us try the American experiment in government first. If that fails, there will then be time to consider the European system.

This amendment on its face is a harmless thing. I hope I am not impractical, and it may be admitted right at this juncture that it is a necessary thing, for the sake of argument; but my objection to it, Mr. Chairman, is that, unqualified as it is, it is absolutely decisive of the issue, and for that reason I shall oppose it and vote against it. This is apparently all that the executive council want. It is all that they ask for. As has been pointed out, they had no unfinished business on their calendar, because all in the world they ever had to pass was the appropriation bill, which was then over in the house of delegates.

Their platform is evidently the old flag and an appropriation; and when you give them what they ask for by passing this amendment, what then? What will be the result of that action? Will it not inevitably be to put a premium upon the present attitude of the executive council, which has brought about this condition? Will not they go back there and say to the people of Porto Rico, "Now, you see what happened to you agitators down here. We went up to Washington and got what we wanted, and we want you to understand we can always get it." So I say it would be putting a premium upon the contumacy of this executive council down there to pass this amendment, unattended by any other promise or hope of relief, and indefinite and unlimited in its workings; and it furthermore would be a slap in the face of the people of Porto Rico. If there is any justice in their cause, if there is any right or equity in it, if they are only partially to blame for this condition, this action will be a crushing of their hopes beneath the weighty heel of the great Government to which they have been looking for succor and sympathy and fair treatment, and still further estranging them. I want to call attention in this connection to the fact that the Secretary of the Interior himself, to whom this matter was referred, only reluctantly and as a last resort advocated any such action as this. I shall read the very words of the present Secretary of the Interior, who seems to have suggested as a remedy that these salaries down there, which it was proposed to cut, be fixed by Congress, and perhaps that would cure the difficulty. Then he says:

Another solution has been suggested in the form of adopting the provision which was made to meet like situations in the Philippines and Hawaii, namely, to carry forward the prior appropriations in the event of the legislature failing to pass the regular appropriation bill. Our reason for preferring the solution first suggested to this is that the latter involves a wider departure from the present law than the former.

So, in the opinion of the Secretary of the Interior, this is a wide departure, and one to be taken only as a last resort; and even at that, in my judgment, one to which reasonable, practicable modifications could be suggested by those who are in a position to look at this matter even more impartially, so far as the executive council is concerned, than the Secretary of the Interior. This is a matter to which we ought to give much closer and more careful consideration than in legislation affecting ourselves; because, if this body passes a bill to which I am opposed—and in all probability it will do so after a while—that bill will affect you just as it will affect me, and we will all have to live under it equally; but in the measure before us we are amending the government of another people, and putting the administration of it in the hands of men and under a system which has already lost the confidence of the people to whom it applies.

Confronted by a situation such as this, if this measure must pass, I would limit its operation at least to the ensuing year, and I would couple with the passage of it as a concurrent condition, by resolution, some action calculated to reassure those people—the appointment of a special committee or subcommittees from the Insular Committees now in existence, to go down there and investigate the situation—not to take the word of these men forming the executive council, but to make a thorough investigation with full power, and to report their findings and conclusions to the regular session of Congress. And, by the way, some such proposition as this was held out by the President when he said to the committee of the house of delegates that if they would return and pass the appropriation bill he would appoint a special commissioner to go down and investigate the situation and report, showing that he must have had some doubt in his own mind as to where all the blame rests and as to just what the truth is.

their officials in opposition to the policy of this Government. | but it was out of the taxpayers' pockets. We have built a

self-government or are we going to take the rational line of | and as to just what the truth is.

I say, then, in the light of this situation, I would limit this amendment in operation not exceeding the next fiscal year, and I would attach some such condition as I have suggested to the passage of this amendment, taking the position that the one should not pass this Congress without the other, and in taking that position I would still deny the charge that I was willing to subvert the government of the island of Porto Rico or violate my obligation taken in this Congress. [Applause on the Democratic side.]

Mr. SCOTT rose.

Mr. GARRETT. Mr. Chairman, before the gentleman from Kansas [Mr. SCOTT] begins his remarks, I desire to ask the gentleman from Pennsylvania a question, if I may.

The CHAIRMAN. The gentleman is recognized for that purpose.

Mr. GARRETT. I want to invite the attention of the gentleman from Pennsylvania particularly to this language, that "If at the termination of any session the appropriations," and so forth, and to ask him if he does not think that ought to be changed in some way. I am not prepared to suggest the language just at this moment that should be used, but some language which would provide that if at the end of the fiscal year the appropriations failed, because they may have many sessions of the legislature. Of course they have only one regular session. Would it not be well to amend that so as to provide that if at the termination of any fiscal year the appropriations have not been made, and so forth?

Mr. OLMSTED. I would suggest to the gentleman from Tennessee that it seems to me to have that effect now. Of course if the legislature adjourns without making the appropriation the appropriation for the then current fiscal year has already been made, and this act would not be operative upon that. It would not in any event be operative until after the fiscal year for which the appropriations had been made had passed.

Mr. GARRETT. But, if the regular session should adjourn without making an appropriation and then a special session should be called and that special session should pass an appropriation bill in which there were some items not included that the governor might think ought to have been included, would not this language justify the construction then that any session, or one, had adjourned?

Mr. OLMSTED. I think not, Mr. Chairman, because the bill expressly provides that it shall be effective only until the legislature shall act. That is in a further part of the bill.

Mr. GARRETT. That is true, but I am sure I have not made myself plain to the gentleman.

This provides that if any session adjourns, or at the termination of any session; I think it ought to be at the termination of any fiscal year.

Mr. OLMSTED. I think, Mr. Chairman, that the act accomplishes the purpose the gentleman has in mind, because if there should be an extra session and it should act in the matter of making appropriations, then this act immediately ceases to be operative. This act is for the purpose only of keeping the government in operation by providing for the appropriations until the Porto Rican legislature acts.

Mr. GARRETT. I will go further into this before the bill comes to a final vote.

Mr. SCOTT. Mr. Chairman, I should like to inquire of the gentleman in charge of the bill if it is his wish to protract the debate with a view to finishing the consideration of the measure this evening.

Mr. OLMSTED. I hope we may get it through the committee this evening, although we may not be able to get a final vote upon it in the House this evening.

Mr. SCOTT. Mr. Chairman, I have just returned from Porto Rico, where I went, in the excellent company of the gentleman from Colorado [Mr. RUCKER], to see the island; to note the progress or lack of progress that has been made there under American rule; to become acquainted so far as we might with the character, customs, and point of view of the people; to examine and inquire into economic conditions; and to obtain, if possible, information upon which to base an accurate judgment with regard to the political situation that exists in that island. It is the common experience that the only way, at least the best way, to obtain a satisfactory comprehension of conditions existing in a distant country, particularly if that country is inhabited by an alien race, is to visit the country and study the problems that are presented on the ground where they have grown up. I would be the last to claim that by reason of a brief visit to Porto Rico I am able to speak with greater authority regarding conditions there than other gentlemen of the committee. I do feel, however, that my colleague and myself obtained information and absorbed, as it were, the atmosphere of the situation that can not fail to go far toward helping us, at least, to reach a conclusion more satisfactory in our own minds than we would have been able to reach otherwise. Certainly if we did not obtain such information, it was not through lack of facilities placed at our disposal.

The distinguished Commissioner of Porto Rico was kind enough to supply me with letters of introduction to his political friends, which I had great pleasure in presenting. Other gentlemen favored me with letters to substantial and representative business men in different parts of the island. The able and accomplished governor of the island, Hon. Regis H. Post, and his associates on the executive council were indefatigable in helping us to secure full and accurate answers to all our inquiries. We feel, therefore—and I use the plural pronoun because I am sure that my Democratic friend [Mr. RUCKER] came back with substantially the same impressions as myself—we feel, therefore, that we have learned some things and reached some conclusions that perhaps will make our participation in this debate justifiable.

I am sure that I went to Porto Rico with an open mind. I am jealous, as every American citizen is, of the good name of my country. I am immeasurably anxious that in every land over which our flag floats it should stand as the symbol of liberty and justice, of happiness, prosperity, and security to all the people of that land. I never recall without a thrill of pride the remark which is reported to have been made by the British consul at Manila on the evening of the day that the American forces first took possession of that city.

A European woman had come in terror to the consulate imploring protection during the night.

Certainly—

The consul said—

you may stay here if you wish; but, madam, I want to assure you that life and property and the honor of women are safer in Manila tonight than they have been for three hundred years.

[Applause.]

It is because I want that sentiment to be true wherever American rule prevails that I should resent as a personal injury the misconduct of any official representing the sovereignty of the United States in any of our insular possessions. I am sure therefore that I went to Porto Rico with a mind open—nay, with a mind critical to mistakes that might have been made in the administration of justice in that island, and I believe if there had been any evidence of misrule there, if there had been any suggestion that the laws enacted for the government of the island were unjust to the people, were such as to make it impossible for them to prosper and to enjoy the rights to which they are entitled, I believe we would have detected them, and I am sure that we would not have hesitated to have brought the facts to the attention of the people and the Congress of the United States and to have located the blame where it belonged.

But we did not find such conditions. As the President has stated in his message, it is idle for gentlemen to maintain that the conditions existing in Porto Rico now are to be compared in any respect, socially, politically, or economically, with the conditions that existed under the rule of Spain. Gentlemen have frequently referred to the "autonomic government," so-called, that was granted by Spain in 1897.

It is well understood that this system, this so-called "constitution," was yielded under the pressure of conditions existing in Cuba and to prevent the occurrence of similar conditions in Porto Rico. And it is well understood, also, as the President so strongly says:

It was a tentative arrangement, revocable at the pleasure of the Crown, and had, in its provisions, authority for the governor-general to suspend all of the laws of the legislature of the islands until approved or disapproved at home, and to suspend at will all constitutional guaranties of life, liberty, and property, supposed to be the basis of civil liberty and free institutions. The insular legislature had no power to enact new laws or to amend existing laws governing property rights or the life and liberty of the people. The jurisdiction to pass these remained in the hands of the National Cortes and included the mass of code laws governing the descent and distribution and transfer of property and contracts, and torts, land laws, notarial laws, laws of waters and mines, penal statutes, civil, criminal, and administrative procedure, organic laws of the municipalities, election laws, the code of commerce, etc.

To compare such a governmental plan as that with the institutions which we have taken to Porto Rico is worse than idle. It is preposterous and absurd.

In contrast with this—

To quote the language of the President further—

In contrast with this, under its present form of government the island legislature possesses practically all the powers of an American commonwealth, and the constitutional guaranties of its inhabitants, instead of being subject to suspension by executive discretion, are absolutely guaranteed by act of Congress. The great body of substantive law now in force in the island—political, civil, and criminal code, codes of political, civil and criminal procedure, the revenue, municipal, electoral, franchise, educational, police, and public works laws, and the like—has been enacted by the people of the island themselves, as no law can be put upon the statute books unless it has received the approval of the representative lower house of the legislature.

To insist, as has been done upon this floor, that such a great body of laws as the President summarizes could have been passed by unanimous consent, without compromise and concessions between the two houses of the legislature, is, of course, to contradict all legislative experience. The mere fact that such a great body of substantive laws has been enacted is in itself conclusive proof that the charge—which has been made elsewhere, if not here—that the executive council has shown no disposition to meet the wishes and the judgment of the lower house of the legislature is wholly without foundation in fact.

But before passing to a discussion of the merits of this bill and of the political situation which brought about the emergency that has made it necessary, it has occurred to me that it may not be without interest to bring before the House some of the facts which have led me to the conclusion which I propose later to express, to report briefly upon the conditions, the economical and agricultural as well as social and political conditions, that now exist in Porto Rico.

The beauty of the island has been often described, but no description, however enthusiastic, can exaggerate it. The littoral of the island consists in large part of alluvial lowlands, the wash of centuries, pushing the sea back a little from the foothills. But for the most part the country is mountainous, and ex-President Roosevelt aptly described the interior as the Switzerland of the West Indies. The mountains have been practically denuded of their forests except in the most remote and inaccessible regions, but, thanks to the warm climate and abundant rainfall, there is vegetation everywhere and always green, so that the slopes do not look bare or desolate. The soil seems to be most tenacious also, for we saw hillsides that could not have been at a less angle than 60 degrees which were in cultivation and apparently producing good crops.

Agriculture, of course, constitutes practically the sole industry of the island, and we found this to be in a most flourishing condition. It could hardly be otherwise and yet furnish support for the dense population. The district which I have the honor to represent is about 50 miles wide by 120 miles long, and, although it includes a city of 100,000, and nine counties in the most populous part of Kansas, the total population is only 265,000. Porto Rico is but 35 miles wide by 104 miles long, and yet it supports a population of nearly 1,000,000 souls. The leading crop of the island is sugar, which is produced on the low alluvial lands near the coast. The product next in importance is coffee, to which all of the interior of the island is adapted, and then come tobacco and fruits. As an evidence of the splendid progress that has been made in the development of these industries during American occupation, I trust the House will indulge me while I read a few figures taken from the last annual report of the governor.

In 1901 the total number of tons of sugar exported was but 68,909; in 1908, 224,606. Expressed in dollars, this means that in 1901 the value was $4,700,000, while last year the value of the same product was $18,600,000. Expressed in acreage, ten years ago we had but little more than 100,000 acres devoted to sugar, while now there are more than 195,000 acres. In value, the tobacco grown in 1901 was $681,642; last year—and I am referring always to fiscal years—it was $5,401,195. The value of the coffee grown in 1901 was $12,157,240; last year, $35,245,480. The value of all the fruits which were exported in 1901 was $93,000; last year they had risen to the very handsome figure of $1,159,420. Summing up all the exports and imports, we find that in 1901 the total trade of Porto Rico was $17,951,190, while last year it was $56,470,151. I submit, Mr. Chairman, that such a record as that could not have been made in a country of so limited an area under governmental conditions that were not at least reasonably satisfactory.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman allow me a question?

Mr. SCOTT. With pleasure.

Mr. HUMPHREYS of Mississippi. What about the ownership of the sugar plantations? Are they owned by the Porto Ricans generally, or largely by Americans, or is the ownership in a few companies? What about that?

Mr. SCOTT. The organic act, as I remember it, limits the amount of land which any corporation may own at 500 acres. Obviously that is too little to warrant the investment of large capital in the sugar business, and therefore the big companies that have gone to the island to engage in that business are extending their area through the device of contracts with the local landowners. The title to the land remains in the Porto Ricans, who simply contract the product with the corporation operating the sugar mills.

Mr. HUMPHREYS of Mississippi. Now, as to the tobacco plantations. Does the same rule apply?

Mr. SCOTT. The same rule of ownership and the same practice as to contracts prevails. My information is that the tobacco output of the country is largely monopolized by the American Tobacco Company. At least, we were told as we passed through the district of La Plata, the most fertile and richest tobacco district in the island, that the larger proportion of the entire product was bought by the American Tobacco Company.

Mr. DOUGLAS. If the gentleman will permit me, I can state as to sugar and tobacco as the result of some special investigation of my own. The majority of the sugar product is owned by Americans, and certainly almost half is owned by the Porto Ricans. Some of the largest sugar plantations or centrales in Porto Rico are owned absolutely by Porto Ricans, and entirely independent of the trust. So far as tobacco is concerned, the larger proportion is owned by the American Tobacco Company, but, both at Arecibo, Caguas, and Cayey, and other centers where tobacco is produced, there are large independent producers and large independent factories.

Mr. SCOTT. I can speak with considerable knowledge of the facts concerning one sugar mill which we visited, known as the "Tuanica Centrale." It is owned and operated by American capital. The corporation only owns 500 acres of land, but it manufactures the product of 16,000 acres of land and produces 45,000 tons of sugar annually, worth $3,000,000, and it would interest the House if I were to take the time to describe the magnificent uplift which has come to that district through the establishment of that institution. It was a splendid illustration of the beneficent results that have been brought about by American energy and industry and square dealing.

Mr. HUMPHREYS of Mississippi. The purpose of my inquiry was to ascertain if there was a tendency on the part of the Porto Ricans themselves to engage in the production of sugar and tobacco.

Mr. SCOTT. Oh, there is, indeed. I wish to assure the gentleman from Mississippi that a great many native Porto Ricans are shrewd, successful business men. I might add also that I had the privilege personally of talking with many of them, and they were emphatic and unanimous in the expression that the conditions politically, as well as in a business way, were simply incomparable with those which prevailed under Spanish rule. The men in Porto Rico who are making their money out of business and not out of politics are abundantly satisfied with existing conditions, and have no complaint to make about American "tyranny" and "oppression."

Not only has there been this splendid progress in the matter of agriculture, as shown by the figures I have read, but there has been an equivalent advancement made in the establishment of schools and the building of roads. It is sufficient to say that under Spanish rule there were no school buildings erected as such, while we have now over 160, built at a cost of more than half a million of dollars.

Under Spanish rule the island had 551 so-called "schools," with an attendance of 21,000 pupils. To-day there are over 2,400 schools, according to the message of the President, with an attendance of 114,367 pupils. During the last year of the Spanish rule there was spent upon the schools $35,000. During the current year the appropriations are $1,146,619. When we went there, there were 172 miles of macadam road. There are now 624 miles. We have built four times as much road in ten years as the Spaniards built in 400 years.

All of these facts I have presented because they seem to me to justify the contention I make, that our rule has been beneficent in the island of Porto Rico, and to fully vindicate the system of government which we have established there. The most radical of the political agitators of the island will not deny that conditions economically are better now than ever in the history of the island, and I did not find one or hear of one who, when he was talking privately and telling the truth, believed that the island should be made independent, a republic under its own flag.

You may naturally inquire, therefore, since these conditions do exist, why it is that there should be such widespread anti-American sentiment. I answer in one word—politics. In making this answer, and in all I shall say hereafter relating to the political situation in Porto Rico, I do not wish to be understood as expressing or entertaining any feeling other than of the utmost sympathy and kindness toward the Porto Rican people. We have politics in our own country. There are men among us now and then who take an extreme position on some public

question because they think it may bring them popularity and promotion to office. We have among us now and then, unfortunately, a man who deserves the epithet "demagogue;" but in this good country of ours the career of such a man, if, indeed, his public life lasts long enough to be dignified by such a name, is usually brief, because the people know as much and sometimes a great deal more than he does, because there is an intelligent and sound public opinion upon public questions, and the misrepresentation which a demagogue may make is quickly detected and refuted.

But in Porto Rico the situation is vastly different. When the demagogue goes upon the stump in Porto Rico, he finds before him men 90 per cent of whom are unable to read; men who are emotional, excitable, possessed by an intense racial pride; men who have been accustomed through all their lives, as were their fathers and grandfathers and forebears for a thousand generations before them, to the domination and dictation of one man.

Given that sort of condition, given people with such customs and traditions and characteristics, is it not clear enough that the word of a demagogue would "go" there if it were the popular word, if it appealed to the prejudice and the passion and the pride of the men to whom it was addressed?

It is this difference, this diametric and immeasurable difference between the people of Porto Rico and the people of the United States, in education, in temperament, in character, in traditions, in the institutions to which they have been accustomed, that I wish to emphasize and make clear if I can to the membership of this body. If it were an American community we were talking about or an Anglo-Saxon people, then there would be absolutely no answer to the criticisms that have been made here against the system of government we have instituted in Porto Rico. But we are not talking about such a community or such a people. We are talking about a community and a people as widely different from our own as the east is from the west; and no argument which fails to take this difference into consideration is worthy a single moment of serious consideration. We must remember always that we are discussing a system of government, not for the most universally educated people in the world, with a thousand years of training in self-government behind them, but for a people nine-tenths of whom are wholly illiterate, among whom in the very nature of things there can be no sound, informed public opinion, who have had substantially no experience in governing themselves, whose sense of public responsibility has never been trained, whose racial temperament and traditions and customs make it hard for them to understand even the meaning of the word "democracy."

I appeal to gentlemen to bear these things in mind, for they are true. And because they are true, it follows that arguments which would be axiomatic if applied to continental United States are almost grotesquely illogical and misleading when addressed to Porto Rico. What better evidence could we have of the truth of all I have been saying than the very emergency which has made necessary the bill we are now considering? How false a conception of the privileges and responsibilities of free institutions it is which has led men to destroy their government because it is not in all particulars to their liking; and yet, remembering the facts of race and history, how characteristic it is.

But this is a phase of the subject which I do not wish to discuss at length at this time. I have adverted to it only because it seemed to me some members of the committee were in danger of forming their judgment upon the assumption that what has been found good in a governmental way for the United States would be equally good for Porto Rico, and I wanted to warn them against so fatal an error. I referred to it also because, in my judgment, it explains why, in spite of all the benefits American rule has brought to Porto Rico, the prevailing sentiment is undoubtedly anti-American. It is not that the common people, if left to themselves, would have this feeling, for they can not help realizing that the island is more prosperous now, that wages are higher, that investments are more profitable, and that personal rights are more secure than ever before. But because they are uneducated and have no knowledge of their own with which to combat error, and because they have been accustomed to political dictatorship, crafty and unscrupulous men have been able to make them believe that we have not dealt justly with them.

Mr. FOSTER of Vermont. Does this anti-American feeling go to the extent of criticising the American administration there, or is it limited to the form of government which we give them?

Mr. SCOTT. To use the word "criticising" in connection with the assaults that are made upon the American government in Porto Rico, and upon the men administering that government, would be to choose a most mild and innocuous word. I have been told that at the beginning of the American occupation the editors of newspapers, the editor of one newspaper in particular, which from the outset has been violently anti-American, began by merely hinting disagreement with some of the acts of the administration; that the next day or the day after he would make his language a little stronger, and the day following yet stronger, evidently cautiously feeling his way to see how far he could go without making trouble for himself; and when he found that the "lid was off," when he found that we were really and actually permitting a free press in the island of Porto Rico, all restraint was thrown to the winds and the denunciations of American rule, of the governor and his assistants in the administration, have been as violent and unmeasured as they have been unwarranted and false.

This is illustrated further by the fact, which gentlemen perhaps have noticed in recent newspaper dispatches, that the editor of one of the illustrated magazines of the island has been arrested on a charge of sending indecent matter through the mail. The charge is based upon the publication of a most obscene and opprobrious cartoon of the President of the United States, a cartoon which I have seen, but which, in the presence of the gentlemen of this Chamber and of the ladies in the gallery, I would not attempt to describe.

It is politics. I wish to say again that I do not intend to be understood as harshly criticising it. It is most natural under the conditions which exist there that such things should be printed, that such speeches as those to which I have referred should be made. It would be unreasonable to expect anything else. We Anglo-Saxons have worked out only through blood and tears and after a thousand years of conflict the measure of self-government of which we are now capable. How could we expect that a race which never in any quarter of the globe has yet developed a satisfactory system of self-government should be able overnight, in the twinkling of an eye, to so change its nature as to maintain self-restraint and adopt always a conservative policy? I do not mean to speak harshly, let me say again; I am simply stating the facts so that gentlemen may have, as I hope, a clearer understanding of the conditions which have brought about the emergency that now confronts the island and which the pending bill is designed to meet.

Mr. GILLESPIE. I believe that under the law there a corporation can not own but 500 acres of land.

Mr. SCOTT. That is my understanding.

Mr. GILLESPIE. But as a matter of fact the sugar trust, through some kind of a contract with the landowners there, owned or controlled 16,000 acres of land.

Mr. SCOTT. Oh, I beg the gentleman's pardon. I did not intend to say that and I think he must have misunderstood me. My understanding is that the Guanica Centrale, to which I referred, has no relation whatever to the sugar trust.

Mr. GILLESPIE. Well, leaving out the sugar trust, this one plant under the law could own but 500 acres of land.

Mr. SCOTT. Yes.

Mr. GILLESPIE. And yet, as a matter of fact, they have made some kind of a contract with the owners of the land there by which they controlled 16,000 acres. Has the gentleman ever seen one of these contracts?

Mr. SCOTT. I have one of the contracts and I wish I could show it to the gentleman. It is printed in Spanish and in English, and it is one of the fairest contracts, I think, that could possibly be drawn. The gentleman will understand that this contract relates merely to the crop produced upon the land and does not in any way affect the title of the land itself.

Mr. GILLESPIE. How long will it run?

Mr. SCOTT. Three years, I think, is the length of time for which they make the contract. Under the terms of that contract the man who owns the land and grows the cane is paid for it just in the manner that the man who brings milk to the creamery is paid for the milk. In the case of the milk the seller is paid for the butter fat which the milk contains. In the case of the sugar cane the seller is paid by the saccharine contents of the cane. Particular pains are taken to make certain that each man gets the product of his own cane, and the weighing is done with absolute fairness.

Mr. GILLESPIE. The Commissioner from the island [Mr. LABRINAGA] I have heard several times, in addressing this body, say that the landowners there, especially the small landowners, were unable to even pay the taxes on the land, and felt the land slipping from the ownership and control of the natives into the hands of the purchasers, and out of that condition arose this demand for an agricultural bank to try to save the land of the island to the people of the island and to keep these people from losing it. I want to know if the gentleman saw any condition that would justify that.

Mr. SCOTT. Answering categorically, I would say that I did not. On the contrary the conditions which I saw seemed to warrant an entirely different conclusion. It is doubtless

true in Porto Rico, as it is in every other country, that an occasional bit of land may be sold for taxes, and yet the facts which are of record seem to make it clear that there is really unusually little complaint or unusually little ground for complaint that injustice is worked in the assessment and collection of taxes.

I have before me a statement taken from the official records, which shows that according to the tax rolls there were 90,000 different property holdings in the island. The tax law, of course, provides for a board of review, to which complaints of unjust assessment may be taken. We call them in our country "boards of equalization." Last year there were taken upon appeal before that board only 314 cases for review. Does that look as if there was much injustice in the assessment of values? Those 314 cases included property aggregating in value, as assessed originally, $2,116,366, and the board, upon consideration of all the facts, reduced the assessment to $2,073,996, a reduction of practically 2 per cent.

But notice this very significant fact in connection with the figures I have read: There were but 314 complaints out of 90,000, and yet the aggregate value of the property included in those plans was over $2,000,000. What does that mean? Why, it means that the rich are complaining; that the average value of the holdings of these 314 men was over $7,000——

Mr. FITZGERALD. Will the gentleman yield?

Mr. SCOTT. With pleasure.

Mr. FITZGERALD. Does not that simply follow what happens all over, that although there may not be great complaints against assessment values, that it is only the rich who can afford to appeal, and it proves nothing as to whether the average property holder is satisfied or dissatisfied?

Mr. SCOTT. I think that the inference which the gentleman seeks to draw is not warranted, for the reason that every possible facility is given dissatisfied taxpayers to appeal to this board of equalization.

Mr. RUCKER of Colorado. And it does not cost anything to appeal.

Mr. SCOTT. And, as the gentleman from Colorado states, it costs nothing to appeal.

Mr. HINSHAW. Will the gentleman permit a question?

Mr. SCOTT. Certainly.

Mr. HINSHAW. Where are these complaints made when appeals are made from the appraisement? Are there local places to which they can appeal?

Mr. SCOTT. The treasurer of the island appoints local appraisers, who assess property in the first instance. The appeal lies from these local appraisers to the board of equalization, which is constituted, as I recall now, of three Americans and two Porto Ricans.

Mr. HINSHAW. At the capital city?

Mr. SCOTT. At the capital city.

Mr. HUMPHREYS of Mississippi. What is the tax rate?

Mr. SCOTT. The tax rate is very low, as I now recall it—in the neighborhood of one-half of 1 per cent on the actual value of the property.

Mr. HUMPHREYS of Mississippi. Is the rate the same all over the island, or is it different in different districts?

Mr. SCOTT. The rate is the same all over the island. Under the law the insular government not only makes assessment but collects the municipal taxes, merely charging the municipalities 10 per cent for the cost of collection and turning the remainder back into the municipal treasury.

Mr. HUMPHREYS of Mississippi. In addition to what we call "state taxes," or taxes imposed by the insular government, is there a tax imposed by the different municipalities?

Mr. SCOTT. No; except, perhaps, some little market licenses and things of that sort.

Mr. FOSTER of Vermont. Did the gentleman from Kansas hear any complaint relative to extortionate rates of interest in the island?

Mr. SCOTT. I did not. Of course it need not follow that there are no such complaints; but in that connection it may interest the committee to know that this American sugar company to which I have referred loans large sums of money to the men with whom it makes contracts. It has out all the time from $200,000 to $400,000, and its loans are at a rate from 8 to 10 per cent, which seems to me very reasonable under the conditions existing there. As a result of this liberal policy a great many people who were in absolute poverty five years ago are now in affluence. I was told that one gentleman who had left of his patrimony, which originally was 900 acres, only 70 acres of land, by this extension of accommodation through the sugar company has been able in the last five years to buy back his original patrimony, and his net profits from the production of sugar this last year were over $14,000.

The value of land in that neighborhood has grown from $35 an acre to $350 an acre in the last five years. A retired army officer told me that land which he was offered at the time of the American occupation for $9 an acre, within a few miles of San Juan, is now held at $150 an acre, and reports of that nature you hear on every hand. As the gentleman from Porto Rico has himself said, the value of the island has increased at least threefold during the past ten years.

And now to come to a consideration of the political conditions which led up to and the events which precipitated the emergency which we are endeavoring to find a way to meet. The pending bill is so worded that it can not be possibly tortured into an approval of one or disapproval of the other party to this unfortunate controversy. But I should be untrue to every instinct of fairness, knowing the men and the situation as I believe I do, to allow the harsh criticisms of the governor of Porto Rico and his American associates in the executive council which have been made in the course of this debate to pass without challenge. Nothing could be wider from the fact than the statement, made I am sure without sufficient consideration, that these men are of the class that may usually be found hanging about political headquarters. The truth is that political considerations were not in the smallest measure responsible for the appointment of a single one of them.

Regis H. Post was a New York lawyer when, in 1903, he was sent to Porto Rico as auditor. A year later he became secretary, and after serving for three years in that capacity under Governor Beekman Winthrop he was appointed governor. The promotion was fairly earned by long years of faithful and highly efficient service.

W. F. Willoughby, secretary and ex officio president of the executive council, was a member of the United States Commission to the Paris Exposition in 1900 and received the cross of the Legion of Honor from the French Government. Later he was a lecturer in economics at Johns Hopkins and Harvard universities, and has several times represented the Department of Commerce and Labor at international congresses and in the investigation of labor conditions in Europe. He is the author of a number of important books on subjects relating to political and social economy. He went to Porto Rico first as treasurer in November, 1901, and his present position is only the deserved recognition of conscientious and very able service.

S. D. Gromer, treasurer, has college degrees from Missouri, Harvard, Columbia, and Chicago universities and was on the faculty of the Missouri State University when he received his present appointment.

George D. Ward, auditor, was a practicing lawyer in New York.

E. G. Dexter, commisssioner of education, was professor of education in the University of Illinois.

Henry M. Hoyt, attorney-general, has been a practicing lawyer since 1885, was for three years United States attorney at Nome, Alaska, and represented the Department of the Interior as special attorney in the prosecution of the land-fraud cases in the State of Washington.

L. G. Graham, commissioner of the interior, was engaged in newspaper work in the State of New York and had made a special study of the subjects that come within his jurisdiction in Porto Rico.

All these gentlemen have taken their families to the island, are making their homes there, have acquired the Spanish language, and have thoroughly identified themselves with the interests of Porto Rico. I specifically questioned the most radical leaders of the anti-American sentiment, and every one of them expressed absolute confidence in the personal integrity of all these gentlemen, and did not voice even a suspicion that any of them was actuated by any other than the highest motives. I wish to make it especially clear that there is absolutely no taint of graft upon the American administration of affairs in Porto Rico, and no accusation of the arbitrary exercise of power. Indeed, the only complaint I heard against the American members of the executive council was that they have gone too far in the direction of concession and compromise rather than not far enough.

Passing from this, I should like to discuss in detail the various bills the failure to agree to which on the part of the executive council is alleged by leaders of the house as a justification for their refusal to agree to the budget. This has already been so well done, however, by the gentleman from Ohio and others and the ground is so fully covered by the President's message that I shall content myself with but brief comment upon some of the more important of these measures.

The statement filed by the delegation from the house complains bitterly because the executive council would not pass bill No. 35, which provided for the creation of industrial and

professional schools of arts and trades on the island of Porto Rico. What ground is there for this complaint, in the face of the fact that this bill proposed to place all the schools created by it under the direction of the department of health, charities, and corrections, when the Foraker Act expressly provides that the commissioner of education "shall superintend public instructions throughout Porto Rico, and all disbursements on account thereof must be approved by him?"

So far as I could learn no other reason was given for this attempted violation of the organic act than that the department of health, charities, and corrections is presided over by a native Porto Rican, and the expenditures growing out of the establishment of the new schools would therefore be in Porto Rican and not in American hands. As a matter of fact, my information is that the council was entirely willing to pass the bill with such changes as would bring it in harmony with the Foraker Act, so that, so far as the merits of the measure are concerned, it might have been passed.

Touching the bill to reorganize the judiciary of the island, it should be remembered that under the existing law the following system prevails: There is a supreme court of 5 judges, appointed by the President; 28 municipal judges, elected by the people; and 44 justices of the peace, appointed by the governor. The bill proposed to abolish all the justices of the peace and to increase the number of municipal judges to 66, although in many cases the municipal district was so small that there was absolutely no necessity for a separate municipal court. The bill provided, of course, that these judges should be elected, and, pending the next election, the governor should fill the newly-created courts by appointment. Please notice, however, the conditions under which this appointive power was to be exercised. I quote from the bill as follows:

The appointment shall be given to such persons as belong to the political party obtaining the majority of votes in their respective municipalities during the last elections of November 3, 1908. *The governor shall appoint the candidate suggested to him for such office by the superior directive committee of the political party.*

The bill further provided that the marshals and secretives of the court shall be elected in the same manner, and where the governor had to fill vacancies he would be required to follow the same rules as above set forth in respect to filling vacancies for the office of judge. This was one of the bills that the house insisted that the council pass, practically in the form as passed by the house, as a condition precedent to the passing of the appropriation bill by the house. It was a purely political measure, having for its purpose to do away with courts presided over by persons appointed by the governor, and to substitute in their places ones presided over by officials elected, or, if appointed, appointed at the dictation of the party leaders. The bill called for unnecessary courts, unnecessary expenditures, the substitution of the bad system of selection of judges for a good system, and the making of all judicial officers to which the bill related a matter of political influence. To have passed it would have been to destroy the work of ten years by which a strong independent judiciary had been developed on the island by the present government in substitution of the corrupt system formerly existing, under which political and other influence had full sway and justice bought and sold throughout the island. And yet the gentleman from Tennessee [Mr. GARRETT] is willing to say that he might vote for that kind of a measure.

Mr. GARRETT. Yes; I think for that character of an election.

Mr. SCOTT. What kind of a character?

Mr. GARRETT. A pretty fair character. It elects mayor in the alternate.

Mr. SCOTT. Would the gentleman, as a Member of the House of Representatives of the Congress of the United States, be willing to father, or even remotely and distantly to follow, a proposition of this body imposing upon the governor of some State, or upon the President of the United States, the necessity of taking the recommendation of a political committee in the appointment of judges?

Mr. GARRETT. I do not understand that to be the reading of that, however.

Mr. SCOTT. But it is the reading—

That the governor shall appoint the candidate suggested to him for such office by the superior directive committee of the political party.

Mr. GARRETT. It has been my understanding that that act, with all these terms, means that the second candidate should be appointed—the man who came second in the race.

Mr. SCOTT. There was this kind of a proposition originally, I am informed, in this bill: That there should be three judges elected, and in case of the disability or removal of the first judge, then the second one should be called into the office. But that was not insisted upon, and the provision I have read certainly means a good deal more than the gentleman seems to believe it does. As an illustration, there recently occurred a vacancy in the office of the mayor of Caguas, I believe. The governor of Porto Rico has always recognized the propriety of consulting the dominant political party in making his appointments, and I may say in passing that he has been recognized upon the island as extremely friendly to the Unionist, the present dominant party, and has been criticised because of his partiality for that organization.

There also was a recognition of the propriety of consulting the representatives of the dominant party when a vacancy was to be filled, and so when this vacancy occurred at Caguas he asked the party committee to present three names for his consideration. This was done, and after obtaining all of the facts relating to the three candidates which he was able to get, he decided to appoint the man whose name appeared second on the list of three. Thereupon there was a great uproar and fierce denunciation because he had not taken the first man, the man who was designated as the first choice of the committee.

Mr. BARTLETT of Georgia. Of course the gentleman does not believe in that sort of selection of officers.

Mr. SCOTT. It does not seem to me to make for good government in Porto Rico.

Mr. BARTLETT of Georgia. The gentleman knows that a great number of States in the Union have had both judges and postmasters and all federal officers appointed upon the recommendation of two or three men in each State from one political party.

Mr. SCOTT. The gentleman must concede that it is not done through any law.

Mr. BARTLETT of Georgia. No.

Mr. SCOTT. Nobody would have the audacity to have put such a law on the statute books.

Mr. BARTLETT of Georgia. But it is done by a very vicious custom existing for many years in the Republican party.

Mr. SCOTT. Has it ever existed in any other party?

Mr. BARTLETT of Georgia. I never heard of it doing so.

Mr. OLMSTED. But it never did apply to judges.

Mr. BARTLETT of Georgia. Well, I believe it did, if the gentleman will examine.

Mr. SCOTT. I will ask the gentleman from Georgia if he would vote for such a law for the people of the United States to-day?

Mr. BARTLETT of Georgia. No, sir; I would not.

The CHAIRMAN. Does the gentleman yield to the Commissioner from Porto Rico?

Mr. SCOTT. Just a moment, if the Commissioner will pardon me.

Mr. BARTLETT of Georgia. It is a very vicious system.

Mr. SCOTT. We know of the things that have occurred, not to use any adjective, even in the States represented by the gentleman who is now facing me [Mr. BARTLETT] and the gentleman from Tennessee [Mr. GARRETT] relating to the system to which reference has been made; and it occurred to me as peculiarly queer that the gentleman from Tennessee should favor the enactment into law of a similar system in Porto Rico.

Mr. GARRETT. If the gentleman will permit me——

Mr. FITZGERALD. Mr. Chairman——

Mr. SCOTT. Inasmuch as reference has been made to the gentleman from Tennessee, I yield to him.

Mr. GARRETT. The so-called "referee system" as regards federal appointments has never applied in Tennessee in the same way that it has applied in other Southern States.

Mr. SCOTT. That is why I should think the gentleman would hardly be in favor of the passage of an act putting it in effect in Tennessee.

Mr. GARRETT. Well, no; I do not think I would. [Laughter.] But the gentleman understands that in Tennessee there is a great, strong Republican party.

Mr. SCOTT. We have abundant evidence of that on this side of the Chamber. And the gentleman from Tennessee, I am sure, would not believe that any of the other States should have such a system applied to the selection of the judiciary.

Mr. GARRETT. I am sure the gentleman agrees with me that other vicious provisions are contained in this bill.

Mr. LARRINAGA. Mr. Chairman, I want to say in regard to this point and in explanation of the custom in Porto Rico, that the political party that has carried the election in a particular town has always been accorded the right to present the candidates; but it was not the dominant party of the island, but the dominant party of that particular town. The dominant party of that particular town is allowed the privilege of presenting its candidates. That party was presented not as the candidate of the party of the majority of the whole island, but of the dominant party of the town itself.

Now, that bill was introduced to correct an abuse; and I honestly will say that the abuse has not existed so much for the last few years. The bill was introduced to correct an abuse that took place during the first four years of the civil government there, when the justices of the peace were appointed by the governor and were the political weapons of the governor that he used when he wanted to elect a lower house of his own political friends. It is just to correct that injustice—that governors could use that power to elect their friends and give us the same kind of treatment that Governor Allen and Governor Hunt did.

Mr. SCOTT. Why, you would not take the position that it should be given by law to a committee—a political committee?

Mr. FITZGERALD. Do I understand the gentleman from Kansas to say that the act which the house of delegates desired was one to permit a committee of the dominant party to select officers, and which would require the governor, in appointing, to select the candidate suggested to him by the central committee of the dominant party? Let me call the attention of the gentleman from Kansas to a communication from the Secretary of the Interior to the President of the United States, transmitted to Congress by the President with his message.

Mr. SCOTT. What page does the gentleman read from?

Mr. FITZGERALD. I read from page 7, in which he—the Secretary of the Interior—says that the bill was, after mentioning other things, such as the election of mayors and councilmen and judges by the votes of the people instead of the appointment by the governor:

What the house of delegates wanted was to have the vacancies filled by a popular election and take the appointment from the governor; not to put it in the hands of a political committee to control the patronage, and have the governor act merely as a figurehead.

Mr. SCOTT. Mr. Chairman, the gentleman is talking about one thing and I have been discussing another. The gentleman is referring to a bill in relation to filling appointments in the case of a vacancy occurring in the office of mayor, while I am talking about the appointment of judges.

Mr. FITZGERALD. The gentleman cited, as an illustration, one case where three names were selected for the mayor of the place, and a great uproar occurred because the second man on the list had been appointed instead of the first. I call his attention to the fact that the grievance of these people is not that they were not permitted to name the man that the governor should appoint, but their grievance is that they are not permitted to have officials selected by a vote of the people, instead of by the governor, in any form. I accept the statement of the Secretary of the Interior in this report to the President, because he had been designated by the President to ascertain the facts.

Mr. SCOTT. I have not taken time during this colloquy to read the language of the report, but I am sure there is no material contradiction between the statement of the Secretary of the Interior and the assertions that I have been making. It is true that the lower house desired to have in the case of a vacancy in the office of mayor an appointment or selection made by the members of the city council. The mayor at present in all the towns is elected by the people, and under the present law in the event of a vacancy an appointment is made by the governor. The lower house desired to have that law changed so as to permit the council to select the mayor's successor. The council itself was willing to compromise on that measure to the extent of permitting the council to select the successor of the mayor in all cases except where the mayor was removed for cause; but in that event they thought the law ought to provide for the appointment by the governor, so that there might not be a little clique in some municipality that would pass the offices around among themselves, regardless of the manner in which the duties were performed. I think that must be the statement to which the gentleman refers, quoting from the letter of the Secretary of the Interior, but the bill I was discussing related to the selection of the judges.

Mr. FITZGERALD. In this document to which I referred it says "mayors, judges, and councilmen." It says they desire them to be elected, "the mayors, councilmen, and judges," by a vote of the people instead of by the appointment of the governor.

Mr. SCOTT. The Secretary must have been writing hastily and including a great deal in one sentence, because mayors and councilmen are already elected.

Mr. FITZGERALD. Oh, I hardly wish to charge the Secretary of the Interior with any such carelessness as that in a report to the President on such an important matter. It is too serious an indictment to make of this new Secretary of the Interior.

Mr. SCOTT. I present no indictment of the Secretary. It would be easy enough for anyone, not giving especial attention to the situation there, to make such a mistake.

Mr. FITZGERALD. But was he not delegated by the President to meet the representatives of the council and the house of delegates to ascertain the facts and report to him? And this is his report to the President.

Mr. SCOTT. I must decline to enter into any further controversy about a matter which is not at all essential to the point I am discussing.

Mr. FITZGERALD. I have just one thing else to say, and that is that the President has transmitted this to us for our information, to guide us, and I think we are entitled to rely upon the information sent in such a way and not to have it impeached.

Mr. SCOTT. I think I have made it clear to the members of the committee, aside from the gentleman from New York, that there is no material contradiction between the statement made in the letter of the Secretary of the Interior and the statement I have just made myself; but even if there were a heaven-wide difference, it would not go to the merits of this question. It is perfectly obvious to anyone who knows the facts, who is acquainted with the situation, that the purpose, and the only purpose, entertained in the mind of the house of delegates in presenting this bill was to get control of a greater amount of political patronage. They virtually admit this themselves when they refer to the bill as "a movement in the direction of greater autonomy," for that is what they mean when they use that phrase.

Mr. FITZGERALD. Was not that charged against the Congress of the United States in the last session by the President of the United States in reference to a certain bill?

Mr. SCOTT. I do not remember that it was.

Mr. FITZGERALD. Oh, I call the attention of the gentleman to the census veto. I think it is very emphatically along the same line.

Mr. SCOTT. Even if it were, it is hardly a justification of one man's offense to cite a similar delinquency on the part of another.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. I ask unanimous consent that the gentleman be permitted to continue for fifteen minutes longer.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Chairman, I am very greatly obliged to the committee for its courtesy, and will try to conclude in the time allowed.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. SCOTT. Yes.

Mr. AUSTIN. I wish to correct an unintentional misstatement of my colleague from Tennessee [Mr. GARRETT] in reference to the referee system in Tennessee. The facts are that the referee system in Tennessee did prevail during the recent administration, a very unsatisfactory system, resulting in the appointment of a number of very undesirable federal officials. I think the prevailing of that system under the recent administration inured largely to the interest of the Democratic party, for it resulted in keeping down the Republican vote in that State, and the Democratic party, by virtue of that system, have at least two seats on that side of the House as well as gaining the electoral vote in the recent election there. But I hope we are through with the referee system in Tennessee and that we have seen the last of it in the South.

Mr. GARRETT. Will the gentleman yield?

Mr. SCOTT. I regret exceedingly that the gentleman from Tennessee [Mr. AUSTIN] should have diverted the discussion into this channel. It hardly relates to the question at issue, and unless the other gentleman from Tennessee [Mr. GARRETT] feels it very important, I would like to ask him to postpone his remarks.

Mr. GARRETT. I did not catch exactly what the gentleman from Tennessee [Mr. AUSTIN] said. I understood he wanted to correct some statement that I made. I stated that there was a good, strong Republican party in Tennessee. I do not want to offend him, and if he wishes, I will withdraw that. [Laughter.]

Mr. AUSTIN. It was not that statement. In order that the RECORD may be correct, my colleague did state that he did not know of any referee system in Tennessee. I wish to say that there was a referee system under the recent administration in Tennessee, and a very objectionable one.

Mr. SCOTT. Mr. Chairman, I should be glad, if time permitted, to discuss some of the other measures which have been in controversy between the two houses of the legislature of

means a good deal more than the gentleman seems to believe it

of the dominant party of the town itself.

Porto Rico, but it is really not germane to the bill now pending before us, because we are not called upon to take sides with either party. I disagree wholly with my friend from Colorado [Mr. MARTIN] in his statement that we are deciding the merits of this controversy by the vote which we shall cast upon this bill. On the contrary, we are distinctly not passing upon the merits of the controversy. We are simply taking a measure rendered necessary by a condition which exists and which would mean chaos if it were allowed to continue. The gentleman from Tennessee [Mr. GARRETT], speaking hastily, I am sure, in response to an interruption and expressing a sentiment which, upon mature reflection, he would be far from insisting upon, stated that his remedy for the existing situation would be to refuse to pass this bill, to let the governor call an extra session of the legislature, and rely upon the executive council to make some concessions.

In the first place, there remains but little more than thirty days before the 30th of June, when by limitation the present appropriations expire. The gentleman certainly is well aware of the fact that it would be wholly impossible to carry out his programme—to have the House refuse to pass this bill, to wait for the Senate to take similar action, for word of that course to be cabled to Porto Rico, for a special session of the legislature to be called, and for agreements to be reached, all to be done before the 1st of July; and, in the second place, he reflects most seriously, it seems to me, upon the good sense, upon the levelheadedness, upon the dignity and the sincerity of the gentlemen composing the executive council when he suggests that they would be willing now to grant concessions which they were unwilling to grant at the last regular and at the recent special session of the legislature. Certainly they would be unworthy of the responsible places they fill if they were willing to permit such a situation as now exists to be brought about through any other than the most solemn and inexorable sense of duty and obligation. But even if time permitted, and even if the executive council were willing to stultify itself, the course the gentleman suggests would be an inexcusable blunder.

It would be, in effect, a judgment in favor of the house of delegates, which would make the position of the council intolerable, and bring a condition of political chaos upon the island and bring open contempt upon American rule. There is nothing for us to do but to pass this bill.

Before closing there is one more fact to which no reference has been made, either by the gentleman from Porto Rico in his address in the Chamber or in the brief of the Rivera committee, which I wish to bring to the attention of the House, because I regard it as more significant than any statement which appears in either document.

The legislature of Porto Rico assembled on the 12th day of last January. On the evening of that very day, before the house had had the slightest reason to think that the executive council would do other than to use every effort to work harmoniously with the house, the latter body assembled in joint caucus with the central committee of the Unionist party—I hope the Members will note the close contact and combination between these two bodies—to formulate a policy to be followed by the house in the session just beginning. At that meeting there was presented the following resolution:

> The house to abstain from the introduction of any bills and to indefinitely postpone all bills of the council, declaring, if necessary, that it adopts this attitude because it considers that the Foraker Act is a tyrannical yoke imposed on Porto Rico, and that the house is a figurehead, whose laws are not even complied with and are in practice of no account and useless.

This resolution received the votes of nine members of the house of delegates. It was made apparent, however, by the discussion that it really expressed the sentiment of a majority of the house, but the more conservative leaders regarded it as inexpedient at the time. As a substitute, therefore, the following resolutions were unanimously adopted:

> 1. That at all costs it is necessary to act energetically against the existence of the Foraker Act, which destroys the personality of Porto Rico, and against the manner in which the central officers are applying it.
>
> 2. That, however, resort should not be had to any act of systematic opposition, and it should only be understood that the house adopts a position of irrevocable independence.
>
> 3. That the house of delegates ought to vote and support laws of an automatic character for the entire life of the country, to enter upon a severe criticism of the administration in its distinct services, and utilize the political means that it possesses to the end that those laws shall be approved and the administration corrected in an effective manner.
>
> Following this nom of conduct, the central committee and the house will do whatever circumstances require, and, always within legal means, making all possible sacrifices.

It is entirely apparent, therefore, that from the beginning it was the intention of the leaders of the house of delegates to take an uncompromising attitude, with the deliberate purpose and intention of forcing a rupture with the executive council. The failure of the council to pass the house bills, which was brought forward by the Rivera committee as a reason for and in justification of the course of the house, is plainly a pretext, and not, in fact, a reason. Indeed, one of the leaders of the house, a member of the committee which recently visited the United States, personally admitted as much to me. He said frankly that for nine years the house of delegates had waited patiently for amendments to the Foraker Act which would give the people of Porto Rico greater participation in the government, but had finally concluded that the only way to reach this end was to bring about a political crisis which would attract the attention of the people and the Congress of the United States.

The merits or demerits, therefore, of the particular bills which have been discussed here, as a matter of fact, cut no figure in the case. The crux of the whole contention lies in the question: Shall the people of Porto Rico be given a larger share in the government of the island than is granted them under the Foraker Act? That is not the question at immediate issue, of course, but it is the contention underlying the disturbance which has made the pending bill necessary.

If I had longer time I should be glad to consider this phase of the subject, but at this late hour I do not feel like taxing the patience of the House to do so. What I have just said makes it conclusively clear, it seems to me, that there was from the beginning an intention on the part of the leaders of the Porto Rican house to force a condition which would make a rupture inevitable, which would make a compromise impossible. Indeed, in private conversation they do not hesitate to avow that this was their purpose. I interrogated a member of the committee which came here two months ago to represent the house of delegates specifically in regard to this matter. I asked him what he hoped to gain by such procedure. I said to him:

> Did you entertain the thought that the people of the United States, that the Congress of the United States would be aghast with consternation when they learned that the legislature of Porto Rico had failed to pass the appropriation bill and would make haste to grant whatever demands you might make? Admitting that reforms may be necessary, did you imagine that Congress could be coerced into granting them? Was it your opinion that procedure along this line would tend to convince the people of the United States that you are entitled to a greater measure of self-government than you now have?

And his only reply was that they had been patiently waiting for nine years to obtain greater participation in the government, but without avail, and therefore felt that the only way to secure consideration for their demands was to precipitate a crisis. Perhaps they are not to be blamed for entertaining that opinion. It is their immeasurable misfortune that throughout all their experience as Spanish subjects they were never able to obtain any governmental reform except through revolution or the threat of revolution. But, surely, no Member of this body will believe that it was a wise method to pursue or that they who followed it should be encouraged by permitting it to succeed. The very first lesson which must be taught to the new peoples who have been brought under our flag is that government by revolution is not the United States way. They must be taught that only by patient demonstration of their capacity to exercise wisely the political privileges already accorded them can they hope to secure an extension of those privileges. By the passage of this bill we have an opportunity to give the people of Porto Rico a lesson, not by way of rebuke or of harsh accusation, but in all kindness and good will, which will surely not be lost upon them. At the proper time in the future the Congress of the United States, without doubt, will consider to what degree, if at all, the privileges of American citizenship should be further extended to them. But the question immediately before us is, Shall we provide for the orderly conduct of government in Porto Rico or shall we allow chaos to come again in that island? It seems to me——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SCOTT. If I may have one more minute——

Mr. PAYNE. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Kansas may be allowed five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. SCOTT. It seems to me, Mr. Chairman, that the passage of the bill now before the House is the only sensible and reasonable and natural way out of the difficulty.

And it should be passed in exactly its present form. To load it down with such amendments as have been suggested by various gentlemen would be most deplorable on account of the construction that would inevitably be placed upon such action

in the island. It is declared that by passing this bill we will be taking sides in favor of the executive council. How can such a contention be made, in view of the fact that if the present emergency had been brought about wholly through fault of the council exactly the same bill would have become necessary? But suppose a rider is attached to this bill promising in effect to see to it that the demands of one party to the controversy are conceded. That indeed would be to take sides; and I can not believe that any considerable number of the Members of this House will be willing to embarrass their country in a performance of the very delicate and difficult task which at best it has in Porto Rico by favoring such a proposition. Granting that gentlemen on the other side of the aisle are not in accord with the policy by which we have acquired Porto Rico, and that they do not approve of the system of government we have instituted there, yet I submit that to vote against this bill or to force embarrassing riders upon it can not possibly operate to change that policy or to alter that system of government. Whatever the future may have in store as to our other insular possessions, no gentleman in this Chamber either desires or expects that we will ever relinquish Porto Rico. Why, then, should we not stand as a unit in insisting that government there shall proceed in an orderly fashion, and that if grievances exist they should be presented to this body by resolution and not by revolution? I appeal to the members of the committee, therefore, to consider well the vote which they shall cast upon this measure and to let it represent not their hope of partisan advantage but their patriotic desire to maintain the dignity and preserve the good name of their country.

I am greatly obliged to the committee for the patience with which it has listened to what I have had to say. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 9541—the Porto Rican bill—and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. GARDNER of Michigan, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of James W. Sears, no adverse report having been made thereon.

PROPOSED AMENDMENTS.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent to insert some amendments in the RECORD, for the information of the committee, and in connection with the Porto Rican bill.

The SPEAKER pro tempore. Is there objection to the motion of the gentleman from Tennessee?

There was no objection.

The proposed amendments are as follows:

> Line 9, paragraph 2, strike out the word "session" and insert in lieu thereof the words "fiscal year."
>
> Line 10, after the word "government," insert the words "for the ensuing fiscal year."

ADJOURNMENT.

Mr. PAYNE. I move the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 26 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting the journal of the legislative council of Porto Rico (H. Doc. No. 42)—to the Committee on Insular Affairs and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Sally*, John D. Farley, master (S. Doc. No. 57)—to the Committee on Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Drake*, Jonthan M. Tredick, master (S. Doc. No. 58)—to the Committee on Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Two Brothers*, Alexander Forrester, master (S. Doc. No. 61)—to the Committee on Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Willing Maid*, Comfort Bird, master (S. Doc. No. 62)—to the Committee on Claims and ordered to be printed.

A message transmitting a report by the Secretary of State, with accompanying papers, stating reasons why it is desirable to take part officially in the Brussels Exposition—to the Committee on Appropriations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BRADLEY: A bill (H. R. 10106) authorizing the acceptance by the United States Government from the Woman's Relief Corps, auxiliary to the Grand Army of the Republic, of a proposed gift of land, contiguous to the Andersonville National Cemetery, in the State of Georgia—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 10107) to provide for the purchase of a site and the erection of a public building at The Dalles, Oreg.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10108) for the relief of certain officers and enlisted men of the Second Regiment of Oregon Volunteer Infantry and other officers and enlisted men for special service in the Philippine Islands—to the Committee on Military Affairs.

By Mr. PEARRE (by request): A bill (H. R. 10109) for the testing of the Mason McCarty high-powered gun and cartridges—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 10110) to provide for the casting in bronze and erection in the city of Washington of the colossal equestrian group known as The Indian Buffalo Hunt—to the Committee on the Library.

By Mr. WEBB: A bill (H. R. 10111) to authorize the Court of Claims to admit as evidence affidavits in certain cases—to the Committee on the Judiciary.

By Mr. WICKLIFFE: A bill (H. R. 10112) for the erection of a federal building at Hammond, La.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10113) for the erection of a federal building at Donaldsonville, La.—to the Committee on Public Buildings and Grounds.

By Mr. BRADLEY: A bill (H. R. 10114) to provide for a park road at the light-house reservation at Stony Point, on the Hudson River, in the State of New York—to the Committee on Interstate and Foreign Commerce.

By Mr. RUCKER of Colorado: A bill (H. R. 10115) to remove the charge of desertion now standing against any officer or enlisted man who served in the Army, Navy, or Marine Corps at any time for a period of ninety days or more during the civil war—to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 10116) extending the limits of the District of Columbia—to the Committee on the District of Columbia.

By the SPEAKER: Memorial of the legislature of Iowa, for the calling of a constitutional convention to amend the Constitution in relation to the election of Senators by the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 10117) granting an increase of pension to Nancy Sipe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10118) granting an increase of pension to John Bothart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10119) granting an increase of pension to Jerome T. Richter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10120) granting an increase of pension to Raleigh Bowden—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of Missouri: A bill (H. R. 10121) granting an increase of pension to Enoch Plummer—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 10122) granting a pension to William May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10123) granting an increase of pension to Richard P. Chandler—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 10124) granting an increase of pension to Benjamin A. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10125) granting an increase of pension to John Belger—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 10126) granting a congressional medal of honor to Lieut. John Ritchie—to the Committee on Military Affairs.

By Mr. BYRNS: A bill (H. R. 10127) granting an increase of pension to G. W. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10128) for the relief of James C. Price, of Davidson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10129) for the relief of the estate of Zebulon Evans, late of Bedford County, Tenn.—to the Committee on War Claims.

By Mr. CAMERON: A bill (H. R. 10130) granting an increase of pension to Frances Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10131) granting a pension to George R. Watt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10132) granting certain land to the town of Yuma, in the Territory of Arizona—to the Committee on the Public Lands.

By Mr. CASSIDY: A bill (H. R. 10133) granting an increase of pension to Charles M. Rome—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 10134) granting an increase of pension to William M. Smith—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 10135) granting an increase of pension to Amos H. Cory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10136) granting an increase of pension to Isaiah B. Smith—to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 10137) for the relief of James K. Hamblen, of Madison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10138) for the relief of Mrs. C. V. Wilkins, of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10139) for the relief of W. W. Warren, administrator of the estate of Jackson Warren, deceased, of Canton, Madison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10140) for the relief of Mrs. Mary S. Miller and Charles E. Bullock, heirs of J. L. W. Bullock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10141) for the relief of Abner P. Bush, of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10142) for the relief of the estate of Nancy Maria Minter—to the Committee on War Claims.

Also, a bill (H. R. 10143) for the relief of the estate of Reuben Millsaps—to the Committee on War Claims.

Also, a bill (H. R. 10144) for the relief of the estate of James S. Winters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10145) for the relief of the estate of Emily R. Martin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10146) for the relief of the estate of James P. Smith—to the Committee on War Claims.

Also, a bill (H. R. 10147) for the relief of the estate of Jacob Oates, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10148) for relief of the estate of Rebecca E. Sexton—to the Committee on War Claims.

Also, a bill (H. R. 10149) for the relief of the estate of Henry E. Windley—to the Committee on War Claims.

Also, a bill (H. R. 10150) for the relief of the heirs of Mrs. C. M. J. Williamson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10151) for the relief of the heirs of Harvey Latham, deceased, and for other purposes—to the Committee on War Claims.

Also, a bill (H. R. 10152) for the relief of the heirs of Mrs. H. C. Henderson, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10153) for the relief of the heirs of Joseph Wilson, deceased—to the Committee on War Claims.

By Mr. CRUMPACKER: A bill (H. R. 10154) granting an increase of pension to John W. Erwin—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Kentucky: A bill (H. R. 10155) granting an increase of pension to William Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10156) granting an increase of pension to John L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10157) granting an increase of pension to Jacob S. Bruton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10158) granting an increase of pension to Granville Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10159) granting an increase of pension to Richard L. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10160) granting an increase of pension to Charles Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10161) granting an increase of pension to James Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10162) granting an increase of pension to Harvey D. Burnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10163) granting an increase of pension to John C. Duff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10164) granting an increase of pension to Daniel Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10165) granting an increase of pension to Henry Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10166) granting an increase of pension to William H. Waddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10167) granting an increase of pension to William W. Matlock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10168) granting an increase of pension to Hugh T. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10169) granting an increase of pension to William H. Meece—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10170) granting an increase of pension to Minter Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10171) granting an increase of pension to Rufus J. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10172) granting an increase of pension to William J. Lawless—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10173) granting an increase of pension to Arthur R. Frogge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10174) granting an increase of pension to Jefferson Colwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10175) granting an increase of pension to Robert E. Sawyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10176) granting an increase of pension to William Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10177) granting an increase of pension to Levi Ferrel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10178) granting an increase of pension to Benjamin Messer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10179) granting an increase of pension to Wiley Couch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10180) granting an increase of pension to John F. M. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10181) granting an increase of pension to John Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10182) granting an increase of pension to Thomas B. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10183) granting an increase of pension to Jesse Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10184) granting an increase of pension to William Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10185) granting an increase of pension to Thomas Spradlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10186) granting an increase of pension to Jesse M. Silvers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10187) granting an increase of pension to John M. Hardgrove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10188) granting an increase of pension to Clay Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10189) granting an increase of pension to William G. Ping—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10190) granting an increase of pension to George W. Barlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10191) granting an increase of pension to Darius Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10192) granting an increase of pension to Constantine C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10193) granting an increase of pension to David Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10194) granting an increase of pension to James C. Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10195) granting an increase of pension to Francis M. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10196) granting an increase of pension to Reuben Maggard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10197) granting an increase of pension to Thomas O. Letcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10198) granting an increase of pension to John T. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10199) granting an increase of pension to Milford M. Britton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10200) granting an increase of pension to Sherrod W. Barnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10201) granting an increase of pension to Jackson Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10202) granting an increase of pension to Milton Perdue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10203) granting an increase of pension to James Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10204) granting an increase of pension to William Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10205) granting a pension to Hannah E. Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10206) granting a pension to Robert E. Meadors—to the Committee on Pensions.

Also, a bill (H. R. 10207) granting a pension to Thomas Gentry—to the Committee on Pensions.

Also, a bill (H. R. 10208) granting a pension to Washington Craft—to the Committee on Pensions.

Also, a bill (H. R. 10209) granting a pension to Orville Fox—to the Committee on Pensions.

Also, a bill (H. R. 10210) granting a pension to Dudley R. Sloan—to the Committee on Pensions.

Also, a bill (H. R. 10211) granting a pension to Vanna Cox—to the Committee on Pensions.

Also, a bill (H. R. 10212) granting a pension to Catherine Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10213) granting a pension to Doolin Ford—to the Committee on Pensions.

Also, a bill (H. R. 10214) granting a pension to William H. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10215) granting a pension to Amy Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10216) granting a pension to William Jackson—to the Committee on Pensions.

Also, a bill (H. R. 10217) granting a pension to William Pace—to the Committee on Pensions.

Also, a bill (H. R. 10218) for the relief of William Wells—to the Committee on War Claims.

By Mr. ELLIS: A bill (H. R. 10219) granting an increase of pension to Charles G. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10220) granting a pension to Jackson Yates—to the Committee on Pensions.

By Mr. ESTOPINAL: A bill (H. R. 10221) for the relief of the Louisiana State Bank—to the Committee on Claims.

Also, a bill (H. R. 10222) for the benefit of the Citizens' Bank of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 10223) for the benefit of the Citizens' Bank of Louisiana—to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 10224) granting an increase of pension to Michael Carney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10225) granting an increase of pension to James E. Reilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10226) granting an increase of pension to Daniel Hines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10227) granting an increase of pension to David S. Brower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10228) granting a pension to John S. Woods—to the Committee on Pensions.

Also, a bill (H. R. 10229) to correct the military record of Simon W. Larkin—to the Committee on Military Affairs.

Also, a bill (H. R. 10230) to remove the charge of desertion from the naval record of Patrick J. Skelly—to the Committee on Naval Affairs.

Also, a bill (H. R. 10231) to remove the charge of desertion from the military record of John T. Johnson—to the Committee on Military Affairs.

By Mr. FLOYD of Arkansas: A bill (H. R. 10232) granting a pension to James H. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10233) granting an increase of pension to Franklin Pilcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10234) for the relief of James H. Gaines—to the Committee on War Claims.

Also, a bill (H. R. 10235) for the relief of Samuel Choate—to the Committee on War Claims.

Also, a bill (H. R. 10236) for the relief of A. M. Webb—to the Committee on War Claims.

Also, a bill (H. R. 10237) for the relief of Ben Mahuren—to the Committee on War Claims.

Also, a bill (H. R. 10238) for the relief of the estate of Nathan P. English, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10239) for the relief of heirs of Jesse Hollingshead, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10240) for the relief of the heirs of Matthias Price, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10241) to correct the military record of Elijah Keeling—to the Committee on Military Affairs.

Also, a bill (H. R. 10242) to carry into effect the findings of the Court of Claims in the matter of the claim of the Cumberland Presbyterian Church, of Mount Comfort, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 10243) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of John Brewer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10244) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Benjamin Pigman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10245) to carry out the findings of the Court of Claims in the case of Samuel B. Derreberry—to the Committee on War Claims.

By Mr. FOSTER of Illinois: A bill (H. R. 10246) granting a pension to Mary C. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10247) granting an increase of pension to Eben R. Lindsey—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 10248) granting an increase of pension to Joseph Stone—to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 10249) granting an increase of pension to John H. McGregor—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10250) granting a pension to Maude Strange—to the Committee on Pensions.

By Mr. HIGGINS: A bill (H. R. 10251) granting an increase of pension to Lucius Austin—to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 10252) for the relief of Benjamin F. Howe, alias Benjamin Burhas—to the Committee on Claims.

By Mr. HULL of Iowa: A bill (H. R. 10253) granting an increase of pension to Martin Hogan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10254) granting an increase of pension to Sarah Littleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10255) granting an increase of pension to James F. Burgess—to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 10256) for the relief of Col. William F. Stewart, United States Army, retired—to the Committee on Military Affairs.

By Mr. KENNEDY of Ohio: A bill (H. R. 10257) granting an honorable discharge to James H. Davis—to the Committee on Military Affairs.

By Mr. McCALL: A bill (H. R. 10258) to correct the naval record of John Coughlan—to the Committee on Naval Affairs.

By Mr. MACON: A bill (H. R. 10259) for the relief of the estate of John Holleman, deceased—to the Committee on War Claims.

By Mr. MARTIN of South Dakota: A bill (H. R. 10260) granting a pension to Fred Olson, alias William Brown—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 10261) for the relief of Fred Fox, jr., of Chattanooga, Tenn.—to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 10262) granting an increase of pension to James Hatfield—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 10263) granting an increase of pension to William H. Smith—to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: A bill (H. R. 10264) granting an increase of pension to Uriah Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10265) granting an increase of pension to Jacob Itterly—to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 10266) granting a pension to Charles L. Washburne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10267) granting a pension to R. W. McStraw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10268) granting an increase of pension to Henry A. Sampson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10269) granting an increase of pension to Charles E. Storrs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10270) granting an increase of pension to John Marley—to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 10271) granting a pension to Walter Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10272) to remove the charge of desertion from the military record of Joseph D. Campbell—to the Committee on Military Affairs.

By Mr. TOU VELLE: A bill (H. R. 10273) granting a pension to Asher V. Swisher—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of Enoch Plummer—to the Committee on Invalid Pensions.

By Mr. CASSIDY: Petitions of Merchants' Association of New York and Cleveland Chamber of Commerce, favoring a tariff commission—to the Committee on Ways and Means.

By Mr. COOK: Petition of Merchants' Association of New York, for a tariff commission—to the Committee on Ways and Means.

By Mr. ESTOPINAL: Petition of Leonard Crower, of New Orleans, favoring rate of duty on diamonds as fixed in the Payne tariff bill—to the Committee on Ways and Means.

Also, petition of Gardeners' Protective Association of New Orleans, favoring the Currier good-roads bill—to the Committee on Agriculture.

By Mr. FITZGERALD: Petition of New York City Federation of Women's Clubs, against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of National Coffee and Tea Association, against duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of New York State League of Cooperative Savings and Loan Associations, for reduction of duty on material for dwellings—to the Committee on Ways and Means.

Also, petition of Jewelers' Board of Trade of New York, favoring creation of a tariff commission—to the Committee on Ways and Means.

Also, petition of Hide and Leather Association of New York, favoring free hides—to the Committee on Ways and Means.

Also, petition of Commercial Exchange of Philadelphia, favoring a reciprocity treaty with Canada—to the Committee on Ways and Means.

Also, papers to accompany bill for relief of David S. Brower and Daniel Hines—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: Paper to accompany bill for relief of Elijah Keeling—to the Committee on Military Affairs.

Also, papers to accompany bills for relief of Jesse Shoemaker, Horatio M. McCaughey, Franklin Pilcher, James H. Evans, and John W. Say—to the Committee on Invalid Pensions.

Also, petition of citizens of the Third Congressional District of Arkansas, favoring a national highway commission—to the Committee on Agriculture.

By Mr. HOLLINGSWORTH: Petition of W. T. Sherman Command, No. 2, Union Veterans' Union, Department of New York, against picture of Jeff Davis on silver service of battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. McKINNEY: Petition of Tri-City Labor Congress, of Moline and Rock Island, Ill., and Davenport, Iowa, favoring the Kendall anti-injunction bill—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Scott Thompson—to the Committee on Invalid Pensions.

By Mr. MURPHY: Petitions of various farmers' unions of Texas County, Mo.—to the Committee on the Post-Office and Post-Roads.

By Mr. NELSON: Petition of Woman's Club of Madison, Wis., against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of citizens of Dorchester, Mass., for reduction of the tariff on wheat—to the Committee on Ways and Means.

By Mr. PEARRE: Petition of Altamont Lodge, No. 148, Brotherhood of Locomotive Firemen and Engineers, of Cumberland, Md., favoring S. 1986 and H. R. 7553; also favorable action on S. 236—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMMONS: Petitions of 12 business men of Middleport, 7 business men of Medina, and 15 business men of Albion, N. Y., favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, *May 28, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COUNCIL OF PORTO RICO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, one copy of the journal of the executive council of the first session and extraordinary session of the fifth legislative assembly of Porto Rico (H. Doc. No. 42), which, with the accompanying document, was referred to the Committee on Pacific Islands and Porto Rico.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 9609) to grant to John Rivett privilege to make commutation of his homestead entry, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan. I present memorials of 5,519 farmers and business men in the State of Michigan, protesting against the reduction of the present rate of duty on sugars. These memorials include 277 farmers and business men of Gratiot, 446 farmers and business men of Sanilac, 700 farmers and business men of Huron, 1,942 farmers and business men of Saginaw, 156 farmers and business men of Lapeer, 388 farmers and business men of Genesee, 120 farmers and business men of Lenawee, and 1,490 farmers and business men of Tuscola. I will not ask to have the memorials read, but I would like to have the memorial of Levi Bardwell, of Cass City, read for the information of the Senate.

There being no objection, the Secretary read the memorial, as follows:

The honorable the Senate of the United States:

We, the undersigned residents of the State of Michigan, are interested in the beet-sugar industry, and particularly the raising of sugar beets in this State, and we realize that any reduction of the duty from the present rate would be disastrous to the beet-sugar industry in this State and in the United States, and will work great damage to the farmers in the business of raising sugar beets and indirectly seriously affect the general business interests of all beet-sugar promising States; it will compel the sugar factories, in order to live, to so reduce the price of sugar beets to the farmers that they can not afford to raise them, and it will thus work ultimate ruin to the beet-sugar industry.

The farmers, even under present conditions, require every encouragement possible to induce them to raise sugar beets, and they are just beginning to be educated and interested in that line of business. The ultimate result of a reduction from the present duty would not only be to drive the farmers out of that line of business, but to render valueless the many millions of dollars now invested in the beet-sugar business in the United States, and deprive many thousands of laborers of employment in that line of business.

We therefore petition your honorable body to see to it that no legislation is passed reducing the present rate of duty on the sugar coming into the United States, and your petitioners will ever pray.

LEVI BARDWELL (and others),
Cass City.

The VICE-PRESIDENT. The memorials presented by the Senator from Michigan will lie on the table.

Mr. FLETCHER. I present a resolution of the city council of Tampa, Fla., which I ask may be read.

There being no objection, the resolution was read and ordered to lie on the table, as follows:

Whereas the Committee on Ways and Means of the Congress of the United States has proposed a bill to provide that 150,000,000 cigars shall be permitted to come from the Philippine Islands free of duty in any one fiscal year; and

Whereas Tampa is the largest clear Habana cigar-manufacturing center in the United States; and

Whereas there is now employed in the city of Tampa and the city of West Tampa, approximately, between 15,000 and 16,000 cigar makers; and

Whereas one-fourth of the population of the city of Tampa depend upon the cigar industry for their livelihood and the necessities of life; and

Whereas it is the opinion of the cigar unions and the cigar manufacturers of the city of Tampa that the passage of this bill would greatly interfere with the sale and manufacture of cigars from the city of Tampa; and

Whereas it is the opinion of the council that the passage of this bill would be harmful and have a tendency to lessen the output of cigars from our home industries: Be it therefore

Resolved by the city council of the city of Tampa in the regular session convened: First. That the city council of the city of Tampa does hereby most earnestly protest against the passage of such a bill, and requests the representatives in both Houses from the State of Florida to use every legal and legitimate means to prevent the passage of said bill.

Second. That a copy of this resolution be served after its passage upon each Member of Congress and each Member of the Senate from the State of Florida.

Passed by the city council of the city of Tampa this 14th day of May, 1909.

W. LESLIE BROWN,
President City Council.

Attest:
W. A. JOHNSON, *City Clerk.*

Approved by me this 17th day of May, 1909.
[SEAL.]

F. L. WING,
Mayor City of Tampa.

Mr. BURTON. I present a petition of the board of directors of the Chamber of Commerce of Cleveland, Ohio, praying for the adoption of an amendment to the pending tariff bill authorizing the President to appoint tariff experts, and so forth, which I ask may be read.

There being no objection, the petition was read and ordered to lie on the table, as follows:

THE CLEVELAND CHAMBER OF COMMERCE,
May 21, 1909.

Hon. THEODORE E. BURTON,
Washington, D. C.

DEAR SIR: The board of directors of the Cleveland Chamber of Commerce has instructed me to communicate to you its indorsement on behalf of the chamber of the following amendment to the pending tariff bill, reported April 30 by the Finance Committee of the Senate:

"That to secure information to assist the President in the discharge of the duties imposed upon him by section 2 of this act, information which will be useful to Congress in the preparation of tariff legislation and to the officers of the Government in the administration of the customs law, the President is hereby authorized to employ, from time to time, such persons as may be required to make thorough investigations and examinations into the production, commerce, and trade of the United States and foreign countries and all conditions affecting the same."

The board of directors hope that you will find it consistent to support this amendment.

Very respectfully, yours,

MUNSON A. HAVENS,
Secretary.

Mr. SUTHERLAND. I present a number of petitions of citizens of the State of Utah, asking that the present duty on sugar be retained in its existing form. The petitions are signed by all classes of people—farmers, tradesmen, and business men. I ask that one of the petitions be read and that they be ordered to lie on the table.

The VICE-PRESIDENT. The petitions will lie on the table. Without objection, one will be read, as requested.

The Secretary read as follows:

To the honorable the United States Senate:

We, whose names are subscribed below and whose residence and occupation are set opposite our names, respectively, respectfully petition and pray the Senate of the United States to continue in force in the proposed new tariff act the tariff as it presently exists upon all grades of sugar, and we represent that the manufacture of beet sugar in Utah has become one of the leading industries of the State, and has become so solely by reason of the protection afforded by existing tariff laws; and we further represent that if the present tariff upon any grade of sugar is reduced by the proposed legislation, it will result in the complete destruction of the beet-sugar industry in Utah, upon which the farming and rural communities of the State are dependent.

W. F. RUSSELL (farmer) and others.
Ray, Utah.

Mr. FLINT. I have received a telegram relative to the Mexican Petroleum Company, which I ask may be read.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

LOS ANGELES, CAL., *May 27, 1909.*

Hon. FRANK P. FLINT,
United States Senate, Washington, D. C.:

Please deny to Congressmen and Senators that the Mexican Petroleum Company is controlled by Standard Oil Company. Newspaper reports and reports attributed to David T. Day, of Bureau of Mineral Resources, to this effect have no shadow of foundation. Standard Oil Company has no connection, direct or indirect, with our interests.

NORMAN BRIDGE.

Mr. FLINT. I have also received a number of affidavits from various sugar companies of California, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the affidavits were ordered to lie on the table and to be printed in the RECORD, as follows:

UNION SUGAR COMPANY,
San Francisco, May 19, 1909.
(Dictated May 18.)

HENRY T. OXNARD, Esq.,
Washington, D. C.

DEAR SIR: Answering your telegram, I would say that the Union Sugar Company was organized in the year 1897 for the manufacture of beet sugar, and that I have been continuously the president of that corporation and am in position to know the character of the interests that own the shares.

To my knowledge, the American Sugar Refining Company has never had any direct or indirect interest in the stock of this company.

Yours, truly,

JOHN L. HOWARD, *President.*

Subscribed and sworn to before me this 19th day of May, 1909.
[SEAL.]

JAMES MASON,
Notary Public in and for the City and County of San Francisco, State of California.

STATE OF CALIFORNIA, *County of Los Angeles, ss:*

W. C. Petchner, being first duly sworn, deposes: I am the secretary and attorney of the Pacific Sugar Corporation, and have been such ever since its incorporation; that I am familiar or acquainted with all of the stockholders of said corporation, and their business pursuits, avocations, and affiliations; that as such secretary and attorney all the books of the corporation are in my care and custody, as well as all the contracts, papers, and files thereof; that I personally know and have taken part in the formation of all the business and financial relations of said Pacific Sugar Corporation from the time of its incorporation to the time of this deposition; that said Pacific Sugar Corporation has not now and never had any business relations of any character whatsoever with the American Sugar Refining Company; and said American Sugar Refining Company has not now, and never has had, either directly or indirectly, any interest of any character whatsoever in, or any business relation of any character whatsoever to, or with, said Pacific Sugar Corporation, but said last-named corporation is absolutely independent of any connection of every character whatsoever with any other sugar corporation wherever situated.

W. C. PETCHNER.

Subscribed and sworn to before me this 17th day of May, 1909.
[SEAL.]

FRANK L. MILLER,
Notary Public in and for Los Angeles County, Cal.

STATE OF CALIFORNIA, *County of Los Angeles, ss:*

J. Ross Clark, being first duly sworn, on his oath deposes and says: I am the vice-president and general manager of the Los Alamitos Sugar Company, which corporation owns and operates the beet-sugar plant located at Los Alamitos, Orange County, State of California.

The entire capital stock of said corporation is held and owned by W. A. Clark and members of his family, myself and members of my family, Mrs. Joseph K. Clark, and T. F. Miller, except 12½ shares owned by A. W. Jones, auditor of said company, and 1 share owned by W. H. Comstock, who is a director of said corporation; that the American Sugar Refining Company is not interested directly or indirectly in any of said shares of stock nor in the business of said corporation in any manner whatsoever.

J. ROSS CLARK.

Subscribed and sworn to before me this 14th day of May, 1909.
[SEAL.]

W. E. LADY,
Notary Public in and for said County and State.

My commission expires September 10, 1912.

STATE OF CALIFORNIA, *County of Los Angeles, ss:*

E. A. Pardee, being duly sworn, deposes and says that he is the secretary of the Sacramento Valley Sugar Company, a corporation, and has been since the enterprise represented by it was started.

That he is acquainted with all of the stockholders of said Sacramento Valley Sugar Company, and that no sugar-refining company has any interest in said corporation, either directly or indirectly, but that all of the capital stock of said corporation is held by individual members, and in their own right.

[SEAL.]

E. A. PARDEE.

Subscribed and sworn to this 17th day of May, A. D. 1909, before me.
[SEAL.]

EDWIN J. LOEB,
Notary Public in and for the County of Los Angeles, State of California.

STATE OF NEW YORK, *City and County of New York, ss:*

H. Rieman Duval, being duly sworn, deposes and says that he is the president of the American Beet Sugar Company, and that the American Sugar Refining Company does not now and never has owned a controlling interest in the stock of the said American Beet Sugar Company, nor does the name of the American Sugar Refining Company appear upon the certified list of stockholders or upon the stock transfer books of the said American Beet Sugar Company; that the American Sugar Refining Company does not, directly or through any of its directors, hold any stock in the said American Beet Sugar Company, and has never had a representation on the board of directors of the said American Beet Sugar Company, nor any voice in the management of said company.

That the board of directors of the said American Beet Sugar Company is as follows: H. Rieman Duval, R. Fulton Cutting, R. Bayard Cutting, Robert Oxnard, Henry T. Oxnard, Dumont Clarke, Kalman Haas, Edwin M. Bulkley, Charles J. Peabody, James G. Hamilton, and Lucius K. Wilmerding.

That the officers of the said American Beet Sugar Company are as follows: H. Rieman Duval, president; Robert Oxnard, vice-president; Henry T. Oxnard, vice-president; and John E. Tucker, secretary and treasurer.

H. RIEMAN DUVAL.

Sworn to before me this 19th day of May, 1909.
[SEAL.]

MAITLAND L. BISHOP,
Notary Public.

Mr. DICK presented a memorial of members of the Roessler Brothers composing room, of Cincinnati, Ohio, remonstrating against the imposition of a duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of sundry business firms of Columbus, Ohio, remonstrating against an increase of the duty on thorium nitrate, which was ordered to lie on the table.

Mr. WARNER presented a petition of sundry citizens of Missouri, praying that an increase of the pension to $25 per month be granted the survivors of the Mexican and civil wars, and also that a pension of $20 per month be granted to their widows, which was referred to the Committee on Pensions.

Mr. CLAPP. I have a telegram here that I desire to put in the RECORD. It is not exactly a petition, but it is a telegram from the Carver County Sugar Company, of Minnesota, to the effect that they are not in the American Sugar Refining Company. I wish to supplement it with the statement that I not only believe but I have every reason to know that the contents of the telegram are correct and true.

The VICE-PRESIDENT. Without objection, the Secretary will read the telegram.

The telegram was read, and ordered to lie on the table, as follows:

CHASKA, MINN., *May 26, 1909.*

HON. MOSES E. CLAPP,
Washington, D. C.:

This company is not controlled by the American Sugar Refining Company, and you may deny the statement.

CARVER COUNTY SUGAR CO.,
F. C. HICKS.

Mr. LA FOLLETTE. I present the affidavit of R. G. Wagner, president of the Wisconsin Sugar Company, of Milwaukee, Wis., making certain statements as to the ownership, control, and management of that company, which I ask may be read.

There being no objection, the affidavit was read and ordered to lie on the table, as follows:

STATE OF WISCONSIN, *County of Milwaukee, ss:*

Personally appeared before me the undersigned officer, R. G. Wagner, who, being first duly sworn on oath states that he is the president of the Wisconsin Sugar Company, of Milwaukee, Wis., a corporation organized under the state laws of Wisconsin, and that he has been the president of this company since its organization in 1901, and that the American Sugar Refining Company never had nor has at the present time, any interest whatever in the ownership, control, or management of the Wisconsin Sugar Company; also, that all the shareholders are residents of Wisconsin, and that the company is entirely independent of any other company or interests engaged in the sugar industry.

R. G. WAGNER.

Sworn to and subscribed before me this 19th day of May, 1909.
[SEAL.] WALTER W. OBELEIN,
Notary Public, Milwaukee County, Wis.

My commission expires October 13, 1912.

Mr. BURKETT. I have had handed to me an affidavit in reference to the American Beet Sugar Company, in the State of Nebraska, in regard to their not having connection with the American Sugar Refining Company. I ask that it be read.

There being no objection, the affidavit was read and ordered to lie on the table, as follows:

STATE OF NEW YORK, *City and County of New York, ss:*

John E. Tucker, being duly sworn, deposes and says that he is the secretary of the American Beet Sugar Company, and that the American Sugar Refining Company does not now and never has owned a controlling interest in the stock of the said American Beet Sugar Company, nor does the name of the American Sugar Refining Company appear upon the certified list of stockholders or upon the stock-transfer books of the said American Beet Sugar Company; that the American Sugar Refining Company does not directly or through any of its directors hold any stock in the said American Beet Sugar Company, and has never had a representation on the board of directors of the said American Beet Sugar Company, nor any voice in the management of said company.

That the board of directors of the said American Beet Sugar Company is as follows: R. Rieman Duval, R. Fulton Cutting, R. Bayard Cutting, Robert Oxnard, Henry T. Oxnard, Dumont Clarke, Kalman Haas, Edwin M. Bulkley, Charles J. Peabody, James G. Hamilton, and Lucius K. Wilmerding.

That the officers of the said American Beet Sugar Company are as follows: H. Rieman Duval, president; Robert Oxnard, vice-president; Henry T. Oxnard, vice-president; and John E. Tucker, secretary and treasurer.

JOHN E. TUCKER, *Secretary.*

Sworn to before me this 19th day of May, 1909.
[SEAL.] MAITLAND L. BISHOP,
Notary Public.

Term expires March 30, 1910.

Mr. DEPEW presented a petition of Corning Lodge, No. 195, Brotherhood of Railway Trainmen, of Corning, N. Y., praying for the passage of the so-called "Burkett boiler-inspection" bill and the "full-crew" bill, which was referred to the Committee on Interstate Commerce.

He also presented memorials of members of the Chamberlin Composing Room Chapel, of Syracuse; of the New York Globe Composing Room Chapel, of New York City; of the Kay Publishing House Composing Room Chapel, of New York City; of the Standard-Union Composing Room Chapel, of Brooklyn; and of the Daily Courier Composing Room Chapel, of Buffalo, all in the State of New York, remonstrating against the imposition of a duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a petition of James A. Garfield Council, No. 41, Junior Order United American Mechanics, of Brooklyn, N. Y., praying for the adoption of an amendment to the pending tariff bill increasing the head tax on immigrants from $4 to $10, which was ordered to lie on the table.

Mr. BOURNE presented a memorial of sundry farmers and tradesmen of La Grande and Island City, in the State of Oregon, remonstrating against a reduction of the present duty on sugars, which was ordered to lie on the table.

Mr. SIMMONS presented a petition of Wheelbee & Morris and sundry other citizens of Franklinton, N. C., praying that hides be placed on the free list, which was ordered to lie on the table.

He also presented petitions of D. N. Mackay and sundry other citizens of Asheville; of T. K. Murphy and sundry other citizens of Salisbury; and of the McDaniel-Saunders Company and sundry other business firms of Rutherfordton, all in the State of North Carolina, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. STEPHENSON presented a memorial of the board of trustees of Park Falls, Wis., remonstrating against any reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented the petition of William H. Hufnagel and 24 other citizens of Wisconsin, praying for a removal of the duty on hides, which was ordered to lie on the table.

He also presented the memorial of H. Hamminsen and 6 other citizens of Appleton, Wis., remonstrating against an increase of the duty on hosiery and gloves, which was ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of sundry citizens of Hudson, Dale, Hustisford, Maiden Rock, West Salem, Sheboygan, Ripon, Iron Ridge, Woodland, Horicon, Roberts, Hamherst, Melrose, Wilton, Medford, Sauk City, Milton, Livingston, Washburn, Waukesha, Cedar Grove, Endeavor, Clappville, Monroe, Browntown, Spencer, Milwaukee, Walford, Oshkosh, and Manitowoc, and of sundry bankers of Madison and Milwaukee, all in the State of Wisconsin, praying for a removal of the duty on hides, which were ordered to lie on the table.

BILL INTRODUCED.

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY (by request):

A bill (S. 2491) for the relief of William H. Taylor; to the Committee on Claims.

AMENDMENTS TO THE TARIFF BILL.

Mr. BURTON submitted four amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—JAMES PHELPS.

On motion of Mr. DICK, it was

Ordered, That there may be withdrawn from the files of the Senate the papers in the case of James Phelps (S. 2283, 60th Cong., 1st sess.), no adverse report having been made thereon.

PETROLEUM FIELDS IN MEXICO.

Mr. CUMMINS. I submit a resolution, for which I ask present consideration.

The resolution (S. Res. 53) was read, considered by unanimous consent, and agreed to, as follows:

Senate resolution 53.

Resolved, That the Secretary of the Interior be directed to furnish to the Senate such information as Dr. C. W. Hayes, chief geologist of the Geological Survey, can furnish respecting his investigations and observations as to the character and development of petroleum fields in the Republic of Mexico, the character of the oil produced, the location of the oil regions, the ownership of or interest in concessions granted by the Mexican Government, the probabilities of increase in production, and, generally, all the information with respect to petroleum and its products procured by the said Hayes upon his visit or visits to the Republic of Mexico.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on agreeing to paragraph 213.

Mr. BRADLEY. Mr. President——

Mr. PAYNTER. Mr. President, I know that my colleague is going to discuss a question of great importance, and I should like to have the presence of a quorum. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Frye	Page
Bailey	Clay	Gallinger	Paynter
Beveridge	Crane	Gamble	Penrose
Borah	Crawford	Gore	Perkins
Bradley	Cullom	Hale	Rayner
Brandegee	Cummins	Heyburn	Root
Briggs	Curtis	Hughes	Scott
Bristow	Daniel	Johnson, N. Dak.	Smith, Mich.
Brown	Depew	Johnston, Ala.	Smith, S. C.
Bulkeley	Dick	Jones	Smoot
Burkett	Dillingham	Kean	Stone
Burnham	Dixon	La Follette	Sutherland
Burrows	Dolliver	Lodge	Taliaferro
Burton	Fletcher	McCumber	Tillman
Carter	Flint	Nelson	Warner
Chamberlain	Foster	Oliver	Warren
Clapp	Frazier	Overman	

Mr. JONES. My colleague [Mr. PILES] is unavoidably detained from the Chamber this morning.

The VICE-PRESIDENT. Sixty-seven Senators have responded to the roll call. A quorum of the Senate is present. The Senator from Kentucky will proceed.

Mr. BRADLEY. Mr. President, at the outset of what I shall say on the repeal of the 6 cents tax on leaf tobacco, I desire to return my thanks to Congressman STANLEY for much valuable statistical information furnished by him, which has cost him years of toil to acquire.

I desire to say further that I listened with both pleasure and profit to the instructive, able, and thoroughly conservative speech of my distinguished colleague [Mr. PAYNTER] on this question.

During parts of the years 1907 and 1908 we had in Kentucky what was known as the "tobacco war," and the "Night Riders" in Kentucky and Tennessee were guilty of such outrageous conduct as to merit the condemnation of all good people within and without those States. The governors of the two States, in their efforts to vindicate the law, showed themselves to be worthy and patriotic. As my distinguished colleague said, it is somewhat humiliating to me that such things occurred in the State of Kentucky, for I love Kentucky as every loyal son loves his mother.

I love her for her virtues and for her glorious past, upon which these outrages, deplorable as they are, are but as spots on the face of the sun. The honesty of her people stands out as conspicuously as her rugged hills; their bravery has been told in story and in song, and, from the time of their conflict with the savage to this good hour, their blood has enriched every battlefield of the Republic.

No man or set of men can bring reproach on Kentucky without incurring my resentment. I am somewhat like an old gentleman whom I knew years ago, who was in the habit of speaking in very plain terms of his wife's conduct by reason of her high temper. He would arraign her most severely, but he always wound up with the declaration, "I can talk about Betsy, but no other man can talk about her before me without a fight or a foot race." [Laughter.] So I say about Kentucky.

I am frank to say, Mr. President, that after this lawlessness had reached its full fury I was so much impressed with its atrocity that I did not take the time to consider the cause, nor had I at that time made any study of the conditions. But that there was a cause there can be no sort of doubt, for law-abiding people do not suddenly, without reason, become outlaws. I desire now to say something about the causes which led up to this disturbance.

You have already been told by my colleague how the American Tobacco Company, under the innocent guise of a manufacturer of cigarettes, with a capital of $25,000,000, rather a suspicious amount for that business, entered the commercial world in 1890; how it deliberately swallowed its competitors; how it enlarged its business by establishing subsidiary companies for the manufacture of plug and smoking tobacco, snuff, and so forth, which in turn rapidly devoured their competitors by lowering prices so that they could not compete and then destroyed them, or absorbed them by purchase, until holding the majority of stock in all these corporations it silenced all competition in this country and stood without a rival in the United States.

After this had been accomplished, and it was the absolute monarch of all it surveyed in America, not content, it conceived the idea of destroying its great competitor in Great Britain, the Imperial Tobacco Company, which had destroyed all competition in that country, thus cutting off all avenues of escape to that market from the American farmer. By offering princely contributions to those who would patronize its business in Great Britain it drove the Imperial to a compromise, and obtained an agreement by which the American farmer was excluded from that market and by which the Imperial Tobacco Company agreed to confine its purchases to foreign lands, leaving the field in this country uncontested to the American Tobacco Company.

Long prior to 1894—indeed many years ago—Italy, France, Austria-Hungary, and other countries determined to go into the purchase of tobacco under what was known as the "regie system." In other words, those Governments became the purchasers of tobacco in this country through their agents and shipped it to those various countries and sold it, turning whatever might be made out of the traffic into their treasuries.

The American Tobacco Company, finding itself confronted with these rivals, proceeded to treat with them. The result of that treaty was that in the States of Kentucky and Tennessee they divided up the territory, with an agreement that no one of those companies should enter the territory of another or of the American Tobacco Company, and that all of them should buy at the same fixed price.

Prior to that time the American farmer had found a good market for his tobacco in Bremen, and seeing that Great Britain was closed against him, seeing that his own markets at home were closed against him, large quantities of tobacco were shipped to Bremen, and on arrival the American Tobacco Company was found standing there with its millions of pounds and proposing to sell them at cost price in the United States. So it was every avenue of escape was closed. The American Tobacco Company had not only become possessed of control in this country, but had swept on triumphantly until it had not a competitor on the face of the earth, as the waters of a great flood swept on without a shore.

The stock of $25,000,000 has risen in all now to over $500,000,000. In 1895, as shown by my colleague, they declared a dividend of 20 per cent; in 1896, of 22½ per cent; in 1897, of 25 per cent; and in 1898, of 32½ per cent, besides leaving large surpluses in the treasury.

Mr. TILLMAN. If the Senator will pardon me, I should like to know the amount of stock the dividends were on. Was it on the original $25,000,000 or the watered addition?

Mr. BRADLEY. The statement was made by my colleague, and I will ask him to answer.

Mr. PAYNTER. The dividends, of course, were declared upon the amount of the common stock which was in existence at the time the dividends were declared.

Mr. BRADLEY. Such had become the power of this company that the representatives of kings and emperors knelt before it and were proud to do it reverence. The producers and farmers then appealed to Congress. Three times the lower house of Congress unanimously passed an act removing the 6 cents tax on natural leaf tobacco, but that act never even reached a vote in the Senate. As a last resort, feeling that there was no hope from any source aside from individual effort, the tobacco growers of Kentucky and Tennessee formed societies under different names numbering 60,000 members, but all with the same object, the purpose of which was to pool their tobacco; that is, to hold it all under one control a sufficient length of time to force the American Tobacco Company to buy at fair prices, because of the fact that their customers would insistently demand that they should furnish them tobacco.

At this point I wish to say to Senators, you will find the proof of my statements concerning this tobacco company in the hearings before the Ways and Means Committee and the Finance Committee and the report of the Commissioner of Corporations, which only a few days ago was laid on the desk or sent to the office of each Senator.

Now, when this pooling commenced there were quite a number of farmers who refused to enter the societies, but who insisted that they would continue to raise and sell their tobacco. They held their tobacco, however, long enough to get the benefit of the delay occasioned by the societies, to some extent, and thereby received reasonably good prices.

The trust, for I shall no longer call it the "American Tobacco Company," bought this tobacco, first, because it was sorely needed, and, secondly, hoping by giving good prices for it to induce others to believe that they could likewise sell their tobacco, and in this way destroy the organization, thereby putting the farmers again at their mercy.

When this condition presented itself, there were those who felt sorely aggrieved. Every effort was made to try to induce all the farmers to go into the organization. Every effort was made to try to induce them not to produce any more tobacco, but to hold everything as long as might be necessary until the combine was forced to purchase from them at fair prices. Some of these persons, feeling themselves aggrieved, as I have said, commenced the violation of the law. First, tobacco beds were scraped; second, the barns of the trust in some instances, and of these independent farmers in others, were burned. Men who were purchasing for the Regie Company and the American Tobacco Company were whipped and forced to leave the State, and in some instances, I say with deep humiliation, even human life was taken. Such crimes can find no apologist. Thus this terrible condition of affairs was developed, without justification, but not wholly without reason. The profitable market theretofore prevailing was destroyed and an arbitrary price that was a mere pittance was fixed at home, while the markets abroad were closed by conspiracy and fraud.

I beg you, Mr. President and Senators, to look at this condition as it is. Here were these farmers cut off from all hope. Where they once had competition from hundreds of purchasers, they found they had three or four in collusion at a fixed price.

Tobacco, which it costs $5 a hundred to raise, was, of necessity, sold for three and a half dollars a hundred. The farmer who had invested his all saw that he was unable to get any return; the tenant who had raised tobacco "on the halves" saw the fruits of his labor vanish; the laborers' wages were cut to starvation prices; tenants and laborers beheld in the eyes of their wives and children an expression of hunger and despair and saw them shivering, half clad, in the winter's blasts.

Some idea may be formed of the injury that was done to Kentucky, and only a faint idea, by an examination of the Statistical Abstract, which shows that in 1908, at the end of the fiscal year, as compared to 1907, at the end of the fiscal year, there was a decrease in the tobacco produced in Kentucky of 44,878,000 pounds, and a decrease in its value of $6,729,400. But this is only one evidence of the losses of those people.

We now appeal to this Senate for aid, and we can obtain it in no other way. The remedy, and the only remedy, is by the removal of the 6-cent tax from tobacco in its natural condition sold. You may say, "Well, you have had your protective society in Kentucky; by long delay you have sold your tobacco for from eight to twenty dollars per hundred, and why come to Congress for aid?"

Mr. President, in order to sell that tobacco, some of it was held in pool for nearly three years. Imagine, sir, the hardship to the poor mar who has to wait all this time or even for one year to sell his tobacco and get the fruits of his labor. They may control this thing in the future, as they have in the past; but what is the inevitable result? The same delay, the same attempted sales by independent tobacco raisers, the same attempted increase in the production, and necessarily a repetition of the same things in Kentucky and Tennessee which have occurred in the past, for under similar circumstances, history will always repeat itself.

But it may be said these outbreaks did not occur in all the tobacco States. By no means. Why? In those States producing cigar tobacco and cigar wrappers the trust had not gained control. The cigar industry was the only tobacco industry in the United States which had not fallen a victim to the rapacious greed of this combine; but allow me to predict that the time is not far distant, if the statute remains as it is, when even that industry must succumb.

Another thing. The combine had not seen fit to divide out the territory and put up their collusive bidders at the same price, save in Kentucky and Tennessee. There were disturbances, I believe, in the southern part of Indiana and some in the southern part of Ohio, but the great bulk of this trouble was in Kentucky and Tennessee.

Mr. President, the farmer can sell without restriction anything he raises except his tobacco. It requires more labor to produce tobacco than any other crop. It takes thirteen months from the time the tobacco seed is sown in the bed to the time that the tobacco is completely cured and ready for sale. During all that time, more or less, the farmer is at work on that product.

We have in Kentucky, and in all the States which produce tobacco, soil peculiarly adapted to its production. Possibly we have more of that character of soil in Kentucky—which, by the way, produces nearly one-third of all the tobacco raised in the United States—than has any other State. There are thousands of acres of land in Kentucky which will produce good tobacco, but which is totally unfitted for the profitable production of any other crop.

As I said, we raise in Kentucky nearly one-third of all the tobacco of the United States, and in 1908 the tobacco of that State was valued at $17,799,600, which was much less than in some preceding years. Aside from the large number of producers interested, there were employed in Kentucky that year, in round numbers, more than 80,000 laborers, all of whom, with those dependent upon them for support, aggregated in the neighborhood of 400,000 people. Next to Kentucky, in 1908, came North Carolina, and next Virginia, and next Ohio; but there were large quantities raised in South Carolina, Tennessee, Wisconsin, Pennsylvania, Maryland, Indiana, and Connecticut. There was also more or less raised in New Hampshire, Vermont, Massachusetts, New York, Georgia, Florida, Alabama, Mississippi, Arkansas, Illinois, Missouri, West Virginia, Texas, and Louisiana. In other words, tobacco is raised in 25 States of the Union.

The total output of tobacco in the United States in 1908—which was not a year of full production—was 718,061,380 pounds, of the estimated value of $74,130,185.

This immense production representing this enormous sum of money, aside from the number of owners of the soil, involves in round numbers 292,000 laborers, who, with those dependent upon them, aggregate a vast army of more than 1,000,000 people.

In view of these conditions, the importance of fair and just legislation affecting this product can not be overestimated. I beg Senators to give me their attention while I proceed to show that such legislation does not exist and will not, unless in their wisdom they should enact into law the amendment which I have offered.

I will state in the beginning that under the present statute and rulings of the Commissioner of Internal Revenue the producers are so hampered and restricted in the sale of their leaf tobacco that they are substantially placed at the mercy of the great trust, which has blighted their hopes and desolated their homes.

Mr. President, the Republican party at its national convention in 1888, being alive to conditions, even as they then existed, and which have since become a thousand times worse, declared in its platform:

> The Republican party would effect all needed reduction of the national revenue by repealing all the taxes on tobacco, *which are an annoyance and burden to agriculture, etc.*

In 1890 the Republican party redeemed that pledge in the McKinley tariff bill, which provided:

> SEC. 26. That on and after the 1st day of May, 1894, all special taxes imposed by law now enforced upon dealers *in leaf tobacco*, retail dealers *in leaf tobacco*, dealers in tobacco, manufacturers of cigars, and peddlers of tobacco are hereby repealed.

But that law required that the manufacturers should register with the collector "their names, place of residence, trade, or business, and the place where such trade or business is to be carried on," and so forth, and provided a penalty for failure so to do.

In another portion of the act, smoking and manufactured tobacco was required to be put up in "packages" and stamped, the tax being fixed at 6 cents per pound.

In section 27 it was provided:

> That all provisions of the statutes *imposing restrictions of any kind whatsoever upon farmers and growers of tobacco in regard to the sale of their leaf tobacco*, and the keeping of books and the registration and report of their sales of leaf tobacco, *or imposing any tax on account of such sales, is hereby repealed.*

It was further provided, however, that farmers or planters of tobacco producing and selling leaf tobacco should, on demand of any revenue officer or agent, furnish him, under oath, a true and complete statement of all sales of leaf tobacco, the number of hogsheads, cases, or pounds, with name and residence of the purchaser and place delivered, and a punishment was fixed for a failure so to do. In this way the tracing of leaf sales was secured.

It remained for the Democratic party, in 1894, to repeal this just law providing for the free sale of leaf tobacco by the passage of the Wilson bill, which bill has been the fruitful source of all our woe. And yet, in justice to those who voted for that bill, I am of the opinion that 90 per cent of them did not know that in its specious wording there was contained a provision that substantially destroyed the protection that had been afforded the farmer by the McKinley bill. Indeed, I know if those gentlemen who passed that bill had understood its purport, they never would have given it their support.

I call your attention, Mr. President, to the language of the Wilson bill in providing who should be considered a manufacturer. Although it professed to give even more relief to the farmer than the McKinley bill, it absolutely destroyed all hope for his relief. The following is its language:

> SEC. 69. Every person shall be regarded as a manufacturer of tobacco whose business "it is *to sell leaf tobacco in quantities less than a hogshead, case, or bale; or who sells directly to consumers*, or to persons other than duly-registered dealers in leaf tobacco, or duly registered manufacturers of tobacco, snuff, or cigars, or to persons who purchase in packages for export; and *all* tobacco so sold by such persons *shall be regarded as manufactured tobacco* and *such manufactured tobacco* shall be put up and prepared by such manufacturers *in such packages only as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.*"

After having thus destroyed the power of the farmer's vendee to sell his leaf tobacco to the consumer, except on the payment of the tax, this misleading proviso was added:

> *Provided*, That farmers and growers of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco; and so much of section 3244 of the Revised Statutes of the United States, and acts amendatory thereof, as are in conflict with this act are hereby repealed.
>
> *Provided further*, That section 27, chapter 1244, page 863, volume 1 of Supplement to the Revised Statutes of the United States (which was the McKinley law) "be amended by striking out all after the word 'repealed.'"

This is the section of the McKinley bill requiring the farmer to give information as to his sales.

Hence it was represented, and believed to be true by nine-tenths of those who supported the Wilson bill, that the farmer and his vendee were not only allowed to sell without restriction, as provided by the McKinley bill, but in addition the farmer was relieved from keeping any memoranda or giving

information as to his sales on demand of any officer of the Government.

Such was the belief of the farmer, who hailed with delight the passage of the Wilson bill and affectionately looked upon the Democratic party as his "guide, philosopher, and friend." But later, when attention was called to the law by the rulings of the Commissioner of Internal Revenue, he awoke to the fact that he had been deceived and placed completely in the power of the trust. To this bill he had looked as his "friend in every present hour of need." Before the grinding effect of the combine was experienced, the real value of the McKinley bill had not been appreciated; but when the American Tobaccco Company, which was organized in 1890 with a suspiciously large capital, ostensibly for the harmless purpose of manufacturing cigarettes, had enlarged its powers by forming subsidiary corporations and had gone into every branch of tobacco manufacturing, destroying all competitors except those who entered with it into an agreement of oppression, and the farmer saw his market gradually contract from hundreds of independent buyers to three or four in collusion, the farmer and his laborers, in their frantic appeal to the Wilson bill for relief, found that it had absolutely closed the door of hope upon them, and that the McKinley bill was indeed their friend.

Hence, Congress was asked to enact a bill in many respects the same as the McKinley bill, and three times, as I have said, the House of Representatives passed that measure unanimously, and three times it came into this Chamber, and died in the Finance Committee without ever having been reported. I understand that the main reason for this was that that bill as passed did not contain any clause providing for tracing the sales of leaf tobacco. It passed the House again unanimously without provision to trace leaf sales during the present session. It came to this body, but was stricken from the bill by the Finance Committee because, as I understand, of the failure to provide the means of tracing leaf sales.

Mr. TILLMAN. Mr. President, if it will not interrupt the Senator——

Mr. BRADLEY. Certainly not.

Mr. TILLMAN. I should like to know the years when the bills to which the Senator refers passed the House of Representatives.

Mr. BRADLEY. Well, really, I will say to the Senator that I do not know.

Mr. TILLMAN. Since 1900?

Mr. BRADLEY. Oh, yes.

Mr. TILLMAN. Have not the Republicans been in full control here since then?

Mr. BRADLEY. Yes.

Mr. TILLMAN. Then, why does the Senator charge this to the Democracy?

Mr. BRADLEY. I simply charge that, if it had not been for the Democrats, this trouble never would have existed.

Mr. TILLMAN. I know; but if we have been fooled once, why do the Republicans follow our bad example?

Mr. BRADLEY. I do not want them to follow your example.

Mr. TILLMAN. They have.

Mr. BRADLEY. And I am trying my best now to prevent it; but I want to show further along why the Republicans have not passed these bills.

Right at this point, I want to call attention a little more particularly to the differences which existed between the Wilson bill and the McKinley bill. Under the McKinley bill the farmer had the right to sell his tobacco without the payment of tax and his vendee had the right to sell without the payment of tax; in other words, leaf sales were free. Under the Wilson bill the farmer had the right to sell without the payment of tax, but his vendee had no such right. You will see, therefore, the very great difference existing between these two bills.

Under the rulings of the Commissioners of Internal Revenue the right of the farmer to sell his leaf tobacco under the Wilson bill has been held to be a personal privilege that can not be delegated by him to another person. He can not employ another to travel from place to place to sell and deliver his tobacco, not even a member of his own family; nor has he the right to place it in the hands of any person to be sold for him except a manufacturer, as described in section 69 of the Wilson law; and those manufacturers are in each case required to pay 6 cents per pound tax on all tobacco sold. I may add here that these persons, in nearly every instance, are under the control of the trust, and thousands of them are now protesting to the Senate against the removal of the tax as provided in the present amendment.

So it is, Mr. President, as the law now stands, the farmer must leave his farm and travel over the country in order to sell and deliver his tobacco. This he can not do, for two reasons: First, on account of the expense attending it; and, second, because he can not neglect his farm and family. Like Tantalus, he is surrounded by water, yet can not drink. His privilege amounts to nothing, comparatively speaking, in his own neighborhood, because there are so many tobacco producers in his vicinity that his market is wholly with the consumer, and he can not exchange his tobacco at the country store for goods, wares, or merchandise without paying the 6 cents tax, for the merchant will not take it, even if he is a licensed dealer, unless he protects himself by charging the 6 cents tax that he must pay for the privilege of reselling.

The law as it now stands amounts substantially to the permission that the mother gave her daughter when she told her that she could go out to swim, but must not go near the water.

Mr. TILLMAN. That is the Dingley bill.

Mr. BRADLEY. No, sir; that is the Wilson bill.

Mr. TILLMAN. But the Wilson bill is dead; it is repealed.

Mr. BRADLEY. The Wilson bill is not wholly dead; it only "sleepeth" in part. Let me say that the provisions of the Wilson bill as passed in 1894, about which I am talking, were not interfered with by the Dingley bill, but the law stands to-day as it stood then, a monument of injustice to the farmers of this country.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kentucky yield to the Senator from South Carolina?

Mr. BRADLEY. Certainly.

Mr. TILLMAN. Will the Senator deny that the present law in regard to tobacco is the act, or omission to act, of the Republican party?

Mr. BRADLEY. I deny that it is their act.

Mr. TILLMAN. Well, if the Democrats made a mistake, or committed a crime, we will say——

Mr. BRADLEY. Oh, not a crime.

Mr. TILLMAN. It is a crime to rob farmers of their living—I do not agree with the Senator on that proposition; I say it is a crime—if the Democrats committed a blunder or a crime and the Republicans left it alone, after the tobacco trust had organized and got its tentacles and its influence in here, where does the blame rest?

Mr. BRADLEY. Well, it seems to me that the man who does the devilment is more responsible than the fellow who lets the devilment alone after it is done.

Mr. TILLMAN. That is a question of ethics.

Mr. BRADLEY. But, as I said to the Senator a moment ago, I do not approve of that; and I want to give the reason later on why it was done. What I am trying to do now is to induce the Republican party to go back to the provisions of the McKinley bill and do the farmers of this country and also the laborers justice.

Mr. TILLMAN. If the Senator had confined his argument to a plea for justice to the farmers, every Democrat here was listening to him with an earnest desire to help him; but when he undertakes to turn his argument into a partisan one and to lay all the blame on the Democrats, when his own statement of fact shows that it is not true, I do not see what the Senator expects to accomplish.

Mr. BRADLEY. Mr. President, it was not my purpose to cause any Senator to become excited or to lose his temper. I am giving the history of this bill, and I am putting the responsibility where it belongs. So far as it may belong on the Republican party by act of omission, I am putting it there, and so far as it belongs on the Democratic party by act of commission, I am putting it there. I want the people of this country to know exactly how this thing came about and exactly why it has continued; and I will show them before I am through. I am not undertaking to make a partisan speech; I am putting the blame where it belongs in the first instance; I am asking for justice to one of the great industries of this country; and I am asking that an iniquitous law shall be repealed.

It matters not so much who is responsible, nor the degree of that responsibility, for, whoever is responsible, the law should no longer remain upon the statute book. I will discuss later the question as to what is the cause of the present position of affairs, and why it is that this law which was adopted by the House has never passed the Senate.

There are two objections made to my proposed amendment, and to those objections I desire for a few minutes to call the attention of Senators. First, it is objected that the passage of this amendment will open the door to fraud and render uncertain the enforcement of the tobacco tax; secondly, that it will materially decrease the amount of revenue collected.

As to the first proposition, it may be said that no law can be devised which will entirely prevent fraud. As long as human cupidity and ingenuity exist, just so long will fraud be perpetrated. There are violations every day of internal-revenue

laws, and they will continue more or less as long as those laws remain on the statute book. Indeed, the same may be said of all laws.

In support of the contention named, the letters of the late Secretary Cortelyou and the present Acting Commissioner of Internal Revenue will be quoted. A close examination of these letters, in connection with the clear and explicit statements of late Commissioner of Internal Revenue Yerkes, the operations of the McKinley bill, the constant violations of the present law, and the additional safeguard established by the proposed law, will show how very little foundation there is for the apprehensions of the ex-Secretary and the acting commissioner, whose communications are substantially the same, both going back to the report of the commissioner in 1871, calling attention to the large amount of leaf tobacco sold at retail directly to the consumer without payment of any tax, and, quoting the language of the then commissioner, that—

> The traffic was so injurious to the manufacturers and prejudicial to the revenue that the manufacturers asked to be protected from such sales.

It seems that while the commissioner's ear was keenly attuned to the complaint of the manufacturer and his plea for protection, it was deaf to the cries of the producer and laborer, who were suffering by reason of the practices of the manufacturer. The manufacturers, however, are generally too modest to ask for protection. They usually confine themselves to expressions of great concern lest the revenue may be curtailed. The exhibition of their desire to protect the Government is truly pathetic, and may be likened to the great desire of the wolf to protect the shepherd in order that he may fatten upon his sheep.

Mr. Cortelyou proceeds to tell how a law was passed in 1873 imposing such taxes as rendered it impossible for any person to carry on the business of selling raw leaf tobacco directly to consumers or others than leaf dealers or manufacturers. But he forgot to mention that the laws up to 1871 did not throw the safeguards around the sale of tobacco that have since been provided; and he forgot also to mention the fact that the law of 1873 was wiped from the statute books by the McKinley Act in 1890 and laws passed such as would and did make more difficult the commission of fraud than ever before, and these laws are in force to-day. Mr. Cortelyou says—and here is the milk in the cocoanut—that fraud will be hard to detect when "the present means of tracing leaf sales is practically abandoned."

It is upon that theory that heretofore the commissioners of internal revenue, some of them, have given their opinions. It is for that reason that this bill did not pass the Senate and was never reported to the Senate by the Finance Committee; because, although the bill had passed the House four times, there was no provision in it in any way providing for the tracing of the sales of leaf tobacco. Hence it was that the commissioners and the Secretary of the Treasury objected to its passage. The section which provided for the tracing of leaf sales in the McKinley bill was repealed by the Wilson bill, and no provision of a similar character was embraced in the act that four times passed the House of Representatives; but now, by the amendment which I propose, that provision is restored, and hence all the apprehensions that may have been felt by reason of frauds liable to be committed on the revenue, or because of a decrease in revenue on account of the fact that the sales of leaf can no longer be traced, are now provided for in the amendment which is offered, restoring that provision.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kentucky yield to the Senator from Indiana?

Mr. BRADLEY. I do.

Mr. BEVERIDGE. The Senator says the reason why the bill which passed the House four times was not reported by the Finance Committee of the Senate was because it left out this provision for tracing the sales. That could readily have been inserted by the committee, and it does not seem to me to be a very good reason, because it could have been inserted in a moment; so that the objection of the Treasury Department and the committee could have been obviated by inserting that. Is not that true?

Mr. BRADLEY. I will say to the Senator from Indiana that I agree with him that such provision could have been inserted, but its absence was the reason given by the committee why it should not pass, and the attention of the committee, I will say in justice to them, was not specifically called to the insertion of such a clause, but their attention was called to the danger of fraud under the bill as proposed by the letters of the commissioners and the letter of the Secretary of the Treasury that the law did not provide for the tracing of leaf sales.

I am not here to make excuses for anybody, nor am I here to unjustly condemn anybody. I have no doubt the committee did what they conscientiously believed was right. I have no doubt that when gentlemen passed the Wilson bill they voted for what they conscientiously believed was right, and, as I said a moment ago, voted without knowing the effect of their votes, or their votes would never have been given for the bill.

Mr. SIMMONS. I understand the Senator to say that when the Wilson bill was passed those who voted for it voted without knowing what its effect would be. Now, the Wilson bill was repealed three years after that. Did not those who voted to repeal it vote knowing what they were doing?

Mr. BRADLEY. I will say to the Senator, as I said a moment ago, that the Wilson bill has not been repealed. In some respects it has, but in this respect it has not. As to whether the men who voted for the repeal of portions of that bill considered this matter I do not know, but I do know as to the others, because I have had Democratic friends tell me that they did not know what the effect of the Wilson bill was, or they would not have voted for it.

Mr. SIMMONS. When I said "repealed," I meant to use the word "reenacted." When those who voted for the Dingley bill reenacted the provision which the Senator speaks about in the Wilson bill, did they not then act with that light which the Senator says those who voted for the Wilson bill did not have at the time?

Mr. BRADLEY. I repeat, Mr. President, that the Dingley bill did not repeal this provision of the Wilson bill, nor did it reenact it.

Mr. SIMMONS. I said "reenacted." It would probably have been more accurate to have said "continued" this provision of the Wilson Act.

Mr. BRADLEY. It was not necessary to reenact it, or to continue it. It remained the law without disturbance.

Mr. TILLMAN. Then the Senator's real complaint is that the Republicans did not repeal it, instead of the Democrats having acted.

Mr. BRADLEY. If the Senator so understands me, he is mistaken. That is not my complaint, Mr. President, and I am trying very hard to make myself understood. It seems I am making very poor progress.

Mr. TILLMAN. I understand you perfectly.

Mr. BRADLEY. The Republicans failed to reenact the McKinley bill. Now, you ask me whether I approve of that. I say, No; I do not. I do not approve of their failure to reenact the McKinley bill any more than I approve of the Democratic party passing the Wilson bill; but if the Wilson bill had not been enacted, no reenactment of the McKinley bill would have been necessary.

Mr. LODGE and Mr. BAILEY rose.

The VICE-PRESIDENT. Will the Senator yield, and to whom?

Mr. BRADLEY. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely desire to ask the Senator a question. The distribution of blame seems to me to be unimportant. The Senator's statement is a most interesting one, and I have listened to the whole of it; and what I am anxious to get at is how the removal of the internal-revenue tax on leaf tobacco, or, if you please, the shifting of the payment onto the consumers, is going to relieve the tobacco grower from the control of the American Tobacco Company? If it disturbs the Senator's argument to answer me now, and he will take it up later, of course that will be perfectly satisfactory to me.

Mr. BRADLEY. I will take that up later.

Mr. BAILEY. I want to help the Senator from Kentucky, because I happen to know something about the conditions that exist in his State, and I happen to have a special fellowship with those Kentuckians. The trouble was more in the construction placed upon the Wilson bill than it was in the bill itself; and without intending to criticise anybody, I think there was never anything more foolish than to hold that when Congress permitted a man to do a thing it required him to do it in person instead of permitting him to do it through an agent.

I want also to suggest, in addition to that fact, that when the Wilson bill was passed the tobacco trust had not been organized. If it had been I have no doubt that the matter would have been attended to more closely.

Mr. BRADLEY. Mr. President, it may be that the construction placed upon this law by the commissioners of internal revenue went further than it should have gone, in holding that the farmer must himself sell and deliver his tobacco, but that at last was not the trouble. The trouble was that the vendee of the farmer could not sell his tobacco without the payment of the tax. The farmer might have sold as much as he chose, but he was limited necessarily in the field of his operations, because he could sell alone to consumers. The man to whom he sold could not resell without paying the tax; and

so far as the organization of the tobacco trust was concerned, I say, in response to the Senator from Texas, that the American Tobacco Company was organized in 1890, which was long before the passage of the Wilson bill.

Mr. BAILEY. The Senator from Kentucky took that statement from across the aisle, and it is not true. I know, and the Senator from Missouri [Mr. STONE], if he were in his seat now, would bear me witness, that the American Tobacco Company never controlled or acquired its great competitor in the Southwest, the Liggett & Myers Tobacco Company, until long after the Wilson bill had been passed. The American Tobacco Company as a trading corporation may have been organized before that. That has never been a matter of any importance, and I have never inquired into it; but the organization of the trust as it is now constituted occurred long after the Wilson bill was passed, and, in my opinion, occurred after the Dingley bill was passed.

Mr. PAYNTER. Mr. President——

Mr. BRADLEY. Will my colleague kindly wait a moment? As to when the American Tobacco Company was organized, I say, in response to the Senator from Texas, that the American Tobacco Company was organized in 1890. As to when it put its various competitors out of business, I do not know, but I do know that the American Tobacco Company long before 1894 formed many subsidiary companies and engaged in manufacturing plug and smoking tobacco, and put many of its competitors in that line out of business. That seems to have been its favorite employment from the time of its inception up to the time when it became absolute ruler of the markets of the world. Long before 1894 it had proven itself with its subsidiary companies a most oppressive and powerful trust. It must not be forgotten that the regie system was in full flower long before 1904.

Mr. SIMMONS. I understood the Senator a little while ago to say that the farmer was in his present predicament largely as the result of certain arrangements between the American Tobacco Company, which he calls "the trust," and the Imperial Tobacco Company, of Great Britain, which have divided between themselves this country and the world——

Mr. BEVERIDGE. No.

Mr. SIMMONS. A large part of the world.

Mr. LODGE. Most European countries are under governmental monopoly.

Mr. SIMMONS. Those under the regia system. I understood the Senator from Kentucky to say that the present difficulty of the tobacco farmer in finding unmonopolized markets was largely due to the establishment by various countries of what he designates as the "regia system" and the agreement between a certain manufacturer's trust here and abroad. What I desire to ask the Senator—and I ask it merely as a matter of information—is this: When did the Imperial Company and the American Tobacco Company enter into this arrangement by which they partitioned the market here and in certain other countries, and when did these foreign countries introduce this regia system?

Mr. BRADLEY. I have not the exact date. I have it among my papers. But I assert that the troubles of the farmer could not have come upon him but for the passage of the Wilson bill.

Mr. SIMMONS. The Senator says that the combination between our trust and the foreign trust and the establishment of the regia system have put the farmer in his present predicament. I will ask the Senator if he does not know that this trust combination in this and in foreign countries and the establishment of the regia system did not take place till after the passage of the Wilson bill?

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. BRADLEY. Certainly.

Mr. LODGE. The government monopolies with respect to tobacco in Europe are nothing new. As to when the arrangement was made with the American Tobacco Company, I know nothing, but the idea that these government monopolies are new is a great mistake.

Mr. SIMMONS. Will the Senator from Massachusetts furnish the Senate with information as to when the American Tobacco Company and the Imperial Company entered into this combination?

Mr. LODGE. I do not know the date of the arrangements which have been made.

Mr. SIMMONS. Does not the Senator know that it was after the passage of the Wilson bill?

Mr. LODGE. The Imperial Company is not a government monopoly.

Mr. SIMMONS. The Senator need not tell me that. It is not a government monopoly. It is a private corporation, just as the American Tobacco Company is. There is no government monopoly in Great Britain.

Mr. LODGE. It exists in France, Italy, Spain, Russia, and Austria certainly; I think in Germany, but I am not sure. But at all events in all those countries it has existed for a great many years. What I wanted to find out was when the arrangement was made with those government monopolies by the American Tobacco Company.

Mr. SIMMONS. The Senator from Massachusetts can not have failed to understand the inquiry. I think it is valuable that the Senate should know when that combination was made.

Mr. BEVERIDGE. I can give the Senator the date, if he would like it.

Mr. LODGE. The Senator from Indiana no doubt has information on that point.

Mr. BEVERIDGE. I can give the Senator the information, if he wants it.

Mr. SIMMONS. That information may be very familiar to the Senator from Massachusetts, who happens to be possessed of more information than some of the rest of us. But that is no reason why we should not desire it.

Mr. BEVERIDGE. The Senator wants to know at what time the British combination was made.

Mr. SIMMONS. I want to know that, because the Senator has laid great stress upon that as one of the chief sources of oppression——

Mr. BEVERIDGE. Yes.

Mr. SIMMONS (continuing). From which he is now seeking by the amendment to relieve the tobacco farmers of his State.

Mr. BEVERIDGE. That particular campaign—the trust's campaign in England—was begun in 1901–2, and the result of the operations of the American Tobacco Company in the British markets was the formation of this Imperial Tobacco Company, which, as a matter of fact, was practically composed of the same men and of their competitors in Great Britain. Immediately after that another company was formed, controlled by the same men in control of the American Tobacco Company and the Imperial Tobacco Company. This new company was called "the American-British Tobacco Company," which, as the Senator from Kentucky has truthfully said, divided the then remaining markets of the world. The Imperial Company was given the exclusive trade of the United Kingdom; the American Tobacco Company was given the exclusive trade of this country and dependencies; the British-American Company was given the remainder of the world. That began in 1901–2.

The American Tobacco Company itself was formed in 1890, as the Senator from Kentucky correctly says, and in 1891, a year after its formation, it began to broaden its field by its process of absorption. It began by buying large plants that manufactured plug and smoking tobacco.

Mr. SIMMONS. I understand this process of absorption began as soon as the trust was formed in 1890.

Mr. BEVERIDGE. I do not think the trust was formed in 1890—only its foundation laid.

Mr. SIMMONS. It did not reach its consummation until 1901.

Mr. BEVERIDGE. That is quite right. I do not think it is accurate to say that the trust was formed in 1890. What was formed in 1890 was the original American Tobacco Company, which is not the present American Tobacco Company, which may be well called the "American Tobacco Company No. 2," and is known as the "trust." The original American Tobacco Company, formed in 1890, had at its inception a practical monopoly of cigarettes, and so vast were its profits that it determined to prosecute the policy it has since followed of buying up manufacturing plants in other branches, beginning with plug and smoking tobacco.

This went on until 1898, when it had formed the Continental Tobacco Company, absorbed the Union Tobacco Company, and developed the tremendous combination known as the "trust." It has gone right on since then. But the question you asked about—its British operations—was 1901 and 1902.

Mr. BRADLEY. I did not say that the tobacco trust was formed in 1890.

Mr. BEVERIDGE. No.

Mr. BRADLEY. I said the American Tobacco Company entered the commercial world in 1890——

Mr. BEVERIDGE. That is right.

Mr. BRADLEY (continuing). Under the innocent guise of a manufacturer of cigarettes, with a capital of $25,000,000, and proceeded at once to swallow its competitors.

Mr. BEVERIDGE. That is right.

Mr. BRADLEY. Now, as to when this contract was made with the Imperial Company, is wholly immaterial. It may have been made, and doubtless was made, after the passage of

the Wilson bill. But that does not break the force of what I have said when I say that by reason of the Wilson bill being upon the statute book the farmers of this country were unable to protect themselves, whereas had the McKinley bill remained they could have protected themselves against this combine.

Mr. BAILEY. Mr. President, I stated that the tobacco trust was formed after the Wilson bill had passed, and, in my opinion, after the Dingley bill had passed. I have in my hand a very interesting volume called "The Truth About the Trusts," handed me by a Senator, and I find in it the statement that the tobacco trust was incorporated at Trenton, N. J., under New Jersey laws, in June, 1901. That is the tobacco trust. That there was earlier than that a consolidation of certain companies is true, but it is likewise true that that consolidation up to that time neither in the case of tobacco nor in any other case, except, perhaps, in the case of the oil companies, had proceeded to such extent as to especially arrest the attention of Congress and of legislatures.

I simply wanted to be accurate; and I also wanted to turn the discussion from a political aspect, because I am anxious to see the Senator from Kentucky and his colleague, representing, as they do, different political parties, poll a practically united vote in behalf of this motion.

Mr. BRADLEY. I have been trying to do that, and hope to succeed.

Mr. PAYNTER. Mr. President——

Mr. BRADLEY. I yield to my colleague.

Mr. PAYNTER. Mr. President, I do not rise to express any difference with my colleague upon this question, neither do I have any difference with him as to what should be the effect of the legislation sought. The Senator from Texas has given the date of the organization of the American tobacco trust. After that time it began its aggressions against and absorptions of the competing plants. This took place after the passage of the Wilson bill and after the passage of the Dingley bill. At the time these bills were passed no one in Congress anticipated that the tobacco trust would be created and, of course, the dire results that were to follow. It was asked a moment ago—and that was the reason why I rose—when it began its campaign in Great Britain. It was in 1902, and by a reference to a speech which I delivered on the 13th of May, it will be seen the first step it took was to offer its customers about a million dollars yearly to induce them to buy tobacco from it. It created such terror in the minds of competing concerns that they were forced to agree to the terms to which reference has already been made.

Mr. BEVERIDGE. The date of the organization of the so-called "tobacco trust," under the laws of New Jersey, given by Moody as being in June, 1901, was in reality the date of the incorporation of what was called the "Consolidated Tobacco Company." The Consolidated Tobacco Company was purely a "holding company," such as the Northern Securities Company was in the matter of railroads. The Consolidated Tobacco Company took over the American Tobacco Company and the Continental Company. Both were controlled by the same men as was the "holding company." That might be accurate, so far as Moody is concerned, as stating the date of the company's formation. But the whole process up to that time, as to the absorption and control of the tobacco market, had gone on under the name and, in fact, under the power of the American Tobacco Company and its affiliated concern, the Continental. The trust really existed in as bad a form, for practical purposes, years before the "Consolidated" as it does to-day.

In 1904 or 1905 the American Tobacco Company No. 2 took over all the business of the Continental Company and of the old American Company, and the "Consolidated" Company was dissolved. It was merely as a holding company.

The Consolidated Tobacco Company dissolved in order to escape the effect of the decision of the Supreme Court in the Northern Securities case, and then, I believe it was about 1904 or 1905, the American Tobacco Company took over all of the business of the Continental and of the old American and of the Consolidated which succeeded it.

Mr. BRADLEY. As I said a moment ago, it is entirely immaterial so far as this discussion is concerned as to when this combination took place. The question is, What was the law at the time those combinations took place?

Mr. SIMMONS. Mr. President——

Mr. BRADLEY. I shall decline to yield any further.

The VICE-PRESIDENT. The Senator from Kentucky declines to yield further.

Mr. BRADLEY. I wish to proceed now with what I have to say.

As I said a moment ago, one of the objections that has been made is, so far as these four bills were concerned, that the law would be open to the commission of fraud. I want to call attention to this fact.

With the existing law requiring stamps representing the payment of the 6 cents tax to be affixed upon each package of manufactured tobacco and providing severe punishment for a failure so to attach them; fixing the weight and requiring stamps to be affixed to each box or package of cigars or cigarettes, representing the payment of the 6 cents tax, with the proper precautions for the destruction or cancellation of such stamps; the law requiring the registry of each manufactory and regular reports of inventory, of which the collector is required to keep a record; and the reenactment of the provision of the McKinley bill, which enabled the tracing of leaf sales, it seems to me it provides against the commission of fraud as well as human ingenuity can provide against it; and such provision relieves the bill of the objection of Secretary Cortelyou and the Acting Commissioner and the Commissioner of Internal Revenue in regard to the absence of any rule which provided for the "means of tracing leaf sales." Of course frauds will be committed under this bill in whatever form it may be passed.

I wish to call the attention of Senators to another fact. The McKinley law remained in force for more than three years, and I affirm that during all that time it can not be found that a single officer of the Government ever reported that there was an increase of fraud by reason of the passage of the McKinley law. On the hearings which took place before the Ways and Means Committee having in charge the Wilson bill, in 1894, there was not one iota of proof in regard to the increase of frauds under the McKinley law.

You will be told that the Commissioner of Internal Revenue, in 1892, speaks of the decrease of revenue under the McKinley bill. This is true, and here is what he says:

> The decrease of collections for the last fiscal year, as compared with those for the previous fiscal year, was $1,795,777.90.

But in the very next sentence he states the reason why:

> This is due to the reduction by the act of October 1, 1890—

The McKinley bill—

> *of the tax on snuff, chewing and smoking tobacco*, January 1, 1891, *from 8 to 6 cents per pound*, and to the repeal of special taxes relating to tobacco, May 1, 1891.

I affirm that an examination of statistics will show that the chief decrease was by reason of the reduction from 8 cents to 6 cents, and not by reason of the repeal of special taxes so far as leaf is concerned.

Here we have the authority of the commissioner that the increased sale of leaf tobacco did not alone cause the decrease, but that it was caused by a variety of agencies, chief of which, I have affirmed, was the reduction of the tax from 8 to 6 cents per pound.

The purpose of the amendment is in substance and effect to reenact the McKinley bill, and if that bill operated well for three years, both as to fraud and revenue, as I have shown, there can be no reason why it would operate otherwise now. This is the most conclusive argument that can possibly be made in favor of the proposed amendment, for that which experience has shown both safe and sound may be risked with the expectation that the future will prove what the past has demonstrated.

The letter of Commissioner Capers is based upon the same proposition as those of the Secretary of the Treasury and the acting commissioner, that the "means of tracing leaf sales" did not exist.

But suppose that all these apprehended frauds upon the revenue should be committed, suppose we are wrong in saying that they have been provided against, I ask the Senate what are the commission of those frauds against the Government when compared to the commission of frauds upon the people? Is it not better that the Government should lose a comparatively small amount than that a large number of its citizens should be made paupers? Is it not better that the petty thief here and there should escape with his little plunder than that a giant corporation should escape with millions filched from the suffering poor?

Commissioner Yerkes states that in the event this tobacco is twisted it will reduce the revenue in the neighborhood of $750,000 annually. The law proposed, Mr. President and Senators, does not even ask for so slight a concession as that. The law proposed only asks that the farmer shall sell his tobacco "in hand" and that his vendee shall so sell it. "In the hand" means the leaves are simply stripped from the stalks and a leaf is tied around the upper ends of a number of leaves for the purpose of curing them; and every man knows tobacco can not be so readily sold arranged in that way as when it is placed in the more convenient shape of a twist.

Here is what Commissioner Yerkes said to Chairman DALZELL in a letter:

> Allow me to say, first, that so far as the effect upon the revenue is concerned, should this proposed bill be enacted, it is impossible to make an accurate, definite statement. To the extent that leaf tobacco *in the "hand"* displaces manufactured tobacco, both chewing and smoking, the revenue will be decreased, as in this way tobacco paying no tax will displace tobacco paying 6 cents per pound in its manufactured condition. *I am of the opinion that the decrease of revenue will be comparatively small.*

Then Mr. Yerkes was brought before the Committee on Ways and Means, and he testified as follows:

> I do not think it would materially injure the revenue of the Government. *I do not think it would materially affect the proper enforcement of the revenue law, and I believe it would give large relief to the tobacco grower.*

Mr. BEVERIDGE. I was just going to call the Senator's attention to the fact that even if it were conceded that this small amount of revenue would be lost to the Government, still the amendment which I have on another phase of this same question would supply the Government unquestionably and accurately with over $21,000,000.

Of course the trust does not want the Senator's amendment, because it would weaken the trust's control of the leaf market. Neither does it want my amendment, because that would prevent it from putting into its pockets the money it once collected for the Government and which it now still collects and keeps for itself.

The point which I am making in aid of the Senator's argument is that even if it were conceded, which I think it is not, that there would be some slight loss to the revenues, an inconsiderable amount, still the amendment which I have proposed would furnish the Government with more than $21,000,000. That makes up several hundred or several thousand per cent of the loss caused by the Senator's amendment, even if there was any.

Mr. BRADLEY. But upon the percentage of loss under the act of 1871, when the provisions and safeguards that now exist did not exist, it is estimated that this measure would cost the Government of the United States $3,000,000. The total loss from all sources under the McKinley bill for 1892 was only $1,795,000, hence it is impossible that we shall now suffer a loss of $3,000,000. But suppose the loss would reach $3,000,000, what is this sum of money in comparison to the crippling of a great industry, for as surely as the sun shines, if conditions are continued, they will lead to its destruction in Kentucky.

What is this sum of money as compared with the happiness and well-being of more than a million people? What is this sum of money when compared with the failure of a great Government to protect its people from injustice and pillage? Governments are not constituted alone for revenue. No such sordid basis of government exists. They are instituted, above all things, for the protection of life and liberty and the equal distribution of justice. Revenue is merely a secondary consideration and can always be found by some method rather than binding a large body of people hand and foot and turning them over to a rapacious trust.

There are many ways in which revenue may be supplied, one of which the distinguished Senator from Indiana [Mr. BEVERIDGE] has alluded to, and I call attention to some others.

The proper increase of the tariff on Turkish tobacco, which comes from a country which will not allow the import of our tobacco under any circumstances, will produce one million and a half dollars more than it now produces. Which is better, that we should deny justice to our own people, or collect revenue from the haughty, ignorant, and intolerant Turk?

A tax of 1½ cents per pound on jute and jute butts, the product of ignorant and degraded laborers paid 5 cents per day, which competes with American labor paid $1.50 per day, which now does not yield a single cent of revenue to our Government, would produce $3,600,000—$600,000 more than the highest and most extravagant estimate that has been made by reason of loss under this amendment.

Shall we abandon our own people in the hour of extremity or collect a tariff on articles produced by degraded foreign labor?

Mr. President, I stand for my own country against all other countries, for the American home and fireside against the homes and firesides of all the remainder of the world, and for my own people against all other people.

But we are asked, Why should you allow the farmer, his vendee, and others to sell without payment of taxes, and then collect 6 cents a pound from the manufacturer? I might ask, What justice is there in collecting a tax from the sale of beer, when there is no tax on hops, barley, or other things that make it? I might ask, What justice there is in collecting a tax on spirits, when there is no tax on corn, rye, or wheat that enter into its manufacture? We must remember, Mr. President, that by manufacturing the value of the original article is very much increased. One pound of natural leaf will make nearly 1½ pounds of manufactured plug.

Mr. BEVERIDGE. That is quite a difference.

Mr. BRADLEY. Yes; it is on account of the licorice and other things. That manufactured plug sells, I believe, at from 40 cents to $1 per pound, an average of 70 cents a pound.

Yet in selling a pound and a half they sell only 1 pound of tobacco, and they get an average price of 70 cents per pound, when the farmer's vendee can not sell that tobacco with the tax taken off of it for more than 20 cents, if that much. So the manufacturer gets more than three times as much for 1 pound of tobacco as the farmer.

Now, take smoking tobacco. It costs only 1 cent a pound to manufacture smoking tobacco. It sells at from 25 to 80 cents per pound, an average of 52½ cents. Thus it appears that even smoking tobacco with 1 cent of labor bestowed on the pound sells for nearly three times as much per pound as 1 pound of natural leaf.

I ask what injustice is there in protecting the farmer to this small extent? You charge a tax to the manufacturer who in a few days, comparatively, makes his tobacco, while it takes the farmer thirteen months to cure his crop of tobacco. What harm is there in giving some protection to the sweat of the farmer's brow as against the art, the ingenuity, and frequently the deception of the manufacturer?

The amendment that I offer in plain terms allows the farmer and all others to sell unstemmed natural leaf without the payment of any tax. The Senator from Massachusetts [Mr. LODGE] asked me awhile ago, and I regret that he is not in the Senate now, to show him how the taking off of this tax will benefit the farmer. As it is, the farmer has no bidders except those who are in collusion, unless he delays the sale of his tobacco until absolute necessity forces a fair price. He is left to-day in this circumscribed condition. He must keep his tobacco for years and pay all expense of storage and all it requires to raise and cure it without any return.

But the moment that this law passes the farmer will have a market. To-day he can not even sell his tobacco in exchange for merchandise at the country store because the merchant must pay the tax before he can resell it. But pass this law and the farmer can sell his leaf tobacco from one end of the country to the other to the merchant and the middleman, who will sell to the consumer, and in this way the farmer's market will be increased a hundredfold above what it is to-day.

Take the negro on the cotton plantations of the South. There is not one of them who does not prefer the natural leaf tobacco on account of its strength, on account of its flavor, and on account of its cheapness. Take the poorer grade of whites throughout the country and you will find the same thing, in a considerable degree, to exist. Whenever you lift the embargo, whenever you give freedom to the farmer of this country in the sale of his leaf tobacco, you will give him a market which will relieve him from the coils of the commercial boa constrictor that is now crushing out his life, and not only so, but you will benefit the consumer, who will no longer be forced to buy the high-priced tobacco.

I wish you to bear in mind, Senators, that there are protests here from all over the country—from the cigar makers and the so-called "independent" manufacturers—against this amendment. Who are these so-called "independent" manufacturers? Do you suppose that this great combine, before which multimillionaires have trembled and begged for mercy, would allow a single one of these comparatively insignificant manufactories to exist, unless it agrees to act in harmony with it? They are the helpless Trilbys of the trust, that sing or remain silent at its command.

The cigar makers say they will be injured. I say no. Why? Because the people who will use this leaf tobacco are not able to buy cigars and do not buy cigars, and, whether this law passes or not, will not buy cigars. Therefore the cigar maker is not in any way affected.

I have listened during this session, Mr. President, to eloquent pleas by Senators from different sections of the country in behalf of the workingman. Time after time we have been told that the Republican party in its platform provided that the workingman should be protected, and that the producer and manufacturer should have a reasonable profit as well. I very frankly admit that I am in sympathy with that sort of doctrine, but while it is proper to extend the shield of protection over the workingman in the factory, in the forest, in the mine, to protect our people from foreign labor abroad, it is even more necessary to protect them at home from the greed of a rapacious trust that has dishonored and robbed American labor and humiliated American manhood.

We have been reminded of industries where 50,000, 10,000, 5,000 men were employed. I appeal to you to-day in behalf of an industry which in the State of Kentucky alone involves 80,000 laborers, and, counting the farmers, the wives, and the children of the producers and laborers, involves the happiness of 400,000 people.

I have voted in every instance for the protection Senators have asked for their people. I am a protectionist, and I believe it is not only right, but to the interest of the whole country. Now, I ask you, my friends, and those of you who have appealed to me to protect your people, will you protect mine? Are you really in earnest, and will you practice the teachings of the golden rule—"do unto others as you would have them do unto you?"

I appeal to you Senators in behalf of hundreds of thousands of Americans who have been stricken down by the ponderous mace of an all-powerful trust. I appeal for homes now in squalid poverty where once wholesome plenty reigned; for homes now dark and silent which once resounded with the innocent prattle and ringing laughter of happy children, who, with smiling mothers, in the eventide welcomed the weary toilers home. I appeal to you in the name of justice, which, with blinded eyes and steady hand, holds the evenly balanced scales in which sooner or later all will be weighed; and I not only appeal, but I demand justice for my people. In the hour of the Nation's extremity they answered its every call, and now they demand, in their extremity, that the Nation which many of their kindred died to save shall answer theirs.

If this call shall go unheeded, we have the satisfaction at least of knowing that there will come a time when our oppressors shall be weighed in the balances by a great and all-powerful God, whose judgment will be, "Thou art weighed in the balances and art found wanting."

Mr. CRAWFORD. Before the Senator from Kentucky takes his seat, I wish to suggest a question. It is whether the position of the Senator does not really involve the removal entirely of the internal-revenue tax from leaf tobacco, in order to make it effective? For instance, if you find it necessary to include the vendee of the farmer, will it not also be necessary to protect that vendee by extending it beyond him, or you will come up against a stone wall?

Mr. BRADLEY. Certainly; the object is to make it free in the hands of everybody after the farmer sells it, unless it is manufactured.

Mr. BRISTOW. Mr. President, I should like to have the extract which I send to the desk from the Wall Street Journal read.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

[The Wall Street Journal, April 22, 1909.]

AMERICAN SUGAR REFINING'S REMARKABLE DIVIDEND RECORD—IN EIGHTEEN AND A HALF YEARS HAS RETURNED TO ITS SECURITY HOLDERS MORE THAN $132,000,000—COMMON STOCK IN THAT TIME HAS PAID 175¼ PER CENT IN DIVIDENDS AND PREFERRED STOCK 109½ PER CENT—EACH CLASS OF STOCK INCREASED FROM $25,000,000 TO $45,000,000—UNDER FAVORABLE TARIFF REVISION AND BETTER PRICES, THIS YEAR WILL MAKE BETTER SHOWING THAN 1908.

During the eighteen and one-half years of its corporate existence the American Sugar Refining Company has returned 7 per cent per annum to the holders of its preferred stock and a total of 175¼ per cent to the holders of the common stock. This is a record that it would be hard to parallel, the more so because the company has not paid dividends at the expense of its working capital or made disbursements which prevented it from going ahead with replacement work.

In the ten years from 1891 to 1902 the amount of common stock was increased from $25,000,000 to $45,000,000, and since that time there has been no change, nor any variation from the dividend rate of 7 per cent per annum.

The following table shows the rate and amount paid each year since the company's organization:

Year.	Stock outstanding.	Rate.	Dividends paid.
		Per cent.	
1909 *	$45,000,000	3½	$1,575,000
1908	45,000,000	7	3,150,000
1907	45,000,000	7	3,150,000
1906	45,000,000	7	3,150,000
1905	45,000,000	7	3,150,000
1904	45,000,000	7	3,150,000
1903	45,000,000	7	3,150,000
1902	45,000,000	7	3,150,000
1901	44,140,155	7	3,089,807
1900	36,988,000	7¾	2,865,020
1894-1899, inclusive	36,988,000	72	26,616,960
1893	36,773,000	21½	7,906,195
1892	25,000,000	10½	3,750,000
1891	25,000,000	4	1,000,000

* First half year.

Mr. BRISTOW. Mr. President, as an evidence of who were the real parties in interest in the failure of the Senate to remove the provision relating to the Dutch standard from the pending tariff bill, I wish to say that, after the vote was taken yesterday, the stock of the American Sugar Refining Company went up five-eighths. I now desire to have the article read which I send to the desk, from the Wall Street Journal.

The PRESIDING OFFICER. Without objection, the Secretary will read the article as requested.

The Secretary read as follows:

SUGAR DIRECTORS AND THE PUBLIC.

There are certain officials of the sugar company who must have been aware, from the fact that they were buying imported sugar at one weight and paying duty on it at a lower one, that some irregular practice was going on. They might have been deceived if the matter had resulted from occasional unavoidable mistakes, but a uniform discrepancy was so patently a fraud that every official who had the handling of these figures became a party to the crime.

There are three directors of the American Sugar Refining Company who joined the board within the past two years, and it may be allowed that they are not in any great measure responsible for the conditions they found. The name of one other director first appears in the list of officers published with the report for 1905. President H. O. Havemeyer is dead and L. M. Palmer retired, but there are five other directors whose names appear from year to year during part or all of the time covered by the frauds.

Following the excellent principle of the law, this newspaper assumes every man innocent until he is proved guilty. It does, however, recognize that a man of honor does not care to have his name remain under a cloud. It is no excuse in law or morals to suggest that some of these directors did not direct. Two of them, at least, have become, respectively—the president and the vice-president of the company since H. O. Havemeyer's death; and the other three are men of equal position and standing in the financial community. They can not, as men of ordinary common sense, suppose that the world will believe that a small band of subordinate employees, receiving salaries of not more than $30 a week each, at the outside, would, among themselves, organize a plot to put upward of two millions of the public's money into the pockets of the American Sugar Refining Company out of sheer altruism.

The supposition is absurd, and it is equally absurd to suppose that the existence and method of this peculiarly dastardly swindle was not known in quarters much more exalted. Public opinion will certainly not be satisfied with the punishment of one or two of the sugar company's weighers, or even a couple of customs officers, who might, quite easily, have lost their positions had they carried their suspicions past their immediate superiors. As men of the most elementary personal and commercial honor, the responsibility of handing over the real criminals rests with those directors who sat upon the board of the American Sugar Refining Company through the past ten years. They are: President, W. B. Thomas; vice-president, Arthur Donner; John E. Parsons, J. Mayer, C. H. Senff.

Mr. BRISTOW. Mr. President, I take it for granted that the Senate has probably heard all of the sugar discussion that it desires to hear at this time, so I shall not offer any additional amendments to this paragraph now; but when the bill reaches the Senate I hope to have some amendments to offer, and I hope then to be able to induce the Senate to change the provisions of this paragraph.

Mr. ALDRICH. I ask that the paragraph be agreed to.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. The Senator from Rhode Island asks that paragraph 213 be now adopted.

Mr. McCUMBER. Before the adoption of the paragraph, I ask to have read a letter which I have received from home. I only want to say that in the western part of North Dakota, where we have irrigation projects, and all along the Missouri, we have, perhaps, better soil and climate for the production of beets, and consequently for a valuable beet industry, than can be found in any other place in the United States. This letter bears upon that subject, and gives the view of those people who have farms and who live near these irrigation projects. I ask that the letter may be read and printed in the RECORD. It will speak for itself.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the letter.

The Secretary read as follows:

WILLISTON LAND COMPANY,
Williston, N. Dak., May 17, 1909.

Hon. P. J. McCUMBER,
Washington, D. C.

DEAR SIR: I am advised that discussion of the sugar tariff will come before Congress shortly and that action detrimental to the sugar-beet interests of the country may possibly result. In view of the fact that we are to have a beet-sugar factory at Williston in the near future, and the further fact that the success of the Williston and Buford-Trenton irrigation projects, as well as all projects which may hereafter be installed in North Dakota, will depend largely upon the sugar-beet industry, I deem it advisable to bring the matter to your attention. A number of our farmers are growing small tracts of beets this season under the ditch, and they are all working industriously to have the factory built next season. Representatives of the beet-sugar company have looked the ground over several times and are willing to invest their money in a factory, in the belief that it will supply practically the entire sugar demand of North Dakota. Should the existing protection to the sugar-beet industry be removed or reduced, however, it is more than likely they would abandon, or, at least, indefinitely postpone, their present plans. The same situation exists in many sections of the West, especially those dependent upon irrigation. The sugar-beet industry is of such great and growing importance to the development and prosperity of the entire country that it must necessarily be given due consideration before removing or reducing the protection afforded it by existing tariff laws.

Very truly, yours, JOSEPH W. JACKSON.

Mr. CURTIS. I ask to have printed in the RECORD an affidavit of the president of the United States Sugar and Land Company, who have a plant established at Garden City, Kans.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and permission is granted.

The paper referred to is as follows:

STATE OF COLORADO, *County of El Paso, ss:*

I, Charles M. MacNeill, being first duly sworn according to law, on my oath depose and say that I am the president of the United States Sugar and Land Company; that said company is a corporation organized under the laws of the State of Colorado and is engaged in the business of manufacturing beet sugar; that the factory of said company is located at Garden City, in the State of Kansas; that the American Sugar Refining Company is not directly or indirectly interested in said the United States Sugar and Land Company either as a stockholder or otherwise; that said the United States Sugar and Land Company is wholly and entirely independent of the American Sugar Refining Company; that the directors of the United States Sugar and Land Company are all residents of the State of Colorado, and that practically all of the stock of the United States Sugar and Land Company is owned and held by citizens of Colorado, and that none of said stock, as affiant believes, is held or owned by any person connected directly or indirectly with the American Sugar Refining Company.

C. M. MACNEILL.

Subscribed and sworn to before me, Mary L. Richardson, this 17th day of May, 1909.

[SEAL.] MARY L. RICHARDSON,
Notary Public.

My commission expires January 11, 1911.

Mr. ALDRICH. I ask that paragraph 213 be agreed to.

The VICE-PRESIDENT. Without objection, paragraph 213 is agreed to.

Mr. GORE. Mr. President, is that the sugar paragraph?

The VICE-PRESIDENT. That is the first sugar paragraph.

Mr. GORE. Does it include the duty of a dollar and ninety cents on refined sugar?

The VICE-PRESIDENT. It does.

Mr. GORE. I want to offer an amendment to that paragraph.

The VICE-PRESIDENT. The amendment proposed by the Senator from Oklahoma will be stated.

Mr. GORE. The amendment I propose is, on page 73, line 8, after the word "refining," to strike out all that follows down to the words "1 cent per pound," so that the proposed duty on refined sugar will be 1 cent per pound.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 73, line 8, after the word "refining," it is proposed to strike out "one cent and ninety one-hundredths of."

Mr. GORE. Only a word, Mr. President. I wish to say, first, that if the Senate, through any sudden burst of virtue or patriotism, should adopt this amendment, I should, of course, follow it with another motion to conform the duty on raw sugar and the differential to this reduction. I know that a great many Senators are devoted to the differential, and I should propose to harmonize the entire paragraph as between raw sugar and refined sugar.

The reason that I submit this motion is this: I know full well that it will not pass; I know that no motion to make a substantial reduction on sugar, or on any other necessary of life, can possibly prevail in this Senate; but I am unwilling for this schedule to be adopted without, at least, a motion being made to bring about such a substantial reduction. The motions for reductions hitherto proposed have not been substantial; and if they had been adopted, there would have been no material relief brought to the people and to the consumers of this country.

Mr. President, in my judgment, unless the people of this country can purchase the necessaries of life cheaper after this measure has passed than they could purchase those necessaries before this measure had passed, all our revision is in vain. The only object which anyone could have in revising the tariff is to reduce the price of necessary articles to the purchasers and to the people of this country.

Sir, what is the reduction proposed by the Senate and by the House? The present rate of duty on refined sugar is $1.95 per hundred pounds. The House generously reduced that to $1.90 per hundred pounds, and the Senate, sharing the generosity of the House, has proposed the same munificent reduction; so that, after this measure has been approved, the duty on refined sugar will be $1.90 per hundred pounds instead of the onerous and burdensome duty of $1.95 per hundred. What does that reduction mean? It means a reduction of one-twentieth of 1 cent a pound on refined sugar. In other words, when the laboring man in this city has consumed 20 pounds of sugar he has saved 1 penny by virtue of this reduction, and is enabled to enjoy the luxury of one copy of the Washington Evening Times—and, by the way, I think he ought to purchase that paper and read about the iniquities of the sugar trust and how this Congress is laboring to alleviate his burden.

It means more than that; it means that when the washerwoman of this city has consumed 100 pounds of sugar she has saved the splendid sum of 5 cents—one nickel, one picayune—she has saved the price of a bar of soap; and she can read in those prices the generous help and assistance vouchsafed to her by the revision of the tariff!

Mr. President, it means more than that; it means that when the President of the United States has devoured his weight in sugar he has saved the price of a shave. [Laughter.] When the President consumes 300 pounds of sugar, sir, he has saved 15 cents.

That may be the meaning of the Republican platform when it promised tariff revision; that may have been the meaning of the President of the United States when he pledged himself to a revision downward; and that may be the purpose for which this Congress was convened in extraordinary session—to indulge in a penny for 20 pounds, a picayune for 100 pounds, 15 cents for 300 pounds of revision, and $1 a ton. If that be the purpose, and if that be the object of this extraordinary session, then this Congress ought to be branded and it ought to go down in history bearing the title of Shakespeare's comedy, "Much Ado About Nothing."

Sir, I do not believe that the reduction proposed would materially reduce the revenues of this country; and if it should, we still have recourse to the income tax. We still have an opportunity to levy the burdens of this country upon the wealth of the rich instead of upon the wants of the poor. But the reduction itself would not of necessity reduce our revenues. Let us see. What is England's customs tariff upon sugar? On sugar not exceeding 76° polarization the duty is 20 cents per hundred pounds, ours 95 cents; on sugar exceeding 98° of polarization the English duty is 44 cents per hundred pounds, whereas our tariff is $1.95 per hundred pounds. In other words, the American rate is more than four times the English rate; and yet, while England imports only three-fourths as much sugar as we import, with a tariff rate only one-fourth of ours, she raised $33,000,000 in 1907, whereas we in the United States raised $60,000,000 with a tariff rate four times the English rate.

So I insist that even with this reduction of rate there would not be a substantial reduction in the revenues of this country, and in order that we should not adjourn and allow it to be said that not even a motion was made to bring about a reduction that the people could feel, I have submitted this amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Oklahoma [Mr. GORE].

Mr. ALDRICH. I ask for a vote by yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BEVERIDGE. Let the amendment be stated, Mr. President.

The VICE-PRESIDENT. The Secretary will again state the amendment, on which the yeas and nays have been ordered.

The SECRETARY. On page 73, lines 8 and 9, strike out the words "one cent and ninety one-hundredths of," so that it will read:

Refining, 1 cent per pound.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. BACON. Mr. President——

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. BACON. Mr. President, I addressed the Chair before the clerk called a name, and I shall again protest, and I wish to do it in the most emphatic manner, against the habit of the clerk in calling the first name on the roll when a Senator is on the floor; and if no other means will correct it, Mr. President, I shall ask that our business be suspended and that that matter be dealt with. It is the constant practice of the clerk to do that thing—I have called attention to it before—and it is an abuse of the position.

Mr. President, this is no slight matter.

The VICE-PRESIDENT. May the Chair make a statement, please?

Mr. BACON. Certainly.

The VICE-PRESIDENT. The Chair had already directed the clerk to call the roll. The Chair had not seen the Senator rise. As the Chair had directed the clerk, the Chair thinks he is more at fault than the clerk in this case.

Mr. BACON. Mr. President, it is a matter of constant grievance, and for that reason I speak earnestly about it. I wish to illustrate the way in which this practice on the part of the clerk can work hardship in the Senate. Of course the rule is that after there has been a response no other business is in order and nobody can be heard; but if a Senator is on the floor at the time, and the clerk knows the fact, it is his business to suspend, and not to call the first name on the roll until the Senator can say what he desires to say in addressing the Chair.

I will go further, Mr. President, and say that it is the duty of the clerk, when the Chair has submitted a matter to the Senate, to wait to see whether anybody desires to say anything before he calls the first name.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Maine?

Mr. HALE. The Senator in that statement is investing the clerk with a power and a discretion where he has none whatever. It is not the business of the clerk to watch and see if a Senator is on the floor; the clerk has nothing whatever to do with recognition. If a Senator rising has not been seen by the Chair and has not been recognized by the Chair, and the Chair has given the direction to the clerk to proceed with the calling of the roll, there is but one thing that the clerk can do, and that is to call the first name on the roll. The Senator can not for a moment maintain his position that it is the business of the clerk to be looking about to see if a Senator rises. He has nothing whatever to do with that; and the Chair is entirely right that, if there is any fault in the case, it is with the Chair and not with the clerk. When the Chair directs the clerk to call the roll, there is no discretion whatever left in the clerk. If a dozen Senators rise, he has nothing to do with that, but is to carry out the edict, the direction, of the Chair. The Senator must see that he is entirely wrong when he says that the clerk should watch and not commence the roll call.

Mr. BACON. Mr. President, I have listened to the honorable Senator with great patience, although he interrupted me without asking my consent that he should do so. I have heard him through to the end, and now I propose to reply, if he will permit me, in my own time.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. No; I will not at the present time.

Mr. HALE. Then, I can not get the floor, of course.

The VICE-PRESIDENT. The Senator from Georgia declines to yield.

Mr. BACON. I do, for the present.

Mr. President, I do not make any such contention as that which the Senator from Maine [Mr. HALE] suggests is the one I have made. I do not contend that it is the place of the clerk to watch; but I do contend that it is the place of the clerk, after he receives the direction from the Chair, at least to pause long enough for any Senator who desires to address the Chair to have an opportunity to do so.

As this matter comes up, I am going to make a practical application of it. I quite agree with the Senator from Maine that it is none of the clerk's business to be taking part in what may be the proceedings of the Senate other than that which strictly belongs to his office; but I say also, in this connection, it is not the place of the clerk to call a name with the view and with the purpose to cut off Senators. That is what I am talking about. The clerk is not there as the representative of a party or as the representative of any Senator on this floor. He is there to do his duty as an officer of the body, without regard to party or without regard to the wishes of particular Senators.

Mr. President, I did not know that I should ever say this; but, as the Senator challenges me, I will say that I have seen, and other Senators have seen, on this floor in the last session upon a memorable occasion, when that action of the clerk was taken advantage of to make it operate as a clôture in this Senate; and I have good authority—or, rather, I will not put it in that way, although I might do so, but I will say I have good reason to believe, and if my belief is challenged, I will endeavor to furnish the proof—that it was done with the knowledge of the fact that that was the intent and purpose. I refer to the occasion when the Senator from Wisconsin [Mr. LA FOLLETTE] had addressed the Chair at some length, and when the Senator from Missouri [Mr. STONE] was intending to address the Senate, and when the Senator from Oklahoma [Mr. GORE] had addressed the Senate, and before opportunity for anybody to be heard in addressing the Chair, the clerk hurriedly called the first name on the roll. The name of the Senator from Rhode Island is the first upon the list and, of course, he can answer with promptitude. In that way clôture was then effected, and can be had in the Senate, when there is no intention on the part of the Senate, under its rules, that the roll call shall be used for any such purpose.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. I do.

Mr. ALDRICH. I assume that it is my constitutional prerogative to answer to my name when it is called?

Mr. BACON. Exactly.

Mr. ALDRICH. And I intend to exercise that right, without suggestions to the contrary from anybody.

Mr. BACON. Yes, indeed; I have no doubt of that, and I intend to exercise my constitutional right to say that the Senator from Rhode Island and the clerk combined can not so conduct the business as to unduly cut off debate and effect a clôture which the rules of the Senate do not permit.

Mr. President, I have not told all I know about this thing, and I do not propose to do so unless urged to do so; but if the matter is pressed, I will tell what I know about it, and I will tell what I know about that particular instance.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. BACON. Yes.

Mr. STONE. I do not wish to press the Senator, but I would be delighted if he would do so.

Mr. BACON. No; I will not do it unless Senators on the other side press me. If they do so, I will. But, Mr. President, I will say another thing, that when I tell what I know about that, I will tell that it was not a matter which originated in that particular session, but that it had a precedent in a former Congress, that that precedent was recalled, and that particular device was then adopted purposely and intentionally to effect a clôture in the Senate by that means.

Mr. President, I had occasion to call attention to this matter two or three days ago. When the Chair puts a question, Senators on this floor have a right to be heard. Things are to be done in the Senate decently and in order, and not by any sleight-of-hand performance. I insist upon it that when the Chair puts a question to the Senate there should be opportunity for Senators to be heard. The presiding officer is rapid in speech—that is natural and proper, and I do not mean that as a criticism, but I am simply speaking of it as a fact—and if Senators can not when the Chair proposes to put a motion to the Senate spring to their feet with the utmost activity, even younger men than myself, without being cut off by the haste—the undue and indecent haste—of calling the roll and having a response made in order that Senators shall not be heard, then, indeed, the customs and practices and courtesies of the Senate are put not only at defiance, but put in jeopardy and in danger of absolute destruction and overthrow.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. If the Senator from Kansas will permit the Chair for one moment, the Chair desires to say that, in his construction of the rules of the Senate, it is the duty of the clerk to call the roll when the Chair orders it. The Chair did not on this occasion, and never will, intentionally order the clerk to call the roll for the purpose of cutting off any Senator. Certainly had the Chair seen the Senator from Georgia rise, he would not have directed the clerk to call the roll.

Mr. BACON. I am not speaking about myself in particular. I have had it in mind ever since that occurrence in a former Congress, and I have called attention to it before. It is proper, in the orderly conduct of the business of the Senate. We are not a crossroads debating society. We are presumed to be here in the exercise of a very high function, with very grave responsibilities, and things should be done in an orderly way; and it is not the office of the Secretary, or of the clerk acting in his place, immediately, before there is an opportunity for anybody to be heard, with a practice which has become almost uniform, by a hasty calling of the first name on the roll, absolutely to cut off the opportunity of Senators to be heard, and, in some instances, effect a clôture.

Mr. BEVERIDGE. There has been an amendment offered and reported to the Senate. I suppose, in one word, we may be informed of the effect of the proposed amendment.

Mr. ALDRICH. The effect of the amendment offered to the Senate is to reduce the duties on refined sugar from 1.90 to 1 cent.

Mr. BACON. On refined sugar.

Mr. ALDRICH. Yes; it reduces the duty one-half, approximately.

Mr. CLAY. I would suggest to the Senator from Oklahoma that to arrange his schedule simply by reducing the tariff on

refined sugar to 1 cent, without rearranging the duty on raw sugar, would hardly be satisfactory.

Mr. ALDRICH. The Senator from Oklahoma, as I understood him, stated that if this amendment was adopted, he would follow it up with another which would correspondingly reduce the duty upon raw sugar.

Mr. CLAY. I have an amendment that is now pending, providing:

> Sugars, tank bottoms, sirup of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, 50 cents per hundred pounds.

It is 75 cents per hundred pounds in the bill, according to my recollection.

> And for every additional degree shown by the polariscope test, 2 cents per hundred pounds additional, and fractions of a degree in proportion. And on all sugar which has gone through a process of refining, $1 per hundred pounds—

And so forth. In order to place refined sugar at 1 cent, it becomes necessary that a change be made on raw sugar, otherwise raw sugar would pay a higher duty on coming into this country than refined sugar would.

Mr. GORE. I will state to the Senator from Georgia that the purpose which I had in view in offering this amendment was merely to offer it as a test amendment; and if the Senate shall adopt it, I will then follow that up with a reduction of the rates on raw sugar, so that there will be a correspondence between them, on the principle now incorporated in the bill.

Mr. CLAY. I would suggest to the Senator that it would probably be better to have it all in one amendment.

Mr. GORE. I think it would be better; but the schedule is on the eve of being adopted without any amendment of this sort being submitted and voted on, and I shall be very glad, if the Senator from Georgia will offer his amendment, to withdraw mine.

Mr. CLAY. I would suggest to the Senator and the chairman of the committee that, in my judgment—I may be mistaken, and a majority of the Senate doubtless differ with me—if there is any schedule in this bill that ought to be considered by the Finance Committee, it is the sugar schedule; and I say this: That when you look at the fact that we are expecting to bring in 300,000 tons of raw sugar from the Philippine Islands, and when the refiners are expected to use that without any tariff duties, and when we are expecting to have an increase in the production of raw sugar in the Hawaiian Islands and Porto Rico, and when this revolution has taken place in regard to raw sugar in this country, to let the Dingley bill stand just as it was before, is, in my judgment, absolutely indefensible. I do not speak of it from a partisan standpoint, but I speak of it as one who desires to do right. To save my life I can not understand how you can let the tariff on refined sugar stay at $1.90 and on 90° $1.68½——

Mr. ALDRICH. Ninety-six degree sugar.

Mr. CLAY. That is correct. 96° sugar, $1.68½ per hundred pounds. We knew that, when the Dingley bill was framed, nearly 90 per cent of the raw sugar that came into this country was paying a duty of $1.68½ a hundred; and no man can ever convince me that a refiner will not make more money on raw sugar when it comes in free than when he pays $1.68½ per hundred pounds duty upon it. Suppose to-day all of the sugar that we consume came into this country free and no tariff duty whatever was paid. Then the refiners would save $1.68½ on every 100 pounds. For the refiners to get their raw sugar free, and then be able to sell the refined sugar at the same price they sold it at when they were paying a duty of $1.68½, is, in my judgment, absolutely indefensible.

I maintain that a reduction on refined sugar and raw sugar, so as to keep them practically together, will not injure the beet-growers or the cane growers either. You simply reduce your duties to meet conditions that have confronted you in the last few years. I do not apprehend that Mr. Dingley would ever have thought of a tariff of $1.90 on refined sugar and $1.68½ on raw sugar had he contemplated the conditions which exist at the present time. And when we get 300,000 tons of sugar free from the Philippine Islands, I want to say to you that there will then be no sugar imported into this country paying the full duty of $1.68½ per hundred pounds.

Mr. President, it has been a rule of my life never to repeat. I have stated fully and earnestly how I feel about this matter. I feel that we are granting favors to the most unconscionable trust that ever existed in the United States; a band of thieves, swindling and defrauding the Government and robbing the American people, and I retract nothing that I have said; for I know, from the investigation which I have made, that the trust will get the benefit of this free raw sugar unless you make a reduction in the duty on your refined sugar.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Oklahoma.

Mr. GORE. Mr. President, I trust the Senator from Georgia will agree that I may withdraw this amendment and that he substitute his, because I realize that it is better to have the entire matter voted on at one time. My amendment was offered on the spur of the moment, without opportunity to arrange and revise the entire schedule, and merely to prevent the paragraph being adopted without at least an effort or a motion being made to amend it as it ought to be amended. If the Senator intends now or will agree that hereafter his amendment shall be proposed and voted upon, I will withdraw mine.

Mr. CLAY. I expected to discuss this amendment at length, for an hour, at least, pointing out why it should be adopted; but for the last few days I have not been in physical condition to discuss it. I have expected to offer this amendment in the Senate, and to press it vigorously when the matter comes up.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Texas?

Mr. CLAY. I do.

Mr. CULBERSON. I understood the Senator from Rhode Island [Mr. ALDRICH] to ask that paragraph 213 be passed.

Mr. ALDRICH. I did not. I asked that it be agreed to, and that is what the motion will be when this amendment is disposed of.

Mr. CULBERSON. Is it agreeable to the Senator from Georgia to present his amendment——

Mr. CLAY. I will present my amendment now.

Mr. ALDRICH. This paragraph, if agreed to in Committee of the Whole, will be open to amendment in the Senate.

Mr. CULBERSON. I understand that, of course.

Mr. CLAY. I will offer my amendment now, and get through with it.

Mr. GORE. I will withdraw my amendment. I merely wanted to register a protest.

The VICE-PRESIDENT. The Senator from Oklahoma asks unanimous consent to withdraw his amendment, and to annul the order for the yeas and nays. Is there objection? The Chair hears none. The Senator from Georgia [Mr. CLAY] now offers an amendment, which the Secretary will report.

The SECRETARY. Strike out paragraph 213 and insert the following, to be known as "paragraph 213," in lieu thereof:

> Sugars, tank bottoms, sirup of cane juice, melada, concentrated melada, concrete and concentrated molasses testing by the polariscope not above 75°, 50 cents per hundred pounds, and for every additional degree shown by the polariscope test 2 cents per hundred pounds additional, and fractions of a degree in proportion. And on all sugar which has gone through a process of refining, $1 per hundred pounds; molasses testing not above 40°, 20 per cent ad valorem; testing above 40° and not above 56°, 3 cents per gallon; testing above 56°, 6 cents per gallon. Sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

Mr. CLAY. Mr. President, just a word: That amendment includes an amendment which we have already voted on—that is, to strike out the No. 16 Dutch standard. It also provides that 75° sugar, instead of paying a duty of 95 cents per hundred pounds, shall pay 50 cents; and it goes on up, increasing it 2 cents per hundred pounds until it reaches 100° sugar. It makes the duty on refined sugar $1, and no differential whatever between raw and refined sugar, as provided by the amendment which we voted on the other day. Consequently two features of this amendment have been voted on already.

The principal feature left to be voted on is the question whether or not there shall be a reduction in the duty on raw and refined sugar.

Mr. BRISTOW. In discussing the sugar schedule I have offered all the arguments that were at my command in behalf of eliminating the provision relating to the Dutch standard, because I think it is one of the most infamous provisions that was ever incorporated into a legislative act. It now serves the purposes and adds enormous profits of a corporation that is plundering the American public; and I am in absolute accord with the denunciation that the Senator from Georgia has made of that corporation.

However, the reducing of the duty on raw and refined sugar in the amount suggested by the amendment of the Senator from Georgia would, in my opinion, wreck a great many beet-sugar factories that have been established under the present law. We have been levying a duty of $1.95 per hundred pounds on refined sugar, which is the kind of sugar that beet-sugar factories make. If by one act we reduce that duty from $1.95 to $1, we thereby jeopardize the investments that have been made in these enterprises under this high duty, and it seems to me that would be bad faith on the part of the Government. I think a slight reduction could be made, as I indicated yester-

day, without any injury to the legitimate profits of these enterprises that have been established by virtue of this invitation extended to capital by the Government twelve years ago.

So, sympathizing with the Senator from Georgia in his efforts to correct the evils of this legislation, I can not go with him as far as he has suggested by this amendment in reducing duties, because I believe it would be injurious to the factories that have been established by the invitation extended by the Government under the high duties that are now imposed; and I feel that I should make this statement before the roll is called.

Mr. ALDRICH. I ask that the vote be taken by yeas and nays.

Mr. CLAY. One minute. I think I can demonstrate that this amendment will not interfere with or injure the beet growers or the cane growers. This morning I am not feeling well enough to go on and make a speech. Neither did I yesterday. Consequently I will withdraw the amendment and introduce it when the bill goes in to the Senate, when I can discuss it at length and present the reasons, convincing to me, why it ought to be adopted.

Mr. BACON. If my colleague will permit me——

The VICE-PRESIDENT. Will the Senator from Georgia yield to his colleague?

Mr. CLAY. With pleasure.

Mr. BACON. I wish to suggest that that is not the best direction to be given to this matter. When the bill goes through the Committee of the Whole, after long and tedious debate, there is going to be very little disposition on the part of the Senate to give careful consideration to anything that is left over. Now is the time to do it. The Senator from Rhode Island has repeatedly, for particular reasons, passed over different paragraphs when they were in order to be voted upon. It seems to me the reason suggested by my colleague is a sufficient one why a vote should not be taken upon this matter and why he should have an opportunity to address the Senate upon it.

Mr. ALDRICH. The paragraph will be absolutely open to amendment in the Senate.

Mr. BACON. I understand.

Mr. ALDRICH. And the action of the Senate in agreeing to it now will not cut off the Senator from Georgia from any of his rights.

Mr. BACON. Nobody disputes or doubts that.

Mr. ALDRICH. If the Senator from Georgia expects that his speech will change the opinion of the Senate, that is one thing; but I think——

Mr. CLAY. I hardly think it will change the opinion of the Senate, unless I can get your consent.

Mr. ALDRICH. The Senator will not get my consent to reduce the duties upon sugar to 1 cent; that is perfectly certain. And whether the vote is taken now or in the Senate will make no difference in the result, in my judgment.

Mr. CLAY. I think it but just to myself and to my friends, who have asked me to explain this at length—I mean for at least thirty or forty minutes—that I should say that this morning I am not feeling well enough to explain it. In fact, I would not undertake it. For that reason, if the Senator wants to go on with the schedule, I will withdraw the amendment and offer it when the bill gets into the Senate, and press it.

Mr. ALDRICH. That is satisfactory to me. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. DANIEL. I ask unanimous consent of the Senate that the paragraph be passed over until to-morrow, when the Senator from Georgia says he will be ready to speak.

The VICE-PRESIDENT. The Senator from Virginia asks that the paragraph be passed until to-morrow. Is there objection?

Mr. ALDRICH. Of course, if the Senator desires that, I can not resist it.

Mr. CLAY. I intended to speak yesterday. I thought I would finish my remarks to-day. I can not promise to submit my remarks to-morrow. I have been advised by my physician not to do so. It will probably be several days before I will be ready.

Mr. ALDRICH. If the paragraph is agreed to, whenever the Senator from Georgia is ready to offer his amendment, I will ask that it be reconsidered for that purpose.

Mr. DANIEL. All right.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. BACON. I do not desire that it shall be disposed of in that way. I do not ask for the yeas and nays, but I ask that the question on agreeing to the paragraph be put to the Senate.

The VICE-PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 214:

Maple sugar and maple sirup, 4 cents per pound.

The VICE-PRESIDENT. Is there objection to the paragraph? The Chair hears none, and it is agreed to.

The SECRETARY. Paragraph 215—saccharine.

The VICE-PRESIDENT. Is there objection to agreeing to the paragraph? The committee amendment was agreed to when the bill was first read.

Mr. BACON. Mr. President, there are possibly many paragraphs where that form of the adoption of a paragraph would not be objectionable to anyone, but there are others where Senators do not wish to be understood as agreeing to them. Therefore I think, although I dislike very much to put the Chair to the extra trouble, that upon the sugar schedule at least it should not be put in that form.

The VICE-PRESIDENT. The Chair will comply with the suggestion of the Senator from Georgia and put the question.

Mr. STONE. Mr. President, I do not rise to discuss the sugar schedule, now under consideration, or to discuss any other particular schedule, but to make some general observations.

While it may be well enough to protract debate on the schedules of this bill for a while longer, we know it will not eventuate in any practical legislative result. Its only effect will be to let the country know what is being done and how it is done in the Senate, and that will doubtless serve a good purpose; but we know now almost as well as we will know at the end just what the result will be. For all practical legislative purposes we might as well vote on the bill and all amendments now as a month later.

Mr. President, evidently, as I think, we have reached a point in the consideration of this bill where it has been demonstrated that opposition to the will of the Finance Committee is futile. I do not adopt the usual formula and say that the Senator from Rhode Island [Mr. ALDRICH] is master of the situation, but I do say that the Finance Committee, under his leadership, is master of the situation.

Mr. DANIEL. You mean the Republican members.

Mr. STONE. The Senator from Virginia amends the suggestion, to which I agree, that the Republican members of the committee are masters of the situation. In stating the case in that form I do not mean to detract from the well-recognized influence or from the acknowledged Republican leadership of the Senator from Rhode Island, but I adopt that form of statement because I deem it more courteous and respectful to all the members of the committee, each of whom represents a strong individual force, and because I believe that that form of statement will be more agreeable, even to the Senator from Rhode Island himself. The Finance Committee is in the saddle. We had as well recognize that now as later. Hereafter, if we have any suggestions to make looking to a change in any provision of the bill, if we approach the committee through its chairman—that most noble tribune of the people—and approach him after the fashion of old Deucalion, humbly casting the stones behind, it may be we will be distinguished by a hearing, but not otherwise.

Mr. President, when the consideration of this bill was first begun, and for some days before, there were some on this side so optimistic as to hope that there were enough Republican Senators opposed to the inequalities and the iniquities of the present tariff law to bring about a revision that would in some measure respond to the popular demand, but the occurrences since then, and especially of the last few days, have surely been sufficient to dissipate that hope in the breast of the most credulous. There was really and in fact an ominous reform thundering in the index—a preliminary roar that had in it a half-inspiring note of promise—but the threatened storm has long since spent its force. The light of victory already shines like a halo around the omnipotent heads of the big chief and his associates of the Finance Committee. Well might they cry in joyous acclaim:

Now is the winter of our discontent
Made glorious summer by this sun of York;
And all the clouds that lower'd upon our house,
In the deep bosom of the ocean buried.
Now are our brows bound with victorious wreaths;
Our bruised arms hung up for monuments;
Our stern alarums chang'd to merry meetings,
Our dreadful marches to delightful measures.
Grim-visag'd war hath smooth'd his wrinkled front;
And now, instead of mounting barbed steeds,
To fright the souls of fearful adversaries—

Though we may not as yet caper nimbly along a primrose path, we can at least plod along with firm, confident, and ever quickening step to a victorious culmination.

True, a tremulous Republican voice is still heard now and then in protest, but it no longer bears the note of triumph or of defiance. It has now more the sad semblance of wailing—timid, apologetic, discordant, and, altogether, not without pathos. It is a pitiable ending of a somewhat pompous beginning.

Mr. President, I am not disappointed. I am not disappointed because I have never believed that it was possible to secure a substantial, much less a general, reduction of tariff rates through the agency of this Congress. There was a great blowing of horns and there were many Republican tariff-reform banners afloat during the campaign of last year, but experience and intuition alike convinced me that all of it was but the seductive and deceptive pageantry of a confidence game. True, there was throughout the country a wide demand for a real revision of the tariff, for lower taxation, and for a substantial retrenchment of expenditures. Mr. Roosevelt favored a tariff revision with a general lowering of the rates. So did Mr. Taft. At least so declared both these official heads of the Grand Old Party. But Roosevelt is now far distant in Africa, performing murderous feats without parallel. He no longer counts for much, politically. He is only a memory and hardly worth a quotation. But Taft is a living potentiality. He is still here, and his hand is on the helm. His utterances should be worth remembering. I have several of his sayings here—things said by him during the campaign of last year, but I will quote from only two or three.

QUOTES TAFT.

In his speech of acceptance, delivered at Cincinnati, July 28, 1908, Mr. Taft said:

> In 1897 the Dingley tariff bill was passed, under which we have had, as already said, a period of enormous prosperity. The consequent material development has greatly changed the conditions under which many articles described by the schedules of the tariff are now produced. The tariff in a number of schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit of the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate. On the other hand, there are some few other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to these the tariff should be increased.

Mark you, in this first utterance he said there were "a few," only a few, schedules which should be raised; the others, of course, were to be reduced.

Again, in a speech at St. Paul, on September 26, he said:

> Now, we are going to revise the tariff, too, but it is going to be a thorough revision, an honest one; a revision in accordance with the protective system, which requires that every industry in the country which needs it shall have a tariff measured by the difference in the cost of production here and the cost of production in the countries abroad.
>
> In the making up of that tariff both interests ought to be heard, and will be heard, because the people insist upon it and the crystallized sentiment of the Republican party is in favor of it, both to protect the industries and the consumer. But Mr. Bryan says we can't get over the influence of the protected interests. Hasn't the Republican party risen above corporate influence before? It is entirely right that the protected interests should come in and be heard, and see to it that their property and business is not destroyed.
>
> But, of course, they are interested parties, and what they say must be weighed with other evidence. The Republican party will not pass a tariff bill that will destroy a single industry in this country, but, on the other hand, it does insist that excessive rates shall not continue.
>
> Now, *the rates generally, or most of them, are too high.* Some are not high enough, according to that standard. *The revision, therefore, will probably be downward;* but whatever it is, I am here to plight the faith of the Republican party, in accordance with its platform, that the revision will be honest and exact according to the measure stated in the platform.

Again, at Sioux City, on September 29, he said:

> I am interrogated as to whether the tariff should be revised up or down. My own impression is, without being familiar with the schedules as an expert, that in most cases the operation of the protective system has been normal, the cost of production has been reduced, and that therefore *the revision with respect to those schedules should be downward.* There are a few—pottery is one—of which no such change has taken place. Indeed, the change has been the other way, and in that respect, probably, the tariff should be raised.

I will make one other quotation. This is from Mr. Taft's speech at Topeka, on October 3:

> The principle of protection is that all industries that need it shall be protected by a customs tax equal to the difference between the cost of production here and the cost of production abroad.

Mark the expression. He does not say the difference in daily wage, but the difference in the cost of production here and the cost of production abroad.

> That cost of production is determined by three elements—the cost of material, the cost of labor, and the interest on capital, or what is known as the "manufacturer's profit."
>
> The normal operation of protection where competition has free scope is to lower the cost of producing, and so to reduce prices to the public. As a consequence, *after ten years' operation of a particular schedule* it ought to result that the cost of production in this country is made less, and therefore that the difference between the cost of production in this country and abroad is less, and therefore *that the duty ought to be reduced.*
>
> If I am elected, as I expect, I shall exercise all the legitimate influence that the President or head of the Republican party can to see to it that the plighted faith of the party on this subject, in letter and in spirit, is observed.

Numerous additional quotations of like import could be furnished, but this suffices to outline the campaign attitude of Mr. Taft. These utterances might well be criticised as being at times somewhat ambiguous and not altogether ingenuous, but let it be remembered that the orator was the candidate of the Republican party, full of a high ambition to become the President of the United States. As the candidate of his party, and having an intelligent conception of public sentiment and of the difficulties of his position, we can well understand how he sought to practice the difficult art, not of dissimulation, but of not offending, even though he might fail to please. Upon the one hand were the protected interests—grown opulent through the favor of the Government, and exacting because of opulence—which for decades had been the dominant and governing force of his party; and upon the other hand was still a mightier force—mightier in numbers if not in effectiveness—which was not in accord with the other element. The one clamored for a tax rate so high that monopoly might stand erect under its ægis, while the other, those who footed the bills, demanded that the tax burden should be lighter made. The candidate therefore was between the flame of the sulphurous lake and the raging of the wild sea. Under the circumstances, we may look with leniency upon his failure to speak out with absolute straightforwardness. Nevertheless, the patent truth remains that the people who heard the President's antelection speeches believed, and had a right to believe, that he stood for lower rates in the tariff schedules; in other words, for a substantial revision downward. Every fair-minded man knows and must admit that that was the judgment of the country, and the country believed that Mr. Taft was not only speaking for himself, but was also speaking with authority for his party.

If any there be who think I misinterpret the President, then I ask why, in the light of these quoted utterances, did he call this extraordinary session of Congress? This question has been asked more than once, but it bears repeating. In the light of his declaration when he accepted the Chicago nomination, and in the light of his later deliverances—and believing, as we all do, that Mr. Taft is a sincere and upright man—it can not be believed that he assembled this Congress with the idea of having tariff rates increased or to have the rates of the Dingley law practically reenacted. The one would have been an act of bad faith with the American electorate, and the other would have been an act of consummate and costly stupidity. I have no doubt that the President honestly desires to keep faith with the people who elected him, and that he desires, therefore, to see the law revised so as to secure a substantial downward scaling of the rates. But Mr. Bryan was right when he declared in the campaign that even if Mr. Taft desired a reduction of tax rates he would, if elected, be powerless to execute his purpose.

Mr. President, that is so because the Republican party is in the control and under the domination of favored interests—interests which are protected by law and which, under the operation of law, are enabled to extort from the great masses of the people. These interests are represented in compact, intelligent, and powerful organizations; they print and distribute, year after year, enormous quantities of literature containing arguments, plausibly and most persuasively presented, in advocacy of that policy which is the bulwark of their opportunities, and in the hour of political and party contest they supply the shining sinews of war. Upon these sheltered interests depends the hope of the Republican party; they constitute its chief reliance. The public men who dominate that party, and those who have dominated it for years, are so closely aligned with these interests, and are under such political obligations to them, that they dare not falter in their service; and so, Mr. President, I have believed with Mr. Bryan that no one Republican, even though he be the President, could swerve his party from the old, beaten path blazed out by the industrial monopolies upon which that party leans with greatest confidence; and I doubt if there ever was or will be a Republican President who will strive with earnestness and persistent effort to lead his party on a different line.

REPUBLICAN POLICY.

Mr. President, the Republican platform of last year, proclaimed at Chicago, declared that—

> The true principle of protection is best maintained by the imposing of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

That was the official declaration of the entire Republican party, formally expressed by a national convention. Upon that platform Mr. Taft was nominated and made his race for the Presidency. Reverting to his Topeka speech, from which I have quoted, it will be seen that he accepted that declaration as expressive of the Republican policy. He declared that—

All industries that need protection shall be protected by a tax equal to the difference between the cost of production here and abroad.

What did he mean when he said—

All industries that need protection shall be protected—

And so forth?

Have we, indeed, some industries that do not need protection? What industries are they, and what did the presidential candidate have in mind? In the earlier days the advocates of the protective policy contended that that policy was necessary to protect our new, struggling, undeveloped infant industries against the sharp competition of the older, better-developed, richer, and more powerful competing industries in other countries. We were told then that when, under the selter of this policy, our manufacturing industries were firmly established, and had become rich enough and strong enough to hold their own in the markets of the world, there would no longer exist the need of imposing duties for protection, but that the duties would be levied for revenue. It is a matter of common knowledge that the American industries have now grown until this has become the greatest manufacturing nation of the earth, and that here in America we have the most opulent and powerful manufacturing corporations in the world. There are none others anywhere that can rival them in this respect. Are these the industries that Mr. Taft had in mind as those that did not need protection?

But, Mr. President, of course we know that the Republican party has long since abandoned the earlier contention to which I have referred, and they have abandoned it because the growth and power and wealth of American industries have become such that the old contention could be no longer made. They have shifted the position and have predicated their contentions upon the ground that labor was higher in the United States than in other countries, and that tariff duties ought to be levied to cover that difference; partly, as they say, to protect the American workman against the competition of cheaper-paid workmen abroad; and partly to protect the manufacturer who employs this higher-priced labor. The platform and the President declare that duties should be imposed to cover the difference in the cost of production between this and other countries. The President explains all that himself. He said: "That cost of production is determined by three elements, the cost of material, the cost of labor, and the interest on capital, or what is known as 'the manufacturer's profit.'" There are three elements, therefore, so we are told, which are to be considered in determining the difference in the cost of production when a tariff law is to be enacted. One of these elements—namely, material—may be eliminated, for the reason that in the purchase of raw materials for manufacturing the different great manufacturing and commercial nations of the world stand upon a footing of substantial equality. There is no need, in most cases at least, of putting that element into the calculation.

LABOR COST.

Now, Mr. President, a word or two about the labor cost of production. What does that mean? It does not mean by universal consent: it does not mean that in determining the difference in the labor cost of production between two or more countries we are to take the daily or weekly wage paid in the different countries to the respective workmen engaged in the same lines of employment and make that the basis of the calculation. That would not do, because it is a matter of general knowledge that the per cent of difference in the daily wage paid in different countries may be much greater than the per cent of difference in the labor cost of production. For example, if we should find that American workmen in a given industry received 40 per cent more for a day's work than a like workman in some other country, we might, on pressing the inquiry to a conclusion, find that the difference in the labor cost to the employer in producing his wares was not more than half as much as the difference in the daily wage. The correct way to determine this question is to take a given article of commerce and find out just what it cost the manufacturer to produce it. We then find that his raw material had cost a certain amount; that he had paid his laborers a certain amount to make that article; that he had paid so much for fuel, and so on and so forth. Now, reckoning on that basis, we could find out how much the American employer paid for the labor that entered into the manufacture of the given product and how much the foreign employer had paid for the labor entering into his production, and that difference would represent the cost of production. Undoubtedly the actual daily or weekly wage paid to American mechanics is, generally speaking, higher than in other countries. It may be truthfully asserted that the American standard of daily wages is the highest in the world; but, on the other hand, it is also true that the difference in the labor cost of production in America is, generally speaking, nothing like as great as the difference in actual daily wage. This is so because our industries are better organized, better equipped, better managed, and because the American workmen, as a rule, are more intelligent, industrious, and skillful. The American manufacturer gets a better result in every way from his higher-paid employees than the European manufacturer gets from his lower-paid employees. This absolute economic fact is well known and generally recognized. I could burden the RECORD with proofs of this statement—proofs coming from the lips and pens of numerous men who are best qualified to speak, some speaking officially after investigation and some speaking from actual and wide experience. I will content myself with one witness. I will introduce Mr. Schwab, who was educated and fitted for his remarkable career by Andrew Carnegie. He was a workman in the Carnegie mill, and rose step by step from that position to become the head of the great Carnegie establishment at Pittsburg. Subsequently he was the president of the United States Steel Corporation, known as the "steel trust." From that office he retired to take charge of the Bethlehem Steel Works. He is more or less interested in and associated with these great industries, as he is with other great enterprises. I read the following from a recent utterance of Mr. Schwab:

I have been in contact with labor of all kinds for years, and I know what it can do. I know that American laborers can produce more steel in a given time than any other workmen in the world. I know that they can put out better steel than any others.

We can compete with any other country. We have nothing to fear by a cut in tariff, because we have the best goods. It is true that we have to pay our workmen most; you always have to pay the most skillful workmen the highest wages.

The Americans are the best workmen on earth. The highest paid labor is the cheapest to the employer. The man that understands his work thoroughly and executes it without mistakes is the man that makes money for his employer.

The man that is employed at a cheap wage and goes slowly and makes blunders produces cheaper steel or any other goods and can not compete with the man that thoroughly understands his business and produces good material.

Now, Mr. President, if upon investigation it should be found that the actual difference in the labor cost of a given product between the American employer and the European employer was, for instance, 20 per cent or 30 per cent, and this Congress should levy a tax upon that product of 40 per cent or 50 per cent or 60 per cent, for whose benefit would that excess be imposed? Not for the benefit of the workman, to be sure, for only so much of the duty would be levied for his benefit as represented the difference in the labor cost of production. That is the theory of the Republican platform itself and of President Taft. It would not result in increasing the wage of the workman, and, therefore, he would not share in this bounteous excess. Manifestly this excess of duty over and above the difference in the labor cost of production would be levied wholly in the interest of the manufacturer and employer. And that sort of thing is now being justified by the Finance Committee of the Senate and those cooperating with them. Day after day we are considering paragraphs in different schedules reported here by the Finance Committee, and which are being adopted which impose tariff burdens far in excess of the difference in labor cost sometimes as much as two or three or four times as great as that difference. For the first time in our history the Republican party made the bold declaration in the Chicago platform that duties should be levied among other things to insure a profit to the manufacturer, but before I enter upon that, which I intend to do briefly, there is one other thing to which I wish to call attention.

THE GERMAN WAGE.

Mr. President, day after day, as these paragraphs are considered, members of the Finance Committee and others upon that side attempt to muddy the water and obscure the real issue about the enormous difference in the amount of daily wage paid in this country and Europe. As I have already shown, that is only a question of secondary and minor importance, the real question being the difference in the cost of production; but Senators who stand for these exorbitant duties endeavor by artifice and maneuvering to keep the real question in the background. They are not willing to test the issue between us even according to the standard laid down in their platform and by Mr. Taft himself. Nor is that all. They come in here and assert that the difference between the American and European wage is greater than it is. They take the floor and solemnly read bald assertions, made by the swarm of manufacturers who appeared here before the Ways and Means Committee and the Finance Committee to secure higher rates of duty on their respective products, statements in which they undertake to give the daily wage paid here and that paid by their foreign competitors. We are asked to accept this testimony, often ex parte, as trustworthy and true. We have had numerous disputes here as to the accuracy of these statements made by these interested men. Mr. President, I do not like to speak with unkindness, much less with offense, of the Finance Committee, but regarding this matter of which I am speaking I fear the committee has not dealt fairly with the Senate. I will not say that the committee has suppressed information in its possession, but that they have withheld information to which the Senate was entitled and which it ought to have had. As illustrative of this disposition on the part of the committee, I call attention to a circumstance which in a pointed way attracted the attention of the Senate a few days ago. It was during the debate on the cutlery schedule, and particularly that paragraph in the schedule relating to the duty on razors, which duty the Finance Committee in the bill reported has raised almost 100 per cent above the present Dingley law.

The Senator from Utah [Mr. SMOOT], who seems to be the chief lieutenant of the chairman of the Finance Committee, and who is eminently worthy of the post, is often put forward in the front of the fight. If the Senator from Rhode Island is the head, the Senator from Utah is the right arm of the committee. He told us repeatedly, in the presence of the chairman and other members of the committee, and, therefore, I assume, with their approval, that the wages paid American workmen employed in the manufacture of razors were three times as much as those paid to their competitors engaged in the same employment in Germany.

It so happened that during the course of this debate I was called to the corridor just back of the Chair by a gentleman who was familiar with the subject and who had been engaged as one of the experts, as I understood him, in the service of the Finance Committee when this bill was being considered by the committee. He told me that there was on file in the State Department a report made by the German Government to our State Department, duly transmitted through diplomatic channels, as to the amount of wages paid in Germany in various lines of industry, and among them this particular one of manufacturing razors, and he gave me some tables of wages paid in Germany as shown in this report which had been transmitted, as I have said, by the German Government to the Government of the United States. I put the matter he gave me in the RECORD on that day, and called particular attention to it. I do not know how many Senators have read that statement. If there be any who have not they can find in it most interesting and instructive matter relating to several things. The Senator from Utah and his colleagues of the committee told us that the American wage in razor making was three times that of the German wage in the same business. Mr. President, I desire to insert at this point, or rather to reinsert, for it already appears in the RECORD, the table relating to German wages in razor manufacturing, as it was supplied by the German Government itself authoritatively and officially. The Senator from Utah said the wage rate paid in this country was three times that paid in Germany, while this report shows that the German workmen receive twice as much as the Senator from Utah asserted they were receiving.

Mr. GORE. I should like to ask the Senator from Missouri if he knows whether or not the report of the German Government, to which he refers, had been called to the attention of any member of the Committee on Finance?

Mr. STONE. I will speak of that in a moment. Mr. President, the table which I desire to insert in my remarks is as follows:

	Actual earnings.		Incorrect statement as submitted in the tariff hearings.
	Marks.	*Dollars.*	*Dollars.*
Schmiede (forgers)	35 to 45	8.33 to 10.71	4.30 to 7.00
Haerter (hardeners)	42 to 48	10.00 to 11.43	4.30 to 6.00
Dry grinders			4.30 to 5.70
Schleifer concavers (polishers)	65 to 75	15.47 to 17.85	4.30 to 9.00
Reider (handle makers)	40 to 44	9.52 to 10.47	4.30 to 5.00
Abzieher (honers)	40 to 45	9.52 to 10.71	2.50 to 6.00

It will be observed that the table shows the amount actually paid in marks and in dollars, as reported by the German Government, and in a parallel column it shows what the American manufacturers who came here asking higher duties told the committee the German workmen were receiving. The committee told us what the manufacturers told them, but they did not tell us what the German Government had said about it. This latter I happened to discover in the nick of time, almost by accident.

Now I will answer the question of the Senator from Oklahoma [Mr. GORE]. I assert on reliable information—if I am wrong, of course I desire to be corrected—but I assert that this report of the German Government relating to wages in numerous industries was in the hands and possession of the Finance Committee long before this question was raised here in the Senate and before the committee reported the bill. They knew about it; the State Department had furnished them with this information; they had it in their possession; and yet, when we were discussing this question and trying to get at the facts, the real facts, not a word was said about this report. The Senator from Utah stated that he had an affidavit made by some workman in a New York establishment—I believe it was in New York—to the effect that he had come from Germany to the United States; that he had worked in the industry there and here; and that he knew that the German wage was only about one-third of the American wage. I do not know the name of that affiant. It was not given. I do not know who furnished the committee with the affidavit, although I could easily imagine. I do not suppose that that workman came down here, certainly not at his own expense, to confer with the Republican members of the Finance Committee. But his employers were here. Who is this man? How was this affidavit procured? Who induced him to make it? Was it purely voluntary, or was it upon suggestion?

This shows, Mr. President, how utterly unreliable is testimony given in that way—ex parte testimony, without an opportunity afforded to the Democratic members of the committee or to anyone to cross-examine the witness in order to ascertain the absolute truth; and it shows, also, how utterly foolish it is for us to accept and act upon statements made to us by interested parties concerning questions of this character. And yet we were asked to accept this very kind of testimony, to believe it, and to act upon it, when at that moment the committee had in their possession this official and authoritative report, showing a very different state of facts.

Mr. President, the committee is the creature, the agent, the servant of the Senate, and I would like to know why the Senator from Utah, or some other Senator of this committee, did not tell us about this? Why were we left to discover it almost by accident? After I had called attention to the matter, the Senator from Wisconsin [Mr. LA FOLLETTE], a day or two later, after conferring with me, introduced a resolution, which has been agreed to, asking the State Department or the President to furnish this report to the Senate. It has not yet been furnished; but, Mr. President, what was the need——

Mr. LA FOLLETTE. Mr. President——

Mr. STONE. Just a moment. What was the need of calling upon the State Department to send that information here when it was already in the hands of the Finance Committee? Why does not that committee—an organized agency of the Senate—furnish it itself? Now I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I will say, Mr. President, for the information of the Senator from Missouri, that I am advised by the State Department that that document will be transmitted to the Senate to-day. I hope it will be in print and in the hands of Senators within another day.

Mr. STONE. Mr. President, that the table I have just put into the RECORD is correct is evidenced by a letter, which I hold in my hand, from the State Department. In reply to an inquiry I made of the department as to whether it was correct, the Acting Secretary, Mr. Wilson, on May 19, wrote me as follows:

In reply, I have the honor to inform you that a comparison of the statistics in the table printed on page 2149 of the CONGRESSIONAL RECORD for May 18, 1909 (which is evidently the table to which you refer), with the department's file copy of the original statement by the German Government relative to wages paid in Germany to workmen engaged in the manufacture of razors, shows no discrepancies.

Mr. President, I have taken time and pains to press this matter upon the attention of the Senate, and, as far as I can, upon the attention of the country, because it illustrates, first, that the Finance Committee is not dealing candidly with the Senate, and, secondly, that the "testimony" the committee offers on the wage question is under a cloud and is subject to revision.

Mr. President, I turn now to another phase of this discussion——

Mr. CULBERSON. Before the Senator passes from this question of fact, I ask him if he means to say substantially

that members of the Finance Committee presented affidavits as to the difference between the wages in Germany and in the United States which were contradictory to the official information from the German Government which was then in the hands of the committee?

Mr. STONE. Mr. President, the members of the Finance Committee did not, nor did any member of that committee, so far as I recall, actually present an affidavit; but the Senator from Utah stated that he had such an affidavit or affidavits.

Mr. SMOOT. Will the Senator object if, at this point in the discussion, I put in the affidavits? I have them here, or will send for them, and if he desires I will put them in right now.

Mr. STONE. I think the Senator had better put them in in his own time. I will ask the Senator, however, to which he gives the greater credence, an affidavit—I say "affidavit;" are there more than one?

Mr. SMOOT. There are more than one.

Mr. STONE. How many?

Mr. SMOOT. I have not counted them; but there are a number of them, I will say to the Senator.

Mr. STONE. All supposedly from German workmen, who had come here from that country?

Mr. SMOOT. Mr. President, I would rather—and will later, if not now—put the affidavits in the RECORD, and then the Senator can see just who the affiants are and just what they have to say.

Mr. STONE. To which would the Senator attach the greater credence—the affidavits or the official report of the German Government?

Mr. SMOOT. Mr. President, we were discussing the question as to American wages, and it does seem to me that the affidavit of a man who has within a short time labored in Germany, received his wages there, and moved to this country, working in the same identical business and carrying on the same class of work here, ought, at least, it seems to me, to be taken into consideration without a doubt.

Mr. STONE. Would the Senator from Utah object to my putting this question to him: Whether he believes the Government of Germany would make a false official report to this Government?

Mr. SMOOT. Mr. President, I think a question of that kind is out of place to be discussed here.

Mr. STONE. Well, I leave that to the judgment and discretion of the Senator from Utah. May I ask the Senator, since he has interposed——

Mr. SMOOT. I did not interpose.

Mr. STONE. Let me ask this question: Why the Senator did not inform the Senate of this report of wages furnished by the German Government when this matter of comparative wages was under discussion?

Mr. SMOOT. I will say frankly to the Senator that, so far as the report is concerned, I did not examine it.

Mr. STONE. Did not examine it?

Mr. SMOOT. No.

Mr. STONE. Then the Senator merely examined the affidavits—merely took the statements of interested witnesses, manufacturers and employees, and turned the official report of the German Government down. He did not consider it, it seems, of sufficient importance even to pass it under his inquiring eye.

Mr. ALDRICH. I do not quite know what the Senator is referring to; but I understand that he says the German Government sent a report here which is in the possession of the Finance Committee.

Mr. STONE. Yes; I said that.

Mr. ALDRICH. The German Government sent a report here, or, at least, a report was sent to us from the State Department in German, which has never been translated, and we never have had the time to translate it. The Senator from Missouri seems to know what is in it. I do not.

Mr. STONE. It would seem that the Senator from Rhode Island did not want to know what was in it.

Mr. ALDRICH. I wanted to know very much, but I have not had the time, as the Senator realizes, to have that long report translated. The Senator seems to have some information about it. I have no information on the subject.

Mr. STONE. I have some information about it.

Mr. ALDRICH. Well, that is all right.

Mr. STONE. I have some information about it; and I did not get it from the Senator from Rhode Island or from his committee.

Mr. ALDRICH. No, of course not; because——

Mr. STONE. And the Senator from Rhode Island had at his command the entire State Department, and all the other departments, with an army of experts, translators, and so forth, if he needed them, to put this German document in English. The translation could have been made with ease and facility.

Mr. ALDRICH. But, Mr. President, the committee had absolutely no knowledge of what was in the report. At the time it was received I sent for an expert to have it examined, with a view of reporting to us what was in it. Since that time the State Department has asked us to return it; and there has been no time for anybody to have ascertained what was in it, unless the Senator has some knowledge of it of his own.

Mr. STONE. Mr. President, this presents a curious situation. Here are Senators composing a great committee, engaged in framing a tariff bill; and in the framing of which the question of wages and the cost of production was one of the most important things to be considered. This report from the German Government, sent to our State Department, was delivered to the committee over which the Senator from Rhode Island presides. He knew what it was about; but unfortunately he can not read German, and this report is in German, and therefore he did not go to the trouble of having it translated that he might find out in English what it was about.

Mr. ALDRICH. This report was sent to the committee from the State Department, without any statement as to what it was about, in connection with, I imagine, two or three hundred other similar communications from foreign governments in reference to the tariff. It came to the committee in connection with thousands of pages of written or printed or typewritten matter, which it has been absolutely impossible for the committee to examine. The Senator, I imagine, has some sort of a conception of the duties of that committee.

Mr. STONE. Some sort of conception.

Mr. ALDRICH. Yes; I hope so, anyhow.

Mr. STONE. Yes.

Mr. ALDRICH. And he realizes, I think, that it would not be possible for the members of that committee to read, if they knew German ever so well, several hundred, if not several thousand, pages of a report from the German Government.

Mr. STONE. Well, Mr. President, it seems to me that if I were a member of that great committee, and had any right to speak, which the Democratic members did not have, and a report as to the wages paid in sundry industries in Germany had been officially made to our State Department, and had been transmitted to the committee, I would have been curious to know what it was, and if I had not been able to read it in German I would have had it translated——

Mr. ALDRICH. Mr. President——

Mr. STONE. Wait a moment—and certainly I would not have come into this Chamber and urged the adoption of paragraph after paragraph of this bill, upon the ground that the wage in Germany is only one-third of what it is in America, when I had in my possession proof furnished by the Government itself that the statement was incorrect.

Mr. ALDRICH. Mr. President, I was so curious that I sent at once to the Bureau of Statistics to have them send a man to examine this report. I want to say to the Senator from Missouri that if we had nothing else to do except to examine this one report as to German wages, that statement would not have been necessarily conclusive as to our action on any item in this bill.

Mr. STONE. No; not conclusive.

Mr. ALDRICH. I can send to the Senator, if he desires, 100 volumes of statements of the relation between American and German wages, many of them as authentic as the report to which he now refers; and, if the Senator is at all curious upon the subject, I will ask the librarian of the committee to send to him in German, in French, and in English a hundred volumes, if he wants to read them, upon this subject.

Mr. STONE. Oh, the Senator is fencing; he is evading. I have equal access with the Senator to all information in the libraries. I have not sought his aid in that direction. I am talking of a different kind of information. And here I will say, I think if the Senator had time to scan the 100 volumes of which he speaks and which he invites me to peruse, he might have found time to read an official report made recently by the Government of one of the greatest nations of the world concerning an important feature of the very matter he was legislating about.

Mr. ALDRICH. I have been reading upon this subject for twenty-five years, as I suppose the Senator from Missouri has, and I have a very clear conception about the relation between the rate of wages in Germany and in the United States. As I said to him the other day, I have a very recent report made by our Labor Bureau, of which Doctor Neill is the head, which compares in certain industries in the United States, in Great Britain, and in Germany wages of certain specified kinds. To my mind

that report is more conclusive, because it is a comparison, an official comparison, if you please, between the wages of the two countries. I assume that this report of the German Government does not undertake to say what are the wages paid in the United States.

Mr. STONE. I assume it does not undertake to say what are the wages paid in the United States, but I assume, also, that it does undertake to say what are the wages paid in Germany. We know ourselves about the American wage, and the German Government and the German people ought to have some definite and accurate idea as to the wage in Germany. I do not believe the German Government would deliberately make a false report to our Government. I would have been glad, at least, to have known what they had to say.

Mr. ALDRICH. If the Senator would not consider it impertinent, I would be glad to ask him how he ascertained what the contents of that report were?

Mr. STONE. It is not impertinent. I have stated it already.

Mr. ALDRICH. I happened to be out.

Mr. STONE. I put that in the RECORD several days ago, and I said at the time that it was furnished to me—not only this table, but some others—by Mr. Montague Lessler, formerly a Member of Congress.

Mr. ALDRICH. What relation has he to the German Government?

Mr. STONE. None; but I understood he had some relation to the Finance Committee.

Mr. ALDRICH. He could not have had any relation to that report, because it certainly has not been translated.

Mr. STONE. Well, he had relation to the Finance Committee, and he knew of this report and told me about it.

Mr. ALDRICH. What relation did he have to the Finance Committee?

Mr. STONE. The Senator from Rhode Island ought to know more about that than I.

Mr. ALDRICH. He has no relation with the Finance Committee, to my knowledge. I never heard the man's name before.

Mr. STONE. Well, I do not know, of course.

Mr. ALDRICH. I am now told that he was employed as an attorney by the importers; but I never happened to hear of him before.

Mr. STONE. I only know what he said, or what I understood him to say. I saw him for a few minutes only, and I may have misunderstood him. But that is wholly immaterial, and I do not propose to be drawn off by a thing of that kind. It does not matter how or from whom I get the information, or whether Mr. Lessler was engaged as an expert by the Finance Committee or by any member of the Finance Committee. All that is immaterial. What I care about, and all I care about, is that the report of the German Government to the State Department was here in the possession of the Senate committee, and we were not given the benefit of the information it contained.

Mr. ALDRICH. If that is the gentleman, it now appears he is the attorney for the importers in this case.

Mr. STONE. What difference does that make as to the thing I am talking about?

Mr. ALDRICH. It makes no difference whatever; but when the Senator says that he is an expert of the Finance Committee, or that he is in any way connected with the Finance Committee, I will say that there is nothing whatever of that kind true. I myself never heard of the man's name before.

Mr. STONE. I accept the Senator's statement as to that.

Mr. ALDRICH. He certainly has never been connected in any way with the Finance Committee; and if he has any knowledge of an official report which has been sent to the State Department, I am curious to find out how he secured that information.

Mr. STONE. I do not know how he secured it; I do not care how he secured it; but the Senator from Rhode Island does not deny that there is such a report or that his committee has had possession of it, nor, I presume, will he question its authenticity or accuracy any more than the German Government would question an official report of like kind from this Government to the Government at Berlin.

Mr. ALDRICH. I ask the Senator from Missouri how he knows that this statement of the attorney is correct, and that the statement which he makes is a part of the report of the German Government?

Mr. STONE. Does the Senator from Rhode Island call it in question?

Mr. ALDRICH. I think the presumption is all against it.

Mr. STONE. Does the Senator from Rhode Island think that the tables I printed as coming from that report are untrue or incorrect?

Mr. ALDRICH. I have no information about it at all. I do not know whether they came from the report, and the Senator from Missouri is not able to state from his own knowledge that it did.

Mr. STONE. Well, I have knowledge. I have a letter here from the Acting Secretary of State, which I read a few moments ago, in response to an inquiry I made of the Secretary as to the accuracy of the table I had put into the RECORD, and he says that it is accurate.

Mr. ALDRICH. Who says that?

Mr. STONE. The Acting Secretary of State, Mr. Wilson.

Mr. MONEY. Will the Senator read the letter again?

Mr. STONE. I have read it, and I have just restated the substance of it.

Mr. ALDRICH. I will be glad to have it read.

Mr. STONE. I will read it again for the benefit of the Senator. Here it is in full:

DEPARTMENT OF STATE,
Washington, May 19, 1909.

Hon. WILLIAM J. STONE,
United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant requesting that information be sent you by the department as to the accuracy of a table compiled by Hon. Montague Lessler, respecting wages paid in the razor industry in Germany, printed in the CONGRESSIONAL RECORD.

In reply, I have the honor to inform you that a comparison of the statistics in the table printed on page 2149 of the CONGRESSIONAL RECORD for May 18, 1909 (which is evidently the table to which you refer)—

And it was—

with the department's file copy of the original statement by the German Government relative to wages paid in Germany to workmen engaged in the manufacture of razors, shows no discrepancies.

I have the honor to be, sir,
Your obedient servant,

HUNTINGTON WILSON,
Acting Secretary.

Mr. ALDRICH. Mr. President, the experts of the committee who have examined this document reported to me that it was not a report of the German Government at all; that it was a report of certain German boards of trade, giving what purported to be a statement of the wages paid in certain industries by certain firms, and that the names of the firms were in every case withheld.

Mr. STONE. It seems, then, that the matter was discussed by the Senator with the experts. He did not ignore the report, nor was he wholly ignorant of its contents. He did not pass it by without a thought or without attention. While he was reading these 100 volumes he refers to, relating to the wage question between foreign countries and the United States, he did take at least a few moments to talk with the experts about this report and was informed by them as to its contents. I do not know what the experts told the Senator, but the Acting Secretary of State, Mr. Wilson, says that the table printed, when compared with the department's file copy of the original statement by the German Government, shows no inaccuracy. "The original statement made by the German Government" is the language of the Secretary of State.

Mr. DEPEW. Mr. President——

Mr. STONE. In just a moment. When we get a response to the resolution adopted the other day, calling for this document, I suppose we shall have it in full. I said a moment ago that it seemed to me to be a useless task to impose upon the State Department to furnish this matter to us, when the information was already in the possession of a committee of the Senate. I still think so, but I suppose we will have to wait. Now I yield to the Senator from New York.

Mr. DEPEW. I simply want to ask whether that statement, giving the rate of wages, includes the hours per day of labor?

Mr. STONE. The table I printed does not. I do not know to what extent the report itself has gone.

Mr. DEPEW. The reason I ask the question is that I understand that while the hours with us are, as a rule, eight, they are there, as a rule, ten.

Mr. STONE. I do not know whether that statement is correct. It may be so; but that is a wholly different question. The complaint I make is that this information, whatever it is, was not furnished to the Senate by the Finance Committee. When we get the report, if we ever do, the Senator from New York can better discuss it then. It can then be taken up and discussed, examined, and explained, but not before. What the Senator says may be so, or it may not be so. He does not assert it as a matter within his own knowledge, but he says that is his information. That information may have come from some such affidavits as those the Senator from Utah says he has. For myself I want something more definite. I have lost faith in bald assertion and in that vague thing called "in-

formation," coming from nobody knows where, or from whom. But now, Mr. President, I drop this and pass to another phase of the discussion.

THE REASONABLE PROFIT.

I wish now to say something about the closing sentence in that clause of the Chicago platform which I have quoted—I mean that part which lays down the policy of insuring, and which proposes to insure "a reasonable profit to the manufacturer." That is a new thing in our political economics.

It is not only a new doctrine, but startling as well. Insure a reasonable profit to the manufacturer! Why should the Government of the United States assume that obligation? By what right under the Constitution, or under anything else with which we are familiar, does the Government of the United States undertake to insure a reasonable profit, or any kind of profit, to any man engaged in any business? And why give this guaranty to the manufacturer and to nobody else? It is not given to the farmer, to the merchant, to the ordinary mechanic, to men engaged in professional work, or to the common laborer. The farmer, Mr. President, rises when the clarion call of the chanticleer gives notice of the coming dawn, and plods his weary way until the circling orb sinks into the shadow of the night; and the same is relatively true of other men. Who assures them, or any of them, a profit on their industries? They have money and brawn and brain invested, but they have no governmental guaranty of profit behind them. One class only is singled out and separated from all others—the manufacturers—and it is now undisguisedly proposed to levy taxes upon all others to assure a "reasonable profit" upon the investments of manufacturers. It would seem that when the American manufacturer was upon equal footing with the foreign manufacturer in the purchase of raw material, and then after we have imposed a protective duty sufficient, and in most cases more than sufficient, to cover the difference in the labor cost between this country and other countries, that the manufacturer might be left to his own ingenuity, enterprise, and prowess to meet the competition of the world for the markets of the world. But it seems that they have become so spoiled, pampered, and debauched by this policy of high protection that they are not satisfied to enter the race for commercial supremacy on equal terms with their competitors, but they demand a government indemnity against loss; and even more than that, they demand a government guaranty of profit. Mr. President, the most amazing thing of all is that this remarkable demand is not only tolerated, but it is granted. Can it be conceived that the Republican party grants a demand so monstrous without a consideration? And there I leave that question.

ATTACK ON MERCHANTS.

Mr. President, I turn now to another thing. The cost of living in this country is very high. The American workingman does get a higher wage for his day's work than the European workingman receives for his, but then he pays a great deal more for the privilege of living. If there is a marked difference in the day's wage in favor of the American, there is also a difference against him equally marked in the cost of living. But this question of higher cost of living in America concerns not only the wage-earner, but it concerns everyone. Much has been said recently upon the floor of the Senate as to this matter of higher cost of living in America. Everybody knows we pay more for food, for clothing, for rents, for everything—far more—than is paid in any other country in the world. The people have begun to inquire into the cause and the wherefores of this pronounced difference, and the inquiry propounded by the people at home has been repeated here on the floor of the Senate. And what has been the answer? Several Senators here of Republican faith, not discreetly measuring the significance of what they said, charged, directly or by inference, that the exorbitant prices exacted of American consumers was not due to the manufacturers, who are the immediate and chief beneficiaries of the protective system, but was due to the greed and conscienceless extortions of wholesale and retail merchants throughout the country. These merchants were here indicted by Republican Senators, and charged with the crime of extorting from the American people; while, on the other hand, the great industrial monopolies that have grown up under the fostering shelter of these tariff impositions have been pictured as struggling and hard pressed. I know that since the junior Senator from Oklahoma [Mr. GORE] a few days since delivered his scathing philippic, his caustic reproach, to those who made this charge, they have been hunting cover. Since then they have realized their mistake and have been affrighted because of it. Since then they have been making explanations and denials. Only the other day the Senator from Montana [Mr. CARTER] declared in so many words that no such charge had been preferred against the merchants. Nevertheless, though he was emphatic, he is mistaken. It may be that some of those who made this attack did not do so in terms as direct as others, but there were several who made statements of alleged facts, who made comparisons, and who assumed to trace various articles from the factory to the final purchaser, and in doing this they did in substance and effect indict the merchants. Mr. President, I believe all the Senators who made this outrageous attack upon the wholesale and retail merchants of the country, with one exception, have endeavored to run away from it and escape its consequences. As soon as they found they held a hot wire they have tried to drop it—all but one. I think he ought to have a chance to make explanation and apology. I refer to the Senator from California [Mr. FLINT], and I am sorry I do not see him present.

Mr. BEVERIDGE. He is here.

Mr. STONE. I am delighted to see that the Senator is present, so that I may afford him an opportunity to tender his apology to the retailers of the country and join the others at the altar of confession and repentance. I read from the RECORD of May 15:

Mr. CLAPP. What I was speaking of, Mr. President, is the unfairness—not intentional, perhaps—of characterizing the difference in cost to the retailer on what he sells as a profit, when out of that increased difference in price must come the share of the entire expense of the business.

Mr. President, I not only think we ought to have this information for our own use, but I believe that, unintentionally perhaps, an injustice has been done the retailers of this country.

Mr. FLINT. The Senator looks around to me when he speaks of injustice being done to the retailer. As far as any statement I have made in reference to the retailer is concerned, I reiterate it—I think no injustice has been done the retailer. In my opinion, the retailers of this country are making exorbitant profits. Many of the retailers who have been making exorbitant profits have taken pains to circulate the report that the high prices are caused by the protective tariff. This is not a fact. I think many of these articles that have appeared in the public press have been inspired by department stores. The effect of the articles has been to call attention to the fact that they are making extravagant and exorbitant profits out of their business. I want to repeat and reiterate what I have said on this subject.

And then he added:

I say that the retailers in this country have taken pains to circulate petitions in their stores asking that the duty on this article or that article be reduced on the ground that the tariff upon the article made the high cost to the consumer. I want to say that in each instance where they have sent in these petitions the tariff is not a factor in fixing the price, but it is the exorbitant price charged by the retailer, and a reduction in the duty would not reduce the price charged by the department stores and other retail stores throughout the country.

Mr. FLINT. Mr. President——

Mr. STONE. I yield to the Senator from California with great pleasure.

Mr. FLINT. I simply wish to say to the Senator from Missouri that I am receiving hundreds of letters from consumers in the country who believe that there is a combination in many of these stores to charge exorbitant profits, and before this debate shall have been finished I propose to show that the price charged by the manufacturers in this country for their goods is not excessive; in other words, that the manufacturers of this country are receiving only a reasonable profit on their sales. The article then goes to a jobber, then to a wholesaler, and then to the retailer, each making a profit. I am not prepared to say, and do not say, that the net profit to the retailer is so great, but I do say that the amount of expenses in connection with the conduct of the retail stores throughout this country in the large cities is so great that it makes an additional charge to the consumer; that it is not the tariff that makes the increased cost of the article, but the expense of conducting stores throughout the country and the great profits that they make.

Mr. STONE. Mr. President, the Senator has made a halfway apology to the retailers. He has not retreated, however, as far from his position as did other Senators. He has much of that fearless strength of character which belongs to far western people, and therefore he stands a little more resolutely by his guns. He retracts only in part; not in whole, as the others did. He only modifies; he does not supplicate. Still the Senator's explanation does not explain. He now says that he is not prepared to assert that the retailers do in fact receive a larger profit than they ought. The Senator shakes his head.

Mr. FLINT. I say the net profits.

Mr. STONE. Well, the net profit is what counts.

Mr. FLINT. There may lie the difference between the Senator and myself.

Mr. STONE. Oh!

Mr. FLINT. I want to say very clearly that I think that the difference between what an article costs one of these department stores and what it sells for is in every instance greater than the duty on a similar article brought into this country.

Mr. STONE. But the retailer pays a given price for his article to the manufacturer or the jobber or the wholesaler,

and then sells it to his customer for a given price, and the difference between the two is supposed, in a general way, at least, to represent his profit.

Mr. FLINT. Stating it just as the Senator from Missouri has stated it, I contend that that is an excessive profit. The expense of conducting business may bring down the net profit, but the difference, as the Senator says, between what those goods cost the retailer or the department store and what they sell them for is an excessive and an exorbitant profit, in my opinion.

Mr. STONE. Of course the retailer incurs expense in running his business, which has to be charged against the cost of what he sells.

The Senator from California declared in the extract which I have read from the RECORD that the profit of the retailer is exorbitant. Now he says he is not willing to stand by that declaration without the modification he makes. But, Mr. President——

Mr. MONEY. He said it was outrageous, too.

Mr. STONE. My friend the Senator from Mississippi suggests that I ought to add that the Senator from California declared that the profit realized by the retailer was both exorbitant and outrageous.

Mr. President, I do not believe that charge to be true. The wholesale merchants have built up their businesses without protection. Often from small beginnings, by close attention to business, by frugality, by industry, by all the things that contribute to success, they have forged ahead without asking for laws that would compel other people to pay them tribute. The retailers, at least in my State, and I think in all the States, fight their own battles, and they are not usually easy battles. In nine-tenths of the towns and villages of the United States the retail merchants make their own fires, sweep their own stores, often work in their shirt sleeves, and live in unpretentious homes. The manufacturers—the special pets of this system of taxation, against which I protest—live for the most part, as everybody knows, in palaces, race over the country in automobiles, and sail the seas in luxurious yachts. I am not "kicking" because these men have bamboozled the people and the Congress and are therefore fortunate. I simply do not want their sins unloaded on others.

Mr. President, I want to ask what is a "reasonable profit?"—and I want to put the Republican Senators here to the test on that. What is a "reasonable profit?"

Mr. CULBERSON. The Senator from Missouri, if I understand him, is discussing the general proposition whether or not the tariff is added to the cost of the article to the consumer. He is also discussing the question as to whether this addition is reaped by the retailer or by the manufacturer. With reference to the first of these questions, by permission of the Senator, I want to incorporate just here a sentence or two from the report of the committee, which has been called to my attention, and my memory has been refreshed about it by an enterprising editor in New York. The report is from the proceedings of the Congress of the Confederacy for December 16, 1782, and was submitted by Mr. Hamilton, chairman of the committee, of which Mr. Madison and Mr. Fitzsimmons were the other members. The sentence to which I desire to invite attention in support of the general proposition of the Senator from Missouri is the following:

The most common experience—

Says Mr. Hamilton in this report—

joined to the concurrent opinions of the ablest commercial and political observers, has established beyond controversy this general principle, that every duty on imports is incorporated with the price of the commodity and ultimately paid by the consumer, with a profit on the duty itself as a compensation to the merchant for the advance of his money.

Mr. STONE. Mr. President, I am gratified that my friend the Senator from Texas has injected that very pertinent matter into my speech. I resume at the point I was on when the Senator agreeably and profitably interrupted me.

MANUFACTURER'S PROFIT.

Mr. President, I have been endeavoring through interruptions to discuss the Chicago platform declaration proposing to guarantee to the manufacturers a "reasonable profit" on their investments, and I have said that I wanted to put Republican Senators and I want to put the President to the test as to that. There are a number of schedules that I might select for this purpose, and I have hesitated as to which I should select for the purpose of presenting this question in its most striking and aggravating aspect. Mark you, the platform and Mr. Taft, as the party candidate upon that platform, announced the new and strange doctrine that a profit was to be guaranteed to men investing in manufacturing enterprises, but they said that it was to be only a "reasonable profit"—nothing beyond that. Now, among many that might be well selected for the purpose, I have chosen the cotton schedule to illustrate and emphasize what I have in mind. The cotton manufacturers of Massachusetts, Rhode Island, and other States have been here in Washington before the House Ways and Means Committee and the Senate Finance Committee clamoring for increased tariff rates on their products. They are not only asking for higher rates, but for new and strange classifications. If you will examine, as no doubt every Senator has, the statistical abstract prepared by the Finance Committee, you will observe that on the face of this document certain things are set down as luxuries and certain other things as necessities. Surprising as it may be, it is nevertheless true that the committee have set down many cotton fabrics, such as are commonly used as dress goods by the women and girls in the middle classes—that is to say, the wives and daughters of what is usually designated as the "common people"—as luxuries. Common cotton dress goods, almost universally used, costing from 15 to 50 cents per yard in the country stores, are set down and taxed in this bill as luxuries. Such goods are already covered by a customs duty that any man not tariff-mad would call highly protective, if not prohibitory; but the makers of these commodities come here and ask for an increase of duty, and that there may be some justification for this demand they have these things of common necessity described as "luxuries."

Mr. President, let us look at this. The Republican platform and the President say that tariff taxes should be imposed, among other things, to insure a "reasonable profit" to the manufacturers. Let us apply the good faith of this declaration as it stands exemplified in this cotton schedule. These manufacturers have come here from the New England States to ask for an increase of the duty, and the committee has yielded to that demand. The rates have been appreciably enhanced practically all along the line, and in many instances they have been doubled, or almost so. What justification can be found for this recommendation of the Finance Committee? Is this increase necessary to insure these particular manufacturers a "reasonable profit" on their investment? Let us see. Mr. President, I hold in my hand a statement showing dividends paid by the principal cotton manufacturers in New Bedford, Mass., which would be especially benefited by the propositions advanced in this cotton schedule as reported by the Finance Committee, showing the dividend payments of these mills for 1908. These figures are authentic. They have been published by Sanford & Kelley, bankers, in New Bedford, who deal in the stocks of these manufacturing corporations. Moreover, they are matters of public record, made so under the law of the State, and may be easily verified. I submit to the Senate the following tables, giving the names of several corporations, the capitalization of each, and the dividends paid by each in 1908:

Corporation.	Capital.	Dividend, 1908.
		Per cent.
Acushnet Mills	$900,000	16
City Manufacturing Co	750,000	18
Dartmouth Manufacturing Co	600,000	08
Hathaway Manufacturing Co	800,000	10
Pierce Manufacturing Co	600,000	16

The amount of the surplus of these corporations is not at this time available; nor are the market values of their shares.

I have not been able, Mr. President, to obtain possession of figures showing dividends paid in 1907. But the above percentages are comprised in total dividends paid by all cotton-goods mills in 1908, of $1,798,595, against a total paid in 1907, of $2,489,750. In other words, the general dividends paid by New Bedford mills averaged over 38 per cent more in 1907 than in 1908; and, on this basis, the mills above would have paid an average dividend in 1907 of 34.7 per cent. I am told it is a matter of common knowledge in the trade, however, that the above mills did even better than this in 1907.

The average dividend shown by the above figures for 1908 is 25.2 per cent.

Mr. President, it is proper to say that these statistics were furnished me by Mr. F. B. Shipley, president of the Publicity Committee of Wholesale Dry Goods Merchants of New York. I have another statement here from the same source, equally interesting, which I shall lay before the Senate.

This statement shows the dividends paid by nine cotton-goods mills of Fall River, Mass., who would be principally benefited by the proposed advances in the schedule. These figures are published by Edwin J. Cole, banker and broker, of 8 South Main street, Fall River, Mass. These figures are matters of public record in Massachusetts and may easily be verified. The table to which I am about to refer gives the name of the corporation,

the capital of the corporation, the surplus of each, the dividend for 1907, and the market value of the shares January 1, 1909:

Corporation.	Capital.	Surplus.	Dividend, 1907.	Market value of shares January 1, 1909.
			Per cent.	
Border City Manufacturing Co.	$1,000,000.00	$107,266.54	23.5	$150.00
Cornell Mills	400,000.00	233,578.76	16	180.00
Flint Mills	580,000.00	139,804.03	12	108.00
Narragansett Mills	400,000.00	142,220.35	11.5	135.00
Richard Borden Manufacturing Co.	1,000,000.00	468,024.67	20	180.00
Sagamore Manufacturing Co.	900,000.00	348,762.57	39	180.00
Tecumseh Manufacturing Co.	750,000.00	249,188.02	14.5	150.00
Union Cotton Manufacturing Co.	1,200,000.00	572,544.66	35.5	195.00
Troy C. & W. Manufactory	300,000.00	366,529.28	67	* 330.00

* This is based on par of $100 per share. The actual par of shares is $500, and the market price $1,650.

The average dividend actually paid in 1907 was 25¾ per cent.

The average selling price of all these companies on January 1, 1909, of $100 shares was $178.66.

It should be borne in mind that the above mills are those making the general class of goods which would be most seriously affected by the proposed advances of the Aldrich bill. Although it is not a matter of public record, it is a matter of common knowledge in the trade that, in addition to the above dividends, these mills have paid enormous salaries to managing officers, and that for some years they have been rebuilding and enlarging their plants out of profits.

One of the largest "fine goods" mills of Fall River, not mentioned above, is "King Philip" Mills, which for the past fourteen years has averaged 13.86 per cent dividends, including extra dividends amounting to 100 per cent. Capital, $1,500,000; surplus, $871,083.91; 135,072 spindles. It is said that in addition this company has recently given away a lot of bonds to its stockholders, probably paying additional dividends in that way, and in that way attempting to conceal the payment.

Mr. President, I am told that the statutes of Massachusetts require manufacturing corporations to furnish for public record such data as that I have quoted. Some of the largest manufacturing plants of the country are in Rhode Island. I sought diligently to procure some authentic data as to those mills similar to that I have read relating to the mills in Massachusetts. I was unable to obtain it. The Yankee in Rhode Island seems to be somewhat shrewder than his brother in Massachusetts. Rhode Island is little more than a miniature State, but the people there know their business. Their chief business is manufacturing, and they live on the balance of the country. They have not passed any laws requiring the publication of data that might prove embarrassing on occasions like this. In this respect little Rhode Island has outgeneraled the old Bay State.

Mr. President, notwithstanding all I have said, these manufacturers are here clamoring for higher duties. I want to know, and I put the question to Republican Senators and to the President, whether this is the "reasonable profit" contemplated in the Chicago platform? Is this the "reasonable profit" Mr. Taft had in mind when he was addressing the American voters last year? Is it not enough as it is? And why should they come here and ask and receive at the hands of this Congress a higher duty upon their products? Take this case and tell me who is extorting from the people—the manufacturers or the merchants? And remember, Mr. President, that I cite this case only as an example; it is not exceptional.

PANIC 1893—CAUSE.

Now, Mr. President, hoping to conclude very soon, for I am beginning to feel somewhat fatigued, I pass from all this, putting aside some things I had in mind, to discuss another matter and to refute some silly things that have been uttered here over and again. Whenever we talk on this side of the Chamber, or whenever the so-called "progressive Republicans" talk on the other side of the Chamber, of reducing the tax burden, the Wilson law is flaunted in our faces, and the panic of 1893 to 1897, attributed to that law, is paraded as a solemn warning. One might suppose from what we so often hear upon the other side that the country had never been afflicted with a panic except the one to which I have referred.

But we had panics and industrial depressions long before and since the Wilson law. We had one in the seventies, another in the eighties, and another recently, from the effects of which we have not yet recovered. They have fallen upon the land like a blight periodically.

Mr. President, I affirm what I believe to be absolutely true and demonstrable, that the so-called "Cleveland panic," from 1893 to 1897, was not due to the Wilson law. That law had little, if anything, to do with that disturbance.

Mr. SMITH of Michigan. The Senator from Missouri is bound to say that the panic continued as long as that law was on the statute book.

Mr. STONE. Yes; and it began before that law was on the statute book. The Wilson law, so called, or the Gorman-Wilson law, although it laid somewhat lower rates of duty than the Dingley law, was yet a highly protective statute. We all know that after that bill came from the House it was so changed in the Senate that its progenitors could not have recognized it on the street. We know that by a combination of Republicans and certain Democrats here in the Senate the House rates were substantially and almost universally increased. We know that Mr. Cleveland refused to sign the bill, because, as he said, it represented party "perfidy and dishonor;" that it did not keep faith with the American people according to the pledge made in the platform upon which he was elected; and he permitted it to become a law under the provisions of the Constitution by declining either to sign or to veto it. I wonder if Mr. Taft will follow this distinguished example when he is put to the test a few weeks hence.

Mr. President, that panic storm of 1893 to 1897 broke on the country a year before the Wilson law was enacted and while the McKinley law was still in force. A widespread industrial depression had prevailed throughout this country long before Cleveland was elected President in 1892, and it prevailed abroad as well as in this country. These are historical facts, and therefore what is the need of men who care for the truth of history, and who are not swayed wholly by narrow partisan consideration, denying what they know to be true?

Every Senator upon that side, as well as upon this, knows that the gold supply of the Treasury was practically exhausted before Cleveland was elected President in 1892, and you know how that was brought about. President Harrison had determined upon the policy of permitting every man holding any obligation of the Government to demand its redemption and payment in gold, even though under the law and the contract it might have been paid in either gold or silver. The Senator smiles. Does he deny the accuracy of the statement?

Mr. SMITH of Michigan. The Senator from Washington [Mr. PILES] smiled.

Mr. STONE. I am speaking of the Senator from Washington.

Mr. PILES. I was just amused at the exaggeration of the Senator from Missouri.

Mr. STONE. Wherein have I exaggerated? I challenge the Senator to say where I have exaggerated or misstated the truth.

Mr. BURKETT. Let me read the Senator a quotation from a Democratic paper as to the statement the Senator made.

Mr. STONE. I do not care for that.

Mr. BURKETT. I just wanted to show the exaggeration——

Mr. STONE. Does the Senator deny the accuracy of the statement?

Mr. PILES. I thought the Senator was greatly exaggerating when he said the panic preceded the Wilson bill for about a year, I think he said.

Mr. STONE. Yes; I said that, and I repeat it. The storm cloud of that panic was already high on the horizon before Cleveland was elected, and it swept the country with all its fury months before the Wilson bill was passed and became the law of the land. I state that as a matter of absolute historical fact—a fact not too old to be forgotten by the men of this generation.

Mr. BURKETT. I will say that I did challenge the statement that there was any panic in this country before Cleveland was elected, and I was going to read some Democratic newspaper clippings that I happen to have at hand to demonstrate it to the Senator. Of course if he objects to my reading them, I can not demonstrate it.

Mr. STONE. If the Senator has clippings from Democratic papers, he had better read them at home. [Laughter.]

Mr. President, I suppose it will not be denied that during the Harrison administration preparation had been made to issue bonds to borrow money in that time of peace to supply the depleted gold reserve of the Treasury, nor will it be denied that the plates for those bonds had been prepared before Cleveland was elected.

I overheard some Senator over there say in undertone that this is getting into old things, and so it is; but you talk of old things and so will I. I will not sit here and listen to Senators upon the other side charge day after day that the panic of

1893 to 1897 was the outgrowth of the Wilson law, when they must know and do know as well as we that that law was not the cause nor even an important contributing factor to that panic. I will not permit that silly political falsehood to go unchallenged. Senators know that that panic was on the country long before the Wilson bill was enacted, and that the country was suffering from its dire effects for practically a year before the Wilson Act became operative.

Senators shake their heads. Nevertheless, I speak the truth. Republicans have got so much in the habit of assigning that panic to the Wilson law that I suppose the weaker ones among them really believe it. But, Mr. President, there are some Republican Senators who know better, and who are candid enough to say that the Wilson Act was not the cause, at least the chief cause, of that panic. On April 22 of this year, answering this very charge, the distinguished Senator from Minnesota [Mr. NELSON] said:

Let me answer the Senator from New Hampshire. While I do not justify the law of 1894, I want to be fair enough and manly enough to say that all of the stagnation that prevailed during those dreary years from 1893 to 1897 and 1898 was not altogether owing to that law. It was more owing to the vicious conditions under which our currency existed. It was on account of that as much as on account of the tariff.

That Senator knew the truth, as others know it, but he had more courage and candor than some others in telling it. I wish there were more than there are upon that side as broad and liberal and fair as the Senator from Minnesota. But most of you have made up your minds to stick to this old story, true or false. You have found it to be a dividend-paying political asset, and so you intend to keep on peddling it in the press, in the CONGRESSIONAL RECORD, and from the stump. Except for the question of veracity involved, I do not blame you.

Mr. SMITH of Michigan. Mr. President, I am very much interested in the argument of the Senator from Missouri, and I do not want to disturb him; but I should like to ask him whether the languishing of the woolen industry in this country was attributable to free raw wool from Australia and New Zealand, or to our financial laws?

Mr. STONE. O Mr. President, the Senator from Michigan is seeking to divert me now into the discussion of a particular schedule.

Mr. SMITH of Michigan. I was just taking one.

Mr. STONE. I am discussing general conditions as they existed then——

Mr. SMITH of Michigan. I thought I would take one.

Mr. STONE. But I will not be diverted from a general argument into a controversy over a detail.

Mr. President, I affirm, as the Senator from Minnesota [Mr. NELSON] affirmed a few days since, that the oft-vaunted Cleveland panic was due far more to financial conditions than to the tariff. It was due to an inadequate supply of money to meet and accommodate the business demands of the American people. Mr. President, I want here to put some indisputable facts in the RECORD regarding this. I want to show what the general financial situation was at that time with respect to the people at large. First, at the time of Cleveland's second inauguration, in 1893, the per capita circulation of the United States was only about $19 to $20. Those who know anything know that values of property are affected by the volume of money in circulation and available; that these values are more affected by that than by any other one thing. When the money volume is too small, property values go down, and then again they go up in correspondence with any perceptible increase in the volume of currency. Not only are property values affected in this wise and from this cause, far more than from any other cause, but labor wages and industrial conditions are likewise affected and in like degree by the same cause.

Mr. GALLINGER. Has the Senator from Missouri any figures to show what the per capita circulation of money was in 1893, as compared with the preceding year? Was there an actual scarcity of money in that year?

Mr. STONE. Yes.

Mr. GALLINGER. Has the Senator from Missouri the figures to show that?

Mr. STONE. There was an actual scarcity of money. I have not at hand the exact information in official form which the Senator calls for. I have not at my desk at this moment the reports of the Treasury Department or the other available sources of information on this subject; but I did not suppose that that would be called in question. That, I assumed, was a matter of such common, acknowledged, and universal information that I did not suppose it would be called in question.

Mr. GALLINGER. I do call it in question, for I have every reason to know that there was not a shrinkage in the per capita circulation of money at that time.

Mr. STONE. The Senator says "a shrinkage." I am speaking of the actual amount available.

Mr. GALLINGER. Then, I will put it in that form.

Mr. STONE. The per capita circulation of the country——

Mr. GALLINGER. I put it in that way, for I have every reason to believe that there then was sufficient money to carry on the business of the country.

Mr. STONE. There may have been in New Hampshire.

Mr. SMITH of Michigan. There was more money then in circulation than ever before.

Mr. GALLINGER. The Senator from Michigan suggests that there was more.

Mr. STONE. I do not think so. I join issue on that.

Mr. SMITH of Michigan. There was more circulation per capita than ever before.

Mr. STONE. I join issue on that. The Senator says there was more money in circulation——

Mr. GALLINGER. If the Senator from Missouri will permit me, he calls attention to the difference which existed before the time that President Harrison went out of office. We all admit that the Senator has stated it substantially correct; but the Senator is doubtless very familiar with the platform adopted by the Democratic party on June 21, 1892, in which the threat was made, which every manufacturer in the United States understood to mean, that the protective principle would be absolutely withdrawn if the Democratic party came into power. The Senator knows that.

Mr. STONE. I know what the platform said.

Mr. GALLINGER. The Senator knows it.

Mr. STONE. I know the platform declared in favor of a tariff for revenue.

Mr. GALLINGER. Yes; and a little more than that. It declared that—

The Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only.

Mr. STONE. I adhere to that.

Mr. GALLINGER. And the platform declared that it was unconstitutional to collect money for any other purpose.

Mr. STONE. I will ask the Senator from New Hampshire to state now if he believes that the Congress of the United States has the constitutional right to levy a tax purely for the purpose of protection and without reference to revenue?

Mr. GALLINGER. Certainly not; but I will say to the Senator from Missouri that I agree with Washington, with Jefferson, with Madison, with Monroe, and with Jackson, that we ought, in levying taxes, to take care of our manufacturing industries. The Senator from Missouri knows that. So I need not go into it.

Mr. STONE. Of course, I agree to that.

Mr. GALLINGER. That is exactly what the Democratic party denied in the platform preceding the election of Mr. Cleveland.

Mr. STONE. No; the Democratic party never denied that.

Mr. GALLINGER. Oh, yes; they did.

Mr. STONE. They never denied that any duty levied upon imports is, to the extent of that duty, a protection to American industries; and while we stand for the fundamental doctrine of a tariff for revenue, we are glad to give to American industries the benefit of that tax.

Mr. GALLINGER. I differ with the Senator from Missouri on that point; and I make the assertion that if $2 is a protective duty, $1 may be absolutely destructive to the protected interests of the country; that it is not necessary to go to absolute free trade, but that the moment we get beyond the protective point our manufacturing industries must go to the wall, because they can not compete with foreigners.

Mr. STONE. Well, a duty of a dollar levied upon a given article certainly is a protection to that extent. It might not, in the view of the Senator from New Hampshire, be a protection to the extent he desired. He would probably desire to exclude foreign competition altogether, or at least to cripple it as much as possible by the higher rate. But, Mr. President, I will not proceed further on this line, for I do not wish to become involved in the discussion of the details of a tariff policy.

Mr. GALLINGER. If the Senator will permit me, a duty is not any protection if it does not put us on an equal footing with foreign manufacturers. If it enables them to come into our market places and underbid us, then the so-called "protection" that the Senator speaks of is not any protection at all. We are at their mercy.

Mr. STONE. The Senator is still insisting upon an academic discussion.

Mr. GALLINGER. Not at all.

Mr. STONE. Yes. But let us be practical, rather than theoretical. Your platform proposed to levy a duty only high

enough to cover the difference in the cost of production abroad and in the United States and to assure a reasonable profit to the manufacturers. You declared that when that was done the duty was high enough, and Mr. Taft declared that anything beyond that was excessive. There is no use in theorizing or engaging in academic debate. You have yourselves established a rule to be followed in laying duties. You established a rule, but you do not adhere to it. As we pass along from one thing to another you hear arguments from that side to the effect that a given duty, estimated in accordance with the platform declaration, is not, in the language of the Senator from New Hampshire, sufficient "to put us on an equal footing with foreign manufacturers, and that, therefore, the so-called 'protection' is not any protection at all." Mr. President, I have shown in argument and by specific illustrations that the plan followed here is to impose duties not in accordance with the rule prescribed at Chicago, but to please the manufacturers and satisfy their greed. I have shown instances where the tariff not only covers every possible difference in the cost of production, but that under the tariff we now have the manufacturers were making a profit on their investment of from 20 to 30 per cent and over, and yet the Finance Committee are proposing in those very industries to increase the rates. I presume that that is being done on the theory of the Senator from New Hampshire. For myself, while intensely anxious to be in all things fair and just to the manufacturers, I desire also to be equally fair and just to the consumers.

TAXING POWER.

Mr. SUTHERLAND. Will the Senator permit me to ask him a question?

Mr. STONE. Yes.

Mr. SUTHERLAND. The Senator from Missouri has assailed the protective policy as being unconstitutional. Laying aside the power of the Government under the taxing clause of the Constitution, the Senator from Missouri will recognize that the Government of the United States is a sovereign Nation, having all the powers of any other sovereign nation.

Mr. MONEY. I deny that.

Mr. SUTHERLAND. And as such, may it not absolutely prohibit some particular class of goods coming in from a foreign country if it deems that their importation is harmful? If it may do that, may it not impose duties, or in any other way enact laws, that will prevent their coming in in such way as to be injurious to the United States or to the industries of the United States?

Mr. STONE. Mr. President, I think the Government of the United States is a Government of limited and delegated powers, and not of inherent powers.

Mr. SUTHERLAND. Mr. President, if the Senator will permit me right there, I agree with the Senator that the Government of the United States is a Government of delegated powers so far as its relations with the various States of the Union are concerned; but I deny that it is a Government of delegated powers when it comes to deal with a foreign nation. In our dealings with foreign nations, as I claim, the Government of the United States is a sovereign power dealing with foreign nations in its sovereign capacity, and not by virtue of its delegated powers.

Mr. STONE. Declining to be provoked into a protracted discussion of these old questions with the Senator from Utah, for that would divert me from my present purpose, I should like, nevertheless, to inquire of the Senator whether he agrees with his colleague, the Senator from New Hampshire [Mr. GALLINGER], that the Government of the United States can not pass a law imposing taxes solely for the purpose of prohibiting the introduction of foreign goods into the United States? Would such a law, so entitled, be a constitutional enactment?

Mr. SUTHERLAND. Yes, Mr. President, I think the Government of the United States has absolute power to prohibit the importation of goods from any particular country in the world that it sees fit to do. The Government of the United States has done that in the case of convict-made goods. We have absolutely prohibited the importation of convict-made goods from foreign lands; and that, if the Senator will permit me, illustrates very well the difference between what I may call the sovereign powers of the Government and the delegated powers of the Government. I think we can not prohibit the transportation of convict-made goods from one State to another, but I think that we have the absolute power to prohibit the importation of convict-made goods from a foreign nation, because in the latter case we are operating under the sovereign power of the United States, and in the other case, that of the transportation of goods among the States, we are acting under the delegated powers.

Mr. RAYNER. Mr. President, will the Senator from Missouri allow me?

Mr. STONE. I yield.

Mr. RAYNER. I should like to know whether the Senator from Utah means that we can use the taxing power to prohibit importations?

Mr. SUTHERLAND. I was not discussing the taxing power. I expressly stated——

Mr. RAYNER. Yes; but the Senator from Missouri was discussing the taxing power. He was not discussing the regulation of commerce.

Mr. SUTHERLAND. If the Senator from Maryland will permit me, the Senator from Missouri was asserting, as I understood him, that we have no power to protect the industries of this country by prohibiting the importation of goods from abroad. He was discussing it under the taxing power.

Mr. RAYNER. One moment——

Mr. SUTHERLAND. I was simply, if the Senator will permit me further, directing the attention of the Senator from Missouri to the whole power which the Government of the United States may exercise.

Mr. RAYNER. The point I want to get at is this: Does the Senator from Utah contend that we can levy a tax for the purpose of prohibiting importations? That is the question that I should like to have answered.

Mr. SUTHERLAND. I do, Mr. President. I contend that very thing.

Mr. RAYNER. Well, Mr. President, the Senator from Utah is against all the text writers on the subject.

Mr. SUTHERLAND. Well——

Mr. RAYNER. Just one moment upon that proposition.

Mr. SUTHERLAND. Let me say——

Mr. RAYNER. Let me just finish my statement.

Mr. SUTHERLAND. Very well.

Mr. RAYNER. The Senator from Missouri is not discussing the power of Congress to prohibit importations under the right to regulate commerce. That is an open question, and the authorities lean toward the proposition of the Senator from Utah; but the proposition that I assert—and I assert it now, because I intended to discuss it this afternoon, but I shall defer doing so until some other opportunity presents itself—is that we have no right to use the taxing power for the purpose of preventing importations or of prohibiting importations. The taxing power can not be used for any such purpose; and if upon the face of this bill, with hundreds of importations prohibited, you proclaim that you are using the taxing power for that purpose, this bill would be unconstitutional. In every case that has gone before the Supreme Court, they have said that they could not decide upon the constitutionality of the question, because the bill upon its face set forth that it was for the purpose of collecting revenue.

Now, before the Senator answers me, let me give him just a line or two upon this subject in the discussion of this proposition by one whom I consider the best text writer upon the subject, because it is not only said by him, but followed up by Cooley and substantially conceded by Story. He states the proposition thus, and I read from Tucker on the Constitution:

> What, then, does the power to regulate commerce mean?
>
> First. It does not mean the power to levy duties upon foreign imports, for the reasons already given; and these reasons are sustained by this additional observation: Suppose the Constitution had granted the power to regulate commerce and had not granted the power to tax, could Congress have taxed under the power to regulate commerce? Or, *e contra*, if the power to tax had been granted, but that to regulate commerce had been denied, could Congress, under the power to tax, have regulated commerce?

My proposition is this: That if you want to prohibit imports, you can prohibit them under the clause to regulate commerce. You need not say so; and there is where you are practicing a fraud upon Congress, upon the Constitution, and upon the Supreme Court; but when you levy a duty, you must levy that duty for revenue. The Supreme Court has stated that they can not hold any of these bills to be unconstitutional simply because they can not tell upon the face of them whether the duty is levied for revenue or not. If you would send to the Secretary's desk now—and I propose to do it when the opportunity presents itself—a bill which declared upon its face that a revenue duty was laid for the purpose of prohibiting importations and shown to the Supreme Court that that was the purpose of the measure, I assert now, without the fear of successful contradiction, that that bill would be an unconstitutional bill upon its face.

I have never heard that proposition contradicted. All the text writers—Cooley and all of them—agree upon that proposition. If you want to accomplish the prohibition of importations, you must do it under the right to regulate commerce. You can never abuse the taxing power of the Government for

the purpose of preventing and prohibiting importations; you must do it ostensibly for the purpose of collecting revenue. That was the decision in the great case of Fenno *v.* The Veazie Bank, in Eighth Wallace, which my friend from Utah will recollect.

Mr. SUTHERLAND. Mr. President, will the Senator from Missouri permit me just a word?

Mr. STONE. I yield to the Senator.

Mr. SUTHERLAND. I will not trespass upon the Senator's time, if he objects.

Mr. STONE. No; I will yield.

Mr. SUTHERLAND. I was not discussing the power of the Government of the United States under the taxing clause of the Constitution. The Senator from Maryland says that, when we prohibit the importation of goods from a foreign country, we are doing it under the commerce clause of the Constitution. I do not think so. The commerce clause of the Constitution gives Congress the authority to regulate commerce, not to prohibit it; and when we prohibit the importation of goods from a foreign country, my position about it is that we are proceeding under the sovereign powers of the Government of the United States, which powers are to be distinguished from the delegated powers.

Mr. RAYNER. Mr. President, there is no sovereign power in the Government of the United States. I emphatically protest against the assertion of such a proposition. There is no power in the Government of the United States except the power that is contained in the enumerated articles of the Constitution.

Mr. SUTHERLAND. I beg to differ with the Senator from Maryland——

Mr. RAYNER. The Senator——

Mr. SUTHERLAND. Just a sentence, and then I will close, because I realize that I am trespassing on the time of the Senator from Missouri.

I take the position that the Government of the United States possesses two classes of powers; namely, its delegated powers, in its operations among the various States of the Union, and its sovereign powers, which are the sovereign powers of any sovereign nation in the world.

Mr. RAYNER. Will the Senator from Missouri indulge me?

Mr. STONE. Certainly.

Mr. RAYNER. Does the Senator from Utah assert, for the first time in this Chamber (with one single exception, perhaps, and that is the senior Senator from Indiana, who has asserted that proposition), that there is any inherent power in the Government of the United States, or that it has any power whatever, except such powers as are contained in the Constitution and in the enumerated articles of the Constitution? Does the Senator pretend that we could even collect revenue, or that we could regulate commerce, or that we could do anything else, except in accordance with the enumerated powers of the Constitution?

The right to regulate commerce comes from no inherent power vested in the Government of the United States. The right to regulate commerce comes in pursuance of the provisions of the Constitution. The right to impose taxes, duties, excises, or imposts does not originate from any inherent power in the Government of the United States. It comes from the article of the Constitution that gives us that power; and now, if the Senator from Missouri will excuse me, before I resume my seat, I will quote four or five lines from perhaps the greatest text writer on this subject, to show that under the power to collect revenue you can not lawfully use that power for the purpose of preventing and prohibiting importations. I will quote this from Judge Cooley:

> Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

And I want to call the attention of the Senator from Utah to this particular proposition. He says that as it is a duty from which revenue may be derived, the judicial power, where the motive of laying does not appear on the face of the act, can not condemn it as being unconstitutional, but it is none the less a violation of the Constitution by the legislator who knows its object, and levies the duty from a motive not justified by the Constitution.

Mr. MONEY. Will the Senator from Missouri permit me there?

Mr. STONE. Certainly.

Mr. MONEY. Mr. President, I do not want to intrude into this debate, except to say that if the argument of the Senator from Utah, that this Government has any sovereign or inherent powers is correct, then it was absolutely useless to delegate any powers to it. There would be an absolute absurdity in any convention delegating to the Government everything which it already had. If it was sovereign, it had all the powers of sovereignty. There is no difference in sovereign States, however small or however large they may be; they are exactly the same, and there can be no delegation of power where that power already exists.

Now, in answer to what the Senator from New Hampshire [Mr. GALLINGER] has said and what the Senator from Utah [Mr. SUTHERLAND] has said upon this subject, I want my friend, the Senator from Missouri, to read a quotation that I have here, which, however, is somewhat long, and I want to say that this is almost uniform with all the text writers—I believe all except one—and that I have selected it from Mr. Cooley, because he is not only one of the greatest jurists this country ever produced, and one of the clearest and most accurate in his expressions, but because he is a Republican, and his authority ought not to be questioned here. I will ask the Senator from Missouri if he is willing to incorporate this as a part of his remarks?

Mr. SUTHERLAND. Will the Senator from Missouri permit me to ask the Senator from Mississippi a question?

Mr. STONE. I will permit the Senator to ask a question, but it seems to me that I have been already overindulgent.

Mr. SUTHERLAND. The Senator has been very kind. I simply want to ask the Senator from Mississippi if the States of the Union, in forming the Constitution, reserved to the States any power to deal with foreign nations?

Mr. MONEY. If the Senator will read the ninth and tenth amendments to the Constitution, he will see that the powers not expressly delegated to the General Government are reserved to the States and the people thereof. That is the answer.

Mr. SUTHERLAND. The Senator does not quite answer my question.

Mr. MONEY. I thought I had completely answered the question, but I want to read more, if the Senator will permit me.

Mr. SUTHERLAND. Has any State in the Union the power to deal directly with a foreign nation?

Mr. MONEY. Nobody has contended so. That is not a question that can be properly raised here, for nobody has ever contended that it could. On the contrary, it is understood that their relations with foreign nations ceased, and they now act only through a certain form of government which they instituted for that very purpose, of communicating with foreign countries.

Mr. SUTHERLAND. Then, the States did not reserve that power?

Mr. MONEY. They did reserve all the power that is not given to the General Government.

Mr. STONE. Mr. President, I must decline to yield further. While this debate has been interesting and instructive, it has drifted entirely away from the line I was attempting to follow. I can not protract it, nor permit it to be done, or else my speech will get lost in the shuffle. However, as the Senator from Mississippi [Mr. MONEY] has handed me some matter taken from one of Judge Cooley's commentaries, with the suggestion that I read it and incorporate it in my remarks, I will pause long enough to do that before again taking up the original thread of my discourse. What I am about to read is a part of Chapter IV, beginning on page 57, of Cooley's Principles of Constitutional Law:

THE PURPOSES.

> Constitutionally a tax can have no other basis than the raising of a revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles. But if any income is derived from the levy, the fact that incidental protection is given to home industry can be no objection to it, for all taxes must be laid with some regard to their effect upon the prosperity of the people and the welfare of the country, and their validity can not be determined by the money returns. This rule has been applied when the levy produced no returns whatever, it being held not competent to assail the motives of Congress by showing that the levy was made not for the purpose of revenue, but to annihilate the subject of the levy by imposing a burden which it could not bear. (Veazie Bank *v.* Fenno, 8 Wall., 533.) Practically, therefore, a law purporting to levy taxes, and not being on its face subject to objection, is unassailable, whatever may have been the real purpose. And perhaps even prohibitory duties may be defended as a regulation of commercial intercourse.

LEVIES FOR PRIVATE PURPOSES.

> Where, however, a tax is avowedly laid for a private purpose, it is illegal and void. The following are illustrations of taxes for private purposes: A tax levied to aid private parties or corporations to establish themselves in business as manufacturers (Loan Association *v.* Topeka, 20 Wall., 655, 663; Allen *v.* Jay, 60 Me., 124); a tax to supply with provisions and seed such farmers as have lost their crops (State *v.* Osawkee, 14 Kans., 418); a tax to build a dam which, at discretion, is

to be devoted to private purposes (Attorney-General v. Eau Claire, 37 Wis., 400); a tax to refund money to individuals which they have paid to relieve themselves from an impending military draft (Tyson v. School Directors, 51 Penn. St., 9; Crowell v. Hopkinton, 45 N. H., 9; Usher v. Colchester, 33 Conn., 567; Freeland v. Hastings, 10 Allen (Mass.), 570; Miller v. Grandy, 13 Mich., 540); and so on. In any one of these cases the public may be incidentally benefited, but the incidental benefit is only such as the public might receive from the industry and enterprise of individuals in their own affairs and will not support exactions under the name of taxation.

But, primarily, the determination what is a public purpose belongs to the legislature, and its action is subject to no review or restraint so long as it is not manifestly colorable. All cases of doubt must be solved in favor of the validity of legislative action, for the obvious reason that the question is legislative, and only becomes judicial when there is a plain excess of legislative authority. A court can only arrest the proceedings and declare a levy void when the absence of public interest in the purpose for which the funds are to be raised is so clear and palpable as to be perceptible to any mind at first blush. (Broadhead v. Milwaukee, 19 Wis., 624, 652; Cheneley v. Hoosier, 9 B. Monr. (Ky.), 320, 345; Booth v. Woodbury, 32 Conn., 118, 128; Hammett v. Philadelphia, 65 Penn. St., 146; Tide Water Co. v. Coster, 18 N. J. Eq., 518.)

Where a law for the levy of a tax shows on its face the purpose to collect money from the people and appropriate it to some private object, the execution of the law may be resisted by those of whom the exaction is made; and the courts, if appealed to, will enjoin collection, or give remedy in damages if property is seized. But if a tax law on its face discloses no illegality, there can, in general, be no such remedy. Such is the case with the taxes levied under authority of Congress; they are levied without any specification of particular purposes to which the collections shall be devoted, and the fact that an intent exists to misapply some portion of the revenue produced can not be a ground of illegality in the tax itself. In cases arising in local government an intended misappropriation may sometimes be enjoined; but this could seldom or never happen in case of an intended or suspected misappropriation by a State or by the United States, neither of them being subject to the process of injunction. The remedies for such cases are therefore political, and can only be administered through the elections.

AVERAGE AD VALOREMS.

Mr. President, I will now return to the line of discussion I was following when interrupted. I was then endeavoring to show that the panic of 1893–1897 was not due to the so-called "Gorman-Wilson bill," but was chiefly due to the financial or monetary conditions prevailing at that time. I said, and I repeat, that the Gorman-Wilson bill was essentially a protective measure. It certainly was not a purely revenue measure. It ranked well among the highest protective laws we had ever had up to that time.

I sent down the other day to the Bureau of Manufactures asking to be furnished with the ad valorem rate of duty charged and collected on dutiable importations during the existence of the law of 1883, during the McKinley Act, during the Wilson Act, and during the Dingley Act, with the average of the duty for the different years covered by the different laws. According to the statement furnished me, the average duty paid on dutiable imports between 1884 and 1890, under the act of 1883, covering a period of seven years, was 45.18 per cent; under the McKinley Act, from 1891 to 1894, the average on dutiable imports was 48.67 per cent; under the Gorman-Wilson Act, from 1895 to 1897, the average on dutiable imports was 41.29; and under the Dingley Act, from 1898 to 1906, the average was 48.64 per cent.

So it will be observed that there was only a slight difference in the average ad valorem rate collected under the act of 1883 and the average collected under the Gorman-Wilson Act. This plainly shows that all of these laws were essentially protective, and that fact will become all the more evident if you compare any of these laws with the previous protective-tariff laws enacted by Republican Congresses.

And so I reassert, and am well justified in doing it, that the depression and stagnation of business in 1893–1897 was not the result of "Democratic free trade," as Republicans so persistently and foolishly insist, but was due to an inadequate supply of available money to accommodate the business needs of the country. Money was scarce, the rates of interest high, industrial activity was limited, business enterprise made difficult, if not impossible, and the people generally were forced to incur a vast burden of indebtedness. Nothing better illustrates this contention than the fact of that widespread and almost universal individual indebtedness of the people.

Mr. President, there has never been a time in our history when the people of the country everywhere, in all the States, were so weighted with individual indebtedness as they were when Mr. Cleveland took his oath of office in 1893. And this indebtedness was for the most part incurred, and it grew with amazing rapidity, during the prevalence of Republican tariff laws and when the Republican party was in control of the machinery of government.

If we examine the census of 1880, we will find that the number of mortgages then in force was 2,587,610, securing an indebtedness of $2,494,870,088. In ten years, from 1880 to 1890, while high protective laws enacted by a Republican Congress were still in force, the private mortgage indebtedness of the people—I am speaking now of real estate mortgage indebtedness, not other descriptions of personal indebtedness—increased in the number of mortgages from 2,587,610 to 4,770,698, and the amount of the debts secured increased from $2,494,870,088 to $6,019,679,985. The increase in the number of mortgages in ten years was 84.64 per cent, and the increase in the amount of the debts secured during this halcyon decade of supreme Republican control was 141.28 per cent.

And, Mr. President, here is another startling fact which throws further and additional light upon the situation: When Mr. Cleveland became President in 1893, 60.32 per cent of the entire acreage of the State of Kansas was under mortgage; 54.73 per cent of the entire acreage of Nebraska was under mortgage; 51.76 per cent of the entire acreage of South Dakota was under mortgage; 46.95 per cent of the entire acreage of Iowa was under mortgage. And other States—many of them—were in substantially the same condition. The States I cite are but examples; they are not exceptional. Moreover, even before the date of Cleveland's inauguration 28.80 per cent of the entire acreage of the United States, or more than one-fourth, was under mortgage—that is, lands outside of towns and cities—and 23.99 per cent of all the town and city lots of the United States were under mortgage.

And now let me say a word as to the per capita of private indebtedness at that time and give some striking examples: Excluding Los Angeles and San Francisco, the per capita indebtedness of California at that date was $192, and in Los Angeles and San Francisco the per capita indebtedness was $215. The per capita in Colorado, outside of Arapahoe County, in which Denver is located, was $134, and in Arapahoe County $360. The per capita in Illinois, outside of Cook County, was $73; in Cook County, embracing the city of Chicago, it was $161. The per capita in Minnesota, outside of Hennepin and Ramsey counties, embracing Minneapolis and St. Paul, was $90, and in the two counties named, $337. The per capita in Nebraska, outside of Douglas County, or Omaha, was $117, and in Douglas County, $171. In my own State, outside of St. Louis and Jackson County, in which Kansas City is located, the general per capita indebtedness was $49, and in those cities it was $184.

These official figures, taken from the census, are illustrative of a general and widespread condition and show how the people had become engulfed and overwhelmed by an enormous individual indebtedness.

Now, I ask, if the protective tariff is such a blessing, such a sure harbinger of sunshine and prosperity, and such a sure bulwark of industrial safety, how did it happen that the American people became so terribly, almost hopelessly, involved in debt? One would suppose, to hear Senators upon the other side talk, that when we have a protective tariff shadows over the industrial world and obstacles in the way of industrial progress are impossible.

Mr. GALLINGER. Has the Senator figures which will show whether there was a reduction or an increase in mortgages during the continuance of the Wilson tariff law?

Mr. BEVERIDGE. I was just going to ask that question.

Mr. STONE. I have not that data in a way to be furnished in official form.

Mr. GALLINGER. I think it is fortunate the Senator has it not, for his side of the argument.

Mr. STONE. No; it would not be unfortunate. I have no doubt, Mr. President, that the amount of mortgage indebtedness was increased during the Cleveland administration. It had been increasing year after year for a long period.

Mr. GALLINGER. What does the Senator have to say about the result of the McKinley tariff law in that matter? Were the mortgages increased or reduced during the "McKinley law," so called?

Mr. STONE. My statement has been made already that it was during the prevalence of Republican tariff laws, running from 1883, and back of that, up to the date of Mr. Cleveland's second term, that this enormous indebtedness was accumulated.

Mr. GALLINGER. Mr. President, I will ask the Senator another question. Will not the Senator agree with me that indebtedness oftentimes comes from an undue expansion of business? I have in mind a community in my own State in which almost every house is mortgaged, and yet it is a prosperous community, for the reason that young men have purchased houses and have mortgaged them and are paying for them as fast as they can. May it not be that our farmers and others purchased additional land, and it was a prosperous time for the workingman the country over, and that this indebtedness to some extent was due to that fact?

Mr. STONE. The farmers are still buying and always have in the past bought additional land, and men have purchased lots and built homes. That has been common throughout our

history. But I can not concede that during the decade following 1880 there was such an expansion of business out in Kansas and Nebraska, Missouri and Illinois, and other States, that the mortgage indebtedness on town lots, business lots, business houses, and on farms would grow on account of "business expansion" nearly 150 per cent.

Mr. GALLINGER. Mr. President, then again——

Mr. STONE. And, if the Senator will pardon me, if the effect of a high tariff is to so expand business that the people of necessity must burden themselves with oppressive debts, I can not regard it as a blessing. I can not subscribe to the notion that widespread indebtedness is a sign of prosperity. If that be so, then the people who owe the most should esteem themselves the happiest and most fortunate of men.

Mr. GALLINGER. Well, Mr. President, I quite agree with the Senator on that point, but I do not agree with him in his conclusion that it is at all due to the tariff laws. Then again, these mortgages, I suppose, were held by citizens of the United States who advanced the money.

Mr. STONE. I think some of them were, of course.

Mr. GALLINGER. Most of them.

Mr. STONE. I should think so. I know, if the Senator will pardon me, that in my State during that period the great insurance companies of the East, and other large financial interests of that section, which was then as now the most fortunate section of the Union, loaned money to our people, and I know also that to some extent similar concerns in Europe loaned them money.

Mr. GALLINGER. I did not suppose that to any considerable amount farm mortgages or mortgages on city property were held by foreigners. I think that must be a mistake.

Mr. STONE. I do not know to what extent.

Mr. GALLINGER. What I wanted to emphasize was that, after all, we had the money in the country and we loaned it to the Western farmer and the Western merchant, who was perhaps expanding his business and trying to be more prosperous than he had been previous to that time.

Mr. BURKETT. Mr. President, will the Senator permit me to make a suggestion? It seems to me the point the Senator from New Hampshire suggested, and which the Senator from Missouri rather denied, that the matter of extending credit and increasing loans is necessarily a sign of good times, is absolutely correct.

Mr. GALLINGER. It ought to be so.

Mr. BURKETT. In fact, more of the business of the world is done on credit than is done on cash. Our credit is as much of an asset as cash. Let me say that previous to the time when Cleveland was President it was possible for a man to use his credit and pay interest on it, but the trouble was that after they had borrowed the money and bought farms, when they could pay interest on their credit and still have something left and finally own the farm, the Democratic administration came in and the prices went down and they could not pay the interest on their loans.

Mr. STONE. The prices were already down.

Mr. BURKETT. In Mr. Cleveland's term they did reduce the number of mortgages, but they reduced them by foreclosure, and Congress reduced the indebtedness of those people by passing a bankruptcy law to get them out of debt, as a result of the four years of Grover Cleveland's administration.

The fact that they could do business on their credit previous to the time when Mr. Cleveland became President indicated a very good condition of affairs, and it exists to-day, let me say to the Senator. To-day the price of corn, wheat, and oats, and the other things we produce in Nebraska, Missouri, or Iowa, is enough to warrant a young man, or an old man, who has not the cash to buy a farm, to go out and get credit upon that farm and put his name on a loan and agree to pay interest, realizing that if those times continue he can pay the interest, and he can live on his own farm and ultimately make the farm clear of debt. But let conditions come as they did from 1893 to 1897, and the same conditions prevail that prevailed then, and they will only get out of their indebtedness by foreclosing the mortgages and by Congress passing a bankruptcy law to relieve them of their individual indebtedness.

Mr. STONE. Mr. President, we have had more than one bankruptcy law. Republicans have passed bankruptcy laws to meet conditions arising when they were in power, and the bankruptcy courts were busy in those days, as they still are. It is a very common argument, if, indeed, it can be dignified as such, which the Senator from Nebraska makes. One might suppose from what he says that the owner of a farm or a house in town could not borrow money on his property during the Cleveland administration. Of course the assumption is absurd, but it is with just such absurdities that such orators seek to beguile the people. You could borrow money then, if your security was ample, just as you could during the Harrison administration or at any other time. There was no trouble about that. I have no doubt about conditions remaining substantially the same during the Cleveland administration as they were when he was inaugurated, with a somewhat constant accentuation of industrial distress. That was inevitable; for, unfortunately, the Harrison policies were substantially continued during Cleveland's term. One might suppose from the Senator's observations that there were no mortgages foreclosed until Cleveland became President. But everybody knows that that is also an absurdity. What is the need of making such statements on the floor of the Senate or elsewhere? I say it is an absurdity and is contradictory to what every intelligent man knows to be the truth.

Mr. BURKETT. Will the Senator yield to me?

Mr. STONE. Yes; the Senator does not want to make a speech? I want to conclude.

Mr. BURKETT. I was just going to reply to the suggestion that one could borrow money; that is all.

Mr. STONE. Does the Senator say that money could not be borrowed then?

Mr. BURKETT. Let me suggest to the Senator that if he had permitted me, I would have read to him from Democratic sources and further convinced him of the condition of affairs. When Mr. Cleveland was elected in the fall of 1892, things were going along in a prosperous condition.

Mr. STONE. That I deny.

Mr. BURKETT. I know the Senator denies it, and he refused to let me read from half a dozen Democratic papers and from Democratic statements to prove my statement.

Mr. STONE. I did refuse to let you read from a lot of newspapers.

Mr. BURKETT. Let me say that credit got into such a condition that it was impossible not only to borrow money or to renew loans, but factories at once began to close down. I will tell the Senator of one in my own home town, one of the most important we have in the city of Lincoln. It was doing a most prosperous and thriving business. Like most manufactories of any importance, it had its capital borrowed. After that election the men who held their loans told them they wanted them to pay some on it, just the same as they did all over the country, and within a year from that time that institution, which was doing a thriving and prosperous business, not only could not borrow the money to extend its business, but it was absolutely closed out, and the stock was sold out in order to pay the loan that it did have. That was the condition. If the Senator will allow me, I can read him of 47 separate manufacturing institutions of the United States that closed down within twelve months of the time when Mr. Cleveland was elected, because they could not renew their loans.

Mr. STONE. The request of the Senator is as unreasonable as his statement. Because one concern in his town went into bankruptcy or was closed down and sold out during the Cleveland administration, therefore it follows that the Cleveland administration was responsible for it.

Mr. BURKETT. They closed down in this country on an average of 15 a day during the months of January and February in the next year after Cleveland became President.

Mr. STONE. Being from Missouri, I would want to be "shown" about 15 concerns being closed down in Lincoln. It could not have run at that rate many days until Lincoln would have been wiped off the map.

Mr. BURKETT. Oh, no; the Senator did not understand me. I said in the country.

Mr. STONE. It has become a habit for Senators upon the other side to make just such exaggerated statements as that the Senator from Nebraska has made. Recklessness of assertion is a common thing with them. They seem to think that all they have to do is to assert something and stick to it. The Senator from Nebraska is just enthusiastic and exuberant; that is all. He has made statements that he must know are not justified by the facts of history. And then he complains because I will not let him read into my speech extracts from some 40 Democratic papers, as he says, to prove something he wants to prove, I know not what.

FIGHT OF 1896.

Mr. President, the fight that the Democrats made in 1896 was not so much for silver as it was to increase the volume of currency, from the lack of which the country was suffering, and which was the prime cause of the industrial depression then prevailing, and of the oppressive indebtedness that weighted

the people. I will not now discuss that old coinage question, although, I will say, I believe as much to-day as I ever did that under the conditions then existing the Democratic party was absolutely right in its proposition. We were seeking to increase the amount of available money for the uses of the people, and at that time there was apparently no other way of doing it. Our contention was that if the amount of money should be increased to an adequate supply, enterprise would be revived, industrial activity restored, workmen given employment, and that the general conditions of the country would be improved.

Mr. President, we were defeated. The Republicans had their way; but the Lord was kinder than they. There was a tremendous demand for gold. The enormous pressure upon that metal had so augmented its value that men were stimulated to go out into the world everywhere and search for it, and they found it. The discoveries were phenomenal, surpassing anything in the history of the world. New discoveries were made in our own mountains and in the mountains of the countries to the south, and were made in Alaska, in Australia, and in Africa. Gold was found all over the world—found in granite walls and in the sands of the sea. The increase in the gold supply of the world since the election of McKinley in 1896 is phenomenal. It furnishes a chapter in history without a parallel. The world's gold production in 1893 was $177,494,800; in 1900 it was $254,576,300; and in 1906, $400,342,100, or two and one-half times as much as it was when Cleveland took his oath of office in 1893. In consequence, our circulation grew rapidly. The larger part of this gold went into the coinage of the world, and no part of the world received more than the United States. The aggregate of our money volume has been practically doubled, and our per capita circulation has increased approximately 60 per cent, and this notwithstanding the increase in our population. What was the result? As the money volume grew, property values advanced; enterprise awakened; industrial activity revived; labor found employment; and the clouds that hung over us began to break and disappear. What we said would happen with an increased supply of money did happen. Our contention has been vindicated. Industrial revival did not come from the Dingley bill, but from the gold miner and the mint. Tariffs neither make nor prevent panics. If a high tariff is a panic preventive, how shall we account for the panic of 1907? Shall we lay the blame of that to the Dingley law? You lay the blame of the previous panic to the Wilson law. What is the difference? The Dingley law was in full force in 1907, as it is to-day, and yet, with this law in operation, one of the most disastrous panics known to our history has swept the country. Do you require witnesses as to the disastrous effects of this panic? Then call the transportation companies of the country and have them tell you of the tens of thousands—may I not say, hundreds of thousands—of empty cars. My friend here from Oklahoma [Mr. GORE] says there were 340,000 empty cars lying idle on side tracks or in the yards of the companies.

Call the industrial establishments, whose furnace fires were extinguished, whose industries were stagnated, and whose workmen were sent adrift with little money in their hands and less hope in their hearts. Call the mining companies and examine them. And call the merchants and bankers, hundreds of whom went into the hands of receivers. Look at the long, dull, plodding, profitless months of that panic. Call the wage-earners and inquire of them. There were not only thousands, but millions of them idle. Mr. Samuel Gompers, the head of the American Federation of Labor, stated in his official paper and in his speeches that from reports sent to him from the labor organizations scattered throughout the country he was prepared to say that at least 2,000,000 wage-earners had lost their employments and were wandering over the country, vainly seeking for something to do to earn an honest wage wherewith to feed themselves and their dependents. And yet, Mr. President, in the face of all this, Senators stand here and talk of prosperous times under Republican tariffs, and wail over the Gorman-Wilson law as the provoking cause of the panic of 1893. Mr. President, it is astounding that intelligent and honorable men can stand up, look you in the face, and say such things in broad daylight.

Mr. President, there were one or two other things I intended to advert to, but I have already occupied so much time and I feel so much fatigued that I will close, although it be somewhat abruptly, at this point. A little later on I may renew the discussion with my friends over there.

The VICE-PRESIDENT. The question is on agreeing to paragraph 215 as amended.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will read the next paragraph passed over.

The SECRETARY. The next paragraph passed over is No. 216.

Mr. McCUMBER. I ask that that paragraph be passed over until the chairman of the committee arrives.

The VICE-PRESIDENT. The Chair thinks that paragraph 216 has been agreed to.

Mr. McCUMBER. There is an amendment to that paragraph.

Mr. ALDRICH entered the Chamber.

Mr. McCUMBER. I now withdraw the request that the paragraph be passed over.

The VICE-PRESIDENT. The question is on agreeing to paragraph 216.

The paragraph was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is No. 217. On page 74, line 17, the Committee on Finance propose to strike out the colon after the word "pound" and the proviso.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

Mr. DANIEL. I should like to hear the proviso which the committee propose to strike out read, Mr. President.

The VICE-PRESIDENT. The Secretary will state the amendment in full.

The SECRETARY. On page 74, line 17, after the word "pound," it is proposed to strike out the colon and the words:

Provided, That on filler tobacco produced in or imported from countries that prohibit the importation of tobacco from this country, the duty on such tobacco shall be, if unstemmed, 75 cents per pound, if stemmed, $1 per pound.

The VICE-PRESIDENT. The question is on the amendment proposed by the Committee on Finance.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 218.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to. It is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 219.

The VICE-PRESIDENT. A pro forma amendment to that paragraph was agreed to. Without objection, the paragraph will be agreed to as amended.

Mr. DANIEL. I should like to have it read, Mr. President.

The VICE-PRESIDENT. The Secretary will read paragraph 219.

The Secretary read as follows:

219. All other tobacco, manufactured or unmanufactured, not specially provided for in this section, and scrap tobacco, 55 cents per pound.

The VICE-PRESIDENT. Without objection, the paragraph as amended will be agreed to. It is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 220.

The VICE-PRESIDENT. Without objection, paragraph 220 is agreed to. It is agreed to.

Mr. DANIEL. I will not ask that that paragraph be read, Mr. President, because I have it before me.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over was paragraph 221.

The VICE-PRESIDENT. Without objection, paragraph 221 is agreed to.

Mr. DANIEL. Mr. President, I should like to call attention to that paragraph and its reading. It reads:

221. Cigars, cigarettes, cheroots of all kinds, $4.50 per pound and 25 per cent ad valorem, and paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars.

I should like to inquire if the chairman of the committee can inform me why paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are imposed upon cigars? Why should paper cigars and tobacco cigars and cigarettes have the same tax?

Mr. ALDRICH. Will the Senator from Virginia suggest why they should not?

Mr. DANIEL. They are different substances which you are taxing—one is tobacco and the other is paper.

Mr. ALDRICH. Oh, no; only the wrapper is paper.

Mr. KEAN. Only the wrapper is paper.

Mr. DANIEL. I understand that; but why should a paper wrapper be taxed like a tobacco wrapper? I will say, for instance, that a manila wrapper——

Mr. ALDRICH. This has always been the law, and I think it is to the interest of the American producer, as it is intended to be.

Mr. TALIAFERRO. I should like to know what is meant by "paper cigars." The paragraph goes on and says, "including wrappers." Is there any such thing as a paper cigar? That is the point to which the Senator from Virginia [Mr. DANIEL] was calling attention.

Mr. ALDRICH. "Including wrappers." It does not say "paper wrappers."

Mr. DANIEL. I understand; but it says "paper cigars."

Mr. TALIAFERRO. What are paper cigars?

Mr. ALDRICH. They are cigars made of tobacco with paper wrappers.

Mr. DANIEL. That is my understanding.

Mr. TALIAFERRO. It says, "paper cigars and cigarettes, including wrappers."

Mr. ALDRICH. These are paper wrappers, or the language is "including wrappers." That is the exact language of every act which has been passed for a great many years. It is simply to keep out the paper cigars, if you please, and put a duty upon them to make it impossible to import them.

Mr. DANIEL. I should like to have a "paper cigar" defined, if the Senator can define it.

Mr. ALDRICH. In the act of 1890 the same language was used; in the act of 1894 the same language was used; and in the act of 1897 the same language was used.

Mr. DANIEL. We might have used it a thousand times and still not know the meaning of it. The question is what it means.

Mr. ALDRICH. Both of the Senators come from tobacco States, and ought to know the meaning of it.

Mr. DANIEL. I should, if we made paper cigars down there. I want to understand it.

Mr. ALDRICH. It probably is intended to be a prohibitory duty on paper cigars.

Mr. DANIEL. But what is a "paper cigar?"

Mr. ALDRICH. A cigar made of tobacco with a paper wrapper, which is to pay the same rate of duty that it would if it had a tobacco wrapper. That means that they can not be imported. It is entirely in the interests of American producers of cigars.

Mr. TALIAFERRO. As the Senator from Rhode Island suggests, I come from a cigar State, but I confess that I have never before heard of a "paper cigar." I imagine that the idea of the Senator from Rhode Island was that this language meant tobacco cigars with paper wrappers. If that is the meaning, I do not see why the bill should not so express it.

Mr. ALDRICH. The Senator has heard of paper cigarettes?

Mr. TALIAFERRO. Never. I have heard of cigarettes with paper wrappers.

Mr. ALDRICH. That is what is intended here—what are technically and commercially known as "paper cigarettes."

Mr. SCOTT. Mr. President, I find in the Wilson law, in paragraph 188, the exact language which is used in this bill.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 226.

The VICE-PRESIDENT. Is there objection to agreeing to the paragraph as amended? The Chair hears none. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 227, to which the Committee on Finance report an amendment, on page 76, line 20, to strike out the word "twenty-four" and insert "thirty."

Mr. McCUMBER. Mr. President, I have passed by, not without some impatience, I will confess, frequent attacks on the duty on cereals—wheat, oats, barley, and so forth. I deemed it more proper to answer those attacks when the subject should be under discussion. The expressions indicated to me that they were made with very little understanding or study of the subject.

I want to speak a very few minutes upon the subject of the duty upon cereals, whether such duty is necessary, and if any duty should be levied, the extent of that duty.

No man can make a just claim to statesmanship who fails to look not only at conditions as they exist to-day, but as they will in all probability exist to-morrow or in the immediate future; and he who fails to calculate the conditions under which the law is to operate in the immediate future, but blindly enacts just for to-day, can hardly be said to represent a progressive people.

That want of foresight, with its attendant evils and extravagances, is manifested in our public-building appropriations, where our structures have to be almost rebuilt in most instances in from five to ten years. They are built for to-day and not for the growing demands of our business and our people.

We are making this tariff with the hope and the expectation that it will continue in force for at least a decade. I know our friends on the other side say they will revise it themselves in less time than that. I am not prepared to say they are not right. I sometimes think that the American people have got to learn a fearful lesson about every fifteen years in order to bring them back to safe, economic principles.

But I hope we shall not have to take another lesson such as we had during the last anti-Republican administration. The punishment is altogether too severe for the mild offense of lack of memory or good judgment.

Anyway we should start this bill as near right as our conflicting views will allow us and with the idea that it will last for ten years. If I thought it would be materially revised in a year or two, I should not concern myself much about any raise on any agricultural product. But if I think it will last ten years, and I make no provision for the rapid changes that are taking place, I certainly shall fail to properly represent the people of my State during that time.

To-day we are exporting wheat, oats, barley, and rye. Eleven years from to-day, in 1920, we shall in all probability not be exporting a bushel of either of these cereals. The last year we raised about 650,000,000 bushels of wheat, and western Canada, adjoining my State and the western part of the United States, raised about 125,000,000 bushels. Ten years from to-day we may maintain our production of wheat to, say, 650,000,000, possibly 700,000,000, bushels, and by that time Canada, immediately north of the United States, will probably raise from five hundred to seven hundred million bushels of wheat.

What will happen then? We shall be importing wheat in less than ten years, and on the other side of an imaginary line six hundred to seven hundred million bushels of Canadian wheat will be ready to find its nearest market in the United States. Then, in my judgment, not even a duty of 30 cents a bushel is going to keep it out of the United States, and there will be a considerable importation to this country.

The value of wheat will steadily increase as the population increases, and the ratio of production of wheat to population will decrease as the population increases. Therefore 25 cents per bushel at that time will, in my opinion, not be adequate protection.

Now, I want to call the attention of Senators to a map [exhibiting] of the United States and Canada, and probably I can give them something of an idea of what the wheat production of western Canada will mean before 1920. I will draw a line on the east side of my own State [indicating], parallel with the Red River of the North, and will continue it down to the Gulf of Mexico on the south, and on the north to the Arctic Ocean. West of that line will be found nearly two-thirds of the entire territory of the United States, and west of that line in Canada will be found more acres that will produce grain and cereals of all kinds than can possibly be found in the United States west of that line. Here is a tract of country [indicating], about 1,200 miles by 800 miles, interspersed with lakes, rivers, and small bodies of timber, nearly ever acre of which, outside of the small mountainous portion, is capable of producing all kinds of cereals except corn, and probably that can be raised in some sections. As far north as the sixtieth parallel of latitude [indicating] grain is being raised to-day, and wheat is being raised fully 100 miles north of that line.

I have lately been over that country. I know something about it. I know that the rainfall is a great deal more than it is on the American side west of that vast section and east of the mountains. I do not believe that the soil has the lasting quality of the soil in the United States, but I do know that in less than twenty years this section of Canada will be the wheat granary of the entire world, and I believe that in making this tariff we should take into consideration this most important fact.

Only a very small portion of this entire tract is at present under cultivation. I believe that in 1908 the report of Mr. Young, superintendent of railway lines in Canada, showed that about 120,000,000 acres of this land were then occupied and that about 8,000,000 acres were under cultivation.

I want to call attention to another fact, and that is that all of the great transcontinental lines of Canada are crossing this section and are building their spurs on both sides for hundreds of miles. Here [indicating] is the Canadian Pacific traversing it; here [indicating] is the Grand Trunk, reaching far to the north; here [indicating] is the Canadian Northern traversing the same section; and every one, with their smaller lines or feeders,

is bringing every section of this country convenient to railways. So, Mr. President, we may reasonably expect that in less than ten years there may be raised as much wheat in this great Northwest as there is raised in the United States.

A number of Senators have reiterated several times that the farmer can not be benefited by a duty on his products so long as he is exporting them; but, Mr. President, any man who has lived in my State for the last ten or twelve years and on one side of an imaginary line has regularly seen the price of wheat from 12 to 22 cents a bushel more than it is upon the opposite side of that line is pretty well convinced that there is something in the matter of American protection—that he does get protection.

I wired a few days ago to a place in North Dakota called "Pembina," which is on the Canadian border line, opposite to Emerson, in Manitoba, to get the price of grain at those two points—and remember that all of this time both the Canadian and American grain were being exported. I received a telegram in reply giving the respective prices for October in each year from 1904 and 1908, inclusive. In 1904 the American price was $1 and the Canadian price 78 cents, or 22 cents a bushel in our favor; in October, 1905, the Pembina price was 70 cents and the Emerson price 64 cents, or 6 cents a bushel in our favor; in 1906 the Pembina price was 65 cents and the Emerson price 59, or 6 cents in favor of the American side; in October, 1907, the Pembina price was $1.04 and the Emerson price 94 cents, or 10 cents in our favor; and in October, 1908, the Pembina price was 93 cents and the Emerson price 81 cents, or 12 cents a bushel in favor of the American side.

Mr. President, those are the conditions when we are raising wheat for export; but I want to show now that it will be impossible for the American people to be exporting in 1920. Let us see whether I can establish that fact beyond any reasonable doubt.

What will our population be in 1920, or eleven years from to-day? I have made a careful estimate, and have taken the estimates made by others who have given the subject considerable attention, and the estimate is that in 1920 our population will be about 117,000,000 people, at the present ratio of increase, taking into consideration a reasonable immigration from Europe.

The average yearly consumption of wheat varies considerably, dependent upon industrial conditions of the country. Under normal conditions we use for seed and bread about 7 bushels per capita; under the conditions that existed from 1893 to 1897 the consumption outside of seed was only about half of the usual consumption.

With a population of 117,000,000 we will need, in 1920, to feed our own people and for seed 819,000,000 bushels of wheat. Where are we going to get that? Where are we going to raise it? We must remember that, while we have been increasing our acreage very rapidly year by year, we have nearly reached the limit of our public land, and we are now having to depend upon irrigation and other processes, and probably in five years all the public lands upon which we can raise crops without irrigation will be entirely in private ownership.

With a growing population, our old lands can not raise wheat year after year; their acreage is demanded for other purposes, and even if that were not true the soil would be so soon exhausted that we would be compelled to raise other crops. It is fair to say, then, that our present average capacity is 650,000,000 bushels. With increasing population will necessarily come an increased production, but not in the same proportion, as I have stated. We grew 504,185,470 bushels of wheat in 1882, when our population was a little over 52,000,000 people, and 634,087,000 bushels in 1907.

The wheat yield since 1882, during the years when much of the new lands in the West were being brought under the plow, advanced a little over 25 per cent, while the population increased 33,000,000 in that time, or over 63 per cent. So, Mr. President, we will observe that while the acreage and the production may increase for the next ten years at the rate of 10 or 15 per cent, the population will increase four or five times as much, so that, necessarily, we will not be a wheat-exporting country by 1920.

Now, what influence has the tariff upon the question of the value of wheat in the United States? I want to show you just what the immediate result is the moment that our crops get the least bit short.

I want to call the attention of Senators to one fact, and that is in 1904 we had what we called a short crop in the United States, and I want to show the difference in importations and in prices due to that fact. The difference in price, as I have shown you, was 22 cents a bushel between two points on opposite sides of the boundary line.

I will take the importations of wheat, and here insert a table of importations:

Wheat.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Bushels.	*Dollars.*	*Dollars.*	*Dolls.*	*Per ct.*
1894	25 cents per bushel	2,742.35	3,010.86	685.58	1.10	22.77
1895	do	1,253	1,448.50	313.25	1.16	21.63
1896	30 per cent	18,771	11,658.92	2,331.77	.62	20.00
1897	do	26,935.84	9,503.12	1,901.20	.352	20.00
1898	do	4,999.08	3,289.08	657.81	.67	20.00
		63	32.00	6.40	.508	20.00
	25 cents per bushel	9,824	7,793.08	2,455.85	.793	31.52
1899	do	5,594.34	7,225.85	1,398.53	1.29	19.35
1900	do	3,451.88	4,765.87	892.97	1.38	18.34
1901	do	5,409.14	5,681.11	1,352.43	1.05	23.81
1902	do	31,233.26	24,454.01	7,808.52	.783	32
1903	do	7,032.73	6,874.89	1,758.21	.977	25.57
1904	do	6,536.21	7,218.40	1,634.10	1.10	22.64
1905	do	1,645,563.34	1,488,619.44	411,390.83	.905	27.63
1906	do	43,428.75	40,507.49	10,857.18	.942	26.81
1907	do	19,142.66	16,585.10	4,785.73	.867	28.85
	Duty remitted.					
1905	Sec. 15, act July 24, 1897.	601,600	527,227.00		0.876	
1906	do	79,832	67,417.00		.832	

Now, notice that in 1902 we imported only 33,000 bushels. We had the usual crop. In 1904 we imported 6,536 bushels; that is, for the year ending June 30, 1904. That was our short-crop year; and, consequently, our importations would be counted in the year ending June 30, 1905. Those importations immediately jumped from 6,536 bushels to 1,645,563 bushels. That shows what the result will be the moment that our crop gets the least bit short; and this was a condition when we were still exporting some grain. Then in 1905 we obtained our usual crop again, and importations immediately dropped down to 43,428 bushels, a mere bagatelle. I cite these figures to show what the condition will be the moment that we cease to be an exporting nation. Even before we had ceased exporting and raised but a little more than we needed for home consumption, the 25 cents per bushel did not keep wheat out of the country. And 30 cents a bushel will not keep it out when our production and consumption balance; and when we do not produce enough for home production, then 40 cents a bushel will not be prohibitive.

Now, this is not all. When I come to the question of flour, I find practically the same result. In 1904 we imported but 1,114 barrels of flour; value, $7,715. The very next year our importations jumped up to 40,652 barrels; value, $175,512; so that in wheat there was this vast difference between one year and the other, and flour along about the same ratio.

If I follow these tables throughout, I will find a similar result in barley and other cereals, except in corn, and I admit that the tariff on corn, perhaps under present conditions, may be said to be more or less needless, and I am not interesting myself in that.

I want to call the attention of Senators to what the difference between 30 cents a bushel upon barley and the 30 per cent ad valorem meant in the importations into this country; and first I call attention to the 30 per cent, which was in existence until 1897 and a part of 1898.

In 1897, when the duty was 30 per cent ad valorem, we imported 1,254,968 bushels of barley. At 40 cents a bushel that meant a duty of 12 cents a bushel. We raised that duty to 30 cents a bushel, and the importations immediately dropped from 1,254,968 bushels to 10,220 bushels. And yet in the face of these figures I find Senators asserting that protection has not the slightest thing to do with the value of the cereals raised in the United States. And so, Mr. President, I can go through with every one of these grain schedules and show that a low tariff does greatly increase the importations and consequently depresses prices on this side. Our present duty makes a difference in value of wheat from 12 to 22 cents a bushel, but in the near future, as the price of grain goes up, the percentage of protection will be lessened, and I do not expect we will ever see wheat, after five years from to-day, much less than $1 or $1.50 a bushel. I wish to raise the protection so that it will be commensurate with future values, then your 30 cents a bushel will be a very meager duty indeed, and considering the

production in Canada and the decrease of production in the United States, there is no reason to doubt that we will be importing very heavily during that time.

Now I appreciate the fact that when that good time arrives, a great many of our people will be crying for cheaper food products; but I hope and anticipate that by that time we will have the same organization of the farmers throughout the entire cereal-producing regions of the United States that we have among the manufacturers and among laborers, and that we will be able, to some extent at least, to control, not the output, but the time of selling and the price to be demanded for those products. That will be somewhat difficult as long as we are exporting heavily, but it will not be difficult the moment that our consumption in the United States is about equivalent to our production.

And in voting for these higher duties upon farm products, I am taking into consideration something not only that we may think will happen, but something that is just as sure to happen as that the population of this country is going to increase and the acreage of the country is not going to increase.

So in looking over these schedules I do not find a single one in which I believe the duty will be too high, and I do not find one that I think will be prohibitive whenever the condition arrives that our consumption will about equal the production in the United States.

I want to say one word in answer to a statement made by the Senator from Missouri [Mr. STONE] as to the increasing mortgages on the farm lands of the United States. What the Senator has said is undoubtedly true, but I want to call his attention to the cause of that condition, and to the fact that it means prosperity, and nothing but that.

The Senator spoke for some time about the increasing amount of money in the United States which gave us these more prosperous times; but he forgot to mention that the increase was due to the balance of trade in our favor. It made quite a difference whether all of our mills in the United States were idle, or were sufficiently prosperous to pay the farmer a fair price for his grain, or whether we were importing those things we ought to have manufactured ourselves and pauperizing the American labor to an extent that he could not purchase the farmer's products at a fair price.

The average balance of trade in our favor for the last twelve years has been about $500,000,000 annually. Now, what does that mean as compared with the condition during the four years preceding, when I think it was less on an average than $250,000,000? It means that there were 500,000,000 gold dollars taken annually from the other side of the ocean and landed upon this side of the ocean. And continuing that for ten years meant $5,000,000,000. Now, what became of all that money? Some of it went back into the old country again to pay interest on bonds that they held against our railroads; immense sums of it went back there to pay the expenses of American tourists; and I am sorry to say that a large amount of it went over there to buy dilapidated dukes for the daughters of American millionaires, and to support them afterwards. But the great bulk of it stayed in this country and performed the usual functions of currency. What became of it? Why, it moved over this country like ten great tidal waves of gold dollars. It rolled over the Atlantic border, it pressed on over to the State of Minnesota, and your pine-stump lands that were not worth a dollar and a half an acre jumped to five, ten, fifteen, and twenty dollars an acre.

It pressed onward over to Iowa, and your 15 and 20 cent a bushel corn jumped to 30, 40, 50, and 60 cents a bushel. Your farm lands, that were then worth $40 and $50 an acre, increased immediately to $60, $70, $80, and $100 an acre. Your young men sold out their interest in those farms and came up into North Dakota. They poured over the valley of the Red River of the North, and our lands there raised from $20 to $30, $40, $50, and $60 an acre. This great tidal wave of dollars rolled over the western section of our State and the lands raised there from $3 to $5, $15, and $20 an acre. It passed onward again over the plains of Montana. It began to dig irrigating ditches, and your 50-cent land became worth $100 to $200 an acre. It pressed onward over the Rocky Mountains, down the western slope, into Oregon and Washington, and your pine lands and fruit lands doubled, trebled, and quadrupled in value. And it did not stop there. That mighty tide of gold dollars, representing the balance of trade in favor of this country, and that caused by the protective-tariff system, in less than ten years leaped over that imaginary boundary line and began to buy up Canadian lands, and during those ten years it has bought up about one-third of the entire Canadian empire.

Every dollar of it has been an American dollar, and every dollar of it is measured by the balance of trade, and back of that balance of trade is the protective tariff that keeps our money at home. The farmers in the Northwest have received that benefit from our protective system. It was not a direct benefit, but it was an indirect benefit. Lands did not go up a dollar in value from 1893 to 1897. Everything then that the farmer owned or produced was at the lowest price and seemed to be looking for a hole to get lower.

There were practically no sales at all. But how did this prosperity for the past dozen years affect the mortgaging of our lands? I will tell you how it affected them. Iowa farmers, after they had sold their land, came over and bought this land in our State, which prior to that time in my own county was worth $20 an acre. The owner got $20 cash and $30 or $40 more an acre, and received a mortgage back for the deferred payment. And so they plastered the whole eastern part of the State with mortgages that represented a value almost double the original value of the farm lands. Those mortgages, in other words, represent profits. That accounts in a great measure for the excessive amount of mortgages about which Senators have been speaking. They can pay for those lands with the present price of cereals. They could not have paid for them at any price during the period from 1893 to 1897.

I intended to confine my remarks simply to the one question of the possibilities and the probabilities of the condition of the Canadian northwest in the next ten years and to the demand that we should have a tariff upon our products that would meet conditions as they are bound to exist within the next ten years.

I ask permission to insert in my remarks certain tables which I have here.

The VICE-PRESIDENT. Without objection, permission is granted.

The tables referred to are as follows:

Importations.

WHEAT FLOUR.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Barrels.	*Dollars.*	*Dollars.*	*Dolls.*	*Per ct.*
1894	25 per cent	313	1,997.26	499.32	6.38	25.00
1895	do	210.50	1,156.50	289.12	5.49	25.00
1896	30 per cent	1,841	7,894.00	1,578.80	4.29	20.00
1897	do	1,201.12	6,258.69	1,251.73	5.19	20.00
1898	do	1,638	6,270.05	1,254.01	6.04	20.00
	do	101	460.00	92.00	4.55	20.00
	25 per cent	1,273	7,025.93	1,756.53	5.52	25.00
1899	do	609.50	2,560.19	642.31	4.21	25.00
1900	do	773.09	3,757.12	925.29	4.86	25.00
1901	do	656.20	3,465.72	866.43	5.28	25.00
1902	do	744.11	3,585.87	896.46	4.82	25.00
1903	do	597.18	4,480.30	1,120.10	7.50	25.00
1904	do	1,114.04	7,715.79	1,928.94	6.93	25.00
1905	do	40,652.35	175,512.75	43,878.20	4.32	25.00
1906	do	47,195.55	177,160.70	44,290.21	3.75	25.00
1907	do	48,005.12	157,539.85	39,384.99	3.28	25.00
		OATS.				
1894	15 cents per bushel	8,387.28	3,874.21	1,258.12	0.46	32.47
1895	do	2,699	1,069.05	404.85	.40	37.18
	30 per cent	311,638	79,824.83	15,964.89	.26	20.00
1896	do	20,323.83	6,933.80	1,386.76	.341	20.00
1897	do	27,462.45	7,328.60	1,465.72	.27	20.00
1898	do	224	76.00	15.20	.339	20.00
	15 cents per bushel	8,874	3,190.58	1,331.23	.359	41.71
1899	do	11,483.79	4,461.72	1,722.40	.389	38.85
1900	do	40,554.93	18,361.67	6,083.26	.453	33.24
1901	do	18,999.43	9,292.65	2,844.08	.485	30.91
1902	do	24,659.60	11,642.21	3,698.97	.473	31.78
1903	do	59,937.75	21,794.41	8,990.66	.364	41.25
1904	do	170,956.27	57,870.53	25,643.48	.339	44.31
1905	do	38,855.30	18,701.58	5,828.32	.481	31.16
1906	do	22,671.47	10,727.33	3,400.75	.473	31.70
1907	do	37,129.47	17,265.53	5,569.47	.465	32.26

Comparative prices of wheat.

October—	Pembina.	Emerson.	Difference.
1904	$1.00	$0.78	$0.22
1905	.70	.64	.06
1906	.65	.59	.06
1907	1.04	.94	.10
1908	.93	.81	.12

Importations of breadstuffs.

BARLEY.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Bushels.	*Dollars.*	*Dollars.*	*Dolls.*	*Per ct.*
1894	30 cents per bushel	862,083.41	392,078.60	258,625.06	0.45	65.96
1895	do	80	35.00	24.00	.44	68.56
1896	30 per cent	2,074,076	851,717.90	255,515.36	.41	30.00
1896	do	885,017.23	312,224.15	93,667.23	.353	30.00
1897	do	1,254,008.78	388,259.81	116,477.94	.31	30.00
1898	do	10,220	3,194.00	958.20	.312	30.00
1898	30 cents per bushel	104,208	37,500.53	31,289.42	.360	83.24
1899	do	110,399.32	53,699.35	33,095.10	.487	61.63

Importations of breadstuffs—Continued.

BARLEY—continued.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Bushels.	*Dollars.*	*Dollars.*	*Dolls.*	*Per ct.*
1900	30 cents per bushel	161,613.83	78,257.52	48,484.15	.484	62.00
1901	do	178,229.07	87,468.45	53,496.04	.49	61.21
1902	do	57,414.66	33,255.17	17,224.41	.579	51.80
1903	do	59,523.34	28,537.38	17,857.00	.48	62.51
1904	do	88,251.55	44,997.63	26,476.37	.501	58.84
1905	do	79,182.47	38,565.30	24,754.75	.487	61.59
1906	do	19,830.25	10,825.88	5,979.07	.513	55.23
1907	do	11,815	6,608.00	3,544.50	.559	53.64

Grain crops of the United States.

The following table represents the crops of grain and potatoes in the United States for a number of years, as presented by the Agricultural Department at Washington:

Year.	Wheat.	Corn.	Oats.	Rye.	Barley.	Buckwheat.	Potatoes.	Hay.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Tons.*
1886	457,218,000	1,665,441,000	624,134,000	24,489,000	50,428,000	11,869,000	168,051,000	41,796,000
1887	456,329,000	1,456,161,000	659,618,000	20,693,000	56,812,000	10,844,000	134,103,000	41,454,000
1888	415,868,000	1,987,760,000	701,735,000	28,415,000	63,884,000	12,050,000	202,345,000	46,643,000
1889	490,560,000	2,112,892,000	751,515,000	28,420,000	78,333,000	12,110,000	204,990,000	66,830,000
1890	399,262,000	1,489,970,000	523,621,000	25,807,000	67,168,000	12,433,000	148,079,000	60,168,000
1891	611,780,000	2,060,154,000	738,394,000	31,752,000	86,839,000	12,761,000	254,427,000	60,818,000
1892	515,949,000	1,628,464,000	661,035,000	27,979,000	80,097,000	12,143,000	156,655,000	59,824,000
1893	396,132,000	1,619,496,000	638,855,000	26,555,000	69,869,000	12,132,000	183,034,000	65,766,000
1894	460,267,000	1,212,770,000	662,037,000	20,728,000	61,409,000	12,668,000	170,787,000	54,874,000
1895	467,103,000	2,151,139,000	824,444,000	27,210,000	87,073,000	15,341,000	297,235,000	47,079,000
1896	427,684,000	2,283,875,000	707,346,000	24,909,000	69,465,000	14,000,000	222,235,000	59,282,000
1897	530,149,000	1,902,958,000	698,768,000	27,363,000	66,685,000	14,997,000	164,016,000	60,635,000
1898	675,149,000	1,924,185,000	730,907,000	25,658,000	55,792,000	11,722,000	192,396,000	66,377,000
1899	547,304,000	2,078,144,000	796,178,000	22,962,000	73,382,000	11,094,000	228,783,000	56,656,000
1900	522,230,000	2,105,103,000	809,126,000	23,996,000	58,926,000	9,567,000	210,927,000	50,111,000
1901	748,460,000	1,522,520,000	736,809,000	30,345,000	109,933,000	15,126,000	187,508,000	50,591,000
1902	670,063,000	2,523,648,000	987,843,000	33,631,000	134,954,000	14,530,000	284,633,000	59,858,000
1903	637,822,000	2,244,177,000	784,094,000	29,363,000	131,861,000	14,244,000	247,128,000	61,300,000
1904	552,400,000	2,467,481,000	894,596,000	27,235,000	139,749,000	15,098,000	332,800,000	60,696,000
1905	695,979,000	2,707,594,000	953,216,000	28,486,000	126,651,000	14,535,000	260,741,000	60,562,000
1906	735,261,000	2,927,416,000	964,504,000	33,375,000	173,946,000	14,642,000	308,068,000	57,146,000
1907	634,087,000	2,592,320,000	754,443,000	31,566,000	153,597,000	14,290,000	297,942,000	63,677,000
1908	664,902,000	2,668,651,000	807,156,000	31,851,000	166,756,000	15,874,000	278,985,000	70,798,000

Comparative exports of leading domestic products.

The following table exhibits the exports of domestic merchandise enumerated during each of the past seven years ending June 30, as compiled from the statements of the Bureau of Statistics of the Treasury Department:

		1907-8.	1906-7.	1905-6.	1904-5.	1903-4.	1902-3.	1901-2.
Wheat	bushels	100,371,057	76,509,423	34,973,291	4,394,402	44,230,169	114,181,420	154,884,102
Flour	barrels	13,927,247	15,584,067	13,919,048	8,826,335	16,999,432	19,716,634	17,759,208
Wheat and flour	bushels	163,043,068	146,700,424	97,608,917	44,113,009	120,797,613	292,906,273	234,772,515
Corn	do	52,445,309	83,300,708	117,718,657	88,807,223	55,858,905	74,833,257	26,696,552
Corn meal	barrels	654,515	798,829	543,794	371,595	500,774	451,506	348,094
Oats	bushels	1,158,622	4,014,042	46,324,935	5,479,306	1,153,714	4,613,809	9,971,139
Oatmeal	pounds	24,524,199	42,701,257	37,972,900	52,450,848	14,526,477	67,823,563	59,516,512
Rye	bushels	2,419,958	749,455	1,355,528	1,423	765,108	5,422,731	2,697,893
Rye flour	barrels	4,195	3,377	5,883	4,721	3,160	3,757	2,399
Barley	bushels	4,340,078	8,238,842	17,729,360	10,661,655	10,881,627	8,429,141	8,724,298
Bacon	pounds	241,189,929	250,418,699	361,210,583	262,246,635	249,695,941	207,358,000	383,150,024
Hams	do	221,769,634	209,481,496	194,267,949	203,458,724	194,948,864	214,183,365	227,653,232
Pork, salted and pickled	do	149,505,937	177,895,188	155,265,158	133,833,473	130,538,999	116,253,487	160,037,949
Lard	do	693,413,770	627,359,660	741,516,884	610,238,899	591,302,643	490,755,821	556,849,222
Tallow	do	91,397,507	127,357,739	97,567,156	63,536,992	76,924,174	27,358,924	34,035,758
Butter	do	6,463,961	12,344,777	27,360,537	10,071,487	10,717,824	8,293,168	16,092,169
Cheese	do	8,439,031	17,285,230	16,592,451	10,134,424	23,235,172	18,987,178	27,208,184

Mr. ROOT obtained the floor.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Rhode Island?

Mr. ROOT. Certainly.

Mr. ALDRICH. I was about to make a motion that the Senate adjourn, but I should like to take up a single committee amendment before doing so.

Mr. ROOT. Then I will defer until morning what I was about to say.

Mr. ALDRICH. I ask unanimous consent to take up paragraph 87, on page 20, for the adoption of an amendment which has been agreed upon by the committee.

The VICE-PRESIDENT. Is there objection to returning to paragraph 87? The Chair hears none.

Mr. ALDRICH. On page 20, line 13, paragraph 87, I move to strike out "$6 per ton," and insert "three-eighths of 1 cent per pound;" and, in line 14, to strike out "15 per cent ad valorem" and insert "one-fourth of 1 cent per pound."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 3 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 29, 1909, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *May 28, 1909.*

The House met at 12 o'clock noon, and was called to order by its Clerk, Alexander McDowell, who read the following communication:

SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 28, 1909.

I hereby designate the Hon. JOHN DALZELL, of Pennsylvania, for Speaker pro tempore for this day.

J. G. CANNON.

Prayer by Rev. John M. Schick, D. D., pastor of Grace Reformed Church, Washington, D. C.

The Journal of the proceedings of yesterday was read and approved.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER pro tempore. The gentleman from New York demands the regular order. The Clerk will call the committees.

The committees were called.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar.

Mr. MACON. The only purpose of the gentleman's motion is to call up the Porto Rican bill for debate?

Mr. PAYNE. I do not propose to ask for a vote on that bill until I am sure there is a quorum present.

Mr. MACON. All right; that is good. I want a quorum here when the bill is passed.

Mr. PAYNE. Mr. Speaker, I renew my motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar, Mr. TOWNSEND in the chair.

Mr. PAYNE. Mr. Chairman, I call up the bill H. R. 9541.

Mr. SCOTT. Mr. Chairman, I wish to ask unanimous consent to include in the print of my remarks of yesterday certain data bearing directly on the subject under discussion, which I was obliged to omit for lack of time.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks of yesterday in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BORLAND. Mr. Chairman, this bill (H. R. 9541) to amend the so-called "Foraker Act" for the government of Porto Rico ought not to pass, and it will not pass if the Members of this House will give the matter the consideration that its gravity demands. This bill is not merely a makeshift to tide over a temporary emergency, but it is, as a matter of fact, a distinct step backward in the conduct of affairs in the colonial possessions. I know it was said here yesterday, and by a gentleman whose information is very recent on the subject, that the purpose of this act was not to decide the merits of the controversy between the contending political parties of Porto Rico; but I hope to be able to show that gentleman and the House that it not only will decide the merits of the present dispute between political parties, but that it actually will put in the power of one party the domination of the political affairs of that island.

It appears from the message of the President and the report accompanying that message that the legislative assembly of Porto Rico adjourned its regular session without passing an appropriation bill; that the governor thereupon called an extra session of the legislative assembly, which adjourned three days later, without passing the appropriation bill. It is a matter of very grave dispute, even from the papers submitted in the President's message, upon whom fell the burden of the second adjournment.

The immediate cause for the adjournment was a deadlock between the two branches of the legislative assembly over certain general legislation. That general legislation consisted of a bill to establish an agricultural bank, a bill to establish an industrial training school, a bill providing county government in Porto Rico, a bill to increase the number of elective judges, and a bill providing that the assessment of property for taxation should be in the hands of the local taxpayers of the district assessed.

Now, it is not necessary for our purpose to examine into the merits of the respective bills. The difficulty here grows out, not of the character of the measures proposed, but out of the whole structural and frame of government for the island of Porto Rico. This deadlock was as likely to have occurred on any other piece of legislation as on the pieces of legislation on which it occurred. You already are familiar with the fact, from the previous debate, that the legislative assembly of Porto Rico consists of two bodies. The upper house, or executive council, is composed of the six heads of executive departments at Porto Rico, namely, the secretary, the attorney-general, the commissioner of the interior, the commissioner of education, the treasurer, and the auditor; and it is further composed of five native Porto Ricans appointed by the President of the United States. So that it appears the upper house is entirely appointive, and the majority of that house are not citizens of Porto Rico, and that its principal duties are executive in character. The lower house is composed of 35 members, elected from seven representative districts by popular vote. Now, it is claimed that 34 members now composing the lower house (one being dead) are members of one political party, and it is assumed from that fact, and probably correctly, that these measures are party measures. In the President's message we are told that there is considerable doubt under the Foraker Act as to whether the legislative assembly had the power at all to pass an appropriation bill, but that it is too late to change the construction which had been adopted. An examination of the Foraker Act, Mr. Chairman, will show that there is no ambiguity on that question. The general legislative powers of Porto Rico are in the legislative assembly. In section 12 of that act it is provided:

> That all expenses that may be incurred on account of the government of Porto Rico for salaries of officials and the conduct of offices and departments, and all expenses and obligations contracted for the internal improvement or development of the island, not including defenses, barracks, harbors, light-houses, buoys, and other works instituted by the United States, shall be paid by the treasurer of Porto Rico out of the revenues in his custody.

And by section 27 it is provided:

> That all local legislative powers hereby granted shall be vested in the legislative assembly, which shall consist of two houses, etc.

Without any further qualification there is no question but what that would put in the power of the legislative assembly the general appropriation of money from the treasury of the island. The money in the treasury belongs to the people of Porto Rico; it was put there for the purpose of paying the expenses of the government in Porto Rico; and the legislative power of Porto Rico was delegated to the legislative assembly of Porto Rico.

Mr. OLMSTED. Will the gentleman yield for a question?

Mr. BORLAND. Certainly.

Mr. OLMSTED. When the act of Congress fixes salaries and says that all salaries shall be paid by the treasurer of Porto Rico, did that require legislation by the insular legislature?

Mr. BORLAND. Undoubtedly.

Mr. OLMSTED. And in section 36, to which the gentleman has not referred——

Mr. BORLAND. I expected to refer to that.

Mr. OLMSTED. Specifically providing the salaries of the governor and certain officers, and declaring they shall be paid by the treasurer, does not the gentleman think that if it were a new question, it might well be decided that no legislative act by the insular body were necessary?

Mr. BORLAND. I will reply to that in full very clearly. I do contend, in answer to the question of the gentleman from Pennsylvania [Mr. OLMSTED], that a general grant of legislative powers carried a general power of appropriation over the money belonging to that sovereignty or jurisdiction in the treasury of that jurisdiction, and there must be specific exception in the organic law to control that general construction of law. Let me call your attention to another thing. In section 26 of the Foraker Act, providing for five members of the executive council other than the heads of the executive departments, it is said:

> And they shall receive as compensation for their services such annual salaries as may be provided by the legislative assembly.

Mr. OLMSTED. That clearly requires legislation.

Mr. BORLAND. Undoubtedly. And in section 37:

> That the provisions of the foregoing section (36, to which I will next allude) shall not apply to municipal officers. Their salaries and the compensation of their deputies, assistants, and other help, as well as all other expenses incurred by the municipalities, shall be paid out of the municipal revenues in such manner as the legislative assembly shall provide.

Now, the only exception to that general grant of legislative power is contained in section 36, which provides that the salaries of certain officers appointed by the President are fixed, and section 36 also provides:

> That the salaries of all officials of Porto Rico not appointed by the President, including deputies, assistants, and other help, shall be such, and be so paid out of the revenues of Porto Rico, as the executive council shall from time to time determine.

It is on that language that it is claimed that the ambiguity arises as to whether the power of appropriation is solely in the executive council or solely in the legislative assembly. Where the general grant of power was made to a legislative assembly and reenforced in two other instances in the same

act, an exception to that grant of power must be confined to the purposes within the view of the exception. While that language undoubtedly would, if there were nothing else in the act to limit or construe it, create a conflict with the other provisions of the act, yet we find back here in section 18, relating to the executive council, that they shall have the power to employ all necessary deputies and other assistants for the proper discharge of their duties as such officials and as such executive council.

So that there is no question, I may say to the gentleman from Pennsylvania [Mr. OLMSTED], in my mind, at least, but what the construction of that would be that they having by section 36 the power to pay certain deputies, the deputies meant would be the deputies within their power to appoint and not the general expenses of the island. So that there is in fact no ambiguity. We can assume as a matter of fact that the legislative power of appropriation was in the legislative body, and the report accompanying the President's message, not having designated what were the items of these appropriation bills, we must assume that the items in the appropriation bills were within the power of the legislative body.

Mr. LIVINGSTON. Will the gentleman discuss this point as to the remedy? The remedy therefore being the United States Government must take possession of their revenues and make these appropriations. Is not that a legitimate consequence?

Mr. BORLAND. I thank the gentleman for the suggestion, and I will reach that point later on.

Now, it is claimed also in the message of the President that it was the universal custom of the legislative assembly of Porto Rico to hold up the appropriation bills until the last moment of the legislative session in order to force the executive council to act upon general legislation, and that has been the custom since the creation of that legislative assembly. In fact, the Foraker Act says, in section 30:

> That this house of delegates shall have and exercise all the powers in respect to the conduct of its proceedings that usually appertain to parliamentary legislative bodies.

So that there is nothing new in that situation, that they did hold up these appropriations, and that they had been holding up these appropriations year after year, for the purpose of forcing action by the executive council on matters of general legislation.

Mr. SCOTT. Does the gentleman think that that is reprehensible, to indulge in that sort of conduct?

Mr. BORLAND. I do not.

Mr. SCOTT. The gentleman believes it is entirely proper for the legislative body or members of the legislative body to barter appropriations necessary to carry forward the machinery of the government for legislation such as they insist on having?

Mr. BORLAND. The gentleman will have to reverse a long line of precedents if he does not adopt that view.

Mr. SCOTT. I think the gentleman in making that remark, if he refers to the precedents in this country, either in the state legislatures or in the Congress of the United States, is not warranted by the record. There may have been isolated cases in which appropriation bills have been held up in order to obtain other legislation, but in my personal experience, and I believe the gentleman will have difficulty in citing anything to the contrary, whenever such action has been taken it has been through a disagreement on some item included in the appropriation bill itself and not a disagreement in relation to other legislation.

Mr. BORLAND. Mr. Chairman, I will say to the gentleman that not only in my view of the matter is that the precedent and custom of legislative bodies, but that it does not constitute a barter, and more than ever it has become a fixed custom in Porto Rico, according to the presidential message, on account of the peculiar constitution of the upper house of that assembly. Where both houses of the legislature are elected by the same body of electors, even though at different times, and a deadlock occurs between those bodies, there is but one tribunal to which recourse can be had as to which body is in the right, and that is the people that elected them; but these Porto Ricans are not confronted with that condition.

Mr. SCOTT. There would be a great deal of force in what the gentleman is saying and in what other gentlemen have said along the same line touching the constitution of the upper house of the Porto Rican legislature if the records showed that the upper house had divided along racial lines; but the record shows, on the contrary, that such division has not taken place. I have looked it up carefully, and in only one important measure was there a division between the continental and the island members of the upper house. In every other case the vote has not been along that line.

Mr. BORLAND. I assume the gentleman is correct about that. I recall his words of yesterday, that this was a pure political fight between two political parties, and I had the pleasure also of reading this morning in the Kansas City Times of Wednesday, May 26, an interview with the gentleman from Kansas [Mr. SCOTT] in which he said that the political party down there now in control of the lower house was headed by a man named Rivera, and he goes on to say that the leader of the other political organization, known as the "Republican party," is a negro named Barbola. So there is a fight between this negro, Doctor Barbola, who has not commanded a majority of the people of Porto Rico, and the leader of the other political party.

Mr. SCOTT. Mr. Chairman, I have not read the interview to which the gentleman alludes, but I rise merely to correct the name of one of the gentlemen mentioned; and that is, it is Doctor Barbosa——

Mr. BORLAND. I am glad the gentleman has made that correction.

Mr. SCOTT. And I may say that he has been for several years a member of the upper house, appointed by the President of the United States, and is recognized as one of the ablest and most distinguished citizens of Porto Rico.

Mr. BORLAND. Mr. Chairman, I am very glad to have that information from the gentleman. It appears, then, that the leader of this Republican party, which was unsuccessful at the polls, is a member of the upper house, one of the native Porto Ricans appointed by the President, and that for some reason or other he has lost control of the political force in the island. His party was unsuccessful at the polls, and the other party—not led, I assume then, by a negro—was successful at the polls and elected unanimously the lower house of the Porto Rican legislature. Now, it is not necessary for us to go into the political fight between Rivera and Barbosa or into the wisdom or unwisdom of these measures which they propose. We may have our own views, undoubtedly, as to the soundness or unsoundness of some of these measures. We may have our own views as to the wisdom or unwisdom of the course they adopted in undertaking to force those measures through the upper house. We may believe or we may not believe that they were of sufficient importance to the people of Porto Rico to have justified the course they pursued, but the question remains that these measures were party measures and that from the time the Porto Rican assembly has been organized they have had no other means of bringing general legislation to the attention of the upper house save by delaying the appropriation bill to the last moment. It further appears from the statements on both sides of this controversy that if this were a deadlock between the ordinary legislative assemblies it would not and could not and did not go beyond the stage of compromise.

In fact, I notice in the President's message that when the commissioners from the lower house came here to present their side of the case they did not insist on all of those measures, but finally limited their demand to two measures, namely, the "judicial reforms," as they called them, or the election of justices of the peace instead of their appointment, and the filling of vacancies in the municipal mayor and council by election of the council instead of appointment by the governor. I take it that all the abuse and all the side lights and the departure from the record which were indulged in yesterday in regard to these Porto Ricans has scarcely a commentary more striking as to their capacity for self-government than their limitation of their demands down to what they considered vitally important to the measures of reform. If these men had been imbued with the spirit of anarchy and disloyalty with which they have been so freely accused, would they have come here with a proposition for compromise, a proposition which would have gone through any legislature in the world, a proposition for compromise similar to what this House itself must face from time to time with its coordinate legislative branch, and which it has faced on every important measure of legislation? And I say, gentlemen, there is no proof in that state of affairs that the Porto Ricans have not or have lost their power for self-government.

Now, in answer to the gentleman from Georgia [Mr. LIVINGSTON], or, more properly, in response to his kind suggestion, I want to take a glance at the remedy proposed by this bill. It is provided in this bill that if at the termination of any session the appropriations necessary for the support of the government shall not have been made an amount equal to the sums appropriated in the last appropriation for such purpose shall be deemed to be appropriated, and until the "legislature," meaning probably the legislative assembly, shall act on that behalf the treasurer may, with the advice of the governor, make

payments necessary for the purposes aforesaid. In other words, we are told that this bill is a mere makeshift to tide over this present emergency, when in reality it is intended to take away from the legislative assembly of Porto Rico the power of legislative appropriation. If that does not constitute a distinct step backward, then it is difficult to understand where——

Mr. OLMSTED. If the gentleman will permit, this does not take away from the legislature the power to legislate at all. This simply covers the period until they do legislate. They may legislate to-morrow or the next day if they choose; this will not prevent them; and when they have legislated, this bill will by its very terms cease to operate.

Mr. BORLAND. I believe I can satisfy even the gentleman from Pennsylvania on that point. If, as the President says, and we must assume it to be correct, it has been the universal custom to hold up appropriations for the purpose of securing general legislation, it would certainly appear from that fact that general legislation did not originate as a general proposition in the upper house.

Mr. DOUGLAS. Just there may I interrupt the gentleman? I am sure he misstates the President and the whole situation—excuse me—when he says it has been the custom of the lower house of Porto Rico to hold up the appropriation bill to secure general legislation. There is nothing of the kind in the case. It is simply that they have held up general legislation and refused every session to pass the appropriation until after midnight on the last night of their session in order to compel the upper house to pass certain specific bills which they wanted passed, and not that the upper house refused to engage in general legislation a particle more than the body at the other end of this Capitol——

Mr. LARRINAGA. Will the gentleman from Missouri permit in that connection——

Mr. BORLAND. Very gladly.

Mr. LARRINAGA. The upper house has been holding up for nine years to pass all the legislation that the lower house wanted, threatening the lower house that this would come to pass, that they would come here and get Congress to take away from them the right to concur in the budget.

Mr. BORLAND. I want to call——

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman from Missouri two or three questions——

Mr. BORLAND. I will yield gladly.

Mr. CLARK of Missouri (continuing). To see if we can not get at the foundation of this thing. The propositions that the lower house over there offer are in the nature of riders to appropriation bills; that is the sum and substance of it.

Mr. BORLAND. I think not. No; they are separate bills, as I understand.

Mr. CLARK of Missouri. They make their appropriations conditional on certain other legislation being passed.

Mr. BORLAND. That is the idea.

Mr. CLARK of Missouri. Now, has not that been the practice of English-speaking communities, from the foundation of things?

Mr. OLMSTED. Suppose it has. Are we going to allow Porto Rico to go bankrupt and the United States to be disgraced because, if you please, the two houses hold each other up? We want to make a provision here that will tide them over until they get ready to act.

Mr. CLARK of Missouri. I want to ask the gentleman from Pennsylvania how it comes that we are asked to condemn these people and punish them for doing the very same identical things that we do ourselves, and that our ancestors, clear back to the beginning of parliamentary history in England, did all the time?

Mr. OLMSTED. I do not think our ancestors ever did anything of this kind, but even if they did, this bill does not propose to punish anybody. There is not a punitive provision in it. It intends to prevent either house, or both houses, in Porto Rico from punishing the people of the United States in defying the act of Congress which says that certain sums of money shall be paid. Their present conduct leaves the treasury bankrupt. Their warrants will have to be shaved in the same way as the gentleman knows was done at one time in West Virginia. The Government of the United States, which now has assumed control of that island, will be held up to contempt and ridicule all over the world because the mandates from our Congress, which say that certain things shall be done, are not complied with.

Mr. CLARK of Missouri. What is the difference in principle between having these demands of theirs formulated in separate bills in connection with appropriation bills, and having them tacked on to the appropriation bills as riders?

Mr. OLMSTED. I do not think that is a question that arises in the discussion of this bill. This bill does not settle that question at all, nor attempt to. They can put them on as riders or have them as separate bills, or do what they please. In the meantime, the necessary current expenditures of the government, which are necessary to be paid for the maintenance of the credit of the Porto Rican government, and still more for the credit of the United States Government, will be paid under the provisions of this bill.

Mr. CLARK of Missouri. Now, do you not think that to take away from that lower house its functions is in the nature of a punitive measure?

Mr. OLMSTED. This does not take away from them any function.

Mr. CLARK of Missouri. It says they shall legislate down there the way that council wants them to legislate, or somebody will step in and assume their functions.

Mr. OLMSTED. Both houses are trying to secure a change in the Foraker bill, and I suppose that will have to be faced sooner or later by Congress in regular session. This bill does not contemplate the consideration or determination of those questions to-day. This merely provides for the payment of the necessary expenses of the government until they can be considered, or until the Porto Rican legislature shall appropriate.

Mr. BORLAND. I want to say to the gentleman from Pennsylvania [Mr. OLMSTED] that I am very sorry I can not concur in the statement that his bill is temporary in its character. It reads on its face that at the termination of any session the previous appropriations shall go automatically on.

Mr. OLMSTED. Until the legislature acts.

Mr. BORLAND. Until the legislature acts; and that would put it in the power of the upper house, by refusing to act, to continue automatically, or it is proposed to give them that power—but I want to show you it will not—to continue automatically the previous appropriation. Now, the gentleman from Ohio [Mr. DOUGLAS], if he will look on page 2 of the President's message, will see that the President says:

> Ever since the institution of the present assembly—
>
> Not the present elective membership—
>
> the house of delegates has uniformly held up the appropriation bills until the last minute of the regular session and has sought to use the power to do so as a means of compelling the concurrence of the executive council in legislation which the house desired.

Then, there is nothing new in that method of procedure, nor is it confined to this present elected house of delegates. And it has grown out of the fact, undoubtedly, that only by such a method would general legislation be brought forcibly to the attention of the upper house.

Mr. OLMSTED. May I ask, Mr. Chairman, what the gentleman would like to have done at this time—anything or nothing?

Mr. BORLAND. I will reach that later.

Mr. OLMSTED. I will be glad to know what the remedy is.

Mr. BORLAND. I would not get up here and take the time of the House to discuss this matter unless I had a remedy to meet the situation.

Mr. COOPER of Wisconsin. Will the gentleman permit me to ask the gentleman from Pennsylvania a question? This provision of this bill is identical with the phraseology of the provision of the Philippine bill?

Mr. OLMSTED. The same, word for word.

Mr. COOPER of Wisconsin. And the Hawaiian bill? Now, suppose it provided that, in the event of the adjournment of the session, any session, without the appropriations having been made, the previous appropriations will be considered to be reenacted. Now, suppose a regular session of that legislature shall adjourn without the enactment of that appropriation bill; then this law of Congress takes effect, and the previous appropriations have been reenacted. It is a law of Congress. Then, suppose that the governor should call a special session for the purpose of passing appropriation bills; it would not be contended that an act of the Porto Rican legislature could repeal an act of Congress. This act of Congress will have gone into effect immediately upon the adjournment of the session.

Mr. TAWNEY. It will continue in effect only so long as the legislature of Porto Rico fails or refuses to make appropriations to maintain the life of the government.

Mr. COOPER of Wisconsin. Now, there will be a conflict right there. It says: "If there shall be an adjournment of any session, the previous appropriations will be considered as enacted." That will be by a law of Congress.

Mr. OLMSTED. Yes; but the law of Congress, assuming this bill shall become law, would be deemed the appropriation until the legislature shall enact in such behalf. The minute the

Porto Rico legislature should act, then this law would become inoperative and their law would become operative.

Mr. LIVINGSTON. But suppose the legislature never gives the governor the support that he wants; then what would you have?

Mr. BORLAND. That is just exactly the whole matter.

Mr. OLMSTED. Suppose we never pass this bill; then there will be perpetual chaos.

Mr. BORLAND. I will say to the gentleman from Pennsylvania that that would be exactly the case if this bill passes here, if it accomplishes what he thinks it accomplishes, that these appropriations would go automatically on; that the council, composed of the several heads of the executive departments, would have the spending of this money, and they would not agree to any regulation of the appropriations.

Mr. OLMSTED. But it is the amount of money to which both branches have already agreed for the current year.

Mr. CULLOP. Suppose that the legislature, as we call it, should make appropriations less or more. What would be the effect?

Mr. BORLAND. If the legislative assembly——

Mr. CULLOP. And for different purposes.

Mr. BORLAND. If the legislative assembly, representing the people of Porto Rico, undertook to cut down any of these appropriations in any department against the will of the upper house, under this act of Congress the appropriations would go right on. They would have no power over it, and they would have no power left in their hands to force the other house to agree to their views. We are attempting to create an irresponsible bureaucracy, responsible nowhere except to the distant and slow-acting home Government. That is the intention of this bill. It is intended to furnish these commissioners down there with an irrepealable source of supply, so that they need not regard the wishes of the people of Porto Rico in anything respecting either general legislation or financial. Supposing, now, if this bill had been passed, if there were any extraordinary expenses in the department where, under the wisdom of the people, it became necessary to cut down the expenses or to abolish any one of these works. Well, as a matter of fact—and if I am wrong in that respect the Commissioner can correct me—as the upper house is composed of men who are the heads of these departments, when any appropriation should be limited and be a matter that is affecting the service of their particular department, there is a spirit of comity existing between the members of the executive council, and the whole of the commissioners will vote for everything desired by the commissioner of the department to which that appropriation relates.

Mr. DOUGLAS. What is the gentleman's authority for such a statement as that?

Mr. BORLAND. My authority is right here.

Mr. DOUGLAS. If the gentleman appeals to the commissioner, and the commissioner gives him authority to state such a thing, I say that the history of Porto Rico absolutely refutes that.

Mr. BORLAND. It is as natural as sunlight.

Mr. LIVINGSTON. Is it not a fact that this appropriation bill originated in the executive council, and not in the house of delegates?

Mr. BORLAND. I so understand.

Mr. LIVINGSTON. Unlike under our system, where the appropriations originate in the House of Representatives; and all these commissioners, as members of the executive council, first originate and prepare the appropriation bills, and send them to the house of delegates, and then, if the house undertakes to exercise its right to curtail any of these appropriations proposed by the men who are to spend the money themselves, they are coerced.

Mr. BORLAND. I so understand the matter.

Mr. CULLOP. Would not the passage of this bill practically lodge such a power in the upper chamber that it would nullify the power of the lower legislative body altogether? They could hold this as a club over them for the passage of just such legislation as they sought to have passed.

Mr. BORLAND. I will say to the gentleman from Indiana [Mr. CULLOP] that I would not be at all surprised if a fair investigation of this matter would show that that was the very intention of proposing this bill, and I want to say that it has come through a good many hands before it was introduced on the floor of this House. It did not originate here in our wisdom. It did originate somewhere, and it originated after a political fight down there in which the party policies of one party were triumphant throughout the island.

Mr. DOUGLAS. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DOUGLAS. Where did it originate?

Mr. BORLAND. From the report here, it originated with the commission.

Mr. DOUGLAS. The gentleman is mistaken. The report of the commission distinctly suggested another remedy.

Mr. BORLAND. Yes; they suggested this, however, in the alternative.

Mr. DOUGLAS. They did not suggest it in this form, or in even substantially this form, but the remedy which they suggested and urged should be adopted was a totally different one.

Mr. BORLAND. I will undertake to say that it was equally drastic, if they suggested or urged it.

Mr. DOUGLAS. Neither of them is drastic in my opinion, I assure the gentleman.

Mr. FITZGERALD. Does the gentleman from Ohio know who drew the bill?

Mr. DOUGLAS. I take it that the gentleman from Pennsylvania [Mr. OLMSTED] copied it from the bill relating to Hawaii and the Philippine Islands, although I have not the honor of knowing.

Mr. OLMSTED. It is copied, word by word, from the provision in the Philippine law, and who originally drafted that law I do not know. The suggestion of its adoption is found in the message of the President of the United States.

Mr. FITZGERALD. Has the gentleman any information as to the source of the suggestion that the President made? These documents show that the governor of Porto Rico threatened the house of delegates at various times that if they did not pass these bills he would appeal to Congress.

Mr. OLMSTED. Very properly.

Mr. FITZGERALD. Is he the man that had in mind the practical abolition of the house of delegates?

Mr. OLMSTED. I never heard that he did.

Mr. FITZGERALD. In the documents transmitted by the President, have not the officials of Porto Rico themselves submitted a draft of a bill identical with the first section of the pending measure, drafted by the gentleman from Pennsylvania?

Mr. OLMSTED. Never. In fact, they submitted an entirely different proposition.

Mr. FITZGERALD. If the gentleman will examine the report——

Mr. OLMSTED. I have read it.

Mr. FITZGERALD (continuing). In the documents transmitted by the President, he will find exactly the first section of this bill suggested as a remedy for the situation there.

The CHAIRMAN. To whom does the gentleman from Missouri yield?

Mr. BORLAND. I have ceased to yield now to anybody.

The CHAIRMAN. The gentleman refuses to be interrupted.

Mr. BORLAND. Mr. Chairman, it is as clear as sunlight, I take it, to most of the Members of this House, some of whom are not without political experience, that this proposition did originate in the mind of some interested party, and that its purpose was not to tide over an emergency, but to decide a political controversy. That is the purpose of most appeals to the home government from a colonial government.

Mr. LIVINGSTON. Rather to reverse the action of a political party.

Mr. BORLAND. I accept the correction—to reverse the action of the people at the polls.

Now, I want to call the attention of the gentleman from Pennsylvania [Mr. OLMSTED] again to the peculiar construction of this bill. He says it is only a temporary measure, designed to tide over an emergency, and it is something absolutely essential to carry on the government of Porto Rico and to preserve our integrity, and to save us from being ridiculed as a failure as a colonial power. If we do not pass this bill, we are exposed to the world as a failure as a colonial power, and therefore we must pass it. Now, I want to say that not only do the consequences of the bill not stop there with the temporary tiding over of an emergency; not only does it attempt to decide the merits of these bills which have been approved by the people of Porto Rico and urged by the legislative assembly; not only does it attempt to put an obstacle in the way of the consideration of general legislation demanded by the lower house, and take away from them a peaceful and forcible remedy that they have had in the past; not only does it fasten upon them an irresponsible bureaucracy, supposed to be clothed with an irrepealable source of supply—not only does it do all that, but it undertakes to strike a blow at the Porto Rican people which they have yet the power to resent. Now, I want to show you what I mean by that. Suppose those people down there are driven to another extremity, and still desiring to refute this allegation that they are animated by anarchy or disloyalty, and still refusing to resort to arms as a protest against what they believe to be injustice, and still give us an example of

their power of self-government and self-control, of which we have reason to be proud; suppose this legislative assembly should refuse to levy any taxes, where would this irrepealable source of supplies come from then, except from the receipts of the customs? This Foraker Act, in section 38, says:

> But taxes and assessments on property, and license fees for franchises, privileges, and concessions, may be imposed for the purpose of the insular and municipal governments, respectively, as may be provided and defined by act of the legislative assembly.

Now, if we are going to take away from them the power to appropriate the money that belongs to Porto Rico and is in her treasury, let us go a step further then, in the name of justice, and take away from them the power to levy taxes on their people, for by what right can we demand that an elected body representing the citizenship of Porto Rico, elected at a fair election about which there has been no question—by what right shall we demand that they sit there and tax the inhabitants of Porto Rico to support an irresponsible bureaucracy with an irrepealable source of supply? Let the gentleman from Pennsylvania [Mr. OLMSTED] go a little further in his makeshift bill and say whether he will take away from them that power given in section 38.

But we are confronted, gentlemen, with a condition—a condition demanding immediate action. As I said, I would not be here taking up the time of the House unless I intended to do something more than to protest. I understand the condition of affairs down there, as you do, after the able speeches that we have listened to in this debate. These gentlemen have sought to provide county government, and they have been defeated. The result is that they have a centralization of government down there, and that the municipalities depend upon the insular treasury for their support. The roads, the schools, the police magistrates, the ordinary maintenance of public order and conduct of affairs all depend upon these appropriation bills and the condition of the insular treasury.

I want to say, in another compliment to the people of Porto Rico, that they have undertaken to correct that form of government, and have undertaken to provide for county organization. I find by reading the reports which have been furnished to us from down there from time to time that there is an evil in this lack of county organization, and that these pueblos or villages are combined in their political relations with the outlying agricultural territory, and that the people who live in the agricultural districts are in the same position as if a large city were located in a county and all of the money collected from the county revenues were expended on the streets of the city. They have sought to correct that, as I understand; but by the wisdom of the executive council they have been refused the right to correct it, and we are asked to take away from them the power to bring the executive council to their way of thinking, and so we are confronted with another difficulty. They say now that because of this centralization of power we are confronted with a crisis by which all governmental business will stop on June 30 unless this bill is passed by the House. I say that that is a more severe commentary on our powers of colonial government than it is on the powers of the Porto Ricans for self-government. I am not proud of that condition of affairs nor proud of the argument which gentlemen make in support of this bill, nor can I rejoice before the American people that after nine years we have still left them in a position where any misfortune of this kind stops the wheels of government.

But we have left them in that position. The thing for us to do, then, is to make this bill that the gentleman from Pennsylvania has introduced what it has been represented and purported to be—a temporary measure. It is incumbent upon us, having assumed the responsibility of governing those people, to provide a government for them which shall not stop by any deadlock. It is absolutely essential that this provision for the incoming fiscal year be made; but in my judgment, gentlemen, and I hope that a sufficient number of this House will concur with me, it is just as great a responsibility on our shoulders to see that that condition of affairs does not occur again. We should limit this bill, and I propose to offer an amendment to the bill limiting this act of Congress to the fiscal year beginning July 1. That will compel the consideration by Congress of the entire Foraker Act at the next session of Congress. Whenever a crisis reaches the stage where it has been brought forcibly to the attention of the home government, where it is possible to stop the wheels of government, that crisis is serious enough to demand the careful consideration of this Congress, and I say, for one, that, if we are to have colonies at all, when they reach that position of deadlock then is the time that I want to see them come to Congress that we may have an opportunity once more to reexamine the condition of affairs. You say that if we pass this for only one year they might be back here next year. If they are, I say let them, and it is our duty to sit here and hear them, and if we shrink from that duty we are shrinking from a duty which we owe, having assumed the government and responsibility for their civil administration. We have no right to meet a crisis by a permanent act. If this is a makeshift act, let us agree and make it a makeshift act, and I say to the gentleman from Pennsylvania that he will have all the help from this side, so far as I am concerned, that can be given.

Now I want to say another thing, and that is that I noticed in the President's message that he says that the Foraker Act is pretty bad. He does not quite use this language, but he says that doubtless it is subject to amendment; he says if the people of Porto Rico desire an amendment of the Foraker Act they should have brought the matter to the attention of Congress in an orderly way. Now, what orderly way since the dawn of history has there been to bring a reform to the attention of a home government? I read one time, it seems to me, a document called the "Declaration of Independence," which in 1856 and 1860 was very popular with the Republican party, but which immediately went out of popularity and never has been referred to since, in which it was said that the right of petition had been ignored and denied. We have heard on the floor of this House that the legislative body of Porto Rico at the very beginning of its session, after what the President criticises as a continuous course of holding up appropriation bills to get some action by the executive chamber, after a continuous course since its existence of that method of battling for general legislation, undertook to adopt a resolution to demand a repeal of the Foraker Act, and by another example of self-control and self-government withheld their hand and did not demand it.

Mr. LARRINAGA. Will the gentleman permit me?

Mr. BORLAND. Certainly.

Mr. LARRINAGA. Ever since the inception of the civil government our people have presented at every opening of the session of the legislature a message sent to Congress and to the Executive. My first work in Congress was to introduce a bill in the House, which was referred to the Committee on Insular Affairs, and I do not blame, I say so honestly, the chairman of that committee for not having been able to present it here, because he was striving nobly here to get in a bill giving American citizenship to the Porto Ricans, and he has never succeeded. For years we have made representations to Congress and to the President asking for an amendment of the Foraker Act.

Mr. BORLAND. I want to say in regard to this orderly petition to Congress—it may sound like a bitter jest to those people down there; it may sound like a joke to us here, but as far as orderly petitions have gone there is no lack of knowledge on the part of Congress as to the desire of those people for an amendment to the Foraker Act, and I want to say, more than that, that the Foraker Act itself purported to be a temporary act. By section 40 of that act it was provided that a commission should be appointed to devise a permanent system of government for Porto Rico. They were told to—

> Frame and report such legislation as may be necessary to make a simple, harmonious, and economical government—

Harmony was one of the features they were to look after—

> To make all other provisions that may be necessary to secure and extend the benefits of a Republican form of government to all the inhabitants of Porto Rico.

That commission was appointed and did a great deal of very good work; unfortunately it has been "love's labor lost" in most cases. But by reference to page 56 of the report of that commission I find that they call attention to this very condition of affairs and prophesy this very deadlock:

> The provisions of "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," of the 12th of April, 1900, makes the executive council the upper house. The present organization of this chamber, with a majority composed of heads of executive departments and a minority of Porto Ricans appointed by the President, can not readily be defended either in theory or practice. It is not desirable in theory because under it the executive authority exercises legislative functions, with a consequent confusion of governmental powers. It is undesirable in practice because it produces distrust in the public mind by creating the belief that legislation is framed and passed through the concerted action of administrative or executive officers. In the representative system, which is the basis of the government of the United States, the prestige and power of law must proceed from the fact that it not only is but also appears to emanate from the free and spontaneous will of the representatives of the people, and this end is not attained by the present system.

So Congress has had this in mind for eight years. This report was made in 1901. No more clear statement of the difficulty or prophecy of the result could be formulated than that disinterested and able commission formulated. So that we

have had full warning and information in regard to amending the Foraker Act.

Now, it may be said, and I will say right now that I agree with the finding of this commission in favor of a territorial government for Porto Rico. And I agree with their provision for an elective upper house. We have provided the veto of the governor of Porto Rico. We have the veto of Congress, and what good purpose can be served by a third veto in the hands of the members of the upper house, representing the executive department elected by the legislature? What lesson of self-government are we teaching them by the continuation of that kind of a system? Now, it is no answer to that proposition to say that any of those measures that are proposed are unwise. We are supposed to sit here and revise them for them. The governor of Porto Rico is supposed to put his veto on them. The denial to them of an upper house in harmony with the lower house is not answered by the contention that these measures are unwise; but if they were unwise, does not every lesson in self-government demand that people may make mistakes? If we have clothed them with power to act, we have clothed them with the power to make mistakes and suffer from their mistakes, and in no other way will they be educated in self-government. If the officials whom they select have betrayed the rights of the people or have failed to conduct the affairs of government in such a way that it is successfully carried on, there is the tribunal, who have suffered by those mistakes, to whom those officials must answer.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Chairman, I ask that the gentleman from Missouri be permitted to conclude his remarks. He was interrupted repeatedly and for prolonged periods of time.

Mr. OLMSTED. I hope the gentleman from Texas will specify some stated time.

Mr. SLAYDEN. I ask for twenty minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Missouri [Mr. BORLAND] may proceed for twenty minutes. Is there objection?

There was no objection.

Mr. BORLAND. All that I can contribute to this debate I think has been embraced in what I have said. I only desire further to state that the Porto Ricans have apparently given this Government as little trouble as could be expected under any circumstances of colonial acquisition. It must be said, to the credit of Porto Rico, not only that they welcomed the advent of the Americans, but that they honestly attempted to work in harmony with the Americans, and that the transfer from the military government of a captain-general, or a governor-general, to which they had been accustomed for three hundred years, the lifting of that terrible burden of oppression under which they had been laboring, brought her no license, no disloyalty, no anarchy.

Mr. SLAYDEN. Will the gentleman from Missouri permit a question?

Mr. BORLAND. Yes.

Mr. SLAYDEN. He makes a statement that puzzles me, because I have been under the impression that the island of Porto Rico was treated somewhat differently from other Spanish colonies, and I want to ask him if, as a matter of fact, they did not have a representative government in a way; if they did not have their representatives in the Spanish Cortes for time immemorial?

Mr. LARRINAGA. I will say that at the beginning of the last century we had. Then the politics of Spain cut that out. For the last sixteen years we had 16 members in the house, and some of them are to-day in the Spanish parliament, representing some Spanish districts. Some of them have been among the most brilliant statesmen there, and they are there yet.

Mr. BORLAND. I understand also that in 1897 Spain, to head off the troubles in Cuba, undertook to give them a more liberal constitution, which never was enforced long enough to demonstrate its practicability. But the fact remains, as I understand from the reading of Porto Rican history, that the people of Porto Rico had in a large measure suffered through political oppression, poverty and disorder, lack of government and lack of knowledge, and that they welcomed the American arms and acted in cooperation with them, and for eight years have given the American Government no trouble.

Now, it is stated in the President's message that in the eight or ten years the Americans have been there that the exports of the island have increased from $22,000,000 to $56,000,000. If that is true, I am glad of it. I am glad to claim for our country and for our Executive every benefit, every glory, that flows from that condition of affairs; but I am not willing to assume that as an argument against the power of Porto Rico for self-government. I do not believe in, and I am here to deny, the proposition that prosperity is solely because of the administration in power. I believe that prosperity springs from the people. It springs from the intelligence, from the industry, and from the virtue of the people. If the people of Porto Rico, with their political difficulties settled, and with a settled form of government, and with free elections, have been able to increase their prosperity, it has been due, in some measure at least, to the virtue, the intelligence, and industry of the people of Porto Rico.

That argument is an argument in favor of the growth of the people of Porto Rico in civil rights and in favor of taking an advanced stand in favor of civil rights instead of retrograding. Now, suppose we pass the bill, and deny them the right to appropriate money out of their own treasury and curtail their legislative responsibilities. Suppose we go the next step—as we will have to go, I assure the gentleman from Pennsylvania—and take from the Porto Ricans all control of taxation at all. Suppose we go the next step and relegate them back from civil government to military government, what have we gained of glory or credit for the United States? Is it not due us to give to those people of Porto Rico, who have been patient, who may have made mistakes, and may now be in the wrong, a sample of self-control, of self-government, of patience, and of sympathetic interest in their needs, such as we think will secure the affections of those people, instead of uniting them against us? Rightly or wrongly, we have no right to get up here and say that the people who by unanimous vote elected 35 members of the house who were all of one political party, that all those people are absolutely guilty of anarchy. We have no right to approach the solution of this problem on the theory or the implied charge that they are absolute anarchists. Let us give them the opportunity, then, to show whether their powers of self-government have diminished in the eight years. Let us extend to them sympathetic interest in their needs. I thank you. [Loud applause.]

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. BORLAND. Mr. Chairman, if it is in order at this time, I desire to offer an amendment to the text.

The CHAIRMAN. It is not in order now.

Mr. PARKER. Mr. Chairman, it is a condition that confronts us. It is a question whether ordinary government shall go on in Porto Rico, or whether the deadlock between the two branches of the legislature, such as might occur in any one of our States, shall do there what it would not do in any one of those States—stop all government, executive or judicial, close the courts, close the charitable institutions which are usual in our counties and towns, open the jails, disband the police, or at least leave them without money for their ordinary expenses, and put the country more or less in a condition of anarchy.

In this situation it is lamentable that we should have any question as to the motives with which the measure is introduced, because all, on both sides, agree that some such measure is necessary. It is recommended by the President, whose affection for and interest in all our insular possessions is acknowledged throughout the United States.

The gentleman who has just spoken recommends a continuation of the budget at least for a year as a temporary measure. Our friend, the friend of all of us, the Commissioner of Porto Rico, when he was asked by me, "What suggestion does the gentleman make, so that the courts and schools may go on?" answered:

> Mr. LARRINAGA. I suggest, Mr. Chairman, that you do just as the President has advised—that the budget of the previous year go on, provided that the Foraker Act is taken up by the Committee on Insular Affairs and amended in a liberal sense. If the gentleman from New Jersey will accept my resolution, I will introduce one providing that the Foraker Act be revised at the next session of Congress, and the budget of last year shall go on.

We all agree that government must continue.

Mr. Chairman, I have not the good fortune to know much of anything personally about Porto Rico; but I have given its affairs study for many years, and have spoken often in this House upon Porto Rico and its affairs. I favored the continuance of a preferential tariff between that country and the United States, so as to build up its smaller industries and avoid a land tax. A tax on the selling price of land is unknown anywhere in the world except in the United States. Taxes abroad are on rents or produce, and not upon lands; and this tax, even at the small rate of one-half of 1 per cent, or, as I believe it is now, 1 per cent in Porto Rico, seems to do some harm where people in the farming country are not forehanded. I have read or glanced through all of their statutes and the report of the governor and their finances as reported by the treasurer and the auditor. We learn from those documents, as everywhere from the appropriation bills and estimates, what the government is. Nothing tells us so well. We find in Porto Rico that, unlike any State

in this Union, they receive every year about $1,000,000 of customs duties under the Dingley Act. I refer to the report of the treasurer (S. Doc. 578, p. 63). They received $1,138,555 in 1906–7 and $979,990 in the following year, so that we can call the customs, in round numbers, $1,000,000. Porto Rico likewise has the right—which belongs to no one of our United States—to impose excise taxes by stamps, which right brought in over $1,000,000 from liquors and $543,000 from tobacco and cigars, while other items, including $136,000 on document stamps and over $200,000 in licenses to liquor dealers and manufacturers, brought the excise taxes up to $1,917,000. Altogether about $3,000,000 by this Foraker Act are put annually into the treasury of Porto Rico.

We should remember that they are within our tariff lines and have free trade for their sugar and produce with the United States, and that if they were a territorial government or a state government under the United States these moneys would not go into the treasury of Porto Rico as such Territory or State, but into the Treasury of the United States. Customs and excise are appropriated for their benefit by the United States. As we find in the Foraker Act, these were held first as a separate fund, placed at the disposal of the President, to be used for the government and benefit of Porto Rico until a government should be organized. The same act provided for the organization of that government. It provided—I think it may be said rightly—that these moneys, which are not raised by them, but which are United States moneys, should be administered with a right of veto on the part of trustees for the United States of any wrongful expenditures; and for that reason the executive council, or the upper house, was established. Its members are appointed, partly American and partly Porto Rican, to establish the salaries and the offices, and really to see to the distribution of those moneys. Is it unfair? Jamaica is governed by England, whose policy with its islands has always been liberal, and the government of Jamaica is admired in the world. It is governed by one house, of which a majority is appointed, while Jamaica pays the same high duties on her sugars when they go to England that any other part of the world pays, and has no preference in the English market such as we have given to Porto Rico. Such generosity, Mr. Chairman, toward an insular possession has, in my judgment, never been shown by any country in the world as has been shown by the United States to the island of Porto Rico; and if the executive council, as the upper house, thinks it unwise to lend moneys that the United States thus provides through an agricultural bank, on the security of land or, at least, to guarantee such loans, did they not do right to reject that bill?

If that council think that they ought to administer those moneys and know something about their management, instead of distributing them for the use of counties and towns without check, are they or are they not wise? These are not questions that can be disposed of here, because we have not the information; but so long as $3,000,000 of United States money are to be administered in Porto Rico for the benefit of her people, that administration must at least be shared by representatives of these United States. At least it seems to me that it is fair that this should be done. If Porto Rico were independent, it would collect its own tariff dues, but it would not have free entry for its goods into the United States. They and we would pay a tariff as between the two countries exactly like any foreign country, and Porto Rico would have the miserable position of many of the West India Islands, which have no good market for their products. Or if Porto Rico were a State or a Territory with self-government inside of the United States, it would raise its own local taxes, and the jails, the courts, the insane asylums, the blind asylums, the leper asylums, the girls' and boys' industrial schools, the general education, and the roads would be paid for out of the local taxes, as they are inside of the United States, with an assessment of 2 or 3 per cent on high valuations, instead of being paid almost altogether, or two-thirds of them, at least, out of the moneys raised by excise and by customs, which we have granted to them from our national revenues. If a tax of 1 per cent on land is complained of, how would it be with a tax of 3 per cent? Our generosity was founded upon good sense, because we had to establish a new and liberal form of government, with all the public institutions that belong to liberal government in these days, and we were generous in furnishing the means. It is right, however, that there should be some control.

Porto Rico has a legislature which is composed of a governor, an executive council, and a house of delegates. The assent of the two bodies is necessary to the passage of any law. That assent is shown not only in the code adopted in 1902, but in yearly statutes, not so bulky as those of some of our States. They are intelligent and intelligible statutes, and it is a pleasure in looking over them to see so many acts devoted to the subject of good roads, education, and schools. There are municipal governments, and those municipal governments are supported partly by a division of the million or million and a half of land taxes, already referred to, which are collected by the insular government and partly by their own license taxes. That is to say, every store pays $20 to $60, according to the size of the town and the character of the store, and there are license fees for inns and taverns, places of amusement, cabs, carriages, animals, and so forth; all the ordinary forms of license taxes furnish the funds to the towns, which also receive their share of the money collected from the general property tax. Now, in this country, if the legislature of any State fails to do business, what happens? It is not impossible, let me suggest, that we might have some wild theorists in some of our state legislatures who would refuse to do any business until various institutions were broken down or various laws were passed; it is not beyond possibility that one legislative body should say to the other that they would make no appropriations unless those laws be passed. But in such case the roads would still be managed by the town roadmaster or by the city. The school taxes would still be laid by the town and by the city. The county would still pay its county judges and courts and support its county jails, county asylums, and schools; and all the various beneficent institutions would go on just as before. I will go further. In old England, which has been quoted here, if Parliament had refused to make appropriations, it would have touched little except the army or the navy.

They believed in those days that the judiciary should be independent, and they paid them in the old times by fees for every order and for every judgment. The judges and the courts would have gone on. The sheriff would have taken care of his prisoners and taken pay from the party who had them imprisoned. The old law of England did not make the judiciary subject to annual appropriations of the legislature, and the declaration in so many of our constitutions that the judicial, the legislative, and the executive branches of the government should be independent of each other did not mean simply that that should be a matter of words, but that government should go on whether the legislature shall make laws or not.

It is suggested by the commissioners from the council that it was the intention of the Foraker Act that all expenses, as well as salaries, should be allotted by the executive council, and that the function of the house of delegates should be that of making laws and not of making appropriations. There is something to be said in favor of this statement. Section 36 says:

> That the salaries of all officials of Porto Rico not appointed by the President, including deputies, assistants, and other help, shall be such and be so paid out of the revenues of Porto Rico as the executive council shall from time to time determine: *Provided, however*, That the salary of no officer shall be either increased or diminished during his term of office. The salaries of all officers and all expenses of the offices of the various officials of Porto Rico appointed, as herein provided, by the President, including deputies, assistants, and other help, shall also be paid out of the revenues of Porto Rico on the warrant of the auditor, countersigned by the governor.

The council suggest that this act provided for the salaries of all officers and the expenses of those appointed by the President, and that it was a mere oversight that the expenses of the other officers and the other parts of the government, as well as their salaries, should not have been also intrusted to the legislative council. They suggest an amendment to the law in that respect so as to cover those expenses and to leave the matter of appropriations to the council, as they think was intended by this act. The President, I think very wisely, has refused unnecessarily to go into a matter of so much importance as the relations of the various branches of the government in Porto Rico and to make any changes in those relations at the present time. He has recognized the condition of affairs and the need of continuing the government.

In the last year's appropriations—see same document, pages 115, and so forth—the expenditures included over $54,000 for the session of the legislature and their expenses. The executive departments spent two and one-half million dollars. This includes the expenses of the governor, the secretary, the attorney-general, the treasurer, including the collectors of internal revenue; the auditor's office, commissioner of the interior, all construction and maintenance of public roads and bridges, maintenance of telegraph, the extension of the insular telegraph system, irrigation works, the work on insular roads, construction and repair of public buildings, construction and repair of docks and piers, the expenses of the commissioner of education, the expenses, as well as salaries, in the public schools; the funds for the University of Porto Rico, support of deserving students who are now working in the United States and elsewhere, summer schools and institutes, libraries and museums, besides the charitable institutions for lepers, blind, and insane; girls' and boys' charity schools; subvention to various hospitals; the

penitentiary, with about 10 jails, and food for prisoners and payment of their expenses and those of the police throughout the island. Judicial expenditures were $379,000, but not merely in the payment of judges.

The United States court takes only $42,000 for the judge and the clerk, including over $12,000 for the expenses of the court, for traveling, jurors, and witnesses. Sixty thousand dollars went in like expenses for the insular courts. Certain smaller items of miscellaneous, of loans to municipalities, of loans to school boards, and transfers make a total insular expenditure of about $3,500,000. The insular government likewise accounts for "trust funds;" that is to say, an apportionment to the municipalities of taxes collected for them by the insular government, amounting to $1,230,000, and a road-bond fund of $572,000. Are all these functions of government to be stopped because, forsooth, one house of the legislature wants a new law?

Mr. Chairman, there are two ways of dealing with a condition of this sort. It is a condition and not a theory that confronts us. One way would be simply to say, If you want anarchy, take it; we will do nothing. Perhaps the only way to teach a people what anarchy means is to let them try it. It would not be three months before they would have to come back and agree that the budget should go on for the next year and revoke and reverse this anarchical policy of saying that there shall be no government unless new laws be passed.

We have been actually told by leaders of the opposition in this House that it was the orderly course of English government that grievances should be redressed before relief was granted. Yes and no. The Commons told the King that they would not appropriate their own funds for his army or his navy unless certain reliefs were granted. They never told the people of England that government throughout England in the courts and towns, in the counties, the offices of the sheriffs, the schools, the school rates, and the aid of the church should cease. The Commons have said that they would not appropriate for the army or the navy. We have a provision in our Constitution that no appropriation shall be made for the army for longer than two years. The Constitution obviously contemplated that permanent appropriation should or might be made for the support of the judges and to carry on the courts for longer than two years. It never meant that if the House and Senate refused to come together the necessary expenses for the courts and the administration of justice should cease throughout the United States. It is a singular fact, one that we shall feel in these United States before long, that there has been a quiet, hidden change in the mode of carrying on government; that whereas everything in old times was done through the local divisions of counties and towns we have increased the civil service, we have governmental institutions instead of county institutions, we have state asylums, we have state charities, we have built up such a marvelous system of central departments and institutions—and this is not only in this country, but on the other side of the water also—which are dependent on the annual appropriations, that we have made the legislature more supreme than it ever was in the history of any country. The judges used to be independent. Their fees were paid on every case. But now they would not get their salaries—I mean judges of the highest state courts, nor would those of the United States courts—unless the legislature appropriated for them every year. I myself have sometimes wondered whether we ought not to have modified the fee system so as to give only a maximum in each case and let the rest go in the state treasury rather than to take away the independence which belonged to the judge of all legislative appropriation. It is a danger that the judiciary and the executive are so much placed under legislative action from year to year.

It is a danger that may beset us here. It is a danger which has come upon us in Porto Rico. Fortunately for that little island, we need have none of the hesitation which we should have if they were raising the taxes which are to be expended. It is not their taxes or taxes on their property which are to be expended by this bill, except in a small degree, for all their property taxes, except 10 or 15 per cent, go back to the various municipalities, to be disposed of by them, and are not disposed of by the central government. The money we are disposing of now by this bill, in which we order that the budget of last year shall go on, are the moneys of the United States which we allow the island to take from customs and excise, and are sufficient to pay what expenses are necessary for the benefit of the island under laws which have been passed by the legislature of that island, which were in effect under the appropriations of last year and which are in effect now. And we feel that when we enact that the budget of last year shall be continued, that the budget of any year where a deadlock takes place shall be continued for the following year, when we decide that government shall go on and that our money shall be used for that purpose, we believe we are enacting a law which is for the benefit of Porto Rico and within the rights of the United States of America, morally as well as legally. [Applause.]

Mr. OLMSTED. Mr. Chairman, as it seems that no one else cares to engage in debate, I suggest that the Clerk proceed with the reading of the bill.

Mr. COOPER of Wisconsin. Will the gentleman from Pennsylvania let me say one word?

Mr. OLMSTED. Certainly.

Mr. COOPER of Wisconsin. When I put the interrogatory to the gentleman from Pennsylvania this morning, I did not have a copy of the bill here, and I could not remember the phraseology of the Philippine bill, but I see that there is a provision that, if the legislature acts, the appropriations shall not be continued.

Mr. OLMSTED. The gentleman from Wisconsin is entirely right about that. I thought we should agree when he saw the bill.

Mr. Chairman, I call for the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, is hereby amended by inserting at the end of section 31 of said act the following additional proviso:

"*And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made an amount equal to the sums appropriated in the last appropriation bills for such purpose shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

Mr. GARRETT. Mr. Chairman, I wish to offer two amendments there.

The CHAIRMAN. The gentleman from Tennessee offers two amendments, which the Clerk will report.

Mr. BORLAND. Mr. Chairman, a parliamentary inquiry. I would like to know whether it would be in order to introduce an amendment at this time?

Mr. GARRETT. Let these amendments be offered, so as to perfect the bill.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Line 9, paragraph 2, strike out the word "session" and insert in lieu thereof the words "fiscal year."

Line 10, after the word "government," insert the words "for the ensuing fiscal year."

Mr. OLMSTED. Mr. Chairman, the gentleman from Tennessee [Mr. GARRETT] has kindly submitted those amendments heretofore, and they have been printed in the RECORD. I have carefully examined them. I think that the bill in its present form would carry out the object of the amendments; but the amendments certainly make the matter very clear. There is no possible objection to them, and I hope they will be agreed to.

The CHAIRMAN. The question is on agreeing to the amendments offered by the gentleman from Tennessee [Mr. GARRETT].

The question was taken, and the amendments were agreed to.

Mr. BORLAND. Mr. Chairman, I desire to offer an amendment to the first section.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out, after the word "further," in line 8, and insert in lieu thereof the following:

"That for the fiscal year beginning June 30, 1909, for the expenses, support, and legal obligations of the government in all its departments an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated, which shall be paid in the usual course by warrant drawn by the auditor upon the treasurer, countersigned by the governor."

Mr. BORLAND. I would only say that the act as drawn provides for a continuance of these appropriations at any session in which the legislature fails to appropriate. The purpose of this amendment is to limit it to the fiscal year for which the appropriation has failed to be made.

I would also call attention to the fact that the act as drawn does not correspond with the Foraker Act in that it provides that the treasurer may, with the advice of the governor, make payment for the purposes aforesaid. The Foraker Act provides that these payments shall be made by warrant drawn by the auditor on the treasurer, countersigned by the governor. There is no apparent reason for cutting the auditor out, in the interest of keeping a record of the public means, and say that the treasurer shall make these payments in the future on the advice of the governor, nor is it made plain what is meant, whether a warrant is to be drawn, countersigned by the governor, or a mere special order from the governor to pay the money,

and there is nothing to say what shall be the nature of it. At any rate it is out of harmony with the act. It should read so that it was to be paid on the warrant in the usual course, drawn by the auditor and countersigned by the governor, and it should be limited to the fiscal year commencing June 30, 1909.

Mr. PAYNE. Mr. Chairman, I should dislike very much to see any such amendment as this adopted. I can see no reason why the House should not unite in this simple remedy proposed in this bill. I do not so much blame the Porto Ricans for trying to "hold up" the government, however vain it may appear. It is not the first time that that has been attempted by a legislative body. Away back during the Hayes administration there was a party in power in one branch of Congress that tried to "hold up" the Government on the appropriations, in order to force the repeal of the federal election laws, and we had the spectacle of that vain effort for a good many months. Mr. Garfield, in one of the best speeches of his life, dissected that attempt and analyzed it; tracing it to the last analysis, and took the position that it was just as much an act of treason to the Government to try to starve it to death as it was to shoot its soldiers. His speech at that time impressed me, reading it from the newspapers, as it impressed the country, and seemed to impress those gentlemen who were engaged in that attempt at a "hold up." Very soon after that they yielded and made the appropriations for the support of the Government for the next year, and the law was not repealed at that time.

Mr. CLARK of Missouri. I would like to ask the gentleman, Is it not true that they held out, and that forced an extra session of Congress in the spring of 1877, and that they never did agree to that appropriation bill until certain persons in interest down South entered into an arrangement with President Hayes that these troops were to be taken out of the South, so far as operations around the polls were concerned?

Mr. PAYNE. It was not merely an attempt to take the federal soldiers out of the South, but it was to repeal all the federal election laws.

Mr. CLARK of Missouri. Did not they afterwards repeal the federal election laws?

Mr. PAYNE. Oh, yes; not then; not until after I came to Congress; and it was years before I came to Congress that I speak of.

Mr. CLARK of Missouri. I do not want to enter into a controversy with the gentleman.

Mr. PAYNE. I am not entering into a controversy. I simply want to call attention to the fact that the Porto Ricans have had an example. They have failed to look beyond and see what the result was, and then judge what the result would be in this case.

Now, with all kindness toward the Porto Ricans—and God knows I would do everything I could to help them work out their own salvation down there in that island—with all kindness toward them, it seems to me that this is not a time for compromise or anything of that nature. The Congress of the United States ought to declare in no uncertain tones that the Government is not to be bulldozed; that the Government is not to be dragooned or driven into adopting laws or changing laws simply because they fail to make appropriations; that they can not destroy the government there by starving it to death. I think we ought to have a provision in this law, as we have in the Philippine Islands law, relating to every year, so that there will be no temptation in the future for Porto Ricans to put themselves in the attitude they are now in. It makes no difference as to the merits of the legislation that was proposed in the island. We are not considering that now. That, I hope, will be considered by the Committee on Insular Affairs, if they should conclude to bring in a bill amending the general act relating to the government of Porto Rico. That is a matter for future consideration. This is simply to provide the government with funds now and in the future, that it may be known in Porto Rico and everywhere else in the world that the money for the support of the government does not depend upon whether one branch or other of the legislature agrees to the proposed legislation that is presented by the other branch. Let these matters stand by themselves, on their own merits, and pass this bill, so that it shall be certain from year to year that the appropriations will still be forthcoming, notwithstanding the houses may disagree as to other measures.

Mr. OLMSTED. Mr. Chairman, there are one or two gentlemen on that side of the House and one or two on this side of the House who have expressed a desire to be heard on this amendment, which it was understood would be offered, or one of its character; but not expecting that general debate would be concluded, they have left the Hall for the day. I therefore move that the committee do now rise.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CLARK of Missouri. Let us have a division.

Mr. PAYNE. I do not know what the gentleman's intention is. He heard me promise the gentleman from Arkansas [Mr. MACON] this morning that there should be no vote on this bill unless a quorum were present, and I shall see to it that there is not.

Mr. CLARK of Missouri. But we want to vote on this amendment.

Mr. PAYNE. I said on any vote.

Mr. CLARK of Missouri. What I say is that we want to vote on this amendment.

Mr. PAYNE. You will not get a vote on this amendment that will do you any good.

Mr. CLARK of Missouri. Well, we will stay here, then.

Mr. PAYNE. We will see whether we do or not.

Mr. CLARK of Missouri. A division, Mr. Chairman.

The committee divided; and the Chairman reported—19 ayes, 22 noes.

Mr. DALZELL. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of no quorum.

Mr. STAFFORD. Mr. Chairman, I demand tellers.

Mr. CLARK of Missouri. It is too late to demand tellers.

Mr. DALZELL. Mr. Chairman, I insist upon my point of no quorum.

The CHAIRMAN. The Chair will count. [After counting.] Forty-six gentlemen present; not a quorum.

Mr. DALZELL. Then, Mr. Chairman, under the rules of the House, we have to rise as a matter of course.

The CHAIRMAN. Does the gentleman make the motion that the committee do now rise?

Mr. DALZELL. Under the rules of the House, when it appears that no quorum is present in the Committee of the Whole, as a matter of course the committee automatically rises and reports to the House.

The CHAIRMAN. Not until after the roll has been called.

Mr. DALZELL. The roll has to be called, of course.

Mr. OLMSTED. I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania that the committee do now rise.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 25, noes 29.

Mr. OLMSTED. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. OLMSTED and Mr. CLARK of Missouri were appointed tellers.

The committee again divided; and the tellers reported to the Chairman, who announced that there were—ayes 37, noes 34; and that the motion was agreed to.

Mr. CLARK of Missouri. Wait a minute, Mr. Chairman. Let us see. Here are three or four men right here who desire to vote in the negative.

Mr. PAYNE. Oh, suppose if seven or eight were to come in, what of it?

Mr. CLARK of Missouri. But the gentleman from Pennsylvania [Mr. OLMSTED] deserted his place as a teller.

The CHAIRMAN. On this vote, as reported to the Chair by the tellers, there were—ayes 37, noes 34; so the committee determines to rise.

Mr. SHERLEY. Mr. Chairman, I insist that it is the right of Members to have counted those who desire to vote when a count is being taken by tellers, and it does not lie at the option of one teller, while men are coming in to vote, to determine that the vote shall cease.

The CHAIRMAN. If gentlemen on that side seriously contend that the vote is not properly taken, the Chair can order another vote.

Mr. CLARK of Missouri. There were three or four gentlemen here, and one of them got as far as I am now, and farther.

Mr. PAYNE. I understand that there were three or four on both sides on their way to the Hall.

Mr. CLARK of Missouri. Well, the easiest way out of it is to have the vote taken again.

Mr. OLMSTED. Mr. Chairman, there were no gentlemen offering to pass between the tellers, and the tellers had announced the vote before I retired, but a number of gentlemen have since entered the room. There is no objection to taking the vote again.

The CHAIRMAN. The Chair will take the responsibility of ordering the vote again taken, and the tellers will take their places. The question is on the motion of the gentleman from Pennsylvania that the committee do now rise.

The committee again divided; and the tellers reported—ayes 51, noes 47.

So the motion was agreed to.

Accordingly the committee rose; and Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9541, the Porto Rican bill, and had come to no resolution thereon.

ADJOURNMENT.

Then, on motion of Mr. OLMSTED (at 2 o'clock and 10 minutes p. m.), the House adjourned until Tuesday, June 1, 1909, at 12 o'clock m.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 10274) reserving from entry, location, or sale lots 1 and 2 in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes—to the Committee on the Public Lands.

By Mr. HANNA: A bill (H. R. 10275) to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Fort Berthold Indian Reservation, in the State of North Dakota, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. WEEKS: A bill (H. R. 10276) to protect migratory birds of the United States—to the Committee on Agriculture.

Also, a bill (H. R. 10277) granting thirty working days' leave of absence in each year, without forfeiture of pay during such leave, to certain employees at United States arsenals, proving grounds, and supply stations—to the Committee on Military Affairs.

Also, a bill (H. R. 10278) to provide mobile defense for Atlantic coast and Gulf ports—to the Committee on Naval Affairs.

Also, a bill (H. R. 10279) changing the status of certain officers on the retired list of the navy who were retired on account of wounds or other disability incident to service—to the Committee on Naval Affairs.

Also, a bill (H. R. 10280) to authorize the Chief of Ordnance, United States Army, to receive twelve 3.2-inch breech-loading field guns, carriages, caissons, limbers, and their pertaining equipment from the State of Massachusetts—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. DE ARMOND: A bill (H. R. 10281) granting an increase of pension to Joseph A. Scoggin—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 10282) granting a pension to Charles Francis Marshall—to the Committee on Pensions.

Also, a bill (H. R. 10283) granting an increase of pension to Charles A. Lyon—to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10284) granting a pension to Isaac L. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10285) granting an increase of pension to Joseph Bergdorf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10286) for the relief of William Strong—to the Committee on Military Affairs.

Also, a bill (H. R. 10287) for the relief of the heirs of Dillard McMillian, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10288) granting pay to Faver Cason—to the Committee on Invalid Pensions.

By Mr. JAMIESON: A bill (H. R. 10289) granting an increase of pension to Elisha Stearns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10290) granting an increase of pension to William A. Gordon, alias John Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10291) granting an increase of pension to James A. Butt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10292) granting an increase of pension to William T. Zimmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10293) granting an increase of pension to Thomas Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10294) granting an increase of pension to James W. Pray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10295) granting an increase of pension to Wesley J. Banks—to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 10296) granting an increase of pension to Henry Masel—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10297) granting an increase of pension to John L. Barnes—to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 10298) granting an increase of pension to Thomas G. Massey—to the Committee on Invalid Pensions.

By Mr. SMITH of California: A bill (H. R. 10299) granting a pension to Eliza McKellar—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10300) granting an increase of pension to Zachariah Stovall—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 10301) granting an increase of pension to Jacob A. Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10302) granting an increase of pension to Frank S. Nickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10303) granting an increase of pension to Laura A. W. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10304) granting an increase of pension to Alden Bradford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10305) granting an increase of pension to John McEnany—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10306) granting an increase of pension to Martha R. Griswold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10307) granting a pension to Louisa L. Metcalf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10308) granting a pension to Ethel K. Guerin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10309) granting a pension to Barton E. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10310) to correct the naval record of Edgar F. Crawford—to the Committee on Naval Affairs.

Also, a bill (H. R. 10311) to pay Frederick W. Cotton amount found due him by Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 10312) authorizing the payment to the administrator of the late Ephraim Perkins, captain, of the value of his three-fourths of brigantine *Eliza* and cargo, illegally captured by the French, as ascertained by the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 10313) to provide for the appointment and retirement of late Ensign John Tracey Edson as lieutenant in the United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 10314) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased—to the Committee on Claims.

Also, a bill (H. R. 10315) for the relief of David Smith—to the Committee on War Claims.

Also, a bill (H. R. 10316) for the relief of Mary E. Quinn—to the Committee on Claims.

Also, a bill (H. R. 10317) for the relief of John Ware Page—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDER: Petition of United Societies of Philadelphia for Relief and Protection of Immigrants, against an increase of tax on immigrants—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Brooklyn, N. Y., favoring reduction of the tariff on wheat—to the Committee on Ways and Means.

Also, petition of New York State League of Cooperative Savings and Loan Associations, favoring reduction of tariff on dwellings material—to the Committee on Ways and Means.

Also, petition of Hay-Budden Manufacturing Company, of Brooklyn, N. Y., against reduction of duty on anvils—to the Committee on Ways and Means.

Also, petition of Cornelius Kahlen and George Staber, business firms of New York City, favoring a duty not to exceed 25 per cent ad valorem on imitation onionskin paper—to the Committee on Ways and Means.

Also, petition of the Paul Taylor Brown Company, against increase of duty on Singapore pineapples—to the Committee on Ways and Means.

Also, petition of J. E. Rhoads & Sons, of New York City, favoring free hides—to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of presidents and vice-presidents of United Societies of Philadelphia for Relief and Protection of Immigrants, against increase of tax on immigrants from $4 to $10—to the Committee on Immigration and Naturalization.

Also, petition of Marine Trades Council of New York, against disrating employees in the Brooklyn Navy-Yard—to the Committee on Naval Affairs.

By Mr. HOLLINGSWORTH: Petition of E. M. Stanton Post, Department of Ohio, Grand Army of the Republic, against engraving of portrait of Jefferson Davis on silver service for battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. HUBBARD of West Virginia: Petition of G. M. Snook Company and others, of Wheeling, W. Va., against increase of the tariff on gloves—to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of presidents and ex-presidents of United Societies of Philadelphia for Relief of Immigrants, against increase of tax from $4 to $10—to the Committee on Immigration and Naturalization.

By Mr. WEEKS: Petition of Federation of Woman's Clubs of Massachusetts, opposing any increase of duty on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Hannah Goddard Chapter, Daughters of American Revolution, favoring passage of Newlands bill, providing for placing Lincoln memorial on the park commission site—to the Committee on the Library.

SENATE.

SATURDAY, *May 29, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the case of Daniel W. Beckham, administrator of the estate of Alexander F. Beckham, deceased, *v.* United States (S. Doc. No. 65); and

In the case of the Town of Nicholasville, Ky., and the Presbyterian Church of Nicholasville, Ky., *v.* United States (S. Doc. No. 66).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the National Florence Crittenton Mission, of Washington, D. C., praying for the enactment of legislation to embody in such form as may be consonant with the Constitution a clause in the immigration law relating to the protection of young girls for a period of three years after their arrival in the United States, which was referred to the Committee on Immigration.

He also presented a memorial of the board of presidents and ex-presidents of the United Society for the Relief and Protection of Immigrants, of Philadelphia, Pa., remonstrating against the proposed increase of the head tax on immigrants, which was referred to the Committee on Immigration.

He also presented the memorial of W. H. Maughan and sundry other citizens of Wellsville, Utah, remonstrating against any change being made in the present duty on sugars, which was ordered to lie on the table.

Mr. BURNHAM presented a memorial of sundry citizens of Derry, N. H., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Rochester, N. H., praying for a reduction of the duty on raw and refined sugars, which was ordered to lie on the table.

Mr. PERKINS presented a memorial of Local Union No. 238, Cigarmakers' International Union, of Sacramento, Cal., remonstrating against a removal of the duty on cigars from the Philippine Islands, which was ordered to lie on the table.

He also presented petitions of sundry citizens of San Francisco, Eureka, and Bayard, all in the State of California, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. ROOT presented memorials of sundry citizens of New York City, Brooklyn, Buffalo, and Rochester, all in the State of New York, remonstrating against the imposition of a duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of Local Grange No. 1068, Patrons of Husbandry, of Belfast, N. Y., remonstrating against the proposed increase of the duty on gloves, which was ordered to lie on the table.

He also presented a memorial of the Steel Founders' Association of America, remonstrating against any increase of the duty on ferrosilicon, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York, remonstrating against the imposition of a duty on tea in bulk, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for the imposition of a protective duty on post cards, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Denmark and Pond Eddy, in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for a reduction of the duty on wheat not to exceed 10 cents per bushel, which was ordered to lie on the table.

He also presented a memorial of the board of presidents and ex-presidents of the United Society for the Relief and Protection of Immigrants, of Philadelphia, Pa., remonstrating against the proposed increase of the head tax on immigrants, which was ordered to lie on the table.

He also presented a petition of the Merchants' Association of New York, praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

Mr. STEPHENSON presented a memorial of members of the Milwaukee News composing room, of Milwaukee, Wis., and a memorial of the Young Churchman composing room, of Milwaukee, Wis., remonstrating against the imposition of a duty on print paper and wood pulp, which was ordered to lie on the table.

COMMITTEE ON PUBLIC EXPENDITURES.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution No. 50, to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Senate resolution 50.

Resolved, That the Committee on Public Expenditures be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make investigations as to the amount of the annual revenues of the Government and as to the expenditures and business methods of the several departments, divisions, and branches of the Government, and to report to the Senate from time to time the result of such investigations and their recommendations as to the relation between expenditures and revenues and possible improvements in government methods; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recesses or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, expert, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

The amendment was, in line 16, after the word "necessary," to insert "and to have such printing and binding done as may be necessary."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURNHAM:

A bill (S. 2492) granting a pension to Lillie Warburton; to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2493) to make Scranton, in the State of Mississippi, a subport of entry, and for other purposes; to the Committee on Commerce.

By Mr. GAMBLE:

A bill (S. 2494) granting an increase of pension to Milton Yeager (with the accompanying papers); to the Committee on Pensions.

By Mr. DANIEL:

A bill (S. 2495) providing for the payment of a specified sum to the estate of Henry Yonge, deceased; to the Committee on Claims.

AMENDMENT TO THE TARIFF BILL.

Mr. BACON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

VISITOR TO NAVAL ACADEMY.

Mr. BURROWS was, on his own request, relieved from service upon the Board of Visitors to the Naval Academy at Annapolis, Md.

The VICE-PRESIDENT appointed Mr. CLAPP a member of the Board of Visitors on the part of the Senate to attend the annual examination of the cadets at the United States Naval Academy at Annapolis, Md., in place of Mr. BURROWS, resigned.

CONRADO DIAZ.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 67), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with section 32 of the act of Congress approved April 12, 1900 (31 Stat., 84), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico, May 6, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Conrado Diaz, his heirs and assigns, the right to use for irrigation purposes 32 liters of water per second from the river Rio Jueyes, in the barrio Jauca, municipal district of Santa Isabel.'"

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

PAN-AMERICAN SCIENTIFIC CONGRESS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 64), which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of Congress the report of the delegates of the United States sent to the Pan-American Scientific Congress held at Santiago, Chile, in pursuance of the sundry civil act approved May 27, 1908, "To enable the Government of the United States to be fittingly represented at the first Pan-American Scientific Congress to be held at Santiago, Chile, during the year 1908."

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

WAGES IN GERMANY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 68), which was read and, with the accompanying paper, referred to the Committee on Finance and ordered to be printed:

To the Senate:

In response to the resolution of the Senate dated May 25, 1909, requesting the President, if not incompatible, in his judgment, with the public interest, to transmit to the Senate the statement of the German Government, or its officers, in relation to the wages paid to German workmen, for the use of the Senate in connection with its consideration of the pending tariff bill, I transmit herewith a letter from the Secretary of State stating that all the information on this subject which has been received from the German Government has been transmitted by the Department of State to the Committee on Finance of the Senate for use in the consideration of the pending tariff bill.

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

Mr. NELSON. I see from the letter of the President sent in this morning that the report as to wages in Germany that was called for by the Senate resolution was furnished to the Finance Committee here on the 3d and 13th of April. I ask that the report called for by the resolution be printed as a Senate document.

The VICE-PRESIDENT. The Senator from Minnesota asks unanimous consent——

Mr. NELSON. I want to say in this connection, I am surprised that the Finance Committee have withheld it from Senators until this moment.

Mr. ALDRICH. Mr. President, since the discussion yesterday I have made some investigation as to the character of the so-called "government report." It is a report of certain boards of trade in Germany, transmitting anonymous statements of German exporters in answer to testimony taken before the House committee. It is the first time in the history of the country, I assume, when a foreign government has undertaken to send through diplomatic channels to the United States anonymous testimony of manufacturers to answer statements made before a committee of Congress. I am quite willing that this statement shall be printed.

Mr. NELSON. I ask that it be printed as a Senate document.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. ALDRICH. It has been sent back to the State Department, but will be retransmitted here. It is in German. It has not yet been translated, but the translation can be proceeded with as rapidly as possible. I have no objection to the order being made to have it printed in English.

The VICE-PRESIDENT. The Senator from Minnesota, the Chair assumes, intended to ask that it be printed in English.

Mr. NELSON. Certainly.

Mr. MONEY. I did not exactly understand what was said on the other side. I wish to know whether or not this communication comes through the official channel to Congress, or is it from an individual?

Mr. ALDRICH. The Committee on Finance received some time ago, I do not know exactly how long ago, a mass of documents in German through the State Department.

Mr. MONEY. Through the State Department?

Mr. ALDRICH. Through the State Department. They were transmitted to the Committee on Finance for its information, with the statement that the names of the parties who furnished it——

Mr. MONEY. That is quite sufficient for my purpose.

Mr. ALDRICH (continuing). Were to be kept secret. As a matter of fact, the State Department erased all the names of the parties who made the statements. The casual examination which I have made of the papers since the statement was first made in the Senate shows me that they are statements of manufacturers in Germany, transmitted through the State Department, in answer to statements made before the House Ways and Means Committee——

Mr. MONEY. What I wanted to know——

Mr. ALDRICH (continuing). And making certain corrections according to their ideas.

Mr. MONEY. The explanation of the Senator is unnecessary to me. What I want to know is, Whether the communication was received through the State Department only.

Mr. ALDRICH. It was transmitted by the Secretary of State to the Finance Committee, for their information.

Mr. CULBERSON. I will ask the Senator from Rhode Island if this statement from the German Government is a voluntary statement, or was it made in response to a communication from the State Department of the United States?

Mr. ALDRICH. I am not so certain about that. The statements are observations in the nature of criticisms of statements made before the Ways and Means Committee of the House. I do not know just how they came to the State Department. I am not confident about that. I know they were transmitted to the committee; but in the great mass of material that has been transmitted to the committee, as I said yesterday, we had to get the experts of the Department of Commerce and Labor to ascertain what they were. I had no information myself, they being in German, as to the character of them at all. I did not know until very recently what they were.

I will say also that the committee has on its files I should say 200 communications from foreign governments, or from the representatives of foreign governments, with reference to matters which are now pending before Congress. I have not thought it desirable—I am subject, of course, to the instruction of the Senate—but I have not thought it is specially desirable that those communications should be printed for the use of the Senate. They were sent to the committee for its information. There are a large number of them, and I must confess I have not yet had time to examine them carefully.

Mr. LA FOLLETTE. Mr. President, I wish to inquire of the Senator from Rhode Island whether any portion of this document has been translated?

Mr. ALDRICH. No portion of it has been translated. I have had the experts to give me an abstract of their contents, and that abstract is——

Mr. LA FOLLETTE. I should like to suggest, then, to the Senator from Minnesota that he modify his request, to include also the printing of the abstract that has been made, as stated by the Senator from Rhode Island. I suggest to the Senator from Minnesota that if he waits for the translation of the document, this debate may have been concluded in the Senate before it is received in English and printed for the information of the Senate.

Mr. ALDRICH. The memorandum which I have referred to was a simple memorandum of the character of each one of these statements.

Mr. LA FOLLETTE. I will ask unanimous consent that that memorandum or abstract of the document may be printed as a Senate document for the information of the Senate.

The VICE-PRESIDENT. The first request is that of the Senator from Minnesota.

Mr. NELSON. I am quite willing to have my request modified as suggested; that it be translated as soon as possible into English and printed as a document.

Mr. LA FOLLETTE. I suggest to the Senator from Minnesota that he make his request as originally made, and supplement it to include also this abstract of the document. I think it will be useful to the Senate to have this abstract, as well as the entire document, printed. The abstract can be printed at once. I think it will be useful to the Senate hereafter if the entire document is printed as a Senate document; but if we wait for its translation now a goodly portion of the debate upon the pending bill may have gone by; indeed, the consideration of the bill may have been concluded before the document can be translated. It is, as I am informed, quite voluminous.

Mr. MONEY. Mr. President, there is no difficulty in translating any known language. The State Department should never have sent to the Senate any document in German for their instruction. The State Department have translators, because they deal with every country that has a minister or representative here.

I give notice now that I shall introduce a resolution to-day at some time requiring of every department of this Government and every official and every agent everywhere whenever he sends a document to Congress that it shall be in the English language.

Mr. ALDRICH. Mr. President——

Mr. MONEY. Excuse me one moment. I want to say now that I have had occasion to call on the Department of Commerce and Labor for some tariffs, and they sent me tariffs with the money values in a foreign language which I do not understand. I go to the dictionary and look at it, and in fifteen minutes I have forgotten it and I have to look again.

There is no necessity for that. If I get the support of the Senate, I shall require that everything that expresses weight, space, distance, or value shall have the same terms printed in the original language printed in the English language as spoken in America. I recollect that I had that once put in the consular reports which came here in all sorts of terms as to values and measures and distances and all that. I think it is an easy task for the State Department to transmit in English what they desire us to consider. We do not speak here in the German language and some of us do not know anything about it; in fact, our knowledge of English is not too extensive.

Mr. DEPEW. Mr. President, I rise for information. If I understand this matter, these are unverified statements made by German firms, manufacturing firms, who are already competing and want a larger entrance into the American market.

Mr. GALLINGER. And they do not even give their names.

Mr. DEPEW. I understand that they have no more force than a prospectus of each firm as to what they could do or propose to do. I want to know if it is in any sense an official report made by the German Government. Of course, if the German Government became responsible for this document, and it was the result of their investigation, it would give it a force that Congress ought to take notice of, but if it is, as this seems to be, simply an effort on the part of certain German firms to discredit the statements of their rival American firms, then we have a trade contest between American and German manufacturers of specific articles, with the Senate to judge which one tells the truth.

Under those circumstances it seems that the document can have no value whatever. If it had value, it would have been transmitted through the regular diplomatic channel; the German Government would have sent it to the German ambassador, and the German ambassador would have presented it to the State Department, and the State Department would have sent it to the President, and he would have transmitted it to Congress. But in its present form it seems to me it is nothing but a trade prospectus to get into our markets under an alleged government certificate of its truth.

Mr. LA FOLLETTE obtained the floor.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Certainly.

Mr. GALLINGER. I wish to call the Senator's attention to what doubtless has attracted his attention, the fact that in this contest between American and German manufacturers the American manufacturers give their names and the German manufacturers suppress their names.

Mr. LA FOLLETTE. Mr. President, we will know more about this document when it reaches the Senate, if it ever does. It will be found, I venture to say, that this document came through the ambassador of the German Government to the State Department.

Mr. STONE. Will the Senator from Wisconsin permit me?

Mr. LA FOLLETTE. In a moment. While I am on my feet I wish to submit another request. I believe that any information which the Finance Committee has in its possession to aid it in fixing the rates reported by the bill to the Senate is information which the Senate should have when it comes to discuss the bill and finally determine as to the rates. Therefore I ask that all information in the possession of the Senate furnished by foreign governments with respect to wage rates and cost of production be printed at once as a Senate document.

Mr. ALDRICH. Mr. President, I will repeat that the State Department sent to us representations made by the representatives of foreign governments here in a large number. In some of these cases the request is made that the information should be treated as confidential, in others it is not. It has never been the habit of the Senate or of any of its committees to print any such statements, and I have very grave doubts in my own mind whether they ought to be printed now. They are in the nature of confidential communications, a great many of them, as to the effect which certain changes of rate would have upon the commercial relations of the two countries. Several of them are communications of such a nature that, in my judgment, they ought not to be printed.

They do not contain, as the Senator from Wisconsin suggests, any information which has been valuable to the committee, because we are making this tariff, at least so far as I am concerned and so far as the committee are concerned, for the American people, and not for the representatives of foreign governments.

I do not think that we should undertake to make a wholesale order and print the statements of these gentlemen, especially when they are of a diplomatic character and confidential in their nature, without some examination as to their character.

Mr. LA FOLLETTE. Mr. President, the request which I have submitted is for the printing of so much of such documents as relates to wages and the cost of production. Such information transmitted by any foreign government, I assert, can not have been communicated in confidence, but has been submitted with a view of having it considered by the legislative branch of the Government together with other testimony which it would have before it in framing a tariff bill.

The fact that this report from the German Government with respect to the wages paid in various occupations has not been submitted to the Senate for its consideration, and not even examined by the Senate Finance Committee, has been the subject of criticism. I am informed that some feeling has resulted on the part of the German Government because information which it furnished in response to a request from this Government has been treated with utter indifference.

In the request which I have submitted, I have not asked for anything that could by any possibility disturb diplomatic relations with any foreign power. I am asking simply for information in the possession of the committee bearing upon the wage cost and the cost of production in foreign countries which may have been sent to this country. For what purpose? To be considered, sir, in framing this legislation.

I submit to the Senate that it can pass with knowledge and intelligence upon these rates upon no one-sided statement of facts. If we are supplied with information with respect to the rates of wages in this country and in foreign countries only by domestic manufacturers who want exclusive control of this market, do you apprehend that you will arrive at an approximation of the difference in the cost of production between this and foreign countries?

I venture to say that a comparison of the foreign wage rates furnished to this committee by domestic manufacturers will show that they are in some cases the same rates furnished by them to the Committee on Ways and Means twenty years ago. The wage rate of the world has lifted, sir. There is no country in Europe competing with this country which is not to-day paying higher wages than it paid when the McKinley bill was framed, higher wages than it paid when the Wilson bill was framed, higher wages than it paid when the Dingley bill was framed, and higher wages than it paid three years ago.

Are we to settle this question upon a basis of the difference in the cost of production in this and foreign countries—and that is the measure of fair protection to the producers and to the people of this country, and that is the pledge made by the Republican party in its platform—are we to settle that question upon testimony furnished ex parte by just one side, both as to wage rates in this country and abroad? A matter involv-

ing the fraction of a dollar is not settled in a court of justice in that way.

Mr. President, I believe that not only the information furnished by foreign governments should be given to the Senate, but I believe that the information obtained by the Republican members of the Finance Committee from those who appeared before that committee should be printed as a Senate document. A portion of it, the chairman of the Committee on Finance stated on this floor, has been taken down by stenographers, and we have a right to assume that the important portion of that testimony has entered into the judgment of the committee in framing this bill and fixing these duties. Has the Committee on Finance any duty to discharge in relation to this bill higher or more important than the duty of the Senate? They framed this bill. If the Senate is not to be permitted to consider the justice of these schedules and the testimony on which they are based as well as the committee, we may as well surrender this whole matter to the Committee on Finance, or even to the chairman of the Committee on Finance, and let the country know that the Senators whose States commissioned them here are discharging no obligations to the interests of those States or to the country.

So I add to my first request a further request that all testimony taken by the Republican members of the Committee on Finance and reduced to writing be printed for the information of the Senate.

Mr. DEPEW. May I ask the Senator from Wisconsin a question?

Mr. LA FOLLETTE. Certainly.

Mr. DEPEW. I am very much interested in the Senator's speech, but it strikes me that he has not touched the main question in this inquiry. It is not whether we should be informed what testimony has been received by the Finance Committee and not transmitted to the Senate, but it is as to the value of the testimony under consideration. It seems to me, as I understand it, that we are asked to place before the Senate as testimony unverified statements by anonymous parties in contest with American representatives, the one side being foreigners who will not reveal their names and will not swear to their statements and the other side being testimony taken by our committee of our own manufacturers. I am a Yankee, and I stand by the American manufacturer.

Mr. LA FOLLETTE. Oh, Mr. President, I will not say that is cheap; I will not use that language. I will say to the Senator from New York that this testimony contained the names of the manufacturers who furnished it, and much of it was sworn to. Those names were simply withheld in the State Department. When the document was transmitted to the committee, those names were erased.

Mr. DEPEW. Still, if the Senator will allow me——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LA FOLLETTE. Certainly.

Mr. DEPEW. It is still a contest of veracity between the American and the German.

Mr. LA FOLLETTE. Certainly; these people undoubtedly wish to enter this market. Nobody is so shallow as not to see that. But, Mr. President, are we to determine contests, facts, all on the testimony of the men who want this market exclusively, and who by combination between themselves arrange to charge the consumers of this country just what prices they will, if you exclude even the approach to foreign competition as a partial regulator of prices and a partial protection to the consumers of this country?

The theory that prevails in fixing rates here from day to day is that the foreigner shall be excluded from this market; that there shall be no foreign competition, not even enough to serve as the slightest sort of check upon advancing prices; that we shall sit here supinely while the men who have been given this exclusive market make their combinations and suppress domestic competition and then charge the consumers of this country what they please.

Now, I say that this tariff ought to be framed in accordance with the party pledges to equal the difference in the cost of production, and I want to see duties so levied as to give this market to home manufacturers upon such a narrow margin as will operate to prevent excessive charges by our own manufacturers to our own people. We should not go about this business blindly, fixing duties solely upon the statement of the interested parties here, who claim that they must have a high tariff in order to control our market.

But we should avail ourselves of all possible testimony within reach. We should take the evidence of our own manufacturers, the testimony of experts, the testimony of importers, and the reports and statistics of foreign governments, as well as any statements which they may furnish as to wages paid by foreign manufacturers and weigh it all carefully for what it is worth. We are not obliged to take it at its face value; but all these facts and all that we can obtain from every source will not be too much information upon which to determine as to the rates which should be written into this proposed tariff law.

Mr. STONE. Before the Senator takes his seat I should like to call his attention to the situation—rather curious, though not surprising to me. After the statement sent to this Government by the German Government had gone into the hands of the Finance Committee—and not reported to the Senate—without that committee even informing the Senate of its existence, and it was somewhat accidentally discovered to be on file in the State Department, the Senator from Wisconsin drew a resolution which brought it in here.

Mr. LA FOLLETTE. No; it is not here, I will say to the Senator.

Mr. STONE. I understood it was reported this morning.

Mr. LA FOLLETTE. No. I introduced that resolution. It was read once and then read the second time, at the request of the chairman of the Committee on Finance, so that there could be no doubt about what it related to, and yet there was not a word said by the chairman of the Committee on Finance to inform the Senate that the committee had possession of this document at that time. The Senate was permitted to pass the resolution calling upon the President to transmit that document here.

Mr. STONE. The Secretary of State.

Mr. LA FOLLETTE. No; the President. And then, after three or four days, a communication comes from the President to the Senate informing the Senate that the document is in the hands of the Committee on Finance; and now we are informed by the chairman of the Committee on Finance that yesterday it was sent back to the State Department.

I do not know how we are going to get this elusive document, which seems to be batted back and forth between the Finance Committee and the State Department, but I think we ought to have it if we can secure it. I think we ought to get it just as soon as possible. If any translation has been made of any portion of it, we ought to have that portion at once, and the whole of it ought to be translated and be made a part of the record of this body.

Mr. STONE. I will call the attention of the Senator to the fact that during this delay and this morning the Senator from Rhode Island and the Senator from New York [Mr. DEPEW] are seeking in advance to discredit this report from the German Government, even before it is laid before the Senate, before the Senate is advised as to its contents, and before any Senator in this body is advised as to its contents, except the members of the Finance Committee. It seems to me to be a remarkable performance that the Senator from New York should rise and undertake to discredit in advance testimony that he never saw and knows nothing about.

Mr. LA FOLLETTE. Well, Mr. President, I think the Senate will be able to determine for itself the value of the report when it sees it. I do not think it will accept any unverified statement or anonymous statement with any more force and effect, and perhaps not with as much force and effect, as anonymous and unverified statement made by some one in our own country who seeks to secure an advantage by making it.

I think that the Senate is entitled to all the information it can get at the earliest possible moment, so that it may apply that information to the fixing of these rates. That is all I seek to get. I think that the Senate is entitled to it. I think we should have had it in the beginning, but we did not get it. It is in the power of the Senate to secure it now. We are entitled to it. We should get all of it, and get it as soon as possible.

I simply put it in the form of a request.

Mr. ALDRICH. Mr. President, it is true that I asked to have the resolution offered by the Senator from Wisconsin read. I had not the slightest idea after it was read what the document was that he wanted to have transmitted to the Senate, and I certainly had no objection to any request for information. The report which is now under discussion—call it a report or whatever you may—the statement, was sent to the Committee on Finance, as I said, as were two or three hundred, at least, in my judgment, similar statements from foreign governments or representatives of foreign governments, bearing upon the tariff. This particular statement was in German. It was accompanied by a statement of the Secretary of State that the names of the parties were to be confidential who had furnished the information, and to avoid any possible mistake the State Department had erased the names from the various statements.

I immediately asked to have an expert of the Department of Commerce and Labor tell us what the statement was about,

and in time we got an abstract, a memorandum of what the statement was, but that memorandum did not reach me until yesterday.

Mr. LA FOLLETTE. Will the Senator yield?

Mr. ALDRICH. Not just at this moment; I will later on. All these statements were sent to us through the diplomatic channels. They are suggestions with reference to the tariff rates, suggestions why certain rates ought not to be imposed by us, affecting the commercial relations between our country and these other countries. They are not sent to the Senate. This statement was not sent to the Senate. It was sent to the Committee on Finance for their information.

As I have already stated to the Senate, every statement that is sent to the Committee on Finance is open to the inspection of any member of that committee, and has been at any time.

I have not objected to the printing of this statement, but I doubt very much whether it ought to be printed. I doubt very much whether it ought to be spread before the people of this country. I doubt very much whether the German Government themselves would desire to be put in the position of having certain of their manufacturers undertake to answer testimony taken before the House committee as to matters entirely within our interests and not matters of negotiations or diplomatic——

Mr. TILLMAN. Mr. President, I was out of the Chamber when this discussion arose, and——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I do.

Mr. TILLMAN. I should like to inquire how it is that this character of testimony reaches us?

Mr. ALDRICH. It reached the Committee on Finance through the Secretary of State.

Mr. TILLMAN. How came the Secretary of State to send it?

Mr. BEVERIDGE. Through our ambassador.

Mr. ALDRICH. No; our ambassador in Germany sent it.

Mr. TILLMAN. How did he send it here; for his private information?

Mr. ALDRICH. It was sent to the committee for their information.

Mr. TILLMAN. But was it sent to the Secretary of State by our ambassador in Germany for his private information?

Mr. ALDRICH. Undoubtedly not; it was sent, undoubtedly, to be transmitted to the committee who have this matter in charge, I presume, as the other information.

Mr. TILLMAN. Was it confidential?

Mr. ALDRICH. It certainly was confidential, because the names on the statement were all erased.

Mr. TILLMAN. I mean was it confidential to the Secretary of State? We do not want to act in bad faith toward the German Government; but if there is any information worth while, it looks to me like the Senate ought to have it, or else the Committee on Finance ought not to have it.

Mr. ALDRICH. The Senator is, I suppose, quite aware that at that time communications were constantly passing between the two Governments.

Mr. TILLMAN. I understand that a great many of those communications are entirely private and confidential, and therefore not to be made public; but if it is not acting in bad faith——

Mr. ALDRICH. I have no objection to printing this statement, but, as I have just said, I have some question about the wisdom of doing so. I certainly do not object to its being printed, and I am willing that it shall be printed immediately, if the Senator wants it printed, either in German or in English.

Mr. TILLMAN. I do not know enough about it to have any clearly defined opinion on the subject.

Mr. ALDRICH. But as to the printing of these other communications, I am quite willing that the Committee on Foreign Relations——

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Wisconsin?

Mr. ALDRICH. Not at present.

The VICE-PRESIDENT. The Senator from Rhode Island declines to yield at present.

Mr. LA FOLLETTE. Just upon that point, with reference to this German report, before the Senator leaves that, if I may inquire——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield for an inquiry?

Mr. ALDRICH. I yield.

Mr. LA FOLLETTE. I should like to inquire how long ago it was that the Senator from Rhode Island requested the Department of Commerce and Labor to furnish a man to inform the Senate committee of the contents of that document.

Mr. ALDRICH. The next day but one after it was received.

Mr. LA FOLLETTE. I did not hear the Senator's answer.

Mr. ALDRICH. Within a short time after it was received.

Mr. LA FOLLETTE. May I inquire if the man was furnished at once?

Mr. ALDRICH. The man came down to the committee room, so far as I know—he was not able to see me, and I am not quite sure whom he did see—and he was told as to the general nature of the document and the fact that we desired to have the document translated, or, at least, an abstract made of its contents.

Mr. LA FOLLETTE. Just one word further on the propriety of printing this document. Assuming, as the Senator has stated, that it was furnished to meet testimony given before the Committee on Ways and Means, I call his attention to the fact that that testimony was publicly given; and if any facts were transmitted to meet that testimony, it is scarcely fair to assume that they were intended not to be used just as publicly as the facts which they were sent to answer.

Mr. ALDRICH. That might be true, Mr. President, if it were not for the fact that we were——

Mr. LA FOLLETTE. Just one word further—that the only reservation communicated to the chairman of the Committee on Finance with respect to this document was with reference to the names of the men who made the statement, and that those names were erased, so that there is not any possibility of violating any confidence.

Mr. ALDRICH. That is all there is as to the testimony. The testimony either has value or it has no value. Anonymous testimony has no value whatever to me. It may have to the Senator from Wisconsin, but it has no value to me.

Mr. LA FOLLETTE. Facts would have value.

Mr. TILLMAN. Mr. President——

Mr. ALDRICH. I can not yield further now.

The VICE-PRESIDENT. The Senator from South Carolina can not interrupt unless the Senator from Rhode Island gives permission.

Mr. ALDRICH. If the Senator from South Carolina will permit me to finish the sentence——

Mr. TILLMAN. Certainly.

Mr. ALDRICH. So far as I am personally concerned, I do not care for the anonymous statements of anyone as to questions affecting the tariff which we are now considering; I do not care whether they are transmitted to us through the State Department or through any other source. There is no way in which such statements can be verified, and there is no way in which they can be contradicted, unless we know the source from which they come. That is the only thing I have stated. I have not objected to the printing of this document, although, as I have said before and as I say now, I have very great doubt as to whether we ought to print it.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. Certainly.

Mr. TILLMAN. If the Senator will permit me, he is casting reflections upon the good faith and intelligence of the Secretary of State.

Mr. ALDRICH. I am not casting any reflections upon anybody.

Mr. TILLMAN. But wait a minute.

Mr. ALDRICH. I will state in addition——

Mr. TILLMAN. I do not say the Senator is intentionally doing that; but his utterances here would seem to indicate that, for he says this evidence would be anonymous. Is it possible that the Secretary of State has been sending to the Finance Committee anonymous testimony? I understood that it was testimony furnished——

Mr. ALDRICH. If the Senator had been in the Senate when this matter was under discussion, he would have known all about it. This statement was sent to the Finance Committee by the Secretary of State for its information, but with a statement that the names were to be considered confidential, and, in order to avoid any trouble about the names being exposed to the public, the department had erased from the statement the name in every case.

Mr. TILLMAN. Then it is not anonymous at all; but the State Department took the precaution, as a matter of international comity, to simply withhold the names, though they give them the credit for it.

Mr. ALDRICH. The transmission from the German Government, or from its representative, was with the condition that the names were not to be made public.

Mr. TILLMAN. Then it was not anonymous, but it was simply confidential?

Mr. ALDRICH. It was anonymous so far as we are concerned.

Mr. TILLMAN. No; that is not entirely fair, I think.

Mr. ALDRICH. It is absolutely anonymous so far as we are concerned, because not one name is contained in the statement, every name being carefully erased from the statement. I do not think this is important.

Mr. TILLMAN. Mr. President——

Mr. ALDRICH. If the Senator will permit me, I wish to speak about something else.

As to the other statements, a very large number of them have been sent to the Committee on Finance from the representatives of other governments. I do not think they ought to be printed. I am perfectly willing that the Committee on Foreign Relations, or any other committee which has time to examine them—I have not—shall take these statements and go through them, and if it is found that there is anything that affects the question of wages that is not confidential in its character, I have no objection to their publication, although they are not, in my judgment, fit matter to be published by the Congress of the United States. Such matters have never been published heretofore, but have always been treated as matters simply for the information of committees, and not for publication. I shall object to the printing of those documents.

Now one word further. The question of the taking of testimony by Republican members of the Committee on Finance has been thrashed out here a dozen times. We have taken no testimony. The minority members of the committee objected to our even taking memoranda, unless they were taken in their presence, and very properly; and so there are no memoranda in existence and no testimony in existence. The committee has a great mass of correspondence, which most of us have never been able to read. We have a great mass of briefs, which, I imagine, very few members of the committee have ever read or ever will read. If the Senate desires to have all those published, I have no objection; but as to other publications——

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Minnesota?

Mr. ALDRICH. I do.

Mr. NELSON. As I understand from the statement of the chairman of the Committee on Finance an abstract of these documents was prepared by the Department of Commerce and Labor.

Mr. ALDRICH. Oh, no; not at all. Not by the Department of Commerce and Labor. We had some men who were familiar with the German language make a memorandum as to what each one of these statements contained—that is, what their nature was—nothing, I imagine, that would be of any special use to the Senate.

Mr. NELSON. Are they translated into English?

Mr. ALDRICH. Oh, yes; but they are simply memoranda as to what each one of these statements contained.

Mr. NELSON. I asked the question for the purpose of limiting my request for the printing of that statement which the Senator describes. I do not care to go any further, if it is a fair abstract.

Mr. ALDRICH. The memoranda would simply state the nature of these various statements.

Mr. NELSON. Very well. Then I ask to have my request limited to that.

Mr. SMITH of Michigan. Mr. President, when the Senator from Wisconsin [Mr. LA FOLLETTE] introduced his resolution the other day, I interrogated him as to the wisdom of including other countries in his request. I did not know what the Senator from Wisconsin desired, but I felt that he wanted the actual wage scale of Germany. I then remarked that there had come to my notice a statement of the wage scale in certain lines of industry in Sweden, which I thought would be of interest to the Senate in framing this bill. I desire now to call attention to a report by Special Agent H. W. Davis, to the Department of Commerce and Labor, dated November 14, 1908, in which he gives the conditions of labor and the wage scale in the iron and steel industry of Sweden. I am merely going to quote one or two sentences from it. He says:

The following statement of wages paid was furnished by one of the larger concerns in Sweden, but located at a point remote from a large city. The scale is therefore less by 20 to 25 per cent than where similar labor is employed in cities with much higher rents and living expenses.

Then he says:

Blast furnaces.—Foremen, $486 per year; furnace men, twelve hours per day, $5.33 per week; helpers, twelve hours, $5.50 per week; topmen, eight hours, $5.30 per week.

Charcoal and roasting furnaces.—Some working three shifts of eight hours each, others two shifts of twelve hours each, the pay ranging from $4.70 to $5.30 per week.

Martin furnaces.—Pay is by the ton, amounting, on the average, to the following wage per year: Foremen, $540; melters, $486 to $513; helpers, $350 to $378; ladlemen, $350 to $378; flaskmen, $300 to $330; stokers, $324; watchmen, $300; cranemen, $324; other helpers, $300. Work is in night and day shifts, twelve hours each, the week ending at 3 or 4 o'clock Saturday afternoons. Furnaces are charged from 6 to 12 o'clock Sundays for the ensuing night shift. Sunday labor is paid for time and a half.

Now, one thing more. He says of the wages:

Bessemer converters.—Foremen, $513 per year; furnace men, 89 cents per day; helpers, 76 cents; flaskmen, 76 cents; ladlemen, 89 cents; cranemen, 92 cents. This daily wage is for twelve hours' labor, the shifts being two to cover the night and day work, but there is an additional allowance depending on the tonnage gotten out, which averages about 65 cents per man per day.

Rolling mills.—Foremen, $10.80; heaters, $9.45; and rollers, $8.64 per week.

Pipe and tube mills.—Foremen, $10.80; heaters, $9.45, and helpers, $7.83; rollers, $8.64; sawmen, $6.76; greasers and electric engineers, $6.75; plug boys, at about 20 years of age, $5.80; boys of 16 years, $4.18; boys 14 to 16 years, $2.70; day laborers in mill, $5.26; all the foregoing per week. Inspectors, per year, $395.

General laborers.—Machinists, $1.70 per week; firemen, eighty hours per week, $6.35; stationary engineers, seventy-five hours per week, $5.60; bricklayers, $6.48; house carpenters, $5.26; ordinary day laborers, fifty-nine hours per week, $4.86.

He says, in addition, that this scale includes also the foregoing figures and the percentage upon the tonnage turned out.

Mr. President, I am not going to linger any longer——

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. SMITH of Michigan. With pleasure.

Mr. STONE. I do not understand what the document is.

Mr. SMITH of Michigan. This document is a consular report made to the Department of Commerce and Labor—No. 3331—and issued Saturday, November 14, 1908. It was prepared by Special Agent H. W. Davis, who investigated trade conditions in the iron and steel industry in Sweden, and from one of the largest concerns in that country obtained the figures which he gives.

Mr. STONE. I should like to ask the Senator if that document also furnishes information as to the cost of living to the Swedish workmen and the cost of production of the articles they are engaged in making—the labor cost?

Mr. SMITH of Michigan. Does the Senator mean the general cost of production?

Mr. STONE. Well, the labor cost of production.

Mr. SMITH of Michigan. Yes; it does——

Mr. STONE. And the cost of living?

Mr. SMITH of Michigan. It does deal somewhat with the cost of living; for instance, it dwells upon the question of apartments where the laborers live and the rental charge, and also the food cost.

But, Mr. President, I simply read this statement in order that Senators might know that we are dealing with a question intimately related to the wage scale of the American workmen, and that, compared with the wage scale in any other country in the world, ours is the highest.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. SMITH of Michigan. Certainly.

Mr. GALLINGER. I will state to the Senator from Michigan that the question of the cost of living does not enter into the matter at all. Those men are manufacturing in competition with our people, and it is a mere question as to the cost of manufacturing where they invade our markets.

Mr. SMITH of Michigan. Yes. But that prompts me to say to the Senator from New Hampshire that Mr. Davis did go into the cost of living somewhat. He says:

Since most forms of food cost more in Sweden than in the United States, particularly the high-class breadstuffs and meats, it follows that at the low wages prevailing the standard of living is comparatively low. Coarse-ground rye and graham are principally used for bread. Bacon is largely used, but meat is not usually served more than once a day on the workingman's table. Clothing costs less than in the United States; particularly is this noticeable in the better class of men's clothing, but goods consisting largely of cotton or rough goods of the cheaper variety, usually worn about shops and factories, cost only slightly less than in America.

Mr. President, I do not intend to delay the Senate at all to elaborate upon these figures, which I think are carefully prepared and are entitled to some credence when we are engaged in fixing the difference between the cost of production in Europe and the cost here. No Senator can say that the wage scale of any other country in the world is the equal of our own, and no Senator can say that the manner of living among the workmen in any other country in the world is the equal of our own. Consequently, in perfecting a bill so intimately related to the welfare of the great mass of the American workmen as is this tariff bill, we ought to be guided by such practical lessons as this.

Mr. OWEN. Mr. President, on last Monday, in criticising the New York press with regard to the omission of news relative to

the sugar-trust frauds there, while in the body of the quotations which I made it was expressly set forth that the New York Sun and the New York Evening Post had given accounts of this matter properly, I failed to mention it in my comments upon the matter, and seemed to imply that there were no exceptions. These honorable exceptions I wish to put in the RECORD, because I think it is due to them.

I rose for that purpose alone; but while on my feet I wish to call the attention of the Senate to the record made in regard to the cost of production by Carroll D. Wright. It is true that it was ten years ago, but in the matter of the cost of production it shows, for example, that the cost of labor in transforming material such as basic pig iron amounts to 6.25 per cent of the total cost of the product; and in the case of Bessemer pig iron the labor cost is only 12.29 per cent of the total cost, while the tariff is 35 per cent. This discrimination shows all the way through in all the comparisons. There are 426 instances where the relative cost of production and the percentage of labor in the cost of production is set forth in this report; but the Senate has not been furnished with the difference in the cost of production of articles at home and abroad, although it was upon that basis that this bill was to be written. I think the Senate is entitled to that information; I think the bill ought to be written in the light of the national platform of the Republican party and upon that basis.

The Senate should be furnished with the information, and I think the chairman of the Committee on Finance should explain why it is that it is not furnished to the Senate.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Michigan?

Mr. OWEN. With pleasure.

Mr. SMITH of Michigan. The Senator is speaking of the report of Mr. Wright, made ten years ago?

Mr. OWEN. I am.

Mr. SMITH of Michigan. Does the Senator think that would be a proper measure for us to consider now in perfecting this bill? Methods of manufacture have improved the world over, and the living cost has increased largely in our own country and has not perceptibly increased abroad.

Mr. OWEN. Mr. President, I will answer the Senator from Michigan, and say to him that it is better than no record at all, and that we are entitled to a proper record, and that it can be obtained is shown by Carroll D. Wright's report, made in answer to a resolution of the Senate heretofore.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield further to the Senator from Michigan?

Mr. OWEN. I yield, with pleasure.

Mr. SMITH of Michigan. The Senator from Oklahoma, whom I know desires the same result that we desire—accurate information—must know that Mr. Wright spent several years gathering those statistics.

Mr. OWEN. Mr. President, I know the contrary.

Mr. SMITH of Michigan. How long did he spend in it? He could not do it in a few days.

Mr. OWEN. The Senator has stated it erroneously, if he will excuse me.

Mr. SMITH of Michigan. Mr. President, I withdraw the statement, if the Senator can correct me accurately.

Mr. OWEN. The document itself, if the Senator had given it any attention, would have shown that this was due to a resolution of the Senate of June 26, 1897, and that the report was made on December 7, 1898, at the second session of Congress following.

Mr. SMITH of Michigan. Mr. President, that sets this information back twelve years. Now, let us proceed in good temper, and let me ask the Senator from Oklahoma whether he believes that that report—which was made in 1897, following the panic, before our industries had assumed either the strength or the importance that they have since assumed—is a proper measure from which to reckon the difference between the cost of labor production here and abroad, and if we can get such information as I have given to the Senate this morning, which is contained in a public document by a regular official, would not that be far better as a criterion than the information contained in the document held by the Senator from Oklahoma?

Mr. OWEN. Mr. President, in answer to the Senator from Michigan, I will agree with him that the later the information the better; but in the absence of any information, the report of Carroll D. Wright is better than none at all. He gives the cost of production and the relative percentage of labor in the cost of production in 426 articles, and that is evidence that this information can be obtained. I call the attention of the Senator from Michigan to the fact that no effort has been made to obtain this information, notwithstanding the promise was made to the American people that this tariff bill should be based upon the difference in the cost of production at home and abroad; and I have a right to ask the chairman of the Committee on Finance why he has not furnished it.

Mr. ALDRICH. Mr. President, the Senator has a right to ask any question he pleases, I think. I do not know of any constitutional objection to the contrary.

Mr. OWEN. So long as it is respectful, I take it, I have.

Mr. ALDRICH. The Government of the United States has furnished thousands of pages for the information of the Senator, if he would apply a little of the industry which he gives to other subjects to the question of the relative wages between this country and abroad. There are the reports of the Commissioner of Labor, the consular reports, and thousands of pages of information. If it will help the Senator, I can have some of the clerks of the committee give the Senator a list of those documents; and possibly, if we had time, we could furnish somebody to edit them for us; but I am sure we can not furnish the intelligence to consider them for him, because that would not be necessary.

Mr. OWEN. Mr. President, the satirical reply of the Senator from Rhode Island—pointing me to the volumes in the library and to thousands and thousands of miscellaneous documents which he might, perhaps, have the kindness to have some clerk compile for my benefit, that I might in my leisure moments make up this table for myself—is interesting, but not very illuminating. As a Member of this body, I take it that a Senator has the right to ask of the chairman of the Committee on Finance and of the Finance Committee the record and the compilation of the facts with regard to the difference in the cost of production in this country and abroad, and that the failure to furnish it is a most obvious confession that this bill is not to be drawn for the purpose of measuring the difference in cost of production between this country and abroad, with a reasonable profit to the manufacturer. For example, with regard to woolen goods, in the matter of blankets, 15 per cent of the cost is labor. I ask the Senator from Rhode Island, the chairman of the Finance Committee, to explain why it is that the duty on blankets, instead of being based upon 15 per cent of the labor cost, goes up to a tremendous figure, far beyond any question of the difference in cost in this country and abroad? I do not wish to annoy the chairman of the Committee on Finance with these inquiries, but I take it that the Senate is entitled to this information, and that a committee charged with the duty of furnishing the Senate with a proper basis for its action ought to furnish information as to the difference in the cost of production at home and abroad, so that this bill may be written in the light of the promises made to the people of this country.

Mr. CULBERSON. Mr. President, I should like to ask the Senator from Rhode Island a direct question.

Mr. ALDRICH. I have been having so many direct questions put to me this morning, I hope I will be able to answer one more.

Mr. CULBERSON. This inquiry, Mr. President, goes directly to the question at issue before the Senate, and that is, Where is this communication from the German Government with respect to the labor cost in Germany as furnished the committee by the Secretary of State?

Mr. ALDRICH. I am not able to answer that question at the moment. I will see if we can not locate it, and I have agreed that an abstract should be printed. I understand the Senator from Minnesota [Mr. NELSON] has modified his request so that an abstract of the communication is to be printed for the use of the Senate. I will try to locate the document and have the abstract prepared at the earliest possible date and submitted to the Senate.

Mr. CULBERSON. What I desired to say was that if this document is not in the possession of the Senate at this time——

Mr. ALDRICH. It is not, and never has been.

Mr. CULBERSON (continuing). Or if the document is not in the possession of the Committee on Finance of the Senate, then I do not think a proposition to print it could be very well entertained, though I am in favor of printing it when we can. Now, if the Senator will state that the document is not now before the Committee on Finance——

Mr. ALDRICH. It is not. It was sent back to the President, but we can recall it from the President, I assume; and I would be very glad to have the Senator look at it and see for himself whether he thinks it ought to be printed. There certainly can be no objection to printing the abstract, and I will ask immediately to have the document returned to the committee. I will have the abstract prepared and have it printed for the use of the Senate at once; and then I should be glad if the Senator from Texas himself would look at it and see whether he thinks, under all the circumstances, the document itself ought to be printed. I shall be perfectly willing to be governed by his judgment in the premises.

Mr. CULBERSON. I do not care to take any such responsibility. I am not a German scholar, and I understand that so far this document has not been translated into English.

But before I sit down I want to call attention to two facts, which, perhaps, may have been already stated, but I will state them again. The first is that this is not an anonymous or irresponsible document, sent here by private parties, but it is an official document sent to the Secretary of State by the German Government, according to the message of the President, which is before me, and according to the letter of transmission of the Acting Secretary of State. It is therefore entitled in greater degree than otherwise to the confidence of the Senate, and to a degree, it seems to me, the statements which it contains are vouched for by the German Government.

Mr. ALDRICH. The document is only anonymous to the extent that it is anonymous as to the parties furnishing the information. There is no evidence as to where the information came from. The German Government sends it to us, but with a request that the names be considered as confidential, and that they be not disclosed. Now, that is the only sense in which it is anonymous.

Mr. CULBERSON. It has been stated once or twice, particularly by the Senator from South Carolina [Mr. TILLMAN], that this document is not anonymous, even as to the names of the witnesses.

Mr. ALDRICH. It is, so far as the Senate or the committee are concerned.

Mr. CULBERSON. But the names of the parties are in the possession of the Secretary of State, and to be regarded as confidential; but those names can be gotten in confidence by the Senate Committee on Finance or by the Senate itself.

Mr. MARTIN. Vouched for by the German Government.

Mr. CULBERSON. And, as suggested by the Senator from Virginia, vouched for by the German Government; and I take it, Mr. President, the places of their residence in the German Empire will also be indicated, so that even that information could be obtained by the Senate. Now the other point I wish to suggest——

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Texas yield to the Senator from Maine?

Mr. CULBERSON. Yes.

Mr. HALE. The Senator says the committee or the Senate can get these names. It can get these names only by a request. The Senator Monday morning can introduce a resolution asking that these names be given to the Senate by the President—it is a matter of diplomacy—if not incompatible with the public interest. The reply will be that the communication from the German Government was attended by a request that the names should not be given, but should be considered confidential, and that therefore it is not compatible with the public interest, or whatever the phrase is, to send those names to the Senate; and under the practice of diplomacy the State Department, replying for the President, could do nothing else than that. It is a part of the communication from the German Government that the names shall not be given.

Now, the result of that is undoubtedly that it makes them anonymous contributions. A communication of that kind, without knowledge of the party who makes it, without being able to identify him, without being able to show who he is, or what authority he has to speak, is nothing. If you do not have that, you have nothing; and the committee considered, when it had nothing but this communication, and the department had been requested by the German Government not to give the names, that it practically had no information.

Mr. CULBERSON. Mr. President, a sufficient reply to what the Senator from Maine has just stated would be the suggestion that he assumes that the President of the United States would not, at the request of the committee or the Senate, furnish these names. I do not know about that.

Mr. HALE. When the department has been requested, with the communication, to keep the names confidential, what does the Senator think the department should do?

Mr. CULBERSON. Even the suggestion that there is any confidential communication of any character is unknown officially to the Senate. It is true it has been stated by one or two Senators; I do not know upon what authority. I do know that I have in my hands the message of the President which was sent to the Senate in reply to the request to send to this body this communication from the German Government, if not incompatible with the public interest, and he intimates very clearly that he has no objection to sending that communication to the Senate, and would not do so except for the fact that it is now practically in the possession of the Senate through one of its committees.

The other suggestion I have to make is that this communication of the German Government was transmitted to the Finance Committee by the Secretary of State, for what? Not for its private information, necessarily.

Mr. HALE. Why was it not sent to the Senate?

Mr. CULBERSON. It was sent to the Finance Committee on the 3d and 13th of April, to be used in the consideration of this pending bill.

Mr. HALE. If it had been intended that it should——

Mr. CULBERSON. Now, I will not stop to read the message of the President——

The VICE-PRESIDENT. Does the Senator from Texas further yield to the Senator from Maine?

Mr. CULBERSON. Certainly.

Mr. HALE. If it had been intended that it should be made public and that names should be given, why was it not sent through the common channels to the Senate itself, to be by this body referred to the committee? It amounted to not much more than a memorandum sent from the department, bound, as it was, hand and foot by the request of the German Government that the authors of the communication should not be given.

Mr. CULBERSON. One answer to that would be that probably the President did not send the communication directly to the Senate because that was not requested, and I think it was appropriately sent in the first instance to the Committee on Finance because that committee had charge of this bill.

Now, I want to call attention to the specific language of the President:

> The information on this subject which has been received from the German Government has been transmitted by the Department of State to the Committee on Finance of the Senate for use in the consideration of the pending tariff bill.

The letter of the Acting Secretary of State also emphasizes the purpose for which it was sent to this committee—

> The Department of State transmitted to the Committee on Finance of the Senate for use in the consideration of the pending tariff bill the statement furnished by the German Government in relation to the wages paid to German workmen.

Not necessarily sent to that committee for its use, but for use in the consideration of the pending tariff bill by the Senate as well. It has been suggested that probably the Senate Committee on Finance may use official documents in the consideration of the pending bill the use of which will be denied to the Senate. If that proposition is seriously proposed, I protest against it. Neither the Committee on Finance nor any other committee of this body is entitled to receive official communications upon which it can base its action and deny the same information to the Senate. Furthermore——

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. CULBERSON. Just a word more. I would have the Senator from Rhode Island understand that the Senate itself can receive communications from the executive departments in confidence as well as any committee of this body can, and if there is any necessity to consider this in a confidential manner, the Senate can do so as well as one of its committees; and if this information is of an official character, bearing upon this important subject, and the Senate desires to have it, and is in a position to ask for it—that is, if the document is here or in the possession of one of its committees—I enter my protest against the suggestion that we are not entitled to have it.

Mr. ALDRICH. If the Senator will permit me a moment, the Senator is talking without any knowledge of the facts, except such as is disclosed in the correspondence that he has read.

Mr. CULBERSON. That is the truth about it to a certain extent, and we want the facts. That is what we are after.

Mr. ALDRICH. I would say that the Secretary of State, in his letter of transmittal to the committee, used this language:

> I have the honor to inclose herewith, for the information of the Committee on Finance—

And so forth.

It is a form which the Secretary of State or the Acting Secretary of State has used in scores of similar documents. It was not to be transmitted to the Senate, but was for the information of the committee, and the committee have been trying to get this information into shape where they could know what it was, as fast as they could.

Mr. BEVERIDGE. I understand the chairman of the Finance Committee to have said two or three times that he has no objection to this matter being printed.

Mr. ALDRICH. I have no objection to this matter being printed, and I have said so over and over again; and the Senator from Minnesota modifies his request and asks to have the abstract printed, and I have stated that we would have the

abstract printed as soon as possible. I have also stated over and over again that I have no objection to having this document printed, only I have grave doubts myself whether it ought to be printed.

Mr. TILLMAN. The Senator from Rhode Island having agreed that the abstract shall be printed, it appears to some of us, to me at least, that, while the abstract may be printed, we would like to see the whole document. Now, it appears to me also that the question of this document being anonymous is of very little moment, but the question is whether it is reliable; and coming as it does from the German Government through this channel, we are compelled to give such credence and respect to it as its source entitles it to.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. TILLMAN. Yes.

Mr. BEVERIDGE. The Senator came in, as he said, after the request had been made. The request is that the abstract, which is in English, be printed, and the original document also; the abstract immediately, because we can have it at once, and the original document as soon as it can be translated.

Mr. TILLMAN. Certainly; we do not want it in German, but in English.

Mr. BEVERIDGE. The second to be translated as soon as may be, and printed, the first to be printed immediately.

Mr. TILLMAN. If that is so, I do not think we need to devote any more time to it.

Mr. LA FOLLETTE. Mr. President, I understood the Senator from Minnesota to withdraw that part of his request asking for the printing in full.

The VICE-PRESIDENT. The Senator from Wisconsin is correct. The Senator from Minnesota did withdraw it.

Mr. LA FOLLETTE. I wish to make the request that the document be printed as soon as translated in its entirety, barring of course the names that were erased from it by the Department of State, and on that I want to suggest to the Senate that the names would have no significance to the Senate. None of those manufacturers would be known to the individual Members of the Senate. The fact that the German Government transmitted this document upon this important subject, giving sanction and approval as to its reliability, is infinitely more valuable to the Senate than the names of individual foreign manufacturers.

Now, just one word more with respect to this being a confidential communication. Has the Senate forgotten that when the subject of razors was under discussion and the rates of wages in Germany were stated on this floor by a member of the Committee on Finance to be one-third the rates paid in this country, the Senator from Missouri [Mr. STONE] put into the RECORD that very day a statement purporting to be quoted from this document furnished by the German Government, giving the rates of wages now paid in the manufacture of razors, and that subsequently the Senator from Missouri sent that table from the CONGRESSIONAL RECORD to the Secretary of State and asked to have it compared with the table in the original document, and to be informed whether or not it was a correct copy of it; and has the Senate forgotten that yesterday the Senator from Missouri read the letter from the Secretary of State confirming the figures in that table, stating that they had been compared with the original in the possession of the Department of State, and that they were a correct copy?

If the State Department considered as confidential that information as to wages, would it have transmitted to the Senator from Missouri a statement that those were the wages reported by the German Government in the manufacture of razors? The State Department manifestly did not consider the wage rates of this German report upon razors as a confidential communication.

This talk about this document being confidential in its nature has no foundation in fact. It was sent to this Government by the German Government, to meet statements which they thought false as to their rates of wages. I say we are entitled to that document. There is no reason why we should not have it when we strip this discussion of all its sophistry. We ought to have it, and have it now.

Mr. ALDRICH. Mr. President, I have consented to have this printing done, and to have it done as quickly as possible, and I do not myself see why this discussion should be prolonged indefinitely.

Mr. GORE. Mr. President, I merely wish to suggest to the Senator from Wisconsin that I do not think he clearly understands the meaning of the word "confidential." Perhaps the very reason why the senior Senator from Utah [Mr. SMOOT] did not state the facts as they appeared in that record is because that report was confidential and he was not at liberty to state those facts.

Mr. DEPEW. Mr. President, there is a peculiar fact arising out of this debate which is in some respects the most extraordinary that has occurred during my service in the Senate. We are here engaged in legislation upon the most important matter which concerns the welfare of our Government. All the Members of the Senate, of all parties, are seeking to prepare a bill which will provide revenue sufficient for the expenditures of the United States. The majority are seeking to add to that a feature which will protect American industries and American labor. The matter is purely a domestic and an American question, and yet we are informed that foreign governments are entering the Senate Chamber, either indirectly or through our committees, for the purpose of assisting or obstructing this legislation which is so important that the President has called an extra session of Congress for the purpose of its enactment.

Now, sir, I submit that if Germany, the proudest nation in the world and one of the most highly protected, was perfecting or preparing a bill for a tariff in that country and the manufacturers of the United States, who are doing their best to invade German territory in competition with German manufacturers as the German manufacturers are to invade ours, should appeal to our President, and he should send their testimony unverified to Germany for the purpose of influencing the action of the German Parliament, it would lead to consequences as serious in an international way as any that have ever arisen between the United States and a European power.

We are told, what I can not believe, that the Emperor of Germany or the foreign minister, Prince von Bulow, one of the ablest diplomats in the world and one who understands perfectly diplomatic relations, has sent to this country, under the seal of the German Government, for the purpose of influencing the action of Congress upon this question, a statement so particular in its details that it has even entered into the tariff on razors; that this communication has come through the Secretary of State to the Finance Committee; that the document contains a series of anonymous statements by German manufacturers; that the Finance Committee, it being in German, sent it back to the State Department; that then the portion of it relating to razors was given to importers in this country; and that copies were given by them to the Senators with semi-free-trade tendencies for use in this debate.

Mr. President, this question rises far above the mere question whether we shall print or not print a communication described in this vague way. It seems to be partially confidential, at least so far as relates to its authors. But if it is an official document of the German Government under the great seal of that Empire, for the purpose of influencing the American Congress in preparing this revenue measure, it is a serious matter.

Mr. OVERMAN. May I interrupt the Senator from New York?

Mr. DEPEW. Certainly.

Mr. OVERMAN. He predicates his speech upon the assumption that the German Government sent this report here voluntarily. Does he know that to be true?

Mr. DEPEW. I have been informed that it was not requested by our Government.

Mr. OVERMAN. Does the Senator have such information from the Department of State?

Mr. DEPEW. I have not, but I have been so informed.

Mr. BAILEY obtained the floor.

Mr. ALDRICH. Will the Senator from Texas yield to me for a moment?

Mr. BAILEY. Certainly.

Mr. ALDRICH. That point had better be cleared, I think.

I am told that some time last fall, before this measure was before the Congress at all and before Congress was in session, the ambassador at Berlin—I do not know upon whose authority—asked the German Government for certain information.

Mr. LA FOLLETTE. That is, the American ambassador?

Mr. ALDRICH. Yes.

Mr. LA FOLLETTE. That is the fact about it.

Mr. ALDRICH. I do not know upon whose authority he made the request, but he did make the request. The request was made, but the information furnished was in answer to statements made long subsequent to that before the Ways and Means Committee, by American manufacturers, or the representatives of American interests, and this paper is taken up very largely in answering those statements, and the answers are from people about whom we know nothing.

Mr. OVERMAN. So it was done at the request of the ambassador of the United States?

Mr. ALDRICH. The ambassador of the United States did not and could not have requested the German manufacturers to answer communications and statements made before the Ways and Means Committee, because at that time there had

been no meeting of the Ways and Means Committee and Congress had not been in session and had not considered this bill.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Indiana?

Mr. BAILEY. I do.

Mr. BEVERIDGE. I desire to call the attention of the Senator from Rhode Island [Mr. ALDRICH] to the fact that no just complaint can be made of that, because the effect of that would be to bring the information down to date and to direct it to the particular issue about which the information was requested.

Mr. ALDRICH. There is nothing in the papers that shows what was the request of our ambassador at Berlin——

Mr. BEVERIDGE. It must have been for information.

Mr. ALDRICH (continuing). Or upon whose authority it was asked. It was not asked for by the Senate. It was not asked for by the Congress. There is nothing on the record that shows what the request was or what its nature was; but if I were not afraid of saying something which might be considered harsh, I would say that the attempt on the part of the representatives of any government or the manufacturers in any country to influence the legislation of this Congress in this way is, to say the least, impertinent.

Mr. BAILEY. Mr. President, I rose for the purpose of saying, in reply to the Senator from New York [Mr. DEPEW], that whatever ground of criticism may exist for the appearance of this document, it is against the present Republican administration and against those who are responsible for this bill and for this extraordinary session of Congress. The document found its way to the Finance Committee through the Secretary of State, and I leave the Senator from New York and the Senator from Rhode Island to settle the question of impertinence with one of their distinguished partisans.

But, speaking for myself, I have no objection to learning the truth from whatever source it comes. It is true I scan statements from certain sources with closer scrutiny than I scan statements from other sources, but I will accept the truth from whatever source it comes; and even if the German manufacturers, speaking through the German Government, can furnish us with information that is useful and instructive, I am willing to accept it without complaining of the Republican Secretary of State, who transmits it to us.

Mr. President, I want to say, in addition to that, I utterly reject the idea that any department of this Government can supply any committee of this Senate with documents or information not intended to be used and which can not be used by the Senate itself. Not only do I reject that because it seems to set a part of the Senate above the whole of the Senate, but I reject it as an individual Senator and as a member of the committee. I am unwilling to have anybody supply me with information upon which I am expected to act unless I am at liberty to lay that same information before other Senators who are likewise required to act upon any given question.

As I understand the organization and the theory of the Senate, we appoint these committees to serve the convenience and dispatch of business. We designate particular Members of the body to do the preliminary work on certain bills and resolutions. But while the primary responsibility and the primary duty is with the committee, the final responsibility and the final duty is with the Senate, and it is utterly indefensible and untenable to suggest that members of a committee, in formulating a bill, are entitled to information which they can not lay before the Senate when the Senate comes finally to adopt or reject their work.

Mr. CARTER. Mr. President, the closing observation of the Senator from Texas seems to be based on a premise that is false. I do not understand that the committee or any member of it has declined to have any document considered by the committee or presented to it printed for the use of the Senate.

Mr. LA FOLLETTE. Mr. President——

Mr. CARTER. The unanimous consent sought for the publication of this so-called "report of the German Government," and likewise the abstract thereof made by the committee, has been assented to.

Mr. NELSON. Will the Senator allow me?

The VICE-PRESIDENT. Does the Senator from Montana yield, and to whom?

Mr. CARTER. I first yield to the Senator from Wisconsin, who first sought to interrupt me.

Mr. LA FOLLETTE. I merely wish to call the attention of the Senator from Montana to the fact that I requested that such portion of the documents in possession of the Committee on Finance as related to wages and cost of production furnished by any foreign government be printed for the use of the Senate, and the Senator from Rhode Island objected to that being done. I limited my request, let me say to the Senator from Montana, to the information pertaining to wages and cost of production, so that nothing involving diplomatic relations could be included.

Mr. CARTER. But, I understand, the Senator's request did not call for any particular document, nor a communication from any particular government or source.

Mr. LA FOLLETTE. That is true; because, if the Senator will permit me, we have no knowledge of the particular documents in the possession of the committee, excepting as we gather it from time to time from different sources.

The chairman of the committee had suggested this morning, in the course of the debate, that the committee was in possession of such information, and I based my request upon that general statement, because the Senator from Rhode Island had not specified the names of the countries which had furnished such information.

Mr. ALDRICH rose.

Mr. LA FOLLETTE. But it occurred to me, if the Senator will permit me to conclude what I was saying, that if it was information important to the committee, and had been considered by the committee, that, as so well stated by the Senator from Texas, that committee is not above the Senate, and the Senate is entitled to the information upon which the committee acted.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Rhode Island?

Mr. CARTER. I yield.

Mr. ALDRICH. I did not state that these communications contained statements or testimony with reference to the cost of production or wages. I stated to the Senate that the communications, in my judgment, were sent to us in a confidential character. They are largely copies of letters which have been sent by representatives of foreign governments to the State Department. Copies of those letters were sent to me, as chairman of the committee, for the information of the committee, in confidence. Certainly, so far as I am concerned, they will not be printed for the use of the Senate, or be made public, except by the express order of the Senate.

Mr. CARTER. Mr. President, the position of the Senator from Rhode Island is fortified by a long line of usage in the Senate in this, to wit, that in a direct request to the President of the United States for the transmission of certain matter relating to foreign governments or to foreign affairs, we always accompany the request with the qualification that the matter be transmitted, if, in the opinion of the President, such action is not incompatible with the public interest.

Mr. BAILEY. Will the Senator from Montana permit me? While that is true, that request is never that we send it to a committee to be used in confidence, but always to transmit it to the Senate itself.

Mr. CARTER. Most assuredly.

Mr. BAILEY. What I mean to say is that there can be no confidences between a committee and a department that are not shared fully and freely with the Senate itself. That is all I intended to say.

Mr. CARTER. The request is that a certain line of literature, if you please, now on the files of the committee, received in confidence from the Department of State, be printed in the form of a public document. If that question is to be debated in extenso, and we are to pass upon the propriety of publishing such statements, I should insist that the Senate, in conformity with one of its rules, resolve itself into secret legislative session, examine the documents, and determine whether or not the judgment of the Finance Committee would become the judgment of the Senate as to the propriety of the publication.

Mr. NELSON. Will the Senator yield to me?

Mr. CARTER. I yield with pleasure to the Senator from Minnesota.

Mr. NELSON. I understand the situation to be this: I did not know at the outset that the documents were sent to the Finance Committee in German, and that they are still in that language. The committee has had an abstract made in English for the use of the committee. It is only that part of it, the abstract that the committee has secured, that I aim to get printed. I have no desire to go beyond, because that gives us exactly the information the committee have, and I think nearly all the committee are unfamiliar with the German language and are only guided by this abstract. Hence if we get that, we have all that the committee has on the subject, and I think that covers all we are entitled to.

Mr. CARTER. It appears that there is a vast difference between the request of the Senator from Wisconsin and the prudently framed request of the Senator from Minnesota. The question of open consideration of foreign relations of this Government has always been, by common consent, frowned upon by the Senate, and I think properly so. In order that there may be no infraction of the rule so well established and long

recognized, we have a provision in the Senate rules which permits any Senator to arise in his place and request that these galleries be cleared and these doors closed when a subject-matter is broached involving any question which in the judgment of a single Senator on this floor should be treated as confidential. The Senator from Rhode Island very properly might insist upon that procedure before this printing is ordered.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. Certainly.

Mr. CULBERSON. I wish to call the attention of the Senator from Montana to the fact that the question of confidence, so called, or the question of a publication being incompatible with the public interest, was submitted to the President by the Senate in its resolution, and the President has in effect stated that there is no such incompatibility, and, as suggested to me by the Senator from Georgia, he has told us exactly where the document is.

Mr. CARTER. My general information is that the Secretary of State advises the Senate that the document has been transmitted to a committee of the Senate.

Mr. CULBERSON. The President in his message received here to-day, in response to the resolution asking him to send the paper here if not incompatible with the public interest, states that it was sent to the committee of the Senate.

Mr. CARTER. It was forwarded to a committee and, according to the letter read by the Senator from Rhode Island, it was forwarded to the committee for the information of the committee. If the Senate desires to have the matter which was forwarded for the information of the committee made public and printed as a Senate document, the judgment of the Senate in that behalf ought to be based on a knowledge of the document and its effect upon our relations elsewhere.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Maryland?

Mr. CARTER. Certainly.

Mr. RAYNER. I have listened to this debate with a good deal of interest. What I should like to ask the Senator from Montana is this: How on earth does this partake of a confidential communication?

Mr. CARTER. I have never read it, nor has the Senator from Maryland read it.

Mr. RAYNER. How can it partake of a confidential communication? It is a mere statement of fact as to what wages are paid in Germany. What international relationship does that involve between this country and Germany or how does it bear any resemblance whatever to a confidential communication?

I want to say this to the Senator from Montana: We could obtain that information properly from our consuls; we could obtain it from our ministers and ambassadors. It is a mere statement of a fact. What are the wages paid in Germany; what are the wages paid in Sweden, as read by the Senator from Michigan this morning? What are the wages paid in any country? It is a matter of statistics, and it is simply a fact. It does not in the slightest or in the remotest degree partake of the nature of a confidential communication. This whole debate is based upon the false premise that it is a confidential communication from Germany to the United States.

Mr. CARTER. The observations of the Senator from Maryland apply to a document which may be printed by the unanimous consent of the Senate, no objection being made; but certain documents not described, the contents being to us unknown, transmitted to the committee of the Senate for its information, the Senator from Wisconsin would have published without description or knowledge of the effect or the contents, and to that request objection was interposed.

Mr. BEVERIDGE. Who interposed the objection? I understood the chairman of the Finance Committee himself to say that while he doubted the wisdom of it, still he was perfectly willing that not only the abstract but that the document itself should be printed.

Mr. ALDRICH. I made that statement an hour, or more than an hour, ago.

Mr. CARTER. That applies to the request of the Senator from Minnesota.

Mr. BEVERIDGE. To both. I did not hear any objection from the Senator from Rhode Island. On the contrary, I understood him to say three or four times that though he doubted the wisdom of it, still he had no objection to its being published. So that it might be understood as I understood it, I rose about half an hour ago and asked whether that had been the case, and the Senator from Rhode Island rose and said, "I have stated that half a dozen times." I did not know that objection had been made. I understand that the Senator from Rhode Island doubts its propriety, but he is willing to have it published. Is that correct?

Mr. ALDRICH. That is correct.

Mr. CARTER. The Senator from Indiana does not take into account that there have been two requests pending.

Mr. BEVERIDGE. I do.

I ask the Senator from Rhode Island whether I am correct in my statement?

Mr. ALDRICH. The Senator from Indiana is, of course, correct. I have stated that repeatedly in the hearing of the Senate.

The VICE-PRESIDENT. The hour of 12 o'clock having arrived, the morning hour has expired. The Chair lays before the Senate the unfinished business, which is House bill 1438.

PAPERS AND DOCUMENTS FROM FOREIGN COUNTRIES.

Mr. MONEY. Before the morning hour expires I should like to have leave to introduce a joint resolution.

The VICE-PRESIDENT. The morning hour has expired.

Mr. MONEY. Then, I should like to introduce a joint resolution, which I could not do in the morning hour, but which I am now prepared to offer.

Mr. ALDRICH. Let it be read for information. I have no objection.

Mr. MONEY. I should like to have it read, if there be no objection.

The VICE-PRESIDENT. Is there objection to the request?

Mr. ALDRICH. I ask that the joint resolution be read for information, subject to objection.

Mr. MONEY. Certainly; I want to have it read for information.

The VICE-PRESIDENT. No objection is heard to the Secretary reading the joint resolution as though it were in the morning hour.

The joint resolution (S. J. R. 37) requiring the printing in the English language of public papers and documents from foreign countries was read the first time by its title and the second time at length, as follows:

Senate joint resolution 37.

Resolved, etc., That all documents and papers published by order of Congress or the Executive and the departments, and all communications in print or writing made to either House of Congress or committee of Congress, or intended for general publication, made by any official or agent of the Government of the United States, shall be printed in the English language; and all terms used in such documents or communications in which any foreign term is used to express any measurement of time, weight, distance, quantity, or value shall be given immediately following in terms used in the United States.

Mr. ALDRICH. The joint resolution had better go to the Committee on Printing. I do not suppose I have any objection to it.

Mr. MONEY. I did not ask for its consideration. I want its proper reference to the Committee on Printing.

Mr. ALDRICH. That is right.

The VICE-PRESIDENT. Without objection, the joint resolution will be referred to the Committee on Printing.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Senator from Montana has the floor.

Mr. CARTER. The Senator from Rhode Island very properly announced in reply to the Senator from Indiana [Mr. BEVERIDGE] that no objection was made to the printing of the communication from the German Government or the abstract thereof prepared for the committee. Let that be clearly and distinctly understood. Another request was made for the wholesale and indiscriminate publication of communications from the representatives of foreign governments.

Mr. LA FOLLETTE. Mr. President——

Mr. CARTER. And to that objection was made.

Mr. LA FOLLETTE. The Senator from Montana surely does not wish to misrepresent my request. My request was not for the wholesale publication of all the documents received from foreign governments through the Department of State by the Committee on Finance. It was such portions only as related to wages and the cost of production. It seemed to me that that could not possibly be a confidential communication or be a communication which could in any way involve us in any difficulty with any foreign government. If the Senate Finance Committee has no such information, my request would have nothing to relate to. If they have such information, it would be confined purely and specifically to figures which would represent the difference in the cost of production and figures which would represent the scale of wages. That was the request.

I limited my request, let me say to the Senator from Montana, may be no infraction of the rule so well established and long

been the case, and the Senator from Rhode Island rose and said, "I have stated that half a dozen times." I did not know figures which would represent the scale of wages. That was the request.

Mr. CARTER. The printing of some part of a communication to the exclusion of some other part thereof frequently presents a statement inexplicable with reference to the context. The Finance Committee, editing the statements, would be subject to the same criticism they now receive for having failed to make them public in whole.

But, Mr. President, the Senator from Texas concludes that the Senate may with propriety demand the publication of every printed page on which the Finance Committee acted or which went to influence the judgment of that committee. No doubt this is in the abstract true, but the Senator from Texas knows as well as any Senator in this Chamber that it is not customary, and has never been the rule in any committee of this body, to publish in connection with bills reported each and every scrap of paper and item of information upon which the committee acted. In this case, as in others, the committee report constitutes the made-up judgment of the committee on all the facts presented, some of them no doubt in written form, others in the form of oral statements. The paragraphs of the bill, the statements of the chairman, the explanations made from time to time and day to day, the hearings in the House, the tabulated paragraphs with explanatory notes, all constitute the quintessence of matter placed before the committee and filtered through the judgment of the committee itself.

Mr. President, as I understand it, the committee is prepared to publish any statement which may, with due regard for the public interest, be published on the recommendation or request of any Senator. I have not, since this debate opened, heard any request for the publication of anything denied. The matter has been condensed and published with alacrity on request. But I for one, and I believe every Senator here will, upon reflection, agree with me, object to the public records being needlessly encumbered and confused by the publication of the tons upon tons of documents and circulars and statements and arguments and briefs now filling the corridors and the rooms of the Finance Committee. Any statement that any Senator may deem important to the consideration of the bill or any paragraph of it, I understand, the committee is prepared to have published on request, and that no such request has yet been denied.

This German statement, permit me to suggest to the Senator from Texas, is not a suppressed witness. Names are important. Our German competitors, probably the most aggressive and progressive of all our competitors in the manufacturing world to-day, properly understand that a lowering of duties to a point where the American market may be enjoyed with freedom to them will be to their advantage; and very naturally, when called upon to submit some sort of statement relative to wages, enlightened self-interest impelled their manufacturers to state the highest rate they could, for comparison with our lowest rate, if you please. The manufacturers who made the statements—statements I have never seen—judiciously requested that their names be suppressed. The Senator from Texas, profound and astute as a lawyer, well knows that no testimony is received in any court from an anonymous source. We have no opportunity either to check up the source of authority or to cross-examine the witness. While this document will be printed, I submit to those who seek to profit by it that it will be weak and puerile and ineffective, because the men who make the statements refuse to sign the statements.

Mr. RAYNER. Will the Senator allow me? Has not this statement the sanction and approval of the German Government?

Mr. CARTER. I know naught of that save from the statements made on this floor to-day. Last autumn, before Congress assembled, the ambassador of the United States is said to have called on the German Government, or the foreign office, for information not clearly defined in any statement here made. That request was not responded to until some time later. Then it seems to have been recalled to the memory and made the basis of statements by competing manufacturers to meet the statements made before the Ways and Means Committee of the House of Representatives by American manufacturers. I do not know whether the American ambassador expected this request to be one of continuing character, or whether he anticipated that the German Government would immediately open the way for the German manufacturers, through this request, to be heard before the Ways and Means Committee of the House or before the Senate in the consideration of the bill.

Mr. TILLMAN. I wish to call the attention of the Senator to the fact that the hearings before the Ways and Means Committee commenced last fall about the time this request was made, and the papers were filled with extracts from the testimony given. I remember reading in Europe some of Mr. Carnegie's statements in regard to the steel trust, his abandonment of his early love for protection, and all that sort of thing. Therefore, I do not think there is any ground for the intimation of the Senator that there has been some trickery or double dealing or underhand work on the part of the German Government in delaying its response to this inquiry.

I want to say, while I am on my feet, that the Senator's assertion a moment ago that these people refused to sign their names is not my information, but that their names were signed and sent by the German Government and are only withheld from transmission to the Senate Finance Committee by having been erased, because it was at the request of the German Government that the information should be considered as confidential. Therefore, these names have been withheld, but that they are perfectly willing to let the information go back is shown by the fact that it was transmitted by the German Government at the request of our ambassador.

Mr. CARTER. It is far from my intention to reflect, and I have been unhappy in my language if by any reasonable implication I have reflected in any manner upon the propriety of the action of the German Government. Undoubtedly when the request was made letters of inquiry were sent out by that Government with a view to acquiring the information. The manufacturers, I am informed, in giving the information in response to questions propounded, proceeded to answer the statements made by the American manufacturers before the Ways and Means Committee.

Mr. President, I recall an incident which occurred during the Fifty-first Congress, I think, where a representative of a foreign government prepared and forwarded a statement of his views on our tariff question, and I well recall that that question created considerable feeling and resulted in much criticism. If, in this case, not the German Government but the German manufacturer takes advantage of the situation to become a lobbyist in this forum for the purpose of urging the lowering of our duties on imports to a point which would be advantageous to the German manufacturer, I seriously question the propriety of placing much weight on testimony prepared for that purpose.

Mr. TILLMAN. I submit to the Senator that he continues to use language in regard to these communications that must be offensive to the German Government.

Mr. ALDRICH. I perhaps ought to state to the Senator from South Carolina that official assurances were demanded and given that the names of these industrial establishments furnishing this testimony should not be disclosed.

Mr. TILLMAN. Because they were to be treated as secret. Nevertheless, I do not think the Senator from Montana is justified in saying that they refused to sign their names, because they did sign their names, and it was only a governmental action by the German Government which withheld their names from us.

Mr. ALDRICH. Oh, no; the statements were submitted upon the express condition and assurances given by our representatives that under no circumstances were the names of these industrial establishments to be given.

Mr. TILLMAN. Still they signed them. Their good faith could not be questioned.

Mr. ALDRICH. I do not think they even signed them.

Mr. GALLINGER. Mr. President, I rise to a question of order.

Mr. ALDRICH. I call for the regular order, Mr. President.

Mr. GALLINGER. I want to inquire what question is before the Senate? I will add that, it occurs to me, when the morning hour expired, the request for unanimous consent, upon which this debate is proceeding, fell at that time.

The VICE-PRESIDENT. The Senator from New Hampshire is correct. The business before the Senate is the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, the particular pending question being the amendment to paragraph 227.

Mr. CARTER. And upon that amendment I desire to unload a few remarks I have to make. [Laughter.]

Mr. GALLINGER. That does not surprise me.

Mr. CARTER. Mr. President, I can see no impropriety whatever in any American manufacturer coming before a committee of Congress, and there may not be any impropriety in a German manufacturer coming before a committee of Congress to present his views as to what our tariff ought to be.

Mr. TILLMAN. Will the Senator pardon me?

Mr. CARTER. But I do insist that the German manufacturer shall, in his approach to the committee, do the exact thing that we insist the American manufacturer shall do, to wit, give his name, residence, and occupation. We have here coming in the testimony of competitors of American manufacturers, who ask, as a condition precedent to the consideration of their statements, that their names be not made public even to the Senate.

Mr. TILLMAN. Now, will the Senator permit me to interrupt him?

Mr. CARTER. With pleasure.

Mr. TILLMAN. The Senator from Montana is usually so fair-minded and so honorable in his discussion of all questions that I fail to see how he can undertake to impugn the integrity, or the purpose, or the character, or the motives, or anything else, of these German manufacturers. I do not appear here as an advocate of the German manufacturers against the American manufacturers. I am like my friend from New York in that one particular; that, as between Americans and foreigners, I am a Yankee; in other words, I am for America for Americans, and for all Americans, not a part of them.

I do not think it is right or just to say that these Germans are trying to lobby here, when the Government of Germany, in response to a request of the American ambassador, transmits certain information. They did not obtrude their paper upon us; they did not send their communication here, but they were asked by their own Government to give it information to be sent to our Government, and all they asked was that their trade secrets in regard to their private business should not be made public over here. If we asked for information which we ought not to have asked for, and we have got something we do not want, that is another thing; but let us be fair to these people.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Montana please suspend so that the Chair may lay before the Senate a message from the President of the United States?

Mr. CARTER. Certainly.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Secretary read as follows:

To the Senate:

In further response to the resolution adopted by the Senate on the 25th instant, requesting the President, if not incompatible, in his judgment, with the public interests, to transmit to the Senate the statement of the German Government or its officers in relation to the wages paid to German workmen, I transmit herewith the documents furnished by the German Government on the subject, which this day were returned by the Committee on Finance of the Senate to the Department of State.

The attention of the Senate is invited to the statement in the accompanying report of the Acting Secretary of State that these documents were obtained upon the understanding that the names of manufacturers were to be held confidential and that the information furnished will not be made the basis of administrative action.

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

The VICE-PRESIDENT. Without objection, the message and the accompanying papers will be referred to the Committee on Finance and printed.

Mr. CARTER. Mr. President, further discussion with reference to this report or its effect or the legitimate weight to be attached to it may well be postponed until the document itself is printed. I do not wish, however, to leave the floor without a word to my friend from South Carolina [Mr. TILLMAN]. I fully and highly appreciate his compliments, and reciprocate them, because, like the Senator, I try to be fair, but I can not be more so than the Senator from South Carolina in the course of debate.

Mr. President, my observations are not intended to reflect on the German merchant seeking to have his views considered from his standpoint and in the light of his interest. It is eminently appropriate that the German merchant and manufacturer should advance their interests wherever opportunity allows; but the Senate of the United States, in the consideration of the weight to be attached to a communication from a German manufacturer or anyone else, should, I insist, take into account the fact that the witness refuses to allow his name to be known.

Mr. JOHNSON of North Dakota. Mr. President, I am not willing that the Senate should leave this subject before placing upon record some of the precedents showing not only the conduct of our own Government, but the conduct of all the great commercial nations of the world, on this subject. The Senate should be very careful not to be discourteous to those nations, and I hardly know whether the subject could appropriately be left with the word "impertinent" in the RECORD, as applied to the conduct of any of those nations.

What has been the precedent? Only twelve years ago we had a thorough experience on this subject. We then received communications direct from all the great commercial nations of the world. Those communications were, every one of them, placed in the RECORD, and I have them before me. There were twenty of them. Some of those nations sent several documents. I will read you the list of documents:

LIST OF PAPERS.

1. From the Danish minister, March 29, 1897.
2. From the Italian ambassador, April 4, 1897.
3. From the Italian ambassador, May 9, 1897.
4. From the Italian ambassador, May 26, 1897.
5. From the Belgian minister, April 16, 1897.
6. From the Belgian minister, May 30, 1897.
7. From the Argentine minister, May 1, 1897.
8. From the Turkish minister, May 10, 1897.
9. From the Japanese minister, June 3, 1897.
10. From the Swiss minister, June 17, 1897.
11. From the British ambassador, December 26, 1896.
12. From the same, June 18, 1897.
13. From the Chinese minister, June 29, 1897.
14. From the Austro-Hungarian minister, May 28, 1897, in Senate Executive Document No. 141, Fifty-fifth Congress, first session.
15. From the German ambassador, April 5, 1897, in Senate Executive Document No. 97, Fifty-fifth Congress, first session.
16. From the consul-general of Greece, April 10, 1897.
17. From the Belgian minister, May 27, 1897.
18. From the Swiss minister, April 29, 1897.
19. From the same, May 20, 1897.
20. From 53 Irish members of the British Parliament, March 17, 1897.

I read from a speech delivered in the House of Representatives July 19, 1897, as follows:

Mr. Speaker, as my final contribution to the tariff discussion of 1897, I desire to present to the House and to place before the country, in the Record, in convenient and enduring form for the use of writers and students of political economy, the protests and communications from foreign governments which, as a member of the Ways and Means Committee, it became my duty to carefully consider while assisting in framing the tariff of 1897, popularly known as the "Dingley bill."

Some of these communications were directed to the President, some to the Secretary of State, some to the Finance Committee of the Senate, and some to the Ways and Means Committee of the House, or its chairman, Mr. Dingley.

All were intended to influence legislation, all were laid before the committees, and all received careful and respectful consideration.

I have endeavored to make the collection complete, and it is believed that every official communication from any foreign government that was received or considered will be found complete in the following.

The list I have given.

I shall ask permission to reprint these communications without reading.

The VICE-PRESIDENT. Without objection, the request will be complied with. The Chair hears none.

Mr. JOHNSON of North Dakota. While I am on my feet I wish to read some of them, because they have not only a bearing on this question, but on the general tariff question, which was then being considered.

No. 1 is from Denmark, and is as follows:

[No. 1.]

LEGATION OF DENMARK,
Washington, March 29, 1897.

Mr. SECRETARY OF STATE: The debate on the new customs tariff in the United States Congress is followed with deep interest in Denmark, both by the King's Government and by the producers, merchants, and shipowners of our country.

There is a quite considerable exchange of productions between Denmark and the United States, which exchange is effected by both Danish and American vessels, and also by vessels belonging to other nations.

The tendency of this trade is to increase from year to year, and, in the opinion of all persons who are competent to judge, the commercial relations between our two countries, which have, happily, thus far been so much favored by our respective laws, are still susceptible of great development. My Government deems it to be its duty to spare no effort to enable our country to derive the greatest possible advantage from these conditions. It is convinced that the United States Government is aware that a prosperous trade with Denmark is desirable from the point of view of American interests, and that joint efforts are indispensable to reach a result satisfactory both to the United States and Denmark.

Holding these views, my Government has just instructed me to call your excellency's attention to some points of the tariff in which the interests of Denmark and the United States appear to clash, and on which an understanding seems both desirable and possible.

The Danish tariff is exceptionally favorable to the importation of American products. Thus raw metals, butter in casks, stone, trees, plants, all kinds of grain and grain products, fertilizers, both natural and artificial, oil cake (rape cake, etc.), dyewoods, various kinds of seeds, fat, lard, bacon, hams, meat, and sausage are exempt from any duty and enter Denmark free.

The importation of these articles is considerable, and the other American products which are imported into Denmark are subjected to an extremely low duty, not exceeding 1 or 2 ore (Danish money) per pound. Such are petroleum, molasses, and sirup.

It is in every way desirable that this great facility of commerce, due to the liberality of our tariff, may continue and be developed. The admission to the United States of certain Danish products on favorable terms as regards the tariff régime, while it would be only a fair return for the advantages offered by the Danish tariff, would necessarily exert an influence on the subsequent development of that tariff.

Among these products I have the honor to call your excellency's attention to the following: Beer, cement, white cabbages, hemp seed, porcelain, hides and skins, wool, rags, pebbles, lime, chalk, gloves, leather, condensed milk, granite, monuments, dairy machinery, and Doecker tents.

In obedience to my instructions, I hasten to beg your excellency to be pleased, in the well-understood interest of our respective countries, to subject what I have just had the honor to state to an examination, and to use your good offices in the proper quarter, to the end that a customs régime as favorable as possible may be secured for the above-mentioned products.

To this effect I have the honor to suggest that, if your excellency sees no objection thereto, the contents of this note be communicated to those committees of the Senate and House of Representatives which are specially charged with the duty of examining the tariff. I should be particularly grateful to you if, in transmitting these wishes to Congress, you would commend them to the favorable consideration of that body.

Be pleased to accept, Mr. Secretary of State, a renewed assurance of my high consideration.

C. BRUN,

His Excellency JOHN SHERMAN,
Secretary of State.

The right to make its own tariffs high or low is conceded to every nation by every nation.

The rate is a matter of opinion and judgment for each government to fix at the point most advantageous for its own people. We are making this tariff solely with a view to benefiting the people of the United States. Other people will make their tariff laws in the same way, for their own advantage.

This is the only right and sensible way for any country to make its laws. In framing this law we have placed everything upon the free list which we can not produce to advantage in this country except a few luxuries.

This is done in order to remove all restrictions and burdens from the importation of all articles which we do not ourselves produce in great abundance. This covers more than half of our enormous imports.

But when it comes to such things as the chief products of our own farms, forests, and factories, which we do not need to ship in from abroad, then we have placed such a rate of duty on the imported article as will, in our judgment, equalize the cost of production (mainly the wages of labor) at home and abroad.

How consistent has been the doctrine of the Republican party—

Mr. BACON. I do not wish to interrupt the Senator, but I should like to ask him the name of the Representative who made the speech? He did not state that.

Mr. JOHNSON of North Dakota. I am a little modest about giving names, but it was your humble servant. I am sorry the Senator crowded me to say that.

Mr. BACON. I did not know that at the time I made the inquiry. I was struck by the clearness and lucidity of the argument, and I desired to know who was the author of it.

Mr. JOHNSON of North Dakota. Thank you. Continuing:

Other countries, except the few who have adopted the policy of a "tariff for revenue only," sometimes called "free trade," make their tariffs about in the same way. We have never asked any country to make its tariff laws with the slightest reference to our benefit.

I think that is as true to-day as it was twelve years ago—

We expect them to be guided entirely by enlightened selfishness. If we have anything for sale which they can not advantageously produce, it will be to their interest to put it on the free list, just as we do.

That will afford us all the market we need.

Let us now, in the light of this policy, examine the proposition of the Government of Denmark. There is not an article in the entire list for which the Danish minister solicits low duties (favorable customs régime) of which we do not already produce a surplus, except wool and hides, and even these we ought to produce, and will produce, in sufficient quantities to supply our own needs.

Every dollar sent to Denmark for "beer, cement, cabbages, hemp seed, porcelain, pebbles, lime, chalk, gloves, leather, condensed milk, granite monuments, dairy machinery, and tents" takes a dollar away from some American citizen, who would be very glad of a chance to earn an honest living here by supplying those things to our own market. These may seem small items, but our industrial life is made up of just such atoms. If we buy these things of the Danes, we must buy that much less of our own fellow-citizens. Shall we keep the money at home or send it to Denmark? Shall we furnish bread and wages to our own fellow-citizens or to the subjects of the King of Denmark?

I concede the right of the minister of Denmark to respectfully offer these suggestions, as he has done. But as a loyal citizen of my own country and a faithful servant of my own people, preparing a law "to provide revenue for the Government and to encourage the industries of the United States," my judgment and my sense of duty will not allow me to follow his advice.

I will not weary the Senate by reading pages and pages of this, but I call your attention to the protest of the 53 Irish members of the English Parliament. Such men as John Dillon, Justin McCarthy, John H. Parnell, a brother of Charles Stewart Parnell, and Michael Davitt, the greatest writers of history and patriots that Ireland has ever produced, signed that document. The Senate will have a chance to see it in the RECORD, so I will not weary your patience with it now; but all there was to that document was a plea to lower the duties on Irish mackerel.

The reason was that the mackerel fisheries in Ireland were doing first rate under the law of 1894. They feared a return of the McKinley duty; and it was clear to those English and Irish statesmen that a low duty would open our market and be a help to those Irish fishermen. They made that point clear; but those English statesmen were shrewd enough to know that, in order to get our ear and in order to say anything to which we would listen, they would also have to attempt to show some advantage on the part of the United States. The advantage was this: That when our market was shut against those fishermen, in their poverty and distress, they had to live, and they lived by sending begging letters to their more prosperous relatives in America. If we would reopen our markets to those mackerel fishermen, we would relieve our citizens of those begging letters, and that was the only advantage we would get.

On that theory we might go the whole world round and relieve distress and poverty everywhere, but pretty soon we would be poor ourselves.

[No. 2.]

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, April 4, 1897.

Mr. SECRETARY OF STATE: The news which has reached Italy that the tariff recently adopted by the House of Representatives levies the very high duty of 75 cents (in all) per box on oranges and lemons imported into the United States, whereas the duty has hitherto been 22 cents per box, has caused great agitation there, especially in Sicily.

In pursuance of the instructions of the King's Government, which transmits this intelligence to me, I have the honor to call your excellency's attention to this state of things and to solicit your good offices for the purpose of preventing the imposition on Italian oranges and lemons of a duty which will prove so disastrous to the Italian trade in those fruits.

Tendering your excellency my thanks in advance, I further take the liberty to submit to you for examination a memorial of the Fruit Importers' Union of the city of New York, relative to paragraph 267, Schedule G—Agricultural products and provisions.

Accept, etc., FAVA.

Hon. JOHN SHERMAN,
Secretary of State, Washington.

[No. 3.]

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, May 9, 1897.

Mr. SECRETARY OF STATE: The Chamber of Commerce of Leghorn has sent to the royal ministry of foreign affairs, together with the letter which I have the honor herewith to inclose in the original, a petition from the principal manufacturers of candied fruits in the city of Leghorn, who earnestly beg the United States Senate not to approve the exorbitant duty of 60 per cent which is imposed upon candied fruits by the American tariff bill now under discussion.

The aforesaid chamber of commerce hopes that the serious injury may be seen which will accrue to the manufacture of candied fruits from that absolutely prohibitory duty.

I have the honor, in pursuance of instructions received from the King's Government, earnestly to commend to your excellency's good offices the desire expressed by the chamber of commerce and the manufacturers of candied fruits of the city of Leghorn.

Thanking you in advance, Mr. Secretary of State, for the courtesy with which you will be pleased to comply with this my request to the reciprocal benefit of the interests of our two countries,

Accept, etc., FAVA.

Hon. JOHN SHERMAN,
Secretary of State, Washington.

PROVINCE OF LEGHORN, CHAMBER OF COMMERCE AND ARTS,
Leghorn, April 16, 1897.

The manufacturers of candied fruits of this commune, who are seriously and very properly concerned owing to the large increase proposed by the Congress of the United States of America on the import duty to be levied on candied fruits, have addressed to this chamber the inclosed petition, whereby they request it to use its influence to the end that the King's Government, through the Italian embassy at Washington, take steps with a view to preventing the approval of the increase in question by the United States Senate.

The chamber hastens to communicate the aforesaid petition to your excellency, in the hope that the very serious injury may be prevented which would accrue to the manufacture of candied fruits from that absolutely prohibitory duty, this manufacture being one of the most important in this city, and its product being now, for the most part, exported to the United States of America.

It is certain that if this increase should be definitely approved, this industry would receive a fatal blow, and agricultural industry would also be greatly injured thereby, since the citrons, lemons, and oranges which are candied come in great part from the southern provinces of Italy, so that the crisis in the trade in these fruits which now causes such grave concern to the Italian Government would be rendered still more serious.

The American Senate should consider that a prohibitory duty like that which has been submitted to it for approval would wholly prevent the importation of the products named, while no benefit would result from it to the Treasury; and that Italy might in turn levy an increased duty upon some articles of American production, such as, for instance, cotton and petroleum, which would be more hurtful to the United States than the increase which it is proposed to levy on candied fruits would be to Italian industry.

N. COSTELLA, *President.*

His Excellency the MINISTER OF FOREIGN RELATIONS, *Rome.*

To his Excellency NICCOLA COSTELLA,
President of the Chamber of Commerce and Arts of Leghorn:

The undersigned, who are engaged in the manufacture of candied fruits in this city, beg the honorable chamber of commerce over which you preside to be pleased to use its influence with his excellency the minister of foreign relations, to the end that the embassy of Italy at Washington may take measures to secure from the United States Senate a more equitable usage, and one better calculated to benefit the American Treasury, for the candied fruits which are exported from Italy to the United States of America.

The import duty which has hitherto been imposed on candied fruits was 30 per cent ad valorem, and while this rate was in force the United States Government derived from this source an annual income of about $500,000. In the new tariff prepared by the House of Representatives the duty on the aforesaid article was 2 cents per American pound, which was a little less than 30 per cent ad valorem, but the Congress doubled the figure and raised the duty to 4 cents per pound. Such an enormous tax, which would amount to almost 60 per cent ad valorem, would be equivalent to actual prohibition, and would absolutely put a stop to any exportation from Italy, which does not seem to the undersigned to be in harmony with the views of the American Government, which doubtless, while it proposes to protect its own industries, seeks at the same time to secure the largest amount of revenue possible for its Treasury by means of import duties.

The duty of 2 cents per pound which was proposed to the Congress would have accomplished this double purpose, because, while it would have amply protected American manufactures, it would have been a source of abundant revenue to the United States Treasury.

The undersigned believe that a statement of the foregoing reasons, made in such a manner as may be thought most opportune by the Italian embassy to the United States Senate, might induce that body to modify the tariff to the reciprocal advantage of both countries.

Very respectfully,

ENRICO TORELLI & CO.
J. P. PISANI.
FEHR WALSER & SONS.
N. VARIANI.
GIOVANNI RAMACIOTTI.
ANGELO GAZZO.
CANESSA BROS.

LEGHORN, *April 14, 1897.*

I certify that the foregoing is a true copy of its original.

ANG. GIULIO SALVERTI, *Secretary.*

[Seal of the Chamber of Commerce of Leghorn.]

[No. 4.]

EMBASSY OF HIS MAJESTY THE KING OF ITALY,
Washington, D. C., May 26, 1897.

Mr. SECRETARY OF STATE: The Government of the King, to which I hastened (as I stated to your excellency in my note of the 16th of March last) to communicate the observations of the honorable Secretary of the Treasury [Agriculture] relative to the ministerial sanitary decree of January 26, 1897, which requires a consular visé for certificates of origin, issued by American authorities and accompanying shipments of meat, has now informed me that the question will be submitted for examination to the zootechnic and epizootic board at one of its next sessions.

His Majesty's Government, however, desires to perform a friendly act toward that of the United States by frankly forwarning it that it could in no case be induced to modify the provisions contained in the aforesaid decree in accordance with the desire expressed by the Federal Treasury Department [Department of Agriculture] if the United States should persist in retaining in the new customs tariff the exorbitant duties to which I have had the honor to call your excellency's attention in my preceding written and verbal communication.

The same warning has been communicated, with the same amicable intent, by my Government to the representative of the United States at Rome, who has presented a complaint similar to that which, after receiving your excellency's note of March 15, I transmitted to the royal ministry of foreign affairs.

Accept, etc., FAVA.

His Excellency JOHN SHERMAN,
Secretary of State, Washington.

Document No. 2 states that a duty of 75 cents a box on oranges and lemons "will prove disastrous to the Italian trade in these fruits." Well, what of it? We can get all the oranges and lemons we want from California and Florida, and of a superior quality, but we must pay living, American wages to men laboring in the groves. The evidence before the committee indicates that much of the labor of cultivating and picking citrus fruits in Italy is done by women and children, at wages ranging from 20 to 30 cents a day. These labor conditions are scarcely equalized in the new tariff.

No. 3 states that the industry of manufacturing candied citrons, lemons, and oranges in the city of Leghorn would "receive a fatal blow" by the enactment of the new American tariff.

Well, what then? If worst comes to worst, our enterprising American confectioners might learn to manufacture candied fruit in this country.

It ought not to be very difficult to learn how to saturate and coat citron, orange, and lemon peel with sugar. But we do not want to compete evenhanded with cheap child labor.

The benefit of a low tariff for Italy is plain enough, but the only hope of any benefit to the United States held out by the ambassador is that if we comply with the request of his Government, then "the question of the sanitary decree requiring a consular visé for certificates of origin issued by American authorities and accompanying shipments of meat will be submitted for examination to the zootechnic and epizootic board at one of its next sessions."

We are, however, "warned," both in Washington and at Rome, that if we persist in this new tariff, then His Majesty's Government could in no case be induced to modify the existing decree. When these sanitary decrees of various kinds were issued against our meat products by various European governments, we immediately organized at great expense a very thorough system of inspection, whereby every piece of meat exported from this country was microscopically and otherwise examined and accompanied with certificates and marks of the government inspectors. We demonstrated the wholesomeness of our meat products, and warranted every ham, shoulder, side of bacon, etc. The sanitary decrees were thin excuses for excluding our meats. They had a right to exclude any merchandise, but it would have been more conducive to their reputation for frankness and courage to assign a better reason for the exclusion.

These prohibitory decrees concern the Government and people of Italy more than they do us. They ought never to have been passed, or should have been promptly repealed when shown to be based on a fallacy. That they still exist in full force contemporaneous with the low tariff of 22 cents a box on lemons and oranges is poor encouragement for us to let the King's ambassador write our tariff, when the only hope of reciprocal advantage held out to us is that the consular visé will be submitted for examination to the zootechnic and epizootic board.

What if the zootechnic and epizootic board should adopt a policy of "masterly inactivity?" Worse than all, the zootechnic and epizootic board might, after deliberation, decide to let well enough alone. The consequences of never submitting the consular visé to the zootechnic and epizootic board of Italy may be terrible enough to our citizens, but for one I am inclined to take the risk rather than abdicate to the minister of any king the right to make any of our laws, especially those "to encourage the industries of the United States."

[No. 5.]

BELGIUM LEGATION,
Washington, April 16, 1897.

Mr. SECRETARY OF STATE: The amendment passed by the House of Representatives on the 31st of March last provides that merchandise shipped by the 1st of April shall be admitted at former rates of entry.

As especially regards agricultural products, the orders accepted in good faith several months ago by Belgian horticulturists had necessarily to be suspended until the end of the winter, such products not being able to stand the voyage with impunity during the frosty season. I will add that to my knowledge packages containing plants, bulbs, or shrubs remained for some time deposited on the wharves at Antwerp, owing to the quantity of freight, and due to this circumstance must arrive late at their destination.

According to instructions received from my Government, I have the honor to point out this particular situation to the kind attention of the American Government, in the hope that it will have the goodness to suspend the too severe measure, and I am confident that it will not add to the considerable detriment which the new duties will occasion Belgian trade the annoyances of a premature application of them.

I have, etc.,

LICHTERVELDE.

[No. 6.]

LEGATION OF BELGIUM,
Washington, May 30, 1897.

Mr. SECRETARY OF STATE: I take the liberty to call Your Excellency's attention to the very high duty that has been imposed on cement by the Senate in article 84 of the new tariff bill. The discontinuance of the trade in this heavy substance would result disastrously to that in grain exported from the United States, inasmuch as cement constitutes the principal return freight which enables vessels sailing under the American flag and others to carry grain to Antwerp at reduced rates. Without such remunerative freight, shipowners will be compelled to charge higher rates for the transportation of grain, vessels carrying which will be obliged to return in ballast.

Hoping that these considerations will induce the conference committee in Congress to modify the prohibitory duties in question, I gladly avail myself of this occasion to offer your excellency a renewed assurance of my highest consideration.

LICHTERVELDE.

His Excellency JOHN SHERMAN,
Secretary of State.

[No. 17.]

LEGATION OF BELGIUM,
Washington, May 27, 1897.

Mr. SECRETARY OF STATE: I take the liberty, in obedience to the instructions of my Government, to call your excellency's attention to the assimilation of sprats and sardines in the new tariff bill, and to remind you that sprats constitute a much cheaper article of food, used chiefly by the working classes. I would add that it does not appear that these fish are found in North American waters, and that they can not, therefore, constitute a local industry. I should be very grateful to your excellency if you would communicate these observations, which have reference to a product of the Belgian coasts, to the competent committee, hoping that they may lead to a reduction of the duties proposed.

I avail myself of this occasion, etc.,

LICHTERVELDE.

His Excellency JOHN SHERMAN,
Secretary of State.

Documents Nos. 5, 6, and 17 came to us from the Belgian minister in obedience to instructions from his Government.

If followed, his suggestions would doubtless result in the advantages named therein to Belgium.

But where do we come in for our share? The only benefit offered to us is the single, slender hope that under a low tariff on cement from Belgium ships carrying cement to America can afford to charge less on wheat, return cargoes, to Antwerp. We can make cement in America.

Every pound of cement imported takes to Belgium money, bread, and wages which some citizen of our own country needs and ought to have, and shall have, if left to my arbitrament.

Free trade in cement may or may not lower the freight on wheat, but not more so than free trade on other heavy articles. Cheap freight on wheat to Antwerp might lower the price of wheat in Antwerp, but would not raise it perceptibly in North Dakota.

In my judgment, the great reduction in freight rates on wheat, both by land and sea, during the last twenty years have accrued entirely to the benefit of the consumer, while the advantage due to improved agricultural machinery, on the other hand, have accrued almost entirely to the benefit of the producer of wheat.

[No. 7.]

LEGATION OF THE ARGENTINE REPUBLIC,
Washington, D. C., May 1, 1897.

SIR: In compliance with instructions from my Government, I have the honor to submit to your excellency some remarks relating to the tariff bill pending on the approval of the Congress of this nation, praying your excellency to give them your kindly attention, and, if your excellency deems it opportune, to make such use of it as your excellency may judge proper. On doing so, it is far from my object to interfere in any manner in a matter of domestic fiscal policy of this great Republic. A friendly interest has been manifested on many occasions by the Government of the United States in favor of the improvement of the commercial relations which unite this nation and the Argentine Republic.

Various attempts have been made here for increasing the currents of our mutual interchange, either by means of sending official commissions in charge of studying and proposing the best means for that object or by means of the convocation of a Pan-American conference, endeavoring to connect the political and economical links which unite the diverse sections of our vast continent; or, in short, in the form of excursions of representative manufacturers and business men, as the one which took place at the close of last year.

These are so many antecedents which encourage me in hoping that the Government of your excellency will give my words a friendly hearing, being convinced that they have no other purpose than that of endeavoring toward their noninterruption in the least, but, on the contrary, that they may increase each day the commercial relations which exist to-day between the United States and the country which I have the honor to represent.

If your excellency deems it desirable to review the official correspondence exchanged in 1891 and the beginning of 1892 between the minister of foreign relations of the Argentine Republic and the minister of

the United States. Mr. Pitkin, your excellency will see by the communication of the former, dated December 24, how great was the place which American commerce occupied in our markets since the epoch of the definitive constitutional organization of my country until the time when the Government of the United States levied high duties upon wool and other Argentine products, i. e., from 1852 to 1868.

In that communication the historical fact is pointed out of the participation which was shared by the United States in the benefits of the Argentine progress. It is reminded that the number of the ships of this country which arrived at our ports at times exceeded the share belonging to the maritime nations of Europe, whilst the exportation of Argentine wool for the markets of the Union surpassed sometimes the shipments made from it to France and England. Lastly, mention is made in the same communication that the commerce of the United States during that period amounted to more than 50 per cent of the English and French commerce, to 80 per cent of the Belgian commerce, and surpassed five times that of Germany; and these figures seem to argue that your commerce would end by maintaining one of the first ranks in our mercantile markets.

Unfortunately this movement, which promised so many advantages to both countries, was deferred in consequence of the high duties imposed by the tariff of 1867 on Argentine wool.

Your excellency knows that wool is one of our principal national products, and the new classification to which it was submitted in that act doubled the duties imposed on the same by the law of 1864. So some years after, the Argentine minister in Washington, Señor Luis L. Dominguez, addressed himself to the Department of State, calling attention to the decrease of the imports from the United States into the Argentine Republic, and the corresponding fall in the Argentine exports to the markets of this country.

In 1882, in fact, of our total imports, 8.3 per cent belonged to the United States, and of the total of our exports came to this nation only 4.9 per cent. In that year our exportation of wool was 222,000,000 pounds, of which there only entered into the United States nearly 2,000,000 pounds.

On the other hand, in 1866 the importation of wool from the Argentine Republic had reached 37,000,000 pounds, in round figures, and in 1867 it fell to 12,000,000 pounds, the fall continuing greater every year until it reached in 1882 the figure of 2,000,000 pounds just mentioned.

It is convenient to show your excellency that the Argentine Republic admitted in exchange the most important articles of American production free of duty, or only levied a rate of duty from 5 per cent to 10 per cent, whilst our wool, which represented more than half of the total of our production, was burdened with a rate of duty of 100 per cent.

Notwithstanding these disadvantageous conditions, the commerce of the Argentine Republic continued to increase year by year, and its volume sometimes became considerable, as your excellency may see in the following statement taken from the general bureau of statistics of the Argentine Republic:

Year.	Importations of the United States.	Exportations of the United States.
1886	$7,673,284	$5,580,406
1887	11,044,553	5,068,808
1888	9,909,895	6,095,520
1889	16,801,770	7,726,691
1890	9,391,541	6,096,958
1891	3,445,904	4,214,502
1892	7,573,583	4,834,474
1893	9,619,317	3,416,740
1894	10,149,018	5,285,210
1895	6,686,999	8,947,165
1896	11,210,475	6,410,362
Total	103,216,319	63,086,816

As your excellency will observe, during the period of eleven years comprised in the preceding statement, we have received from the United States merchandise to the value of $103,216,319, and we have sold in the markets of this country products to the value of $63,086,816, which shows a balance against us of $40,129,503. According to the same publication, the maritime trade between our respective countries was represented in 1896 by 62 steamers, with a tonnage of 92,355 tons, and 172 sailing vessels, with a tonnage of 139,572 tons, coming from ports of the United States; and by 10 steamers, with 28,816 tons, and 74 sailing vessels, with 55,404 tons, entered in the American ports proceeding from the Argentine Republic.

The official publication of the Department of the Treasury, entitled "Foreign Commerce of the United States," corresponding to the fiscal year from July 1, 1895, to June 30, 1896, shows that there were imported into this country 224,888,257 pounds of wool, camel's and goat's hair, alpaca, etc., importations representing a value of $31,497,866. According to the same official source, there proceeded from the Argentine Republic the following quantities and values of wool:

Wool.	Pounds.	Value.
First class (clothing)	6,128,552	$871,305
Second class (combing)	3,273,075	492,875
Third class (carpet)	13,335,224	1,273,677
Total	22,736,851	2,638,257

In addition, the section of foreign markets of the Department of Agriculture has just published a statement of the principal imports of agricultural products to this country during the five years ending June 30, 1896. From said statement it appears that from 1892 to 1896 the Argentine Republic has imported into the United States an annual average of 8.1 per cent of the total entry of wool in this country, while the United Kingdom has imported 42.5 per cent, Australia 10.5 per cent, and Russia 8.5 per cent. Our shipments occupy, then, the fourth place. On the goatskins we occupy the third place, with 15.1 per cent; on bristles the same, with 15.1 per cent; finally, on hides the second place, with 21.0 per cent, only the United Kingdom surpassing us, with 22.8 per cent.

Nevertheless, and in spite of the satisfactory amount of these figures, your excellency will observe that respecting the wool our imports of last year into the United States (22,736,851 pounds) are far from reaching the sum we sent in 1896 (37,000,000), notwithstanding the enormous increase of our production since that date to the present time.

One reason for this deplorable fact has been given with remarkable frankness and striking clearness by the president of the National Wool Growers' Association, Mr. Lawrence, in the following manner:

"The tariff act of 1883, with a duty of only 10 cents per pound on unwashed merino, effectually excluded South American wools under conditions existing in 1888 and since that. Now, the effect of this peculiarity in the Australian merino—that is, it has less shrinkage than any other merino wool in the world—was that under the Wilson bill we imported last year 71,000,000 pounds of this Australian wool, and only 14,000,000 pounds were imported from South America. It was because the South America wool, like the Ohio wool and all our American wools, will shrink 66⅔ per cent in the scouring. The result is, by letting in this Australian wool unwashed, shrinking less than the American washed, that amount of merino shuts out substantially all merino wools from other countries.

"The American consul at Buenos Aires, in his report to the State Department of December 13, 1888, says: 'The shipments of wools to the United States were exclusively of the long carpet wools from Cordova; it being the only class that it is possible to send to our (United States) market under our tariff at a profit. Our tariff, so far as the clothing (merino) and finer qualities are concerned, is prohibitive. While those from Australia can come in, those from the Argentine Republic, owing to the greater amount of grease and dirt which they contain, are quite excluded. The amount of dirt and grease in the (unwashed) wools of the Argentine Republic ranges from 50 to 70 per cent, while the (unwashed) wools of Australia and New Zealand only have about 50 per cent.'

"As between the South American wools and the Australian, the McKinley Act of October 1, 1890, excluded those from Argentina."

I do not wish to extend this communication too much by dwelling any longer on an examination of the figures of the commerce existing between the Argentine Republic and this country. What has been said should suffice, and as your excellency may notice that if this commerce has not taken the great development which it promised, it has not depended on our good will nor on our desire of establishing more intimate business relations with this great Republic, the institutions of which serve us as a model, and which marvelous civilization we follow with the greatest interest and sympathy.

We have manifested that sympathy, as was recognized by the honorable President of the United States in his message of December 2, 1895, by reducing as much as possible, and in spite of the fact that our country draws from the custom-house duties the principal source of its revenue, the import duties which were levied on American products, and by placing several of them on the free list of our tariff law. If your excellency will have the kindness to examine the communication addressed by Mr. Buchanan, American minister to Buenos Aires, to the honorable Secretary of State, the late Mr. Gresham, dated November 19, 1894, your excellency will observe that on the request of that functionary the committee of the House in charge of the study of our tariff approved the modifications recommended by the Government relative to agricultural implements and lumber, as well as making favorable changes in the rates on farm wagons and canned fruits and vegetables. The reduction of the rate of duty on yellow pine, to which Minister Buchanan refers in his communication of October 5, 1894, alone amounted to a reduction of import duties of $256,000 to the benefit of the American exporter.

Your excellency knows that mowers, binders and reapers, and steam thrashers are on our free list, while the rate of duty on machinery and motors of all kinds for agricultural purposes remains at 5 per cent ad valorem.

The market offered by the Argentine Republic for that class of articles is already very considerable. The following statement, which I take from the American official statistics for the fiscal year ending June 30, 1895, contains the figures reached by this branch of the American imports, compared with those from other nations with which the United States maintain extensive commercial relations:

Mowers and reapers:		
Argentine Republic		$817,445
Russia—		
Baltic and White Seas	$101,788	
Black Sea	527,635	
		629,423
United Kingdom		447,114
France		424,312
Germany		375,348

But it is not only this branch of American industry that finds in the Argentine Republic an easy acceptance and an ample market. The United States also send us mineral oils, lumber, tools, all kinds of instruments, locomotives, and railroad material; in short, all the products of the vast industry of that country may enter our market under favorable conditions and analogous with those extended to the goods from other parts of the world. The marked contrast between the imports and exports of this country and other South American nations, which often caused the commercial balance to be against the United States, does not exist between our respective countries.

This contrast is rather unfavorable to us, although we occupy in South America the second place in American commerce, Brazil only surpassing us on account of its considerable imports to this market. Finally, the prospects of our mutual interchange are unlimited, taking into account the progressive development of the Argentine Republic, the activity and energy of its people, the importance of its natural resources, the extension of its territory, and the growth of its population by the constant assimilation of great masses of European immigrants who come to cultivate our fertile fields.

Your excellency will not wonder, in view of the succinct considerations herein made, that my Government should have been painfully surprised on hearing of the prohibitory rate of duties which threatens our wool should the present tariff bill now pending before Congress become a law. The enacting of said rates, as those proposed on our hides, would make impossible the introduction of the former as well as the latter. It would be hostile to an important industry of our country, without benefit to the people or the industry of the United States, and lastly it would end by interrupting in toto a commercial movement which was being started and every day increasing, to the mutual advantage of both countries.

The important concessions which spontaneously and with the desire of making still closer the commercial relations with this nation we have granted to important American products and articles should guar-

antee to us that the Congress of this nation would not enact a law which might destroy our growing trade, and thus close our doors to the introduction of American products. Instead of that, we behold with disappointment and regret that the projected bill affects us with extreme severity, practically applying a discriminating rate of duty on our wool, since our wools have a larger shrinkage than those from Australia, as I have had the honor of mentioning before by citing some utterances of Mr. Lawrence.

After those words had been expressed by that gentleman before the Ways and Means Committee of the House of Representatives, he amplified them later on in the memorial of the National Wool Growers' Association in a form which demonstrates in a manner so efficacious and eloquent the exigencies of our position in this matter that I pray your excellency to permit me to transcribe them, calling your excellency's attention to the same:

"The injustice * * * of favoring Australasia, a British dependency, at the sacrifice of trade with South America is palpable and appalling. The unanswerable argument of that great statesman, Hon. Warner Miller, on this subject should be pondered by every American citizen. We can not hope for increased trade with South American States, nor advantageous reciprocity treaties, while this injustice is continued. * * * But Argentina has a real grievance, of which she may justly complain, and the grievance is still non [more?] ruinous to our industries. * * * By imposing an additional duty on the light shrinking Australasian merino the United States will take less wool from that country and more from South America, and thus enlarge our trade with our sister Republics of the Western Hemisphere, Mexico included."

Before closing, I beg your excellency to allow me to call attention to the following paragraphs from a report of the United States consul in Buenos Aires, Mr. Baker, referring to the Argentine production and to the growth of our commerce with this great nation:

"The Argentine Republic is a country which for the most part produces only raw materials, the bulk of its exports consisting of wools, hides, skins, etc. If the United States have no market, or an uncertain market, for such articles, or its fiscal laws are such that it will not pay to ship them to our ports, it is out of the question that our country can not have a very large or a very reliable trade with the River Plate.

"During all the twenty years that I have been at this port, I have persistently sought to impress upon our Government the importance of this fact, and have in my reports time and again suggested that modifications of such restrictions, thus stimulating a freer exchange of products, was the 'key which would open a large reciprocal trade between the United States and the Argentine Republic.' I can only reiterate what I have heretofore so often said, and I do so at the request of American merchants dealing with the River Plate, is the hope—which they express—that something may be done to ease up the situation and give them the chance of a market for Argentine wools in the United States.

"There is no doubt that it would have a marked effect upon our commerce with this country, not merely in respect to the amount of shipments from here, but, what is more important to us, in the increase of the imports hither of our manufactured goods. It is well said that 'business begets business,' and the opening of our markets to the wools of this country would have a direct effect, not only in strengthening our commercial relations with the people of the Argentine Republic, but, what is always desirable, in promoting their good will and bringing them socially and politically nearer to us."

It is perhaps unnecessary to insist on the considerations which I have had the honor of placing before your excellency with the certainty that the high sense of justice and the friendly feeling which inspires the American policy in its relations with the Argentine Republic will suffice to secure the adoption of any measure whatsoever which may save the interests of my country, threatened by the tariff bill this note has reference to, either by reducing the proposed duty in a proportion so as to leave our wool in a position equal to that of Australia, or by leaving wool in its present condition.

The mere mention of the facilities with which the American products enter our custom-houses is the most eloquent argument which I could present to your excellency in favor of the suggestion just made. We have on the free list, besides other articles, mowers, reapers, thrashers, raw petroleum, coal, coke, locomotives, rails, and sleepers; we have reduced the duty on lumber (yellow pine and oak), on canned goods, on petroleum, on cotton goods (this last from 60 to 20), and we are levying a moderate duty on all other American products imported there (5 per cent ad valorem on plows, machines, and motors of all kinds for agricultural purposes, sewing machines, rosin, wire for reapers, fences, etc.).

In view of these considerations, I am encouraged to hope my country will not be subjected to the hardships which would follow the enactment of a law bearing so directly on our trade with this country, forcing us to abandon the mutual and beneficial commercial relations which bind us with the United States, whose gates would remain entirely closed to our products.

Again, praying your excellency to consider this note as a simple friendly suggestion, made in a spirit of perfect cordiality and without intending in any manner to interfere with the decisions of one of the high branches of the Government of this great Republic, to which by so many links we are bound, I renew to your excellency the protests of my highest and distinguished consideration.

M. GARCIA MÉROU.

The Hon. JOHN SHERMAN,
Secretary of State of the United States.

No. 7 shows clearly enough how a low tariff would benefit the Argentine Republic. The advantage to us is not so clear.

The Argentine Republic occupies relatively about the same position in the Southern Hemisphere that we do in the Northern. They are our competitors in the production of grain and animal products. They have practically nothing but grain and animal products for sale. Of these we have a plenty. They produce nothing that we need, except possibly quebracho wood, and for that we have an excellent substitute in oak and hemlock bark. Only a small per cent of the wool of Argentina comes to our market anyhow, even under a "free-wool" tariff, viz. 12,187 tons out of 201,353 tons exported in 1895.

The new tariff will be no more "prohibitory" than the tariff of 1890. Under that excellent tariff law we bought of Argentina $3,416,740 worth of goods and sold them $9,619,317 worth in 1893, while in 1895, under the "free-wool" tariff, we bought of them for $8,947,165 and sold them $6,686,999 worth.

We have for the last twenty years supplied only from 5 to 7 per cent of the goods imported into Argentina, and more than half of that consists of white pine and petroleum, articles which they do not produce and can get only from us. The next important article is agricultural machinery. These they have not the facilities to manufacture, and without our improved machinery they are unable to compete with us in the grain markets of the world.

We received no communication from the governments of any of the other countries of South America, Central America, or Mexico. The reason probably is that they have climates, and consequently productions, quite different from those of the temperate zones. We have placed their products on the free list if they are such as we can not produce. We have no written communication from the Canadian government, but did have an official visit from one of the ablest statesmen of that Dominion, who came here to confer with the members of the Ways and Means Committee while we were preparing the new tariff. He wished us to make low rates on such articles as are usually imported from Canada, mainly agricultural products.

His main reliance seemed to be the statistical fact that our exports to Canada exceed our imports from that country. But the reason for that is geographical or astronomical rather than political. We produce in Maine, New York, Ohio, North Dakota, and Washington everything which they can possibly produce in any part of the continent north of latitude 49°, while in California, Texas, Louisiana, and Florida we furnish many semitropical products, such as cotton and fruits, which they can not produce and must buy of us.

[No. 8.—Note verbale.]

IMPERIAL LEGATION OF TURKEY,
Washington, May 10, 1897.

The imperial legation of Turkey observes with regret that the new American tariff, as it has just been sent to the United States Senate, imposes an import duty of $1 per pound on crude opium.

As the Department of State is aware, opium is a product of Ottoman soil, which in previous tariffs was always placed on the free list. Its removal from that list and the imposition of a high duty can not, in the opinion of the imperial legation, answer the twofold purpose had in view by the new financial legislation, viz, first, the protection of home industry and productions; and second, the increase of the revenue. As opium is not produced or cultivated in the United States, there is no reason for a protective duty on this article.

As to the increase of the revenue of the American Treasury, the imperial legation doubts whether the duty levied on crude opium could contribute thereto to any appreciable extent. Its effect would, on the contrary, be to diminish the importation of this article, and thus to reduce the estimated receipts to insignificant proportions.

Furthermore, even supposing that the importation of crude opium would not suffer, and that the receipts of the Treasury would be considerable owing to the duty levied thereon, it is scarcely necessary to remark that, even then, American industry and American laboratories which manufacture extracts of this drug for the requirements of medicine and pharmacy would be the sufferers. Consumers would then have to bear the burden of a duty which, after all, holds out merely the hope of a doubtful profit to the Public Treasury. The imperial legation thinks that it would be advisable to place crude opium again on the free list, or at least to reduce the duty on it.

In expressing this opinion, by way of suggestion, the imperial legation of Turkey trusts that the Department of State will kindly make it known in the proper quarter, transmitting at the same time such recommendations in support thereof as it may think proper.

The Turks are evidently of the opinion that they will have to pay, in whole or in part, the dollar a pound duty on opium. Their concern for our Public Treasury could well be stricken out as surplusage.

[No. 9.]

LEGATION OF JAPAN,
Washington, June 3, 1897.

SIR: Under instructions from His Imperial Majesty's minister for foreign affairs, I have the honor to invite your attention to the proposed increase of duties upon certain articles imported into the United States from Japan. In doing so I beg to state that while under ordinary circumstances the Imperial Government would hesitate to express an opinion concerning a question which might be regarded as pertaining exclusively to the domestic policy of this country, they believe that the fact that important Japanese interests are at stake will be deemed sufficient justification for the representations they desire to make.

This belief is strengthened, moreover, by the conviction that the proposed increase of duties will injure the United States no less than Japan by retarding the growth of commercial relations which have hitherto proved equally advantageous to both countries and which promise even greater future benefits. The Imperial Government are well aware that the Government of the United States must share with them the desire to promote and extend those relations, and consequently they feel assured that their motive will not be misconstrued if they frankly express their views upon the subject.

The articles of Japanese importation which will be most injuriously affected by the proposed increase of duties are light-weight silks, silk handkerchiefs, mattings, hemp and jute rugs and carpets, and tea.

Taking these articles in order, I beg to call your attention to the fact that the proposed duty upon Japanese silk goods and silk handkerchiefs is greatly in excess of any similar duty ever levied in this country. The tariff bill, as it passed the House of Representatives, provided for a duty of $4 per pound upon silk goods weighing less than 1 ounce and more than one-third of an ounce per square yard. In actual operation this provision would apply almost exclusively to cheap silks, the manufacture of which may be said to be peculiar to Japan. The proposed duty will bear much more heavily upon them than upon silk manufactured in other countries, most of which will be subjected to relatively lighter rates of duty.

Thus, unintentionally, no doubt, there is the appearance of discrimination against the Japanese product. The Japanese silks imported into this country, although light in weight, are made of inferior raw silk, and do not come into competition with staple American silks. The duty of $4 per pound would be equivalent to an ad valorem rate of between 95 and 100 per cent upon the varieties most generally imported. The duty upon handkerchiefs made of similar grades of silk would be 10 per cent more. The consensus of expert opinion is that these rates are practically prohibitory.

The Senate Finance Committee has reduced the proposed duty to $3 per pound, which is equivalent to between 70 and 75 per cent ad valorem upon piece goods, with 10 per cent added upon silk handkerchiefs.

From all the information I can gather upon the subject, I am convinced that these rates, if adopted, will greatly lessen the volume of importations, and so far, at least, injuriously affect the trade.

Under the present law the duty upon Japanese silk goods and silk handkerchiefs is 45 per cent and 50 per cent advalorem, respectively;

under the law of 1890 it was 50 per cent upon the one and 60 per cent upon the other.

Japanese mattings are at present admitted free of duty in the United States, as they were also under the law of 1890. At no time has a higher rate of duty than 30 per cent ad valorem ever been levied upon this class of goods. In consequence, an extensive and prosperous trade has been established, the use of mattings has become more general than ever before, especially among the poorer classes and in those parts of the country where the warmth of the climate precludes the use of other floor coverings.

Under the bill passed by the House of Representatives the duty levied upon mattings was 8 cents per square yard upon those valued at less than 10 cents per square yard, and 8 cents per square yard, with 25 per cent ad valorem additional, upon those valued at more than that price. Inasmuch as the dutiable value of most of the mattings imported from Japan does not exceed 6 cents per square yard, it is apparent that the proposed duty would be equivalent to a very high ad valorem rate.

The Senate Finance Committee amended this section of the House bill by reducing the duty upon the cheaper grades of matting to 4 cents per square yard, but added a proviso imposing an additional duty of 25 per cent ad valorem upon all mattings "manufactured with a warp composed of flax, cotton, or other vegetable fiber." Since all mattings are manufactured with a warp composed of some kind of vegetable fiber, it is not thought that the reduction effected by this amendment will greatly lighten the burden imposed by the original duty. How heavy that burden is you can perceive when I assure you that it is stated upon the best authority that the trade in mattings can not survive the imposition of such high duties. It must cease altogether, or dwindle to insignificant proportions. In either case the people of this country will be deprived of the use of an article not manufactured in the United States, which experience has shown to be well suited to their needs, and the public finances, it is safe to predict, will not be appreciably benefited.

It has been officially stated that the proposed duty upon hemp and jute rugs and carpets will be equivalent to the about 50 per cent ad valorem. The fact is, however, that the average ad valorem rate of duty equivalent to the proposed specific duty upon the varieties of this class of goods imported from Japan would be nearly 80 per cent. Such a duty, if applied, can not be a severe blow to another article of Japanese commerce the introduction of which has never been shown to be harmful to any product of American industry.

The proposed duty upon tea has attracted the especial attention of the Imperial Government. While it is true that the taxation of an article like tea for exclusively revenue purposes might not ordinarily be open to criticism, the circumstances of the present case are such as to give rise to serious apprehension. For a number of years past the tea industry in Japan has been in a depressed condition. The United States furnish the principal market for Japanese teas, more than two-thirds of the importation to this country being from Japan. It will thus be seen that Japanese tea must bear a larger share of the burden of taxation than the teas of any other country.

The proposed duty will be equivalent to from 50 to 100 per cent ad valorem, according to quality. It can not be a matter of surprise, therefore, that the prospect of a sudden change from free importation to comparatively heavy taxation should awaken in the minds of Japanese tea producers the gravest fear for the stability of their trade in its chief market. Equally with them, the Imperial Government are apprehensive that such a change, added to the depressing conditions which already prevail, must do great harm to an industry upon which a large number of the Japanese people are wholly or in part dependent.

As regards the general subject of the proposed taxation of Japanese imports to this country, I regret to observe that the opinion has gained some credence in Japan that the legislation in question is intended to discriminate against Japanese products. I do not need to assure you that the Imperial Government do not share in this belief, but I would respectfully submit that it is in a measure natural, since, by what is no doubt merely an unfortunate coincidence, it happens that the articles of Japanese importation most injuriously affected by the proposed legislation are what may be termed specialties of Japanese production and manufacture. All the articles herein enumerated come within that category, and for that reason it is not, perhaps, to be wondered at that those whose interests are so seriously threatened should believe that they are in some way the victims of intentional discrimination.

As I have had the honor to state, the Imperial Government are far from sharing in a belief for which they find no warrant in the cordial attitude always maintained by the United States toward Japan, but nevertheless they do not think it either wise or prudent to ignore a sentiment which, under certain circumstances, might have a most unfortunate effect upon the relations of the two countries. They hope, moreover, that it will not be forgotten that this feeling may be attributed in some degree to the fact that no article of American importation to Japan pays at present anything more than a nominal duty, and to the further circumstance that the legislature of Japan has already signified its intention of hereafter levying only the most moderate imposts upon American commerce.

I have the honor, Mr. Secretary, to submit the foregoing observations for your consideration, trusting that you may deem it proper to communicate them to the authorities intrusted with the task of determining this question in which Japan is so deeply interested. As I hardly need assure you, the Imperial Government, in this frank exposition of their opinion, have no other aim than the promotion of those cordial sentiments of good neighborhood which have been such a marked characteristic of the intercourse of our countries. Actuated by this sentiment, they have authorized me to submit their views, in the earnest hope that through this representation some amelioration may be obtained of conditions that threaten the prosperity and even the stability of commerce between Japan and the United States.

Accept, etc.,

TORU HOSHI.

Hon. JOHN SHERMAN,
Secretary of State.

The Japanese minister is instructed by his Imperial Majesty to say to us that, in his opinion, a duty of $3 a pound on light silks "will greatly lessen the volume of imports, and so far at least injuriously affect the trade." In this, I think, he is correct. He does not claim that the increased duty would increase the price to the consumer. In this, I think, he is wise. The price will remain the same to the people who wear silk dresses. In the same ratio that it "will greatly lessen the volume of imports," I think it will greatly increase the industry of weaving silk in this country.

It may also "injuriously affect the trade" by making foreign manufacturers pay the duty and subtract that much from their profits. It may also be that the "trade in mattings can not survive the imposition of" from 3 to 7 cents per square yard duty. Perhaps "it must cease altogether, or dwindle to insignificant proportions."

In my opinion, we shall get all the matting we want at the same old price, and our Japanese friends will continue to do business at the old stand on a narrower margin of profit, while cheerfully contributing the stipulated "tax" into the Federal Treasury for the privilege of using the best market in the world.

[No. 10.]

LEGATION DE SUISSE AUX ETATS-UNIS,
Washington, D. C., June 17, 1897.

Mr. SECRETARY OF STATE: According to my promise, I have the honor to present herewith to your excellency a statement written by Mr. James Robert, of New York, and concerning the newly proposed import duties on watches. Mr. Robert is a citizen of the United States. He is at this time retired from business, but he has a complete knowledge of all the questions relating to the manufacturing of watches in this country and in Switzerland, and is thoroughly acquainted with all the facts of importance in this branch of business. He is also vice-consul of Switzerland in New York. I beg to call the attention of your excellency to this statement, which contains observations that may be of interest to the honorable gentlemen who are at this moment preparing the new tariff measures.

Please accept, Mr. Secretary, the renewed assurances of my highest consideration.

J. B. PIODA.

His Excellency Mr. JOHN SHERMAN,
Secretary of State, Washington, D. C.

NEW YORK, *June 15, 1897.*

At the request of a number of friends interested in the importation of Swiss watches, I am asked to add the testimony of a lifelong experience in that business, with such facts as may assist in retaining the present tariff of 25 per cent duties imposed upon that article.

This tax has benefited protection far more than revenue, as shown in the extraordinary development of American watch factories, which have become wealthy, powerful, and entirely independent of any foreign competition.

On the other hand, the revenue expected from the importation of Swiss watches has continued to decline upon the yearly value, which at one time exceeded $3,000,000, and now barely amounts to one-third of that sum.

The higher duty of 40 per cent, as now proposed, would certainly not add to protection, which is not needed, as facts prove, but would materially lessen the United States revenues in excluding more and more watches of foreign make, the majority of which being specialties or particular trade-marks not subject to American competition. Besides, it would, in my estimation, be altogether to the detriment of the dealer and consumer in making them dependent on the privilege to increase the margin of the already powerful American watch stock companies. It would also give an incentive to dishonest undervaluation or fraud and encourage the purchase of the more valuable article by Americans or others traveling abroad, who enjoy the right to bring over a single watch for their own personal use, thus entailing a loss of business to the retail dealer here.

The honest importer, who is most in need of protection, as well as the Government, would, under these circumstances, be the greatest sufferer if the actual ad valorem duty of 25 per cent was now to be revised, and I trust that upon fair examination of the interests involved no change will be made from what had been considered amply sufficient in the McKinley tariff bill of 1890.

Very respectfully submitted by

J. EUGENE ROBERT.

[No. 18.]

DEPARTMENT OF STATE,
Washington, May 24, 1897.

SIR: By direction of the Secretary of State, I have the honor to inclose for your information and consideration copies of notes dated the 28th ultimo and the 20th instant, respectively, from the minister of Switzerland at this capital, relative to the provisions of the tariff bill pending before the Senate which affect Swiss exports to the United States.

Respectfully, yours,

WILLIAM R. DAY,
Assistant Secretary.

Hon. NELSON DINGLEY, Jr.,
Chairman of the Committee on Ways and Means, House of Representatives.

LEGATION OF SWITZERLAND IN THE UNITED STATES,
Washington, April 29, 1897.

SIR: I have the honor, in pursuance of the instructions of my Government, to state the following considerations to which I take the liberty to invite your excellency's kind attention. I recently transmitted to my Government the tariff bill as it left the House of Representatives. The Federal Council has considered its scope, which can not fail to be disastrous to commerce between Switzerland and the United States, inasmuch as the productions of the three principal export industries of Switzerland are thereby subjected to prohibitory duties. Swiss embroidered goods, silks, watches, and clocks would be almost excluded from the territory of the United States.

In this state of things my Government appeals to the sentiments of friendship and equity of its sister Republic, trusting that it will not close its territory to Switzerland, since that of the Confederation has been at all times wide open to American productions on which extremely low duties are levied. The United States export goods to Switzerland to the value of about 39,000,000 francs, which may be divided as follows: Cotton, 16,000,000; petroleum, 5,000,000; tobacco, 4,000,000; meat, 3,000,000; hides, 3,000,000; lard, 2,000,000; wheat, 1,000,000, etc. Switzerland exports to the United States goods whose value is 13 francs per inhabitant, whereas the purchases of the United States from Switzerland amount to but 1 franc 25 centimes per inhabitant. Swiss exports consist mainly of specialties which do not compete with American industry; their exclusion would be regretted by the American public, and would occasion a diminution of revenue to the United States Treasury.

The Federal Council is not without hope that these considerations will lead in the proper quarter to arrangements favorable to a reasonable reduction of the duties on Swiss imports, or that at least account

will be taken of the considerations set forth by me, and of some concessions in the form of a convention.

Hoping that your excellency will kindly second my suggestion,

I avail myself, etc.,

J. B. PIODA.

LEGATION OF SWITZERLAND,
Washington, D. C., May 20, 1897.

Mr. SECRETARY OF STATE: As a sequel to the note which I had the honor to address to your excellency on the 29th ultimo, and in compliance with the request which you were pleased to make of me in the course of our conversation of the 13th instant, viz, that I would specify the wishes of my Government in regard to the duties on imports from Switzerland which are contained in the tariff bill now under consideration by the United States Senate, I take the liberty to submit to your excellency the following desiderata:

1. That bolting cloth may be allowed to remain on the free list.
2. That there may be no increase in the duties on the following articles:
   (a) Silk piece goods.
   (b) Silk ribbons.
   (c) Embroideries, loom-woven, dotted, and figured.
   (d) Swiss watches and watch movements.
   (e) Tar colors.

I will thank your excellency to make the foregoing known in the proper quarter, and to call attention at the same time to the fact that Switzerland has always kept her market open to American productions.

Be pleased to accept, Mr. Secretary of State, the assurances of my very high consideration.

J. B. PIODA.

His Excellency JOHN SHERMAN.

Documents Nos. 10 and 18 are in the main a plea for lower duties on embroidered goods, silks, watches, and clocks for the benefit of the people of Switzerland.

It may be that lower duties would benefit them. We are manufacturing these articles in America. We are now writing a law "to encourage the industries of the United States." Domestic manufacturers and labor organizations have presented their side of these three industries to our committee with great earnestness, and told us what they want and must have in order to hold the trade. They say they can abundantly supply our markets with embroideries, silks, and watches, without raising the price to the consumer, if only protected by a duty sufficient to cover the difference in labor cost. We had to decide for the Americans.

[No. 11.]

BRITISH EMBASSY,
Washington, December 26, 1896.

SIR: I have the honor to inform you that the fishery board for Scotland has drawn the attention of the foreign office to the high rate of duty imposed on cured herrings imported into the United States, and have represented the expediency of endeavoring to obtain a substantial reduction thereon.

I have therefore the honor, acting under instructions from the Marquis of Salisbury, to submit to the United States Government the representation made by the fishery board, with a view to its favorable consideration.

I have the honor to be, etc.,

JULIAN PAUNCEFOTE.

The Hon. R. OLNEY, *etc.*

[No. 12.]

BRITISH EMBASSY,
Washington, June 18, 1897.

SIR: I have the honor to inform you that the attention of Her Majesty's Government has been called to the increased duty which it is proposed, under the provisions of the Dingley tariff bill, to impose upon salted mackerel and other cured fish.

In view of the grave injury which such action would cause to the trade of the west coast fisheries of Ireland, I am desired by the Marquis of Salisbury to repeat to your Government the representations which I made to you in my note of December 26 last year with regard to a similar proposal concerning the import of Scottish cured herrings.

I have the honor to be, etc.,

JULIAN PAUNCEFOTE.

Document No. 11 is either incomplete or very remarkable. It informs us that "the fishery board of Scotland has drawn the attention of the foreign office to the high rate of duty, * * * and have represented the expediency of endeavoring to obtain a substantial reduction thereon."

Neither a copy of the "representation" of the board nor the substance thereof is communicated to us. No reason is urged. No statement of advantage or disadvantage is made. No other document accompanied the note as it came to the committee, and I am informed at the State Department that none was inclosed with the note when received there.

How anybody could expect us to amend a bill pending in a committee of the United States Congress, simply because a fishery board had drawn the attention of the British foreign office to one of its paragraphs, without suggesting any reason of advantage or disadvantage for or against the change is hard to comprehend.

There may be something the matter with the paragraph, but the defect, if any, should be indicated. I know the spelling is correct, and I think the figures are all right.

No. 12 asserts that increased duty on salted mackerel and other cured fish would cause grave injury to the trade of the west-coast fisheries of Ireland.

We may safely assume that to be true, but still there are no reasons assigned why a lower duty would be any advantage to us.

This absence of information in No. 11 is not cured by a simple assertion in No. 12 that the representations of No. 11 are repeated. We look in vain for any "representations" either in No. 11 or No. 12.

[No. 13.]

CHINESE LEGATION,
Washington, June 29, 1897.

SIR: I have the honor to state that I have received representations from Chinese merchants doing business in various parts of this country relating to the increase of duty on several articles of merchandise, principally tea, silks and silk manufactures, floor matting, rice, and firecrackers, as proposed in the tariff bill now under discussion by the Senate.

While disclaiming any wish on my part to interfere in the discussion of the tariff legislation of the United States, I deem it my duty to respectfully make known to you, and through you to the legislative branch of your Government, the appeals of my countrymen, who earnestly entreat that the Congress of the United States will legislate no law which would impose higher rates of duty on the aforementioned articles than those of the existing tariff.

In this connection I beg to express my gratification on learning that the Senate has kept matting still on the duty-free list.

I trust the Senate's action in this respect will be concurred in by the other branch of the Congress, as I am strongly of the opinion that it will be beneficial not merely to the manufacturers and importers of matting but also to a large class of people in this country who constitute the consumers.

As for rice, which, as you are well aware, is a chief and necessary article of subsistence to my countrymen, an increase on the present duty, which is already very high, would entail still greater hardship on the large number of them in this country who during recent years have had to gain a mere living by dint of hard toil, while its increase to the revenue would be small and insignificant.

In a letter just received from some of our merchants on the Pacific coast, they say that the proposed increase of duty on firecrackers "is excessively high and destructive to the trade. It would greatly injure the importers of this line of goods. Comparing the costing value between the old and new duty, it will make the goods cost from 150 to 200 per cent. The price of these crackers is very low in China, but the weight of them is very heavy, and at 6 cents per pound it would bring the cost of them very high."

As the import of this line of goods does not interfere with the industrial interest of the United States and has no fiscal importance to this Government, it is hoped that the existing tariff rate will be maintained.

I trust that you will be so good as to give the earliest attention possible to the above respectful expression of views, and that you will see fit to bring it to the favorable consideration of the United States Congress, so that some expedient may be found for modifying the proposed tariff in such a way as not to work hardship on my countrymen.

Thanking you, Mr. Secretary, in advance for any step you may deem proper or expedient to take in complying with the above request, I avail myself of this opportunity to renew to you the assurance of my highest consideration.

WU TING FANG.

Hon. JOHN SHERMAN,
Secretary of State.

Of No. 13 there is little to say. Chinese silks and mattings are on a par with the same articles coming from Japan. Rice is one of our own staples, which has always been well protected, as it must be, since its producers have to compete with the cheapest labor in the world.

The Chinese minister is evidently of the opinion that an increased duty on firecrackers would be paid by the Chinese manufacturers and importers. In this I concur.

[No. 14.]

BOUNTIED SUGARS.

[Letter from the Secretary of State, transmitting a translation of a note containing the protest of the Government of Austria-Hungary against the proposed treatment of bountied sugars in the tariff bill at present under consideration in the Senate.]

DEPARTMENT OF STATE,
Washington, June 4, 1897.

SIR: Agreeably to the request of the minister of Austria-Hungary, herewith transmitted, I have the honor to lay before you, with a view to its presentation to the Senate, a translation of a note containing the protest of the Government of Austria-Hungary against the proposed treatment of bountied sugars in the tariff bill at present under consideration in the Senate.

Respectfully, yours,

JOHN SHERMAN.

Hon. GARRET A. HOBART,
Vice-President of the United States.

IMPERIAL AND ROYAL AUSTRO-HUNGARIAN LEGATION,
Washington, May 28, 1897.

Mr. SECRETARY OF STATE: I have had the honor to receive your note of the 17th ultimo, No. 159.

The provision relative to the discriminating duty on sugar contained in the tariff bill which has been passed by the House of Representatives is still found in that bill as amended by the Senate committee (section 3). I was instructed to protest against this provision on the ground of the right of the most favored nation, which is guaranteed to us by treaty, and should consequently be very grateful to you if you would have the kindness, Mr. Secretary of State, to send my note of April 13, 1897 (whereby I obeyed said instructions), to the Vice-President of the United States, that it may be communicated to the United States Senate.

I avail myself of this occasion to renew to you, sir, the assurance of my most distinguished consideration.

HENGELMÜLLER.

His Excellency JOHN SHERMAN,
Secretary of State, etc.

IMPERIAL AND ROYAL AUSTRO-HUNGARIAN LEGATION,
Washington, April 13, 1897.

Mr. SECRETARY OF STATE: Pursuant to instructions, I have the honor, Mr. Secretary of State, to invite your attention to the provisions of the tariff bill now before the Senate of the United States which relate to the duty on sugar, and conflict, on the one hand, with our right of the most-favored-nation treatment, and, on the other, threatens to heavily damage Austro-Hungarian exports.

The above-mentioned bill provides, namely, in Schedule E, No. 206, that sugar exported from such countries which grant a direct or indirect bounty shall pay, apart from the actual duty upon entrance set forth in No. 206, an additional duty to the amount of the bounty granted, so far as this bounty shall be in excess of any internal tax collected upon such sugars or upon the raw materials (beet or cane) used in their manufacture.

The question of the discriminating tariff treatment against our sugar has already been the subject of negotiation between the Imperial and Royal Government and the Government of the United States. The Imperial and Royal Government had looked upon the additional duty of one-tenth per pound upon sugar coming from Austria-Hungary provided for in the tariff act of August 27, 1894, as a violation of the right of the most favored nation granted to her by Article V of the treaty of 1829, and instructed me on that occasion to protest against it.

This instruction I had the honor to carry out in a note of January 3, 1895, to Secretary Gresham, and I therefore consider it unnecessary to repeat here the views advanced therein, which my Government entertains to-day in their entirety. On the other hand, I beg to call attention to the fact that the Government of the United States has recognized our right to protest against any additional duty upon our sugar which is based upon our export bounty, as it will appear from the report of Secretary Gresham to the President of October 12, 1894, and that the President, in his annual message of December, 1894, recommended to Congress the repeal of the additional duty in question.

The bill now pending in Congress has in view a much greater increase of the discriminating additional duty on sugar, and threatens, therefore, our trade with the United States with new injury. In view thereof the Imperial and Royal Government has instructed me to call the attention of the Federal Government to the disposition of these proposed provisions to infringe upon treaty obligations, and in connection therewith to express the hope that it will lend its assistance in order to enlighten Congress upon the existing treaty obligations between our countries, and to prevent that the proposed increase of the additional duty upon our sugar, against which the Imperial and Royal Government must further protest, should become a law.

Accept, etc.,

HENGELMÜLLER.

Hon. JOHN SHERMAN,
Secretary of State.

No. 14 claims, first, that the countervailing duty on bounty-paid sugar violates the "most favored nation" clause of our treaty with Austria-Hungary, and, second, that the new tariff "threatens to heavily damage Austro-Hungarian exports." In answer to the first we have only to say that the new tariff treats all countries alike. The "most favored nation" in the world has to pay the countervailing duty on bounty-paid sugar. If Austria-Hungary and Germany place themselves in a different class from other nations by subsidizing the sugar industry, they can only get from us the rights of trade in our ports which are granted to all countries who subsidize that industry.

If by building up the sugar industry in the United States the result is damage to Austro-Hungarian exports, we can only say that our purpose is to build up the industries of our own country, furnish labor to our own people, and keep our money at home. Our purpose has never been to injure others. It is not any injustice to buy of our own fellow-citizens, even if the result is that we are therefore unable to buy of foreigners.

[No. 15.]

DIFFERENTIAL TREATMENT OF BOUNTIED SUGARS.

[Letter from the Secretary of State, transmitting letters from the German ambassador in regard to the protest of the German Government against differential treatment of bountied sugars.]

DEPARTMENT OF STATE,
Washington, May 19, 1897.

SIR: Agreeably to the request of the German ambassador, I have the honor to lay before you, with a view to their presentation to the Senate, copies of the correspondence indicated below, in regard to the protest of the German Government against differential treatment of bountied sugars in the tariff bill at present under consideration in the Senate.

Respectfully, yours,

JOHN SHERMAN.

Hon. GARRET A. HOBART,
Vice-President of the United States, United States Senate.

Inclosures.

From German ambassador, April 5, 1897.
To German ambassador, May 15, 1897.
From German ambassador, May 16, 1897.
From German ambassador, May 16, 1897.

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IMPERIAL GERMAN EMBASSY,
Washington, April 5, 1897.

Mr. SECRETARY OF STATE: The bill approved by the House of Representatives, now before the Senate of the United States, relating to the tariff of the United States (H. R. 379), provides, in Schedule E, No. 206, that sugars, etc., the product of any country which pays, directly or indirectly, a bounty on the export thereof, shall pay, apart from the actual duty set forth in the said No. 206, an additional duty equal to such export bounty, so far as this bounty shall be in excess of any (internal) tax collected upon such sugars or upon the raw materials (beet or cane) used in their manufacture.

By instruction of the Imperial Government, I have the honor respectfully to invite your excellency's attention to the fact that this provision can not be reconciled with the right of the most favored nation, which is granted by existing treaty stipulations to German products with respect to the duties to be imposed upon them on entry into the United States. The above provision, should it become a law, would, on the contrary, by imposing upon German sugar a special additional duty and thereby establishing in the aggregate a higher duty than upon sugars from various other countries, seriously damage, in treaty violation, German exports to the United States.

Your excellency is aware that this question was already discussed in the year 1894 between the Imperial Government and the Government of the United States. I may, in special, refer to the memorandum of this embassy of July 16, 1894, and to the note of August 28, 1894, addressed by my predecessor, Baron Saurma, to the Secretary of State, Mr. W. Q. Gresham, both of which are found printed on pages 234 and 235 of the proper volume of Foreign Relations of 1894.

It appears to me needless, therefore, to repeat here the text of these two documents; but I must say here emphatically that I accept, in their entirety, as my own the arguments advanced therein on the part of my predecessor in behalf of the opinion held by the Imperial Government. I must state, furthermore, here that the damage which threatens German exports from the provisions of the present bill before Congress is a much heavier one than that which resulted from the tariff law of August 28, 1894, as this law provided only for an additional duty of one-tenth of a cent per pound on German sugar, while the present bill, if it should become a law, will entail a much higher additional duty upon German sugar.

As your excellency further knows, the Government of the United States has unreservedly recognized the justice of our protest against any additional duty based on our export bounty upon German sugar. This is clearly expressed in words in the report by Secretary of State W. Q. Gresham to the President of the United States of October 12, 1894, a copy of which was communicated to this embassy in a note of December 7, 1894, and may be found printed on pages 236 and 239 of the proper volume of Foreign Relations for the year 1894.

The President of the United States explicitly concurred in this view of the Secretary of State by recommending to Congress in his annual message of December, 1894, the repeal of the additional duty upon German sugar. The Imperial Government may therefore entertain the hope that the Government of the United States will exert every endeavor to explain to Congress the importance of the existing treaty obligations between Germany and the United States and the consequences to be adduced therefrom, in order to prevent the proposed provision concerning the adding of the amount of the German export bounty to the duty upon German sugar from becoming a law in violation of treaty obligations.

On this occasion I may invite your excellency's attention to another point which my predecessor in 1894 only touched upon. On August 22, 1891, declarations were exchanged at Saratoga between Mr. von Mumm, the imperial chargé d'affaires, and Mr. John W. Foster, specially empowered by the United States, which had on the one part the importation of German sugar into the United States in view and on the other the importation of American pork into Germany.

The United States made as the basis of these declarations the admission free of duty of German sugar, pursuant to the tariff act of October 1, 1890. The tariff act of August 28, 1894, had already shifted in an unfavorable way for Germany the premises upon which the exchange of these notes were effected, and they would be changed still more to the disadvantage of Germany if the present bill now before Congress should, without amendment concerning sugar, become a law.

The Imperial Government would in such event be compelled to regard the premises as defective upon which the German declarations had been based in the correspondence exchanged in August, 1891, and it would, moreover, be confronted with the question whether those advantages should be further continued which it had hitherto extended to the United States by applying to the importations from that country, especially with regard to its agricultural products, the minimum tariff established by the customs treaties concluded between the German Empire on the one hand and Austria-Hungary and several other States on the other.

With respect to the advantages which the United States, and especially its agriculture, has been afforded by these reduced duties, I may refer to the note of Mr. von Mumm, chargé d'affaires ad interim, of December 10, 1891, in the annex to which the duty rates of the general German tariff are contrasted with the treaty tariff. This note will be found printed as an annex to the proclamation of the President of the United States of February 1, 1892.

Accept, etc.,

THIELMANN.

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No. 331.] DEPARTMENT OF STATE,
Washington, May 15, 1897.

EXCELLENCY: Adverting to your interview at the department yesterday, at which you expressed a wish to have your note of April 5, 1897, in regard to the pending tariff bill, presented to the Senate, where the bill is now under consideration, I have the honor to say that, although a copy of your note has been brought to the attention of the Committee on Finance of the Senate, the department will, as you request, lay before the Vice-President a translation of the same, with a view to its formal communication to that body, if this is what you desire. In case you wish to make any further communication upon the subject, I shall be glad to know it before taking action as I propose.

I avail myself, etc.,

JOHN SHERMAN.

His Excellency Baron MAX VON THIELMANN, etc.

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IMPERIAL GERMAN EMBASSY,
Washington, May 16, 1897.

Mr. SECRETARY OF STATE: I have had the honor to receive your excellency's note, No. 331, of the 5th instant, and beg to say in reply that I will be very much obliged to you if you will send a translation of my note of April 5, 1897, referred to therein, to the Vice-President of the United States for communication to the Senate.

In view of the action of the Committee on Finance of the Senate, the tariff bill has in the meantime assumed a materially different shape, inasmuch as the clause relating to an additional duty on such sugars upon which an export bounty in the country of their origin has been paid has been stricken from Schedule E and incorporated in a more general way in new section 3.

As this change does not alter in substance, but only in form, the subject of my protest contained in my note of April 5 last, I have taken leave to address to your excellency to-day another note, which bears No. 1120–97. I should be very sensible of the kindness if your excellency would cause a translation of the note just mentioned (No. 1120–97) to be transmitted to the Vice-President of the United States for communication to the Senate, simultaneously with my previous note of April 5.

Accept, Mr. Secretary of State, the renewed assurances of my highest consideration.

THIELMANN.

His Excellency JOHN SHERMAN,
Secretary of State of the United States.

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IMPERIAL GERMAN EMBASSY,
Washington, May 16, 1897.

Mr. SECRETARY OF STATE: my note of the 5th ultimo, relative to the duty on German sugar which was proposed in the Dingley bill, the receipt of which your excellency had the kindness to acknowledge under date of the 7th ultimo, No. 206, Schedule E was referred to by me as the one against whose provisions I had been instructed by the Imperial Government to protest on the ground of the treaties concluded by the United States with various German States. The Committee on Finance of the United States Senate has meantime made important changes in the original wording of the tariff bill, eliminated from Schedule E the discriminating duty on sugar from countries which pay export duties, and has introduced that discriminating duty in a form which extends to goods of all kinds into the new section 3.

I consequently have the honor, with a view to the prevention of misunderstandings, most respectfully to inform your excellency that the protest which I was instructed by the Imperial Government to make now naturally has reference to the contents of the new section 3, since, in case the contents of the new section 3 should acquire the force of law, German goods would be obliged to pay a discriminating duty in addition to the ordinary duties.

While disclaiming any wish on my part to interfere in the discussion of the tariff legislation of the United States, I deem it my duty to

I should be obliged to your excellency if you would have the kindness to bring this note, as you did that of the 5th ultimo, to the notice of the United States Senate.

Accept, etc.,

THIELMANN.

His Excellency JOHN SHERMAN.

No. 15 is in error when it asserts that "the Government of the United States has unreservedly recognized the justice of our protest against any additional duty based on our export bounty upon German sugar."

It is true that Mr. Cleveland and Mr. Gresham recommended that course to Congress in 1894. Congress is a part, and a very important part, of "the Government of the United States." We have collected the countervailing duty for three years. Congress has declined to repeal it, and will reassert the doctrine in this bill.

[No. 16.]

CONSULATE-GENERAL OF GREECE,
New York, April 10, 1897.

SIR: I have the honor to call your excellency's attention to the enormous import duty of 2 cents per pound imposed on currants by the tariff bill now before the United States Senate, and the great injustice that will be done to Greece if said duty is confirmed by the Senate.

It is a well-known fact that Zante or Greek currants do not come into competition with any product of this country. They are raised and thrive only within a narrow strip of land to the south of the Gulf of Corinth and in the adjacent islands of Corfu, Cephalonia, and Zante. The capricious nature of the genus of this plant is well known and it is an established fact that the product of currants is thus confined in space and limited in quantity.

The amount of currants annually imported to this country is about 32,000,000 pounds. The average amount of the years 1895 and 1896 was, according to the Treasury statistics, 31,981,000 pounds.

The import duty was as follows: Up to 1890, 1 cent per pound; from 1890 to 1894, free; from 1894 to 1896, 1½ cents per pound; and by the Dingley bill, 2 cents per pound.

The average cost of the imported currants for the last two years, according to the records of my consulate, has been as follows: Year 1895, 1.54 per pound; year 1896, 1.84 per pound; or an average of 1.69 per pound. On this basis the proposed duty of 2 cents would make it 118 per cent ad valorem. No such duty exists in the tariff for a similar article. It is a discriminating duty against Greece, amounting almost to prohibition, and out of all proportion to that on other fruits, as will be seen from the following table:

	Average cost without duty.	Imposed duty.	Equal to—
	Cents.	*Cents.*	*Per cent.*
Valencia raisins	3.5	2.5	74
Malaga raisins	7	2.5	35¾
Sultana raisins	4	2.5	62
Prunes	5	2.5	50
Figs	4	2.5	62
Currants	1.69	2	118

This duty of 2 cents per pound was imposed, as I understand, first, by an erroneous impression that currants are a grape and compete with California raisins, and, second, by the statement made in the House on March 31 by the Hon. Mr. Dingley, chairman of the Committee on Ways and Means, that the duty of 2 cents per pound was only one-half of that imposed by England.

As a matter of fact, the duty on currants in England is 2 shillings (48 cents) per quintal of 112 pounds, and consequently it amounts to four-tenths of 1 cent per pound.

As to the first assertion, I beg to state that currants are a unique product, grown nowhere else in the world except in Greece and her adjacent islands. They furnish the masses with a cheap and nutritious fruit product, which benefits the consumers without injuring anybody, and that it has no real substitute. Raisins are an article for the table. Currants are an article for the kitchen.

These facts are so palpable that when in 1890 I explained them to Hon. Major McKinley, now President of the United States, he placed currants on the free list without hesitation. The same point of view was taken by your excellency in the United States Senate, when you spoke on the subject, June 9, 1894. I take the liberty to inclose copy of your remarks, taken from the CONGRESSIONAL RECORD of June 10, 1894 (vol. 26, No. 150, p. 7179), and I hope that your excellency entertains still the same opinion.

Before I conclude, I beg to be permitted to remark that the vote of the United States Senate of February 20, expressing its sympathy for Greece and her Government, had an immense effect in Greece and strengthened our hands in our present struggle to free our brethren in Crete from the Turkish yoke. It would be an anomaly and almost incomprehensible to our people if that same Senate, which expressed unanimously its strong sympathy for Greece, would crush the only Greek product imported into this country by imposing an enormous and almost prohibitory duty.

Yet, in view of the present policy of the United States Government, we do not ask that currants should be placed on the free list, as they were by the act of 1890, but as the question of revenue must be considered, a duty of 1 cent per pound would make this article bear a fair relation to other imports.

I most respectfully beg your excellency to transmit these remarks to the Finance Committee of the United States Senate for their consideration.

I have the honor to be, with the highest consideration, sir,

Your most obedient humble servant,

D. N. BOTASSI,
Consul-General of Greece.

Hon. JOHN SHERMAN,
Secretary of State, Washington, D. C.

—

[From the CONGRESSIONAL RECORD, June 10, 1894.]

Mr. SHERMAN. Mr. President, the vote taken when I was absent temporarily, fixing a duty of 1½ cents a pound on Zante currants, seems to me a gross injustice to a country with which we have considerable commerce, and with which we have an increasing commerce.

I have some facts which I have received from the representatives of that Government in respect to Zante currants. If the statements are true—and I have no doubt they are, because they are verified from the market quotations in the city of New York—it is a grossly outrageous duty on what is commonly called the "raisin of the poor." The statement I have shows conclusively that Zante currants are now quoted in the market of New York at about 1¼ cents a pound. This, therefore, would be a duty of 125 per cent upon Zante currants, which are imported in large quantities, and which are used mainly by the poor people in their puddings, etc., as a substitute for raisins. Large quantities of currants of that kind are imported. I shall read what is said here in a communication which I have before me:

"CONSULATE-GENERAL OF GREECE, 33 SOUTH WILLIAM STREET,
"New York, May 12, 1894.

"SIR: In the tariff amendments just presented in the United States Senate (article 217), I notice that a duty of 1½ cents per pound is put on Zante currants, which are produced exclusively in Greece.

"This enormous duty is equivalent to 125 per cent ad valorem, the average price of currants in Greece being about 1¼ cents per pound. They are selling now in New York from 1¼ to 1½ cents per pound.

"Zante currants, now on the free list, are taxed 10 per cent ad valorem by the House bill. In the Senate bill the duty was increased to 20 per cent; then the Finance Committee increased it to 30 per cent; and now in the amended bill a specific duty of 1½ cents per pound is put thereon, equal to 125 per cent ad valorem.

"And yet it is a fact that Zante currants do not come into competition with any product of this country. A small raisin produced in California has nothing whatever to do with the Zante currants of Greece.

"We only demand justice. We do not compete with your products. We buy in the United States every gallon of petroleum that is consumed in Greece, as well as all our agricultural implements, and yet it is proposed to tax at the enormous rate of 125 per cent the only article that Greece sends to this country.

"The whole tariff does not offer a second example like this, viz, take an article from the free list and tax it 125 per cent. Is this not a great injustice done to a friendly country, and will it not affect the promising trade which was just being developed between the two countries?

"Very respectfully,

D. N. BOTASSI.
"Consul-General of Greece.

"Hon. JOHN SHERMAN,
"United States Senate."

It seems to me that this statement which is made, and I have no doubt truly, by a responsible party, the consul-general of Greece, shows that we ought not to make this discrimination against that important product of Greece, the only thing that we import from that country.

As the vote has already been taken, I do not care to move to reconsider, because I hope Senators on the other side having the matter in charge will correct it.

There is no similitude in the use or cost of Zante currants and raisins. Raisins are worth 2, 3, 4, or 5 cents a pound; and the raisins of California are very beautiful, probably the best raisins in the world. I have seen specimens of those raisins which are equal to any produced in the world. To make such a change in the duty on this article, which does not really compete with the raisins of our own country, seems to me, at least, extortionate, and I think it ought to be corrected. I should have no objection, however, to putting a reasonable rate, an ordinary ad valorem rate, on raisins; but to apply a specific rate to these two articles, which differ so widely in value, raisins being worth at least four or five times as much as Zante currants, is not just to a friendly country, especially to a small country which has an increasing commerce with our own.

I hope Senators will take the matter under consideration, so that it may be called up again when the bill is reported to the Senate. I call attention to it now, but shall not put the Senate to the trouble of taking a vote upon it.

Whatever may have been thought in 1890, it is now well established that Zante currants are really raisins, and grow on a vine like other grapes. Specimens of full-grown vines with the fruit on have been produced in the federal courts, authenticated by our consuls in Greece, who have superintended the digging and shipping of the specimens.

They come in direct competition with certain California raisins which are now produced in great abundance.

By good rights Zante currants ought to be classified as raisins, which they really are. Then they would have to pay the still higher duty of 2½ cents.

[No. 20.]

IRISH MACKEREL FISH CURERS' ASSOCIATION,
OFFICES, 10 UNION QUAY,
Cork, March 17, 1897.

SIR: We are authorized by the above association to transmit to you the inclosed memorial, signed by almost every Irish representative in the British House of Commons, and we hope that you may see your way to concede to the prayer of the petition, which asks that you will be good enough not to increase the duty on Irish-cured mackerel and herrings.

We remain, your obedient servants,

W. W. HARVEY, *President.*
GEO. GEORGISON, *Honorary Secretary.*

The Right Hon. WILLIAM MCKINLEY,
President of the United States of America, Washington.

—

EXECUTIVE MANSION,
Washington, March 29, 1897.

MY DEAR SIR: By direction of the President the inclosed memorial from Irish representatives in the British House of Commons in regard to the duty on Irish-cured mackerel and herrings is referred to you for your consideration.

Very truly, yours,

JOHN ADDISON PORTER,
Secretary to the President.

Hon. NELSON DINGLEY, Jr.,
Chairman Committee on Ways and Means,
House of Representatives.

—

SIR: We, the undersigned Irish representatives in the British House of Commons, have learned with deep regret that there is a probability of heavier duties being imposed on Irish-cured mackerel and herrings going into the United States of America.

1894, a copy of which was communicated to this embassy in a note of

addition to the ordinary duties.

On behalf of the poor Irish fishermen, we would humbly and very respectfully bring before your notice the real facts of the case, which, when disclosed, will reveal a state of matters rarely to be met with in the annals of any nation.

Within the past ten years the mackerel-curing industry has been started in our country and has given employment to many thousands of poor people living in the most poverty-stricken districts of our land.

Since the inception of this industry there has been a marked improvement in the social condition of the people, although their present state is still very miserable and leaves great room for improvement. Prior to the rise and growth of this industry the condition of the people was sad in the extreme; in fact, our workhouses were every one of them crowded to excess.

For the first few years of the business the prices paid to the fishermen were such as secured for them earnings which after supplying their daily needs left a small surplus to help to purchase nets and boats, or to repay the Government and philanthropic friends, who in the first place provided both boats and nets.

For the past few years the prices paid to the fishermen have been so low that at the end of the season they usually found themselves in debt to the merchant, and before next season came around it has been by no means uncommon to find any of these men with their families applying to the union for relief, and to prevent them from starvation they were reluctantly obliged to accept such shelter.

It should be noted here that the United States of America is the only market to which Irish-cured mackerel are sent, and if the present duty were increased there is, we fear, no alternative for the vast majority of the poor Irish fishermen but to return to the days of ignominious existence in the wards and hospitals of our unions.

The prices paid for fresh mackerel these past few years were so low that if they were reduced—as an increase of duty would necessitate—it would mean that the result of their fishing would not pay for wear and tear of boats and nets, far less leave anything for themselves and their families.

The industry is a young one, and in such a poor country as Ireland is, where there are so few industries, we appeal to you on these high and benevolent grounds of common humanity to graciously consider our applications, and instead of increasing the duties on Irish-cured mackerel or herrings, perhaps you will consider favorably the deplorable condition of the Irish fishermen and possibly reduce the existing duties of one and a half dollars per barrel on mackerel and $1 per barrel on herrings. If it be pleasing to you to keep the duty at its present level, you will confer an untold blessing on many thousands of very poor people in Ireland, and the reduction of these duties would help these thousands to live in a state of comparative comfort, and so relieve them from their present abject poverty.

It will be at once obvious to you that a reduction of duty would have far-reaching effects on the social conditions of our very poor fellow-countrymen and would tend to increase rather than diminish the wealth of the United States, inasmuch as, if the population of these poor congested districts of Ireland were rendered self-supporting, the immense sums at present sent yearly by their friends in the United States for their support would be no longer needed.

Praying that you may see your way to grant our petition, we have the honor to be, sir,

Your obedient servants,

John Dillon, Edward Saunderson, Michael Davitt, Thos. Waring, P. J. Power, R. N. Penrose Fitz. Gerald, Jas. C. Flynn, A. H. Smith Barry, Jas. F. X. O'Brien, Herbert Robertson, W. Abraham, Robt. T. O'Neill, T. J. Campion, W. E. H. Lecky, James Gilhooly, James M. H. Calmont, James O'Connor, M. A. MacDonnell, Saml. Young, Michael J. Flavin, I. G. Swift MacNeill, Michael Austin, Denis Kilbride, Thos. H. Grattan Esmonde, James Roche, Richard McGhee, Justin McCarthy, P. J. O'Brien, M. J. Minch, Bernard Collery, T. H. Healy, T. D. Sullivan, Donal Sullivan, T. Harrington, James P. Farrell, P. A. McHugh, Eugene Crean, John Finncane, Pat O'Brien, J. J. Clancy, William Field, James O'Kelly, James L. Carew, W. H. K. Redmond, John H. Parnell, Thomas B. Curran, James O'Connor, D. MacAleese, Maurice Healy, James Daly, M. A. MacDonnell, A. J. C. Donelan, George Murnaghan.

To the Hon. WILLIAM MCKINLEY,
President of the United States of America.

No. 20 is from 53 Irish members of the British Parliament. Among them will be noticed such names as John Dillon, Michael Davitt, John H. Parnell, and Justin McCarthy. They are among the ablest statesmen in Parliament. It is fair to presume that in a document of this kind they have addressed to us their most persuasive argument. They, no doubt, paint a truthful picture of the poverty of the Irish fishermen. They are, no doubt, also correct in their contention that a low tariff on mackerel and herring would greatly assist these poor Irish fishermen; but as an American statesman writing a law for the American people, I am more concerned to know what we are going to get out of it.

The only benefit the petitioners offer us is that if we will kindly remit this "tax" on mackerel and herring, then the money thus saved to the fishermen (and lost to our Treasury) will render them self-supporting, so that there will be no necessity for them to live on the charity of their relatives in America. Such legislation would simply transfer the burden of supporting these fishermen from their kind-hearted and prosperous relatives in America to the Federal Treasury. We are willing to do anything that our big-hearted Irish-American fellow-citizens ask us to do, but they have never asked us to relieve them of a duty of filial affection in this way.

The Irish members of Parliament ought not to have asked it.

All of the foregoing 20 communications are from statesmen who are employed to work for the advancement of the material welfare of their own several countries.

None of them are so situated that they could be adequately punished by us for their negligence, if convicted, of occasionally relaxing their vigilance in keeping a watchful care over everything that makes for our national prosperity.

They are unanimously in favor of a tariff for revenue only. They agree that a low tariff will benefit them, and give good reasons for it.

Most of them mention no benefit that we can expect, and the two or three who attempt it give very shadowy and speculative reasons for our comfort.

I think I will not weary the patience of the Senate by reading any more. I thank you.

In connection with the protests of foreign countries, I ask leave to print a couple of paragraphs and a table in the RECORD showing the exports to those countries for the year before the Dingley tariff bill was passed, and the year after it was passed, and also ten years later.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Another evidence of the indisposition of other countries to attempt to exclude the required products of the United States from their markets is found in the fact that although a dozen of the great countries of the world simultaneously protested against the Dingley tariff act, no one of those countries excluded any of the products of the United States following the enactment of that law or even reduced by a single dollar the value of their purchases from this country. These protests, while not a joint action, and while relating in some cases to different features of the act from those complained of by other protesting countries, were practically simultaneous, and as the passage of the act without recognition of their protest was a simultaneous rejection by the United States of those protests, the occurrence offered to them a special and unique opportunity for combined action in excluding our products from their markets. Yet not a single one of those countries took such action, and in no case did they reduce their purchases from the United States. On the contrary, our exports to every one of the 12 countries have increased. Our exports to the 12 countries which protested against the act in question were in 1896, $618,688,000, and in 1907, $1,220,000,000, an increase of about 100 per cent, as compared with 1896, the year prior to that in which these protests were made. (See table of countries protesting against Dingley law, and exports to them.)

Besides, the complete power of the United States to protect itself against retaliation must not be overlooked. The only countries from which there could be any possibility of danger are the leading industrial and commercial nations of Europe. Their policy is protective, so is ours. But if they are compelled to buy largely of our products from necessity, we buy largely of theirs from choice. We are among their best customers. What they buy of us are necessaries; what we buy of them are chiefly luxuries. If they were to proscribe our products we could more easily proscribe theirs. So long as we maintain the protective policy we can defend ourselves; the more we advance toward free trade the fewer weapons of defense we hold.

Thus, both the logic of the situation and our actual experience with adverse legislation and threats of such legislation fail to justify the assertion that our products of any class are being excluded or are likely to be excluded from the markets of other countries by reason of our protective tariff.

GROWTH OF EXPORTS TO THE COUNTRIES WHICH PROTESTED AGAINST THE DINGLEY TARIFF BILL.

This table gives a full list of the countries which protested against the Dingley tariff bill during its consideration and the value of merchandise exported thereto in the year prior to the consideration of that measure and of their protest, and compares with those figures the exports to those same countries in 1898—the year immediately following the enactment of the tariff law—and in 1907, the latest year for which figures are now available. It will be seen that, despite the protests against the Dingley bill, and in some cases implied threats of exclusion of American products in case the bill should become a law, the exports to those countries have in every case greatly increased, the total exports to those countries in 1907 being practically double those of 1896, the year prior to the enactment of the law.

Exports from the United States to the countries which protested against the Dingley tariff bill, showing increase in exports after enactment of the law.

Country.	Year ending June 30—		
	1896.	1898.	1907.
United Kingdom	$405,741,339	$540,940,695	$807,783,235
Germany	97,897,197	155,089,972	256,595,663
Netherlands	39,022,899	64,274,524	104,507,716
Belgium	27,070,625	47,619,201	51,493,049
Italy	19,143,600	22,230,858	61,746,065
Japan	7,689,685	20,385,011	38,770,657
Denmark	6,557,448	12,697,421	23,381,689
China	6,921,983	9,922,894	25,704,592
Argentina	5,979,046	6,429,070	32,163,336
Austria-Hungary	2,439,651	5,697,912	15,136,185
Greece	191,046	137,559	1,634,431
Switzerland	32,954	263,970	612,379
Total to countries	618,687,429	886,799,027	1,219,532,722

Mr. ROOT obtained the floor.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Missouri?

Mr. ROOT. Certainly.

Mr. STONE. Just one moment. I desire to ask the Chair, if the information is in the possession of the Chair, whether the document just transmitted by the President is in the original German text or whether it has been translated?

The VICE-PRESIDENT. The Chair will have to ask the Secretary.

Mr. ALDRICH. It is in the original German text; and, as the matter has been referred to the committee, they will have it translated at once.

Mr. STONE. That is satisfactory.

Mr. ROOT. Mr. President, I wish to say a few words about the pending amendment, which is a proposal to increase the duty upon barley. I hope the Senator from Montana [Mr. CARTER] will not think me discourteous if I do not refer specifically to his observations on that amendment. [Laughter.]

I think, Mr. President, that I ought to vote against the amendment, and it is my purpose to vote against it. I wish to state briefly the reason. Prior to the tariff act of 1883, the duty on barley was 15 cents a bushel. Upon the report of the tariff commission of that year, the Congress reduced the duty to 10 cents a bushel. The duty was increased to 30 cents a bushel in the McKinley Act of 1890; reduced to 30 per cent ad valorem by the Wilson Act of 1894; and restored to 30 cents in the Dingley Act of 1897. The House of Representatives in the pending bill reduced the rate to 24 cents a bushel, and the committee now recommends an amendment to the House bill restoring the Dingley rate of 30 cents.

During the period when the duty was 10 cents a bushel a very large malting industry grew up along the southern shore of Lake Erie and Lake Ontario; many millions of dollars were invested in the New York cities upon the south shore of those lakes, and there also grew up a very large production of barley in the farming region of northern New York. The barley raised in that region is specifically adapted for blending with Canadian barley for the manufacture of malt; and, accordingly, under the lower rate of duty there was a considerable importation of the hard, No. 1, Canadian barley and a large production of New York barley to blend with the Canadian for the manufacture of malt.

The increase of duty by the Dingley Act was a severe blow to the malting industry of New York and to the barley-raising industry of New York. Under that duty the malting industry has languished and decreased, and under that duty the production of barley by the farmers of northern New York has to a great extent disappeared.

Under this revision both the maltsters—such of them as remain in the cities of Buffalo, Oswego, and some other New York towns—and the representatives of the farmers came to the Committee on Ways and Means and asked for a reduction of the duty. The situation in which we are placed, Mr. President, is that, failing the possibility of importing Canadian barley, failing the production of New York barley to blend with the Canadian barley, our malting houses in New York are obliged to take their entire supply from the Northwest, and the supply of the Northwest, collected in the elevators that control the transportation of barley, is subjected to increases and decreases of price practically at the will of the owners of the elevators; so that the New York maltsters find it impossible to calculate with any accuracy or certainty upon the price of the material which is necessary for their industry.

Mr. President, I do not intend to oppose or find fault with the principle of protection of agricultural products; but I fail to see in any facts that have been presented here any evidence that a duty of 30 cents a bushel on barley is necessary to equalize the cost of production upon the American and upon the Canadian side of the boundary line. If it were necessary, then the maltsters and farmers of northern New York must take the consequences of the application of the rule of protection. They must be content to suffer in that one respect, in order that they, with the other citizens of our country, shall benefit by the combined effect of the duties included in their protective tariff; but if there is no occasion for fixing the duty at this high point under the application of the rule of protection, if the rule does not require it, then the establishment of this duty would be to inflict upon the interests which I am endeavoring to represent an injury wholly unwarranted.

I know that the facts relating to the duty upon barley have been presented upon both sides to the Committee on Ways and Means. I know that they have been presented to the House of Representatives, and that the Committee on Ways and Means and the House have decided in favor of a 24-cent duty. I know, too, that the facts have been presented to the Finance Committee of the Senate, and that committee have decided in favor of a 30-cent duty on barley. If it be the judgment of the Senate that the application of the rule of protection demands a 24-cent duty or a 30-cent duty, I must submit to it, and I shall submit cheerfully. It does not seem to me that, upon the facts, the application of that rule does demand such a duty. If it seems to the Senate that it does, then hereafter, where the interests of the people of the State of New York demand a duty, I shall ask the Senate to apply the same rule that they apply to the interests of the people of the Northwest, when the application is injurious to the interests of the people of New York.

Mr. BEVERIDGE. Mr. President, this committee amendment, of course, is intended either for revenue or for protection, or both; but I find that it can hardly be for protection, because last year we exported 8,238,842 bushels, valued at $4,556,295, and our importations were only 11,815 bushels, valued at $6,608. It can not be for revenue, because the total revenue under the present law is only $3,544.50. In view of these figures the amendment of the Senate committee, increasing the very large duty of 24 cents per bushel which the House fixed, to 30 cents, would seem to lack a justification in the facts either from a protection or a revenue standpoint. Therefore I shall vote against it.

Mr. HEYBURN. I think the increased duty is for protection.

Mr. BEVERIDGE. How?

Mr. HEYBURN. The new lands in British Columbia and Manitoba that border on the northern portion of several of our States are practically obtainable, or the use of them is obtainable, for nothing. We are a large barley-producing country, and the lands upon which we grow barley are worth from $30 to $100 an acre. A man engaged in the production of barley on our side of the line receives double the wages, both in planting the crop and in harvesting it, that are received by the man in British Columbia, Manitoba, or elsewhere on the Canadian side of the line.

Mr. BEVERIDGE. Will the Senator permit me?

The PRESIDING OFFICER (Mr. JOHNSON of North Dakota in the chair). Does the Senator yield?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. These facts, as far as my own personal attitude is concerned, would have great weight with me if they were not overcome by the fact that, notwithstanding our exportations are enormous, the Notes on Tariff Revision prepared by the House committee say that the production of barley in this country is constantly and rapidly increasing. Regardless of these differences in wages, we import hardly any at all and we export vast quantities.

Mr. HEYBURN. We do not import it because the duty is performing its proper function.

Mr. BEVERIDGE. Why do we export it?

Mr. HEYBURN. I will ask the Senator, what is this "enormous" exportation?

Mr. BEVERIDGE. Our exportations were 8,238,842 bushels last year.

Mr. HEYBURN. We have a single county that produces that much. That is a mighty small item in the production of grain in our country.

Mr. BEVERIDGE. The importations, compared with the exportations, are trivial, negligable.

Mr. HEYBURN. The fact is that the production of barley is growing. It is one of the most profitable crops that we raise in the Northwest, so far as the profit per acre to the farmer is concerned, and there is an increasing acreage there from year to year, to which there is scarcely a limit, and of course we expect to export it. We expect to export 800,000,000 bushels before we are through with the development of barley, if it keeps on. We can supply a great deal of it, and 8,000,000 bushels is a very small quantity. I repeat that a single county could furnish that much barley. I regard the duty as necessary for the protection of the American farmer against the Canadian farmer. Now, these barley fields north of the line are, to a very large extent, in the hands of the very cheapest kind of foreigners who are brought over there. Several of the societies with which we are very familiar raise barley north of the line, and we must not be compelled to compete with them, because we pay $3 and $3.50 in the field to harvest our barley. We pay our farm hands three times the wages that they are paid north of the line, and we want to continue to do that.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Certainly.

Mr. TILLMAN. If that be true, what are the inducements which exist to cause so many Americans to emigrate across the line and become Canadian farmers every year? In my examination of this question, in getting information wherever I could, I learned a year or two ago that several hundred thousand farmers of Iowa, Nebraska, and other Western States are transferring their belongings across the line into Canada in search of cheap lands, and that they are the real competitors, if there is any competition, in a race in which we do all the exporting and very little of the importing.

Mr. BEVERIDGE. We export about 700 times as much as we import.

Mr. HEYBURN. The fact to which the Senator from South Carolina refers, which was stated in this Chamber, that a large number of Americans are going over into Canada because

they can get lands under more favorable circumstances there than on this side, is not inconsistent with the statement that I have just made. Of course an American can get land on the Canadian side just as cheaply as a Slav can, as far as that is concerned, but we want him on this side of the line.

Mr. TILLMAN. Does the Senator have any objection to Slavs? If so, we have some of them right here, and I have thought them to be pretty good fellows.

Mr. HEYBURN. I was speaking in the ordinary use of that term. There has been a class of immigration there that we would not offer any special inducements to on this side of the line. I do not think it proper, in public speech, or in private speech for that matter, to declaim against any nationality at all, because individual character is not always a question of geography. I used the term in the ordinary sense, in describing a class of immigration that would be undesirable to us.

Now, we want conditions on our side of the line to be so much better than the conditions on the other side that our people will stay at home, or will come back to this country; and in making these few suggestions in support of retaining the duty recommended by the committee to this body, I do so upon the basis of the actual facts, and with a view not only of retaining existing conditions and inducements, but extending them if possible. I should have been glad to see the duty on barley even higher. There is nothing that builds up a community like a product of the soil of this character, because the market is unlimited, and it is an ever-growing market, it is an easy crop to raise, a comparatively economical crop to produce, and why should we hesitate about retaining the duty?

I realize the force of the suggestion made by the junior Senator from New York [Mr. ROOT]. It might be desirable to get barley in under more favorable conditions locally, along the St. Lawrence River, but bear in mind that this crop is grown all over the United States, and we have no such conditions along our great line upon the north that divides our Western States from Canada. We have no such conditions existing there as those pictured by the Senator from New York, and it is not a question of building up our breweries alone. The use of barley is not confined to the making of malt or beer.

Mr. McCUMBER. The Senator from Indiana seems to be startled at the wonderful amount of our exportations of barley, being about 8,000,000 bushels, so he says. I have not looked up our exportations, but I assume that is the amount. We produce in this country ordinarily about 150,000,000 to 160,000,000 bushels, and all but about 8,000,000 bushels, according to the Senator's own statement, are used in this country. We will admit that about 8,000,000 bushels are exported. The Senator assumes that the export price will necessarily affect the price of all the products in the United States.

But, Mr. President, there is something more than the question of export price in the matter of the fixing of prices in the United States. Barley is not shipped from some sections of the country for export at all. I do not think it is shipped from my country for exportation. The distance is too great and the freight rates are too great to justify shipping it any great distance to come in competition with the world's market. A certain portion of it undoubtedly can be exported from certain sections of the country to the general world's market; but our price is fixed, not only by the supply and demand, as we generally use that expression, but by the visible supply within the radius of a particular market.

If the Senator would make inquiries along the line of my State, he would find that notwithstanding the fact that we are exporting barley on the one side of this imaginary line it is considerably more expensive than it is upon the other side, showing to the Senator that the export price or the demand of the world does not fix the price entirely in the United States.

Mr. BEVERIDGE. May I ask the Senator from North Dakota a question?

Mr. McCUMBER. Certainly.

Mr. BEVERIDGE. Does the Senator really think, with a duty of 24 cents a bushel, as fixed by the House bill, the farmers of his State would suffer in competition with the farmers of Canada?

Mr. McCUMBER. To-day, no.

Mr. BEVERIDGE. That is sufficient.

Mr. McCUMBER. Next year, no. Within ten years, yes.

Mr. BEVERIDGE. You do not mean that we are fixing a tariff on futures, and ten years off at that?

Mr. McCUMBER. The Senator himself has again and again stated on this floor that we are fixing a tariff for ten years.

Mr. BEVERIDGE. I hope so; and if at the end of that time what the Senator now thinks shall come true, then we will have an opportunity to raise the duty upon barley. The Senator admits that not for ten years, with 24 cents a bushel upon barley, would the farmers of his section be in competition with anybody.

Mr. McCUMBER. I said nothing of the kind, and the Senator is not justified in believing I said anything of the kind. I said within ten years, yes; that means before the expiration of ten years.

Mr. BEVERIDGE. Well, about what time?

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield, and to whom?

Mr. ALDRICH. I should like to ask one question.

Mr. McCUMBER. I yield to the Senator from Rhode Island.

Mr. ALDRICH. Is it not true that the conditions may change in six months, in a year, or at any time, in which event the duty would be absolutely necessary?

Mr. McCUMBER. The Senator from Indiana himself can see that.

Mr. BEVERIDGE. What condition?

Mr. McCUMBER. This condition: We will raise, we will say, 160,000,000 bushels of barley this year. We export, we will say, 8,000,000 or 10,000,000 bushels this year, if you please. That would leave for consumption in the United States, say, 15,000,000 bushels of barley. Next year we may raise 148,000,000 bushels of barley. We are therefore 2,000,000 bushels short on the general demand in this country, and does the Senator think there would be no difference in the price of barley in this country and that the demand would cut no figure at that time? If the Senator had heard the discussion I gave yesterday upon the matter of wheat, he would see that when we came near the line of an equality between the amount of production and consumption 25 cents a bushel upon wheat did not count at all, but that immediately it poured over the Canadian border line, and we got all the wheat that was contiguous to that line.

Mr. BEVERIDGE. I am not contending for the abolition of this duty. What I am questioning is the raise of 6 cents a bushel over the 24 cents a bushel which the House fixed; and the Senator from North Dakota a moment ago, when I asked him if with 24 cents a bushel on it the farmers of his State would come in competition with the foreigners, said "no."

Mr. McCUMBER. No; I did not.

Mr. BEVERIDGE. Yes! The Senator said, "To-day, no; next year, no; within ten years, yes." Then the Senator from Rhode Island asked him whether conditions might not change in six months. I should like to ask the Senator from Rhode Island——

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. BEVERIDGE. I know that.

Mr. McCUMBER. I yield.

Mr. BEVERIDGE. What condition could change in six months that would make 24 cents not enough?

Mr. ALDRICH. The irresistible law of supply and demand may in a very short time; the failure of crops; a great many different conditions may change the relation of foreign and domestic prices absolutely. I assume the Senator from Indiana does not need any instruction upon that.

Mr. BEVERIDGE. No; but I do upon a great many other things. Does the Senator from Rhode Island himself think that with 24 cents a bushel on barley the barley producers of this country are in any danger of competition from barley producers abroad?

Mr. ALDRICH. They may be in danger at any time.

Mr. BEVERIDGE. Are they?

Mr. ALDRICH. I am in favor of imposing a duty upon barley which beyond any question will be protective to the American producer; and I am surprised that the Senator from Indiana is not in favor of the same policy.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. McCUMBER. I yield very cheerfully.

Mr. BEVERIDGE. Does the Senator from Rhode Island, when he says that, mean that he does not think the House of Representatives was in favor of such a policy when it fixed the duty at 24 cents? Does he read the entire Ways and Means Committee of the House, who are high protectionists, and the great Republican majority in that body, outside the ranks of protection, just because they put the duty at 24 instead of 30 cents a bushel? Were they not "in favor of imposing a duty upon barley which, beyond any question, will be protective of the American producer," to quote the Senator's words?

Mr. ALDRICH. The Senator seems to have placed in the keeping of the Ways and Means Committee his judgment and his intelligence. I am forming my own judgment upon this condition, and am not following the precedent and the judgment of the Committee on Ways and Means of the House.

Mr. BEVERIDGE. Mr. President——

Mr. McCUMBER. I yield.

Mr. BEVERIDGE. Of course I shall not make the plainly appropriate retort to what the Senator has just said, but I will say this: With an export of this product seven or eight hundred times greater than the import of the product, it would seem that in this particular case the House had more facts and better judgment than the Senate committee, because if that is not true will the Senator point out a single new fact that he has that the House did not have?

Mr. McCUMBER. May I answer the Senator in this respect?

Mr. BEVERIDGE. Yes.

Mr. McCUMBER. If he is going upon that philosophy, we export more than seven or eight hundred times as much wheat as we import, and yet the House committee made no change on that. They did not reduce it.

Mr. ALDRICH. The Senator from Indiana seems to think there is some measure of infallibility which pertains to the judgment of the Ways and Means Committee of the House of Representatives. I do not agree with him upon that conclusion, and if I were to trust anybody, if my friend, the Senator from Indiana would apply himself to these questions and undertake to form a judgment of his own, I would much sooner follow that Senator in his conclusions than the Ways and Means Committee of the House.

Mr. BEVERIDGE. I leave the controversy of the Senator from Rhode Island and the Ways and Means Committee of the House to themselves. But the Senator from Rhode Island will not be permitted to escape the reason of the reference to the Ways and Means Committee of the House, which was this—this is what brought it on: That the addition of 6 cents a bushel on the already enormous 24 cents a bushel, fixed by the Ways and Means Committee of the House, put those of us who question that remarkable increase in an attitude of wanting to tear down the protection to American industries; and therefore the answer instantly came, Did he consider the Ways and Means Committee of the House and that great Republican majority in the same attitude; did they also want to destroy a great American industry? Let me tell the Senator from Rhode Island he is not the only defender of American industries in this Republic.

Mr. ALDRICH. Will the Senator from North Dakota allow me for a moment?

Mr. McCUMBER. Yes.

Mr. ALDRICH. I wish to say a word on the infallible judgment of the Ways and Means Committee of the House, on which the Senator from Indiana places so much reliance. It first reported a duty of 15 cents a bushel on barley, and before the bill passed the House it changed it to 24 cents.

Mr. BEVERIDGE. The House—the great Republican majority in the House.

Mr. ALDRICH. Yes; but the Ways and Means Committee recommended the change. After they had had all these hearings, upon which the Senator places so much reliance, and had considered all this testimony, they reported the bill at 15 cents a bushel on barley. Before it passed the House they changed it to 24 cents.

Mr. BEVERIDGE. And now?

Mr. ALDRICH. And now the Senate Committee on Finance recommend a change to 30 cents.

Mr. BEVERIDGE. Without a single additional fact.

Mr. ALDRICH. The Senate Committee on Finance report and recommend this increase of duty because, in their judgment, it is desirable for the protection of an American industry. Our judgment may not be so good as that of the Senator from Indiana; I will not undertake to make any comparisons in that respect; but that is the judgment of that committee, based upon information and belief as to the interests of this article; and while I do not feel that I can rely at all upon the influence of that committee upon the judgment of the Senator from Indiana, based upon long experience—for weeks—I will say it is the honest judgment of the committee that this rate ought to be increased.

Mr. BEVERIDGE. Just one word more. A judgment by any earnest seeker for the light, which is based upon the facts set forth, would appear to be sufficient for that Senator's vote without its being questioned.

Mr. ALDRICH. Mr. President——

Mr. BEVERIDGE. Pardon me. Especially in view of the fact that no new facts whatever are laid before us to justify the increase.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Rhode Island?

Mr. McCUMBER. Certainly.

Mr. ALDRICH. The deliberate judgment of the Ways and Means Committee, after all these long hearings and after all this information was submitted to them, was that 15 cents a bushel was a proper rate to be placed on barley. If their judgment is entitled to any consideration at all, it is probably entitled to be considered in reference to the 15-cent rate. I do not know what caused them to change the rate from 15 to 24 cents; but something did, I take it.

Mr. BEVERIDGE. The Senator is now making an argument against himself.

Mr. ALDRICH. I may as well state once for all—I think I have stated it once before—that we are considering this bill, I assume, as Senators——

Mr. BEVERIDGE. I should think so.

Mr. ALDRICH. Upon our judgment and upon our information and upon our desire to serve the public interests, and that we upon this side are trying to prepare and have passed a bill which is protective in its features. While I do not undertake to restrain the judgment—I could not if I tried—or the action of the Senator from Indiana, still I think the Senator once in a while—once in a great while, perhaps—ought to be willing to admit that the Senate Finance Committee has equal means for forming an intelligent judgment with the Committee on Ways and Means of the House; and, if he is to follow the judgment of any committee, he ought, perhaps, to give us the benefit of the doubt occasionally.

Mr. BEVERIDGE. I ask the Senator from North Dakota to permit me for just a moment.

Mr. McCUMBER. This seems to be a question as to which Senator shall have the last word.

Mr. BEVERIDGE. No; just one word more, and that will be sufficient.

Mr. McCUMBER. If the Senator from Indiana wants an opportunity to say the last word, I will grant it to him.

Mr. BEVERIDGE. I will say to my friend the Senator from Rhode Island that, much as I should like to, I can not permit him to escape from the reason why there was any reference at all to the Ways and Means Committee of the House, which was this, and it is a thing which has occurred here time and time again: When an increased rate has been questioned the answer of the Senator from Rhode Island has been that he is in favor of protecting this American industry.

Mr. McCUMBER. Mr. President——

Mr. BEVERIDGE. Then I asked, Was not the House committee also in favor of that policy?

Mr. McCUMBER. As long as the Senator is taking my time, I do not want him to misquote me. The Senator has not quoted my reason. The Senator has not given me time to state it.

Mr. BEVERIDGE. The Senator from North Dakota has given a good many reasons. I am now referring to the usual answer of the Senator from Rhode Island.

Mr. McCUMBER. Just as soon as the Senator gives me time I will give my reasons.

Mr. BEVERIDGE. You have all the time.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield further.

Mr. McCUMBER. Mr. President, the Senator seems to think that the judgment of the Ways and Means Committee is naturally infallible. I do not know why it is any more infallible than the judgment of the Committee on Finance. I believe we had before us the same evidences that that committee had, and if we take the two Houses, I am inclined to think the Senate to-day is practically the deliberative body of Congress, more than the House, as it can not be under its rules. But when did they put on this cloak of infallibility? The Ways and Means Committee of the House some years ago recommended a bill containing the Dingley rates, and that was 30 cents a bushel upon barley. Thirty cents a bushel on barley at the price at which barley was at that time is almost twice as much ad valorem as is 30 cents a bushel upon barley at the present time. So, taking the value of barley at the two different times, we have practically reduced it to an ad valorem duty of about one-half of what it was at that time. What is bringing this about?

Mr. BEVERIDGE. Let me ask the Senator a question.

Mr. McCUMBER. The increased consumption of barley in the United States is resulting in the advance of prices. As the prices advance in the United States over and above the advancing price in the adjoining countries, we become more and more in danger of the importation which will be injurious to us in the future.

Mr. BEVERIDGE. Will the Senator permit me a question?

Mr. McCUMBER. Let me put a question first.

Mr. BEVERIDGE. All right.

Mr. McCUMBER. Does the Senator know what is the price of barley per bushel to-day?

Mr. BEVERIDGE. No.

Mr. McCUMBER. It is about 65 to 70 cents a bushel out in my section of the country.

Mr. BEVERIDGE. Before the Senator gets away from that——

Mr. McCUMBER. I want to follow it by saying——

Mr. BEVERIDGE. I wish to ask a question before the Senator leaves that point.

Mr. McCUMBER. I will give the Senator a chance to ask the question. In 1894, at 30 cents a bushel, the ad valorem rate was 65 per cent on barley; in 1895 it was 68.56 per cent. Then, of course, we went to a 30 per cent ad valorem for a number of years, and then we got up to 1898 and 1899, when we came again to 30 cents a bushel, and in 1897 we had reduced it to 53 per cent. So you will see the percentage of protection is going down, and the ad valorem is in the neighborhood of 40 per cent, probably, at the present time.

Mr. BEVERIDGE. Does the Senator think that the present duty which he asks is enough?

Mr. McCUMBER. Yes; 30 cents.

Mr. BEVERIDGE. The Senator has just stated the measure on an ad valorem basis. Therefore, if he thinks this is enough now——

Mr. McCUMBER. I was making that statement to show the Senator from Indiana, if I could show to him, that there was not anything so very sacred in the findings or conclusions of the Committee on Ways and Means of the House as that we were bound to follow it. If I fail to impress the Senator with that proposition, of course, my statement has been without any force.

Mr. BEVERIDGE. The Senator did make a very forcible statement.

The PRESIDING OFFICER. The Senator from North Dakota has the floor. Does he yield to the Senator from Indiana?

Mr. McCUMBER. I yield for a question.

Mr. BEVERIDGE. The Senator did make a very profound impression upon me by his statement, and so I asked him the question. According to his calculation, the duty now is about only half what it was upon the ad valorem basis. Yet he says that the duty now that he proposes to fix is sufficient. If that is true, then he must admit that the duty heretofore at the time he makes the comparison was twice too great.

Mr. McCUMBER. The Senator can draw his own conclusion as to that. It was certainly twice as much as it is to-day, considering values.

I wish to call attention to the fact of the opportunities for the production of barley in the future. Here is a little section of the Canadian Northwest, west of Hudson Bay and west of the east line, we will say, of Minnesota. Does the Senator understand that that section contains as much agricultural land capable of producing barley as the States of Minnesota, Iowa, North Dakota, South Dakota, Nebraska, Wyoming, Montana, Idaho, Washington, and Oregon, all put together? It is a splendid climate in which to raise barley, and, as I explained yesterday, the development of that country is simply phenomenal, and any proposition that is based upon the conditions as they exist to-day in the United States, without taking into account that competitive section of the country, would now be wholly fallacious.

I said to the Senator that while 24 cents a bushel might be adequate to-day it would not be adequate within ten years. I do not think it will be adequate within five years.

The Senator from New York suggested that the farmers in his State ask for this reduction, if I understood him. Who is to be benefited by this lower tariff? There is just one interest in the United States; that is, the brewing interest or the manufacturers of malt for the brewing interest. Why are they asking for it? Because they are not satisfied with the American barley. With the higher price generally of labor in this country upon the farm, at least, with the higher priced labor in this country, and the higher price of almost everything else, we necessarily need a higher price for all of our products. The American farmer is willing to take his chances with the other protected industries in the United States if you will give him the same adequate protection. But the Senator must see that with barley to-day at 65 cents a bushel and constantly rising, and as the consumption is bound to increase while the acreage in this country that is adapted to the raising of barley will not increase, we are reaching a condition when we will be in need of higher rates all the time.

As I said, Why does the brewer need all the American barley? He buys the Canadian barley, as has been suggested by the Senator from New York, not because it is a different kind or grade, but because the labor that is expended upon it in specially caring for it and keeping it bright, and so forth, makes it more valuable for the brewer. One of two things happens, either the brewer has got to get that barley and pay for it the price that the foreign demand requires or he has got to use barley grown in the United States to take its place. If he is compelled to go to the foreign market for his barley, then it is a question of revenue only, and I do not know any better source to get that revenue than from the barley that is used for brewing purposes. If, on the other hand, he is not compelled to get that upon this side and we make it cost more to import it from the other side, it will encourage the farmers on this side in expending the same labor that is placed upon it in Canada and securing the higher price for their own barley commensurate with the added labor upon it.

I ask permission to insert in my remarks an estimate of the barley crop of the United States, by States, from 1897 to 1908, inclusive, including prices and other information which has been furnished me by the Senator from Minnesota [Mr. NELSON]. It is very thorough and will be interesting to those who desire information upon the barley industry of the United States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Barley crop of the United States by States, 1897 to 1908.

[Agricultural Department, Bulletin No. 59.]

State.	1908.		1907.		1906.		1905.	
	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.
		Cents.		*Cents.*		*Cents.*		*Cents.*
Maine	(*)		224,000	78	241,000	65	226,693	68
New Hampshire	(*)		48,000	80	32,250	64	31,658	73
Vermont	(*)		399,000	75	429,188	62	507,578	54
Massachusetts	(*)							
Rhode Island	(*)							
New York	(*)		1,975,000	80	2,256,876	55	2,331,735	54
Pennsylvania	(*)		230,000	70	212,950	55	217,300	55
Maryland	(*)		33,000	60	44,516	47	44,516	48
Virginia	(*)		58,000	62	68,583	56	69,216	55
Ohio	(*)		784,000	70	653,250	46	606,923	45
Indiana	(*)		184,000	67	249,488	52	254,012	45
Illinois	(*)		600,000	67	738,940	43	722,790	42
Michigan	1,785,000		1,496,000	67	1,827,000	49	904,473	47
Wisconsin	24,750,000		18,423,000	75	22,350,000	46	14,742,581	41
Minnesota	32,500,000		26,662,000	67	31,591,420	35	29,012,526	32
Iowa	13,500,000		14,178,000	60	15,735,000	35	11,661,390	30
Missouri			46,000	57	39,832	48	42,596	44
North Dakota	18,330,000		15,646,000	58	15,315,400	33	19,326,244	30
South Dakota	24,592,000		20,125,000	61	22,910,000	32	9,992,400	29
Nebraska	2,773,000		2,413,000	59	3,360,000	31	1,828,595	31
Kansas	4,400,000		4,392,000	54	8,437,000	33	3,364,438	32

* New York and other Eastern States, 3,084,000 bushels.

Barley crop of the United States by States, 1897 to 1908—Continued.

State.	1908.		1907.		1906.		1905.	
	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.
		Cents.		*Cents.*		*Cents.*		*Cents.*
Kentucky	(*)		25,000	75	17,498	55	17,992	44
Tennessee	(*)		20,000	70	24,035	60	25,078	57
Texas	(*)		68,000	73	112,724	61	116,332	66
Oklahoma	(*)		654,000	50	466,847	33	387,000	40
Montana	(*)		646,000	62	472,329	56	502,491	56
Wyoming	(*)		128,000	68	94,200	64	37,660	59
Colorado	(*)		1,000,000	60	759,771	54	623,997	53
New Mexico	(*)		26,000	70	15,012	63	12,684	60
Arizona	(*)		923,000	78	563,649	76	635,292	81
Utah	(*)		420,000	58	528,000	54	288,503	53
Nevada	(*)		280,000	83	200,875	60	234,022	70
Idaho	(*)		2,181,000	58	1,928,148	50	2,646,120	48
Washington	5,185,000		6,682,000	56	5,803,281	49	6,772,560	47
Oregon	1,798,000		2,562,000	57	2,065,170	52	1,875,722	53
California	25,427,000		30,956,000	78	38,760,000	54	26,606,000	59
Total	166,756,000	55	153,307,000	66.6	178,916,000	41.5	156,651,020	40.3
Value	$91,715,800		$102,142,035		$74,235,997		$65,017,166	
Exports	4,340,000		8,258,842		17,729,300		10,651,055	
Imports	199,741		38,319		18,040		81,020	
World's crop	1,176,016,000		1,191,517,000		1,201,676,000		1,099,400,000	

State.	1904.		1903.		1902.		1901.	
	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.
		Cents.		*Cents.*		*Cents.*		*Cents.*
Maine	271,033	71	251,100	71	251,987	68	238,095	67
New Hampshire	32,810	75	31,700	84	37,291	75	39,818	60
Vermont	437,019	60	393,382	60	384,734	61	372,279	60
New York	2,614,554	57	2,915,786	55	3,359,210	55	1,663,808	56
Pennsylvania	204,620	56	189,059	56	188,285	54	155,780	59
Maryland	31,622	64	39,990	50	42,120	49	27,810	52
Virginia	63,602	61	64,123	57	48,586	54	70,318	47
Ohio	766,472	62	666,077	50	1,024,907	49	766,422	51
Illinois	296,059	48	243,344	50	311,004	46	313,704	51
Michigan	640,129	43	653,056	44	649,334	44	515,039	53
Wisconsin	868,062	55	945,529	52	1,109,277	52	918,680	54
Minnesota	14,941,290	43	13,393,975	48	16,508,690	46	13,419,256	51
Iowa	32,123,041	32	27,783,170	37	25,956,245	37	21,680,617	45
Missouri	13,552,945	36	11,294,923	36	13,505,024	36	12,493,368	47
North Dakota	39,159	62	33,300	54	41,750	55	27,010	55
South Dakota	17,518,074	28	12,468,384	36	15,881,557	36	7,258,964	40
Nebraska	9,787,624	32	10,656,438	33	8,027,754	38	6,522,566	42
Kansas	1,878,407	31	1,701,262	35	2,023,256	33	1,188,088	41
Kentucky	3,298,488	37	4,387,845	34	2,223,024	38	2,187,232	45
Tennessee	17,325	65	18,361	63	25,537	56	19,322	71
Texas	27,170	64	29,252	65	22,964	61	25,860	70
Oklahoma	161,448	73	121,024	70	160,621	72	65,745	88
Montana	477,747	40	410,548	44	590,796	42	319,506	49
Wyoming	523,310	62	722,886	58	661,338	51	670,522	57
Colorado	36,872	57	25,091	72	32,306	75	40,592	65
New Mexico	715,844	57	724,521	61	552,800	60	507,276	63
Arizona	16,378	90	20,282	64	17,602	71	35,124	65
Utah	500,405	93	555,107	72	361,418	91	381,136	68
Nevada	317,775	57	314,288	59	271,759	59	209,320	53
Idaho	252,128	72	247,944	85	248,293	80	225,324	70
Washington	1,707,310	63	1,440,706	52	1,746,945	53	1,578,900	53
Oregon	5,824,198	49	6,158,257	50	6,131,278	46	5,806,118	41
California	1,753,111	59	2,048,473	59	1,988,136	52	1,888,234	49
	28,091,999	60	30,878,242	61	29,751,124	63	28,334,410	41
Total	139,748,958	42.0	131,831,391	45.6	134,954,023	45.0	109,932,024	45.2
Value	$68,651,807		$60,105,313		$61,898,634		$49,765,165	
Exports	10,881,627		8,429,141		8,724,268		(*)	
Imports	90,708		56,462		57,406		171,004	
World's crop	1,167,053,000		1,252,250,000		1,216,398,000		(*)	

State.	1900.		1899.		1898.		1897.	
	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.
		Cents.		*Cents.*		*Cents.*		*Cents.*
Maine	315,810	62	347,652	59	326,943	56	305,775	55
New Hampshire	102,786	67	115,500	65	115,502	58	112,638	60
Vermont	500,811	52	538,904	52	532,170	47	560,546	46
Massachusetts	42,854	60	50,850	63	41,944	66	59,650	66
Rhode Island	8,736	77	9,135	70	8,904	61	8,736	64
New York	3,791,924	51	4,002,472	50	4,341,925	48	4,786,675	42
Pennsylvania	148,067	50	179,544	46	171,283	44	218,491	39
Ohio	622,566	43	603,400	45	651,742	44	674,238	41
Indiana	185,533	47	153,360	45	101,364	44	96,292	44
Illinois	342,144	47	395,502	47	351,242	39	345,850	38
Michigan	904,806	47	927,124	48	1,046,283	44	1,014,864	40
Wisconsin	6,259,179	44	7,670,550	40	7,515,599	40	7,860,328	32

* All other Middle and Western States, 8,632,000 bushels.

* Not obtainable.

1853–4, reciprocal treaty with Canada, barley free; 1866, reciprocal treaty abrogated, barley 15 cents per bushel; 1883 (tariff commission), barley 10 cents per bushel; 1890 (McKinley bill), barley 30 cents per bushel; 1894 (Wilson bill), barley 30 per cent ad valorem; 1897 (present tariff), barley 30 cents per bushel.

Barley crop of the United States by States, 1897 to 1908—Continued.

State.	1900.		1899.		1898.		1897.	
	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.	Bushels.	Farm price.
		Cents.		*Cents.*		*Cents.*	*	*Cents.*
Minnesota	7,275,251	38	8,144,125	31	9,160,136	33	9,241,328	24
Iowa	11,708,822	37	12,011,896	31	9,133,020	34	9,163,500	24
Missouri	14,830	45	12,960	42	15,820	36	15,181	40
North Dakota	1,098,840	35	5,909,332	33	5,322,755	29	4,663,905	27
South Dakota	1,643,571	31	2,410,354	29	2,484,897	27	2,182,600	22
Nebraska	587,382	33	943,176	30	1,002,320	25	943,360	24
Kansas	4,186,892	33	3,183,165	27	735,840	27	306,600	25
Kentucky	37,523	65	29,001	43	22,320	40	32,820	40
Tennessee	25,622	62	19,520	64	34,812	56	35,514	50
Texas	50,405	72	35,460	66	41,480	50	51,325	43
Montana	291,527	48	216,405	51	188,640	57	197,144	50
Colorado	314,266	50	337,992	55	353,952	46	338,492	51
New Mexico	31,294	62	35,488	61	37,856	55	28,318	55
Utah	217,683	55	194,835	52	208,088	47	183,520	45
Idaho	399,012	50	405,510	46	383,190	48	378,630	42
Washington	1,386,267	39	1,410,360	44	1,484,978	45	1,695,960	43
Oregon	905,928	42	797,916	50	812,993	49	955,760	45
California	14,856,170	43	22,239,776	50	9,164,746	65	20,277,927	54
Total	58,925,833	40.9	73,381,563	40.3	55,792,257	41.3	66,685,127	37.7
Value	$24,075,271		$29,564,254		$23,064,339		$25,142,139	
Exports	(*)		(*)		(*)		(*)	
Imports	189,757		110,475		124,804		1,271,787	
World's crop	(*)		(*)		(*)		(*)	

* Not obtainable.

Imports 1896, 837,381 bushels.
Imports 1895, 2,116,816 bushels.

Mr. ALDRICH. I hope we may have a vote on this question.

Mr. ROOT. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered.

Mr. BEVERIDGE. Mr. President, I wish to say just two or three words in answer to what my friend from North Dakota said, and I want his attention.

In considering this matter, I have in mind solely and only a sufficient protection for the farmer. If the Senator from North Dakota had said that the farmer needs it now and did not put off his needs to a prospective time within ten years, even then I should have been inclined to vote for it. Upon this item and every other item my position is precisely the same. I want enough duties to adequately protect and no more.

Now, Mr. President——

Mr. McCUMBER. Will the Senator allow me to ask him one question?

Mr. BEVERIDGE. Certainly.

Mr. McCUMBER. Does the Senator think that when I say we will need this protection within ten years I necessarily mean or can be understood to mean that we will not need it until the expiration of ten years?

Mr. BEVERIDGE. Not at all.

Mr. McCUMBER. That would be implied from the Senator's remark.

Mr. BEVERIDGE. I asked the Senator a moment ago, when my question was first asked, whether with 24 cents a bushel on barley his farmers were in danger at present. He said no, but he said it is not only the present, it is the future; and then he proceeded to fix a period of ten years within which this was likely to happen. When I take that and consider it in connection with the figures about exportations and importations, it is convincing to my mind that this extra duty is not now needed.

If I remember rightly, Mr. PAYNE made a speech in the House upon this subject in which he said that a duty of 24 cents upon barley would be absolutely prohibitive. Every cent of duty more than is actually needed for safe protection is unjust and may lead to extortion not only in this but in other things, as I pointed out the other day as briefly as I could.

Now, one word more, because so many references have been made about the infallibility of the Ways and Means Committee of the House.

Mr. SCOTT. Will the Senator allow me just a moment?

Mr. BEVERIDGE. Certainly.

Mr. SCOTT. I do not believe the Senator from Indiana wants this rate less than the rate of the Wilson law, which was 30 cents.

Mr. BEVERIDGE. I want whatever is right, I will say to the Senator, and I hope that will be sufficient.

With reference to this imaginary ghost which the Senator from Rhode Island and the Senator from North Dakota call the infallibility of the Ways and Means Committee of the House, when the question was made upon figures here that the increased duty was not wise or was too high, we hear sneering references to the infallibility of the Ways and Means Committee of the House instead of facts or arguments, showing where the House was wrong.

The Senator from Rhode Island immediately said that he did not want to tear down any American industry, and wanted to protect every American industry, this among others. So do I. But I therefore was compelled to say to him that that was not a fair answer; because he would not assume that the Ways and Means Committee of the House or the great Republican majority there wanted to tear down this industry. They want to protect it adequately just as much as the Senator. That is the way the Ways and Means Committee came into this debate. It was not an assertion of their infallibility at all, but instead of making arguments and presenting facts and figures when a Senator questions an increase, the Senator assumes that it will be sufficient simply to say, "I want to adequately protect this industry and you do not merely because you are not in favor of increasing the rate above what the Ways and Means Committee have done."

Now, I have no more respect for that committee than I have for the Senate Finance Committee. Certainly both ought to be given consideration; and when one committee presents its facts and gives its reasons, they ought to be weighty in anybody's mind—a Senator's or anybody's else—even more weighty than our own committee, if our own committee does not give any additional facts or any reasons for the increase. If you show me that 50 cents is necessary for barley, I will vote for it instantly, and that, too, regardless of every other interest than that of the farmer himself.

Mr. BORAH obtained the floor.

Mr. ROOT. Will the Senator from Idaho yield to me for a moment?

Mr. BORAH. I yield to the Senator.

Mr. ROOT. The Senator from West Virginia [Mr. SCOTT] referred a moment ago to the fact that the duty on barley under the Wilson bill was 30 per cent. With the barley, I will say, at 60 cents a bushel, it would be about 18 cents a bushel.

Mr. BORAH. Mr. President, I do not desire to prolong the debate more than a moment, and no further than to suggest that it seems to me to be very universally the opinion of those who raise barley in this country, of the farmers throughout this entire country, that this duty is necessary. I am frank to say that I am perfectly willing to base my judgment upon their practical judgment aside from any opinion which might have been arrived at by the Ways and Means Committee or the Finance Committee.

But I arose to say that it is a little bit peculiar to me to know when to apply the judgment of the Ways and Means Committee under the rule which has been very generously given to us several times by the Senator from Indiana [Mr. BEVERIDGE]. I have observed that upon several occasions he has invoked the rule as one which should be followed without any

hesitation, for the reason that he could not conclude that that committee desired to tear down our protective policy. But I observed that when the lumber interests were making their fight, that that judgment became fallible at once, in the mind of the Senator from Indiana.

We all know that the Ways and Means Committee of the House did not intend to destroy the protective policy, but it is worse than useless, Mr. President, to say that the Senate Finance Committee or the Senate may not under the same rule, and even upon the same facts, arrive at a different conclusion as to what would affect the protective policy.

The Senator from Indiana invokes the rule that men must inevitably arrive at the same conclusion even when they are arguing from the same facts, which is not true at all. The same facts may be before two different tribunals and they may arrive at a different conclusion. While we take into consideration the views of the Ways and Means Committee, the duty rests with this body at least to exercise its own judgment, and to exercise it in accordance with the facts which are before it, whether they are more or less or even the same facts which the Ways and Means Committee had before them. If we are going to apply the rule, we must apply it in accordance with our judgment and not be governed by the simple fact of precedent upon the part of the Ways and Means Committee.

Mr. HEYBURN. Mr. President, I will detain the Senate but a moment. I should not rise at all, except that the conditions expressed by the Senator from North Dakota [Mr. McCUMBER] seem to be different from those which prevail in the section of the United States to which I shall directly call the attention of the Senate. It is not a question of next year or the year after in our part of the country; it is a question of this year.

In 1894 the enactment of the Wilson-Gorman law, which divided the then existing duty by three, sent barley down a corresponding price in the market, and it stayed down until the Dingley law was enacted. I have the figures before me to demonstrate it. The difference between 24 cents and 30 cents made a difference in the value of our land of $3.17 an acre. That is an important item. The land is worth what it will produce. If it produces wheat at 50 cents, it is to be measured by that gauge, and if it produces the same quantity of wheat at 80 cents, it is to be measured by that gauge. That is the only true rule. Hundreds of thousands of acres of land that are adapted to the raising of barley would be worth, under the House measure, $3.17 less per acre than it would under the Senate committee's amendment.

Now, just one word further. As a Member of this body, there is but one committee whose judgment I defer to, and that is our own. I am not inquiring very much as to the sentiments or reasons which actuated or controlled the committee of another body. We are not here as an adjunct of any other body. We are here as an independent legislative being, and the committees are our committees. They are here for our convenience and for our benefit. So I attach no more importance to the conclusions reached by the House committee than I would to the conclusions reached by any outside body of men. They are in no way controlling or directing when they come to us.

It is then a question whether, by adopting the House measure of duty, we are going to depreciate the value of lands; and when you depreciate the value of lands, you depreciate everything that goes to make up the life of those who occupy those lands. They have to reduce their standard of living in proportion. That is the principle, and it will be operative immediately in the market in which our people sell their grain or contract to sell it, and it is very often contracted for long before it is marketed. That is all.

Mr. BEVERIDGE. Mr. President, I respect the opinion of our committee and of every committee under our form of government; but as the House is building the tariff, it is to be especially remembered in this connection that the House of Representatives in all revenue measures is the originator of those measures, and therefore its committee should not be wiped aside lightly, but should be paid that respect and consideration which the reasons it has and the facts upon which those reasons are founded entitle it to. Nor should our own committee—for all committees are merely human legislative agencies—be paid any more or any less consideration.

I want facts and light from any possible source that is authoritative. I respect the opinions of those in both Chambers who stand high in that particular. I wish to read merely one sentence from Mr. PAYNE, when he was presenting his bill to the House.

Mr. ALDRICH rose.

Mr. BEVERIDGE. Pardon me.

Mr. ALDRICH. Simply as a matter of order. I am not sure, of course, what the Senator has, but——

Mr. BEVERIDGE. I am discussing this amendment.

Mr. ALDRICH. The general rule of a parliamentary body is that we may not refer to what is done in another house.

Mr. BEVERIDGE. That is quite true. I can say "in another place."

Mr. ALDRICH. I hope the Senator does not mean to intimidate us at all by reading something from the RECORD.

Mr. BEVERIDGE. I never intimidate; I leave the intimidation to others.

Mr. President, I understand perfectly well the rule of courtesy, which is that we shall not speak directly of what transpires in, we usually say, another place. The Senator from Rhode Island will agree that I was not the first person to transgress that rule even to-day; but we have a right, and it becomes our duty, to consult a public record of the other House in a measure which the Constitution makes it the House's particular business to originate, and which, in conjunction with it, we are trying to perfect. Therefore I read upon this particular point just one sentence from the speech of the chairman of the Ways and Means Committee of the House. He discussed this barley question quite fully. He said:

> I think 15 cents per bushel is probably prohibitory to bringing in barley from Canada, on everything except the seed, which might be brought in from Canada.

Fifteen cents a bushel, he says, "is probably prohibitory." There are paragraphs that I do not want to detain the Senate to read, so I will put them into the RECORD without reading. This is purely a question as to how much protection is needed; that is all.

The matter referred to is as follows:

> Mr. PAYNE. I think 15 cents per bushel is probably prohibitory to bringing in barley from Canada, on everything except the seed, which might be brought in from Canada. The committee looked over the duty on breadstuffs and they find that oats bore a duty of 15 cents, equal to 32.26 per cent ad valorem; rye, 10 cents, or 12.55 ad valorem; corn, 15 cents, or 17.97 per cent ad valorem; wheat, 25 cents, or 28.85 per cent ad valorem; buckwheat, 15 cents, or 22.12 per cent ad valorem; barley, 30 cents, or 53.64 per cent ad valorem; and the motion was made to equalize the barley duty to the other duties on breadstuffs in the bill, not with the lowest but with the average of the other duties, and so we made it 15 cents per bushel, which is nearly 26 per cent on barley and higher than on most of the cereals. Now, the farmers in my district are interested in this bill, and the interest we have is to get barley seed from Canada to renew and regenerate our crops.
>
> This duty was put up in 1890 to 30 cents a bushel, and it has cut off our farmers from raising barley. They can not get money enough in the spring to get seed barley from Canada to pay this high rate of duty, and they are not raising anything. That has been transferred to the West, and the people who use barley have to take the seed barley that comes from the West, and can not get that bright and beautiful barley from Canada, or in my State, which is superior to any barley grown in the United States. So it is that the farmers in my district and in my State, looking at this thing from an intelligent standpoint, want to get in their seed barley at 15 cents duty. Do not be alarmed about that. If it is 15 cents, it will prohibit the importation of everything except barley seed, and you will not be disturbed. You will have the same monopoly that you have in the market, except that my farmers can get some seed to furnish the best barley for the best brands. It will stop foreign importation that comes from Canada now. It will stop everything but the seed barley. It will still be prohibitive. Do not be worried about this bill or about your farmers or about their raising barley in the Northwest if it remains at the rate of 15 cents a bushel.

Mr. BURKETT. Mr. President, I am not going to speak at any length, because I know the committee and the Senate are anxious to vote. Barley is not a product, perhaps, which Nebraska is as much interested in in the amount produced as are some other States, but, nevertheless, we are interested in it, and I have had considerable objection and protest sent to me by citizens of Nebraska against reducing this barley schedule. They perhaps remember the reductions in price that followed the reduction of duty a few years ago, and do not want to run the risk of a repetition. I shall not read all that correspondence, but for the benefit of the Senator from Indiana [Mr. BEVERIDGE], who asked if anybody thought the price would be affected by the reduction of duty, I want to read a telegram and a letter. When this matter first came up I received a telegram from the Omaha Grain Exchange, persons who are certainly not exceedingly interested whether grain goes up or whether it goes down. They are not producing grain, but selling and handling it. This is the telegram:

OMAHA, NEBR., *19–09.*

E. J. BURKETT,
Senate, Washington, D. C.:

> This exchange wishes to enter protest against reduction of 50 per cent in duty on barley and barley malt as being against interest of Nebraska producers of grain and manufacturers of malt. Kindly interest yourself, if possible, against this change. We are writing you to-day.
>
> OMAHA GRAIN EXCHANGE.

A few days later I received a letter from the secretary of this Omaha Grain Association, Mr. E. J. McVann, calling attention to the telegram, and in which this clause is contained:

> This reduction will have a very disastrous effect on the producers of barley all through the barley fields of the West and Northwest. It will not only have a tendency to depress the price of barley in the hands of the farmer, but it will also depress the price of the product, viz, malt.

in the hands of the manufacturer. The pressure which undoubtedly resulted in the placing of this reduction in the schedules may be easily traced to interested parties, who know that, according to the government estimate, Canada produced in 1908 a crop of 47,000,000 bushels of barley. When it is recalled that there are only one or two malt houses manufacturing barley into malt in all of Canada, you can understand what the result would be if this duty was reduced.

As I said, this is a body of men who do not produce barley, and therefore make their money whether prices are high or low; yet they are men who, by reason of their position and business, are most competent to judge of the effect of such legislation. Many of them have been in business for many years and went through that period a few years ago when the tariff was reduced and when barley went down immediately in price. These men say if you reduce the tariff it will reduce the price to the man who raises barley.

Mr. GAMBLE. Mr. President, just a word on this proposition. It occurs to me that the present rate of duty on barley should be maintained, because its imposition has occasioned the development of our barley industry during these years. As I recollect it, the production of barley in 1888 was something like 00,000,000 bushels, with a value of $37,000,000. I have before me the December Crop Report, published by the Secretary of Agriculture, which gives the production of barley for the present year as 166,000,000 bushels, with a farm value of $92,000,000—practically an increase during this decade of three times over.

It occurs to me, Mr. President, there should be no modification in the present rate. I think I am correct in making the statement that, on account of the rate of duty and the development of the production of barley in the Northwest, there has been transferred the place of the fixing of the price of barley from New York to Chicago and Milwaukee—nearer the region of the production of this great product. If you take the yield of Minnesota, North and South Dakota, Kansas, and Nebraska out of the total production of 166,000,000 bushels of barley during the past year, you will find that 118,000,000 bushels were produced in those States. The prices have been fixed and the benefits have accrued to the great producers of barley in those regions. The maltsters and the producers of malt have been transferred from the eastern seacoast to the West; and I think largely the producers of malt in the East are practically limited to the city of Buffalo. As indicated in the Book of Imports, while the price of imported barley in 1897 was 31 cents per bushel, it has now increased to nearly 56 cents per bushel. If the present rate of duty were lowered, I think it would hazard this great industry.

Mr. President, I favor the maintenance of the present rate, and I favor the amendment of the committee.

Mr. ROOT. Mr. President——

Mr. BEVERIDGE. May I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from New York?

Mr. GAMBLE. Certainly.

Mr. ROOT. I did not intend, Mr. President——

The VICE-PRESIDENT. The Chair thought the Senator from New York desired to interrogate the Senator from South Dakota.

Mr. ROOT. No.

The VICE-PRESIDENT. Will the Senator from New York yield to the Senator from Indiana [Mr. BEVERIDGE] to allow him to ask the Senator from South Dakota a question?

Mr. ROOT. Yes, sir.

Mr. BEVERIDGE. I merely wish to ask the Senator from South Dakota the same question which I asked the Senator from North Dakota [Mr. McCUMBER]. Does the Senator think that, with a duty of 24 cents a bushel on barley, the farmers of his State would be in danger of any pressing competition from barley growers in Canada?

Mr. GAMBLE. I think it is very true they would be on account of the high price of lands upon which barley is produced in the United States and on account of the cheapness of land in Canada, where their competitors are located.

Mr. BEVERIDGE. Then, it follows logically and unavoidably that, as the lands in Canada are taken up, they also will constantly increase in price; so that the Senator's danger disappears.

Mr. ROOT. Mr. President, I did not intend to say anything further in this discussion, except to call the attention of the Senate to the fact that there has not been given to the Senate any statement of fact showing that the difference in the cost of production of barley in the United States and in Canada justifies this 30-cent duty. I can not, however, allow the observations of the Senator from South Dakota [Mr. GAMBLE] to pass without asking the Senate whether it means to impose duties in this act for the purpose of transferring business from New York to the Dakotas or to Wisconsin or to Illinois?

It is doubtless true, as the Senator from South Dakota has stated, that the effect of this duty has been to transfer the malt industry from the State of New York to the Northwest. Such results from the imposition of duties must be endured if they are the results of the application of a principle to the common good, to protect and maintain American industry against the incursions of foreign industry upon our market; but for the first time, I now hear, as a reason for the imposition of a duty, that it will serve to build up one section of our country as against another section of our country. Against that, Mr. President, in the name of the great State whose industry the Senator from South Dakota proposes to transfer to another part of our country, I must enter my most respectful and earnest protest.

Mr. GAMBLE. In the observations I made I had reference to present conditions built up under the normal rules of trade, merely alluding to the fact that these industries had centered near the place of production, and nothing more.

The VICE-PRESIDENT. The question is on agreeing to the committee amendment to paragraph 227.

Mr. BACON. Mr. President, I am not sure what the amendment of the committee is. Is the question on the committee amendment or on an amendment to the committee amendment?

The VICE-PRESIDENT. It is on a committee amendment.

Mr. TILLMAN. I ask that the amendment may be stated. Let us know what it is.

Mr. ALDRICH. It has just been stated.

Mr. TILLMAN. I thought it was an amendment to reduce the duty.

Mr. ALDRICH. Oh, no; the question is on the committee amendment.

The yeas and nays were taken.

Mr. CURTIS (after having voted in the affirmative). I ask if the senior Senator from Oklahoma [Mr. OWEN] has voted?

The VICE-PRESIDENT. The Chair is informed that he has not.

Mr. CURTIS. Then, I withdraw my vote, and announce my pair with the Senator from Oklahoma for the remainder of the day.

Mr. SUTHERLAND (after having voted in the affirmative). I inquire if the junior Senator from Tennessee [Mr. TAYLOR] voted?

The VICE-PRESIDENT. The Chair is informed that he has not.

Mr. SUTHERLAND. I am paired with that Senator for the day, and I therefore withdraw my vote.

Mr. BRADLEY (after having voted in the affirmative). I inquire whether the junior Senator from Indiana [Mr. SHIVELY] has voted.

The VICE-PRESIDENT. The Chair is informed that he has not.

Mr. BRADLEY. I am paired with that Senator for to-day, and I therefore withdraw my vote.

Mr. MONEY. My colleague [Mr. McLAURIN] is necessarily absent. He is paired with the junior Senator from Michigan [Mr. SMITH]. If my colleague were present he would vote "nay." I do not know how the Senator from Michigan would vote.

Mr. CLARKE of Arkansas. I wish to announce that I have a general pair with the Senator from Delaware [Mr. RICHARDSON], and therefore withhold my vote.

The result was announced—yeas 48, nays 28, as follows:

YEAS—48.

Aldrich	Clapp	Frye	Nelson
Borah	Clark, Wyo.	Gallinger	Oliver
Bourne	Crane	Gamble	Page
Brandegee	Crawford	Guggenheim	Penrose
Briggs	Cullom	Hale	Perkins
Bristow	Dick	Heyburn	Piles
Brown	Dillingham	Johnson, N. Dak.	Scott
Bulkeley	Dixon	Jones	Smoot
Burkett	du Pont	Kean	Stephenson
Burnham	Elkins	La Follette	Warner
Burrows	Flint	Lodge	Warren
Carter	Foster	McCumber	Wetmore

NAYS—28.

Bacon	Daniel	Johnston, Ala.	Root
Bankhead	Depew	Martin	Simmons
Beveridge	Dolliver	Money	Smith, Md.
Burton	Fletcher	Newlands	Smith, S. C.
Clay	Frazier	Overman	Stone
Culberson	Gore	Paynter	Tallaferro
Cummins	Hughes	Rayner	Tillman

NOT VOTING—15.

Bailey	Curtis	Nixon	Smith, Mich.
Bradley	Davis	Owen	Sutherland
Chamberlain	McEnery	Richardson	Taylor
Clarke, Ark.	McLaurin	Shively	

So the amendment of the committee was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 228, barley malt. The committee proposes in line 22, page 76, after the word "malt," to strike out "forty" and insert "forty-five."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. Mr. President, I move to insert as a new paragraph, to be known as paragraph 229½, that which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 76, after line 25, it is proposed to insert:

229½. Broom corn, $3 per ton.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 231, corn or maize——

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. The Secretary will first state the committee amendment in paragraph 231.

The SECRETARY. In paragraph 231, line 3, after the word "maize," it is proposed to strike out "fifteen" and to insert "twenty;" so that it will read "Corn or maize, 20 cents per bushel of 56 pounds."

Mr. McCUMBER. On behalf of the committee, with the consent of the chairman, I wish to withdraw the amendment to paragraph 231.

The VICE-PRESIDENT. The question is on agreeing to the amendment in paragraph 231.

The amendment was rejected.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 233, macaroni, vermicelli, and all similar preparations, 1½ cents per pound.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 234, oats. After the word "oats," the committee propose to strike out "fifteen" and to insert "twenty."

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 236, rice, cleaned, 2 cents per pound.

The VICE-PRESIDENT. The committee amendment in line 15 has been agreed to. Without objection, the paragraph as amended will be agreed to. No objection is heard. The paragraph is agreed to. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 237, rye.

The VICE-PRESIDENT. The amendment in line 19 has already been agreed to. Without objection, the paragraph as amended is agreed to. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 238, wheat. The committee proposes, in line 21, to strike out "twenty-five" and to insert "thirty."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. For the committee, I report a modification to paragraph 240.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 77, paragraph 240, line 24, after the word "not," it is proposed to insert the words "sweetened and not;" and at the end of the paragraph insert a semicolon and the following:

Biscuits, wafers, cakes, and all other baked articles, by whatever name known, composed of eggs, flour, or meal of any kind, or other material, when sweetened with sugar, honey, molasses, or other material, or combined with chocolate, nuts, fruits, or confectionery of any kind, or both so sweetened and combined, and without regard to the component material of chief value, 50 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 242, on page 78, cheese.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The Secretary will state the next amendment passed over.

The SECRETARY. Paragraph 244, milk, preserved or condensed, or sterilized——

The VICE-PRESIDENT. The committee amendment in that paragraph was disagreed to. Without objection, the paragraph will be agreed to. The Chair hears none, and the paragraph is agreed to.

Mr. BURTON. Do I understand that the committee amendment was abandoned or adopted?

The VICE-PRESIDENT. The committee amendment was disagreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 248, vegetables, if cut, sliced, or otherwise reduced in size——

The VICE-PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 256, hops.

The VICE-PRESIDENT. The committee amendment in paragraph 256 was agreed to.

Mr. ALDRICH. Mr. President, in the paragraph relating to hops the committee have an amendment to make the duty 20 cents a pound, instead of 15 cents a pound.

The VICE-PRESIDENT. The Chair will state that the amendment heretofore reported by the committee has been agreed to.

Mr. ALDRICH. I ask that the vote by which the amendment was agreed to may be reconsidered.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the vote by which the amendment in paragraph 256 was agreed to be reconsidered. Is there objection? The Chair hears none, and the vote is reconsidered. The question is on agreeing to the amendment.

Mr. ALDRICH. I now move to insert "twenty" in lieu of "fifteen," as previously proposed by the committee.

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. On page 79, paragraph 256, line 17, after the word "hops," it is proposed in the committee amendment to strike out "fifteen" and insert "twenty."

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. DANIEL. Mr. President, I move to reconsider the vote by which paragraph 217 was adopted, and ask that it be passed over for the present.

The VICE-PRESIDENT. The Senator from Virginia asks unanimous consent to return to paragraph 217. Is there objection?

Mr. ALDRICH. I ask the Senator to let that go until we get into the Senate, and he will have all of his rights then.

Mr. DANIEL. I have no doubt about that; but it would satisfy a number of Senators to let it go over for the present. The paragraph was passed under a misapprehension.

Mr. ALDRICH. I have no objection to having the vote by which the paragraph was agreed to reconsidered and having it passed over.

Mr. DANIEL. That is all right.

The VICE-PRESIDENT. Without objection, the vote by which the amendment of the committee was agreed to in paragraph 217 is reconsidered, and the paragraph is passed over in that form.

Mr. ALDRICH. I desire to withdraw the committee amendment on page 79, line 7, paragraph 250.

The VICE-PRESIDENT. The amendment to paragraph 250 was agreed to. Does the Senator ask that the vote be reconsidered?

Mr. HALE. I ask that the vote by which that amendment was agreed to may be reconsidered.

The VICE-PRESIDENT. Is there objection to reconsidering the vote by which the amendment to paragraph 250 was agreed to?

Mr. FLETCHER. I object.

The VICE-PRESIDENT. The Senator from Florida objects to a reconsideration. The question is on the motion to reconsider.

Mr. ALDRICH. If there is objection, I will let it go over at present; and I will not ask that it be reconsidered.

The VICE-PRESIDENT. Objection is made.

Mr. PAYNTER. Mr. President, a committee amendment was adopted, I think, incorporating a new paragraph, to be known as "paragraph 229½," in relation to broom corn. It passed before my attention was called to it. What was the rate fixed?

Mr. ALDRICH. Three dollars a ton.

Mr. PAYNTER. I will ask if the committee's attention has been called to the condition of the broom-corn industry in this country?

Mr. ALDRICH. I think so.

Mr. PAYNTER. I have some very interesting facts here in relation to the matter. While $3 is but very slight protection, yet it seems to me that if the facts presented to me by a very reputable constituent are as stated by him, it ought not to bear a duty at all.

Mr. ALDRICH. The present duty is $8 a ton.

Mr. PAYNTER. Eight dollars?

Mr. ALDRICH. Yes.

Mr. PAYNTER. My constituent, a very reputable man, writes me that broom corn is practically controlled in this country by the American Warehouse Company, and that it is now selling for from $140 to $170 per ton.

Mr. ALDRICH. Three dollars per ton is a very slight duty, then.

Mr. PAYNTER. No European broom corn can be imported into the country for less than about $100 a ton, and it does seem——

Mr. ALDRICH. Three dollars would not seem to be a prohibitory duty, if the domestic price is $150 and the foreign price is only $100.

Mr. PAYNTER. I should like to ask the chairman of the committee whether the amendment is for the purpose of protecting the broom-corn growers of the country or whether it is to gratify somebody else?

Mr. ALDRICH. It would plainly seem to be a revenue duty, from the statement made by the Senator from Kentucky.

Mr. PAYNTER. I am free to admit that it would be only a slight protection, but it seems to me that there ought not to be any at all under present conditions.

Mr. ALDRICH. The raisers of broom corn in the United States desire to have a much larger duty. The Senator from Illinois [Mr. CULLOM] represents a large number of producers of broom corn and——

Mr. PAYNTER. I should like to have a letter read in relation to this matter, and I think the chairman——

Mr. ALDRICH. It can be put in the RECORD without being read. I hope the Senator will do that and not delay the consideration of the bill.

Mr. PAYNTER. The hope that I have in desiring to have the letter read is that the committee will reconsider its action in reference to the committee amendment.

Mr. ALDRICH. We will consider the letter, if the Senator desires to have us do so, later on.

Mr. PAYNTER. Very well. Then, I ask that the letter be printed in the RECORD without reading.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The letter referred to is as follows:

FRANKFORT BROOM COMPANY,
Frankfort, Ky., May 10, 1909.

Hon. THOMAS H. PAYNTER,
Senate, Washington, D. C.

DEAR SIR: We have learned that some broom-corn dealers and manufacturers intend influencing Congress to put a tax of 1½ to 2 cents per pound on foreign broom corn. These parties are instigated to take such steps by the American Warehouse Company, in Wichita, Kans., in which some of the concerns are financially interested. Now, as a matter of fact, the American Warehouse Company, with their branches, virtually control over half of the annual broom-corn output, which is grown of late years mostly in the State of Oklahoma.

The growers have never realized more than between $30 to $70 per ton; this latter price only exceptionally in a very few instances. Last fall, as usual, a good deal of this broom corn was bought up at these prices by the Wichita company mentioned and a few large manufacturers and dealers, and as the crop was not a very large one, these concerns are holding it now at between $140 to $170 per ton, and have starved out virtually all the small manufacturers, and offer it to others who care to pay the price at figure mentioned. In consequence prices of brooms have advanced correspondingly between 50 cents and $1 per dozen, while if the unscrupulous speculation would not have taken place there would have been enough broom corn, especially for the small manufacturers, who are now not able to make a living, and the public would not have to pay the advance in prices.

Now, there is raised in Hungary a little broom corn, mostly on account of the seed, which is used there to feed cattle, etc. It will not amount to over 200 tons per year. An accumulation of a few years has been imported lately here by some dealers who could not get hold of the American broom corn at reasonable figures, and this imported corn costs the importer in the neighborhood of $100 per ton, so that it can be sold at about $110 to $120 to the manufacturers here, which price enables the latter to make it up in brooms and make a livelihood, if nothing else. The foreign broom corn can not be imported for anything less than about $90 to $100 per ton, as the freight charges, etc., are quite expensive.

A few broom-corn dealers and manufacturers who have loaded up on broom corn last season with the intention of making from 100 to 200 per cent profit on it are feeling sore now in regard to this imported corn, and figure that on the account they will have to offer their own stock at from $30 to $40 per ton less than they expected to get, and this is the reason they are eager to have the importation taxed.

If this importation would in any way interfere with the price the Oklahoma growers get for their broom corn, we would have no objection in favoring the tax, but as the latter consider between $60 and $70 per ton a very good price and hardly ever got anything like the latter figure, and as, furthermore, the foreign broom corn can not be imported for less than about $100 per ton, we can not possibly see how the free importation could hurt the growers, while, as said before, it would block the unscrupulous speculators from enriching themselves at the cost of the small manufacturers and the general public.

We hope, dear sir, that after investigating this matter thoroughly you will find that we are entirely correct in our statements and will do your best to block the schemes of those in favor of taxation of broom corn.

We are,
Yours, respectfully,
FRANKFORT BROOM CO.,
By M. DORN, *Manager.*

Mr. BRADLEY. I want to say for the information of the Senate that I have a number of letters from constituents in Kentucky on the other side of the proposition, and I would be glad to have them put in the RECORD.

Mr. PAYNTER. I am perfectly willing, Mr. President; but I should like to say to my colleague that I had a letter from a gentleman who is engaged in making brooms in the city of Louisville, who needs broom corn for the purpose of manufacturing brooms, and he insists that there ought to be a duty upon the raw material; but I fancy that he must be interested in the American Warehouse Company or in some other way in controlling the price of the product much more than he is interested in the factory in Louisville. I do not see how those who manufacture brooms are interested in having the price of the raw material increased.

Mr. BRADLEY. I want to say, if my colleague will permit me, that the letters which I have are from the producers of broom corn in Kentucky.

Mr. ALDRICH. In paragraph 257 the committee propose an amendment after the word "bushel," in the nineteenth line, to insert "of 57 pounds."

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 79, in paragraph 257, line 19, after the word "bushel," it is proposed to insert the words "of 57 pounds."

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 258. Pease, green, in bulk or in barrels——

The VICE-PRESIDENT. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. ALDRICH. For paragraph 259 the committee propose the substitute which I send to the desk.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out paragraph 259, beginning in line 4, on page 80, and to insert in lieu thereof the following:

259. Orchids, palms, azaleas, and all other decorative or greenhouse plants and cut flowers, preserved or fresh, 25 per cent ad valorem; lily of the valley pips, tulip, narcissus, begonia, and gloxinia bulbs, $1 per thousand; hyacinth, astilbe, dielytra, and lily of the valley clumps, $2.50 per thousand; lily bulbs and calla bulbs, $5 per thousand; peony, iris Kaempferii or Germanica, canna, dahlia, and amaryllis bulbs, $10 per thousand; all other bulbs, bulbous roots or corms which are cultivated for their flowers or foliage, 50 cents per thousand.

Mr. CRAWFORD. I will ask the chairman of the Finance Committee if he is willing to allow that amendment to be printed, and to have the paragraph passed? I have a letter or two——

Mr. LODGE. It has been printed and been on our tables since the 23d of April.

Mr. ALDRICH. I will consult the convenience of the Senator from South Dakota about that. If he will permit it to be agreed to, I will permit it to be reconsidered at any time, if he desires.

Mr. CRAWFORD. Very well.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the paragraph.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 261, at the foot of page 80:

Potatoes, 25 cents per bushel of 60 pounds.

Mr. DU PONT. Mr. President, the Chicago platform, or declaration of principles of the Republican party, calls for "the imposition of such duties as will equal the difference of the cost of production at home and abroad." In other words, Mr. President, it demands complete and ample protection in the markets of this country for all that we manufacture as well as for our

agricultural products. More than this, it demands complete and ample protection for American workingmen; and when I speak of our workingmen, Mr. President, I refer not only to those who toil in the factory or in the shop, but to the millions who till the soil; and who, by their skill and industry in the varied pursuits of agriculture, produce the great crops which after all are at the bottom of our national prosperity.

Now, Mr. President, I have no doubt but that the distinguished Senator from Rhode Island, who is chairman of the Finance Committee, will say that in the framing of the present bill it was the intention of the committee to give equal and adequate protection to our agricultural interests. It is true that the bill continues the absolutely prohibitory duty on southern rice; that it fully and adequately protects the fruit crops of the Pacific States and of the South, as well as hay, barley, cheese, and even cabbage, in which the States bordering upon Canada are largely interested; and that under its provisions our great staple—wheat—which we export in very large quantities, is covered by a duty of 30 cents a bushel.

I believe, however, Mr. President, that I can show that this sound and salutary principle has not been carried out in the case of one important agricultural product. I refer to the ordinary white potato, which, under paragraph 261, is protected by a duty of 25 cents a bushel, and will present the following facts:

For nine years, beginning with 1899, the importations of potatoes, mainly from Germany, England, Ireland, the Bermudas, and so forth, have been as follows:

Fiscal year ended June 30—	Rate of duty.	Bushels.	Value.	Value per bushel.
1899	25 cents per bushel	530,410	$294,311.15	$0.555
1900	do	155,409.58	147,129.63	.947
1901	do	309,487.26	223,803.97	.605
1902	do	7,658,762.55	3,160,871.13	.413
1903	do	358,206.82	238,286.10	.665
1904	do	3,158,049.72	1,887,409.76	.591
1905	do	169,236.46	160,816.77	.95
1906	do	1,942,489.52	844,815.32	.435
1907	do	169,895.37	187,681.57	1.10
Total		14,512,060.28	7,125,213.48	

The above table does not include the importation of potatoes from Porto Rico and Cuba, given in the following tables:

FROM PORTO RICO (MAY 1, 1900–JUNE 25, 1901).

Fiscal year ended June 30—	Rate of duty.	Bushels.	Value.	Value per bushel.
1901	15 per cent of 25 cents per bushel.	34	$23.00	$0.676

FROM CUBA (RECIPROCITY TREATY, DECEMBER 27, 1903).

1904	25 cents per bushel less 20 per cent.	3,993.42	$2,271.90	$0.569
1905	do	11,673.52	7,087.49	.607
1906	do	15,263.38	7,989.50	.523
1907	do	5,798.69	4,773.57	.823
Total		36,729.01	22,113.46	

The figures for the year 1908 are not available, but from October 1, 1908, to May 15, 1909, there were imported into the port of New York alone 5,150,025 bushels.

Large shipments of potatoes are being made to other Atlantic ports, as well as to New York, and in this connection I will send to the clerk's desk the following extract from the Washington Evening Star of the 3d of May, which I ask may be read and incorporated in these remarks.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the extract.

The Secretary read as follows:

BRINGING POTATOES FROM IRELAND.

[From the Washington Evening Star of May 3, 1909.]

Potatoes are being imported from Ireland to aid in meeting the great demand for the tuber in this country. Aboard one vessel which arrived at Baltimore a few days ago were 47,377 bushels of the vegetables from the farms of county Antrim in the Emerald Isle, and it is stated that some of these potatoes are on sale in this city. It is stated that many thousand tons of potatoes have been brought into the port of Baltimore from the Irish farms during the past winter and this spring, and they are still coming by every vessel from Liverpool and other English ports.

Mr. DU PONT. The farmers of the whole Atlantic seaboard, from Maine to Florida, as well as those in many other portions of this country, are deeply interested in the culture of potatoes. The gross production in this country in 1908 was 278,985,000 bushels, 5,000,000 bushels being grown on the Delaware-Maryland-Virginia peninsula alone.

The official weight of a round hoop barrel of potatoes, or of a sack of potatoes, is 180 pounds, being three bushels at 60 pounds each.

A Kent County (Del.) farmer, who sells his potatoes to a commission merchant in Philadelphia at $2.35 per barrel, pays:

1. For the barrel and cover	$0.27
2. Freight to Philadelphia at 17 cents per 100 pounds	.30⅔
3. Hauling from the railroad to the commission merchant, Philadelphia, per barrel	.10
4. 10 per cent commission to the commission merchant	.23½
Total, per barrel	.91 1/12

This leaves $1.43 7/12 per barrel, or 47.96⅔ cents per bushel, out of which must come all cost of production; and it is to be observed that this cost on the Delaware-Maryland-Virginia peninsula is considerable—the ground must be very carefully and repeatedly worked before planting; the average amount of fertilizer required is 1,200 pounds per acre, three times that required for wheat; and the protection of the potato vines from insects involves constant labor for a considerable period.

Now, Mr. President, the foreigner pays:

1. Ocean freight, per sack	$0.23
2. Duty of 25 cents per bushel	.75
Total, per sack or barrel	.98

This leaves $1.37 per barrel, or 45⅔ cents per bushel.

To the 98 cents per barrel which the foreigner pays for ocean freight and customs duties must be added the profit which the American dealer expects to make out of the imported potatoes. When potatoes are selling at $2.35 per barrel, the dealer takes from the American farmer 33⅓ for commission and hauling, and it is evident that he expects to make as much as this on his foreign potatoes. Indeed, on the principle of despoiling the Philistines, we can fairly assume that he would want to make a little more, and it is not unreasonable to conclude that his profit would be at least 35 cents; which amount, added to 98 cents freight and duty, makes a total of $1.33, leaving the foreigner $1.02 per barrel, or 34 cents per bushel, out of which he still has to meet the expense of his sacks and of placing his goods on board ship in Europe, the average cost of which is probably not very great. We may then safely assume that the foreigner ships his potatoes to America when the net returns to him are about 25 cents per bushel, and he can afford to do this on account of the insignificant price he pays for his labor.

When the wholesale price of potatoes in the Boston, New York, Philadelphia, and Baltimore markets reaches $2.35 per barrel, importations begin in direct competition with the potatoes raised in the States on the Atlantic seaboard, and in indirect competition with those of the States lying farther west, it being impossible for the western farmer to compete with the foreigner by reason of the high railway rates on potatoes.

In the interest of justice to the agriculturist of the Atlantic seaboard, Mr. President, I offer the following amendment to paragraph 261, which I now send to the Secretary's desk.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 80, paragraph 261, "Potatoes," strike out "twenty-five" where the words appear before the word "cents" and insert in lieu "forty-five," so that, if amended, it will read:

Potatoes, 45 cents per bushel of 60 pounds.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 262, page 81.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. In line 5, after the word "bushel" and the semicolon, it is proposed to strike out down to and including the words "ad valorem," in line 9, and to insert:

Mushroom spawn, and spinach seed, 1 cent per pound; beet, except sugar beet, carrot, parsnip, radish, turnip, and ruta-baga seed, 4 cents per pound; cabbage, collard, kale, and kohlrabi seed, 8 cents per pound; egg plant and pepper seed, 20 cents per pound; seeds of all kinds not specially provided for in this section, 10 cents per pound.

Mr. ALDRICH. Mr. President, I desire to modify the amendment by inserting the words I send to the Secretary's desk.

The VICE-PRESIDENT. The Senator from Rhode Island modifies the amendment. The Secretary will report the modification.

The SECRETARY. In line 11 in the committee amendment, after the word "carrots," insert the following:

Corn salad, parsley.

Mr. GAMBLE. Mr. President, I have no objection to the amendment proposed by the committee to this paragraph, except what appears in line 5, after the word "bushel," where it is proposed to strike out the words:

But no drawback shall be allowed upon oil cake made from imported seed.

That provision is in the existing law, and has been since 1897, and I have understood from the committee that there was to be some general provision offered in regard to drawbacks, to cover all provisions of the tariff.

Mr. ALDRICH. That is true, and subsequently the committee will report a provision of that kind.

Mr. GAMBLE. I can not consent to this amendment at this time, because I want to submit some observations on it; but if it is to be held open, so that it can be returned to, and if I may be heard, of course that is entirely satisfactory to me.

Mr. ALDRICH. If the drawback provisions reported to the Senate are not satisfactory to the Senator, then I will agree to return to the provision later.

Mr. GAMBLE. Of course I am opposed to this proposition here——

Mr. ALDRICH. I understand that.

Mr. GAMBLE (continuing). Because I think it is unfair and unjust as applied to this industry.

Mr. ALDRICH. I think the general provisions that we will report will be satisfactory to the Senator.

Mr. GAMBLE. If it may be understood that this matter can again be taken up, and I can be heard if it is not covered by the general provisions, then I have no objection; but I want an opportunity to be heard on this paragraph, if necessary.

Mr. BACON. Does that include the agricultural schedule?

Mr. ALDRICH. Oh, no; only the question of drawbacks on oil cake made from imported seed. That is the only thing the Senator from South Dakota objects to about that provision, and I have already agreed that if the general drawback provision is not satisfactory, we will return to this paragraph.

Mr. BURKETT. Mr. President, I have a letter calling attention to the fact that the committee have changed the method of levying the duty under this paragraph from specific to ad valorem, although, as I read this paragraph, it seems to me that is not the fact. I have had similar letters from seed men in Nebraska, protesting against the change in the method of levying the duty from specific to ad valorem.

Mr. ALDRICH. This is specific.

Mr. BURKETT. I notice that is the fact, but it also includes bulbs. Have the committee received similar letters?

Mr. ALDRICH. Yes; and the committee have already suggested an amendment to paragraph 259, imposing specific duties on bulbs, and that has been agreed to by the Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the committee.

Mr. GORE. I should like to ask what the duty is on bulbs in this paragraph?

Mr. ALDRICH. It is not in this paragraph at all. The duty on bulbs has been disposed of in paragraph 259.

Mr. GORE. I misunderstood the Senator.

Mr. CURTIS. I desire to ask a question about paragraph 260, whether the committee are considering any amendment to that, to be offered in the Senate?

Mr. ALDRICH. I was under the impression that the Senator from Kansas had offered an amendment to this paragraph.

Mr. CURTIS. I have not offered an amendment. I was informed that a member of the committee was preparing an amendment, and, at the request of the American Association of Nurserymen, I would like to submit an amendment and have it printed in the RECORD, to be taken up later.

The VICE-PRESIDENT. If there be no objection, the Senator's amendment will be printed in the RECORD.

Mr. CURTIS. It is introduced at the request of the American Association of Nurserymen.

The amendment is as follows:

260. Stocks, cuttings or seedlings of Myrobolan plum, Mahaleb or Mazzard cherry, manetti, multiflora, and brier rose, 3 years old or less, $1 per thousand plants; stocks, cuttings or seedlings of pear, apple, quince, the St. Julien plum, and evergreen seedlings, 3 years old or less, $2 per thousand plants; rose plants, budded, grafted, or grown on their own roots, 4 cents each; stocks, cuttings and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines, commonly known as "nursery or greenhouse stock," not specially provided for in this section, 25 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment to paragraph 262.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will report the next paragraph passed over.

The SECRETARY. Page 82, paragraph 269.

Mr. LODGE. Mr. President, I desire on behalf of the committee to make one or two verbal amendments to the fish schedule.

Mr. BACON. I have no objection to waiting until the Senator from Massachusetts has finished, but before we pass from the agricultural schedule, I wish to offer an amendment to it.

Mr. ALDRICH. To the agricultural schedule generally, or to some paragraph we have passed over?

Mr. BACON. I simply desire to add an independent paragraph, not relating to anything that has been done.

Mr. ALDRICH. I think the Senator had better offer it now.

Mr. BACON. I do not desire to take the Senator from Massachusetts from the floor.

Mr. ALDRICH. I think the Senator's amendment would probably come in at the end of paragraph 265. I do not know the nature of it, of course.

Mr. BACON. I have no objection to its coming in at that point. I have proposed, however, that it come in after paragraph 238, in order that it might be in relation to cognate subjects. As I said, I do not desire to interfere with the Senator from Massachusetts, if my right to return to it can be reserved.

Mr. ALDRICH. I suppose it would come in at the end of the schedule just as well, probably. I do not know what the amendment of the Senator is.

Mr. BACON. Of course I am on the floor now by the courtesy of the Senator from Massachusetts, and I can not interfere with him.

Mr. ALDRICH. I think we had better dispose of the fish schedule first.

Mr. LODGE. Mr. President, I think the first amendment, "by whatever name," was agreed to, was it not?

Mr. STONE. It was agreed to on the first reading.

The VICE-PRESIDENT. It was agreed to on the first reading.

Mr. LODGE. "By whatever name known or labeled."

Mr. GALLINGER. Not "labeled."

The VICE-PRESIDENT. The committee amendment was agreed to on the first reading of the bill.

Mr. LODGE. Yes. Then I move, after the word "oil," to strike out the words "or otherwise."

The SECRETARY. On page 81, line 24, after the words "in oil," strike out the words "or otherwise."

The amendment was agreed to.

Mr. LODGE. On the next page, line 9, after the semicolon, I move to strike out the words "if in other packages, 30 per cent ad valorem; when in other"—that is, the whole of line 10, including the words "if in," in line 9—and insert after the semicolon "all other fish except shellfish in."

The amendment was agreed to.

Mr. LODGE. In line 11 strike out the word "when" and insert the word "fish."

Mr. GALLINGER. There is no "when" there.

Mr. LODGE. Then, I am reading from another print. That has been amended. It is my fault. I was reading from another print.

Mr. STONE. Before the Senator goes further, I should like to understand what I do not quite understand now. As to the amendment proposed in lines 9 and 10, I should like to know just what is stricken out and what is inserted. I should like to have it read.

The VICE-PRESIDENT. The Secretary will inform the Senator.

The SECRETARY. On page 82, line 9, after the word "can," strike out "if in other packages, 30 per cent ad valorem; when in other" and insert in lieu "all other fish except shellfish in."

Mr. LODGE. "In tin packages," the object being to confine it to tin. As it was drawn before, with that clause in it, it took in fish in tin and in oil, which have a comparatively high rate of duty. It brought all other kinds of fish within it.

Mr. STONE. Will the Senator permit me to ask him a question for information?

Mr. LODGE. Certainly.

Mr. STONE. I have letters from some persons in my State relating to kippered herring.

Mr. LODGE. That has already been amended, and it comes in paragraph 268.

Mr. HALE. It is not in this paragraph.

Mr. STONE. They refer to it as being in this paragraph.

Mr. LODGE. It is to prevent the extension of that clause to just such class of fish that I propose these changes.

Mr. STONE. When these changes are completed, how much greater, if any, will be the duty on Scotch kippered herring?

Mr. LODGE. It will be one-half of 1 cent per pound.

Mr. STONE. Is that an increase or a decrease?

Mr. LODGE. It is the same as the present law.

Mr. STONE. The same as the present law?

Mr. LODGE. Paragraph 268. I think the amendment——

The VICE-PRESIDENT. There is a proposed amendment in line 11 which has not been stated.

Mr. LODGE. No. That has been already changed.

The VICE-PRESIDENT. Very good.

Mr. GALLINGER. Let the paragraph be agreed to.

The VICE-PRESIDENT. Without objection, paragraph 266 as amended is agreed to.

Mr. PILES. Mr. President——

Mr. LODGE. One moment. I should like to complete these amendments, if the Senator does not mind.

Mr. PILES. I wish to offer an amendment to paragraph 266.

The VICE-PRESIDENT. The Senator from Washington wishes to offer an amendment to paragraph 266.

Mr. LODGE. I yield to the Senator for that purpose. I thought it was a separate paragraph.

Mr. PILES. I submit an amendment to paragraph 266. I have taken up the question with the committee. My amendment relates to a duty on oysters. I move this amendment because Canada has a duty on oysters, and I wish to protect our growing industries on the Pacific coast.

The VICE-PRESIDENT. The Secretary will report the amendment proposed by the Senator from Washington.

The SECRETARY. On page 81, paragraph 266, line 22, strike out the words "(except shellfish)" and insert in lieu thereof the words "including oysters;" on page 82, paragraph 266——

Mr. LODGE. O, Mr. President, the Senator from Washington does not desire, I imagine, to make all shellfish dutiable.

Mr. PILES. No; but this amendment was prepared by the committee's tariff expert.

Mr. LODGE. Then it is all right.

The SECRETARY. On page 82, line 11, after the word "fish," insert the words "including oysters;" and in line 14, after the words "ad valorem," insert the words "oysters in the shell, 25 per cent ad valorem."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

Mr. ALDRICH. Let it be stated again.

The VICE-PRESIDENT. The Secretary will again state it.

The SECRETARY. In paragraph 266, line 22, strike out the words "(except shellfish)" and insert in lieu thereof the words "including oysters;" on the next page, in line 11, after "fish," insert "including oysters," and on page 82, line 14, after the words "ad valorem" insert the words "oysters in the shell, 25 per cent ad valorem."

Mr. ALDRICH. The last amendment is all that is necessary.

Mr. LODGE. The last amendment is all that is necessary.

Mr. PILES. If that is correct, I have no objection to its modification.

Mr. LODGE. Striking out "(except shellfish)" would affect an entire class which never before has been affected.

Mr. PILES. That would not put a duty on oysters in the can. The first provision, in line 22, would put a duty on oysters in the can, whereas the latter provision, on page 82, puts a duty on oysters in the shell. I want to protect it both ways.

Mr. ALDRICH. All the Senator would have to do in that case would be to put in "including oysters" at the end of line 22, on page 81.

Mr. PILES. Would that cover oysters both in the can and in the shell?

Mr. ALDRICH. Undoubtedly.

Mr. PILES. Very well. That is satisfactory to me.

The VICE-PRESIDENT. The Secretary will state the amendment as modified by the Senator from Washington.

The SECRETARY. On page 81, line 22, after the words "by whatever name known," insert "including oysters."

Mr. ALDRICH. That is right; and then, at the end of the paragraph, insert "oysters in the shell, 25 per cent ad valorem."

The SECRETARY. At the end of the paragraph strike out the period and insert a semicolon and the words "oysters in the shell, 25 per cent ad valorem."

Mr. LODGE. That is right.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

Mr. LODGE. In paragraph 268 the amendment inserting the words "smoked or kippered," after the word "salted," has been already agreed to, I believe.

The VICE-PRESIDENT. The Senator is correct.

Mr. LODGE. At the end of the paragraph I move to strike out the period and insert a semicolon, and to add the words "eels and smelts, fresh or frozen, 1 cent per pound."

The amendment was agreed to.

Mr. LODGE. Then, in paragraph 269, on page 82, line 24, after the word "section," I move to strike out the words "in bulk or in undivided packages containing 100 pounds or more."

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, paragraph 267 is agreed to.

Mr. BURKETT. I wish to ask the Senator if he has considered, in connection with this paragraph, paragraph 192, which was amended a few days ago? I wish to know how it will operate upon the rates in this paragraph.

Mr. LODGE. That was provided by the insertion making an exception. The Senator refers to the paragraph relating to decorated cans.

Mr. BURKETT. I refer especially to the clause inserted last week, "hermetically sealed, by soldering."

Mr. ALDRICH. I think perhaps that should be modified by leaving out the words "by soldering." I think some cans are hermetically sealed where there is no solder used.

Mr. BURKETT. My attention was called to it, I will say to the Senator, and I pointed out that it would raise the rates on some of these articles.

Mr. LODGE. The intention was to exclude them all.

Mr. ALDRICH. I suggest that we go back to paragraph 192 now, by unanimous consent, and strike out the words "by soldering."

Mr. LODGE. Yes; those words should be stricken out.

The VICE-PRESIDENT. Without objection, paragraphs 266, 267, 268, and 269 will be agreed to.

Mr. LODGE. Then we will return to paragraph 192.

The VICE-PRESIDENT. Without objection, paragraph 192 will be taken up. The Senator from Rhode Island proposes an amendment, which will be stated.

The SECRETARY. In paragraph 192, on page 67, in the second line of the paragraph, strike out the words "by soldering," so as to read:

Cans, boxes, packages, and other containers of all kinds (except such as are hermetically sealed).

Mr. BACON. That is the amendment we had under consideration some time ago and the one agreed upon at the suggestion of the Senator from New York [Mr. ROOT] and myself.

Mr. ALDRICH. It covers all articles of that nature.

Mr. BACON. It excludes things of that kind.

Mr. LODGE. The purpose of the amendment is to exclude them.

Mr. ROOT. Would it not be a little more certain if, after the words "hermetically sealed by soldering," we inserted the words "or otherwise?"

Mr. ALDRICH. Perhaps that would be better. It amounts to the same thing. Let it read "by soldering or otherwise."

Mr. LODGE. Yes; "by soldering or otherwise."

The VICE-PRESIDENT. The Secretary will state the amendment as modified.

The SECRETARY. On page 67, paragraph 192, after the words "by soldering" in the second line of the paragraph, insert the words "or otherwise."

Mr. BURKETT. I do not know that I am certain what the word "otherwise" would refer to, when you say "by soldering or otherwise."

Mr. LODGE. It includes everything hermetically sealed, no matter how it is done.

Mr. BURKETT. If that is true, I shall not object.

Mr. LODGE. That is the object of the parentheses. It covers only the exceptions.

Mr. ALDRICH. I think the Senator will find upon examination that it is covered.

The VICE-PRESIDENT. The question is upon agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. HALE. Before leaving this schedule, I wish to enter a motion to reconsider the vote by which paragraph 250 was adopted. I wish simply to enter the motion.

The VICE-PRESIDENT. The Senator from Maine enters a motion to reconsider paragraph 250.

Mr. BACON. I desire to recur to paragraph 238, not for the purpose of offering an amendment to it, but for the purpose of offering a substantive amendment as an independent paragraph, to be known as "paragraph 238½."

The VICE-PRESIDENT. Is there objection to returning to paragraph 238? The Chair hears none. The Senator from Georgia offers an amendment, which the Secretary will read.

The SECRETARY. On page 77, after line 21, insert a new paragraph, as follows:

238½. Raw cotton, 20 per cent ad valorem.

Mr. ALDRICH. That ought not to come in here, I think. It ought to come in in the sundries schedule, if at all, or in the cotton schedule.

Mr. BACON. I am perfectly willing that it shall come in at any place the committee thinks most suitable for it.

Mr. ALDRICH. Of course, the committee thinks there is no place suitable for it.

Mr. BACON. I hope the committee will not be of that opinion ultimately.

Mr. ALDRICH. I think they are likely to be.

Mr. BACON. If that is the case, I do not see any reason why we should postpone the consideration of it. It is an agricultural product, and I desire that it should come in in connection with agricultural products. I will offer it, at any rate, and I will not detain the Senate at any length.

I well recognize the fact that in offering this or any other amendment which imposes a duty, however small, upon any article, we are open to the criticism of those who see no intermediate ground between a hundred per cent protective duty and the free list. I think that a revenue duty upon imported articles is always justifiable and should be sustained. I am not going to detain the Senate in regard to this matter, except to say that this same amendment was offered by me to the Dingley bill, and I then somewhat at length discussed the propriety of the amendment. I have no desire to repeat that. It would take a good while to do so, and I am willing that the correctness of my attitude relative to the imposition of duties on cotton, lumber, and so forth, within revenue limitations, shall be judged by what I said in that discussion.

I offer this amendment, Mr. President, as a strictly revenue duty, and if I can have the attention of the Senator from Rhode Island, which has been only temporarily withdrawn, I desire to call his attention and the attention of the Senate to the fact that this duty of 20 per cent upon importations of raw cotton will yield a revenue of about $4,000,000 a year, which is certainly not an unimportant consideration.

The imposition of this duty will not keep out the importation of a pound of cotton, and so far as the general crop of cotton is concerned, it will not in any measure affect the question of its price. If you were to put a duty of $1 a pound on cotton, or $10 a pound, and there were no decrease of importations on account of it, it would not affect the general price of cotton produced in the United States, because we are the large exporters of cotton. We export between two-thirds and three-fourths of all the cotton that is produced in this country.

There is one class of cotton, however, that is different from the other, and which, so far as this amendment is concerned, is so distinct in the conditions affecting it that it might as well be called by some other name than cotton. It will be affected by this duty. It is the long-staple or sea-island cotton. It is raised in only three States, South Carolina, Georgia, and Florida, and the quantity produced is very limited. The cotton which is imported into the United States from abroad is between three-fourths and four-fifths from Egypt, and is the same class of cotton as this long-staple cotton, and comes in competition with it. There is, outside of that Egyptian cotton, between a fourth and a fifth cotton of the ordinary kind which is imported from different countries, some from South America and some from Mexico, from which the laying of this duty would produce a revenue. So far as the tariff duty is concerned which would be collected under this amendment from these importations of the ordinary kind of cotton, it is simply and exclusively a revenue duty, because it can, for the reason already stated, in no manner affect the question of the value of the domestic product.

I simply want to call the attention of the Senate somewhat to the figures. This importation is increasing rapidly. In 1897, when this amendment was first presented to the Dingley bill in the Senate by myself, the importation of cotton into this country was only 52,000,000 pounds in round numbers. In 1907 the importation of cotton was 104,000,000 pounds, showing that it has doubled in that time.

The value of cotton imported in 1907 was $19,930,998—you might say $20,000,000—and the tariff of 20 per cent, which is strictly a revenue duty, and even below what is generally recognized as a revenue rate, will yield a revenue to the Government of about $4,000,000, even if the importation does not continue to increase as it has done.

It is very gravely doubted by many people whether the importation without duty will affect the price, even of the long-staple cotton, in this country, in that view strengthening the argument that it is a revenue duty. The senior Senator from South Carolina [Mr. TILLMAN] has stated in his place in the Senate during the present session that in his opinion it would not affect the price of the domestic product. If we concede that, it is of importance to the Government that there shall be this revenue of $4,000,000 which is now entirely thrown away.

I can see no reason, Mr. President, why we should have tariff duties upon other agricultural products and not upon cotton. The reason why I offer the amendment at this particular place is not only because of the fact that it is an agricultural product and properly included there, but I want it in juxtaposition with the tariff duties which the bill imposes upon other agricultural products, and the duty which I have proposed upon cotton is below any other single staple article of agricultural production.

Mr. OVERMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. BACON. Certainly.

Mr. OVERMAN. "Long-staple cotton," the commercial name, is, I think, general for raw cotton. Ordinary cotton does not need any tariff.

Mr. BACON. It does not need any tariff, but we can get revenue from it.

Mr. OVERMAN. From ordinary cotton?

Mr. BACON. Yes; I have so stated the fact. There is in the neighborhood of 20,000,000 pounds of ordinary cotton imported, and that is one reason why I have not yielded to the suggestion of some of my friends that we offer an amendment placing a specific duty upon it. A specific duty is not a proper duty to be put upon it, for the reason that there are different kinds of cotton, both of which are imported and which differ greatly in value. The sea-island cotton, or long-staple cotton, is worth twice as much, and sometimes three times as much, as the ordinary cotton.

I hope that what I say in this regard may have the serious consideration of the Senate. This 20 per cent duty on cotton, if it shall become a law, will yield four times as much revenue as is gotten through import duties from all the other staple agricultural products put together.

That is a pretty broad statement, but it is a fact, and I have the figures here to show it. I repeat, this 20 per cent duty, this ordinary revenue duty, laid upon raw cotton will, with the present importations, produce four times as much revenue as all the other staple agricultural raw products put together, sugar alone taken out of the calculation. I have the figures here to show it. The duty on barley, which we have been discussing to-day, under the present bill will be at an ad valorem of 53.64 per cent—nearly three times the amount which is proposed for the duty on cotton. The annual revenue derived from it under the present law is only $3,544.50.

On corn the tariff is 23.96 per cent, and the entire revenue is $1,897.39 under the pending bill, but under the present law it is only $1,423.10.

Oats is 43 per cent ad valorem, and the entire revenue under the present bill, with the increased duty proposed, is $7,425.89.

Rice, which has a very high duty of 62.66 per cent, yields as a revenue $539,081.11.

Rye, which has a revenue duty of 25 per cent, will yield under the present bill only $31.50, and under the existing law it has yielded $15.75.

Wheat, the great staple next to cotton, has a duty under the present bill, an ad valorem of 34.62. The entire revenue derived from wheat under the existing law is $4,785.73, and under the proposed law $5,742.60.

Those are the great staples, and on barley, corn, oats, rice, rye, and wheat the duties are very much higher—almost 300 per cent higher, some of them—and yet the revenue derived from importations of all of them put together will not make one-fourth of the revenue that will be derived from 20 per cent levied on imports of cotton.

Now, Mr. President, all the manufactured products of cotton are very high. I mean to say, the products of long-staple cotton are particularly very high, the highest of any of the manufactures of cotton, running up to 60 per cent. I have nothing to say about that at present, however, because I am not now putting it upon that ground whatsoever. I am putting it upon the ground that it is a legitimate article of revenue, and was so recognized in the past. I do not know how many years ago it was—possibly the Senator from Texas can tell me—but I know that up to a comparatively recent period of time cotton was always on the dutiable list. When it was dropped out, and how and why, I do not know. The Senator from Texas suggests to me that it was dropped out as an additional protection to the manufacturer of cotton goods.

Mr. BAILEY. If the Senator will permit me, he will find that if his motion should prevail the Senator from Rhode Island will at once move to increase the duty on cotton goods and the omission of this cotton from the dutiable list was made purely to reduce the cost of manufactured cotton goods.

Mr. BACON. Here is a most distinct and marked exception to the rule.

Mr. ALDRICH. The statement of the Senator from Texas is nowhere near correct. At the time the duty was dropped out there were no importations of foreign cotton at all.

Mr. BACON. That is your explanation?

Mr. BAILEY. Let me see if I am anywhere near correct.

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Texas?

Mr. BACON. Certainly.

Mr. BAILEY. Will the Senator from Rhode Island respond to my other suggestion? I will ask him the direct question, If this duty should be placed on cotton, would he not feel it incumbent on him to move an increase in the duty upon cotton goods?

Mr. ALDRICH. That is not the question the Senator was then discussing.

Mr. BAILEY. I know; but will the Senator discuss that question?

Mr. ALDRICH. I will when we get to it.

Mr. BAILEY. But will the Senator make that motion if we would levy this duty?

Mr. ALDRICH. After the Senator from Georgia has completed his statement, I will make a statement to the Senate about the facts.

Mr. BAILEY. I suppose the Senator from Rhode Island will be candid enough to include that in it?

Mr. TALIAFERRO. Mr. President——

The VICE-PRESIDENT. Will the Senator from Georgia yield to the Senator from Florida?

Mr. BACON. Certainly.

Mr. TALIAFERRO. I should like to ask the Senator from Rhode Island to name the year when there was no importation of this cotton into this country?

Mr. ALDRICH. Egyptian cotton?

Mr. TALIAFERRO. Egyptian cotton.

Mr. ALDRICH. I will find it. I will let the Senator know in time.

Mr. BACON. Mr. President——

Mr. ALDRICH. I wish to make a suggestion to the Senator from Georgia. This is evidently going to be a controverted question, and I would be glad, if possible, to finish the uncontroverted matters in the agricultural schedule to-day for the purpose of moving an early adjournment. If the Senator will allow us to dispose of the other items, we can take up this matter on Monday.

Mr. BACON. I have no objection at all. I simply sought to do it now because I did not wish to pass away from the agricultural schedule without offering the amendment.

Mr. ALDRICH. I think probably it belongs to the cotton schedule.

Mr. BACON. I do not think it belongs in the manufacturing schedule at all.

Mr. ALDRICH. I think it does, and if the Senator will allow these matters to be disposed of, then I shall move an early adjournment.

Mr. BACON. I will certainly yield to the convenience of the Senator, with the reservation that I may be allowed to return to it at this particular place.

Mr. ALDRICH. Undoubtedly; the Senator has the right to do that.

Mr. BACON. Sometimes rights are not recognized, and I seek to get this right recognized in advance.

Mr. ALDRICH. I have never known the Senator from Georgia to fail to have any right of his recognized in this body.

Mr. BACON. I thank the Senator very much.

The VICE-PRESIDENT. The Senator from Georgia withdraws his amendment with the understanding that it is to be renewed Monday morning.

Mr. ALDRICH. At the convenience of the Senator. I make no question about when he renews it.

Mr. BACON. I understand from the Senator from Rhode Island that he prefers that it should not be assigned to any definite time, but that I may have the privilege of calling it up.

Mr. ALDRICH. Of course, that is right; that is my understanding.

The VICE-PRESIDENT. The understanding, then, is clear.

Mr. ALDRICH. I ask the adoption of the amendments which I send to the desk.

The VICE-PRESIDENT. The Secretary will state the first amendment offered by the Senator from Rhode Island on behalf of the committee.

The SECRETARY. On page 83, paragraph 270, in line 9, strike out the words "evaporated, in brine."

Mr. BURTON. Is that in accordance with the existing law as amended?

Mr. ALDRICH. It is.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The SECRETARY. In line 12, strike out the first word in the line, the word "jellies," and the comma.

The amendment was agreed to.

The SECRETARY. In line 20, after the words "per cent," and after the semicolon, insert "jellies of all kinds, 35 per cent ad valorem" and a comma.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The SECRETARY. In lieu of the words proposed by the committee to be stricken out in lines 21 and 22, "not having sugar, spirits, or molasses added thereto," insert "containing not more than 25 per cent of sugar" and a comma.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to. The Secretary will read the next paragraph passed over.

The SECRETARY. Paragraph 271, figs.

Mr. ALDRICH. In line 4, on page 84, the committee suggests striking out "twenty" and inserting "fifteen."

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. Paragraph 271, page 84, line 4, before the word "cents," strike out the word "twenty" and insert "fifteen," so as to read:

Olives, in bottles, jars, kegs, tins, or other packages, containing less than 5 gallons each, 25 cents per gallon; otherwise, 15 cents per gallon.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended is agreed to. The Secretary will read the next paragraph passed over.

The SECRETARY. Paragraph 273, lemons. The committee proposes, in line 7, on page 84, to strike out "one-fourth" and to insert in lieu "one-half," so that as amended it will read:

Lemons, 1½ cents per pound.

Mr. ROOT. Mr. President, I regret to be obliged to express dissent from the conclusions of the Committee on Finance regarding the duty on lemons. I do not know any reason why the duty should be increased. It may be that the Senator from California [Mr. FLINT] has some good reason. Lemons are a very important article. They contribute very largely to innocent and healthful enjoyment among the people of my State, and pass by delivery, being an important means of expression. [Laughter.] It seems to me that the duty ought not to be increased unless there is some good reason for it. I have some reasons to give against it which I shall not give until after the Senator from California has given effect to his evident intention to address the Senate. Then I shall ask leave to make some further remarks.

Mr. FLINT. Mr. President, the purpose of this amendment, increasing the duty on lemons from 1 cent to a cent and a half per pound, is to place lemons on an equality with oranges and other citrus fruits. The cost of producing lemons is considerably in excess of the cost of producing oranges, by reason of the fact that it requires more work in caring for the trees, in picking the fruit, and in preparing it for the market.

The lemon industry was established in California about twenty years ago. A few pioneers commenced planting trees in large numbers about that time, and in the course of ten years, or about the year 1898, there had been planted something like 6,500 acres. Encouraged by the Dingley tariff of 1 cent per pound, the acreage was more than doubled during the succeeding four years, and in 1892 it amounted to about 15,000 acres; but by this time the growers had learned that on account of labor conditions they could not compete with the foreign grower and they commenced to rebud their lemon trees to oranges, and the acreage in lemons rapidly decreased for the next two years, and in 1904 there were only about 9,200 acres remaining.

Experience had proven that 1 cent per pound was not sufficient to protect the lemon industry. Every effort was made to place it upon a paying basis, and notwithstanding the improved methods which had been introduced, the industry in California was in a grave danger of annihilation. At this time the transcontinental railroads, foreseeing the disaster, came to the rescue with a reduction in the freight rate from $1.25 to $1 per 100 pounds to practically all points in the United States and Canada. This again encouraged the growers to plant lemon

trees, and under these circumstances the acreage has been increased until at the present time there are about 16,700 acres of lemon trees, with an annual output of about 1,585,000 boxes.

But now the lemon industry in California is again in a precarious condition, owing to the competition of lemons from Italy, where they have the advantage of low-priced labor and cheap transportation. The result is that our growers find themselves unable to successfully compete with the foreign producers, and there are now about 2,000 carloads of lemons in storage in southern California for which no markets at living prices have been found, and the growers are again in very considerable numbers rebudding their lemon trees to oranges. The industry is at a standstill, and unless relief is obtained in this bill, it will only be a few years until this country will be dependent upon foreign producers for practically its entire supply of lemons. The California grower will not continue to devote his time, capital, and land—that can be made to produce a reasonable return in other industries—to the raising of lemons if he is to receive no profit from the investment.

The world's production of lemons is approximately 70,000 carloads per annum. Of this amount Italy produces 65,000 cars and California 5,000 cars.

The United States consumes annually of lemons and by-products of lemons approximately 19,000 carloads, made up as follows:

	Cars.
California product	5,000
Foreign importations	7,000
Total	12,000
By-products of lemons—citrate of lime and lemon oil—all imported	7,000
Total	19,000

While the California production has increased during the last eight years, the increase has not kept pace with the increase of importations. California has never furnished so much as 40 per cent of the total amount of lemons consumed in this country, and during the past eight years has made no material advance in the per cent of production to the total consumption.

The receipts of foreign lemons in 1908 were 2,231,125 boxes, which was the heaviest importation in the history of the business, and was an increase of over 400,000 boxes in excess of the importation of 1901. From November 1, 1907, to April, 1908, 350,700 boxes of lemons were imported, while from November 1, 1908, to April 1, 1909, the importations amounted to 426,729 boxes, or a gain of 76,029 boxes during the first five months of the present year, which accounts for the storage of over 2,000 cars in California. This directly disproves the statement of the counsel for the importers when he said to the Ways and Means Committee that the earthquake at Messina had injured the lemons and would greatly decrease importations.

The United States can be divided into three great sections for the sale of lemons.

First. That part west of the Missouri River wherein the trade takes Californias almost exclusively, some foreigns being used along the eastern border of this section and in Texas.

Second. That part between the Missouri River and the Alleghany Mountains, wherein both Californias and the foreigns contend for supremacy.

Third. That part east of the Alleghenies and along the Gulf coast, wherein foreign control is absolute, except at certain seasons or times when foreigns are temporarily short, or in the mid-country territory being fully supplied, California is forced to far eastern markets at a loss, as at present.

Approximately 35 per cent of the California lemon production is sold in the first-named territory; 50 per cent in the second; 15 per cent in the third.

While it is impossible to state definitely the percentage of foreign lemons in the divisions of the territory mentioned, it is probably fair to say that they are approximately as follows:

Five per cent in the first-named territory; 10 to 15 per cent in the second; and 80 to 85 per cent in the third. From this it will be seen that by far the largest proportion of imported lemons are sold in the eastern markets.

The California producers can only market eastward to the point where the railroad freights, added to the ocean freights and the duty on the foreign products, equal the cost of production and transportation of the California product. The result is that the great consuming population east of Pittsburg, except on rare occasions, is controlled by the foreigners. The sparsely settled territory west of the Missouri is controlled by the California shippers with the exception of a portion of Texas supplied from the port of New Orleans. The territory between Pittsburg and the Missouri, with the exception of the extreme South, is contested ground, where both domestic and foreign lemons are sold in sharp competition.

California lemons are shipped every month in the year, but by holding the fruit picked in the winter and spring in storage for several weeks, the distribution can be regulated to some extent to meet the more favorable conditions of the market. Under proper conditions the lemon tree is ever bearing, containing fruit in all stages of development from the blossom to the ripe lemon at the same time. As far as possible, the lemon growers harvest the crop in the summer when the fruit is in greatest demand, and they attempt to influence the season of bearing by pruning and by irrigation, though not to the extent that this is done by foreign lemon growers.

California lemons are only shipped to the New York and other eastern markets at times when the fruit can not be disposed of west of the Alleghenies. But this 15 per cent of California fruit which does reach the New York market regulates the price of lemons for the entire country. Without the California crop of 5,000 carloads a year, the people of this country would be paying not an average of $2.75 to $2.90 a box for lemons, but $8 or $9 a box. The high price of lemons which prevails at certain times of the year, according to the importers, should be charged to the duty levied for the benefit of the California growers, whereas we contend that the reason the consumer has to pay these high prices for lemons is that the California producers have not had sufficient protection from foreign competition to enable them to enter the New York market. The price of lemons in this country ranges from about $1.50 per box in the winter months to $9 per box during the hot weather of the summer season, and if the importers can put the price to $9 in the summer months, when California is not able to supply the demand, they could put the price to that figure at all times of the year if the California growers were eliminated from the market.

The circular which was sent to Senators to-day by the New York Fruit Exchange states that the price of lemons throughout the country is fixed by the New York market; in other words, that the buyer of lemons in Indianapolis, Kansas City, and the other cities of the country pays for those lemons what the New York market equals on that day. So, as a matter of fact, the New York market fixes the price of lemons throughout this country; but if it were not for the 15 per cent of California lemons going into the New York market, the price would increase immediately $1 to $4 per box.

I believe, Mr. President, that I can convince the Senate, by the testimony of one of the principal importers, that the effect of the 15 per cent of California fruit that enters the New York market is to materially lower the price. I read from the Tariff Hearings, Schedule G, page 4023:

> Mr. UNDERWOOD. In brief, you contend that the only reason that the California people do not control the New York market is because they have not sufficient lemons?
>
> Mr. SAITTA. Yes, sir; the only time when they ship lemons to New York is when they want to try to discourage the Italian people from sending their lemons to New York. If they had enough lemons to supply the demand, they would not need to do that; they could sell them the same as they do the oranges. For instance, last week they shipped into the New York market—when the market was $4 and $4.25, when they saw that there was a steamer coming to the city of New York—they sent 25 cars and broke the market $1 a box.

In other words, if the 25 carloads of California fruit had not arrived in the New York market on that day, the people in New York would have been paying a dollar a box extra, according to the statement of the importer who is asking to have lemons placed upon the free list.

Mr. President, a cent a pound is not a sufficient duty on lemons; and if the duty is not increased, the lemon growers of California will have to go out of business or, at least, they will not be able to market their fruit any farther east than the Missouri River; and the result of the California growers not being able to go farther east than this, and leaving the foreign importers in possession of the New York market, will be to fix the price on lemons in Nebraska, Kansas, Indiana, and other Western States at the New York price, which will be from one to four dollars a box more than it is at present. The people of this country need have no fear of the increase in this tariff, amounting to about 36 cents a box, but what they must fear is an advance in the price of lemons of one to four and possibly as much as five to six dollars a box.

I will ask the Senator from New York [Mr. ROOT], when he replies to what I have to say on this subject, to answer the question whether the elimination of the California lemon grower from the New York market will not increase the price of lemons in that market from one to four dollars a box. In this connection, I desire to call the attention of the Senate to a corporation which has been formed in Italy, authorized by the laws of that country——

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Nebraska?

Mr. FLINT. I do.

Mr. BURKETT. Will the Senator allow me to ask him a question before he goes on with the branch of the subject he is now going to discuss?

Mr. FLINT. Yes, sir; I shall be glad to do so.

Mr. BURKETT. While what the Senator states may control the market in New York, I think the Senator will admit that, as you go west, in all the rest of the country, the California fruit has the protection also of the transportation from there, and though you may have to compete in the port of New York and all along the coast, every mile you get back from New York you have, in addition to the price there, the freight from New York back. That you already have as a protection.

Mr. FLINT. I will say to the Senator that it is contended by the importers, and we admit it to be a fact, that the price of lemons in Kansas, Nebraska, Iowa, Colorado, and in all the Middle Western States is fixed by the New York market. Sixty per cent of the California crop is handled by an organization of farmers called the "California Fruit Growers' Exchange." They have agents in almost every State in the Union, and when they sell a carload of fruit the price is based upon the New York market. A train load of fruit will leave California billed to Chicago, and as orders are received by the exchange from their agents, cars are cut out of the train at various points along the route, and the fruit sold at prices prevailing in the New York market on that day, and the prices in the New York market are fixed at public auction. Whatever the market is in New York the Omaha or Kansas City concern pays for it on that day. The freight on a carload of fruit is the same to all points east of the Rocky Mountains as it is to New York.

Therefore, by reason of the competition in the New York market, the consumer in Kansas and in Nebraska pays a lower price for fruit than if California was eliminated from the New York market.

When a carload or 25 carloads of fruit, or whatever the number may be, arrives at New York or any of the great centers, the fruit is offered for sale at public auction, and the price obtained, whatever it may be, becomes the ruling price for that grade and quality of fruit all over the country on that day. So, as I said a moment ago, the elimination of the California fruit grower from the New York market would make the consumers in this country pay from $1 to $4 a box more for lemons.

Mr. BURKETT. I will say to the Senator that my information with reference to the setting of the price for the Mississippi Valley is different from that; and if the Senator has any quotations of the price, I should be glad to see them.

While I do not expect to go into this subject just now, by my question I was only asking, as a matter of fact, if the California growers did not have the amount of transportation as a protection all the way west, because Sicilian lemons, when they come into New York, would have to pay the transportation. Therefore the California people could charge more if they wanted to, even if they do not do so. My understanding is—and I have received my advices from the Missouri Valley Fruit Jobbers' Association and from dealers—that the price is determined, as the Senator has said, in New York by auction; in fact, I have some of the auction records here for both Sicilian and California lemons. If a man in the Missouri Valley, in Omaha, in Kansas City, or in Sioux City wants to buy lemons for delivery next week, he is told he must pay the ruling price on the day of delivery; and that ruling price will be the auction price in New York plus the freight back to Omaha, or Sioux City, or Kansas City. I have had that statement made to me, and that is the information I have from the Fruit Jobbers' Association.

Mr. FLINT. If that were so, then, as a matter of fact, the consumer or the buyer in Nebraska would be better off than he would be if the California producer was eliminated from the New York market, allowing the foreign importer to fix the price in New York, because the California producer would then charge the buyer in Nebraska just that much more.

Mr. BURKETT. That may be very true, but I am not stating that in any way you may fix it the California man can not do that, because the Sicilian would do it; and, therefore, the California man would have to do it, however we might make the law. What I was trying to get at was an explanation of this point: For that particular part of the California product that is sold in New York, which is a comparatively small part of the entire amount of the product as the conditions are now, there may only be a cent a pound protection; but he has more on all the rest of his product, as it is sold farther West, and, therefore, the cent does not represent the real protection that he has for all the product; but it would be an average of that cent plus what he is protected, by reason of the freight charge that the Sicilian has to pay to get his product across the continent wherever it might be sent. So the protection is more than 1 cent a pound elsewhere than in New York, because that is the minimum protection of any place in this country.

Mr. FLINT. I think that the Senator is correct in the statement of that proposition.

Mr. PERKINS. If my colleague will permit me, the rate on freight from California to New York is the same as it is from California to Denver, to St. Louis, to Minneapolis, or to points in Nebraska. Therefore, there is no advantage to the orange grower or the citrus grower in California by reason of freight in delivering in Denver or in the city where the Senator from Nebraska lives, as compared with New York.

Mr. BURKETT. I understand that, I will say to the Senator; but the contention of many is that when the Sicilian lemon starts back to compete with the California lemon, while the California lemon may pay as much freight to the Missouri River, or, say, to Minneapolis, or wherever it may be, the Sicilian lemon would have to pay that much more to get out there so as to compete with the California lemon, and the California lemon can be sold for just as much more than the New York price as it costs to get the Sicilian lemon out there. Therefore the California lemon does have the transportation charge as an additional protection.

Mr. FLINT. The Senator is correct about that; there is no question about it.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Iowa?

Mr. FLINT. Certainly.

Mr. DOLLIVER. As the Senator knows, I have a feeling of friendly interest in this paragraph, and therefore he will not misunderstand me if I ask a few questions, raised in my own mind, although not settled, by information that has drifted in from time to time since the discussion has been going on. I have heard it said here by people interested against the proposed increase that our people in California can produce only about one-third of the lemons which are consumed in the United States. I should like to have the Senator's statement as to that.

Mr. FLINT. As a matter of fact, Mr. President, the amount of lemons now consumed in the United States is about 12,000 carloads, and of that 12,000 carloads the Mediterranean furnishes 7,000 carloads and California 5,000 carloads. There is no reason why California, on account of her soil and her climatic conditions, can not produce all the lemons that we use in this country, and more. The only reason that we do not produce more lemons is that when we reach the New York market the competition there is so keen at times that we can not compete with the Mediterranean lemon.

Mr. DOLLIVER. I should like to ask another question, if it will not disturb the Senator. I have been told by persons claiming to be more or less familiar with the fruit business that the lemons of California get ripe in the winter time, and that at those periods of the year when the consumption of lemons is largest in the United States, owing to the heat and other circumstances, the California lemon orchards are not productive of lemons. That was told to me by a gentleman who claims to understand the matter; and a Senator, I think, told me that the same thing was true as to the great ripening of the crop of the lemon orchards in Florida as well as in California. I submit that to the Senator, and would like to have him give me the information.

Mr. FLINT. So far as the citrus-fruit industry in Florida is concerned, the Florida orange comes in about October and lasts during October, November, December, and January. The California crop of oranges is of two kinds.

Mr. DOLLIVER. I am speaking of lemons now.

Mr. FLINT. I am going to reach lemons in a moment. Florida lemons are not a competitor in a commercial sense with California lemons, as they only produce about enough lemons in Florida for their own use. They sell none outside of their own State.

In California we have two kinds of oranges; the Washington navel, which comes in about November and lasts until May, and some little into June, but very little; and at that period of the year we have what is known as the "Valencia orange," which is a new variety, so far as California is concerned, having come into the market in the last ten years. We ship the Valencia orange from May to November. So, as a matter of fact, California is serving the people of this country with oranges every month in the year, and at a lower rate than they were sold under the Wilson bill.

I am glad the Senator asked me that question. I have a statement here which shows the percentage of California and foreign lemons arriving during each month of the year.

Mr. ROOT. May I ask the Senator what was the point of arrival?

Mr. FLINT. I will give the figures in a moment of the different arrivals. My recollection is that of the foreign fruit between 70 and 80 per cent arrives at the port of New York.

Mr. ROOT. The Senator spoke of California lemons arriving. I supposed the statistics referred to the arrivals at some specific point.

Mr. FLINT. I should have said "shipped from California," instead of arriving. The figures are as follows:

Month.	Imported lemons.		California lemons.		Total consumption.	
	Per cent imports.	Carloads, crop 1908.	Per cent sold.	Carloads, crop 1908.	Total cars each month.	Per cent of year's supply for month.
January	4	280	9	450	730	6.08
February	4.7	329	9	450	779	6.49
March	8.1	567	7.5	375	942	7.85
April	11.2	784	7.5	375	1,159	9.65
May	14	980	11.5	575	1,555	12.96
June	18	1,260	12.5	625	1,885	15.71
July	16.4	1,148	13.5	675	1,823	15.20
August	9.5	665	4.5	225	890	7.42
September	4	280	3.5	175	455	3.80
October	2.6	196	7	350	546	4.55
November	4	280	8.5	425	705	5.85
December	3.3	231	6	300	531	4.43
Total	100	7,000	100	5,000	12,000	100

From this it will be seen that the California fruit comes in direct competition with the foreign importations every month in the year.

Mr. DOLLIVER. I do not think the Senator has touched the question as to the time these lemons are produced. What is the time of the natural lemon harvest in California?

Mr. FLINT. It is difficult to say just exactly the month that the lemon harvest comes in. There are two great cuttings in the year, one in the fall and one in the spring; but, as a matter of fact, the lemon is picked and shipped from California every month in the year. Owing to the demoralized state of the market there are now over 2,000 carloads of lemons in California that can not be shipped.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Kansas?

Mr. FLINT. I do.

Mr. BRISTOW. I have been told that there is only a limited area of the soil of California that is situated so that it can produce lemons successfully on account of the lack of water, and that this additional duty would add very largely to the value of some real estate holdings there that a number of speculators have, and that that was really the beginning of this campaign for an increase in the duties on lemons. I would like to inquire what area of the California soil is watered, so that it can be planted in additional lemon groves.

Mr. FLINT. There is one valley, known as the "Imperial Valley," where it is generally admitted lemons can be grown, which is almost as large as the State of Kansas, and there are many other places in California where lemons can be grown.

Mr. BRISTOW. It is abundantly watered, is it?

Mr. FLINT. It has all the Colorado River.

Mr. BRISTOW. About how much is there of the Colorado River when it gets into Imperial Valley?

Mr. FLINT. It is estimated that it could irrigate from 500,000 to 1,000,000 acres of land.

Mr. BRISTOW. That is not very definite, of course.

Mr. PERKINS. If my colleague will permit me, I will state that, as a member of the California State Board of Trade, we ascertained that at present we have 9,000 to 10,000 individual orange and citrus fruit growers. There are about 100,000 acres under cultivation, and we have lands in California extending from Red Bluff, in Tehama County, to the Imperial Valley, in San Diego County, and the foothills of the Sierra Nevadas, well adapted to the culture of citrus fruits of all kinds. This same argument was used twelve years ago, when we put the duty on oranges. The result of that duty is that to-day we are supplying oranges cheaper than they have ever been sold before in the country, and of a much better quality. So it will be with lemons, if we can have this protection. It not only provides protection, but, I will say to my colleague, it is a revenue measure, which ought to be supported by every Member of Congress. Under the present law this duty brought in last year $2,309,035, and under the proposed increase in the duty it will make an increase in the revenue of $769,000, in round figures.

Mr. FLINT. I will state to the Senator from Kansas that there is absolutely no foundation for the statement that it would be possible to have any speculation in land in California based on an increase in the duty on lemons.

Mr. BRISTOW. Is this vast area of land which the Senator has referred to watered or situated so that it can be watered, and are ditches constructed or being constructed?

Mr. FLINT. It is not all under ditch now.

Mr. BRISTOW. How many acres are under ditch now?

Mr. FLINT. I would not want to say exactly—over 300,000 acres.

Mr. BRISTOW. Three hundred thousand acres that are not being cultivated?

Mr. FLINT. Oh, it is under cultivation of some kind.

Mr. BRISTOW. It came to me in a way that impressed me very much that some real-estate speculators, who had irrigation plants and ditches, and so forth, thought that this increase of 50 per cent in the duty on lemons would be of very great value to them, and therefore they were exceedingly anxious to have it adopted.

Mr. FLINT. I will repeat my statement to the Senator from Kansas that there is absolutely no foundation for that story. The citrus-fruit industry is not limited to California. As a matter of fact, they are now planting orange groves in Texas. They can be grown in most all the Southern States, including New Mexico and Arizona. Not only in southern California, but throughout the State, oranges and lemons can be produced; and I can say to the Senator that there is absolutely no foundation for the statement that there is any real-estate speculation involved in the proposed increase of duty of half a cent a pound on lemons.

I was just at the point of calling the attention of Senators to what would be the effect of the elimination of the California lemon growers from the New York market; and I want to state, as strongly and positively as I can, that if we do not have an increase in the duty on lemons, it will mean, as far as the eastern market is concerned, the elimination of the California growers.

I ask consent to print in my remarks a copy of the articles of incorporation or charter which the Italian Government has granted to a citrus-fruit chamber. The purpose of this organization is to limit the amount of citric acid that is shipped from Italy and to fix the minimum price.

Consul Cheney, in his report on the lemon industry in Sicily, says:

A new law was enacted on June 5, 1908, whereby a citrus-fruit chamber (camera agrumaria) was established, the object of this new law being to centralize the sale of citrate of lime and lemon juice under the direct control of the chamber. All goods which are not sold through the chamber are subject to a tax which is estimated at 25 to 30 per cent of the normal value, whereas goods sold to the chamber only pay a commission of 2 per cent.

The result of this is simply the authorization by the Italian Government of the formation of a combination by which the price of citrate of lime, a by-product of the lemon, is fixed for the entire world; and if the California lemon grower were eliminated from the market, there would be a similar combination for fixing the price on lemons.

Not only that, but the New York importers formed an organization a year or two ago by which they sought to control the imports into this country, and I ask to have printed in my remarks a copy of the articles of incorporation of the Fruit Importers' Union of New York.

The VICE-PRESIDENT. If there be no objection, the request of the Senator for the printing of these documents will be complied with. [After a pause.] The Chair hears no objection.

The documents referred to are as follows:

Victor Emmanuel III, by the Grace of God
and by the will of the Nation King of Italy:

The Senate and the Chamber of Deputies have approved: We have sanctioned and do promulgate as follows:

ARTICLE I.

A citrus fruit chamber (camera agrumaria), with its seat at Messina, is established, which has for its scope the protecting and furthering of the interests relating to the production of and commerce in the citri and the facilitating of the manufacture of and trade in the citrus derivatives. To which end the following functions are accorded to the chamber:

(a) To study and promote the provisionary measures for the development and regulation of the commerce in the citri and their derivatives;

(b) To undertake and furnish to interested parties information regarding the conditions of the principal markets and regarding the quantity of fruit in situ or in transit;

(c) To facilitate and further the direct relations of exchange between the producers and consumers of the citri and derivatives:

(d) To develop the consumption of the derivatives of the citri, seeking for them new outlets or new uses or applications;

(e) To guarantee by issuance of certificates of analysis, given by chemical laboratories of the citrus fruit chamber or by others recognized by the same, the genuineness and the quality of the citrate of lime and of the concentrated juice produced in the Kingdom, whether for internal consumption or for exportation;

(f) To attend, for account of the producers who may make request for it, and in the forms established by this law, to the sale of citrate of lime and of concentrated juice which has been delivered to said chamber for that purpose by the producers themselves;

(g) To promote, wherever necessary, the establishment of general storehouses for the citrus derivatives in the centers of production which are unprovided with such storehouses;

(h) To make advances upon the deposits of citrus derivatives or upon certificates of deposit of the derivatives themselves in the general storehouses, within the limits and in accordance with the regulations laid down by this law;

(i) To promote and facilitate the establishment and operation of factories for citric acid, candied fruits, and other products derived from the citri;

(l) To promote the formation of a citrus fruit bank, which may make advances upon deposit to the citrus producers and manufacturers.

The functions of the chamber as detailed in sections "e" and "f" may be, by royal decree, extended to other derivatives of the citri.

ARTICLE II.

There are established five sections of the citrus fruit chamber whose seats shall be, respectively, in Palermo, Catania, Messina, Siracusa, and Reggio, Calabria.

Each section is composed of 3 members chosen among the larger producers of citri, 2 nominated by the provincial deputation and 1 by the local chamber of commerce.

Until it will have been otherwise provided by special laws to be presented by the 30th of June, 1909, for the organization of elected representation by an assembly of delegates of the producers, the chamber shall consist of 9 members, of whom 5 shall be chosen, respectively, by the sections from among their own members; the other 4 shall be chosen by the minister of agriculture, industry, and commerce from the class of the citri cultivators after hearing from the issue banks.

The members of the sections and of the citrus fruit chamber must possess Italian citizenship.

In case the appointments are not made by the time established by the minister of agriculture, industry, and commerce, the same minister shall provide for the nomination of the counselors.

The counselors, thus nominated, shall elect from among themselves, by secret ballot and absolute majority of votes, the president and vice-president.

ARTICLE III.

The office of counselor of the chamber is gratuitous.

The chamber shall appoint a technical manager, a secretary, and the other requisite employees for its operation, within the limits of the plan to be approved by the minister of agriculture, industry, and commerce, by whom, moreover, the salaries for the said force must be approved.

ARTICLE IV.

Commencing with the fifteenth day following the first formation of the chamber, citrate of lime and concentrated juice shall not be admitted for transport upon the railroads or for shipment in the ports of the Kingdom, if they are not accompanied by a certificate of analysis issued by the citrus fruit chamber.

Exception is made for shipments sent to the magazines appertaining to the said chamber, or made in view of transportation or concentration of the products in magazines in which the said products are to remain while awaiting sale for consumption or for exportation. In these cases the circulation of said products must be effected according to the instructions which shall be established by the rules of administration for assuring the payment of the chamber tax, in accordance with Article II, when they may be sold for consumption or exportation.

ARTICLE V.

Whoever produces citrate of lime or concentrated juice or trades in these products may intrust the sale to the citrus chamber, depositing the merchandise either in the magazines of the respective sections or in another one of the citrus fruit chamber, or in the general magazines authorized by said chamber to take delivery of the merchandise for its account.

The sale is made by the chamber for account of the depositors, according to the order of precedence in which the merchandise was delivered.

At the commencement of each trading year the chamber establishes the minimum valuation of the merchandise for the entire season; this valuation marks the minimum price of sale below which the chamber can not cede the goods.

The proceeds are liquidated in favor of the several depositors at semi-annual periods and in equal measure for all, according to the rules for computation, which shall be determined by the rules of administration.

ARTICLE VI.

To the citrus fruit chamber is transferred, as first capital and without obligation of reimbursement, the sum of lire 200,000 ($38,610), to be levied upon the sums set aside in the expense budget of the minister of agriculture, industry, and commerce, based upon the law of July 11, 1904, No. 376.

With said sum and with the proceeds of the tax provided by Article XI, the citrus fruit chamber is authorized to make the advances upon certificates of deposit of the citrus derivatives in the general magazines, subject to the dispositions of Article XII.

ARTICLE VII.

The said advances are made in the proportion of two-thirds of the value of the citrus derivatives.

Upon these advances interest is due at the rate of not exceeding 4½ per cent from the date the advance has been made to that of sale.

ARTICLE VIII.

The banks of issue are authorized to discount, at a special rate, in the proportion established by the preceding article, and according to the terms of Article XXX of the unified text of laws upon the before-mentioned banks, modified by the law of December [illegible] 1907, No. 804, the warrants of the citrus derivatives, upon whose certificates of deposit the citrus fruit chamber may have made advances, subject to the dispositions of Article XII.

ARTICLE IX.

At the time of effecting the advances upon the goods delivered to the chamber for sale, the chamber itself shall cause the analytical examination of them to be made. After the advance has been made, the goods are understood to be definitely delivered for sale.

ARTICLE X.

When the goods of each depositor are sold, the chamber pays on account the portion of the price which remained after the advance, thus completing the payment of the minimum price of the annual valuation.

The liquidation of the actual price of sale shall be made at the end of each half year—that is, on June 30 and December 31 of each year—upon the basis of the actual net profit of sales made during the half year.

ARTICLE XI.

Upon the citrate of lime and upon concentrated juice, for which the certificate of analysis is requested for transport upon the railroad or for shipment, in accordance with Article IV, the chamber collects a chamber tax, the proceeds of which are destined to defray the expenses of administration and others dependent upon the disposition of this law and to contribute to the formation of the capital of the chamber.

For the products not intrusted to the chamber for sale, the chamber tax is liquidated and exacted upon the certificate of analysis, based upon the quantity for which the certificate itself is issued and in the maximum proportion of lire 0.60 ($0.116) per quintal (220 pounds) and per each per cent in grams of citric acid, adding together the free citric acid and the combined citric acid.

The chamber tax upon the products sold by the said chamber for the account of the respective owners is exacted by levying 2 per cent upon actual net proceeds of the sale. No other sum may be levied upon the sale price, the warehouse charges and also the cost of analysis being understood to be covered by the said levy.

The chamber may also sell on the spot. In this case there shall not be due by the purchaser, even though he may wish to export, at the time when the certificate is issued to him, the tax provided in this article, which shall be understood to be included in the price.

The certificate of analysis must in every case be visèed in exemption of stamp dues or every other expense.

ARTICLE XII.

From the proceeds of the before-mentioned tax 20 per cent shall be put aside and paid in to the Bank of Sicily on current account, bearing interest and mortgaged in favor of the banks which have made the advances, in the guaranty of the full payment of their credits arising from the operations made by them under the terms of this law.

ARTICLE XIII.

In case of proven irregularity in administration or the inobservances of the dispositions of this law and of the rules of administration as in Article XVI, or upon the ascertained impossibility to operate, the citrus fruit chamber may be dissolved by royal decree upon proposal of the minister of agriculture, industry, and commerce.

In case of dissolution, the administration is intrusted to a government commissioner until the installation of a new council, for which a limit of not exceeding three months shall be fixed.

ARTICLE XIV.

Disputes between the chamber and whoever may have intrusted to it the sale of citrus derivatives in accordance with Article V shall be decided without appeal by three arbitrators. For this purpose there shall be formed a body of six arbitrators, of whom three shall be experts in legal matters and three experts in citrus-fruit matters, nominated and if necessary surrogated, two by the minister of agriculture, industry, and commerce, two by the first president of the appellate court of Palermo, and two by the chamber.

In the decision of each individual case there may not intervene more than two experts of one category, or more than one of those nominated by the chamber.

The selection of the arbitrators shall be made the first time by lot and thereafter by turn.

The costs of arbitration shall be borne by the party against whom judgment is given.

ARTICLE XV.

To the industrial establishments for the working up of the citri, the candied citri included, and for the production or transformation of the citrus derivatives, which shall be founded in Sicily or in the Province of Reggio, Calabria, within the period of ten years from the date of this law, and to those already existing, there may be enlarged or transformed within the said period of time, for the increase of the production or transformation of said derivatives, are respectively extended the privileges accorded to new or enlarged establishments in the commune of Naples, according to Articles VII, VIII, XII, XIII, and XIV of the law of July 8, 1904, No. 351.

ARTICLE XVI.

Within two months from the day of its installation the chamber must submit for approval to the minister of agriculture, industry, and commerce its own rules of administration.

The rules shall determine:

(a) The rules for internal administration.

(b) The powers and responsibility of the president and of the several administrators.

(c) The rules for the nomination and the eventual dismissal of the technical manager, of the secretary, and of the other employees.

(d) The rules for the computation of the final liquidation of the price obtained from the citrus derivatives delivered for sale to the chamber, and whatever else may be necessary for the easiest attainment of the objects for which the chamber is established.

These rules of administration shall be approved by royal decree upon proposal of the minister of agriculture, industry, and commerce.

By the same royal decree shall be established the rules for the governmental supervision of the administration and the working of the chamber and the penalties for the violation of the dispositions of Article IV.

By royal decree shall be fixed the day when the citrus-fruit chamber is understood to be established for the effects of Article II.

Such day can not be earlier than September 1, 1908.

By the same decree the relation between the functions of the sections and those of the citrus-fruit chamber shall be regulated.

ARTICLE XVII.

The chamber shall bank with the Bank of Sicily under the conditions and rules which shall be established by the rules of administration, as in the preceding article.

ARTICLE XVIII.

By royal decree there may be established a term of less than two months for the notice required for the working of the citrus general storehouses in conformity to the relative law.

ARTICLE XIX.

When the capital of the citrus chamber, as in Articles VI and X, shall have reached the sum of 1,000,000 (lire) upon the ulterior net profits, the chamber shall set aside annually 20 per cent for granting aid for sickness and old age to the citrus-fruit operatives. The relative amounts shall be paid in semiannually to the national institution for aiding in sickness and old age of workmen (National Aid Institution, Cassa Nazionale di Previdenza), which shall administer the relative sums according to the contract which shall be established between said Cassa and the citrus-fruit chamber.

ARTICLE XX.

In case of the suppression of the citrus-fruit chamber the capital accumulated in the period of its activity shall, by royal decree, proposed by the minister of agriculture, industry, and commerce, and after the council of ministers has been heard, be devoted in favor of citrus production, and employed in the manner which shall be judged most useful, and which shall be established by special law.

TEMPORARY REGULATIONS.

ARTICLE XXI.

Commencing from the day in which the citrus-fruit chamber shall operate until the 31st of August, 1909, the citrate of lime and concentrated juice which will be deposited with the said chamber shall not enjoy, as to obligations toward the respective depositors, the precedence laid down in the second section of Article V, and the proceeds of the sale shall be distributed among all the depositors in proportion to their respective deposits.

The first liquidation shall be made December 31, 1908; the second August 31, 1909.

We order that the present, under the seal of state, be inserted in the official list of the laws and decrees of the Kingdom of Italy, commanding all whom it may concern to observe the same and cause it to be observed as a law of the State.

Dated at Rome, the 5th day of July, 1908.

VICTOR EMMANUEL.
F. COCCO-ORTU.
CARCANO.
LACAVA.

Visaed: *The Guardian of the Seal, Orlando.*

Certificate of incorporation of the Fruit Importers' Union.

STATE OF NEW YORK,
City and County of New York, ss:

We, Charles F. Hirzel, Horace W. Day, Giovanni Dominici, Frederick S. Robinson, Domenico Bonanno, Otto W. P. Westervelt, Antonio Minaldi, Henry W. Mitchell, Pietro Sciortino, Domenico Purpura, Louis Contencin, Alessandro Alessi, Pietro Brucato, Giuseppe Cutietta, Matteo Maniscalco, Pietro Larini, Nicolo Zito, Pietro Bajata, Vittorio Balassi, Michelangelo Pettinato, Giuseppe Villari, Benedetto Izzo, Henry Feltmann, Carl F. Braun, Ignazio Mercadante, and Tommaso Gloe, being of full age, two-thirds of whom are citizens of the United States and a majority of whom are residents of the State of New York, do by these presents and in conformity with the act of the legislature of the State of New York, being chapter 228 of the laws of the year 1877, passed May 3, 1877, and entitled "An act to provide for the incorporation of exchanges or boards of trade," and the several acts amendatory thereof, do hereby associate ourselves together and form a corporation.

First. The name of the corporation shall be "The Fruit Importers' Union."

Second. The objects for which this corporation is formed are to promote the interests of the importers of foreign fruits at New York City and other American ports, to facilitate trade and commerce, to protect its members from unjust or unlawful exactions, to reform abuses in trade, to diffuse accurate and reliable information among its members as to the standing of merchants and other matters, to produce uniformity and certainty in the customs and usages of trade, to settle differences between its members, and to promote a more enlarged and friendly intercourse between the importers of foreign fruits in the city of New York.

Third. This corporation shall not have any capital stock.

Fourth. The time of the existence of this corporation shall be fifty years.

Fifth. The property, affairs, business, and concerns of this corporation shall be managed for the first year by twelve trustees, whose names are as follows: Charles F. Hirzel, Horace W. Day, Giovanni Dominici, Frederick S. Robinson, Domenico Bonnano, Otto W. P. Westervelt, Antonio Minaldi, Henry W. Mitchell, Pietro Sciortino, Domenico Purpura, Louis Contencin, Alessandro Alessi, who together shall constitute a board of trustees for the first year, their successors to be elected annually at such time and place as may be provided by the by-laws of this corporation, all of the above named being citizens of the United States and a majority of whom are citizens and residents of the State of New York.

Sixth. The principal office of the said corporation shall be located in the city and county of New York.

In witness whereof we have hereunto set our respective hands and seals this 23d day of July, in the year 1895.

[SEAL.] Charles F. Hirzel, Horace W. Day, Giovanni Dominici, Fredk. S. Robinson, Domenico Bonanno, Otto W. P. Westervelt, Antonio Minaldi, Henry W. Mitchell, P. Sciortino, Domenico Purpura, Louis Contencin, Alessandro Alessi, Pietro Brucato, Giuseppe Cutietta, Matteo Maniscalco, Pietro Larini, Nicolo Zito, Pietro Bajata, Vittorio Balassi, Michelangelo Pettinato, Giuseppe Villari, Benedetto Izzo, Henry Feltmann, Carl F. Braun, Ignazio Mercadante, Tommaso Gloe.

In presence of—
WILLIAM HOLDEN WEEKS.

STATE OF NEW YORK,
City and County of New York, ss:

On this 26th day of July, 1895, before me personally came William Holden Weeks, subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, said: That he resided in the city of New York; that he knew Charles F. Hirzel, Horace W. Day, Giovanni Dominici, Frederick S. Robinson, Domenico Bonanno, Otto W. P. Westervelt, Antonio Minaldi, Henry W. Mitchell, Pietro Sciortino, Domenico Purpura, Louis Contencin, Alessandro Alessi, Pietro Brucato, Giuseppe Cutietta, Matteo Maniscalco, Pietro Larini, Nicolo Zito, Pietro Bajata, Vittorio Balassi, Michelangelo Pettinato, Giuseppe Villari, Benedetto Izzo, Henry Feltmann, Carl F. Braun, Ignazio Mercadante, and Tommaso Gloe, and know them to be the individuals described in and who executed the foregoing instrument; that he was present when they and each of them severally executed the same, and that they and each of them for himself acknowledged to him, the said William Holden Weeks, that they and each of them executed the said instrument, and that he, the said William Holden Weeks, thereupon subscribed his name as a witness thereto.

JOS. N. GOLDBACHER,
Notary Public, New York County.

STATE OF NEW YORK,
Office of the Secretary of State, ss:

I have compared the preceding with the original certificate of incorporation of the Fruit Importers' Union, filed and recorded in this office on the 27th day of July, 1895, and do hereby certify the same to be a correct transcript therefrom and the whole of said original.

Witness my hand and the seal of office of the secretary of state, at the city of Albany, this 25th day of May, 1909.

[SEAL.] HORACE G. TENNANT,
Second Deputy Secretary of State.

Indorsed: Certificate of incorporation of the Fruit Importers' Union. State of New York, office of secretary of state. Filed and recorded July 27, 1895, 11 a. m. Andrew Davidson, deputy secretary of state.

Mr. FLINT. If we eliminated the California fruit grower from the New York market, we would be in this position: First, there would be a combination in the Mediterranean to maintain prices all over the world, as they would have no opposition if the California grower was eliminated; and then there would be a combination of the importers in the city of New York, and the price of lemons throughout this country would be just what those importers desired to make it.

The question that the Senate has to solve is whether lemons shall sell for two or three dollars a box or eight or nine dollars a box; and I ask the Senators whether they believe that the price would be lower in this country with the California producer in competition with the foreign producer, or with the California producer eliminated and the country left to a combination of the producers in Italy and a combination of the foreign importers in New York?

There can be no such thing as a combination among the fruit growers of California. While about 60 per cent of the fruit is shipped by a cooperative fruit organization, the remaining 40 per cent comes in direct competition with this fruit growers' association and all of it comes into competition with the fruit importers; so that we have to-day as strong a competition on lemons as it is possible to have. Now, the question is, Is it necessary for the California fruit growers to have an increase in tariff to enable them to continue in the business, or is the present duty sufficient? I ask to print a statement showing the cost of California fruit delivered in the eastern market to be $2.32 a box.

The VICE-PRESIDENT. If there be no objection, the permission will be granted. The Chair hears no objection.

The statement is as follows:

The average cost of a box of lemons in California, on cars ready for shipment, is $1.48, which includes all the expenses of cultivation, water, fertilization, fumigation, picking, handling, packing, and material used, and every item entering into the cost, excepting interest upon the investment in the groves and packing houses. Of this cost the amount expended for material is 48 cents, and the amount expended for labor per box is $1.

The cost of transportation to eastern markets is 1 cent per pound, gross weight, or a total per box of 84 cents; making a total net cost per box, without interest, for delivering California lemons to eastern markets, $2.32.

Mr. FLINT. Also a statement showing the cost of the foreign importations to be $1.84.

The statement is as follows:

We have authentic information from the American consul at Palermo, Italy; from John Triola, now the manager of the Flagler Company, at Corona; and other persons experienced in growing and shipping fruit from Italy, that the actual cost of labor in Italy ranges from a franc and one-half (30 cents) to 3 francs (60 cents) per day; that the actual cost in Italy of producing a box of lemons, exclusive of interest, is 75

cents, of which amount there is expended for material 50 cents, which includes water, fertilizer, and packing materials; and there is expended for labor per box 25 cents.

The rate of transportation to America per box is 25 cents, making a total cost, without interest, of a box of lemons from Italy, in New York Harbor, $1; and after paying the duty, amounting to 84 cents, makes a total cost on New York market of $1.84, as against the cost of the California lemon of $2.32; or a difference in favor of the Italy grower per box of 48 cents.

According to our consul's report the average production in Italy is about 300 boxes per acre, which means that a grower in Italy can make per acre $150, selling lemons at a price which would leave the California grower no returns whatever. From this situation it is very evident that one of the three alternatives must occur—either the tariff duty must be advanced to 1½ cents per pound, or the price of labor must be materially reduced, or we, as a Nation, must continue to eat foreign lemons.

Mr. FLINT. The increase in this rate amounts to about 36 cents a box. Under the present market conditions the California grower is not able to enter the New York market, as imported lemons are now selling in the New York market for less than the cost of California fruit delivered.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Nebraska?

Mr. BURKETT. Will the Senator let me ask him a question?

Mr. FLINT. Certainly.

Mr. BURKETT. This is the important point in all this discussion, it seems to me. I have here the brief of the Lemon Growers' Association as they filed it before the Ways and Means Committee of the House. I will begin in 1906. I might go back, although some years are not quite so large. In 1906 the profits per acre of the lemon orchards, as shown by the brief which they filed——

Mr. FLINT. What page?

Mr. BURKETT. I have page 3862. The profit of the lemon growers in 1906 was $119 an acre; in 1907 it was $88 an acre; in 1908, $50 an acre. There was a year—1900—when it seems to have been very low—$3 per acre. That is the profit after taking out the expenses, as I take it; but the lowest is $3 an acre. Then it runs to $10 an acre, $14 an acre, $18 an acre, $28 an acre, $48 an acre, $69 an acre, $50 an acre, $88 an acre, $119 an acre. It runs from $3 an acre to $119 an acre. To one who lives in an agricultural region, of course, that seems an enormous profit.

I understand that the price of the land is a great deal higher than average agricultural land; but, nevertheless, with almost any priced land, those profits—clear profits—certainly represent more than land in any other agricultural section in this country yields.

I can not understand, therefore, the Senator's statement, which he has just made, that the lemon planters are in a very serious condition and that they can not sustain themselves under the present duty. That, together with the fact, as shown in the first column of the same table, that this industry in planted acres has grown from 6,518 acres in 1898 to 16,718 acres in 1908—almost treble in ten years—makes it difficult for one to understand the statement of the Senator with reference to their condition; and if the Senator can explain it, I should like to hear the explanation.

Mr. FLINT. The Senator did not read the entire statement. I wish he had done so. I will ask to have it inserted in the RECORD as a part of my remarks. It shows the average profit per acre during the ten years to be $43.19 an acre.

The table referred to is as follows:

Citrus industry in California for eleven years—Average production, selling price, cost of production, and profit of an average grove per acre.

Variety.	Year.	Acres.	Boxes produced.	Total boxes.	Average price per box f.o.b.	Gross average per acre.	Producing cost per acre without interest.	Selling cost per acre.	Profit per acre.
Oranges	1896	30,193	5,371,000	5,734,800	$1.25	$191.00	$172.00	$9.00	$10.00
Lemons	1898	6,518	363,800						
Oranges	1899	34,996	3,628,000	3,909,800	1.72	154.00	101.00	5.00	48.00
Lemons	1899	8,672	281,800						
Oranges	1900	39,146	6,283,000	6,734,500	1.70	228.00	151.00	8.00	69.00
Lemons	1900	10,827	451,500						
Oranges	1901	43,162	8,459,500	9,371,800	1.22	203.00	190.00	10.00	3.00
Lemons	1901	12,979	912,300						
Oranges	1902	47,245	7,499,900	8,378,500	1.68	225.00	153.00	8.00	64.00
Lemons	1902	15,119	878,600						
Oranges	1903	48,036	8,438,800	9,265,300	1.29	191.00	168.00	9.00	*14.00
Lemons	1903	14,412	826,500						
Oranges	1904	52,251	10,306,200	11,174,200	1.09	198.00	205.00	11.00	18.00
Lemons	1904	9,226	868,000						
Oranges	1905	59,828	10,538,200	11,871,700	1.37	231.00	193.00	10.00	28.00
Lemons	1905	10,399	1,333,500						
Oranges	1906	67,405	9,170,700	10,352,900	2.11	276.00	149.00	8.00	119.00
Lemons	1906	11,572	1,182,200						
Oranges	1907	85,738	9,908,000	11,005,300	2.00	221.00	126.00	7.00	88.00
Lemons	1907	13,478	1,097,300						
Oranges	1908	104,073	10,486,000	12,071,000	1.75	170.00	114.00	6.00	50.00
Lemons	1908	16,718	1,585,000						
Total oranges			90,089,300	99,869,800					
Total lemons			9,780,500						
Average					1.56	208.00	156.54	8.27	43.19

* Loss.

Total profit on investment, $43.19 per acre. Average cost of 1 acre, $1,000. Average interest on amount, 4.3 per cent.

Mr. FLINT. The price of land in California is not excessive. The value of the land is about $300 per acre. The cost of bringing a lemon grove into bearing is about $1,000 per acre. I have understood from the Senator that there are in his State lands worth $300 an acre.

Mr. BURKETT. There is not for agricultural purposes, I will say. There might be a small piece of land close to a city somewhere, but not land for agricultural purposes.

Mr. FLINT. I know that in the States of Idaho and Montana, and in various other States, apple land sells for $300 an acre; and as high as $500 an acre, the Senator from Utah says.

Mr. BURKETT. That might be true with respect to a special apple or peach orchard in our State, but not as to land for general agricultural purposes.

Mr. ALDRICH. If it will be convenient to the Senator from California to proceed with his argument on Monday, I will move that the Senate adjourn.

Mr. FLINT. Certainly.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, May 31, 1909, at 10 o'clock a. m.

SENATE.

MONDAY, *May 31, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

Mr. WARNER presented a memorial of sundry employees of the Kansas City Post, of Kansas City, Mo., remonstrating against the imposition of a duty on news print paper and wood pulp, which was ordered to lie on the table.

Mr. DEPEW presented memorials of Local Union No. 113, International Brotherhood of Stationary Firemen, of Palmer; of Local Union No. 269, International Brotherhood of Stationary Firemen, of Fort Edward; and of sundry compositors, stereotypers, mailers, and pressmen of the Abdenblat, of the New Yorker Staats-Zeitung, of New York City, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the Marine Trades Council of the port of New York, remonstrating against the disrating of employees in the New York Navy-Yard, which was referred to the Committee on Naval Affairs.

Mr. FRYE presented a petition of the mailers, compositors, stereotypers, and pressmen of the Lewiston Journal Company, of Lewiston, Me., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Chisholm; and of Local Union No. 14, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Lisbon, in the State of Maine, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. ROOT presented memorials of the board of education of Fort Edward; of Local Union No. 5, of Ticonderoga; Local Union No. 20, of Piercefield; Local Union of Fort Edward, and of Fenimore Local Union No. 2, of Sandy Hill, all of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers; of Local Union No. 130, of Watertown; Local Union No. 17, of Syracuse; Local Union No. 189, of Ticonderoga; Local Union No. 289, of Fort Edward; Local Union No. 241, of Piercefield, and of Local Union No. 113, of Palmer, of the International Brotherhood of Stationary Firemen, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the New York City Federation of Women's Clubs, remonstrating against the condition of affairs in Armenia, which was referred to the Committee on Foreign Relations.

He also presented memorials of the compositors, stereotypers, and pressmen of the Troy Record, of Troy; the Journal of Commerce and Commercial Bulletin, of New York City; the Star-Gazette, of Elmira; the Brooklyn Daily Times, of Brooklyn; the Evening Standard, of Cortland; the Syracuse Journal, of Syracuse; the Abendblatt, of the New Yorker Staats-Zeitung, of New York City; the North Side News, of New York City, and of sundry newspaper workers of Brooklyn, New York City, Bath Beach, Sheepshead Bay, and Glendale, all in the State of New York, remonstrating against any change being made in the rate of duty fixed by the House bill on print paper and wood pulp, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2496) granting an increase of pension to Sophia W. Sanborn (with the accompanying papers); to the Committee on Pensions.

By Mr. JOHNSTON of Alabama:

A bill (S. 2497) for the relief of the heirs of Susan Fletcher, deceased; to the Committee on Claims.

By Mr. WARREN:

A bill (S. 2498) for the relief of the heirs of Richard W. Meade, deceased; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 2499) extending the provisions of the bounty-land law of March 3, 1855, to persons who participated in the Indian wars of the United States prior to April 12, 1861; to the Committee on Public Lands.

By Mr. STEPHENSON:

A bill (S. 2500) granting an increase of pension to James C. Watson (with the accompanying papers); to the Committee on Pensions.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment of the Committee on Finance to paragraph 273. It will be read.

The SECRETARY. In paragraph 273, page 84, line 7, before the word "cents," it is proposed to strike out "one-fourth" and insert "one-half," so as to read:

Lemons, 1½ cents per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. FLINT. Mr. President——

Mr. HEYBURN. Mr. President, I would suggest the absence of a quorum.

The VICE-PRESIDENT. On that suggestion the Secretary will please call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Hale	Perkins
Beveridge	Clay	Heyburn	Rayner
Bradley	Crawford	Hughes	Root
Briggs	Culberson	Johnson, N. Dak.	Scott
Bristow	Cummins	Johnston, Ala.	Smith, Md.
Brown	Curtis	Jones	Smith, Mich.
Bulkeley	Dick	Kean	Smoot
Burkett	Dillingham	Lodge	Sutherland
Burnham	Dolliver	McEnery	Warner
Burrows	Fletcher	Nelson	Warren
Burton	Flint	Oliver	Wetmore
Carter	Foster	Page	
Clark, Wyo.	Gallinger	Penrose	

Mr. JONES. I desire to state that my colleague [Mr. PILES] is necessarily absent from the Chamber on business this morning.

The VICE-PRESIDENT. Fifty Senators have responded to their names. A quorum of the Senate is present. The Senator from California will proceed.

Mr. FLINT. Mr. President, I do not intend to delay the Senate much further in discussing this subject.

A question was asked me by the Senator from Nebraska [Mr. BURKETT], as I was closing my remarks on Saturday, as to the cost and the profit per acre from a lemon grove. The profit on an average grove, as shown by the report that I submitted in my remarks, is $43.65 per acre for the entire citrus-fruit industry in southern California during the last eleven years. The average profit which lemon growers have received during this period is about 4 per cent on their investment.

The points I desire to call to the particular attention of the Senate are: Should we allow this industry to be destroyed by foreign importations, and, if the industry is destroyed, will it not result in an increase in the price of lemons in this country?

We have imported during the last ten years 1,679,669,265 pounds of lemons, with an approximate net profit to a small group of importers of $16,796,692, which sum would buy the 16,000 acres of lemon groves in California which 5,000 men have worked twenty years to produce.

The reason why the production of both oranges and lemons in California insures moderate prices is because the inviting business, from the standpoint of health, comfort, and a pleasing occupation, leads to a production that at all times equals the consumption in the markets available at living prices. The product, being perishable, is not subject to speculation, manipulation, or monopoly. The entire crop must be marketed in this country and continuously as it matures. This condition insures at all times a full supply, and therefore the consumer has the larger voice in fixing the market price. It is also worthy of notice that California has 10,000 growers and producers of citrus fruits, and this large body of men can never be worked as a unit, while the importers are confined to a very small group, closely associated.

The production of each carload of lemons in California means the expenditure of $325 for labor directly, and in addition to the amount for labor expended in producing the orchard to bearing age and the labor expended in making boxes and wrapping paper in which to pack the fruit and the preparation of fertilizers for the ground and in securing water supply for irrigation; so that it can be safely said that for every additional car that California is allowed to produce it will mean a good living for a family. If the increase of duty be granted, it will mean approximately 5,000 additional cars of lemons per annum in ten years from this time and support for an additional population of 25,000 people, and this amount will be gradually increased as the consumption of lemons is increased through lower prices and better education in the use of the lemon as an article of diet and medicine.

It is contended that the California producers can not supply the lemons consumed in this country. This is true at present. It would not be possible for the California producers at this time to supply the 12,000 carloads annually consumed in the United States. But, unless we have this protection, it will only be a short time until we will not be able to supply even the part we are now supplying. At the present time lemons are selling at a price at which they can not be produced in California, and the argument is made that, notwithstanding this fact, the tariff should remain as it is. It would be a very short-sighted policy for the people of the United States to permit the lemon industry in this country to be destroyed in order that they may buy lemons at a few cents per dozen cheaper for the time being, because such a policy would inevitably result in their paying much higher prices when the competition of the product shall have ceased and the importer obtained a monopoly in our markets.

In a few years the production of lemons in California can be greatly increased by budding over orange trees, and within seven or eight years new orchards planted immediately after the passage of this bill would commence bearing, and within ten to twelve years we would be in a position to supply practically the entire market as we do at the present time with oranges.

Another matter that I want to emphasize is that, under present market conditions in New York, the California grower can not compete with the foreign lemons. The market during the last few days has averaged $1.50 a box. I have here the last auction, showing Palermo lemons, by steamship *Irena*, sold at auction by Brown & Seccomb, Thursday, May 27, 1909, as follows:

One hundred and nine boxes, from $2.25 to $2.15.
Twenty boxes, at $2.05.
Twenty-one boxes, at $2.

Then follow prices running down to 21 boxes, at $1.20; 22 boxes, at 75 cents; 98 boxes, at $1; 59 boxes, at $1.05; 50 boxes, at $1.15; and 21 boxes, at $1.50. During the last month the lemon market has not averaged $1.70 a box. Yet it costs the California producer $2.32 to land lemons in the New York market.

The effect of this is that we have to-day, as I have stated, over 2,000 carloads of lemons in California that can not be shipped, many of them going to decay. The result of such a market means the reducing of the acreage in California, so that in a short time we will be in a position to supply only the market west of the Missouri River; and the result will be that the foreign fruit grower will control the New York market, and thus advance the price for the entire country. Without the competition of the California grower in that market, as I have shown by the testimony of Mr. Saitta before the Committee on Ways and Means, the price of lemons will increase.

Mr. President, there has been a report made by Mr. Powell that has been commented upon, giving the example of a lemon grove where the profit was, as shown by the report, excessive. There can be no question about the truth of that report and that there is a lemon grove in southern California which made the returns shown in that statement. But it is not an average return. If the whole report of Mr. Powell be read, it will be shown that instead of an acre producing a carload of lemons, the average production is about half a carload; and in addition to that, the price stated in that report probably was the price at that time of the year.

But the question that we must meet here is not the price of lemons at this time of the year, but the price of lemons during the months of June, July, and August. The lemon market, according to the prices I have quoted, now averages $1.70, but during the coming month it may go to $8 or $9 a box. The price of $8 or $9 a box is made possible by reason of the fact that California can not then supply sufficient lemons to meet the demand and the foreigner makes the market just what he pleases.

The amendment which you are asked to agree to in this paragraph of the bill will, if adopted, be equivalent to an increase of about 36 cents per box in the duty on lemons, which amounts to approximately 1 cent a dozen on the small sizes, and from a cent and a sixth to a cent and a third on the standard sizes. But it does not follow that the consumer will have to pay even this slight increase in price, for under this additional protection the California production will be greatly increased and the law of supply and demand will cause the price to decrease, as has been the case with the present duty on oranges. The orange industry has prospered under the 1-cent per pound duty, and yet oranges are now furnished to the consumers at a lower average price than they were under the low rates of the Wilson bill. Is it unreasonable to expect that similar conditions may prevail under an increase in the duty on lemons?

There are comparatively very few articles in this tariff list produced by the farmer, the very existence of which depends upon protection. In fact, the farmer perhaps receives less benefit from a protective tariff than any other class of our citizens. The manufacturing industries of the country have a very large number of articles in this bill which will be adequately protected against foreign competition, and in the past great industries have been built up solely because of the encouragement given them by the protective policy. But there is not an article in the entire tariff list where the benefits of a protective tariff are as well illustrated as in the case of the citrus-fruit industry in the United States. The only trouble is, we have not gone far enough. We have remedied the unsatisfactory condition that has heretofore existed with respect to the orange industry, but the conditions affecting oranges and lemons, as has been pointed out, are different, and we must give further protection to the lemon growers if we are to save this industry from destruction and put it on a profitable basis, as we have done with the orange industry.

Mr. ROOT. Mr. President, I fully agree with the Senator from California that it would be very unfortunate to eliminate the California lemon grower from the New York market or from any market in the United States. The question is, Is it necessary to increase the duty upon imported lemons in order to prevent the California grower from being eliminated from the market?

The fact is, Mr. President, that our tariff laws have dealt already very kindly by the citrus-fruit growers of California. Their representative began his testimony before the Ways and Means Committee by expressing a grateful appreciation for what the law has already done; and he was right, for a great and successful business has been built up under the tariff as it now stands. The report of Mr. Powell, the representative of the Department of Agriculture in charge of the fruit division of that department, to which the Senator from California has referred this morning, begins with the following statement:

The American lemon industry has become permanently established on a firm foundation within the last few years, the seasons since 1904 having proved unusually profitable.

That, Mr. President, is the evidence of an unprejudiced, impartial government investigator upon the effect of the tariff as it now stands.

It commenced—

He says—

to assume a commercial aspect twenty-five years ago, but for a score of years it was a question whether it would become established permanently or whether the American supply of lemons would continue to be derived, as in the past, from foreign sources.

He says further:

As a result of the recent progress in the industry, the demand for the best brands of California lemons is greater than the present supply. The area of groves is extending considerably, though more slowly than the growers desire, as the nurserymen have not been able to supply the demand for trees during the last two or three years.

That is to say, the limit to the growth of this profitable and increasing industry is not the market, but is the possibility of securing trees for the extension of the lemon groves. He further says that he has inquired into the cost of maintaining a lemon grove, taking a good specimen grove, the one to which the Senator from California has referred, and he finds that the cost per acre for a year for the cultivation, picking, and all the expenses incident to putting the lemon product upon the cars was $370.86; and he finds that not the returns from this acre, but the average returns per car f. o. b. in California during the last few years, varies as follows: In 1903–4, probably somewhere near $400; in 1904–5, between $600 and $675; 1905–6, between $800 and $900; 1906–7, between $850 and $950.

That is to say, in this industry to-day, this profitable and growing industry, during the past year the lemon growers of California have made on an average, with an expenditure of $378 per acre, a profit of $530 per acre, and that, Mr. President, with the present tariff. I would not eliminate the lemon growing of California or any other American industry, but it is a little too much for them to come and ask an increase of duty when they are already making 150 per cent upon their investment. That is more than people ought to make.

The figures of productions and importations correspond with these statements of the representative of the Department of Agriculture. Will the Senate listen to the statistics of this industry that comes crying for help to avoid being eliminated? The importations of lemons from abroad during the period of the present duty have been almost stationary. In 1899 and 1900 the importations were 1,907,119 boxes; the next year, 1901, 1,768,000 boxes; the next year, 1,953,000 boxes; the next year, 1,809,000; the next year 2,046,000 boxes; the next year 1,655,000 boxes; the next year, 1,651,000 boxes; the next year, 1,879,000 boxes; and the next year 2,200,000 boxes. You will perceive that during the period since the enactment of the Dingley tariff the importations of lemons have fluctuated up and down in the neighborhood of 2,000,000 boxes.

Now, look at the domestic production, the production of this dying industry which comes appealing for help here. In 1897–98 the production was 363,792 boxes; in 1898–99, 281,736 boxes; in 1900, 451,464 boxes; in 1901, 912,288 boxes; in 1902, 878,592 boxes; in 1903, 826,488 boxes; in 1904, 867,984 boxes; in 1905, 1,333,488 boxes; in 1906, 1,182,168 boxes; in 1907, 1,094,184 boxes; and the next year a little over 1,300,000 boxes. That is to say, since the enactment of the present tariff the domestic production and shipment into the markets of the United States of these lemons has more than trebled, while the importations have remained stationary. The entire increase of consumption by the American people during its enormous development of

population and of purchasing power during the last decade has been absorbed by this prosperous and growing industry, making money beyond the dreams of the ordinary American farmer or merchant or manufacturer, absorbing all the increase of the market.

And upon what basis of duty? Here is the way the duties on lemons have run. Under the McKinley Act, 25 cents a box; under the Wilson Act, 30 cents a box; under the Dingley Act, 1 cent a pound, which is the equivalent of 80 cents a box, in round numbers; under the Payne bill as reported to the House and as it passed the House $1 a box; and under the Finance Committee report, which we now have before us, $1.20 a box; that is to say, we are proposing now to add 50 per cent to the duties under which this phenomenal prosperity has been obtained.

Mr. FLINT. Will the Senator permit me to ask him a question?

Mr. ROOT. Certainly.

Mr. FLINT. I will state for the Senator's information that the duty on the average box of imported lemons is 72 cents. So his calculation is entirely wrong.

I ask the Senator if he will explain to the Senate why lemons bring $9 a box in the months of June, July, and August in the city of New York? Can the Senator explain that?

Mr. ROOT. I need not explain it to the Senate, because it has nothing whatever to do with the question I am discussing.

Mr. FLINT. I think that is what interests the American people, why lemons should bring that price.

Mr. ROOT. The American people are not going to get away from the fluctuation in the market for a perishable fruit, which when the fruit is in excess of the demand requires that it be sold on the instant for whatever it will bring. The American people are not going to get away from the fluctuation of the market for a perishable fruit by putting an unnecessary increase of duty as a barrier to the importation of foreign fruit.

Mr. President, I agree with the Senator from California that we should not exile the California fruit grower from our market. Far from it. I have shown that under the present duty he is in the market and making money in the market, and that he will stay and will increase his participation in the market. But, Mr. President, if you increase this duty you exile the foreign producer from our market and put him at the mercy of the California fruit grower——

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. In a moment. Over 60 per cent of whose product, the Senator has already told us, is marketed by one concern, the California Fruit Growers' Association.

Mr. FLINT. That is an incorporated concern of farmers, is it not?

Mr. ROOT. It is not an incorporation of angels, and if it gets control of our markets if you put up a barrier so that it will be impossible to introduce the restraining effect of foreign competition, the white-winged farmers of the California Fruit Growers' Association may yield to the temptation to get the highest price they can for their product.

Mr. FLINT. I ask the Senator whether the additional cost to the people of this country would not be but 36 cents a box on these lemons; and I submit to the Senate whether the American people would not rather trust a corporation organized by the farmers of this country than an importers' trust, organized in the city of New York, controlling and limiting the imports of lemons into this country, so that the price goes to $9 in summer time? It is only by increasing the California output that we can make it impossible for the New York combination to charge the American people $9 a box.

Mr. ROOT. Mr. President, I do not want the American people to trust to either. I want the American people, whose representatives we are here, for whose benefit we are undertaking to make laws, to protect themselves. I wish to so regulate this matter that we shall have a market for our domestic producers, but with the duty so fixed that if they undertake to charge an unconscionable price for their product they will then meet foreign competition. That is the situation as it exists with the present tariff.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. Certainly.

Mr. BORAH. I agree with the Senator from New York perfectly in that proposition; but I should like to know how you are going to do it in this bill.

Mr. ROOT. I will tell the Senator from Idaho how you will do it on lemons. The market situation is, of course, affected by the freight situation. The Senator from California has stated, with his customary fairness, some of the particulars of the freight situation as it affects lemons. Let me restate what he has stated, and with some additional facts, very briefly.

The transcontinental railroads give to the fruit growers of California a flat $1 rate upon lemons to the Atlantic seaboard; that is to say, throughout the length of the country from West to East $1 per hundred pounds is the freight charge for lemons. The figures given by the California raisers themselves for the cost of raising and putting on cars a box of lemons are $1.28 a box.

Mr. FLINT. One dollar and forty-eight cents.

Mr. ROOT. Well, $1.48, adding the freight rate of $1 per hundred pounds.

Mr. FLINT. Eighty-four cents a box.

Mr. ROOT. You get, according to their own figures, California lemons laid down in the city of New York at $2.32 a box. Those are the figures given by the Senator Saturday?

Mr. FLINT. Yes, sir.

Mr. ROOT. Now, the sworn testimony before the Ways and Means Committee by a witness who had been in this business in the city of New York for a generation is that there never had been a box of foreign lemons laid down in the city of New York in twenty-five years at a less cost than $2.42 a box.

Mr. FLINT. Foreign lemons?

Mr. ROOT. Foreign lemons.

Mr. FLINT. I will call attention——

Mr. ROOT. Will the Senator excuse me? I shall be through in a moment.

The foreign lemons are, the Senator from California will agree with me, inferior to the California lemons. Now, you have the lowest cost at which a box of foreign lemons has for the past twenty-five years been laid down in the city of New York, under the present duty, at $2.42; and the cost which the lemon growers of California declare themselves they can lay lemons down for is $2.32; that is to say, taking the lowest figures for the foreign lemons and their own figures for California lemons, those California lemons meet the foreign lemons at the water's edge on the Atlantic with an advantage of 10 cents a box. Then, when you go into the great markets of America, the moment you start to carry your foreign lemons into the towns and cities of America, you begin to add the freight from the seaboard to the interior.

Mr. President, the sworn testimony before the Committee on Ways and Means is that the average cost of foreign lemons in the city of New York during the year 1907 was $3.26 a box, against which the Californian could put his lemons there at $2.32 a box; and that the average cost of foreign lemons in the city of New York, laid down on the dock in New York, during the year 1908 was $2.86 a box, against which the Californian could put his lemons there at $2.32 a box.

Mr. FLINT. Mr. President——

Mr. ROOT. One moment, if you please.

There are here produced the invoices and the affidavits of purchasers of lemons within the present month, costing, laid down on the dock in New York, $2.59, against which the Californian puts his lemons there at $2.32——

Mr. FLINT. Mr. President——

Mr. ROOT (continuing). And still, with that advantage at the extreme eastern edge of the country, the lemon grower of California asks that a 50 per cent increase in duty be made.

Mr. FLINT. Does the Senator from New York believe that statement?

Mr. ROOT. I do.

Mr. FLINT. The Senator believes that the lemons from foreign countries cost—how much did he say?

Mr. ROOT. The minimum amount is $2.42 per box.

Mr. FLINT. And in this market they are now selling their lemons for $1.15 and $1.80 a box.

Mr. ROOT. The foreign lemons are all sold at public auction upon their arrival. They come in different grades; I do not know the grades to which the Senator refers. The importers have to take their chances on the price going up or going down, the demand being greater than the supply, or the supply being greater than the demand, as their lemons come in. They put them up at auction and sell them for what they will bring. They are sometimes as high, as the Senator has just stated, as $9 a box, and sometimes as low as the Senator has just stated; but the evidence is uncontradicted that the lowest price for which lemons have ever been introduced into the port of New York during the existence of this Dingley rate was $2.42 a box. It stands to reason that unless, putting the high price at auction and the low price at auction together, the average return is more than $2.42 a box, the importers have got to go out of business and leave the market solely to the California fruit grower.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Indiana?

Mr. ROOT. Certainly.

Mr. BEVERIDGE. I want merely to ask a question. If it is true, as we must take it to be, that the California lemons can be put into the New York market so much cheaper than the imported lemons, how can the imported lemons be sold at all? The figures the Senator has quoted would give a monopoly to the California lemons, would it not?

Mr. ROOT. Mr. President, I hope my answer will be satisfactory to the Senator from Indiana. I have just said the foreign lemons are sold at auction, while the California lemons are sold, as a rule, at the auction price as it is quoted plus whatever difference there may be for the superior quality of the California lemons.

Mr. FLINT. Both are sold at auction.

Mr. ROOT. Well, to some extent they are; but in the main the California lemons, I understand, are sold at private sale.

Mr. FLINT. The Senator is incorrect. Nearly all the California lemons sold in New York by California fruit growers are sold at public auction.

Mr. ROOT. Doubtless, in New York.

Mr. FLINT. Sixty per cent of the California fruit is sold at public auction.

Mr. ROOT. Very well. Take that 60 per cent, and the Senator from Indiana will perceive that the California fruit, being a superior fruit, will always bring certainly as much as the imported fruit when it is sold at auction. Therefore the Californian now makes as an additional profit, as a profit in excess of the profit the importer makes, the difference between his cost of production and the cost to the importer of laying the lemons down on the dock in New York.

Mr. BEVERIDGE. So that, according to the Senator from New York, the explanation as to why the foreign lemons have any market at all here, in view of the great difference in the price, is purely a question of superiority of the quality of the California lemon. That must be so.

Mr. ROOT. No.

Mr. BEVERIDGE. Yes. Of course the Senator will see that if the initial price at which the foreign lemon gets into the market here is so much greater than that of the California lemon, tha very fact would give the California lemon a monopoly of the market, unless there was some reason, and the Senator gives us that reason in the superior quality of the California lemon.

Mr. ROOT. The real reason is that the California product is not sufficient to supply the market. The California product is less than one-half what the market demands, and, therefore, the Californians can sell their lemons. There must be lemons imported, and if they are imported, they have got to be sold on an average above the cost of importation. Therefore the Californian can get for his product a greater price than is based upon his cost of production. His price is regulated by the price of the imported lemon, with an addition for its superior quality.

Mr. BEVERIDGE. If the Senator will permit me, that being true, the California seller could, if he wanted to, raise his price to the level of the foreign price. Why does he not do it?

Mr. ROOT. He does.

Mr. BEVERIDGE. No; the Senator said a moment ago that the price was $2.38 for the California lemon and $2.42 for the imported lemon.

Mr. ROOT. No; that is the cost, not the price to the purchaser.

Mr. BEVERIDGE. Not the selling price?

Mr. ROOT. But to the seller it is $2.42. That was the minimum price at which the importer could lay down the lemons on the dock at New York; while $2.32 was the price at which the California fruit grower could lay down lemons at the railway station in New York.

Mr. BEVERIDGE. So that the net result of this is, that, by reason of the superior quality of the California lemon and also by reason of its insufficient quantity and the state of the market, he can, and the Senator says he does, arbitrarily raise his price to the level of the foreign price.

Mr. ROOT. Yes; he does it just as the Porto Rican sugar planter can get a price equal to that for his sugar upon sugar coming from a duty-paying country.

Mr. PAGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Vermont?

Mr. ROOT. Certainly.

Mr. PAGE. I should like to ask the Senator from New York if the advantage of the American producer is not sufficiently great so that in a few years he ought to control the entire market and prevent any importation?

Mr. ROOT. I have no doubt that within a moderate period, as his business is now proceeding, the California fruit grower will control the market, and under the present rate there is every indication of it. The business has grown just as rapidly as the trees have grown. The only thing that prevents the Californian to-day from controlling the market is that he can not furnish the lemons.

Mr. PAGE. Have they sufficient land adapted to the raising of lemons, so that in a few years, if encouraged, they could make it practicable to raise all the lemons that we require?

Mr. ROOT. The Senator from California [Mr. FLINT] informs us that they have. I do not know beyond that.

Mr. PAGE. Does the Senator from New York see any objection to that condition existing, if it could exist?

Mr. ROOT. The Senator from New York sees no objection whatever to that; but the Senator from New York does see objection to putting a duty on now, an increased duty, an increase of 50 per cent on the present duty, which will enable the California lemon raiser to put up his price pending the operation beyond the present price, which yields him this rich profit and creates for his business this present prosperity. What he has now under the Dingley law has assured, and is assuring, the growth of his industry with liberal profits; so that, if the land holds out, he will control our market absolutely in time. But the additional duty will merely be to take away from him the limitation upon the price that he can charge, the limitation to reasonable profits, and enable him to make unreasonable profits.

Mr. PAGE. It seems to me, in answer to the Senator from New York, that if there is any commodity that we have the land to naturally produce and we have the labor to produce it and can produce it at a less cost than it can be produced elsewhere, for one, I should like to see that condition exist. I should like to see the constituents of our friends from Florida and from California raising every lemon that is used in this country, if it is possible for them to do so. Yet I am, like the Senator from New York, not inclined to give them more than they are entitled to; but it seems to me that if they were getting more, long since the production would have equaled the consumption here—that is to say, if the profit is as much as the Senator from New York has indicated.

Mr. ROOT. Mr. President, it is not a thing that we are obliged to speculate upon, because we have positive evidence of what has been the limit upon the production—that is to say, it has been the growth of trees. You do not take lemon groves down from the shelf; you plant trees, and you have got to get trees to plant. You bring up your groves to a bearing point. The growth of the industry has been very rapid under the circumstances. It has not yet come to a point where the Californians can supply one-half the product for the United States; but they are rapidly approaching that point, and they are approaching it with a liberal profit under the protection of the existing Dingley rates. I see no justification whatever in giving them an additional rate, which will enable them to put up their price still higher, over and above the present large and liberal profits which they are making, and at the same time cut off the foreign importation, so as to produce a scarcity here and put up the prices still higher. It seems to me that it tends to produce an artificial and undesirable condition in the lemon trade, and that it is wholly without justification in the rules which we are applying to the tariff law.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. BORAH. I want to ask the Senator from New York how high have the importers sent lemons in price under the Dingley law at any time?

Mr. ROOT. I can not tell the Senator. I have not followed that. Of course, under the rule which I have stated two or three times these prices fluctuate up and down. They are not prevented from fluctuating up or down by the fact that the California fruit growers are in the market, nor will they be prevented from it by the fact that the foreign fruit growers are excluded from the market.

Mr. BORAH. I under tand that the price of lemons has gone up as high as $9 a box at times.

Mr. ROOT. Very likely.

Mr. BORAH. I am asking these questions for the purpose of arriving at some conclusion as to how the consumer can be protected in any event.

Mr. FLINT. I can answer that for the Senator.

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. Certainly.

Mr. FLINT. If Californians were placed in a position by a protective tariff that they could compete in the New York market, then the California lemon would come in direct competition with the foreign fruit in the New York market and the price of lemons would go down to a reasonable figure. Three dollars a box is a fair price for lemons in this country, and when you receive $9 a box for lemons, it simply means that the Californian has not sufficient lemons to supply the market, and a combination of New York fruit importers puts the price up to $9.

Mr. BORAH. Mr. President, do I understand from the Senator from California that the duty in the Dingley law has not been sufficient to encourage the planting of lemon groves, so that Californians have not planted them by reason of the insufficiency of the duty?

Mr. FLINT. That is the fact. The duty is not sufficient to give protection to the California fruit grower under the existing law. As a matter of fact, the lemon growers of California have not made 4 per cent on their investment since they have been in the lemon business.

Mr. JONES. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Washington?

Mr. ROOT. Certainly.

Mr. JONES. Will the Senator from California state what the California lemon raisers get when lemons are selling in New York for $9 a box?

Mr. FLINT. They get the market price.

Mr. JONES. What is that, compared with $9?

Mr. FLINT. If it is $9 in New York, they get that.

Mr. JONES. They get that?

Mr. FLINT. Yes, sir.

Mr. ROOT. Mr. President, may I contribute another answer to the question of the Senator from Idaho, which was, Whether the existing duty was sufficient to encourage the planting of lemon groves in California? That answer is government statistics, which show that when the Dingley Act was passed the production of the lemon growers in California was 30,558,528 boxes; and that in the last year——

Mr. FLINT. The Senator has the figures wrong; it is not 30,000,000 boxes.

Mr. PERKINS. The Senator is certainly mistaken. He must refer to oranges.

Mr. ROOT. I said "boxes" instead of "pounds."

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Michigan?

Mr. ROOT. Certainly.

Mr. SMITH of Michigan. Will the Senator read over again the first figures he gave?

Mr. ROOT. That in the year when the Dingley Act was passed the production of lemons in California was 30,558,528 pounds, while last year the production was 1,585,000 boxes, estimated at 64 pounds each, approximately four times the production at the time of the passage of the Dingley Act.

Now, Mr. President, with reference to the question that has been asked as to the protection of the consumer against the $9 price, I have said that the price of perishable fruit which is sold at auction is bound to fluctuate according to the demand and supply.

Mr. FLINT. And that is limited by the amount of importations by the New York importers, is it not?

Mr. ROOT. No; it is limited by the amount of lemons that come both from abroad and from California.

Mr. FLINT. But we only supply 15 per cent of the New York market; 85 per cent is supplied by the importers.

Mr. ROOT. The Senator's State is supplying all it can raise, and it will continue to supply all it can raise.

The question was asked by the Senator from Idaho [Mr. BORAH] how we are protecting the consumer against having to pay a $9 price. I will only say that I never heard of protecting a consumer by reducing the number of competitive vendors; and the proposal of this duty is to substitute for a law under which foreign importations and domestic production are going side by side, with the advantage to the domestic production, the exclusion of the foreign product.

Mr. PERKINS. Mr. President, it is unfortunate that the distinguished Senator from New York [Mr. ROOT] did not visit that portion of California which a few years ago was roamed over by wild Spanish cattle and sheep that he might now see the progress of the people from New York and other States who went there, and have reclaimed that land from desolation and sandy deserts, and made it to-day bloom and blossom like the fig tree. If he had done so he certainly would have been willing to do for this California industry what he has been urging heretofore should be done in the case of New York's industries, and that is, that the rate of duty should be such as to equalize the difference between the labor cost in foreign countries and in our own country, and also the cost of transportation.

In his very able speech on the citrus-fruit industry in California, the Senator from New York has not referred to the ad valorem duty on lemons and citrus fruit. On lemons the ad valorem duty is 37½ per cent. This bill simply proposes to increase it to 54 per cent ad valorem, which is the actual difference in the cost of labor in this and foreign countries and transportation to New York or to ports on the Atlantic seacoast.

The Senator had no hesitancy in advocating a rate representing the difference in cost of production between this country and Canada in respect to malt, barley, hops, and other products that come in competition with New York's industries; but he has not referred at all to the difference in wages in producing citrus fruit in foreign countries as compared with this country.

The Senator also, with his quotations as to the profits derived from the citrus fruits, has included oranges. The orange industry, Mr. President, under the duty of 1 cent a pound, has prospered and done well. Twelve years ago, when the Dingley bill came here from the other House, the duty was fixed at 75 cents a hundred. The Senate increased it from that to a cent a pound, and the result has been a marvelous growth and development of the orange industry. The duty on lemons has not been sufficient, but on oranges it has been sufficient, and the result has been that oranges are selling to-day in the United States cheaper than they ever did before. A cent a pound duty has enabled the people of California to accomplish wonders in the case of oranges. I want to say to the Senator from New York that if he would visit California, he would find instead of 1 orange grove, 10,000 cultivated citrus groves. The isolated incidents to which he has referred simply relate to two or three fancy orchards which Mr. Powell wrote up and which have been the laughing stock of the fruit growers of California and elsewhere.

California is not the only State capable of producing lemons to supply the United States. Texas, Arizona, Alabama, Florida, and perhaps other Southern States, are capable of producing lemons.

California needs and Congress should retain the duty of 1½ cents per pound on imported lemons. It has been found that a duty of 1 cent has not fully compensated for the increase in the cost of labor employed in California over the cost of Italian labor, which is used in the growth and shipment of practically all the lemons imported. Labor which costs in Italy 40 cents a day costs from $1.75 to $2 in California. Packing in Italy costs not over 50 cents, while in California it costs from $1.75 to $2. The fact that the duty of 1 cent per pound is not enough to compensate this difference in cost is made evident from the fact that Sicilian importations are constantly increasing, while California lemon growers find it harder and harder each year to produce with profit.

I want to say, Mr. President, in passing, that only a few months since, when a great calamity fell upon Sicily, requisition was made upon the lemon growers of California, and they donated lemons, to be sold at auction, sufficient to realize $15,000; which was sent to the people of Messina and other cities of Sicily, which had been so severely stricken by the great earthquake. This shows the public spirit and enterprise of the lemon growers of California; but when it comes down to trade, we believe that we should have our own markets for our own industries.

The distinguished Senator from Vermont [Mr. PAGE] said there was no reason in the world why we should not charge foreigners who bring their products into this country and compete with us a fair license for doing so. A man can not go into Vermont or into New York and peddle oranges or any other product without paying a license therefor. Why should our people not be protected in that respect? We ask nothing, as I have said, except a duty sufficient to make up the difference between the cost of labor in producing lemons in Sicily and southern Italy and the cost in California, Arizona, New Mexico, and other portions of our country.

Italian imports have increased from a value of $2,321,000 in 1898 to $4,254,000 in 1907, while the duty collected has increased only $203,000. The value of imported lemons per pound has increased during the same period from 1.9 cents to 2.8 cents, while the ad valorem rate of duty has fallen from 52 per cent to 36 per cent.

As I said the other day, Mr. President, my Democratic friends, I am sure, will stand by us on this proposition as a revenue measure. The duty under the Dingley Act is 36 per cent ad valorem, under which we collected in 1908, $1,539,584. If the Senate committee amendment shall be agreed to—and I am sure it will be, for I have confidence in the sense of justice of Senators—it will increase that revenue, which we so much need at this time, $769,000, making it $2,309,000. As a revenue proposition, Mr. President, there is no question but that the amendment is desirable; and, in addition, if it shall be agreed to, this industry can be increased until we can supply the country with lemons produced in California, Arizona, New Mexico, and in Texas and other Southern States; but in order to do so we must have adequate protection.

The Italian lemons are constantly encroaching upon our market without bringing about a reduction of price, which would be the case if California lemons were in a position to compete. Another significant set of figures is supplied by the record of lemon importations from Cuba. From this island importations have increased from 410 pounds in 1904 to 34,519 pounds in 1907, while the ad valorem rate has diminished from 54 per cent to 22 per cent. Cuba has, as is known, the advantage of 20 per cent off the regular duty, and is evidently making use of this advantage, which is bound to become serious for our domestic producers in a few years. Cuba has just begun to enter the field as a producer of citrus fruit for export. The island is peculiarly fitted for its production, through soil and climate and low cost of labor. Special Agent A. B. Butman, writing in January, 1908, says:

> The possibilities of cultivation of citrus fruits in Cuba are great. Oranges, grape fruit, lemons, and limes yield abundantly. The estimated cost of establishing a 10-acre orange grove on land valued at $50 per acre is as follows: Land, $500; clearing, $250; planting, $150; 900 trees, $225; care for five years, $1,500; total, $2,625. Lime and lemon trees grow wild and bear abundantly.

Until ten years ago there was no attempt in Cuba to systematically cultivate orange and lemon trees. Subsequent to the Spanish war the possibilities in this direction were seen, and groves were planted which are now beginning to come into bearing, and from now on Cuban fruit will offer serious and increasing competition. When it is considered that in addition to cheaper labor the cost of an orange or lemon orchard when old enough to bear is $262, against $1,000 in California, as ascertained by the Interstate Commerce Commission in the citrus rate case, it will be seen that California growers need substantial protection against Cuba as well as against Sicily. And these producing regions have another advantage, which Sicily has long taken advantage of, in the utilization of those portions of the lemon crop which are not marketable. About 15 per cent of every crop can not be sold in the markets on account of under or over size, or for some other reason. The Sicilian uses this waste product to manufacture citrate of lime, which enters the United States free of duty. The importation of this salt has increased enormously, from 443,000 pounds in 1894, valued at $52,137, to 3,872,000 pounds in 1907, valued at $726,626. As it enters free, California can not compete with the Sicilian product, which has the field to itself. It might at first be thought that that other very valuable product of the waste of lemon orchards—citric acid—which, when imported, bears a duty of 7 cents per pound, might be made from the waste of California orchards. Such would undoubtedly be the case were it not for the fact that the free citrate of lime, after importation, is put through an inexpensive chemical process and produces the more valuable citric acid, which is secured so cheaply that California producers could not compete with it. Thus, the California lemon grower is not only unable to meet the lower cost of labor in Sicily, but is prevented from utilizing even his waste material through the free entry of the product of the waste of the Sicilian orchards. And, in addition to this, he sees looming up the certainty of very vigorous competition from Cuban lemons, which are favored in the domestic markets through the treaty provision reducing by 20 per cent the tariff on imports from Cuba. The California lemon grower, therefore, is fully justified in demanding at least 1½ cents per pound, which will give him a living chance, and should have granted to him the privilege of utilizing the waste of his orchard, which would be afforded by imposing a duty on citrate of lime, now on the free list. Were a duty imposed on this salt, there would at once be erected in California 5 or 6 large manufactories of citric acid and citrate of lime. To Californians such duties seem not only reasonable, but right.

So I believe, Mr. President, that the argument of the Senator from New York, while eloquent, is specious. I repeat, we only ask from him, we only ask from the Senate, a duty sufficient to cover the difference in the wage cost in Sicily and other foreign countries and the cost of transporting the lemons in foreign vessels to New York. If the increased rate of duty is granted, we will show to the country the same results as those which have followed in the case of oranges since the imposition of the duty under the Dingley Act, which have become cheaper than ever before to the people. There is no other side to this proposition, as my colleague has so ably shown, and therefore I believe that this amendment should be adopted without dissent in the interest of the public good.

Mr. President, I ask leave to have inserted as a part of my remarks a table from the hearings before the House Ways and Means Committee.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The table referred to is as follows:

Citrus industry in California for eleven years—Average production, selling price, cost of production, and profit of an average grove per acre.

Variety.	Acres.	Boxes produced.	Total boxes.	Average price per box f. o. b.	Gross average per acre.	Producing cost per acre without interest.	Selling cost per acre.	Profit per acre.
1898—Oranges	30,193	5,371,000	5,734,800	$1.25	$191.00	$172.00	$9.00	$10.00
Lemons	6,518	363,800						
1899—Oranges	34,996	3,628,000	3,909,800	1.72	154.00	101.00	5.00	48.00
Lemons	8,672	281,800						
1900—Oranges	39,146	6,283,000	6,734,500	1.70	228.00	151.00	8.00	69.00
Lemons	10,827	451,500						
1901—Oranges	43,162	8,459,500	9,371,800	1.22	206.00	190.00	10.00	3.00
Lemons	12,979	912,300						
1902—Orange	47,245	7,499,900	8,378,500	1.68	225.00	153.00	8.00	64.00
Lemons	15,119	878,600						
1903—Oranges	48,036	8,438,800	9,265,300	1.29	191.00	168.00	9.00	14.00
Lemons	14,412	826,500						
1904—Oranges	52,251	10,305,200	11,174,200	1.09	198.00	205.00	11.00	*18.00
Lemons	9,226	868,000						
1905—Oranges	59,828	10,538,200	11,871,700	1.87	231.00	193.00	10.00	28.00
Lemons	10,399	1,333,500						
1906—Oranges	67,405	9,170,700	10,352,000	2.11	276.00	149.00	8.00	119.00
Lemons	11,572	1,182,200						
1907—Oranges	85,738	9,908,000	11,005,300	2.00	221.00	126.00	7.00	88.00
Lemons	13,478	1,097,300						
1908—Oranges	104,073	10,486,000	12,071,000	1.75	170.00	114.00	6.00	50.00
Lemons	16,718	1,585,000						
Total oranges		90,089,300	99,869,800					
Total lemons		9,780,500						
Average				1.56	208.00	156.54	8.27	43.19

* Loss.

Total profit on investment, $43.19 per acre. Average cost of 1 acre, $1,000. Average interest on amount, 4.3 per cent.

Mr. SMITH of Michigan. Mr. President, the Senator from New York [Mr. ROOT], in closing his remarks a few moments ago, said, if I understood him correctly, that he never knew the interest of the consumer to be especially benefited by limiting the number of competitive vendors. I think I do not misquote him. Now, I want to give him a concrete case in point. When Congress put a duty upon tin plate we were not producing scarcely any in this country. We have now had the duty on but a very few years. In 1899 we produced but 732,000,000 pounds of tin plate; in 1907 we produced 1,293,000,000 pounds. In 1899 we exported 205,000 pounds of tin plate. We put a high duty on foreign tin plate, thereby limiting "the competitive vendors," in the language of the Senator from New York, and we exported last year 19,000,000 pounds of tin plate. If it is fair to draw this deduction favorable to protection, it is fair to give California the benefit of it. If California has an area able to produce all the lemons that our country needs, why should we not do it? If it is in the interest of any great section of our country to limit "competitive vendors" by our tariff act, why should it not apply with equal force in favor of California?

I have been through the State of California thoroughly year after year, and I have been amazed and delighted to observe the marvelous development in the variety of productions which that State has steadily undergone; and if the only argument that can be advanced by those opposed to this schedule, so favorable to California, is that in limiting "the competitive vendors" we are thereby enhancing the cost of the domestic products to the consumer, then I say the answer lies in the history of almost every article protected from ruinous competition by foreigners.

I heard it said over and over again that we could not produce tin plate in America. Mr. McKinley was denounced as a dreamer when he undertook to do it. The only tin-plate factory in our country at that time was dead in California. By putting on a high duty and temporarily excluding competition from abroad, as would perhaps be the case with the Sicilian lemon, we have been able to produce practically all the tin plate we need in this country at lower prices than ever before; and it is not a good time to say that great stretches of American area, suitable to the production of these fruits, shall not be given the benefit and advantage in our tariff regulations over a foreign state, whose people owe no allegiance to our Government, who can not be drafted in its defense, upon whose property we can not lay a single local burden of taxation, unless, perhaps, this may be so regarded.

For my own part, I am not willing to rest upon the argument that competition with a foreign state is essentially necessary in order to give our people their necessities at a fair price. It is well known that if California did not produce lemons we would be at the mercy of an importer and a foreign state in the price of this necessary product. While it has not been for me to say how much is necessary amply to protect the fruit growers of our own country, yet the remark of the Senator from New York was such that I could not resist the temptation to call his attention to a fact in our history amply illustrating the wisdom of such protection as will tend to develop to its highest state domestic production.

Mr. BURKETT obtained the floor.

Mr. ROOT. Mr. President——

Mr. BURKETT. Perhaps the Senator from New York wants to reply immediately to the Senator from Michigan, and I will yield.

Mr. ROOT. Mr. President, I wish to make one observation regarding what the Senator from Michigan [Mr. SMITH] has said. I thought the Senator from Michigan quoted me correctly in the beginning of his remarks as saying that I never heard of protecting the consumer by excluding a competitive vendor.

Mr. SMITH of Michigan. No; I did not understand the Senator to say that.

Mr. ROOT. That is what I said, and I understood the Senator to quote it correctly; not that you can not get protection from limiting the competitive vendor. The whole system of protection is the limitation of foreign competition—such limitation of foreign competition as to enable the domestic producer to pay the additional cost of production and reap a profit before he comes into competition. But that is quite a different thing from the exclusion of the foreign competitor. The exclusion of the foreign competitor leaves the market at the mercy of the domestic producer, unchecked by competition at any point to which he may put his price; and it is because the present rate of duty does limit the foreign competition at a point which has been shown to insure a large profit and a prosperous business to the domestic producer, and that the proposed rate of duty would pass from limitation to the point of exclusion, that I object to the amendment.

Mr. BURKETT. Mr. President, it seems to me this paragraph on lemons, as reported, should be changed in two particulars: First, not only with reference to the amount, but secondly, as to the wording of it with respect to how the tariff should be computed. The McKinley law provided that it should be computed by the box; the Dingley law and this proposed law provide that it shall be computed by the pound. I will have a little to say as to that, but I want to speak particularly as to the rate.

I think we can all assure the Senators from California that there is not any disposition anywhere to make a rate which will in anywise handicap the fruit-growing industry of California. But, on the other hand, aside from California, the rest of us are all buying lemons. There is not any place in this country except California where they produce lemons. California is on one extreme side of this country. Just how far we ought to go in levying a tariff to meet not only the difference in cost of production in this country and foreign countries, but also to meet the cost of transportation, extreme as it is, between California and New York, and the cost of transportation from abroad, is an entirely different question.

There is one point which, so far as I have heard, has not been discussed, and that is this: Senators should get this point fixed in their minds. California to-day, without any question, has an absolute monopoly of all the markets in this country, according to the testimony of all the witnesses on both sides of this proposition, as far east as Chicago—an absolute monopoly. As a matter of fact it has a practical monopoly as far east as Pittsburg, although occasionally, perhaps, Palermo lemons may sell west of Pittsburg. As a matter of fact, then, California has an absolute monopoly, without any question, to Chicago, a practical monopoly as far east as Pittsburg, and a fighting ground from Pittsburg even into New York Harbor. As the Senator from California has said, they are able to take their lemons clear across this country, pay this enormous freight rate—and it is the longest haul that it is possible to get in this country on products—and there compete and sell 60 per cent of their product in New York City.

Mr. FLINT. How much?

Mr. BURKETT. Sixty per cent, I understood the Senator to say.

Mr. FLINT. Fifteen per cent.

Mr. BURKETT. Fifteen per cent. I misunderstood the Senator.

Mr. FLINT. I want to correct the Senator by stating that the freight rate is the same to Omaha as to New York.

Mr. BURKETT. I will say to the Senator that I was just looking through the evidence given by the representative of the California Fruit Growers' Association. I had supposed that they were the same, but I find they are not quite the same—five or ten or twelve dollars a car higher, according to this testimony given on page 3859, as the Senator will see if he looks it over. But they are practically the same.

I called the attention of the Senator from California on Saturday, when he was speaking, to one phase of the question, and that is this: There is a very lively association of fruit jobbers in the Mississippi Valley, representing Omaha and Kansas City and St. Louis and Lincoln and Sioux City and Council Bluffs and Des Moines, and all those towns through the Mississippi Valley, and they are very much interested in this matter and have given it a good deal of attention. I suggested to the Senator on Saturday that the price on lemons out there is the freight added to the New York price. I wish to state to the Senate that that is true. I was looking this matter up, expecting it to come up sooner, and I got the auction prices of lemons in New York on the 13th of April, and also telegrams from several of these western points as to what lemons were selling at out there. I have here the auction prices. The Senator has a similar one; only it is for a different day. On that day California lemons in New York sold on the average at $2.45. I then have some telegrams here; for example, the first one is from Duluth, Minn.:

> California lemons, $3 to $3.15 f. o. b., Duluth.

The next one is from Kansas City:

> California lemons selling $3, delivered carload lots.

The next one is from Sioux City:

> Paid $3.25 per box; five carloads delivered this week.

Now, if the Senator will compare that he will see it is just about the difference of the freight between New York and back to the Mississippi River point. The California lemon is not entirely dependent upon the duty in this bill—1 cent a pound. But to that duty, for all the lemons it sells except the 15 per cent it sells in New York, there has to be added the freight that it would cost to send the Palermo lemon out to that place; and if

it costs 50 or 60 cents a box to send the Palermo lemons from New York City into the Mississippi Valley, the California lemon in the Mississippi Valley has the duty of 1 cent a pound, or 76 cents per box plus the 50 or 60 cents that the Palermo lemons have to pay to get out into that country. So we see out in the Mississippi Valley the California lemon has exorbitant protection at this time—almost 2 cents per pound.

The question I am getting at is what the rate should be. We should use some sort of judgment. In my opinion, we ought not to make a rate so high as to be practically prohibitory. Of course, when we are producing only a small part of the lemons consumed in this country, there could not be any rate said to be absolutely prohibitory of the importation of lemons until we get to a point where we can produce and supply what we need. We ought not to put on too high a rate, because we have to import lemons, and the higher we make the rate the higher the lemons will sell for in New York, and not only in New York, but clear across the continent.

The Senator from California is right. The price in New York is not only for the Palermo lemons, but the California as well, by auction, and the price in Duluth or Minnesota or St. Louis is measured by the price in New York plus the freight on the lemons back to that point.

Mr. PERKINS. Mr. President——

Mr. BURKETT. Let me finish the statement, and then I will yield.

The fruit jobber in Omaha, we will say, wants to buy a carload of lemons. He goes to the agent of the California Fruit Growers' Association. He wants the lemons to be delivered next Monday or Saturday or any other day. He asks what the price of those lemons will be. The agent says, "I can not tell you." The jobber says, "I want to know what I am going to pay." The agent says, "It will be the ruling price on the day of delivery." So on the day those lemons get there, they take the auction price at New York plus the freight rate to the Mississippi Valley, and that is the ruling price on the day of delivery in Omaha or St. Louis or Indianapolis or any other of those western towns.

There is another protection that the California lemons has in addition to the 1 cent a pound which it has in the Dingley Act and in addition to the freight rate which it has for every mile the foreign lemon has to go back into the continent from New York, and that is the advantage by reason of the superiority of the California fruit. California lemons sell for a higher price than the Palermo lemons. I have here, for the same day, the auction sales of all the Palermo lemons that were sold in New York City and the auction sales of all the California lemons sold there on that day. The Palermo lemons averaged $2 a box in New York City. The California lemons averaged $2.45 a box in New York City. Those experienced in the trade with whom I have talked personally tell me it will go the year round at about 50 cents a box difference in favor of the California as against the Palermo lemons. So we see that the California lemon not only has the 1 cent a pound, or 76 cents a box, but it has the extra freight rate back into the interior, and it has also the advantage of 50 cents a box on the average for which the California lemons sell for more than Palermo lemons sell for in New York City.

Mr. PERKINS. Mr. President——

Mr. BURKETT. Now I will yield. I beg pardon.

Mr. PERKINS. The Palermo lemon raiser has the advantage of having to pay only 25 cents a box for the transportation of his product 3,000 miles from Sicily to New York, while the California lemon raiser must pay a cent a pound, or $2 cents a box, to Chicago or any other point.

Mr. BURKETT. I will say to the Senator, however, that the Palermo producer also has the disadvantage of losing more lemons in transit than the California lemon grower has, as experience shows, and the difference the Senator mentions is more than made up by this loss. That would lead to another amendment which I have prepared, but which I shall not offer, as I understand the Senator from New York, who has given this subject more study than I have, has an amendment. The amendment provided that it should be estimated by the box rather than by the pound, because experience shows that when lemons have to be dumped out and weighed it is not only injurious to the lemons, but very expensive to the Government, and if the box should be brought in and the officer simply took the count of the number of boxes, as under the old law, the Government would not lose the amount on account of spoiled or decayed lemons, which it does lose now by reason of the damage incurred in transportation.

In my opinion, as I have said, the tariff as it has been is high enough. Under that tariff the California lemon business has prospered, notwithstanding what the Senator from California says; and I want it to prosper. A man who goes out and plants a lemon grove—it costs him, I think the Senator from California suggested, nearly $1,000 an acre to get an acre of growing lemons—ought to make money on them. He has to wait some years. But the industry is not languishing in California. If we take the figures here produced by the Senator from New York, we see it has multiplied between four and five times in the last ten years under this law as it is. I have some private letters here, one of which says:

> I helped to dig out peach and apricot trees that had just borne a bumper crop and grape vines that were a full stand and a heavy crop and set lemons in their place, because the lemon paid so much better.

I have here a copy of the Pacific Fruit World, which I think ought to be good evidence in a case of this sort, and I want to read one or two paragraphs with reference to this. It says:

> Lemons this year have been conspicuously in the limelight for numerous reasons. There has been extensive acreage planted to young trees, and the season's crop promises to be exceptionally heavy.

It shows this year an unusually large acreage planted to lemons in California. Then a little further along in this paper it says:

> California lemons are superior to the products of any other country, although the products of Italy are our greatest competitors, because of the difference in transportation and labor cost in favor of foreign lemons.

This paper, published in the interest of the fruit-growing section of California, shows that the lemon industry is not languishing, but that it is thriving and, this year especially, an unusually large acreage of trees has been planted, and that California has no competitor anywhere except the Palermo lemon, and that competition, I have shown by the catalogues of the auction sales in New York City, is not disastrous to it. Therefore it seems to me that there is no occasion for raising this rate.

Mr. ALDRICH. Mr. President, I am very anxious to have a vote taken upon this proposition.

Mr. BURKETT. I am just through, I will say to the Senator from Rhode Island.

Mr. BEVERIDGE. Mr. President, I wish to ask a question before the vote is taken. The Senator from New York [Mr. ROOT] made a statement which, if true, appears to me to be fatal to the amendment, and that is what I want to hear about from the Senator from California. He said that the California lemon raisers were now selling all they could possibly raise, and that, furthermore, they could not supply the market under even the present tariff. The Senator from Nebraska [Mr. BURKETT] has said that the California raiser has a monopoly clear to Pittsburg.

Mr. FLINT. As I stated Saturday, there is no reason why California can not produce all the lemons consumed in the United States, and far more. There is a reason why we do not produce more lemons, and that is because we can not compete with the foreign grower in the New York market. If, as a matter of fact, this was not a serious proposition to the people of my State; if it did not mean the entire destruction of the lemon business in California, I would not be here appealing for this half cent additional duty. The Senator from New York has read from a statement in a publication by Mr. Powell, picking one grove and giving the figures of lemons for a single year.

You can pick out any crop in this country—cotton from a special acre, an acre of apples, pears, grapes, or any other fruit—and use it as a standard, but I say to the Senate there has not been a time since this industry was started in California when any of the growers have made more than a fair return on their investment, and many of the years they have not made a dollar. The entire return for ten years since the Dingley law went into effect has been a little over 4 per cent per annum, and if it had not been for the fact that the railroads reduced the freight rates lower on lemons than on oranges there would not be sufficient lemon groves in existence in California to more than supply the Pacific coast country.

Mr. President, the Senator from New York says he believes it, and he stated to the Senate that it cost $2.42 to land lemons into the New York market, and yet he knows that within the last three or four months, if he has made any investigation, there has not been an average price of $2.42, and he would have the Senate believe the lemon growers of the Mediterranean were shipping lemons to this country and selling them at a loss.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Kansas?

Mr. FLINT. I do.

Mr. BRISTOW. I should like to ask the Senator from California if he has any evidence that the railroads will not advance the rate if the duty is increased so as to make it more profitable to the grower?

Mr. FLINT. I will say to the Senator they will not, in my opinion, for the reason that there has been a hearing before the Interstate Commerce Commission, and the freight on oranges has been reduced to $1.15 instead of $1.25. That matter has all been thrashed out before the Interstate Commerce Commission, and there need not be any fear of raising the rate.

Mr. President, the Senator from New York [Mr. ROOT] says that this means the elimination of a competitor. The elimination of a competitor will be accomplished if the Senator does not place a cent and a half duty on lemons. It will mean that California can not go into the New York market and that a combination of fruit importers in the city of New York will fix the price of lemons in this country. There is an illustration of what can be done under the system the Senator from New York complains about—the elimination of a competitor. The Senator from New York does not seem to be one of those even protectionists, who is willing to give protection in California and New York and other places; but on New York articles he wants protection, and on the imported articles for the importers in the city of New York he wants practically free trade, or the elimination of the California producer. If California producers do not have adequate protection, it will mean that the lemon acreage of California will be greatly reduced; and if it should be reduced 15 per cent, it would result in the elimination of the California producer from the New York market, and the elimination of California from that market will, as I said a minute ago, mean the fixing of the price at just what the New York importers desire by limiting the amount of imports.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from South Carolina?

Mr. FLINT. Certainly.

Mr. TILLMAN. I want to get a little information from the Senator, if he will be kind enough to give it. What are lands in southern California, where the lemons are grown, I believe, worth per acre?

Mr. FLINT. With water stock?

Mr. TILLMAN. Yes.

Mr. FLINT. About $300.

Mr. TILLMAN. What is the yield per acre?

Mr. FLINT. It costs about $700, actual cost, to get the crop into bearing.

Mr. TALIAFERRO. An acre.

Mr. FLINT. An acre.

Mr. TILLMAN. It costs $700, and the land is worth only $300?

Mr. FLINT. The land and the water stock are worth $300, and the expense of purchasing trees, taking care of them until they come in, makes an estimated value of $1,000 an acre. This value was arrived at in a hearing before the Interstate Commerce Commission in the matter of fixing rates, and after a full hearing they determined that that was the value of a lemon or orange orchard in full bearing.

Mr. TILLMAN. What is the yield per acre?

Mr. FLINT. Lemons average about half a carload an acre.

Mr. TILLMAN. How many boxes?

Mr. FLINT. About 200 boxes.

Mr. TILLMAN. Two hundred boxes on a thousand-dollar investment?

Mr. FLINT. Yes.

Mr. TILLMAN. At $2 a box, it would be $400 an acre.

Mr. FLINT. Yes, sir; but we would be perfectly satisfied with 50 or 60 cents a box profit.

Mr. TILLMAN. You mean at home?

Mr. FLINT. Yes.

Mr. TILLMAN. If it costs only 84 cents, you can lay them down in New York at $1.44.

Mr. FLINT. It costs $2.32, according to the figures I have given, to land a box of lemons in the New York market, and it costs $1.84 to land the Sicilian lemons there. I stated that the California grower would be glad to contract his fruit for $3 a box delivered.

Mr. TILLMAN. How much of that profit does the railroad get?

Mr. FLINT. The railroad gets 84 cents a box.

Mr. TILLMAN. The railroad gets only 84 cents. You make 200 boxes per acre, and you get $2 a box. That is $400, and the railroad gets only 84 cents. Where does the other go?

Mr. FLINT. I will tell the Senator what makes up the amount of $2.32 a box.

Mr. TILLMAN. I am just coming by an easy calculation to the $2 a box.

Mr. FLINT. I will tell the Senator. The cost is $2.32 a box. The average cost of a box of lemons in California on the cars ready for shipment is $1.48, which includes all expenses of cultivation, water, fertilization, fumigation, picking, handling, packing, material used, and every item entering into the cost excepting interest upon the investment in groves and packing houses.

Mr. TILLMAN. Who does that calculating?

Mr. FLINT. The fruit growers of California.

Mr. TILLMAN. They make all the allowances for all these expenses.

Mr. FLINT. I assume that is so. The amount expended for material is 48 cents. Then the amount expended for labor per box is $1. The cost of transportation to eastern markets is 1 cent per pound, gross weight, or a total cost per box of 84 cents.

Mr. TILLMAN. Of course the Senator is entirely frank and honest about it. Can the Senator figure out how he claims that these people make only 4 per cent on their money?

Mr. FLINT. Then here is the total, covering a variety of charges——

Mr. TILLMAN. I am afraid that that is something gotten up to bamboozle votes here; not by the Senator, but by somebody in California who sent it to him.

Mr. FLINT. I called attention to this statement, giving the number of boxes, the average price free on board, and every item connected with it, in my remarks on Saturday. It shows that $1.56 free on board is the average price of oranges and lemons in California.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Michigan?

Mr. FLINT. Certainly.

Mr. SMITH of Michigan. I think it would be interesting to the Senate, if the Senator has not already done so, to read the report showing the cost of producing lemons in Sicily.

Mr. FLINT. I did that on Saturday.

Mr. President, I wish to answer one proposition of the Senator from New York, that the elimination of a competitor would not have the effect of reducing the price of the article to the consumer. There are Senators here, the Senator from North Dakota [Mr. JOHNSON] and the Senator from Iowa [Mr. DOLLIVER], who were upon the Committee on Ways and Means when a duty was placed on all citrus fruits of a cent a pound. It was stated then, as it is being stated now by the Senator from New York, only it was stated then by Democrats, that this was an excessive duty, and that it would be charged to the consumers of this country. The result of it is that navel oranges, which at that time were selling at an average of $3.50 a box, now that the market is in possession of California and Florida, are selling at $2.50 a box. We eliminated the foreign producer and gave an industry to California and Florida amounting to millions and millions of dollars.

Mr. BURKETT. The Senator must remember that just two or three years previous to that Florida lost all her orange groves and there was rather an unusual price right at that time.

Mr. FLINT. I said the average price under the Wilson law was $3.50 a box, and the average price now that the market is in the possession of California and Florida is only $2.50 for a box of navel oranges.

Mr. BURKETT. But in 1894 Florida lost all her oranges.

While I have the floor, I have a telegram here signed by several constituents—eight or ten citizens of Omaha—protesting against any advance in the duty on lemons. I have letters from several other fruit jobbers and fruit dealers in the Mississippi Valley. I will merely call the attention of the Senate to the fact that every one of them protests against an increase of the rate, stating that it means an increased price to the consumer. I will not take the time to read them, but will ask permission to add them to my remarks.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

OMAHA, NEBR., *April 13.*

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.:

Undersigned Omaha jobbers citrus fruits respectfully ask duty imported lemons be maintained 1 cent per pound. Contemplated advance places all users at mercy of California growers and shippers. Nearly 60 per cent of lemons imported last year. California asks about 40 cents per box additional duty. Vigorously protest against advance, which will come out of consumers' pockets, while destroying importations.

HENRY G. STREIGHT.
R. BINGHAM & SON.
GILINSKY FRUIT COMPANY.
ROCCO BROTHERS.
B. BLOTKY.
SNYDER TRIMBLE COMPANY.
HALEY & LANG COMPANY.
O. W. BUTTS.
DAVIS & BAUDO.

WESTERN FRUIT JOBBERS' ASSOCIATION,
Omaha, April 20, 1909.

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.

DEAR SENATOR: On behalf of this association, noticing your efforts and your amendment to tariff bill to prevent advance of duty on imported lemons, we wish to assure you of our support in this matter.

Knowing that telegram went to you from nine Omaha wholesale dealers, and being advised that Topeka, Des Moines, et al., had also sent wires to Washington, we did not wire you direct. However, we sent, at suggestion of our president, Mr. Gees, three or four telegrams the next day, protesting strongly against any advance over figures now in force. These wires went to Senators BURROWS, HALE, and PENROSE, signed "Western Fruit Jobbers' Association; R. W. Gees, President; E. B. Branch, Secretary."

As you know, strong resolutions against advance were passed by this association early in January, at our annual meeting of members.

We have an executive-committee meeting in Omaha, Saturday, 24th instant, and this subject (with other matters) will no doubt be again considered, and you may again hear from us. In the meantime, if you have any suggestion, or further action by this association is desired, please advise me by wire.

The California "contingent," in their brief presented to the Ways and Means Committee of the House, admit that under the stimulus of an increased duty ten to twelve years would be necessary to produce the lemons consumed in the United States (first paragraph of sixth page).

Any advance in the duty on lemons will immediately be felt and paid for by the consumer, while largely destroying the business of the dealer.

Very respectfully,

E. B. BRANCH, *Secretary.*

DOLAN FRUIT COMPANY (INCORPORATED),
Grand Island, Nebr., April 21, 1909.

Hon. E. J. BURKETT, *Washington, D. C.*

DEAR SIR: As a firm we wish to go on record as being positively against any increase on the tariff on lemons, thinking that the conditions now existing in California are such as to enable the people to meet any competition of foreign lemons. They are putting their lemons clear to the coast for the last several years. It simply places them in a position to advance the lemons throughout the Middle West upon the jobbers. The jobbers, of course, will have to increase it upon the consumers.

You will please find inclosed a couple of leaves torn from the report of the last meeting of the Western Fruit Jobbers' Association at Minneapolis in December, which shows the position taken at large by the Western Fruit Jobbers' Association, which cover the whole western country west of the Mississippi. We notice your amendment covering the lemon proposition, and think it fair and equitable.

Trust you will be able to carry through.

Yours, truly,

DOLAN FRUIT CO.,
Per M. L. DOLAN.

SNYDER-TRIMBLE COMPANY,
Omaha, Nebr., April 19, 1909.

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of April 15 received and pleased to know that you are with us, as we do not want to pay any more for lemons than we are already paying. California has the lemon trade in the Western States, as the freight rate is high on imported lemons, shipped from New York or New Orleans. If there is more tariff on the Messina lemons, then the California shippers will advance the price and we are at the mercy of the California people. Trust you will be able to maintain the present tariff on imported lemons.

Yours, truly,

SNYDER-TRIMBLE CO.,
By J. R. SNYDER.

R. BINGHAM & SON,
Omaha, Nebr., April 26, 1909.

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.

DEAR SIR: We thank you for your favor of late date in reply to our message, in which we, the fruit jobbers in this section, object to the fruit duty as proposed by the new tariff bill on lemons. This simply adds what, in effect, amounts to 40 cents box increased cost on lemons, and if the measure should become a law it would probably influence the imports to extent it might mean $1 box additional cost. This comes out of the consumer.

The lemon industry in California is beyond the stage where it requires any particular protection—at least any further protection than is afforded them by the present duty exacted.

Lemons have become a necessity in the household. We have no doubt but what the task of revising the tariff is an arduous one. It is not probable that Congress will be able to enact such a revision as will suit all the people. Our opinion, however, is that luxuries should be taxed and necessities made as cheap as possible for the great mass of our citizens.

Yours, truly,

R. BINGHAM & SON,
By W. W. BINGHAM.

ROCCO BROTHERS,
Omaha, Nebr., April 27, 1909.

Hon. E. J. BURKETT,
Washington, D. C.

DEAR SIR: Are in receipt of your pleasure of the 15th instant, acknowledging receipt of our wire relative to tariff on lemons. We are more than pleased to note our views coincide with yours, and you are faithfully working along the line we suggested, namely, to have the tariff remain as it is, at 1 cent per pound. From press reports, however, we note you desire to change this to a certain extent, and your views, as expressed per press reports, are very satisfactory to ourselves. We trust you will be successful in having the lemon proposition inserted in the Payne tariff bill as outlined by ourselves. It is simply a case of the consumer paying an additional 50 cents per box for lemons if this tariff is successful, and we can see no reason for so doing. Furthermore, California is not as yet able to supply the United States with lemons, and there certainly is no reason why this tariff should be passed.

Your efforts in our behalf will be very much appreciated, we assure you.

Yours, truly,

ROCCO BROS.,
Per YOUNG.

Mr. FLINT. Will the Senator file the telegrams he received from those favorable to the increase of duty?

Mr. BURKETT. I will say that I received two telegrams favorable to it. However, I received a letter from one who sent a telegram. I think I told the Senator I had received such a telegram. I received a letter two or three days following saying that it did not mean anything, that he simply was asked and sent it, and I must not lay any importance on it.

Mr. FLINT. Does the Senator mean to say that the editor of a leading paper in Omaha sent him a telegram in favor of a duty of a cent and a half on lemons and then sent a letter saying he did not mean it? I have not a very high opinion of the gentleman, if that is a fact.

Mr. ROOT. Mr. President, I do not wish to prolong this discussion, but I have reduced to pounds the figures I gave as the number of boxes produced by California last year. It is 133,000,000 pounds. That seems to be a sufficient answer to the terrible threat of the Senator from California that we would be deprived of lemons.

When the Dingley bill was passed they were raising 30,000,000 pounds, and in the year 1907 they raised 90,000,000 pounds. Last year they raised 133,000,000 pounds. What is the use of talking about a dying industry and about the California fruit grower being excluded from our market when the industry is progressing by leaps and bounds with unexampled prosperity under the present tariff?

Mr. FLINT. I will state that those trees were planted eight years ago, during the time when they thought they would be able to produce lemons at a profit. These trees are 8 years old, and this is the crop coming in that I speak of. You do not find that they have been planting out any lemon trees for the last two or three years.

Mr. PERKINS. If the Senator from New York will permit me, I will say that Cuba, Sicily, and Mexico are also increasing their production at an equal ratio or a greater one than we are in California.

Mr. ROOT. Will the Senator from California permit me to say that the statistics of importations do not show that that increase comes here?

Mr. PERKINS. The surplus?

Mr. ROOT. The increase.

Mr. PERKINS. We do not want it to come here.

Mr. ROOT. From 30,000,000 to 133,000,000 pounds has been the increase of the domestic production, and the importations have remained practically stationary.

Mr. FLINT. I wish to correct the Senator.

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. I do.

Mr. FLINT. Does the Senator mean to say that the foreign importations have not increased during these years?

Mr. ROOT. Very slightly. They have fluctuated up and down, in the neighborhood of two million.

Mr. FLINT. Does the Senator mean to say that the foreign importations have not increased in the same ratio as the increase in California?

Mr. ROOT. I do.

Mr. FLINT. I should like to have the Senator put in the figures to show that.

Mr. ROOT. I have read in detail the government figures, giving the importations for the past ten years. The statement of the government expert, Mr. Powell, is that as a result of the recent progress in the industry, the demand for the best lemons of California is greater than the present supply.

Let me say one thing, and I mean to say only one thing more.

Mr. BEVERIDGE. Will the Senator permit me to interrupt him?

Mr. ROOT. Certainly.

Mr. BEVERIDGE. When the statement was made that the demand is greater than the supply, the Senator read from some publication. What publication was it?

Mr. ROOT. I read from an article in the Yearbook of the Department of Agriculture for 1907, by G. Harold Powell, pomologist in charge of fruit transportation and storage investigations, Bureau of Plant Industry.

Mr. BEVERIDGE. It is the statement of the Agricultural Department?

Mr. ROOT. It is the statement of the Agricultural Department. The Agricultural Department states that—

The American lemon industry has become permanently established on a firm foundation within the last few years, the seasons since 1904 having proved unusually profitable.

Then it states:

As a result of the recent progress in the industry, the demand for the best brands of California lemons is greater than the present supply.

Now, Mr. President, one word as to the way in which the lemon growers of California make up the figures they present here. This has been a growing industry. The profits have been increasing as they have learned the business. It is the last ten years of perfected work in the lemon groves that have shown the profits. So the government report says.

In giving the average profits for a period of ten years past, they include the period of education, of learning how to conduct the business. Those early years which in every industry are apt to be unprofitable are grouped with these later years of great profit, in order to give a low average. But there is no conflict in the statement of facts that is before us now, that this growing and prosperous industry is, with the present law, making great profits and meeting a demand greater than they can supply, and that they need no additional duty.

Mr. FLINT. Mr. President, I simply want to say to the Senator that his statement is contradicted. I have contradicted it, and I have referred to various documents contradicting his statement. I desire to present a table showing the importations of lemons during the last ten years.

The table referred to is as follows:

Lemons (act of 1897) under general tariff.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average.	
					Value per unit of quantity.	Ad valorem rate of duty.
		Pounds.	*Dollars.*	*Dollars.*	*Dolls.*	*Per ct.*
1898	1 cent per lb	139,347,040	2,821,995.32	1,393,470.50	0.019	52.87
1899	do	208,634,448	4,330,169.72	2,086,344.48	.023	47.43
1900	do	159,384,360	3,656,945.85	1,593,843.60	.023	43.32
1901	do	146,384,112	3,516,877.29	1,463,841.12	.024	42.18
1902	do	162,902,011	3,318,908.82	1,629,020.92	.020	49.10
1903	do	152,775,807	3,067,244.22	1,527,758.07	.020	49.48
1904	do	164,042,415	3,507,679.55	1,640,424.15	.021	46.77
1905	do	139,679,008	2,994,975.44	1,396,790.08	.021	47.87
1906	do	138,689,138	2,934,195.34	1,386,891.48	.021	47.27
1907	do	153,990,799	4,254,290.56	1,539,907.39	.028	36.18
1908	do	178,437,835	4,388,247.95	1,784,373.35	.025	40.66

The VICE-PRESIDENT. The question is on agreeing to the committee amendment to paragraph 273.

Mr. ROOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BRISTOW. The question is on the committee amendment?

The VICE-PRESIDENT. The question is on the committee amendment.

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]. He is absent to-day. My colleague [Mr. DAVIS] is unpaired. I transfer my pair to my colleague, and vote "nay."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP]. I am advised that if he were here, he would vote "yea" upon this amendment. I would vote "nay." I withhold my vote.

Mr. SMITH of Michigan (when his name was called). I am paired with the Senator from Mississippi [Mr. McLAURIN]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PAYNTER. I am paired with the senior Senator from Colorado [Mr. GUGGENHEIM]. He is necessarily detained from the Senate. I therefore withhold my vote.

Mr. FOSTER (after having voted in the affirmative). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. He has not voted, and I withdraw my vote.

Mr. NIXON (after having voted in the affirmative). I understand that I was paired with the Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the senior Senator from New York [Mr. DOLLIVER], and let my vote stand.

Mr. FLINT. The Senator from Louisiana [Mr. FOSTER] withdrew his vote, but I know the Senator from North Dakota [Mr. McCUMBER] would vote "yea," if present.

Mr. FOSTER. Then I will let my vote stand.

The result was announced—yeas 44, nays 28, as follows:

YEAS—44.

Aldrich	Brandegee	Burnham	Clark, Wyo.
Borah	Bulkeley	Burrows	Crane
Bourne	Burkett	Burton	Cullom
Brady	Burrows	Carter	Dick

Dillingham	Frye	Kean	Piles
Dolliver	Gallinger	Lodge	Scott
du Pont	Gamble	Nelson	Smoot
Elkins	Hale	Nixon	Sutherland
Fletcher	Heyburn	Page	Warner
Flint	Johnson, N. Dak.	Penrose	Warren
Foster	Jones	Perkins	Wetmore

NAYS—28.

Bacon	Clay	Gore	Rayner
Bailey	Crawford	Hughes	Root
Bankhead	Culberson	Johnston, Ala.	Smith, Md.
Beveridge	Cummins	La Follette	Smith, S. C.
Bristow	Curtis	Martin	Stone
Burkett	Daniel	Money	Taylor
Clarke, Ark.	Frazier	Overman	Tillman

NOT VOTING—19.

Chamberlain	Guggenheim	Oliver	Simmons
Clapp	McCumber	Owen	Smith, Mich.
Davis	McEnery	Paynter	Stephenson
Depew	McLaurin	Richardson	Tallaferro
Dixon	Newlands	Shively	

So the amendment of the committee was agreed to.

The VICE-PRESIDENT. Without objection, paragraph 273 is agreed to.

Mr. BURKETT. I offer an amendment to change the method of computation. Before the amendment is read, I will state that this makes the same rate as the Senate has just now voted, but it changes the calculations to be made by the box instead of by the pound.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 84, paragraph 273, line 7, it is proposed to strike out the words "lemons, 1½ cents per pound" and insert:

Lemons, in packages of capacity of 1¼ cubic feet or less, 57 cents per package; in packages of capacity exceeding 1¼ cubic feet and not exceeding 2½ cubic feet, $1.14 per package; in packages of capacity exceeding 2½ cubic feet, $1.14 per package plus an amount equal to 45.7 cents for each cubic foot or fractional part thereof exceeding 2½ cubic feet.

Mr. PERKINS. There is an old, familiar proverb, "Beware of the Greeks bearing gifts." I hope the amendment will not be adopted.

Mr. BURKETT. The Senator can not apply that to me. I have accepted what the Senate voted to do, but I am trying to arrange the measure of the duty in a more practical way, so that it will be cheaper to the Government and more satisfactory.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. BURKETT].

The amendment was rejected.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. RAYNER obtained the floor.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maryland yield to the Senator from Oklahoma?

Mr. RAYNER. I wish to address the Senate for a few minutes.

Mr. GORE. I wish to say that I was asking recognition before the Chair announced that the paragraph was agreed to. I should like to offer an amendment, if the Senator from Maryland will yield.

The VICE-PRESIDENT. Under those circumstances it is understood that the paragraph is not definitely agreed to. The Senator from Maryland will proceed.

Mr. RAYNER. Mr. President, my remarks will take about twenty-seven minutes. One-half of this time will be devoted to a brief narrative which I know will be entirely harmless and inoffensive; the balance of the twenty-seven minutes will be occupied with matters a little more grave and serious.

I propose to make a few observations upon the citadel of protection. The other day the Senator from Rhode Island, when a great speech had been delivered attacking the rates of duty in the woolen and cotton schedules, remarked that to change those schedules would destroy the very citadel of protection.

I want to look inside of this citadel now for a moment and see what things are going on from day to day within. Never in my experience was a citadel in such a state of tumult and commotion. The Senator from Rhode Island is upon the upper floor and with him are his warriors. The din and clatter are on the floors beneath. I was gazing at the classic features of the senior Senator from Massachusetts the other day when there was the usual uproar in the citadel. The sturdy recruit from Kansas was hammering away at the lead schedule and it seemed to disturb the tranquillity and repose of the senior Senator from Massachusetts. He appeared to be almost upon the point of prostration and collapse, when the senior Senator from New Hampshire, who is the surgeon of the post and is always ready with his remedies and nostrums, arose to administer a stimulant to the Senator from Massachusetts, who quickly revived under its exhilarating effect.

I observed upon another day when everything seemed serene upon the upper floor that suddenly the nerves of the senior Senator from Rhode Island became distracted when that sturdy old revolter, the senior Senator from Minnesota, who has admitted that the blood of Scandinavian pirates is in his veins, and who is upon the ground floor, commenced to scuttle the citadel, if I may use that word in connection with a citadel, by driving with his sledge hammer blows large holes into the bottom of the structure. When the muster roll was called, however, and the vote was taken, the damage was repaired, and the Senator from Rhode Island, upon the upper floor, resumed his ancient smile.

Upon another day a volunteer from South Dakota, who is also upon one of the lower floors engaged in dismantling the citadel, began to tear away the iron girders that support the fabric, and the Senator from Rhode Island cast a furtive glance toward the Senators from Michigan, and these sturdy stalwarts reassured him that if he would keep his courage up they would guarantee that the iron mines of Michigan would furnish sufficient raw material to underpin the structure for the next six thousand years, and on this floor a compromise was struck and fifteen hundred years was determined upon as the time limit within which all the ores from all the world should be excluded from our shores.

Then there arose the great insurgent from Wisconsin, as mild a mannered man as ever cut a throat or scuttled a ship. He is also in the citadel. He is underneath the structure all alone, plodding by day and dreaming by night how to undermine its foundations, so that the entire citadel would tremble from its turret to its base. He arose to make some innocent suggestions in his usual modest and persuasive way, and they were made in almost whispering accents, but they rang through every floor of the citadel like discordant notes of music on the structural clauses of the metal schedule. The Senator from Rhode Island heard them, and then a scene transpired that I shall long remember. The great ex-Secretary of State, whose presence is an honor to this body and who has filled with such high distinction every service into which his country has called him, was figuring and writing. The Senator seems to be always figuring and writing. The Senator from Rhode Island was looking toward him. Now, it must be understood that the Senator from New York is not within the citadel. He has a little citadel of his own, and between his citadel and the main stronghold, upon the upper floor of which his client, the Senator from Rhode Island, is located, there is a wireless system of telegraphy, and whenever the Senator from Rhode Island is in imminent danger and peril there comes a hieroglyphic message from the Senator from New York—"Hold the fort, for I am coming." In this instance there came upon the waves a message that startled and electrified the Senate. It was to this effect and, when deciphered, in substantially these appalling words:

Mr. President—

Said the Senator from New York—

the Senate has been laboring under a delusion in holding the Senator from Rhode Island responsible for this bill. He is not guilty, except as to the portion in italics. The bill embraces over two hundred pages, and I shall prove to the point of demonstration that he is not guilty as to anything except the type that slopes toward the right, a species of type that is called "italics" because in the year 1500 it was dedicated by its founder and inventor, Aldus Manutius, to the states of Italy. I can prove an alibi for him upon every line of the Roman lettering of the entire instrument. Not only can I prove an alibi, but I will produce before this body the actual criminal. The unfortunate criminal, Mr. President, in whose behalf I beg the tenderest mercy of this tribunal, is the gentleman who presides over the Ways and Means Committee of the House of Representatives. He composed every line of the Roman lettering, and the Senator from Rhode Island is innocent.

This deliverance reminded me of an incident that occurred in one of the judicial tribunals of my own State. A prisoner was on trial for crime. He was acquitted upon proof of an alibi. When the case was over the judge who presided at the trial approached the prisoner's counsel and said: "My friend, that was a good alibi that you proved in this case." "Yes, your honor," said the prisoner's counsel, "I had a large number of alibis handed to me and I selected this one because it was the best of the lot."

Is it any wonder that when the Senator from Rhode Island was thus acquitted a joyous smile suffused not only his genial countenance, but the countenances of all of his relatives and kindred upon the Committee on Finance? Even the Senator from California, who is one of the next of kin of the Senator from Rhode Island upon the committee, rejoiced because the acquittal of the chief conspirator, under the ingenious plea of the Senator from New York, carried with it necessarily the acquittal of the Senator from California, because there is scarcely a product of the California orchards and vineyards that does not blossom and bloom under the Roman lettering of the tariff bill, and a quarter of a cent upon lemons is the only count in the entire indictment, it being in italics, upon which the Senator from California could possibly be convicted.

When I said that the Senator from New York was constantly figuring and writing, it is proper for me to state that he is not the only Senator who is thus at work. The brilliant senior Senator from Indiana seems to be engaged continuously at the same sort of labor. I must confess I have not any definite idea what the Senator from Indiana, with all these enormous tariff schedules upon his desk, is figuring and writing about all the time. I do not know whether he is in the citadel trying to get out, or whether he is outside of the citadel trying to get in. He seems to be on the friendliest economical footing with the Senator from Rhode Island, because whenever a schedule is reached the two Senators seem to be embracing each other; and then, a moment afterwards, the Senator from Indiana arises to shake his gory locks at the Senator from Rhode Island. I will not call this a seance, because I want to be polite. But what is it? Is it a comedy or tragedy, for we know the world is a stage and all of its people actors?

The greatest act, however—and when I call it an act I do not mean for a moment that it was not perfectly sincere and genuine—that has been played during all of these scenes either inside or outside of the citadel was that performed by the radiant mutineer from Iowa, the senior Senator from Iowa. I have seen the Senate and the House held for hours upon great constitutional and governmental questions by men of eloquence and power, but any man who can throw his emotions into the woolen and cotton schedules and captivate the Senate for two days by the charms of his oratory and the sparkling humor of his repartee deserves the admiration of posterity. It was a great and dazzling feat that the Senator from Iowa undertook. It was an intellectual athletic achievement that has hardly ever been equaled upon the floor of this Chamber. The Senator measured the citadel and made up his mind that he would ascend to the top of it while the shot and shell were pouring in upon him from its upper apartment. He did it well. Round by round he climbed. His eye was on the summit and he never stopped until he stood beside the spire. With one hand upon the flagstaff, with the other he seized the flag and took its protected bunting and tore it into shreds and tatters.

Upon the first day of the charge he was frequently interrupted by the senior Senator from Utah. The Senator from Utah is the chaplain of the garrison and is holding daily his morning, midday, and afternoon revivals. He is not only the chaplain of the garrison, but he is the spiritual adviser and comforter of the Senator from Rhode Island, and this is perfectly right and proper, because the Senator from Rhode Island in his moments of remorse and penitence for the work that he is engaged in is entitled to all the assuaging consolation that religion can afford him. Upon the second day the Senator from Utah ceased his invocations, because he had evidently arrived at the conclusion that the heretic from Iowa was not a subject for conversion. Not only this, but the Senator from Utah had probably consulted certain passages of the Scriptures which had admonished him that the power of silence at certain psychological moments is one of the greatest gifts of God. I will give these biblical quotations.

Fourth chapter of First Corinthians, verse 20:

For the kingdom of God is not in word, but in power.

The Epistle of Paul to the Hebrews, chapter 4, verse 2:

For unto us was the gospel preached, as well as unto them; but the word preached did not profit them, not being mixed with faith in them that heard it.

The second chapter of Job, verse 13:

So they sat down with him upon the ground seven days and seven nights and none spake a word unto him, for they saw that his grief was very great.

When I speak of the Senator from Utah as the chaplain of the garrison I must not omit the fact that the senior Senator from Montana is the bishop of the entire flock. He does not hesitate, however, when the theologians who are under him are absent upon their pastoral calls to step down from his high elevation and occupy the place of moderator of the assembly and superintendent of the Sunday school upon the other side of the Chamber. The senior Senator from Montana is the great pacifier of his party. There is no hole so narrow or so deep that any of his colleagues can get into that he can not crawl in after them and bring them back to the surface. There is no complexity or difficulty so great that he can not relieve the situation.

We had as fine an example of this as I ever witnessed upon this floor a few days ago. The sugar schedule was under discussion, and the junior Senator from Kansas was pounding and hammering away at the citadel, and I thought that at last there

was a chance perhaps of making some inroad upon it. All at once I saw the benignant countenance of the senior Senator from Montana at the further end of the Chamber, as I thought, engaged in silent prayer. Gradually he wound his way around to the middle aisle. How he got there I do not know. His chaplain, or one of his chaplains, the senior Senator from Utah, was in great peril, and he had come around to extricate him. It appeared that the Senator from Kansas had received a communication from a Cabinet officer in connection with the sugar schedule, and the Senator from Utah a few days afterwards had received a communication which absolutely contradicted the first communication that the Senator from Kansas had received, and thereafter the junior Senator from Georgia also received a communication from the same Cabinet officer contradicting both of the other communications that he had sent to the Senator from Kansas and the Senator from Utah. Now, a complicated and intricate situation of this sort would have deterred almost anyone in any effort or attempt to settle it. Not so with the Senator from Montana. With the serenity and composure of a saint he stepped into the breach, and waving all three Senators aside, he said:

Mr. President, if these Senators, who seem to be considerably agitated in this matter, will hold their peace for a moment, I think I can solve the situation very easily. If a man makes a statement one day—

Said the Senator from Montana—

and then upon another day makes another statement at entire variance with the first, and then upon another day makes a third statement in deadly conflict with both of the other statements that he has made, there is a way, Mr. President, by which all of these statements can be reconciled without imperiling the truth of any of them. In such a case—

Said the Senator from Montana—

in order to arrive at the truth I would take the three statements and strike an average, and thus by a process of mathematical adjustment I would maintain proper proportions and arrive at a symmetrical and harmonious solution of these three apparently irreconcilable positions.

The most remarkable thing in connection with this statement was that every one of us seemed to be perfectly satisfied with this process and explanation, and after the Senator from Montana had pronounced this benediction he retired with that guileless and immaculate expression that would have done credit to the meek and lowly Moses when he came down from the smoking mountain with the tables of testimony in his hand.

Now, Mr. President, this description that I have given would not be worth the consumption of the time that the narrative has taken if it did not have a moral to it. What is the moral? This is the moral: The Senator from Nevada, a man of great learning and accomplishments and replete with original ideas and conceptions, the other day, after the junior Senator from West Virginia, with his hand upon a decanter, had concluded an oration, whose purpose it was to show the poverty and destitution of the American manufacturer and the unbounded wealth and opulence of the American retailer, suggested that the proper step for us to take—that is, those of us who are playing around the breastworks—is to form a combination with those who are inside the citadel, and thus by a union of forces destroy the edifice.

This plan did not strike me with much favor when it was proposed, because as a rule I do not believe in political combinations of this sort. Whatever impression it made upon me, however, was entirely dispelled when the junior Senator from Iowa arose to make his dashing onset upon the citadel. I had cherished the idea that the junior Senator from Iowa intended to dynamite the entire establishment. By frequent intimations he gave notice of that sinister purpose. As a rule dynamiters do not herald their intentions, but there are some exceptions to the rule, and knowing the junior Senator from Iowa to be a gladiator of great valor and prowess I took him at his word. But, Mr. President, there was no dynamite in sight. The Senator had no explosives with him. He simply had a shovel, a pickax, and a crowbar and was trying to weaken some of the schedules so as to send a few rafters and shingles and splinters through the circumambient air, and when he finished with his tools he boldly announced that after the whole business was over he would gladly take his place upon the upper floor with the senior Senator from Rhode Island if some one would kindly lift him up by a derrick to this high eminence and exalted station.

Now, how can there possibly be a combination between us on the outside and the insurgents on the inside? I have never believed and never will, so long as I maintain my faculties of reasoning, that Congress has any right under the taxing power to lay prohibitive duties. They believe we have, and their idea is when they strike down certain schedules to maintain the great principles of the bill, and I am against the principle of the bill. Let me tell you, the Supreme Court has never decided this question, and the best text writers and commentators are against it. Understand me now, so that there is no mistake about it. I maintain the proposition that if this act were to declare upon its face that any of the duties which it imposes are prohibitive and that they are levied with that intent, the act would be unconstitutional *pro tanto*. Do not let us get confused now upon this proposition. I do not hold for an instant that a protective duty levied upon a revenue basis is unconstitutional. That question has been closed by the decisions, but I assert without the fear of successful contradiction that if the act shows that we are imposing duties that we do not intend to receive and providing for revenue that we do not intend to collect, and if that purpose is manifest upon the face of the legislation, such an enactment would be unconstitutional.

I do not care to discuss this proposition with anyone who skims along the surface of great legal problems, but I would be glad to argue it with anyone who is thoroughly conversant and familiar with the principles and authorities upon the subject. I know that I will be asked, "Do you mean to say that a protective duty is unconstitutional?" No. I mean to assert no such absurdity. I admit that if a duty for revenue is laid, even if it affords protection, while it might be against public policy and the traditions of my party, it is a valid exercise of constitutional power. My proposition is this: When you show that the duty is levied not for the purpose of revenue, but for the purpose of absolutely preventing importations, then under the taxing power you are beyond the jurisdiction of the Constitution. Do not tell me that I am reviving an obsolete doctrine, because I tell you that the point that I am now making has never yet been presented to the courts and the courts have always avoided deciding it, because the legislation before them has always concealed the intent of the law-making power. The courts have always said they could not tell whether or not the act will raise revenue, because upon its face it purports to do so. They have never yet been called upon to deal with an act which upon its face, while imposing a duty, demonstrates that it did not propose to collect any revenue. I do not believe there is a lawyer in this body thoroughly conversant with the principles of constitutional law who will dispute the proposition for which I am now contending.

I send now to the desk a bill which I have drawn, which I desire to have read and which illustrates the proposition for which I am contending. Of course I have no idea of offering this bill, but I simply take it as an illustration of my argument.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Whereas it is proposed to place a duty upon steel rails that will prevent their importation into the United States, so that said duty shall be absolutely prohibitive and give the manufacturers of steel rails in the United States the entire control of the American market: Now, therefore, in order to carry out said purpose,

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied and collected the sum of $40 per ton upon all steel rails when imported from any foreign country into the United States.

Mr. RAYNER. Mr. President, does anyone here believe that this is a constitutional measure? Why not? Simply because upon its face it shows that while professing to be a revenue measure it is absolutely prohibitive upon importations, and that this was its object and design. Now, it will be asked me, "Is this present bill unconstitutional?" Certainly not. Why not? Simply because we are perpetrating a fraud upon Congress, upon the Constitution, and upon the Supreme Court of the United States in concealing the legislative motive from the legislative measure. This bill under the guise of collecting revenue places a prohibitive duty upon hundreds of articles of importation, and if it expressed this purpose upon its face, as does the bill that I have sent to the desk to be read, it would be unquestionably pronounced invalid. It is for this reason, Mr. President, that I am against the entire bill, and against any bill that levies prohibitive duties.

I do not believe that either openly or in disguise we have any power whatever under the taxing and revenue clauses of the Constitution to place a prohibitive duty upon importations to protect the industries and manufactories of this country. This is the faith that I was born in and this is the faith that I hope to die in if the Constitution shall still survive at the period of my demise, and in order to show that this is the genuine creed of our institutions, I now read a few lines from authorities as great as any that exist upon the subject. These are the words. I read first from Tucker on the Constitution:

The power granted as a means of revenue can not be diverted from this legitimate purpose by the indirect use of it to do what Congress has no power to do by direct taxation. The end is not legitimate,

and therefore the law is not constitutional. It is true that where the law merely imposes the tax without disclosing the indirect purpose of its imposition the courts may have no right to declare the law unconstitutional, though if the purpose were disclosed on the face of the act the courts would do so.

And now again, quoting from Judge Cooley, I read the following extract:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly to prohibit some particular import for the benefit of some home manufacture may well be questioned as being merely colorable and therefore not warranted by constitutional principles. As it is a duty from which revenue may be derived the judicial power, where the motive of laying does not appear on the face of the act, can not condemn it as being unconstitutional; but it is none the less a violation of the Constitution by the legislator who knows its object and levies the duty from a motive not justified by the Constitution.

So far as I am concerned I am voting with the insurgents all the time and they are all men of unflinching courage, but there is no doubt about the fact that with the single exception of the Senator from Wisconsin we have not heard a positive statement as to the willingness of any one of them to vote against the bill when it is finally perfected. Every time we vote with them we are defeated, and then after we vote upon the last item they expect to support the whole bill with all of their amendments voted down, while I intend to vote against the bill even if the amendments had been adopted. My own judgment, therefore, is that we had better go it alone.

I am not after a schedule here and there, because that illustrates no principle. I am not in favor simply of weakening the citadel. I believe in storming it if we have the power. The senior Senator from Iowa has torn down the flag, but he has raised no other flag in its place. If we had the lead I would march toward the citadel in which monopoly lies intrenched, I would help to tear the mask from those who have robbed us, and the truth should be revealed. I would trample upon the emblem that bore upon its face the strange device of a prohibitive tariff, and in its place I would raise aloft the ensign of a constitutional tariff for revenue, the armorial crest of the Democratic party, whose flaming symbol should proclaim to our countrymen that we are ready again to make the fight upon this issue. Twice before we made the fight against terrific odds, and twice before we won.

I stand for the unprotected people against protected monopoly. Not protection to American industries, but protection to the American consumer; that is the catchword that I would conjure with. I may be wrong, but I believe just as surely as I am addressing the Senate to-day that if we maintain the courage of our convictions and cling to the traditions of our faith when this oppressive bill is passed the hour will come when the citadel will be reached and the citadel will fall. As posterity marches by its ruins in its dying embers it will read the message that the garrison has capitulated, that the perverted and disfigured editions of the Constitution have gone down in the wreck, but that the scroll of the ancient law has been rescued, that the power to levy taxes upon the people of this country for any other purpose except governmental revenue has been forever repudiated, that the wants of penury and the toil of unrequited labor have at last been heard in the assertion of their natural and human rights, that the Magna Charta of the American consumer containing his ancient and inherent privileges has been restored to him, and that the partnership between the protected interests, who for nearly a half century have been gathering their toll at the ports of entry of this Republic, and the Government of the United States has been forever sundered and dissolved.

Mr. GORE. At the close of paragraph 273 I propose to insert the following amendment:

Bananas, 6 cents per bunch.

Mr. President, I desire to submit only a few remarks upon the proposed amendment. I voted against the increase in the duty on lemons, because lemonade is the poor man's beverage in this country, and I thought we ought to have more beverages of that kind; and, I think, instead of increasing the tariff on lemons, we ought to have thrown a rose leaf upon the brimming bumper and drunk to the health of the poor people of the United States. But, Mr. President, the increased duty on lemons is typical of this entire tariff revision. Our Republican friends have handed the people of this country a lemon. They promised the people a fish, and they have given them a brood of serpents, and I doubt not that the people will repay them with a brood of scorpions.

Mr. President, I think I have treed a trust. There is a banana trust in this country, and I intend now to join the senior Senator from Maryland [Mr. RAYNER] in unmasking the hypocrisy of the Republican party and in unmasking the hypocrisy of the pending tariff revision. I have watched with much interest the votes cast here by the twelve Senators from New England, and I think now that I shall afford an opportunity for the Democrats on this side of the Chamber to vote in harmony with the twelve apostles of protection from the States of New England. We have increased the tariff on lemons from 36 per cent ad valorem to 54 per cent ad valorem. The duty on oranges is more than 59 per cent ad valorem. I have proposed a duty of 6 cents per bunch on bananas. That is equivalent to an ad valorem rate of 19 per cent, only about one-third of the existing tariff on oranges and only about one-third of the increased duty on lemons.

Mr. President, a duty of 6 cents per bunch on bananas will raise a revenue of $2,225,000. Those five words contained in that amendment will be worth two and one-quarter million dollars to the famished Treasury of this country, and it is only one-third of the duty on lemons and oranges to which this committee has just committed itself. An average bunch of bananas contains about 66 bananas. This, then, imposes a duty of 10 cents per hundred bananas—1 cent for every 10 bananas, and one-tenth of 1 cent for each and every banana.

Now, sir, I think it would be impossible for the fruit trust to transfuse and transfer that burden to the consumers of bananas in this country. I think, without peril to the consumer, we can give the Treasury two and one-quarter million dollars. But I intend to demonstrate that our Republican friends vote to impose a duty or vote to increase a duty when that duty is necessary to protect a domestic trust, and they vote against any duty whatever whenever the imposition of a duty would interfere with or would diminish the profits of a domestic trust.

Mr. President, the history, the character, of our legislation with reference to bananas is most interesting. I will not say that this banana provision was inserted in a sinister way or that there is anything sinister in the provision, but I will say it is significant. Senators will search the dutiable list in vain for the euphonious word "banana." Senators will search the free list in vain for the word "banana." It seems not to be in the dictionary of the protectionists of the Senate or of the country. Where does this provision appear through which enter the United States annually 37,000,000 bunches of bananas? I call the Senators' attention to this language, which occurs in the free list:

Fruits or berries, green, ripe, or dried, not specially provided for.

Mr. President, through this innocent provision there comes into this country annually 37,000,000 bunches of bananas. One would hardly think that in so guileless a clause such a wilderness of this fruit could have been planted and produced. But, sir, they come, their names uncalled and their entrance unchallenged. Not only do the 37,000,000 bunches of bananas nestle in this provision, but a fruit trust nestles also in that provision and nestles in the classic city of Boston.

I charge here that the United Fruit Company has a practical monopoly of the banana importation and the banana business of this country. The United Fruit Company was organized in 1899. Mr. President, in 1899 Abraham Lincoln, Charles Darwin, and a number of other illustrious personages were born upon this earth, and it seems that in 1899 a number of trusts and monopolies were born in this country, a year of plagues, we might call it. The United Fruit Company was chartered and organized in the State of New Jersey. That, sir, of course, is a certificate of good character. Not only that, but that charter is a roving commission, authorizing it to wander to and fro on the earth, seeking whom it may devour. That company consolidated more than 11 other fruit companies. All of the directors of this company reside in the State of Massachusetts except two who live in New York and one who resides in the State where the company had its nativity.

This company was chartered for $20,000,000. Last year it increased its stock to $25,000,000. In 1906 its total profits aggregated $6,000,000; in 1907 its total profits aggregated $6,000,000 in dividends and in surplus. That company has more than ten millions of surplus on hand. It has, I say, a practical monopoly of banana importations and the banana business in this country. I am informed that at times it has dumped entire cargoes of bananas into the harbor of Mobile and elsewhere in order to avoid depressing the price of bananas and affording a consumer an opportunity to enjoy the luxury of cheap bananas.

To prove what I have said in regard to this company having practically a monopoly, although there are a few other small companies, I send to the desk a few telegrams from collectors of customs in various ports of this country, and I challenge the attention of Senators, and ask them to mark with what rhythmic

and recurring cadence the name of the United Fruit Company appears in these telegrams.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CHARLESTON, S. C., *May 17, 1909.*

Hon. T. P. GORE,
United States Senate, Washington, D. C.:

United Fruit Company only imports bananas this port, fiscal year 1908; Jamaica division, same company shippers.

E. W. DURANT, Jr.,
Collector of Customs.

BOSTON, MASS, *May 17, 1909.*

Hon. T. P. GORE,
United States Senate, Washington, D. C.:

Importer, United Fruit Company; purchases from United Fruit Company, Dumois Nipe Company, various growers, and E. Verley, at island of Jamaica. Importer, W. W. & C. R. Noyes; purchases from J. Simons & Co., at Sama, Cuba.

LYMAN, *Collector.*

MOBILE, ALA., *May 17, 1909.*

T. P. GORE, *Washington, D. C.:*

Respecting telegram, principal importers of bananas are United Fruit Company, who operate principally their own plantations, and Hubbard-Zemurray Company, who purchase from various planters through local agents stationed at Central American ports.

TEBBETT, *Collector.*

BALTIMORE, MD., *May 17.*

Hon. T. P. GORE,
United States Senate, Washington, D. C.:

Importers of bananas are United Fruit Company, consigned from United Fruit Company at Port Maria, Port Antonio, and Montego Bay, purchased from United Fruit Company at Stanns Bay, Jamaica; Atlantic Fruit Company, purchased from Dyer & Gideon, Port Maria, and Atlantic Fruit Company, Port Maria and Stanns Bay, consigned from Atlantic Fruit Company, Montego Bay, Jamaica; Lanasa & Gaffe Steamship Company, consigned from Lanasa & Gaffe Steamship Company, Montego Bay, purchased from Gaffe Brothers, Port Maria, Port Antonio, and Stanns Bay, Jamaica.

WILLIAM F. STONE, *Collector.*

PHILADELPHIA, PA., *May 17.*

T. P. GORE, *Washington, D. C.:*

Atlantic Fruit Company and the United Fruit Company principal importers of bananas year 1908.

HILL, *Collector.*

NEW YORK, *May 17.*

T. P. GORE, *Washington, D. C.:*

Two principal importers of bananas fiscal year 1908 were Atlantic Fruit Company and United Fruit Company. Purchased from Atlantic Fruit Company, United Fruit Company, Dyer, Gideon & Co., and Simon Fruit Company.

STUART, *Special Deputy Collector.*

UNITED STATES CUSTOMS SERVICE,
New Orleans, La., May 18, 1909.

Mr. T. P. GORE, *Washington, D. C.*

SIR: In reply to your telegram I have to state that the two principal importers of bananas at this port are the United Fruit Company and the Bluefields Steamship Company (Limited), both companies operating a line of steamships and transporting bananas from their own plantations.

Respectfully, HENRY MCCULL, *Collector.*

Mr. GORE. Mr. President, those telegrams reveal the fact that at every port the United Fruit Company is introducing the products of its own lands, and, as I have suggested before, exercising a practical monopoly in this country. There are two or three other small concerns; one other the name of which did not appear in any of these telegrams.

The United Fruit Company was not only chartered for $20,000,000 and now has a capital of $25,000,000; it not only dominates the banana markets of this country, but it owns and operates its own banana plantations in other countries. The United Fruit Company owns 396,000 acres in its own right and title, and it leases many thousand acres in addition to its own holdings. It owns 315 miles of railroad, which it operates in connection with its plantations, and also owns its own steamship lines. Here is one monopoly now which will yield a golden revenue to the embarrassed coffers of this country by the imposition of a tax only one-third as large as the Senate has deliberately voted upon oranges and only about one-third as large as the Senate has deliberately voted upon lemons.

I intend to see whether it be the policy of the Finance Committee to supply the deficit now existing in this country or whether it will refuse to lay the weight of its little finger upon this fruit company which is enshrined, as I have said, in the classic and puritanic city of Boston.

Mr. President, there is one other consideration which will have greater weight with the "twelve apostles" and with the protectionists on the other side. If we will only levy this tax upon bananas, we can soon raise all the bananas we need in the United States, and, in the philosophical language of the Senator from West Virginia, we will have both our bananas and our money. The Senate voted a few days ago a pension of $30 a ton to the lead trust in Idaho and Utah. If it would only levy a tariff of $30 a ton on bananas, who is here to deny that we might soon see banana groves flourishing upon the beetling crags of the Rockies.

My good friend the Senator from North Dakota [Mr. MCCUMBER] has, by labor in season and out of season, succeeded in increasing the duty a nickel a bushel on corn, so that the farmers of this country are secure in their fortunes and in their destiny. But he alarmed me with the suggestion that the prairies of North Dakota were becoming exhausted. Nothing recuperates the soil like diversification of crops; and, with a tariff on bananas, why not plant those prairies in banana groves and produce in our own country all the bananas we can consume? Of course, a mere theorist would say it is better for the farmers of North Dakota to raise wheat and buy bananas; the same theorist would contend that it is better for the people of Central America to raise bananas and buy wheat; but they are mere theorists, engaged in elusive pipe dreams.

Sir, we want to encourage American industry and produce our own bananas, and it is not beyond hope that Boston itself may become the very center of the banana business of this country. Why not have vast groves of bananas waving over the entire region of New England? The soil of New England is sterile. The people of that section have been engaged in raising little else than the tariff, and they have found that the most profitable business to which they could possibly apply their ten talents.

But it seems to me the State of Maine is peculiarly adapted to the culture of the banana, and when her hills have been denuded of the forest primeval, when her stately spruce have been felled and manufactured, have been converted into the Morning Sun and the Evening Star, why not insure that those bleak hills will wave with the budding and blossoming banana? Why not have the banana there unfurl its banners of protection in the north wind's bitter blast?

Let us build up home industry, and then the senior Senator from Maine [Mr. HALE] could serve home-grown bananas in fruit dishes manufactured and sold by the junior Senator from West Virginia [Mr. SCOTT] at 90 cents a dozen. Whoever undertakes to deny this I must characterize as a skeptic. He does not appreciate either the virtues or the efficacy of this protection magic. Mr. President, you know full well that neither the laws of nature nor the laws of economics nor the laws of morals can withstand its witching power. If we would make the tariff high enough, I am not certain but that we could by that policy make the orange, the lemon, and the banana flourish, flower, and fruit in the very shadow of the northern pole, and thus establish tropical gardens and ambrosial bowers upon the sides of "Mount Yanack in the ultimate clime of the pole."

Nothing is beyond the dreams and possibilities of protection. The Senator from Vermont stated a few moments ago that he would like to see all the oranges and all the bananas that our people consume produced in the United States. The Senator thought that he thought that. But he does not, as a matter of fact, and he will not vote for this tariff on bananas. It is not his fault. He is not at liberty to vote for this duty. The junior Senator from Michigan waxed eloquent, as he always waxes eloquent when he discusses or even contemplates the glories of protection, and he, too, has a penchant and a partiality for lemons and oranges grown within the United States. I predict that he will not vote for the duty on bananas.

Mr. President, it would be improper, it would be unparliamentary, for me to say that standpatters everywhere are a great deal like a graphophone. The senior Senator from Rhode Island [Mr. ALDRICH] inserts the record, and they say whatever they are bidden to say. I do not say that because it would be unparliamentary and would probably be unjust, but I call Senators to mark: We have just levied a tariff of 56 per cent on lemons. We have maintained a tariff of 50 per cent on oranges. I have moved to impose a tariff of 19 per cent on bananas, and it will raise a larger revenue than the increased duty on lemons, and it will produce ten times as much revenue as your exalted tariff on oranges. If we are seriously engaged in supplying the requirements and the deficiencies in the Treasury; if we wish to impose duties upon luxuries and not upon necessaries; if we are not here to safeguard the fruit trust, the steel trust, the oil trust, and every other trust, then I appeal to Senators, and especially to the apostles of protection, to vote for this modest duty on bananas, which can hardly be transferred to the consumer. Tap this golden stream of revenue and turn it into the famine-stricken Treasury of this country.

Now, sir, I tender the issue whether or not we will impose a tariff on the products of the fruit trust. I ask for the yeas and nays on the question of agreeing to the amendment.

Mr. JOHNSON of North Dakota. Mr. President, of course it is entirely appropriate for those Senators not charged with responsibility to the country at this time, like the Senator from

Oklahoma [Mr. GORE] and the Senator from Maryland [Mr. RAYNER], to afford suitable diversion. We all enjoy it. But we are here engaged in a very serious business affecting the policy and the welfare of the country. We might as well accept the challenge on this item of bananas as on anything else.

The Republican party says to every man in every corner of the earth who has anything to sell that the American people wish to buy and which we ourselves can not produce in great abundance, "Come, and welcome; bring your wares with you free of duty, free of tax and hindrance of any kind, and sell them to our people just as cheaply as you can." That is something fundamental. There is no difference between us as to the amount of money we should raise by the tariff. That is not in dispute. But the difference is right here in the free list as to what things shall come in free and what things shall bear a duty.

The doctrine that the tariff is a tax and is added to the price of the article, and is paid by the consumer in every case, is an absolute fallacy, except as to such things as bananas, Brazil nuts, tea, coffee, india rubber. In all those instances the tariff would be a revenue tariff and would be added to the price of the article and be paid by the consumer. And so we have none of it in the Republican policy. Do you tell the American people seriously that a duty on potatoes, for instance, of 45 cents a bushel, which was placed here Saturday, will add 45 cents to the price of every bushel of potatoes? It is too simple for argument. Nobody believes that. And of corn and wheat the same thing is true. We never have claimed that a duty on those articles would raise the price by the amount of the tariff. That is the teaching of our opponents. It is too simple for argument. There is not a word of truth in it.

Senators talk about the tariff raising the cost of living. This amendment would raise the cost of living. A banana is a bread fruit. It has almost the same chemical elements as wheat bread. A duty on bananas or tea or coffee would necessarily be added to the price of the article. It would be a revenue duty. We have none of those industries in our soil and climate. We can not produce them. We can not protect them. So we Republicans never place a cent of duty on anything of that kind. Take those things we can produce in great abundance; the tariff does not affect the price of those articles, because we control the market.

Take, for instance, a meal, an expensive meal, too; a good meal. Essentially the tariff does not weigh upon any article that is necessary to put upon the American table. Let us set a table. The first course is soup. We will have oyster soup, ox-tail soup, turtle soup, a great variety of soups. We have the ox tail, we have the oysters, we have the turtles. It is not necessary to import them. The tariff can not reach them.

The next course will be fish. Of course, if you insist on foreign fish that do not swim in our waters, you will have to pay a duty, but I am not speaking of those luxuries; they are for the people who insist on them. We can put on that table shad, and black bass, and salmon, and whitefish, and lake trout, and mountain trout, and sunfish, and whales—a great variety of fish good enough for the ordinary citizen—and there is not a cent of duty on any of them.

Mr. RAYNER. I should like to ask the Senator if there is any duty on snakes?

Mr. JOHNSON of North Dakota. I think not, unless they would be covered under the duty on eels adopted on Saturday. Let that pass.

Then, we will take game as the next dish in this course dinner. Of course, if you are so extravagant as to insist on foreign game, we shall perhaps see next winter on the Christmas bill of fare of our expensive hotels, and you can get served up, rhinoceros roast or hippopotamus potpie or pickled elephant's feet. If you insist on those things, of course you will have to pay a duty on them; but for the plain ordinary American citizen we will have elk, and deer, and grouse, and wild geese, and wild ducks, and quail, and partridge, and venison—a nice variety of game. I do not care what the duties are, we need not import that. There is no way for the tax gatherer to get between the hunter and the guest at the table.

Then, we will pass on to the solid dishes like meats. Is it necessary to pay a duty on the meat that the poor man or the wealthy man, the peasant or the prince, eats? Not at all, unless he insists upon shipping in something that can not be produced in this country. Then, it is on the free list. Here we have roast beef and mutton stew and ham and a great variety of meats, plenty of them, good and cheap, with not a cent of duty on any of them.

When it comes to fruits, bananas, and Brazil nuts, and everything of that kind, that we can not produce, they are on the free list under the Republican policy; and those things that are dutiable for the protection of our industries we do not need to ship in. I will put on that table apple pie and blueberry sauce, and peach brandy, if necessary, and strawberries and raspberries and a great variety of fruits of our own production, and there is not a cent to be paid to the tax collector.

In the same way I could go through the clothing schedule. Take, for instance, silk, the most extravagant article in the clothing schedule. We were dependent only a few years ago upon France and Germany and Japan for silk. Now we are the greatest silk-producing country in the world. Our nearest competitor is France. Last year they used $9,000,000 worth of raw silk, and we used $13,000,000 worth of raw silk. How do we do that? Well, I will tell you how we do it. We do it under Republican policy by building up home industries, by admitting free of duty everything that we can not produce in great abundance, and raw silk is one of the things.

We can in the South produce raw silk. The mulberry tree will grow in South Carolina, Florida, and some of those States, but to take care of those silkworms you must have cheap labor, and the faithful hands of children and women who will do the chores, who will care for the silkworm at 25 cents a day. We do not want any American woman or child to work for 25 cents a day. So under all the parties, Democrats as well as Republicans, we have allowed the raw silk to come in free; but under the ægis of protection we have built up the greatest silk-manufacturing industry in the world. You need not pay a cent of duty on silk; you ship it in free of duty and manufacture it at home, and keep both the silk and the money at home.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the amendment proposed by the Senator from Oklahoma [Mr. GORE]. The amendment will be stated.

The SECRETARY. On page 84, at the end of paragraph 273, it is proposed to insert the following words:

Bananas, 6 cents per bunch.

The amendment was rejected.

The PRESIDING OFFICER. The paragraph will be agreed to, without objection. The next paragraph passed over will be read.

The SECRETARY. Paragraph 275, pineapples.

Mr. ALDRICH. At the request of several Senators, I ask that that paragraph may go over.

The PRESIDING OFFICER. Is there objection to the paragraph going over?

Mr. TALIAFERRO. What was the request?

Mr. ALDRICH. At the request of several Senators, I ask that the paragraph on pineapples may go over.

Mr. TALIAFERRO. I do not know of any Senators who are more interested in this paragraph than the Senators from Florida, and I think neither of them has asked that it be passed over.

Mr. ALDRICH. I did not say they had.

Mr. RAYNER. I wish to ask the Senator from Rhode Island a question. Would it not be possible to take up the paragraph to-day? Is there any reason for passing it over? We would not know for what period it is to be passed over, and it would keep us waiting. The paragraph might come up at a time when those interested are absent.

Mr. ALDRICH. Two Senators who are not now in the Chamber asked me to have it passed over as they wanted to make some examination and they had not the data they desired. That is all I am willing to say. It can go over for a short time.

Mr. RAYNER. May I ask the Senator from Rhode Island whether the Senators are in the building or about the Chamber?

Mr. ALDRICH. I can not say whether they are in the building or not. They are not here.

Mr. RAYNER. The reason I speak of this is that unfortunately the Senators from Florida and the Senators from Maryland are on opposite sides of this question, and we would like very much, as we are the two contending parties, to have it disposed of, now that it has been reached regularly.

Mr. TALIAFERRO. That is my wish.

Mr. RAYNER. It is possible that if we commence it, there are three or four speeches or addresses to be made on it. It will take two or three hours to dispose of the paragraph I think.

Mr. ALDRICH. I have no objection to having the discussion go on, if Senators desire to have that done.

Mr. RAYNER. If the Senator will permit that, then, if the other Senators are not present, it can go over.

Mr. SMITH of Maryland. If the matter is going to be decided, I do not see why the discussion should not proceed. It will take some time.

Mr. TALIAFERRO. I have sat in this Chamber for two or three days expecting this paragraph to be reached and to be disposed of when it was reached. I asked the Senator from

Rhode Island, in charge of the bill, several days ago if he intended to go right through the fruit schedule, and he assured me that he did. If there is any real reason for the delay, I of course do not want to insist upon taking up the paragraph now, but my understanding is that the Senators from Florida and the Senators from Maryland are those interested, the Senators from Florida on one side and the Senators from Maryland on the other, and they desire to have the matter disposed of. I submit that unless there is some real good reason for the delay, the paragraph ought to be taken up, as it has been reached. I hope the Senator from Rhode Island will not object to taking up the paragraph and disposing of it at this time.

The PRESIDING OFFICER. Upon objection, the paragraph is before the Senate, and the Secretary will read it.

Mr. ALDRICH. I have no objection to the Senators going on with the discussion, but I do not intend to have it disposed of until the Senators who made the request of me shall be present.

Mr. CULLOM. We had better let it go over, then.

Mr. TILLMAN. We had better let the whole thing go over.

Mr. ALDRICH. I think we had better let it go over, and I will confer with the Senators from Florida and Maryland as to the time it is to be taken up.

Mr. RAYNER. I want to be understood about it. I have no objection whatever to accommodate any Senator to have the paragraph go over. I have no particular reason for taking it up now.

Mr. ALDRICH. I will confer with the Senators from Florida and the Senators from Maryland before it is taken up, so as to give them full notice to be present.

Mr. TALIAFERRO. There will be no unreasonable delay, I hope, about the matter.

Mr. ALDRICH. There will be no unreasonable delay about it, I assure the Senator from Florida.

The PRESIDING OFFICER. The paragraph will be passed over.

Mr. ALDRICH. On page 80, line 1, I ask to take up paragraph 258, for the purpose of making an amendment reducing the duty on dried pease from 30 cents a bushel to 25 cents a bushel.

The PRESIDING OFFICER. Without objection, the vote whereby that paragraph was agreed to will be reconsidered. The Senator from Rhode Island offers an amendment, which will be read.

The SECRETARY. On page 80, line 1, before the word "cents," strike out "thirty" and insert "twenty-five," so that if amended it will read:

Pease, dried, not specially provided for in this section, 25 cents per bushel.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended, without objection, will be agreed to. The Secretary will read the next paragraph passed over.

The SECRETARY. On page 85, paragraph 280, bacon and hams.

Mr. BACON. When that was reached before, I asked that it be passed over, as I think the RECORD will show.

Mr. DICK. Before we leave the fruit schedule, I should like to offer an amendment to paragraph 271.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 271, page 84, line 2, after the word "pound," insert the words "specially prepared for the consumer by capping, stemming, wet or dry cleaning, one-half cent per pound additional."

Mr. ALDRICH. I suggest to the Senator from Ohio to allow that to be printed, and the committee will take it up and make an examination. I am not sure what the effect of it will be.

Mr. DICK. Very well.

The PRESIDING OFFICER. The amendment will go over. The next paragraph passed over will be read.

The SECRETARY. Paragraph 280:

Bacon and hams, 5 cents per pound.

Mr. BACON. I am opposed to this increase in the rates, when it is acted upon. I am not particular about having it brought up now.

Mr. ALDRICH. The committee thought this was a proper amendment to make. If the Senator has objections to it, I shall be very glad to hear them.

Mr. BACON. The Senator prefers to go on with it now?

Mr. ALDRICH. I would prefer to do so, if the Senator is willing.

Mr. BACON. If the Senator has anything else to occupy the Senate for fifteen or twenty minutes or half an hour, I prefer to have it go over for a little while.

Mr. ALDRICH. Does the request apply to paragraph 280 alone?

Mr. BACON. Yes.

Mr. ALDRICH. We might take up the other paragraphs and take up these later, at the convenience of the Senator from Georgia.

Mr. BACON. I will be very glad if the Senator will do so.

The PRESIDING OFFICER. Without objection, paragraphs 280 and 281 will be passed over for the present.

The SECRETARY. The next paragraph passed over is on page 86, paragraph 287. The committee proposes to strike out the paragraph as printed in the House bill and to insert a new paragraph, as follows:

287. Chicory root, raw, dried, or undried, but unground, 1 cent per pound; chicory root, burnt or roasted, ground or granulated, or in rolls, or otherwise prepared, and not specially provided for in this section, 2½ cents per pound.

Mr. BACON. I ask the Senator from Rhode Island also to permit the item as to lard to be passed over at the same time.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. The next paragraph passed over is paragraph 288, cocoa or cacao, crude, and leaves and shells of. The committee proposes to strike out, after the numerals, the following:

Cocoa, or cacao, crude, and leaves and shells of, 3 cents per pound; chocolate.

And to insert the word "chocolate," with a capital "C."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. In line 18, after the word "pound," the committee proposes to strike out "five" and insert "two," so as to read:

Valued at not over 15 cents per pound, 2½ cents per pound.

The amendment was agreed to.

The SECRETARY. In line 20, after the word "pound," the committee propose to strike out "five" and insert "two," so as to read:

Valued above 15 and not above 34 cents per pound, 2½ cents per pound and 10 per cent ad valorem.

The amendment was agreed to.

The SECRETARY. In line 22, after the word "pound," the committee propose to strike out "seven" and insert "five," so as to read:

Valued above 24 and not above 35 cents per pound, 5 cents per pound and 10 per cent ad valorem.

The amendment was agreed to.

The SECRETARY. On page 87, line 3, before the word "cents," strike out "nine" and insert "five," so as to read:

Powdered cocoa, unsweetened, 5 cents per pound.

The amendment was agreed to.

Mr. ALDRICH. I offer a further amendment to the paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the bottom of page 86 and the top of page 87 strike out the following words:

The dutiable weight of the foregoing merchandise shall include all coverings, except plain wooden, but the dutiable value shall include all coverings, including plain wooden;

And insert the following:

The weight and value of all coverings other than plain wooden shall be included in the dutiable weight and value of the foregoing merchandise.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. ALDRICH. On page 87, in paragraph 291, the committee move to strike out "twelve" and insert "ten," in the twelfth line, and in the same line to strike out "eight" and insert "six."

The SECRETARY. Paragraph 291, page 87, line 12, before the word "cents," strike out "twelve" and insert "ten," so as to read:

Salt in bags, sacks, barrels, or other packages, 10 cents per 100 pounds.

The amendment was agreed to.

The SECRETARY. In line 12, before the word "cents," strike out "eight" and insert "six," so as to read:

In bulk, 6 cents per 100 pounds.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. The next paragraph passed over is paragraph 292, starch, made from potatoes, 1½ cents per pound; all

other starch, including all preparations, from whatever substance produced, fit for use as starch, 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The SECRETARY. The next paragraph passed over is paragraph 293, dexirine, burnt starch, gum substitute, or British gum, 1½ cents per pound.

Mr. ALDRICH. I offer an amendment to that paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 88, line 7, after the word "dextrine," insert "dextrine substitutes, soluble starch, or chemically treated starch."

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

The SECRETARY. The next paragraph passed over is paragraph 294, spices. The committee proposes to strike out all of the paragraph as printed in the House text and to insert a new paragraph, as follows:

294. Spices: Mustard, ground or prepared, in bottles or otherwise, 10 cents per pound; capsicum or red pepper, or cayenne pepper, 2½ cents per pound; sage, 1 cent per pound; spices not specially provided for in this section, 3 cents per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended is agreed to without objection.

The SECRETARY. The next paragraph passed over is on page 94, paragraph 309, "All mineral waters," and so forth. The committee proposes to strike out the paragraph as printed in the House text and to insert a new paragraph, as follows:

309. All mineral waters and all imitations of natural mineral waters, and all artificial mineral waters not specially provided for in this section, in green or colored glass bottles, containing not more than 1 pint, 20 cents per dozen bottles. If containing more than 1 pint and not more than 1 quart, 30 cents per dozen bottles. But no separate duty shall be assessed upon the bottles. If imported otherwise than in plain green or colored glass bottles, or if imported in such bottles containing more than 1 quart, 24 cents per gallon, and in addition thereto duty shall be collected upon the bottles or other covering at the same rates that would be charged thereon if imported empty or separately.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. Schedule I, cotton manufactures.

Mr. SMITH of South Carolina obtained the floor.

Mr. ALDRICH. I will say to the Senator from South Carolina that it is not my purpose to take up the cotton schedule to-day. I would be glad if we could dispose of all the amendments between that now pending and the cotton schedule, to go——

Mr. SMITH of South Carolina. I wish to speak not only on the cotton schedule, but my remarks will be pertinent to some paragraphs that we have passed over. I will not consume very many minutes of the time of the Senate.

Mr. ALDRICH. Then, I have no objection to the Senator going on now.

Mr. SMITH of South Carolina. I should like to submit my remarks on this schedule.

Mr. ALDRICH. On page 92 there is one amendment which was passed over that I should like to have acted on.

Mr. SMITH of South Carolina. Very well.

Mr. ALDRICH. On page 92, line 24, after the word "porter," the word "stout" and a comma should be inserted.

The SECRETARY. Paragraph 305, after the word "porter" and the comma, insert the word "stout" and a comma, so as to read:

Ale, porter, stout, and beer.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

Mr. ALDRICH. I will say that after the Senator from South Carolina concludes his remarks I will go back and take up the paragraphs which have been passed over at the suggestion of the Senator from Georgia.

Mr. SMITH of South Carolina. Mr. President, I will state to the Senator from Rhode Island that as we go back we will reach one paragraph that is included in the remarks that I am going to make which will make it pertinent to the question now under consideration.

Mr. President, I was glad this morning to hear the Senator from New York [Mr. ROOT] make the remark that the lemon industry of California had passed the period of its infancy and had come into the period where it is now able to take care of itself and does not need any further advance in protective duties.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment.

Mr. SMITH of South Carolina. Certainly.

Mr. NELSON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Gallinger	Piles
Bankhead	Culberson	Gamble	Rayner
Borah	Cullom	Hale	Root
Bourne	Cummins	Heyburn	Scott
Bradley	Curtis	Hughes	Shively
Brandegee	Daniel	Johnson, N. Dak.	Simmons
Briggs	Depew	Johnston, Ala.	Smith, Md.
Bristow	Dick	Jones	Smith, Mich.
Brown	Dixon	Kean	Smith, S. C.
Burkett	Dolliver	La Follette	Smoot
Burnham	du Pont	Martin	Sutherland
Burrows	Elkins	Money	Taliaferro
Burton	Fletcher	Nelson	Tillman
Clark, Wyo.	Flint	Overman	Warner
Clarke, Ark.	Foster	Page	Warren
Clay	Frazier	Penrose	Wetmore
Crane	Frye	Perkins	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum of the Senate is present. The Senator from South Carolina will proceed.

Mr. SMITH of South Carolina. Mr. President, as I was saying, I was glad to hear the Senator from New York say that there was one industry which had progressed far enough to need no further protection. I have been interested in hearing the discussion on this bill, affecting, as it does, all the people of the country, and the remarks made that we had such great prosperity under a high protective tariff. I was interested in studying from whom came most of these pleas for protection and from whom came the most dissent.

In view of the fact that so much has been said in this Congress in reference to the prosperity that has come as a result of the high protective tariff, it might interest us to know who got it and where it came from, because it goes without saying that when wages are high, goods high, that somebody has had to pay for it, and that when men, under the operation of an artificial law, have become prosperous, that somebody had to pay for that prosperity. If all the people in this country had been protected alike, and as you raise the price of the finished product you in like manner have raised the price of the raw material, there would have just been a swapping of dollars, and the relative wealth of everyone would have remained the same.

Now, an inquiry into some of the facts may reveal who have paid these bills without a relative return for the extra amount they have had to pay by virtue of the higher price. You take the 11 cotton-growing States last year, and they produced $716,352,265 worth of raw cotton. They produced $90,000,000 worth of cotton seed. This cotton they had to put upon the market at a price fixed by Liverpool. That price, as a matter of course, was fixed in Liverpool upon the basis of the cost of labor in Europe and the price at which they sold the finished product. Therefore the whole American cotton crop is sold upon the basis of free trade. So that in the cotton-growing States, according to the census figures of 1900, there are engaged in agricultural pursuits 4,000,000 people, and their average earnings for the year is $133. This is the per capita earning for those over 10 years of age engaged in the production of cotton. In the aggregate those producing the cotton and cotton seed have about $800,000,000 to spend, or about $133 per capita.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to his colleague?

Mr. SMITH of South Carolina. I do.

Mr. TILLMAN. Will the Senator give us the source of his figures?

Mr. SMITH of South Carolina. The tables which I submit substantiating these figures were made up by experts from figures furnished by the statistical department here.

Mr. TILLMAN. I only wanted to know for the reason that unless we have the source of the Senator's information, we should hardly know what value to put upon it.

Mr. SMITH of South Carolina. These tables were figured out by experts from tables submitted from the statistical department of the Government.

This is the principal cash crop of these cotton-growing States. Taking the customs duties on articles imported, such as are used on the farms, there are consumed, according to approximate statistics, $66,357,000 worth. Taking the consumption of domestic

Mr. BACON. Yes.

manufactured goods, the proportionate part of the South is $2,885,000,000. The indirect tax paid on this consumption due to protection is $885,000,000. Now, this is for the entire South, regardless of the work engaged in. Dividing this by the population of the South, the taxation per capita due to these duties paid on domestic and foreign articles is $61, in round numbers. Deducting this $61 from the $133, there is left $72, representing the actual value received by the laborer for his year's work. In other words, he could purchase for $71 in Europe, where the price of the raw material is fixed, what he would have to pay $133 for here. Therefore, out of the $800,000,000 produced by the cotton growers of the South practically $400,000,000 of it goes into the coffers of the protected interests of this country.

The Senator on the other side of the Chamber from North Dakota [Mr. MCCUMBER] said the other day that a golden flood had risen under the benign influence of the protective system of America, and having flooded the East first, swept on to the South, from the South to the Rocky Mountains, and from the Rocky Mountains down over the arid plains of the West, until it reached the sun-baked regions, where it built canals for artificial irrigation, because there was such a surplus of cash that it was a problem what to do with it. Where did this surplus come from? Did it come from protection?

I hold in my hand the report of an expert on the proceeds of the cotton crop. From the unprotected cotton fields of the South in the last ten years, in the form of European gold, there have come $3,186,537,000. The Senator said that it came as the proceeds of the increased wealth under the influence of protection, and he also said that there were $5,000,000,000 of it. Three billion dollars comes from that source that has to compete with the pauper labor of Europe. From the South has poured this stream of gold, and I am a little inclined to think that, as the doctors say, their stimulant has been local but not diffusive, as a good drink of whisky would be, and that they have been misled by the prosperity that has broken out in spots at our expense.

The accompanying table, marked "Exhibit A," gives the bales produced per State, the number of farms, the population over 10 years of age engaged in agricultural pursuits, the number of bales per farm, and the amount per capita received in return for the cotton. The table is from the statistical department. I wish to submit it without reading and to have it printed with my remarks, together with Exhibits B and C, to which I shall now refer.

Exhibit B gives the proportional part, according to the schedule as given herein, paid by the cotton-growing States for textiles and manufactures thereof; leather, and manufactures; sugar, tobacco, iron and steel; earthen, stone, china, and glass ware; chemicals, drugs, and dyes.

The table marked "C" gives the amount paid by each State for duties and indirect tax and the per capita paid.

The PRESIDING OFFICER. Without objection, permission to print the tables referred to by the Senator will be granted. The Chair hears none.

[The exhibits referred to will be found at the close of the speech of Mr. SMITH of South Carolina.]

Mr. SMITH of South Carolina. The same is true in reference to the wheat, corn, and oats produced in this country. I want to show by these figures where this enormous stream of gold has come from that has made this wonderful prosperity in spots.

The accompanying table, marked "D," gives the production of cereals in this country, and the total value on the farm of the corn, wheat, oats, and cotton for last year amounts to $3,025,908,000; and the 12,000,000 laborers engaged in the production of this vast wealth—the basis of our export trade, the source of our greatest income from abroad—are absolutely without protection, in that the surplus fixes the price of the crop, and therefore is sold upon the basis of free trade. Upon this raw material, produced by this vast army of laborers, is based the wealth and prosperity of this country. And yet they get absolutely nothing in return for the duties they have to pay on the protected American articles, and have not, nor do they want, consideration from the Government, only to see to it that they shall not be required to pay into the pockets of others what they have honestly earned.

It is absolutely idle to talk about the protective tariff being a benefit to the cotton and grain growers of America. Time was when it may have been the duty of every patriot to sacrifice a part of his earnings in order to build up and put upon a secure footing those industries which were essential for the comfort and well-being of the population in time of war; but the time never was, nor ever will be, when it is justifiable to protect one part of the people of this country at the expense of the other for the specific purpose of guaranteeing a profit to one class at the expense of and regardless of another class.

To get a clear idea to what extent we have come to ignore this class of our citizens: A manipulator of the wheat market, having cornered the market, put the price of wheat to where it was beginning to put the wheat grower of the West (in the price of his wheat) upon something like a parity with the protected manufacturer in the price of his wares. What was the result? The press of the country and the consumers of bread, who did not produce the wheat, were clamoring for legislation to put a stop to this unholy combination of brain and capital that was making the wheat grower of the West, in part, a beneficiary of the proceeds, while at the very same time in the capital of the United States—in the Senate of the United States—the lawmakers of this country were formulating and putting into the form of law those enactments that were to put the price of shoes, clothes, farming implements, and the other necessaries of life, in so far as these necessaries were manufactured, at a price far beyond the return the wheat grower was getting for his wheat.

The Department of Agriculture, to which millions are appropriated, is spending its brain and its ingenuity and its capital, in so far as it affects the cotton grower of the South, to teach him how to grow more cotton at a cheaper price and furnish a cheaper raw material for the manufacturer, while, at the same time, the Congress of these United States is attempting by legislation to raise the price of the finished article to guarantee a profit to the manufacturer.

The whole tendency of this legislation has been to cheapen the raw material and raise the price of the finished article, thereby giving to the protected manufacturer a double advantage, lessening the price of what he has to buy and raising the price of what he has to sell.

I am not pleading for, nor shall I vote for, protection for the raw material. I believe a thing is worth what it will bring in the open markets of the world. What I shall vote against is the iniquitous and indefensible system of legislating a profit by artificial methods. I believe that American skill and the wonderful mechanical devices operated by steam, water, and electricity, our nearness to the source of supply for the raw material, make it possible for us to compete with the nations of the world. In witness of this and in proof of this, in reference to cotton manufactures, I want to quote from a speech delivered by Mr. W. Irving Bullard, of Danielson, Conn., himself a great cotton manufacturer, in Boston, April 16, 1908. He compares the English manufacturer and the American manufacturer, and gives us a very wholesome insight into some things which, perhaps, we might not otherwise have gotten. I want every Senator on this floor to hear specifically what Mr. Bullard says as to cotton manufacturing, to see if we can not arrive at some conclusion as to where this enormous profit that has been made came from and why and where it went. He says:

A summary of 100 cotton mills in Oldham district, in England, shows the following remarkable facts: Capital invested, $30,501,230; net earnings, $6,605,785; average earning per mill, $66,055; dividend, 15¾ per cent.

The average dividend disbursements for these 100 mills was 15¾ per cent, while the net earnings show an average of 35¼ per cent.

This shows the earnings of the industry in England and gives a fairly correct idea of the value of the cotton industry in Europe. It must be remembered that this cotton has to be bought by an agent at the local station in the cotton belt, transported from the local station to the compress, from the compress to the wharf, paying the railway freight; the commission to the handler, loaded in the vessel, paying the loaders; the oceanic freight, the local insurance, marine insurance, brokerage commissions, country damage, representing, in all, a cost of about $7.50 a bale. This is amply sufficient to offset any difference in wages between the American laborer and the foreign laborer if, indeed, there is any appreciable difference.

In confirmation of the fact that we do not need the protection given to the cotton-mill industry of this country, the same authority, speaking before the assembly of spinners last April, made this statement:

Cotton-mill stocks are attractive investments because of the stability of market value, large dividend returns, liberal margins of earnings over dividends, and high ratio of liquid assets to capital stock. The seasoned textile stocks compare favorably, from every market view point, with the better class of railroad and industrial stocks, and in many cases, the book value and quick assets back of the "textile" place it in the same class with the strong industrial and railroad bonds, without a limit on the invested returns as in the latter security. Cotton-mill stocks are a first and only lien on an industry of great economic power producing one of the fundamental necessities of life, capable of limitless expansion. These securities are inherently safe, and while the dividend returns may fluctuate from year to year, because of the extra dividends paid during the periods of prosperity, the average annual

dividend returns will be vastly more than could be secured from any other form of conservative investment. Cotton-mill stocks are conservative investments because of ample margin of earnings over dividend requirements.

Hear him again:

The general public has no realization of the economic development of the textile industry during the past century. Cotton manufacturing differs from any other textile and in a greater degree from the other fundamental industries, because of the relatively low ratio of the price of the raw material to that of the manufactured product.

This expert then goes on to speak of the marvelous development of motive power, the immense cheapening of power; as this motive power developed, the price per unit decreased. He traces it from the human to water power, from water to steam, then steam augmented by water, then to the electrical development, then the combination of the three until he comes to the following conclusions:

The cotton industry is a tremendous opportunity, and it is within our power to develop this opportunity. It is on the threshold of the greatest economic development in the history of the country, and if we put our shoulders to the wheel we will be manufacturing the greater portion of production of the raw material and be supplying the world markets with the finished products within twenty-five years. We can do this because our machinery is as good as any in the textile world; we have the advantage of the cotton field within our own boundaries, and there is reason to expect a greater efficiency of labor from our operatives.

Now, I would have the Senate to mark this paragraph in particular. The cry has been on this floor that we must reserve and protect the American market for the American manufacturer, and here this member of the National Association of Cotton Manufacturers is prophesying that within twenty-five years, if the same rate of progress shall exist, that we shall be manufacturing the cotton goods of the world in spite of the so-called "pauper labor" of the Orient and the cheap labor of Europe, and in spite of the fact that it has been repeatedly said that the transportation charges do not offset the difference between the wages of foreign and domestic labor. Europe fixes the price of our raw cotton; and if, within twenty-five years, in spite of her sharp competition, we can manufacture the cotton of the world and sell cotton goods where Europe is now manufacturing and selling them, what need have we now of the protection that is thrown around our cotton mills, and why the difference in price between cotton goods in America and cotton goods in Europe? If America is to preempt the markets of the world, she will have to meet the European prices, and in meeting European prices she will have to compete with European labor, because she can be guaranteed no protection in the markets of the world. And why should there be a desire to preempt the foreign markets if there is no profit?

Perhaps a reason for this prophecy may be found in the following facts. Quoting from the same author in the same speech, he says:

The liberal dividend policy of leading cotton-mill corporations in New England should be the first consideration to the prospective investor. During the past eight years, which period constitutes an economic cycle in our industrial welfare, such seasoned textile stocks as Bates paid an average annual dividend of 16¼ per cent; Dartmouth, 19¾; Laurel Lake, 23¾; Pepperell, 19¾; Troy, 24¾; Union, 22⅞, and during this period have added a greater percentage to their surplus and working capital. A comparison of separate earnings over the dividend requirements of 10 cotton-mill stocks, with an equal number of high-grade railroad bonds and industrial preferred stocks, places the textiles in an enviable position.

Now, what these mills of New England are doing other mills can do, and should do, or quit the business. And these enormous dividends is where the evidence of our wonderful prosperity has gotten into the minds of certain Senators on this floor.

The cry has been that all this legislation is primarily for the laborer. I shall read, if the Senate will permit me, some of the reports of the leading mills, given to their association in open meeting. It may instruct us in the legislation that is now forthcoming on the cotton schedule:

Amoskeag: Date of incorporation, 1831; capital at present, $5,760,000; surplus, $3,720,691; debt, $1,425,000; earnings per share, $21.30; dividends, 1907, $16 per share; total dividends through eight years, 126 per cent; average dividends, $15.75; book surplus per share, $64.50; par value, $100.

I read another. Let us take the Pacific Mills:

Incorporated in 1853; capital, $3,000,000; surplus, $6,332,854; debt, none; earnings per share, $550; dividends, 320 per cent; total dividends, 124 per cent; average dividends, $19.75; book surplus, $2,110.95.

I invite Senators to read the entire table of that class of mills making the finished goods in the New England States and earning a book surplus. I will just read the book surplus of a few—64, 112, 114, 33, 50, 56, 114, 180, 64.

Statistics relative to cotton-mill stocks as investments.

Name of company.	Date of incorporation.	Capital.	Surplus.	Debt.	Earnings per share, 1907.	Dividends, 1907.	Total dividends for eight years.	Average dividends for eight years.	Book surplus per share.	Capitalization per spindle.	Par value.
							Per cent.	*Per cent.*			
Amoskeag	1831	$5,760,000.00	$3,720,691.00	$1,425,000.00	$21.30	$16.00	126	15.75	$64.59	$10.76	$100.00
Androscoggin	1860	1,000,000.00	1,123,864.00	16,559.00	24.91	10.00	75	9.37	112.38	13.93	100.00
Bates	1852	1,200,000.00	1,376,361.00	117,565.00	41.87	35.00	130	16.25	114.61	14.61	100.00
Border City	1880	1,000,000.00	333,598.00	500,000.00	37.50	23.50	119	14.87	33.35	12.51	100.00
Richard Borden	1871	1,000,000.00	502,174.00	541.00	32.62	20.00	[a] 101	12.62	50.21	10.37	100.00
King Philip	1871	1,500,000.00	851,765.00	150,431.00	25.65	6.00	168¾	21.25	56.78	11.10	100.00
Dartmouth	1895	600,000.00	683,105.00	470,529.00	82.50	60.00	158	19.75	114.18	5.00	100.00
Dwight	1841	1,200,000.00	1,299,219.00	735,740.00	103.94	12.00	100	12.50	108.26	5.45	500.00
Great Falls	1823	1,500,000.00	960,000.00	338,663.00	21.33	12.00	117	14.62	64.00	11.36	100.00
Laurel Lake	1881	600,000.00	184,251.00	None.	28.24	14.00	[b] 190¾	23.75	37.08	10.03	100.00
Massachusetts Cotton	1839	1,800,000.00	1,431,690.00	2,160,763.00	41.30	5.00	50	6.25	79.53	14.13	100.00
Lawrence	1831	1,250,000.00	787,000.00	500,000.00	25.27	8.00	122	15.25	62.96	12.50	100.00
Pacific	1853	3,000,000.00	6,332,854.00	None.	550.00	320.00	124	15.50	2,110.95	.....	1,000.00
Pepperell	1850	2,556,000.00	1,628,487.00	117,940.00	.....	12.00	158	19.75	63.71	10.27	100.00
Sagamore	1879	900,000.00	355,683.00	607,899.00	48.53	30.00	85	10.63	39.52	9.89	100.00
Troy	1814	300,000.00	474,294.00	2,816.00	335.00	67.00	189	23.62	794.90	6.31	500.00
Union	1879	1,200,000.00	584,644.00	None.	46.00	35.50	183	22.87	48.67	10.89	100.00
Whitman	1895	1,500,000.00	945,411.00	474,245.00	29.76	8.00	58¼	7.25	63.02	11.25	100.00

[a] In addition to which a 25 per cent dividend was paid.

[b] In addition to which a 100 per cent dividend was paid.

For eight years average annual dividends for group 15.65 per cent.

Mr. BEVERIDGE. Mr. President, will the Senator please state where these mills are located, so that we can see?

Mr. SMITH of South Carolina. I can give the list of them right here, and I will just read off a few:

Bates, Lewiston, Me.: Capital, $1,200,000. Colored and bleached cotton goods.

Dartmouth, New Bedford, Mass.: Capital, $600,000. H. Langshaw, president. Fine cotton goods, plain and fancy leno, jacquards.

Laurel Lake, Fall River, Mass.: Capital, $600,000. N. Slade, president. Print cloths, wide goods, and odds.

Pepperell, Biddeford, Me.: Capital, $2,566,000. James Longley, president. Sheetings, shirtings, jeans, and drills.

Troy, Fall River, Mass.: Capital, $300,000. John S. Brayton. Plain cotton weaves, 36 inches wide, from print-cloth yarns.

Union, Fall River, Mass.: Capital, $1,200,000. E. L. Anthony. Print cloths and wide goods.

This gives the list in detail.

Mr. BEVERIDGE. Will the Senator give, if he has it at hand, the earnings and dividends and profits of some of the southern cotton mills. I think it shows greater earnings.

Mr. SMITH of South Carolina. Yes; I am coming to that, and I will show you what they have done.

With all these wonderful dividends and earnings that I have read here before you, we are still legislating a higher duty, to put a reasonable profit on a 100 per cent dividend! What do you call reasonable? The man who produces the raw material has the munificent sum of $71 with which to buy shoes and clothing. I want to be an American citizen. I want to love the flag. I want to love my country. But I warn the Senate to-day that the great voiceless mass of the underworld is being permeated by literature as never before in the history of mankind. The free rural delivery, the printing press that can print, fold, clip, and cut 10,000 copies of a great daily an hour, and spread it on the wings of steam and electricity to the four corners of the world, is the voice of God calling to his own; and the protected man who forgets his fellow will have an awakening according to the eternal laws of God's justice.

I am not afraid. All I am doing is to raise my voice now, so that when they shall come into their own they will acknowledge that I, in my feeble way, helped to bring about the day of equal rights to all and special privileges to none. I have studied these tables, and I fail to discover where they had divided the divi-

deals with labor. I want right here to challenge the standpatters, who charge us with demagogy. Who is the demagogue prating about protection to American labor? Listen to this: After having read these monstrous tables, which are the common property of all the American public, I have studied them closely, and I fail to discover where they had divided these dividends willingly with the much-beloved laborer. The fact is, that in this very same territory there have been strikes and rumors of strikes on the part of the operatives, because, when there was a temporary decline in the price of cotton goods or a rise in the price of the raw material, causing a slight loss of profit in the finished product, there has inevitably followed an attempt on the part of the mill owners, who have received through all these years these unusual dividends and this marvelous surplus, to cut down the wage of the laborer in order that the mill owners might suffer no loss in dividends or profits.

Is not that true? Is it not the history of the mill industry? Those of us who have the cotton and those of us who are interested in the manufacture of cotton know that is true. Why, in the name of reason and common sense, do you come into the Senate Chamber and prate about American labor, and get a law passed by which you can pour into the manufacturers' coffers millions of dollars, and then, when there is a threatened increase of the price of the raw material, in place of going into their pockets and giving it to this much-loved labor, you manufacturers run back to the Senate and ask that the American people pay and insure you the same profit. And now the law is being invoked to exact from the American people a tax, not for the purpose of defraying the legitimate expenses of the Government, but for the purpose of guaranteeing a continuation of these inordinate profits to the manufacturer, regardless of the effect upon the producer of the raw material, the laborer, or the consuming public.

And now I will answer the question of the Senator from Indiana. He asked me about the profits of the southern mills. I want him to listen to an expression from a leading mill operator, a mill owner, the president of the largest number of mills, containing the greatest floor space, the greatest number of looms and spindles, and the greatest amount of capital.

A study of these figures convinces me—and ought to convince this Senate—of the truthfulness of a statement made to me by one of the leading manufacturers of the South, who declared to me that he believed it was right and just that the protective feature of the tariff on cotton goods should be entirely wiped out; that it was absolutely not needed to protect us against foreign invasion; and certainly not needed, in that it could not avail to protect us in the foreign market. He further stated that he believed that a new impetus would be given to the cotton-mill industry of this country if the tariff was removed and each domestic mill allowed to exist and prosper by virtue of the skill in management, the introduction of improved machinery, the proper financiering.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. SMITH of South Carolina. I do.

Mr. LA FOLLETTE. I should like to ask whether the manufacturer, from whom he is now quoting, is a manufacturer of the finer goods as well as of the other grades?

Mr. SMITH of South Carolina. I am glad the Senator asked the question, because he manufactures cotton from the coarsest yarns and the finest. He covers the whole scale.

This is his testimony, and in conjunction with his testimony let me read to the Senate the action of the American Cotton Manufacturers' Association, in convention assembled, at Richmond last week:

RICHMOND, VA., *May 27.*

The American Cotton Manufacturers' Association, with over a thousand active members, yesterday afternoon elected Lewis W. Parker, of Greenville, president. It was a high honor, but the members were eager to give the popular young Carolinian the highest place they had. The membership from the entire country represents 20,000,000 spindles and over six hundred millions of capital.

Mr. Charles E. Oliver was elected vice-president and Capt. Ellison A. Smyth, of Greenville, chairman of the board of governors. During the meeting Mr. D. A. Tompkins led the protective-tariff forces, while Lewis W. Parker made a winning fight against committing the association to a protective tariff. Mr. Parker's position was for tariff for revenue, with incidental protection, in line with the Democratic policy. Nine cities want the next convention. All have had a fine time and the convention has been very successful.

He was elected overwhelmingly by the American manufacturers of cotton goods, and yet we here in the Senate, over the protests of the righteous thinking and justly satisfied manufacturers, for a favored few in a favored section, propose to lay an additional burden upon the people.

This protection of the Government, giving such a margin of profit, has invited and brought into the cotton-manufacturing business a lot of financial buccaneers and plungers, who, by the marvelous profits that could be figured, possibly on paper, put on foot impossible schemes, which have resulted disastrously to the milling industry of this country.

Had we been given free rein, with free raw material at our door, with the Appalachian system of mountains, 3,000 feet above sea level, with unlimited water power, and had we taken our brains, ingenuity, and skill and attempted to meet the conditions as they existed, we could have and we shall produce the clothing of the world, without fear of competition.

And what is true of the cotton industry is largely true of every other manufacturing industry. The failures that have occurred by virtue of improper financiering and incompetent management have been set down as the result of foreign competition, and the Government is asked to raise the wall of protection so high that it will guarantee a profit to every unprincipled schemer and incompetent rogue that sees fit to enter the business.

Every little low-grade lead mine in the mountains of the West must be calculated in the cost of production and the protective price raised so high as to make it profitable to work it, while the long-suffering American people must foot the bill.

Every razor manufacturer and watchmaker, no matter how unskilled or rascally he may be, as long as he comes with the plaintive cry, "The American market for the American manufacturer," has the strong arm of the Government extended to him and a fabulous price fixed upon his wares, while the busy laborer in other than manufacturing pursuits, the merchant, the clerk, the farmer, and the busy workaday man, must pay a fabulous price for the watch that is to mark his hours of labor and the razor with which he keeps himself presentable. While the man who produces the food that the millions eat and the clothes that the millions wear has to go without the blessings of this glorious system, and is called upon to be proud of the fact that though he and his produce the raw material that ultimately produces all this wealth, yet he and his must go comparatively poor, hungry, barefoot, and naked in order that he may be able to point with pride to the colossal fortune that he and other suffering producers and consumers of this country have been forced by a kind Republican government to build up for others.

The attitude of these protected ones toward this class of the American population is very well voiced by Henry Clews, a statistician and cotton broker, who, speaking on the occasion of the meeting of the National Association of Cotton Manufacturers in Boston, gave utterance to these significant sentiments, which found a cheering response amongst his hearers:

The market for raw cotton has been handicapped by the depression of the cotton industry; and the efforts of the southern planters to advance the price very materially by holding it back instead of marketing it have failed, as they deserve to fail. Cotton is now lower than it was during the crisis, and about as low as at any time during the crop year, being 300 points, or 3 cents a pound, below the season's top notch. This decline was equivalent to $15 a bale, or $180,000,000 on a crop of 12,000,000 bales. So spinners and spot buyers in general have not for two years had so good a chance to purchase for summer or autumn delivery and advantageously cover their season's requirements as they had last month and this.

Do you not know, and do not all of us know, that if there had come a decline in the price of the finished article of the same per cent, we could not have walked these corridors, we could not have gotten into our committee rooms, for the clamor of those who produced the finished article to invoke the intervention of the Government to take the money out of the pockets of the people and to put it into theirs and to guarantee them their profits?

He is rejoicing, as this Senate seems to rejoice, when the producer of the raw material is forced to sacrifice his profit and give to the manufacturer the cheapest possible material, and, on the other hand, clamoring for the highest protection, giving the highest possible price to the finished product, going into hysterics over the American laborer, putting forth the specious plea that it is for his sake that this outrageous system is perpetrated; giving to the manufacturer billions that he is not rightfully entitled to under the plea that it is to increase the wage of the factory hand, while no word is spoken for the agricultural laborer or the consumer, and a smile of derision ripples the placid surface of the Senate whenever any man has the temerity to introduce a bill looking to the relief of that class of our citizens.

I heard the Senator from Georgia [Mr. BACON] introduce an amendment here, giving to the farmer who produces the wheat which you eat and the meat which you eat and the clothing which you wear, his tools and implements free of duty, and a smile of derision came over this Chamber, and it was voted down incontinently.

Mr. BACON. I do not desire to have any honor that does not belong to me. I voted for that amendment, but it was offered by the Senator from Mississippi [Mr. McLAURIN].

Mr. SMITH of South Carolina. I will make the proper correction. It was the Senator from Mississippi [Mr. McLAURIN].

Mr. BACON. I fully agreed with him and voted with him, but he is entitled to the honor, as he offered the amendment.

Mr. SMITH of South Carolina. I am glad of the correction.

The monstrous injustice of this bill is made manifest in two particulars. This bill declares that it is for the purpose of encouraging American industry and guaranteeing to them a reasonable profit, while, on the other hand, in sharp contrast with it, in the identical same bill in which this astounding statement is made is incorporated a tax on the very fertilizing element upon which the agricultural laborer is dependent for the enrichment of his soil. In spite of the fact that he can not be protected, that he is an American citizen, that he produces that upon which the whole superstructure is dependent, he is denied the pitiful privilege of protection against an additional price on the fertilizer he buys, which is his raw material. This ammonia, or this nitrogenous element, that is so costly and so essential in the production of this crop must be taxed because a few coke and gas companies who, already protected and making their millions, can not be denied the privilege of making other millions out of that which the Government ought to see that the farmer gets at the lowest possible price.

Great Britain, Germany, and France could import into this country treble or quadruple the amount of sulphate of ammonia that is brought in were the duty removed. In 1908 we imported 34,224 tons of this ingredient, paying a duty of $6 a ton, or $205,000. This sounds like a very small item in the vast fertilizer bill; but when it is taken into consideration that we could have imported 100,000 tons or 200,000 tons at a saving of $6 a ton, the matter grows; and when it is taken into further consideration that the only other element competing with this as an import article is Chilean soda, and that the price of this soda was fixed by a combination, who, knowing practically they had no competitor, and who imported last year into this country 330,000 tons of soda at $6 more per ton than it would have sold at had this ammonia been introduced free, the matter still further increases. And when it is taken into consideration that this sulphate of ammonia and nitrate of soda, if both were introduced free, would have a powerful effect upon the domestic source of nitrogen—namely, dried blood and tankage—of which there was produced last year 170,000 tons, it will be seen at once the vast significance of this Government assuming and maintaining the policy of absolutely free fertilizer materials. The Secretary of Agriculture, the president of the National Cotton Association, and the president of the Farmers' Educational and Cooperative Union all indorse the absolute free raw material.

In comparison with the protection given to other and comparatively insignificant industries, it does look as though this small boon might be given to the vast army of agriculturists who produce the basis of the Nation's wealth. When it is taken into consideration, according to the table I have submitted, that there was over 4,000,000,000 bushels of grain produced in this country last year, taking out of the soil a pound of nitrogen to the bushel; when there was more than 63,000,000 tons of hay, taking out an average of 10 pounds to the ton; 698,000,000 pounds of tobacco, taking out 2,000,000 pounds; 298,000,000 bushels of potatoes, taking out 2 pounds to the bushel; 13,000,000 bales of cotton, taking out 30 pounds to the bale, some idea of the exhaustion of our soil and the necessity of fertilizing it will be made apparent, and every effort used to cheapen the price of the product. Not only is this true, but the poorer the land the greater the need for fertilizer and the less return to the laborer. Therefore the man that needs it most is the man that can afford less to pay an extra price.

So rapidly is the exhaustion of the fertility of the wheat fields, so great is the increased population and the necessarily increased consumption, that unless something can be done to increase the fertility, and thereby increase the yield per acre, it is only a question of a few years until the exportation of wheat shall cease.

Let me say that upon the cotton grower of the South depends the balance of trade of America. In 1907, when the crisis came, had it not been for the daily millions poured into New York in exchange for the forward shipments of cotton the panic would have swept over this country with far more disastrous power. The balance of trade held the credit on our side of the ledger and saved America from a disaster that no man can calculate.

To the cotton grower of the South cheap fertilizer is a crying necessity, for the reason that to the cost of fertilization is now being added the expense of fighting the boll weevil, and while the Government is spending hundreds of thousands of dollars in attempting to help him find some means of destroying this pest and averting the world-wide disaster that must inevitably come from this continued spread and ravage, we are assuming, and have assumed, the contradictory and ridiculous position of laying a duty on such a high-grade fertilizing ingredient, making the farmer pay $6 a ton more in order to give a little additional profit to an already prosperous protected industry.

Not only is this true in reference to the fertilizer ingredients, but the southern cotton farmer must pay a duty on his bagging and ties in order to add to the profits of the great steel trust on the one hand, and to build up a bagging industry on American soil, where not one pound of the raw jute material is produced.

A Senator on this floor stated this morning that the policy of the Republican party was to give to the American people free whatever they needed and did not produce. Will the Senator vote for that when the time comes?

Mr. JOHNSON of North Dakota. Yes.

Mr. SMITH of South Carolina. That is good. There is not one pound of jute produced in America, and yet because a coterie of men get together and want to form a bagging trust and wring from the southern farmers still further, our protective Government steps in and grants them the privilege.

A great argument used during the discussion of this tariff has been to save the American labor from competition with the pauper labor of Europe. And here, in this instance, the poorest paid and yet the most productive labor asks the privilege of getting the benefit of this oriental pauper labor, and it is denied them, because the American bagging trust wants to put a few dollars in its pocket.

In India, where jute is produced, the pauper labor can supply the mills and manufacture a form of bagging that is doubly as good as the salted stuff that comes from the bagging trust, which will not hold a hook, and can be shipped into this country at a less price and give the American labor the benefit of the India pauper labor. You vote for the importation of free bagging, or never again stand on this floor and plead that you are legislating for the purpose of protecting American labor from the pauper labor of Europe.

There can be no possible reason why 5,000,000 laborers should be taxed to support an industry such as the American bagging trust, when the bagging they produce could be produced by the pauper labor of Europe at a much less price, and the American laborer be the beneficiary of it.

Mr. BACON. Will the Senator permit me to suggest to him that it will not be sufficient to look after the votes in this case. I recall the fact that when the Dingley bill was before the Senate I had the honor to propose an amendment putting bagging and ties on the free list, and while the Senate voted for it, the conference committee knocked it out.

Mr. SMITH of South Carolina. Yes.

Mr. BACON. So the Senator will have, in common with some of the rest of us, to look further than the mere question of votes in the Senate in order to secure this benefit, judging the future by the past.

Mr. SMITH of South Carolina. When I learn more of the method of how not to do it, I hope to be more effective than I am.

As to ties, there would not be subtracted an appreciable amount from the earnings of the steel corporation if the pitiful concession was made to the cotton grower in giving him free ties for his cotton. Free binding twine is given the wheat grower in spite of the fact that the hemp growers and manufacturers of America protest.

Here is one manufacturing plant pitted against another manufacturing plant, and the concession is made to the western wheat grower, to give him his free twine, but when the precious steel trust is touched the cotton crop of the South must pay a toll for the reason that they can not afford to subtract from this much-suffering and patriotic steel trust. The poor, hard-worked, patriotic, underpaid steel trust must be protected, even on the item of ties. As an illustration of the steel trust's methods and the helplessness of the farmer, the following is taken from the New York Journal of Commerce:

PITTSBURG, *April 25.*

The cotton-tie market was opened to-day by the United States Steel Corporation, and prices were advanced 10 cents a bundle. There are 2,500,000 of cotton ties ready for shipment from this city to the South. Last year the price per bundle was 85 cents. The advance, which affects the entire southern cotton-growing communities, came as a surprise.

It is estimated by the Steel Corporation that the cotton crop will be 20 per cent larger than that of last year.

The Carnegie Steel Company opened the cotton-tie market on Thursday with a price of 55 cents per bundle, an advance of 10 cents per bundle over the schedule price of last year. Practically all the cotton ties are now at southern distributing centers.

There was a rich, golden harvest in sight, and by virtue of the high protective tariff they had a monopoly of the steel business of America, and they advanced the price of ties without warning, on the eve of gathering of a crop, 10 cents a bundle,

$250,000 exacted in one day from the men who get $71 per year for their labor.

Twenty million of agricultural laborers must give up the hope of a competency, the hope of education, refinement, and culture; must have the shoes taken from their feet, the clothes from their backs, the carpets from their floors, the pictures from their walls in order that their favored neighbors may roll in this luxury of wealth that marks the turning point in the glory of our Government and the decadence of those principles that were the hope of humanity. There can be no justification in the mind or the heart of an honest man of that law or that government which takes from the pocket of another without giving a just return for that which it took.

Mr. Roosevelt—I almost strain a point and say the great commoner, the man who professed to have the welfare of the whole country at heart—had a commission going about through this country, known as the "Country Life Commission," studying the conditions of the rural population, inquiring into their home life, as to education, sanitary condition, school facilities, home surroundings, and so forth, so as to get at a rational explanation as to why they were drifting to the towns and cities; why they were dissatisfied with the farm life.

It either proved that for once he did not give evidence of that intelligence that characterized him or he was attempting to deceive them with a show of interest that he did not feel. For where is there such a fool but who must understand that no man is going to take up a vocation, the profits of which must go by law into the pockets of those not entitled to them. He need not have gone to the rural districts to have found an explanation of their impoverished condition, but had he made a critical and patriotic study of the high-protective duties on the necessaries of life that these farmers had to buy, and the low prices at which he was forced to sell under the sharp, world-wide competition, he could have found the solution of the whole problem. He must pay a duty on his clothes, on the common homespun, on the sewing machines with which his wife makes the common underwear of the family out of this common homespun and the thread with which it is sewn, on his beds and bedding, on his bedsteads, on his chairs, on his tables, on his cooking utensils, on his hats, on his shoes, on his harness, on his wagons, on his plows and plowstocks, reapers and binders and mowers, on the lumber that he builds his modest home out of, on the nails, on the paint, on his sugar, on his tobacco, on his knives, forks, and spoons, his lamp, the oil, on his tablecloth, his plates, his glass, his china, stoneware, the medicines he buys, on the ammonia in his fertilizer, and the bagging and ties that he wraps his cotton in. Then, having contributed to the reasonable—the guaranteed profit of all these interests that make these necessaries—he is forced to take the toddling baby and tremulous old age, dwarf the one and burden the other, in order to meet the exactions of a heartless Government which has gotten into the grip of greed and from which there seems no hope of escape.

From this class of citizenship have come those that made the history of this country glorious by their devotion to the traditions of the past and their loyalty to their country. How long shall they be expected to reverence and to uphold at the risk of their lives that Government which has so far forgotten its sense of justice as to grind them with these monstrous outrages?

In conclusion, I want to state my position clearly. I believe that the laborer is worthy of his hire and that the right consideration of every statesman is the welfare of the masses of the people.

It is vastly of more interest to me that the humblest citizen should be able out of the proceeds of his labor to build himself a home than it is to see that the few lumber manufacturers shall be protected in an unreasonable price for their lumber. It is more important to me to see that his home shall have the simple comforts than to see a few millionaire iron magnates, millionaire cotton manufacturers, millionaire glass manufacturers, and millionaire manufacturers of the other articles that go to make his home comfortable. It is vastly more important to the American people that they shall have bread at a reasonable price than to see the wheat growers of the West, by virtue of their ownership of the land, given an unreasonable price for their wheat, for if the time should ever come when the yield of foodstuffs in America is not sufficient to supply the needs of our people, it will be of vastly more importance to see to it that the hungry shall be fed than that a miserable system of high protection shall be guaranteed in spite of their hunger.

It is a great joy to me that the South is able to produce an abundance of the raw material out of which the nations of the world may find a cheap and adequate clothing. We ask no protection, but we do demand that, as we give to the nations of the world the material out of which they find adequate clothing, we shall not be forced to purchase our own material in the manufactured form at a price which impoverishes us and enriches the protected manufacturer.

I shall vote for the measures which, in my judgment, tend to equalize the burdens and the blessings which the laws of Almighty God entail upon us all and which shall lay the burden for the support of the Government equally upon all.

EXHIBIT A.—*Cotton industry.*

State.	Number of farms, 1900.	Crop of 1900. Bales.	Crop of 1900. Farm value.	Population over 10 years of age engaged in agricultural pursuits.	Number of people engaged in agricultural pursuits per farm.	Number of bales per farm.	Amount per capita for each person engaged in agricultural pursuits from total value of cotton produced.
North Carolina	224,637	513,677	$24,040,578	459,306	2.04	2.29	$32.35
South Carolina	155,355	787,231	38,232,143	398,692	2.53	5.07	97.11
Georgia	224,691	1,272,838	62,749,344	522,848	2.32	5.67	120.01
Alabama	223,220	1,038,392	51,765,654	515,737	2.31	4.65	100.37
Mississippi	220,603	1,061,973	52,932,354	490,582	2.22	4.81	107.89
Louisiana	115,999	730,089	35,671,229	295,445	4.23	6.21	120.78
Texas	352,190	3,368,310	174,367,700	644,634	1.83	9.56	270.41
Arkansas	178,604	812,529	41,145,588	345,479	1.93	4.55	119.09
Oklahoma	62,495	104,694	5,421,468	94,931	1.52	1.68	57.12
Indian Territory	45,505	244,661	12,719,131	92,418	2.03	5.38	137.63
Total	1,793,559	9,924,366	498,985,180	3,855,073	*2.15	*5.54	*133.81

* Average.

EXHIBITS B AND C.—*Proportional part of customs revenue paid, 1907.*

State.	On everything.	Textiles, and manufactures of.	Leather, and manufactures of.	Sugar.	Tobacco, and manufactures of.	Iron and steel, and manufactures of.	Earthen, stone, china, and glass ware.	Chemicals, drugs, and dyes.
North Carolina	$8,171,000	$2,028,000	$152,000	$1,491,000	$648,000	$240,000	$199,000	$187,000
South Carolina	5,799,000	1,439,000	108,000	1,058,000	460,000	171,000	141,000	132,000
Georgia	9,588,000	2,380,000	178,000	1,750,000	760,000	282,000	233,000	219,000
Alabama	7,908,000	1,962,000	147,000	1,443,000	627,000	233,000	193,000	181,000
Mississippi	6,698,000	1,660,000	125,000	1,221,000	530,000	197,000	163,000	136,000
Louisiana	5,923,000	1,470,000	111,000	1,088,000	473,000	176,000	145,000	153,000
Texas	13,179,000	3,271,000	245,000	2,406,000	1,045,000	388,000	321,000	301,000
Arkansas	5,667,000	1,406,000	106,000	1,034,000	449,000	167,000	138,000	129,000
Oklahoma and Indian Territory	3,394,000	842,000	63,000	619,000	269,000	100,000	83,000	77,000
Total	66,357,000	16,468,000	1,235,000	12,110,000	5,261,000	1,954,000	1,616,000	1,515,000
Total of United States	329,480,000	81,768,579	6,133,538	60,135,181	26,125,067	9,698,148	8,024,297	7,522,515

Proportional part of customs revenue paid, 1907—Continued.

State.	Customs duties paid; proportionate part of total paid by each State.	Consumption of domestic manufactured goods; proportionate part of total consumption of United States.	Indirect tax paid on this consumption by increased price due to protection.	Total indirect amount.	Taxation per capita of total people.
North Carolina	$8,171,000	$351,550,000	$108,988,000	$117,154,000	$61.86
South Carolina	5,799,000	240,494,000	77,343,000	83,142,000	62.65
Georgia	9,588,000	412,515,000	127,880,000	137,468,000	62.03
Alabama	7,908,000	340,219,000	105,468,000	113,376,000	61.99
Mississippi	6,698,000	287,768,000	89,208,000	95,906,000	61.83
Louisiana	5,923,000	256,581,000	79,540,000	85,463,000	61.87
Texas	13,179,000	567,031,000	175,790,000	188,969,000	61.97
Arkansas	5,667,000	243,823,000	75,586,000	81,253,000	61.92
Oklahoma	3,394,000	146,010,000	45,263,000	48,657,000	61.59
Total	66,357,000	2,855,000,000	885,050,000	951,407,000	61.93
Total of United States	329,480,000	14,175,770,000	4,394,489,000	4,723,969,000	61.92

EXHIBIT D.—*Cereal crop produced in 1907.*
[From Yearbook, Department of Agriculture, 1907.]

State.	Corn. Bushels.	Corn. Farm value.	Wheat. Bushels.	Wheat. Farm value.	Oats. Bushels.	Oats. Farm value.	Barley. Bushels.	Barley. Farm value.*
								Cents.
Maine	440,000	$333,000	210,000	$212,000	4,266,000	$2,560,000	224,000	78
New Hampshire	910,000	682,000			423,000	258,000	48,000	80
Vermont	1,980,000	1,485,000	23,000	23,000	2,652,000	1,671,000	399,000	75
Massachusetts	1,584,000	1,188,000			245,000	147,000		
Rhode Island	312,000	250,000			59,000	39,000		
Connecticut	1,848,000	1,386,000			315,000	189,000		
New York	16,200,000	11,502,000	7,197,000	7,125,000	37,083,000	21,139,000	1,975,000	80
New Jersey	8,757,000	5,517,000			1,770,000	991,000		
Pennsylvania	45,922,000	29,390,000	30,095,000	28,831,000	29,669,000	16,022,000	230,000	70
Delaware	5,368,000	2,790,000	2,400,000	2,376,000	120,000	60,000		
Maryland	22,196,000	11,986,000	14,753,000	14,172,000	825,000	404,000	33,000	60
Virginia	46,025,000	29,456,000	8,188,000	8,024,000	2,862,000	1,431,000	58,000	60
West Virginia	21,280,000	15,322,000	4,477,000	4,477,000	1,884,000	990,000		
North Carolina	45,078,000	33,358,000	5,320,000	5,692,000	2,995,000	1,797,000		
South Carolina	29,807,000	23,249,000	2,659,000	3,203,000	3,000,000	2,808,000		
Georgia	57,538,000	43,729,000	2,673,000	3,074,000	5,010,000	3,607,000		
Florida	7,017,000	5,614,000			411,000	308,000		
Ohio	117,640,000	61,173,000	30,677,000	28,223,000	36,840,000	16,416,000	784,000	70
Indiana	168,840,000	75,978,000	34,013,000	29,931,000	36,683,000	15,407,000	184,000	67
Illinois	342,756,000	150,813,000	40,104,000	34,890,000	101,675,000	41,687,000	609,000	67
Michigan	57,190,000	31,455,000	12,731,000	11,585,000	30,534,000	14,656,000	1,496,000	67
Wisconsin	46,683,000	25,678,000	2,855,000	2,713,000	51,700,000	24,299,000	18,423,000	75
Minnesota	43,805,000	21,892,000	67,600,000	60,192,000	61,985,000	25,414,000	28,663,000	67
Iowa	270,229,000	116,195,000	7,653,000	6,276,000	108,000,000	41,382,000	14,178,000	60
Missouri	241,025,000	113,282,000	20,212,000	24,538,000	14,254,000	5,844,000	46,000	57
North Dakota	3,099,000	1,848,000	55,130,000	47,963,000	32,340,000	12,936,000	15,046,000	58
South Dakota	47,173,000	21,700,000	32,480,000	28,007,000	32,728,000	12,764,000	20,155,000	61
Nebraska	179,328,000	73,524,000	45,911,000	36,270,000	51,490,000	19,051,000	2,413,000	50
Kansas	155,142,000	68,262,000	65,609,000	53,790,000	16,380,000	6,879,000	4,392,000	54
Kentucky	93,060,000	49,322,000	8,808,000	8,103,000	3,379,000	1,656,000	25,000	75
Tennessee	78,394,000	44,667,000	7,400,000	7,030,000	3,058,000	1,529,000	20,000	70
Alabama	45,896,000	34,422,000	899,000	935,000	3,820,000	2,579,000		
Mississippi	42,500,000	31,875,000	22,000	19,000	1,611,000	1,047,000		
Louisiana	28,000,000	19,600,000			406,000	223,000		
Texas	155,589,000	93,353,000	2,812,000	2,784,000	9,500,000	5,700,000	68,000	73
Oklahoma	113,265,000	49,837,000	8,631,000	7,164,000	6,270,000	3,008,000	654,000	50
Arkansas	43,490,000	29,532,000	1,463,000	1,320,000	3,412,000	1,945,000		
Montana	90,000	61,000	4,003,000	3,243,000	11,700,000	5,410,000	646,000	62
Wyoming	75,000	52,000	855,000	658,000	2,220,000	1,177,000	128,000	69
Colorado	2,008,000	1,695,000	8,497,000	6,629,000	5,800,000	2,945,000	1,000,000	60
New Mexico	300,000	270,000	1,104,000	1,027,000	402,000	254,000	28,000	70
Utah	280,000	202,000	4,637,000	3,431,000	2,025,000	972,000	429,000	58
Idaho	150,000	105,000	9,639,000	5,788,000	5,706,000	2,397,000	2,181,000	59
Washington	324,000	227,000	35,045,000	26,284,000	10,545,000	4,745,000	6,066,000	58
Oregon	440,000	326,000	15,265,000	11,907,000	9,765,000	4,394,000	2,562,000	57
California	1,836,000	1,561,000	20,520,000	20,110,000	4,556,000	3,235,000	30,056,000	78
Arizona			386,000	408,000	116,000	70,000	923,000	78
Nevada			980,000	998,000	301,000	217,000	280,000	83
Total	2,592,320,000	1,336,901,000	634,087,000	554,437,000	754,443,000	334,568,000	158,597,000	69.6

* Per bushel.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair understands that it was the intention to go back to paragraph 280. Is that the desire or the understanding of the chairman?

Mr. ALDRICH. It is. The Senator from Georgia [Mr. BACON] is now in his seat.

The PRESIDING OFFICER. The Chair is informed that the amendment has already been agreed to.

Mr. BACON. No; it has not been agreed to. When the amendment was reached on the first reading I asked that it be passed over, and it is so marked on my copy. I am not mistaken about that; I am entirely sure of it. I am satisfied the Senator from Rhode Island will recall the fact.

Mr. ALDRICH. I am inclined to think the amendment has been adopted.

Mr. BACON. I am sure it has not.

Mr. ALDRICH. I am willing to reconsider it if it has.

Mr. BACON. But it has not been.

The PRESIDING OFFICER. The amendment, then, will be considered as pending.

Mr. CRAWFORD. I should like to have the attention of the Senator from Rhode Island. I do not understand that any of the paragraps in the lumber schedules have been agreed to, except the voting down of the amendment of the Senator from North Dakota [Mr. MCCUMBER] the other day.

Mr. ALDRICH. It is not lumber that is under consideration now; it is bacon and hams.

Mr. CRAWFORD. The paragraphs generally of that schedule have been passed over, have they not?

Mr. ALDRICH. All have been voted on, I think, except these three, perhaps. I think they have all been agreed to except paragraphs 280, 281, and 282. That is my understanding.

Mr. CRAWFORD. The Senator does not understand that paragraph 197 has been adopted.

Mr. ALDRICH. That is in the lumber schedule. I am not talking about the lumber schedule.

Mr. CRAWFORD. The Chair referred to paragraph 208?

Mr. ALDRICH. To paragraph 280.

Mr. CRAWFORD. Oh, I beg pardon.

Mr. BACON. Mr. President, paragraph 280 as it comes from the House fixes a duty on bacon and hams of 4 cents per pound. The committee report is to raise it to 5 cents. What I shall say will equally apply to paragraphs 280, 281, and 284. Therefore I shall speak generally as to these three. I presume, of course, a vote will be taken upon them separately.

Mr. ALDRICH. Yes.

Mr. BACON. In order that I may not repeat myself, I will address myself to all three of these paragraphs.

I wish to say in the beginning, that so far as the rates of duty are concerned, which are imposed in these several paragraphs, I have no criticism to make upon them, when abstractly considered. In other words, I do not think the rates of duty are high when thus abstractly considered. They are, as shown by the table before us, respectively, upon bacon and hams 28.28 per cent, upon beef 18.19 per cent, and upon lard 20.29 per cent; all of which rates are recognized as moderate rates considered abstractly, and as being within the zone, if I may use such a word, or within the classification, generally recognized as that of revenue rates.

I hope the Senator from South Carolina [Mr. TILLMAN] will not withdraw the attention of the Senator from Rhode Island.

Mr. TILLMAN. The Senator from Georgia and the rest of us have become so accustomed to consider the Senator from Rhode Island as the Senate that he objects to anyone talking to that Senator while he is speaking.

Mr. BACON. That is stating exactly the fact. The Senator is merely stating a fact which all recognize. Therefore "the Senator from Georgia" was objecting to anybody else diverting the attention of the Senator from Rhode Island when he was speaking to him.

Mr. TILLMAN. Nevertheless some of us have to talk with the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BACON. I do not know that the Senator from Rhode Island was enabled to hear me; it was not his fault. I repeat, I have no criticism to make upon these rates on the three particular articles found in paragraph 280, 281, and 284 from an abstract standpoint. I think the rates are ordinary revenue rates. But I have a particular objection which I hope may commend itself to the consideration of the committee because there is nothing political in it. In other words, it is not a question of a protective rate on one hand or an ad valorem duty on the other.

My objection to it is that the only purpose the rate can serve is to permit dealers to charge exorbitantly high prices to the consumers; and when I say the dealers I am referring only to the original dealers who are the packers, because other prices necessarily have their foundation in the prices charged by the packers.

The tables before us show that there were no importations of any consequence of either of these articles, and therefore the rate of duty can not be imposed for the purpose of protecting the domestic producer, either the producer of the animal upon the hoof or of the packer who prepares the carcass for the market. I will read the statement of the importations. In the case of bacon and hams the revenue under the present law and also under the proposed law—because both are the same, the House having endeavored to make a reduction of the present law and the Senate committee having by their amendment proposed to the present law—under the present law and under the proposed bill the importations from the entire product of bacon and hams is $23,771. Twenty-three thousand seven hundred and seventy-one dollars is the entire revenue derived from this very large item of general consumption, bacon and hams. Of course the product in this country and the consumption in this country is vast. I am sorry I have not looked it up, just by way of illustration, to show how vast is the consumption in this country of the two items, bacon and hams. With that vast product and that vast consumption there is only an importation which yields a revenue of $23,000, which proves incontestably and absolutely that the rate of duty is not for the purpose of protecting the domestic producer, but it must necessarily be for the purpose of protecting the one who fixes the prices. I do not speak about the prices paid by the packers——

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON (continuing). A great deal might be said as to the price paid by packers to the raisers of cattle on the hoof, but it is not necessary to go into that, and we can start at the prices charged by the packer.

Now I yield, with pleasure, to the Senator from Rhode Island. I was right in the middle of a sentence, and that is the reason why I did not stop then. I yield with pleasure.

Mr. ALDRICH. I was about to say that there are certain classes of bacon and certain classes of hams imported, and always will be.

Mr. BACON. Yes; Westphalia and others.

Mr. ALDRICH. Those pay a revenue, and the duty is, in a certain sense, protective to the American producer.

Mr. BACON. The revenue is so small that that can not be the principal inducement here.

Mr. ALDRICH. That does not follow, by any means. If the duties upon bacon and hams were removed, it is not at all certain that there might be very large importations of both articles. It does not follow because the rates, being protective, have prevented the importations of large quantities, if the rates were reduced or removed there would not be large importations. That is true all through these schedules. These rates are protective, and if they are protective, the importations may be small. There may in certain cases be nothing at all paid. Still that does not take away from the rates their protective character.

Mr. BACON. Very well; if what the Senator suggests were the influential fact, the consequence would stare us in the face that it is not simply a protective, but a prohibitive duty.

Mr. ALDRICH. That does not follow, by any means. The fact which the Senator is now alluding to stares him and stares me in the face through almost every paragraph of the bill.

Mr. BACON. Very well; if the Senator will permit me to state my proposition with some degree of continuity, I will proceed. As I have stated, the revenue derived from the present rate on bacon and hams is $23,771.

Upon beef it is $7,566 only, the whole year. With the vast product, the vast consumption of beef in this country, with a duty of 2 cents a pound, the entire revenue derived from the entire importation is $7,566. Upon lard, with a duty of 2 cents a pound, as in the present law, and 2 cents a pound in the proposed law, the revenue, according to this table, would be $80.22. Eighty dollars and twenty-two cents is the amount received on the entire importation of lard in the United States. That is, under the present law and under the proposed law, it is also $80.22.

Now, Mr. President, it is not a matter for me to consume much of the time of the Senate, because the proposition which I suggest is one which lies right on the surface. As I have already stated, and I now repeat, the only effect of the high rate of duty can be to enable those who are principally interested in this product, the packers, to charge exorbitant prices to the people for that which is absolutely essential to life.

Even if the rate proposed in the House bill were defensible, what possible reason can be given for increasing it unless it be for the purpose that the consumers shall be required to pay more for it than they would under the House bill? There is no danger, even at the rate proposed in the House bill, that there is going to be such importation of these articles as will materially affect the interest of those who produce them.

If there were no duty at all, the importations of bacon, hams, beef, and lard would be comparatively insignificant. There would be a greater amount than there is now, I fully grant to the Senator from Rhode Island, but there would be no such importation as would amount to a serious matter of competition.

If it be true that under the House bill the rates would not result in any largely increased competition, what possible reason can there be for the Senate raising those rates except for the purpose of enabling the packers to charge still higher prices than they charge now?

Mr. ALDRICH. Mr. President——

Mr. BACON. If the Senator will pardon me just a moment, I will yield to him a little later with pleasure. If there is any one thing which is now incumbent upon the Senate, even if we recognize the principle upon which the Senators on the other side of the Chamber base their action if we recognize the system of protection, which I do not, as a principle which should control in the framing of a tariff bill, it seems to me there is nothing more important in conjunction with that recognition than the further recognition of the fact, which every man knows

from his daily experience and from his contact with those who have still more serious experience, that the great evil of the day, the great burden of the day, is in the fact that foodstuffs have gone to such a rate that even people in good circumstances can not enjoy them as they did before in the profusion and in the quality which they desire, and that the common people are absolutely deprived to the extent essential for their health and comfort.

Therefore, Mr. President, it is that, so far from being in favor of the amendment offered by the committee of raising each one of these staple articles over and above what the House bill fixes them at, I would be more than glad to still further lower them.

When we come to talk about articles of luxury, we may speculate upon whether it is good policy or not to impose additional burdens upon the people, but when we come to those things that are not only essential to comfort, but to absolute health, certainly nothing but the most cogent reasons ought to justify us for a moment in considering the question of laying additional burdens upon them.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. With pleasure.

Mr. GALLINGER. I have listened very attentively to the argument of the Senator——

Mr. BACON. The Senator has not heard it all yet, though.

Mr. GALLINGER. I know it will be gratifying to the Senator for me to say that I entirely agree with him and will be pleased to vote with him on this proposition.

Mr. BACON. I have so frequently noticed that upon things which are essential the Senator from New Hampshire and myself differ that I am very much encouraged whenever it occurs that we agree.

Mr. GALLINGER. I would not at all agree to the Senator's suggestion that possibly removing the duty entirely upon beef, for instance, would not result in a very large importation, because Canada is now sending her beef to England, and if she could get into this market on a free-trade basis, we would undoubtedly be deluged with Canadian beef.

Mr. BACON. I know, of course, we can not accomplish that, and the removal entirely of the duty could only be put upon the ground, from my standpoint, of the fact that it relates to an article of absolute necessity, because, as a general proposition, I believe in a tariff, and a tariff which will raise enough revenue for the support of the Government. I recognize that there are exceptions, and while I do not know that I shall urge it in this instance, I would be prepared to put foodstuffs upon the free list, at least some of them, if not all of them. I will not say all foodstuffs, because that is a generic term, and I am speaking of staple articles, those essential for the preservation of life. I would be glad to put salt, for instance, on the free list, and I would not be averse to putting common articles of meat, that the country uses, upon the free list.

But I am not discussing that now; I am discussing the question whether this duty should be lowered.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. With pleasure.

Mr. ALDRICH. Does the Senator from Georgia seriously think that the imposition of a cent and a half or 2 cents a pound on lard increases the price of lard in the United States?

Mr. BACON. I do, Mr. President.

Mr. ALDRICH. To everybody?

Mr. BACON. For this reason, if the Senator will permit me——

Mr. ALDRICH. To all consumers?

Mr. BACON. Yes. If the Senator will permit me to give him the reason why I think so, I will do so with pleasure. It does not increase it because of the fact that it shuts out competing articles, because I do not think we would have any material competition even if it were absolutely free. Therefore, the imposition of a high revenue tariff does not affect the situation, just as I said on Saturday in talking about the question of the imposition of a duty upon the common article of cotton. Although there are some 20,000,000 pounds of it introduced into this country and a corresponding revenue would be derived from it, the imposition of that duty upon it, however, could not possibly affect the price of the common article of cotton, even if you put $10 a pound upon it, simply because our production is so far in excess of our consumption.

Mr. ALDRICH. I should like to have the Senator, if he will, differentiate lard from cotton. We produce immense quantities of lard and export the——

Mr. BACON. What does the Senator say?

Mr. ALDRICH. I should like to have the Senator differentiate cotton from lard, if he can.

Mr. BACON. I am doing so.

Mr. ALDRICH. The Senator says that putting a duty of a cent and a half on a pound increases the price of lard in the United States to that extent.

Mr. BACON. I had not gotten through with my statement, Mr. President.

Mr. ALDRICH. And the Senator says that, notwithstanding the fact that immense quantities of lard are exported and none imported.

Mr. BACON. Yes.

Mr. ALDRICH. Now, as to cotton, the Senator says the duty on cotton does not increase its price in the United States, because there is an immense quantity exported and none imported.

Mr. BACON. I commend to the Senator from Rhode Island the old Latin motto, "Festina lente"—make haste slowly.

Mr. ALDRICH. Mr. President——

Mr. BACON. If the Senator will permit me, I was simply illustrating, and was coming to the very point he is calling my attention to.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Will the Senator from Georgia yield further?

Mr. BACON. If the Senator will permit, I certainly ought to be allowed to state my proposition.

I was illustrating, Mr. President, and yet the Senator anticipates that I meant to say exactly the opposite of what I am about to say. Now, if the Senator will give me his attention——

The PRESIDING OFFICER. The Senator from Georgia will suspend. Senators will please be in order and take their seats. The Senator from Georgia will not proceed until the Senate is in order. Senators will cease conversation on the floor. [A pause.] The Senator from Georgia will proceed.

Mr. BACON. Mr. President, I think that a speaker himself addressing an audience ought generally to command silence by the interest in what he says. As I did not have the good fortune to be able to exercise the power to that extent, I am more than gratified to have so able a coadjutor as the Presiding Officer to accomplish that result.

I shall have to go back, in order that the Senator from Rhode Island may take the point that I was about to present when he anticipated me, and anticipated me incorrectly. I had said that I did not think that the imposition of a duty on lard would, in itself, by reason of any barrier against the competition which it interposed, affect the price of lard; and I went on to say further that, if there were no duty at all, I did not think that the price would be different, so far as the particular matter of the imposition of the duty or no duty would directly affect it. Then I went on to illustrate, as I had said in the brief discussion we had on the cotton question, that so far as the ordinary article of cotton was concerned, the imposition of no duty could affect the price of it in this country, even if you put $10 a pound on it, from the fact that we are the producers of so much larger quantities of cotton than we consume; and, in the same way, we are the producers of so much larger quantities of lard than we consume.

I was going on then to point out, while that may be true in that particular, how far the imposition of a duty did indirectly affect the price. It affects the price in just this way, that there being a comparative monopoly of it, it puts in the mouths of those who have the fixing of the price the excuse of saying that the tariff duty imposed upon it makes it necessary that they should increase the price.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. Yes, I will; but I should prefer to be able to give my statement, rather than taking it up by piecemeal.

Mr. ALDRICH. Who has a comparative monopoly in the manufacture of lard?

Mr. BACON. Well, I should say undoubtedly the packers have in this country, as they have in all other fresh meats and their products. I think that is a well-understood fact.

Mr. ALDRICH. The Senator from South Carolina [Mr. TILLMAN] informed me the other day that the production of compound lard, which I suppose would be involved——

Mr. BACON. That is a very different thing. I am not talking about that now. I hope the Senator will pretermit that discussion now and let me go on, because I am not jesting.

Mr. TILLMAN. I was just dragged in——

Mr. BACON. The Senator might stay out for the present.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BACON. Mr. President, the same thing is true in probably a less degree in the matter of fresh meat. It may be true, as stated by the Senator from New Hampshire, that, if there were no duty upon fresh meat, there would be a very largely increased importation; but, of course, while there might be, speaking generally, a large importation, comparatively it would necessarily be very small, because of the fact that the production in Canada is a trifle compared to the production in the United States. While that is so, we have evidence of the fact that the price of fresh meat in this country is very much higher than it is in Canada. I have had no opportunity to make any very recent investigation on that subject; but some years ago, when I addressed the Senate upon the question of the tariff, I read an article, taken from the Washington Post, in which it quoted what was said by the Philadelphia Press, a staunch Republican paper and a paper strongly advocating the protective principle in every particular, as to the effect of the tariff duty in this country on fresh meat in increasing the price in this country over and above what the same kind of meat cost in Canada, across the line. I read it in the Senate then and I will read it again now. It is true this statement is not very recent; but I presume conditions have not materially changed, as we are still living under the same law now under which we lived then. In 1902 the Washington Post contained an editorial which I shall now read to the Senate. I will say, before reading it, that the article is based upon figures taken from a criticism made by the Philadelphia Press. The article is as follows:

About the last source to which one would naturally look for an argument in favor of the reduction of any tariff schedule is the Philadelphia Press. In harmony with the Republican sentiment of Pennsylvania, the Press opposes tariff revision. In their recently adopted platform the Pennsylvania Republicans declare their "unswerving loyalty" to the Dingley tariff and set themselves squarely against any effort to revise it or to interfere in any way with its operations. They also "affirm the friendship of the Republican party for the breadwinner and the home builder."

To all this the Press heartily subscribes, seemingly unconscious that its party is going into the congressional campaign under the management of an enthusiastic advocate of tariff revision, a revision that has for its central point the leading industry of Pennsylvania, which is protected by duties for which he declares there is no necessity and can be no defense.

But while the Press stands up bravely for the tariff as it is, although well knowing that some of its schedules were framed and adopted with a view to their cutting down almost immediately, the necessities of its position as a real newspaper compel it incidentally to condemn some of its provisions, and their condemnation is an inferential protest against other schedules that produce similar results. Just as the free-trade organs condemn their theory by printing the statistics of our industries, our commerce, our national finances, and savings-banks deposits, so the organs of extreme protection, or protection gone mad, furnish convincing arguments against their policy by printing facts. For example, just before the Republican congressional candidates go out on a campaign in which they will find it impossible either to dodge or defend the tariff on meat, the Press shows the difference in meat prices between Buffalo and Fort Erie, directly opposite in Canada. It says the beef trust has advanced the prices in Buffalo from 25 to 54 per cent. Porterhouse steak, for instance, is 24 cents in Buffalo and 16 cents in Fort Erie; loin steak, 15 cents in the city which is forced to pay beef-trust prices and 12 cents in Fort Erie. The Press says that the cost of living has been increased by the trust, so far as meat is concerned, from 10 to 50 per cent, as these figures prove.

It did not occur to our Philadelphia contemporary to mention any reason why the beef trust is able to run up prices on this side of the line while they remain in status quo on the other side. But it is likely to occur to a good many millions of consumers, and especially to wage-workers, that the duty imposed on beef cattle and all kinds of dressed meat is what has caused important change in the contents of the "full dinner pail."

Mr. President, that clearly presents the issue, it seems to me, that I read to the Senate, and it raised a very distinct issue, but no issue was ever joined on it.

Mr. ALDRICH. What was the date of that?

Mr. BACON. That article appeared in 1902, but it was read by me in the Senate in 1904; but, Mr. President, if it had been issued yesterday it could not have corresponded more strictly with the present situation than those words now do, though they are related to what occurred in 1902. The prices on beef which were there quoted are practically the prices to-day, unless they have been raised and are greater than they then were. Has the present law given any such indication of being so low in its barrier against the importation as to raise an apprehension on the part of the framers of this bill that unless the rates are increased there will be an undue importation, and that prices will go down in this country? They may say "No;" and therefore the rates of the present law are proposed to be maintained in the provisions of this bill; but do not the provisions of the present law and the experience under it show conclusively that it is a practical barrier to all competition, and that our people in purchasing the great necessities of food, and of staple food—necessary food—are compelled to pay prices which make it a serious matter for any head of a family to go to market to buy those provisions?

Mr. President, of course I have not in charge the fortunes of the Republican party. If I did have, there would be nothing that I would urge upon them more strongly than that in the matter of food, if possible, prices should be reduced to the consumer.

I am somewhat of a partisan, but I hope Senators will give me credit for sincerity when I say that, while I believe the passage of a bill which shall disregard this consideration will be of great advantage to the party to which I belong, I would infinitely prefer to see this Congress pass a bill which would lower the prices not only of food, but of all the other necessaries of life, to the extent which will take from the people the burdens under which they now rest and under which they now groan. The great cry which has come up, and which has moved the Republican party to a recognition of the fact that there should be an ear turned to that cry, is based upon the fact that the people are suffering; and, judging from the interest of the Republican party itself, the highest consideration is to remove the burden from the common necessities of life.

The Senator asked me whether or not the duty can affect the price. If not, what possible danger of importation to any considerable extent can be found in the production of any other country of these articles? What other country on earth can produce bacon and ham and lard and send them to the United States, and afford even to pay the transportation upon them, or, outside of that, which have them to send or can have them to send? There is no other country that produces these articles to the extent of an important surplus, and few of them produce these articles to the extent that they themselves consume. What other object can be subserved in the putting of a high rate of duty upon these staple articles of food, produced in our own country in superabundance, and produced in our own country to the extent that we are large exporters of them, except to enable those who now have this great monopoly to put still further additional burdens upon the people in the purchase of those things essential not only for comfort, but for absolute life, for their subsistence?

I hope, Mr. President, that the amendment will not be agreed to, and that the amount of duty upon these various articles may be still further reduced.

Mr. BEVERIDGE obtained the floor.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Yes; for the purpose the Senator has in mind.

Mr. ALDRICH. I am desirous of saving the Republican party——

Mr. BACON. I am glad of that.

Mr. ALDRICH (continuing). And therefore I will withdraw the amendments.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Indiana allow the Chair to get an understanding of what it is the Senator from Rhode Island withdraws?

Mr. ALDRICH. The amendments to paragraphs 280, 281, and 284.

The VICE-PRESIDENT. All of those amendments were agreed to in the first reading of the bill.

Mr. ALDRICH. Then I ask that they may be reconsidered and disagreed to.

Mr. BACON. I ask if the Senator will allow those paragraphs to go over for the present?

Mr. ALDRICH. No; I withdraw the amendments and ask to have the paragraphs agreed to.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent to reconsider the action by which the amendments were agreed to. Is there objection?

Mr. HEYBURN. I should like to know the scope of that proposition. Does it include the duty on beef and the other reductions made in the House bill on meats?

Mr. ALDRICH. Yes; it reduces the duties to the rates carried in the House bill.

Mr. BEVERIDGE. It removes the Senate committee increases on the House decreases of the existing law.

The VICE-PRESIDENT. The request, of course, does not include the amendment offered by the Senator from Massachusetts [Mr. LODGE] in line 7.

Mr. KEAN. Including the word "lamb."

The VICE-PRESIDENT. The words "and lamb."

Mr. HEYBURN. I should like to understand this matter. It is pretty far-reaching.

Mr. ALDRICH. The committee amendments to paragraphs 280, 281, and 284 are withdrawn, and that leaves the House provisions stand.

Mr. HEYBURN. Mr. President——

Mr. BEVERIDGE. Mr. President, I believe I have the floor.

The VICE-PRESIDENT. The Senator from Indiana is entitled to the floor.

Mr. HEYBURN. I merely wanted that unanimous consent should not be given until I had a chance to speak.

The VICE-PRESIDENT. Does the Senator from Idaho object to unanimous consent to reconsider the action by which the amendments were agreed to?

Mr. HEYBURN. I will object, because I desire to submit some remarks on them.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. The Senator from Indiana is entitled to the floor.

Mr. BEVERIDGE. If there is objection to the proposition, I think I will yield the floor to the Senator from Idaho. I had intended when I rose, before the Senator from Rhode Island, as I think very wisely, withdrew the amendments, to submit perhaps three or four sentences upon the question. If, however, there is going to be any objection to this most wise action of the Senator from Rhode Island in withdrawing the amendments, I will yield the floor to the Senator from Idaho until he gets through, and resume it then.

Mr. HEYBURN. Mr. President, I did not expect to be called upon to express myself in favor of the action of the committee as reported to the Senate. The question is a large one. There is probably no more important item in this bill than the one which restores the duty upon meat. It is one that affects a very large part of the country; and, if it can not go over, while, of course——

Mr. ALDRICH. I would suggest to the Senator from Idaho that paragraph 280 certainly does not come within the scope of his objection.

Mr. HEYBURN. Paragraph 280?

Mr. ALDRICH. Yes; the paragraph relating to bacon and ham.

Mr. BEVERIDGE. That is part of the same general scheme.

Mr. ALDRICH. No.

Mr. HEYBURN. The House reduced the existing duty from 5 cents a pound to 4 cents a pound.

Mr. ALDRICH. We now propose to put it back to 4 cents.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent to reconsider the vote by which the committee amendment was agreed to.

Mr. ALDRICH. To paragraph 480.

The VICE-PRESIDENT. To paragraph 480. Is there objection?

Mr. HEYBURN. Yes; I desire, if we must consider that question now, to submit some remarks in regard to it.

Mr. BEVERIDGE. I yield the floor to the Senator from Idaho, and will afterwards resume it.

Mr. HEYBURN. Mr. President, I feel myself in a measure unprepared to take up the consideration of the meat schedule, not having anticipated the action of the committee in regard to it.

Mr. ALDRICH. If the Senator will permit me, my reason for withdrawing the amendments was that I wanted to save what threatened to be an interminable discussion. I think it makes no difference to anybody whether the duty really is 5 cents or 4 cents. That is my judgment about it.

Mr. BEVERIDGE. Also, I take it, the Senator withdrew the amendment because he thought, after consideration, that the Senate amendment was not as wise as the House provision.

Mr. ALDRICH. Mr. President, my principal reason was, as I have said, to avoid discussion; because I think as a practical question it makes no difference whether the duty is 5 cents or 4 cents.

Mr. BACON. Will the Senator agree, then, to allow it to be put still lower?

Mr. ALDRICH. No; I will not.

Mr. HEYBURN. Mr. President, I am inclined to think that the Senator would reconsider that suggestion, because that goes to the whole question of a protective tariff. If 1 cent a pound upon meat makes no difference to the producer, then 1 cent a pound on anything else would make no difference. It makes a difference to the extent of the reduction of the existing duty.

Mr. ALDRICH. Mr. President, if I were obliged to admit, as I trust I never shall, that every duty that is put into this bill raises the price in the United States to the extent of the duty, then I should cease to be a protectionist, I think.

Mr. HEYBURN. Mr. President, the question of the price, as we have been discussing these items, has not seemed as important to me as it has seemed to others. I speak purely for the protective principle involved in this question. The reduction of a cent a pound on the existing duty would open the market for foreign competition; not that we are receiving vast quantities of these articles, but if we lower the fence one rail we make it that much easier to be overtopped by those outside the inclosure of this Government.

Mr. President, the difference of 1 cent a pound, if it should affect the price of the commodity, would amount to a good many million dollars in the country west of the Mississippi River, with a million head of cattle, 5,000,000 head of sheep, and hundreds of thousands of pigs. It is very material whether or not that very convenient rival of ours—if I may use such a term—which lies just across an imaginary line, shall receive this advantage. They drive cattle over the line from that country; they do not have to send them in ships or transport them on railroads; but they can drive hundreds of thousands of cattle across the line.

The Senator from Massachusetts [Mr. LODGE] remarks that they have a different grade or rating, but they can be converted into dead animals very readily.

Mr. LODGE. They do not come under this clause.

Mr. HEYBURN. Well, bacon comes under this clause, if it is killed and cured on the other side of the line.

Mr. LODGE. They do not bring it in as bacon.

Mr. HEYBURN. We are speaking of the bacon item. That is one of the items which is included in the suggestion of the Senator in charge of the bill.

Mr. LODGE. The Senator will excuse me. If they come in on the hoof, as live animals, they come in under a rate having no relation whatever to this paragraph.

Mr. HEYBURN. I thoroughly appreciate that, but they may be slaughtered and come in as bacon.

Mr. LODGE. Then they will not come in on the hoof.

Mr. HEYBURN. No. They are just over the line. I have no doubt you can stand at places in the State of Montana or Idaho and see thousands and thousands and at times even hundreds of thousands of these animals right on the line. I think Senators fail to understand how close the Canadians are to our country, along that great stretch, which is greater in magnitude than the country lying between Chicago and the Atlantic Ocean. It is a vast country and is adapted to the raising of these animals that result in these products of meats, cured meats and uncured meats for that matter.

I never dreamed the committee was not to stand firm for the measure as reported. I had supposed, and had taken much comfort in the fact, that the committee had restored a duty that was very important to a very large part of the people. I think I would be safe in saying that Canada can produce as many cattle, as many horses, and as many pigs as the United States can produce. It is peculiarly adapted to the raising of these animals, and its people have not been slow to appreciate it. They have been compelled to find their market through the medium of the line of the Canadian Pacific Railroad instead of coming across the border. Now we have nine railroads running down from that northwestern portion of Canada into our country, and it is a matter of from ten minutes to a few hours between the Canadian fields and our markets. A difference of a cent a pound, or a dollar a hundred, or $8 a head on cattle is a material difference. Just a cent a pound would be a difference to us, taken in round numbers, upon the stock on our grazing fields of $8,000,000 or $9,000,000.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. I do.

Mr. TILLMAN. I should like to ask a question for information, because I have not examined into it. Is there any duty on hogs?

Mr. HEYBURN. Yes; there is a duty on hogs.

Mr. TILLMAN. What is it? Hogs on the hoof, I mean.

Mr. HEYBURN. Yes; I will turn to the schedule of live animals. I had it here. I will have to turn to it again. Swine, $1.50 a head. We passed that item.

Mr. TILLMAN. The average hog will weigh 300 pounds when he is ready to be slaughtered. That would be but a half a cent a pound. They could drive them across and kill them on this side and give American labor something to do.

Mr. HEYBURN. American labor has generally been pretty well taken care of under the principle of the protective tariff.

Mr. President, it is probably true that there is no animal so universally distributed among all classes of working people as the pig. The probabilities are that there are more individuals of the wage-earning class owning pigs than own any other stock.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Yes.

Mr. TILLMAN. What is the difference in the Senator's vocabulary between a pig and a hog?

Mr. HEYBURN. I rather like the term "pig" a little better than "hog," because the term "hog" is sometimes applied to a different class of beings. I like to select the term which I like best.

Mr. BAILEY. A hog is a pig grown.

Mr. TILLMAN. I have understood that a pig was a baby hog, a suckling fellow, who has to squeal for his milk sometimes when he can not get a teat.

Mr. HEYBURN. I think I will not take the chances of minimizing what I may say in this Chamber by entering into a discrimination between pigs and hogs. I will take the chances of being understood when I use the word "pig."

This is a proposition to remove not only from the duty proposed by the committee on bacon and hams, but also upon beef, veal, mutton, pork, and lard. Those are farmers' products. The farmers, so far as those items are concerned, are producers more than they are consumers. It is the custom in the country for people of small means, in limited circumstances, to depend upon the sale of the surplus of those articles they raise for cash money. A very small inclosure and a very humble home will raise five or six pigs; sell four of them for cash, and save two for their own use. That is the ordinary rule, and it is applicable to every part of the United States.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. Is not the Senator aware of the fact that while the farmers raise hogs and pigs and swine, and butcher a few for their own use, they do not make any bacon or ham for export? As a rule they sell their hogs and pigs to the beef trust at Chicago or Kansas City, and they make the bacon and the ham, and it is a protection to them rather than the farmer.

Mr. HEYBURN. I supposed the trust would get into this sooner or later. The suggestion of the Senator from Minnesota does not appeal to me. The class of people to whom I refer do not deal with the meat trust, either directly or indirectly. They make their own bacon, cure their own hams, and it goes into their local markets. It never sees Chicago. I am speaking about millions of people and not of some circumscribed community or limited class, and I think when you consider that the question is, whether or not the product of a pig is worth $4 or $4.25 to this humble class of people, you will realize that it is not a trifling question. When we deal with iron schedules and ore schedules and grain schedules we talk about the trusts as applying to each of them, but there is no trust entering into this question at all. It is a question that does affect the value of the surplus product of these small producers and is of such universal application that I can not refrain from calling the attention of the Senate to it.

It seems to me we are sometimes too apt to underestimate the questions with which we do not come in direct and frequent contact. We are here pledged to legislate in the interest of those who most need legislation; those who do not participate in legislation, except in a very indirect way; and I would hesitate to give my consent to pass lightly—I had almost said flippantly—over an item that is fraught with so much importance to a class of people who most need government and the protection it can afford them. I would not like to stand before this element of the American people and say to them, "We have protected the manufacturers and the grain growers and the iron miners; but when it came to this little item," which is of more importance to them than the larger items are to those interested in them, "we had treated it with levity and without much consideration receded from the careful and earnest conclusion that had been reached by the committee having this bill in charge and having reported it."

No figures have been given professing or attempting to show the amount of the product that would be affected by this reduction. I assume that the committee had some figures before it when it disagreed with the House bill and proposed this amendment. Where are those figures, and what do they demonstrate? There are hundreds of thousands of homes in the United States that depend upon the surplus of this product for the cash, and the very limited amount of cash, that they have in their daily affairs of life. They have no thousand bushels surplus grain to sell; they have no surplus products of the mines or the forests to sell. They have that which will produce for them a few petty dollars, but which in their lives are more important than the 6 per cent derived from the larger transactions of life.

I think we ought not with such haste to pass over these items. We have no knowledge of the reasons that actuated the committee in receding from this amendment. We will be charged with having disregarded the rights of this element of the people, because they were helpless. It will be charged that they had no one here to speak for them and to protect the little balance that they derive from this product.

More than one-half the cattle killed in the United States are owned by farmers, and they do not go to the packing houses. More than 50 per cent of the pigs raised in the United States never see a packing house.

Mr. NELSON. Mr. President, will the Senator permit me?

Mr. HEYBURN. Certainly.

Mr. NELSON. The figures in the Tariff Notes show that, in 1907, we exported in round numbers about 460,000,000 pounds of bacon and ham, and we imported only 475,525.85 pounds. The total value of our exports of ham and bacon was about $50,000,000, and the total value of the imports of ham and bacon was only $102,134.19.

Mr. ALDRICH. What was the figure first given by the Senator?

Mr. NELSON. I have figured the bacon and the ham together. The exports of the two amounted to 460,000,000 pounds.

Mr. ALDRICH. The exports.

Mr. NELSON. Yes; of the value of about $50,000,000, and the imports were only 475,525.85 pounds.

Mr. WARREN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. WARREN. I assume that the Senator who is so ably defending this product can acknowledge that there are large exports of meat products from this country at large, and yet it is nevertheless necessary for us to protect those who live on the border, on our northern border and on our southern border. There are many other products that we both export and import for which we have to provide some protection, especially along the borders of other countries.

Mr. HEYBURN. I had the figures before me when I made the remarks which I uttered. I am perfectly well aware of the fact that we have imported a very trifling amount of this product, and the reason why we have not been importing it in very much larger degree is because of the protective-tariff policy of the Republican party. A product that we can produce in such a large amount is one that should be protected, inasmuch as it is because of protection that we have been producing it; and the relation between the exports and the imports is a direct result of the policy of the Republican party; and you can find it not only in this item in the schedule, but you can find it in dozens of others, and we boast of it.

Mr. BEVERIDGE. The Senator from Idaho, upon reflection, will see that that can not be, because we are by far the greatest exporters and dealers in the markets of the world in articles like ham and bacon of any nation or any two nations in the world; and we export these enormous quantities, importing practically none, and we can meet the competition of the whole world in the free markets of the world. The Senator will see his logic there does not hold together.

Mr. HEYBURN. I think it holds together all the more firmly.

Mr. TILLMAN. Does the Senator from Idaho seriously contend that the protective tariff has anything to do with the number of hogs produced in our great corn belt?

Mr. HEYBURN. This is not a geographical discussion, nor is it to be measured by geographical distinctions.

Mr. TILLMAN. At the same time, when we produce more corn than all the balance of the world put together, and produce more hogs than all the balance of the world put together, how can the Senator say that the protective tariff has anything to do with it?

Mr. HEYBURN. That is the old, old, old argument, which has been advanced by the free trader since the foundation of the Government, and it is no more formidable now than it was when the old disciples of protection first formulated and established the doctrine of protection. Experience has shown the fallacy of it better than any words I could utter.

Mr. TILLMAN. Does the Senator think the protective tariff has anything to do with cotton? We made last year 13,000,000 bales. We have no protection on it. We would have made it if we had had a dollar a pound protection on it, because it would not have affected it or had any more influence upon it than the wind—not as much, because the wind would blow some of it out.

Mr. HEYBURN. I am not to be inveigled into discussing the cotton schedule. We have just listened——

Mr. TILLMAN. I am not discussing the cotton schedule. I am trying to get the Senator to explain his claim that the protective-tariff policy enables us to grow hogs and cotton.

Mr. HEYBURN. In order to explain it, I must have an opportunity to do so.

Mr. TILLMAN. I will give the Senator all the opportunity he wants. He never will be able to do it.

Mr. HEYBURN. I thank the Senator from South Carolina for his generous concession, and I will try to develop the idea a little further.

The argument suggested by the Senator from Minnesota would be true of wheat. We export vastly more wheat than we import. We protect wheat by a duty, and that makes us master of the wheat market.

Mr. NELSON. Will the Senator yield to me?

Mr. HEYBURN. Certainly.

Mr. NELSON. The protective duty on wheat up to this time has been of no earthly value to the wheat farmers.

Mr. HEYBURN. It is not the first time——

Mr. NELSON. I wish the Senator would wait until I get through. We have been an exporter of wheat and are yet, and as long as we are exporting wheat the price is fixed by the Liverpool price, and if it were not for the drawback provision contained in the Dingley law to-day, we should not need any protection for wheat for years to come.

Mr. HEYBURN. This is not the first time in my life when I have had occasion to observe people who were unconscious of the blessings that they live under and enjoy. It has other names, but that will sufficiently express it. The Senator is evidently in favor of free trade in wheat. I infer as much. He has lived and his people have grown prosperous and fat on the protective-tariff policy of the Republican party, and they have become so accustomed to the blessing that they have forgotten its source.

Mr. President, I do not need with Republicans to commence at the genesis of protection to illustrate the beneficial results which the people have derived from it.

Mr. NELSON. Will the Senator allow me?

Mr. HEYBURN. Yes.

Mr. NELSON. If the Senator is correct, I expect to get 30 cents a bushel more for my wheat than I have ever gotten before.

Mr. HEYBURN. The Senator will probably get for his wheat a price controlled by and in proportion to the duty that he has been enjoying all these Republican years.

You might imagine, not only from the remark of the Senator from Minnesota, but from some remarks that I have heard here for weeks, that this Government came into existence yesterday, and that the protective policy was not yet tested. These conditions of prosperity that are held up as the reason why they do not need protection are the very results of protection, and you take away that prop and you will find the conditions of business sinking back in proportion to that which you lose by taking away the protective tariff.

I believe I am a consistent protectionist. I have no more interest in this question than have millions of people in this country. We would do less than our duty if we failed to maintain existing conditions, the existing status of the business in this country.

I have heard much about revision downward, and this suggestion seems to me to be along the line of the claim that we must, wise or unwise, revise the tariff downward.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. HEYBURN. I yield.

Mr. ALDRICH. I made these suggestions with the hope of avoiding discussion. It seems I have not accomplished that purpose.

Mr. BACON. I hope the Senator will speak so that we may hear him.

Mr. ALDRICH. I desire further to say to the Senator from Idaho that the rates that are left in this bill are protective if the amendment which I propose to withdraw is withdrawn. I have no question whatever about that. I am not failing in my duty as a protectionist in making this change. There is no possibility at 4 cents a pound of any large importations of bacon and ham into this country. When the duty which was imposed by the Wilson bill, about 3 cents a pound, was in operation there was no increase in importations. There is no possibility that if this change is made upon lard, from 2 to 1½, there will be any increase in the importations of lard. There was no increase when the Wilson bill was in operation; and I will say to the Senator now that if we must place rates so high that we can attempt through those rates to say to the farmers of the country, "We are protecting you by a duty which is absolutely impossible," we are trying to do something which as protectionists we should not try to do, in my judgment.

I think that the rates which will remain if these amendments are made are amply protective, and I should be bound to say that to any farmer or to anybody else in the United States.

Mr. HEYBURN. Mr. President, my experience has taught me that when you talk to the farmers and to the others to whom the Senator refers they are very apt to talk back, and they do not necessarily accept the statement that it is sufficient. They want to know if that is sufficient, why the Republican party has been doing more than sufficient in the way of protecting them. We have talked to these people throughout the country during the last and other campaigns, and we have told them that the measure of protection which the Republican party gave them was necessary for their success and for their benefit.

Mr. ALDRICH. If the Senator will permit me——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Rhode Island?

Mr. HEYBURN. I yield to the Senator.

Mr. ALDRICH. The committee and the Senate, following the recommendations of the committee, have reduced the duties on nearly 350 items in the bill. They have not in any case reduced them below what was in their judgment the protective point; and it is not possible for us to say to the people of the United States that in making those reductions we have abandoned the protective principle in any one of them. I do not intend to go before the people of this country, or to have anybody else go before the people of this country, and say that we have abandoned the protective policy because we have reduced in our judgment the duties imposed by some of these paragraphs.

Mr. HEYBURN. We are now in process of inquiring whether or not the existing duty is necessary. The Senate has not passed upon that question. There is in the consideration of the bill to be borne in mind always that until we vote upon these schedules, the Senate has not spoken. Our committee has spoken and told us that it was necessary to restore the existing duty. Now, in the flash of an eye, they say no, it is not necessary.

I am not standing here to criticise the committee. I am standing here to defend the deliberate action of the committee that reported the bill. I care not if we have reduced the rate upon so many hundred articles. I doubt the wisdom of some of those reductions. I will trust the ultimate wisdom as shown by the vote when it is finally taken. The wisdom of the Republican party is not yet determined. The wisdom of the Senate of the United States is not determined until we vote upon these measures. I am inclined to be rather impatient with the impatience that is going on here to pass upon measures without that consideration which an individual Senator thinks they are entitled to.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield?

Mr. HEYBURN. In a moment. It is the individual judgment of each Senator that is entitled to consideration in this body. A measure is not ripe for vote or for final consideration until the individual Senators have exercised what in their judgment is a sufficient time in the consideration of these matters. It is much more important that we do this great task as it should be done than that we do it within a given number of days or hours. There are many features of the bill yet to be considered, and so far as I am concerned I shall, with the consent of the Senate, and under the rules of it, take such time for the consideration, either in silence or in speech, as in my judgment the occasion requires.

Mr. GALLINGER (in his seat). The Senator has not been suppressed?

Mr. HEYBURN. The Senator asks me if I have been suppressed. No; nor have I been guilty of occupying more of the time of the Senate than in my judgment it was necessary or proper to occupy. We will not get into the field of personalities. I invoke the patience of the Senate. The committee has tended to confirm that in my mind which they now count an error. The field of information in regard to this matter is open to all of us. There is no Member of this body who has stood for the protective tariff policy and principle longer than I have, so far as it is represented by the Republican party to-day. I would not be a Republican one hour if it were not that it stands for the protective-tariff policy.

The Senator from Rhode Island says that 3½ cents will protect this industry fully as well as 4 cents. That is a question upon which men may differ. We have grown up in the great Northwest the industry represented by these items in a measure

that is little apprehended by those who only know us upon the map. There have been years in that country when wheat on the market would not bring 20 cents a bushel, when we brought in hogs by hundreds and thousands and fed the wheat to them. It was the best market we could get. I know communities to-day as large as some of the States that have no transportation for their grain. They raise the wheat and they raise the pigs, and they feed the wheat to the pigs and drive the pork to the market on foot. I have seen vast herds of these animals bringing down the farmer's crop to the railroad to be converted into a marketable commodity, and sold not to the meat trust, but the surplus of these ranches sold into the markets of consumption.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. HEYBURN. I yield.

Mr. ALDRICH. Is the Senator willing to allow me to make a motion to reconsider this question and test the sense of the Senate? I have no pride of opinion——

Mr. HEYBURN. I do not know why the Senator should seek to take me off my feet while I am speaking.

Mr. ALDRICH. I will wait until the Senator is through.

Mr. HEYBURN. I think, with all deference, the Senator will probably be under obligations to wait until I have yielded the floor. I am not speaking for the sake of making a speech. I am speaking because I hope to find lodgment in the thoughtful minds of some Senators, or enough of them, to answer as it should be answered this appeal to the people who produce the live stock that feeds the great cities of the East. It not only affects the class of small producers to whom I have referred, but it affects all the stock raisers in our country. What do you suppose the purchasing market in Chicago would say to us when we go down there with 1,500 or 15,000 pounds of this commodity, or the raw materials to be converted into it? They will say to the people "half a cent less this year, because the duty is reduced half a cent." Have we not heard that story? Is it not the doctrine we have been preaching to the American people for half a century? It does not matter whether they will import the equivalent of this deduction or not; that is not the question. We have never reasoned any schedules from that standpoint.

I am ready, when I have finished the few remarks I have to make, to submit it to the Senate. Of course, there is one part of the Senate that is in favor of any reduction that is proposed. There is another part of it that I had not hoped to find in favor of a reduction without consideration, merely upon the statement of the chairman of the committee that they would recede from the amendment which they had proposed, and which we had accepted as the ultimate wisdom of that committee.

We have a million head of cattle, conservatively stated, one-third of which are marketed every year. The price in Chicago of such as go to Chicago will bear in its consideration the reduction in the duty. Those men will say, "We can buy Canadian cattle now"——

Mr. ALDRICH. Mr. President, the Senator knows as well as I that he is discussing a matter which is not before the Senate. The question of the duty upon bacon and hams has nothing to do with the price of cattle in Chicago or anywhere else. Of course, the Senator has a right to make any kind of discussion he pleases and to take as much time as he pleases, but he is discussing something which is not involved in the motion which I propose to make as to paragraph 280.

Mr. HEYBURN. The motion of the Senator from Rhode Island included the four items.

Mr. ALDRICH. It includes only one item that I propose to ask the Senate to reconsider. I shall propose, whenever I have an opportunity, that the Senate shall reconsider its action on paragraph 280 relating to bacon and hams.

Mr. HEYBURN. If I am not mistaken, the Senator said paragraphs 280, 281, 282, and 284.

Mr. ALDRICH. The Senator is mistaken. I am only asking now to have paragraph 280 reconsidered.

Mr. HEYBURN. Mr. President, I am not so very particular as to the exact application of my remarks to the live item or the dead item; whether it be the live pig or the dead pig makes little difference. I understand the relation between a live animal and the product of the live animal perfectly well.

I had hoped not to have heard again the admonition that we were losing time for some one. I trust that I am not losing time, and I think this measure will go much more smoothly if these expressions of impatience are limited. We sit here for days and hear speeches that involve the entire system of government throughout the process of the ages. This is not an academic question. It is a question of real interest. To be told in this hour that the reduction of the duty upon a product of the farm does in no way affect the profit of the producer is a new doctrine.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. Do the farmers of Idaho believe that this duty affects the price of their hogs?

Mr. HEYBURN. I will communicate with some of them, and I will give just the kind of an answer the Senator wants. I will telegraph them.

Mr. CUMMINS. I do not——

Mr. HEYBURN. I say that in all good spirit.

Mr. CUMMINS. I ask, Do your farmers believe that this duty on bacon and hams affects the price of their hogs? Do you think so?

Mr. HEYBURN. Does the Senator believe that the duty on wheat affects the price of wheat?

Mr. CUMMINS. I do not.

Mr. HEYBURN. Then the Senator and I do not belong to the same school of politics.

Mr. CUMMINS. I believe we produce hogs—I am now speaking of the four-footed, entirely—cheaper than any other country upon the face of the earth. I represent a State that markets annually 10,000,000 hogs, probably more than the State of Idaho markets in a good many years. Our farmers do not believe that the duty on bacon and hams has anything whatsoever to do with the price of their hogs. I ask the question in the utmost good faith.

Mr. HEYBURN. What farmers?

Mr. CUMMINS. All our farmers. If the Senator will allow me just a moment, we are as firmly wedded to the doctrine of protection as is the Senator from Idaho. We believe that the system of protection does have a great deal to do with the price of everything sold in this country.

Mr. HEYBURN. Why not hogs?

Mr. CUMMINS. But we do not believe that the duty on bacon and hams has anything to do with the price of hogs, because we—I am speaking now of Iowa—are the largest exporters of the product of hogs of any State in the Union. Therefore I wanted to know whether the Senator down in his heart believes that this duty on bacon and hams has affected, or can affect in any way, the market value of hogs, because I am sure that the farmers of my State have never been deluded by any such notion.

Mr. HEYBURN. We have about 4,000 farmers in one part of Idaho who came from Iowa.

Mr. CUMMINS. And good ones.

Mr. HEYBURN. They came there because they thought they could better their condition. I say that in no disrespect to Iowa. When I went among them last fall——

Mr. CUMMINS. They went there to get cheaper land, and——

Mr. HEYBURN. I will yield to the Senator in a moment.

The VICE-PRESIDENT. The Senator from Idaho declines to yield.

Mr. HEYBURN. I will finish my sentence. When I went among those farmers in the Kootenai Valley last year, and they said to me: "What interest has the farmer in protection?" I said, "Four dollars a ton on your hay." They have lines of stacks of it there, such as you never saw outside of the Platte. I said, "You have $25 a head on your horses," so much on your swine, so much on your sheep, so much on your vegetables, and so much on all the commodities you produce. They opened their eyes, and they said: "I guess this old Republican party is worth inquiring into." They wanted to know more about it, and the more I told them the better they liked the principles, and that one county gave 2,000 Republican majority, when it used to go Democratic.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. Did not those farmers know they had this protection until the Senator told them? He said he opened their eyes.

Mr. HEYBURN. I will leave the Senator from Indiana to cipher that out in his own way. It is very easy to ask a question like that; it sounds trite, and at first glance one would think he had to answer it; but, Mr. President, I do not feel that to enter upon a discussion of those farmers now would shed any light upon the facts. The fact is that those people are on the inquiry as to how the duty on manufactured products affects the farmer, and they would like to have some one who has the patience to explain to them——

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Indiana?

Mr. HEYBURN. I do.

Mr. BEVERIDGE. The Senator said that he went up into that beautiful valley and the farmers said to him, "What interest have the farmers in protection?" Then he told them about the tariff on hay, and so forth, and he "opened their eyes." I wondered whether the farmers were ignorant of the fact that they had this protection until the Senator told them.

Mr. HEYBURN. With all due consideration for the Senator from Indiana, there is not very much argument in that kind of a statement. It might be disrespectful to say it is like making faces at a man because you differ with him. It does not count in determining the result. I have back of me the record of the Republican party and the utterances in the platfrom from the beginning. Read the platform of the Republican party in 1860, and you will find written there the doctrine and the kind of protection that I stand for to-day.

Mr. BACON. Mr. President——

Mr. HEYBURN. The principle has not changed.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BACON. Will the Senator permit me to make an inquiry of him?

Mr. HEYBURN. I yield.

Mr. BACON. I just desire to know, Mr. President, if the Senator from Idaho really endeavored to make the residents of that fertile valley believe that under the tariff each and every person got $4 a ton more for his hay than he would get but for the existence of the tariff, and $25 a head more on each of his horses by reason of the tariff? I want to know whether the Senator really endeavored to make them believe it, and did make them believe it?

Mr. HEYBURN. Yes; I told them that in the strife of competition between the American people and those outside of our country they had the advantage of $4 a ton on hay; that a man who brought his hay to the Canadian line had to pay $4 as an admission fee before he could get it in to compete with them, even at the same price. That is what I told them——

Mr. BACON. That is, the duty on hay——

Mr. HEYBURN (continuing). And they liked the doctrine.

Mr. BACON. The duty on hay is $4 a ton?

Mr. HEYBURN. Yes; $4 a ton is the duty on hay.

Mr. BACON. Then the Senator does subscribe to the doctrine that the domestic price is found by adding the amount of duty to what would otherwise be the price? Does the Senator subscribe to that?

Mr. HEYBURN. I might go into an academic——

Mr. BACON. That is a very simple question.

Mr. HEYBURN. Mr. President, the Senator has the privilege of asking me a question, and I have the privilege of framing my answer according to my judgment. I will answer him before I am through.

Mr. BACON. There is no doubt of it.

Mr. BURKETT. Let me answer the Senator from Georgia.

Mr. BACON. No; I insist that the Senator from Idaho is able to take care of himself.

Mr. HEYBURN. I am going to answer the Senator just as soon as I am not compelled to speak a duet.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. HEYBURN. The Senator from Georgia has specially requested me to answer, and, out of courtesy to him, of course I shall answer.

The VICE-PRESIDENT. The Senator from Idaho will yield to the Senator from Nebraska later.

Mr. HEYBURN. I will yield to the Senator from Nebraska after I have answered the Senator from Georgia. The confusion may have made the question somewhat obscure. Will the Senator kindly state it?

Mr. BACON. I simply desire to know of the Senator whether he endeavored to make the people of that valley believe that the hay was worth to them $4 a ton more than it would be worth to them but for this duty of $4 a ton?

Mr. HEYBURN. Yes; I did. I did not have much trouble. They are intelligent men up in that valley. I said to them, "These Canadians can not come in and sell in your market without first paying the entrance fee of $4 a ton."

Mr. BACON. That is simply a preliminary question. I understand the Senator to say that that was his purpose. I then asked of the Senator the further question——

Mr. HEYBURN. My purpose——

Mr. BACON (continuing). The further question, if he subscribed to the proposition that the domestic price of an article in this country is increased by the addition of the amount of duty imposed upon imports of a like character.

Mr. HEYBURN. What does the Senator mean? What basis of increase?

Mr. BACON. Increase over what it otherwise would be.

Mr. HEYBURN. Oh, that the price is controlled by the import duty the rival has to pay? Yes.

Mr. BACON. In other words, it increased it $4.

Mr. HEYBURN. Yes. Now, I want to answer that.

Mr. BACON. That is sufficient.

Mr. HEYBURN. No; I will submit that question, if I may be permitted to answer——

Mr. BACON. Undoubtedly.

Mr. HEYBURN. If the Kootenai Valley farmer who had his hay did not have the protection, he would not have the market, because the Canadian would come in and sell his hay.

Mr. BACON. The Senator has given his reason, but that does not change the fact that the domestic article is increased in price by the amount of the duty imposed. That I understand to be the suggestion. The Senator gives the reason for it otherwise. I want to follow that with another question. If that is true in the matter of hay, is it not also true in the matter of beef? Is it not true, if that is so, that the people of the United States have to pay 25 per cent more, because that is the ratio, 18 per cent, I believe, in beef and 23 in ham? If that is true, is it not then necessarily true that by the imposition of 2 cents a pound on fresh meat, the consumers of the country have to pay 18 per cent more for the meat than they would have to pay if the 2 cents were not upon it?

Mr. HEYBURN. They do not pay it to the foreigner; they pay it to the man with whom they are in business, because every American is a member of the partnership that represents this great compact of government.

Mr. BACON. For the purpose of argument, I fully concede that; but that does not change the fact that according to the contention of the Senator the people of the United States have to pay 20 per cent more for the beef they eat than they would have to pay if the 20 per cent duty were not on it.

Mr. HEYBURN. They have to pay this to themselves.

Mr. BACON. I grant you that.

Mr. HEYBURN. Not to the foreigner——

Mr. BACON. But the consumer has to pay it all the same, does he not?

Mr. HEYBURN. The consumers themselves are considerable producers.

Mr. BACON. Very well. I will concede all those side points which the Senator makes; but the direct issue is this: Is it or is it not true, according to the contention of the Senator, that the imposition of 2 cents a pound on beef makes the consumer, the man who buys it and eats it, pay 20 per cent more for it than he would have to pay if the 2 cents were not on it?

Mr. HEYBURN. It prevents the stranger from coming into the household and interfering with our business.

Mr. BACON. That is all right. I will not enter into that; but the question is reduced at last to the conclusion that it forces the man who goes to market to buy the meat he consumes, according to the admission of the Senator, to pay 20 per cent more for it than he would have to pay if the 2 cents a pound were not on it.

Mr. HEYBURN. He has the 20 per cent——

Mr. BACON. He will not have it long if he has to pay this price.

Mr. ALDRICH. Mr. President——

Mr. BACON. The Senator from Rhode Island will pardon me a moment, until I have gotten through my little dialogue with the Senator from Idaho [Mr. HEYBURN]. That disposes of this question.

Mr. HEYBURN. Mr. President, I yielded in order that the Senator from Georgia might state his views on the meat question.

Mr. BACON. But I have not concluded. I want to ask the Senator another question in regard to it.

Mr. HEYBURN. The Senator from Georgia says now that disposes of it.

Mr. BACON. No.

Mr. HEYBURN. If the duties——

Mr. BACON. Let me take this up——

Mr. HEYBURN. I do not care to take that up.

The VICE-PRESIDENT. The Senator from Idaho declines to yield further.

Mr. HEYBURN. I decline to yield to the Senator on a new subject.

Mr. BACON. I wish to make now a similar inquiry of the Senator from Idaho as to bacon and hams as I did to lard.

Mr. HEYBURN. The same rule applies.

Mr. ALDRICH. Mr. President——

Mr. HEYBURN. Now, if the Senator will excuse me just for a moment——

Mr. ALDRICH. Will the Senator yield to me just for a moment?

Mr. HEYBURN. Yes.

Mr. ALDRICH. Mr. President, whatever may be the views of the Senator from Idaho I am not certain; but if anyone expects me not to make a protest against the doctrine that a protective duty is added to the cost of the domestic product, then I decline to make any such concession.

Mr. HEYBURN. Mr. President, I hope the Senator——

Mr. ALDRICH. It is repugnant to my ideas as a protectionist; it is repugnant to every principle of protection; and it is repugnant to my intelligence as a man.

Mr. HEYBURN. Now, Mr. President——

Mr. BACON. If the Senator will pardon me——

Mr. HEYBURN. Mr. President——

Mr. BACON (continuing). I should like to say a word to the Senator.

The VICE-PRESIDENT. The Senator from Idaho declines to yield.

Mr. HEYBURN. If the Senator will pardon me, I will not yield just now.

Mr. President, the Senator from Rhode Island [Mr. ALDRICH] has expressed exactly the political doctrine to which I adhere. I have already stated repeatedly to the Senator from Georgia [Mr. BACON] that the duty is not added to the cost of the article, but that it is a barrier against the intrusion of a man who comes in to undersell you. The price which the American producer receives is a fair price for his labor upon the standard of American labor and the American method of doing business. We do not have to inquire what the motives or the intentions of the intruder are. We know that the compensation which the producer in this country receives—whether he is a producer of labor or of material or of whatever you may choose—that the compensation is based upon a fair remuneration to the producer. That is the basis.

Mr. BEVERIDGE. Mr. President——

Mr. BACON. Will the Senator from Idaho permit me one word further?

The VICE-PRESIDENT. Does the Senator from Idaho yield, and to whom?

Mr. BEVERIDGE. Just for a question.

Mr. HEYBURN. I yield to the Senator from Indiana.

Mr. BEVERIDGE. Then, according to the last statement, the Senator from Idaho did not tell the farmers of the Kootenai Valley that they were getting $4 a ton extra for their hay?

Mr. HEYBURN. They were not. They were getting what their labor was worth; they were getting what they were entitled to receive on an American basis, and not on the basis of some foreign country. I do not measure the merits of American citizenship by the standard of a foreign people. I measure them by the standard of American principles and by that which Americans are entitled to have and to do and to receive.

Mr. BACON. Will the Senator pardon me for just a minute?

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. Yes, sir.

Mr. BACON. I simply desire to say that the Senator had so emphatically stated the proposition as to the amount which was added to hay and to beef, and so forth, that when the Senator from Rhode Island [Mr. ALDRICH] got up to protest against it, and addressed his remarks to me, I said that I hoped he would turn to his colleague and address his remarks to the Senator from Idaho and not to me, as it was his proposition and not mine.

Mr. HEYBURN. Well, now, Mr. President——

Mr. BACON. I want to say that I shall be perfectly content with the colloquy which has ensued if it shall appear in the RECORD exactly as it has occurred in the Senate.

Mr. ALDRICH. I have heard the Senator from Georgia so often make the statement here——

Mr. BACON. Never.

Mr. ALDRICH. That the protective tariff was costing the people of this country anywhere from two thousand to twenty thousand million dollars every year in the advance of prices, that I could not refrain from addressing my remarks primarily to the Senator from Georgia.

Mr. BACON. The Senator will recognize, however, that that particular contention was with the Senator from Idaho [Mr. HEYBURN]. I want to say to the Senator, that as to the remarks which he attributed to me, I notice none of the Senators on the other side has ever sought to controvert them when they were made.

Mr. ALDRICH. We have never had time yet.

Mr. HEYBURN. Or opportunity.

Mr. BACON. I hope that you will find time.

Mr. HEYBURN. Mr. President, the American people have had the time and have improved it. They understand it. Here is the doctrine that I stand for, and the Republican party stands for it to-day. I read from a rather old record:

> 12. That, while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchange which secures to the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence.

That platform ought never to have been changed in a word or phrase in any Republican platform that ever has been written since that day. That is the platform of 1860.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. I do.

Mr. BACON. I beg that the Senator will pardon me when I make the suggestion that the next time he goes among those benighted Idahoans in that happy valley, he will undeceive them and not have them still labor under the misapprehension under which his former address left them.

Mr. HEYBURN. Mr. President, that valley is a very small part of the State. The Senator from Iowa [Mr. CUMMINS] spoke of the great product in pork, alive and dead, in that State. It is true. They have about fifty years' advantage of some other States, but at the same period of the development of the State of Iowa it did not produce one-half the pork which Idaho produces to-day. The southern part of Idaho, which is in square miles something larger than the State of Iowa—and I do not say that for the purpose of speaking lightly of the State, but it is a geographical fact——

Mr. CUMMINS. They could not help it.

Mr. HEYBURN. No; they could not help it; but that section of the State to-day is raising increasing areas of alfalfa, which is the natural food of the pig. He eats it from the time he commences to eat anything until he is fat enough for market, and you do not need to supplement it with anything else. They feed it to him as grass or as hay or ground into meal. They raise from 6 to 8 tons of alfalfa an acre; they can raise it on a million acres of land there, and they do now raise it in vast quantities. The natural market for it is that which produces the bacon and the meat. In the fall you will see those valleys with lines of stacks of alfalfa as far as the eye can see, and the next spring you will see fatted animals ready to go onto the range without any evidence of a hard winter. That is true of all kinds of stock.

I am not speaking for Idaho alone in this matter. It is high time that we take stock and ascertain where we stand here in regard to this principle for which the Republican party stands. We will not whittle it away. A good many millions of American people indorsed it only a few months ago. You could not go into Idaho and win for the Republican party and eliminate the tariff from the presentation of your cause. They are, as I am, Republican, because they believe in the principles contained in that platform which I read to you a few moments ago; and I do not propose to go back in the next campaign in Idaho and apologize to them for the Republican party for its loyalty to the principles of protection. I reflect upon no Republican's loyalty.

The Senator in charge of the bill suggests that the criticism of the proposal to withdraw the House provision carries with it a suggestion that his judgment in regard to what constitutes protection is under indictment. I intend nothing of the kind. There has been no man in the United States more loyal to the principles of protection than the Senator from Rhode Island. It does not follow, however, that other men entertaining views on that subject may not enter into counsel with him. I follow no man. I go with any man who goes where I think is right. It is not reasonable that any man should expect you to waive your judgment to follow what are called "leaders." Strong men, men capable of action, move together and keep step in the march toward the goal of destiny; they are not strung out along the road trailing like sheep after a leader.

I say this in justification of the position that I take. Though I stand alone in this Chamber in my views, yet in the performance of a conscientious duty to principle and to the people, I dare to express these sentiments, because I know they are the heart and the soul and the salvation of the Republican party.

Mr. ALDRICH. Mr. President, there can be no question whatever about the measure of protection that is afforded by

the rate of duty fixed by the House in paragraph 280. If I thought there was, certainly I should not ask the Senate to reconsider its action; but I believe that there is no question of the adequacy of the protection upon the items in that paragraph, and I am quite willing, if the Senate thinks otherwise, that they should vote otherwise.

Mr. WARREN. Mr. President, will the Senator permit me?

Mr. ALDRICH. Yes.

Mr. WARREN. I was not in when the Senator announced his purpose as to certain paragraphs, but I understand from the discussion that he proposes to withdraw the Senate amendments to paragraphs 280, 281, and 284. The facts being that the House bill made the duties less on bacon and hams and lard than under present laws, and the Senate amendments propose to restore the Dingley rates on bacon and hams in paragraph 280, and on lard in paragraph 284. But what about paragraph 281? The Senate amendment as to fresh beef, veal, mutton, pork, and venison and other game, except birds, ought to stand and the rate remain at 2 cents per pound, instead of 1½ cents, as the House bill proposed.

Mr. ALDRICH. As to paragraph 281, I agree that there may be some question. The duties imposed by the House of 1½ cents a pound on fresh meat may not allow adequate protection, but as to paragraphs 280 and 284, I think there is no question about the adequacy of the protection under the House provision.

Mr. WARREN. The Senator is right; that there is a difference, in that hams and bacon and lard are available for transportation all over the country to a greater extent than are fresh meats. Therefore these commodities can be shipped from the interior to our border and the protection be the same, or nearly so, on our Mexican or Canadian line as in the interior; but with fresh meats it is different, as they are highly perishable and bulky and heavy to transport.

Mr. ALDRICH. Yes.

Mr. WARREN. I think we ought to be especially careful in regard to the duty on fresh meat.

Mr. ALDRICH. I am willing myself not to make this suggestion as to paragraph 281, because I agree that in that respect there is a chance for division of sentiment.

Mr. WARREN. I hope the Senator will withdraw the proposition to reduce the duty in that paragraph.

Mr. ALDRICH. I withdraw the proposition as to paragraph 281, because I think it is doubtful whether it is not all right as it is; but as to the other paragraphs, there can be no question whatever but that the rates imposed by the House are sufficient for protective purposes.

Mr. BEVERIDGE. The suggestion, then, covers everything except paragraph 281?

Mr. ALDRICH. It covers paragraph 280, in regard to bacon and ham, and paragraph 284, as to lard.

The VICE-PRESIDENT. As the Chair understands, the motion of the Senator from Rhode Island is to reconsider the vote by which the committee amendment to paragraph 280 was agreed to.

Mr. ALDRICH. That is correct.

Mr. CULBERSON. Mr. President, to the question discussed a moment ago by the Senator from Idaho [Mr. HEYBURN] and the Senator from Georgia [Mr. BACON], as to whether or not the protective duty was added to the price of the article, I want to advert for a moment. I think it was on Friday last that I read to the Senate, during the speech of the Senator from Missouri [Mr. STONE], a statement in a report of Alexander Hamilton during the days of the Confederation, in which he took the distinct position that the protective duty was added to the price. That same doctrine is laid down in the report of Secretary Walker in 1846, and, so far as I know, it is not seriously contended to the contrary; that is to say, no one contends that the duty may not be added to the price.

I have arrested these proceedings temporarily for the purpose of putting into the RECORD a statement of another distinguished Republican, to the effect that the duty is added to the price. I read from the hearings before the House Committee on Ways and Means in 1908, which I happened to have in my hand when this matter was being discussed. I read from page 1816:

> Mr. BONYNGE. If we put steel products on the free list, the present price to the consumer would practically be maintained, in your judgment?
>
> Mr. CARNEGIE. No; I think that the tendency of combination is to raise prices and to exact from the consumer what they safely can.
>
> Mr. BONYNGE. But as to steel rails, I understood you to say, in answer to Mr. Cockran, that you believed the price of $28 would be maintained; if steel rails were put on the free list, that the price would be maintained.
>
> Mr. CARNEGIE. Excuse me; I did not say that the price would be maintained—

That is, he does not say that the prices would be maintained if steel rails were put on the free list—

> but I do say that the present arrangement is a fair one, in my judgment, between the consumer and the producer. Let me show you the difference. If there is no tariff—

I invite attention to this, as he emphasizes the question of combination—

> the combination comes together and fixes a price, and it will fix a price lower than if there is a tariff. I think you will agree with me that the tendency of human nature is to get a good profit.
>
> Mr. BONYNGE. Certainly.
>
> Mr. CARNEGIE. And that the tariff would enable them to raise the price to the extent of the duty.

Mr. BEVERIDGE. What did he say about ore?

Mr. CULBERSON. I have nothing at this point as to what he said on the subject of ore.

Mr. ALDRICH. Will the Senator from Texas permit me to make a suggestion?

Mr. CULBERSON. I am through, Mr. President. I only wanted to put in the RECORD this testimony of a distinguished Republican.

Mr. ALDRICH. We have had half a dozen Senators putting certain portions of Mr. Carnegie's testimony into the RECORD. It seems to me that it might be wise for the Senator from Texas, or some other Senator, to put his whole testimony into the RECORD as a Democratic text-book. I have no doubt that it will be used for that purpose for the next twenty years; and it seems to me that these frequent publications of it are entailing unnecessary expense upon the public.

Mr. BACON. I would suggest, Mr. President, that the RECORD is open to the honorable Senator from Rhode Island.

Mr. BAILEY. I ask that it be printed separately as a public document.

Mr. ALDRICH. I have no objection to that. I think that is a very admirable suggestion.

The VICE-PRESIDENT. The Senator from Texas asks unanimous consent that the matter referred to by him be printed as a public document.

Mr. SCOTT. I object to that.

The VICE-PRESIDENT. Objection is made.

Mr. HEYBURN. Mr. President, I desire merely to make a statement. The Senator from Rhode Island withdraws his motion restoring the House provisions as to beef, veal, mutton, and pork.

The VICE-PRESIDENT. The present motion covers paragraph 280 only.

Mr. ALDRICH. Then, I ask unanimous consent, Mr. President, that the votes by which the amendments to paragraphs 280 and 284 were agreed to may be reconsidered for the purpose of withdrawing the committee amendments to those two paragraphs.

Mr. BACON. Mr. President, the only objection I have to that suggestion is that that would leave paragraph 281, possibly, in a condition where it would be necessary to reconsider it, whereas, as the fact is——

Mr. ALDRICH. That can be taken up hereafter.

Mr. BACON. I know; but I want a vote taken. I have no objection to the suggestion as to the other two paragraphs; but I made the distinct point when it was read—and it is so marked on my copy of the bill—objecting to paragraph 281. So a motion to reconsider is not necessary. It was passed over, and Senators around me who made a memorandum at the same time all agree with me in the fact that paragraphs 280, 281, and 284 were objected to by me at the time and passed over.

Mr. ALDRICH. The suggestion now is only as to paragraph 280 and paragraph 284.

Mr. BACON. I have no objection to that; but I do not wish, by failing to object to that, to recognize that I have to make a motion to reconsider paragraph 281.

Mr. BEVERIDGE. They were all agreed to, according to the statement of the Chair.

The VICE-PRESIDENT. There is no question but that paragraph 281, as well as paragraph 280, was agreed to. The Senator from Georgia will find a statement of that fact in the first column of page 1496 of the RECORD; and some little time later, as appears in the second column on the same page of the RECORD, the Senator from Georgia asked that they be passed over, and the Chair then stated:

> Paragraphs 280 and 281 will be passed over. There was an amendment in each of those paragraphs, which was agreed to. The paragraphs will be passed over with the amendments agreed to.

Mr. BACON. I do not doubt the correctness of that statement. All I say is that at that time it was not so understood by me. We were proceeding under an agreement that upon a request to pass over a paragraph it would be done. I do not dis-

were made.

whatever about the measure of protection that is afforded by

note the fact that it may have been so understood at the desk; but it was not so understood by me, and was not so entered.

The VICE-PRESIDENT. May the Chair read the Senator's words?

Mr. BACON. Very well.

The VICE-PRESIDENT. They were as follows:

Mr. BACON. Mr. President, we have acted on paragraphs 280 and 281, but I wish to ask that they be passed over for further consideration.

Mr. BACON. Of course, that was exactly the point. It was understood and agreed to that the action would not be considered as finally taken because of my request made at that time. I so understood it then, and that language proves it.

We were at that time, Mr. President, somewhat in doubt as to the order of procedure as to what would be conclusive and what would be tentative, and almost within the same breath I called attention to the fact, when it was announced that the amendment had been agreed to, that while that was true, I desired it to be passed over, and I understood everybody to consent to that direction being given to it. That was certainly my understanding at the time and also that of a good many Senators around me.

Mr. ALDRICH. That passing over did not obviate the necessity of reconsidering the vote whenever any action was suggested that would change that action. My suggestion is that the vote be reconsidered by which the amendments to paragraph 280 and to paragraph 284 were adopted, for the purpose of withdrawing the committee amendments. If paragraph 281 should be taken up upon the motion of the Senator from Georgia or any other Senator, that would be a different question.

Mr. BACON. Of course, I understand that. I am——

Mr. BEVERIDGE. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Indiana will state his parliamentary inquiry.

Mr. BEVERIDGE. I wish to know from the Chair what is the legislative effect of what the Chair has just read; that is, where a paragraph is passed over and the amendments agreed to. Just what does that mean? Does it mean anything at all?

The VICE-PRESIDENT. It means that the paragraph, with the amendment agreed to, will have further consideration by the Senate.

Mr. BEVERIDGE. By the Senate?

The VICE-PRESIDENT. By the Senate as in Committee of the Whole.

Mr. BEVERIDGE. As in Committee of the Whole?

The VICE-PRESIDENT. Certainly.

Mr. BEVERIDGE. And not open to any amendment to the committee amendment?

The VICE-PRESIDENT. The Chair did not understand the last inquiry.

Mr. BEVERIDGE. And not open to any amendment to the committee amendment?

The VICE-PRESIDENT. Oh, certainly; open to any amendment.

Mr. ALDRICH. After reconsideration.

Mr. BEVERIDGE. That is just the point; is it only after reconsideration?

The VICE-PRESIDENT. But not, so far as the committee amendment is concerned, without reconsideration.

Mr. BEVERIDGE. Then, when it comes to this, for practical purposes, the mere passing over of a paragraph, with the committee amendment agreed to, in a case like this, where it is the only vital thing disposed of, amounts to nothing. It gives no right.

The VICE-PRESIDENT. It gives the right to further consideration in Committee of the Whole.

Mr. BEVERIDGE. Yes.

The VICE-PRESIDENT. Which otherwise it would not have.

Mr. BEVERIDGE. We are in Committee of the Whole now.

The VICE-PRESIDENT. Certainly. The Senator has that right now.

Mr. LODGE. I rise on the question of order simply. The amendment has been agreed to, but I understand the paragraph has not.

The VICE-PRESIDENT. That is correct; and the Senator from Rhode Island now asks unanimous consent to reconsider the vote by which the amendments to paragraphs 280 and 281 were agreed to. Is there objection? The Chair hears none.

Mr. ALDRICH. Now I withdraw the committee amendment in both instances.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws the committee amendments to paragraphs 280 and 284. Without objection, paragraphs 280 and 284 are agreed to.

Mr. BACON. I simply desire to say that while I will not detain the Senate with an amendment now on this or any other paragraph, I expect to do so when we get into the Senate.

Mr. ALDRICH. That is all right.

Mr. BACON. I do that in the interest of those who seek to expedite the consideration of the bill. The question now recurs on 281?

Mr. ALDRICH. Yes; and I ask that paragraph 281 may be agreed to.

The VICE-PRESIDENT. Without objection——

Mr. BACON. I move to reconsider the action of the Senate by which it agreed to the amendment proposed by the Senate committee changing the provision in the House bill from 1½ to 2 cents a pound on fresh beef, veal, mutton and lamb, pork, venison, and other game, except birds.

Mr. BEVERIDGE. Let it be stated.

Mr. BACON. I move to reconsider the action of the Senate in agreeing to the amendment striking out the House provision, "1½," and inserting 2 cents in lieu thereof.

The VICE-PRESIDENT. The Senator from Georgia moves to reconsider the vote by which the committee amendment to paragraph 281 was agreed to.

Mr. ALDRICH. I shall vote against that proposition, and I shall do so with the idea that the committee will consider this question and see whether any modification should be made. I shall vote to agree to this paragraph as it stands—that is, with the committee amendment agreed to. I hope if there is any change to be made it will be after due notice and conference with the Senators interested.

Mr. BEVERIDGE. I hope the Senator from Georgia will not press his motion to-night, because I take it there will be some discussion on it.

Mr. BACON. I have no disposition to press for a vote to-night, but I must have a vote on it.

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. I suggest to the Senator from Georgia that he do not make the motion now, but wait until the matter gets into the Senate, because that would save considerable time. He will lose no rights by doing so.

Mr. BACON. I do not know why I should do that. I deferred to the wish so far as the paragraph unamended went. I propose to offer an amendment to the House paragraph. In other words, I propose to reduce below the rate proposed by the House the duties on bacon and ham and on lard, but I do not make the motion now, because the Senator having withdrawn the Senate committee amendments, there is no amendment pending to those two paragraphs. But when it comes to paragraph 281 there is a distinct Senate amendment.

Mr. ALDRICH. Will the Senator permit a vote to be taken now on the question of reconsideration?

Mr. BACON. Yes. I am not going to add anything to what I have said. I have discussed this as fully as I wish. But I do desire to state that I propose, if the Senate reconsiders it, to offer an amendment still further reducing the rate than it is in the House bill, especially since the interchange between the Senator from Idaho and myself, which has thrown some light upon the effect of his paragraph upon the prices the people have to pay for fresh meat.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Georgia to reconsider the vote by which the amendment was agreed to.

Mr. ALDRICH. I ask that the vote be taken by yeas and nays.

Mr. BACON. I was about to ask for that myself.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator, I withhold my vote.

Mr. CLARKE of Arkansas (when his name was called.) I have a pair with the junior Senator from Delaware [Mr. RICHARDSON]. My colleague [Mr. DAVIS] is absent, unpaired. I transfer the pair with the Senator from Delaware to my colleague, to stand until further announcement, and I shall vote. I vote "yea."

Mr. ALDRICH. I think the Senator from Oregon [Mr. BOURNE] is paired with the Senator's colleague.

Mr. CLARKE of Arkansas. I think that has been canceled. My information is that that pair has served its purpose, and is exhausted by the time limit.

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "nay."

Mr. PAYNTER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. GUGGENHEIM]. If he were present, I should vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. He is absent. I am advised that if he were present he would vote on this motion as I shall vote. I shall therefore vote. I vote "yea."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. MCLAURIN]. If he were present, I should vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. PILES. My colleague [Mr. JONES] was called from the Chamber a few moments ago and has not returned in time to vote.

Mr. CLARK of Wyoming. I have a general pair, as I stated, with the Senator from Missouri [Mr. STONE]. I transfer the pair to the junior Senator from Washington [Mr. JONES] and will vote. I vote "nay."

The result was announced—yeas 32, nays 40, as follows:

YEAS—32.

Bacon	Clay	Gamble	Overman
Bailey	Culberson	Gore	Rayner
Bankhead	Cummins	Hughes	Shively
Beveridge	Daniel	Johnston, Ala.	Simmons
Bristow	Dolliver	Martin	Smith, Md.
Brown	Fletcher	Money	Smith, S. C.
Burton	Frazier	Nelson	Taliaferro
Clarke, Ark.	Gallinger	Newlands	Tillman

NAYS—40.

Aldrich	Clark, Wyo.	Elkins	Penrose
Borah	Crane	Flint	Perkins
Bradley	Crawford	Frye	Piles
Brandegee	Cullom	Hale	Root
Briggs	Curtis	Heyburn	Scott
Bulkeley	Depew	Johnson, N. Dak.	Smoot
Burkett	Dick	Kean	Stephenson
Burnham	Dillingham	Lodge	Warner
Burrows	Dixon	McEnery	Warren
Carter	du Pont	Page	Wetmore

NOT VOTING—19.

Bourne	Guggenheim	Nixon	Smith, Mich.
Chamberlain	Jones	Oliver	Stone
Clapp	La Follette	Owen	Sutherland
Davis	McCumber	Paynter	Taylor
Foster	McLaurin	Richardson	

So the motion to reconsider was rejected.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 1, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nomination received by the Senate May 31, 1909.

REGISTER OF THE LAND OFFICE.

Arthur W. Orton, of Portland, Oreg., to be register of the land office at Lakeview, Oreg., vice John N. Watson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 31, 1909.

SURVEYOR OF CUSTOMS.

Edward L. McConnaughey to be surveyor of customs for the port of Dayton, Ohio.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer Charles Albert Eaton to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Charles Herman Johnson to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Clinton Philo Kendall to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Howard James Kerr to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Ambrose Elwood Lukens to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Charles Joseph Odend'hal to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Henry Charles Roach to be third lieutenant of engineers in the Revenue-Cutter Service.

Third Lieut. of Engineers John Frederick Hahn to be second lieutenant of engineers in the Revenue-Cutter Service.

Second Lieut. of Engineers Frank Gerome Snyder to be first lieutenant of engineers in the Revenue-Cutter Service.

CONSULS-GENERAL.

Alphonse Gaulin to be consul-general at Marseilles, France.
John L. Griffiths to be consul-general at London, England.
John H. Snodgrass to be consul-general at Moscow, Russia.

CONSULS.

William E. Alger to be consul at Puerto Cortes, Honduras.
Homer M. Byington to be consul at Bristol, England.
Ralph C. Busser to be consul at Erfurt, Germany.
Albert W. Brickwood, jr., to be consul at Tapachula, Mexico.
Charles M. Caughy to be consul at Milan, Italy.
Benjamin F. Chase to be consul at Leeds, England.
Robert T. Crane to be consul at Guadeloupe, West Indies.
George A. Chamberlain to be consul at Lourenço Marquez, East Africa.
Carl F. Deichman to be consul at Nagasaki, Japan.
Alexander V. Dye to be consul at Nogales, Mexico.
Frank Deedmeyer to be consul at Charlottetown, Prince Edward Island.
Henry C. A. Damm to be consul at Cornwall, Ontario, Canada.
James E. Dunning to be consul at Havre, France.
Cornelius Ferris, jr., to be consul at Asuncion, Paraguay.
Charles A. Holder to be consul at Rouen, France.
Franklin D. Hale to be consul at Trinidad, West Indies.
W. Stanley Hollis to be consul at Dundee, Scotland.
Leo J. Keena to be consul at Chihuahua, Mexico.
Will L. Lowrie to be consul at Carlsbad, Austria.
Samuel T. Lee to be consul at San José, Costa Rica.
Andrew J. McConnico to be consul at St. Johns, Quebec, Canada.
Charles K. Moser to be consul at Aden, Arabia.
Samuel MacClintock to be consul at Tegucigalpa, Honduras.
Maxwell K. Moorhead to be consul at St. John, New Brunswick, Canada.
Thomas P. Moffat to be consul at Bluefields, Nicaragua.
Edward J. Norton to be consul at Malaga, Spain.
Albert W. Robert to be consul at Algiers, Algeria.
Samuel C. Reat to be consul at Tamsui, Formosa.
Louis J. Rosenberg to be consul at Pernambuco, Brazil.
John A. Ray to be consul at Maskat, Oman.
Frederick Simpich to be consul at Bagdad, Turkey.
George B. Schmucker to be consul at Ensenada, Mexico.
Hunter Sharp to be consul at Lyons, France.
Lucien N. Sullivan to be consul at La Paz, Mexico.
P. Emerson Taylor to be consul at Port Louis, Mauritius.
Charles S. Winans to be consul at Seville, Spain.
Horace Lee Washington to be consul at Liverpool, England.

CALIFORNIA DÉBRIS COMMISSION.

First Lieut. Charles T. Leeds, Corps of Engineers, United States Army, as a member of the California Débris Commission.

REGISTER OF LAND OFFICE.

Arthur W. Orton to be register of the land office at Lakeview, Oreg.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Second Lieut. Edward H. Pearce to be first lieutenant.
Second Lieut. Joseph O. Mauborgne to be first lieutenant.

TO BE PLACED ON THE RETIRED LIST OF THE ARMY.

WITH THE RANK OF BRIGADIER-GENERAL.

Col. Edgar S. Dudley.
Col. Owen J. Sweet.

WITH THE RANK OF LIEUTENANT-COLONEL.

Chaplain Charles S. Walkley.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

John Rivera to be chaplain, with the rank of first lieutenant.

MEDICAL RESERVE CORPS.

Thomas Collins Austin to be first lieutenant.

MEDICAL CORPS.

Wallace E. Sabin to be first lieutenant.

APPOINTMENT IN THE NAVY.

James D. MacNair to be a chaplain in the navy.

SENATE.

TUESDAY, *June 1, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. BRISTOW presented petitions of sundry citizens of McPherson and Kansas City, in the State of Kansas, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Kansas, praying for a reduction of the duty on gloves and hosiery, which was ordered to lie on the table.

Mr. PILES presented a petition of the Chamber of Commerce of Spokane, Wash., praying that an appropriation be made to enable the Interstate Commerce Commission to make the valuation of all railroad property, etc., which was referred to the Committee on Interstate Commerce.

Mr. OVERMAN. I present a resolution adopted by the American Cotton Manufacturers' Association, which I ask may be read and referred to the Committee on Immigration.

There being no objection, the resolution was read and referred to the Committee on Immigration, as follows:

The following resolution was unanimously passed by the American Cotton Manufacturers' Association, held in Richmond, Va., on the 26th day of May, 1909:

"*Resolved*, That this association approved most heartily the bill known as the 'Overman bill,' in the United States Senate, placing a tax of $12 a head on all immigrants to this country."

Mr. McCUMBER presented a petition of sundry citizens of North Dakota, praying that hides be placed on the free list, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Grand Forks and Fargo, in the State of North Dakota, remonstrating against an increase of the head tax on immigrants, which were ordered to lie on the table.

HOURS OF DAILY SESSION.

Mr. ALDRICH. I report favorably from the Committee on Finance a resolution, and I ask for its present consideration.

The VICE-PRESIDENT. The resolution will be read.

The SECRETARY. Senate resolution No. 49:

Resolved, That until otherwise ordered the Senate shall meet at 11 o'clock a. m.——

Mr. ALDRICH. The committee report a modification.

The VICE-PRESIDENT. The original resolution will first be read and then the amendment of the committee will be stated.

The Secretary read the resolution submitted by Mr. HALE May 22 and referred to the Committee on Finance, as follows:

Senate resolution 49.

Resolved, That until otherwise ordered the Senate shall meet at 11 o'clock a. m.; that at half past 5 a recess shall be taken until 8 o'clock p. m.; and that the Senate shall adjourn for the day not later than 11 o'clock.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 2 strike out "eleven" and insert the words "half past ten."

Mr. CULBERSON. Mr. President, there are very few Senators present at this time. I submit that the resolution go over until to-morrow or until later in the day.

Mr. ALDRICH. I have no objection to asking for the presence of a quorum. There can be no objection to the resolution, I take it.

Mr. CULBERSON. Is the resolution reported unanimously from the Finance Committee?

Mr. ALDRICH. It is reported after conference with two members of the minority.

Mr. CULBERSON. Let it be read for the information of the Senate.

Mr. ALDRICH. I would suggest that the resolution be treated as an original resolution reported by the committee.

The VICE-PRESIDENT. In lieu of the resolution referred to the committee?

Mr. ALDRICH. Yes.

Mr. CULBERSON. I ask that it be read for the information of the Senate.

The VICE-PRESIDENT. The Secretary will read the resolution as reported from the committee.

The Secretary read the resolution (S. Res. 54), as follows:

Senate resolution 54.

Resolved, That until otherwise ordered the Senate shall meet at half past 10 o'clock a. m.; that at half past 5 a recess shall be taken until 8 o'clock p. m.; and that the Senate shall adjourn for the day not later than 11 o'clock.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CULBERSON. As I said, there are very few members of the Senate present.

Mr. ALDRICH. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gamble	Overman
Bacon	Crawford	Hale	Page
Beveridge	Culberson	Heyburn	Penrose
Bradley	Cummins	Hughes	Perkins
Brandegee	Curtis	Johnson, N. Dak.	Piles
Briggs	Depew	Johnston, Ala.	Rayner
Bristow	Dick	Jones	Root
Brown	Dillingham	Kean	Scott
Bulkeley	Dolliver	Lodge	Shively
Burkett	Fletcher	McCumber	Smith, S. C.
Burnham	Flint	McEnery	Smoot
Burrows	Foster	Martin	Sutherland
Burton	Frye	Nelson	Taylor
Carter	Gallinger	Oliver	Warner

The VICE-PRESIDENT. Fifty-six Senators have answered to their names. A quorum of the Senate is present. Is there objection to the present consideration of the resolution? The Chair hears none. Without objection, the resolution——

Mr. CULBERSON. Let the resolution be read for the benefit of Senators who have just come in.

The VICE-PRESIDENT. The resolution will be again read.

The Secretary again read the resolution.

Mr. DOLLIVER. Do I understand that the resolution is before the Senate?

Mr. ALDRICH. It is.

The VICE-PRESIDENT. No objection was made to its present consideration.

Mr. DOLLIVER. Mr. President, I think the resolution is a very wise and a very proper one. I desire to make that statement in view of the fact that an organized agitation seems to have been set on foot by somebody to send to the various Senators urgent requests that business interests require the prompt consideration of the pending tariff bill. In reply to such telegrams, many of them received from persons who have not been heretofore accustomed to prepay telegrams to me, I have felt that I ought to make the statement in the Senate, so far as it might illuminate my own attitude at any rate, that from the beginning of the controversy here I have had a very deep anxiety to see the bill make all possible progress through the various stages of legislation. I have not been willing, as some have suggested I ought to be, to waive those rights of inquiry and discussion which appear to me to be essential to a proper consideration of such a measure; but I know of no labor and no fatigue and no expenditure of time and attention which I am not willing to undergo to properly forward the consideration of the bill.

I hope there will be no dissent to these continued sessions of the Senate, in order that without unduly delaying the passage of the bill, we may reserve to ourselves those rights of discussion and inquiry so essential to the proper consideration of the measure.

Mr. BACON. I do not desire to interpose any objection to the resolution, but I inquire of the Senator in charge of the resolution whether it is to take effect to-day.

Mr. ALDRICH. It is to take effect to-morrow.

Mr. BACON. I did not so catch the reading, and that is the reason why I asked the question. I was about to suggest that we ought at least to have one day's notice in order that we may adjust our hours to the time of meeting.

Mr. ALDRICH. It will begin to-morrow morning.

The VICE-PRESIDENT. The Chair would think that unless modified it would take effect from its passage.

Mr. BACON. I should think so, from the language used.

Mr. SCOTT and Mr. PENROSE. Let it begin to-day.

Mr. HALE. The order drawn by me originally is a complete order with the beginning of the day.

Mr. BACON. If it is so understood, it is all right.

Mr. HALE. It says, "until otherwise ordered the Senate shall meet at half past 10 o'clock." So it is clear to me that it will take effect to-morrow, beginning with the first part of the order.

Mr. ALDRICH. I think there is no question about that.

The VICE-PRESIDENT. The Chair thinks the Senator is correct in that respect, from the reading of the resolution.

Mr. BAILEY. Mr. President, I have just entered the Chamber. I should like to have the resolution read.

The VICE-PRESIDENT. Without objection, the resolution will be again read.

The Secretary again read the resolution.

Mr. BAILEY. Mr. President, the chairman of the Finance Committee several days ago called a meeting of the committee to consider this resolution, and after an interchange of opinions the committee adjourned without taking any action. I heard no more about it until this morning, when the Senator from Rhode Island called me over the telephone and told me that those in charge of the bill felt that they were obliged to press for night sessions.

Personally I would have no particular objection, but as it is a matter that affects the convenience and the endurance of Senators, I felt that all Senators ought to be consulted, and I have talked with the Senators on this side. While I find some of them of the opinion that night sessions would enable us to adjourn earlier than we otherwise would, I find a large number of them feel that it will not expedite the business now before the body, and I find all of them agreed that night sessions impose upon the Senators altogether too severe a tax.

Speaking for this side, so far as I have been able to confer with them, and I have conferred with all with whom it was convenient to talk, I believe that they would prefer to stay here further into the summer than to come here in the morning and then to come back here at night, thus leaving them no time to attend to their correspondence or to do such service for their constituents at the various departments as may be required.

I am not going to make any captious opposition to it. If it is the will of the majority that it shall be done, it is for the majority to say, but I simply want to record it as my opinion that Senators at the end of the session, I mean after the adjournment, will find their correspondence either neglected, so as to give offense, and proper offense, or else they will find it so accumulated that two months after we have adjourned they will not have cleared their desks.

I am not able myself to see any advantage in doing this work exclusively, neglectful of other public work and adjourning thirty days earlier, and then being compelled to spend sixty days in disposing of the work which accumulated in the meantime. For that reason I shall not vote for the resolution.

Mr. CULBERSON. Mr. President, of course it is understood by the Senator from Rhode Island, but I call his special attention to the fact that notwithstanding the addition of a night session of three hours the day session of the Senate is still to be seven hours, from 10.30 to 5.30. We have been adjourning heretofore about 5 o'clock. So it makes the service for the twenty-four hours in the Senate ten hours. It seems to me that we could very well take a recess earlier than 5.30, say at 5 o'clock, or better still, as suggested by some Senators on this side, adjourn at half past 10 at night rather than at 11. If we are to be compelled to stay here until adjournment every night at 11 o'clock, of course it will be midnight before a number of Senators can reach their homes under those circumstances, and it occurred to me that the resolution might be modified in one or the other of these particulars.

Mr. HALE. If the Senator will permit me——

Mr. CULBERSON. Certainly.

Mr. HALE. The terms of the resolution on the point of the adjournment for the day are "not later than 11 o'clock."

Mr. CULBERSON. I understand that.

Mr. HALE. The Senate at any time, if the heat is prostrating or if there is such a let up in any way of the business, can adjourn earlier than 11 o'clock. But I think the Senator will see that if the Senate is to be transported bodily here at 8 o'clock there ought at least to be a chance to stay three hours, which in itself in duration is not a very long session. The morning meeting is fixed at half past 10, giving, as the Senator has said, seven hours; but the hour of final adjournment for the day is left with the Senate.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. MARTIN. Mr. President, I think the time has come when steps should be taken to hasten the completion of this work. I am heartily in favor of the resolution.

There is one other matter, however, that I wish to call to the attention of the committee, which I think will tend also very much to hasten the completion of this work, and that is that the committee shall report on those features of the bill in respect to which no report has yet been made. I do not think it is right that we should be without a report from the committee on every proposition that is to be considered. There are a number of questions which I will not say have been held back, but they have not been reported. There may be some reason unknown to me why they have not been reported, but I simply desire to say that I believe the passage of the bill will be facilitated by having the committee report as early as possible on every proposition which is to come before the Senate in this connection.

Mr. BAILEY. I wish to ask the Senator from Rhode Island if he will not agree to modify the resolution so as to convene at 11 o'clock. My purpose in that is that on no morning am I able to get through even reading my mail and doing the work necessary for that day's proceedings here.

To illustrate, without assuming that the Senate is concerned about the way I spend my time: This morning I was engaged in reviewing one of the most interesting debates ever held in this body, though by no means one of the longest, on the tariff question; and I found a distinguished Whig Senator saying what I have been more than half inclined to say several times during this debate, that they are going to do this, and probably the worse they make it the better it will be for the people in the end. I found Senator Crittenden, of Kentucky, challenging the Democrats to proceed in that way to an end, and he declared that he did not feel it his duty, even as a patriot, to help them make their bill any better than it was, because when he helped them to do the best, still it would be so bad that the people ought to repeal it. I sometimes feel that way about this measure.

Other Senators may be able to dispose of these matters without resorting to the books, but I am not. I have not that facility for learning and that comprehension which enables me to understand things without study. There does not pass a day that I do not find it necessary either to review some phase of the question itself or to still further inform myself about some particular item. This simply means, not only as to me, but as to everybody else, that the question will be disposed of according to the knowledge we now possess, because no Senator is going to have time to acquire any more knowledge with respect to any item.

Mr. CLAY. Mr. President, just a word. I agree with the Senator from Virginia [Mr. MARTIN]. I believe that we ought to dispose of this legislation during the month of June, and so far as I have been able to hear from my constituents they are anxious to see the pending legislation disposed of.

The point has been raised that we will not have time to attend to our correspondence. We meet now at 10 o'clock. If we convene here at half after 10 o'clock, we have a half hour more to attend to our morning's business. So far as the nights are concerned, we can not visit the departments for the purpose of doing that kind of work at night, because they are not open.

I may be mistaken, but I believe it to be to the best interest of this country as soon as we can intelligently dispose of the pending bill to get through with it. For my part, I am willing to come here at night and attend the session until 11 o'clock, or even later, if it be necessary, to complete the work.

Mr. BAILEY. I only desire to say, Mr. President, that Senators who find it convenient to come have the advantage of me. I have to work every night. I never find a night for recreation or entertainment of any kind. Still I do not ask that Senators who are able to get through with it so much easier and quicker than I can shall wait for me. I am willing to go along with them the best I can, and if I can not keep up, I will not complain.

Mr. ALDRICH. Mr. President, I can not consent to the modification of the resolution along the line suggested by the Senator from Texas. I hope that these prolonged hours will not be necessary for more than a week.

Mr. BAILEY. You will tire Senators out by that time; that is what you expect.

Mr. ALDRICH. But, if it will be necessary, I will say that I shall feel constrained to ask for even longer hours, because I think it is necessary that this legislation shall be disposed of.

Mr. BAILEY. Mr. President, I want to say to the Senator right now, if this is to be a test of physical endurance instead of a test of intellect or political principles, we are not without resources of that kind. I hope the Senator will withdraw the threat that if we do not let him go forward as fast as he wants, he will punish us by bringing us here earlier and keeping us here later.

Mr. ALDRICH. I have made no threat. If the bill had got along as fast as I would like to have it, it would have been disposed of long ago. I propose, so far as I am concerned, with my responsibility, to have the Senate here as many hours as we can for the discussion of this question. There has been no attempt here to cut off any discussion or to prevent the fullest discussion, and there will be none hereafter. But there is a grave responsibility resting upon the party having the care of this measure, and I feel myself frequently that I have been derelict in my duty for not pressing it more.

Mr. BAILEY. The Senator has asked the Senate two or three times to agree to a vote on the bill fixing a day, and yet

the Senator's committee has not yet reported on all the items of the bill. It seems to me a strange proceeding that the Senator in charge of a bill would ask the Senate to agree to vote on it when we do not even know all of its items.

Mr. ALDRICH. There are only two or three items in the bill that are important upon which the committee has not reported—the question of hides, the question of paper and pulp, the question of zinc, and lumber, and coal. Those are the only ones we have not reported. I suppose the report will not change the opinion of a single Senator present as to what they would do in relation to either one of these items. There will be a report made in due time upon these items; and there will be no attempt to prevent the Senate from discussing fully the provisions which the committee shall report with reference to these matters. There is no reason for anyone to suggest delay on account of the failure of the committee up to this time to report upon those items.

Mr. RAYNER. I should like to ask the Senator from Rhode Island, Has there been any report on oil? I do not know; I am not informed.

Mr. ALDRICH. The report of the committee was for free oil. That is the report as it now stands. There is a report on all these subjects as a matter of fact from the committee, but I have already notified the Senate that we would report amendments to some of these provisions.

Mr. RAYNER. Will the committee further consider the subject of oil?

Mr. ALDRICH. There are a great many people here who are asking us all the time to consider the question of oil. There have been, perhaps, a great many people in the city as much interested in that subject as anyone that is before Congress. If the Senator means that, there are a great many people here who desire to be heard upon the subject and who have views on the subject.

Mr. RAYNER. I only wanted the information.

Mr. BEVERIDGE. Mr. President, I am heartily in favor of the resolution, and have been from the moment it was presented, and before.

The Senator from Virginia [Mr. MARTIN] says that the time has come to expedite this measure. I go further, and say that that moment arrived when the bill was reported. I take it that every Senator here equally feels the necessity of speeding the bill to a final passage, so far as that may be consistent with an examination into the facts and reasons upon which each schedule and each item thereof is based.

I realize, as does everybody else, what has been said by a Senator, that this will, of course, make it more difficult to pursue these investigations, because the nights, which heretofore have been given to this, will be occupied in this Chamber. But, nevertheless, that investigation will go on, as it should. Nevertheless, resort will be had to the books and statistics, as should be the case, and as, of course, everybody wants to be the case; and no person more, Mr. President, we are bound to believe, than the committee in charge of the bill.

The fact that Senators must begin, perhaps, at 12 o'clock at night to do their preparatory work of investigation for the next day's consideration will not by any manner of means prevent such work into the morning hours.

I think that Senators are perfectly willing—not only willing but anxious, as many of them I personally know have been from the first—to invade even the morning hours in order that the bill may come to a period.

But, Mr. President, there is something more important than passing the bill quickly, and that is to pass it right. I do not pretend to voice any peculiar view in that respect; that, also, I know is the opinion of every Senator. But there are differences of opinion, quite honest ones, as to what will be the best thing in various schedules and various items, and so our first duty is this careful investigation, no matter if we have to stay here all night; then after that comes the duty of concluding the bill, not in haste, but in that considerate speed which will make for a sound and enduring measure.

Mr. President, the Senator from Iowa [Mr. DOLLIVER] mentioned a subject that I have been thinking for some time might be mentioned as to his experience in his own State.

Some three weeks ago what at first appeared to be and afterwards clearly was proved an organized movement was started, and I understand the same to be true in other States, to have constituents, notably manufacturers and workingmen, to write or wire their Senators to hasten the bill quickly, regardless of investigation. The excuse was to get it passed "so that business might resume." In the whole time since that organized movement was started three weeks ago, I have received from my State a few communications of that kind. I hesitate to state the number of communications emphatically to the contrary I have received, because they have literally gone into the hundreds. Not only that, Mr. President, but in the last few days I have begun to receive letters from manufacturers and from the solidest men in my State to whom these letters were written appealing to them to write to me to hurry the bill. These men have written me, inclosing copies of these appealing letters written to them, together with copies of their replies thereto.

I had them in my desk two or three days ago, and thought it might be necessary to read them. They are not here now, but later, if there is any curiosity about it, I shall be glad to read them. I can state in a sentence the substance of what those solid business men said. It was this: "Get the bill as nearly right as is possible, if you stay there all year," because they say, "We do not want any business disturbances on account of the tariff again for ten or twelve years to come." They say, "Take all the time necessary to do the work well," and they say other things so severe that I hope I shall not have occasion to read them. That, Mr. President, was the response of the solidest business men in my State to this conspiracy of haste—this appeal that had been made to them to urge that the bill be rushed regardless of consideration. Not only that, but among these communications were perhaps three, I believe, ostensibly from labor unions, and signed by a number of names of union workingmen. I have official letters from two of the unions which those telegrams purported to represent, denouncing those telegrams as fraudulent, and insisting that we should examine this bill with the greatest care in the interests of the people, no matter how long a time it took.

I feel it necessary to say these things without reading the letters or the telegrams, on account of what the Senator from Iowa has said. I am very glad this resolution has been reported, and I have been in favor of it from the moment it was presented, and even before. Let us speed the bill; let us work the extra time that is necessary. That is a duty we owe to the public; but above all let us do our work thoroughly, so that it will stand for years; that can only be by making it acceptable to the people.

Mr. CULBERSON. Mr. President, I think the resolution had better go over under the rule for a day.

Mr. ALDRICH. I regret exceedingly that the Senator should feel obliged to make this objection.

Mr. BACON. If the Senator from Rhode Island will pardon me, I want to suggest, if it is to go over, that the Senator's committee will consider the question whether more progress would not be made by having one long continuous session than to endeavor to break it. I would myself rather have the session from 10 o'clock until half past 6 in the afternoon or even 7. I think a great deal more would be accomplished than to break the session at half past 5 and endeavor to resume it at 8 o'clock.

So far as I am personally concerned the extension to 7 o'clock would not put me to much more inconvenience than I now have, because believing it to be my duty to stay in the Chamber while the Senate is in session, I am here all the day, and it is 7 o'clock almost every night before I leave the Capitol.

I did not make the suggestion until it was apparent that the matter was going over, but I would prefer to meet at 10 and sit here until 7 rather than to endeavor to come back at night; and I think very much more would be accomplished even if there was an hour less in the aggregate time. I hope if the matter goes over the committee will consider that question.

Mr. ALDRICH. I think, upon further thought, that the objection of the Senator from Texas comes too late. My impression is that unanimous consent was given for the present consideration of the resolution. If so, of course one objection does not carry it over.

Mr. CULBERSON. I submit to the Chair that the objection does not come too late. The question of unanimous consent for the present consideration of the resolution, I think, had not been asked or given. The discussion has been informal.

Mr. ALDRICH. I think the Senator is entirely mistaken. I think the RECORD will show—and I ask that the Reporter's notes may be read upon the subject—that unanimous consent was granted for the present consideration of the resolution.

Mr. CULBERSON. The resolution was read twice at my suggestion for the information of the Senate with a view of having the question determined as to whether unanimous consent should be given. As I recall, the only thing suggestive on this point is what was said by the Senator from Iowa [Mr. DOLLIVER]. He asked if the resolution was before the Senate, and then proceeded to make a statement. It was in a sense before the Senate, but I do not believe—it is my recollection, at all

events—that unanimous consent was submitted to the Senate and given.

Mr. NELSON. Mr. President, the only objection I have to the resolution is that we ought to meet at half past 9 instead of half past 10. I would be very glad if the committee will adopt that amendment. I move to amend the resolution so as to provide that the Senate will meet at half past 9 o'clock in the morning, instead of at 10.30.

Mr. CULBERSON. Let us have this matter of objection determined.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair will ask that the Reporter's notes be read.

Mr. CULBERSON. I think, Mr. President, it may conduce to a better disposition of the matter than would come about by insisting upon the passage of the resolution to-day; and that is no threat, either.

The PRESIDING OFFICER. The Reporter will read.

The Reporter read as follows:

The VICE-PRESIDENT. Fifty-six Senators have answered to their names. A quorum of the Senate is present. Is there objection to the present consideration of the resolution? The Chair hears none. Without objection, the resolution——

Mr. CULBERSON. Let the resolution be read for the benefit of Senators who have just come in.

Mr. ALDRICH. Further on there is another statement.

Mr. SCOTT. The Presiding Officer stated the question again. It was stated three times.

The PRESIDING OFFICER. The Reporter will read further.

The Reporter read as follows:

Mr. DOLLIVER. Do I understand that the resolution is before the Senate?

Mr. ALDRICH. It is.

The VICE-PRESIDENT. No objection was made to its present consideration.

Mr. NELSON. Mr. President, I withdraw my amendment. I find it is not in favor at this end of the Chamber.

Mr. ALDRICH. I would suggest to the Senator from Texas that it can not be material whether this resolution is voted upon to-day or not. I can see no reason for its postponement.

Mr. CULBERSON. Mr. President——

Mr. SCOTT. Let us have a vote on the resolution.

Mr. CULBERSON. I may have been out of the Chamber during a portion of the debate, but I understood from my colleague and other members of the Committee on Finance that this matter had once been considered by the full committee and that night sessions were not ordered; and the Senator from Florida [Mr. TALIAFERRO], who sits in front of me, suggests that the matter has never been considered a second time by the committee. The Senator from Florida is a member of that committee. I notice three members of the minority of that committee are absent from the Chamber this morning—the Senator from Virginia [Mr. DANIEL], the Senator from Mississippi [Mr. MONEY], and the Senator from North Carolina [Mr. SIMMONS].

Mr. ALDRICH. I stated to the Senator from Virginia yesterday that I should have to report this resolution, and I stated the same thing to the Senator this morning over the telephone. Of course, we take the full responsibility for making the report.

Mr. CULBERSON. I understand that; but the Senator might listen to the arguments or suggestions of the minority as to the best means of reaching a conclusion satisfactory to the Chamber as a whole.

Mr. ALDRICH. This matter is entirely within the scope of the Senate's authority. Two Members on the other side of the Chamber have already expressed their opinion in favor of the resolution, and I believe it will be found upon a vote that a large majority of Democratic Senators are in favor of the resolution. That is my judgment about it.

The PRESIDING OFFICER. Does the Senator from Texas object?

Mr. CULBERSON. I object to the present consideration of the resolution.

The PRESIDING OFFICER. The resolution goes over.

Mr. ALDRICH. Mr. President, undoubtedly, from a parliamentary standpoint, the objection comes too late; but I shall not persist in that point, as I am powerless, perhaps, to get a vote upon the resolution this morning. I, however, give notice that I shall call the resolution up promptly to-morrow morning and ask that it remain before the Senate until disposed of.

The PRESIDING OFFICER. The introduction of bills and joint resolutions is now in order.

Mr. SCOTT. Mr. President, I was born and raised a Quaker, and I only speak when the spirit moves me. It moves me to say a few words right now. I can not understand why we should lose nearly an hour here this morning over this resolution when Senators on the other side know that the resolution will be adopted to-morrow. I can not understand why they can not just as well let it be adopted this morning. The officers of one of the largest independent steel companies in this country, organized in 1852, have been urging that we give them some kind of a tariff bill. They do not care much what it is; but, if we will give them something, they will adapt their manner of business to suit that bill. They want to get their factories and their blast furnaces and their entire plant in operation. Now, here we quibble over whether or not we shall meet at 10 o'clock to try to expedite the passage of the bill.

Mr. ALDRICH. I move that when the Senate adjourns to-day it adjourn to meet to-morrow morning at 10.30 o'clock, and I shall ask that the Senate take a recess at half past 5 o'clock, and hold an evening session to-morrow. I do not withdraw the resolution, but I make this motion independent of the resolution.

The PRESIDING OFFICER. The Senator from Rhode Island moves that when the Senate adjourns to-day it be to meet at half past 10 o'clock to-morrow morning. The question is on that motion.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 2501) to correct the naval record of John Lindsay; to the Committee on Naval Affairs.

A bill (S. 2502) to grant an honorable discharge to Francis Kelly, alias Francis Cammeron; to the Committee on Military Affairs.

A bill (S. 2503) granting an increase of pension to Lewis A. Uhl;

A bill (S. 2504) granting a pension to Frank A. Betz;

A bill (S. 2505) granting an increase of pension to Robert M. Blankin;

A bill (S. 2506) granting a pension to John S. Barr;

A bill (S. 2507) granting an increase of pension to Henry Bisbin;

A bill (S. 2508) granting an increase of pension to Emily S. Beale;

A bill (S. 2509) granting an increase of pension to Condy Manelius; and

A bill (S. 2510) granting an increase of pension to Charles R. Gentner; to the Committee on Pensions.

By Mr. BURROWS:

A bill (S. 2511) granting an increase of pension to James A. Edsall; to the Committee on Pensions.

By Mr. FRYE:

A bill (S. 2512) granting a pension to Ella F. Laverty (with the accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2513) to extend the time of payment to purchasers of homesteads under an act entitled "An act to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota," approved February 20, 1904; to the Committee on Indian Affairs.

By Mr. CULLOM:

A bill (S. 2514) providing for participation in the Universal and International Exhibition, to be held at Brussels in 1910; to the Committee on Foreign Relations.

By Mr. SHIVELY:

A bill (S. 2515) to pay damages and losses sustained by certain citizens of the United States on account of the naval operations in and about the town of Apia, in the Samoan Islands, by the United States and Great Britain, in March, April, and May, 1899; to the Committee on Foreign Relations.

By Mr. MARTIN:

A bill (S. 2516) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia; and

A bill (S. 2517) for the erection of a monument to the memory of Gen. William Campbell; to the Committee on the Library.

A bill (S. 2518) to provide the troops of the United States Army, Navy, Marine Corps, and Organized Militia with suitable grounds for target practice, battle firing, and war training, near Washington, D. C.; to the Committee on Military Affairs.

A bill (S. 2519) for the improvement of Mattaponi River, Virginia, and making an appropriation therefor;

A bill (S. 2520) for the improvement of Cat River, Virginia, and making an appropriation therefor; and

A bill (S. 2521) for the improvement of Onancock River, Virginia, and making an appropriation therefor; to the Committee on Commerce.

By Mr. BRISTOW:

A bill (S. 2522) granting an increase of pension to Allen Osborn (with the accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. CUMMINS submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. JONES submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

Mr. DOLLIVER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

FRANK P. M'CURDY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 69), which was read, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

To the Senate and House of Representatives:

In accordance with section 32 of the act of Congress approved April 12, 1900 (31 Stat., 84), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico, May 6, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Frank P. McCurdy the right to establish and maintain a ferry service between the municipalities of San Juan and Cataño.'"

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

THE TARIFF.

The PRESIDING OFFICER. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. ALDRICH. I ask that the Senate proceed with the consideration of the cotton schedule, and I offer certain modifications and amendments to the schedule in order that they may be printed. I will call them up as they are reached in their order.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over was, on page 95, in Schedule I—cotton manufactures—paragraph 310, cotton thread and carded yarn, warps or warp yarn, and so forth.

The PRESIDING OFFICER. The Chair understands that the amendments have all been agreed to in that paragraph.

Mr. ALDRICH. I move, in line 19, to strike out "twenty" and insert "fifteen."

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 310, page 95, line 19, it is proposed to strike out "twenty" and insert in lieu thereof "fifteen."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BACON. Mr. President, all these matters are matters of absolute mystery to most of us.

Mr. ALDRICH. This is a reduction from 20 to 15 per cent ad valorem.

Mr. BACON. I only wanted the Senator to explain the provisions as we go along, in order that we may not interrupt him by making that request. It is really a matter that we do not know anything about. When it comes to technical language as to the number of threads to the square inch, and all that kind of thing, we want to have an opportunity to know what it means.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

The SECRETARY. On page 96, line 8, after the word "hundred" and the semicolon, the committee proposes to strike out the following words:

Cotton card laps, roping, sliver, or roving, 35 per cent ad valorem.

And to insert:

Cable-laid yarns or threads, made by grouping or twisting two or more grouped or twisted yarns or threads together, not colored, bleached, or dyed, four-tenths of 1 cent per number per pound; colored, bleached, or dyed, nine-twentieths of 1 cent per number per pound: *Provided further*, That said threads and yarns, colored, bleached, dyed, combed, advanced beyond the condition of singles, and cable-laid yarns or threads, as hereinbefore provided, shall not pay a less rate of duty than 25 per cent ad valorem: *And provided further*, That all of the foregoing threads and yarns as hereinbefore provided, when mercerized, shall pay in addition to the foregoing specific rates of duty one-twentieth of 1 cent per number per pound; cotton card laps, roping, sliver, or roving, 35 per cent ad valorem. Cotton, cotton waste and flocks, manufactured or otherwise advanced in value, 20 per cent ad valorem.

Mr. BACON. Will the Senator permit me to ask him whether the bill is now being taken up with some degree of irregularity, or whether all that is now being considered has been passed over?

Mr. ALDRICH. It is being taken up with a great degree of regularity.

Mr. BACON. What I want to ask is this—probably I did not express myself felicitously—is the cotton manufactures schedule now being taken up upon the idea that all that has intervened has been disposed of?

Mr. ALDRICH. That is not absolutely true, but very largely so.

Mr. BACON. That is the reason I made the inquiry.

Mr. ALDRICH. There are a few reserved—for instance, sulphate of ammonia, boracic acid, zinc—a few that have been passed over by unanimous consent, but very largely all the items have been agreed to. I believe the scrap iron ore provision has been passed over.

Mr. BURKETT. And the lumber schedule.

Mr. ALDRICH. The lumber schedule has not been finally disposed of, and the same is true as to window glass. There have been certain items passed over by general consent.

Mr. BACON. I was moved to make the inquiry by the fact that at my request paragraph 291 was passed over when it was first under consideration, and I do not understand that it has since been taken up.

Mr. ALDRICH. It was taken up yesterday, and agreed to.

Mr. BACON. I was present all day. I have it marked here; and I am sure the RECORD will show that I asked that it be passed over. I do not know when it was agreed to.

Mr. ALDRICH. The committee suggested certain amendments, and asked that the entire paragraph be agreed to.

Mr. BACON. The committee suggested certain amendments?

Mr. ALDRICH. We struck out "twelve" and inserted "ten," and in the twelfth line struck out "eight" and inserted "six."

Mr. BACON. In paragraph 291?

Mr. ALDRICH. Paragraph 291.

Mr. BACON. The copy I have does not show any committee amendments whatever.

Mr. ALDRICH. That was done yesterday on the floor.

The PRESIDING OFFICER. The Chair will inform the Senator from Rhode Island that the Senator from Massachusetts [Mr. LODGE] offered an amendment——

Mr. ALDRICH. They were offered by myself. I offered the amendments on yesterday.

Mr. BACON. Very well.

Mr. ALDRICH. They were agreed to, and the paragraph was agreed to as amended.

Mr. BACON. I did not know that fact. I will simply have to take advantage in the Senate, as that is the only opportunity I will have, I suppose; but at the time the paragraph was first under consideration I did ask that it be passed over, and I supposed, of course, my attention would be called to it.

Mr. ALDRICH. The paragraphs were taken up in order and disposed of.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERMAN. What paragraph is that?

The PRESIDING OFFICER. Paragraph 310. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 311, spool thread of cotton.

The PRESIDING OFFICER. The Chair understands that all the committee amendments in paragraph 311 have been agreed to on a former reading.

Mr. ALDRICH. They have been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the paragraph as amended.

Mr. DOLLIVER. What paragraph is the Chair referring to?

The PRESIDING OFFICER. Paragraph 311.

Mr. DOLLIVER. I should like to ask a question about paragraph 310. Does the word "cotton," in line 23, after the words "ad valorem," operate to impose a 20 per cent duty on raw cotton?

Mr. ALDRICH. To what paragraph does the Senator refer?

Mr. DOLLIVER. I refer to the last clause in paragraph 310.

Mr. ALDRICH. No. I should suggest perhaps that the words "all the foregoing" ought to be inserted after the word "flocks."

The PRESIDING OFFICER. On what page?

Mr. ALDRICH. On page 96, line 24, after the word "flocks."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 96, in the committee amendment, in line 24, after the word "flocks," it is proposed to insert the words "all the foregoing."

Mr. DOLLIVER. Mr. President, the question I desire to ask is whether the inclusion of the first word in that last sentence—"Cotton"—would not operate to impose a duty of 20 per cent on raw cotton?

Mr. ALDRICH. It is covered by the words "manufactured or otherwise advanced in value."

Mr. DOLLIVER. That is a little ambiguous, I should say. It might be held to refer to the raw product.

Mr. ALDRICH. Well, I am perfectly willing to strike out the word "cotton." I do not think it is of any consequence, and I ask to strike that word out.

Mr. BACON. What paragraph is that?

Mr. ALDRICH. Paragraph 310. With the word "cotton" eliminated it will read, "Cotton waste and flocks," and so forth.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out the first word, "Cotton," in line 23, page 96, in the committee amendment, and make the word "cotton" before the word "waste" begin with a capital "C."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment previously offered by the Senator from Rhode Island, which the Secretary will state.

The SECRETARY. On page 96, line 24, after the word "flocks," it is proposed to insert "all the foregoing."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the paragraph as amended.

Mr. ALDRICH. It has already been agreed to, Mr. President.

Mr. NELSON. I inquire what paragraph is being considered. It is difficult to keep track of where we are.

Mr. ALDRICH. Paragraph 311.

Mr. NELSON. I thought it was paragraph 310.

Mr. ALDRICH. Paragraph 310 was agreed to, and some modifications were made to it. Paragraph 311 is now before the Senate. I inquire if the committee amendments to paragraph 311 have been agreed to.

The PRESIDING OFFICER. The Chair is so informed.

Mr. ALDRICH. Then I ask that the paragraph as amended be agreed to, modifying it in line 17 by striking out the word "twenty-five" and inserting the word "twenty."

Mr. CRAWFORD. Where is that amendment?

Mr. ALDRICH. In line 17, page 97, to insert "twenty" instead of "twenty-five."

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. To the next paragraph I offer the amendment which I have already sent to the desk.

Mr. NELSON. Is that paragraph 313?

Mr. ALDRICH. Paragraph 313. I move to amend by inserting in paragraph 313 the substance of paragraph 312, so as to merge them together.

Mr. DOLLIVER. I desire to make a suggestion as to paragraph 312.

Mr. ALDRICH. I will suggest to the Senator from Iowa that I will explain to him what will be the effect of this amendment, so that he will understand it.

Mr. DOLLIVER. Very well.

Mr. ALDRICH. It is proposed to insert bodily into paragraph 313 the terms of the present paragraph 312, so that the same rates shall apply to the articles covered by that paragraph, except those that are affected by the proviso, as apply under the present law and under the House bill.

Mr. DOLLIVER. I would suggest to the chairman of the committee that that was the object I intended to accomplish by an amendment adding the proper proviso to paragraph 312.

Mr. ALDRICH. Putting paragraph 312 bodily into paragraph 313, so that the proviso applies to both, accomplishes the same purpose.

Mr. BEVERIDGE. May I ask the Senator just what the practical effect of that would be? Does that in any sense meet the objection which was made by the Senator from Iowa several weeks ago?

Mr. ALDRICH. I can not tell about what objection was made several weeks ago by anybody, but it has this effect: It retains the provisions of the present law and the House bill in reference to this paragraph.

Mr. BEVERIDGE. That was the contention at that time. That eliminates that objection.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In paragraph 313, page 97, line 24, after the word "cloth,' it is proposed to insert "valued at not over 7 cents per square yard, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, and valued at not over 9 cents per square yard, 1¼ cents per square yard; if dyed, colored, stained, painted, or printed, and valued at not over 12 cents per square yard, 2 cents per square yard; cotton cloth,"——

Mr. NELSON. Mr. President, what has become of the words in italics on page 98, beginning in line 6 and going down to line 16?

Mr. ALDRICH. They have not been reached yet.

Mr. NELSON. Where does this amendment come in?

Mr. ALDRICH. At the very beginning of the paragraph.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOLLIVER. Just a moment, Mr. President. Before that is taken up, I shall be glad to lay before the Senate an amendment which I desire to offer to paragraph 312. I desire the House provision, which is the present law, first restored, and amended as I suggest.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert, to stand as paragraph 312, the following:

312. Cotton cloth, not bleached, mercerized, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1¼ cents per square yard; if mercerized, dyed, colored, stained, painted, or printed, 2 cents per square yard: *Provided*, That on all cotton cloth not exceeding 50 threads to the square inch, counting the warp and filling, not bleached, mercerized, dyed, colored, or printed, valued at over 7 cents per square yard, 25 per cent ad valorem; bleached, valued at over 9 cents per square yard, 25 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I do not care to occupy any length of time, but I think it best, at the beginning of these provisions of the Senate bill in respect to cotton cloth, to state, so that it may be fully understood, the line of division between those of us who desire the present scheme of cotton-cloth duties retained and those who favor the amendments of the Senate committee.

It was the framework of the Dingley law that the ordinary grades of cotton cloth should be assessed by a specific assessment, but that the higher grades of each countable subdivision of the cloth should be assessed upon an ad valorem basis. By some oversight the ad valorem basis in paragraph 312 was omitted, because it was not understood, apparently, by those who framed these schedules for the committees of the two Houses of Congress in 1897 that there were cloths of such a character that, while they were under 50 threads to the square inch, they were of greater value than the cloths intended to be included in that classification; in fact, subsequent decisions of the courts put in that classification cloths that were evidently never intended to be put there.

For example, there were found very valuable cloths less than 50 threads to the square inch, some of them made valuable by reason of the high tension of threads, such as would be used in making sieves and other such manufactures. Then, on the other hand, there were very rough cloths, where the number of fibers

of cotton in the thread were innumerable, such cloth, for example, as is commonly spread on a table under the tablecloth, a cloth nearly a quarter of an inch thick, which, being unraveled, shows threads less than 50 to the square inch, and yet such a mass of cotton radiating from these threads that the value of the cloth was very much above what was supposed to be the value of cloth of 50 threads to the square inch.

In my judgment, nothing is necessary except to add to paragraph 312 a proviso that as these cloths rise in value above 7 cents they shall take the ad valorem of 25 per cent. That will cover them all; cover every decision that the Supreme Court has made; restore all cloths that are only 50 threads to the square inch to paragraph 312, with the proviso that such of them as rise in value above 7 cents shall be treated as the Dingley bill treated all other high-priced cloths on an ad valorem basis. If that is done, it is not necessary to have any special provision about mercerization, because, waiving the question of what mercerization costs, the effect of mercerization is simply to add to the value of the cloths; and if they are assessed upon a fair ad valorem basis, the ad valorem rate will catch the higher value that arises from the mercerization of the cloth.

Therefore, for two reasons, it appears to me desirable to preserve the scheme of ad valorems in the act of 1897. They reappear in all these paragraphs, and the committee in each case has converted them into what are called "equivalent specific duties," which it can be easily shown are very far from being equivalent, but introduce other elements of uncertainty and controversy into the matter, and in many cases, according to the showing made by this very Book of Estimates, operate to very greatly increase the duties upon very ordinary varieties of cotton cloth.

I therefore move to disagree to the Senate amendment to paragraph 312; and, if that is done, I desire to add the proviso attaching the ad valorem rate to all these cloths less than 50 threads in density which are above 7 cents in value.

Mr. ALDRICH. Paragraph 312 is identically the same paragraph which has appeared in all the tariff bills which have been adopted in this country since 1883. It was expected that the proviso at the end of paragraph 312——

Mr. BACON. Will the Senator please speak a little louder? It is very embarrassing to have to make the request so frequently, but really when the Senator speaks in a low tone it is an impossibility to hear him at this distance.

Mr. ALDRICH. I was saying that paragraph 312 is identical with the paragraph relating to similar articles which were in the acts of 1890, 1894, and 1897. The rates are not precisely the same, but the rates in this paragraph are the rates of the Wilson bill. They were the words that were adopted in 1894, word for word.

Mr. BACON. Will the Senator pardon me for a moment? In the copy of the bill which I have before me 312 is entirely stricken out.

Mr. ALDRICH. That has been agreed to. I am explaining just what that paragraph is and what the committee propose to do with it.

In those paragraphs, in what was 305, which is now 313, there was a proviso which read as follows—I read from the paragraph in the Wilson Act:

Provided, That on all cotton cloth not exceeding 100 threads to the square inch, including the warp and filling.

That remained in force until some four or five years ago, when the courts decided that notwithstanding the fact that that proviso applied to all cotton cloths not exceeding 100 threads to the square inch, it did not apply to the cotton cloths provided for in paragraph 312, a distinct and plain misinterpretation of the law. I do not see how it was possible for any court so to decide, because the proviso was not included in paragraph 312, and when paragraph 313, or what was equivalent to that paragraph, provided that on all cotton cloth counting not exceeding 100 threads to the square inch this proviso should apply.

The effect of the committee amendment is to restore the Wilson rates and to restore the rates of the present law upon all these cotton goods, with the proviso to apply. That is what the committee proposes to do; and I assume that the committee amendment is first in order, and I hope it will be adopted.

Mr. BEVERIDGE. Mr. President, there is a confusion in my mind. If the statement of the Senator from Rhode Island is accurate, as I take it to be, until otherwise shown, the effect of the committee amendment is to restore the scheme of the present law. Then what becomes of the statement of the Senator from Iowa, that this amendment is designed——

Mr. ALDRICH. The Senator goes further and undertakes to take care at this point of the question of mercerization, which is not in the present law and is taken care of at another point in this bill. That is the only difference.

Mr. DOLLIVER. If the Senator will permit me, I understand that the proviso of the act of 1897, which is connected with paragraph 313 of the committee's bill, is stricken out by the Senate amendment.

Mr. ALDRICH. Oh, no; it is not. The Senator does not understand the force of the amendment. It is not stricken out.

Mr. DOLLIVER. It is printed in this book with lines drawn through every word of it. What does that signify?

Mr. ALDRICH. That is stricken out. We put in a specific provision with respect to it——

Mr. DOLLIVER. Exactly; and that is what I am discussing.

Mr. ALDRICH (continuing). Which we believe is not greater in amount in rates than the House provision or the provisions of the present law.

Mr. DOLLIVER. Mr. President, I think I am familiar with the court's decision to which the Senator has referred, and I can not agree with him that the court was incorrect. In fact, my recollection is that these changes which he says were so unreasonable were made by the appraisers themselves. At any rate, I have here the opinion of General Appraiser de Vries, which indicates that these decisions seem to have originated with the general appraisers themselves.

I was not incorrect in thinking that one of the important questions raised by the Senator's amendment is involved in paragraph 312. I want to say, again, that in 1897 the rates on those cloths were made specific because Congress was not advised at the time of the high-class cloths which might be included in them.

Now, if it is the desire of the committee to give a reasonable protection to these high-class cloths, such as etamines, so called, and these tablecloths to which I have referred, I agree perfectly that there ought to be a duty applicable to them very much larger than that provided in 312, and therefore I propose to add to paragraph 312 the proviso which the Dingley bill attaches to every other one of these paragraphs, making a sufficient ad valorem, rising as different varieties and cost of cloths go into this paragraph.

I think 25 per cent ad valorem on this cloth would be about what is intended by the committee, and the thing I object to is abandoning these ad valorem assessments on the high-class cloths, which reach them all and apply equally to all, in whatever state of finishing they may be, whether dyed or bleached or mercerized or by whatever other process they may have been advanced in value. This ad valorem plan of assessment, established by the act of 1897, supported before the House committee by the united testimony of the cotton manufacturing interests of the United States, ought to be retained. There is no reason for abandoning it. The ad valorems are sufficient. There is no difficulty about the valuation of these cloths. If there was difficulty about valuing the cloths, the difficulties are not lost in this maze of dividing lines suggested by the committee, some of them only a half cent, and all of them capricious and without system.

I repeat here what I had the opportunity to say the other day, that in every one of these subdivisions where the committee by fixing the dividing line has undertaken to levy a specific duty, the levy operates to substantially advance the duty; and if that is not admitted by the committee, I can prove it by the Book of Estimates.

Mr. ALDRICH. This is one of the clearest cases in this bill. Under the act of 1890 and under the act of 1894 and under the act of 1897 a proviso was inserted in these paragraphs, or in similar paragraphs, saying that on all cotton cloths counting not exceeding 100 threads to the square inch, above a certain value, there should be applied an ad valorem duty of from 25 to 30 per cent. By the decision of the court or of the general appraisers—and I care not who made the decision; it makes not the slightest difference to me whether the decision was made by the Board of General Appraisers or by any court—the plain intent of that law was nullified, and goods which were valued at 25 and 30 and 40 cents a yard were made dutiable at 1 cent a yard. The equivalent ad valorems were reduced by that one decision from 25 per cent to 2 per cent in many cases, and the attention of the Senate has been called to the fact that in one case there was 6.73 per cent imposed by this paragraph, and it was claimed that, because we had sought to make that 25 per cent even, we increased the duty 400 per cent.

Does the Senate propose to allow itself to be used by these gentlemen whose briefs are being read here and who are trying to destroy this bill? I think not, Mr. President.

Mr. DOLLIVER. I feel compelled, out of a sense of duty——

The PRESIDING OFFICER. The Senator from Rhode Island has the floor. Does he yield?

Mr. ALDRICH. I decline to yield to the Senator.

Mr. DOLLIVER. I desire to enter a protest here against that line of remarks from the honorable Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. ALDRICH. This decision nullified the act, because I have been familiar with these schedules for many years, and I know the language was put there with the understanding that it had the plain import which the language meant—that all cotton cloths not exceeding 100 threads to the square inch should pay a certain ad valorem rate. The effect of that decision, made in 1892, I think, when this bill had been upon the statute books for twelve or fourteen years, was to reduce the rates upon these articles as stated.

Mr. BEVERIDGE. I want to ask the Senator a question.

Mr. ALDRICH. Not at present; a little later.

That is not the worst part of this proposition, gentlemen. Under the act of 1890 fine and fancy cotton cloths were made dutiable at 60 per cent ad valorem, without reference to whether it counted 50 or 300 or 400 threads to the square inch. A decision was reached—and I care not whether it was made by the Board of General Appraisers or by the courts—that those goods dutiable at 60 per cent were countable goods and not dutiable at 60 per cent ad valorem, as they were intended to be by the act of 1897; and what happened? These 60 per cent goods were put into this countable provision, and with the other decision, to which I have alluded, they were reduced from 60 per cent to 2 and 3 and 4 per cent; and you are asked, gentlemen, to ratify that.

Mr. BEVERIDGE. May I now ask the Senator a question?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. The question is this: I wish to ask the Senator from Rhode Island what effect this reduction in duties below what he says the law was passed to provide for had on the cotton industry in this country?

Mr. ALDRICH. What effect did it have?

Mr. BEVERIDGE. Yes; is it still prosperous?

Mr. ALDRICH. I will tell you what effect it had. It allowed the British manufacturers, whose briefs have been read in the Senate, to import their goods here at 2 and 3 and 4 per cent when the law contemplated that they should be imported at 60 per cent.

Mr. BEVERIDGE. I caught that; but the question I am asking the Senator is whether or not the manufacturers here who are making these cloths have been prosperous since?

Mr. ALDRICH. They have not been; and I will tell you another effect.

Mr. BEVERIDGE. The Senator from South Carolina [Mr. SMITH] yesterday——

Mr. ALDRICH. The Senator from South Carolina will be answered, I think, even to the satisfaction of the Senator from Indiana. I think so. But I will tell you another effect it had. It had the effect of increasing importations of these articles from $2,000,000 to $9,000,000. That is the effect it has had; and it is a pretty serious effect upon this class of goods.

This question might as well be met here upon this paragraph as anywhere. The effect of the amendment I have offered is not to increase the duties at all, but to provide that these goods, valued above a certain value, shall pay a duty according to value. That is all there is to the question.

Mr. DOLLIVER. Mr. President, the honorable Senator from Rhode Island seems to think now is a good time to settle certain things, and I agree with him. There is one thing preliminary which it also might be just as well to settle now. I do not propose to submit, without a protest and an appeal to the rules of the Senate and to the general fair opinion that ought to prevail among men, to the insinuation that I stand here reading any briefs of importers or that I represent anybody except the people of the United States. What light I have tried to throw upon this question I have sought not from the briefs of importers, but from a careful and conscientious study of the history and practical operation of these schedules.

My honored friend the Senator from Rhode Island says that an outrageous decision was made in reference to certain goods. He says the law was clearly intended to mean one thing, and it has been so wickedly construed as to take away certain protection which certain kinds of cloths ought to have. I have here a speech delivered by one Edwin A. Hartshorne, of New York, before the National Association of Cotton Manufacturers, in which he voiced the same views that the Senator has expressed here, contending that the duty provided in the Dingley law of 60 per cent ad valorem on certain high-class goods made of flax, cotton, and vegetable fibers had been nullified.

I will say to the honorable Senator from Rhode Island that if that provision has been nullified, it has not been done by foreign importers. Curiously enough this outrage, if such it be, was perpetrated on the American people by one De Vries, general appraiser, upon whom has fallen the responsibility, under the guidance of the Senator from Rhode Island, to remake this cotton schedule and to mutilate the tariff act of 1897. Here is his decision. It is not a very foolish decision. It represents not the folly of the judges, but the errors of Congress. I propose to correct that error by putting the Dingley ad valorem proviso after section 312. These goods called "etamines," or whatever you may call them, were apparently unknown to commerce. They ought to have an ad valorem duty on account of infinite variability of their forms and their prices.

I propose to add the Dingley proviso to section 312, and my friend the Senator from Rhode Island, in his wrath at these errors of construction, proposes to strike the Dingley provisos out of all the paragraphs and by substituting equivalent ad valorems to make what he calls a corresponding rate, a rate which I call a deliberate increase in practically all the rates from one end of the schedule to the other.

That I may not be mistaken about that, I will not consult the brief of any foreign importer, but I consult this book called "Estimates of Revenue," a rather sacred document here, because it was the foundation of that great speech of the Senator from Rhode Island in which he notified the world of the actual revenue to be derived from this bill, down to a 50-cent piece, as the Senate will recall, and yet every time any Member of the Senate undertakes to open this Book of Estimates at any vital spot the Senator from Rhode Island is on his feet to say that it is erroneous, or that some miscalculation has crept into it which makes it of little or no value.

I know the value of it. It was made by experts long attached to the Finance Committee, whose judgment about these matters, with all becoming deference to the Senator from Rhode Island, on a question of calculation I would accept rather than his own. But here in this book any man with a taste for figures and a little time at night, without the aid of foreign briefs or without the surroundings that are made so cheerful by the constant presence of experts from the Treasury Department, may find that of all the cotton goods imported into the United States in 1907 more than 70 per cent, according to these statements here, of the equivalent ad valorems which interpose the specific rates provided in the Senate bill represent an actual increase over the Dingley rates; and yet again and again the Senator from Rhode Island has thrown the briefs of foreign importers into my face, and again and again he has promised to show to the Senate that no increases were made.

I open this Book of Estimates. I ask every Senator here to take it up. Make the calculations for yourselves. You will find that of the present importations of cotton goods into the United States, out of a total importation amounting to $14,000,000, $9,400,000 are subjected to increases, according to these tables. The actual increase of the rates, however, amounts to more than is shown in the tables. If the imports are mercerized and account is taken of the extra 1 cent per yard, the true increase would of course be greater under the Senate bill. The percentages of increase will also be greater than indicated on most of the goods, as the new rates are increased by counting extra threads.

Yet here is the official estimate of the effect of these step-ladder specific assessments put down in this book, and if I do not tell the truth about it I will be willing to allow my friend to reproach me for being the victim of briefs furnished to me by foreign importers. More than 70 per cent of the importations of 1907 are affected by these crude efforts to convert the Dingley ad valorems into specific assessments, and of that class $9,400,000 worth, according to those very figures, is shown to have an advanced ad valorem. Yet we have been again and again promised an exposure of the fault of which I am guilty in desiring the Senate to hold fast to the Dingley ad valorems.

There is no advantage in these specific assessments. The dividing lines are so numerous that you have to find the values to the minutest variation in order to tell in what division a proposed imported article belongs. One of them is twelve and the next line twelve and a half. How are you going to do that without finding the value of the articles? The truth is the articles are staple in their values, known to the mercantile community on both sides of the water. These articles differ widely in value, and the result is there can be no specific assessment of them which does not do harm to one or unduly give advantage to another. The only possible assessment covering all this great variety of articles is a fair ad valorem, and that was admitted in 1897, as my honored friend the Senator from North Dakota will recall, when we confined the specifics to the lower grades; and in each paragraph when the value of the article rose so that it was above the ordinary level, we assessed what the

cotton men themselves said was a sufficient protection, at an ad valorem rate, beginning at 25 per cent and rising, paragraph after paragraph, with the value of the goods and the difficulty of manufacturing, until it finally came to be a very high assessment. That was a wise thing to do, wiser now than we were able to see then, because here come these gentlemen with a lot of new processes which they desire to have specifically assessed.

I intend to discuss later on the humbug that is involved in these proposed new assessments, but I will not do it now. It is enough to say that whatever you do to a cotton cloth before or after it is manufactured, whether you bleach it or dye it or mercerize it, or whatever you may do to it, or to the yarns which enter into it, the effect is to make a more costly article, and where you have an ad valorem rate applicable to the article, it will take up that new value and give the protection which that process needs without any specific assessment on the process itself.

Therefore I propose to take the old Dingley provisos and put one of them on paragraph 312, and leave the others exactly where the act of 1897 left them, and try to secure, if I can, the favorable action of the Senate to strike out these stepladder specific assessments that range all through these paragraphs from one end of the bill to the other.

Mr. BEVERIDGE. Will the Senator permit me to ask him a question?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. What is the purpose of having these specific assessments instead of the ad valorem? I do not myself understand it.

Mr. DOLLIVER. In the lower-grade cotton goods the specific assessment has always prevailed and has always operated fairly well. I have here specimens of these goods, which the Senator from Rhode Island says were outraged by importers; but, in point of fact, whatever modification in the law was made was made by the decision of the very man who now sits by the Senator's side, giving him the information which he reveals to the Senate as evidence of the ignorance of everybody else who seeks to discuss these matters.

There [exhibiting] is an article of cotton cloth, less than 50 threads to the square inch, but having a little fancy work upon it, which raises its value so high that if you put the assessment at simply 1 cent a yard the ad valorem will be very low. There [exhibiting] is an article less than 50 threads to the square inch, so very cheap that any specific assessment upon it would probably indicate a high ad valorem. It is the cloth used as a backing for envelopes, for fortifying paper wrappers, and sometimes, I understand, for reenforcing the binding of books. It is hardly a cloth at all.

Now, here [exhibiting] is a cloth less than 50 threads to the square inch, but there is one of the threads involving a very difficult process in producing the feathery appearance upon the thread. The other thread is small. Yet the cloth itself is valuable. It is used to put upon the table in order to prevent the table from being burned by coffee pots and things like that. Everybody, nearly, buys it. It is only 50 threads to the square inch, and yet under Mr. de Vries's decision, this stupid decision which my friend the Senator from Rhode Island thinks must have been inspired by some English importer, it would pass at so low a rate of duty as to be ridiculous.

I say that is wrong. I want these cloths of 50 threads to the square inch to have a fair protection. I know that the specific contained in 312 is not enough. I therefore propose to add to 312 the Dingley proviso, which occurs in connection with all the other paragraphs, and when these goods rise about 7 cents a yard I want them to be affected by a 25 per cent ad valorem. Is not that fair, unless the Senate decides by an affirmative vote to go back on the Dingley law and raise all these rates, so that when an estimate is made by the committee itself it amounts to an open advance which the committee in its anxiety to preserve its own reputation, I suppose, seems disposed every now and then to deny?

Before we get through with this debate it will be demonstrated that the committee, not intentionally, but under the guidance of others, has raised the rates on practically all the cotton cloths that were imported into the United States in 1907.

Mr. BEVERIDGE. Will the Senator allow me to ask him a further question to get the point at issue in my own mind, at least?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I understand that the Senator from Iowa and the Senator from Rhode Island agree that the decision referred to has had the effect on such cloth as the Senator holds in his hands of reducing the tariff rate to 2 and 3 per cent ad valorem.

Mr. DOLLIVER. Very low.

Mr. BEVERIDGE. A very low tariff.

Mr. DOLLIVER. Too low.

Mr. BEVERIDGE. That is the first point of agreement. The second is that both Senators agree it ought to be raised.

Mr. DOLLIVER. That is correct.

Mr. BEVERIDGE. The third point, however, is where the issue comes. The Senator, I understand, proposes to put on an ad valorem of 25 per cent?

Mr. DOLLIVER. Yes; I intend or desire to transfer the Dingley tariff——

Mr. BEVERIDGE. I am aware of that, exactly.

Mr. DOLLIVER. To transfer it to paragraph 312 and restore it in paragraph 313, where the committee has stricken it out, and to restore it in each of the other paragraphs, so that these higher classes of goods, instead of coming in with a humbug specific upon dividing lines, for which nobody can understand the reason, may get the benefit of the ad valorem fixed in 1897 by the cotton manufacturers themselves, and which they themselves stated before the Ways and Means Committee was satisfactory to them.

Mr. BEVERIDGE. I understood that; but I want to get the point of difference. We have now the points of agreement between the Senator from Iowa and the Senator from Rhode Island. I want to get the point of difference so that I can see for myself. As to that piece of cloth, for example, do I understand that the Senator proposes by his amendment to fix the rate at 25 per cent ad valorem?

Mr. DOLLIVER. I do.

Mr. BEVERIDGE. Very well. Now, what does the Senator from Rhode Island propose to fix on it?

Mr. DOLLIVER. He proposes to transfer it to paragraph 313.

Mr. BEVERIDGE. What would be the effect of that?

Mr. DOLLIVER. It would take its chances in the wilderness of dividing lines of value ranging from 7 cents upward according to the assessment which he provides there. It does not pretend to be an equivalent for 25 per cent ad valorem. In paragraph 313 the Dingley ad valorem was 30 per cent. I would not object to that. The thing I object to is taking out these Dingley ad valorem provisos and substituting in their place these stepladder specifics.

I propose, if the Senate will take my view of it, and I intend to ask them to do it, instead of cutting out the Dingley provisos to restore them all, and in paragraph 312, where the proviso is omitted by an error, I propose to add it, so that all these cloth paragraphs beginning at paragraph 312 will bear the rates provided in the Dingley Act, and not higher rates.

Mr. BEVERIDGE. I understand clearly the effect of the Senator's amendment. Now, will he tell us just as clearly what will be the effect of the amendment of the Senator from Rhode Island, the specific, stepladder arrangement as to duties?

Mr. DOLLIVER. It is a little difficult to tell. I have not the value of that cloth.

Mr. BEVERIDGE. I am not speaking about that cloth, but in general.

Mr. DOLLIVER. The Senator from Rhode Island cuts out of these paragraphs the provisos fixing upon the higher grades of cotton cloth the Dingley ad valorems. He cuts them out entirely in every paragraph and substitutes a specific duty, differing, as the value of goods rises, from 7 cents up to 25 or 30, or whatever may be the maximum. The ad valorems disappear and these equivalent specifics take their place.

Mr. BEVERIDGE. What will be the practical effect of the specifics?

Mr. DOLLIVER. I have shown by this Book of Estimates the actual effect.

Mr. LA FOLLETTE. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. LA FOLLETTE. I will say, in reply to that, that it is to raise the duties upon various imports from twelve to two, three, and four hundred per cent. That is the result of it.

Mr. BEVERIDGE. Whereas the amendment of the Senator from Iowa clearly fixes it at 25 per cent.

Mr. LA FOLLETTE. Yes, sir.

Mr. BEVERIDGE. That is the difference, then?

Mr. DOLLIVER. I wish to modify the amendment I offered so as to strike out the word "mercerized."

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. DOLLIVER. I think there may be difficulty with that word.

The PRESIDING OFFICER. The Chair understands that the word "mercerized" occurs twice.

Mr. DOLLIVER. Yes; strike it out.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. LA FOLLETTE obtained the floor.

Mr. ALDRICH. Will the Senator from Wisconsin allow me to make a statement?

Mr. LA FOLLETTE. Certainly.

Mr. ALDRICH. As to the effect of the changes in the cotton schedule, the Senator from Utah [Mr. SMOOT] will go into that matter at great length for the committee, and I am sure he will satisfy the Senate that there have been no increases over the intention of the act of 1897. Of course where, as I stated before, duties have been reduced from 60 per cent to 2 there are increases, and there ought to be increases.

But that was not my purpose in asking for an opportunity to address the Senate at this time. The Senator from Iowa [Mr. DOLLIVER] alluded in, I thought, a rather contemptuous tone to one De Vries who, he said, was responsible for the schedule which is now before the Senate, reported from the Committee on Finance. Marion de Vries is the chairman of the Board of General Appraisers of New York. He came to this city at the request of the Committee on Finance, in company with General Sharretts, also a member of that board, who were directed by the President of the United States to place their services at the disposal of the Committee on Finance in the preparation and consideration of this tariff bill.

The Senate will understand that these officers of the Government of the United States, sworn to support the laws, occupying very responsible positions, not only with reference to the interpretation of the law, but with reference to the revenue of the United States, are the men to whom the Committee on Finance would naturally go for advice and for counsel with reference to the technicalities of this great act. They are men whose character and whose integrity are above reproach. Mr. de Vries was appointed to this board as a Democrat. He was a Democratic Member of Congress from California. He is well known to many Senators sitting upon the other side of the Chamber, and I need not certify to them as to his character and his integrity. I am very sorry for one that any voice has been raised in this Chamber as to that man. His services and the services of his colleague to the committee have been invaluable. They have always been rendered for the support and protection of the Government of the United States.

So far as this one schedule is concerned, and the amendments which were reported from the Committee on Finance to the cotton schedule, the changes from ad valorems to specifics, Mr. de Vries never saw them until after they were prepared under the direction of the committee. No member of that committee ever had any conversation with him in relation to it. I will go a step further and say that no manufacturer in the United States ever saw them or was ever consulted with reference to them. They are the creation of the committee itself, and no man was consulted, either on the Board of General Appraisers or anywhere else, with reference to these provisions until the committee had decided what they should be.

I make that statement in justice to Mr. de Vries, because I think that very grave injustice has been done to a man who is a faithful public servant, if there is one in the employ of the Government.

Mr. DOLLIVER. Mr. President, it is not necessary for me to say that I do not desire to impeach the character or integrity of the chairman of the Board of General Appraisers, or in any other way to disparage him before the world. I only regret that the Senator from Rhode Island, whom I have never harmed in my life, if I may be permitted to make a personal remark, feels a very much more tender solicitude for the standing in the community of Marion de Vries, formerly a Member of Congress from California, than he does for one of his own colleagues here, whom he has not hesitated from the beginning of this debate to disparage and reproach in language unbecoming this Chamber and unbecoming the association of gentlemen in the Government of the United States.

Mr. ALDRICH. Mr. President——

Mr. DOLLIVER. I have no charges to make.

Mr. ALDRICH. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I certainly am not conscious of having made any statement derogatory to or regarding the motives of the Senator from Iowa.

Mr. DOLLIVER. Yet, Mr. President——

Mr. ALDRICH. If I have made any such suggestion——

Mr. DOLLIVER. If the Senator will permit me a moment.

Mr. ALDRICH (continuing). I have certainly done it unconsciously, if at all.

Mr. DOLLIVER. I think a great many things have become habitual with my honorable friend.

Mr. ALDRICH. I think not. I hope not.

Mr. DOLLIVER. He thinks that nobody can criticise the schedules of this bill unless he speaks for English importers.

Mr. ALDRICH. I have not made any such suggestion. I have no question whatever but that the Senator from Iowa is acting from just as good motives as I am on this amendment. We are looking upon it from entirely different standpoints and from information derived from entirely different sources. I find no fault with that. The Senator from Iowa has the right to his judgment as much as I have to mine. If the Senator feels that I have attributed any motive to him that is improper, I certainly apologize and retract it, if I made any such suggestion.

Mr. DOLLIVER. The remark of the Senator intuitively interprets the unconscious expression of long habit of mind and thought, coming probably to his lips on these various occasions without distinct malice. So I have managed to preserve the exterior of calm and even of good humor in the midst of them. But I shall be called upon, I am afraid, to make several suggestions, and I beg the Senator from Rhode Island, if he can to put out of his mind this hereditary ghost of the English importer, and give me the credit of having spent a good many days and a good many nights, as he has also done, in the practical study of these questions.

So far as the General Board of Appraisers is concerned, in the hurry of debate I may have said some things which probably I should not have said. In the first place, I am afraid that in talking about some of the members of the board who were very active around here I have passed an unnecessary reproach, if my words might amount to a reproach, upon other members of the board, like Judge Somerville, who have been patiently and quietly pursuing the duties of the office of general appraiser.

I do not complain that in obedience to the order of the President of the United States members of the Board of Appraisers came here. It was possibly their duty to come. I am sorry their views and opinions have not been available to all of us. But it is a little peculiar that the men who are behind the proposed increases of rates in this bill seem to have about as easy access to these gentlemen of the Board of Appraisers, to whom I have referred by name, as the Senate or the House. There are vestiges in these hearings, tracks as it were, made unintentionally, possibly, to indicate that the first conference of our friend the appraiser from California was not in obedience to orders from the President or upon the invitation of the Senator from Rhode Island or the Ways and Means Committee of the House, because I find here in the appendix of the tariff hearings in the House of Representatives a rather elaborate statement of what is desired in the way of amendments to the cotton schedule by Mr. Lippitt and Mr. MacColl, purporting to represent the Arkwright Club, who publicly appeared before the Ways and Means Committee and said the Dingley rates were satisfactory and they desired no changes of any consequence made, and who afterwards filed with the committee, after its hearings were over, their letter suggesting most of the changes covered in this bill, and among other things they say:

> The alterations in paragraphs 310 and 313, referred to above, are substantially the same as contained in the recommendations of Mr. Marion de Vries, of the Board of General Appraisers, so that the language and form have his approval.

Yet I understood the Senator from Rhode Island to say——

Mr. ALDRICH. None of the provisions to which the Senator refers are in the bill at all, or ever have been in it.

Mr. DOLLIVER. That is not according to the RECORD. I do not desire to get into a mere altercation, which is never finished, with the Senator.

Mr. ALDRICH. I do not know what those provisions are, but I know that neither Mr. MacColl nor Mr. Lippitt nor Mr. de Vries, nor any other man, either any manufacturer or officer, had anything to do with the preparation of the particular paragraphs which are now under consideration.

Mr. DOLLIVER. Now, in conclusion, the Senator from Rhode Island having stated that he does not desire to abase me in the eyes of the community——

Mr. ALDRICH. Certainly not.

Mr. DOLLIVER. I will enter into a concordat with him. If he will give me the credit of having by diligence acquired a little knowledge of this subject myself and will omit in the midst of his eloquence in his subsequent speeches any suggestion that I am reading briefs of English importers, I will agree, although the transaction is not at all on equal terms, that I will not hereafter confuse the wisdom of the Senator from Rhode Island with the sagacity and worldly experience which has been acquired by the president of the Board of General Appraisers.

Mr. LA FOLLETTE. Mr. President, I believe that the Senate was entitled, before any amendments were offered to the bill,

to a full explanation of its provisions, including all the changes in it and the reasons for making them, by members of the Committee on Finance. Therefore, although I have been recognized to say something upon the cotton schedule, which I wish to discuss generally and in particular, I think it is just to myself and fair to the Senate that the explanation which should have been forthcoming when the bill was passed over in its first reading for amendment by some member of the committee should be made now.

Therefore I yield to the Senator from Utah [Mr. SMOOT], who, I understand, is prepared to discuss and explain all the changes made in this schedule of the bill, after which I shall have something to submit to the Senate upon this part of the bill.

Mr. SMOOT. Mr. President, in justice to Mr. de Vries and the decision made by him, as referred to by the Senator from Iowa [Mr. DOLLIVER], I think that the whole history of the decisions affecting etamines, or that class of cloth which has been spoken of, should be given to the Senate.

Mr. DIXON. Mr. President, there is a whole lot of conflict of opinion over this schedule. I think if the Senator from Utah, on behalf of the committee, is going to make an intelligent explanation—which I have no doubt he will—the full Senate ought to be here to hear it.

Mr. BEVERIDGE. That is right.

Mr. DIXON. I suggest the point of no quorum.

The PRESIDING OFFICER. The Senator from Montana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gallinger	Penrose
Bacon	Crawford	Gore	Perkins
Bailey	Culberson	Heyburn	Rayner
Bankhead	Cullom	Hughes	Root
Beveridge	Cummins	Johnson, N. Dak.	Scott
Borah	Curtis	Johnston, Ala.	Shively
Bradley	Daniel	Kean	Smith, Md.
Brandegee	Depew	La Follette	Smith, S. C.
Briggs	Dick	Lodge	Smoot
Bristow	Dillingham	Martin	Stephenson
Bulkeley	Dixon	Nelson	Sutherland
Burkett	Dolliver	Nixon	Taliaferro
Burnham	du Pont	Oliver	Warner
Burton	Elkins	Overman	Wetmore
Carter	Flint	Page	
Clarke, Ark.	Frye	Payntor	

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. SMOOT. Mr. President, the amendments proposed by the Finance Committee to the cotton schedules are the work of that committee, prepared under its direction, in language which, in their judgment, best meets their approval regardless of who may have suggested particular phraseology. The committee was concerned with results, not with technical authorship. Pertinent suggestions of manufacturers, importers, the Ways and Means Committee, customs officials and the language of the House bill, were accepted or rejected as they met the approval of the committee, and the bill was reported reflecting the views of no man or men except the committee, and calculated to levy fair, uniform rates of duty, producing the most possible revenue, and levying an equivalent ad valorem less than that provided by the Dingley law as contemplated by the Congress.

The records of the Senate show that this work proceeded by subcommittee long before the Ways and Means Committee commenced its work, and men, including certain customs officials, were detailed to gather such information and suggestions as would enlighten the committee as to present administration of the law and needed amendments to produce uniformity where wanting.

The fact that manufacturers or importers expressed satisfaction with existing laws in no sense controlled the efforts of the committee. It requires no exercise of intelligence to know that such in many cases might prove absolutely fatal.

In the enactment of a tariff law there are other parties concerned than the manufacturers and the importers of the article. The United States Government is immediately concerned that proper and consistent revenues be collected upon all dutiable articles. The public with money available for investment is also concerned that duties should not be levied solely for the protection of existing manufacturers or for the advantage of existing importers. Such uniform and consistent duties should be levied as will not conserve monopoly of any kind, and that all may have an equal opportunity for the investment of capital and the embarkment in every possible legitimate enterprise. In that view the committee proceeded.

Upon examination of the cotton schedule of the Dingley law as administered to-day it was found vastly different from that contemplated by the Congress when enacted and as administered for several years immediately after enactment. It was ascertained by the committee that by a constant process of elimination of certain of its provisions in the scope intended by Congress goods of the highest value and classes are coming in at the lowest rates; goods of low value are coming in at high rates, and goods of the same value when imported under one paragraph are paying a vastly different rate than when imported under another paragraph, all resulting in a reduction of about 20 per cent in the rates of duty contemplated in the Dingley law.

This particular condition is indicative of the vice of accepting any agreements or statements of satisfaction upon the part of the manufacturing and importing interests, and the Senate committee declined to abide by any expressed satisfaction of any parties without correction of these defects.

It is well known that the higher class cotton goods are manufactured mostly abroad and that the lower class cotton goods are manufactured in this country. It is possible under this condition of affairs that the manufacturers would be satisfied with present conditions if they occupy the domestic field of lower-class goods to the exclusion of and agreeably to the importer, who imports at lower rates of duty the higher classes and values of such goods and thus occupies the domestic field to the exclusion of and agreeably to the manufacturers of low-class wares. This condition would result in a division of trade territory, and the approval of that condition by the Congress would be no more nor less than the legislative approval and perpetuation of one of the most vicious principles in our body commerce. In this situation high duties on low goods and low duties on high goods might be found to be perfectly satisfactory to both the importing and the manufacturing interests, one of which occupied the territory of low-class goods and the other the territory of high-class goods.

Under these circumstances no disturbance of tariff conditions would be desired by either party. But the Government is interested, first, in securing proper and equitable levy of revenues upon imported merchandise that it may be fruitful of revenue and bear equally upon all consumers; and, second, that others who have money to invest in the upbuilding of American manufactures should not be deterred from that by the exclusive occupancy of certain territory of low-class goods by the present manufacturers and the inability of entering upon the high-class territory by reason of extremely low duties.

In this view the committee, after considering the demands of both, has framed the Senate bill regardless of the desires of either manufacturers or importers. *It was mindful only that consistent, uniform rates of duty should be levied upon all cotton cloth from the lowest to the highest in accordance with the value per square yard and condition, regardless of whether it counts a few threads or more; that cotton cloth of the same value and condition shall pay the same duty; that uniform duties might be laid and collected; and that no particular interests be favored or conditions perpetuated.*

Confirmation of the view that as administered some high-valued goods pay less rates than lower values is found in an examination of the equivalent ad valorems levied on all goods included in paragraphs 305 to 309, inclusive, of the Dingley law, corresponding to paragraphs 313 to 317, inclusive, of the Senate bill.

Thus in paragraph 305 the highest specific rate on unbleached goods is equivalent to 32.04 per cent. The ad valorem rate levied in this paragraph on goods of greater value than that is 30 per cent. On the bleached the highest specific rate is the equivalent of 40.36 per cent, as against 35 per cent levied upon the higher goods coming in under the ad valorem provisions. And on the dyed, colored, and so forth, the highest specific rate is the equivalent of 42.15 per cent, whilst the ad valorem rate on all of the higher values is 35 per cent. And this continues through all the paragraphs as administered to-day.

That is to say, the ad valorem rate levied upon the higher class goods is, in many instances, lower than the ad valorem rate levied upon the lower-class goods. So that an importer bringing in high-class goods under the ad valorem provisions in many cases pays a less rate of duty than the importer of the lower-class goods under the specific provisions; and the manufacturer of low-class goods, protected by the specific provisions, is protected, in many instances, by a higher rate of duty than the manufacturer of high-class goods, whose protection is provided for in the ad valorem provisions. In fact, duties collected under Dingley specifics have averaged about 15 per cent higher than those collected under the ad valorems. These absurdities, so far as can be done by preserving present rates, are wiped out by the Senate bill.

The Senator from Rhode Island [Mr. ALDRICH], chairman of the Finance Committee, and the Senator from Massachusetts

[Mr. LODGE] have made and reiterated the statement upon the floor of the Senate that the Senate bill does not increase the average equivalent ad valorem duties contemplated by the Dingley law. The correctness of that statement in all its comprehensiveness can be demonstrated to almost a mathematical certainty. The correction of the inconsistency, restoring an improper levy of duty, necessarily requires a change in rate, and the greater the inconsistency the greater the apparent change. A radical change, therefore, rather notes the correction of a radical inconsistency than an unwarranted increase in the rate of duty. Nevertheless, the only fair test upon the whole schedule as to whether or not duties have been increased above those contemplated in the cotton schedules of the Dingley law can be determined only by a comprehensive consideration of the entire cognate provisions.

In this determination the logical precedence requires, first, the consideration of what was actually contemplated by the Dingley law at the time of its enactment.

What was the effect of that law and what rates of duty are collected under it to-day?

The only authoritative source of information on that subject is the law as written and as originally construed before it had been so changed in the course of administration, by reason of imperfect language employed by Congress, that the plain and manifest purposes of Congress were defeated. This involves no reflections upon the officers or the courts construing the same, for, while all of these may err, it not infrequently—in fact, frequently—happens that where the manifest intent of the Congress is plain, the result of fair and sound legal construction must defeat that purpose.

This is particularly true with reference to a tariff law expressing plainly what appears to have been in the mind of the Congress in a particular paragraph when drafted by the legislative body, but which is defeated by the effect thereupon of some other paragraph or provision of the law equally explicit, drafted at another time, when the first was not in the legislative mind.

The merits of the late Colonel Tichenor and his active cooperation with many Congresses in the framing of tariff laws and, subsequently, as a United States general appraiser, in construing those laws, have been justly proclaimed. He was one of the principal factors in an advisory capacity to both the Ways and Means Committee of the House and the Finance Committee of the Senate in preparing the phraseology and the rates of duty in the Dingley law. Subsequently, as a member of the Board of General Appraisers, he was called upon to construe this law.

This is particularly true with regard to the textile schedules, which, under the distribution of the business of the board, were assigned to him. His views, as expressed in his writings and his decisions, therefore, must be taken as a high authority upon the intent of the Congress as expressed.

In a book recently published giving a limited part of his papers, writings, and letters to Members of Congress at that time, it appears that the cotton schedules as they appear in the Dingley law were the provisions of the act of 1894, as revised by Colonel Tichenor and others, and that this revision was accepted and adopted by Congress. In his judgment the system of rates adopted in that act and here extended in the Senate bill is the only possible system of rates that could fairly cover the subject-matter.

In a letter to Mr. Dingley, dated December 29, 1896, he stated:

> I inclose, also, the cotton-cloth paragraphs from the act of 1894, modified and changed in certain respects, to which attention is fully called in explanatory notes attached.

In the report upon that bill by Mr. Dingley in the House, he stated:

> The metal and cotton schedules are in large part the same as in the present tariff—the Wilson-Gorman bill—the increases above those rates being in the more advanced articles.

Comparison of the Dingley law with the Wilson-Gorman bill discloses the changes made. The Wilson law was a reduction of duties from the McKinley law of 1890. The Dingley law is practically a verbatim copy as to language and rates, in so far as they go, of the Wilson law. Precisely as stated, the increases occur in the higher-priced cottons. Then, as now, the great development of the cotton industry, the invention of new designs, styles, and uses of cotton goods, and new machinery, resulting in the fabrication of high-class novelties and wearing apparel, had caused the importations under the higher paragraphs to outgrow the adequacy of the laws in existence, and it became necessary, in the opinion of Colonel Tichenor and the Congress, to build up the cotton schedules to cover, in certain and definite specifics as well as ad valorems, the higher-valued cotton novelties—precisely the condition which confronts the Congress to-day with reference to that class of articles and fabrics.

Accordingly, we find that the Dingley law adopted the Wilson law absolutely until cotton cloths containing over 200 threads per inch were reached. An increase of one-half cent per square yard on all goods over 200 and not exceeding 300 threads to the square inch was made, and an advance in the maximum ad valorem of 5 per cent. A new provision was added covering cotton cloths in excess of 300 threads to the square inch, with an additional ad valorem of 5 per cent. These are the sole changes wherein the two laws differ so far as the countable provisions are concerned. There was then added in paragraph 339 a provision for "veils, nets, etamines, and vitrages," fixing thereon a duty of 60 per cent ad valorem, which was a new provision and not contained in any previous tariff law.

In the progress of manufacture during the life of the Wilson law it was found that the higher class novelties and cotton fancies were introduced into the market, to cover which no adequate provision existed in the Wilson law, and to meet which Congress provided higher provisions in the cotton schedule levying higher rates, and further provided separate provisions in the descriptive class, in which it was intended to include all such goods as veils, nets, and cotton fancies with open and transparent effects, many of which were intended to be included in the denomination "etamines," and so forth, all at 60 per cent ad valorem. The specific provisions were built up systematically to the catch-all ad valorems. This was on the theory that the specifics were built up sufficiently high to cover all probable importations then known to the cotton industry, the possible remainders being left to the catch-all ad valorem provisions.

The cardinal principle underlying that law, which is the same principle as is observed by the Senate committee in the preparation of this bill, was that cotton cloth and articles, with their numerous variations in count of threads, colorings, and methods of fabrication, should pay duty according to value per square inch. That had been the system adopted by all previous tariff acts. The development of the industry, however, at the time of the enactment of the Dingley law required further provisions to meet and properly levy duties upon the higher class fabrics, which were greatly increased in value. While it was attempted by the Congress to levy uniform rates according to value, precise consistency was not observed, but in some of the higher values arbitrary differentiations were made, and, as I shall show, all these higher provisions were found deficient upon construction.

It was the evident intent of the Congress that the higher-priced cottons, made with fancy effects and varying in count of threads in different parts of the fabric, all of a high state of manufacture and of high value, but which would be small in count, should not fall within the countable provisions, but should be carried over into paragraph 322 as manufactures of cotton not specially provided for at 45 per cent ad valorem as nonhomogeneous fabrics, or into the higher provisions for "etamines, vitrages," and so forth, at 60 per cent ad valorem under paragraph 339.

And so the law was construed when it first went into effect and administered for many years afterwards.

The expressions of no man entered into the determination of that construction more than those of Colonel Tichenor. The decisions upon the Dingley law show more clearly and distinctly than any arguments possibly could the intent of the Congress in these particulars. For example, the full force and effect of the term "etamines," carrying 60 per cent ad valorem, was expressed after the enactment of the law in several well-considered decisions by Colonel Tichenor.

Thus, in 1900, speaking on that subject, the goods being so-called "oriental stripes, printed canvas," and so forth, he stated:

> Manifestly, it was the purpose of the framers of that paragraph (339) to include therein all fancifully wrought or peculiarly ornamental articles made of vegetable fibers, not elsewhere specially provided for in the act, whether produced wholly or in part on looms, or on embroidery, tambour, lace, or other machines or frames, or by hand.

His interpretations of the intent of that paragraph were found to extend to madras curtains, colored curtains with open and transparent effects, and a great variety of similarly constructed dress goods, cotton fancies, and novelties. There can be no question but that the natural scope and significance of the terms "etamines and vitrages" cover all these classes of goods, and duties were levied thereon accordingly under the Dingley law and were for years collected under this descriptive definition of the scope of those terms.

That continued to be the interpretation of the law until the close of 1904, when, upon a case made by the overwhelming

preponderance of the evidence adduced, the importers proved that the term "etamines," which was by far the broadest term used, had a commercial significance which was confined solely to one of those numerous classes of merchandise—a wiry, screen-like cloth known as "congress cloth" sometimes, and used as a foundation for embroidery work. An appeal from this case by the Government was, after due consideration, dismissed, and a new case made, with the same result.

In consequence, this great variety of merchandise ceased to be so assessed and fell for dutiable purposes into the countable provisions of the schedule.

The exceedingly high price of these goods and the exceedingly low specific rates to which they were subject after this and other decisions combined to assess them with the very low equivalent of from 2 to 30 per cent ad valorem, and that practice continues to-day. So radical a result would not have followed had not the manifest intention of the Congress been found not to have been legally expressed.

It may be explained that while the descriptive force of these terms embraced all this class of goods, the rule of construction relied upon by the importers was that tariff terms include only that class of goods included within their commercial meaning, which was proven in this case by a great preponderance of the testimony.

As to the scope of paragraph 322, providing 45 per cent ad valorem on all "manufactures of cotton," in a long series of decisions covering many years, and in pursuance of a long-continued practice of customs officials under many tariff acts, many of which decisions were written or signed by Colonel Tichenor, it was held that cotton fabrics which were not homogeneous in count—that is to say, those which showed a different count of threads per square inch, to a material extent, at least, in different parts of the fabric, were not dutiable under the countable provisions of the various tariff acts, but as manufactures of cotton at the rate of 45 per cent ad valorem. Many of the goods included in the etamine class were of this character, and would have properly fallen in paragraph 322 after the etamine decision if it had not been held to the contrary. Following the practice under the earlier acts, it was held, in line with the decisions mentioned, that such nonhomogeneous cotton fabrics were dutiable as manufactures of cotton at 45 per cent ad valorem and not under the countable provisions at lower rates. The reason for this holding was that the conditions imposed upon cloth to be assessed for duty under the countable provisions are that the warp and filling threads must be counted. It was held for many years that such provisions could not apply to goods in substantial parts of which there were neither warp nor filling threads to be counted.

This holding of the Board of General Appraisers, however, was reversed by the courts in December, 1905, and thereafter fabrics of this character, which also generally come under the category of etamines at 60 per cent ad valorem, were assessed for duty under the countable provisions at extremely low rates. The inevitable result was that many fabrics of low count, however high their value, thereafter were and now are assessed for dutiable purposes at from 8 to 30 per cent, instead of at 45 or 60 per cent, as the Dingley law was at first administered.

I ask permission to insert in the RECORD at this point, without reading, a table giving sample lists of rates reduced under these decisions.

The PRESIDING OFFICER. Without objection, permission is granted.

The table referred to is as follows:

Table showing effect of decisions upon certain lines of cotton cloth and articles.

Description.	Count per square inch.	Paragraph of Dingley law.	Paragraph of Senate bill.	Rate at present assessed.	Equivalent ad valorem rate.	Rate previously assessed.	Senate rate.	Equivalent ad valorem rate.	Price per square yard.
							BLEACHED.		
					Per ct.	*Per cent.*		*Per cent.*	*Cents.*
Molleton rove weft, 4-ply warp	Under 50	304	313	1¼ cents per square yard.	2.55	45	25 per cent	25	52.65
Stiff foundation embroidery cloth	do	304	313	do	4.50	60	8 cents per square yard.	25	32
Etamine, 2-ply warp and weft	50 to 100	339	313	60 per cent	60	60	5½ cents	35	14.87
Do	do	339	313	do	60	60	8 cents	44	18
Leppet, 2-ply warp and weft	do	305-313	313-321	25 per cent plus 2 cents per square yard.	34	60	8 cents plus 2 cents per square yard.	49	20.25
Do	do	305-313	313-321	do	34	60	do	48	20.83
Etamine, 6-ply warp and weft	do	339	313	60 per cent	60	60	8 cents per square yard.	38	21
							COLORED.		
Serim, 2-ply warp and 6-ply weft	Under 50	304	313	2 cents per square yard.	11.50	60	7 cents per square yard.	40	17.25
Etamine, 2-ply warp and 2-ply weft	50 to 100	339	313	60 per cent	60	60	3½ cents per square yard.	30	12
Curtain drapery, 2-ply warp and weft	do	305-313	313-321	30 per cent plus 2 cents per square yard.	42	60	7 cents plus 2 cents per square yard.	55	16.28
Crete drapery, 2-ply warp and weft	do	305-313	313-321	do	38	60	10 cents plus 2 cents per square yard.	51	23.2
Madras muslin, single warp and weft	do	305-313	313-321	do	37	60	do	47	25.3
Etamine, 4-ply warp and weft	do	339	313	60 per cent	60	60	10 cents per square yard.	37	27.5
Do	do	339	313	do	60	60	do	33	30

Mr. SMOOT. It was the rule of construction for years that paragraph 322 as it appears in the Dingley law was intended to include not alone nonhomogeneously woven fabrics of cotton, but all completed articles made of cotton cloth. That was the construction of the law for many years after it went into effect, and of all similar tariff acts which had gone before in numerous decisions, in many of which Colonel Tichenor, as a member of the Board of General Appraisers, concurred.

It was entirely within reason that the Congress, in providing for such articles upon which had been bestowed additional labor and cost, should place upon them a higher rate of duty than upon the fabric out of which they were made. This continued to be the construction of that provision by a uniform course of decisions until about the year 1902, when a case was made and the contention presented that paragraph 322 did not provide for completed articles, but that they were dutiable at the same rate as the cloth out of which they were made under the countable schedules. The United States circuit courts reversed the Board of General Appraisers upon this point and held that by reason of the inclusion of the words "or otherwise," in paragraph 310, the contention of the importers in this particular was correct.

The result of that decision was, and ever since has been, to change the former practice and assess the completed cotton article, made up ready for use, upon which there had been bestowed additional labor, in many cases this labor being the greater factor of value in the article, at the same rate of duty as the fabric out of which it was made. This construction of the law has resulted in reducing the rate for years assessed upon all the great volume of importations of cotton articles into this country from 45 per cent to rates 10 to 50 per cent lower, according to the count of threads per square inch in the article.

The next assault made upon this schedule of the Dingley law was that the proviso to paragraph 305 did not extend to paragraph 304. This was a maximum provision to these two countable paragraphs. Paragraph 304 provides for cotton cloth up to 50 threads per square inch; paragraph 305, for cotton cloth exceeding 50 and not exceeding 100 threads per square inch.

The proviso to paragraph 305 was, in express terms of Congress, extended to "all cotton cloth not exceeding 100 threads

to the square inch." Notwithstanding this broad language of the proviso, which undoubtedly was intended by the Congress to extend also to those goods imported under paragraph 304, it was held in the case of In re Blankensteyn (116 Fed. Rep., 776) that the proviso did not extend to paragraph 304. This decision was handed down in 1902, and thereafter the practice theretofore observed by all the appraising officers at the different ports of applying the proviso to paragraph 305 to goods under paragraph 304 ceased.

The result was that sheer woven fabrics and cotton cloths and articles which by the very reason thereof were of high value were thrown into a paragraph of exceedingly low specific rates, because of the smallness of the count of threads, which paragraph was, after this elimination of the proviso, unaided by any ad valorem provision to properly assess such goods. In consequence of this and the other decisions mentioned, some of the most valuable cotton fabrics, upon which there has been bestowed the greatest amount of labor and which sell for the highest prices in the market, most of which are pure novelties and many of which theretofore had been assessed at 60 per cent ad valorem as etamines, or at 45 per cent as nonhomogeneously woven fabrics, were assessed at the exceedingly low equivalent ad valorem rate of 7 or 8 per cent under the provisions of paragraph 304 as countable cottons, or at 30 to 35 per cent under paragraph 305.

Mr. President, I have here some samples which I should like to show the Senate to illustrate these decisions. This [exhibiting] is a sample of an "etamine," specially mentioned in paragraph 339. Formerly it was assessed at 60 per cent ad valorem. Now it is assessed under paragraph 304. The present rate is 2 cents per square yard, an ad valorem of 11½ per cent; value 17¼ cents per square yard. The proposed new duty is 7 cents per square yard, equivalent to 40 per cent ad valorem.

Here is a molleton cloth, formerly assessed under paragraph 322 at 45 per cent ad valorem. Now it falls under paragraph 304. The present rate is 1¼ cents per square yard; the ad valorem duty is 2.55 per cent. The proposed new duty under the Senate bill is 25 per cent, under paragraph 313.

Mr. President, it is to correct just such inconsistencies as these that the changes in the Senate bill are made. Again, here are samples of goods formerly assessed at 60 per cent ad valorem as etamines or vitrages; later at 45 per cent ad valorem, under paragraph 322, as nonhomogeneous cottons; now at 30 per cent as countable cottons, under paragraph 305.

Another class of goods. Here [exhibiting] is a sample of a nonhomogeneous cotton cloth. It was formerly assessed at 60 per cent as etamines or vitrages, later at 45 per cent under paragraph 322, and will be assessed at 30 per cent under the Senate bill, paragraph 313, corresponding to Dingley paragraph 305.

Here again, Mr. President [exhibiting], are samples of goods formerly assessed at 60 per cent ad valorem, the very finest of cotton cloths.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. Certainly.

Mr. NELSON. There must be a mistake. Three hundred and five in this bill relates to fish.

Mr. SMOOT. I was speaking of the Dingley Act, paragraph 305, which corresponds to paragraph 313 of the present Senate bill.

These are the very highest-priced goods, and these goods were formerly assessed at 60 per cent. The present rate of duty is 30 per cent. The value of the same is 25¼ cents a square yard. The proposed new duty is 10 cents plus 2 cents per square yard, or the equivalent on this particular class of goods of 47 per cent. They are among the highest-priced cotton goods sold.

I could go on all day showing samples. Many of the higher-priced goods that formerly were assessed at 60 per cent have been now reduced through recent decisions, as I have stated before, some of them to 2.55 per cent ad valorem.

The next attack made upon this schedule was that a woven cotton fabric, unbleached, with a figure therein of bleached cotton threads, was properly dutiable as a woven fabric of cotton not bleached. This contention, sustained by the board and the courts in the case of United States *v.* Beer (143 Fed. Rep., 918), was made the precedent for the one following, to wit, that a cotton fabric with a warp and filling not colored, but which had figures in colors, so extensive as to hardly leave the uncolored warp and weft perceptible, was properly dutiable as cotton cloth not colored. Subsequent to the Beer case the Supreme Court of the United States decided the Riggs case (203 U. S., 136), which held that the broad purpose of Congress, as gathered from the whole act, should be followed as against technical force of language, and following this, the board held in effect contrary to the Beer case. This holding by the board was reversed in the case of United States *v.* Rusch (T. D., 29), which was affirmed by the United States circuit court of appeals for the second circuit (T. D., 29506), and a writ of certiorari to the Supreme Court denied.

All of these decisions and contentions are dependent upon the contention that in the determination of the dutiable qualities of cotton cloth only the warp and filling threads shall be considered. The result of this proposition is manifest when it is considered that in the great bulk of finer grades of cotton fabrics by far the greater value resides in the threads which are superimposed to form figures, colors, and so forth. The net result will be that higher grade cotton goods, having the greater amount of labor and material bestowed thereupon in the way of figures, coloring, bleaching, and so forth, and in which the greater value of the article resides, escape payment of duty on any of these materials or value, and bear duty solely upon the value and condition of the basic warp and weft threads, which, in many cases can not be seen, are of inferior grade and constitute but a minor part or foundation of the imported article. Undoubtedly the language of the Dingley law lays foundation for this contention and should be amended.

The effect of these decisions upon the cotton schedule is further shown by a reference to the statistics in "Imports and duties." The two decisions which most affected paragraph 304 were, first, the case of In re Blankensteyn, which held the proviso to paragraph 305 did not apply to paragraph 304, and, second, the decision that the word "etamines" was used in a commercial sense and did not apply to the large class of open-work goods which its descriptive force embraced. These decisions became effective about the close of the year 1903.

In 1898, the first full year in which the Dingley law became effective, bleached goods, which were the heaviest importations under paragraph 304, paid an average rate of duty of 18.13 per cent. The average value per square yard was about 6 cents. This continued until 1903, at the time of the rendition of these decisions, when suddenly the price per square yard on goods coming in under this paragraph jumped from 6 to 14 cents per square yard, increasing in 1907 to 16 cents per square yard, while the average ad valorem rate dropped from 22 to 7.63 per cent.

The same general effect is observed as to all other classes of goods under this paragraph. So it will be seen by an examination of the comparative statement of estimated revenues before the Senate that the low rate of duty of 7.63 per cent was a rate collected upon cotton cloth valued at over 16 cents per square yard in the fiscal year ending June 30, 1907, while had those goods come in under any other paragraph of the Dingley law the rate would have been very much more; in fact, most of such for many years paid 60 per cent under this law. The rate of 42.75 per cent, estimated as the equivalent ad valorem under the Senate bill, is abnormal for the reason that it is based upon the importations of the year 1907, when exceedingly high-valued goods, to wit, 16 cents per square yard, were coming in under this paragraph, whereas under the Senate bill the goods falling under this precise provision will not all be 16-cent goods, but will bear an equivalent ad valorem rate of from 25 to 40 per cent, according to the value of the goods and for other reasons I will state later.

The statement, therefore, that this provision in the Senate bill increases the duties from 7.63 per cent to 42.75 per cent is not borne out upon analysis. The true statement of the situation as to this paragraph is that under the Senate bill the high-priced goods, of 16 cents per square yard, will take a higher rate than 7.63 per cent; while many of the goods previously coming in as etamines, at 60 per cent, will come in at a fair rate of between 25 and 40 per cent ad valorem, according to value, as provided in the added provisions of this paragraph, and there will be an equitable distribution in the levies of duty in accordance with the value of the article.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Yes.

Mr. DOLLIVER. Does the Senator know what is the annual amount of the importations of these goods under the countable clause?

Mr. SMOOT. If the Senator will——

Mr. DOLLIVER. I have here a memorandum showing that the whole amount was only $20,000. It looks to me that a duty of 60 per cent would be a little prohibitory.

Mr. SMOOT. I shall later take up the question of importations and discuss it.

Woven fabrics in the piece, of the same value per square yard, involving the same amount of labor and material, purchased at the same price abroad and selling for the same price in our markets, pay under the law as enforced to-day rates of duty differing more than 50 per cent, aye, sometimes 100 per cent, according to whether they are entered under one paragraph or another. Goods of the same value and character, if they happen to contain 50 threads to the square inch, pay a different rate of duty than if they contain 100 threads to the square inch. Goods of the same value and condition, if they contain 201 threads, pay a different rate than if they contain 100; and if they contain 301 threads they pay a different rate than if they contain 200—though in all cases the value in all markets is identical. These results are due to those provisions of the law which confine the determination of the dutiable status to the factors of the count of threads.

Goods under the present law which are worth from 40 to 50 cents per square yard, woven on a basic fabric costing but 8 cents per square yard, will be under the present line of decisions, without doubt, assessed for duty at the rate applicable to cloth worth 8 cents per square yard and duties collected upon that value. In fact and reality, these goods are worth and sell in all wholesale markets abroad at from 40 to 50 cents per square yard, and it exhausts the intelligence of all men to understand why any imported article of merchandise should be stripped of 90 per cent of its value before the factors of dutiable value therein are disclosed. It needs hardly mention of the fact to demonstrate that the correction of such inconsistencies as these in the enforcement of the law will work radical changes in the specific instances of the application of these particular rates. Nevertheless, the existence of radical changes in rates, rather than being a logical condemnation of the provisions which are presented, are more eloquent of the incongruities presented. They present an argument rather favoring a change than disproving the proposed change which is submitted.

Another inconsistency in the administration of the existing law is that a woven fabric into which threads other than the ordinary warp and filling threads have been introduced for the purpose of forming a figure, and valued at a given number of cents per square yard, say 14 cents, is thrown into one paragraph, with its rates for dutiable purposes, whilst the same fabric of identically the same value, made upon identically the same machine, excepting that it has gone through another process whereby the threads have been clipped upon the back, thereby adding to the value of it, is thrown into a different paragraph at lower rates of duty.

To illustrate what I mean I desire to show the Senate this sample of cloth [exhibiting]. Senators would not think that was a piece of white goods, and yet it is so held, and the rate when this piece of cloth is clipped and the fancy figure executed is lower than the original cloth unclipped. It is to correct such inconsistencies that we have changed the wording of this bill.

Completed articles made from woven fabrics, into the manufacture of which articles much labor and mechanism have been devoted, which has greatly advanced their value, pay the same rates as the fabrics out of which they are made—a safe and absolutely positive guaranty under the law as construed that this work shall not be done in America by its well-paid labor, but by the cheaply paid labor of foreign countries.

It is the purpose of the Finance Committee in its amendments to correct these anomalous conditions, feeling it is its duty to do so regardless of whether or not the same has been recommended by either manufacturers or importers. It is proposed by the Senate bill to effect not an entire restoration to the duties in the provisions of the Dingley law in the respects in which it has failed to stand the test in the courts, but to replace these with more specific provisions of the countable clauses, the effect and legality of which have for more than twenty-five years been tested and stood in the courts.

It is not my purpose to investigate or criticise the causes of these results. Undoubtedly the cause of most of them was due to the use of language by the Congress which did not express its purpose, and which subsequently was proven to have in trade and commerce a different meaning than the commonly accepted one. Courts and the customs officers are bound to give heed to these in their decisions, to regard all the provisions of the act as a whole and not regard results. It is the duty and purpose of the committee to provide such language as will in the light and guidance of these decisions make effective those provisions found faulty.

The effect of these decisions upon the rates of duty collected upon cotton fabrics and articles, as will be demonstrated by a table which I will insert in the RECORD, was that between the years 1898, 1899, and 1900, the first three years under which duties were assessed under the Dingley law, and 1907, which was after these decisions went into effect, the average rate of duty collected under these provisions of the cotton schedule dropped from an average approximating 48.50 per cent to a present average rate of about 38.50 per cent, which is the equivalent ad valorem to-day collected upon cotton fabrics and articles, levied without regard to system, value, or condition. The Senate bill rectifies these conditions.

Mr. President, I now show the Senate a piece of cloth which will demonstrate the different decisions, throwing the cloth from 60 per cent down to an ad valorem rate of only about 10 per cent. Under the Dingley bill it was assessed at 60 per cent ad valorem as an etamine on a foreign valuation of 40 cents per square yard, and the duty on each square yard was 24 cents. The first assault reduced it by the etamine decision to 45 per cent ad valorem as a completed or nonhomogeneous article, and the duty collected was 18 cents a square yard. From completed article and nonhomogeneous fabric a decision of the court reduced it to colored countable cottons at 30 per cent ad valorem and 2 cents per square yard, under paragraphs 305 and 313, equivalent to 35 per cent, and a duty of only 14 cents per square yard was collected. Then there was a decision holding it not colored, which reduced the rate to 25 per cent ad valorem and 2 cents per square yard, equivalent to 30 per cent ad valorem, and we collected a duty of 12 cents.

Then the color decision having been affirmed by the Supreme Court, the value for dutiable purposes is confined to foundation cloth, the rate will be 2¼ cents, plus 2 cents on a basis of 8 cents, equivalent to an ad valorem of 10⅝ per cent on 40-cent valuation, under paragraphs 305 and 313, collecting a duty of 4¼ cents instead of 24 cents.

By way of justification of the decision of Mr. de Vries, I wish to say that the latter decision was rendered by Mr. de Vries, the appraiser at the port of New York, following the other three decisions of the courts, and his decision could not have been otherwise in view of the former decisions of the courts.

Mr. DIXON. I should like to inquire what that cloth which the Senator has laid on his desk retails for at the stores?

Mr. SMOOT. The foreign price is 40 cents per square yard. I do not know what the retail price in this country is. This is virtually a finished article.

Mr. DIXON. And the present duty?

Mr. SMOOT. Four and one-fourth cents, whereas we should have collected under the Dingley law 24 cents.

Mr. NELSON. What will it be under the bill as amended?

Mr. SMOOT. Under the bill as amended, it will be 40 per cent ad valorem.

Mr. NELSON. That is an increase even under your interpretation of the Dingley law.

Mr. SMOOT. Forty per cent is not an increase over 60 per cent, the rate first assessed.

Mr. BURKETT. Is the rate made in this bill an ad valorem or a specific on that piece of goods?

Mr. SMOOT. Ad valorem. It would come in under the ad valorem clause.

Mr. BURKETT. I understood the committee were trying to make these rates specific. In the light of these decisions to which the Senator has referred, where they have been flipping them around from one schedule to another, how do you know they will not do the same thing by some other decisions? That is the thing which has been bothering me all the way through. How do you know what will be the opinion of the General Board of Appraisers?

Mr. SMOOT. Under the provisions of the present bill, not only are the unclipped threads on a piece of goods counted, but the clipped threads will also be counted, if this bill as reported by the Senate committee becomes a law. This, of course, is a made-up article and takes the rate of 40 per cent ad valorem.

There were before the committee two plans. They could have amplified the words "etamines and vitrages," and kindred language, as used in paragraph 339, so as to include therewithin everything intended to be included in the descriptive force of those terms in the Dingley law; and, further, could have so amplified the provisions of paragraph 322, which provides a 45 per cent ad valorem rate, so as to include all nonhomogeneous fabrics, which previously were assessed under that paragraph in the Dingley law.

The committee, however, was of the opinion that the high rate of duty established on dress goods of open weave, and other goods within the category of "etamines," and so forth, of 60 per cent ad valorem should be reduced, and that nonhomogeneous fabrics should likewise be reduced from the Dingley

rate at first enforced. It was further of the opinion that it is more difficult and less satisfactory to levy tariff duties by names than by clauses which specifically describe the factors entering into the composition of the merchandise.

The use of such words in a tariff law render harmonious administration impossible. The infinite variety of goods bordering on the category of etamines presented to all customs officials problems of impossible uniformity in decision. No person can with uniformity tell precisely what came into that definition were the decisions uniform, for the differences are so slight in numerous cases as to perplex the most accurate vision.

Moreover, different importers, importing the same goods, confronted the customs officials at different ports and times with witnesses making absolutely contradictory records, necessarily resulting in contradictory decisions or findings against the whole of the evidence.

So numerous were the inevitable conflicts that the committee is of the opinion these terms should be omitted. Indeed, the commercial import of the term itself, in behest to the caprice of fashion, as understood by the trade, shifted from certain classes of goods in one season to entirely different classes of goods in another season, so that uniform classification was absolutely impossible. Names change with trade requirements and styles. Descriptions always remain the same. When, therefore, the idea of extending the terms "etamines and vitrages" and the terms of paragraph 322, relating to manufactures of cotton, was abandoned and the provisions reported by the committee adopted, they reduced the duties materially upon that very large class of cotton goods imported into this country.

While in specific and exceptional instances, by reason of peculiar conditions of merchandise imported, or other causes which will hereinafter be pointed out, the rates might in a particular year, with reference to a particular fabric, or by some theoretical calculation, figure above those of the Dingley law, in the vast bulk of importations of this class of merchandise and upon the total importations the average rates levied by the Senate bill will be lower than those actually collected under the Dingley law when construed as a whole for many years after its enactment.

It has been charged upon this floor that the Senate changes are reckless and unintelligent. This is not true. These changes follow a fixed principle, the same that underlies the whole framework of the Dingley law.

This principle was the sound, rational, and economic one that cotton cloth of the same value and condition should pay the same rate of duty.

Under the Senate provisions where the number of threads per square inch makes no difference in the value of the fabric the rate assessed is the same; where it does make a difference a different rate is assessed. No more reason suggests itself why the difference in count of fabric without difference in value should change the rate of duty than should the difference in shades of color in a fabric, or the difference in the number of onions or grains of corn in a bushel, or the number of cylinders in an automobile, the value in each case being the same.

The first Senate amendment strikes out of paragraph 339 of the Dingley law the words "etamines and vitrages." This throws all of this class of merchandise, formerly dutiable at 60 per cent ad valorem, into the countable clauses at much lower rates of duty, according to value.

The next Senate amendment strikes out paragraph 304. That paragraph covered cotton cloth counting not more than 50 threads per square inch.

The amendment offered by the Senator from Rhode Island this morning now proposes that the provisions of paragraph 312 shall be included in paragraph 313, so that the 25 per cent ad valorem clause that the courts held did not apply to paragraph 304, Dingley Act (Senate bill, paragraph 312), would apply after the passage of this bill.

Under the decision of the court in the Blankensteyn case, the proviso to paragraph 305 having been held not to apply to paragraph 304, rendered that paragraph the source of the most extreme inequalities in rates of duty in existing law. It being confined to cotton cloth counting not more than 50 threads per square inch, without any further qualifications except the broad ones of "not bleached, dyed, colored, stained, painted, or printed" and the converse thereof, permitted assessment thereunder of some of the highest-priced fabrics at the lowest specific duties provided in any of the paragraphs of the cotton schedule. It stands without argument that cotton cloth containing not more than 50 threads per square inch must, of necessity, in order to be of any use whatsoever, be made of cable-laid yarns or other methods of fabrication relatively expensive.

The inevitable result, therefore, of the continuance of this paragraph in the law was to work extreme inconsistencies as to rates of duty collected upon fabrics of wide weave and high value. While the striking out of this paragraph may result in increasing rates of duty several times over on merchandise which lately fell therewithin, it is only restoring some high-class goods to their appropriate rates with such as pay corresponding rates of duty when falling within other provisions of the cotton schedule, and in the main upon which, in the contemplation of the Dingley law, 60 per cent ad valorem was assessed as etamines under paragraph 339. These goods, under the provisions of paragraph 304 of the Dingley Act, are now paying from 2½ to 8 per cent equivalent ad valorem; or from 25 to 30 per cent under paragraph 305.

Everyone familiar with the subject has suggested that this paragraph (304) be repaired in almost every detail. The Cotton Importers' Association of New York, as will appear from a copy of their recommendations which will be placed in the RECORD, recognizing the utter insufficiency of this paragraph, suggested that a proviso be added thereto, building the rates up to 30 per cent ad valorem according to value, or more than 600 per cent over present rates. The efficiency and scope, however, of that paragraph are so limited and its presence in the law such a menace of other provisions that it should be struck out, and accordingly the Senate committee so recommends.

Imported merchandise which legitimately fell within paragraph 304 of the Dingley law, as contemplated by the Congress and construed for many years after its enactment, was limited in quantity. Before the importance of that provision was magnified by the decisions cited, the annual importations in any one year thereunder did not exceed $500 in value. Its presence in the act, levying exceedingly low specific duties, became a menace to the other provisions and invited litigation aimed at the introduction thereunder of high-priced goods not intended by the Congress to be assessed thereunder. The relatively small quantity of goods falling within the provisions of that paragraph may well pay the rates provided in the following paragraph.

Since the Senate bill struck out the words "etamines and vitrages" from paragraph 339, much of the merchandise that continues to be assessed under that paragraph, which is, as a matter of fact, high priced, would fall into paragraph 304 at rates of about 8 per cent. It is therefore essential to the present plan of restoring harmonious rates in this schedule that paragraph 304 be struck out.

The consistent and progressive plan underlying the added provisions of the Senate in furtherance of the principle stated may be readily understood. The ad valorem rates of each paragraph are converted into specific rates based upon ad valorem valuations. There are no new ad valorem lines introduced into the countable provisions that do not in some of the cotton paragraphs exist in the Dingley law, so that it can not be said that there are here introduced any new ad valorem lines. On the contrary, the provisions represent an extension toward the specific system; for, while the lines of duty are based upon ad valorems, the rates of duty are made specific where heretofore they were ad valorem.

In the construction of the first paragraph—313—for example, the lines are as follows:

Valued at over 7 and not over 9 cents per square yard; valued at over 9 and not over 10 cents per square yard; valued at over 10 and not over 12½ cents per square yard; valued at over 12½ and not over 14 cents per square yard; valued at over 14 cents per square yard.

An examination of each of the old provisos to the succeeding paragraphs of the Dingley law will disclose that these are the precise lines made in the provisos to those paragraphs. They have been brought over from those paragraphs and added to all preceding paragraphs. The specific rate provided in each of these subdivisions is the ad valorem rate provided in the particular paragraph upon goods of the values expressed between the lines here applied, converted into specific rates. To illustrate: In paragraph 313 goods valued at over 7 and not over 9 cents per square yard, 25 per cent ad valorem on the basis of 9 cents would be 2¼ cents per square yard, the rate adopted. On the next valuation, over 9 and not over 10 cents per square yard, this line of demarcation [illegible] brought forward from paragraph 314, there is a specific rate to the ad valorem rate of paragraph 314, which is 30 per cent, and that rate applied to 10 cents per square yard gives 3 cents per square yard, the rate adopted. And so on through all of the paragraphs.

This, therefore, simply carries out exactly the lines of the Dingley law, converting ad valorem rates into specifics and applying them to precisely and to only that value of goods as in the Dingley law provided, but extending the rates applied to all paragraphs when goods of an equal value and condition

were imported thereunder. In this way perfectly systematic and consistent provisions are drafted upon the values and rates of the Dingley law, which can be verified by calculation, with the result that under the Senate bill cotton cloth of the same value and condition pays the same rate of duty, regardless of the paragraph into which it falls for dutiable purposes.

Attention is particularly invited to the fact that the building up to effect this purpose of the paragraphs of the Dingley law applies more particularly to the paragraphs covering goods of transparent effects and small count of threads. This class of goods, by reason of their transparent effects and open-woven character, of necessity partake more of the nature of novelties than of necessaries. The succeeding paragraphs, providing for the closely woven fabrics, more nearly cover goods manufactured for comfort and warmth than for effect and ornamentation. In the very nature of things, then, the paragraphs of the Dingley law of low count apply to the higher-priced ornamental novelties and luxuries. Yet these paragraphs are the ones providing the lowest rates of duties.

The building-up process, therefore, was more extensive in the first paragraph than in the second, and more in the second than in the third, and so forth, to the conclusion. In the latter paragraphs the changes are simply conversions from existing provisions. It is apparent, therefore, that the principle involved in building up these paragraphs was not alone that uniform rates of duty should be established on goods of the same value and condition, but that luxuries and novelties, open work and transparent fabrics, fabrics for ornamentation and adornment, purchased by people of better means should at least pay the same rates of duty as the more closely woven fabrics, usually worn by people of lesser means, because they provide comfort and warmth as well as whatever ornamentation may result from any higher values represented in the fabric.

And, again, I think it worthy of repetition that it is to be noted that the added provisions are more on these particular low-count paragraphs, gradually decreasing in number as the density of the count increases.

We are unable to discover, after the most careful study, any "hybrid," "reckless," or "unintelligent" system here adopted. On the contrary, we find the logical sequence of the Dingley law. By this system uniform duties upon cotton cloth will be collected, and while on many of the goods—in fact, the great proportion of the high-class articles—the duties levied by the Dingley bill, to wit, 45 and 60 per cent ad valorem, will not be collected, as there is a reduction from those rates, duties proportionate to the value and condition of the goods will be collected.

The only difference between this and the Dingley law is that the Senate provisions are more systematic, for the Dingley law provided an arbitrary rate of 45 per cent on certain cotton fabrics, while the Senate bill provides that all shall be assessed according to value; and where the Dingley law gave an arbitrary differential between the solid-woven fabrics and the open-work fabrics of the etamine class of from 15 per cent to 25 per cent, the Senate bill allows only the differential represented in the actual difference in value.

There are no definite statistics available as to the amount of duties annually collected on cotton goods assessed within the provisions of paragraph 339 as etamines and vitrages, but some idea of the scope of that paragraph and its included terms may be derived from the fact that more than $45,000,000 per annum is collected thereunder.

While in the adoption of this system of duties some narrow lines of demarcation have resulted, they are the result of the application of the system suggested and not of accident or design. The committee having this in mind, considered the changing of these lines of demarcation, but inasmuch as the cotton industry had accommodated itself to these lines and the resulting equivalents, it was deemed that this small line of demarcation and its attendant difficulties of administration had better be preserved than to change a system of duties to which trade and commerce had already adjusted themselves.

There are possibly two exceptions to this rule, which are of such minor importance that little comment thereupon is necessary.

The first is, that in the dividing line in paragraphs 315 and 316, in bringing over the corresponding ad valorem line from 316, the difference—being between 12½ to 17½ cents per square yard—was deemed too great, as affecting too great a difference in the rates levied upon the merchandise included between these lines. Accordingly a fair mean between the two was taken, which is, in fact, a reduction of the logical rate; but the harmony of the paragraphs is preserved.

Secondly, the dividing lines in paragraphs 316 and 317 are carried up to 45 per cent. This additional scope under these paragraphs will affect comparatively little merchandise and is simply carrying the provisions of the paragraphs to the logical sequence to catch any possible new species of goods that might be imported thereunder. Its general effect upon the entire schedule is necessarily limited. In any event, no reason occurs why goods of this class should not pay the rate therein provided. It applies only to cotton fabrics valued at over 20 cents per square yard. These fabrics are of such high class that they are fully within the range of luxuries. They are of that high class that they come in competition with some of the finest grades of summer silks, domestic and foreign, sold in this country.

Wherever specific duties are provided between lines based on value or weight, relative possible ad valorems calculated precisely upon one of these lines are always so much greater than what would actually be collected upon goods so manufactured that their value and conditions depart as far as possible under the statute from that line. For that reason no fair theoretical estimate can be made of the probable equivalent ad valorem by a calculation based solely upon that line. And for the same reason no fair estimate can be made of the probable equivalent ad valorem which would be obtained in theoretical estimates based upon statistics or bases of importations which have not been imported under that paragraph. For example, in paragraph 313 the first ad valorem provides:

> Valued at over 7 and not over 9 cents per square yard, 2¼ cents per square yard.

The equivalent ad valorem if the goods imported under this provision were valued at 7¼ cents—the value along the line—would be approximately 31 per cent; if imported at precisely 9 cents per square yard—the value furthest away from the line—the equivalent ad valorem would be 25 per cent.

In the presence of the possibility of a merchant, therefore, being able to bring in a better value at a less equivalent ad valorem there is not the remotest possibility but that he would avail himself of that possible and necessary latitude in the statute. Imported goods are always so made as to fit the tariff line of least resistance, and so long as merchants continue to do business upon the basis of self-interest this will continue. The only fair, probable rate, therefore, is that which will permit the entry of the best value at the least relative ad valorem, which never lies along the basic line upon which the rate is fixed, but as far away from it as possible. The calculations submitted in this Chamber some days since did not take this into consideration, but were made upon the highest theoretical possibility, which is never a practical probability. Nor was it possible for the tabulators of probable ad valorems collected under these provisions to do so, as goods had not as yet been imported under the provisions. Hence all estimates made in that manner are of no practical value or accuracy. Inasmuch, however, as the Senate bill adopts the ad valorem lines of the Dingley law, there is positive assurance that the equivalent ad valorems upon future importations would be practically identical with those at present.

The illustration offered by the Senator from Iowa [Mr. DOLLIVER], found on page 1722 of the CONGRESSIONAL RECORD of May 4, 1909, is subject to these observations. The Senator stated that under this bill unbleached cloths valued at over 14 cents per square yard carried a duty of 7 cents per square yard in paragraph 313, and asserted:

> This shows on its face that it imposes a duty of 7 cents on a value of 14¼ cents, which is 49 per cent. The Dingley rate on the same cloth is 25 per cent ad valorem.

He failed, however, to state what the Dingley rate on the same cloth would be if assesssed for dutiable purposes under the other countable provisions of the Dingley law. Paragraph 313 of the Senate bill corresponds to paragraph 305 of the Dingley law. Cotton cloth of this identical value and condition under paragraph 305 of the Dingley law pays 25 per cent; under paragraph 306 of that law, 30 per cent; under paragraph 307, 35 per cent; and under paragraphs 308 and 309, 40 per cent. Thus we have the incongruous situation that cotton cloth of identically the same value and condition, except as to count of threads, would be assessed with four separate and distinct rates of duty, according to the paragraph it fell under. There is no difference in its value or condition; there is no difference in the cost of manufacture. There is no reason in logic, economics, or good sense why this should be so, and this bill corrects that.

The Senate bill, paragraph 313, so far as can be calculated upon existing statistics, might by remote theoretical possibility assess 49 per cent duty upon cloth of that value and description, but no possible higher rate. The Senator from Iowa used the highest possible theoretical rate to explain the effect of this provision. Whatever rate this cloth would pay under the Senate bill under one paragraph, it would pay identically the same under all of the other paragraphs irrespective of the count of threads.

The subject of his illustration was unbleached cloths valued at over 14 cents per square yard. It should be here noted that the provision of paragraph 313 for such cotton cloth is—

> valued at over 14 cents per square yard, 7 cents per square yard, but not less than 25 per cent ad valorem.

Therefore, while goods falling under this provision at 14¼ cents would pay a duty of 49 per cent, because of the nearness to the dividing line, goods which would come in under the same provision might be valued at 17½ cents per square yard, and when so valued would pay precisely 40 per cent ad valorem.

It is not to be assumed for a moment that in this system of rates, which has been in vogue for many years as to woven fabrics and which has received the approval of the best minds giving attention to the subject, the manufacturers exporting thereunder would not accommodate their business and manufacture to the schedule as adopted, and that the goods manufactured for the American markets, in order to import the best value for the least duty, would be so manufactured as to depart so far as practicable from any harsh lines of the tariff. In consequence, while theoretical tabulations might show a theoretical 49 per cent duty, actual commercial transactions would not warrant any such conclusion.

And so it must be borne in mind that in figuring equivalent ad valorems of a new schedule upon the basis of previous importations, where calculations have to be made on the lines laid down, no fair or accurate statement can be made of the duties which will be actually collected other than a fair estimate within the broad lines of demarcation. For under the new schedule the foreign manufacturers will, as they have done with reference to the old schedules of the tariff act, so accommodate the construction of their goods within the lines of the tariff as to export the best quality for the least rate of duty possible under the law.

That this is not a mere theory, but is demonstrated in commercial practice, is proven by a reference to the cotton-hosiery schedule, paragraph 318, of the Dingley law. One line of demarcation there drawn was, for example, those valued at not more than $1 per dozen pairs. Reference to "Imports and duties," page 281, shows that, while in 1898 the average value per dozen pairs of hosiery imported under that provision was 88.7 cents, in 1907 it was 96 cents. Here we find a gradual, but certain, conversion in manufacturing particulars conforming to lines drawn by the tariff law in obedience to the inevitable commercial practice to import the greatest value possible at the lowest equivalent ad valorem possible within the lines laid down by the tariff law. And this same condition will be found in examining every one of the hosiery and other similar schedules in every tariff law from the commencement of the Government to date.

This was the policy pursued with reference to the Dingley law, and that law has not been disturbed on its specific or ad valorem lines in any particular, for the reason that the business world has become adjusted to it. And for this reason the ad valorem lines of the present law have been transferred to the paragraphs as written in the Senate bill, that the least disturbance to the business world possible may result by the adoption of the new provisions.

So it is with the table submitted in the RECORD on the same page. It is subject to the same considerations and the additional one which has not been taken into account in the Senator's estimates, to wit, that many of the high-class goods, such as voiles and the great class of dress goods comprehended in the descriptive term "etamines," now coming in under paragraph 305 at 25 per cent, for many years paid, when the duty actually contemplated by the Dingley law was assessed upon them and before that law was contrarily construed, 60 per cent ad valorem under paragraph 339.

Viewed in the light of sound business probabilities, therefore, reenforced by all experiences under similar provisions of the present and previous tariff acts, these remote possible conclusions cease to be criteria of the effect of this bill upon the commerce of the country.

Mr. President, at this time I desire to ask that a table be inserted in the RECORD showing average rate of duty actually collected in 1898, 1899, 1900, and 1907, and estimated average rate under Senate bill of cotton cloth and articles.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Utah.

The table is as follows:

Cotton cloth and articles.[a]

[Table showing average rate of duty actually collected in 1898, 1899, 1900, and 1907, and estimated average rate under Senate bill.]

Paragraph, act of 1897.	Importations for 1898.			Importations for 1899.			Importations for 1900.		
	Value.	Duty.	Ad valorem.	Value.	Duty.	Ad valorem.	Value.	Duty.	Ad valorem.
			Per cent.			*Per cent.*			*Per cent.*
304	$3,551.70	$688.31	19.38	$2,093.60	$497.85	23.78	$1,270.07	$507.30	39.94
305	177,348.37	61,174.24	34.49	181,952.00	61,041.01	33.55	216,646.93	67,701.88	31.25
306	1,179,179.58	446,545.35	37.87	1,001,194.20	388,809.60	38.84	1,022,388.16	387,624.46	37.91
307	1,901,128.29	799,145.17	42.03	2,733,943.80	1,139,456.99	41.68	3,270,778.36	1,366,448.12	41.78
308	1,764,084.59	879,861.55	49.87	2,602,813.81	1,278,138.63	49.10	2,917,305.95	1,414,240.94	48.47
309	45,144.08	19,169.15	42.46	34,404.00	14,566.03	42.34	54,599.57	22,802.18	41.76
313	231,312.00	112,538.47	48.65	353,116.95	169,704.39	48.06	509,898.00	238,500.98	46.77
322	248,051.99	83,818.18	35.00	777,821.49	350,019.72	45.00	941,552.11	423,698.43	45.00
	646,161.94	290,773.77	45.00						
Total	6,193,962.54	2,696,714.10	43.52	7,687,339.85	3,397,234.22	44.19	8,934,341.15	3,921,524.29	43.89

Paragraph, act of 1897.	Importations for 1907.		Paragraph, Senate bill.	Estimated duty under Senate bill based on importations for 1907.	Equivalent ad valorem.	
	Value.	Duty.			Present law.	Senate bill.
Total under paragraph—			Total under paragraph—		*Per cent.*	*Per cent.*
304	$26,873.00	$3,394.29	313	$8,237.52	12.63	30.65
305	590,254.15	164,470.93		212,216.94	31.02	40.02
306	3,105,040.83	1,071,033.96	314	1,170,861.02	34.49	37.71
307	5,281,869.96	2,060,045.13	315	2,326,887.73	39	44.05
308	3,010,899.96	1,212,470.34	316	1,382,552.03	40.27	45.91
309	139,228.96	55,760.96	317	64,695.81	40.05	46.47
313	949,022.09	411,769.40	321	503,317.06	43.39	53.04
322	997,612.18	448,925.56	330	448,925.59	45	45
Total	14,040,800.53	5,427,870.56	Total	6,117,698.67	38.66	43.56

[a] These compilations do not include merchandise assessed at 60 per cent ad valorem during these years as "etamines and vitrages" under paragraph 339, included for dutiable purposes in these paragraphs in Senate bill by striking out those items from the corresponding paragraph, 345. No separate statistics of these importations are available. The examiner at the port of New York, who has passed these goods for over twenty years, estimates that if these duties were included the ad valorem would be increased approximately 5 per cent in each year as follows: For 1898, 48.52 per cent; 1899, 49.19 per cent; 1900, 48.89 per cent. Importations for 1898 include twenty-four days under Wilson tariff, which, if under Dingley law, would have increased average rate much above Senate bill rate.

Includes all etamines and vitrages, assessed previously at 60 per cent under paragraph 339, except a very narrow line similar to congress canvas, all of which are now assessed for dutiable purposes under these paragraphs, and so provided, including congress canvas and all etamines and vitrages, in the Senate bill.

Mr. SMOOT. These tables demonstrate the claims asserted by the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Massachusetts [Mr. LODGE] that the Senate bill provides average rates lower than the Dingley law. They show the average ad valorem rates upon the cotton fabric and article paragraphs to be, for 1898, 43.52 per cent; for 1899, 44.19 per cent; for 1900, 43.89 per cent, as against 38.66 per cent for 1907, and the estimated rate under the Senate bill of 43.58 per cent.

The estimated rate of 43.58 per cent under the Senate bill must be regarded in the light of the facts already stated affecting estimates of this character. Necessarily statisticians, estimating probable equivalent ad valorems of duties collected upon merchandise imported under a law levying rates of duties varying between certain lines, must take the average equivalent ad valorem between these lines. The calculations already made upon the floor of the Senate, as stated, were upon the highest line. The tabulations made by the statisticians were upon the average equivalent ad valorem rate produced between these lines. As shown, actual importations in behest of the dictates of the best interests of the trade will be along the lowest of these lines; that is to say, the greatest value will be imported at the least rate of duty. Accordingly, the estimated rate of 43.58 per cent under the Senate bill is greater than would actually occur in commerce. Undoubtedly this would result in a reduction of from 3 to 5 per cent, according to the most conservative estimates. So that the rate of 40 per cent more nearly represents the probable actual equivalent ad valorem rate laid in the Senate bill. We will assume, however, for the purpose of this argument, that the rate compiled by the statistician, 43.58 per cent, is the probable correct rate. It is certainly the maximum equivalent rate.

The statistics of 1898 must be read in light of the fact that twenty-four days of that fiscal year were under the act of 1894, wherein lower duties were provided upon higher priced goods. This difference would at least have brought this rate up more than six one-hundredths of 1 per cent, or higher than the Senate rate.

These three years immediately after the Dingley law went into effect and before any of the decisions mentioned became effective are conclusive evidence of the natural and intended import of that law. These figures, however, do not include a wide and extensive range of cotton goods at that time assessed at 60 per cent on etamines and vitrages, which later, in 1907 and now, are assessed under paragraphs 304 to 309 and included within the statistics for 1907. Had these goods been included in the estimates of 1898, 1899, and 1900, with duties collected thereon as then, at 60 per cent, the average ad valorem of those years would have been higher. It is conservatively estimated by the examiner of such goods at the port of New York that, were these figures segregable and obtainable, the average ad valorem of those years would show an increase of at least 4 or 5 per cent. This certainly seems a most conservative estimate, as by these decisions etamines were reduced from 60 to 45 and 35 per cent, all cotton articles from 45 to 35 and 40 per cent, and all articles falling under paragraph 304 at least an average of 15 per cent. Taking these factors into consideration, the Dingley law laid average duties on cotton fabrics and articles of about 48.50 per cent ad valorem until reduced by construction to, in 1907, about 38.50 per cent.

The Senate bill restores the average rate not to 48.50 per cent, but to not more than 43.50 per cent. Every fair, conservative, and intelligent view of the operation and changes wrought in that schedule agrees in this conclusion.

The Senate bill does not raise the Dingley rates as intended by the Congress, therefore, but represents an actual average reduction therefrom of at least 5 per cent.

I now proceed to the consideration of paragraph 318 of the Senate bill. This paragraph, as passed by the House, was identical with the Dingley law. The first amendment of the Senate strikes out the words "or otherwise" and inserts in lieu thereof "cut in lengths;" and in line 25, after the word "means," adds "and shall not include any article, finished or unfinished, made from cotton cloth."

The purpose of this amendment is to correct an inconsistency wrought in the assessment of duties by the decisions mentioned. It was held that the force of the words "or otherwise," as used in this paragraph, took completed articles, made up ready for use, out of paragraph 322 at 45 per cent ad valorem, and cast them into the lower countable paragraphs for dutiable purposes. Thus it was effected that completed, made-up articles, ready for use, upon which in making up had been expended in many cases the greater part of their value, were dutiable at the same rates as the cloth out of which they were made.

The Senate Finance Committee are of the opinion and believe that the theory of the Dingley law in this particular was right, and that a different and higher rate of duty should be assessed upon such articles, where the cost of manufacture over and above the cost of the woven fabric is oftentimes by far the greater value in the completed article, and concluded to withdraw the premium upon having this work done abroad by the amendments reported.

The next provision is as follows:

In determining the count of threads to the square inch in cotton cloth all the warp and filling threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted.

Since the origin of this provision has been assailed in this Chamber, it may be proper to state that in a work entitled "Notes on Tariff Revision," prepared for the use of the Committee on Ways and Means under the direction of the clerk of that committee, and printed in September, 1908, a provision, drafted and promulgated under the authority of said committee, in effect identical with the provision found in the Senate bill, is found, to wit:

In determining the count of threads all the foundation threads as well as the superimposed threads shall be counted as found in the most substantial part of the fabric.

This provision is in effect identical with the provision adopted by the Senate committee. It is in effect identically the same as the provision adopted by the Ways and Means Committee, and it owes its authorship not to the suggestions of any manufacturer or any other person except those immediately employed under the direction of the Ways and Means Committee. It found its place there not because of any clandestine or other influence, but because it logically belongs there. It is one of the essential provisions necessary to eliminate the inconsistencies wrought or discovered in the Dingley law.

Nor is it a new suggestion in customs legislation or administration. Its existence and indorsement are recorded by the able pen of Colonel Tichenor as far back as November, 1900. On the point of whether or not threads other than the ordinary warp and filling threads introduced into the fabric for the purpose of forming a figure should also be taken into consideration for the purpose of determining the count, whether clipped or unclipped, the intent of the Dingley law was commented upon. Speaking to that point, Colonel Tichenor said:

The further point is raised in the protestants' brief to the effect that if the threads relied upon by the Government to bring certain goods within paragraph 313, such threads can not be included in the count per square inch to determine the classification of the goods under paragraphs 304 to 309. * * * The figure threads in the cloths in question here are not sufficient in number, whether they are included or excluded, to change the rate of duty under the countable clauses, so that a decision of this point is not necessary in this case. However, paragraphs 304 to 309 provide for "counting the warp and filling," which naturally means all warp and filling threads; but if there are threads that can not be counted, they must, of course, be omitted. This was the view taken by the United States Supreme Court in the case of Hedden v. Robertson, supra, and we see no reason for a change under the present law.

The practice at all the ports for many years has been, in determining the countable status of this class of merchandise, to count the threads that have not been clipped. Notwithstanding the dictum of Colonel Tichenor quoted, the practice of the customs officials has been not to count the threads which have been clipped. As late as 1908 a decision by the Board of General Appraisers expressly affirmed the collector at the port of New York in a case where the direct issue was whether or not these unclipped threads should be counted. It was held that they should be counted, and no appeal was taken from that decision, and this is the practice at all ports to-day. While the practice has been not to count the clipped threads, there seems to be no precise adjudication upon that point, and the question is still open for decision whether or not clipped threads under the existing law should be counted.

It has been asserted in the Senate that in many of these cases it is impossible to count the threads per square inch. This contention has absolutely no foundation in fact. It is just as easy to count the clipped threads as it is to count unclipped threads, for the custom is, and it has been the practice for many years, to count the thread in the portion of the fabric where the figure appears. To-day the unclipped threads are, and for years have been, counted as warp or filling threads in determining the count of threads in cotton fabrics.

There is, by the provision inserted, a limitation provided which confines this provision to a very narrow line of goods. The language of the provision is not that all threads introduced for the purpose of forming a figure shall be counted, but "all the warp and filling threads." Not every thread introduced to form a figure shall be counted, but only those threads introduced to form a figure which form a part of the warp and filling, and there is sound reason for this. Under the present practice there are counted, in determining the count of threads, the unclipped threads running from selvage to selvage which

are a part of the warp and filling. The same thread when clipped off is not counted. It requires more labor and more mechanical operation to produce the same article with clipped threads than with unclipped, for the clipping of the threads requires an additional mechanical operation. It therefore costs more to produce the same article with clipped threads than it does to produce it with unclipped threads, yet under the administration of the law at present, the less expensive fabric with the unclipped thread takes its status in paragraphs providing a higher rate of duty than the same fabric with clipped threads, because in the latter case the clipped threads are not counted. This is an incongruous situation, levying a lower rate of duty upon the more expensive fabric, and for that reason this provision, which restores such goods to their appropriate place for dutiable purposes, is made, and the same rate of duty levied thereupon as is levied upon the identical fabric when not clipped.

It was further stated that these fabrics already paid 2 cents a square yard in addition to the ad valorem rate, "because of the existence of those threads." This is only partly true. If the thread is so manipulated in the fabric as to form a figure, they pay 1 or 2 cents per square yard additional, according to the value of the fabric. The rate is levied not because of the existence of clipped or unclipped threads, but because of the existence of the figure formed in the fabric, which adds to the appearance and consequent value of the fabric. Fabrics of this class are much more expensive to manufacture and more valuable when manufactured than plain fabrics, and for that reason should take a higher rate of duty.

But there were other recommendations before the Senate committee upon the cotton schedules. Among others, that of the chairman of the Association of Exporters and Importers of Cotton Goods in the city of New York. This organization is said to embrace the great body of importers of cotton goods in the city of New York. On April 1, 1909, this gentleman filed for the use of the Senate committee the views of his organization upon the cotton schedules. That the Senate committee might not be mistaken as to the precise purport of the recommendations of that organization, the cotton schedules were redrafted by him, approved by his organization, and submitted by him to the Senate committee for adoption. His concise statement upon that subject is as follows:

REDRAFT OF COTTON CLOTH SCHEDULE—SCHEDULE I, PAYNE TARIFF BILL.

Drawn on lines to cover requests of domestic manufacturers as shown by their last brief, Tariff Hearings, Print No. 52, March 1, 1909, pages 7772 and 7773, duly considering arguments as presented Tuesday, December 1, 1908; Tariff Hearings, No. 23, together with importers and exporters' suggestions as contained in Tariff Hearings, No. 39, December 19, 1908, and fully considering the great necessity of avoiding technicalities of wording that would work against proper collection of duties and administering of these clauses by customs officials. In other words, a proposed redraft of the paragraphs 312, 313, 314, 315, 316, 317, 318, and 321 of the Payne tariff bill; other paragraphs in Schedule I than these are not subject of this matter. (March 31, 1909. R. K. MacLea.)

Upon the subject of counting such threads his recommendation is as follows:

In determining the count of threads to the square inch in cotton cloth, all the warp and filling threads, whether ordinary or other than ordinary, shall be counted.

These recommendations were duly considered and, it must be as shown, largely adopted.

There were, therefore, before the Senate committee for consideration in this paragraph, as in all paragraphs of the cotton schedules, not alone the Notes on Tariff Revision, prepared under the direction of the Ways and Means Committee and the provisions approved and adopted by the House, but the recommendations upon these paragraphs reviewed by the representative of the importers' association of New York, with proposed paragraphs deemed appropriate, approved and submitted by him.

That comparison may be easily made, and the information and its sources which were submitted for consideration of the Senate committee be thoroughly understood, I will set out in parallel columns the recommendations made in Notes on Tariff Revision, prepared under the direction of the Ways and Means Committee of the House; the provisions of this paragraph as it passed the House, the provisions of this paragraph as recommended by the importers' association of New York, and the provisions of the Senate bill as reported by the Committee on Finance.

On the particular provision in question as to the count of the warp and filling threads the recommendations made by the chairman of the Exporters and Importers' Association of New York is in force and effect identical with the Senate provision and in language almost so; for, while he omits the words "clipped or unclipped," the provision which he suggests and approves includes both clipped and unclipped threads. Unclipped warp and filling threads are still other than the ordinary warp and filling threads under all the decisions construing these terms, and an enforcement of the provision submitted by him would compel the counting of both clipped and unclipped threads in determining the count of threads in any cotton cloth. The use of the words "clipped and unclipped" adds nothing to the statute, but they were inserted out of a superabundance of caution.

Whatever may have been the view of the chairman of the association of cotton exporters and importers as to how and where he had provided increased duties upon fabrics containing these clipped threads, his belief that they should be subjected to increased duties is affirmed in a letter of the same date filed for the use of the Senate committee. In that letter he states:

It will be noted that we suggest an additional duty on the higher cost clipped figure materials to offset the higher cost novelties of the nature of clipped-filling figured goods used for decorative purposes, most of which are elaborated threads on the unbleached or bleached groundwork, and which have been a source of contention in customs circles for several years, and numerous protests have been causing much difficulty. In fact, the finished fabric, as sold, is chiefly composed of this class of threads. We therefore think that these higher cost elaborated fabrics can best be covered by establishing the stepping stone of duty on the same as 2 cents a square yard additional if valued at over 7 cents a square yard and not more than 14 cents a square yard, which is the same as in the Dingley Act, but providing 3 cents a square yard specific duty additional for goods costing 14 cents or more a square yard.

Here it is affirmed by the representative of the association of exporters and importers of cotton goods that a higher duty should be placed upon this class of fabrics by reason of their expensive character. Inasmuch as these fabrics in most cases cost more than 14 cents per square yard, the suggested addition of 1 cent per square yard would cover practically all of them.

Taking this into consideration, arbitrary lines would be drawn with reference to this particular class of goods, and the proposition of adding 1 cent per square yard for the purpose of imposing appropriate duties for unclipped threads was not adopted. This was particularly true, as the fabrics with unclipped threads are already included within the countable provisions, and it would impose an additional and unequal duty upon them in comparison with the clipped fabrics, which it was not the desire of the committee to impose, and which by this bill is not imposed. Such would not remove but continue the inequality. The committee thought it preferable to adopt the logical proposition of bringing up in the schedules at lower rates the fabrics having unclipped threads to their proper status with the same goods with unclipped threads of practically the same value.

In reaching this conclusion, the committee was further actuated by the proposition that the addition of 1 cent per square yard upon goods with unclipped threads would be a far greater advance in duties than was actually imposed upon them by bringing them up into the category of the goods with unclipped threads. Indeed, in many cases it would amount to an increase in both classes, for in numerous instances at present the counting or not counting of these threads makes no change in the rate of duty, their number being insufficient to advance the goods into another paragraph of higher count.

The committee, therefore, in this particular declined to accept what it deemed to be a higher rate of duty, proposed by the importers' association, and adopted the logical proposition of the uniform classing of these goods under the countable provisions. It is to be particularly emphasized in considering the effect of this provision that it does not extend to all of the goods having figures introduced by extra threads, but only to that comparatively narrow line of goods wherein the figure is inserted as a part of the warp and filling, it being so limited by the very terms of the provision itself. It is confined very largely to high-priced curtain goods—only those where the difference in count is large enough to advance them into higher paragraphs.

The last provision inserted by the Senate committee in paragraph 310, which is 318 of the Senate bill, is that providing as follows:

In the ascertainment of all the particulars, including weight and value, upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included. The terms bleached, dyed, colored, stained, mercerized, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any bleached, dyed, colored, stained, mercerized, painted, or printed thread or threads in any part of the fabric.

Since the authorship and origin of the provisions adopted by the Senate bill have been called into question, it may be well to advert to the origin of that suggestion. If Senators will turn to the book entitled "Notes on Tariff Revision," before referred to, and to paragraph 310 thereof, they will find the following provisions:

The term colored, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth having colored thread, threads, or yarns in any part of the fabric, and the term bleached, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth having bleached thread, threads, or yarns in any part of the fabric: *Provided*, That cotton cloth other than that subject to additional duty under paragraph 313 of this act, varying in count of

threads in different portions of the fabric, or from which substantial portions of the warp or filling threads are missing, not specially provided for in this act, shall be dutiable as exceeding * * * threads to the square inch.

This suggestion embraces all of the features of the Senate amendment, being no more than expression in different language from that of the Senate amendment.

It was approved by the Finance Committee because a provision of that character is absolutely and logically necessary to prevent absurd results ensuing. In brief it provides that in the ascertainment of the particulars of weight, value, color, and so forth, of cotton cloth for dutiable purposes, the whole fabric and all the threads entering into the fabric shall be considered and not only the warp and weft threads of the fabric.

That the Dingley law was constructed with this in view is evidenced, like these other provisions, in the clear and unmistakable interpretations made of that law by Colonel Tichenor. Speaking of fabrics in which other than the ordinary warp and filling threads were introduced for the purpose of forming a figure, he said:

The board has uniformly held that cotton cloth, whether containing colored threads in the different forms of figures, stripes, checks, or otherwise, and whether covering much or little of the surface of the fabric, were dutiable under the tariff provisions for colored cloths, and these decisions accord with the action of the classifying officers of the customs at the several ports and the rulings of the Treasury Department covering a period of many years and under different tariff acts containing provisions for cotton cloths similar to this present act. We find as a matter of fact the merchandise in question is of the description above stated and hold it is dutiable as colored cloth.

The recent denial by the Supreme Court of a writ upon this subject makes necessary the insertion of this provision to prevent most absurd results following the subsequent reversal of the doctrine stated by Colonel Tichenor.

In accordance with the principle of that decision protests are now, and for two years past have been, filed at the various ports upon all importations of such merchandise, claiming that not alone in determining color and weight, but in the determination of value, nothing but the warp and weft basic threads shall be taken into consideration. The effect of any such construction of the law is, to say the least, startling. In many cases it ignores for dutiable purposes 90 per cent of the value of the fabric. Without the addition of this paragraph, which is manifestly just, a fabric which would to the eye be practically entirely colored, and in the figures of which resides 90 per cent of its value, would be assessed as a fabric not colored and according to the value of the basic warp and filling threads only. This provision makes the whole article and all parts thereof dutiable and prevents considering the basic threads alone for such purposes. It is so drawn here to cover this point in all particulars, that of value, weight, color, painting, printing, and the other elements provided in the statute.

In illustration of this point, I show the Senate a sample of merchandise affected thereby. This sample is a madras curtain. It is composed of bleached warp and weft threads, the base thus formed being valued at not more than 8 cents per square yard. Upon this are superimposed colored threads, bringing the entire value of the fabric up to 40 cents per square yard, foreign market value. Under the decisions of the courts this fabric is held to be not colored. Under the contentions of the protestants now—and the decision must logically follow therefrom—its value for dutiable purposes is not 40 cents, but 8 cents, per square yard.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SMOOT. Yes.

Mr. LA FOLLETTE. I merely want to inquire of the Senator from Utah if he would inform the Senate how great a quantity of goods similar to the sample which he has just exhibited came in in 1907 at the lower rate of duty?

Mr. SMOOT. Mr. President, I will say that, among the etamines——

Mr. LA FOLLETTE. I know; but of this particular class.

Mr. SMOOT. I can not say as to that particular class of goods.

Mr. BEVERIDGE. That is very important. Does the Senator from Wisconsin know?

Mr. LA FOLLETTE. No.

Mr. SMOOT. Mr. President, in the adoption of appropriate language to cover this point the Senate committee also had the advantage of the recommendations to the same effect made by the chairman of the Exporters and Importers' Association of New York, which will be set out in my remarks and which are practically identical with the language adopted by the committee.

The next paragraph affecting duties levied upon cotton articles and fabrics is 321 of the Senate bill, corresponding to paragraph 313 of the Dingley law. The Senate committee has reported the paragraph precisely as it passed the House. Since question has been raised as to the origin of this paragraph, it is meet to state here that the paragraph, exactly as it passed the House and was reported from the Senate committee, was drafted in the Ways and Means Committee of the House, under the authority of that committee. At no time did any member of the Board of General Appraisers at New York make any suggestion to the Committee on Ways and Means or to any Member of the House as to any rate of duty adopted in that paragraph. The rates of duty therein provided for extra threads are the Dingley rates, and the rate therein provided for mercerization of cotton cloth was drafted by the Ways and Means Committee without any suggestion whatever from any member of the Board of General Appraisers or the knowledge of any member of that board as to what rate was to be adopted or had been suggested by any person whomsoever.

No paragraph in the Dingley law has been the subject of such extended litigation as this. The paragraph as passed by the House is, in effect, precisely the same as the corresponding paragraph of the Dingley law, except as to the addition for mercerization. Changes in phraseology have been adopted by the House, and wisely. For many years the provisions of the corresponding paragraph in the Dingley law were in litigation in the courts upon the point of whether or not the Dingley rates therein provided were in addition to the ad valorem as well as the specific rates provided in the countable cotton paragraphs.

It was finally held by the United States Supreme Court in the case of United States *v.* Riggs (203 U. S., 136) that they did so apply. To meet this point made in this case and similar possible points to which the paragraph is yet open, the Ways and Means Committee have caused the paragraph to be recast. In the opinion of the Finance Committee the paragraph as passed in the House is in language that can not be improved upon, and so far as the levy of duties therein made is concerned, there is no change or increase in any of the rates except in the added provision as to mercerization.

The House has added the word "cumulative" in this paragraph. The reason for the insertion of that word is plain. If it were eliminated from this paragraph as drawn, there is little question under the decisions but that it would be absolutely destructive of the force and effect of the paragraph.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. Yes.

Mr. BEVERIDGE. Is the addition of that word to the language of the House bill the thing of which chief complaint is made?

Mr. SMOOT. No; not that.

Mr. BEVERIDGE. Not that?

Mr. SMOOT. The word was put in so as to follow the decision of the court.

Mr. BEVERIDGE. The Senate committee adds that word?

Mr. SMOOT. No; the House bill contained it. It would be open to attack without the word. Its insertion gives it no other or different force or effect than the same paragraph in the Dingley law. It was inserted solely for the purpose of fortifying the legal effect of the paragraph. It is the uniform principle of construction that unless it plainly appears in the statute that duties provided are cumulative, the presumption is that their levy has been in the alternative. Accordingly, without the use of this word in this paragraph, it would be seriously open to attack upon that ground, and successful assault upon that particular would result in these high-class cotton fabrics, to which this provision is intended to add extra duties, being assessed for dutiable purposes solely under this paragraph. The omission, for that reason, would be absolutely destructive of the purposes of the law.

The provision of this paragraph for 1 cent per square yard "on all cotton cloth mercerized or subjected to any similar process" has been the particular subject of severe attack, and it was asserted that no inquiry was made as to what the process cost.

The 1 cent rate of duty upon mercerized cotton cloth originated in the Ways and Means Committee of the House of Representatives. It came to the Senate Finance Committee with the weight of the deliberations and the judgment of the Ways and Means Committee, and of the approval of the House of Representatives. That entitled it to respect.

In addition to the weight entitled to the House finding and inquiries upon the subject, there had been filed for the use of the committee a statement upon the subject of mercerization under date of April 1, 1909, by the chairman of the Association of Exporters and Importers of Cotton Goods in the city of New York, who also appeared before the Ways and Means Committee

as the representative of this association, in which the following appears:

Mercerizing.—On page 7773, Tariff Hearings, No. 52, domestic people show that the condition of mercerization is a process that can be applied either to the yarn of which goods are composed (meaning either wholly or in part) or to the goods themselves, to be subsequently either bleached or dyed. This tells the story right here of the purpose and request of this proposition. Manufacturers of cloth are not people who are materially interested with the converting of same subsequently, but they are concerned evidently at the recent court decisions wherein gray goods woven with some mercerized yarn, or that have been mercerized only, are held to be goods not bleached, colored, stained, painted, or printed, and thereby paying duties under the gray cloth schedule, which is the schedule for goods as they come from the loom. Our suggestion of embodying a provision covering this first advance in the converting of cotton cloth, viz, "mercerization," is to provide for it where it belongs, in the countable clauses, paragraphs 312 to 317, inclusive, and make gray goods, if mercerized or containing mercerized yarn in part of them, pay the same advanced rate of duty as bleached cloths. Most of the importations of goods of this character will be found to be of cloths containing from 140 threads to 200 threads to the square inch; therefore by putting gray cloths, if mercerized, into the bleached section, it will be found that 1 cent per square yard advance is obtained in the 100 to 150 thread, and three-fourths of a cent per square yard in the 150 to 200 threads, and 1 cent a square yard in the 200 to 300 thread, and 1 cent per square yard in the over 300-thread schedules. It is not necessary to provide for this further advance should the goods pay ad valorem duty, because it must not be overlooked that where the ad valorem rates apply to any cotton cloth there is at least a 35 per cent or 40 per cent protection on the mercerization because of the added cost to gray cloth when mercerized. We do not believe that this additional protection is at all necessary, but it would be equitable to provide for it in this way, as it practically meets the domestic manufacturers' requests.

The theory of the spokesman for the Importers' Association of New York was that 1 cent per square yard was a reasonable rate of duty for the mercerizing of the bleached cotton cloths provided for in the specific provisions of the countable paragraphs. His contention was that the mercerized cotton cloth provided for by ad valorem duties in the Dingley law would be taken care of by the ad valorem provisions. In addition to this, however, on practically all goods not provided for in the specifics of the Dingley law, he advocated, as previously stated, the addition of 1 cent per square yard by virtue of the provisions of paragraph 321. The aggregate of these statements would amount to this, and he proposed 1 cent per square yard for mercerizing all bleached and unbleached cotton cloth up to that provided for by ad valorem rates. He advocated 1 cent per square yard additional on all cotton cloths above 14 cents per square yard, to be provided for in paragraph 321. While it is true that the reason he assigned for the latter was that it was to be in lieu of counting the unclipped threads, the reasonableness of that additional duty on that price of goods was admitted. In view of the fact that mercerization is something added to cotton cloth, whether it is bleached or unbleached, dyed or not dyed, colored or not colored, irrespective of its previous condition, and that wherever added it increases the value of the cloth, the conclusion has ample support that the logical sequence of the representation was that 1 cent per square yard was not an unreasonable rate to be added to cotton cloths, be it for clipped threads or mercerization.

If it were not the thought of the chairman of the importers' association that the added 1 cent recommended in paragraph 321 should in part, at least, cover mercerization on the higher class goods, his recommendations were all the more inconsistent. Any other view by him would impose 1 cent additional per square yard on the cheaper unbleached goods for mercerization, whereas nothing would be added to the higher priced colored, bleached, and otherwise finished goods. The unbleached goods bear lesser specifics than those that are bleached, colored, and otherwise treated. In consequence, his 1 cent added to unbleached goods would increase their equivalent ad valorem very much more than if the 1 cent were added to the bleached and colored goods, because the equivalent added ad valorem upon the latter would be relatively less.

Inasmuch as mercerization is a process applied to bleached, unbleached, colored, and all goods, irrespective of their other conditions, no reason appeared to the committee why, if 1 cent should be added to the unbleached goods, it should not be added to the higher class goods, particularly as the equivalent ad valorem of this 1 cent additional would be less in the higher priced goods than in the unbleached goods. Should this recommendation, therefore, have been followed by adopting the suggestion of the importers' association, another and greater inconsistency would have been effected in the statute as thus drafted.

The expense of producing mercerized goods is not confined to the actual process of mercerizing or the caustic bath. In order to get satisfactory luster the yarn has to be spun soft. To compensate for the consequent loss of strength because of the softer spinning of the yarn a longer staple and more costly cotton is used. Frequently sea-island or Egyptian cotton is substituted for ordinary American cotton. In many fabrics the process of mercerization requires as an accompaniment the bleaching process in order that the colors may dye evenly. The bleaching referred to is a necessary component of the cost of mercerizing. The process of mercerizing is twofold. It consists in mercerizing the yarns of which the fabric is composed or the mercerizing of the fabric itself after it is woven. In yarn-mercerized fabrics two-ply yarn has generally to be substituted for single yarns. The two-ply yarn is counted as one thread, though twice as costly in many instances. Before the introduction of mercerization silk was used extensively for fancy, striped, check, and figured effects; now a result almost equal to silk is obtained by using mercerized yarns, and the goods are greatly enriched in appearance. It is a fact that the cost of producing a piece of mercerized cloth in almost every case, however produced, entails a much larger expense in the selection of the cotton, in the special spinning of the cotton, and in the unusual and expensive construction of the goods by the use of very fine yarns in one part and relatively coarse yarns in the other part of the fabric, the aggregate of which is much more than the cost of the mere act of mercerization of the cloth itself. Often a double mercerization is necessary and other special facilities to develop the high luster which almost equals silk in appearance. The labor cost is of skilled labor of high-wage class.

Mercerization is a process discovered many years ago, but was unknown as a commercial proposition at the time of the enactment of the Dingley law. In view of the fact that this process is applied oftentimes alone and at the same cost upon plain goods, bleached, dyed, colored, stained, and painted goods, regardless of their condition, and whether or not any of these processes have been applied to them, and in the further view of the fact that it adds greatly to their value, so much so in particular instances that they assume the character of silks and are actually sold in the markets as silks, there should be some positive and distinct line of differentiation marked by an additional rate of duty to be imposed upon the fabrics wherever this process has been applied.

The use of the words "or subjected to any similar process" in the provision for mercerization were particularly criticised. Any such criticism confuses "processes" with "effects." It was here stated:

There is no process not mercerization that could be mistaken for it, but there are processes of ironing and of calendering and of beetling which are similar to mercerization somewhat, and to which these goods have been subjected, giving them a luster very like the mercerized goods.

"Ironing" and "calendering" and "beetling" are not "similar processes" to mercerization. The effects produced by these processes sometimes in a remote degree resemble the effects produced by mercerization, but the processes are entirely and distinctly different. They are no more similar than the process of washing the hands is similar to the process of blacking one's shoes. The interpretation put upon this phrase is not warranted, but is expressly contradicted by the long-established decisions and usages in the administration of the customs of the country. The essential characteristic of the process of mercerization is that it is a chemical bath, and no process can be said to be similar thereto that is not a chemical bath. It is a treatment, as stated, of the goods in a bath of caustic potash.

This provision without the qualifying words "or other similar process," in the light of the experience of the administration of the customs, would be practically nil. Out of the abundance of the experience with the assaults made upon such paragraphs in the interest of reducing or avoiding the payment of duties it requires but the suggestion to prove that the only thing necessary would be to introduce some additional chemical in the bath other than caustic potash, which might or might not affect it, and give to that bath some name other than mercerization, whereby the same result could be produced in the goods and practically the same process employed, but which would not be covered by the statutory terms. For that reason it is absolutely essential that, in order to make the phrase "mercerization" at all effective, the qualifying words be added, and they were added for that purpose and no other, and they effect that end and no other. The elimination of them from such a provision would be the elimination of the provision itself, a fact well known to the House committee when they inserted this provision in the bill.

In the construction of tariff laws fine lines are absolutely necessary to prevent evasions of duty. There is no statute upon the books which is subject to such careful scrutiny and to defeat the purpose of which there is brought to bear greater talent, both legal and scientific. Fine distinctions should be avoided; distinctions and differences impracticable of perform-

ance and administration should be and are avoided. For example, in the embroidery schedules it is necessary to make every particle of embroidery, even to the extent of an initial letter, bear the same rate of duty as a complete embroidery fabric or article. This is for the reason that it is impossible to draw the line unless you make infinite distinctions impossible of administration and invite undervaluation and avoidance of the tariff law from every possible standpoint.

As in embroideries the safe rule is to put all, however small, in one class and fix a given rate of duty upon them, so it is as to fabrics which are colored in any part, or painted, printed, or mercerized. Any attempt to draw narrow distinctions and fix separate rates of duties according to amount of such that may be put upon a fabric will result in more ridiculous consequences than some of the extreme results which naturally follow the levy of duty upon a fabric containing but a minor portion of any such effects. And while the enforcement of such laws may in specific instances produce ridiculous results, they are such as can be avoided by the importers in every instance. Such results rather emphasize the inequalities which might be produced without the presence of these fine distinctions than militate against the provision itself.

For example, take the case wherein a chair containing woolen upholstery, iron, and wood was assessed at so much per pound, according to the wool contained therein because the wool paragraph provided duty upon any articles "wholly or in part of wool." The moral of this case is that if that particular portion of the paragraph, "in part of," were omitted from the wool schedule, any man desiring to import wool fabrics would only have to attach them, whatever their value be, to a piece of furniture or other article bearing a low rate of duty, and in this way bring in all woolen fabrics which he might desire to import at the wood duty, which is far below the wool duty.

The very case cited is illustrative of the wisdom of these provisions and significant of the fact that they are never to be considered standing alone, but in conjunction with other provisions of the tariff law. In this particular case the ridiculous contention was not sustained, but the article was held properly dutiable at a reasonable rate as household furniture in chief value of wood. From this case we draw the moral that individual provisions of this character should not be criticised as standing alone, but taken in conjunction with other paragraphs of the law, which, when read together, show the wisdom of the entire construction. In this case we have the dual provisions, first, a proper rate upon furniture, and, secondly, the prevention of bringing in manufactures of wool at a lower rate of duty than that provided in other schedules.

Mr. McCUMBER. I do not think it will injure the Senator if he takes a rest long enough to enable the roll to be called. I suggest the want of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Frazier	Oliver
Bacon	Clay	Gallinger	Overman
Bailey	Crane	Gamble	Page
Beveridge	Culberson	Gore	Paynter
Borah	Cullom	Hale	Penrose
Bourne	Cummins	Heyburn	Perkins
Bradley	Curtis	Hughes	Rayner
Brandegee	Daniel	Johnson, N. Dak.	Root
Briggs	Depew	Jones	Shively
Brister	Dillingham	Kean	Smith, Md.
Bulkeley	Dixon	La Follette	Smith, Mich.
Burkett	Dolliver	Lodge	Smoot
Burnham	du Pont	McCumber	Stephenson
Burrows	Elkins	Martin	Sutherland
Burton	Fletcher	Money	Warner
Carter	Flint	Nelson	Warren
Clark, Wyo.	Foster	Nixon	

Mr. JONES (when Mr. PILES's name was called). My colleague [Mr. PILES] was called from the Chamber a few moments ago and has been unable to return.

Mr. OVERMAN (when Mr. SIMMONS's name was called). I desire to announce that my colleague [Mr. SIMMONS] is necessarily absent from the Chamber to-day.

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. SMOOT. Mr. President, I should have been through by this time if the Senator from North Dakota [Mr McCUMBER] had not called for a quorum. I will proceed now, and it will take me but a few moments to conclude.

So that some of these provisions in the tariff law, which seem to draw narrow and unreasonable distinctions when it is sought to evade the law and assess ridiculous rates of duties, when analyzed in all their naked simplicity are found to be not ridiculous provisions, but safeguards against fraud in the interests of the revenues, and for the purpose of giving employment to American labor and the upbuilding of American industries. These are not provisions for the levy of duty, but they are provisions in the nature of safeguards, absolutely necessary to prevent the avoidance of other schedules which levy the duties intended to be collected.

The provisions of paragraph 324, as reported to the Senate by the Finance Committee, are precisely as reported by the Ways and Means Committee and adopted by the House of Representatives.

During the debate I took occasion to state upon the floor of the Senate that this paragraph was yet under consideration by the Finance Committee, and was one of the several paragraphs which the committee had not finally approved, but on account of which they did not feel warranted in delaying the report of the bill to the Senate until final conclusion had been reached.

It has been represented upon this floor that the words "suitable for covers," as embraced in the House bill and reported by the Senate committee, constituted a broad provision which in its scope and effect would cover into paragraph 324 many classes of goods not used as tapestries but for tableware, the common necessities of life, dress goods, and what not. That statement has no foundation in law or fact, and is at variance with the effect of words and phrases which have been used in customs law from the time of the foundation of the Government. The term "suitable for" occurs in numerous places in every tariff act in the history of the Government. The words "suitable for use as" whenever used in a tariff law have been construed by the Supreme Court and other courts of the United States and uniformly held by the Board of General Appraisers for many years past to mean goods "commonly used as." It is interpreted to be equivalent to the words "commonly used as," and is never given any application of greater or more extensive scope.

It was further claimed that paragraph 318 applied the mercerization duties to cotton table damask. This is not true. Cotton table damask is not included in the term "cotton cloth" as written in the tariff law, and that has been the well-settled construction in customs circles for more than twenty-five years. For that reason cotton table damask is not subject to the provisions for mercerization as drawn.

Cotton table damask for dutiable purposes is named in the law as a separate and distinct article from cotton cloth, and inasmuch as the rate for mercerization in express terms applies solely to "cotton cloth," it does not apply to "cotton table damask;" and the mercerized fabrics exposed to the view of the Senate in illustration of the argument that the provision for mercerization would greatly increase the duty above 40 per cent upon those fabrics were not in any wise affected by that provision, nor would they by any provision of the Senate bill.

The further statement that these same fabrics, by virtue of the provisions of paragraph 324, would be included therewithin, for the same reason would not be included in that paragraph. Under the well-settled rules of construction, which are notably expressed in the decisions, that cotton table damask is not included within the term "cotton cloth," cotton table damask, being otherwhere specifically provided for, would be excluded from the terms of paragraph 324. So that as the bill came from the House, with all of the features therein objected to upon the grounds that the bill raises the duties in any particular upon cotton table damask is without any foundation in fact or law. The duty upon it in the Senate bill and in the House bill remains precisely as it was in the Dingley law, 40 per cent ad valorem.

At the proper time the Senate committee will report its amendments upon this paragraph.

I now submit for printing in the RECORD, in parallel columns, certain cognate suggestions submitted for consideration by the Senate committee in reporting this schedule. They are (1) Notes on Tariff Revision, prepared under the direction of the clerk of the Ways and Means Committee; (2) provisions of the bill as it passed the House; (3) proposed paragraphs submitted by the chairman of the committee of cotton importers and exporters; and (4) provisions of the Senate bill.

Mr. President, I ask leave to print this table in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to follows.

Notes on Tariff Revision.	*Bill as passed by House.*	*Recommendations of importers' associations.*	*Senate bill.*
304. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, * * * per square yard; if bleached, * * * per square yard; if dyed, colored, stained, painted, or printed, * * * per square yard: *Provided*, That on all cotton cloth not exceeding 50 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over * * * per square yard, * * * per cent ad valorem; bleached, valued at over * * * per square yard, * * * per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over * * * per square yard, there shall be levied, collected, and paid a duty of * * * per cent ad valorem.	312. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.	312. Cotton cloth not mercerized, bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if mercerized only, or bleached, or mercerized and bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard: *Provided*, That on all cotton cloth not exceeding 50 threads to the square inch, counting the warp and filling, not mercerized, bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard, 25 per cent ad valorem; mercerized only, or bleached, or mercerized and bleached, valued at over 9 cents per square yard, 25 per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 30 per cent ad valorem.	312. Struck out.
310. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut in lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means. In determining the count of threads all the foundation threads, as well as the superimposed threads, shall be counted as found in the most substantial part of the fabric. The term colored, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth having colored thread, threads, or yarns in any part of the fabric, and the term bleached, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth having bleached thread, threads, or yarns in any part of the fabric: *Provided*, That cotton cloth other than that subject to additional duty under paragraph 313 of this act, varying in count of threads in different portions of the fabric, or from which substantial portions of the warp or filling threads are missing, not specially provided for in this act, shall be dutiable as * * * exceeding * * * threads to the square inch.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or otherwise, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, shall be held to include all woven fabrics of cotton in the piece or cut into lengths, unless otherwise specially provided for, whether figured, fancy, or plain in weave, the warp and filling threads of which can be counted by unraveling or other practicable means. In determining the count of threads to the square inch in cotton cloth, all the warp and filling threads, whether ordinary or other than ordinary, shall be counted. In ascertainment of the particulars of weight and value upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included. The terms mercerized, bleached, dyed, colored, stained, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any mercerized, bleached, dyed, colored, stained, painted, or printed thread or threads in any part of the fabric.	318. The term cotton cloth, or cloth, wherever used in the paragraphs of this schedule, unless otherwise specially provided for, shall be held to include all woven fabrics of cotton in the piece, or cut in lengths, whether figured, fancy, or plain, the warp and filling threads of which can be counted by unraveling or other practicable means, and shall not include any article, finished or unfinished, made from cotton cloth. In determining the count of threads to the square inch in cotton cloth all the warp and filling threads, whether ordinary or other than ordinary, and whether clipped or unclipped, shall be counted. In the ascertainment of all the particulars, including weight and value, upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included. The terms bleached, dyed, colored, stained, mercerized, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any bleached, dyed, colored, stained, mercerized, painted, or printed thread or threads in any part of the fabric.
313. Cotton cloth in which threads, yarns, or filaments other than the ordinary warp and filling threads have been introduced in the process of weaving to form a figure, whether known as lappets or otherwise, and whether unbleached, bleached, dyed, colored, stained, painted, or printed, shall pay, in addition to the duty herein provided for other cotton cloth of the same description, or condition, weight, value, and count of threads to the square inch, * * * cent per square yard if valued at not more than 7 cents per square yard, and * * * cents per square yard if valued at more than 7 cents per square yard.	321. In addition to the duty or duties imposed upon cotton cloth by the various provisions of this section, there shall be paid the following cumulative duties, the intent of this paragraph being to add such duty or duties to those to which the cotton cloth would be liable if the provisions of this paragraph did not exist, namely: On all cotton cloth in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard; on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard.	321. In addition to the duty or duties imposed upon cotton cloth by the various provisions of this section, there shall be paid the following cumulative duties, the intent of this paragraph being to add such duty or duties to those to which the cotton cloth would be liable if the provisions of this paragraph did not exist, namely: On all cotton cloth in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard; 2 cents per square yard if valued at more than 7 cents per square yard and not more than 14 cents per square yard; 3 cents per square yard if valued at 14 cents or over per square yard: *Provided*, That in no case shall the amount of duties assessed under this paragraph, in conjunction with other paragraphs of this schedule, exceed 45 per cent ad valorem.	321. Same as House provisions.
314. (Supplemental; not contained in bound volume, but printed for use of Ways and Means Committee.) Cotton cloth in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, shall pay, in addition to the duties respectively provided for cotton cloth in paragraphs * * * of this act, * * * cents per square yard if valued at not more than 7 cents per square yard, and * * * cents per square yard if valued at more than 7 cents per square yard. Cotton cloth mercerized or lustered shall pay, in addition to the duties respectively provided for cotton cloth in paragraphs * * * of this act, * * * cents per square yard.			

Mr. SMOOT. Mr. President, these comparisons speak for themselves. There is not a single provision in the Senate bill that was not suggested either by the Ways and Means Committee notes, or by the House bill as it passed and was approved by the House, or which did not originate in the Finance Committee. There is not a single provision of the Senate bill in the much-criticised paragraphs 318 and 321 but that was recommended or approved in some form and almost precisely in effect, and in most particulars precisely in the language, submitted by the chairman of the Association of Cotton Ex-

porters and Importers, of New York. There is no line in the Senate bill, except the added provisions to paragraphs 313 to 317, drawn under direction of the Finance Committee, but that is copied almost precisely from one of the other sources named. The importers' representative himself suggested and approved practically every line of the language of this bill in those paragraphs as written.

His suggestion that a proviso should be added to paragraph 321, limiting the rates collected under that paragraph, was deemed inadvisable because it would have legislated out of the law the provisions he previously suggested be added to the paragraph, and the adoption of which in some form he had already amply supported by satisfactory and convincing arguments and facts submitted.

The amendments presented in the Senate bill to the cotton schedule keep pace with the evolution of the cotton industry of the world, having in view the welfare of all the people in all sections of the United States. They provide uniform rates of duty upon cloths of the same value and condition whether imported under one provision of the tariff act or another, whatever may be the fashion of one season or the caprice of another.

The remarkable development of the cotton industry of the United States is marked by the provisions of the several tariff laws enacted upon that subject. The original cotton schedules of 1890 were at least 50 per cent higher than the cotton schedules of the tariff act of 1894. The cotton schedules of 1897 followed those of the act of 1894 in all particulars except as to the high-class goods. The most complete and systematic cotton schedules prepared in any tariff law were the schedules of 1894. They were based upon specific duties approaching a certain ad valorem, which ad valorem marked at that day the height and complete range of the development of the cotton-manufacturing industries of the world. The specifics of the act of 1894 were supposed to cover the full range of imported cotton cloths, and the ad valorem provisions were intended but as catch-all provisions for such few straggling, unusual goods as might be imported. The same plan was pursued in the act of 1897. Consequent upon the development of the industry, we find in the act of 1897 a new and additional provision added to the specifics for cotton goods over 300 threads per square inch and an increase in the higher ad valorems.

There was, in addition, added to this in the act of 1897 a higher provision for "manufactures of cotton" at 45 per cent, which was also to include woven fabrics of high class, and a still higher provision at 60 per cent, to cover nets, veils, etamines, and other cotton fancies and novelties at 60 per cent ad valorem. These higher rates were added at that time for the purpose stated, of including for dutiable purposes manufactures of cotton which were not known to the cotton world in 1894, at the time of the enactment of the Wilson-Gorman tariff act. No changes were made in the lower schedules, which were retained in order to protect the lower grades of cotton.

In the interim between 1897 and the present time there has been a geographical shift of the cotton industries of the world. Many mills have grown up in the South, until their annual output to-day aggregates about $200,000,000 per annum. By reason of their proximity to the cotton fields and by reason of more favorable labor laws and hours of employment, they were enabled to undersell in their classes of goods the more distant northern manufacturers. In consequence, the New England mills practically abandoned the field of coarse fabrics to a large extent to their southern brothers and pushed on into the range of manufactures of higher-grade cotton cloths.

The South has now invaded that field and the day is not far distant when they will be turning out the higher class goods. It is found, however, in the progress of this movement that the higher provisions of the Dingley law, which were intended by the Congress to provide adequate duties for these classes of manufacturing interests, have been gradually eliminated by construction. It may be that it was the error of the Congress in providing imperfect language; it may be that it was the error of the tribunals construing the law; for to err is human in all. That is immaterial here, for this purpose is not to investigate, but to correct.

The statistics prove these conditions. The importations under the specific provisions of the Dingley cotton schedules show an equivalent ad valorem averaging about 15 per cent higher than the average rate of duty actually collected under the ad valorem provisions, demonstrating conclusively that the high values in cotton goods under that law received less protection than the low values. The increase in importations under the specific provisions between 1898 and 1907 was 22.40 per cent; the increase during the same time under the ad valorem provisions was 300.06 per cent. That is to say, while the coarse goods were amply protected, the fine and fancy goods were largely imported; and who can say that too much protection is afforded by provisions under which importations increased over 300 per cent? I will here insert tables showing these increases:

Importations of cotton cloth and articles, tariff act of 1897.

	Value in 1898.	Value in 1907.	Percentage of increase.
SPECIFIC.			
Total under paragraph—			
304	$3,551.70	$26,873.00	
305	106,117.37	117,457.00	
306	407,200.58	1,082,680.87	
307	972,667.16	1,382,190.71	
308	1,326,140.30	1,047,475.42	
309	8,263.08	9,623.80	
313	67,218.00	95,138.00	
Total specific	2,991,158.19	3,661,438.80	22.40
AD VALOREM.			
Total under paragraph—			
305	71,231.00	832,797.15	
306	681,979.00	2,022,369.46	
307	928,461.13	3,099,670.25	
308	427,941.29	1,963,424.54	
309	36,881.00	129,605.13	
313	164,126.00	913,884.02	
Total ad valorem	2,310,622.42	9,381,749.55	300.06

That is the condition which presented itself to the Finance Committee and is presented to the Congress to-day. The problem is, Will the Congress so reconstruct the emasculated provisions of the Dingley law as to frame for the cotton manufacturers of the country some of the degree of protection which they were extended under the Dingley law, and under the faith of which they established this class of manufactures, investing their capital in that faith, purchasing therefor the necessary machinery and appliances, or will they be denied that degree of protection which was guaranteed them by the Dingley law, by the faith of which they entered into the new fields of cotton manufactures?

The committee was actuated solely by this belief, and took into consideration what was necessary to repair the Dingley law, not to give the entire protection afforded by that law, but to give such partial protection as would be adequate for the demands of the present day for the manufacturing interests of the country. Instead of approaching the high rate of 60 per cent afforded in the Dingley law, and an average of about 48.50 per cent upon all the cotton cloth and article schedules, the new provisions adopted the average rate of not more than 43.50 per cent, and so constructed all the schedules that a uniform and complete system of duties shall be collected.

I have said "not more than 43.50 per cent," for while tabulations show this average rate, it must be borne in mind these are estimated upon averages between the lines adopted. As a matter of fact, importations will mostly be nearer the low line, which undoubtedly will reduce this average rate.

The committee believed it the part of wisdom, that would be concurred in not alone by Congress, but by the whole country, that this was an emergency which demanded proper action by the Congress. The committee, therefore, did not feel itself bound by the stated interests of manufacturers in certain lines or importers in certain lines, who may or may not have proceeded to divide up the field, but the committee believed it infinitely better for the welfare of the whole country that a law should be established which would invite all capital to invest in every line of cotton manufacture, and which by affording uniform protection on the higher lines of cotton manufactures would withdraw the northern manufacturers from a contest with the southern manufacturers in an inevitable and necessary effort to regain the field of trade now occupied by the latter. Believing it better that there be adequate protective duties against the importations of high-class manufactures; believing it better to make good the Dingley guaranty to the manufacturers of high-class cotton goods of a market for these goods in this country which could not be undersold by foreign manufacturers, the Senate committee presents this bill.

And the committee submits—in full confidence that a few possible hardships that may be wrought in such a plan, or a possible few increases of duties, made necessary to produce uniformity, or a few possible questionable situations, made necessary in the correction of unfair advantages existing—that the comprehensive plan which is adopted, which, in fact, lowers the equivalent ad valoremn rates of duty intended in the Dingley law under this schedule, and at the same time best serves the interests of the great cotton industry of the whole country,

approved by the House, or which did not originate in the Finance

in effect, and in most particulars precisely in the language, submitted by the chairman of the Association of Cotton Ex-

both North and South; which insures the employment of thousands of workmen and millions of spindles, North and South; which guarantees a home market for the raw cotton of the South, will receive the approval of the Congress and of the whole country.

This bill, as shown, does not increase the average ad valorems; it more proportionately distributes them. They are now lower than the specifics below them. They were intended in the Dingley law to be higher than those specifics. The question here which this Congress must decide is, Will we, when the country is growing richer and richer, demanding finer cotton fabrics and novelties, surrender this great market to the foreign manufacturers by maintaining less rates of duty on high-grade than on low-grade cottons? Will we deny our manufacturers the same protection in this field as they have in the field of low-grade cottons? Will we make good our Dingley promises on the high-grade cottons for the prosperity, peace, and welfare of all sections and all the people?

The Senate bill adopts this latter course. It is for the Congress to decide. The committee submits its measure in confidence of approval.

Mr. LODGE obtained the floor.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Gore	Paynter
Bacon	Culberson	Hale	Penrose
Beveridge	Cullom	Heyburn	Perkins
Bourne	Cummins	Hughes	Rayner
Bradley	Curtis	Kean	Root
Brandegee	Daniel	La Follette	Shively
Briggs	Depew	Lodge	Smith, Md.
Bristow	Dillingham	McCumber	Smith, Mich.
Brown	Dixon	McEnery	Smoot
Bulkeley	Dolliver	Martin	Stephenson
Burkett	Elkins	Money	Sutherland
Burnham	Fletcher	Nelson	Taliaferro
Burrows	Flint	Oliver	Warner
Clark, Wyo.	Foster	Overman	Warren
Clarke, Ark.	Frye	Owen	Wetmore
Clay	Gallinger	Page	

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present.

Mr. LODGE. Mr. President, when I have concluded what I desire to say in regard to the cotton schedule, I shall be most happy to answer any question I am able to answer in regard to any points which I may be thought to have raised. But until that time I shall decline to yield to interruptions. I do this for two reasons. I desire that what I shall say shall go as connectedly and coherently as may be into the RECORD, and I desire also, if possible, in that way to save the time of the Senate. Our practice of interruptions in the Senate has been carried to such an extent during the discussions on the pending bill that very often an inspection of the RECORD seems to show a rivulet of argument meandering through a vast meadow of pleasant but irrelevant conversation, at times disappearing entirely, like certain rivers which sink into the earth only to come up again at some distant and wholly disconnected point.

Mr. President, I shall begin by stating very briefly what I consider to be the true nature of the revision with which this Congress is charged, because I think this cotton schedule is a very fair example of what a proper revision of the existing tariff law should be. Early in this debate the Senator from Rhode Island [Mr. ALDRICH] and I happened to state incidentally that the Republican declaration of principles contained no pledge or promise of a revision downward or a revision upward. For that statement we were severely criticised. We could not have been more severely criticised if we had uttered a falsehood instead of stating, as we did, the exact truth. I desire, therefore, to call attention very briefly to what was actually said and done by the Republican national convention at Chicago. I had the honor to preside for three days over that convention after it was organized. I had been at Chicago for ten days previously, in attendance upon the national committee. I think that I saw and spoke with its many delegates as anyone there. I am certain I followed all the proceedings of that convention with the closest possible attention. If the words "downward revision" or "upward revision" occurred in any official utterance, or were suggested by any delegate, they entirely escaped my notice; but as memory is fallible, I have taken occasion to look over the official stenographic report of the proceedings of the convention. The officers of the convention who spoke, and who in a sense, I suppose, may be considered to have expressed the views of the convention and the policies of the party, as they understood them, were the temporary and the permanent chairmen. The temporary chairman, the senior Senator from Michigan [Mr. BURROWS], in referring to the tariff, said:

> In this connection it can be safely promised that whatever revision or readjustment takes place under the control of the Republican party, it will give just and adequate protection to American industries and American labor, and defend the American market against unjust and unequal aggression from whatever quarter it may come. It will be a revision that will extinguish the fire in no American mill or put out the light of hope in no American home.

That certainly was as excellent and admirable a statement as it was plain and direct. It contains no allusion to what direction revision of the tariff should take.

The permanent chairman made no allusion to the tariff whatever in his speech. He dealt with other questions.

The Republican platform was then reported, and contains the paragraph which has been read here. I will not read it all again, but I will ask that it be printed:

> REPUBLICAN PLEDGES FOR THE FUTURE—TARIFF.
>
> The Republican party declares unequivocally for a revision of the tariff by a special session of Congress immediately following the inauguration of the next President, and commends the steps already taken to this end in the work assigned to the appropriate committees of Congress, which are now investigating the operation and effect of existing schedules.
>
> In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of maximum and minimum rates to be administered by the President under limitations fixed in the law, the maximum to be available to meet discriminations by foreign countries against American goods entering their markets, and the minimum to represent the normal measure of protection at home; the aim and purpose of the Republican policy being not only to preserve, without excessive duties, that security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-earners of this country, who are the most direct beneficiaries of the protective system. Between the United States and the Philippines we believe in a free interchange of products, with such limitations as to sugar and tobacco, as will afford protection to domestic interests.

I call attention to the fact that this clause of the Republican platform declared for a revision of the tariff by a special session of Congress, and laid down the principle upon which that revision should be made. It also favored the establishment of the maximum and minimum rates, and concluded with a paragraph about the tariff between this country and the Philippines. It said nothing as to what the revision should be or what direction it should take.

There was a minority report on the platform. That minority report on the tariff repeated the protective principle set forth in the majority report and differed only in advocating the use of the tariff, or, rather, the free list, in order to reach trusts and combinations.

> THE TARIFF—MINORITY REPORT.
>
> The Republican party proclaims its continued loyalty to the true principle of the protective-tariff policy, as established by Hamilton and advocated by Clay, Blaine, and McKinley. Under this true principle of protection such duties were imposed on imports as equaled the difference between the cost of production at home and abroad. From Hamilton to McKinley every great advocate of protection contended that a tariff so levied would establish and maintain American industries, and that free competition between producers would prevent monopoly and insure reasonable prices to all American consumers. Under this system, so long as competition existed, all classes shared in the benefits derived from the protective policy. But a great change has come. Through combinations of corporations, competition between protected interests has been suppressed, and the public compelled to pay prices dictated by monopoly. This condition is unjust, oppressive, and intolerable. It calls for prompt and effective remedy. No tariff policy which contributes in any degree to place the control of prices and markets under the domination of monopoly can be maintained.
>
> To correct these abuses and perpetuate a protective-tariff system based upon the true principle, we pledge the Republican party to the immediate revision of the tariff by the imposition of such duties only as will equal the difference between the cost of production at home and abroad; and whenever the control of any protected product by monopoly or the suppression of competition by agreement between the producers of protected articles limits production and controls prices and wages, the collection of duties upon the similar imported article shall be suspended or abolished and such articles admitted free of duty, except where the cost of labor in the domestic article exceeds that in the imported article, in which case such article shall be subject to a rate of duty equal to the difference between the cost of labor in the domestic and in the imported article, and no more.
>
> To ultimately place our tariff schedules upon a just, scientific, and more suitable basis, there must be a thorough, exact, and impartial investigation of the ever-changing conditions affecting labor and the cost of production at home and abroad. For this purpose we favor the early establishment of a permanent tariff commission, to be appointed by the President. Such commission to be composed of men from civil life, who represent all sections of the country and who are especially equipped by training and experience for this important work.

When Mr. COOPER of Wisconsin, the only dissenter from the majority report, made the minority report, he spoke in favor of it; the only allusion he made to the tariff clause was to read a brief quotation from Mr. Andrew Carnegie, that eminent political economist, who has been so frequently quoted by Democratic Senators in this debate, and who seems desirous of applying to his successors a policy quite different from that

which he enjoyed himself. That was the only allusion Mr. COOPER, speaking for the minority, made to the tariff. It may be well to add that the tariff declaration proposed by Mr. COOPER was rejected by the convention by a vote of 952 to 28. There was no other or further allusion to the tariff in the proceedings at Chicago.

The subsequent official work of the convention was concluded by the announcement to the candidates of their nomination. The President of the United States, in accepting the nomination, made a careful and able statement, reviewing the declarations of the party at Chicago and setting forth his own views and policies. I shall ask to have all he then said in regard to the tariff printed, but I call special attention to what he says in regard to revision:

The consequent material development has greatly changed the conditions under which many articles described by the schedules of the tariff are now produced. The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer. The excess over that difference serves no useful purpose, but offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rate. On the other hand, there are some few other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be raised.

I will print the whole, calling attention merely to that passage by which it is made clear that the President was in full accord with the principle of protection declared at Chicago, and that he never for a moment thought that revision meant only reduction of rates.

The PRESIDING OFFICER. Without objection, it is so ordered.

The passage referred to in Mr. Taft's speech of acceptance is as follows:

A revision of the tariff undertaken upon this principle, which is at the basis of our present business system, begun promptly upon the incoming of the new administration and considered at a special session, with the preliminary investigations already begun by the appropriate committees of the House and Senate, will make the disturbance of business incident to such a change as little as possible.

* * * * * * *

REPUBLICAN DOCTRINE OF PROTECTION.

The Republican doctrine of protection, as definitely announced by the Republican convention of this year and by previous conventions, is that a tariff shall be imposed on all imported products, whether of the factory, farm, or mine, sufficiently great to equal the difference between the cost of production abroad and at home, and that this difference should, of course, include the difference between the higher wages paid in this country and the wages paid abroad and embrace a reasonable profit to the American producer. A system of protection thus adopted and put in force has led to the establishment of a rate of wages here that has greatly enhanced the standard of living of the laboring man. It is the policy of the Republican party permanently to continue that standard of living. In 1897 the Dingley tariff bill was passed, under which we have had, as already said, a period of enormous prosperity.

Mr. LODGE. I will also ask that the statement of the candidate for the Vice-Presidency in regard to the tariff be printed. I will ask to have it all printed, but I would especially call attention to the opening sentences.

[From Mr. SHERMAN's speech of acceptance.]

I especially commend that plank of our platform which promises an early revision of tariff schedules. That pledge will be fulfilled in an adjustment based in every particular upon the broad principles of protection for all American interests; alike for labor, for capital, for producers and consumers. The Dingley bill, when enacted, was well adapted to the then existing conditions. The developments of industrial prosperity in a decade, which in volume and degree have surpassed our most roseate expectations, have so altered conditions that in certain details of schedules they no longer in every particular mete out justice to all. In this readjustment the principle of protection must and will govern; such duties must and will be imposed as will equalize the cost of production at home and abroad and insure a reasonable profit to all American interests. The Republican idea of such a profit embraces not alone the manufacturer, not alone the capital invested, but all engaged in American production. The employer and the employed, the artisan, the farmer, the miner, and those engaged in transportation and trade; broadly speaking, those engaged in every pursuit and calling which our tariff directly or indirectly affects. During a statutory application of this principle, prosperity has abided with us. When a revenue tariff has been the law, adversity and want have been our portion. Our Democratic brethren, whose memories are as short as their promises are frail, and who have always exhibited a lack of capacity to profit by experience, unmindful of the distress and destruction that arrived and departed with the last Democratic administration, declare in their platform that they favor "such immediate revision of * * * schedules as may be necessary to restore the tariff to a revenue basis." A "revenue basis," a "tariff for revenue only," "ultimate free trade"—all have an identical meaning; that meaning being an assault upon American industries, an attack upon the American wage scale, a lessening demand for the products of American soil and American toil; less work, less pay, less of the necessaries and comforts of life. In the light of history, what issue of the campaign so vitally affects American citizens? Experience, that effective teacher—effective save with the one-man power now parading under the title of the Democratic party—has taught the Nation a valuable lesson, and the result of the coming November election will once more prove the American people to be apt scholars. What the laborer of the land, skilled and unskilled, desires is the opportunity at all times to exchange his brain and brawn for good pay in good money. A protective tariff and the gold standard, both now the existing achievements of the Republican party, in spite of Democratic opposition, give the laborer that opportunity.

Mr. President, I have now given all the official utterances made by the Republican party and its candidates in entering upon the campaign. The principle which was then laid down in its resolution as that which must guide and control any revision was one familiar to the country; it asserted that it was our duty to preserve in tariff rates the difference in labor costs between this country and foreign countries and make them sufficient to secure a reasonable profit for the domestic manufacturer, or, in other words, to keep the American market within reasonable limitations for domestic industry.

The Senator from Texas [Mr. BAILEY] said some days ago that this principle no doubt had been that of Republicans generally and had been expressed in many speeches here and elsewhere, but that it had not before been placed in a national platform. He seemed to regard it as a further mark of Republican indifference to economic and constitutional virtue that the party had now formally declared this extraordinary principle as one of its party doctrines. We can not, alas, claim originality even in putting this statement of principle into a national platform. It appeared in a national platform as long ago as in 1884. Here it is:

The necessary reduction of taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

That is from the Democratic platform of 1884. So the principle is at least as old in a national platform as that time. When I heard the Senator from Maryland [Mr. RAYNER], with his accustomed eloquence, speaking yesterday about the "flaming symbol of a tariff for revenue only," which flashed upon the country in the two campaigns when his party won, it seemed to me that "the flaming symbol" which flashed upon the country in 1884, which was one of the years in which the Democrats won, was a very different proposition from "a tariff for revenue only."

Mr. President, whatever its origin, the principle of providing in tariff rates for the difference in labor cost is the sound principle laid down by the Republican party as that by which all tariff changes must be controlled. Beyond this the Republican convention did not go. They said that they would revise the tariff on this principle, and stopped then. What, then, does revision mean and who is to decide as to its character or extent? Revision means going over the whole subject, reviewing it, leaving unaltered what is good, making changes where changes are needed. It does not mean that all the changes in rates should be downward, for that would not be revision, but reduction. It does not mean that all the changes should be upward, for that would be advance and not revision. It does not mean to exclude questions of classification where an old classification is imperfect or to prevent the insertion of new articles and new products which have come into the market since the last tariff was passed. Revision covers all these things and is confined to no one of them. As for the revision downward, although there was no promise or pledge by the party for that any more than for a revision upward, it is no doubt true that many, perhaps most, people expected that the result of any revision would be more reductions than increases. That is the precise view expressed by the President. That was the view that was generally taken. But the question of what the revision should be, of how far it should go, or what the reductions should be, and what the increases, if any, was one for a majority of the House and the Senate to decide. We were not pledged to meet the view as to a downward revision held by one Senator or by a group of Senators, or to accede to the demand for increases of duty put forth by the representatives of one State or another. It is for the majority in both Houses to decide what constitutes a proper revision in all directions.

Mr. President, nothing has been so absolutely misrepresented as the point I am now going to make. As a matter of fact the revision made by the House, the revision reported by the Senate committee, the revision on which we are now engaged, is a revision downward. If you are to call it a revision downward when a majority of the changes in rates are reductions and not advances, it is overwhelmingly a revision downward. The pamphlet which was prepared shows 379 reductions. Remember that the standard of revision is not what the House passed as their form of revision. That which we are revising is the Dingley Act, the existing law, and taking the bill as it came from the Committee on Finance, including the House changes and our changes, there are 379 reductions and some 33 increases, practically every one of the increases being on articles of luxury, like wines or perfumed soaps or perfumery, and the rest very largely on agricultural products.

Mr. President, the general feeling that the revision of the tariff would result in reductions and not in advances is absolutely carried out by this bill, and the contrary impression which has been given out here and sedulously accepted and fostered by a portion of the press is absolutely unfounded and untrue. The list of reductions to which I have referred has been added to by later amendments reported from the Finance Committee. But when the reductions are made, very often nothing is said about them. The Senate, for instance, made yesterday an important reduction in the duties on salt, an article of somewhat general consumption. No attention was called to that. But if an effort to cure a misleading classification or an attempt to bring a rate more nearly to what it ought to be, where in the opinion of the Finance Committee the House cut has been too severe, is made, we are immediately charged with neglecting our pledges and abandoning revision downward.

I will now apply the true principle of revision to the schedule which is before us. I am not going into the details of the schedule; those have been covered this morning by the Senator from Utah [Mr. SMOOT] in one of the most complete and thorough speeches that I have ever heard made on a tariff schedule. But merely to illustrate one or two points that I am about to make, I desire to call attention to what we found when we took up that schedule for revision, review, and improvement. We found that goods of the highest value under the schedule were frequently coming in at the lowest rates; that goods of low value were coming in at high rates; that often goods of the same value were coming in at different rates. This was due, it was said, to rulings and court decisions. It was due primarily to defects in the technical wording of the law of 1897. It is impossible so to draw a great and elaborate tariff bill that no technical defects can be found in it by the most astute counsel whom the ablest business men abroad can employ to pick holes in the statute. In twelve years such a law is sure to be in some important respects twisted, distorted, and perverted from its original purpose. There are other forces also at work. There is, for example, the change in the value of cotton. My friend from Iowa [Mr. DOLLIVER] laughed at me for having alluded to that as a cause of alterations in the schedules or as altering the working of the schedules, but I do not think that a laugh, however good-natured, can turn away the facts. I will give an illustration: You impose a specific duty of one and three-quarter cents under paragraph 313. You double the value of the cotton. We will say that it is stuff that costs 6 cents a square yard, and you have a duty of about 30 per cent; the general range of duties in the bill. Cotton doubles in value. It doubles in value to the foreign maker as it does to us. But when the goods come to the custom-house, of course the duty of one and three-quarter cents has fallen from a 30 per cent duty to a 15 per cent duty. The relations of all the specific duties in the bill are changed.

It has been asked why we have the specific duties in this bill and compound duties. The specific duty, as a broad general principle, is the best duty, because it is the most honest in collection, and that is the reason why specific duties are kept on many articles. It is to prevent so far as may be done needless undervaluations and frauds on the revenue.

Mr. ALDRICH. Will the Senator allow me to interject a statement?

Mr. LODGE. Certainly.

Mr. ALDRICH. Specific duties on cotton goods have been in every tariff law since 1861. They are in every tariff law of every commercial country in the world.

Mr. LODGE. And they were kept in ours in the same way. Of course the change in the price of cotton is one of the causes that has produced a change. Then there have been the court decisions, and then there has been the effect of the light weights in many of the goods which has gone far to destroy the original purpose of the cotton schedule.

I will print in this connection a table showing the equivalent ad valorem percentages of the specific duties on cotton goods imported under each paragraph of the Dingley tariff in 1907 as compared with 1899, when the bill had been in operation for a year. The figures are taken from the government publication entitled "Imports and Duties." In nearly every case they show a decrease in the protection in 1907 as compared with 1899.

When the bill went first into operation and was first enforced the duties were collected as the act on its face seemed to imply, and it will be found by examining this table that under these decisions, under changes of fashion, under rulings of the court, the duties have shifted in nearly every case. For example, in one of the smaller classes the rate has gone from 20 per cent to 7 per cent, and so it runs down all the way. I will not weary the Senate by reading the figures, but will print the table simply to show the change.

The PRESIDING OFFICER. Without objection, the table will be printed. The Chair hears no objection.

The table is as follows:

Table showing the equivalent ad valorem percentage of the specific duties on cotton goods imported under each paragraph of the Dingley tariff in 1907, as compared with 1899, when the bill was first put in operation.

No.—	1899.		1907.	
	Value.	Per cent.	Value.	Per cent.
928	$1,163.00	20.98	$5,149.00	7.63
929	939.60	27.27	5,450.00	19.07
931	1,402.00	22.15	5,330.00	18.42
932	831.00	32.28	910.00	21.80
933	61.00	27.11	1,185.00	32.82
934	22,395.00	21.09	19,080.00	19.73
935	2,582.00	33.30	900.00	30.92
937	29,414.00	43.65	16,727.00	29.29
939	55,360.00	34.37	71,974.00	38.48
940	5,461.00	51.24	4,935.00	40.00
941	11,390.00	45.05	67,509.00	42.35
948	3,988.00	20.33	11,104.00	17.74
949	2,327.00	38.39	9,440.00	26.33
950	1,481.00	28.12	5,001.00	26.85
951	17,725.00	42.70	7,471.00	32.04
955	32,450.00	27.61	142,409.00	22.80
956	10,272.00	47.83	180,776.00	29.48
957	10,580.00	44.79	34,702.00	33.42
958	292,232.00	45.39	123,584.00	40.35
960	55,652.00	35.17	204,674.00	31.44
961	87,655.00	37.46	70,475.00	36.14
962	18,732.00	46.31	260,191.87	40.06
968	54,929.00	48.27	24,224.00	42.15
970	677.03	44.85	3,161.00	31.48
971	11,788.00	48.83	15,798.00	40.00
975	44,492.00	27.69	16,980.00	26.42
976	17,414.00	35.71	14,097.00	33.00
977	9,897.00	46.24	84,007.00	35.23
978	221,924.00	48.17	620,561.65	41.34
982	238,747.00	44.97	96,534.00	40.95
983	115,602.00	43.15	21,474.25	39.95
984	222,107.00	44.84	245,413.00	39.38
985	304,501.00	44.38	101,540.80	46.03
1006	6,954.00	53.73	6,252.00	36.34
1007	7,388.00	53.30	3,909.00	32.99
1009	48,777.00	51.25	24,770.00	46.10
1011	10,387.01	41.00	4,496.00	41.95
1012	89,978.96	40.56	42,277.00	44.88
1013	21,092.00	45.96	5,244.00	42.06
1014	163,288.00	53.86	138,410.42	45.56
1016	995,398.00	53.49	699,130.00	37.92
1017	528,740.67	53.40	124,684.00	40.35
1026	450.00	47.55	4,364.80	39.36
1029	2,554.00	45.11	2,742.00	38.07
1030	5,197.00	50.67	1,523.00	46.02

Mr. LODGE. Finding the conditions which I have described to exist, Mr. President, the Senate committee undertook to make what they considered a proper arrangement of the cotton duties, fixing duties which corresponded and which were harmonious in their general arrangement. They had no intention, in this rearrangement, of advancing the rates of the existing law, and they have not done so. The committee believe that the average rate remains where it was, at about 38 per cent, and that the correct figures will show it. They believe also that their revision will restore the old classifications, that it will provide for the new processes, and that it will remedy the inequalities and injustices which have arisen.

Now, Mr. President, in regard to these new processes, there is only one upon which I wish to detain the Senate, and that is the process known as "mercerization."

Let me say first, Mr. President, that I am not concerned to defend or uphold or explain amendments offered by Mr. Lippitt and Mr. MacColl to the House committee and not adopted. Among the amendments they suggested was one which was embodied in the House bill. Whether it was put in there because they suggested it or because the House committee of their own motion thought it was a proper duty to put in, I do not pretend to say. I see no reason why, if it was suggested to the Committee on Ways and Means and they thought it a good suggestion, they should not put it in, even if the suggestion came from an American manufacturer. I think an American manufacturer is quite as much entitled to the consideration of a committee and of the country as foreign importers, and there have been no lack of suggestions from the latter. If the importers made good suggestions they would be adopted, and some suggestions made by importers on classifications have been adopted, I think, in both Houses. But with me the suggestions of American manufacturers, able and honorable men employing American labor, would always have preference. The other suggestions made by Mr. Lippitt about the counting of filaments, of which so much has been said, have not been adopted by either House, and I am not going to waste time over that proposition, which is only brought forward to "fright us with false fire."

Mr. President, a great point has been made about mercerization, the reason being, as I wish to show later, that the importations are very large under that head. Mercerization is

a process of giving luster to cotton fabrics by dipping them in a bath of caustic soda. It was discovered by Doctor Mercer, an Englishman, or, at least, it was patented by him about 1850. There have been other patents in the same direction added more lately. There have been various new patents in connection with this process, both German and English, but the most important was the one taken out in 1890. I think the name of the inventor of this patent was Lowe. It involved the question of the tension of the cloth. I have tried to find out just when the process came into very general commercial use in this country, although the fact that it was not mentioned in the Dingley Act is proof on its face that it was but little known in 1897 and was not considered of any serious commercial importance.

Mr. President, let me say before I go further that fault has been found with the language "mercerized" or "similar processes." The latter words were necessary because the process is new and not like the old methods of giving luster to cotton cloth. The old names were not sufficient. Lustering and calendering were two of the old names. Those were brought about by mechanical processes subjecting the cloth to pressure under heavy rolls and "beetling" or pounding the cloth with heavy wooden sticks. There was no similarity between those processes of lustering and that of mercerizing, which is a purely chemical process.

I have tried, as I said, to find out when it became of general commercial importance. The first definite statement that I find is that one John Maddocks, in October, 1898, made an agreement giving the rights to use the patents in his possession to Frank A. Sayles, of Pawtucket, R. I., and Lesher, Whitman & Co., of New York. The machines were subsequently installed, and it was several months after this before the first piece of goods was complete. The patents were subsequently contested in the courts by other finishers of cotton goods and were not upheld, so that the process is now free. It is, however, perfectly clear, Mr. President, that, whatever the exact point of time, other mills were no doubt trying the process, and that the process with the tension, which is a very important part of successful mercerizing, could not have been used before 1890. There is no indication that it was in any general use before the passage of the Dingley Act. The market price for doing the work at the start, I may say here, was about 5 cents per pound. I ought to add that cotton yarn was mercerized in this country a short time prior to this, but it was two or three years, at least, after the date given above before the mercerizing of cotton cloth became at all general. It has been constantly growing in use ever since and is now a most important branch of the industry.

Mr. President, dipping in the caustic bath, which costs from three-fourths of a cent to a cent and a half, is really but a small part of the expense. The process of putting it through the bath, with the necessary tension to give the proper luster to the cloth for successful mercerization, has to be carefully performed. In the first place, as to yarn, it has to be twisted—that is, made of two or more single yarns—in order to give it strength to stand the mercerizing process, which consists of holding it taut, so that it can not shrink in length while subject to the action of the caustic soda. The action of caustic soda is to produce a strong tendency to shrink, alike in yarn or cloth subjected to it. Mercer himself, at the discovery of his process, only claimed for it an enriching of the appearance of the fabric and an improved capacity to take dyes, thus making more brilliant colors. It was not, as I have said, until long afterwards and in recent years that the additional discovery was made that by preventing the article treated from shrinking a very high luster and silk-like appearance would be produced, and this result is what is now commercially known as "mercerizing." The effect is much heightened when the yarn is soft twisted; but as it is the twist alone that gives strength to yarn, it is practically impossible at present to mercerize a single yarn soft enough to get satisfactory results in luster. Therefore, whenever a mercerized yarn is required it has to be of two or more ply, which means that if, say, a No. 30 yarn is required, a No. 60 has to be spun, and then two threads twisted together to get the No. 30 size. The cost of yarn increases in proportion to the fineness of the number; so it is evident that the above necessity means greatly increased cost—always of labor, the proportion of which in the cost of yarn gets larger and larger as the number grows finer, and frequently in stock, because as the numbers grow finer it from time to time becomes necessary to use extra-length cotton. The expense is also increased, because a two or more ply yarn will always be more lustrous to the eye than a single. The effect on the eye of mercerization is partly a matter of light and shade—of contrast. The heavier corrugations of two threads twisted round each other helps the effect to the eye.

Extra quality of cotton also has to be used to get the best results. This is an expense in the first cost, in the additional cost of the waste, and in the additional cost of labor and machinery to manipulate it in some of the processes, as in carding, where only from one-half to three-quarters the quantity can be put through a machine, thus needing more labor and more machines per pound. There is further expense in the superior quality of thread necessary to make the general appearance conform to the high-grade article aimed at. This involves the greatest care to be taken in all processes, frequently additional processes, as four operations of speeders in place of three, and always to produce the best results the use of combers, both to get the better luster resulting from the uniformity in length of staple, and to get the regular, even, handsome thread which the operation produces. As for the actual operation of mercerization itself, the market price is about 8 cents per pound.

It must also be remembered that in the process of mercerization the yarn shrinks in weight some 6 to 10 per cent. As yarn is sold by the pound, it is evident that if 100 pounds are put in process and only 90 to 94 come out, in addition to the cost of the treatment itself this reduced weight must be considered. This is not by any means an insignificant matter, but it is a loss of from 6 to 10 cents on every pound of yarn. The result of all this is, as an illustration, that while the price of a single No. 30 varies from time to time, say, from 18 to 25 cents per pound, the price of a No. 60 two-ply mercerized, equal in size to the No. 30 single, is, say, 60 to 65 cents per pound for a standard quality and for a superlative quality, made in the very best manner from sea-island cotton, thus showing the highest luster, it will run up to 80 cents per pound.

This analysis shows the cost of a mercerized yarn as compared with an ordinary single weaving yarn of the same weight. If compared with a two-ply yarn unmercerized, some of the above elements of additional cost would not exist, but we are considering this cost for the purpose of seeing what it amounts to in the substitution of mercerized for unmercerized yarn in cotton cloth, and in most cases this means the displacement of a single thread. There are some cloths whose nature necessitates a twisted thread, as, for instance, sailcloth or duck. In most cases their uses are such that mercerization would be no advantage, and the cases are very few where the use of mercerized threads for beautifying or ornamenting cloth does not involve the full cost as just stated. All the samples which I shall show of this process are of cloths where the same count and weight could be produced by the use of single yarns, and they will represent the ordinary range in the use of mercerized yarn in the cloth.

Now, as to cloth mercerized in the piece; the principle of this is exactly the same as for yarn. The cloth is run through a bath of caustic soda while held so as to prevent it shrinking in width. The elements of cost are the same, except that it is not necessary to use twisted yarn. The intermeshing of the threads gives them the requisite strength. All the other features of cost are there, the use of superior stock necessarily involving some additional labor cost, as described; the use of a softer, rounder, more level thread always involving greater labor; and usually, to get satisfactory results, the use of combers; and, finally, the use of an unusual combination in the number of the yarn in the warp and filling. On almost all pieces of mercerized fabrics you will find a great difference in the luster of the back and front of the cloth. This is due to the back being fine yarn and the face a coarse number, being so made in order to have it as soft and as full as possible, which is necessary to the best results. This wide difference in numbers is a considerable element of enhanced cost. Frequently as fine as No. 70 to No. 80 is used for one face, usually the warp, and as coarse as No. 30 for the other. How much these different features add to the cost is demonstrated by the illustrative samples which I shall show in a moment, and, in addition, is the actual cost of mercerization, running from three-quarters of a cent to 1½ cents per square yard, the whole cost being in many cases some 4 cents per square yard, and the duty proposed affording 25 per cent protection.

Mr. President, to illustrate what I mean by the necessity of preparing the cloth, that [exhibiting], marked "No. 1," is a piece of unmercerized cotton cloth. That [exhibiting] is a piece of the same cloth not specially woven or prepared and mercerized. Here [exhibiting] is a piece of the same cloth specially prepared for mercerization, and mercerized. Anyone who will take the trouble to look at these samples will see at a glance the difference between that which was prepared for mercerization and the others. That [exhibiting] was not prepared for mercerization; that is unmercerized. Any Senator who will take the trouble to look at this sample [exhibiting] will see the immense difference in the quality which is caused by the lack of preparation for mercerization in the same cloth. This [exhibiting] is mercerized and prepared cloth. The cost of mercerization in that No. 3 [exhibiting], which is a simple fabric, is 2¾ cents per square yard more than No. 1; and the duty is 1 cent. Now, here [exhibiting] are the same goods made of mercerized yarn

in the warp—not mercerized cloth, but mercerized yarn in the warp. They are very pretty fabrics, indeed. The yarn is mercerized before it is woven. The cost of that [exhibiting] was 3.86 cents per square yard more than if the ordinary unmercerized yarn had been used; and the duty is always 1 cent.

Here [exhibiting] are goods which are very pretty, ornamented with mercerized yarn in the figures. The cost was 3.07 cents per square yard more than if ordinary unmercerized yarn of the same weight had been used for the same purpose. Here [exhibiting] are simple samples, if Senators care to look at them, of the effects of mercerization. Some of them are extremely pretty and show what can be done by the process.

To show further what can be done, here [exhibiting] is a very fine fabric of mercerized yarn. The difference between ordinary and mercerized construction in this case—these are high-priced goods—is 9½ cents a yard. There is another [exhibiting] as high as 12 cents; there is another [exhibiting] 6¾ cents, the figures being made from mercerized yarns; the difference in cost between ordinary and mercerized construction is 6 cents, 5½ and 4½.

Mr. ALDRICH. I hope Senators will remember that in 1897 practically none of these fabrics were made.

Mr. LA FOLLETTE. I am not able to hear the conversation that is taking place, and I should like to.

Mr. LODGE. The Senator from Rhode Island said that he hoped Senators would remember that none of these fabrics were made in this country prior to 1897.

Mr. GALLINGER. Substantially none.

Mr. ALDRICH. Substantially none.

Mr. LODGE. Here [exhibiting] are finished and unfinished samples of cloth made for mercerization, 136 threads to the square inch, 34 inches wide, weighing 6.4 yards to the pound. On May 14, 1909, a prominent merchant in New York paid a New England mill 6⅝ cents per yard for this cloth unfinished. At the same time another mill offered to make cloth of the same width and count of threads to the square inch, but not of special construction fitting it for mercerization, at 3⅞ cents per yard. There was a difference of nearly 3 cents in the mere cost of the construction of the cloth for mercerization. The additional cost for cloth suitable for mercerization, 2¾ cents per yard; add the cost of mercerizing, 1 cent per yard—it has been stated by the Senator from Iowa to be from three-fourths of a cent to a cent and a half per yard—and the total additional cost is 3¾ cents per yard, while the duty proposed for all these additional costs of mercerization, for the most expensive, where it is as high as 12 cents, down to the lowest, which I have shown and which is 2¾ cents, is but a cent a yard, ranging from 25 to 35 per cent ad valorem, and sometimes, I think, very much less.

Mr. President, I have one other sample here, which Senators can see, if they care to look at it. Here [exhibiting] are some specimens of cotton goods specially prepared for mercerization, made with very fine warp and of carefully selected and soft threads. I think it would repay Senators to look at these fabrics and see how much like silk they are. They, of course, command a high price, comparatively speaking.

Mr. ALDRICH. Perhaps the Senator ought to say there that these fabrics are driving silks out of the American market, and not only out of the American market, but out of all the markets of the world.

Mr. LODGE. Mr. President, I have, by the samples I have brought forward, which were procured from different mills and from sellers in New York, tried to show, and I think I have shown conclusively, that for the additional value of mercerization, a cent a yard, as proposed by the House, is a very moderate rate, indeed. There is a great range, as I have shown, between goods of the cheapest class for mercerization and goods of the higher class. It is carried, as these samples show, as high as 12 cents; but there is not one where it makes much over 30 per cent, and in most of them it is a great deal lower.

I have a table here showing the average value per square yard of cotton goods imported under the ad valorem clauses. The ad valorem clauses, as Senators know, are the clauses at the end of each paragraph after the specifics, the general clauses under which all cloths above a certain value come in, and, needless to say, they are the cloths of highest value; they are the most expensive fabrics, and through them most of the mercerized cloths enter. Of $13,000,000 worth of cotton cloths imported, $8,375,000 came in under the ad valorem clauses. They were very largely these mercerized fabrics. The table shows substantially that two-thirds of the importations are in the ad valorem clauses, and, omitting the importations under two very small paragraphs, the lowest average value is 15.8 cents per yard, which, with a 35 per cent duty added, makes 22.7 as the average value, landed in New York. The highest is 26.7 cents, which, with 40 per cent duty added, makes the value 37.4 cents landed in New York. A duty of 1 cent per square yard for mercerization will only mean, therefore, an additional cost of from 3 to 4 per cent upon the average value of the above importations, an amount too insignificant to affect materially the importation of high-priced novelties, which most of these are. Mr. President, the reason that Messrs. Tootle, Broadhurst & Lee; R. A. Whytlaw, Son & Co.; R. K. MacLea & Co.; George Riggs & Co.; William Anderson & Co.; and others protest against this duty to the Finance Committee, and have made such earnest resistance to it, is that they have been bringing these goods in, and they have been bringing them in at an unfair valuation. This is the whole story, so far as I am able to discover, and I have given a great many hours to the question of mercerized goods, upon which the House put a duty of a cent, which the Senate committee has left unchanged.

I come now, Mr. President, to another and widely different subject. A great deal has been said in different speeches in regard to the enormous profits of the New England cotton mills and in regard to wages. I wish to speak of wages first, for that is one element in the cost which has affected the protection afforded by the rates of the existing law. I have here a statement, which I have drawn out, giving the date and amount of increases and decreases in wages paid in New England cotton mills since the passage of the Dingley Act, and showing that the maximum increase up to 1907 was 32½ per cent. Then came the year of depression and bad times, and there was a falling off of 10 per cent, but the net increase in wages to-day, since the passage of the Dingley Act, has been 22½ per cent.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. LODGE. Yes.

Mr. LA FOLLETTE. Will it disturb the Senator, before he leaves the subject of mercerization, to let me ask him a question with respect to it?

Mr. LODGE. I yield to the Senator for a question.

Mr. LA FOLLETTE. I simply wish to know if the Senator can state the cost of mercerization in England? He has stated the cost of mercerization, as I understand, in this country.

Mr. LODGE. I suppose the process—that is, the material of the process, the caustic bath, and the loss of weight in the yarns—must be the same there as here; but the difference comes in the labor, which is very considerable because of the necessary employment of the finer yarns.

Mr. LA FOLLETTE. Can the Senator state what that difference in the cost of labor is?

Mr. LODGE. Mr. President, I can state what the difference was when, in the State of Massachusetts, some ten years ago, Mr. Carroll D. Wright collected some statistics on the subject; but it was a good many years ago, and so I have hesitated to allude to it. Mr. Wright in 1885 showed that the average rate of wages in Massachusetts industries exceeded the average wage in the same industries in Great Britain 77.88 per cent. The same relation exists to-day. Nothing has happened to change it, unless to increase the excess of the Massachusetts average wage over that of Great Britain.

Mr. LA FOLLETTE. The Senator misunderstands me. I do not refer to the general difference in wages, but I mean the difference in the wage cost involved in mercerization.

Mr. LODGE. Oh, in mercerization.

Mr. LA FOLLETTE. Yes.

Mr. LODGE. Well, it is the same difference running through all cotton manufactures. It is a mere question of the amount of labor; that is all.

Mr. LA FOLLETTE. Yes; that question, of course, would be involved. If the Senator knows what amount of labor is involved in mercerization——

Mr. LODGE. I have tried to show the amount of labor by showing what cloth prepared for mercerization costs. For instance, these cloths I hold here were offered in the open market—I have the letter here—and a merchant of New York, as I have said, paid to a New England mill 6⅝ cents a yard for this cloth unfinished; it was offered at the same time, not fitted for mercerization, at 3⅞ cents per yard. The additional cost was 2¾ cents per yard.

Mr. LA FOLLETTE. I understand, Mr. President——

Mr. LODGE. That additional cost is made up of labor and more expensive material, and more expensive material is, in the main, additional labor cost; that is all.

Mr. LA FOLLETTE. But the duty proposed for mercerization is not for the preparation for mercerization, but for the mercerization itself.

Mr. LODGE. But the mercerizing involves the preparation for mercerizing, otherwise it is an unsuccessful cloth.

Mr. LA FOLLETTE. But if the cloth came in prepared for mercerizing, the duty would not apply; it only applies to the mercerizing. Now, what I want to get at is the difference, if the Senator can inform the Senate, in the cost of the mercerization itself.

Mr. LODGE. I take it, Mr. President, that the law applies to cloths prepared for mercerizing, because it is advanced in manufacture, of course.

Mr. LA FOLLETTE. Then it would be reached under another provision.

Mr. LODGE. It would be reached under another provision. It would be in an advanced stage of manufacture.

Mr. LA FOLLETTE. This particular provision which fixes the duty for mercerization can only apply to mercerization itself.

Mr. LODGE. No. Mr. President, it covers the whole thing. The cloth mercerized does not get the additional duty of the cloth advanced; it gets nothing but the 1 cent.

Mr. LA FOLLETTE. Let me ask the Senator——

Mr. LODGE. It covers the whole cost of mercerization.

Mr. LA FOLLETTE. If cloth came in here not mercerized, but prepared for mercerization, would it take the mercerization duty?

Mr. LODGE. No; I suppose not.

Mr. LA FOLLETTE. No; it certainly would not. Then, it would come in under another paragraph of the bill with respect to cotton cloth, and the mercerization duty would not apply to it at all. So the additional cost in preparing for mercerization would not be covered at all in applying the duty for mercerization.

Mr. LODGE. It seems to me very plain that if cloth comes in not mercerized, it comes in under another paragraph—as advanced in manufacture, and pays a different rate. If it comes in mercerized, it does not come in under the other paragraph, too. It does not pay the other duty on being advanced for mercerization. The cent covers the whole cost of mercerization, not only the caustic bath, but all the construction of the cloth which makes it fit. The cent covers the whole thing. You can not bring it in under two paragraphs at once.

To return, Mr. President, to the matter of wages. The wages had advanced from 1897 to 1907, 32½ per cent throughout the New England mills, and 22½ per cent in 1908. I ought to say in a general way before I pass to my next point that there is no trust or combination and no preponderating influence of any kind in the cotton-manufacturing business in this country, and there is very sharp domestic competition, which has brought down the price of all goods, especially the coarser cloths, to the lowest possible point compatible with the existence of the industry.

Mr. President, I desire now to say something in regard to the earnings of the New England mills, about which so much has been said. I have lived all my life in New England, and I have been in the way of knowing something about the cotton industry. As a trustee, I have had some occasion to consider those mills as investments, and I have been amazed to hear of the gigantic profits of the New England mills, which are found in the Senate, but not in the places where the mills exist. But I did not content myself with my own general very strong impression in regard to this question. I have gone to the official figures. I have not taken anybody's guess or the statement of any enthusiastic association or the assertion of any manufacturer. I have taken from official records the actual dividends paid. Massachusetts is a fair example of the other New England States. It is also the largest cotton-manufacturing State in the Union. These figures are all, as I have said, the subject of official record, as are the earnings of the mills and their condition. I shall very briefly review these figures, which I shall then place in the RECORD, in order to give every Senator an opportunity to examine them.

Three mills have been especially named here as examples of gigantic profits. Let me say at the outset that to take one mill, which for some reason has been particularly successful, or two or three, and say "these are the earnings of the cotton manufacturing industry," is as misleading as it would be to take one gold mine or one copper mine and say that all gold or all copper mines made equal returns; that because the Verde mine or the Calumet and Hecla mine had made enormous returns, the entire copper-mining industry of the United States had made similar returns. The only way to get at the real earnings of an industry is to take a number of mills or a number of mines and compile their dividends for a series of years and then see what the general return was. I could make a showing here, from the papers I have on my desk and from facts within my knowledge, in regard to New England mills, which would show that the industry had lost heavily and that nothing was ever made. But it is impossible, of course, to reach any intelligent conclusion in that way by selecting either failures or successes.

One of the mills mentioned as typical of manufacturing profits was the Dartmouth mill, which is near New Bedford, and which has been extraordinarily successful. It is true that the owners paid in 1907 [illegible] per cent on their capital. Their capital is $600,000. Their plant is valued on their books at $3,000,000, but even on the latter valuation the dividend was very large; 1907 and 1908, however, were wholly exceptional years. But the Dartmouth mill can not be taken in the slightest degree as an example of the cotton industry, for they make union goods of silk and cotton, which is an entirely different proposition from straight cotton goods. They make almost entirely special fancy fabrics.

In this connection let me say that in the cotton-manufacturing industry there is something which is too often overlooked. One year, with a treasurer who buys his cotton well, or an agent who hits the fashion well, a mill will make great dividends, and then perhaps there will be two or three years when they will not buy their cotton well, and they will not hit the taste of the market and the mill will make no dividends, or very small ones. There is a great deal in the personal equation in this matter of making money out of a cotton mill or a silk mill. In the case of the Dartmouth, on their nominal capital of $600,000, the average dividend, including the 1907 dividend of 66 per cent, is 17.85 per cent. On the actual money invested, the dividend for the last ten years has been a trifle less than 6 per cent.

The Troy Cotton and Woolen Manufacturing Company was another one cited. It may surprise Senators to know that it is a mill in Fall River and not in New York. This is a very old mill. It was established in 1813, when Fall River was a little village. Fall River is now a city of over 100,000 people. The mill is built in what is now the center of the city. Land was cheap when the mill was built, and the proprietors bought plenty of land. They own city blocks now, and the year they divided 66 per cent they sold a portion of their land and divided among their stockholders the proceeds of the sale. Their dividends in part come from rents of business blocks. No doubt it has been a very profitable property to those who have owned it, but it is not a manufacturing profit.

The Acushnet mill was the other one cited. It was said that it paid 66 per cent. I have looked over the dividends for a number of years—I think since the foundation of the mill—and they have never paid any such amount so far as I can learn. The average dividend for eleven years has been 15.86 per cent. But the Acushnet is another case of an undercapitalized mill. The capital on the face of the stock is $500,000. The value to replace the mill, owing to the additional money invested in it, is $2,000,000. The average dividend therefore on the actual value of the mill is about 4 per cent.

I have here a letter addressed to my colleague from Mr. Crapo, of New Bedford, a very distinguished citizen of my State, who served for many years in the House of Representatives, who is eminent as a lawyer and is a gentleman of the highest standing. Those who recall him here and who know him will agree with me in all that I could say of him in praise. He writes to my colleague:

NEW BEDFORD, MASS., *May 28, 1909.*

Hon. W. MURRAY CRANE,
United States Senate, Washington, D. C.

MY DEAR SIR: My attention has been called to the statements made in the Senate in discussing the tariff rates on cotton goods, in which the Acushnet and Dartmouth mills, of New Bedford, are cited as exhibiting an enormous profit in this industry.

I am thoroughly conversant with the affairs of the Acushnet mills. It has been and is regarded as a successful concern. On the fair appraisal of its property it has paid its stockholders, including what are called "extra dividends," an average of less than 7 per cent annually. Its capital stock, instead of being inflated or watered, has in the course of its history been reduced, under the idea that such action was in the line of conservative business. Taking the value of the plant and equipment at present cost prices, the Acushnet Mills Corporation is earning and paying to its stockholders between 5 and 6 per cent per annum.

My knowledge about the Dartmouth mills comes from the general understanding in this locality of its operations and methods. That it is and has been exceptionally well managed and prosperous in the making and selling of cotton fabrics can not be questioned. To judge of the cotton industry of New England by this one cotton corporation, in which controversies for control have led to excessive prices for its shares, is absurd.

It is not strange that Senators and Representatives living at remote distances from cotton-manufacturing centers, having no personal knowledge of the industry, but hearing reports, probably grossly exaggerated, of extravagant profits in an isolated case and made under conditions of which they are ignorant, should err in their judgment and unwittingly deal unfairly with a great industry. The importation of and customs receipts on cotton fabrics demonstrates that the tariff duties are not prohibitive, and it is a fact that the number of cotton-mill corporations which distribute to their stockholders in dividends less than 6 per cent exceeds those that distribute more than that rate.

It may be worth noting that the Wamsutta Mills, the oldest cotton-manufacturing corporation in this city, is a plant as large as the Acushnet and Dartmouth mills put together. This plant has been carefully and prudently managed for a great many years. Its goods have the reputation of being second to none in the country. With the exception of one extra dividend of 5 per cent in an exceptionally prosperous year, the stockholders of this corporation have received no more than 6 per cent annual dividends for the last fifteen or twenty years. This corporation enjoys all of the same tariff advantages possessed by the Acushnet and Dartmouth, and has all the same advantages of location and market. In my judgment, it is a much fairer type of the cotton-manufacturing industry of New England than either of the two exceptionally prosperous concerns which are figuring in this debate.

The cotton-manufacturing industry has made great gains in the last twenty years and is still expanding. The wages paid to vast numbers of operatives have in late years been higher than ever before in the history of the business. The wages are fixed not by the rate of profit made by the few very successful mills, but by the great average whose

profits are only moderate. If the prices of the products of the mills are reduced through a reduction in the tariff, the wages of the help in the mills whose margin of profit is not large at present will have to be reduced, and with this reduction must come a reduction all along the line, including the mills whose profits are as great as those of the two selected as examples.

Yours, truly,

WM. W. CRAPO.

I found, in looking for statistics, that General Draper, who is known to many in the Senate, and who served in the House of Representatives and afterwards as ambassador to Italy, made a very careful table some years ago showing the dividends of a number of mills from 1882 to 1892. I will print it as it stands:

List of companies whose capital has not changed during the ten years from 1882 to 1892.

Company.	Par value.	January 1, 1882.	January 1, 1892.	Ten years' dividends.
Appleton	$600,000	$717,000	$345,000	$138,000
Boott	1,200,000	2,580,000	1,629,000	924,000
Boston	800,000	1,000,000	848,000	520,000
Boston Belting	700,000	1,225,000	1,422,750	749,000
Boston Duck	350,000	525,000	562,500	325,500
Chicopee	1,000,000	1,900,000	900,000	600,000
Dwight	1,200,000	1,920,000	1,800,000	1,008,000
Flint Mill	580,000	406,000	609,000	342,200
Hamilton Cotton	1,800,000	2,196,000	1,800,000	648,000
Lancaster	1,200,000	2,700,000	1,866,000	1,020,000
Lawrence	1,500,000	2,700,000	2,250,000	1,305,000
Lowell	2,000,000	2,101,775	1,833,333	893,023
Lowell Machine	900,000	2,277,000	1,305,000	810,000
Lyman	1,470,000	1,719,900	970,200	558,600
Massachusetts	1,800,000	2,520,000	1,890,000	1,020,000
Merrimack	2,500,000	4,600,000	2,625,000	1,600,000
Middlesex	750,000	1,875,000	975,000	765,000
Naumkeag	1,500,000	1,890,000	1,590,000	802,500
Otis	800,000	1,040,000	1,480,000	830,000
Pacific	2,500,000	4,750,000	4,187,500	2,125,000
Tremont and Suffolk	1,200,000	2,103,000	1,464,000	738,000
Thorndike	450,000	495,000	540,000	342,000
Chace Mills	500,000	535,000	500,000	285,000
Crescent Mills	500,000	400,000	175,000	167,500
Fall River Manufactory	180,000	315,000	216,000	59,400
Granite Mills	400,000	1,310,800	950,000	612,000
King Philip	1,000,000	1,200,000	1,150,000	490,000
Laurel Lake	400,000	376,000	448,000	216,000
Mechanics	750,000	802,500	637,500	397,500
Merchants	800,000	1,000,000	960,000	480,000
Metacomet	238,000	288,000	291,000	44,640
Narragansett	400,000	400,000	388,000	220,000
Pocasset	800,000	480,000	1,088,000	264,000
Richard Borden	800,000	680,000	780,000	368,000
Robeson	260,000	234,000	221,000	105,300

List of companies whose capital has not changed, etc.—Continued.

Company.	Par value.	January 1, 1882.	January 1, 1892.	Ten years' dividends.
Shove	$650,000	$577,500	$632,500	$294,250
Slade	550,000	495,000	330,000	178,750
Tecumseh	500,000	660,000	512,500	325,520
Troy Cotton Mill	300,000	540,000	585,000	300,000
Union Cotton	750,000	1,374,375	1,575,000	1,357,500
Weetamoe	550,000	467,500	247,500	178,750
Total	37,078,000	55,496,350	44,490,833	24,420,913

I find the total dividends, $24,420,913 for ten years (which would be an average dividend of $2,442,091.13 per year), to be 6.58 per cent per annum of the par value of the stocks of the above companies.

I also find the above annual dividend to be 4.88 per cent of the average selling price for 1882 and 1892, which is $49,998,616.

In the letter which General Draper sent to me, he says:

As to profits during the past ten years, I am quite a large owner, for me, in two concerns, one in the North, at Burlington, Vt., and the other in the South, at Charlotte, N. C. Neither of these concerns has paid continuously 6 per cent, either on the capital stock or on the money actually invested, during the last ten years, though they might have averaged about that figure, but for the bad year just past, during which one of them actually lost money.

I have not gone into the returns of the southern mills of which General Draper speaks, but I think on the whole they have probably done somewhat better on an average than the New England mills.

Thirty-two Fall River mills, omitting the Troy Company, which draws its dividends in part from real estate, and omitting two new mills, which have as yet paid small or no dividends, show an average dividend during the last ten years of 5.99 per cent, say, 6 per cent. The capital, however, in the Fall River mills represents $10.20 per spindle, whereas the cost of building the mills is from $16 to $20 a spindle, probably much nearer the latter figure. A fairer way of figuring the profits is to show how much has been paid per spindle, and on the list which I submit herewith it appears that the average return per spindle per year was 76 cents, or just about 5 per cent, on the lowest cost that anybody could claim that a mill could be produced for.

I will ask that the list, which is a broker's list, conveniently arranged, from Fall River, be printed with the statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

Statistics of Fall River (Mass.) manufacturing corporations.

Corporation.	Par.	October, 1908. Capital.	Debt.	Surplus.	Spindles.	Book value per spindle.	Dividends paid during past 14 years. 1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	Extra dividend during past 14 years	Average annual dividend including extras.	Present market prices	Market value per spindle.
American Linen Co	100	$800,000		$191,792.09	91,372	$6.65	7	2½	1	1	4½	6½	5	8	7½	5½	3	6	11	6		5.304	125	$8.84
Ancona Co	100	300,000	$115,535.39		39,136	10.61									(a)		3	6	12	6				
Arkwright Mills	100	450,000	153,418.01		68,432	8.82						4½	5½	5	6	5½	3	4½	6	6			108	9.21
Barnard Mfg. Co	100	495,000	68,622.71		72,992	7.72	7	7	1		3½	8	5½	6	4½		2	4½	7	7		4.48	116	8.81
Bourne Mills	100	1,000,000	218,795.89		91,256	13.35	24	12	18	8	10	14	6½	12½	9½	3½	3	4	5	4½	40	12.46	100	13.35
Border City Mfg. Co	100	1,000,000		107,296.54	119,512	7.45	17½	6½	4	4	6	8	6½	6	6	3½	3½	9½	23½	6	50	11.46	150	11.62
Chace Mills	100	1,300,000		234,837.77	116,688	8.28	6	6½	3½		6	6	6	6	6	3	4½	6	6½	8	5½	9.11	140	12.38
Cornell Mills	100	400,000		233,578.76	45,040	3.69	6	8	7	5	12½	13	6½	7	6½	4	4½	12½	16	11		8.55	180	10.79
Conanicut Mills	100	300,000	47,625.00		29,136	11.93	6½	3½			6	8	8	8	7	5	1	4½	6	5		4.91	100	11.93
Davis Mills	100	500,000		250,510.07	53,856	4.62								(a)			1½	6	6	6			132	7.59
Davol Mills	100	500,000		105,042.56	44,672	8.84	6½	8	4½	4	5½	8	6½	6	6	4	1	6	6	6	25	7.36	102	9.51
Flint Mills	100	580,000		139,804.03	50,816	6.69	8	8	6½	4	6	8	7	6	6	4	4	6½	12	8		6.71	108	9.57
Granite Mills	100	1,000,000		361,857.02	118,984	5.36	6½	7	2	1	6	8	8	8	8	0	4½	5½	10	8		6.54	150	9.56
Hargraves Mills	100	800,000	117,344.92		111,680	8.21	6½	6	6	6	6	6	6	5½	2		1	5½	6			4.89	105	8.57
King Philip Mills	100	1,500,000		871,083.01	135,072	4.65	6	6	6	4½	7½	6	6	16	6	6	6	6	6	6	100	13.86	175	12.98
Laurel Lake Mills	100	600,000		250,927.37	59,808	5.81	6	5½			3½	6	4½	6	8	5½	5½	11	14	13	100	13.20	165	12.35
Lincoln Mfg. Co	100	600,000	297,799.26		50,000	17.95													(a)				90	16.75
Luther Mfg. Co	100	350,000	84,084.77		51,616	8.41								(a)						3			125	10.10
Merchants Mfg. Co	100	1,200,000		111,305.08	131,820	8.26	7	6	2		1	6	2½	4	4	2	2	4	5½	6	50	7.30	116	9.89
Mechanics Mills	100	750,000		288,967.38	57,856	7.96	6½	7	3		5	6	5	4½	4	3	1	4	7	6½		4.46	116	10.04
Narragansett Mills	100	400,000		142,220.35	43,744	5.89	7	6½	5	1	5	8	5½	6	6	5	4	8	11½	8		6.18	135	9.09
Osborn Mills	100	750,000		218,939.32	70,332	7.55	7	7	4		5	8½	3½	4	4	3	2	4	5½	6	25	6.32	115	9.15
Parker Mills	100	300,000	199,284.62		101,684	8.94		3½	3½	5	5½	6½	6	8	7	3		1	5½	6		4.50	100	8.94
Pocasset Mfg. Co	100	1,200,000		188,716.86	125,016	8.09	6	4½	1		4½	6	6	6	6	4½	6	6	6	6	100	12.04	125	10.46
Richard Borden Mfg. Co	100	1,000,000		468,024.67	98,720	5.50	7	5½	3	3	7½	9	6½	6	6	5½	5½	6½	20	13	25	9.21	180	13.77
Sagamore Mfg. Co	100	300,000		348,763.57	91,552	6.02	25½	5	1		5½	9	5	7½	4½	4	5	20	30	12		9.44	180	13.88
Seaconnet Mills	100	600,000	153,258.29		68,384	11.01	6½	6½	5½	3½	6	7	5	5	5	1			1½	4½		4.07	95	10.57
Shove Mills	100	550,000	98,000.78		73,552	8.61	7	7	3½		2½	4½	1½	4	3			4	4½	6	25	5.18	97	8.58
Stafford Mills	100	1,000,000		72,185.32	100,576	9.22	8	8	6	4	14	8	3	4	4		1	4	5½	6		5.29	116	10.81
Stevens Mfg. Co	100	700,000	176,384.23		(c)			4	8	8	8	8	8	8	8	6	4½	5	5½	1½		6.50	93	
Tecumseh Mills	100	750,000		249,188.02	78,512	6.38	6½	6½	4		5	7½	5	6	6	5½	4½	6	14½	9½	50	9.75	150	11.15
Troy Cotton and Woolen Manufactory	500	300,000		266,529.28	47,520		28	27	15	11	18	27	17	20	16	11	11	20	67	21	75	27.04	1,650	13.12
Union Cotton Mfg. Co.	100	1,200,000		572,544.66	110,128	5.70	11	9	6½	6	8½	10	6½	6	6	4½	6	18½	35½	6		15.38	195	16.04
Wampanoag Mills	100	750,000	99,331.28		85,440	9.94	8	7	3		6	7	2½	4	3	1		2	4	4		3.61	105	10.37
Weetamoe Mills	100	500,000	1,211.98		45,504	11.02	5½	2½			4½	6	3½	4	4	2	2	4½	6½	6½		3.71	100	11.01
Total		23,225,000			2,658,380																			

[a] Organized. [b] Reorganized. [c] Specialties.

Mr. LODGE. I have here a statement of the New Bedford dividends. It shows that the average dividend for 10 mills for ten and eleven years was 10.45 per cent.

New Bedford dividends.

Name of mill.	Average.	Years.
	Per cent.	
Acushnet	15.86	11
Bristol	3.57	10
City	10.79	11
Berkworth	17.85	10
Grinnell	16.22	11
Hathaway	10.36	11
Pierce	10.45	11
Potomska	5.90	10
Wamsutta	6.31	11
Whitman	7.45	10
Average dividend for 10 mills for 10 and 11 years	10.45	

The average for Fall River and New Bedford mills is 8.22 per cent for the last ten years, but the New Bedford average is above the general average, and brings up the average of southern Massachusetts mills to a point above that of New England generally. In the Lowell, Lawrence, Salem, and Waltham mills the average is between 5 per cent and 6 per cent. The average of 26 mills north of Boston last year was 5.88 per cent. Exceptional profits are usually confined to short periods and are due to fortunate purchases of cotton or some special product which hits the popular fancy.

Here are the dividends of the New Bedford mills, which I ask to have printed, and also a letter from New Bedford giving some further figures, which I shall be glad to have printed without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Dividends of New Bedford (Mass.) cotton mills in 1908.

Name of mill.	Capital.	Number of spindles.	Rate of dividend.	Amount earned.	Dividend per spindle.
			Per cent.		*Per cent.*
Acushnet	$500,000	105,336	16	$80,000	0.759
Bristol	800,000	67,080	[a] 6	45,000	.671
Butler	1,250,000	97,344	8	100,000	1.027
City	750,000	65,312	13	135,000	2.067
Dartmouth	600,000	126,502	[b] 68	396,000	3.128
Gosnold	[c] 450,000	82,232	6	33,000	.401
	[d] 550,000				
Grinnell	1,000,000	128,080	8	80,000	.625
Hathaway	800,000	108,328	10	80,000	.738
Kilburn	750,000	74,768	6	45,000	.601
Manomet	2,000,000	125,000	8	160,000	1.28
Nonquitt	1,200,000	60,000	[e] 6 (8)	54,000	.9
Page	750,000	50,376	[f] 5 (12)	9,375	.185
Pierce	600,000	116,008	16	96,000	.827
Potomska	1,200,000	108,000	6	72,000	.666
Soule	1,050,000	92,000	8	84,000	.913
Tabor	250,000	60,000			
Wamsutta	3,000,000	238,836	6	180,000	.786
Whitman	1,600,000	139,200	8	120,000	.862
Total		1,834,322		1,709,375	[g] .904

[a] 3 per cent on $700,000; 3 per cent on $200,000.
[b] Dartmouth now $1,200,000, paying 12 per cent.
[c] Common.
[d] Preferred.
[e] Nonquitt now paying 8 per cent.
[f] Average per spindle.

In further reply to yours of the 15th, I am inclosing a copy of a communication in answer to an editorial published in one of our local papers, together with some figures we have compiled.

First. The mills in New Bedford are capitalized on an exceedingly low basis, of $10.76 per spindle, and the average cost per spindle of the new mills erected here during the past ten years would figure practically $25.

To be conservative, the total capital of our mills figured on a basis of $20 per spindle would be $34,783,100, instead of $19,800,000, amount as at present.

The average dividends paid during the year 1908 was 8.94 per cent on a total capital of $19,800,000; but if figured on a capital of $34,783,100, and on a $20 per spindle cost, the rate would be 4.89 per cent.

The following table shows the mills that have been running for the ten years ending December 31, 1908, together with the capital of each, average rate of dividend paid, also rate of dividend paid if figured on a basis of $20 per spindle.

Name of mill.	Capital.	Rate of dividend.	Rate of dividend per spindle.[a]
		Per cent.	*Per cent.*
Acushnet	$500,000	21.4	5.079
Bristol	800,000	3.725	2.254
City	750,000	11.575	6.646
Grinnell	1,000,000	0.56	4.51
Hathaway	800,000	13.25	4.892
Pierce	600,000	13.1	4.679
Potomska	1,200,000	5.9	3.278
Wamsutta	3,000,000	6.5	4.251
Dartmouth	600,000	22.85	[b] 6.34

[a] Figured on basis of $20 per spindle cost.
[b] Not including stock dividend.

It might also be of interest to you to know that the rates of dividends of the above nine corporations are figured on a capitalization of $8.78 per spindle. The mills built during the past ten years are capitalized at the rate of $14 per spindle, and the average amount of capital of all our mills, as previously stated, is $10.76 per spindle.

You having called my attention particularly to the dividends paid by the Acushnet and Dartmouth corporations, the above schedule, I think, answers your inquiry as to dividend paid by the mill first mentioned. The Dartmouth figures out, including the 100 per cent stock dividend, declared early in December last, as follows: They have been incorporated fifteen years, and the average rate of dividend paid, based on the $20 per spindle, including all extra cash and stock dividends, figures 6.964 per cent per annum. The extra dividend of both these corporations has been declared, as you readily understand, from surplus earnings of many years.

It might be asked why we still continue to invest money in an industry that does not pay any larger returns. In answer, as you know in Massachusetts especially, our local industries being free from taxation makes our plants attractive to resident investors, and also in the history of this industry the dividends paid have been, as a whole, most uniform.

Any further information or inquiries that you might desire to make it will give me great pleasure to answer; and trusting that Mr. LODGE will be able to help us somewhat on the slight increase we have asked for our tracing cloth, I remain, with kind regards,

Yours, very truly,

NEW BEDFORD MILLS AND THE TARIFF—FURTHER CONTROVERSY OVER MERCURY'S EDITORIAL.

To the Editor of the Mercury:

Referring to your editorial in Wednesday's Mercury to the effect that cotton goods are overprotected in the present tariff, I trust that what I may say as a manufacturer may be placed before your readers, because the subject is of vital interest to New Bedford.

How can it be that we have more protection than is necessary, when the importation of cotton goods in the last fiscal year before the panic was as follows:

Cloths, bleached or dyed	$12,727,769
Clothing, except knit	3,771,188
Knit cottons	3,671,848
Laces, edgings, etc	39,756,502
Thread yarn, not spooled	6,940,261
Total cotton goods imported	73,704,636

This import was as much as the total production of Fall River, Lowell, and New Bedford, and if the demand of the whole market had not been at that time very great, owing to general prosperity, these foreign goods would have displaced home goods to a great extent or compel such reductions in price as to result in unemployment or heavy cuts in wages. Since hard times set in nothing but the tariff has prevented foreign competition from crippling every cotton mill in this city.

I and other manufacturers of fine goods are curious to know your authority for the statement that we are now able to compete with English goods without a duty. The cost of their plants has been a third lower than ours and their labor cost of production is a third lower, while the freight on their cloth to our markets is in some cases lower than ours. By reason of combined ocean and rail rates they have been able to reach Chicago, St. Louis, and other points in the interior of our country at a lower freight charge than we have to pay.

A detail report published in Lancashire for the year 1908 gives operations of 68 joint stock cotton-spinning companies, as follows:

Paid-up share capital, £2,469,469, equal to $2.09 per spindle.

Loan capital, £849,906.

Share and loan capital, equal to $2.80 per spindle.

Net profits for 1908, after providing for interest and depreciation, £374,942, equal to 31½ cents per spindle and 15.18 per cent on share capital.

Year 1907, profits 33.86 per cent on share capital.

Book value of plant, £3,025,412, equal to $2.56 per spindle.

Number of spindles, 5,900,972.

Earnings of 31½ cents per spindle gives Lancashire 15.2 per cent on share capital. Earnings of 31½ cents per spindle gives New Bedford 3½ per cent on share capital.

Earnings of $2 per spindle gives Lancashire 100 per cent on share capital.

Earnings of $2 per spindle gives New Bedford 21 per cent on share capital, or, in other words, the same earnings per spindle gives Lancashire $5 to New Bedford's $1.

Now, if the fair value of New Bedford mills, as per your editorial some days ago, is $20 a spindle, earnings based on this value, our mills would show as follows:

Thirty-one and one-third cents per spindle would give New Bedford 1.57 per cent.

Two dollars per spindle would give New Bedford 10 per cent.

Besides, there are other countries than Great Britain to be protected from. The manufacturer of cotton goods on the continent of Europe has been increasing in recent years, and there the labor cost is still lower. In Italy, for example, an operative turns out as much for 20 cents as a New Bedford operator turns out for 80 cents, and in Japan the difference is still greater. Since it costs less than half a cent a yard to bring cloth from there here, how long can we keep our mills running at a living profit with this competition? Your intimation that before long we may be able to export fine cloth to Manchester, England, is pure imagination. It would be like "carrying coals to Newcastle."

The Mercury repeats, "It is safe to say that there are mills in New Bedford making fine goods of plain construction that are able now to compete with England, with all freight paid." This statement is absurd. There is not a mill in this city than can compete with England in fine yarns; in fact, we could not hold our own, say nothing about profits on a free-trade basis. I have been a cotton manufacturer for fifty years, and am still active and in touch with the markets and cost of production and know my assertion is correct.

I should like to know your authority for saying that "the pressure for a real tariff reduction is greater than is commonly supposed." The evidence that is being taken by the congressional committee at Washington does not show it. On the contrary, there is a heavy preponderance of evidence from all parts of the country in favor of preserving adequate protection, and in most cases this calls for the retention of present duties or for more increases than reductions.

We manufacturers are at a loss to understand how a New Bedford paper can take such interest in damaging our principal industry by advocating a reduction of the tariff on fine cotton fabrics. I am,

Respectfully, yours,

A COTTON MANUFACTURER.

NEW BEDFORD, MASS., *January 22, 1909.*

Mr. LODGE. I now give the average dividends for the past twenty years of 44 companies, and for the past ten years of one company. The list comprises 38 engaged in cotton, 3 engaged in wool, and 4 engaged in wool and cotton together. This shows an average dividend of 44 companies for twenty years of 6.67 per cent. That is a fair presentation of the average earnings of New England manufacturing districts. The list is printed in the Tariff Hearings, page 5505, and I ask to have it printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

BOSTON, MASS., *December 19, 1908.*

Mr. WILLIAM WHITMAN,
President National Association of Woolen Manufacturers, Boston, Mass.

DEAR SIR: Herewith I hand you condensed and detailed statistics covering the financial operations and stock market fluctuations for the past twenty years of 44 companies and for the past ten years of 1 company, the list comprising 38 engaged in cotton, 3 engaged in wool, and 4 engaged in wool and cotton together.

This list of companies includes all of those whose stocks have been bought and sold with reasonable frequency in the Boston market over a period of twenty years.

Accompanying this letter are three compilations marked "A," "B," and "C," and 45 separate sheets covering in detail the record of each company by single years, giving capitalization, par value of stock, dividends paid, and record of public sales of stock for each year, the high and low quotations being taken.

Common stock which has been issued as a bonus with preferred stock is omitted from these compilations.

Schedule A covers the operations of all the companies for the period from January 1, 1889, to December 10, 1908, and gives the average capitalization for the period, the average annual net return after deducting losses in capital from dividends paid, and the percentage of net return on the average capital stock.

From Schedule A we derive the following results:

Forty-five companies, with an average capitalization of $77,156,615, have shown an average net return for twenty years of $5,148,775 per annum, or 6.67 per cent on the average capital stock.

Five of these companies, 3 engaged in cotton, 1 in wool, and 1 in wool and cotton together, with an average capitalization of $31,662,100, have shown an average net return for the twenty years of $2,896,742 per annum, or 9.10 per cent on the average capital stock.

Excluding these 5 companies, the remaining 40 companies, with an average capitalization of $45,494,515, have shown an average net return for the twenty years of $2,252,033 per annum, or 4.95 per cent on the average capital stock.

Thirty-eight cotton companies, with an average capitalization of $45,209,247, have shown an average net return for twenty years of $2,886,353 per annum, or 6.38 per cent on the average capital stock.

Seven companies, all engaged in wool or wool and cotton together, with an average capitalization of $31,947,368, have shown an average net return for twenty years of $2,262,422 per annum, or 7.08 per cent on the average capital stock.

Schedule B supplements Schedule A by giving the operations of all the companies in two decades separately, the first from 1889 to 1898 and the second from 1899 to date.

From Schedule B we derive the following results:

Forty-four companies, with an average capitalization of $53,022,875, during the decade 1889–1898 showed an average net return of $3,243,573 per annum, or 6.12 per cent on the average capital stock.

Thirty-eight companies engaged in cotton, with an average capitalization of $44,548,000, during the decade 1889–1898 showed an average net return of $2,613,330 per annum, or 5.87 per cent on the average capital stock.

Six companies, all engaged in wool or wool and cotton together, with an average capitalization of $8,474,875, during the decade 1889–1898 showed an average net return of $630,243 per annum, or 7.44 per cent on the average capital stock.

Forty-five companies, with an average capitalization of $78,883,830, during the decade 1899–1908 have shown an average net return of $5,341,485 per annum, or 6.77 per cent on the average capital stock.

Thirty-eight companies engaged in cotton, with an average capitalization of $45,810,630, during the decade 1899–1908 have shown an average net return of $3,068,435 per annum, or 6.70 per cent on the average capital stock.

Seven companies, all engaged in wool or wool and cotton together, with an average capitalization of $33,073,200, during the decade 1899–1908 have shown an average net return of $2,273,050 per annum, or 6.87 per cent on the average capital stock.

Schedule C shows the market selling value of the stocks of all the companies on January 1, 1889, July 1, 1899, and December 10, 1908, based on quotations recorded at public auction sale in Boston, the offerings in practically every case consisting of a few shares. The schedule also includes additional capital invested during the period and the total dividends paid.

From Schedule C we derive the following results:

The market value of the stocks of 44 companies on January 1, 1889, was $62,798,850, and on July 1, 1899, it was $61,389,950, showing a depreciation of $1,408,900. There was invested in these companies during that period $2,270,000 of additional capital, so that the total depreciation for the ten years was $3,678,900.

The market value of the stocks of 42 companies on July 1, 1899, was $67,775,450, and on December 10, 1908, it was $117,683,200, showing an appreciation of $49,907,750. There was invested in these companies during that period $35,940,000 of additional capital, so that the net appreciation was $13,967,750.

Excluding from this last compilation the stocks of 4 companies, 2 engaged in wool and cotton together and 2 engaged in cotton, the market value of the stock of the remaining 38 companies on July 1, 1899, was $46,996,650, and on December 10, 1908, it was $76,625,000, showing an appreciation of $29,628,350. There was invested in these companies during that period $29,820,000 of additional capital, so that the comparison actually shows a depreciation for the period of $191,650

The market value of the stocks of 42 companies on January 1, 1889, was $58,306,350, and on December 10, 1908, it was $84,433,200, showing an appreciation of $26,126,850. There was invested in these companies during that period $13,210,000 of additional capital, so that the net appreciation has been $12,916,850, an average of $645,840 per annum, or about 1¼ per cent per annum appreciation on the selling price January 1, 1889.

Excluding from this last compilation the stocks of 5 companies, 3 engaged in cotton and 2 in wool and cotton together, the remaining 37 companies had a market valuation of $41,392,850 on January 1, 1889, and of $43,375,000 on December 10, 1908, showing an appreciation for the period of $1,982,150. There was invested in these companies during that period $6,190,000 of additional capital, so that there has been a net depreciation in the market value of these 37 companies during the past twenty years of $4,207,850.

Respectfully submitted.

FRANK A. RUGGLES, *Statistician.*

EXHIBIT A.

Average capitalization, average annual net return after deducting losses from dividends paid, and percentage of return on average capital.

1889–1908.

Company.	Product.	Capital.	Net return.	Per cent.
Aetna	Wool	$268,750	$14,250	5.3
American Woolen	do	22,375,000	1,566,250	7
Amory	Cotton	1,212,647	90,530	7.46
Amoskeag	do	4,143,000	477,880	11.53
Androscoggin	do	1,000,000	86,000	8.6
Appleton	do	517,500	8,625	
Arlington	Wool and cotton	2,762,438	243,247	8.8
Atlantic	Cotton	1,000,000	33,000	3.3
Bates	do	1,160,000	126,000	10.86
Boott	do	1,140,000	[b] 11,376	
Boston Duck	do	350,000	45,400	13.
Cabot	do	724,000	20,230	2.8
Chicopee	do	890,625	[b] 10,944	
Cocheco	do	1,500,000	15,000	1
Continental	do	1,500,000	7,500	.5
Dwight	do	1,200,000	142,800	11.9
Edwards	do	1,021,250	72,500	7.1
Everett	do	700,000	34,350	4.9
Fisher	do	472,500	27,100	5.74
Franklin	do	862,500	21,500	2.84
Great Falls	do	1,500,000	149,250	9.95
Hamilton	do	1,800,000	81,900	4.55
Hamilton	Wool and cotton	1,000,000	30,250	3.02
Hill	Cotton	980,000	31,360	3.2
Jackson	do	600,000	36,600	6.1
Laconia	do	(c)	(c)	(c)
Lancaster	do	1,140,000	7,500	.66
Lawrence	do	1,218,750	75,000	6.15
Lockwood	do	1,800,000	92,700	5.15
Lowell Bleachery	do	335,000	1,700	.5
Lyman	do	1,470,000	56,595	3.85
Manchester	Wool and cotton	2,066,180	15,300	.75
Massachusetts	Cotton	1,800,000	101,700	5.65
Merrimack	do	2,930,000	133,813	4.57
Middlesex	Wool	750,000	30,375	4
Nashua	Cotton	1,000,000	79,250	7.92
Naumkeag	do	1,500,000	56,250	3.75
Newmarket	do	745,000	[b] 29,800	
Otis	do	800,000	79,200	9.9
Pacific	Wool and cotton	2,725,000	362,750	13.3
Pepperell [c]	Cotton	2,419,100	489,862	20.2
Salmon Falls	do	600,000	18,300	3.05
Thorndike	do	529,875	47,138	8.9
Tremont and Suffolk	do	1,672,500	121,600	7.27
York	do	975,000	70,800	7.26
Grand total		77,156,615	5,148,775	6.67

[a] Wool and cotton since purchase of Manchester in 1905.
[b] Loss.
[c] Merged with Pepperell in 1899.
[d] Includes Laconia for entire period.

NOTE.—Operations of Amory and Manchester are for seventeen years and American Woolen since organization in 1899.

EXHIBIT B.

Average capitalization and average annual net return after deducting losses from dividends paid, 1889–1898 and 1899–1908.

Company.	1889–1898.		1899–1908.	
	Capital.	Net return.	Capital.	Net return.
Ætna	$250,000	$9,000	$287,500	$19,500
American Woolen			22,375,000	1,566,250
Amory	1,350,000	98,550	1,016,420	79,070
Amoskeag	4,000,000	306,000	4,286,000	649,760
Androscoggin	1,000,000	79,000	1,000,000	93,000
Appleton	585,000	*34,050	450,000	32,400
Arlington	1,974,875	122,498	3,550,000	364,000
Atlantic	1,000,000	39,000	1,000,000	27,000
Bates	1,120,000	82,800	1,200,000	169,200
Boott	1,200,000	64,800	1,080,000	*86,952
Boston Duck	350,000	56,500	350,000	34,300
Cabot	648,000	12,040	800,000	28,400
Chicopee	1,000,000	45,000	781,250	*66,887
Cocheco	1,500,000	30,000	1,500,000	
Continental	1,500,000		1,500,000	15,000
Dwight	1,350,000	134,400	1,200,000	151,200
Edwards	942,500	72,400	1,100,000	72,600
Everett	700,000	27,400	700,000	41,300
Fisher	445,000	25,700	500,000	29,500
Franklin	1,000,000	69,000	725,000	*11,000
Great Falls	1,500,000	118,500	1,500,000	180,000
Hamilton (C.)	1,800,000	75,600	1,800,000	88,200
Hamilton (W.)	1,000,000	35,000	1,000,000	25,500
Hill	980,000	31,360	980,000	31,300
Jackson	600,000	33,600	600,000	39,600
Laconia	1,000,000	71,500	(b)	(b)
Lancaster	1,500,000	64,800	1,080,000	*49,800
Lawrence	1,312,500	24,750	1,125,000	125,250
Lockwood	1,800,000	88,200	1,800,000	97,200
Lowell Bleachery	400,000	22,800	270,000	*19,400
Lyman	1,470,000	49,980	1,470,000	63,210
Manchester	2,000,000	144,000	2,100,700	*168,700
Massachusetts	1,800,000	95,400	1,800,000	108,000
Merrimack	2,500,000	140,000	3,360,000	127,625
Middlesex	750,000	47,250	750,000	13,500
Nashua	1,000,000	69,500	1,000,000	89,000
Naumkeag	1,500,000	55,500	1,500,000	57,000
Newmarket	600,000	24,400	600,000	*72,000
Otis	800,000	78,400	800,000	80,000
Pacific	2,500,000	272,500	2,960,000	453,000
Pepperell [a]	1,200,000	222,000	2,638,200	597,724
Salmon Falls	600,000	25,800	600,000	10,800
Thorndike	450,000	41,400	608,750	52,875
Tremont and Suffolk	1,335,000	128,700	1,950,000	114,500
York	900,000	52,200	1,050,000	89,400
Total	53,022,875	3,243,573	78,883,880	5,341,485

* Loss.
[a] Merged with Pepperell.
* Includes Laconia in the second decade.

NOTE.—American Woolen was organized in 1899. Amory and Manchester figures for second decade cover seven years to purchase by Amoskeag.

EXHIBIT C.

Selling value of stock January 1, 1889, July 1, 1899, and December 10, 1908, based on market quotations, additional capital invested, and dividends paid.

Company.	Market selling value of stock.			Additional capital.	Dividends.
	Jan. 1, 1889.	July 1, 1899.	Dec. 10, 1908.		
Ætna	$227,500	$152,500	$375,000	$125,000	$285,000
American Woolen		10,000,000	23,250,000	25,000,000	15,602,500
Amory	1,512,500	1,714,500	Sold.		1,776,200
Amoskeag	7,510,000	7,000,000	16,128,000	3,520,000	9,557,600
Androscoggin	1,300,000	1,160,000	1,550,000		1,720,000
Appleton	420,000	461,750	607,500	300,000	433,500
Arlington	1,380,000	2,625,000	8,400,000	3,500,000	4,864,925
Atlantic	1,020,000	600,000	650,000		600,000
Bates	1,120,000	1,500,000	2,700,000	300,000	2,520,000
Boott	1,662,000	900,000	1,000,000	1,000,000	972,480
Boston Duck	560,000	487,500	650,000		908,000
Cabot	420,000	440,000	640,000	320,000	524,400
Chicopee	1,000,000	900,000	475,000	400,000	681,125
Cocheco	1,300,000	631,000	600,000		300,000
Continental	450,000	330,000	900,000		150,000
Dwight	1,716,000	1,061,000	2,424,000		2,858,000
Edwards	772,500	1,881,000	1,265,000	350,000	1,499,000
Everett	700,000	588,000	980,000		687,000
Fisher	520,000	500,000	500,000	100,000	542,000
Franklin	940,000	980,000	570,000		900,000
Great Falls	1,500,000	2,295,000	2,700,000		2,985,000
Hamilton (C.)	1,680,000	1,320,000	1,440,000		1,638,000
Hamilton (W.)	970,000	510,000	600,000		605,000
Hill	818,320	408,800	588,000		638,400
Jackson	384,000	507,000	588,000		732,000
Laconia	1,212,500	(*)	(*)	(*)	(*)
Lancaster	1,650,000	1,350,000	810,000	300,000	1,050,000
Lawrence	2,287,500	945,000	1,812,500		2,250,000
Lockwood	1,704,000	1,314,000	1,800,000		1,854,000
Lowell Bleachery	383,000	315,000	320,000	100,000	324,000
Lyman	940,800	955,500	1,543,500		1,131,900

* Included in Pepperell.

Selling value of stock, January 1, 1889, July 1, 1899, and December 10, 1908, etc.—Continued.

Company.	Market selling value of stock.			Additional capital.	Dividends.
	Jan. 1, 1889.	July 1, 1899.	Dec. 10, 1908.		
Manchester	$2,940,000	$1,900,000	*(*)	$2,000,000	$1,297,000
Massachusetts	2,070,000	1,800,000	$2,160,000		2,034,000
Merrimack	2,950,000	2,800,000	2,502,500	1,650,000	2,676,250
Middlesex	1,125,000	862,500	262,500		697,500
Nashua	1,180,000	1,270,000	1,220,000		1,585,000
Naumkeag	1,485,000	1,020,000	1,575,000		1,125,000
Newmarket	500,000	240,000	300,000	520,000	244,000
Otis	1,480,000	1,360,000	1,440,000		1,584,000
Pacific	3,875,000	5,275,000	9,000,000		7,255,000
Pepperell [b]	2,880,000	5,878,800	7,530,200		9,797,240
Salmon Falls	460,000	350,000	220,000		366,000
Thorndike	542,250	472,500	1,012,500	225,000	940,275
Tremont and Suffolk	1,536,000	2,055,000	2,000,000		2,432,000
York	1,200,000	900,000	2,520,000	600,000	1,416,000
Total	62,798,850	71,389,950	117,683,200	38,210,000	94,718,295

* Sold.
[b] Includes Laconia, except as to market value January 1, 1889.

NOTE.—Losses: Appleton, $450,000; Boott, $1,200,000; Cabot, $120,000; Chicopee, $900,000; Franklin, $500,000; Lancaster, $900,000; Lawrence, $750,000; Lowell Bleachery, $300,000; Manchester, $1,500,000; Newmarket, $720,000; total, $7,340,000.

Mr. LODGE. Mr. President, I have here statistics as to cotton spinning in Lancashire in 1908, so that we may compare the profits of English and American mills and see whether the profits of our mills under protection are excessive as compared with those which have free trade and lower wages.

COTTON SPINNING IN LANCASHIRE IN 1908.

The following shows results of the operations of 68 joint-stock spinning companies in Lancashire for the year ending November 30:

Paid-up share capital	£2,469,469
Loan capital	£849,406
Net profit, 1908, after providing for interest and depreciation	£374,942
Percentage of profit on share capital, 1908	15.18
Percentage of profit on share capital, 1907	33.86
Reserve funds, November 30, 1908	£1,064,744
Reserve funds, November 30, 1907	£1,009,188
Value of plants, November, 1908	£3,025,412
Total number of spindles	5,900,972

I give also the figures for Oldham, in England:

SUPPLEMENTARY REPORT ON COTTON SPINNING IN LANCASHIRE, ENGLAND, IN 1908.

A detailed report just published in Oldham shows that of 100 companies engaged in spinning yarns that send statements to shareholders, 93 companies earned, net, £600,120, and 7 companies lost £13,609, leaving net of £586,511 for the 100 companies.

Paid-up share capital of above	£3,660,012
Mortgages, debentures, and loans	£2,350,798
Total capital employed	£6,010,810
Credit balances at the end of 1908	£1,446,663
Present book value of machinery, mills, and motive power	£5,180,522
Number of spindles, warp and weft	8,400,000

Besides the above, 90 other companies which do not disclose profits earned paid a mean average dividend of 14½ per cent.

If I may digress for one moment as to the favorite declamation about the huge properties amassed and the gigantic profits piled up under the tariff for the benefit of the trusts, I will read a letter from Sir Henry Bessemer to Sir James Kitson, which appeared some time ago in the Journal of the Iron and Steel Institute of Great Britain. Sir James Kitson read it in Pittsburg in 1890. This is what Sir Henry Bessemer wrote:

Some idea may be formed of its importance as a manufacture when I state the simple fact that on the expiration of the fourteen years' term of partnership of our Sheffield firm, the works, which have been greatly increased from time to time entirely out of revenue, were sold by private contract for exactly twenty-four times the amount of the whole subscribed capital of the firm, notwithstanding that we had divided in profits during the partnership a sum equal to fifty-seven times the gross capital; so that by the mere commercial working of the process, apart from the patent, each of the firm partners retired after fourteen years from the Sheffield works with eighty-one times his subscribed capital, or an average of nearly cent per cent every two months, a result probably unprecedented in the annals of commerce.

Yours, faithfully,

HENRY BESSEMER.

So, Mr. President, large profits are sometimes made in countries where there is no wicked tariff.

Mr. President, in concluding this matter about the dividends paid on the New England mills, I desire to say that under the laws of Massachusetts since 1851 no stock can be issued by any company which is not paid-up stock. The stock absolutely represents money. There is no water possible in any of it. It is all capital paid in. Frequently the companies do not divide their earnings, and after a time they add to the mill, and the addition is paid for out of the surplus. But the dividends I have given are calculated in each case on the face value of the stock and not on the real value of the property, so that the dividend shows the proportion of the increase in being calculated, as I say, on the actual face value. I will give one example of the difference between the face value of the stock and the actual value of the property, the Amoskeag mill, which is not in Massachusetts, but in New Hampshire. It is capitalized at $6,000,000, paying 12 per cent on its capitalization. The book value of its property, however, is $19,460,000, at which valuation its rate of dividend would be less than 4 per cent per annum. That is partly due to the rise in real estate, partly to successful business management, and partly to the accumulation of capital which has been put into a new mill, but which is the capital of the stockholders, of course, just the same as if they had subscribed to it. In fact, they usually do vote it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. LODGE. Certainly.

Mr. GALLINGER. The Amoskeag Corporation is very similar in one respect to the Troy Mills. They purchased a very large amount of real estate in what is now the city of Manchester, a city of 75,000, and they made very large profits on that real estate. They dispose of it from time to time, and that should properly go into their dividend account. Yet they, as the Senator suggests, a corporation employing 13,000 people, have certainly not made extraordinary profits, although they are making a class of goods that are recognized the world over as of a very superior quality.

Mr. LODGE. Mr. President, in making this estimate I have taken the dividends on the face value, and I think I have demonstrated to anybody who will do me the honor to look at the figures I have given and which will appear in the RECORD, that the average dividends of the New England mills for the last thirty years has not gone beyond 7 per cent. It has ranged between 6 and 7. I have not taken into account at all the amount of money that has been sunk in unsuccessful mills. For instance, the losses in the selling value of mill stock from 1889 to 1908 were as follows: The Appleton, $450,000; Boott, $1,200,000; Cabot, $120,000; Chicopee, $900,000; Franklin, $500,000; Lancaster, $900,000; Lowell Bleachery, $300,000; Manchester, $1,500,000; Newmarket, $720,000; total, $7,340,000.

Mr. CULLOM. All those are losses?

Mr. LODGE. All those are losses, and I have not mentioned all the losses, by any means. The huge fortunes which have been made of late years in this country have not been made in New England or in her industries. I know of no great fortunes made in cotton spinning, as we call it. There have been some New Englanders, like the late Mr. Rogers, in recent times who have made enormous fortunes, but they did not make them in New England or in New England industries. The cotton industry, on the whole, has not made a great return. But it is often forgotten that we began there long before anywhere else; that New England, under hard conditions, has been slowly accumulating capital from the sea and from her industries. The capital is there, but it is not in a few hands; it is largely distributed; it is held in many hands. The great fortunes are not piled up in those long-established industries. Here and there is a mill which makes a large return that has good luck for a few years, but on the whole the owners receive a very moderate return on their money.

I want now to say a word about prices. A great deal has been said in this debate about prices and the effect of the tariff in keeping them up, as if we were the only country that had witnessed of late an advance of prices. As a matter of fact, the advance of prices since the great depression of 1893 to 1897 has been world-wide. I have here a brief table which I have compiled from Sauerbeck's table of world prices, which appears in the London Statistical Journal every month. They take as a basis 100, as is always done in these calculations. This basic figure is the average of prices from 1867 to 1877, and on that basis they show the rise or fall of the world's prices since. Taking the world's prices in vegetable food, corn, and so forth, in 1896 it was 53; in 1906 it had risen to 62; in 1907 to 69. It is interesting to observe that the next year it was 70. It had not fallen. Animal food, meats, and so forth, was 73 in 1896, and it has gone to 89 in 1908; sugar, coffee, and tea have fallen from 59 in 1896 to 48 in 1908. The world's price is 11 points lower. The total food has gone from 62 to 72. That includes the great fall in sugar, coffee, and tea. Minerals rose from 63 in 1896 to 101 in 1906, to 107 in 1907, and fell off heavily in 1908, dropping to 89. The textiles went from 54 in 1896 to 80 in 1906, to 77 in 1907, and 62 in 1908. Sundry materials went from 63 to 73; total materials from 60 in 1896 to 74 in 1908. The grand total of the world's prices from 61 in 1896 went to 77 in 1906, 80 in 1907, and was 73 in 1908.

The table referred to is as follows:

Prices.

[Basis, 100. Average per cent prices from 1867–1877.]

World's prices.	Years.			
	1896.	1906.	1907.	1908.
Vegetable food (corn, etc.)	53	62	69	70
Animal food (meat, etc.)	73	89	88	89
Sugar, coffee, and tea	59	46	48	48
Total food	62	69	72	72
Minerals	63	101	107	89
Textiles	54	80	77	62
Sundry materials	63	74	78	73
Total materials	60	83	86	74
Grand total	61	77	80	73

Mr. LODGE. Mr. President, that shows a great rise in the world's prices. The advance was 20 points up to 1907, when it was checked by the business depression. But it has been a constant and steady rise. What is the cause of this world movement of prices? We are apt to forget that there is a force at work pushing prices upward all the time which is far greater and more powerful than any tariff, and which is but little considered. If I should say to the Senate that if we issue $500,000,000 of paper money prices would rise, everybody would know that I was speaking the exact truth, that they would go up at once. But people do not stop to consider that we have been inflating the world's currency by $200,000,000 of gold a year more than in 1896, ever since the new processes of gold discovery were found. I give here the coinage of the United States and of the world:

Gold production of United States.

1896	$53,088,000
1897	57,363,000
1898	64,463,000
1899	71,053,000
1900	79,171,000
1901	78,696,700
1902	86,000,000
1903	73,591,700
1904	80,464,700
1905	88,180,700
1906	94,373,800
1907 (estimated)	89,020,299

Circulation per capita.

1896	$21.41
1897	22.87
1898	25.15
1899	25.58
1900	26.94
1901	27.98
1902	28.43
1903	29.42
1904	30.77
1905	31.08
1906	32.32
1907	32.22

Gold production of the world.

1896	$202,251,000
1897	236,073,000
1898	286,879,000
1899	306,724,000
1900	254,576,000
1901	266,902,000
1902	296,737,000
1903	327,702,000
1904	347,377,000
1905	377,647,000
1906	406,342,000
1907	410,555,000

Coinage of the world.

1896	$195,890,000
1897	437,722,000
1898	395,477,000
1899	464,110,000
1900	354,936,000
1901	248,093,000
1902	230,405,000
1903	240,492,000
1904	455,427,000
1905	245,254,000
1906	306,326,000
1907	411,303,000

Lowell Blanchery	322,000	312,000	289,000	100,000	334,000
Lynnet	940,500	935,500	1,543,500		1,131,900

* Included in Peppereil.

HENRY BESSEMER.

So, Mr. President, large profits are sometimes made in countries where there is no wicked tariff.

fallen. Animal food, meats, and so forth, was 73 in 1896, and it

1907	411,803,000

The gold production of the world went from $202,000,000 in 1896 to $410,000,000 in 1907. The coinage of the world went from $195,000,000 in 1896 to $411,000,000 in 1907. The circulation per capita of the United States went from $21.41 in 1896 to $32.22 in 1907. We increased our circulation in the United States 50 per cent in the period that has elapsed since 1896. In thirteen years we added 50 per cent to our coinage.

The gold production of the world has doubled. I am speaking of the annual production, not of the total, of course. The annual coinage has doubled. The result is that you are cheapening your standard all the time, and cheapening your standard means of course that you are advancing the price of everything that it measures. Therefore, Mr. President, when we come to talk about the advance in prices it is well to remember that there is this great force of increased and increasing gold all the time pressing upon us. During these thirteen years, with our balance of trade standing as it has, we have kept in this country practically all the gold we have produced. The amount that goes into the arts is small and constant. The balance has been poured into the circulation. Of course prices have advanced. Prices may fluctuate and go back a little one year, but the general movement is certain. The only thing that can stop the operation of the increasing gold coinage is where you have an oversupply of anything. If you have too much for the world's consumption, the increase of gold can not carry it up. That is shown in the case of sugar. There is more sugar than the world can use. There is an overproduction of sugar. The result is that the world's price of sugar has been declining in the face of this general rise of prices.

Prices have risen in Europe, but labor has not risen in Europe, for the same reason that sugar has not risen—because there is an oversupply. We were shown the other day—I do not know whether the Senator from Rhode Island printed it; it ought to be printed—a report of the George Peabody fund in London, which rents homes to working people. It rents them. It is not a charity in any sense. This report shows that they have over 19,000 people living there, and the heads of the families are engaged in skilled trades. They are not the poorest class or the workers on the streets; they are skilled mechanics. The average weekly earnings of the head of each family in residence at the close of the year was £1 1s. 9d. In the cases in which the governors pay the rates, the average weekly charge, including the rates, of each dwelling was 5s. 4d. a week, and of each room 2s. 4d. The rent in all cases includes the free use of water, laundries, sculleries, and bathrooms. The mean population during the year was 19,914, showing a density, after taking into account the occupied portion only of the Herne Hill and Tottenham estates, of 571 people to the acre, or 9 times that of London. An average wage of $5.25 a week among skilled mechanics, taken at hazard from all trades in London, gives a vivid idea of this labor with which our labor would have to compete if it were not protected by the tariff.

Mr. President, what is the use, in the face of facts like these, of talking about wages being the same there as here? The reason why the gold does not affect those wages abroad is because there are more men than there is work for them. If you apply it to the labor in this country, you will find that with the gold force bringing with it increased prices, bringing with it prosperity, if you please, wages go up in the same way, because the supply of labor is not excessive. I have shown you what the advances in wages were in the New England mills. They had advanced in prosperity, and the advance in wages was 32 per cent. It is the same in the woolen mills. The figures are all printed in the tariff hearings. The Government Manufacturing Bulletin of 1905 shows that the wages in the cotton industry in those five years, from 1900 to 1905, had risen 10 per cent. The wages abroad have not risen as they have risen here. Therefore, when we meet their competition, we are meeting a competition in which we are fatally handicapped, if we meet them on equal terms of tariff, by their lower rate of wages. We have to pay more for what we consume because gold is carrying up the price of all articles throughout the world. Look at the figures I gave of the food products. Textiles fell, minerals fell, materials fell, but the food products of the world did not fall. With the great depression of business, which was world-wide, the food products—animal food and vegetable food—gained a point absolutely in the teeth of the depression of last year. Mr. President, in talking about prices let us be fair. Prices are not going to be affected materially by the tariff. The things that cost the people most, the absolute necessaries of food, are not going to be got rid of by a change in the tariff.

I have, also, the American prices, and I will print them both. One in the textiles, the other is food. I have made as complete a list as I could, from the figures of our Bureau of Statistics. Clothing, which is, of course, a protected industry, woolen and manufactures of cotton and woolen manufactures, I have here in detail. It shows an average increase in the last ten years of 15.23 per cent, but the food products show an average increase of 26.48 per cent. We all know very well how little, comparatively speaking, the food products are affected by the tariff.

The one great food product that is materially affected by the tariff is sugar. The world price of sugar has declined, and all the protection we have had has been unable to force the price of sugar beyond a certain point that of imported sugar duty paid. It has remained at a low point and fluctuated there. I will ask to have those two lists printed.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The lists are as follows:

Clothing.	Per cent.
Blankets	13
Heavy boots and shoes	14
Finer boots and shoes	9
Women's boots and shoes	18
Carpets	21–23
Cotton flannels	49
Denims	11
Drillings	23
Flannels	22
Ginghams	2
Men's hosiery (decrease)	4.4
Women's hosiery, Egyptian cotton	9–10
Women's cotton hosiery (decrease)	11
All-wool overcoatings	19
Overcoatings, cotton warp (decrease)	11
Overcoatings, light weight	3.1
Overcoatings, kersey	48
Shirtings, average increase, 1890 to 1908	17
Average increase	15.23

Mr. LODGE. Taking the average wholesale prices between 1890 and 1899 as the basis of 100, the following articles have shown increases as follows:

Food, between 1899 and 1907.	Per cent.
Barley	69
Oats	67
Rye	45
Beans	6
Butter crackers	33
Soda crackers (decrease)	10
Home-made bread	18
Vienna bread	13
Butter extracts	26
Dairy butter	32
Cheese	43
Eggs	41
Buckwheat flour	32
Rye flour	38
Wheat flour	13
Apples, evaporated (decrease)	.5
Sun-dried apples	23
Currants	87
Prunes (decrease)	24
Raisins	8
Lard	40
White corn meal	29
Yellow corn meal	33
Bacon	41
Fresh beef	14
Mess beef	22
Western beef, salt	44
Hams	32
Mutton	16
Pork	51
Milk	31
Rice (decrease)	.7
American salt	12
Spices	32
Sugar (decrease)	1.6
Tallow	42
Potatoes (decrease)	1.6
Vinegar	16
Average increase	26.48

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. LODGE. I shall be through in a moment, and then I will yield.

Mr. LA FOLLETTE. I wish to ask a question before the Senator finishes.

Mr. LODGE. Certainly; I yield for that purpose.

Mr. LA FOLLETTE. Does the Senator's table of dividends of cotton mills show the amount set aside as surplus?

Mr. LODGE. It shows the amount invested in the mills.

Mr. LA FOLLETTE. I understood that.

Mr. LODGE. It shows the actual quick capital.

Mr. LA FOLLETTE. It does not show the amount set aside as surplus?

Mr. LODGE. Does the Senator mean undivided profits?

Mr. LA FOLLETTE. Yes; I mean the surplus and undivided profits.

Mr. LODGE. I could get that from the bureau of corporations in Massachusetts, but I have it not here.

Mr. LA FOLLETTE. I did not know whether it was included in the table or not.

Mr. LODGE. They do not carry a large amount of quick capital; they either divide it or invest it.

Mr. LA FOLLETTE. It is not in the table which the Senator is to have printed in the morning?

Mr. LODGE. No; I could not get it without applying to Boston for it.

Mr. OVERMAN. Will the Senator yield to me for an inquiry for information?

Mr. LODGE. With pleasure.

Mr. OVERMAN. I understood the Senator to say that the average rate in the cotton schedules is 38 per cent?

Mr. LODGE. On cotton cloths. I am not including laces. They are 60 per cent.

Mr. OVERMAN. You are not including cotton yarns?

Mr. LODGE. No; I am including cloth. I have only been speaking about the cloth schedule.

Mr. OVERMAN. I know you have. Has there been any increase whatever over the Dingley rates on any of these items?

Mr. LODGE. I do not understand that there has been. If I am correct, and I believe I am, for I have given a good deal of attention to it, we have merely extended the classification to new goods.

Mr. OVERMAN. I understand that.

Mr. LODGE. I do not understand that we have advanced the rate. I certainly had no intention of doing that, as far as I am concerned. But we have not advanced the average ad valorem of the cotton schedule.

Mr. OVERMAN. I want to know if there was any increase whatever in the yarns or cloth from the Dingley rates.

Mr. LODGE. I can not say that there is not a single item that would not show an increase, unless I had the table before me and went over it one by one. The Senator from Rhode Island [Mr. ALDRICH] knows better about those details than I do. I have been over them, and I am not aware of any increase.

Mr. SMITH of South Carolina. I should like to ask a question, in order that I may understand one matter fully. I was interested in what the Senator said as to the increase in the gold production in the world. He said the effect of the gold production had been to raise the general price of wages in this country on account of there not being an oversupply of labor.

Mr. LODGE. Mr. President, what I said was that gold was a continual acting force in raising the general level of the world's prices; that the world's prices had gone up, and, of course, our prices have gone up with the world's prices. I said the upward effect produced by the gold could only be overcome in a case like sugar, where there was more sugar than the world could buy, and nothing could force that up, of course. It can not raise wages generally where there are more men than work, but where there is an overdemand, as in our own country, where, in good times, there is an immense demand for labor, it acts on labor exactly as it acts on any other commodity. I do not mean that that was the only cause at work in advancing the wages of labor; I think there are other causes; but I wished to show, if I could, that even the great propelling force of the increased gold circulation was not sufficient to raise the level of wages in countries where there was an excess of labor.

Mr. SMITH of South Carolina. The main point I wanted to get is whether the Senator was arguing that the increased price of labor in Europe had not responded because of the oversupply of labor in comparison with the gold, while in America it had responded.

Mr. LODGE. That is it exactly. The wages have not responded in England or in Europe as they have here to the general rise of the world's prices.

Mr. SMITH of South Carolina. I just wanted to find out whether that was what the Senator meant, for the reason that it has been contended that our great prosperity in America as compared with Europe came from our higher protective duties and not from the increase of gold.

Mr. LODGE. I think gold is a principal element in the advance of the world's prices. I do not think there is any doubt about that.

Mr. SMITH of South Carolina. I wish to ask just one other question, if the Senator will allow me. The price of sugar, I understood him to say, was not advanced because there was an overproduction of sugar. The price of sugar in this country has held up pretty well in spite of this overproduction. Does the Senator admit the price of sugar, therefore, has been held above a level that it would not otherwise have had but for the higher duties?

Mr. LODGE. Oh, no, Mr. President; the price of sugar has declined proportionately, I think the Senator will find, everywhere.

Mr. President, I wanted to call attention to a few facts in regard to the great cotton industry. In 1905 there were 310,000 people in the United States earning wages in the cotton industry. In Massachusetts there were 88,033 in 1905, and in 1900 there were 92,085. The maximum prior to 1905 was 100,982. The capital was $605,100,164. During this time, which has been a period of prosperity, until within a year, wages have been advanced in those industries, as I have shown, 32 per cent, and the hours of labor have been shortened in Massachusetts to fifty-six hours per week and to fifty-eight in the other New England States.

Mr. ALDRICH. To fifty-six in Rhode Island.

Mr. LODGE. To fifty-six in Rhode Island also. The wages paid out were $94,377,696, and, as I also pointed out, the increase since 1900 to 1905 was 10.9 per cent; that is, there was 2½ per cent increase in the number of wage-earners and an increase in wages of 10.9 per cent.

Under the general cotton products, we imported $31,869,000 worth; under cotton laces, $39,737,000; and under wearing apparel, $1,358,000, making a total of $73,964,000.

Mr. President, almost all of that could be made here without advancing prices to the consumer, if we can be allowed to take possession of our own market. There were 310,458 wage-earners in 1905. That means probably one million and a quarter people who derived their living from the mills. There are 155,000 in New England. There are 31,000 in the Middle States. There are 120,000 in the South. There are 2,000 in the Western States. That is a great body of people, Mr. President. We hear a great deal in this debate about consumers. All those people are consumers. They are also buyers. They buy rice with duty of 100 per cent. They buy tobacco, with its eighty-odd per cent duty. They buy all the articles of the agricultural schedule, and they do not complain.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. LODGE. No; not now.

It is impossible to draw a distinction between consumer and producer. These people are entitled to the same consideration as every other body of American citizens. They are a large, industrious body. You can not bring down the duties on what they make without affecting them. The only flexible point that remains in the cotton industry is wages. Domestic competition, in the absence of all combinations and trusts, has been sharp and brought costs and prices close together. If you lower duties, you lower wages or deprive all these people of employment.

I was interested the other day, Mr. President, when the Senator from Georgia brought out my dear old friend, the "robber baron." I have not heard of him for a great many years. We have had so many monopolists and trusts lately that the "robber baron" goes back almost to the earlier Victorian times and the days of the Manchester school, when the view which the English people took was that free trade of the Manchester school variety was not only true economically, but that it was also true morally; and anyone who questioned it was a depraved person, ready to question the procession of the equinoxes or the Ten Commandments. We have passed a good way beyond that belief and its queer economic fallacies; but the "robber baron," riding on his forays into the rest of the country, which is just as able to make cotton goods as New England, or New York, or Pennsylvania, or South Carolina, belongs to that old period. When I heard of him once more, it carried me back to the time of the Mills bill, when the "robber baron" rode up and down with great vigor in our debates. I want to quote something that Mr. Reed then said about him. Mr. Reed had a way of saying a wise and penetrating thing more epigrammatically and putting more wisdom into an epigram than any man I have ever known in public life. In his speech on the Mills bill he said this:

> After all, this exaggerated idea of the profits of manufacturers is at the bottom of the chairman's feelings. Whenever I walk through the streets of that democratic importing city of New York and look at the brownstone fronts my gorge always rises. I can never understand why the virtue which I know is on the sidewalk is not thus rewarded. I do not feel kindly to the people inside. But when I feel that way I know what the feeling is. It is good, honest, high-minded envy. When some other gentlemen have the same feeling they think it's political economy.

Mr. President, I think that the world of political economists and others have got beyond the theories of the Manchester school. Even in the rosy dawn of its first triumph there was a

man in England, who was afterwards a prime minister, Mr. Disraeli, who said, in 1846:

> It may be vain now, in the midnight of their intoxication, to tell them there will be an awakening to bitterness. It may be idle now, in the springtide of their economic frenzy, to warn them that there will be an ebb of trouble. But the dark and inevitable hour will arrive; then, when their spirit is softened by misfortune, they will recur to those principles which made England great, and, in our belief, can alone keep England great. They may then, perchance, remember, not with unkindness, those who, betrayed and deserted, were neither ashamed nor afraid to struggle for the good old cause—the cause with which are associated principles the most popular, sentiments the most utterly national—the cause of labor, the cause of the people, the cause of England.

Sixty years have passed, Mr. President, and the party of Disraeli is on the eve of its return to power, carrying all the by-elections on the issue of tariff reform, which, over there, means a reimposition of reasonable protective duties. Mr. Disraeli's vindication has been slow in coming, but it promises to be complete.

Mr. President, the Senator from Iowa quoted a very great writer, Thomas Carlyle. He, too, was living and thinking at the time of the idolatry of free trade and the Manchester school; and I want to add one other short quotation from him. Here is what he said in Past and Present:

> All this dire misery, therefore, all this of our poor workhouse workmen, of our chartisms, trade strikes, corn laws, Toryisms, and the general downbreak of laissez faire in these days may we not regard it as a voice from the dumb bosom of nature saying to us: "Behold, supply and demand is not the one law of nature; cash payment is not the sole nexus of man with man; how far from it. Deep, far deeper than supply and demand are laws, obligations, sacred as man's life itself; these also, if you will continue to do work, you shall now learn and obey. He that will learn them, behold nature is on his side; he shall yet work and prosper with noble rewards. He that will not learn them, nature is against him; he shall not be able to do work in nature's empire—not in hers. Perpetual mutiny, contention, hatred, isolation, execration, shall wait on his footsteps till all men discern that the thing which he attains, however golden it looks to be, is not success, but the want of success."

The world has been coming back to those utterances, Mr. President, and when you really touch the chord, and when the peril comes home to the people, you can hear the response in trumpet tones. Look at the feeling of our extreme western people on the Pacific coast against the importation of Asiatic labor. There is no use in talking "laissez faire," or "buying in the cheapest and selling in the dearest market" to them; they do not propose to have that competition at their doors. Their instinct is absolutely right, in my judgment; and that instinct is just as strong among the people on the other side of the imaginary line in British Columbia. The men of our race here do not propose to have their standard of living lowered to such a point; they will not endure it; and the introduction of a lower-priced labor is just the same in its effects, whether it comes in the form of a man or of the man's work in the goods.

I ask for no extravagant protection; but here is a great industry, with over a million people dependent upon it; an industry that can be set up anywhere. I say that it is for the interest of this entire country that this industry should be fostered and built up. It is small benefit to the people of this country if you lower the price a little on mercerized goods to those who buy at the department stores in New York and elsewhere and throw out of employment thousands of working people scattered from Maine to Florida. It is more important to us to have those people employed. That is what I care about.

My own interest in these mills is next to nothing; but my interest in the welfare of that manufacturing population in Massachusetts is intense. We have got 488,000 people in my State engaged as operatives in all forms of manufacture. The life of the State is there. It is easy enough to say with cheerful indifference, as the Senator from Kansas said, that if the industry does not pay, let them find employment somewhere else. That is a hard measure, Mr. President. Their labor, their bread, is all there; their capital is there in the skill of their practised hands. It is all they have got, and they have been given opportunity for labor and protected in it by the Government. They are grateful for it. They sent their own representatives here to the Committee on Ways and Means to speak for protection. They are as eager for it, more eager than anyone else. It is for those people I plead. It is not that the manufacturer may make more money. I am not anxious about the capitalist. He can take his capital and go to China, if he chooses, and make money. I am not worrying over him; but I am worrying over the thousands of people in those mills whose homes, whose lives, whose hopes, whose everything are bound up in this great industry. What matter does it make whether they live in Massachusetts or in South Carolina? They are Americans. Let us give them a chance to make all the goods they can. Domestic competition has kept the price down, and it will keep it down, but give these wage-earners a chance to work.

Mr. ROOT. Mr. President, before the discussion of this cotton schedule is concluded, I wish to say a few words regarding the participation of the general appraisers of the United States in the preparation of the amendments which have been presented to the Senate by the Finance Committee. I am perhaps, to some extent, moved to speak upon the subject by a certain feeling of loyalty to a worthy and praiseworthy class of public servants, with whom I was long closely associated in former years in enforcing the tariff laws of the United States as the district attorney of the United States for the southern district of New York. I knew them then and during many years of connection with the executive branch of this Government. I have known them since that time; and I wish to say to the Senate that there is nowhere a more devoted, sincere, and capable body of public servants than are they.

Remarks have been made in the course of the discussion upon this schedule which, not so much by direct statement as by their form and the impression which they have conveyed, seem to indicate that there is something discreditable in the fact that representatives of the great body of expert servants of the United States engaged in the enforcement of the tariff laws have been brought to Washington for the purpose of informing the members of the Finance Committee in their preparation of amendments. Among those who have been brought here, including the gentleman whose name has been mentioned to-day—Mr. de Vries—are the most trusted and the most able of the experts of the United States in enforcing the tariff laws.

That is not my opinion alone, but I venture to say that you will find it to be the universal opinion, not of the importers alone, but of the manufacturers as well as the importers, of judges and juries, and of the citizens of the communities in which they live and work. They are not the agents of the manufacturers; they are the agents of the people of the United States, who employ them under the laws made by this Congress to inform themselves upon the meaning and the application of our customs laws and upon all the intricacies of the vast and complicated business to which those laws are to be applied. They do perform their duty with exemplary fidelity, skill, and integrity.

I am sure the Senator from Iowa [Mr. DOLLIVER], who has several times alluded to the presence of these gentlemen here, agrees with me in my estimate of them.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Iowa?

Mr. ROOT. Let me finish my sentence, and then I will yield.

I am sure that the Senator from Iowa has not intended in a word that he has spoken to bring any of those gentlemen into discredit, to wound their feelings, or to carry to the minds of the people of our country the idea that they are not now here engaged in faithfully and properly discharging the duties for which they are employed by the Government of the United States. I now yield to the Senator from Iowa.

Mr. DOLLIVER. Mr. President, the Senator from New York is entirely right in saying it is not any part of my purpose to make a disparaging allusion to anybody. I have all my lifetime had a very fixed rule, and that is to treat with kindness and respect the opinions and the activities of every man; but I have been in the last thirty days subjected to a running fire of disparagement, originating, much of it, behind the doors of the Finance Committee, both as to my motives and as to the manner of the preparation which I have tried to make in the discharge of my duties here, that has seemed to me to warrant these indirect and veiled allusions, which have seemed to wound the sensibilities of the Senator from New York. But I will add that I have made no such disparagement of Appraiser De Vries as was unconsciously made against him this day by the honored chairman of the Finance Committee [Mr. ALDRICH], who, in the course of explaining to the Senate how the intentions of Congress has been turned aside and how the protective character of the act of 1897 had been destroyed, undertook to denounce as wicked, and, if I understood him correctly, inspired by evil-minded importing interests, certain decisions which modified somewhat the original understanding of the Dingley Act. The worst reflection that I have made upon the general appraiser was to point out to the Senator from Rhode Island that the decision that destroyed the integrity, as he claimed, of the original Dingley tariff act, was a decision rendered by the chairman of the General Board of Appraisers.

Mr. ROOT. Mr. President, I am gratified at the statement of the Senator from Iowa. I knew that he entertained only respect for these gentlemen, with whom he also has been long associated in his former distinguished services in framing the tariff acts of the United States.

I think sometimes, Mr. President, Members of the Senate and of the House of Representatives fail to appreciate how weighty their own words are and how deep may be the wound, and perhaps the injury done, to the humble servants of our Government by criticisms or reflections which pass in the Chamber itself as of very little consequence.

Mr. President, the tariff laws have to be applied to exceedingly complicated and varied business. It has been my fortune to try many hundreds of tariff cases and to rely upon the examination of this very class of public servants for the establishment of the Government's case. I have seen many and many a time what I knew to be the intention of Congress fail of effect, because the words used by the draftsman of the act were not aptly selected to describe the very thing that the draftsman had in mind. Many and many a time, Mr. President, in the trial of causes for the Government I have wished that the witness who had been explaining the business to which the law was to be applied might have been before the committee that framed the law.

For years I have watched the Treasury decisions and the framing of new statutes—for, I am sorry to say, sir, that it was many years ago that I was engaged in the business of enforcing these laws—and many a time I have seen in the framing of successive tariff acts new language adopted for the purpose of curing failures in previous laws and to give effect in practical application to the intention for which the law was framed. In every case those improvements of the law to obviate the defects in past statutes have been brought about by the intelligent and instructive advice of these experts of the Government, whose advice was fruitless when the law with its defects was to be enforced.

It seems to me, sir, that it is a step, and a great step, in the direction of the right way in framing a tariff law, to bring these gentlemen here, so that they may advise the committees of Congress how to frame the statute in such a way that the classification, the description, the distinctions, the discriminations of the law may be rightly adjusted to the variations and the transactions of the business to which the law is to be applied; and I beg to say, sir, that it seems to me that the presence of these gentlemen here is in the direct line of the development of the tariff commission, which so many of my friends upon this floor desire.

I myself, sir, believe that it is highly desirable to have a body of public officers who shall investigate the facts before the proposed statute comes into the Houses of Congress for discussion, who shall be able to present to us in clear and definite form the facts, ascertained as a master in chancery would obtain them for the benefit of the court. I see in the provision which the committee has reported the opportunity for the organization of such a body of public officers, and I see in the presence of Mr. de Vries, Mr. Sharretts, and the other assistants whom they have here advising the committee, a step in the orderly and natural development of such a public body—a step in the kind of process, sir, by which, under our system of laws, those who inherit the Anglo-Saxon method of improving law, naturally proceed, not by framing a theoretical system anew, but by the process of gradual development.

I welcome the presence of these gentlemen. I think they are entitled to credit for the proper and praiseworthy performance of their public duty as officers of the United States, and I hope that they will not only be continued here in the performance of their work, but that from this beginning will grow the existence of a body of public officers specifically charged with doing upon a wider scale and in a manner better adapted to securing the best results precisely what they have been doing here with the Finance Committee.

Mr. DANIEL. Before the Senator from New York takes his seat, I should like to ask him a question with a very brief introduction. I appreciate the force of what the Senator has said. I had the honor to be one of the committee appointed by this body to help to frame the tariff bill, and I should like to ask the Senator if he thinks that the appointees of the Senate have the right to hear the officers of the Government who come to instruct the Senate?

Mr. ROOT. I suppose this question relates to the often-mooted controversy which the Senator from Virginia has been carrying on with his Republican associates on the Finance Committee, quite unsupported, as I have observed, by his Democratic associates on the committee——

Mr. DANIEL. That may be true——

Mr. ROOT (continuing). As to the method which the committee should follow.

My understanding is that experts were assigned to inform the Republican members of the committee, and that other experts were assigned to the Democratic members of the committee; and I think that was a very wise and sensible arrangement, for I do not think the country ought to have been kept waiting while this whole subject was discussed for months in the committee room between the representatives of the two political parties, and while the subject is again discussed for months in the Senate between the same representatives of the same parties.

The inevitable effect of having members of both parties together in the discussions which led to the framing of the amendments to this bill would have been that two different views, or perhaps many more than two different views—the views of the Republican party and all the different views of the Democratic party—would have been presented and discussed in the committee room.

Mr. President, the State which I have the honor in part to represent is waiting with its industries for action upon this bill. Its merchants have suspended their customary orders for goods abroad. Its manufacturers are refraining from laying in their stocks of raw material for the conduct of their business. The great activities upon which the revenues of the Government depend are in a state of partial suspension during the discussion of this bill. I do not wish that any Senator should refrain for a moment from any such discussion as he considers to be useful toward attaining the result, but I would not for the sake of a form duplicate the discussion—have it once in the committee room and again on the floor of the Senate. It seems to me that it would be idle and would be useless.

Mr. DANIEL. Mr. President, we heard a most excellent legal argument, and an enlightening argument, from the Senator from New York, and while we all feel the pressure of these events, I wish to say that the State of Virginia has exactly the same right to be represented here as to its enormous interests and its great and growing manufactures that the State of New York has.

Mr. ROOT. I hope the Senator from Virginia does not understand me as questioning that right?

Mr. DANIEL. I do understand you not only as questioning it, but as taking the side of those who have denied it.

Mr. ROOT. The Senator from Virginia certainly misunderstood me if he so understands me.

Mr. DANIEL. I will explain my understanding.

Mr. ROOT. I answered the question——

Mr. DANIEL. No, sir; you have never answered the question.

Mr. ROOT. I answered the question of the Senator from Virginia, that I did not think it was expedient that there should be a double discussion upon this subject, not by the Senator from Virginia, but by any Senator; that there should be a discussion of the whole subject first in committee, and then a discussion in the Senate. Far from me to indulge in any discrimination against the State of Virginia or its Senator, whose words have always delighted and instructed me, and to whom I am always more than glad to yield.

Mr. DANIEL. Mr. President, I do not attribute anything but the right motives to the distinguished Senator from New York, but I have heard him repeat discussions that went before the committee, no doubt, if he knew anything about them, as much as any average Senator here, and always to enlightenment and instruction. I have occupied no more time upon this floor than he has done, and only a few Senators, who were not so well represented as that Senator was upon the committee and who had to grope in the dark here, have occupied more time than the other distinguished Senators, some of whom were on the committee, and who, like the Senator from Massachusetts [Mr. LODGE], to-day have felt perfectly free to discuss what they had already been informed of, like everybody else.

My distinguished friend is mistaken in saying he answered my question. I did not ask the Senator what he thought expedient, nor is he or the committee the sole judge of expediency in this body. I asked him the question if he thought it was right that all this illumining information, which he has defended on account of its character, and all these expert men, whom he has shown to be capable, should be sent here by the Government of the United States to illumine a committee, and that members of the committee, who have as dignified a position as anyone who may control it, should be denied that light before they went into the discussion? That is the question I asked, and that is the one which was replied to by a most ingenious, a most evasive, and almost sophistical reply.

Mr. GORE. Mr. President——

Mr. DANIEL. I have not yielded the floor. The distinguished Senator from New York says that they have sent us experts. They sent no such experts as these. They denied us a right which, as American Senators, we possess, and which is a part of our title to sit in this body—the information that the Government sent these experts to give.

The Senator says that the Democratic members of the committee did not stand by me. What difference does it make

whether people stand at your back when a man stands on an American constitutional right? Does the Senator look to see what is behind him or what support he has when he knows he is right? I took my position because I knew I was right in it, and if no one else on any side came to support me, let them answer with themselves.

Mr. President, I have dropped this matter because not only was I helpless, but the Senate was helpless. I might have expected, but for helplessness, that the distinguished Senator from New York himself would have volunteered to stand forth and defend me. But the Senator is helpless, I presume. He knows what is right as well as any man in this country. He knows as well as any man in this country what becomes the dignity of a Senator and his desire to serve.

What difference if Democratic committees heretofore have done the same? Are there not many respects in which all parties might reform themselves, and are we to be bound by things that were wrong because our party did them? I would lament the obligations under which such a principle would put the distinguished Senator or any Democratic Senator. The thing is not right. It is in plain violation of the parliamentary law of this body.

It is in plain violation of the spirit of the Constitution of the United States, which says that each State, however great, each State, however small, each State, however populous, each State, however few its population, each State, however rich—and there is none richer than New York—and each State, however poor, shall have an equal representation in the Senate. Samson with his locks on was one man; Samson with his locks shorn is another.

I do not think the Senator from New York will ever stand up and say he is right. I do not think he will ever put the weight of his high character, of his great career, and of his distinguished opinion behind such a proposition; and I had a certain sympathy with him in his evasion. I leave him in bed with it.

Mr. ALDRICH. Mr. President, the Senator from Massachusetts [Mr. LODGE] alluded to a statement which he understood I was to put into the RECORD in regard to the earnings of certain classes of people in London. The statement has been furnished to me by my colleague [Mr. WETMORE]. It is from the forty-fourth annual report of the governors of the Peabody donation fund, of London:

The average weekly earnings of the head of each family in residence at the close of the last year was £1 1s. 9d. In the cases in which the governors pay the rates the average weekly charge, including the rates, of each dwelling was 5s. 4d. a week, and of each room 2s. 4d. The rent in all cases includes the free use of water, laundries, sculleries, and bathrooms.

The mean population during the year was 19,914, showing a density, after taking into account the occupied portion only of the Herne Hill and Tottenham estates, of 571 people to the acre, or nine times that of London.

This was for the year ended February, 1909, the report having been made in February of this year.

The employments of these people are given in a table which is annexed to their report, which I ask to have printed in the RECORD. It includes plumbers, gas fitters, bricklayers, and the great class of people in the city of London. Of course these statistics were not secured for any political purpose or any economic purpose. This is simply a report of the board of governors as to the earnings of the people living in these houses, and stating their occupations. Of course Senators will understand that the average earnings of $5.25 a week are less than half the earnings of persons engaged in similar employments in any city in the United States.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent that the table which he has referred to may be printed in the RECORD. The Chair hears no objection, and it is so ordered.

The table referred to is as follows:

Table showing the employment of the tenants.

Bag makers	7
Bakers	39
Bookbinders, etc	53
Book folders	57
Boot and shoe makers	31
Box makers	33
Brass finishers	16
Brewers' men	86
Bricklayers	16
Brush makers	8
Butchers	21
Cabinetmakers	28
Caltmen	38
Carmen	280
Carpenters	64
Carpet planners	5
Cellar men	40
Charwomen	530
Checkers	33
Cigar makers	12
Cloth workers	17
Coachmen and stablemen	118
Cooks	61
Coopers	9
Costermongers	9
Dressmakers	50
Enginemen	42
Engravers	6
Farriers	5
Firemen	7
Florists	17
French polishers	22
Furriers	11
Gardeners	14
Gas fitters	31
Glass cutters	17
Hatters	14
Harness makers	5
Jewelers	15
Laborers	693
Lamplighters	28
Laundresses	17
Leather dressers	16
Letter carriers, etc	81
Lightermen	13
Machinists	84
Mangle women	14
Masons	10
Messengers	86
Metal workers	47
Molders	4
Needlewomen	205
Nurses	44
Office keepers	63
Packers	154
Packing-case makers	13
Painters, etc	71
Pensioners	112
Plumbers	20
Police constables	69
Porters	431
Printers	163
Sailors	17
Scavengers	33
Servants	153
Servants (railway, tram, and omnibus)	104
Shopmen	90
Smiths	27
Soldiers	24
Stevedores	10
Stokers	27
Storekeepers	39
Tailors	86
Tidewaiters	5
Timekeepers	16
Tin-plate workers	11
Travelers	28
Turners	14
Type founders	1
Umbrella makers	4
Upholsterers	15
Various trades	58
Waiters	78
Warehouse laborers	216
Watchmen	27

Mr. BRISTOW rose.

Mr. ALDRICH. I was about to move to adjourn, but I will withhold the motion if the Senator from Kansas desires to speak.

Mr. BRISTOW. For just a moment.

Mr. GALLINGER. Will the Senator from Kansas yield to me for a moment?

Mr. BRISTOW. Certainly.

Mr. GALLINGER. In connection with the paper the Senator from Rhode Island has submitted, I want to ask unanimous consent to have printed a single page from Bulletin No. 80, of the Bureau of Labor, January, 1909, which has just come to the Members of this body. It relates to wages in the textile industries in Great Britain, which has a direct bearing upon the discussion of this paragraph in the bill. I ask unanimous consent to have it printed. I thank the Senator from Kansas.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Wages per week of women and girls in textile industries.

[From the Board of Trade Report, 1886.]

Industry.	Average wages.	Per cent of all women and girls whose full-time earnings were—				
		Under $2.43.	$2.43 and under $3.65.	$3.65 and under $4.87.	$4.87 and under $6.08.	$6.08 and over.
Lancashire and Cheshire cotton	$3.51	10.7	44.9	32	12.1	0.3
Yorkshire and Lancashire woolen	3.20	10.6	64	25.3	.1	.....
Yorkshire woolen and stuff	2.78	36.6	62.8	.6	.....	.....
West England stuff	2.60	45.3	54.7	.....	.....	.....

The higher wages in Lancashire in the cotton industry are due in part, at least, to trade unions, and woolen wages may be indirectly affected by cotton wages in that district. Earnings are higher in districts where the textile manufactures are most centralized and highly organized, and lowest where they are only a subsidiary industry.

In Dundee an investigation made in 1904 showed the following wages paid women workers in the jute and flax mills of that city:

Women's wages per week in Dundee textile mills, by occupations, 1904.

Occupation.	Lowest wage.	Highest wage.	Medium wage.	Predominant wage.	Number of observations.	Number receiving predominant wage.
Preparers	$1.44	$3.04	$2.15	$2.15	85	24
Shifters	1.76	2.33	2.09	2.01	25	4
Spinners	1.70	3.10	2.33	2.33	134	107
Winders [a]	1.70	3.35	2.68	2.68 2.92	31	[b] 7
Weavers [a]	1.22	3.65	2.92	2.92 3.41	40	[b] 10

[a] Pieceworkers. [b] At each predominant wage.

The weekly wages of 206 male preparers were secured, showing a medium wage of 10s. 4d. ($2.51), and a predominant wage of the same amount; and 80 male shifters received a medium wage of 9s. 5d. ($2.29), while the predominant rates, paid to 16 in each case, were 9s. 5d. ($2.29), and 10s. 3d. ($2.49). The half timers whose wages were investigated numbered 150, and they received a medium wage of 4s. (97 cents), and a predominant rate, paid to 35, of 3s. 7d. (87 cents). The medium earnings of men power-loom operatives were 19s. ($4.62), while men working on carpet looms earned 12s. ($2.92). In a Liverpool rope factory, with over 100 women employees, the average earnings of the women were as follows, in the occupations stated: Preparers, 10s ($2.43); carders, 8s. 2½d. ($2); opening knots, 6s. 10½d. ($1.67); spinning green hemp, 9s. 7½d. ($2.34); machine spinning, 12s. ($2.92); hand spinning, 13s. ($3.16). In another factory of the same kind the per cent of women and girls employed earning under 6s. ($1.46) was 39; those earning 6s. and under 8s. ($1.46 and under $1.95) was 19; those earning 8s. and under 10s. ($1.95 and under $2.43) was 11; those earning 10s. and under 12s. ($2.43 and under $2.92) was 11; and those earning 12s. and over ($2.92 and over) was 20.

Mr. BRISTOW. Mr. President, I rose to refer in a few words to a statement made by the Senator from Massachusetts [Mr. LODGE] in regard to a remark made by myself in the discussion, and to state that, repeated as it was by the Senator from Massachusetts, in the connection it was, it is misleading. The remark as attributed to me was made in discussing the development of an industry, when I stated that if the beet-sugar industry could not be developed so that ultimately we could produce sugar without imposing a tax of 2 cents a pound upon the importation of sugar, we had better not undertake to develop it, but let the energy of our people be devoted to the development of some other enterprise that would be more practicable.

Mr. LODGE. I did not refer to what the Senator from Kansas said on sugar. It was a remark he made one day in regard to one of the lead industries. He said—of course I do not profess to give the exact words now, at this distance, but it impressed me very much at the time—that if this industry required so much protection, let the people engaged in it go into something else.

Mr. BRISTOW. I still maintain that there are industries which it does not pay to undertake to develop. If you have to impose a duty that is too high, we had better use our energy in developing things that it is more practicable to produce, and it was not certainly offered in connection with a discussion that would lead one to believe that a factory should be dismantled and the people turned out to seek employment elsewhere.

In this connection, I want to state that I voted for a duty of 1½ cents a pound on lead, not because I believed that originally such a duty was justified, but because there have been mines opened, and I was convinced that to take that duty off would close those mines and compel the people who are at present employed to seek other employment; and rather than to precipitate that kind of a condition, I favored the keeping on of a duty which I thought was too high.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 2, 1909, at 10.30 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 1, 1909.*

The House met at 12 o'clock noon.

Prayer by Rev. George Robinson, chaplain, United States Army, retired.

The Journal of the proceedings of Friday, May 28, was read and approved.

LEAVE TO PRINT.

Mr. MOSS. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to print remarks in the RECORD. Is that the request of the gentleman?

Mr. MOSS. Yes.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, on what subject?

The SPEAKER. The gentleman does not state.

Mr. PAYNE. Then I shall object unless he does state.

Mr. MOSS. The remarks are upon the subject of the woolen schedule. It is some data which I prepared on the woolen schedule sometime ago.

The SPEAKER. The gentleman desires to print remarks in the RECORD upon the woolen schedule.

Mr. PAYNE. I have no objection.

The SPEAKER. The Chair hears no objection.

Mr. MOSS. Mr. Speaker [reading]—

A business proposition for business men. A problem in economics: For each $100 spent for clothing, $19.42 goes to labor.

This statement appeared in the Local Option Sentinel, issued to the voters of Clay County at the recent special election. I have not verified this statement, but as it was one of a number of computations including the labor cost of boots and shoes, furniture, hardware, cotton goods, men's furnishings, and whisky, I presume it was verified before being published.

Referring to the tariff bill as pending before Congress, I find the following rates: Cothing, ready made, and articles of wearing apparel, 44 cents per pound and 55 per cent, equivalent to a tariff charge of 100.56 per cent ad valorem. This comparison, Mr. Speaker, suggests this further problem in economics—another business proposition for business men: Why shall a product of which less than 20 per cent of the total cost is said to be due to labor be taxed more than five times the entire labor cost? Our present tariff law, the Dingley Act, carries the highest rates in the history of our country's tariff legislation. The average ad valorem rate is 44.16 per cent, or less than one-half the rates on ready-made woolen or part-woolen clothing. In fact, the silk schedule, which is supposed to be used largely by the rich, is but 53.24 per cent as compared with 60.02 per cent in the woolen; on sugar the average rate is 61.13 per cent; so that of all our high-tariff duties the highest schedules are wools and sugar, two prime necessities of life. It has generally been understood that the sugar trust has controlled the rates on sugar, and this has been a scandal for years; but who has controlled the rates on wool and woolens? These rates are not new, and the present revision is not changing them. Senator ALDRICH, in explaining this schedule, said:

The rates upon woolen cloths were substantially identical in the McKinley Act with what they are in the Dingley Act, and what the rates reported by the Senate committee are.

We have here a statement that these rates have been in the law since 1890, a period of nineteen years, and that there is no change to be made in this good year of our Lord. Senator DOLLIVER of Iowa, who has been in Congress for more than twenty years, carried these rates further back in the calendar of time, and said:

Nor is it necessary to quote what happened in 1897 or 1890. My honored friend [Mr. ALDRICH] could have gone further. The fabric of the protection of woolen merchandise was built long before 1890. It is certain that the exact framework of our present schedule applicable to woolen cloths appeared in 1867. So far as I can find out, although I am not an acute student of the hidden things of history, a meeting was held in the Senate between the shepherds and the woolen manufacturers; and the shepherds being extremely anxious for substantial rates, it was after a while agreed between them that each should take what he wanted; but the public was not present in the conference so far as the RECORD discloses.

Senator WARREN. I did not exactly catch all the Senator said. In connection with what tariff and in what year was the meeting between the shepherds and woolen manufacturers to which he refers?

Senator DOLLIVER. I think it was in 1867.

Senator WARREN. I have only a word to say. While it is evident that that was before my day in the Senate, it was not before my day in the sheep business or in the wool business, and it was not before my day of meeting with other shepherds. If there was an agreement of that kind, I never heard of it; and I know that I was down here fighting for better protection for the woolgrowers, and that we were not satisfied with what we got.

Senator DOLLIVER. I may have been deceived by a myth and a tradition; but if I have, it has deceived a good many other people.

This seems to me to be very nearly like the old rule of "addition, division, and silence," and, as Senator ALDRICH had stated, that this schedule constituted the very citadel of protection. I wondered if that strong, old fortress had been erected by the very common methods which are used to plunder the revenues of our municipalities and other local governments. And I have been fortunate enough in searching through the public libraries to find an old volume which has the minutes of that celebrated meeting between the weaver and spinners of our beloved country, and to secure from their minutes an exact copy of the tariff bill of 1867, although the minutes of that meeting was dated April, 1866, and the Congress which gave their suggestions the power to tax the American people had not yet been elected. The law passed March 2, 1867; and in copying the suggestions of these shepherds the clerk of the

Carvers	530
Checkers	33
Cigar makers	12
Cloth workers	17

The higher wages in Lancashire in the cotton industry are due in part, at least, to trade unions, and woolen wages may be indirectly affected by cotton wages in that district. Earnings are higher in dis-

Ways and Means Committee of Congress carelessly dropped out three words—Canada long wools—but this mistake of the clerk was promptly corrected by a special act of Congress, containing a preamble to the effect that the words "Canada long wools" were inadvertently omitted from section 2 of the tariff act; and it was therefore resolved by the Senate and House of Representatives of the United States of America in Congress assembled that these three words, "Canada long wools," be added to the law, and thus the mistake of a careless clerk, when employed by the Congress of the United States to copy the minutes of a woolgrowers' meeting, was rectified and the American people were given as selfish a law as was ever written on the statutes of any people.

I shall place in these remarks in parallel column this report of the wool men and the law as it was enacted by Congress. The report was agreed upon in April, 1866, and the law was enacted in March, 1867. I ask every voter who is tired of costly clothing and high taxation to compare these two columns, and then ask himself who wrote this law. Then recall the statement of Senator DOLLIVER, who said that—

This law is the exact framework of our present schedules as applicable to woolen cloths.

And then ask yourself another question: Why shall the minutes of that meeting held forty-three years ago be copied by the present Congress and a tax of 100 per cent be continued on woolen clothing?

The Government issues the CONGRESSIONAL RECORD to record the speeches for and against any proposed legislation made by the Members of Congress. A reporter was present at this convention of woolmen and took down their speeches. They were all in favor of the bill; and, as I have quoted from the official CONGRESSIONAL RECORD, I will also give extracts from this private congressional record, to show what patriotic motives inspired this meeting and whose interests were being guarded and protected. I quote from E. B. Porter, of New York, who spoke, in part:

Looking this question square in the face, we have concluded, as I have said before, to let bygones be bygones. There has been wrestling and struggling between the respective interests that are represented here, and it must have been of great damage to some of those interests. It can not be helped that it has been so. As I said before, we can not help the past, but we can make provisions for the future; and that is all that men can ever do. Are we willing to do it? We have said in these resolutions that we are. If we mean just what we have said in regard to the matter, then what hinders? Certainly Congress will not set itself up in opposition to these two great interests.

Mr. Colburn, of Vermont, also said in part:

Now I believe it would be a grand thing if we should go hand in hand and get an amount of protection in this country both for wool and woolens that will become gradually, say in ten years, totally prohibitory. Some will say, "Then you are going to oppress the poor. You are going to make clothing so dear that the poor man can not clothe his family at all." Well, that string has been harped upon in this country for political purposes a good many years. Oppress the poor man! When the Government is ready to give him 110 acres of land, if he can pay $10; if he finds he can not get sufficient wages to support his family, will he not take up that land and become a farmer? It is all moonshine to talk about oppressing the poor man in this country. We can not oppress the poor by a high tariff or anything of that kind."

Mr. Hayes, of Massachusetts, said in part:

It is the way of ignorant and barbarous people to cherish the memories of ancient hatred. It is the triumph of civilization to do away with old enmities and prejudice. And we, gentlemen, we of the eastern tribes, have come up to-day to meet you gentlemen of the West, with no recollection of the old feud which has divided us so long. "We have," to quote the language of one of your letters, Mr. President, "washed off the war paint, if any yet remains. We have buried the hatchet; we have smoked the pipe of peace;" and, in this first council of once hostile interests, we have formed an alliance which I trust will inaugurate a new and auspicious era in all our industries.

This joint council between the eastern tribes of spinners and western tribes of shepherds appointed an executive committee to draft a tariff bill, and I submit a copy of that report in parallel columns with the law as passed by Congress eleven months later. Mr. Pottie was right, Congress did not set itself up in opposition to these two great interests; nor was Senator DOLLIVER deceived by a myth.

PROPOSED BILL BY THE WOOLGROWERS, SUBMITTED APRIL, 1866.	THE LAW PASSED BY CONGRESS MARCH 2, 1867.
That from and after the passage of this act, in lieu of the duties now imposed by law on the articles hereinafter mentioned, there shall be levied and collected on all manufactured wool, hair of the alpaca, goat, and other like animals, imported from foreign countries, the duties herein provided. All wools, hair, etc., as above, shall be divided, for the purpose of fixing duties to be charged thereon, into three classes, to wit:	That from and after the passage of this act, in lieu of the duties now imposed by law on the articles mentioned and embraced in this section, there shall be levied, collected, and paid on all manufactured wool, hair of the alpaca, goat, and all other like animals, imported from foreign countries, the duties hereinafter provided. All wools, hair of the alpaca, goat, and other like animals, as aforesaid, shall be divided, for the purpose of fixing the duties to be charged thereon, into three classes, to wit:
CLASS 1.	CLASS 1.
Clothing wools.—That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote; down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Aires, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.	*Clothing wools.*—That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote; down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.
CLASS 2.	CLASS 2.
Combing wools.—That is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the alpaca, goat, and other like animals.	*Combing wools.*—That is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the alpaca, goat, and other like animals.
CLASS 3.	CLASS 3.
Carpet wools and other similar wools.—Such as Donskol, South American, Cordova, Valparaiso, native Smyrna, and including also such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.	*Carpet wools and other similar wools.*—Such as Donskol, South American, Cordova, Valparaiso, native Smyrna, and including also such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.
For the purpose of carrying into effect the classification herein provided, a sufficient number of distinctive samples of the various kinds of wool, hair, etc., embraced in each of the three classes above named, selected and prepared under the direction of the Secretary of the Treasury and duly verified by him (the standard samples being retained in the Treasury Department), shall be deposited in the custom-houses and elsewhere, as he may direct, which samples shall be used by the proper officer of the customs to determine the class, above specified, to which all imported wools belong. The duty upon wools of the first class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, shall be 10 cents per pound, and, in addition thereto, 10 per cent ad valorem; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. The duty upon wools of the second class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, shall be 10 cents per pound, and, in addition thereto, 10 per cent ad valorem; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. The duty upon wools of the third class the value whereof at the last port or place whence exported into the United States, excluding charges in such port, shall be 12 cents or less per pound, shall be 3 cents per pound; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 12 cents per pound, shall be 6 cents per pound: *Provided*, That any wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than the ordinary condition as now and hereafter practiced, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be subject to pay twice the	For the purpose of carrying into effect the classification herein provided, a sufficient number of distinctive samples of the various kinds of wool, hair, etc., embraced in each of the three classes above named, selected and prepared under the direction of the Secretary of the Treasury and duly verified by him (the standard samples being retained in the Treasury Department) shall be deposited in the custom-houses and elsewhere, as he may direct, which samples shall be used by the proper officer of the customs to determine the class, above specified, to which all imported wools belong. And upon wools of the first class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, the duty shall be 10 cents per pound, and, in addition thereto, 11 per cent ad valorem; upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, the duty shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. Upon wools of the second class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, the duty shall be 10 cents per pound, and, in addition thereto, 11 per cent ad valorem; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. Upon wools of the third class the value whereof at the last port or place whence exported into the United States, excluding charges in such port, shall be 12 cents or less per pound, the duty shall be 3 cents per pound; upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 12 cents per pound, the duty shall be 6 cents per pound: *Provided*, That any wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than the ordinary condition as now and hereafter practiced, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be subject to pay twice the

mous consent to print remarks in the RECORD. Is that the request of the gentleman?

had not yet been elected. The law passed March 2, 1867; and in copying the suggestions of these shepherds the clerk of the

amount of duty to which it would otherwise be subjected, anything in this act to the contrary notwithstanding: *Provided further*, That when the wool of different qualities is imported in the same bale, bag, or package, it shall be appraised by the appraiser, to determine the rate of duty to which it shall be subjected, at the average aggregate value of the contents of the bale, bag, or package; and when bales of different qualities are embraced in the same invoice at the same price, whereby the average price shall be reduced more than 10 per cent below the value of the bale of the best quality, the value of the whole shall be appraised according to the value of the bale of the best quality; and no bale, bag, or package shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: *And provided further*, That the duty upon wool of the first class which shall be imported washed shall be twice the amount of duty to which it would be subjected if imported unwashed, and that the duty upon wool of all classes which shall be imported scoured shall be three times the amount of duty to which it would be subjected if imported unwashed. On sheepskins and Angora goatskins, raw or unmanufactured, imported with the wool on, washed or unwashed, the duty shall be — per cent ad valorem; and upon woolen rags, shoddy, mungo, waste, and flocks shall be 12 cents per pound.	amount of duty to which it would otherwise be subjected, anything in this act to the contrary notwithstanding: *Provided further*, That when the wool of different qualities is imported in the same bale, bag, or package, it shall be appraised by the appraiser, to determine the rate of duty to which it shall be subjected, at the average aggregate value of the contents of the bale, bag, or package; and when bales of different qualities are embraced in the same invoice at the same price, whereby the average price shall be reduced more than 10 per cent below the value of the bale of the best quality, the value of the whole shall be appraised according to the value of the bale of the best quality; and no bale, bag, or package shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: *And provided further*, That the duty upon wool of the first class which shall be imported washed shall be twice the amount of duty to which it would be subjected if imported unwashed, and that the duty upon wool of the classes which shall be imported scoured shall be three times the amount of duty to which it would be subjected if imported unwashed. On sheepskins and Angora goatskins, raw or unmanufactured, imported with the wool on, washed or unwashed, the duty shall be 30 per cent ad valorem; and upon woolen rags, shoddy, mungo, waste, and flocks the duty shall be 12 cents per pound.

This report will be found on page 440, Revenue System of the United States, published by the Government in 1866. The spinners also wrote a bill on manufactures of wool, which is published on page 442, same volume, and which was substantially copied by Congress. The woolgrowers adopted as the basis of their bill that it would require 2 pounds of unwashed wool to equal 1 pound of washed wool, and that a pound of scoured wool was equal to 3 pounds of unwashed wool. The manufacturers adopted the basis that it required 4 pounds of unwashed wool to produce 1 pound of cloth; and the agreement between the two interests was that the protection given to wool should be added to the cloth as a specific duty and that an ad valorem duty in addition should be added for the protection of the wool manufacturer. Thus in the instance given in these remarks on woolen clothing, the rate is 44 cents a pound and 55 per cent ad valorem. The 44 cents a pound is the duty under the Dingley law on 4 pounds of unwashed wool. This amount goes to the shepherd; the manufacturer is given the 44 cents a pound duty on imported cloth to compensate him for paying the woolgrowers the 44 cents on 4 pounds of unwashed wool. As the manufacturer pays it to the woolman and charges it to the consumer, he receives neither a profit nor loss on the wool duty, but is placed in the same position he would be if wool was upon the free list. The 55 per cent ad valorem on the cost of the cloth, and this of course includes the added price of the wool, goes exclusively to the manufacturer and constitutes his exclusive advantage or profit out of the schedule. By this simple arrangement both parties make a handsome profit. In 1907 the wool in class 1 paid an average ad valorem of 47.46 per cent; wool clothing, 55 per cent in addition to the wool duty, or a total of more than 100 per cent. Of course the consumer pays both, and in cases of clothing only in part made of wool the manufacturer gets part of the 44 cents, as that is the full duty on 4 pounds of wool; and in part woolen cloth there are not 4 pounds of raw wool used in making 1 pound of cloth.

This agreement has never been questioned or set aside. It is the law to-day. It has not been proven that it requires 3 pounds of unwashed wool to make 1 pound of scoured wool. In fact, it is known not to be true in many cases, and since no scoured wool is ever imported it may fairly be accepted that the rate is well above the average, since it is prohibitory on washed and scoured wool. There were 90,045,325 pounds of unwashed wool of class 1 imported in 1907, 1,675 pounds of washed wool, and 8,119 pounds of scoured wool. Neither has it been proven that it requires 4 pounds of unwashed wool to make a pound of woolen cloth. In fact, to take the exact figures which the woolen manufacturers themselves gave in 1866—they will be found on page 445, taken from the operations of the Proctorville Woolen Mills, of Vermont—61.92 ounces of mestiza wool made 1 pound of woolen cloth. It is well known that all the wools grown in the Middle States, as Indiana and Ohio, are light-shrinking wools, and that the showing on these wools would be much more favorable. The real point, however, to remember is that the amount of 4 pounds—and therefore the specific duty of 44 cents on a pound of cloth—was determined by the manufacturers themselves; that the example given to justify this proportion requires but 61.92 ounces of wool, instead of 64 ounces; and that the wool chosen is an imported heavy-shrinking wool and is not representative of our native wools. It is to be remembered, also, that the specific duty of 44 cents is not lessened if there is any other article used than pure wool, and as much shoddy, woolen rags, and cotton is used in manufacturing there is a palpable fraud practiced on this class of cloth. Even if it does require 4 pounds of unwashed wool to make a pound of pure woolen cloth, it does not require 4 pounds of wool and 2 pounds of cotton or shoddy to make a pound of cloth.

There is much speculation among the people as to who make our laws—whether the Members, by hard work and great study, master these problems, and thus become truly qualified as experts, or whether suggestions come from outside sources. The demand for a tariff commission arises from the belief that Congress does rely on outside authority, and necessarily must continue to do so as relates to technical information. The people justly prefer that these experts shall be employed by them than that they should be on the pay roll of private interests.

Prominent Members of Congress have strongly denied that Congress is in need of experts to gather information, and that a tariff commission is wholly unnecessary and would be probably mischievous. I quote from a letter written by Congressman DALZELL, of Pennsylvania, published in the Bulletin, June 1, 1909, in opposition to the creation of a commission. Mr. DALZELL says:

I can not conceive of any measure much more useless and, at the same time, more fraught with possible injury to the business interests of the country than the creation of such a commission.

Under the Constitution of the United States the inauguration of all measures for the raising of revenue is exclusively intrusted to the House of Representatives, and the duty resulting to the House thereby can not by law be delegated to anyone. It would be impossible to create a commission that would have any authority, even in the most remote way, to fix tariff duties. For practical purposes, therefore, a tariff commission would be utterly useless. The utmost that it could do would be to recommend legislation. But it goes without saying that no House of Representatives would be willing to accept the conclusions of an outside body merely upon its recommendation and without having direct knowledge with respect to the matter recommended.

In view of the action of Congress in 1867, in copying the minutes of a woolgrowers' convention, and that this action has been indorsed by every subsequent Republican Ways and Means Committee, including the present committee, of which Mr. DALZELL is a prominent member, this statement is fairly entitled to a place in the funny papers as a joke. Mr. DALZELL further says in his letter:

But the most convincing argument against the creation of such a commission is to be found in the fact that such a commission would keep the business interests of the country in a state of perpetual unrest. What is needed in a tariff law is stability.

That is the strong point of the wool schedule, its stability. The woolen schedule has been considered settled by every Republican Ways and Means Committee since the treaty of 1866.

In commenting on Mr. DALZELL'S letter, the American Economist, the organ of the stand-pat high protectionists, said:

These reasons for opposing the tariff commission scheme can not fail to be recognized as urgent and convincing. Not one of them can be successfully met, answered, or overcome.

If this clipping had been taken from Judge or Puck, it would not require a label to be classed as a joke.

I do not wish to attempt to take away the credit to which years of hard work and study and conscientious devotion to public service justly entitle Members of Congress; and I feel sure that every Member brings to his public duties not only his entire ability, but the very highest character of conscience and integrity; but it is not necessary to set up the claim of universal knowledge to be entitled to respect or to qualify for useful work in Congress, and in view of the showing on this schedule, it may be said of some of our wool experts in Congress: "No doubt but ye are the people and that wisdom shall die with you."

Unfortunately we can not know how many other associations of producers have been fortunate enough to get their minutes changed into law by action of Congress, and thus be given the privilege of levying the taxes which they wish to collect from the American people. That the wool men have secured this privilege there can be no doubt; but the more this whole tariff question is studied, the more the hidden facts are searched out and placed before the American people, the conviction grows that much of the so-called "expert knowledge" is given by men whose business interests are affected by the results of their statements and whose selfishness renders such statements unsafe to be accepted as the basis to tax the American people. Our tax system is an indirect method of taxation, but the fram-

ing of these laws must be an open and not a secret method. This is the very center of the people's fight for tariff reform, and it is the real crux of the controversy.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries.

PAN-AMERICAN SCIENTIFIC CONGRESS, SANTIAGO, CHILE.

The SPEAKER laid before the House the following message from the President (S. Doc. No. 64), which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of Congress the report of the delegates of the United States sent to the Pan-American Scientific Congress held at Santiago, Chile, in pursuance of the sundry civil act approved May 27, 1908, "to enable the Government of the United States to be fittingly represented at the First Pan-American Scientific Congress, to be held at Santiago, Chile, during the year 1908."

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

PORTO RICAN FRANCHISES.

The SPEAKER also laid before the House the following messages from the President, which were read, referred to the Committee on Insular Affairs, and ordered to be printed:

[S. Doc. No. 67.]

To the Senate and House of Representatives:

In accordance with section 32 of the act of Congress approved April 12, 1900 (31 Stat., 84), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith, for the consideration of the Congress, certified copy of a franchise granted by the executive council of Porto Rico, May 6, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Conrado Díaz, his heirs and assigns, the right to use for irrigation purposes 32 liters of water per second from the river Rio Jueyes, in the barrio Jauca, municipal district of Santa Isabel.'"

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

Also:

[S. Doc. No. 69.]

To the Senate and House of Representatives:

In accordance with section 32 of the act of Congress approved April 12, 1900 (31 Stat., 84), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith, for the consideration of Congress, certified copy of a franchise granted by the executive council of Porto Rico, May 6, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Frank P. McCurdy the right to establish and maintain a ferry service between the municipalities of San Juan and Cataño.'"

WM. H. TAFT.

THE WHITE HOUSE, *May 28, 1909.*

WITHDRAWAL OF PAPERS.

By unanimous consent Mr. GOEBEL was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of John H. H. Babcock, Fifty-ninth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. FINLEY was granted leave of absence for ten days, on account of business.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. OLMSTED. Mr. Speaker, if the gentleman will withhold his motion for just a moment, I have read somewhere that in a large manufacturing establishment they hung up notices throughout the building to the effect that persons desiring to attend grandmothers' funerals or cousins' weddings should give notice two hours in advance of the calling of the game. I venture to suggest there is a good attendance here, and we might treat the gentleman's motion as notice, and before it is put devote an hour or so to debate in which certain gentlemen wish to engage on the Porto Rican bill.

Mr. CLARK of Missouri. Mr. Speaker, I think the motion is not debatable.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

Mr. OLMSTED. I merely make the suggestion to the gentleman from New York; that is all.

The SPEAKER. The gentleman from New York moves that the House do now adjourn.

The question was taken, and the Chair announced that the Chair was in doubt. The House divided and there were—ayes 72, noes 48.

Mr. MACON. The yeas and nays, Mr. Speaker.

The SPEAKER. The ayes have it——

Mr. MACON. Mr. Speaker, I asked for the yeas and nays.

The yeas and nays were refused.

The motion was agreed to.

Accordingly (at 12 o'clock and 13 minutes p. m.) the House adjourned to meet on Thursday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of Commerce and Labor, transmitting a schedule of useless papers in his department (H. Doc. No. 44)—to the Joint Select Committee on Disposition of Useless Executive Papers and ordered to be printed.

A letter from the Secretary of the Smithsonian Institution, transmitting, with a copy of a communication from the superintendent of construction of the National Museum, a statement of costs caused by default of contracts (H. Doc. No. 45)—to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 10318) to create a board to correct military records—to the Committee on Military Affairs.

By Mr. MAYS: A bill (H. R. 10319) to provide for the dredging of the Apalachicola and Chattahoochee rivers in the State of Florida—to the Committee on Rivers and Harbors.

By Mr. STEENERSON: A bill (H. R. 10320) relating to the compensation of letter carriers in the Rural Delivery Service—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10321) for the relief of homestead settlers under the act of February 20, 1904—to the Committee on Indian Affairs.

By Mr. WICKERSHAM: A bill (H. R. 10322) to modify and amend the mining laws of the United States in relation to the Territory of Alaska, and for other purposes—to the Committee on the Territories.

Also, a bill (H. R. 10323) to create, establish, and enforce a miner's labor lien in the Territory of Alaska, and for other purposes—to the Committee on the Territories.

By Mr. AUSTIN: A bill (H. R. 10324) to authorize the Postmaster-General to establish a station, substation, or branch post-office in certain communities—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 56) disapproving a certain law enacted by the legislative assembly of the Territory of New Mexico—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 10325) granting an increase of pension to Martin Kennedy—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 10326) granting an increase of pension to David M. Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10327) granting an increase of pension to Joseph Laughters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10328) granting an increase of pension to Samuel Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10329) granting an increase of pension to John R. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10330) granting an increase of pension to James Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10331) granting a pension to Lemiel A. Ragan—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 10332) granting a pension to Joinville Reif—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10333) granting an increase of pension to William Sheffer—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 10334) granting an increase of pension to William King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10335) granting an increase of pension to John H. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10336) granting an increase of pension to James I. Crouch—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Kentucky: A bill (H. R. 10337) for the relief of George W. Vermillion—to the Committee on War Claims.

Also, a bill (H. R. 10338) for the relief of P. H. Idol and J. A. Craft—to the Committee on Claims.

Also, a bill (H. R. 10339) for the relief of Stanley E. Brown—to the Committee on Claims.

Also, a bill (H. R. 10340) for the relief of Martin A. Turner—to the Committee on Military Affairs.

Also, a bill (H. R. 10341) for the relief of Marion M. Barton—to the Committee on Military Affairs.

Also, a bill (H. R. 10342) for the relief of Pleasant G. Decker—to the Committee on Military Affairs.

Also, a bill (H. R. 10343) for the relief of Warren O. Anderson—to the Committee on Military Affairs.

Also, a bill (H. R. 10344) for the relief of James Piles—to the Committee on Military Affairs.

Also, a bill (H. R. 10345) for the relief of Ellsworth Haggard—to the Committee on Military Affairs.

Also, a bill (H. R. 10346) for the relief of Bailey Owens—to the Committee on Military Affairs.

Also, a bill (H. R. 10347) for the relief of Andy Inman—to the Committee on Military Affairs.

Also, a bill (H. R. 10348) for the relief of James M. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 10349) for the relief of Francis Denham—to the Committee on Military Affairs.

Also, a bill (H. R. 10350) for the relief of John Tucker—to the Committee on Military Affairs.

Also, a bill (H. R. 10351) to correct military record of Pleasant Thomas, late of Company B, East Tennessee National Guards—to the Committee on Military Affairs.

Also, a bill (H. R. 10352) granting a pension to Arrence Nolen—to the Committee on Pensions.

Also, a bill (H. R. 10353) granting a pension to T. J. Ingram—to the Committee on Pensions.

Also, a bill (H. R. 10354) granting a pension to Kizzil Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10355) granting a pension to Mary Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10356) granting a pension to Nancy Stringer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10357) granting an increase of pension to Jonothan Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10358) granting an increase of pension to William Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10359) granting an increase of pension to Jesse F. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10360) granting an increase of pension to William Thrasher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10361) granting an increase of pension to Madison J. Morgan—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 10362) granting an increase of pension to Henry H. Bronstrup—to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 10363) granting an increase of pension to Maria A. Bradley—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10364) granting an increase of pension to Noah Hubler—to the Committee on Pensions.

By Mr. HOWLAND: A bill (H. R. 10365) granting an increase of pension to Jasper C. Downs—to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 10366) authorizing the appointment of Maj. W. R. Parnell, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the army—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 10367) for the relief of Thomas D. Ruffin, of Woodruff County, Ark.—to the Committee on War Claims.

By Mr. MORRISON: A bill (H. R. 10368) granting a pension to Nancy A. Jarrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10369) granting a pension to Samuel Fleetwood—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10370) granting an increase of pension to Abraham Prebost—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10371) to remove the charge of desertion from the military record of James M. Larue, and for other purposes—to the Committee on Military Affairs.

By Mr. SHARP: A bill (H. R. 10372) granting an increase of pension to S. A. Williams—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of Levi P. Hyatt and Henry E. Gibson—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of citizens of Wisconsin against a reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of the Fifth Congressional District of California against increase of duty on gloves—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of James Burke—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Petition of Cleveland Memorial Post, Grand Army of the Republic, Department of Ohio, against portrait of Jefferson Davis on silver service of battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. GOEBEL: Paper to accompany bill for relief of Henry H. Bronstrup—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: Petition of citizens of Cache County, Utah, for increasing rate of pensions for all survivors of Mexican and civil wars to $25 per month, and also of their widows to $20 per month, and to grant all white-race citizens born in the United States or its territories, 65 or more years of age, and to their widows, who have not married, of 60 or more years of age, a pension of $15 per month, provided such citizens or their widows are not pensioners under the existing law—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of M. A. Harder, William M. Gruver, and H. H. McCallum, of San Francisco, Cal., favoring law to exclude all Asiatics—to the Committee on Foreign Affairs.

By Mr. SHARP: Petition of W. A. Rang Lodge, No. 425, Brotherhood of Railway Trainmen, favoring S. 236, S. 1986, and H. R. 7553—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mansfield Retail Grocers' Association and business men of Richland County, Ohio, favoring a parcels-post system—to the Committee on the Post-Office and Post Roads.

Also, petition of ex-Union soldiers and sailors of Mount Vernon, Knox County, Ohio, favoring granting of pensions to all widows of soldiers and sailors of the war of the rebellion without regard to date of marriage—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: Petitions of citizens of Roscoe, Colorado, Pecos, Midland, Big Springs, Snyder, and Loraine, all in the State of Texas, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Colorado: Petitions of Denver Live Stock Exchange, of Denver, and Chamber of Commerce, of Colorado Springs, favoring retention of duty on hides—to the Committee on Ways and Means.

By Mr. WANGER: Petition of presidents and ex-presidents of the United Societies of Philadelphia for Relief and Protection of Immigrants, against the increase of immigration tax from $4 to $10—to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, *June 2, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

USELESS PAPERS IN THE EXECUTIVE DEPARTMENTS.

The VICE-PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, a list of papers and documents on file which are not needed or useful in the transaction of the current business of that department and have no permanent value or historical interest.

In accordance with the statute the Chair appoints the Senator from North Carolina [Mr. SIMMONS] and the Senator from New Hampshire [Mr. GALLINGER] members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, for the disposition of useless papers in the Department of Commerce and Labor.

SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE-PRESIDENT. The Chair lays before the Senate a communication from the secretary of the Smithsonian Institution, transmitting, pursuant to law, the eleventh annual report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1908.

The Chair desires to call the attention of the Senate to the

fact that the accompanying report contains matter in the way of illustrations, which would require the special order of the Senate for printing. If there be no objection, such an order will be made.

Mr. CULLOM. I move that it be referred to the Committee on Printing.

Mr. ALDRICH. Let it be referred to the Committee on Printing.

Mr. CULLOM. That is my motion.

The VICE-PRESIDENT. Without objection, the communication will be referred to the Committee on Printing.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Watson, Frye & Co. v. United States (S. Doc. No. 71), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT laid before the Senate the following telegram, which was read and referred to the Committee on Finance:

AUDITORIUM, ASHEVILLE, N. C., *June 1, 1909.*

VICE-PRESIDENT,
Washington, D. C.:

The Travelers' Protection Association, in convention assembled, representing 40,000 commercial travelers, respectfully petition Congress for immediate action upon the tariff question, believing that its early consummation will promote great awakening of the best interests of our country.

H. O. GRAY, *National President.*

The VICE-PRESIDENT presented a petition of the Chamber of Commerce of Spokane, Wash., praying for the adoption of certain amendments to the interstate-commerce law, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of Spokane, Wash., and a petition of the Oregon and Washington Lumber Manufacturers' Association, of Portland, Oreg., praying that an appropriation be made to enable the Interstate Commerce Commission to secure the valuation of all railroad properties in the United States, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the American Forestry Association, praying for the enactment of legislation to provide for the acquisition of new national forest reserves, especially in the Appalachian region, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. CULLOM presented petitions of the compositors of the Aurora Daily Beacon, of Aurora; of the mailers, compositors, and pressmen of the Joliet Daily News, of Joliet; of the Drovers' Journal Publishing Company, of Chicago; and of the stereotypers, pressmen, compositors, and counting-house employees of the Illinois State Register, of Springfield, all in the State of Illinois, remonstrating against a retention of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented memorials of sundry independent oil producers, farmers, landowners, and citizens, directly interested in the oil industry in the State of Illinois, remonstrating against oil being placed on the free list, which were ordered to lie on the table.

Mr. JONES presented a petition of the Chamber of Commerce of Spokane, Wash., which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

SPOKANE CHAMBER OF COMMERCE AND
SPOKANE MERCHANTS' ASSOCIATION,
May 18, 1909.

Whereas mutual confidence and stable business conditions are necessary as between shippers and the common carriers to the future welfare of the Nation: Therefore be it

Resolved by the Spokane Chamber of Commerce and the Spokane Merchants' Association, That we most earnestly indorse and recommend to Congress the passage of amendments to the interstate commerce act which shall give to the Interstate Commerce Commission, in its discretion, power to suspend the taking effect of proposed advances in existing rates, or rules affecting rates, upon a prima facie case being made showing the unreasonableness of such proposed advances in rates or changes in rules pending a hearing; which shall give to the shipper the right to route his freight, where through routes and through rates are provided for in joint through tariffs, should he desire to avail himself thereof; and which shall require carriers to quote rates in writing upon application, and upon request to insert rates in bills of lading.

Respectfully submitted.

SPOKANE CHAMBER OF COMMERCE,
By D. T. HAM, *President.*

Attest:
[SEAL.] L. G. MONROE, *Secretary.*

SPOKANE MERCHANTS' ASSOCIATION,
By A. M. TOLAND, *President.*

Attest:
J. B. CAMPBELL, *Secretary.*

Unanimously adopted by both associations this the 18th day of May, 1909.

Mr. JONES presented a petition of the Chamber of Commerce of Spokane, Wash., which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

SPOKANE CHAMBER OF COMMERCE AND
SPOKANE MERCHANTS' ASSOCIATION,
May 18, 1909.

Whereas recent rate hearings before the Interstate Commerce Commission have demonstrated that the railroads place particular stress upon the enormous increase in the valuations of their properties, arrived at by their own experts and based upon an alleged increase in the cost of reproduction, and have used these deductions as an argument before the Interstate Commerce Commission to resist any reduction of present excessively high freight rates to Spokane and other interior points similarly situated; and

Whereas to employ competent expert engineers to make a fair estimate of cost of the reproduction of a single transcontinental railway as a basis of valuations would require many thousands of dollars and thereby place a financial burden upon the people of any community seeking relief from extortionate freight rates that would be excessively unjust to the people and should, of a right, be borne by the National Government: Therefore be it

Resolved by the Spokane Chamber of Commerce and the Spokane Merchants' Association, That we respectfully memorialize Congress to grant without unnecessary delay an appropriation of $1,000,000 to the Interstate Commerce Commission, to use all or such part of said sum as may be necessary to make the valuations of all railroad property at the soonest possible date; and

Resolved, That these resolutions be spread upon the minutes of our respective associations and that a copy be forwarded to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, the chairmen of the Committees on Interstate Commerce of the Senate and House, and to the chairman of the Interstate Commerce Commission; also that a copy be sent to each of our Senators and Congressmen, and that we urge them not only to give the measure their personal support, but that they use every effort in keeping with the dignity of their office to urge their fellow-members to do likewise.

Respectfully submitted by the interstate commerce committee and unanimously adopted by both associations this the 18th day of May, A. D. 1909.

SPOKANE CHAMBER OF COMMERCE,
By D. T. HAM, *President.*

Attest:
[SEAL.] L. G. MONROE, *Secretary.*

SPOKANE MERCHANTS' ASSOCIATION,
By A. M. TOLAND, *President.*

Attest:
J. B. CAMPBELL, *Secretary.*

Mr. FRYE presented a memorial of Local Union No. 70, International Brotherhood of Stationary Firemen, of Livermore Falls, Me., and a memorial of Local Union No. 16, International Brotherhood of Pulp, Sulphite, and Paper Mills Workers, of Orono, Me., remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. DOLLIVER presented a concurrent resolution of the legislature of Iowa, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Concurrent resolution.

Concurrent resolution memorializing the Iowa delegation in Congress to use their efforts to secure an act providing for the acquisition of certain lands at the confluence of the Wisconsin and Mississippi rivers for the use as a national park, and to secure an appropriation therefor.

Whereas the preservation of the means of health and happiness, which, through selfishness or thoughtlessness, are so likely to be destroyed, are of great importance to the American people; and

Whereas the present and future happiness and welfare of our country demands that we have permanent public pleasure grounds and parks which are accessible by many and kept as near as possible in their natural state; and

Whereas we are awakening to the fact that in order to retain for ourselves and our posterity any of the natural conditions of our rivers, lakes, hills, and bluffs with their growth of vegetation and native groves it is necessary that those tracts be taken in charge by the Government before the natural beauty has been destroyed by human greed; and

Whereas the Father of Waters flows through a valley of untold resources and wealth, which is destined as time passes to become the home of unnumbered millions, whose health and happiness demand that they have public playgrounds and parks; and

Whereas the hills and bluffs, rising hundreds of feet above the river, with numerous springs and brooklets of pure water, the flats, and islands at the confluence of the Wisconsin and Mississippi rivers are most desirable and suitable for a public park; and

Whereas said place is historical as well as picturesque, still showing the mounds and trails of the red man as they were left by him, and the rock-ribbed hills as made by the elements through the ages, with native forests but slightly touched by human hand; and

Whereas the said lands on either side of the Mississippi, as well as the numerous islands in the river, can be purchased at a reasonable price: Therefore be it

Resolved by the house (the senate concurring), That we hereby memorialize our Senators and Representatives in Congress to use their efforts to secure the enactment of a law providing for the acquisition of said territory, to be used as a national park, and to secure an adequate appropriation therefor, and that copies of this resolution be forwarded to each member of the Iowa delegation in Congress.

Mr. DOLLIVER presented house concurrent resolution of the legislature of Iowa, which was referred to the Committee

on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House concurrent resolution.

Concurrent resolution memorializing the Iowa delegation in Congress to provide for the improvement of the post-roads in the State of Iowa and to secure an appropriation therefor.

Whereas in the early history of the State Congress provided for the construction of main lines of railroad by the donation of great tracts of public lands, and immediate development and prosperity of the State evidenced the wisdom of such legislative action; and

Whereas the roads over which rural delivery routes are established are the important connecting links between the farm and the main transportation lines; Therefore be it

Resolved by the house (the senate concurring), That we hereby memorialize our Senators and Representatives in Congress to use their efforts to procure the enactment of a law for the improvement of the post-roads in the State of Iowa under the supervision of the Agricultural Department of the United States, and to secure an adequate appropriation therefor, and that copies of this resolution be forwarded to each member of the Iowa delegation in Congress.

Mr. DOLLIVER presented petitions of sundry citizens of Ellston, Ottumwa, Davenport, and Lewis, all in the State of Iowa, praying for a removal of the duty on hides, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Independence, Spencer, Miltonville, and Cedar Rapids, all in the State of Iowa, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a petition of the Commercial Club of Fort Dodge, Iowa, praying for the appointment of a tariff commission, which was ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of Geneva, Seneca Falls, Phelps, Auburn, Hornell, Hammondsport, Mount Morris, Dansville, Rushville, Bath, Middlesex, Stanley, Alabama, Buffalo, Akron, Pavilion, Penn Yan, Dresden, Victor, Halls Corners, Gorham, Elmira, and Canandaigua, all in the State of New York; of Bridgeport, Conn.; Battle Creek, Mich.; and Boston, Mass., praying for a restoration of the duty on foreign oil production, which were ordered to lie on the table.

THE WOOLEN INDUSTRY.

Mr. WARREN. I present certain matter relating to the history of wool and the woolen industry. I move that it be printed as a document (S. Doc. No. 70).

The motion was agreed to.

LEATHER AND SHOE INDUSTRY.

Mr. WARREN. I present certain material relating to the leather and shoe industry. I move that it be printed as a document (S. Doc. No. 72).

The motion was agreed to.

HOURS OF DAILY SESSION.

The VICE-PRESIDENT. The morning business is closed.

Mr. ALDRICH. I ask that the resolution with reference to the hour of meeting, coming over from a previous day, may be taken up.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Secretary read Senate resolution No. 54, reported yesterday by Mr. ALDRICH from the Committee on Finance, as follows:

Senate resolution 54.

Resolved, That until otherwise ordered the Senate shall meet at half past 10 o'clock a. m.; that at half past 5 a recess shall be taken until 8 o'clock p. m.; and that the Senate shall adjourn for the day not later than 11 o'clock p. m.

Mr. CULBERSON. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Heyburn	Rayner
Bacon	Crawford	Hughes	Root
Bailey	Culberson	Johnson, N. Dak.	Scott
Beveridge	Cullom	Johnston, Ala.	Simmons
Bradley	Dick	Jones	Smith, Md.
Brandegee	Dillingham	Kean	Smith, Mich.
Bristow	Dixon	La Follette	Smith, S. C.
Brown	Dolliver	Lodge	Smoot
Bulkeley	Fletcher	Martin	Sutherland
Burkett	Flint	Money	Taliaferro
Burnham	Foster	Nelson	Taylor
Burrows	Frye	Oliver	Warner
Burton	Gallinger	Page	Warren
Carter	Gamble	Paynter	Wetmore
Clark, Wyo.	Gore	Penrose	
Clarke, Ark.	Hale	Perkins	

Mr. JOHNSTON of Alabama. My colleague [Mr. BANKHEAD] is necessarily absent. He is paired with the junior Senator from Nevada [Mr. NIXON].

The VICE-PRESIDENT. Sixty-two Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the resolution.

The resolution was agreed to.

THE TARIFF.

The VICE-PRESIDENT. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending amendment is on page 97, paragraph 313.

Mr. GORE. Mr. President, I shall detain the Senate but a few moments. I should not detain the Senate even for one moment if I did not feel constrained to say a few words in reply to the remarks of the senior Senator from Massachusetts [Mr. LODGE] delivered here on yesterday. That Senator had occasion to refer to a few observations which I made some two or three weeks ago with reference to fabulous dividends which had been declared by certain woolen and cotton mills situated in the New England States. I alluded particularly to the Acushnet, the Dartmouth, and the Troy cotton and woolen manufactories.

The senior Senator from Massachusetts on yesterday did not intend to place me in the light of having represented those dividends as ordinary, average, and usual dividends, but the Senator's remarks, in my judgment, were susceptible of that construction. I desire now, thus early in my career here, to place myself before the Senate in the proper light, and to assure Senators that I had no purpose then, and that I shall never have any purpose of misleading the Senate or misrepresenting the facts in relation to any subject. The Senator confessed that the dividends of the Dartmouth Cotton Company in 1907 amounted to 66 per cent, and that of the Troy Cotton and Woolen Manufacturing Company to be 67 per cent. I alluded to those dividends as exceptional. I stated that no retail merchant in Oklahoma and that no retail merchant in the State of Maine, in my opinion, had realized net earnings equivalent to those fabulous dividends.

Mr. President, I said on that occasion that the average dividends for nine years of the Acushnet Company were only 21 per cent, notwithstanding it declared in 1907 the exceptional dividend of 66 per cent, showing, sir, that dividend towering like a mountain peak above the sea level of an average of 21 per cent. I did not say then, as I might have said, that in 1908, as well as in 1907, the Dartmouth Company declared a dividend of 66 per cent. I omitted to mention that because 16 per cent was the regular dividend in 1908, and the additional 50 per cent was a special dividend; and I did not think it fair to cite a special dividend here in proof of my contention. I did not mention then, as I might have done, that the Dartmouth Company declared, I believe, on the 24th of February of this year a special dividend of 100 per cent, payable either in cash or in stocks.

The senior Senator from Massachusetts says that the earnings of these cotton manufacturers are moderate and are modest. If he asserts that to be the rule, then I shall demonstrate before I sit down to the astonishment of the Senate that there are numerous exceptions to prove this rule.

I stated on a former occasion that the Troy Cotton and Woolen Manufactory had declared in 1907 a dividend of 67 per cent. The senior Senator from Massachusetts [Mr. LODGE] explained that that excessive dividend was due to a sale of real estate. I shall show that those companies in New England have been doing a pretty thrifty real-estate business during the last nine or ten years, and if that Senator undertakes to explain these stately dividends upon that theory, he will find that he has undertaken a laborious task—doubtless a labor of love.

I knew the statement would be challenged. I bestirred myself to ascertain what explanation would be offered here. I have a telegram assuring me that the Troy Cotton and Woolen Company would explain that excessive dividend by the statement that they had made a sale of real estate. I would suggest an amendment to the name and style of that company. It should be changed from the Troy Cotton and Woolen Company to the Troy Cotton, Woolen and Real Estate Company.

But, Mr. President, that company allowed its stocks and allowed its securities to be listed, advertised, and sold to the public upon the representation that regular and special payments of 67 per cent had been made during the year 1907. I do not know exactly what estimate to place upon the commercial honor of those who will allow their securities to be sold in the market upon representations of this kind, without the slightest hint that this splendid dividend was due not to the earnings of the business, but to real-estate transactions. If those gentlemen are willing to prove their poverty by disproving their integrity, of course I am powerless to prevent it.

While those dividends may have been exceptional, while they may have risen above the sea level, I shall demonstrate to the Senate that there is a long chain of towering peaks in this

mountain range of profit. From this on I shall not allude to the earnings of these companies by subdividing them into dividends and surplus; but let me say, before I pass on, that the Troy Cotton and Woolen Manufactory is capitalized for $300,000. In 1907 it had a surplus of $422,000. The par value of that stock is $500 per share and the market value was $1,650—230 per cent over and above the par value.

Mr. President, let me say here that the dividend declared is no exact test or criterion of the total earnings of these companies. We must examine how much is declared in the way of dividends and how much is set aside as a portion of their surplus earnings. Let me illustrate what I mean.

The Massachusetts Cotton Mills, situated at Lowell, Mass., is capitalized for $1,800,000; its surplus in 1907 was $1,679,000; and its net earnings in 1907 aggregated 41.30 per cent. It declared a dividend of only 8 per cent and set aside 33 per cent of its net earnings as a part of its surplus.

In contrast with this, I allude to the Bates Manufacturing Company, situated at Lewiston, Me. It is capitalized for $1,200,000. In 1907 its surplus was $1,100,000, and its net earnings in that year aggregated 41.87 per cent; we will call it 42 per cent. It declared a dividend of 35 per cent, and 6 or 7 per cent was transferred to the account of its surplus. It is no answer to say that these plants are worth more than the nominal amount of their capitalization. It does not meet the issue. It evades the issue to say that these manufactories are worth more than the face value of their stocks plus their accumulated surplus. Of course they are. The value of these plants, of these factories, must be determined not by the amount of stock issued, but by the proven, the assured, earning capacity of the establishment itself. This is the only yardstick, this the only standard.

Now, there is one other mill situated in the State of Maine which I will mention. I refer to the Pepperell Manufacturing Company, located at Biddeford, Me. During the last nine years it has declared dividends averaging only 24 per cent. In 1905 its dividends were 47 per cent; in 1906 its dividends rose to the modest amount of 62 per cent on its capitalization. You see, the real-estate business was pretty brisk during the year 1906.

Now, then, I will cite only one mill in the State of New Hampshire. It really has no place in this gilded company. I allude to the Great Falls Cotton Manufacturing Company, of Somersworth, capitalized at one and a half million, having a surplus of $987,000, and its net earnings in 1907 was the miserable pittance of only 21 per cent. You see, the real-estate business in New Hampshire is not so profitable as in the State of Maine and the State of Massachusetts. I make no mention of the Laurel Lake Company, whose earnings in 1907 barely exceeded 28 per cent, and it is, therefore, not entitled even to passing notice.

But, Mr. President, the half has never yet been told. I come now to the American Linen Company, situated at Fall River, Mass. In 1907 its net earnings were only 30 per cent, 11 per cent being announced to the world as its dividend, a mere foothill in the mountain chain.

Again, Mr. President, there is the Tecumseh Mills, located in the same city. Its net earnings in 1907 were 34 per cent on its capital stock, rather a modest earning for a company situated in that section.

In 1907 the Border City Manufacturing Company did a little more prosperous real estate business and realized net profits aggregating 37½ per cent, but its dividends were only 23½ per cent, the remainder going into its accumulated surplus.

Not only that, Mr. President, the Pierce Manufacturing Company, of New Bedford, Mass., in 1907 declared a dividend of only 32 per cent on its capitalization. The Hathaway Company announced, as I remember, a dividend of only 40 per cent, sustaining, I suppose, some reverse in its real estate transactions. The Union Cotton Manufacturing Company of Fall River—that is a patriotic name—realized in 1907 net earnings aggregating 46 per cent. I believe its declared dividend, however, was only 35½ per cent.

Mr. President, "Hills peek o'er hills and alps on alps arise." I come now to the Sagamore Manufacturing Company, which was a little more fortunate in its real estate transactions than these other companies. In 1907 its net earnings rose to the lofty altitude of 48½ per cent, declaring, I believe, an unpretentious dividend of only 30 per cent, allowing 18 per cent to go into its surplus. I shall not advert to the Bourne mills which, in 1903, confessed to a dividend which towered up to 49½ per cent. That is ancient history.

Mr. President, I shall not weary the patience of the Senate by a long, tedious, and monotonous recital of these exceptional profits. I mention these exceptions merely to prove the golden rule that their earnings are both moderate and modest. But I come now to the tallest peak of this mountain range of net earnings; I come to the Pikes Peak, the Mont Blanc, the Mount Everest of the entire range, so far as I have been able to explore the system. I refer now to the Algonquin Printing Company, a company engaged in the manufacture of cotton fabrics of various dyes. That concern was organized in 1893, when the panic was running riot in this country. It is capitalized at $500,000. It had on hand, in 1907, a surplus amounting to $750,000—I believe about 150 per cent of its entire capitalization. During the last nine years its net earnings have aggregated 607 per cent, six times the entire amount of the capital invested. Its average annual return to its stockholders during the last nine years has been the modest amount of 67½ per cent. So you see these companies have been fairly prosperous in their real estate transactions, taken in connection with their business as manufacturers of cotton and other fabrics. For these statements and statistics I have four several authorities of the very highest character. They are alike unimpeached and unimpeachable. Three of them reside in the very shadow of the factories. They are Edwin J. Cole, banker and broker, of Fall River; Sanford & Kelly, bankers and brokers, of New Bedford; A. B. Turner & Co., of Boston; and last, but not least, Moody's Manual of Industrial Securities.

Mr. President, it is no wonder that these gentlemen had the candor to say that the Dingley law was entirely satisfactory to them. It certainly is sufficient to satisfy a restrained and reasonable appetite like theirs. If they had demanded more, they would have placed themselves in the category with the horse leech's daughters, raising the constant cry of "more, more, more." I do not characterize those gentlemen as robbers; I doubt not that they are worthy citizens. I know they are intelligent citizens, judging by their business success and by their selection of United States Senators.

I say, again, that I do not stigmatize those gentlemen as robbers or as bad citizens. Indeed, sir, I can not criticise them for these high profits. That is the fault of the system. I complain of the legislation; I complain of the legislators who have made these enormous profits both a possibility and a reality. I think that the cotton planters of the South, whose net earnings annually are only $71, as demonstrated by the junior Senator from South Carolina [Mr. SMITH], have a right to complain that when they sell the raw material for a song, the manufacturers, who convert it into the finished product, realize net earnings ranging from 6 to 66 per cent; and the farmers of the great and golden West have a right to complain that they are taxed upon these fabrics, not in order to pay high dividends and high profits to the manufacturers, but are taxed, as the apostles of protection pretend, to pay living wages to American laborers who are employed in these mills.

Mr. President, the average farmer in Kansas, Iowa, and Oklahoma could not carry on a conversation with his fellow-citizens, these American laborers in these manufactories. Unfortunately, they can not speak our mother tongue. From once classic Greece have come the descendants of Penelope, the ancient weaver, who are now tending the looms of New England.

We tax the farmers of the South and the West to pay those laborers good wages and to pay the profits of the manufacturers, but I have a lurking suspicion that those good-natured, philanthropic, and benevolent manufacturers do not divide their net earnings on the square with the American laborers.

Mr. President, I am sorry to have been obliged to have taxed the patience of the Senate on this occasion, but I felt constrained, in view of the remarks of the Senator from Massachusetts [Mr. LODGE] on yesterday, to say this much in justification of what I had said on a former day. I want to say again that the half has not yet been told; and if those gentlemen furnish explanations when it is signified to them that explanations would be acceptable, I shall furnish still other instances, which may call with equal clamor for justification before the laborers, the farmers, and the retail merchants of this country, who have been charged with extortion, and in whose behalf I felt called upon to reveal these exceptional, enormous, and fabulous profits realized by these manufacturers. I doubt if half the retailers in the United States have realized earnings ranging from 6 to 66 per cent. I doubt, sir, if 1 per cent of them have enjoyed profits rising to anything like that lofty summit. In fact, take the profits—the net earnings of the manufacturers and merchants—and no one can doubt on whose side the excessive and fabulous dividends will be found. The retail merchant must be acquitted of extortion. Some of the manufacturers, at least, will find it difficult to escape conviction.

The VICE-PRESIDENT. The question is on agreeing to the committee amendment to paragraph 313.

Mr. BACON. I hope it may be stated to the Senate, so that we may know what it is.

The VICE-PRESIDENT. The amendment will be again stated, if there be no objection.

Mr. BACON. I do not think it has yet been stated.

The SECRETARY. In paragraph 313, page 97, after the words "cotton cloth," it is proposed to insert the words:

Valued at net over 7 cents per square yard, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling——

Mr. BACON. I did not know the question was on the long amendment which had been read on yesterday. I supposed it was another amendment. I shall not ask to have it read, unless some other Senator desires that it shall be.

Mr. NELSON. Mr. President, I am aware that anything that may be said on this subject relating to the cotton schedule and the increase of duties will be of little effect in this Chamber. I am also aware that, notwithstanding what may be pointed out as to the action of the Finance Committee in this matter, still, right or wrong, the rule of the Finance Committee will prevail.

Yesterday we had from the senior Senator from Massachusetts [Mr. LODGE] a long discussion as to the meaning and import of the Republican platform adopted at Chicago last summer in respect to the question of a revision of the tariff. I am not questioning what the New England idea may have been of that platform. I can only speak for the people of the West, of the Mississippi Valley, and not beyond. With us that platform was understood to mean a revision downward. If all which was intended by the revision of the tariff was to correct inequalities, all that we needed to do was to provide an additional revenue and leave the Dingley law intact.

I do not think it was the common understanding of the people of this country that that tariff needed a revision simply to adjust certain inequalities. No one had any such idea. The popular mind had for years been bent on a revision of that tariff on a downward basis. In the Republican convention at Chicago in 1904 was the first time the rule was adopted in our platform that a just measure of protection was the difference of cost in the production at home and abroad. That principle had never before been inserted in our platform.

I happened, Mr. President, to be on the committee on resolutions in that convention and on the subcommittee that prepared the platform. It was upon my suggestion that that provision was inserted. I offered an amendment to the effect that the just measure of protection was the difference in the cost of production at home and abroad; but my amendment was to some extent emasculated by inserting the words "at least," so that it finally emerged from the committee in the condition that the just measure of protection should be at least equal to the difference in the cost of production at home and abroad. The same phraseology, in a modified form, was found in the platform of 1908—that the just measure of protection was the difference in the cost of production at home and abroad—with the addition that the manufacturers or the protected interests should have a reasonable profit. That was the first time in our history when an attempt was made to inject into a platform the provision that the Government was to guarantee to the people a reasonable profit. But I shall enter into no discussion of that subject any further than simply to say that throughout the Mississippi Valley not only was it the understanding among our people that the revision was to be downward, but all our candidates who addressed the people on the hustings—our candidate for President, among others—gave our people to understand that the revision of the tariff was to be an honest downward revision.

I have heard a great deal in this Chamber of late to the effect that we ought to hasten with the consideration of this tariff legislation and dispose of it; that the business of the country is awaiting action here, and is at a standstill. Mr. President, the business of the country need not be alarmed, for there is no downward revision. The only thing they will have to wait for is the upward revision, to see how much they have got to mark up their goods. They can all assume, and they all have a right to assume from what has transpired here in the Senate, that there will be no downward revision of any substantial character, at least no downward revision that they do not themselves expressly consent to.

Now, what about this cotton schedule—and I am coming particularly to that in order that we may fully understand it? But before I come to that, I want to call the attention of the Senate to the fact that yesterday, when the Senator from North Carolina asked the Senator from Massachusetts, near the closing part of his speech, whether the amendments to these paragraphs relating to the cotton schedule—cotton cloth—increased the duty or not, the Senator from Massachusetts evaded him and gave him no definite information on the subject.

Mr. President, I propose to demonstrate, as far as I can, and, if possible, to show, that there is something more in these amendments to the paragraphs from 313 to 317, inclusive, than the mere matter of correcting discrepancies that have arisen from the decision of the appraisers at New York as to the value of goods. To understand the question fully, I will say, in the first instance, to Senators, that if they will follow me and look at paragraphs 313 to 317, inclusive, they will find that those paragraphs segregate the cotton schedule into five different classes, based upon the number of threads to the square inch.

Take paragraph 313. The Dingley law provided for two classes of rates, one rate based upon the number of square yards to the pound; that is, a given piece of cotton cloth with not exceeding 100 threads to the square inch, and with so many square yards to the pound, was assessed a special duty, varying as to different classes or different brackets. Then there was a proviso in the Dingley law in all these paragraphs making an ad valorem rate upon these specific goods.

In the Senate committee amendment that has been presented this proviso, which is based on an ad valorem rate, has been stricken out, and they have inserted a set of specific rates. I want to call your attention to these figures and compare them with the ad valorem rates fixed in the Dingley law.

Take paragraph 313, on page 90. The Dingley ad valorem rate on goods not bleached, referred to in paragraph 313, was 25 per cent; on bleached goods, 25 per cent ad valorem; and on dyed, colored, painted, and so forth, 30 per cent ad valorem. That was the ad valorem rate in the Dingley law. That was in addition to the rate fixed upon the number of square yards in the pound. What are the amendments covering that? What is the substitute for the ad valorem rate in the proviso of the Dingley law which is stricken out? I have taken pains to figure it out, and I will say to Senators how I have figured it as nearly as it is possible, without the data as to the importation of goods. For instance, where the amendment uses the phrase "value at over 7 and not over 9 cents per square yard," I have taken the intermediate figures, the halfway figures, and assumed that the cloth was 8 cents a square yard—that is, I have taken the halfway points between the two extremes as a basis.

Figuring it out on that basis, the ad valorem rate under the Dingley law, as I have said, on unbleached cotton goods under paragraph 313 was 25 per cent ad valorem. Under this amendment, to which I call your attention, the first amendment in italics on page 98, the rate will be as follows—it is made into five brackets or classes: The first is 28 per cent, the next is 31.6 per cent, the third is 39 per cent, the fourth is 41.5 per cent, and the next is 46.6 per cent, showing a difference between those figures and the ad valorem rate of the proviso contained in paragraph 313. If that is not an increase, I should like to have somebody tell me who is better informed than I am why it is not.

Take the next Senate committee amendment, commencing at the foot of page 98—and this paragraph relates to cotton cloths with less than 100 threads to the square inch. Coming to that paragraph, on bleached goods the ad valorem rate in the proviso in the Dingley law is 25 per cent. What is it here? It is divided into five brackets, running as follows: Twenty-seven and five-tenths per cent, 37 per cent, 38.88 per cent, 42 per cent, 47.08 per cent. Those are the rates substituted for the 25 per cent ad valorem rate of the Dingley law to meet the question that was raised yesterday by the Senator from Utah as to the undervaluation or as to the effect of the decision of the appraisers at New York. That does not go to the question of what the Dingley law fixed. The Dingley law fixed an ad valorem rate of 25 per cent on unbleached, 25 per cent on bleached, and 30 per cent on dyed, printed, and painted goods. That was the rate. The question whether that rate was evaded or not has nothing to do with the measure of the tariff imposed. It was a 25 per cent rate, and against that you have these five different classifications, every one of them exceeding the ad valorem rate in the Dingley law. Now these rates in italics——

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. NELSON. I will yield by and by. While the rates in italics are specific rates, I have taken the pains to reduce them to ad valorem rates for the purpose of comparing them with the Dingley rates. Now I yield to the Senator from Indiana.

Mr. BEVERIDGE. Perhaps the sentence that the Senator is coming to may answer my inquiry. This was the question:

The Senator stated what the Dingley rates were, and then he has stated that the Senate committee amendment greatly increased the Dingley rates.

Mr. NELSON. Certainly.

Mr. BEVERIDGE. What explanation to that has the committee made? I can not remember that point in either of the speeches yesterday.

Mr. NELSON. When the Senator from North Carolina asked the Senator from Massachusetts last night about it, he gave us no explanation. Either he did not know or he was not in a position to give the information.

Coming to the last amendment in paragraph 313, the words in italics, commencing at the foot of page 99, which relate to dyed goods, and comparing those rates with the ad valorem rates of the Dingley law, which are 30 per cent, you will find that they are divided into five brackets, running as follows: Thirty and sixty-one-hundredths per cent, 38.32 per cent, 43.21 per cent, 41.60 per cent, and 47.61 per cent, showing as clear as anything could be that there is a large increase over the rates of the Dingley law.

As I said a moment ago, I am aware of the fact that my figures are not absolutely correct, because you can not get the correct figures until you get the importations. Goods may come in at various figures; but I have taken as a basis—which is the nearest we can come to it in the present status of affairs—the intermediate figure between the two extremes. For instance, here in paragraph 314 are the words "valued at over 9 and not over 10 cents per square yard." I have taken the basis there of 9¼ cents a square yard and figured it out.

What I have said in reference to paragraph 313 applies in equal measure and to a greater extent to paragraph 314. Under the proviso contained in the Dingley law, which you will find stricken out in paragraph 314, at the top of page 102, the ad valorem rate on unbleached goods is 30 per cent; on bleached goods, 35 per cent; and on dyed and printed goods, 35 per cent. That proviso is stricken out; and in lieu of that are inserted the words found in italics on page 102, which I will not take the time of the Senate to read; but I have figured out what those rates amount to. On unbleached goods they are again divided into five classes, or five brackets, and they run as follows: Thirty-one and fifty-seven one-hundredths per cent, 38.88 per cent, 41.5 per cent, 43.33 per cent, and 47 per cent, as against the 30 per cent ad valorem rate contained in the Dingley law, showing large increases, in some instances of more than 50 per cent, over the rates of the Dingley law.

Coming now to the other class of bleached and dyed goods, which are all under the same rate, under the Dingley law the ad valorem rate on bleached and dyed is 35 per cent. What is it here? Under the amendment proposed by the Senate committee the rates on bleached cotton in paragraph 314—there are five brackets, five classes—run as follows: Thirty-six and ninety-five one-hundredths per cent, 38.88 per cent, 42 per cent, 44.44 per cent, and 47.61 per cent, showing an increase in every instance, from the highest to the lowest bracket, and in the highest of more than 50 per cent.

Coming, in the next place, in the same paragraph to dyed, colored, and painted goods, under the Dingley law the rate on goods included in that paragraph is 35 per cent. In the Senate amendment they are put in four classes, and the rates run as follows: Thirty-eight and eighteen one-hundredths per cent, which, you will perceive, is in excess of the rate in the Dingley law—38.18 per cent, 43 per cent, 42.13 per cent, and 47.61 per cent. Here, again, there is an increase on every one of these paragraphs way beyond the rates in the Dingley law.

What is true, Mr. President, as to paragraph 314 is also true as to paragraph 315. Under paragraph 315, by the proviso contained in the Dingley law, the ad valorem rate was fixed at 35 per cent on cotton goods not bleached, and so forth; on bleached goods, 35 per cent; and on goods dyed, painted, printed, and so forth, 40 per cent. What are the rates substituted for those Dingley rates in this bill? The first amendment in paragraph 315 makes five different classes, and the rates run as follows: Thirty-eight and eighty-eight one-hundredths per cent, 41.50 per cent, 43.33 per cent, 44.44 per cent, and 47.61 per cent—every one of them an immense increase over the Dingley rate.

In the next bracket, relating to bleached goods, the figures are as follows: 38.88, 41.90, 44.44, 47.61, as against 35 per cent of the Dingley law.

Coming now to the next class, those that are dyed, painted, printed, and so forth, in paragraph 314, the ad valorem rate of the Dingley bill is 35 per cent, and the rate under this bill is divided into four specific classes, 43.63, 43, 42.17, and 47.51 per cent.

The same thing holds true in reference to paragraph 316. It will be observed that in the Dingley law, in all these paragraphs to which I refer, from 313 to 317, there is a proviso which applies an ad valorem rate in addition to the specific rate.

Under paragraph 316 the ad valorem rate of the Dingley law, found in the proviso on unbleached, bleached, and dyed, the three different classes, was 40 per cent. In this bill they are segregated into three different classes. On the first class, those that are not bleached, dyed, and so forth, the rates fixed in the bill are ad valorem rates equal to 41.50, 43.55, 44.44, and 44.51, demonstrating clearly an immense increase in this schedule.

Now, coming to the next class, goods that are bleached, we find the same discrepancy in the amendment of the Senate committee. The ad valorem rates are equal to 42 per cent, 44, 44.41, 50, and 48.7, showing in every instance an increase over the Dingley rates of 40 per cent.

The same thing holds true in reference to goods that are dyed, painted, printed, and so forth. The ad valorem rate in the Dingley Act is 40 per cent. The ad valorem applying to specific rates in the Senate amendment is 42.13, 50, and 48 per cent.

What I have said about these other paragraphs applies with equal force to paragraph 317. Under the Dingley law, by virtue of the proviso, the ad valorem rate as to all those classes, unbleached, bleached, and dyed, is 40 per cent, while under the Senate amendment to this paragraph, on unbleached cotton the rates are 44.33, 44.44, 50, and 48.7. Those are the specific rates reduced to an ad valorem basis. On bleached goods, under the Senate amendment, the rates will be 44.44, 50, and 48.07, showing in every instance a large increase over the ad valorem rates under the Dingley Act.

The same holds true in reference to painted, dyed, and printed goods. The ad valorem rates of the Dingley Act are 40 per cent in the proviso which has been eliminated. The rates in the Senate amendment amount to 50 per cent. Under the Senate amendment it is segregated into two classes, one at the rate of 50 per cent, the other at the rate of 48 per cent. I think that by these figures—and they are as accurate as they can be made without having the actual importations before us—I have demonstrated that this bill increases the rates of the Dingley bill all the way from 10 per cent to more than 50 per cent over existing rates.

There is another question which has troubled me about this matter, and that is this: I call the attention of the Senate to paragraph 313, for the purpose of illustrating what I mean. I will read the paragraph:

313. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1¼ cents per square yard.

There is a rate based not only upon the threads in the square inch, but based upon the number of yards to the pound. Then that is followed, after making another class or two of the same kind, based upon the weight of goods, by those valued at over 7 and not over 9 cents per square yard, 2¼ cents per square yard.

This seems like a cumulative duty. If a piece of cloth, not exceeding 100 threads to the square inch, weighs so many pounds to the square yard, or so many square yards to the pound, it is liable to a certain duty based upon that weight. Then, in addition to that, if that class of goods comes within the valuation fixed in the Senate amendment, why is it not subject to that additional rate based upon value? In other words, is there not something in this bill in the nature of a cumulative rate—first, a rate based upon weight; secondly, a rate based upon the value of the goods? As I said, if a given piece of goods comes within the proper schedule of weight and also comes under the valuation specification, why should it not, under this bill, be subject to a twofold rate of duty, one based upon the rate and the other based upon value?

I am confirmed in this suspicion by turning to paragraph 318, and I wish to call the attention of the Senate to the peculiar language injected into that paragraph. I am calling attention to the language in the Senate amendment on page 109. I quote the following, commencing in line 5 on that page:

In the ascertainment of all the particulars, including weight and value, upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included.

Those words seem to imply to my mind that in passing upon these goods, as to what rate of duty they are to pay, you are not only to take into account their weight, but also their value, and you are to make allowances at both points.

If a given piece of cloth comes in on its weight, it is liable to a certain specific duty prescribed in the bill. If it comes under the specific valuation based upon a particular value, it is liable to the duty fixed as against that valuation. Now, at all events, whatever the construction may be, it seems to me that this bill,

in these paragraphs, is open to the suggestion that it leads to cumulative duties; and if it leads to cumulative duties—if I am correct in that regard, although I may be wrong—it would more than double the duties of the Dingley law upon cotton goods. But aside from that——

Mr. BEVERIDGE. I wish merely to ask a question for information. Will the Senator kindly explain just at this point what cumulative duties are?

Mr. NELSON. Cumulative duties are where you have one duty mounted on top of another.

Mr. BEVERIDGE. I know; but how does that come about?

Mr. NELSON. It comes about, as I understand it, in this way: You first levy a specific duty based upon the weight of the cloth. If a given piece of cloth does not exceed, for instance, 100 threads to the square inch, and, in the language of the bill, not exceeding 6 square yards to the pound, it pays a duty of 1¼ cents per square yard. That is perfectly clear. On a piece of cloth that does not exceed 100 threads to the square inch, including the warp and filling, and not exceeding 6 square yards to the pound, the duty is 1¼ cents per square yard.

Then the next paragraph says—I go on and skip and come down to the Senate amendment—

Valued at over 7 and not over 9 cents per yard, 2¼ cents per square yard.

There you have two classes of duties, one based upon weight and the other upon the value, and as the phraseology of the bill is, it seems to me it is liable to the construction that it amounts to cumulative duties.

Mr. BEVERIDGE. That is, that those two shall be added together?

Mr. NELSON. Yes, sir. If a given piece of cloth reaches the description, comes within the valuation and comes within the bracket of weight, then it is liable to both classes of duties. That the bill has something of this kind in view is evident from the cautious and unique amendment inserted on page 109 in italics. I will read it again. This is the paragraph which immediately succeeds the ones relating to the cotton schedule. These peculiar words are found in the Senate amendment:

In the ascertainment of all the particulars, including weight and value, upon which the duties, cumulative or other, imposed upon cotton cloth are herein made to depend, the entire fabric shall be included.

Mr. BEVERIDGE. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. BEVERIDGE. I suggest the absence of a quorum.

Mr. NELSON. Oh, I do not care.

Mr. BEVERIDGE. I do.

Mr. NELSON. These high protectionists do not care to hear me. Never mind.

Mr. BEVERIDGE. I do.

The VICE-PRESIDENT. Does the Senator from Minnesota yield for that purpose?

Mr. NELSON. I do not care.

The VICE-PRESIDENT. The Senator from Minnesota declines to yield.

Mr. NELSON. I decline to yield.

Mr. BACON. Mr. President, I have no interest in the matter except the preservation of the rules. I sympathize with the Senator——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. BACON. I rose to a question of order.

The VICE-PRESIDENT. The Chair did not so understand the Senator from Georgia.

Mr. BACON. I say I have no interest in the question raised except in the interest of the preservation of the rules. I was going to say that I entirely sympathize with the feelings of the Senator from Minnesota that he does not care to have present those who do not wish to hear him, but at the same time the rule of the Senate is absolute and imperative that whenever there is the suggestion of the absence of a quorum all else must be suspended and nothing can be done until that question is determined.

Mr. BEVERIDGE. I could not take the Senator from Minnesota off his feet.

Mr. BACON. The Senator can make that suggestion at any time.

Mr BEVERIDGE. I could only do it by getting the floor, and the Senator from Minnesota has the floor, and he has declined to yield, and therefore I could not get the floor for the purpose of suggesting the absence of a quorum.

Mr. BACON. I do not at all acknowledge the correctness of that statement of the rule.

Mr. HALE. I think, if the Senator will allow me, that the Senator from Indiana has stated the rule precisely as it has always been enforced. A Senator speaking can not be taken from the floor, even to suggest the lack of a quorum, unless he yields. It is only by yielding or otherwise that the suggestion of the lack of a quorum can be made. I think the Chair is entirely right, and that the rule is as stated by the Senator from Indiana. It must depend upon the Senator from Minnesota whether he yields or not.

Mr. BEVERIDGE. In other words, the Senator must yield before another Senator can get the floor.

The VICE-PRESIDENT. Certainly.

Mr. BACON. I have not had as long experience here as the Senator from Maine, but I have been here a number of years, and I have never before in that time heard on the floor of the Senate a suggestion of that kind.

Mr. HALE. Mr. President——

Mr. BACON. The Senator will pardon me. I ought to be permitted to make my statement before the Senator from Maine replies to it.

Mr. HALE. Certainly.

Mr. BACON. The incorrectness of that construction, it seems to me, can be very easily demonstrated. It is not the personal privilege of a Senator which is being asserted by him to the extent that he would have to take the floor in order to exercise it. He is in the discharge of a duty higher than a personal privilege. It is the duty of every assembly to have a quorum present while business is being transacted, and the effort to insure that is not the exercise of the personal privilege of a Senator in any effort to get the floor for the purpose of addressing the Chamber. It is a different purpose altogether. It is a fundamental proposition in every parliamentary body that a quorum must be present. It is true it is sometimes only constructively observed. It nevertheless exists. If one Senator can get the floor and hold it against the suggestion of the absence of a quorum, it would be a very simple matter for a Senator to get the floor and have nobody present but himself and one other Senator perhaps, and so, by refusing to yield the floor, the question could never be raised whether other Senators should be present. It is absolutely untenable. I challenge the Senate to show any possible construction upon which such a contention can be properly based. It puts it in the power of one Senator, for instance, when we have night sessions, to address the Chamber any night, and after he has once obtained the floor he may hold it for hours and not permit the suggestion of the absence of a quorum, while his political associates, perhaps, are absent taking their rest, although the opposite side would be compelled in self-defense to be present. That would put an undue power in the hands of the minority or of oppression in the hands of the majority. It seems to me there is no possibility of defense for any such construction.

If the Senator from Indiana should rise for the purpose of asserting some personal right, or to ask a personal privilege, it would be a different matter. Then he would have to have the floor upon the consent only of the Senator having the floor. But he does not rise at this time for the purpose of asserting a right. He is here rising to a question of order, and a man can rise to a question of order at any time, I care not who has the floor. It is the highest question of order that a quorum is present.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. BACON. Yes.

Mr. HALE. The Senator declined to yield to me.

Mr. BACON. I yield to the Senator from Maine. I did not decline to yield to him except merely to state the proposition before doing so.

Mr. BEVERIDGE. No, but——

Mr. BACON. No; I yield to the Senator from Maine.

Mr. BEVERIDGE. Before the Senator from Maine goes on I wish to call attention to the rule which, after all——

Mr. BACON. There is so much buzzing of conversation around that I can not hear.

Mr. BEVERIDGE. Before the Senator from Maine proceeds, I wish to call attention to the rule which seems to me to give some support to the contention of the Senator from Georgia:

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll.

Mr. HALE. That is the rule, well understood. I think the Senator from Georgia, who is very old and experienced in all such questions, misapprehends the modus operandi of the entire rule and of the course of the Senate proceedings. The suggestion of a lack of a quorum can not be made by a Senator sitting in his seat and declaring that he believes no quorum is present. He can only suggest that when he gets the floor. He can

not exclaim "There is no quorum here, and I call attention to that," and then claim that the roll shall be called. He can only make the suggestion by addressing the Chair, and when he addresses the Chair for the purpose of making the point, the Chair addressing the Senator then speaking and occupying the floor, has but one thing to do, no matter what is in the mind of the Senator who is addressing the Chair. The Chair asks "The Senator from Minnesota has the floor. Does he yield?" The Senator from Minnesota says he does not yield——

Mr. BURKETT. Let me ask a question.

Mr. HALE (continuing). And therefore the point of no quorum has never come before the Senate and can only be by the recognition of the Senate.

Mr. BURKETT. Suppose a Senator was using inappropriate language, and that a Senator rose when he was using improper language and called attention to the fact. Does the Senator contend——

Mr. HALE. There a specific rule is made. It is ex necessitate rei. That has to be done, and the rule about improper language applies there; but that does not apply when a Senator wants to suggest the lack of a quorum. The illustration is not analogous in the slightest degree.

Mr. BURKETT. It shows that the Senator speaking does not control the floor as against the Senate.

Mr. HALE. He does not when he uses improper language.

Mr. BACON. Mr. President, I have the floor and I have not yielded.

The VICE-PRESIDENT. The Senator from Georgia is entitled to the floor, and he yielded to the Senator from Maine.

Mr. HALE. The Senator sees that under our practice here——

Mr. BEVERIDGE. I am inclined to agree with the Senator from Georgia, after reading the rule, that it is the highest right, directly conferred upon any Senator who rises and gets the attention of the Chair on a point of order. It is not, after all, an interruption. It is the statement of a point of order, which is one of the highest privileges of the Senate. The analogy given by the Senator from Nebraska, invoking the rule when a Senator uses improper language, is not appropriate. The rule states, I believe, that any Senator may call another Senator to order, who shall then resume his seat until permission is granted to proceed.

Mr. HALE. That is a specific provision.

Mr. BEVERIDGE. That is a specific provision. It seems to me it is a question of the highest privilege. After having read the rule, I am inclined to agree with the Senator from Georgia.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. BACON. I prefer to yield to the Senator from Maine, unless the Senator from Michigan desires to ask the Senator from Maine a question.

Mr. SMITH of Michigan. I do. Suppose we were operating under a unanimous-consent agreement that we should take a vote on the pending amendment in fifteen minutes from now, and the Senator from Minnesota was addressing the Senate, and not making any point as to the absence of a quorum, and declining to yield for that purpose. Is it possible that some one hostile to the Senator from Minnesota could rise and arbitrarily take him from his feet and ask for a call of the roll and consume time within which the Senator from Minnesota might be permitted to conclude his address?

Mr. BEVERIDGE. The answer to that plainly is that unanimous consent is not binding under parliamentary law, but only on the honor of Senators. It is a gentleman's agreement. So the illustration is not good.

Mr. SMITH of Michigan. Unanimous consent can not be vacated except by unanimous consent.

Mr. BEVERIDGE. It can be vacated by any Senator disregarding it.

Mr. HALE. Unanimous consent is the highest law here.

Mr. BACON. Mr. President, I think I have the floor.

The VICE-PRESIDENT. The Senator from Georgia has the floor, but the Senator has not yet raised a question of order. The Senator rose to suggest a question of order, but the Senator has not stated the point of order.

Mr. BACON. I do raise the point of order—I so intended—if it is necessary to do so.

The VICE-PRESIDENT. The Chair does not understand that it is.

Mr. BACON. My suggestion may make it unnecessary.

The VICE-PRESIDENT. The Chair wanted to have the Senator from Minnesota understand the status; that was all.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. If the Senator from Maine will just let me state one proposition, I will yield with pleasure. However, I will yield now, if the Senator prefers.

Mr. FRYE. I only wanted to ask the Senator a question. Does the Senator contend that the Chair is obliged to recognize any Senator sitting in his seat and making a proposition without rising to a point of order or being recognized by the Chair?

Mr. BACON. No, I do not; but I say this——

Mr. FRYE. The Senator from Indiana was sitting in his seat.

Mr. BEVERIDGE. I beg the Senator's pardon; I had risen and, as the RECORD will show, got recognition from the Chair.

The VICE-PRESIDENT. The Senator from Indiana had risen and had addressed the Chair.

Mr. BEVERIDGE. Certainly.

The VICE-PRESIDENT. The Senator from Indiana asked the Senator from Minnesota if he would yield, and, without waiting for an answer from the Senator from Minnesota, the Senator from Indiana, standing on his feet, suggested the absence of a quorum.

Mr. FRYE. I should like the Senator to answer the question, for the suggestion is very frequently made from the floor without rising and without any recognition by the Chair.

Mr. BACON. I think there could be but one answer to that, and that would be in the negative. Of course no man can do that, because a Senator——

Mr. FRYE. I did not suppose that the Senator from Indiana had addressed the Chair.

Mr. BEVERIDGE. I had, and obtained recognition.

Mr. BACON. A Senator, of course, must rise and address the Chair, and he must be recognized by the Chair. There is no question about that.

Mr. President, I hope I may have the attention of Senators, because I desire to have them consider this suggestion. A point of order is in order at all times. Whenever the Senate is proceeding out of order, I care not who has the floor, if he is out of order for any reason, it is legitimate and proper for any Senator to address the Chair and make the point of order. There is no distinction as to any classification of order. Any point of order on any proceeding at any time is of the very highest privilege of the Senate, and a Senator does not have to get the permission of the Senator who may be addressing the Chair in order to make a point of order. A point of order is always in order for consideration. It must be necessarily so, or else there is no foundation for parliamentary procedure. It lies at the bottom of it all, that there must be order, the body must proceed in order, and whenever it is proceeding out of order it is the privilege of any Senator to ask that the order be enforced.

If the point of order is not good, it will be overruled and the Senator will proceed. If it is good, the Chair will so decide, and the Senator will not proceed until the difficulty has been removed. I respectfully submit, Mr. President, that there is no distinction in that regard as to any points of order. Anything that is a point of order is a matter that a Senator has a right to bring to the attention of the Senate. In so doing, he speaks for the Senate and not for himself.

I repeat, the fundamental point of order which lies at the basis of all parliamentary procedure is that there must be a quorum present.

Mr. President, I doubt if any precedent can be found for this contention, although sometimes questions are made in a very peculiar way and under the pressure of the moment, and for the furtherance of party exigency, not in this body particularly, but in all parliamentary bodies; more so in other bodies than in this, because we have less partisanship in this body in the way of parliamentary procedure than there is elsewhere. There is here more recognition and reliance upon the good faith of each Senator, in the recognition, for instance, by one of the minority of the right of the majority to control. Even if the larger part of the majority party Senators should be absent and all the minority should be present, there would be no effort made by the minority to take advantage of that situation. I do not suppose there has ever been an instance from the foundation of the Government where the minority in the Senate has ever sought to take advantage of the absence of the majority in the Chamber. There is a different school of procedure in this body from what there is in ordinary bodies. There is confidence in the good faith of Senators. We recognize the right that every Senator's vote shall count here at all times, whether he is present or absent. That illustrates the spirit that animates the Senate in its procedure.

Mr. RAYNER. If the Senator from Georgia will permit me, I do not think there is any doubt about the proposition at all. I should like to refer the Senator from Georgia, if I can have

his attention, to the fact that this rule is taken from section 6 of Jefferson's Manual, and the clause provides:

> Whenever, during business, it is observed that a quorum is not present, any Member may call for the House to be counted; and, being found deficient, business is suspended.

If the speech of the Senator from Minnesota is "business," then the Senator from Indiana has a right to call for a quorum.

Mr. BACON. I was proceeding to say that precedents are sometimes not conclusive in the establishment of a logical conclusion, but I very much doubt if any precedent can be found for any such suggestion as that when a Senator is on the floor addressing the Senate, with nobody in the Chamber but himself and two or three others, it is not in order for a Senator to make the point of order that there is no quorum present, unless the Senator who is addressing the Senate at that time sees proper to yield for that proceeding. If he can do it in that case, he can do it in any other case where there is a want of order.

The Senator from Nebraska [Mr. BURKETT] asked a question of the Senator from Maine which struck at the root of the matter; although the Senator from Maine did reply that that matter is under a specific rule, it is not necessary that there should be a specific rule. It is the simple proposition that a parliamentary body must proceed in order, and when not in order, it is the highest privilege to call attention to the fact and have the disability removed.

Mr. President, I repeat the illustration which I gave a while ago. Suppose we were to have a night session, and it should resolve itself into a question of endurance. Can it be said that a Senator may get the floor at a night session and say, "I am not going to yield to the question of no quorum. Every one of my party associates may absent himself from the Chamber, if he wants to; I will hold the floor myself, and I will not yield to the suggestion of no quorum. While I will compel one side to stay here, I will permit the other side to go away?" That would be giving a most monstrous power to any Senator.

As I said before, I have no interest in the matter in this present instance, except the preservation of what I consider to be a fundamental rule. I think there is a pretty fair attendance here. I myself was listening with very great interest and with large instruction to the honorable and learned Senator from Minnesota, as I always do. I think most of us who desired to hear were here. Consequently I am arguing this question not in its application to this particular case, but as showing that it would be a most unfortunate precedent for us to establish here that on any question of order a Senator who raises that question has to have the consent of the Senator who is addressing the Senate before he can be heard. A question of order is the very highest privilege, affecting the entire body. The present contention is absolutely, according to my view, indefensible from any standpoint, either of practical procedure or any consideration of the principles of parliamentary law and parliamentary procedure.

Mr. GORE and Mr. BURKETT addressed the Chair.

The VICE-PRESIDENT. The Senator from Minnesota is entitled to the floor when he demands it. Will he yield to the Senator from Oklahoma?

Mr. NELSON. Mr. President, the country is waiting for the disposal of this tariff bill, and I would suggest to the Senator from Oklahoma that if he will be as brief as possible I will yield.

Mr. GORE. Yes, sir; I will respect the wish of the Senator from Minnesota.

I merely wish to suggest to the Senator from Georgia that his contention is founded not merely upon parliamentary rule and parliamentary usage, but it is based on the Constitution of the United States itself. The Constitution declares in express terms what the Senate can do in the absence of a quorum. There are only two things which it has the constitutional power to do. One is to adjourn, and the other is to compel the attendance of a quorum. No individual Senator can intervene his will to amend and abrogate the Constitution of the United States.

The VICE-PRESIDENT. If the Chair may be permitted, he will make a statement, although the Chair understands the Senator from Georgia did not raise a question of a point of order upon which the Chair must pass.

Mr. BACON. I do raise it.

The VICE-PRESIDENT. The Chair desires to say that in the body in which the Chair for a time served it was possible always in certain circumstances, under the construction of the rule, to take a Member from his feet, whether he desired it or not; and the theory of the Chair would have been that a Senator could rise at any time and raise the point of no quorum. But the Chair found on examining the precedents that in this body there is a precedent for the opposite ruling, made only one year ago. During the discussion of the conference report on the bill relating to the national banking law, the Senator from Wisconsin [Mr. LA FOLLETTE] attempted to raise the question of the presence of a quorum. The Senator from Rhode Island [Mr. ALDRICH] raised a question of order that a Senator must first obtain possession of the floor before he could raise that question. The Chair sustained that contention; and upon an appeal from the decision of the Chair, the decision was sustained by a vote of 32 to 14.

So, while the Chair's notion would have been that the Senator from Indiana could have risen and, without the consent of the Senator from Minnesota, raised the question of the presence of a quorum, under the ruling that the Senate itself has made in the proceeding only a year ago the Chair felt constrained to say that the Senator from Indiana must first obtain the floor.

Mr. BACON. If the Chair will pardon me, that was an occasion when the temper of the Senate was not disposed toward the decision of anything upon any line of conservatism or in a judicial mind in any way.

I presume, of course, there was such a decision, though I did not happen to be present in the Chamber at that identical moment. Several other things were done that night which were revolutionary in their character, and have been pronounced on this floor by myself and others as absolutely revolutionary.

This is a question of importance; and I will say, Mr. President, in order that it may not be affected by anything which is now before the Senate, that it is a matter which ought to be referred to the Committee on Rules. Let us have this matter settled in a proper way. If I were to now ask the Chair to submit the question to the Senate, it might be now decided by the Senate upon some other grounds than purely parliamentary considerations. Therefore I will not now ask that there be a submission to the Senate, but I will, at the proper time, introduce a resolution referring this matter to the Committee on Rules.

The VICE-PRESIDENT. The Chair will further state that, what the Senator now suggests, the temper of the Senate at that particular time is not disclosed by cold type.

Mr. BACON. It is not disclosed, but it is a very burning instance in the memory of those who had the misfortune and pain to be present on that occasion.

Mr. GALLINGER. And most of us did not entertain the heat that the Senator from Georgia does on the subject. We thought we were proceeding strictly according to the rule.

The VICE-PRESIDENT. The Chair further suggests that the first clause of Rule XX seems to carry out what was the Chair's original idea on the subject. That clause reads:

> A question of order may be raised at any stage of the proceedings, except when the Senate is dividing.

Mr. BACON. I simply desire to say, in response to the Senator from New Hampshire, that conceding all that may be in the recollection of the Senator relative to myself, I can only say, in regard to the temper of others upon that occasion, that it is very well to bear in mind the old adage that is put in rhyme:

> Oh wad some power the giftie gie us
> To see oursel's as others see us!

The VICE-PRESIDENT. The Chair does understand the Senator from Georgia now to withdraw his point of order.

Mr. BACON. I do, simply for this reason: I think it is a matter of grave importance, and if we were to decide it to-day it might be that some Senator would vote without reference to the cool judgment which he may give to it at some other time. Therefore I will not make the point now, but I intend to bring it to the attention of the Senate in the way of a resolution, to be referred to the Committee on Rules.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. GORE. Just one word.

Mr. NELSON. Certainly.

Mr. GORE. I wish to call the attention of the Chair and the attention of the Committee on Rules, when the resolution reaches it, to the fact that the decision and precedent just cited by the Chair are void on its face, the vote being 32 to 14, which would make 46, which was not a quorum of the Senate at the time that vote was taken. So the decision was void, and demonstrates the high-handed procedure which prevailed at that time and the importance of observing and conserving the rules of the Senate.

The VICE-PRESIDENT. May the Chair make the further statement that the RECORD shows the Vice-President counted the Senate and discovered that a quorum was present? The Senator from Minnesota will proceed.

Mr. NELSON. I will suggest to the Senator from Indiana that he withdraw his point of order for the moment.

The VICE-PRESIDENT. The Senator from Indiana has not made it.

Mr. NELSON. When this little episode as to the point of order occurred, Mr. President, I was nearly through with my remarks. I had aimed in this brief discussion to point out to the Senate that the effect of the amendments reported by the Finance Committee to paragraphs 313, 314, 315, 316, and 317, if you analyze them carefully, is to increase the rates of the Dingley law, so far as I have compared them with the ad valorem rates contained in the provisos of these various paragraphs of the Dingley law. But if you compare the figures I have given with the specific rates fixed in the bill based upon the weight of the cloth, you will find the same increase. Whether you compare them with the ad valorem rate or with the specific rate of the Dingley law, you will find that these new rates are an increase of the old rates. It was no wonder, in view of these facts, that the Senator from Massachusetts yesterday declined to commit himself on that question and declined to answer the Senator from North Carolina.

While I am thankful to my friend from Indiana for suggesting the absence of a quorum, Mr. President, I was well aware of the fact that my remarks this morning would be distasteful to a number of Senators on this side of the Chamber. Such being the case, I was the last man in the world to blame them for withdrawing from the reach of my voice. I can sympathize with them. I can only say to them that I will endeavor in the future to inflict as little of my remarks upon them as possible. I do this, first, because I am of a merciful disposition, and, in the next place, I know that whatever I may say on this subject is entirely futile with those gentlemen; it will be like talking to a stone wall.

I have but one word more to say. If the purpose of these amendments was simply to cure the evasions and undervaluations that have occurred in the operation of the Dingley law, I should certainly have sympathized with that effort and been glad to join the Senators in curing those defects, but when the Finance Committee, under the guise of remedying those discrepancies and defects and the undervaluations that have occurred under the Dingley law, proceeds deliberately to increase the rates, as they have done in the bill, all the way from 10 to 50 per cent over the existing rates, I can not join them in sustaining such an effort.

I may be mistaken, Mr. President, in the question whether the rates in the bill are cumulative rates. Perhaps I am all astray on that point; but waiving that question, the other question remains, that if you apply the specific rates to the Senate amendments and try to ascertain by their application the ad valorem rate that they would amount to, I think I have demonstrated to every fair-minded Senator that these rates are in excess of the Dingley rates.

There is one other fact that I desire to call the attention of the Senate to, and with all his ingenuity and skill it was not displaced by the Senator from Massachusetts [Mr. LODGE] last night. It has been pointed out in this Chamber that there is no industry so prosperous and making such large dividends as the cotton-manufacturing industry. Under those circumstances, while they make all the way from 10 per cent up to 66 per cent, perhaps if you strike the average over 25 per cent, dividends, with a good big surplus in addition, why we should raise the rates for the benefit of these prosperous manufacturers passes my scrutiny.

But, Mr. President, while I am getting old in years, I am not too old to learn. The prophet said there was nothing new under the sun. This tariff bill has demonstrated that he was mistaken. We find that one of the most profitable industries in this country comes here and through their representatives seek to invoke a higher rate of protective duties than they have heretofore enjoyed, and they do this after appearing before the Committee on Ways and Means of the other legislative body and telling them through their representatives that they were satisfied with the Dingley rates and have been prosperous and doing well. How in the face of those facts that I have briefly referred to Senators can have it in their hearts to increase the rates is something I can not comprehend.

I am aware that in this matter, being classed as an insurgent, or as a progressive Republican, if you please, my judgment and my opinion are of little account, but by and by the people of this country will have an opportunity and a chance to express their views on this question, and when that time comes people can as readily retire into the smoking room as they can now.

Mr. FRYE. Mr. President, the last remark of the Senator from Minnesota [Mr. NELSON] leads me to violate a studied purpose to vote and not talk; and it was also suggested by the Senator from Oklahoma [Mr. GORE], who cited the Bates mill in my own city as an illustration of remarkable profits.

I am familiar with the Bates mill. I can remember when it scaled down, by the authority of the legislature, 75 per cent of its stock. It subsequently increased its stock to $1,200,000, and it has been paying dividends on the $1,200,000, while it has a productive capacity of at least $3,000,000, and on that productive capacity it has not paid over 6 per cent. It has more machinery to the square foot than any other mill in the United States. Fortunately, it made a line of goods like the Amoskeag mill, and it has been profitable. But, at the same time, the Continental mill, an enormous structure, built, I should say, twenty-four years ago, never paid a dividend until last year, and then only 4 per cent. In addition to that, the Continental mill, by authority of the legislature, reduced its capital one-half.

Then again, the Hill mill, with fine factories of large capacity, have for the last ten years been paying dividends most of the time at 4 per cent, and the stock, $100 being the par value, went down to $35. By the authority of the legislature this last year they cut down their capital one-half.

Again, the Lewiston mill, in the same city, some twenty years ago, finding it could make nothing, gave up the business of manufacturing. Its machinery and its factory stood for fifteen years without any use whatever. Then the mill and machinery were sold at auction for one-tenth of the original cost.

In making up these computations of profits nothing is said about the mills which have been unfortunate. If an average could be drawn of all the cotton mills of the United States, you would not find that the average would be over 6 per cent.

Mr. LA FOLLETTE. Mr. President, the fundamental principle upon which a protective tariff was originally declared as the policy of this country has been widely departed from. I do not know that I can serve a better purpose than briefly to bring back to the consideration of this body the basic principle upon which the protective-tariff policy was established by the father of that system in the beginning.

As established by Alexander Hamilton the true principle of a protective tariff provided such duties on imports as equalled the difference between the cost of production at home and abroad. From Hamilton to McKinley every advocate of protection contended that a tariff so levied would establish and maintain American industries. From Hamilton to McKinley those who opposed the policy of protection contended that duties so levied would tend to create and maintain monopolies in protected industries. From Hamilton to McKinley every great advocate of protection answered that the security of industries so protected would invite capital to invest and insure free competition between producers, and such competition would prevent monopoly and guarantee reasonable prices to American consumers of the protected products.

Hamilton made the best statement of this principle and its operation ever enunciated. Indeed, sir, in his report upon manufactures he stated every argument for the protective-tariff policy and every argument in opposition to it with greater clearness and power than has ever been offered upon either side. These are his words:

> Though it were true that the immediate and certain effect of regulations controlling competition of foreign with domestic fabrics was an increase of price—

And it always is. No man who is honest will deny that—

> it is universally true that the contrary is the ultimate effect with every successful manufacture. When a domestic manufacture has attained to perfection and has engaged in the prosecution of it a competent number of persons, it invariably becomes cheaper. Being free from the heavy charges which attended the importation of foreign commodities, it can be afforded, and accordingly seldom or never fails to be sold, cheaper in process of time than was the foreign article for which it is a substitute.

And, Mr. President, I say from a close and persistent study of our tariff history that the principle of Alexander Hamilton has been, from the beginning, the only justification for imposing upon consumers a system of protective duties for the establishment of new industries.

Now, I should like the attention of every Senator to this further declaration of Hamilton:

> The internal competition which takes place soon does away with everything like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing and with experience.

Sir, for more than one hundred years the ablest champions of a protective-tariff system have met the attack upon it with Hamilton's unanswerable argument, that free competition between domestic industries would make monopoly impossible.

Blaine, in this "Twenty Years of Congress," makes domestic competition the very corner-stone of the protective system. He says:

> Protection in the perfection of its design does not invite competition from abroad, but is based on the contrary principle, that competition at home will always prevent monopoly on the part of the capitalists, assure good wages to the laboring man, and defend the consumers—

Defend the consumers—

against the evil of extortion.

You see, Blaine recognized the fact that protection would be vulnerable except for the principle invoked by Hamilton, that domestic competition would prevent monopoly and so prevent the imposition of extortionate rates upon the domestic purchaser of the domestic product.

M'KINLEY SAID MONOPOLY COULD NOT SURVIVE.

That was the Blaine to whom you, Mr. President [the VICE-PRESIDENT in the chair], and I, as young men entering public life gave heed as an expounder of the correct principles of the protective tariff policy; so William McKinley, a Member of the House of Representatives, rising rapidly to the leadership of his party as the embodiment of the protective tariff principle, answering the charge that the tariff fosters monopolies, said:

> They—that is monopolies—can not long exist with an unrestricted home competition such as we have. They feel the spur of competition from 37 States, and extortion and monopoly can not survive the sharp contest among our own capitalists and enterprising citizens.

McKinley, like Blaine; McKinley, like Clay; McKinley, like every great advocate of the Hamiltonian theory, realized that free competition among the protected industries was the handmaid of the protective tariff policy.

And now I ask some of you older members of this body upon the Republican side, who, I contend, are seeking to lead the Republican party into a new and strange country which you can not fortify or defend, who are setting up a new standard of protection that never has been and never can be defended, to heed the words of one of the most conservative protectionists in history—a Republican leader who commanded the confidence of business men, a great minister of finance, a constructive statesman, who probably wrote his name upon as many, if not more, chapters of federal legislation than any man who served with him during the long period of time he was in the Senate—John Sherman, of Ohio. With a clearness of vision and statement which characterized all his public utterances he declared on this floor:

> The primary object of a protective tariff is to secure the fullest competition by individuals and corporations in domestic production.

And, sir, well understanding that no lopsided system of protection can be sustained, he added these words:

> If such individuals or corporations combine to advance the price of the domestic products and to prevent the free result of open and fair competition, I would, without a moment's hesitation, reduce the duties of foreign goods competing with them in order to break down the combination.

SHERMAN GAVE WARNING OF IMPENDING DANGER.

Mr. President, John Sherman was no mere politician; he was a statesman in his day. I do not use the term "politician" in disparagement. There are honest politicians as there are honest statesmen. The politician sees only the events that are transpiring in the day and hour in which he lives. He frames legislation to meet existing conditions. The statesman sees not only what exists to-day, but what is coming to-morrow and to-morrow and to-morrow. Upon the events of this hour, applying the economic and financial principles which he has mastered, he frames the legislation of to-day to meet the events of to-morrow and next year and the next decade.

From his eminent outlook Sherman saw not only what was upon us in 1890, but what would come twenty years later, and he warned the men of that day against the time of the abandonment of the vital principle of the protective system.

Mr. President, up to a certain time in the history of this nation's tariff legislation it was not felt by protectionists that there was so much danger in high duties. In 1890 I remember some effort was made to inquire into the difference in the cost of labor and cost of production here and abroad. But it was not considered so vitally important because Republican protectionists believed that any injustice to the consumer that might arise in the beginning from the enactment of high duties would be quickly remedied by home competition. That belief was based on the long-accepted theory that a profitable industry would invite investment of capital, and prices would be reduced to the basis of fair compensation to the American manufacturer, good wages to the American laborer, and that the average American citizen would share the general prosperity arising from the development of American industries.

CHANGE IN INDUSTRIAL CONDITIONS.

But conditions have changed in this country in twenty years. I would not take the time of the Senate to recall the declarations of Alexander Hamilton, John Sherman, or William McKinley, if there were not basic economic reasons for so doing. We are revising the tariff in this year of 1909 under conditions that never confronted the Congress in any other revision of the tariff law since the protective policy was adopted in America.

John Sherman, with the prophetic vision of the statesman, saw that combinations would be formed by the protected manufacturers; that competition would be suppressed and destroyed; that the consumers would be charged such prices as the combinations chose to charge them.

Sherman saw that and wrote into the statute books the Sherman antitrust act in 1890.

Following the enactment of the Dingley tariff law came the business and industrial revolution which Sherman saw approaching. In three years after the enactment of the Dingley tariff, 179 combinations were formed, with a total stock and bond capitalization of $3,784,000,000. Do I need to recall the purpose of these combinations? It was to do what Sherman feared would be done—suppress competition in the industrial and commercial life of this country and to control our markets. Shielded by the Dingley rates against competition from abroad, this plan of destroying competition at home was devised so that the prices fixed for the American consumer should be regulated not by home competition nor by foreign competition, but regulated by these combinations of combinations organized and reorganized until they constitute a single power with a single purpose in control of production, transportation, and finance.

By 1904 trust control extended to 8,664 plants, with a total capitalization of $20,379,000,000. It suppressed competition. It had the American purchaser at its mercy.

What has happened since 1904? This: By January 1, 1908, the increase in trust consolidations and capitalization embraced 10,220 plants, with outstanding stocks and bonds aggregating $31,672,000,000. In every line of business, speaking of it in a national way, not in a small or local way, organizations cover so much of the field of production as to establish absolute control of markets and prices.

Mr. President, it is noticeable that the Republican members of the Finance Committee have absented themselves from this Chamber. I shall have some questions to propound. I am content, sir, to submit such to their vacant chairs, if the members of the committee are content to have me do so, and I protest against any call for a quorum while I have the floor.

Mr. President, the man who organizes the control of production in any line subjects not only the producers of the raw material but the consumers of the finished product to an industrial servitude.

Two hundred manufacturers of shoes came to Washington begging for a hearing before the Committee on Finance. Why? Because the meat packers' trust had reached out to take control, and is taking control, of the tanneries of the country, and next they will be manufacturing shoes.

Let this continue to develop and the half dozen men who control the price of every pound of beef, of mutton, and pork as it comes from the farms and ranches across the continent to the butcher shops will also control the price of leather, and step by step they will reach out for control of the finished product which goes to the consumers—harness, saddlery, boots, shoes, and every form of leather. Why not?

Mr. DIXON. Mr. President——

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I do.

Mr. DIXON. Will the Senator yield for a question?

Mr. LA FOLLETTE. Certainly.

Mr. DIXON. Not in an unkindly spirit, but as a matter of information and to know the basis of the Senator's argument, I should like to ask him if the combination of capital which we all recognize as being true is not world-wide and is not confined to the United States?

Mr. LA FOLLETTE. I thank the Senator for that suggestion, and I will reply to it.

Mr. DIXON. I should like to have the Senator answer that.

Mr. LA FOLLETTE. I will answer it. I am no dodger. The Senator knows that.

Mr. DIXON. I did not apprehend that for a moment.

Mr. LA FOLLETTE. Just give me a chance.

Mr. DIXON. Certainly.

Mr. LA FOLLETTE. It is becoming world-wide and probably will be in the end world-wide. I am not looking out into this

economic field, I hope, blindly. I do not expect to see the trusts of this country regulated by tariff legislation alone. We can not get rid of all the evils of monopoly dominating every important line of industry by merely lowering the tariff. But, if trusts and combinations get indirect benefit and are strengthened by the tariff, it offers one way of reaching them. And we should make the most of every means at our command to check their unlawful control of markets and prices. If I have not succeeded in making my position clear already to the Senator from Montana I have been unfortunate. It is that we should not, in the enactment of this legislation, by the smallest fraction do anything to strengthen that power in this country, and we should do all we can to lessen it.

REASON FOR SOME FOREIGN COMPETITION.

Mr. DIXON. I wish the Senator from Wisconsin would elucidate this point for my information. By cutting down the tariff duty so as to give freer importation into this country would we not be merely putting the American market and the American people at the mercy of the great combinations of capital in Germany, France, and the other European countries instead of those here at home?

Mr. LA FOLLETTE. Not unless those foreign combinations form a coalition with the combinations of this country. So far as my investigation discloses, the productions of the United States Steel Company are the only ones upon which such a combination has already been formed. I tell you it is the duty of every man here, if I may be permitted to say so, from my point of view at least, to employ every means possible to forestall the time when the combinations of this country shall be strong enough to say to the combinations of other countries: "We are able to hand you over, without entering upon the field of competition, the whole American market."

I want to let the foreign producer into this country at such a level of duty as will allow his production to sell in the market here as something of a check upon excessive prices imposed upon the American people by the combinations formed to destroy home competition. That is my position.

Mr. President, I am not so inexperienced as to believe that by any process of legerdemain, by the speaking of some legislative word here or there, we are going to be able to solve problems of monopoly in transportation and all forms of business. I do not believe that the most wise and just tariff that could possibly be framed would solve them. I say that in the face of these combinations, forming in violation of the Sherman Act, Republican and Democratic administration alike has been remiss in failing to prosecute; and I say that both branches of Congress, looking out over the whole field, seeing what was taking place, have been remiss in neglecting to investigate and devise every possible means within the reach of legislation to cope with this great evil. And here to-day in the revision of the tariff we should be using the weapon at hand to lop off any undue benefits derived from the tariff which strengthen these great interests instead of passing a bill to promote further exploitation of the American people.

It is a favorite argument of those who defend the existing condition to say, "Are you blind to the industrial development of the world? Would you return to the wasteful processes of competition?" No intelligent man who sees what is happening in an economic and social way in the world will for a moment deny that centralized production cheapens production. No one will deny that competition among small producers is, from an economic standpoint, wasteful.

But if it is conceded that combinations may control the markets of this country and can say to producers they shall take so much and to the consumers they must pay so much, it is as truly slavery as to compel men to work without wages. There is no difference in principle between compelling a man to work without wages and compelling him to take a certain price for his product or labor and pay a certain price for what he buys when these prices are not fixed by the law of supply and demand but are fixed by the arbitrary decision of those who arbitrarily control the market.

INDUSTRIAL FREEDOM—FAIR CHANCE FOR EVERY MAN.

Mr. President, the American people will never surrender their industrial liberty. We will go back to the system of competition if need be in order to prevent it, even though it is less economical. I do not say that is necessary, but I do say that the people who won independence for this country and who preserved this Government will never permit their markets to be controlled by any combination of men who can dictate prices for raw materials and prices for finished products and prices for human labor.

We talk about a free country. Brave men went out in '61 to keep undivided upon the map of America these United States and to write on the escutcheon of this country, "There shall be no bondmen under the flag." What did they mean by that? Do you think they meant just taking the shackles off the hands? Is that freedom? No, it is not. Freedom, true freedom, as expressed in the Declaration of Independence—equality for all men—means not only free hands, not only physical freedom; it means, sir, I want to say in this presence this afternoon, industrial and commercial freedom, equality of opportunity, and a fair chance for every man. And you are building up a system here that will destroy the progress of our country, the development of the American race. Competition may be wasteful, but under the stimulus of competition we have made wonderful progress. We have outstripped all the nations of the earth. There are some things to be considered in the life of a nation besides cheapness. In this system of monopoly which is being developed the individual opportunity of which we are so proud is denied the boy who is poor and without influence.

What is coming out of this for our children? I have a couple of little boys. I am looking forward to the time when they will finish their education. What are they going to do? I tell you, Senators, things have changed in thirty years, and in the next ten years they will change more. If this consolidation and centralization of production progresses in the next ten years as in the last ten or fifteen, there will be no opportunity for independent individual effort. Whatever a boy's equipment, he will have to take a place in an organization as a subordinate part of its machinery.

Mr. President, it can not be denied that since the enactment of the Dingley law inventions have made greater progress than at any time in history; processes have been more highly specialized and simplified; hand labor has been more and more largely eliminated, and the expense of production very much reduced. But with all this phenomenal growth and reduced cost of production, because of the uncontrolled mastery of the markets by combinations, the consumer has been denied any share in cheapened production.

Speaking broadly, and with reference to the lines of largest production, it is no longer necessary in manufacture in this country to put the product upon the market with a view of meeting competition, and it is no longer necessary to manufacture for this market with a purpose of producing good quality. With duties practically high enough to prohibit any restraining influence of foreign competition upon practically all of the necessaries of life, and with combinations formed with intent and power to monopolize business, restrain competitive trade, fix, influence, and increase prices, the consumer is not only denied the benefits of cheapened production, but is compelled to pay extravagant prices for inferior articles.

EXORBITANT PRICES FOR INFERIOR PRODUCTS.

The great Emancipator said that no man is good enough to be the master of another man. Greed tempted by absolute control has advanced prices until the cost of living to the consumer under these new industrial conditions has been increased nearly 50 per cent.

More than this, monopoly not only advances prices, but having substantially a clear field in which it arbitrarily fixes its charge, it is in a position to be quite as arbitrary as to the character and quality of the commodity which it controls. This is an attribute of monopoly. These two things inevitably accompany centralized control: Exorbitant prices and inferior products.

In the reign of Edward VI favored saddlers of England were granted a monopoly of the trade in leather, until Parliament, yielding to petition and appeal, revoked the monopoly, saying:

> Since the making of the statute all kinds of leather are more slenderly and deceitfully wrought and made than ever before, but dear and dearer.

Human nature has not greatly changed with the centuries. A manufacturer of clothing in the hearings before the Ways and Means Committee last December submitted the following statement:

> As a manufacturer of clothing for a period of fifty years I can truthfully state that I never handled cloth of so inferior a quality for the price as I do now.

Speaking broadly, and with reference to the lines of largest control, it is no longer necessary to manufacture an article of the highest quality in order to hold trade, because it is no longer necessary for that article to compete as formerly for business upon intrinsic merit.

A single control commands business, it does not ask it, because competitors have been driven from the field. Hence there is shoddy in nearly everything we wear and adulteration in nearly everything we eat.

Is it necessary for me to remind Senators of the crusade that has been made all over America in the last few years since the enactment of the Dingley law to protect the lives and homes of our people against adulterations in manufactured food products? Is it necessary to remind this body that a national, patriotic organization has for years been seeking to arouse the people of this country to the importance of exercising in the commercial world some sort of regulation and control of the manufacture of clothing to insure its healthfulness?

Paying exorbitant prices for inferior products, the public finally became aroused and demanded that Congress should reduce the duties fixed by the Dingley Act. Session after session they were denied. Session after session their appeals were ignored. Memorials and petitions were without effect. Trusts and combinations opposed revision. Everybody must understand that; everybody must admit that.

We are not in session here to-day, Senators, upon the appeal of the protected interests. Every day members of the Finance Committee, and it is only when compelled to answer questions that they respond, arise and explain advances in the rates on the ground that the manufacturers claim such increases are necessary. I say to the members of the Committee on Finance, you are not revising the tariff because of any clamor for it from standpatters. You are revising it because the consumers of this country raised such a storm that they compelled political parties to write into their platforms a pledge for tariff revision, which was understood, and was intended to be understood, to mean tariff reduction.

PEOPLE EXPECT REDUCTION IN DUTIES.

Before I get through I shall show that the people who forced this revision instead of getting reductions are getting increases, and will have heavier burdens to carry than they now have to bear if this bill is passed as proposed.

There was no mistaking what the people wanted. They knew what they were entitled to and they demanded it. In every home where the burden of higher and higher prices is a serious consideration, the problem was carefully worked out. They knew for the first time in the tariff history of America that those who had invoked the principle of protection had betrayed it.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I do.

Mr. DIXON. Does the Senator from Wisconsin claim that there is any combination or trust among the cotton spinners and weavers of the country?

Mr. LA FOLLETTE. Do you mean the laboring men—the people who work?

Mr. DIXON. No; the manufacturers.

Mr. LA FOLLETTE. I will come to that a little later when I take up the cotton schedule, if my friend from Montana will be patient with me.

The people knew that their only escape from the increasing burdens which were becoming too heavy to bear was to obtain relief by demanding some measure of foreign competition to take the place of the domestic competition which combination and conspiracy had destroyed. They demanded revision of the tariff and they demanded revision downward. Revision had to come. That mysterious power in an enlightened democracy which finally marshals public opinion for the right and makes it irresistible forced this revision of the tariff. Platforms could no longer ignore it. Candidates, recognizing the inevitable in advance of political conventions, pledged themselves for immediate revision. Revision had to come.

Mr. President, the Senator from Indiana [Mr. BEVERIDGE] rendered the Senate and the country a distinct service in bringing together in logical order the declarations of President Taft upon tariff revision, made when he was a candidate for the nomination, after he was nominated, and while a candidate for election, and after he became President-elect, when he appeared in this Chamber to take the oath of office. A platform was made at Chicago. It may please some Senators to make a narrow and technical construction of it as a basis for legislation, but it is never just to any political party to construe its principles upon the narrow declarations of its platform alone.

Many things must be considered in order to interpret correctly and truly the position of a party upon any question.

Mr. President, we must all recognize the importance of the interpretation of the platform by the presidential candidate, together with his public declaration of principles, which are in the nature of pledges to the people of what will constitute the policy of the party if he is elected.

Mr. President, speaking his first authoritative word as the candidate of the Republican party, Mr. Taft raised the standard of his party above the Chicago platform and the work of that convention. Every word he uttered was of profound importance to the voters of this country, and should have binding force upon the Republican members of this body if they recognize their moral obligations to the electorate of this country.

Everyone who went out to appeal to voters of the United States in behalf of the Republican party was glad to have the declarations of the candidate for President upon which to base a campaign.

You know that. And the policy which he outlined in reference to the tariff was everywhere accepted as a party pledge and ought to have great influence with the majority in this body in the consideration of this bill.

Mr. MONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. I yield.

Mr. MONEY (at 2 o'clock and 2 minutes p. m.). The Senator who has the floor is somewhat exhausted. It is quite warm here, and that he may continue with some sort of comfort, I ask that the Senate take a recess for thirty minutes, by consent.

The PRESIDING OFFICER. Does the Senator from Mississippi make that motion?

Mr. MONEY. I ask consent of the Senate that we take a recess for thirty minutes to enable the Senator from Wisconsin to proceed with his speech.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. HALE. For what length of time?

Mr. GALLINGER. Is the request for a recess?

The PRESIDING OFFICER. That the Senate take a recess for thirty minutes.

Mr. HALE. Thirty minutes.

The PRESIDING OFFICER. The Chair hears no objection, and the Senate stands in recess for thirty minutes.

At the expiration of the recess (at 2 o'clock and 32 minutes p. m.) the Senate reassembled.

Mr. ELKINS. Mr. President——

The VICE-PRESIDENT. The Senator from West Virginia.

Mr. ELKINS. Mr. President, I do not see the senior Senator from Wisconsin [Mr. LA FOLLETTE] here.

The VICE-PRESIDENT. The Chair understands that the senior Senator from Wisconsin will be in the Senate Chamber in a moment, though he is not now here. Does the Senator from West Virginia desire to take the floor?

Mr. BULKELEY. I ask unanimous consent to submit an amendment to the pending bill, and ask that it be printed and referred to the Committee on Finance.

The VICE-PRESIDENT. Without objection, the amendment will be received, printed, and referred to the Committee on Finance.

Mr. BEVERIDGE. I call attention, Mr. President, merely to the fact that constructively and theoretically that can not be done, even by the consent of the Senator from Wisconsin [Mr. LA FOLLETTE]. Theoretically the Senator from Wisconsin has had the floor all the time; and I understand the rule of the Senate is that whether he occupies it all the time or not, where a Senator has the floor, no bill or anything else can be introduced. He himself can not even yield for that purpose. Theoretically the Senator from Wisconsin has not yielded the floor at all. It is all right; only I am simply calling attention to the rule.

The VICE-PRESIDENT. The Chair begs to state that the Senate was in session; that the Senator from Wisconsin [Mr. LA FOLLETTE] was not demanding the floor, and the Senator from Connecticut [Mr. BULKELEY] did ask unanimous consent to submit an amendment.

Mr. BEVERIDGE. I am not quarreling at all, except I wish to say that theoretically every instant since the Senator from Wisconsin ceased speaking he has occupied the floor; but it is not worth while——

The VICE-PRESIDENT. That is not theoretically——

Mr. GALLINGER. Theoretically the Senator lost the floor when the recess expired.

The VICE-PRESIDENT. The Senator did not demand the floor, and was not entitled to it.

Mr. LA FOLLETTE. Mr. President, I want to express my appreciation of the courtesy of the Senator from Mississippi [Mr. MONEY] in suggesting a brief recess. I was very glad to avail myself of it, though I probably did not need it as much as appearances might indicate. I speak with perhaps undue earnestness. It is a sort of habit I have formed. I feel very deeply about some things. I want to say to any of my very good friends on either side of this Chamber that they must not have

We talk about a free country. Brave men went out in '61 to keep undivided upon the map of America these United

there is shoddy in nearly everything we wear and adulteration in nearly everything we eat.

Mr. President, speaking his first authoritative word as the candidate of the Republican party, Mr. Taft raised the standard deeply about some things. I want to say to any of my very good friends on either side of this Chamber that they must not have

any apprehension about my wearing myself out. While the heat is oppressive and a little rest is very refreshing, I oftentimes speak for a much longer period of time under circumstances not nearly so pleasant and agreeable as I am enjoying this afternoon. After I occupy the floor for a time, and before I finish what I have to say upon the cotton schedule, I shall comply with the request of the Senator from West Virginia [Mr. ELKINS], who desires to address the Senate this afternoon.

POLITICAL AND MORAL OBLIGATIONS OF REPUBLICANS.

When I yielded the floor I was calling attention to the importance of the declarations of the Republican candidate for the Presidency as binding upon a Republican Congress in the consideration of this tariff bill. I said that by every political and moral obligation we are bound to recognize the importance of every declaration that he made. The American citizen's ballot is all that he has under our system to give him any part in his government. It is his certificate of citizenship; it is his shield, his weapon of defense; and whenever and by whatever means he is induced to cast that ballot for a certain line of policy or to the support of certain candidates an obligation arises, and as a result it should be binding upon every representative of the party involved. The voter has a chance to speak but once in four years. That is only a few times in a generation. He has no opportunity, except through his ballot, to make his influence felt in national government. And yet by every principle upon which this Government is founded all of the powers are derived from the people and come from the ballot. President Taft, realizing some of the shortcomings of the platform made in Chicago, went beyond that platform to the people of this country, and in some measure made a platform upon which he appealed to them for their votes. Every vote that he received upon the issues as defined by him, taken in connection with the platform, constitutes an obligation that we can not disregard.

Weighing well his words, knowing what their influence would be upon the American voter in the event of his nomination, on the 5th of September, 1906, at Bath, Me., Mr. Taft said:

Speaking my individual opinion and for no one else, I believe that since the passage of the Dingley bill there has been a change in the business conditions of the country, making it wise and just to revise the schedules of the existing tariff. The sentiment in favor of a *revision of the tariff* is growing in the Republican party, and in the near future the members of the party will doubtless be able to agree on a reasonable plan.

* * * * * * *

How soon the feeling in favor *of revision* shall crystallize into action can not be foretold, *but it is certain to come*, and with it those schedules of the tariff which have inequalities and are *excessive* will be readjusted.

He emphasized revision. It commanded the thoughtful attention of voters, won their confidence, and incurred a certain obligation. Later, on February 10, 1908, when the campaign for the nomination for the Presidency was well advanced he made a speech in Kansas City in which he had this to say on the tariff question:

In the ten years which have elapsed since the enactment of the Dingley tariff, the conditions have so changed as to make a number of the schedules under the tariff too high.

WHAT TAFT SAID AND MEANT.

This was out in the Missouri Valley, where every word uttered on that proposition would be weighed at its full value. Mr. Taft said:

This renders it necessary to reexamine the schedules in order that the tariff shall be placed on a purely protective basis. By that I mean it should properly protect against foreign competition and afford a reasonable profit to all manufacturers, farmers, and business men; but *should not be so high as to furnish a temptation to the formation of monopolies to appropriate the undue profit of excessive rates.*

Just think, Mr. President, how deeply those words uttered at Kansas City would sink into the hearts and minds of the people of the Missouri and the Mississippi valleys. It is true that this was before the nomination was made, but it is well understood that Mr. Taft was practically nominated a long time before the Chicago convention.

In his speech of acceptance on July 28, 1908, he spoke with a new authority—

The tariff in a number of the schedules exceeds the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer.

Does anybody think he was talking about the agricultural schedule when he said that? I think not. Mr. President, an utterance like that meant a great deal; it was an effective declaration to the voters of this country on the very threshold of that campaign. We can not shirk its obligations.

The tariff in a number—

He did not mean that we could stop with a slight reduction of some of the rates in the steel schedule which would not make a shade of difference with the consumer of this country in the price of those products. He did not mean that we should make slight reductions in other schedules which were excessive, leaving the rates still excessive; but he meant that when we revised the tariff we should revise all schedules, basing the rates upon the difference in the cost of production at home and abroad. That is what he meant, because he said it.

Continuing—

The excess over that difference serves no useful purpose, *but offers a temptation to those who have monopolized the production and the sale of such articles in this country to profit by the excessive rates.*

The tariff in a number of the schedules *exceeds the difference between the cost of production* of such articles abroad and at home, including a reasonable profit to the American producer.

Take that declaration of the candidate for the Presidency, with the statement following it, that conditions invite excessive prices and excessive profits; take it in connection with the declaration of the Republican platform, that the tariff should be revised upon the basis of the difference in the cost of production, and contrast it, Mr. President, with the tariff bill before us, not one single rate of which is based upon that principle of the platform or upon the declaration of President Taft.

On the other hand, there are some *few* other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be raised.

The candidate for the Presidency in that declaration and in his letter of acceptance made two things plain: That there were several schedules in which the duties were too high and in which they should be reduced in accordance with the principles laid down in the platform, and there were but few schedules in which there should be increases.

You can not get away from that. He nailed it down. That is the declaration upon which you, Mr. President (the Vice-President in the chair), and the candidate for the Presidency went to the American people for your election, and secured it.

Again in his speech in Cincinnati on September 22, 1908, Mr. Taft said:

The Dingley tariff has served the country well, but its rates have become *generally excessive.*

TAFT SAID PRESENT RATES ARE EXCESSIVE.

In the course of this debate, Mr. President, it has come to be a sufficient answer to any question which any Senator may ask as to an excessive rate for the members of the committee to say "that is the Dingley rate," as though that was the sum of all that need be said in defense. That was not the way Candidate Taft understood it. That was not what the voters of the country meant when for four, six, eight years they were clamoring here for a revision of the tariff until they forced it upon a reluctant Congress, until they made a new division in the Republican party, until they coined and put into the speech of the people of this country a new name—"standpatters"—to designate a small but powerful minority of the party. It was the pressure of public sentiment demanding revision of the tariff which gave rise to a designation of a political status typified by men who would not revise the tariff, and they comprised the Tory element of the House of Representatives who were able for years to stand pat and thwart all effort of the people for revision.

William H. Taft, as the nominee of the Republican party, understood just what the people understood—that the Dingley tariff had served the country well, but its rates had become generally excessive. That was the general understanding, and Taft knew it, and he said it, and they voted for him because he was a progressive and not a standpatter. Reading further from that same speech—reading connectedly—he said:

The Dingley tariff has served the country well, but its rates have become generally excessive. They have become excessive because conditions have changed since its passage in 1897.

He not only made the statement, but he reenforced it; he drove it home.

Some of the rates are probably too low, due also to the change of conditions.

There would come no protest from the senior Senator from Iowa, none from the junior Senator from Kansas, none from the junior Senator from Iowa, none from any Senator on this floor, if rates had been advanced only upon reliable evidence that the difference in the cost of production warranted the advance. What did he say next? The very next words are these:

But on the whole the tariff ought to be lowered.

Let those words ring in your ears—you, members of the Committee on Finance, who reported this bill.

But on the whole the tariff ought to be lowered.

On the whole, I will demonstrate that you have raised it, and I will make so clear a demonstration that you can not get away from it.

In appealing to the members of the committee I should have said the member of the committee. As I run my eye over the Republican side I see only one. I appreciate his presence.

Listen!

But on the whole the tariff ought to be lowered in accordance with the Republican principles.

Read you [Senator DOLLIVER, of Iowa] out of the Republican party because you criticised the woolen schedule and the cotton schedule and the general character of this bill! They may do it here. They can not do it before the country. They can not do it in history. You can summon always the President of the United States as your first witness, for he said at Cincinnati, on the 22d of September:

But on the whole the tariff ought to be lowered in accordance with the Republican principles and the policy that it has always upheld, of protection of our industries.

Still further along in this same speech the President said:

The movement in favor of revision has arisen within the Republican party and is pressed forward by members of the Republican party. The revision which they desire is a revision which will reduce excessive rates.

THE BILL WILL TEST PARTY'S GOOD FAITH.

Mr. President, in the course of this debate the Republicans who oppose this bill have been frequently accused of party disloyalty. But I say that the Republican Members of the committee responsible for this bill are not the final authority, or the best authority, on the question of loyalty to the party or to the public.

Mr. President, in reading the roll call, for which I have been sometimes criticised, and often misrepresented, I have never attacked any individual Senator, nor said anything about the United States Senate I would not say here. I have dealt with legislation, not individuals, and have presented the facts and stated the principles involved, and have said this legislation was disposed of by the following vote, and have read from the CONGRESSIONAL RECORD the names of those voting for and those voting against certain measures. I have done that upon the principle that we are representatives of the people of our States and of the United States, and that they are the final judges as to whether we represent their interests, and that they are the final authority as to our party loyalty or disloyalty.

Mr. Taft said revision was being pressed forward by the Republican party, and when this bill is understood, that party will determine who has, and who has not, kept faith.

Mr. Taft said:

The revision which they desire is a revision which shall reduce excessive rates, and at the same time preserve the industries of the country.

Mr. President, every American citizen, whatever his party, his profession, or his business, desires the preservation and prosperity of our industries. No wage-earner would vote for the injury or destruction of our great manufacturing industries, because that would mean loss of employment. But it is beginning to sink into the mind of the man who toils in the factory and to take hold of his convictions in a lasting way, that while he is getting a wage in excess of the wage of the man with whom he competes in foreign countries, when that wage comes to be expressed in living, in rent, in butcher's bills and grocery bills and clothing bills and doctor bills, there is something to be considered besides the mere difference in the American and the foreign wage scale. He understands that hours of labor and cost of living are important factors in this tariff problem.

Now, when a candidate for the Presidency came forward with a declaration that there should be a revision that should reduce excessive rates it appealed to the man whose cost of living had advanced 50 per cent since the Dingley Act was passed and whose rate of wages had not kept pace with it by any measure of means. It took hold of him, and we ought to consider that here. We are obligated, morally and politically, to consider it, we Republicans who are making a tariff law, and we should make the law in accordance with the conditions upon which we induced the voters of this country to cast their ballots in November, 1908.

The President says further in this same speech:

I wish there to be no doubt in respect to the revision of the tariff. I am a tariff revisionist, and I have been one since the question has been mooted.

REPUBLICANS MUST MAKE BILL CONFORM TO PARTY PROMISE.

On September 24, 1908, I spent the day with Mr. Taft. He visited my home city. I had the pleasure of presenting him to a large audience in the gymnasium of the University of Wisconsin, where he spoke. I went with him from Madison, rode with him during the day, and heard him deliver a number of addresses. He closed the day with a speech at Milwaukee. Mr. Bryan had been in Milwaukee shortly before, and it was expected that he would soon visit the State of Wisconsin again and travel to a considerable extent over the same course taken by Mr. Taft. So Mr. Taft's Milwaukee speech was in effect an answer to Mr. Bryan on the tariff question. He said:

The encouragement which industry receives leads to the investment of capital in it, to the training of labor, to the exercise of the inventive faculty of which the American has so much, and in practically every case in which adequate protection has been given the price of the article has fallen, the difference in the cost of producing the article abroad and here has been reduced, and the necessity for maintaining the tariff at the former rate has ceased.

. . . . . There are many articles in common use to-day which were unknown when the Dingley tariff bill was enacted. Conditions with respect to the cost of articles abroad have changed just as they have changed in this country, so that the difference between the cost of production at home and abroad ten years ago was in many instances different and less than it is to-day.

. . . . And that the tariff is greater than the differential between the cost of production at home and abroad, and that it should therefore be reduced.

I can say that our party is pledged to a genuine revision, and as a temporary head of that party, and President of the United States, if it be successful in November, I expect to use all the influence that I have by calling immediately a special session, and by recommendation to Congress to secure a genuine and honest revision. . . .

He put his interpretation upon what would be a genuine and honest revision.

It is my judgment, as it is that of many Republicans, that there are many schedules of the tariff in which the rates are excessive, and there are a few in which the rates are not sufficient to fill the measure of conservative protection.

A conservative protection, not a blind, irrational protection. He said further:

It is my judgment that a revision of the tariff, in accordance with the pledge of the Republican platform, will be on the *whole a substantial revision downward*, though there probably will be a few exceptions in this regard.

So, Republican Senators, when you scan this bill and analyze it, if it does not square itself with that declaration, taken in connection with the Republican platform, I say to you that you can not, acting in good faith with the people of this country, vote for the bill. It must embody a substantial revision downward or it is a violation of the Republican pledge made by the man who carried the flag of the Republican party to victory in 1908.

In another speech on the tariff, delivered at Des Moines, Iowa, September 25, 1908, Mr. Taft said:

It is my judgment as it is that of many Republicans that there are many schedules of the tariff in which the rates are excessive, and there are a few in which the rates are not sufficient to fill the measure of conservative protection.

Again, in the State of Iowa, he was appealing to Republican voters upon the basis of conservative protection; and again he construed the party pledge to mean that many of these schedules must be reduced and that the increases, if any, would constitute but the few exceptions.

Again he said in that connection:

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican party will be on the whole a substantial revision downward—

Using the same language he used in Milwaukee—

though there probably will be a few exceptions in this regard.

As the temporary leader of the party I do not hesitate to say, with all the emphasis of which I am capable, that if the party is given the mandate of power in November it will perform its promises in good faith.

You Senators from Iowa, from Nebraska, from Minnesota, you Senators from the whole Mississippi Valley, well you know the language used at Des Moines, and at Milwaukee, and at every other place where Mr. Taft spoke on that remarkable tour through the great Mississippi and Missouri valleys. I say to you that the men who voted for him will look to you to see that this tariff is revised upon the lines laid down by the President when he made that memorable campaign and met face to face the voters of that great and populous section of the country.

Finally, in his inaugural address of March 4, Mr. Taft said:

It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the reduction of rates in certain schedules and will require the advancement of few, if any.

If the Republican platform at Chicago admits of the diverse interpretations it has been given in this debate, there is all the more reason for this emphasis on Mr. Taft's utterances. The people if doubt existed, accepted the interpretation of their candidate for President, who promised to call a special session to revise the tariff, and who, they well understood, must pass final judgment when the bill was brought to him for approval.

of some of the rates in the steel schedule which would not make a shade of difference with the consumer of this country I will make so clear a demonstration that you can not get away from it.

So, I say, we approach the consideration of the tariff bill under obligations which we can not shirk or put aside, which must be binding upon us, and which require us, on the whole, to revise the tariff downward; which require us to adopt, if there is necessity for advance of any rate, a conservative protective policy with respect to that advancement.

Mr. President, that brings me to the consideration of the work of the committees of Congress in the treatment of this bill, and at this point, at the request of the Senator from West Virginia [Mr. ELKINS], who is especially desirous of addressing the Senate this afternoon, I will yield temporarily and later resume what I have to say.

Mr. ELKINS. Mr. President——

Mr. BEVERIDGE. I think attention should be called to the fact, inasmuch as the Senator from Wisconsin has yielded, that the Chair held that he not being here thirty minutes after the recess expired, the floor had been yielded, and he had to resume it again; and that now yielding, it puts him in the position of having spoken twice on one day. That ought to be noted.

Mr. LA FOLLETTE. I will say, if there is any difficulty about my taking the floor to continue what I have to say, I will adjust myself to it very easily by offering an amendment, which will give me a right to go on. I do not think there will be any narrow construction of the rule in this respect. I have not shown any disposition unduly to tax the patience of the Senate; I do desire to discuss this schedule in a somewhat thoroughgoing way; and I have not any doubt that I will be permitted to do so without any mere technicalities being applied to my right.

Mr. BURROWS. Mr. President, I am very sure there will be no question about the right of the Senator to proceed.

Mr. ELKINS. Mr. President——

Mr. NELSON. Will the Senator from West Virginia yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. ELKINS. I do.

Mr. NELSON. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Minnesota suggests the absence of a quorum, he having been yielded to for that purpose.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Gallinger	Paynter
Bacon	Clay	Gamble	Penrose
Beveridge	Crane	Gore	Perkins
Borah	Crawford	Hale	Piles
Bourne	Culloma	Heyburn	Rayner
Bradley	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Johnston, Ala.	Scott
Briggs	Dick	Jones	Simmons
Bristow	Dillingham	Kean	Smith, Md.
Brown	Dixon	La Follette	Stephenson
Bulkeley	Dolliver	McEnery	Sutherland
Burkett	Elkins	Martin	Taliaferro
Burnham	Fletcher	Money	Warner
Burrows	Flint	Oliver	Warren
Carter	Frazier	Overman	
Clark, Wyo.	Frye	Page	

The VICE-PRESIDENT. Sixty-two Senators have answered to the roll call. A quorum of the Senate is present. The Senator from West Virginia will proceed.

Mr. ELKINS. Mr. President, the tariff debate in the Senate and the discussion in the public press make plain one fact, that the protective policy and protection sentiment is stronger throughout the country and with the people than at any other period in its history. The Senators who claim that the rates are too high and ought to be reduced, I think, are good protectionists and are sincere in what they are endeavoring to bring about.

But I do not agree with those Senators in the revision of duties downward, especially when they wish to go as far as the free list. I want to stop somewhere this side of the free list. I think the products of West Virginia are entitled to protection, the same as the products of other States. I want to put the reasons for protecting them on the same ground that is claimed for the manufactured products and the agricultural products of other sections of the Union.

Putting foreign products competing with American products in our home market on the free list is not reduction of duties, but it is destruction of property interests.

I still believe that protection in its broadest and best sense would be strengthened by placing a duty on every foreign product competing with American products in our markets, thereby insuring some measure of protection or some share in the distribution of duties on all competing American products, discriminating against none.

Some Senators consider what is called raw materials are not such products as are entitled to protection. What is generally termed "raw material" in one section is the manufactured product of another. Whenever money is invested in raw materials and labor has been expended on them, they become manufactured products and are entitled to protection the same as any other product and for the same reason.

Bismarck, more than twenty years ago, attributed the wonderful progress and prosperity of the United States to the protective policy, and urgently advocated protection for the German Empire, which it has adopted, and is now a strong protection nation. Germany protects more of her products than any other country in Europe, and as a result is to-day most prosperous and leads Europe in manufacturing. Germany has so arranged her tariff in the interest of protection that if she finds a foreign article being sold in her markets she immediately puts a duty on the same. In this way Germany drives competing products of other countries out of her markets, and has obtained such a degree of prosperity in manufacturing that she not only manufactures nearly everything her own people consume, but sends her manufactured products to the markets of England and other countries.

I wish to give some reasons for maintaining a duty on bituminous coal, among the leading and important industries of West Virginia and the whole country.

Coal and petroleum are finished products and entitled to the same consideration in fixing the duties on foreign products competing with American products in our markets as other manufactured products.

To produce coal and petroleum requires vast capital, large plants, great improvements, and the employment of labor; indeed, everything that enters into the manufacture of shoes, sugar, cutlery, woolen and cotton goods, tobacco, gloves, on all of which there are, in the present bill, duties ranging from 50 to 150 per cent. There should be no difference or discrimination against coal and petroleum in making the tariff.

Mr. President, I hold in my hand a table of some articles taken from the pending bill arranged in three classes—the high-duty class, the medium-duty class, and the low-duty class. In the high-duty class the duties range on foreign importations competing with American products from 50 to 262 per cent, in the medium-duty class the duties range from 22 to 50 per cent, and in the low-duty class range from 5 to 22 per cent.

Coal is in the low-duty class, the duty on lumber has been reduced 50 per cent, and oil is on the free list, as will be observed.

West Virginia is not ambitious that coal and petroleum should be in the high-duty class or medium-duty class. We would be quite satisfied if these products find a place in the list containing the low duties placed upon foreign products imported into the United States. We do not ask much; we are moderate in our demands, although the capital invested in these two great industries is equal to the capital invested in most of the leading industries of the United States.

Let me read from this table the list of duties; this will tell the whole story. If the products enjoying the protection which I am about to name are entitled to the high duties placed upon them, then coal and petroleum should not be on the free list, but have a reasonable duty.

The duty on tobacco is 262 per cent; cigars, 172 per cent; woolens and worsted cloths, 136 per cent; another class of worsted cloths—and I do not know one from the other, Mr. President—is 122 per cent. Here is tobacco again, 122 per cent; then all dutiable tobacco, 104 per cent; dress goods, 103 per cent; woolens and worsted cloths, 95 per cent; all manufactures of wool, 90 per cent; limes, 89 per cent; woolen yarns, 87 per cent; lemons, increased from 47 to 70 per cent. Then look at the list of agricultural products, all having high duties under the Dingley law—the duty on some of them is increased in the present bill.

Mr. President, I would be satisfied with the present duty of 67 cents on coal and a duty of 1 cent a gallon or even less on crude petroleum.

I insist that there is not an American industry more important than petroleum or coal.

When coal is reached in the table from which I am reading it is 22 per cent under the Dingley law, but as reported in the Payne bill it is made free, and petroleum is also made free. I can not understand this discrimination.

The table referred to follows.

Certain of the chief commodities ranked according to average ad valorem duty, per rates of the Senate bill on basis of imports of 1906.

[* indicates change of rates; † average ad valorem duty not ascertainable on account of change in rates.]

Paragraph of Senate bill.	Article.	Average ad valorem, imports of 1906. Present rate (Dingley bill).	Senate bill.		Dingley income, 1907.	Senate estimate.
		Per cent.	Per cent.	Specific duty.		
	High duty, average ad valorem over 50 per cent.	262.70	262.70	$1.85 per pound	$11,905,463.07	$11,905,463.07
217	Tobacco, wrapper and filler mixed, with more than 15 per cent wrapper, and also leaf tobacco of two or more countries, mixed or packed together.	172.04	172.04	$4.50 per pound and 25 per cent.	10,621.25	10,621.25
221	Cigars and cheroots	172.04	172.04	$4.50 per pound and 25 per cent.	10,621.25	10,621.25
374	Woolen or worsted cloths, value not more than 40 cents per pound	136.73	136.73	33 cents per pound and 50 per cent.	37,378.42	37,378.42
373	Woolen yarns, value not more than 30 cents per pound	136.09	136.09	27½ cents per pound and 40 per cent.	31.18	31.18
374	Woolen or worsted cloths, value 40 to 70 cents per pound	122.29	122.29	44 cents per pound and 50 per cent.	224,596.07	224,596.07
217	Tobacco, filler, stemmed	122.32	122.32	50 cents per pound	240.00	240.00
217–221	All dutiable tobacco	104.41	104.39		26,125,037.41	26,113,185.29
376–377	Dress goods, wool manufactures	103.33	103.33		4,253,859.77	4,253,859.77
374	Woolen or worsted cloths, value above 70 cents per pound	95.48	95.48	44 cents per pound and 55 per cent.	1.07	1.67
217	Cigars and cheroots, Cuban	91.28	91.28	$4.50 and 25 per cent, less 20 per cent.	3,474,380.35	3,474,380.35
368	All manufactures of wool	90.30	90.30		36,554,815.89	36,554,815.89
390	Limes	89.23	89.23	1 cent per pound	28,901.65	28,901.65
373	Woolen yarns, value more than 30 cents per pound	87.73	87.73	38½ cents and 40 per cent	116,843.59	116,843.59
217	Tobacco, filler, stemmed, Cuban	72.52	72.52	50 cents per pound less 20 per cent.	1,508,798.36	1,508,798.36
273	Lemons (increase)	*47.27	70.90	1½ cents per pound	1,539,583.54	2,309,375.32
273	Oranges	69.13	69.13	1 cent per pound	211,275.49	211,275.49
217	Tobacco, filler, unstemmed	64.54	64.54	35 cents per pound	8,677,478.85	8,677,443.41
450–452	Gloves, men's, Schmaschen (sheep), lace finish	64.29	64.29	$3 per dozen	3,180.82	3,180.82
236	Rice, cleaned	64.08	64.08	2 cents per pound	539,084.67	539,081.11
151–153	Cutlery	*63.70	(†)		1,437,855.69	1,614,109.90
100	Plate glass, polished, unsilvered	63.55	63.55	10 to 22½ cents square foot	784,569.81	900,535.70
213	Sugar, above No. 16 Dutch standard	*64.32	63.00	1.91 cents pound	84,220.43	82,060.91
213	Sugar, not above No. 16 Dutch standard	61.43	61.71		59,947,799.73	59,247,819.69
412	Hats, fur, not over $5 per dozen	*94.66	61.66	$1.25 and 15 per cent	4,743.13	3,087.12
326	Hosiery, value not exceeding $5 per dozen	60.16	60.16	50 cents to $2 and 15 per cent.	4,115,446.35	4,115,446.35
345	Laces, lace window curtains, etc., cotton	60.00	60.00	60 per cent	23,843,003.89	23,843,003.89
227	Barley	55.23	55.23	45 cents bushel	3,544.50	3,544.50
395	Silk fabrics, woven in the piece	*55.09	(†)		6,766,856.66	8,936,881.29
326	Hosiery, value over $5 per dozen	*55.00	55.00	55 per cent	23,295.90	23,295.90
217	Tobacco, filler, unstemmed, Cuban	54.73	54.73	35 cents less 20 per cent	1,508,798.36	1,508,798.36
310–330	All manufactures of cotton	*54.09	(†)		14,271,056.64	15,023,722.66
236	Rice, uncleaned	53.66	53.66	1½ cents per pound	357,079.84	357,079.84
450–452	Gloves, all gloves	51.89	51.89		4,243,363.57	4,243,363.57
101	Glass, cylinder and crown, polished, silvered, and looking-glass plates exceeding 144 square inches.	*54.45	51.47	11 to 25 cents per square foot.	715.05	543.51
	Medium duty—average ad valorem 21 to 50 per cent, inclusive.					
418	Hats, bonnets, and hoods, straw, chip, etc., trimmed	50.00	50.00	50 per cent	74,491.35	74,472.59
398	Ribbons	50.00	50.00	do	920,674.23	920,661.49
67	Soap, fancy, perfumed, etc. (increase)	*35.00	46.66	20 cents per pound	181,035.97	241,447.93
97	Glass, cylinder, crown, and common window	*46.30	46.10	1½ to 4½ cents per pound	545,382.74	543,084.75
442	Hats, fur, value $10 to $20 per dozen	*56.13	43.90	$4 per dozen and 15 per cent.	39,108.26	30,139.56
365–366	Wool, classes 1, 2, and 3	43.47	43.47	33 to 36 cents per pound	16,562,748.08	16,562,748.08
442	Hats, fur, value $5 to $10 per dozen	*57.48	43.19	$2.25 per dozen and 15 per cent.	42,535.05	31,901.27
128	Tin plate	*52.87	42.29	1.2 cents per pound	2,120,292.65	1,695,513.98
228	Malt, barley	40.80	40.80	4.5 cents per bushel	1,512.90	1,512.90
189	Clocks	40.00	40.00	40 per cent	236,809.80	236,809.80
242	Cheese	39.22	39.22	6 cents per pound	2,009,525.16	2,009,525.16
313–317	Cotton cloth	*38.62	(†)		4,686,396.63	5,284,672.29
393	Spun silk	*37.54	(†)		1,427,480.08	1,883,915.80
442	Hats, fur, value more than $20 per dozen	*48.17	37.11	$5.50 per dozen and 15 per cent.	39,108.26	30,139.56
352	Flax, hemp or ramie; woven fabrics less than 4½ ounces per square yard and counting more than 100 threads per inch.	35.00	35.00	35 per cent	1,481,080.42	1,481,047.07
453	Harness, saddles, and saddlery	*45.00	35.00	do	72,284.78	56,221.49
418	Hats, bonnets, hoods, straw, chip, etc., not trimmed	35.00	35.00	do	74,481.35	74,472.54
310	Cotton thread and carded yarns (not including spool thread)	*33.98	(†)		1,071,890.69	1,113,289.65
228	Wheat (increase)	*26.54	31.85	30 cents per bushel	4,785.73	5,742.60
282	Meats, preserved or prepared	25.00	25.00	25 per cent	102,095.91	102,095.91
73	Soda ash	*28.77	25.84	½ cent per pound	25,294.67	16,863.10
239	Wheat flour	25.00	25.00	25 per cent	39,384.99	39,384.99
280	Bacon and hams	24.29	24.29	5 cents per pound	23,775.32	23,775.32
231	Corn (increase)	*17.99	23.99	20 cents per bushel	1,425.89	1,900.18
236	Paddy (rice)	22.92	22.92	½ cent per pound	11,158.71	11,158.71
424	Coal, bituminous	22.32	22.32	67 cents per ton	695,480.10	695,480.10
	Low duty—average ad valorem 20 per cent or less.					
118	Bar iron, bars, blooms, billets, etc., charcoal used in manufacture	*31.37	20.91	1/10 cent per pound	412,519.22	295,012.80
424	Coke	20.00	20.00	20 per cent	112,517.36	112,517.36
67	Soap, castile	19.25	19.25	1½ cents per pound	64,419.58	64,419.58
281	Beef, fresh	19.10	19.10	2 cents per pound	7,566.43	7,566.43
124	Steel rails	*33.44	16.72	$3.92 per ton	30,670.02	15,353.24
236	Rice flour, meal, and broken rice	16.72	16.72	½ cent per pound	346,974.15	346,974.15
116	Pig iron	*26.31	16.44	$2.50 per ton	2,174,688.46	1,359,180.02
275	Pineapples	16.06	16.06	7 cents per cubic foot	107,189.16	107,189.16
129	Steel	*20.13	(†)		637,836.50	679,696.55
448	Boots and shoes	*25.00	15.00	15 per cent	41,155.30	24,690.74
448	Upper leather	*20.00	15.00	15 per cent	433,589.15	325,199.86
448	Calfskin leather	*20.00	15.00	15 per cent	41,376.80	31,028.10
237	Rye (increase)	*7.50	15.00	20 cents per bushel	15.75	31.50
117	Flat iron, rolled or hammered	*27.33	13.66	1/10 cent per pound	23,970.37	11,985.19
405	Paper, printing	*15.56	13.87	1/10 to 1/5 cent per pound and 15 per cent.	96,040.38	80,940.75

Certain of the chief commodities ranked according to average ad valorem duty, etc.—Continued.

Paragraph of Senate bill.	Article.	Average ad valorem, imports of 1906. Present rate (Dingley bill).	Senate bill.		Dingley income, 1907.	Senate estimate.
	Low duty—average ad valorem 20 per cent or less—Continued.	*Per cent.*	*Per cent.*	*Specific duty.*		
115½	Iron ore	*19.30	12.06	25 cents per ton	$391,544.43	$244,715.27
402	Wood pulp, chemical, unbleached	10.15	10.15	¼ cent per pound	266,885.21	266,885.21
402	Wood pulp, chemical, bleached	9.88	9.88	¼ cent per pound	210,305.74	210,305.74
116	Spiegeleisen	*15.24	9.52	$2.50 per ton	329,690.03	206,056.28
117	Round iron, not less than $\frac{1}{16}$ inch in diameter	*14.02	7.01	$\frac{1}{10}$ cent per pound	22,571.18	11,285.60
197	Lumber, other than whitewood, sycamore, and basswood	*12.94	6.47	$1 per 1,000	1,794,325.13	904,476.56
116	Ferromanganese	*8.20	5.13	$2.50 per ton	378,173.11	236,358.15
448	Leather, band, belting, and sole	*20.00	5.00	5 per cent	12,347.82	3,086.96
448	Skins for morocco, tanned but unfinished	*10.00	5.00	do	311,282.22	155,641.09
197	Lumber, whitewood, sycamore, and basswood	*5.98	2.99	50 cents per 1,000	13,872.26	7,459.78
	Free.					
672	Calfskins					
541	Cotton					
561	Hides of cattle	*15.00			678,161.54	481,983.81
402	Pulp wood					
663	Silk, unmanufactured					
692	Tobacco stems					
402	Wood pulp, mechanically ground	12.26			200,970.59	4,792.86
	Petroleum					
	Coal					

IMPORTANCE OF COAL.

Mr. ELKINS. I wish now to give some figures and data to show the extent and importance of the coal industry of the United States. The production of coal last year, and it was a dull year, was 419,000,000 tons, worth $500,000,000 at the mouth of the mine. This includes anthracite coal. In estimating the value of coal, the cost of transportation must be considered, because transportation adds so greatly to the cost of coal, so that in many instances it is worth twice as much as the coal and often three times as much. Therefore, if we consider the question of the transportation of 419,000,000 tons of coal it is equal at least to $800,000,000, making the total cost of coal at the points of consumption and distribution $1,300,000,000. So there is involved in the coal industry in mining and transportation this enormous sum of money every year.

Coal going to New England from West Virginia is worth say $3.25 to $3.50 a ton in any of the ports of New England; $2.10 of this is transportation. It is $1.40 by rail and 70 cents by water. West Virginia has to send her coal by rail 400 miles and by water 600 miles to reach New England, to compete there with Nova Scotia coal.

Nearly 3,000,000 people depend upon this industry for a living. There are thousands of towns and small communities scattered all over the country dependent almost entirely on coal mining and the coal industry, just as there are towns and communities everywhere dependent upon the steel, iron, shoe, leather, cotton, woolen, and other industries.

The capital invested in coal lands, mines and improvements will reach into thousands of millions. With this vast outlay of capital and the people employed, it becomes a very serious matter to disturb or impair in any way the coal industry.

It is said this will only affect some of the coal States in the East and a few States in the Northwest. I wish to lay it down as a general proposition that when anything tends to reduce the price of a commodity in a given locality this reduction affects the price of the commodity all over the country, and if the price of coal is reduced or coal mining is destroyed in certain States you affect the price of coal generally.

West Virginia last year produced over 40,000,000 tons, and the year before, I think, 48,000,000 tons. This coal was valued at the mouth of the mine at the lowest estimate at $40,000,000. Nearly 80 per cent of this cost was labor. It cost $64,000,000 for transportation to get the coal to market.

So there is involved in the coal industry in my State $104,000,000 every year to mine and get the coal to the point of transportation and distribution.

It is estimated that 50,000 miners and laborers are employed in and about the mines in West Virginia.

Coal mining is the chief industry of West Virginia, and has been for two generations. The owners and operators of coal mines are not alone the parties interested. The coal miners, coke drawers, handlers, and outside laborers dependent on the successful operation of coal properties are also interested.

The bankers, merchants, grocers, and farmers near the mines, as well as many other people, are directly or indirectly interested. A large coal plant is always the nucleus of a town, which depends on the working of the mine. The abandonment or the closing of large and established mines, or their impairment, would destroy whole communities and towns and bring distress and ruin to many people.

Pennsylvania, Ohio, Illinois, Indiana, and other coal States consume within their borders most of the coal they produce. Pennsylvania produces 225,000,000 tons of coal, and outside of anthracite coal most of it is consumed in supplying the needs of the State, while West Virginia has but few manufacturing plants. Having natural gas in many counties it is used for domestic purposes and for operating mills, factories, plants, and mines.

The cost of mining West Virginia coal is from 85 cents to $1 per ton; when sold to New England the railroad freight is $1.40; water freight, 70 cents per ton; commissions and insurance, 20 cents; total, $3.30 per ton alongside in New England.

The price of West Virginia coal in New England is about $3.50 per ton, but it is often sold as low as $3 to $3.25, sometimes lower. The actual difference in the price of Nova Scotia and West Virginia coal in New England is from 75 cents to $1 in favor of Nova Scotia coal.

THERE HAS ALWAYS BEEN A DUTY ON COAL.

Since the formation of the Government there has never been a moment that there was not a duty on bituminous coal. It is singular that now it is sought to take off this duty and put coal on the free list. Even under the Wilson law there was a duty of 40 cents a ton.

The duty on bituminous coal since 1789 is shown in a table which I will ask to have inserted in my remarks. The duty runs from 56 cents a ton in 1789, under a bill drawn by James Madison, to 84 cents in 1792, $1.26 in 1794, and in 1812, $2.80; under the Walker tariff, the great Democratic tariff, $1.75; under the Wilson law 40 cents, and that did not last long. Even that 40 cents Mr. Bryan voted for and some Senators who were then members of the House.

The VICE-PRESIDENT. Without objection, consent will be granted to insert the table in the RECORD.

The table is as follows:

Duty on bituminous coal since 1789.

	Duty per ton.
1789	$0.56
1790 to 1792	.84
1792 to 1794	1.26
1794 to 1812	1.40
1812 to 1816	2.80
1816 to 1824	1.40
1824 to 1842	1.68
1842 to 1846	1.75
1846 to 1857	.65–.75
1857 to 1861	.55–.65
1861 to 1862	1.00
1862 to 1864	1.10
1864 to 1872	1.25
1872 to 1893	.75
1893 to 1894	.75
1894 to 1897	.40
1897 to 1909	.67

Mr. ELKINS. From the beginning of the Government to the present time *no President, no Congress*, no national platform of any political party, and none of the great statesmen of the past has favored free bituminous coal.

A low duty on coal would injuriously affect in the West the mining interests of the States of Oregon, Washington, Wyoming, Utah, Alaska, and parts of Montana, and in the East the mining interests of West Virginia, Maryland, and eastern Pennsylvania, while the coal interests of Iowa, Illinois, and Ohio might not be hurt.

I have a letter received here from a producer of coal, written from Seattle, which I will ask to have inserted in my remarks:

The letter referred to is as follows:

WALTER OAKES,
President and Treasurer.

HERVEY LINDLEY,
Vice-President and Secretary.

THE ROSLYN FUEL COMPANY,
ROOMS 607–610 LOWMAN BUILDING.

L. P. KETCHAM,
Sales Agent.

SEATTLE, WASH., *May 22, 1909.*

Hon. STEPHEN B. ELKINS,
Washington, D. C.

DEAR SIR: As a coal operator in the State of Washington, I want to protest against the removal or reduction of the duty on coal. We are at a disadvantage with the British Columbia mines and absolutely need the protection in competition with them for the following reasons:

1. They pay lower wages there.
2. They have longer hours.
3. They employ Chinese and Japanese labor, which we can not do here if we want to do so.
4. The adjacent British Columbia mines, besides, have other advantages in a water haul to Puget Sound market, instead of rail haul. This makes a cheaper rate than from our mine by 60 cents, and also greater than from many other mines.
5. The British Columbia fields are easier and more cheaply mined than ours, from the character of the veins and the way they lie.
6. The British Columbia coals are higher grade than most of our coals.
7. They are marketing large quantities of coal here on the present basis, both on the coast and in the interior. A large amount is shipped into Spokane and adjacent territory from various mines in British Columbia territory. A large tonnage is also imported into the Puget Sound district from Vancouver Island. This shows that the removal of duty is unnecessary, and, if done, they can do business on a 67 cent a ton larger basis. The history of former period of removal of duty was that they reduced prices temporarily until many of our mines had to shut down, and then raised them again, so the consumer did not get the benefit.
8. To protect this district from coal shortage. When the last shortage existed no coal could be obtained from the British Columbia coast market. Our own fields must be developed, therefore, to take care of consumers.
9. If duty is taken off, it will tend to prevent or delay the development of the Alaska fields, where the highest grade coal on the coast is found.

The people of this State seem to be practically unanimous in favoring the retention of duty, realizing that they will not secure any reduction in prices if duty is removed. The prices that are charged for coal in Victoria and Vancouver have been as high, or higher, than are charged here.

I trust you will appreciate the force of above arguments and use your influence and vote to prevent removal of duty.

Yours, very truly,

THE ROSLYN FUEL CO.
By WALTER OAKES.

BRITISH COLUMBIA COAL.

Mr. ELKINS. Just as the writer says, the coals of British Columbia are inexhaustible and better than the coals of Washington, Wyoming, Oregon, and other Western States, while in the East many of the coals of West Virginia, Maryland, and western Pennsylvania are better than the Nova Scotia coals. If coal with the cheap labor of Canada is made free, or a low duty is imposed upon it and our market opened to British Columbia coals, the American mines in those States that can be reached in short distances by railroad from Canada will close, and the coal industry in those localities, with the towns and communities dependent on it, will absolutely be destroyed.

The Crows Nest and other mines in Canada produce better coal than the mines of Washington, Idaho, Wyoming, Oregon, and Alaska, and in the next place the Canadian coal can reach the markets in many places at lower rates than the coals of the States named.

The only reason why all the mining operations of those States would not close in the event of free coal is the matter of transportation. The transportation would be too high to allow the coal to be hauled long distances, but just as far as these coals can be hauled in competition with American coal they will drive the American coal out of the market.

Mr. SCOTT. Will my colleague yield to me a moment?

Mr. ELKINS. Certainly.

Mr. SCOTT. Is it not true that in Nova Scotia there are large coal fields now only waiting to be opened up and developed, provided there is no duty placed upon coal so that it can be brought in?

Mr. ELKINS. Yes; that is true. New mines in Nova Scotia are ready to be opened whenever the duty of 67 cents is removed. Nova Scotia sent 700,000 tons of coal last year to New England after paying the duty.

Mr. GALLINGER. Mr. President, does the Senator think that putting coal on the free list would do much good so far as the consumer is concerned?

Mr. ELKINS. No; not a bit.

Mr. GALLINGER. I asked that question for the reason that we had free coal a few years ago, and we in New England, notwithstanding a million tons more or less were sent in from Nova Scotia, did not discover that we got our coal any cheaper because of the fact that it came in from Nova Scotia free. It displaced that much West Virginia and Pennsylvania coal, but the profits went into the pockets of certain well-known gentlemen with whom doubtless the Senator from West Virginia is acquainted.

Mr. ELKINS. The Senator is right, as he always is on economic questions. We did not get the coal any cheaper, but, strange to say, we imported 3,000,000 tons into this country in eight months. A part of that came from England. The price was maintained all the time. It did not go 1 cent lower.

Mr. JONES. Mr. President, will the Senator yield to me for a moment?

Mr. ELKINS. Certainly.

Mr. JONES. The Senator may cover this point possibly later on in his address in connection with Pacific coast coal. I wish to suggest that some of the best anthracite coal fields are found in Alaska. Some of the best naval coal is there and in British Columbia. About 75,000 tons a year are now being shipped into that territory. If the duty is taken off it will prevent the development of those fields in Alaska, and it would be of great value to this country if we could get them developed.

Mr. ELKINS. I thank the Senator from Washington for the suggestion. He is right. Last year 250,000 tons of coal were brought into Alaska from British Columbia, paying 67 cents duty. The mines in Alaska are not yet opened. Take off the duty and it will be seen that the American operator would have no show at all.

NOVA SCOTIA COAL.

Mr. President, I wish to give some facts touching the production of coal in Nova Scotia. Nova Scotia produced last year 5,800,000 tons of coal. Six hundred thousand or 700,000 tons of it came into New England. The rest, 5,000,000 tons, was consumed in Canada. It was consumed there as far as railroad transportation would allow it to go. The coal can only go as far west as Montreal, and from Montreal to Winnipeg, a distance of 1,600 miles, there is no coal. Nova Scotia coal is used with the greatest success for domestic purposes in Canada. It drives every wheel and operates every plant in Canada. It is used on all the railroads. It does for the people of Canada what it will do for the people of New England if we take this duty of 67 cents off. It will displace in the end the coal of West Virginia, Maryland, and Pennsylvania, and I want to show what interests would be impaired. In Massachusetts and Maine we have $4,000,000 worth of shipping now hauling coal from Norfolk and Baltimore to New England. That would go by the board. There are $4,000,000 invested in barges. This is all American investment. They would have to go out of business, not to speak of displacing 16,000,000 or 20,000,000 tons of coal from the three States, of which 14,000,000 is from West Virginia.

This is a matter of deep concern to West Virginia, Maryland, and Pennsylvania. We can not allow this vast trade and this great interest to be impaired. Besides, the great coal railroads of West Virginia, the Norfolk and Western, the Baltimore and Ohio, the Chesapeake and Ohio, were built largely as coal roads, and to take from these roads 16,000,000 tons traffic per annum would be a great loss to the roads and the stockholders.

Mr. SCOTT. Will my colleague allow me?

Mr. ELKINS. Certainly.

Mr. SCOTT. I wish to call attention to the new road that has been built through our State and through old Virginia. The Senators from old Virginia as well as West Virginia are very much interested in that new road. It is one of the greatest coal roads that has ever been built in this country.

Mr. ELKINS. That is true. It cost from $40,000,000 to $60,000,000. The late Mr. Rogers built the road out of his private fortune.

Mr. SCOTT. For nothing but coal hauling.

Mr. ELKINS. As my colleague suggests, that road will develop a vast coal section in West Virginia.

The people of West Virginia who are engaged in coal mining are most estimable citizens, good business men, and employ large capital in their business, and incidentally build up communities and employ vast numbers of wage-earners. On what

ground can any distinction or discrimination be made against the coal-mining industry in favor of other industries?

The senior Senator from Kentucky [Mr. PAYNTER], sitting near me, who so ably represents a great coal State, is deeply interested in this question of a proper duty on coal. Very soon from this new railroad connection, or Virginian railroad, coal will be shipped from his State to Norfolk, thence by water to New England and New York.

It will be asked if West Virginia coal is better, why is it not used in New England to the exclusion of Nova Scotia coal? In the first place, Nova Scotia in the last six or seven years has only been able to supply that part of Canada east of Montreal and send 700,000 tons to New England. With her present development she can not supply much more coal than she now furnishes Canada and sends to us.

Nova Scotia has about a thousand square miles of coal, containing four veins whose average thickness is about ten feet, making about six thousand millions of tons of coal, two-thirds of it as good as West Virginia coal. Now remove the duty and give this coal the New England, New York, and New Jersey markets, and the result would be that Nova Scotia in a few years would furnish New England nearly all the coal she now gets from West Virginia, because Nova Scotia coal could be sold for lower prices. It will be asked, Why should not the people of New York and New England get their coal cheaper? The answer to this involves the whole question of protection. If New England and the East ought to have cheaper coal and get it by taking off the duty, then why should not the duties on all manufactured products competing with those of New England be also taken off, so that the people all over the country could get them cheaper? The principle of protection is to build up our home industries by manufacturing our own products—this gives our people employment, keeps the money in the country, and makes this country an independent and self-reliant nation.

ANALYSES OF WEST VIRGINIA AND NOVA SCOTIA COALS.

I have analyses taken from the United States Navy reports comparing the West Virginia and Nova Scotia coals. I know it is technical to talk about fixed carbon, volatile matter, ash, and sulphur. Probably all Senators will not understand these terms, and I shall not detain the Senate to read them, and will only add that Nova Scotia was so ambitious about her coal and its good qualities that her coal operators bid against the best West Virginia coal to supply the United States Navy.

To show the quality of Nova Scotia coal and the best coal from West Virginia, I submit the following:

Analyses taken from the United States Navy reports.

	Moisture.	Volatile.	Fixed carbon.	Ash.	Sulphur.
Nova Scotia coals:	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*
Cape Breton	2.78	32.27	59.52	4.26	1.10
Pictou	2.10	32.27	57.57	7.56	.50
Spring Hill	1.02	34.58	60.82	3.78	1.20
West Virginia coals:					
Pocahontas (average of 12 analyses)	.69	18.83	74.07	5.65	.76
New River (average of 12 analyses)	.82	20.55	74.11	4.52	.55
Page	.....	33.16	61.11	5.73	1.18

At a large steam plant in Maine during 1908 tests were made, under boilers, of West Virginia nut and slack coal, costing $2.95 per gross ton delivered, against Spring Hill, Nova Scotia, slack, costing $2.40 delivered, a difference in price of 18.6 per cent. Yet, as the result of these tests, Nova Scotia coal was awarded the contract; and in the same contract in 1909 Nova Scotia coal suppliers made a price of $2.20 per gross ton, including duty of 15 cents per ton, and were awarded the contract. West Virginia coal would now cost, owing to increased labor and freighting, $3.07 delivered, a difference in price of 25.7 per cent. To be on a competing basis, the West Virginia coal would now have to sell at $2.80, which would mean about 63 cents at the mines, considerably less than the average cost of production.

Analyses of Nova Scotia coals—Dominion Coal Company.

Name of seam.	Moisture.	Volatile.	Fixed carbon.	Ash.	Sulphur.
	Per ct.	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*
Gowrie	0.50	31.41	62.73	5.36	2.71
Caledonia	.92	30.31	62.33	6.43	1.10
Reserve	.52	37.60	56.34	5.54	1.25
Lingan	.75	37.28	58.74	3.25	1.35
International	.80	29.40	65.50	4.30	2.32
Gardiner	.....	31.96	65.22	2.82	1.18
Victoria	.28	33.30	62.92	3.50	2.84
Old Sydney	1.26	35.51	59.11	4.11	1.70
Spring Hill	.30	32.60	64.48	2.56	1.21
Acadia	1.05	27.42	62.18	9.35	1.48
Intercolonial	.90	22.92	67.15	9.03	1.06
Reserve	2.78	32.27	59.52	5.43	*1.17
Nova Scotia	1.37	34.81	57.36	6.26	4.16

* United States navy-yard.

With the exception of three analyses, the figures show the Nova Scotia coal is as good as two-thirds of the coal of West Virginia or of Pennsylvania or of Maryland. The Pocahontas and New River coals are the best in the State of West Virginia. There is only 7 per cent difference in the heating value of Nova Scotia coal and the coal of West Virginia. Pocahontas coal is 14.805 British thermal units per pound of coal; the Nova Scotia coal is 13.755 British thermal units. This is one of the best tests. I find the duty on coal imported into Canada is 50 cents per ton. The duty on coal under the Dingley bill is 67 cents, and on slack it is 15 cents a ton. There has been in the last six years, owing, it is said, to some misinterpretation or evasion of the law, a loss to the United States Government in the way of duties of perhaps $200,000 a year. Under the Dingley law it was provided that coal slack which would pass through a half-inch screen could be imported from Canada at 15 cents. It turned out that pretty nearly everything which came in was slack. It was claimed that the coal was very fine; but the fact was that it was made into slack before and during shipment and when it got to Boston most of it was appraised as slack, because it was so fine that it would pass through a half-inch screen, although it was not slack produced in the ordinary way. Most of the coal imported as slack was ordinary coal and should have paid a duty of 67 cents a ton instead of 15 cents.

Mr. CLARK of Wyoming. Will the Senator yield to me just on that particular point?

Mr. ELKINS. I will.

Mr. CLARK of Wyoming. A great deal of coal that is shipped as coal passes through our custom-houses as slack. It is impossible to ship bituminous coal without creating more or less slack in the shipment. The importer would say to the custom-house officer, "You see that 50 per cent of that is slack." As to 30 or 40 per cent of the coal which is shipped and paid for by the people of the United States as coal, the shipments come through in that way—a certain part paying a duty of 67 cents and a certain part a duty of 15 cents, when it all should have paid the full rate.

Mr. ELKINS. That is a fact. But, following the suggestions of the Senator from Wyoming, the able chairman of the Judiciary Committee, who has just taken his seat, and with the consent and approval of the Treasury Department, an amendment defining "slack" has been prepared which it is hoped will correct this misinterpretation or evasion of the law that has been going on for six or seven years, which has had the effect of displacing West Virginia coal in the New England market and at the same time causing a loss to the Government in the way of duties of nearly $1,000,000.

To make this slack question clearer I will go more into detail. It seems that in loading the Nova Scotia coal after it was mined into the railroad cars it was dropped from an unusual height. This broke up the coal considerably. Then in unloading it into the boats taking it to Boston it was passed through a tube 60 feet long, with breakers. This also broke up the coal, so that by the time it reached Boston it would nearly all pass through a half-inch screen, and therefore most of it was set down as slack by the custom-house officer and paid only 15 cents a ton duty. Most all of these importations were made by the New England Gas Company, which has 400 by-product coke ovens near Boston, and the finer the coal the better it is suited for making coke; so this company not only got its coal in on a 15-cent duty, but it was prepared just to suit its purposes. This evasion of the law has engaged the attention of the Treasury Department for some time, and there have been various rulings on the subject besides suits instituted in the courts. I have prepared an amendment defining coal slack, which I think will prevent this further misinterpretation of the law.

Mr. FLETCHER. May I interrupt the Senator for just a moment?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Florida?

Mr. ELKINS. I do.

Mr. FLETCHER. We are rather shy on that product in Florida and I do not know much about it. I should like to ask the Senator to tell us where the coal comes from which is imported into this country?

Mr. ELKINS. So far as the southern coal is concerned, Tennessee is producing very fine coal.

Mr. FLETCHER. But I mean the importations.

Mr. ELKINS. The importations are principally from British Columbia in the West and Nova Scotia in the East. The competitor with West Virginia coal is Nova Scotia coal lying right on the borders of New England. The Nova Scotia mines come down almost to the sea, a distance of 12 or 15 miles. West Virginia coal is hauled 600 miles by water and 400 miles by rail, while Nova Scotia coal is hauled but 15 miles by rail and 600

miles by water. This gives Nova Scotia coal a great advantage, about a dollar and twenty-five cents a ton in transportation alone.

There are American and Canadian capitalists waiting to see if coal is put on the free list to buy coal lands in Canada, and if they should, and open new mines, Nova Scotia coal will ultimately take the New England market, I think, except for the very best quality of coal, and in a few years take all the New England market. The result of this would be so disastrous, so ruinous, and demoralizing to West Virginia, Maryland, and eastern Pennsylvania that these States can never consent to the lowering of the duty on coal.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. ELKINS. Yes; I yield.

Mr. HEYBURN. If the Senator will permit me, before he passes from the question of duty, I desire to suggest that in the original tariff bill a duty of 50 cents a ton was levied upon coal. That was the tariff bill that was passed in 1787, the first tariff bill, passed by the First Congress.

Mr. ELKINS. James Madison drew it.

Mr. HEYBURN. Fifty cents was the duty levied in order that those coal beds, known then to exist but not developed, in what was then Virginia, and in Pennsylvania and in Maryland, and with a transportation that must be by wagon to the place of use, might compete with coal from England which came by water, and the Representatives of Virginia, Pennsylvania, and Maryland insisted on that duty of 50 cents a ton on coal in order that we might be able to develop our own coal fields and shut out the English coal.

Mr. ELKINS. It was put in for that very reason.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Utah?

Mr. ELKINS. I do.

Mr. SUTHERLAND. In answer to the Senator from Florida [Mr. FLETCHER], the Senator from West Virginia stated that our importations of coal came from Nova Scotia.

Mr. ELKINS. Not altogether. I will correct that. I have the data right here.

Mr. SUTHERLAND. The Senator did not mean to say that there were not large importations of coal from other parts of Canada?

Mr. ELKINS. No; but so far as West Virginia and Maryland are concerned, they compete with Nova Scotia coal. The Western States of Oregon, Washington, Utah, Wyoming, Idaho, and Montana are concerned in this question. As I said before, the coals in British Columbia are better in quality than these coals. That is admitted by everybody. If the duty of 67 cents should be taken off, British Columbia coal will supply the demand of those States as far as the markets can be reached by rail. There are two railroads now being built to Crows Nest to haul this coal to points in the United States. Of course, more coal will come in if we remove this duty of 67 cents a ton.

Mr. SCOTT. I should like to ask my colleague, merely for information, Is there not a great deal of Australian coal that comes into this country as ballast?

Mr. ELKINS. Yes; that is so on the Pacific side undoubtedly.

Mr. SCOTT. And they furnish coal in the Philippine Islands.

Mr. ELKINS. Some coal comes as ballast to San Francisco from Australia. San Francisco also takes coal from British Columbia. Enormous quantities are shipped from British Columbia in foreign vessels just as on the Atlantic side. Norwegian steamers haul coal from Nova Scotia and American vessels do not get this business either on this side or on the Pacific side. Chinese labor is employed in manning the steam and sailing vessels going to San Francisco from British Columbia.

EARNINGS OF CANADIAN COAL COMPANIES.

To show the difference between the earnings of the Canadian coal companies and ours, I cite the following facts: The Dominion Coal Company, which is the great coal company of Nova Scotia, has 750,000,000 tons of coal in the ground. It has just been fairly organized and opened its mines on a large scale within the past six years, but during this time has done a profitable business. With a capital of $15,000,000 common stock, $3,000,000 preferred stock, and $5,000,000 in bonds, the Dominion Coal Company of Canada earned net last year $2,094,539.23, or a profit of 56 cents per ton, when we are satisfied with 15 cents and less on all of our coal. The Dominion Company paid 7 per cent on the preferred stock, 4 per cent on the common stock, and 5 per cent on the bonds. Practically all the imports from Nova Scotia to the New England States came from this company.

The Intercolonial Coal Company of Canada paid dividends last year of 7 per cent on the preferred stock and 8 per cent on the common stock. The preferred and common stock amounted to $2,800,000. The net earnings last year of the Crow's Nest Coal Company, which is the most promising and one of the most aggressive coal companies in western Canada, were $1,060,998. It paid dividends and also declared a stock dividend of $2,485,000 on April 23, 1908.

To confirm what I have said, I read an extract from letter dated June 1, 1909, written by a well-known English capitalist, familiar with coal property, who was asked to purchase a large coal field in the State of Tennessee. Here is what he said:

> You certainly have one of the finest coal properties I ever saw, and the only drawback to it, in my opinion, is its geographical position with respect to the consuming markets, and the consequent low selling price realized for the coal at the pit's mouth.
>
> I am at the moment very deeply engaged with our Nova Scotian coal field, where the margin between the cost of producing and the average selling price is about three times greater than in your district.

As I have said, the average profit that West Virginia coal operators are glad to get is 15 cents; and in the last two years none of the important coal companies of West Virginia have made a profit. The profits made on West Virginia coal are about one-third of the profits the Canadian coal operators make.

Agricultural products are highly protected in the pending bill; so are the products of all the factories, plants, woolen mills and cotton mills, tanneries, cloth factories, and steel and iron. Then why should not coal be treated fairly; why make any distinction between it and other manufactured products?

Mr. FLETCHER. May I ask the Senator just one other question?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Florida?

Mr. ELKINS. Yes.

Mr. FLETCHER. What would 67 cents a ton be on an ad valorem basis? The Senator says he wants a duty of 67 cents a ton.

Mr. ELKINS. It is according to the price. If the price be three dollars and a half, that would be 40 per cent. No; I am mistaken.

Mr. FLETCHER. I am trying to get at that.

Mr. ELKINS. No; it would be a little over 20 per cent ad valorem. I am glad the Senator asked the question.

RECIPROCAL TRADE IN COAL WITH CANADA.

Mr. President, since the Payne bill has been under discussion there has been a movement, not for the first time in our history, but for the first time in recent years, to put coal on a reciprocity basis with Canada—rather to have reciprocal trade in coal with Canada. That would mean free trade with Canada as to Nova Scotia and British Columbia coal. Ohio, Illinois, and Indiana probably would not be hurt, nor would they be profited. So far as I can see, these States already hold the Canadian market between Montreal and Winnipeg, and they can not get a pound of coal except from the United States into that market, because the railroads can not haul coal west of Montreal from Nova Scotia, nor from British Columbia mines east for a long distance. I oppose reciprocal trade because it would injure the great coal-producing States of both the East and West. I am opposed to reciprocal trade arrangements for another reason. They place in the hands and control of foreign countries the power to fix and regulate our tariff, to my mind a dangerous power. Suppose our operators had made contracts for coal for one or two years and the railroads had made their rates, would it be a wise thing to allow Canada to say on the following day the duties between the two countries should be reduced one-half or taken off entirely?

Going back in our history, in 1854 we tried reciprocity with Canada for ten years in coal and other products, mostly agricultural. I think there were 25 articles in the list, but the principal ones were agricultural products and coal. Canada never exercised her treaty rights so far as coal was concerned, and coal carried a duty all through the life of that treaty. The result was that in ten years the treaty was abrogated. It did not work well. The reason I refer to this is that the Payne bill provides for reciprocal arrangements between the United States and Canada as to coal.

Mr. President, I send to the Secretary's desk, and ask to have read, an extract from a speech made by the late Senator Gorman July 23, 1894, on coal, when the Wilson bill was under discussion. Senator Gorman was the acknowledged leader of his party in the Senate. He was a statesman of the highest order of ability, a man of the purest character, and took rank during his long service in this honorable body as one of the ablest, most useful, and influential Senators the Senate and country has ever known. I beg the attention of Senators on the other side of the Chamber to the words of this distinguished Senator.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

In the first tariff bill which was ever passed, when we had statesmen who were near to the time of the formation of the Constitution, who understood a principle when they saw it better than some of us do who are a hundred years distant from that period, a tax on coal of 56 cents a ton of 2,240 pounds was levied; from 1792 to 1794 the tax was 84 cents a ton; from 1794 to 1812 it was $1.40 a ton; from 1812 to 1816 it was $2.80 a ton; from 1824 to 1842, the great Democratic period when the giants of the party controlled the Government and when we had undisputed control in every branch, what do you suppose was the tax levied on coal? One dollar and sixty-eight cents a ton. In 1842 it was increased to $1.75 a ton.

The treaty with Canada for reciprocal trade ran ten years, until 1866, and then, by the common consent of every patriotic Democrat in the country, without dissent on either side of the Chamber, we abrogated that treaty and put coal back upon the taxable list, and the duty remains now at 75 cents a ton.

What did the Senate propose to do? To put a tax of 40 cents a ton on coal, only one-half of what Robert J. Walker placed upon coal in his great Democratic tariff and less than was put upon it in the great tariff act of 1857, when R. M. T. Hunter of Virginia managed that bill in the Senate, as you (Mr. Voorhees) manage this now. We have fixed the duty 10 per cent lower than he fixed it.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Utah?

Mr. ELKINS. Yes.

Mr. SUTHERLAND. Before the Senator resumes his remarks, I have a letter, which I received this morning from Mr. S. W. Eccles, who is president of the Copper River and Northwestern Railway Company, a gentleman whom I have known intimately for many years, and I know him to be entirely reliable. If it will not disturb the course of the Senator's argument, I should be glad to have that letter incorporated in the RECORD.

Mr. ELKINS. I shall be glad to have it read, as I am sure it will throw light on the subject.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

COPPER RIVER & NORTHWESTERN RAILWAY CO.,
OFFICE OF THE PRESIDENT, 165 BROADWAY, NEW YORK,
New York City, June 1, 1909.

Hon. GEORGE SUTHERLAND,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I think I wrote you some time ago that I was president of the Copper River and Northwestern Railway, which is being constructed in Alaska, and we expect to have 200 or more miles completed by the end of 1910. We also have in contemplation construction of a branch 50 miles in length to the Bering River coal fields, from which large quantities of coal should be supplied the United States Government and the citizens residing on the Pacific coast. The cost of mining in Alaska will be heavy; so will the cost of railway transportation. We have elements to contend with there to a greater extent and the conditions generally are worse for cheap operation of the railway than in any other part of North America. At this time we are compelled to use coal mined in British Columbia, cost of which is about $12 per ton at the port of Cordova in Alaska. Naturally I am anxious to see the coal mines opened up so that we may develop that wonderful country where the business for a long time will be limited, and in order to do this we must operate under the most favorable conditions and one of the chief items of the cost is fuel. I believe it will be impossible for the miners to mine their coal, ship it by rail and steamer to Puget Sound and California ports unless every possible protection is given them and one of the items of protection is tariff; present duty is 67 cents per ton. If this is removed I think it will almost look up the Alaska mines.

Living in the West as you have and having had the experience with transportation in the Rocky Mountains, you can to a great extent realize the seriousness of deep snow, washout, and other troubles. Am not advised as to your views with respect to duty on coal, but I hope it may be in favor of continuing the charge as now made. I believe it to be of the greatest possible interest to the people of the Pacific coast that the great coal fields in the ice-frozen region of Alaska shall be opened up. I therefore trust that in considering this important matter you will bear in mind what I have recited above.

Very truly, yours,

S. W. ECCLES, *President.*

Mr. ELKINS. I have had a great many letters of similar import, I will say to the Senate, confirming just what the writer of that letter states.

Mr. President, I wish to emphasize more sharply, if I can, that no discrimination ought to be made in the case of the coal industry in levying duties or guaranteeing protection. Coal is a great American industry, and entitled to protection the same as the farm products in the States bordering on Canada and the manufactured products of New England, Pennsylvania, New Jersey, and New York.

I notice that smelts, eels, barley, rye, pumice stone, and lemons are favored with high duties in the pending bill. In looking around to find something not protected in Massachusetts, it seems eels and smelts were the only products not on the dutiable list, and instantly a duty was imposed in the present bill upon eels and smelts. This fact, with high duties on nearly everything New York, New England, Pennsylvania, and New Jersey produce, encourages me to ask that the present duty on coal be not disturbed. Coal is already in the low-duty class.

Coal deep in the ground as nature left it is raw material, and no harm can result if in this state it should be put on the free list; but when it is mined and brought to the surface of the earth, it becomes a manufactured product, as much so as any other manufactured product, and should share in such protection as is accorded other American products. The same may be said of oil 3,000 feet below the surface of the earth, and the untouched trees in the deep forests. They are raw materials and left where nature placed them. I do not oppose their going on the free list, but when the trees are made into lumber and the oil pumped into tanks they become manufactured products and need protection.

With these words in behalf of retaining the present duty on coal, the greatest industry of my State, with its production increasing every year, destined, as I believe, some day to be the greatest coal-producing State in the Union, I will at an early day discuss the claims of West Virginia to have another leading and important industry reasonably protected.

PETROLEUM.

The production of petroleum is one of the leading and important industries of the country. Petroleum is now being produced in 15 States of the Union, and every year new discoveries are made in States where it was not expected to be found. Whenever found, it adds to the value of land; indeed, its discovery is always a new creation of wealth. The farmer who leases the land on royalty for the development of oil is the most interested person next to the oil producer. Leases of oil land provide for the payment of one-eighth of all the oil produced as a royalty; besides, for the privilege of exploiting lands to find oil, the farmer gets in the way of rent from $1 to $2 an acre.

The independent producers of the United States are vitally interested in the question of a duty on oil. This industry has had the advantage of a duty on foreign oil since it has been used for practical purposes. For the first time in its history it is proposed to put oil on the free list. Against this proposition the independent oil producers of the United States protest, and claim that this will work a great injustice to an important industry.

The Standard Oil Company can stand free trade in oil, but the independent producer can not. As an American product competing with foreign products at home and in the markets of the world, being a manufactured article, oil is entitled to consideration in the making of the tariff the same as any other manufactured article.

The independent oil producers are deeply concerned over putting petroleum on the free list. They produce 89 per cent of the crude petroleum of the country, and the opening of our markets and making them free to the petroleum-producing nations of the world would be a serious injury to their interests, especially as oil is now commanding very low prices—in some localities selling for 50 cents a barrel and even less. This is caused partly by want of transportation or pipe lines to take the oil to the Gulf ports for shipment. In any effort to injure the Standard Oil Company or correct alleged abuses by this great combination the independent oil producers, already having a hard time, do not want to suffer and be driven out of business by putting petroleum on the free list.

ALWAYS A DUTY ON OIL.

Petroleum was first discovered for practical purposes in 1854; the first duty levied on it and its products was in 1863, and a duty in some form has continued ever since. Under the Wilson bill a duty of 40 per cent ad valorem was placed on petroleum and its products. Among those who voted for the bill may be named Senators BAILEY, BANKHEAD, DANIEL, and GORMAN; also BYNUM and W. J. BRYAN, the great leader of the Democratic party. The Wilson bill imposed a duty of 40 per cent ad valorem as a measure of fair protection to one of our leading industries and to prevent our market from being overrun by foreign oil. Under the Dingley bill there was a countervailing duty on oil, and in this way foreign oil was prevented from the unrestrained freedom of our markets. For the first time oil has been put on the free list in the pending bill. The independent oil producers claim this is an injustice and will work great harm to the oil industry of the United States.

Mr. NELSON. And the Mills bill.

Mr. ELKINS. Yes, and the Mills bill had a duty; but I am referring to the Wilson bill more particularly.

I have no less respect for William J. Bryan's judgment for having voted for this duty; but some of his successors now want free petroleum, and I am sorry to say there are some Republicans looking in this direction. I do not want the revision of the duty on oil to be down and out. I do not want to go so far down as to hit the free trade floor, which is not far away. The descent is always easy. The old Latin phrase, "Facilis descensus averno est," comes to my mind as very apt

in this matter of downward revision. Translated under present conditions this would be, "The descent to free trade is easy." Then I have in mind, also, the concluding part of this quotation, which says, "But to retrace one's steps, this is a work, this is a toil." Once on the free list the independent producers fear there never would be any retracing of steps or getting back to a duty.

Petroleum and its products constitute one of the leading industries of the United States. There are about 170,000 oil-producing wells in the United States, representing, directly and indirectly, an outlay of about $700,000,000, of which the independent producer owns seven-eighths. Are you going to impair this tremendous investment, seven-eighths of which belongs to the independent producer, in order to punish the Standard Oil Company? The Senator from Wisconsin [Mr. LA FOLLETTE] made an able speech yesterday. One feature of it was this very question of the evils and abuses of concentration and combination in business, but in trying to regulate the trusts through the tariff or otherwise we must not destroy the independent producer and his large interests. If the independent oil producer or the independent steel maker or the independent producer in any other business is to be hurt or destroyed in trying to correct the abuses of the great combinations, then in the end this would leave everything in the hands of the great combinations. This surely should be avoided. The great trusts and combinations can stand free trade and survive, but the independent producer can not; he must go to the wall and disappear, leaving the trusts and combinations in charge of all production and without opposition.

OIL PRODUCTION.

The production of oil in the world is 900,000 barrels per day. Of this the United States produces 600,000 barrels, divided amongst 15 States, as follows:

State.	Wells.	Barrels daily.
California	14,000	120,000
Texas	8,000	40,000
Oklahoma and Kansas	13,000	180,000
Pennsylvania	45,000	25,000
Ohio	45,000	45,000
Indiana	10,000	8,000
West Virginia	14,000	25,000
New York	4,000	1,500
Illinois	18,000	110,000
Kentucky	2,000	1,500
Wyoming	80	900
Louisiana	800	12,000
Colorado	300	1,500
Utah	50	600

During the past two years the oil production has doubled in America, and it is $16,000,000 greater in value than the output of gold and silver in the United States. We boast about the annual production of gold and silver, and we are rejoiced at it and try to increase it.

Mr. HEYBURN. It lasts longer.

Mr. ELKINS. It lasts longer, as my friend suggests. Money is never unfashionable, or at least it never has been in the history of civilization. Some people claim they do not like money, but so far as I have observed, all people want to get money, and always more. Silver was under a cloud for a time, but thanks to wise Republican policies it is now equal in value to gold.

Last year the oil producers of the United States, fighting in the neutral consuming countries of the world, exported oil of the value of $104,000,000. Since oil production began the United States has exported $4,000,000,000 worth of oil. Think of this vast amount of money coming into this country from one industry.

There are 500,000 men engaged in the production of oil in the United States, on whose labor 2,500,000 people depend, and the daily wages paid are about $1,000,000, or approximately $300,000,000 per annum. This includes the production, refining, and shipping of petroleum, as also the manufacturing of petroleum products.

The value of the oil-producing property of independent concerns and independent refineries is about eight times greater than that of the Standard Oil Company. The independent producers sell most of their oil to the Standard Oil Company, because this company has nearly all of the pipe lines to the sea and does most of the refining.

The Standard Oil Company is more largely interested in refining than in producing.

The sugar trust is more interested in refining sugar than in producing it, just as the Standard Oil Company is more interested in refining oil than in producing it. The difference in these two great trusts is, while the independent oil producers own seven-eighths of the oil production and oil property of the country, the sugar trust owns 51 per cent of the beet sugar interests. Yet refined sugar by a vote of the Senate has a duty of 61 per cent; besides there is a duty on raw sugar. The independent oil producers are entitled to more consideration in the matter of a duty on oil, or some protection, than sugar so highly protected, because they own seven times as much oil property in the United States as the Standard Oil Company owns.

In view of these facts it would seem the oil industry is far more entitled to a duty than the sugar industry.

The Standard Oil Company is more largely interested in refining oil than in producing it. It produces only 11 per cent of the crude oil of the United States and independent operators produce the other 89 per cent. Placing oil on the free list would injure the independent producer of oil, because he produces nearly all the crude oil of the United States, and foreign oil would compete with the independent producer.

The Standard Oil Company, in addition to refining oil, is engaged more particularly in the transportation of oil in its pipe lines to the sea.

Canada pays a bounty of 54 cents a barrel in order to encourage oil production. I wish every State in this Union had oil and natural gas—they are great sources of wealth.

Thus far but little oil has been discovered in Canada. In order to encourage production, Canada pays the oil producer a bounty, instead of putting oil on the free list.

Much is said about the Standard Oil Company and what it desires in the way of a duty. I do not believe anyone knows but their own people. So far as I can learn, the Standard Oil Company seems indifferent on the subject.

When a duty was put on oil in the Payne bill the Standard Oil Company seemed to be satisfied, and when oil was put on the free list it seemed equally satisfied.

I propose to vote to protect the great oil industry of the United States by levying a reasonable duty on it. I believe it is entitled to protection the same as other American products. I will not vote otherwise in response to a prejudice against the Standard Oil Company.

Ten years ago the Standard Oil Company refined 90 per cent of the oil produced; now they refine only 89 per cent, showing a substantial gain on the part of the independent refiners.

The independent oil producers are making headway in the refining business. They will be greatly discouraged if oil is put on the free list. Some of the best citizens of the United States are engaged in oil production, and oil is a competitive product and will be affected seriously by a change in the present law. It is entitled to protection the same as any other American product competing in our markets with foreign products.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. ELKINS. Certainly.

Mr. DOLLIVER. The Senator has had very great business experience, and he will oblige me very much if he will point out with particularity exactly how putting oil on the free list would affect the independent oil producer.

Mr. ELKINS. I will. That brings me to this point, which I was going to discuss later. To-day in Russia, I am informed, owners of oil property are preparing to bring oil here if it is put on the free list; and in Mexico some of the best oil fields are within only 300 miles of our borders, and if oil is made free there is nothing to hinder oil coming in from Mexico, while Mexico has a high duty on imported oil.

Mr. DOLLIVER. That is a very important statement, and I have not seen anything about it in the newspapers or in any other literature that has been forced upon my attention; and I should like to have the Senator's authority for the statement that they are preparing ships in Russia.

Mr. ELKINS. English capital has acquired large oil fields in Mexico and is securing more. The Standard Oil Company also has large oil interests in Mexico. Last Saturday night one of these English capitalists dined in New York at the house of a friend of mine. Speaking of Mexican oil, he said: "If we can only get oil on the free list in the United States, we will ship oil from Mexico to all the ports on the Gulf of Mexico and the Atlantic coast." He added "that Russia is preparing to bring oil into this country in tank ships in case of free oil. I know this is not a matter of public notoriety yet." This is the authority I have, and it comes to me in the way I have stated and I credit it. I am sure, if oil is put on the free list, both Mexico and Russia will send oil to this country, and both countries maintain high duties against our oil.

In the year 1908 there were 17,000 wells drilled in the United States, at a cost of about $30,000,000.

There are 100,000,000 barrels of oil now above ground in the United States ready for shipment.

What will become of this vast surplus in case there is no duty on oil?

Mr. BRISTOW. May I inquire who owns the hundred million barrels?

Mr. ELKINS. I suppose the Standard Oil Company own a good deal of it, because it has bought it for the purpose of refining it. But the independent producers own most of it. They are now storing large quantities.

Mr. BRISTOW. If the duty is put on, and they own a hundred million barrels, the Standard Oil will be very well pleased with the duty.

Mr. ELKINS. There is a countervailing duty on oil under the Dingley Act. Whether the Standard Oil Company will be benefited or injured I can not answer the Senator, and I do not think he can find out. I know the Standard Oil Company does not own all of the one hundred millions of barrels of surplus oil. The independent owners own a vast quantity, because in many localities they can not ship the oil and the Standard company will not buy the oil.

Mr. DOLLIVER. Is there a duty on as respects the importation of oil from Mexico?

Mr. ELKINS. Yes. Whatever Mexico puts on against us, that same duty obtains here under the Dingley Act, under the countervailing clause. Mexico has a duty of 4.86 cents per gallon on crude oil imported into Mexico, and about 13 cents per gallon on refined oil.

Mr. SCOTT. Will my colleague yield to me for just a moment in order that I may reply to the Senator from Kansas in regard to the amount of oil being carried to-day. You know that our independent oil producers can carry their oil as long as they want. The Standard, if it is carried in pipes, carries it thirty days without any charge. After that a very small charge is made, and the producers can carry it as long as they see proper.

Mr. SMITH of Michigan. The Senator from West Virginia said that the Mexicans had a duty of what rate?

Mr. ELKINS. I will come to that and show the rates of all countries. Four and nine-tenths cents per gallon, I think, is the duty.

Mr. SMITH of Michigan. But does the Senator know whether the countervailing duty has been imposed by the Treasury Department?

Mr. ELKINS. I know if Mexico attempted to ship any oil into this country a like duty would be imposed in this country against the Mexican importations.

Mr. SMITH of Michigan. I want to know whether, as a matter of fact, the Treasury Department has put the countervailing duty against the Mexican oil.

Mr. ELKINS. So far as I can learn no oil has come in from Mexico. If it should, then it would pay the duty our oil pays when shipped into Mexico. This excludes Mexican oil, because the importers can not afford to pay such high duties as Mexico imposes.

Mr. SMITH of Michigan. It has not come in?

Mr. ELKINS. No.

Mr. SIMMONS. As a matter of information, I should like to inquire of the Senator from West Virginia if it is the Standard Oil Company that is getting ready to ship?

Mr. ELKINS. From Russia?

Mr. SIMMONS. From Russia, and whom he fears will buy the old fields in Mexico. Is it the Standard Oil Company that is doing that?

Mr. ELKINS. The Standard Oil Company owns oil territory in Russia and Mexico, but whether it is getting ready to ship I do not know.

Mr. SIMMONS. You said somebody was getting ready, and I think it important to know who the somebody is.

Mr. ELKINS. The Russian oil producers; I take it all of them. They are getting ready, according to the statement which came to me in the way I have related in answer to the question proposed by the Senator from Iowa.

Mr. SIMMONS. Who is getting ready to develop the Mexican fields and flood this country with Mexican oil?

Mr. ELKINS. I think the Standard Oil and the British and some Californians.

Mr. SIMMONS. If the Senator will permit me to ask him a question. I understood him to say, and it is my understanding of the fact, that the independent oil producers produced about seven-eighths of the crude oil.

Mr. ELKINS. Eighty-nine per cent.

Mr. SIMMONS. The Standard Oil Company——

Mr. ELKINS. The Standard produced 11 per cent.

Mr. SIMMONS. Refined most of that. It buys and refines it.

Mr. ELKINS. Yes, the Standard company refines the oil after purchasing it.

Mr. SIMMONS. Does not the Standard Oil Company absolutely fix the price of the oil it buys, and if it can absolutely fix the price, why should the Standard be concerning itself about oil from Mexico or from Russia or from anywhere else?

Mr. ELKINS. I do not know whether the Standard is concerning itself about a duty or not. The Standard Oil Company, I believe, can fix the price of oil around the world, but I do not know yet whether it wants this duty off or on. But it would be just the same if it owned oil in Mexico and it would be more profitable to ship it into the United States; it would in that event ship it here and sell in our market, and all foreign importations of oil, whether by the Standard Oil Company, the Russians, or the English, would displace that amount of oil in the United States and therefore reduce the price and narrow the market.

Mr. SIMMONS. How could it be more profitable if the independent producers produce all the oil the Standard wants and the Standard can get it at its own price?

Mr. ELKINS. The independent producers do not sell all the oil they produce to the Standard; they refine a great deal of their own production.

Mr. SIMMONS. If the independent producers produce all that the Standard Oil wants.

Mr. ELKINS. I have never heard the Standard accused of having all it wants, whether of oil or money or anything else.

Mr. SIMMONS. I think the Senator is right about that.

Mr. CURTIS. I should like to add to what the Senator from West Virginia has said, that in the State of Kansas we have 18 independent oil refineries and they buy oil from the independent producers, and to-day in our State the independent refineries furnish 45 per cent of the oil used.

Mr. SCOTT. In a refined state?

Mr. CURTIS. In a refined state. I should like to say a word further. The Senator said a minute ago that the Standard was buying up most of the oil in Oklahoma.

Mr. ELKINS. No, I did not say Oklahoma. I said in West Virginia.

Mr. CURTIS. From what the Oklahoma independent oil producers say and what the officers of the Government report, there are thousands of barrels stored in great earthen embankments because the operator of the three pipe lines will not buy the oil, and the independent producers must continue to produce it because the rules and regulations of the Interior Department required them to continue the operation of the wells on the lands leased from the Indian allottees, who are under the jurisdiction of the Interior Department, and the oil so stored is going to waste.

Mr. SIMMONS. Will the Senator from Kansas permit me?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Carolina?

Mr. CURTIS. Certainly.

Mr. SIMMONS. I understand the Senator from Kansas to say we are producing more oil in this country than we have any use for.

Mr. CURTIS. They are producing more than they have a market for; that is, more than the pipe lines in Oklahoma can take care of. There are three pipe lines, and those pipe lines are employed to their fullest capacity all the time, and they do not take care of the oil that is produced there. Those people believe that if there were more pipe lines there would be a market for the oil they produce, provided the oil from Mexico is not admitted and the price reduced. If the price of oil in Oklahoma is reduced 5 cents a barrel many of the wells in Oklahoma will be plugged.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Michigan?

Mr. ELKINS. I do.

Mr. SMITH of Michigan. I was very much interested in the statement of the Senator from West Virginia that the Russian oil people were contemplating an invasion of this market. I had always been led to suppose that the activities of Russia in the oil field were confined largely to continental Europe, and the statement which the Senator makes seems to me a very threatening statement. As I understand, there are very large quantities of oil in Russia, and Russia has hitherto furnished about all the oil that Germany has required. Am I right about that?

Mr. ELKINS. Yes, partly; and the United States partly; nearly all. Germany is finding oil, but not all she needs. She imports from other countries, especially from Russia, as I am informed.

Mr. SMITH of Michigan. Germany is finding oil?

Mr. ELKINS. Yes; I will come to that.

Mr. SMITH of Michigan. And Russia is now seeking a larger market, including our own. Is that correct?

Mr. ELKINS. Yes. The other countries that are competing have put on a tariff against Russian oil, and she is now trying to find some country which has bad judgment enough to take the duty off oil, so they can ship their oil to that country, and if this bill is not changed and a duty put on oil, Russian oil will surely enter our markets.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Indiana?

Mr. ELKINS. Yes.

Mr. BEVERIDGE. The Senator from Michigan was impressed, as the Senator from Iowa was, by this new and formidable apparition of Russian ships. The Senator from Iowa called for the source of the information, and it was as follows, so that the Senator from Michigan, being a lawyer, can judge of its weight: An Englishman being a free trader and, of course, a friend of Russia, as they all are, who had some oil properties in Mexico, at dinner the other night in New York, told another free-trade friend of this threatening danger on the horizon that so affects the Senator from West Virginia; and then this free-trade friend, of course, told his free-trade friend, the Senator from West Virginia, all about this conspiracy.

Mr. ELKINS. I can not say it is a conspiracy; whatever it is, it means invading the American market with foreign oil if we make oil free.

Mr. BEVERIDGE. That is the size of that.

Mr. ELKINS. The Senator from Iowa asked me, and I was frank enough to tell him. It is not in the public press. It is not official. I do not think it is generally known.

Mr. GALLINGER. It will be to-morrow.

Mr. ELKINS. To-morrow it will be known, I hope.

Mr. BEVERIDGE. It is a desperate apparition conjured up over dinner between two free traders.

Mr. ELKINS. It is not an apparition. I believe Russia will have sense enough to send her oil here if we have little sense enough to take off the duty. It is just what anyone would do. If the able Senator from Indiana possessed oil wells in Russia, and the duty was taken off, he would look around for a ship to-morrow to transport his oil to this country.

With these facts, general facts, and statements collected from authentic sources, except the facts gathered at a free-trade dinner, which does not go so well with my friend, the Senator from Indiana——

Mr. BEVERIDGE. I used the Senator's words about that.

Mr. ELKINS. I do not think any good reason can be shown for not protecting this industry the same as any other leading industry of the United States against foreign competition.

In localities where oil is produced whole towns and communities depend upon the oil business, the same as entire communities and towns in other States depend upon mining and manufacturing, and changing the duty or removing it entirely would work incalculable damage and loss, not only to oil operators and owners, but to whole towns and communities. We began with a duty on oil, and to change it now and make it free would bring ruin and disaster to many independent producers.

There are towns and communities in Pennsylvania and West Virginia—I do not know whether there are any in the Senator's State—which are largely dependent upon the oil production, just as there are towns in New England which have been built up around factories for a hundred years, and if you impair or destroy the oil business and permit other countries to take our markets and furnish the oil we now produce great ruin and disaster would follow. How would the people live who are now dependent upon the oil business? They would have to seek other localities where they could find new homes and employment.

I want to speak of West Virginia.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. ELKINS. I do.

Mr. CUMMINS. I wish the Senator from West Virginia would state again the volume of exports of oil.

Mr. ELKINS. One hundred and four millions last year, I think I put it.

Mr. CUMMINS. Is it not true, then, that we have at the present time practically free oil—the free importation of oil?

Mr. ELKINS. I do not think the countervailing duty works to that end. I shall discuss that a little later.

Mr. CUMMINS. It is true, is it not, that upon all the oil exported the duty paid, whatever it may be, is repaid or reimbursed by the exporting company; and if we import oil from Mexico and pay a duty upon it, or from Russia and pay a duty upon it, the volume of our exports is sufficient to enable the company exporting to retake all the duty paid upon the oil, and therefore, as it seems to me, we have now free oil. The proposition of the Senator from West Virginia is to take oil from the free list under the Dingley law and put a duty upon it. That is the substantial proposition, is it not, made by the Senator from West Virginia?

Mr. ELKINS. Let me answer the Senator, if I can. I stated refined oil. That is what we export; not crude oil. I do not know of any crude oil coming into the United States. It is prevented by the countervailing duty. I stated that. The Senator is mistaken. Oil is not on the free list under the Dingley law. The countervailing duty is equal to the same duty any exporting country puts on imported oil. In most countries the duty on oil is very high, and this would make their exports to our country high and, I am glad to say, unprofitable.

Mr. CUMMINS. I am sure the Senator from West Virginia is substantially right.

Mr. NELSON. The statistics of imports from 1894 to 1907 show that there were imported of crude petroleum free in 1907 345,721 gallons and of refined petroleum 1,544 gallons.

Mr. CUMMINS. A very insignificant amount.

Mr. NELSON. And under the countervailing clause petroleum is now free, except for the countervailing duty as against countries imposing a duty on us. Under the countervailing clause there were 11,336 gallons of crude oil imported.

Mr. CUMMINS. Yes.

Mr. ELKINS. I stated none, because that is an insignificant amount, hardly anything at all.

Mr. CUMMINS. It therefore is true, is it not, that under the Dingley law, with the application of the rebating clause, we have substantially free oil, and the proposition of the Senator is to change it from free oil to dutiable oil?

Mr. ELKINS. I should like to hurry through, but I will answer that. If you will maintain the countervailing duty in the Dingley Act I will not ask for any duty, because that will work a high duty, as nearly all oil-producing countries have a high duty against our oil.

Mr. CUMMINS. I desire to ask another question. We export oil to Mexico at the present time.

Mr. ELKINS. Yes.

Mr. CUMMINS. We practically supply that Republic with her oil.

Mr. ELKINS. No, not all; Mexico now produces about 20,000 barrels of oil a day and very soon will produce more; besides she has oil refineries.

Mr. CUMMINS. What reason has the Senator from West Virginia to believe that the conditions will be changed and that oil will presently be imported into the United States from Mexico, even though the countervailing duty be removed?

Mr. ELKINS. From the best information I have the oil fields of Mexico are very promising, cover a very large extent of territory—probably the whole Gulf coast down to Veracruz, nearly 800 miles in distance—the oil is of good quality. I think just as soon as more oil wells are bored in Mexico there will be large importations into the United States, if there is no duty.

Mr. SCOTT. Will my colleague yield to me for a moment?

Mr. ELKINS. Yes; and then I should like not to be interrupted further. I should like to answer the Senator, because I think it is getting at the facts.

Mr. SCOTT. This is good doctrine, I suppose. It is Collier's Weekly. It says:

> A wonderful pool of oil of unexpected richness has been discovered within a few hundred miles of the boundary of the United States.

And it goes on, referring to this point, just across the Rio Grande from the United States.

Mr. CUMMINS. I have read that report. The truth is that that particular oil could not be brought into the United States at all. It is purely fuel oil, and could be used only as a substitute for coal on railroads. It can not be refined into illuminating oil, and I think an examination of the report of the scientist who has visited Mexico will show that the oil field of Mexico, so far as now known, is very limited in extent, probably very meager, and will be in its output. So the fears that some people seem to have that Mexico will import any considerable oil into the United States, under any circumstances whatever, are not well founded.

Mr. SCOTT. Will my colleague yield to me for a moment?

Mr. ELKINS. Yes; and then I must close.

Mr. SCOTT. Just a moment. The Senator from Iowa, of course, is well posted on these matters, and perhaps he will answer me as he did once before in debate, that it is not necessary for me to advise him in this matter. But, if I am correctly informed, all the railroads of the southern part of the country are supplied with oil produced in California. It furnishes the motive power for all those great railroads. Now, as I understand, and I think I have been credibly informed, the oil in Mexico is equally as good if not better for fuel purposes for railroads than the oil found in southern California. He certainly does not want to cripple the industry in southern California. I beg pardon of my colleague.

Mr. ELKINS. The Senate is growing weary, and I feel that I am taxing its patience too much; more than I should.

PETROLEUM IN WEST VIRGINIA.

I wish to speak about West Virginia as an oil-producing State and the importance of the oil industry.

West Virginia has 14,000 wells producing petroleum. Farmers get a royalty of $2,500,000 and the rents from land for oil purposes are $1,500,000, making $4,000,000 a year.

In West Virginia the farmers are in partnership in a sense with the oil producer, and it is a great source of revenue to the farmers. The farmer gets one-eighth of all oil produced on lands leased for oil. Every time the sun goes down in my State $50,000 is paid for oil that day. Do you think we are going to give up this industry or allow it to be impaired or hurt by making oil free when duties are imposed on nearly all other American products competing with foreign products? The distinguished Senator from Massachusetts [Mr. LODGE] found the other day that of the products of his State smelts and eels had escaped a duty, so one was instantly imposed on these products. Pumice stone has shared the same fate, but up to this moment the great petroleum industry is on the free list.

Petroleum is one of the great industries of West Virginia, ranking next to coal in value and importance. There are more than 250 independent oil producers in the State, and this body, representing this great industry through the Oil Association, has earnestly protested against taking off the countervailing duty on crude petroleum and its products, as provided in the Payne bill, and insist, if taken off, there should be a duty of 40 per cent ad valorem on petroleum and its products or a specific duty of 1 cent on a gallon on crude oil.

The oil producers have nearly one hundred millions of dollars invested in the oil business in 35 of the 55 counties of the State; the petroleum interest pays in taxes nearly half a million dollars annually into the state treasury.

The State would feel it a great hardship to do without this tax.

It would be unjust now to do anything in the way of changing or shifting the duties in a way that would impair this industry and bring loss to the independent operators.

The Standard Oil Company owns the pipe lines to the sea, I admit. The independent producers of West Virginia and Pennsylvania have one pipe line, and only one. The Standard buys nearly all the oil and pays cash for it, and there is no clash between the farmers of West Virginia and the independent oil producers and the Standard Oil Company.

Mr. President, I have a very strong memorial, addressed to the Senate, signed by the Oil Association of the independent producers of West Virginia and other States. I will not detain the Senate by reading it. It is a very earnest petition not to take off the countervailing duty without substituting an ad valorem or specific duty in its stead.

The PRESIDING OFFICER. Without objection, the petition will be published in the RECORD.

The petition is as follows:

MEMORIAL TO UNITED STATES SENATE ON BEHALF OF THE INDEPENDENT OIL PRODUCERS OF WEST VIRGINIA.

The independent oil producers of West Virginia most earnestly protest taking a countervailing duty off of crude petroleum and placing it on the free list for the following reasons:

First. Because they have $100,000,000 invested in the oil business in 30 of the 55 counties of the State, and pay annually nearly one-half a million dollars into the state treasury, and are therefore entitled to protection, which none but the National Congress can give, to one of the chief industries of the State.

Second. Because in the history of oildom, pioneer development has always been done by the independent producers, as is most likely to be in future cases, and its continuance depends upon the price of crude oil being kept sufficiently high to encourage prospecting in partly developed fields, and in what is known in oil parlance as "wild-cat territory."

Third. Because much of the money necessary and being used in prospecting for oil is borrowed from the banks of the State and a slump in the oil market would cause a run on the banks.

Fourth. Because there are at least 500,000 people in the United States engaged in and dependent upon the oil business, of which there are forty to fifty thousand in West Virginia dependent upon the oil and gas business for their occupation and support.

Fifth. Because in old developed oil fields where the wells have dropped in production to one or two barrels per well per day the owners could not stand a reduction in the price of oil below what it is now and continue their operation.

Sixth. Because if crude petroleum were placed on the free list and the products of Mexico and Canada (lower in grade and produced at less cost) were allowed to come in free of duty in competition with our own products in the South and West it would not only get our market in oils of the same grade, but would affect our higher-grade oils in West Virginia, Ohio, and Pennsylvania, and the United States being not only the greatest consumer, but the greatest producer as well, would not only eliminate as an exporter in the markets abroad in the eight producing and the twelve nonproducing countries which levy import duties on petroleum (if the countervailing duty was removed and no specific tariff were imposed), but the inducements to protection would be absolutely strangled at home.

It is most earnestly urged that instead of placing crude petroleum on the free list or retaining the countervailing duty under the Dingley Act, that at least a 40 per cent ad valorem be fixed, but in the event an ad valorem duty of a sufficient amount to protect the industry can not be agreed upon the countervailing duty as it now stands is asked to be retained.

Hence, from the foregoing statements, supported by the following authentications and facts and figures, it will be seen that the oil industry is of sufficient importance to merit the most serious and favorable consideration possible, and that its very life, on account of the vast sums expended and the risks run, and the timidity of capital in risking enterprises, depends absolutely upon whether this giant industry is to be left as a piece of flotsam floating upon an uncertain sea of industrial caprice, or is to be given that protection it deserves along with other legitimate American industries of similar magnitude and importance.

FACTS AS TO WEST VIRGINIA.

Aggregate valuation of oil and gas companies, 1908	$76,400,000
Taxes paid on the above amount in 1908	495,000
Amount oil production, 1908, was 9,300,000 barrels, value	16,275,000
Value of oil leasehold estates in West Virginia in 1908 aggregates	25,480,000
Oil royalties paid to farmers and landowners	2,340,000
Amount paid out by oil companies alone for lease rentals	1,550,000
Amount paid out to pumpers and employees at producing wells in the operation of producing oil wells, over	2,600,000
Amount paid out annually in West Virginia for labor and supply men, teamsters, etc., in drilling new wells	4,670,000
Over 6,000 men regularly employed in West Virginia by oil companies, at average salary of $70 per month, making a monthly pay roll of (and this does not include teamsters employed or laborers hired by contractors who drill wells by contract)	420,000

Of the aggregate value of oil production in West Virginia $11,000,000 of the $16,000,000 remains here and goes to the landowners and laborers of the State.

From forty to fifty thousand people in West Virginia are directly supported by the oil and gas industries, not counting the indirect benefits going to merchants, hotel keepers, professional men, and business people generally.

Mr. ELKINS. Many people believe that the Standard Oil Company owns or controls all the oil production in the United States and the independent oil producers are of little importance.

I have two letters here that I will ask to have placed in the RECORD, one from Mr. Charles B. Morrison, who helped Mr. Frank B. Kellogg, and one from Mr. Kellogg himself, who represented the Government in the suit against the Standard Oil Company to dissolve the corporation. Both of them testify that there is a great body of independent oil producers in the United States. It was claimed that the Standard Oil Company owned all these independent wells and property. I will not detain the Senate to read these letters, but ask that they be printed in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from West Virginia.

The letters referred to are as follows:

DAVIS, KELLOGG & SEVERANCE, ATTORNEYS AT LAW,
MERCHANTS' NATIONAL BANK BUILDING,

FRANK B. KELLOGG.
CORDENIO A. SEVERANCE.
ROBERT E. OLDS.

ST. PAUL, MINN., *May 26, 1909.*

C. D. CHAMBERLAIN,
New Willard Hotel, Washington, D. C.

MY DEAR SIR: The refiners which you have represented in the past, members of the National Petroleum Refiners' Association, are, I have no doubt, independent of the Standard Oil Company. In the very thorough investigation we made and in all the testimony taken before the special examiner in the Standard Oil case these refiners were treated as independent, and I believe them to be so.

Very truly, yours, FRANK B. KELLOGG.

MORRISON, BROWN & GOULD LAW OFFICES,
900 FIRST NATIONAL BANK BUILDING,

CHARLES B. MORRISON.
C. LE ROY BROWN.
CHARLES J. GOULD.
JOHN S. LORD.
PAUL W. WEMPLE.

CHICAGO, *May 25, 1909.*

Mr. C. D. CHAMBERLAIN,
New Willard Hotel, Washington, D. C.

DEAR MR. CHAMBERLAIN: Yours of the 20th inst. just reached me, and in reply I have to say that if the question as to whether the petroleum interests which you represent are independent of the Standard arises at any time, you are at liberty to call upon me, and I think I can satisfy any person that those interests are independent. From the time we commenced the suit in behalf of the Government against

the Standard Oil Company and its affiliated companies you and those connected with your office were of great help to us, not only in posting us as to the facts but in assisting us in gathering the testimony and in presenting it to establish the facts, and if there is any one thing that I learned thoroughly during the progress of that lawsuit it was that you and the companies engaged in the petroleum business with which you were connected were wholly and completely independent of the Standard interests. And you were not afraid to have your hostility to those interests known to everybody, because what you did in assisting the Government in its prosecution was done openly and fearlessly, and was greatly appreciated by the attorneys representing the Government. * * *

It seems strange to me, knowing the facts as I do, that anyone at all posted should ever raise the question as to the independence of the companies which you represent. However, I can readily understand that one not going through it as we did might not be so thoroughly posted upon the situation as I am.

I wish you success in your efforts to uphold and advance the independent oil interests of the country.

Very truly, yours, C. B. MORRISON.

Mr. ELKINS. No business requires so great an expenditure with so great a risk as the oil business. The cost of drilling an oil well 3,000 feet deep is $10,472, a little over $3 per foot, and wells at a less depth would be at the same ratio.

The above expenditure must be made before any returns, and "on the chance of striking oil;" yet look at the distribution of money in many directions, supporting the different industries and persons connected with and dependent upon the oil business.

In a condensed form I want to submit some figures which will certainly warrant my colleague and myself, as well as Senators from other States, in standing here and defending this great interest. So far as it affects West Virginia the figures are as follows:

Aggregate assessed valuation of oil and gas companies, 1908, $76,400,000.

Taxes paid on the above amount in 1908 into the state treasury, $495,000.

Amount of oil production, 1908, was 9,300,000 barrels, valued at $16,275,000, or $50,000 a day.

Value of oil leasehold estates in West Virginia, 1908, amounts to $25,480,000.

Oil royalties paid to farmers and landowners, $2,340,000.

Amount paid out by oil companies alone for lease rentals, $1,550,000.

Amount paid out to pumpers and employees at producing wells, in the operation of producing oil wells, over $2,600,000.

Amount paid out annually in West Virginia for labor and supply men, teamsters, etc., in drilling new wells, $4,670,000.

Over 6,000 men regularly employed in West Virginia by oil companies, at average salary of $70 per month, making a monthly pay roll of $420,000.

This is a great showing for one industry in a State. Surely it will not be denied advantages granted other American products.

OTHER OIL-PRODUCING COUNTRIES MAINTAIN A HIGH DUTY ON PETROLEUM.

All oil-producing countries of the world have high tariffs against importation of oil. Why should the United States open its home market to oil from other countries maintaining the highest duties against our oil?

I submit some figures showing the duties imposed by foreign countries on crude oil and refined petroleum:

Import duties levied on petroleum by countries producing petroleum.
[Reduced to American currency and American gallons.]

Country.	Crude oil (per gallon).	Refined oil (per gallon).
	Cents.	*Cents.*
Austria (Galicia)	4.967	14.36
Roumania	1.14	2.84
Burma (India)	1.66	1.66
Russia	2.816	16.895
Mexico	4.86	13.27
Canada	Free.	2.083
Java (Dutch Indies)	(a)	.37
Japan	(b)	4.785

[a] 5.19 per cent ad valorem.
[b] 20 per cent ad valorem plus 20 per cent for sundries.

The oil of Mexico, in case of free oil, will be the greatest menace to the oil industry in the United States. If we have free oil, nothing can hinder Mexico sending oil to all of our ports on the Gulf of Mexico and the Atlantic coast. Water rates on petroleum in tank steamers are low. This would have the effect of reducing prices, displacing American oil, throwing thousands of people out of employment, and reducing the value of oil property. Some of the oil fields of Mexico are only about 300 miles from our border. Mexico is now producing about 25,000 barrels a day and will, it is estimated, in two years produce 200,000 barrels per day. Labor is very cheap in Mexico, from 20 to 40 cents per day. Most of the oil exported is shipped from Tampico, a seaport—30 or 40 miles by pipe line from the oil fields—and there, by delivering it into tank steamers, it can come to the United States at a very low freight rate.

The Standard Oil Company owns a number of refineries in Mexico, also great oil properties. It is believed the Standard Oil Company would take advantage of oil being on the free list and import it into the United States. Imported oil would displace that much American oil, no matter whether the Standard Company or others import it.

Foreign countries producing petroleum, with an aggregate population of at least 200,000,000, have shut out the American product by prohibitive duties.

To the countries closing their doors to American petroleum the bill as reported to the Senate offers the unrestrained freedom of our markets.

Placing petroleum and its products on the free list would benefit Russia, Mexico, Canada, and the Dutch Indies, and be a great stimulant to the development of every foreign petroleum industry. The damage that would follow would be felt by the independent oil producer all over the country, because prices, already too low in some localities, as Kansas, Oklahoma, and Texas, would still further decline. The Standard Oil Company could stand this better than the independent producer.

The plethora of 100,000,000 barrels of crude oil in the United States ready for shipment should be a strong incentive to sustain its supremacy in the world's markets, rather than to destroy its value by offering the American markets unreservedly to foreign competitors.

FOREIGN COMPETITORS OF AMERICAN PETROLEUM.

As to the extent of the foreign production of petroleum the following is submitted:

Country.	Annual crude production.
	Barrels.
Russia	62,050,000
Austro-Hungary (Galicia)	12,775,000
Roumania	8,395,000
Dutch Indies	10,950,000
Burma	5,475,000
Mexico	9,125,000

These countries have a large surplus available for export, and against this surplus the American product is competing in the neutral competing markets of the world.

The production of Germany and Japan, while already large and increasing, is still inadequate for their home requirements.

The producing and refining industry of Canada would be promptly stimulated by a new free market across her frontier.

Italy, Egypt, Algiers, Assam, Peru, South Africa, Australia, and New Zealand produce oil, and capital is being found to aid in its development.

Russia, Austria, and Mexico, with an aggregate population of about 200,000,000 people, are the great competitors of the United States in the production of petroleum. The combined annual production of petroleum in these countries last year was 84,000,000 barrels. Their per capita consumption was twenty-eight seventy-fifths of a barrel. Under the Dingley law these countries could have had free trade at any time with the United States on petroleum and its products, yet they refused it. The production of crude petroleum in the United States last year, with a population of 85,000,000, was 182,000,000 barrels of oil. The per capita production in the United States was two and twelve eighty-fifths barrels.

The United States is both the largest oil-producing and the largest oil-consuming country in the world, and not only has it the largest surplus available for export, but such surplus has to-day need of enlarged markets.

With these facts before the Senate, I can not believe it possible that it will put oil on the free list, to the great injury of the independent producers of the United States.

Removing the countervailing duty without substituting a specific duty would be giving up the unconditional freedom of the greatest consuming market of the world without any return.

EFFECTS OF DISCRIMINATING IN FAVOR OF SECTIONS.

The effect of favoring some States and sections in making the tariff and discriminating against others would not only be unjust but disastrous. West Virginia, both in the House and Senate, votes willingly for a duty on wheat, corn, meat, hides, barley, eggs, potatoes, and other agricultural products to protect farmers all over the country against like products coming from Canada and Europe; also for a duty on all manufactured goods or products of New England, Pennsylvania, and other States to protect these products against foreign competition even if she does not manufacture any of them. She does so on the

broad, general principle of protection. I would not consider it fair to put on the free list products of other States which my State did not produce.

Pennsylvania has $300,000,000 capital invested in manufactures—more than the 14 southern States combined—all protected with high duties.

Massachusetts, in area, 8,000 square miles, with a population of 3,000,000, without coal, iron, lumber, wool, or cotton, all of which is hauled within her borders, turns out manufactured products equal to 60 per cent of the entire South, which has 26,000,000 people and is rich in natural resources.

In 1905 West Virginia had 2,109 establishments; the capital invested was $86,820,823. The annual value of products was $99,040,670. New England had 22,279 establishments, the capital of which was $1,870,995,405. The annual value of products was $2,025,908,437. Pennsylvania had 23,495 establishments; the capital was $1,995,836,988, and the annual value of products $1,955,551,332. New Jersey had 7,010 establishments, the capital of which was $715,030,174, and the annual value of products $774,369,025. New York had 37,194 establishments, the capital of which was $2,031,459,515, and the annual value of products $2,488,345,579.

I mention the vast number of these manufacturing establishments, their capital, and the value of their products with infinite pride and pleasure. I rejoice we have so many in our country and wish we had more. I am glad that the products of these establishments are highly protected, and as a result are prosperous and their owners doing a good business.

If it should be proposed to put on the free list a portion of these products whose annual value is $1,500,000,000, after they had enjoyed protection for so long a time, I am sure no Senator, though he be the rankest free trader in this body, could be found to vote for such a proposition, because if such a thing were possible it would be followed by ruin and disaster. This leads me to ask why are not the reasons equally strong in every particular for not putting coal, oil, and lumber on the free list, the annual value of their products being $1,500,000,000, employing more people, with more capital invested, and whose operations extend over a continent?

PROTECTION SHOULD BE MAINTAINED ON COMPETING PRODUCTS.

Protection has been the foundation upon which the great manufacturing industries of New England, Pennsylvania, New York, and New Jersey, and other States have been built, and these industries are the growth of nearly a century. To ask that one-half of their products be put on the free list and low duties on the rest would bring ruin to these great States; even society itself, with the impairment of these industries, would becomes disorganized. Yet this is just what the Payne bill requires as to the leading and longest-established industries of West Virginia and the South.

Heretofore the South has opposed protection, even on her own products, and, in my judgment, to the great detriment of her people and business. It is said the South has made politics her business, while the North has made business and prosperity her politics. Look at the difference in the progress and prosperity of the two sections. Look at the triumphs and astonishing results in New England, with mostly brains and granite as natural resources, not producing enough meat and breadstuffs to support her people, with no coal, iron ore, timber, oil, cotton, yet she leads in manufacturing in many important industries, and her people are contented, successful, and prosperous. If New England had the natural resources of the South and her vast area she would lead all nations in manufacturing and general business, and go on not only shaping the destinies of this mighty Republic, but influencing and molding the thoughts and economic policies of the world.

Protection has kept the Republican party in power for nearly fifty years, and will continue to do so as long as the Democratic party opposes this cardinal principle, long ago adopted and confirmed time and time again by the American people.

The South can stand free trade better than any portion of the Union, but she can not go forward and make progress in the industrial race of the nation and enjoy that prosperity that belongs to her, by reason of her great advantages and natural resources, if the products of other sections of the Union have high duties and protection and low duties or none at all on her products. This makes the race uneven. For fifty years the South has been denied advantages other sections have enjoyed.

In looking at the schedules in the pending bill no important American farm or manufactured product in New England, New York, Pennsylvania, New Jersey, the Northwest, and Pacific States, competing with foreign products, is on the free list; not one. Then, why should the leading industries of certain other sections and States, such as coal, lumber, oil, and other products, be put on the free list or have a low duty? This is discrimination which should not obtain in making a tariff bill for the whole country. The people of the South are the consumers of the farm and manufactured products of other States and pay their part of the duties that protect them, and in turn, according to all the rules of fairness and justice, the products of West Virginia and the South should be protected.

No competing American products should be put on the free list unless everything into the making of which they enter should either have a low duty or be likewise placed on the free list.

As I have said before in this debate, I believe there should be levied on all foreign products competing with American products in our home markets some duty high or low, according to conditions, so that American products competing with foreign products should have some measure of protection and some share in the distribution of duties. If this principle should be adhered to, there would be less difficulty in framing the present bill, and when it becomes a law it would give more general satisfaction than if we maintain high duties on some products and no duties at all on others.

A true protectionist can not be selfish and partial; he can not ask for a duty or protection on the products of his State or section and deny it to other States and sections. With him protection should be an economic principle; not local, but national.

The protectionist votes to maintain protection to American industries and American wages, always having the good of the whole country and the good of the people in mind.

A tariff never could be made if the States voted for duties only on their own products and against placing a duty on the products of other States, which they do not produce. If there is to be a revision or change in the tariff downward or upward, or however made, I protest why make it downward on coal, oil, lumber, iron ore, and other southern products and not on highly protected products? Why reduce the duty on lumber 50 per cent and increase or retain a high duty on wheat, barley, cotton, woolen goods, cutlery, shoes, sugar, and many other articles?

The tariff should be general in principle and application, not favoring certain products, States, and sections, while discriminating against others.

The Republican party, strongly intrenched as it is in public confidence, can not continue to hold power if it fails to adhere to protection on broad lines, and, in making the tariff, discriminates in favor of the products of certain States and sections. No section of this country could be prosperous if part of its manufactured and other products were on the free list or had only a low duty.

Duties should not be mountain high on some products and no duties on others.

The present tariff bill, to last and give satisfaction, must be made right. Duties must be fairly and justly levied and distributed on foreign products, with no favoritism to States or sections.

LUMBER, COAL, AND OIL SHOULD HAVE A FAIR DUTY.

More than 1,000,000 men are employed in the lumber, coal, and oil industries of the United States. The daily wages paid for labor in these three industries is about $2,500,000, or $750,000,000 annually. The amount of money paid out each year for the transportation of these products to market is about $2,000,000,000. These figures are staggering, but they show the importance and greatness of these industries. The money invested in these industries is just as sacred and the same as the money invested in other industries; they give employment and homes to hundred of thousands of wage-earners.

Carrying on these industries helps the general business of the whole people and country. Then why discriminate against them by putting them on the free list or imposing on them a low duty? Any injury to them, any hindrance to their progress and success, any impairment in any way would be a great loss, not only to these industries, but to the whole country. It would cause a diminishing volume of business throughout the entire country; there would be reduction of wages, and thousands of people would be thrown out of employment.

The value of the annual output of coal, lumber, and oil in the United States is equal to the value of the farm products of 15 agricultural States, or equal to the value of the manufactured products of many States in the East, all of whose products are highly protected.

It has been argued in this debate, I believe, for the first time in the Senate, that because a product is exhausted by use it should not be protected.

This is a worse heresy than out-and-out free trade, and I hope it will find no place in our tariff system. Whether an industry

is short lived or long lived, it should make no difference in the protection which it should receive while it does live.

The theory has also been advanced that coal, oil, lumber, iron ore, and other products exhausted or destroyed by use should be put on the free list as a means to their conservation. This theory, while new and strange, is open to the objection that the burden of conservation falls on the individual, and not on the State. Conservation is in the public interest, and therefore the individual owner should not be made to suffer to promote the general good.

If we are going to open the markets of the United States for coal, oil, and lumber to Canada, Mexico, and the countries of Europe, why not open them to farm products, and let Canada supply them on the north, and Mexico supply lumber, cattle, oil, zinc, and lead on the south, on the theory that it is best to prolong the life of these industries by letting foreigners share our markets or drive our people out of them that these products may be conserved?

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 3, 1909, at 10 o'clock and 30 minutes a. m.

NOMINATIONS.

Executive nominations received by the Senate June 2, 1909.

SURVEYOR OF CUSTOMS.

Louis P. Bryant, of Louisiana, to be surveyor of customs in the district of New Orleans, in the State of Louisiana, in place of Fenton W. Gibson, deceased.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade:

Cleon W. Mauldin,
Chester L. Hand,
Aubrey K. Shoup, and
John J. McCracken.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Cleon W. Mauldin,
Chester L. Hand,
Aubrey K. Shoup, and
John J. McCracken.

Passed Asst. Surg. Richard B. Williams to be a surgeon in the navy from the 11th day of December, 1908, vice Surg. George Rothganger, retired.

First Lieut. Albert N. Brunzell to be a captain in the United States Marine Corps from the 10th day of July, 1908, vice Capt. James W. Broatch, deceased.

Second Lieut. Paul A. Capron to be a first lieutenant in the United States Marine Corps from the 14th day of December, 1908, vice First Lieut. Louis G. Miller, deceased.

The following-named machinists to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service in present grade, in accordance with the provisions of an act of Congress approved March 3, 1909:

Charles H. Hosung,
Adam Gibson,
Charles G. Nelson,
Fred J. Korte,
Clarence M. Wingate,
Jannis W. Jacobsen,
George W. Johnson, and
Francis J. McAllister.

Carpenter Charles E. Richardson to be a chief carpenter in the navy from the 5th day of May, 1909, upon the completion six years' service, in accordance with the provisions of an act of Congress approved March 3, 1899, as amended.

POSTMASTERS.

CALIFORNIA.

Frank D. Burrows to be postmaster at San Anselmo, Cal. Office became presidential July 1, 1908.

Charles B. Fischer to be postmaster at Burbank, Cal. Office became presidential January 1, 1909.

William H. Macy to be postmaster at San Dimas, Cal. Office became presidential January 1, 1909.

COLORADO.

Charles W. White to be postmaster at Julesburg, Colo., in place of William H. Wallace, deceased.

INDIANA.

William Helminger to be postmaster at Bremen, Ind., in place of James M. Ranstead. Incumbent's commission expired January 9, 1909.

Edwin L. Lautzenhiser to be postmaster at North Manchester, Ind., in place of Jonas Grossnickle. Incumbent's commission expired December 12, 1908.

ILLINOIS.

Jennie M. de Roo to be postmaster at Fort Sheridan, Ill., in place of Jennie M. de Roo. Incumbent's commission expired January 9, 1909.

M. M. Hitchcock to be postmaster at Berwyn, Ill., in place of Harry J. Faithorn, resigned.

James P. Jack to be postmaster at Newton, Ill., in place of James P. Jack. Incumbent's commission expired December 20, 1906.

William W. Lowry to be postmaster at Auburn, Ill., in place of William W. Lowry. Incumbent's commission expired December 12, 1908.

IOWA.

Henry E. Westrope to be postmaster at Corning, Iowa, in place of Charles W. Gray, resigned.

LOUISIANA.

Arthur F. Clement to be postmaster at Mansfield, La., in place of Isabel C. Taylor. Incumbent's commission expired February 10, 1909.

Tolbert J. Wakefield to be postmaster at Lake Charles, La., in place of James S. Thomson. Incumbent's commission expired March 1, 1909.

MAINE.

Fred W. Preble to be postmaster at Bingham, Me., in place of Mary E. Clark, resigned.

MASSACHUSETTS.

Ralph W. Emerson to be postmaster at Chelmsford, Mass., in place of Ralph W. Emerson. Incumbent's commission expired November 17, 1907.

NEBRASKA.

William H. Rood to be postmaster at North Loup, Nebr. Office became presidential January 1, 1909.

NEW YORK.

Ivans Lewis Hubbard to be postmaster at Bay Shore, N. Y., in place of Eugene P. Strong, removed.

Agnes M. Nolan to be postmaster at Chateaugay, N. Y., in place of Edward L. Nolan, deceased.

NORTH CAROLINA.

Thomas H. Ramsbottom to be postmaster at Chadbourn, N. C. Office became presidential January 1, 1909.

OHIO.

Frank G. Hoskinson to be postmaster at Montpelier, Ohio, in place of James C. Holloway. Incumbent's commission expired March 3, 1907.

Sylvanus P. Louys to be postmaster at Stryker, Ohio. Office became presidential January 1, 1909.

James T. McCready to be postmaster at Butler, Ohio. Office became presidential January 1, 1909.

De Witt C. Pemberton to be postmaster at New Vienna, Ohio, in place of De Witt C. Pemberton. Incumbent's commission expired February 10, 1909.

Charles B. Saxby to be postmaster at Weston, Ohio, in place of Charles B. Saxby. Incumbent's commission expired January 5, 1908.

OREGON.

J. C. Pritchett to be postmaster at Freewater, Oreg., in place of Anna G. Baskett, resigned.

PENNSYLVANIA.

Lily Watters to be postmaster at Evans City, Pa., in place of Lily Watters. Incumbent's commission expired February 19, 1907.

SOUTH CAROLINA.

Della D. Carter to be postmaster at Lake City, S. C. Office became presidential October 1, 1908.

SOUTH DAKOTA.

Horace M. Green to be postmaster at Alcester, S. Dak. Office became presidential January 1, 1909.

Jacob R. Guthrie to be postmaster at Murdo, S. Dak. Office became presidential October 1, 1907.

TEXAS.

Frank L. Irwin to be postmaster at Terrell, Tex., in place of Francis M. Barton, deceased.

Luther B. Johnson to be postmaster at Celina, Tex. Office became presidential January 1, 1909.

WEST VIRGINIA.

William J. Crutcher to be postmaster at Holden, W. Va. Office became presidential April 1, 1908.

Lancey W. Dragoo to be postmaster at Smithfield, W. Va., in place of Ezra A. Edgell. Incumbent's commission expired April 12, 1908.

Mary Hateley to be postmaster at Follansbee, W. Va. Office became presidential January 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 2, 1909.

CONSULS.

Henry P. Coffin to be consul at Mazatlan, Mexico.
Augustus E. Ingram to be consul at Bradford, England.
Marion Letcher to be consul at Acapulco, Mexico.
George B. McGoogan to be consul at Progreso, Mexico.
George H. Scidmore to be consul at Kobé, Japan.

ASSOCIATE JUSTICE SUPREME COURT NEW MEXICO.

Alford W. Cooley to be associate justice of the supreme court of the Territory of New Mexico.

ASSOCIATE JUSTICE, SUPREME COURT OF THE PHILIPPINE ISLANDS.

Charles B. Elliott to be associate justice of the supreme court of the Philippine Islands.

CHIEF OF THE BUREAU OF NAVIGATION IN THE NAVY.

Rear-Admiral William P. Potter to be Chief of the Bureau of Navigation in the navy.

PROMOTIONS IN THE NAVY.

Capt. Herbert Winslow to be a rear-admiral in the navy.
Commander William Braunersreuther to be a captain in the navy.

POSTMASTERS.

ALABAMA.

George W. McFall, at Sheffield, Ala.

ARKANSAS.

Richard P. Chitwood, at Magazine, Ark.

OHIO.

Howard B. Jameson, at Dalton, Ohio.
Solomon Rousculp, at Thornville, Ohio.

SENATE.

THURSDAY, *June 3, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FRENCH SPOLIATION CLAIM.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings of the court relating to the vessel schooner *Friendship*, Patrick Drummond, master (S. Doc. No. 73), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. DEPEW presented memorials of Local Union No. 11, of Buffalo; of Local Union No. 17, of Syracuse; of Local Union No. 189, of Ticonderoga; and of Local Union No. 130, of Watertown, all of the International Brotherhood of Stationary Firemen; of the Board of Education of Fort Edward; of members of the Brooklyn Citizen composing-room chapel of Brooklyn; of the stereotypers, pressmen, and mailers of the Star Gazette, of Elmira; of the compositors, stereotypers, and pressmen of the Troy Record, of Troy; of Local Union No. 20, of Piercefield; of Local Union No. 5, of Ticonderoga; and of Local Union No. 1, of Fort Edward, of the International Brotherhood of Pulp, Sulphite, and Paper Mills Workers, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a petition of members of the Martin B. Brown Company book chapel, of Brooklyn, N. Y., praying that print paper and wood pulp be put on the free list, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Bath, Pembroke, Wellsville, Pavilion, Newstead, Hammondsport, Penn Yan, Phelps, Akron, Stanley, Branchport, Oakfield, Romulus, Victory, Mount Morris, Syracuse, Holley, Troy, Hornell, and Canandaigua, all in the State of New York, praying for the restoration of the duty on foreign oil productions, which were ordered to lie on the table.

Mr. PERKINS presented a petition of the Chamber of Commerce of Oakland, Cal., praying that an appropriation be made to enable the Interstate Commerce Commission to secure a valuation of all railroad property in the United States, which was referred to the Committee on Interstate Commerce.

He also presented a petition of General George Washington Council, No. 49, Junior Order United American Mechanics, of Fresno, Cal., praying for the enactment of legislation to prohibit the immigration into the United States of all Asiatics, except merchants, students, and travelers, which was referred to the Committee on Immigration.

BILL INTRODUCED.

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIXON:

A bill (S. 2523) for the establishment of a new land district in Chouteau County, State of Montana; to the Committee on Public Lands.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Foster	Penrose
Bacon	Clay	Frye	Perkins
Beveridge	Crane	Gallinger	Piles
Bradley	Culberson	Hale	Scott
Brandegee	Cullom	Hughes	Smith, Mich.
Bristow	Cummins	Kean	Smoot
Brown	Curtis	La Follette	Stone
Bulkeley	Daniel	Lodge	Sutherland
Burkett	Depew	McCumber	Taylor
Burnham	Dick	Martin	Tillman
Burrows	Dillingham	Nelson	Warner
Burton	Dixon	Nixon	
Carter	Dolliver	Oliver	
Clark, Wyo.	Flint	Page	

Mr. PILES. My colleague [Mr. JONES] is necessarily absent for a short time this morning.

The PRESIDING OFFICER (Mr. KEAN in the chair). Fifty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. BROWN. Mr. President, I call the attention of the Senate and of the chairman of the Committee on Finance to the fact that we were informed the other day that the committee had in contemplation a further report on the paragraph relating to wood pulp and print paper. I wondered if we could have some idea this morning of the character and tenor of that contemplated amendment.

Mr. ALDRICH. Mr. President, the committee have not arrived at any definite conclusion with reference to that matter. My impression is that the rate which the committee will report will be above the House rate and below the existing law; but that is as definite a statement as I am able to make at this moment.

Mr. BROWN. I simply desired to know for the reason that I myself have in contemplation an amendment to the paragraph. I give notice now to the committee that I intend to propose an amendment putting wood pulp and print paper on the free list, and I expect to submit some reasons in support of that amendment.

Mr. ALDRICH. The committee will report an amendment as soon as possible to that paragraph. I realize that it is a matter of great public interest. The Senator can rest assured that the report of the committee will be within the limits which I have suggested.

Mr. STONE. Mr. President, I wish to interpose at this point to say a few words about a matter which I deem important. I tried to get the floor yesterday for this purpose, but could not, and so I avail myself of this opportunity.

Last Saturday during a half acrimonious debate in the Senate, growing out of an effort made by several Senators to have a certain report relating to German wages furnished by the German Government to our State Department sent to the Senate and printed for the use of the Senate, the Senator from Rhode Island [Mr. ALDRICH], among other things, said:

> It is the first time in the history of the United States, I assume, when a foreign government has undertaken to send through diplomatic channels to the United States anonymous testimony of manufacturers to answer statements made before a committee of Congress.

A little later on the same day, during the course of the debate, the Senator further said:

> If I were not afraid of saying something which might be considered harsh, I would say that the attempt on the part of the representatives of any government or the manufacturers of any country to influence the legislation of this Congress in this way is, to say the least, impertinent.

Mr. President, when the Senator from Rhode Island made these somewhat petulant and extraordinary declarations every one here took notice, and I think everyone regarded his utterances as impolitic, if not impolite. The Senator from Rhode Island is known everywhere——

Mr. ALDRICH. Mr. President, it is impossible for me to hear the Senator from Missouri. I hear my name mentioned occasionally, but I can not hear what the Senator is saying.

Mr. STONE. I wish the Senator to hear what I am about to say, for this I know is true.

Mr. ALDRICH. I assume the statement the Senator is making is true.

Mr. STONE. There were statements made by the Senator that were incorrect. The Senator from Rhode Island is everywhere known as one of the great leaders, if not, indeed, the leader in chief, of the majority party as represented in the Senate. These remarkable utterances, therefore, naturally attracted attention, both here and abroad, and I am not surprised that the German Government and people have taken notice of them and have felt offended because of them. I desire to read the following cablegram printed widely throughout the country on yesterday:

> BERLIN, *June 1.*
>
> The charge made at Washington by various American Senators that the German Government was endeavoring to influence tariff legislation in the United States by supplying official information regarding wages, which, upon examination, proved them to be much higher than the wages attributed to German manufacturers in the hearing before the Ways and Means Committee, has caused a disagreeable impression in governmental offices here. This is especially the case at the ministry of the interior and the foreign office, where the information in question was prepared, in reply to a request sent in by the State Department.
>
> The German Government has been subjected during the past two months to attacks by German trade journals for having supplied America with German trade secrets. This knowledge of German wages, it is alleged, made it possible to adjust the new tariff to a level where German goods could not be exported to the United States. An abstract of the foreign office's communication, through Ambassador Hill, to the State Department was cabled from here March 29 and was reproduced in the German newspapers. It brought out savage attacks on the Government for yielding to "the impudent demands of the Yankees."
>
> The State Department, in formulating its request, sent through Ambassador Hill, is understood to have emphasized the point that Germany's advantage lay in supplying trustworthy information with regard to wages so that the United States could frame its tariff schedules equitably. Otherwise, it was argued, Germany could not complain if erroneous information was used as a basis. This request was received December 10, and was made the subject of a communication to the Federated States of Germany, each of which intimately obtained the information desired from the official chambers of commerce. The mass of reports was first collated in the ministry of the interior and then in the trade division of the foreign office. It was transmitted about March 27, and arrived at Washington about April 8, being sent in duplicate, both through Ambassador Hill and Count von Bernstorff, the German ambassador at Washington.
>
> Some surprise is expressed here that for two months the material apparently did not reach the American Congress, or if it did reach either House, it must have been pigeonholed.
>
> German officials have been enduring attacks at home, but they are amazed at the accusation from America that they acted strangely in complying with the request of the American Government. The matter is likely to come up in the Reichstag.

Thus it will be seen that this indictment by the Senator from Rhode Island directed against the German Government has caused a disagreeable impression in governmental offices in Berlin.

Mr. ALDRICH. If the Senator desires to be absolutely accurate, as I am sure he does, and if he rereads my statement, he will see that I made no charges against the German Government. I was talking about German manufacturers who were furnishing information here and whose names were kept from us, with no means of verifying the information received and information furnished us, with the express understanding that it was not to be used in the enforcement of our customs laws. The Senator may himself consider of value information furnished by manufacturers whose names are withheld, and furnished with a distinct understanding that the information was not to be used in the enforcement of our laws. The Senator can put whatever value he pleases upon that information.

Mr. STONE. The Senator will pardon me——

Mr. ALDRICH. There is no question about the German Government involved here. The German Government forwarded this information, but forwarded it under two express conditions. One was that the names should not be disclosed. The other was that we could not use the cost of any production to raise the invoice values of merchandise imported into the United States contrary to our laws.

Mr. STONE. Mr. President, I did not rise to discuss, nor do I intend to discuss, the value of this report. I shall certainly do what the Senator graciously says I may do—attach such importance as I please to the report, if I ever have a chance to see it. My purpose in rising at this time was to give the Senator from Rhode Island an excuse and opportunity to make an explanation, which I think is due from him.

Mr. ALDRICH. I stand upon the statement which I made before, and if the Senator sees fit to make any kind of——

Mr. STONE. I will read what the Senator said. He suggested that I should read it. I have read it already, but I will read it again. The Senator said:

> If I were not afraid of saying something which might be considered harsh, *I would say that the attempt on the part of the representatives of any government* or the manufacturers in any country to influence the legislation of this Congress in this way is, to say the least, impertinent.

That is what he said.

Mr. ALDRICH. I stand by that.

Mr. STONE. The Senator stands by it, and yet here is, in effect, a charge that what was done by the German Government was done to influence legislation here, and he characterized it as impertinent.

Mr. ALDRICH. Mr. President, I repeat——

Mr. STONE. I say——

Mr. ALDRICH. I repeat that any attempt on the part of any government at any time to influence the legislation of Congress upon tariff matters is impertinent. I say that of any such attempt. I do not say that the German Government has made any such attempt in this case; but I say, if it has, it would be impertinent, or if any government makes that attempt it would be impertinent.

I will say further that an attempt to influence the legislation of Congress by furnishing anonymous statements which can not be used by the Government itself for the enforcement of its own laws is a thing which should be deprecated by every Senator of the United States, whatever may be his views upon this question.

Mr. STONE. I agree, everyone must agree, that if a foreign government should of its own motion seek to interpose in our domestic affairs with a view to influencing legislation here or to influencing the administraton of our laws, it would be worse than mere impertinence. But when the Senator made that remark we had before the Senate at that time and were discussing this very report.

Mr. ALDRICH. Mr. President, we were not only discussing this report, but a large number of other communications which had been received by the Finance Committee from the representatives of various governments. We were not discussing the German situation alone by any means.

Mr. STONE. I beg to differ——

Mr. ALDRICH. Well, the Senator can differ as much as——

Mr. STONE. I do differ on the facts.

Mr. ALDRICH. I am speaking of the facts.

Mr. STONE. No; the Senator may think he is, but he is not.

Mr. ALDRICH. I had in mind no particular thing in connection with this matter by the German Government. I did not say that the German Government was trying to influence tariff legislation; but I said (and when the statements are printed the Senator will see for himself) these manufacturers whose names are withheld were trying to answer testimony given before the Ways and Means Committee of the House for the purpose of influencing the action of Congress.

Mr. STONE. Mr. President, I repeat, the one thing before the Senate at that time in question was the report transmitted to our State Department through diplomatic channels by the German Government. We were not discussing anything else. The Senator from Rhode Island, somewhere in the course of his remarks, and, as I recall it, after he had made the statement I have quoted, did say that other reports of like kind from other governments had been sent to the committee.

Mr. ALDRICH. Now, Mr. President——

Mr. STONE. But that was a mere statement in the course of debate.

Mr. ALDRICH. There can be no question about my position in this matter. I said then, and now repeat, that any attempt

on the part of any government, whoever it may be, to influence the tariff legislation of the United States is impertinent, and I repeat it with all the emphasis at my command.

Mr. STONE. Of course, the remark of the Senator from Rhode Island, to which I am adverting as an "impertinence," was made, necessarily, with reference to the matter then before the Senate, and to nothing else.

Mr. ALDRICH. Mr. President, I had no such purpose. I had absolutely nothing of the kind in my mind. I was discussing the abstract proposition as to the interference of any government by any methods as to our tariff legislation.

I did and I will now so characterize the attempt of the German manufacturers, whose names are withheld, to furnish information to answer statements made before the Ways and Means Committee for the purpose of influencing tariff legislation given under such circumstances, when there is no way of ascertaining the correctness of the information they furnished and given with the express provision that it should not be used to punish those same importers for undervaluation at our ports.

Mr. STONE. Mr. President, I have no wish to press the Senator unduly; and if he intends what he has said to be in explanation and in effect a withdrawal of the charge of impertinence against the German Government, and if he means to assure the Senate that he did not intend by what he said to offend the German Government or its representatives, I am willing to leave it there and drop the matter.

Mr. ALDRICH. Mr. President, there was nothing in the language used or in anything connected with the statement that would lead any reasonable man to suppose that I intended an affront to the German Government. That is ridiculous and absurd; and I think that that idea could find lodgment in no man's mind, unless the Senator from Missouri has that impression.

Mr. STONE. Mr. President, I did have that impression, and I have it yet.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. STONE. I yield to the Senator from South Carolina.

Mr. TILLMAN. I want to ask whether the document which is causing this discussion has been printed? It was ordered to be printed, I think, on Monday last. It surely does not take all this time to translate it, unless it is very voluminous.

Mr. ALDRICH. It was sent by the Committee on Finance to the State Department with the request that it should be translated.

Mr. STONE. It has not yet been translated here, but I do not want to start that discussion. It has not been translated.

Mr. ALDRICH. But that is not the fault of the Finance Committee.

Mr. STONE. That is not the question in hand, and, if the Senator from South Carolina will pardon me, I had rather not be diverted by a discussion on that subject.

Repeating, I will say to the Senator from Rhode Island that I not only had the impression he deprecates, but it seems that the same impression prevailed in official circles in Germany. The dispatch I have read informs us that this disagreeable impression is especially manifest at the ministry of the interior and the foreign office, one of which prepared the information and the other of which transmitted it, through the American ambassador, to Washington.

Mr. OVERMAN. I want to state that the senior Senator from New York [Mr. DEPEW] made a speech, in which he said that this information was sent here voluntarily. I asked him where he got such information, and he said he was told so.

Mr. STONE. I remember that, and I expected to refer to it later.

Mr. ALDRICH. I stated in my remarks that the information was sent at the request of the American ambassador at Berlin to the Finance Committee, transmitting certain statements in German for the information of that committee. Those statements reached the Finance Committee about the middle of April. I sent at once to the Chief of the Bureau of Statistics for a man to come up and see what was the nature of these statements.

Mr. STONE. The Senator has stated that before.

Mr. ALDRICH. Let me go on a little further. A part of these documents reached the committee about the middle of April and another part about the 10th of May, just about twenty days ago. In the meantime the Senator from Missouri, who seems in some way, in this matter, to be the accredited representative of the German Government—I do not know what else he is—made certain statements as to what those——

Mr. STONE. That statement, I will say, is an impertinence.

Mr. ALDRICH. Well, let me say why I think so.

Mr. STONE. Yes.

Mr. ALDRICH. The Senator from Missouri——

Mr. STONE. It is worse than an impertinence.

Mr. ALDRICH. The Senator from Missouri, in the course of the discussion, made certain statements, that these documents contained information of this nature. He read here a statement from the Assistant Secretary of State, or the Acting Secretary of State, that the statement presented by him was a correct transcript of the document which had been furnished the Finance Committee.

Mr. STONE. That part of it.

Mr. ALDRICH. That part of it. How the Secretary of State and the Senator from Missouri knew what was in that statement I can not even guess——

Mr. STONE. I will inform the Senator.

Mr. ALDRICH. For the only copy which was received by the State Department was sent to the Finance Committee, and was in their possession. How could the Secretary of State know that it was a correct transcript, or how could the Senator from Missouri know what was in that document? The Senator appears this morning and reads, not from any official statement of the German Government, but from a newspaper report, that Germany is aggrieved, and he calls upon me—I do not know in whose behalf he makes the demand—to retract the statement which I made about the impertinence of any government coming here and trying to influence tariff legislation. Now, the Senator from Missouri can explain to himself, or to anybody else, if he wants to, why he takes such great interest in this matter, and why he does not let the German Government, if they are aggrieved, notify our Government through the usual diplomatic channels.

Mr. STONE. So, Mr. President, the Senator says that it appears to him that I am in some way representing the German Government.

Mr. ALDRICH. Well, Mr. President, I should like to know——

Mr. STONE. The Senator must permit me to proceed.

Mr. ALDRICH. All right.

Mr. STONE. The Senator made a statement he had no right to make. I am an American Senator, representing American interests, and I resent a statement of the kind he has made. To characterize it mildly, it is a gross impertinence.

The Senator says he does not know how I obtained the information. He ought to know, for only the other day he asked me here on the floor where I got information of this German report, and I told him how I got it, and when and from whom. That is in the RECORD of that day. Therefore there is absolutely no excuse for his statement respecting that matter. He says I call upon him to retract. I do not; but if I did, it would be because I do not think, under the circumstances of this case, the Senator should have offered an unprovoked affront to a great and friendly power.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Will the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Well, I can not refuse to yield, but I would rather proceed.

Mr. ALDRICH. I certainly have no desire to interrupt the Senator, except with his consent.

Mr. STONE. I will yield.

Mr. ALDRICH. I should like to ask the Senator from Missouri, in all good faith, suppose this question was reversed; suppose that certain manufacturers or producers of the United States, interested, as they all are, very greatly in the German tariff, for the German tariff is the one tariff of all others that affects our great exportations of meat products and all of our agricultural products; suppose the people engaged in the raising of cattle and in the production of agricultural products should undertake to send statements, not verified by their names, to the German Reichstag when that body had under consideration a German tariff, with an express agreement that it should not be used by the German Government and that the names should not be disclosed, what do you think the Kaiser would say of that kind of interference on the part of the American manufacturers?

Mr. STONE. Mr. President, that is a different question. However, I will say that if the German foreign office had sent a request to our State Department for information as to our industries, and our State Department had sent out to the best sources of information available, and which it deemed the most reliable and trustworthy, and thus obtained statistics and then collated them, and afterwards transmitted them to the German Government with a request that the names of informants should not be used, I do not think that any member of the German parliament or any minister of the German Government would

have denounced the action as an impertinence on the part of the Government of the United States.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. I do.

Mr. ALDRICH. Mr. President, as to the statement now made by the Senator from Missouri there is no question; and I certainly would not have undertaken to criticise the statements which were sent to us if they had simply furnished facts without reference to legislation which was going on in the United States; but these gentlemen were not satisfied with furnishing facts, they undertook to answer statements and to deny statements made by American producers with a view of influencing our legislation. That is what I am objecting to, and that is where the impertinence in this case comes in. I have as great admiration for the German people and for their great Emperor as any man can possibly have. Nobody on the face of the earth, no government on the face of the earth has ever——

Mr. STONE. Mr. President, I want to be courteous, but I can not——

Mr. ALDRICH. All right; go ahead.

Mr. STONE. I can not yield the floor entirely.

Mr. ALDRICH. All right.

Mr. STONE. The Senator from Rhode Island stated here last Saturday—I am not sure but that he has repeated it this morning—that he did not know what was in that German report, as it had not been translated.

Mr. ALDRICH. Mr. President, I stated on several occasions that an abstract of the nature of these various statements was made by the experts of the Department of Commerce and Labor for the committee. That is all of the knowledge I have about it.

Mr. STONE. Yes; but the Senator also first made the other statement.

Mr. President, this is a regrettable circumstance. It is to be regretted that any Senator, and especially one holding a position of such prominence as the Senator from Rhode Island, and a Senator so widely known and of such large influence, should have so far forgotten himself and so far forgotten the proprieties, however great the immediate exigency, as to offend a friendly government in so gross a manner and with so little provocation. Indeed, this offense of his is without provocation. The German Government was not guilty of any "impertinence" or impropriety. The German Government is represented by gentlemen of great ability, learning, and experience, and who understand the proprieties of international intercourse as well as we or as well as any people in the world. They would have been among the last to officiously obtrude themselves upon matters relating purely to our domestic concern and which addressed themselves solely to our judgment and our national policy. And they did nothing of that kind. So far from that, it has now become well demonstrated that our own Government, acting through the State Department, several months ago instructed our ambassador at the German court to request the German Government for authentic information as to the amount of wages paid in different industries in the German Empire. Since this charge was made here by the Senator from Rhode Island, the German ambassador at Washington, Count von Bernstorff, in defense of his Government, has given out the following statement:

> As I understand it, the American ambassador in Berlin last December requested my government to have the German Chamber of Commerce provide certain information concerning German wages for the Ways and Means Committee of the House of Representatives. Accordingly this information was provided and sent to the State Department. This is, so far as I know, the only connection Germany had with the matter.

And so it seems, Mr. President, that our own officials, desiring to obtain information upon this important subject for the use of the House and Senate committees, and, I assume, also for the use of the Congress itself, requested the German Government to furnish the very information in question. We were about to engage upon the important business of making a new tariff law, and I presume that this information was asked for to be used for what it might be worth when the committees of Congress and the Congress itself should engage in the preparation and enactment of this legislation. The German Government did not thrust itself upon us; all they did was to courteously and obligingly comply with our request. The data, whatever it is, was prepared under the eye of the German interior department, was then delivered to the German foreign office, and thereafter turned over to our ambassador by the German foreign minister. The ambassador in turn transmitted it to our State Department at Washington, and the Secretary of State later on put it into the hands of the Finance Committee. That is all there is to it, so far as the German Government is concerned. With these facts before us, it is amazing that a great Senator should stand on the floor of this Chamber and use the language he did, substantially charging the German Government with an act of impertinence.

The Senator from Rhode Island said that this is the first time in the history of the country that a foreign government had attempted to furnish such information for the use of the American Congress. In that statement the Senator was as far from the fact as in the other statement he was, as I think, far from propriety. Why, Mr. President, on the same day, and later on in the same debate, the Senator said:

> The report which is now under discussion—call it a report or whatever you may—

It was the very report in question—

> the statement was sent to the Committee on Finance, as were two or three hundred, at least, in my judgment, similar statements from foreign governments or representatives of foreign governments, bearing upon the tariff.

Two or three hundred similar statements from other governments bearing on the tariff! And so it seems, Mr. President, that what the German Government did was not exceptional, although the Senator said that it was the first time that such a thing had been attempted within his knowledge. On the contrary, according to the Senator's own subsequent avowal, numerous reports of like character from other governments were furnished the Finance Committee. They have not been furnished the Senate, and the Senator objects to having them printed for the use of the Senate.

Mr. BEVERIDGE. Oh, no.

Mr. STONE. He did, distinctly.

Mr. BEVERIDGE. Mr. President, the RECORD shows—I have the RECORD before me——

Mr. STONE. I am not talking about the German report, but the other reports.

Mr. BEVERIDGE. I was listening carefully, and I thought the Senator was talking about the German report as well as the other reports.

Mr. STONE. But I said—and the Senator from Rhode Island nodded his assent—that he would object to the printing of these two or three hundred reports furnished by other governments.

Mr. BEVERIDGE. There has been no request for them.

Mr. STONE. Yes; the Senator from Wisconsin [Mr. LA FOLLETTE] did make a request of that kind. Whether these other reports were furnished as this German report was furnished—that is, at the request of our Government—I do not know, but I suspect that they were. I have been reliably informed that last summer the Ways and Means Committee, or at least members of that committee, requested the State Department to communicate, through diplomatic circles, with foreign governments with a view to obtaining certain information, and, among other things, information about wages, and that these requests were made with a view to this then contemplated legislation.

Moreover, Mr. President, this course has been pursued in former times. The junior Senator from North Dakota [Mr. JOHNSON], in the course of this same debate, last Saturday called attention to the fact that reports of like kind were laid before the Ways and Means Committee in 1897, when the Dingley bill was under consideration. Why the Finance Committee and others who knew of these reports, and at whose instance, I am told, they were primarily obtained, have sought to smother and suppress them I do not know. Perhaps, if the information had been what they desired, we would have had the reports published and paraded upon the desks of every Senator and Member of the House, and had them heralded abroad through the columns of our virtuous and impartial press. However, Mr. President, I did not rise to discuss that feature of the subject. My chief purpose in speaking is that attention might be called to the matter here, so that the Senator from Rhode Island might set right, not himself alone, but the Senate of the United States, before the country and the world.

He complained a moment ago that if the German Government felt offended, I and others might remain silent and let the German Government itself seek redress through diplomatic circles. But the German Government can not, nor can anybody in this country, call the Senate of the United States or any Senator to answer for what may be said or done in this Chamber. That position is untenable.

Mr. President, I am through, but I want the German Government and the German people to understand, as I hope they will, that in what the Senator from Rhode Island said, and in what the senior Senator from New York [Mr. DEPEW] said, when, still following the Senator from Rhode Island, he spoke after the same fashion, they stand alone in the Senate of the United States, and that in these unfortunate utterances they do not have the sympathy or support of their colleagues.

Mr. STONE. That statement, I will say, is an impertinence.
Mr. ALDRICH. Well, let me say why I think so.

not be used, I do not think that any member of the German parliament or any minister of the German Government would

is all there is to it, so far as the German Government is concerned. With these facts before us, it is amazing that a great

States, and that in these unfortunate utterances they do not have the sympathy or support of their colleagues.

Mr. ALDRICH. Mr. President, there is no mystery about this matter at all. The right of the United States to ask foreign governments or foreign manufacturers to furnish them with facts as to the cost of production or the rate of wages is not in question. Nobody has made any suggestion as to that matter. Our Government certainly had a right to ask, and it was entirely proper that they should ask, the German Government to furnish them statistics in regard to the cost of production and the wages of labor. It was entirely proper that the Government of Germany should send that information here. I am not calling that in question at all. It has been done, and it ought to be done always. It is entirely proper to get this statistical information.

I want to call attention to the particular case in point. This request of the German Government was made last November. The information furnished was sent to the Finance Committee about the middle of April, after the bill had passed the House and after the Committee on Finance had reported their recommendations to the Senate. What I find fault with is that suddenly, upon the floor of the Senate, in the discussion of one of the items of this bill, a Senator rises in his place and undertakes to furnish a part of this information to affect the action of the Senate upon that particular item. If the expert who gave me an abstract of the contents of these statements is correct—and of course I shall wait to get the translation of the entire document—but if the expert who furnished me the abstract of what these papers contained is correct, they were statements which undertook to answer arguments on the part of American producers and American manufacturers in favor of higher or lower rates in the tariff schedules—statements to influence the action of Congress upon those matters entirely outside of the question of the cost of production or the rate of wages. That is what I call impertinence. I am not charging impertinence upon the German Government, but I am only saying that an attempt on the part of anonymous manufacturers to influence the action of Congress is impertinent, and I care not whether they live in Germany or France or anywhere else. We are here engaged, I suppose, in legislating for the people of the United States. Germany is our principal industrial competitor.

When the Senator from Missouri interrupted me, I was expressing my admiration for that great statesman who presides over the destinies of the German Empire. If there is one thing for which he is entitled to the praise of his own countrymen and the admiration of the world, it is that, under all circumstances, he has supported and encouraged by every means in his power the industries of the great German Empire. He has been the one conspicuous ruler who has, under every circumstance and under all conditions, made the interests of the German people in every field supreme. I honor him, and I admire him, for those qualities; and I, myself, realize that he would be the last man in the world to suggest that German interests should control the action of the Congress of the United States. I am confident, if he could have known the use which was being made of the statistics to influence the legislation of a friendly power, that he would have been the first man to have repudiated any such application of the statements which were sent to the United States.

No. It will not do to say that I made any attack of any kind upon the German nation or upon its representatives. They have followed the policy of protection in recent years to an extent that no other nation in the world has, not only by their legislation, but by regulations, by rebates in freight, and in a thousand different ways of which we have never thought. They have built up the industries of Germany to an extent which is greater than that of any other nation except the United States. They are entering the markets of the world in competition with Great Britain, and with France, and ourselves. They are entering those markets encouraged and protected by the full force of the German Government on all occasions, and the representatives of that government would be the last people in the world to expect their interests to be paraded in the Senate of the United States as reasons why we should not follow the policy which the interests of this people and of their interests dictate. They have a right to be friendly with us. But they are rivals. They are our greatest rivals in the industrial and commercial world, and while they are protectionists, while they are carefully guarding the interests of their people, they would never consent, in my judgment, to have the interests of their manufacturers sent here to help a party here or a policy here which would be destructive of the interests of the United States.

Mr. TILLMAN. There is something mysterious to me—it may not be so to others—in this matter. Why can not we get at the exhibits and judge for ourselves what all this racket is about? The Senator tells us that he has an abstract from which he has drawn certain deductions, and he gives us those deductions here. The Senate ordered the printing of this document, and the abstract, too—I mean the translation and the abstract, too—several days ago, and the abstract immediately, and it has not come.

Mr. ALDRICH. That order was not entered. The papers themselves arrived while the discussion was going on, and the Senate ordered their publication. They were sent to the State Department for translation, and they have not yet been received from the State Department.

Mr. TILLMAN. Is there some hocus-pocus about this delay? Is it honest and clean?

Mr. ALDRICH. It is absolutely honest and clean.

Mr. TILLMAN. I know it is, so far as the Senator from Rhode Island is concerned.

Mr. ALDRICH. And so far as the committee is concerned. It is a very large and voluminous document, and very few men——

Mr. TILLMAN. Would ever undertake to read it.

Mr. ALDRICH. I have never said that.

Mr. TILLMAN. I undertake to say it.

Mr. ALDRICH. Except a very few Senators here. But it requires some man who understands technical matters. I do not know in whose hands the State Department put the translation.

Mr. TILLMAN. But when the Senate orders a document printed——

Mr. ALDRICH. It has to be translated. The committee had to order somebody to do it, and it was left to the State Department. The committee did so on the theory that if it was sent to the State Department, there would be no criticism. If we had selected some one else and there had been any difference of opinion, the committee might have been criticised for employing a man to translate it. It seemed to me better to send it to the State Department for translation.

Mr. TILLMAN. That is all right, provided we get it and get it promptly. There is this phase of the situation which presents itself to me: There seems to be something in the figures presented by the German Government that the Senator from Rhode Island does not like.

Mr. ALDRICH. I have no knowledge whatever of the contents of this paper, except the short abstract furnished the committee by an expert of the Department of Commerce and Labor as to what the contents were. I have no knowledge of any other kind as to what its contents are. The Senator must remember—I think I have stated it once or twice upon this floor—that there is more literature of various kinds coming to the Finance Committee in one day than it is possible for me to read, if I had nothing else to do, in a month.

Mr. TILLMAN. Undoubtedly.

Mr. ALDRICH. I have to be here. My duties are on this floor. This bill has been reported. It has been reported with the action of the committee upon it. I can not undertake to read all the material sent to us every day.

Mr. TILLMAN. That is well understood.

Mr. ALDRICH. The paper has gone to the State Department for translation. We will ask the State Department to hurry up the translation.

Mr. TILLMAN. And bring in the abstract, too.

Mr. ALDRICH. The abstract was not furnished by the State Department.

Mr. TILLMAN. We want to see why the Senator has been so angry about it——

Mr. ALDRICH. I have not been angry.

Mr. TILLMAN (continuing). Bordering upon the line of discourtesy and lack of respect to the German Government.

Mr. ALDRICH. I thought the Senator from South Carolina had known me long enough to know——

Mr. TILLMAN. But the Senator from Rhode Island is set in his purpose——

Mr. ALDRICH. I am not set in any purpose.

Mr. TILLMAN (continuing). To pass his bill in a certain way, and he has certain figures presented by his lieutenants which, I think, are contradicted by the facts. I can not conceive of American labor getting four times as much as German labor.

Mr. ALDRICH. There have been statistics by the hundreds and thousands of pages——

Mr. TILLMAN. I have gotten so I do not believe what they say. My belief in the statement of the Senator from Maryland [Mr. RAYNER], that there is an awful lot of lying going on, is growing stronger every day.

Mr. ALDRICH. If the Senator is in haste——

Mr. TILLMAN. I do not want any special favors. I want the Senate to know whatever I get, and I want the abstract

furnished the Senate to be printed at once, so that we may have it by morning.

Mr. ALDRICH. I have no objection to the abstract being printed.

Mr. TILLMAN. I think the RECORD will show it has been ordered printed.

The VICE-PRESIDENT. The Senator asks unanimous consent that the abstract be printed as a document (S. Doc. No. 74). Is there objection? The Chair hears none, and it is so ordered.

Mr. DEPEW. Mr. President, the Senator from Missouri [Mr. STONE] concluded his speech by alluding to me and the remarks which I made when this question was last under discussion. I knew nothing about this matter except what was revealed in the debate on that occasion; but from what has transpired in the discussion this morning, I am convinced that I was exactly right in the views which I expressed at that time.

The whole matter seems to be about this: That sometime last year before the meeting of the last Congress a request was made—precisely what, we do not know—by the American minister at Berlin for certain facts. It seems, if what has been stated on the floor is correct, that a document arrived here and was presented to the Finance Committee after the tariff bill had been considered in the House and had passed the House.

Mr. ALDRICH. And had been reported by the Committee on Finance.

Mr. DEPEW. And had been reported from the Committee on Finance; and that the report, instead of being the statistics called for before the December meeting of the last Congress, was not presented to the State Department until nearly six months after. It was then in the form of a reply by the German manufacturers to the testimony before the Ways and Means Committee of the House in regard to the schedules in the bill reported by the Finance Committee of the Senate. In other words, instead of a statement of the facts, it was a denial of certain testimony, and controverting other testimony given under oath by American manufacturers. The German manufacturers were not under oath, and their names withheld, so the communication was anonymous.

Another singular thing occurred to me in regard to this matter, and that was that this was alleged to be an official communication from the German Government, coming through the ordinary diplomatic channels, that it was in German, that it was confidential in regard to the authors of the statistics which it contained, and that it was transmitted to the Finance Committee and returned immediately to the State Department because it was not translated and because it was anonymous. Nevertheless, it is claimed by the Senator from Missouri that it was a state document, furnished by the German Government. But before that document was transmitted to the Finance Committee, the Senator from Missouri was enabled, in a speech upon a particular schedule in this tariff bill, to quote from that confidential governmental communication in the hands of our State Department and to say that he knew that that was an exact copy.

It seems to me strange that a solemn diplomatic communication of this kind, not yet having been communicated to the Congress of the United States, could still be in the hands of somebody who could give it to a Senator, to be used in a debate, for the purpose of affecting legislation upon articles in which Germany competes in this country with our manufacturers. I do not care where the Senator received that information. He received it undoubtedly from an importer. It must have been from an importer, for no one else would have been interested in furnishing it except a German importer; and then the question arises, How did that German importer obtain from the files of the State Department this confidential communication unless copies were furnished by German manufacturers to their correspondents in New York?

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Missouri?

Mr. DEPEW. Certainly.

Mr. STONE. It is strange that the Senator from New York, still walking in the footsteps of the Senator from Rhode Island, should express wonderment as to where I obtained that information, when, at least two or three times, I have told all about it in the presence of the Senate and of the Senator from New York. I will state it again. The table I put in the RECORD was handed to me by Mr. Montague Lessler, an ex-Member of Congress, who told me that it was taken from a report in the State Department furnished by the German Government. Where he got it or how he obtained it I do not know, and I did not inquire; but I sent an inquiry to the State Department as to its accuracy, and the Assistant Secretary, Mr. Wilson, wrote me a letter, which I put in the RECORD, that he had compared the table with the original text and that it was accurate.

Mr. KEAN. I should like to ask the Senator whether Mr. Lessler is the same person who, as a Member of Congress and a member of the Naval Committee of the House, was under investigation?

Mr. STONE. I can not answer that. But I will ask the Senator from New Jersey why he propounds that inquiry? In what way does the matter he inquires about affect the question?

Mr. KEAN. I want to locate him.

Mr. STONE. Suppose you do locate him. I have no objection; but how does that affect the question at issue? That does not concern the substance or the truth of the report sent to our Government.

Mr. DEPEW. Mr. Montague Lessler is a friend of mine, formerly a Member of Congress from one of the districts in my State, a very honorable gentleman, a lawyer. He is practicing at the New York bar, and he was here honorably and legitimately as attorney for the importers of the article under discussion.

Mr. SMITH of Michigan. What is the article?

Mr. DEPEW. Razors.

Another thing touched me, and rather on my funny bone, in this matter. There is no nation in the world for which I have a larger measure of respect and admiration than for the German nation. I have been visiting Germany for thirty years, and I have seen the marvelous growth of that Empire since the present Emperor ascended the throne.

I remember a remark made at one time when I was in Germany, not to me, but to a diplomatic representative, by Bismarck, that the great difficulty with Germany was the German cradle; that Germany did not have the industries to take care of coming generations, and therefore it was necessary for her to expand anywhere in the world, on any continent, where territory could be had for colonization. But the present Emperor of Germany energized German production; then he energized the German navy; then he energized the German merchant marine, until to-day Germany is succeeding Great Britain as the workshop of the world, and is becoming the workshop of the world because she is the most highly protected nation in the world, higher than ourselves.

She has surpassed us in this, that she has a technical school in which the German youth are educated to an efficiency and a proficiency in all manufactures and in all chemical products, technical schools that do not find their parallel in any other country, and which are turning out for German industries an army of experts whose skill is threatening the control of the markets of the world.

Then she has another thing which we have not. Germany has a merchant marine, built up by subsidies, which reaches every port in the world, and whose object and purpose are to carry German products into all countries where we want to compete; and by having their own marine, they are able to control the markets, especially the South American and African and eastern markets, against the United States.

I said this touched my funny bone, and it was in this way: In the first place, that the German Government should be the author of an anonymous communication, and in the next place—although I do not believe it was an official communication—I could not conceive how the foreign office of Germany, engrossed, as it is, on matters of the most momentous international concern, could come down to razors. I tried to think of a meeting of the German cabinet, with that most accomplished diplomat, Prince von Bulow, presiding, and there should come up the question of the triple alliance, there should come up the question of friction with Russia, there should come up the question of the Balkan crisis, there should come up the critical relations existing between Germany and Great Britain, with the fever heat that Great Britain is in with regard to German aggression, and that then Prince von Bulow should say to his associates, "Now, let us lay aside all these international questions, which involve our existence, and come down to razors." Razors! "Let us enter into negotiations with the United States in reference to razors. Let us present the statements of the razor manufacturers of Germany to the State Department, so as to teach the American Congress what should be a proper duty to be imposed by that Congress upon the importation of German razors."

Mr. President, the thing is absurd. It is ridiculous. It is lowering the dignity of a great diplomat, of the diplomatic relations which exist and are of the most friendly character between Germany and the United States. I do not believe for a moment that the Emperor of Germany or his foreign minister would consider, even in answer to a request, a communication

which could be tortured into an effort to influence the American Congress upon a bill whose sole object is to raise revenue for the support of our Government, to take care of our army and our navy, and our coast defenses, and to protect the American manufacturer and the American laborer.

That thing is too absurd to believe for a moment, and I can only suppose that the German Government, in transmitting this anonymous communication presented to it by the German manufacturers, did it with no intention of having it used as an official document for the purpose of influencing the action of the American Congress. I acquit the German Government of any such intention.

Mr. DANIEL. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Virginia?

Mr. DEPEW. Certainly.

Mr. DANIEL. The Senator used a term there that attracted my attention. He spoke of an anonymous communication. Is it not a fact that all the names of the persons who have made these communications are in the State Department and that the object in not giving them out was lest they might be used at home for their own injury?

Mr. DEPEW. I understand names are attached to these communications which have been presented by the manufacturers of these various articles, with the request that those names be kept in confidence and that the communications only, unsigned and anonymous, should be transmitted, if transmitted at all, to the American Congress.

Mr. DANIEL. Of course we do not know accurately all the details of these matters, but according to my information any Senator can go there and verify the names; but for reasons, not as between the Governments at all, the names have been withheld, lest they go to Germany and be made a matter of injury to the persons signing the statements. I do not see that it is any offense to this Government, as they can be assured of the names if they wish to. But it is not to be made, as I understand, a matter of publicity, which might injure the deponents. I should like to know if the Senator has any accurate information on that subject?

Mr. DEPEW. I only know what has been revealed in debate, and the only thing I know, and all the Senate has as to the kind of information which is contained in this remarkable document, is the statement of the chairman of the Finance Committee that the names of the authors are erased, and the communication from the State Department is that they are to be confidential; and the other statement, made here by the Senator from Missouri when we had under discussion the schedule on razors, if I remember rightly that statement, which gave the elements of cost with regard to wages and prices paid to the wage-earner, but it omitted the great essential of the hours; and if this communication, in computing the cost as to daily or weekly wages, has left out the hours of work, it is utterly worthless for comparison with American cost.

Mr. President, I did not intend to consume so much of the time of the Senate. I believe that in a day or two we will have all these communications. I only rose to say that from the information which was before the Senate when I made a few remarks the other day, and the information which has come from the speech of the Senator from Missouri in his colloquy with the chairman of the Finance Committee this morning, I stand by what I said.

Mr. STONE. Mr. President, just a word. This communication from the German Government was not a confidential communication. If it had been, the State Department would not have sent it to the Finance Committee. If it had been, the President of the United States would not have transmitted it to the Senate. It was a communication sent by the German Government to our Government, at the request of the State Department, putting but one condition upon its use, and that was that the names of the manufacturers or persons who had primarily supplied the information, at the request of German officials, should not be made public.

I agree with the Senator from Virginia [Mr. DANIEL] that the document itself is entitled to be treated with respect, and I agree with him that if any Senator desires for any reason to see the names of the men who furnished the information to the German Government, I have no doubt that he can see them in confidence by applying to the State Department.

Mr. President, the pertinent and important fact must not be overlooked that the matter contained in this communication was obtained by the German Government from the sources they considered most reliable, and when that Government transmitted it here they put upon it the stamp of their approval. It will not do to say the German manufacturers have sent this information to the United States for use in Congress. These Senators can not escape the charge first made, that the German Government itself was impertinent by now insisting that the manufacturers were impertinent. Neither were impertinent.

Would it be an impertinence for the German manufacturers themselves to have responded to a request from our State Department for this kind of information if it had been directed to them in the first instance? Certainly no one would so contend. How, then, can it any more be said that they are impertinent or that they have done anything to be criticised when they furnished this information at the request of their own Government, made at our instance and for our purposes?

Our Government asked the German Government for this information. The German Government obtained it from original and authentic and reliable sources, examined it, collated it, tabulated it, and transmitted it in response to the request of our State Department, and when they transmitted it they gave to it the sanction of their authority. Does anyone suppose the German Government would deliberately send here to our State Department information that it knew to be untrue, deceptive, and unreliable? No more could we charge that against the Government of Germany than they could make a like charge against the United States if the situation was reversed.

Mr. President, I have not succeeded in having the Senator from Rhode Island and the Senator from New York make a direct retraction of the things they said, but they have plastered them over now and so sugar-coated them with fulsome and pleasing eulogies of the German Government, the German people, and everything else remotely German that I think the bitter taste will be mitigated if it does not wholly disappear. Therefore I have not labored in vain.

Mr. DEPEW. Mr. President, just one moment. I think whatever may be the failure on the part of the chairman of the Finance Committee and myself to say the proper thing to placate the sensibilities of the German Government, all that deficiency has been amply met by the eloquent, able, incisive defense of the German Government which has been made by the Senator from Missouri. I do not think that any Senator, nor even Prince von Bulow himself, could have better presented the case of Germany than it has been presented by my friend from Missouri. Every element of rhetoric, every resource of oratory, every creation of logic, and every appeal to German patriotism has had its full satisfaction in the admirable presentation of the German case by my friend from Missouri.

Just one word further. The detail with which the Germans are entering our country to compete in everything is evidenced in the lithographs which we have all received. Every town in the State of Missouri that has a schoolhouse that will hold 500 people, or a railway station which is the admiration of the neighborhood, has a post card revealing the beauties of this piece of architecture, and on it is "made in Germany." The same is true of every other State in the Union. The sightseer in Washington is met at every turn by a boy asking the tourist to buy a post card as a souvenir of the capital of his country, and when he admires the picture of the White House or the Capitol or the Library he discovers that it was made in Germany.

Mr. ALDRICH. Mr. President, before the Senator from Wisconsin proceeds, I should like to occupy a very few minutes, because I have some of these abstracts here that I should like to read to the Senate, even before their publication. I should like to get the opinion of some Senators as to whether they think they are impertinent or not:

Bronze powder. Nuremberg Chamber of Commerce.

Request of American manufacturers to raise duty from 12 to 15 cents per pound unreasonable. Admits that American wages are twice what they are in Germany. States that difference of cost of wages is not sufficient to warrant increase of rate asked for by American manufacturers before Committee on Ways and Means. States that only about 100 persons employed in this industry in the United States.

Does the Senator from Missouri think that that is impertinent or not?

Mr. STONE. Mr. President, that is not the question we have before the Senate. The Senator desires to open up a discussion on the merits of that report. We had better wait until we get it, if we ever do.

Mr. ALDRICH. The report will be here.

Mr. STONE. Then we will discuss it.

Mr. ALDRICH. I want to say to the Senator from Missouri and to the Senate that whatever indignation I may have expressed in reference to this matter, as the Senator from South Carolina [Mr. TILLMAN] suggested, had proper foundation so far as these abstracts are concerned which have been submitted to the committee, and that was the only point I made in reference to the matter.

Clay pipes.

Chamber of Commerce of Limburg a. d. Lahn. Statement of Mr. Kurth—

Picking out an individual—

regarding labor cost in this industry is incorrect.

That is a statement made before the Ways and Means Committee of the House.

The American labor cost on this same grade is 36 cents.

Going on and explaining the reasons why the Congress of the United States should not fix a certain rate of duty upon clay pipes.

Coal-tar dyes.

Mr. Schoellkopf's tables do not prove anything, as they are too general, applying to a total production of 3,000,000 pounds merely, without specifying the single products or dyestuffs. As a matter of fact, the latter are composed of the most various raw materials and are produced according to the most various methods. Prices accordingly vary considerably. A comparison would be valuable only in case it were based upon cost figures for the United States and Germany of certain well-defined dyestuffs.

Then there is the following:

WOOLEN INDUSTRY.

CHAMBER OF COMMERCE, *Augsburg.*

The statement of William Whitman that the wages of operatives in the carded-wool industry are three times as high in America as in Germany is incorrect.

Mr. President, my point is that the statement made to me of the contents of these papers showed me distinctly that the statements were being made to answer the statements of American manufacturers before the Ways and Means Committee of the House for the express purpose of affecting and influencing the legislation of Congress.

Mr. STONE. Mr. President, just a moment. I desire to ask the Senator from Rhode Island if he regards the samples he has selected and read from the abstract he had made of this report as impertinent?

Mr. ALDRICH. I do certainly understand that when a German manufacturer, whose name he is not willing to state, comes here and says that a rate which is fixed or proposed to be fixed in the tariff bill is too high, it is the height of impertinence.

Mr. STONE. Is it impertinent for the manufacturer in Germany to say that a statement made by any person, anywhere, as to the cost of wages in his industry is incorrect, if it is incorrect?

Mr. ALDRICH. I do not say that under ordinary circumstances, if one should come here in person, if any Senator——

Mr. STONE. Are these extraordinary circumstances? This is a response to a request we made of these people.

Mr. ALDRICH. If the Senator from Missouri should come here, as he has on several occasions, and make a statement that American manufacturers were wrong in their conclusions, and upon his own responsibility as a Senator say that the rates ought not to be put up, I have no objection to that at all. But the Senator from Missouri comes here with a statement, which he says is a statement of the German Government, and produces figures which he says are official figures in answer to the request of the representative of the United States in Germany. Does the Senator suppose that Mr. Hill, the ambassador of the United States in Germany, asked the opinion of the Nuremberg Chamber of Commerce whether the particular rates which we propose to fix in our tariff bill were too high? Is that the purpose of this information? I think not.

Mr. STONE. I should think it was a part of the purpose——

Mr. ALDRICH. It seems to have been.

Mr. STONE. That it was a part of the purpose of the State Department. I should think that when members of the Ways and Means Committee went to the State Department and requested this information, through diplomatic channels, it would not be improper for the German manufacturer to call attention to the fact, if it be a fact, that certain statements made were not founded in truth.

Mr. ALDRICH. But that is not the statement I am finding fault with. The statement is that the rates which are proposed in the bill are too high and are unreasonable.

Now, Mr. President, that may affect the Senator from Missouri. His action and his vote in this Chamber may be governed by that kind of testimony, if he pleases. The American people will not regard that evidence as good evidence.

Mr. STONE. The Senator has not any right to say that.

Mr. ALDRICH. Well, I think so.

Mr. STONE. The Senator ought not to say that. I will say to him that I will be influenced by whatever testimony I think worthy of credence.

Mr. ALDRICH. That is what I said.

Mr. STONE. And I do not care whether it is testimony coming from the lips of one man or another; nor whether he lives in America, in Germany, or in any other country. All I want to know is the actual truth.

Mr. ALDRICH. It makes a great difference to me, and I hope to a large majority of the Senate, whether we are to take the opinion and follow the advice of men who are interested in destroying American industries or those who are engaged in building them up in this country.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. TILLMAN. I wish to say just a word to the Senator from Rhode Island.

Mr. LA FOLLETTE. I will yield.

Mr. TILLMAN. He seems to be very indignant, apparently, and in some phases I expect his indignation is earnest, over the idea that the labor cost of articles in Germany and America should be brought out here in this way.

Mr. ALDRICH. I am not finding fault with any facts. I am now finding fault that German manufacturers should come here in the form of a statement and undertake to influence our legislation by saying that the rates are too high or are unreasonable.

Mr. TILLMAN. The Senator has said that often enough for all of us to get that idea. I certainly have it thoroughly fixed in my mind.

I want to call his attention to this point: The Republican platform adopted last summer expressly required or demanded or pledged that the difference in the labor cost here and in Europe should be the basis of our action in revising the tariff up or down. Was not that so?

Mr. ALDRICH. That is true; but whose testimony does the Senator——

Mr. TILLMAN. Wait a minute. Just how are we to get the best testimony available, to get the honest truth rather than garbled and distorted statements? Our ambassador in Germany requested the German Government to give information on certain points respecting labor cost. It is sent to us, and the German authorities ask our State Department to consider the names as confidential, but did not say that they did not indorse the facts.

Now, the Senator from Rhode Island and the Senator from New York get up a great hullabaloo about the anonymous character of this information. It comes to us in the only way we could get it, unless our own consuls would be able to go to those manufacturers and get them to tell their trade secrets, which would be absurd; they could not do it. We have these things in the only way possible to get them, and because they do not conform to the ideas of the American manufacturers whom the Senator from Rhode Island represents and whose interests he is watching so closely he gets unhappy over it, and he immediately attacks the source of information as unworthy of credit, as being impertinent, and all that sort of thing.

I think the Senator is entirely unjust to the German Government or to anybody who has had anything to do with transmitting this information. We were supposed to be making an honest revision of the tariff, trying to conform to the pledges of the party which was intrusted by the people with that work, in the hands of its friends, and information comes which contradicts the statements of the manufacturers here. They say that our labor cost is so much and the German labor cost is so much. Here comes authoritative information from the German Government saying that is not true, and the Senator says the German manufacturers are intimidating Congress, arguing and pleading that the tariff is too high, and all that sort of thing. It is an injustice, to my mind.

Of course the Senator from Rhode Island has his own opinion, and he is very hard-headed and awfully set in his purpose to carry this bill through along special lines; and I predict he is going to do it, from what I have seen so far. I confess I do not see why he should grow so indignant and attempt to muddy the water and confuse the minds of the American people with the idea that the German Government is impudent to come into the American Congress and try to argue Republicans here out of their fixed purpose to arrange this tariff according to their scheme.

Mr. SMITH of Michigan rose.

Mr. LA FOLLETTE. Mr. President, I think I must ask the attention of the Senate. I must claim my right to the floor.

The VICE-PRESIDENT. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. In view of the discussion which has taken place this morning, I ask unanimous consent for the pres-

ent consideration and passage of the resolution which I send to the desk.

The VICE-PRESIDENT. The Senator from Wisconsin sends to the desk a resolution, which will be read.

Mr. LA FOLLETTE. And for which I ask immediate consideration.

The Secretary read the resolution (S. Res. 55), as follows:

Senate resolution 55.

Resolved, That the President of the United States, if not incompatible, in his judgment, with the public interest, be, and he hereby is, requested to transmit to the Senate copies of all the correspondence which passed between the Department of State and the German Government, or between any representative of the United States and officials of the German Government, having relation to the report upon German manufactures furnished by the German Government to the United States.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Wisconsin asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. SMITH of Michigan. I should like to say just a word on the resolution.

The PRESIDING OFFICER. The Chair suggests that the resolution is not now before the Senate.

Mr. SMITH of Michigan. If I can have the consent of the Senator from Wisconsin——

Mr. LA FOLLETTE. I ask unanimous consent for the present consideration of the resolution. I do not think there ought to be any objection to it.

Mr. SMITH of Michigan. I should like to say a word on the resolution.

Mr. LA FOLLETTE. After we obtain unanimous consent for its present consideration and passage.

Mr. SMITH of Michigan. I shall not object.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. BEVERIDGE. Mr. President——

Mr. LA FOLLETTE. It contains the usual provision.

Mr. BEVERIDGE. I think the Senator will have to add just one thing.

Mr. LA FOLLETTE. I would be glad to have the Senator state it.

Mr. BEVERIDGE. Perhaps not, but it occurred to me so; and that is, any communications between our Government here and our ambassador—so as to include that.

Mr. LA FOLLETTE. I will ask to have the resolution read again; and if anything was omitted that ought to be included, it can be inserted.

Mr. BEVERIDGE. I merely wish to say that it appears from the discussion here that our State Department requested our ambassador in Germany to procure this information, and then he requested the German Government, and the German Government gathered it by asking their boards of trade. Then it was placed in the hands of our ambassador in Berlin and transmitted to our State Department, which transmitted it to the committee.

Mr. ALDRICH. There is one suggested amendment I should like to make in the resolution, and that is whether the Government of the United States asked the opinion of the German Government or any of its people as to the character of the tariff which we should enact.

Mr. LA FOLLETTE. I did not hear the Senator.

Mr. BEVERIDGE. That will be disclosed from the correspondence.

Mr. ALDRICH. I do not know whether that additional source of information is desired.

Mr. LA FOLLETTE. The resolution asks for all correspondence. There will be nothing omitted.

Mr. ALDRICH. It had better go over until to-morrow, and we will look it over.

The PRESIDING OFFICER. Upon objection, the resolution will go over.

Mr. LA FOLLETTE. Mr. President, I am not very much surprised that the Senator from Rhode Island [Mr. ALDRICH] objects to the present consideration of the resolution. It has been very difficult to get before the Senate for its consideration anything pertaining to this report from the German Government.

The Senator from Rhode Island left the floor for a few moments this morning and returned to lay before the Senate certain excerpts from an abstract which has been, or is being, prepared from this document, in order to test the sense of the Senate as to whether that document conformed to the proprieties or not. I suggest to the Senator from Rhode Island that it is not for him to sample that document and then call for a judgment of the Senate upon it. The Senate is as capable of judging that document as he is.

That we claim the right to do. That document was never intended, sir, for private consideration by any Senators or by any committee of the Senate. The suggestions of the Senator from New York [Mr. DEPEW] that this report was nothing more than a business prospectus issued by German manufacturers, he now says were predicated entirely upon what has come up in debate; and that statement is another exemplification of the spirit which has been manifested with respect to this document.

Mr. President, at one time in the consideration of this subject a good many months ago there was manifested a sincere determination to ascertain the facts upon which to predicate the making of a tariff. That is indicated by the fact that before any testimony was given to the Ways and Means Committee this Government asked the German Government for information with respect to the wages paid in various occupations in Germany.

Senators may seek now to dull the edge of criticisms of that great Government made a few days ago upon this floor, but the fact remains, and the RECORD will show, that Germany did not seek to meddle in our legislative affairs, but that somebody in authority in our Government deemed it worth while to ask the German Government to present here the facts with respect to wages in that country. That request was communicated officially to the German Government. A response was made.

Now, because of some of the matters stated in that report, the Senator from Rhode Island attempts to excite the feeling and resentment of Senators upon this floor. Although the report was called for before any testimony was taken by the Ways and Means Committee of the House the response was not made until after some testimony had been given with respect to the wages paid in Germany. Because some of the statements in this report take up the declarations made before the Ways and Means Committee of the House of Representatives of American manufacturers with respect to the wages paid in Germany, and claim that misstatements are contained in that testimony, the Senator from Rhode Island now endeavors to excite the resentment of Senators against the German Government on the ground that that Government is seeking to interfere with legislation here.

Because the Senator from Missouri and other Senators have risen here and asked to have that testimony presented to the Senate the Senator from Rhode Island made the unwarranted accusation—not by inference, but by direct statement—that the Senator from Missouri and others who are calling for this testimony are here representing the German Government and German manufacturers. I ask the Senator from Rhode Island whom he represents on this floor?

I will show, Mr. President, by the spokesman of the Committee on Finance—not in the course of debate, where one may possibly in the heat of discussion make an overstatement, but off of the cold, printed page—a declaration by the Finance Committee as to whom they considered and whom they represented in fixing the rates in this bill. I have taken some part, Mr. President, in calling for this testimony with respect to the wages paid in the various occupations in Germany.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. I do.

Mr. SMITH of Michigan. Mr. President, the Senator from Wisconsin has called for a statement of the wages paid in Germany.

Mr. LA FOLLETTE. I have called for the report of the German Government made to this Government in response to its request.

Mr. SMITH of Michigan. That is a very fair request, and no one, it seems to me, can find any fault with it. I should not attempt to find any fault with the Senator from Wisconsin in that matter, but if the report which these boards of trade have forwarded deals not only with the wages paid in Germany and in America, and then argues that such wages are only two and one-half times as high in certain lines of employment in Germany as here, and undertakes to offset that disparity by showing the cost of living here and in Germany, that is going a little further, I think, than even the Senator from Wisconsin would care to have any foreign board of trade go, because the difference between the cost of living here and in Germany is of no concern to German boards of trade. That relates solely to the welfare and disposition of our own people, and is not the subject of proper argument by boards of trade in Germany.

Mr. BEVERIDGE. Mr. President, will the Senator from Wisconsin allow me?

Mr. LA FOLLETTE. Just one moment, if the Senator from Indiana please. I will yield to him in a moment.

Mr. BEVERIDGE. Very well.

Mr. LA FOLLETTE. I have nothing to do with that, because I do not know anything about it. I feel, as a Member of this body, and I think the Senator from Michigan [Mr. SMITH] ought to feel, that I have intelligence enough to take that statement from the German Government and read it and analyze it and attach to it the importance which it deserves. I do not ask the Senator from Rhode Island for permission to do it, nor do I——

Mr. SMITH of Michigan. Neither do I, Mr. President.

Mr. LA FOLLETTE. I do not yield to the Senator from Michigan now. Wait for the answer. I do not ask any man in this body to interpret testimony for me. I do not need any direction or assistance from the Senator from Rhode Island with respect to it. Let me say——

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. Not now.

The VICE-PRESIDENT. The Senator declines to yield.

Mr. LA FOLLETTE. I decline to yield until I shall have finished my answer.

Mr. President, this report raises a number of very important economic questions as to the weight which should be given to the difference in all the conditions surrounding labor in that country and in this country. The cost of living, the rents, the amounts paid for fuel, for clothing, for groceries, and for all the living expenses are all important matters to be taken into consideration, and are entitled to a certain measure of weight, judged by recognized rules among students of economy and finance.

I do not yield my judgment to any Senator on this floor in interpreting these facts. All I am contending, and all the Senator from Missouri [Mr. STONE], or any other man on this floor has contended, with respect to this report from the German Government, is that the Finance Committee had no business to bottle it up.

Mr. SMITH of Michigan. Now, Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. No; not at present.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield.

Mr. LA FOLLETTE. I do not know how the Senator from Michigan or anybody else outside of the Finance Committee secured information in respect to the contents of this document. It may be that the statement of the Senator from Michigan is only an inference.

Mr. SMITH of Michigan. Mr. President——

Mr. LA FOLLETTE. But that makes no difference.

The VICE-PRESIDENT. The Senator from Wisconsin has declined to yield. The Senator from Michigan can not interrupt without the permission of the Senator from Wisconsin, and he declines to yield.

Mr. LA FOLLETTE. I have not yet finished my answer to the Senator from Michigan.

Mr. SMITH of Michigan. The Senator from Wisconsin asks how I got the information——

Mr. LA FOLLETTE. No; I did not ask, and I do not care how you got it, or whether you have such information, or whether your statement with respect to it was a surmise. It does not make any difference. All there is of this business is just this: This body is entitled to whatever there is in this document, it makes no difference what it contains or whether or not it will weigh with us when we get it. It was sent here by one of the foremost governments in the world—not volunteered, not intruded upon the legislative proceedings of this great Nation, but sent here upon the formal invitation of this Government. That much has been made clear in this debate.

Mr. President, I say, first, in decency to that Government, we are entitled to have it, and have it promptly. Second, in fairness to Members of this body, we are entitled to have it and to interpret it for ourselves.

No member of that choice band chosen to sit in the sacred precincts of the Finance Committee has any exclusive privilege with respect to a document which belongs to this Government and which belongs to this body as much as it does to them.

The Senator from Rhode Island [Mr. ALDRICH] says that it was received after the bill had been reported. He said that on this floor this morning. He is clever in his statements. This will be discovered if you follow and analyze those statements. He will make a definite statement that cuts down to the bone. Then he surrounds it with generalizations enough to involve it, so that when you come to demand an answer for that particular statement a side door is open here and another there for opportunity to escape a definite answer and definite responsibility for what he says. But, speaking of this report, he did say on this floor this morning—and I took it down from his lips as he uttered it—

The information came to the Committee on Finance about the middle of April, and after the report of the bill.

I say it did not. I say it came to the Committee on Finance before the bill was reported to the Senate, and, although he attempted, in the debate the other day, to invoke this question by stating that the committee had received a multitude of documents through the State Department from other governments, I will venture to say now nothing has been received here by the State Department from any government bearing upon this subject that stands on the same footing as does this report.

I want to be frank with the Senate. I do not say that upon official authority, but I say it on what I believe to be absolute authority. This report called for by this Government, furnished by the German Government in response to that call, stands today as a document entitled to consideration, at least to report to the Senate—at least to be open where everybody can see it. It did not come to the Finance Committee after they had reported the bill to this body. It went to the Finance Committee while the bill was in its possession. I will venture to say that the chairman of the Finance Committee had his attention specifically called to that document after it had been sent to him, and was asked by the Department of Commerce and Labor whether he did not want it put into such condition that it could be examined by his committee.

Mr. BEVERIDGE. Mr. President, may I ask the Senator from Wisconsin a question?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. BEVERIDGE. I merely want to ask a question.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I do.

Mr. BEVERIDGE. I understand that an order has been made by the Senate, by unanimous consent, for the immediate translation and report of this document to the Senate. Am I wrong about that?

Mr. LA FOLLETTE. I think the records of the Senate will show that the order of the Senate is for the printing of this document. That order and unanimous consent did not express anything with respect to translation; but after the document was received here, as the Senator from Indiana will remember, while the subject was under discussion in the Senate after the document came into possession of the Secretary of the Senate——

Mr. BEVERIDGE. Mr. President, if the Senator will permit me just one remark. I have been from the first of the very hearty opinion that this Senate was entitled to have the document, and it has been so decided. The Senator also made a unanimous-consent request this morning for the correspondence, which he put in the regular form—"if in the opinion of the President it is not incompatible with the public interests."

I think that, if the Senator will renew his request for unanimous consent, upon reflection it is likely that nobody will object, because in the end it can not be objected to. I suggest to the Senator from Wisconsin at this point that he renew his request for unanimous consent. I may be wrong, but I think it will be agreed to.

Mr. LA FOLLETTE. I should not feel at liberty to do that, because at the time I made the request the Senator from Rhode Island [Mr. ALDRICH] was on the floor and objected. I do not see him now, and I would not like to take advantage of his absence from the floor to renew the request at this time.

Mr. BEVERIDGE. It is only due to the Senator for me to say——

Mr. LA FOLLETTE. I do not think the Senator from Indiana had noticed that the Senator from Rhode Island was absent.

Mr. BEVERIDGE. Yes; I did. And yet it is only due to the Senator to say that I feel so strongly that this unanimous consent should be given—as I am sure other Senators have felt, and some of us have expressed that opinion to the Senator from Rhode Island—that I do not now understand, even if he were here, that he would object. Otherwise I am sure I would not make the suggestion which I now make in the presence of the Senator from Maine [Mr. HALE]. Perhaps I am wrong, and perhaps there will be objection, but I think not.

Mr. LA FOLLETTE. Mr. President——

Mr. BEVERIDGE. I thought it would be helpful.

Mr. LA FOLLETTE. I hope the Senate will consent to the passage of the resolution calling for that information; but, under all the circumstances, I do not feel that I ought to make that request at this time.

Mr. BEVERIDGE. I will withdraw my suggestion to the Senator from Wisconsin. Perhaps, after all, the matter had better take its course.

Mr. LA FOLLETTE. I do not care at this time to say anything further with respect to this document, more than that I knew many weeks ago that it had been received from the State Department, and that I knew it was in possession of the Committee on Finance. I do think that a word or two further might be said. It looked as though there was an effort, when the subject was last before the Senate, to involve the question in some misunderstanding with respect to the character of this document, as to whether it was confidential or not. It was not confidential. It is not an anonymous document. It is entitled to the full and fair consideration of this body, coming, as it does, from the German Government. That Government did not withhold the names attached to the statements embodied in that report, further than this, that they were in the nature of trade secrets, and as no manufacturer in America would care to disclose to a competitor in business his costs of production, so no manufacturer in Germany cared to disclose to his competitors in Germany, and have it published in this country, this information in regard to his particular factory. That is all there is to it.

There is not a Senator on this floor who can not go to the State Department if he desires to test the authenticity of the facts and figures given in this report. In so far as the names of any of the men who made those statements are concerned, he can procure that information confidentially. So that the withholding of these names does not go to the matter of testing the accuracy of these statements.

Besides all that, will anyone suppose for a moment, Mr. President, that the German Government would send, in response to a request from this Government, a statement like that and then resort to an artifice to cover up inaccuracies and perversions of statement by suppressing names? To suggest that on this floor is to impeach the integrity of the German Government; and every Senator who has intimated here that, because these names are withheld, the facts stated were not entitled to full and fair consideration, has launched against the German Government, I think very unjustly, a suggestion of discredit. All the bearing that the absence of these names from this document can possibly have here goes solely to the credit of the facts stated, and nothing else; and those names are in the possession of the Department of State. They are simply withheld from publication, as stated by the German Government, for trade reasons.

Furthermore, Mr. President, I have been informed that a large percentage of these documents, or a considerable number of them, at least, are not merely signed statements, but are sworn to by those making them. Mr. President, I have been informed that the great bulk of these statements come to this Government through the boards of trade of Germany. The boards of trade of Germany are not private and local institutions, but are a part, in a qualified or quasi way, of the German Government itself. They belong to its commercial department. So that whatever documents come in that way from German boards of trade have somewhat more of approval with respect to their reliability and their credence than could be given ordinarily to the similar reports of boards of trade in this country.

Mr. President, I spoke yesterday of the new economic conditions that must be considered by the committees of both Houses in the revision of the tariff at this time, differing widely from any that had been presented to any other Ways and Means Committee of the House or to any other Finance Committee of the Senate in all the history of tariff legislation. I referred to the pledges made by the Republican party with respect to revision, and brought to the attention of the Senate Mr. Taft's repeated statements bearing upon this subject throughout the campaign. I think, Mr. President, they all were harmonious, cumulative, and strong. And I wish now to ask the attention of the Senate to the proceeding which has taken place here pursuant to the pledges made by the Republican party with respect to the revision of the tariff.

On yesterday, before I took the floor, the Senator from Rhode Island secured the passage of a resolution requiring sessions of this Senate for the consideration of this bill to be held at night as well as throughout the day. This is in line with the policy that has been pursued with respect to the bill from the beginning.

This bill passed the House of Representatives on April 9; it was received here April 10, read twice, and referred to the Committee on Finance. On April 12 it was reported back with amendments. On April 15 it was taken out of the possession of the Senate and recalled by the House. On April 19 it was returned by the House to the Senate. So that this body got this bill into its possession for its consideration on the 19th day of April, 1909. It was read twice, referred to the Committee on Finance, and immediately reported back to the Senate upon the same day and thrust upon its consideration, followed by a statement made by the chairman of the Finance Committee—a most remarkable statement, Mr. President—a statement that I undertake to say will find no parallel in the history of tariff legislation in this country.

Here was a great bill, not a bill dealing with some phase of the tariff question, but a bill for the complete revision of the tariff, for which an extra session had been convened. This bill was presented for the consideration of the Senate without any report or explanation concerning the changes in it, and they aggregate into the hundreds, affecting the interests of the whole people.

Senators from the New England States may smirk. If it is an increase in duty for a cotton or woolen industry in New Hampshire or Massachusetts, Senators are pleased to take the floor and say it is a matter of tremendous importance.

Mr. GALLINGER. Mr. President——

Mr. LA FOLLETTE. Not at present.

That great interests are involved in those States; that labor and the homes of the laborers are dependent upon those changes.

Mr. GALLINGER. Mr. President——

Mr. LA FOLLETTE. Not just at present.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield.

Mr. LA FOLLETTE. If the Senator will resume his seat for a few minutes——

Mr. GALLINGER. I want to ask the Senator——

Mr. LA FOLLETTE. The Senator understands that I do not yield just now.

Mr. GALLINGER. The Senator can do as he pleases.

Mr. LA FOLLETTE. I will do as I please when I have the floor. Let that be understood.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield.

Mr. LA FOLLETTE. But if changes here mark advancing rates and affect the homes of the consumers generally of this country, it provokes derision on this floor when objection is made, and questions are asked, and I propose to show why.

The statement made by the Senator from Rhode Island when he presented this bill to the Senate did not relate to the revision of duties at all. It related solely to revenue; to what this bill would do toward providing sufficient revenue to support the Government. He did say that the rates and the schedules would be explained and would be defended later.

I undertake to say that fairness to the Senate and to the country called for a full report on this bill, explaining its provisions, giving the reasons for its proposed changes as a necessary basis for its thorough and intelligent consideration. There may be Senators here who do not care about these rates or do not care especially about the reasons for its provisions, its changes, its increases; but I submit, Mr. President, that if the revision of the tariff is important, the reasons for it are important, and every man on this floor assumes a responsibility when he votes for these schedules and amendments, and we have been compelled to vote on them with very little enlightenment so far as the Committee on Finance is concerned.

CONTRAST PRESENTATION OF THIS WITH OTHER TARIFF BILLS.

Mr. President, I may be wrong in saying that the proceedings on this bill are without parallel in the history of the tariff legislation of this country. I have not been able since this bill came in on the 19th of April to exhaust this subject. But I went back far enough to get a sort of rule which might fairly be taken as a guide, and when the Senate contrasts the proceedings in the consideration of other tariff bills with the exceptional proceedings of this special session, I ask them to remember that if there ever was a time calling for deliberation, that time is now.

We ought to spend our efforts and the time for which we are salaried without stint and without limit, stay here if need be until next fall, if need be until next December, to get at the truth in the revision of the tariff. Because we are revising it under economic and industrial conditions which never before have confronted the American people when dealing with this subject that may be a reason for hurrying over it if special interests are to be served here instead of public interests, that may be a reason for not permitting the Senate to know what this bill contains or how it is to affect in the next ten or fifteen years the welfare of the American people.

In 1888, revising the tariff under conditions of competition between domestic interests and industries, there was no such haste. The conditions that prevailed at that time were the

conditions that had prevailed from the beginning of this Government, and therefore the tariff could stand investigation and examination. On the one hand we had the views of the Democratic party, clean cut and well defined. On the other hand we had the views of the Republican party concerning the bill, the rates it proposed, their effect upon manufacturers, labor, and the public. They were plain economic statements. Therefore the issue could be fought out clean handed on this floor, on principle, and nobody seemed disposed to rush consideration at that time.

The Mills bill was reported to the Senate October 3 by Senator Allison. That was the tariff bill of 1888. It was reported to the Senate on the 3d of October by Senator Allison. He asked that it be placed on the calendar, and gave notice that he would call it up for consideration upon the following Monday morning. This was the Tuesday preceding. He also gave notice that on the following day or on Friday majority and minority reports would be filed to accompany the bill. On Thursday, October 4, one day or two days after the bill was presented, the Senator from Rhode Island [Mr. ALDRICH] said:

> I present the report of the Committee on Finance upon the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenues.

And he later said:

> I ask that the report and the views of the minority, which will be presented by the Senator from Tennessee [Mr. Harris], may be printed in the RECORD, and I ask that an order be made that they be printed in brevier type for the convenience of Senators.

In those days, Senators, it was considered important enough to give the facts to the Senate, and to present them in convenient form for examination. The Senator from Rhode Island asked to have his report upon the Mills bill printed in the CONGRESSIONAL RECORD in the type used for its regular proceedings, not in reduced type generally used for reports when printed in the RECORD; and there follows in the RECORD the report of the majority of the committee, in which there are set forth all the reasons for the revision of the tariff which was proposed at that time. The report covers 27 columns—13½ pages—of the CONGRESSIONAL RECORD. In hastily reading over it I find more than a column of discussion under the head of ad valorem duties.

I find a long discussion of the attitude of the House in placing certain articles on the free list. More than three columns of this report are given to a discussion of the wool and woolen schedules. There are also two columns devoted to the discussion of labor cost of production and a half column devoted to manufacturers' profits. The whole report submitted was an exposition of the bill as presented to the Senate and of the differences between it and the bill which had passed the House, to which was appended a comparison of the rates of duty proposed by the House and the then existing rates, and other appendices.

There was also printed in the RECORD the views of the minority, which occupy 11½ pages of the RECORD. In addition to having this printed in the RECORD, the Senator from Rhode Island introduced a resolution to have 6,000 copies printed for the use of the Senate.

Four days later, October 8, the entire bill was printed in the RECORD, and the acting chairman of the Committee on Finance, Mr. Allison, made a speech explaining the provisions of the bill, which occupies 14 columns of the CONGRESSIONAL RECORD. Put that in contrast, Senators, with the statement made by the Senator from Rhode Island about this bill. The people in homes that are paying 40 to 50 per cent increased prices on the necessaries of life have for years been demanding a revision of the tariff. Now a revision comes, and the bill is reported here changing the House bill in most marked particulars. When it comes for our consideration it comes from the chairman of the Committee on Finance with a brief statement with respect to revenues, with no report, no explanation of a single change in it, no reason given for raising the duties, and, more than that, we are forced to take it up for consideration on the next day after it is reported. And day after day Senators are compelled to come here with no opportunity given for the study of the provisions of the bill or the changes made by the Senate committee, and we sit here struggling to learn something about it, appealing to the Finance Committee for information. We are not treated with patience by the chairman, who seems only to feel that Senators are meddling and are very impertinent in wanting to know the basis of its various provisions, the cause for changes, and reasons for increases.

LEGISLATION IS CONTROLLED BY A FEW MEN.

Mr. President, under a system that has grown up, which puts the control of legislation and control of the Senate of the United States in the hands of two or three men, whose authority has been recognized here for so many years without question, there has developed a situation which makes it hazardous for a Senator to question this supreme power or to raise any objections, ask any information, or to fail to go along when told. I want to suggest to the autocracy of the Senate that the clock will strike presently a new hour in the legislative life of this Senate—not a new hour, but one which will chime in harmony with the earlier life of this Government. States will demand equal representation, and States will have equal representation on this floor. Do you suppose that the sovereign States of this country are always going to take their legislation from the Senator from Rhode Island? Does the Senator from this or that New England State believe that this control of legislation is to continue? No. The day of its overthrow is at hand. No one can shut his eyes to the presence in this Chamber of a new force—a body of men in the Republican organization with new ideas; that is, with old ideas; with ideas that go back to the basis of constitutional government and the equal rights of all men.

But, sir, to return to a comparison of the proceedings upon this bill and other tariff bills. Upon October 18, 1888, the following resolution was passed by the Senate, which had the Mills bill under consideration:

> *Resolved*, That the Committee on Finance be authorized and directed to continue during the recess of Congress the investigation of such revenue matters, including the bill H. R. 9051, as have been referred to it by resolution of the Senate, subject to the authority conferred by said resolution.

The resolution was agreed to.

Come down two years later. The McKinley bill was reported to the Senate by Senator Morrill, of the Finance Committee, June 18, 1890. The general debate upon the bill began almost immediately, but it was a general debate, a debate that is always helpful. The Senate was not forced to begin, without ample time for investigation, the consideration of amendments to the bill.

Mr. President, we have been under a great strain here, obliged to vote upon amendments at once, without opportunity to secure needed information. It could not be obtained from the Finance Committee, the record shows that; it was not in their possession, the record proves that. I mean to say they were not able to give any sound economic reasons—only superficial, partisan, partial reasons, or manufacturers' reasons—for increasing these rates.

Mr. Morrill said, when he reported the McKinley bill:

> There has not been any written report prepared with this bill.

Why? He gives the reasons for it:

> I will say to Senators that a report, a very elaborate one, was made two years ago, and as the bill is substantially the same as the measure reported by the Senate committee two years ago, perhaps there may not be any written report furnished.

The McKinley bill was reported on June 18. An attempt was made to have the bill taken up and considered by paragraphs for amendment on July 19. That was a month after the bill had been reported. There are many Senators here who were Members of one House or the other at that time. They will recall that Senators were just as anxious then, more anxious, perhaps, than now, to be free from the legislative obligations and at liberty to return to their homes. We had been in session in that Fifty-first Congress steadily from December to the 18th of June, when the bill reached the Senate. We remained in session until the 1st day of October—I think the longest session in the history of the Government.

But, Mr. President, it was not until July 28, forty days after the bill had been reported to the Senate, that the first amendment to paragraph 1 was formally read in the Senate for its consideration.

SENATE HAS NOT BEEN INFORMED AS TO EFFECT OF BILL.

No Senator can discharge the obligations resting upon him in the consideration of amendments to the bill before us, increasing or decreasing duties, without knowing whether those duties are a measure of the difference in the cost of production here and abroad. If the duty is placed too low, you wrong the labor of this country, and if it is placed too high you wrong the consumers of this country.

We should have on reliable authority the correct standard. And that is not possible, Mr. President, when a bill of this magnitude, two-thirds of it printed in italics, indicating changes in rates, is forced upon our consideration within twenty-four or forty-eight hours after it comes from the committee.

I submit to the Senate we have been proceeding without any possibility of knowing whether we are discharging our obligations to the people of this country, whether the Repub-

lican Members of the Senate are keeping the pledges made in the Republican platform and the pledges made by our candidate for the Presidency.

The Dingley bill came to this body from the House of Representatives on the 1st day of April, 1897. It was not reported from the Committee on Finance for the consideration of the Senate until the 4th day of May, 1897. One month and four days the Senate Committee on Finance had the Dingley bill under consideration.

After the bill was reported to the Senate the Senate was given two full weeks to get acquainted with its paragraphs and provisions. It was two entire weeks after the Dingley bill was reported that Senator ALDRICH, of the committee, arose in the Senate and said:

I give notice that I shall ask the Senate to proceed to the consideration of this bill on Tuesday, the 18th instant, immediately after the morning routine of business.

That was fourteen days after it was reported and a month and eighteen days after it was received from the House. I am continuing the quotation. He said further:

Printed statements showing the character and effect of the changes suggested will be ready for distribution to Senators within a few days.

I desire also to state in behalf of the majority of the committee that it is their intention to present provisions in regard to reciprocal trade with other countries in place of the section which the committee recommends be stricken from the bill.

Two days later complaint was made in the Senate because the comparative statement promised had not been furnished.

Upon May 13 Mr. ALDRICH stated to the Senate that he desired to modify the statement which he had previously made with reference to his intention to call up the bill and that he hoped to be able to call it up about a week later.

And it was not until May 25, three weeks after the bill was reported, that Senator ALDRICH asked unanimous consent that the formal reading of the bill be dispensed with and that the bill should be proceeded with, paragraph by paragraph, for amendment. That being agreed to, Mr. ALDRICH then proceeded with a general exposition of the bill, covering 13 columns of the RECORD. It was not a little terse twenty or thirty minute statement about the revenue side of the bill, but an exposition of the protective duties of the Dingley bill, a statement such as has not been made for us here in the consideration of this measure.

It was on May 26, nearly two months after the bill came from the House, that the first amendment of the Committee on Finance, on page 1, line 3 of the bill, was read and considered. So from the time the bill was passed by the House and transmitted to the Senate a month and twenty-five days had elapsed and the bill had actually been in the Senate, reported from the Committee on Finance, and it had been under discussion during a period of three weeks before it was taken up to be considered by paragraph for amendment.

ONLY NATION WHICH HURRIEDLY ENACTS TARIFF LEGISLATION.

Senators, I ask you to contrast that record with the record of the proceedings upon the pending bill, and in that connection remember our new economic and industrial conditions, never before presented to the American Senate in framing a tariff bill, conditions which require the fullest study and investigation in the enactment of tariff legislation.

Yet we have this measure forced upon us for action without any report or explanation of its provisions, and only the most limited opportunity even for individual investigation. Almost every day either the chairman of this great committee, or some one in sympathy with him, rises here to admonish us that we are doing wrong in not at once passing this bill as reported; that we are interfering with business; that $10,000,000 a day is being lost to the business interests of the country because we do not join in railroading the bill through without debate.

Do Senators know that we are dealing with this legislation as no other civilized government in the world deals with important legislation of this character? As I have sat here, day after day, endeavoring as best I could to glean some reliable information with respect to these duties, I have wondered if it is a part of the plan of legislation in these days of combination and monopoly that a tariff bill shall be framed in secret and under conditions that will not admit of investigation; that it shall be put through the Senate under a pressure that renders it impossible for Senators to understand it, while those in favor of this system array behind it all the great business interests of the country, to demand, as they have by a flood of telegrams to Senators, that debate shall cease and the bill be passed immediately. I have wondered, sir, if it is a part of a great plan to write this legislation on the statute books without permitting investigation which would expose its faults, its weaknesses, its wrongs.

How easy it would be to relieve the business situation by writing in the bill, it shall not go into effect until January 1, 1910, or July 1, 1910. There is not another government of any standing in the world that passes a tariff bill providing that it shall go into effect immediately upon its passage. An amendment adopted to this bill to-day, saying that it shall go into effect on the 1st day of July, 1910, would relieve the business situation, wheels would begin to turn, and every business man would know what raw material he could buy to convert into the finished product, and sell at the same tariff level; and there would be no occasion for this haste to get the bill through without anybody knowing what is in it.

Mr. President, no government that has standing or respectability in the world to-day ever undertook to revise a tariff as we are revising this. I took a little pains to look up the methods of tariff legislation of two or three of the great powers. At the risk of having somebody here who may not be entirely willing to disclose whom he represents, charge me with representing the German Government, I am going to give the method pursued by that Government when enacting tariff legislation.

GERMANY.

In the tariff revision of 1906 in Germany the tariff commission virtually took a census of industries, obtaining information on such subjects as the cost of production at home and in the principal foreign countries, the importation of articles into Germany and exports of articles to foreign countries, prices at home and in the principal foreign markets, duties in the principal competing countries, and so forth. This information was obtained direct from the manufacturers upon blanks sent out by the commission. In the hearings which the commission held about 2,000 trade experts were examined, who assisted in sifting the material obtained from the manufacturers with a view to getting at the correct facts, and ascertaining exactly the cost of production.

Mr. President, if a manufacturer comes before one of the committees of the American Congress and says the wages in a foreign country are lower than the wages here and we must have a tariff of 75 per cent or 126 per cent to protect us, his testimony is at once accepted. That is the statement which has been made here by the chairman of the Committee on Finance, because he says that man is a patriotic citizen; he is seeking to maintain industries in America and furnish employment to American labor. There is no other place in our whole system of government, in the courts or elsewhere, where the rights of men are determined upon any such one-sided testimony as that.

Is not the American manufacturer primarily and directly interested here? Is he not a prejudiced witness? Yet you can find scores of statements made by the Senator from Rhode Island in the course of the debate in which the testimony of the American manufacturer before the committee is the only testimony cited upon which rates are based.

I undertake to say, Mr. President, that the great mass of people of this country have an interest here. I do not believe the American consuming public wants these rates so reduced as no longer to protect American labor. But everybody knows that with no foreign competition combinations suppress domestic competition and put prices up and extort from the consumer what they please. The consumer has a right to demand that this shall not be done with the aid of his Government. Is he unreasonable? Why has he not a day here?

The testimony taken upon which these rates are fixed so far as the Finance Committee is concerned takes no account of the consumer. He has not been heard. The Finance Committee, through one of its exponents here, announced the committee's programme by which they excluded the consumer from all consideration in framing the bill which they reported.

But let us see how the German Government proceeded.

In securing the information upon which to base legislation, it spent six years, if I remember rightly. The Senator from Indiana [Mr. BEVERIDGE] has given much time in the investigation of that matter, and he will know whether I am right in my recollection as to the time.

Mr. BEVERIDGE. The Senator is correct from the beginning to the end. It took six years.

Mr. LA FOLLETTE. Spending six years in the investigation of the tariff, there was no disturbance of business and no occasion for a disturbance of business in Germany, the people understanding that when a bill was introduced there they would be still given, before that bill would go into effect, ample time to adjust their business to the new rates. The German Government, I say, spent all that time gathering information, and this information was not suppressed. It was not kept behind the closed doors of a Finance Committee. They got the

rates of wages in foreign countries. What did they do with it? Put it in a pigeonhole and never look at it? No. They published it. Contrast that with the record here of the effort that has been necessary to get published for the use of the Senate similar information furnished by the German Government through the State Department to our Finance Committee. And we have not got it yet. We may get it, Mr. President, but it will be after most of the schedules have been passed. Yet the Finance Committee received it on the 3d day of April, according to the President in his message.

In Germany all of the information was published in readily accessible form for the guidance of the Bundesrat and Reichstag, accompanied with statements of the reasons why the duty on every article of the tariff was fixed at a certain rate; that is, there was not a change of duty made—and you can get access to those volumes in the Department of Manufactures here in Washington—for which that great committee did not give its reasons. Now, can any reasonable man say, when we touch this subject only once in about ten or twelve years, when it means so much to the industries of this country, so much to the labor of this country, so much to the consumer of this country, that it is asking too much that the committees that investigate and report these bills shall give us a reason for every change of duty?

KNOW NOTHING OF DIFFERENCE IN COST OF PRODUCTION.

I have no special commission here, Mr. President, to represent the consumer. I come from a State that is one of the foremost manufacturing States in this Union. I do not want to say an unkind word of one of the members of the Committee on Finance. I have no feeling which would cause me to do so. But I say that I do not believe that there is a member of the Committee on Finance who could take the stand here before this body and furnish the facts and details necessary to establish the true difference in the cost of production between this and foreign countries with respect to six items in this great bill.

Mr. President, to determine the difference in cost of production he must ascertain, first of all, the difference in the cost of producing the raw material in our country and in the competing foreign countries, not only the gross difference in the cost of producing the raw material, but the difference in the wage cost of raw material, the difference in the overhead charges, the difference in all the items that enter into that production.

Then he must ascertain what is the difference in the cost of transportation from the European point of shipment into the principal markets here, and the difference in the cost of transportation from the principal points of production in this country to the principal markets in this country. He ought to be able to state the difference in the wage cost at each step of this development.

Mr. President, it was not so vital twenty years ago to have the exact difference in the cost of production as it is now. There was not then the possibility of maintaining excessive rates that exists to-day. Horace Greeley and the men who ground into me the belief in the wisdom of a protective tariff system did not so much fear advancing rates beyond the difference in the cost of production, because then the people had a competitive market in this country. Competition between domestic producers ultimately reduced the price to a reasonable level for the consumer. That is not so now. The time has come now when we are under obligation as never before in the history of America to know the difference in the cost of production. We ought to know one other thing. We ought to know whether the industry is controlled by a combination or a monopoly which dominates the market in this country.

Having ascertained that there is a control of markets by a monopoly or combination, a tariff committee or a tariff commission should ascertain whether there is any difference in the labor cost in that product and in the competing foreign product. Having ascertained exactly what that shade of difference is, the duty should be cut down to the bare level of that difference in the wage cost. There may be a difference in the rates of interest on capital; there may be a difference in other conditions that would make the American product cost more to produce, but the American producer is not entitled to have those things considered when, under the shield of protection afforded him by the Government, he builds up monopolies and combinations to destroy one of the vital principles of the protective system, namely, competition between him and other domestic producers.

I would not make the labor employed by trusts suffer because the trust does wrong; but I would, if possible, take away from that combination or monopoly every hair's breadth of protection except what would go to the labor.

Mr. President, I will hasten along. I had just concluded stating what the German Government has done in the way of revising the tariff, in sharp contrast with what we are doing here.

AUSTRIA-HUNGARY.

In preparation for the revision of the Austria-Hungarian tariff, which took place at the same time as the German revision, information was obtained as to the cost of the production of every article covered by the tariff, the prices at home and in the principal foreign countries, the information filling nearly 100 volumes carefully digested. The tariff bill submitted by the Government to parliament was accompanied by a comprehensive statement, giving succinctly the reasons in every case for the various changes made in the tariff of that Government.

FRANCE.

The French parliament has been at work on a revision of the tariff for two years.

The committee on tariffs consists of 32 members of the Chamber of Deputies. This committee formed a subcommittee for each schedule of the tariff. In submitting recommendations to the Chamber for changes in the tariff, the committee accompanied them by reports, in which reasons were stated for all changes in the tariff which the committee proposed to make, the reasons going into such questions as the cost of production at home and abroad, the extent of competition, the rates of duty at home and in foreign countries, and every detail which could be necessary to determine the correctness of the rate.

These reports, Mr. President, sum up the testimony before the committee and before its subcommittees on different schedules, and are accessible in detail to the members of the legislature. Oh, there was something, Mr. President, that would give information to the members of the French parliament in guiding them in the discharge of their duty. Mark with what deliberation they proceeded! It was in February when this great committee of 32 members reported their bill to the French parliament. Were they asked in twenty-four hours to submit to seeing that bill forced to immediate consideration under the pressure and power of a one-man control? No, no; not that. The bill was reported in February. They were allowed from that time to the 11th of May—three months' time, with all possible information furnished to them—to study the bill in the light of all the testimony bearing upon the subject.

UNDUE HASTE PREVENTS SENATORS FROM MASTERING THE BILL.

Mr. President, I ask you to contrast with such methods of legislation the course pursued with this bill. The pending bill came into the Senate for its consideration on the 19th of April. It was presented here, a brief statement was made by the chairman, and at once we were called upon to take up the consideration of the bill by paragraphs. We had proceeded but a few days, the sessions beginning at 12 o'clock, when a motion was made by the chairman that the sessions should begin at 11 o'clock. Senators who wanted to know what they were doing felt severely this cutting down of their time for investigation. No Senators were wasting those hours spent out of this Chamber. It was suggested in the course of debate that a little more time be given to Senators to investigate and study these schedules in their rooms, and less time wasted on this floor in trying to force Senators to vote upon them in ignorance more or less complete, would in the end be a saving of time. But, no; that could make no appeal to the chairman of the Committee on Finance. He drove on and on with his grim determination to force this bill through. Soon Senators were called to meet here at 10 o'clock, and a little later the sessions were extended to 11 o'clock at night, thus cutting off entirely all opportunity for Senators to do any work upon the bill out of session.

Mr. President, I do not want to transgress the rules of the Senate by imputing improper motives to any man, but it is right for the country to know that Senators who have asked for more time are not laggards, are not indolent, are not wasting any time that they may have outside the sessions, but that they wanted every moment of their time, from the hour when this bill came from the Finance Committee, to devote, with such poor means as they have, to conscientious study and investigation of the paragraphs of this bill and their bearing upon the public interest.

I go further, and I say that to deny them that opportunity and to intimate that they are derelict in their duty in not willingly coming here and spending the entire day and half of the night in voting through these schedules when they and other Senators are in blind ignorance in respect to them—I say that this intimation which has been made here calls for the counter statement that somebody wants to get this bill through this Senate without its provisions being known.

Mr. President——

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kansas?

Mr. LA FOLLETTE. No; I do not. I leave it to the Chair to determine whether it is necessary; whether any Senator, as suggested by the Senator from Georgia [Mr. BACON] yesterday, has not a right to rise on this floor and demand the presence of a quorum whenever, in his opinion, the Senate is proceeding without a quorum. I should have preferred not to have raised this question; but since it comes up, I leave it to the Chair.

The VICE-PRESIDENT resumed the chair.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. Did the Senator from Wisconsin yield to the Senator from Kansas?

Mr. LA FOLLETTE. I did not yield.

The VICE-PRESIDENT. Then the Senator from Kansas [Mr. BRISTOW] has not the floor.

Mr. LA FOLLETTE. Mr. President——

Mr. BEVERIDGE. Mr. President, may I make an inquiry?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. BEVERIDGE. I merely want to make an inquiry as to whether the Senator from Kansas got recognition of the Chair? That is all I want to know.

The VICE-PRESIDENT. The Senator from no State other than Wisconsin has received recognition of the present occupant of the chair.

Mr. BEVERIDGE. I did not mean "the present occupant of the chair." I wanted merely to know whether the record showed that the Senator from Kansas got recognition of the Chair. I am not talking about yielding.

Mr. GALLINGER. Regular order, Mr. President.

The VICE-PRESIDENT. The Senator from Wisconsin now has the floor, and has had the floor since the present occupant of the chair resumed the chair.

Mr. BEVERIDGE. I am aware of that, Mr. President; but I was merely asking for information as to whether the Senator from Kansas did have the recognition of the Chair. Of course if the present occupant does not know, I can not pursue my inquiry.

The VICE-PRESIDENT. The Senator from Wisconsin has the floor.

Mr. BEVERIDGE. I hope the present occupant of the chair understands that I am not seeking to embarrass him.

NO CONSIDERATION OF THE CONSUMER.

Mr. LA FOLLETTE. Mr. President, on June 1 the Senator from Utah [Mr. SMOOT] made an address on this floor. He laid down here what I think may be fairly taken as the rule which guided the Committee on Finance in framing this bill. I shall read what he said. I read from page 2614 of the RECORD, beginning at the bottom of the first column on that page:

> In the enactment of a tariff law there are other parties concerned than the manufacturers and the importers of the article. The United States Government is immediately concerned that proper and consistent revenues be collected upon all dutiable articles. The public with money available for investment is also concerned—

That is the second party in interest—

> that duties should not be levied solely for the protection of existing manufacturers or for the advantage of existing importers. Such uniform and consistent duties should be levied as will not conserve monopoly of any lines, and that all may have an equal opportunity for the investment of capital and the embarkment in every possible legitimate enterprise. In that view the committee proceeded.

The Senator from Utah stated that the Government was concerned as to its revenues and that people with money to invest were concerned. But nowhere in the list of those who were to be considered in the making of a tariff bill, nowhere in the list of the parties concerned, is the consumer mentioned or apparently thought of.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Certainly, I will.

Mr. SMOOT. I may have been unfortunate and unhappy in my expression, but I wish to call the Senator's attention to these words:

> Such uniform and consistent duties should be levied as will not conserve monopoly of any lines, and that all may have an equal opportunity for the investment of capital and the embarkment in every possible legitimate enterprise.

Mr. LA FOLLETTE. Oh, yes; I read that, Mr. President. I think it is perfectly plain that this committee was giving special consideration to those who had capital to invest, to those who were already in business, and those who had more money to go into business. They were considered; the revenue interests of the Government were considered; but, Mr. President, the party who brought about this revision of the tariff at this time—Mr. Consumer, a numerous individual, whose interests are very considerable—is not mentioned or referred to by the Senator from Utah [Mr. SMOOT] as worthy of consideration. And it seems to me, from such examination as I have made of this bill, that he was not considered when the bill was framed.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Utah?

Mr. LA FOLLETTE. Certainly.

Mr. SMOOT. May I ask the Senator what percentage of the American people are consumers that are not also producers?

Mr. LA FOLLETTE. Well, Mr. President, I am not going into any hair-splitting speculation such as that. I am discussing this question upon lines which I do not think admit of an interrogatory of that sort. The Senator from Utah, the members of the Finance Committee, the Republican party, and this administration, charged with the responsibility of revising this tariff, having that revision forced upon them by the body of the people of this country who buy the things which are protected by rates which the President himself says over and over again are too high, will answer that question at another time when the answer will be heeded.

Mr. President, that is the way it seems to me this bill is framed. I do not now propose to discuss any schedule other than the cotton schedule. I shall ask the indulgence of the Senate again when we come to the woolen schedule and when we return to certain items passed over in other schedules. With my best diligence, I have been gathering some information outside of the testimony taken by the Ways and Means Committee, and outside of any information which has been furnished by the Finance Committee. When we come to some of those items that have been passed over that are of importance to the people of this country, I shall have a few facts to lay before the Senate relating to those rates. To begin with, Mr. President, we may well consider, first of all, how the rates have been advanced in the cotton schedule.

INCREASES OF GREAT DECREASES OF LITTLE IMPORTANCE.

It has been contended here in the course of this debate, and it has been reasserted several times in the discussion of the cotton schedule by the Senator from Rhode Island, that there were no increases of duties whatever made in this schedule as reported by the Senate Finance Committee. On page 1723 of the RECORD, Mr. ALDRICH said at the conclusion of the speech of the Senator from Iowa [Mr. DOLLIVER]:

> I expect to show when I take the floor that there are no increases in the cotton schedule of the bill at all.

The Senator from Massachusetts [Mr. LODGE], as I now remember, reiterated that statement.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Utah?

Mr. LA FOLLETTE. Just for a question. If it is for a question, I will yield.

Mr. SMOOT. The Senator from Massachusetts is not in the Chamber, and I want to say this in his behalf: In the speech or in the statement which he made, he said there was no equivalent ad valorem duty advanced.

Mr. LA FOLLETTE. I shall come to that, Mr. President. I assure the Senator from Utah that I will not overlook any material point in the discussion of this schedule. The Senator from Rhode Island said, because I have his words before me, at the conclusion of the address of the Senator from Iowa:

> I expect to show when I take the floor that there are no increases in the cotton schedule of the bill at all.

Mr. President, the value of imports of cotton cloth in 1907, according to the Estimated Revenues furnished by the Finance Committee, was $13,880,614; the revenue from it was $5,362,999.40, or an average ad valorem of 38.6 per cent. Under the proposed bill the Finance Committee estimates the revenue from the same imports at $6,051,880, or an average ad valorem of 43.6 per cent. So that, notwithstanding the statement of the chairman of the committee, according to his own figures as furnished to this body, the new bill shows an increase of 13 per cent in the duty on cotton cloth over the Dingley rates.

I have not forgotten that the Senator from Massachusetts said, speaking of the bill generally, that there were something over 300 decreases and only about 30 increases in rates in this bill. I have not forgotten, Mr. President, that the Senator from Rhode Island furnished to the Senate a statement purporting to show the increases and the decreases which this bill proposes in existing rates. He gave the decreases in very great detail in his statement, but when it came to the increases he dismissed

the entire subject with a very brief reference. The list of reductions fills 23 pages of his printed document, while the increases are enumerated on less than a page, the impression being given that the increases are few and of relatively small importance. But an examination of the table of Estimated Revenues compiled by the Finance Committee will show conclusively that the increases of duty were of far greater importance than one was led to believe from the presentation made in the pamphlet submitted by the Senator from Rhode Island, and of far greater importance than the decreases.

REAL EFFECT OF THE PROPOSED CHANGES.

I therefore requested the Secretary of Commerce and Labor to have prepared a table based upon the figures furnished in the Finance Committee's Estimate of Revenues, showing in separate columns the value of the imports on which the duties are unchanged, on which the duties are increased, and on which the duties are decreased, and the per cent of increase or decrease in each case. This table was accordingly compiled and summarized by schedules, and the whole recapitulated by the Bureau of Statistics of the Department of Commerce and Labor. The result of this work affords the most complete and most instructive presentation yet made of the changes proposed in the present tariff law by the pending bill, so far as these changes are definitely shown on the face of the bill. There are, however, sweeping increases of duty of which such a compilation could not take account, which will be produced by changes in phraseology and new general provisions. I will refer to these hereafter.

This compilation shows how absurd it is to undertake to judge the effect of the changes in this bill by counting the number of increases and the number of decreases of duty. The utter irrelevancy of such a comparison is obvious. It can mean nothing, and it can mislead no thinking man.

I wish to say that ultimately I purpose to publish this entire table for the use of Senators who may care to consult it; but I desire to have incorporated in it day by day such changes as may be made, so that when this bill is in the final stage and the time comes for a vote upon it in the Senate it will be possible to have before us on very short order a reasonably accurate statement of the actual changes which it makes in the tariff duties.

One of the pages of this document has a recapitulation——

Mr. NELSON. Will the Senator yield to me for a minute?

Mr. LA FOLLETTE. I will.

Mr. NELSON. It will probably be some days before the Senator's speech is published, and therefore I should be very glad if the Senator would have the statement to which he has referred, received from the Department of Commerce and Labor, printed in to-morrow's RECORD for the information of the Senate.

Mr. BEVERIDGE. And as a document.

Mr. NELSON. And as a document.

Mr. LA FOLLETTE. Just as soon as I can spare it from my work on the floor I will be very glad to have it printed. I have no duplicate of it.

Mr. NELSON. Could not the Senator have a copy made, so that we could have it printed?

Mr. LA FOLLETTE. It would take several days to make a copy of it. It is a voluminous document. It will take about two days or three days after it goes to the printer before it can be returned; but just as soon as I can dispense with it I will have it printed. I ask unanimous consent now that I may have this table prepared by the Bureau of Statistics of the Department of Commerce and Labor printed as a Senate document as soon as I can submit it to the printer.

The VICE-PRESIDENT. Is there objection to the request of the Sentor from Wisconsin? No objection is heard, and it is so ordered.

INCREASES DO NOT ALL APPEAR ON FACE OF BILL.

Mr. LA FOLLETTE. Turning to the recapitulation of that table I find that the total value of the goods affected by the increases of duty is nearly $102,000,000, while the value of articles affected by reductions of duty is but slightly over $66,000,000, or about two-thirds of the value of the goods upon which the duty has been raised. Furthermore, while the average per cent of reduction is 31.16 per cent, the average increase of duty is 36.73 per cent.

Nearly 15 per cent of the value of all the imports in 1907 is affected by increases of duty and less than 10 per cent by reductions of duty—over 75 per cent of all the imports remaining subject to the same rates as under the Dingley Act. The last point, however, requires a serious qualification, for while many of the articles enumerated in the tariff nominally remain subject to the same rates of duty as they did under the Dingley Act, a large number of them will, as a matter of fact, be subject to considerably higher rates, either as a result of new wording in different paragraphs, or as the result of new classification, as is notably the case with the cotton schedule, and finally as a result of the new provision for valuation, which will greatly increase the valuation for duty purposes of goods subject to ad valorem rates of duty, or subject to duties which vary according to the valuation placed upon the goods at the customhouse.

I do not know whether Senators have given consideration to this new provision, but we are soon to have a new measure for the valuation of foreign imports upon which these duties are to be reckoned. No longer is the valuation to be determined according to the rule which has always prevailed, according to the foreign value of the goods imported, but we are to have a new standard fixed, a standard which, I think, will put into the hands of interested parties in this country the fixing of the value of the imports on which the duties are to be based.

Of the 14 schedules comprising the tariff there are only 4 in which reductions affect a larger volume of goods than the increases. These are the earthenware, metals, wood, and sugar schedules.

This tabulation, prepared by the Department of Commerce and Labor, shows that the increases of duty in the cotton schedule affect imports valued at more than $10,000,000 in 1907, while the reductions affect the ridiculously small sum of less than $45,000. Nearly twenty-one and a half million dollars' worth of imports are nominally left by the bill subject to the same duties as under the Dingley law. As a matter of fact the splendid analysis of the changes in the phraseology of the cotton schedule made by the Senator from Iowa, supplemented by the illustrations by actual samples which I propose to submit to the Senate, abundantly prove the fact that the greater part of imports coming in under the cotton schedule will be subject to increased duties.

Mr. President, starting with paragraph 310, I wish to call the attention of the Senate to the increases made in rates in the cotton schedule. Taking first cotton yarn, on all numbers up to and including No. 15, the percentage of increase over existing duties is 24.46 per cent. The increase on yarn No. 18 over existing duties is 41.95 per cent.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Yes.

Mr. SMOOT. I know the Senator wants to be perfectly fair.

Mr. LA FOLLETTE. I am perfectly fair. I am quoting the table prepared by the Bureau of Statistics——

Mr. SMOOT. I just wanted to call attention——

Mr. LA FOLLETTE (continuing). Based upon the figures which your committee submitted to the Senate. If they are not fair, the fault lies in your own figures, and the matter must be settled some way between you and the bureau.

Mr. SMOOT. It is settled here in the Senate. And I want to call the Senator's attention to the fact that an amendment has already been adopted which is a decrease on that number of yarn.

Mr. LA FOLLETTE. As you reported the bill the rate was a decided increase on that number of yarn. Your statement suggests one thing I did not call attention to, and that is the matter of committee amendments. I am very much obliged to the Senator——

Mr. SMOOT. Mr. President——

Mr. LA FOLLETTE. Just a moment.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield, as the Chair understands.

COMPLETE BILL WAS NOT REPORTED.

Mr. LA FOLLETTE. I am very much obliged to the Senator from Utah. I overlooked that. This bill came in April 19, and we were forced to consider it. It purports to be a "reported bill." It never was a reported bill. We have not a reported bill to-day. Every day the chairman or some other member of the committee stands up here and makes a new report on the bill. When are we to know what kind of a bill this committee will report? We were entitled to have the schedules of this bill reported complete, subject, of course, to modifications now and then to correct errors. But that is not the plan which this committee pursues. Senators go to work and investigate a schedule, and investigate it thoroughly, crowded as they are for time by this programme, meager as is the information contained in a mass of printed volumes. When Senators have done the best they can and a schedule comes up for consideration, then the chairman takes the floor and hour after hour introduces amendments changing the whole character of the schedule. Those amendments are introduced, and no Senator can tell what is

their significance or effect as they are read from the clerk's desk. Then we are called upon to vote. This daily amendment of the bill by the Finance Committee stamps the character of the bill and the work of the committee.

Mr. President, returning to the subject upon which the Senator from Utah interrupted me. No. 18 yarn is increased, as reported, 41.95 per cent over the existing rate. And upon what basis? We imported in 1907 only $46 worth of that class of yarn.

Take the next. I do not know whether they have——

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. Does the Senator mean an increase of 42 per cent or an increase to 42 per cent?

Mr. LA FOLLETTE. I mean an increase of 42 per cent over the existing rate.

Mr. BEVERIDGE. In addition to the existing rate?

Mr. LA FOLLETTE. Yes. I will tell you just what the two rates were. The table will show.

Mr. BEVERIDGE. I see.

Mr. LA FOLLETTE. One was 14.09 per cent and the other 20 per cent, and an increase in rates from 14.09 to 20 is an increase of 41.95.

Mr. BEVERIDGE. And that on an article of which there have been only $46 of imports?

Mr. LA FOLLETTE. Forty-six dollars' worth imported into this country in the fiscal year 1907.

Look at the next item. On yarn No. 20 the per cent of increase over the existing duty is 107.25.

Mr. BEVERIDGE. Before the Senator takes that up——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. If it does not interrupt the Senator too much——

Mr. LA FOLLETTE. Let me conclude.

Mr. BEVERIDGE. Yes.

Mr. LA FOLLETTE. And the imports of yarn of that number was $9,439.

SOME STARTLING ADVANCES IN DUTIES.

Mr. BEVERIDGE. I want to ask where the increase is so enormous and the imports are only $46, what is the explanation of the Finance Committee of that raise?

Mr. LA FOLLETTE. Mr. President——

Mr. BEVERIDGE. I do not want to interrupt the Senator.

Mr. LA FOLLETTE. I want to take up each one of these items, and an interruption at every line for an explanation by some one else would not only protract my discussion of this schedule for several days—and I should like to get through to-day if I can—but would, of course, destroy the continuity of my argument. Whatever criticism I make here will go into the RECORD, and if any member of the committee thinks it worth while, he can take it up seriatim and reply to it. I hope the Senator will——

Mr. BEVERIDGE. I see that. That is quite true. But the Senator's first statement was somewhat startling, and I was surprised that the Committee on Finance——

Mr. LA FOLLETTE. I beg the Senator from Indiana not to be startled yet. [Laughter in the galleries.]

The VICE-PRESIDENT. Occupants of the galleries will please refrain from demonstrations.

Mr. LA FOLLETTE. On yarn No. 25 the percentage of increase is 42.76 per cent; the value of imports $26,042. On yarn No. 30 the percentage of increase is 11.42; the imports, $7,180. The next one is a small increase. You might have thought they would have overlooked it—5.6 per cent on imports valued at $2,878.

The next increase in that schedule is on yarn numbered 90; increase 17.58 per cent, and only $923 worth imported. The next increase is on yarn, colored, bleached, dyed, combed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, and on the numbers up to and including No. 20 the per cent of increase is 36.66. The value of imports was $149,485. Of yarn No. 21 of that description the per cent of increase is 98.72 and the imports were $9,008.

On the next number, No. 22, the per cent of increase is 110.44 and the imports $8,109. On yarn No. 24 of that class the per cent of increase is 61.71; the value of importations was $73,313. On yarn No. 25 the per cent of increase is 59.34, nearly 60 per cent, and the value of importations was $25,702.

You may search the testimony given by cotton manufacturers before the Ways and Means Committee of the House, when they appeared in person before that committee, subject to cross-examination, and you will not find that they ever asked for that increase. You can not find a line of testimony from them suggesting that they desired any increase in the rates of the cotton schedule excepting a letter submitted after the public hearings were closed and which was tucked away in the appendix to the printed hearings, where is was discovered by the Senator from Iowa [Mr. DOLLIVER]. It was from a Rhode Island manufacturer. It was a request for a special duty on mercerization.

Mr. DOLLIVER. Several found their way into the bill, including mercerization.

NECESSITY FOR COTTON INCREASE IS DISCOVERED AFTER HEARINGS CLOSED.

Mr. LA FOLLETTE. But is it not strange that the cotton manufacturers did not discover that they required an increase in duties until after the hearings before the Committee on Ways and Means of the House had closed? It was only after the hearings were closed that a document emanating from one of the manufacturers disclosed the "necessity" for any increase in rates on cotton.

Mr. DOLLIVER. The document was in the form of a letter——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I do. I shall be glad to have the Senator state the facts.

Mr. DOLLIVER. From Mr. Lippitt and Mr. MacColl, purporting to be a committee representing the Arkwright Club.

Mr. LA FOLLETTE. Asking for what?

Mr. DOLLIVER. Asking for four or five things, including mercerization, practically all of which they got out of both committees.

Mr. LA FOLLETTE. On yarn No. 26 of the description of which I was speaking when I digressed the increase of duty is 53.56 per cent and the value of imports for the year 1907 was only $8,865.

On yarn No. 27 of this description the per cent of increase over the existing rate is 17.10 per cent and value of imports $7,410.

On yarn No. 28 the increase is 42.45 per cent and value of imports $14,951.

On yarn No. 29 the increase is 74.58 per cent and value of imports $330.

On yarn No. 30 the increase is 36.99 per cent and value of imports $94,595.

On yarn No. 32 the increase is 22.43 per cent and value of imports only $11,375.

On yarn No. 33 the increase is 50.51 per cent and value of imports $3,192.

On yarn No. 34 the increase is 62.02 per cent and the value of imports $8,178.

On yarn No. 35 the increase is 27.42 per cent and value of imports $13,788.

On yarn No. 36 the increase is 5.44 per cent and value of imports $117,114.

On yarn No. 37, the increase is 44.68 per cent, and value of imports $236.

On yarn No. 38, the increase is 37.29 per cent, and value of imports $52,554.

Mr. BEVERIDGE. Would it bother the Senator to again state what the percentage of increase is on No. 37, of which the imports are $236?

Mr. LA FOLLETTE. Forty-four and sixty-eight one-hundredths per cent, while on No. 40, with $266,123 of imports, the increase is 2.80 per cent.

On yarn No. 41, the increase is 12.21 per cent, and value of imports $14,774.

On yarn No. 42, the increase is 33.90 per cent, and value of imports $4,080.

Yarn No. 44, with $9,839 of imports, escaped without any increase. I do not know how it did it, but somebody must have been off duty for a few minutes.

On yarn No. 45, the increase is 12.31 per cent, and value of imports $17,135.

On No. 46, in spite of the fact that there was a whole dollar's worth imported, the duty was not increased.

On yarn No. 47, the increase is 2.59 per cent, and value of imports $2,016.

On yarn No. 48, with $24,000 of imports, the duty is not increased.

On yarn No. 50, with $107,000 of imports, the duty is not increased.

On yarn No. 52, with $28 of imports, the duty is not increased.

On yarn No. 53, the increase is 34.70 per cent, and the value of imports $202.

On yarn No. 67, the increase is 44.09 per cent, and the value of imports $196.

The next increase is on yarn No. 250. The increase is 33.33 per cent, and the value of imports was $104.

On yarn No. 270, the increase is 54.42 per cent, and the value of imports was $237.

ADVANCES IN COTTON CLOTH DUTIES.

Coming now to cotton cloth, I find some very interesting results. Of cotton cloth, not exceeding 50 threads to the square inch, counting the warp and filling, and not bleached, dyed, colored, stained, painted, or printed, the total imports in 1907 were only $16,274, and yet this committee increased the duty on it 125.02 per cent. Upon cloth of that same count and kind when bleached the increase is 460.29 per cent, and the total value of the imports under the present duty was only $5,149. In asking the Senator from Indiana not to get startled awhile ago at a little increase of 42 per cent I sought in a measure to forewarn him of such things as this.

This is the class of imports which have been brought in through a loophole, as it were, in the Dingley law at very low duties—the examines of which we have heard, by which such fearful raids have been made on the revenues. They were imported at a low duty—too low—but, low as it was, the importations in 1907 amounted to only $5,149. This is the sort of justification which has been offered here by this committee for increasing the duties on over ten millions of dollars of imports in this schedule. It would seem that these increases of 125 per cent and 460 per cent alone would cure the defect. On the dyed, colored, stained, painted, and printed cloth of that count, the increase is 50.01 per cent, and the total value of imports $5,450.

Mr. DOLLIVER. If the Senator will permit me, it will still further illuminate that item to carry out the figures. The average ad valorem of that $5,000 importation under paragraph 312 was only about 18 cents a yard, showing that the amount upon which this enormous increase arose was practically negligible, because it must have been valued at about 50 cents a yard.

Mr. LA FOLLETTE. Now, Mr. President, following these increases, we come next to the rates on cloth not exceeding 100 threads to the square inch, counting the warp and filling, and not bleached, dyed, colored, stained, painted, or printed, but valued at over 7 cents per square yard. I find that this quality of cloth is marked with a big "L," which, we are informed by the chairman of the Committee on Finance, means luxury. When you find an "L" on a line here you want to look out for trouble. In order to make these raises or increases of duty reach as many items as possible, a new standard of luxuries has been erected here for the people of the country. According to this new standard, anybody who wears coarse cotton cloth worth over 7 cents a yard indulges in luxury, and if the people will have these "luxuries" they must pay the tariff fixed by this committee.

On this particular "luxury," coarse, unbleached cotton cloth valued at over 7 cents per square yard, the committee has increased the tariff rate 51.52 per cent, and the value of the imports for a whole year was only $17,446.

On the same count of cloth, bleached and valued at over 9 cents per yard, the duty is increased 44.60 per cent, and the value of imports was only $76,106, an importation to which the most ultra and unreasonable protectionist could hardly have objected.

MR. LIPPITT SAYS IMPORTATIONS ARE HEALTHY REGULATION.

Mr. DOLLIVER. It may fortify the Senator's view in that particular to know that Mr. Lippitt said before the House committee, distinctly referring to all the importations of cotton cloth, that they were only a healthy regulation of the cotton trade.

Mr. LA FOLLETTE. I thank the Senator from Iowa. I remember that now.

Mr. BEVERIDGE. Who is Mr. Lippitt? I do not know.

Mr. DOLLIVER. He appeared there as the representative of the Arkwright Club, of Boston.

Mr. BEVERIDGE. What is the Arkwright Club?

Mr. DOLLIVER. It is the cotton manufacturers' association of New England.

Mr. LA FOLLETTE. Mr. Lippitt, if I may supplement what the Senator from Iowa has said, is one of six men or six families who control the great cotton industry of Rhode Island. Mr. Lippitt is a man who has been on hand here whenever tariffs were to be revised as the spokesman of the cotton industry. Mr. Lippitt is the head and front of the cotton organization in Rhode Island. He did not represent, Mr. President, the great body of the people of Rhode Island when he sent his letter up here asking for some increases, after he had appeared before the Ways and Means Committee and stated that the conditions were satisfactory to the cotton industry under the Dingley tariff, any more than he represents in his views as a member of the Republican party the rank and file and the great body of voters of that party in Rhode Island.

What excuse or justification is there for moving up these rates when the importations are so meager? You may devise some fine-spun, sophistical argument based on comparisons of the ad valorems in 1899 and 1907, but I believe that when the Senate comes to go into that fine-spun theory and analyze it and dissect it, the Committee on Finance will not find it a very substantial foundation on which to go to the country for approval of these enormous increases.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. BEVERIDGE. I dislike to interrupt the Senator, but I want to get this matter clear in my mind, if I can. Mr. Lippitt, it is said, represents the cotton industry. Did I understand the Senator from Iowa or the Senator from Wisconsin to say that he first appeared before the Ways and Means Committee of the House and expressed himself as satisfied with the present duty?

Mr. LA FOLLETTE. I beg the Senator's pardon. I did not hear his question. Will he please repeat it?

Mr. BEVERIDGE. Certainly. Do I understand that this gentleman first appeared before the Ways and Means Committee of the House and expressed himself satisfied with the present rates, and that it was a good regulation of the cotton industry, and then later wrote a letter asking for increases?

Mr. LA FOLLETTE. Yes, sir.

Mr. BEVERIDGE. Was that the case?

Mr. LA FOLLETTE. I think, Mr. President, that I will be able to furnish the statements.

Mr. BEVERIDGE. What reason did he give in his letter, if any?

Mr. LA FOLLETTE. I beg pardon.

Mr. BEVERIDGE. That is a curious situation. Did he give any reason in his letter for changing his views of a few weeks before, before the Ways and Means Committee of the House?

Mr. LA FOLLETTE. I will submit it at a later time in the discussion.

Mr. BEVERIDGE. Did I understand the Senator rightly?

Mr. LA FOLLETTE. I have not got it right at hand, but I have a reference to it. The Senator is right in the assumption that he——

Mr. BEVERIDGE. That he first appeared before the Ways and Means Committee of the House and said the present rates were satisfactory——

Mr. LA FOLLETTE. Perhaps the Senator from Iowa may have the statement right there at hand.

Mr. BEVERIDGE. And later on he said——

Mr. LA FOLLETTE. I will recur to it again. I will see that it gets into the RECORD.

Mr. DOLLIVER and Mr. SMITH of Michigan addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield to the Senator from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. My recollection is that the cotton hearings were held in December. Will my friend from Michigan give me the memorandum of the date?

Mr. SMITH of Michigan. December 1.

Mr. DOLLIVER. Mr. Lippitt's appearance before the Ways and Means Committee in connection with Mr. MacColl was December 1, and on January 15, 1909, he writes a letter to Mr. PAYNE, chairman of the committee, containing suggestions as to amendments, in which he was joined by Mr. James R. MacColl, both representing themselves as delegates or representatives of the Arkwright Club.

Mr. BEVERIDGE. The Senator from Michigan says he has that statement. Is it brief?

Mr. SMITH of Michigan. I have the statement, and I was just examining it, if the Senator from Wisconsin will permit me.

DINGLEY COTTON RATES HIGH ENOUGH, SAYS MR. LIPPITT.

Mr. LA FOLLETTE. Has the Senator the letter which was presented before the Ways and Means Committee by Mr. Lippitt after the hearings?

Mr. SMITH of Michigan. I was just——

Mr. BEVERIDGE. He appeared before the Ways and Means Committee of the House and said that the present law was satisfactory. Then later he puts in a letter to the effect that it is not?

Mr. LA FOLLETTE. I will put it in later.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. I do.

Mr. SMITH of Michigan. The statement to which the Senator from Iowa referred, which I hold in my hand, is very important. In it Mr. Lippitt says:

> The form of the present cotton tariff is the result of many efforts, and considering the wide variety of products it covers, has stood the test of practical operation fairly well. It has been the object of many legal attacks, in the course of which the terms used have, for the most part, been given careful legal definitions, and therefore should not be disturbed. Some minor features, however, are still in controversy and may need elucidation, but the present cotton situation as a whole has resulted in establishing in this country a great industry, widely distributed, employing many people and much capital. It has regulated, but not prevented, importations; has made moderate profits and reasonable wages possible to the capitalist and laborer, but is not a bonanza.
>
> We ask, therefore, that the present schedule shall not be materially changed, and that cotton manufacturers be allowed to continue the operation and further development of this important industry under the same tariff conditions that now prevail.

I was just reading this testimony, Mr. President, and am very glad indeed to give the Senate the benefit of it.

Mr. DOLLIVER. If the Senator from Wisconsin will permit me, I will ask the Senator to read the last sentence in the testimony of Mr. Lippitt also.

Mr. SMITH of Michigan. The statement throughout indicates that Mr. Lippitt, whoever he is, and I do not have the honor of his acquaintance, seems to be largely identified with this industry, and has indicated that the present rates are quite satisfactory.

Now, Mr. President, I do not hesitate for one moment to say that if this schedule reported from the Finance Committee does raise the Dingley rates, I could not under any circumstances vote for it. I do not see any justification for it, and one of the leading cotton manufacturers says they ask no increase in rates. The Senate has not hesitated to cut the duty on the products of my State. I have no complaint to offer, but I shall under no circumstances cast my vote in favor of increasing the rate of duty upon this class of goods when those who are engaged in their manufacture ask no further assistance at our hands.

Mr. LA FOLLETTE. Mr. President, I do not wish this cotton schedule passed by the Senate until I have completed what I have to say about it. I can not conclude to-day, or, at least, I prefer to yield the floor for the present, if I can be recognized to continue at a later time.

Mr. NEWLANDS. Mr. President, I would inquire whether there is anything in the rules that would prevent the Senator from going on? If so, I ask unanimous consent that the Senator be allowed to proceed when he feels in condition to do so.

Mr. LA FOLLETTE. Mr. President, I suppose that I could do that; but before the Senate shall take up and pass this cotton schedule, I should be glad to be permitted to have completed my argument, upon which I wish to base some amendments to be offered to the Senate for their consideration; but I have spoken for a considerable time, and I do not want to go on now, unless compelled to do so.

Mr. NEWLANDS. Mr. President, I ask unanimous consent——

The VICE-PRESIDENT. The Chair was waiting for the Senator from Wisconsin to yield the floor, so that the Senator from Nevada might be recognized. The Senator from Nevada has not yet been recognized by the Chair. If the Senator from Wisconsin will yield to the Senator from Nevada, the Chair will gladly put the request.

Mr. NEWLANDS. Will the Senator from Wisconsin yield to me for that purpose?

Mr. LA FOLLETTE. I yield temporarily for that purpose.

The VICE-PRESIDENT. That is all the Chair desires to ascertain.

Mr. LA FOLLETTE. I do not want to yield the floor.

Mr. NEWLANDS. I now ask unanimous consent, Mr. President, in view of the physical condition of the Senator from Wisconsin, that he be permitted to proceed when he is ready to proceed with his argument upon this schedule.

Mr. ALDRICH. Mr. President, it is not necessary to ask that consent. The Senator from Wisconsin can yield the floor and can proceed at any time he pleases during the consideration of the bill.

Mr. LA FOLLETTE. I will say to the Senator from Rhode Island that I do not wish to proceed with my argument against the adoption of this schedule after the schedule has been passed.

Mr. ALDRICH. The schedule can not be entirely passed to-day, I assume. There are a large number of paragraphs. I should, however, like to have a vote upon the pending proposition.

Mr. DOLLIVER. Mr. President, I should like to suggest that the attitude of the Senate on these amendments will be determined by its attitude on the amendment which I have offered to paragraph 312, so far as these new specific duties are concerned. It is not my purpose to offer these amendments, but to take the sense of the Senate upon the propriety of them. Therefore I should not like to have a vote taken upon the amendment which I have offered, or even upon the amendment of the Committee on Finance to paragraph 313, until the Senator from Wisconsin has concluded his remarks.

Mr. ALDRICH. The pending amendment is the amendment of the Finance Committee to paragraph 313.

The VICE-PRESIDENT. The Senator from Rhode Island is correct.

Mr. ALDRICH. And the Senator from Iowa [Mr. DOLLIVER] has given notice of an amendment, which is not now in order, and which, I think, does not affect this question at all; that is, it does not in my mind. The pending amendment can be voted on. We can not certainly hold this schedule up indefinitely for Senators, as this bill must be disposed of.

Mr. LA FOLLETTE. I would be very glad to finish to-morrow, but I should like to have an opportunity, if I can——

Mr. ALDRICH. I should be very glad to have a time fixed for taking a vote on all the paragraphs in this schedule. If that conclusion can be reached, I have no objection to having the speeches of the Senator from Iowa [Mr. DOLLIVER] and the Senator from Wisconsin [Mr. LA FOLLETTE] made at their convenience; but, unless we can reach an understanding about the vote upon the schedule, I certainly shall have to ask the Senate to proceed with its consideration.

Mr. NEWLANDS. Mr. President, I would ask the Senator from Rhode Island whether he expects or intends, if it is in his power, to complete the consideration of the cotton schedule at the session to-day?

Mr. ALDRICH. I have no expectation about it. I am desirous of getting a vote upon all these paragraphs and schedules at the earliest possible moment; but if an understanding can be reached that a vote shall be taken at some time to-morrow, without further discussion on this schedule, I shall be very glad to have that done.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. The Chair assumes that the Senator from Wisconsin [Mr. LA FOLLETTE] yields for this general discussion.

Mr. LA FOLLETTE. I do.

Mr. DOLLIVER. I would suggest to the Senator from Rhode Island that the principle involved in all of the Senate committee amendments, which convert the ad valorems of the law of 1897 into specific equivalents in the Senate bill, is the same. Therefore, having only a desire to have the sense of the Senate taken upon the propriety of the amendments advancing these rates, it seems to me that no time would be gained by postponing the discussion until other paragraphs are reached. I should like the whole discussion to be confined to this first one, which involves them all, so that thereafter the amendments might be adopted without further debate and without even a roll call of the Senate.

Mr. ALDRICH. Then, Mr. President, I would suggest—I do not know how much more time the Senator from Wisconsin requires——

Mr. LA FOLLETTE. I do not know exactly. I could make better progress if I were a little refreshed; that is all. I can go on now if it is vital that I should do so.

Mr. ALDRICH. Mr. President, I would suggest that we agree to take a vote upon all the items in this schedule, for I assume that, as the Senator from Iowa [Mr. DOLLIVER] says, the first amendment of the committee to paragraph 313 will really dispose of the question. If the Senate should adopt the committee amendment to paragraph 313, it involves all the same questions in the other paragraphs pertaining to cloth. I would suggest that at 12 o'clock to-morrow we take a vote upon the paragraphs of the cotton schedule, without further discussion.

Mr. NEWLANDS. I would suggest to the Senator from Rhode Island that it is hardly fair, when we are now discussing a particular paragraph in a particular schedule, in which there are a number of paragraphs, to insist, as a condition of the right of the Senator from Wisconsin to speak to-morrow upon this particular paragraph, that the Senate should, by unanimous consent, agree that it shall vote upon all the paragraphs.

Mr. ALDRICH. I am willing to extend the time if the Senator desires it. The paragraphs of this schedule are practically unchanged, except the four paragraphs in relation to extending specific duties. I want myself to explain to the Senate the purpose of the committee and the effects of these changes, but I can do it in half an hour at any time. My purpose, however, is to get rid of this schedule. If 12 o'clock is too early, I will suggest 3 o'clock to-morrow. Let us fix some time at which we can come to a conclusion upon this paragraph. It has been discussed now for two days; and it seems to me that all sides of it have been pretty well covered. I assume that everybody is anxious to get a vote on this proposition sooner or later. I certainly do not expect to take exceeding an hour in any event, and I do not know of anyone else on the committee who intends to take much time. There may be some questions asked that would have to be answered.

Mr. BURKETT. Let me ask the Senator from Rhode Island why can not this schedule be passed over?

Mr. ALDRICH. No.

Mr. BURKETT. The Senator from Wisconsin [Mr. LA FOLLETTE] is making a general discussion of this paragraph now. Two members of the Committee on Finance have occupied considerable time, and, in my opinion, somebody ought to take more than an hour in answer to some of the things which have been stated by the Senator from Wisconsin. If we could pass the paragraph over and have some other paragraph considered——

Mr. ALDRICH. My own judgment is that ten minutes will satisfy anyone in the Senate as to the correctness of the attitude of the committee; and that will only apply, of course, to suggestions which have been made, whatever they may be.

Mr. BURKETT. Why not let it go over and take up another paragraph?

Mr. ALDRICH. No; that can not be done.

Mr. BURKETT. Then, Mr. President, it seems to me we could take up other paragraphs and to fill up the time until the Senator from Wisconsin can get some rest.

Mr. ALDRICH. I do not see why we should do that. Probably other Senators are ready to discuss this matter. If we can get an agreement for a time to vote, I will say now that we shall not have any night session, but that I shall ask for an adjournment.

Mr. BEVERIDGE. How can the Senator from Rhode Island get any agreement until the discussion shows some signs of nearing its conclusion?

The VICE-PRESIDENT. The Chair begs to say to the Senator from Wisconsin that he may take his seat. The Chair recognizes that he has the floor and has yielded temporarily. He need not stand in order to hold the floor.

Mr. LA FOLLETTE. I thank the Chair.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. The Senator from Wisconsin has yielded temporarily in order that this general discussion may proceed.

Mr. NEWLANDS. My understanding, Mr. President, was that the Senator from Wisconsin had yielded to me.

The VICE-PRESIDENT. But thereafter the Senator from Wisconsin stated to the Chair that he would yield for the purpose of general discussion, in the hope of reaching some conclusion.

Mr. NEWLANDS. Mr. President, if I am now entitled to recognition——

The VICE-PRESIDENT. The Senator from Nevada.

Mr. NEWLANDS. I would say that I hardly think it fair upon the part of the chairman of the committee in charge of this bill, in view of the physical disability of the Senator from Wisconsin [Mr. LA FOLLETTE] to proceed with his argument now, to exact as a condition——

Mr. ALDRICH. I am making no insistence at all. The Senator from Wisconsin has a perfect right to yield the floor or to go on, at his convenience. I have no suggestion as to when the Senator from Wisconsin shall occupy the floor or when he shall not. I am only talking about the business of the Senate, which is not to be diverted or set aside for the convenience of any Senator. I certainly do not expect the Senator from Wisconsin, if he is physically unable, to go on with the discussion this afternoon, but I do ask that the business of the Senate shall go on. That is all.

Mr. NEWLANDS. But, Mr. President, the Senator does insist upon going on with the consideration of this schedule in the hope of concluding the consideration of this schedule as quickly as it can be accomplished, and that, too, without any consideration whatever for the physical condition of the Senator who now has the floor, who has not exhausted a moment of time unnecessarily, who has not uttered an idle word, and who has addressed himself to consecutive argument, an argument, which I may say, needs reply, upon this very schedule. The Senator from Rhode Island has intimated that at some time during the consideration of this schedule he will require at least half an hour, and I think it is safe to say that that limitation will have to be enlarged. It will require at least half an hour for the purpose of addressing the Senate regarding this particular schedule and clearing up certain misunderstandings regarding it. Now, we are within an hour and a quarter of adjournment, and if the Senator from Rhode Island should take the floor now——

Mr. GALLINGER. An hour and three-quarters.

Mr. ALDRICH. We have until half past 5.

Mr. NEWLANDS (continuing). To make the statement which he contemplates, it would take a considerable portion of that time; and it seems to me it is only reasonable for the Senator from Rhode Island to agree now that the Senator from Wisconsin shall proceed to-morrow, and that he will not seek to close the debate or to secure a vote upon the particular paragraph or schedule to which the Senator from Wisconsin is now addressing himself. I ask the Senator to yield to that understanding——

Mr. ALDRICH. Mr. President, the Senator——

Mr. NEWLANDS (continuing). If not, I will be compelled to make a motion to that effect.

Mr. ALDRICH. There is no necessity for the Senator from Wisconsin getting unanimous consent to proceed or not to proceed; that is entirely within the control of the Senator from Wisconsin. He is not obliged to ask the consent of the Senate to go on at any particular time and he is not obliged to ask the consent of the Senate to give up the floor at any particular time. That is entirely within the Senator's own privilege and right. What I am suggesting is, that in order to suit the convenience of Senators, if a time can be fixed to take a final vote upon the paragraphs of this schedule, I am willing to consult the convenience, not only of the Senator from Wisconsin, but of all other Senators, with reference to this particular schedule. It seems to me that I am not making an unreasonable request about it.

Mr. NEWLANDS. But, Mr. President, there is objection to fixing the time now for a vote upon this schedule or upon this particular paragraph. It is true the Senator from Wisconsin can withdraw from the floor; that is within his power; but all we ask is that the consideration of this schedule be continued, and not disposed of by a vote, in such a way as to secure to the Senator from Wisconsin an opportunity to-morrow, when he is physically able to proceed with his argument, to address the Senate, and he assures the Senate that he will close his argument to-morrow. It seems to me that is a reasonable request. If the Senator from Rhode Island will not yield to the request for unanimous consent, there will be nothing remaining then but to make a motion upon the subject.

Mr. ALDRICH. Mr. President, I ask Senators upon the other side, or upon this side, who seem to have control of the opposition to this schedule, whoever they may be, if they will consent to fix a time to take a vote upon this schedule?

Mr. DANIEL. Mr. President, this is a schedule, in which, as I hear—of course I know nothing about committee transactions, as I am only a senatorial member of it, and was not allowed to attend it, against the rules of this body—the insurgents in the committee have taken charge, not only of the bill, but of the witnesses, of the publications, and of everything else connected with our business. They come now craving——

Mr. ALDRICH. Mr. President, is the Senator from Virginia——

Mr. DANIEL. Mr. President, I am addressing the Senate and decline to yield.

Mr. ALDRICH. Is the Senator occupying the floor in his own right?

The VICE-PRESIDENT. The Senator from Wisconsin [Mr. LA FOLLETTE] has the right to the floor. He has yielded while this discussion has been progressing, practically by unanimous consent, in order to ascertain if some agreement might be reached. That is the parliamentary status. The Senator from Wisconsin can reclaim the floor at any moment he desires.

Mr. DANIEL. Mr. President, the Senator from Wisconsin is making a very instructive speech and is enlightening the ejected portion of the committee, as well as the rest of the Senate, on matters about which the gentlemen in haste have had full opportunity to be informed by witnesses. I have observed before to-day about such measures as this that when gentlemen have had peculiar opportunities to prepare themselves, when they have got all the mechanism of business arranged to suit themselves, and have constituents who have been fixed to suit themselves through their agency, they immediately get in a hurry to put everything through. I have also observed that Senators who wish to be informed and have not had those opportunities, as Senators who are acting upon their conscience and in accordance with the laws of this country and the rules of this body, always desire to know what they are doing before

they are forced to do it. It is a noticeable fact that some people, who are peculiarly in haste for other people to meet their wishes, are exceedingly patient with themselves and are exceedingly patient in performing their part of the functions of this body, which it was their duty first to perform before calling upon others to act under them.

The Senator from Rhode Island has not yet made a committee report on these subjects which he is now discussing. He has amendments and compels the Senate to be patient and wait for them. They still await them. He who asks equity must do equity, and he who asks haste for what he wishes to do must not be impatient with those who have not had his opportunity to know what he knows. I certainly would not think of crowding anybody, much less one who has had time, and improved it, to examine into the pending schedule, which is of the utmost moment to the consumers of this country; which is of the utmost moment to the people who are less able to provide the necessaries of life; which is of the utmost moment to the common and ordinary necessities of life, not of fashionable, but of decent living.

So, Mr. President, the Senator from Rhode Island must put himself in more becoming attitude and in more just attitude to this body before he can get upon his knees and pray the whole body to yield to his suggestion, if not dictation.

Mr. GALLINGER. I ask for the regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The Senator from Wisconsin is entitled to the floor.

Mr. DOLLIVER. Mr. President, if the Senator from Wisconsin——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. For a moment.

Mr. DOLLIVER. If the Senator from Wisconsin, being worn out and ill and unable to proceed, desires to repose for a few moments, possibly until half past 5 o'clock, I will be glad to relieve his fatigue by taking the floor myself.

Mr. LA FOLLETTE. I thank the Senator very much; I know the Senate would be very glad to make the exchange; but I am quite refreshed by my little rest and able to go on now, I think, for another hour or two.

Mr. DOLLIVER. I am very much gratified to know that.

Mr. LA FOLLETTE. But I will yield to the Senator, at the suggestion of Senators here who are wearied at the sound of my voice.

The VICE-PRESIDENT. The Senator from Wisconsin can not yield the floor to another Senator. That has been ruled over and over again. He can not parcel out the time, except by unanimous consent, other than for an inquiry; and the discussion that has been going on, as the Chair stated, has been by unanimous consent, the Senator from Wisconsin yielding for that purpose.

Mr. PENROSE. Regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The Senator from Wisconsin [Mr. LA FOLLETTE] has the floor.

Mr. BEVERIDGE. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. BEVERIDGE. The Senator from Wisconsin, having yielded the floor now to the Senator from Iowa or any other Senator, has spoken once. If the Senator from Iowa should then speak, the Senator from Wisconsin, when the Senator from Iowa gets through, or any other Senator to whom he yields gets through, at any time during this legislative day could again resume the floor, and on no other legislative day. Is that correct?

The VICE-PRESIDENT. That is not correct.

Mr. BEVERIDGE. It is not correct?

The VICE-PRESIDENT. No; the Senator from Wisconsin can be recognized again to-morrow.

Mr. BEVERIDGE. Oh, certainly; but I am talking about——

Mr. GALLINGER. Can not the Senator be recognized twice the same day under the rule?

The VICE-PRESIDENT. Yes; he can be recognized twice on the same day under the rule, or he can be recognized to-morrow.

Mr. BEVERIDGE. The Chair misapprehended me. My inquiry—I was probably unfortunate in not making it clear—was, if the Senator from Wisconsin should now yield the floor, he then has spoken once, and under parliamentary law——

Mr. ALDRICH. He could go on to-morrow.

Mr. BEVERIDGE. I am talking about the legislative day. Then, when the Senator to whom he yields gets through, or anybody else gets through, he may then resume the floor again if he gets the recognition of the Chair.

The VICE-PRESIDENT. Certainly.

Mr. BEVERIDGE. And that is all for that day.

The VICE-PRESIDENT. That is the correct interpretation, in the opinion of the Chair.

Mr. LODGE. Mr. President, on a question of order a Senator can not yield the floor to another Senator.

The VICE-PRESIDENT. Certainly not.

Mr. BEVERIDGE. He can if nobody rises to suggest that he can not. If a Senator yields the floor and any other Senator is fortunate or unfortunate enough to get recognition of the Chair, he can go on, and the only point was whether the Senator might resume at any time.

Mr. PENROSE. Regular order!

The VICE-PRESIDENT. The Senator from Wisconsin is the regular order.

Mr. LA FOLLETTE. I should like to inquire of the Senator from Rhode Island if it is his purpose to have a session to-night?

Mr. ALDRICH. That is the order of the Senate.

Mr. LA FOLLETTE. I know that is the order of the Senate; but is it the order of the Senator from Rhode Island? [Laughter.]

Mr. ALDRICH. I am under the orders of the Senate——

Mr. BEVERIDGE. It is for the Senate to determine.

Mr. ALDRICH. It is for the Senate to determine, and not myself.

Mr. BEVERIDGE. It might be proper to ask as to the intention of the Senator from Rhode Island, in charge of the bill; and I take it that is what the Senator from Wisconsin meant.

Mr. ALDRICH. I stated that if I could secure an agreement to fix the time to vote upon this schedule, which certainly can not involve very many more hours of discussion—at least, it seems to me so—I would not ask for a session to-night, and that I would ask the Senate to adjourn instead of going on to-night. It seems to me that is a very reasonable request.

COTTON CLOTH OF ALL GRADES INCREASED.

Mr. LA FOLLETTE. Mr. President, resuming my discussion of the increases in the cotton schedule, I next invite the attention of the Senate to paragraph 314. Paragraph 314 provides duties for cloth exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, and it first provides for cloth of that count not bleached, dyed, colored, stained, painted, or printed.

Mr. BEVERIDGE. Where is the Senator reading from now?

Mr. LA FOLLETTE. I am reading from paragraph 314, and I call attention to the first description under that paragraph. Of cloth, of the description given, not exceeding 4 square yards to the pound, there were $11,104 worth imported last year, and the committee did not increase the duty upon that cloth. Of cloth of this count exceeding 4 and not exceeding 6 yards to the pound there were $9,449 imported in a year, and that escaped an increase at the hands of the committee. But for some reason or other, when it reached the next class, cloth exceeding 6 and not exceeding 8 square yards per pound, the committee increased the duty 20 per cent, although the value of a year's imports of this class of cloth was only $5,601.

On cloth of the same description valued at over 9 cents per square yard, the average increase is 17.87 per cent and the value of imports was $20,028.

Coming now to bleached cloth of the same count and weight as the foregoing, valued at over 11 cents per square yard, which is considered a "luxury" by this committee, the average increase by the committee amendment is 17.23 per cent and the value of imports for one year $465,521.

The next four items of this bracket for some reason or other were passed over without increases by the Senate committee. But on cloth of this count and weight, dyed, colored, stained, painted, or printed, and valued at over 12½ cents per square yard, the increase is 13.09 per cent and the value of imports was large—$1,536,802.

The next paragraph, No. 315, embraces cotton cloth, exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling. On cloth of this count, not bleached, valued at over 10 cents per square yard, the increase is 20.89 per cent. The value of imports for the year 1907 amounted to only $6,171.

On cloth of the same count bleached and valued at over 12 cents per square yard, the average increase by the committee amendment is 32.83 per cent, and the value of imports was $1,242,235.

On cloth of this count dyed, colored, stained, painted, or printed, and valued at over 12½ cents per square yard, the increase is 11.20 per cent, and the value of imports for the year 1907 was $2,751,271.98.

Mr. OVERMAN. Mr. President, it is very evident——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I yield temporarily for a question.

Mr. OVERMAN. It is very evident to the Senate that the Senator from Wisconsin is physically unable to go on.

Mr. LA FOLLETTE. I wish the Senator would not say that. I am able to proceed.

Mr. OVERMAN. I do not think he is.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor, and he declines to yield further.

Mr. LA FOLLETTE. I am very much obliged to the Senator, but I do not want to be put on the record as an invalid.

I call the attention of the Senate now to paragraph 316, embracing cloth exceeding 200 threads and not exceeding 300 threads to the square inch. On cloth of this count, not bleached, valued at over 12½ cents per square yard, and bleached, valued at over 15 cents per square yard, the increases are slight.

But on cloth of this count dyed, colored, stained, painted, or printed, valued at over 17½ cents per square yard, the average increase is 29.43 per cent, and the year's imports amounted to $1,443,233.

The next paragraph, 317, embraces all cotton cloths counting over 300 threads to the square inch, counting warp and filling. On cloth of this count not bleached and not exceeding 2 square yards to the pound the increase is 62.50 per cent, although the imports for a year amounted to only $358 in value.

On bleached cloth of this count valued at over 16 cents per square yard the increase is 20.85 over the Dingley rate, and the imports of 1907 amounted to only $10,027.55.

On cloth of the same count when dyed, colored, stained, painted, or printed, and valued at over 20 cents per square yard, the increase is 16.78 per cent, while the imports were $118,977.

Paragraph 321 embraces cloth in which there are woven figures, sometimes known as "lappets." On cloth of this character exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, not bleached, dyed, stained, colored, painted, or printed, not exceeding 6 square yards to the pound and valued at more than 7 cents per square yard, the increase is 30.81 per cent, although the value of imports for a whole year was only $18.

On cloth of that description exceeding 9 square yards to the pound and valued at more than 7 cents per square yard the duty is increased by the Finance Committee 13⅓ per cent, while the importation in 1907 was only $700.

On cloth of this character and count, dyed, colored, stained, painted, or printed, not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard, the increase is 21.04 per cent, while the imports for a year under the present rates amounted to only $75.

On cloth of this character not exceeding 100 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard, the duty is increased 38.19 per cent, while the value of imports for 1907 was $68,505.

On cloth of the same description bleached, valued at over 9 cents per square yard, the increase is 31.88 per cent, and the value of imports was $80,837 in 1907.

NO MISUNDERSTANDING OF THESE INCREASES.

On the same cloth dyed, colored, stained, painted, or printed, and valued at over 12 cents per square yard, the increase is 32.48 per cent, and the value of imports in 1907, $220,244.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LA FOLLETTE. I do.

Mr. JONES. I should like to ask the Senator a question. As I understand, he is speaking of an item on page 39, and the Finance Committee's statement shows that the present equivalent duty is 30 per cent, and under the Senate bill 44.28 per cent. That shows an increase of 14 per cent. The Senator's percentage of increase, as I understand, is about 40 per cent of this 30 per cent. Is that the basis upon which his increases in percentage are computed?

Mr. LA FOLLETTE. I am giving the per cent of increase over the existing rate which this bill makes, and I give it exactly as it is computed by the Bureau of Statistics. It is not my construction, and they are not my figures. I assume that the Bureau of Statistics knows how to figure these increases correctly. On the item I have just read the Finance Committee's statement shows that the duty under the present law is 40.83 per cent and under their bill is 54.09 per cent. The difference is an increase of exactly 32.48 per cent.

Mr. JONES. I know; but I want to understand the basis.

Mr. LA FOLLETTE. The Senator can very readily see for himself. If he takes the ad valorem equivalent given in the Senate bill and the ad valorem equivalent given in the present law, and ascertains the difference, he can soon compute what rate per cent that difference is on the existing duty.

Mr. JONES. If the Senator will permit me, the 30 per cent given on the page here is 30 per cent of the full value of the article, which is estimated of course at 100 per cent. Now, then, this increase of 14 per cent is also 14 per cent of that full 100 per cent value. But it would be equivalent to 40 per cent of the present percentage.

I think we ought to understand exactly the basis upon which these computations have been made as to increases. If it is an increased percentage upon the 100 per cent valuation, it would be a certain per cent. If it is an increase on the present percentage of duty, it would be a much higher rate. I think we should understand clearly the basis on which the figures are made. I ask for information, because it has been bothering me all the way through here.

Mr. LA FOLLETTE. I have made it as clear as I can to the Senator.

Mr. JONES. I understand. The percentage which the Senator calls the percentage of increase is the percentage that the difference between these two ad valorems is upon the percentage as shown here.

Mr. LA FOLLETTE. Yes, sir.

Mr. JONES. Of the ad valorem duty.

Mr. LA FOLLETTE. That is right.

Mr. JONES. And not upon the 100 per cent.

Mr. LA FOLLETTE. It is the percentage of increase over the existing rate.

Mr. JONES. It seems to me that gives rather an erroneous impression as to the rate of increase, because it gives a much higher rate. It would be better understood if the percentage of increase was given upon the hundred per cent value of the article imported, upon which these ad valorem changes are based.

Mr. LA FOLLETTE. I have given the exact and actual increase. The form in which I have stated it is the only form which would correctly state the per cent of increase, or which would have any exact meaning whatever.

Mr. JONES. Yes.

Mr. LA FOLLETTE. And it does not admit of any possible misunderstanding.

Mr. JONES. If a person understands the basis taken on which to compute that percentage, there can be no misunderstanding; but one man might have in his mind the full hundred per cent value, when the rate of increase would be one, or he might take the percentage that is given here and thus get another rate.

CHAIRMAN OF FINANCE COMMITTEE HAS NOT EXPLAINED.

Mr. LA FOLLETTE. The table which I shall print and from which I am reading—and reading exactly as it is—gives the ad valorem of the existing rate, gives the ad valorem of the new rates as reported in the bill just as found in the table furnished by the Committee on Finance, gives the value of the imports, and gives the per cent of increase of the duties reported by the Finance Committee over the existing rates. This table I will print in full.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. The Senator from Wisconsin says that the committee have reported some percentages of increases. That is not correct. I do not desire to interrupt the Senator with reference to these various figures, but I will say that the Senator is acting upon misinformation as to the extent of these and as to the character of the report of the committee.

Mr. LA FOLLETTE. The Senator from Rhode Island has taken occasion every time a criticism has been made of this bill to inject into the remarks of the Senator the statement that it is not correct and that he is acting on misinformation, and that some time or other he will explain it all to the Senate. He has made that promise again and again, but he has never redeemed it or pretended to do so.

I say to the Senator from Rhode Island I am not proceeding upon misinformation, and I say to the Senator from Rhode Island that these figures are based upon the figures furnished by his committee and given to the Senate in what is called the estimates of revenue, furnished, I take it, not to mislead the Senate, but to aid Senators to correct conclusions upon this bill.

At an earlier time in this debate, when those estimates were referred to, the Senator from Rhode Island said they had been

prepared very hurriedly; that there were mistakes and errors in them; that the only occasion for surprise was that they did not contain more errors. I say that was a confession which the chairman of the Finance Committee ought never to have been compelled to make. But this Book of Estimates, the only guide furnished us by the committee to aid us in interpreting the changes in this bill, has been three times revised and printed. It is the business of that committee—it is of every committee—to furnish correct information. Nearly half of the employees of the Bureau of Statistics have been detailed to the service of the Committee on Finance for weeks. I say that neither the committee nor the chairman nor anybody else responsible for the bill has a fair and just right to screen themselves behind errors in the work which they have compiled and furnished to the Senate.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. The tables furnished to the Senate were prepared, as every Senator at all familiar with the subject knows, by men in the Bureau of Statistics or connected with the Government, upon the importations of a certain year, without reference to any knowledge as to the changes which have taken place in the act and the application of those changes. They do not make any attempt to say what the effect of the changes in classifications would be upon the rates fixed by the bill which is pending. It is impossible for them, as stated by the Senator from Minnesota yesterday. There can be no data under their control or under the control of anyone which would show what precise value, with its application to these various changes, would be had upon importations in the future.

The Senator says we furnished no explanation. The Senator from Utah [Mr. SMOOT] in one of the clearest and most comprehensive statements that I have ever heard in the Senate explained the application of these rates to the paragraphs. That statement was not only based upon the judgment and information of the committee, but was based upon the information and judgment of all the best experts in the government service. That statement shows that the rates which are imposed by these specific duties which we have recommended are practically 5 per cent less than the rates which were imposed by the Dingley Act. If the Senator from Wisconsin had read that statement carefully, I think he would have been satisfied as to the accuracy of those figures.

I intend to supplement that statement by facts, partly from the importations of last year, partly from the judgment of the men who for years have been passing upon these importations at the custom-house, and I intend to show to the Senate that while there are some apparent increases in this schedule, judging by the importations of 1907, the effect of these changes is a reduction of duties, while there is an apparent increase in some of the items.

SENATOR FROM RHODE ISLAND IS MISTAKEN.

Mr. LA FOLLETTE. The Senator from Rhode Island will never get any man in the Senate or out of it who will investigate these changes in rates to accept the statement which he has made or the one which was put into the RECORD by the Senator from Utah [Mr. SMOOT]. I say to the Senator from Rhode Island what he has said to many Senators on this floor—you are mistaken. You never will be able to make the Senate accept your statement that these changes have not increased these rates, unless they accept your statement, as sometimes some Senators are given to, without question and without understanding. The Dingley law as it stands on the statute books to-day is the law of this land with respect to its tariff duties and customs.

Mr. ALDRICH. Will the Senator permit me?

Mr. LA FOLLETTE. Not just now.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. Not for the moment.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield for the present.

Mr. LA FOLLETTE. It is not for the Senator from Rhode Island, or anybody else in this body, because they happen to have a hand on legislation and in legislation with respect to the tariff, to say that that law meant something that the courts determined it did not mean. There was a defect in the cotton schedule of the Dingley law, a defect curable by a single and simple amendment, which will be pointed out and made plain to the Senate. But that defect, that oversight, does not afford a justification for increasing the rates directly upon the bulk of the countable cotton cloths, which increases can be computed mathematically, and also increase rates by new wording, as I shall point out later, in ways that can not be calculated mathematically.

So, Mr. President, I say the Senator from Rhode Island is estopped from rising now, when this bill is half or two-thirds through the Senate, to impeach the information which he has furnished and upon which we have proceeded, these estimates of imports and the ad valorem equivalents, because they no longer serve his purposes. I yield now to the Senator.

Mr. ALDRICH. Mr. President, the Dingley Act, when it was passed, imposed the lowest duty of 60 per cent ad valorem upon the entire class of soft fabrics, high-class luxuries, with low count. The court or the general appraisers or both, it makes no difference which, reduced that 60 per cent to the provision of paragraph 304 of the old law, which is paragraph 313 of the present measure. So cloths valued at 24 cents a yard were imported into this country at 1 cent a yard, or about 4 per cent ad valorem.

This bill corrects that by changing that rate from 1 cent a yard to a specific of 24 cents, or 7 cents a yard, if I remember it, which is, on its face, an increase on the plan which the Senator from Wisconsin has adopted of 600 or 700 per cent, and still the existing rate under this bill will be 20 per cent less than the rate which the Dingley law placed upon that very article.

Of course the Senator and his friends can find places of this kind—they are in every law—by which an apparent increase is made. It is to cure the defects. If that is not the purpose of this revision, what is it? I say, the Senate would be derelict in its highest duty if it did not cure these defects, and that it should not be restrained from doing that duty by the objection of the Senator from Wisconsin, which is that he can show an increase of duty in this manner.

AN ILLUSTRATION OF THE INCREASES.

Mr. LA FOLLETTE. Mr. President, I have one of those instances right before me, and it makes a fine illustration of the argument of the Senator from Rhode Island. It is the next item in the table—paragraph 321, cloth exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, exceeding 4 and not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard. It was subject under the Dingley law to the low ad valorem of 11.40 per cent measured on the importations of the year 1907. This is seized upon because it happens to show a low ad valorem equivalent at this time as offering an opportunity for an advance, and it is advanced 185 per cent. Now, why? The importation of this cloth under that low duty, which was taken as the basis of this increase, amounted to $5 in the year 1907. That was an awful defect in the Dingley law——

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. Not just now. I will give you a chance to get in when I get through with this statement. There was an importation of only $5 under the low Dingley rate. No industry in this country could have suffered very severely from the competition of the pauper labor of Europe, which only succeeded under that rate in putting into this market $5 worth of that material.

Mr. ALDRICH. Will the Senator now yield to me?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. Does the Senator think the amount of importations in any particular year ought to fix the rate of duty? Did he use this reasoning in his vote for a duty on barley?

Mr. LA FOLLETTE. I rather expected that sooner or later I would hear some such observation as that from the Senator from Rhode Island. It is about the plane upon which the chairman of the Committee on Finance proceeds in giving his instruction and information to the Senate.

Mr. ALDRICH rose.

Mr. LA FOLLETTE. I do not want you to interrupt me now. Wait until you get your answer. You are going to be accorded the same kind of treatment that I received from you.

The VICE-PRESIDENT. The Senator will please address in the third person.

Mr. LA FOLLETTE. I accept the correction.

Mr. President, it rather seems to me that the chairman of this important committee, at an earlier period in this debate, might well have seen fit to present to the Senate the theory upon which all of these advances were made, instead of waiting until the cotton schedule was reached. Now, the Senator from Utah [Mr. SMOOT] is put forward with a remarkable statement, which I shall take up later, and which I believe it will be possible to show is reasoning in a vicious circle, by which the high rates of to-day are made the basis for higher rates to-morrow.

I do not care at this time, and wearied somewhat as I am, to take up that part of the discussion; but I do purpose to do it, and I am very glad the Senator from Rhode Island has seen fit to call attention to the statement of the Senator from Utah.

You can not justify these real advances over the Dingley rates by pretending that they are only apparent advances. I am just reminded by a remark which I overheard in a rear seat that I neglected to make any response to the Senator from Rhode Island with respect to my vote upon the duty on barley, and I will take the opportunity to do it now.

REASONS FOR THE DUTY ON BARLEY.

Mr. President, when the duty on barley was fixed at 30 cents per bushel, from an investigation which I made at that time, for I wrote that rate in the law of 1890, it was clearly demonstrated, in my judgment and in that of the committee and of the House of Representatives, that that rate was necessary to save the markets of this country and the producers of barley in this country. We were at that time year by year losing the market to the Canadian farmer. Year by year our acreage was being diminished. The imports had increased until the equivalent of one-fifth of the entire product of this country came across the line from Canada. Unless that rate was increased, and increased to that figure, I was convinced at that time—and I have heard no argument to change my mind since—that the farmers of this country would have to abandon the growing of barley; that the entire acreage, something more than 3,000,000 acres, as I now remember, that were devoted to the barley crop in this country at that time, would have been forced into the production of some other crops. The rate fixed on barley at that time is the rate of the existing law.

I listened to the discussion that took place on the Senate floor when the amendment to the barley duty was presented, but I heard no statement in all that discussion that convinced me that it was safe or prudent to change the present law and reduce the duty on that product.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. I did not make the suggestion I did with reference to barley to suggest that the Senator was guilty of inconsistency, but I desired to call his attention to the fact that in the case of one article where there were practically no importations, 11,000 bushels imported and an exportation of 5,000,000 bushels, he did not hesitate to vote for a large increase in the rate over the bill as it came from the House. I assume that he did it sincerely, and I assume that it was a matter of judgment with him and not a matter of local interest.

VOTED FOR NO INCREASE OVER EXISTING LAW.

Mr. LA FOLLETTE. Mr. President, I voted for no increase of duty over existing law. The Senator from Rhode Island is crafty, adroit, and clever in diverting, if possible, the attention of the Senate and the country from the glaring, the shocking, increases over existing rates which this bill discloses.

But I purpose, Mr. President, to hold the attention of the Senate, if I can, to this bill and to this cotton schedule, and when I have pointed out the increases that are made, I then am going to undertake to show not only that the duties should not be increased over the Dingley rates, but that, upon the principle expressed by President Taft in all of his utterances and in the platform of the Republican party, they should be reduced through every paragraph. I will show that by indubitable evidence with respect to the labor cost in this country and the labor cost in the competing countries.

Mr. ALDRICH. Will the Senator permit me?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I yield for a question. I do not care to yield for a speech.

Mr. ALDRICH. Does the Senator think we are bound either by President Taft's views upon this question or by the Chicago platform to reduce the duties below the existing law, without reference to anything else?

Mr. LA FOLLETTE. What an idle question, when I just stated to the Senator, if he had been giving me his attention, that upon the difference in the cost of production, the difference in the labor cost, I will show that these duties should be reduced. Neither the Chicago platform nor the utterances of President Taft warrant the question asked by the Senator. The discrimination which the Chicago platform makes, and which President Taft has reenforced so many times, is that duties shall be based upon the difference in cost of production and not upon what any cotton manufacturer or any other manufacturer says he wants.

Mr. BEVERIDGE. Will the Senator yield to me?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. Will the Senator yield to me that I may address a question to the Senator from Rhode Island?

Mr. LA FOLLETTE. I will.

Mr. BEVERIDGE. The Senator from Rhode Island has stated, and of course with accuracy and sound judgment, that the opinion of the manufacturers who are building up the industry should have weight and influence. Am I correct about that?

Mr. ALDRICH. I have made a great many statements in that connection. If the Senator will refer me to the particular statement he has in mind——

Mr. BEVERIDGE. Yes; I will.

Mr. ALDRICH (continuing). Perhaps I may be able to answer it categorically, but I would prefer at the present time to deal with the Senator's colleague, who is now addressing the Senate.

Mr. BEVERIDGE. And the Senator's colleague also?

Mr. ALDRICH. I understand that.

Mr. BEVERIDGE. Certainly; we are all colleagues here. That being true, and of course, as a matter of fact, it has been stated, as it ought to be stated, as President Taft stated in his speeches, that the opinion of the manufacturers who built up the business and were most interested in the increase of duty should have influence, I wish to read to the Senator merely, because it has been read before here this afternoon when the Senator was not here, and it is fair to him to hear it——

Mr. ALDRICH. It has been read, I think, half a dozen times in my hearing.

Mr. BEVERIDGE. Let us read it again.

Mr. ALDRICH. But, Mr. President, in this matter it is not necessary that I should take the suggestion of any manufacturer. Before I get through with this discussion I intend to present facts as to the difference in the cost of production between this country and competing countries. Of course I shall be very glad to hear either the Senator from Indiana or the Senator from Wisconsin in their presentation of the facts bearing upon this case.

Mr. BEVERIDGE. I am not intending to present anything, because I am listening to both sides. These two quotations I was directing the attention of the Senator from Rhode Island to because most certainly the person who represents the cotton industries of the country and is more deeply interested, in a selfish way, than anybody else——

Mr. ALDRICH. Will the Senator permit me?

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. I have noticed the peculiar facility on the part of both the Senator from Indiana and the Senator from Wisconsin to accept the statements of certain people in reference to these industries and these rates without reference to anyone's else opinion; and I assume that the opinion which the Senator is to read from meets his views and the views of the Senator from Wisconsin, or else this interruption would not have taken place.

Mr. BEVERIDGE. Mr. President, the Senator's assumption in that regard is just as incorrect as, apparently, the Senator's information must have been upon many other things. The Senator's observation as to what a Senator notices about the effect of the opinions of various men I will leave to the Senate itself to judge of. But that does not deter me, because, in good faith, I want to know the Senator's opinion about this.

I read from the testimony before the Ways and Means Committee the statement of Mr. Lippitt. I did not know who he was until this afternoon, when I asked the question. Mr. Lippitt represented the Arkwright Club, and is the largest cotton manufacturer, or at least is represented to be, and comes from the Senator's own State. I understand he is a man of credibility and a man of some business acumen, and certainly knows about his own business. He says:

> The form of the present cotton tariff is the result of many efforts, and considering the wide variety of products it covers has stood the test of practical operation fairly well. It has been the object of many legal attacks, in the course of which the terms used have for the most part been given careful legal definitions, and therefore should not be disturbed. Some minor features, however, are still in controversy——

Mr. ALDRICH. That is right.

Mr. BEVERIDGE. Very well; we will read on—

> and may need elucidation; but the present cotton situation as a whole has resulted in establishing in this country a great industry, widely distributed, employing many people and much capital. It has regulated but not prevented importations, has made moderate profits and reasonable wages possible to the capitalist and laborer, but is not a bonanza.
>
> We ask, therefore, that the present schedule shall not be materially changed, and that cotton manufacturers be allowed to continue the

operation and further development of this important industry under the same tariff conditions that now prevail.

He concludes his statement as follows:

I am not appearing here to ask for an increase in the duties on the cloth clauses of the cotton schedule. I think that while there are importations going on under them, it is reasonably regulative of the cotton trade. The importations are not so large that we feel justified in asking that the duties be increased, but we would not like to see them decreased, as we believe that any decrease would certainly result in very much larger importations and a great deal more of our cotton being manufactured abroad and shipped back as finished goods, as we say.

There is the complete statement I see marked. I simply read it to the Senator and ask what he thinks about that statement of the representative of the cotton manufacturers formally made before the Ways and Means Committee of the House.

Mr. GALLINGER. It has been read six times.

Mr. ALDRICH. It has been read quite a number of times.

Mr. BEVERIDGE. Then, the Senator is better prepared to reply.

Mr. ALDRICH. The Senator probably was not in the Senate when I made the statement, and probably has not read it in the RECORD, that the particular paragraphs he refers to were never submitted to any manufacturer or to anybody interested in this business.

Mr. BEVERIDGE. That is not the question I am asking.

Mr. ALDRICH. I am answering the Senator's question, and it will give the Senator from Wisconsin more time if I enlarge upon it.

Mr. BEVERIDGE. That will be satisfactory.

Mr. ALDRICH. That will be satisfactory, I know, to the Senator from Indiana. I said then, and I repeat, that these amendments were prepared by the committee itself from their knowledge of the defects which had been produced by the courts and by the Board of General Appraisers, or whoever else you please.

Now, I will say to the Senator from Indiana what is absolutely true, to my knowledge, from my long experience in tariff legislation. I venture the assertion that there are not three cotton manufacturers in the United States who knew about those decisions and their effect upon the law. The South manufactures about one-half of the cotton goods produced in the United States. I am willing to venture the statement that there are not two men engaged in cotton manufacture in the South who had any idea about the decisions which I have referred to.

Mr. BEVERIDGE. It certainly could not have affected their industry seriously if they did not know about it.

Mr. ALDRICH. I have myself seen industries dwindle and go out of existence on account of decisions made under the tariff act which the men themselves had no knowledge or no suspicion of.

Mr. DOLLIVER. Mr. President——

Mr. ALDRICH. They never heard of them until they were brought to their attention in a practical way, and perhaps not then, in the loss of their business and the destruction of the industry.

Mr. DOLLIVER. Will the Senator from Wisconsin yield to me?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. ALDRICH. Mr. President——

Mr. DOLLIVER. I should like to ask a question.

Mr. ALDRICH. If I do not interfere with the other two gentlemen, who seem to be occupying the floor, I yield.

Mr. BEVERIDGE. I beg pardon; that is not an answer. I have not occupied the floor one instant to-day. I did want the Senator's opinion on that question, and now that I have the floor——

The VICE-PRESIDENT. The Senator from Indiana has not the floor. The Chair is trying to find out who has. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I yield.

Mr. BEVERIDGE. Now that I have the floor——

Mr. DOLLIVER. I understood the Senator from Wisconsin to yield to me.

Mr. LA FOLLETTE. I will yield to the Senator from Iowa in a moment.

Mr. BEVERIDGE. I have read it again, and I will ask the Senator this question: Since he has stated that it is because of decisions which might injuriously affect the industry in which these men are engaged, decisions of which the men in that industry absolutely knew nothing themselves, does he think the cotton industry is a languishing industry? If he does, Mr. Lippitt says it is a very flourishing one.

Mr. ALDRICH. Mr. President——

Mr. LA FOLLETTE. Mr. President, I have the floor.

Mr. ALDRICH. Very well; I will wait and speak in my own time.

Mr. LA FOLLETTE. I merely wish a recognition of the fact that I have the floor.

The VICE-PRESIDENT. Certainly the Senator from Wisconsin has the floor. Does he yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I will yield to the Senator from Rhode Island.

Mr. DOLLIVER. I desire, if the Chair will permit me——

The VICE-PRESIDENT. The Senator from Wisconsin has yielded to the Senator from Rhode Island. Does the Senator from Rhode Island care to claim the floor?

Mr. ALDRICH. I do not.

Mr. LA FOLLETTE. I yield to the Senator from Iowa.

Mr. DOLLIVER. I desire to ask the Senator from Rhode Island to what decisions of the courts he was referring.

Mr. ALDRICH. I was referring to a series of decisions which, if the Senator had listened to my remarks——

Mr. DOLLIVER. I did listen, and I took the book of statistics, and also the Senator's statement of yesterday, that these decisions had raised the importations from $2,000,000 to $9,000,000, and I found the speech of the Senator from Utah [Mr. SMOOT] was devoted to etamines, when the total importations under the paragraph referred to in those decisions amounted to $26,000.

Mr. ALDRICH. The Senator is entirely mistaken in that statement. It is like a large part of the information which is floating around the Senate. It has absolutely no foundation in fact. There is no way of finding out how many goods were classed as etamines under the original act that were imported last year. The Senator from Iowa, with all the assistance he may have and with all the knowledge he may have, which is very great, can not possibly make any kind of an estimate.

Mr. DOLLIVER. There is a way, however, of finding out what goods were imported under paragraph 312.

Mr. ALDRICH. That has nothing whatever to do with the case.

Mr. DOLLIVER. Your complaint was that these etamines had been taken out of the 60 per cent paragraph and thrust into paragraph 312, and that it had greatly increased the importations. I find, upon examining the book of statistics, that the total importations under paragraph 312 were only $26,000.

Mr. ALDRICH. The Senator from Iowa is a very wise man and a very intelligent man, but he, with all his wisdom and intelligence, can not give a correct answer to the statement as to the amount of etamines imported that were admitted at a different rate of duty from what was originally intended; he could not do it to save his life. Any statement made of the character which he has just made is simply misleading and must be based upon misinformation.

Mr. DOLLIVER. If I am going to be misleading, I am going a little further. I have examined all these things, and I say to the Senate now that any man with sagacity enough to investigate the statistical tables must know that under the decisions to which the Senator referred as effecting changes in rates, the importations are a mere bagatelle of the cotton-cloth importations into the United States.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Yes; certainly.

Mr. SMOOT. If the Senator had followed up my remarks very closely, he would have found out that——

Mr. NELSON. Mr. President, I call for the regular order.

The VICE-PRESIDENT. The regular order is the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. NELSON. The regular order, I think, is a recess at 5 o'clock.

The VICE-PRESIDENT. The Senator is mistaken. A recess is provided for at half past 5 o'clock. The regular order is the Senator from Wisconsin.

Mr. GALLINGER. He has yielded.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. The Senator from Utah can not proceed.

Mr. GALLINGER. The Senator from Wisconsin yielded to the Senator from Utah.

The VICE-PRESIDENT. But he could not yield to the Senator from Utah for such a purpose, except by unanimous consent. The Senator from Minnesota [Mr. NELSON] demanding the regular order is equivalent to an objection. The Senator from Wisconsin will therefore proceed.

Mr. NELSON. I withdraw my objection.

The VICE-PRESIDENT. The Senator from Minnesota withdraws his objection, and therefore the Senator from Utah can proceed.

Mr. GALLINGER. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator will state his question of order.

Mr. GALLINGER. The Senator having the floor has yielded twenty-five times to-day to Senators who have made observations. Is it to be understood that he can not do that?

The VICE-PRESIDENT. Except by unanimous consent. The Senator can only yield for a question. He can not yield for speeches.

Mr. GALLINGER. But who has made objection?

The VICE-PRESIDENT. No one has, until now. The Senator from Minnesota made an objection by a demand for the regular order.

Mr. GALLINGER. But the Senator from Minnesota was under a misapprehension. He thought the hour for a recess had arrived.

The VICE-PRESIDENT. The Senator from Minnesota has now withdrawn his demand, and therefore the Chair stated that the Senator from Utah [Mr. SMOOT] might proceed.

Mr. TILLMAN. I rise to a question of order.

The VICE-PRESIDENT. The Senator will state his point of order.

Mr. TILLMAN. Under what rule of the Senate is the Chair authorized to state that a Senator can not yield when one Senator protests?

The VICE-PRESIDENT. Under the unbroken precedents of the Senate a Senator can not yield the floor to another Senator, except he may yield for an inquiry; but he can not yield to another Senator for a speech, except by unanimous consent.

Mr. TILLMAN. In other words, you take a Senator off the floor if one man objects?

The VICE-PRESIDENT. Certainly.

Mr. TILLMAN. I do not know anything about parliamentary law, but I know something about fair play and common sense; and I never heard of any such thing here before.

The VICE-PRESIDENT. The Senator from South Carolina is out of order.

Mr. TILLMAN. If the Chair will please explain, I will try to get in order.

The VICE-PRESIDENT. The Senator will be in order as soon as he takes his seat.

Mr. TILLMAN. I do not feel disposed to be ordered to sit down by anybody. The Senate can order me out of this Chamber, but the Vice-President or the President of the Senate can not order me to sit down.

The VICE-PRESIDENT. The Senator is out of order.

Mr. TILLMAN. In what way?

The VICE-PRESIDENT. The Senator has not been yielded to by the Senator from Wisconsin [Mr. LA FOLLETTE]. The Senator from Wisconsin has the floor.

Mr. TILLMAN. I rose to a question of order. I was recognized by the Chair, and I am trying to get some information upon my point of order.

The VICE-PRESIDENT. The Chair answered the inquiry.

Mr. TILLMAN. But I protested against it, and I appeal from it.

The VICE-PRESIDENT. If the Senator will state exactly what he appeals from, the Chair will recognize him.

Mr. TILLMAN. I appeal from the decision of the Chair. If I understood it, he undertook to state that a Senator can not proceed with one man objecting.

The VICE-PRESIDENT. The Chair ruled absolutely the opposite.

Mr. SCOTT. The Chair ruled the opposite.

The VICE-PRESIDENT. Absolutely the opposite.

Mr. TILLMAN. Did not the Chair state that the Senator from Wisconsin could not yield to another Senator, except by unanimous consent?

The VICE-PRESIDENT. The Chair did so.

Mr. TILLMAN. Then, that compels the Senator from Wisconsin to proceed with only one man objecting; and if one man objects to the Senator from Wisconsin yielding, that compels the Senator from Wisconsin to continue until he breaks down.

The VICE-PRESIDENT. It compels him to proceed until he takes his seat; until he yields the floor, most certainly, under the unbroken precedents of the Senate.

Mr. TILLMAN. Then he would have to ask unanimous consent to continue?

The VICE-PRESIDENT. To continue his remarks?

Mr. TILLMAN. Yes.

The VICE-PRESIDENT. Certainly not. The Senator from Wisconsin is entitled to the floor without limit.

Mr. TILLMAN. Just so; I just understand the situation; but I do not feel, and I do not think, the Senate will ever agree to adopt a rule that any Senator must be compelled to speak on if one man objects. That is what I object to.

The VICE-PRESIDENT. The Chair held, and the Chair will always hold, under the unbroken precedents of the Senate, that a Senator can not yield to another Senator to make a speech, except by unanimous consent. He can yield for an inquiry; and Senators constantly do so.

Mr. TILLMAN. Mr. President, of course he can yield to an inquiry.

The VICE-PRESIDENT. Certainly he can.

Mr. TILLMAN. And then continue his speech?

The VICE-PRESIDENT. And then proceed with his speech.

Mr. TILLMAN. But suppose the inquiry involves debate?

The VICE-PRESIDENT. That can be stopped at any time by the objection of any Senator.

Mr. HALE. Undoubtedly.

The VICE-PRESIDENT. Without any question. Now, if the Senator from South Carolina will be good enough——

Mr. TILLMAN. I have seen this new doctrine broken here many thousands of times in the Senate, and I do not believe that it is the rule under which we have been acting.

The VICE-PRESIDENT. The Senator from South Carolina appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. TILLMAN. Mr. President, I appeal from this decision. When you first explained what you meant, I understood you to say that the Senator from Wisconsin could not yield for a question or anything else, but must speak on, if one Senator objected.

The VICE-PRESIDENT. The Chair——

Mr. TILLMAN. Now, if you will explain——

The VICE-PRESIDENT. The Chair stated the opposite; and the Senator from South Carolina appeals.

Mr. TILLMAN. I do not want to appeal from common sense, nor from the rules of the Senate, either.

The VICE-PRESIDENT. The Senator has appealed, and the Chair is about to put the question.

Mr. TILLMAN. If that is what the Chair meant, I withdraw the point of order.

The VICE-PRESIDENT. The appeal?

Mr. TILLMAN. I withdraw the appeal.

The VICE-PRESIDENT. The Senator from South Carolina withdraws the appeal, and the Senator from Wisconsin [Mr. LA FOLLETTE] will proceed. The Senator from Minnesota [Mr. NELSON] having withdrawn his demand for the regular order, the Senator from Wisconsin yields to the Senator from Utah [Mr. SMOOT].

Mr. CULBERSON. Mr. President, I invite the attention of the Chair to the fact that the Senator from Minnesota did not demand the regular order in the sense of compelling the Senator from Wisconsin to proceed, but he said what his demand was—the regular order to take a recess at 5 o'clock.

The VICE-PRESIDENT. The Chair begs to state to the Senator from Texas that he is in error in this, that the Senator from Minnesota demanded the regular order. Then, after the Chair had ruled that the Senator from Utah could not proceed under that demand, the Senator from Minnesota explained what he expected to accomplish by demanding the regular order.

Mr. CULBERSON. What I want to call the attention of the Chair to was the fact that the Senator from Minnesota did not contemplate the regular order in the sense of demanding that the Senator from Wisconsin should proceed.

The VICE-PRESIDENT. Which he thereafter explained, certainly, and then the Chair announced that the Senator from Utah, the demand for the regular order having been withdrawn, might answer in response to the yielding of the Senator from Wisconsin.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I should like first to know if the Senator from Utah, to whom I yielded, desires to——

Mr. NELSON. Will the Senator from Wisconsin yield to me for just a moment?

Mr. LA FOLLETTE. Certainly, if agreeable to the Senator from Utah.

Mr. SMOOT. Very well.

Mr. NELSON. I want to say that I was under the erroneous impression that we were to take a recess at 5 o'clock; and I called for the regular order for that purpose, not to cut off the Senator from Utah from answering the question of the Senator from Wisconsin or any other Senator.

The VICE-PRESIDENT. The Chair so understands, and the Senator from Wisconsin so understands; and now he yields to the Senator from Utah.

Mr. SMOOT. Mr. President, in answer to the Senator from Iowa, I wish to refer briefly to the court decisions, and to state to him that the amount of importations under paragraph 312 does not cover all the importations affected under the court decisions by any manner of means. They cover but a very small part of them; and yet the statement of the Senator from Iowa a few days ago was that upon that particular paragraph there was a 400 per cent increase; but in my speech I showed that the first decision on etamines reduced the rate from 60 per cent to 45 per cent and goods affected falling in paragraph 322, and neither the Senator from Iowa nor any other Senator can state the amount or value of the goods so affected. The second assault was in relation to the completed article and nonhomogeneous fabric and the decision of the court reduced it to colored countable cottons at 30 per cent ad valorem and 2 cents per square yard, under paragraphs 305 and 313, equivalent to 35 per cent, and a duty of only 14 cents per square yard was collected. Many thousand dollars worth of these goods under the Dingley law came in under those paragraphs, and the Senator from Iowa——

Mr. DOLLIVER. At what rate?

Mr. SMOOT. At 35 per cent.

Mr. DOLLIVER. That is the exact rate you put on them in this bill.

Mr. SMOOT. I am not discussing that question. I am discussing the question that they were intended by the Dingley law to carry a duty of 60 per cent, and through the decision of the court they have been reduced in this case to 35 per cent. The very next decision reduced them to 30 per cent; and the next decision reduced them, as I said, so as to come under paragraph 305, and to something like 10 per cent. The last decision made by Mr. de Vries was the one that changed the classification causing the goods to fall within paragraph 312, which was the Dingley paragraph 304; and the importations under this paragraph do not amount to much. But who can tell the amount of importations under all the other paragraphs?

Mr. DOLLIVER. The truth is that the importation of them never amounted to anything, whatever paragraph they came in under, as the proprietor of any dry-goods store will tell you.

Mr. SMOOT. Mr. President, so far as the truth of the matter is concerned, we do know that they amounted to this much: That the importers of New York spent thousands and thousands of dollars in attorneys' fees for a decision of the court to take etamines out of paragraph 339 and put them into a paragraph carrying a lower rate; and after they had secured the decision changing this class of goods from paragraph 339 to paragraph 322, they commenced another fight to get them in at a lower rate, and then still a lower rate. They were still not content, but wanted a lower rate; and under another decision they received it.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. Certainly, I do.

Mr. DOLLIVER. All of these court decisions put together are applicable to etamines, so called, and vitrages and the green goods that the Senator has exhibited here, the fancy cottons, like tidies and table covers, affected by the decisions—all of them put together, instead of furnishing any reason for changing the Dingley tariff law, as this committee has changed it, in reality are negligible quantities in the commerce of the United States.

Mr. ALDRICH. Mr. President, against that statement I will put this statement——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I yield to the Senator from Rhode Island.

Mr. ALDRICH. Against that statement of the Senator from Iowa I will put this statement, with knowledge: I know that the provisions of the act of 1897 in regard to etamines intended to include all the soft fabrics, fancy fabrics of a low count that were imported into the United States, and I know that that purpose of the Government has been frustrated, and that the law has been emasculated by the men who are here now in this city demanding that frauds upon the Government shall be consummated by the Senate of the United States, not only by this decision, but by half a dozen decisions, to which I will call the attention of the Senate; and that neither the Senator from Iowa nor any other Senator can say to what extent this fraudulent changing of the law——

Mr. DOLLIVER. What does the Senator mean by "fraudulent?"

Mr. ALDRICH. I mean fraudulent in the sense that the intention of Congress has been absolutely destroyed.

Mr. DOLLIVER. By whom?

Mr. ALDRICH. By various people who have had to decide these questions.

Mr. DOLLIVER. Have they decided the questions correctly?

Mr. ALDRICH. No; not according to my judgment. But whether they decided them correctly or not, the effect is what I am talking about; and it is that effect which I propose to ask the Senate to cure. I propose to ask the Senate that this importation of goods, valued at 24 cents a yard, at 1 cent a yard shall stop; and if the Senator from Iowa and the Senator from Wisconsin say, because we put a reasonable duty on them, we have increased the rate four or five or six hundred per cent, that is the effect of revising this law so that a proper and reasonable duty will be imposed upon these articles.

Mr. LA FOLLETTE. Mr. President, against the statement of the Senator from Rhode Island, I put the figures. All the cotton goods imported into this country last year at the rate of duty of 15 per cent or under amounted to but $74,397.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. Certainly.

Mr. ALDRICH. There was $9,000,000 worth of goods imported into the United States valued above the specific rate fixed by the act of 1897 from 7 to 20 cents a yard; and neither the Senator from Wisconsin nor the Senator from Iowa can even give the slightest guess as to what proportion of that $9,000,000 worth of goods had been reduced from 60 per cent to 45 per cent, and to rates varying from 4 to 6 to 10 to 20 to 25 and 30 per cent below the intention of Congress, clearly expressed, in my judgment.

Now, it is to cure those defects that I am pleading here in behalf of the laborers engaged in these industries and in behalf of the honest collection of duties. I am asking the Senate to restore the law as it stood in 1897, and not to permit these gentlemen who, by one means or another, have secured the changes, to consummate their purposes through the action of the Senate of the United States.

Mr. CLAY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. CLAY. I want to ask the Senator from Rhode Island a question.

Mr. LA FOLLETTE. Just a moment.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield for the present.

Mr. LA FOLLETTE. Just a moment, and I will yield. The Senator from Rhode Island can stand on this floor and make his declarations without authority as many times as he chooses, but he can not wipe out the work of the department. All the imports under the cotton schedule amount to but a fraction of 3 per cent of the total production of this country of that product.

Mr. ALDRICH. I was aware of that fact.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. I yield to the Senator from South Carolina.

Mr. TILLMAN. I want to ask the Senator from Rhode Island to specify as to this indictment which he brings against somebody who has changed the law, as he states. Does he attack the courts?

Mr. ALDRICH. Mr. President, the Senator from South Carolina has asked me that question three or four times.

Mr. TILLMAN. I do not recall that I have.

Mr. ALDRICH. The Senator has.

Mr. TILLMAN. But if the Senator reiterates the assertion and does not prove it, I will keep on asking him until the end of time.

Mr. ALDRICH. If it is any satisfaction to the Senator, I will give him a memoranda of the cases and he can read them for himself and see who rendered the decisions which made these changes in the law and what their effect was. If he will read the speech of the Senator from Utah [Mr. SMOOT] upon the subject——

Mr. TILLMAN. I do not want to be referred by the Senator from Rhode Island to the Senator from Utah. Let him tell me himself.

Mr. ALDRICH. I will give the Senator himself the memoranda as to the cases which I have referred to.

Mr. TILLMAN. Why not print them in the RECORD and let us all read them?

Mr. CLAY. Let me ask the Senator a question there, because it has given me some trouble.

Mr. ALDRICH. Certainly.

Mr. CLAY. What was the Dingley rate per yard on these goods selling for 24 cents per yard?

Mr. ALDRICH. Sixty per cent on part of them and 45 per cent on the others.

Mr. CLAY. What change in that rate did these decisions make?

Mr. ALDRICH. The Senator from Utah has just said that the first decision reduced the rate from 60 per cent to 45 per cent; the next decision reduced the rate from 45 to 30 per cent, as I remember; and the next decision reduced the rate to about 6 per cent.

Mr. CLAY. Under what theory?

Mr. ALDRICH. The Senator can get the decisions, and can read them.

Mr. CLAY. I do not care to have the decisions read. All the courts could do would be simply to construe the law as to what it meant; but the courts could not change the law.

Mr. ALDRICH. No.

Mr. CLAY. And the courts simply held what the Dingley law was. Now, how does the Senator know—here is a question of importance to me—and can the Senator inform the Senate as to what was the intention of Congress in regard to those goods?

Mr. ALDRICH. I think I can answer that question. Congress intended by the provisions of the Dingley Act, as I have already said, to put on soft fancy cotton of a low count a duty of 60 per cent ad valorem, upon the theory that that count did not in any way affect the value or the question of value. "Cloths counting less than 50 threads to the square inch" were intended to cover all the coarse cotton cloths that are made in the United States, and the duty was a cent a yard.

These fancy goods did not count perhaps over 50, or from 50 to 100, or possibly from 100 to 150 threads to the square inch. If they were admitted under the countable provision, the duties might have ranged from 20 per cent to 25, or from 25 to 30 per cent, instead of 60 per cent. Of course it was of very great importance to the importers to have the etamines taken out of the 60 per cent clause into a lower clause; and the courts decided that the word "etamines" should not apply to any of the goods, except such as were commercially known as "etamines." It is barely possible—perhaps I should say it is probable—that Congress could have used some more comprehensive term in that connection than "etamines;" but "etamines" were known to the trade at the time, and it was intended by Congress, and so supposed by everybody, that that word did apply to all these fancy goods. There is another decision——

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan.

Mr. LA FOLLETTE. I yield to the Senator from Michigan, if the Senator from Rhode Island has concluded.

Mr. ALDRICH. I have concluded.

Mr. SMITH of Michigan. I do not desire to annoy the Senator from Rhode Island, but I am anxious, if possible, to harmonize the statement which he has made with the conclusions which I have partially reached. Now, Mr. President, Mr. Lippitt is acknowledged to be a leading cotton manufacturer in New England, is he not?

Mr. ALDRICH. He is a cotton manufacturer of great intelligence.

Mr. SMITH of Michigan. Now, Mr. President, what does he mean when he makes this statement:

It—

Meaning the form of the present cotton tariff—

has been the object of many legal attacks, in the course of which the terms used have for the most part been given careful legal definitions, and therefore should not be disturbed.

Mr. ALDRICH. I will say to the Senator what I think Mr. Lippitt meant, because I——

Mr. LA FOLLETTE. I yield to the Senator from Rhode Island.

Mr. ALDRICH (continuing). Because I happen to know something about the litigation to which Mr. Lippitt refers. There was a contention in the court that another provision of the act imposed a duty of 1 and 2 cents a yard upon what are called lappets and fancy goods, and that that should be imposed as a cumulative duty. That duty was upheld by the courts. I am not sure, of course, whether or not Mr. Lippitt knew about these other matters to which I have referred, but you will find that he says there, in that same statement, that there are some minor matters still in controversy.

Mr. SMITH of Michigan. Oh, yes.

Mr. ALDRICH. Those are some of the minor things, I suppose, he referred to; but whether he referred to those or not, I say to the Senator from Michigan that, in my judgment, if we want a consistent and systematic tariff bill, based upon specific rates, which do not increase one particle the rates fixed by the House, it is simply a matter of the substitution of specific rates for ad valorem rates in the interest of the revenue; and, as I will explain, I think, to the satisfaction of the Senator from Michigan——

Mr. SMITH of Michigan. I certainly hope so.

Mr. ALDRICH. I certainly will.

Mr. SMITH of Michigan. Mr. President, if I understand the Senator from Rhode Island correctly, he is not in exact harmony with Mr. Lippitt as to the wisdom or unwisdom of this new classification.

Mr. ALDRICH. I think I am exactly in harmony with him; I think I am in harmony with every man who wants the revenue honestly collected and who wants a cotton schedule that will be symmetrical and harmonious in all its parts and that does not raise the rates above those now imposed by law.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. I want to say to the Senator from Michigan, that the trouble with Mr. Lippitt at the time he made that statement before the Committee on Ways and Means was that he was not aware of the new doctrine that the tariff was to be revised upward. If he had been impressed with that idea, his statement would have been more conservative. [Laughter.]

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. Yes.

Mr. SMITH of Michigan. I am bound to say, in all candor, that I agree entirely with the statement of the Senator from Minnesota [Mr. NELSON]. I have read Mr. Lippitt's testimony line for line several times, and I do not understand him to urge an increase in these rates, and I do not think that the chairman of the Committee on Finance is under his influence at all. If he had been, he would not increase these rates.

Mr. ALDRICH. Mr. President, if the Senator from Michigan will bear with me——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I yield to the Senator from Rhode Island.

Mr. ALDRICH. Mr. Lippitt was not in this country when this bill was prepared, and had not been for some time, and, of course, I was not under his influence, but I will say to the Senator from Michigan, with a full knowledge of what I am saying, that the rates in this clause are not increased, and I will show that to his satisfaction.

Mr. SMITH of Michigan. I am very glad, Mr. President, to have that statement, and I have great faith in it.

Mr. CLAY. As I understood, the Senator from Rhode Island stated on the floor of the Senate several days ago—of course I never refer to private conversations here, and we ought not to do so—but I understood the Senator to say on the floor of the Senate that while there had been a change in the rates from ad valorem rates to specific rates, the real rates in this schedule were the same as in the Dingley law.

Mr. ALDRICH. Or a little lower and not higher, taken as a whole.

Mr. GALLINGER. I ask for the regular order, Mr. President.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LA FOLLETTE. I do, Mr. President.

Mr. GORE. I know absolutely nothing about the influence of Mr. Lippitt with the senior Senator from Rhode Island, but I do not think that anybody can cast the weight of his authority into the balance against the authority of the Senator with respect to the passage of the Dingley Act. The Senator has stated here to-day, and has stated repeatedly during the course of this discussion, that no cotton manufacturer was consulted with reference to the cotton schedule. Mr. President, I believe that statement, and I presume that every other Senator believes it. It is an eminently reasonable statement.

But the Senator from Rhode Island had occasion to-day to animadvert upon a statement contained in this celebrated German report respecting one William Whitman. Mr. Lippitt may have had nothing to do with this schedule; but it seemed that Mr. Whitman had something to do with the woolen schedule of the Dingley Act. I send to the desk a brief correspondence between Mr. Whitman and Mr. North. Of course the Senator from Rhode Island was not a party to that correspondence, and he is not responsible for it. I offer it merely as shedding an interesting side light upon the methods of tariff revision in the past, and I offer it as an astounding instance of actual and undeniable impropriety. But I may say that Mr. North, either for the efficiency of his services on that occasion or for the injury to his health, received a complimentary remembrance, amounting to $5,000 in the coin of the realm. I ask the Secretary to read the marked portions of the statement which I send to the desk.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the marked portions as requested.

The Secretary read as follows:

DRESS GOODS, YARNS, AND TOPS.

78 CHAUNCY STREET, BOSTON,
July 19, 1897.

MY DEAR MR. NORTH: I am unable to go to Washington and have no one to look out for my interests there but yourself, and I depend upon you. Of course, Messrs. ALDRICH and Dingley will do all they can, but I depend upon your letting them know what I need. I depend upon you. Dress goods, yarns, and tops.

Yours, very truly,

WM. WHITMAN.

BOSTON, *April 6, 1897.*

I depend upon you to look out for my interest in this regard. You know how important it is, not only to me, but to the whole worsted industry of the United States. If there is the slightest danger of any change, I must see these gentlemen before it is too late. * * *

WM. WHITMAN.

BOSTON, *June 2, 1897.*

We all depend upon you to watch closely our interests; to see that nothing is overlooked or neglected by our friends on the committee. I have no doubt they will do all they can do, but with so many interests to look after our special representative must see to it that our interest receives proper attention.

WM. WHITMAN.

BOSTON, *June 9, 1897.*

Bear in mind that I am depending upon you wholly to look after my interests.

WM. WHITMAN.

WASHINGTON, D. C., *June 19, 1897.*

I will do the best I can with Mr. Allison when the time comes, but he knows nothing about the understanding I have with ALDRICH on the worsted-yarn schedule.

S. N. D. NORTH.

WASHINGTON, D. C., *June 20, 1897.*

It is lucky I was here, and just in the position I am. It has given me a whole day to work on the matter and get it right; and with ALDRICH away there is no one on the committee who knows anything about it. But Allison and Platt trust me, and I expect they will both agree to what I have asked. I went all over the matter with them last evening.

S. N. D. NORTH.

The VICE-PRESIDENT. The hour of 5 o'clock and 30 minutes having arrived, in obedience to the order of the Senate the Senate stands in recess until 8 o'clock this evening.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment to paragraph 313.

Mr. NELSON. I shall not suggest the absence of a quorum, if anyone wants to speak; but if the amendment is to be put to a vote, I shall have to call for a quorum.

Mr. HALE. The Senator from Wisconsin [Mr. LA FOLLETTE] has the floor.

The VICE-PRESIDENT. The Senator from Wisconsin had the floor, and of course the Chair would recognize him were he here.

Mr. DOLLIVER. Mr. President, I regret to say that the Senator from Wisconsin is sick, worn out by his efforts and the heat of the afternoon, and he will not be able to proceed with his remarks until to-morrow morning.

Mr. PENROSE. I ask for the question on the pending amendment.

The VICE-PRESIDENT. Does the Senator from Iowa ask for the floor?

Mr. DOLLIVER. I do not.

Mr. HALE. Let the pending amendment be reported.

The VICE-PRESIDENT. The Secretary, then, will report the pending amendment.

Mr. BRISTOW. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Fere	Nelson
Beveridge	Crane	Gallinger	Nixon
Borah	Crawford	Gamble	Page
Bradley	Cullom	Hale	Penrose
Brandegee	Cummins	Heyburn	Perkins
Briggs	Curtis	Hughes	Piles
Bristow	Depew	Johnson, N. Dak.	Root
Brown	Dick	Jones	Scott
Bulkeley	Dillingham	Kean	Smith, Md.
Burnham	Dolliver	Lodge	Smith, Mich.
Burrows	du Pont	McCumber	Smoot
Burton	Fletcher	McEnery	Sutherland
Carter	Flint	Martin	Warner
Clark, Wyo.	Frazier	Money	Warren

The VICE-PRESIDENT. Fifty-six Senators have answered to their names. A quorum of the Senate is present. The question is on agreeing to the committee amendment to paragraph 313.

Mr. BEVERIDGE. Mr. President, at the time of taking the recess the Senator from Wisconsin [Mr. LA FOLLETTE] was addressing the Senate, and we all expected him to go on to-night. The Senator from Iowa [Mr. DOLLIVER] has informed the Senate that the Senator from Wisconsin is ill, due to the great heat of the day and the prolonged and unusual exertion to which he was put in speaking for so many hours this afternoon.

I believe it is the unbroken custom of the Senate, when any Senator is addressing the body on any question and even indicates that he is weary, that the Senate, of course, lets the matter go a reasonable time, until he shall be sufficiently strong to proceed. I think in the history of the Senate—older Senators can say—that custom has been unbroken, and that courtesy has never been denied to any Senator. Even this session I recall two or three instances where a Senator upon the other side of the Chamber was addressing the Senate, and one, I remember, on this side of the Chamber, and it was suggested by some Senator—I think in one instance the Senator from South Carolina suggested it—that the Senator had been speaking for two or three hours and was evidently weary, although showing at that time no signs of it, and of course the usual courtesy, which never has been denied, was extended to him, and the Senate then adjourned until the next day.

I myself know nothing about the matter, but on the statement of a Senator here who does seem to know about it, it seems to me the Senate can not break its universal rule of courtesy to continue this matter until the Senator from Wisconsin may have a reasonable time, not an unreasonable time, to continue his remarks. This would be as true of the Senator from Illinois, the Senator from Nebraska, the Senator from Rhode Island, or the Senator from any other State.

I merely suggest this to the older Senators in this body, who have had much larger observation in the Senate, although during the ten years I have been here I have never known this universal custom violated, and, of course, I take it for granted it will not be now.

That is all I have to observe. It struck me as not being quite fair to submit to the Senate for a vote an amendment upon which a Senator was addressing the Senate, when at the recess he still held the floor, and constructively holds it now, when the Senate has the information upon the statement of a fellow Senator that that Senator is not ready to proceed.

Mr. ALDRICH. Mr. President, never within my knowledge has the business of the Senate been suspended for two or three days, or for one, to allow any Senator to discuss questions. There are 10 or 12 amendments to this schedule, and we will not be able to dispose of all of them to-night, and the Senator from Wisconsin will probably be here to-morrow morning, and we can go on and vote on these propositions as they come up.

Mr. BEVERIDGE. I do not understand it to be a question of two or three days or even of one day, nor do I understand it to be, from what I have heard—because I must learn about the cotton schedules from what I hear on both sides—to be a question involving merely one amendment.

It has been stated here two or three times by the Senator from Iowa and the Senator from Wisconsin, who constructively holds the floor at this moment, but who on account of his indisposition is not present to-night, that the whole question embraced in the discussion arises on the amendment just about to

be submitted. That being the case, neither of the points made by the Senator from Rhode Island would seem to be pertinent, first, because there is no suggestion of a delay of two or three days or of one day; and, second, because all of the questions involved arise upon the amendment now under discussion.

I say this, and the Senator from Rhode Island can correct me if I am wrong, if it is not true, that not only where a Senator says he is indisposed, or information is credibly brought by a Senator in honorable standing on this floor that another Senator is indisposed, but I even recall an instance in my own brief experience where a Senator said: "I desire to address the Senate upon this subject, and am not ready to proceed, but shall be to-morrow morning." The Senate always, so far as my observation goes—I may be wrong—has extended him the courtesy of allowing him until the next morning to prepare. Is not that true? That is not even a question of illness.

Mr. ALDRICH. There are a half-dozen Senators, including the Senator from Indiana, who sympathize with the Senator from Wisconsin about this matter——

Mr. BEVERIDGE. Pardon me. It is not a question of sympathy. I have the floor.

Mr. ALDRICH. And there is no reason why the Senator should not go on and make his speech.

Mr. BEVERIDGE. Mr. President, I decline to yield.

The VICE-PRESIDENT. The Senator from Indiana declines to yield.

Mr. BEVERIDGE. First of all, because it is not a question of sympathy, and, second, because of the Senator's unnecessary suggestion that I can go on and make a speech. I have no speech to make. I desire nothing but the fullest light upon this question, and nothing but fair play.

Mr. DOLLIVER. Mr. President——

Mr. BEVERIDGE. Pardon me. I decline to yield.

I assure the Senator from Rhode Island, and he knows it in his heart, that that treatment would by me be accorded to him if I was opposed to him, as much as it would be accorded to the Senator from New Jersey or the Senator from Connecticut or any other Senator on the Democratic side or on our side.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Iowa?

Mr. BEVERIDGE. Yes; I do now. I yielded first to the Senator from Rhode Island. He rose first and made those observations, which were not necessary.

Mr. DOLLIVER. I rose to say that the Senator from Rhode Island has been promising for four weeks that he would make a statement about this bill, and there being a quorum present, it would be at least a fair suggestion that he proceed to make that statement before a vote is taken on a proposition that involves the principle of the Senate amendments throughout this schedule.

Mr. ALDRICH. Mr. President——

Mr. BEVERIDGE. I yield.

Mr. ALDRICH. I am so anxious to get a vote upon this bill and every feature of it that I am willing to forego any desire to make a speech and to go on and vote now.

Mr. DOLLIVER. This is not a question of the Senator's desire to make a speech. It is a question of good faith with the Senate, entered into here publicly more than ten times since this debate began.

Mr. ALDRICH. I assume I can choose my own time to make a statement. I shall make the statement before the schedule passes from the consideration of the Senate. There are 10 or 12 amendments to this schedule. I hope we may be able to dispose of some of them to-night.

Mr. BEVERIDGE. If the Senator will pardon me, the first question, which far transcends the anxiety of all of us to get a vote upon every amendment and the bill itself, is whether or not we shall accord that courtesy which always has been accorded when it is brought to us on the word of an honorable Senator here that another Senator, now having the floor, is not prepared to proceed from physical reasons. I again remind the older Senators—and I want to be corrected if I am wrong—that that has always been true, even where a Senator merely stated that he was not prepared to go on.

The Senator will recall that in the case of the Senator from Iowa, who was engaged here in an entertaining speech, upon the suggestion of the Senator from South Carolina that the Senator had talked a good while and evidently must be weary, the Senator from Rhode Island was the first to accord to him the courtesy of a night's rest.

On another occasion, I think, perhaps, I was the one who suggested it, although another Senator brought it up. The Senator from Texas had been addressing the Senate for perhaps two hours and a half, and some Senator suggested that he had been speaking a long time, under great physical exertion, and immediately the courtesy was accorded to him of continuing the next day. Is not that true?

Mr. ALDRICH. When the Senator from Indiana shall have concluded his remarks, I will speak.

Mr. BEVERIDGE. I have no remarks. I say the first question to be decided is the question of universal courtesy, which never yet has been broken; a courtesy which, I will say, the Senator from Rhode Island well knows that if it involved him——

Mr. GALLINGER. Mr. President——

Mr. BEVERIDGE. Just a moment. Then, I am going to sit down. If he was not here, and it was a question upon which I earnestly opposed him, I would feel bound to see that that courtesy was extended to him, and to any other Senator. It is a question of fair play.

Mr. GALLINGER. Mr. President——

Mr. BEVERIDGE. Certainly; I am through.

Mr. GALLINGER. Mr. President, it possibly is unfortunate that some of us have been here a good while. I thought it was unfortunate to-day when, in the most courteous manner possible, I asked the Senator from Wisconsin [Mr. LA FOLLETTE] if I might interrupt him. He was offensive and insulting. I took my seat, and have kept it since.

Mr. President, the Senator from Wisconsin has occupied the attention of the Senate for two days. The Senate yesterday did what I think it has never done before. It took a recess in the middle of the day to accommodate the Senator from Wisconsin. It seems to me if we are ever going to pass this bill we must go on and transact the business in the usual way. If a Senator is to send word here that he is not well, and we are to adjourn the work of the Senate until he recuperates, a dozen Senators can do the same thing, and we will find ourselves in the ridiculous attitude of not transacting the business that is before us.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. GALLINGER. Certainly.

Mr. BEVERIDGE. It is to say merely this—and of course the Senator appreciates it—that the last remark, that a dozen Senators might do the same thing, raises a question of good faith. I would not have made the suggestion had not the Senator from Iowa brought to the Senate the message that I suggested.

Mr. GALLINGER. Yes.

Mr. BEVERIDGE. And of course twelve other Senators are not going to do that. It is a question of good faith.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Pennsylvania?

Mr. GALLINGER. Certainly.

Mr. PENROSE. I desire to say for the information of the Senator from Indiana that I question the good faith of this proposition, and while I have no——

Mr. BEVERIDGE. That raises another question.

Mr. PENROSE. Yes; it does.

Mr. BEVERIDGE. It does, indeed.

Mr. PENROSE. While I have no desire to make any reference to the Senator from Wisconsin in his absence, I will be prepared to show to the Senate at any time that a part of his professional tactics is to make this pretense of sickness, while he is openly abroad upon the streets consulting with the editors of yellow journals and the agents of uplift magazines.

Mr. BEVERIDGE. Will the Senator from New Hampshire permit me?

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Indiana?

Mr. GALLINGER. I yield to the Senator from Indiana.

Mr. BEVERIDGE. I will say to the Senator from Pennsylvania that if the Senator from Pennsylvania can show that this particular instance is a matter of bad faith, it raises quite a different question. If he can show that, I shall instantly withdraw my suggestion.

Mr. PENROSE. Mr. President——

Mr. BEVERIDGE. Pardon me. But it is not sufficient for the Senator to say that it is a part of a man's usual course of conduct. If the Senator can show that on this occasion that is the case, I have no suggestion to make to the Senate, but he must show that first; and the Senator is not justified, if he will excuse me, in suggesting this, merely upheld by a general course of conduct. If it is true in this instance, that is one thing; and if it is a general course of conduct, it is another thing. The Senator knows that is a fair statement.

Mr. PENROSE. I shall be ready to show at any time that on so many occasions has this practice been maintained as to make any man in his ordinary senses absolutely refuse to be-

lieve the veracity of any statement regarding the sickness of the Senator from Wisconsin.

Mr. BEVERIDGE. Now the Senator raises an issue with the Senator from Iowa.

Mr. PENROSE. I make the statement; and I make it without fear of contradiction, and make it as a statement which will allow the fullest investigation, whether it applies to this particular night or not.

Mr. BORAH and Mr. DOLLIVER addressed the Chair.

The VICE-PRESIDENT. Does the Senator from New Hampshire yield, and to whom?

Mr. GALLINGER. I yield to the Senator from Idaho, if he has asked me to do so.

Mr. BORAH. Mr. President, I do not desire to delay this bill for one moment, as everyone knows, but I seriously protest against these accusations being made against the Senator from Wisconsin in his absence. It is not becoming the Senate, and it is an improper thing to do. The Senator from Wisconsin ought to be permitted to be present when such serious charges are made as involve the integrity of his actions in the Senate Chamber, and we can do no less as a senatorial body than to observe here the ordinary rules which prevail among gentlemen outside of the Senate.

Mr. GALLINGER. Mr. President, I will occupy the attention of the Senate but a moment. I have made no accusations against any one, and I am not going to do it. I have been here a good while. In the discussion of this bill I have occupied perhaps ten or fifteen minutes. The Senator from Wisconsin [Mr. LA FOLLETTE] saw fit this morning to look in my direction and make an offensive allusion to New England. I rose to ask permission to interrupt him, and he was offensive. I have no disposition to retort in kind. I will not do that. The only thing I want to say is that if we are to adjourn the work of the Senate whenever it is suggested that a Senator is not sufficiently well to continue his speech—I do not say in every instance it would not be in good faith—we will certainly make very slow progress with this bill.

Mr. DOLLIVER. Will my friend the Senator from New Hampshire permit me to interrupt him?

Mr. GALLINGER. Certainly.

Mr. DOLLIVER. I sat near the Senator from Wisconsin, and it did not require a physician to see that the man's strength was entirely exhausted. He was hardly able to stand upon his feet, as Senators who sat near him yesterday and to-day will bear me witness. I feel grieved——

Mr. ALDRICH. If the Senator will yield to me for a moment, I think I see a way out of this difficulty.

Mr. GALLINGER. Does the Senator from Rhode Island wish to interrupt me?

Mr. ALDRICH. I should like to interrupt the Senator, if he will permit me.

Mr. GALLINGER. I yield.

Mr. ALDRICH. I suggest that we go on with Schedule J to-night. That is the next schedule—flax.

Mr. GALLINGER. That is entirely satisfactory to me. The only point I desired to make was that I thought we ought to proceed with the work of the Senate.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. GALLINGER. I yield to the Senator from Texas.

Mr. CULBERSON. The Senator from New Hampshire expresses his satisfaction with some arrangement. We have not been able to hear what it is.

Mr. ALDRICH. I suggested, in order to make progress, that we go on with Schedule J—take up the amendments to that schedule. It is the flax schedule. To that I think there is no objection.

Mr. BEVERIDGE. There is no possible objection to that course. The only objection was to going on with the schedule on which a Senator had been addressing the Senate and had not concluded his remarks.

Mr. MONEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. GALLINGER. I yield to the Senator from Mississippi with pleasure.

Mr. MONEY. Mr. President, I am very glad to know that the Senator from Rhode Island has taken the course he has to go to another schedule, which seems to solve the difficulty. I do not believe anyone here wants to talk on this bill. I know there is no man here who will be more glad to finish it and go home than I.

I want to say a word, however, about the action I took on yesterday, which has been alluded to by my friend from New Hampshire. I was told this morning that it was unprecedented in the Senate. I did not think of a precedent for an act of humanity. I sat near the Senator from Wisconsin and saw the tremendous excitement under which he was laboring, from what cause I do not know, for it does not excite me to speak, but it does him. I saw that he was exhausted; I saw him tremulous as an aspen leaf, and I thought he was about to faint. I heard him gasping for breath. The senior Senator from Maine [Mr. HALE] came across the hall and told me he heard him over there, that far away. I did not consider whether there was a precedent or not.

I simply asked for unanimous consent that we take a recess for thirty minutes to enable the Senator from Wisconsin to so recuperate his strength as to enable him to proceed with his speech. I do not regret that that action was taken, and I am very glad the Senator was sufficiently relieved at that time to resume his remarks.

I want to say that, as far as I am concerned, I am the last man to make a complaint about the proceedings of the Senate, for I am deeply sensible of the uniform kindness and indulgence I have always received at its hands. I do not think the cause will be at all facilitated in passing this bill by attempting to evade any discussion or any part of it. I do not charge that anybody is making that effort, and I do want to congratulate the Senator from Rhode Island that he was wise enough to allow this schedule to be passed over, in order that the Senator who was speaking on it could complete his remarks. This is the way to secure a speedy passage of the bill, and gentlemen on the other side, and on both sides, will find when we unite by agreement it is very much better than to unite by compulsion.

Mr. GALLINGER. Mr. President, I think no one better knows the humanitarian instincts and kindnesses of the Senator from Mississippi than the Senator from New Hampshire. I have been associated with him outside of the Senate. I have learned to admire him greatly, because of those very qualities. I think I can claim for myself a reasonable degree of consideration on that point. But the Senator from Mississippi will recall the fact that after the recess was ended the Senator from Wisconsin came in here, and instead of expressing any degree of gratitude to the Senate for the courtesy it had shown him, practically told us he did not need any relief—that he could have continued his speech; he felt that we had done something that he appreciated in a way, but it was an entirely unnecessary courtesy.

Mr. President, I have no disposition to say another word. I have not occupied much of the time of the Senate. I have regretted that there have been some personalities and criminations and recriminations in this debate which, I hope, will cease. I have no disposition to have an acrimonious discussion with any Senator on either side of the Chamber. It is not my nature. It was a matter of sincere regret to me to-day that the Senator from Wisconsin, who has occupied so much of the time of the Senate, refused to permit me to ask him a question, and in a very discourteous and insulting manner made a retort.

I am quite willing that the Senator from Wisconsin may be shown all possible courtesy; but I only rose to say that I think we ought to go along with the bill, not necessarily with the schedule that was under consideration this afternoon, but with some other part of the bill; and it is very gratifying to me to have the Senator from Rhode Island make the suggestion that he has made, which I think appeals to every Senator present to-night.

Mr. LODGE. Mr. President, before we take up Schedule J, I merely wish to say that I do not want what I consider a mistaken view to go without any protest as to what I think the practice of the Senate has been in such cases. I have never known the business of the Senate stopped and the position taken that no business could go on; that nobody else could speak because it was not convenient for one Senator to speak at that moment. Again and again, at the close of a day, the Senate will adjourn in order to allow a Senator to complete his remarks the next day. But that courtesy is widely different from the proposition that because a certain Senator is not ready to go on all debate must cease on the subject which he is discussing, and nobody else must speak and no other consideration be had. I have never known that done for anybody in my time of service here. Others have had more.

Mr. BEVERIDGE. Mr. President, the question was not in the least whether the Senate should not proceed with business. The question was not in the least whether any other Senator should or should not speak. The question was upon a demand for a vote on a pending question, upon which question a Senator was addressing the Senate under the circumstances that have been presented. No Senator in this body will say that he can remember a time in the history of the Senate when a vote was

insisted upon under those circumstances. There is not a man here who has not been willing and more than willing to go on either with the debate or with other business of the Senate. But that was not the question, and that is not the way it is going to be permitted to be ended. The question was whether or not we should have a vote on the question upon which the Senator from Wisconsin was addressing the Senate when an honorable Senator informed us that he was ill and he could not proceed. That question which has been so happily settled to the satisfaction of all will not be permitted to be clouded after it has been settled.

The VICE-PRESIDENT. The Senator from Rhode Island requests that the Senate now take up Schedule J. Is there objection? The Chair hears none. The Secretary will read the first paragraph passed over in Schedule J.

The SECRETARY. On page 116, Schedule J, "flax, hemp, and jute and manufactures of," the committee proposes to insert after the subhead a new paragraph, as follows:

330*a*. Flax straw, $5 per ton.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. It is agreed to. The Secretary will read the next paragraph passed over.

The SECRETARY. It is proposed to insert a new paragraph as follows:

330*b*. Flax, not hackled or dressed, 1 cent per pound.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. It is agreed to. The Secretary will read the next paragraph passed over.

The Secretary read as follows:

333. Hemp, and tow of hemp, $20 per ton; hemp, hackled, known as "line of hemp," $40 per ton.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. The Chair hears no objection. The Secretary will read the next paragraph passed over.

The Secretary read as follows:

334. Single yarns made of jute, not finer than 5 lea or number, 1 cent per pound and 10 per cent ad valorem; if finer than 5 lea or number, 30 per cent ad valorem; yarns made of jute not otherwise specially provided for in this section, 35 per cent ad valorem.

The VICE-PRESIDENT. Without objection, the paragraph will be agreed to.

Mr. BRADLEY. I have an amendment before the Senate which I desire may be called up.

The VICE-PRESIDENT. The Senator from Kentucky offers an amendment to paragraph 334.

Mr. BRADLEY. It is to insert a new paragraph, paragraph 333½.

The VICE-PRESIDENT. It will be read by the Secretary.

Mr. ALDRICH. I suggest to the Senator to wait until we reach the free list on that item.

Mr. BRADLEY. I did not hear the remark of the Senator from Rhode Island.

Mr. ALDRICH. That amendment will properly come up when we reach the free list.

Mr. BRADLEY. No, sir; I beg the Senator's pardon. Jute is one of the items under the free list.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kentucky will be stated.

The SECRETARY. It is proposed to insert as a new paragraph, at the top of page 117, after line 2, the following:

333½. Jute and jute butts, 1½ cents per pound.

Mr. BRADLEY. Mr. President, some time ago I called the attention of the Senate to this amendment, which at that time was proposed. Unfortunately for me, at the time I made those remarks the lunch hour was at hand and very few Senators were present. With the consent of the Senate, I desire in a very brief way to call the attention of Senators to the object of the amendment.

In the first place, hemp is an old industry. At one time the article was largely raised in Virginia, Missouri, Kentucky, and other States. First and last, it has been successfully raised in many of the States of this Union, especially, I may say, in Pennsylvania, Indiana, Wisconsin, Michigan, Minnesota, and Kansas. It is now raised only in Nebraska, California, and Kentucky.

The Agricultural Department has made many tests in the different States, and from a report of that department I find that it can be raised along the Pacific coast, in almost the entire Valley of the Mississippi, and in nearly every State of the Union.

A tariff has existed on hemp, with the exception of a few years, from the very beginning of our Government. The attention of the country was forcibly called to that matter by Henry Clay. The industry increased in development up to a period just preceding the war, until it had grown to immense proportions for that day and time. There were 417 mills in the United States, 50 of which were in New York and 159, I believe, in the State of Kentucky. There were also some in Massachusetts and other States. It was then raised in large quantities. It was found that with slave labor and protection it could be made profitable. There are now only 28 mills in the United States.

After the war, however, labor became uncertain and the hemp industry was very materially decreased. However, it maintained its existence to a considerable extent up to 1890, when jute and jute butts were put upon the free list. It exists now only by reason of the fact that there is but comparatively little of it cultivated, there having been only 8,000 tons produced last year, where once were produced 80,000 tons. So long as the hemp industry is kept within a contracted circle that long it is profitable, because for certain purposes hemp is indispensable. Those purposes are not, however, very general, and it takes but a small quantity in order to supply them. When that market is supplied then hemp comes in conflict with jute and jute butts, and if any great quantity were produced it would find no sale beyond the contracted market to which I have referred.

I want to say to Senators that jute and jute butts are cultivated by labor paid 5 cents a day, while labor in the hemp fields costs $1.50 per day. I want to say, further, to Senators that for a period after the war, by reason of the uncertainty of labor, the hemp industry langnished, but in the last few years machines have been invented by which hemp can be cut and be broken, so that no longer is the uncertainty of labor a question. The only trouble now is the free importation of jute.

From 1904 to 1908 the importations into this country of jute and jute manufactures increased from $20,000,000 to $34,000,000, 70 per cent in four years.

Now I want to call attention to the fact that 107,533 tons of jute were imported into this country last year free of duty. And yet Senators tell us that they are in favor of protecting American labor! When you allow this foreign article to be brought in here, produced in the fields of India at 5 cents per day labor, to come in conflict with American labor, and yet say that you are protectionists, I do not understand it.

And while, Mr. President, jute is brought in free, Congress has been especially careful to place a protective duty on the manufactures of jute. The American who manufactures jute is amply protected, while the farmer who produces hemp and flax receives no protection whatever.

That may be protection; that may be Republicanism; but if it is either, I do not understand it. Not only so, but the effect of this free jute is felt by the farmer who raises flax as much or more as the producer of hemp. Two million eight hundred thousand acres of flax were raised last year, mostly in the States of Minnesota, Kansas, Wisconsin, Montana, Michigan, Missouri, Iowa, Nebraska, and the Dakotas, for the seed; and we find that out of 5,000,000 tons of flax straw produced only 300,000 tons of it were manufactured, simply because the farmers and manufacturers could not compete with free jute.

I heard my distinguished friend the junior Senator from Texas [Mr. BAILEY] the other day say that he would not vote to make any article free unless it was an absolute necessity of life. I want to talk to the Democratic Senators who announce themselves in favor of a tariff for revenue. I want to ask you whether or not you think that this jute should come into this country free and without the payment of a single cent of tax, while a 1½ cent duty would produce *three million two hundred thousand dollars*.

Senators talk about reducing the wages of labor. I know there are some gentlemen on the floor of the Senate who talk eloquently upon the subject of protection, who, as soon as the question of jute is raised, vacate their seats and run into the cloakroom. Why? They are the very Senators in this body who are for the highest protection on manufactured jute, because it is in their own section, and they are willing to sacrifice the farmer of this country, to injure the hemp grower and the flax grower, but they are not willing to sacrifice the jute manufacturer in their own section.

In the language of the Senator from West Virginia [Mr. ELKINS], if there is anything on earth I do not like, it is a "spotted protectionist." This doctrine is right, or it is wrong. If protection is right upon one article, it is right upon all where that article needs protection in order to foster the industry.

I have seen a great many sorts of politics since I have been in the Senate, Mr. President, a great many strange things that I do not understand, being a young man from the country, not acquainted with the arts and sciences of politics, but a simple, plain, old-fashioned Kentuckian. I have seen a lot of things up

here that I do not understand. And tariff, tariff, tariff has been ringing in my ears until I feel a good deal like the man who killed another down in Kentucky. When he was arraigned he was asked to tell his story. He said: "I killed him in self-defense." "Well," said the lawyer, "did he try to kill you?" "No; he did not." "Did he draw a weapon on you?" "No; he did not." "Did he insult your wife or your daughter?" "No; he did not." "Then, what did you kill him for?" "Because he came to my house, when I was behaving myself like a gentleman and not interrupting anybody, and said he had come down there to talk tariff to me. That is the reason I killed him." [Laughter.]

Now, Mr. President, I do not want to talk anybody to death. I have tried to be as modest as I could. I know that a junior Senator stands mighty little chance in this body. When I came here one of my old friends in the Senate came to me and said: "Be careful, Senator; remember you are nothing but a junior. Keep quiet. If you venture, these senior Senators will take you in out of the wet." [Laughter.] I have heard my mother talk about the bogey man and all that sort of thing, but I will tell you honestly that I have been alarmed ever since I have been in Washington, and what I stand in dread of is the presence of the senior Senators in this body. [Laughter.]

There are a great many dangerous things in this world. Automobiles are dangerous things; they are liable to run over you and kill you. Electric cars are dangerous things; they are liable to run over you and kill you. But there is nothing on this earth that can compare in point of danger to a senior Senator when he stands properly on his stilts. [Laughter.]

I want Senators to indulge me while I speak under this state of alarm. It is a strange thing to me, Mr. President, that there is no protection to the farmer in flax or hemp. It is a strange thing to me that 4,700,000 tons of flax straw in your States are burned up and go up in smoke every year because you can not compete with jute.

You want protection for lemons in California. I believe in protecting lemons in California. [Laughter.] You want protection for lumber in the State of Washington. All right; I believe in protecting lumber in the State of Washington. [Laughter.] You want protection for coal and iron in West Virginia and Alabama. All right; I believe in protecting coal and iron. [Laughter.] I believe in protecting everything that needs protection.

Now, I want to know whether other Senators are equally as fair and as honest in this respect. You say you have not enough tariff on jute manufactures; that if you have a duty on jute you must increase it on your jute manufactures. If that is true, increase it. Increase it; that is your business. [Laughter.] But, in the name of justice, do not protect your jute manufacturers when you refuse to protect the farmer from the importation of free jute. If there is anything in this world that is imported into the United States free, that is absolutely a source of disgust to an American citizen, it is jute. [Laughter.] Where does jute come from? Who are the people who make jute? Heathens; yellow men, spotted men, everything on earth but white men. They go out and work in the fields. I had some pictures of some of them the other day. I wish you could see them. They have never found out that the day of fig leaves is past. [Laughter.] And that is the sort of degraded labor that you reward in free America by allowing jute to come to your shores unprotected.

I appeal to the Senate for justice in this matter. It is true I come from the State of Kentucky, but I am not ashamed of that. There is no better State on this earth than Kentucky. Kentucky is like the man's wife was who said that there never was a better woman on earth than she as long as her husband would let her have her own way. [Laughter.]

Why should we not have this protection? What is the reason why we should not have it? Are we a part of this country or not? We pay more internal revenue [laughter] than any State in this Union except two. [Laughter.]

The VICE-PRESIDENT. Will the Senator suspend until the Chair suggests to the occupants of the galleries that they are all here as guests of the Senate, and that the decorum of the Senate does not permit demonstrations of either approval or disapproval by such guests. The Senator from Kentucky will proceed.

Mr. BRADLEY. Mr. President, I hope that the occupants of the galleries will be in order. [Laughter.] I surely do not desire to be the innocent cause of any trouble in the Senate, for I have heard enough of this trouble lately, and I am glad I am out of it. I have not made anybody mad this session. I have not been mad either. I am not going to be mad unless the Senate refuses to give me a tariff on jute. [Laughter.] Then I reserve the right to myself to get mad and to stay mad during the remainder of the session. [Laughter.]

I promised you, Mr. President, when I rose, that I would speak but a few moments. I have heard very many Senators say that and do right to the contrary. I am going to show you that there is one Senator who can keep his word. [Laughter.] I am going to suspend right here, relying upon the justice, the statesmanship, and the Americanism of the Members of this great Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Kentucky [Mr. BRADLEY]. [Putting the question.] The "ayes" have it, and the amendment is agreed to.

Mr. MONEY. Mr. President, I ask for the yeas and nays on that amendment.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 334.

The VICE-PRESIDENT. Is there objection to agreeing to the paragraph? The Chair hears none.

Mr. ALDRICH. The committee have an amendment to that paragraph, in line 6, after the word "yarns," to insert the words "in the gray."

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Rhode Island.

The SECRETARY. In paragraph 334, page 117, line 6, after the word "yarns," it is proposed to insert the words "in the gray."

The VICE-PRESIDENT. The question is on the amendment.

Mr. BACON. I hope the Senator from Rhode Island will explain the amendment. We are absolutely in the dark on an amendment offered with no information given in regard to it.

Mr. ALDRICH. This makes the paragraph apply to yarns which are not colored or bleached.

Mr. BACON. I again request that the Chair shall put the question to the Senate on amendments, and not put us in the position of not objecting. We want to get information about these amendments. We do not desire that it shall appear by the RECORD that we are agreeing to them.

The VICE-PRESIDENT. The Senator will allow the Chair to say that when the Senator says he makes that request again, the Chair applied it to a single division of the bill, else the Chair would not have put it in that form, though he understood the Senator desired it in that way. The question now is on agreeing to the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 343.

Mr. ALDRICH. There is an amendment in paragraph 336.

The VICE-PRESIDENT. The Secretary will state the amendment. If the Senator refers to the amendment in line 19, that was agreed to on the first reading of the bill.

Mr. ALDRICH. I desire to offer an amendment to that paragraph, in line 18. I ask that the vote by which the amendment was agreed to be reconsidered for the purpose of making this amendment.

The VICE-PRESIDENT. Without objection, the vote by which the amendment was agreed to will be reconsidered. The Secretary will now state the amendment proposed by the Senator from Rhode Island.

Mr. ALDRICH. On page 117, line 18, after the word "number," I propose the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. On page 117, line 18, after the word "number," it is proposed to insert "12 cents per pound and."

The VICE-PRESIDENT. The question is on the amendment to the amendment.

Mr. CULBERSON. Mr. President, I desire to know what that amendment means. Let it be read again.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be again stated.

The SECRETARY. On page 117, in line 18, after the word "number," it is proposed to insert the words "12 cents per pound, and," so that if amended it will read:

If made from yarn finer than five lea or number, 12 cents per pound, and three-fourths of 1 cent per pound additional for each lea or number.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 343—oilcloth for floors, and so forth.

Mr. HALE. I gave notice the other day that I would ask that paragraph 339 be reconsidered in order to offer an amendment.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent to reconsider the vote by which paragraph 339 was agreed to. Without objection, the vote by which the paragraph was agreed to will be reconsidered. The Senator from Maine offers an amendment, which the Secretary will state.

Mr. HALE. The amendment has been considered by the Committee on Finance.

The SECRETARY. In lieu of paragraph 339, as printed in the bill, it is proposed to insert as a new paragraph the following:

339. Floor mattings, plain, fancy, or figured, manufactured of split straw, grass, or rushes, or other vegetable substances not otherwise provided for, commonly known to the trade as China and India mattings, containing 90 ends of warp or less, 3 cents per square yard; if containing more than 90 ends of warp, 12 cents per square yard; floor mattings manufactured of round straw, grass or rushes, known to the trade as Japanese matting, if containing 185 ends of warp or less, 3 cents per square yard; containing more than 185 ends of warp, 12 cents per square yard: *Provided*, That invoices of all imported China, India, or Japanese mattings shall specify the number of ends of warp contained therein.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine.

Mr. CLAY. Mr. President, I should like to ask the Senator from Maine if his amendment makes an increase or decrease over the present law. We could not catch the amendment clearly. I have had some complaints from merchants in my State in regard to paragraph 339.

Mr. HALE. It does not interfere with the common kinds; it is only the larger kinds of matting, the higher classes of matting, which are affected. Otherwise the paragraph is precisely as reported.

Mr. CLAY. There is an increase on the higher classes?

Mr. HALE. Yes; on the higher classes. It is not so much of an increase as it is the development of the industry. I can give the reasons as given here by the experts, if the Senator requires it. It is for the development of the industry, not interfering with the common kinds of matting.

Mr. CLAY. I do not think I care to have anything read to the Senate now. I simply wanted a statement.

Mr. HALE. I will only say that this whole matter, of course, will go into conference and will be fully considered there. I have had the amendment drawn so that it will not interfere in any way with the lower and commoner kinds of matting.

Mr. CLAY. The paragraph, as it stands in the bill, is simply the reenactment of the Dingley law, is it not?

Mr. HALE. I think it is almost exactly or quite the language of the Dingley law. The only change in this regard is in relation to the higher kinds of matting.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine.

Mr. FLETCHER. Mr. President, I, like the Senator from Georgia [Mr. CLAY], have received some communications from merchants and others dealing in these kinds of articles, protesting against the increase of rates, and I am impressed that this matting, made from straws and vegetable materials, composes the floor covering for people in moderate circumstances. I do not think it meets the case to say that it is only the finer kinds of matting upon which the duty is increased by this amendment. All kinds of matting made of this material are floor coverings, required by people who are not able to indulge in velvet carpets or floor coverings of that kind. I submit that a duty of the kind proposed by this amendment will add materially to the cost of this kind of floor covering. Under those conditions, I feel it my duty to oppose the amendment.

Mr. HALE. The Senator from Florida is entirely wrong. The amendment does not in any way affect the kind of mattings the Senator has in view. It does not raise the price; and it ought not to raise the price. The constituents of the Senator are not in any way unfavorably affected by this amendment. The amendment was very carefully drawn. I will not, however, take any more time in regard to it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine [Mr. HALE].

The amendment was agreed to.

Mr. DOLLIVER. Mr. President, I desire to call the attention of the chairman of the Committee on Finance to paragraph 338. I notice that an amendment has been inserted in the first line of the paragraph, putting some of the fish nets made of cotton into that paragraph. I desire to call the attention of the Senator from Rhode Island to the fact that, if cotton cloths of the material out of which those nets are made, are made dutiable at 60 per cent under paragraph 345, it will operate to create a duty of 80 per cent on that very cheap article of cotton manufacture. I do not know whether that is thought desirable or not, but I call the Senator's attention to it.

Mr. ALDRICH. I did not understand the last part of the Senator's statement.

Mr. DOLLIVER. I refer to the cotton cloths out of which fish nets are made.

Mr. ALDRICH. In what paragraph is that?

Mr. DOLLIVER. It is in paragraph 345.

Mr. ALDRICH. The nettings referred to in paragraph 345 are made of yarn, and not of cloth.

Mr. DOLLIVER. But the word "cords" occurs in line 4.

Mr. ALDRICH. Those are cords that are used for ornamentation.

Mr. DOLLIVER. "Wholly or in part of cotton."

Mr. ALDRICH. As I have stated, those cords are used for the ornamentation of dresses.

Mr. DOLLIVER. If that is so, I withdraw the suggestion.

Mr. ALDRICH. I am sure of it.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 343, oilcloth for floors, plain, stamped, painted——

Mr. CUMMINS. I ask that this paragraph be passed over at this time.

The VICE-PRESIDENT. The Senator from Iowa asks unanimous consent to pass over paragraph 343.

Mr. ALDRICH. I have no objection to that, if the Senator is not ready; but the committee have some amendments to suggest.

Mr. CUMMINS. I have some amendments to offer, but I did not suppose that the paragraph would be reached to-night. I have not them in my desk.

The VICE-PRESIDENT. No objection is heard——

Mr. ALDRICH. I have two committee amendments to offer. I will propose them and then let the paragraph go over.

Mr. CUMMINS. I have no objection to that.

Mr. ALDRICH. The amendments are in line 6, after the word "other," to insert the word "floor," so as to read "all other floor oilcloth," so that there shall be no question as to what oilcloths are referred to; and then to strike out "except silk oilcloth," in the next line. Those are committee amendments, which I assume are in line with the thought of the Senator from Iowa upon this subject.

Mr. CUMMINS. Mr. President, one of the amendments that I had in mind to offer was striking out the words "and all other oilcloth," as being wholly unnecessary, unless it is intended to include table oilcloth in the paragraph.

Mr. ALDRICH. No; it is not intended to do that; and for that reason the committee propose to insert the word "floor," so that it will apply only to floor oilcloth.

Mr. CUMMINS. I suggest the word "floor," found in the first line, would qualify sufficiently, I think, the description. However, if the Senator agrees to pass the paragraph over, we can discuss that hereafter.

Mr. ALDRICH. I had an idea that the amendments suggested by the committee were exactly along the line of the ideas of the Senator from Iowa.

Mr. CUMMINS. They are; but I wish to go further and to ask that there be an additional separation; that is to say, I shall ask that all linoleum under 9 feet in width shall not be taxed the same amount per square yard, for there is so vast a difference in the value of linoleum of the same width, if you please, that it is unjust to attach the same duty to all the qualities of this material.

Mr. ALDRICH. Mr. President, does the Senator from Iowa prefer to have these amendments go over unadopted, or would he consent to have them now adopted?

Mr. CUMMINS. I have no objection whatever to the adoption of the amendments the Senator proposes, because they cover precisely one of the amendments that I had intended to offer, although in a different way.

Mr. ALDRICH. Then, I ask, Mr. President, that the amendments which I have suggested be adopted, and that the paragraph be then passed over.

The VICE-PRESIDENT. The amendments will be stated.

The SECRETARY. On page 119, paragraph 343, line 6, before the word "oilcloth," it is proposed to insert the word "floor;" and after the word "oilcloth," at the end of line 6, to strike out the parenthesis and the words within it "except silk oilcloth."

Mr. BACON. Mr. President, I should like to ask the Senator whether those are increases over the present rates?

Mr. ALDRICH. No; they are amendments to prevent the paragraph from applying to oilcloths other than floor oilcloths; for instance, oilcloths that are used for table covers or for other particular purposes are not entitled to the high rates which are included in this paragraph. But the paragraph has been passed over, at the suggestion of the Senator from Iowa, who has some amendments reducing the rates.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Rhode Island.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph will be passed over as amended. The next amendment passed over will be stated.

The SECRETARY. Paragraph 344, as follows:

344. Shirt collars and cuffs, composed of cotton, 45 cents per dozen pieces and 15 per cent ad valorem; composed in whole or in part of linen, 40 cents per dozen pieces and 20 per cent ad valorem.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 345. Laces, lace window curtains, and all other lace articles——

The VICE-PRESIDENT. All the committee amendments to paragraph 345 have been agreed to. Without objection, the paragraph as amended is agreed to. The Chair hears no objection.

Mr. ALDRICH. Have all the committee amendments to that paragraph been agreed to?

The VICE-PRESIDENT. They have all been agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 347, page 121, plain woven fabrics of single jute yarns——

Mr. ALDRICH. The committee has an amendment to paragraph 346. I ask that the vote by which the paragraph was adopted may be reconsidered, for the purpose of offering an amendment.

The VICE-PRESIDENT. There is no amendment in that paragraph, so the Senator may offer his amendment without a motion to reconsider.

Mr. ALDRICH. Then, I move to strike out the words, in line 7, "nets, nettings."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 346, page 121, line 7, after the word "curtains," it is proposed to strike out "nets, nettings."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The committee amendments to paragraph 347 have been agreed to.

Mr. JONES. Mr. President, I should like to have paragraph 347 and paragraph 349 passed over. I have amendments to offer to both of those paragraphs. I thought I had all the data here, but I find I have not, as I did not expect the paragraphs to come up to-night. I should like to have those two paragraphs go over.

Mr. ALDRICH. I ask that those paragraphs be passed over.

The VICE-PRESIDENT. Without objection, paragraph 347 and paragraph 349 will be passed over. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 350, bagging for cotton, gunny cloth, and similar fabrics——

Mr. ALDRICH. I ask that that paragraph be passed over, at the request of several Senators.

Mr. CLAY. Does the Senator intend to take it up to-morrow?

Mr. CULBERSON. Mr. President, I will say to the Senator from Rhode Island that I have an amendment pending putting cotton bagging on the free list, which I trust may be adopted to-night.

Mr. ALDRICH. The Senator from Mississippi also has an amendment, as have, I think, several other Senators. I do not want to have that amendment considered just now. The committee have not yet made up their minds as to just what ought to be done with this paragraph.

Mr. CULBERSON. The Senator will consent to the consideration of it at an early day, I trust.

Mr. ALDRICH. I think so; yes.

Mr. CLAY. Probably to-morrow?

Mr. ALDRICH. I am not sure about to-morrow. I will see the Senator from Texas before it is taken up and give him ample notice with regard to it.

The VICE-PRESIDENT. Is there objection to the request that the paragraph be passed over?

Mr. TILLMAN. It seems to me that we might settle this to-night, if the Senator from Rhode Island and the committee are disposed to treat the southern farmer as they have treated the western farmer. This cotton bagging is absolutely necessary to the southern farmers, and it is thrown away as soon as we pack the cotton. We have to buy it and pay for it, and then we lose it when the cotton gets to the market, for it is subtracted as tare. The western farmer, who has to cut his wheat and oats, gets his binding twine free, and why should not the southern farmer, who has to prepare his cotton for market, get his bagging and ties free?

I made an appeal to the Senator and his committee in the last tariff bill twelve years ago in relation to this matter. I got no hearing then, but I think his heart is a little softer now than it was a long time ago, and that he will realize that he ought to make some reasonable concession and let us feel that we are not simply discriminated against because we are from the South.

Mr. ALDRICH. I assure the Senator from South Carolina and the Senate that the committee at a very early day will take up this matter and give it very careful consideration.

Mr. BACON. My friend from South Carolina is mistaken in his recollection.

Mr. ALDRICH. My recollection is that the Senate agreed to the proposition referred to by the Senator from South Carolina.

Mr. BACON. During the consideration of the Dingley bill an amendment was adopted in the Senate putting both bagging and ties on the free list, but it was stricken out in conference committee.

Mr. TILLMAN. That means that the conferees of the Senate gave us away, or they surrendered to the House; and they might do it again. It is just a question of whether we are going to have consideration and they will stand by us in the conference, as we have a right to expect. They stood by free binding twine and gave that to the western farmer.

I know I made a very urgent plea—I do not know whether it was a strong or an eloquent one, but I tried to make it so—for the consideration of the item in regard to sacks for wheat, which has been passed over at the instance of the Senator from Washington [Mr. JONES]. An immense expenditure is required in the South in sacking our fertilizers. But that has been passed over, and I do not want to consume time. However, I want the Senator prayerfully to consider this business of letting the farmers of the South and the West fare alike.

Mr. ALDRICH. My friend from South Carolina knows his persuasive influence over the committee, and especially over the chairman of the committee.

Mr. TILLMAN. The Senator and I have been very good personal friends, and I have made many appeals to him in matters of legislation; but his heart has grown flinty and he has turned that stony gaze on me which left not even a shadow of hope. So I am afraid, unless he will give me his promise; and if he will give me his promise, I will be satisfied, for he never breaks his word, so far as I ever heard.

Mr. ALDRICH. I promise the Senator now that the committee will give the matter careful consideration. If we have to do this at all, we want to do it in a manner that will enable us to go before the House conferees and say that we are going to stand by it.

Mr. TILLMAN. All you have got to do is to ask the Senate for a vote on it, and you will get a unanimous vote, except probably from one or two Senators, whose States are interested in the manufacture of bagging. There is nobody here much interested in keeping the duty on bagging except possibly three or four Senators.

The VICE-PRESIDENT. Is there objection to the paragraph being passed over? The Chair hears none. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 352, woven fabrics——

The VICE-PRESIDENT. The committee amendments to paragraph 352 have been agreed to. Without objection, the paragraph as amended is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 353.

The VICE-PRESIDENT. The committee amendment to paragraph 353 was agreed to on the first reading of the bill. Is there objection to agreeing to the paragraph as amended? The Chair hears none. The paragraph as amended is agreed to.

Mr. ALDRICH. Mr. President, before paragraph 355 is adopted, I offer an amendment on behalf of the committee as a substitute for that paragraph.

The VICE-PRESIDENT. Paragraphs 354 and 355 were both stricken out.

Mr. ALDRICH. I ask to reconsider the vote by which paragraphs 354 and 355 were stricken out; and I move to insert the substitute which I send to the desk.

The VICE-PRESIDENT. It is not necessary to reconsider. The Senator may simply move to insert.

Mr. ALDRICH. I call the attention of the Senator from Vermont to this amendment, as I think he is interested in it.

The VICE-PRESIDENT. The Senator from Rhode Island offers a new paragraph, to be known as paragraph 354, which will be stated.

The SECRETARY. It is proposed to insert in the bill, on page 124, a new paragraph, to be known as paragraph 354, as follows:

354. Istle or tampico, or mixtures thereof with other vegetable or animal fibers, when dressed, dyed, combed, treated, or manufactured in any manner, 35 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. That completes the paragraphs of Schedule J.

Mr. ALDRICH. I ask now that we go to Schedule N—Sundries.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island that the Senate now take up the consideration of Schedule N? The Chair hears none.

Mr. ALDRICH. It begins on page 167.

Mr. BACON. Am I to understand that the woolen schedule has been passed?

Mr. ALDRICH. Passed over.

Mr. BACON. Passed over. Very well.

The VICE-PRESIDENT. The Secretary will state the first amendment passed over in Schedule N.

The SECRETARY. Page 167, Schedule N—Sundries. The first paragraph passed over is paragraph 419, brushes, brooms, and feather dusters of all kinds, and hair pencils in quills or otherwise, 40 per cent ad. valorem.

Mr. ALDRICH. In paragraph 417 the committee have an amendment, after the word "beads," to insert the words "and spangles."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 417, on page 167, line 20, after the word "beads," it is proposed to insert "and spangles."

The amendment was agreed to.

Mr. ALDRICH. In line 21, I submit a verbal amendment to strike out the words "35 per cent ad valorem."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 167, line 21, paragraph 417, it is proposed to strike out the words "35 per cent ad valorem" and the semicolon.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. Mr. President, I do not understand the amendment. The Senator moves to strike out the words "35 per cent ad valorem."

Mr. LODGE. The amendment is to prevent a repetition. Those words are repeated. It does not affect the rate.

Mr. BACON. Very well.

Mr. ALDRICH. If the Senator from Georgia will look at the paragraph, he will see that that is a duplication.

Mr. BACON. I did not understand that the striking out was due to the fact that there was a duplication of language.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. LODGE. Mr. President, in paragraph 418, in line 10, I desire to offer an amendment.

The VICE-PRESIDENT. Paragraph 418 was agreed to. In the absence of objection, the paragraph will be considered as open to amendment.

Mr. LODGE. I have an amendment to offer to that paragraph. In line 10, after the word "rattan," I move to insert the words "real horsehair."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 168, paragraph 418, line 10, after the word "rattan" and the comma, it is proposed to insert the words "real horsehair."

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. Without objection, paragraph 419 is agreed to.

Mr. ALDRICH. Mr. President, before that is done, I will say that the Senator from Montana has some amendments to this paragraph, and the Senator from Indiana desires to have it go over.

Mr. KEAN. What paragraph is that?

Mr. ALDRICH. Paragraph 419. I ask that it be passed over.

The VICE-PRESIDENT. Without objection, paragraph 419 will again be passed over.

Mr. DOLLIVER. I desire to ask the chairman of the committee to explain the effect of the amendment in paragraph 418, which strikes out the words "if bleached, dyed, colored, or stained, 20 per cent ad valorem."

Mr. ALDRICH. What line is that?

Mr. DOLLIVER. Line 13.

Mr. KEAN. If the Senator will look at paragraph 455, he will see it is covered by that.

Mr. DOLLIVER. I do not know whether it is the intention of the committee to make this braid dutiable at 35 per cent, the same duty as hats.

Mr. KEAN. If the Senator will look at paragraph 455, he will see it is covered there.

Mr. DOLLIVER. To leave it dutiable at the same rate as the finished product, it seems to me a little out of the usual order.

Mr. ALDRICH. No; I think the Senator is mistaken about that. I think the first part of the paragraph applies to what he is talking about, at 15 per cent.

Mr. DOLLIVER. That applies to the material not bleached or dyed. You struck out the other. It would seem to leave that material dutiable at the same rate as hats. Braids, if not colored, are dutiable at 15 per cent. The words that were stricken out made them dutiable, if bleached or dyed, at 20 per cent; and the hats into which they are finally formed are made dutiable by the next clause, at 35 per cent. It struck me that it might be a bad thing to have the colored braid dutiable at the same rate as the finished product.

Mr. ALDRICH. I think the language as it was before these words were stricken out accomplished the same purpose. It provided for hats, bonnets, and hoods composed of straw, whether wholly or partly manufactured. I think that covers the suggestion made by the Senator from Iowa.

Mr. DOLLIVER. No; I think that would not apply to such braids. The Dingley law provided a special bracket for dyed and colored braids. I do not see why it should be omitted.

Mr. SMOOT. It carries now only 15 per cent instead of 20.

Mr. DOLLIVER. But that bracket distinctly describes braids not colored.

Mr. ALDRICH. I will ask that the amendment be disagreed to. I have no objection to a reconsideration of the motion by which the amendment was agreed to, and to having the amendment disagreed to.

The VICE-PRESIDENT. The Chair suggests that the Senator's face was turned away from the Chair, and the Chair could not understand what was said.

Mr. ALDRICH. It is in reference to the amendment in paragraph 418, lines 13 and 14. I ask that the vote by which the amendment was agreed to be reconsidered and that the amendment be disagreed to.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? The Chair hears none. Does the Senator from Rhode Island ask that the paragraph be passed over?

Mr. ALDRICH. No; I ask that it be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to. Paragraph 419 is passed over. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 424, page 170, coal.

Mr. BURTON. I ask that the paragraph be passed over. It is a highly important paragraph.

The VICE-PRESIDENT. Is there objection? The Chair hears none. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 427, at the bottom of page 171.

Mr. FLINT. In paragraph 423, line 6, on page 170, after the word "gross," I move to insert "snap fasteners, or clasps, or parts thereof, by whatever name known, 50 per cent ad valorem."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. Paragraph 422 was stricken out by vote of the Senate. The committee have a suggested substitute for that, in reference to button forms, and I call the attention of the Senator from New York to the amendment.

The SECRETARY. Insert in the bill a new paragraph, to be known as 422, as follows:

Button forms or covers for buttons, of whatever material composed, not exceeding 3 inches in any one dimension and fit only for buttons, 10 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 427, where the committee propose to strike out the paragraph in the bill and to insert a new paragraph, as follows:

427. Dolls, and parts of dolls, doll heads, toy marbles of whatever materials composed, and all other toys, and parts of toys, not composed of china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for in this section, 35 per cent ad valorem.

The amendment was agreed to.

Mr. ALDRICH. I should like to go back for a moment to paragraph 418. I move to strike out the words "not bleached, dyed, colored, or stained," in line 12, and leave all these braids, whether colored or stained or not, at 15 per cent ad valorem instead of 20.

The SECRETARY. On page 108, line 12, strike out the words "not bleached, dyed, colored, or stained."

The amendment was agreed to.

Mr. ALDRICH. And also strike out the words which were inserted a few moments ago by the Senate.

The SECRETARY. Agree to the amendment in lines 13 and 14, striking out certain words.

Mr. ALDRICH. So that it will read——

The SECRETARY. All these articles "suitable for making or ornamenting hats, bonnets, or hoods, 15 per cent ad valorem," without reference to whether they are colored or not.

Mr. BRISTOW. Mr. President, I could not understand that statement.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 108, paragraph 418, line 12, strike out the words "not bleached, dyed, colored, or stained." and the comma, and in lines 13 and 14 agree to the amendment, striking out certain words, as follows: "if bleached, dyed, colored, or stained, 20 per cent ad valorem."

Mr. CULLOM. Reducing it to 15 per cent on all of them.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will report the next paragraph passed over.

Mr. CULBERSON. Was paragraph 424 passed over?

Mr. ALDRICH. Yes; it was.

The VICE-PRESIDENT. It was. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 429. Firecrackers of all kinds.

Mr. OLIVER. I wish to ask what was done with 428.

The VICE-PRESIDENT. Four hundred and twenty-eight was agreed to on the first reading; it was not passed over.

Mr. ROOT. I have an amendment to 428 which was referred to the committee. I do not know whether the committee have considered it.

Mr. ALDRICH. No; I think the committee are not yet willing to adopt the amendment, but we will consider it.

Mr. ROOT. This paragraph is still open to amendment?

The PRESIDING OFFICER (Mr. KEAN in the chair). The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 429. The committee proposes to strike out the paragraph and to insert a new paragraph, as follows:

429. Fire crackers of all kinds, 8 cents per pound; bombs, rockets, Roman candles, and fireworks of all descriptions, not specially provided for in this section, 12 cents per pound; the weight on all the foregoing to include all coverings, wrappings, and packing material.

Mr. BACON. That raises the rate of the House, as I understand.

Mr. ALDRICH. It does on certain classes of fireworks.

Mr. LODGE. The higher classes.

Mr. ALDRICH. The higher classes.

Mr. BACON. I suppose there is a reason for it.

Mr. ALDRICH. A revenue reason.

Mr. BACON. Revenue?

Mr. ALDRICH. Yes; to increase the revenue.

Mr. BACON. I have not time to refer to the tables the committee has furnished us. I notice there is still a difference in the rate on the different classes of fireworks. I suppose the committee has, of course, been guided by some reason why that difference should be made. I should like to know what it is.

Mr. ALDRICH. The committee thought this a good subject for revenue. It is not a necessity in any part of the country that we know of, and we thought there could not be a better article upon which to raise some additional revenue.

Mr. BACON. I appreciate that reason very strongly, but the Senator did not answer the question which I propounded—that was, why there is a difference in the different classes of fireworks, one class being 8 cents and the other 12 cents.

Mr. ALDRICH. We have put the bombs and rockets and the higher class goods, which are much more expensive than firecrackers, at a higher rate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. Paragraph 433.

The PRESIDING OFFICER. The Chair understands that 433 was agreed to on the first reading, then it was afterwards passed over.

Mr. CUMMINS. What is the paragraph?

The PRESIDING OFFICER. Four hundred and thirty-three.

Mr. CUMMINS. I have an amendment I desire to offer to the paragraph. I called the attention of the committee to it. I understood it was agreeable to the committee. The amendment I ask is that, after the word "cartridges," in line 19, there be added the words "and cartridge shells, empty."

Mr. ALDRICH. I think there is no objection to that.

The PRESIDING OFFICER. Without objection, the motion by which the amendment was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CUMMINS. And there should also be stricken out the word "and," before the word "cartridges," in order to make the paragraph read as it should.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. BULKELEY. The amendment has been adopted, I suppose. I wish to suggest that the paragraph go over.

The PRESIDING OFFICER. The Senator from Connecticut asks that paragraph 433 go over. Is there objection?

Mr. ALDRICH. What is the request?

The PRESIDING OFFICER. That paragraph 433 go over.

Mr. CUMMINS. As I understand, the amendment I offered has been adopted.

The PRESIDING OFFICER. The Chair so understands.

Mr. ALDRICH. Is the request of the Senator from Connecticut that the paragraph be passed over?

Mr. BULKELEY. Yes. I withdraw it if the Senator——

Mr. ALDRICH. Has the Senator an amendment to this paragraph?

Mr. BULKELEY. I want to suggest a change of the rate from 30 to 35 per cent on safety fuses.

Mr. GALLINGER. The House bill was 35 per cent.

Mr. BULKELEY. I brought the matter to the attention of the committee some time ago. I do not know what consideration they have given it.

Mr. ALDRICH. I remember the Senator from Connecticut offered an amendment of that kind, and it has been somewhat considered by the committee, but we have not yet been able to agree to the amendment of the Senator from Connecticut.

Mr. BULKELEY. I have no objection to its being passed to-night. I will have an opportunity to examine it later.

Mr. PENROSE. I think it a good thing to have it go over, if the chairman does not object. However, I do not insist upon it.

Mr. ALDRICH. I think it had better go over until the Senator from Connecticut has an opportunity to present his views to the committee.

Mr. BULKELEY. I did not think we would get along so far with the schedules to-night.

The PRESIDING OFFICER. Without objection, the paragraph is passed over.

Mr. LODGE. I desire to offer an amendment to paragraph 432. In line 14, page 173, I move to insert "wax and fancy matches and papers, 35 per cent ad valorem."

The amendment was agreed to.

The paragraph as amended was agreed to.

The SECRETARY. Page 174, paragraph 435——

Mr. ALDRICH. In 434 I have an amendment. At the end of the paragraph I move to insert:

Bed feathers, raw, not manufactured, dusted, or cleaned by machinery or advanced from the crude condition, 10 per cent ad valorem.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 435 as amended, after the word "crosses" in the seventh line, I move to insert "except such as are composed of dog, goat, and sheep skin, temporarily sewed together."

Mr. BACON. I should like to inquire of the Senator if that operates to put that class of furs in the basket clause?

Mr. ALDRICH. No.

Mr. BACON. By excluding it in this clause?

Mr. ALDRICH. No; it puts them at 20 per cent ad valorem, I think.

Mr. SMOOT. It simply means this, that from China they import dogskins, sewed together, just in a blanket, and under the paragraph as it is now they would come in as manufactured articles or partially manufactured articles. This takes the goatskins and dogskins and puts them in the same rate as if they were not sewed together.

Mr. ALDRICH. It makes the duty 20 per cent instead of 35 per cent.

Mr. BACON. I quite agree with the purpose. I wanted to know how it was affected. To what clause is that class of goods transferred—another paragraph?

Mr. ALDRICH. The third line of this paragraph, at 20 per cent.

Mr. BACON. It puts them in that clause?

Mr. ALDRICH. Yes.

Mr. CLAY. I ask the Senator what is the rate on the articles that I will mention now:

Articles of wearing apparel of every description, partly or wholly manufactured, composed of or of which fur is the component material of chief value, but not in part of wool, 50 per cent ad valorem.

Is not the present rate 35 per cent ad valorem?

Mr. ALDRICH. It is, I think.

Mr. CLAY. It is an increase from 35 to 50 per cent. There ought to be some reason for it.

Mr. ALDRICH. They are articles of revenue, pure and simple. They are luxuries. Ordinary people do not wear them, and we could see no good reason why people who want to buy these high-class furs should not pay a reasonable duty on them. It is a revenue measure.

Mr. DOLLIVER. I desire to strike out——

The VICE-PRESIDENT. One amendment is pending which the Secretary has not yet reported. The Secretary will state it.

The SECRETARY. On page 175, in the proposed committee amendment, at the end of line 7, after the word "crosses" and the comma, insert "except such as are composed of dog, goat, or sheep skin temporarily sewed together."

The VICE-PRESIDENT. Does the Senator from Iowa desire to offer an amendment to the amendment?

Mr. DOLLIVER. I desire to move to strike out, in line 11, the words——

The VICE-PRESIDENT. Let us dispose of this amendment, and then we will dispose of the Senator's amendment. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

Mr. DOLLIVER. I desire to move to strike out, in line 11, the words "but not in part of wool."

I should say I do that because, in very many of these fur garments there appears in some portion of them, either in the lining, in the buttons, or elsewhere, wool.

Mr. ALDRICH. The words are unnecessary. They are taken care of by other provisions in the bill, and I do not object to the suggestion of the Senator from Iowa.

Mr. DOLLIVER. I was going to say that a garment already dutiable at 50 per cent, which I do not object to, by being carried over into the wearing-apparel wool clause, would be dutiable at 44 cents a pound and 60 per cent, which in many cases would be very exorbitant.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 175, in the committee amendment, line 11, strike out the words "but not in part of wool" and the comma.

Mr. ALDRICH. I accept the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 442, page 176. The committee propose to strike out the paragraph as printed in the bill and to insert in lieu thereof the following:

442. Hats, bonnets, or hoods, for men's, women's, boys' or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than $5 per dozen, $1.25 per dozen; valued at more than $5 per dozen and not more than $10 per dozen, $2.25 per dozen; valued at more than $10 per dozen and not more than $20 per dozen, $4 per dozen; valued at more than $20 per dozen, $5.50 per dozen; and in addition thereto on all the foregoing, 15 per cent ad valorem.

Mr. BRANDEGEE. Mr. President, I had no idea that this paragraph would be reached this evening. I do not think it can be acted upon this evening. I suggest that it be passed over.

The VICE-PRESIDENT. The Senator from Connecticut asks unanimous consent to pass over paragraph 442. Is there objection? The Chair hears none. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 448, at the bottom of page 178.

The VICE-PRESIDENT. The Secretary will report the first amendment in the paragraph.

The SECRETARY. After the word "band," in line 25, insert "bend."

Mr. ROOT. I desire to ask what was done with paragraph 445?

The VICE-PRESIDENT. Paragraph 445 was agreed to on the first reading of the bill. It was not passed over.

Mr. ALDRICH. In accordance with a previous notice, I offer a substitute for paragraph 444, fixing specific duties on jewelry, instead of the ad valorem.

The VICE-PRESIDENT. The Senator from Rhode Island offers a committee amendment to paragraph 444, which the Secretary will state.

The SECRETARY. It is proposed to strike out all of paragraph 444, as printed in the bill, and to insert:

444. Chains, pins, collar, cuff, and dress buttons, charms, combs, millinery and military ornaments, together with all other articles of every description, finished or partly finished, if set with imitation precious stones composed of glass or paste (except imitation jet), or composed wholly or in chief value of silver, German silver, white metal, brass, or gun metal, whether or not enameled, washed, covered, plated, or alloyed with gold, silver, or nickel, and designed to be worn on apparel or carried on or about or attached to the person, valued at 20 cents per dozen pieces, 1 cent each, and in addition thereto three-fifths of 1 cent per dozen for each 1 cent the value exceeds 20 cents per dozen; all stampings and materials of metal (except iron or steel), or of metal set with glass or paste, finished or partly finished, suitable for use in the manufacture of any of the foregoing articles (except chain valued at less than 30 cents per yard, other than nickel or nickel-plated chain), valued at 72 cents per gross, 3 cents per dozen pieces and in addition thereto one-half of 1 cent per gross for each 1 cent the value exceeds 72 cents per gross; rope, curb, cable, and other fancy patterns of chain, without bar, swivel, snap, or ring, composed of rolled gold plate or of silver, German silver, white metal, or brass, not exceeding one-half of 1 inch in diameter, breadth, or thickness, valued at 30 cents per yard, 6 cents per foot and in addition thereto three-fifths of 1 cent per yard for each 1 cent the value exceeds 30 cents per yard; finished or unfinished bags, purses, and other articles, or parts thereof, made in chief value of metal mesh composed of silver, German silver, or white metal, valued at $2 per dozen pieces, 10 cents per piece and in addition thereto three-fifths of 1 cent per dozen pieces for each 1 cent the value exceeds $2 per dozen; all of the foregoing, whether known as jewelry or otherwise and whether or not denominatively or otherwise provided for in any other paragraph of this act, 25 per cent ad valorem in addition to the specific rate or rates of duty herein provided; all articles commonly or commercially known as jewelry or parts thereof, finished or unfinished, including chain, mesh, and mesh bags and purses composed of gold or platinum, whether set or not set with diamonds, pearls, cameos, coral, or other precious or semiprecious stones, or imitations thereof, 60 per cent ad valorem.

Mr. CULBERSON. That is a proposed amendment to paragraph 444?

Mr. ALDRICH. Yes. It imposes specific duties upon jewelry instead of ad valorem. It is a provision that has been agreed to by everybody concerned, the importers and manufacturers and everybody else, with a view of getting some definite duties upon jewelry. It is largely for the purpose also of increasing the revenue. I have no doubt that it will largely increase the revenue if we adopt it.

Mr. CULBERSON. This is one of those cases where the amendment changes the paragraph so completely, adding so much to it, changing the system of taxation from the ad valorem to the specific, that it occurs to me it ought to be printed and lie over.

Mr. ALDRICH. I will say to the Senator that it can be agreed to now, and I will consent to return to it if the Senator finds any occasion to criticise it, or it can be taken up in the Senate. I think there can be no objection to it.

Mr. CULBERSON. I may not have any particular objection to it; but a number of Senators are not here to-night. I would be glad to have the amendment printed.

Mr. ALDRICH. If, I will say to the Senator from Texas, he should desire to have it reconsidered, there will be no objection. I desire to go on as far as I can, as the Senator knows, with the bill.

Mr. CULBERSON. I understand that, and I am not making any opposition to that.

Mr. ALDRICH. It is a pure revenue measure upon the article of jewelry, which ought to pay a high duty, if anything does. If the Senator will permit it to be agreed to, and if any Senator wants to have it reconsidered, it can be reconsidered.

Mr. CULBERSON. Of course I will not ask the Senator to explain it. I doubt whether that could be done without a critical comparison. But I will ask him in what material respect the proposed amendment differs from paragraph 444?

Mr. ALDRICH. It is intended to be the same as the paragraph except upon some kinds of jewelry that are imported under general provisions at a much lower rate than they ought to pay.

In some of those cases there would be a slight increase, but not in many cases. It is the expectation of the committee that it will yield a considerably larger revenue than the present law because it will prevent undervaluation.

Mr. CULBERSON. I notice that the paragraph already carries a tax of 60 per cent ad valorem.

Mr. ALDRICH. Most of the articles are 60 per cent under the bill. It is only certain articles that are undervalued constantly. All parts of the trade have agreed to this amendment as being a proper distribution of the rates.

Mr. CULBERSON. With the understanding that this matter may be reconsidered after it appears in print, if any Senator desires to have it done, I will not insist upon its being printed and go over, but I respectfully submit that an amendment of this importance and of this length, which changes the original paragraph, ought really to be printed before it is adopted so that the Senate can examine it.

Mr. ALDRICH. I gave notice twice that the committee would have an amendment to propose to this amendment. I ask that it may be agreed to, and if there is any objection to it hereafter it can be reconsidered.

Mr. ROOT. May I ask if the amendment makes provision for semiprecious stones cut, but not set?

Mr. ALDRICH. That comes in the next paragraph. The Senator from New York has an amendment to offer to that paragraph.

Mr. ROOT. I have an amendment to offer to paragraph 445.

Mr. ALDRICH. That is the next paragraph. I ask that this amendment may be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended is agreed to, without objection.

Mr. LODGE. Paragraph 445——

The VICE-PRESIDENT. That paragraph was agreed to on the first reading.

Mr. LODGE. I desire to return to that paragraph for a moment.

Mr. ALDRICH. The Senator from New York has an amendment to offer to this paragraph.

Mr. LODGE. I wish to perfect certain omissions in it.

Mr. FLINT. I think the amendment of the Senator from New York will cover the whole paragraph.

Mr. CULBERSON. On paragraph 444 the Chair inadvertently stated, I think, that that paragraph was agreed to without objection. Some of us on this side object to it.

Mr. ALDRICH. I think the Chair had better put the vote. I think he did put it.

The VICE-PRESIDENT. The Chair did put the vote, but the amendment having been agreed to, the Chair then said, "Without objection, the paragraph is agreed to as amended."

Mr. CULBERSON. The proposition I submit is that some of us voted against it, and some of us, at least, did not intend to agree that it should be adopted without objection.

The VICE-PRESIDENT. On the second vote the Chair put it by unanimous consent, as it was simply a repetition of the vote which had been taken. The motion was to substitute a new paragraph for paragraph 444. That was voted on, and having been agreed to, the Chair stated that, without objection, the paragraph as amended would be agreed to.

Mr. CULBERSON. That is the point. The Chair stated that the paragraph would be agreed to without objection, whereas we did object on this side, and we do object to the paragraph.

Mr. ALDRICH. I ask that the question be put to the Senate over again.

The VICE-PRESIDENT. The Chair understands that the Senator from Texas desires the Chair to put the vote on the paragraph the second time.

Mr. ALDRICH. Upon agreeing to the paragraph as amended.

Mr. CULBERSON. I do not know that it ought to have been put the second time at all.

The VICE-PRESIDENT. The Chair was very much in doubt whether there was any necessity for putting it, but, as a matter of form, he did put it.

Mr. CULBERSON. The proposition of the committee was to substitute the proposed matter for the whole paragraph?

The VICE-PRESIDENT. That was the amendment.

Mr. CULBERSON. Upon that some of us voted "no."

The VICE-PRESIDENT. Certainly.

Mr. CULBERSON. The RECORD will show, I think, that the Chair then said the paragraph would be agreed to, without objection. That is the point in the matter. If the vote is put each time, and it is announced carried or lost, there will be no necessity of stating that the paragraph was agreed to without objection.

The VICE-PRESIDENT. The Chair, then, will put the question the second time. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Senator from New York [Mr. ROOT] offers an amendment to paragraph 445.

Mr. ROOT. I wish to offer an amendment to paragraph 445.

Mr. ALDRICH. I ask that the amendment may be stated.

The VICE-PRESIDENT. The House language was stricken out and the Senate committee language inserted in its stead. Now the proposition is to amend the Senate language, the Chair understands.

Mr. LODGE. By substituting certain matter.

The VICE-PRESIDENT. By substituting certain matter therefor. The amendment striking out and inserting having been agreed to, it seems to the Chair that the Senate must now reconsider the vote and perfect the paragraph and then readopt it.

Mr. ALDRICH. I ask that it be reconsidered.

The VICE-PRESIDENT. Without objection, the vote will be reconsidered. The Secretary will restate the amendment of the Senator from New York.

The SECRETARY. In line 8, page 178, after the words "precious stones," insert "valued at more than 50 cents per carat;" and in line 9, after the words "ad valorem," insert "precious and semiprecious stones valued at 50 cents per carat or less, and all," so as to make the paragraph read:

445. Pearls and parts thereof, drilled or undrilled, but not set or strung, except in bunches for transportation only, 10 per cent ad valorem; diamonds and bort, coral, rubies, cameos, and other precious stones and semiprecious stones, valued at more than 50 cents per carat, cut but not set, and suitable for use in the manufacture of jewelry, 10 per cent ad valorem; precious and semiprecious stones valued at 50 cents or less per carat, and all imitation precious and semiprecious stones and imitation pearls, not beads, for use in the manufacture of jewelry, doublets, artificial or so-called "synthetic or reconstructed" rubies or other precious stones, 20 per cent ad valorem.

Mr. ALDRICH. I can not consent to the provision "50 cents per carat." I will have to understand what that is. I am willing that the amendment shall be printed and go to the committee, but I do not now understand what the effect of it will be.

Mr. ROOT. I will say that the object of the amendment is to differentiate between the cut precious stones and the semiprecious stones. The 10 per cent duty on cut diamonds, rubies, and other precious stones is sufficient protection for the lapidaries in America, because of the high value of the really precious stones, but the semiprecious stones are of very low value, and the 10 per cent given upon cut semiprecious stones is no protection at all.

Mr. ALDRICH. I suggest that the Senator offer his amendment to be printed and we will take up the paragraph. As at present advised, I could not consent to it.

Mr. ROOT. Very well.

The VICE-PRESIDENT. Without objection, the amendment will be printed and lie on the table, and the paragraph will be passed over.

Mr. LODGE. Before the paragraph is passed over, I should like to call the attention of the chairman of the committee to an amendment which I think is necessary in order to perfect it. After the word "stone," in line 10, I move to insert a comma, and the words "including pearls or parts thereof," and in line 12, after "pearls," to insert "or parts thereof."

Mr. ALDRICH. There is no objection to that amendment.

Mr. LODGE. It is simply to perfect the paragraph.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Massachusetts.

The SECRETARY. On page 178, line 10, in paragraph 445, after the word "stones" insert "including pearls and parts thereof," and in line 12, after the word "pearls" insert the words "and parts thereof."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. Paragraph 448 will have to be passed over until after we decide upon the duty on hides.

Mr. BACON. I understand that the former action of the Senate has been reconsidered and that paragraph 445 is now open to amendment generally.

Mr. ALDRICH. Yes.

Mr. BACON. I have some amendments that I propose to offer to the paragraph, probably not to-night, if it is going over; but I desire to ask some information of the committee. I notice that paragraph 445, if I read it correctly, refers only to pearls and diamonds which are unset. I will ask the chairman of the committee in what paragraph is there provision made for those which are set?

Mr. ALDRICH. In the jewelry paragraph, at 60 per cent ad valorem.

Mr. BACON. Is that the paragraph to which the Senator has just offered the amendment?

Mr. ALDRICH. Yes. It retains, though, on articles of that kind the same rate which they now bear—60 per cent ad valorem.

Mr. BACON. Very well. That is the information I wish. The paragraph which was adopted, which the Senator consented might be reconsidered, embraces the provision relative to set pearls and set diamonds?

Mr. ALDRICH. Yes; all precious stones that are set in the form of jewels would have to pay that rate.

Mr. BACON. They are in the paragraph that has been adopted?

Mr. ALDRICH. They are.

Mr. BACON. That was the reason why I asked the question. I intend to offer some amendments to the rates provided for in paragraph 445.

Now, one other question, if I may be pardoned. I understand that uncut diamonds are on the free list. Am I correct in that?

Mr. ALDRICH. Uncut diamonds are on the free list. Cut diamonds are at 10 per cent ad valorem.

Mr. BACON. I intend to offer an amendment increasing the rate on unset diamonds from 20 to 25 per cent, and I am also going to offer an amendment proposing a duty on uncut diamonds. I will not do so now, however, as I understand the paragraph is to go over.

The VICE-PRESIDENT. With the amendment offered by the Senator from New York pending, the paragraph is passed over.

Mr. SCOTT. May I ask the chairman of the committee if the next paragraph can not go over?

Mr. ALDRICH. Paragraph 448 will have to go over until we decide about the duty on hides.

Mr. SCOTT. That is what I thought.

The VICE-PRESIDENT. Without objection, paragraph 448 is passed over. The Secretary will read the next paragraph passed over.

The SECRETARY. Paragraph 450——

Mr. ALDRICH. In paragraph 450a, I move to strike out, in line 5, the word "seventy-five" and insert "twenty-five," so as to read "one dollar and twenty-five cents."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 181, line 5, in the proposed committee amendment, strike out "seventy-five" and insert "twenty-five," so as to read:

Women's or children's "glace" finish, Schmaschen (of sheep origin), not over 14 inches in length, $1.25 per dozen pairs.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. CULBERSON. Was paragraph 450 passed over?

Mr. ALDRICH. Paragraph 450a is the one I move to amend.

Mr. CULBERSON. Has paragraph 450 been adopted?

Mr. ALDRICH. That is only a preliminary paragraph, the Senator will see. There are no rates in it.

Mr. BACON. All those paragraphs were passed over on the former reading without action?

Mr. ALDRICH. Paragraph 450a and following are the paragraphs of existing law. I now suggest to reduce the rates on the common gloves from $1.75 to $1.25 a dozen.

Mr. BACON. We, of course, did not anticipate that this schedule would be reached to-night. We were on the cotton schedule this afternoon. At my request, all these paragraphs were passed over at the former reading. It would hardly be competent for us to pass upon the suggestion of the Senator from Rhode Island now in making amendments which he has doubtless well considered, but which we have had no opportunity to examine.

Mr. ALDRICH. I have stated—the Senator, perhaps, did not catch my remark—that this paragraph 450a and the following paragraphs imposing duties on gloves are precisely the present rates. The House bill provided for quite an increase of the duty on women's gloves. The Senate committee have not reported favorably upon that amendment, but are keeping the present law; however, my present proposition is to reduce below the present law the duty on common gloves from $1.75 to $1.25 a dozen.

Mr. CULBERSON. Let me see if I understand it. The House committee and the House itself, I understand, passed the bill greatly increasing the duty on women's and children's gloves and also on men's gloves. If I may have the attention of the Senator from Rhode Island, I am trying to see if I understand this matter. The House committee and the House itself proposed an increase over the Dingley rates on gloves.

Mr. ALDRICH. On women's gloves.

Mr. CULBERSON. On women's gloves.

Mr. ALDRICH. Leaving the duty on men's gloves.

Mr. CULBERSON. The Senate committee reported favorably an amendment striking out the House provision and restoring the Dingley rate on women's gloves.

Mr. ALDRICH. That is correct.

Mr. CULBERSON. And now I understand the Senator from Rhode Island to propose an amendment still further reducing the present rate.

Mr. ALDRICH. The Senator from Texas is correct.

Mr. CLAY. Simply on one item.

Mr. ALDRICH. On one item, on common gloves.

Mr. CLAY. In other words, the Dingley law on all classes of women's gloves will stand just as it is now, with the exception of gloves at $1.75 per dozen.

Mr. ALDRICH. Not costing $1.75, but the duty of $1.75 a dozen.

Mr. CLAY. I mean where the tariff is fixed at $1.75, you have fixed it at $1.25.

Mr. ALDRICH. That is right.

Mr. BEVERIDGE. The Senator from Rhode Island proposes to reduce it 50 cents.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. To what particular paragraph does it relate?

Mr. ALDRICH. Paragraph 458a.

Mr. BACON. There are three or four paragraphs here. I really think we ought to see the amendment and be able to compare it with the text.

Mr. ALDRICH. I suggest that the Senator would not want to see that amendment, because it is very simple. In line 5, page 181, I move to strike out "seventy-five" and insert "twenty-five" before cents.

Mr. BACON. There is no objection to that, of course.

Mr. ALDRICH. That seems perfectly plain to me.

Mr. BACON. Is that the only amendment offered to any of these paragraphs?

Mr. ALDRICH. That is the only amendment offered by the committee to the schedule as reported by them.

Mr. BACON. I notice that paragraphs 450a, b, c, d, and e are all of them amendments to the House bill.

Mr. ALDRICH. They are amendments substituting the existing law for the House provisions.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Rhode Island to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. ALDRICH. I ask that all the paragraphs from 450, 450a, 450b, 450c, 450d, and 450e may be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee inserting paragraph 450a as amended.

Mr. CULBERSON. I ask the Senator, in the first place, why is not a reduction made in paragraphs 450b, 450c, 450d, and 450e, as well as in 450a?

Mr. ALDRICH. Because they apply to a different class of gloves, a higher class of gloves, upon which no reduction, in the opinion of the committee, should be made. These are the ordinary gloves, cheaper gloves.

Mr. CULBERSON. I understand that. I wanted the RECORD to show upon what basis the committee are acting.

Mr. ALDRICH. They are acting precisely upon the basis that a reduction might be made on these cheaper grades of gloves; and, in the opinion of the committee, no reduction can be made safely upon the other grades.

Mr. CULBERSON. I will ask the Senator, Is there any proposed reduction of the Dingley rates in men's gloves?

Mr. ALDRICH. No; men's gloves are very low under the Dingley rate. Those are the gloves on which the glove manufacturers think the rates should be largely increased, and they were increased by the Ways and Means Committee and by the House.

Mr. CULBERSON. At any rate, there is no proposed reduction?

Mr. ALDRICH. There is no proposed reduction further than that.

Mr. RAYNER. Mr. President, I want to ask if paragraph 339, which seems to be a very important amendment, was adopted?

The Senator from Maine [Mr. HALE] introduced an amendment. It is a very important amendment. It seems to have been adopted in a hurry without any debate. I should like to have that paragraph considered.

Mr. ALDRICH. If the Senator from Maryland, upon investigation, thinks he would like to move an amendment, I will see that he has the right to move any suggested amendment he sees fit.

Mr. RAYNER. Before the bill goes into the Senate?

Mr. ALDRICH. Before it goes into the Senate.

Mr. RAYNER. The Senator from Maine says it does not raise the duty upon the lower class of mats, and of course I take his statement. But it seems to me that the amendment is a little complicated; we can not work it out very well. It has never been printed and has never been explained by anyone. I should like to have an opportunity to examine it.

Mr. HALE. I said to the Senator, and also to the Senator from Florida, that as far as I am concerned I would look the matter over, and if there should be some amendment to the amendment necessary to protect the lower classes of matting, I would have no objection to it; that I did not seek to reach them at all. So far as I am concerned—and I think I can say for the committee—there will be that opportunity at any time after looking it over. I wish the Senator himself and the Senator from Florida would look it over, to see if they believe there is anything that infringes upon the use of the cheaper kinds of matting.

The VICE-PRESIDENT. The question is on agreeing to paragraph 450a as amended.

Mr. BACON. Mr. President, I do not desire to retard the progress of the consideration of the bill or its disposition, but, as I said, it is altogether without anticipation on our part that this glove matter would be reached to-night. It was passed over before in order that we might look into it a little. I do not know that there is any amendment to be offered, but I would be very glad if the Senator would let those paragraphs go over until to-morrow, the amendment proposed having already been adopted. It may not need any further action; I do not know.

Mr. ALDRICH. I will ask the Senator to allow the paragraph to be agreed to with the same understanding that we had with reference to the other paragraphs.

Mr. BACON. To be reconsidered if any Senator wishes a reconsideration?

Mr. ALDRICH. To have it reconsidered if any Senator wishes it.

Mr. BACON. Very well.

The VICE-PRESIDENT. The Chair understands the motion of the Senator from Rhode Island is to strike out paragraph 450 as passed by the House and to insert paragraphs 450, 450a, 450b, 450c, 450d, and 450e.

Mr. ALDRICH. That is right.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. ALDRICH. I ask that the paragraphs as amended be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the paragraphs as amended.

The paragraphs as amended were agreed to.

Mr. ALDRICH. I ask that the same action be taken in regard to paragraph 451, that paragraph 451 as reported by the committee be substituted for paragraph 451 in the House text.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 182, strike out paragraph 451, as printed in the House bill, and insert a new paragraph 451, as follows:

451. In addition to the foregoing rates there shall be paid the following cumulative duties: On all leather gloves, when lined, $1 per dozen pairs; on all pique or prix seam gloves, 40 cents per dozen pairs; on all gloves stitched or embroidered, with more than 3 single strands or cords, 40 cents per dozen pairs.

Mr. BACON. If I understand correctly, by the use of the term "cumulative" is meant that those are duties imposed in addition to the duty which would have been due if those particular features were not found in these gloves.

Mr. ALDRICH. That is right; and that is the existing law. It is the precise terms of the existing law.

Mr. BACON. I simply wish to suggest, if that is really a part of the same subject, that the Senator will consent that we may have the same privilege with reference to paragraph 451.

Mr. ALDRICH. Undoubtedly.

Mr. BACON. That is the same as in the case of the preceding paragraph?

Mr. ALDRICH. Undoubtedly.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be read.

The SECRETARY. On page 183, paragraph 453——

Mr. LODGE. Let that go over. That is a part of the leather question.

The VICE-PRESIDENT. The Senator from Massachusetts asks that the paragraph be passed over. Is there objection? The Chair hears none. The Secretary will read the next paragraph passed over.

The Secretary read as follows:

462. Paintings in oil or water colors, pastels, pen and ink drawings, and sculptures, not specially provided for in this section, 15 per cent ad valorem; but the term "sculptures" as used in this act shall be understood to include only such as are cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as are the professional production of a sculptor only, and the term "painting" as used in this act shall be understood not to include such as are made wholly or in part by stenciling or other mechanical process.

Mr. LODGE. In paragraph 455 there is a committee amendment. In line 23, after the word "horn," I move to insert the word "quills."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 183, line 23, paragraph 455, after the word "horn" and the comma, insert the word "quills" and a comma.

The amendment was agreed to.

Mr. PENROSE. At the end of the same paragraph, after the word "thereof," in line 4, page 184, I move to insert:

Combs composed wholly of horn, or composed of horn and metal, 50 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

The amendment was agreed to.

Mr. ROOT. Mr. President, there is a question that has been somewhat discussed in conversation with members of the committee, in regard to reclaimed rubber. I understand it is understood that that is to go over.

Mr. ALDRICH. There are two different contending interests on that subject, I think. One wants it on the free list and the other wants a duty on it. I will say that the committee will try and adjust those differences, if they can, and report an amendment later.

Mr. PENROSE. I understand that on the subject of reclaimed rubber the trade is getting together, and an important communication will be sent to each Member of the Senate setting forth the views about that item.

Mr. ROOT. All that I wished was that the paragraph should be kept open.

Mr. ALDRICH. If the committee are able to reach an agreement, I will see that the amendment is offered.

Mr. BEVERIDGE. May I ask the Senator from Pennsylvania whether I understood him correctly when I understood him to say that the Senate would receive a communication setting forth the views of both sides?

Mr. PENROSE. I understand that almost everybody in this business will send a communication within the next day or so to each Member of the Senate, declaring in favor of having reclaimed rubber on the free list.

Mr. BEVERIDGE. All interests agree to it.

Mr. DICK. Mr. President——

Mr. PENROSE. I think there is one exception. It may be that the Senator from Ohio will speak for that.

Mr. BULKELEY. Mr. President, I offered a day or two ago an amendment, which I think might meet the views of a large part of those engaged in this line of business, to put this article on the free list with crude rubber.

The VICE-PRESIDENT. Paragraph 455 has not yet been agreed to as amended. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. There is nothing pending in reference to paragraph 456. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 462, paintings in oil or water colors, and so forth.

Mr. DICK. Mr. President, do I understand that the suggestion of the chairman of the Committee on Finance would permit further discussion and consideration of the pending amendments placing the article of rubber on the free list or the dutiable list, as the case may be, and that the matter goes over for further consideration?

Mr. ALDRICH. It is with a view that the committee will try, if possible, to readjust the complex views.

The VICE-PRESIDENT. That matter has not been put to the Senate. The Chair did not understand that such a request had been made.

Mr. ALDRICH. I do not ask that anything be passed over. I am simply suggesting that the committee will report some amendments to this rubber provision.

Mr. DICK. Very well.

The VICE-PRESIDENT. In paragraph 462, the Secretary will report the first committee amendment.

The SECRETARY. The Committee on Finance propose to amend paragraph 462, on page 185, in line 7, after the word "and," to strike out "statuary" and insert "sculpture;" in line 8, before the words "per centum," to strike out "twenty" and insert "fifteen;" in line 9, after the word "term," to strike out "statuary" and insert "sculptures;" in line 11, after the word "such," to strike out "statuary as is" and insert "as are;" and in line 13, after the word "as," to strike out "is" and insert "are," so as to read:

462. Paintings in oil or water colors, pastels, pen and ink drawings, and sculptures, not specially provided for in this section, 15 per cent ad valorem; but the term "sculptures" as used in this act shall be understood to include only such as are cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as are the professional.

The amendment was agreed to.

Mr. LODGE. In line 13, after the word "metal," I move to insert the words "except articles in whole or in part molded or cast in metal."

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 185, in line 13, after the word "metal," it is proposed to insert "except articles in whole or in part molded or cast in metal."

Mr. BACON. What is that amendment, Mr. President?

The VICE-PRESIDENT. The Secretary will again state the amendment.

Mr. BACON. No; I should like the Senator from Massachusetts to explain it.

Mr. LODGE. It is simply to exclude the bringing in of castings under this paragraph of articles of metal cast and molded. It is simply to try to make the paragraph cover works of art, which it is intended to cover, and no other articles.

Mr. BACON. I beg the Senator's pardon, but I did not understand him. Does the Senator's amendment refer to all castings—bronzes, for instance?

Mr. LODGE. Anything that is——

Mr. ALDRICH. Anything not a work of art.

Mr. BACON. "Not a work of art?" I did not catch that.

Mr. ALDRICH. Not a work of art.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. BACON. Mr. President, I should like to ask the Senator from Massachusetts how far-reaching that amendment is? I ask him for information and not for controversy.

Mr. ALDRICH. Anything which is a work of art would be admitted at 15 per cent. If it was not a work of art, it would come in at whatever rate the metal would bear, whether it was a casting or whatever form it was in.

Mr. BACON. Whatever rate the metal would bear?

Mr. ALDRICH. Yes.

Mr. LODGE. It would come in under manufactures of metal.

Mr. BACON. Under manufactures of metal?

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from New York?

Mr. ALDRICH. I do.

Mr. ROOT. Would not all bronzes be cast?

Mr. ALDRICH. They might be, yes; but if it was a work by sculptors it would come in under other provisions free; if it was the work of American artists; or, under this provision, at 15 per cent ad valorem.

Mr. ROOT. I am entirely in sympathy with this amendment and with the cause of the amendment; but I should not want to have any more lead brought in as statues. We once had that done.

Mr. ALDRICH. This would exclude that, of course.

Mr. ROOT. But I should be a little afraid that this would exclude all bronzes.

Mr. ALDRICH. We will look at the amendment and see.

Mr. LODGE. We might withdraw the amendment.

Mr. ALDRICH. I think perhaps it would be safer to withdraw the amendment.

Mr. LODGE. I think it would be better to withdraw the amendment and let the matter be considered further, because there is no desire to exclude anything in that amendment, except ordinary articles of commerce, which ought to come in as manufactures of metal.

The VICE-PRESIDENT. Without objection, the amendment will be withdrawn. The Chair hears no objection.

Mr. NELSON. Mr. President, I want to inquire whether the proviso at the end of that paragraph has been stricken out?

Mr. LODGE. It has been stricken out, and is provided for on the free list.

Mr. ALDRICH. It is provided for in another place.

Mr. LODGE. It is the same thing as in the free list.

The VICE-PRESIDENT. The Chair begs to inform the Senator from Massachusetts that he is in error. The proviso has not yet been acted upon. The Secretary will state the next amendment.

The SECRETARY. The next amendment is in line 14——

Mr. HEYBURN. Before leaving paragraph 462——

The VICE-PRESIDENT. The Chair was having an amendment to the paragraph stated.

Mr. HEYBURN. Before leaving that paragraph, I desire to inquire of the committee whether the language there was broad enough to cover, or rather whether it would include in the castings the artist's work which must be sent to Italy for the purpose of selecting the marble from which it is ultimately to be made, and then returned to this country?

Mr. LODGE. The work of American artists comes in free. There is a different paragraph covering that further on in the bill.

Mr. ALDRICH. It is on the free list.

Mr. LODGE. That is on the free list. It is entirely covered in that.

The VICE-PRESIDENT. The Secretary will state the next committee amendment.

The SECRETARY. In paragraph 462, page 185, line 14, before the word "sculptor," the Committee on Finance propose to strike out the words "statuary or."

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment proposed by the committee will be stated.

The SECRETARY. On page 185, line 17, after the word "process," it is proposed to strike out the proviso, as follows:

Provided, That any of the foregoing which are proved to the satisfaction of the Secretary of the Treasury, under rules prescribed by him, to have been in existence more than twenty years prior to their importation shall be admitted free of duty.

Mr. BACON. Possibly it might be well to determine the question as to whether or not this proposed change is to be made in the law. It is true that the question may come up when we come to consider the free list, but it seems to me, if there is to be any controversy upon the action of the Senate as to this particular amendment, it might as well be postponed until that time. Of course I am very frank to confess that I should desire to learn from the committee how serious this question may be in its results. I do not insist upon taking it up now.

Mr. LODGE. I can explain it.

Mr. BACON. I think I understand that the purpose of it is that all these works of art which have been in existence prior to a certain time shall be admitted free. I know that is the purpose, but as to how far-reaching it may be, how far it will affect the revenue, I think is important to be known. I know that while it is considered somewhat heretical for one to object to anything of this kind, we, at least, ought to be well informed as to what we are doing before we commit ourselves to the proposition.

Mr. LODGE. Mr. President, the law now places a duty of 20 per cent ad valorem on all works of art which are included in this paragraph—paintings and sculptures. That is the present law. The House sent over this paragraph placing a duty of 20 per cent on paintings and sculptures less than twenty years old. By their proviso they make paintings and sculptures more than twenty years old free. The Senate adopted that provision of the House, and added to it an extension to other works of art more

than a century old. It was the opinion of the committee that it was better legislation to put them on the free list. The clause as it now stands imposes a 15 per cent duty on paintings and sculptures less than twenty years old. That will be the result if the amendment, including the paragraphs in the free list, are adopted.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. LODGE. I do.

Mr. CULBERSON. Has the Senator such information as to be able to say what value in property will come into the United States free of duty under this paragraph, if adopted and on the free list?

Mr. LODGE. I think the paragraph in the free list has been drawn with great care. It represents a great deal of labor, consideration, and work. I think it is carefully guarded against fraud, and that the definitions, which it has been always very difficult to get, are accurate and will be sufficient. I can tell by looking what the revenue was under this clause. Of course the Senator understands that this is the old question of free art, which has been contested in every tariff bill since I have known anything about it, and which was adopted in the Wilson law. The Dingley tariff reimposed a duty of 20 per cent.

Mr. CULBERSON. Judging from newspaper accounts, the inquiry goes a little further than that. It is stated—I do not know how true it is, but it is immaterial to me how true it is—that the purpose of this amendment is to permit the introduction into this country free of certain known works of art in existence at this time and the ownership of which is known. What I want to know is if this amendment has been drawn with any specific reference to any such question as that?

Mr. LODGE. Certainly not. Mr. President, that is something I know nothing about, except I know that there are works of art owned by Americans which are in Europe, and which I should be very glad to see brought to the United States. But the amendment was drawn without any reference to that or any knowledge about it, so far as I am concerned, and I have had something to do with drafting the amendment.

Mr. BACON. Mr. President, I should like to ask the Senator from Massachusetts upon what ground is based the discrimination between works of art more than 20 years old and those less than that?

Mr. LODGE. That was dictated to the House, I suppose—as it would have been to the Senate if the House had not put it in—by the consideration of fraud.

Mr. ALDRICH. The twenty-year limitation, to which the Senator refers, does not apply to works of art generally, but only to paintings and sculpture.

Mr. LODGE. Only to paintings and sculpture. I thought the Senator understood that. All other works of art, carvings, and so forth, have a hundred years' limitation. The purpose of that limitation was to avoid the difficulty which happened under the Wilson law, which resulted simply in free art, without any limitations. It was used for bringing in a mass of merchandise as works of art, which were nothing but ordinary merchandise for sale; such things as decorated screens, made in Japan, which are put in front of washstands; little paper shades for candles, and so forth. Those things are pure merchandise. Nobody desires to bring them in as works of art. The twenty years' limitation, it is believed, would shut out that sort of thing.

Mr. BACON. That is an explanation which is quite a reasonable one, but not known to those who had not had the inner information.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Page 186, paragraph 465, pencil leads not in wood——

Mr. CLAY. I desire the attention of the Senator from Rhode Island for a moment. Some matters have been passed that are worrying me. I understood the Senator from Rhode Island to say to me some days ago that rattan used in the manufacture of chairs was on the free list.

Mr. ALDRICH. Yes; crude rattan—rattan in its natural state—is on the free list.

Mr. CLAY. I find this language in paragraph 418:

418. Braids, plaits, laces, and willow sheets or squares, composed wholly or in chief value of straw, chip, grass, palm leaf, willow, osier, rattan—

And so forth—

15 per cent ad valorem.

Mr. ALDRICH. That refers to plaits, and so forth, manufactured of rattan.

Mr. CLAY. The raw material used in the manufacture of chairs——

Mr. ALDRICH. Is on the free list.

Mr. CLAY. I presume it is intended to be included in paragraph 708½, but I am not certain of it.

Mr. ALDRICH. It is on the free list under paragraph 708½.

Mr. CLAY. What about paragraph 208?—

208. Chair cane wrought or manufactured from rattans or reeds, 10 per cent ad valorem.

Mr. ALDRICH. That refers to wrought rattan, and paragraph 708½ to rattan in its natural state.

Mr. CLAY. Then the rattan in its natural state will remain in this bill just as it is under the present law?

Mr. ALDRICH. There is no change whatever.

Mr. CLAY. I understand it now, and I thank the Senator.

The VICE-PRESIDENT. The Secretary will report the first amendment to paragraph 465.

The SECRETARY. After the word "wood," in paragraph 465, page 186, the committee proposes to strike out "10 per cent ad valorem" and insert "or other material, black, 1½ cents per ounce; colored, 2 cents per ounce; copying, 3 cents per ounce."

Mr. DOLLIVER. Mr. President, I observe that the existing rate on leads not in wood is 10 per cent, and that a small importation has occurred at that rate, realizing to the Treasury about $11,000 a year. I would not be willing to have that converted into a specific duty without somebody being able to state with certain accuracy what the value of these leads by the ounce actually is.

Mr. ALDRICH. I think that that will have to go over, because my own papers with reference to that matter are not here, and I did not expect this paragraph to be reached to-night. Perhaps, however, the Senator from Utah [Mr. SMOOT] has the figures; I have them not at present.

Mr. SMOOT. Mr. President, the materials from which such leads are made have to be imported, and the duty paid on these materials amounts to more than the total amount of duty levied on the completed articles. For instance, a gross of blue pencil leads requires 8 ounces of blue, upon which is levied a duty of 4 cents; to manufacture this into pencil leads requires delicate hand work and extends over a period of several weeks. Ten per cent duty on the finished leads amounts to less than 3 cents per gross. Foreign manufacturers have not been slow to take advantage of this defect in our law, and have established many so-called "pencil factories" in this country, which import the leads and merely incase them in wood.

Mr. President, I have a letter here from the Richard Best Pencil Works, of Irvington, N. J. They are importers of these leads. They incase the leads in wood and sell them, of course, as lead pencils, and claim to be manufacturers of lead pencils in this country. According to the figures given by them, they claim that there is an increase of duty of 1,000 per cent in this particular paragraph.

Mr. DOLLIVER. That is what I want to get the truth on.

Mr. ALDRICH. Mr. President, I am extremely anxious to finish this schedule up to the free list—there are only two or three other paragraphs remaining—and adjourn. So I think perhaps this matter had better go over until another time.

Mr. KEAN. I will say to the Senator from Iowa that the rate is only 40 per cent ad valorem.

The VICE-PRESIDENT. The paragraph will be passed over.

Mr. ALDRICH. To the next paragraph I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Paragraph 466, page 186, line 7, after the word "films," it is proposed to insert "including moving-picture films not developed or exposed."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 468, plows, tooth and disk harrows, harvesters, reapers——

The VICE-PRESIDENT. The Secretary will state the committee amendment.

The SECRETARY. On line 23, after the words "ad valorem," it is proposed to strike out the remainder of the paragraph.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. I notice that that paragraph is marked in the copy of the bill that I have as being passed over at the request of the Senator from South Dakota [Mr. CRAWFORD]. It is a very important matter to a very large number of people who use farm machinery. I do not see the Senator from South Dakota in his seat; but when notice has been given by a Senator as to some particular paragraph, those of us who have objections to it are disposed to leave the matter to him. I think paragraph 468 ought to be passed over until the Senator is present.

Mr. ALDRICH. I have no objection to that course. I thought the Senator from South Dakota was here. He was here a moment ago.

Mr. ROOT. He was here a moment ago.

Mr. SMOOT. The Senator will be here in a moment.

Mr. CRAWFORD entered the Chamber.

The VICE-PRESIDENT. The Secretary will state the committee amendment in paragraph 468.

The SECRETARY. In line 23, after the words "ad valorem," it is proposed to strike out the proviso.

Mr. CRAWFORD. Mr. President, I simply requested that this paragraph be passed over, because I wanted to look into it. I have now no objection to the paragraph being adopted.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. I should like to ask the committee why that proviso is stricken out?

Mr. ALDRICH. With a view of having it go into the general provision in regard to the maximum and minimum rates.

Mr. BACON. I can not hear the Senator.

Mr. ALDRICH. With a view to having it go into the general provisions recommended by the committee with reference to the maximum and minimum duties, believing that these discriminations, if they exist, can be better taken care of in that way than in the method suggested in the proviso.

Mr. BACON. I suppose the Senator has proper grounds for confidence that the maximum and minimum provisions of the bill will be accepted by the Senate. I myself am not prepared to give my adhesion to the proposed law in that regard.

Mr. ALDRICH. My impression is that when the Senator hears the argument upon the question he will certainly be in favor of it.

Mr. BACON. Possibly that may be true, but I do not think it probable. The suggestion that I would make—and it may not be a proper one; at least it may not be well founded—is that a provision of this kind, which is correct in itself, should not be stricken from the bill until it has been determined that it will find a place somewhere else.

Mr. ALDRICH. It will be in conference anyhow, and I assure the Senator that if the maximum and minimum provisions do not pass—and I am perfectly confident that if the bill passes at all there will be some maximum and minimum provision in the bill——

Mr. BACON. I am not familiar with the details of that amendment which has been brought in by the committee; but is there a distinct provision in the maximum and minimum features of the amendment as to all these provisos? Of course we know that there is a general feature in the maximum and minimum which relates generally to discriminations; but is there any such provision in the maximum and minimum amendment as that where an importation is from a country which does not impose any duty upon a similar article the importation shall come in free also? Is there any such provision as that in the maximum and minimum clauses?

Mr. ALDRICH. I think it is included in the terms of the maximum and minimum provisions, as we have it.

Mr. BACON. It would embrace that?

Mr. ALDRICH. I think so.

Mr. SMOOT. There is a further reason why this proviso should be stricken out; and that is, that if it is included the International Harvester Company, or any great plow company, could go over into Germany or anywhere where there was cheap labor, manufacture agricultural machinery in such country and ship it in here free of duty. So, instead of giving the laborer of America a chance to make it in America, they could have it made in a foreign country and shipped into this country without paying duty.

Mr. BACON. Mr. President, I am very frank to say that, leaving aside for the present the simple question of revenue, I think if there is any class of goods which ought to come into this country free, it is the class of goods that the agriculturists have to use in the way of machinery for their crops.

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from New York.

Mr. BACON. With pleasure.

Mr. ROOT. I want to suggest to the Senator from Georgia that if the Senate should not be satisfied with the maximum and minimum provisions as reported by the committee there are quite a number of these provisos in the bill as it came from the House, and the Senate would doubtless adopt a provision in lieu of the maximum and minimum provision imposed by the committee, which would group together these various provisos. So it is hardly necessary for us to trouble ourselves about it now.

Mr. BACON. I am perfectly willing to act upon the suggestion of the Senator from Rhode Island and the suggestion of the Senator from New York in that regard. I understand that the paragraph is going over. I do not know whether the Senator from South Dakota intended to offer an amendment to it or not.

Mr. ALDRICH. No; the Senator from South Dakota withdrew his request that it should go over.

Mr. BACON. Well, Mr. President, we were put in an embarrassing position as to a great many of these items by the fact, as previously stated, that we have been altogether without any suspicion that they would be reached to-night. I myself desired to offer an amendment to it, but I am not prepared to do so, because I did not think it at all possible that this question would come up to-night. I think the rate of duty on these harvesting machines and this agricultural machinery, if there is any duty at all, ought to be extremely low.

Mr. President, the matter has been so often brought to the attention of the Senate that I would not be justified in speaking of it at any length; and I only mention it now in view of the possibility that the Senator may consent to let it go over. The farming population of the country, whatever Senators may think in the way of indirect benefit, certainly so far as any direct advantage from the imposition of duties is concerned, do not share in it in any degree whatever as compared with those who engage in manufacturing industries.

Mr. ALDRICH. I ask the Senator from Georgia to consider the suggestion made by the Senator from Utah.

Mr. BACON. What is that?

Mr. ALDRICH. I know it to be true that the International Harvester Company are now establishing large manufacturing plants in Germany, in France, and in Russia, I think, and that it will be possible for that company, if you put the rates too low, to get into this country all their machines at a lower cost to themselves, perhaps, than they could be made in the United States.

Mr. BACON. Mr. President, if the great agricultural class of this country can get their machinery cheap and at the same time even a very small revenue——

Mr. ALDRICH. They would not get it any cheaper, because, as the Senator from Washington has very well said, the International Harvester Company fixes the prices of their machines everywhere.

Mr. BEVERIDGE. Not only that, Mr. President, but, if I remember aright, I have seen in a government publication that that company gets higher prices for their machines abroad than they get here at home. That is the one exception, I believe, the one notable exception, to that state of affairs of which we hear so much as to the selling of our products abroad cheaper than at home. I am sure that I have at my house a government publication which shows the astonishing fact that this company gets a higher price for its machines abroad than here.

Mr. BACON. I have no doubt of that.

The VICE-PRESIDENT. The hour of 11 o'clock p. m. having arrived, under the order of the Senate, the Senate stands adjourned until 10.30 o'clock a. m. to-morrow, Friday, June 4, 1909.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 3, 1909.*

The House met at 12 o'clock noon.

Prayer by Rev. George Robinson, chaplain, United States Army, retired.

The Journal of the proceedings of Tuesday, June 1, 1909, was read and approved.

COLUMBIA HOSPITAL FOR WOMEN.

The SPEAKER announced the following appointments of directors for the Columbia Hospital for Women, Washington, D. C.:

Mr. STURGISS and Mr. FOSTER of Illinois.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. MILLER of Kansas, indefinitely, on account of important business.

To Mr. JOYCE, by unanimous consent, indefinitely, on account of important business.

CALL OF COMMITTEES.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from New York [Mr. PAYNE] demands the regular order. The Clerk will call the committees.

The committees were called.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9541, the Porto Rican bill.

And, pending that, Mr. Speaker, when we adjourned the last time this bill was under consideration we had reached the discussion under the five-minute rule. I understand there are two gentlemen on that side of the House, and probably one on this, who desire to spend some time in general debate. I therefore ask that general debate be in order in the Committee of the Whole at this time for the day, and I would like to give notice that I shall ask on Monday that a vote be had on the amendments to the bill, but no vote on any amendment to-day—simply general debate. I ask unanimous consent that it be opened for general debate to-day.

Mr. MACON. Mr. Speaker, I desire to say that the gentleman from Missouri [Mr. BORLAND], who offered the amendment the other day, brought it to my desk and stated that he was very anxious to be heard upon it when the bill was presented to the House for further consideration. He stated that he would have to be away for several days and requested me to do what I could to postpone further consideration of the bill until his return, and for that reason I am going to make a point of no quorum in order to give him a chance to get back before the matter is taken up. He is very much interested in the adoption of his amendment, and I myself think we ought to adopt it and ought also to have a constitutional majority in the House when a bill of such importance is up for consideration. I make the point that there is not a quorum present.

Mr. OLMSTED. Does the gentleman from Arkansas [Mr. MACON] have any objection to our having a little general debate on the bill to-day? There is no vote to be taken. That would not interfere with his friend from Missouri.

Mr. MACON. I will say, Mr. Speaker, that this bill is simply an extension of what was known in the South a few years ago as the infamous "carpetbag rule." And as I do not want the Porto Ricans to be cursed with that kind of government, I am going to insist upon a quorum being present before the House proceeds to consider the bill further.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SLAYDEN. Mr. Speaker, as I understood the request of the gentleman from New York, it was that additional time be given for general debate. Now, I want to ask the Speaker if the suggestion of no quorum by the gentleman from Arkansas is a refusal to consent to the extension of time for general debate?

Mr. PAYNE. As far as I am concerned, we can extend the time for general debate, no matter what the gentleman from Arkansas [Mr. MACON] may do.

Mr. SLAYDEN. What I want to know is the parliamentary status; if his request for the presence of a quorum was a refusal of the unanimous consent for general debate?

Mr. PAYNE. It is a refusal, of course.

Mr. MACON. Mr. Speaker, I want the gentleman to understand that I do not object to unanimous consent for anything that does not improperly cost the Government anything. If a proposition does not carry an improper or unnecessary charge against the Government or seek to do an injustice to any of its citizens, I do not object to unanimous consent at all, no matter what is proposed to be done by the Congress. I will thank the gentlemen if they will bear that in mind.

Mr. GAINES. Regular order!

The SPEAKER. As many as favor the motion of the gentleman from New York——

Mr. BARTLETT of Georgia. Mr. Speaker, before that question is put, I would like to ask the gentleman from New York if he has withdrawn his request for unanimous consent?

Mr. PAYNE. I have not withdrawn my request.

Mr. BARTLETT of Georgia. I wanted to know if the gentleman intended to change the request for unanimous consent upon which general debate has been had and confine it to this very bill, or have general debate.

Mr. PAYNE. It is for general debate confined to the bill.

Mr. BARTLETT of Georgia. The gentleman did not state it that way.

Mr. PAYNE. At the beginning an order was made that all general debate on this bill be confined to this bill.

The SPEAKER. The Chair will put the request of the gentleman, as he understands it. The gentleman from New York asks unanimous consent that for to-day the order heretofore made by the House closing general debate shall be modified so that general debate shall be in order upon this bill for to-day. Is there objection?

Mr. HENRY of Texas. I will ask the gentleman from New York if he would not agree that the gentleman from Missouri may have thirty minutes on Monday to explain his amendment and to discuss it?

Mr. PAYNE. I would not have any objection to that on Monday, if that will satisfy the gentleman from Missouri.

Mr. HENRY of Texas. It will satisfy me, and I think it will satisfy the gentleman from Missouri to take thirty minutes then.

The SPEAKER. Does the gentleman modify his request?

Mr. PAYNE. I think I will modify the request—that upon Monday next general debate shall be in order for thirty minutes, and that be allowed to the gentleman from Missouri [Mr. BORLAND].

Mr. SLAYDEN. Mr. Speaker, the remarks that I had intended to submit apply entirely to the amendment that has been offered by the gentleman from Missouri [Mr. BORLAND]. However, they could not be made in five minutes.

Mr. PAYNE. That is the amendment now pending, is it not?

Mr. SLAYDEN. Well, I wanted to know. The remarks that I expect to make will not occupy more than ten or fifteen minutes; and I also would prefer to wait until Monday to discuss the amendment.

The SPEAKER. Does the gentleman further modify his request, so as to allow fifteen minutes also to the gentleman from Texas?

Mr. PAYNE. I have no objection to that.

Mr. GARRETT. I want to suggest to the gentleman from New York—I am not going to object to his request—whether it would not be better to proceed in the regular way, and at the end of five minutes extend the time?

Mr. PAYNE. That would be for the committee to say. I supposed that I could get unanimous consent now, and I can not understand the attitude of gentlemen objecting to unanimous consent.

Mr. CLARK of Missouri. We have not objected to the unanimous consent.

Mr. PAYNE (continuing). It is simply a favor of the House granted to gentlemen, two or three of whom are on that side, to indulge further in general debate when otherwise they would have to proceed under the five-minute rule; but they can not have the time, if the objection is coming from that side of the House.

The SPEAKER. Is there objection to the request of the gentleman from New York as modified at the request of the two gentlemen from Texas? [After a pause.] The Chair hears none.

The question was taken on the motion to go into Committee of the Whole House on the state of the Union, and the Speaker announced that the ayes seemed to have it.

Mr. MACON. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 120, noes 11.

Mr. MACON. I make the point of no quorum, Mr. Speaker.

The SPEAKER. Evidently there is not a quorum present.

Mr. PAYNE. I suggest that the roll be called on the motion.

The SPEAKER. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees; as many as are in favor of the motion will, as their names are called, answer "yea;"

as many as are opposed will answer "nay;" those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 1, answered "present" 15, not voting 213, as follows:

YEAS—161.

Adair	Foster, Vt.	Langley	Russell
Adamson	Gaines	Latta	Scott
Aiken	Gardner, Mich.	Lenroot	Sims
Alexander, Mo.	Garner, Tex.	Lindbergh	Sisson
Austin	Garrett	Livingston	Slayden
Bartholdt	Glass	Lloyd	Smith, Mich.
Bartlett, Ga.	Graff	Longworth	Smith, Tex.
Beall, Tex.	Grant	Loud	Sparkman
Bingham	Greene	Loudenslager	Sperry
Boutell	Guernsey	McDermott	Splight
Burgess	Hamer	McGuire, Okla.	Stanley
Burke, S. Dak.	Hamilton	Madison	Steenerson
Butler	Hammond	Maguire, Nebr.	Sulloway
Byrns	Hanna	Martin, Colo.	Swasey
Calder	Hardy	Martin, S. Dak.	Tawney
Campbell	Hawley	Mays	Taylor, Ala.
Candler	Hay	Miller, Minn.	Taylor, Ohio
Cassidy	Hayes	Moon, Tenn.	Thistlewood
Clark, Mo.	Helm	Morehead	Thomas, Ky.
Cooper, Pa.	Henry, Conn.	Morgan, Mo.	Thomas, N. C.
Cooper, Wis.	Henry, Tex.	Morgan, Okla.	Thomas, Ohio
Cox, Ind.	Higgins	Morrison	Tou Velle
Craig	Hill	Moss	Townsend
Creager	Hinshaw	Murphy	Volstead
Cullop	Hitchcock	Needham	Vreeland
Cushman	Hobson	Oldfield	Wallace
Dalzell	Houston	Olmsted	Wanger
De Armond	Howard	Page	Webb
Dickson, Miss.	Howland	Palmer, A. M.	Weeks
Dies	Hughes, Ga.	Parker	Wheeler
Douglas	Hull, Tenn.	Payne	Wickliffe
Dwight	Humphreys, Miss.	Pearre	Wiley
Edwards, Ga.	James	Pickett	Wilson, Ill.
Ellerbe	Jamieson	Pray	Wood, N. J.
Ellis	Jones	Prince	Woods, Iowa
Englebright	Keifer	Randell, Tex.	Woodyard
Esch	Kellher	Ransdell, La.	Young, Mich.
Fitzgerald	Kennedy, Ohio	Roberts	The Speaker
Floyd, Ark.	Kinkaid, Nebr.	Rodenberg	
Foelker	Kopp	Rucker, Colo.	
Foss	Kronmiller	Rucker, Mo.	

NAYS—1.

Macon

ANSWERED "PRESENT"—15.

Burnett	Cowles	Hardwick	Rauch
Cary	Gillespie	Lever	Stephens, Tex.
Chapman	Graham, Ill.	Maynard	Taylor, Colo.
Cline	Gregg	Patterson	

NOT VOTING—213.

Alexander, N. Y.	Diekema	Hughes, W. Va.	Olcott
Allen	Dixon, Ind.	Hull, Iowa	Padgett
Ames	Dodds	Humphrey, Wash.	Palmer, H. W.
Anderson	Draper	Johnson, Ky.	Parsons
Andrus	Driscoll, D. A.	Johnson, Ohio	Perkins
Ansberry	Driscoll, M. E.	Johnson, S. C.	Peters
Anthony	Durey	Joyce	Plumley
Ashbrook	Edwards, Ky.	Kahn	Poindexter
Barchfeld	Elvins	Kendall	Pou
Barclay	Estopinal	Kennedy, Iowa	Pratt
Barnard	Fairchild	Kinkead, N. J.	Pujo
Barnhart	Fassett	Kitchin	Rainey
Bartlett, Nev.	Ferris	Knapp	Reeder
Bates	Finley	Knowland	Reid
Bell, Ga.	Fish	Korbly	Reynolds
Bennet, N. Y.	Flood, Va.	Küstermann	Rhinock
Bennett, Ky.	Focht	Lafean	Richardson
Boehne	Fordney	Lamb	Riordan
Booher	Fornes	Langham	Robinson
Borland	Foster, Ill.	Lassiter	Rothermel
Bowers	Foulkrod	Law	Sabath
Bradley	Fowler	Lawrence	Saunders
Brantley	Fuller	Lee	Shackleford
Broussard	Gallagher	Lindsay	Sharp
Brownlow	Gardner, Mass.	Lorimer	Sheffield
Burke, Pa.	Gardner, N. J.	Lovering	Sheppard
Burleigh	Garner, Pa.	Lowden	Sherley
Burleson	Gill, Md.	Lundin	Sherwood
Byrd	Gill, Mo.	McCall	Simmons
Calderhead	Gillett	McCreary	Slemp
Cantrill	Gilmore	McHenry	Small
Capron	Godwin	McKinlay, Cal.	Smith, Cal.
Carlin	Goebel	McKinley, Ill.	Smith, Iowa
Carter	Goldfogle	McKinney	Snapp
Clark, Fla.	Good	McLachlan, Cal.	Southwick
Clayton	Gordon	McLaughlin, Mich.	Stafford
Cocks, N. Y.	Goulden	McMorran	Sterling
Cole	Graham, Pa.	Madden	Stevens, Minn.
Collier	Griest	Malby	Sturgiss
Conry	Griggs	Mann	Sulzer
Cook	Gronna	Miller, Kans.	Talbott
Coudrey	Hamill	Millington	Tener
Covington	Hamlin	Mondell	Tilson
Cox, Ohio	Harrison	Moon, Pa.	Tirrell
Cravens	Haugen	Moore, Pa.	Underwood
Crow	Heald	Moore, Tex.	Washburn
Crumpacker	Heflin	Morse	Watkins
Currier	Hollingsworth	Mudd	Weisse
Davidson	Howell, N. J.	Murdock	Willett
Davis	Howell, Utah	Nelson	Wilson, Pa.
Dawson	Hubbard, Iowa	Nicholls	Young, N. Y.
Denby	Hubbard, W. Va.	Norris	
Dent	Huff	Nye	
Denver	Hughes, N. J.	O'Connell	

The SPEAKER. On this vote 177 Members are recorded; not a quorum.

Mr. OLMSTED. Mr. Speaker, I wish to emphasize the imperative necessity of having a quorum here next Monday to pass this bill. The interests of Porto Rico and of this country demand it. Anyone who read the Evening Star of night before last learned the conditions in that island, which conditions are largely the result of the delay in the passage of this bill. It must pass not only this House, but the Senate also, be approved by the President, and certified to Porto Rico before the end of this month, and there is no time to spare.

Mr. PAYNE. I will not ask the House to-day to send for absent Members, but I give notice that if a quorum does not appear on Monday I shall ask the House to send for absent Members, so as to get a quorum here. I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 45 minutes p. m.) the House, pursuant to the order heretofore made, adjourned until Monday, June 7, 1909.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Friendship*, Patrick Drummond, master (S. Doc. No. 73), was taken from the Speaker's table, referred to the Committee on Claims, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSTER of Vermont: A bill (H. R. 10373) providing for the appointment of one additional assistant clerk and a financial clerk of the municipal court of the District of Columbia—to the Committee on the District of Columbia.

By Mr. ENGLEBRIGHT: A bill (H. R. 10374) providing for the establishment of a bureau of mines in the Department of the Interior—to the Committee on Mines and Mining.

By Mr. MURPHY: A bill (H. R. 10375) requiring all printing and binding to be done by the Government of the United States and its employees, and for other purposes—to the Committee on Printing.

By Mr. CARY: A bill (H. R. 10376) authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes—to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 10377) granting an increase of pension to John Garrett—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 10378) granting an increase of pension to Henry H. King—to the Committee on Invalid Pensions.

By Mr. BOUTELL: A bill (H. R. 10379) granting an increase of pension to Sarah H. Lieb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10380) granting an increase of pension to Rosina A. Gottmanshausen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10381) granting an increase of pension to Charles Falbisaner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10382) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10383) granting a pension to Mattie P. Gilbert—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 10384) granting a pension to Lute A. Bowman—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 10385) granting an increase of pension to John H. Kimmel—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 10386) for the relief of the trustees of the Davenport Female College—to the Committee on War Claims.

By Mr. CULLOP: A bill (H. R. 10387) granting an increase of pension to Thomas R. Campbell—to the Committee on Invalid Pensions.

stand that I do not object to unanimous consent for anything that does not improperly cost the Government anything. If

The SPEAKER. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absentees; as many as are in favor of the motion will, as their names are called, answer "yea;"

Denby	Hubbard, W. Va.	Norris	
Dent	Huff	Nye	
Denver	Hughes, N. J.	O'Connell	

of pension to Thomas R. Campbell—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 10388) for the relief of the heirs of William Parks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10389) for the relief of the heirs of Felix B. Parks, deceased—to the Committee on War Claims.

By Mr. ENGLEBRIGHT: A bill (H. R. 10390) for the relief of W. S. Curless, of California—to the Committee on Claims.

Also, a bill (H. R. 10391) granting an increase of pension to A. W. Sefton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10392) to correct the military record of A. W. Hubbard—to the Committee on Military Affairs.

Also, a bill (H. R. 10393) to correct the military record of James M. Wiley—to the Committee on Military Affairs.

By Mr. FLOYD of Arkansas: A bill (H. R. 10394) granting an increase of pension to James L. Carpenter—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 10395) granting an increase of pension to Charles E. Thetford—to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 10396) granting an increase of pension to John C. Smith—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10397) granting an increase of pension to Julian Barger—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10398) granting a pension to T. P. Allmond—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 10399) granting a pension to Christina F. Bartholomew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10400) granting an increase of pension to William Widner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10401) granting an increase of pension to Reuben S. Bell—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 10402) granting an increase of pension to Albert Peterson—to the Committee on Pensions.

By Mr. REEDER: A bill (H. R. 10403) granting an increase of pension to Henry O. Pixley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10404) granting an increase of pension to Alpheus Grovenburgh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10405) granting an increase of pension to David Shively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10406) granting an increase of pension to Joseph H. Hadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10407) granting an increase of pension to Eugene K. Felt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10408) granting a pension to Charlotte D. Ohm—to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 10409) granting an increase of pension to William Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10410) granting an increase of pension to Nick Muench—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10411) granting an increase of pension to James Obatson—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10412) granting a pension to Vesta V. Spears—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 10413) granting an increase of pension to Nathaniel Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10414) granting an increase of pension to Edward L. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10415) granting an increase of pension to Timothy Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10416) granting an increase of pension to Samuel Bigley—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 10417) granting an increase of pension to Charles H. Houghton—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Hefferlin Mercantile Company, praying for a reduction of the duty on sugar—to the Committee on Ways and Means.

Also, petition of Spokane (Wash.) Chamber of Commerce, praying for an appropriation to enable the Interstate Commerce Commission to make a physical valuation of railroad property, and for legislation to enable the Interstate Commerce Commission to control freight rates more effectively—to the Committee on Interstate and Foreign Commerce.

Also, petition of Oregon and Washington Lumber Manufacturers' Association, praying for an appropriation to make possible the physical valuation of railroads—to the Committee on Interstate and Foreign Commerce.

Also, petition of peace committees of the Religious Societies of Friends, praying for such action as will accomplish a reduction of armaments among the nations of the world—to the Committee on Foreign Affairs.

Also, petition of National Florence Crittenton Mission, praying for the passage of a law for the protection of young girls after their arrival in the United States—to the Committee on Immigration and Naturalization.

Also, petition of Mill Run Council and Western Council, Order United American Mechanics, of Pennsylvania, praying for the exclusion of Asiatic immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Commercial Travelers' Protective Association, praying for immediate action on the tariff bill—to the Committee on Ways and Means.

By Mr. CARY: Petition of William Demuth & Co., of New York, against a duty on laurel wood—to the Committee on Ways and Means.

Also, petition of American Forestry Association, favoring legislation for forest preservation—to the Committee on Agriculture.

Also, petition of American Federation of Art, for adoption of systematic plan for development of the city of Washington—to the Committee on the District of Columbia.

By Mr. CHAPMAN: Memorial of house of representatives of the Illinois legislature, through house resolution 54, favoring legislation for improvement of the Kankakee and Iroquois rivers—to the Committee on Rivers and Harbors.

By Mr. COOPER of Pennsylvania: Petitions of Addison Council, No. 484; Webster Council, No. 79, of Belle Vernon; and Smithfield Council, No. 527, Junior Order United American Mechanics, and A. L. Remer, all of the State of Pennsylvania, for Asiatic exclusion law, except against merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of citizens of Mount Pleasant, Vandergrift Heights, Waynesburg, Connellsville, Myersdale, Brownsville, Somerset, and Uniontown, all in the State of Pennsylvania, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ENGLEBRIGHT: Petition of counties committee of California Promotion Commission, favoring issuance of bonds for river and harbor improvements—to the Committee on Rivers and Harbors.

By Mr. FLOYD of Arkansas: Paper to accompany bill for relief of James L. Carpenter—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of committee of consumers of New York, favoring revision of the tariff downward—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, for increased duties on hosiery, etc.—to the Committee on Ways and Means.

Also, petition of Merchants' Association of New York, favoring a tariff commission or tariff board—to the Committee on Ways and Means.

Also, petition of presidents and ex-presidents of the United Societies of Philadelphia for Protection of Immigrants, against raising immigrant tax to $10—to the Committee on Immigration and Naturalization.

By Mr. HANNA: Petition of citizens of North Dakota, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petitions of A. A. Moiteret, T. S. Williams, James F. Casey, R. J. Sulsberg, J. Olaf Anderson, J. T. Fitzgerald, T. R. Angove, B. J. O'Sullivan, C. Sorensen, F. J. Hurbsch, B. B. Holbert, Morris Blum, James Jordan, W. J. Garrick, Frank Anderson, J. F. G. W. Wilken, L. M. Williams, George Macklin, Tillie Garrett, and Mary L. Carson, of San Francisco, Cal., favoring an effective exclusion law against all Asiatics, excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. KNAPP: Petition of various dealers and others, of Oswego, N. Y., against duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MALBY: Petition of Ticonderoga branch of International Brotherhood of Stationary Firemen, favoring retention of present duty on wood pulp and paper—to the Committee on Ways and Means.

By Mr. NEEDHAM: Petition of post-card manufacturers and Allied Trades Protective Association, favoring duty on post cards—to the Committee on Ways and Means.

Also, petition of counties committee of the California Promotion Commission, of Del Monti, for appropriation of $500,000,000 to improve waterways—to the Committee on Ways and Means.

Also, petition of various associations and chambers of the Pacific States, against railway collusion with competitive water carriers—to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Petition of citizens of Boston, favoring reduction of duty on wheat to not less than 10 cents per bushel—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of Board of Trade of Cairo, Ill., commending the United States Weather Bureau Service—to the Committee on Agriculture.

By Mr. THOMAS of Kentucky: Petitions of S. E. Rice Tobacco Company, H. B. Scott, and Perkins Brothers, of Bowling Green, and Buren-Martin Company, all in the State of Kentucky, against increase of duty on tobacco and cigars—to the Committee on Ways and Means.

SENATE.

FRIDAY, *June 4, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

CIVIL-SERVICE EMPLOYEES FROM KENTUCKY.

The VICE-PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 25th ultimo, a list of the names of persons in the competitive classified service of the United States charged to the apportionment from the State of Kentucky, etc. (S. Doc. No. 76), which, with the accompanying paper, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress relating to federal cooperation in the work of road improvement.

Whereas we believe that the adoption of a policy of federal aid for road construction is a most important step toward the establishment of a complete system of improved roads in all sections of the country, and that the cooperation of the National Government in his matter would be of great assistance to the various State, county, and township road authorities in placing the work of road improvement on a permanent and scientific basis; and

Whereas we would submit that the improvement of the country's highways deserves a share in the annual appropriations by Congress equally with the improvement of our waterways, and that it is only fair and reasonable that a part of the revenues derived from taxes paid by the people as a whole should be devoted to this purpose, thus aiding in the betterment of conditions affecting trade and commerce in all sections of the country:

Resolved by the assembly (the senate concurring), That we respectfully solicit the Congress of the United States, asking for the enactment of legislation creating a national highways commission, and making an appropriation for aiding in the improvement and maintenance of the public roads at the present session of Congress, so that the policy of federal cooperation in the work of road improvement can be inaugurated at the earliest possible date.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

The VICE-PRESIDENT presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice.

Resolved by the assembly (the senate concurring), That the Congress of the United States is hereby requested to enact a law providing that the rates or charges of railroads shall not be increased except upon notice of any proposed increase filed with the Interstate Commerce Commission, and published in each State affected thereby, and upon such hearing as the Interstate Commerce Commission may, upon petition or its own motion, order, and that no increase of rates or charges shall go into effect unless said commission shall so order after such hearing.

Resolved, That the secretary of state be, and he is hereby, instructed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. G. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

The VICE-PRESIDENT presented a petition of the American Federation of Arts, praying for the creation of a bureau of fine arts, which was referred to the Committee on Education and Labor.

He also presented a petition of the American Federation of Arts, of Washington, D. C., praying for the adoption of a systematic plan for the future development of the District of Columbia, etc., which was referred to the Committee on the District of Columbia.

Mr. SCOTT. I present a telegram which I ask may be read and referred to the Committee on Finance.

There being no objection, the telegram was read and referred to the Committee on Finance, as follows:

MOUNDSVILLE, W. VA., *June 3, 1909.*

Hon. N. B. SCOTT,
United States Senate, Washington, D. C.:

Paragraph 157 should be left out, and enameled ware have the same protection as metal shapes, which is 45 per cent, and as originally reported by the Senate. Such discrimination threatens our business.

STEWART STAMPING COMPANY.

Mr. SCOTT presented a telegram, in the nature of a memorial, from the United States Stamping Company, of Moundsville, W. Va., and a telegram, in the nature of a memorial, from the Enterprise Enamel Company, of Bellaire, Ohio, relative to the duty on enameled ware, which were referred to the Committee on Finance.

Mr. GALLINGER presented petitions of sundry citizens of Wilton, N. H., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. GUGGENHEIM presented a petition of the Denver Live Stock Exchange, of Denver, Colo., praying for the retention of the duty of 15 per cent on cattle hides, which was ordered to lie on the table.

He also presented sundry letters, telegrams, and affidavits relative to the distribution of the stock of the Southwestern Sugar and Land Company, of Glendale, Ariz., which were ordered to lie on the table.

Mr. DEPEW presented resolutions of the New York State Federation of Women's Clubs, relative to the condition of affairs in Armenia, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Yonkers, Rushville, Rochester, Mount Morris, Elmira, Auburn, Penn Yan, Phelps, Akron, Canandaigua, Brockport, Wolcott, Oakfield, Gorham, Medina, Victor, Geneva, Basom, and Bath, all in the State of New York, praying for a restoration of the duty on foreign oil production, which were ordered to lie on the table.

Mr. CURTIS presented resolutions adopted by the State Bankers' Association of Kansas, which were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas a prolonged agitation on the tariff question has a tendency to unsettle business conditions; and

Whereas it is apparent that normal condition in the business world will not return until Congress takes a final action of the tariff question: Therefore be it

Resolved by the Bankers' Association of the State of Kansas, That we earnestly request our Senators and Representatives to use every effort to force a tariff bill to a vote at the earliest possible date: And be it further

Resolved, That a copy of this resolution be mailed to each of our Senators and Representatives at Washington.

Mr. SMOOT presented petitions of Hon. William Spry, governor of Utah, of Salt Lake City; of sundry citizens of Provo, Ogden City, Logan, Lewiston, Garland, Lehi, Spanish Fork, Elsinore, Murray, West Weber, Kanesville, Hooper, Smithfield, Providence, and Greenville; of the Woods Cross Canning and Pickling Company; of the Smith-Bailey Drug Company, of Salt Lake City; and of the Shupe-Williams Candy Company, of Ogden, all in the State of Utah; and of sundry farmers of Idaho Falls, Idaho, praying for a retention of the present rate of duty on all grades of sugars, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FRAZIER:

A bill (S. 2524) for the relief of the trustees of Mount Carmel Cumberland Presbyterian Church, of Williamson County, Tenn.; to the Committee on Claims.

A bill (S. 2525) granting a pension to Rebecca Whitthorne; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 2526) granting an increase of pension to Frederick M. Miller (with accompanying papers);

A bill (S. 2527) granting an increase of pension to Charles L. D. Sawyer (with accompanying papers); and

A bill (S. 2528) granting an increase of pension to Archibald H. McMurphy (with accompanying papers); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 2529) granting a pension to Catharine Doherty; to the Committee on Pensions.

By Mr. WARNER:

A bill (S. 2530) authorizing the acceptance by the United States Government from the Woman's Relief Corps, auxiliary to the Grand Army of the Republic, of a proposed gift of land contiguous to the Andersonville National Cemetery, in the State of Georgia; to the Committee on Military Affairs.

By Mr. GUGGENHEIM:

A bill (S. 2531) granting an increase of pension to William H. H. Morris (with accompanying papers);

A bill (S. 2532) granting an increase of pension to Josephus Clark (with accompanying papers);

A bill (S. 2533) granting an increase of pension to Annie M. Behney (with accompanying papers); and

A bill (S. 2534) granting an increase of pension to Jesse M. White (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. ROOT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—SOLON BRYAN.

On motion of Mr. FLINT, it was

Ordered, That the papers accompanying the bill (S. 5613) for the relief of Solon Bryan, first session, Fifty-ninth Congress, be withdrawn, there having been no adverse report thereon.

REPORT UPON GERMAN MANUFACTURES.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Secretary read Senate resolution 55, submitted yesterday by Mr. LA FOLLETTE, as follows:

Senate resolution 55.

Resolved, That the President of the United States, if not incompatible in his judgment with the public interest, be, and he hereby is, requested to transmit to the Senate copies of all the correspondence which passed between the Department of State and the German Government, or between any representative of the United States and officials of the German Government, having relation to the report upon German manufactures furnished by the German Government to the United States.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. SMITH of Michigan. Mr. President——

Mr. ALDRICH. There is no objection to the resolution, Mr. President.

The VICE-PRESIDENT. Does the Senator from Michigan desire to speak on the resolution?

Mr. SMITH of Michigan. Yes, sir.

The VICE-PRESIDENT. The Senator will proceed.

Mr. SMITH of Michigan. Mr. President, yesterday I interrupted the Senator from Wisconsin [Mr. LA FOLLETTE] for the purpose of discussing the "German report," so called. The Senator from Wisconsin said that he did not care for any surmise as to the possible effect or purport of the report. I held in my hand at the time I addressed the Chair and interrupted the Senator from Wisconsin the following from the Augsburg (Germany) Chamber of Commerce, and I was about to read this sentence concerning the wage in the cotton industry:

While the average wage of a weaver of ordinary efficiency runs from $3.75 to $4.50 per week, this sum is often exceeded. The probable difference in favor of the American workman is in the proportion of 2 or 2½ to 1. This, however, is practically equalized by the fact that the standard of living is nearly twice as high in America as in Germany.

What I wanted to say yesterday to the Senator from Wisconsin and what I propose to say now is this, that it is not the province of the Augsburg (Germany) Chamber of Commerce to comment on the high standard of living in America as compared with Germany as an offset to the difference in wages between workmen in the woolen industry in Germany and workmen in the woolen industry of our own country.

Mr. President, I was not guessing or surmising or speculating about it. I happened at that moment to have in my hand, through the courtesy of the chairman of the Finance Committee, the argument of the Augsburg Chamber of Commerce upon our tariff policy, and that statement in its manner and form is a voluntary impertinence upon the part of our commercial rivals.

It is said that our legislation, if we are faithful to the declarations of our party platform, must be based upon the difference between the cost of labor here and in Europe. That, perhaps, may be a fair measure, although difficult to ascertain, but, Mr. President, we are not called upon to equalize the standard of living between the woolen workers of Germany and our own. The woolen workers of our country may live as they please, with carpets on their floors and chairs and tables in their houses. This is the American standard of living, and the higher the standard the more creditable it is to us.

I deny the right of any foreign board of commerce to comment upon the high standard of American living as an argument in favor of lower duties against our competitors in Europe.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Will the Senator from Michigan yield to the Senator from Idaho?

Mr. SMITH of Michigan. Certainly.

Mr. HEYBURN. I should like to know that I understood the Senator correctly as criticising the right of a private organization that wanted to make such comment as it may choose to make upon anything connected with the American Government.

Mr. SMITH of Michigan. I criticise the right of any foreign board of commerce, representing our rivals, to suggest the measure of difference that should be prescribed in our tariff law as between the products of their country and our own.

Mr. HEYBURN. I will suggest to the Senator that we have been in the habit for a great many years, even in responsible declarations of party platforms, of referring to the pauper labor of Europe and the cheap labor of Europe and the underpaid wage-worker of Europe. The Senator would not undertake to criticise our action in that regard?

Mr. SMITH of Michigan. No; I make no complaint about that.

Mr. HEYBURN. Then, why should not a private assemblage of German citizens have the same privilege?

Mr. SMITH of Michigan. The Senator from Idaho will understand that the Chamber of Commerce of Augsburg is not content with saying that the wage of workers in the woolen industry of our country is two and a half times what it is at Augsburg, but they point out that the high standard of American living must be considered as an offset.

Mr. HEYBURN. Mr. President, we have frequently declared, both on this floor and in party platforms, that the low standard of their living should be taken into consideration. It seems to me that unless this is an official declaration of the Government that should be considered behind closed doors, we are hardly in a position to criticise a personal comment or criticism, however unjust.

Mr. SMITH of Michigan. This is a portion of the report that has caused so much discussion in this Chamber for several days. I call the attention of the Senate, and of the Senator from Idaho especially, to the fact that we are not legislating here upon the theory that we must equalize the standard of living between our country and its rival. That is what they say here.

Mr. HEYBURN. Mr. President——

Mr. SMITH of Michigan. I will quote to the Senator the exact language of the Chamber of Commerce of Augsburg again:

While the average wage of a weaver of ordinary efficiency runs from $3.75 to $4.50 per week, this sum is often exceeded. The probable difference in favor of the American workman is in the proportion of 2 or 2½ to 1. * * *

Now, I make no complaint about that. That is the wage scale:

This, however, is practically equalized by the fact that the standard of living is nearly twice as high in America as in Germany.

Our standard of living is what we make it. I am proud of the fact that it is high; but it has nothing to do with the cost of production; it is a tribute to the frugality of our people and the wisdom of our laws.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Michigan yield further to the Senator from Idaho?

Mr. SMITH of Michigan. That is all I care to say about it. I think it is an impertinence; we did not ask for an argument. I do not like its tone. It will not be the measure of my conduct on this bill.

Mr. HEYBURN. I should like to inquire of the Senator if his objection is directed against the private utterances of private men or against the fact that this came to us, or was sent to us, with the approval of the German Government?

Mr. SMITH of Michigan. I do not understand that it has that approval.

Mr. HEYBURN. Or any official approval at all.

Mr. SMITH of Michigan. Not at all, I understand, except the German boards of trade and organizations of exporters.

Mr. ALDRICH. It was sent by them.

Mr. HEYBURN. It was sent by them. That is what I am inquiring about. I ask the Senator from Michigan, if I may have his attention, if the Senator understands that this was sent by the German Government?

Mr. SMITH of Michigan. It may have been thus transmitted. I find no special fault with that; but I decline to subscribe to the idea that we must frame our tariff law on their theory of equalizing the difference in the standard of living here and there. Our people may live as they please, whether their income is great or small. They can be as frugal and as saving and as careful and as temperate as they please, but to have that given as a reason for equalizing the duties seems to me to be little less than impertinent.

Mr. HEYBURN. I will only say that I would not seek to gather wisdom from the ideas and sentiment which prevail in those countries, nor shall I. Still I was somewhat astonished that a criticism should be made against private individuals. I would not be astonished if criticism came here in an orderly way against the action of the Government, because that would be within our province to consider; but I have known a great many people in foreign lands say things very offensive in regard to the American people, generally at long distances.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed. The Secretary will state the first bill on the calendar.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. Page 186, paragraph 468, the committee proposes to strike out the proviso as printed in the House text, as follows——

Mr. HALE. It has already been read.

Mr. LA FOLLETTE. Mr. President——

Mr. BACON. I supposed that we would go on with the cotton schedule this morning. I gave notice last night——

Mr. ALDRICH. This amendment was pending at the time of adjournment. I suppose, practically, the amendment is here for consideration. I am quite willing that it shall be disposed of now; but perhaps it would be better to go back at once to the cotton schedule.

Mr. BACON. I have some amendments to offer to it, and I did not expect to have it brought up this morning.

Mr. ALDRICH. Then it can go over and we will return at once to the cotton schedule.

The VICE-PRESIDENT. Without objection, that method will be followed. The pending question, then, is on paragraph 313, page 97.

Mr. LA FOLLETTE. Mr. President, with reference to the proceedings last night at the session which I did not attend, in so far as they related to me personally I do not purpose to take the time of the Senate now, except to say that after being obliged to speak from 12 o'clock to about 5.30 I did not feel able to go on for the evening, and I did not feel under any obligation to do so. I did not ask that the business of the Senate be suspended for me at the evening session. I did not say to anybody that I was ill. I was not. I was exhausted after several hours' work on the floor during the intensely oppressive heat of the afternoon, as any Senator would have been.

I supposed, Mr. President, that others would participate in the discussion last night. I thought that certainly before a vote was taken on the cotton schedule the promise of the Senator from Rhode Island [Mr. ALDRICH] to make his explanation of that schedule would be redeemed, and whether it took him ten minutes or an hour or two hours in which to do it I felt reasonably certain that whatever explanation he might make would lead to debate sufficient to enable me to come back to the session to-day refreshed with a night of rest and debate the pending schedule.

The Senator from Rhode Island has passed over the consideration of a large number of paragraphs in the bill upon less excuse than was offered last night for postponing until to-day a vote upon the cotton schedule. The Senator from Rhode Island himself has asked, and it is only by unanimous consent that he can secure, the passing over by the Senate of many paragraphs of the bill. He stands upon this floor like any other Senator. He forgets it sometimes, but under the Constitution and the rules of this body his rights are no greater than those of the Senator from Wisconsin, or any other Senator in this body; and I say that upon his request, not once, but scores of times, we have passed over paragraphs in the course of this debate to oblige the Senator from Rhode Island and to wait upon the convenience of the Finance Committee while they matured this bill, which was brought into the Senate prematurely and without proper consideration by the committee.

SHOULD HAVE YIELDED TO SENATOR GALLINGER.

The Senator from New Hampshire [Mr. GALLINGER] last night, when I was not on the floor, criticised me for not yielding to him when he asked me to do so. I glanced over the report of my speech, or at least a portion of it, and I think the Senator had a right to complain. It is a fact that I did not yield, and I think I should have yielded to him, though not perhaps at the very time that he rose, for I had not concluded what I had to say. I ought to have remembered, when I concluded, and yielded to him. I did not do so, because I was swept along by what I was saying, and forgot it. I make my amends to him here this morning.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I join with the Senator in his kindly expressions toward me personally. The Senator will recall that, looking directly in my face and stepping forward, he suggested that New England Senators were treating his discussion with smirks, or something of that kind. I was doing the Senator the honor to listen to more of his speech, I think, than almost any other Senator did, and I was interested in it.

I simply rose for the purpose of saying to the Senator that, if he had allusion to me, which I thought he had, he was entirely mistaken; that I was not treating him with discourtesy, and that I was not smirking at anything he said, but, on the contrary, was listening attentively and was enjoying his discussion. The Senator ought to have given me that privilege, and I am glad that he feels this morning he ought to have done so.

Mr. LA FOLLETTE. I concede that, Mr. President. I have a habit which perhaps is not a matter of interest and I ought not to detain the Senate to mention it—when I am speaking I see the face of every Senator and every change of expression just as in practicing law I saw the face of every juryman, and used to think that I knew what was passing in the mind of each juror. It is a fault. Let that pass.

Mr. President, I return now to say that a great subject is before the Senate. It is one that strikes deep down into the lives and the homes and will profoundly affect the prosperity and the happiness of all the people of this country. It does not affect merely manufacturers. It does not affect merely the people who work for the manufacturers and their interests. It ought to be weighed with very great care. I do not mean to say that the interests of the manufacturers and those who have invested their capital are not entitled to be weighed with as great care; but those who work for wages are entitled to have their interests carefully considered as well.

PUBLIC ENTITLED TO FAIR PRESENTATION OF TARIFF FACTS.

Mr. President, this bill will bear upon the people of this whole country—ninety millions of them—either fairly or unfairly, justly or unjustly. I tell you it is of tremendous consequence what we do here each day. We pass a paragraph or a schedule, and it is driven in on me all the while that we do not know just how our action is going to affect the people of our country. We do not know how much that is going to take out of the earnings or savings of this family or that family, and we ought to know.

The formation of public opinion is of tremendous importance in framing legislation.

Nothing ought to have a place in the debate upon this great measure except that which is germane to the bill. The issue involved should not be obscured by any personal controversy. It shall not be so obscured with my sanction.

Mr. President, it is one of the least concerns of my life how votes shall be cast in an election in so far as it affects me. I never have in my public life taken the easier pathway. I could have done so. I never have. What I am saying to-day is said from a deep conviction.

I have given fifteen years out of the best of my life to a great struggle in my State. I became deeply interested in certain things that seemed to me to go to the very foundation of this Government. That interest possessed me; it took me out of my profession; it put me into a contest in Wisconsin to establish in that Commonwealth, first of all, if possible, a government by the people and for the people.

Mr. President, I would not be provincial; I would not be boastful; but something has been accomplished in Wisconsin that draws to it the leading students of government from every State in this Union. From every great university, from the economic departments of the great universities of Europe, they have come to the capital of Wisconsin to study the legislation of that State, especially concerning the government of corporations in their relation to the life of the people.

Mr. President, at every step in that long fight I was subjected to personal attacks of the most virulent kind—misrepresenting my character, attempting to destroy it, assailing my motives, lying about everything I did and everything I did not. But, sir, I early marked out a course for myself. I said: "If I permit myself to be drawn aside to answer personal attacks, this great struggle to bring government back to the people will be degraded to a petty personal issue." I turned neither to the right hand nor to the left. When assailed and misrepresented, my answer was: The corporations in the State of Wisconsin are not paying their share of the taxes. To every personal charge I made one answer: The public service corporations shall not control in legislation. They shall serve the public impartially, and render services at reasonable rates.

WILL NOT TURN ASIDE TO ANSWER PERSONAL ATTACKS.

So in respect to every assault made upon me, Mr. President, my answer was the great issue. As an individual I was insignificant, of little consequence. If I did anything for the State, in which I was born and live, it was simply as an humble instrument for the right settlement of the great issues over which we have, sir, so little control in our day and generation. We do not, we can not, make the issues. Great ideas thrust themselves into the arena; they are antagonistic; one is right and one is wrong; and as the contest goes on the men who are drawn into that contest are but the instruments in those great ideas of evolution in the progress of the race.

Mr. President, does anybody suppose that I am to turn aside in this debate to answer some petty and contemptible attack upon me personally? No. The Senate was occupied yesterday for five hours, at least, in the discussion of the cotton schedule. Certain facts were laid before this body. I may be wrong about it, but, in my judgment, they were important facts. An evening session followed. Some sensationalism developed in that evening session, and it claimed a space in the newspapers reporting yesterday's proceedings of Congress to the exclusion of the debate upon the bill. So to-day, Mr. President, that might be repeated if personal controversy were again intruded into this discussion. It shall not occur with my consent.

As to the remarks of the Senator from Pennsylvania [Mr. PENROSE] last evening, Mr. President, the public is not greatly interested in individual Senators and how they spend their time when away from the Senate Chamber. The people of Wisconsin will take care of me if I am an unfaithful servant without prompting from any Senator upon this floor. I would suggest that he would render a more important service to the country and to the State of Pennsylvania, were he to account for the way he spends his time when absent from this body, than in any effort to make any account of mine.

I might add, Mr. President, that no man could undertake to account for the whereabouts of the Senator from Pennsylvania when absent from this body without transgressing the rules of the Senate, and that I do not purpose to do in this debate.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

A MISTAKE AND A PUBLIC CORRECTION.

Mr. LA FOLLETTE. I yield, but not for any speech to be injected into my remarks. I will yield for a brief statement or a question.

Mr. PENROSE. Mr. President, I want to call the attention of the Senator from Wisconsin to the fact that he has already made a statement about myself and about the State of Pennsylvania in a magazine known as "La Follette's," in which he says:

> The silent school of politics, to which Pennsylvania has been so long devoted, and of which the late M. S. Quay was the greatest exponent, and Senator Boies Penrose is the present-day exemplar, has brought the State to the point of having the hugest deficit ever known. On the 20th, Henry F. Wallace, former speaker of the Pennsylvania house, stated that the deficit is now $79,000,000; that the legislature of the State is incapable of handling the situation, and that a law should be passed throwing the State into the hands of three receivers—he called them commissioners—and named John Wanamaker, Henry C. Frick, and George W. Drexel as the right men to pull the State out of the hole. Pennsylvania has run the course of machine politics to the very end, it would seem from this.

I desire to state, for the information of the Senator from Wisconsin, because he has failed to deny this statement heretofore when it was called to his attention, that nobody exists in the State of Pennsylvania by the name of Henry F. Wallace who was formerly the speaker of the house of representatives. The State of Pennsylvania, instead of owing $79,000,000, does not owe a penny of debt, if consideration be given to the sinking fund, which provides for the bonds when they reach maturity; and the report of the state treasurer, published according to law in the papers of Pennsylvania within the last three days, shows that the treasurer of Pennsylvania has $11,000,000 balance in his hands.

Mr. LA FOLLETTE. Mr. President——

Mr. PENROSE. The statements of the Senator from Wisconsin——

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield.

Mr. PENROSE. The question of the reliability of his statements I leave to the judgment of the Senate.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield further.

Mr. LA FOLLETTE. Now, Mr. President, permit me to say that the Senator from Pennsylvania is quite right about that error having been made in the magazine which I publish. I employ a staff to assist me in my work. The associate editor, Mr. Herbert Quick, writes for each issue of the paper the column which is entitled "News worth remembering;" and in the issue to which the Senator from Pennsylvania refers, Mr. Quick, in commenting in that column upon news printed in the current press of the day, made the criticism to which the Senator has called attention. That criticism was based upon a dispatch printed in the first issue of the Chicago Record-Herald, on one of the mornings of that week, which stated the facts exactly as Mr. Quick stated them when writing up the paragraph upon that subject. Mr. Quick had seen and clipped that issue of the Record-Herald. When the criticism came from the press of Pennsylvania that an error had been committed, that paragraph was transmitted from the offices of La Follette's Magazine in Madison, Wis., to the Chicago Record-Herald. They were asked for an explanation. The managing editor stated that they did print the dispatch, supposing it to be true; that they published it in the first issue of that day's paper, and, discovering it to have been a fake, suppressed it in the subsequent issue. Mr. Quick afterwards, at my suggestion, upon the editorial page of the paper, made a full statement of the fact, and expressed regret for publishing the incorrect statement.

Mr. PENROSE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Pennsylvania?

Mr. LA FOLLETTE. I yield just for this purpose only.

Mr. PENROSE. Will the Senator refer me to the date of the editorial?

Mr. LA FOLLETTE. I will say to the Senator from Pennsylvania that I will send to my committee room and get it, and have it put on his desk, because I do not want to lumber up the RECORD with anything of that sort, but I will have the magazine containing that apology put on the Senator's desk.

Mr. PENROSE. I should be very glad to see it.

Mr. LA FOLLETTE. The Senator from Pennsylvania will be shown it.

Mr. PENROSE. When a correction was requested——

Mr. LA FOLLETTE. Mr. President, I elect to proceed with my discussion.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield further.

INSISTS ON DISCUSSION OF PROVISIONS OF THE BILL.

Mr. LA FOLLETTE. I decline to yield, Mr. President, for the very reason which I have taken some minutes of time this morning to state. I propose to keep the attention of the Senate and the country and, if possible, the press, to a consideration of the cotton schedule as it has been reported and as it is sought to be passed by the committee which has reported it to the Senate.

I now wish to revert for a few moments to the analysis of the increases in this schedule as shown by the table of the Bureau of Statistics. I shall finish that shortly, and then I shall prove, Mr. President, by the customs appraisers of the Government that these increases are made as I have been contending.

Mr. President, when I was interrupted in presenting the increases shown by the table of the Bureau of Statistics, I had reached paragraph 321, embracing cotton cloth in which other than the ordinary warp and filling threads have been introduced to form a figure, and had reached the provisions embracing cloth of that character exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling. I had called attention to the fact that on cloth of that count and quality, not bleached, not exceeding 4 square yards to the pound and valued at more than 7 cents per square yard, the duty had been increased 185 per cent, while importations for 1907 under that description amounted to only $5. The next item, Mr. President——

Mr. BACON. Mr. President, I hope we may have order.

The VICE-PRESIDENT. The Senate will please be in order.

Mr. LA FOLLETTE. I thank the Senator. The next description is of cloth of the same count, character, and condition, exceeding 4 and not exceeding 6 square yards to the pound, and valued at more than 7 cents per square yard. On this cloth the increase is 59.38 per cent, and the value of imports only $32.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I do.

Mr. BACON. Anyone who has ever addressed the Senate especially at any length, knows the fact that conversation in the Chamber adds immeasurably to the labor of the speaker and imposes a great and grievous burden upon him. I do hope that I may be excused for again, in so short a time, asking for order in the Chamber.

The VICE-PRESIDENT. The Chair attempts to preserve order whenever any Senator is speaking.

Mr. BACON. The Chair will not understand me as making any criticism upon the Chair whatever. I simply desired, Mr. President, to call attention to the fact that the persons who converse in the Chamber add very largely to the labor of the speaker.

The VICE-PRESIDENT. The Chair agrees with the Senator.

Mr. LA FOLLETTE. I thank the Senator from Georgia and the Chair for endeavoring to preserve order.

On cloth of the same kind, count, and weight, valued at over 9 cents per square yard, the increase is 32.12 per cent, and the value of imports was $24,729.

On cloth of the same kind and count, bleached, weight over 8 square yards to the pound, and valued at over 11 cents per square yard, the increase is 10.40 per cent, and the value of imports $293,809.

On cloth of this kind and count, dyed, colored, stained, painted, or printed, weight exceeding 8 square yards to the pound, valued at more than 12½ cents per square yard, the increase is 25.86 per cent, and the value of imports in 1907, $82,117.

Coming now, Mr. President, to the next subdivision of paragraph 321, embracing cloth of this kind exceeding 150 and not exceeding 200 threads to the square inch, on cloth not bleached, valued at over 10 cents per square yard, the increase is 14.55 per cent, and value of imports $249.

On the same cloth bleached, exceeding 4½ and not exceeding 6 pounds to the square yard and valued at more than 7 cents per square yard, the increase is 20.82 per cent, and the value of imports was $642.

Mr. CRAWFORD. Mr President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. I do.

NO ONE HAS OR CAN FURNISH AN EXPLANATION.

Mr. CRAWFORD. It is for a question. Does the Senator in his discussion place any particular construction upon this, which appears to be the situation, as shown by the Senator's argument—that frequently on some cloth, the importation of which is practically nothing, or $5 or $50 worth, the increase is enormous, while in other cases, where there appears to be a substantial importation, no increase at all is made? What is the purpose or the significance of increasing so largely where the importations are so small and failing to make increases at all where the importations are apparently quite substantial? I confess I do not understand it.

Mr. LA FOLLETTE. I think nobody can furnish, and I am certain that no one has furnished, an explanation for such conditions and such apparent contradictions and such phenomenal increases as those to which the Senator directs attention.

Mr. President, on bleached cloth of the description given, valued at over 12 cents per square yard, the increase is 27.01 per cent and the value imported in 1907 was $122,078.

On the same cloth, dyed, colored, stained, painted, or printed, exceeding 4½ and not exceeding 6 square yards to the pound, valued at more than 7 cents per square yard, the increase is 18.35 per cent and the value of imports in a whole year was $7.

On the same cloth, valued at over 12½ cents per square yard, the increase is 2.42 per cent and the value imported $14,203.

The next subdivision of this paragraph embraces cloth of this character exceeding 200 and not exceeding 300 threads to the square inch. On cloth of this count, bleached, valued at over 15 cents per square yard, the increase is 10.44 per cent and value of imports $3,270.

On the same cloth, dyed, colored, stained, painted, or printed, valued above 17½ cents per square yard, the increase is 8.10 per cent and the value of imports for one year was $3,372.

The next, and the last item of increase in this schedule, is in paragraph 329, the last item, cotton duck. This is a kind of cloth used in the manufacture of clothing for farmers, mechanics, and laboring men generally, and used also for awnings, tents, wagon covers, and a great variety of purposes. The increase of duty on cotton duck is 28.57 per cent. The value of the imports for the year 1907 under the existing duty was only $15,862.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SUTHERLAND. I desire to inquire of the Senator to what paragraph he is now referring?

Mr. LA FOLLETTE. I am referring to paragraph 329.

Mr. SUTHERLAND. Paragraph 329 in the print which I have relates to cotton table damask.

Mr. LA FOLLETTE. Cotton duck is the last item in the same paragraph.

RECAPITULATION OF ADVANCES IN COTTON SCHEDULE.

Mr. President, the table to which I have been referring, which is compiled by the Bureau of Statistics, from the Book of Estimates, presented by the Committee on Finance, discloses this startling fact; and I offer it against the statement of the Senator from Massachusetts [Mr. LODGE]. The Senator from Massachusetts day before yesterday, speaking upon this bill, said there were only 33 increases, and, as I remember, he stated that there were three hundred and thirty odd decreases in this bill. I have already said that we can not determine whether this revision is upward or downward by counting the number of increases and the number of reductions, for the reason which I stated, that the increases may be upon items of very great importance in the commerce of the country, and the decreases may be upon items of relatively small importance.

Mr. President, the detailed analysis of this bill which this table presents shows that, instead of 33 increases, there are 288 increases of duties in this bill. In the cotton schedule alone there are 70 increases of duties as against 21 decreases in duties. The increases apply to importations amounting in 1907 to $10,382,503; the decreases, to only $44,794.

Aside from these increases, apparent in figures on its face, there are hidden increases in this bill. I do not mean that statement as implying a design upon the part of the members of the committee, but somebody in the framing of this bill manifestly knew what he was doing. There are increases here which are not disclosed by the table of figures at all, but which will result from new language in the bill, new provisos, new conditions, and new definitions. Their effect can not be measured because they have not existed before and there is no basis for mathematical comparison. But a careful study of those provisions will prove to any man of intelligence that these changes do work out considerable increases, step by step, in the bill.

The Senator from Utah [Mr. SMOOT] on Tuesday presented to the Senate a certain table showing that the average ad

valorem duty imposed under certain paragraphs in the present law is 38.66 per cent, and that the Senate bill proposed an ad valorem of 43.58 per cent for the same paragraphs, an increase of about 13 per cent over the present rate. The Senator from Utah contended that this increase was justified because, as he claimed, it imposed no greater ad valorem rate than existed in the years 1898, 1899, and 1900. Whether or not the Senator is correct in claiming that the average ad valorem duties proposed in the Senate bill are not greater than those collected ten years ago under the Dingley Act, is, in my opinion, absolutely immaterial in this discussion. The fact is that the average ad valorem rates imposed in 1907, under the existing law, are very much less than the ad valorem rates proposed in the pending bill, and the fact is that the people demanded that those rates be reduced and elected a Republican President and a Republican Congress upon a party pledge to make such a revision. The further fact is that the cotton-goods industry has been wonderfully prosperous under the rates imposed last year and the year before.

No one can gainsay or dispute that. That is a fact which confronted the Committee on Ways and Means when they made the bill as they passed it through the House. They understood that this industry is very prosperous and I would not knowingly do it the slightest injury. I believe I have just as keen sensibilities and just as keen sympathies for the laboring men employed in that industry as has the Senator from Massachusetts; but I say the testimony is simply overwhelming that this industry is not suffering at any point. I want to qualify that just in one respect. There was one defect in the Dingley law that needed correction. That defect was in paragraph 304. The writing of three lines would have corrected it, and it would have met every wrong that could be done to this industry by anybody from abroad.

OVERSIGHT IN THE DINGLEY LAW.

The only paragraph in the cotton schedule of which any just complaint can be made is paragraph 304, and the injustice there arises solely from the fact that that paragraph does not contain an ad valorem duty upon cloths coming within it exceeding a certain value. An amendment imposing an ad valorem duty in that paragraph similar to the ad valorem duties imposed in the other paragraphs of the Dingley Act relating to cotton cloths would completely remedy any injustice which now exists. That is paragraph 304 provided for cloth below a certain count; cloth so coarse that it had less than 50 threads to the square inch. Paragraph 305 of the Dingley law provided for cloth that ran from 50 threads and up to 100 threads. Each of the other paragraphs in the Dingley law making these classifications in cloth by count of the threads provided for ad valorem duties when the value of the cloth was so high that the count was not a fair measure of the duty. Paragraph 304 did not have any ad valorem provision in it. Hence importers brought in cloth which, by count of threads, would come into this low class, but which was of high value. Had there been an ad valorem provision which would have fixed a rate not only based upon the count of the threads, but based upon the value of the goods, it would have caught these higher priced goods and made them pay a proper duty based upon their value. That is what paragraph 304 needed, and that is what it did not get, and that is the only defect in it.

Mr. DOLLIVER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I yield.

Mr. DOLLIVER. That is the exact amendment I have offered to paragraph 312 of the Senate bill.

Mr. LA FOLLETTE. I am glad the Senator has prepared such an amendment, for I believe the Senate will, if they study this schedule closely, come to the conclusion that that is what ought to be done.

Mr. BEVERIDGE. Do I understand that the amendment of the Senator from Iowa which the Senator refers to covers the whole defect in the law?

Mr. LA FOLLETTE. I will say that I have not myself read it, but I have great confidence in the ability of the Senator from Iowa.

Mr. DOLLIVER. I will say that it carries back to paragraph 312 the phraseology of the Dingley proviso of paragraph 313.

DEFECT IS EXCUSE FOR INCREASES.

Mr. LA FOLLETTE. The Finance Committee, however, have used this slight defect in paragraph 304 as an excuse for increasing the duties in practically the entire cotton schedule.

If it was necessary to readjust the duties to make them more harmonious, and if the Finance Committee had considered in any degree the rights of the consumers of this country, it would have so readjusted the schedule that the average ad valorem duties collected under it would not be less and not greater than is now being collected under the existing law.

Indeed, had the Finance Committee had under consideration the rights of consumers, the average ad valorem rates instead of being increased above those imposed under the present law would have been greatly decreased, and that, too, without any injury to any legitimate industry, or the lowering of the wage of a single worker in a single cotton factory in this country.

The Senator from Massachusetts [Mr. LODGE] stated that many of the increases of specific duties are really only apparent increases. This has been much dwelt upon, not only by the Senator from Massachusetts, but by the Senator from Rhode Island [Mr. ALDRICH] as well, and by the Senator from Utah [Mr. SMOOT].

The Senator from Massachusetts said:

As a matter of fact, they are a return to the original Dingley rates.

He pointed out that on a great many articles the prices had gone up since the law went into effect, with the consequent result that the same specific duty now amounts to a lower ad valorem than it did ten years ago, when the Dingley tariff went into effect.

What the Finance Committee has done now—

Says Senator LODGE—

has been merely to advance the specific duty to a sufficient extent to make it amount to the same ad valorem as it did ten years ago.

By this course of reasoning he could justify a perpetual increase of duties, because the higher the duty the more certain it is to result in an advance in prices and therefore amount to a lower ad valorem, since the *higher* the *price* the *lower* the *ad valorem equivalent* of the *same specific duty*. This would justify him, then, according to this reasoning, in advancing specific duties still higher, and a year or two later, when that led to a *still greater increase of prices*, to go on with the same kind of revision upward, all the time claiming that this is not raising the duties but keeping them up to the *same ad valorem equivalent*.

SAMPLES SHOWING INCREASES SECURED BY GOVERNMENT'S CHIEF EXAMINER.

Now, Mr. President, I desire to lay before the Senate some proof which I have here of the actuality of these increases. I think I have demonstrated that there are increases, and I think I have demonstrated what the per cent of increase is. I have the authority of the Committee on Finance, because I have their tables, and I have based upon that the calculations of the Bureau of Statistics. Now I come to apply the language of the bill to samples of the actual goods that the people buy. I observed that when the Senator from Iowa [Mr. DOLLIVER] presented to the Senate, to illustrate his argument, certain samples of cotton goods it provoked a very severe criticism from the Senator from Rhode Island, but only one answer was attempted. With a wave of the hand the Senator from Rhode Island said: "You have come in here"—I am not quoting his exact language—"you have come in here with samples furnished by importers and calculations based upon those samples. They are not reliable. They come from people who are attempting to appropriate the markets that belong to the labor and the capital of this country."

I learned on the day the Senator from Iowa was speaking that after he began his remarkable attack upon this schedule there had been summoned here from the New York custom-house, to assist the Finance Committee, a man of greater expert knowledge than those who had been in service here when the bill was framed—a man who outranked them in service and in recognized proficiency.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. Certainly.

Mr. DOLLIVER. The matter which the Senator from Wisconsin is about to discuss is of such importance that I desire to suggest that there seems to be the absence of a quorum. I would not suggest it for that reason, but I think it very important that members of the Committee on Finance should be here.

The VICE-PRESIDENT. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gamble	Page
Bacon	Crane	Gore	Paynter
Bailey	Crawford	Guggenheim	Penrose
Beveridge	Cullom	Hale	Perkins
Borah	Cummins	Heyburn	Piles
Bourne	Curtis	Hughes	Rayner
Brandegee	Daniel	Johnson, N. Dak.	Simmons
Briggs	Depew	Johnston, Ala.	Smith, Md.
Bristow	Dick	Jones	Smith, Mich.
Brown	Dillingham	Kean	Smoot
Bulkeley	Dolliver	La Follette	Sutherland
Burkett	du Pont	Lodge	Tillman
Burnham	Fletcher	Martin	Warner
Burton	Flint	Money	Warren
Carter	Foster	Nelson	Wetmore
Clark, Wyo.	Frazier	Oliver	
Clarke, Ark.	Gallinger	Overman	

Mr. CLARK of Wyoming. The Senator from West Virginia [Mr. SCOTT] has been unexpectedly called from the Chamber.

The VICE-PRESIDENT. Sixty-six Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I took some preliminary steps, which it is not necessary, perhaps, for me to state at this time, to have this expert authorized to give me information with respect to the cotton schedule. I had my interviews with him with the approval of the Secretary of the Treasury. The gentleman of whom I speak is Mr. Parkhill, who has been employed for about twenty years in the customs service of the Government, and is the chief examiner in the cotton division of the appraiser's office of the custom-house at New York. I asked Mr. Parkhill if he would give me samples of cloth illustrating the changes, if any, which were made in this bill.

ASKED FOR FAIR ILLUSTRATIONS OF WORKING OF NEW RATES.

I told him that, while I wanted nothing that would be unfair to the committee or to this bill, I wanted to show how the consumer is going to be affected by the changes, if any, which it makes in the tariff rates. I told him that I thought I could better show it if I had samples of cloth upon which were marked the rate of duty which cloth of that count and quality would take under the existing law and the rate of duty which it would take under the reconstructed provisions in this cotton schedule. I asked him to procure me samples of that sort, and he did so. Here they are [exhibiting].

In pursuing my inquiry in this way I felt that my results could not possibly be subjected to the imputations which had been cast upon the illustrations used by the Senator from Iowa [Mr. DOLLIVER] when the Senator from Rhode Island [Mr. ALDRICH] charged that they were the product of biased and interested people whose statements at most ought to be taken with very great allowance.

There is a sample of cloth [exhibiting] covered by paragraph 309 of the Dingley Act. It is called croquet cloth. It is a quality of cloth, I should say from appearance, and I do not assume to set up as an expert, that might be used for ladies' dress goods. The figures and statements here were on this sheet when brought to me by Mr. Parkhill, excepting a little memorandum which I made here with a pencil. I have written, for instance, "no change," because this bill makes no change in the duty upon that cloth. I am giving you the samples that Mr. Parkhill brought to me, not selected by myself out of the bunch that he brought, with a view of presenting only samples showing increases, but I will present to you all the samples that he brought.

This cloth is covered by paragraph 309 of the Dingley Act. The present rate is 40 per cent ad valorem; the value is 41 cents per square yard. The proposed duty is 40 per cent under paragraph 317 of the pending bill.

Mr. BACON. Will the Senator permit me to inquire whether those samples are samples of foreign goods or of similar articles manufactured here?

Mr. LA FOLLETTE. They are samples of foreign goods. I understood from Mr. Parkhill that these were samples which he had procured at the custom-house.

I present next, Mr. President, a sample of what is called madras shirting [exhibiting], covered by paragraph 306 of the Dingley Act. The present rate is 35 per cent. The value of that goods is 18.12 cents per square yard; that is, of course, the foreign value. The proposed new duty is 8 cents per square yard under paragraph 314 of the Senate bill. That is equivalent to 44 per cent and is an increase over the existing duty of 25½ per cent. Those are Mr. Parkhill's figures, excepting the per cent of increase, which I had computed, and is written in lead pencil on the sample.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. I do.

Mr. BORAH. I wish to ask the Senator from Wisconsin if the increases which he is now suggesting were the increases which Mr. Parkhill suggested?

Mr. LA FOLLETTE. The rates of duty are marked on the sheet of paper to which the sample is pinned. They are in Mr. Parkhill's handwriting. They were marked on that sample just as they are now, when delivered to me by Mr. Parkhill. The present rate is 35 per cent; the proposed new duty, 8 cents per square yard, is equivalent to 44 per cent, paragraph 314, Senate bill. That was on the sample in that form when delivered to me by Mr. Parkhill.

Mr. BORAH. What I wanted to get at is the fact that this expert of long experience has stated, in effect, that those raises have been made.

Mr. LA FOLLETTE. Yes, sir; unequivocally.

Now, Mr. President, I next present a sample which I have marked No. 3.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. I wish to say to the Senator from Wisconsin and the Senator from Idaho that that tallies substantially with the figures I gave the other day.

Mr. BORAH. I should like to ask another question before the Senator from Wisconsin proceeds.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. LA FOLLETTE. I do.

Mr. BORAH. A man sometimes forms a more correct opinion of a man's ability by personal contact. I should like to ask the Senator, after this conversation with this gentleman, if he was thoroughly satisfied as to his ability to present the figures and substantiate himself as he purported to do? Was he an experienced, capable man in his business?

MR. PARKHILL IS AN EXPERT IN HIS BUSINESS.

Mr. LA FOLLETTE. Mr. President, I have no doubt that Mr. Parkhill is most proficient. I ought, perhaps, to say that Mr. Parkhill was exceedingly timid and reserved and would make no communication to and have no communication with me until he was authorized and directed to do so. Then he was free with me, and from talking with him I came to the conclusion—of course I would not be an expert judge myself—that he seemed to know all about this business, in which he has been engaged for twenty years.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. I do.

Mr. TILLMAN. Will the Senator please tell us who Mr. Parkhill is, and what office he holds, if any?

Mr. LA FOLLETTE. Mr. Parkhill is employed as chief examiner in the appraiser's office in what is known as the "cotton division." I may not give the exact official designation.

Mr. TILLMAN. By the Treasury?

Mr. LA FOLLETTE. By the custom-house at New York. He is under the Secretary of the Treasury, and has been there for twenty years.

Mr. TILLMAN. I understood yesterday from the Senator from Rhode Island [Mr. ALDRICH]——

Mr. LA FOLLETTE. Allow me. I do not think the Senator from South Carolina perhaps was here when I stated that Mr. Parkhill was not here in Washington in cooperation with the Finance Committee while the bill was originally being framed, but after the cotton schedule was either being attacked, or attack upon it had been intimated, I think he was summoned over here and has been here for several weeks.

Mr. TILLMAN. Now, if the Senator from Wisconsin will pardon me, another question——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. Certainly.

Mr. TILLMAN. Yesterday the Senator from Rhode Island [Mr. ALDRICH] made allusion, perhaps for the second or third time in the debate, to certain duties which were intended to be imposed by Congress, but which had been fraudulently set aside by rulings by somebody. I could not exactly get at the facts, but he referred me to the speech of the Senator from Utah [Mr. SMOOT]. But I was not in the Senate when the Senator

from Utah spoke; and I want to know whether or not Mr. Parkhill belongs to that body of experts in the custom-house whose rulings upon the quality of a given piece of cloth which is imported and its requirements to pay duty are attacked in this new tariff schedule? In other words, has Mr. Parkhill or the Board of Appraisers been guilty of changing the Dingley law rates?

Mr. LA FOLLETTE. Mr. Parkhill, as I understand, is an examiner under the Board of Appraisers.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. Mr. Parkhill is an expert examiner in the office where they pass upon invoices, and so forth, and fix these duties.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. I yield.

Mr. LODGE. I merely wish to say that Mr. Parkhill is the chief examiner in charge of cotton goods in the New York custom-house, and has been an examiner there for twenty-three years, I think.

Mr. TILLMAN. He examines them with what purpose except to fix the duty on them?

Mr. LODGE. He examines them for the purpose of assessing the duty.

Mr. TILLMAN. That is what I thought; and saying what duty such and such goods shall pay under the law.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I yield only briefly.

SAMPLES NOT SELECTED TO COVER COURT DECISIONS.

Mr. SMOOT. It will be briefly. I want to state for the information of the Senator that no member of the Finance Committee has claimed that some of these high-priced goods are not advanced in the pending Senate bill; but they have given here time and time again the reasons for such advances. I only wanted to call the Senator's attention to that.

Mr. LA FOLLETTE. Mr. President, it is true that these two samples I have referred to now are samples of a rather high value, but I shall come to some a little later that are of very moderate value.

Mr. SMOOT. And they are all affected by the decisions of the courts.

Mr. LA FOLLETTE. That is the explanation offered by the Senator from Utah.

Mr. President, I want to say generally with respect to interruptions, that I shall be very glad to yield, only I request Senators to make their interruptions as brief as possible——

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. In order that I may get along and finish, if I can, to-day. I know I am trying the patience of a great many.

I now yield to the Senator from Iowa.

Mr. DOLLIVER. The Senator from Wisconsin, if he will permit me, did not hear the last observation of the Senator from Utah [Mr. SMOOT], to the effect that the goods which he was exhibiting there had been affected by certain decisions of the courts.

Mr. LA FOLLETTE. No, I did not hear that observation.

But, Mr. President, I would like to repeat again what I said a moment ago, that I did not ask Mr. Parkhill for samples to meet some one particular phase of this question or some decision or decisions, but I asked him to give me an illustration of the operation of these proposed changes as they would affect the duties, and as representative of the whole schedule.

Mr. President, I now come to sample No. 3 [exhibiting]. This is an embroidery cloth called "Aida." It is covered by paragraph 306 of the present law. The rate is 35 per cent under the Dingley law, and it takes no change; it is not increased.

Sample No. 4 [exhibiting] is waisting, such as women buy for waists. It is covered by paragraph 308 of the Dingley Act. The present rate is 40 per cent; the value is 15.56 cents per square yard; the proposed new duty is 6½ cents per square yard, equivalent to 41 per cent. It is under paragraph 316 of the Senate bill, and it takes an increase of 2½ per cent.

Sample No. 5 [exhibiting] is figured Swiss, largely imported. It is covered by paragraphs 306 and 318 of the Dingley Act. The present rate of duty under the Dingley Act is 35 per cent ad valorem and 2 cents per square yard. It is equivalent to 43.3 per cent ad valorem, an increase of 23.7 per cent.

The value of those goods [exhibiting], that little thin-body fabric with the figure on it, is 23.9 cents per square yard, according to the memorandum as delivered to me. The proposed new duty is 10 cents per square yard, plus 2 cents per square yard for the threads other than the ordinary warp and filling, equivalent to 50 per cent ad valorem. It is under paragraphs 314 and 321 of the Senate bill, an increase of 16¼ per cent in duty over the existing law.

Sample No. 6 [exhibiting] is dress goods. It is called "voile." It is covered by paragraph 305 of the Dingley Act. The present duty is 35 per cent ad valorem; the value is 21.17 cents per square yard; the proposed new duty is 10 cents per square yard, equivalent to 47¼ per cent. It is under paragraph 314 of the Senate bill. The increase——

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. In just a moment. Let me finish my statement.

The increase in duty is 25.9 per cent over the existing law. This was assessed at 60 per cent ad valorem under paragraph 339 until the Board of General Appraisers decided that these goods were not etamines, but it is now assessed at 35 per cent. Its value is 21 cents per yard. Under the new bill it will take an increased duty, I repeat, of 47¼ per cent. Figured in the ad valorem equivalent under paragraph 314, it is an increase of 25.9 per cent.

Mr. SMOOT. Mr. President, I would call——

Mr. LA FOLLETTE. Now, Mr. President, the Senator from Utah can follow me and can take these samples, if he wants them, and give all the explanation that he likes.

The VICE-PRESIDENT. The Senator from Wisconsin prefers not to yield further.

Mr. LA FOLLETTE. I do not like to be interrupted every moment; still I do want to be fair about it.

The sample that I next present, sample No. 7 [exhibiting], is called "hardanger;" it is embroidery cloth. It is covered by paragraph 305 of the Dingley Act. The present rate is 25 per cent ad valorem; it is valued at 28 cents per square yard. The proposed new duty is 8 cents per square yard, equivalent to 28.6 per cent ad valorem. It comes under paragraph 313 of the Senate bill, and is an increase of 14¾ per cent over the present law.

The next sample [exhibiting], No. 8, is Aida. It is an embroidery cloth. It is covered by paragraph 305 of the Dingley Act. The present rate of duty is 30 per cent ad valorem; the value is 19 cents per square yard, and the proposed rate of duty is 8 cents per square yard, equivalent to 42.1 per cent. It comes under paragraph 313 of the Senate bill, and the increase is 40½ per cent.

The next sample [exhibiting] is No. 9, a satteen. It is mercerized and is used for dress goods and linings. It is covered by paragraph 308 of the Dingley Act. The present rate of duty is 40 per cent ad valorem, the value is 23.48 cents per square yard, the proposed new duty is 11½ cents per square yard, plus 1 cent per square yard for mercerizing, which is equivalent to 52.2 per cent ad valorem under paragraphs 316 and 321 of the Senate bill, and is an increase of 30½ per cent. The increase is due both to an increase in the Dingley duty and to the new duty for mercerization.

I next present sample No. 10, shirting [exhibiting], covered by paragraph 307 of the Dingley Act. The present rate is 40 per cent ad valorem, the value is 14.3 cents per square yard, the proposed new duty is 6 cents per square yard, the equivalent ad valorem is 41.9 per cent under paragraph 315 of the Senate bill, which is an increase of 4¾ per cent over the existing rate.

SAMPLE OF INCREASE ON GINGHAMS.

Sample No. 11 [exhibiting] is shirting, Jacquard pattern, covered by paragraph 307 of the Dingley Act. The present rate is 40 per cent ad valorem, the value 12¾ cents per square yard. The proposed duty is 6 cents per square yard, which is equivalent to 47 per cent ad valorem under paragraph 315 of the Senate bill—an increase over the existing rate of 17½ per cent.

Sample No. 12 [exhibiting] is women's gingham waisting. This cloth is valued at 16¼ cents a square yard. I suppose it is the kind of cloth bought by plain people in this country for dress goods. It is covered by paragraph 307 of the Dingley Act. The present rate is 40 per cent ad valorem, the value is 16¼ cents per square yard, the proposed new duty is 7 cents per square yard, equivalent to 43 per cent under the Senate bill—an increase of 7½ per cent over the present rate.

Here [exhibiting] is a piece of mercerized dress goods, sample No. 13, called taffeta. It is covered by paragraph 306 of the Dingley Act. The present rate is 35 per cent ad valorem. The

value of that goods is 13 cents per square yard. That does not mean the value per running yard as people would purchase it, which would be somewhat less. We all know that—because we know the customary width of these goods—so that that is not high-priced goods. It is valued at 13 cents per square yard. The proposed new duty is 5¼ cents per square yard, plus 1 cent per square yard for mercerizing; and it is equivalent to 48 per cent ad valorem under paragraphs 314 and 321 of the Senate bill, and the increase is about 40 per cent over the existing rate of duty.

Sample No. 14 [exhibiting] is mercerized repp, used for women's fancy coats. That is a beautiful piece of cloth. It has a high luster or mercerization. It is covered by paragraph 306 of the Dingley Act, and it takes at the present time a rate of duty of 35 per cent ad valorem just as the law stands now. The new duty, including mercerization, is 41.6 cents, or an increase of 18⅔ per cent.

Mr. President, I will have something to say in detail as I go along, if my strength and the patience of the Senate hold out, about the cost of making goods from the cotton up, step by step; the difference in the cost in this country and in competing foreign countries; the difference in the cost of spinning the yarn; the difference in the cost of converting that spun yarn into woven cloth; the cost of mercerization in this country and in competing countries.

Let us see, Mr. President, whether we are warranted in imposing these exaggerated duties upon the people of this country.

Mr. SMITH of Michigan. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. For a brief question.

DUTIES FOR MERCERIZATION ASSESSED BY MR. PARKHILL.

Mr. SMITH of Michigan. I should like to ask the Senator whether those samples are domestic or foreign goods?

Mr. LA FOLLETTE. These samples, as I understand, Mr. President, are goods taken right out of the sample department of the custom-house at New York, and are duplicated in this country in the trade.

Mr. SMITH of Michigan. Those are imported goods?

Mr. LA FOLLETTE. I think they are.

Mr. SMITH of Michigan. Now, I should like to ask whether the sample of mercerized product that the Senator has in his hand is complete, or whether it is in a partial state?

Mr. LA FOLLETTE. That piece of goods is ready to be used just as it is.

Mr. SMITH of Michigan. It is a completed sample?

Mr. LA FOLLETTE. Yes, sir; it is a completed and finished article, ready for use.

Mr. SMITH of Michigan. Not only the product itself, but the mercerization?

Mr. LA FOLLETTE. The mercerization and all.

Mr. SMITH of Michigan. They are imported from Europe?

Mr. LA FOLLETTE. I will say to the Senator from Michigan that Mr. Parkhill would not have assessed the mercerized duty on these goods if they had not been mercerized, and he has marked just what he has assessed for the mercerization of the goods.

Mr. SMITH of Michigan. All these figures, as I understand, are figures furnished by Mr. Parkhill himself?

Mr. LA FOLLETTE. They are all figures furnished by Mr. Parkhill, except I have had computed the difference between 35 per cent and 41 per cent, so that I could state the percentage of increase.

Mr. SMITH of Michigan. Then, Mr. Parkhill, as I understand, has not furnished the Senator with the exact figures as to the difference in the ad valorems?

Mr. LA FOLLETTE. He has furnished me with everything which I have given here, except that, as I have stated—which is a matter of computation that anyone can make for himself—and I will hand these samples to anyone here to test the accuracy of my work.

Mr. SMITH of Michigan. The Senator makes his own figures?

Mr. LA FOLLETTE. Yes; I make my own figures, by which I show that the increase of duty from 35 per cent to 41.6 per cent is an increase of 18⅔ per cent.

Mr. BEVERIDGE. That is, I take it, a pure matter of figuring.

Mr. LA FOLLETTE. The only thing that I have figured myself is the percentage of increase.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. I understand that the figures that are given are the ad valorem rates under the Dingley law and the ad valorem rates under the provisions of this bill. Those are Mr. Parkhill's figures, and the Senator has simply figured out the percentage of increase.

Mr. LA FOLLETTE. Yes, sir; that is all I have added.

Mr. NELSON. Which is a thing that any Senator can figure out for himself.

Mr. LA FOLLETTE. It is a simple matter. To illustrate, if one has a note on which he is getting 6 per cent interest, and he is able to reloan the money at 9 per cent, he knows that he has secured an advance of 50 per cent in interest. That is all. It is a simple calculation.

Mr. President, the next sample which I show [exhibiting] is English-made dress goods, mercerized stripes. That has a stripe running through it which is mercerized, and it gives a distinct gloss over the body of the cloth. This is covered by paragraph 306 of the Dingley Act; it does not come in at a cent and a half a yard or some trifling duty which would arouse the indignation of a protectionist, but it comes in at 35 per cent ad valorem, if it gets in at all. Its value is 14.82 cents per square yard; the proposed new duty is 5¼ cents per square yard, plus 1 cent per square yard for mercerization, which is equivalent, says Mr. Parkhill, to 42 per cent under paragraphs 314 and 321; that is, the duty is increased by the proposed bill from 35 per cent to 42 per cent; and that is an increase of 20 per cent in the rate.

The next sample [exhibiting] is a mercerized plaid, such as women buy for waists, a piece of goods that is found in every dry goods store perhaps in the United States. The value of that goods is 14 cents and a fraction per square yard; it is covered by paragraph 307 of the Dingley Act, and pays under that act a rate of 35 per cent ad valorem.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. I suggest the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Gallinger	Penrose
Bacon	Clay	Gamble	Perkins
Bailey	Crane	Gore	Piles
Beveridge	Crawford	Guggenheim	Rayner
Borah	Cullom	Hale	Root
Bourne	Cummins	Hughes	Shively
Bradley	Curtis	Johnson, N. Dak.	Simmons
Brandegee	Depew	Johnston, Ala.	Smith, Md.
Briggs	Dick	Jones	Smith, Mich.
Bristow	Dillingham	Kean	Smoot
Brown	Dixon	La Follette	Stephenson
Bulkeley	Dolliver	Lodge	Stone
Burkett	du Pont	Martin	Sutherland
Burnham	Fletcher	Money	Tillman
Burton	Flint	Nelson	Warner
Carter	Foster	Overman	Warren
Clark, Wyo.	Frye	Page	Wetmore

The VICE-PRESIDENT. Sixty-eight Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I have here sample No. 16, mercerized plaid, used for women's waists and dresses, covered by paragraph 307 of the Dingley Act. The present rate is 35 per cent ad valorem; the goods are valued at 14¼ cents per square yard. The proposed new duty is 5¼ cents per square yard, plus 1 cent per square yard for mercerizing, equivalent to 42 per cent ad valorem under paragraphs 315 and 321 of the Senate bill—an increase of 20 per cent over the present rate.

I have here sample No. 17, called a maiquesette. It is a fancy French novelty dress goods. It takes at present a rate of duty of 40 per cent under paragraph 307 of the Dingley Act. It is worth 65 cents a yard. The proposed new duty is 40 per cent ad valorem and 1 cent per square yard for mercerizing. That would make an increase of 3½ per cent over the existing duty.

Mr. President, sample No. 18 is mercerized dress goods. It is worth only 13 cents per square yard, but it is a very pretty, attractive pattern, a fine finish, produced by mercerization. It pays a duty of 40 per cent now on a value of 13 and a fraction cents per square yard under paragraph 307 of the Dingley Act. The proposed new duty is 6 cents per square yard plus 1 cent per square yard for mercerization, equivalent to 50.8 per cent

ad valorem under paragraphs 315 and 321 of the Senate bill, an increase of 27 per cent over existing duty.

INCREASES ON WOMEN'S DRESS GOODS ILLUSTRATED.

Sample No. 19 is a white brocade mercerized. The present rate is 35 per cent ad valorem; value only 13½ cents a yard. The new duty is 5½ cents per square yard plus 1 cent per square yard for mercerizing. It raises the duty to an equivalent of 46 per cent ad valorem under paragraphs 315 and 321, and is an increase of 31⅞ per cent over the existing rate.

This white brocade [indicating] is another sample popular as a women's dress goods. It is worth 15¼ cents per square yard. It is dutiable under paragraph 307 of the Dingley Act. The present rate is 35 per cent ad valorem on a valuation of 15¼ cents per square yard. The proposed new duty is 6½ cents per square yard plus 1 cent per square yard for mercerizing, equivalent to 47 1/10 per cent ad valorem under paragraphs 315 and 321 of the Senate bill, which is an increase of 35½ per cent.

This white brocade, which is marked sample 21, is a popular-priced dress goods because its value per square yard is only 14½ cents per square yard. It pays a present rate of duty of 35 per cent ad valorem under paragraph 307 of the Dingley Act. The proposed new duty is 5½ cents per square yard plus 1 cent per square yard for mercerizing, which is equivalent to 43½ per cent ad valorem under paragraphs 315 and 321 of the Senate bill, which is an increase of 21⅞ per cent over the existing rate.

I present a sample next which is covered by paragraph 304, the defective paragraph of the Dingley Act to which I have alluded several times, the one paragraph in the cotton schedule of the Dingley Act from which was omitted the ad valorem provision, the one defect, as it seems to me, which should be repaired, or the one principal defect. This pays a rate of only 2 cents per square yard under the Dingley Act, and yet it is valued at 17¼ cents per square yard. It pays a rate of only 11 1/10 per cent, and the new duty is 7 cents per square yard, equivalent to 40 7/10 per cent ad valorem under paragraph 313 of the Senate bill. This was assessed at 60 per cent ad valorem under paragraph 339 until the Board of Appraisers or the courts decided that this character of goods was not etamine. Then it was thrown into paragraph 304, and took a low duty as cotton goods of 50 threads or less per square inch, but had paragraph 304 a provision in it for an ad valorem duty it would have been fully covered.

I next show you a piece of goods valued at 17 cents per square yard. It is an open weave. It is covered by paragraph 339 of the Dingley Act. The present rate of duty is 60 per cent upon that. The proposed new duty is 8 cents per square yard, equivalent to 47 per cent, and is a decrease from the Dingley Act of 21⅞ per cent.

I have here another decrease under the Senate bill. This is a sample of open weave. Its exact name I do not know. It was held to be an etamine, because such a word was used in the linen schedule of the Dingley law. The new duty equals 30 per cent ad valorem. That is covered by paragraph 339 of the Dingley Act. The present rate is 60 per cent ad valorem. The real value of that goods is only 10 cents a square yard. The proposed duty under the Senate bill is 30 per cent ad valorem, which is a decrease of 50 per cent.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do.

COTTON SCHEDULE SHOWS 21 DECREASES AND 70 INCREASES.

Mr. BROWN. Would it disturb the Senator to state, if he has it in his mind, about how many decreases there are in this schedule?

Mr. LA FOLLETTE. In the cotton schedule there are just 21 decreases. There are 70 increases of rates in that schedule alone.

Mr. BROWN. And are the rest of the rates left as they were?

Mr. LA FOLLETTE. The rest of the rates on the face of the bill are left as they were, but much and perhaps most of the importations to which they apply will be subject to increased duties under new general provisions of the bill. The larger part of the importations of yarn and cloth is mercerized and will be subject to the new increase for mercerization. Some will be subject to increase by reason of the new provision requiring the counting of threads other than the warp and filling threads which may be introduced in the cloth to form figures and patterns. The new provision for valuation will increase the duties on all cloth subject to duties that are fixed according to value. None of these increases can be stated in figures from the bill and are not taken account of in the 70 increases which I have mentioned.

Mr. BROWN. The rest of the rates——

Mr. LA FOLLETTE. Subject to these increases resulting from these general provisions, the rest of the rates are left as fixed by the Dingley law.

Mr. DOLLIVER. If it will not disturb the Senator——

Mr. LA FOLLETTE. I yield.

Mr. DOLLIVER. I think in the hurry of statement he has omitted to state that this reduction from 60 per cent on the so-called "etamines" is effected by dropping the word "etamine" out of the paragraph in which it occurred, which had no relation to cotton cloth. But "etamine" being dropped from the paragraph in which it was erroneously placed in the Dingley law, falls back into the countable paragraph as ordinary cotton cloth.

Mr. LA FOLLETTE. Yes. I thank the Senator for the statement.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I do.

Mr. DIXON. During the Senator's speech yesterday he quoted from the yarn schedule several increases, as I recall it. I am anxious really to find out the truth about the cotton schedule. Members of the committee tell me personally that, taken as a whole, there is a decrease. I made some inquiry yesterday about the yarn schedule from which the Senator was quoting, and some Senator on the floor told me that had been stricken from the bill already by an amendment which had been offered and adopted. Does the Senator know personally as to that? I should like to know what is the real truth about it. Positive statements are made one way and equally positive statements the other.

Mr. LA FOLLETTE. The amendment referred to was passed very early in the session, one day this week. I was a few moments late in arriving at the Senate. I did not know that it had been amended, in fact, until it was stated yesterday, and I have not had an opportunity to look at that amendment. I want to do that, and I do hope the Senator will lay that amended phraseology of the bill and that of the Dingley law side by side, and then take the table which I shall print, from which I have been reading, and it will be very easy for him to determine whether the increase on that number of yarn has been affected by the amendment or not, and just how much, if at all.

Mr. DIXON. There was some such amendment adopted, was there?

Mr. LA FOLLETTE. I beg pardon.

Mr. DIXON. There was some amendment adopted decreasing the rates.

Mr. LA FOLLETTE. I understand an amendment was adopted to paragraph 310.

Mr. DIXON. I should like to know, making a sincere inquiry—the Senator spoke of 23 decreases——

Mr. LA FOLLETTE. Twenty-one decreases.

Mr. DIXON. How many increases?

Mr. LA FOLLETTE. Seventy.

Mr. DIXON. With this amendment adopted by the committee, how many of the 70 increases have been taken out by the amendment adopted some days ago?

Mr. LA FOLLETTE. As I say, I have not had an opportunity to look at that amendment since it was adopted, but it will be very easy for the Senator to examine the amendment itself, as applied to each number of yarn, and ascertain whether the amendment wipes out any, and if any, how many, of the increases noted in the table from which I read. I can not state how many of the increases in the duties on yarns that amendment affects. It would not affect these increases on cloth, which embrace the bulk of the $10,000,000 of imports on which the duties are increased in this schedule.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. The amendment to paragraph 313 is pending, and has not yet been adopted, if that is the amendment to which the Senator from Montana refers—to the first paragraph of the cloth schedule. That amendment has not yet been adopted, but is pending.

Mr. LA FOLLETTE. The Senator from Montana inquired about paragraph 310, which is the paragraph relating to threads and yarns.

Mr. BROWN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do.

Mr. BROWN. I understood the Senator to say that the committee had recommended 21 decreases?

Mr. LA FOLLETTE. Yes.

Mr. BROWN. How does the Senator from Wisconsin explain the fact that our Committee on Finance made any decreases at all in this schedule?

Mr. LA FOLLETTE. I prefer to have the Senator propound that inquiry to the committee, or some member of the committee. It may be they can tell.

The next sample which I wish to offer—I will be through with this shortly, I have only two more—is one which illustrates in a very striking degree the defect in the Dingley law. It is not numbered, but it is covered by paragraph 304 of the Dingley Act. The present rate is only 1¼ cents on that goods, which is a very heavy piece of material, such as is used for a table cover to protect the top of a table, over which is spread the tablecloth. The ad valorem equivalent of the duty which it now pays under paragraph 304 is only 2.55 per cent. The value of the goods is 52.65 cents per square yard. Of course that is a duty which no one who believes in affording any protection to those engaged in the manufacture of that product would defend. It should be corrected. A full measure of protection should be given.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I do.

CRITICISM IS MADE FROM STANDPOINT OF A PROTECTIONIST.

Mr. DIXON. I am glad the Senator has taken up that special phase of it. Personally, I am a protectionist. I think we ought to make in this country everything we can. With respect to anything not subject to monopolistic control, I would not care much about the specific. I think competition would take care of it. Does the Senator, in his criticism of the bill, criticize it from the standpoint of a protectionist who believes——

Mr. LA FOLLETTE. I do.

Mr. DIXON. That this country should, as a great nation, be self-supporting and self-sustaining in all its branches, and should measure a tariff by the difference between the cost of production here and abroad? Does the Senator approach it from that standpoint?

Mr. LA FOLLETTE. I certainly do. I never have wavered for one moment in my support of a protective policy that measures the difference in the cost of production, which is so largely composed of labor, between this and competing countries; and I would not under any circumstances aid in reducing a duty in this bill below that point.

I will say further, Mr. President, that I might hesitate in some cases, where there had been a very excessive duty, with conditions adjusted to that, to cut it all down at one stroke, especially in cases where those who were receiving its protection had not been guilty of betraying the principle which I consider the handmaid of protection; that is, competition. In other words, I think the duties of the present law, taken as a whole, are very excessive. I have spent some time for years in endeavoring to learn the cost of production. It is very difficult. The information is elusive. But I have been forced to the conviction that the duties, generally speaking, are very excessive. I think they should be reduced to the measure of the difference between the cost of production here and abroad, except I think care ought to be taken that a change so sweeping should not be too suddenly made without full consideration of its effects upon business.

But I would not have much consideration for those engaged in lines of business where they have destroyed competition, made combinations, captured the control of the market, and have exacted for many years extortionate prices from the people of this country and put away enormous surpluses that outweigh the capital they have put into the business.

I would not be at all backward about making a reduction along those lines where only that class of people were to be affected, clear down to the base line, where it would simply take care of the labor in the industry.

Mr. DIXON. I was sincerely glad to hear the Senator from Wisconsin make the statement he has just made. Theoretically at least we stand on the same platform. It is merely a question of ascertaining the truth about the schedules.

Mr. LA FOLLETTE. That is all there is to it.

Mr. DIXON. I was impressed with what the Senator read yesterday about the yarn schedule. My judgment is that the true yardstick of protection is the fact of heavy importation of the article or its light importation. The heavy importation of a certain article would lead me to conclude that the tariff was not sufficient on it; a light importation amounting in some cases to practically nothing would lead me to believe that the tariff schedule in that case was a little too high, prohibitory; and in the yarn schedule, concerning which the Senator spoke yesterday, I confess I was impressed in many cases, where the importations amounted to only a very few thousand dollars, that the schedules in those cases had been unwisely raised. With that feeling I asked two or three members of the committee—not in the open Senate, but in personal conversation—and they assured me that the schedules the Senator was quoting had been eliminated from the bill by the amendment adopted some days ago. For that reason I rose in all sincerity to inquire what is the truth of it. Is the Senator basing his statement on schedules which have already been eliminated or is he down to the bare form presented in the bill as it stands?

For my own part I would be mighty glad if the members of the committee who have these cotton schedules specially in charge would in this discussion now being carried on answer specifically the charges that have been made by the Senator from Wisconsin. There is no need to get into any state of insurrection over it. I think if the debate could be carried on in more of a friendly spirit on both sides we would arrive at the truth, which I think all of us really want to know.

Mr. LA FOLLETTE. Let me say to the Senator from Montana that there can be no question at all about the increases which I am now citing. The only amendment that has been adopted relates to the yarn schedule, and the illustrations of increases which I am giving relate entirely to the cloth schedule and are based upon samples furnished out of the custom-house at New York; the figures are the figures of the chief examiner of the cotton division, and the increases are the increases as stated by him.

I think every Senator will have an opportunity to ascertain the facts, and I believe it to be the duty of every Senator, for himself, to make an investigation. I think there will be ample opportunity for that if this bill be not driven through whip and spur, so that the cotton schedule is passed before Senators can investigate it for themselves. It is merely a matter of comparison and close application to ascertain these differences.

Mr. DIXON. If it will not interrupt the Senator's argument, I should like to ask one or two other questions. I think we can really get at the bottom of some of these things. If it is a matter of truth that the old Dingley schedules, which I think are not seriously complained of by anyone in the Chamber—any Republican in the Chamber——

DINGLEY RATES EXCEED THE DIFFERENCE IN COST OF PRODUCTION.

Mr. LA FOLLETTE. They were not seriously complained of, if I may interrupt the Senator from Montana, by the cotton manufacturers when they first appeared before the Committee on Ways and Means, as I suppose the Senator has often observed in reading the hearings.

Mr. DIXON. As I understand the Republican Senators on this floor who are known as tariff revisionists downward, there is no serious complaint about the Dingley rates as applied to the cotton schedule. If, as a matter of fact, it should appear undisputed that the old Dingley rates, as applied to some of these manufactures, had been, through the decisions of the appraisers and of the courts, really construed into a condition where they did not give over 25 per cent of the original intention of the Dingley rates, would the Senator from Wisconsin now criticise the Finance Committee if in cases of that kind they had increased the rates to carry out the original intent of the Dingley schedules?

Mr. LA FOLLETTE. I wish the Senator from Montana would not anticipate me. I will come to that; I will answer it. I will say now that I think it is easily possible to demonstrate that the Dingley rates are away beyond the measure of the difference in the cost of production, and I think I can do that on the floor. I would be glad to see them reduced. I think they can be reduced greatly without any injury or peril to this industry. I think the Senator from Montana will be amazed when he comes to see how small is the difference in the cost of production between this and competing foreign countries. I think I will be able to show that from such sources as will carry conviction to any open-minded man.

It may be, as suggested by the Senator from Montana, that the only practical thing for us to try to do in this Senate at this time is to endeavor to maintain the Dingley law. I do not think that is right. I do not think that is what we promised the people. I do not think they would have pressed for five or six years for tariff revision simply by a new enactment to rivet the Dingley law again into the statutes of this country. They wanted revision, and revision based upon the true principle of protection, which is the difference between the cost of production in this and in competing countries. I think we will have much to answer for if we do not give it to them. I am sure it is proposed now that we shall revise the tariff not only so as to give them back the Dingley law, but to give them a very much larger burden to bear.

I think it will be possible as we proceed step by step to follow the changes that are made in this bill, to find out, not by any legerdemain for purposes of trickery, but by employing the best experts the Government can furnish, exactly what we are doing day by day. Let us know whether we are increasing the burdens upon the people of this country unnecessarily and are giving to manufacturers protection for combination which will destroy competition. Let us so proceed with this bill that we shall know what it is. Let us take no man's word for it. Let us accept only the demonstration made by the figures. Let us have the work of the best experts. We are entitled to it. When we are handling a piece of legislation that is of enormous importance, when we know from precedent that we can not in all human probability go back to it again in another decade of time, can anybody tell us why we should drive forward here blindly and in ignorance?

Mr. DANIEL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. LA FOLLETTE. I do.

Mr. DANIEL. By the courtesy of the Senator from Wisconsin, I wish to occupy the attention of the Senate for only one or two minutes. I wish to read a sentence from the writings of Alexander Hamilton, in which are conveyed a doctrine than which I know none more wholesome. In that sentence he says:

> Exorbitant duties on imported articles tend to render other classes of the community tributary in an improper degree to the manufacturing class, to which they give a premature monopoly of the market.

I also present, to be printed in the RECORD, a table prepared by the two experts who are serving the Democratic members of the Committee on Finance, entitled "Articles paying over 75 per cent under the Aldrich bill." In presenting this table, I have simply to say that the figures make a very prominent comparison with the few revenue items which the Democrats have voted for in the bill, none being above the most ordinary revenue rates and each paying into the Treasury the rates they call for, which are collected and applied to public wants and needs.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Virginia, and the table will be inserted in the RECORD.

The table is as follows:

Articles paying over 75 per cent under Aldrich bill.

Paragraph. Dingley.	Paragraph. Aldrich.	Article.	Equivalent ad valorem. Dingley.	Equivalent ad valorem. Aldrich.
			Per cent.	*Per cent.*
43	39	Morphia, sulphate of	63.90	95.85
83	81	Vanillin	330.00	100.00
101	97	Window glass:		
		Above 24 by 30 inches and not exceeding 24 by 36 inches	78.09	75.26
		Above 24 by 36 inches and not exceeding 30 by 40 inches	87.39	84.15
103	99	Plate glass, ground or obscured:		
		Above 24 by 30 inches, not above 24 by 60 inches	93.05	93.05
104	100	Above 24 by 60 inches	134.41	86.41
		Plate glass, polished and unsilvered:		
		Above 24 by 30 inches, not above 24 by 60 inches	81.73	81.73
		Above 24 by 60 inches	155.62	100.04
105, 106	101	Plate glass, polished and silvered, above 24 by 30 inches, not above 24 by 60 inches	81.78	81.78
107	102	Plate glass, ornamented or decorated:		
		Not above 16 by 24 inches	125.34	125.34
		Above 24 by 60 inches	578.38	382.22
		Cylinder, crown, and common window glass, above 20 by 40 inches, not above 40 by 60 inches	92.28	89.47

Articles paying over 75 per cent under Aldrich bill—Continued.

Paragraph. Dingley.	Paragraph. Aldrich.	Article.	Equivalent ad valorem. Dingley.	Equivalent ad valorem. Aldrich.
			Per cent.	*Per cent.*
108	103	Spectacles, eyeglasses, etc., and parts, valued not over 40 cents per dozen	96.81	96.81
146	144	Card clothing, of tempered steel wire	64.67	78.83
153	151	Cutlery:		
		Pen or pocket knives, etc.—		
		Valued more than 50 cents and not more than $1.25 per dozen	93.23	93.23
		Valued more than $1.25 and not more than $3 per dozen	91.00	91.00
		Valued more than $3 per dozen	84.16	84.16
		Razors and razor blades—		
		Valued less than $1.50 per dozen	56.43	99.65
		Valued over $1.50 and less than $3 per dozen	54.85	87.83
		Valued $3 per dozen or more	56.49	80.03
155	153	Knives, with handles of deer horn	93.95	80.45
178	176	Silver leaf, in pads of 500 leaves	141.29	94.22
181	179	Lead-bearing ore	78.80	78.80
Sec. 6	190	Zinc, in ore	20.00	76.35
514	190	Zinc, in ore, calamine	Free.	84.83
209	213	Sugar, not above No. 16 Dutch standard:		
		Beet—		
		Between 88° and 94°	78.26	78.26
		Between 94° and 95°	76.56	76.56
		Between 95° and 96°	87.16	87.16
		Cane—		
		Between 80° and 81°	107.49	107.49
		Between 82° and 83°	91.08	91.08
		Between 85° and 86°	82.08	82.08
		Between 87° and 88°	81.81	81.81
		Between 88° and 89°	87.73	87.73
		Between 90° and 91°	120.19	120.19
		Between 93° and 94°	75.33	75.33
		Between 95° and 96°	90.46	90.46
		Between 96° and 97°	97.64	97.64
211	215	Saccharine	216.71	108.33
		Tobacco:		
213	217	Wrapper, etc., unstemmed	186.98	186.98
		Cuba, reciprocity	98.52	98.52
		Filler, stemmed	83.92	83.92
215	219	All other unmanufactured, n. s. p. f.	203.18	203.18
		Cuba, reciprocity	164.15	164.15
216	220	Snuff, etc	78.46	78.46
		All other manufactures of, n. s. p. f.	151.24	151.24
		Cuba, reciprocity	79.80	79.80
217	221	Cigars and cheroots, all kinds	152.85	152.86
		Cuba, reciprocity	87.81	87.81
		Cigarettes and paper cigars	146.72	146.72
		Cuba, reciprocity	120.68	120.68
		Total of tobacco schedule	87.20	87.18
		(Difference due to Philippine free trade.)		
232	236	Rice, cleaned, from Philippines	59.33	79.00
263	270	Comfits, sweetmeats, and fruits, preserved in alcohol	87.53	87.53
		France, reciprocity	100.70	100.70
266	273	Limes	88.36	88.36
284	291	Salt, in bulk	90.24	90.24
296	297	Brandy	118.94	137.44
		Cuba, reciprocity	77.14	89.14
		France, reciprocity	50.54	88.46
		Germany, reciprocity	118.80	176.51
		Italy, reciprocity	143.14	212.67
		Portugal, reciprocity	319.63	474.86
		Spain, reciprocity	86.56	128.61
289	297	Alcohol	1,018.29	1,176.73
		Cuba, reciprocity	1,647.88	1,904.31
		France, reciprocity	580.12	861.95
		Germany, reciprocity	803.75	1,194.15
		Gin	239.35	276.58
		France, reciprocity	294.17	303.33
		Germany, reciprocity	172.40	256.15
289	297	Other spirits, n. s. p. f.:		
		From grain—		
		Whisky—		
		France, reciprocity	123.18	142.38
		Germany, reciprocity	101.55	150.83
		All other—	58.33	86.67
		France, reciprocity	174.53	201.68
		Germany, reciprocity	75.83	108.72
		Italy, reciprocity	174.72	259.67
		From other materials	108.16	100.70
		Cuba, reciprocity	277.35	320.51
		France, reciprocity	164.36	189.93
		Germany, reciprocity	111.69	165.98
291	299	Compounds or preparations of which distilled spirits are a part of chief value, n. s. p. f.	125.77	187.16
		Cuba, reciprocity	118.84	137.32
		Germany, reciprocity	248.23	286.85
292	300	Cordials, liqueurs, arrack, etc., and other beverages or bitters containing spirits, n. s. p. f.	218.98	325.33
		Cuba, reciprocity	113.81	131.52
		France, reciprocity	81.87	94.66
		Germany, reciprocity	79.43	117.83
		Italy, reciprocity	107.85	160.24
		Spain, reciprocity	92.63	137.63
		Switzerland, reciprocity	83.46	124.00
		Vermuth and ginger wine, over 14 per cent alcohol, from:	84.32	125.28
		Germany, reciprocity	52.50	78.00
		Italy, reciprocity	55.39	82.30

Articles paying over 75 per cent under Aldrich bill—Continued.

Paragraph. Dingley.	Paragraph. Aldrich.	Article.	Equivalent ad valorem. Dingley.	Equivalent ad valorem. Aldrich.
			Per cent.	*Per cent.*
		Vermuth and ginger wine—Continued.		
		In bottles or jugs, from Italy, reciprocity	65.17	81.03
294	302	Bay rum or bay water	331.84	387.16
298	304	Still wines, in casks, 14 per cent or less of alcohol	69.76	78.48
		France, reciprocity	64.77	83.28
		Italy, reciprocity	85.38	109.91
		From 14 per cent to 24 per cent alcohol	78.41	94.09
		France, reciprocity	54.91	94.13
		Germany, reciprocity	54.57	93.55
		Italy, reciprocity	95.17	163.15
		Switzerland, reciprocity	51.13	87.65
		In bottles between 1 pint and 1 quart, Italy, reciprocity	52.63	77.90
301	309	Mineral waters, natural or artificial, otherwise than in bottles of not more than 1 pint	123.57	123.57
		Total of Schedule H	70.69	88.89
302	310	Cotton thread, colored, bleached, or dyed, No. 106	78.53	78.53
313	321	Cotton cloth, woven to form a figure, exceeding 100 and not 150 threads to the square inch; dyed, colored, stained, or printed; valued at more than 7 cents per square yard	77.22	77.22
330	336	Threads, twines, cords of flax, etc.:		
		10 lea	101.32	105.44
		16 lea	88.41	85.14
		100 lea	77.84	75.04
		149 lea	121.00	118.00
		176 lea	188.33	184.33
332	338	Gill netting, 5 lea	118.60	91.98
		SCHEDULE K—WOOL.		
361	368	Wastes: Slubbing, rings and garnetted	118.42	118.42
362	369	Shoddy	98.21	98.21
364	372	Wool and hair advanced beyond the scoured condition:		
		Valued not more than 40 cents per pound	149.00	149.00
		Valued over 70 cents	93.70	93.70
365	373	Yarns, etc.:		
		Valued not more than 30 cents per pound	143.02	143.02
		Valued more than 30 cents per pound	87.25	87.25
366	374	Knit fabrics (not wearing apparel):		
		Valued not more than 40 cents per pound	141.00	141.00
		Valued more than 40 cents and not more than 70 cents per pound	119.06	119.06
		Valued above 70 cents per pound	95.67	95.67
		Plushes and other pile fabrics:		
		Valued not over 40 cents per pound	141.78	141.78
		Valued over 40 cents and not over 70 cents per pound	114.37	114.37
		Valued more than 70 cents per pound	95.33	95.33
		All other manufactures wholly or in part of wool:		
		Valued not more than 40 cents per pound	140.55	140.55
		Valued more than 40 cents and not more than 70 cents per pound	128.11	128.11
		Valued more than 70 cents per pound	79.47	79.47
		Cloths, woolen or worsted:		
		Valued not more than 40 cents per pound	134.97	134.97
		Valued more than 40 cents and not more than 70 cents per pound	118.89	118.89
		Valued above 70 cents per pound	94.32	94.32
367	375	Blankets:		
		Valued not more than 40 cents per pound	107.00	107.00
		Valued more than 40 cents and not more than 50 cents per pound	106.12	106.12
		More than 3 yards in length:		
		Valued not more than 40 cents per pound	165.42	165.42
		Valued more than 40 cents and not more than 70 cents per pound	120.98	120.98
		Valued more than 70 cents per pound	104.55	104.55
		Flannels for underwear:		
		Valued not more than 40 cents per pound	143.67	143.67
		Valued more than 40 cents and not more than 50 cents per pound	101.26	101.26
		Valued more than 50 cents and not more than 70 cents per pound	105.49	105.49
		Valued above 70 cents per pound	86.39	86.39
		Weighing over 4 ounces per square yard—		
		Valued more than 50 cents and not more than 70 cents per pound	125.80	125.80
		Valued more than 70 cents per pound	106.57	106.57

Articles paying over 75 per cent under Aldrich bill—Continued.

Paragraph. Dingley.	Paragraph. Aldrich.	Article.	Equivalent ad valorem. Dingley.	Equivalent ad valorem. Aldrich.
		SCHEDULE K—WOOL—continued.		
			Per cent.	*Per cent.*
368	376	Dress goods, women's and children's coat linings, etc.:		
		The warp consisting wholly of cotton, etc., with the remainder of the fabric consisting wholly or in part of wool—		
		Valued not over 15 cents per square yard—		
		Not above 70 cents per pound	105.92	105.92
		Above 70 cents per pound	106.37	106.37
		Valued above 15 cents per square yard—		
		Not above 70 cents per pound	96.87	96.87
		Above 70 cents per pound	94.13	94.13
		Weighing over 4 ounces per square yard—		
		Valued more than 40 cents and not more than 70 cents per pound	115.53	115.53
		Valued more than 70 cents per pound	92.61	92.61
369	377	Composed wholly or in part of wool—		
		Valued not above 70 cents per pound	104.19	104.19
		Valued above 70 cents per pound	103.52	103.52
		Weighing over 4 ounces per square yard—		
		Valued more than 40 and not more than 70 cents per pound	118.27	118.27
		Valued more than 70 cents per pound	100.56	100.56
370	378	Felts, not woven	95.98	95.98
		Wearing apparel—Clothing, ready-made cloaks, jackets, ulsters, etc	80.32	80.32
		Hats of wool	86.61	86.61
		Knitted articles	92.17	92.17
		Shawls, knitted or woven	92.70	92.70
		Other clothing, ready made, etc	76.59	76.59
371	379	Webbings, suspenders, etc	80.82	80.83
374	382	Carpets, Brussels	75.81	75.81
382	390	Mats, rugs for floors, etc	114.66	114.66
386	394	Velvets, plushes, etc.:		
		Plushes	75.12	105.22
		Velvets, ribbons, etc	60.32	75.55
		Other pile fabrics	69.70	91.17
387	395	Silk, weighing not less than 1½ ounces and not more than 8 ounces per square yard:		
		In the gum—		
		Containing not more than 20 per cent in weight of silk	78.57	100.17
		Containing more than 30 per cent and not more than 45 per cent in weight of silk	67.03	78.20
		Containing more than 45 per cent in weight of silk	78.03	78.03
		Dyed in the piece—		
		Containing not more than 20 per cent in weight of silk	55.95	79.26
		Boiled off or printed, containing more than 45 per cent in weight of silk	87.80	87.80
		Dyed in the thread or yarn—		
		Black silk, except selvedges—		
		Containing not more than 30 per cent in weight of silk	54.88	128.06
		Containing more than 30 per cent and not more than 45 per cent in weight of silk	55.13	87.71
		Other than black—		
		Containing not more than 30 per cent in weight of silk	67.10	130.56
		Containing more than 45 per cent in weight of silk, weighted to exceed original weight of the raw silk	53.47	83.18
		Other, on which specific duty does not amount to 50 per cent	50.00	75.00
		SCHEDULE M—PULP PAPER, ETC.		
406	415	Playing cards	138.98	138.98
		SCHEDULE N—SUNDRIES.		
412	421	Buckles, trousers or waistcoat, of iron or steel, valued not more than 15 cents per hundred	77.48	77.48
414	423	Buttons, trouser, steel	126.88	126.88
420	429	Firecrackers	97.02	97.02
		Fireworks	20.00	75.00
424	433	Blasting caps	90.25	76.48
440 and 445	450a to 452e and 451	Men's gloves of sheep origin, unlined	81.38	81.38

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. Getting back to the last sample the Senator exhibited, high-priced goods, which is now assessed at less than 3 per cent, I assume that that is due to the defect in paragraph 304. It was assessed, I take it, at 45 or 60 per cent after the passage of the Dingley law. It was assessed for a time at 45 or 60 per cent, was it not?

Mr. LA FOLLETTE. Certain of these goods were assessed at 60 per cent.

Mr. GALLINGER. Undoubtedly it was because of the court decision taking it out of the class originally given it and putting it into a class which was assessed at a very small amount.

Mr. LA FOLLETTE. At a very low rate.

Mr. GALLINGER. The Senator, of course, concedes—in fact, he has stated—that the defect in the law ought to be cured.

Mr. LA FOLLETTE. Without any question.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I will yield.

Mr. DIXON. If the Senator will yield to me, with all due respect to many of my colleagues here, I think there has been quite a widespread disposition on both sides of the Hall in one case to find technical objections to the bill and in the other case not to give such information as may be needful. I think I will rebuke both sides, now that I see that has been the policy here. I am in good faith trying to ascertain the truth. The Senator from Utah [Mr. SMOOT], who sits in my rear and is a member of the committee, tells me positively that of the supposed increases which the Senator from Wisconsin now recites as a matter of actual fact 21 per cent of them are decreases and not increases, and only three of the samples——

Mr. LA FOLLETTE. The Senator from Utah has had the opportunity to present the views of the committee to sustain that proposition.

Mr. DIXON. Will the Senator——

Mr. LA FOLLETTE. Wait a moment.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. LA FOLLETTE. The Senator from Utah demanded the right to make a statement without interruption. I want to say that I am perfectly willing to submit to reasonable questioning as we go along; but there is with every man a certain limit to his physical endurance. I have been on the floor now for two hours and a half, and I have not disposed of more than a fourth of the matter which I wanted to lay before the Senate to-day, in order to conclude what I have to say. Unless there is a disposition somewhere to push the bill through without a full discussion, the Senator from Utah will have his opportunity to rise and make an explanation of every sample I present and step by step to explain and answer every argument I make.

Mr. DIXON. Now——

Mr. LA FOLLETTE. I feel that it is due to a connected and proper presentation of the facts which at very great labor I have brought together that I should be allowed to proceed in a connected way with them, and I should like to conclude to-day.

Mr. DIXON. Just one other question, and I will not interrupt the Senator further. As a matter of fact, we have arrived at a situation in which the Senator is making direct charges in regard to these specific items which are so much at variance with the statements of the Senator from Utah, I would suggest that by the Senators yielding, one to the other, we might arrive at the truth without waiting for a set speech to-day, perhaps to be followed by another set speech.

Mr. LA FOLLETTE. In making a set speech I have shown, I think, reasonable liberality in yielding.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I yield.

Mr. NELSON. I want to say that in view of the fact that those who differ with the Senator from Wisconsin about the cotton schedule had the whole evening last night to discuss it and refused to do it, I think it is not fair to interject their speeches into the speech of the Senator from Wisconsin. They could have discussed it and given us some opportunity to hear their side of the case last night.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, I had nearly concluded presenting a sample which shows the necessity for an amendment of the Dingley law. It is a sample of goods that is woven thick and heavy and used largely as a covering for dining-room tables.

I offer now a sample which shows a decrease of 44 per cent. It is one of those etamines we have heard so much about. It is covered by paragraph 339 of the Dingley act. The present rate is 60 per cent ad valorem; the value is 30 cents per square yard. The proposed new duty is 10 cents per square yard, and the ad valorem equivalent is 33⅓ per cent under paragraph 313. It is a decrease of 44 per cent.

I have here another decrease, a woven fabric dutiable at present at 60 per cent ad valorem and made dutiable under the proposed law at 30 per cent, a decrease of 50 per cent.

Mr. President, recapitulating, there were twenty-seven samples furnished to me by the government cotton expert, and I have laid them before the Senate just as they were furnished to me. Twenty-one of those samples show increases, four show decreases, and two show no change.

I took some pains to provide myself with some further samples, and I ask Senators to give me their attention now for just a few moments while I show five samples that were not provided by Mr. Parkhill.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. In view of the samples the Senator has on his desk and the demonstration he proposes to give us, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Perkins
Bacon	Crane	Hale	Piles
Bailey	Crawford	Heyburn	Rayner
Beveridge	Cullom	Johnson, N. Dak	Scott
Borah	Cummins	Johnston, Ala	Shively
Bourne	Curtis	Jones	Simmons
Bradley	Daniel	Kean	Smith, Md
Brandegee	Depew	La Follette	Smith, Mich
Briggs	Dick	Lodge	Smoot
Bristow	Dillingham	McEnery	Stephenson
Brown	Dixon	Martin	Stone
Bulkeley	Dolliver	Money	Sutherland
Burkett	du Pont	Nelson	Tillman
Burrows	Flint	Nixon	Warner
Burton	Frye	Overman	Wetmore
Carter	Gallinger	Page	
Clark, Wyo	Gamble	Paynter	
Clarke, Ark	Gore	Penrose	

The PRESIDING OFFICER. Sixty-nine Senators have answered to their names. A quorum is present. The Senator from Wisconsin will proceed.

SAMPLES FROM ANOTHER SOURCE.

Mr. LA FOLLETTE. Mr. President, before I was made certain that I could secure some samples through Mr. Parkhill, it occurred to me that I might provide myself with some samples which could not be open to the criticism applied by the Senator from Rhode Island to the samples presented by the Senator from Iowa—that they were furnished by importers—and I communicated with Mr. Gilbert E. Roe, of 96 Broadway, New York. Mr. Roe was for many years my law partner in Madison, Wis. Some years ago he removed to New York to practice law there. He is a very dear and intimate friend of mine, and I wrote to him and asked him to furnish, with such assistance as he might procure, a limited number of samples of goods of reasonable value per yard, such as were used commonly, and to take the samples to the custom-house at New York and see if they could be appraised and the duties under the present law and under the Senate bill stated upon them, and, if so, to have the proper memorandum made upon each one of them and send them to me. I have them here [exhibiting]. I have Mr. Roe's letter, which I will read:

ROE & MCCOMBS,
ATTORNEYS AND COUNSELORS AT LAW,
96 Broadway and 6 Wall street, New York, May 8, 1909.

Hon. ROBERT M. LA FOLLETTE, *Washington, D. C.*

DEAR SENATOR: Complying with your request, as expressed to me a few days ago, I have procured and caused to be mailed to you five samples (a, b, c, d, and e) of mercerized cotton cloth obtained from M. Park Parker, of 116 Franklin street, city of New York. Each sample was submitted to the appraiser here having charge of the appraisal of such goods at the New York custom-house. On each sample you will find pasted a statement showing value (cost) of the goods, present duties, and proposed duties under the Senate bill. In each instance the appraiser here confirmed these figures, that is, the value, present duties, and duties under the proposed Senate bill.

The statement attached to each sample, I think, requires no particular explanation and you may feel sure of its correctness. I call

your attention, however, to the two statements attached to sample a. One, as you will see, is based on the present cost of those goods, 5¾d. per yard, which would result under the duties proposed in a total duty of 7½ cents a square yard. The other statement is based on an increase in cost from 5¾d. to 6d. per square yard, which increase, resulting in a different classification, would mean a duty of 9 cents a square yard. This would result with even so slight an advance in the market as ¼d. a yard, and would thus make the duty increase 121½ per cent, as against the duty increase of 92¾ per cent on the 5¾d. cost.

Trusting that the samples sent with attached statements comply with your request and furnish you the information desired, I remain, as ever,

Yours, sincerely, GILBERT E. ROE.

The first sample, Mr. President, is designated "plain cotton cloth, bleached." I want to say that these five samples each relate to or come under a different paragraph. So each one of them is an illustration of the change that this proposed bill makes in the rate of duty on cloth under each count of a paragraph. The first is cloth under 100 threads [exhibiting] to the square inch. The actual count is 84 threads. It has a 27-inch width. It cost 5¾ pence. The square-yard value reduced to our money is 15.56 cents per square yard; present duty, paragraph 305, Dingley law, is 25 per cent ad valorem. You see, this would not come in paragraph 304 of the Dingley law because that includes only cloth not exceeding 50 threads. Now, paragraphs 304 and 305 of the Dingley law have been put together into paragraph 313 of this bill, and the double classification of 50 threads and below and from 50 up to a hundred has been put into one class, not to exceed 100 threads. This comes in that class.

SLIGHT ADVANCE IN VALUE GREAT IN DUTY.

The present duty, paragraph 305, Dingley law, 25 per cent ad valorem, equals a duty of 3.89 cents per square yard. The proposed duty, paragraph 313, Senate committee amendment, specific rate based on value, is 6¾ cents per square yard. Being a mercerized cloth you add an additional duty under paragraph 321 of 1 cent per square yard, and you get a total duty of 7¾ cents per square yard on this cloth, the square-yard value of which is practically 15½ cents. That is a difference between the present duty and the proposed duty of 3.6 cents per square yard, or a duty increase of 92¾ per cent. There is the sample. [Exhibiting.] That sample has been to the custom-house at New York; and that is the record written upon it there.

Take that same cloth and suppose there were a slight advance in price, say, for 5¾ to 6 pence per yard. Being under a hundred threads, it still comes under paragraph 313 of the proposed bill or under paragraph 305 of the present Dingley law; it is still 27 inches wide, too; but it costs 6 pence. That makes the square yard value 16.24 cents. The present duty, paragraph 305 of the Dingley law, is 25 per cent ad valorem, which equals 4.06 cents. The proposed duty, paragraph 313 of the Senate bill, specific, based on value, is 8 cents per square yard. Then for mercerizing a cent is added. The entire duty added to this cloth by this bill, at that value, makes it 9 cents per square yard, an increase of 4⅞ cents per square yard over the duty it would take at the same value under the Dingley Act, which is an increase of duty of 121½ per cent over the present rate of duty.

Mr. President, there [exhibiting] is a colored cotton cloth. It comes in the class of 100 to 150 threads to the square inch. The actual count of threads in that is 148 threads to the square inch. It is 26 inches wide, and it costs 5⅝ pence a square yard. The value is 15.1 cents per square yard, and the present duty under paragraph 306 in the Dingley Act at 35 per cent ad valorem amounts to 5.29 cents. The proposed duty under paragraph 314 of the Senate bill, specific, based on value, is 7 cents a square yard. For mercerization another cent is added, which makes the specific duty on this piece of cloth, the yard value of which is 15.1 cents, 8 cents per square yard, or an increase of 2.7 cents per square yard over the existing rate, a duty increase of 51¼ per cent. This is cheap dress goods, a substitute for silk, which the masses can afford to buy. It retails at 19 cents a yard and is sold all over the United States.

I present a sample [exhibiting], which is ratable under paragraph 314 of this proposed bill. It would be ratable under paragraph 306 of the Dingley Act. This is common dress goods for the masses. It is mercerized. It has 130 threads to the square inch. It costs 6½ pence. The square-yard value is 17.43 cents. The present rate of duty under paragraph 306 of the Dingley law is 35 per cent ad valorem, which equals 6.1 cents per square yard. The proposed duty under paragraph 314 of the Senate bill, specific, based on value, is 8 cents per square yard. Being mercerized, 1 cent more is added, which makes the total duty of 9 cents per square yard, or 2.9 cents increase per square yard over the existing Dingley law, which is an increase, when reduced to a percentage, of 47½ per cent over the present rate.

The next sample [exhibiting] is from 150 to 200 threads, which carries it over into paragraph 307 of the Dingley Act and into paragraph 315 of the Senate bill. The value of this piece of goods is 6¼ pence, which makes a square yard value of 15¾ cents per yard. This is common colored cotton dress goods. It is used by the masses, and it is made in the United States in great quantities. There is hardly any of it imported into this country under the present duty. It is representative of a grade of goods of which our manufacturers have an exclusive market; and yet, Mr. President, it is subjected to the following changes of duty under this bill: Its present duty is 6.3 cents per square yard. The duty which it takes under the proposed bill, section 315, is, first, the specific duty of 7 cents, then the mercerized duty of 1 cent added to that, which makes it 8 cents, which is an increase of 1.7 cents per square yard over the existing rate, or an increase of 27 per cent.

Just one more of these samples, Mr. President, and then I have finished with them. That [exhibiting] is black satin and very common. It is valued at 20.9 cents per square yard. It has between 200 and 300 threads per square inch. The actual count is 230 threads. It costs 8¾ pence net. The present duty, under paragraph 308 of the Dingley law, is 40 per cent ad valorem, which equals 8.36 cents per square yard. The proposed duty under paragraph 316 of the bill, specific, based on value, is 11¼ cents per square yard. Being mercerized, you add a cent a yard, which gives the total duty in the proposed Senate bill 12¼ cents per square yard. That is the duty that cloth must pay under this bill. Under the Dingley law it would have to pay 8.36 cents per square yard. The changes in this bill increase the duty on each square yard of that cloth 3.89 cents, which is a duty increase of 46 per cent.

Mr. President, permit me to say I shall be able to furnish Senators with a small piece of each of these samples, mounted upon a sheet of paper, with the data which I have given printed upon it, and they can examine them at their convenience.

Mr. STONE. Mr. President, may I interrupt the Senator for a question?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

OFFERS SAMPLES TO FINANCE COMMITTEE FOR REPLY.

Mr. STONE. Mr. President, it is contended by Senators on the Finance Committee that there have been no material increases in this cotton schedule. The Senator from Wisconsin has given specific examples in a very striking statement in detail, and he now says he will furnish the data to individual Senators. I should like to know if the Senator is not entirely willing to furnish these various samples to the members of the Finance Committee that they may show, if they can, any error in his statement?

Mr. LA FOLLETTE. I have here, Mr. President, printed the data which I have submitted with respect to these five samples which——

Mr. STONE. I should like to know——

Mr. LA FOLLETTE. I have appended to it a small piece of each sample, and I have a sufficient number to furnish one to every Member of the Senate, and I shall be glad to do so.

Mr. STONE. I see that all the Finance Committee are absent.

Mr. LA FOLLETTE. If I am wrong, Mr. President, in any way, I do not want to foreclose anybody from an opportunity to set me right before the vote is taken upon this schedule.

Mr. DIXON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I yield for a question.

Mr. DIXON. I was glad to hear the suggestion of the Senator from Missouri [Mr. STONE]. We are now confronted here with diametrically opposed statements. I want to know what is the truth. The Senator from Wisconsin [Mr. LA FOLLETTE] makes the positive statement that the increases in this schedule are from 30 to 40 per cent, while the Senator from Utah [Mr. SMOOT], who sat here a moment ago, positively says they are decreases of 33⅓ per cent. I said, "Why, then, do you not interrupt the Senator from Wisconsin and make the explanation?" Would it not be possible for the Senator from Wisconsin and the Senator from Utah right now to settle this matter before the Senate? The Senator from Utah says the Senator from Wisconsin will not yield to him.

Mr. LA FOLLETTE. I think it would have been possible for the Finance Committee to furnish to this body detailed explanations of the changes which they have made in this bill, and then have given us time to have investigated the matter.

Mr. DIXON. Will the Senator from Wisconsin let the Senator from Utah interrupt him at this time?

Mr. LA FOLLETTE. I will turn over to the Senator from Utah every sample which I have presented to the Senate and allow him to explain away these increases, if he can, when I get through.

Mr. DIXON. But not at this time?

Mr. LA FOLLETTE. I think that is a reasonably fair proposition.

Mr. DIXON. Why not let it be done now as we go on with the argument?

Mr. LA FOLLETTE. Mr. President, the Senator from Montana, I think, is too persistent.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield further.

Mr. DIXON. I may be persistent, Mr. President, but I want to know what the truth is.

The VICE-PRESIDENT. The Senator from Wisconsin prefers not to yield further.

Mr. LA FOLLETTE. I observe that the Senator from Montana is a good deal more interested in this matter than are the members of the Finance Committee.

Mr. STONE. Not one of whom is present.

Mr. LA FOLLETTE. Oh, yes; there is a member of the Finance Committee present. The Senator from California [Mr. FLINT] is here.

Mr. STONE. But he has just come in.

Mr. MONEY. Mr. President, I ask——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. MONEY. I ask if it will inconvenience the Senator for me to have read in the line of his argument—or he can read it himself, if he chooses—a reference to this schedule which probably has escaped his notice?

Mr. LA FOLLETTE. I will ask the Senator to read it, if he will.

Mr. MONEY. I will send it to the Secretary's desk and ask to have it read.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[S. Doc. No. 75.]

MEMORANDUM ON COTTON SCHEDULE.

On the first paragraph in the cotton schedule, No. 310, the "Estimates of revenues" proposed by the Finance Committee show that the duties have been increased on cotton threads, not sewing, darning, or embroidery cottons, $10,518.97. But this does not represent the full increase. A new classification with greatly increased duties has been introduced, notice of which is not taken in the above estimates.

The following shows the present and proposed rates on certain sized threads:

Threads advanced beyond the condition of singles.

Number.	Present duty (per pound).	Proposed duty* (per pound).
20	6 cents	6, 8, and 9 cents.
30	7½ cents	7½, 12, and 13½ cents.
40	10 cents	10, 16, and 18 cents.
60	15 cents	15, 24, and 27 cents.
80	25 cents	24, 32, and 36 cents.
100	30 cents	30, 40, and 45 cents.
200	60 cents	60, 80, and 90 cents.
270	81 cents	67 cents, $1.08, and $1.12½.

* Not less than 25 per cent ad valorem.

In the estimated revenues referred to above no notice is taken of the duties shown in the last two columns of the above table, although much of the imports would fall under these two heads. They cover thread used in the making of lace curtains, mixed cotton and woolen goods, automobile cloth, etc.

Mr. MONEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. MONEY. If the Senator wants to go on, of course he can do so; but I will ask now, if he will permit me to further interrupt him, to introduce a table, which states what the rates of wages are in different occupations in France, Germany, and Great Britain, and also in the United States—a question which has been very much in dispute here, especially in connection with the document furnished by the German Government. If the Senator desires to go on, I will not interrupt him.

Mr. LA FOLLETTE. I yield to the Senator if the Senate will permit me to yield for that purpose. I will be very glad of the interruption, as it will permit me a little breathing spell.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. MONEY. I send to the desk and ask to have read a table, but before the Secretary begins the reading, I want to explain to the Senate that this is a report of the board of trade of the United Kingdom. That is not a commercial board, as its name would imply, but it is an administrative board of the Government, and the secretary is a member of the British Cabinet. It was not introduced lately, and has no reference to this debate or this discussion, because it is two or three years old. It is simply one of the reports that they make annually to their Government. I also ask consent of the Senate that these two tables be printed as a Senate document for the convenience of Senators. They will find it very useful in that form.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

Average wages, 1905, per week in the following countries.

Trade.	Occupation.	England.	Germany.	France.	United States.
Building (London)	Bricklayers, masons, carpenters, and joiners	$10.64	$9.77	$9.34	$26.10
	Plumbers and plasterers	11.35	7.82	9.34	22.10
	Painters	8.75	7.90	9.34	17.28
Engineering	Fitters, turners, and smiths	7.09	7.82	5.83	9.40
	Pattern makers	9.48	8.02	11.68	15.30
	Laborers	10.58	8.02	13.38	18.30
Boiler making (new work)	Platers	5.83	5.10	5.83	8.96
Furnishing	Riveters and calkers	10.94	7.75	11.68	16.40
	Cabinetmakers	9.24	7.75	10.70	15.68
	French polishers	10.22	8.90	10.50	15.50
	Upholsterers	9.57	9.73	10.50	----------
Printing	Compositors (job)	10.95	8.51	10.46	18.62
Cotton	Weavers	9.48	8.89	8.10	18.50
	Mule spinners	6.08	4.62	4.86	9.00
Wool	Weavers	10.95	7.78	7.54	11.44
	Spinners	6.08	4.37	4.63	11.22
	Combers	2.44	6.56	4.99	11.00
Silk	Weavers	5.23	4.74	4.19	7.08
Pottery	Potters	5.50	5.47	4.38	11.50
	Overmen	7.29	8.51	5.83	22.26
Wire	Drawers	8.51	10.21	8.74	18.33
	Weavers	10.34	7.29	10.50	----------
	Galvanizers	9.73	----------	5.83	----------
	Laborers	7.41	----------	----------	----------
		4.74	4.62	5.24	----------

NOTES ON AVERAGE WAGES.

The wages given for England, Germany, and France are taken from the "Report of an enquiry of the board of trade into working-class rents, housing, and retail prices, together with the standard rates of wages prevailing in certain occupations in the principal industrial towns of the United Kingdom."

The wages given for the United Kingdom relate to September, 1906, except in the engineering group, where the figures relate to October, 1905.

The wages given for Germany and France relate to October, 1905.

The report says: "The general result of the comparison (of wages) is to show that in German towns the workmen engaged in these trades receive about 17 per cent less money wages in return for a week's work of about 10 per cent longer duration than the corresponding English workman," and in France "15 per cent lower than the Germans."

The wages given for the United States are taken from the Bulletin of the Bureau of Labor of July, 1905.

Mr. MONEY. I will say that the item in this statement as to the wages in the United States is not a part of the British report, but is from the United States Bureau of the Census. I am obliged to the Senator from Wisconsin.

DUTIES ON MERCERIZATION.

Mr. LA FOLLETTE. Mr. President, I desire now for a few moments to discuss the duties on mercerization. Paragraph 321 of the bill provides for imposing a new duty for mercerization of yarns and cloth. Paragraph 318 provides for cumulative duties on all cotton cloths in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, of 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard if valued at more than 7 cents per square yard. If paragraph 318, so far as it relates to the count of warp and filling threads, is adopted, there is no possible reason for the existence of paragraph 321.

I invite Senators to study these two paragraphs of this bill, particularly paragraph 318 and paragraph 321, in connection with paragraphs 313, 314, 315, 316, and 317. I think a careful reading of those paragraphs by any Senator will convince him that paragraph 321 should not be adopted. If paragraph 318 is adopted, all of the threads will be counted and the class of the cloth will be determined by the count. Under the present law only warp and filling threads are counted to determine the classification of cloth and the duty which it shall pay. The effect of this new provision is to require the counting of all threads, and thus to raise the cloth to a higher class and subject it to an increased rate of duty. In addition to that, the specific rates based upon value would apply to all of these cloths, and a duty will be paid upon the value of the figures or fancy effects under the counted-thread paragraphs of the bill.

Paragraph 321 provides that all cotton cloth mercerized, or subjected to any similar process, shall pay a cumulative duty of 1 cent per square yard. There was not one word of testimony before the Committee on Ways and Means concerning the subject of mercerization of cotton cloth. There was testimony given there upon the subject of the mercerization of cotton yarn. No one appeared there to ask for an increase of duties upon this account. The only mention made anywhere of the necessity of a duty for cloth mercerization is contained, not in any testimony, but in a letter from Mr. Lippitt, representing the Arkwright Club of Boston, Mass., dated January 15, 1909, and addressed to Mr. PAYNE, as chairman of the Committee on Ways and Means. Mr. Lippitt proposes certain amendments to paragraphs 310 and 313 of the Dingley law, which amendments have been referred to by the Senator from Iowa [Mr. DOLLIVER] and shown to have been adopted exactly as written by Mr. Lippitt.

Mr. President, I want again to press home in just one sentence upon the attention of this Senate that if the manufacturers in this country or the producers of cotton cloth, especially of mercerized cotton cloth, were suffering to any very great extent it would not have been overlooked until after the hearings had closed before the Ways and Means Committee. This subject, which has been so much discussed here, which has been so many times referred to by members of the committee as the reason for the cumulative duties which are coming in here under paragraph 321, ought to be scanned very critically by the Senate before it imposes the additional burden of this double duty.

The Senator from Massachusetts says on the subject of mercerization:

Mr. LODGE. It seems to me very plain that if cloth comes in not mercerized, it comes in under another paragraph—as advanced in manufacture—and pays a different rate. If it comes in mercerized, it does not come in under the other paragraph too. It does not pay the other duty on being advanced for mercerization. The cent covers the whole cost of mercerization; not only the caustic bath, but all the construction of the cloth which makes it fit. The cent covers the whole thing. You can not bring it in under two paragraphs at once.

WRONG IMPRESSIONS AS TO MERCERIZATION.

The Senator from Massachusetts made that statement—a remarkable statement, at complete variance with the judgment of the chief examiner of the New York custom-house—when speaking upon the subject of mercerization. He claimed that mercerization was an expensive process, not in itself, but because of the preparation needed to fit the cloth for mercerization. He was asked whether prepared cloth, and not mercerized, would be subject to this mercerization duty of 1 cent per square yard. He replied that it would not, but said that such prepared cloth would be subject to a duty under the paragraph providing for duties upon cloth advanced in manufacture, evidently referring to paragraph 330, which carried a duty of 45 per cent ad valorem.

Whether the Senator from Massachusetts seriously makes this contention or not, he is clearly wrong in making the claim.

Paragraph 318, defining the term "cotton cloth," includes all cloths bleached, dyed, colored, stained, mercerized, painted, or printed. This being true, it certainly must be true that all cloths in any process of manufacture between the gray or unbleached and the dyed or mercerized, or printed, comes within paragraph 318, and takes a classification as countable cotton cloth. This being so, any expense there may be in preparing cloth for mercerization can not in any way be considered in determining whether the proposed duty of 1 cent per square yard for mercerization is a proper one or not. The duty proposed for mercerization is for mercerization as such, and nothing more, and does not include any preparation of cloth for any such process.

Again, the Senator states that it is necessary to use two or more single yarns in the process of mercerization. Will the Senator contend that if this necessity exists in this country that it does not also exist in England and other countries? The Senator contends that finer numbers are necessary in cloths to be mercerized than in other cloth. Will he contend that this same necessity does not exist in England?

He contends that extra quality of cloth is necessary. Is not that extra quality of cloth also necessary abroad? He contends that in the process of mercerization the yarn shrinks from 8 to 10 per cent. Does it shrink any less in England?

The fact is that any weave of cloth suitable for mercerization, so far as being dutiable is concerned, is fully covered by the counted-thread paragraphs of this schedule. And the only thing that can be properly considered in this connection is the actual cost of mercerizing, which is less in this country than in England.

Mr. President, just a moment upon the mercerization of yarns. There has been some dispute in the course of this debate as to whether or not single yarns could be mercerized. I have here two samples of mercerized yarn in singles. They were mercerized by the Rhode Island Processing Company, Coventry, R. I., for 5 cents per pound. I received this sample from Mr. S. A. Salvage, 477–481 Broome street, New York. His letter is as follows:

MY DEAR SIR: I inclose you a copy of my letter to Senator J. P. DOLLIVER.

Single mercerized yarn.—I am sending you, under separate cover, a small sample to show the samples I have sent to Senator DOLLIVER.

Peeler mercerized yarn, which is yarn made from American cotton, and which the Senator from Utah interrupted the speech of the Senator from Iowa [Mr. DOLLIVER] to declare could not be successfully mercerized. According to the information I have, the Senator from Utah was mistaken about that.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. I do not want to interrupt the Senator.

Mr. LA FOLLETTE. I will yield if I have misquoted him.

REFUTES A STATEMENT FROM THE FINANCE COMMITTEE.

Mr. SMOOT. No, he did not misquote me any further than that commercially local cottons are not used for mercerization. There is no question but that you can take a sample and mercerize it; you can mercerize a piece of yarn.

Mr. LA FOLLETTE. I thought the Senator wished to interrupt me to ask me to correct a statement or something of that sort, and not simply to deny a statement.

I have here invoices of that very kind of yarn that has been mercerized in the regular course of business, which show that peeler yarn is extensively mercerized commercially. Mr. Salvage says:

I am also sending you a sample of 2/50 combed peeler mercerized, which is mercerized by the Rhode Island Processing Company, Coventry, R. I., for 5 cents per pound. There is a very large business done in these yarns, and this contradicts what was said during Senator J. P. DOLLIVER'S speech to the effect that peeler cotton was not mercerized.

Reverting for a moment to paragraph 310, in addition to the specific duties prescribed in the proposed bill in paragraph 310 it is provided that all of the threads and yarns therein designated when mercerized shall pay one-twentieth of 1 cent per number per pound. This provision imposes an additional duty running as high as 13½ cents per pound for the highest numbers in the schedule, namely, No. 270.

The largest imports of any single number is No. 60, the imports being 968,875 pounds. On this number the additional duty for mercerization will be 3 cents per pound, which is

an increase of 20 per cent on so much of this yarn as is imported mercerized. Yet the committee's table shows this duty as not increased.

On No. 120 the imports were 248,107 pounds, and here the additional duty will be 6 cents per pound, an increase of 16.66 per cent on the mercerized yarn, although the duty is given as unchanged in the committee's estimate.

The fact is that mercerization costs no more in this country than abroad, and in some cases it actually costs less.

PRICES OF MERCERIZATION LOWER HERE THAN ABROAD.

The Bradford Dyers' Association, of Bradford, England, are the largest mercerizers in that country. Their prices for mercerizing, as shown by their cablegram to S. A. Salvage, of New York, are on two-ply yarn numbers up to 78, 7 cents; up to 100, 9 cents; up to 120, 11 cents.

Mr. Salvage cabled for their prices on the 14th day of May, and on the 15th day of May he received the cablegram which I hold in my hand. The key to the cablegram accompanies it and I shall be very glad to submit it to any Senator. Translated, the cablegram is as follows:

BRADFORD, ENGLAND.

S. A. SALVAGE, *New York, U. S. A.*:

Mercerizing here home and shipping, up to 2/78, 3½d. (7 cents); 2/100, 4½d. (9 cents); 2/120, 5½d. (11 cents).

BRADFORD DYERS' ASSOCIATION.

The principal mercerizers of cotton yarns in this country are: American Thread Company, New York; Arlington Mills, Lawrence, Mass.; Aberfoyle Manufacturing Company, Chester, Pa.; Hampton Company, East Hampton, Mass.; Rhode Island Processing Company, Coventry, R. I.; and Wm. H. Lorimer Sons Co., Philadelphia.

The Rhode Island Processing Company make a price, in a letter to Mr. Salvage, of 6 cents per pound, with 2 per cent discount. The original letter I hold in my hand, and will print it in this connection.

The VICE-PRESIDENT. Without objection, permission is granted.

The letter is as follows:

RHODE ISLAND PROCESSING COMPANY (INCORPORATED),
Coventry, R. I., May 13, 1909.

Mr. S. A. SALVAGE, *New York City.*

DEAR SIR: In answer to your inquiry of the 12th regarding our prices for mercerizing 5,000 pounds 40.2 Egyptian yarn skeins, and if our price is anything less for warps, might state our charge is 6 cents per pound in either case, although you get very much better results in warp mercerizing, and our terms are 2 per cent 10th of following month.

Very truly, yours, RHODE ISLAND PROCESSING CO.

Mr. LA FOLLETTE. The Hampton Company, on May 13, 1909, made a price to Joseph Meyer & Co., of New York, of 10 cents per pound, subject to a discount of 30 per cent, leaving a net price of 7 cents per pound.

The Aberfoyle Company, in a letter to Mr. Salvage, dated October 26, 1908, made a price of 7 cents per pound, less 2 per cent discount.

In an invoice made by the Rhode Island Processing Company on March 16, 1909, to G. L. Lings & Co., New York, the price of mercerizing was made 5 cents per pound.

Lings & Co., in their letter of May 13, 1909, state:

We pay to mercerize in the United States from 5 cents to 7 cents per pound, whereas in England we pay 7 cents on all the yarn we get mercerized.

This invoice shows the mercerizing of peeler cotton in large quantities, although the statement has been made and repeated here by the Senator from Utah [Mr. SMOOT] that peeler cotton was not mercerized commercially.

According to "Estimated Revenues" it would appear that there would be only a slight increase in the duties on any of the items mentioned in paragraph 310. The mercerization duty is not added in the table to a single item in the paragraph, whereas the mercerization duty would apply to most of the imports actually made in 1907.

James Whiteside, of New York, writes:

I am an importer of cotton yarns from Manchester, England. My imports average about 75 per cent mercerized cotton yarns, and about 25 per cent of ordinary cotton yarns.

Ludwig Littauer writes:

We are importers of cotton yarns, and we estimate that our imports contain about 40 per cent of mercerized yarns.

Meyer & Co., of New York, write:

We are importers of cotton yarns. We import unmercerized as well as mercerized yarns, and beg to state that the proportion of mercerized yarns amounts to about 70 per cent and of the unmercerized, about 30 per cent of the plain cotton yarns.

Cotton cloth mercerized, or subject to any similar process, is, by paragraph 321, made subject to an additional duty of 1 cent per square yard.

Of the cost of mercerizing cotton cloth, Sherman & Sons' Co., of New York, write:

We are paying for 32-inch to 40-inch goods, weighing from five to ten yards (per pound) $\frac{7}{10}$ cent for the plain or bleached finish and 1¼ cents for the same goods both bleached and mercerized. You will note here, therefore, a difference of $\frac{7}{10}$ cent, showing the cost of mercerizing.

That letter is from as reputable a merchant as there is in the city of New York.

A. L. Reid & Co., of New York, seem to have some acquaintance with the subject of mercerization. They were applied to for information by the experts of the Finance Committee, although the information furnished was apparently not considered by the committee and was not presented to the Senate. I have here a letter which is a copy of a letter transmitted by A. L. Reid & Co. to Hon. Marion de Vries, care the Senate Finance Committee, Washington, D. C., Senate Office Building, etc. The letter is as follows:

In reply to your telegram requesting the general prices paid to bleachers, dyers, and finishers for mercerizing, we give you as follows: 36-inch brocades, madras, etc., similar, ¾ cent.

That is exactly the quality of goods of which I showed samples here this morning.

40-inch sheer fabrics average ⅝ cent.

To show how these figures are arrived at, we have to-day compiled the following in conjunction with bleaching:

Bleacher: Cost of bleaching and mercerizing brocades and madras, 36-inch or less, 1½ to 2 cents, depending on weight; cost, without mercerizing, ¾ to 1 cent.

Making the cost of mercerizing from ¾ to 1 cent per pound, as shown by these figures. This man was considered trustworthy enough to be communicated with by the adviser of the Finance Committee in dealing with the subject of mercerization. Again, this letter says:

Bleacher: Cost of bleaching and mercerizing sheer fabrics 40 inches wide, 1¾ to 2 cents, depending on weight. Cost of finishing without mercerizing, 1 to 1½ cents.

Which equals ¾ to 1 cent per pound for mercerizing.

Brocades and madras in heavier weights cost a higher price, while in sheer fabric the lighter weights are the higher, owing to their liability to damage.

The bleachers require a working loss of 2½ per cent on all piece mercerized fabrics.

ANONYMOUS STATEMENTS IN THIS DEBATE.

The Senator from Massachusetts [Mr. LODGE], in discussing the subject of mercerization, presented among others the following samples [exhibiting], which he was kind enough to allow me to take and which I have had examined, and upon which I wish to make some comment.

I was much surprised to find on the back of these samples that letter [exhibiting]. I had supposed of course that this sample had been furnished the Senator from Massachusetts by some patriotic and disinterested New England manufacturer of that kind of cloth. I found a letter transmitting that sample to the Senator from Utah, and I was a good deal shocked to find that it was furnished by an importer. I had hardly supposed that these men who are seeking to force their way into the markets of this country and to destroy our industries and pauperize our laborers would be relied upon even for a sample of cloth that might support the position of the committee.

I digress at this point for a second to say that when the Senator from Massachusetts printed his speech in the CONGRESSIONAL RECORD and I came to read it over, I was astounded to find in it a statement made at considerable length with respect to the dividends paid by certain New England cotton mills, and to find that that statement, which is in the form of a letter, was printed in the RECORD without any signature attached to it, and to find that another statement, taken from some newspaper and incorporated in his address made in the Senate, is unsigned and bears no indication of its source.

There are two anonymous statements, with respect to important facts intended to influence the judgment of the Senate in determining legislation, and to find that these anonymous communications of opinions and statements of fact had been offered here, after all the criticism that has been heard on this floor of the action of the Department of State in transmitting to the Finance Committee a statement of German wage rates from which the department had erased the names of the German manufacturers, appealed to me as inconsistent, to say the least.

I have here some of the samples used by the Senator from Massachusetts [Mr. LODGE] on which I wish to make the following criticisms and submit them for such analysis and such answer as it will be possible for any Senator to make.

ANALYSIS OF SAMPLES SUBMITTED BY SENATOR LODGE.

Attached to some of the Senator's most striking samples, comparing a piece of finished cloth, dyed brown and mercerized, with a piece of unfinished, unbleached cloth prepared for mercerization, is the following memorandum—and I read it because it was the Senator's statement and it is still pinned to the cloth. I want it in the mind of the Senate in fairness to the Finance Committee and the Senator from Massachusetts when I read the counter statement:

Finished and unfinished samples of cloth for mercerization, 136 threads to the square inch, 34 inches wide, weighing 6.4 yards to the pound.

On May 14, 1909, a prominent merchant in New York paid a New England mill 6.5 cents per yard for this cloth unfinished. At the same time another mill offered to make cloth of the same width, weight, and count of threads to the square inch, but not of special construction fitting it for mercerization, at 3.7 cents per yard, an additional cost of cloth anitable for mercerization of 2¾ cents per yard.

Cost of mercerization, 1 cent per yard.

Total additional cost, 3¾ cents per yard.

This unbleached sample is of the same cloth as the dyed-brown sample, but is not mercerized, bleached, dyed, or printed. It can be either bleached, dyed, printed, or mercerized. Or it can be mercerized and bleached, mercerized and dyed, mercerized and printed, or mercerized, dyed, and printed; and its use is not in any sense confined to mercerization. Mercerization is only incidental to some finishes desired. The superior qualities of the cloth would render it just as suitable for calendering or plain finishes of various sorts. This cloth is largely used for French linen finishes.

The average value of this cloth bleached is 9.25 cents per yard; dyed, is 9.75 cents; mercerized and bleached, 10 cents; mercerized and dyed, 10.5 cents; printed, slightly more, varying according to the number of colors wanted.

Exactly the same preparation is necessary to produce this grade of cloth whether it is intended to be only bleached or dyed, or is intended to be mercerized and bleached, or mercerized and dyed. Its cost for any purpose is not in any sense to be compared with the cost of cheaper cloth of the same weight and count, costing only 3½ cents per yard in the gray. This cloth has a fine warp and a much coarser weft, the latter of a very soft-spun single yarn of good quality, which renders it particularly adapted for the production of a good luster when mercerized or calendered or for any other fine dress finish and produces a better wearing cloth.

The cost in the gray is correctly given at 6½ cents per yard. When, however, one compares with this cloth an ordinary print cloth of the same weight and count, but which costs less than 4 cents per yard, it is like comparing a fine rug with a cheap mat. Either cloth could be mercerized at a cost of ¾ of a cent a yard, but the result would, of course, be different, as it would be in the case of the application of any fine finish. A 4-cent print cloth would not luster, while a fine, soft finish fabric, like this sample, would give a good luster. But the better cloth is not confined in its use and adaptability to mercerization finishes.

Mr. President, of course I do not state these facts on my own knowledge of this business. I want to be entirely frank with the Senate. I was instructed in so far as I could take instruction in the matter from Mr. R. K. Maclea, of New York, and I give his name freely to the Senate and to the Finance Committee for such criticism as anybody may think best to attempt to make of him. Let me say that he is not an importer. His business is the converting and finishing of cloths, bleaching, dyeing, coloring, printing, and all kinds of converting and finishing according to the demands of the market. Buying the gray cloth from the loom, he converts and finishes by thousands of pieces. These he sells to merchants all over the country.

Mr. Maclea is so competent a man in this business, a man of such high class and character, that when this Government was grappling with the etamine question, about which you have heard so much, he was called in by the officials of the Government, because the importers would not do it, and brought the suit which enabled the Government to get a review and final construction of the law.

I have also a carefully worked-out analysis of the other samples presented by the Senator from Massachusetts, and they are all subject to like criticisms, and I will not read them. I feel, and I know the Senate feels, the oppressive character of the afternoon, and I will not take the time to read the analysis.

COST OF PRODUCTION HERE AND ABROAD.

I desire now, Mr. President, to discuss for a few moments the difference in the cost of production here and abroad. I come back to the fundamental question whether this industry requires these high duties which are imposed in the bill as reported by the Finance Committee. According to Bulletin No. 77 of the Bureau of Labor, on pages 35 and 36, the average of wages paid skilled operatives in cotton manufactories in 1907 in this country was $10.12 per week. But only the skilled and highly paid operatives in the cotton mills are here given, so that one does not get the average wage scale for the industry from this bulletin.

The average rate of wages paid in the cotton mills of England for the same class of work was $6.48 per week, as shown by the report of the English Board of Trade to Parliament in 1908. The English Board of Trade is a part of the organized Government of England, on the commercial side, the commercial department. I do not recall the designation.

Mr. MONEY. It belongs to the administration.

Mr. LA FOLLETTE. It belongs to the administration. Some time ago they organized in that country through the Board of Trade for an investigation into these great economic problems. They made a thorough investigation in England in the first place of the cost of living, rent, fuel, and everything that enters into the cost of living, the wages paid in their various industries, and a detailed investigation into the whole subject of the cost of production. The results of this investigation are contained in a large volume, published in 1908. They have made a like investigation for France and have published a like volume on that country, covering the ground in the same way.

They have made a like investigation for Germany. They are at the present time conducting a similar investigation in this country. The work is being most thoroughly done. No one can examine the report which they have made without being much impressed with the thoroughness and high character of the work.

I take from that report the wages paid for exactly the same class of skilled labor, in the cotton industries of England, and place with it, side by side, the average wages paid in this country as given by Bulletin No. 77, Bureau of Labor, the average in this country being $10.12 per week for this high-class labor, and the average in England being $6.48 per week.

Mr. McCUMBER. May I ask the Senator a question here, just for information?

Mr. LA FOLLETTE. Certainly.

Mr. McCUMBER. Are those reports based upon the same number of working hours or upon a different number of hours per week?

Mr. LA FOLLETTE. The working hours in all the trades, I think, in England, are somewhat less than in this country. A very interesting document upon that subject, I will state to the Senator from North Dakota, is the report of the Moseley Commission made some three or four years ago, by a commission composed of 23 representatives of the leading industries of England who were brought over to this country by Mr. Moseley, and who visited all of the great industrial centers, each one of the commission being a master workman who had gone along up in the different stages of the trade to foreman and sometimes to the head of a factory.

Mr. McCUMBER. My question was simply whether the statement given shows the number of hours.

Mr. LA FOLLETTE. I will answer. I was going to say that it will be found, I think, that on all the trades the hours are never longer in England, and often shorter.

Mr. BEVERIDGE. That is right.

LONGER WORK HOURS IN THIS COUNTRY.

Mr. LA FOLLETTE. Running from three to four hours. In the report on England's cotton industry, by William Whittam, jr., published by the Department of Commerce and Labor in 1907, it appears that the average rate of wages in England in the cotton manufactures for all grades of operatives was $4.68 per week, taking in the lower grades of labor.

Bulletin No. 93 of the Census Office on the Earnings of Wage-Earners shows the average weekly earnings in the cotton manufacturing industry in this country by sections, States, and for the country as a whole. This is probably the most extensive compilation of classified wages ever made for this country. For the cotton manufacturing industries this tabulation shows the average weekly wages for a representative week for over 200,000 cotton-mill employees, including the men, women, and children, and represents over half of all cotton-mill employees in the United States.

The report says (p. 23):

Table 71 shows that during the representative week of the establishments selected the average earnings for all classes of operatives engaged in the production of cotton goods in the United States were $6.47. For the men the average was $7.71; for the women, $6.03; and for the children, $3.21. In the case of both men and women the greatest number earned between $6 and $7. While the proportion of women in this group was greater than the proportion of men, 17.4 per cent of the men and only 4.1 per cent of the women were reported as earning from $10 to $15. Three-fourths of the children earned less than $4, and nearly one-half (45.2 per cent) earned less than $3 per week.

The average wage per week of cotton-mill operatives in this country by the best authority to be found is, therefore, about $6.50 per week.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Certainly.

Mr. GALLINGER. I will ask the Senator if he has examined the last bulletin of the Bureau of Labor, No. 80?

Mr. LA FOLLETTE. Of what date?

Mr. GALLINGER. January, 1909.

Mr. LA FOLLETTE. Yes, I have that. And I want to remind the Senator that the statistics of the Bureau of Labor embrace only the adult skilled operatives, and represent only about 13,000 employees, while the census figures, which I have given, embrace over 200,000 employees, or over half of all cotton-mill employees in the United States.

Mr. GALLINGER. I think the Senator will find some other valuable information in that bulletin regarding the wages of labor in England in the textile industries. He will find that it is very much below the figures he has given. As an illustration, if the Senator will permit me a moment—

The weekly wages of 206 male preparers were secured, showing a median wage of 10s. 4d. ($2.51), and a predominant wage of the same amount; and 80 male shifters received a median wage of 9s. 5d. ($2.29), while the predominant rates, paid to 16 in each case, were 9s. 5d. ($2.29), and 10s. 3d. ($2.49)—

which is very low.

Mr. LA FOLLETTE. That is a very low wage.

Mr. GALLINGER. That is, in textile industries.

Mr. LA FOLLETTE. Of course, that wage should not be compared with the higher class of work here represented by the labor bureau statistics.

Mr. GALLINGER. Certainly not; and it may be that there is a difference in that respect.

Mr. LA FOLLETTE. And it is unfair to do that. In order to get a fair comparison we must take into account all the elements in one country and all the elements in the other country.

Mr. GALLINGER. That is very true.

Mr. LA FOLLETTE. There are many other elements to come in, of which I want to speak briefly in a moment—the efficiency of labor, the higher mechanical skill, the speed of machinery, and the cost of living are all matters to be weighed. While the speed of an English loom is somewhat higher than the speed of a loom in this country, an operator attends to so many more looms in this country that the output per operative exceeds that of the English operative. All these things have to be weighed together in order to get at a fair comparison.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does he Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I assume that takes in the entire country.

Mr. LA FOLLETTE. It does take in the entire country.

Mr. GALLINGER. Wages in the Southern States are much below those in the North.

Mr. LA FOLLETTE. It is true, and I wish, without stopping to go into it in detail, to have printed in the RECORD the entire table, showing these wages classified by States and by groups, the North Atlantic and the South Atlantic States.

The VICE-PRESIDENT. Without objection, consent is granted.

The table is as follows:

Classified weekly earnings—Cotton goods industry, by States, Territories, and geographic divisions—Per cent distribution of wage-earners—Men, women, and children—By groups of earnings; total and average weekly earnings, and number of all wage-earners and of each class; with number of establishments: 1905.

COTTON GOODS.

State or Territory.	Number of establishments.	Average weekly earnings.				Total.		Men 16 years and over.	
		All wage-earners.	Men 16 years and over.	Women 16 years and over.	Children under 16 years.	Earnings.	Number.	Earnings.	Number.
United States	525	$6.47	$7.71	$6.03	$3.21	$1,307,578	202,211	$732,305	95,025
North Atlantic division	262	7.51	8.71	6.72	4.15	1,002,128	133,361	561,577	64,475
Maine	7	6.88	8.16	6.15	2.49	32,080	4,666	16,544	2,028
New Hampshire	5	7.80	8.67	7.05	4.18	78,894	10,117	43,302	4,993
Massachusetts	109	7.47	8.53	6.79	4.42	637,975	85,353	352,647	41,320
Rhode Island	42	7.19	8.42	6.44	3.61	99,572	13,854	58,778	6,978
Connecticut	20	7.36	8.26	6.71	4.02	55,201	7,499	33,233	4,023
New York	9	7.17	7.92	6.33	4.17	9,539	1,330	6,264	791
New Jersey	10	7.94	11.01	6.69	3.76	25,052	3,154	12,296	1,117
Pennsylvania	60	8.64	11.94	6.52	3.58	63,815	7,388	38,513	3,225
South Atlantic division	215	4.33	5.45	3.99	2.69	244,857	56,491	138,984	25,484
Maryland	4	5.44	7.86	5.07	2.62	15,235	2,799	6,968	886
North Carolina	106	4.19	5.33	3.82	2.64	87,220	20,830	48,087	9,023
South Carolina	62	4.21	5.15	3.83	2.80	88,048	20,933	51,695	10,038
Georgia	43	4.56	5.82	4.17	2.62	54,354	11,932	32,244	5,537
North Central division	4	5.42	7.05	4.76	3.50	5,702	1,052	2,327	330
Indiana	4	5.42	7.05	4.76	3.50	5,702	1,052	2,327	330
South Central division	30	4.69	5.62	4.58	2.82	40,147	8,559	21,787	3,680
Tennessee	6	4.99	6.17	4.89	3.03	7,772	1,557	4,081	661
Alabama	19	4.61	5.77	4.43	2.83	27,638	5,996	15,486	2,684
Mississippi	5	4.70	6.63	4.84	2.52	4,737	1,007	2,220	335
All other States	a14	5.37	7.23	4.67	2.66	14,744	2,745	7,630	1,056

Classified weekly earnings—Cotton-goods industry, by States, Territories, and geographic divisions—Per cent distribution of wage-earners—Men, women, and children—By groups of earnings; total and average weekly earnings, and number of all wage-earners and of each class; with number of establishments: 1905—Continued.

COTTON GOODS—continued.

State or Territory.	Men 16 years and over—Per cent distribution of number by earnings.												
	Less than $3.	$3 to $4.	$4 to $5.	$5 to $6.	$6 to $7.	$7 to $8.	$8 to $9.	$9 to $10.	$10 to $12.	$12 to $15.	$15 to $20.	$20 to $25.	$25 and over.
United States	4.1	5.4	10.3	11.4	15.0	13.5	9.7	8.9	10.0	7.4	3.0	0.9	0.4
North Atlantic division	1.8	2.1	4.5	8.8	14.9	15.9	12.2	10.9	13.7	10.1	3.9	1.2	0.5
Maine	2.3	5.7	5.0	6.7	14.8	13.0	11.0	12.0	17.4	9.8	1.8	0.3	0.2
New Hampshire	1.7	1.8	3.8	6.8	14.8	17.5	13.3	11.9	16.1	8.4	2.9	0.8	0.2
Massachusetts	1.4	1.8	4.4	9.5	16.0	16.6	12.3	10.6	13.1	9.6	3.5	0.8	0.4
Rhode Island	0.5	2.4	5.8	7.6	14.4	18.2	13.2	10.9	14.5	9.6	2.1	0.4	0.4
Connecticut	1.9	2.4	4.7	11.6	14.3	13.8	12.6	12.4	14.7	8.1	3.0	0.4	0.1
New York	0.1	8.1	11.5	16.7	11.8	12.4	6.8	6.7	7.3	13.8	4.2	0.1	0.5
New Jersey	0.5	0.8	2.8	5.2	8.9	11.7	5.4	9.6	13.1	15.6	15.3	9.7	1.4
Pennsylvania	1.1	1.4	3.1	3.5	6.0	7.2	9.8	11.4	13.8	19.4	13.0	7.3	3.0
South Atlantic division	10.8	12.6	22.7	17.4	15.2	7.9	4.2	4.4	2.0	1.5	1.0	0.2	0.1
Maryland	2.4	7.9	13.7	3.6	14.2	17.1	5.2	11.9	12.0	7.2	4.6	0.2	.....
North Carolina	8.3	12.8	25.9	17.5	18.3	7.0	3.7	3.6	1.3	0.9	0.6	0.1	.....
South Carolina	12.4	14.2	22.6	18.9	13.2	7.6	4.4	3.8	1.1	0.8	0.6	0.3	0.1
Georgia	13.1	10.4	19.0	16.7	14.1	8.2	4.7	5.5	3.0	2.8	1.9	0.3	0.3
North Central division	2.4	14.6	16.7	13.0	9.1	14.2	8.5	6.1	8.2	2.4	3.9	0.9	.....
Indiana	2.4	14.6	16.7	13.0	9.1	14.2	8.5	6.1	8.2	2.4	3.9	0.9	.....
South Central division	7.2	9.9	24.3	15.6	14.9	11.3	4.9	5.4	2.8	1.9	1.1	0.4	0.3
Tennessee	4.9	8.3	26.0	16.7	15.7	12.3	3.3	4.2	4.5	2.1	1.4	0.6	.....
Alabama	8.2	10.9	24.9	15.0	14.4	10.2	5.5	5.3	2.3	1.6	0.9	0.4	0.4
Mississippi	4.2	4.8	15.8	18.2	17.0	17.9	3.3	9.5	3.3	3.9	2.1	.....	.....
All other States	4.6	12.3	13.6	9.0	15.8	9.8	5.5	8.3	9.6	6.0	3.2	0.9	1.4

State or Territory.	Women 16 years and over.												
	Earnings.	Number.	Per cent distribution of number by earnings.										
			Less than $3.	$3 to $4.	$4 to $5.	$5 to $6.	$6 to $7.	$7 to $8.	$8 to $9.	$9 to $10.	$10 to $12.	$12 to $15.	$15 and over.
United States	$494,118	81,947	6.2	10.5	14.6	16.7	18.1	13.9	9.9	6.0	3.7	0.4	(c)
North Atlantic division	404,059	60,101	1.9	4.4	9.7	17.4	22.0	17.9	13.2	8.0	4.9	0.6	(c)
Maine	15,075	2,453	2.1	7.8	13.9	20.8	17.0	16.4	11.2	6.2	4.2	0.4	.....
New Hampshire	34,818	4,939	1.4	3.9	7.7	13.6	25.7	14.7	11.8	9.8	10.1	1.3	.....
Massachusetts	290,139	38,334	2.0	4.0	9.2	17.5	21.8	18.2	13.5	8.7	4.7	0.4	(c)
Rhode Island	36,332	5,639	1.3	3.6	13.1	21.8	21.6	16.6	10.8	7.0	3.6	0.6	(c)
Connecticut	19,957	2,976	3.1	4.4	8.9	16.1	21.7	22.4	12.2	6.4	4.4	0.4	.....
New York	3,008	475	0.6	6.5	13.5	26.3	19.8	17.5	10.1	2.3	3.4	.....	.....
New Jersey	11,647	1,742	0.6	3.3	7.0	10.5	19.7	31.3	21.2	4.2	2.0	0.2	
Pennsylvania	23,083	3,543	2.4	7.5	11.9	15.5	25.2	11.7	13.4	5.2	4.9	2.1	0.2
South Atlantic division	68,765	17,236	20.6	27.3	28.9	14.4	5.9	1.9	0.7	0.2	0.1	(d)	.....
Maryland	6,733	1,328	2.2	9.2	49.1	12.8	13.5	7.0	3.5	2.0	0.7	.....	.....
North Carolina	25,791	6,747	18.3	35.2	29.3	11.6	4.2	1.0	0.2	0.1	0.1	.....	.....
South Carolina	21,851	5,712	26.6	25.4	24.7	16.3	4.9	1.5	0.6	(c)	.....	(c)	.....
Georgia	14,390	3,449	22.0	21.9	27.2	17.2	8.2	2.3	0.8	0.2	0.2	.....	.....
North Central division	3,200	672	3.1	23.1	30.5	15.6	11.6	6.4	4.9	2.4	2.2	0.2	.....
Indiana	3,200	672	3.1	23.1	30.5	15.6	11.6	6.4	4.9	2.4	2.2	0.2	.....
South Central division	11,992	2,620	10.3	30.5	24.7	17.8	11.9	4.1	0.4	0.2	0.1	.....	.....
Tennessee	2,563	524	7.3	23.7	22.3	18.5	22.3	5.5	0.4	.....	.....	.....	.....
Alabama	7,707	1,740	12.6	34.0	25.5	14.9	8.5	3.7	0.4	0.3	0.1	.....	.....
Mississippi	1,722	356	3.4	23.6	24.4	30.6	13.8	3.6	0.6	.....	.....	.....	.....
All other States	6,102	1,308	10.4	24.5	20.9	15.5	15.0	8.3	2.5	2.2	0.5	.....	0.2

Classified weekly earnings—Cotton-goods industry, by States, Territories, and geographic divisions—Per cent distribution of wage-earners—Men, women, and children—By groups of earnings; total and average weekly earnings, and number of all wage-earners and of each class; with number of establishments: 1905—Continued.

COTTON GOODS—continued.

State or Territory.	Children under 16 years.								
			Per cent distribution of number by earnings.						
	Earnings.	Number.	Less than $3.	$3 to $4.	$4 to $5.	$5 to $6.	$6 to $7.	$7 to $8.	$8 and over.
United States	$81,156	25,249	45.2	30.1	16.5	5.4	2.1	0.4	.03
North Atlantic division	36,492	8,785	15.2	33.0	31.8	12.4	5.6	1.2	.08
Maine	461	185	41.1	50.3	4.9	2.7	0.5	0.5	.....
New Hampshire	774	185	6.5	42.2	31.9	12.4	6.5	0.5	.....
Massachusetts	25,189	5,699	10.7	30.9	34.9	14.5	6.3	1.5	1.2
Rhode Island	4,462	1,237	22.2	31.0	25.4	6.7	4.7	.....	.....
Connecticut	2,011	500	17.2	30.0	26.2	17.4	7.2	1.8	0.2
New York	267	64	10.9	28.1	37.5	23.5	.....	.....	.....
New Jersey	1,109	295	9.2	30.8	49.8	4.1	5.1	0.7	0.3
Pennsylvania	2,219	620	19.0	53.5	18.9	6.0	1.6	1.0	.....
South Atlantic division	37,108	13,774	60.7	28.8	8.7	1.7	0.1	(c)	.....
Maryland	1,534	585	68.9	28.2	2.7	0.2	.....	.....	.....
North Carolina	13,342	5,060	60.5	33.7	4.7	1.0	0.1	.....	.....
South Carolina	14,512	5,133	61.7	23.9	12.0	2.3	0.1	(b)	.....
Georgia	7,720	2,946	57.7	29.0	11.0	2.0	0.2	0.1	.....
North Central division	175	50	26.0	60.0	6.0	8.0	.....	.....	.....
Indiana	175	50	26.0	60.0	6.0	8.0	.....	.....	.....
South Central division	6,368	2,250	65.7	25.1	6.5	2.2	0.5	.....	.....
Tennessee	1,128	372	54.3	35.5	5.1	4.0	1.1	.....	.....
Alabama	4,445	1,571	66.8	22.6	7.4	2.0	0.2	.....	.....
Mississippi	795	316	73.4	20.9	3.5	0.9	1.3	.....	.....
All other States	1,012	381	57.7	35.4	5.5	0.8	0.3	0.3	.....

THE RATE WHICH MEASURES DIFFERENCE IN COST OF PRODUCTION.

Mr. LA FOLLETTE. In the report of the Census of Manufactures for 1905, Part III, page 43, is a table giving the total number of wage-earners in the cotton manufacturing industry in this country and the total wages paid them. In 1904 the total average number of wage-earners in the cotton goods industries of this country was 310,458, and the total wages paid them for the year was $94,377,696. The average yearly earnings per employee was therefore about $304, or an average of about $6 per week.

According to the Finance Committee's Estimated Revenues, the total value of cotton manufactures in 1905 was $1,014,094,237. The total wages paid were $217,955,322. The wage cost, therefore, was about 21 per cent of the value of the production.

Of the designated "cotton goods" alone, in Estimated Revenues it appears that the total value of this product in 1905 was $442,451,218. The wages paid in producing it were $94,377,696. The wage cost was therefore about 22 per cent of the value of the production. The English wages would have been $33,879,175 less than American wages for the same production.

A tariff of 7½ per cent on the total value of the production of the United States amounting to $442,451,218 will more than equal the difference in wage cost.

The 7½ per cent difference, however, is based on American value. The English value would be less by the amount of the difference in wages, namely, $33,879,175. Therefore a tariff of 9 per cent based upon English value will equal the difference in wage cost between this country and England.

The Census of Manufactures for 1905, Part III, page 43, shows also that the average labor cost per spindle per year in all the cotton mills in the United States for 1890 was $4.65 per spindle; for 1900, was $4.48 per spindle; and for 1905, was $4.06 per spindle.

The labor cost per spindle therefore has been decreasing at every census for fifteen years from 1890 to 1905.

It can not be said that this is due to the increase in the industry in Southern States employing cheap, or perhaps colored, labor, for the same downward trend in labor cost is shown for the New England States as that shown above for the country as a whole.

The labor cost per spindle in the New England States is given as follows: 1890, 4.41; 1900, 4.31; 1905, 4.06.

In view of this general decline in cost, which, of course, might be due to reduction in wages as well as to improvements in manufacturing efficiency, I did not know but that the argument might be advanced, as it was advanced here a few moments ago by the Senator from New Hampshire [Mr. GALLINGER] with reference to the wage figures, that the steady decline was due to the cheap labor employed in the South.

Mr. SIMMONS. I do not think there is any negro labor employed in the manufacture of cotton in the South.

Mr. MONEY. There is none.

Mr. BACON. There is none.

Mr. SIMMONS. There is none.

Mr. BACON. I think it may be safely said that there is not a single cotton factory in the United States, certainly not in the South, in which colored labor has been employed. That was due not to any indisposition to employ them, but the experiment has been made in several instances and they have proved to be incapable of properly performing the duty. The effort has been abandoned utterly.

CONDITIONS IN THE COTTON INDUSTRY.

Mr. LA FOLLETTE. Mr. T. M. Young, an Englishman, author of the work "The American Cotton Industry," on page 129, says:

> American weavers turn out nearly twice as much work a day as their English competitors and their wage per piece is absolutely a little less.

This is a book which I found in the Congressional Library. It was published in 1902 by T. M. Young, with an introduction by Elijah Helm, secretary of the Manchester Chamber of Commerce, and is the result of an investigation, I presume, for the information of the cotton manufacturers of Great Britain, into the cotton industry of this country.

From the Statistical Abstract, 1906, page 679, it appears that in cotton manufactures the percentage of wage cost to value of production in 1890 was 25 per cent; in 1900 it was 25.6 per cent; in 1904 it was 22 per cent. (According to the census figures.)

I found also, Mr. President, an interesting report from the British Tariff Commission, published in 1905, which covers a wide range. This volume is volume 2 of the Textile Trades, part 1, "The Cotton Industry."

The commission in its summary and analysis of oral and written evidence says, with respect to cotton manufacturing:

> Manufacturers complain that trade with the United States is now possible only in the best class of production.

> In foreign and colonial markets competition is aggressive and successful. The United States of America disposes of large quantities of piece goods in Canada. (Paragraph 136.)
>
> To enter the Canadian market it is necessary to pay a tariff of 35 per cent and meet a British preferential of 25 per cent.

And yet we are able to enter that market quite extensively, as I understand, with piece goods.

Upon muslins this British Tariff Commission says:

> FINE MUSLINS.
>
> It is said that the United States cost of production is probably 20 per cent greater than ours at present, but that in a few years foreign countries will be able to compete with us on equal terms with all the markets of the world. (Paragraph 138.)
>
> GRAY MUSLINS.
>
> Both the United States and Canada were formerly good customers. The development of this trade in foreign countries now enables them to compete successfully in our home market. Competition is complained of from Germany, Switzerland, the United States, and France. (Paragraph 138.)
>
> LININGS, DUCKS, AND DRILLS.
>
> In linings competition is complained of from Germany, Italy, and the United States.
>
> * * * * * * *
>
> Markets have been lost for linen, union, and cotton drills. Foreign competition is complained of from the United States and Belgium. There is growing competition here from the United States in cotton drills for boot linings which are imported below British cost. (Paragraph 141.)
>
> SHIRTINGS.
>
> There is competition in the home market from France, Germany, Belgium, and the United States. (Paragraph 141.)
>
> FLANNELETTES.
>
> Competition in the home market is complained of from Germany, Austria, the United States, and Holland.
>
> In one case a firm states that ten years ago 75 per cent of their total production was flannelettes and now only 25 per cent. (Paragraph 143.)
>
> COLORED COTTONS.
>
> The principal factor in the competition is the cheap labor in the countries concerned. (145–146.)

With respect to the position of the United States generally in cotton manufactures, the report says:

> There is general agreement that there has been great and rapid progress made by the United States in all branches of the cotton industry, so that now their industry is firmly established, and will continue, whatever changes they may make in their protective system.
>
> * * * * * * *
>
> In regard to technical advantages, their machinery is on a level with ours, and in some respects is superior. Some witnesses attach great importance to the use of the Northrup loom, which secures a cheaper process than the methods practiced in this country. Their technical and other education is said to have produced a better type of workmen. Though United States wages are higher in some branches of the cotton trade, the labor cost is probably cheaper. (Paragraph 155.)
>
> COTTON INDUSTRY DOES NOT REQUIRE ADVANCE IN RATES.

Mr. President, I insist that the welfare of the cotton manufacturing industry of this country does not require this advance of rates.

The fact is that the cotton industry has been wonderfully prosperous under the existing rates last year and the year before, and for years past, and there have been no facts furnished to the Senate or reasons shown why it is necessary to impose a higher average rate of duty than is at present being collected under the existing law.

The only paragraph of the cotton schedule concerning which just complaint can be made is paragraph 304, and the injustice there arises solely through the fact that that paragraph does not contain an ad valorem duty upon cloths coming within it exceeding a certain value.

Mr. President, the statistics on this subject have been given several times and at considerable length. I shall not take time to repeat them now, simply asking that I may incorporate certain tables relating to the matter and explanations connected therewith in my remarks.

The VICE-PRESIDENT. Without objection, permission is granted. The Chair hears no objection.

The tables referred to are as follows:

EARNINGS AND DIVIDENDS OF NEW ENGLAND COTTON MILLS.

(From the proceedings of National Association of Cotton Manufacturers.)

Statistics relative to cotton-mill stocks as investments.

Name of company.	Date of incorporation.	Capital.	Surplus.	Debt.	Earnings per share, 1907.	Dividends, 1907.	Total dividends for eight years.	Average dividends for eight years.	Book surplus per share.	Capitalization per spindle.	Par value.
							Per cent.	*Per cent.*			
Amoskeag	1831	$5,760,000.00	$3,720,691.00	$1,425,000.00	$21.30	$16.00	126	15.75	$64.59	$10.76	$100.00
Androscoggin	1860	1,000,000.00	1,122,864.00	16,559.00	24.91	10.00	75	9.37	112.39	13.93	100.00
Bates	1852	1,200,000.00	1,376,361.00	117,565.00	41.87	35.00	130	10.25	114.61	14.61	100.00
Border City	1880	1,000,000.00	383,598.00	500,000.00	37.50	23.50	119	14.87	33.35	12.51	100.00
Richard Borden	1871	1,000,000.00	502,174.00	541.00	32.62	20.00	*101	12.62	50.21	10.37	100.00
King Philip	1871	1,500,000.00	851,765.00	150,431.00	25.65	6.00	168¾	21.25	56.78	11.10	100.00
Dartmouth	1895	600,000.00	685,105.00	470,529.00	82.50	66.00	158	19.75	114.18	5.00	100.00
Dwight	1841	1,200,000.00	1,290,219.00	735,740.00	103.94	12.00	100	12.50	108.52	6.45	500.00
Great Falls	1823	1,500,000.00	900,000.00	338,693.00	21.33	12.00	117	14.62	64.00	11.36	100.00
Laurel Lake	1881	600,000.00	184,251.00	None.	28.24	14.00	†190½	23.75	37.08	10.03	100.00
Massachusetts Cotton	1839	1,800,000.00	1,431,600.00	2,100,763.00	41.30	5.00	50	6.25	79.53	14.13	100.00
Lawrence	1831	1,250,000.00	787,000.00	500,000.00	25.27	8.00	122	15.25	62.96	12.50	100.00
Pacific	1853	3,000,000.00	6,332,854.00	None.	550.00	320.00	124	15.50	2,110.95	.....	1,000.00
Pepperell	1920	2,556,000.00	1,623,487.00	117,940.00	.....	12.00	158	19.75	63.71	10.27	100.00
Sagamore	1879	900,000.00	355,693.00	607,899.00	48.53	30.00	85	10.63	39.52	9.86	100.00
Troy	1814	300,000.00	474,294.00	2,816.00	335.00	67.00	189	23.62	794.90	6.31	500.00
Union	1879	1,200,000.00	684,044.00	None.	46.00	35.50	183	22.87	48.67	10.80	100.00
Whitman	1895	1,500,000.00	945,411.00	474,245.00	29.76	8.00	58½	7.25	63.02	11.35	100.00

* In addition to which a 25 per cent dividend was paid. † In addition to which a 100 per cent dividend was paid.

Average annual dividend for 8 years for group of 18 mills, 15.65 per cent.

EARNINGS OF FALL RIVER MILLS.

Mr. LA FOLLETTE. The Senator from Massachusetts [Mr. LODGE] discussed this subject somewhat at length. I do not recall whether he cited the advertisement issued by Edwin J. Cole, banker and broker, of Fall River, Mass., but I desire to present just a few statements, based upon the advertisement which this banker and broker publishes and sends out to customers, with respect to the securities of the cotton mills in Fall River. Mr. President, I ask leave to print the statistics which he gives of the cotton mills of Fall River.

The VICE-PRESIDENT. Without objection, permission to do so is granted. The Chair hears none.

The matter referred to follows:

Statistics of Fall River (Mass.) manufacturing corporations.

Corporation.	Par.	October, 1908. Capital.	Debt.	Surplus.	Spindles.	Book value per spindle.	Dividends paid during past 14 years. 1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	Extra dividend during past 14 years	Average annual dividend including extras.	Present market prices	Market value per spindle.
American Linen Co.	100	$880,000		[1]121,792.09	91,372	$6.65	7	3½	1	1	4½	6½	5	8	7½	5½	3	6	11	6		5.304	125	$8.84
Ancona Co.	100	200,000	$115,685.30		39,136	10.61									(*)		3	6	12	6				
Arkwright Mills	100	450,000	159,418.04		68,432	8.82						4½	5½	5	6	5½	3	4½	6	6			106	9.21
Barnard Mfg. Co.	100	400,000	68,622.71		72,992	7.72	7	7	1		5½	8	5½	6	4½		2	4½	7	7		4.48	116	8.81
Bourne Mills	100	1,600,000	218,795.59		91,258	13.35	24	12	18	8	10	14	6½	12½	6½	3½	3	5	5	4½	40	12.46	100	13.35
Border City Mfg. Co.	100	1,000,000		107,366.54	119,312	7.45	17½	6½	4	4	9	8	6½	6	6	3½	3½	9½	23½	6	50	11.46	150	11.62
Chace Mills	100	1,200,000		234,837.77	116,288	8.28	6	6½	3½		6	6	6	6	6	3	4½	6	6½	8	53½	9.11	140	12.38
Cornell Mills	100	400,000		228,578.76	45,040	3.60	6	8	7	5	12½	13	6½	7	6½	4	4½	12½	16	11		8.55	180	10.79
Cornaniect Mills	100	300,000	47,625.00		29,136	11.96	6½	3½			6	8	6	8	7	6	1	4½	6	5		4.91	100	11.93
Davis Mills	100	500,000		259,810.07	52,856	4.62								(*)			1½	6	6	6			132	7.59
Dwell Mills	100	500,000		105,042.56	44,672	8.84	6½	8	4½	4	5½	8	6½	6	6	4	1	6	6	6	25	7.36	102	9.51
Fleet Mills	100	580,000		139,804.03	50,816	8.66	8	8	6½	4	6	8	7	6	6	4	4	6½	12	8		6.71	108	9.57
Granite Mills	100	1,000,000		361,457.92	118,984	5.36	6½	7	2	1	6	8	8	8	8	6	4½	8½	10	8		6.54	150	9.56
Hargraves Mills	100	800,000	117,344.92		111,600	8.21	6½	6	6	6	6	6	6	6	5½	2		1	5½	6		4.89	105	8.57
King Philip Mills	100	1,500,000		571,063.91	135,072	4.66	6	6	6	4½	7½	6	6	16	6	6	6	6	6	6	100	13.86	175	12.98
Laurel Lake Mills	100	600,000		250,927.57	56,808	5.84	6	5½			3½	6	4½	6	8	5½	5½	11	14	13	100	13.20	165	12.35
Lincoln Mfg. Co.	100	600,000	$97,799.26		50,000	17.95													(*)				90	16.75
Luther Mfg. Co.	100	350,000	84,084.77		51,616	8.41									(5)					3			125	10.10
Merchants Mfg. Co.	100	1,200,000		111,305.06	131,820	8.26	7	6	2		1	6	2½	4	4	2	2	4	5½	6	50	7.30	118	9.89
Mechanics Mills	100	750,000		298,967.38	57,856	7.96	6½	7	3		5	6	5	4½	4	3	1	4	7	6½		4.46	116	10.04
Narragansett Mills	100	400,000		142,220.35	43,744	5.89	7	6½	5	1	5	8	5½	6	6	5	4	8	11½	8		6.18	135	9.09
Osborn Mills	100	750,000		218,289.32	70,332	7.55	7	7	4		5	8½	3½	4	4	3	2	4	5½	6	25	6.32	115	9.15
Parker Mills	100	300,000	199,284.62		111,684	8.94		3½	3½	5	5½	6½	8	8	7	3		1	5½	6		4.50	100	8.94
Pocasset Mfg. Co.	100	1,200,000		188,716.86	125,016	8.09	6	4½	1		4½	6	6	6	6	4½	6	6	6	6	100	12.04	125	10.48
Richard Borden Mfg. Co.	100	1,000,000		468,024.67	96,720	5.50	7	5½	3	3	7½	9	6½	6	6	5½	5½	6½	20	13	25	9.21	180	13.77
Sagamore Mfg. Co.	100	900,000		348,763.57	91,552	6.02	2½	5	1		5½	9	5	7½	4½	4	5	20	30	12		9.44	180	13.88
Seacoast Mills	100	600,000	158,282.39		68,384	11.01	6½	6½	5½	3½	6	7	5	5	5	1			1½	4½		4.07	95	10.57
Shove Mills	100	950,000	98,000.76		73,552	8.81	7	7	3½		2½	4½	1½	4	3			4	4½	6	25	5.18	97	8.58
Stafford Mills	100	1,000,000		72,186.32	100,576	9.22	8	8	6	4	14	8	3	4	4		1	4	5½	6		5.29	116	10.81
Stevens Mfg. Co.	100	700,000	176,394.73		(*)		4	8	8	8	8	8	8	8	8	6	4½	5	5½	1½		6.50	93	
Tecumseh Mills	100	720,000		349,168.62	79,512	6.83	6½	6½	4		5	7½	5	6	6	5½	4½	6	14½	9½	50	9.75	150	11.15
Troy Cotton and Woolen Manufactory	600	300,000		306,529.23	47,520		28	27	15	11	18	27	17	29	16	11	11	20	67	21	75	27.04	1,650	13.12
Union Cotton Mfg. Co.	100	1,200,000		572,544.66	110,128	5.70	11	9	6½	[2]	10	10	6½	6	6	4½	6	18½	35½	6		15.38	195	16.04
Wampanoag Mills	100	750,000	99,331.38		85,440	9.94	8	7	3		6	7	2½	4	3	1		2	4	4		3.61	105	10.37
Westamoo Mills	100	500,000	1,211.98		45,504	11.02	5½	2½			4½	6	3½	4	4	2	2	4½	6½	6½		3.71	100	11.01
Total		23,225,000			2,658,380																			

[1] Organized. [2] Reorganized. [3] Specialties.

The above table is intended to show readily the comparatively low prices at which Fall River mill stocks are selling, earning power, cost per spindle, etc.

The physical condition of the mills is excellent, and it is well known that new mills can not be built at anything like selling prices of these mills.

The average dividend for all the mills for the period given is over 7 per cent, which is higher than the returns for a like period on most any other industrial investment.

Mr. LA FOLLETTE. This statement shows the amount paid in dividends by those mills for the past fourteen years. The average dividends for 30 mills for fourteen years as disclosed by this table is 8.294 per cent. This includes the Troy mill, concerning which the Senator from Massachusetts has made an explanation.

Eliminating this corporation, the average for 29 mills is 7.647 per cent. In addition these mills (not including the Troy mill) have an aggregate surplus of undivided profits amounting to $5,158,146.28, to which the Senator from Massachusetts omitted to make any reference yesterday.

The capitalization of these mills is $23,225,000. The surplus above mentioned amounted to 22.20 per cent of the capitalization, which should be added to the dividends paid in considering the financial condition of these institutions.

OTHER EVIDENCES OF PROSPERITY OF NEW ENGLAND MILLS.

As reported by Sandford & Kelley, brokers, of New Bedford, Mass., the average dividends paid by 32 Fall River mills (not including the Troy mill) for the year 1907 was 10.08 per cent. This does not include dividends paid in stock, and when these are taken into consideration the average dividends of these mills for 1907 are 20.104 per cent.

In 1895 the Wilson tariff law was in operation, and under this law the duties imposed in the cotton schedule were considerably lower than under the Dingley law, and very much lower than are proposed in the present bill; 1895 was also a period of great financial depression throughout the country. The statement of Mr. Cole above referred to shows that in 1895 the average dividends of all of the Fall River mills was 9.094 per cent, showing that under a tariff law imposing much lower duties than are contained in the Dingley law and in a time of great depression throughout the country cotton manufacturers were exceedingly prosperous.

Mr. President, I repeat that there is no fact before the Senate which will give any warrant for even maintaining the present Dingley rates, much less advancing them.

The Boston Traveler, of June 3, printed as an editorial the following, which has been handed to me, though I have not read it. I am told that the publisher is John H. Fahey, who was at the head of the Associated Press for New England for some years before he became the publisher of this paper:

WHO IS TELLING THE TRUTH?—A STOCK BROKER'S BULLETIN COMPARED WITH SENATOR LODGE'S STATEMENT AS TO EARNINGS IN THE COTTON BUSINESS.

To the Editor of The Traveler:

In to-day's Traveler you quote from a pamphlet sent out by "a reputable Boston brokerage house," which you say flatly contradicts Mr. Lodge and shows that practically all the cotton mills have been paying high dividends, many of them returning in a few years to shareholders an amount equal to the entire capital invested. In view of Mr. Lodge's speech, is not this worthy of more extended comment and verification?

E. B. H.

BROOKLINE.

Then follows the editorial.

Mr. Lodge's statement was to the effect that the average dividend of Massachusetts cotton mills does not exceed 6 or 7 per cent. A circular issued by A. B. Turner & Co., 24 Milk street, Boston, dated June, 1909, gives a list of companies, stock of which they offer subject to sale and change in price, from which we quote:

Dartmouth Manufacturing Corporation, New Bedford: Total return to investor in nine years, 489.93 per cent; average yearly return, 53.77 per cent. January 5 an extra 100 per cent cash dividend.

Sagamore Manufacturing Company, Fall River: Total return to investor in nine years, 117 per cent; average yearly return, 13 per cent.

Laurel Lake Mills, Fall River: Total return to investors in nine years, 189.97 per cent; average yearly return, 20.33 per cent.

City Manufacturing Company, New Bedford: Total returns to investors in nine years, 109 per cent; average yearly return, 10.12 per cent.

Richard Borden Manufacturing Company, Fall River: Total return to investor in nine years, 113.94 per cent; average yearly return, 12.66 per cent.

Amoskeag Manufacturing Company, Manchester, N. H.: Total returns to stockholders in nine years, 141.93 per cent; average yearly return, 15.77 per cent.

Great Falls Manufacturing Company, New Hampshire: Total return to investor for nine years, 123.96 per cent; average yearly return, 22 per cent.

King Philip Mills, Fall River: Total return to investor in nine years, 175.95 per cent; average yearly return, 19.55 per cent.

Algonquin Printing Company, Fall River: Total return to stockholders in nine years, 607.95 per cent; average yearly return, 67.55 per cent.

Powcasset Manufacturing Company, Fall River, in February, 1897, declared a stock dividend 100 per cent; total return to investor nine years, 165.96 per cent; average yearly return, 18.44 per cent.

Mr. MONEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. MONEY. Does the Senator understand from that report that the total return to the investor included both dividends and the surplus capital earned?

Mr. GALLINGER. I did not understand what the Senator said. Will he kindly repeat his question?

Mr. MONEY. I asked the Senator from Wisconsin if he considered that this report from the paper which he quotes here is intended to include the dividends each year and also the surplus capital earned in that year.

Mr. LA FOLLETTE. I would say in answer to the Senator from Mississippi that the statements of dividends would not include the surplus unless it was distributed to the stockholders as dividends.

Mr. MONEY. It is not, then, a report of the full profits of the enterprise, but only that part of the profits declared in dividends? Is that what I understand?

Mr. LA FOLLETTE. That would be my understanding of the facts.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I know the Senator is anxious to get through, but he referred to a couple of cotton mills in New Hampshire. The Amoskeag Corporation is the great cotton mill of New Hampshire, and I do not know but of New England. The Senator's figures represented that it paid something like 15 or 16 per cent, was it not?

Mr. LA FOLLETTE. Fifteen and seventy-seven hundredths per cent.

Mr. GALLINGER. I will say to the Senator that I can refer him to a brokerage firm that will sell him some of that stock, and if he gets more than 6 per cent on the stock at the present market price he will be more fortunate than some of my friends have been. If the Senator will permit me just a moment further; the Amoskeag Corporation started in business a long time ago in a country village. They bought up a large amount of real estate, and now there is a city of 75,000 people there. They got a great deal of profit out of the real estate, and they have extended their business out of that profit. It is simply a business enterprise. They have paid undoubtedly during their existence a very large profit to their early stockholders; but at the present time, as I said a moment ago, the stock does not net more than 6 per cent at the market price.

Mr. BACON. What is the market price? I inquire of the Senator.

Mr. GALLINGER. I can not say; but it is, I think, between two and three hundred dollars on a $100 share. That is my impression.

Mr. MONEY. If the Senator from Wisconsin will permit another interruption on that point——

Mr. LA FOLLETTE. Certainly.

Mr. MONEY. I was informed by a cotton expert a few days ago that the Amoskeag mills employed 7,700 operatives; that they are now making arrangements to employ 3,500 more, which will give them a total of 11,200, and make them, as the Senator from New Hampshire says, the largest mill in this country.

Mr. GALLINGER. Yes; the Senator is right about that.

SOME OF THE DIVIDENDS AND SURPLUSES OF THESE MILLS.

Mr. LA FOLLETTE. I will say in answer to the Senator from New Hampshire [Mr. GALLINGER] that I would not expect to buy stock paying 16 per cent dividends at par. From a table printed in the transactions of the National Association of Cotton Manufacturers, which was used in connection with an address by Mr. W. Irving Bullard, of Danielson, Conn., on cotton-mill stocks as investments, I find the Amoskeag mill cited and the following information given with respect to it: Date of incorporation, 1831; capital, $5,760,000; surplus, $3,720,691; debt, $1,425,000; earnings, per share for 1907, $21.30; dividends on each share for 1907, $16; total dividends in eight years, $126; average dividends, eight years, $15.75; book surplus per share, $64.59; capitalization per spindle, $10.76; par value, $100. The presumption may safely be indulged, I believe, that the par value fully represents the investment of the original stockholders whatever their earnings may enable them to sell their stock for to-day.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. I do.

Mr. TILLMAN. Mr. President, has the Senator any information as to the market value of that stock, on that date or anything near that date? I know that some of the mills in the South have a custom among them—those that are well managed——

Mr. LA FOLLETTE. It is not stated, I will say to the Senator.

Mr. TILLMAN. With the Senator's permission, I will finish the statement I started to make.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from South Carolina?

Mr. LA FOLLETTE. I beg the Senator's pardon.

Mr. TILLMAN. I was just trying to throw a little side light upon this phase of the subject that the Senator has been discussing. I have listened to him with a great deal of interest. I was going to say that it is the custom among the better-managed mills of the South, first, to set apart from their earnings 5 per cent for renewal, the idea being that in twenty years they will have to replace every single dollar's worth of machinery. Then they set apart something as a dividend, 6 to 8 per cent, and some of them as high as 10 per cent; and then any additional profit of the business goes to the surplus, as it would in any other organized business, and is a part of the capital which is taken into consideration by investors who want to buy a share of that stock or a hundred shares of it. They figure the surplus just as much as they do the dividend-paying value of the stock, because it will in time come to them in the shape of an additional mill. I know one mill company that has built three other mills and paid a dividend every year. From time to time they have set aside enough surplus during the thirty or forty years that this corporation has been running to construct three other additional mills, all of which, of course, went to the stockholders.

I do not think from my observation of the conditions in my part of the country—I am not undertaking to brag about the development of manufacturing in South Carolina—but we are getting along very nicely down there, and we are now second to Massachusetts in the number of spindles. The farmers grow about a million bales of cotton, and we spin about 800,000 of the million that we produce, thereby doubling its value. The average price of cotton has been about $50 a bale; so that the million bales produce $50,000,000 to the farmers; and the mills add $50,000,000 or $60,000,000 more to the value of the cotton that we grow. So we are getting along very well under the present situation, and I think we could survive without any additional tariff increasing the percentage of profit; that is, unless I am mistaken as to the facts in regard to where the profit goes.

The other day we were told here that the middleman or the retailer was the villain in this tragedy or comedy or whatever it is, and that the tariff had nothing whatever to do with prices, but from the anxiety on the part of some people to have these schedules increased, it would seem that it is merely an effort on their part to increase their profits at the expense of the American consumers; knowing that, if we have no increase in the tariff, the prices now prevailing would have to continue. The tariff only serves to enable the home manufacturer, hedged in from competition by the tariff wall, to charge in addition whatever the duty may be; and if we increase the tariff percentage here, we add that much to the profits of the home manufacturer. That is my idea, I may be entirely in error, and, if so, I hope some of those who were so strenuous the other day in contending that the retailer was the man who got all the benefit, or that some of the members of the Finance Committee, will sooner or later explain just where all this additional profit is going.

I did not want to interfere with the Senator's argument, for he is making a clear and explicit exposition of some of the phases of this tariff question.

Mr. GALLINGER. Will the Senator allow me just one moment?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

WHEN DOCTORS DISAGREE THE PATIENT DIES.

Mr. GALLINGER. I want to say to the Senator that I can practically repeat what the Senator from South Carolina has said so far as the cotton mills in my State are concerned. I

think they are doing fairly well, and I have not heard from any source whatever that they want the Dingley rates increased. I understand that the committee will make it appear—I have been told so—that there is no increase in the schedules they have reported. I hope they will be able to show that.

Mr. TILLMAN. Mr. President, if I may be permitted by the Senator from Wisconsin——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from South Carolina?

Mr. LA FOLLETTE. I do for a moment.

Mr. TILLMAN. Where two really honorable and intelligent men get up a set of facts and figures, or supposed facts and figures, which cut each other's throats, I want to know where the rest of us, who have not been able to investigate this thing at first hand, are going to?

Mr. GALLINGER. It is like the maxim, "When doctors disagree, who shall decide?"

Mr. BAILEY. The patient dies. [Laughter.]

Mr. GALLINGER. The patient dies just the same. [Laughter.]

Mr. LA FOLLETTE. I think I could relieve the patient substantially if I could fix the rates in this bill.

I wish to complete the reading of this editorial because I have only presented the facts cited from this banker's circular, upon which the editor makes the following comment:

In his speech yesterday, in reply to Mr. LODGE, Mr. GORE, the blind Senator from Oklahoma, quoted a half dozen or more Massachusetts mills which had paid dividends within the last three years of 25 per cent and upward to 66 per cent. For the purpose of our correspondent's inquiry we confine ourself to the circular mentioned in the editorial of Wednesday to which he refers. Additional verification may be had by consulting the corporation returns at the state house. These enormous dividends do not represent net earnings or the inflated salaries of the family interests which control many of these mills.

The bulletin from which we quote goes on thusly for 24 pages. The corporations referred to are from the first few pages and are taken in their order. Either A. B. Turner or Mr. LODGE are in error as to their facts, but all the evidence we can glean seems to verify the figures of Turner & Co.

TESTIMONY FROM MEETING OF NATIONAL ASSOCIATION OF COTTON MANUFACTURERS.

Mr. President, on the occasion of the meeting of this National Association of Cotton Manufacturers, in the address to which I made a passing reference a moment ago, delivered by Mr. Bullard, I find the following most interesting statements:

The cotton industry is a tremendous opportunity, and it is within our power to develop this opportunity. It is on the threshold of the greatest economic development in the history of the country, and if we put our shoulders to the wheel, within twenty-five years we will be manufacturing the greatest portion of our entire production of our raw material and be supplying the world's markets with finished products.

That agrees exactly with the statement made in this report by the British commission, to which I referred a moment ago.

Mr. Bullard says further:

We can do this because our machinery is as good as any in the textile world. We have the advantage of the cotton yield within our own boundaries, and there is reason to expect a greater efficiency of labor from our operatives by interesting them in the ownership of the industries, such as has already been accomplished very broadly in the manufacture of metals.

In short, it was stated by Mr. D. A. Tompkins at a meeting of this association many years ago: "As long as a bale of American cotton is sent across the Atlantic, so long will there be opportunities for more American cotton mills."

Mr. Bullard gives the dividends paid by leading cotton mills as follows, and he cites some that have not been mentioned here, at least to-day:

During the past eight years, which period constitutes an economic cycle of our industrial welfare, such seasoned textile stocks as Bates paid an average annual dividend of 16½ per cent; Dartmouth, 19½ per cent; Laurel Lake, 23½ per cent; Pepperell, 19½ per cent; Troy, 23½ per cent, and Union, 22½ per cent, and during this period have added a great percentage to their surplus and working capital. A comparison of surplus earning over the dividend requirements of 10 cotton mill stocks with an equal number of high grade railroad bonds and industrial preferred stocks places the "textile" in an enviable position.

The tables which I have prepared prove that there is no class of investments paying as attractive dividends, earning so large a surplus, and showing so great a book value per share as cotton-mill stocks.

Henry Clews, of New York City, made an address at the same meeting of the association, in which he said:

With respect to our foreign market for cotton goods, there is plenty of room to widen it, but our exports of these in competition with England, Germany, and other countries, are more or less checked by the high price of labor here, and its comparative low price there. Hence we ought constantly to endeavor to overcome this disadvantage by keeping ahead of the rest of the world in labor-saving devices and improvements in machinery and manufactures. We should try to surpass all Europe in the quality, as well as the cheapness of our goods.

As we are the most inventive of all nations, and the quickest to adapt ourselves to new or altered conditions, we shall doubtless find this feasible if not an easy task, whereas England, our greatest competitor in manufacturing, is proverbially slow in changing machinery.

NO COTTON MANUFACTURER APPEARED TO ASK AN INCREASE.

Not a word is found in the proceedings of this meeting concerning any need for increasing protection or any injustice suffered under the Dingley Law.

I submit to the Senate that that is another fact to be weighed here and taken into account along with the fact that no manufacturer appeared before the Ways and Means Committee to ask for an increase.

Mr. Lippitt appeared before the Ways and Means Committee, and I found an interesting little colloquy in the report of the hearings which gives a New England manufacturer's idea of a fortune and of what constitutes a fortune. It was recalled to my mind by the Senator from Massachusetts when he was speaking on this subject the other day.

The Senator from Massachusetts said that New England fortunes were not large, or that large fortunes were not acquired in this industry at least; and that seems to be the view of Mr. Lippitt, to whom reference has so often been made in the course of this debate.

I desire to read from the testimony of Mr. Lippitt before the House Committee on Ways and Means.

Mr. Lippitt, a member of the Arkwright Club of Boston, which is an organization of New England cotton manufacturers, appeared before the Ways and Means Committee on December 1, 1908, to protest against any reduction in the cotton schedules of the Dingley law.

After summarizing the condition of the cotton-mill industry in New England, Mr. Lippitt said:

The result of all this is that while the best-managed mills of New England have made a living, they have shown no extraordinary profit. Great fortunes made in cotton manufacturing are very rare. No such thing exists in this country as has made possible the great fortunes derived from some other industries. The business is one of narrow margin, and success in it can only be attained by most careful management.

A NEW ENGLAND IDEA OF A GREAT FORTUNE.

Subsequently Mr. Lippitt was interrogated on the subject of large fortunes, and answered as follows:

Mr. LONGWORTH. I do not know whether I understood Mr. Lippitt correctly to say that no large fortunes have ever been made in this business in New England.

Mr. LIPPITT. I think so.

Mr. LONGWORTH. My impression is that most of the large fortunes have been made in it.

Mr. LIPPITT. We are not accustomed to large fortunes in New England.

Mr. LONGWORTH. Then may I ask you what you call a large fortune?

Mr. LIPPITT. I would regard a fortune of three-quarters of a billion as a large fortune.

Mr. HILL. That would be quite a moderate one for an Ohio man, would it not?

Mr. LONGWORTH. I only asked the question because I thought it was rather an exaggerated statement.

Mr. LIPPITT. I do not think so.

Mr. MCCALL. You mean there are no manufacturers of very great wealth in New England?

Mr. LIPPITT. Yes; I mean to say if you compare the cotton industry with others.

A little later in the course of Mr. Lippitt's testimony, in order to make certain that there should be no misunderstanding of the New England standard of fortunes, Mr. Lippitt was further interrogated, and made answer as follows:

Mr. CLARK. How much did you say you would regard as a comfortable fortune, three quarters of a million, or three quarters of a billion?

Mr. LIPPITT. The gentleman asked me what I would consider was a large fortune. I said I thought three-quarters of a billion was a large fortune.

Mr. CLARK. A billion?

Mr. LIPPITT. Yes, sir.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. I do.

Mr. TILLMAN. I thought I had it in my desk, but I mislaid it for the time being. I saw some days ago an editorial in the Boston Traveler commenting on the speech of the Senator from Massachusetts [Mr. LODGE] and his denial of certain conditions in New England. Has the Senator had that called to his attention?

Mr. LA FOLLETTE. I have just brought to the attention of the Senate one such editorial. But perhaps the Senator from South Carolina may have another one in mind.

Mr. TILLMAN. There are two of them.

Mr. LA FOLLETTE. I saw only one of them, and the one I saw was of June 3.

Mr. TILLMAN. It was within the last day or two.

Mr. LA FOLLETTE. Yes.

ANOTHER EXAMPLE OF FORTUNE BUILDING.

Mr. William Whitman—whose brother, Mr. Clarence Whitman, is a very active spirit behind these increases in duties—

Mr. William Whitman, of Boston, president of the National Association of Wool Manufacturers, speaking also on behalf of the American Woolen and Worsted Manufacturers, and also on behalf of the Manufacturers' Club of Philadelphia, in a statement before the Ways and Means Committee December 2, 1908, corroborates Mr. Lippitt as to the poverty-stricken condition of the woolen and cotton manufacturing in New England. Upon the subject of his own struggles to make a scanty living in this business, Mr. Whitman was interrogated and answered as follows:

Mr. GRIGGS. I would like to ask you just one more question. You say you entered the company in 1867. In what capacity did you enter the company?

Mr. WHITMAN. I was made treasurer.

Mr. GRIGGS. Did you at that time own any stock?

Mr. WHITMAN. No.

Mr. GRIGGS. You were a salaried employee?

Mr. WHITMAN. I was a salaried employee.

Mr. GRIGGS. You resigned after six months, or after two years rather, and stayed away six months?

Mr. WHITMAN. Yes; that is right.

Mr. GRIGGS. And then you came back and took charge again in the same capacity?

Mr. WHITMAN. Yes.

Mr. GRIGGS. Are you still treasurer?

Mr. WHITMAN. No; I am president now.

Mr. GRIGGS. You owned none of the stock at that time?

Mr. WHITMAN. I did not.

Mr. GRIGGS. How much do you own of it now? What are your holdings in the Arlington mill?

Mr. WHITMAN. I do not remember but it is somewhere between seven and eight thousand shares.

Mr. GRIGGS. Seven hundred or eight hundred thousand dollars?

Mr. WHITMAN. Somewhere less than a million.

Mr. GRIGGS. That is at par?

Mr. WHITMAN. No.

Mr. GRIGGS. That is the sale value?

Mr. WHITMAN. You can not sell it, you know, except in small quantities.

Mr. GRIGGS. You said it was worth $100——

Mr. WHITMAN. I hate to have all this go before the public; it is my private business.

Mr. GRIGGS. I will not insist on it; I do not mind telling you my purpose.

Mr. WHITMAN. I have no objection to you gentlemen knowing anything, but it is kind of hard to have all this put in print.

And yet, Mr. President, these manufacturers were very glad to see put into the Republican platform—and some of the representatives of the greatest industrial organizations in this country were on the ground at the convention very urgently looking after it—an assurance that they should have reasonable profits. I want to remind them now that they have placed themselves under obligation to tell about their business and their profits.

I think the representatives of these organizations who urged that view upon the national convention at Chicago took a long step toward imposing upon this Government the regulation of prices in this country.

Mr. GRIGGS. Because you are afraid it is boasting? It is not boasting.

Mr. WHITMAN. No; but one does not like to have his private business paraded before the public.

Mr. GRIGGS. I shall not do it if you object to it.

Mr. WHITMAN. I do not want to make it in such a form that it would appear that I was unwilling to answer any question.

Mr. GRIGGS. I will tell you what I want to show, and you can answer it or not as you please. I want to show, if possible, that a man who went into the mill as a treasurer on a salary in 1869, practically is now at the head of the four large mills, and one of the largest merchants in the United States made out of that manufacturing under the duties imposed.

Mr. WHITMAN. I was not.

Mr. GRIGGS. You have not made your money out of the business you are engaged in?

Mr. WHITMAN. Not the manufacturing part.

Mr. GRIGGS. You are at the head of four mills, are you not?

Mr. WHITMAN. Yes.

Mr. GRIGGS. You are at the head of four stores?

Mr. WHITMAN. I am at the head of the selling house.

Mr. GRIGGS. Of the selling house?

Mr. WHITMAN. Yes.

MANUFACTURERS GET PRACTICALLY ALL THE PROFITS.

I pause to recall the excuses that have been made for high prices in this country, that they are caused by the excessive profits that are being exacted by the jobbers and the middlemen between the manufacturer and the consumer. It appears that the selling business is being taken care of by the manufacturers in some of our greatest industries.

A series of lectures has recently been delivered at Harvard by one of the greatest merchants in this country, and in dealing with this very subject—I thought I had here the extract from his lectures—he speaks of it as practically a completed and accomplished fact that the jobber has been wiped out of existence by the selling methods of the great combinations of to-day, and that the retail merchants of this country are buying direct from the manufacturers. He states in these lectures—and he is a man of such standing, Mr. Filene, of Boston, that his name is only needed, wherever he is known, to give authority to what he says—that a profit of 5 per cent is a good average retail profit, and most satisfactory to the managers of department stores in this country. But it seems here, from Mr. Whitman's testimony, that the selling business has been absorbed by the manufacturing business, and the middleman is wiped out, and all of the profits of manufacture and all the profits of selling, in at least one great industry in this country, are going into one pocket.

Mr. GRIGGS. That is one business. Do you mean to say you have made all of your business out of the store?

Mr. WHITMAN. Not all, but the greater part. It is a sort of a shop. They are offices. We have them in a great many cities in the United States.

Mr. GRIGGS. I understand that. The commercial part is where the money is. Would you mind naming the other large companies of which you are president?

Mr. WHITMAN. They are cotton mills.

Mr. GRIGGS. All cotton mills?

Mr. WHITMAN. Yes.

Mr. GRIGGS. Located in Massachusetts?

Mr. WHITMAN. Yes.

Mr. GRIGGS. What is the capital stock of the three combined?

Mr. WHITMAN. Of the three cotton mills?

Mr. GRIGGS. Yes.

Mr. WHITMAN. Five millions.

Mr. GRIGGS. What is the business worth? What is the property worth?

Mr. WHITMAN. Oh, it is worth more than that.

Mr. GRIGGS. Would you mind telling me how much more?

Mr. WHITMAN. Well, of course any valuation which I have stated here are all stated upon the basis of the business going prosperously. If it went the other way, you know, it would not be worth as much.

Mr. GRIGGS. It is going prosperously, is it not?

Mr. WHITMAN. Of course, the last year in the main, the last fiscal year, has been a very bad year, because we have lost a great deal of money.

Mr. GRIGGS. Everybody has had a bad year this year.

Mr. WHITMAN. We have to provide that out of a good year.

Mr. GRIGGS. What is the value?

Mr. GRIGGS seemed to have an awfully troublesome way of sticking to the point.

Mr. WHITMAN. Of the three mills?

Mr. GRIGGS. Yes.

Mr. WHITMAN. I think they are worth perhaps $6,000,000.

Mr. GRIGGS. The three mills?

Mr. WHITMAN. Yes.

Mr. GRIGGS. Does that include stock and everything?

Mr. WHITMAN. Yes; I mean the value of the stock.

Mr. GRIGGS. And the accretions of which you spoke this afternoon?

Mr. WHITMAN. Some.

Mr. GRIGGS. How much accretions?

Mr. WHITMAN. That is not very large. I do not think I can answer that.

Mr. GRIGGS. How much capital stock did you put in to start with in these mills?

Mr. WHITMAN. It was all paid in money.

Mr. GRIGGS. Six millions of dollars, and you say it is only worth six millions?

Mr. WHITMAN. Five millions capital stock. If it is worth six the other million has come from long years of earnings.

Mr. GRIGGS. You say you have not made any money out of these enterprises?

Mr. WHITMAN. I did not say that.

Mr. GRIGGS. How much stock do you own in these three mills.

Mr. WHITMAN. This is cotton mills. I think it is going a little beyond the scope of the inquiry.

Mr. GRIGGS. I shall not insist on it.

Mr. WHITMAN. I do not think I ought to tell my associates' business, you know. I do not own them all. It is practically asking me how much money I am worth, you know, which I do not think you yourself think is quite proper.

Mr. GRIGGS. From your statement you are pretty near a corporation yourself.

Mr. WHITMAN. Me?

Mr. GRIGGS. Yes.

Mr. WHITMAN. Oh, no.

Mr. GRIGGS. I shall not insist on it.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I think the Senator will agree with me that Mr. Lippitt, who has been quoted, a gentleman I have met (he has been governor of the State of Rhode Island, I believe), must have been joking when he suggested that a New England fortune would be three-quarters of a billion dollars—seven hundred and fifty million dollars.

Mr. President, I can safely say to the Senator from Wisconsin that we have not any very rich men in New England compared with other parts of the country. We are rather poor so far as large fortunes are concerned. Then again, the Senator knows that men like Mr. Whitman make a great deal of money in outside operations.

Mr. LA FOLLETTE. In real estate?

Mr. GALLINGER. I think likely. That class of men are in all sorts of business, and while he doubtless has done well in cotton manufacturing and perhaps woolen manufacturing, I do not know, I apprehend that his fortune, whatever it may be, has come largely from speculations in other directions. I know that is true of the average successful business man. The Senator has known of it in a great many instances himself.

NOT A SINGLE REASON OFFERED FOR ADVANCE.

Mr. LA FOLLETTE. I have no doubt that money made in manufacturing offers an opportunity for investment, either in multiplying the same mills and extending the manufacturing or investing in other lines. It would seem, however, that Mr. Whitman has looked upon the woolen and cotton industries especially as a very fruitful field for investment. He has found behind the tariff barrier which has been interposed against any outside competition in that business an opportunity to put his money very profitably and largely, I should judge, into this business.

Mr. President, we will search the public records in connection with this tariff bill in vain for any reason; we will search the libraries and the reports of labor bureaus and the records of other governments bearing upon the cost of production in vain; we will search in vain in every direction for any possible reason for increasing these duties.

I know that I have wearied the Senate, and I apologize for the length of time I have taken. I have not been able to go rapidly to-day on account of the intense heat. I submit what I have said, believing that it is unanswerable, and believing that it makes it impossible to support, at least I can not conscientiously or consistently support these rates advanced above the present tariff rates, and I firmly believe that a liberal reduction could be made from the existing rates without in the slightest degree endangering this industry in this country.

Mr. MONEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. I do.

Mr. MONEY. Will the Senator permit me to ask him a question? He has made an extremely comprehensive and exhaustive speech upon the cotton schedule. I will ask him if he has considered what will be the effect of the maximum clause of 25 per cent ad valorem outside of the fixed rate. What effect would that have upon the duty in the cotton schedule?

Mr. LA FOLLETTE. I can not at this late hour enter upon the discussion of that momentous question. I will say to my friend from Mississippi that in every case where the maximum is added to the high rates fixed in this bill it will prove absolutely prohibitory.

Mr. President, in conclusion, I repeat that not a reason has been offered by any member of the Finance Committee or any other Senator based upon a difference in the cost of production for the increase of a single rate in the cotton schedule, outside of the correction that should be made in paragraph 304, affecting the small quantity of cloth of low count and high value that is imported under inadequate duties. That little defect in the Dingley law has been the pretext and the defense for increasing the rates directly on more than $10,000,000 of cotton imports, and indirectly on almost everything embraced in the entire schedule.

I thank Senators for the interest which they have manifested in my discussion of these important provisions of this tariff bill.

APPENDIX.

Senate Document No. 77, Sixty-first Congress, first session, comparison of the Payne tariff bill (H. R. 1438) with the present tariff law, showing the value of imports and duties collected, as reported for the year ending June 30, 1907, compared with estimated duties under the proposed bill as reported from the Finance Committee, United States Senate, grouped to show separately the value of imports on which the duties are unchanged, increased, or decreased, and the percentages of increase or decrease. Prepared by the Bureau of Statistics, Department of Commerce and Labor. Presented by Mr. La Follette June 3, 1909.

SCHEDULE A—*Chemicals, oils, and paints.*

All ad valorem percentages are based on dutiable values. n. e.—not enumerated in the tariff. (L) Classed as Luxuries, articles of voluntary use, in estimate furnished by Senate Finance Committee.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
1	Acids.												
	Acetic or pyroligneous—												
	Specific gravity not exceeding 1.047	3.08	3.08	$381.00	$11.76								
	Specific gravity exceeding 1.047	17.77	17.77	8,017.00	1,424.62								
	Acetic anhydrid												
	Benzoic		25.00			$149,217.00		Free.	$37,304.25				
	Boracic	140.18	56.17							$28,425.00	60.00	$39,813.05	$15,965.22
	Chromic	14.43	9.62							303.00	33.33	43.73	29.15
	Citric	18.30	18.30	57,061.00	10,444.60								
	Formic	25.00	25.00	13,768.00	3,442.00								
	Gallic	31.92	25.53										
	Lactic	29.09	29.09	5,140.00	1,341.25					7,986.00	20.00	2,261.00	1,808.80
	Lactic, containing not over 40 per cent by weight of actual lactic acid												
	Containing over 40 per cent by weight of actual lactic acid										33.33		
	Oxalic		10.36			376,860.00		Free.	72,962.46				
	Pyrogallic	25.00	25.00	39,617.00	9,904.25								
	Salicylic	38.30	19.15										
	Sulphuric, or oil of vitriol, n. e. p.	16.82	16.82	1,845.00	310.39					2,397.00	50.00	918.10	459.05
	Tannic or tannin	114.08	79.86										
	Tartaric	20.80	14.93							2,797.00	30.00	3,190.83	2,233.58
	All other, not specially provided for		25.00	49,740.75	12,435.19					3,876.00	28.57	810.11	578.65
2	(L) Absinthe compounds, n. e. p. f.	35.00	25.00										
3	Alkaloids, distilled oils, essential oils, expressed oils, rendered oils, extracted resins, and oleo-resins, and all combinations of the foregoing, and all chemical compounds, mixtures and salts, and all glycerins, not specially provided for in this section, twenty-five per centum ad valorem; alcohol, compounded with ether or any other substance so as to make unfit for use as alcohol or for the preparation of spirits, alcohol fit for use, and not specially provided for in this section, five cents per pound, but in no case shall any of the foregoing pay less than twenty per centum ad valorem.	99.12	79.21							1,365.30	20.00	1,354.27	1,081.20

SCHEDULE A—*Chemicals, oils, and paints*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
3	Preparations or products known as alkalies, alkaloids, and all combinations of, and all chemical compounds and salts	25.00	25.00	$1,500,922.25	$375,230.60								
	Ammonia, phosphate of	25.00	25.00	6,980.00	1,745.00								
	Antimony, salts of	25.00	25.00	105,234.00	26,308.50								
	Barium:												
	Binoxide	25.00	25.00	144,483.00	36,120.75								
	Chloride of	25.00	25.00	65,468.00	16,367.00								
	Caffeine	25.00	25.00	39,581.00	9,895.25								
	Calcium, chloride of	25.00	25.00	1,432.00	358.00								
	Cocaine	25.00	25.00	37,585.00	9,396.25								
	Lime and soda, hypophosphites of	25.00	25.00	736.00	184.00								
	Potash, bicarbonate of	25.00	25.00	6,787.00	1,696.75								
	Soda:												
	Phosphate of	25.00	25.00	855.00	213.75								
	Prussiate of	25.00	25.00	175,674.00	43,918.50								
	Sulphite of	25.00	25.00	803.00	200.75								
	Thorium, nitrate of	25.00	25.00	240,128.00	60,032.00								
	Oils:												
	All other essential and distilled oils and combinations of b	25.00	25.00	448,473.25	112,118.32								
	All other fixed or expressed oils, and combinations of	25.00	25.00	15,115.00	3,778.75								
35½	*Nut oil, or oil of nuts not otherwise provided for*		19.28			$1,044,016.00		Free.	$201,251.43				
3	All other rendered oils, and combinations of	25.00	25.00	26,775.90	6,693.98								
637	Mineral—												
	Crude	98.63	Free.							$2,134.00		$2,104.71	Free.
	Refined	6.73	Free.							159,721.21		10,747.05	Free.
637	Paraffin	9.53	Free.							170,803.00		16,283.37	Free.
3	*Grease, other, n. e. p. f.*	20.00	25.00			4,844.00	25.00	$968.80	1,211.00				
4	Alumina, hydrate of, or refined bauxite	12.74	12.74	1,296.00	165.07								
	Alumina, hydrate of, or refined bauxite:												
	Containing not more than sixty-four per centum of alumina										33.33		
	Containing more than sixty-four per centum of alumina												
	Alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, and alum in crystals or ground	51.00	51.00	24,582.00	12,537.59								
	Alum, alum cake, patent alum, sulphate of alumina, and aluminous cake:												
	Containing less than fifteen per centum of alumina and more than three-tenths of one per centum of iron oxide										50.00		
	Containing more than fifteen per centum of alumina, or less than three-tenths of one per centum of iron oxide										25.00		
	Potash alum and ammonia alum												
5	Ammonia: a												
	Carbonate of	27.45	27.45	28,840.00	7,915.55								
	Muriate of, or sal ammoniac	14.41	14.41	765,880.00	110,352.19								
	Sulphate of	11.07	7.38							1,770,222.00	33.33	196,011.83	$130,674.57
	Liquid anhydrous												
6	Argols, or crude tartar, or wine lees, crude:												
	Containing not more than 40 per cent of bitartrate of potash	33.91	5.00							114.00	85.26	38.66	5.70
	Do. (from Switzerland, reciprocity)	5.00	5.00	453.00	22.65								
	Do. (from France, reciprocity)	5.00	5.00	131.00	6.55								
	Containing more than 40 per cent of bitartrate of potash	14.53	5.00							10,443.00	65.59	1,517.86	522.15
	Do. (from France, reciprocity)	5.00	5.00	1,026,958.00	51,347.93								
	Do. (from Italy, reciprocity)	5.00	5.00	1,331,889.00	66,594.45								
	Do. (from Portugal, reciprocity)	5.00	5.00	188,261.00	9,413.05								
	Argols partly refined, or tartars and lees crystals:												
	Containing not more than 90 per cent of bitartrate of potash	35.64	26.72							2,634.00	25.00	938.64	703.98
	Containing more than 90 per cent of bitartrate of potash	75.00	60.00							1.00	20.00	.75	.60
	Tartrate of soda, or potassa, or Rochelle salts	38.05	28.53							76.00	25.00	28.92	21.69
	Cream of tartar and patent tartar	26.10	21.74							614.00	16.67	160.23	133.53
7	Blacking	25.00	25.00	29,411.94	7,352.98								
	Blanco polish	20.00	25.00			24,679.25	25.00	4,935.85	6,169.81				
8	Bleaching powder, or chloride of lime	24.13	24.13	880,917.00	212,558.35								
9	Blue vitriol, or sulphate of copper	8.47	8.47	75,650.50	6,410.46								
10	Bone char, suitable for use in decolorizing sugars	20.00	20.00	6,368.00	1,273.60								
	Charcoal in any form not specially provided for												
	Blood char												
11	Borax	150.76	60.30							48,118.00	60.00	72,541.15	29,116.46
	Borates of lime or soda, or other borate material, not otherwise provided for:												
	Containing not more than 36 per cent of anhydrous boracic acid	31.47	14.10							346.00	58.33	108.87	45.36
	Containing more than 36 per cent of anhydrous boracic acid										68.75		

SCHEDULE A—*Chemicals, oils, and paints*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
12	Camphor, refined	7.44	7.44	$373,137.00	$27,778.62								
	Synthetic camphor												
13	(L) Chalk:												
	Not medicinal, nor prepared for toilet purposes, when ground, precipitated, or otherwise prepared, including taffers', billiard, red, or French	43.12	43.12	7,653.00	3,299.69								
	Manufactures of, not specially provided for	25.00	25.00	39,218.00	9,804.50								
14	Chlorotorm	46.06	23.02							$1,575.00	50.00	$724.95	$362.48
15	Coal-tar colors or dyes, not specially provided for	30.00	30.00	5,657,835.95	1,697,350.79								
	Coal tar, all preparations of, not colors or dyes, and not medicinal, not specially provided for	20.00	20.00	922,666.00	184,533.20								
16	Cobalt, oxide of	12.51	12.51	83,026.00	10,384.75								
17	Collodion, and articles of which collodion or any compound or pyroxylin is the component material of chief value:												
	Collodion, and all compounds of pyroxylin	25.79	20.62							2,195.00	20.00	566.00	452.80
	Rolled or in sheets, unpolished, and not made up into articles	79.32	39.45							205.00	25.00	162.60	121.95
	In finished or partly finished articles—												
	(L) Artificial silk	55.47	55.47	744.00	412.69								
	(L) All other	33.67	33.67	870,393.24	293,045.33								
18	(L) Coloring for brandy, wine, beer, or other liquors	50.00	50.00	560.50	280.25								
228	Copperas of sulphate of iron	5.25	Free.							89.00	100.00	4.67	Free
19	Drugs, such as barks, beans, berries, balsams, buds, bulbs, bulbous roots, excrescences, galls, fruits, flowers, dried fibers, grains, gums and gum resins, herbs, leaves, lichens, mosses, nuts, rocks, stems, spices, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, woods used expressly for dyeing, and dried insects, any of the foregoing which are drugs, not edible, but which are advanced in value or condition by refining, grinding, or other process of manufacture	11.66	51.66	86,308.75	10,061.89								
20	Ethers:												
	Sulphuric	262.10	2.36							372.00	80.00	974.08	194.82
	Nitrous, spirits of										20.00		
	Fruit ethers, oils, or essences	66.43	33.22							1,439.00	50.00	956.00	478.00
	Ethyl chloride												
	Other, not specifically provided for	86.07	43.03							1,012.00	50.00	871.00	435.50
	All on which duty does not amount to 25 per cent	25.00	25.00	2,507.20	626.80								
21	Logwood and other dyewoods, extracts and decoctions of	10.78	10.78	368,704.00	39,744.74								
	Extract of bark, used for dyeing or tanning, n. s. p. f.	23.30	23.30	7,448.00	2,490.19								
	Catch												
	Extract of catechu, aqueous												
	Extract of Persian berries												
	Chlorophyll												
	Extract of quebracho	17.11	17.11	2,234,386.00	382,399.24								
	Extract of mangrove bark										42.86		
	Extract of hemlock bark												
	Extract of sumac	17.25	17.25	55,701.00	9,608.86								
	Extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, not containing alcohol and not medicinal, and n. s. p. f.												
22	Gelatin:												
	Valued not above 10 cents per pound	32.80	32.80	6,257.00	2,052.03								
	Valued above 10 cents and not above 25 cents per pound	25.00	23.80			$135,402.00	15.92	$33,865.50	$39,258.58				
	Valued above 25 cents per pound	44.46	44.46	304,212.00	135,240.72								
	Emulsions, or any other form, and all manufactures of gelatin, or of which gelatin is the component material of chief value, n. s. p. f.												
	Gelatin, manufactures of, n. s. p. f.	35.00	35.00	19,564.83	6,847.69								
	Glue												
	Valued not above 10 cents per pound	35.79	25.79	320,719.50	118,349.15								
	Valued above 10 cents and not above 25 cents per pound	25.00	23.79			296,548.00	126.55	74,136.50	167,957.01				
	Valued above 25 cents per pound	34.22	34.22	2,101.00	718.97								
	Glue size, paste and vegetable glue	25.00	25.00			6,322.00	25.00	1,264.40	1,580.50				
	Fish glue or isinglass, and all other animal glue, n. s. p. f.												
	Valued not above 10 cents per pound	42.21	42.21	82.00	21.95								
	Valued above 10 cents and not above 25 cents per pound	24.00	24.11							39,019.00	3.53	9,754.75	9,410.63
	Valued above 25 cents per pound	29.79	29.79	17,548.00	5,225.14								

SCHEDULE A—*Chemicals, oils, and paints*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
23	Glycerin:												
	Crude, not purified	15.64	15.64	$2,366,482.00	$370,020.18								
	Refined	32.49	32.49	87,993.00	28,593.18								
24	Indigo:												
	Extracts, or pastes of	13.16	13.16	8,013.00	1,090.05								
	Carmined	15.26	15.26	14,004.00	2,137.00								
25	Ink and ink powders:												
	Printers'	25.00	25.00	1,540.00	385.00								
	All other	25.00	25.00	63,271.50	15,817.87								
26	Iodine, resublimed	8.77	8.77	561.00	49.20								
27	Iodoform	32.08	23.30							$59.00	25.00	$18.33	$13.75
	Licorice, extracts of, in paste, rolls, or other forms, n. e.	39.96	20.00							77,984.00	49.77	31,173.27	15,596.80
28	(L) Chicle	29.65	29.65	1,485,165.91	440,315.45								
29	Magnesia:												
	Carbonate of, medicinal	22.88	22.88	6,813.00	1,375.71								
	Calcined, medicinal	37.99	37.99	7,301.00	2,783.83								
	Carbonate of, technical, not medicinal												
	Sulphate of, or Epsom salts	51.18	51.18	16,072.00	8,226.33								
30	Alizarin assistant, sulpho-ricinoleic acid, and ricinoleic acid:												
	Containing less than 50 per cent of castor oil	52.09	52.09	15,406.00	8,025.75								
	Containing 50 per cent or more of castor oil	50.16	50.16	7,902.00	3,963.90								
	Alizarin assistants and all soluble greases used in the processes of softening, dyeing, or finishing												
	All other n. s. p. f.	30.00	30.00	7,075.00	2,122.50								
	Oils:												
31	Castor oil	35.48	35.48	4,244.20	1,505.70								
32	Cod-liver oil	24.02	24.02	136,202.00	32,714.55								
	Cotton-seed oil	11.19	25.00			$9,342.00	123.12	$1,046.06	$2,335.50				
	Croton oil	32.73	25.00							11.00	22.88	3.60	2.75
33	Flaxseed or linseed oil, raw, boiled, or oxidized	49.67	37.25							5,712.00	25.00	2,836.97	2,127.73
	Poppy-seed oil, raw, boiled, or oxidized	31.97	23.98							3,243.00	25.00	1,036.90	777.68
34	Fusel oil, or amylic alcohol	2.07	2.07	575,296.00	11,957.87								
35	Hemp-seed and rape-seed oil	19.87	19.87	405,575.00	80,603.30								
36	Olive oil—												
	In bottles, jars, tins, or similar packages	43.85	43.85	2,724,168.86	1,194,610.59								
	Other, n. s. p. f.	52.34	52.34	562,926.39	294,620.60								
37	Peppermint oil	36.21	18.11							18,839.00	50.00	6,821.34	3,410.67
38	Seal oil	28.62	28.62	221.00	63.24								
	Whale oil	23.62	23.62	8,370.00	1,976.64								
	Fish oil, n. s. p. f.	33.57	33.57	142,703.00	47,908.68								
39	Opium—												
	Crude or unmanufactured and not adulterated, containing 9 per cent and over of morphia	39.15	58.71			1,134,681.00	50.00	444,121.32	666,181.98				
	Advanced beyond crude or manufactured												
	Morphia or morphine, sulphate of	63.90	95.85			820.00	50.00	524.00	786.00				
	All alkaloids and salts of opium	49.80	74.70			54,141.00	50.00	26,964.00	40,446.00				
	Aqueous extract of, for medicinal use, and tincture of, as laudanum, and all other liquid preparations of, not specially provided for	40.00	40.00	22.00	8.80								
	Prepared for smoking, and opium containing less than 9 per cent of morphia	62.41		1,460,400.00	911,494.13								
	Opium containing less than 9 per cent of morphia		62.41										
40	Baryta, sulphate of, or barytes, including barytes earth:												
	Unmanufactured	20.95	20.95	43,033.00	9,016.98								
	Manufactured	54.66	54.66	81,447.00	44,520.66								
41	Blues, such as Berlin, Prussian, Chinese, and all others, containing ferrocyanide of iron, in pulp, dry or ground in or mixed with oil or water	38.98	38.98	39,445.00	15,376.93								
42	Blanc-fixe, or artificial sulphate of barytes, and satin white, or artificial sulphate of lime	44.49	44.49	71,504.00	31,814.00								
43	Black, made from bone, ivory, or vegetable substance, including boneblack and lampblack, dry or ground in oil or water	25.00	25.00	29,210.00	7,302.50								
44	Chrome yellow, chrome green, and all other chromium colors in the manufacture of which lead and bichromate of potash or soda are used in pulp, dry or ground in or mixed with oil or water	29.74	29.74	19,515.00	5,803.27								
45	Ocher and ocherty earths, n. s. p. f.:												
	Crude, not powdered, washed, or pulverized	9.89	9.89	903.00	89.35								
	Powdered, washed, or pulverized	41.73	41.73	107,578.25	44,885.18								
	Ground in oil or water	83.68	55.78							1,777.00	33.33	1,486.96	991.30
	Sienna and sienna earths, n. s. p. f.:												
	Crude, not powdered, washed, or pulverized	8.82	8.82	17,717.00	1,563.35								
	Powdered, washed, or pulverized	21.90	21.90	13,903.00	3,044.38								
	Ground in oil or water	24.33	16.21							405.00	33.33	98.52	65.68

SCHEDULE A—*Chemicals, oils, and paints*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Umber and umber earths, n. s. p. f.:												
	Crude, not powdered, washed, or pulverized	*P. ct.* 18.24	*P. ct.* 18.24	$12,326.00	$2,247.87								
	Powdered, washed, or pulverized	31.44	31.44	7,756.00	2,438.76								
	Ground in oil or water	19.84	13.28										
46	Orange mineral	58.47	58.47	42,084.00	24,605.68					$464.00	33.33	$92.08	$61.28
47	Red lead	56.97	56.97	45,209.00	25,754.86								
48	Ultramarine, dry, in pulp, or mixed with water	40.18	32.14							66,753.00	20.00	26,823.53	21,458.82
	Wash blue, containing ultramarine	27.49	21.99							23,623.00	20.00	6,494.63	5,195.70
49	Varnishes:												
	Spirit varnishes	104.23	35.00							5,154.00	66.38	5,372.54	2,245.10
	All other, including gold size or Japan	35.00	35.00	64,145.70	22,451.00								
	Enamel paints made with varnish												
50	Vermilion red, and other colors:												
	Containing quicksilver, dry, or ground in oil or water	20.53	20.53	57,049.00	11,713.36								
	Not containing quicksilver, but made of lead, or containing lead	17.69	17.69	17,930.00	3,172.35								
51	White lead, white paint and pigment containing lead, dry or in pulp, and ground or mixed with oil	46.13	46.13	38,481.50	17,753.36								
52	Whiting and Paris white:												
	Dry	35.15	35.15	13,219.00	4,645.85								
	Ground in oil (putty)	30.77	23.08							114.35	25.00	35.19	26.39
53	Zinc, oxide of, and white pigment containing zinc, but not containing lead:												
	Dry	16.62	16.62	289,295.00	48,070.67								
	Ground in oil	15.21	15.21	35,162.00	5,346.46								
	Sulfid of, white, or white sulphide of	39.07	39.07	44,643.00	17,444.01								
	Chloride of zinc	36.69	36.69	36,236.00	13,995.17								
	Sulphate of zinc	40.53	40.53	1,288.00	522.09								
54	All other paints, colors, pigments, lakes, smalts, and frostings, crude or dry or mixed, or ground with water or oil or other vehicles, and not specially provided for	30.00	30.00	656,014.75	196,804.42								
	Oxide of iron pigment, and oxide of iron polishing powder, driers for paint, all glazes, fluxes, enamels, and colors used only in the manufacture of ceramic, enameled, and glass articles												
	(L) Crayons *including charcoal crayons or fusains*	30.00	30.00	10,680.50	3,204.15								
	Brown—												
	Spanish, Indian red, and colcothar or oxide of iron	30.00	30.00	71,534.00	21,460.20								
	Vandyke, Cassel earth or Cassel brown	30.00	30.00	111.00	33.30								
	Venetian red	30.00	30.00	37,068.00	11,120.40								
	(L) All pastes, colors, and pigments, commonly known as artists' paints or colors, whether in tubes, pans, cakes, or other forms	30.00	30.00	95,871.00	28,761.30								
55	Paris green and London purple	15.00	15.00	17,764.32	2,664.65								
56	Lead:												
	Acetate of—												
	White	38.52	38.52	268.00	103.24								
	Brown, gray, or yellow	40.43	40.43	940.00	380.05								
	Nitrate of	63.06	63.06	10,996.40	6,934.57								
	Litharge	57.57	57.57	3,162.00	1,820.50								
57	Phosphate	41.99	41.99	13,268.00	5,451.66								
	Potash:												
58	Bichromate and chromate of	41.14	30.86										
59	Caustic, or hydrate of, refined, in sticks or rolls	8.95	8.95	4,545.00	406.92					685.00	25.00	282.84	212.13
	Chlorate of	34.61	27.68										
60	Hydriodate, iodide, and iodate of	11.20	11.20	797.00	89.25					1,486.00	20.00	514.27	411.40
61	Nitrate of or saltpeter, refined	9.52	Free.										
62	Prussiate of—									15,833.12	100.00	1,506.76	Free.
	Red	39.60	39.60	11,811.00	4,539.12								
	Yellow	39.13	39.13	148,580.00	58,132.80								
	Cyanide of	12.50	12.50	483,789.00	60,473.65								
	Cyanide of sodium												
63	Preparations, medicinal:												
	Containing alcohol, or in the preparation of which alcohol is used	62.27	62.27	214,642.71	133,667.55								
	On which the specific duty does not amount to 25 per cent	25.00	25.00	8,119.42	2,029.86								
	Calomel and other mercurial medicinal preparations	35.00	35.00	21,352.35	7,473.32								
	Not containing alcohol, or in the preparation of which alcohol is not used	25.00	25.00	1,321,811.02	330,452.85								
64	Plasters, healing or medicated, and court-plaster	25.00	25.00										
65	(L) Perfumery, cosmetics, and toilet preparations:									9,468.50	28.57	3,314.00	2,367.13
	Alcoholic perfumery, including cologne water and other toilet waters, and toilet preparations containing alcohol, or in the preparation of which alcohol is used	77.98	32.88			$655,754.25	6.41	$510,695.57	$543,483.22				

SCHEDULE A—*Chemicals, oils, and paints*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Preparations used as applications to the hair, mouth, teeth, or skin, such as cosmetics, dentifrices, pastes, pomades, powders, and other toilet articles, and articles of perfumery, not containing alcohol, or in the manufacture of which alcohol is not used, n. s. p. f.	*P. ct.* 50.00	*P. ct.* 60.00			$576,068.64	20.00	$288,034.32	$345,641.18				
	(L) *Floral or flower waters, containing no alcohol*						25.00						
66	Santonin, and all salts of, containing 80 per cent or over of santonin	12.66	12.66	$65,032.00	$8,233.19								
67	Soap:												
	Castile	18.60	18.60	346,353.00	64,419.58								
	(L) Fancy, perfumed, and all descriptions of toilet, including medicinal or medicated	34.79	46.39			320,344.00	33.33	181,045.64	241,394.13				
	All other, n. s. p. f.	20.00	20.00										
68	Soda:												
	Bicarbonate of, or supercarbonate of, or saleratus, and other alkalies containing 50 per cent or more of bicarbonate of soda	22.87	19.99							$4,274.00	16.67	$1,020.30	$850.23
69	Bichromate and chromate of	32.80	28.70							425.00	12.90	139.33	121.96
70	Crystal carbonate of, or concentrated soda crystals, or monohydrate, or sesquicarbonate of	18.91	15.76							2,026.00	16.67	383.21	319.33
	Chlorate of										25.00		
71	Hydrate of, or caustic	24.46	16.31							39,395.00	33.33	9,635.57	6,423.89
	Nitrite of	50.36	40.29							37,623.00	20.00	18,945.90	15,156.70
	Hyposulphite of	32.38	24.29							1,093.00	25.00	353.96	265.47
	Sulphide of	34.46	25.84							20,988.00	25.00	7,231.89	5,423.92
72	Sal, or soda crystals, not concentrated	31.67	23.63							4,771.00	16.67	1,590.00	1,100.07
73	Soda ash	34.63	23.08							73,052.00	33.33	25,294.87	16,863.10
	Arseniate of	22.63	18.11							9,306.00	20.00	2,106.40	1,685.09
74	Silicate of, or other alkaline silicate	53.91	40.43							11,461.00	25.00	6,178.38	4,633.94
75	Sulphate of:												
	Glauber salts	6.32	5.06							4,974.00	20.00	314.56	251.64
	Salt cake, or niter cake	10.40	8.06							37,679.00	20.00	3,805.95	3,044.76
76	Moss:												
	Sea moss	10.00	Free.							17,567.00	100.00	1,756.71	Free.
	Prepared moss	20.00	10.00							18,029.00	50.00	3,605.80	1,802.90
	Moss and sea grass, eel grass, and seaweeds, if manufactured or dyed												
77	Sponges, and manufactures of:												
	Sponges	20.00	20.00	220,707.81	44,141.46								
	Do. (reciprocity treaty with Cuba)	16.00	16.00	115,649.58	18,503.94								
	Manufactures of, or of which sponge is the component material of chief value, n. s. p. f.	40.00	30.00							45.00	25.00	18.00	13.50
78	Strychnia, or strychnine, and salts of	68.25	34.13							338.00	50.00	230.70	115.35
79	Sulphur:												
	Refined	32.71	24.53							18,080.00	25.00	5,913.83	4,435.38
	Sublimed, or flowers of	28.10	21.07							41,601.00	25.00	11,061.79	8,746.32
	Sulphur or brimstone advanced beyond the original condition as mined, by melting, refining, or any process whatever by means of which impurities or extraneous matter, wholly or in part, have been removed												
80	Sumac, ground	14.13	14.13	259,974.00	36,734.74								
81	Vanillin	220.00	100.00							25.00	68.75	80.00	25.00
	Total, Schedule A	26.62	27.99	34,101,012.22	9,043,971.74	4,989,097.14	51.05	1,567,601.96	2,367,963.05	2,831,645.48	41.75	550,996.54	320,978.72

SCHEDULE B—*Earths, earthenware, and glassware.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
82	Brick, fire, weighing not more than 10 pounds each:												
	Not glazed, enameled, ornamented, or decorated	*P. ct.* 28.70	*P. ct.* 28.70	$93,967.46	$26,943.34								
	Glazed, enameled, ornamented, or decorated	45.00	35.00							$20.00	22.22	$9.00	$7.00
	Brick, fire, weighing more than 10 pounds each:												
	Not glazed, enameled, etc.												
	Glazed, enameled, etc.												

SCHEDULE B—*Earths, earthenware, and glassware*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
	Brick, other than fire												
	Not glazed, enameled, painted, vitrified, ornamented, or decorated	25.00	25.00	$49,170.52	$12,292.63								
	Glazed, enameled, painted, vitrified, ornamented, or decorated	45.00	35.00							$7,665.00	22.22	$3,449.25	$2,682.75
83	Tiles												
	Plain, unglazed, one color, exceeding 2 square inches in size	42.97	42.97	17,866.00	7,674.04								
	(L) Glazed, encaustic, ceramic, mosaic, vitrified, semi-vitrified, flint, spar, embossed, enameled, ornamented, hand painted, gold decorated, and all other earthenware tiles—												
	Valued not exceeding 40 cents per square foot	46.37	46.37	34,064.00	15,794.83								
	Valued exceeding 40 cents per square foot	38.45	38.45	6,224.00	2,393.08								
	Quarries or quarry tiles												
	Mantles, friezes, and all other articles, wholly or in chief value of tiles or tiling												
84	Cement												
	Roman, Portland, and other hydraulic, in barrels, sacks, or other packages, including the weight of barrel or package	25.25	25.25	3,621,061.17	914,282.76								
	Do. (in bulk)												
	Other cement	20.00	20.00	109,452.08	21,890.41								
85	Lime	20.55	20.55	95,115.05	19,555.82								
86	Plaster rock or gypsum												
	Crude	42.08	17.06							457,047.00	60.00	195,032.98	78,013.19
	Ground or calcined	31.04	24.13							21,807.00	22.22	6,767.86	5,263.90
	Pearl hardening for paper makers' use	20.00	20.00	3,287.00	657.40								
	Keene's cement, or other cement of which gypsum is the component material of chief value												
87	Pumice stone:												
	Unmanufactured	15.00	15.00	54,554.00	8,183.10								
	Wholly or partially manufactured	37.91	37.91	54,555.00	20,680.79								
	Manufactures of, n. s. p. f.												
88	Clays or earths												
	Unwrought or unmanufactured, n. s. p. f.	18.12	18.12	171,005.34	30,998.16								
	Wrought or manufactured, n. s. p. f.	6.73	6.73	56,220.00	3,785.70								
	China clay or kaolin	36.91	36.91	1,432,342.00	528,668.15								
	Bauxite, crude	25.53	25.53	64,121.00	16,372.80								
	Fuller's earth—												
	Unwrought and unmanufactured	18.94	18.94	23,960.00	4,539.00								
	Wrought or manufactured	35.82	35.82	102,416.00	36,686.50								
	Asphaltum and bitumen												
	Crude, not dried or advanced	36.34	36.34	434,412.00	157,856.55								
	Dried or advanced	28.24	28.24	110,714.00	31,267.93								
	Limestone rock asphalt, containing not more than 15 per cent of bitumen	15.08	15.08	22,640.00	3,413.50								
	Fluor spar:												
	Crude												
	Crushed, ground, etc.												
89	Mica:												
	Unmanufactured, or rough-trimmed only	36.72	33.92							1,116,320.25	7.58	409,865.81	378,765.53
	Cut or trimmed	36.25	33.54							73,364.00	7.47	26,593.01	24,606.30
	Mica plates or built-up mica, and all manufactures of mica												
90	Earthenware:												
	Common yellow, brown, or gray, plain, embossed, or salt-glazed common stoneware, and crucibles, not decorated in any manner	25.00	25.00	105,822.62	26,455.69								
	Rockingham earthenware, not decorated	40.08	40.00	21,026.00	8,410.40								
91	(L) China, porcelain, parian, bisque, earthen, stone, and crockery ware, plaques, ornaments, toys, tea sets, charms, vases, and statuettes:												
	Plain white, without superadded ornamentation of any kind	55.00	55.00	1,049,218.43	577,070.15								
	Painted, tinted, stained, enameled, printed, gilded, or otherwise decorated in any manner	60.00	60.00	8,913,797.56	5,348,278.51								
92	(L) Clock cases, with or without movements:												
	Composed wholly or in part of china, porcelain, parian, bisque, or earthenware	60.00	60.00	260.00	156.00								

a On the bitumen content contained therein.

SCHEDULE B—*Earths, earthenware, and glassware*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) All other china, porcelain, parian, bisque, earthen, stone, and crockery ware, and manufactures thereof, or of which the same is the component materia of chief value, not specially provided for:	P. ct.	P. ct.										
	Not ornamented or decorated	55.00	55.00	$300,265.25	$165,145.89								
	(L) Painted, tinted, stained, enameled, printed, gilded, or otherwise decorated or ornamented	60.00	60.00	2,975,499.63	1,785,299.78								
93	Articles and wares composed wholly or in chief value of earthy or mineral substances, or carbon, not specially provided for:												
	Not decorated	35.00	35.00	98,241.02	34,384.60								
	(L) Decorated	45.00	45.00	15,750.25	7,087.62								
110	Agate, manufactures of, not specially provided for	50.00	50.00	24,022.04	12,011.03								
	(L) Rock crystal, manufactures of	50.00	50.00	3,177.00	1,588.50								
	(L) Spar, manufactures of	50.00	50.00	1,399.00	699.50								
94	Gas retorts	10.20	30.00			$1,619.00	194.49	$165.00	$485.70				
	Lava tips for burners	24.21	24.21	24,582.04	5,950.75								
	Carbons for electric lighting	46.79	36.39							$157,311.00	22.22	$73,613.61	$57,255.03
	Filter tubes	45.00	35.00							1,755.00	22.22	789.75	614.25
	Porous carbon pots for electric batteries, without metallic connections	20.00	20.00	9,149.00	1,829.80								
95	Bottles, vials, demijohns, carboys, and jars:												
	Bottles or jugs containing brandy and other spirituous liquors—												
	Holding more than 1 pint			(a)	109,455.86								
	Holding not more than 1 pint and not less than ½ pint			(a)	12,675.51								
	Holding less than ½ pint			(a)	72.76								
	Bottles, vials, and jars, flint, lime, or lead—												
	Empty—												
	Holding more than 1 pint	59.90	59.90	6,090.80	3,648.05								
	Holding not more than 1 pint and less than ½ pint	55.56	55.56	1,014.00	563.35								
	Holding less than ½ pint	69.68	69.68	371.00	258.50								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	132,365.40	52,946.16								
	Filled—												
	Holding more than 1 pint	51.42	51.42	5,732.47	2,947.90								
	Holding not more than 1 pint and not less than ½ pint	56.37	56.37	1,870.13	1,054.18								
	Holding less than ½ pint	68.09	68.09	449.00	305.72								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	164,767.33	65,906.92								
	Bottles, vials, and jars, plain green or colored, molded or pressed—												
	Empty—												
	Holding more than 1 pint	60.52	60.52	55,906.40	33,835.71								
	Holding not more than 1 pint and not less than ½ pint	67.51	67.51	14,940.00	10,085.47								
	Holding less than ½ pint	81.44	81.44	601.00	489.48								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	190,041.66	76,016.66								
	Filled—												
	Holding more than 1 pint	49.69	49.69	18,633.55	9,259.13								
	Holding not more than 1 pint and not less than ½ pint	50.85	50.85	5,945.78	3,022.73								
	Holding less than ½ pint	57.55	57.55	1,484.00	854.03								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	384,493.98	153,797.58								
	Demijohns and carboys (covered or uncovered):												
	Empty—												
	Holding more than 1 pint	43.21	43.21	708.00	305.90								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	8,479.00	3,391.60								
	Filled—												
	Holding more than 1 pint	56.93	56.93	129.52	73.73								
	Other, on which specific duty would be less than 40 per cent	40.00	40.00	2,122.89	849.16								
96	(L) Bottles decanters, or other vessels or articles of glass, cut, engraved, painted, colored, stained, silvered, gilded, etched, frosted, printed in any manner or otherwise ornamented, decorated, or ground (except such grinding as is necessary for fitting stoppers), and any articles of which such glass is the component material of chief value	60.00	60.00	1,742,333.07	1,045,399.86								

a Value of bottles is returned with value of the contents.

SCHEDULE B—*Earths, earthenware, and glassware*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
	(L) Porcelain, opal, and other blown glassware	60.00	60.00	$243,908.35	$146,345.01								
	(L) Paste, manufactures of, n. e. p. f.			(a)	(a)								
97	Cylinder, crown, and common window glass, unpolished:												
	Not exceeding 10 by 15 inches	41.08	41.08	540,282.09	221,962.75								
	Above 10 by 15 inches and not exceeding 16 by 24 inches	71.59	71.59	254,804.32	182,403.27								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	74.32	74.32	111,100.10	82,568.59								
	Above 24 by 30 inches and not exceeding 24 by 36 inches	73.69	75.26							$34,273.37	4.00	$26,969.76	$25,797.15
	Above 24 by 36 inches and not exceeding 30 by 40 inches	57.39	84.15							26,346.45	3.70	23,023.51	22,170.69
	Above 30 by 40 inches and not exceeding 40 by 60 inches	71.79	69.47							11,698.00	3.23	8,398.50	8,127.56
	Above 40 by 60 inches	60.60	58.86							93.00	2.86	56.36	54.74
98	Cylinder and crown glass, polished, unsilvered:												
	Not exceeding 16 by 24 inches	20.42	20.42	57,550.00	11,753.04								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	27.77	27.77	86,320.00	23,974.20								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	59.92	59.92	19,835.00	11,885.85								
	Above 24 by 60 inches												
99	Plate glass, fluted, rolled, ribbed, or rough, or the same containing a wire netting within itself (excess of 1 pound per square foot dutiable at same rates):												
	Not exceeding 16 by 24 inches	29.72	29.72	2,520.00	670.07 / 78.75								
	Above 16 by 24 inches and not exceeding 24 by 30 inches												
	Above 24 by 30 inches	33.68	33.68	13,835.00	4,468.27 / 196.92								
	(L) Plate glass, fluted, rolled, ribbed, or rough, ground, smoothed or otherwise obscured (excess of 1 pound per square foot dutiable at same rates):												
	Not exceeding 16 by 24 inches	42.46	53.08			$13,931.00	25.00	$5,936.35	$7,420.44				
	Above 16 by 24 inches and not exceeding 24 by 30 inches	49.20	61.50			75,031.00	25.00	36,916.38	46,145.72				
	Above 24 by 30 inches and not exceeding 24 by 60 inches	93.05	93.05	15,601.00	14,516.10								
	Above 24 by 60 inches	134.41	86.41										
100	(L) Plate glass, cast, polished finished or unfinished, and unsilvered:									1,613.00	35.71	2,168.25	1,393.87
	Not exceeding 16 by 24 inches	43.08	53.85			224,258.00	25.00	96,606.08	120,757.58				
	Above 16 by 24 inches and not exceeding 24 by 30 inches	49.25	61.56			929,259.00	25.00	457,765.85	572,132.39				
	Above 24 by 30 inches and not exceeding 24 by 60 inches	81.73	81.73	204,263.00	166,938.25								
	Above 24 by 60 inches	155.62	100.04										
101	(L) Plate glass, cast, polished, silvered, and looking-glass plates, exceeding in size 144 square inches:									40,657.00	35.71	63,319.63	40,705.48
	Not exceeding 16 by 24 inches	43.80	43.80	179.00	78.41								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	39.44	39.44	1,190.00	469.31								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	81.78	81.78	4,157.00	3,400.20								
	Above 24 by 60 inches	93.62	61.59										
	(L) Cylinder and crown glass, polished, silvered, and looking-glass plates, exceeding in size 144 square inches:									1,944.00	34.21	1,820.01	1,197.30
	Not exceeding 16 by 24 inches	20.21	20.21	129.00	26.07								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	19.43	19.43	275.00	53.43								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	57.00	57.00	184.00	104.88								
	Above 24 by 60 inches	45.24	29.76										
102	(L) Plate glass, cast, polished, silvered, when bent, ground, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated:									1,173.00	34.21	530.67	349.13
	Not exceeding 16 by 24 inches	125.34	125.34	102.00	128.85								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	44.84	44.84	287.00	128.70								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	71.53	71.53	236.00	168.80								
	Above 24 by 60 inches	373.26	382.22							45.00	31.26	260.27	172.00

a With manufactures of glass, paragraph 107.

SCHEDULE B—*Earths, earthenware, and glassware*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Plate glass, cast, polished, unsilvered, when bent, ground, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated:	P. ct.	P. ct.										
	Not exceeding 16 by 24 inches	14.91	17.40			$6,935.00	25.00	$1,034.85	$1,206.88				
	Above 16 by 24 inches and not exceeding 24 by 30 inches	38.13	46.42			7,264.00	25.00	2,770.13	3,371.87				
	Above 24 by 30 inches and not exceeding 24 by 60 inches	72.10	72.10	$2,330.00	$1,681.20								
	Above 24 by 60 inches	86.72	57.54							$6,324.00	33.65	$5,484.65	$3,638.78
	Cylinder, crown, and common window glass, unpolished, when bent, ground, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated:												
	Not exceeding 10 by 15 inches	15.93	15.93	33,848.50	5,392.94								
	Above 10 by 15 inches and not exceeding 16 by 24 inches	31.97	31.97	4,592.00	1,467.94								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	49.94	49.94	8,967.00	4,478.56								
	Above 24 by 30 inches and not exceeding 24 by 36 inches	70.69	67.84							1,731.00	4.04	1,223.72	1,174.29
	Above 24 by 36 inches and not exceeding 30 by 40 inches	57.22	55.28							1,668.00	3.38	954.40	922.13
	Above 30 by 40 inches and not exceeding 40 by 60 inches	92.28	89.47							15,173.00	3.05	14,002.01	13,574.76
	Above 40 by 60 inches												
	Cylinder and crown glass, polished, silvered, when ground, bent, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated:												
	Not exceeding 16 by 24 inches	27.21	27.21	233.00	63.39								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	53.65	53.65	66.00	35.41								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	55.00	55.00	4.00	2.20								
	Above 24 by 60 inches	51.44	35.56							18.00	30.64	9.26	6.40
	Cylinder and crown glass, polished, unsilvered, when ground, bent, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated:												
	Not exceeding 16 by 24 inches	20.01	20.01	44,707.00	8,948.07								
	Above 16 by 24 inches and not exceeding 24 by 30 inches	28.73	28.73	137,593.00	39,529.55								
	Above 24 by 30 inches and not exceeding 24 by 60 inches	54.98	44.98							208.00	18.18	114.35	93.56
103	Spectacles, eyeglasses, and goggles, and frames for the same, or parts thereof, finished or unfinished:												
	Valued not over 40 cents per dozen	96.81	96.81	3,842.00	3,719.43								
	Valued over 40 cents and not over $1.50 per dozen	68.36	68.36	3,479.00	2,378.25								
	Valued over $1.50 per dozen	50.00	50.00	70,549.75	35,274.88								
104	Lenses of glass or pebble, ground and polished to a spherical, cylindrical, or prismatic form, and ground and polished plano or coquill glasses, wholly or partly manufactured:												
	With edges unground	45.00	45.00	12,657.50	5,695.88								
	With edges ground or beveled	45.94	45.94	11,954.00	5,491.82								
105	(L) Strips of glass not more than 3 inches wide, ground or polished on one or both sides to a cylindrical or prismatic form, and glass slides for magic lanterns	45.00	45.00	10,461.96	4,707.88								
106	(L) Opera and field glasses, telescopes, microscopes, photographic and projecting lenses and optical instruments, and frames or mountings for same, not specially provided for	45.00	45.00	457,224.77	205,751.15								

SCHEDULE B—*Earths, earthenware, and glassware*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
107	(L) Glass windows, stained or painted, or parts thereof, and all mirrors not exceeding in size 144 square inches, with or without frames or cases	*P. ct.* 45.00	*P. ct.* 45.00	$232,445.89	$104,600.64								
	Do., bent, etc	50.00	50.00	15.00	7.50								
	All other manufactures of glass or paste, or of which glass or paste shall be the component material of chief value, not specially provided for	45.00	45.00	616,596.44	277,468.45								
108	Fusible enamel	25.00	25.00	20,469.00	5,117.25								
109	Marble:												
	In block, rough or squared only	42.46	42.46	1,083,188.00	459,939.01								
	Sawed or dressed, over 2 inches in thickness	48.54	44.12							$360.00	9.00	$174.72	$158.83
	Slabs or paving tiles containing not less than 4 superficial inches—												
	Not more than 1 inch in thickness—												
	Unrubbed	80.78	53.85							48,593.00	33.33	39,251.08	26,167.38
	Rubbed	77.63	51.76							16,686.00	33.33	12,953.73	8,635.82
	More than 1 inch and not more than 1½ inches thick—												
	Unrubbed	72.62	48.41							8,212.00	33.33	5,963.70	3,975.80
	Rubbed	52.09	34.72							724.00	33.33	377.10	251.40
	More than 1½ inches and not more than 2 inches thick—												
	Unrubbed	10.37	7.18							202.00	30.55	20.88	14.50
	Rubbed												
	(L) Onyx:												
	In block, rough or squared	19.06	7.62							71,437.00	56.67	13,617.00	5,446.80
	Sawed or dressed, over 2 inches in thickness												
	Slabs or paving tiles containing not less than 4 superficial inches—												
	Not more than 1 inch in thickness—												
	Unrubbed												
	Rubbed												
	More than 1 inch and not more than 1½ inches thick—												
	Unrubbed												
	Rubbed												
	More than 1½ inches and not more than 2 inches thick—												
	Unrubbed												
	Rubbed												
	Mosaic cubes of marble, onyx, or stone, not exceeding 2 inches in size:												
	Loose	93.77	38.44										
	Attached to paper or other material									49,405.00	58.59	46,326.97	18,992.49
110	Manufactures of—												
	(L) Alabaster, n. s. p. f.	50.00	50.00	11,137.50	5,568.50								
	(L) Jet, n. s. p. f.	50.00	50.00	4,756.50	2,378.25								
	(L) Malachite, n. s. p. f.												
	(L) Marble, n. s. p. f.	50.00	50.00	308,648.00	154,324.00								
	(L) Onyx, n. s. p. f.	50.00	50.00	2,633.76	1,316.88								
	(L) Clock cases with or without movements, composed of marble, onyx, alabaster, etc.	50.00	50.00	5,974.37	2,987.19								
111	Burrstones, manufactured or bound up into millstones	15.00	15.00	456.00	68.40								
112	Freestone, sandstone, limestone, and other building or monumental stone, except granite, marble, and onyx, not specially provided for:												
	Hewn, dressed, or polished	50.00	50.00	25,399.14	12,699.57								
	Unmanufactured or undressed	23.51	23.51	52,206.00	12,273.53								
	Granite:												
	Hewn, dressed, or polished	50.00	50.00	166,293.00	83,146.50								
	Unmanufactured or undressed	38.37	38.37	9,040.00	3,468.67								
* 113													
114	Grindstones, finished or unfinished	10.22	10.22	114,624.00	11,717.39								
115	Slates, slate chimney pieces, mantels, slabs for tables, and all other manufactures of slate	20.00	20.00	7,688.00	1,537.60								
	Total, Schedule B	49.04	48.71	27,858,573.92	13,761,073.30	$1,258,327.00	23.01	$601,134.84	$751,520.58	2,173,903.07	25.73	983,141.80	730,228.81

* Monuments, basins, benches, statues, fountains, vases, and all other articles in stone are classified in House bill at 50 per cent ad valorem. This provision stricken out in Senate bill.

SCHEDULE C—*Metals, and manufactures of.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
115½	Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites	*P. ct.* 16.85	*P. ct.* 10.54							$1,212,607.00	37.50	$204,450.03	$127,781.27
	Provided, that in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.												
576	Basic slag, *ground or unground*	11.52	Free.							8,197.00	100.00	944.29	Free.
116	Iron in pigs, kentledge, spiegeleisen:												
	Ferro-manganese	6.27	3.92							6,027,240.00	37.50	378,173.11	236,358.15
	Spiegeleisen	13.26	8.29							2,486,086.00	37.50	329,690.03	206,056.28
	All other (except ferrosilicon)	25.02	15.64							5,862,930.00	37.50	1,466,825.32	916,765.60
	Scrap iron and steel, waste or refuse, fit only to be remanufactured:												
	Iron, wrought and cast	30.05	18.78							193,973.22	37.50	58,274.02	36,421.20
	Steel	27.93	17.46							100,996.00	50.00	28,210.57	17,631.60
117	Bar iron:												
	Rolled or hammered, comprising—												
	Flats not less than 1 inch wide nor less than ⅜ of 1 inch thick	16.94	8.47							5,647.00	50.00	956.87	478.44
	Round iron not less than 7/16 of 1 inch in diameter	13.84	6.92							163,050.00	50.00	22,571.18	11,285.60
	Square iron	14.20	7.10							3,115.10	50.00	442.32	221.15
	Muck bars												
118	Bars or shapes of rolled or hammered iron, n. s. p. f., and round iron, in coils or rods, less than 7/16 of 1 inch in diameter	14.33	10.75							7,195.92	25.00	1,031.26	773.45
	Slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig, except castings	11.43	9.15							1,090.00	20.00	124.62	99.70
	Bars, blooms, billets, *slabs, or loops*, in the manufacture of which charcoal is used as fuel	29.59	19.73							1,495,326.00	33.33	442,519.22	295,012.80
119	Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms and all other structural shapes of iron or steel	36.75	29.40							467,466.00	20.00	171,796.34	137,437.09
	But not assembled, or manufactured, or advanced beyond hammering, rolling, or casting.												
120	Boiler or other plate iron or steel (except crucible plate steel and saw plates), not thinner than No. 10 wire gauge, sheared or unsheared, and skelp iron or steel sheared or rolled in grooves:												
	Valued 1 cent per pound or less										40.00		
	Valued above 1 cent and not above 2 cents per pound	46.49	30.99							7,667.00	33.33	3,564.34	2,376.21
	Valued above 2 cents and not above 4 cents per pound	32.55	22.78							1,307.00	30.00	425.37	297.76
	Valued over 4 cents per pound	25.00	20.00							220.00	20.00	55.00	44.00
	Cold rolled, smoothed only, not polished, valued above 2 cents and not above 4 cents per pound	32.23	24.17							2,198.00	25.00	708.36	531.27
121	Anchors, or parts of	41.87	27.91							2,308.50	33.33	966.47	644.31
	Forgings of iron or steel, or combined iron and steel, n. s. p. f.	35.00	30.00							190,105.49	14.28	66,536.92	57,031.65
	But not machined, tooled, or otherwise advanced in condition by any process or operation subsequent to the forging process.												
	Forgings, antifriction ball, of iron or steel, or of combined iron and steel	45.00	45.00	$47,818.00	$21,518.10								
	Ball bearings and roller bearings of iron or steel or other metal, finished or unfinished.												
122	Hoop, band, or scroll iron or steel not otherwise provided for, valued at 3 cents per pound or less, 8 inches or less in width and less than ⅛ inch thick:												
	Not thinner than No. 10 wire gauge	29.85	17.91							3,479.00	40.00	1,038.88	623.32
	Thinner than No. 10 and not thinner than No. 20 wire gauge	22.28	14.85							95.90	33.33	21.37	14.24
	Thinner than No. 20 wire gauge	27.54	20.66							3,769.00	25.00	1,038.02	778.52

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Hoop or band iron, or hoop or band steel, flared, splayed, or punched, with or without buckles or fastenings, and barrel hoops of iron or steel:												
	Not thinner than No. 10 wire gauge	*P. ct.* 15.56	*P. ct.* 10.38							$390.00	33.33	$60.72	$40.48
	Thinner than No. 10 and not thinner than No. 20 wire gauge										28.57		
	Bands or strips of steel, suitable for making band saws: [a]												
	Untempered	48.00	17.73							3,602.00	63.00	1,729.03	[b] 638.80
	Tempered, or tempered and polished	62.82	22.13							11,589.00	64.77	7,280.70	[b] 2,564.17
123	Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity	17.23	10.34							20,895.00	40.00	3,584.10	2,150.46
124	Bars or rails for railways:												
	Iron	26.14	13.86							824.00	50.00	215.43	107.64
	Steel	28.80	14.40							106,484.50	50.00	30,670.02	15,333.24
	Railway fish plates or splice bars, of iron or steel	25.72	12.80							11,938.06	50.00	3,056.40	1,528.20
125	Sheets of iron or steel, common or black, and skelp iron or steel, valued at 3 cents per pound or less:												
	Thinner than No. 10 and not thinner than No. 20 wire gauge	35.56	25.41							22,643.00	28.57	8,056.51	5,754.63
	Thinner than No. 20 and not thinner than No. 25 wire gauge	38.41	28.81							7,890.00	25.00	3,030.41	2,272.81
	Thinner than No. 25 and not thinner than No. 32 wire gauge										27.27		
	Thinner than No. 32 wire gauge										25.00		
	Sheet iron or sheet steel, corrugated or crimped	13.90	10.11							205.00	27.27	28.49	20.73
	All valued at more than 3 cents per pound (par. 125)												
126	Hoop, band, or scroll iron or steel (excepting tin plates, terne plates, and taggers tin), galvanized or coated with zinc or spelter, or other metals, or any alloy of these metals:												
	Not thinner than No. 10 wire gauge	34.84	24.85							1,429.00	28.57	497.88	355.63
	Thinner than No. 10 and not thinner than No. 20 wire gauge	22.16	16.61							1,477.00	25.00	327.18	245.38
	Thinner than No. 20 wire gauge	10.66	8.53							4,599.00	20.00	490.25	392.20
	Sheets or plates of iron or steel (excepting what are commercially known as tin plates, terne plates, and taggers tin), galvanized or coated with zinc or spelter, or other metals, or any alloy of these metals:												
	Thinner than No. 10 and not thinner than No. 20 wire gauge	33.19	26.81							342.00	22.22	113.50	88.27
	Thinner than No. 20 and not thinner than No. 25 wire gauge	8.13	6.50							917.10	20.00	74.56	59.65
	Thinner than No. 25 and not thinner than No. 32 wire gauge	47.87	36.62							5,967.00	23.08	2,856.22	2,197.09
	Thinner than No. 32 wire gauge	35.00	27.00							1.00	21.43	.35	.27
	Sheet iron or sheet steel:												
	Corrugated or crimped, galvanized or coated with zinc, spelter, or other metals, or any alloy of these metals	32.45	24.96							4,804.00	23.08	1,559.08	1,199.29
	Sheets or plates composed of iron, steel, copper, nickel, or other metal with layers of other metal or metals imposed thereon by forging, hammering, rolling, or rapping												
127	Sheet iron or sheet steel, polished, planished, or glazed	31.37	23.53								11.11		
	Sheets and plates pickled or cleaned by acid, or by any other material or process:									8,834.00	25.00	2,771.54	2,078.65
	Thinner than No. 10 and not thinner than No. 20 wire gauge	33.45	26.02							305.00	22.22	102.03	79.36
	Thinner than No. 20 and not thinner than No. 25 wire gauge										20.00		
	Thinner than No. 25 and not thinner than No. 32 wire gauge	22.38	17.21							429.00	23.08	96.03	73.86
	Sheets of iron or steel, common or black, and skelp iron or steel valued at 3 cents per pound or less, cold rolled, smoothed only, not polished:												
	Thinner than No. 10 and not thinner than No. 20 wire gauge	36.44	28.34							3,117.00	22.22	1,135.87	883.45
	Thinner than No. 20 and not thinner than No. 25 wire gauge	38.71	30.97							611.00	20.00	236.52	189.22
	Thinner than No. 25 and not thinner than No. 32 wire gauge	67.62	52.03							623.00	23.08	421.28	324.07

[a] Not enumerated in Senate bill.

[b] Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
128	Tin plates: Sheets or plates of iron or steel, or taggers iron, or steel coated with tin or lead, or with a mixture of which these metals are a component part, by the dipping or any other process, and commercially known as tin plates, terne plates, and taggers tin—												
	Lighter than 63 pounds per 100 square feet	*P. ct.* 46.25	*P. ct.* 36.98							$4,009,312.00	20.00	$1,854,504.58	$1,482,883.63
	All other	42.63	34.11							623,409.90	20.00	265,788.07	212,630.35
129	Steel ingots, cogged ingots, blooms and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or beveled bars; mill shafting; pressed, sheared, or stamped shapes (*not advanced in value or condition by any process or operation subsequent to the process of stamping*); hammer molds or swaged steel; gun-barrel molds not in bars; alloys used as substitutes for steel in the manufacture of tools; all descriptions and shapes or dry sand, loam, or iron-molded steel castings; and steel in all forms and shapes not especially provided for:												
	Valued 1 cent per pound or less	31.28	31.28	$50.00	$15.64								
	Valued above 1 cent and not above $1\frac{1}{8}$ cents per pound	34.82	26.11							171,370.00	25.00	59,663.14	[a] 44,747.36
	Valued above $1\frac{1}{8}$ cents and not above $1\frac{7}{16}$ cents per pound	34.59	28.83							12,134.00	16.67	4,197.69	[a] 3,498.07
	Valued ¾ cent per pound or less [b]										41.66		
	Valued above ¾ cent and not above $1\frac{1}{8}$ cents per pound [b]										25.00		
	Valued above $1\frac{1}{8}$ cents and not above $1\frac{9}{16}$ cents per pound										16.67		
	Valued above $1\frac{7}{16}$ cents and not above $2\frac{7}{16}$ cents per pound	33.79	28.96							16,813.00	14.28	5,680.74	4,860.20
	Valued above $2\frac{7}{8}$ cents and not above 3 cents per pound	32.65	29.02							74,588.00	11.11	24,350.06	21,644.49
	Valued above 3 cents and not above 4 cents per pound	34.07	31.24							39,588.41	8.33	13,489.61	12,365.46
	Valued above 4 cents and not above 7 cents per pound	22.95	21.18							209,242.00	7.69	48,021.19	44,327.23
	Valued above 7 cents and not above 10 cents per pound	21.47	20.40							1,211,396.50	5.00	260,097.74	247,092.85
	Valued above 10 cents and not above 13 cents per pound	21.10	20.22							62,515.00	4.17	13,190.81	12,641.19
	Valued above 13 cents and not above 16 cents per pound	20.34	19.61							38,173.00	3.57	7,764.69	7,487.39
	Valued above 16 cents per pound	13.82	20.57			$1,202,672.00	48.94	$166,178.25	$247,499.56				
	Valued above 16 cents and not above 24 cents per pound												
	Valued above 24 cents and not above 32 cents per pound												
	Valued above 32 cents and not above 40 cents per pound												
	Valued above 40 cents per pound												
	Sheets and plates not specially provided for and saw plates of steel wholly or partially manufactured:												
	Valued 1 cent per pound or less	60.00	60.00	15.00	9.00								
	Valued ¾ cent per pound or less [b]										41.66		
	Valued above ¾ cent and not above $1\frac{1}{8}$ cents per pound [b]										25.00		
	Valued above $1\frac{1}{8}$ cents and not above $1\frac{9}{16}$ cents per pound										16.67		
	Valued above $1\frac{7}{16}$ cents and not above $2\frac{7}{16}$ cents per pound	32.48	27.83							5,088.00	14.28	1,652.35	1,416.29
	Valued above $2\frac{7}{8}$ cents and not above 3 cents per pound	34.13	30.33							541.00	11.11	184.61	164.09
	Valued above 3 cents and not above 4 cents per pound	33.88	31.05							1,366.00	8.33	462.74	424.18
	Valued above 4 cents and not above 7 cents per pound	21.40	19.75							69,154.00	7.69	14,795.61	13,657.48
	Valued above 7 cents and not above 10 cents per pound	21.32	20.25							43,488.00	5.00	9,269.66	8,806.18
	Valued above 10 cents and not above 13 cents per pound	21.40	20.51							3,995.00	4.17	855.06	819.44
	Valued above 13 cents and not above 16 cents per pound	18.57	17.91							30,905.00	3.57	5,740.32	5,535.32
	Valued above 16 cents per pound	10.95	20.00			6,121.00	82.98	669.97	[a] 1,224.20				
	Valued above 16 cents and not above 24 cents per pound												
	Valued above 24 cents and not above 32 cents per pound						27.66						
	Valued above 32 cents and not above 40 cents per pound						48.93						
	Valued above 40 cents per pound												

[a] Estimated.

[b] House classification shows $\frac{5}{16}$ instead of ¾ cent.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Sheets and plates, n. s. p. f., and saw plates of steel, wholly or partially manufactured, cold rolled, smoothed only, not polished:												
	Valued above 1 4/5 cents and not above 2 1/5 cents per pound	P. ct. 40.88	P. ct. 36.33							$24.00	11.11	$9.81	$8.72
	Valued above 3 cents and not above 4 cents per pound	44.20	41.04							695.00	7.14	307.19	285.25
	Valued above 4 cents and not above 7 cents per pound	24.39	22.77							31.00	6.67	7.56	7.06
	Valued above 7 cents and not above 10 cents per pound	22.29	21.28							2,287.00	4.54	527.69	503.71
	Valued above 10 cents and not above 13 cents per pound	21.38	20.56							346.00	3.85	73.99	71.15
	Valued above 13 cents and not above 16 cents per pound	19.73	19.07							744.00	3.33	146.76	141.87
	Valued above 16 cents per pound	22.88	22.42							2,074.00	2.04	474.62	a 464.93
120	*Steel wool or steel shavings (including the weight of wrappers and coverings)*												
123	Wire rods: Rivet, screw, fence, and other iron or steel wire rods, whether round, oval, flat, square, or in any other shape, and nail rods in coils or otherwise, not smaller than No. 6 wire gauge:												
	Untempered or untreated—												
	Valued 4 cents or less per pound	18.37	13.78							852,080.00	25.00	156,560.34	117,420.24
	Valued over 4 cents per pound	10.47	8.38							33,341.00	20.00	3,490.59	2,792.45
	Tempered or treated or partly manufactured—												
	Valued 4 cents or less per pound	21.17	18.83							6.00	11.11	1.27	1.13
	Manufactures of—												
	Valued over 4 cents per pound	11.09	10.42							297.00	6.00	32.93	30.96
124	Round iron or steel wire:												
	Valued 4 cents or less per pound—												
	Not smaller than No. 13 wire gauge	39.04	31.23							52,172.00	20.00	20,365.82	16,292.65
	Smaller than No. 13 and not smaller than No. 16 wire gauge	43.98	36.65							76,607.50	16.67	33,689.90	28,074.90
	Smaller than No. 16 wire gauge	55.16	48.27							79,783.00	12.50	44,010.22	38,508.94
	All valued more than 4 cents per pound	40.00	40.00	$582,952.00	$225,180.80								
	Manufactures of—												
	Not smaller than No. 13 wire gauge	14.90	13.41							9,385.00	10.00	1,398.55	1,258.70
	Smaller than No. 13 and not smaller than No. 16 wire gauge	13.07	11.88							16,571.46	9.09	2,165.16	1,968.26
	Smaller than No. 16 wire gauge	17.23	15.90							6,809.92	7.69	1,173.34	1,083.07
	All valued more than 4 cents per pound	43.14	43.14	158,393.76	68,338.44								
	Cold rolled, etc., blued, brightened, tempered, etc.—												
	Manufactures of—												
	Smaller than No. 13 and not smaller than No. 16 wire gauge	11.56	8.92							27.00	22.67	3.12	2.41
	Hat, bonnet, crinoline, corset, needle, piano, clock, and watch wire, and all wire n. s. p. f., valued more than 4 cents per pound	45.00	40.00							198,489.00	11.11	89,320.05	79,395.60
	Do. (reciprocity treaty with Cuba)	36.00	32.00										
	Do. (manufactures of)	47.27	42.26							23,318.43	10.60	11,021.95	9,855.00
	Do. (coated with zinc or tin, or any other metal)	47.15	42.15							333.10	10.60	157.07	140.43
	Do. (coated with zinc, tin, etc.) manufactures of	53.51	48.51							372.00	9.34	199.07	180.47
	Brass wire, manufactures of	46.54	41.54							20,082.90	10.74	9,347.50	8,343.33
	Copper wire, manufactures of	48.35	43.35							53.00	10.34	25.63	22.98
	Corset clasps, corset steels, and dress steels and sheet steel in strips, twenty-five one-thousandths of an inch thick or thinner, whether uncovered or covered with cotton, silk, metal, or other material	45.00	40.00							48,740.00	11.11	21,933.00	19,496.00
	Do. (manufactures of)	47.05	42.05							6,880.00	10.63	3,236.80	2,892.80
	Do. (cold rolled, etc., blued, brightened, tempered, etc.)	50.00	42.04							3,343.00	16.07	1,674.63	1,405.31
	All flat wires, and steel strips, strip steel, or steel in strips, not exceeding 10 inches in width, whether in long or short lengths, in coils or otherwise, and whether drawn through dies or rolls, and all wire composed of iron, steel, or other metal, except gold or silver, covered with cotton, silk, or other material, and all wire not specially provided for.												

a Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Wire of iron or steel, coated with zinc or tin or any other metal:												
	Not smaller than No. 13 wire gauge	P. ct. 58.50	P. ct. 48.41							$521.00	17.24	$187.78	$155.40
	Smaller than No. 16 wire gauge	12.89	11.42							2,581.00	11.36	332.57	294.78
	All valued more than 4 cents per pound	43.84	43.84	$6,312.00	$2,766.93								
	Manufactures of—												
	Not smaller than No. 13 wire gauge	20.13	18.14							79.00	9.26	15.81	14.33
	Smaller than No. 13 and not smaller than No. 16 wire gauge	17.56	16.00							9.00	8.47	1.58	1.44
	Smaller than No. 16 wire gauge	34.74	32.22							6,966.00	7.25	2,419.99	2,244.62
	All valued more than 4 cents per pound	49.14	49.14	6,764.00	3,324.10								
	Wire rope and wire strand (*wire cable*):												
	Made of iron or steel wire—												
	Not smaller than No. 13 wire gauge	55.71	43.33							738.00	22.22	411.17	319.80
	Smaller than No. 13 and not smaller than No. 16 wire gauge	63.41	50.73							1,980.00	20.00	1,255.68	1,004.54
	Smaller than No. 16 wire gauge	60.24	50.20							6,278.00	16.67	3,782.04	3,151.70
	All valued more than 4 cents per pound	53.08	49.81							21,726.00	6.10	11,533.64	10,822.83
	All valued more than 4 cents per pound not specially provided for	55.00	47.50							24,891.65	13.64	13,690.83	11,823.04
	Made of iron or steel wire, cold rolled, cold hammered, blued, brightened, tempered, or polished, not smaller than No. 13 wire gauge												
	Made of iron or steel wire, coated with zinc or tin or any other metal—												
	Not smaller than No. 13 wire gauge	54.74	43.56							1,654.00	20.41	905.33	720.56
	Smaller than No. 13 and not smaller than No. 10 wire gauge	56.42	45.97							1,077.00	18.52	607.59	495.07
	Smaller than No. 16 wire gauge	63.51	53.59							5,078.00	15.62	3,225.16	2,721.22
	All valued more than 4 cents per pound	53.58	50.75							7,379.00	5.28	3,953.96	3,745.14
	Telegraph, telephone, and other wires and cables composed of metal and rubber, or of metal, rubber, and other materials												
136	Steel ingots, cogged ingots, blooms, and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or beveled bars; mill shafting; pressed, sheared, or stamped shapes; hammer molds or swaged steel; gun-barrel molds not in bars; alloy used as substitutes for steel in the manufacture of tools; all descriptions and shapes of dry sand, loam, or iron molded steel castings; and steel in all forms and shapes not specially provided for: Cold rolled, cold drawn, cold hammered, or polished in any way:												
	Valued above 16 cents per pound	19.52	24.15			$10,033.06	23.74	$1,958.43	a $2,423.30				
	Cold rolled, cold hammered, blued, brightened, tempered, or polished by any process to such perfected surface finish, or polish, better than the grade of cold-rolled smoothed only—												
	Valued above 16 cents per pound	18.20	20.50			10.00	12.28	1.82	a 2.05				
	Galvanized or coated with zinc, etc.—												
	Valued above 7 cents and not above 16 cents per pound	18.07	17.20							764.00	4.54	138.05	131.78
	Sheets and plates not specially provided for and saw plates of steel, wholly or partially manufactured, cold rolled, cold hammered, blued, brightened, tempered, or polished by any process to such perfected surface finish, or polish better than the grade of cold rolled, smoothed only, hereinbefore provided for:												
	Valued above 2 2/5 cents and not above 3 cents per pound	65.63	41.45							112.38	36.84	73.74	46.57
	Valued above 3 cents and not above 4 cents per pound	61.20	41.73							3,072.43	31.81	1,889.41	1,282.09

a Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Sheets and plates not specially provided for and saw plates of steel, etc.—Continued.												
	Valued above 4 cents and not above 7 cents per pound	P. ct. 43.16	P. ct. 30.01							$58.00	30.43	$25.03	$17.41
	Valued above 7 cents and not above 10 cents per pound	35.88	27.51							2,359.00	23.33	846.48	648.97
	Valued above 10 cents and not above 13 cents per pound	31.75	25.21							676.00	20.59	214.64	170.45
	Valued above 13 cents and not above 16 cents per pound	25.19	20.55							745.00	18.42	187.67	a 153.11
	Valued above 16 cents per pound	16.72	21.72			$108.00	29.82	$18.06	a $23.46				
	Steel circular saw plates—												
	Valued above 4 cents and not above 7 cents per pound	28.25	22.76							16,038.00	19.44	4,530.83	3,649.84
	Valued above 7 cents and not above 10 cents per pound	27.43	23.59							51,199.00	14.00	14,042.94	12,076.92
	Valued above 10 cents and not above 13 cents per pound	22.94	20.17							6,005.00	12.07	1,377.70	1,211.43
	Valued above 16 cents per pound	7.79	20.37			2,018.00	161.34	157.25	a 411.16				
139	Anvils	30.50	10.17							43,629.00	13.33	13,307.84	4,435.93
140	(L) Automobiles and parts of:												
	Automobiles	45.00	45.00	$3,923,634.00	$1,765,635.30								
	Parts of	45.00	45.00	744,593.00	335,066.85								
	(L) Cycles, and parts of	45.00	45.00	30,403.00	13,681.35								
	Automobiles, bicycles, and motor cycles, and parts of any of the foregoing, including tires, axles, and ball bearings												
141	Axles, or parts of, axle bars, axle blanks, or forgings for axles, of iron or steel, without reference to the stage or state of manufacture, valued at not more than 6 cents per pound	20.00	14.96							36,825.00	25.00	7,344.54	5,508.41
142	Hammers and sledges (blacksmiths'), track tools, wedges, and crowbars, of iron or steel	17.04	15.62							4,286.05	8.33	730.48	669.58
143	Bolts, with or without threads or nuts, or bolt blanks, and finished hinges or hinged blanks, of iron or steel	28.79	21.59							14,993.95	25.00	4,316.74	3,237.54
144	Card clothing:												
	Manufactured from tempered steel wire	64.67	78.83			315,316.00	22.22	203,903.23	a 249,215.03				
	Other	18.45	41.50			12,574.00	125.00	2,319.63	a 5,219.18				
	Card clothing not actually and permanently fitted to and attached to carding machines or to parts thereof at the time of importation:												
	Manufactured with round iron or steel wire												
	Manufactured with plated wire, or other than round iron or steel wire or with felt face, wool face, or rubber face cloth containing wool												
	Castings:												
145	Cast-iron pipe of every description	31.77	19.86							23,775.50	37.50	7,554.37	4,721.48
146	Cast-iron vessels, plates, stove plates, andirons, sadirons, tailors' irons, hatters' irons, and castings of iron, not specially provided for	10.88	35.00			118,688.56	219.37	12,919.79	a 41,541.00				
	Valued at not more than 2 cents per pound										37.50		
	Valued at more than 2 cents per pound												
	All castings of iron or cast-iron plates which have been chiseled, drilled, machined, or otherwise advanced in condition by processes or operations subsequent to the casting process but not made up into articles										12.50		
147	Malleable-iron castings, not specially provided for	17.27	13.43							45,085.86	22.22	7,784.08	6,054.29
148	Hollow ware, coated, glazed, or tinned	20.06	15.05							743.00	25.00	149.06	111.80
149	Chain or chains, made of iron or steel:												
	Not less than ¾ inch in diameter	57.21	67.85							629.00	22.22	548.68	426.75
	Less than ¾ inch and not less than ½ inch in diameter	30.00	24.54							131.00	18.18	39.30	32.15
	Less than ½ inch and not less than $\frac{1}{16}$ inch in diameter	47.58	44.42							26.00	6.67	12.37	11.55
	Less than $\frac{1}{16}$ inch in diameter	59.52	59.52	18,828.00	11,205.90								
	Other, on which specific duty does not amount to 45 per cent	45.00	45.00	51,280.04	23,076.02								
150	Boiler tubes, pipes, flues, or stays, lap-welded, butt-welded, seamed, or jointed, not thinner than No. 16 wire gauge	38.32	28.74							49,740.00		19,059.78	a 14,294.84
	Not less than three-eighths inch in diameter										50.00		
	Less than three-eighths and not less than one-fourth inch										12.50		
	Less than one-fourth inch in diameter												

a Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Cylindrical or tubular tanks or vessels, for holding gas, liquids, or other material, whether full or empty	P. ct.	P. ct.								33.33		
	Flexible metal tubing or hose, not specially provided for, whether covered with wire or other material, or otherwise, including any appliances or attachments affixed thereto										14.29		
	Welded cylindrical furnaces, made from plate metal	41.95	33.56							$4,274.00	20.00	$1,793.05	$1,434.44
	Welded cylindrical furnaces, tubes, or flues made from plate metal, and corrugated, ribbed, or otherwise reinforced against collapsing pressure												
	Tubes and tubing, for cycles	35.00	30.00							26,640.00	14.29	9,324.00	7,992.00
	Tubes, finished, not specially provided for	35.00	30.00							63,830.00	14.29	22,340.50	19,149.00
	Cutlery:												
151	Pen or pocket knives, clasp, pruning, and budding knives, or parts of, and erasers, manicure knives, or parts of, wholly or partly manufactured—												
	Valued not more than 40 cents per dozen	40.00	40.00	$165,419.00	$66,167.60								
	Valued more than 40 cents and not exceeding 50 cents per dozen	64.95	64.95	153,766.20	99,877.91								
	Valued more than 50 cents and not exceeding $1.25 per dozen	93.23	93.23	288,924.08	269,359.98								
	Valued more than $1.25 and not exceeding $3 per dozen	91.00	91.00	242,636.47	220,799.79								
	Valued more than $3 per dozen	84.16	84.16	157,051.62	132,179.25								
	Any of the foregoing knives or erasers, if imported in the condition of assembled, but not fully finished, shall be dutiable at not less than the rate of duty herein imposed upon fully finished knives and erasers valued at more than $1 per dozen.												
	Blades, handles, and other parts of—												
	Valued not exceeding $1.25 per dozen												
	Valued more than $1.25 per dozen												
	Provided, That blades, handles, or other parts of any of the foregoing knives or erasers shall be dutiable at not less than the rate herein imposed upon knives and erasers valued at more than 50 cents per dozen and not exceeding $1.25 per dozen.												
	Razors and razor blades, finished or unfinished—												
	Valued less than $1.50 per dozen	56.43	99.65			$141,607.47	76.61	$79,904.00	$141,117.53				
	Valued at $1.50 and less than $3 per dozen	54.85	87.82			296,315.25	60.18	162,534.65	260,231.00				
	Valued $3 per dozen or more	56.49	80.03			95,981.16	41.66	54,224.55	76,813.87				
	Razors, finished—												
	Valued at less than $1 per dozen												
	Valued at $1 and less than $1.50 per dozen												
	Valued at $1.50 and less than $2 per dozen												
	Valued at $2 or more per dozen												
	Provided, That blades, handles, and unfinished razors shall pay no less duty than that imposed on finished razors valued at $1 per dozen: Provided further, That all the articles specified in this paragraph shall have the name of the maker and beneath the same the name of the country of origin distinctly conspicuously and indelibly on the shank or tang of each and every blade.												
	Scissors and shears, and blades for, finished or unfinished—												
	Valued not more than 50 cents per dozen	52.21	52.21	50,196.50	26,208.45								
	Valued more than 50 cents and not more than $1.75 per dozen	57.89	57.89	243,828.94	141,147.13								
	Valued more than $1.75 per dozen	46.00	46.00	188,226.01	86,581.21								
152	(L) Swords, sword blades, and side arms (*bayonets*)	35.00	35.00	33,358.75	11,675.56								

a Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Any of the foregoing knives or erasers, &c.—Continued												
153	Table, carving, cooks', kitchen, bread, butter, vegetable, fruit, and cheese knives, forks, and steels, finished or unfinished—												
	With handles of mother-of-pearl, shell, or ivory (*silver, nickeled silver, or other metal than iron or steel*)	P. ct. 57.40	P. ct. 52.10							$4,740.00	9.30	$2,720.92	$2,469.68
	With handles of deer horn	63.73	54.79							7,963.00	12.67	4,932.69	4,307.22
	With handles of hard rubber, solid bone, celluloid, or any pyroxyline material	52.83	45.27							3,537.00	14.31	1,868.75	1,601.11
	With handles of any other material	69.43	51.26							25,283.94	26.14	17,554.00	12,966.86
	Any knives, forks, or steels, imported without handles												
	Other, on which ordinary duty would not amount to 45 per cent	45.00	45.00	$66,404.99	$29,882.25								
	Butchers', hunting, plumbers', painters', palette, artists' (*carpenters' bench, carvers', dressing, farriers', flesching, hog, tanners'*), and shoe knives, finished or unfinished—												
	With handles of mother-of-pearl, shell, or ivory (*silver, nickeled silver, or other metal than iron or steel*)	32.10	47.46							69.00	8.91	35.95	32.75
	With handles of deer horn	69.55	99.45							11.00	14.11	10.29	8.85
	With handles of hard rubber, solid bone, celluloid, or any pyroxyline material	66.09	55.06							72.50	15.41	47.18	39.91
	With handles of any other material	61.64	46.09							322.85	25.25	199.02	148.82
	Any knives, forks, or steels, imported without handles												
	Other, on which ordinary duty would not amount to 45 per cent	45.00	45.00	66,502.16	29,925.97								
154	Files, file blanks, rasps, and floats of all cuts and kinds:												
	2½ inches in length and under	61.29	40.[illegible]							4,951.61	50.79	4,025.35	1,980.64
	Over 2½ and not over 4½ inches in length	53.90	40.00							26,484.00	52.32	22,220.21	10,593.60
	Over 4½ and under 7 inches in length	57.47	40.00							36,919.32	54.27	31,292.76	14,767.73
	7 inches in length and over	33.81	40.00			$18,298.00	2.00	$7,187.00	$7,319.20				
155	Firearms:												
	Muskets, musket-loading shotguns, rifles, and parts of	25.00	25.00	45,399.00	11,349.75								
156	Shotguns, double-barreled, sporting, breech-loading, and combination shotguns and rifles—												
	Valued not more than $5 each	50.75	50.75	179,548.00	91,123.20								
	Valued more than $5 and not more than $10 each	67.67	67.67	2,354.00	1,593.10								
	Valued more than $10 each	45.56	45.56	61,422.00	27,983.70								
	Shotguns, single-barreled, breech-loading, or parts of, not specially provided for	32.49	32.49	566.00	297.10								
	Double barrels for sporting, breech-loading shotguns and rifles, further advanced in manufacture than rough-bored only, and *stocks for same*	44.93	44.93	453.00	203.55								
	All other parts of guns or rifles and fittings for stocks or barrels	59.00	59.00	4,452.00	2,226.00								
	Pistols, automatic, magazine, or revolving, or parts of	55.75	55.75	19,749.00	11,207.25								
157	(L) Sheets, plates, waves, or articles of iron, steel, or other metal, enameled or glazed with vitreous glazes [a]	40.00	45.00			952,980.64	12.50	381,192.25	[b] 428,841.28				
	Nails, spikes, and tacks:												
158	Nails and spikes, cut, of iron or steel	20.49	13.65							1,792.00	33.33	367.01	244.68
159	Nails, horseshoe, hob, and all other wrought-iron or steel nails, not specially provided for	25.69	17.19							83.00	33.33	21.32	14.19
	Horseshoe calks, and parts thereof, finished or unfinished, of iron or steel												
160	Nails, wire, made of wrought iron or steel—												
	Not less than 1 inch in length and not lighter than No. 10 wire gauge	8.13	4.07							3,288.00	50.00	267.40	133.70

[a] This paragraph stricken out in Senate bill.

[b] Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Nails, spikes, and tacks—Cont'd.	P. ct.	P. ct.										
161	Spikes, of wrought iron or steel	43.19	32.40							$738.30	25.00	$318.92	$239.19
	Nuts and washers, of wrought iron or steel	9.64	7.23							2,553.00	25.00	246.18	184.64
	Horse, mule, or ox shoes, of wrought iron or steel	24.82	18.62							34.00	25.00	8.44	6.33
162	Tacks, brads, or sprigs, cut—												
	Not exceeding 16 ounces to the thousand	14.26	7.13							140.00	50.00	19.96	9.98
	Exceeding 16 ounces to the thousand	3.00	1.50							2.00	50.00	.06	.03
163	Needles:												
	For knitting (*embroidery*) or sewing machines, including latch needles	41.90	46.13							$103,928.70	10.08	$44,806.74	$49,325.30
	Crochet and tape needles, knitting, and all others not specially provided for, and bodkins of metal	25.00	25.00	$49,147.90	$12,286.90								
	No articles other than the needles which are specifically named in this section shall be dutiable as needles unless having an eye and filled and used for carrying a thread. Needle cases or needle books furnished with assortments of needles or combinations of needles and other articles shall pay duty as entireties according to the component material of chief value therein.												
163½	*Fishhooks, fishing rods and reels, artificial flies, artificial baits, snelled hooks, and all other fishing tackle or parts thereof, not specially provided for in this section, except fishing lines, fishing nets and seines*												
164	Engraved plates of steel	25.00	25.00	2,477.00	619.25								
	Plates, electrotype and stereotype, and plates of other material than steel, engraved or lithographed for printing	25.00	25.00	45,967.09	11,491.80								
	Plates of iron or steel engraved or fashioned for use in the production of designs, patterns, or impressions on glass in the process of manufacturing plate or other glass												
165	*Rivets or studs and steel points, lathed, machined, or brightened, and rivets or studs for nonskidding automobile tires*												
	Rivets of iron or steel, n. s. p. f.	14.43	9.02							5,430.00	37.50	783.54	489.71
166	Saws:												
	Circular saws	25.00	20.00							884.00	20.00	221.00	176.80
	Cross-cut saws	18.70	15.58							2,384.00	16.67	445.76	371.46
	Hand, back, and other saws, not specially provided for	30.00	25.00							32,564.50	16.67	9,769.35	8,141.12
	Mill saws									265.00	20.00 25.00	51.68	38.76
	Pit and drag saws	25.21	18.91										
	Steel band saws, finished or further advanced than tempered and polished	37.34	28.67							1,706.00	23.22	637.10	489.15
167	Screws, commonly called wood screws:												
	Over ½ inch and not more than 1 inch in length	37.03	34.84							62.00	5.88	22.96	21.60
	Over 1 inch and not more than 2 inches in length	33.64	28.04							107.00	16.67	36.00	30.00
	More than 2 inches in length	54.22	47.44							36.00	12.50	19.52	17.08
168	Umbrella and parasol ribs and stretchers of iron, steel, or other metal, in frames or otherwise	50.00	50.00	17,553.00	8,776.50								
	Tubes for umbrellas, wholly or partly finished												
169	Wheels, or parts of, with axles fitted in, and steel-tired wheels, for railway purposes, and iron or steel locomotive, car, or other railway tires, or parts of, wholly or partly manufactured	52.87	44.05							153,550.00	16.67	81,175.63	67,646.33
	Ingots, cogged ingots, blooms, or blanks, for railway wheels or tires, without regard to the degree of manufacture										20.00		
170	Aluminum:												
	In crude form (*aluminum scrap*), and alloys of any kind in which aluminum is the component material of chief value	39.98	34.98							258,601.40	12.50	103,384.56	90,461.49
	Plates, sheets, bars, and rods	19.43	16.44							7,333.00	15.38	1,424.94	1,205.72
	Barium, calcium, magnesium, sodium, and potassium, and alloys of which said metals are the component material of chief value												

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
171	Antimony, as regulus or metal	4.70	9.40			$1,875,941.00	100.00	$88,175.01	$176,349.99				
	Antimony ore, stibnite and matte containing antimony (or antimony contents)	Free.	13.41			215,917.00		Free.	28,954.72				
	(See bill for regulations concerning entry.)												
172	(L) Argentine, albata, or German silver, unmanufactured	25.00	25.00	$4,487.00	$1,621.75								
173	(L) Bronze powder (*brocades, filiters, and metallics*)	32.38	32.38	586,464.00	189,884.73								
	Valued at not over 20 cents per pound												
	Valued at over 20 cents per pound												
	(L) Bronze, or Dutch metal, in leaf, in packs of 100 leaves	62.24	62.24	86,715.00	53,974.74								
	Aluminum, in leaf, in packs of 100 leaves	53.05	53.05	492.00	261.00								
174	Copper:												
	Plates, rolled, called brazers' copper, sheets, rods, pipes, and copper bottoms	4.99	4.99	52,476.00	2,619.73								
	Sheathing, or yellow metal, of which copper is the component material of chief value, and not composed wholly or in part of iron, ungalvanized	12.18	12.18	1,937.00	235.90								
175	(L) Gold leaf, in packs of 500 leaves	37.50	37.18	167,263.00	62,735.75								
	The foregoing rate applies to leaf not exceeding in size the equivalent of 5¾ by 5¾ inches; additional duties in the same proportion shall be assessed on leaf exceeding in size said equivalent.												
176	(L) Silver leaf, in packs of 500 leaves	141.29	94.22							$804.00	33.33	$1,136.25	$757.50
177	(L) Tinsel wire, lame or lahn, made wholly or in chief value of gold, silver, or other metal	10.07	20.14			162,684.23	100.00	16,378.50	32,756.96				
	(L) Bullion and metal threads made wholly or in chief value of tinsel wire, lame or lahn	40.59	41.19			95,113.00	1.44	38,608.90	39,172.60				
	(L) Laces, embroideries, braids, galloons, trimmings, or other articles made wholly or in chief value of tinsel wire, lame or lahn, bullion, or metal threads	60.00	71.76			184,634.00	19.60	110,780.40	132,502.11				
	Fabrics, ribbons, beltings, and ornaments, added to laces, etc.												
178	Hooks and eyes, metallic, whether laces, carded, or otherwise, including weight of cards, cartons, and immediate wrappings and labels	42.10	34.71							4,702.00	17.55	1,979.33	1,631.86
	Lead, and manufactures of:												
179	Lead-bearing ore of all kinds (*lead contents*)	78.86	78.86	866,057.15	445,075.70								
180	Base bullion	76.36	76.36	13,770.00	9,480.30								
	Pigs and bars (*drass*), bullion, molten and old refuse lead, run into blocks and bars, and old scrap lead fit only to be remanufactured, and dross	49.45	49.45	1,043,166.00	515,853.18								
	Shoots, pipes, shot, glaziers' lead, and lead wire	48.99	48.99	18,430.29	9,029.01								
181	Metals unwrought, and metallic mineral substances, in a crude state, not specially provided for	20.00	20.00	87,155.00	17,431.00						33.33		
	Monazite sand and thorite												
182	Ferrotungsten	{20.00 / .48	20.00 / 20.00	16,312.00	3,262.40	36,108.60	a4,900.00	145.29	7,221.60				
	Ferrochrome	{20.00 / 1.74	20.00 / 20.00	14,929.00	2,985.80	31,534.00	a1,049.43	547.70	6,306.80				
	Ferrosilicon	{5.54	5.54	914,328.00	50,612.48								
	Chrome or chromium metal, ferrochrome or ferrochromium, ferromolybdenum, ferrophosphorus, ferrotitanium, ferrotungsten, ferro silicon containing more than 15 per cent of silicon, ferrovanadium, manganese, titanium, tantalum, tungsten, or wolfram metals:												
	Valued at $300 per ton or less												
	Valued at more than $300 per ton												
	Ferrosilicon containing not more than 15 per cent of silicon												
183	Nickel, nickel oxide, alloy of any kind in which nickel is the material of chief value, in pigs, ingots, bars, rods, plates, strips cut from sheets, or sheets, but not rolled or drawn	14.67	14.67	91,997.00	13,491.11								
184	Pens, metallic, except gold pens	67.98	67.98	163,284.25	78,256.29								
	Do. with nib and barrel in one piece												

a Admitted practically free by court decisions under present law.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
185	Penholder tips, and penholders, or parts of	25.00	50.00			$25,224.00	100.00	$6,306.01	a$12,612.00				
	(L) Gold pens	25.00	25.00	$114.08	$28.52								
	Do. (reciprocity with Cuba)	20.00	20.00										
	Fountain pens, stylographic pens. Combination penholders, comprising penholder, pencil, rubber eraser, automatic stamp, or other attachment												
	Provided that pens and penholders shall be assessed for duty separately.												
186	Pins, solid heads, without ornamentation, including hair, safety, hat, bonnet, and shawl pins, composed of brass, copper, iron, steel, or other base metal, not plated, not jewelry	35.00	35.00	155,708.54	54,529.49								
	Agraffes, barettes, bars, belts, buckles, cabochons, chatelaines, clasps, combs, coulants, girdles, slides, dress, hat, and millinery ornaments, composed wholly of brass, copper, iron, steel, or other base metal:												
	Not plated nor polished nor commonly known as jewelry										11.11		
	Plated, and not jewelry										11.11		
	With any of the foregoing, having fancy metal or enameled metal heads or plain heads of glass, paste, wax, or any other material than precious or semiprecious stones												
	With heads in imitation of baroque pearls or ornamented, decorated, cut or ground												
	With imitation precious stones or imitation pearls or corals set in the heads of the pins or with the articles otherwise mounted or set with imitation precious stones or imitation pearls or corals												
	(Any of the foregoing articles, if made wholly or in part of precious metal or if set with precious or semiprecious stones, or pearls, or corals, shall be classified as jewelry.)												
187	Quicksilver	17.40	17.40	6,147.00	1,069.74								
188	Type metal:												
	Gross weight	21.86	21.86	1,325,293.00	289,697.51								
	Lead contents	25.00	25.00	14,730.00	3,682.50								
189	New types												
	Watch movements:												
	Having not more than 7 jewels	66.02	76.19			731,331.60	15.40	482,847.33	557,169.00				
	(L) Having more than 7 and not more than 11 jewels	42.04	46.04			58,782.00	9.51	24,711.01	27,041.88				
	(L) Having more than 11 and not more than 15 jewels	47.81	56.27			192,393.00	17.69	91,989.75	108,265.70				
	(L) Having more than 15 and not more than 17 jewels	43.91	43.91	122,947.00	53,986.75								
	(L) Having more than 17 jewels	34.95	34.95	184,383.00	64,434.75								
	Watch cases and parts of watches, including dials	40.00	40.00	844,006.21	337,602.49								
	Enameled dials for watches or other instruments												
	(See bill for regulations concerning dials and movements.)												
	Chronometers, box or ship, and parts of	40.00	40.00	1,640.00	656.00								
	Clocks, and parts of, not specially provided for	40.00	40.00	592,024.51	236,809.80								
	Clock movements having jewels in the escapement, and clocks containing such movements												
	All other clocks and parts thereof, not otherwise provided for, whether separately packed or otherwise, not composed wholly or in part of china, porcelain, parian, bisque, or earthen ware												
	Jewels for use in the manufacture of watches or clocks	10.00	10.00	789,042.50	78,904.25								
190	Zinc in ore	{20.00 / Free.	76.35 / 52.71			337,102.77 / 1,965.00	281.75	67,420.58 / Free.	257,393.36 / 1,030.40				
	Calamine (zinc ore)	Free.	84.88			784,303.20		Free.	665,707.73				
	Zinc ore and calamine (zinc contents)												
191	Zinc:												
	In blocks or pigs	18.39	12.26							$95,069.00	33.33	$17,478.23	$11,652.14
	In sheets	28.44	17.77							5,286.00	37.50	1,503.26	939.54
	In sheets coated or plated with nickel or other metal, or solutions												
	Old and worn out, fit only to be remanufactured	31.06	31.06	688.20	213.69								

a Estimated.

SCHEDULE C—*Metals, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
a 192	*Cans, boxes, packages, containers, trays, signs, and similar articles, composed wholly or in chief value of tin plate, terne plate, or iron or steel sheets, if lacquered, enameled, or printed by any process of lithography whatever, all the foregoing, filled or unfilled, and whether their contents be dutiable or free*	*P. ct.*	*P. ct.*										
	Provided, That none of the foregoing articles shall pay a less rate of duty than 55 per cent ad valorem.												
193	*Bottle caps:*												
	Not colored, waxed, lacquered, enameled, lithographed, or embossed in color												
	Colored, lacquered, enameled, lithographed, or embossed in color												
194	Machinery, not elsewhere specified.	45.00	b 45.00	$4,978,090.67	$2,240,140.80								
	Cash registers, linotype and all typesetting machines, machine tools, printing presses, sewing machines, typewriters, and all steam engines										33.33		
	Embroidery machines and lace-making machines, including machines for making lace curtains, nets, or nettings												
	Lever or Goughrough lace machines, including machines for making lace curtains, nets, or netting, free of duty prior to July 1, 1911.												
	Provided, That all Lever or Goughrough lace machines imported prior to July first, nineteen hundred and eleven, shall be admitted free of duty.												
195	Articles or wares, n. s. p. f., composed wholly or in part of—												
	Aluminum, manufactures of	45.00	45.00	1,026.50	461.93								
	Rope (made from aluminum wire)	48.03	42.27							$1,913.00	11.98	$918.81	$808.67
	Brass, manufactures of	45.00	45.00	75,056.53	33,775.44								
	(L) Bronze, manufactures of	45.00	45.00	298,115.17	134,151.84								
	Copper, manufactures of	45.00	45.00	26,177.34	11,779.83								
	(L) Gold, manufactures of	45.00	45.00	19,566.80	8,805.07								
	Iron and steel, manufactures of	45.00	45.00	1,100,253.57	495,132.19								
	Do, galvanized	50.00	50.00	175.00	87.50								
	Lead, manufactures of	45.00	45.00	3,482.00	1,566.90								
	Metals and metal compositions, manufactures of	45.00	45.00	7,811,313.34	3,515,091.14								
	Nickel, manufactures of	45.00	45.00	4,103.60	1,846.62								
	Pewter, manufactures of	45.00	45.00	720.00	324.00								
	Platinum, manufactures of	45.00	45.00	1,836.00	826.20								
	Vases, retorts, etc	Free.	45.00			$152,588.00		Free.	$68,664.60				
	(L) Silver, manufactures of	45.00	45.00	145,700.72	65,565.37								
	Tin, manufactures of	45.00	45.00	26,635.04	11,985.80								
	(L) Tin foil	45.00	45.00	719.00	323.55								
	Zinc, manufactures of	45.00	45.00	4,804.00	2,161.80								
	Carriages and parts thereof, metal chief value	45.00	45.00	2,626.00	1,181.70								
	Total, Schedule C	32.83	32.56	30,004,873.50	12,867,645.66	8,165,262.58	77.54	$2,045,886.10	3,632,357.14	27,689,862.13	26.90	6,706,911.09	4,902,511.32

a Substitute for par. 192. House bill, which provides a duty of 20 per cent on alloys and other mixed metals in lumps, pigs, blocks, bars, cakes, sheets, or powder, n. s. p. f.
b Estimated.
c Electrical and jute manufacturing machinery included in House bill.

SCHEDULE D—*Wood, and manufactures of.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
196	Timber:												
	Round, used for spars and in building wharves	*P. ct.* 5.04	*P. ct.* 2.52							$25,902.86	50.00	$1,305.49	$652.75
	Hewn, squared, or sided, not less than 8 inches square	5.08	2.54							49,811.78	50.00	2,531.24	1,265.62
197	Lumber:												
	Boards, planks, deals, and other sawed lumber of whitewood, sycamore, and basswood—												
	Not planed or finished	5.56	2.78							211,967.74	50.00	11,777.68	5,888.84
	Planed or finished on two sides	17.03	12.76							12,302.00	25.00	2,094.58	1,570.94
	Planed on one side and tongued and grooved												
	Planed on two sides and tongued and grooved												

SCHEDULE D—*Wood, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Lumber—Continued.												
	Sawed lumber, not specially provided for—	*P. ct.*	*P. ct.*										
	Not planed or finished	11.75	5.88							$14,623,256.02	50.00	$1,718,379.33	$830,339.61
	Planed or finished on one side	20.01	12.00							239,649.28	49.00	47,942.38	28,765.36
	Planed or finished on two sides	17.24	11.49							48,348.91	33.33	8,333.43	5,555.60
	Planed or finished on three sides	14.06	10.00							34.00	28.57	4.78	3.40
	Planed or finished on four sides	21.13	15.84							1,224.00	26.00	258.61	193.95
	Planed on one side and tongued and grooved	19.10	12.72							83,415.75	33.33	15,927.97	10,618.64
	Planed on two sides and tongued and grooved	20.29	14.49							15,482.78	28.57	3,141.13	2,243.63
c 198													
199	Sawed boards, planks, deals, and other forms of sawed cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods not further manufactured than sawed	15.00	15.00	$33,698.44	$5,054.77								
	Veneers of wood	20.00	20.00	4,587.75	917.55								
	Wood, unmanufactured, not specially provided for	20.00	20.00	13,591.50	2,718.30								
200	Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles	20.00	10.00							570,323.41	50.00	114,064.64	57,032.34
201	Clapboards:												
	Pine	5.99	3.98							7,391.29	33.33	442.38	294.88
	Spruce	5.74	3.83							149,600.30	33.33	8,591.70	5,727.76
202	Hubs for wheels, posts, heading bolts, stave bolts, last, wagon, oar, and heading blocks, and all like blocks or sticks, rough-hewn, sawed, or bored	20.00	20.00	18,701.09	3,740.21								
558	Fence posts	10.00	Free.							16,620.34	100.00	1,662.02	Free.
203	Laths	9.63	7.70							1,736,525.17	20.00	167,169.05	133,727.18
204	Pickets and palings	10.00	10.00	126,909.23	12,690.93								
	Staves	10.00	10.00	145,147.57	14,514.76								
205	Shingles:												
	White pine	13.77	13.77	36,445.00	5,018.12								
	All other	13.66	13.66	1,904,347.77	260,112.33								
206	Barrels, casks, and hogsheads, empty	30.00	30.00	1,144.05	343.22								
	Shooks, sugar box, and packing boxes, empty, and packing-box shooks, n. s. p. f.	30.00	30.00	11,912.30	3,573.69								
207	Barrels or boxes containing oranges, lemons, or limes, grapefruit, shaddocks, or pomelos, exclusive of contents:												
	Of foreign growth or manufacture	30.00	30.00	203,892.98	61,167.88								
	Of growth and manufacture of the United States	15.00	15.00	109,088.00	16,363.20								
208	Chair cane or reed, wrought or manufactured from rattan or reeds	10.00	10.00	567,632.75	56,763.28								
	Osier or willow:												
	Prepared for basket makers' use	20.00	25.00			$39,236.00	25.00	$7,847.20	$90,809.00				
	Manufactures of	40.00	45.00			195,968.30	12.50	78,387.32	88,185.74				
	Willow furniture												
209	Toothpicks:												
	Quill	17.92	17.92	21,327.00	3,822.58								
	Wood	44.22	44.22	25,901.00	11,453.95								
	Skewers, butchers' and packers'	25.10	25.10	10.00	2.51								
210	*Porch and window blinds, curtains, shades, or screens of bamboo, wood, straw, or compositions of wood:*												
	Natural or raw												
	Stained, dyed, painted, printed, polished, grained, or creosoted												
211	Furniture, cabinet or house, wholly or partly finished	35.00	35.00	1,136,613.78	397,814.84								
	Manufactures of wood, or of which wood is the component material of chief value, n. s. p. f.	35.00	35.00	1,755,811.27	614,534.19								
	Carriages of wood	35.00	35.00	2,470.00	864.50								
	Manufactures of bark, n. s. p. f.												
212	*Any wood or articles or forms of wood, except those provided for in paragraph 206 to 211, inclusive, shall, if subject to duty, pay five per centum ad valorem in addition to such duty, and shall, if otherwise free of duty, pay a duty of five per centum ad valorem whenever any such wood or articles or forms of wood are painted, polished, grained, stained, printed, or creosoted, or prepared or treated for fireproofing or waterproofing.*												
	Total, Schedule D	15.16	11.11	6,119,231.49	1,471,470.81	235,204.30	13.63	86,234.52	97,994.74	17,791,864.54	47.10	2,103,916.41	1,112,880.50

c Par. 198 in House bill placed a duty of 5 per cent on cabinet woods in the log, briar root, and sticks, joints, and rattans. Restored to free list in Senate bill.

SCHEDULE E—*Sugar, molasses, and manufactures of.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
213	Sugar, Dutch standard in color												
	Not above No. 16, tank bottoms, sirups of cane juice, melasses, concentrated melada, crude and concentrated molasses, testing by the polariscope.												
	Beet—	*P. ct.*	*P. ct.*										
	Not above 75 degrees	36.12	36.12	$51.00	$18.42								
	Not above 86 degrees	69.39	69.39	135,474.00	93,995.74								
	Not above 94 degrees	78.26	78.26	6,323,215.00	4,948,296.46								
	Not above 95 degrees	76.56	76.56	149,885.00	114,759.67								
	Not above 96 degrees	87.16	87.16	551,424.00	480,625.63								
	Cane—												
	Not above 75 degrees	23.89	23.89	49,146.60	11,742.11								
	Not above 76 degrees	54.10	54.10	62.00	33.54								
	Not above 77 degrees	40.12	40.12	1,167.00	468.16								
	Not above 78 degrees	30.08	30.08	215.65	64.86								
	Not above 79 degrees	42.42	42.42	1,356.00	575.16								
	Not above 80 degrees	46.08	46.08	1,356.00	624.80								
	Not above 81 degrees	107.49	107.49	7,984.00	8,581.99								
	Not above 82 degrees	25.45	25.45	239.48	60.94								
	Not above 83 degrees	91.08	91.08	476,284.10	433,780.34								
	Not above 84 degrees	27.36	27.36	14.00	3.83								
	Not above 85 degrees	30.34	30.34	128.00	38.84								
	Not above 86 degrees	82.08	82.08	66,230.20	54,362.77								
	Not above 87 degrees	46.16	46.16	2,213.65	1,021.75								
	Not above 88 degrees	81.81	81.81	543,253.00	444,461.31								
	Not above 89 degrees	87.73	87.73	20,765.00	18,216.96								
	Not above 90 degrees	36.56	36.56	41.00	14.99								
	Not above 91 degrees	120.19	120.19	1,460.00	1,754.86								
	Not above 92 degrees	64.93	64.93	1,340.00	804.81								
	Not above 94 degrees	75.33	75.33	448,812.00	338,105.26								
	Not above 95 degrees	70.65	70.65	901,837.00	637,153.38								
	Not above 96 degrees	90.46	90.46	11,053,808.00	9,998,995.97								
	Not above 97 degrees	97.64	97.64	250,917.00	244,991.04								
	Not above 98 degrees	69.40	69.40	41,004.00	28,456.06								
	Refined No. 16, and all sugar that has gone through a process of refining	72.57	70.70							$116,060.70	2.56	$84,220.43	$82,060.91
	Molasses:												
	Not above 40 degrees	20.00	20.00	25,268.00	5,053.60								
	Above 40 degrees and not above 56 degrees	15.51	15.51	171,802.00	26,668.37								
	56 degrees and above	34.76	34.76	1,883.00	654.60								
214	Maple sugar and sirup	49.65	49.65	207,796.51	103,160.95								
	Glucose or grape sugar	55.39	55.39	4,465.00	2,473.78								
	Sugar cane			5,603.91	1,120.78								
215	Saccharine	216.73	103.33							391.00	52.32	847.33	404.12
216	Sugar candy and confectionery, n. s. p. f., and sugars refined when tinctured, colored, or adulterated:												
	Valued at 15 cents per pound or less	66.58	66.58	19,612.00	13,058.41								
	Do. (reciprocity treaty with Cuba)	38.58	38.58										
	Valued more than 15 cents per per pound	50.00	50.00	74,283.00	37,141.51								
	Do. (reciprocity treaty with Cuba)	40.00	40.00	130.80	52.32								
	Biscuits, wafers, and similar articles if filled with or coated with chocolate or sugar												
	Total, Schedule E	83.74	83.73	21,540,384.07	18,051,340.87					116,451.70	3.06	85,067.76	82,465.03

SCHEDULE F—*Tobacco, and manufactures of.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) ENTIRE SCHEDULE.												
	Tobacco, and manufactures of:												
217	Unmanufactured—												
	Wrapper and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries and dependencies, when mixed or packed together—	*P. ct.*	*P. ct.*										
	Unstemmed	186.96	186.96	26,367,131.10	$11,905,463.07								
	Filler tobacco, not specially provided for—												
	Unstemmed	64.28	64.28	4,966,113.13	3,186,528.30								
	Stemmed	83.92	83.92	266.00	240.00								

SCHEDULE F—*Tobacco, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Tobacco and manufactures of—Continued.												
	Unmanufactured—Continued.												
219	All other, not specially provided for	*P. ct.* 203.18	*P. ct.* 203.18	$3,441.01	$17,150.82								
	Scrap tobacco												
220	Snuff and snuff flour, manufactured of tobacco, ground dry, or damp, and pickled, scented, or otherwise	78.46	78.46	21,316.50	16,724.02								
	All other (pounds)	151.24	151.24	122,153.52	184,722.59								
221	Cigars and cheroots, all kinds	152.86	152.86	6,948.50	10,621.25								
	Cigarettes, and paper cigars, including wrappers	146.72	146.72	76,980.00	112,949.75								
	Total, Schedule F	87.20	87.20	11,559,369.76	15,434,399.80								

SCHEDULE G—*Agricultural products and provisions.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Live animals:												
222	Cattle—	*P. ct.*	*P. ct.*										
	Less than 1 year old	17.09	17.09	$77,738.00	$13,288.00								
	One year old or over—												
	Valued not more than $14 per head	28.79	28.79	198,617.00	57,172.50								
	Valued more than $14 per head	27.50	27.50	152,782.59	42,015.48								
223	Swine	7.28	7.28	12,388.00	901.50								
224	Horses—												
	Valued at $150 each or less	30.19	30.19	169,133.50	51,060.00								
	Valued over $150 each	25.00	25.00	122,482.00	30,620.50								
	Mules—												
	Valued at $150 each or less	68.83	68.83	5,361.00	3,690.00								
	Valued over $150 each	25.00	25.00	287.50	71.88								
225	Sheep—												
	Less than 1 year old	16.67	16.67	969,308.70	161,606.25								
	One year old or over	11.43	11.43	79,924.28	9,138.00								
226	All other, n. s. p. f.	20.00	25.00			$82,361.00	25.00	$16,472.22	$20,590.25				
	Breadstuffs and farinaceous substances:												
227	Barley	53.64	53.64	6,608.00	3,544.50								
228	Barley malt	38.62	38.62	3,917.00	1,512.90								
229	Barley, pearled, patent, or hulled	16.18	16.18	60,489.00	9,784.88								
230	Buckwheat	22.12	22.12	106.60	23.59								
	Buckwheat flour	20.00	25.00			683.67	25.00	136.73	170.91				
231	Corn or maize	17.97	23.96			7,919.72	33.33	1,423.10	1,897.39				
232	Corn meal	18.34	17.61							$87.50	4.00	$16.05	$15.41
233	Macaroni, vermicelli, and all similar preparations	37.25	37.25	3,493,993.99	1,301,452.19								
234	Oats	32.26	43.00			17,265.53	33.33	5,569.47	7,425.89				
235	Oatmeal and rolled oats	17.96	17.96	15,885.00	2,853.31								
	Oat hulls	22.54	22.54	94,806.00	21,369.61								
236	Rice—												
	Cleaned	62.66	62.66	860,370.32	539,081.11								
	Uncleaned	47.31	47.31	756,916.00	357,979.84								
	Rice flour, rice meal, and broken rice which will pass through a wire sieve known commercially as No. 12	15.26	15.26	2,274,397.00	346,974.15								
	Paddy	18.69	18.69	59,706.00	11,158.71								
237	Rye	12.55	25.00			125.50	100.00	15.75	31.50				
	Rye flour	16.64	16.64	579.00	96.35								
238	Wheat	28.85	34.62			16,586.10	20.00	4,785.73	5,742.60				
239	Wheat flour	25.00	25.00	157,539.85	39,384.99								
	Semolina												
240	Bread and biscuit	20.00	20.00	252,015.17	50,403.03								
	Biscuits, bread, wafers, and similar articles, n. s. p. f., 20 per cent.												
	Dairy products:												
241	Butter, and substitutes for	22.50	22.50	116,181.38	26,138.19								
242	Cheese, and substitutes for	35.61	35.61	5,641,166.83	2,009,069.41								
243	Milk, fresh	14.29	14.29	1,359.70	194.25								
	Cream												
244	Milk, preserved or condensed, or sterilized	14.23	14.23	8,258.96	1,175.42								
	Casein	20.00	25.00			64,041.00	25.00	12,808.20	16,010.25				
	Sugar of milk	24.82	24.82	959.00	238.00								
	Farm and field products:												
245	Beans	32.45	32.45	205,661.55	66,740.09								
	Sugar beets												
246	*Beets*												
	Vegetables, prepared or preserved—												
247	Beans, pease, mushrooms, and truffles in tins, jars, bottles, or similar packages	25.82	25.82	957,954.58	247,362.18								
	Mushrooms, cut, sliced, or dried, in packages containing not less than five pounds, 2½ cents per pound.												
248	All other, n. s. p. f.	40.00	40.00	1,043,441.51	417,376.61								

SCHEDULE G—*Agricultural products and provisions*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Farm and field products—Cont'd.	P. ct.	P. ct.										
249	Fish paste or sauce	40.00	40.00	$15,588.55	$6,235.42								
	(L) Pickles and sauces, n. s. p. f.	40.00	40.00	873,573.30	349,429.28								
250	Cabbages	44.58	44.58	388.85	173.88								
251	Cider	5.00	5.00	7,632.00	388.44								
252	Eggs, n. s. p. f.	44.10	44.10	26,372.79	11,631.34								
253	Eggs, dried, *16 cents per pound.* House bill, 15 cents per pound.												
	Eggs, yolk of	25.00	25.00	9,705.00	2,426.50								
	Albumen—												
	Egg	6.72	6.72	238,232.00	16,007.31								
	Blood	16.51	16.51	18,031.00	2,977.68								
	Dried blood, when soluble	2.88	2.88	58.00	1.67								
254	Hay	50.18	50.18	500,786.80	251,290.08								
255	(L) Honey	51.48	51.48	33,434.40	17,212.78								
256	Hops	37.94	47.43			$1,813,305.00	25.00	$688,006.41	$860,008.01				
	Hop extract and lupulin	50.00	50.00	15,644.00	7,822.00								
257	Onions	48.81	48.81	914,003.20	446,166.52								
	Garlic	32.15	32.15	185,591.99	59,655.88								
258	Peas—												
	Dried	16.75	16.75	221,791.99	37,152.21								
	Green, in bulk, or in barrels, sacks, or in similar packages	20.61	12.93							$2,910.03	37.50	$602.16	$376.35
	For seed	19.58	19.58	112,575.14	22,042.20								
	Split	25.88	38.82			48,029.00	12.50	12,394.83	17,497.67				
	Other, in cartons, papers, or small packages	14.04	14.04	750.00	108.67								
259	(L) Orchids, palms, dracænas, crotons, and azaleas; tulips, hyacinths, narcissi, jonquils, lilies of the valley, and all other bulbs, bulbous roots, or corms, which are cultivated for their flowers	25.00	25.00	1,493,327.49	373,331.89								
	(L) Flowers, natural, preserved, or fresh, suitable for decorative purposes	25.00	25.00	38,949.74	9,737.44								
260	Plants, trees, shrubs, and vines—												
	(L) Rose plants, budded, grafted, or grown on their own roots	49.61	49.61	84,560.30	41,948.87								
	Stocks, cuttings, or seedlings—												
	Myrobolan plum, Mahaleb, or Mazzard cherry, 2 years old or less	33.28	36.55			46,873.02	9.83	15,597.65	17,133.40				
	Pear, apple, quince, and the St. Julien plum, 2 years old or less, and evergreen seedlings	32.73	32.73	56,315.55	18,434.36								
	Fruit and ornamental trees, deciduous and evergreen shrubs and vines, manetti multiflora, and briar roses	25.00	25.00	23,778.10	5,944.53								
	Trees, shrubs, plants, and vines, commonly known as nursery or greenhouse stock, n. s. p. f.	25.00	25.00	142,631.05	35,657.79								
261	Potatoes	22.73	22.73	187,681.57	42,473.87								
262	Seeds—												
	Castor beans or seeds	15.30	18.30	667,167.00	122,114.81								
	Flaxseed or linseed	17.58	17.58	117,781.00	20,701.50								
	Other oil seeds, n. s. p. f.	12.42	12.42	6,828.00	847.89								
	Poppy	6.18	6.18	111,141.00	6,867.39								
	Canary	20.00	Free.							96,145.00	Free.	28,843.50	
	Celery	30.00	14.68							92.95	51.07	27.89	13.65
	All other, n. s. p. f.	30.00	30.00	360,513.15	108,153.96								
	Mushroom spawn, and spinach seed, 1 cent per pound; beet, chard sugar beet, carrot, parsnip, radish, turnip, and rutabaga seed, 4 cents per pound; cabbage, collard, kale, and kohlrabi seed, 3 cents per pound; egg plant and pepper seed, 20 cents per pound; seeds of all kinds not specially provided for in this section, 10 cents per pound.												
263	Straw	36.97	36.97	6,141.25	2,270.32								
264	Tobacco	30.00	30.00	9,756.00	2,926.80								
265	Vegetables in their natural state, n. s. p. f.	25.00	25.00	636,741.90	159,685.54								
	Yams	Free.	25.00			4,063.00			1,015.75				
266	Fish, by whatever name known:												
	Anchovies, sardines, sprats, brisling, sardels, or sardines, packed in oil or otherwise—												
	In bottles, jars, tin boxes or cans—												
	Containing 7½ cubic inches or less	30.06	20.06	1,649,415.41	498,854.57								
	Containing more than 7½ and not more than 21 cubic inches	25.91	25.91	615,672.54	159,499.03								
	Containing more than 21 and not more than 35 cubic inches	35.96	35.96	12,991.00	4,671.15								

SCHEDULE G—*Agricultural products and provisions*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Fish—Continued.												
	Anchovies, sardines, etc.—Cont'd.												
	In bottles, jars, etc.—Cont'd.												
	Containing more than 33 and not more than 70 cubic inches	P. ct. 31.49	P. ct. 31.49	$6,148.00	$1,936.20								
	In other packages	40.00	30.00							$105,452.50	25.00	$42,180.97	$31,635.75
	Other fish (except shellfish), in tin packages, or in packages containing less than ¼ barrel—												
	Herring	30.00	30.00	216,789.87	65,036.97								
	Mackerel	30.00	30.00	13,928.00	4,178.40								
	Salmon	30.00	30.00	218.00	65.40								
	Other	30.00	30.00	641,739.50	192,521.84								
	Caviare—												
	In packages of 100 pounds or over	.85	30.00			$96,243.00	43,429.41	$818.16	$28,872.90				
	In packages of less than 100 pounds	30.00	30.00	60,905.60	18,271.68								
267	Fresh-water fish, n. s. p. f.	6.25	6.25	1,090,709.42	68,219.94								
268	Herring—												
	Pickled or salted	13.39	13.39	2,365,459.30	314,823.01								
	Fresh	18.38	18.38	26,948.25	4,953.64								
269	Fresh, frozen, or packed in ice—												
	Cod, haddock, hake, and pollock	14.55	14.55	74,673.89	10,862.73								
	Other, n. s. p. f.	13.95	13.95	295,107.22	41,157.98								
	Dried or smoked—												
	Cod, haddock, hake, and pollock	13.35	13.35	739,449.45	98,707.97								
	Halibut	11.44	11.44	59.00	6.75								
	Herring	10.68	10.68	7,855.80	839.02								
	Other	7.92	7.92	274,277.70	21,736.76								
	Pickled or salted—												
	Cod, haddock, hake, and pollock												
	Halibut	24.25	24.25	2,395.00	580.85								
	Mackerel	16.14	16.14	1,616,622.80	260,988.10								
	Salmon	11.10	11.10	57,539.00	6,422.40								
	Other, n. s. p. f.	9.26	9.26	107,727.50	9,971.80								
	Fish, skinned or boned	18.48	18.48	118,996.14	21,995.66								
	Mackerel, fresh	23.62	23.62	130,909.23	30,923.69								
	Halibut, fresh	24.19	24.19	85,553.22	20,696.52								
	Salmon, fresh	10.25	10.25	120,596.79	12,365.56								
	Fish, fresh, smoked, dried, salted, pickled, frozen, packed in ice, or otherwise prepared for preservation, n. s. p. f., in bulk or in undivided packages containing 100 pounds or more												
270	Fruits:												
	Apples, green or ripe	21.14	21.14	18,359.90	3,882.28								
	Peaches, quinces, cherries, plums, and pears, green or ripe	12.22	12.22	14,054.65	1,716.76								
	Berries—												
	Edible, in their natural condition	19.19	19.19	134,597.86	25,835.69								
	Dried, desiccated, evaporated, or prepared in any manner not specially provided for	39.89	39.89	1,409.10	562.10								
	Cranberries	25.00	25.00	151.00	37.75								
	Apples, dried, desiccated, evaporated or prepared in any manner not specially provided for	30.44	30.44	251.40	76.52								
	Peaches, pears, and other edible fruits, when dried, desiccated, evaporated, or prepared in any manner not specially provided for	32.86	32.86	43,350.40	14,243.51								
	(L) Fruit in brine—												
	Citron	Free.	21.16			127,432.00	100.00		26,963.22				
	All other	Free.	40.00			61,954.00	100.00		24,781.60				
	(L) Confits, sweetmeats, and fruits, preserved in sugar, molasses, spirits, or in their own juices, n. s. p. f.—												
	Containing not over 10 per cent of alcohol	46.53	46.53	715,141.47	332,765.14								
	Containing over 10 per cent of alcohol	87.53	87.53	514.00	449.90								
	Do. (reciprocity treaty with France)	100.70	100.70	8,913.48	8,975.35								
	Do. (reciprocity treaty with Germany)	46.91	46.91	1,601.00	751.10								
	(L) Ginger, preserved or pickled	50.99	50.99	35,023.00	17,858.72								
	(L) Jellies	35.00	45.00			37,362.00	28.57	13,076.70	* 16,812.90				
	Pineapples preserved in their own juice	25.00	25.00	279,792.00	69,948.00								
271	(L) Figs	41.85	52.31			1,034,385.73	25.00	432,864.52	541,080.65				
	Plums, prunes, and prunelles	16.76	16.76	47,703.05	7,996.14								
	(L) Raisins and other dried grapes	28.97	28.97	323,606.65	93,750.23								
	(L) Dates	14.32	28.64			734,614.60	100.00	105,213.65	210,427.30				
	Currants, Zante or other	52.01	52.01	1,513,545.00	787,194.52								
	Olives, green or prepared—												
	In bottles, jars, *kegs, tins*, or similar packages, *containing less than 5 gallons each*	38.51	38.51	24,807.25	9,554.07								
	In other coverings	27.51	36.68			1,412,126.92	33.33	388,488.92	517,985.16				

* By court decision admitted practically free under present law.

SCHEDULE G—*Agricultural products and provisions*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Fruits—Continued.												
272	(L) Grapes in barrels or other packages	P. ct. 16.57	P. ct. 20.72			$1,664,401.93	25.00	$275,856.26	$344,820.33				
273	Lemons	36.18	54.27			4,254,230.56	50.00	1,539,307.39	2,308,961.09				
	Oranges	50.69	50.69	$348,167.82	$207,827.55								
	(L) Limes	88.36	88.36	43,848.57	38,741.76								
	(L) Grape fruit, shaddocks, or pomelos	47.80	47.80	39,995.61	19,118.77								
274	(L) Orange and lemon peel, preserved, candied, or dried	34.88	34.88	26,949.00	9,401.04								
	(L) Cocoanut meat or copra, desiccated, shredded, cut or similarly prepared	30.49	30.49	228,054.00	69,533.96								
	(L) Citron or citron peel, preserved, candied, or dried	37.32	37.32	69,286.00	25,857.60								
275	(L) Pineapples—												
	In barrels or other packages	19.37	19.37	9,984.70	1,934.28								
	In bulk	23.44	23.44	36,218.00	8,490.75								
	Nuts:												
276	(L) Almonds—												
	Not shelled	51.81	51.81	441,141.00	228,568.28								
	Clear shelled	29.49	29.49	1,773,729.44	523,077.15								
	(L) *Apricot and peach kernels*												
277	(L) Filberts—												
	Not shelled	48.84	48.84	6[illegible],739.67	298,808.40								
	Shelled	38.15	38.15	203,572.79	77,666.60								
	(L) Walnuts—												
	Not shelled	46.37	46.37	1,490,422.91	691,099.37								
	Shelled	30.94	30.94	1,163,409.00	359,999.39								
278	(L) Peanuts or ground beans—												
	Unshelled	14.02	14.02	371,967.55	52,164.14								
	Shelled	19.53	19.53	244,709.00	47,800.54								
279	(L) All other, shelled, or unshelled, not specially provided for	23.78	23.78	445,731.04	105,981.86								
	Meat products:												
280	Bacon and hams	23.28	23.28	102,101.19	23,771.36								
281	Beef	18.19	18.19	41,699.85	7,566.43								
	Veal	16.55	16.55	7,179.00	1,188.10								
	Mutton	22.51	22.51	31,337.78	7,369.04								
	Pork	13.61	13.61	28,857.41	3,926.00								
	(L) Venison	14.37	14.37	14,262.30	2,046.20								
	(L) Game, except birds, 5 cents per pound												
282	Meats of all kinds, prepared or preserved, not specially provided for	25.00	25.00	408,172.39	102,043.11								
	Bologna sausage	Free.	25.00			121,124.20	100.00		30,281.05				
283	Extract of meat—												
	Fluid	21.65	21.65	13,702.00	2,965.88								
	All other, n. s. p. f.	18.71	18.71	201,869.00	37,773.46								
284	Lard	20.29	20.29	395.35	80.22								
285	Poultry—												
	Live	25.94	25.94	65,440.92	16,974.84								
	Dressed (dead)	23.14	23.14	29,104.87	6,735.30								
286	Tallow	10.63	7.08							$29,733.00	33.33	$3,159.82	$2,106.53
	Wool grease, including degras, or brown wool grease	26.29	26.29	266,749.05	70,136.21								
	Crude and not refined												
	Refined, n. s. p. f.												
287	(L) Chicory root:												
	Raw, dried or sundried, but unground	64.25	64.25	41,680.00	26,778.23								
	Burnt or roasted, ground or granulated, or in cake or otherwise prepared, n. s. p. f.	60.08	60.08	25,882.00	15,550.93								
288	Cocoa, prepared or manufactured, n. s. p. f.:												
	Valued not over 15 cents per pound	16.80	16.80	3,349.00	562.30								
	Valued above 15 cents and not above 24 cents per pound	24.38	24.38	13,816.70	3,369.14								
	Valued above 24 cents and not above 35 cents per pound	26.13	26.13	5,271.00	1,378.35								
	Valued above 35 cents per pound	50.00	50.00	516.50	258.25								
	Cocoa, powdered, unsweetened	16.36	16.36	349,788.78	57,223.45								
	Chocolate, prepared or manufactured, not specially provided for:												
	Valued not over 15 cents per pound	17.00	17.00	16,798.74	2,869.00								
	Valued above 15 cents and not above 24 cents per pound	21.43	21.43	473,917.52	101,541.32								
	Valued above 24 cents and not above 35 cents per pound	28.80	28.80	348,402.65	100,317.12								
	Valued above 35 cents per pound	50.00	50.00	5,744.75	2,872.39								
289	(L) Cocoa butter or cocoa butter-line (including all substitutes for cocoa butter)	12.63	12.63	1,226,554.00	154,659.48								
290	(L) Dandelion root and acorns, prepared, and articles used as coffee or as substitutes for coffee, n. s. p. f.	37.08	37.08	22,448.00	8,305.72								
291	Salt:												
	In bags, sacks, barrels, or other packages	36.14	36.14	249,958.66	90,344.50								
	In bulk	99.24	99.24	120,670.99	117,379.17								

a Estimated at 45 per cent.

SCHEDULE G—*Agricultural products and provisions*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
292	Starch, and all preparations fit for use as starch:	P. ct.	P. ct.										
	Potato	69.18	69.18	$104,641.00	$72,392.57								
	All other	45.95	30.63							$54,973.00	33.33	$25,882.24	$15,921.49
293	Dextrine, burnt starch, gum substitute, or British gum	67.74	50.80							142,320.00	25.00	96,404.14	72,303.11
294	Spices:												
	Capsicum, or red pepper or cayenne pepper— Unground; Ground	30.01	30.01	351,763.25	105,554.06								
	Mustard— Ground or prepared	38.85	38.85	339,088.67	130,720.28								
	Sage	48.48	48.48	20,200.00	10,755.94								
	All other, n. s. p. f.— Ground	19.93	19.93	4,298.53	856.91								
296	Vinegar	27.93	27.93	64,609.69	18,043.60								
	Total, Schedule G	30.18	32.42	50,973,977.59	15,317,671.94	$11,645,128.50	42.29	$3,512,835.70	$4,998,506.82	428,713.98	27.28	195,116.77	122,372.29

SCHEDULE H—*Spirits, wines, and other beverages.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) ENTIRE SCHEDULE.	P. ct.	P. ct.										
297	Brandy	118.94	137.44			$120,446.50	15.55	$143,259.32	$165,543.98				
	Do. (reciprocity treaty with France)	59.54	88.46			1,517,939.87	48.57	903,853.03	1,342,837.60				
	Do. (reciprocity treaty with Germany)	118.80	176.51			6,924.00	48.57	8,226.38	12,222.03				
	Do. (reciprocity treaty with Italy)	143.14	212.67			2,902.00	48.57	4,153.92	6,171.52				
	Do. (reciprocity treaty with Portugal)	319.63	474.86			72.00	48.57	230.13	341.90				
	Do. (reciprocity treaty with Spain)	86.56	128.61			653.00	48.57	565.25	839.80				
	Do. (reciprocity treaty with Switzerland)	23.33	34.67			45.00	48.57	10.50	15.60				
	Alcohol	1,018.29	1,176.73			2,214.00	15.55	22,545.75	26,052.88				
	Do. (reciprocity treaty with France)	580.12	861.95			1,318.00	48.57	7,646.45	11,360.44				
	Do. (reciprocity treaty with Germany)	803.75	1,194.15			13,564.00	48.57	109,021.00	161,974.02				
	Gin	239.35	276.58			783,331.75	15.55	1,874,901.05	2,166,532.00				
	Do. (reciprocity treaty with France)	204.17	303.33			84.00	48.57	171.50	254.80				
	Do. (reciprocity treaty with Germany)	172.40	256.15			2,533.00	48.57	4,367.13	6,488.30				
	Other spirits, not specially provided for, manufactured or distilled:												
	From grain—												
	Whisky	123.18	142.38			2,572,174.23	15.55	3,168,332.94	3,661,184.12				
	Do. (reciprocity treaty with France)	101.55	150.83			249.00	48.57	252.88	375.70				
	Do. (reciprocity treaty with Germany)	58.83	86.67			18.00	48.57	10.50	15.60				
	All other	174.53	201.68			109,849.80	15.55	191,720.46	221,543.58				
	Do. (reciprocity treaty with France)	73.83	108.72			10,749.00	48.57	7,866.26	11,687.02				
	Do. (reciprocity treaty with Germany)	174.72	259.67			451.00	48.57	788.27	1,171.12				
	Do. (reciprocity treaty with Italy)	108.16	160.70			1,173.00	48.57	1,268.75	1,885.00				
	Do. (reciprocity treaty with Spain)	43.75	65.00			8.00	48.57	3.50	5.20				
	From other materials	277.35	320.51			108,797.58	15.55	301,762.76	348,703.58				
	Do. (reciprocity treaty with France)	111.69	165.98			787.00	48.57	879.16	1,306.19				
	Do. (reciprocity treaty with Germany)	125.77	187.16			229.00	48.57	288.47	428.56				
299	Compounds or preparations of which distilled spirits are a component part of chief value, not specially provided for	118.84	137.32			45,839.65	15.55	54,474.78	62,948.60				
	Do. (reciprocity treaty with Germany)	218.98	325.33			55.00	48.57	120.44	178.93				
	Do. (reciprocity treaty with Italy)	25.44	37.84			9.00	48.57	2.29	3.41				

SCHEDULE H—*Spirits, wines, and other beverages*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
300	Cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters containing spirits, and not specially provided for	113.81	131.52			$187,815.45	15.55	$213,758.97	$247,010.24				
	Do. (reciprocity treaty with France)	79.43	117.83			489,080.82	48.57	388,481.01	576,282.69				
	Do. (reciprocity treaty with Germany)	107.85	160.24			145,566.00	48.57	156,999.66	233,256.59				
	Do. (reciprocity treaty with Italy)	92.63	137.63			357,418.36	48.57	331,082.03	491,893.17				
	Do. (reciprocity treaty with Spain)	83.46	124.00			9,210.00	48.57	7,686.68	11,420.24				
	Do. (reciprocity treaty with Switzerland)	84.32	125.28			4,861.00	48.57	4,099.02	6,089.98				
	Vermuth, and ginger wine or ginger cordial:												
	In casks or packages other than bottles or jugs—												
	Containing 14 per cent or less of absolute alcohol												
	Do. (reciprocity treaty with France)	54.96	40.83							$1,281.00	25.71	$704.10	$523.04
	Do. (reciprocity treaty with Italy)	54.27	40.31							12,072.00	25.71	6,551.33	4,866.69
	Containing more than 14 per cent of absolute alcohol	67.90	70.62			81.00	4.00	55.00	57.20				
	Do. (reciprocity treaty with France)	48.55	72.16			3,283.00	48.57	1,594.47	2,368.91				
	Do. (reciprocity treaty with Germany)	52.50	78.00			56.00	48.57	29.40	43.68				
	Do. (reciprocity treaty with Italy)	55.39	82.30			16,074.00	48.57	8,903.84	13,228.58				
	Do. (reciprocity treaty with Portugal)	40.11	59.58			72.00	48.57	28.88	42.90				
	In bottles or jugs—												
	Containing each not more than 1 pint (reciprocity treaty with Italy)	65.17	81.03			6.00	24.79	3.91	4.86				
	Containing each more than 1 pint and not more than 1 quart	46.12	44.97							6,983.00	2.38	3,220.80	3,140.28
	Do. (reciprocity treaty with France)	38.49	48.04			222,123.55	24.79	85,497.40	106,698.80				
	Do. (reciprocity treaty with Germany)	30.20	37.69			952.00	24.79	287.50	358.80				
	Do. (reciprocity treaty with Italy)	42.65	53.23			311,386.20	24.79	132,814.79	165,752.86				
	Do. (reciprocity treaty with Portugal)	40.18	43.95			84.00	24.79	33.75	36.92				
	Do. (reciprocity treaty with Spain)	34.77	43.39			816.00	24.79	283.75	354.12				
	Quantity in excess of 1 quart or 1 pint per bottle						30.00	14.40	18.72				
	Do. (reciprocity treaty with France)						62.50	36.48	50.28				
	Do. (reciprocity treaty with Italy)						62.50	19.20	31.20				
302	Bay rum or bay water, whether distilled or compounded	331.84	387.16			609.00	16.67	2,020.94	2,357.78				
303	Wines, containing not more than 24 per cent of alcohol:												
	Champagne and all other sparkling, in bottles—												
	Containing ½ pint each, or less	45.25	54.30			72,233.00	20.00	32,686.67	39,223.99				
	Containing more than ½ pint each and not more than 1 pint	52.66	63.20			2,704,503.00	20.00	1,424,349.01	1,709,218.80				
	Containing more than 1 pint each and not more than 1 quart	55.71	66.85			3,343,265.37	20.00	1,862,504.77	2,235,005.57				
	Do. (reciprocity treaty with Portugal)	54.55	57.27			22.00	60.00	12.00	19.20				
	Quantity in bottles or vessels in excess of 1 quart per bottle or vessel						20.00	1,730.63	2,076.75				
304	Still wines *and rice wine or sake and similar beverages:*												
	In casks or packages other than bottles or jugs—												
	Containing 14 per cent or less of absolute alcohol	69.76	78.48			28,686.39	12.50	20,011.64	22,513.10				
	Do. (reciprocity treaty with France)	64.77	83.28			39,934.11	28.57	25,867.00	33,257.49				
	Do. (reciprocity treaty with Germany)	46.44	59.71			153,571.00	28.57	71,320.96	91,698.35				
	Do. (reciprocity treaty with Italy)	85.48	109.91			26,280.28	28.57	22,550.13	28,992.99				
	Do. (reciprocity treaty with Portugal)	30.27	38.92			8,565.71	28.57	2,593.06	3,334.01				
	Do. (reciprocity treaty with Spain)	51.14	65.75			74,903.10	28.57	38,309.76	49,255.29				
	Do. (reciprocity treaty with Switzerland)	39.20	50.40			50.00	28.57	19.60	25.20				

SCHEDULE H—*Spirits, wines, and other beverages*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Still wines *and rice wine or sake and similar beverages*—Cont'd.												
	In casks or packages other than bottles or jugs—Cont'd.												
	Containing more than 14 per cent and not more than 24 per cent of alcohol	P. ct. 78.41	P. ct. 94.09			$484,381.37	20.60	$379,789.32	$455,747.18				
	Do. (reciprocity treaty with France)	54.91	94.13			313,509.48	71.43	172,140.71	295,098.28				
	Do. (reciprocity treaty with Germany)	54.57	93.55			493,079.18	71.43	269,074.49	461,270.53				
	Do. (reciprocity treaty with Italy)	95.17	163.15			638,709.44	71.43	607,845.98	1,042,021.42				
	Do. (reciprocity treaty with Portugal)	33.35	57.17			134,641.00	71.43	44,898.27	76,968.46				
	Do. (reciprocity treaty with Spain)	42.99	73.70			549,782.12	71.43	236,364.68	405,196.58				
	Do. (reciprocity treaty with Switzerland)	51.13	87.65			1,137.00	71.43	581.35	996.60				
	In bottles or jugs—												
	Containing each not more than 1 pint	48.00	55.50			110.00	15.62	52.80	61.05				
	Do. (reciprocity treaty with France)	23.11	34.21			2,149.00	48.00	496.67	735.07				
	Do. (reciprocity treaty with Germany)	22.06	32.65			991.00	48.00	218.65	323.58				
	Do. (reciprocity treaty with Italy)	50.50	74.74			297.00	48.00	150.00	222.00				
	Do. (reciprocity treaty with Spain)	19.66	29.10			89.00	48.00	17.50	25.90				
	Containing each more than 1 pint and not more than 1 quart	35.60	41.16			131,122.59	15.62	46,673.87	53,966.66				
	Do. (reciprocity treaty with France)	24.73	36.61			740,212.56	48.00	183,057.37	270,924.69				
	Do. (reciprocity treaty with Germany)	23.54	34.84			837,396.45	48.00	197,102.95	291,712.31				
	Do. (reciprocity treaty with Italy)	52.63	77.90			246,036.58	48.00	129,495.64	191,653.53				
	Containing each more than 1 pint and not more than 1 quart (reciprocity treaty with Spain)	29.62	43.84			70,299.40	48.00	20,821.68	30,816.23				
	Do. (reciprocity treaty with Portugal)	26.21	38.79			24,438.00	48.00	6,405.73	9,480.47				
	Do. (reciprocity treaty with Switzerland)	47.18	69.83			8,302.00	48.00	3,959.79	5,860.49				
	Quantity in excess of 1 quart or 1 pint per bottle						20.00	10.00	12.00				
	Do. (reciprocity treaty with Germany)						50.00	2.83	4.32				
	Do. (reciprocity treaty with France)						50.00	87.36	131.04				
	Do. (reciprocity treaty with Italy)						50.00	1,096.32	1,644.48				
305	Malt liquors, viz, ale, beer, and porter:												
	In bottles or jugs	42.90	48.27			1,874,848.30	12.50	804,378.52	904,925.81				
	In other coverings	68.57	78.85			1,505,270.70	15.00	1,032,105.43	1,186,920.99				
306	Malt extract:												
	Fluid—												
	In bottles or jugs	52.62	59.23			1,676.80	12.50	882.87	993.19				
	In casks	33.37	38.38			794.00	15.00	265.00	304.75				
	Solid or condensed	40.00	45.00			1,396.00	12.50	558.40	628.20				
307	Cherry juice and other fruit juice, n. s. p. f., containing not more than 18 per cent of alcohol	88.61	103.37			30,471.00	16.67	26,999.07	31,498.92				
	Containing more than 18 per cent of alcohol (reciprocity treaty with Germany)	366.60	430.74			55.00	17.50	201.63	236.91				
	Prune juice or prune wine, containing not more than 18 per cent of alcohol	100.99	117.81			27,973.00	16.67	28,248.99	32,957.00				
	Fruit sirup, n. s. p. f.	20.00	20.00	$9,753.60	$1,950.60								
308	Ginger ale and ginger beer containing no alcohol, in plain green or colored, molded or pressed glass bottles:												
	Containing each not more than ⅔ of a pint	24.25	24.25	342,659.60	83,100.09								
	Containing more than ⅔ of a pint each and not more than 1½ pints	36.92	36.92	169.90	62.72								
	Otherwise than in such bottles, or in such bottles containing more than 1½ pints each	57.58	57.58	33.60	19.00								
	Lemonade, soda water, and other similar beverages containing no alcohol, and beverages containing not more than 2 per cent of alcohol:												
	In plain green or colored, molded or pressed glass bottles—												
	Containing each not more than ⅔ of a pint	25.22	25.22	27,806.50	6,963.07								
	Containing more than ⅔ of a pint each and not more than 1½ pints	19.95	19.95	87.60	17.36								
	Otherwise than in such bottles, or in such bottles containing more than 1½ pints each	20.00	20.00	20.00	4.00								
	All other beverages, n. s. p. f.	20.00	20.00	935.00	188.00								

SCHEDULE H—*Spirits, wines, and other beverages*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
309	Mineral waters and all imitations of natural mineral waters, and all artificial mineral waters n. s. p. f.:												
	In green or colored glass bottles—	*P. ct.*	*P. ct.*										
	Containing not more than 1 pint	37.67	37.67	$432,384.64	$163,074.69								
	Containing more than 1 pint and not more than 1 quart	33.12	33.12	619,472.05	205,162.13								
	Otherwise than in such bottles, or in bottles containing more than 1 quart	123.57	123.57	2,739.50	3,384.36								
	Total, Schedule H	70.67	88.86	1,436,380.19	463,931.02	$21,623,273.69	26.53	$15,836,372.99	$20,037,418.31	$20,336.00	18.58	$10,476.23	$8,530.01

SCHEDULE I—*Cotton manufactures.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
310	Cotton thread and carded yarn, warps or warp yarn, whether on beams or in bundles, skeins, or cops, or in any other form except pool thread of cotton:												
	Not colored, bleached, dyed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together—												
	Numbers up to and including No. 15	*P. ct.* 16.07	*P. ct.* 20.00			$1,479.00	24.46	$237.69	$295.80				
	No. 19	14.00	20.00			46.00	41.95	6.48	9.20				
	No. 20	9.65	20.00			9,439.00	107.25	911.04	1,887.80				
	No. 24	25.48	21.20							$152.00	16.41	$46.37	$38.64
	No. 25	14.01	20.00			26,042.00	42.76	3,647.30	5,208.40				
	No. 28	21.82	20.00							204.00	8.76	44.72	40.80
	No. 30	17.85	20.00			7,180.14	11.42	1,288.80	1,436.03				
	No. 32	37.63	30.11							372.00	19.99	140.00	112.00
	No. 34	18.94	20.00			2,878.00	5.60	545.19	575.60				
	No. 35	28.79	23.03							3,759.00	20.01	1,082.39	865.90
	No. 38	31.04	24.83							101.00	20.01	31.35	25.08
	No. 40	23.26	20.00							12,779.00	14.02	2,973.00	2,555.80
	No. 45	29.30	23.44							768.00	20.00	225.00	180.00
	No. 50	31.86	25.48							1,962.00	16.89	625.00	500.00
	No. 55	28.01	22.41							5,007.00	19.99	1,402.51	1,122.00
	No. 60	28.50	22.80							3,257.00	20.00	928.09	742.47
	No. 75	30.16	24.12							5,492.00	20.03	1,656.19	1,324.95
	No. 80	34.29	27.43							196.00	20.01	67.20	53.76
	No. 90	17.01	20.00			923.00	17.58	157.02	184.60				
	No. 91	31.50	25.20							26.00	20.09	5.19	6.55
	No. 95	30.42	24.33							3,580.00	20.02	1,088.94	871.15
	No. 100	30.11	24.09							254.00	19.99	76.50	61.20
	No. 120	29.90	23.93							1,826.00	19.97	546.30	437.04
	No. 130	37.37	30.30							1,882.00	19.89	712.73	570.18
	No. 140	40.96	32.77							2,676.00	20.00	1,096.20	876.96
	Colored, bleached, dyed, combed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together—												
	Numbers up to and including No. 20	18.03	25.00			149,485.75	36.66	26,945.25	37,371.44				
	No. 21	12.58	25.00			9,008.00	98.72	1,133.43	2,252.00				
	No. 22	11.88	25.00			8,109.00	110.44	962.61	2,027.25				
	No. 24	15.46	25.00			73,313.25	61.71	11,337.14	18,328.31				
	No. 25	15.68	25.00			25,702.00	59.34	4,033.77	6,425.50				
	No. 26	16.26	25.00			8,865.00	53.56	1,443.03	2,216.25				
	No. 27	21.35	25.00			7,410.00	17.10	1,581.88	1,852.50				
	No. 28	17.55	25.00			14,951.00	42.45	2,624.64	3,737.75				
	No. 29	14.32	25.00			330.00	74.58	47.27	82.50				
	No. 30	18.25	25.00			94,595.00	36.99	17,261.90	23,648.75				
	No. 32	20.42	25.00			11,375.00	22.43	2,322.82	2,843.75				
	No. 33	16.61	25.00			3,182.00	50.51	530.22	796.00				
	No. 34	15.42	25.00			8,178.00	62.02	1,261.64	2,044.50				
	No. 35	19.82	25.00			13,788.00	27.42	2,705.33	3,447.00				
	No. 36	23.71	25.00			117,114.00	5.44	27,773.11	29,278.50				
	No. 37	17.38	25.00			236.00	44.68	40.79	59.00				
	No. 38	18.21	25.00			52,554.00	37.29	9,568.51	13,138.50				
	No. 40	24.32	25.00			266,123.00	2.89	64,726.40	66,530.75				
	No. 41	22.28	25.00			14,774.00	12.21	3,291.68	3,693.50				
	No. 42	18.67	25.00			4,080.00	33.90	761.62	1,020.00				
	No. 44	28.41	28.41	$89,828.00	$2,588.89								
	No. 45	23.26	25.00			17,135.00	12.31	3,814.13	4,283.75				
	No. 46	28.00	28.00	1.00	.30								
	No. 47	24.37	25.00			2,016.00	2.59	491.24	504.00				
	No. 48	28.41	28.41	34,854.00	7,580.76								
	No. 49	27.72	27.72	107,193.00	29,705.35								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Cotton thread and carded yarn, etc.—Continued.												
	Colored, bleached, dyed, combed, etc.—Continued.	*P. ct.*	*P. ct.*										
	No. 52	27.86	27.86	$28.00	$7.80								
	No. 53	18.56	25.00			$202.00	34.70	$37.50	$50.50				
	No. 55	28.60	28.60	55,867.00	15,980.31								
	No. 57	33.55	33.33	8,550.00	2,868.24								
	No. 58	34.40	34.40	170,157.00	58,540.15								
	No. 60	30.79	30.79	471,952.00	145,331.35								
	No. 65	30.97	30.97	12,999.00	4,025.46								
	No. 67	17.35	25.00			196.00	44.09	34.00	49.00				
	No. 68	33.81	33.81	123,807.00	41,859.10								
	No. 70	35.17	35.17	297,938.00	104,789.51								
	No. 72	29.74	29.74	138.00	41.04								
	No. 73	25.55	25.55	805.00	205.68								
	No. 75	33.78	33.78	53,574.00	18,099.52								
	No. 76	33.96	33.96	110,197.00	37,428.00								
	No. 78	33.24	33.24	279,122.00	92,790.44								
	No. 79	32.08	32.08	26,671.00	8,557.09								
	No. 80	37.00	37.00	65,248.00	24,140.00								
	No. 81	46.37	46.37	524.00	243.00								
	No. 82	29.59	29.59	138.00	40.84								
	No. 83	26.02	26.02	1,532.00	398.65								
	No. 90	37.85	37.85	24,974.00	9,452.10								
	No. 92	31.94	31.94	700.00	223.56								
	No. 93	44.32	44.32	350.00	155.12								
	No. 95	48.15	48.15	24,388.00	11,742.86								
	No. 100	37.96	37.96	199,212.00	75,625.40								
	No. 102	29.68	29.68	500.00	148.41								
	No. 105	26.74	26.74	615.00	164.43								
	No. 108	78.53	78.53	34.00	26.71								
	No. 110	36.99	36.99	39,427.00	14,582.12								
	No. 115	40.02	40.02	14,018.00	5,610.03								
	No. 118	46.30	46.30	201.00	93.46								
	No. 120	41.12	41.12	217,223.00	89,318.75								
	No. 125	45.37	45.37	2,025.00	918.76								
	No. 130	36.37	36.37	18,419.00	6,698.54								
	No. 135	46.04	46.04	2,102.00	955.40								
	No. 138	44.08	44.08	13,046.00	5,750.46								
	No. 140	36.86	36.86	54,640.00	20,138.58								
	No. 145	26.63	26.63	245.00	65.25								
	No. 150	32.88	32.88	28,599.00	9,402.08								
	No. 155	35.16	35.16	849.00	298.53								
	No. 160	34.18	34.18	42,919.00	14,668.44								
	No. 170	31.16	31.16	4,657.00	1,451.17								
	No. 180	29.73	29.73	10,167.00	3,022.92								
	No. 190	27.48	27.48	813.00	223.44								
	No. 200	30.96	30.96	5,073.00	1,570.80								
	No. 220	34.86	34.86	142.00	49.50								
	No. 250	18.75	25.00			104.00	33.33	19.50	26.00				
	No. 270	16.19	25.00			237.00	54.42	38.37	59.25				
	Cable-laid yarns or threads, made by grouping or twisting two or more grouped or twisted yarns or threads together, not colored, bleached, or dyed, four-tenths of 1 cent per number per pound; colored, bleached, or dyed, nine-tenths of 1 cent per number per pound: Provided further, That said threads and yarns, colored, bleached, dyed, combed, advanced beyond the condition of singles, and cable-laid yarns or threads, as hereinbefore provided, shall not pay a less rate of duty than 25 per cent ad valorem: And provided further, That all of the foregoing threads and yarns as hereinbefore provided, when mercerized, shall pay in addition to the foregoing specific rates of duty one-twentieth of 1 cent per number per pound; cotton card laps, roping, sliver, or roving, 35 per cent ad valorem. Cotton, cotton waste, and flocks, manufactured or otherwise advanced in value, 20 per cent ad valorem.												
311	Thread, other, including crochet, darning, and embroidery cottons—												
	On spools or reels	46.45	46.45	72,117.16	33,493.13								
	Not on spools or reels	36.48	36.48	217,460.50	79,329.61								
389	Carpets and carpeting, n. s. p. f.	50.00	50.00	12,797.00	6,398.50								
•312													
313	Cloth:												
	Not exceeding 50 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed	11.75	26.44			16,274.00	125.02	1,912.76	4,403.71				
	Bleached	7.63	42.75			5,149.00	460.29	393.09	2,201.15				
	Dyed, colored, stained, painted, or printed	19.97	29.96			5,450.00	50.01	1,088.44	1,632.66				

• Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, was made dutiable at 1 cent per square yard; bleached, 1½ cents per square yard; dyed, colored, stained, painted, or printed, 2 cents per square yard in the House bill. Provision stricken out in Senate bill.

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Cloth—Continued.												
	Exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 6 square yards to the pound	P. ct. 18.42	P. ct. 18.42	$1,330.00	$245.05								
	Exceeding 6 and not exceeding 9 square yards to the pound	21.80	21.80	310.00	67.59								
	Exceeding 9 square yards to the pound	32.82	32.82	1,185.00	388.87								
	Valued at over 7 and not over 9 cents per square yard, 5½ cents per square yard; valued at over 9 and not over 10 cents per square yard, 5 cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4½ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 4½ cents per square yard; valued at over 14 cents per square yard, 7 cents per square yard, but not less than 35 per cent ad valorem.												
	Bleached—												
	Not exceeding 6 square yards to the pound	18.73	18.73	19,080.00	3,763.86								
	Exceeding 6 and not exceeding 9 square yards to the pound	20.92	20.92	609.00	188.39								
	Exceeding 9 square yards to the pound	30.20	30.20	16,727.00	6,572.64								
	Valued at over 9 and not over 11 cents per square yard, 3½ cents per square yard; valued at over 11 and not over 13 cents per square yard, 4½ cents per square yard; valued at over 13 and not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 35 per cent ad valorem.												
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 6 square yards to the pound	33.48	33.48	71,974.00	24,097.12								
	Exceeding 6 and not exceeding 9 square yards to the pound	40.96	40.96	4,935.00	2,021.63								
	Exceeding 9 square yards to the pound	42.35	42.35	61,306.00	25,964.11								
	Valued at over 13 and not over 15½ cents per square yard, 3½ cents per square yard; valued at over 15½ and not over 16 cents per square yard, 4½ cents per square yard; valued at over 16 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem.												
(L)	Not exceeding 100 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard	25.00	37.88			$17,446.00	51.52	$4,361.50	$6,608.04				
	Bleached, valued at over 9 cents per square yard	25.00	34.15			76,106.00	44.00	19,026.50	27,515.07				
	Dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard	30.00	44.28			259,245.15	47.60	77,773.55	114,784.64				

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
314	Cloth—Continued.												
	Exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 4 square yards to the pound	P. ct. 17.74	P. ct. 17.74	$11,104.00	$1,969.86								
	Exceeding 4 and not exceeding 6 square yards to the pound	26.33	26.33	9,449.00	2,487.56								
	Exceeding 6 and not exceeding 8 square yards to the pound	26.85	32.22			$5,601.00	20.00	$1,503.86	$1,804.62				
	Exceeding 8 square yards to the pound	32.04	32.04	7,471.00	2,394.02								
	Valued at over 9 cents per square yard	30.00	35.36			20,028.00	17.87	6,008.40	7,082.21				
	Valued more than 7 cents per square yard (Table No. 1054, p. 241, Imports and Duties).												
	Valued at over 9 and not over 10 cents per square yard, 3 cents per square yard; valued at over 10 but not over 12½ cents per square yard, 4½ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 30 per cent ad valorem.												
	Bleached—												
	Not exceeding 4 square yards to the pound	23.80	23.80	142,409.00	33,894.26								
	Exceeding 4 and not exceeding 6 square yards to the pound	29.48	29.48	189,776.00	55,945.80								
	Exceeding 6 and not exceeding 8 square yards to the pound	33.42	33.42	24,702.00	8,254.03								
	Exceeding 8 square yards to the pound	40.36	40.36	123,534.00	49,855.06								
(L)	Valued at over 11 cents per square yard	35.00	41.03			465,521.00	17.23	162,932.35	191,037.20				
	Valued at over 11 and not over 12 cents per square yard, 4½ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem.												
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 4 square yards to the pound	31.44	31.44	204,674.00	64,343.27								
	Exceeding 4 and not exceeding 6 square yards to the pound	36.14	36.14	70,475.00	25,471.13								
	Exceeding 6 and not exceeding 8 square yards to the pound	40.06	40.06	269,191.87	107,851.24								
	Exceeding 8 square yards to the pound	42.15	42.15	24,294.00	10,240.15								
(L)	Valued at over 12½ cents per square yard	35.00	39.58			1,536,802.46	13.09	537,880.87	608,230.61				
	Valued at over 12½ but not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ but not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem.												

[a] Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, was made dutiable at 1 cent per square yard; bleached, 1½ cents per square yard; dyed, colored, stained, painted, or printed, 2 cents per square yard in the House bill. Provision stricken out in Senate bill.

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
315	Cloth—Continued.												
	Exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 2½ square yards to the pound	*P. ct.* 27.32	*P. ct.* 27.32	$1,516.00	$414.18								
	Exceeding 2½ and not exceeding 4½ square yards to the pound	29.66	29.66	498.00	147.70								
	Exceeding 4½ and not exceeding 6 square yards to the pound	31.48	31.48	3,161.00	995.01								
	Exceeding 6 square yards to the pound	40.60	40.60	15,798.00	6,413.86								
	Valued at over 10 cents per square yard	35.00	42.31			$6,171.50	20.89	$2,160.03	$2,611.53				
	Valued at over 10 and not over 12½ cents per square yard, 4½ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 35 per cent ad valorem.												
	Bleached—												
	Not exceeding 3½ square yards to the pound	26.42	26.42	16,990.00	4,488.43								
	Exceeding 3½ and not exceeding 4½ square yards to the pound	33.00	33.00	14,097.00	4,651.03								
	Exceeding 4½ and not exceeding 6 square yards to the pound	35.33	35.33	84,607.00	29,888.34								
	Exceeding 6 square yards to the pound	41.34	41.34	620,861.66	256,542.91								
	(L) Valued at over 10 cents per square yard	35.00	46.49			1,242,235.77	32.83	434,782.53	577,838.12				
	Valued at over 10 and not over 12½ cents per square yard, 5½ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 6½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem.												
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 3½ square yards to the pound	40.95	40.95	96,534.00	39,528.67								
	Exceeding 3½ and not exceeding 4½ square yards to the pound	39.95	39.95	21,474.25	8,580.25								
	Exceeding 4½ and not exceeding 6 square yards to the pound	39.36	39.36	245,413.00	96,584.64								
	Exceeding 6 square yards to the pound	46.68	46.68	161,549.80	74,358.14								
	(L) Valued at over 12½ cents per square yard	40.00	44.48			2,751,271.98	11.20	1,100,508.79	1,223,844.30				
	Valued at over 12½ and not over 15 cents per square yard, 6 cents per square yard; valued at over 15 and not over 17½ cents per square yard, 7 cents per square yard; valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem.												

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
316	Cloth—Continued.												
	Exceeding 200 and not exceeding 300 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 2½ square yards to the pound	*P. ct.* 36.34	*P. ct.* 36.34	$6,252.00	$2,272.13								
	Exceeding 2½ and not exceeding 3½ square yards to the pound	32.99	32.99	3,999.00	1,309.28								
	Exceeding 3½ and not exceeding 5 square yards to the pound	44.24	44.24	237.00	104.85								
	Exceeding 5 square yards to the pound	46.10	46.10	24,770.00	11,417.83								
	(L) Valued at over 12½ cents per square yard	40.00	40.64			$36,229.60	1.60	$14,491.84	$14,723.65				
	Valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, but not less than 40 per cent ad valorem.												
	Bleached—												
	Not exceeding 2½ square yards to the pound	41.95	41.95	4,496.00	1,886.03								
	Exceeding 2½ and not exceeding 3½ square yards to the pound	44.88	44.88	42,277.00	18,975.25								
	Exceeding 3½ and not exceeding 5 square yards to the pound	42.60	42.60	5,244.00	2,234.18								
	Exceeding 5 square yards to the pound	45.56	45.56	136,410.42	62,152.70								
	(L) Valued at over 15 cents per square yard	40.00	40.01			483,961.94	00.02	193,584.78	193,630.87				
	Valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 and not over 25 cents per square yard, 11½ cents per square yard; over 25 cents per square yard, 12½ cents per square yard, but not less than 40 per cent ad valorem.												
	Dyed colored, stained, painted, or printed—												
	Not exceeding 3½ square yards to the pound	37.93	37.93	699,136.00	265,214.48								
	Exceeding 3½ square yards to the pound	49.35	49.35	124,684.00	61,533.80								
	(L) Valued at over 17½ cents per square yard	40.00	51.77			1,443,233.00	29.43	577,293.19	747,096.98				
	Valued at over 17½ and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 and not over 25 cents per square yard, 11½ cents per square yard; valued at over 25 cents per square yard, 12½ cents per square yard, but not less than 40 per cent ad valorem.												
317	Exceeding 300 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 2 square yards to the pound	28.45	46.28			358.00	62.50	101.84	165.49				
	Exceeding 3 and not exceeding 4 square yards to the pound	48.21	48.21	449.00	216.45								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Cloth—Continued.												
	Exceeding 300 threads to the square inch, counting the warp and filling—Cont'd.												
	Not bleached, dyed, colored, stained, painted, or printed—Continued.												
	Valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8½ cents per square yard; valued at over 20 and not over 25 cents per square yard, 11¼ cents per square yard; valued at over 25 cents per square yard, 12½ cents per square yard, but not less than 40 per cent ad valorem.												
	Bleached—												
	Not exceeding 2 square yards to the pound	*P. ct.* 61.11	*P. ct.* 61.11	$63.00	$38.50								
	Exceeding 3 and not exceeding 4 square yards to the pound	39.36	39.36	4,364.80	1,717.80								
	Exceeding 4 square yards to the pound	49.28	49.28	124.00	61.11								
	Valued at over 16 cents per square yard	40.00	48.34			$10,627.55	20.85	$4,251.02	$5,137.44				
	Valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 and not over 25 cents per square yard, 11¼ cents per square yard; valued at over 25 cents per square yard, 12½ cents per square yard, but not less than 40 per cent ad valorem.												
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 3 square yards to the pound	38.97	38.97	2,742.00	1,068.62								
	Exceeding 3 square yards to the pound	46.92	46.92	1,523.00	714.56								
	(L) Valued at over 20 cents per square yard	40.00	46.71			118,977.58	16.78	47,591.03	55,575.84				
	Valued at over 20 and not over 25 cents per square yard, 11¼ cents per square yard; valued at over 25 cents per square yard, 12½ cents per square yard, but not less than 40 per cent ad valorem.												
319	(L) Sleeve linings or other cloths:												
	Composed of cotton or other vegetable fiber and silk, whether known as silk-stripe sleeve linings, silk stripes, or otherwise, of which cotton is the component material of chief value	53.64	58.64	22,408.00	13,176.70								
	(L) Other, on which ordinary duty does not amount to 50 per cent	50.00	50.00	3,916.50	1,958.25								
	Cotton cloth, filled or coated, and *cotton window Hollands*	38.63	38.63	528,696.38	204,235.62								
320	Handkerchiefs or mufflers composed of cotton, in the piece or otherwise, finished or unfinished:												
	Exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling—												
	Dyed, colored, stained, painted, or printed—												
	Hemstitched, or imitation hemstitched, or revered, or with drawn threads—												
	Exceeding 6 and not exceeding 8 square yards to the pound	55.41	55.41	109.00	60.41								
	Exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling—												
	Hemstitched, or imitation hemstitched, or revered, or with drawn threads—												
	Bleached—												
	Exceeding 6 square yards to the pound	54.85	54.85	1,029.00	564.32								
	Dyed, colored, stained, painted, or printed—												
	Exceeding 3½ and not exceeding 4½ square yards to the pound	54.96	54.96	693.00	380.84								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Handkerchiefs or mufflers composed of cotton, etc.—Cont'd.												
	Hemstitched, or imitation hemstitched, or revered, or with drawn threads:												
	(L) Exceeding 200 and not exceeding 300 threads to the square inch, counting the warp and filling—												
	Bleached—												
	Exceeding 5 square yards to the pound	*P. ct.* 58.11	*P. ct.* 58.11	$646.00	$375.40								
	Dyed, colored, stained, painted, or printed—												
	Exceeding 3½ square yards to the pound	51.09	51.09	46.00	23.50								
	(L) Exceeding 300 threads to the square inch, counting the warp and filling—												
	Bleached—												
	Exceeding 3 and not exceeding 4 square yards to the pound	54.07	54.07	431.00	233.06								
	Dyed, colored, stained, painted, or printed—												
	Exceeding 3 square yards to the pound	64.00	64.00	12.00	7.68								
	(L) Other, on which the ordinary duty does not amount to 45 per cent, not hemmed, or hemmed only	45.00	45.00	24,894.00	11,202.30								
	(L) Other, on which the ordinary duty does not amount to 55 per cent, hemstitched, etc	55.00	55.00	30,264.75	16,645.62								
	(L) Embroidered in any manner, whether with initial letter, monogram, or otherwise, by hand or machinery, or are tamboured, appliqued, or trimmed or made wholly or in part with lace or with tucking or insertion	60.00	60.00	225,354.80	135,218.88								
321	(L) Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving to form a figure whether known as lappets or otherwise, and whether unbleached, bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 50 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Valued at not more than 7 cents per square yard	28.48	28.48	104.00	29.62								
	Bleached—												
	Valued at more than 7 cents per square yard	40.57	40.57	260.00	105.47								
	Dyed, colored, stained, painted, or printed—												
	Valued at more than 7 cents per square yard	38.94	38.94	3,191.00	1,242.52								
	Exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	40.61	53.13			$18.00	30.81	$7.31	$9.56				
	Exceeding 9 square yards to the pound—												
	Valued at not more than 7 cents per square yard	40.31	40.31	173.00	69.74								
	Valued at more than 7 cents per square yard	44.31	50.22			700.00	13.34	310.20	351.56				
	Bleached—												
	Exceeding 6 and not exceeding 9 square yards to the pound—												
	Valued at more than 7 cents per square yard	50.30	50.30	10.00	5.03								
	Exceeding 9 square yards to the pound—												
	Valued at not more than 7 cents per square yard	47.56	47.56	541.00	257.31								
	Valued at more than 7 cents per square yard	50.16	50.16	4,122.00	2,067.55								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Cotton cloth, etc.—Continued.												
	Exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling—Continued.												
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	P. ct. 38.07	P. ct. 46.08			$75.00	21.04	$28.55	$34.56				
	Exceeding 6 and not exceeding 9 square yards to the pound—												
	Valued at more than 7 cents per square yard	68.70	68.70	$648.00	$445.16								
	Exceeding 9 square yards to the pound—												
	Valued at more than 7 cents per square yard	53.61	53.61	8,836.00	4,737.10								
	Not exceeding 100 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Valued at over 7 cents per square yard	39.59	54.71			68,505.00	38.19	27,121.42	37,481.80				
	Bleached—												
	Valued at over 9 cents per square yard	39.30	51.83			80,837.00	31.88	31,766.66	41,895.61				
	Dyed, colored, stained, painted, or printed—												
	Valued at over 12 cents per square yard	40.83	54.09			220,244.00	32.48	89,903.13	119,149.70				
	Exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Not exceeding 4 square yards to the pound—												
	Valued at more than 7 cents per square yard	11.40	32.60			5.00	185.97	.57	1.63				
	Exceeding 4 and not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	33.75	53.79			32.00	59.38	10.80	17.21				
	Valued at over 9 cents per square yard	43.53	57.51			24,729.00	32.12	10,765.21	14,222.67				
	Bleached—												
	Not exceeding 4 square yards to the pound—												
	Valued at more than 7 cents per square yard	45.55	45.55	99.00	45.09								
	Exceeding 6 and not exceeding 8 square yards to the pound—												
	Valued at more than 7 cents per square yard	53.29	53.29	195.00	104.01								
	Exceeding 8 square yards to the pound—												
	Valued at more than 7 cents per square yard	59.39	59.39	12,123.00	7,199.60								
	Valued at over 11 cents per square yard	44.92	49.59			293,809.00	10.40	131,973.06	145,699.51				
	Dyed, colored, stained, painted, or printed—												
	Not exceeding 4 square yards to the pound—												
	Valued at more than 7 cents per square yard	52.20	52.20	343.00	179.04								
	Exceeding 4 and not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	57.07	57.07	175.00	99.88								
	Exceeding 6 and not exceeding 8 square yards to the pound—												
	Valued at more than 7 cents per square yard	77.22	77.22	2,017.00	1,557.57								
	Exceeding 8 square yards to the pound—												
	Valued at more than 7 cents per square yard	58.60	58.60	366.00	214.48								
	Valued at over 11 cents per square yard	44.31	55.78			82,117.00	25.86	36,374.87	45,803.52				

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Cotton cloth, etc.—Continued.												
	Exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Valued at over 10 cents per square yard	P. ct. 47.92	P. ct. 54.89			$249.00	14.55	$119.31	$136.68				
	Bleached—												
	Exceeding 4½ and not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	47.29	57.14			642.00	20.82	303.60	366.85				
	Valued at over 12 cents per square yard	44.39	56.38			122,078.00	27.01	54,198.14	68,825.04				
	Dyed, colored, stained, painted, or printed—												
	Exceeding 3½ and not exceeding 4½ square yards to the pound—												
	Valued at more than 7 cents per square yard	66.64	66.64	$361.00	$240.57								
	Exceeding 4½ and not exceeding 6 square yards to the pound—												
	Valued at more than 7 cents per square yard	52.14	61.71			7.00	18.35	3.65	4.32				
	Valued at over 12½ cents per square yard	48.23	49.40			14,203.00	2.42	6,850.54	7,016.04				
	Exceeding 200 and not exceeding 300 threads to the square inch, counting the warp and filling—												
	Not bleached, dyed, colored, stained, painted, or printed—												
	Valued at over 12½ cents per square yard	47.55	45.30							$40.00	4.73	$19.02	$18.12
	Bleached—												
	Exceeding 5 square yards to the pound—												
	Valued at more than 7 cents per square yard	65.77	65.77	95.00	62.48								
	Valued at over 15 cents per square yard	48.00	53.01			3,270.00	10.44	1,569.64	1,733.36				
	Dyed, colored, stained, painted, or printed—												
	Valued at over 17½ cents per square yard	47.01	50.82			3,372.02	8.10	1,585.17	1,713.61				
	Exceeding 300 threads to the square inch, counting the warp and filling—												
	Dyed, colored, stained, painted, or printed—												
	Valued at over 20 cents per square yard	45.55	40.25							431.00	11.63	196.33	173.49
	Cotton cloth, mercerized or subjected to any similar process												
322	Clothing, ready-made, and articles of wearing apparel of every description, including neckties or neckwear, made up or manufactured, wholly or in part, by the tailor, seamstress, or manufacturer, and not otherwise provided for	50.00	50.00	2,766,144.37	1,383,072.28								
	When india rubber is a component material, 15 cents per pound additional.												
	Corsets, not elsewhere specified	50.00	50.00	74,488.00	37,244.00								
	Outside garments having rubber as a component material	54.87	54.87	2,677.00	1,468.77								
323	(L) Plushes, velvets, velveteens, corduroys, and all other pile fabrics, composed of cotton or other vegetable fiber (except flax)—												
	Plushes, velvets, and velveteens, and other pile fabrics (except corduroys)—												
	Not bleached, dyed, colored, stained, painted, or printed	67.54	67.54	260,955.00	176,236.20								
	Bleached	53.23	53.23	51.00	27.15								
	Dyed, colored, stained, painted, or printed	58.42	58.42	440,061.00	257,088.39								
	Other, on which ordinary duty does not amount to 47½ per cent	47.50	47.50	367,318.00	174,476.20								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Plushes, velvets, etc.—Continued.												
	Corduroys—												
	Net bleached, dyed, colored, stained, painted, or printed	P. ct. 60.35	P. ct. 60.35	$2,640.00	$1,606.35								
	Dyed, colored, stained, painted, or printed	58.10	58.10	2,933.80	1,704.83								
	Weighing 7 ounces or over per square yard	67.25	67.25	62,860.00	42,270.23								
	Other, on which ordinary duty does not amount to 47½ per cent	47.50	47.50	426.00	202.36								
	Dress facings or skirt bindings—												
	Bleached	64.13	64.13	4,740.00	3,039.75								
	Dyed, colored, stained, painted, or printed	58.96	58.96	145.00	85.49								
	Other, on which ordinary duty does not amount to 47½ per cent	47.50	47.50	175.00	83.13								
324	(L) Chenille curtains, table covers, and all articles manufactured of cotton chenille, or of which cotton chenille is the component material of chief value	50.00	50.00	2,369.00	1,184.50								
	Knit goods made on knitting machines or frames:												
	Stockings, hose, and half hose—												
325	Made on knitting machines or frames, not otherwise provided for	30.00	30.00	16,001.41	4,800.42								
326	Selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless or checked stockings, hose, or half hose, finished or unfinished—												
	Valued not more than $1 per dozen pairs	67.11	67.11	2,350,249.77	1,577,176.36								
	Valued more than $1 and not more than $1.50 per dozen pairs	58.32	58.32	1,600,634.75	933,511.51								
	(L) Valued more than $1.50 and not more than $2 per dozen pairs	51.41	51.41	2,557,341.40	1,314,759.94								
	(L) Valued more than $2 and not more than $3 per dozen pairs	50.53	50.53	354,188.55	210,848.31								
	(L) Valued more than $3 and not more than $5 per dozen pairs	64.86	64.86	114,625.56	74,249.81								
	(L) Valued more than $5 per dozen pairs	55.60	55.60	42,356.17	23,295.90								
327	Shirts and drawers, pants, vests, union suits, combination suits, tights, sweaters, corset covers, and all underwear of every description made wholly or in part on knitting machines or frames, or knit by hand, finished or unfinished, not including stockings, hose, or half hose—												
	Valued not more than $1.50 per dozen	56.90	56.90	59,609.00	33,919.20								
	Valued more than $1.50 and not more than $3 per dozen	60.16	60.16	327,214.00	196,861.47								
	Valued more than $3 and not more than $5 per dozen	61.54	61.54	244,842.90	150,666.77								
	(L) Valued more than $5 and not more than $7 per dozen	64.29	64.29	73,778.50	47,435.62								
	(L) Valued more than $7 and not more than $15 per dozen	59.05	59.05	98,260.25	58,968.71								
	(L) Valued above $15 per dozen	50.00	50.00	5,698.00	2,849.00								
328	Bandages, bottings, blindings, bone casings, cords, gartons, lining for bicycle tires, ribbons, suspenders and braces, tapes, tubing, and webs or webbing, made of cotton or other vegetable fiber, whether composed in part of India rubber or otherwise, and not embroidered by hand or machinery	45.00	45.00	625,681.91	285,750.88								
	Hosiery and other articles made on fabric ready for use in general, if free, manufacture and hemmed, and tubing, not embroidered by hand or machinery, 35 per cent.												
	Laces, 35 per cent and 5 per cent.	53.32	53.32	62,327.00	22,000.28								
	Labels for garments or other articles	67.00	67.00	38,627.00	26,001.49								
	Lamp, stove, or candle wicking, woven, braided, or twisted, and spindle banding	49.17	49.17	32,416.32	15,938.76								
	Leather, or bands, or belts, or collars, for machinery, made of cotton or other vegetable fiber, thirty per cent of tariff.	43.00	43.00	9,337.00	4,100.25								
329	(L) Damask, table	49.00	49.00	681,372.00	333,872.00								

SCHEDULE I—*Cotton manufactures*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Manufactures of cotton table damask or of which cotton table damask is the component material of chief value, n. s. p. f.	P. ct.	P. ct.										
	Duck	35.00	45.00			$15,862.00	28.57	$5,551.70	$7,137.90				
330	All other manufactures of cotton	45.00	45.00	$997,612.18	$448,925.56								
	Total, Schedule I	44.84	47.14	21,442,266.63	10,500,281.77	10,382,503.69	19.46	3,777,670.91	4,512,890.94	$44,794.00	18.43	$12,905.03	$10,576.09

SCHEDULE J—*Flax, hemp, and jute, and manufactures of.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Flax:	P. ct.	P. ct.										
330a	Straw												
330b	Not hackled or dressed	8.80	8.80	$1,438,897.00	$126,580.87								
331	Hackled, known as "dressed line"	13.90	13.90	454,059.00	63,117.60								
332	Tow of	11.73	11.73	348,836.00	40,914.91								
333	Hemp:												
	Not hackled or dressed	10.97	10.97	1,452,428.00	159,267.83								
	Hackled, known as "line of hemp"	12.29	12.29	3,423.00	420.81								
	Tow of	17.23	17.23	64,079.00	11,042.00								
334	Yarns, jute, single:												
	Not finer than 5 lea or number	22.12	22.12	206,896.00	45,768.38								
	Finer than 5 lea or number	35.00	30.00							$68,354.50	14.29	$23,924.07	$20,506.35
	Yarns of jute not specially provided for												
335	Cables and cordage:												
	Of hemp, tarred or untarred	25.08	25.08	60,621.00	15,206.54								
	Other, composed of istle or Tampico fiber, manila, sisal grass, or sunn, or a mixture of them or any of them	10.40	7.80							8,577.50	24.62	892.47	669.35
497	Binding twine, manufactured from New Zealand hemp, istle or Tampico fiber, sisal grass, or sunn, or a mixture of any two or more of them, of single ply, and measuring not exceeding 600 feet to the pound, from countries which impose duty on like articles imported from the United States	2.50	2.50	6.00	.15								
336	Threads, twines, or cords, composed of flax, hemp, or ramie, or of which these substances, or either of them, is the component material of chief value:												
	Made from yarn not finer than—												
	5 lea or number	69.71	53.62							8,159.00	23.05	5,687.97	4,375.35
	6 lea or number	79.02	61.78							3,442.00	21.82	2,719.83	2,126.40
	7 lea or number	79.26	62.86							1,200.00	20.69	951.06	754.29
	8 lea or number	52.73	42.35							743.00	19.60	391.78	314.70
	9 lea or number	22.86	18.57							7.00	18.77	1.60	1.30
	10 lea or number	47.47	38.96							1,017.00	17.93	482.75	396.28
	11 lea or number	88.74	73.52							114.00	17.15	101.16	83.81
	12 lea or number	33.79	28.24							6,013.00	16.42	2,031.88	1,697.86
	13 lea or number	41.13	34.63							401.00	15.80	164.92	138.88
	14 lea or number	31.83	26.99							15,782.00	15.21	5,023.48	4,260.40
	15 lea or number	48.03	41.00							344.00	14.64	165.24	141.05
	16 lea or number	36.23	31.11							23,335.00	14.13	8,454.09	7,260.57
	17 lea or number	37.57	32.45							542.00	13.63	203.64	175.87
	18 lea or number	36.03	31.29							51,360.00	13.20	18,513.74	16,072.34
	19 lea or number	42.70	37.25							2,152.80	12.76	919.33	801.96
	20 lea or number	33.64	29.48							12,076.00	12.37	4,062.02	3,559.48
	21 lea or number	33.45	29.43							592.00	12.18	198.00	174.24
	22 lea or number	41.11	36.32							3,429.00	11.66	1,409.82	1,245.56
	23 lea or number	35.38	31.38							355.00	11.31	125.62	111.39
	24 lea or number	43.56	38.76							300.00	11.02	130.68	116.28
	25 lea or number	39.55	35.31							26,904.00	10.72	10,639.59	9,499.64
	26 lea or number	52.53	47.05							306.00	10.24	161.80	144.91
	27 lea or number	51.66	46.41							554.00	10.16	286.21	257.09
	28 lea or number	43.72	39.52							5,174.00	9.84	2,270.14	2,044.99
	29 lea or number	50.10	45.25							2,059.00	9.68	1,031.53	931.70
	30 lea or number	58.03	52.54							27,882.00	9.46	16,179.18	14,650.43
	31 lea or number	44.62	40.50							2,953.00	9.23	1,322.12	1,200.06
	32 lea or number	48.17	43.82							118.00	9.03	56.84	51.71
	33 lea or number	47.23	43.51							6,151.00	8.82	2,935.17	2,676.21
	34 lea or number	40.59	45.31							1,196.00	8.85	583.11	541.90
	35 lea or number	50.18	45.94							36,167.00	8.45	18,143.52	16,614.84
	36 lea or number	39.44	36.18							332.00	8.27	130.94	120.11
	37 lea or number	38.98	35.82							108.00	8.11	42.10	38.68
	38 lea or number	45.50	41.88							424.00	7.96	192.93	177.57
	39 lea or number	42.69	39.36							848.00	7.80	362.00	333.76
	40 lea or number	51.51	47.58							48,368.00	7.63	24,916.32	23,011.80

* If imported from countries which impose duty on like articles imported from the United States.

SCHEDULE J—*Flax, hemp, and jute, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Threads, twines, etc.—Continued.												
	Made from yarn not finer than—	*P. ct.*	*P. ct.*										
	41 lea or number	26.47	24.46							$204.00	7.52	$80.46	$74.43
	42 lea or number	34.31	31.78							1,218.00	7.37	417.84	387.07
	43 lea or number	52.12	48.35							5,491.00	7.23	2,861.77	2,654.89
	44 lea or number	44.29	41.05							260.00	7.13	114.92	106.74
	45 lea or number	49.86	45.39							10,474.00	6.98	5,227.57	4,858.20
	46 lea or number	47.04	43.81							961.00	6.87	452.05	421.06
	47 lea or number	39.05	36.42							530.00	6.73	206.97	193.01
	48 lea or number	42.76	39.92							248.00	6.64	106.04	99.01
	49 lea or number	42.57	39.80							94.00	6.51	40.02	37.41
	50 lea or number	54.79	54.27							18,707.00	6.42	10,249.01	9,591.31
	51 lea or number	64.52	62.31							268.00	6.33	178.27	167.00
	52 lea or number	46.82	45.77							87.00	6.25	42.47	39.82
	53 lea or number	40.23	37.76							64.00	6.12	25.74	24.17
	54 lea or number	33.57	31.55							408.00	6.02	136.97	128.72
	55 lea or number	58.95	55.45							281.00	5.94	65.65	155.80
	56 lea or number	36.75	34.60							67.00	5.85	24.02	23.18
	57 lea or number	39.55	37.27							380.00	5.76	150.28	141.61
	58 lea or number	37.14	35.97							106.00	5.69	40.43	38.13
	59 lea or number	62.66	59.13							477.00	5.60	298.91	282.14
	60 lea or number	54.70	52.66							5,317.00	5.46	2,964.08	2,800.16
	61 lea or number	36.10	34.13							138.00	5.46	49.82	47.10
	62 lea or number	41.63	39.39							268.00	5.35	111.57	105.56
	63 lea or number	36.53	34.56							369.00	5.34	134.78	127.62
	64 lea or number	53.46	50.64							123.00	5.24	65.75	62.30
	65 lea or number	35.84	33.98							573.00	5.16	205.36	194.74
	66 lea or number	74.16	68.43							180.00	5.10	131.69	124.97
	67 lea or number	13.79	12.14							14.00	5.08	1.79	1.70
	68 lea or number	63.25	62.00							109.00	4.98	71.12	67.58
	69 lea or number	52.36	50.77							17.00	4.84	9.07	8.63
	70 lea or number	50.57	48.11							396.00	4.86	200.26	190.53
	71 lea or number	32.20	30.00							5.00	4.97	1.61	1.53
	72 lea or number	38.41	33.74							54.00	4.72	19.12	18.22
	73 lea or number	44.40	42.32							373.00	4.68	165.60	157.84
	74 lea or number	38.49	36.60							5.00	4.69	1.92	1.83
	75 lea or number	52.294	52.75							32.00	4.58	17.69	16.88
	76 lea or number	74.25	72.73							16.00	4.59	12.20	11.64
	77 lea or number	36.99	36.40							10.00	4.85	3.09	2.94
	78 lea or number	34.20	32.68							63.00	4.44	22.23	21.24
	79 lea or number	58.55	55.97							33.00	4.41	19.32	18.47
	80 lea or number	60.47	57.83							307.00	4.37	185.64	177.59
	81 lea or number	31.40	30.00							5.00	4.46	1.57	1.50
	83 lea or number	77.00	73.78							7.00	4.18	5.39	5.16
	84 lea or number	51.38	49.17							8.00	4.30	4.11	3.93
	85 lea or number	37.56	36.01							115.00	4.13	43.19	41.41
	86 lea or number	35.00	33.54							5.00	4.17	1.75	1.68
	87 lea or number	37.14	35.66							35.00	3.98	13.00	12.48
	88 lea or number	48.29	46.35							494.00	4.02	238.55	229.03
	90 lea or number	105.44	101.32							107.00	3.91	112.82	108.41
	91 lea or number	36.25	34.89							18.00	3.83	6.53	6.28
	92 lea or number	26.96	25.92							9.00	3.86	24.26	23.33
	94 lea or number	39.00	37.45							5.00	3.97	1.95	1.87
	95 lea or number	51.86	49.73							123.00	3.74	63.54	61.16
	96 lea or number	58.41	55.14							143.00	3.70	126.43	121.75
	97 lea or number	34.83	33.56							52.00	3.65	18.11	17.45
	98 lea or number	51.86	49.19							18.00	3.66	9.19	8.86
	100 lea or number	77.84	75.04							61.00	3.60	47.48	45.78
	102 lea or number	38.48	37.06							507.00	3.49	194.09	187.88
	103 lea or number	33.00	31.85							7.00	3.48	2.31	2.23
	104 lea or number	40.03	38.62							373.00	3.45	149.20	144.07
	105 lea or number	50.56	48.84							197.00	3.40	99.51	96.21
	106 lea or number	39.33	38.16							6.00	2.97	2.36	2.29
	107 lea or number	70.35	67.98							63.00	3.37	44.32	42.83
	108 lea or number	47.09	45.51							215.00	3.31	101.19	97.84
	109 lea or number	40.99	39.56							115.00	3.30	47.03	45.49
	110 lea or number	64.29	62.20							34.00	3.25	21.86	21.15
	111 lea or number	40.99	39.66							79.00	3.27	32.38	31.33
	112 lea or number	46.92	45.41							48.00	3.24	22.52	21.80
	113 lea or number	52.67	50.79							43.00	3.20	22.56	21.84
	114 lea or number	31.96	30.89							69.00	3.17	22.01	21.31
	115 lea or number	39.66	38.00							1.00	2.56	.39	.38
	116 lea or number	36.11	35.09							9.00	3.02	3.25	3.15
	117 lea or number	41.28	40.08							19.00	3.01	7.84	7.60
	118 lea or number	32.21	30.73							26.00	3.02	13.60	13.19
	120 lea or number	42.86	40.89							245.00	3.04	103.09	99.97
	121 lea or number	43.21	41.04							208.00	3.00	88.00	85.36
	122 lea or number	26.99	25.32							138.00	2.97	36.30	35.22
	123 lea or number	38.47	37.31							58.00	3.02	22.31	21.64
	124 lea or number	19.99	19.37							41.00	2.91	8.18	7.94
	125 lea or number	32.32	32.25							4.00	3.01	1.33	1.29
	126 lea or number	42.17	41.91							43.00	2.96	18.57	18.02
	127 lea or number	39.99	37.99							3.00	2.85	1.17	1.14
	128 lea or number	48.57	45.26							14.00	2.77	6.52	6.34
	129 lea or number	76.42	74.26							26.00	2.90	19.87	19.29
	130 lea or number	60.35	58.35							114.00	2.82	68.68	66.74
	131 lea or number	40.23	39.07							46.00	2.81	27.98	27.17
	132 lea or number	32.79	31.32							116.00	2.78	61.23	59.53
	133 lea or number	29.00	28.37							50.00	3.41	14.79	14.28
	134 lea or number	27.79	27.06							4.00	2.49	1.11	1.08
	135 lea or number	27.00	26.16							2.00	3.11	.54	.52
	136 lea or number	28.28	26.42							51.00	3.72	18.57	18.06
	140 lea or number	35.78	33.99							45.00	2.61	14.36	13.93
	141 lea or number	20.97	19.59							14.00	2.39	2.81	2.74
	142 lea or number	34.45	32.79							20.00	2.54	7.08	6.90
	147 lea or number	21.00	21.26							38.00	2.51	8.32	8.11
	148 lea or number	43.00	43.00							5.00	2.92	2.48	2.23
	149 lea or number	131.00	118.66							2.00	2.48	2.42	2.36
	150 lea or number	35.00	34.77							49.00	2.47	17.47	17.04
	151 lea or number	35.00	29.00							2.00	2.03	.61	.60

SCHEDULE J—*Flax, hemp, and jute, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Threads, twines, etc.—Continued.												
	Made from yarn not finer than—	*P. ct.*	*P. ct.*										
	153 lea or number	62.00	60.50							$2.00	2.42	$1.24	$1.21
	154 lea or number	32.00	31.17							5.00	2.50	1.60	1.56
	155 lea or number	30.41	29.67							54.00	2.43	16.42	16.02
	161 lea or number	13.33	13.12							3.00	1.58	.40	.39
	162 lea or number	73.20	71.54							50.00	2.27	36.60	35.77
	164 lea or number	47.33	46.53							3.00	1.69	1.42	1.40
	165 lea or number	18.33	17.91							9.00	2.29	1.65	1.61
	168 lea or number	35.21	34.46							142.00	2.13	50.00	48.93
	172 lea or number	32.48	31.89							240.00	1.82	77.94	76.54
	175 lea or number	26.76	26.19							399.00	2.13	106.78	104.50
	176 lea or number	188.33	184.53							3.00	2.12	5.65	5.53
	177 lea or number	29.88	29.25							43.00	2.11	12.85	12.58
	179 lea or number	53.62	52.53							13.00	2.03	6.97	6.83
	182 lea or number	45.67	44.72							3.00	2.08	1.37	1.33
	187 lea or number	36.00	35.27							27.00	2.03	9.72	9.52
	195 lea or number	34.50	33.80							6.00	2.03	2.07	2.04
	219 lea or number	27.80	27.28							5.00	1.57	1.39	1.36
	220 lea or number	47.71	46.89							21.00	1.72	10.03	9.85
	224 lea or number	49.00	47.92							2.00	2.20	.98	.96
	233 lea or number	58.27	57.32							15.00	1.63	8.74	8.60
	234 lea or number	24.09	23.60							23.00	1.66	5.54	5.45
	242 lea or number	67.00	65.71							1.00	1.93	.67	.66
	252 lea or number	46.27	45.56							15.00	1.53	6.94	6.83
	294 lea or number	28.72	28.34							18.00	1.32	5.17	5.10
	322 lea or number	26.08	25.80							12.00	1.07	3.13	3.10
337	Yarns:												
	Flax, hemp, or ramie, or a mixture of any of them—												
	Single yarns in the gray—												
	Not finer than 8 lea or number	54.04	46.32							14,395.00	14.28	7,779.73	6,668.34
	Finer than 8 lea or number and not finer than 80 lea or number	40.00	40.00	$181,755.00	$72,702.00								
	Single yarns, finer than 80 lea or number	15.00	15.00	26,954.00	4,043.10								
	All other	45.00	45.00	153,074.00	68,883.30								
	Other than in the gray												
	Ramie, sliver or roving												
338	Gill netting, nets, webs, and seines of flax:												
	Made of thread, twine, or cord from yarn not finer than—												
	5 lea or number	118.60	91.98							3,205.75	22.44	3,801.32	2,948.77
	6 lea or number	59.50	47.00							4.00	21.01	2.38	1.88
	19 lea or number	63.23	53.13							39.00	15.97	24.56	20.72
	20 lea or number	35.85	29.48							6.75	17.77	2.42	1.99
	35 lea or number	52.78	45.43							46.00	13.93	24.28	20.90
	50 lea or number	53.10	39.50							10.00	25.61	5.31	3.95
339	Mattings for floors, plain, fancy, or figured, manufactured from straw, round or split, or other vegetable substances, not otherwise provided for, including what are commonly known as Chinese, Japanese, and Indian straw mattings—												
	Valued not exceeding 10 cents per square yard	36.37	36.37	3,617,455.45	1,315,715.67								
	Valued exceeding 10 cents per square yard	73.70	73.70	110,626.07	81,527.00								
	Mats manufactured from straw, round or split, or other vegetable substances n. o. p. f.												
340	Carpets, carpeting, mats, and rugs made of flax, hemp, jute, or other vegetable fiber (except cotton), n. o. p. f.:												
	Valued not exceeding 15 cents per square yard	77.72	64.18							359.00	17.42	279.03	230.40
	Valued above 15 cents per square yard	55.88	46.70							71,361.00	16.43	39,877.67	33,329.35
389	*Carpets and carpeting of flax and cotton or wool of which flax is the component material of chief value, n. s. p. f.*	50.00	50.00	6.50	3.25								
341	Hose, hydraulic, made in whole or in part of flax, hemp, ramie, or jute	37.76	28.32							1,758.00	25.00	663.80	497.85
342	Tapes composed wholly or in part of flax, woven with or without metal threads, on reels, spools, or otherwise, designed expressly for use in the manufacture of measuring tapes	40.00	40.00	5,283.00	2,113.20								
343	Oilcloths for floors, stamped, painted, or printed, including linoleum or corticene, figured or plain, and all other oilcloth (except silk oilcloth):												
	Under 12 feet in width	52.32	52.32	1,044,761.20	546,650.89								
	12 feet and over in width	56.11	38.67							89,306.00	34.65	50,162.19	32,779.19
	Under 9 feet in width, 8 cents per square foot and 15 per cent ad valorem; 9 feet and over in width, 12 cents per square foot and 15 per cent ad valorem.												
	Linoleum or corticene, inlaid, and cork carpets	36.64	38.64	1,164,164.00	659,350.42								

SCHEDULE J—*Flax, hemp, and jute, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Waterproof cloth, composed of—												
	Cotton, whether composed in part of india rubber or otherwise	P. ct. 40.76	P. ct. 40.76	$9,638.00	$3,928.30								
	Vegetable fiber, except cotton, whether composed in part of india rubber or otherwise	47.58	47.58	15,983.00	7,604.50								
344	Cotton and cotton entirely of cotton	58.00	58.00	1,107.50	649.85								
	Cotton and cotton, composed in whole or in part of linen	49.60	49.60	51,992.92	25,786.88								
345	(L) Lace, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils and veilings, etamines, vitrages, neck ruffings, ruchings, tuckings, flutings, and quillings; embroideries, and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands; and articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tamboured or appliqued articles or fabrics; hemstitched or tucked flounciings or skirtings, and articles made wholly or in part of ruffings, tuckings, or ruchings; composed wholly or in chief value of cotton, and not elsewhere specially provided for, whether composed in part of india rubber or otherwise	60.00	60.00	39,737,840.88	23,842,704.53								
	(L) Wearing apparel (of cotton) made wholly or in part of lace, or in imitation of lace, embroidered by hand or machinery with a letter, monogram, or otherwise, or tamboured or appliqued	60.00	60.00	1,358,565.62	815,139.35								
	(L) Laces, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins, wearing apparel, and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils and veilings, etamines, vitrages, neck ruffings, ruchings, tuckings, flutings, and quillings; embroideries and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands, and other articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tambroured or appliqued articles, fabrics, or wearing apparel; hemstitched or tucked flouncings or skirtings, and articles made wholly or in part of ruffings, tuckings, or ruchings, composed wholly or in chief value of flax or other vegetable fiber (except cotton), and not elsewhere specially provided for, whether composed in part of india rubber or otherwise	60.00	60.00	2,929,466.72	1,757,680.03								
	(L) Wearing apparel made wholly or in part of lace or in imitation of lace; embroidered, by hand or machinery, with a letter, monogram, or otherwise; or tambroured or appliqued, composed wholly or in chief value of flax or other vegetable fiber, except cotton	60.00	60.00	42,157.93	25,894.76								
	(L) Handkerchiefs, composed of flax or other vegetable fiber: Embroidered by hand or machinery, with a letter, monogram, or otherwise; tambroured or appliqued, or made wholly or in part of lace or in imitation of lace	60.00	60.00	1,639,803.40	983,882.04								
	[NOTE.—See proposed bill for text in paragraph 346.]												
346	(L) Lace window curtains, pillow shams and bed sets, finished or unfinished, made on the Nottingham lace-curtain machine or on the Nottingham warp machine, and composed of cotton, counting between the warp threads:												
	7 points or spaces to the inch	45.20	45.20	224.00	146.64								
	8 points or spaces to the inch	65.79	65.79	5,076.00	3,773.79								

SCHEDULE J—*Flax, hemp, and jute, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) Lace window curtains, pillow shams, etc.—Continued.	P. ct.	P. ct.										
	9 points or spaces to the inch	57.30	57.30	$2,550.00	$1,461.27								
	10 points or spaces to the inch	54.08	54.08	8,453.00	4,571.21								
	11 points or spaces to the inch	53.86	53.86	5,086.00	2,739.12								
	12 points or spaces to the inch	56.68	56.68	4,497.00	2,548.90								
	13 points or spaces to the inch	62.84	62.84	931.00	585.05								
	14 points or spaces to the inch	58.14	58.14	24,297.00	14,127.03								
	15 points or spaces to the inch	67.82	67.82	6,908.00	4,745.81								
	16 points or spaces to the inch	55.90	55.90	7,883.00	4,406.36								
	18 points or spaces to the inch	64.44	64.44	54.00	34.80								
	All other on which the ordinary duty does not amount to 50 per cent	50.00	50.00	12,559.00	6,279.50								
	(L) Lace window curtains, pillow shams, and bed sets, finished or unfinished, made on the Nottingham lace-curtain machine, or on the Nottingham warp machine, and composed of vegetable fiber other than cotton, counting between the warp threads, all on which ordinary duty does not amount to 50 per cent	50.00	50.00	1,872.74	936.38								
	[NOTE.—Nets and nettings are added to above paragraph 346 by proposed bill.]												
347	Burlaps, plain woven fabrics of single jute yarn:												
	(Not exceeding 60 inches in width) weighing not less than 6 ounces per square yard, counting the warp and filling—												
	Not exceeding 30 threads to the square inch	22.91	22.91	25,006,101.60	5,729,808.48								
	Exceeding 30 and not exceeding 55 threads to the square inch	22.17	22.17	774,251.00	171,637.62								
	All other not specially provided for	45.00	45.00	3,042,277.20	1,369,024.74								
348	(L) Pile fabrics, of which flax is the component material of chief value, *and manufactures of*	60.00	60.00	172,337.76	103,402.66								
349	Bags or sacks made from plain woven fabrics, of single jute yarns, not dyed, colored, stained, painted, printed, or bleached, and not exceeding 30 threads to the square inch, counting the warp and filling	26.98	26.98	4,206,696.00	1,135,135.83								
350	Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed, not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces per square yard	9.78	9.78	1,215,446.00	118,907.12								
351	Handkerchiefs composed of flax, hemp, or ramie, or of which these substances, or either of them, is the component material of chief value, whether in the piece or otherwise, and whether finished or unfinished:												
	Not hemmed, or hemmed only	50.00	50.00	83,739.50	41,869.76								
	(L) Hemstitched, or imitation hemstitched, or revered, or with drawn threads, but not embroidered or initialed	55.00	55.00	1,001,161.74	550,639.02								
352	Woven fabrics or articles n. s. p. f., composed of flax, hemp, or ramie, or *in part cotton*, or of which these substances, or either of them, is the component material of chief value, weighing 4½ ounces or more per square yard:												
	Containing not more than 60 threads to the square inch, counting the warp and filling	50.44	50.44	218,406.00	110,164.07								
	Containing more than 60 and not more than 120 threads to the square inch	53.45	53.45	1,980,445.00	1,058,507.69								
	Containing more than 120 and not more than 180 threads to the square inch	54.92	54.92	2,498,784.05	1,372,311.37								
	Containing more than 180 threads to the square inch	53.89	53.89	588,445.00	317,124.83								
	All on which ordinary duty does not amount to 50 per cent	50.00	50.00	5,774,494.17	2,887,247.08								

* Estimated.

SCHEDULE J—*Flax, hemp, and jute, and manufactures of*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Plain woven fabrics of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, including such as is known as shirting cloth, weighing less than 4½ ounces per square yard (and containing more than 100 threads to the square inch, counting the warp and filling)	*P. ct.* 35.00	*P. ct.* 35.00	$4,231,550.08	$1,481,045.67								
363	Woven fabrics n. s. p. f., composed of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, weighing 4½ ounces or more per square yard	35.00	45.00			a $5,000,000.00	28.57	$1,750,000.00	$2,250,000.00				
	All other manufactures of flax, hemp, ramie, or other vegetable fiber (except cotton), or of which these substances, or either of them, is the component material of chief value n. s. p. f.:												
	Flax manufactures	45.00	45.00	805,617.29	362,527.80								
	Hemp manufactures	45.00	45.00	32,234.00	14,505.30								
	Jute manufactures	45.00	45.00	665,672.36	299,552.56								
	Ramie or other vegetable fiber manufactures	45.00	45.00	15,804.40	7,111.99								
471b	Fibers, all other dressed	20.00	20.00	46,642.00	9,328.40								
	Total, Schedule J	43.71	44.10	108,564,575.08	47,802,790.92	a 5,000,000.00	27.14	1,750,000.00	2,250,000.00	$602,739.36	16.18	$285,988.84	$239,721.16

a Estimated.

SCHEDULE K—*Wool, and manufactures of wool.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Wool, hair of the camel, goat, alpaca, or other like animals, and manufactures of:												
	Unmanufactured—												
365	Class 1: Merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including Bagdad (China lamb's wool), Castel Branco, Adrianople skin wool or butchers' wool, and such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere, and all wools not hereinafter included in classes 2 and 3—												
	Unwashed wool—	*P. ct.*	*P. ct.*										
	On the skin	47.46	47.46	$305,162.55	$144,930.35								
	Not on the skin	44.52	44.52	22,249,572.25	9,904,985.85								
	Washed wool—												
	Not on the skin	61.32	61.32	601.00	368.56								
	Scoured	37.50	37.50	7,146.00	2,679.44								
	Class 2: Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel), Angora goat, alpaca, and other like animals—												
	Washed and unwashed wool—												
	On the skin	39.47	39.47	21,968.10	8,646.44								
	Not on the skin	41.11	41.11	2,883,081.75	1,176,857.36								
	Hair of the Angora goat, alpaca, and other like animals—												
	Washed and unwashed	35.61	35.61	738,540.00	262,985.64								

SCHEDULE K—*Wool, and manufactures of wool*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Wool, hair of the camel, goat, alpaca, etc.—Continued.												
	Unmanufactured—Continued.												
366	Class 3: Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Syria, and elsewhere—												
	Valued 12 cents or less per pound—												
	Washed and unwashed wool—	*P. ct.*	*P. ct.*										
	On the skin	26.73	26.73	$206,159.70	$55,104.14								
	Not on the skin	35.92	35.92	4,891,660.60	1,756,994.15								
	Camel's hair, Russian—												
	Washed and unwashed	37.49	37.49	67,050.00	25,136.96								
	Valued at over 12 cents per pound—												
	Washed and unwashed wool—												
	On the skin	45.68	45.68	5,208.00	2,378.82								
	Not on the skin	35.18	35.18	8,843,857.00	3,110,858.03								
	Camel's hair, Russian—												
	Washed and unwashed	42.34	42.34	261,612.00	110,779.30								
372	Wool and hair advanced in any manner, or by any process of manufacture, beyond the washed or scoured condition, not specially provided for—												
	Valued not more than 40 cents per pound	149.00	149.00	1.00	1.49								
	Valued over 70 cents per pound	93.70	93.70	962.92	902.29								
	Manufactures composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals—												
	(L) Rags, mungo, flocks, noils, shoddy, and waste—												
368	Wastes—												
	Slubbing, ring, and garnetted	118.42	118.42	19.00	22.50								
	Top and roving	62.87	62.87	5,224.00	3,284.40								
369	Wool extract, yarn, thread, and all other wastes not specially provided for	46.50	46.50	61,134.00	28,426.00								
	Noils	50.60	50.60	175,335.00	88,722.20								
	Shoddy	98.21	98.21	14.00	13.75								
370	Rags and flocks	32.57	32.57	46,454.00	15,129.05								
a 371													
373	Yarns, made wholly or in part of wool—												
	Valued not more than 30 cents per pound	143.02	143.02	21.80	31.18								
	Valued more than 30 cents per pound	87.25	87.25	133,916.06	116,843.59								
374	Knit fabrics (not wearing apparel)—												
	Valued not more than 40 cents per pound	141.00	141.00	1.00	1.41								
	Valued more than 40 and not more than 70 cents per pound	119.06	119.06	539.00	641.74								
	(L) Valued above 70 cents per pound	95.67	95.67	9,676.50	9,255.23								
	(L) Plushes and other pile fabrics—												
	Valued not over 40 cents per pound	141.78	141.78	32.00	45.37								
	Valued more than 40 and not more than 70 cents per pound	114.37	114.37	1,434.00	1,642.32								
	Valued more than 70 cents per pound	95.33	95.33	18,082.50	17,237.94								
	All other manufactures wholly or in part of wool—												
	Valued not more than 40 cents per pound	140.55	140.55	11,345.00	15,946.39								
	Valued more than 40 and not more than 70 cents per pound	128.11	128.11	21,387.15	27,399.48								
	Valued more than 70 cents per pound	79.47	79.47	259,538.77	206,253.65								
	Cloths, woolen or worsted—												
	Valued not more than 40 cents per pound	134.97	134.97	27,693.25	37,378.42								
	Valued more than 40 and not more than 70 cents per pound	118.89	118.89	188,917.50	224,596.07								
	(L) Valued above 70 cents per pound	94.32	94.32	5,369,487.80	5,064,787.62								

a Tops classified at the same duty imposed upon the scoured wool of which they are made and 6 cents per pound in addition thereto. Stricken out in Senate bill.

SCHEDULE K—*Wool, and manufactures of wool*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Wool, hair of the camel, goat, alpaca, etc.—Continued.												
375	Blankets—												
	Valued not more than 40 cents per pound	P. ct. 107.60	P. ct. 107.60	$316.00	$340.32								
	Valued more than 40 and not more than 50 cents per pound	106.12	106.12	219.00	232.41								
	Valued at more than 50 cents per pound	71.30	71.30	29,737.48	21,204.53								
	More than 3 yards in length—												
	Valued not more than 40 cents per pound	165.42	165.42	40.60	67.16								
	Valued more than 40 and not more than 70 cents per pound	120.98	120.98	3,668.00	4,437.70								
	Valued more than 70 cents per pound	104.55	104.55	8,217.00	8,591.35								
	Flannels for underwear—												
	Valued not more than 40 cents per pound	143.67	143.67	24.00	34.48								
	Valued more than 40 and not more than 50 cents per pound	101.26	101.26	128.00	129.61								
	Valued more than 50 and not more than 70 cents per pound	105.49	105.49	111.00	117.10								
	Valued above 70 cents per pound	86.39	86.39	6,039.13	5,217.29								
	Weighing over 4 ounces per square yard—												
	Valued more than 50 and not more than 70 cents per pound	125.80	125.80	4,356.00	5,480.64								
	Valued more than 70 cents per pound	106.57	106.57	49,890.00	53,168.50								
	Dress goods, women's and children's, coat linings, Italian cloths, and goods of similar description:												
376	The warp consisting wholly of cotton or other vegetable materials, with the remainder of the fabric composed wholly or in part of wool—												
	Valued not exceeding 15 cents per square yard—												
	Not above 70 cents per pound	105.92	105.92	1,392,913.66	1,475,421.77								
	(L) Above 70 cents per pound	106.37	106.37	138,489.90	147,314.18								
	Valued above 15 cents per square yard—												
	Not above 70 cents per pound	96.87	96.87	33,131.50	32,092.63								
	(L) Above 70 cents per pound	94.13	94.13	1,373,974.45	1,293,387.28								
	Weighing over 4 ounces per square yard—												
	Valued more than 40 and not more than 70 cents per pound	115.53	115.53	255.00	294.59								
	(L) Valued more than 70 cents per pound	92.61	92.61	11,358.40	10,519.31								
377	Composed wholly or in part of wool—												
	Valued not above 70 cents per pound	104.19	104.19	6,536.50	6,831.13								
	(L) Valued above 70 cents per pound	103.52	103.52	4,109,310.49	4,253,859.77								
	Weighing over 4 ounces per square yard—												
	Valued not more than 40 cents per pound	70.50	70.50	2.00	1.41								
	(L) Valued more than 40 and not more than 70 cents per pound	118.27	118.27	162,760.00	192,498.92								
	(L) Valued more than 70 cents per pound	100.59	100.59	2,297,821.93	2,311,433.93								
378	Felts, not woven	95.98	95.98	111,405.73	106,935.26								
	Wearing apparel—Clothing, ready-made, and articles of wearing apparel, made up or manufactured, wholly or in part, not specially provided for—												
	Cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, and articles of similar description, or used for like purposes	80.32	80.32	141,740.60	113,880.52								
	Hats of wool	86.61	86.61	15,900.00	13,771.32								
	Knitted articles	92.17	92.17	617,267.88	568,907.47								
	Shawls, knitted or woven	92.70	92.70	61,283.75	57,812.67								
	Other clothing, ready-made, and articles of wearing apparel, made up or manufactured, wholly or in part	76.89	76.89	1,016,230.38	778,384.02								

SCHEDULE K—*Wool, and manufactures of wool*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
379	(L) Webbings, gorings, suspenders, braces, bandlings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, laces, and other trimmings and articles made wholly or in part of lace, embroideries and articles embroidered by hand or machinery, head nets, netting, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, made of wool or of which wool is a component material, whether composed in part of india rubber or otherwise	P. ct. 80.83	P. ct. 80.83	$12,522.50	$10,122.50								
	Carpets and carpeting:												
380	(L) Aubusson, Axminster, moquette, and chenille carpets	66.34	66.34	48,146.55	31,939.89								
381	(L) Saxony, Wilton, and Tournay velvet carpets	72.67	72.67	58,263.00	42,340.05								
382	(L) Brussels carpets	75.81	75.81	11,403.33	8,645.08								
383	(L) Velvet and tapestry velvet carpets, printed on the warp or otherwise	58.86	58.86	49,383.00	29,067.23								
384	Tapestry Brussels, printed on the warp or otherwise	60.73	60.73	316.00	191.92								
385	Treble ingrain, three-ply, and all-chain Venetian carpets	66.72	66.72	19,036.00	12,700.97								
386	Wool, Dutch, and two-ply ingrain carpets	58.63	58.63	1,693.00	992.65								
387	(L) Carpets woven whole for rooms, and oriental, Berlin, Aubusson, Axminster, and other similar rugs	60.01	60.01	4,172,734.79	2,503,809.47								
388	Druggets and bockings, printed, colored, or otherwise	70.81	70.81	7,321.00	5,183.84								
389	Felt carpeting	50.00	50.00	3.00	2.50								
	(L) Carpets of wool, or in part of, n. s. p. f.	50.00	50.00	51,690.00	25,845.00								
		61.46	61.46	26.00	15.98								
390	Mats, rugs for floors, screens, covers, hassocks, bedsides, art squares, and other portions of carpets and carpeting, n. s. p. f.	114.66	114.66	3.00	3.44								
		50.00	50.00	124.00	62.00								
	Total, Schedule K	58.19	58.19	62,818,610.81	36,554,707.01								

SCHEDULE L—*Silks, and silk goods.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	(L) ENTIRE SCHEDULE.												
392	Silk, partially manufactured from cocoons, or from waste silk, and not further advanced or manufactured than carded or combed silk	P. ct.	P. ct.										
393	Spun silk in skeins, cops, warps, or on beams:												
	Valued not exceeding $1 per pound	41.71	46.74			$337,579.00	15.42	$140,798.45	$157,782.80				
	Valued over $1 and not exceeding $1.50 per pound	37.34	*50.00			1,101,888.00	33.90	411,239.70	550,944.00				
	Valued over $1.50 and not exceeding $2 per pound	37.38	*50.00			2,071,862.00	33.76	774,433.20	1,035,931.00				
	Valued over $2 and not exceeding $2.50 per pound	36.29	*50.00			272,505.00	37.78	98,893.28	136,252.50				
	Valued over $2.50 per pound	36.52	*50.00			761.00	36.91	277.95	380.50				
	All on which ordinary duty does not amount to 35 per cent	35.00	*50.00			5,250.00	42.86	1,837.50	2,625.00				
393	*Spun silk or schappe silk yarn, valued at not exceeding $1 per pound, whether in singles or advanced beyond the condition of singles by grouping or twisting two or more single yarns together 35 cents per pound. Spun silk, or schappe silk yarn, valued at exceeding $1 per pound, in the gray, in skeins, warps, or cops, if in singles and not advanced be-*												

*Estimated.

SCHEDULE L—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Spun silk in skeins, cops, warps, or on beams—Continued. *pond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 45 cents per pound, and in addition thereto 0.15 of a cent per number per pound; on all numbers exceeding No. 205, 45 cents per pound, and in addition thereto 0.15 of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 50 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 50 cents per pound, and in addition thereto 0.15 of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, in the gray, on bobbins, spools, or beams, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 45 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 55 cents per pound, and in addition thereto 0.15 of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 60 cents per pound, and in addition thereto 0.15 of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, colored, bleached, or dyed, in skeins or warps, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 55 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 55 cents per pound, and in addition thereto 0.15 of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 60 cents per pound, and in addition thereto 0.15 of a cent per number per pound. Spun silk or schappe silk yarn, valued at exceeding $1 per pound, colored, bleached, or dyed, on bobbins, cops, spools, or beams, if in singles and not advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 65 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on all numbers exceeding No. 205, 65 cents per pound, and in addition thereto 0.15 of a cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more single yarns together, on all numbers up to and including No. 205, 70 cents per pound, and in addition thereto 0.10 of a cent per number per pound; on												

SCHEDULE L—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Spun silk in skeins, cops, warps, or on beams—Continued. *all numbers exceeding No. 205, 70 cents per pound, and in addition thereto 0.15 of a cent per number per pound. In assessing the duty on all spun silk or schappe silk yarn, the number shall be that indicating the size of the yarn according to the metric or French system, and shall, in all cases, refer to the size of the spun single, of which said yarn may be composed: Provided, That in no case shall the duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams. But in no case shall any of the goods enumerated in this paragraph pay less rate of duty than 37½ per cent ad valorem.*												
394	Thrown silk, not more advanced than singles, tram, or organzine, twist and floss	P. ct. 30.00	P. ct. a46.81			$40,696.50	56.03	$12,208.95	$19,047.66				
	Sewing silk and silk threads or yarns of every description	30.00	a58.31			659,601.00	94.73	197,880.30	384,643.30				
394	*Thrown silk in the gum, if singles, 50 cents per pound; if tram, 75 cents per pound; if organzine, $1 per pound; if ungummed, wholly or in part, or if further advanced in manufacture in any way, in addition thereto, 50 cents per pound. Sewing silk, twist, floss, and silk threads or yarns of any description made from raw silk, not specially provided for in this act, if in the gum, $1 per pound; if ungummed, wholly or in part, or if further advanced in manufacture in any way, $1.50 per pound: Provided, That in no case shall the duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams.*												
395	Velvets, plushes, and other pile fabrics:												
	Plushes	75.12	105.22			73,814.00	40.07	55,452.35	77,665.44				
	Plushes on which ordinary duty does not amount to 50 per cent	50.00	49.55							$11,481.00	0.90	$5,740.50	$5,688.45
	Velvets, velvet or plush ribbons, and chenilles	60.33	75.55			1,652,329.00	25.23	996,878.38	1,248,381.73				
	Velvets, velvet or plush ribbons, and chenilles on which ordinary duty does not amount to 50 per cent	50.00	55.60			940,575.00	11.32	470,287.50	523,552.43				
	Other pile fabrics	69.70	91.17			5,231.00	30.80	3,646.11	4,769.08				
	Other, on which ordinary duty does not amount to 50 per cent	50.00	29.68							453.65	40.64	226.82	134.65
395	*Velvets, chenilles, or other pile fabrics, not specially provided for in this act, cut or uncut, composed of silk, or of which silk is the component material of chief value, weighing not less than 5½ ounces per square yard, $1.50 per pound; if weighing less than 5½ ounces per square yard, but not less than 4 ounces, if having more than 150 picks per inch, or if all the filling is not of cotton, $3.20 per pound; if having 130 picks per inch or less, and if all the filling is of cotton, $2.50 per pound; if weighing less than 4 ounces to the square yard, $4 per pound. Plushes, cut or uncut, composed of silk, or of which silk is the component material of chief value, if weighing not less than 9½ ounces per square yard, $1 per pound; if weighing less than 9½ ounces per square yard, $2.40 per pound. Measurements to ascertain widths of goods for determining weight per square yard of the foregoing articles shall not include the selvedges, but the duty shall be levied upon total weight of goods, including the selvedges. In distinguishing between "plushes" and "velvets" the length of the pile shall be considered. Such goods, in the above classification, shall be considered as "plushes" in which*												

a Estimated.

SCHEDULE L.—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Velvets, plushes, and other pile fabrics—Continued												
	the length of the pile is one-sixteenth of an inch or more. Such goods shall be classed as "velvets" in which the length of the pile is less than one-sixteenth of an inch. The distance from the bottom of the first binding pick to the extreme end of the pile shall be considered as the length of the pile. Velvet or plush ribbons, or other pile fabrics not over 12 inches in width and not less than three-quarters of an inch in width, cut or uncut, of which silk is the component material of chief value, not specially provided for in this act, if containing no silk except that in the pile and selvedges, if black $1.60 per pound; if other than black $1.75 per pound; if containing silk other than that in the pile and selvedges, if black $2 per pound; if other than black $2.25 per pound. If less than three-quarters of an inch in width in addition to above rates for each one-quarter of an inch or fraction thereof less than three-quarters of an inch in width, 40 cents per pound: Provided, That manufactures wholly or in chief value of velvets, plushes, velvet or plush ribbons, shall pay not less than the rate of duty herein imposed upon such fabrics, and in addition one-fifth of such duties.												
	Fabrics, woven in the piece:												
	Weighing not more than ¼ ounce per square yard	*P. ct.* 67.81	*P. ct.* 60.27							$459,925.00	11.11	$311,852.19	$277,201.92
	Other, on which ordinary duty does not amount to 50 per cent	50.00	50.00	$6,827.98	$3,413.99								
	Weighing more than ¼ ounce and less than 1½ ounces per square yard—												
	In the gum, or dyed in the thread or yarn	68.71	74.76			$90,218.00	8.80	$61,987.73	$67,442.67				
	Boiled off	54.46	58.99			1,802,070.00	8.33	1,013,995.39	1,098,495.00				
	Dyed or printed in the piece	59.55	64.13			1,338,695.00	7.70	797,237.92	858,563.90				
	Other, on which specific duty is less than 50 per cent	50.00	50.00	317,815.00	158,907.50								
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—												
	In the gum—												
	Containing not more than 20 per cent in weight of silk	78.57	100.17			42.00	27.50	33.00	42.08				
	Containing more than 20 per cent and not more than 30 per cent in weight of silk	56.44	a60.47			1,808.00	23.08	1,020.50	1,256.00				
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	67.03	78.20			12,384.00	16.67	8,301.18	9,684.68				
	Containing more than 45 per cent in weight of silk	78.03	78.03	4,329.00	3,378.34								
	Dyed in the piece—												
	Containing not more than 20 per cent in weight of silk	55.95	79.28			211,084.00	41.67	118,096.80	167,303.80				
	Containing more than 20 per cent and not more than 30 per cent in weight of silk	52.89	66.17			2,282.00	25.00	1,207.90	1,509.88				
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	51.86	59.01			619.00	13.64	321.42	365.25				
	Boiled off or printed, containing more than 45 per cent in weight of silk	87.80	87.80	45,809.00	40,301.54								
	Dyed in the thread or yarn—												
	Black, except selvedges—												
	Containing not more than 30 per cent in weight of silk	54.88	128.06			18,130.00	133.33	9,950.25	23,217.25				
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	55.13	87.71			16,538.00	59.09	9,118.28	14,506.35				
	Containing more than 45 per cent in weight of silk—												
	Weighted to exceed original weight of the raw silk	54.47	65.36			123,314.00	20.00	67,170.00	80,604.00				
	Weight not increased beyond original weight of the raw silk	53.31	62.20			15,680.00	16.67	8,359.35	9,752.58				

a Estimated.

SCHEDULE L.—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Fabrics, woven in the piece—Con.												
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—Continued.												
	Dyed in the thread or yarn—Continued.												
	Other—												
	Containing not more than 30 per cent in weight of silk lbs.	*P. ct.* 67.10	*P. ct.* a130.56			$1,851.00	94.44	$1,242.88	$2,416.70				
	Containing more than 30 per cent and not more than 45 per cent in weight of silk lbs.	53.34	a53.34	$34,834.00	$18,582.53								
	Containing more than 45 per cent in weight of silk—												
	Weighted to exceed original weight of the raw silk lbs.	53.47	a83.18			358,483.00	55.55	191,694.31	298,191.15				
	Weight not increased beyond original weight of the raw silk lbs.	56.53	56.53	386,266.00	218,353.05								
	Other on which specific duty does not amount to 50 per cent lbs.	50.00	a75.00			7,444,308.84	50.00	3,722,154.42	5,583,231.63				
	Weighing over 8 ounces per square yard lbs.	50.00	a50.00	319.00	159.50								
	Jacquard figured silk goods in the piece, dyed in the yarn, and containing 2 or more colors in the filling lbs.	50.00	a50.00	790,857.50	395,428.75								
	365. Woven fabrics in the piece, composed wholly or of chief value of silk, not specially provided for in this act, if weighing not more than one-third of an ounce per square yard $4 per pound; if weighing more than one-third of an ounce, but not more than two-thirds of an ounce per square yard: if in the gum, $3 per pound; if ungummed, wholly or in part, $3.25 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.50 per pound; if weighing more than two-thirds of an ounce but not more than one ounce per square yard; if in the gum, $2.65 per pound; if ungummed, wholly or in part, $3 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.25 per pound; if weighing more than 1 ounce but not more than 1½ ounces per square yard; if in the gum, $2.50 per pound; if ungummed, wholly or in part, $2.85 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.10 per pound; if weighing more than 1½ ounces, but not more than 2 ounces, and if containing not more than 20 per cent in weight of silk, if in the gum, 70 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 85 cents per pound; if containing more than 20 per cent in weight of silk, but not more than 30 per cent, if in the gum, 85 cents per pound; if ungummed wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing more than 30 per cent in weight of silk but not more than 40 per cent, if in the gum $1.05 per pound; if ungummed wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.25 per pound; if containing more than 40 per cent of weight in silk but not more than 50 per cent; if in the gum $1.25 per pound; if ungummed wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.50 per pound; if containing more than 50												

a Estimated.

SCHEDULE L—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	395. *Woven fabrics, etc.*—Cont'd. *per cent in weight of silk or if wholly of silk, if in the gum $2.50 per pound; if ungummed wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3 per pound; if weighing more than 2 ounces per square yard, but not more than 8 ounces, and if containing not more than 30 per cent in weight of silk, if in the gum 87½ cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 70 cents per pound; if containing more than 30 per cent in weight of silk, but not more than 50 per cent; if in the gum, 75 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 90 cents per pound; if containing more than 50 per cent in weight of silk, but not more than 60 per cent; if in the gum, 90 cents per pound; if ungummed wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing more than 60 per cent in weight of silk, but not more than 80 per cent, if in the gum, $1.10 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.30 per pound; if containing more than 80 per cent in weight of silk, or if wholly of silk, if in the gum, $2.25 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture, or otherwise, or if dyed or printed in the piece, $2.75 per pound. Woven fabrics in the piece, composed wholly or of chief value of silk, if dyed in the thread or yarn, and if weight is not increased in dyeing beyond the original weight of raw silk, if containing not more than 45 per cent in weight of silk, $1.75 per pound; if containing more than 45 per cent in weight of silk, $3 per pound; if weight is increased in dyeing beyond the original weight of raw silk; if weighing more than one-third of an ounce, but not more than 1 ounce, per square yard, if black (except selvedges), $2.50 per pound; if other than black, $3 per pound; if weighing more than 1 ounce, but not more than 1½ ounces per square yard, if black (except selvedges), $3 per pound; if other than black, $3.75 per pound; if weighing more than 1½ ounces but not more than 1¾ ounces per square yard, if black (except selvedges), $1.80 per pound; if other than black, $2.40 per pound; if weighing more than 1¾ ounces but not more than 2 ounces per square yard, if black (except selvedges), $1.55 per pound; if other than black, $2.25 per pound; if weighing more than 2 ounces but not more than 3 ounces per square yard, and if containing not more than 30 per cent in weight of silk, if black (except selvedges), 75 cents per pound; if other than black, [illegible] cents per pound; if containing more than 30 per cent in weight of silk but more than 50 per cent, if black (except selvedges), $1.10 per pound; if other than black, $1.[illegible] per pound; if containing more than 50 per cent in weight of silk, or if compound wholly of silk, and if having not more than 220 single threads to the inch in the warp, if black (except selvedges), $1.30 per pound; if other than black, $2 per pound; if having more than 220 sin-*												

SCHEDULE L—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	395. *Woven fabrics, etc.*—Cont'd. *gle threads to the inch in the warp, but not more than 300, if black (except selvedges), $1.65 per pound; if other than black, $2.25 per pound; if having more than 300 single threads to the inch in the warp, but not more than 380, if black (except selvedges), $1.80 per pound; if other than black, $2.60 per pound; if having more than 380 single threads to the inch in the warp, but not more than 460, if black (except selvedges), $2 per pound; if other than black, $2.75 per pound; if having more than 460 single threads to the inch in the warp, if black (except selvedges), $2.25 per pound; if other than black, $3 per pound; if printed in the warp and if weighing not more than 1½ ounces per square yard, $3.50 per pound; if weighing more than 1½ ounces, but not more than 2 ounces per square yard, $3.25 per pound; if weighing more than 2 ounces per square yard, $2.75 per pound. But in no case shall any goods made on jacquard looms or any goods containing more than one color in the filling, including such as have india rubber as a component material, or any of the goods enumerated in this paragraph, pay a less rate of duty than 50 per cent ad valorem.*												
396	Handkerchiefs or mufflers composed wholly or in part of silk, whether in the piece or otherwise, finished or unfinished:												
	Not hemmed or hemmed only—												
	Weighing more than ½ ounce and less than 1½ ounces per square yard—	*P. ct.*	*P. ct.*										
	Boiled off	59.00	50.00							$8,520.00	15.25	$5,027.60	$4,260.00
	Dyed or printed in the piece	61.28	50.00							4,282.00	18.41	2,624.57	2,141.00
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—												
	Dyed in the piece, boiled off, or printed, containing more than 45 per cent in weight of silk	77.44	50.00							3,151.00	32.83	2,440.81	1,575.50
	Dyed in the thread or yarn, other, containing more than 30 per cent and not more than 45 per cent in weight of silk	56.00	50.00							9.00	10.71	5.04	4.50
	On which ordinary duty does not amount to 50 per cent	50.00	50.00	$27,961.58	$13,980.81								
	Hemstitched, or imitation hemstitched, or revered or having drawn threads, or embroidered in any manner, whether with an initial letter, monogram, or otherwise, by hand or machinery, or tamboured, appliquéed, or made or trimmed wholly or in part with lace, or with tucking or insertion—												
	Weighing more than ½ ounce and less than 1½ ounces per square yard—												
	Boiled off	63.49	60.00							20,304.00	5.50	12,892.50	12,182.40
	Dyed or printed in the piece	53.55	60.00			$2,075.00	12.98	$1,111.15	$1,245.00				
	Other on which specific duty is less than 50 per cent												
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—												
	Dyed in the piece, boiled off, or printed, containing more than 45 per cent in weight of silk	78.21	60.00							4,133.00	23.28	3,232.79	2,479.80
	Dyed in the thread or yarn—												
	Other—												
	Containing more than 30 per cent and not more than 45 per cent in weight of silk	60.20	60.00							20.00	.33	12.04	12.00

SCHEDULE L—*Silks, and silk goods*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Handkerchiefs or mufflers, composed wholly or in part of silk, etc.—Continued.												
	Hemstitched or imitation hemstitched, etc.—Continued.												
	Weighing over 8 ounces per square yard	*P. ct.* 60.00	*P. ct.* 60.00	$430.00	$258.00								
	On which ordinary duty does not amount to 60 per cent	60.00	60.00	346,802.90	208,081.74								
398	Laces, and articles made wholly or in part of lace, edgings, insertings, galloons, cluffons or other flouncings, *ornaments*, nets or nettings and veilings, neck ruffings, ruchings, braids, fringes, trimmings, embroideries, and articles embroidered by hand or machinery, or tamboured or appliqued	60.00	60.00	7,049,851.51	4,229,910.92								
	Bandings, including hat bands, *not exceeding 12 inches in width, and if with fast edges*	50.00	50.00	1,042,923.75	521,461.90								
	Beltings, bindings, *not exceeding 12 inches in width, and if with fast edges*, bone casings, braces, cords, cords and tassels, garters, gorings, suspenders, tubings, and welts and webbings, composed wholly or in part of silk, and whether composed in part of India rubber or otherwise, if not embroidered in any manner by hand or machinery	50.00	50.00	178,605.36	89,302.69								
	Ribbons, *not exceeding 12 inches in width, and if with fast edges*	50.00	50.00	1,841,322.90	920,661.47								
	Wearing apparel:												
	Knit goods, made up wholly or in part by the tailor, seamstress, or manufacturer	60.00	60.00	1,472,142.88	883,285.73								
	Ready-made clothing and other articles of wearing apparel	60.00	60.00	3,457,677.11	2,074,606.26								
	Silk goods, ornamented with beads or spangles	60.00	60.00	5,488.50	3,293.10								
399	All manufactures of silk not specially provided for	50.00	50.00	1,274,673.49	637,336.79								
	Buttons	50.00	50.00	29,992.00	14,996.00								
400	Sewing silk and silk threads or yarns of every description (artificial)	30.00	30.00	908,099.00	272,429.70								
	Horsehair, artificial	20.00	20.00										
401	*Yarns, threads, filaments, or imitation silk or imitation horsehair, by whatever name known, and by whatever process made, if in the form of singles, 15 cents per pound; if in the form of tram, 50 cents per pound; if in the form of organzine, 60 cents per pound: Provided, That in no case shall any yarns or threads of artificial silk or imitation horsehair, or any yarns or threads made from waste of such materials, pay a less rate of duty than 30 per cent ad valorem; braids, lace, embroideries, pellicons, neck ruffings, ruchings, fringes, trimmings, beltings, cords, tassels, ribbons, or other articles or fabrics composed wholly or in chief value of yarns, threads, filaments, or fibers of imitation silk or imitation horsehair, by whatever name known, and by whatever process made, 15 cents per pound, and in addition thereto 60 per cent ad valorem.*					$416,522.25	150.00	$83,304.45	$208,261.13				
	Total, Schedule L	52.32	60.76	19,223,118.46	10,708,130.31	19,078,195.59	35.72	9,260,140.60	12,568,064.49	$512,278.65	11.44	$344,053.860	$5,680.223

a Estimated.

SCHEDULE M—*Pulp, papers, and books.*

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
402	Wood pulp:												
	Mechanically ground	*P. ct.* 13.14	*P. ct.* a Free.		b $4,792.86					$1,528,975.04	Free.	$196,177.73	Free.
	Chemical, unbleached	9.61	9.61	$2,776,748.65	b 3,589.71; 263,295.50								
	Chemical, bleached	10.14	10.14	2,073,408.00	210,305.74								
403	Sheathing paper	10.00	10.00	84,722.05	8,472.22								
	Roofing felt	10.00	10.00	8,867.00	886.70								
404	Filter masse, or filter stock, composed wholly or in part of wood pulp, wood flour, cotton, or other vegetable fiber	30.24	30.24	33,580.00	10,155.85								
405	Printing, unsized, sized, or glued, suitable for books and newspapers—												
	Valued not above 2(1) cents per pound	16.82	5.58							312,772.00		b 219.54; 52,399.88	b $219.52; 17,466.64
	Valued above 2(1) and not above 2½ cents per pound	18.41	13.81							3,634.00	25.00	669.45	503.08
	Valued above 2½ and not above 3 cents per pound	18.90	18.90	3,381.00	639.07								
	Valued above 3 and not above 4 cents per pound	16.15	16.15	10,171.00	1,642.98								
	Valued above 4 and not above 5 cents per pound	17.79	17.79	15,765.00	2,805.06								
	Valued above 5 cents per pound	15.00	15.00	251,096.00	37,664.40								
406	Copying, stereotype, bibulous, tissue, pottery, and all similar papers, white, colored, or printed:												
	Weighing not over 6 pounds to the ream of 480 sheets, on the basis of 20 by 30 inches in size	39.28	39.28	177,046.00	69,549.14								
	Weighing over 6 and not over 10 pounds to the ream	46.36	46.36	52,899.00	24,525.70								
	Books, letter copying	35.37	35.37	441.00	156.00								
	Crepe and filtering paper	40.18	40.18	75,909.50	30,498.66								
407	Surface-coated papers:												
	Printed, or wholly or partly covered with metal or its solutions, or with gelatin or flock	37.89	37.89	231,509.75	87,737.41								
	Other, not specially provided for	44.99	44.99	573,728.00	258,138.44								
	Parchment	21.90	21.90	42,817.15	9,378.32								
	Photographic—												
	Plain basic for albuminizing, sensitizing, or baryta coating	19.17	19.17	726,160.00	139,170.89								
	Albuminized or sensitized, or otherwise coated	30.00	30.00	453,869.75	136,160.93								
408	(L) Lithographic prints from stone, zinc, aluminum, or other material, bound or unbound, not elsewhere specified:												
	On cardboard or other material exceeding $\frac{1}{200}$ inch in thickness	23.22	23.22	619,300.00	143,809.39								
	On paper or other material—												
	Not exceeding $\frac{1}{1000}$ inch in thickness	17.68	17.68	468,650.50	82,845.86								
	Exceeding $\frac{1}{1000}$ inch and not exceeding $\frac{20}{1000}$ inch in thickness, cutting size in dimensions—												
	Not exceeding 35 square inches	15.89	22.25			$2,034,922.10	40.00	$323,392.35	$452,749.25				
	Exceeding 35 but not exceeding 400 square inches	24.28	21.24							423,019.00	12.50	102,703.39	89,865.46
	Exceeding 400 square inches	35.00	16.74							9,764.62	52.17	3,417.61	1,634.41
	(L) Lithographic cigar labels, flaps, and bands, lettered or blank, printed from stone, zinc, aluminum, or other material:												
	Printed in less than eight colors, but not including metal-leaf printing	20.94	28.78			216,746.80	37.50	45,377.36	62,393.87				
	Printed in eight or more colors, but not including metal-leaf printing	35.42	38.37			51,180.00	8.33	18,126.23	19,636.75				
	Printed in whole or in part in metal leaf	40.48	42.50			73,689.00	5.00	29,826.24	31,317.55				
	Printed entirely in bronze printing	21.06	38.61			1,156.00	16.66	243.30	446.33				
	Books of paper or other material for children's use, containing illuminated lithographic prints, not exceeding in weight 24 ounces each, and all booklets and fashion magazines or periodicals printed in whole or in part by lithographic process or decorated by hand	22.53	22.53	22,658.00	5,105.80								

a When from country not imposing any export duty.

b Countervailing duty.

SCHEDULE M—*Pulp, papers, and books*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
609	Writing, letter, note, handmade, drawing, ledger, bond, record, tablet, and typewriter paper: Weighing not less than 10 nor more than 15 pounds to the ream—												
	Not ruled, bordered, embossed, printed, or decorated	26.43	43.06			$13,778.00	65.42	$3,586.68	$5,932.24				
	Ruled, bordered, embossed, printed, or decorated	27.33	37.79			426.50	38.78	116.48	161.19				
	(L) Weighing more than 15 pounds to the ream—												
	Not ruled, bordered, embossed, printed, or decorated	32.44	32.54	$167,910.00	$54,641.58								
	Ruled, bordered, embossed, printed, or decorated	38.33	38.51	6,022.40	2,319.12								
610	Envelopes:												
	(L) Bordered, embossed, printed, tinted, or decorated	35.00	35.00	3,041.25	1,064.44								
	Plain paper	20.00	20.00	7,679.25	1,535.85								
611	Jacquard designs of one-line paper, or parts of, and Jacquard designs and parts of, cut on Jacquard cards	35.00	35.00	1,905.50	666.94								
	Press board or press paper valued at 10 cents per pound or over												
	Paper hangings, and paper for screens or fireboards	25.00	25.00	671,904.00	167,976.00								
	Wrapping paper, n. s. p. f.												
	All other paper, n. s. p. f.	25.00	25.00	1,326,614.63	331,653.67								
612	Books, pamphlets, bound or unbound, maps, charts, music in books or sheets, and all printed matter, n. s. p. f.	25.00	25.00	2,770,061.67	692,515.54								
	Blank books	25.00	25.00	75,460.25	18,865.07								
	Slate books												
	Engravings, bound or unbound, etchings, and photographs	25.00	25.00	273,317.33	68,329.36								
613	(L) Photograph, autograph, and scrap albums, wholly or partly manufactured	35.00	35.00	315,208.83	110,358.12								
	Post cards and postage-stamp albums												
614	(L) Fancy boxes made of paper, or of which paper is the component material of chief value, or if covered with surface-coated paper	45.00	45.00	123,102.86	59,896.78								
615	(L) Playing cards	138.98	138.98	10,363.00	14,402.35								
616	Manufactures of paper, or of which paper is the component material of chief value, n. s. p. f.	35.00	35.00	868,835.24	304,092.39								
	Total, Schedule M	30.42	30.22	15,234,214.56	3,359,643.84	2,391,898.40	36.13	420,668.64	572,637.18	$278,164.66	69.15	$355,587.00	$109,689.11

SCHEDULE N—*Sundries*.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
		P. ct.	P. ct.										
417	(L) Beads and bead ornaments: Beads, not threaded or strung	35.00	35.00	$162,248.37	$56,786.94								
	Fabrics, nets, or netting, laces, embroideries, galloons, wearing apparel, ornaments, trimmings, *curtains, fringes*, and other articles not specially provided for, composed wholly or in part (*chief value*) of beads or spangles made of glass or paste, gelatin, metal or other material, but not containing any part of wool	60.00	60.00	526,065.36	315,639.22								
418	Hats, bonnets, and hoods, and materials for:												
	Materials for—												
	Braids, plaits, laces, and willow *sheets or squares*, composed wholly or in *chief value* of straw, chip, grass, palm leaf, willow, osier, rattan, *Cuba bark*, or *manila hemp*, suitable for making or ornamenting hats, bonnets, or hoods—												
	Not bleached, dyed, colored, or stained	13.00	13.00	2,984,368.00	447,684.90								
	Bleached, dyed, colored, or stained	20.00	[a]20.00	508,993.50	101,798.70								

[a] Under par. 471b.

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Hats, bonnets, and hoods, and materials for—Continued.												
	Hats, bonnets, and hoods composed *wholly or in chief value* of straw, chip, grass, palm leaf, willow, osier, rattan, *Cuba bark*, or *manila hemp*, whether wholly or partly manufactured—	P. ct.	P. ct.										
	Not trimmed	35.00	35.00	$2,436,214.94	$852,675.27								
	Trimmed	50.00	50.00	148,870.77	74,435.39								
419	Brooms	40.00	40.00	2,045.00	818.00								
	Brushes, feather dusters, and hair pencils	40.00	40.00	1,597,045.82	638,818.33								
420	Bristles, sorted, bunched, or prepared	8.30	8.30	3,203,092.00	265,840.48								
421	Buckles, trousers, *or waistcoat*, or parts of, made wholly or partly of iron or steel:												
	Valued not more than 15 cents per hundred	77.48	77.48	22,031	17,069.47								
	Valued more than 15 and not more than 50 cents per hundred	57.73	57.73	409.00	236.11								
	Valued more than 50 cents per hundred	26.68	26.68	71.00	18.94								
[a] 422	Button forms: Lastings, mohair, cloth, silk, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively	10.00	[b]40.00			$85,225.00	300.00	$8,522.50	$34,090.00				
[c] 423	Buttons, or parts of buttons, and button molds or blanks, finished or unfinished:												
	Agate buttons	70.75	70.75	97,440.00	68,914.44								
	Bone buttons	66.45	66.45	950.00	631.23								
	Collar and cuff buttons and studs, *composed wholly of bone, mother-of-pearl, or ivory*	50.00	50.00	90,977.02	45,488.52								
	Glass buttons	33.09	33.09	29,456.00	9,746.19								
	(L) Horn and vegetable ivory buttons	71.88	71.88	68,538.50	49,269.74								
	Metal buttons, n. s. p. f.	30.03	30.03	252,495.15	75,834.29								
	Nickel bar buttons	73.79	73.79	814.00	600.67								
	(L) Pearl or shell buttons	57.40	57.40	164,154.00	94,218.05								
	Shoe buttons made of paper, board, papier-maché, pulp, or other similar material, n. s. p. f., value not exceeding 3 cents per gross	44.92	44.92	187.00	84.00								
	Trousers buttons—												
	Steel	126.88	126.88	2,169.00	2,752.11								
	Other metal	35.85	35.85	262.00	93.92								
	Other, n. s. p. f.	50.09	50.00	141,586.45	70,793.23								
424	Bituminous coal and shale	21.29	[d]21.29	3,266,424.04	695,480.10								
	Slack or culm of coal, such as will pass through a half-inch screen	11.20	[d]11.20	838,137.60	93,833.92								
	Coke	20.00	[d]20.00	562,586.92	112,517.36								
	Patent fuel	20.00	[d]20.00	522.00	104.40								
	Compositions used for fuel in which coal or coal dust is the component material of chief value, whether in briquettes or other form												
425	Cork, manufactured:												
	Bark, cut into squares or cubes	13.05	13.05	133.00	17.36								
	Corks, ¾ inch or less in diameter	42.08	42.08	54,413.00	22,897.75								
	Corks, over ¾ inch in diameter	22.02	22.02	1,489,448.00	327,913.51								
	All other manufactures	25.00	30.00			159,541.50	20.00	39,885.38	47,862.45				
426	(L) Dice, dominoes, draughts, chessmen, chess balls, and billiard, pool, and bagatelle balls, of ivory, bone, or other materials	50.00	50.00	30,937.25	15,468.63								
427	(L) Toys: Dolls, doll heads, toy marbles of whatever materials composed, and all other toys not composed of rubber, china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for	35.00	35.00	6,929,837.20	2,425,443.01								
428	Emery:												
	Grains, and ground, pulverized, refined, or manufactured emery	21.41	21.41	216,254.00	46,304.04								
	Wheels and files, and manufactures of which emery *or corundum* is the component material of chief value	25.00	25.00	17,366.00	4,341.50								
429	(L) Firecrackers	97.02	97.02	439,217.00	426,137.34								
	(L) Fireworks	20.00	[d]75.00			43,273.00	275.00	8,654.60	32,454.75				
430	Fulminates, fulminating powders, and all like articles not specially provided for	30.00	[d]30.00	275,138.00	82,541.40								
	Suitable for miners' use												
	All other												
	Bombs, rockets, and roman candles												

[a] This paragraph stricken out in Senate bill.
[b] Estimate.
[c] Snap fasteners, or clasps, 50 per cent; buttons of metal, embossed, 45 per cent, provided for in this paragraph in House bill; stricken out in Senate bill.
[d] Subject to modification by the Senate.

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
431	Gunpowder and all explosive substances, used for mining, blasting, artillery, or sporting purposes:	*P. ct.*	*P. ct.*										
	Valued 20 cents or less per pound.	21.57	10.74							$291.00	50.00	$62.48	$31.24
	Valued above 20 cents per pound.	7.79	5.20							212,303.00	33.33	16,545.18	11,030.12
432	Matches, friction or lucifer:												
	In boxes containing not more than 100 matches per box	31.09	23.91							197,816.00	25.00	63,077.76	47,303.32
	Otherwise than in boxes containing not more than 100 matches each	15.00	11.55							10,183.00	25.00	1,567.87	1,175.90
433	Blasting caps	90.25	76.48							15,982.00	15.25	14,422.91	12,222.80
	Cartridges	35.00	30.00							101,482.57	14.28	35,518.90	30,444.77
	Mining and blasting fuse	35.00	30.00							14,083.00	14.28	4,929.05	4,224.90
	Percussion caps	30.00	30.00	$776.00	$232.80								
	Safety fuse												
434	(L) Feathers and downs, not specially provided for, including bird skins or parts of, with the feathers on:												
	Crude or not dressed, colored, or manufactured—												
	Feathers for beds	15.00	20.00			$108,352.50	33.33	$16,252.88	$21,670.50				
	Ostrich feathers	15.00	20.00			3,601,291.25	33.33	540,193.69	720,258.25				
	All other	15.00	20.00			813,475.00	33.33	122,021.25	162,695.00				
	Dressed, colored, or manufactured, including dressed and finished birds suitable for millinery ornaments—												
	Ostrich feathers	50.00	60.00			1,146.16	20.00	573.08	687.70				
	All other	50.00	60.00			1,705,703.00	20.00	852,851.54	1,023,421.80				
	Quills and other manufactures of down	50.00	60.00			1,689.10	20.00	844.55	1,013.46				
	(L) Feathers, artificial or ornamental, fruits, grains, leaves, flowers, and stems, or parts of, of whatever material composed, n. s. p. f.	50.00	60.00			3,366,803.48	20.00	1,683,401.75	2,020,082.09				
	Boas, boutonnieres, wreaths, and all articles not specially provided for, composed wholly or in chief value of any of the feathers, flowers, leaves, or other materials or articles herein mentioned												
435	Furs dressed on the skin, but not made up into articles:												
	Seal	20.00	20.00	514,467.00	102,893.40								
	Other	20.00	20.00	6,312,125.21	1,262,425.04								
	Manufactures of, not specially provided for—												
	Seal	35.00	*35.00	610.47	213.67								
	All other	35.00	*35.00	405,496.57	141,923.78								
436	*Furs dressed on the skin, but not advanced further than dyeing and repairing, twenty per centum ad valorem; manufactures of furs, further advanced than dressing, dyeing, and repairing, when prepared for use as material, including plates, linings, and crosses, thirty-five per centum ad valorem; articles of wearing apparel of every description, partly or wholly manufactured, composed of or of which fur is the component material of chief value, but not in part of wool, fifty per centum ad valorem.*												
	Furs, not on the skin, prepared for hatters' use, including fur skins carreted	20.00	20.00	897,401.00	179,480.20								
436	Fans: All except palm leaf	20.00	20.00	517,804.00	258,902.02								
437	Gun wads	20.00	20.00	883.00	176.60								
438	Human hair:												
	Clean or drawn, but not further manufactured	20.00	20.00	39,691.00	7,938.20								
	Manufactures of, n. s. p. f.	35.00	35.00	88,464.70	30,962.65								
b 439	Hair, manufactures of, n. e. s.	20.00	20.00	7,962.30	1,592.46								
	Hair, manufactures of:												
440	Curled hair, suitable for beds or mattresses	10.00	10.00	75.00	7.50								
441	Haircloth, known as crinoline	68.00	52.54							347.00	20.00	227.90	182.32
	Haircloth, known as hair seating and hair press cloth	14.00	14.20	19,299.00	2,741.80								
442	(L) Hats, bonnets, or hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, foundations, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals:												
	Valued not more than $6 per dozen	93.00	93.00										
	Valued more than $6 and not more than $12 per dozen	55.13	41.35							4,907.25	34.92	4,743.13	3,087.12
	Valued more than $12 and not more than $18 per dozen	55.13	44.24							77,155.41	25.00	42,535.05	31,901.27
	Valued more than $18 per dozen	67.00	55.59							69,032.24	21.76	39,038.55	30,540.48
										82,402.44	22.92	39,105.26	30,139.56

* Estimated.

b Hair, animal, provided for at 20 per cent in House bill. Provision stricken out in Senate bill.

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
443	Fiber ware indurated, and other manufactures composed of wood or other pulp	*P. ct.* 35.00	*P. ct.* 35.00	$1,603.12	$561.09								
	N. s. p. f. printed or unprinted												
444	(L) Jewelry, articles commonly known as, and parts thereof, finished or unfinished, n. s. p. f., *used to be worn upon the person or carried in the hand for purpose of adornment or utility, made in part of metal, including chain purses, and bags, of gold or silver wire or imitations thereof, portmonnaies, watch charms and guards,* including precious stones *and corals* set, pearls set or strung, and cameos in frames	60.00	60.00	1,087,961.06	652,776.63								
445	(L) Coral, manufactures of, not otherwise specified	50.00	60.00			$25,792.75	20.00	$12,896.38	$15,475.65				
	(L) Diamonds and other precious stones advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, and not set:												
	Diamonds	10.00	10.00	23,933,369.00	2,393,336.90								
	Other precious stones	10.00	10.00	4,608,210.57	460,821.08								
	(L) Imitations of, composed of glass or paste, not exceeding an inch in dimensions, not engraved, painted, or otherwise ornamented or decorated, and not mounted or set	20.00	20.00	784,401.81	156,880.38								
	(L) Pearls in their natural state, not strung or set	10.00	10.00	1,593,498.00	159,349.80								
445	*Pearls and parts thereof, drilled or undrilled, but not set or strung, ten per centum ad valorem; diamonds and bort, coral, rubies, cameos, and other precious stones and semiprecious stones, cut but not set, and suitable for use in the manufacture of jewelry, ten per centum ad valorem; imitation precious stones for use in the manufacture of jewelry, doublets, artificial, or so-called synthetic or reconstructed pearls, rubies, or other precious stones, twenty per centum ad valorem.*												
581	Hides of cattle, raw or uncured, whether dry, salted, or pickled:												
	Buffalo hides	15.00	*15.00	$1,907,830.00	286,174.50								
	Other cattle hides	15.00	*15.00	18,595,333.42	2,789,300.00								
	Leather and manufactures of:												
448	Band *bend*, or belting, *rough leather*, and sole	20.00	5.00							$61,739.11	75.00	$12,347.82	$3,086.96
	Upper leather, dressed and finished	20.00	15.00							2,167,945.75	25.00	433,589.15	325,191.86
	All leather n. s. p. f.	20.00	15.00							1,231,369.25	25.00	246,273.85	184,705.39
	Calfskins, tanned or tanned and dressed	20.00	15.00							206,824.00	25.00	41,370.80	31,028.10
	Skins, chamois and other; bookbinders' calfskins, kangaroo, sheep, and goatskins, including lamb and kid skins, dressed and finished, n. s. p. f.	20.00	15.00							806,589.75	25.00	161,317.95	120,988.46
	Chamois skins	20.00	20.00										
	Skins for morocco—												
	Finished	20.00	15.00							41,697.58	25.00	8,339.49	6,254.64
	Tanned, but unfinished	10.00	5.00							3,112,821.75	50.00	311,282.22	155,641.09
	(L) Leather, patent, japanned, varnished, or enameled—												
	Weighing not over 10 pounds per dozen hides or skins	36.10	29.49							216,113.00	18.31	78,028.60	63,742.35
	Weighing over 10 pounds and not over 25 pounds per dozen hides or skins	32.75	28.47							92,185.00	13.07	30,189.40	26,248.61
	Weighing over 25 pounds per dozen hides or skins	28.29	28.29	59,729.00	16,900.25								
	Pianoforte and pianoforte-action leather												
	Boots and shoes	25.00	15.00							164,509.20	40.00	41,127.46	24,676.40
	Shoe laces, finished or unfinished	39.68	29.68							343.00	25.20	136.10	101.80
	Leather, cut into shoe uppers or vamps, or other forms, suitable for conversion into manufactured articles	35.00	40.00			2,964.31	14.28	1,037.50	1,185.72				
	Gauffre leather												
	Manufactures of leather, n. s. p. f.	35.00	40.00			1,245,391.78	14.28	435,887.21	498,156.71				
449	*Bags, baskets, belts, satchels, cardcases, pocketbooks, jewel boxes, portfolios, and other boxes and cases, made wholly of or in chief value of leather, not jewelry, and manufactures of leather, or of which leather is the component material of chief value, not specially provided for in this section, forty per centum ad valorem.*												

* Subject to modification by the Senate.

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Percent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
450 to 452	Gloves made wholly or in part of leather, whether wholly or partly manufactured	P. ct.	P. ct.										
	Ladies' or children's												
	Schmaschen, "glace" finish, of sheep origin—												
	Not over 14 inches in length—												
	Unlined	41.63	41.63	$438,940.00	$182,722.02								
	Unlined, pique or prix seam, or stitched or embroidered	53.22	53.22	24,398.00	12,983.81								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	39.86	39.86	3,666.00	1,461.15								
	Lined	36.12	36.12	45,632.00	16,480.75								
	Lined, pique or prix seam, or stitched or embroidered	53.00	53.00	1.00	.53								
	Over 14 and not over 17 inches in length—												
	Unlined	36.62	36.62	58,860.37	21,554.65								
	Unlined, pique or prix seam, or stitched or embroidered	38.21	38.21	1,706.00	651.90								
	Lined	41.29	41.29	244.00	100.75								
	Lined, pique or prix seam, or stitched or embroidered	51.83	51.83	294.00	152.68								
	Over 17 inches in length—												
	Unlined	29.13	29.13	7,421.00	2,161.98								
	Unlined, pique or prix seam, or stitched or embroidered	74.98	74.98	425.00	318.68								
	Lined	33.99	33.99	774.00	264.06								
	Lined, pique or prix seam, or stitched or embroidered	20.78	20.78	1,280.00	265.95								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	37.21	37.21	599.00	222.96								
	Lamb or sheep, "glace" finish—												
	Not over 14 inches in length—												
	Unlined	49.48	49.48	1,107,960.33	548,268.43								
	Unlined, pique or prix seam, or stitched or embroidered	52.28	52.28	284,874.20	148,939.14								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	51.91	51.91	318,084.51	163,121.52								
	Lined	34.19	34.19	11,133.00	3,807.42								
	Lined, pique or prix seam, or stitched or embroidered	32.42	32.42	1,643.00	532.68								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	32.28	32.28	705.00	227.54								
	(L) Over 14 and not over 17 inches in length—												
	Unlined	39.15	39.15	375,490.97	146,991.87								
	Unlined, pique or prix seam, or stitched or embroidered	37.90	37.90	13,500.00	5,117.38								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	38.67	38.67	57,032.45	22,053.66								
	Lined	38.10	38.10	23,533.00	8,966.25								
	Lined, pique or prix seam, or stitched or embroidered	53.68	53.68	356.00	191.10								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	33.63	33.63	19,493.00	6,554.78								
	(L) Over 17 inches in length—												
	Unlined	37.46	37.46	1,797,588.54	673,746.04								
	Unlined, pique or prix seam, or stitched or embroidered	47.08	47.08	56,070.00	26,397.96								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	37.09	37.09	105,054.00	38,963.86								
	Lined	38.55	38.55	184.00	107.74								
	Of sheep origin, with exterior grain surface removed—												
	Not over 17 inches in length—												
	Unlined	41.64	41.64	21,710.00	9,039.93								
	Unlined, pique or prix seam, or stitched or embroidered	46.13	46.13	5,588.00	2,566.67								

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Gloves made wholly or in part of leather, etc.—Continued.												
	Ladies' or children's—Cont'd.												
	Of sheep origin, etc.—Cont'd.												
	Not over 17 inches in length—Continued.												
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	P. ct. 45.17	P. ct. 45.17	$2,636.00	$1,190.75								
	(L) Lined	34.96	34.96	6,294.00	2,200.62								
	(L) Lined, pique or prix seam, or stitched or embroidered	29.11	29.11	662.00	192.73								
	(L) Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	43.60	43.60	263.00	114.67								
	(L) Over 17 inches in length—												
	Unlined	33.07	33.07	46,868.00	15,500.64								
	Unlined, pique or prix seam, or stitched or embroidered	38.37	38.37	2,116.00	811.85								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	51.13	51.13	6,576.00	3,362.60								
	Lined	34.06	34.06	115,324.00	39,281.68								
	Lined, pique or prix seam, or stitched or embroidered	29.03	29.03	512.00	148.63								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	29.70	29.70	284.00	84.35								
	Goat, kid, or other leather than of sheep origin, "glace" finish—												
	Not over 14 inches in length—												
	Unlined	43.34	43.34	292,033.90	126,569.75								
	Unlined, pique or prix seam, or stitched or embroidered	46.23	46.23	736,908.08	340,652.68								
	Unlined, pique or prix seam, and stitched or embroidered, with more than 3 strands or cords	47.93	47.93	189,020.06	90,602.21								
	Lined	42.16	42.16	9,435.00	3,978.18								
	Lined, pique or prix seam, or stitched or embroidered	64.91	64.91	13,560.00	8,801.49								
	(L) Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	59.95	59.95	39,163.00	23,477.60								
	(L) Over 14 and not over 17 inches in length—												
	Unlined	40.96	40.96	221,227.72	90,611.36								
	Unlined, pique or prix seam, or stitched or embroidered	41.34	41.34	5,990.00	2,476.49								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	39.49	39.49	29,726.00	11,737.52								
	Lined	30.78	30.78	1,383,514.50	435,828.76								
	Lined, pique or prix seam, or stitched or embroidered	22.74	22.74	957.00	217.59								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	34.75	34.75	4.00	1.39								
	(L) Over 17 inches in length—												
	Unlined	31.83	31.83	1,250,389.10	398,023.64								
	Unlined, pique or prix seam, or stitched or embroidered	34.97	34.97	11,554.00	4,040.21								
	Unlined, pique or prix seam, and stitched and embroidered with more than 3 strands or cords	35.28	35.28	115,953.00	40,910.00								
	Lined	28.33	28.33	12.00	3.40								
	Goat, kid, or other leather than those of sheep origin, with exterior grain surface removed—												
	Not over 14 inches in length—												
	Unlined	41.41	41.41	13,727.10	5,684.48								
	Unlined, pique or prix seam, or stitched or embroidered	38.81	38.81	17,205.00	6,678.64								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	42.26	42.26	1,376.00	581.44								
	(L) Lined	40.41	40.41	319.25	129.01								

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Gloves made wholly or in part of leather, etc.—Continued.												
	Ladies' or children's—Cont'd.												
	Goat, kid, or other leather than those of sheep origin, etc.—Continued.												
	Not over 14 inches in length—Continued.												
	(L) Lined, pique or prix seam, or stitched or embroidered	P. ct. 49.96	P. ct. 49.96	$153.50	$76.69								
	(L) Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	40.00	40.00	17.00	6.80								
	(L) Over 14 and not over 17 inches in length—												
	Unlined	34.97	34.97	11,815.50	4,132.22								
	Unlined, pique or prix seam, or stitched or embroidered	41.03	41.03	848.00	347.90								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	19.23	19.23	71.00	13.65								
	Lined	29.95	29.95	8,824.19	2,642.60								
	(L) Over 17 inches in length—												
	Unlined	32.61	32.61	45,152.00	14,723.26								
	Unlined, pique or prix seam, or stitched or embroidered	30.02	30.02	1,809.50	543.39								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	30.77	30.77	11,550.00	3,553.84								
	Lined	30.27	30.27	19.00	5.75								
	Lined, pique or prix seam, or stitched or embroidered	29.29	29.29	7.00	2.05								
	Men's gloves—												
	Schmaschen (sheep), "glace" finish—												
	Unlined	66.28	66.28	1,816.00	1,203.72								
	Unlined, pique or prix seam, or stitched or embroidered	66.45	66.45	2,677.00	1,779.90								
	(L) Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	44.71	44.71	51.00	22.80								
	(L) Lined	63.77	63.77	69.00	44.00								
	(L) Lined, pique or prix seam, or stitched or embroidered	14.19	14.19	31.00	4.40								
	(L) Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	55.14	55.14	229.25	126.40								
	(L) Lamb or sheep, "glace" finish—												
	Unlined	47.48	47.48	2,460.00	1,168.03								
	Unlined, pique or prix seam, or stitched or embroidered	63.09	63.09	6,730.38	4,246.05								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	52.92	52.92	20,258.00	10,720.80								
	Lined	30.39	30.39	622.75	189.21								
	Lined, pique or prix seam, or stitched or embroidered	35.08	35.08	177.00	62.10								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	36.90	36.90	579.00	213.63								
	(L) Of sheep origin, with exterior surface removed—												
	Unlined	49.45	49.45	542.00	268.00								
	Unlined, pique or prix seam, or stitched or embroidered	81.39	81.39	328.00	266.93								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	68.15	68.15	985.00	637.20								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	53.69	53.69	20.00	11.00								
	Goat, kid, or other leather than of sheep origin, "glace" finish—												
	Unlined	62.75	62.75	9,720.00	4,941.60								
	Unlined, pique or prix seam, or stitched or embroidered	56.69	56.69	98,001.00	55,282.24								
	Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	62.75	62.75	627,198.00	393,539.64								

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Gloves made wholly or in part of leather, etc.—Continued.												
	Men's gloves—Continued.												
	Goat, kid, or other leather than of sheep origin, etc.—Continued.	P. ct.	P. ct.										
	Lined	32.29	32.29	$453.00	$146.26								
	Lined, pique or prix seam, or stitched or embroidered	41.57	41.57	7,554.00	3,140.53								
	Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	39.21	39.21	74,265.00	29,123.24								
	Unlined	44.58	44.58	395.50	176.33								
	(L) Unlined, pique or prix seam, or stitched or embroidered	53.76	53.76	2,998.00	1,611.85								
	(L) Unlined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	53.61	53.61	5,337.00	2,861.59								
	(L) Lined	51.69	51.69	216.00	111.64								
	(L) Lined, pique or prix seam, or stitched or embroidered	29.54	29.54	4,240.00	1,252.33								
	(L) Lined, pique or prix seam, and stitched or embroidered with more than 3 strands or cords	34.78	34.78	15,329.00	5,331.12								
453	Harness, saddles, and saddlery, or parts of either, in sets or in parts, finished or unfinished	45.00	35.00							$160,632.87	22.22	$72,284.78	$56,221.49
454	Manufactures of:												
	(L) Amber, n. s. p. f.	25.00	25.00	9,021.75	2,255.44								
	Asbestos, n. s. p. f.	25.00	25.00	148,920.00	37,230.00								
	Bladders, n. s. p. f.	25.00	25.00	12.00	3.00								
	Catgut, or whip gut, or worm gut, not elsewhere specified	25.00	25.00	64,513.78	16,128.47								
	Wax, n. s. p. f.	25.00	25.00	24,912.59	6,228.16								
	Candles and tapers of wax	25.00	25.00	11,704.00	2,926.00								
455	Bone and horn, n. s. p. f.	30.00	35.00			$288,533.86	16.67	$86,560.16	$100,986.85				
	Chip, n. o. p. f.	30.00	35.00			20,560.00	16.67	6,168.00	7,196.00				
	Straw and grass, n. s. p. f.	30.00	35.00			669,401.41	16.67	200,820.40	234,290.49				
	India rubber	30.00	35.00			1,851,422.62	16.67	555,426.82	647,997.92				
	Palm leaf	30.00	35.00			12,326.00	16.67	3,697.80	4,314.10				
	Weeds												
	Whalebone	30.00	35.00			33.00	16.67	9.90	11.55				
456	Gutta-percha	35.00	35.00	175,923.06	61,573.07								
	(L) Ivory and vegetable ivory, n. e. s.	35.00	35.00	68,587.24	24,005.54								
	(L) Shell and mother-of-pearl	35.00	35.00	124,888.91	43,711.13								
	Plaster rock or gypsum, manufactures of	35.00	35.00	19,860.25	6,961.59								
	(L) Papier-maché, manufactures of	35.00	35.00	40,970.75	14,339.76								
	India rubber, vulcanized, known as hard rubber	35.00	35.00	177,058.95	61,970.63								
	(L) Shells, engraved, cut, ornamented, or otherwise manufactured	35.00	35.00	17,285.00	6,049.75								
457	(L) Masks, composed of paper or pulp	35.00	35.00	805.00	281.75								
458	Matting and mats, made of cocoa fiber or rattan:												
	Matting	21.32	21.32	35,477.00	7,561.98								
	Mats	48.80	48.80	25,476.00	12,432.68								
459	(L) Musical instruments, or parts of, pianoforte actions and parts of, *strings for musical instruments*, not otherwise enumerated; cases for musical instruments, pitch pipes, tuning forks, tuning hammers, and metronomes *and strings for musical instruments, composed wholly or in part of steel or other metal*	45.00	45.00	1,458,801.61	656,460.77								
460	*Phonographs, gramophones, graphophones, and similar articles, or parts thereof*												
*461													
462	(L) Paintings, in oil or water colors, pastels, and pen-and-ink drawings	20.00	15.00							2,544,262.08	25.00	508,852.42	381,639.31
	Do. (reciprocity treaty with France)	15.00	15.00	1,192,713.41	178,907.01								
	Do. (reciprocity treaty with Germany)	15.00	15.00	164,935.75	24,740.39								
	Do. (reciprocity treaty with Italy)	15.00	15.00	123,558.00	18,533.70								
	Do. (reciprocity treaty with Spain)	15.00	15.00	1,018.00	152.70								
	Do. (reciprocity treaty with Switzerland)	15.00	15.00	1,618.00	242.70								
	Statuary (*sculptures*), wrought by hand, the professional production of a statuary or sculptor	20.00	15.00							9,138.00	25.00	1,827.60	1,370.70
	Do. (reciprocity treaty with France)	15.00	15.00	37,875.00	5,681.25								

*Violin resin enumerated at 20 per cent ad valorem in House bill, stricken out in Senate bill.

SCHEDULE N—*Sundries*—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	Statuary (*sculptures*) wrought by hand, etc.—Continued.												
	Do. (reciprocity treaty with Germany)	*P. ct.* 15.00	*P. ct.* 15.00	$4,945.00	$741.75								
	Do. (reciprocity treaty with Italy)	15.00	15.00	231,180.00	34,677.00								
	The term "sculptures" as used in this act shall be understood to include only such as are cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as are the professional production of a sculptor only, and the term "painting" as used in this act shall be understood not to include such as are made wholly or in part by stenciling or other mechanical process.												
663	Peat moss	17.03	17.03	44,671.00	7,605.44								
664	Pencils:												
	Paper or wood, filled with lead or other material, and pencils of lead	40.23	40.23	497,394.00	200,096.85								
	Slate—												
	Covered with wood	35.00	35.00	674.00	235.00								
	Other	59.77	59.77	10,826.00	6,470.97								
665	Pencil leads not in wood	10.00	10.00	113,182.92	11,318.29								
	Pencil leads not in wood or other material:												
	Black												
	Colored												
	Copying												
666	Plates or films, photographic, dry	25.00	25.00	38,498.30	9,624.58								
667	(L) Pipes and smokers' articles:												
	Common tobacco pipes and pipe bowls of clay—												
	Valued not more than 40 cents per gross	53.73	53.73	37,647.00	20,231.43								
	Other	53.62	53.62	13,177.50	7,724.16								
	Pipes, pipe bowls of other material, and all smokers' articles not specially provided for, including cigarette books, cigarette-book covers, pouches for smoking or chewing tobacco, and cigarette paper in all forms	60.00	60.00	954,521.98	572,713.20								
668	Agricultural implements: Plows, teeth and disk harrows, harvesters, reapers, agricultural drills, and planters, mowers, harrowbeds, cultivators, threshing machines, and cotton gins	20.00	15.00							$23,643.70	25.60	$4,728.74	$3,546.56
669	Hatters' plush, black, composed of silk, or of silk and cotton	10.00	10.00	42,400.00	4,240.00								
670	(L) Umbrellas, parasols, and sunshades, and sticks for:												
	Umbrellas, parasols, and sunshades—												
	Covered with material composed wholly or in part of silk	50.00	50.00	43,331.60	21,665.80								
	Covered with other material except paper	50.00	50.00	11,451.00	5,725.50								
	Sticks for umbrellas, parasols, or sunshades	40.00	40.00	7,443.00	2,977.20								
	(L) Sticks for walking canes	40.00	40.00	13,941.60	5,576.64								
671	Waste, n. s. p. f.	10.00	10.00	1,141,737.30	114,173.73								
	Fur, waste	10.00	10.00	231,458.88	23,145.88								
671a	(L) *Foreign-built yachts, pleasure boats or launches, not used or intended to be used for trade*		[a]35.00			$3,000,000.00		Free.	$1,050,000.00				
671b	Unenumerated:												
	Unmanufactured	10.00	10.00	237,292.83	23,729.28								
	Manufactured	20.00	20.00	1,010,738.70	202,147.94								
	Total, Schedule N	22.04	23.08	106,813,112.43	23,058,401.81	17,002,925.18	44.76	$4,575,705.43	6,623,850.99	11,626,229.01	28.31	2,213,473.92	1,586,727.52

[a] Estimated.

RECAPITULATION.

[Of dutiable imports into the United States, exclusive of the Philippine Islands and Cuba.]

Schedules.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.
	Per cent.	*Per cent.*						
A. Chemicals, oils, and paints	26.62	27.99	$34,101,012.22	$9,043,971.74	$4,989,097.14	51.05	$1,567,601.96	$2,367,963.05
B. Earths, earthenware, and glassware	49.04	48.71	27,858,573.92	13,761,073.30	1,258,327.00	25.01	601,134.84	751,520.58
C. Metals, and manufactures of	32.83	32.50	30,004,873.59	12,867,645.66	8,165,262.38	77.54	2,045,886.10	3,632,357.14
D. Wood, and manufactures of	15.16	11.11	6,119,231.49	1,471,470.81	235,204.30	13.63	86,234.52	97,994.74
E. Sugar, molasses, and manufactures of	83.74	83.73	21,540,384.07	18,051,340.87				
F. Tobacco, and manufactures of	57.20	57.20	11,559,369.76	15,434,399.80				
G. Agricultural products and provisions	30.18	32.42	50,973,977.59	15,317,671.94	11,645,128.50	42.29	3,512,835.76	4,998,509.83
H. Spirits, wines, and other beverages	70.67	88.86	1,436,380.19	463,931.02	21,623,273.69	26.53	15,836,372.99	20,037,418.31
I. Cotton manufactures	44.84	47.14	21,442,266.63	10,500,281.77	10,382,503.69	19.46	3,777,670.91	4,512,889.24
J. Flax, hemp, and jute, and manufactures of	43.71	44.10	108,564,575.08	47,802,790.92	5,000,000.00	27.14	1,750,000.00	2,250,000.00
K. Wool, and manufactures of	58.19	58.19	62,818,610.81	36,554,707.01				
L. Silks and silk goods	52.33	60.76	19,223,118.46	10,708,120.31	19,078,195.59	35.72	9,260,140.60	12,568,064.49
M. Pulp papers and books	20.67	20.23	15,334,314.66	3,359,643.84	2,391,898.40	36.13	420,668.64	572,637.18
N. Sundries	22.04	23.08	106,813,112.43	23,058,401.81	17,002,925.18	44.76	4,575,705.43	6,623,850.99
Total from customs	40.21	41.77	517,789,809.80	218,455,460.80	101,771,816.07	36.73	43,434,251.69	58,413,207.24
Net increase or decrease in duty								14,978,955.55
Per cent of grand total			75.52	[a]76.27	14.84			20.39

Schedules.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.	Grand total. Value of imports, 1907.	Grand total. Revenue under— Present law.	Grand total. Revenue under— Senate bill.	Grand total. Percent of increase.	Grand total. Percent of decrease.
A. Chemicals, oils, and paints	$2,831,645.48	41.75	$550,996.54	$320,978.72	$41,921,754.84	$11,162,570.24	$11,732,912.51	5.11	
B. Earths, earthenware, and glassware	2,173,903.07	25.73	983,141.80	730,228.81	31,290,803.99	15,345,349.94	15,242,822.09		0.67
C. Metals, and manufactures of	27,089,862.13	26.90	6,706,911.09	4,902,511.32	65,859,998.30	21,620,442.85	21,622,614.12		1.01
D. Wood, and manufactures of	17,791,864.54	47.10	2,103,916.41	1,112,880.50	24,146,300.33	3,661,621.74	2,682,346.05		26.74
E. Sugar, molasses, and manufactures of	116,451.70	3.06	85,067.76	82,465.08	21,656,835.77	18,136,408.63	18,133,805.90		.14
F. Tobacco, and manufactures of					11,559,369.76	15,434,399.80	15,434,399.80		
G. Agricultural products and provisions	428,713.98	37.28	195,116.77	122,372.29	63,047,820.07	19,025,624.41	20,438,554.05	7.43	
H. Spirits, wines, and other beverages	20,336.00	18.58	10,476.23	8,530.01	23,079,989.88	16,310,780.24	20,509,879.34	25.74	
I. Cotton manufactures	44,794.00	18.43	12,966.03	10,576.00	31,869,564.32	14,290,918.71	15,023,746.80	5.13	
J. Flax, hemp, and jute, and manufactures of	602,739.30	16.18	285,988.84	239,721.16	114,167,314.38	49,898,779.76	50,352,512.08	.91	
K. Wool, and manufactures of					62,818,610.81	36,554,707.01	36,554,707.01		
L. Silks and silk goods	512,278.65	11.44	344,053.86	305,680.22	38,813,592.70	20,312,224.77	23,581,875.62	16.10	
M. Pulp papers and books	2,278,164.66	69.15	355,587.60	109,689.11	20,004,377.62	4,135,900.08	4,041,970.13		2.27
N. Sundries	11,626,229.01	28.31	2,213,473.92	1,586,727.52	135,442,266.62	29,847,581.16	31,268,980.32	4.76	
Total from customs	66,116,982.52	31.16	13,847,696.85	9,532,360.78	685,678,599.39	275,737,409.34	286,401,028.82	3.87	
Net increase or decrease in duty				4,315,336.07					
Per cent of grand total	9.64			3.34	100.00		100.00		

[a] Under Senate bill.

UNDER RECIPROCITY TREATY WITH CUBA.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorem rates. Present law.	Equivalent ad valorem rates. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE A—CHEMICALS, OILS, AND PAINTS.												
3	Preparations or products known as alkalies, alkaloids, and all combinations of, and all chemical compounds and salts	*P. ct.* 20.00	*P. ct.* 20.00	$6.00	$1.20								
15	Coal-tar colors or dyes, not specially provided for	24.00	24.00	1.00	.24								
23	Glycerin:												
	Crude, not purified	13.02	13.02	8,282.00	1,078.26								
36	Olive oil—												
	In bottles, jars, tins, or similar packages	32.00	32.00	10.00	3.20								
63	Preparations, medicinal:												
	Containing alcohol, or in the preparation of which alcohol is used	58.35	58.35	336.80	196.52								
	Not containing alcohol, or in the preparation of which alcohol is not used	20.00	20.00	4,267.72	853.67								
65	(L) Perfumery, cosmetics, and toilet preparations:												
	Alcoholic perfumery, including cologne water and other toilet waters, and toilet preparations containing alcohol, or in the preparation of which alcohol is used	146.69	150.68			$99.50	2.72	$145.96	$149.93				

Under reciprocity treaty with Cuba—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorem rates. Present law.	Equivalent ad valorem rates. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE A—CHEMICALS, OILS, AND PAINTS—continued.												
	(L) Preparations used as applications to the hair, mouth, teeth, or skin, such as cosmetics, dentifrices, pastes, pomades, powders, and other toilet articles, and articles of perfumery, not containing alcohol, or in the manufacture of which alcohol is not used, n. s. p. f.	P. ct. 40.00	P. ct. 48.00			$1,714.63	20.00	$685.86	$823.03				
67	Soap:												
	(L) Fancy, perfumed, and all descriptions of toilet, including medicinal or medicated	34.79	46.39			255.78	33.40	40.33	53.80				
77	Sponges, and manufactures of:												
	Sponges	16.00	16.00	$115,649.58	$18,503.94								
	Total	16.05	16.58	128,553.10	20,637.03	2,069.91	17.73	872.15	1,026.76				
	SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE.												
89	Tiles:												
	(L) Glazed, encaustic, ceramic, mosaic, vitrified, semivitrified, flint, spar, embossed, enameled, ornamented, hand painted, gold decorated, and all other earthenware tiles—												
	Valued not exceeding 40 cents per square foot	45.07	45.07	2,308.00	1,040.27								
84	Cement:												
	Other cement	16.00	16.00	15.00	2.40								
88	Clays or earths:												
	Unwrought or unmanufactured, n. s. p. f.	16.00	16.00	2.00	.32								
	Asphaltum and bitumen:												
	Crude, not dried or advanced	27.61	27.61	12,098.00	3,340.32								
90	Earthenware:												
	Common yellow, brown, or gray, plain, embossed, or salt-glazed common stoneware, and crucibles, not decorated in any manner	20.00	20.00	57.00	11.40								
91	(L) China, porcelain, parian, biscuit, earthen, stone, and crockery ware, plaques, ornaments, toys, toy tea sets, charms, vases, and statuettes:												
	Painted, tinted, stained, enameled, printed, gilded, or otherwise decorated in any manner	48.00	48.00	169.00	81.12								
83	Articles and ware composed wholly or in chief value of earthy or mineral substances, or carbon, not specially provided for:												
	Not decorated	28.00	28.00	225.00	63.00								
	(L) Decorated	36.00	36.00	80.00	28.80								
95	Bottles, vials, demijohns, carboys, and jars:												
	Bottles or jugs containing brandy and other spirituous liquors—												
	Holding more than 1 pint				9.22								
	Holding not more than 1 pint and not less than ½ pint				.38								
	Bottles, vials, and jars, flint, lime, or lead—												
	Empty—												
	Other, on which specific duty would be less than 40 per cent	32.00	32.00	37.00	11.84								
	Bottles, vials, and jars, plain green or colored, molded or pressed—												
	Filled—												
	Other, on which specific duty would be less than 40 per cent	32.00	32.00	2.00	.64								
98	(L) Bottles, decanters, or other vessels or articles of glass cut, engraved, painted, colored, stained, silvered, gilded, etched, frosted, printed in any manner or otherwise ornamented, decorated, or gouged (except such grinding as is necessary for fitting stoppers), and any articles of which such glass is the component material of chief value	48.00	48.00	8.18	3.93								
	(L) Porcelain, opal, and other blown glassware	48.00	48.00	12.00	5.76								
103	(L) Opera and field glasses, telescopes, microscopes, photographic and projecting lenses and optical instruments, and frames or mountings for same, not specially provided for	36.00	36.00	70.00	25.20								
	All other manufactures of glass or paste, or of which glass or paste shall be the component material of chief value, not specially provided for	36.00	36.00	62.80	22.61								
110	Marble—												
	(L) Marble, n. s. p. f.	40.00	40.00	38.00	15.20								
112	Freestone, sandstone, limestone, and other building or monumental stone, except granite, marble, and onyx, not specially provided for:												
	Hewn, dressed, or polished	40.00	40.00	6.50	2.60								
	Total	39.71	39.71	15,199.48	4,663.01								

Under reciprocity treaty with Cuba—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorem rates. Present law.	Equivalent ad valorem rates. Senate bill	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE C—METALS, AND MANUFACTURES OF.												
115½	Iron ore, including manganiferous iron ore, and the dross or residuum from burnt pyrites	P. ct. 8.75	P. ct. 5.47							$21,37,784.00	37.49	$137,094.40	$116,934.00
	Scrap iron and steel, waste or refuse, fit only to be remanufactured:												
	Iron, wrought and cast	20.28	12.66							3,581.00	37.56	726.40	454.00
	Hat, bonnet, crinoline, corset, needle, piano, clock, and watch wire, and all wire n. s. p. f., valued more than 4 cents per pound	36.00	32.00							1.00	11.11	.36	.32
153	Table, carving, cooks', kitchen, bread, butter, vegetable, fruit, and cheese knives, forks, and steels, finished or unfinished—												
	Other, on which ordinary duty would not amount to 45 per cent	36.00	36.00	$20.00	$7.20								
	(L) Gold pens	26.00	20.00	26.00	5.20								
	Watch movements:												
	Having not more than 7 jewels	32.25	22.75							32.00	29.77	10.32	7.28
	(L) Having more than 7 and not more than 11 jewels	28.89	24.00							9.00	16.93	2.60	2.16
	Watch cases and parts of watches, including dials	32.00	32.00	100.00	32.00								
	Chronometers, box or ship, and parts of	32.00	32.00	98.00	31.36								
191	Zinc:												
	In blocks or pigs	25.08	17.18							522.00	31.50	134.54	89.60
	Old and worn out, fit only to be remanufactured	22.59	22.59	11,610.00	2,623.21								
194	Machinery, not elsewhere specified	36.00	36.00	302.00	108.72								
195	Articles or wares, n. s. p. f., composed wholly or in part of—												
	Brass, manufactures of	36.00	36.00	50.00	18.00								
	(L) Bronze, manufactures of	36.00	36.00	302.00	108.72								
	Iron and steel, manufactures of	36.00	36.00	248.50	89.46								
	Metals and metal compositions, manufactures of	36.00	36.00	1,613.00	580.68								
	(L) Silver, manufactures of	36.00	36.00	2.00	.72								
	Tin, manufactures of	36.00	36.00	173.00	62.28								
	Total	25.21	25.21	14,544.50	3,667.55					2,141,929.00	37.50	187,968.62	117,487.45
	SCHEDULE D—WOOD, AND MANUFACTURES OF.												
199	Sawed boards, planks, deals, and other forms of sawed cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods not further manufactured than sawed	12.00	12.00	330,573.00	39,668.76								
	Wood, unmanufactured, not specially provided for	16.00	16.00	11.00	1.76								
	Shooks, sugar box, and packing boxes, empty, and packing-box shooks, n. s. p. f.	24.00	24.00	1,653.00	396.72								
207	Barrels or boxes containing oranges, lemons, or limes, grape fruit, shaddocks, or pomelos, exclusive of contents:												
	Of foreign growth or manufacture	24.00	24.00	267.40	64.17								
	Osier or willow:												
	Manufactures of	32.00	36.00			$6.00	12.50	$1.92	$2.16				
211	Furniture, cabinet or house, wholly or partly finished	28.00	28.00	705.00	197.40								
	Manufactures of wood, or of which wood is the component material of chief value, n. s. p. f.	28.00	28.00	9,373.92	2,624.69								
	Total	12.54	12.54	342,553.32	42,953.50	6.00	12.50	1.92	2.16				
	SCHEDULE E—SUGAR, MOLASSES, AND MANUFACTURES OF.												
213	Sugar, Dutch standard in color:												
	Not above No. 16, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope—												
	Cane—												
	Not above 75 degrees	10.00	10.00	.50	.05								
	Not above 86 degrees	62.90	62.90	2,872,026.00	1,806,612.83								
	Not above 88 degrees	69.43	69.43	16,140.00	11,205.97								
	Not above 89 degrees	56.70	56.70	19,500.00	11,056.03								
	Not above 94 degrees	67.34	67.34	107,374.00	72,300.56								
	Not above 95 degrees	59.84	59.84	64,211,884.00	38,335,985.41								
	Not above 96 degrees	64.36	64.36	1,784,588.00	1,148,649.97								
	Molasses:												
	Not above 40 degrees	16.00	16.00	576,345.00	92,215.20								
	Above 40 degrees and not above 56 degrees	27.93	27.93	85,105.00	23,766.50								
	56 degrees and above	9.61	9.61	108.85	10.46								
	Sugar cane	16.00	16.00	3.00	.48								
216	Sugar candy and confectionery, n. s. p. f., and sugars refined when tinctured, colored, or adulterated:												
	Valued at 15 cents per pound or less	38.58	38.58	722.77	278.86								
	Valued more than 15 cents per pound	40.00	40.00	130.80	52.32								
	Total	59.57	59.57	69,673,927.92	41,502,134.64								

Under reciprocity treaty with Cuba—Continued.

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	SCHEDULE F—TOBACCO, AND MANUFACTURES OF.												
	Tobacco, and manufactures of:												
217	Unmanufactured—												
	Wrapper and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries and dependencies, when mixed or packed together—	*P. ct.*	*P. ct.*										
	Unstemmed	98.52	98.52	$178,409.11	$175,832.06								
	Filler tobacco, not specially provided for—												
	Unstemmed	46.92	46.92	11,702,580.49	5,490,915.11								
	Stemmed	59.47	59.47	2,537,150.39	1,508,798.36								
219	All other, not specially provided for	164.15	164.15	13,540.35	22,226.38								
	All other (pounds)	79.80	79.80	3,981.00	3,176.89								
221	Cigars and cheroots, all kinds	87.81	87.81	3,956,890.39	3,474,380.35								
	Cigarettes, and paper cigars, including wrappers	120.68	120.68	2,864.00	3,456.34								
	Total	58.05	58.05	18,305,466.23	10,678,785.49								
	SCHEDULE G—AGRICULTURAL PRODUCTS AND PROVISIONS.												
	Live animals:												
223	Swine	44.57	44.57	35.00	15.60								
224	Horses—												
	Valued at $150 each or less	32.14	32.14	448.00	144.00								
226	All other, n. s. p. f.	16.00	20.00			$150.00	25.00	$24.00	$30.00				
	Breadstuffs and farinaceous substances:												
231	Corn or maize	9.30	9.30	30.00	2.79								
232	Corn meal	11.23	10.77							$121.93	4.10	$13.69	$13.13
240	Bread and biscuit	16.00	16.00	31.00	4.96								
	Dairy products:												
242	Cheese, and substitutes for	44.94	44.94	969.62	435.75								
	Farm and field products:												
245	Beans	17.00	17.00	4,313.34	733.09								
	Vegetables, prepared or preserved—												
247	Beans, peas, mushrooms, and truffles in tins, jars, bottles, or similar packages	3.80	3.80	5.00	.19								
248	All other, n. s. p. f.	32.00	32.00	36.00	11.52								
250	Cabbages	14.50	14.50	2.00	.29								
255	(L) Honey	36.20	36.20	28,367.10	10,269.65								
257	Onions	33.43	33.43	10,219.50	3,416.88								
	Garlic	33.57	33.57	565.31	189.76								
258	Peas—												
	Dried	8.48	8.48	76.40	6.48								
260	Plants, trees, shrubs, and vines—												
259	(L) Orchids, palms, dracenas, crotons, and aralias; tulips, hyacinths, narcissi, jonquils, lilies of the valley, and all other bulbs, bulbous roots, or corms, which are cultivated for their flowers	20.00	20.00	38.00	7.60								
	Stocks, cuttings, or seedlings—												
	Fruit and ornamental trees, deciduous and evergreen shrubs and vines, manetti, multiflora, and brier roses	20.00	20.00	13.00	2.60								
	Trees, shrubs, plants, and vines, commonly known as nursery or greenhouse stock, n. s. p. f.	20.00	20.00	16.00	3.20								
261	Potatoes	24.60	24.60	4,773.57	1,159.77								
262	Seeds—												
	All other, n. s. p. f.	24.00	24.00	202.00	48.48								
265	Vegetables in their natural state, n. s. p. f.	20.00	20.00	127,704.96	25,540.99								
	Fish—												
	Other fish (except shellfish), in tin packages, or in packages containing less than ¼ barrel—												
	Other	24.00	24.00	41.00	9.84								
	Dried or smoked—												
	Cod, haddock, hake, and pollock	5.45	5.45	77.00	4.20								
270	Fruits:												
	Peaches, quinces, cherries, plums, and pears, green or ripe	9.36	9.36	90.80	8.50								
	Peaches, pears, and other edible fruits, when dried, desiccated, evaporated, or prepared in any manner not specially provided for	4.85	4.85	33.00	1.60								
	(L) Comfits, sweetmeats, and fruits preserved in sugar, molasses, spirits, or in their own juices, n. s. p. f.—												
	Containing not over 10 per cent alcohol	39.32	39.32	20,069.54	7,892.39								
	(L) Jellies	28.00	36.00			4,643.11	28.57	1,300.65	1,671.52				
	Pineapples preserved in their own juice	20.00	20.00	2,106.00	421.20								
273	Lemons	22.34	33.51			1,236.00	50.00	276.15	414.23				
	Oranges	43.09	43.09	8,001.97	3,447.96								
	(L) Limes	71.82	71.82	221.63	159.89								
	(L) Grape fruit, shaddocks, or pomelos	32.69	32.69	10,963.00	3,584.25								
275	(L) Pineapples—												
	In barrels or other packages	14.88	14.88	649,723.70	96,687.41								
	In bulk	20.79	20.79	369.00	76.72								
	Meat products:												
280	Bacon and hams	12.00	12.00	33.00	3.96								
	Pork	16.00	16.00	5.00	.80								
283	Meats of all kinds, prepared or preserved, not specially provided for	20.00	20.00	264.00	52.80								
284	Lard	16.00	16.00	1.00	.16								
286	Tallow	11.16	7.45							192.00	33.25	21.42	14.30

Under reciprocity treaty with Cuba—Continued.

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	SCHEDULE G—AGRICULTURAL PRODUCTS AND PROVISIONS—continued.												
288	Cocoa, prepared or manufactured, n. s. p. f.:												
	Valued above 15 cents and not above 24 cents per pound	*P. ct.* 19.19	*P. ct.* 19.19	$147.84	$28.37								
	Chocolate, prepared or manufactured, not specially provided for:												
	Valued not over 15 cents per pound	15.38	15.38	13.00	2.00								
	Valued above 15 cents and not above 24 cents per pound	17.79	17.79	762.00	135.58								
	Valued above 35 cents per pound	40.00	40.00	12.00	4.80								
292	Starch, and all preparations fit for use as starch:												
	All other	27.71	18.46							$239.00		$66.22	$44.13
	Total	17.74	17.74	870,781.28	154,516.03	$6,029.11	32.19	$1,600.20	$2,115.75	552.93	29.38	101.33	71.56
	SCHEDULE H—SPIRITS, WINES, AND OTHER BEVERAGES.												
297	Brandy	77.14	89.14			7.00	15.56	5.40	6.24				
	Alcohol	1,647.88	1,904.31			236.00	15.56	3,889.18	4,494.17				
	Other spirits, not specially provided for, manufactured or distilled:												
	From grain—												
	All other	33.50	39.50			2.00	17.91	.67	.79				
	From other materials	164.36	189.93			492.30	15.56	809.16	935.04				
299	Compounds or preparations of which distilled spirits are a component part of chief value, not specially provided for	248.23	286.85			868.60	15.56	2,156.18	2,491.59				
300	Cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters containing spirits, and not specially provided for	81.87	94.96			108.50	15.56	88.83	102.65				
	Vermuth, and ginger wine or ginger cordial:												
	In bottles or jugs—												
	Containing each more than 1 pint and not more than 1 quart	32.00	39.00			44.00	21.87	14.08	17.16				
303	Wines, containing not more than 24 per cent of alcohol:												
	Champagne and all other sparkling, in bottles—												
	Containing more than ½ pint each and not more than 1 pint	32.00	38.40			20.00	20.00	6.40	7.68				
	Containing more than 1 pint each and not more than 1 quart	28.63	34.36			380.00	20.00	108.80	130.56				
304	Still wines *and rice wine or sake and similar beverages:*												
	In bottles or jugs—												
	Containing each more than 1 pint and not more than 1 quart	15.16	17.53			76.00	15.63	11.52	13.32				
	Fruit sirup, n. s. p. f.	16.00	16.00	238.00	38.08								
309	Mineral waters and all imitations of natural mineral waters, and all artificial mineral waters n. s. p. f.:												
	In green or colored glass bottles—												
	Containing not more than 1 pint	8.89	8.89	75.00	6.67								
	Otherwise than in such bottles, or in bottles containing more than 1 quart	30.43	30.43	129.75	39.48								
	Total	19.02	19.02	442.75	84.23	2,234.40		7,090.22	8,199.20				
	SCHEDULE I—COTTON MANUFACTURES.												
322	Clothing, ready-made, and articles of wearing apparel of every description, including neckties or neckwear, made up or manufactured, wholly or in part, by the tailor, seamstress, or manufacturer, and not otherwise provided for	40.00	40.00	45.00	18.00								
330	All other manufactures of cotton	36.00	36.00	12.00	4.32								
	Total	39.16	39.16	57.00	22.32								
	SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.												
345	(L) Laces, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils, and veilings, etamines, vitrages, neck rufflings, ruchings, tuckings, fluting, and quillings; embroideries, and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands; and articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tamboured or appliqued articles or fabrics; hemstitched or tucked flouncings or skirtings, and articles made wholly or in part of rufflings, tuckings, or ruchings; composed wholly or in chief value of cotton, and not elsewhere specially provided for, whether composed in part of india rubber or otherwise	48.00	48.00	619.50	297.36								

Under reciprocity treaty with Cuba—Continued.

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	SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF—continued.												
	(L) Wearing apparel (of cotton) made wholly or in part of lace, or in imitation of lace, embroidered by hand or machinery with a letter, monogram, or otherwise, or tamboured or appliquéed	*P. ct.* 48.00	*P. ct.* 48.00	$3.00	$2.88								
	(L) Laces, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins, wearing apparel, and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils and veilings, examines, vitrages, neck ruffings, ruchings, thekings, flutings, and quillings; embroideries and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands, and other articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tambboured or appliquéed articles, fabrics, or wearing apparel; hemstitched or tucked flouncings or skirtings, and articles made wholly or in part of ruffings, tuckings, or ruchings, composed wholly or in chief value of flax or other vegetable fiber (except cotton), and not elsewhere specially provided for, whether composed in part of India rubber or otherwise	48.00	48.00	222.50	106.80								
	(L) Handkerchiefs, composed of flax or other vegetable fiber: Embroidered by hand or machinery, with a letter, monogram, or otherwise; tambboured or appliquéed, or made wholly or in part of lace or in imitation of lace	48.00	48.00	5.50	2.64								
303	Woven fabrics or articles n. s. p. f., composed of flax, hemp, or ramie, or in part cotton, or of which these substances, or either of them, is the component material of chief value, weighing 4½ ounces or more per square yard: All on which ordinary duty does not amount to 50 per cent	40.00	40.00	30.00	12.00								
	Plain woven fabrics of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, including such as is known as shirting cloth, weighing less than 4½ ounces per square yard (and containing more than 100 threads to the square inch, counting the warp and filling)	28.00	28.00	5.00	1.40								
	All other manufactures of flax, hemp, ramie, or other vegetable fiber (except cotton), or of which these substances, or either of them, is the component material of chief value, n. s. p. f.: Flax manufactures	36.00	36.00	92.00	33.12								
671b	Fibers, all other dressed	16.00	16.00	1,182.00	189.12								
	Total	29.89	29.89	2,162.50	645.32								
	SCHEDULE K—WOOL, AND MANUFACTURES OF WOOL.												
	Wool, hair of the camel, goat, alpaca, or other like animals, and manufactures of: Unmanufactured—												
365	Class 1: Merino, mestiza, metz, or metis wools, or other wools of Merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including Hecatel, China lamb's wool, Castel Branco, Adrianople skin wool or butchers' wool, and such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, Egypt, Morocco, and elsewhere, and all wools not hereinafter included in classes 2 and 3— Unwashed wool— On the skin	39.52	39.52	33.00	13.04								
	Manufactures composed wholly or in part of wool, etc.: All other manufactures wholly or in part of wool— Valued more than 70 cents per pound	61.08	61.08	25.00	15.27								
	Cloths, woolen or worsted— (L) Valued above 70 cents per pound	55.67	55.67	3.00	1.67								
	Wearing apparel—Clothing, ready-made, and articles of wearing apparel, made up or manufactured, wholly or in part, not specially provided for— Knitted articles	66.00	66.00	1.00	.66								
	Other clothing, ready-made, and articles of wearing apparel, made up or manufactured wholly or in part	66.36	66.36	81.00	53.75								
	Total	59.02	59.02	143.00	84.39								

Under reciprocity treaty with Cuba—Continued.

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	SCHEDULE L—SILKS, AND SILK GOODS.												
398	Laces, and articles made wholly or in part of lace, edgings, insertings, galloons, chiffons or other flouncings, *ornaments*, nets or nettings and veilings, neck ruffings, ruchings, braids, fringes, trimmings, embroideries, and articles embroidered by hand or machinery, or tambboured or appliquéed	*P. ct.* 48.00	*P. ct.* 48.00	$107.00	$51.36								
	Wearing apparel: Ready-made clothing and other articles of wearing apparel	48.00	48.00	83.00	39.84								
399	All manufactures of silk not specially provided for	40.00	40.00	76.00	30.40								
	Total Schedule L	45.71	45.71	266.00	121.60								
	SCHEDULE M—PULP, PAPERS, AND BOOKS.												
408	(L) Lithographic prints from stone, zinc, aluminum, or other material, bound or unbound, not elsewhere specified: On cardboard or other material exceeding $\frac{1}{16}$ inch in thickness	12.63	12.63	30.00	3.79								
	(L) Lithographic cigar labels, flaps, and bands, lettered or blank, printed from stone, zinc, aluminum, or other material: Printed in less than eight colors, but not including metal-leaf printing	17.83	24.50			$51.00	37.83	$9.12	$12.57				
	Printed in whole or in part in metal leaf	46.67	49.00			12.00	5.00	5.60	5.88				
	All other paper, n. s. p. f.	20.00	20.00	12.00	2.40								
412	Books, pamphlets, bound or unbound, maps, charts, music in books or sheets, and all printed matter, n. s. p. f.	20.00	20.00	40.25	8.05								
	Blank books	20.00	20.00	9.00	1.80								
	Engravings, bound or unbound, etchings, and photographs	20.00	20.00	338.00	67.60								
416	Manufactures of paper, or of which paper is the component material of chief value, n. s. p. f.	28.00	28.00	14.00	3.92								
	Total Schedule M	19.75	19.75	443.25	87.56	63.00	25.34	14.72	18.45				
	SCHEDULE N—SUNDRIES.												
	Hats, bonnets, and hoods composed *wholly or in chief value* of straw, chip, grass, palm leaf, willow, osier, rattan, *Cuba bark, or manila hemp*, whether wholly or partly manufactured— Not trimmed	28.00	28.00	2,945.00	824.71								
	Trimmed	40.00	40.00	93.00	37.20								
423	Buttons, or parts of buttons, and button molds or blanks, finished or unfinished: Collar and cuff buttons and studs, *composed wholly of bone, mother-of-pearl, or ivory*	40.00	40.00	5.00	2.00								
427	(L) Toys: Dolls, doll heads, toy marbles of whatever materials composed, and all other toys not composed of rubber, china, porcelain, parian, biscuit, earthen or stone ware, and not specially provided for	28.00	28.00	3.00	.84								
434	(L) Feathers and downs, not specially provided for, including bird skins or parts of, with the feathers on: Crude or not dressed, colored, or manufactured— All other	12.00	16.00			2,668.00	33.33	320.16	426.88				
	Dressed, colored, or manufactured, including dressed and finished birds suitable for millinery ornaments— All other	40.00	48.00			57.00	20.00	22.80	27.36				
	(L) Feathers, artificial or ornamental, fruits, grains, leaves, flowers, and stems, or parts of, of whatever material composed, n. s. p. f.	40.00	48.00			10.00	20.00	4.00	4.80				
436	Fans: All except palm leaf	40.00	40.00	108.00	43.20								
438	Human hair: Manufactures of, n. s. p. f.	28.00	28.00	8.00	2.24								
444	(L) Jewelry, articles commonly known as, and parts thereof, finished or unfinished, n. s. p. f., *used to be worn upon the person or carried in the hand for purpose of adornment or utility, made in part of metal, including chain purses, and bags, of gold or silver wire or imitations thereof, portmonnaies, watch charms and guards*, including precious stones *and corals* set, pearls set or strung, and cameos in frames	48.00	48.00	374.00	179.52								
561	Hides of cattle, raw or uncured, whether dry, salted, or pickled: Other cattle hides	12.00	12.00	332,637.00	39,916.44								
	Leather and manufactures of: All leather n. s. p. f.	16.00	16.00	16.00	2.56								
	Boots and shoes	20.00	12.00									$119.50	$23.90	$14.34
	Manufactures of leather, n. s. p. f.	28.00	32.00			96.00	14.29	26.88	30.72				
	Manufactures of— Candles and tapers of wax	20.00	20.00	39.00	7.80								
	Straw and grass, n. s. p. f.	24.00	28.00			32.00	16.67	7.68	8.96				

Under reciprocity treaty with Cuba—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorem rates. Present law.	Equivalent ad valorem rates. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE N—SUNDRIES—continued.	*Per ct.*	*Per ct.*										
	(L) Shell and mother-of-pearl	28.00	28.00	$43.00	$12.04								
	Plaster rock or gypsum, manufactures of	28.00	28.00	3.00	.84								
	(L) Shells, engraved, cut, ornamented, or otherwise manufactured	28.00	28.00	3.00	.84								
462	(L) Paintings, in oil or water colors, pastels, and pen-and-ink drawings	16.00	12.00							$287.50		$46.00	$34.50
466	Plates or films, photographic, dry	20.00	20.00	30.00	6.00								
467	(L) Pipes and smokers' articles: Pipes, pipe bowls of other material, and all smokers' articles not specially provided for, including cigarette holders, cigarette-book covers, pouches for smoking or chewing tobacco, and cigarette paper in all forms	48.00	48.00	72.00	34.59								
470	(L) Umbrellas, parasols, and sunshades, and sticks for: Sticks for umbrellas, parasols, or sunshades	32.00	32.00	3.00	.96								
	(L) Sticks for walking canes	32.00	32.00	13.50	4.32								
	Total Schedule N	12.21	12.21	336,395.50	41,076.10	$2,863.00	30.72	$881.52	$496.72	407.00	$30.10	69.90	48.84
	Total Cuba	58.42	58.42	89,780,956.83	52,449,480.77	13,265.42	19.08	9,960.73	11,861.04	2,142,588.93	37.49	188,139.85	117,607.85

FROM PHILIPPINE ISLANDS UNDER ACT OF MARCH 8, 1902.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged Value of imports, 1907.	Duty unchanged Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE A—CHEMICALS, OILS, AND PAINTS.												
3	Oils: All other essential and distilled oils and combinations of	*Per ct.* 13.75	*Per ct.* Free.							$15,258.00		$2,860.87	Free
17	Collodion, and articles of which collodion or any compound of pyroxylin is the component material of chief value: In finished or partly finished articles— (L) All other	22.21	Free.							14.00		3.11	Free
	Total	18.75								15,272.00		2,863.98	
	SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE.												
	Bottles, vials, and jars, plain green or colored, molded or pressed— Filled— Other, on which specific duty would be less than 40 per cent	30.00	Free.							9.00		2.70	Free.
106	(L) Opera and field glasses, telescopes, microscopes, photographic and projecting lenses and optical instruments, and frames or mountings for same, not specially provided for	33.75	Free.							3.00		1.01	Free.
107	(L) Glass windows, stained or painted, or parts thereof, and all mirrors not exceeding in size 144 square inches, with or without frames or cases	33.75	Free.							3.00		1.01	
	Total	31.47								15.00		4.72	Free.
	SCHEDULE C—METALS, AND MANUFACTURES OF.												
	Cutlery:												
151	Pen or pocket knives, clasp, penknives, and budding knives, or parts of, and erasers, razors, or shaving knives, or parts of, wholly or partly manufactured— Valued more than $1.25 and not exceeding $3 per dozen	75.00	Free.							2.00		1.50	Free.
152	(L) Swords, sword blades, and side arms (*bayonets*)	26.25	Free.							26.00		6.85	Free.
153	Table, carving, cooks', kitchen, bread, butter, vegetable, fruit, and cheese knives, forks, and steels, finished or unfinished— *Any knives, forks, or steels, imported without handles*												
	Other, on which ordinary duty would not amount to 45 per cent	33.75	Free.							9.00		3.04	Free.
155	Firearms: Muskets, muzzle-loading shotguns, rifles, and parts of	18.75	Free.							20.00		3.75	Free.
157	(L) Swords, pistols, swords, or articles of iron, steel, or other metal, enameled or glazed with vitreous glazes	30.00	Free.							9.00		2.70	Free.
	(L) Lamps, carbonizers, braids, galloons, trimmings, or other articles made wholly or in chief value of flatted wire, lame or lahn, bullion, or metal threads	45.00	Free.							4.00		1.80	Free.

From Philippine Islands under act of March 8, 1902—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE C—METALS, AND MANUFACTURES OF—continued.												
	Watch movements: Having not more than 7 jewels	*Per ct.* 40.41	*Per ct.* Free.							$17.00		$6.87	Free.
	Watch cases and parts of watches, including dials	30.00	Free.							36.00		10.80	Free.
195	Articles or wares, n. s. p. f., composed wholly or in part of: Iron and steel, manufactures of	33.75	Free.							1.00		.34	Free.
	Metals and metal compositions, manufactures of	33.75	Free.							225.75		76.23	Free.
	(L) Silver, manufactures of	33.75	Free.							8.00		2.72	Free.
	Total	32.59								357.75		116.60	
	SCHEDULE D—WOOD, AND MANUFACTURES OF.												
197	Lumber: Sawed lumber, not specially provided for— Not planed or finished	1.74	Free.							2,155.00		37.50	Free.
199	Sawed boards, planks, deals, and other forms of sawed cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods not further manufactured than sawed	11.25	Free.							2,110.00		237.38	Free.
211	Furniture, cabinet or house, wholly or partly finished	26.25	Free.							176.00		46.20	Free.
	Manufactures of wood, or of which wood is the component material of chief value, n. s. p. f.	26.25	Free.							480.25		126.10	Free.
	Total	9.09								4,921.25		447.18	
	SCHEDULE E—SUGAR, MOLASSES, AND MANUFACTURES OF.												
213	Sugar, Dutch standard in color: Not above No. 16, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope— Cane— Not above 75 degrees	36.27	Free.							66.00		23.94	Free.
	Not above 81 degrees	27.27	Free.							4,206.00		1,146.92	Free.
	Not above 82 degrees	43.29	Free.							238,101.00		103,080.14	Free.
	Not above 83 degrees	44.88	Free.							190,290.00		80,841.89	Free.
	Not above 85 degrees	48.71	Free.							343.00		167.08	Free.
	Not above 86 degrees	46.39	Free.							135,836.00		63,013.10	Free.
	Not above 87 degrees	61.44	Free.							273,492.00		165,469.40	Free.
	Not above 88 degrees	48.60	Free.							395,280.00		192,086.58	Free.
	Not above 89 degrees	43.65	Free.							215,704.00		94,150.99	Free.
	Total	48.16								1,453,318.00		699,980.04	
	SCHEDULE F—TOBACCO, AND MANUFACTURES OF.												
	Tobacco, and manufactures of:												
217	Unmanufactured— Wrapper and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries and dependencies, when mixed or packed together— Unstemmed	668.98								65.00		434.84	Free.
	Filler tobacco, not specially provided for— Unstemmed	186.53								19.00		35.44	Free.
221	Cigars and cheroots, all kinds	274.27								4,150.00		11,352.74	Free.
	Cigarettes, and paper cigars, including wrappers	246.61								11.80		29.10	Free.
	Total	279.15								4,245.80		11,852.12	
	SCHEDULE G—AGRICULTURAL PRODUCTS AND PROVISIONS.												
236	Rice— Cleaned	59.33	79.00			$6.00	33.33	$3.56	$4.74				
259	Orchids, palms, dracænas, crotons, and azaleas; tulips, hyacinths, narcissi, jonquils, lilies of the valley, and all other bulbs, bulbous roots, or corms, which are cultivated for their flowers	18.75								386.00		70.43	Free.
	Total	19.64				6.00		3.56	4.74	386.00		70.43	
	SCHEDULE H—SPIRITS, WINES, AND OTHER BEVERAGES.												
309	Mineral waters and all imitations of natural mineral waters, and all artificial mineral waters n. s. p. f.: In green or colored glass bottles— Containing not more than 1 pint (from Philippine Islands)	22.93	Free.							471.00		108.00	Free.
	Containing more than 1 pint and not more than 1 quart	20.16	Free.							279.00		56.25	Free.
304	Still wines, in bottles or jugs: Containing each more than 1 pint and not more than 1 quart	40.00	Free.							3.00		1.20	Free.
	Total	21.97								753.00		165.45	
	SCHEDULE I—COTTON MANUFACTURES.												
314	Cloth: Exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling— Bleached— (L) Valued at over 11 cents per square yard	26.25	Free.							8.00		2.10	Free.

From Philippine Islands under act of March 8, 1902—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased— Value of imports, 1907.	Duty decreased— Per cent of decrease.	Duty decreased— Revenue under— Present law.	Duty decreased— Revenue under— Senate bill.
	SCHEDULE I—COTTON MANUFACTURES—continued.												
322	Clothing, ready-made, and articles of wearing apparel of every description, including neckties or neckwear, made up or manufactured, wholly or in part, by the tailor, seamstress, or manufacturer, and not otherwise provided for	*Per ct.* 37.50	*Per ct.* Free.							$81.00		$30.40	Free.
330	All other manufactures of cotton	33.75	Free.							103.75		53.08	Free.
	Total	44.40								192.75		85.58	
	SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.												
345	(L) Laces, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils and veilings, etamines, vitrages, neck ruffilings, ruchings, tuckings, flutings, and quillings; embroideries, and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands; and articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tamboured or appliquéed articles or fabrics; hemstitched or tucked flouncings or skirtings, and articles made wholly or in part of ruffilings, tuckings, or ruchings; composed wholly or in chief value of cotton, and not elsewhere specially provided for, whether composed in part of india rubber or otherwise	45.00	Free.							193.50	Free.	57.08	Free.
	(L) Wearing apparel (of cotton) made wholly or in part of lace, or in imitation of lace, embroidered by hand or machinery with a letter, monogram, or otherwise, or tamboured or appliquéed	45.00	Free.							48.86		21.99	Free
	(L) Laces, lace window curtains, tidies, pillow shams, bed sets, insertings, flouncings, and other lace articles; napkins, wearing apparel, and other articles, made wholly or in part of lace, or in imitation of lace; nets or nettings, veils and veilings, etamines, vitrages, neck ruffilings, ruchings, tuckings, flutings, and quillings; embroideries and all trimmings, including braids, edgings, insertings, flouncings, galloons, gorings, and bands, and other articles or fabrics embroidered in any manner by hand or machinery, whether with a letter, monogram, or otherwise; tamboured or appliquéed articles, fabrics, or wearing apparel; hemstitched or tucked flouncings or skirtings, and articles made wholly or in part of ruffilings, tuckings, or ruchings, composed wholly or in chief value of flax or other vegetable fiber (except cotton), and not elsewhere specially provided for, whether composed in part of india rubber or otherwise	45.00	Free.							970.75		436.85	Free.
	(L) Wearing apparel made wholly or in part of lace or in imitation of lace; embroidered, by hand or machinery, with a letter, monogram, or otherwise; or tamboured or appliquéed, composed wholly or in chief value of flax or other vegetable fiber, except cotton	45.00	Free.							4.00		1.82	Free.
347	Burlaps, plain woven fabrics of single jute yarn:												
	All other not specially provided for	33.75	Free.							12.50		4.22	Free.
348	(L) Pile fabrics, of which flax is the component material of chief value, and *manufactures of*	45.00	Free.							3.00		1.35	Free.
361	Handkerchiefs composed of flax, hemp, or ramie, or of which these substances, or either of them, is the component material of chief value, whether in the piece or otherwise, and whether finished or unfinished:												
	Not hemmed, or hemmed only	37.50	Free.							3.00		1.13	Free.
362	Woven fabrics or articles n. s. p. f., composed of flax, hemp, or ramie, *or in part cotton*, or of which these substances, or either of them, is the component material of chief value, weighing 4½ ounces or more per square yard:												
	All on which ordinary duty does not amount to 50 per cent	37.50	Free.							34.00		12.77	Free.
	Plain woven fabrics of flax, hemp, or ramie, or of which these substances or either of them is the component material of chief value, including such as is known as shirting cloth, weighing less than 4½ ounces per square yard (and containing more than 100 threads to the square inch, counting the warp and filling)	26.25	Free.							127.00		33.35	Free.
	All other manufactures of flax, hemp, ramie, or other vegetable fiber (except cotton), or of which these substances, or either of them, is the component material of chief value, n. s. p. f.:												
	Flax manufactures	33.75	Free.							235.45		79.47	Free.
	Hemp manufactures	33.75	Free.							115.00		38.82	Free.
	Jute manufactures	33.75	Free.							3.00		1.02	Free.
	Ramie or other vegetable fiber manufactures	33.75	Free.							976.00		329.51	Free.
	Total	33.40								2,726.06		1,049.38	

From Philippine Islands under act of March 8, 1902—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE K—WOOL AND MANUFACTURES OF WOOL.												
	Wool, hair of the camel, goat, alpaca, or other like animals, and manufactures of:												
372	Wool and hair advanced in any manner, or by any process of manufacture, beyond the washed or scoured condition, not specially provided for—												
	(L) Plushes and other pile fabrics—	*Per ct.*	*Per ct.*										
	Webbings (from Philippine Islands)	55.00	Free.							34.00		$2.20	Free.
	All other manufactures wholly or in part of wool—												
	Valued more than 40 and not more than 70 cents per pound	87.00	Free.							1.00		.87	Free.
	Wearing apparel—Clothing, ready-made, and articles of wearing apparel, made up or manufactured, wholly or in part, not specially provided for—												
	Knitted articles	57.00	Free.							1.00		.57	Free.
	Other clothing, ready-made, and articles of wearing apparel, made up or manufactured wholly or in part	54.87	Free.							38.00		20.85	Free.
	Total	55.66								44.00		24.49	
	SCHEDULE L—SILKS, AND SILK GOODS.												
	Fabrics, woven in the piece:												
	Weighing more than ½ ounce and less than 1½ ounces per square yard—												
	In the gum, or dyed in the thread or yarn	47.00	Free.							2.00		0.94	Free.
	Boiled off	112.50	Free.							6.00		6.75	Free.
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—												
	Dyed in the thread or yarn—												
	Black, except selvedges—												
	Containing more than 45 per cent in weight of silk—												
	Weight not increased beyond original weight of the raw silk	50.00	Free.							18.00		9.00	Free.
396	Handkerchiefs or muffers composed wholly or in part of silk, whether in the piece or otherwise, finished or unfinished:												
	Not hemmed or hemmed only—												
	On which ordinary duty does not amount to 30 per cent	37.50	Free.							5.00		1.88	Free.
	Hemstitched, or imitation hemstitched, or revered or having drawn threads, or embroidered in any manner, whether with an initial letter, monogram, or otherwise, by hand or machinery, or tamboured, appliquéd, or made or trimmed wholly or in part with lace, or with tucking or insertion—												
	Weighing not less than 1½ ounces and not more than 8 ounces per square yard—												
	On which ordinary duty does not amount to 60 per cent	45.00	Free							17.00		7.65	Free.
398	Laces, and articles made wholly or in part of lace, edgings, insertings, galloons, chiffons or other flouncings, *ornaments*, nets or nettings and veilings, neck ruffilings, ruchings, braids, fringes, trimmings, embroideries, and articles embroidered by hand or machinery, or tamboured or appliquéd	45.00	Free.							1,233.50		600.00	Free.
	Beltings, bindings, *not exceeding 12 inches in width, and if with fast edges*, bone casings, braces, cords, cords and tassels, garters, goringS, suspenders, tinbings, and webs and webbings, composed wholly or in part of silk, and whether composed in part of india rubber or otherwise, if not embroidered in any manner by hand or machinery	37.50	Free.							3.00		1.12	Free.
	Ribbons, *not exceeding 12 inches in width, and if with fast edges*	37.50	Free.							34.00		12.75	Free.
	Wearing apparel:												
	Knit goods, made up wholly or in part by the tailor, seamstress, or manufacturer	45.00	Free.							14.00		6.30	Free.
	Ready-made clothing and other articles of wearing apparel	45.00	Free.							426.50		191.93	Free.
399	All manufactures of silk not specially provided for	37.50	Free.							1,121.50		421.61	Free.
	Total	42.28								2,980.50		1,260.02	
	SCHEDULE M—PULP, PAPERS, AND BOOKS.												
	All other paper, n. s. p. f.	18.75	Free.							4.00		.75	Free.
412	Books, pamphlets, bound or unbound, maps, charts, music in books or sheets, and all printed matter, n. s. p. f.	18.75	Free.							50.00		9.42	Free.
	Engravings, bound or unbound, etchings, and photographs	18.75	Free.							82.75		15.58	Free.
416	Manufactures of paper, or of which paper is the component material of chief value, n. s. p. f.									5.00		1.25	Free.
	Total	19.03								141.75		27.00	
	SCHEDULE N—SUNDRIES.												
	Fabrics, nets, or nettings, laces, embroideries, galloons, wearing apparel, ornaments, trimmings, *curtains, fringes*, and other articles not specially provided for, composed wholly or in part (*chief value*) of beads or spangles made of glass or paste, gelatin, metal, or other material, but not composed in part of wool	45.00	Free.							8.00		3.60	Free.

From Philippine Islands under act of March 8, 1902—Continued.

Paragraph of Senate bill.	Classification of present law (Act of 1897). Italics indicate H. R. 1438, as reported by Committee on Finance to the United States Senate.	Equivalent ad valorems. Present law.	Equivalent ad valorems. Senate bill.	Duty unchanged. Value of imports, 1907.	Duty unchanged. Revenue under present law.	Duty increased. Value of imports, 1907.	Duty increased. Per cent of increase.	Duty increased. Revenue under— Present law.	Duty increased. Revenue under— Senate bill.	Duty decreased. Value of imports, 1907.	Duty decreased. Per cent of decrease.	Duty decreased. Revenue under— Present law.	Duty decreased. Revenue under— Senate bill.
	SCHEDULE N—SUNDRIES—continued.												
415	Hats, bonnets, and hoods, and materials for:												
	Hats, bonnets, and hoods composed *wholly or in chief value* of straw, chip, grass, palm leaf, willow, osier, rattan, *Cuba bark, or manila hemp*, whether wholly or partly manufactured—	*Per ct.*	*Per ct.*										
	Not trimmed	26.25	Free.							$38,757.50		$10,099.06	Free.
	Trimmed	37.50	Free.							50.00		18.76	Free.
	Brushes, feather dusters, and hair pencils	30.00	Free.							5.00		1.50	Free.
423	Buttons, or parts of buttons, and button molds or blanks, finished or unfinished:												
	Other, n. s. p. f.	37.50	Free.							5.00		1.88	Free.
427	(L) Toys: Dolls, doll heads, toy marbles of whatever materials composed, and all other toys not composed of rubber, china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for	26.25	Free.							1.00		.27	Free.
	Cartridges	26.25	Free.							3.00		.79	Free.
435	Furs dressed on the skin, but not made up into articles:												
	Manufactures of, not specially provided for—												
	All other	26.25	Free.							3.00		.79	Free.
436	Fans: All except palm leaf	37.50	Free.							117.50		44.10	Free.
444	(L) Jewelry, articles commonly known as, and parts thereof, finished or unfinished, n. s. p. f., *used to be worn upon the person or carried in the hand for purpose of adornment or utility, made in part of metal, including chain purses, and bags, of gold or silver wire or imitations thereof, portmonnaies, watch charms and guards*, including precious stones and corals set, pearls set or strung, and cameos in frames	45.00	Free.							273.50		123.08	Free.
	Other precious stones	7.50	Free.							360.00		27.00	Free.
	(L) Pearls in their natural state, not strung or set	7.50	Free.							8.00		.60	Free.
	Leather and manufactures of:												
	Boots and shoes	18.75	Free.							21.00		3.94	Free.
	Manufactures of leather, n. s. p. f.	26.25	Free.							16.00		4.21	Free.
455	Bone and horn, n. s. p. f.	22.50	Free.							23.00		5.19	Free.
	Straw and grass, n. s. p. f.	22.50	Free.							147.00		33.10	Free.
	(L) Ivory and vegetable ivory, n. e. s.	26.25	Free.							24.50		6.46	Free.
	(L) Shell and mother-of-pearl	26.25	Free.							11.00		2.89	Free.
	(L) Shells, engraved, cut, ornamented, or otherwise manufactured	26.25	Free.							7.00		1.84	Free.
462	(L) Paintings, in oil or water colors, pastels, and pen-and-ink drawings	15.00	Free.							49.00		7.35	Free.
	Pipes, pipe bowls of other material, and all smokers' articles not specially provided for, including cigarette books, cigarette-book covers, pouches for smoking or chewing tobacco, and cigarette paper in all forms	45.00	Free.							4.00		1.80	Free.
	(L) Sticks for walking canes	30.00	Free.							57.00		17.10	Free.
	Total	26.31	Free.							39,551.00		10,405.31	Free.
	Total Philippine Islands	48.23				$6.00		$3.56	$4.74	1,524,904.86		728,332.36	Free.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee to paragraph 313.

Mr. ALDRICH. I was conferring with the Senator from Iowa [Mr. DOLLIVER]. I was not sure whether the Senator from Iowa would desire to go on now or not. I expect to make a statement with reference to these amendments, but if there is no one else to speak now, I prefer to do it this evening and to have the statement made consecutively, rather than to commence now and have it broken in upon by the recess. Unless there is some other Senator ready to go on, I will suggest that we take a recess now until 8 o'clock, and at that time I will go on.

Mr. GALLINGER. If the Senator will permit me, I am only one of a large number of Senators, but I am personally very desirous that the Senator from Rhode Island shall in his own way discuss this schedule, and I hope he will do so this evening.

Mr. ALDRICH. I will do so this evening, without any doubt.

Mr. CRAWFORD. There is one matter that I want to get clearly in my mind when the Senator from Rhode Island speaks. The Senator from Wisconsin used figures from a Mr. Parkhill, showing or purporting to show increases. I want to find out whether there is an issue as to the basis for the figures given by Mr. Parkhill, and whether he used as the figures given from the Dingley law the rates intended in the Dingley law or the rates actually used in the administration of the Dingley law. I want to find out whether there is an issue on that question.

Mr. ALDRICH. I shall be glad to take up that question in connection with my statement. I know Mr. Parkhill; he is a man of intelligence and character; and I shall be glad to take up that question.

I think there is a desire for a short executive session.

Mr. BAILEY. Before that, I want to prefer a request. I ask unanimous consent that the amendment which I introduced to this bill the other day, and which was read and printed in the RECORD, may be printed in the usual form of amendments. I prefer that request, because I have had quite a number of requests for it, and it is necessary to send the entire RECORD.

The VICE-PRESIDENT. Without objection, the request will be complied with. The Chair hears no objection.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.), on motion of Mr. GALLINGER, the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Hale	Penrose
Beveridge	Crane	Heyburn	Perkins
Borah	Culberson	Hughes	Piles
Bourne	Cummins	Johnson, N. Dak.	Root
Bradley	Curtis	Johnston, Ala.	Scott
Brandegee	Dick	Jones	Shively
Briggs	Dillingham	Kean	Simmons
Bristow	Dolliver	La Follette	Smith, Mich.
Brown	du Pont	Lodge	Smoot
Bulkeley	Fletcher	McCumber	Stephenson
Burkett	Flint	Martin	Stone
Burnham	Foster	Money	Sutherland
Burrows	Frye	Nelson	Tillman
Burton	Gallinger	Overman	Warner
Carter	Gamble	Owen	Wetmore
Clark, Wyo.	Guggenheim	Page	

The VICE-PRESIDENT. Sixty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. ALDRICH. Mr. President, it is my purpose this evening to state as clearly and as briefly as I may the character and the scope of the amendments which the Committee on Finance have recommended to the cotton-cloth schedule, and to correct any misapprehension which may have been created by a torrent of misinformation and misrepresentation.

The amendments which have been suggested apply to but a very small portion of the cotton schedule. One listening to this debate would have supposed that these amendments apply to almost the entire schedule, and that three-quarters of the rates which are fixed in the Dingley law have been increased by the suggested changes. As a matter of fact, these amendments apply to not more than 10 per cent of the cotton schedule. Ninety per cent of the rates which were fixed by the Dingley law and by the House are absolutely unaffected by the bill as reported from the Finance Committee; the exceptions are the rates on certain classes of cotton yarns, which are reduced below the existing law, and certain amendments which have been submitted from the committee to reduce the rates below those fixed by the House. Some of the latter are quite important in their character.

Mr. President, when I say that 90 per cent of the rates fixed in the bill as it is now before the Senate are the rates of the Dingley law I can also say that they are largely the rates fixed in the Wilson-Gorman law. With the exception of a few changes in the finer classes of manufactures and upon laces, the rates of the Dingley act are identical with the act of 1894, which passed the Senate by the unanimous vote of every Democratic Senator.

Since 1883 the rates in the cotton schedules in the various acts have been lower than those imposed in any other of the textile schedules. The rates were continuously reduced in 1883, in 1890, and in 1894. Protective rates on cotton cloths were first imposed in 1816, when the distinguished South Carolinian, John C. Calhoun, and his friends secured the passage of the first protective tariff on these manufactures; the rates were increased up to and including the act of 1842, but afterwards and down to the act of 1894 there was a continuous reduction in the rates fixed by the successive tariff acts. In 1816 the Calhoun tariff fixed the minimum rate of 6¼ cents a square yard on the common cloths of the character that are used by the great masses of the people. In the bill which is now before the Senate (and those rates are not changed by the amendments of the Committee on Finance) cotton cloths of this class are dutiable at 1 cent a square yard.

It has been stated here that the provisions of the act of 1894—that is, the Wilson-Gorman act—in regard to cotton cloth were prepared by cotton manufacturers, and I think Governor Dingley stated that as long as they were satisfied in 1894 he saw no reason why there should be any change made in 1897. As I have already said, with reference to a great majority of these rates, no change was made in 1897 and none is now contemplated.

I ask the Senate to be patient with me while I explain in detail the provisions of the existing law and in what respect the Senate Finance Committee propose to amend them. The act of 1894 to which I have alluded fixed specific rates upon the great proportion of all descriptions of the cotton cloths which were at that time imported.

The act of 1894 provided in paragraphs 252 and 253, which constitute paragraph 313 of this bill, as follows:

252. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1¼ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.

253. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1½ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 1¾ cents per square yard; exceeding 9 square yards to the pound, 1¾ cents per square yard. * * *

With a proviso—

That on all cotton cloth * * * not exceeding 100 threads to the square inch, * * * valued at over 7 cents per square yard, 25 per centum ad valorem; bleached, valued at over 9 cents per square yard, 25 per centum ad valorem; and dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, * * * 30 per centum ad valorem.

The successive cloth paragraphs of the act of 1894 and of the act of 1897 had similar provisions as to goods counting above 100 threads to the square inch.

In the tariff acts of recent years the rates have been based upon the count of threads to the square inch and upon the fineness or weight of the cloth, thus fixing two tests of values. The act of 1816, to which I have alluded, and the acts passed subsequent to that time, fixed a minimum rate on cotton cloths. With the exception of the Walker tariff in 1846 specific rates have always been imposed upon cotton cloths. In the original act of 1816 no cloths were to be valued at less than 25 cents a square yard, and the rate fixed was 25 per centum ad valorem, thus making the lowest duty 6¼ cents per square yard. This minimum rate was increased afterwards to 7½ cents per square yard.

By the acts of 1894 and 1897 specific duties were levied according to count and weight, and these were extended to points supposed to be high enough at the time the acts were passed to afford adequate protection to all classes of goods liable to be imported in competition with domestic products.

I will read one more of the cloth paragraphs as it stands in existing law, in order that Senators may clearly understand the nature of these paragraphs. I will read paragraph 316.

316. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding 200 and not exceeding 300 threads to the square inch, counting the warp and filling, and not exceeding 2½ square yards to the pound, 3¼ cents per square yard; exceeding 2½ and not exceeding 3½ square yards to the pound, 4 cents per square yard; exceeding 3½ and not exceeding 5 square yards to the pound, 4½ cents per square yard; exceeding 5 square yards to the pound, 5 cents per square yard.

If bleached 4½ cents, 5, 5½ and 6; if stained, colored, painted or printed, exceeding 3½ square yards to the pound, 7 cents per square yard. The specific duties increase in each of the paragraphs numbered in this bill from 313 to 317, inclusive, and the rates were fixed in 1897 at a point where it was supposed that they would include all possible importations of cotton cloths. For instance, in paragraph 313 the specific rates apply to all goods valued at less than 7, 9, and 12 cents; in paragraph 314 to all cloths valued at less than 9, 11, and 12½ cents; in paragraph 315 to all cloths valued at less than 10, 12, and 12½ cents; in paragraph 316 to all less than 12½, 15, and 17½ cents; and in paragraph 317 to all valued at less than 14, 16, and 20 cents per square yard. So by the terms of existing law and by the bill as it now stands, and as it will stand if the committee amendments should be adopted, cloths valued at from 7 to 20 cents per square yard pay specific rates, which are not changed at all by the provisions of the amendments which we suggest. The cloths protected by these specific rates include, I should say, about 97 per cent of all the cloths that are manufactured in the United States.

Senators will see from this that the suggested changes apply to a very small proportion of the cotton cloths and cotton manufactures covered by the cotton schedule and that the cloths that are covered by the specific rates now imposed include almost all the cloths that the mass of the people of the United States are interested in or which are in common use. The cloths that are valued above the maximum specific rates established are all of them in a sense articles of luxury entitled by the understood doctrines alike of tariff reformers and protectionists to high rates of duty for revenue purposes.

If any Senator has an idea that the changes which the committee suggests affect the cost or the protection of the great mass of cotton cloths that are used and sold and imported into the United States he is mistaken, because the amendments, as I have shown, only apply to a very small portion.

I now ask the attention of the Senate to the reasons which led the committee to recommend to the Senate the substitution of specific rates for existing ad valorems on cloths valued above 7 to 20 cents per square yard; in other words, why we think it necessary to secure an extension of specific rates along the same lines of the act of 1894 to a higher point. It was necessary, in the first instance, to cover adequately new classes of goods which were not in contemplation; not even in existence, in 1894. It was necessary to cover a class of goods which perhaps were not valued at over 20 cents a yard in 1897, but by

per square yard, if dyed, colored, stained, painted, or printed, 2 cents per square yard.

haps were not valued at over 20 cents a yard in 1897, but by

reason of the appreciated price of cotton have advanced beyond that value in recent years.

Senators will remember that when the act of 1897 was passed the average price of cotton was approximately 6 cents a pound, while recently the price of cotton has been approximately 12 cents a pound, showing an increase in the price of material resulting in an increase in the price of the manufactured articles.

Further, the Committee on Finance believe firmly in the protective idea of always imposing specific duties when they can be applied.

Mr. BACON. Will the Senator permit me to suggest——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. ALDRICH. I think that I ought really to ask the Senator to excuse me from answering questions at this stage.

Mr. BACON. I am not going to ask a question. I am just going to suggest that the Senator is mistaken in the price of cotton, both in 1897 and in recent years.

Mr. ALDRICH. I, of course, stated approximately.

Mr. BACON. The Senator stated the price too low in one instance and too high in the other.

Mr. ALDRICH. I am not undertaking to be exact. Of course, the figures are easily available. I suppose the Senator is willing to admit that there was a large increase in the price of cotton between those years.

Mr. BACON. Not nearly as much as the Senator suggests.

Mr. ALDRICH. What does the Senator say it was?

Mr. BACON. I say 6 cents has never been a ruling price——

Mr. ALDRICH. I am not talking about the ruling price.

Mr. BACON. For any series of years.

Mr. ALDRICH. I am not talking about the ruling price for a series of years. I am talking about the price about twelve years ago and in recent years.

Mr. BACON. I am talking about the market price when I say the ruling price, the price that has been recognized in the market except in an exceptional year.

Mr. ALDRICH. It is immaterial for the purposes of my argument. I am stating approximately. The Statistical Abstract shows that the price in 1898 was $5.94, and in 1907 $12.10. I desire to say to the Senator from Georgia it is quite important, as long as I have no prepared speech and do not wish to detain the Senate unduly, that I should proceed without interruption. At the end of the statement I shall be only too glad to answer any questions which may be asked with reference to it.

To resume as to the necessity for the changes suggested. The changes are necessary more than for any other reason to cure radical defects in existing law, defects disclosed by a series of remarkable opinions and decisions by which the intention of the Congress was clearly nullified and the provisions inserted to cover and protect large classes of goods emasculated. It is perfectly immaterial for the purposes of my argument whether the purpose of Congress was set aside on account of the use of indefinite or improper language by the Congress, or by erroneous interpretation by the Board of General Appraisers, or the courts. The results are apparent and can not be successfully contradicted.

First. A class of openwork soft fabrics and of articles of a low count and high valuation were assessed by the Dingley Act at 60 per centum ad valorem, as nets and nettings, etamines and vitrages.

By a decision these cloths and articles were reduced by successive stages from 60 per cent to 4, 5, or in some cases 6 per cent.

Second. By another decision nonhomogeneous cloths—that is, cloths that counted 50 threads to the square inch in one part and perhaps 150 threads to the square inch in another part, which had properly been held dutiable at 45 per centum ad valorem—were transferred to the countable provisions of the act of 1897, thus reducing the duty from 45 per centum ad valorem to 20 and 25 per centum ad valorem.

Third. By another decision manufactured articles of cotton cloth, which were originally and properly held to be dutiable under the 45 per cent "not otherwise provided for" clause of the cotton schedule, were also transferred to the countable paragraphs of the act and the rates reduced from 45 per centum ad valorem to 25 per centum ad valorem.

Fourth. By another decision it was held that only the warp and filling threads of the cloth were taken into consideration in order to determine whether goods were to pay the duties imposed upon gray cloths or the duties which were imposed on painted, dyed, and stained cloths. Within a few days the United States Supreme Court has refused to issue a writ of review in this case, and all moneys collected at the old rates will have to be refunded.

These four decisions changed entirely the character of the paragraphs in regard to cotton cloths and made the imposition of specific duties necessary for the present and future protection of the revenue.

We propose for this purpose to extend the range of specific rates, which were limited in the act of 1897, to a point where they would cover the goods which pay, under the provisions of the paragraphs as they now stand, ad valorem rates.

It was absolutely necessary, in the opinion of the committee, to cure the defects to which I have alluded, and they believed that this could only be done by the imposition of specific duties. Under the extraordinary decisions I have referred to goods valued at 20 cents a yard were made dutiable at 1½ cents a yard; goods valued at 40 and 50 cents a yard were made dutiable at 25 per centum ad valorem, instead of 60 per cent, as was clearly intended by Congress. It was necessary, I repeat, in the opinion of the Committee on Finance, that decisions of that character should be provided against hereafter, and that a correction should be made of the manifest defects of the present law.

I can better illustrate than in any other way perhaps the character of these changes by exhibiting to you the goods involved in the last decision I have mentioned. That decision made this piece of cloth [exhibiting] colored, and this piece of particolored cloth [exhibiting] white. The warp and filling threads of that piece of cloth [exhibiting] are white and all this color is in superimposed threads. The court held that that cloth [exhibiting] was dutiable as gray cloth. I shall ask to have the Secretary read a communication, which I shall send to the desk, with reference to the effect of this decision. I call the particular attention of the Senate to the opening statement of this decision, where it is said that the United States will be obliged to pay within the next few months $500,000 from the Treasury for the benefit of the men who imported those goods. I will later on estimate the effect which these refunds and reductions will have on the revenue. The Government has paid out in some years as much as $5,000,000 a year on account of decisions similar to this. I ask the attention of the Senate to the communication which I desire to have read.

The VICE-PRESIDENT. In the absence of objection the Secretary will read as requested.

The Secretary read as follows:

[New York Commercial, Wednesday, May 26, 1909.]

COLORED COTTON IMPORTERS TO GET $500,000 REFUNDS—SUPREME COURT DECLINES TO REOPEN NOTED TEST CASES—EXTRA MONEY PAID IN DUTIES PRACTICALLY MEANS PROFIT, AS SELLING PRICE WAS AT HIGHER RATE—DOMESTIC MANUFACTURERS HIT BY FINAL RULING.

As a result of the refusal of the United States Supreme Court on Monday to grant the Government's request for a writ of certiorari in the so-called colored cotton cases, the Treasury Department will be called upon to pay out refunds to importers aggregating possibly $500,000. The refunds are of duties collected by the Government which now are decided by the courts to have been illegal.

The Government, backed by the domestic manufacturers of the cloth, which is brought out into competition with the foreign-made productions, has brought two distinct test cases before the Board of General Appraisers, the circuit court, and the circuit court of appeals. In nearly every instance the importers were successful in their contention for the imposition of lower duties than those alleged by the Government and the manufacturers to accrue properly.

The importers whose names appear in the test litigation include W. B. Quaintance, Titus, Blatter & Co., and Rusch & Co. The importing trade in its entirety, however, is affected vitally by the result of the Supreme Court to grant the Government's petition for a review of the decision made by Judges Lacombe, Coxe, and Ward in the federal court of appeals January 12 last. As matters stand now, the importers have been completely successful in their claims, and nothing remains to the Government but to accept the situation and reimburse the importers for the extra money paid by them as duties.

ALL IS EXTRA PROFIT.

Inasmuch as the amount of duties in dispute were added in most instances by the importers to the selling price of the goods, the large refunds are practically in the form of bonuses.

The provisions of the Dingley tariff involved are paragraphs 305 to 309, inclusive, usually referred to as the "countable cotton" paragraphs, while another paragraph, 313, contains a proviso for the imposition of additional duty in certain contingencies. All of the paragraphs are among the most complicated in the entire tariff, and have been the occasion of innumerable contests between the Government and the importing interests.

The decision of the circuit court of appeals, which the Supreme Court now declines to review, thus making it final, was written by Judge Lacombe. The judge held that the provision in paragraph 305 for "colored" cotton cloth does not apply to goods in which the only color is given by other than ordinary warp and filling threads used in the process of weaving to form a figure, as described in paragraph 313. It was further held that in the assessment on such goods of the duty described by the latter paragraph, additional to that imposed on other cotton cloth of the same description or condition, such additional duty should be added to the rate applicable to uncolored cottons.

The goods, subject of the decision, are cotton cloths in which all the ordinary warp and filling threads, whether bleached or unbleached, which form the foundation, are not colored. The foundation is embellished with designs composed entirely of colored threads interwoven with, and superimposed upon, the warp and filling threads to form colored figures of greater or less elaboration. Sometimes the figures

are few and small, but always substantial enough to modify the plain goods. At other times the figures cover the greater part of the foundation, so that the fabric appears to the eye as a colored one with ornamentation. The additional threads composing the colored design are woven in the loom at the same time as the rest of the fabric.

EXPERT DISCUSSES THE RULING.

A representative of domestic manufacturing interests, in discussing the effect of the Supreme Court's denial of a writ of certiorari to review the decision of the United States circuit court of appeals, had this to say:

"If the color of figured cotton cloth is controlled by the color of the foundation threads so that a colored cloth is practically an uncolored cloth, the value of the cloth is controlled also by the foundation threads, and not by the value of the cloth in its entirety. This is an interesting case. The Board of General Appraisers first decided that the color of the cloth was determined by the color of the foundation threads, and in another, or later, case reversed itself, holding that the cloth in its entirety controlled the color and that any substantial coloring constituted colored cotton cloth.

"The importers then carried the case into the courts. The circuit court reversed the Board of Appraisers, and the circuit court of appeals sustained the circuit court in finding in favor of the importers. The Supreme Court, in now refusing a writ at the request of the Government to review the issue, sustains the lower courts in favor of the importers.

"The effect of the court's decision will be decidedly injurious to cotton manufacturing interests in this country, as the duty heretofore collected upon figured cotton cloth has been decidedly higher than the future duty which can be imposed under the present interpretation of the law. The proposed tariff bill, as reported by the Senate Finance Committee, if enacted, will nullify the court decisions and restore the original rates contemplated by the framers of the Dingley law."

Albert H. Washburn, of the law firm of Comstock & Washburn, representing the importers, had nothing to say for publication regarding his victory.

Mr. ALDRICH. Mr. President, without intending to reflect upon anybody, I desire to make a statement in this connection suggested by the reference to the attorney in this case. Almost without exception, and this is perhaps quite natural, every person who has displayed unusual ability in the management of the government cases has sooner or later left the government service and found more profitable employment with importers in endeavoring to discover defects in our customs laws. The young man, whose name is mentioned in this article, was formerly the secretary of one of our fellow Senators. He was appointed assistant United States district attorney at Boston and afterwards the attorney for the Government before the Board of General Appraisers in New York. After serving in that capacity in the most satisfactory manner he became a member of the firm in New York which is engaged in the management of customs cases and the prosecution of claims against the Government.

I must not be understood as expressing any condemnation of Mr. Washburn, for whose industry and ability I have great respect.

Prosecuting claims against the Government is a respectable and profitable vocation; much more profitable than that of a government employee at an annual salary of a few hundreds of dollars. There have been a dozen cases of similar kind within my recent memory, where men who have had charge of the interests of the Government in customs matters have felt obliged, in their own interest, to leave the employ of the Government to accept more profitable service at the hands of importers. It is unfortunate that the Government can not retain in place the efficient men who have been educated in its service at the public expense.

The Government of the United States has been at a great disadvantage in all these cases. The same attorney who appears before the Board of General Appraisers and represents the interests of the Government does not appear before the district and circuit courts in the cases. It is within my knowledge, and the knowledge of every one who has information upon this subject, that some cases, involving hundreds of thousands and millions of dollars, have not been intelligently or properly presented to the higher court. That important errors are made either in construction or administration is shown by the different decisions I have referred to, which have practically nullified the purpose of Congress and so emasculated a portion of the present law that the revenues of the Government have been wasted and the protection, which was sought to be afforded to the domestic manufacturers, has been destroyed.

Of course this involves matters which we can not hope to regulate in this cotton schedule. One remedy, in the opinion of the committee, was available, and that was the substitution of specific duties for the ad valorems in these paragraphs, these specifics to follow the lines of those imposed by the act of 1894. It was the purpose of the committee, as I have already stated, that these specific rates should not exceed the rates originally intended to be imposed by the act of 1897.

The instruction of the committee to the expert who made the computation was that the specific duties should equal the ad valorem rates of the existing law—with the exception of the 60 per cent rate, as we have no intention and no purpose of restoring the 60 per cent rate of the old law—that is, the specific rates should range from 25 to 45 per centum ad valorem, that they should not exceed those rates, and that they should not exceed the equivalent ad valorems of the existing law. This purpose of the committee is written into these amendments, and it is not within the power of anyone to show that there is an increase in these specific rates above the average rates which were imposed or intended to be imposed by the act of 1897.

I am, of course, aware that it is claimed vehemently that these amendments do involve an increase over the act of 1897. How is this shown, and what evidence is produced, to convince the Senate of its truth? First, we have a statement, which was submitted by the Senator from Texas [Mr. CULBERSON], purporting to show the increases in the duties of House bill 1438 by the Senate Finance Committee. I want to read a paragraph from that statement to show that the expert of the minority is mistaken as to the purport of the Senate amendments. In the very first line this occurs:

Not exceeding 50 threads to the square inch, counting warp and filling not bleached, dyed, colored, stained, painted, or printed, the duty under the present law 1 cent per square yard; duty under the Senate bill 2½ cents a square yard.

The duty under the Senate bill as amended is 1 cent a square yard and not 2½ cents. All the way through the statements made as to the rates and the effect of the rates are inaccurate. I will not stop to read this statement, but I will ask to have it printed in the RECORD.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The statement referred to is as follows:

Estimates of increases in duties of H. R. 1438, etc.

Paragraph.	Articles.	Rates of duty.		Per cent of increase.	Senate bill as amended by committee (true rate).	Per cent of increase.
		Present law.	Senate bill.			
313	Cloth:					
	Not exceeding 50 threads to the square inch, counting warp and filling—					
	Not bleached, dyed, colored, stained, painted, or printed.	1 cent per square yard.	2½ cents per square yard.	125.00	1 cent per square yard	None.
	Bleached	1½ cents per square yard	7 cents per square yard.	460.00	1½ cents per square yard	None.
	Dyed, colored, stained, painted, or printed.	2 cents per square yard.	3 cents per square yard.	50.00	2 cents per square yard	None.
	(L) Not exceeding 100 threads to the square inch, etc.—					
	Not bleached, dyed, colored, stained, painted, or printed, valued over 7 cents per yard.	25 per cent	4½ cents per square yard.	51.52	2½ cents to 7 cents per square yard.	
	Bleached, valued over 9 cents per square yard.	25 per cent	5½ cents per square yard.	44.60	2½ cents to 8 cents per square yard.	
	Dyed, colored, stained, painted, or printed, valued over 12 cents.	30 per cent	8 cents per square yard.	47.60	3½ cents to 10 cents per square yard.	
314	Exceeding 100 and not exceeding 150 threads to the square inch, counting warp and fillings—					
	Not bleached, dyed, colored, stained, painted, or printed, exceeding 6 and not exceeding 8 square yards to the pound.	2½ cents per square yard.	8 cents per square yard.	20.00	2½ cents per square yard	None.

Estimates of increases in duties of H. R. 1438, etc.—Continued.

Paragraph.	Articles.	Rates of duty. Present law.	Rates of duty. Senate bill.	Per cent of increase.	Senate bill as amended by committee (true rate).	Per cent of increase.
	Cloth—Continued.					
	Exceeding 100 and not exceeding 150 threads to the square inch, counting warp and fillings—Continued.					
	Valued over 9 cents per square yard...	30 per cent	4½ cents per square yard.	17.87	3 cents to 8 cents per square yard..	
	(L) Bleached, valued over 11 cents per square yard.	35 per cent	6½ cents per square yard.	17.23	4½ cents to 10 cents per square yard.	
	(L) Dyed, etc., valued over 12½ cents per square yard.	35 per cent	7 cents per square yard.	13.09	5½ cents to 10 cents per square yard.	
315	Exceeding 150 threads and not exceeding 200 threads to the square inch, etc.—					
	Not bleached, dyed, colored, etc., valued over 10 cents per square yard.	35 per cent	5½ cents per square yard.	20.88	4½ cents to 10 cents per square yd..	
	Bleached (L), valued over 12 cents per square yard.	35 per cent	8 cents per square yard.	32.83	5½ cents to 10 cents per square yard.	
	Dyed, colored, stained, etc. (L), valued over 12½ cents per square yard.	40 per cent	8 cents per square yard.	11.20	6 cents to 10 cents per square yard..	
316	Exceeding 200 and not exceeding 300 threads to the square inch, etc.—					
	Not bleached, dyed, colored, printed, etc., (L) valued over 12½ cents per square yard.	40 per cent	6½ cents per square yard.	.02	5½ cents to 10 cents per square yard.	
	Bleached (L), valued over 15 cents per square yard.	40 per cent	8 cents per square yard.	1.60	6½ cents to 12½ cents per square yard.	
	(L) Dyed, colored, stained, etc., valued over 17½ cents per square yard.	40 per cent	11½ cents per square yard.	29.42	8 cents to 12½ cents per square yard.	
317	Exceeding 300 threads to the square inch, etc.—					
	Not bleached, dyed, colored, etc., not exceeding 2 square yards to the pound.	4 cents per square yard.	6½ cents per square yard.	62.50	4 cents per square yard.....	None.
	Not valued over 14 cents per square yard.	40 per cent	6½ cents to 12½ cents per square yard.	(8 to 25)	4 cents to 5½ cents per square yard.	None.
	Bleached, valued over 16 cents per square yard.	40 per cent	11½ cents per square yard.	20.85	8 cents to 12½ cents per square yard.	
	Dyed, colored, stained, etc., valued over 20 cents per square yard.	40 per cent	12½ cents per square yard.	16.77	1 cent to 2½ cents per square yard..	

Mr. ALDRICH. Second, it is asserted that the statement of the Estimated Revenues, submitted by the Committee on Finance, shows a large increase over the present law.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. For a question, yes.

Mr. CULBERSON. Only for a question?

Mr. ALDRICH. Only for a question, because, as I have already stated, I prefer to go on and make my statement, which involves a number of intricate questions.

Mr. CULBERSON. I desire to state, Mr. President——

The VICE-PRESIDENT. The Senator from Rhode Island yielded only for a question.

Mr. ALDRICH. I think the Senator better wait until I get through, if it is convenient for him to do so.

Mr. CULBERSON. I wanted to correct a statement made by the Senator from Rhode Island.

Mr. ALDRICH. The Senator can do that afterwards. There will be ample time to do so.

Mr. CULBERSON. I wanted to do it now, when the statement is made.

The VICE-PRESIDENT. The Senator from Rhode Island prefers not to yield.

Mr. ALDRICH. I will yield for a correction, if the Senator desires to make a correction.

Mr. CULBERSON. I simply desire to say, Mr. President, that the paper I filed was prepared by Mr. McCoy, an employee of the Treasury Department, recommended by the Secretary of the Treasury as a competent person, an expert, to do this character of work. Of course I do not personally know whether it is or is not correct; but it is entitled to as much credence, it seems to me, as is that of the army officer whose paper was presented by the Senator from Rhode Island.

Mr. ALDRICH. Mr. President, I will only say in reference to the Senator's statement that the gentleman referred to has in some way not understood the purport of the Senate amendments. That is all I care to say about that.

Mr. President, the paper entitled "Estimated revenues" has been appealed to, to show that in quite a large number of cases there has been an increase of rates in the Senate committee amendments above the rates of the existing law. These claims of advances all grow out of so-called equivalent ad valorems on cloths valued above 7, 9, 11, and so on up to 20 cents, on which ad valorem rates are now imposed. They are based upon the average value of all importations under these ad valorem rates. For instance, in one class all of the goods above 7 cents in value are massed together to secure an average value of all the importations under the ad valorem rates. We will assume, for instance, that the "valued at 20 cents" rate was 8 cents a yard, and the duty to be assessed was assessed upon the value of 23.3 cents. Well, as a matter of fact, these goods cover a range from 20 cents up to 30 or 40 cents, and it is impossible for any man to tell what was the real value of the various goods that were imported; that is, it is impossible to tell by the statistics what rates they would pay under the provisions of the amendments. Major Lord, who prepared the statement with the aid of experts from the Bureau of Statistics, did the best that could be done with it; he was obliged to take the average value of the imports, but it would be impossible for anybody to state accurately the value of separate importations and the application of the new rates to them. The men who have supervision of the importations in New York, the examiners and the appraisers, could certainly make the best estimate of anybody; but it would be impossible for anybody here, from tables of equivalent ad valorems, to evolve an accurate statement as to the rates which would be imposed under the bill as reported by the Senate Committee on Finance.

To illustrate the fallacy of using as the basis for the computation of equivalent ad valorem rates the average value as expressed in Estimated Revenues and furnished by the Treasury Department, it is but necessary to take as an example the average value of cloth dyed, colored, stained, painted, and printed, under the provisions of paragraph 313, page 39, of "Estimated revenues," which is given as 18.1 cents per square yard. In figuring the equivalent ad valorem under the Senate bill, the rate applying to all goods valued at over 17½ and not over 20 cents per square yard, which is 8 cents, is used. The total importations coming under the ad valorem provisions of paragraph 313, which carried under the Dingley bill 30 per cent ad valorem, are computed at the rate of 8 cents, showing an equivalent ad valorem rate on the value of the importations of 44.28 per cent, and this rate has been characterized to-day upon the floor as an increase of 50 per cent.

The provisions of the Senate bill make goods valued at 12 to 12½ cents per square yard dutiable at an equivalent minimum ad valorem of 30 per cent; those from 12½ to 15 cents at an equivalent minimum of 35 per cent; those from 15 to 17½ and from 17½ to 20 cents at an equivalent minimum ad valorem of 40 per cent.

Included in the average value of 18.1 cents there must of necessity have been goods valued at from 12 to 24 cents per square yard, and therefore these goods would pay, under the Senate bill, an average equivalent ad valorem much less than that indicated in the table.

In order to show conclusively that changes in average ad valorem rates can not possibly be relied upon to show relative changes in rates upon imports at any time or from one time to another, I will insert three tables from the last edition of the

Report of Imports and Exports published by the Bureau of Statistics:

Cotton cloth in which other than the ordinary warp and filling threads have been introduced in the process of weaving to form a figure, whether known as lappets or otherwise, and whether unbleached, bleached, dyed, colored, stained, painted, or printed.

EXCEEDING 5 SQUARE YARDS TO THE POUND.—NO. 1103.—VALUED MORE THAN 7 CENTS PER SQUARE YARD.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Sq. yds.	*Dollars.*	*Dollars.*	*Dollars.*	*Per cent.*
1899....	6 cts. plus 2 cts. per sq. yd..	5,928	815.00	474.24	0.137	58.19
1900....	.....do.....	210	27.00	16.80	.129	62.22
1901....	.....do.....	1,241	177.00	99.28	.143	56.09
1902....	.....do.....	255	67.00	20.40	.263	30.45
1903....	.....do.....	3,460	294.00	276.80	.085	94.15
1904....	.....do.....	675	98.00	54.00	.145	55.10
1905....	.....do.....	1,837	296.00	104.56	.157	50.75
1907....	.....do.....	781	95.00	62.48	.122	65.77

Cylinder, crown, and common window glass, unpolished, when bent, ground, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated.

NO. 1934.—ABOVE 40 BY 60 INCHES.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Pounds.	*Dollars.*	*Dollars.*	*Dollars.*	*Per cent.*
1898....	4½ cents per lb. and 5 per ct.	400	100.00	22.50	0.25	22.50
1899....	.....do.....	1,272	147.00	63.00	.115	42.86
1902....	.....do.....	1,000	47.00	46.10	.047	98.30
1903....	.....do.....	2,385	170.00	112.84	.071	66.38
1904....	.....do.....	160	2.00	7.10	.013	355.00
1905....	.....do.....	162	8.00	7.49	.05	93.63
1906....	.....do.....	4,116	230.00	191.57	.056	83.29

Plate glass, cast, polished, silvered, when bent, ground, obscured, frosted, sanded, enameled, beveled, etched, embossed, engraved, flashed, stained, colored, painted, or otherwise ornamented or decorated.

NO. 1980.—ALL ABOVE 24 BY 60 INCHES.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average. Value per unit of quantity.	Average. Ad valorem rate of duty.
		Sq. ft.	*Dollars.*	*Dollars.*	*Dollars.*	*Per cent.*
1894....	60 cts. per sq. ft. and 10 p. ct.	229	189.00	156.30	0.83	82.70
1895....	38 cts. per sq. ft. and 10 p. ct.	96	84.00	44.88	.87	53.43
1897....	.....do.....	18	17.00	8.54	.94	50.24
1899....	38 cts. per sq. ft. and 5 p. ct.	269	242.00	114.32	.90	47.24
1900....	.....do.....	48	52.00	20.84	1.09	40.08
1901....	.....do.....	679	2,273.00	371.67	3.35	16.36
1902....	.....do.....	255	311.00	112.45	1.22	36.16
1903....	.....do.....	251	205.00	105.63	.817	51.53
1904....	.....do.....	3,719	2,577.00	1,542.07	.693	59.80
1905....	.....do.....	133	47.00	52.89	.353	112.53
1906....	.....do.....	101	124.00	44.58	1.22	35.95
1907....	.....do.....	679	45.00	260.27	.066	578.38

It will be observed that in 1906 the average ad valorem rate of importations of plate glass in Table 1980 was 35.95, while in the next year it was 578.38, or an apparent increase of 1,551 per cent in the equivalent ad valorem rates from one year to the other. There was no change whatever in the actual rates imposed in these two years. Similar discrepancies appear in the other tables, showing the absolute futility of attempting to ascertain rates by reason of changes in equivalent ad valorems.

I could print in the RECORD page after page of these statements which would show greater changes from one year to another, and without the slightest change in rates, than any which have been presented to the Senate as proving that there has been an increase in these rates. But I will not take up the time of the Senate further in this connection. I will call attention, however, to one of the peculiarities that have already been alluded to in the yarn schedule. It is found in the report of estimated revenues.

No. 52 cotton yarns were imported in 1907 at a value of 46.7 cents per pound, with an equivalent under the present law of 27.86 per cent, and under the Senate bill of 27.86. No. 53 were imported the same year valued at 71.4 cents, with an equivalent ad valorem of 18.56 under the present law and 20 per cent under the Senate bill. No. 55 were imported at the value of 48.1 cents per pound, with an equivalent ad valorem under the present law of 28.60 and 28.60 per cent under the Senate bill.

As illustrating the gross inconsistency which appears all through estimates of this kind, everyone knows that the value of cotton yarns is in proportion to the fineness of the number; 53 would cost a little more than 52; 55 a little more than 53. Yet the table shows that the value of No. 52 in 1907 was 46.7 cents per pound, while No. 53 was 71.4 per pound; but No. 55, again, is only 48.1 per pound. The duty on all three of these numbers, both in the present law and in the Senate bill, is assessed on exactly the same basis per number, and yet 53 apparently shows an increase, whereas the numbers both before and after show exactly the same rate of duty both under the present law and the proposed law.

It shows you can tell nothing whatever about these equivalent ad valorems. You certainly can tell nothing whatever about an equivalent ad valorem based upon an average of values ranging all the way from 7 to 30 cents where there is an average made and the rate is supposed to be assessed upon the average, when it never could be assessed upon the average. It must be assessed upon the different and individual valuations.

Several Senators have undertaken to show increases by taking the high point in the brackets of value for ad valorem equivalents. To illustrate what I mean: Of course, a specific duty applies unequally; it must necessarily be so. For instance, we assess a duty of 11 cents upon first-class wool. Sometimes that rate is 40 per cent on the foreign value of the wool, sometimes it is 60 per cent, sometimes it is 70 per cent, sometimes it might show 100 per cent. What does this mean? Not that the rate has changed. It might be 40 per cent one year and 60 per cent the next on the importations. Does that show that the rate has been increased 50 per cent? By no means. The rate remains the same. The value of the importations may fluctuate. The value per unit of quantity may change, and will change. In equivalent ad valorems you never can have precisely the same ad valorem two years in succession on goods imported.

Take iron ore. Iron ore may be worth in Cuba at the mines 50 cents per ton, and 25 cents a ton would be 50 per cent. If it came from Canada, where iron ore might be worth $2.50 a ton, it would be 10 per cent ad valorem. The table might show 50 per cent one year and 10 per cent the next. It would show nothing except that there had been a change in the value, or possibly and probably a change in the place from which the goods were imported. That same thing runs through all these schedules of specific duties. It is impossible to tell by any such computation as to the effect of a rate upon the importations of last year or the importations of next year. The conditions of last year can not be duplicated next year.

The Senator from Minnesota [Mr. NELSON] submitted a statement showing what the average ad valorems would be under the suggested specifics. The statement was very fair (that Senator always means to be) on every bracket but one. For instance, he takes goods valued above 20 cents a yard and says the rate is 10 cents, and he says that is equivalent to 46.7 per cent. It is equivalent to 46.7 if the goods were valued at 21 cents and a fraction, but it is 40 per cent if the goods are valued at 25 cents, and this range of values starts from 20 cents, and it is not fair, as the Senator will undoubtedly see at once, to say that 46.7 is the average on all importations above 20 cents.

Take another case. The specific duty fixed by existing law and by the Wilson bill on unbleached cloths valued at 7 cents a yard or less is 1¾ cents. The duty now fixed by this bill on goods worth 7½ cents a yard is 2¼ cents; and it is easy to show an increase in the resulting equivalent of a specific rate changed to ad valorem from 1¾ to 2¼ by a change of an eighth of a cent in the value of the goods. But does any sane man suppose that any importer will ever bring goods to this country valued at 7½ cents when by making them valued at 7 cents he will save a half a cent of duty? Certainly not. There are always high and low points in a specific duty, as I have already said, but the experience of our custom-house and the experience of every country in the world which imposes specific duties—and most of them impose specific duties in the cotton schedule in their own countries—show the high and low point, and show that the importations are always at the low point. Suppose a foreign manufacturer can save a half a cent or three-quarters of a cent or a cent a yard in duty by a slight variation in value. What is he going to do? Is he going to send goods here to have duties imposed at the highest rate? Certainly not. He will change his methods of production, if you please, or he will reduce the

cost of production sufficiently, either in his invoices or in his factory, to bring the goods in at the lowest point.

It is absolutely impossible to suppose, in the case I have alluded to, that any man will pay 2¼ cents on goods valued at 7½ cents when he can bring them here for 1¾ cents at 7 cents. It is easy to show, by taking this illustration where the duty at 7 cents is 1¾ cents, or at 7½ or 7 7/16 is 2¼ cents, an increased duty. That can be done any time and anywhere; not on this schedule alone, but on every schedule in this bill which imposes specific duties.

With the valuation of importations from one year to another changing a quarter or a half or a cent, you have a very different equivalent ad valorem. You have, as I have already stated here, an increase of 300 per cent or a thousand per cent in one year after another without a change of a single mill in the duties which are imposed by law. No; it is not possible to tell what the effect of the importations next year will be upon the rates which are proposed by the proposed act. You must discard these averages, which were used because there was nothing else to use in this estimate of revenue. You have to discard these high points in the changes of rates, because the high point will not be used in practice. The low point will be used in practice, and you can not show the effect of these rates by any such jugglery of figures.

Now, let us take another illustration. The rates on the fancy goods I have referred to have been reduced by changes in the interpretation of the law, in some cases from 60 per cent to 9 7/16 per cent and less. We propose to put the rates back, not to 60 per cent, but to from 25 to 40 per cent. That shows an increase in duties of 600 per cent on the face of the papers over the rate as now collected—not the Dingley rates as they were imposed, but the Dingley rates as they have been interpreted and construed—and we are charged with increasing the rates enormously, when the rates as fixed are still 20 to 25 per cent below the rates which were originally intended on these articles.

Mr. BEVERIDGE. Is it a reduction from the law as it now stands?

Mr. ALDRICH. It is not a reduction from the law as it now stands, because it stands as it has been interpreted by these various tribunals. We propose to put it at about 40 per cent instead of 60 per cent; that is, 20 per cent below the present rate.

Mr. BEVERIDGE. My question is whether there is an increase or a decrease over the law as it now stands.

Mr. ALDRICH. What do you mean?

Mr. BEVERIDGE. I mean the law as it is now, and the law as it is now is the law as the courts have interpreted it.

Mr. ALDRICH. Of course there is, then, an increase. That goes without saying, I take it. We are trying to correct these defects, and to remedy them an apparent increase is necessary. But it is an increase to a point which is lower than what was originally intended by the act itself and as it was administered for six years; and I will show that, I think, to the satisfaction of the Senator from Indiana before I am through.

Mr. McCUMBER. It covers what percentage of the goods imported?

Mr. ALDRICH. I will take that matter up later. I will show the Senator just how much, in the judgment of the men in the country best qualified to judge.

There is another point to which Senators have called attention, and that is that in many of these paragraphs the importations are very small, and that that constitutes a reason why the rates should be low rather than high—because there are no importations or the importations are a negligible quantity. Let us look at that. Under the specific rates imposed by the Wilson bill and the present law, and which we do not intend to change, on all of the lower class of goods the importations are practically nil. What then is to be done? Shall we remove all the duties? Shall we vary the rates in this bill according to the importations from year to year? If so, we might have articles on the free list to-day, with a duty of 25 per cent next year, and a duty of 50 per cent the year following. Can we adopt a sliding scale of that kind to determine what the rates of duty shall be?

The acts of 1894 and 1897 fix a consistent and symmetrical system of specific duties, applicable, as I have stated, to goods valued at from 7 to 20 cents a yard. We have extended those specific duties upon the same general plan to include the goods which are likely to be imported at present or which may be imported hereafter, in order that the schedule, from bottom to top, shall be a symmetrical and harmonious schedule without reference to the fact that to-day or this year the importations are one dollar or a million dollars. I know of no other sensible or logical process or method by which a tariff bill can be constructed.

Take the metal schedule. Take the silk schedule. Take every schedule of this bill. The intention is to have the rates progressive from the crude products, the raw materials, to the finished product; progressive as to the amount of difference between the cost of production here and in competing countries, which means that if you put one duty on iron ore you must put a higher duty on pig iron, a higher duty still on steel rails, a higher duty still on watch springs, progressive all through the scale. But if you should undertake to fix the duties on steel rails from the fact that there are no importations, and put them on the free list because there have been no importations, what would happen? Of course steel rails would all be made abroad.

We had that very experience with tin plate, and it is a very good illustration of the point I am seeking to make. For years we imposed a duty of 1 cent a pound on tin plate, while we imposed a duty of 1.2 and 1.4 and 1.6 cents on iron and steel sheets from which tin plate is made. What happened? All the tin plate used here was imported. None of it was made here, and we were told by our tariff-reform friends that none could be made here; that natural causes prevented it being made here.

Finally we had courage enough in 1890 to impose a duty which was symmetrical and harmonious on tin plate as compared with sheets of iron and steel, and the result was that that great industry was transferred to the United States.

Now, because there is only ten dollars or one dollar or one-half dollar's worth of goods imported last year, or because of some peculiar condition that such an importation shows an average ad valorem rate of only 20 per cent, we will say, are we to change the whole symmetry of this schedule, the whole structure of this bill, so that we may force increased importations at a rate that some man in the Senate, whose purpose seems to be to destroy the whole fabric of our protective system, thinks reasonable? If we are to have, as I believe we should have, and as I think a great majority of the Senators sitting upon this side will insist upon having, a carefully prepared, symmetrical, and harmonious protective schedule as to cotton and as to all the other products covered by this bill, its character will not be determined by these self-appointed censors and critics of Republican tariff policy.

It may be profitable to inquire who the people are that are demanding that these changes from ad valorem rates to specifics shall not be made; who are demanding that the doors of the Treasury shall be left open for these intrusions. In whose behalf are they acting? Have the plain people of the United States shown any interest in this matter? Has any part of any community anywhere suggested to the Senate that these rates would be too high? Have the representatives of organized or unorganized labor been heard in this Chamber in protest against the change suggested in these paragraphs? Have the great consuming people, who buy cotton cloths, appeared here with reference to this matter? There never was a time in the history of this country when the cotton clothing of the people could be purchased at so low a price as it can be to-day, notwithstanding the increase in the price of cotton. No one has appeared here to protest against any change in the rates except the importers.

My mail has been deluged with suggestions of all kinds, some valuable and some otherwise. I think I will read from one of these, for the information of the Senate, one received from the gentlemen who are here asking us to forbear from taking away from them the advantages which they have received under decisions such as that to which I have alluded, by which their profits have been duplicated. I should like to call the attention of the Senate to this statement of a publicity committee that had its headquarters in this city and to allude to the instructions issued with reference to these paragraphs. It is dated May 26, 1909. I will only read a portion:

> The fate of the cotton goods schedule of the Aldrich tariff bill hangs in the balance.
>
> To defeat this bill it is imperatively necessary that the Senate and the House immediately be made aware that the American merchant and the American public do not want and will not stand for any increase on cotton goods.
>
> Please do your part by immediately writing to your Senators and your Representative protesting against any raise on cotton goods.
>
> Interest your customers; start petitions in your store. It will benefit you to show your customers that you are interested in their welfare. You could not have a better advertisement. For example, see the appreciation of the women of Chicago when Marshall Field & Co. made an open fight against a raise on hosiery and gloves.
>
> Congress heeded this protest, and it would heed it on cotton goods. But if they think American merchants are indifferent the mill influence may pass this bill.
>
> Please do your duty by writing to Washington at once.

Mr. President, these are the people who are demanding that these rates shall not be increased and that there shall be a continuance of this bounty, which either the indifference of Congress or the decisions of the court or other tribunals have placed gratuitously in the pockets of these gentlemen. Has any man in the Senate heard from any consumer upon this subject? Has any person engaged in any useful occupation in the United States; has any man who is earning his living by the sweat of his brow, in the length and breadth of this country, suggested to any of you that this change from ad valorems to specifics should not be made? I think not. No, Senators, this is simply a part of an organized effort to place more money in the pockets of these gentlemen and to break down the barriers which have been erected to protect the American markets for the benefit of the wage-earners and producers of the country.

While it is admitted that a reduction in rates below those contemplated has been accomplished by the four decisions I have referred to, it is claimed that the importations of goods affected has been very small and that the loss to the Government has been a negligible quantity, and that it is not worth talking about. Let us see whether this is true. From the nature of things very few men can have any real knowledge upon the subject; no one, in fact, outside of the government officials who supervise the importations.

The Senator from Wisconsin [Mr. LA FOLLETTE] this afternoon paid a high and deserving tribute to Mr. W. H. Parkhill, who is the examiner of cotton goods in the custom-house in New York and has been for twenty-three years. I think the Senator from Iowa [Mr. DOLLIVER], in a recent address, paid a similar compliment to this officer. He is universally commended as a faithful and efficient officer. He is a man of great intelligence. He is the one man who knows better than anybody else as to the proportion of these goods which have been imported under these circumstances and the extent to which the Treasury has been raided for the benefit of these gentlemen. Now let us see what Mr. Parkhill says upon that question.

The following statement was made in answer to a request from the committee for information:

> The cotton goods that were returned as "etamines" or "vitrages" and were decided to be dutiable as countable cottons, include the following: Crape muslin, stamin, etamine dress goods, cable-canvas vestings, fancy scrim and curtain canvas, fancy grenadines, marquisette, voiles, madras muslin, oriental stripes, etc., which are about 10 to 12 per cent of the total importations.

Ten or 12 per cent of the total importations. That is what this man says as against the statement made here that it is an entirely negligible quantity and only a matter of a few dollars at the most. That is not all:

> The importations of nonhomogeneous goods are about 8 per cent of the total. These goods were assessed at 45 per cent ad valorem under paragraph 322, but are now returned at from 25 to 40 per cent under paragraphs 304 to 309 of the Dingley law.

There is 8 per cent more of the total importations.

> About 65 or 70 per cent of the merchandise.

Now listen to this statement—

> About 60 to 75 per cent of the merchandise originally returned under paragraph 322 at 45 per cent as completed cotton articles is now returned under paragraphs 304, 305, and 306 as countable cottons. These importations amount to about 6 per cent of the total importations.
>
> The colored cottons affected by the recent decision are best answered by the newspaper clippings herewith.
>
> W. H. PARKHILL.

I want to say in this connection that the clipping giving estimate of refunds on the colored cotton decision does not take into consideration other cases pending involving the same issue, wherein the question is whether or not in determining the value of cloth only the warp and weft threads shall be considered and not the superimposed threads. The amount involved in this case would probably be much greater than in the case already decided.

This statement is signed by Mr. Parkhill. It is not an amateur's estimate, but one made by the very highest official authority, and he shows that 26 per cent of the cotton-cloth importations in the New York custom-house are covered by the demoralizing and emasculating decisions to which I have referred, and which we are asked in this Chamber to maintain for the benefit of the gentlemen represented by this publicity committee.

The provisions of the Senate committee bill restore in part these duties to where Congress intended they should be. It does not restore them fully, because, as I said, these rates are from 25 to 45 per centum ad valorem and not from 25 to 60 per centum ad valorem, as was intended by the Dingley act.

Mr. President, these rates are not only lower than the rates imposed by Congress in 1897—that is, the rates intended to be imposed by the act of 1897—but they are not excessive in themselves or in comparison to the rates imposed in other schedules. As I have already stated, the cotton schedules of all these acts have imposed the lowest rates of any of the schedules. The rates which we propose by this bill are not only less than any other schedule in the act, except the chemical schedule, but they are less than the average of the whole act.

It costs more to make these finer articles of cotton goods from the material to the cloth than it costs to make silk goods. You saw two or three days ago the exhibit shown by the Senator from Massachusetts [Mr. LODGE] of the character of these goods. I assume there was not a man in the Senate, unless he is familiar with cotton manufacture, who had any idea that the American manufacturers were producing any such goods.

Manufactures of cotton are taking the place of silk and of wool all over the world. Is it the desire of the Senate that in these articles, these finer manufactures of cotton which are pure luxuries, the American market shall be preserved for the gentlemen whose circulars I have read from, or that the markets of the United States shall be given to the cotton manufacturers of this country? I expect before I get through to allude to where those manufacturers are located. But wherever they are located and whoever they are, they are entitled to the protection which other American manufacturers have. They are entitled to fair play in the American market. So far as I am concerned, I propose that they shall have it; and I do not propose to be persuaded by statements like that which I have read from doing what I believe to be my duty to the people who are engaged in this manufacture.

Are these rates too high, taking into consideration the cost of production of these goods in our own and in competing countries? Having stated that these rates have not been advanced and that they are not above the rates imposed originally by the act of 1897, I invite your attention to the question whether they are too high, in view of the difference in the cost of production of these goods in the United States as compared with the cost in competing countries.

In general, it may be stated that the wages of textile operatives in America are double those of England, France, and Germany. A very exhaustive inquiry has recently been made into the subject of wages by the British Board of Trade, which shows that in Germany the wages of cotton weavers run from 16s. 6d. to 19s. 6d., or from $4.12 to $4.87 per week; that in France the wages run from 16s. 10d. to 19s. 2d., or from $4.20 to $4.79 per week; that in Great Britain the wages run from 16s. to 24s. 11d., or from $4 to $6.22 per week.

For the United States the Bureau of Labor, in Bulletin No. 77, July, 1908, shows that the average wages of all cotton weavers for the year 1907 was $9.74. In addition, I may state that in many of the fine yarn mills of New England making high-priced fancy fabric the weavers earn from $11 to $13 per week.

Many of the fabrics that will be dutiable under these provisions are valued at a dollar a pound. The cost of the cotton is 20 cents a pound at the outside, leaving 80 cents a pound for cost of labor in various forms in this country. Suppose that that labor costs twice as much in the cotton-manufacturing States of the United States as it does in our competing countries abroad, it is easy to see by a mathematical calculation that 50 per centum ad valorem, to say nothing about 45 per centum, will not equalize the conditions on these various high-priced goods between our own and competing countries.

If this was an original proposition, and we were to submit to the Senate rates which were protective and adequate in view of the difference in the cost of production, we could not make them any lower than those fixed in these specific rates which we have asked the Senate to adopt.

Mr. President, I want to say a few words about the necessities of the future. The United States produces a very large part of the cotton of the world. As producers of cotton, as manufacturers of cotton, we are greatly interested in this world-wide development in the use of cotton. I predict that within the experience of many Senators who are now listening to me the United States will not only be the greatest producer, but the greatest manufacturer of cotton goods in the world—that is, if we take care of our interests and take care of our manufacturers.

Is the cotton manufacturing industry menaced from without? The cotton manufacturers of the South in the past have been quite largely engaged in the production of goods for export. They have sent their products to Manchuria and other parts of the Orient. Japan at this moment has, I am told, four large cotton manufactories in operation. They are importing from this country machinery, superintendents, overseers, men to teach the people of Japan to build machinery and to operate machinery. How long do you suppose that the manufacturers of this country can stand up against 4 or 6 cents a day labor in the future?

The people who are interested in preserving this industry in the United States might as well look that matter fairly in the face. What is to become of our exports if in the course of the next ten years that great nation of the Orient is successful in the manufacturing of cotton goods?

You may say that they will not manufacture fine goods. The skill of the Japanese in the ornamentation of fabrics and in the production of fine fabrics is well known. They will succeed first, in my judgment, in making the class of goods that may take the place of the goods which were shown to the Senate a few days ago.

But I want to say a little something to the Senate, especially to my friends sitting upon the other side of the Chamber, with reference to the stake of the South in this problem. The growth in the manufacture of cotton goods in the South has been one of the salient features of our industrial progress during the past fifteen years. The advantage which the southern mills enjoy in nearness to the sources of production has gradually enabled them to encroach not only upon the production of northern goods as a whole, but to an increasing degree upon the production of fine goods.

The Senator from Georgia [Mr. BACON] a few days ago handed me a letter from one of his constituents, whose intelligence and character he vouched for, who said to him and said to me through him that his firm had $1,000,000 invested, I think, in the Senator's own city, in the production of fine cotton yarns.

Mr. President, all through the South this increase in the value of the product, in the fineness of the manufacture of the southern mills, is wonderful. From present indications, if adequate tariff protection is continued, the southern mills will gradually cover the field of the northern mills, and will derive as great benefits, if not greater, from the rectification of errors in the Dingley law in regard to advanced goods and novelties, than the mills of the northern States. Their development and their absorption of the American market for cottons will inevitably expand the market for raw cotton and maintain its price, thereby giving the South the double benefit of enhanced income from both the raw material and the finished product.

The number of cotton mills in the United States increased from 756 in 1880 to 1,077 in 1905. The southern mills showed an increase from 161 to 550 mills. New England States showed a decrease from 439 to 308 mills—not primarily on account of shrinkage in the volume of their production, but because the earlier census figures included small mills making cotton small wares.

Perhaps a better test of the progress of the South in equipment for making cottons is afforded by the number of producing spindles. The essential figures are as follows:

Increase in producing spindles, 1880–1905.

Year.	Total in United States.	Southern States.
1880	10,653,435	542,048
1890	14,188,103	1,554,000
1900	19,008,352	4,298,188
1905	23,155,613	7,508,749
1909*	26,000,000	10,000,000

* Estimated.

The growth in number of spindles in the Southern States during the short period between 1900 and 1905 is indicated by the following table:

State.	1905.	1900.	Increase.
Virginia	193,062	126,827	66,235
North Carolina	1,880,960	1,133,432	747,518
South Carolina	2,864,092	1,431,349	1,432,743
Georgia	1,316,573	815,545	501,028
Alabama	758,087	411,328	346,759
Mississippi	125,352	75,122	50,230
Louisiana	59,052	55,600	3,452
Arkansas	13,844	9,700	4,144
Texas	68,170	48,756	19,414
Tennessee	153,375	123,896	29,479
Kentucky	76,192	66,633	9,559
Total	7,508,749	4,298,188	3,210,561

In cost of materials used and value of product, the Southern States have come to occupy second rank after New England, and in the absorption of raw cotton. The mills of South Carolina have come to occupy second place in the entire Union, led only by Massachusetts, while North Carolina comes third, with a use of cotton surpassing the combined quantity taken by Maine, Rhode Island, and Connecticut. First, Massachusetts; second, South Carolina; third, North Carolina; fourth, Georgia, in this race for supremacy in cotton manufacture.

The Southern States absorbed in 1905 more domestic cotton, exclusive of the small quantity of Sea Island cotton, by more than 250,000 bales than all the mills of New England, and nearly as much as the combined mills of New England and the Middle States. How remarkably the South has gained in recent years in the increase of cotton consumption is indicated by the following summary table:

Increase of cotton consumption.

Year.	Pounds.	Cost.	Percentage of the South.
1880:			
Total United States	750,343,981	$86,945,725	
Southern States	84,528,757	8,890,408	10.20
1890:			
Total United States	1,103,492,910	114,337,802	
Southern States	250,837,646	24,508,776	21.40
1900:			
Total United States	1,739,714,946	116,108,879	
Southern States	707,159,521	46,988,926	40.60
1905:			
Total United States	1,807,512,278	209,972,665	
Southern States	882,918,392	98,456,910	47

The distribution of the increase in consumption of cotton between 1890 and 1905 by bales in the principal manufacturing States of the South appears in the following table:

Consumption of cotton in certain Southern States, 1890–1905.

State.	1890.		1905.	
	Bales.	Cost.	Bales.	Cost.
Virginia	22,731	$1,080,773	46,296	$2,596,425
North Carolina	114,371	5,396,974	497,947	27,340,926
South Carolina	133,342	6,242,598	555,467	30,451,158
Georgia	145,859	6,663,560	402,652	20,927,464
Alabama	29,962	1,372,058	198,820	10,968,856

Equally significant are the figures of the increased amounts paid in wages in southern cotton mills. The average number of wage-earners in the United States and in different sections appears in the table below. It shows that of an increase of 138,000 workers between 1880 and 1905, nearly 104,000 have been in the South. The figures are as follows:

Increase in average wage-earners in cotton mills.

Division.	Total.			
	1905.	1900.	1890.	1880.
New England States	155,981	162,294	147,359	125,779
Middle States	31,871	34,843	31,841	28,118
Southern States	120,110	97,494	36,415	16,317
Western States	2,496	3,298	3,261	2,330
United States	310,458	297,929	218,876	172,544

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Will the Senator from Rhode Island yield to the Senator from Utah?

Mr. SMOOT. On the question of the price of cotton the chairman stated that the price was 6 cents.

Mr. ALDRICH. I hope the Senator——

Mr. SCOTT. I hope the Senator from Rhode Island will be allowed to go on. We are all very much interested in his remarks.

Mr. SMOOT. I have the quotation here. The Senator from Rhode Island is perfectly correct in his quotation.

Mr. BACON. I have the book here, too.

The VICE-PRESIDENT. The Senator from Rhode Island will proceed.

Mr. ALDRICH. Mr. President, it is not for me to say what the position of the Southern Senators shall be upon this question, which so vitally interests their constituents, but I say to those Senators that the stake of the South in this question is vastly greater than that of the North. To-day they have practically one-half of the cotton manufacturing of the United States. When the next tariff bill is constructed (and I am willing to stake my reputation as an intelligent man and as a prophet upon that statement) they will have more than three-quarters of the entire cotton manufacturing of this country. It is inevitable. What industry is there in the South that can

take the place of the manufacture of cotton? You have been an agricultural people, a great agricultural people, the greatest in the world, considering the value of your product, but you have not developed manufactures.

It is true that in northern Alabama and in eastern Tennessee and northwestern Georgia you have developed the iron industry, not very much in comparison with the North, but still an important development. What other industry, I ask you, gentlemen, is there that can so use the surplus population of the South as the manufacture of cotton?

You have in Louisiana and Texas sugar and rice and cattle; you have agricultural products; but where in all the list of the manufactured products is there one that so appeals to southern interests and to southern people as this? You have abundant water power, intelligent labor, and a grateful climate. I have already shown that it is the most important industry in South Carolina outside of the raising of cotton, outside of the agricultural products. It is the most important industry possibly, except lumber—I am not sure about that—in North Carolina outside of the raising of cotton, perhaps. It is the most important purely manufacturing industry in all those States.

Now, what is it we propose? We propose to pass a protective tariff bill, probably not by your votes; and we are tendering you fair treatment in this great industry. We are saying to you that we propose to protect it from assaults within or without against every comer. I appeal to you gentlemen to join us in the adoption of these safeguards against injury to your own great industry. You have sometimes thought that the Republican party or its representatives here or elsewhere were not friendly to the South. I hope that all of you will agree that I have never, by act or word, shown that I was not as much interested in the development of southern industries and in southern prosperity as I am in the prosperity of the section from which I come.

I make this appeal to you directly, not that you shall vote for this bill; I do not expect that; but I ask you to encourage your own people by your votes upon this schedule. The time will come, not while I am in the Senate, as the Senator from Georgia [Mr. BACON] suggested the other day, but the time will come when the South in tariff legislation will stand shoulder to shoulder with every other section of the United States in the defense and development of the industries of this great country.

Gentlemen, these are not idle words on my part. I know from my knowledge of the business that the time is almost here when this industry will be not only the most important industry of your section, but that it will be vastly more important to you than it will be to us who have been engaged for a century or more in the industry.

The first cotton mill erected in the United States was built by Samuel Slater within a few miles of where I live. It was essentially an infant industry, but I can say to you that the industry of producing the goods which were shown in this Chamber a few days ago is as essentially an infant industry as was the first cloth that was made by Slater upon the banks of the Blackstone. Ten years ago they were not known in this country. The wonderful progress of this great people can not be better shown than in the development of this industry and the articles which have been shown here. It will go on, in my judgment. Cotton is destined to take the place of silk, with improvements in methods and manufactures that are sure to come. It is a better material than silk. It is better adapted to the clothing of the great mass of the people of this country, and it will be used, and can be used, if we afford adequate protection to these finer fabrics which are articles of luxury. The protection of these articles is as much for the interest of the gentlemen who are sitting on the other side of this Chamber as it is to any of us on this side.

There are only three or four of our States in the North that are interested in the manufacture of cotton. It is a diminishing industry with us—not a dying industry, not an industry which does not appeal to the intelligence and the vigor of our people, but a diminishing industry. The intelligence of your people, the vigor of your people, can be measured by the extent to which you develop this industry in your midst.

What has happened to the South in connection with it? You are producing $100,000,000 in value of cotton manufactures, or substantially that amount. I see the Senator from Georgia [Mr. BACON] looking at his tables. I am not sure that that is the precise amount. That is not important in my argument. You have not only produced, say, $100,000,000 in cotton manufactures, but what else have you done? You have developed truck farming; you have enabled the farmers of the South to have a variety of crops instead of confining themselves to cotton. You have brought the farmer and a profitable market together. You are building up gradually a variety of industries in the South dependent upon the manufacture of cotton.

The South has sometimes suggested that the wealth of the country, the manufacturing of the country, is located in the northeastern section of the country. Why should the South decline to enter fields which they can cultivate with as much industry and with as much intelligence as we can? Do Senators think that we are selfish and want to secure prosperity for ourselves and for our manufacturers and not for you? Senators who make any such suggestion do not understand the spirit of New England. New England has from her sterile soil won prosperity and wealth in the past, but I have never seen in that section of the country the slightest jealousy of any other section. Our capital and our energy and our people are scattered from Maine to Texas, from Pennsylvania to California. If we have anything to be proud of in our own experience it is that our men and our spirit have helped to build up every section of this country.

I am here to-day representing a State which has a considerable amount of cotton manufacturing in its midst. Many of the best men in our State are engaged in conducting these enterprises. The capital invested might be wiped out in an instant without impoverishing the State, but any injury to the industry would be a serious blow to the workingmen in our community who are engaged in the occupation, and this blow I intend to use every effort at my command to prevent. I am not here pleading for the manufacturers of New England. I am pleading for the perpetuation and the preservation of an industry which should have a part in this great industrial development of the United States. It is an industry which we are impelled to protect and to defend by the interests of the whole people. I am also impelled to protect it and defend it because I believe that a section which has heretofore prospered only in certain lines can diversify her interests successfully by the imposition of protective duties upon the products of this great industry.

There is no appeal here from the cotton manufacturers of my State or of any State except for fair and decent treatment on the part of the Senate of the United States—the same treatment that is accorded to all industries and to all sections.

Mr. President, the question involved here is a simple one. I say it is not a question really of whether the rates of duty imposed by these amendments are higher than existing law. I say, and I repeat, that they are not higher, and before I conclude my remarks I will furnish the authority of the men upon that subject whose judgment can not be questioned in this Chamber. I do not say that I can tell precisely the effect of these duties, but I do know enough about the subject to know that there is no increase above the rates intended to be imposed by the existing law.

The question, however, to my mind is much broader than that. It is a question of whether, by the imposition of specific duties, we are to stop raids upon the Treasury like those which are described in the article which I sent to the desk and had read. I say "raids upon the Treasury" deliberately. I say that it is necessary and important that we should pass a law which shall impose specific duties in the place of ad valorems. We shall get rid of the question of undervaluation by specific duties.

I wish that every member of this Senate could go, as I have been, to the city of New York and investigate the methods of the men who are trying to break down our customs laws; trying to break them down by the aid of the ability and the counsel of the wisest and most intelligent men in the world. I wish all could be advised as to the methods by which goods are undervalued and the extent to which they are undervalued. Senators who would make such an investigation would never vote for any duty except a specific duty, if it were possible to impose such duties. It is easier to impose a specific duty upon cotton cloths than on almost any other article in the whole scope of the tariff. Every commercial nation in the world imposes specific duties on imports of manufactures of cotton.

Senators sometimes think that the schedule which we are now considering is complicated; at least, it looks so to a man who is not accustomed to it; but it is easy and simple compared with the cotton schedules of any of the other great nations that impose duties. The French tariff is much more complicated; it is much longer and it is much more difficult to understand than ours.

It is simply a question, Senators, in this case, of imposing specific duties instead of ad valorem duties; specific duties on this small fraction of our commerce and upon our manufactures, because, I repeat, that all the importations that are covered by these paragraphs do not amount to 10 per cent of our entire

importations, and only amount to about 3 per cent, at the outside, of our entire manufactures. The plea which I am making is for a duty which will stop this scheme, which I need not characterize again, for I think I have characterized it sufficiently; that will make a schedule which is symmetrical and harmonious from beginning to end.

I now want to call the attention of the Senate, as briefly as I may, to some of the reasons why I myself am satisfied that there is no increase in these duties imposed under the paragraphs to which I have alluded.

In 1907 the total importations of cotton cloths under paragraphs 304, 305, 306, 307, 309, 313, and 322 were $14,040,800.53. The duty collected was $5,427,370.56, or an average rate of 38.66 per cent. If the statement of Mr. Parkhill as to the extent which these changes by interpretation have upon the importations and upon the rates of duty is correct; in other words, if 30 per cent of those importations show a decreased duty to the amount of 30 per cent, the result would have been that, if the full duty had been collected in 1907 which was intended to have been assessed by Congress, the average ad valorem would then have been 47 per cent instead of 38.66 per cent, or an increase of 9 per cent. If this duty had been honestly collected, as it was originally intended by Congress, the figures show conclusively that the amount received and the resulting ad valorem would have been at least 9 per cent higher than it was under the importations of last year.

A similar result will be reached if we take the total imports for 1907 under the ad valorem divisions of paragraphs 313 to 317. The importations for 1907 were $8,467,857, and the duties collected were $3,182,676, or 37.58 per cent. If these importations had been made and the duties collected according to the original intention of the act of 1897, as just explained by me, the resulting ad valorem would have been 46.57 per cent, or a higher rate by at least 3 per cent than that imposed by the provisions of the Senate bill; in other words, these statistics based upon the statement of Mr. Parkhill as to the amount of goods which are imported at these lower rates as compared with the rates which were intended by Congress show that the provisions of the Senate bill impose rates 5 per cent less on an average, or practically from 3 to 5 per cent less on an average, than the rates now imposed by law.

I am not, however, confined in my statement of this question to my own judgment or to the judgment of the committee. I said the other day to the Senator from Minnesota [Mr. NELSON] that it was impossible for any man to state—certainly any man with no more knowledge than he or I had upon the subject—just what proportion of these importations was made at the lower values or the lower rates. There are only three or four men in the world who can form a correct estimate, or an approximately correct estimate, on this question. The men who are in the custom-house in New York, who have been passing these goods for a series of years, who have an intimate knowledge of this whole subject, whose intelligence and character and judgment are guaranteed by the Senator from Iowa and the Senator from Wisconsin, are the only men of whom I know who can approach this question with a degree of knowledge that would enable them to form a judgment which should have the approval of the Senate, and which can not be questioned in this Chamber or elsewhere. I now desire to read, for the information of the Senate, the statement of these men as to the character of these changes:

WASHINGTON, D. C., *June 4, 1909.*

We all agree that the average rates imposed by paragraphs 313, 314, 315, 316, and 317 of the bill as reported from the Senate Committee on Finance are not greater than those imposed by the act of 1897 as originally construed upon the merchandise now included in these paragraphs in the Senate bill.

MARION DE VRIES,
THAD. S. SHARRETTS,
W. H. PARKHILL,
OTTO FIX.

This statement is signed first by Marion De Vries; second, by General Sharretts; third, by William H. Parkhill, who is the expert whose statements and figures have been brought to the attention of the Senate in a manner which shows that they are at least considered conclusive by both the Senator from Iowa [Mr. DOLLIVER] and the Senator from Wisconsin [Mr. LA FOLLETTE]. It is also signed by Otto Fix. Mr. President, the names of those four men are, in my judgment, an absolute guarantee of this question. They are four men who know more about this subject than any other living men.

Mr. Parkhill has been passing these importations, as I have said, for twenty-three years. General Sharretts has been in the service of the Government for I do not know how long, but I think about thirty years. Marion de Vries has been in the service of the Government for twelve years, I think. Two of these men are Democrats, whose party loyalty has never been questioned. They are the men who know about this. They are not basing their judgment and opinion upon equivalent ad valorems, which, as I have shown, have no value whatever as showing the effect of the rates either upon present or upon future importations. These are the men whom the Government of the United States trusts, and trusts implicitly, for the protection of its interests. They have no interest whatever in this subject, except to tell the truth and to give the country and the Senate the benefit of their experience and their information. To my mind, that statement is conclusive of this whole question.

It is easy enough for a Senator to claim that in a certain importation we have apparently increased the duty 100, 200, 300, or 500 per cent. This is simply a play upon figures, Senators, and nothing else. That is not what we are here for. Certainly those of us sitting on this side of the Chamber are here as protectionists to fix rates upon these various articles and in all of these schedules and paragraphs that will protect. We are here representing the people of the United States; we sitting upon this side are here as protectionists, governed by a principle which is older than the Chicago convention, which is older even than the history of the Republican party, which comes to us with the sanction of the sound judgment of the great statesmen of the world. We are here pledged to support a principle that has made great states throughout the world; that has built up German industry; that has built up French industry; that has taken communities without prosperity and made them prsoperous states. We are following the principle that was advocated as the basis of sound governmental policy by the great statesmen of this Republic in its earlier days—by Hamilton, by Washington, by Jackson, and by most of the men whose names are illustrious in our history.

The Senators sitting upon the other side of the aisle, holding, if you please, different views upon the economic policy of the Government, are also bound by the highest obligations to see that the interests of their own communities and their own constituents, we having adopted this policy as a result of a great national campaign, are not overlooked or left unprotected.

It is true that Mr. Calhoun, who started out as a protectionist, became for other reasons—reasons to which it is not necessary for me to recall to the attention of the Senate—opposed to the protective policy.

The South had in the earlier, I will not say in the better, days of the Republic great protectionists in many of her States. You had great men, both Whigs and Demo . You had Henry Clay and a galaxy of brilliant men who believed fully in the great policy to which we are committed.

If you can not join us in passing a bill which will protect all the people of the United States, I ask you, in the interest of your own people and of your own industries, to join us in protecting these against assaults of the character which I have described to-night.

Mr. President, I have said all that I care to say now upon this subject. There are other things to which I had intended to allude, and perhaps I may have occasion to take some of these points up to-morrow morning, but I do not feel quite like going on to-night. I think perhaps I had better move that the Senate adjourn, and I will complete my remarks in the morning.

The motion was agreed to, and (at 10 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 5, 1909, at 10.30 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 4, 1909.

REGISTERS OF THE LAND OFFICE.

W. N. Ivie, of Huntsville, Ark., to be register of the land office at Harrison, Ark., vice John I. Worthington, resigned.

Guy W. Caron, of Little Rock, Ark., to be register of the land office at Little Rock, Ark., vice Harry H. Myers, resigned.

CONSUL.

Charles L. Hoover, of Missouri, to be consul of the United States of America of class 8 at Madrid, Spain, vice Richard M. Bartleman, appointed consul-general of class 5 at Buenos Aires. The nomination of Mr. Hoover which was sent to the Senate on the 26th ultimo is hereby withdrawn.

DEPUTY COMMISSIONER OF CORPORATIONS.

Luther Conant, jr., of New York, to be Deputy Commissioner of Corporations in the Department of Commerce and Labor, vice Edward Dana Durand, nominated to be Director of the Census.

ASSISTANT ATTORNEY-GENERAL.

William R. Harr, of the District of Columbia, to be Assistant Attorney-General, vice Alford W. Cooley, resigned.

APPOINTMENTS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Beverly A. Read, Sixth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted.

Capt. Milton F. Davis, Tenth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted.

PROMOTIONS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Harvey C. Carbaugh, judge-advocate, to be judge-advocate with the rank of colonel from June 14, 1909, vice Col. Edgar S. Dudley, to be retired from active service.

Maj. Frank L. Dodds, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel from June 14, 1909, vice Lieut. Col. Harvey C. Carbaugh, to be promoted.

CAVALRY ARM.

First Lieut. Samuel B. Pearson, Ninth Cavalry, to be captain from April 18, 1909, vice John C. Waterman, Seventh Cavalry, promoted.

First Lieut. Freeborn P. Holcomb, Fourteenth Cavalry, to be captain from April 26, 1909, vice Eugene P. Jervey, jr., Tenth Cavalry, who died on that date.

Second Lieut. Beauford R. Camp, Ninth Cavalry, to be first lieutenant from April 3, 1909, vice Douglas McCaskey, Fourth Cavalry, promoted.

Second Lieut. Seth W. Cook, Tenth Cavalry, to be first lieutenant from April 18, 1909, vice Samuel B. Pearson, Ninth Cavalry, promoted.

Second Lieut. Thomas B. Esty, Ninth Cavalry, to be first lieutenant from April 26, 1909, vice Freeborn P. Holcomb, Fourteenth Cavalry, promoted.

POSTMASTERS.

DELAWARE.

Charles C. Tomlinson to be postmaster at Delmar, Del., in place of Charles C. Tomlinson. Incumbent's commission expired January 27, 1908.

INDIANA.

James Nejdl to be postmaster at Whiting, Ind., in place of Charles D. Davidson. Incumbent's commission expired January 9, 1909.

KANSAS.

Olga A. Krehbiel to be postmaster at Moundridge, Kans. Office became presidential October 1, 1908.

OHIO.

John M. Shafer to be postmaster at Edon, Ohio. Office became presidential January 1, 1908.

Harry M. Wolfe to be postmaster at Germantown, Ohio, in place of Robert S. Fulton, removed.

PENNSYLVANIA.

John E. McCardle to be postmaster at Charleroi, Pa., in place of John B. Branagan. Incumbent's commission expired November 24, 1907.

John W. Miller to be postmaster at South Sharon, Pa., in place of John W. Miller. Incumbent's commission expired December 15, 1908.

George L. Thomas to be postmaster at New Bethlehem, Pa., in place of Joseph I. Latimer, removed.

TEXAS.

J. R. Davis to be postmaster at Hutto, Tex. Office became presidential January 1, 1909.

VIRGINIA.

James F. Williams to be postmaster at Amherst, Va. Office became presidential April 1, 1908.

WEST VIRGINIA.

Frederick Moore to be postmaster at Belington, W. Va., in place of George M. Right. Incumbent's commission expired January 25, 1908.

CONFIRMATION.

Executive nomination confirmed by the Senate June 4, 1909.

CONSUL.

Charles L. Hoover to be consul at Madrid, Spain.

WITHDRAWAL.

Executive nomination withdrawn from the Senate June 4, 1909.

Capt. Beverly A. Read, Sixth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted, which was submitted to the Senate on the 3d instant.

SENATE.

SATURDAY, *June 5, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

HOUSE BILL REFERRED.

H. R. 9609. An act to grant to John Rivett privilege to make commutation of his homestead entry was read twice by its title and referred to the Committee on Public Lands.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT laid before the Senate a memorial of the Fidelity and Deposit Company and 16 other surety companies of the United States, remonstrating against an appropriation of $200,000 for the creation of a bureau in the office of the Treasurer of the United States to be known as the "fidelity bond bureau," which was ordered to lie on the table.

Mr. JONES presented a resolution adopted by the Commercial Club of Wenatchee, Wash., which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Whereas this community is deeply interested in having the rivers of the Columbia system speedily improved for navigation; and

Whereas under the present policy the appropriations for rivers and harbors on the part of the National Government are too small and spasmodic to accomplish results in the near future: Therefore be it

Resolved by the Commercial Club of Wenatchee, Wash., and by the citizens here assembled, That we heartily indorse the movement inaugurated by the National Rivers and Harbors Congress to secure the regular annual expenditure of not less than $50,000,000 upon rivers and harbors throughout the Union, until our worthy rivers shall have been made serviceable for navigation and our worthy harbors deepened: Be it further

Resolved, That a copy of these resolutions be sent to each Member of the congressional delegation of Idaho, Washington, and Oregon.

Dated at Wenatchee, Wash., May 27, 1909.

R. F. HOLM,
W. S. TRIMBLE,
V. G. POGUE, *Committee.*
COMMERCIAL CLUB OF WENATCHEE, WASH.,
DENNIS W. KING, *President.*
LEM. L. MCKITTRICK, *President.*

Mr. JONES presented petitions of sundry citizens of Spokane, Wash., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of Rushville, Mount Morris, and Clareville, all in the State of New York, and of Chicago, Ill., praying for a restoration of the duty on foreign oil production, which were ordered to lie on the table.

He also presented a petition of Wallkill Council, No. 92, Junior Order United American Mechanics, of Middletown, N. Y., and a petition of Harvey E. Eastman Council, No. 97, Junior Order United American Mechanics, of Poughkeepsie, N. Y., praying for the passage of the so-called "Overman amendment" to the tariff bill, proposing to increase the head tax on immigrants from $4 to $10, which were ordered to lie on the table.

He also presented memorials of compositors employed by the Rochester Herald, of Rochester; of the stereotypers, compositors, pressmen, and mailers employed by the New Yorker Staats-Zeitung, of New York City, and of the stereotypers, compositors, pressmen, and mailers employed by the New York Evening Post, of New York City, all in the State of New York, remonstrating against any change in the rates on wood pulp and print paper as fixed by the Payne tariff bill, which were ordered to lie on the table.

He also presented a memorial of members of the Chasmar-Winchell Press, of New York City, N. Y., remonstrating against the inclusion in the new tariff bill of any duty on news print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of Local Lodge No. 3, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Glens Falls, N. Y., and a memorial of Local Lodge No. 4, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Palmer, N. Y., remonstrating against any reduction of the duty on wood pulp and print paper, which were ordered to lie on the table.

He also presented a memorial from the employees of the composing room of the New York Journal of Commerce, of New York City, N. Y., remonstrating against the placing of any duty on news print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of the employees of the Buffalo Evening News, of Buffalo, N. Y., praying for a retention of the duty on print paper and wood pulp as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

He also presented memorials of the stereotypers, pressmen, mailers, and employees of the Journal of Commerce and Com-

mercial Bulletin, of New York City; of the Syracuse Journal, of Syracuse; of the Brooklyn Daily Times, of Brooklyn; and of the Cortland Evening Standard, of Cortland, all in the State of New York, remonstrating against any change from the rates on pulp and paper as fixed by the House bill, which were ordered to lie on the table.

He also presented a memorial of Local Union No. 241, International Brotherhood of Stationary Firemen, of Piercefield, N. Y., and a memorial of Fedmore Local Union, No. 2, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Sandy Hill, N. Y., remonstrating against a reduction of the present duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. FRYE presented a memorial of Local Union No. 12, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Millinocket, Me., remonstrating against a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRADLEY:

A bill (S. 2535) granting an increase of pension to Eli Estridge; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 2536) granting an increase of pension to Murray V. Livingston; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. CURTIS. I submit an amendment to the pending tariff bill, and ask that it be printed in the RECORD and referred to the Committee on Finance. I will state that I offered the same amendment a few days ago, but there was a mistake in it.

There being no objection, the amendment was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

200. Stocks, cuttings, or seedlings of Myrobolan plum, Mahaleb or Mazzard cherry, Manetti multiflora and brier rose, 3 years old or less, $1 per thousand plants; stocks, cutting, or seedlings of pear, apple, quince, and the St. Julien plum, and evergreen seedlings, 3 years old or less, $2 per thousand plants; rose plants, budded, grafted, or grown on their own roots, 4 cents each; stocks, cuttings, and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines, and all trees, shrubs, plants, and vines commonly known as nursery or greenhouse stock, not specially provided for in this section, 25 per cent ad valorem.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will announce the pending amendment, which has already been read.

The SECRETARY. On page 97, line 24, paragraph 313, after the words "cotton cloth," the committee propose to insert certain words.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Overman
Bacon	Crane	Guggenheim	Page
Beveridge	Crawford	Hale	Paynter
Borah	Culberson	Heyburn	Penrose
Brandegee	Cullom	Hughes	Perkins
Briggs	Cummins	Johnson, N. Dak.	Root
Bristow	Curtis	Johnston, Ala.	Simmons
Brown	Dick	Jones	Smith, Mich.
Bulkeley	Dillingham	Kean	Smoot
Burkett	Dixon	Lodge	Sutherland
Burnham	Dolliver	McCumber	Tillman
Burrows	Fletcher	McEnery	Warner
Burton	Flint	Martin	Wetmore
Carter	Foster	Money	
Clapp	Frye	Nelson	

Mr. JONES. My colleague [Mr. PILES] is temporarily detained from the Chamber on important business.

Mr. BURTON. I desire to state that the Senator from Pennsylvania [Mr. OLIVER] is detained at the White House.

Mr. FLETCHER. I desire to say that my colleague [Mr. TALIAFERRO] is unavoidably detained from the Chamber this morning.

The VICE-PRESIDENT. Fifty-eight Senators have answered to their names. A quorum of the Senate is present. The pending question is on the amendment of the Committee on Finance to paragraph 313.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOLLIVER. Mr. President, I desire to say a few words, I do not know exactly how many, in reply to what has been said by members of the committee in relation to the effect of the Senate amendments upon the cotton schedule of the bill as it came to us from the House of Representatives.

I am especially anxious to avoid, so far as such a thing is now possible, any spirit of harshness in criticism of what has been said or done, but I will not be able to avoid a plain, straightforward statement, well supported by official figures, that what this committee now asks the Senate to do is not based upon the facts in this case, but in reality upon egregious errors, which will sooner or later come to light in the face of all men.

I am the last man in the world who would desire to say an unkind thing of the Senator from Rhode Island [Mr. ALDRICH] or any other member of the committee, although I must say that the facts developed in this case require somebody to speak words of truth and of soberness in respect to the representations which have been made, for the reason that we are asked to cast our votes here not upon testimony, but upon authority, and it becomes my first duty to inquire into the credentials of the authority that substitutes itself for facts and figures in connection with this case.

I regret that I am compelled to speak by the demand of the committee for an immediate vote upon this particular schedule before I can get an opportunity to see in printed form the remarks made by the Senator from Rhode Island, so that in what I shall say about them I am necessarily confined not by what I have read, as every man ought to be who undertakes to reply to a great speech, but to what I was able to hear last night.

The first thing I happened to hear that struck me as a little peculiar was that these Senate amendments affect only 10 per cent of our cotton importations. Did I hear that correctly?

Mr. ALDRICH. I think the Senator's hearing is good.

Mr. DOLLIVER. Very well. Then I confute it by the statistics put into the speech of the Senator from Utah [Mr. SMOOT], in which he showed that 70 per cent of the importations are affected by the changes in the ad valorem rate in Governor Dingley's law, and only 30 per cent are included in the specific assessments which are retained unchanged in these amendments.

If it is true that only 10 per cent of our importations of cotton cloth are affected by this conversion of the Dingley ad valorems into the Senate Finance Committee's specifics, how does it happen that we were furnished three days before with an elaborate book of statistics in which it was shown that of our total importations of cotton goods in the United States all of them were included in the Dingley ad valorem provisos except 30 per cent?

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. If the Senator wants an answer, I will give it to him now.

Mr. DOLLIVER. It is a little matter of curiosity. I am here, very much younger in these things than my honored friend, seeking guidance.

Mr. ALDRICH. My statement was that less than 10 per cent of the total cotton importations, which amount in the aggregate to about $78,000,000, including laces, were affected by this provision. I did not say that 10 per cent of the cotton cloth imported was affected by these changes, but I said 10 per cent of the entire importations of cotton.

Mr. DOLLIVER. Very well.

Mr. ALDRICH. I repeat it now; the amount is about $8,000,000.

Mr. DOLLIVER. The Senator would have saved my strength and time if, when I quoted what he said, he would have corrected it.

Mr. ALDRICH. What does the Senator mean by that?

Mr. DOLLIVER. I mean to say that I understood the Senator to tell me that my memory of it was accurate.

Mr. ALDRICH. I said 10 per cent of the total importations.

Mr. DOLLIVER. That was not what I meant.

Mr. ALDRICH. That is what I understood the Senator to say.

Mr. DOLLIVER. Now, take another matter. I am as anxious to honor the Senator from Rhode Island as any man in this Chamber. Thirty years ago, in Rhode Island and everywhere, I carried in my satchel his speeches upon the tariff question and recited his statistics with a certain confidence, which, I confess, without any fault of my own, has gradually slipped away from my mind.

I hope the Senator from Rhode Island will remain here for a few minutes.

Mr. ALDRICH. I am engaged elsewhere.

Mr. DOLLIVER. I want to engage you here——

Mr. ALDRICH. All right.

Mr. DOLLIVER (continuing). Or make it understood that you propose to assault the criticisms made here by me and a few associated with me without giving me the opportunity to which I am entitled in debate. The Senator will not turn his back upon what I have to say here without taking the moral consequences which would naturally arise in the mind of a man anxious to get at the facts in this case.

I understood the Senator from Rhode Island to say that nobody in the United States had protested against this bill except a few New York importers.

Mr. ALDRICH. Against the amendments of the committee.

Mr. DOLLIVER. Against the amendments of the committee.

Mr. ALDRICH. If they have, they have failed to reach my ears.

Mr. DOLLIVER. Very well. I will say that they were introduced in the Senate and referred to your committee, though I do not pretend to say, and I do not accuse the Senator of negligence of duty, that he has read them; but he ought to hire a clerk to find out before he tells great audiences in this Chamber, before he tells the Senate, that no protests had been made against it.

I hold in my hand a memorial addressed by the dry goods trade of New York City to the Senator from New York [Mr. ROOT]. I find upon it the names of the most famous dry goods establishments in America.

Mr. FLINT. Mr. President, are they importers?

Mr. DOLLIVER. Some of them are importers; some of them are not importers. But the most of them deal in dry goods, of course dealing mainly in the domestic product, because they have $500,000,000 worth of that to deal in, there being only $14,000,000 worth imported altogether into the United States.

Mr. BEVERIDGE. May I ask also, if the Senator will pardon a question, whether they are American merchants and honorable men?

Mr. DOLLIVER. Of course. I do not intend to debate the question as to what our attitude ought to be toward American merchants.

Mr. ALDRICH. I should like to have the Senator, if it will not take too much time, read the names of those gentlemen.

Mr. DOLLIVER. I will.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from California?

Mr. DOLLIVER. Certainly.

Mr. FLINT. I request the Senator also to designate, as he reads the names, those who are importers and those who are not importers.

Mr. DOLLIVER. I will read them and then designate those who are not importers. I will say to the Senator from Rhode Island that they not only include great merchants, but they include the greatest manufacturers of cotton in the United States.

I want first to show what this paper is. It is a protest in which the following statement is made:

At all early open hearings of tariff matters the trend of arguments of cotton-fabric manufacturers and others was in favor of letting things stand as they were. Advances were not asked on the Dingley basis of tariff; and with no expectation of any change, mills are sold ahead many months.

We appeal to you—

That is, the junior Senator from New York [Mr. ROOT]—

We appeal to you, confident of your active interest and cooperation, which this certainly warrants. Every home in this State requires your aid in this matter.

It is signed by—

Mills & Gibb, H. Elmer Gibb, president; Rogers & Thompson; John Darling & Co.; Chas. C. Copeland & Co.; Converse & Co.; J. Spencer Turner Co.; Faulkner, Page & Co.; Doull Miller Co.; Neuss, Hesslein & Co.; A. L. Reid & Co. (one of the gentlemen appealed to by the general appraiser, and one of his witnesses on the mercerization question); Stern Bros.; Shipley & Blauvelt; Walter Turnbull; R. B. MacLea Co., R. K. MacLea, treasurer; Albert A. White; M. Park Parker; Tootle, Broadhurst & Lee——

Mr. ALDRICH. Will the Senator allow me to interrupt him right there?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. They are an English house of importers.

Mr. DOLLIVER. Very well. The next name is not an English importing house—"The American Printing Co.," of Fall River, the largest possibly of our domestic manufacturers of cotton goods—the company with which Bliss, Fabyan & Co. are connected as selling agents in New York. The head of this firm is not a foreign importer. He is surely a good American.

Mr. ALDRICH. Exactly.

Mr. DOLLIVER. And was once president of the American Protective Tariff League.

Mr. ALDRICH. The class of manufacturers referred to manufacture one class of goods which is not involved in this controversy at all and is amply protected by other provisions of the bill.

Mr. DOLLIVER. There are a good many people in this bill amply protected. Nobody came here and said he was not amply protected, but all the manufacturers of cotton cloth claimed they were fully protected.

Mr. BEVERIDGE. Will the Senator permit me? Did I understand the Senator to say that some person named there was recently president of the American Protective League?

Mr. DOLLIVER. Yes.

Mr. BEVERIDGE. I did not catch it quite.

Mr. DOLLIVER. Yes; the selling agent of the American Print Company in the city of New York.

Mr. BEVERIDGE. He was president of the American Protective Association?

Mr. DOLLIVER. The Protective Tariff League.

Mr. GALLINGER. The president of it?

Mr. DOLLIVER. I think so. Certainly he was the treasurer of the national Republican campaign committee.

Mr. GALLINGER. That is a different business.

Mr. DOLLIVER. I will go ahead with the names:

James B. Sievwright; George Riggs & Co.; Remy, Schmidt & Pleissner; R. A. Whytlaw Son & Co.; Sherman & Sons Company; James F. White & Co.; C. Bahnsen & Co.; William Duncan; Wright & Graham; John McCann & Co.; Henry Glass & Co.; William Anderson & Co.; Stavert, Zigomala & Co.; George W. McCutcheon & Co.; E. McKittrick & Co.; Calhoun Robbins Company; Rappolt & Co.; H. B. Claflin Company; William Alsberg & Co.; W. O. Horn & Bro.; Johnson & Faulkner; Bonnet & Smith; A. A. Vantine & Co.; Arnold, Constable & Co.; P. K. Wilson & Sons; J. H. Thorpe & Co.; Edward McConnell & Co.; H. W. A. Page; Stroheim & Romann; Titus Bietter & Co.; F. Schumacher Company; Milne, Leeming & Co.; Tefft Weller Company; James H. Dunham Company; William H. Brown Son & Co.; J. Grosse & Co.; Van Blankenstein & Hennings; H. Herrman, Sternbach & Co.

You notice in the petition the name of J. Spencer Turner, of the J. Spencer Turner Company. Are there any objections to his standing in society?

Mr. FLINT. If the Senator will pardon me once more, I will not interrupt him again. I do not mean to be placed in a position by the Senator that I am reflecting upon merchants doing business in New York.

Mr. DOLLIVER. I am not charging that. I am answering your colleague's statement that nobody but foreign importers had protested against the Senate bill.

Mr. FLINT. The point I make is that I understood some of those were foreign importers.

Mr. DOLLIVER. Let me show the Senator that I am right. No great house could be a mere importer of cottons in a city that handles nearly all our vast domestic output. Here is an instructive advertisement in the New York Journal of Commerce:

J. Spencer Turner Company, dry goods commission merchants, 86 and 88 Worth street, New York; Chicago, St. Louis, Philadelphia, San Francisco, London, and Manchester, sole selling agents for Washington Mills, Stark Mills, Woodberry Mills, Mount Vernon Mills, Columbia Mills, Franklinville Mills, Laurel Mills, Manchester Mills, The Turner Mills, Tallassee Falls Manufacturing Company, La Grange Mills, Imperial Cotton Company, Cosmos Cotton Company, Diana Mills, Hoganville Mills, H. B. Wiggins Sons Company, and United States Bunting Company.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Will the Senator yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I do not intend to interrupt the Senator, but I would just like to ask him a question. Is not nearly every one of these manufacturing companies a manufacturer of white duck?

Mr. DOLLIVER. No; these are the representative cotton mills of the Southern States.

Mr. BACON. I will say to the Senator that I recognize them as being from my State.

Mr. SMOOT. And they manufacture white duck?

Mr. BACON. No; most of them are yarn mills. Some of them manufacture a class of goods that people make summer clothes out of, men's clothing and things of that kind.

Mr. DOLLIVER. Yes, Mr. President, their business amounts to millions of dollars per year.

American Printing Company, the largest print works and print cloth manufacturers of Fall River. Selling agents at New York, Bliss, Fabyan & Co. Mr. Cornelius N. Bliss head of house.

Faulkner, Page & Co., one of the largest and best known houses in New York; never handles foreign goods; very large concern.

H. B. Claflin Company, well known all over the world; little foreign goods used, mostly domestics; do business of millions. Recently organized a $50,000,000 auxiliary company.

Tefft Weller Company and Jas. H. Dunham Company, the two largest distributers of cotton goods of almost entirely domestic origin in New York.

Converse & Co., one of the oldest, largest, and best known cotton goods commission houses in America; represents eastern and southern mills, and are highly respected everywhere.

Neuss, Hesslein & Co., large exporters of cotton goods to France and Germany and England.

I would not have read that petition if the Senator had not grown dramatic in demanding some evidence that somebody is taking an interest in this question, and he asks Senators to stand up and say whether they had heard from their constituents.

Mr. President, I have heard from my constituents, not alone the good people of Iowa, for whom I try to speak here, but from the people of every State in the Union, and of every city of importance, from all trades, conditions, occupations, and business enterprises of the community, letters that I would print except for the fact that many of them contain matter that might not be becoming to a man of my general timidity of character. What is the substance of the protest which I have in my hand, and the names attached to which I have read? It is very short:

We, the undersigned wholesale merchants of this city, strongly voice our protest against any increase in the tariff on cotton goods.

As we understand the matter there was no expectation on the part of the consumer or the electorate that a revision of the tariff by the party of protection would entail the radical increase which must take place if the Senate bill as reported becomes law.

Now, what were these merchants of New York talking about? They were talking about the amendments to this bill. I am now going to say a word in defense of the merchants of the United States. I have known a great many of them, and, so far as my knowledge goes, they constitute a most useful, enterprising, and worthy part of the population in each community in the United States. I confess that it made me not only mad, but sore at heart to find leaders of the Republican party reproaching the whole mercantile community with all the excesses and extravagances that have grown up in our market place. I myself have been reproached on this floor by fairly good people because I have been seen in the society of a young American merchant whose father has been for more than half a century a stalwart influence in our Republican faith.

When I was accused of talking with this young man—as bright a man in this business as there is on the Finance Committee of the Senate—I said, "MacLea, you have got to give a certificate of your character or I am ruined; not probably with the country, but in some quarters in the Senate." "Well," he said, "I have a certificate of character with me; I have it here; it is the general orders that I issued on the 27th day of October last to the dry goods divisions of the business men's parade, asking them to assemble and march under the Republican banner for William H. Taft." They marched, 19,000 in one body, and their commander is down here talking to me, and I can not utter a word on this floor without some Senator rising to say that I am representing foreign importers and trying to tear down the business and the tariff laws of the United States. I confess I am tired of it. If there are not more merchants in the United States than there are people interested in these scaly advances in this cotton schedule, I am greatly mistaken. If it is a wise leadership of the Republican party to assault and discredit and insult the mercantile community of America in the interest of these amendments of the cotton schedule, I very seriously misinterpret the duty of political leadership in the United States.

I am in a very peculiar situation, because I can not find out, to save my life, who is the author of these Senate amendments to the tariff bill. When I first took the floor here more than a month ago, and began a few cheerful comments upon the contents of this bill, for some reason that I have never been able to understand, I had the chairman of the Committee on Finance and his most honored associates on the committee up explaining to the world the responsibility for the origin of this schedule. The Senator from Rhode Island said that the whole thing was prepared in the custom-house, or by expert officials of the Government. I will read exactly what he said, in order to avoid controversy should he reappear on these scenes of action.

Mr. ALDRICH. If the Senator will permit me just there upon that point, no manufacturer has been before the Committee on Finance in regard to this schedule. Every change that was made in it was made upon the recommendation of the government experts and nobody else; and it is now defensible and will be defended by the members of that committee whenever the schedule is reached.

Well, I then thought I was all right, and I organized my investigation with a view of including in the range of the discussion some of these custom-house officials; but I had not got very far with it before I had the most famous lawyer in America up defending the appraisers in the custom-house against the "unwarranted attack" that had fallen upon them in the Senate, and on June 1 we had the Senator from Rhode Island himself on his feet, telling the Senate, in substance, that he was mistaken four weeks ago in saying that these custom-house officials had recommended these amendments, for only on Tuesday he said on this floor, speaking of the same schedule:

So far as this one schedule is concerned, and the amendments which were reported from the Committee on Finance to the cotton schedule, the changes from ad valorems to specifics, Mr. de Vries never saw them until after they were prepared under the direction of the committee. No member of that committee ever had any conversation with him in relation to it. I will go a step further and say that no manufacturer in the United States ever saw them or was ever consulted with reference to them. They are the creation of the committee itself, and no man was consulted, either on the Board of General Appraisers or anywhere else, with reference to these provisions until the committee had decided what they should be.

I confess that that confused me a little; but before I got my mind organized to that situation, and was preparing to dismiss from consideration the custom-house in New York and resume my suspended attention to the Committee on Finance in the Senate, I heard last night, in the speech of the Senator from Rhode Island, that they had talked to these custom-house people, told them exactly what they wanted, and turned the making of these paragraphs over to them. The thing they wanted was a specific equivalent for the Dingley ad valorems, and the custom-house officials were left to make the rate and fix the dividing lines according to their judgment. Now, is that correct? I say these things because, before this bill is passed, I expect to have a few very definite things to say about the relations of that custom-house to the Government of the United States.

There is another thing that is troubling me. I have never been able to keep the Finance Committee upon the issue which is raised here. This is a great question, which involves every man, woman, and child in the United States. It involves one of our greatest industries—among the first, in the industrial life of the American people.

It is a great issue; and yet here we are fiddling away our time by debating by the hour features of it that have no significance in the controversy. As I have heard the Senator from Utah [Mr. SMOOT], the Senator from Rhode Island [Mr. ALDRICH], and the Senator from New York [Mr. DEPEW], I have not been able to get out of my mind the sentence in Mr. Emerson's essay on Nature, in which he says that—

No great cause is ever tried on its merits; it is divided up into particulars to suit the size of the partisans, and the contest is ever hottest on minor matters.

The great question before the Senate is whether the Dingley cotton schedule, operating well for twelve years, ought to be disturbed. There is nobody here intending to mutilate it. Even my honored friend from Wisconsin [Mr. LA FOLLETTE], feeling, as he does, that that schedule could be improved by a scientific investigation, harbors no purpose to make any suggestion that will interfere in any way with the law that has been enforced in the United States for the last twelve years. Therefore the question is whether the Republican party here revising the tariff should let that schedule alone. It is not a question of revising it downward, but it is simply a question of complying with the request of the cotton-manufacturing industries of New England to let it stand in all important details as it now stands; and yet from the beginning of the discussion we have had the issue befogged in the most amazing way.

I was laughed at when I came into the Chamber with a childlike simplicity and a lot of samples in my hand to illustrate how these proposed amendments would operate. Everybody smiled benignly at the rusticity of my method, and the newspapers very cheerfully printed pictures of my colleague and me under the legend "No trouble to show goods."

Everybody laughed, and I felt as badly about it as a man thus subjected to mild and humorous criticism would naturally feel; but I am feeling very much better about it now, because

I have seen the most dignified characters in the Senate address themselves to this honorable body with exactly the same kind of approach to their understanding. Even the Senator from Massachusetts [Mr. LODGE], our scholar in American politics, the most eminent producer of high-class literature among us—although we are sad to reflect that he leads now a lonely life in a world in which the consumer has entirely disappeared—even he, standing at his desk, exhibits his samples.

I was told then that these exhibitions of the exact way in which this tariff bill would work were not shown by the samples that I produced. Why? Because they had not passed through the custom-house and nobody could tell whether the figures on them were right or wrong. I would not have brought them into the Senate if I had not known that they were right. The figures on them were made by people who had paid the duties on them under the existing law, and the calculations of what changes would be made were very simple to a man who understands what is proposed in this bill. I would be perfectly willing to risk this whole question on taking out of that envelope my list of samples numbered, turning them over to the Treasury Department of the United States, and postponing this vote until the Treasury Department reported upon every particular of which I gave the Senate information in respect to them, but I suppose it would not be possible to get that done now.

Our controversy, then, has descended to this—not whether the tariff ought to be raised, not whether it ought to be lowered, but what has actually been done to it in this bill. I affirm that it has been subjected to a very large variety of more or less noticeable additions to duties now provided by law; and I shall proceed to prove that, if I may have the attention especially of those who do not desire to go to their constituents with the statement that they voted to increase these duties. I want to tell you gentlemen, however, it will be a great deal better for you to go to your constituents and tell them that you voted to increase these duties than for you to go to your constituents and tell them that these duties have not been increased. A man can defend himself for increasing a duty, but he will not be able to defend himself against the charge of not knowing what he was about. If Senators, acting on mere authority and dogmatic influence of distinguished people, vote for these amendments and go into the communities in which they live and tell the people that no changes have been made, they will find themselves subjected to embarrassment of a rather complex character. There is one thing the American people do not like. They often submit with patience to being robbed, but no American community is willing to be flimflammed, and it is a good deal easier to defend a vote increasing a duty than it is to defend a proposition which claims that a rate has not been increased, when, in point of fact, it has been. Therefore I want to address myself to that question, and I intend to begin with a very fundamental kind of testimony.

There is one thing about an importer that makes him a very valuable witness in a case like this. He is the gentleman who goes down into his pocket and pays these duties, and, as the Senator from Rhode Island says, he is always a rather smart man and is usually so prosperous that he surrounds himself with very shrewd men; and therefore it looks to me as if one of these people who is likely to be called upon to pay these duties would be a fairly good witness as to the question whether the duties are going to be more or less than they are now. Does not that sound reasonable? Very well.

The Senator from Rhode Island said that there were the names of a very large number of importers on that petition which I read. What does it mean when these smart business men in New York engaged in the importation of merchandise say in a public statement:

We, the undersigned wholesale merchants of this city, strongly voice our protest against any increase in the tariff on cotton goods.

As we understand the matter, there was no expectation on the part of the consumer or the electorate that a revision of the tariff by the party of protection would entail the radical increase which must take place if the Senate bill as reported becomes law.

Is there anybody in the United States who thinks the merchants of the United States do not know as much about these tariff rates as we do here in the Senate? So the first witnesses I introduce are the merchants of the United States. The same testimony has come to me from Marshall Field & Co., of Chicago; from John V. Farwell Company, of Chicago; and from the most important merchants and business men of the State in which I have the fortune to live. If that were the only testimony I do not know that I should introduce it to the Senate; but these advertisements in the New York Journal of Commerce, from which I am now reading, were in the nature of a joint debate. As soon as that statement was put out there came to the front two other men, whose names are caught like flies in amber in the literature of the tariff discussions of the present year—J. R. MacColl and Clarence Whitman, of Rhode Island. They are manufacturers of these goods which are to be affected by these increases, and you would naturally suppose that if anybody knows whether this law proposed a raise of duties or not these two brethren of Rhode Island would be apt to know. At any rate, I feel reasonably warranted in reading what they say about it:

The Aldrich bill—

They say in an advertisement printed on the 21st of April, 1909, in the New York Journal of Commerce:

The Aldrich bill will not affect the price of the great bulk of cotton goods.

Nobody claims that it will; nobody claims that it affects the price of any of the cotton goods that are manufactured in the United States down in the Southern States, and that marvelous burst of eloquence, that did such credit to the heart of the distinguished Senator from Rhode Island, in which he was reaching out for the sympathy and good will of the South, was not based upon any threat made in this bill or by anybody else against the industries of the South, for it is literally true that the great bulk of the cotton goods manufactured in the United States, the ordinary cotton goods or the cheapest—I will not say "ordinary," because in this country the very best has become ordinary—will not be affected.

It has added—

Say these two amiable gentlemen—

a small duty of 1 cent per square yard on goods that are mercerized, and it may increase the duty slightly on the finer and more expensive fancy cotton goods.

Now, mark you. I am debating with a group of gentlemen that say no increases have been made. I bring the merchant who says that he knows the increases have been made; I bring the manufacturer who says in a published advertisement that an increase of 1 cent has been made on the mercerizing process and that slight increases have been made in the finer classes of goods. But that is not all. I intend to approach these witnesses in the order of their authority.

We have next the message sent to Massachusetts the day the bill was reported, the Senator from that State saying, with conscious pride, that changes had been made of "enormous value to our great textile industries."

The other day the Senator from Utah [Mr. SMOOT] made a very powerful speech on this floor, a speech that reminded me of an oriental rug which lies upon a floor in the house in which I live. We bought it of a trusted friend, on account of its peculiar adaptation to the size of our room. They brought it in in the dusk of the evening, and we luxuriated in its beauty that evening by the fire light. The next morning we noticed that it did not seem to be very regular in its weave, that the coloration of the yarns was peculiar, and that the figures were more or less mixed and jumbled. We telephoned our friend to come up and take it back. He came up and convinced us in about twenty minutes that we had a treasure. He said: "That is an authentic rug. In this country it is almost impossible to be sure whether you are getting a real oriental rug or not, but where you find one woven in that way, the figures all jumbled, the whole thing mixed up, the yarns of different colors, you may be 'dead sure' that it is the real thing." Said I, "How do you make that out?" He said, "You can see at a glance that the whole family has been working on it." [Laughter.]

So I made up my mind, by applying the well-known rules of higher criticism to the speech delivered here by my honorable friend from Utah, that it had at least equal credentials of authenticity. That being so, it is a little surprising that, starting out to confute the proposition that this bill makes no raises in the cotton schedule, he should unconsciously, without even knowing it himself, admit the exact thing for which I am contending. Let me illustrate what I mean.

In the first place, the Senator from Utah admits that, compared with the present state and condition of the Dingley law, upward changes have been made. So that the only pretense that the committee makes of having left these duties unchanged, or reduced them, is not by comparing them with the Dingley law, but with what they claim the Dingley law looked like ten years ago! So he says:

The bill was reported reflecting the views of no man or men except the committee, and calculated to levy fair, uniform rates of duty, producing the most possible revenue, and levying an equivalent ad valorem less—

Not less than the Dingley law, but—

less than that provided by the Dingley law as contemplated by the Congress.

I will come after a while to interpret that. I call your attention now to the fact that they do not pretend even to use the Dingley law which we have on the statute books now as their standard, but a Dingley law that existed in the mind of a man by the name of Edwin A. Hartshorne, who was turned out of the appraiser's office in New York for incompetency in the interpretation of the statute which he was called upon to administer.

My honored friend from Utah says that the theory upon which these changes have been made is very simple. He says that in the Dingley law many of the duties were specific, and he goes on to show that they were absurdly high. I ask you brethren of the South to catch the idea. The specific rates which the manufacturers of cotton cloth have enjoyed in the United States without anybody's question for nearly a century are absurdly high, while the duties on high-class cotton cloth are lower than the duties on the coarse cotton cloth.

The Senator led up to that argument in a most interesting way. He informed us that we produced cheap cotton goods in the United States; that our facilities are poor, our skill is deficient, and that, for some reason or other, we have not entered the higher ranges of cotton manufacture. He seemed fearful that a failure to act promptly would result in giving the market for fine goods to foreigners and keeping the market for coarse goods for our own people.

Therefore, what we are chiefly interested in in the United States is the ordinary, cheap, old-fashioned cotton cloth. That was a beautiful tribute to New England to say that we do not manufacture the finer grades of cotton goods in the United States. I deny it, and I call the attention of the Senator from Utah to what I am about to say.

The mills of New England not only manufacture the highest grades of cotton cloth that are manufactured in the world, but they invented the machinery to manufacture them and are now selling the machinery to the mills of England to bring them upon a par with us in the progress of that great industrial art, and yet the Senator from Utah, offering himself as a guide to the Senate in its deliberations on this matter, says that we have got to be very careful; we only manufacture the lower-grade stuff in this country and are importing the others, and here we put the duty absurdly high on the cheap goods that we are manufacturing and we have left it absurdly low on the others. Then he says, Gentlemen, we have not raised the rates in this bill; we have simply equalized them.

Mr. OVERMAN. Does that mean that they have lowered them?

Mr. DOLLIVER. No; they have not touched the high ones.

Mr. OVERMAN. Have they lowered the duties on the common goods?

Mr. DOLLIVER. No; not at all. They have left the ones that are "absurdly high" exactly where they are and equalized the schedule, without raising any rates.

Mr. BEVERIDGE. The term "absurdly high"——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The term "absurdly high," as I understood the Senator to say, was a quotation made from the speech of the Senator from Utah, was it not?

Mr. DOLLIVER. I will read his language. He speaks of this difference between the level of rates on the coarse goods and the rates on high goods, and then he says:

> These absurdities, so far as can be done by preserving present rates, are wiped out by the Senate bill.

The only absurdity he pointed out was the fact that the duties on the low-grade goods were greater than on the higher ones. That was the absurdity, and he has wiped it out without changing the high ones and without raising the lower ones. I do not accuse him of knowing what the exact effect of that language which he delivered so ably to the Senate was, but I undertake to say it will require some explanation before a man's constituents if he goes into an ordinary community in the United States, and says: "We found two levels of rates, one high and the other low. We have left the high ones exactly as they are, and we have equalized them without raising the lower ones." If a man can do that, he will understand the mystery of the economy often practiced by Congress, by which salaries are never raised, but always equalized. [Laughter.]

I have now the mercantile community, all experts in this business, claiming that these rates have been raised.

I have the manufacturers, experts in promoting this legislation, admitting they have been raised. I have the Senator from Utah unconsciously allowing the cat to escape from the bag by reading to the Senate language to which he has not accustomed his sight, and the Senator from Massachusetts prematurely confiding to his constituents early notice of the "enormous value" of what had happened to them in the bill reported from the Finance Committee. I have all these witnesses testifying upon this question. But if that were all, I would not address this argument to the Senate.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Applying the arguments to the facts, or the so-called "facts," produced on the other side of the Chamber, it seems to me—at least it has dawned on me—that we have two Dingley laws.

Mr. DOLLIVER. We have two Dingley laws, one existing on the statute books and one in the imagination of the Senator from Rhode Island.

If I found these four witnesses all united upon this question and still refuted by statistics, I would throw them all overboard, because while I have not much confidence in homemade figures, unless I make them myself, I have considerable confidence in the statistical tables that are prepared by the Government of the United States. The only way they mislead anybody is when they happen to be put into the hands of inexperienced persons. It requires more skill to translate statistics than it does any language or jargon ever spoken in this world.

But some of the statistics are comparatively simple. From the beginning of this Government we have had only one way of telling what the general level of the rates of a tariff law is. That is to take the total of the importations and the total duties paid, and by a little process of division determine the ad valorem rate. That has been the official method of this Nation for more than one hundred years, and the integrity of that proceeding I never heard questioned until last night, in the heat of the debate, when my honored friend the Senator from Rhode Island [Mr. ALDRICH] undertook to argue that that method of telling the rates in a tariff law are antiquated and not up-to-date. Antiquated as it is, it is the only basis which he has of predicting the prospective revenues of this Government, for, appearing on this floor with the authority of a great committee behind him, he told us within 50 cents—he made it fractional—exactly what the revenues were to be under this bill. And yet he has no figures except these ad valorems, and these statistics made by the experts of the Treasury and the Department of Commerce and Labor, in relation to the paragraphs of the measure.

If anybody will look at the statistics he will be satisfied that they show an increase in these rates. Open, for example, the speech of the Senator from Utah [Mr. SMOOT]. He is kind enough to give us the numbers of the paragraphs, the estimated duties under the Senate bill, based on the importations of 1907, the equivalent ad valorem under the present law and the Senate bill, and that statement which he makes there shows that the ad valorem equivalents of the Senate bill, compared with the present law, are a very substantial increase in the rates. And he is absolutely correct about it.

So we have now four witnesses—the importer, the manufacturer, the statesman, and the statistician—and they unite in saying that the duties have been raised. But even with those four witnesses I would not dare to approach this subject on the floor of the Senate, owing to my want of confidence in various kinds of information, without going through the mill of the custom-house and applying these rates to the actual goods and merchandise. The science of logic must have reached a very unhappy state when that is regarded as a light form of evidence as to what this bill does to cotton goods.

I call your attention to this fact, for although most of you probably heard it, some of you did not: The Senator from Wisconsin took five samples of imported merchandise, all of the ordinary character of ladies' dress goods, to the custom-house in New York and had them assessed for duty, not by Mr. Parkhill, but by the chief of the division in which Mr. Parkhill is only an assistant.

He had them assessed exactly as they would be assessed if introduced for the first time from a foreign country; had the change in duties which would be required by the application of this bill to the identical goods, calculated by the appraising officers, and he stood on this floor, with the goods in his hand, and the Finance Committee in full retreat, and asked anybody to say whether that was not conclusive evidence of what the effect of this bill was upon actual cotton goods brought into this country.

Some people laugh at that kind of an argument. They say it is the average we ought to look at. Nobody pays a duty at the

custom-house at the average ad valorem for 1907. Nobody pays a duty at the custom-house on an ad valorem that dates back to 1900. A man pays a duty under the law as applied to the importation on the day he draws his check for the duties. You can not fool anybody who pays a duty by telling him that the average in 1900 was this or that. The average has nothing to do with it. Suppose there were three of us standing upon the street corner. I have had three square meals that day. You have had nothing to eat. Some cheerful statistician connected with the Department of Commerce and Labor or the Finance Committee of the Senate comes up with a pencil and undertakes to prove that we have had an average of one meal apiece. That situation has no sense in it, and it has no sense in it when, to a man complaining about duties being raised, it is said, "Oh, no; that is the average of 1907." Yet that is the exact sort of logic with which we were presented not only the other day, but last night, with the galleries looking for light.

So, we have here five witnesses—the merchant, who studies the questions, and knows more about it than all of us; he says the duties have been raised; the promoting manufacturers—they say the duties have been raised; the Senator from Utah [Mr. SMOOT], who unconsciously admits that they have been equalized—the low rates up to the level of the high ones; the Senator from Massachusetts [Mr. LODGE]; the statistics of the Government of the United States, verified for the Senator from Wisconsin by the Department of Commerce and Labor; and the goods themselves introduced into this country through the custom-house, with our own officials applying the act of 1897 to them, and the act of 1909, as the Senator proposes to make it; and they make their memoranda on the actual merchandise.

I beg you gentlemen, especially you young men, who will have to fight the battles of the Republican party in the next twenty years, after a good many of the authorities of to-day have disappeared from our affairs, not to degrade the Senate of the United States, a great deliberative body, able to cope with practical questions, to the level of an uneasy congregation of intellectual come-ons. [Laughter.]

But my friend the Senator from Rhode Island says that all this is immaterial; that strange and marvelous things have happened to the Dingley tariff law during these twelve years; and I will tell you, Mr. President, the funny thing about that which has struck me. Nobody ever heard of that until we began to agitate about these advances in the cotton schedule. The manufacturers never heard of it, apparently, because they certainly would have mentioned it to the House committee. The honorable Senator from Rhode Island says they did not know what was going on in the custom-house. Bless his innocent soul, they know more about it than anybody else; they have their agents there at every hearing, and sometimes it has been suspected that their relations have been even more intimate.

If they had been affected by adverse decisions of the courts running over a term of years, why did they not say so when they appeared before the Ways and Means Committee of the House? They did mention the decisions of the courts, but as you are aware they referred to them only to say that they had settled important questions, given necessary definitions, fixed the law so that the people could understand it, suggesting that it would be no service to the community to change the law, because, instead of being injured by the decisions, the law had been shaped, purged of error, and made intelligible and equal in its operations. Do I not quote their testimony with substantial accuracy?

What, then, has happened to the Dingley tariff law? I undertake to say that nobody knew that anything in particular had happened to it until this debate began. The Senator from Rhode Island has Mr. Parkhill down here now. He introduces him to our attention with a word of commendation from me. I never saw him in my life. I never heard of him as a statistician. I never dreamed of him as a statesman. I referred to him as an experienced judge of the value of cotton goods. I never expected to hear the Senator from Rhode Island, famed as few living public men are in America, cast aside the cloak of his senatorial dignity and rest his case not upon his own argument or his own knowledge, but upon an ambiguous and worthless certificate of a government clerk in the custom-house of the United States. I never expected to see a thing like that in the Senate of the United States.

But I am told it is not unusual. I am told it happened in 1897, and that we had the peculiar spectacle here of the Senator from Arkansas, Mr. Jones, and the Senator from Rhode Island, if I am not mistaken, reading certificates from the same man in relation to the sugar schedule, and each of them contradictory of the other; and if I had the time and the detectives necessary, I could exhibit a very similar situation here, for Brother Parkhill has suddenly arisen out of the obscurity of an appraiser of cotton goods to the ranks of a statistician, until he has at last been put forward as a guide and an authority for statesmen in the most dignified legislative body in the world. I think I could make out that he was rather critical about this bill and did not hesitate to confess his indignation to sundry persons prior to the time that he was summoned here to help explain it to the committee. If he is such a valuable man, why was he not brought here to help frame it? He never appeared here at all until it became necessary to interpret it to its authors.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. DOLLIVER. Certainly.

Mr. GALLINGER. It seems to me the dignity that has come to Mr. Parkhill came through the exploitation made by the Senator from Wisconsin, he having been in conference with Mr. Parkhill and citing him as his authority to prove matters entirely different from what the Senator from Rhode Island insists is correct.

Mr. DOLLIVER. He did get into the society of the Senator from Wisconsin without a written order from the President of the United States requiring him to put his knowledge, not of statistics, but of cotton goods, at the service of the Senator from Wisconsin.

Mr. GALLINGER. That does not make any difference.

Mr. DOLLIVER. It was a hard struggle to secure the privilege for an ordinary Senator on this floor to talk with this appraising officer. I do not intend to go into that now, however. It was an uneasy hour for Mr. Parkhill when he was thus put forward to substitute his memory of transactions involving millions of money and years of time, the fallible guesswork of a scared subordinate, for the official statistics of the Government.

He was not here when these schedules were drawn. They did not send for him. They had appraisers here when the cotton schedule was drawn, but not cotton appraisers. They had people here, but they were not people who had any knowledge of these questions. My attention was attracted to Mr. Parkhill by the fact that he did not seem to be enjoying his isolation in New York. While members of the appraising board, engaged in appraising other lines of manufactures, were here telling the people about cotton, he was left there to meditate from day to day upon the progress of events. But I do not intend to discuss that.

I intend now to take up the question of what has happened to the Dingley tariff law, and before I do that it will be necessary for me briefly, and compactly, to state what the Dingley tariff law was. It was the Wilson tariff law plus a few amendments added by Governor Dingley in the House of Representatives. I have become disillusionized in these latter years. When I hear a law called after a man's name, I unconsciously try to see if I recollect the name of the humble worker who wrote it and made the investigation necessary to create the reputation which attaches to it, who passes, as this world goes, into obscurity, while the statesman to whom he handed his memoranda goes down into history among the celebrities of our national life. That is a tragedy, but I am not going to weep over it just now.

The cotton schedule of the Dingley tariff law was the act of 1894. Governor Dingley was a straightforward man, who did not hesitate to say that the manufacturers wrote it. He had reputation enough at the time to warrant him in saying that the manufacturers of cotton in New England had fixed the cotton schedule of the Wilson tariff law exactly as they thought it ought to be fixed; and I am not here to say they did not on the whole fix it right, because I have not had time to dig into it, but I think they got it pretty nearly right. What did Governor Dingley do? I got the impression from what the Senator from Rhode Island said that the cotton schedule of the Wilson tariff law did not have these ad valorem provisos in it. If that impression was correct, the Senator from Rhode Island was mistaken. The Dingley provisos were in the Wilson bill, and the difference between the two bills was that in the last section but one, the ad valorem in the provisos, was raised from 35 to 40 per cent, and an additional paragraph made for threads, counting more than 300 to the square inch—made dutiable in addition—and a proviso inserted for assessment of an extra duty upon figured goods produced by other than the ordinary threads. So you see there was no change worth speaking about between the Dingley tariff law and the Wilson tariff law.

Why did Governor Dingley increase the ad valorems on the higher ranges of cotton cloths? He did it because these fine new processes were already being talked about. I remember hearing mercerization talked about, although I did not know

what it meant, and it had not been made commercially available at that time. But I did hear him talking about highly wrought fancy goods and the necessity of increasing the ad valorems on those grades, so that as the manufacturing industry advanced the ad valorems would catch every increase of value and report it automatically at the custom-house. That was his scheme.

The Senator from Rhode Island talks as if—I wish he were here, because I do not like to say what I am now about to say without the presence of the Senator, whom I propose to bring to strict account as our leader on this floor. The Senator from Rhode Island says that the cotton schedule of the Dingley tariff law has been emasculated; that the provisions which Governor Dingley put into it have been nullified by decisions of the courts and other people; and that the law has been so pulled apart that it is proper for him, in stating whether this bill raises the duties, to apply his rates not to the importations that exist now, but to the importations that existed before the emasculation took place.

In the first place, Mr. President, the facts are not accurate. These decisions of which the Senator from Rhode Island complains were not made until three years or more after the Dingley tariff law had been in operation. They were not made, to be accurate, until Colonel Tichenor, chairman of the Board of General Appraisers, was dead and in his grave.

The Senator from Rhode Island owes something to me, something to his colleagues here, when he stands on the floor to state what the Dingley tariff law intended to do. He said that it intended to apply a rate of 60 per cent to a large variety of cotton cloths. I deny it. Is there any rate in the cotton schedule for cloths that takes 60 per cent in the present law, I ask the Senator from Utah?

Mr. SMOOT. I have felt that I would not interrupt the Senator.

Mr. DOLLIVER. It does not bother me at all. I am merely trying to get at the facts and what I regard as such a misrepresentation of the situation as to warrant everybody's attention.

Mr. SMOOT. The Dingley law in paragraph 339 did provide for a great many of these goods at 60 per cent.

Mr. DOLLIVER. Was that in the cotton schedule?

Mr. SMOOT. I will not say it was in the cotton schedule, but it does name cotton goods such as etamines, vitrages, nettings, etc.

Mr. DOLLIVER. Is it in the cotton schedule?

Mr. SMOOT. It is not in the cotton schedule.

Mr. DOLLIVER. Does the Senator know what schedule it is in?

Mr. SMOOT. If the Senator did not think I knew he would not ask me.

Mr. DOLLIVER. I would not. But in what schedule is it?

Mr. SMOOT. Paragraph 339, and——

Mr. DOLLIVER. What schedule? And so it turns out that one of the chief experts of the committee, who spent more time talking about etamines and vitrages here than anyone else, is not able to state to the Senate in what schedule in the tariff act of 1897 the provision in respect to vitrages and etamines are.

I have given a good many years' attention since 1897 to these schedules, and I hope to reach a point one day in the deliberations of the Senate when I will be free from any insinuations that my information is picked up on street corners. I wish the Senator from Rhode Island were here. I should like him to stand on his feet and say whether old Governor Dingley, who entered upon the tariff legislation of 1897 with the statement that he proposed to reduce all the McKinley rates, as far as he could, and certainly not increase but reduce those cotton rates, put in a provision applicable to cotton cloth at 60 per cent. And yet the Senator from Rhode Island says that a large variety of cloths that were supposed to be dutiable at 60 per cent were declared not so dutiable and therefore the Dingley tariff law was emasculated.

Now, what are the facts? The provisions in the tariff act of 1897 for etamines and vitrages originated in the House committee of which I was a member. It originated with Colonel Tichenor. I said to the Senate the other day that I enjoyed a peculiar source of information and had found peculiar enthusiasm in my work in this session of the Senate in the possession of all the papers of Colonel Tichenor, papers of which I have the custody, with a view, if leisure ever comes to me, to pay the proper tribute to the man who knew more than all the rest of our statesmen put together about these matters, and yet went down to his grave without proper recognition and with only the loving tribute of those friends who knew him and had been familiar with the labors and sacrifices of his life.

I have not only enjoyed access to his papers, but I have had the kindly assistance of his son, H. D. Tichenor, who was his private secretary during the days of his greatest activity, a young man typical of the best intelligence in our American life, a studious man, a man who knows what a fact is when he sees it, and who can detect statistical humbug upon a moment's investigation.

He has helped me, and I pause long enough to express my grateful appreciation that he has stayed here at this Capitol, out of mere enthusiasm for the work, for I have not a dollar to pay for his services, and by day and by night has helped me in the effort I am making to serve the people of the United States. I thank him for it, and I never look at him without remembering the thirty years in which Col. George C. Tichenor, without fame or advertisement, did the hard work of tariff revision for both Houses of Congress.

I have here, exactly as Colonel Tichenor prepared it, paragraph 339 of the flax schedule. Do you suppose that Governor Dingley ever intended to put millions of dollars' worth of cotton cloth into the flax schedule? Do you suppose the Senator from Rhode Island ever gave his consent that a paragraph under which $49,000,000 worth of laces and embroideries are imported annually into the United States should include in it also millions of dollars' worth of ordinary cotton cloth at 60 per cent ad valorem and be sneaked into the schedule provided for jute and flax and linen? You can tell that to persons with a very much less experience than I have had in the world in which we live.

I will print the etamine clause of the Dingley tariff act from the manuscript of Colonel Tichenor as a part of my remarks, but I will read it to show how foolish the proposition is that Governor Dingley thought he was levying a tariff on cotton cloth of any kind. It says:

> Laces, lace window curtains, tidies, pillow shams, napkins, bed sets or other lace articles, handkerchiefs, wearing apparel, and other articles made wholly or in part of lace, or in imitation of lace, by whatever name known, not elsewhere specially provided for in this act; nets or nettings and veilings, etamines, vitrages, edgings, insertings, galloons.

Will the Senator from Rhode Island in the daytime stand on this floor and say that either he or Governor Dingley intended to put a million dollars' worth of cotton cloth in the linen schedule between veilings and edgings under the name of etamines and vitrages? I do not think he would make the statement in daylight.

Mr. GALLINGER. Are etamines made of linen?

Mr. DOLLIVER. They are made of linen and of wool and of cotton. Although I never saw them made of wool, I believe, I met a dry-goods man coming up this morning who said he had.

Now, fortunately, Colonel Tichenor left on record in his notes exactly what he meant by it. As he was the only man in Washington or who has been in Washington since who knew what an etamine or a vitrage is, I hope the Senate will regard his authority as at least worth their attention. He says:

> The articles—
>
> He does not say "the cloths"—
>
> The articles known as "etamines" and as "vitrages" are also named, for the reason that their classification for duty has been the subject of considerable dispute and some litigation.

So the Treasury Department was familiar then with what the articles were.

> They assimilate more or less to embroideries, nettings, and veilings, being fancifully wrought articles with openwork and lace embroidered effects, and belong to the category of trimmings and other fancy articles.

That is what the man who wrote the bill and handed it in the original manuscript to Governor Dingley in the exact form in which it passed the House and the Senate of the United States said these words meant, and that was the exact interpretation it had until Colonel Tichenor was in his grave. Then occurred in the custom-house one of those curious things which are getting altogether too common over there. An amiable old gentleman, who was afterwards separated from the service by Secretary Shaw, as I was informed by others, because he seemed to have an interest in the linen business, contrary to the statutes applicable to the employment of appraisers, was in the cotton division of the appraisers' stores. When he got in there, he began to act a good deal the way our old friend Corporal Tanner was said to have acted when President Harrison appointed him Commissioner of Pensions. They said he put his feet upon the table and said, "God help the surplus!" So when Colonel Hartshorne became appraiser he says, "We will see what can be done to these people."

So he proceeded to explore an old dictionary that was lying around that office, where you may see it any day you may go in, somewhat battered by the flight of time; and in Cole's Textile Dictionary he got a definition of etamine, which is preserved in Mr. de Vries' decision overthrowing the appraisers' classification. He found out from that definition that there was a way in which any kind of cloth where the threads do not

touch one another—in other words, any cloth with a hole in it—is an etamine; and he proceeded to make etamines out of quite a considerable variety of goods, although very small in actual amount, as was afterwards shown. As fast as he made the decisions, Mr. de Vries overruled him. So the decision which I quoted here the other day overruled these foolish interpretations of the Dingley law.

Yet the Senator from Rhode Island stood on this floor and denounced these decisions as outrages which had emasculated the Dingley tariff law, which had turned aside the tariff law of 1897 from its benign purposes as to cotton cloth, and denounced the decisions as originating with British importing interests, and as so grave an offense as to inspire speeches from the committee by the day here. He denounced them, apparently without knowing that Judge de Vries, as he is already called by the Senator from Rhode Island—I reckon in anticipation of honors yet to come—was the man who mutilated the Dingley tariff law. Judge de Vries was the man who overruled these appraisements. Judge de Vries was the man who robbed the Treasury of the United States of these untold millions by overthrowing decisions made by Mr. Hartshorne during the period of his brief and ridiculous authority in the appraiser's office.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. This is the first time an explanation has been made of those decisions, and I wish to know whether I get the matter correctly in my mind. So it turns out that the decisions of which so much complaint has been made, and which are said to have mutilated the law, really state the meaning of the law as it was stated by Colonel Tichenor, who drew the law.

Mr. DOLLIVER. Certainly; and by every intelligent man who ever read it.

Mr. BEVERIDGE. The decisions then establish the meaning of the law as it originally was and as it was interpreted until Colonel Hartshorne made his ruling.

Mr. DOLLIVER. Exactly.

Mr. BEVERIDGE. That is a new explanation and an important one.

Mr. DOLLIVER. Mr. Hartshorne has been making speeches ever since on the etamine question. He has been making speeches on etamine at every cotton manufacturers' association he attends, and he talks about the mutilation of the law.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I understood the Senator to say that a new definition of etamine was "cloth with a hole in it."

Mr. DOLLIVER. I mean a hole between the threads—cloth woven so that the threads do not touch.

Mr. TILLMAN. Cloth with a hole in it?

Mr. DOLLIVER. Yes; that was the basis of the appraiser's ruling.

Mr. TILLMAN. The mutilation of the Dingley law of which the Senator from Rhode Island complains was that ruling of Mr. Hartshorne overruled by Mr. de Vries.

Mr. DOLLIVER. Yes; the ruling of Mr. Hartshorne.

Mr. TILLMAN. He kept on patching the hole as fast as the appraisers would stop it.

Mr. DOLLIVER. Exactly; and the curious thing about it is that these decisions which have robbed the Treasury of so much money and which have so mutilated this law are all acquiesced in by this committee, and the words "etamines and vitrages," if my memory is correct, disappear from the law as completely as if these delightful names had never existed among men. There is no more 60 per cent on cotton cloths, no more humbugs about this matter; the whole subject is dropped exactly as Mr. de Vries dropped it in his decision in 1904.

Mr. TILLMAN. The Senator will recall the fact, I think, that the Senator from Rhode Island was asked not only once, but three times, to give us the names of the judges, whoever they are, who had mutilated the Dingley law, and we never could get him to do it.

Mr. DOLLIVER. I am going into that question pretty fully.

Mr. TILLMAN. I am very glad to hear it.

Mr. DOLLIVER. I am going into the question of those decisions.

The decisions took cotton cloth, ordinary woven fabrics of cotton where you could count the threads, ladies' dress goods, and put them back, and the Board of General Appraisers' decision was accepted by the Government of the United States as right, and neither judge, nor lawyer, nor statesman has ever disputed the accuracy and correctness of the General Appraiser's decision until we hear these matters paraded here as outrages that had been perpetrated upon the Dingley tariff law.

Now, what was the purpose of that? Let me tell you. I am sorry to be compelled to yield to a certain kind of suspicion that has only come upon me lately. What is the purpose of dragging this old etamine decision in? When the Senator from Rhode Island first spoke here on the cotton business he said he could demonstrate to the Senate that no changes had been made. I waited four weeks. I got in a hurry. Every time people quit talking here they seem to want to vote on this question. They had a cynical idea that it was just as well to discuss it after it had been adopted as it was before, a philosophy that I trust may never become acceptable to the Senate of the United States.

What is the purpose of exaggerating these decisions? How much was involved in all of those decisions? It was necessary in order to get some standards by which it could be shown that the average rates of the Senate bill had not been increased over what the Dingley law was contemplated to be. It was necessary to show that the Dingley law had been wickedly and fearfully emasculated. Therefore, it becomes important to know just what was involved in these etamine decisions. I want to say to you Senators, especially to those of you who are uncertain in your own mind about this question, we are entitled in this Chamber to knowledge if we can get it. What knowledge did we get last night? We got a statement signed by a lot of gentlemen in the New York custom-house that these schedules proposed for our adoption were not in excess of what the schedules of the Dingley law would have been if it had been left alone by the appraisers and by the courts. In other words, it is admitted that the rates are in excess of the Dingley rates as they exist now, applied to the business of to-day.

But they are less, say these willing witnesses, than the rates the Dingley law would have had if Colonel Hartshorne had been allowed to transfer the entire cotton-cloth schedule to paragraph 399 in the linen classification of vitrages and etamines at 60 per cent. Well, that may be true. Yet it is important for us to know exactly what effect those decisions had, and it is not difficult for any man to get it. What do you think of the chairman of a great committee coming here with a statement from a government clerk that while these rates are in excess of the Dingley law as it is now written on the books they are not in excess of what the average ad valorem would have been shown in the Dingley law if it had been left alone as it was originally framed and not subjected to these emasculating decisions of Mr. de Vries.

Therefore it became somebody's business to find out what effect these decisions had on the Dingley tariff law. If the Senator from Rhode Island had made the statement which he made last night four weeks ago, as I must be excused for thinking he ought to have done, and if I had been assured then that he was asking the Senate to vote on this schedule, not upon statistics or facts, but upon a guess by a young man in a cotton division of the custom-house in New York as to what the Dingley tariff law would have been if the appraisers and the courts had not disturbed Colonel Hartshorne—if I had dreamed that he would have had the conscious sense of influence here to put a proposition like that before the Senate, I would have been able to find with absolute accuracy what the effect of these decisions would be. But by getting up early this morning I rejoice to say that I have been able to find out even now with accuracy what is involved in these matters, and I want those of you who heard the speech of the Senator from Utah [Mr. SMOOT], returning again and again to these etamines, to listen to me while I tell you exactly what influence these decisions had on the importations and upon the revenues of the United States.

I want now to take up what the Senator from Utah had to say about these decisions. I will ask you to turn to his speech where he points out exactly what happened to what he called "samples of different goods." I take it for granted that he took the most favorable samples, and I also take it for granted that he took all the samples that he could get hold of. If he did not, I call upon him when he renews his observations, if he does so, to add to that table which appears printed in his speech any other goods which he thinks were affected. He says, after talking about nothing but these decisions about etamines and drawn work and doilies and tidies and various other things:

> I ask permission to insert in the RECORD at this point, without reading, a table giving sample lists of rates reduced under these decisions.

If you will turn to the CONGRESSIONAL RECORD of June 1, 1909, you will see this table, and there he puts down 14 articles that have been affected by the adverse decisions of courts. The first thing I desire to call his attention to is that of these 14 articles which were affected by adverse court decisions, 6 of them were not disturbed at all in the rates which they had at 60 per cent. They were 60 per cent when the rates were assessed. They are now assessed at 60 per cent. Why? Because they are etamines. He first puts down molleton cloth. I showed the Senate the other day a specimen of molleton cloth. Little goods of that description are imported, and the book of statistics shows that all kinds of bleached goods under 50 threads to the square inch, molleton cloth included, amounted to only about $5,000. So any decisions which may have been rendered affecting molleton cloth could hardly have entered into this situation.

Mr. TILLMAN. The Senator may be coming to it, but for fear he may not, I should like to have him explain what decision it was that the Senator from Rhode Island alluded to last night, which has been sustained by the Supreme Court, calling for a refund of $500,000, and that we are losing $5,000,000 a year owing to this mutilation of the Dingley law by a certain decision of somebody, but I have never been able to get it.

Mr. DOLLIVER. I intend to go into it with absolute minuteness and fairness; only I am sorry that I shall be compelled to say things that I would not on my life say if I did not think they were true, in the absence of the Senator from Rhode Island from this Chamber.

In regard to the table showing effect of decisions upon certain lines of cotton cloth and articles, as presented by the Senator from Utah [Mr. SMOOT], it will be noted that the rate claimed to be assessed previously in all instances but the first time is given at 60 per cent. As a matter of fact the Senator from Utah did not go far enough in explaining how this came to be assessed. In many instances the cloths referred to in the 14 different items given were only assessed at 60 per cent by the assistant appraiser at the port of New York, Mr. E. A. Hartshorne, who held that any piece of cotton goods with a hole in it should be called an etamine, because, as I have said, he dug up some definition of an etamine in the dictionary that he technically applied. Consequently he appraised a variety of many countable cotton goods as etamine, applying the duty thereon at 60 per cent. It is probably these estimates that the Senator from Utah has used as his basis in referring to subsequent decisions that reduce such duty.

I want to take these items just as the Senator from Utah gives them. I have already referred to molleton cloth. That can not enter very largely into the mutilation of the Dingley law, because, while the decision reduced the duty from 60 per cent down to nearly nothing, the importations seemed to go down even faster than the duty. The truth is we have not imported it in any appreciable quantity, and I presume it is made here cheaper than it is anywhere else in the world.

The second one was stiff foundation embroidery cloth, being an unbleached cloth under 50 threads. The total imported in 1907 was only $16,274 of this class and of all other classes of this variety. Anybody can see that it is trivial and unimportant.

Now, items 3 and 4 were etamines, and were assessed at 60 per cent, and appraisers and courts upheld this 60 per cent on them as etamines, and as it is admitted by the Senator from Utah they still pay 60 per cent, no argument, therefore, is necessary about it. The law was upheld as to them, and why he put them in that table is a matter which might occupy a few of his leisure moments in explaining to himself.

Five and six are lappets, 2-ply warp and weft. Lappets were never assessed as anything but countable cotton, according to their count and weight, except when Mr. Hartshorne chose to apply his system of "any cloth with a hole in it is an etamine," a decision that was instantly and immediately reversed by the Board of Appraisers as fast as it was rendered.

Seven is marked on the table of the Senator from Utah as an etamine on a 6-ply warp and weft, being composed of more than 3-ply warp and weft yarn, hard twisted; it had always been assessed at 60 per cent as an etamine. There is very little of this imported per year, or very little of it used, in fact.

I was told by a merchant in this town that if there were $200,000 of these goods offered on the streets of New York to be given away for nothing they could not dispose of that amount, because it is used only by a few people as a basis for embroidery. Somebody told me, a girl in a store downtown here, that it is a kind of cloth most used by persons in the remote rural districts to embroider the proposition "God Bless our Home."

The eighth item in the Senator's table is scrim, a 2-ply warp and weft.

Now, scrim is not an etamine, as it is sold and known as cotton cloth. That is all I need to say about it; and if anybody in the Treasury Department ever decided that scrim was etamine and belonged to embroidery, such a man would run not only the risk of being held incompetent, but those of us less charitable would have some other interpretation of conduct like that.

The next item is an etamine, 3-ply warp and 3-ply weft, 50 to 100 threads. That was assessed as an etamine. It is now assessed as an etamine, and nobody has emasculated or proposed to emasculate that provision of the Dingley law except the Senate committee; that drops etamine out of the list and disposes of all these articles when they are made out of cotton yarns of any sort in some of the provisions of the cotton schedule of the proposed act.

The tenth was curtain drapery, 2-ply warp and weft, belonging in paragraphs 305 and 313; in the proposed law in paragraphs 313 and 321. At present it is assessed at 30 per cent, plus 2 cents per square yard. It is proposed to assess it at 7 cents a square yard, plus 2 cents per square yard on account of the appearance upon it of extra threads appearing to be colored.

The change that was made in the Senate bill, so far as I am able to make out—I will ask the Senator from Utah if I am correct—is to take those goods which are now dutiable as bleached cotton cloths less than 100 threads per square inch and make them dutiable as colored cotton less than 100 threads, plus the 2 cents for extraordinary threads. Am I correct about that?

Mr. SMOOT. I suppose the Senator has reference to lappet goods?

Mr. DOLLIVER. I had reference to cotton draperies.

Mr. SMOOT. That comes under the countable cloths, as I stated here, and I had a sample of it.

Mr. DOLLIVER. But the decision which was rendered by the courts puts it under the countable cloths.

Mr. SMOOT. Before the decision of the court it was held at 60 per cent. The law was administered at 60 per cent until the decision of the court reduced it, as I stated.

Mr. BEVERIDGE. Administered by the appraisers?

Mr. SMOOT. Administered by the appraisers.

Mr. DOLLIVER. The Senator does not refer to those decisions which the Senator from Rhode Island spoke of last night, which determined that these goods with the color of extraordinary threads should be put into the colored bracket of 313 instead of the bleached bracket.

Mr. SMOOT. I refer to the original administration of this particular class of goods. It was held to come in at a rate of 60 per cent, and through the decision of the court it was reduced to the countable paragraphs 305 and 313.

Mr. DOLLIVER. The decision of the Board of Appraisers was rendered many years ago.

Mr. SMOOT. It was rendered about 1904.

Mr. DOLLIVER. In 1904. There has been no dispute since.

Mr. SMOOT. The whole dispute here is as to the amount of goods affected by the decision.

Mr. DOLLIVER. The decision to which the Senator from Rhode Island referred last night dealt with the question as to whether these goods with colored threads in the extraordinary attachment should be assessed under the countable clause of paragraph 313 as colored goods or as bleached goods. That was the question which was recently decided by the courts.

Mr. SMOOT. The question decided by the courts recently, Mr. President, as I understand it, was that wherever a piece of cloth with extraordinary colored threads, and the warp and filling of it are white threads, if the extraordinary threads were not clipped, then it was counted as a colored piece of cloth; but if they were clipped and a figure was shown in the piece of cloth by so clipping, then the threads were not counted, and it was counted as a piece of white cloth; and so far as the dutiable part of the cloth is concerned, only the warp and filling threads were counted, and none of the extraordinary threads were counted.

Mr. DOLLIVER. So it appears, Mr. President, that the only case in which 60 per cent can be paid upon cotton goods is where it is found to be one of the various kinds of goods covered by paragraph 339 of the flax schedule, such as laces, lace window curtains, embroideries, nettings, ruchings, tuckings, insertings, and similar articles, never intended by Congress to be embraced as countable cotton cloths.

Does the Senator from Rhode Island or the Senator from Utah contend that it was the intention of Congress to classify cotton cloths not made up into articles, nor manufactured into anything else, as "manufactures of cotton not specially provided for" in this act at 45 per cent ad valorem? Yet when the appraisers have classified cotton cloth as "manufactures of

cotton" at 45 per cent, and such classification has been overruled by the Board of General Appraisers and the United States courts, we are told that such decisions of the board and of the United States courts are fraudulent and in vicious perversion of the purpose of the framers of the Dingley law.

If there were fewer such stupid classifications made by appraising officers in the first instance; if a fair, sensible, and logical interpretation of the intent of Congress were given by the appraising officers in the first instance, we would not have occasion to be criticising the United States courts for what some claim are "fraudulent decisions that have almost completely nullified the intent of Congress regarding this schedule." It seems to me to be perfectly clear that the intent of Congress has not been nullified, but that the misinterpretations of Mr. Edwin A. Hartshorne, assistant appraiser, formerly of the cotton division of the appraiser's stores of New York, have been nullified by the decision referred to by the Senator from Rhode Island as being fraudulent. The misinterpretations of this appraiser in assessing all cotton cloths that had holes in them as etamines, vitrages, veilings, and laces, at 60 per cent ad valorem, the rate for such goods under the flax schedule, became the laughing stock of the mercantile community. This man never pretended to follow the real intent of the law in fixing rates of duty on cotton goods. He invariably picked out the highest rate he could find in the tariff and applied it, or rather misapplied it, to suit his own peculiar ideas. He was regarded as a jest by all the members of the Board of General Appraisers and by all who officially came in contact with him. It is no wonder he classified cotton cloth at a duty of 60 per cent under paragraph 339 of the flax schedule, for reasons which I have already explained to the Senate.

Now, I want to ask another question. Does the Senator from Utah or the Senator from Rhode Island believe that the refunds made during the past ten years by reason of these decisions regarding the interpretations of the paragraphs of the cotton schedule amount to more than 1 or 2 per cent of the total cotton importations of that period?

Mr. SMOOT. Mr. President, I do not particularly care about going into that now, but I will state that it does not seem to me that you can take the importations under paragraphs 303 to 313 and compare the ad valorem rates with those of 1898 and 1907, but you will see an advance in those ad valorem rates of over 306 per cent.

Mr. DOLLIVER. Does the Senator from Utah see no other reason for that?

Mr. SMOOT. Well, I was going to explain to the Senator, but if he does not wish——

Mr. DOLLIVER. I should like the Senator to explain it.

Mr. SMOOT. If the Senator does not wish I will not give it.

Mr. BEVERIDGE. I think it is due to the Senator that he should go ahead.

Mr. DOLLIVER. I should like the Senator to go ahead. I did not mean to interrupt him.

Of course, there are those variations, but they do not arise from these decisions; they arise, I think, from a variation in the value of the specific articles imported.

Mr. SMOOT. The decision of the court and of the appraisers was just what brought this about. Between the two years there was only an increase in the specific rates of 22.40 per cent, while in the same time the ad valorem rates had increased over 306 per cent, showing that these very goods which originally, as the law was administered up to 1904, carried 60 per cent were thrown into the countable clause, increasing the ad valorem rate 306 per cent.

Mr. DOLLIVER. Mr. President, I should say that that arose from an increased importation at that time. I certainly never heard of a statistician who would make such an interpretation of figures as has been made just there. There is a difference in the equivalent ad valorem between those years, because there was a constant rise in the prices of articles imported, which would show a different ad valorem, of course. There was more money collected under the fixed ad valorem, not because the decisions of some courts intervened, but because the rising prosperity of the market place invited a constantly increasing importation. I suggest that what I undertake to say would be the interpretation by any man who has the leisure to reflect upon the situation.

I will undertake to prove that the decisions of the court have nothing to do with it.

I intend to do it in a way that I think this committee owe it to the Senate to do, rather than in the way they have tried to prove their case. With the custom-houses of the country open, with the books open, it lay within the power of this committee to explain in accurate figures exactly what influences upon the revenue had been made by these correct and righteous decisions of the appraiser's office and of the courts of the United States; yet, with accurate sources of information at their hands and a solemn responsibility resting upon them to furnish the Senate with exact facts, they argue by the hour in their own poor strength in this matter, because even a horde of Treasury officials, in a hand-to-hand contest with the multiplication table, are at a great disadvantage even in the Senate of the United States. Instead of giving us facts, they present an affidavit by an employee that, judging by his recollections of what happened during the last twenty years, while he has been appraising $14,000,000 worth of stuff a year, judging by what he can recollect of it, there must have been 30, or 8, or 6 per cent of the stuff of various kinds affected by these decisions. I say that no more shabby exhibition was ever made in the Senate of the United States than when the leader of the Republican party turned aside from his own manuscript, gave up his effort even to try to explain this himself, and read us a certificate of character for this bill, signed by the official underlings who have been loafing around the headquarters of the Committee on Finance during the last sixty days.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. DOLLIVER. Certainly.

Mr. CRAWFORD. I should like to ask the Senator from Iowa if, under all the investigations he has made, it appears that any cotton industry suffered or that any laboring men employed in that industry were thrown out of employment or had their wages reduced because of the construction placed upon the Dingley law, which reduced the rate?

Mr. DOLLIVER. No; Mr. President, every department of the cotton industry has flourished uninterruptedly since 1897; and I rejoice in it. Every workingman has retained his employment; every working woman and every working girl has retained her wages, which have steadily advanced. They sailed through the panic with hardly a ripple in that great industry. To-day, or within the last few months, as was shown by the Boston Advertiser the other day, they are enlarging their works in all the cities of New England, counting on the Dingley tariff law being maintained.

No voice was raised in any quarter of the cotton trade asking that these things be done. The very men who came here representing the industry not only declared that they wanted no changes in the law made, but they made no reference to these decisions of the courts except to say that those decisions had settled the law and made it plain, and they gave that as a reason for leaving it alone, which the committee has used as a reason for changing it.

I said I was fortunate in being able to state with accuracy just what amounts of money were involved in these decisions; but I will tell you, my friends, that it was rather a close call on me to get these exact figures. We came mighty near being left with our feet firmly fixed on this custom-house affidavit, asserting the nullification and emasculation of this law, signed by the very General Appraiser who, sitting in the gallery, was compelled to hear his action advertised as a raid on the revenues of the United States by evil-minded importers bent on getting all of the money out of us that was consistent with the statutes in such case made and provided.

If I had not an unusual amount of energy I would have been left with nothing except that precious certificate of character of the committee signed by its clerks. [Laughter.] But, fortunately, I got up early and made my way to the Treasury Department. I went into the office of the Acting Secretary and I said to them: "Now, gentlemen, we are spending a good deal of money to keep books here. I heard a good man say last night that a certain decision of the courts of the United States has cost the Government of the United States $500,000 on account of the refund of the tariff collections, and I heard the same good man say the same night that these etamine cases had so robbed the revenues and wronged the cotton-goods industry as to affect the ad valorems upon our annual imports and amount to a scandal and a reproach to all good men.

"I want to know if there is a corner in this building where a man, who is in an awful hurry, can find out just how much money was involved in all these etamine decisions put together?" "Well," he said, "we do not keep those books here, but we are working on them now at New York. The figures will probably be over to-morrow, and, maybe, to-day." I said, "Too late; the figures I must have to-day." "Well," he said, "maybe we can get them over the long-distance telephone." He called up the assistant collector of customs at the custom-house in New York and said to him, "Have you figured out how much money

The eighth item in the Senator's table is scrim, a 2-ply warp and weft.

for" in this act at 45 per cent ad valorem? Yet when the appraisers have classified cotton cloth as "manufactures of

the United States refunded to the importers on account of the etamine decisions?" You see, they collected 60 per cent on them, but the appraisers made them give it up. "How much money did you lose and how much did you refund?" These imaginary millions, wandering like ghosts through the aisles of the Capitol of the United States, filling the great statistical speeches of the Senator from Utah and the Senator from Massachusetts and even the Senator from Rhode Island; these raids on our Treasury; these perversions of our laws; these nullifications of the intent and purpose of Congress—how much was involved in all of them; how much did you have to give back? Fifty-five thousand dollars! There it is [exhibiting] in the handwriting of the man who took the report over the long-distance telephone from the custom-house in New York.

Mr. BEVERIDGE. All of it?

Mr. DOLLIVER. All of it—$55,000! Gentlemen, do you know what I think about this? I think that there is a dust raised here to conceal transactions that need the attention of every Member of the Senate of the United States. "Well," you say, "was not there a case involving more than that?" There [exhibiting] is the humble merchandise that I have made so popular as an exhibit in the Senate of the United States that even Senators with great dignity of character and a nicety of parliamentary behavior, to which I have never even aspired, have imitated my candor in exhibiting before the Senate. My honored friend from Rhode Island exhibited it last night. What is it? It is a madras curtain. Has the United States ever had any controversy with anybody about that? Oh, yes; a great controversy. What was the controversy about? "Well," Governor Dingley said, "these people are putting extra threads on this cheap cloth and those threads cost like everything when you clip them to form a figure. They want 2 cents a yard more on account of the presence of those threads there in this cheap bleached cotton. Let us give them to them; they want it; it is not much." Everybody said, "All right; let us give them 2 cents a square yard by reason of the presence of those colored threads outside of the warp and woof of that cloth." Well, time went on, and these fellows said: "That is not a white cloth," and everybody said, "No; that does not look to me like a white cloth." The fellows said, "Why ought not we have that cloth entered under the bracket for colored cloth?" "Well," the courts said, "you have got 2 cents on account of the presence of those extra threads there without regard to their color. Is that not enough?" They said, "No; we want you to take this cloth out of the bleached bracket and put it into the colored bracket of the Dingley ad valorem, under paragraph 305." The courts said, "We will not do it; you have got your 2 cents on those threads, and now you will take your ad valorems applicable to the foundation of the cloth without regard to the color of those threads." That was the controversy that stirred the heart and fired the imagination of the Senator from Rhode Island.

What would be the effect? If it was bleached, it would get the 2 cents and 25 per cent ad valorem, and if it was colored, it would get the 2 cents and 30 per cent ad valorem. Therefore, there was 5 per cent ad valorem at stake; and yet the Senator from Rhode Island, our leading statesman, the master of his party here, the undisputed oracle of our faith, sent to the Secretary of this Senate last night, without even a single word of comment, and asked him to read a clipping which created the impression upon the Senate that the Government of the United States had lost $500,000 by refunding the duties improperly collected. Is that the impression that it made on you?

Suppose you were charged with the responsibility of guiding the judgment of your fellow Senators here, would you send up to the Secretary's desk an anonymous newspaper clipping stating the complicated problem involved in the effect of such a decision as that, and then appeal with mock heroics to men who ought to be as wise as you are upon these questions to save the Treasury of the United States from an unjust raid like that? It was not becoming in the Senator from Rhode Island. If he had opened his own book of statistics, he would have found that the total importations of cloth that could possibly include this variety, the whole importations under paragraph 313, were only about $350,000, including all kinds of cloth, this kind being but an insignificant fraction of that amount.

Mr. BEVERIDGE. The total value?

Mr. DOLLIVER. The total value. If it had all been "madras curtain" cloth, the only loss the Government could have sustained would have been 5 per cent on $350,000; and it would have taken these wicked importers thirty years to have accumulated a claim of $500,000 against the Government on those terms. Yet the Senator from Rhode Island, who sneers at me because in the discharge of my duty and upon my conscience I protest against these things, standing here in the presence of thousands of people, walks out of this Chamber with the credit of making a great speech, with claptrap like that substituted at the desk of the Secretary for the easily accessible facts and truths in relation to this matter!

But I am not relying altogether upon my own interpretation of the Government's statistics. I asked the Secretary of the Treasury to tell me exactly how much of these madras cloths were involved in these decisions, supposing all of them to be in dispute. He said that the port of New York annually took in two-thirds of the cotton importations of the United States; that they usually allowed one-third for Chicago, St. Louis, San Francisco, and other cities, and that the total importations of that cloth at the port of New York in all cases that were involved in this controversy was $260,000. That was all that was involved. The only question for the Government was whether the duty was to be 30 per cent, as the Government claimed to be the intent of the Dingley law—and I think claimed rightly—or 25 per cent, as was claimed by the importers.

Mr. LA FOLLETTE. Two hundred and sixty thousand dollars being the total value of the goods.

Mr. DOLLIVER. Yes; $260,000. Yet here are these 1,400 etamine cases, all decided against the contention of the appraisers, all the money involved refunded, and the total refund is shown by the books of the Treasury Department to be $55,000.

Mr. BEVERIDGE. Instead of $500,000.

Mr. DOLLIVER. Instead of $500,000, or two or three millions, as the Senator from Rhode Island left the impression upon the Senate. Here are those "green goods"—because that is exactly what they have become in this Chamber—advertised here by the hour before applauding multitudes, and the total amount of them altogether involved in all this controversy, according to a memorandum in the handwriting of the Assistant Secretary of the Treasury, Mr. Reynolds, is $260,000 at the port of New York, plus one-third that amount to cover the customary ratio of other importations throughout the country.

Mr. SMITH of Michigan. Fifty-five thousand dollars was the undervaluation?

Mr. DOLLIVER. No; the total amount of what the Government was compelled to give back was $55,000 in 1,400 cases; and yet the Senator from Utah read an essay here hours long to show that decisions like that had so interfered with the collection of revenues as to reduce the ad valorems of that year below what they would otherwise have been, and made it reasonable for him to prepare a table here showing that there had been a decrease compared with 1900, although, of course, that was due to the fact that there was a substantial increase in the prices of the goods, as exhibited by the figures in 1907.

Mr. SMITH of Michigan. Why was $55,000 refunded?

Mr. DOLLIVER. That was the amount included. I said the amounts were negligible——

Mr. SMITH of Michigan. I understand, but I should like to ask the Senator why this $55,000 was refunded at all?

Mr. DOLLIVER. Because the Government claimed 60 per cent should be collected and the appraisers decided that that was not the rate that ought to have been collected, and, therefore, they had to pay back.

Mr. SMITH of Michigan. In other words, the goods imported were not valued at the cost put upon them by the importers?

Mr. DOLLIVER. No; the goods were assessed at 60 per cent, when, in point of fact, they ought to have been assessed at less; and the excess between what they were assessed for compared to what the law required them to be assessed for in 1,400 cases—all the cases there were—required the Government to refund $55,000 in money, and yet those transactions were paraded here last night as an evidence that the Dingley law had been emasculated, and that it became necessary for us to build up not against the law as it stands to-day, but against the law as it stood ten years ago.

I want to go a little further into the speech of the Senator from Utah.

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. DOLLIVER. Certainly.

Mr. BORAH. I wish to ask the Senator a question for information. What is the full amount, as he understands, that the Government has lost by reason of these decisions?

Mr. DOLLIVER. That I calculate?

Mr. BORAH. The full amount which you have calculated from any information you have.

Mr. DOLLIVER. I went on the theory from the beginning that the amounts involved in it were negligible. But I was

laughed at and informed that they amounted to millions. So I inquired what the Government had to pay on account of these decisions. It does not exactly show the amounts involved, but it shows that the amounts involved could have been only a small thing, because in 1,400 cases known as the "etamine cases," which are now all settled in the Treasury Department and the money paid back, $55,000, according to the Secretary's statement, was the amount paid back.

Mr. BORAH. Does that cover what is called the "colored cotton-cloth decision?"

Mr. DOLLIVER. No; it covers etamines, not the colored cotton cloth, which had encountered, according to the Senator from Rhode Island, a decision which cost the Government $500,000. The Secretary of the Treasury shows that the total amount of goods in dispute brought into this country was only $266,000 at New York, plus one-third for all the other ports of the United States, and the only thing involved in that was whether the rate of duty should be 25 per cent or 30 per cent.

Mr. BORAH. I merely want to say it is a pretty serious thing when a man can not get the correct information from any source with reference to this matter. I have a communication from the Treasury Department this morning which estimates it at $400,000, and that comes from the Assistant Secretary of the Treasury. It was the matter which had more weight with me last evening than all other things put together, and I undertook to make some investigations of my own; and if this kind of information is going forth, regardless, we ought to know something about it here.

Mr. DOLLIVER. What does the information to which the Senator alludes refer to?

Mr. BORAH. It alludes to what is called the "colored cotton decision," which was referred to in the communication read from the desk last night.

Mr. DOLLIVER. Yes; if the Senator will permit me, it is a blessed thing to be free from any dependence even upon the Treasury Department. If he will take the Book of Estimates, made up by the Bureau of Statistics, and find out the total amount of all goods brought into the United States in the banner year 1907 of the class to which these goods belong, he will find that all the goods put together amounted to $356,000, and as only a question of 5 per cent on that amount, even if it were all that kind of goods, was involved, merely a difference between 25 and 30 per cent, he will see that if all the goods imported under 313 of Senate bill were madras curtain goods of this kind, the Government would not possibly be called upon, in any one year at least, to refund more than 5 per cent of $350,000, and that it would take nearly thirty years for an importer or all the importers put together to accumulate a claim equal to that stated as about to be refunded in the article read from the desk.

What I am complaining about is, not that the Senator did not state it correctly, but that with accurate information at his disposal and everybody's disposal to correct the exaggerations of the article, he allowed it to be read, although it did not purport even to be anonymous in its character, but the mere guesswork of an enthusiastic reporter, when the facts were not only accessible, but on the desk of every Senator here, which would refute the pretence that $500,000 was involved.

Mr. BORAH. I only wish to say in conclusion that I plead guilty to the fact that I am not an expert in tariff measures, but I have had an idea for a long time that I did know the effect of a decision of the court when I read it. And that being a matter which I could grasp, I undertook to inform myself in regard to it. I do not know to whom we should go for information which would be more reliable than to the Treasury Department of the United States, and so I undertook to get my information, and they made an estimate in February, which, based upon that time, would amount to something like $400,000. The only thing I know about it is that that information has been given out; and certainly one thing must be apparent—there must be some changes in the Treasury of the United States.

Mr. DOLLIVER. No, Mr. President; the Treasury Department undoubtedly undertook to give the Senator an aggregate of the importations under paragraph 313.

Mr. BORAH. No; the Treasury Department did not. The Treasury Department undertook to give what the Government would have to refund and lose by reason of these decisions.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Both of these distinguished Senators are lawyers and are familiar with the methods pursued in the Supreme Court in getting the opinions of that august body. The Senator from Rhode Island, if I understood him correctly last night, said that a decision of the Supreme Court had been rendered which would make it necessary to refund $500,000. Am I correct in that?

Mr. BORAH. No; I do not understand so.

Mr. DOLLIVER. He said a decision had been rendered denying a petition for a writ of certiorari.

Mr. TILLMAN. Which would make the decision of the lower court——

Mr. DOLLIVER. He sent to the desk the clipping from a newspaper, and I do not think he made himself personally responsible for the statistics, although the impression was naturally created that those were the proper statistics.

Mr. TILLMAN. Of course we are all under a disadvantage in not being able to know what was said last night, inasmuch as it does not appear in the RECORD this morning. I can not help the fact that the Senator from Rhode Island is not here. He has been under a strain for a long time. He has been pelted and bombarded from all directions, and I do not wonder that he should sometimes get out of the range of fire. But I want to find out, if the Senator will permit me, if there has been any decision anywhere that we can get hold of which ascertains and discloses the facts. Why this bamboozling of the country? Either the Senator from Rhode Island bamboozled us last night or the Senator from Iowa bamboozled us this morning. I am getting tired of all of this—this mixing up of information and misinformation, and charges and countercharges, and all that sort of thing.

Mr. DOLLIVER. I trust the Senator will allow me to state the situation just as it is.

The VICE-PRESIDENT. The Senator from Iowa has absolute control of the floor.

Mr. DOLLIVER. Yes. The appraising officers assessed these goods at 30 per cent, claiming that they were colored goods, and while there was color in them, it was not in the cloth, but in the threads that were superimposed upon the cloth. The importers took that decision to the circuit court of the United States for the southern district of New York, when it was decided that the Dingley law gave these extraordinary threads 2 cents a square yard on account of their presence, and that the ad valorem in paragraph 313 was applicable to the cloth, which had a bleached background upon which the threads were attached; that the ad valorem should be assessed as upon bleached cloth of the density which appears here.

Thereupon they appealed to the circuit court of appeals of the United States, Judge Lacombe sitting with two other judges; and about a year ago the circuit court of appeals affirmed the decision of the circuit court for the southern district of New York. Thereupon a petition for a writ of certiorari was taken to the Supreme Court of the United States to bring up the record for the inspection of the Supreme Court. Last week the Supreme Court, by a rather peremptory order, denied the writ, which affirmed the decree and decision of the circuit courts of appeals; and from this on this cloth will be assessed, unless the law is changed, 2 cents per square yard for these green threads, as originally intended, and 25 per cent, according to value, for the white cloth upon which they are imposed; that is, 25 per cent plus 2 cents; and the change made in this bill, as I understand, is simply to transfer this cloth from the 25 per cent bracket to the bracket of colored cloth, so that in addition to the 2 cents originally provided it will get 30 per cent, the ad valorem rate provided for colored cloth.

Mr. TILLMAN. Nevertheless the $500,000 disappears.

Mr. DOLLIVER. No; there never was $500,000 involved. The total importations for one year in that very book are only $350,000, if all the articles were madras curtains.

Mr. SMOOT. Paragraph 313?

Mr. DOLLIVER. Yes.

Mr. SMOOT. The Senator is certainly mistaken as to the amount of importations for 1907 under paragraph 313.

Mr. SMITH of Michigan. What is the amount?

Mr. SMOOT. Total importations were $949,022 for 1907, and the ad valorem was $913,884.02.

Mr. DOLLIVER. I am talking only about the importations under section 313 of the Senate bill.

Mr. SMOOT. I am, too. The ad valorem is $913,884.02.

Mr. DOLLIVER. I added it up patiently last night, in the night, and according to my figures all of the cotton cloths imported in 1907 under 50 threads or from 50 to 100 threads mentioned in the statement of the Senator from Utah, amounted to

a total of $396,000 under paragraph 313, Senate bill, which covers paragraphs 304 and 305, Dingley bill. I have the figures here.

Mr. HUGHES. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. DOLLIVER. Certainly.

Mr. HUGHES. Inquiry has been made here as to what occurred in the Supreme Court, and those of us who have a high esteem for that great tribunal have listened with some surprise to the bandying about of its work as being a fraud practiced upon the revenue. Therefore I felt concerned, after hearing the address last night, to know what appeared upon the records of the Supreme Court itself, and I have obtained the petition for a certiorari filed in that court by the Solicitor-General, setting forth the things objected to in these decisions below, and also a brief which accompanied it, pointing out the importance of the decision and why in the opinion of the Government the case should be reviewed upon certiorari.

I find in that petition this as the only statement of the values involved. I read from page 8 of the presentation by the Government:

1. On March 8, 1909, the amount of duty involved in the cases then pending was approximately $260,000. Every subsequent importation increases that amount.

That is the entire claim by the Solicitor-General. When that was filed in the Supreme Court the counsel for the other side presented his objection to the claim, that the matter was one of great importance, in this language, at page 10:

(a) The alleged large amount of revenue involved.

We challenge the statement that $260,000 is involved. It will be seen by reference to the protests (Rusch, rec., fol. 21; Blatter, rec., fol. 54) that the only claim made is that the merchandise is bleached or unbleached and not colored.

It is to be noted that in only two of the provisos, to wit, 305 and 307, is there a difference in duty between bleached and colored cloths, and then only a 5 per cent difference. Turning to the tables entitled "Estimated revenues," prepared and printed under the direction of the Finance Committee of the Senate, Sixty-first Congress, first session, for use in connection with the preparation of the new tariff law, we find that the value of all the cotton cloths containing an additional threads assessed as colored cottons under paragraphs 304 to 309 imported into the United States during the year ending June 30, 1907, amounted to $336,386.02. The contest herein covers a period of approximately four years, so that the total value of importation of goods assessed as colored cottons would be $1,345,544.08. Assuming, then, that all the cotton cloth containing extra threads classified by the Government during this period as colored cotton had bleached or unbleached foundation cloth (which it did not), assuming that a difference of duty would accrue (which we have shown would not accrue) in each case where there was a bleached or unbleached foundation, and assuming, further, that protest has been duly filed on every importation, the total difference then would be only $67,277.20. We frankly believe that not more than $20,000 is involved in the entire litigation on this issue, or about $5,000 a year.

And upon that record, made up by the Government and the counsel for the contestants, the certiorari was denied.

Mr. DOLLIVER. I am exceedingly obliged to the Senator from Colorado, because it saves me from spending a further minute on these statistics, which I have had to add up myself. I have been so impressed with the fear that if I was not here a vote would be taken and my speech would be delivered afterwards that I have not had as much time as I ought to have had, and I have not had the amount of help I needed. I had to do it in one night. So I greatly appreciate the clear statement which the Senator from Colorado has put into the RECORD, showing in a way that will be lasting the real character of the statement made last night on this floor by my honored friend, the Senator from Rhode Island.

Mr. GALLINGER and Mr. SUTHERLAND addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Iowa yield?

Mr. DOLLIVER. To the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, notwithstanding what the Senator from Colorado has read, we are confronted with the fact that the Supreme Court says that $20,000 was involved. The Senator from Iowa presents a paper from the Treasury Department saying $35,000 is involved.

Mr. DOLLIVER. No, no; my friend is mistaken.

Mr. CLAPP. Fifteen thousand.

Mr. DOLLIVER. This memorandum is taken from a letter written by——

Mr. GALLINGER. Obtained over the long-distance telephone.

Mr. DOLLIVER. That refers entirely to the etamines, not to the curtain cloths. These figures are taken from a letter written to the Secretary of the Treasury by the Attorney-General of the United States, stating the amount involved in the curtain cases, as he understood it to be, at $260,000, which is obviously nearly correct. The figures given to the Senator from Idaho could not have referred to the amount refunded. Nothing has yet been refunded. The case is only just now decided.

Mr. GALLINGER. The Senator from Idaho gets information from the Treasury Department that $400,000 is involved.

Mr. DOLLIVER. I doubt very much whether it refers to the same thing. It can not be official figures as to the amount refunded. Nothing has yet been refunded. The figures refer to the amount involved, 5 per cent of which would have to be refunded.

Mr. GALLINGER. The New York Commercial Advertiser gives it at $500,000.

Mr. DOLLIVER. No; the New York Commercial Advertiser does not say that is the refund, but the whole amount involved, upon which the refund would be only 5 per cent.

Mr. GALLINGER. I am talking about the refund. I think the Treasury Department ought to be able to clear this matter up, so that we should really know the facts.

Mr. DOLLIVER. I hope they will, if we shall have time to get it; but we do not have time to get it. Nobody can know the amount of the refund till settlement is made, but it can not be more than 5 per cent of the sum involved.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SUTHERLAND. I understood that what the Senator from Colorado read was simply the rival claims of the counsel upon each side of this case.

Mr. DOLLIVER. From what was the Senator from Colorado reading?

Mr. HUGHES. I read from the petition for a certiorari and the brief by Solicitor-General Bowers, and the response of the other side.

Mr. SUTHERLAND. Then, as I understand what the Senator was reading was simply the claims of the counsel in the case; counsel for the Government claiming that $260,000 was involved in the case——

Mr. HUGHES. No.

Mr. SUTHERLAND. In the questions involved in the case, while counsel upon the other side insisted that not more than $20,000 would be involved. I do not understand that the Supreme Court has passed upon the question at all.

Mr. DOLLIVER. Yes; it dismissed the petition for a writ because the amount involved was trivial.

Mr. SUTHERLAND. I think the Senator is in error about that.

Mr. DOLLIVER. Am I not correct in that?

Mr. SUTHERLAND. The Supreme Court—and I think the Senator from Colorado will agree with me—does not deny a petition for a writ of certiorari simply because the amount involved may be small.

Mr. DOLLIVER. Did I understand the Senator from Colorado——

Mr. SUTHERLAND. The Supreme Court considers the matter more with reference to the character of the questions involved than it does with reference to the amount involved; and the refusal of the Supreme Court to grant the writ is not equivalent to an expression of opinion upon their part that the amount involved was as claimed by counsel for the plaintiff.

Mr. DOLLIVER. Mr. President, I now desire to advance a step further into the region of statistics, where I am beginning to feel as much at home as if I had been brought up in the midst of figures and had lived there all my life. I am in a very advantageous frame of mind in respect to them, because I have had to overcome a good many suspicions. I have reached the point where I have absolute confidence that I have gained sufficient insight into the science of statistics to prevent me from being overawed by a mere row of figures.

I want to call attention to the tables of statistics which were printed, but not read, by the Senator from Rhode Island and by the Senator from Utah, which he was kind enough to say also involved the ideas of the Senator from Massachusetts, and for that reason should be entitled to very great consideration in the Senate. He gives importations under the various paragraphs in

the Dingley Act for 1898, the importations for 1899, and the importations for 1900. He claims that the Dingley law was emasculated by these decisions, and therefore show lower ad valorem equivalents than they would have shown if the emasculation had not occurred. Yet the history of the matter is that these adverse decisions of which he is complaining were not rendered by anybody in any of those years, but that the Dingley law, from the time it went upon the statute books, was interpreted just as it is now for three full fiscal years, including the very years that he reports.

He now proposes, seeing the awful havoc that was made with the revenues of the United States by these adverse and outrageous decisions of the courts and of appraising boards in calculating the average ad valorem of the Senate bill, to apply his ad valoremes not to the importations that are going on now, but to the importations that went on over ten years ago. He finds that the ad valorem equivalents then were higher than in 1907. I think they were, and I know exactly why they were. It is because the prices of the goods have been steadily rising, and as the values per unit of quantity increased the equivalent ad valoremes decreased. Like every other variety of merchandise in all the paragraphs of our tariff law, wherever a specific duty is applicable to an article the equivalent ad valorem has been gradually decreasing because the goods themselves have been gradually appreciating in value, and there is no use in the world for a man in pursuit of the truth to go to the decisions of the courts to find why the ad valorem equivalents of 1900 are higher than the ad valorem equivalents of 1907, and the same thing is true of the tables presented in the interesting speech of the Senator from Massachusetts.

The VICE-PRESIDENT. The Chair begs to suggest that there are almost too many private debates.

Mr. STONE. I am trying to hear what the Senator from Iowa is saying, and it is very difficult to do so.

The VICE-PRESIDENT. The Chair thought the Senator could hear better if there were fewer side debates.

Mr. MONEY. Some of us inadvertently talk too loud.

Mr. DOLLIVER. It does not bother me very much. If I excite enough interest to get up a joint debate on the floor, I shall be pleased, really. Our main trouble here has been that nobody has been able to overcome the lassitude, owing to the climate that surrounds us, in order to get down to business.

The distinguished Senator from Massachusetts seems to be about as awkward as the Senator from Utah in the elaboration of statistics, for he takes out of the book of Imports and Duties for various years, 1899 and 1907, the percentages collected upon the merchandise imported during those two years, and he takes the general position that in view of the fact that such a percentage is less in 1907 than it was in 1899, therefore it would be a good idea to compare the rates of the Senate bill, not with 1907 but with those of eight years previous, but his figures are absolutely worthless unless he carries out also the value per unit of quantity in 1907 and 1899.

If he had done that he would have been saved the trouble of going to the decisions of courts and of referring to appraisers' mistakes in order to account for the declining ad valoremes in these later years, because he would have seen, acute intellect that he has, that every change in those ad valorem equivalents arises directly and obviously before the eyes of any man who had the whole tables before him, from the fact that the unit of quantity had changed in value exactly as those ad valoremes had shifted. And yet he and the Senator from Utah come into this Chamber and present these statistics to be placed in the RECORD—statistics that can not be interpreted by any scientific statistician as they interpret them, and give that as the reason for saying that these rates have not been increased.

They say they have not been increased compared to ten years ago. Look at it. They have been increased compared to what is going on now. But you look back ten years ago and you will find the ad valoremes less than they have been made in the Senate bill, and so jumbling their figures and mystifying themselves and everybody who tries to listen to them, they pour out this torrent of figures, bewildering columns taken from the Bureau of Statistics, partially taken, half taken, deluging the Senate, and ask us to raise these rates. Curious companions these—the great statesman of Massachusetts and the great theologian of the Rocky Mountains, friends and partners in this curious business, juggling the tables, manipulating the figures, and at length blowing out the gas and going to bed together. [Laughter.]

The table is as follows:

Table showing the equivalent ad valorem percentage of the specific duties on cotton goods imported under each paragraph of the Dingley tariff in 1907 as compared with 1899, when the bill was first put in operation, due to increased prices of goods.

No.—	1899.		1907.		Values per unit of quantity.	
	Value.	Per cent.	Value.	Per cent.	1899.	1907.
					Cents.	*Cents.*
928	$1,163	20.98	$5,149	7.63	0.059	0.164
929	930	27.27	5,450	19.97	.073	.100
931	1,402	22.15	1,330	18.42	.056	.068
932	831	32.28	310	21.80	.047	.069
933	61	27.11	1,185	32.82	.065	.053
935	22,395	21.09	19,080	19.73	.071	.076
936	2,532	33.30	609	30.92	.033	.057
937	29,414	43.65	16,727	39.29	.052	.057
939	55,300	34.37	71,974	33.48	.080	.082
940	5,461	51.24	4,935	40.96	.063	.070
941	11,360	43.05	61,306	42.35	.081	.083
948	3,088	20.33	11,104	17.74	.074	.084
949	2,327	38.39	9,149	26.33	.032	.076
950	1,484	28.12	5,601	26.85	.089	.093
951	17,725	42.70	7,471	32.04	.064	.086
955	22,459	27.61	142,409	23.80	.091	.105
956	10,272	47.83	189,776	29.48	.063	.102
957	10,589	44.79	24,702	33.42	.078	.105
958	202,222	45.39	123,534	40.36	.083	.093
960	55,652	35.17	204,674	31.44	.099	.111
931	87,665	37.46	70,475	35.14	.10	.104
962	18,732	46.31	299,191	40.06	.091	.106
933	54,929	48.27	24,291	42.15	.093	.107
970	677	41.35	3,161	31.48	.098	.095
971	11,788	48.85	15,795	40.60	.072	.086
975	44,492	27.69	16,990	26.42	.090	.104
976	17,414	35.71	14,097	33.00	.098	.105
977	6,935	46.24	81,607	35.33	.087	.113
978	221,924	48.17	620,591	41.34	.088	.103
982	233,747	44.97	96,534	40.95	.094	.104
983	115,602	43.15	21,474	39.95	.104	.113
981	223,107	44.81	245,413	29.36	.105	.12
985	391,501	44.38	161,510	46.03	.113	.109
1005	6,954	53.73	6,252	36.34	.065	.096
1007	7,888	53.30	3,969	32.99	.075	.121
1009	45,777	51.25	24,770	46.10	.098	.108
1011	10,387	41.00	4,496	41.95	.100	.107
1012	89,978	40.56	42,277	44.88	.123	.111
1013	21,052	45.95	5,244	42.60	.119	.129
1014	163,238	53.86	136,410	45.56	.111	.132
1016	995,368	59.49	699,136	37.93	.117	.165
1017	528,740	53.40	124,684	49.85	.121	.142
1026	450	47.55	4,364	39.86	.126	.132
1029	2,554	45.11	2,742	38.97	.133	.167
1030	5,197	50.67	1,523	46.92	.138	.171
Total	3,775,350		3,606,777			

One hundred and sixty-eight thousand five hundred and seventy-three dollars more imported in 1899, under the higher ad valorem equivalents, than in 1907, under the lower ad valorem equivalents.

But, Mr. President, the record of the increases in this bill is not exhausted by an examination of the substitution of the step-ladder specific assessments, as I have described them, for the old Dingley ad valoremes. Personally, I am opposed to that substitution. Twenty years ago I had a good many prejudices against ad valorem assessments. I had read the reports of various Secretaries of the Treasury, and they all said they were bad, because you could not keep people honest, you could not get correct values. But in that twenty years, largely owing to the statesmanship of the honored Senator from Rhode Island, we have a system of ad valorem assessments so guarded and so administered, both in Europe and America, that about the only honest imports that come into the United States come in under the ad valorem assessments. The great frauds on our revenues are not now committed by persons who are paying ad valorem duties; they are committed by people who are paying specific duties, duties by the pound upon sugar, who in the last five or six years have robbed our Treasury of from $2,000,000 to $9,000,000 in the light of day by simply having one of their men stand by the appraising or assessing officers at the scales and by slipping a corset steel into the delicate mechanism to interfere with the proper weighing of the merchandise.

We have had other cases involving millions of dollars. The silk cases in New York, where we deliberately changed from ad valoremes to specifics in the hope of avoiding fraudulent assessments; yet within the last three or four years we have had to sue importers of silk, who were paying duty by the pound, for millions upon millions of dollars for their frauds against these specific assessments. I refer to the Rosenthal silk cases. The

truth is that there are mighty few things where a specific assessment does any good. It is all right on steel rails. I am afraid it is all wrong on these textiles, and I will tell you why.

If you have general dividing lines of values you do not get rid of your ad valorem troubles at all. Here in this bill we have one cloth valued at 12 cents a yard and another valued at 12½ cents a yard. Do you suppose it will be less trouble to beat that dividing line than it ever was to beat an ordinary straight ad valorem assessment? The fact is, before we put this Government on the basis of specific assessments, we ought to do exactly as the Governments of France and Germany have done. In France they had a great commission for five years arranging their specific duties, standardizing their values, finding out by experiment the relations of weights, or sizes, or lengths, or other units of quantity to given values. After five years of experimentation they were able to formulate specific schedules of scientifically adjusted rates.

Who adjusted these specific rates? How long a time was taken? What is the reason for putting one rate upon cloth valued at 12 cents and a different rate on the same cloth valued at 12½ cents? What wisdom is there in it? I undertake to say that there is no wisdom in it at all, and I am profoundly convinced that we are making an error in going into a mess of that sort.

I was saying that these progressive ad valorem or "stepladders" of values do not cover all the increases that are made in this bill. This very green cloth [exhibiting] is coming in for another treatment. Now it has 2 cents because of the extra threads. It is to get 5 per cent more on account of being colored, and it is going to get a little more, if it can, by putting a microscope on those colored threads and counting them and adding them to the count of threads which determine the density of the cloth; that is to say, the paragraph into which that cloth comes for assessment. I do not know—I have not worked on this one with my microscope—but I think it has nearly 100 threads in it, and it is therefore dutiable under paragraph 313, but if the amendment that is proposed passes, and the other threads are counted and added to it, it will have over a hundred threads, and will pass into the next paragraph at a modestly increased rate. I do not know whether that ought to be done or not, but I am dead sure of one thing, it ought not to be done without everybody in the Senate understanding what is being done.

That is not the only proposition I have in mind. These good people propose, seeing the times are a little hard and money scarce—I believe it has been said times are always hard and money scarce—they propose to take a little extra assessment of 1 cent per square yard on mercerized cloth; that is to say, on nearly all the cloth that is imported, because I think I am right in saying that nearly 75 per cent of all imported cloths are mercerized. I thought I heard the Senator from Massachusetts [Mr. LODGE] give the exact figures, but I could not find them when I came to examine his speech when printed in the RECORD. I may have been mistaken about his giving them.

If they proposed to put only a cent a pound on cloth that has been mercerized maybe I would not say a word about it. But, they say, this is a good time to get whatever can be had without anybody knowing it, and so we will ask not only for 1 cent a pound on mercerized cloth, but exactly the same amount on cloth that has even one thread of mercerized yarn in it.

You would not believe it, but I have got so I feel I know as much about mercerized yarn and cloth as anybody. The Senator from Utah stated the other day, speaking on this floor, that it was not possible to mercerize single yarns. I told him I did not know. I know now that the Senator from Utah was mistaken, for I saw the Senator from Wisconsin [Mr. LA FOLLETTE] yesterday exhibit on this floor specimens of single yarns duly mercerized as the chemists require. The Senator from Utah said it was not possible to mercerize American cotton, but that you can mercerize only Egyptian cotton. I told him then that that violated the impression I had in looking around the dry goods stores, and that was the only statistics I had on the subject then. But I have a little book here, issued by a professor in the Textile College in Philadelphia, in which he says that it is not only possible to mercerize all kinds of yarn, but that it is a growing custom in the cotton business all over the world, and the fact is that very much of the Egyptian cotton mercerized in the world is ordinary peeler cotton, the American brand called familiarly throughout the world "Mississippi silk."

So I have not as much confidence as I used to have in the Senator from Utah. I have almost begun to think that the Senate committee was a little weak on this mercerizing business, and I will tell you why. Four weeks ago they spent a large sum of the government revenue—I do not know exactly how much the amount would affect the ad valorem, but a considerable sum—telegraphing all over the United States to people familiar with the mercerization of cotton to know how much it costs. Have any of you gentlemen seen those reports? Did you hear the three-hour speech of the Senator from Utah, which combined all the wisdom there was in and around the Committee on Finance? Did you see in the printed copy here one of those letters or telegrams received in reply to the simple question, "How much does it cost to mercerize a yard of cotton cloth?" Not one. I know they got answers, because two or three of them sent a copy of their answers to me. I do not know why they picked me out, but they seemed to think I was interested in the subject; and here we are at the end of this debate asked to place that assessment on 90,000,000 people in the United States, and there is not a word of information upon the cost of it, and every line of information that was got at the expense of the Government is withheld from the public records of the Senate where it belongs.

I will, however, show you a letter from A. L. Reid & Co. in New York, who were thought to be good enough men to telegraph to for information, and they replied showing that the cost of mercerizing cotton was less, very much less, than 1 cent a yard. I have here, and I intend to put into the RECORD, another letter from Littauer & Co., who answered their telegram, stating and giving the figures from his present business connections that it costs 2 cents a yard less to mercerize cotton cloth in the United States than it does in Bradford and Manchester. I make the assertion here on this floor, and if it is denied I will call on the committee to produce the letters and telegrams that came here in answer to their inquiries, if I am not correct in that statement. The Senator from Massachusetts held up some very beautiful cotton vestings which he said had been increased in value 12 cents a yard by mercerizing them. I have not had time to examine that cotton vesting. I undertake to say that that same cotton vesting made without mercerizing out of the same ply and quality of yarn would cost 11 cents of that 12 more than ordinary cloth.

I will say another thing about that beautiful cotton vesting, that it will never take the place of silk in the United States, because they are higher in price than the ordinary range of silk, and that cloth which he exhibited here is just as obsolete in the cotton trade of the United States as the highest form of silk and velvets are on the frontier. Why? Because all those vestings are mercerized in the yarn, and it costs more to mercerize in yarn than it does to make the cloth and then mercerize it. The result is that if they put that article with one not mercerized right side by side and duplicate it, they could not see the difference between the two, and it would sell for 10 cents a yard. That is the reason why it has not appeared in the cotton trade of the United States of late.

Now, I like to be accurate. I like to know what I am talking about. I like to, even when I am just walking along by myself. But when I am asking other people to follow me, to listen to my view or my suggestion, I feel upon my conscience the duty of being absolutely accurate and absolutely right.

Therefore I want to tell the Senate exactly what these good committeemen of ours have done. There is an ordinary piece of mercerized cotton shirting [exhibiting], with lines through it representing mercerized threads. It has just been woven by a prosperous factory in the State of Massachusetts, bought by an American merchant in the city of New York who does not deal in foreign cotton at all, but deals in American business by the ton. He has the bill he paid for this cotton cloth. He paid for this cotton 8 cents a yard without mercerization, with no mercerized thread in it at all. This last week he had a statement from the people who sold it to him that he can have it for 8 cents without mercerization or 8¼ cents mercerized. Yet this committee has put a cent a pound on the process of mercerization—800 per cent, is it not? And we are expected within the next few minutes to ratify it by a vote of the Senate.

Mr. BEVERIDGE. I wish to ask the Senator merely a question, whether he thinks that statement ought to be made concerning the committee's action in view of the fact that none of the committee are present except one?

Mr. DOLLIVER. I have intimated several times my desire to have the committee here, but I was doubtful whether they would stay from luncheon, and now I will say publicly I do not give 2 cents a square yard and 5 per cent cumulative ad valorem whether the committee is here or not. I intend to tell the truth here even in their absence.

There is the proposition I have made. Here is a piece of cloth that in this market now can be bought by the ton for 8 cents without mercerization, and 8¼ cents with mercerization. Yet the minute they get the President's signature on this bill

every human being in America will be pinched 1 cent per pound extra in the price of this cloth, or 800 per cent, on the lowly process of mercerizing, for which the present Dingley law provides amply.

Take the case that the Senator from Massachusetts gave. Suppose it were true that that cloth had added to it 12 cents a yard value by reason of being mercerized, would not that increased value be entirely covered in the duty of 35 per cent ad valorem, which equals 4.2 cents on every yard of that cloth imported into the United States? Four and one-fifth cents are therefore already on it by reason of the increased value arising from mercerization. And yet you propose to add onto that, adding 1 cent a square yard after mercerization, if a single dot or a single thread appears in the fabric indicating the process of mercerization. I say it ought not to be done.

Now, Mr. President, a few general remarks and I will not further disturb the convenience of the Senate. I read a good deal in the newspapers and every now and then I hear of somebody who thinks that I am trying to tear down the tariff laws of the United States. I do not intend to spend a great deal of time explaining what I am trying to do; but I do not mind stating it once for all. I am trying to preserve the tariff laws of the United States. I am trying to put them in such a position that the American public opinion will be friendly to them, North and South. It has grieved me more than anything in my public life that I have felt it my duty to protest against this unwarranted repeal of the Dingley cotton schedules. There is no industry in America that I have studied with the interest that I have the cotton business. It is the most ancient occupation of man after he reached the stage of industrial skill. In the museums of the world, coeval with the most ancient civilization, are fabrics of cotton woven oftentimes by the rude machinery of other ages.

There is no such crown upon the industrial life of America as the building up of the cotton and other textile industries here.

I have tried in an humble way to try to help build them up. The people whom I represent are without prejudice against them. They are full of sympathy for them. They do not even complain that they have been prosperous, that men have grown rich who have put their capital and invested their labor in these enterprises. For a hundred years the cotton schedules in American tariffs have been without an enemy in either party of the United States. No such wound has ever been inflicted upon the protective-tariff system, as to drag this schedule without an enemy in the world into the midst of this controversy and fill the CONGRESSIONAL RECORD with misleading statistics and irrelevant suggestions in respect to what has been done by the Senate committee. If it be true, as the Senator from Rhode Island says, that nothing has been done, if things are left as they are, if the rates are not raised, if no intention has been in their minds to disturb them, I appeal to Senators on both sides of the House to let them stand exactly where old Governor Dingley left them; to let them stand exactly as the courts of the United States have interpreted them. I ask my associates not to do what is the wish of the committee or the importers or the manufacturers, but to do what is suggested by every motive of reason and good sense. When you are not doing anything that amounts to anything, when you are not raising rates, when you are not disturbing them, when you spend a week showing that the changes suggested are of no importance to the public or anybody else, in the name of all that is reasonable let us let them alone; let me go to the people where I live and tell them that we left the Dingley tariff law undisturbed.

Do not send Members of Congress out to say that no changes have been made, when every schoolboy in every district will know that a statement like that can not be true, and that that man is incompetent for the discharge of the business which he seeks to do for the people of the United States. If no changes have been made, let us put away this appearance of change and leave these rates absolutely as they are. All these industries have flourished under them, great cities have been builded, great communities have been enriched. I do not envy them, from my little farm out in Iowa, any of their prosperity. I want to see all sections of the country share it, South as well as North, East as well as West. I want them all to participate in it. But I say to you gentlemen you can not do a thing so harmful to the protective system, so injurious to this industry, as to make it the storm center of an agitation which will not cease when you have incorporated these amendments in the bill notwithstanding the showing of facts that has been made on the floor of the Senate.

Now, I desire to thank the Senate for their attention.

PETROLEUM FIELDS IN MEXICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 79), which was read and, with the accompanying papers, referred to the Committee on Finance and ordered to be printed:

To the Senate:

The Secretary of the Interior has forwarded to me a resolution of your body in which he is requested to furnish to the Senate such information as Dr. C. W. Hayes, Chief Geologist of the Geological Survey, can furnish respecting his investigations and observations as to the character and development of petroleum fields in the Republic of Mexico, the character of the oil produced, the location of the oil regions, the ownership or interest in concessions granted by the Mexican Government, the probabilities of increase in production, and, generally, all the information with respect to petroleum and its products procured by the said Hayes upon his visit or visits to the Republic of Mexico.

The Secretary of the Interior, by letter, a copy of which I inclose, points out that the details of the information requested were obtained by the Chief Geologist of the Geological Survey, Doctor Hayes, under an obligation of secrecy entered into by him with the owners of the oil fields, from whom he obtained his information, and it would therefore not be consistent with the interests of the public service to divulge the details of the information thus obtained. Doctor Hayes has, however, submitted his conclusions from a personal visit to the oil-producing regions of Mexico, which answer, generally, the questions propounded in the resolution.

WM. H. TAFT.

THE WHITE HOUSE, *June 5, 1909.*

REPORT OF GOVERNOR OF CUBA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 80), which was read and, with the accompanying papers, referred to the Committee on Cuban Relations and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to transmit herewith a communication from the Acting Secretary of War, under date of May 8, submitting the report, with accompanying exhibits, of Hon. Charles E. Magoon, provisional governor of Cuba, for the period from December 1, 1908, to January 28, 1909, when the provisional government was terminated and the island again turned over to the Cubans. I recommend, in accordance with the suggestion of the Acting Secretary of War, that this report and the exhibits be printed.

I think it only proper to take this opportunity to say that the administration by Governor Magoon of the Government of Cuba, from 1906 to 1909, involved the disposition and settlement of many very difficult questions and required on his part the exercise of ability and tact of the highest order. It gives me much pleasure to note, in this public record, the credit due to Governor Magoon for his distinguished service.

The army of Cuban pacification, under Major-General Barry, was of the utmost assistance in the preservation of the peace of the island and the maintenance of law and order, without the slightest friction with the inhabitants of the island, although the army was widely distributed through the six Provinces and came into close contact with the people.

The administration of Governor Magoon and the laws recommended by the advisory commission, with Colonel Crowder, of the Judge-Advocate-General's Corps, at its head, and put into force by the governor, have greatly facilitated the progress of good government in Cuba. At a fair election, held under the advisory commission's new election law, General Gomez was chosen President, and he has begun his administration under good auspices. I am glad to express the hope that the new government will grow in strength and self-sustaining capacity under the provisions of the Cuban constitution.

WM. H. TAFT.

THE WHITE HOUSE, *June 5, 1909.*

STATISTICS RELATIVE TO TOBACCO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 78), which was read and, with the accompanying paper and illustrations, referred to the Committee on Finance and ordered to be printed:

To the Senate:

I transmit herewith a report on the prices of tobacco and the operations of corporations and others dealing in the same, prepared by the Commissioner of Corporations of the Department

of Commerce and Labor, in accordance with the following resolution of the Senate (No. 44) adopted May 14, 1909:

Senate resolution 44.

Resolved, That the President be requested to transmit to the Senate all information collected by the Department of Commerce and Labor affecting the prices of tobacco and the operations of corporations and others dealing in the same.

WM. H. TAFT.

THE WHITE HOUSE, *June 5, 1909.*

PERSONAL EXPLANATION.

Mr. OLIVER. Mr. President, I desire to occupy the time of the Senate for a few minutes to make a personal statement.

There appeared this morning in the public press a dispatch from Goldfield, Nev., stating that certain officers and directors of a Nevada mining company—among them myself as one of the directors—had been indicted by the Esmeralda County grand jury for conspiring to defraud that State of certain taxes on bullion. The charge is that the company rendered a false statement to the bullion tax collector, and that the directors and officers sanctioned false bookkeeping in order to carry out their conspiracy.

It is due to this Senate, of which I have but recently become a Member, to state that I have no personal knowledge of the facts upon which these cases are based. I never had any intimation even that such proceedings were contemplated or impending. I knew nothing whatever about them until advised yesterday by telegraph. My understanding is that my name, with some others, is included in the list of defendants merely because we happen to be directors of the company.

Details in matters of the kind involved in this proceeding were not submitted to the general officers of the company, but were attended to by the local management in Nevada. In justice to these latter officials, however, it should be said that in rendering statements of profits and taxes due they were advised at every step by one of the most eminent law firms in that State, the senior member of which is now the Representative for Nevada in the Congress of the United States. Since learning of the indictment, I am assured that no illegal acts were committed as charged. By the merest accident I heard, incidentally, a few days ago that there was a contention between the authorities of Nevada and the company as to the amount of taxes properly due, but I assumed that it was merely such a dispute as may arise in the adjustment of an account of that nature with any company, and that if it were determined finally that the corporation in question had not met its obligations fully, this would be done in the ordinary course of business.

I desire to make my denial of any complicity in this affair, either constructively or actually, as emphatic and as sweeping as possible. I have never knowingly violated the laws of any State, and under no circumstances would I consent to, or be a party in, their violation by men with whom I might be associated in business.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CULBERSON. Mr. President, I want to advert for a moment to a statement made last night in his speech by the Senator from Rhode Island [Mr. ALDRICH]. According to the notes of the stenographer, furnished me this morning, the Senator from Rhode Island said:

First we have a statement which was submitted by the Senator from Texas [Mr. CULBERSON], showing the effect of the increases in duties of House bill 1438 by the Senate Finance Committee. I want to read a paragraph from this to show the character of this report. In the very first line this occurs—

Referring to paragraph 312 of the bill—

"Not exceeding 50 threads to the square inch, counting warp and filling, not bleached, etc.; the present law 1 cent a square yard, Senate bill 2½ cents a square yard."

The Senate bill is 1 cent a square yard and not 2½ cents.

Mr. President, the statement of the Senator from Rhode Island is not correct. By the House bill, paragraph 312 provided for a tariff on—

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1¼ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.

By paragraph 313, according to the House bill, it was provided that—

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1¼ cents per square yard—

And so forth.

The Senate Finance Committee propose to strike out paragraph 312 altogether and to incorporate the two provisions, as it were, in paragraph 313, so that paragraph 313, or so much thereof as may be pertinent to this matter here, reads as follows:

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1¼ cents per square yard—

And so forth.

So that the paragraphs referring to 50 threads and 100 threads, or not exceeding either of those, are incorporated into one paragraph, not otherwise separated.

The Senator from Rhode Island said that this was an incorrect statement by the expert employed by the minority of the Finance Committee, Mr. J. S. McCoy, the actuary of the Treasury Department. The statement of the actuary is taken from the report made to the Senate by the Senator from Rhode Island himself and is in the very exact language of that report. Not only that, but the Senate Committee on Finance has nowhere fixed the rate at 1 cent. The very lowest rate is 1¼ cents.

At page 38 of this large book, entitled "Estimated Revenues," under paragraph 313, we have this language—this document, I repeat, was presented to the Senate by the Senator from Rhode Island—we have this language, and it is the very same language in this estimate made by Mr. McCoy, which was presented by me on the 13th of May:

313. Cloth, not exceeding 50 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed.

Running that out, Mr. President, we will see that the rate in the present law is 1 cent per square yard, the rate in the House bill is 1 cent per square yard, and the rate in the Senate bill is two and a quarter cents per square yard, amounting to an increase from 11.75 per cent ad valorem to 26.44 per cent ad valorem. That is all there is to it.

The Senator has denounced the statement made by an expert, which was copied absolutely and exactly by him from the statement made by the Senator from Rhode Island.

Mr. ALDRICH. Mr. President, the statement submitted by the Senator from Texas purported to show the present law and the bill as reported from the Finance Committee in a great variety of paragraphs. I stated last night, and I repeat now, that the provisions in the Senate bill, or the provisions that will be in the Senate bill when the vote is taken upon the pending amendment, is upon "cloths counting less than 50 threads to the square inch, 1 cent a pound, not colored, dyed," and so forth—just exactly what I said last night.

Mr. CULBERSON. Where is the provision in the bill providing for a cent a square yard?

Mr. ALDRICH. I ask that the Secretary read the pending amendment.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will read as requested.

The SECRETARY. On page 97, line 24, after the words "cotton cloth," it is proposed to insert the following:

Valued at not over 7 cents per square yard, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard.

Mr. ALDRICH. That is sufficient. That is an answer to the Senator from Texas.

Mr. CULBERSON. Now, I ask the Senator if he believes that is a fair answer to the criticism?

Mr. ALDRICH. I am not yet through with my answer.

Mr. CULBERSON. The Senator, Mr. President, criticised a statement filed here on the 13th day of May by referring to an amendment which was proposed by him long subsequent to that time.

Mr. ALDRICH. The bill as reported—I will read it myself—provided for a duty of one and one-quarter cents per square yard.

Mr. CULBERSON. Certainly; but that is not 1 cent.

Mr. ALDRICH. It will be 1 cent, I think, if the amendment be adopted. If it be not adopted, then the rate will be one and a quarter cents, and not two and a half cents, as stated by the expert.

Mr. CULBERSON. The rate reported in this statement is two and a quarter cents, the same as reported in the Estimated Revenues presented by the Senator from Rhode Island.

Mr. ALDRICH. But if the Senator from Texas had looked at the statement in Estimated Revenues he would have found that the goods there referred to were valued at more than 7 cents a square yard.

Mr. CULBERSON. Not at all, I think.

Mr. ALDRICH. Certainly the duty could not be two and a quarter cents unless the goods were of that value. That is the

trouble about the statement of the Senator from Texas. It does not state what the facts are. I put into the RECORD last night a statement of what the Senate bill provides and what the existing law is upon these matters. The statement made in the compilation called "Estimated Revenues" applies to what the duty would be if the goods were valued at above 7 cents per square yard, not what it would be according to the countable provisions of the act. If the Senator will take the statement he presented and compare it with the statement I presented to the Senate, he will find the corrections made as I have indicated.

Mr. CULBERSON. Mr. President, the Senator's explanation is not satisfactory. I submit to the Senate that the statement I have presented, taken from the Estimate of Revenues, not only covers the 50-thread articles, but also the 100-thread articles, and it also refers to value. The statement to which the Senator refers, and which he denounced last night, is copied exactly and precisely from the report of Estimated Revenues made under the authority of the Finance Committee.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. CULBERSON. Yes.

Mr. ALDRICH. Then, the expert of the minority must have copied a mistake, palpable on its face, from the statement in Estimated Revenues, which does not pretend to be a precise statement of the difference in rates imposed by this bill. Under the present law, the rate is not 1 cent per pound if those goods are valued at above 7 cents, but it is 25 per cent ad valorem, which is nearly 2 cents a yard, instead of 1 cent, as the statement which the Senator has called attention to sets forth. The statement made by Mr. McCoy is absolutely incorrect in every respect. The duty on goods valued above 7 cents under the present law, I repeat, is not 1 cent a yard, but it is 25 per cent ad valorem.

Mr. CULBERSON. I do not at this time purpose to go into the general statement made by Mr. McCoy. My purpose is simply to point out that the Senator from Rhode Island has taken the statement presented here by me as to one item, which was an exact copy of one presented by himself, and denounced it as incorrect; and upon that general statement he based a condemnation of the entire statement presented by me, it having been prepared by the actuary of the Treasury.

Mr. ALDRICH. I called attention to the inaccuracies of this statement, and submitted a corrected statement of what the comparison actually was. I repeat that the statements of both of these experts are manifestly inaccurate.

Mr. CULBERSON. As I said, Mr. President, I read that portion of the Senator's remarks last night in which he denounced a specific statement of this report, from which he came to the conclusion, or, at least, upon which generally he based the conclusion, that the entire report was inaccurate. Now, it turns out that it was nothing but a literal copy of what the Senator himself had presented. He also takes the position, which, it seems to me, is not candid and fair, that this report is not true, because the committee had, subsequent to its being made here, proposed an amendment in accordance with his suggestion; in other words, the Senator denounces the statement made by an expert on the bill and report as written because it does not correspond with the bill as he proposes to amend it.

Mr. ALDRICH. Mr. President, this matter is perfectly simple. Under the existing law cotton cloths counting less than 50 threads to the square inch are dutiable at 1 cent a square yard; if counting between 50 and 100, they are dutiable at 1¼ cents per square yard; if they are valued at over 7 cents per square yard, under the present law they are dutiable at 25 per cent ad valorem. If they are dutiable under the present law at 1 cent, they are not goods that are valued above 7 cents per square yard. If they were, they would be dutiable at 25 per cent ad valorem, instead of at 1 cent. If they were below 7 cents a square yard, the duties under the present law, under the House bill, and under the bill as it will be amended, are 1 cent a square yard. If they come in under the next paragraph, the duty will be 1¼ cents a square yard if valued at less than 7 cents. So that, from any aspect, the statement submitted by the Senator from Texas was inaccurate.

The Senator talks about the statement presented by the committee called "Estimated Revenues." The Senator understands how it is——

Mr. CULBERSON. The Senator, of course, will not deny, and does not deny, that the statement made by the expert, which I presented, is an exact copy of the one he presented on page 38, and the statement I presented was taken from the third corrected report of Estimated Revenues by the committee.

Mr. ALDRICH. I suggested in my statement to the Senate that the statement submitted by that Senator was inaccurate, and the Senator will find, if he examines the tables, that the inaccuracies were corrected.

That the Senator's expert followed the erroneous statement of this table called "Estimated Revenues," does not change the case at all; it simply shows that the Senator's expert did not examine the case and did not know what the law did provide, but that he simply followed the statements contained in the volume called "Estimated Revenues."

In presenting this compilation to the Senate I have stated at least half a dozen times that it was hurriedly prepared, and that it did not in all cases state precisely the facts, not that there was any intentional misstatement of facts, but errors almost invariably creep into statements of this kind. I have been absolutely amazed that these statements, prepared, as they were, within a very few hours of the time that the instructions were given by the Senate, should contain as few inaccuracies as they do.

Mr. NEWLANDS. Mr. President, when the Senator from Iowa [Mr. DOLLIVER] gave up the floor, I claimed the attention of the Chair, with a view to asking him a question, but was interrupted by the reading of the President's message. I now wish to ask the Senator from Iowa whether the relief which he proposes regarding this schedule, relating to cotton manufactures, simply involves the retention of the Dingley schedule, as opposed to increases reported by the committee, or does he propose to move further in the line of reduction?

Mr. DOLLIVER. Mr. President, I will say to the Senator that I have no intention of moving to reduce the Dingley tariff law as to cotton in any respect. On the contrary, I have offered—and I will ask the Senator from Rhode Island to permit it to be voted on first—an amendment which will restore paragraph 312 of the Dingley law as it exists in the present statute and attach to it the Dingley provisos that are found in connection with all the countable paragraphs, so that it will correct, by raising to 25 and 30 per cent ad valorem, the duties that might now be assessed on certain comparatively unimportant cloths that have fallen by the wayside on account of one of the decisions of the court. Only a very few are involved. And I shall ask the Senator from Rhode Island, before a vote is taken on the amendment to paragraph 312, to permit a vote to be taken on paragraph 312, my amendment being to restore paragraph 312, by disagreeing to the Senate committee's amendment striking it out, and to attach to it the customary Dingley proviso, providing an ad valorem of 25 per cent.

Mr. NEWLANDS. Mr. President, I would ask the Senator from Iowa whether he does not think, from his examination of this schedule, that some of the duties are above the standard fixed by the Republican party in its platform in the last campaign? I refer to the Dingley rates themselves.

Mr. DOLLIVER. Mr. President, it may be possible that some of the specific rates on cotton cloth of apparently low value might be reduced without inconvenience to anybody, but I have not had either the time or the purpose of suggesting any such amendment, because it has always been my theory that, while the rates are somewhat high, they are not likely to operate injuriously in the market place. They have always been high. I remember that they used to be higher than the price at which the goods were sold in the United States, and it used to be a favorite recreation of mine to prove that the tariff could not be added to the cost from the fact that the price was less than the tariff. Such a rate, of course, could be reduced possibly, and on a careful revision of the tariff would be reduced, but I have not thought it important to suggest such an amendment. My object is to preserve unimpaired the Dingley law, with a single amendment, which corrects a real prejudice arising out of a decision of the court, giving the customary proviso to the first countable paragraph.

Mr. NEWLANDS. I would call the Senator's attention to the fact that the total importations of cotton products into this country amount to only about $33,000,000 in value, that value being, of course, the external value, without adding the duty.

Mr. ALDRICH. Mr. President, the Senator has not included——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. The Senator from Nevada has not included in that estimate two paragraphs which, while they are in Schedule J, are cotton goods, amounting to about $50,000,000 in round numbers—I can give the Senator the exact amount——

Mr. NEWLANDS. That would increase it, then, to $80,000,000.

Mr. ALDRICH. About $80,000,000, in round numbers.

Mr. NEWLANDS. Eighty million dollars. I will ask the Senator, then, whether the recapitulation at the end of Schedule

I, taken from the census report and representing the total cotton products of this country as amounting to $1,000,000,000 in value, is correct, or whether it would be necessary to add to it the products which are included in Schedule J, to which he has referred?

Mr. DOLLIVER. I have no way——

Mr. NEWLANDS. I would ask the Senator from Rhode Island to answer that question.

Mr. ALDRICH. Mr. President, the value of manufactured cotton, as given by the census of 1905, is about $450,000,000, in round numbers.

Mr. DOLLIVER. And, Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. NEWLANDS. If the Senator will permit me one moment, I wish to get information from the Senator from Rhode Island. The Senator will observe that the statement from the census report in this book of Estimated Revenues, on page 44, following the schedule of cotton manufactures, sets forth that the total value of cotton products included in the tariff bill, including custom work and repairing, aggregates $1,014,000,000.

Mr. ALDRICH. That includes——

Mr. NEWLANDS. The Senator states that the total value of cotton products of this country is only $400,000,000.

Mr. ALDRICH. If the Senator will look at the summary contained in that same statement, he will find that cotton goods are put down at $442,000,000; corsets, $14,000,000; women's and children's clothing, $247,000,000; awnings, tents, and sails, $11,000,000, confirming the statement which I made that the value of the cotton products of the United States is approximately $450,000,000.

Mr. NEWLANDS. But the Senator will also observe that he has excluded the item of awnings, tents, and sails, aggregating $11,000,000, and that he has excluded a number of items.

Mr. ALDRICH. I have excluded women's clothing and corsets and awnings, which are not cotton manufactures in the ordinary sense of the word, although they are made from cotton cloth.

Mr. NEWLANDS. What items has the Senator excluded? I did not catch what he said.

Mr. ALDRICH. I have excluded awnings, tents and sails, women's clothing, and corsets.

Mr. NEWLANDS. Those three items amount to about $250,000,000; and the total of the schedule is over $1,000,000,000.

Mr. ALDRICH. If the Senator will look under the $1,000,000,000, he will find the items given as I have stated. That is a matter, I suppose, of observation and not of statistics.

Mr. NEWLANDS. Well, Mr. President, it is utterly impossible, of course, to base any deductions upon statistics that seem to be so misleading. The committee has presented us here a statement from the census of the aggregate of the manufactured cotton products of the country, which are covered by the tariff bill. That census represents the total value of all those products at $1,000,000,000. I was about to contrast with that $1,000,000,000 of products the meager importations into this country, aggregating only $33,000,000, or 3 per cent of the whole, tending to show that the Dingley rates are prohibitive of importations and are away above the standard necessarily established by the late Republican platform.

Now, the Senator from Rhode Island meets that assertion, taken from the statistics furnished by the committee, and replies that the total cotton production of the country is only $700,000,000; and when pressed by that inquiry he refers to these statistics again, and finally admits—he at least does so by his silence—that under these statistics under the items he has named the total cotton manufactures of this schedule are not $400,000,000 a year, but are about $750,000,000, excluding the three items and others to which he has referred. Taking the Senator upon his assumption that the total of cotton manufactures of this country is about $750,000,000, and taking the statistics as to imports furnished by the committee, that the imports under this schedule amount to only $33,000,000, you have an importation equal to only 5 per cent of the cotton manufactures in this country protected by this schedule, and that indicates prohibitive duties nearly as much so as the 3 per cent of importations, which I was prepared to prove by the statistics furnished by the committee.

The Senator from Iowa contents himself simply with a reestablishment, practically, of the Dingley rates, and I am contending that under the Dingley rates the importations amount to only 5 per cent—3 per cent according to my view, 5 per cent according to the view of the Senator from Rhode Island—of the total cotton manufactures of the country covered by this schedule.

The Senator from Iowa indicates his opinion, although he has not examined the matter carefully, that some of the duties in this schedule are above the standard fixed by the Republican party. As a Democrat, I can not hope, nor can any other Democrat upon this floor hope, to establish the Democratic standard of revenue. All we can do is to aid those Republicans who believe in the Republican platform and who believe in the standard established by that platform to reduce the excessive duties of the Dingley Act down to that standard; and I suggest to the progressive Republicans upon the other side, the real stalwart Republicans, who propose to stand by the platform and not simply by the Senate organization, that it is time for them to consider what reduction can be made in these duties, what of these duties are excessive, and how they should be reduced.

My judgment is there should be no duty whatever upon cotton goods in excess of 25 or 30 per cent, and that we should immediately, by our action in this body, provide for a reduction of every duty in this schedule, so that it shall not exceed 30 per cent. But I am prepared to join our tariff revisionists in any moderate action, if they should think that more advisable, in a graduated reduction extending over a period of years, providing that these duties in excess of 25 or 30 or 35 or 40 per cent—any limitation which the Republicans believe is a fair one—shall be reduced at the rate of one-tenth or one-fifth per annum for a series of years until the duties are reduced to that standard.

We have here a case where clearly the duties are prohibitive, where only $33,000,000 of imports are admitted to the country, in the face of similar manufactures in this country of $1,000,000,000, according to the committee statement, and $750,000,000, according to the admission of the Senator from Rhode Island.

Mr. President, whilst I have the floor I call attention to another thing, and that is that the wages under this schedule amount to only $339 per annum; that the average wage of the man employed in the production of cotton goods in this country is only $339—the lowest scale of wages, I believe, in any of the protected industries. And yet this schedule shows an average duty of from 46 to 47 per cent.

I ask how is it that the wage-earner in this industry realizes only $339 per annum—starvation wages? Why is it? Is it because the duty is not high enough to give fair wages and the manufacturer a profit, or is it because the manufacturer absorbs an unjust and unreasonable proportion of the profit made upon these manufactured goods?

The Republican party is engaged now in a great work of paternalism, the great work of protecting the manufacturing industries of the country, under the plea that by so doing they assume the guardianship of the workingmen of the country. The duty, then, devolves upon them, having once entered upon a policy of paternalism, to see to it that the purpose of that paternalism—the raising of the wages of the workingman—is accomplished, and not that excessive profits to corporations engaged in this production are assured.

Mr. President, the total domestic production of cotton goods, according to this statement, is $1,000,000,000, and the manufacturers are enabled to charge that $1,000,000,000 for their goods because there is a duty of 45 per cent. We will assume there is an amount of goods equal to that $1,000,000,000 worth of domestic goods on the outside seeking admission to our markets. You impose upon that equal amount a duty of 45 per cent. What does that mean? If the foreign goods equal in amount to the domestic goods are valued at $700,000,000, the addition of a duty of 45 per cent will bring up their value in our markets to the domestic value of $1,000,000,000, and thus diminish the effectiveness of foreign competition; and you claim the right to impose the additional 45 per cent as a duty on the foreign goods upon the ground that you are protecting American industry and, above all things, are protecting the American workmen. Are you aware what that addition means?

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. The Senator will permit me to present my idea.

Mr. BEVERIDGE. What was the Senator's statement as to the average yearly wages of these workmen? I did not catch it.

Mr. NEWLANDS. Three hundred and thirty-nine dollars.

Mr. BEVERIDGE. The Senator knows, I suppose, that what may have some influence in making that low rate may be the fact that this industry is one of the largest employers of children of any industry in the country.

Mr. NEWLANDS. Yes.

Mr. BEVERIDGE. And that literally thousands of them, from 4 years to 16 years of age, are employed at starvation wages.

Mr. NEWLANDS. It is the largest employer of children and

the largest employer of foreign labor. While these manufacturers claim protection for their industry, they insist upon free trade in the foreign laborers who are engaged in that industry, and they employ children who ought to be at school. So the profits of the manufacturers are increased, and the Republican party, engaged in paternal legislation, engaged in legislating in the interest of a certain class and of a certain industry, upon the hypocritical pretense that it has the cause of the laboring man at heart, looks with contentment upon the employment of children and upon free trade in foreign labor in this country, so that these industries are mainly absorbed by foreign employees.

Mr. President, I was just showing how much the total subsidy given to these factories amounts to. I was showing that the billion dollars' worth of cotton production in this country as contrasted with a similar amount of production in foreign countries and demanding admission to our markets would be worth, the former a billion dollars, the latter $700,000,000; and you put a duty of 45 per cent upon it in order to bring its value up to a billion dollars and to exclude it from your markets. You do it effectively, too. For of the seven hundred millions of foreign products of a similar kind seeking admission to our doors, only thirty-three millions in value are admitted. So, clearly, you collect from the consumers of cotton products in this country the difference between $700,000,000 and $1,000,000,000, the total value of the domestic product. Three hundred million dollars are collected in tribute from the American consumers and paid over to the American manufacturers, and of the $300,000,000 the paltry sum of about $14,000,000, according to these schedules, gets into the Federal Treasury.

Are you aware that the $300,000,000 more than pays for all the wages paid by all the manufacturers of cotton goods in this country? The schedule furnished us by the committee shows that the total wages paid to all the employees by all the manufacturers of cotton goods in the country aggregate $217,000,000, nearly $100,000,000 less than the subsidy which you give the manufacturers. And yet in the face of this we find the lowest wage scale; we find child labor; we find foreign laborers employed to the exclusion of our own, who, under the protective system, should be maintained upon a proper American wage scale.

This $300,000,000 is taken in by somebody. Only $14,000,000 is taken in by the National Government. Two hundred and eighty-five million dollars is taken in by the manufacturers, and their total wages amount to only $217,000,000.

These are questions which the dominant party will have to answer before the people at the next election. I may add, I have no partisan purpose here in what I have to say or what I have to do. I wish to relieve the American people from these excessive duties, because they encourage monopoly and because they maintain exaggerated prices, because they raise the cost of living throughout the entire country; and I am willing, so far as our action here is concerned, that that action shall conform to the standard established by the Republican party in its platform and declared by its candidate for the Presidency. Apply that standard to this very schedule, and it will involve an average reduction in duties of from nearly 50 to at least 25 or 30 per cent; and it devolves upon the progressives upon the other side of the Chamber, with the addition of only five votes from those who have thus far voted against them, to carry enough weight, with the Democratic side added, to absolutely secure these reductions and to redeem the pledge of the Republican platform. I ask them to study these schedules and point out the way, and, whilst I have no authority to say so, I have no doubt the Democrats will follow.

The PRESIDING OFFICER. The question is on agreeing to the amendment, which will be stated.

Mr. OWEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gore	Owen
Bacon	Crane	Guggenheim	Page
Bailey	Crawford	Hale	Penrose
Beveridge	Culberson	Heyburn	Perkins
Borah	Cullom	Hughes	Piles
Bradley	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Johnston, Ala.	Shively
Briggs	Dick	Jones	Simmons
Bristow	Dillingham	Kean	Smith, Md.
Brown	Dixon	La Follette	Smith, Mich.
Bulkeley	Dolliver	Lodge	Smoot
Burkett	du Pont	McEnery	Stephenson
Burnham	Elkins	Martin	Stone
Burrows	Fletcher	Money	Sutherland
Burton	Flint	Nelson	Tillman
Carter	Foster	Newlands	Warner
Clapp	Frazier	Nixon	
Clark, Wyo.	Frye	Oliver	
Clarke, Ark.	Gallinger	Overman	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum of the Senate is present.

Mr. OWEN. Mr. President, last night I respected the desire of the chairman of the Committee on Finance not to be interrupted with any questions, but there were questions I desired to ask with regard to this schedule, and I call attention now to paragraph 316, in which the committee amendment proposes that cotton cloth, valued at over 12½ and not over 14 cents per square yard, shall pay 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, or, approximately, 50 per cent, but not less than 40 per cent ad valorem.

Mr. President, this proposition on the part of the committee, I take it, is based upon evidence in the hands and knowledge of the committee, and I desire therefore to ask the chairman of the Committee on Finance what is the relative labor cost on these goods?

Mr. ALDRICH. Paragraph 316 is not yet before the Senate. When it is, I will be very glad to answer any questions with reference to it.

Mr. OWEN. I wish to say to the Senator from Rhode Island that his refusal to answer this question is based upon the fact that he can not answer it without stultifying the committee itself. I will say to him that the labor cost on these materials does not exceed 25 per cent in this country; that the difference in the cost of production of these goods in this country and abroad is a negligible quantity—and he is in honor bound, as the chairman of the Finance Committee and as the representative of the Republican party and its platform, to write the schedules in the light of the difference in the cost of production at home and abroad. There is imposed upon him that duty.

I have demanded in vain, at the hands of the committee and of various members of it, some information with regard to this matter.

But there is not lacking information with regard to it. I have in my hand the report of the Commissioner of Labor, Carroll D. Wright, who gives the percentage of labor in goods of this kind in this country and in Great Britain and in Belgium, and the rates approximate 35 per cent. In his table, presented at the request of the Senate and by direction of Senate resolution, I find No. 178 twills; 37 inches wide; picks per inch, 80 by 60; warp yarn, No. 12, 1.73 yards per pound; total cost of labor in transforming materials, 23.75 per cent. Twills; 39 inches wide; picks per inch, 96 by 104; warp yarn, No. 34; weft yarn, No. 45; 3.80 yards per pound; cost of labor in transforming materials, 39.06 per cent.

Four-leaf twills; 39 inches wide; picks per inch, 76 by 76; warp yarn, No. 28; weft yarn, No. 40; 4.25 yards per pound; cost of labor in transforming materials, 33.51 per cent.

Four-leaf twills; 43 inches wide; picks per inch, 68 by 68; warp yarn, average number, 28.05; weft yarn, average number, 37.78; 4.20 yards per pound; cost of labor in transforming materials, 35.64 per cent.

Five harvers Albert twills; 36 inches wide; picks per inch, 76 by 68; warp yarn, No. 30; weft yarn, No. 40; 5 yards per pound; cost of labor in transforming materials, 37.10 per cent.

Twills or drills; 29 inches wide; picks per inch, 72 by 48; warp yarn, No. 12; weft yarn, No. 18; 2.85 yards per pound; cost of labor in transforming materials, 25.50 per cent.

Twills or drills; 30 inches wide; picks per inch, 68 by 48; warp yarn, No. 14; weft yarn, No. 14; 2.85 yards per pound; cost of labor in transforming materials, 28.25 per cent.

Tables 185, 186, 187, and so on through this list, prepared by the Commissioner of Labor, show these costs, and when a comparison is made with the cost of similar cloth in Great Britain, the labor cost is found, for instance in table No. 198, 35 inches wide, to be 29.97 per cent. So the difference in the labor cost of transforming these materials in this country and abroad does not provide any justification whatever for a tariff rate of 40 per cent or 50 per cent, and the chairman of the Finance Committee does well to refuse to answer this reasonable question, because he can not answer it, because he can not justify himself by the reason which underlies this rule. The only justification of these amendments in raising the rates instead of lowering the Dingley rates is that all competition shall be cut off from abroad and a complete monopoly given to those engaged in this manufacture here.

This very schedule shows in paragraph 316, to which I called attention, that cloth exceeding 3½ and not exceeding 5 square yards to the pound brought to the United States Government the munificent revenue of $237 for 90,000,000 people; practically exclusion; practically cutting off all competition, either actual

or potential, so as to establish here beyond the peradventure of a doubt a complete monopoly of these goods. And having pointed out to the Senate and to the people of the United States that the difference in the cost of production at home and abroad is not guiding the committee or this body in drawing these proposed amendments and that the pledges of the Republican national platform is being willfully betrayed, I content myself.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on which amendment the yeas and nays have been ordered.

Mr. HEYBURN. Mr. President, before voting on this amendment I want to have the attention of the Senate for a minute or two. I am not going to discuss the schedule, but I wish the RECORD to show why I am going to vote for the committee amendment.

I am not going to vote for this committee amendment upon some of the grounds that have been stated by Senators on this side. I do not realize the necessity for entering into this close analysis of the cost of the articles under this schedule abroad and at home. I would always make a market for the cotton products of the South in this country in preference to making a market for their products abroad. We will take care of all the products of cotton that the South have to produce at just as good prices on this side of the water; and after the admission, as I understood it, by the Senator from Iowa [Mr. DOLLIVER] and by other Senators on this side that it will not raise the cost of the manufactured products to the consumer, it makes no difference to me, and I do not care how much money the middleman makes, because he is an American and is engaged in the business of manufacturing this cotton through the various intermediate steps of turning it over for ultimate use.

That is the reason why I shall vote for this schedule, not because of any comparison between what European nations might be forced to do in order to get into our market, but because of what people will do of their own will for the sake of building up the enterprise and furnishing the commodity here, so that we will depend upon competition among Americans rather than competition between Americans and foreigners. That is the doctrine of protection I adhere to.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the committee.

The Secretary proceeded to call the roll, and Mr. ALDRICH answered in the affirmative.

Mr. BACON. Mr. President, I insist upon it that Senators have a right to address the Chair without being cut off by precipitate action.

The PRESIDING OFFICER. The present occupant of the chair will suggest that no Senator was on his feet.

Mr. BACON. We are not a lot of acrobats.

The PRESIDING OFFICER. It is not the province of the Chair to invite Senators to speak.

Mr. BACON. It is not the province of the Chair to invite Senators to speak, but it is the province of the Chair, I respectfully submit, to give ear to Senators if they desire to do so.

The PRESIDING OFFICER. The Senator from Georgia is recognized and will proceed.

Mr. BACON. Mr. President, I want to raise a point of order, or, rather, I will make an inquiry. The Chair stated that the yeas and nays had been ordered. I would inquire when?

The PRESIDING OFFICER. Two or three hours ago.

Mr. BACON. This morning?

The PRESIDING OFFICER. This morning.

Mr. BACON. I do not think that is a compliance with the rule. I may be in error about it, but my opinion is that the contemplation of law is that those who are present to vote at the time the roll is called are the ones to require the vote to be entered upon the record. The language of the Constitution is as follows:

> The yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

Mr. President, I am not going to insist upon that, because at the time I made the inquiry I thought it was last night that the yeas and nays had been ordered, and I was going to make the point that that was not a legitimate call for the yeas and nays on a vote to be taken to-day. But as the yeas and nays were ordered this morning, I will not now present the point.

Mr. HALE. Let me say to the Senator that when the yeas and nays were ordered, it was expected that a vote would be taken at once.

Mr. BACON. Exactly. And believing that those present now are practically those who were present at that time, I do not wish to raise the point; but I would raise it if there had been a recess, or if the call had been ordered last night. I know that there was yesterday, if not an order for the yeas and nays, at least a partial order. I trust the Chair will understand the reason why I was somewhat earnest about the matter.

Mr. BEVERIDGE. Mr. President, I wish to suggest to the chairman of the committee, in view of what has occurred, the advisability of his not insisting that the roll call under these circumstances shall proceed. I appeal to Senators on the grounds of propriety. The Senator from Iowa, who has addressed the Senate twice, notified the Senate twice that he intended to offer an amendment to the committee's amendment. He remained here for that purpose, but he has just gone down to get something to eat. Now, all at once, at a time when I am sure several Senators now absent who have been here did not expect it, and before any Senator had arisen to his feet, the Chair very properly ordered the roll to be called. The clerk quickly began to call it, and the Senator from Rhode Island answered to his name. Under the rules the roll call must go on and not be interrupted, but under such a situation, brought about no doubt by the observance of parliamentary usage and the praiseworthy vigilance which the Senator from Rhode Island always exercises, the Senator from Iowa, who could not have anticipated that this situation would arise, went to get something to eat without offering his amendment; and any Senator who might want further to discuss the bill or to ask the Senator from Rhode Island, the chairman of the committee, any questions, as no Senator had arisen to his feet and gotten the recognition of the Chair before the Senator from Rhode Island answered to his name, is absolutely estopped. It is a form, in effect, of cloture under such circumstances which works to the denial of substantial rights of Senators who had served notice that they intended to be here to offer amendments.

Now, this can not be stopped by anything else except an appeal to the Senators in charge of the bill upon setting forth the situation and an appeal to the proprieties. I am sure it is not the intention of the Senator from Rhode Island, by the calling of the roll, to shut off anybody, and especially a Senator who had been speaking for a long time, and who then left the Chamber to get something to eat. I am sure he does not intend to proceed in this manner, the Senator not having answered any question, which he invited us last night to ask and said he would answer this morning. I suggest, under the circumstances of the case, while the right does not exist from a parliamentary point of view, the propriety and advisability of not insisting that the roll call shall proceed on this amendment.

Mr. ALDRICH. Mr. President, the Senator from Iowa gave notice of his purpose to offer an amendment to paragraph 312, which has been agreed to by the Senate. The pending amendment is an amendment of the committee to insert certain words in paragraph 313. It does not involve the question of ad valorem at all. If this question is disposed of, that question comes up immediately upon the next amendment of the committee, which is involved in this same paragraph. It is simply a matter of waiting for a few minutes before all this can transpire. There are no rights of anybody involved in it at all. The amendment of the Senator from Iowa is to paragraph 312. It is not involved in the question now before the Senate.

Mr. BEVERIDGE. Will the Senator allow me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. While that might be true, I would suggest that some Senators who are earnest about the matter may feel that their rights are involved; and would it not be a better course to withdraw the roll call and let Senators do what they think is proper about it? Would not that be the fairer and the more generous course?

The PRESIDING OFFICER. The Chair suggests to Senators that the discussion is proceeding by unanimous consent.

Mr. ALDRICH. As this vote is only one of a number of votes which must be taken upon this subject, and does not involve at all the question of ad valorems which is involved in the next amendment of the committee, I can see no reason for not proceeding now with the roll call.

Mr. DOLLIVER entered the Chamber.

Mr. ALDRICH. The Senator from Iowa then will be in a position where he can offer his amendment to the amendment of the committee and raise the whole question which he proposes to raise by his amendment. I do not think that I am taking any advantage of anybody by asking that the roll call shall proceed.

Mr. DOLLIVER. I offered an amendment or indicated that I would propose an amendment to paragraph 312. It is logical that we should dispose of paragraph 312 first. Then we could proceed to paragraph 313, voting for or against the committee's amendment, with the matters that are involved by the amendment I have to paragraph 312 out of the way. As it would require only a few minutes, I ask the Senator from Rhode Island to permit the amendment to paragraph 312 to be offered.

Mr. ALDRICH. I can not consent to that, of course. The committee amendments, under our general understanding, are first to be disposed of. The committee amendment is now pending to this paragraph. I can not consent to go back to paragraph 312, and I should not have consented if the Senator had been here. So he has lost no rights.

Mr. NELSON. Will the Senator from Rhode Island yield to me?

Mr. ALDRICH. Certainly.

Mr. NELSON. Let me ask, for my information, Were not what are now paragraphs 312 and 313 put in one paragraph in the Dingley law?

Mr. ALDRICH. Oh, no.

Mr. NELSON. Paragraph 312.

Mr. ALDRICH. They are separate paragraphs. The amendment of the committee is to insert in paragraph 313 the provisions of paragraph 312, bodily.

Mr. NELSON. I understand it is virtually a substitute for paragraph 312.

Mr. ALDRICH. And then put it into paragraph 313.

Mr. NELSON. If that is the case, I suggest that the Senator from Iowa can reach it by offering his amendment as an amendment to the committee amendment.

Mr. ALDRICH. When the pending amendment is disposed of, then the committee amendment with reference to ad valorems comes up, and the whole question which the Senator from Iowa desires to raise is then before the Senate. That is the orderly and the proper procedure of the Senate.

Mr. DOLLIVER. If the Senator will permit me, I should like to have the first amendment of the committee read.

Mr. ALDRICH. It simply puts in certain words. I do not think anybody will object to that.

Mr. BEVERIDGE. Of course the Senator is going to compel the position——

Mr. ALDRICH. I have the floor. I think the Senator from Iowa will not object to voting on the pending amendment.

Mr. DOLLIVER. I believe that the particular amendment is to consolidate these paragraphs.

Mr. ALDRICH. That is all it is.

Mr. DOLLIVER. Then will come the question on the committee's amendment striking out the ad valorem proviso and substituting the specifics.

Mr. ALDRICH. That is the precise question which the Senator desires to raise.

Mr. DOLLIVER. The question, then, can be taken on agreeing or not agreeing to that amendment.

Mr. ALDRICH. That is right.

The PRESIDING OFFICER. The roll call will proceed.

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]. If he were present, I should vote "nay."

Mr. FRAZIER (when his name was called). I am paired with the senior Senator from Oregon [Mr. BOURNE] to-day. If he were present, I should vote "nay."

Mr. MONEY (when his name was called). I am paired generally with the Senator from Wyoming [Mr. WARREN]. I transfer my pair to the Senator from Arkansas [Mr. DAVIS], and I vote "nay."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). My colleague [Mr. RAYNER] is unavoidably absent. He is paired with the senior Senator from New York [Mr. DEPEW]. If my colleague were present, he would vote "nay."

Mr. ELKINS (when Mr. SCOTT's name was called). My colleague [Mr. SCOTT] is unavoidably detained from the Senate, and is paired with the Senator from Florida [Mr. TALIAFERRO]. If my colleague were present, he would vote "yea."

Mr. SMITH of Michigan (when his name was called). I am paired with the Senator from Mississippi [Mr. MCLAURIN]. If he were present, I should vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH of South Carolina] is absent on account of illness in his family. I understood that he was paired with the Senator from New Hampshire [Mr. BURNHAM], but I do not know.

Mr. BURNHAM. I was paired with him for one day some time since, but I am not paired with him now.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. BURNHAM] states that no such pair exists.

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. I will transfer my pair to the junior Senator from Montana [Mr. DIXON], and vote. I vote "yea."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). My colleague is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT], who is also absent.

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] for this day is absent from the Chamber and from the city. He is paired on this vote with the Senator from Arkansas [Mr. DAVIS]. If my colleague were present, he would vote "yea."

The roll call was concluded.

Mr. JOHNSTON of Alabama. My colleague [Mr. BANKHEAD] is paired with the junior Senator from Nevada [Mr. NIXON]. If my colleague were present, he would vote "nay."

Mr. FRYE (after having voted in the affirmative). I have a general pair with the Senator from Virginia [Mr. DANIEL]. Under the terms of the pair each is to exercise his own judgment as to whether to vote or not; but as he is absent from the city, I will recognize the pair in this case. I withdraw my vote.

Mr. MONEY. I desire to say that my colleague [Mr. MCLAURIN] if present would vote "nay." He is paired with the Senator from Michigan [Mr. SMITH].

Mr. FRAZIER. I transfer my pair with the Senator from Oregon [Mr. BOURNE] to the Senator from South Carolina [Mr. SMITH], and vote. I vote "nay."

Mr. MARTIN. My colleague [Mr. DANIEL] was unexpectedly and necessarily called from the city last night, and will not be able to attend the session to-day.

The result was announced—yeas 41, nays 30, as follows:

YEAS—41.

Aldrich	Crane	Guggenheim	Perkins
Borah	Cullom	Hale	Piles
Bradley	Curtis	Heyburn	Root
Brandegee	Dick	Johnson, N. Dak.	Smoot
Briggs	Dillingham	Jones	Stephenson
Bulkeley	du Pont	Kean	Sutherland
Burnham	Elkins	Lodge	Warner
Burrows	Flint	McCumber	Wetmore
Burton	Foster	McEnery	
Carter	Gallinger	Page	
Clark, Wyo.	Gamble	Penrose	

NAYS—30.

Bacon	Crawford	Johnston, Ala.	Paynter
Bailey	Culberson	La Follette	Shively
Beveridge	Cummins	Martin	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Stone
Burkett	Frazier	Newlands	Tillman
Clapp	Gore	Overman	
Clay	Hughes	Owen	

NOT VOTING—20.

Bankhead	Davis	Nixon	Smith, Mich.
Bourne	Depew	Oliver	Smith, S. C.
Chamberlain	Dixon	Rayner	Taliaferro
Clarke, Ark.	Frye	Richardson	Taylor
Daniel	McLaurin	Scott	Warren

So the amendment of the committee was agreed to.

Mr. ALDRICH. I ask that the vote be now taken on the second amendment of the committee.

Mr. DOLLIVER. Before that is done, I want to take just a moment to make a statement.

I said that I had no particular objection to the entire elimination of paragraph 312, provided it was carried forward into paragraph 313, and I said that because the total importations under paragraph 312 in the full year 1907 of our foreign commerce were hardly noticeable. Therefore it makes little particular difference whether it is placed in the next countable paragraph or not. The amendments which the committee now propose to paragraph 313 involve the whole question of our proposed departure from the Dingley law.

Paragraph 313 is partly specific and partly ad valorem. The Dingley ad valorems are carried in the proviso which the Senate committee has struck out, and the committee's specifics are carried in the italics which they have substituted for the Dingley proviso. Therefore, those of us who desire to preserve intact the Dingley law can do so by voting against the committee amendments.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Will the Senator permit the Chair to have the amendment read? Then he will be recognized.

Mr. LA FOLLETTE. Certainly.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The SECRETARY. In paragraph 313, page 98, line 6, after the word "yard" and the semicolon, insert:

Valued at over 7 and not over 9 cents per square yard, 2¼ cents per square yard; valued at over 9 and not over 10 cents per square yard, 3 cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4⅛ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 cents per square yard, 7 cents per square yard, but not less than 25 per cent ad valorem—

And a semicolon.

Mr. LA FOLLETTE. Mr. President, some information bearing upon one phase of this discussion reached me to-day, which I think it well to lay before the Senate at this time.

The Senator from Rhode Island has said that the manufacturers did not know about the emasculation and evisceration of these cotton schedules by the courts and appraisers. Therefore he suggests that they are not bound by the testimony of Mr. Lippitt when he said before the House Committee on Ways and Means that the present schedules were satisfactory and should not be disturbed.

About a year and a half ago the Government procured a test case to be brought to settle this etamine question, about which we have heard so much here. This was the case in which the appraisers, once and for all, disposed of the questions raised by the absurd rulings of Mr. Hartshorne, and finally decided them as they had always before decided—that countable cotton cloths were not dutiable as etamines. The record in that case is on file in the library of the General Appraisers in New York. This was the crowning emasculation of the etamine duty. This was the most important of these decisions, which the manufacturers are supposed not to know about, and, therefore, not to complain about.

Now, who were the witnesses in this case by which the contention of Mr. Hartshorne was sought to be sustained? Why! They were the very men who were interested in having such a construction put upon the law. They were the manufacturers themselves and their agents.

I have had a wire sent to New York for the names of these witnesses and a copy of the testimony. The testimony is on the way. The names of the witnesses I have already received by wire. I will read them to the Senate:

1. George B. Duren. Who is he? Why! He is the selling end of H. L. Lippitt's mills, the Manville Company, of Providence, R. I.

2. J. R. MacColl. This is the same J. R. MacColl who was with Mr. Lippitt in Washington when this bill was before the House committee and who signed with Mr. Lippitt that famous letter, which has been referred to here, on behalf of the Arkwright Club, of Boston. He was also before the House committee after public hearings.

3. Dorman, who is the selling end at New York of the Loraine Manufacturing Company, of Providence, R. I., of which MacColl is the manager.

Will anyone say in the face of the facts that the manufacturers had no knowledge of these so-called "emasculating decisions," and that that is the reason why they did not bring them to the attention of the House committee in the public hearings? They knew all about them. They knew that the decisions of Mr. Hartshorne were ridiculous and that these decisions of the appraisers were right, and naturally they did not direct public attention in those hearings to their efforts to have these Hartshorne decisions sustained by the appraisers.

It seemed to me fitting that the Senate should have this information before passing upon the proposed increase in the rates of the cotton schedule.

The Senator from Iowa [Mr. DOLLIVER] has directed attention to the specific duties proposed to be substituted for ad valorem duties of the present law. Before the vote is taken upon any of these amendments I ask the attention of the Senate for a few minutes, while I submit unanswerable proof of increases in the rates of this cotton schedule disclosed by the very terms of paragraphs 313, 314, 315, 316, and 317.

There is not a single reduction in paragraphs 313 to 317, inclusive. There are increases upon the face of the bill without resort to importations of any year or reference to equivalent ad valoremes. These increases have nothing to do with the administration of the law and have not been affected by any decisions that have been rendered. They are a positive increase over the express terms of the Dingley law as originally administered.

Now, there has been a sharp conflict in this matter. I ask the Senator from Rhode Island to go through these paragraphs item by item with me before the Senate, and I assert positively that if he will do so every Senator will be convinced that the increases are very large and that there is not one reduction.

Mr. BEVERIDGE. Mr. President, may I ask the Senator from Wisconsin a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. My attention was diverted for a moment, and therefore I did not catch it clearly; but the impression made on my mind by the statement of the Senator was that he stated positively that there had been a large number of increases on matters not affected by the decision.

Mr. LA FOLLETTE. And not——

Mr. BEVERIDGE. Pardon me. Increases by the law as originally interpreted. Is that correct?

Mr. LA FOLLETTE. It is; and as originally administered——

Mr. BEVERIDGE. I mean as originally administered.

Mr. LA FOLLETTE. And if Senators will turn to page 98 of the bill, and to line 6 on that page, I will state the exact rates of the Dingley law and the proposed rates of the Aldrich bill. Upon the goods affected, from line 6 to line 16 of the bill, covered by the matter printed in italics, the Dingley rate is an ad valorem rate of 25 per cent. Now, follow me: "Valued at over 7 cents and not over 9 cents per square yard," the Dingley rate is 25 per cent; applied to cloth of those values the Dingley duties would be from 1¾ cents for the lowest value up to 2¼ cents for the highest value. The Aldrich rate, by specific terms, would be 2¼ cents per square yard on cloth of those values. Increase over lowest Dingley rate, 28½ per cent.

Taking the next grade, "valued at over 9 cents and not over 10 cents per square yard," the Dingley ad valorem of 25 per cent, applied to cloth of those values, gives us rates from 2¼ for the lowest value to 2½ cents per square yard for the highest value, while the rate fixed by plain terms in this bill for cloth of the same value is 3 cents per square yard. Increase over lowest Dingley rate, 33⅓ per cent.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. Does the Senator want that explained now?

Mr. LA FOLLETTE. Well, the Senator can elect to explain now or to explain when I get through.

Mr. ALDRICH. I will say to the Senator now, right in the beginning, that under the act of 1897, as originally interpreted, and according to the intention of Congress, the rate on articles which are now subject to duty at 25 per cent ad valorem was 60 per cent ad valorem and 45 per cent ad valorem, and not 25 per cent ad valorem.

Mr. LA FOLLETTE. If the Senator had not retreated with such precipitate haste from the Chamber this morning, he would not now make that assertion.

Mr. ALDRICH. I do make it. I make it on my own authority, on the authority of every expert in the United States, and every other person who has any knowledge upon this question.

Mr. LA FOLLETTE. The Senator's knowledge and his authority have been so overwhelmingly impeached that I do not believe Senators will be inclined to follow him. I know that an intelligent American people will not. I proceed. If the Senator has not any better answer than that, I will say that we have heard that often enough.

Take the next grade on goods valued at over 10 cents—and I am going to read these through, so that they will be of record—"valued at over 10 cents and not over 12½ cents per square yard;" the Dingley ad valorem rate applied to that value is 2½ cents per square yard for the lowest value to 3⅛ cents per square yard for the highest value. The rate fixed by the Aldrich bill is 4⅜ cents per square yard on all, the low and the high. Increase over lowest Dingley rate, 75 per cent.

Taking the next grade, "valued at over 12½ cents and not over 14 cents per square yard," the Dingley ad valorem applied to cloth of those values is from 3⅛ cents to 3½ cents, depending upon the value of each square yard of cloth, while the duty fixed by the terms of the Aldrich bill is 5½ cents per square yard on cloth of the low value as well as on cloth of the high value. Increase over lowest Dingley rate, 76 per cent.

Passing to the next grade, "valued at over 14 cents per square yard," the Dingley rate is 3½ cents per square yard, but not less than 25 per cent; while the rate fixed in the Aldrich bill is 7 cents per square yard, but not less than 25 per cent ad valorem, an increase over the lowest Dingley rate of 100 per cent. Passing now to the next grade of cloth in this paragraph, and directing the attention of the Senate to the italicized words in line 21, bleached cloth "valued at over 9 and not over 11 cents per square yard," the Dingley ad valorem rate of 25 per cent, when reduced to a specific rate, is 2¼ cents to 2¾ cents per square yard, according to the square yard value of the cloth.

The duty fixed in the Aldrich bill is 2¾ cents per square yard on all, an increase over the lowest Dingley rate of 22 per cent.

On the next higher grade, "valued at over 11 and not over 12 cents per square yard," the Dingley rate is from 2¾ cents to 3 cents per square yard, and the rate fixed by the Aldrich bill is 4½ cents per square yard on all, the low value as well as the high value, an increase over the lowest Dingley rate of 54½ per cent.

On the next grade of cloth, "valued at over 12 and not over 15 cents per square yard," the Dingley ad valorem, reduced to a specific rate, is from 3 to 3¾ cents per square yard. The specific rate fixed in the Aldrich bill for cloth of these values is 5½ cents per square yard, an increase over the lowest Dingley rate of 75 per cent.

On the next grade of cloth, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is from 3¾ to 4 cents per square yard. The Aldrich rate for cloth of these values is 6½ cents per square yard, an increase over the lowest Dingley rate of 60 per cent.

On the next grade, "valued at over 16 cents per square yard," the Dingley rate is 4 cents per square yard, but not less than 25 per cent. The Aldrich rate is 8 cents per square yard on all in that bracket, no matter what the value may be, but not less than 25 per cent ad valorem, an increase over the lowest Dingley rate of 100 per cent.

Passing now to the bottom of page 99, to the next italicized specific rates, in line 22—and this is goods dyed, all of the same numbers as given before, "valued at over 12 and not over 12½ cents per square yard"—the Dingley rate is 30 per cent ad valorem, or 3⅝ cents to 3¾ cents per square yard. The Aldrich rate is 3¾ cents per square yard on all, an increase over the lowest Dingley rate of 4 per cent.

The next grade, "valued at over 12½ and not over 15 cents per square yard," the Dingley rate of 30 per cent gives us a duty of 3¾ cents to 4½ cents per square yard, while the Aldrich rate is 5½ cents, an increase over the lowest Dingley rate of 40 per cent.

On the next grade of cotton cloth, "valued at over 15 and not over 17½ cents per square yard," the Dingley rate is 4½ to 5¼ cents, while the Aldrich rate proposed is 7 cents per square yard, an increase over the lowest Dingley rate of 55½ per cent.

On the next grade, "valued at over 17½ and not over 20 cents per square yard," the Dingley rate is from 5¼ to 6 cents per square yard; and the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of 52½ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 6 cents per square yard, but not less than 30 per cent. The Aldrich rate is 10 cents per square yard, but not less than 30 per cent ad valorem, an increase over the lowest Dingley rate of 66⅔ per cent.

Mr. ALDRICH. Will the Senator permit me to interrupt him for a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. In just a moment.

Mr. ALDRICH. When the Senator says that the Dingley rate is so many cents a square yard, I wish to say that the Dingley rate is not so many cents a square yard, but that it is 25 per cent ad valorem.

Mr. LA FOLLETTE. It is 30 per cent ad valorem, and other Senators understand that I am giving the specific equivalent of the Dingley ad valorem rate. If there is any other Senator here who does not understand it, I should be glad to have him rise and say so.

Mr. ALDRICH. I want to call the attention of the Senator to the fact that the rates which he is quoting as Dingley rates are not Dingley rates at all.

Mr. LA FOLLETTE. The rates that I am quoting as Dingley rates are the Dingley rates. The Senator's dictum does not go any longer.

Mr. ALDRICH. We will see in a moment.

Mr. LA FOLLETTE. Oh, it will probably be voted through. The votes upon all Senate amendments, from the beginning of the consideration of this bill, have demonstrated that this schedule and this bill will pass. This bill was, in fact, passed, let me say to the Senate, when the Senator from Rhode Island was clothed with authority at the beginning of this session to appoint the committee on committees for the Republican membership of the Senate.

Passing now to the next amendment, in line 16, paragraph 314. On cloth "valued at over 9 and not over 10 cents per square yard," taking a 30 per cent ad valorem duty under the Dingley law, gives us a duty of from 2.7 cents to 3 cents per square yard. The rate fixed by the Aldrich bill is 3 cents per square yard in specific terms for the low value as well as the high, an increase over the lowest Dingley rate of 11.1 per cent.

Passing to the next grade, "valued at over 10 but not over 12½ cents per square yard," the Dingley rate is 3 cents to 3¾ cents per square yard, and the rate fixed by the Aldrich bill is 4⅜ cents per square yard, an increase over the lowest Dingley rate of 45½ per cent.

Upon the next grade, "valued at over 12½ but not over 14 cents per square yard," the Dingley rate is 3¾ cents to 4½ cents per square yard, and the rate fixed by the Aldrich bill is 5½ cents per square yard, an increase over the lowest Dingley rate of 46⅔ per cent.

On the next grade, "valued at over 14 and not over 16 cents per square yard," the Dingley rate is 4½ cents to 4¾ cents per square yard, and the Aldrich rate in specific terms is 6½ cents per square yard, an increase over the lowest Dingley rate of 54⅔ per cent.

Upon the next grade, "valued at over 16 cents per square yard," the Dingley rate is 4½ cents per square yard, but not less than 30 per cent ad valorem. The Aldrich rate is 8 cents per square yard, but not less than 30 per cent ad valorem, an increase over the lowest Dingley rate of 66⅔ per cent.

Passing now to bleached cloth, in paragraph 314, line 8, page 101, for cloths of this description the Dingley rate is 35 per cent ad valorem, and Senators can apply that rate to the value of the cloth as expressed; "valued at over 11 and not over 12 cents per square yard," the Dingley rate is 3 17/20 to 4⅛ cents per square yard; the rate fixed in specific terms by the Aldrich bill is 4¼ cents per square yard, an increase over the lowest Dingley rate of 10⅔ per cent.

On the next grade of bleached cloth, "valued at over 12 and not over 15 cents per square yard," the Dingley rate is 4⅛ cents per square yard to 5¼ cents per square yard; the rate fixed by the Aldrich bill in specific terms is 5½ cents per square yard, an increase over the lowest Dingley rate of 25 per cent.

On cloth of the next grade, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is 5¼ to 5⅜ cents per square yard; the Aldrich rate is 6½ cents per square yard, an increase over the lowest Dingley rate of 23⅜ per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 5⅜ to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of 42⅔ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents per square yard, but not less than 35 per cent ad valorem; the Aldrich rate is 10 cents per square yard, but not less than 35 per cent ad valorem, an increase over the lowest Dingley rate of 42⅔ per cent.

Passing now to the next amendment in this paragraph, which will be found on page 102, beginning in line 9—and this refers to dyed, colored, stained, painted, and printed cloth of this count—"valued at over 12½ but not over 15 cents per square yard," the Dingley rate is 4⅞ cents per square yard to 5¼ cents per square yard; the Aldrich rate is 5½ cents per square yard for all, an increase over the lowest Dingley rate of 20 per cent.

On the next grade of this cloth, "valued at over 15 and not over 17½ cents per square yard," the Dingley rate is 5¼ cents to 6⅛ cents per square yard; the Aldrich rate is 7 cents per square yard, an increase over the lowest Dingley rate of 23¼ per cent.

On the next grade, "valued at over 17½ but not over 20 cents per square yard," the Dingley rate is 6⅛ cents to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of 30⅔ per cent.

On the next rate, "valued at over 20 cents per square yard," the Dingley rate is 7 cents, but not less than 35 per cent ad valorem; the Aldrich rate is 10 cents per square yard, but in no case less than 35 per cent ad valorem, an increase over the lowest Dingley rate of 42⅔ per cent.

Passing now to paragraph 315, page 103, taking the amendment printed in italics, beginning at line 2, "valued at over 10 and not over 12½ cents per square yard," the Dingley rate is 35 per cent, which, reduced to a specific equivalent, is 3½ to 4⅜ cents per square yard; the Aldrich rate is 4⅜ cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next rate, "valued at over 12½ and not over 14 cents per square yard," the Dingley rate is 4⅜ to 4 7/10 cents; the Aldrich rate is 5½ cents per square yard, an increase over the lowest Dingley rate of 23⅜ per cent.

On the next grade, "valued at over 14 and not over 16 cents per square yard," the Dingley rate is 4 7/10 cents to 5⅜ cents per square yard; the Aldrich rate is 6½ cents per square yard, an increase over the lowest Dingley rate of 32⅜ per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 5⅜ cents to 7 cents per square yard; the Aldrich rate is 8 cents a square yard, an increase over the lowest Dingley rate of 42⅔ per cent.

Mr. BEVERIDGE. Mr. President, may I ask the Senator from Wisconsin a question?

in specific terms for the low value as well as the high, an increase over the lowest Dingley rate of 11.1 per cent.

cent, when reduced to a specific rate, is 2¼ cents to 2¾ cents per square yard, according to the square yard value of the cloth.

increase over the lowest Dingley rate of 42¾ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents, but not less than 35 per cent ad valorem; and the Aldrich rate is 10 cents per square yard, but not less than 35 per cent ad valorem, an increase over the lowest Dingley rate of 42¾ per cent.

The next amendment is, in line 20, on page 103, printed in italics, "valued at over 12 and not over 15 cents per square yard." The Dingley rate for cloth of this quality is 35 per cent ad valorem, "valued at over 12 and not over 15 cents per square yard;" the specific Dingley rate is 4½ to 5¼ cents for each square yard; the Aldrich rate is 5¼ cents for all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is 5¼ to 5¾ cents per square yard; the Aldrich rate is 6¼ cents per square yard, an increase over the lowest Dingley rate of 23.8 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 5¾ cents per square yard to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of 42¾ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents per square yard, but not less than 35 per cent ad valorem, and the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 14¾ per cent.

The next amendment is on page 104, line 19, and is for cloth, dyed, and so forth, of this count, "valued at over 12¼ and not over 15 cents per square yard," the Dingley rate, which is 40 per cent ad valorem, is a specific rate of from 5 to 6 cents a square yard; the Aldrich rate, upon which the Senate must vote this afternoon, is 6 cents per square yard, an increase over the lowest Dingley rate of 20 per cent.

On the next grade of cloth, "valued at over 15 and not over 17½ cents per square yard," the Dingley rate is from 6 to 7 cents per square yard and the Aldrich rate 7 cents per square yard on all, an increase over the lowest Dingley rate of 16⅔ per cent.

On the next grade, "valued at over 17½ and not over 20 cents per square yard," the Dingley rate is 7 to 8 cents per square yard and the Aldrich rate 8 cents per square yard on all, an increase over the lowest Dingley rate of 14¾ per cent.

On cloth of the next grade, "valued at over 20 cents per square yard," the Dingley rate is 8 cents per square yard, but not less than 40 per cent, and the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next paragraph, 316, cotton cloth, not bleached, dyed, and so forth, exceeding two and not exceeding three hundred threads to the square inch, and taking the amendment which Senators will find on page 105, in line 13, the Dingley rate for this paragraph is 40 per cent ad valorem, reduced to a specific equivalent and applied to cloth valued at over 12¼ and not over 14 cents per square yard, the Dingley rate is 5 to 5¾ cents and the Aldrich rate is 5¼ cents per square yard for all, an increase over the lowest Dingley rate of 10 per cent.

On the next grade in this paragraph on cloth "valued at over 14 and not over 16 cents per square yard," the Dingley rate is 5¾ to 6⅞ cents per square yard; the Aldrich rate is 6¼ cents per square yard on all, an increase over the lowest Dingley rate of 16 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6⅞ to 8 cents per square yard, and the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 8 cents, but not less than 40 per cent; the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found on page 106, at line 2, beginning with the matter printed in italics—this refers to cloth that is bleached, "valued at over 15 and not over 16 cents per square yard"—the Dingley rate is 6 to 6⅞ cents per square yard; the Aldrich rate is 6¼ cents per square yard on all, an increase over the lowest Dingley rate of 8 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6⅞ to 8 cents per square yard; the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard, and the Aldrich rate is 11¼ cents per square yard on all, an increase over the lowest Dingley rate of 43¾ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent; and the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found on the same page, at line 20, on cotton cloth "valued at over 17½ cents and not over 20 cents per square yard," the Dingley rate is from 7 to 8 cents per square yard, and the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 14¾ per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard, and the Aldrich rate is 11¼ cents per square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent, and the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Paragraph 317, being the last of these paragraphs, embraces "cotton cloth not bleached, dyed, colored, stained, printed, or painted, exceeding 300 threads to the square inch." The Dingley rate is 40 per cent ad valorem. The first amendment, printed in italics, is found on page 107, beginning in line 9. On cloth "valued at over 14 and not over 16 cents per square yard," reduced to a specific ad valorem this is a duty of 5⅞ cents to 6⅞ cents per square yard. The rate under the Aldrich amendment is 6¼ cents per square yard on all, an increase over the lowest Dingley rate of 16 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6⅞ cents to 8 cents per square yard; the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard; and the Aldrich rate is 11¼ cents a square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found at the bottom of page 107, line 24, and is for bleached cloth "valued at over 16 and not over 20 cents per square yard," the Dingley rate of 40 per cent is from 6⅞ cents to 8 cents per square yard; the Aldrich rate is 8 cents per square yard upon all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard; the Aldrich rate is 11¼ cents per square yard, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next proposed amendment in this paragraph, which begins in line 15, page 108, and is printed in italics, to which under the Dingley law a 40 per cent ad valorem rate would apply on cloth "valued at over 20 and not over 25 cents per square yard," the Dingley rate is from 8 cents to 10 cents per square yard. The Aldrich rate is 11¼ cents per square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

"Valued at over 25 cents per square yard," the Dingley rate is 10 cents per square yard, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

I deemed it worth while, Mr. President, before the vote was taken on this amendment, to place in the RECORD those facts shown upon the face of the bill when compared with the Dingley law. I take it that the Senate can not have any doubt as to how the rates expressed in cents per square yard are ascertained. Applying the Dingley ad valorem in each case to the stated value of the cloth, I have expressed its specific equivalent in cents. I invite contradiction or explanation of the increases shown by the expressed terms of this bill.

Mr. BAILEY. Mr. President, I shall vote against the pending amendments, because I believe they increase the existing rates; but, even if I believed that they did not actually increase the rates and left them as they now stand, I would vote against them, because I prefer, at all times and with all schedules, an ad valorem as against a specific duty.

But, while I shall vote with the Senator from Iowa, I feel that it is due at least to my own conviction to say—and I be-

lieve I voice the feeling of a large majority, if not of all, Senators on this side—that in casting that vote we are not actuated by any desire to maintain the Dingley schedules. Speaking for myself, there are few schedules in the bill that I would not be glad to reduce, and for a reduction of which I would not vote; but whenever it is impossible to make a reduction as low as I would desire to make it, reducing the duty to a revenue basis, and I am compelled to choose, as we have been frequently compelled to choose during the consideration of this bill, between high protection and moderate protection, I take moderate protection as the least of the two evils.

Mr. TILLMAN. Mr. President, I do not desire to say anything bitter or to hurt anybody's feelings, but I am very, very tired of the sham battle, or what appears to me to be one, on the other side. Last night the Senator from Rhode Island [Mr. ALDRICH] proved to his entire satisfaction, and, apparently, to the satisfaction of the Macedonian phalanx which he has organized and holds together, that there is no increase of duty in the Senate amendments. The Senator from Wisconsin [Mr. LA FOLLETTE] yesterday and the Senator from Iowa [Mr. DOLLIVER] to-day have proved, almost from the same sources of evidence—the same witnesses, and so forth, Mr. Parkhill being a star witness on both sides—that there is a material increase; and when the debate is about to close, those of us on this side who want to get what we can out of this so-called "tariff revision" in the way of relief from the burdens imposed by the Dingley schedules are told by the Senator from Iowa that he is not endeavoring, and has never had any view or purpose to do more than to keep the Dingley Act just like it is; to prevent any increase and to make certain of one thing—that if there were any forgotten provisions or paragraphs in the Dingley Act which permit of the frauds of which the Senator from Rhode Island told us last night, he will put out a dragnet of 25 per cent ad valorem to catch them all.

So far as I am concerned, I earnestly want the Senator from Rhode Island to get together his big band, his Macedonian phalanx, as I have said, soldered together by lead, stuck together by beet sugar, riveted together by steel, and hooped together by iron, and by all the other villainies that are in this bill—the combination of greed in the West and in the East and in the Middle West, holding this man and that man and the other man in line to vote as he is ordered—because we have all seen practically that the Senator from Rhode Island is the Senate on this question. [Laughter.] I want him to quit. Why does he not press things to a vote, ring down the curtain on the farce and get through, and let us go home? That is what I want to know.

We have had enough exposure of the how not to do it programme of reform. It amounts to nothing so far as the Democrats are concerned, unless it be to some of us on this side who are trying to pick up a crumb here and there for some little local interest.

The Senator from Rhode Island last night was very persuasive and eloquent in his plea to the South to take care of its own cotton, for it would undoubtedly be a great industry there. It is already a great industry there, and it will be a greater. Speaking for myself, for my own State, for instance, where the industry of manufacturing cotton is advancing by leaps and bounds, we have, say, 80,000 or maybe a few more people—men, women, and children—who are engaged in the cotton-mill industry. We have 600,000 white people and 800,000 negroes who can not get any benefit from that except by the general building up of an industry in our midst which draws from the fields some of the population that otherwise would be compelled to continue to grow cotton as a raw product.

I have as much concern in the welfare and in protecting the interests and rights of the 600,000 as I have in the 80,000 who may be spinning cotton, but no more. The Senator from Rhode Island does not care a snap for them; for, when we plead with him to give us free bagging and ties, in order to relieve us in ever so small a degree from a burden imposed by this trust or that—the steel trust on ties, the bagging trust on bagging, and so forth—he refuses. Yet he appeals to the South to help him to take care of our own country simply because New England is more deeply interested.

I believe in equal rights for all and special privileges for none. That is one of the fundamental principles of Democracy, which I sucked with my mother's milk, and I will be unfit to be called a Democrat when I depart from that doctrine.

I believe in equality of opportunity and equality of burden, and we are not getting it and there is no pretense here of trying to give it to us. We are allowed the poor privilege of voting not to have duties go up, but not the privilege of having them go down, unless we bring in an amendment of our own, with our 27, or 28, or 29, or 30, according to how many of our men you have seduced over to your doctrine to be overwhelmed by a solid Republican vote.

Therefore I say this sham battle ought to cease. The discussion has gone far enough to demonstrate that there are plenty of iniquities in this bill, plenty of iniquities in the doctrine of protection as you illustrate it. If the people of America are satisfied with it, they will continue to vote you into the House and into the Senate. If they are not satisfied with it, they will vote some of you out and send others here to take care of their interests.

You have been charged to-day by one of your leaders—a leading man; he may not be a leader in the party, but he is a leader in his own State—with being hypocrites. You are not all hypocrites. But you are the boldest band of buccaneers that I have ever seen got together. [Laughter.]

Now, if I have said anything this evening that in the slightest wounds anybody, I want to say in advance I did not intend it, but after six days of this kind of humbug, sham, pretense of an effort to relieve the consumers, I have blowed off steam, and now I want to add to the literature of this debate by having printed from a Boston paper a comment on this cotton schedule, and on a speech of their own Senator [Mr. LODGE.]

The PRESIDING OFFICER. Does the Senator from South Carolina ask that it be printed without being read?

Mr. TILLMAN. Oh, no; I want it read. It is too sweet and nice to go in without reading.

The PRESIDING OFFICER. Without objection, the Secretary will read, as requested.

The Secretary read as follows:

DEFENDING DECEPTION—SENATOR LODGE ABANDONS ALL PRETENSE OF MAKING A FAIR REVISION OF THE TARIFF.

[From the Boston Traveler, Wednesday, June 2, 1909.]

Senator LODGE made what is described as the best speech of the session yesterday on the cotton schedules. He began by saying, in effect, that while the Nation may have been fooled into the belief that the Republican party contemplated an honest revision of the tariff, in the only way it would do the consumer any good—downward—neither he nor any of the other leaders of the Chicago convention had made that direct promise, which convicts Mr. LODGE of a carefully planned attempt to deceive.

He made an impassioned plea for the mill operatives of New England, who "must not be deprived of their right to work and wages," and for the manufacturers who must be protected against "cheap labor abroad." The mill operatives, for whom the Nahant Senator's eloquence was unloosed, are practically all Greeks, Syrians, Poles, Armenians, and Italians, who have driven out every other kind of labor, because, under present wages in the cotton mills, to bring up a family under American conditions is absolutely impossible.

Senator LODGE denied that the cotton mills paid unduly large dividends, and attempted to explain away some specific cases where the dividend for one year was over 60 per cent. Apropos of this, there came to our table yesterday a pamphlet from a reputable Boston brokerage house which flatly contradicts Mr. LODGE, and shows that practically all the cotton mills have been paying high dividends, many of them in a few years returning to shareholders an amount equal to the entire capital invested.

Mr. LODGE's defense of the cotton manufacturers, whose mills are filled with aliens on starvation wages, is paralleled in history only by the arguments made in Parliament at the time England was attempting to abolish the slave trade, that if the bringing of black people from Africa to America and elsewhere was prohibited shipowners would not find any use for their vessels, and that these slave ships furnished the only market for decayed fish and other putrid food, on which there would be a dead loss if the slave trade was outlawed.

To prove that revision was "downward" in some cases, Senator LODGE proudly called attention to the fact that on Monday the Senate made an important reduction on the duties on salt, which is fitting and proper. Salt is used to make things more palatable and not infrequently to disguise the taste of rotting food.

More than any utterance of this session, Senator LODGE'S speech puts President Taft in an awkward position, because the candidate evidently was not trusted sufficiently by the party leaders to be informed of the deception attempted by the Chicago convention, and openly, on several occasions before that convention and subsequently during the campaign, declared himself in favor of a revision "downward." Inasmuch as Mr. Taft has the final say on what the tariff shall be, the people will know eventually whether he really meant what he said, or, like LODGE and the rest, was only playing politics to get votes.

Mr. CARTER. Mr. President, I reassure the Senate at once by disclaiming any purpose to detain it for any length of time.

I feel under lasting obligations to the Senator from Iowa [Mr. DOLLIVER] for the manner in which he brought this discussion to a close this afternoon. I have been perplexed and mystified by the intricacies of the cotton schedule. I have not pretended at any time to be a master of its mysteries, nor do I now pretend so to understand it as to be able to instruct anyone. I did believe, from the length of the discussion and the vehemence with which it was prosecuted, that a great overwhelming issue was somewhere involved in the mysteries concerning which this discussion proceeded.

From the Senator from Iowa I gathered, and I hope I correctly understood him, this definite conclusion: That all of this week's discussion has been centered about a line of importations not exceeding $350,000 per year.

Mr. DOLLIVER. If the Senator will permit me, if he gathered any such impression from this discussion, it was owing to his occasional absence from the Chamber.

Mr. CARTER. The Senator stated and repeated the statement that the Senator from Rhode Island was manifestly in error in assuming, as his submission of an article from a newspaper indicated he did assume, that $500,000 of claims would be asserted against the Government in consequence of a recent refusal of the Supreme Court to grant a writ of review for a certain case. The Senator, I understood, argued that the total amount involved did not exceed $55,000, and quoted Treasury statistics in support of his statement.

But, Mr. President, the Senator made the further statement that certain articles or fabrics partially made of linen and partially of cotton were by the Dingley Act placed in the schedule relating to flax and linen—that is correct—and at 60 per cent ad valorem.

Mr. DOLLIVER. I do not desire to interrupt the Senator, but he must remember that the Senator from Rhode Island and I agree perfectly that the principle involved in this first paragraph, which does include only a small portion of the imported cotton cloths brought into the country, is exactly the same as the principle involved in all the succeeding paragraphs containing the assessments upon countable cotton. Therefore I see no reason why the Senator should undertake to minimize the importance of this discussion, in view of the fact that it covers the whole field involved in the amendments.

Mr. CARTER. It is true, no doubt, as the Senator from Iowa stated, that the paragraph upon which this 60 per cent rate was based was embraced in what is known as the "flax schedule." As the art progressed the fabrics originally constructed chiefly of linen were in due time made more and more of cotton. The Treasury officials, intending, as they understood their duty to be, to apply the duty to the article or fabric, applied the 60 per cent duty, which was made applicable to this particular fabric, whether made of linen or of cotton. In that ineffectual effort the Treasury ceased to collect certain revenue which was being collected under that construction or the application of that section; and the articles were thenceforth admitted at the lower rate of duty—for a time at 45, and finally down to 25 per cent ad valorem.

It has not been charged or asserted or claimed in any manner here that the admission of this class of goods at the lower rate of duty has cheapened a single one of these goods in the markets of the United States. I do not understand that there is any pretense that the consuming public of this country were given the benefit of the reduction of duty. Mr. President, it can not therefore be reasonably pretended or claimed that if we raise this duty to what was originally intended any increase of price will follow that rate; and then the whole matter resolves itself into this, to wit, that, according to the Senator from Iowa, the Treasury of the United States will benefit at the rate of $55,000 a year at least, if we raise the duty to where it was and where the committee thinks it ought to be. According to the Senator from Rhode Island, the increase in Government revenues will be very much larger than $55,000 a year.

Mr. DOLLIVER. If I understand the situation correctly, the committee do not even make the pretense that they are going to restore the 60 per cent in the cases where the courts or the appraisers have denied the application of that rate. They have omitted those articles altogether.

Mr. CARTER. No law can be here passed that will change the application of existing law up to the date this bill is passed. The law now on the statute books will be the law, despite any effort of Congress, until this law of Congress is made a substitute for it. So, of course, no action of Congress can impair the existing rights of parties as fixed by the law, now construed by the courts to be according to the 25 per cent rate.

These rights are fixed and can not be disturbed. That, of course, is elementary. But, from the day the bill passes, the higher rates will be collected; the price of the article to the consumer will remain the same; and the extra money will go into the Treasury of the United States instead of into the pockets of the importer. That seems to be the end and the whole substance of this controversy.

Mr. OWEN. I should like to ask the Senator from Montana whether he thinks this schedule should be written in the light of the difference in the cost of production at home and abroad? It is a novel question which I should like him, as a great expert, to answer.

Mr. CARTER. The Senator manifestly failed to hear my disclaimer of any expert knowledge.

Mr. OWEN. I now concede it.

Mr. CARTER. I believe the Senator is prepared to concede it, and was before he asked the question. I do not know that at this hour, just upon the eve of a vote, it would be either instructive or agreeable to the Senator from Oklahoma or to the Senator from Montana, or to the Senate at large, to go into a general discussion of platform pledges and the manner of their execution.

Mr. GORE. Mr. President, the Senator from Montana [Mr. CARTER] complains of the conflicting figures submitted by various Senators with reference to the amount of duty involved in the cotton schedule. That Senator submitted, a few days ago, a golden rule by which we could extract the truth from conflicting and contradictory statements of this kind.

It is true that the Senator from Rhode Island [Mr. ALDRICH] stated last night that the duties involved amounted to $500,000, and the Senator from Iowa [Mr. DOLLIVER] stated to-day that it involved only about $55,000. The Senator from Idaho [Mr. BORAH] suggested this morning that it involved $400,000 of duties. The Senator from Utah [Mr. SMOOT] made a statement which I did not fully understand; but, so far as I could gather, his contention was that it embraced about $900,000 of duties.

There ought to be no difficulty in resolving these conflicting official statements into the absolute and infallible truth by merely applying the golden rule furnished to us a few days ago by the senior Senator from Montana. He suggested to us a formula as to how we could cast these conflicting statements into the crucible and take out the pure truth. I suggest to that Senator, that if he will take the statement made by the Senator from Rhode Island last night, the statement made by the Senator from Iowa this morning, the statement made by the Senator from Idaho this afternoon, all of which were official and from the same undoubted authority, and join to these the inspired guess of the Senator from Utah, add the four together and then divide the sum by four, he will have the exact and the infallible truth.

Mr. CUMMINS. Mr. President, if I believed that the amendment upon which we are about to vote involved only a remedy for the obvious defects in the Dingley law, I would not find it necessary to say a single word or to prolong by a single moment this discussion. The Senator from Montana, evidently misapprehending the amendment upon which we are about to vote, suggests that it is hardly worth while to take up our time over so small a matter as $55,000 a year. I do not so understand this amendment, and I intend in the very few moments that I will ask your indulgence to treat it in the same admirable spirit that was manifested last night by the Senator from Rhode Island [Mr. ALDRICH].

I listened to his address with as much intentness as I ever bestowed upon any address, and I believe that I understood what he said. In so far as I am concerned personally, I believe the Dingley law, whether as originally interpreted or as recently interpreted, ought to be reduced.

I believe that upon the chief articles—not upon some of these fancy articles which have consumed so much time here, but in the main—the duties are too high, and I should like to see them reduced; and if we could find on this side of the Chamber those five patriots suggested by the Senator from Nevada [Mr. NEWLANDS], I would like very much to find them. But we have looked in vain for them, and we shall be content—at least, I shall be content—if we can hold the Dingley law as it is. It does not satisfy me, but we are in such grave peril of losing it that I am solicitous about holding on to what we have rather than attempting to secure that which we know is impossible.

Now, I address myself largely to the Senator from Rhode Island or any other member of the committee, and I desire to say to the Senate and to the members of the committee that I want to be interrupted, and I will yield for a question or an answer at any time any Senator thinks he can enlighten me or the Senate with respect to these questions. If I understood the discussion last night, the Senator from Rhode Island announced four propositions. I do not attempt, of course, to put them in his exact words, but I paraphrase them.

He first announced that it was necessary to change the Dingley paragraph 304, in order that there might be embraced within it an adequate duty upon higher-priced cloths with a count of threads of 50 or under per square inch. The Senator assents to the proposition, and I assent to the necessity for a change in paragraph 304. It has been only a question as to what duty should be placed upon those high-priced cloths that were obviously omitted from the protection of the statute in old paragraph 304, the present paragraph 312. I pass, therefore, from that, because there is no controversy there. We must not confuse this issue.

His second proposition was that it was necessary to count the threads of a superimposed figure, and thus put certain cloth into the proper paragraph, in order that it might be suitably assessed.

I think that is another of his suggestions of the obvious defects of the Dingley law. I agree with the Senator from Rhode Island with respect to it. It was not within human foresight to anticipate every form of cloth that the fancy or the genius of man might produce. I agree that the Dingley law was defective in that respect, and I am quite willing that upon such articles that could not be anticipated at that time there shall now be placed a suitable duty. The only difference there can be between myself and the Senate committee in that respect must necessarily be what duty is sufficient to protect the American market on that point.

The third proposition which he announced was that the Dingley law was manifestly defective in permitting certain colored cotton cloth of high price to enter the market at a low duty because the color was produced by superimposed thread. I agree with that proposition, and it remains only a matter of the quantity of the duty that shall be imposed.

His fourth proposition was that it was wise to substitute specific duties for the ad valorem duties of the Dingley law; that is, the ad valorem duties embracing those cloths of a value of more than 7 cents per square yard.

Mr. ALDRICH. From 7 to 20 cents. The present law provides for cloths valued at from 7 to 20 cents in various provisions.

Mr. CUMMINS. I named, however, the minimum value to which the ad valorem provision attached—7 cents per square yard—and he asserted that there had been no increase other than was necessary to remedy the obvious failures of the Dingley law to protect our market, the obvious failures of the men of 1897 to anticipate the conditions of the present hour. If that were true, I would find no difficulty, as the Senator from Iowa [Mr. DOLLIVER] has said, and as the Senator from Wisconsin [Mr. LA FOLLETTE] has said, in agreeing to a fair and reasonable imposition upon these goods.

But now my proposition is that the chief increase of the bill as reported by the Senate committee does not relate to any form of any cloth that has ever been in dispute before any board of appraisers or before any court in the land. If I am wrong about that, then I want to be corrected.

But first, before I reach that, the Senator from Rhode Island is mistaken in supposing that he has substituted specific duties for the ad valorem duties of the Dingley law. The wisdom of applying specific duties to a particular article lies in the possibility of applying the measure released or freed from any discretion or judgment or opinion; is it not? That is the only advantage that an ad valorem law has over a specific law; that is to say, if you provide in the law that the duty shall be 10 cents per hundred pounds, there can be no difference of opinion with regard to a hundred pounds; it does not involve any discretion whatsoever, and therefore it is vastly to be preferred wherever it can be applied. But the substitution of the committee in this case is not a substitution of a specific rate for an ad valorem rate, any more than it would be, if your rate was 25 per cent, to say that on a pound of goods worth $100 the duty should be $25. You still leave in the statute the element of value.

I am not criticising the committee on this account, because it is probably impossible that there shall be real specific duties applied to cotton cloth. I am only suggesting it in order to show that the reason why the committee has attempted to give for eliminating the ad valorem provision of the law of 1897 and of substituting therefor specific duties does not in fact exist, and the present provision has no advantage whatsoever, so far as the character of taxation is concerned, over the ad valorem duties of the Dingley law. For instance, it says that a certain rate shall be levied on cotton cloth worth more than 7 cents per yard. I am speaking now of the very first line of the amendment upon which we are to vote. It declares that the duty upon cotton cloth worth more than 7 cents a yard shall be 2¼ cents. That is not a specific duty, because somebody must ascertain whether that cloth is worth 7 cents a yard or more. That involves precisely the same operation that any other ad valorem statute requires; and therefore I submit to the Senate that there was no reason for changing the ad valorem duty in the old paragraph 305, now paragraph 313, unless it was intended to increase or diminish the duties that were required by the law of 1897..

Now, I am not going through this schedule. It is tiresome enough. We have been illuminated by all the colors of the rainbow. We have seen every variety of cloth that human ingenuity ever produced. We have wandered amid the mazes of appraisers' decisions and appraisers' reputations and veracity, and all that sort of thing. I want to emerge for a moment from all these surrounding circumstances and come down now right to the very point at issue.

Take the first line of this amendment. It applies to cotton cloth unbleached worth more than 7 cents a yard, does it not, and not more than 9 cents a yard? That is the cloth that will be governed by that part of the amendment. Suppose that that is a piece of cloth. There is not a figure on it. No man has worked his fancy on it. It is just a plain, unbleached piece of cotton cloth.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. That piece of cotton cloth would not be worth 7 cents a yard. That is the answer to that question.

Mr. CUMMINS. How does the Senator from Rhode Island know that?

Mr. ALDRICH. I know by knowledge as to the character and value of cotton goods.

Mr. CUMMINS. It happens, however, that when the Dingley law was passed it said that any piece of unbleached cotton cloth worth more than 7 cents a yard should be dutiable at 25 per cent ad valorem.

Mr. ALDRICH. That is the contention which we are making. The courts decided that it should be dutiable at a cent a yard. That is one of the troubles of this whole bill.

Mr. CUMMINS. I beg pardon of the Senator from Rhode Island. No court has ever so decided. No court ever could decide so.

Here is a piece of cloth with 100 threads to the square inch in the warp and filling.

Mr. ALDRICH. The Senator was talking about 50 threads to the square inch.

Mr. CUMMINS. I am talking about paragraph 313.

Mr. ALDRICH. I thought the Senator was talking about paragraph 304 of the existing law.

Mr. CUMMINS. Not at all. I passed from paragraph 304, and I am now talking about paragraph 305 in the old Dingley law, or paragraph 313 in the present measure. It describes a cloth, unbleached, with 100 threads to the square inch, and says that if it is worth more than 7 cents a yard it shall pay a duty of 25 per cent ad valorem. That is true, is it not?

Now, the Senate committee takes that Dingley law and says that for that same piece of cloth—there is no mystery about that kind of cloth—if that same piece of cloth comes in and is worth 7$\frac{1}{10}$ cents per yard, it shall pay a duty of 2¼ cents. If that is not an increase of duty upon that piece of cloth, then I am unable to understand the simplest operation of addition, subtraction, multiplication, and division.

Mr. ALDRICH. But, Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The amendment of the committee not only says that, but it says that cloths which have heretofore paid under other provisions of the act of 1897, as construed for the first six or seven years that act was in operation, at 60 per cent ad valorem and 45 per cent ad valorem, shall be admitted under the provisions of this bill at 30 per cent, or the equivalent of 30 per cent ad valorem. That is where the whole controversy is involved. If it applied only to the one single piece of cloth the Senator has, there would be no contention about it at all; but by these various decisions—I do not care who they were made by—cloths originally intended to be assessed at 60 per cent and 45 per cent are brought down into the paragraph which the Senator is now alluding to.

Mr. CUMMINS. It must be evident that the Senator from Rhode Island wanders from the real issue. I understand perfectly that there may have been some evasions, depending upon the point of view from which you look at the Dingley law, but paragraph 313 simply covers cotton cloth, in the first part of it, with less than a hundred threads to the square inch. I am thinking about the great volume of cotton cloth. I do not mean only unbleached, but bleached and mercerized, if you please, that will come in and must come in under paragraph 313, if cloth a hundred threads only to the inch.

Mr. ALDRICH. But, Mr. President, there never will be a time in the history of this country when the great mass of cloths will come under that paragraph. The great mass of cloths do not come into this country at all. They are kept out, if you please, by the specific provision of paragraph 313, which takes care of all goods at 7 cents per yard or below. The Senator mistakes the character of the cotton-goods production of the United States. As I said last night, nine-tenths of this production is not affected by these changes from ad valoremes to specifics. It is the fancy goods that we intended should pay 60 and 45 per cent that are affected by these provisions, and nothing else. The great mass of the goods that are manufactured in the United States, and used by the people of the United States, are not covered by these changes at all.

Mr. CUMMINS. Mr. President, the Senator from Rhode Island knows vastly more about that than I; but if there be but 10 per cent, it is still our duty to have the rate fixed right.

Mr. ALDRICH. It is certainly our duty to have the rate fixed right, and it is our duty to have the rate so levied as to stop transactions like that to which I called the attention of the Senate last night.

Mr. CUMMINS. Mr. President, the view of it that I am taking puts aside entirely all these controverted cloths. There is no question, there never has been any question, about plain cotton cloths, unless it arose under paragraph 304. There never has been, under paragraph 305, any question about plain cotton cloth.

Mr. ALDRICH. That is where the Senator is entirely mistaken. A very large part of this controversy came up under that very provision.

Mr. CUMMINS. Mr. President, I recognize that some of the controversies arose under paragraph 305, but they did not arise upon the kind of cloth to which I now refer, and it is utterly impossible that they should arise upon that kind of cloth.

Mr. ALDRICH. Very many of the soft fabrics were counted below 50 threads, or between 50 and 100, and would have been dutiable under the very provision the Senator is now talking about.

Mr. CUMMINS. Precisely; they would have been dutiable, if worth more than 7 cents a yard, at 25 per cent ad valorem. They would not have been dutiable at that rate if under paragraph 304, because, unfortunately, that provision was not attached to paragraph 304. But no matter what their value may have been, they would have been dutiable under the Dingley law at 25 per cent ad valorem if under 100 threads to the square inch.

Mr. ALDRICH. That is, supposing they were not covered by the provisions of 60 per cent ad valorem or 45 per cent ad valorem under the Dingley Act under other paragraphs.

Mr. CUMMINS. Precisely, Mr. President; but my complaint against this amendment is that, in the effort to correct abuses, if you please, which we all recognize, the extent of which, however, we can not exactly estimate—in the effort to correct those defects in the Dingley law you have raised the duty on every pound of cotton cloth. Under paragraph 305, worth more than 7 cents a yard——

Mr. ALDRICH rose.

Mr. CUMMINS. I retract that, because when you reach 9 cents a yard you then are in harmony with the Dingley law of 25 per cent. The very moment you pass beyond that you again rise above the Dingley law, and so on, and so on. I do not think it was necessary to incur the criticism of raising the duties on cotton cloth in order to adjust the troubles that have arisen with respect to the administration of the Dingley law. While I would gladly see the duties reduced, for I think that this industry could well afford a reduction of 20 per cent upon these duties, yet I have had the hope—it is the only hope that I am now permitted to cherish—that we may retain the Dingley law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. BACON. On that let us have the yeas and nays.

The yeas and nays were ordered.

Mr. BACON. What is the particular amendment now? There have been a half dozen to the same paragraph.

The PRESIDING OFFICER. The amendment will be stated.

Mr. BACON. I do not care to have it read, but let it be indicated.

The SECRETARY. On page 98, beginning after the word "yard" and the semicolon in line 6, insert certain words.

Mr. BRISTOW. That is the committee amendment?

The PRESIDING OFFICER. It is the committee amendment. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BEVERIDGE (when his name was called). I am paired with the junior Senator from California [Mr. FLINT]. If he were present and voting, I should vote "nay."

Mr. DEPEW (when his name was called). I am paired with the senior Senator from Maryland [Mr. RAYNER]. If he were here, he would vote "nay" and I would vote "yea."

Mr. FRAZIER (when his name was called). I have a pair with the Senator from Oregon [Mr. BOURNE]. I transfer that pair to the Senator from South Carolina [Mr. SMITH] and vote. I vote "nay."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. CULBERSON (when Mr. MARTIN's name was called). The Senator from Virginia [Mr. MARTIN] is unavoidably absent. If he were present, he would vote "nay."

Mr. MONEY (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN]. If he were present, he would vote "yea." I transfer my pair to the Senator from Arkansas [Mr. DAVIS], and I vote "nay."

Mr. CURTIS (when Mr. NIXON's name was called). The junior Senator from Nevada [Mr. NIXON] requested me to announce that he is paired with the junior Senator from Alabama [Mr. BANKHEAD]. If the junior Senator from Nevada were here, he would vote "yea."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were here, I should vote "yea."

Mr. ELKINS (when Mr. SCOTT's name was called). My colleague [Mr. SCOTT] is unavoidably detained from the Senate to-day. He is paired with the Senator from Florida [Mr. TALIAFERRO]. If my colleague were present, he would vote "yea."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. MCLAURIN]. I desire the RECORD to show that I would vote "yea," if he were present.

Mr. SUTHERLAND (when his name was called). I again announce my pair with the junior Senator from Tennessee [Mr. TAYLOR] and the transfer of my pair to the junior Senator from Montana [Mr. DIXON]. I vote "yea."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). The Senator from Florida [Mr. TALIAFERRO] is paired with the Senator from West Virginia [Mr. SCOTT]. If the Senator from Florida were present, he would vote "nay."

The roll call was concluded.

Mr. CLAPP (after having voted in the negative). Before the vote is announced, I notice that the Senator from North Carolina [Mr. SIMMONS], with whom I am paired, who I supposed was in the Chamber, is not here. I feel constrained, therefore, to withdraw my vote.

Mr. BACON rose.

Mr. CLAPP. If it is thought proper, I will let my vote stand.

Mr. BACON. I am quite sure that the Senator from North Carolina [Mr. SIMMONS] would vote "nay," if he were here.

Mr. CLAPP. Then, my vote will stand.

Mr. SHIVELY. The Senator from North Carolina [Mr. SIMMONS] was present and voted.

Mr. BEVERIDGE. His name was read at the desk as having voted.

Mr. LODGE. The name of the Senator from North Carolina [Mr. SIMMONS] was read by the Clerk.

The PRESIDING OFFICER. Does the Senator from Minnesota desire his name to stand?

Mr. CLAPP. Yes; under those circumstances.

The result was announced—yeas 39, nays 28, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Guggenheim	Penrose
Borah	Crane	Hale	Perkins
Bradley	Cullom	Heyburn	Piles
Brandegee	Curtis	Johnson, N. Dak.	Root
Briggs	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burnham	du Pont	Lodge	Sutherland
Burrows	Elkins	McCumber	Warner
Burton	Foster	McEnery	Wetmore
Carter	Gallinger	Page	

NAYS—28.

Bacon	Crawford	Gore	Overman
Bailey	Culberson	Hughes	Owen
Bristow	Cummins	Johnston, Ala.	Paynter
Brown	Dolliver	La Follette	Shively
Burkett	Fletcher	Money	Smith, Md.
Clapp	Frazier	Nelson	Stone
Clay	Gamble	Newlands	Tillman

NOT VOTING—24.

Bankhead	Davis	Martin	Simmons
Beveridge	Depew	Nixon	Smith, Mich.
Bourne	Dixon	Oliver	Smith, S. C.
Chamberlain	Flint	Rayner	Taliaferro
Clarke, Ark.	Frye	Richardson	Taylor
Daniel	McLaurin	Scott	Warren

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The SECRETARY. In paragraph 313, page 98, line 21, after the word "yard" and the semicolon, insert:

Valued at over 9 and not over 11 cents per square yard, 2¾ cents per square yard; valued at over 11 and not over 12 cents per square yard, 4½ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 25 per cent ad valorem.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Committee on Finance.

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague [Mr. BANKHEAD] is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON]. If present, my colleague would vote "nay."

Mr. BEVERIDGE (when his name was called). I wish to again announce that I am paired with the junior Senator from California [Mr. FLINT]. If he were present, on this and subsequent committee amendments I should vote "nay," and he would vote "yea." I make this statement once for all, because I myself may have to go away in a moment or two, and it will not be necessary hereafter to announce this pair.

Mr. DEPEW (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. RAYNER]. If he were present, I should vote "yea."

Mr. CARTER (when Mr. DIXON's name was called). My colleague [Mr. DIXON] is unavoidably detained from the Chamber this afternoon. I desire to announce that he is paired with the junior Senator from Tennessee [Mr. TAYLOR]. If present, my colleague would vote "yea" on this and all the various amendments proposed by the committee to this schedule.

Mr. FRAZIER (when his name was called). I again announce my pair with the senior Senator from Oregon [Mr. BOURNE]. I transfer that pair to the junior Senator from South Carolina [Mr. SMITH], and vote. I vote "nay."

Mr. MONEY (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN], but I transfer that pair to the Senator from Arkansas [Mr. DAVIS], and vote. I vote "nay." The Senator from Wyoming, if present, would doubtless vote "yea."

Mr. OLIVER (when his name was called). I again announce my pair with the junior Senator from Oregon [Mr. CHAMBERLAIN].

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). The senior Senator from Maryland [Mr. RAYNER] is paired with the senior Senator from New York [Mr. DEPEW]. If present, my colleague would vote "nay."

Mr. ELKINS (when Mr. SCOTT's name was called). I again announce the pair of my colleague [Mr. SCOTT], who is unavoidably absent, with the Senator from Florida [Mr. TALIAFERRO].

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. MCLAURIN]. I should like this announcement to stand for the day. If the Senator from Mississippi were present, I should vote "yea."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the Senator from Tennessee [Mr. TAYLOR]; but I transfer that pair to the junior Senator from Montana [Mr. DIXON]. I make this announcement to apply to any further votes that may be taken during the day. I vote "yea."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT].

The roll call having been concluded, the result was announced—yeas 39, nays 29, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Guggenheim	Penrose
Borah	Crane	Hale	Perkins
Bradley	Cullom	Heyburn	Piles
Brandegee	Curtis	Johnson, N. Dak.	Root
Briggs	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burnham	du Pont	Lodge	Sutherland
Burrows	Elkins	McCumber	Warner
Burton	Foster	McEnery	Wetmore
Carter	Gallinger	Page	

NAYS—29.

Bacon	Culberson	Johnston, Ala.	Shively
Bailey	Cummins	La Follette	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Stone
Burkett	Frazier	Newlands	Tillman
Clapp	Gamble	Overman	
Clay	Gore	Owen	
Crawford	Hughes	Paynter	

NOT VOTING—23.

Bankhead	Davis	Martin	Smith, Mich.
Beveridge	Depew	Nixon	Smith, S. C.
Bourne	Dixon	Oliver	Taliaferro
Chamberlain	Flint	Rayner	Taylor
Clarke, Ark.	Frye	Richardson	Warren
Daniel	McLaurin	Scott	

So the amendment was agreed to.

Mr. BACON. I desire to suggest to the Senator in charge of the bill that possibly we might economize time by taking the vote at one time on the amendments to the several paragraphs that are proposed to be disposed of this afternoon. They are all involved in the discussion which has been had, and all of them are of the same character.

Mr. ALDRICH. I should be very glad to have that done with the amendments to paragraphs 314, 315, 316, and 317, which involve the same question precisely. I should be glad to have the committee amendments all voted on at once and together as to those paragraphs.

Mr. LA FOLLETTE. I understand that that goes no further than paragraph 317.

Mr. ALDRICH. It includes paragraph 317.

Mr. LA FOLLETTE. That is all right.

The PRESIDING OFFICER. Is there objection to that request?

Mr. BACON. I make the request, Mr. President, that the vote upon the amendments to these several paragraphs, the numbers of which have been stated by the Senator from Rhode Island, be taken at the same time.

Mr. ALDRICH. Down to paragraph 317, inclusive.

Mr. BACON. From 314 to 317, inclusive.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Georgia? The Chair hears none.

Mr. BACON. Upon that, Mr. President——

Mr. ALDRICH. Does the Senator from Georgia desire a record vote on that?

Mr. NEWLANDS. Mr. President, that does not preclude any debate upon these paragraphs?

Mr. ALDRICH. Oh, no.

Mr. OWEN. Mr. President, before the question comes to a vote, I want to remind the chairman of the Committee on Finance [Mr. ALDRICH] of his promise, at the proper moment, to explain the difference in the cost of production at home and abroad, as relates to these schedules. It is a matter of pressing interest.

Mr. ALDRICH. That promise will be kept in due time.

Mr. OWEN. The time has arrived, Mr. President, according to the promise made by the chairman of the Committee on Finance; and, no matter what his views may be upon the tariff, I have great confidence in his promises.

Mr. LA FOLLETTE. I ask for the yeas and nays.

Mr. NELSON. Mr. President, do I understand that this includes all amendments to the paragraphs, from paragraph 305 to 317, inclusive?

Mr. ALDRICH. No; from 314 to 317, inclusive.

Mr. NELSON. And no more?

Mr. ALDRICH. And no more.

Mr. NEWLANDS. Mr. President, I wish to say a few words regarding the observations of the Senator from Iowa. The Senator from Iowa [Mr. CUMMINS], in reply to my suggestion that the "progressives" upon the Republican side should point out the way in which the Democrats could follow to secure a reduction in the existing rates, declared that it would be utterly impossible to get the 5 Republican votes which I declared were necessary in order to accomplish the result. He looked around this Senate Chamber, and, after the repeated votes, was hopeless of changing those 5 votes. Now, I wish to address myself simply to the question of practical legislation, as to how the necessary 5 votes can be secured. I shall take only a few moments upon that proposition.

I suggest to the "progressive Republicans" that they have not yet exhausted all their resources. The power of recommendation regarding legislation is vested in the President of the United States. That power of recommendation, in connection with the veto, constitutes the President a part of the machinery of legislation.

I can understand how the President of the United States, with his judicial temperament, would hesitate to force upon Congress his views regarding a complicated piece of legislation, but I have not the slightest doubt that the President desires to fulfill the pledges of the Republican party made to the country, and to fulfill his own pledges to the country, and that he will hesitate to do nothing within his power to accomplish a very simple thing—the reduction of excessive duties, judged by the standard imposed upon the party by the Republican convention and advocated by the President himself.

While, therefore, the President, with his peace-loving and judicial temperament, may not be disposed to force prematurely upon Congress his views regarding this question, I have no doubt, when he realizes that his own party is in danger of repudiating party promises and of repudiating his own pledges to the people, that he will take prompt and decisive action.

That he can not do in a moment. A recommendation will involve consideration and deliberation; but I suggest that there is yet time for such consideration and deliberation before this bill is reported to the Senate for final action. I take it that at least three or four weeks will be taken up in the consideration of this tariff bill before it is reported to the Senate for final action.

Experts have been employed upon both sides. The Finance Committee has had the government experts, and various speakers have had experts at work upon different schedules and different items. The whole work is now mapped out in such a way that the President of the United States, bringing before him these experts, reviewing through his trusted officials the debates in this body, can come to some conclusion regarding this much-vexed question. Three weeks time he has for the consideration of this tariff, and during that time, with the aid of the government experts, with the aid of other experts, with the aid of trusted officials and advisers, with the aid of the debates with which this subject has been illuminated, he can prepare some recommendations, either general or special, upon this subject.

If the President of the United States delays, what will happen then? Suppose he waits until the bill is finally passed here and goes into conference? It is commonly stated that the bill will be shaped in conference. It is not so; the bill can only be fixed by either House between the upper and the lower rates, and if both the Senate and the House fail to reduce any of these excessive duties, the conferees can not act upon them; and if conference fails to accomplish the desired reforms, the only thing left is a veto, which, of course, will leave us where we began, with all the excessive duties still in force.

The suggestion comes from my friends upon both sides that they are weary—that they would like to escape a session tonight and to adjourn soon; but it seems to me that this is the appropriate time for these remarks, and that no other time so appropriate will be presented as that immediately following the remarks of the junior Senator from Iowa. Therefore, if the Senate will indulge me, I will, as briefly as possible, go on with my suggestion and conclude it. I hope to be brief. I would not willingly give inconvenience to Senators in this body; but, Mr. President, I was calling attention to the important fact that if this bill goes into conference, the action of the conferees is limited within a certain area; and if either House has failed to present a proper reduction of these duties, then the remedy is entirely without their reach.

Mr. President, the power of recommendation is one of the most valuable powers contained in our Constitution. It is the power given to the leader of a great party elected to the Presidency of the United States to indicate to the Congress what he regards as appropriate legislation. It is the only way in which the attention of Congress and the attention of the country can be focused upon needed reforms. That power was availed of by Mr. Roosevelt; and I undertake to say that if it had not been for the free exercise of that power by him not a single one of the reform measures of his administration would have been adopted.

Mr. ALDRICH. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. I desire to remind the Senator from Nevada that at half past 5, unless we should adjourn earlier, the Senate must take a recess for an evening session. I have suggested that, if a vote can be taken upon the particular amendments which are now pending, I then will move to adjourn until Monday. I hope the Senator will let us do that.

Mr. NEWLANDS. I will conclude my remarks in time to get a vote before half past 5.

Mr. ALDRICH. It takes about five minutes for a roll call.

Mr. KEAN. It takes seven minutes for a roll call.

Mr. NEWLANDS. I can understand why the Senator from Rhode Island should be solicitous that I should not pursue this line of suggestion. It is a practical suggestion; and I trust that the President of the United States will avail himself of it.

No one can criticise the President for not having made thus far such a recommendation. It only becomes a necessity when he finds that Congress is unwilling to act in the line of the reform to which he and his party are pledged; but if the "progressive Republicans" of this body present to the President of the United States a suggestion for a recommendation derived from their experience in this inquiry and debate, and the President of the United States recommends their suggestion to Congress, or if without the aid of the progressive Republicans of this body, upon his own initiative and inquiry, he makes a recommendation, which, if enacted into law, will lead to the reduction of excessive duties, he will bring behind it a power of public opinion that will force its passage through this body.

The Senator from Rhode Island is omnipotent now because of the power of organization. The feeling is sedulously encouraged throughout this body that the men who are identified with him are the real Republicans, and that the men who are outside of his ranks and who wish to redeem in good faith party pledges are insurgent and rebellious. An endeavor is being made to impress the entire country with the idea that the men who stand in the Republican party for a reduction of excessive duties are not Republicans. Let the President accentuate this issue; let him present it clearly and decisively either in a recommendation regarding special schedules or in a general reduction of the rate of duty or in the declaration of a formula by which excessive dudes may be gradually and automatically reduced, and he will bring behind his utterance the power of public opinion, that public opinion which was behind Roosevelt, and which drove the Senator from Rhode Island and Republicans of like view finally into reluctant acquiescence as to some of his reform policies to which they were opposed. The Senator from Rhode Island belongs to that class of statesmen who believe that everything that is is right, and everything that ought to be is dangerous; but I can not believe that all the men who are associated with him are of that view. There are many of them who will follow a resolute President, insisting upon the principles his party has declared in its last platform, and appealing not only to Congress, but to the country upon the issue, and the organization which the Senator from Rhode Island has built up will melt away before a formulated public opinion directed and led by a President whom the people trust.

Mr. BACON. I wish to ask if we can not continue the session until the roll is called?

The PRESIDING OFFICER. The Chair would suggest that if the roll call is once commenced it will continue until concluded. The question is upon the several amendments which it was agreed should be voted upon in bulk. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON].

Mr. DEPEW (when his name was called). I transfer my pair with the senior Senator from Maryland [Mr. RAYNER] to my colleague, the junior Senator from New York [Mr. ROOT], and vote. I vote "yea."

Mr. FRAZIER (when his name was called). I transfer my pair with the senior Senator from Oregon [Mr. BOURNE] to the junior Senator from South Carolina [Mr. SMITH] and vote. I vote "nay."

Mr. OLIVER (when his name was called). I again announce my pair with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). The senior Senator from Maryland [Mr. RAYNER] was paired with the senior Senator from New York [Mr. DEPEW], but that pair has been transferred to the junior Senator from New York [Mr. ROOT]. If my colleague were present, he would vote "nay."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT].

The result was announced—yeas 39, nays 28, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Gallinger	Page
Borah	Crane	Guggenheim	Penrose
Bradley	Cullom	Hale	Perkins
Brandegee	Curtis	Heyburn	Piles
Briggs	Depew	Johnson, N. Dak.	Smoot
Bulkeley	Dick	Jones	Stephenson
Burnham	Dillingham	Kean	Sutherland
Burrows	du Pont	Lodge	Warner
Burton	Elkins	McCumber	Wetmore
Carter	Foster	McEnery	

NAYS—28.

Bacon	Crawford	Gore	Owen
Bailey	Culberson	Hughes	Paynter
Bristow	Cummins	Johnston, Ala.	Shively
Brown	Dolliver	La Follette	Simmons
Burkett	Fletcher	Nelson	Smith, Md.
Clapp	Frazier	Newlands	Stone
Clay	Gamble	Overman	Tillman

NOT VOTING—24.

Bankhead	Davis	Money	Scott
Beveridge	Dixon	Nixon	Smith, Mich.
Bourne	Flint	Oliver	Smith, S. C.
Chamberlain	Frye	Rayner	Taliaferro
Clarke, Ark.	McLaurin	Richardson	Taylor
Daniel	Martin	Root	Warren

So the amendments to paragraphs 314, 315, 316, and 317 were agreed to.

The PRESIDING OFFICER. The paragraphs the amendments to which have just been agreed to will, in the absence of objection, be considered as agreed to as amended. The Chair hears no objection.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, June 7, 1909, at 10.30 o'clock a. m.

SENATE.

MONDAY, *June 7, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Vice-President being absent, the President pro tempore assumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates or changes in rules pending a hearing, etc., which was referred to the Committee on Interstate Commerce.

Mr. GAMBLE presented a petition of the Western South Dakota Stock Growers' Association, praying for the ratification of such reciprocal trade relations with other governments as will encourage the export of live stock, which was ordered to lie on the table.

He also presented a petition of the Western South Dakota Stock Growers' Association, praying for the retention of the present import duty on cattle, with such reasonable adjustment and maximum and minimum schedules as shall best subserve the interests of the cattle growers of the country, which was ordered to lie on the table.

Mr. NIXON presented a petition of the Reno Commercial Club, of Reno, Nev., praying that an appropriation be made to enable the Interstate Commerce Commission to obtain the valuation of all railroad property in the United States, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates, etc., which was referred to the Committee on Interstate Commerce.

Mr. STONE presented a petition of the Master Bakers' Protective and Benevolent Association of St. Louis, Mo., praying for the enactment of legislation to prohibit gambling in wheat and in options upon wheat for future delivery, which was referred to the Committee on the Judiciary.

He also presented a petition of the employees of the Mound City Engraving Company, of St. Louis, Mo., praying that a duty of 35 cents per pound be placed on view cards, which was ordered to lie on the table.

He also presented a petition of the employees of the Kansas City Post, of Kansas City, Mo., praying for the repeal of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of the St. Louis Advertising Men's League, of St. Louis, Mo., remonstrating against the enactment of legislation providing license fees for posted display advertisements and signs, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2537) granting an increase of pension to Niram N. Buttolph (with the accompanying paper);

A bill (S. 2538) granting an increase of pension to Samuel A. Stratton (with the accompanying paper); and

A bill (S. 2539) granting an increase of pension to Benjamin F. Noll (with the accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 2540) granting an increase of pension to Samuel Durham; and

A bill (S. 2541) granting an increase of pension to Thomas Braswell; to the Committee on Pensions.

PRICES OF AGRICULTURAL IMPLEMENTS.

Mr. CURTIS submitted the following resolution (S. Res. 56), which was considered by unanimous consent and agreed to:

Senate resolution 56.

Resolved, That the Secretary of Commerce and Labor be requested to transmit to the Senate any information in the possession of his department relative to the prices at which agricultural implements manufactured in the United States are sold in foreign countries.

THE PHILIPPINE ISLANDS.

Mr. STONE. Mr. President, I have an article here by Mr. Erving Winslow, of Massachusetts, printed in the North American Review recently, relating to the Philippine Islands. We shall have that question up very soon on the pending bill. I ask that the article may be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Missouri asks that the article sent to the desk be printed as a document (S. Doc. No. 81).

Mr. KEAN. What is the article?

Mr. STONE. It is an article written by Mr. Winslow, of Massachusetts, dealing with our relations with the Philippine Islands.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That the article, "The conditions and the future of the Philippine Islands," by Erving Winslow, be printed as a document.

PORTO RICO POWER AND LIGHT COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, (S. Doc. No. 83), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico May 19, 1909, entitled "An ordinance amending an ordinance entitled 'A franchise granting to the Porto Rico Power and Light Company, its successors and assigns, the right to develop the water power known as "Comerio Falls," situated on La Plata River, for the generation of electrical energy, and to build, construct, erect, and maintain lines of wire for transmitting and distributing electrical energy for commercial and industrial purposes,'" approved by the governor May 24, 1909.

WM. H. TAFT.

THE WHITE HOUSE, *June 7, 1909.*

TELEPHONE SERVICE IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States (S. Doc. No. 82), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of a joint resolution amending said act approved May 1, 1900 (31 Stat., 716), I have the honor to transmit herewith copy of an ordinance passed by the executive council of Porto Rico May 20, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Juan Bertran the right to construct, maintain, and operate a system of long-distance telephone lines between the playa of Yabucoa and the playa of Naguabo and their intervening towns and cities, together with local telephone systems in certain of said towns and local stations at other points.'"

WM. H. TAFT.

THE WHITE HOUSE, *June 7, 1909.*

THE TARIFF.

The PRESIDENT pro tempore. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The pending paragraph is paragraph 318, page 108.

Mr. ALDRICH. The committee modify their amendment to paragraph 318 by striking out after the word "counted," in the

the reduction of excessive duties, he will bring behind it a

fifth line, page 109, down to the end of the paragraph, and inserting the language which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Rhode Island will be read.

The SECRETARY. It is proposed to amend the amendment on page 109, line 5, by striking out after the word "counted" the remainder of the paragraph and inserting:

In the ascertainment of any and all the particulars or descriptions upon which the duties, cumulative or other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Hale	Penrose
Bacon	Crawford	Heyburn	Perkins
Beveridge	Culberson	Hughes	Piles
Borah	Cullom	Johnson, N. Dak.	Root
Bradley	Cummins	Johnston, Ala.	Scott
Brandegee	Curtis	Jones	Simmons
Briggs	Depew	Kean	Smith, Mich.
Bristow	Dick	La Follette	Smoot
Brown	Dillingham	Lodge	Stephenson
Burkett	Dolliver	McCumber	Stone
Burnham	Fletcher	McEnery	Sutherland
Burrows	Flint	Nelson	Taliaferro
Burton	Foster	Newlands	Taylor
Carter	Frye	Oliver	Warner
Clark, Wyo.	Gallinger	Overman	Warren
Clarke, Ark.	Gamble	Page	
Clay	Guggenheim	Paynter	

The PRESIDENT pro tempore. Sixty-six Senators have responded to their names. There is a quorum present. The Secretary will again read the amendment to the amendment offered by the Senator from Rhode Island in behalf of the Committee on Finance.

The SECRETARY. In paragraph 318, page 109, line 5, after the word "counted" and the comma, strike out the remainder of the paragraph and insert:

In the ascertainment of any and all the particulars or descriptions upon which the duties, cumulative or other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The next amendment to the paragraph will be stated.

The SECRETARY. In paragraph 318, page 108, line 23, the committee proposes to strike out the word "otherwise" and to insert "cut in lengths."

The amendment was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next amendment will be stated.

The SECRETARY. Paragraph 319, line 17, after the word "cotton," the committee proposes to insert "or other vegetable fiber."

The amendment was agreed to.

The SECRETARY. In line 21, after the word "coated," the committee proposes to insert the words "and cotton window hollands."

Mr. DOLLIVER. I should like to inquire what is the occasion of putting cotton window hollands in that paragraph?

Mr. ALDRICH. Because they are properly included in it as cloths that are filled. They are more expensive than most of the filled cloths and it is simply to give them the duty to which they are properly entitled.

Mr. DOLLIVER. I desire to say that the transfer of these window hollands, which are ordinary blinds, and hang over the windows of the homes of the people, including the blinds that hang over the windows in this Capitol, are very substantially increased in the amount of duty by this transfer to paragraph 319. I do not know of any reason for that. We make in the United States, practically without competition, all the ordinary varieties, and the only varieties that are imported are those varieties, I think, that are used by the United States Government, which are not made here for the reason that the market for them is very limited.

I believe it will be found upon examination that this increase of duty is not necessary for the protection of the two or three factories that are engaged in the manufacture of ordinary window hollands for the homes of our people.

Mr. ALDRICH. The cloths that are covered by this amendment are cloths which are filled and beetled and are extremely expensive to make. The suggestion of the Senator from Iowa, it seems to me, furnishes the very best argument why this change should be made, that the Government of the United States is now buying foreign window shades because they are not made in this country, and can not be made under our present tariff.

Mr. DOLLIVER. I am informed by persons who are familiar with it that the reason why they are not made is because all the mills are occupied in this country in making ordinary window hollands.

Mr. ALDRICH. That statement is not correct. I will say that the change made by this amendment is simply classifying them where the law did intend to classify them and to relieve the matter from one of those decisions by which cloths of the same character have been placed in the countable provisions because they were not particularly specified as filled cloths. They are filled cloths, and they are not only filled, but beetled in addition to being filled, and they are very expensive. This is simply putting them in here by name for the purpose of giving them the duty to which they are entitled.

Mr. DOLLIVER. Does the Senator from Rhode Island deny that putting them in this paragraph increases the duty over what has been collected heretofore?

Mr. ALDRICH. Mr. President, it is exactly one of the cases we have been discussing here for four or five days, where filled cloth, because it was not put into the schedule by name, was held to be dutiable under the countable provisions of the act. That was never the intention of Congress; it is not the intention of Congress; and we are putting them in here by name for the purpose of giving them the duties to which they are entitled.

Mr. DOLLIVER. Will the Senator be kind enough to state whether these articles are now dutiable under the ad valorem provisions of the Dingley law as countable cotton?

Mr. ALDRICH. Unquestionably.

Mr. DOLLIVER. So that putting them them in here——

Mr. ALDRICH. They are now dutiable by the decisions of the courts or the Board of General Appraisers. They are filled cloths, and were never intended to go into the countable schedules. I will not stop to characterize the decisions, but they have been put by them into paragraphs where they did not belong. This is simply an attempt to restore them where the law intended they should be, and where they ought to be.

Mr. DOLLIVER. Mr. President, these cloths are very varied in value. Some of them are very cheap and some of them are quite expensive. I call the attention of the Senate to the fact that the duty ought to be an ad valorem duty, or else there ought to be dividing lines. Otherwise cheap window hollands, now adequately protected, under these specifics will bear a rate of duty that would be astonishing to anybody really engaged in trying to moderate and reduce some of these tariff schedules.

Mr. ALDRICH. The duty under this provision can not be over 50 per cent in any case. It is another one of these attempts to deceive the Senate as to the effect of the change. It is simply a change in window shades. They are not blinds at all; they are window shades, filled shades, filled and beetled, and made in the most expensive way. Heretofore the foreign price I know of is in the neighborhood of 10 cents a yard, and at 10 cents a yard the duty now proposed would be 50 per cent ad valorem.

Mr. DOLLIVER. I think the Senator is in error in relation to those prices. I think I will be prepared in a moment to state exactly what they are. It is obvious that whether they are 50 per cent or less depends altogether upon the calculation of the equivalent upon the specific 3 cents per yard assessed upon these goods.

I do not desire now to do more than make a modest protest against the proposed transfer to the paragraph, under circumstances which can be shown substantially increases the duties on all and to very alarmingly increase duties upon those of moderate prices, which the people are accustomed to use.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. DOLLIVER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague [Mr. BANKHEAD] is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON]. If my colleague were present, he would vote "nay."

The PRESIDENT pro tempore (when Mr. FRYE's name was called). The junior Senator from Maine [Mr. FRYE] is paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I transfer my pair to the Senator from Connecticut [Mr. BULKELEY], and vote "yea."

Mr. SIMMONS (when his name was called). I inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. SIMMONS. I am paired with that Senator.

Mr. NELSON. If the Senator from Minnesota [Mr. CLAPP] were here, he would vote "nay."

Mr. SIMMONS. I will vote. I vote "nay."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Mississippi [Mr. MONEY]. I do not see him in the Chamber, and I withhold my vote.

The roll call was concluded.

Mr. DILLINGHAM. I inquire if the senior Senator from South Carolina [Mr. TILLMAN] has voted?

The PRESIDENT pro tempore. The Chair is informed he has not.

Mr. DILLINGHAM. Then I withhold my vote. Otherwise I would vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Indiana [Mr. SHIVELY] is paired with the Senator from Montana [Mr. DIXON], and that the Senator from Oklahoma [Mr. OWEN] is paired with the Senator from Delaware [Mr. DU PONT].

Mr. DEPEW. I am paired with the Senator from Maryland [Mr. RAYNER]. I transfer my pair to the Senator from Oregon [Mr. BOURNE] and vote "yea."

The result was announced—yeas 41, nays 26, as follows:

YEAS—41.

Aldrich	Cullom	Johnson, N. Dak.	Root
Borah	Curtis	Jones	Scott
Bradley	Depew	Kean	Smith, Mich.
Brandegee	Dick	Lodge	Smoot
Briggs	Elkins	McCumber	Stephenson
Burnham	Flint	McEnery	Sutherland
Burrows	Foster	Oliver	Warner
Burton	Gallinger	Page	Wetmore
Carter	Guggenheim	Penrose	
Clark, Wyo.	Hale	Perkins	
Crane	Heyburn	Piles	

NAYS—26.

Bacon	Culberson	Hughes	Paynter
Bailey	Cummins	Johnston, Ala.	Simmons
Beveridge	Dolliver	La Follette	Stone
Bristow	Fletcher	McLaurin	Taliaferro
Brown	Frazier	Nelson	Taylor
Burkett	Gamble	Newlands	
Clay	Gore	Overman	

NOT VOTING—24.

Bankhead	Crawford	Frye	Richardson
Bourne	Daniel	Martin	Shively
Bulkeley	Davis	Money	Smith, Md.
Chamberlain	Dillingham	Nixon	Smith, S. C.
Clapp	Dixon	Owen	Tillman
Clarke, Ark.	du Pont	Rayner	Warren

So the amendment of the committee was agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph as amended will be agreed to.

Mr. DOLLIVER. Mr. President, I desire to be heard on that question for a moment.

I dislike exceedingly to be put in the position of placing my dictum or the conclusion in my own mind against the maturer judgment and opinion of the honored Senator from Rhode Island [Mr. ALDRICH].

I called attention a moment ago to the fact that this transfer of window hollands from the paragraph in which they had comfortably reposed for a good many years, namely, from paragraph 306 of the Dingley law, where they are dutiable at 2½ cents a yard, to this paragraph, operates to unnecessarily and somewhat alarmingly increase the duties on the article of window hollands, which hang in the homes of so many of our people. I did not at the moment have at hand the exact facts which I now desire to lay before the Senate.

I am not subject to any embarrassment on account of presenting the facts after the vote has been taken, because I have had experience in a cold world sufficient to enable me to say that it is just as well to throw light on the subject after the transaction is over as before.

Now, there [exhibiting] is a sample of white or bleached window holland, and there [exhibiting] is a sample of colored—yellow window holland. These are the ordinary grades in which holland stuffs are made in the United States and used in the United States. I think the exact English selling price of the bleached ones is equal to 10.1 cents a yard, as the article is valued at our custom-house. The Dingley rate was 2½ cents a yard under paragraph 306, because it has a count of from 100 to 150 threads and weighs 4 square yards to the pound. What does the transfer of these commonly used articles to paragraph 319 actually do? It assesses a rate of 3 cents a square yard and 20 per cent ad valorem, which is equivalent to 5 cents. Besides that, under paragraphs 318 and 321, I think it would obtain an additional 1 cent as goods subjected to a process similar to mercerization; but I will not be sure about that——

Mr. ALDRICH. No; I think not.

Mr. DOLLIVER. Because that has been disputed; but there have been so many questions disputed by our Board of Appraisers that I do not understand, for the life of me, with what confidence we can say how soon the Board of Appraisers will determine that almost any process is similar to mercerization. So here we have a rate of 3 cents a square yard and 20 per cent ad valorem, equivalent to 50 per cent ad valorem, whereas the present ad valorem is only about 25 per cent. If these window hollands are colored or dyed, the English selling price of such a one as I exhibit here is 10.728 cents, and the Dingley rate under paragraph 306 is 3¼ cents a yard, which equals an equivalent ad valorem of 32.62 per cent. The Senate rate proposed under paragraph 319 is 3 cents a yard and 20 per cent ad valorem, equivalent to 5.144 cents per yard. Leaving out what I think is a disputed question, whether these articles are liable under paragraphs 318 and 321 as articles subjected to a process similar to that of mercerization, the transfer of these articles from one paragraph to the other operates to make, as you will observe, a very substantial increase in these rates. I think it is unnecessary, because these grades of articles are not imported. There are only two or three factories making these window hollands in the United States. They make no effort to make the high-grade class, because the market is very limited and the profits are very small. It is proposed, however, to increase the duties on all of them. I do not even admit that it is necessary to increase the duties on those that are of the higher grade, because the higher the grade the greater the price; and as the Dingley ad valorem rate advances, if they are subject to the ad valorem rate, I believe an adequate protection would be guaranteed; but as the higher ones probably would fall under the paragraphs including the ad valorems of the act of 1897 and as they increase in price, the ad valorem would state their protection in steadily increasing duties. Therefore I do not believe that it is right—I do not think it ought to be done—to make all of these duties specific, a certain amount per square yard, whether they are cheap or moderate in price or very costly. It operates to increase the duties and to very unnecessarily stimulate the duties on the ordinary or common grades.

Mr. ALDRICH. Mr. President, I do not intend to take up much time in this post-mortem discussion. The Senator from Iowa has read directly from a statement of the importers as to the value of these articles and the rates which they paid prior to the year 1900, when the decision to which I have referred was made. The Senator follows the statement of these gentlemen in their mistakes and in their extravagant misstatements. Up to 1900 these goods were dutiable under the filled-cloth provision at the same rate which they now have. In 1900, in the case of The United States *v.* Pinney, it was held that these filled cotton cloths were not identical with the Scotch hollands and the King's hollands, which are covered by this provision. In the first place, these cloths would not be dutiable at 2½ cents per square yard. If they were valued at 10 cents as bleached cloths, under the act of 1897, before this decision was made, they had been dutiable at 30 per cent ad valorem, instead of 2½ cents per square yard. By the change which we have made in the act, the Senate has voted deliberately into the act rates which would have been almost as great as they are under this provision; but, as I stated before, this is another one of those cases where the courts misinterpreted the plain intention of Congress; and we have these importers here in their statements and briefs to protest against the rectification being made.

Mr. SMITH of Michigan. Mr. President, will the Senator from Rhode Island permit a question?

Mr. ALDRICH. Certainly.

Mr. SMITH of Michigan. I should like to ask whether this class of goods comes within the range of the statement made by Mr. Parkhill and others on Saturday.

Mr. ALDRICH. No; it is not covered in that at all. This is another case which was not covered in the statement by Mr. Parkhill. It involves the same principle, however.

Mr. DOLLIVER. Mr. President, I would not myself hesitate to present to the Senate a statement of facts about the dry goods business made by reputable merchants importing cotton goods, if I had reason to believe they were the truth. There can be no important merchant in New York connected with the dry goods business who is not vastly more interested in the domestic trade than he is in the foreign trade. The city of New York handles 80 per cent of the cotton cloths manufactured in the United States directly, and, of course, no merchant could be of very much importance there who had not more interest in the $500,000,000 worth which we produce in the United States than he has in the pitiable amount of $14,000,000 worth which

ment are cloths which are filled and beetled and are extremely

and vote "yea."

that, under paragraphs 318 and 321, I think it would obtain an

than he has in the pitiable amount of $14,000,000 worth which

are annually imported into the United States of cotton cloths; but, curiously enough, I am not now relying on statements made by an importer. I am relying upon the statements made by Frederic B. Shipley, of 49 Leonard street, New York, who appears to be acting for a majority of the American manufacturers of window shades and dealers in shade cloths.

Mr. ALDRICH. Does the Senator from Iowa know that that man is an importer?

Mr. DOLLIVER. Does the Senator know that he is acting or not acting for a majority of American manufacturers of window shades and dealers in shade cloths?

Mr. ALDRICH. This statement itself shows that there are only two such manufacturers in the United States.

Mr. DOLLIVER. Of window hollands?

Mr. ALDRICH. Of window hollands; and he certainly is not acting for either of those, according to his own statement. Now, who are the manufacturers for whom he is acting? He says there are only two in this country.

Mr. DOLLIVER. The manufacturers of window shades and dealers in window cloths, I suppose, who are not included within the favorable provisions of the amendment which the Senator from Rhode Island has just offered.

Mr. ALDRICH. This gentleman's own statement says that there are only two such manufacturers in the United States, and yet he says he is acting for a majority.

Mr. DOLLIVER. Does he tell the truth about that?

Mr. ALDRICH. He does not in any way.

Mr. DOLLIVER. How many manufacturers of this character of goods are there?

Mr. ALDRICH. I say he does not tell the truth when he says he is acting for a majority of the American shade manufacturers.

Mr. DOLLIVER. Does he tell the truth when he says there are only two manufacturers of those window hollands in the United States?

Mr. ALDRICH. There may be three of them, I think; but whether there are three or thirty makes no difference in this discussion.

Mr. DOLLIVER. He does not purport to be acting for the manufacturers of window hollands, but he says he is acting—and this has not been disputed, although it has been sent to every Senator here for weeks—he says that he is acting for a majority of the American manufacturers of window shades and dealers in shade cloths. It may be the American manufacturers of goods competing with these hollands are disturbed in their minds when they find the window-holland people receiving this new protection, when they themselves seem to be omitted from the calculation. Nobody can tell what their motive might be.

Mr. SMITH of Michigan. Mr. President, I want to ask the Senator from Rhode Island [Mr. ALDRICH] again, whether the statements made by Mr. Parkhill and his associates in the General Appraiser's office with reference to increased rates over the Dingley law, as originally passed, were intended to apply to the paragraph which we are now discussing?

Mr. ALDRICH. They do.

Mr. SMITH of Michigan. And if they do apply, as a matter of fact they are not raising the rates?

Mr. ALDRICH. That is absolutely true.

Mr. SMITH of Michigan. I want to say one thing more. I received this circular, about which the Senator from Iowa [Mr. DOLLIVER] has spoken, from Shipley & Co., but I did not receive it until yesterday morning. I do not know what the experience of other Senators may be, but it came to me by mail yesterday morning.

Mr. DOLLIVER. I think I have had it for almost a month.

Mr. SMITH of Michigan. I did not understand that.

Mr. ALDRICH. Probably the Senator from Iowa got an advance copy.

Mr. DOLLIVER. I got the copy that was sent. There was no concealment about it, and there has been no concealment.

Mr. BEVERIDGE. Mr. President, just a word in reference to the question whether the intention of the law as originally passed has been changed or not. Until Saturday I had assumed, upon the authority of those who had studied this matter, that it was quite true that the original intent of the law had been modified, or was mutilated—to use the stronger language of the Senator from Rhode Island—by these decisions; but on Saturday the Senator from Iowa [Mr. DOLLIVER] showed by the original notes of Colonel Tichenor, which are in his possession, that the decisions which we have heard so bitterly assailed to the very limit of language used with reference to court decisions, not only did not mutilate, but actually restored the original intention; and that the original intention which those court decisions restored, instead of having been destroyed, was, in fact, destroyed by the interpretations and the administration of the law under one Hartshorne, who, as I understand—if I am wrong I will be corrected—was interested in the linen business. So that the law is now administered under these decisions of the courts of which so much complaint has been made, but which, according to the comparison of those decisions with the original notes of Colonel Tichenor, have restored the original interpretation of the law.

That, Mr. President, would seem to be borne out by the statement of Mr. Lippitt, made before the House committee, when he says, as we all remember, that this law has now run the gamut of the courts; that its terms are well defined by judicial interpretation, and, with the exception of some minor instances, they do not want it changed; that the industry has flourished under it.

My mind was called to that inquiry by the suggestion, which seems to be generally accepted—and, to be frank, which I was greatly impressed with myself until the Senator from Iowa, on Saturday, showed by original documents to the contrary—that the original intention was being restored. That remark was merely called out by the suggestion of my friend from Michigan [Mr. SMITH].

Mr. ALDRICH. I am greatly pleased and encouraged to think that at any stage in the discussion of any of these paragraphs the Senator from Indiana has been inclined to be with the committee. Of course, he never has retained that opinion up to the voting time, but the fact that he has had any question or doubt about these matters is an encouraging sign, and I think as time progresses he may, perhaps, be able occasionally to vote with the committee.

Mr. BEVERIDGE. Mr. President, I am sorry that my friend from Rhode Island, whom personally I very highly esteem, as he knows, has made that remark, because it compels me to say just one or two words. I think—I know it is true of myself—that every Republican Senator here would greatly prefer to vote with the committee. That is the usual course, and all Senators prefer to follow the committee when they can. But, Mr. President, we can not follow the committee when, upon a balance of the arguments and facts, it appears to be wrong to the judgment and conscience of any Senator. When that appears to any Senator, not even the Senator from Rhode Island, with his great ability and position, ought to make an appeal to a Senator to vote against his judgment or his conscience, much less rebuke him.

Mr. President, I will state to the Senator an instance that I now at this moment recall. Where upon the statements at first made it appeared to me, and I am sure to others, that the committee amendments were right—one of them was on raisins—the statement by one of the members of the committee seemed to make a conclusive case. I called attention to the fact that each statement of fact as it was made was unanswerable, and that all of them made a complete case. Yet the next morning that case was torn so completely to pieces that the Senator who made the principal statement, and whom I profoundly esteem for his industry, ability, and integrity, admitted that they were wrong. I wondered how upon that case thus concluded even the Senator from Rhode Island could vote for his own amendment.

Another one was carbons. I will not take time now—because this is a digression brought out by the suggestion of the Senator from Rhode Island—but it appeared that a complete case had been made, and the capsheaf was put upon that case by the statement that the rate recommended by the Senate committee amendment had been agreed to both by the producers and the consumers. If that were true, certainly no Senator would feel justified in voting against such an amendment, whether it came from the committee or the humblest Senator here; but upon fifteen minutes' investigation it was found that the vast majority of the consumers were not represented. So when questions of fact like that, as basic and as fundamental, have been overturned, then not only are Senators released from their inclination to vote with the committee, but it becomes an absolute duty not to vote with the committee. The usual course of action in this or any other legislative chamber is always controlled by the sum of the facts.

I wish the Senator had not made the remark. The Senator will recall when, in the most earnest good faith, Senators have arisen here to ask for some information about a certain committee amendment, the course was pursued almost for weeks of answering the requests, not with a full presentation of the facts, but rather with something in the nature of a sneer and a rebuke. That is not only not the way to pass a great business measure, but it is not the way to treat individual Senators. Each one of us upon this floor must concede to the others that we are equally in earnest and that we are equally determined to do our duty.

I think that that is all that I will say at this particular

moment, except to call attention again to the fact, which the Senator from Rhode Island did not refer to when I called attention to it, that, instead of these decisions mutilating the original intention of the Dingley law, the Senator from Iowa [Mr. DOLLIVER]—and most of the Finance Committee were absent when he did it, although he called for them—demonstrated from the original notes that those decisions restored the original intention, and that the original intention in fact was destroyed by the administration of one Hartshorne; that this maladministration for about six years had been under his interpretation and administration; that it was his interpretation and administration which the courts overthrew; and it was the original intention of the authors of the law which the courts restored.

Mr. LODGE. Mr. President, on that precise point Mr. de Vries reversed the ruling of Mr. Hartshorne and the court reversed Mr. de Vries in the principal case, in which it was held that that colored fabric which the Senator from Utah showed here was a countable fabric and came in under the count of white threads, although it was elaborately colored and embroidered. A review of that case has just been refused by the Supreme Court, and the decision has been made final, which entirely overthrows the rulings of Mr. de Vries, which corresponded with those of Coloner Tichenor and with the original interpretation of the law. That case alone, I was informed by counsel who appeared against the Government, involved some $500,000.

Mr. ALDRICH. Mr. President, at this point and in answer to the suggestion made by the Senator from Indiana, if he desires to have some information upon this matter——

Mr. BEVERIDGE. I do.

Mr. ALDRICH. I want to read from Colonel Tichenor's own statement of the facts. This is a decision of the Board of General Appraisers made by Colonel Tichenor himself.

Mr. BEVERIDGE. The Senator will excuse me if I call the attention of the Senator from Iowa [Mr. DOLLIVER] to that, because this statement was made by the Senator from Iowa, as the original notes show.

Mr. ALDRICH. I do not care who made it; I want to show what the facts are.

The board has uniformly held that cotton cloth, whether containing colored threads in the different forms of figures, stripes, checks, or otherwise, and whether covering much or little of the surface of the fabric, were dutiable under the tariff provisions for colored cloths, and these decisions accord with the action of the classifying officers of the customs at the several ports and the rulings of the Treasury Department covering a period of many years and under different tariff acts containing provisions for cotton cloths similar to this present act.

That is as to the precise grades of colored cloth which have been here under discussion, and it shows what the opinion of Colonel Tichenor was.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 321, page 110.

The PRESIDENT pro tempore. Without objection, the paragraph as amended will be agreed to.

Mr. DOLLIVER. What paragraph is that?

The PRESIDENT pro tempore. Paragraph 321.

Mr. DOLLIVER. Mr. President, I think that is the paragraph which contains the provision for the assessment of a cent a yard on cloth mercerized, and I desire to offer an amendment striking out the last clause, beginning in line 3, page 111, the words "on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard."

Mr. ALDRICH. This paragraph has been agreed to, but I have no objection to having it reconsidered.

Mr. DOLLIVER. When was it agreed to?

Mr. ALDRICH. I understood it was agreed to just a moment ago.

The PRESIDENT pro tempore. The Chair will regard it as open.

Mr. ALDRICH. I understand that. I was not making objection at all. I was making the suggestion that, if it was necessary to reconsider, I would make the motion myself.

Mr. DOLLIVER. Mr. President, in order to understand that paragraph it will be necessary to turn back to paragraph 318, where this mercerizing process is described, and if Senators interested in the subject will look at line 11 they will find the words:

The terms bleached, dyed, colored, stained, mercerized, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any bleached, dyed, colored, stained, mercerized, painted, or printed thread or threads in any part of the fabric.

Now, it is proposed to assess 1 cent a yard——

Mr. ALDRICH. If the Senator will permit me, he may not have been in the Chamber when the committee offered an amendment to the paragraph which the Senator is now discussing, which I think it would be well to have read, perhaps.

Mr. DOLLIVER. I would be glad to have it read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. On page 109, in line 5, an amendment has already been agreed to after the word "counted" and the period, to strike out the remainder of the paragraph and insert:

In the ascertainment of any and all the particulars or descriptions under which the duties, cumulative and other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

Mr. DOLLIVER. Well, Mr. President, I do not hesitate to say that that amendment is in the right direction, but I do not think it makes any difference in the matter to which I now desire to call the attention of the Senate. I am free to say that I would hardly claim the attention of the Senate if this additional assessment of 1 cent a yard was on mercerized cloth alone, but it is not on mercerized cloth alone. The same assessment is made on other kinds of cloth, provided they contain even a single thread of mercerized yarn.

I showed here on Saturday by reading a letter sent to the Committee on Finance by Littauer & Co., who are converters of American cotton cloth in New York City, that the cost of the mercerization of cloth in the United States is less than it is in Bradford and in Manchester. Not a word in dispute from the committee has been heard in respect to that question. I called the attention of the Senate to the fact that the committee had failed to lay before the Senate the information which they obtained at the expense of the Government by telegraphing to everybody in the United States familiar with the cost of mercerizing cloth. I ask the committee now to lay that information before the Senate for what it is worth.

One of the replies was from the firm A. L. Reid & Co., large converters of cotton cloth in the city of New York, giving exactly what the cost of mercerizing cloth was and stating that it varied from one-eighth of a cent to three-fourths of a cent per square yard; and yet upon a process upon which the entire cost is less than 1 cent it is proposed to levy an extra duty of 1 cent. I do not think it is right; I do not think it is fair to the American people. If that were all, I might be constrained to make less noise about it, but these amendments go further. They not only put a cent on every yard of mercerized cloth, but on every yard of cloth that contains a single mercerized thread in its fabric.

Mr. LODGE. The Senator does not mean to imply that that provision is an amendment reported by the Finance Committee?

Mr. DOLLIVER. It is an amendment to the Dingley law.

Mr. LODGE. But I thought the Senator was speaking about the provision levying a duty of 1 cent on all cotton cloth on page 111. That is not an amendment of the Senate committee.

Mr. DOLLIVER. I am not talking about that. I say it is an amendment to the Dingley law, and I move to strike it out for that reason.

Mr. LODGE. I beg the Senator's pardon. I thought he said it was an amendment of the Finance Committee.

Mr. DOLLIVER. No; it is simply an amendment that was found upon due consideration by the members of the Finance Committee to be well and truly made; and I am disputing not only with the Finance Committee, but I am disputing the wisdom of an amendment of the Dingley law in that particular. As the House passed it, it would have been comparatively innocuous, because it placed a duty of 1 cent a yard on cotton cloth; but the Senate Committee on Finance, in the previous paragraph, has enlarged the scope of it and made it applicable, not only to a yard of cotton cloth, but to every yard of cloth that contains one thread of mercerized yarn.

On Saturday, I am sorry to say, in the absence of my honored friend from Massachusetts, I exhibited to the Senate a piece of cotton cloth with a mercerized thread running through it giving little lines of gloss to the cloth 1 inch apart. It was a common everyday American shirting, made, as I have said, in the United States by the millions of yards, for the millions of people. They put 1 cent a yard upon that cloth, not because it was mercerized cloth, but because it contained two yarns of mercerized thread in it.

That cloth was bought in vast quantities last week of the leading manufacturer of Pawtucket, R. I., and a bill accompanied it in which it appeared that the cloth without that mercerized thread in it was worth 8 cents a yard, and with the mercerized thread 8½ cents a yard. It was not a speculative transaction.

Mr. ALDRICH. Does the Senator say a mill in Rhode Island?

Mr. DOLLIVER. I think so.

Mr. ALDRICH. I would be glad to know the name of the mill.

Mr. DOLLIVER. My honored friend the Senator from Rhode Island would have appeared glorious and beautiful on last Saturday, when I exhibited the cloth to the Senate of the United States and made myself personally responsible——

Mr. ALDRICH. Did the Senator give the name of the manufacturer?

Mr. DOLLIVER. I think I did; and if I did not, and if my secretary will produce the sample, I will present it. I am delighted to have the Senator's attention. I never felt more humiliated in my life than when the Senator, who has always been kindly and well disposed toward me, turned his back on the argument for which I had made such elaborate preparation.

Mr. ALDRICH. I am sorry to have incurred the displeasure of the Senator from Iowa.

Mr. DOLLIVER. While I am waiting, I will say that, of course, it was very embarrassing for me to exhibit it once in the Senate. It was a common, everyday, cheap kind of a thing to do. But that does not measure my distress when I am compelled to bring it in again. I am compelled to do it.

It was no transaction in air. It was a transaction made a week ago by one of the greatest merchants in New York City with one of the greatest cotton manufacturing establishments in New England, and the proposition was that these goods, with these mercerized threads, were 8½ cents a yard. If you want the same goods without the mercerized threads, you can have them for 8 cents a yard. There is a little thread in there which, in the actual course of trade going on in the United States to-day, adds one-eighth of a cent, which, by your committee amendment, is treated with a specific assessment of 1 cent, and those of you who are familiar with the rules of arithmetic, which have suffered so much at the hands of the committee, know that is 800 per cent on this little process of mercerizing one thread.

Mr. BEVERIDGE. Does the Senator mean to say from one-eighth to 1 cent?

Mr. DOLLIVER. I mean to say in that little cotton cloth, such as is bought by the millions in the United States, those stripes are made by two-ply yarns, mercerized, and woven into that cloth by the loom that wove the cloth itself. This cloth was manufactured by the Whitman Mills. It is gray cloth coming from the Whitman Mills in the United States.

Mr. ALDRICH. Where are they located?

Mr. DOLLIVER. I think they are located in Rhode Island. Where are they located?

Mr. LODGE. New Bedford.

Mr. DOLLIVER. That is within a few miles of the residence of my honored friend. I have not been one of those who blamed the Senator or criticised him because there are cotton mills in Rhode Island——

Mr. BEVERIDGE. The point is they were made by American mills.

Mr. DOLLIVER. They were made by American mills and are sold to Americans to-day with only one-eighth of a cent a yard difference on account of the presence of these mercerized threads. And yet what is proposed by this committee—and I have no doubt the Senate will go right along with it. I have come to the conclusion that these matters may as well be left without debate, although I do not want to leave them without a statement. This piece of cloth, which has had one-eighth of a cent added to its cost by reason of the mercerized thread, is subjected to the same duty for mercerization as are those magnificent white vestings which were exhibited in this Chamber by the Senator from Massachusetts.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. In relation to mercerization, or the number of threads that may be in a square inch or a square yard of cloth, it would be absolutely impossible to administer the law if we were to count the number of threads. It is just the same as with a piece of embroidery. If even an initial is put upon cloth it must come in as embroidered cloth. So it is with mercerized threads and a piece of cloth. If it is mercerized at all, the only way to administer the law practically is not whether there are 10 threads or 100 threads. Local competition between mills will take care of a piece of cloth that is advanced in value one-eighth of a cent.

Mr. DOLLIVER. The distinguished Senator from Utah intimates there is no way of assessing these goods except specifically. I made a fight here on Saturday, a fight in which my friend, the Senator from Utah, participated in part, in which I undertook to show the folly of having specific duties upon goods varying as these goods do in value, a folly so well recognized that the committee would not suggest such a thing with reference to woolen cloths, and it never has done any such thing in the history of the Government. And yet he says it is impossible so to frame this law that an increase of value of one-eighth of a cent should be treated differently from an increase of 12 cents a yard, such as my friend, the Senator from Massachusetts, pointed out the other day.

Mr. ALDRICH. I am sure the Senator wants to be perfectly accurate.

Mr. DOLLIVER. I do. I assure the Senator that all I desire to do is to get this matter in such shape as to defend it before the community, as I have defended the protective-tariff policy in the United States for thirty years.

Mr. ALDRICH. The Senator says no such rule is applied to woolen cloth. The same rule, since 1900, has been applied to woolen cloths, by brackets, as to value, always——

Mr. SIMMONS. Mr. President, it is impossible from where we are to hear the Senators.

Mr. ALDRICH (continuing). Not as close together as these, because these are put close together to avoid undervaluation.

Mr. DOLLIVER. Does the Senator deny that all through the woolen schedules the ad valorem appears as the manufacturer's protection?

Mr. ALDRICH. I am not talking about that. We have applied different rates of specific duties as to values.

Mr. DOLLIVER. What I have been talking about is that through the woolen schedule we have 50 per cent ad valorem, 35 per cent ad valorem, always, where the variety is so great as to baffle anybody's ingenuity to fix dividing lines.

Mr. ALDRICH. We may have them in the woolen schedule, but we have never had them in the cotton schedule, and the decision of Colonel Tichenor shows——

Mr. DOLLIVER. My honored friend the Senator from Rhode Island certainly has overlooked the fact that in every paragraph of the Dingley cotton schedule there was, after a few specifics upon the lower grades of cloth, a comprehensive ad valorem upon cloths of given values.

Mr. ALDRICH. That is not the question which is now before the Senate. The question now before the Senate, upon the proposition of the Senator from Iowa, is that mercerization and colors of every kind should not apply here, except—I do not know what exception he does want to make; unless there are a great many mercerized threads or a great many colored threads in the fabric. That is precisely the question which Colonel Tichenor decided in the decision which I have read. Let me read it again, because I think the Senator failed to catch the import of that decision:

> The board has uniformly held that cotton cloth, whether containing colored threads in the different forms of figures, stripes, checks, or otherwise—

He does not say two threads or four threads or a hundred threads. The law has been uniformly enforced in this country, up to the decisions which I referred to the other day, that any colored threads in a piece of cloth made it dutiable as colored cloth, and there is no other possible way to administer these laws practically.

Mr. DOLLIVER. As I said before, the Dingley law, after a few specifics upon cheap goods, included all the rest of the cloths in ad valorems rising from 25 to over 40 per cent.

Mr. ALDRICH. But the Dingley law in some cases made specific duties on goods at 20 cents a yard, and those goods the Senator says are worth only 8 cents. They would come in under the Dingley law under specific duties as well as under the amendment which we have adopted.

Mr. DOLLIVER. So that if processes of painting or dyeing or mercerizing add anything to the value of the goods, if we had not struck those ad valorems out, that additional value would have been caught by the ad valorem and reported at the custom-house with absolute accuracy.

Mr. ALDRICH. But the specific rates did cover the piece of cloth which the Senator holds in his hands, and as demonstrated by Colonel Tichenor and everybody else, if they contain one colored thread, they would pay the rate of duty on colored cloth. The decision made the other day nullified that and permitted the importers to bring into this country articles of the kind suggested.

Mr. DOLLIVER. I am not talking about colored goods.

Mr. ALDRICH. The same rule applies to mercerization.

Mr. DOLLIVER. I do not so understand it.

Mr. ALDRICH. The same rule applies to both under this law and under this bill, and we do not seek to establish any different method by this bill. By the way, the Senator must remember that this is not a committee amendment. The provisions which he proposes to change are provisions of the House bill. The provision of the House bill said 1 cent a yard on mercerized cloth, and it takes 1 cent a yard on mercerized thread by reason of the amendment.

It was 1 cent on all mercerized threads, by the similarity, under all the laws which we have had until reversed by the case stated here the other day, which allowed the importer to bring in goods that were clearly colored goods at the rate of gray goods; and that is what the Senator's rule would make possible in this case. You would have goods imported with mercerized threads all through them, with a superimposed mercerized thread; we would go back to that condition of affairs where importers might bring to this country goods with a warp and filling thread gray and all the rest of the threads mercerized. That would be the effect of the suggestion made by the Senator from Iowa.

Mr. DOLLIVER. Whenever the Senator gets into those decisions, I feel the pressure of the fog and the darkness that settles down over every man's mind who hears him. I do not intend to follow him any further. I went into those decisions Saturday, and stayed in the dust and fog that had accumulated there until I was out of breath. I do not intend to go back to it. I know exactly the effect of every one of those decisions. They do not throw any light on this situation. I am going to ask the Senator from Rhode Island to throw some. He is a fair man; he wants to help everybody to come to a right conclusion. He does not deny what I say about this sample.

Mr. ALDRICH. About this sample, if the Senator wants my opinion about it——

Mr. DOLLIVER. Yes.

Mr. ALDRICH. If it shows anything at all, it shows that the manufacturers in the United States can compete on that kind of goods with anybody in the world. But the sample does not affect another thing. If the Senator has his way, if that cloth contained 99 mercerized threads, superimposed, and only 1 thread that was not mercerized in the warp and filling, then it would be imported into the United States without any additional duty for mercerization.

Mr. DOLLIVER. If I had had my way on Saturday, every additional cent added to the value of this cloth, whether by mercerization or any other process, would have been hospitably received into the ad valorem rate provided for this grade of goods by Governor Dingley's provisions.

Mr. ALDRICH. It is rather late, I think, for the Senator from Iowa, or any other Senator who believes at all in the protective-tariff idea, to say that ad valorem rates should ever be used when specific rates can be used. The Senator from Iowa knows, if he knows anything, that ad valorem rates have been the basis of the grossest undervaluations by which——

Mr. DOLLIVER. They are not the basis of the undervaluation of sugar and silk, however.

Mr. ALDRICH. Sugar and silk are specific. Sugar is specific.

Mr. DOLLIVER. Was the Treasury ever robbed anywhere as much as it has been on those specific assessments on silk and sugar?

Mr. ALDRICH. We had an ad valorem rate on silk always.

Mr. DOLLIVER. Not always; some parts of it.

Mr. ALDRICH. Yes. Recently we have had some specifics on some. But until recently they were on all. I do not mean to say that specific rates prevent frauds of other kinds. Does the Senator think that the weighing frauds are either stopped or facilitated by either specific or ad valorem duties? I am talking about the principle which underlies every protective tariff, that duties should always be specific when they can be and never ad valorem, and in the statement which I made on Friday night I showed conclusively how the Treasury of the United States had been depleted, to use a very mild term, by this system of ad valorem rates, and I beg the Senate not to return to it.

Mr. DOLLIVER. There is no danger in the world of the Senate returning to them. The Senate is in a frame of mind in which it is not likely to turn very far away from what the Senator from Rhode Island suggests. So I do not want him to misinterpret my enthusiasm. I think I know something about the value of ad valorems in a protective-tariff law. I learned from Governor Dingley that ad valorems were very useful where the value could be ascertained, and where there was a large range of values settled with reasonable accuracy the ad valorem was an ideal way of catching all stages of value. I learned also that specifics were of no account unless you could get an equivalent ad valorem. The French Government spent five years doing for that nation what Judge de Vries has spent six weeks trying to do for the Senate of the United States. The French Government standardized these values at all the ports of France, so that when they named a specific it would represent a well-ascertained equivalent ad valorem. But I am not going to discuss that.

I am going to ask the Senator a question. It is, whether he thinks it is right, seeing the general character of that shirt goods, to assess 1 cent to protect the manufacturers of it against foreign competition, when the total difference in the price of the article mercerized and not mercerized is only one-eighth of a cent a yard? In other words, does he want us to shut our eyes and deliberately vote a protection on this process of 800 per cent?

Mr. ALDRICH. I will answer that question very frankly. If this provision as to mercerization applied only to that piece of cloth which the Senator has exhibited here, then I would answer no. I would not do it. But that is a very unusual case. Certain cases can be suggested in any class of articles which bear a specific rate of duty. I will say to the Senator that not 1 per cent, not one-tenth of 1 per cent of the goods mercerized that come into the United States would be covered by articles such as he has suggested. Of course, that could never be imported under the provisions of this act; and the provisions of every act which has been passed from 1861 down to the present time would do the same thing with regard to colored and bleached goods as we are now proposing to do as to mercerized goods. It would be simply impossible for this committee or anybody else—the French Government or anybody—to have a scale of specific duties on mercerized goods that would commence with 1 thread in the article, and then for 2 threads and then for 3 threads and up to 100 or 300 threads.

Every Member of the Senate can see, as a matter of fact and as a matter of administration, it is simply absurd and impossible that we should have such a tariff with regard to mercerized goods. It would be as long as this whole bill if we undertook to provide for one single thread, two threads, and three threads; and if we did the same thing in regard to colored goods—bleached goods—this bill would be interminable. You have to apply a rule, a rule which in its main effects and its main provisions is just and equitable. If it levies specific duties, as I said last Friday night, there will be high and low points in it. You would show a high rate of equivalent ad valorem at one point and a low rate at another. Goods are not imported at these high rates. A cloth of that kind [indicating] could not be imported, and there would be no reason for importing it.

Mr. DOLLIVER. It can not be imported now.

Mr. ALDRICH. I presume not. I presume the Senator is right about that. It is covered by sufficient duty now to keep it out; but that is not the kind of cloth for which we are legislating.

Mr. DOLLIVER. Does the Senator see anything peculiar about that cloth?

Mr. ALDRICH. It is a common piece of cloth.

Mr. DOLLIVER. Exactly.

Mr. ALDRICH. And the common cloths that are made in the United States are sufficiently covered, as I have stated over and over again, by the law as it now stands. These are not the cloths we are talking about. They are not the kind of cloth we are providing for. It is an entirely different class of fabric. The Senator can find some man in the United States on every one of these specific duties who could show enormous rates. That is a simple thing to do. As I stated the other night, it is impossible in a specific duty not to find some article or some fabric covered by it that will show a high equivalent ad valorem.

But that is not what we are here interested in. We want to take the average of these fabrics. I desire that these mercerized goods, which are as fine as silk and as valuable as silk, shall be so treated that they will be manufactured in the United States, and not only one piece, like the sample which the Senator has produced, but all these valuable and artistic cloths which are now imported. I want the manufacturers of the United States to have the American market; and I will say to the Senator from Iowa that the cost to the American consumers will not be increased one mill. If I had time to go into the matter, I would be able to show that goods imported at a valuation of 20 cents a yard are sold at from 80 cents to $1 per yard ordinarily.

No; the Senator from Iowa is mistaken with respect to what the committee is trying to do. We are not legislating for the benefit of some man who makes that class of goods, or some man who might make a little higher class of goods. We are legislating for the American workingman and for the American manufacturer, against a class of goods that are now imported

and when the American market is now in foreign hands. We desire to have that business transferred to the shores of the United States.

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. The Senator says the goods are now imported. I understand both Senators to agree that that particular piece is made here almost exclusively.

Mr. ALDRICH. The Senator could not have heard me at all.

Mr. BEVERIDGE. Yes, I did; I paid very close attention. Are there not any of these kinds of cloth made here now?

Mr. ALDRICH. There are a few of the lower grades made here, of course. I say the specific rates, which run up to 20 cents a yard——

Mr. BEVERIDGE. Would the Senator shut out importations altogether? Does he not think they are a good thing as regulators of prices? Would he exclude them?

Mr. ALDRICH. Of course not. I am not suggesting anything of that kind.

Mr. BEVERIDGE. That is what the Senator's statement was.

Mr. ALDRICH. On goods worth 25 cents a yard, the Senator can see, by a mathematical computation, that a cent a yard is only one-fourth of a cent. Does the Senator think that duty would keep out these articles?

Mr. BEVERIDGE. The Senator's exact words, perhaps spoken inconsiderately in the heat of debate, were that he wanted to see all these goods made here which are now imported. I wondered if he meant by that that he wanted a prohibitory tariff on certain things.

Mr. ALDRICH. What I meant was that I wanted all classes of cotton goods to be made in the United States. I certainly do not desire to have a prohibitory tariff on anything. I have never advocated a prohibitory tariff.

Mr. BEVERIDGE. If that were true, keeping in mind what the Senator from Utah [Mr. SMOOT] said a moment ago, of course if it was not for the domestic competition the effect of that duty would be to raise the prices, bet he said local competition would take care of it. Assuming that to be true, what would become of that local competition if the rates were so high that within thirty days from the passage of this bill there should be a great combination formed covering all these cloths we are talking about? Such a thing has happened before.

Mr. ALDRICH. It seems to me there are some Senators who are without imagination at all. I do not think the Senator from Indiana belongs to that class, because I think he has an inflated imagination.

Mr. BEVERIDGE. I am not so sure it is imagination, by any manner of means. Unless the Senator promises it, I will not go any further concerning this combination than merely the question I put. The Senator can call that imagination, and we will see in the course of a few months whether it is true or not. We have proof that it may occur from the fact that in many instances it has occurred under similar circumstances.

Mr. ALDRICH. There is no industry that is so widely diversified, in the Southern States and in the Northern States where the industry exists at all, as the manufacture of cotton goods.

Mr. BEVERIDGE. Of this variety?

Mr. ALDRICH. Of all varieties.

Mr. BEVERIDGE. I know, but I ask the Senator whether there has been very much mercerized cotton cloth made in the South.

Mr. ALDRICH. It can be made in the South as well as in the North. There are no lines of latitude or longitude and no sectional lines applying to the mercerization of cotton goods.

Mr. BEVERIDGE. I will ask the Senator this question—whether the most of the manufacturing in the South is not of the common cotton cloths and whether he has raised in any way the tariff on one of them?

Mr. ALDRICH. The Senator evidently did not pay any attention to the remarks I delivered a few nights ago.

Mr. BEVERIDGE. I did.

Mr. ALDRICH. I then stated that the Senator from Georgia, who is now giving me his attention, had brought to my attention a letter saying that in an establishment in the Senator's own city they had expended a million dollars in manufacturing the fine cotton yarns, mercerized. Nobody can make fine cotton yarns in these days without mercerization. The South is sure to manufacture this cloth; there is no question about that at all; and the reason that the South is not to-day manufacturing a great portion of these fine cotton cloths is because they have not yet developed the industry to that extent.

There is nothing in the southern condition which keeps them in the manufacture of the common goods, and I desire by this very amendment to put them in a position to compete with the cotton manufacturers of the world, not alone in common cotton, of which they now have a monopoly, but in all these finer forms. I want to see them making these very goods, and it is giving them the protection which they need for that manufacture.

Mr. BEVERIDGE. So, it turns out as the residuum of the Senator's statement that, as a matter of fact, excepting a negligible quantity, the particular goods about which we are talking are not at present made in the South, but may be in the future.

Mr. ALDRICH. I do not know what the Senator means by a "negligible quantity."

Mr. BEVERIDGE. The Senator knows particularly the case. He said "may be."

Mr. ALDRICH. I presume there are very few, if any, mills in the North valued at a million dollars that manufacture these fine cotton yarns.

Mr. BEVERIDGE. The Senator said I certainly had not listened to his words the other night. I listened with the keenest attention to his passionate appeal—and it was a passionate appeal, and one which was eloquent—but I also observed that in that appeal he said that these common cotton cloths were made in the South; that they were exported to the Orient, and that it made a market for them now, but that the Orient was itself going to come into competition with them some time or other. Therefore he appealed to the South against the coming danger. I did not want to interrupt the Senator at that moment, or I would have asked him whether in this bill there is a single provision increasing the duties on these kinds of goods because, as you have said, of that coming invasion. I listened to the Senator's statement. But he was bound, as a matter of logic, to propose an increase of duties to preserve the South from that peril, yet he makes no increase in such goods.

Mr. ALDRICH. The Senator could not have listened to me, but if he did, he heard me say that in my judgment—and I desire to reiterate the statement—the competition which this country will receive from Japan and from Japanese manufacturers will be along the lines of these very articles. Such are the artistic tastes of the Japanese in all matters pertaining to decoration and articles of decoration in the use of colors that they have exceeded all the nations of the Orient. They are now competing in crockery in China, and in various other articles along the same line of these finely decorated colored cotton cloths. I said, or I meant to say, and I think if the Senator will read my remarks he will find I did say that competition from the Orient will be exactly along the line of the amendment which the committee suggested to this House provision with regard to mercerization.

Mr. BEVERIDGE. So it all comes down to this in this particular instance. It is another example, of which there are several other instances in this bill of a tariff on futures in order to meet expectations. The Senator has not read Dickens's "Great Expectations."

Mr. ALDRICH. No man can sit in this Chamber and legislate for this great and growing country without legislating for the future. We do not apply the legislation to past conditions in legislating for this country. It is for the future that we are legislating, for the manufacturing industries of the future rather than those of a past age and past time.

Mr. BACON. Mr. President, will the Senator from Iowa pardon me for a moment?

Mr. DOLLIVER. Certainly.

Mr. BACON. The Senator from Rhode Island alluded, both to-day and in the speech made by him the other night, to the letter which I handed him on the subject of a part of the cotton schedule. It is true, as stated by the Senator from Rhode Island, that I handed him a letter written by Mr. Walter Hanson, who was then in charge of one of the largest textile industries in my State, having 8 or 10 factories. He was an able and a most estimable gentleman, enjoying the full confidence of all, and his statements are entitled to great weight. He wrote that letter and went on to New York in apparent health, and, very unexpectedly to all, died there two or three days later.

It is proper for me to say, so that I may not be misunderstood in regard to the matter, that I do not know what the letter contains, further than the subject to which it relates. The gentleman was here on other business, and I accompanied him to the White House and introduced him to the President, before whom he wished to lay a matter altogether foreign to the tariff. While he was here he endeavored to explain to me a feature in the pending bill which, in his judgment, would work injustice to the manufacturers of the higher class of cotton goods. It, however, involved some technical matters which I did not understand. I suggested to him that, on account of this technical feature, it would be better for him to appeal to headquarters, and I told him that if he would write a letter to the Senator from Rhode Island I would take pleasure in personally handing it to him, which he did.

If I may further trespass upon the time of the Senator from Iowa, who has the floor, I will say a word in regard to the interest we have in textile manufactures in the South. As I have previously stated in the progress of this debate, I am deeply interested in the cotton-manufacturing industry in Georgia. It is a great and a growing industry, and its output is very large. It is true that much the larger portion of these goods is the coarse grade, including largely yarns, and I do not understand that these classes of goods receive any special favors in this bill. There are, however, a number of textile industries in Georgia and elsewhere in the South which are engaged in higher classes of manufacture. Whether their products embrace the finer mercerized goods I am not able to state. I do know that they make cloths of superior quality that are used for summer clothing, and so forth, for men, and that they make towels and many other things of that kind.

I myself am not impressed with the suggestion of the Senator from Rhode Island as to the importance of raising any of these duties so far as concerns the interests of the cotton manufacturer. The bill as it came from the House, as it relates to the cotton schedule, is practically the same as in the Dingley law, and the Dingley law is practically the same in this particular as the Wilson law. Cotton manufacturing has largely developed and prospered under the existing law. I rose, however, only to make the statement relative to the letter written to the Senator from Rhode Island by Mr. Hanson, to which he has made allusion.

I want, nevertheless, to allude to another thing, of which I have made mention in a speech which I made in the Senate some time ago, and that is the importance and magnitude of the cotton industry and other manufacturing industries of the South and their relation to the agricultural interest. In my State manufactures are larger in money product than in any other Southern State, all mechanical industries combined being taken into the calculation. Much the larger interest in our section, however, is the agricultural interest. This agricultural industry can not receive any direct benefit from the high tariff. My opinion is that in fixing these rates regard should not only be had for manufacturing interests, but proper regard should also be had to the large agricultural interest, which has upon it the great burden of the protective tariff and which of itself can not receive any direct benefit from it.

Mr. ALDRICH. Mr. President, I should like to say just a few words, with the consent of the Senator from Iowa.

Mr. DOLLIVER. I desire to put a letter into the RECORD, and I will do it now. It will bother the Senator less if I conclude my remarks.

I may, by the want of time, although not by the want of purpose and labor, have been led astray about some of these cotton goods. There are some things that you can find out from the statistics. There are other things that you have to go to merchants if you desire to find out. If I have correctly understood the testimony of the merchants, there is no likelihood that the general use of mercerized cotton cloths—I mean cloths entirely mercerized—will take place in this world. The probability and the tendency is to ornament fabrics, made beautiful by other means, with mercerization in the form of spots or dots or lines or geometrical figures of one kind and another, so as to give an attractive appearance to the cloths that have not been subjected to the operation of mercerization. An examination of the dry goods stores in this town shows it is correct that the great bulk of the imported and homemade mercerized goods are not mercerized in whole, or, at least, the finer processes of mercerization are not applied to them, but they are mercerized in very small part, representing here a line and there a line, adding an attractive ornamentation to the surface of fabrics already sufficiently beautiful for most people.

I am glad to say that these goods of the highest artistic value are made better in New England than anywhere else in the world. I disavow this statement, made by my distinguished friend the Senator from Utah [Mr. SMOOT], that New England is behind France, Germany, or England in the manufacture of high-class cotton goods.

The mills of New Bedford and Fall River lead the world. I have had an opportunity to commune with the inventors who made the machinery that enabled them to lead the world. That machinery is now being exported to the factories of England and France and Germany to bring them up to our date.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I simply want to say to the Senator that as far as novelties are concerned in fine cotton the statement that I made was received from a number of New England manufacturers.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. DOLLIVER. Certainly.

Mr. BRISTOW. I can not hear what is going on.

Mr. DOLLIVER. Can not my friend hear me?

Mr. BRISTOW. I can occasionally, but most of the time the questions that are passed back and forward we can not hear.

Mr. DOLLIVER. I have a very dear friend sitting near me who claims that he has to go out because he can not stand the noise. [Laughter.]

Mr. BRISTOW. I wish to say that my criticism was not directed to the Senator from Iowa, but to those who answer questions.

Mr. DOLLIVER. If my friend from Utah had only the information which he has just communicated to the Senate, it was, it seems to me, a rather small basis upon which to lay foundation for his argument in respect to this cotton schedule, for the burden of his remarks was that we had to protect more highly than heretofore these fine goods; otherwise we would consent to the permanent division of the world's cotton market between us and the European manufacturers, we occupying the lower levels and willingly consenting that they should occupy the high.

But I do not desire to allude to this phase of the matter any further. I will put into the RECORD certain documents, having first asked the Committee on Finance what has become of the answers to telegrams sent out by the chairman of the Board of Appraisers asking the men who are familiar with the costs of the process of mercerization to send in a statement of what their expenses of mercerizing cloth at this time actually are. Failing an answer to that question, I intend now to put in the RECORD copies of telegrams received by the committee, but not, so far as I know, heretofore laid before the Senate in respect to the cost of mercerization.

I desire, first, to lay before the Senate, for the purpose of printing it in the RECORD, a telegram, accompanied by a formal letter from Ludwig Littauer, of 109 Greene street, New York, in answer to a telegram sent him by Chairman de Vries, the answer being sent in care of the Finance Committee, he showing that the foreign cost of mercerization is substantially less in the chief centers of mercerization in England than it is in Rhode Island or Massachusetts.

Mr. ALDRICH. Will the Senator be kind enough to put into the RECORD, in connection with these statements, the vocation of those gentlemen?

Mr. DOLLIVER. I do not think I ought to be called upon to do that.

Mr. ALDRICH. Possibly not.

Mr. DOLLIVER. Their vocation was sufficiently respectable to warrant Mr. de Vries, under direction of the Finance Committee, to ask them for information to guide the Senate committee in this matter after they had already put the provision in the bill.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. Is there anything so reprehensible about their vocation as to affect the credibility of their testimony or their veracity as men?

Mr. DOLLIVER. I do not know about that.

Mr. ALDRICH. That question has been raised in the Senate a number of times. I have never assumed that these importers were not respectable men. I have never said anything that could possibly be construed as an impeachment of their respectability, but I do say that in constructing a tariff bill that affects every person in the United States we ought to receive their testimony, when their interests are altogether on the other side of that question, with some degree of doubt.

Mr. DOLLIVER. While the Senator from Rhode Island is on his feet, I will ask him what became of the other answers? Did Mr. de Vries not telegraph to some good Americans who could be believed about these matters?

Mr. ALDRICH. I know nothing about the circumstances to which the Senator alludes. Mr. de Vries and no one else could have had this information for the committee except in a general way. The gentlemen who are here as experts are getting together for the committee all the information which they can with reference to every item in the bill.

Mr. DOLLIVER. Mr. President, of course if the witnesses are disreputable——

Mr. ALDRICH. I did not say that.

Mr. DOLLIVER. If they have lead evil lives in the community where they reside, I would hesitate to bring them here to testify. But they are not my witnesses. This Mr. Littauer says:

In reply to your telegram——

And he directs it to Hon. Marion de Vries, care of the Senate Finance Committee. If they are bad men, unfit to be believed and unfit to be brought into the association of the Senate, it is not my fault. I intend all the same to put——

Mr. BEVERIDGE. Will the Senator permit me?

Mr. LODGE. Will the Senator kindly read the reply as to what the rates are for mercerization?

Mr. BEVERIDGE. Just a moment.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The last statement of the Senator from Rhode Island is a very fair statement. It was much fairer than his first imputation in the question, "What is the vocation of these men," the inference being left on our minds that their vocation is something which discredited their testimony. The second one was a fair one. The first was not fair. The first one courts suspicion as taking into consideration the interest of those who have testified.

So we have it down to a fair basis. Here is a statement of facts. It is not a statement of opinion, but a statement of facts. Now, the question is whether the mere fact that a business man in the course of his business has imported some of these goods is sufficient to destroy his statement of fact. That might be determined by asking the Senator from Rhode Island himself whether that first statement of fact and that first telegram is not the truth.

Mr. ALDRICH. I have not heard it.

Mr. DOLLIVER. Mr. President——

Mr. BEVERIDGE. That mercerized goods can be made cheaper here than they can abroad.

Mr. DOLLIVER. The witness not being sent for by me, but being summoned by the committee, under the old rule of common law of evidence, with which I was at one time familiar, I think I will not allow the members of the committee to further impeach his credibility, but will content myself by reading what he says:

MAY 3, 1909.

DE VRIES, Esq.,
Care Finance Committee, Washington, D. C.:

Foreign mercerizing, to 80's, 4d.—

And if you will bear in mind to multiply that by 2 it gives you the commercial approximate of our own money, 8 cents—

to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9½; to 180's, 11½; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound—

As against 8—

balance proportionately.

LUDWIG LITTAUER,
109 Greene street, New York.

That is the telegram. Now, here is the letter, following shortly afterwards:

MARION DE VRIES, Esq.,
Finance Committee, Washington, D. C.

DEAR SIR: In reply to your telegram, we telegraphed to you on May 3, as follows—

Then follows the telegram which I have just read—

and beg to herewith confirm prices quoted for cost of mercerizing yarns in England, as follows: All numbers up to 80's/2, 4d. per pound—

That is 8 cents.

Then follows the exact statement, except that it carries out the proportion, and adds:

The domestic mercerizing is done at 5 and 6 cents per pound up to 80's/2, and finer sizes proportionately higher. We know that the prices for mercerizing in this country are considerably lower than abroad. The great quantities of yarns used are below No. 120/2; numbers finer than 120's/2 are used in very small quantities.

There is the testimony of a man who, whatever his character is, is getting mercerization done in Rhode Island and in Bradford and Manchester, and he states with a reasonable degree of accuracy what he is paying for it. Of course he may be in some occupation that totally undermines his moral character, but if he is, the Finance Committee ought to have scented that infirmity before it brought him here as a witness; and if they desire to impeach him, I call upon them to put into the RECORD of this day's proceedings of the Senate other telegrams that they got in reply to letters for information on this question.

Mr. BEVERIDGE. They can not impeach their own witness, according to the rules of evidence.

Mr. DOLLIVER. I also desire to put into the RECORD the reply of A. L. Reid & Co., merchants of New York, sent in reply to a telegram from Hon. Marion de Vries, care of Senate Finance Committee, stating their experience in mercerizing cloths in the United States, in which they say that the cost is less than 1 cent; that it is three-fourths of a cent and five-eighths of a cent.

Mr. ALDRICH. Did the Senator give the name of that gentleman?

Mr. DOLLIVER. A. L. Reid & Co.—bail men, I have no doubt, and yet men called on by the general appraiser to furnish the committee with information on this subject.

Mr. CLAY. There is one feature of this matter which I do not exactly understand. I understand that the Dingley rate on the cotton schedule and the Wilson rate are practically the same running the two laws through; that there is very little difference in them, the cotton schedule, as a general proposition, being the lowest general schedule of our tariff legislation.

As I understand it, paragraph 321 provides a rate on all cotton cloths in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard valued at more than 7 cents per square yard. That, as I understand, is the Dingley law. Am I correct?

Mr. ALDRICH. It is.

Mr. CLAY. That is the Dingley law. Now, what was added to that paragraph and paragraph No. 313 in the Dingley law, in my recollection, are the following words:

On all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard.

Mr. ALDRICH. That is right.

Mr. DOLLIVER. Yes.

Mr. CLAY. That amendment has been reported by the Finance Committee.

Mr. DOLLIVER. Yes.

Mr. CLAY. I think I understand it, but this question presents itself to my mind: I have always understood that no classes of cotton goods were mercerized made out of ordinary cotton.

Mr. DOLLIVER. That is not correct.

Mr. CLAY. I have understood that this process was simply applied to cotton goods made out of long-staple cotton.

Mr. ALDRICH. Oh, no.

Mr. CLAY. To a large extent, to say the least of it.

Mr. DOLLIVER. That is an error.

Mr. ALDRICH. To some extent.

Mr. CLAY. I have misunderstood it, then, if that is true. There is one other question. I have understood that this process was simply applied to goods of the finest character.

Mr. ALDRICH. That is right.

Mr. CLAY. And made out of the finest class of cotton, mostly Egyptian cotton and long-staple cotton. That has been my understanding.

Mr. SMOOT. That is absolutely correct.

Mr. CLAY. I should like to ask the Senator this question: I see it says on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard. That feature was not in the Dingley law. Then I want to ask the Senator how much it costs per square yard to mercerize cloth and if there are different grades of mercerization, or does it cost the same amount per square yard on all classes of goods?

Mr. DOLLIVER. I will try briefly to answer both questions. The special assessment for mercerization was not in the Dingley law, because at that time the process was not well introduced in a commercial sense. It was the opinion of the committee that a slight increase in the ad valorem on the higher classes of cotton cloths would enable a sufficient assessment to be made by reason of the improved processes, whatever they might be. So the only change made by the Dingley law in the Wilson law was to increase the ad valorems in the higher countable paragraphs and to add to the Wilson countable paragraphs another applicable to cloths containing more than 300 threads to the square inch. The result of that was and has been that whatever value is added to these threads by virtue of the process of mercerization is immediately reported equitably at the customhouse by the ad valorem rates which apply to its importation, as this mercerization is applied generally to cloths of more than ordinary and common value. So under the Dingley law the process of mercerization was caught by the Dingley ad valorem

and by the Senate committee's specifics, rising as the value of the cloth increases. For instance, the honorable Senator from Massachusetts [Mr. LODGE], in the very able and interesting speech which he made on last Friday, showed a piece of goods which he claimed had had 12 cents a yard added to its value by careful mercerization. If that is so, and I will not dispute it, that piece of goods falls in the paragraph assessing 35 per cent upon its value. Thirty-five per cent assessed upon 12 is 4 cents and two-tenths.

Therefore the Dingley tariff law gave to this mercerizing process an assessment equivalent to a specific of 4.2 cents a yard, without saying a word about anything extra; but this committee has struck out these ad valorems that thus equitably disposed of the higher processes of manufacture, and made all the duties specific, with close dividing lines based on value. So, in addition to the specific duties that they have assessed on that particular cloth, they propose to assess an additional cent if the cloth is mercerized, and an additional cent on the cloth if any part of it is mercerized, even down to a single point or dot or a single running thread. That is what I am complaining about.

Mr. McCUMBER. May I ask the Senator a question right there?

Mr. DOLLIVER. Certainly.

Mr. McCUMBER. If I understand the Senator correctly, he states that the cost on the particular article which he exhibited, by reason of the use of the few mercerized threads, added about one-eighth of a cent a yard.

Mr. DOLLIVER. That is what the manufacturer says.

Mr. McCUMBER. That, of course, would be about 800 per cent higher than under the old Dingley rates. If that is true, if the mercerization under the law as now proposed adds 12 cents a yard to the value, then it is 1,200 per cent too low if the other is 800 per cent too high.

Mr. DOLLIVER. Very well.

Mr. McCUMBER. I am just trying to see if I can get correctly the Senator's position. Would he dispense entirely with a specific and take an ad valorem on mercerized goods? The ad valorem takes up the higher values on anything that is mercerized. I do not call the character of goods which the Senator exhibited high-class goods, for I do not suppose they are worth more than a few cents a yard.

Mr. DOLLIVER. Eight and one-half cents.

Mr. McCUMBER. And mercerizing adds but very little; but if it would add, we will say, a cent a pound—which I do not assume that it will add in the matter of the selling price—for the usual article it would add about 3 cents on $1.50. It would not be any great amount; but that is much more than offset by the exceedingly high-priced goods, which are only given 1 cent in addition.

Mr. DOLLIVER. I called the attention of an importer——

Mr. McCUMBER. What I want to get out of the Senator is this: Would he abolish the specific entirely as relating to mercerized cloth?

Mr. DOLLIVER. If it is insisted seriously that it adds much to the cost of the cloth, so much as to require attention, I would not object to 5 per cent ad valorem in addition; but I am not prepared even now to do that. Besides, there is no use talking about it. The framework of this thing is set, and I am simply fixing the record for posterity.

Now, if the Senator from Georgia [Mr. CLAY] will give me his attention, I have spoken of the effect the Dingley ad valorems would have had on these increased costs arising from the process of mercerizing. It is now proposed to convert the Dingley ad valorems into specifics—and that has been solemnly done by the Senate—and, in addition, to add a specific assessment on each square yard of 1 cent for the mercerization, even where the mercerization extends only to a single dot, as in the case of the vest of my friend from North Dakota [Mr. McCUMBER]—a single dot here and there upon the face of the fabric. I am objecting to that because it does not cost 1 cent a yard altogether. I am objecting to it because it costs less here than it does in the Old World, owing to our improved and scientific skill in applying the process. I am putting into the RECORD testimony which I think has a tendency to confirm the truth of what I have tried to show. I have offered for the RECORD the telegram of A. L. Reid & Co., who get mercerizing done every week in the United States in vast quantities, because they are large distributers of cotton goods. They buy them of one mill unmercerized, and then turn them over to finishing mills to be mercerized. They know exactly what they are talking about. They give the price which they have to pay now for mercerizing.

I put in also a statement by a famous New York merchant, giving exactly the cost of mercerizing goods in New York Mills Bleachery, in the State of New York, showing that the cost of mercerizing is from one-half cent to seven-tenths of a cent. I also put in a statement of his present-day dealings with the United States Finishing Company, of Pawtucket, R. I., showing that on white goods, that is, bleached goods, the cost of mercerizing at Pawtucket to-day is from three-fourths of a cent to three-eighths of a cent where the goods are simply bleached; if they are colored, it is three-eighths of a cent, and if the colors are very dark, it is 1 cent, which is the highest price.

I desire to call the attention of the Senate to the fact that at the Standard Bleaching Mill the price of mercerizing is given substantially in the same terms. I have in vain called upon the committee to bring here and read or put before the Senate the other information that guided them. Most of the information that I am now communicating to the Senate came first to the committee, and a copy of it was transmitted to me, because they knew that I was a student of these questions and desired accurate information. They knew that I did not desire to move in the fog as I undertook to approach the consideration of these matters. So, as a courtesy, they sent to me the information which I was looking for, as well as this committee. In fact, I was looking for it before the committee began to look for it.

The committee even did not seek any information upon the subject when the bill was being framed, so far as I know; and only a month ago they began telegraphing here, there, and everywhere. They said: "Somebody has arisen in the Senate and disputed the wisdom of this 1-cent assessment; therefore let us know what the cost of it is, so that we can defend it." The cost price in the United States was given not only in scores of telegrams, but in letters from everybody in the United States who had information upon the subject. The Senate now is in the dark about the answers to those letters, except in so far as I have communicated them myself to the RECORD. For that reason, I send to the desk and ask to have printed the matter to which I refer; and I shall not say another word about it.

The PRESIDENT pro tempore. In the absence of objection, permission to do so is granted.

The matter referred to is as follows:

MAY 3, 1909.

DE VRIES, Esq.,
Care Finance Committee, Washington, D. C.:

Foreign mercerizing, to 80's, 4d.; to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9½d.; to 180's, 11½d.; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound. Balance proportionately.

LUDWIG LITTAUER,
109 Green street, New York.

MAY 10, 1909.

MARION DE VRIES, Esq.,
Care Finance Committee, Washington, D. C.

DEAR SIR: In reply to your telegram, we telegraphed to you on May 3 as follows:

Foreign mercerizing, to 80's, 4d.; to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9½d.; to 180's, 11½d.; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound. Balance proportionately.

And beg to herewith confirm prices quoted for cost of mercerizing yarns in England as follows:

All numbers up to 80's/2, 4d. per pound; up to 100's/2, 5d.; up to 120's/2, 6d.; to 130's/2, 7d.; to 140's/2, 8d.; to 150's, 9½d.; to 180's/2, 11½d.; to 200/s2, 13d. The domestic mercerizing is done at 5 and 6 cents per pound up to 80's/2, and finer sizes proportionately higher. We know that the prices for mercerizing in this country are considerably lower than abroad. The great quantities of yarns used are below No. 120's/2; numbers finer than 120's/2 are used in very small quantities.

We remain,
Yours, respectfully,

LUDWIG LITTAUER.

A. L. REID & CO.,
6½ and 66 White Street, New York, May 3, 1909.

Hon. MARION DE VRIES,
Care Senate Finance Committee, Washington, D. C.,
Senate Building, Room 311 B.

DEAR SIR: In reply to your telegram requesting the general prices paid to bleachers, dyers, and finishers for mercerizing, we give you as follows: Thirty-six-inch brocades, madras, etc., similar, three-fourths cent; 40-inch sheer fabrics, average, five-eighths cent.

To show how these figures are arrived at, we have to-day compiled the following in conjunction with bleaching: Bleacher, cost of bleaching and mercerizing brocades and madras, 36 inches or less, 1½ to 2 cents, depending on weight; cost without mercerizing, ¾ to 1 cent. Bleacher, cost of bleaching and mercerizing sheer fabrics, 40 inches wide, 1¾ to 2 cents, depending on weight; cost of finishing without mercerizing, 1 to 1½ cents.

Brocades and madras in heavier weights cost a higher price, while in sheer fabrics the lighter weights are the higher, owing to their liability to damage.

The bleachers require a working loss of 2½ per cent on all piece mercerized fabrics.

Yours, truly,

A. L. REID & CO.

Standard prices for mercerizing in United States.

NEW YORK MILLS BLEACHERY, NEW YORK MILLS, N. Y.

	If bleached or dyed only.	If mercerized, bleached, or dyed.	Ratio cost of mercerizing.
	Cents.	*Cents.*	*Cents.*
Whites (bleaching)	0.8	1½	0.7
Colors (dyeing)	1¼	1¾	½
Dark colors (navy, cardinal, black)	1¾	1¾	½

UNITED STATES FINISHING COMPANY, PAWTUCKET, R. I.

Whites (bleaching)	1	1¾	¾
Colors (dyeing)	1¼	2	¾
Dark colors (navy, cardinal, black)	1¼	2¼	1

NEW YORK, *May 3, 1909.*

Standard prices for mercerizing in United States for very fine goods.

STANDARD BLEACHERY COMPANY, CARLTON HILL, N. J.

[Prices include putting up, etc.]

	If bleached or dyed only.	If mercerized, bleached, or dyed.	Ratio cost of mercerizing.
	Cents.	*Cents.*	*Cents.*
Whites (bleaching)	0.8	1¾	0.95
Colors (dyeing)	1.35	2½	1.15
Dark colors (navy, cardinal, black)	1.55	2¾	1.20

NEW YORK, *May 3, 1909.*

Mr. LODGE. Mr. President, I do not care to again go into the discussion of the question of mercerization. So far as the information contained in this telegram is concerned, so far as the cost of the mercerizing process goes, the figures are precisely those which I furnished to the Senate. In fact, I referred the Senator from Iowa, when he quoted the figures, to the cost of mercerizing.

Mr. President, as to the policy of specifics where they are possible, I am not going to speak. That is too large a question to now enter upon, and there is no need of entering upon it; it has been too well considered. It has been long adopted as a policy in the collection of revenues to have a specific wherever it is possible for the purpose of preventing undervaluation and fraud. There is no part of the tariff where undervaluation and fraud is so prevalent and impossible to meet as in the high grades of cotton goods. So it is not worth while wasting time upon the question whether we shall have specifics. We have got specifics throughout the cotton schedule. We have always had them. Every nation has them. If we are to have specifics, the question is whether it is proper to apply an additional specific to the mercerized cloths.

The statement that the Senator from Iowa has just sent to the desk shows that the cost of mercerizing yarns ranges from 8 to as high as 18 cents a pound. I did not carry my figures as high as that. They show a greater cost of mercerizing in the finer yarns than I attempted to show. It is quite true that you can take a comparatively cheap fabric with only one thread of mercerized yarn in it and show that the 1 cent duty is very heavy indeed; but I could show just as easily in some of the fabrics that I exhibited the other day to the Senate, fabrics that it costs 12 cents a yard additional to mercerize, where a cent was less than 10 per cent ad valorem, and it was a preposterously small duty to levy. No specific will be exact on the lowest and highest grades. You must take your specific as nearly as you can on about what is the average cost. It appeared to the House committee, I suppose—it certainly appeared to the Senate committee when they examined it—that 1 cent a pound on the average made a reasonable duty.

For instance, on this sample [exhibiting] which I showed the other day—goods with mercerized spots in them—the cost was 3.7 cents additional. Senators can figure what the rate of 1 cent additional is. This [exhibiting] with colored threads, colored yarns, and mercerized colored threads, 3.86 cents additional; and this [exhibiting], representing cloths with mercerized stripes, the additional cost of using mercerized yarn over ordinary yarn, is 4 cents a pound. The duty of 1 cent a yard would be 25 per cent ad valorem. It is impossible to base specifics on the very lowest possible sample that can be produced, just as it would be preposterous to base a specific on the most expensive article that can be produced. You have to get a specific that somewhere nearly strikes the average; and 1 cent does strike the average very fairly, so far as my investigations have gone.

It is to be remembered, Mr. President, at that point—and I hope Senators will bear it in mind—that these articles that are mercerized, including yarn, have to be good fabrics. You can not take the cheapest cotton cloths and mercerize them—it is not done—any more than you mercerize duck or sailcloth or any of the heavy fabrics. You must have a perfect fabric for it, and it usually, so far as my inquiries go and the evidence I have been able to get shows, has to be made of more expensive cotton, often of Egyptian cotton, and the cost of mercerizing resides not merely in the caustic bath, but in the construction of the cloth and in the preparation of the yarn beforehand. Taking the specific on the average range of the cost of mercerizing, it is not only not excessively high, but it is a very reasonable rate.

Mr. BEVERIDGE. Mr. President, I only want perhaps a moment concerning the rule of evidence that we discussed here this morning for a moment. Many times during this debate reflections have been made upon statements of fact because they came from importers, who have been assailed not with quite so much acrimony as the courts which made these decisions, and it seems to me a moment should be spent now in considering that well-understood rule of evidence that affects the weight of testimony on account of interest.

The only fair statement was contained in the last remarks made by the Senator from Rhode Island [Mr. ALDRICH]. In view of the fact that they were importers, their interest, I believe he said, might make us take their statements with more caution, or something like that. That, in the course of this whole debate, was the first conservative, restrained, and fair statement of that rule. I was glad to hear it. Heretofore there has been an unlimited attack upon a man merely because he was an importer. The assumption has been not only made, but the direct statement has been indulged in, that he wanted to tear down the American protective system.

Now, let us waive that, Mr. President, but the Senator will admit, of course, that this is a simple universal legal rule, not to be applied to the importers alone, but to everybody else, is it not? If that is true, it is to be applied to manufacturers as well as importers, both honorable men, both engaged in a reputable business; and yet the Senator will admit that ten manufacturers have given their opinions as to the policies and their statements as to the facts where one importer has done so. The Senator himself has said time and again in the course of this debate, with all possible vigor, that it was the opinion of the American manufacturers thus and so. Therefore if we ought to take into consideration the interests of the importer as affecting our judgment as to the weight to be given to his testimony, so ought we to take into consideration the business of the manufacturer as affecting our judgment as to the weight to be given to his testimony. Is not that fair? And yet not once during this debate has the converse of the rule been stated.

There is another rule, Mr. President, with which every man who has practiced law, yes, every man who has been in a court room, is familiar, and that is that where a man testifies against his own interest that necessarily is to be given greater credibility than any other kind of testimony. In all of this long and involved discussion—which it is difficult for a man not familiar with these schedules and terms to understand unless he earnestly applies himself—there has been one clear statement, not disputed by anybody, made against the man's own interest, as it afterwards appeared, made by the greatest representative of the entire cotton industry of the country. Curiously enough that is waived aside. I called attention to it the other day and asked the Senator from Rhode Island to reply and explain, but he did not. He waived it aside in his reply, as he will find in the RECORD, and so, again, I read from the testimony of Mr. Lippitt, who is conceded to represent the cotton industry of the country, as follows——

Mr. GALLINGER. I hope the Senator will save us from that.

Mr. BEVERIDGE. I want to put it in again.

Mr. GALLINGER. Let us have it stereotyped.

Mr. BEVERIDGE. It becomes more attractive to me the more I think of it, in view of the perfect maze of counter statements that have been made here. I sat here on Saturday and listened to the statements of the Senator from Iowa [Mr. DOLLIVER]. I wanted some Senator to get up then and explain if they were not true, but that was not done. There is a perfect Niagara of conflicting statements. Here is one that no person has denied; and so I think it would be a good idea to follow the Senator's suggestion and have it stereotyped. It is the one undenied thing in this whole debate; and it would seem, in

view of the fact that it is made against interest, as it afterwards appeared, it is the most credible and weighty thing we have before us in the whole debate. Mr. Lippitt says—and, I assume, under oath—

> The form of the present cotton tariff is the result of many efforts, and considering the wide variety of products it covers has stood the test of practical operation fairly well. It has been the object of many legal attacks, in the course of which the terms used have for the most part been given careful legal definitions, and therefore should not be disturbed. Some minor features—

That can not be these features, because we have it on the word of every member of this committee that these are important features—

> Some minor features, however, are still in controversy and may need elucidation, but the present cotton situation as a whole has resulted in establishing in this country a great industry, widely distributed, employing many people and much capital.

The Senator from Massachusetts [Mr. LODGE] at the close the other day of his impassioned and eloquent address, said "give them a chance to work," just as though the present tariff did not give them a chance to work, when here is the representative of that industry stating that they are at work. If I had not wanted not to bring that question into this controversy, I would have commented at considerable length upon the important suggestion I made the other day, that a great many thousands of them who are thus at work are little children between 4 and 14 years of age, as the sworn testimony before the Senate shows——

Mr. LODGE rose.

Mr. BEVERIDGE. That is not in Massachusetts, I will say.

Mr. ALDRICH. And the Senator could further say that it is not in New England.

Mr. BEVERIDGE. It is the sworn testimony before the Senate, and that are part of the records of the Senate, that it is in New England, too—sworn to upon affidavits, and never yet denied.

Mr. LODGE. If the Senator will allow me——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. BEVERIDGE. Certainly.

Mr. LODGE. The number of children working in the New England mills has been reduced since 1905, by better enforcement of the laws and by better laws, from 17,000 to 9,000. I can give the exact figures, if the Senator wants them.

Mr. BEVERIDGE. So the little disturbance some two years ago, then, was possibly not without its poor influence.

Mr. LODGE. The "little disturbance" had nothing to do with the laws of Massachusetts. They were already on the statute books.

Mr. BEVERIDGE. That is true; the laws of Massachusetts were on the statute books.

Mr. LODGE. If the Senator will look into the matter, he will find that the entire number of employees in the cotton industry in New England is 155,000, and only 9,000 are under 16 years of age.

Mr. BEVERIDGE. Mr. President, I am rather sorry I interjected this, because I did not intend to have attention diverted from this stereotyped statement, or testimony that ought to be stereotyped and placed in the hands of every Senator; but, as a matter of fact, concerning the employment of children, every statement made by me when I presented that question was sworn to and has not thus far been denied, and is, with some slight modification or with some diminution, the truth to-day. But let us go on with this statement of Mr. Lippitt:

> It has regulated but not prevented importations, has made moderate profits and reasonable wages possible to the capitalist and laborer, but is not a bonanza.
>
> We ask, therefore, that the present schedule shall not be materially changed and that cotton manufacturers be allowed to continue the operation and further development of this important industry under the same tariff conditions that now prevail.

That was the statement of the authorized representative of the cotton industry of this country before, I think, the Congress convened, or at least when the House was considering the testimony upon which to frame this bill.

They had not at that time expected that there could be any change in the law which would be an increase of rates or which would in anywise benefit them. That had not appeared to them possible, because, Mr. President, among those who most vigorously resisted any tariff revision at all were the cotton manufacturers of the country. So when the tariff revision came—and the other day I traced the growth of the sentiment—all the time every one of them resisted any tariff revision of any kind, because they were satisfied with the situation. It first appeared to them that it would be impossible to get any change that would raise rates or that would benefit them, but it would appear that in the course of two or three months a change came over their opinions, and they did think it was possible to get the cotton schedule changed, or, at least, that is the only way that I can interpret that remarkable testimony which, I believe, was followed by a letter to the committee.

Mr. President, these few remarks have been brought out solely by a reversion to the application of the rule that a man's interest must be taken into consideration when weighing the weight of his testimony, a statement that has been made all through this debate, though never entirely thoroughly until the Senator from Rhode Island made it this morning. So that it seemed to be pertinent that we should understand that that rule is to be applied not to the importers only, but to the manufacturers also; and that the further collateral rule of evidence should be applied, that when a man gives testimony against his interest that is the weightiest testimony possible to be given in a court of justice. Therefore, Mr. President, I present this one, single, unconfused, undenied piece of testimony in this whole debate, which, according to the rules of evidence that the Senator from Rhode Island has invoked, is the only weighty piece that we have before us.

Just one other thing, Mr. President. Throughout this debate, whether it has been on paint or whether it has been on cotton, or whether it has been on one article or another, I have heard at least a score of times—and I am trying to make my remarks emphatic by making an understatement—at least a score of times upon this floor I have heard that the increase of price to the consumer would be either nothing or negligible. For example, the other day my esteemed friend from Pennsylvania [Mr. PENROSE] proceeded by a nice mathematical demonstration to show that the increased cost for painting a small house under the present increase on white lead would only be 25 cents. My friend from North Dakota [Mr. MCCUMBER], who is a good deal of a mathematical genius—which is a part of the Scotch blood—demonstrated this morning that, taking the Senator from Iowa's own figures, the increase on one of the shirts, which the Senator from Iowa says is bought by the millions, would only be 3 cents on a dollar and a half shirt; and so we have heard these statements made.

Mr. President, it is thus sought to impress us that the increases, if at all, will be so negligible to the consumer that it is not worth while taking them into consideration in connection with the vast benefit to business that is to accrue. That is true, is it not?

But, Mr. President, that is not only where the injustice comes in—which is the chief thing—but there is where the economic error comes in, which is possibly even a more important thing, practically speaking. If 3 cents on a shirt, if 10 cents on a dress, if 5 cents on a pair shoes in a family of 7 children, and of 25 cents upon a bucket of paint; if all these little increases, which occur to us to-day as absurd, are added together, what does that mean to the consumer; not a consumer, mind you, who is able to pay, but a consumer whose average wage is what is demonstrated to be the average earnings of a common laboring man in the United States, less, I believe, than $600—between five and six hundred dollars? To that man, with a family of 4 or 5 children and a wife, a few cents on shoes, an amount that would make us here to-day sneer, when he has got to supply those children with shoes to go to school, and 10 cents on a dress, which we think negligible, and 3 cents on a shirt, and 25 cents on a bucket of paint, thus running down the whole list of life's necessities, makes to him, with his small earning power, a burden grievous to be borne.

Mr. GALLINGER. This bill reduces the duty on shoes.

Mr. BEVERIDGE. I hope that good example will be followed elsewhere. If you are going to make a man's footwear lighter, why not make the burdens that are on his back lighter also?

Mr. President, the remark of the Senator from North Dakota in showing that, after all, even if there was an increased duty, it would not affect the consumer very much, made me feel that it was necessary to point out and to bring home to each one of us or to make us conscious of it at least—for I am sure it was brought home to us the moment that it was made—that it is no argument to say that the increase is small, that it appears to us to be negligible in affecting the price to the consumer, because the sum total of it, when measured, not by our earning power, but by the earning power of the men who buy the shoes and shirts and dresses and food and paints and everything else, becomes finally a burden, the bearing of which raised the very storm for tariff revision, which wrote it into our platform, and finally voiced itself through the utterances of the man best equipped and authorized to interpret it.

Mr. ALDRICH. Mr. President, the influence and the dangers of association are well illustrated in the speech which has just been concluded. I have heard remarks of that kind before, rarely from Republicans, never from protectionists. The Sena-

tor has been voting with reference to these matters with men who believe that protective duties are added to the cost of all domestic articles produced in the United States.

Mr. BEVERIDGE. Did those same men believe that when they voted with the Senator for protective duties on certain articles?

Mr. ALDRICH. No; I think that on those particular occasions they were acting as protectionists.

Mr. BEVERIDGE. Then, are they voting with me or am I voting with them?

Mr. ALDRICH. The Senator must be voting with them. The other side furnishes all the privates, and this side furnishes the brigadiers in this movement, as near as I can understand.

Mr. BAILEY. They think they are the brigadiers.

Mr. ALDRICH. Yes; they are under the impression that they are the brigadiers.

The Senator's speech could have been made with great effect by any free trade or tariff reformer in the United States. He could express his views in the precise language that the Senator has expressed his; that all of these duties are added to the cost to the consumer in this country; and he is only finding fault with us apparently because we have increased the cost to the consumer a small amount. The application of the doctrine, to his mind, seems as clear as it does to Senators who sit upon the other side of the Chamber and who have no hesitancy in expressing their views as tariff reformers that the whole protective system ought to be pulled down and destroyed.

The Senator makes another statement which on its face appears to be fair enough. He says that in listening to the statements of importers and manufacturers we should consider that they are both interested parties and that we should give equal credence to both in considering the tariff bill. But to my mind there is a distinction as wide as the poles between the people who appear here to serve their own interest, which are against American interests, and the people who appear here and whose interests coincide with American interests. Speaking for myself I do not intend to apply any rigid rule of judicial construction in the treatment of the statement of these two classes of men. We are not bound as Senators in the construction of a tariff act to say that the statement of an importer, as to the effect of our legislation upon American interests, shall have the same weight and the same control over our acts as that of a man who has no interest at all except one along the line of American development and American prosperity.

Mr. BEVERIDGE. Mr. President, my few remarks with respect to the rule of credibility of testimony were brought out by the statement of that rule last made by the Senator from Rhode Island, as I have said, which is the first time he has stated the rule fairly or that it had been fairly stated; and I was so glad of it that I thought it necessary to point out the equal applications of that rule which ought to be applied to manufacturers as well as to importers. Both are honorable men. Both have fought for their country. It does not affect a man's honor that he is importer or manufacturer. It does affect the weight of his testimony—the interest he has in giving it. Therefore when the rule is applied to importers, it should also apply to the manufacturers.

Then there is the statement of the collateral rule—that where a man testifies against his interest it has double weight, and I pointed out Mr. Lippitt. The answer—I did not expect any—that the Senator gave to that was that those remarks showed the effect of association. That is no answer.

The only thing important about them is whether they are true or not. I stated here this morning the illustration given by the mathematical demonstration of the Senator from Pennsylvania the other day and the one given by the Senator from North Dakota just now, and various others—that the fact that the increases in price were small, even if they were really negligible, did not demonstrate anything, or, rather, did, because all of them added together—so much on shirts, so much upon shoes, so much upon food—a little negligible 3 cents on a dollar and a half shirt, a negligible 5 cents on shoes, a negligible 10 cents on dress goods, a negligible 25 cents on paint, and the negligible amount on everything else added together constituted the burden.

Mr. SUTHERLAND. Mr. President——

Mr. BEVERIDGE. Pardon me a moment. I say it is not important how my process of reasoning happened to be influenced. It was important only whether or not it was true; and I take as the basis of that summing up of conditions the statements made by my friends upon this side of the Chamber.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. BACON in the chair). Does the Senator from Indiana yield to the Senator from Utah?

Mr. BEVERIDGE. Certainly. I always do. I will be through in a moment.

Mr. SUTHERLAND. The Senator, as I understand, proposes, by a reduction of the duties, to save to the American consumer the various amounts which he has stated?

Mr. BEVERIDGE. Not at all; by preventing the increase of duties. That is the way this debate arose.

Mr. SUTHERLAND. The Senator also proposes to reduce the duties, as I understood his speech the other day.

Mr. BEVERIDGE. Wherever they are a cent beyond what is needed for safe protection—and I will go with the Senator any distance for safe protection—they ought to be reduced. They then cease to be protection and become extortion. Justice first and expediency afterwards.

Mr. SUTHERLAND. The Senator proposes to save the consumer 3 cents on a shirt and 5 cents on a pair of shoes and a few cents on some other articles.

Mr. BEVERIDGE. On all articles raised to a point of extortion.

Mr. SUTHERLAND. Does he think it would be a wise thing, if his conclusion is correct, to reduce the duties in such a way as to save the laborer $20 or $25 a year upon the price of these various commodities and lose him $50 on the scale of his wages?

Mr. BEVERIDGE. By no manner of means, and no person stated with more earnestness than I, not only on this floor, but wherever I have had the honor to be permitted to speak upon this question, that duties ought not to be reduced at all, they ought to be increased, they ought not to be reduced, they ought to be kept as they are, so as to afford proper protection, honest protection, and no more. The point is that under the guise of affording such protection as we all believe in—and no person more earnestly than the revisionists upon this side—there are instances, as it appears to some of us upon the evidence submitted, where it is more than protection. I ask the Senator this question. He is a protectionist, as I am; both equally good. Would he be in favor of a duty that gave more than necessary protection? I remember his illustration from the trout brook and rubber boots the other day.

Mr. SUTHERLAND. The Senator says he is as good a protectionist as I am. I beg leave to differ with him about that.

Mr. BEVERIDGE. Then, I will say, I am a more reasonable protectionist than the Senator.

Mr. SUTHERLAND. I think I am rather a better protectionist than the Senator has come to be in his latter days.

Mr. BAILEY. One has to be "good" before the other can be "better."

Mr. SUTHERLAND. I am very much afraid the Senator is ceasing to be a good protectionist.

Mr. BEVERIDGE. We will discuss that at some length if it comes up in this debate.

Mr. SUTHERLAND. I will say, however, in answer to the Senator from Indiana, that I do not believe in increasing duties beyond the measure of protection. But, as I said the other day, I do believe, when I am in doubt about it, in giving the American producer the benefit of the doubt; and if I am to err upon either side, I would rather have the duties a little too high than a little too low.

Mr. BEVERIDGE. I go that far with the Senator. I thought the illustration about the trout stream a good one, but because he thought the boots should be an inch higher and the water came up to his knees, would he insist upon an entire rubber suit?

I thought it was hardly worthy of the Senator from Rhode Island to talk about associations. These are honorable men on this floor, on both sides; all supposed to be trying to get toward the truth. No person has heard me put any imputation upon any man. I could have retorted to the Senator: "Did he account for his present state of mind by association—what association?" But it would not have been right. It would not have been fair.

What is protection? It has been defined by our platform. It has been defined by the man chiefly authorized to define it. It has been laid before the Senate. It is such a rate of duty as will afford a sufficient protection as to cover the difference between the cost of production here and abroad, adding also a reasonable profit to the manufacturer.

Now, can you say a man is not a good protectionist when he lives up to that, the most extreme rule we have ever had, and who, in the interest of saving the whole protective system, questions the wisdom of going beyond it? Does not the Senator see that the only danger the protective system has is in its unreasonable application beyond that? Does he not see that the attitude of mind which says that a man is not a protectionist when he differs with his friends about one-eighth of 1 per cent is the same attitude of mind of the Bourbons of

France over a hundred years ago, and that it is they who are placing the dynamite of injustice beneath the system and that it is we who are trying to take it out?

If you are building a wall and one perceives that a brick is being inserted that is not sound, because he insists upon taking that out and putting in a sound one does that prove he is not a good mason? Does it not prove precisely the contrary? When one talks about destroying the American system of protection it puts me in mind of the fact that it was not the peasants who brought on the revolution or any disturbance in France, but the dense, bigoted, and unyielding attitude of the Bourbons. I did not expect to go into that.

With reference to the other side, they can take care of themselves. They are not to be criticised nor the reverse for what they do, nor is any Senator here——

Mr. ALDRICH. Will the Senator permit me?

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. If it is true that a protective duty increases the cost to the American consumer not only of imported articles, but of all articles manufactured in the United States, then I am not a protectionist. I know of no man who is a protectionist; that is, no intelligent man who so contends; and, if I understood the Senator from Indiana correctly, he was announcing the doctrine as I have stated it; that is, that these increases of duty do increase to the consumers in this country the cost to the extent of the duty. If that is the doctrine of the Senator from Indiana, he and I have parted company.

Mr. BEVERIDGE. That simply proves this, that the Senator has got some stereotyped catchwords and labels, and that he classifies all human utterances according to those labels, and that when he finds one that does not agree with him he puts upon it that particular interpretation. He is in a state of mind where he does not listen and does not think. Now, nobody heard me say anything of the kind. I do not believe anything of the kind. This is what I believe: I believe that where competition is free and unrestrained, the effect of protection on an article which we can make in this country is ultimately to reduce it in price, and that it always has, and that that can not be interfered with except by the formation of a great combination which will regulate the prices. This is why I asked a moment ago the question which so needlessly excited the Senator from Rhode Island, and which was called forth by the remark of the Senator from Utah, that domestic competition would settle the question of prices which he otherwise admitted would be added by the tariff. I asked what if within thirty days of the passage of this bill we should find a great combination formed of all the producers of this particular class of goods. Then, I suppose, the Senator would admit in that case there would be a rise of price, or could be, by the tariff.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. BEVERIDGE. In just a moment. Again the Senator was not listening to me carefully, but in his mind he was coming over and over his familiar catchwords or he would have remembered that the illustrations which I took were taken from the Senator from Pennsylvania, who is as high a protectionist as anybody, the Senator from North Dakota, a member of the committee, in discussing this very schedule a moment ago, and several other statements which have been made on this floor.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. I do.

Mr. ALDRICH. The statements made by the Senator from Pennsylvania and the Senator from North Dakota and by several other Senators to the same effect were these—that if the cost was increased by the amount of the duty, the increased cost would only be so much.

Mr. BEVERIDGE. Very well.

Mr. ALDRICH. No Senator on this side of the Chamber, and acting as a protectionist and a Republican, has made any such statement.

Mr. BEVERIDGE. Very well; then——

Mr. PENROSE. Mr. President——

Mr. BEVERIDGE. Pardon me a moment, and then I will yield. The Senator will find my statement was substantially that if they are correct about that, then their argument was, it was negligible; that it did not amount to much, anyway—3 cents on a $1.50 shirt, and so forth. I showed it did amount to something, because it is the sum of all these things that the consumer buys and not the little negligible items, that look laughable when we examine them here separately. So I accept the Senator's "ifs" put before the statement made here, and put one before my own statement. If it does amount to little in detail, then it amounts to a vast deal in the aggregate.

Now I yield to the Senator from New Hampshire. I apologize for keeping him waiting so long.

Mr. GALLINGER. That is all right.

It occurs to me that the Senator's acute and usually accurate mind is not operating quite evenly to-day.

Mr. BEVERIDGE. It is Monday, you know.

Mr. GALLINGER. Monday. The Senator did picture this horrible burden that was to be imposed upon the people of the United States by these increases in cotton goods and boots and shoes, when we have actually decreased the rates on shoes in the bill as reported. Now the Senator says he did not mean to say that there would be an actual increase; that he accepts practically the suggestion of the Senator from Rhode Island that the duty exacted is not added to the domestic price.

Mr. BEVERIDGE. If they say "if," then I say "if," and the equation remains the same. I said that the old Republican doctrine, which we are trying to maintain, that is, protection of a reasonable amount, not an extortionate amount—I should have put that in, because then it can be added to the price—in the end, by reason of competition, reduces prices.

Mr. GALLINGER. What I wanted to call attention to was that the picture the Senator painted, which was dramatic and touching, that the poor laboring man was to have this burden placed upon him because of the increases of duties, some of which are not made, but are decreases in the bill, was hardly justified by the conclusion he reached shortly afterwards, that very likely the increases were not added at all to the domestic price, which we all know to be a fact. Those of us who have examined the matter know that in a very large proportion of instances the import duty is not added to the domestic price, but, on the contrary, as the Senator himself has suggested, by domestic competition the price is kept down and oftentimes lowered—always lowered when we take from the foreigner the absolute control of the product in our market, and, as a rule, lowered when we give the American producer an equal chance or perhaps a little more than an equal chance, which is my doctrine, with the foreigner.

Mr. BEVERIDGE. I think when the Senator comes to examine my poor remarks he will find in them a little more harmony than he thinks now.

Mr. GALLINGER. I hope so.

Mr. BEVERIDGE. If it does not exist, the Senator's remarks will supply it. I am sorry the Senator from Rhode Island is not present. He inspired all this. I am going to conclude. Does the Senator agree with this—they sometimes call the Senator from Rhode Island "the high priest of protection," but I doubt very much whether he has a right to wear those robes. I think the Senator from New Hampshire in degree and longevity is entitled to them. Does the Senator agree with this: That where protection is sufficient to cover the difference in the cost of production here and abroad and the profit of the manufacturers here, in the absence of a combination here to control and regulate the price, the result will be by competition to reduce it?

Mr. GALLINGER. I quite agree with him upon that proposition.

Mr. BEVERIDGE. Let me follow that up.

Mr. GALLINGER. Except I have not yet seen the ghost of combination in either the cotton or the boot and shoe industry, which seems to trouble the Senator.

Mr. BEVERIDGE. Let us stick to general principles for a moment. We will come to their application. We agree upon that?

Mr. GALLINGER. Yes.

Mr. BEVERIDGE. If we make the rates not only amply sufficient to cover the difference in the cost of production at home and abroad, but to afford a profit to the manufacturer—to allow for those three elements—does the Senator also agree with me, as I agreed with him on the other proposition, that the excess beyond the protective point may be added to the price?

Mr. GALLINGER. I am not so clear about that part, but I agree with the Senator that we ought not, as a rule, to make the rate so high as he has pictured.

Mr. BEVERIDGE. Very well. That is the whole question here. When Senators, whom the Senator will be the first to admit are earnest and sincere in their opinion, think upon the evidence that the rate is higher than that which the Senator himself says he would go, then they are not to be called "free traders," because they think that an eighth of 1 per cent or 2 or 3 per cent which has been added is not protection, but amounts, as we both agree it might amount, to extortion. If I wanted to be unkind I could make a dividing line, and when

men talk about our being divided into protectionists and free traders, I could say, "no, not between protectionists and free traders, but extortionists." But I am not unkind. I do not think that ever adds anything to the discussion.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield further?

Mr. BEVERIDGE. Yes; I do. I am through.

Mr. GALLINGER. I have made no unkind suggestion in regard to the Senator's position.

Mr. BEVERIDGE. No; you have not.

Mr. GALLINGER. And I am not going to. I concede to the Senator, as I concede to every other Senator, whatever his political convictions may be or his views on the question of the tariff may be, the right to hold to his views as strenuously as I do to mine. If the Senator believes these rates are higher than the provisions of the Republican platform warrant, certainly the Senator has the right to resist them.

Mr. BEVERIDGE. That is good. I thank you, sir.

Mr. GALLINGER. I do not think they are, and so I vote for them.

Mr. BEVERIDGE. I do not criticise the Senator. The Senator will concede that I have not criticised him, but when it is attempted to frighten men into an attitude from which their judgments and their consciences revolt, and when men are appealed to by "regularity" and a whole lot of catch words that amount to nothing——

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Texas?

Mr. BAILEY. No. I thought the Senator from Indiana was about to resume his seat.

Mr. FLINT. I simply want to ask the Senator one question, and that is whether or not it has not been apparent from the various votes we have taken on the amendments suggested to this bill and reported by the Finance Committee that the Senator's judgment and the judgment of the free trade or tariff reform Democrats have been the same on all these amendments?

Mr. BEVERIDGE. If I was determined not to do a thing that I resolved upon from the moment I came into the Chamber, I would make a retort to the Senator, but I never thought it exactly becoming to refer to where the votes on the other side go. That is their business, because——

Mr. ELKINS. Mr. President——

Mr. BEVERIDGE. Pardon me. No; I do not yield the floor.

The PRESIDING OFFICER. The Senator from Indiana declines to yield.

Mr. BEVERIDGE. Because there are votes one way or the other. If the Senator would apply that rule I think he would not be in a very comfortable position. I do not think he ought to be. I will say this about voting with the committee. I was compelled to say it this morning. The Senator from Rhode Island compelled me to say it. I said I was sorry that on two or three votes that I could then remember and on many others that I can now remember, where the committee had apparently made a case, the case was literally torn to pieces afterwards and the member of the committee in charge of it admitted that his statements were incorrect; and still in spite of that a man is expected to vote for that particular rate. That is not fair.

Mr. FLINT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from California?

Mr. BEVERIDGE. Certainly.

Mr. FLINT. I did not make the suggestion in any harshness or with any ill feeling. I simply desired to call the attention of the Senator from Indiana to the fact that we seem to have reached the point where we are coming to a parting of the ways.

Mr. BEVERIDGE. I hope not.

Mr. FLINT. There appears to be a majority on this side in favor of the old doctrine of a protective tariff for American industries, and there seem to be others on this side who have abandoned that and have gone over with those who believe in a tariff for revenue only, or at least not for a protective tariff sufficient, as the committee believes, to protect the industries of this country.

Mr. BEVERIDGE. Oh, now, Mr. President, I am satisfied my friend will regret those remarks in a cooler moment. I do not think the Senator or anybody else or any other power is going to compel us to come to a parting of the ways when we both believe sincerely in the principle of protection. But I say this—and I think the Senator from California in his heart agrees with me—that the real safety of the policy of protection and its real defenders are those of us who will vote and work and fight to keep out of a single item what appears to us upon the face of the evidence to be 1 cent more than protection, because it has been conceded here this morning by your associates that 1 cent more than protection is just 1 cent of extortion.

Mr. ALDRICH. Mr. President——

Mr. BEVERIDGE. Pardon me.

It is by keeping the system just—it is by making the people feel and know it to be the truth that we have as nearly a just degree of protection as is possible—that you are going to keep the people's affection for the protective system.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Yes.

Mr. ALDRICH. As I understand the attitude of the Senator from Indiana, it is that the principle of protection is to be saved by some Members of the Senate joining with the well-known and understood opponents and enemies of that system to help pull it down. My ideas of saving a principle do not follow these lines.

Mr. BEVERIDGE. Mr. President, the Senator has made that remark three times, and in it there is no argument, and it comes very nearly not being pleasant, because I have not referred, except once or twice in a jocular way, to the Members on the other side who saw fit to vote against their comrades on that side and for what the Senator from Rhode Island [Mr. ALDRICH] thought was a protective duty and what they thought was a revenue duty. Mr. President, that kind of argument is too old, and if I did not have the affection that he knows I have for the Senator I would say that it is too cheap.

Mr. ELKINS. Mr. President——

Mr. BEVERIDGE. Pardon me a moment. I say this——

Mr. ELKINS. Will the Senator allow me? I want to ask the Senator a question, in view of the fact that the Republican platform adopted at the last national convention, which I regard as the strongest protection platform ever written, declares not only for the difference between the cost of labor in this country and abroad, but it goes further and declares in addition that there shall be a reasonable profit. There never was such a platform so pronounced in favor of protection adopted by any political party in this country.

Mr. BEVERIDGE. The Senator from West Virginia does not need to take up my time, because we have gone all over that while the Senator was out at lunch.

Mr. ELKINS. I did not get any lunch yet, and I have been in the Chamber continuously.

Mr. BEVERIDGE. The Senator drops in and makes a man's few minutes' remarks a continuous performance. I want to get a little lunch.

Mr. ELKINS. The Senator from Indiana did not allow me to finish my question, which I will do now. The platform declaring in definite and positive terms that the duty shall not only cover the difference in the cost of labor here and abroad, but shall allow for a reasonable profit to the American producer, all this is in favor of protection and American industry. Now, if this should add slightly to the cost of the article to the consumer, is it not better for our people and the country generally, because in manufacturing our own products we give employment to our people, keep at home the money we would pay for the foreign product, and build up home industries.

Mr. BEVERIDGE. Does the Senator know that between the Senator from New Hampshire [Mr. GALLINGER] and myself there was a controversy on that very question? Does the Senator mean to suggest that in the presence of the Senator from New Hampshire? I will answer the Senator, however, in a very serious manner. I wish the Senator had been here.

Mr. ELKINS. I have been here all the time.

Mr. BEVERIDGE. It would be good for the Senator to confer with the Senator from New Hampshire. He and myself have gone over this matter, and I will state the conclusion in common we have reached, that the measure of protection is the difference in the cost of production abroad and here plus a reasonable profit to the manufacturer, and that such a protective tariff should be placed on any article which will not increase the price in the end, but actually because of competition reduce the price, except where there is such a combination on a particular article that they can keep the price where they please. That is where we agree.

Mr. ELKINS. Now——

Mr. BEVERIDGE. The Senator asks a question. Let me answer. Further, we agree that if there is any amount more than is necessary to meet a fair measure of protection, as thus described, that that amount, as I say and as the Senator from New Hampshire admits, may be added to the consumer, and that in any case it is unnecessary, extortionate possibly, and

always dangerous. So the Senator from New Hampshire himself said that in such a case he himself would not vote to give a cent more than is necessary protection, and only as a matter of justice and as a matter of good policy. The only difference between him and me was as to the measure of protection.

Mr. ELKINS. The Senator I do not think has answered my question.

Mr. BEVERIDGE. I agree I did not fully answer it. What was the Senator's precise question?

Mr. ELKINS. Even if it did raise the price a little to the consumer, and I am one of the consumers as well as a producer, I am willing for my part to stand this additional cost, and I believe all good protectionists would also be willing to stand the increased cost.

Whatever this country consumes must not be ruled out of the calculation. Is it not better economic policy that the grinding forces of competition should reduce the prices, and that the duty should be imposed, as in the schedule on tin plate, because the man who paid the tax got it back and did not feel it in the reduction of price?

Mr. BEVERIDGE. Yes; but——

Mr. ELKINS. Wait a moment. I again ask: Is it not better to adopt the policy set out in the Republican platform rather than to give up the manufacture and production of these articles and send our money abroad and leave our people idle and unemployed as they are in England to-day, even if it be true there is a slight addition to the cost of the article?

Mr. BEVERIDGE. There is no danger of the Senator doing one of those.

Mr. ELKINS. I ask the Senator to answer the question and I will be satisfied.

Mr. BEVERIDGE. I will answer it.

Will the Senator point out where he thinks the price is to be added to the consumer? I say this, and everyone who believes in the theory of protection says the same thing—I do not know whether it is true of the duties in tin plate or not, but it is a good illustration—if at first there might be a little addition, even for a year, and it was clear that in the end the price would be reduced and a vast amount of labor employed and industries diversified, it might be permissible, as a matter of expediency, but I say that it is poor statesmanship, and, what is more, it is suspicious statesmanship, when any man takes that risk unless it is necessary, and when a man puts on a cent of taxes when he thinks it is unnecessary. That is what I say; and the Senator will not be able to get away from it.

Mr. ALDRICH. Mr. President, I wish to say just one word.

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. I yield, of course.

Mr. ALDRICH. The Senator from Indiana has several times alluded to extortionate rates. I suppose what he means by that are prohibitory rates, does he not?

Mr. BEVERIDGE. No; I will tell you what I mean. I think I will have to refer to that conversation a few moments ago which I had with the Senator from New Hampshire, because it seems to settle this thing. The Senator went out when I wanted him to stay. The Senator from New Hampshire and I agree that protection should be the difference between the cost of production here and abroad and a profit to the manufacturer, save that when it is extortion. Does not the Senator agree to that himself?

Mr. ALDRICH. I will answer that by a concrete illustration.

Mr. BEVERIDGE. The Senator can answer it by yes or no. It is a principle, not an illustration.

Mr. ALDRICH. I will answer it by a concrete illustration. The specific rates imposed upon cotton cloths in the House bill and in the present law, the act of 1897, and the act of 1894, known as the "Wilson-Gorman tariff law," are practically prohibitory. There were few importations under them and there can be none in the nature of things.

Now, if the Senator thinks he is bound to vote against and to remove all the extortionate duties from the statute books of the United States, why does he not suggest that these rates, which have been practically prohibitory during all the time they have been on the statute books, shall be reduced? There are in the bill as it stands now before the Senate, and there has been in every tariff bill that has been enacted since 1861, many rates that are above the protective lines, which have been kept there because no man has suggested their removal. They have performed a great service by keeping out of the country the surplus of our manufacturing competitors at times when they had a surplus which they could not dispose of at home. So far as I know they had no result that was dangerous to the people of the United States.

And yet the Senator from Indiana and his associates who sympathize with his ideas in regard to this matter have not appeared here and asked to have those rates reduced. If the Senator desires to be a consistent opponent of high duties, why should he not try to reduce some of those duties and spend some of his surplus energies in that direction?

Mr. BEVERIDGE. I have heard what I little expected to hear. I knew my friend from Rhode Island was getting to be a higher protectionist as the years went on, but I never expected to hear him say, first, that he was in favor of maintaining prohibitive duties, and, second, I was startled to hear him actually say that there are on the statute books prohibitive duties, which have been kept there because nobody has paid any attention to them.

Mr. BACON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. Certainly.

Mr. BACON. Will the Senator permit me a moment? I understood the Senator from Rhode Island to say that the cotton schedule is prohibitory.

Mr. ALDRICH. I said in certain respects it was. Of course there has been——

Mr. BACON. I simply want to call attention to the fact that under them the importation in 1907 was $73,704,000 of manufactured cotton goods.

Mr. ALDRICH. The Senator misunderstood me if he thinks I said anything of that kind. I said the specific rate now in force upon cotton cloths on goods valued below 7 to 20 cents a yard are practically prohibitive. They are practically prohibitive and at the same time they are of a character that nobody has ever found fault with them because there has been no reason for it. They do not affect anybody injuriously and many of the goods are worth less than the duty. There is no person in the United States who is disposed to find any fault with it. I am not suggesting, as the Senator says, any argument in favor of prohibitive duties. They are there——

Mr. BEVERIDGE. I did not have to suggest it; the Senator said it. I will give the Senator an illustration: Within the last week, where I exercised some feeble activity to reduce a prohibitive duty, and not only a prohibitive duty, but an outrageous duty, the Senator from Rhode Island [Mr ALDRICH] yielded on those universal necessities—bacon, hams, and lard. He himself brought in an amendment here which reduced his whole scale of duties 20 per cent, and he will find it in the RECORD. He then stated that even the rates existing in the Wilson law—3 cents—were prohibitive. He was not satisfied to fix a duty of 3 cents, which he said was prohibitive, yet he brought it in from his committee at 5 cents a pound on hams and lard and bacon—food necessities of the people—which he admitted in debate, and he will find it in the RECORD, was 2 cents higher than a prohibitive tariff, and he himself from his committee brought forward an amendment reducing it to 4 cents. Is not that true?

Mr. ALDRICH. The rates are fixed in this bill for protective purposes.

Mr. BEVERIDGE. What was that fixed for?

Mr. ALDRICH. For protective purposes as against possible importations under certain conditions. One is just as important as the other.

Mr. BEVERIDGE. Now will the Senator continue a colloquy with me?

Mr. ALDRICH. Of course; I can not help it.

Mr. BEVERIDGE. Yes; you can. I have the floor. The Senator originally agreed to that amendment—brought it in himself. For that purpose, was it?

Mr. ALDRICH. Which purpose?

Mr. BEVERIDGE. The purpose that you stated; for the purpose of protecting these daily provisions from competition under certain circumstances.

Mr. ALDRICH. That is right.

Mr. BEVERIDGE. Why did he wait for months after he had proposed his first rate and then bring in an amendment admitting that he was 20 per cent wrong?

Mr. ALDRICH. I stated frankly at the time I did it, I was hoping, but I hoped in vain, that the change of rate from 5 to 4 cents, which did not affect the principle at all and did not affect the result at all, would stop the discussion. It did not stop the discussion. I stated frankly at the time that it made no difference in my mind whether the rate was 4 or 5 cents. There was an attempt made to prolong the discussion upon the subject, and I said I would withdraw the amendment. That is the entire story.

Mr. BEVERIDGE. Why not apply that to this whole bill? I think the Senator can get an agreement to vote upon the bill

to-morrow by doing the same thing in proportion to other rates raised; he can with me. Why does he not do it?

Mr. ALDRICH. I am not sure whether the Senator speaks for anybody else.

Mr. BEVERIDGE. That is my opinion. I do not speak for anybody else. Will the Senator let me have an opinion?

Mr. ALDRICH. I must confess that I am a little puzzled about the question who is leading the opposition to the bill.

Mr. BEVERIDGE. There again comes an attempt to becloud the issue by personal references.

I will agree to go as far as the Senator. I concede to all Senators on either side, whether on the Democratic side or who disagree with me on this side, the fullest sincerity for the views as they have stated them. Why does not the Senator do as all his other colleagues? He is constantly saying "your associates." That is the trouble about this bill, and has been right from the start, and I am not the only Senator who thinks so. We have in good faith asked for facts and explanations, which we had a right to do, and it was their duty to answer with facts and explanations, instead of answering with sneers and retorts. That is what we have been given instead of the facts and the explanations which it was the Senator's duty, as the chairman of the committee and the servant of the Senate, to give to the humblest Senator on this floor.

Mr. ALDRICH. I intend briefly——

Mr. BEVERIDGE. I have treated the Senator very kindly.

Mr. ALDRICH. I want to say just a word, Mr. President. The Senator interrupted me in the middle of a sentence. He made a proposition that we vote on this bill immediately if we would do certain things. I was about to say——

Mr. BEVERIDGE. I was expressing an opinion.

Mr. ALDRICH. I have been greatly puzzled for a number of days to know to whom to apply for an agreement to take a vote on the bill.

Mr. BEVERIDGE. Apply to the Senate.

Mr. ALDRICH. I mean whose consent I would have to get.

Mr. BEVERIDGE. You have to get the consent of the Senate.

Mr. ALDRICH. It has been usual in matters of this kind, as to differences represented by the two different parties, to apply to the representatives of the minority party to see if some time could not be fixed for taking a vote, but I must confess that I have been greatly puzzled to know to whom to apply. As I said a few moments ago there seem to be a few privates but a large number of brigadiers leading.

The Senator from Indiana, who seems at the moment to have the floor, in that official position states that he will agree to take a vote if we will agree to certain propositions.

Mr. BEVERIDGE. The Senator will excuse me. I said I thought the Senator could probably get an agreement if he would at once follow the precedent he himself made in reducing the Senate committee's rate on hams, bacon, and lard.

Mr. ALDRICH. I think the RECORD will show that the Senator said he would agree.

Mr. BEVERIDGE. The RECORD will show.

Mr. ALDRICH. I would like to have, if possible—I do not know whether it is or not—some official declaration as to who are the representatives of the heterogeneous combination who are opposing this bill.

Mr. BEVERIDGE. Who is the official representative of that combination who are bound to go, as the Senator from South Carolina [Mr. TILLMAN] declared the other day, not upon the virtues of each individual schedule, but upon agreements to protect a certain number of schedules—lumber rates, lead rates, and so forth? Who is the representative of that combination?

Mr. ALDRICH. The Senator from Indiana has once in a while strayed into the camp himself. I think he voted for a duty on lead ore. He has been occasionally found in our midst, and I do not know to whom he refers as "this combination.".

Mr. BEVERIDGE. I do not know to whom the Senator refers by "this heterogeneous mass." I admit, Mr. President——

Mr. ALDRICH. I withdraw that.

Mr. BEVERIDGE. If the Senator wants to use that term, he is tremendously for discipline himself; and I wish to say that yesterday I went to Concord and Lexington—and now that I think of it, the Senator in his successive preliminary victories reminded me of the advancing party——

Mr. ALDRICH. I think I have the floor.

Mr. BEVERIDGE. I yielded it to you, and you must not prevent this now.

His reference to the heterogeneous mass and his disciplined forces put me in mind of the advance of the well-disciplined, compact British troops of Major Pitcairn at Lexington and their first little victory there; but I remind him if he is the Major Pitcairn of those advancing disciplined battalions, the end of the march is Concord and Old North Bridge. We are the minute men, if you want to put it that way; and you are the British. I do not know but that the revolutionary simile goes further—but I will not pursue it now.

Mr. BACON. I desire to say to the Senator from Rhode Island that there may be a well-founded doubt as to who is in charge and who can speak by authority on this side, but there is not a particle of doubt as to who speaks with authority on the other side. All that is necessary to get anything in this bill is to get the consent and approval of the Senator from Rhode Island, and they all vote that way.

Mr. ALDRICH. Perhaps I ought to withdraw the word "heterogenous." Perhaps that word may be offensive to some Senators who have been in opposition.

Mr. BEVERIDGE. I suggest to the Senator, why does he not simply say "Senators?"

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Indiana?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. Why does he not call us "Senators" here? We are equal in rights.

Mr. ALDRICH. I do not think the term "Senators" would quite answer the case.

Mr. BEVERIDGE. The Senator is afraid he will lose some of his well-disciplined mass by their straggling over into the heterogeneous mass unless he wields the whip of rebuke.

The PRESIDENT pro tempore. The Chair has not recognized the Senator from Indiana. The Senator from Rhode Island has the floor.

Mr. ALDRICH. The Senator from Indiana is aware, I presume, as well as the Senator from Georgia, that those of us who have the responsibility of this legislation are voting together because we are loyal Republicans, because we believe in the doctrine of protection, and we believe in its application to every interest and to every section alike. I think it is a matter of great congratulation to the people of the United States that there are a majority of Republicans and protectionists in this body who will control this legislation. But that was not what I was talking about. I was trying, if I could, to analyze the opposition to our position for the purpose of finding out whom I should address for the purpose of trying to fix a time to get a vote upon the bill.

Mr. BEVERIDGE. Address the Senate.

Mr. ALDRICH. Mr. President, if I followed my own inclination, I would, perhaps, be willing to agree with the Senator from Indiana that he was the representative of this combination—I will not say "heterogeneous combination," but this combination which seems to have one common purpose.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Indiana?

Mr. ALDRICH. I do.

Mr. BEVERIDGE. I can not permit the Senator to transfer to me that trade-mark, to which he alone is entitled—the word "combination."

Mr. ALDRICH. Mr. President, I think the Senator——

Mr. BEVERIDGE. I will ask the Senator if he thinks there is any one of the schedules over which we have fought hardest that had a chance of passing this body if it stood on its own feet and was not combined with the interest of other Senators and other schedules? What does he think about it?

The PRESIDENT pro tempore. Senators know the rule, and ought to obey it.

Mr. ALDRICH. The Senator has talked about defeat——

Mr. BEVERIDGE. Defeat? Not ours. I have talked about the British.

Mr. ALDRICH. The Senator has talked about the defeat of the will of the majority of the Senate sitting upon this side of the Senate. By whom shall that defeat be consummated? By Republican votes? No. How many are there of the Republicans who are willing to destroy or to break down this system? By whose votes does the Senator from Indiana expect to defeat the Republicans in this body if they are defeated? That is the proposition that he is discussing. If this initial engagement is to be followed by the final defeat of the Republican party, who is to defeat it? Where are the votes to come from? Who is to marshal these combined forces? What is to be the character of the new doctrine that these apostles are to preach to us? Is it to be the platform of the Democratic party, or is it to be the platform of a new party, with three presidential candidates in sight?

How does the Senator expect to consummate this union, this unholy alliance, for the purpose of breaking down the principles and policies of the party which stands for American interests?

I have respect for the Senators who sit upon the other side of the Chamber. I have respect for some of the Senators sitting upon this side of the Chamber—and I have two of them in my view at this moment—who have been in the past, and who are now consistent tariff reformers, who believe that the rates of duty are too high and have always believed it and have always said it. But we are confronted now with a new evangel, with a new doctrine that threatens to destroy us all, destroy us by Democratic votes, with an army who have no sympathy whatever with his movement or his leadership.

That is the plain story about this whole business. Here we have 29 Democratic Senators——

Mr. OVERMAN. Thirty-one.

Mr. ALDRICH. Thirty-one Democratic Senators, and a few others——

Mr. MONEY. Thirty-two.

Mr. ALDRICH. And a few others who are voting with them on every proposition involved in this bill; and yet the Senator from Indiana undertakes to lecture us and to say we are in favor of extortionate rates, and to say that he, with the aid of Democratic votes, is trying to save the Republican party.

Now, that mission will not be accomplished in that manner. The Senators who are here voting for these protective propositions represent the communities and the States that can, and have, and will elect Republican Presidents, and we are not here to be deflected from our views by suggestions that by a combination of enemies our party is to meet a Concord and a Lexington.

Now, gentlemen, there is no use trying to disguise this matter. We, as Republicans, are responsible for this legislation. I am in a responsible position as chairman of the committee having the bill in charge; and, so far as I am concerned and so far, in my judgment, as the great majority of Republican Senators are concerned, we intend to enact a tariff bill that will follow the principles of protection and a protective policy, whether it was written in the platform at Chicago or elsewhere. That is the highest mandate which was possibly given to us. That is the mission which we are here to carry out; and, whether the Senator is able to vote with 31 Democrats or any number——

Mr. STONE. Some of them vote with you.

Mr. ALDRICH. Some of them vote with us, as the Senator has stated.

Mr. BEVERIDGE. That suggestion did not come from me.

Mr. ALDRICH. No; but if the Senator thinks that by combining with the Democrats in this Chamber or out of it he is to assert and to uphold a new standard for the Republican party to follow in the future, I think he is mistaken. I do not know what the emblems upon that standard will be. I propose to find that out before I make a new departure in that direction.

No, the Senator from Indiana, I think, in his desire to have a vote and to be acknowledged as the leader of this combination-to-be—whatever I may call it—is mistaken in his premises.

Mr. BEVERIDGE. Mr. President, I make bold to say that if the Senator had begun at the beginning of this debate in discussing schedules and giving reasons and facts instead of hurling anathemas maranathas as to his questioners there would have been more reductions, as I think there will be in the end; and thus much of this difficulty would have been avoided. But the pursuit of the tactics which I have not seen with gratification for about ten days, and which is renewed here this morning, can not becloud the issue in the minds of intelligent men. The Senator says our party! Which party?

Mr. CLAPP. Will the Senator pardon me a moment?

Mr. BEVERIDGE. Certainly.

Mr. CLAPP. I wish to make a suggestion right here. The country is impatient at the delay in the passage of this bill. We have our differences on these schedules. This, thank Heaven, is one spot in this Republic where we can have debate, and we ought to have it on these schedules. But, without intending any reflections upon anyone in particular, I do not believe we are making any headway or that we are serving any public purpose in the discussion that has now ensued for the last two hours.

Mr. BEVERIDGE. Mr. President, the Senator from Minnesota has also, like the Senator from West Virginia, evidently been out of the Chamber regaling himself at lunch when the debate came up, or he would know what sprang out of the discussion, and the concrete discussion of certain items here this morning.

Mr. CLAPP. Pardon me one moment. The Senator from Minnesota has not been out of his seat here, but has seen the hands of the Senate clock pass two hours without Senators even touching upon the question of the merits of the schedules in this bill.

Mr. BEVERIDGE. Whose fault is that? The Senator from Rhode Island shakes his head—yet he has taken about as much time as anybody, and given practically all the provocation.

Now, about our party. It is just as much the party of the Senator from Iowa and the Senator from Indiana as it is of the Senator from Rhode Island, although he seems not to recognize that fact. If the Senator wants it to go out to the country as to which is the better Republican of the two, himself or myself, if he wants to draw between the Senators upon this side invidious comparisons, he can do so, and I think we will all be willing to take the country's judgment upon that question. But I know, we all know, that the purpose the Senator has advanced is merely strategical and is to consolidate the ranks that he has thus far brought together. I wonder if he has misgivings that he can much longer hold them together.

Mr. President, the same old thing has been said from the beginning. If it is a question of the rate upon razors, if we ask the facts; about carbons, if some suggestion is made that we should like to have a little information about that; about cotton or upon anything else, the Senator from Rhode Island, with great vigor, which I think is almost sincere, declares that we are trying to break down the system of protection. That is his answer. The reduction of one-eighth of a cent on lead was sufficient for the Senator to believe that we were actually becoming free traders. The intimation has been made that the Republicans would meet their defeat at the hands of the "combination." Well, Mr. President, the suggestion did not come from me; it never has; but it came from the Senator from Missouri [Mr. STONE], that there had been votes from the Democratic side with the Senator from Rhode Island that was for the "combination." I never charged it. Why, then, does the Senator, when we vote for what we believe in, charge us with a combination with men who believe more completely in what the Senator appears to believe than in what they were to believe in? I conceive that that is hardly a profitable line for the Senator to follow.

Mr. President, it is a question, not of principle, but it is a question of judgment on details, and I point out most sincerely to the Senator from Rhode Island once more, that the only danger the protective system is in is that it shall have injustice jammed into it, and that when we try to squeeze the injustice out of this bill, we are doing better service for the preservation of the system than the Senator is doing in keeping rates even 1 cent too high. The reason was explained in the speech of the Secretary of the Treasury at Chicago—I remember it very well—in which he said that we will have time for the currency law and we will have time for other things if we get the tariff settled so that the people will accept it, and we will get it settled that way only by a revision downward.

The Senator says that ours is a new doctrine. He is the only Senator upon this or any other side who has yet appeared to say that it is a new doctrine. The Senator from New Hampshire [Mr. GALLINGER], as he told the Senator, almost as earnest a protectionist as he, was able to agree with me upon what doctrine it was, but what we contend against is a perversion of that detrine. If, in the end, we have any success in getting these reductions, it will not be by the aid of our Democratic friends, who when divided much have never voted with us in large and in such numbers as they have with the Senator from Rhode Island [Mr. ALDRICH]; but more reductions will come by the efforts of Republicans on this floor and Republicans in the House and elsewhere in the usual process of legislation. That is what I hope to see, and it is a reasonable hope.

The Senator referred to two or three presidential candidates——

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. BEVERIDGE. In just a moment I will yield.

Mr. President, I have never heard any presidential candidate suggested, except that man who is now our President, and who will carry our banner in the next campaign, and carry it to victory.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana now yield?

Mr. BEVERIDGE. Certainly.

Mr. GALLINGER. Mr. President, I will occupy but a moment. I have no disposition to speak at length, as I want this bill hurried along as rapidly as possible. The Senator from Indiana has several times stated the fact that he and I agree. I want to call——

Mr. BEVERIDGE. We agree on definitions.

Mr. GALLINGER. I want to call the attention of the Senator to the fact that so far as the Chicago platform is concerned, we

do agree, but the Senator has used the term "extortion" several times, which I do not agree to, for the reason that even if the duty were raised beyond adequate protection, as defined by the Chicago platform, it would not be extortion. It would keep out foreign products; and if any harm came, it would come to the foreigner; but it would not be extortion so far as we are concerned.

I have very clear views as to the protective doctrine, and I enunciated them to the best of my ability in this Chamber fifteen years ago. I have just been looking at the speech I then made. I will not stop to read my definition of protection as I then gave it, but I think it is sound protective doctrine. We certainly ought to have tariff rates sufficiently high to protect our own people against competition on unequal terms with the foreigner. That is exactly what the Chicago platform declares, and I stand with every Senator, whether he is a Republican or a Democrat or a so-called "progressive Republican," upon that ground. I do not, however, think the term "extortion" a happy word.

Mr. BEVERIDGE. The Senator will remember the provocation that brought out the term "extortion."

Mr. GALLINGER. I was about to add that even though certain rates may be prohibitive, as those of us who are protectionists know they always have been on low-grade cottons and certain other inconsequential things in our tariff laws, no extortion is practiced.

Mr. BEVERIDGE. It was happier than the words "free trader" that were applied. Now, just one word more. The Senator from Rhode Island expressed some curiosity about what emblem would be painted upon our banner. His imagination, which recently is becoming very vivid, conjures up competition from China and Japan in the cotton industry. Now his heated imagination sees a new banner and he asks for an inscription upon it.

Well, I think I will tell him. Once in a while I read a passage in literature that makes a profound impression upon me. When a boy I read this, and I have never forgotten it. It is said of Richelieu, who was one of the greatest men who ever lived or ever will live, that, when he was dying, those who wanted to know the secret of his power came to him and asked him for it. The old man, with his declining strength, said:

> Some say that it is cunning, that I am a fox; some say that it is courage, that I am a lion. My children, it is neither; it is simply justice, for I have been just.

From that time on, Mr. President, that dramatic tale sank so deeply into my soul that I have felt that justice is the sovereign word in all the world—just that one word, justice.

Mr. GALLINGER. Mr. President——

Mr. BEVERIDGE. Pardon me a minute. It is that which causes public peace, quiet, and content, and it is the absence of that which has caused every disturbance, economic and political, in the history of the world; and so the Senator can depend upon it, that the emblem that will be inscribed upon any banner under which I march—I care not by whom carried—will have blazoned on its ample folds that one word, "justice," and that is the emblem on our banner to-day—our banner, the old Republican banner, the American banner, with "justice" inscribed upon it.

Mr. GALLINGER. Mr. President, that is a beautiful sentiment. I will say to the Senator from Indiana, but he must remember that Aristides rather overworked it.

Mr. BEVERIDGE. No; I said Richelieu.

Mr. GALLINGER. True; but I referred to Aristides the Just, of whom the Senator from Indiana has read.

Mr. BAILEY. Mr. President, I certainly have no desire to interfere with the very delightful pastime of our friends on the other side, but I have not failed to observe that, even in their bitterness toward each other, they have both taken care to misrepresent the votes and the attitude of Democratic Senators. The Senator from Rhode Island [Mr. ALDRICH], replying to a statement of the Senator from Indiana [Mr. BEVERIDGE], stated that on some votes Senators on this side had shown themselves protectionists. The Senator from Rhode Island knows better than that, except possibly in one or two instances.

Mr. ALDRICH. I think that is true. If I said anything to the contrary I did not mean to say it. I think the Senator is entirely accurate in what he is now saying.

Mr. BAILEY. The Senator's statement was broad enough to include all Senators on this side.

Mr. ALDRICH. I withdraw the suggestion, then, because I know perfectly well that, with one or two exceptions, these Senators are not and could not be properly classed as protectionists.

Mr. BAILEY. Then, Mr. President, that relieves me from the necessity of making further reply to the Senator from Rhode Island. The Senator from Indiana does not happen to be present at the moment to withdraw the suggestion which he made, which I have no doubt he would do if he were present and it were called to his attention.

There can be absolutely no excuse for any man to accuse a Democratic Senator of protection sympathies when that Democratic Senator votes for a duty of 10 or 12 or 15 per cent on any commodity. The suggestion that a Democrat must always vote for every motion to put every article on the free list can be reduced to an obvious absurdity. Suppose we had a majority—and we shall have it some day if these quarrels of yours continue—suppose we should have a majority in Congress, and one Democrat after another, professing himself to be a revenue tariff reformer, should move to put this and that article on the free list, and suppose the Democratic majority supported every such motion that was made, the result of it would be that we should have a tariff bill that would raise no revenue, and we would belie the ancient and time-honored professions of our party.

The Senator from Rhode Island knows the difference between a tariff for revenue and a tariff for protection, though some of his associates do not appear to know it. I am not sure that I can quote the rule laid down by James K. Polk in his message to Congress in December, 1845, but I believe I can substantially repeat it. No man before his day, and no man since that day, has ever laid down a more perfect rule or rather has ever made a more perfect statement of the rule.

Mr. Polk's declaration was this: That as long as it was possible to raise the rates without diminishing the revenue you were within the lines of the Democratic party, and that a man only ceased to be an advocate of a tariff for revenue when he voted for a rate so high that it would diminish the revenue. Under that test—and I invite its application to all the votes we have given—it is not true that any man can fairly charge the Democratic Senators in this Chamber with advocating protection.

There may be one or two protectionists on this side; but that is not unusual. Mr. President, men forget, or else they did not have the industry to learn, that when the Democratic tariff act of 1846 passed this Chamber it passed by a majority of one vote, and that one vote was cast by a Whig, acting under the instructions of the legislature of Tennessee. Nor must it be forgotten that on the passage of that bill three Democrats voted "nay"—the two Senators from Pennsylvania and the Senator from Connecticut, as I now recall, Mr. Niles. At one time the vote on that bill was a tie. Upon the motion to engross the amendments and to pass the bill to its third reading the vote was a tie, three Democrats having voted with the Whigs, the Whigs voting with unanimity. That tie was dissolved by the casting vote of the Vice-President of the United States in an address which it would be well for Senators even in this day to read.

Not only is that true, but the Whig tariff act of 1842 passed by a small majority, receiving the votes of four Democratic Senators, and four Whig Senators casting their votes against it. One of the Democratic Senators that voted for that Whig tariff act of 1842 afterwards became the President of the United States, nominated and elected as a Democrat. James Buchanan sat here then as a Senator from Pennsylvania, and on the roll call he voted for the Whig tariff act of 1842. The Democratic party, and no other party, has ever been so proscriptive as to demand of everyone who professes its faith absolute obedience in all things. I regret that Democrats ever differ, but we do not more frequently or more widely differ than Republicans do, and you will perceive that when you call the roll. I venture my reputation for foresight, poor as it may be, that when you call the roll on the passage of the pending bill more Republicans will vote against it than Democrats will vote for it.

Mr. President, it is well enough in this time, when accusations are flying thick and fast, that we remember that our fathers were not less divided on both sides of the Chamber. But they were more tolerant. Perhaps I might relate, and it is worth while to relate, that in 1844 the Democratic banner in the pivotal State of Pennsylvania bore this legend: "Polk, Dallas, and the tariff act of 1842." It was as if in the last presidential campaign we had written "Bryan, Kern, and the Dingley law;" and yet, remarkable as it may appear, the Democratic party carried the State of Pennsylvania in that election, and, remarkable as it may also appear, Henry Clay carried the State of Tennessee, the home of Mr. Polk, by the slender majority of 133 votes.

These divisions, Mr. President, are not new; indeed, I think they are less than they formerly were on this side, and they are greater, I rejoice to say, than they formerly were on the other side. I rejoice in your divisions, because I believe out of

them will come some good to the Democratic party and more good to the people of the country. Your arguments to-day will sink into the minds of the American people and they will be understood. One Republican stands up and says, "I am not in favor of an extortionate tariff;" another stands up and says, "I am in favor of a reasonable protection," and yet both of them declare that protection does not increase prices to domestic consumers. How can they reconcile it? If protection does not increase the price to the American consumer, why does any Senator object to any rate? If protection does not increase domestic prices, then 5 per cent is no better nor worse than 500 per cent. How can one protection be a reasonable one and another protection be an extortionate one, unless all protection increases pro tanto the prices of these commodities to the American consumer?

Indeed, Mr. President, why do you want a protective tariff? You say you want it to enable manufacturers to pay American laborers more than they could pay them under a free trade or a tariff for revenue régime. How can you pay the laborers more for making the goods unless you charge the consumers more when they buy the goods? According to every rule of logic in the world, your platform commits you to the proposition that protection will increase the price to the American consumer on every commodity on which a duty is laid.

I assumed, until we passed into this debate, that that was admitted in the main. The first great argument ever made in this country on behalf of the establishment of manufactories was made by Alexander Hamilton in that elaborate report which he made to Congress in 1791. He did not attempt to disguise the fact that the duty would in a large measure be added to the price of the article. They did not then make the labor argument which you make now. Strange to say, one of the original objections to the proposal to establish manufactories was that labor was so scarce and high in the United States that factories never could be successfully operated.

It was urged then that high wages were an impediment to the establishment of manufactories, but now you say that protection is the cause of high wages. But whether cause or effect, whether an obstacle or not, it is still true, if your Republican platform means anything, that you recognize that a protective tariff will increase the price which the manufacturer receives for his goods, although you promise to distribute that increased price to his laborers and add the balance of it to his profits.

Mr. President, I, myself, am not very much surprised that Republican Senators differ about the meaning of the Republican platform. I believe it was deliberately written to possess a double meaning; I believe it was written so that protectionists could read it up and tariff reformers could read it down. I am more than justified in that belief by the utterly irreconcilable constructions which Republicans of equal intelligence, of equal sincerity, are daily placing upon it.

But, Mr. President, I did not rise for that. I only rose to utter my protest amidst these Republican altercations against having the participants in them misstate the position of the Democratic party. Whenever a Republican can point to a vote that we have cast above a reasonable revenue standard, except when we voted for a lower protective duty as against a higher protective duty, then he can accuse us of favoring protection; but until we do cast such a vote no honest man among them has a right to say that we are in favor of protection.

Mr. DOLLIVER. Mr. President, a question has been raised here as to those of us who are not always able to agree with and support what the Finance Committee presents, and such a challenge by the leader of the Republican side of this Chamber requires even that the humblest man here who is not always able to agree with him should not permit the pressure of time to excuse him from stating exactly what he represents.

I have made no combination in this tariff controversy with anybody on either side of the Chamber. I have tried to get a just combination with the facts and figures which concern these tariff schedules. I have sought by conscientious study to find out what these rates ought to be, and wherever I have found in the report of the Finance Committee a rate which appeared to be higher than it ought to be I have not hesitated to introduce an amendment to reduce it to a reasonable level. It has not hurt my feelings at all that our brethren on the other side of the Chamber have so often concurred in these amendments. My theory is that every man stands on this floor face to face with his duty as advised by his individual judgment and information upon the question. I shall seek no votes on either side of this Chamber except by public discussion here, which I have not altogether abstained from as to the details of this measure. I not only refused to go about seeking votes, but it has long since ceased to be a part of my expectation to receive enough votes to give effect to the opinions which I have felt called upon to express about some of the schedules of this bill.

Yet, Mr. President, it ought not to be said that I do not represent anybody. I am trying to represent nearly 3,000,000 people, whose commission I bear here. I am trying, also, to interpret as best I can the purpose and the promise of the great party to which I have devoted the energy and strength of my whole political life, and I desire to call the attention of those who would narrow and belittle the work I am trying to do here to the fact that I am not without countenance in high circles among those who are now responsible for the administration of the Government under the platform and the purpose of the old Republican party, for on last Saturday night the Secretary of the Treasury, speaking in his home city, used these words:

> What the people expect—

He said—

> What the people expect is what the protectionist Republican party promised in its last year's platform, as interpreted by its candidate for the Presidency, and while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out.

Mr. BEVERIDGE. Will the Senator permit me there?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I had heard from certain sources that the term "revision down and out" was to be applied to the revisionists. One little sentence will let the air out of the bubble and that is this: What we have contended for is against an increase of the duties fixed by the House, and not for a decrease.

Mr. DOLLIVER. I have found it very convenient and consistent with my own purpose and view to disagree with nearly every proposition to increase the House rates, although not in all cases. I have already said that I am myself governed by old-fashioned Republican doctrines; and wherever an industry appears to me to need a higher duty than the House gave it, or even a higher duty than the Dingley law gave it, I have not hesitated, after careful consideration of the question, to stand by the ancient Republican faith.

The doctrine which I represent here is that we ought to reduce these duties when it can be done without a violation of the principle of protection as interpreted by the Republican party, and especially as interpreted by the leadership of the Republican party in the administration of which we are ourselves a part.

I find the Secretary of the Treasury saying that the Republican party promised in the last platform, as interpreted by its candidate for the Presidency, that there should be a revision downward. He says distinctly—and I will print that portion of his remarks relating to the tariff which appeared in the Chicago Tribune and the Chicago Record-Herald—if that is not done, the tariff question will not be out of the way. He says the demand for tariff revision was not for a radical and not for an impracticable reduction.

He says that—

> Everybody understood that the Republican platform stood for and would continue to stand for protection—

Nevertheless, he says that it was the understanding of the public and it was the profession of the leadership of the party that the schedules of the tariff should be on the whole reduced.

The following is from the report of Secretary MacVeagh's speech as it appears in the Chicago Record-Herald:

PREDICTS TARIFF REVISION.

> Upon the question of the tariff Mr. MacVeagh predicted that the revision would be such that the people would accept. The main point was to satisfy those of the Middle West. "But if they are not made satisfied," he said, "then the tariff question will unfortunately not be out of the way and we will not have rest and we will not have a clear field for currency reform." The demand for tariff revision, he insisted, was not for a radical and not for an impracticable reduction, because everybody understood that the Republican party stood for and would continue to stand for protection. "What the people expect," he contended, "is what the protectionist Republican party promised in its last year's platform as interpreted by its candidate for the Presidency, and, while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out."

I will add the somewhat fuller report in the Chicago Tribune of the same date:

TARIFF TO PLEASE PEOPLE.

> It seems to me that the chances are largely in favor of a revision that the people will accept.
>
> What the people expect is what the protectionist Republican party promised in its last year's platform. And while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out.
>
> In conclusion, one word about the President. He, too, seems to be of good cheer as to this tariff question. He seems to place great reliance upon the wisdom of the Congress and upon its public spirit. Of course it is easier to be complacent when you know you have the last word, and that the last word is a combination of language and big stick.

The President is an optimist and tremendously able, with full confidence in his ability to bring things to pass. He is so strong and big and confident that he will wait a long time, however, before he will fully use his strength, but the impression he makes is that if his antagonism should be aroused nothing could stop him.

His mind is wedded to principles and ideas. He is just. He is generous. And he is the most attractive and delightful man to work with that you can possibly imagine.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. SMITH of Michigan. I simply want to observe at this point, if I have the privilege of the Senator from Iowa, that the statement attributed to the Secretary of the Treasury last Saturday night, and which he has just read, reveals that distinguished officer of our Government in a marvelously consistent light. He entertained exactly the same views in 1892.

Mr. DOLLIVER. I am prepared for the general disparagement of the Secretary of the Treasury as being wanting in republicanism——

Mr. SMITH of Michigan. I am not disparaging him.

Mr. DOLLIVER. Then for what purpose does my friend rise?

Mr. SMITH of Michigan. Simply to show that he is consistent in his views, and some of us hope to be in ours.

Mr. DOLLIVER. For nearly twenty years the Secretary of the Treasury has been consistent with the views and the interests and the candidates of the Republican party, and he stands now in the closest confidential relation possible with the President of the United States. Is he disqualified to say that the Republican platform, as interpreted by the President, led the public to expect a revision of the tariff in a downward direction?

Mr. SMITH of Michigan. No, Mr. President, I do not consider that he is competent to say it, or at least to bind the Republican party by his declaration. I have no words of criticism to offer upon the public life or the character or the intelligence of the Secretary of the Treasury, but I can not forget that while Benjamin Harrison was upholding the banner of protection as our party understood it, the present Secretary of the Treasury, if my memory is not at fault, left his party and joined the party of Mr. Cleveland for a downward revision.

Mr. BEVERIDGE. Will the Senator from Iowa permit me?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. Surely the Senator from Michigan does not object to these hundreds of thousands and millions of recruits to our party, which we have obtained from other parties, especially when they embrace such brilliant and eminent men as the Secretary of the Treasury.

Mr. SMITH of Michigan. I do not object, but I decline to hand them the banner under which I have marched from young manhood.

Mr. DOLLIVER. By the time the Senator from Michigan proves that the Secretary of the Treasury, by his political record and by his political views, is not a fit associate in public responsibility for the President of the United States, I will get ready to admit that those who sympathize with my views here are not well calculated for harmonious cooperation with the Republican party as represented in this Chamber.

Mr. SMITH of Michigan. Mr. President, I do not intend to be put in the attitude of criticising either the character or the public service of Secretary MacVeagh. He is an accomplished, able, patriotic, honorable man, and the President of the United States has exercised his usual good judgment of men in this case, and he is responsible only to the American people for his choice. I do not intend to criticise him for the selection of his official family, but I would no sooner be bound by the advice of the present Secretary of the Treasury in my course upon this bill than I would be bound by the counsel of the Secretary of War, or any other Democrat, if he were to give it upon this bill, able and honorable as he may be.

Mr. President, I had not intended to take any part in this discussion. I do not propose to do so now. The Senator from Indiana gave his illustration of the faulty brick to be taken from the great structure of protection, and says that should not be regarded as a species of political vandalism.

I do not so regard it, but I call the attention of the Senator from Indiana to the fact that the last revision of a Republican protective tariff consisted only in taking a few bricks out of the structure here and there. Unfortunately, however, those bricks were withdrawn by vandal hands from the tariff wall, and when the tide came in the whole industrial system of our country was submerged in ruin and disaster and there floated upon the sea of idleness millions of our countrymen, until the bricks were replaced and the wall perfected under the leadership of the great McKinley.

Mr. President, not very many months ago it was my pleasure to pass through the little Kingdom of Holland, a kingdom not highly favored by nature, lower than the sea. The sturdy Dutchman pushed back the sea and planted a garden where the surly Neptune had so lately set his trident. If my information is correct, the sea has not gone over the dikes of Holland for many years, and yet if the Senator from Indiana and my honored friend, the Senator from Iowa, were to approach the Queen of the Netherlands and suggest to her that, inasmuch as the tide had not gone over the dikes for so many years, perhaps they might engage themselves in boring a few holes through it just for the amusement and the delectation of the people, what think you the young queen would say?

She would say to the Senator from Indiana with all his plausibility and eloquence, "Sir, these dikes around Holland are the safety of our people. They sleep better behind them. They pursue their daily vocations with a greater sense of security because the dikes are there;" and I hardly think any eloquent man, no matter how vigorously he might plead with the Queen of the Netherlands, could get her to take down those traditional bulwarks for fear that, at some time, in the darkness or the storm, there should come a tide high enough to sweep over the barriers built by the enterprising people of Holland. The tariff is our industrial dike, behind which the activities of our people thrive and prosper, and we must not impair or destroy it.

Now, sir, I regard the commercial enterprise of our people as sacred in our hands. I would not have foreign-made goods used by the American people if we can produce our necessities at home. I do not favor tempting the American consumer to buy foreign-made goods. I am a firm believer in the use of the handiwork of our own genius. This custom has contributed more to the comfort of our people—their prosperity and happiness—than almost anything that legislation could aid. I am a firm believer in this principle.

When I came to Congress the first time the people in my State were almost a unit in favor of the repeal of the Wilson-Gorman law. Our people were then unemployed; millions of them without wages and without food. The soup houses were the permanent boarding place for many of our laborers. They sent me here to help repeal that law, and I cast my vote for the passage of the Dingley law, and received the almost unanimous approval of the people of my district for so doing.

That law had scarcely been enacted before our factories were humming with the rattle of the busy looms, our forges glowed with furnace fires, the ports of our commerce stirred with the pulses of enlarged trade, and improvements in city, town, and county added to the beauty and utility of the land. I am not here to criticise or strike down the system which has brought such prosperity to our people, either piecemeal or otherwise, but I am here to protest against its destruction. Every vote I cast from the beginning to the end of this proceeding shall be cast with the desire to preserve to the American workman the blessed American privilege which he now enjoys, and I decline to join in any wholesale raid upon it.

This system has put to the credit of our laboring people more money than they have ever saved before. Our savings banks are the repositories of their surplus wages, and millions upon millions are being stored away for their old age and the dependence of the family, and I decline——

Mr. STONE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. SMITH of Michigan. No; I do not care to yield.

I decline to subscribe to the idea that we should begin cutting this tariff piecemeal in the interest of our rivals across the sea.

Mr. President, I rose merely for the purpose of expressing my view upon paragraph 321. When we passed the Dingley law there was no such commercial product as mercerized cotton cloth. We did not anticipate its manufacture. If, as the Senator from Iowa says, mercerized cloth was caught by the ad valorems of the Dingley law, I think he and I will agree that it was caught by accident rather than by design. But be that as it may, the mercerization of cloth is a great, growing, important industry. It is a fabric so attractive that those who have hitherto used foreign silks will prefer the mercerized goods instead. The tariff which we seek by this paragraph to supply seems to be what is required to preserve and to support the industry.

I do not desire foreign mercerized cotton to be used by the American people. I will not vote to make it easy for them to use it so long as our domestic product can be obtained reasonably, and in so doing shall be consistent with what I believe to be the best interest of our country.

Therefore, Mr. President, without going further or detaining the Senate I will simply say that those who disagree with me are certainly actuated by the same honorable and worthy motives as myself, and without in the slightest degree impugning their loyalty to our party or their patriotism or their

high sense of duty to their countrymen, I accord to them the same rights that I take to myself. I am wholly satisfied with this provision and shall cheerfully vote to make the duty specific upon this line of manufactured fabrics.

Mr. CUMMINS. Mr. President, evidently some of my Republican associates have been a little disturbed at the suggestion that they are Democrats. That has long ago ceased to disturb me. A certain kind of Republicanism has been calling me a Democrat for the last six or eight years, and I have become so accustomed to the charge that I can hear it with unruffled composure; and I hope that these friends of mine, who seem to think that the country at large will regard that as a disparagement, will take courage, because there is an intelligence abroad now that weighs the opinions of men and determines the position of men without regard to appellations and without regard to the attempt here or elsewhere to expel men from the Republican party because they are not willing to accept the Republican doctrine as it is expounded by those who are about us.

I do not challenge the Republicanism of my friend the Senator from Michigan [Mr. SMITH]. He has been entirely consistent, and I think he will be consistent to the end. He does not believe in reducing duties at any time or under any circumstances. He does not believe in the Chicago platform. He does not believe in the revision of the tariff that is now in progress. Never at any time did he lift his voice to bring about the revision through which we are now passing. I applaud his consistency. I admire the courage that he manifests in standing here and telling the American people that rather than reduce a single duty in the Dingley law he would lift up the bulwark that surrounds the American market.

His illustration, so apt, so pertinent, so accurate of the dike that keeps out the ravages of the sea from that little country abroad, shows precisely what he thinks of the tariff; and he would year by year add a little to the height of the tariff wall lest by some mischance, lest by some development, lest by some growth that we can not anticipate, in an evil moment a drop of water shall spill over this protection to a defenseless people.

I understand him, and I rather admire him because he has been so persistent and courageous in the effort to destroy the reduction of any of the duties in the Dingley law.

I understand, too, his philosophy—and there are a great many, I fancy, who hold it—namely, that no evil can come to the American people because the duties upon competitive products are too high. He minimizes the dangers that lie in the combinations, in the concentrations that are the striking characteristic of the last decade. He imagines that if the duties are higher than are necessary to measure the difference between the cost of producing here and abroad, with a fair profit to the manufacturer, the American people can not thereby be injured, that no danger can come to them, because he believes that in every field of American industry there is full and complete and substantial and effective competition. He believes that there is no such thing as a combination. He declines to open his eyes to the existence of a trust; and believing so, if I believed that there was no tendency in these modern times to interrupt the ordinary laws of business; if I believed that competition was an effective force in commercial affairs as it was in former times, I would not be insistent with respect to the reduction of duties. It is only because I believe that there is in the life of America, there is in the commerce of America, a tendency to destroy competition, that I am here to uplift my voice from time to time in favor of limiting duties to the fair difference between the cost of production abroad and at home.

These Senators who apparently repudiate the notion that any duty can be too high, are ready to assert that in the steel business there is full, complete, and perfect competition. They refuse to accept the manifest fact that there is just one concern that by the consensus of belief upon the part of those who know something about the business fixes the price of every pound of iron or steel sold in the United States. I am not asserting that there are not independent manufacturers, but they have no more influence upon the price of that product than though they were engaged in the manufacture of gossamer thread instead of steel rails or structural iron.

I believe, therefore, that with regard to these products it is of the highest importance that the duty shall be just sufficient to insure the manufacturer of iron and steel in our country a fair profit, leaving the fear and menace, whatever those forces may be, that if the prices are lifted up beyond a reasonable point they will challenge competition from abroad.

I have no hesitation in saying that while I am a profound believer in the doctrine of protection, while I will vote to place upon any product of an American mine, factory, shop, farm, a duty that will measure amply—not meagerly, but amply and fully—the difference between the cost of producing that article here and abroad, there is one right held by the American people more sacred than the right of protection. There is one thing more necessary to preserve our institutions in their full vigor and to preserve the character of our people in its full exaltation than the principle of protection. There is one thing we must have if America is to accomplish the destiny that we all fondly believe lies before her, and that is a fair and an even chance upon the part of every man, woman, and child in the battle of life. This is the most potent force in the civilization of the present age, and when we look into the commercial world we call this force "competition." That we must have. I want the competition of the United States, if possible, but I want the competition of the world, if necessary.

The consumer—that much-maligned, that much-despised, that supposed mythical man, the consumer—is better entitled to competition than the producer is to protection; and I found my political economy upon that fundamental principle.

It is idle, Senators, to say that men who believe there ought to be a limit to duties are disloyal Republicans. I was very sorry to hear the Senator from Rhode Island say that those who were voting for the report of the committee were loyal Republicans. I have no doubt they are, but I fear that he intended to have it inferred that they are the only loyal Republicans in this Chamber.

Mr. ALDRICH. Oh, no; I did not intend that.

Mr. BEVERIDGE. Just what did the Senator intend?

Mr. ALDRICH. My intention seemed to be perfectly plain. We are here charged with the responsibility of passing this tariff bill, and the men who vote for it and the men who support its provisions are certainly loyal Republicans. I did not intend to specify anybody else, nor do I now.

Mr. CUMMINS. I am sure the men who vote for it are loyal Republicans, but I was alarmed lest unthinking people would draw the inference that in the opinion of the Senator from Rhode Island those who differed from the committee were not loyal Republicans. I have myself expended as much time and as much strength for the Republican party as any man of my years in this Chamber. I love its history; I am proud of its leaders; I have sublime faith in the justice of its principles; and as I have had occasion to say more than once, there is no man, I care not how powerful he may be, how influential he may be, who can put me out of the Republican party.

Mr. ALDRICH. I hope the Senator will do me the justice to say that I alluded to him expressly, or intended to do so, when I said that there were Senators here who had always held that view—of course, inside of the Republican party. I had no idea of saying that the Senator from Iowa or any other Senator was outside of the Republican party. I have no authority to say whether a man is a Republican or not. That is a question over which I have no control and no desire to have control.

Mr. CUMMINS. Mr. President, I did not understand the Senator from Rhode Island to make the remark from which I drew the inference I stated. It has been made by others, however, and I could not allow this opportunity to pass without giving it at least the respect of a passing glance.

I have not accused the Senator from Michigan, nor shall I, because I have not heard him say anything here from which such a conclusion would naturally follow, but Senators who have heard this discussion will understand what I mean and to whom I refer in a broad and general way.

Now, let us see about this. I hold the Democratic party in the highest esteem. I hold its members in the highest regard, but I am not a Democrat. I do not believe in the economic doctrines which they announce from time to time, and which undoubtedly they believe to be sound and safe for the Republic. I do not believe in a tariff for revenue only, as I understand that maxim; and unless you, Senators, want to disintegrate the Republican party, unless you want to destroy its strength, it seems to me there ought to be an end here of either direct or indirect challenges to party faith.

I suppose that our friends upon the other side of the Chamber vote for a lower duty each time because they believe that the lower duty more nearly approaches the revenue standard. There is nothing inconsistent in Democrats so voting, nor is there anything inconsistent in the Senators who believe that the Dingley duties ought to be reduced in proposing from time to time such reductions of duty as we think are necessary to insure the welfare of the people, but which at the same time

will not allow one drop of that salty sea to pass into the farms and the gardens of the people of Holland. We are not here for the purpose of inundating Holland or any other municipality or country, but we are here to protect if we can against excessive duties our own people, our own consumers.

I have heard a great deal said here about consumers—that there are no consumers. There is a sense in which that is true, because nearly every man is a producer as well; but take the very schedule that we are now investigating. The cotton mills are the producers of cotton cloth and the whole country are the consumers of cotton cloth. When you come to measure these duties you are bound to look not only to the interest of those who manufacture cotton cloth, but those who use cotton cloth as well. The one is the producer, the others are the consumers.

As suggested by the Senator from Indiana [Mr. BEVERIDGE], when you put this duty upon mercerized cotton cloths, unnecessarily, you have given it in the power of the cotton producers by combination to lift their prices with the American people to a point that will give to them not a fair and reasonable profit but an unfair and an unreasonable profit. This is what I call excessive and inordinate protection, and it is this which, if persisted in, which if it finally becomes the established policy of our party or any other, will overthrow it just as surely as time records itself with the passage of day. It can not be otherwise.

We are remitted, then, to the investigation of this particular duty. When I rose, I rose really to speak about the duty, but there was another suggestion made by the Senator from Rhode Island which I knew perfectly and which I have observed in the campaigns I have made for years. The Senator from Rhode Island says, and he says truly, that there are in the Dingley law and in the proposed law as now reported to the Senate many duties that are prohibitory, many duties that are much higher than are necessary to accomplish the result to which, as Republicans, we are pledged.

That is just the source of my complaint. May I say to the Senator from Rhode Island, I hope, and all Republicans holding a faith like mine hoped, that the Committee on Finance, with its more extensive opportunities for knowledge and investigation, with its more technical information respecting these subjects, would eliminate before the bill was reported these duties which, according to the statement of the Senator from Rhode Island, are in conflict with the platform announced at Chicago, and to which every Republican in the land is pledged if he desires to remain a member of that organization?

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I did not say they were in conflict with the platform adopted at Chicago, nor do I think that they are.

Mr. CUMMINS. Let us see about that. It is quite true that the Senator from Rhode Island did not say that these duties were in conflict with our platform announced at Chicago, but what did he say? He said that they were higher than measured the difference between the cost of production at home and abroad, that they were prohibitory, and that nothing could be imported into this country against them; not only that they gave to our producers a fair chance in our own markets, but that they gave to our producers the only chance in our market.

Now, let us see whether that is in harmony with a statement which declares that our duties shall measure the difference between the cost of production abroad with a fair reward upon the capital required for enterprise. I assume that the inference I have drawn must necessarily be drawn by every intelligent man, by even the casual reader who compares the platform at Chicago. Is a duty so high, as the Senator from Rhode Island has said, that it not only measures the difference between the cost of production at home and abroad but that was greater than the selling price of the commodity in our own market? If any man can attempt to reconcile such a duty with the Republican declaration at Chicago, he will have more ingenuity and mental acrobatics than I possess at the present moment.

I hoped that all these duties, unnecessary for the protection of the people and alarming and menacing to the party as a political organization, would disappear when the Finance Committee took up this bill for consideration. I want to be understood upon that point. I hope it without any combination at all, because we disavow combinations. There has never been a single suggestion of concert between those who believe in a tariff for revenue only and those who believe in a reduction of these duties to the protective point. In all this time, in all this debate, I have not heard a suspicion of collusion or combination between the men who hold these two beliefs, and they are just as radically dissociated from each other, they are just as widely separated from each other, in principle as is the plan of the Senator from Rhode Island from the plan of the Senators upon the other side of the Chamber.

We differ from the committee sometimes, not always. The Senators who have been thus characterized have not differed always; on the contrary, more than half of all the paragraphs reported by the Senate committee have been adopted without protest, without suggestion of reduction, because we believe, if you please, that reduction was unnecessary. We have proposed reduction and opposed increases only, I will not say when we knew, because that indicates a certainty that can not come to the human mind, but when we believed that the duties that you proposed were higher than were required by the platform of our party and higher than were required by the safety and the welfare of our people. Therefore, we have done what little we could as I think in an intelligent and in a discriminating way to reduce these duties.

There are Senators here, and many of them, and I say no word against them, who vote to sustain the report of the committee, and they vote for the committee simply because, I assume, they believe in the judgment of the committee, because I venture the assertion that a good many of them at least have not made any independent investigation with respect to the duties upon these various articles. They vote because they believe that the Committee on Finance has reached in all probability a wise conclusion. I honor them for that. I have no objection to that course. But that does not suit me.

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. That does not suit the Senator from Idaho, either. It would be interesting to know the Senators who are in the mind of the Senator from Iowa when he charges them with following blindly without intelligent consideration the lead of anybody.

Mr. CUMMINS. Mr. President, that sounds to me like a motion for a bill of particulars.

Mr. HEYBURN. There are circumstances where direct charges are made, that amount to a question of the intelligent or conscientious performance of duty on the part of a Senator where a bill of particulars would seem particularly appropriate.

Mr. CUMMINS. Mr. President, the Senator from Idaho wholly misconceives what I have said if he imagines that there is in my statement a suggestion of want of fidelity upon the part of any Senator in this Chamber. I have done the same thing many times. I believe every Senator here has followed that course many times. He has accepted the work of a committee charged with a particular investigation and voted to sustain that committee without careful, full, and minute investigation. I do not conceive that I am charging any Senator with anything unworthy when I so assert. In this particular instance, however, there are some of us, possibly on account of former association, former tendencies, former campaigns, have thought it fit to look carefully into these schedules, and therefore we have ventured to differ from the committee upon certain paragraphs.

I know that the Senator from Rhode Island, I know that every member of the Finance Committee, has no belief that these Members are differing from the committee for the purpose of striking down the principle of protection. I should like to know in what vote the suggestion of a destruction of the policy of protecting American industries is found. What roll call discloses any purpose upon the part of these differing Senators? I am very sorry to have been compelled, or felt compelled, to draw a line between these Senators. Every Senator has a right to his own opinion, and I have never yet found it necessary to impute bad faith. I have never yet found it necessary to impute disloyalty to any of my associates here or elsewhere. I fight when I fight against a system, and not against men. It is no pleasure for me to disparage men. It is no joy for me to impugn motives. I know something about the organization of the world and of our country, and I know something about the forces of business. I know something about the tendencies, I know something about the environments, and I give full force to these things as they gradually mold and shape and color both individual and public opinion.

Therefore, so far as I am concerned, I intend to go right forward voting upon these paragraphs and upon every other question that arises upon the bill, just exactly as I think right. And I am going to assume that every other Senator is voting just as he thinks right, whether upon that side of the Chamber or upon this. I sincerely trust that in the days to come there

may not arise, either from one side of this line which apparently divides the Republicans here, or the other, the suggestion that there is disloyalty to the party, or the suggestion that we are endeavoring to break down and strike down the rights of American workingmen, or the suggestion that we would not rather use and wear and consume things made in our own country than those imported from across the sea. But let us work out this difference of opinion fairly, commonly, and impartially if possible.

In that spirit I now come to paragraph 321, and I want to reply for a little while, in a very few minutes, to the argument of the Senator from Massachusetts [Mr. LODGE] with respect to mercerization. The amendment upon which you are about to vote imposes a cumulative duty of 1 cent a square yard upon cloth that has been subjected to the process of mercerization.

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. Certainly.

Mr. HEYBURN. Before the Senator from Iowa leaves the consideration of the principle he had under consideration, I feel impelled to make a suggestion or two in his time.

It can not be possible that any part of this body or of the American people have lost confidence in the power of our Government to deal effectively with any evil that may have arisen. It can not be possible that in order to punish any people belonging to us or to settle any condition that has arisen we must call in mercenary assistance. It can not be possible that a condition has arisen in our business world at home that we can not manage.

For instance, the suggestion of the Senator from Iowa and other Senators that a condition of business, which is denominated the trust, has arisen and gained such a hold upon us that we can not manage it, and therefore we must go outside and call in the nations of the earth to overcome competition; for economic conditions here ought to be absolutely under the control of our own people. If trusts or unholy combinations have arisen, the laws of this country and the American people ought to be able to deal with them.

It seems too much like an admission of inability to say that we can not deal with you and we will go abroad and get the mercenaries of trade from other countries to come in here and settle this question of competition, because the law of competition is involved just as much in the tariff regulations of foreign goods as it is between our own people. That is the way this whole tariff question appears to me. It is a question, it appears to me, whether we settle the question among ourselves or whether you shall go outside and import some business virus with which we shall inoculate the American people and thus heal this imaginary or real disease, whichever it may be.

It does not appear to me, Mr. President, that we are justified in thus estimating the capacity of the American people to govern themselves. That is the reason why I vote for the bill reported by the committee. I do not support it with that warmth and zeal that I would had they maintained the duties that had heretofore existed and that stand between the competition of the American people and other nations.

That is the kind of a protectionist I am. Upon articles that we can not produce and articles that the people only use at their own convenience or choice I would impose a duty that would make a revenue that would meet the requirements of this country. Upon anything that the American people either do produce or can be taught to produce I would see to it that they had competition to themselves. There are 95,000,000 consumers, and pretty nearly that many producers, in this country. I would give them an opportunity in the field of competition at home to manufacture and sell and consume among themselves, and if any stranger wanted to come in with his wares, I would say, "There is a charge of so much admission before you can come in to do business with the American people." They are great enough and strong enough and have resources enough to constitute a world were every other country swept into oblivion. That is the kind of a protective tariff I am for.

Mr. CUMMINS. Mr. President, the Senator from Idaho is a formidable and an accurate sharpshooter, but he did not shoot at me. I suppose his victim will be found somewhere, suffering from the wound that he has inflicted, but he misunderstood me if his shot was intended to meet my argument.

I agree, Mr. President, that the duty upon all competitive articles should be high enough to enable our own producers to supply our market. I agree to that. That does not destroy competition, because there may be, and there ought to be, competition among the American producers. But if you make the duty higher than necessary to enable our producers to supply our own market, paying American wages and giving American capital a fair reward, then if the combination or monopoly which I know the Senator from Idaho thinks is imaginary, but which I know to be real, comes into existence, it is able to lift the American price above the American level without inviting competition from anywhere in the world.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I merely rose to correct any impression which may lie in the mind of the Senator from Iowa that I believe there is no such thing as a monopoly, because we have antimonopoly legislation, and if we enforce it, it will doubtless be effective to control monopolies. I would have no competition in a foreign country, because I would only deal with them in relation to those things which we can not produce ourselves.

Mr. CUMMINS. I would have no competition with a foreign country—that is, assuming we are dealing in competitive products—unless our home producers lift up the price, as they have been doing and as they are doing now, above a fair American level.

Mr. HEYBURN. May I ask the Senator if that is the point at which he would call in the foreign mercenaries to regulate our home affairs?

Mr. CUMMINS. I hardly know what the Senator from Idaho means with regard to "mercenaries." I remember that in the war of the Revolution there were certain Hessian troops who were called "mercenaries." I suppose in a general way that means troops that fight not for patriotism, but for pay. If that be true, then all the troops of commerce are mercenary, and they are fighting here for pay as vigorously and valiantly as I ever saw troops fight anywhere.

Mr. HEYBURN. I should like to have the understanding of the Senator from Iowa a little clearer as to mercenaries. A mercenary is a man who takes the part of somebody else for a consideration, and when a foreign country comes into our market for a consideration to settle the question of competition among our own people, it is a mercenary.

Mr. CUMMINS. I do not think there is a difference of opinion between the Senator from Idaho and myself. I may differ a little from him in just one respect; and in that his opinion seems to be shared by a great many others here. He treats the American market as though it were the birthright of the American producer.

Mr. HEYBURN. That is right.

Mr. CUMMINS. He does not contemplate that there ever will be a purchaser in the American market who has any right whatsoever. I believe in a market that is made up of producers and sellers and purchasers and consumers. I say that the consumer has some rights in that market just as sacred as have the producer and the seller. I would fill the market with American-made goods if I could, but I would not fill it with American-made goods if to do so involved the infliction upon the consumer or the user of an extortionate price for the things they are compelled to buy.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I dislike to use the word "vocation," because it is——

Mr. CUMMINS. I do not object to it.

Mr. ALDRICH. What would be the vocation of this particular consumer which the Senator from Iowa has in mind?

Mr. CUMMINS. I will tell you the vocation of the consumer. Mr. President, I am a consumer of cotton goods, and there are 95,000,000 other consumers.

Mr. ALDRICH rose.

Mr. CUMMINS. Now, wait just a minute. I know very well the distinction the Senator has in his mind and upon his lips. He is going to say that these other 95,000,000 outside of the cotton producers and cotton laborers produce something else.

That is true; they do produce something else; and so far as this particular thing is concerned, these mills in New Bedford, in Fall River, in the South, and scattered over New England and Pennsylvania are the producers, and the other 95,000,000 of people are, so far as this product is concerned, the consumers. They have a right to take the product of these mills at a fair and a reasonable price, all things considered. I want the New England mills to make these goods; I want the southern mills to make these goods, and the western mills, if there be any. The ideal condition with me as an American would be to buy nothing, to eat nothing, to use nothing that is not made

within the limits of the Republic, if I could buy those things and eat those things and use those things without contributing unduly to the avarice and greed and extortion of some manufacturer or producer.

Now, I yield to the Senator from Rhode Island.

Mr. ALDRICH. Mr. President, I ask the Senator from Iowa what would be the vocation of this ideal consumer that he had in his mind?

Mr. CUMMINS. I answered——

Mr. ALDRICH. Wait a minute. The Senator designated himself. Well, of course, he is a consumer, and so am I; but if the United States depended upon consumers like him and me, who do not produce anything except speeches, perhaps, for the edification of our fellow-citizens, we should soon be in a bad condition.

Mr. CUMMINS. I wonder, Mr. President, if the Finance Committee has it in view to put an ad valorem duty on speeches.

Mr. ALDRICH. I think it ought to be a specific duty.

Mr. CUMMINS. I think, Mr. President, that, in order to affect the business at all, it would have to be specific.

Mr. GALLINGER. And very high.

Mr. CUMMINS. And very high.

But now I return to the question of the Senator from Rhode Island, which is a very interesting one, and which involves one of those little fallacies which creep into nearly every political debate, namely, that this country can not be divided into consumers and producers. They can not if the whole vocation or business of the world is considered; but the producer of the particular article stands over against the consumer of that article, and the relations between those two must be properly adjusted. It seems to me, if it were otherwise, we are spending a very large amount of talk in vain. If I am not right in this contention, why not just pass a general law that there shall be a duty of $100 a pound on everything that can be weighed, and $100 a yard on everything that can be measured, and go home? That would certainly protect our markets sufficiently. The fact that you do not do that, the fact that there is not a Senator here who would advocate so extraordinary and so foolish a proposition, is the conclusive proof that there is a point at which the duty ought to rest; and that point is the point announced and so well defined in the Chicago platform; namely, the difference between the cost of production here and abroad, with a fair profit added to the American producer.

I again recur to the paragraph under consideration, to the duty of 1 cent per square yard to be placed as a cumulative duty on mercerized cotton cloth. From now on, Mr. President, I want, if I can get it, as I am now receiving it, the attention of the Senator from Massachusetts [Mr. LODGE]. He stated, and I rather think he stated properly, that a cent a yard was a very high protective duty upon the process of mercerization. I do not know whether it is or not; but I want to take him on his own ground. He believes in a specific duty of a cent a yard, instead of the old ad valorem duty provided for in the Dingley law. I, too, favor specific duties whenever they can be imposed without too conspicuous inequality; but I want to ask the Senator from Massachusetts if he believes not only in imposing one specific duty upon a mercerized yard of cotton cloth, but two specific duties, because this bill which is now before the Senate, and this paragraph which we are now considering, imposes two specific duties upon mercerized cotton cloth.

I have not got his samples here, but you will remember that he presented one beautiful specimen of cloth, concerning which he stated that it cost 12½ cents a yard to prepare it for mercerization and to put it through the process of mercerization. Am I right about that?

Mr. LODGE nodded in the affirmative.

Mr. CUMMINS. Well, I want to ask the Senator from Massachusetts to take a piece of cloth like that to be presented at our custom-house for admission to our shores, and I ask under what paragraph would that particular piece of cloth be assessed?

Mr. LODGE. I understand the Senator to mean cloth prepared for mercerization.

Mr. CUMMINS. The high-priced cotton cloth prepared for mercerization and mercerized.

Mr. LODGE. It would come in under one of the countable clauses, with the additional duty of 3.21 which is put on all fancy articles to which mercerization has been added.

Mr. CUMMINS. Precisely. That is exactly the answer which I would have expected from a candid student of the subject. The particular cloth that I can now see in my mind's eye, because it was so beautiful, would probably be worth 30 cents a yard or 40 cents a yard or somewhere along there. It would come in under one of the countable paragraphs, because it would be worth 12½ cents a yard more if prepared for mercerization and mercerized. It would pay under that countable paragraph more than 40 per cent of the 12½ cents which had been expended upon it for preparation and for mercerization, and if it were under the 40 per cent paragraph, possibly 35 per cent, possibly 45. But all I want the Senate to understand is that that piece of cloth had already paid one specific duty, because its value had been advanced by preparation for mercerization and by mercerization, and a very high specific duty, a duty that I can not now show the precise amount of, because it would require me to find the paragraph under which it would be admitted. I venture, however, the assertion that that particular cloth would come in under a high specific duty, 20 per cent higher than was allotted to it by the Dingley law. Still it would have to await the imposition of 1 cent per yard for the exact process of mercerization.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I do.

Mr. LODGE. I agree to the first statement which the Senator has made, but not to his last statement. When these mercerized or colored cloths come in, the duty that they get under the preceding paragraphs, the countable paragraphs, is the duty on white cotton. They do not get any additional duty if they form a figure or fancy effect. These are cumulative duties, put on in order to meet the additional expenditure on the cloth.

Mr. CUMMINS. Precisely. Mr. President, I know the Senator from Massachusetts is absolutely sincere about that, but that is just the fault that has obscured the path to a right conclusion of this matter from the beginning. I know that the Senator is not right with respect to that; I know that he thinks he is; and it will be for the Senate to determine. Now, take a piece of cloth, mercerized, that has not a figure on it, that has not a single fig leaf, if you please, to conceal its nakedness.

Mr. LODGE. You mean fully mercerized?

Mr. CUMMINS. Fully mercerized cloth.

Mr. LODGE. Those are the most expensive.

Mr. CUMMINS. Precisely; and they bear the highest specific duty. They bear a duty graduated according to the value of the cloth, and the value of the cloth is determined by what has been expended upon it to prepare it for mercerization and for mercerizing it. It is idle to contend in this presence that this cloth, to which the Senator from Massachusetts has referred, has not borne one specific duty that was regarded as ample and adequate to protect our markets against the intrusion of similar cloth from abroad. Notwithstanding that, you add, as it seems to me, unnecessarily and contrary to the highest dictates of patriotism and political sagacity, as well as of truth and justice, another cent per yard because it has been mercerized.

Take the very cloth that is open here [exhibiting]. I do not know how much it is worth per yard, but it is worth a good deal per yard. If that cloth were presented to our custom-house, and if it cost 40 cents a yard to mercerize it or to prepare it for mercerization, it would pay either 45 or 50 per cent—I have forgotten which—or more under a specific duty because that value had been added to it. Now you put upon it this additional duty of 1 cent as a specific burden. Senators, that 1 cent, although it may never be felt by a woman who wears a mercerized dress or a man who wears a mercerized shirt, will be a great burden when you enter the next political campaign.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Iowa [Mr. DOLLIVER], which the Secretary will state.

The SECRETARY. On page 111, line 3, after the word "yard," it is proposed to strike out the semicolon and the remainder of the paragraph, as follows, "on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard."

Mr. DOLLIVER. Mr. President, on that amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH] and therefore withhold my vote. If he were present, I should vote "nay."

Mr. NIXON (when his name was called). I am paired with the junior Senator from Alabama [Mr. BANKHEAD]. If he were here, I would vote "nay."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). My colleague, the senior Senator from Maryland [Mr. RAYNER], is absent unavoidably. He is paired with the Senator from Oregon [Mr. BOURNE]. If my colleague were present, he would vote "yea."

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. DILLINGHAM (after having voted in the negative). Owing to the absence of the senior Senator from South Carolina [Mr. TILLMAN], with whom I have a general pair, I withdraw my vote.

Mr. OLIVER. I inquire if the Senator from Connecticut [Mr. BULKELEY] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. OLIVER. I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]; but I transfer that pair to the senior Senator from Connecticut Mr. [BULKELEY], and vote. I vote "nay."

The result was announced—yeas 32, nays 38, as follows:

YEAS—32.

Bacon	Culberson	Johnston, Ala.	Overman
Bailey	Cummins	Jones	Owen
Beveridge	Dolliver	La Follette	Paynter
Bristow	Fletcher	McLaurin	Shively
Brown	Frazier	Martin	Simmons
Burkett	Gamble	Money	Smith, Md.
Clapp	Gore	Nelson	Stone
Clay	Hughes	Newlands	Taliaferro

NAYS—38.

Aldrich	Cullom	Johnson, N. Dak.	Root
Bradley	Curtis	Kean	Scott
Brandegee	Depew	Lodge	Smith, Mich.
Briggs	Dixon	McCumber	Smoot
Burnham	Elkins	McEnery	Stephenson
Burrows	Flint	Oliver	Warner
Burton	Gallinger	Page	Warren
Carter	Guggenheim	Penrose	Wetmore
Clark, Wyo.	Hale	Perkins	
Crane	Heyburn	Piles	

NOT VOTING—21.

Bankhead	Crawford	Foster	Sutherland
Borah	Daniel	Frye	Taylor
Bourne	Davis	Nixon	Tillman
Bulkeley	Dick	Rayner	
Chamberlain	Dillingham	Richardson	
Clarke, Ark.	du Pont	Smith, S. C.	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The question is on the paragraph as amended.

The paragraph as amended was agreed to.

Mr. DOLLIVER. Mr. President, in paragraph 322 I desire to submit the following amendment: In line 11 to place a period after the words "ad valorem" and strike out the remainder of the paragraph.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 111, paragraph 322, in line 11, after the words "ad valorem," it is proposed to strike out the colon, insert a period, and strike out the remainder of the paragraph, as follows:

Provided, That any of the foregoing having india rubber as a component material shall pay a duty of 15 cents per pound in addition to the duty herein imposed, irrespective of the relative value of the india rubber.

Mr. DOLLIVER. Mr. President, I should like to state very briefly what the effect of that proviso is. The paragraph specifies—

Clothing, ready-made, and articles of wearing apparel of every description, composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, made up or manufactured, wholly or in part—

And so forth.

The proviso carries into the cotton schedule, at 15 cents a pound and 50 per cent ad valorem, an astonishingly large list of clothing and wearing apparel which ought, in my judgment, to be included in the paragraph providing for manufactures of rubber, or of which rubber is the material of chief value, at 30 per cent ad valorem, as the present law provides, or 35 per cent, as the Senate bill provides.

Mr. ALDRICH. Mr. President, I have no objection to the amendment of the Senator from Iowa.

Mr. DOLLIVER. I was just going to suggest that in view of the fact that it carries gum coats, as well as gum boots and gum shoes, cotton-lined, into a wrong classification, I intended to appeal to the Senator from Rhode Island to strike it out, as the new percentage would amount to 75 per cent, as I calculate it, and more in many cases. Let this paragraph go into conference, and let very careful investigation be given to see if it is not possible to separate these rubber goods from cotton and woolen goods. This is one of the gravest abuses in the tariff law.

Mr. ALDRICH. I am willing to adopt the suggestion, Mr. President.

Mr. DOLLIVER. I desire to say further that this is an error in the Dingley law, which is preserved in an aggravated form in the House bill, and I felt no doubt that it found its way into this schedule because the committee in the hurry of controverted matters overlooked that which, I think, is a bad classification of merchandise.

Mr. STONE. Mr. President, a little while ago, when a somewhat interesting debate was on between Senators on the other side and compliments were being exchanged, I sought three times to get the floor, but was not successful. Other Senators addressed the Chair at the same time and, in the exercise of that high privilege that belongs to the Chair, in each instance some other Senator was recognized. I sought when the Senator from Michigan [Mr. SMITH] was delivering his florid oration on the dikes of Holland, to ask him a question, but he declined to yield. In the course of that oration, "still harping on my daughter," he referred to the soup houses and the millions of idle men who were tramping the country while the Gorman-Wilson law was in force. He said that he had been elected to Congress and commissioned to aid in correcting the evils that had grown up under that law. I wanted to ask him if he was not also elected and commissioned to prevent the recurrence of such evils in future by such corrective legislation as would prevent such a recurrence. He helped to make the Dingley law to take the place of the Gorman-Wilson law, and yet under that statute, which is still in full force, we have had as many soup houses and as many, if not more, men out of employment, wandering about seeking work, as we had during the Gorman-Wilson law.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. STONE. I will be more courteous than the Senator from Michigan; I will yield.

Mr. SMITH of Michigan. It is very embarrassing.

Mr. STONE. I do not wish to embarrass, but I wish to be courteous.

Mr. SMITH of Michigan. I did not mean to be discourteous to the Senator, but I was going to suggest that America did not have any monopoly of those hard times.

Mr. STONE. No; America did not have any monopoly of those hard times from 1893 to 1897, and had less monopoly of them then than we had in the recent panic. That is all I desire to call the attention of the Senator to, and to ask him to make some explanation as to why he did not enact some law to guard against a recurrence of the very evil he was sent here to correct.

Mr. SMITH of Michigan. Perhaps I was a little shorter in my response than I ought to have been. I did not intend that as a discourtesy.

Mr. STONE. If the Senator is going to make another oration on the dikes of Holland——

Mr. SMITH of Michigan. I am not; but I do not want you to make one on that subject, because you might make a great deal better one.

I was just going to suggest that while we did not have any monopoly of the hard times which existed year before last, there never was a time in the history of England, France, or Germany when times were better than they were while we had the Wilson-Gorman bill upon the statute books.

Mr. STONE. Oh, that rests in mere assertion, and it is an assertion of fact upon which I shall join issue. But I will leave that where it is on the pleading.

Mr. President, when I sought recognition two or three times, it was for another purpose than this. What I have said so far is merely in passing.

While the Senator from Rhode Island [Mr. ALDRICH] had the floor during the debate referred to, he arraigned with much severity his Republican colleagues who have not agreed with him about the rates reported in the bill now before the Senate, and charged that there was a combination between those Republicans, called "progressives" or "insurgents," and Senators upon this side of the Chamber. The Senator from Indiana suggests from his seat in an undertone "sometimes." I understood the Senator to be charging that there was a distinct combination between the "progressives" upon the one hand and Democratic Senators upon the other, and charged that they were voting in unison.

In answer to that, from my seat and without rising, I said "not always; sometimes some have voted as you did;" or words to that effect. I did not expect or intend that this suggestion, made from my seat, should go into the RECORD, although I had no objection to having it in the RECORD.

But the Senator from Rhode Island, and a little later the Senator from Indiana, saw proper to refer to what I said in a way that puts it into the RECORD. And now, I want to say just what I meant by the remark.

Mr. President, as a rule, with only two or three exceptions, Democratic Senators have voted together. There has been

and mercerized. It would pay more than 40 per cent of the 12½

under that countable paragraph cents which had been expended

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Mr. DOLLIVER. I desire to say further that this is an error in the Dingley law, which is preserved in an aggravated form in the House bill, and I felt no doubt that it found its

Mr. President, as a rule, with only two or three exceptions, Democratic Senators have voted together. There has been

scarcely an appreciable defection on this side in our voting. I did not like what the Senator from Rhode Island was saying about a combination, because I did not think it was founded in fact. I know there is no collusion, understanding, or combination of any kind between Senators upon that side who have been opposing the exorbitant rates proposed in this bill and Senators upon this side. It is true that one Senator upon this side has voted uniformly with the chairman of the Finance Committee in all these schedules. I refer to the senior Senator from Louisiana [Mr. McENERY], and on this floor that Senator within the last few days made a speech in which he declares himself to be a pronounced protectionist all along the line.

Mr. President, I have not myself always voted with the so-called "progressives." We have had votes here, as every Senator knows, when some Senators upon this side have voted with the progressives and there have been other votes where they have been opposed, as the RECORD shows. Sometimes it has happened that the so-called "progressives" have voted with the Committee on Finance, and Democratic Senators have recorded themselves solidly—or practically so—on the other side. So when the Senator from Rhode Island declared that there was some sort of combination between the so-called "progressive" element of the Republicans and Democratic Senators, I made the remark I did in the way of contradiction. I was not seeking to impeach or criticise or censure what Democrats upon this side may have done, whatever I may have thought about it, but I did not think the facts warranted the declaration made by the Senator from Rhode Island. That is all I care to say in explanation of that remark.

But while I am on my feet and before I leave the floor I think it an opportune time to say that, so far as I am concerned, whatever other Senators on either side may think about it, I believe that the solemn declarations of a party convention, assembled with delegates from every State in the Union—intelligent and representative men, met to declare the principles and public policy of a great party—should have some binding force on party men.

Platforms are made by representative men sent from every State in the Union, and they meet in one great national convocation. I have attended several of these party conventions. I have been upon platform committees. I have never known, in my experience, a platform that did not have in it some things I thought it would have been better to have left out, and other things left out which I thought should have been put in. But when, by a consensus of the judgment and opinion of all the delegates, a platform is agreed upon and promulgated, it has a binding force upon me as a party man.

In like manner, when a Republican national convention assembles and promulgates a platform of policies and purposes, it ought to have some binding force upon Senators of that faith; at least upon all who care for party discipline and party obligation. If this be not true, then party organization is a myth. It amounts to nothing if Senators or Members of the House of Representatives upon either side of the Chamber can come here and say they are indifferent to the solemn avowals of a national convention, which is the supreme party tribunal, and that they will assert their own views and judgment upon questions without regard to party declarations. They have a right to do it, of course, and when they do I do not consider it within my province to arraign them. Every Senator acts on his own conscience and judgment, and is responsible to his own constituents. But I want to say for myself, and let it go into the RECORD, that I am a party man; I am a Democrat; and on current questions of party policy I look first and immediately to my party platform to see what my party stands for.

Mr. McLAURIN. Mr. President, before the debate closes I wish to call attention to one thing that has been uttered time and again by the Republican members of the Senate and has been again repeated to-day. I have nothing to do with the quarrels between the members of the Republican party in the Senate. If some of them desire to repudiate the party platform as it was understood by the American people in the last election, and revise the tariff up, and others desire to execute the will of the majority of the American people as they expressed themselves at the polls, adopting the policy laid down by the Republican platform, it is no concern of mine.

I will say, however, that while the Senator from Michigan insists upon his simile or analogy of the dikes that protect the Netherlands against the floods, thereby proclaiming himself by implication in favor of an entirely prohibitive tariff—because it can mean nothing else—if he will recall the history of that country, he will remember that there came a time when the people of that country cut the dikes and let the floods in, in order that they might be protected.

So, now, if the Senator from Michigan and those who uphold him are correct in the doctrine that there shall be no trade between this country and any other country, that the tariff shall be so high as entirely to prohibit importations to this country and thereby prohibit commercial relations between this country and any other country, there may come a time, as it is supposed by the American people that there has come a time, when the enemy to this country—extortion—will need the letting in of the floods of importation in order to destroy that enemy, as in the time of cutting the dikes the floods were turned into the Netherlands in order to destroy the enemies to that country.

But, Mr. President, it has been asserted time and again that the trouble which came in 1893 and 1894 was because of the Wilson tariff bill. For more than a third of a century no tariff law had been enacted by the Democratic party. No tariff law had been enacted where any material number of the Democratic party had had any efficient participation in its enactment.

Yet there came the panic of 1873 and there came the panic of 1893, the latter of these panics when the McKinley Act was in full force, a bill that had permitted every man who wanted protection, or at least wanted an opportunity for extortion under the name and guise of protection, to come in and take just exactly what he wanted, as he is permitted now. So the panic of 1893, which destroyed business in the country at that time, which caused tramps to flock all over this country and to come in armies—the Coxey army—to the city of Washington for the purpose of righting themselves, occurred under the highest protective tariff probably that there had been up to that time, and was not caused by any tariff legislation of the Democratic party. I hope this assertion, which has been made time and again against the Democratic party, will always be answered by some Democratic Senator or Representative in the Congress of the United States.

The panic of 1893 threw its shadow through the next four years, and it took four years to recover from the panic that had been produced under the McKinley tariff act. I do not know whether the McKinley tariff act was the cause of the panic or not, but if any tariff legislation produced a panic and produced the trouble that existed in 1893, 1894, 1895, and 1896 it was the tariff act of 1890, known as the "McKinley Act."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph as amended is agreed to.

Mr. BACON. Mr. President, I simply desire to say that in the interest of the expedition of business we will not ask that these paragraphs be put to a vote, but in consenting to that form of announcement we do not wish to be understood as agreeing to the paragraphs. With that statement I am perfectly willing that the Chair shall continue to make the announcement in the way it has been made.

The PRESIDENT pro tempore. The Chair would hold it open if any objection was made, even subsequent to the announcement.

Mr. BACON. The Chair did not understand me correctly. I said that in the interest of the expedition of business we would not object to the announcement being thus made by the Chair—that there was no objection—but we did not desire that, by that form of announcement, it should be considered that we did in fact have no objection.

Mr. ALDRICH. In paragraph 323 the committee have an amendment. I offer an amendment, to insert the words "except flax" after the word "fiber," in line 19, on page 111.

The SECRETARY. In paragraph 323, line 19, after the word "fiber" and the comma, insert the words "except flax" and a comma.

Mr. MONEY. It was impossible for me to hear what the Senator from Rhode Island said. There is so little order in the Senate that it is almost impossible, at least for me, to know what is going on. I am not trying very hard to understand it all, but I would like to get some. I ask the Senator if he will not repeat what he said.

Mr. ALDRICH. I said the amendment which I send to the desk provides for inserting the words "except flax" in the provision in regard to pile fabrics. It is provided for in another paragraph in Schedule J.

Mr. DOLLIVER. I desire to offer an observation in regard to paragraph 323, which relates to plushes, velvets, velveteens, corduroys, and all pile fabrics, and so forth. I observe the committee has left the House rates undisturbed, and that the House left the Dingley rates undisturbed, and I desire to submit an inquiry whether it would not be a wise thing somewhat to re-

duce that inclusive duty contained in the last proviso of the paragraph:

> That none of the articles or fabrics provided for in this paragraph shall pay a less rate of duty than 47½ per cent ad valorem.

That seems to have been calculated to a very great nicety in 1897, but I can not find any reason for maintaining a higher ad valorem duty on those goods in the present state of the manufacture, which is now very highly advanced, than is provided for the highest classes of manufactured cotton cloths.

Mr. ALDRICH. It is much more expensive to make these plushes, velvets, velveteens, and so forth, than the ordinary cotton cloths. They have always had a higher rate in all the tariff bills, and the rate is only 2½ per cent higher than that on the ordinary common cloth. I think the rates can not be reduced without affecting seriously the manufacture in this country.

Mr. DOLLIVER. But the highest rate provided for the highest style of cotton cloth, cloths exceeding 300 threads to the square inch, is limited by a minimum of 40 per cent ad valorem, while twelve years ago the manufacture of many of these cloths, plushes, and so forth, was a comparatively new industry. The price of these cloths has not been in excess of the price of highly wrought cotton cloths. For instance, corduroy is a very common article of clothing, and, I think, not so expensive as the high grades of cotton cloths. The manufacture is very well advanced in this country, and I would be very much pleased if the twelve years of progress in the art of weaving this cloth under ample protection could be followed by a slight reduction of the Dingley schedules, although I do not propose to offer an amendment to that effect.

Mr. ALDRICH. I will say to the Senator from Iowa if I did not feel that the rates suggested are necessary for protection I would not resist his suggestion. I am perfectly sure, because I am quite as familiar with this industry as any article of the cotton schedule, that these rates are not high. They are articles of luxury. Some of these velvets are high priced and I should be very sorry to see any reduction of the rates.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Finance.

The amendment was agreed to.

Mr. OWEN. Mr. President, before the paragraph is disposed of, it seems to me that this is an opportune time in which to request the chairman of the Committee on Finance to explain "the difference in the cost of the production of these articles in this country and abroad." I have waited in vain for an explanation on paragraph 316, which was kindly promised by the chairman of the Committee on Finance. I hope it will not be regarded as intrusive if I should suggest that the platform of the Republican party pledged the leaders in the Senate to write this paragraph among others in the light of "the difference in the cost of production in this country and abroad."

Cotton goods as a general rule do not exceed in labor cost, counting the labor as compared with the gross value, approximately 30 per cent for the entire amount of labor. Indeed, the textile schedule, as shown by our census, does not exceed 19.5 per cent of the value of the product for the labor cost. But here the difference between the cost of production in this country and abroad is put at 47½ per cent. I should like to inquire of the Senator from Rhode Island what is the difference by percentage in the cost of the production of these articles in the United States and abroad.

Mr. ALDRICH. Does the Senator wish an answer to his question?

Mr. OWEN. I have addressed an inquiry to the most learned expert on the question of the difference in the cost of production in this country and abroad that can be found on the floor of the Senate, and wish a plain answer.

Mr. ALDRICH. Mr. President, I appreciate fully the recurring and I was almost going to say spasmodic thirst for knowledge of the Senator from Oklahoma. It is shared more or less by other Senators sitting upon the other side of the Chamber. I have no doubt that if we had a combination in this respect in which this thirst could be pooled it would be extremely valuable and it would answer in the new State of Oklahoma.

But the Senator from Oklahoma could not have listened to my speech the other night, to be serious about this matter, because I explained the difference between the cost of production here and in competing countries abroad upon these articles in the cotton schedule. That speech I have not had a chance to read yet, but it will be published in to-morrow morning's RECORD, and I will suggest that the Senator should devote his spare time to a perusal of it.

Mr. OWEN. Mr. President, I shall defer this matter with great pleasure until to-morrow morning, but I wish to advise the Senator if his printed remarks are no more satisfactory than his explanation of paragraph 316, which took place after the passage of that paragraph, and in such an indiscernible and invisible manner that it never reached my ears nor appeared in the RECORD, that I shall again make the inquiry of the Senator from Rhode Island as to the difference in the cost of production.

If it would not greatly inconvenience the Senator at this time, I should like to know the percentage of labor cost in these articles in the United States.

Mr. ALDRICH. I stated in a general way that the cost of labor in the United States was about twice what it is in competing countries, that is, about 50 per cent difference. The difference in this paragraph is 47½ per cent.

Mr. OWEN. Mr. President, in determining any mathematical equation where x is the unknown quantity, to double the value of x is not very elucidating.

Mr. LODGE rose.

Mr. OWEN. I should like to have the Senator from Massachusetts inform me with regard to the difference of the labor cost of these articles.

Mr. LODGE. The statement read by the Senator from Rhode Island the other night gave the figures of the British Board of Trade collected in the various countries of Europe and in the United States. I suppose the Senator from Rhode Island thought that the British Board of Trade would be considered a disinterested witness. Those figures represent the difference of cost very accurately. I can not repeat them from memory, but I can get the report of the board of trade and submit it here.

I know what an investigation showed made by Carroll D. Wright, who was a statistician, I think, whose reputation is unquestioned. It was made when he was chief of the bureau of labor statistics in my State. The inquiry extended over a number of years, and the result was that in 90 industries of Massachusetts and England the wages per hour were 77 per cent higher in Massachusetts than in Great Britain. He gave all the details involved, making up five volumes.

Mr. OWEN. After the side remarks of the Senator from Massachusetts I would now like an answer to my question. I have access to those statistics.

Mr. LODGE. I have given the Senator an answer. I can not make him understand it, of course.

Mr. OWEN. The Senator from Oklahoma is entirely capable of comprehending anything that will emanate in the English language from the Senator from Massachusetts. But when the Senator from Massachusetts talks about the difference in the amounts paid to the labor of Great Britain as shown by the reports referred to which are in my possession, and from which I have made a compilation, he does not answer the question as to the percentage of labor cost in the materials mentioned in this paragraph.

Mr. LODGE. I beg the Senator's pardon; I did not understand that that was his question. I thought he was asking what the difference in labor cost is.

Mr. OWEN. The question was that which I have last stated.

Mr. LODGE. Now I understand that what the Senator wants is the amount of labor cost of the material.

Mr. OWEN. The percentage of labor cost.

Mr. LODGE. The percentage of the labor cost, as distinguished from the material used, I can not, in this particular paragraph, give without an opportunity of inquiry. I can get it by inquiry. I can not answer it offhand.

Mr. OWEN. Then I move that this paragraph be passed over until that information be furnished.

Mr. GALLINGER. I object, Mr. President.

Mr. OWEN. I have sought in vain to obtain from any member of the Finance Committee the percentage of labor cost in any of these items. Not in a single instance has an answer been made, and I venture to say that no answer will be made while this debate is pending.

Mr. ALDRICH. I said the other night that in a fabric costing $1 a pound—and the same rule applies to all these articles—not over 20 per cent was the cost of the material and 80 per cent was the cost of labor. Of course I would be glad to accommodate the Senator from Oklahoma, but if we wait until every Senator is satisfied about something which he may have in his mind with reference to these matters it will take a long time, especially if we get to a point where he is sure that he understands it.

Mr. OWEN. Mr. President, I call the attention of the Senator from Rhode Island to the report of Mr. Carroll D. Wright, published in Senate Document No. 20, Fifty-fifth Congress, third session, a gentleman whose ability in the matter of making such inquiries has been complimented by the Senator from Massachusetts.

190. Cloth manufactured in the United States. Cotton cloth, 38½ inches wide; picks, per inch, 64 by 64; warp yarn, No. 30; weft yarn, No. 36, 5.15 yards per pound. The cost of labor in transforming these materials is not 80 per cent, but 33 per cent, and the cost of the material not 20 per cent, but 66 per cent.

In case No. 181, four-leaf twills, 43 inches wide; picks, per inch, 68 by 68; warp yarn, average number 2805; weft yarn, average number 3778; 4.30 yards per pound. The labor cost is 35 per cent, and 64 per cent of the whole value is the cost of the material. So it goes with numerous other particular cases enumerated by him. I think, therefore, it is very much in point to know what is the percentage of labor cost in these articles, and also what is the percentage of labor cost of these or similar articles in Great Britain.

Mr. ALDRICH. Mr. President, I do not know whether the Senator is interested on account of the Chicago platform in these propositions or for some other reason. I will give the Senator from Oklahoma one answer which applies to practically every schedule and every paragraph in the bill. The total cost of production in the United States is a labor cost; practically entirely so.

Mr. OWEN. Upon what evidence is that based?

Mr. ALDRICH. Common sense.

Mr. OWEN. That is not sufficiently accurate as an answer to my question, statistically.

Mr. ALDRICH. That may not be good authority to the Senator from Oklahoma.

Mr. OWEN. It depends by whom the announcement is made.

Mr. ALDRICH. The Senator, and every Senator, must know that the cost of production of every article produced in the United States is in its last analysis a cost of the labor that goes into it. The only exception to that must be, of course, ore in the earth undisturbed and lumber in the primeval forest undisturbed. Every other element of cost is a cost of labor in one form or another. So if a piece of cotton cloth costs a dollar, it practically represents a dollar labor cost.

Now, as a general thing, wages in Great Britain are about one-half what they are in the United States, and the cost of production of an article in Great Britain is about half what it costs in the United States. I mean the total cost from one end to the other and the long line of development and manufacture.

Mr. BACON. If the Senator will pardon me——

Mr. ALDRICH. The cost in Germany is 40 per cent. I will not stop to question small refinements of difference, but in the main it is about 40 per cent what it is in the United States.

Mr. BACON. I ask the Senator a question for information, with his permission. When the Senator says all the labor cost, does the Senator mean that the capital is but the result of labor, the previous labor accumulating?

Mr. ALDRICH. Undoubtedly.

Mr. BACON. He does not, then, separate the labor immediately employed from capital?

Mr. ALDRICH. Not at all. I do not think it is fair to make a comparison of that kind. It is never fair to make comparisons of the cost at a single stage of this long process of manufacture.

Mr. BACON. I am speaking about the capital employed.

Mr. ALDRICH. You can not say, for instance, that if it costs 10 per cent to transfer yarn into the next step that the total cost is 10 per cent. That is absolutely plain, I think, to everybody.

I repeat for the benefit of the Senator from Oklahoma that the labor cost of all articles produced in the United States will be at least 90 per cent of the total, and he can figure the difference himself, whatever it may be.

Mr. OWEN. I have figured it from our own census, and I find that the statement of the Senator from Rhode Island, in its application to the point at issue, is not true, and it is not approximately true. I will state what I find with regard to the textiles, for instance. I do not wish to say anything which is discourteous; I do not mean what I say in that way, because I am not now dealing with the Senator from Rhode Island personally, but I am dealing with a public question upon which it is my duty to speak, and to speak as plainly as I understand it.

I have examined the census reports. I have taken the gross amount of the products of American manufacturers by the census of 1900, and I have taken the gross amount of wages paid. The gross amounts of these products when estimated by the wages, show that the total amount paid to labor out of some $13,000,149,159 in value in products (Ab. Census 1900, Table 156) of manufactures is $2,320,938,168, and the general average of actual labor cost is 17.8 per cent of the gross value of the product, and no more. So the percentages do not comport with the view of the Senator from Rhode Island that 90 per cent of the product is the wages of labor. While it is true that a large part of the gross value of the products, to wit, $7,343,627,875, are materials and enter into the calculation, and while it is relatively true that those materials are also originally sprung from the hand of labor, and a large part of them may be classsed in this confused way as the result of labor, still as far as these manufacturers are concerned that material, which is raw material for the factory, must be considered as material alone, and the labor cost of putting those materials so manufactured into their merchantable form does not exceed 17.8 per cent, and in the group of textile industries only 19.5 per cent, the gross product being $1,637,484,484 and the total wages $341,734,399. I call attention to this fact, because I think it is very important.

Mr. ALDRICH. The Senator from Oklahoma is new, reasonably new, anyhow——

Mr. OWEN. Very new, Mr. President.

Mr. ALDRICH. In these tariff discussions. It is a matter that has been gone over a thousand times, I take it. I suggest to the Senator that if he takes this proposition over night and will study it, he will find that the cost of production in the United States of any article that he may choose is 90 per cent of it at least labor, and he will find if he reads the statistics and digests them carefully that the cost of that labor in the United States is vastly in excess of what it is in any other country.

Now, he can figure for himself, he being a bright mathematician, what the various problems are with reference to any particular item, and there can be no other answer given to the Senator from Oklahoma. He may have a judgment about it which is entirely different from mine, but that is a matter of theory, and I presume, if I should take the next six weeks in discussing it with him, he probably would not agree to my judgment in regard to it.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I will in just one moment. If the Senator from Rhode Island would show me the authority upon which the difference in the cost of production is based in these paragraphs, and if the rates proposed really represented the difference in the cost of production at home and abroad, I should agree with him and vote for the schedule. But I can demonstrate the contrary and have done so in the Carroll D. Wright report in 446 instances, as well as by the census table 156 (Ab. Cen., 1900).

Mr. BACON. Will the Senator permit me to ask the Senator from Rhode Island a question?

Mr. OWEN. I will yield for a moment to the Senator from New Hampshire.

Mr. GALLINGER. Just a moment. I will ask the Senator from Oklahoma if he thinks the rates named in the bill are too high?

Mr. OWEN. I do.

Mr. GALLINGER. If they are lowered, it will increase the importations, will it not?

Mr. OWEN. I should think so, Mr. President.

Mr. GALLINGER. Now, Mr. President, we imported between three and four million yards of the articles in this paragraph last year at a cost of between one and two million dollars. Does the Senator from Oklahoma want to import some millions more of those goods and deny the privilege to the American manufacturer and the American workingman to produce them in this country?

Mr. OWEN. No; Mr. President, I do not feel willing to deny the American manufacturer any just provision which would put him upon a perfect equality with other manufacturers of the world.

Mr. GALLINGER. Yes; but if the Senator will permit me, we imported between three and four million yards. If we reduce the rates we will, perhaps, import as much more, possibly even a larger amount than that; and that, of course, will displace to that extent employment to American workingmen and the opportunity of American manufacturers to do business in this country. Now, if the Senator wants to accomplish that result, of course these duties ought to be reduced.

Mr. OWEN. In response to the Senator from New Hampshire, I will say that the importations of the goods to which he has referred is due to the fact that they fill a matter of want and a matter of taste of the American consumer, and therefore are brought into this country. I believe that the goods which are produced in America will find an equal foreign field, due to the same question of taste or same question of foreign desire to have that which is made in our country. I do not believe that the Americans are peculiar in that respect, but that they, like all other purchasers, follow the line of their taste in such matters. I do not believe that if we were to absolutely close

our ports to all foreign importations we would thereby benefit our own manufacturers. I believe we would do them a harm, because just as soon as they had supplied this market they would then close their factories; they would no longer need to employ labor; they would no longer have occasion for any other market than that which would be afforded here.

I do not think that is a wise policy. The United States exports and imports are less per capita than any other civilized nation in the world, and it is because of the narrow policy which excludes foreign imports and compels foreign people to avoid purchases from our country.

The only question in this matter which I am constrained to insist upon is that the pledge which was made to the American people shall be faithfully complied with, and that is why I have called attention time and time again to the percentage of labor cost in these articles, in order to elicit the fact that "the difference in cost of production at home and abroad" is not the basis upon which these schedules are being written. It can not be emphasized too strongly before the Senate and before the people of the United States as to the pledge made to them in the past, even if it is explained on the floor here, that it was not intended to write this tariff down; the people of the United States ought to understand that the pledge made to them is not being carried out; and when I call for "the difference in the cost of production" the Senator from New Hampshire rises in his place and says that the inquiry is absurd.

Mr. GALLINGER. Oh, no; I did not say that.

Mr. OWEN. I so understood the Senator.

Mr. GALLINGER. I beg the Senator's pardon, I did not make any criticism of that at all. I simply interrogated the Senator as to whether if the rates were reduced the importations would not be increased. I find no fault with the Senator's effort to get the information that he is seeking, but I am at a loss to understand why the Senator can not get that on his own account quite as well as to demand that any other Senator shall get it for him.

Mr. OWEN. I am abundantly supplied, and I shall furnish the Senator with that information in my early convenience. What I am pointing out is not my lack of information. I am pointing out that when I call on you gentlemen who are representing the party in power to give the percentage of labor cost in these articles you make no answer, but on the contrary you indulge in general discussion and talk about the labor cost of Europe and the labor cost here, and do not come down to the real issue. That is what I am calling attention to.

I will furnish the Senate with the percentage of labor cost. I have already pointed out to the Senator from Rhode Island that the total labor cost, as shown by our own census, is 19.5 per cent of the value of the gross product in the textile industries of the United States and 17.8 per cent of the gross value of all products of all the industries. That is a fact of vital importance recorded in our census reports, and it is not to be set aside by informing me in a high-handed way that common sense will tell me that 80 per cent of any product is labor. The census is to the contrary, and the inquiry is not to be dealt with in that manner. I have a right to ask these questions, and I have a right to a frank answer showing what the percentage of labor cost is in these articles, and showing what the percentage of labor cost is abroad; and then we can calculate the difference in the percentage of labor cost in this country and abroad and thereby determine the tariff rate. Without that data you can not do it. I have a right to demand the tariff be so written as the Republican party is pledged. I do demand the requisite data, even if I receive no answer.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be reported.

The SECRETARY. Paragraph 324. "Curtains, table covers, and all articles manufactured of cotton chenille," etc.

Mr. ALDRICH. For the committee I offer an amendment which I send to the desk. The effect of this amendment is to quite largely reduce the rates of the paragraph, and make it more consistent, and make it apply surely to the articles which it was intended the paragraph as originally drawn should apply to.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 15, page 112, paragraph 324, after the words "chief value," strike out the remainder of the paragraph and insert:

Tapestries, and other Jacquard figured upholstery goods, weighing over 6 ounces per square yard, composed wholly or in chief value of cotton or other vegetable fiber; any of the foregoing, in the piece or otherwise, 50 per cent ad valorem.

Mr. DOLLIVER. I should be very glad to have an opportunity to look at the amendment for a moment.

Mr. BEVERIDGE. We might pass on to the next paragraph, I suggest.

Mr. ALDRICH. We might take up the next provision I think.

Mr. LA FOLLETTE. Is it the Senator's purpose to have the amendment printed and go over until to-morrow?

Mr. ALDRICH. I do not object to having it go over if it is the desire of Senators.

Mr. DOLLIVER. I should be very greatly obliged if that course is pursued.

Mr. LA FOLLETTE. I ask that that be done.

Mr. ALDRICH. We can take it up this evening possibly. It was offered by me several days ago.

Mr. LA FOLLETTE. I had not seen it.

Mr. ALDRICH. The Senator will find it already printed. I will have it taken up this evening at the evening session.

Mr. BAILEY. Mr. President, the Senator from Missouri [Mr. STONE] a few moments ago took occasion to make an inferential criticism against those of us on this side who could not see our way clear to place lumber on the free list, and delivered his opinion to the effect that a Democrat is bound by the declaration of the Democratic party in national convention. To that statement, so far as it relates to a principle, I thoroughly and cordially subscribe, but I have said on another occasion that I do not believe that a convention of delegates selected wholly without reference to these matters of legislative detail have any power to bind the judgment and the conscience of legislators with respect to them. The convention goes to the full extent of its authority when it names a candidate and adopts a platform declaring the principles of the party. That rule has been generally accepted by men of all parties, but this acceptance has found a very distinguished exception in the person of the gentleman who now criticises the Democrats and whose criticism the Senator from Missouri has echoed.

In 1892 the Democratic national convention expressly and emphatically declared without reserve or qualification in favor of a law to repeal the tax of 10 per cent on the issues of state banks, or rather, the tax of 10 per cent on institutions which paid out the notes of state banks, which was in effect exactly the same thing. At that time there sat in the House of Representatives the Hon. William J. Bryan, representing a Nebraska district, and, when the Democratic party in the House of Representatives attempted to fulfill that pledge of the national convention, he refused to be bound by it, and voted against that specific, direct, and positive pledge which the Democratic party had made to the people of the United States and on which it had won a great triumph. I have no criticism to make of him further than to repeat against him and his friends the criticisms against us in which they now indulge. You will find upon an examination of the RECORD that Mr. Bryan not only refused to be bound by that declaration, but asserted the doctrine that a congressional district had the power to bind its representative against the authority of the party in national convention assembled; and though Mr. Bryan voted and spoke against the redemption of that pledge, he has been three times nominated by the Democratic party since then for the Presidency of the United States.

More than that, Mr. President, the question of whether or not that law, which imposed a tax of 10 per cent upon the issues of state banks, should be repealed, involved, at least in the opinion of many of us who then sat in the House of Representatives, a question of principle and not of policy. Two of the distinguished judges who heard and decided that case in the Supreme Court of the United States held the law which we sought to repeal invalid upon the ground that it invaded the power of the State to organize corporations and to endow them with such faculties as, in the judgment of the legislature, might be proper.

Speaking for myself, that was the principle upon which I voted. I have never believed in bank money, whether issued by the banks created by the General Government or issued by a corporation created by a State. I have always believed that the power to issue money is a sovereign power and can not be properly delegated to individuals or to corporations; but I also believe that the States of this Union have the right and have the power under the Constitution of the United States, if they see fit, to create a corporation and authorize it to issue its promissory notes. Those notes can not be made by any law of any State a legal tender.

No man can be compelled to receive them in the transaction of his business, and if he does accept them, he accepts them simply as he would accept my note or the note of another individual or the note of a corporation. He takes them voluntarily, and at their value, under no compulsion of any law. I have

never seen the time that, as a member of the legislature of Texas, I would have voted to create a bank corporation and authorize it to issue its promissory notes; but, as a Member of Congress, feeling that the Federal Government had no just constitutional power to destroy a corporation which the State has the power to create, I voted to repeal that tax of 10 per cent. It seemed to me to involve a principle. Yet, at other gentlemen who thought otherwise I have not deemed it necessary to level my criticisms. But when I, and when the majority of Democrats are arraigned by implication because we do not choose to surrender our conscience and our judgment on a detail that was in violation of a principle of the Democratic party, I do not think anybody here or elsewhere can fairly be heard to assail us.

Mr. President, to illustrate—and I did not say it the other day because I did not care to say it—to illustrate the folly of allowing a convention to instruct legislators as to details, I only need to call attention to the fact that that platform pledged us to put logs on the free list when logs were already on the free list. Obviously they did not know what it is necessary to do, and I do not think they knew what ought to be done.

Mr. MONEY. Mr. President, I want first to indorse what has been said by the Senator from Texas [Mr. BAILEY] as to the freedom of a Senator obeying his own conscience and his own interpretation of the Constitution in matters of legislation. I happened to be a Member of the Congress to which he referred and voted as did the Senator from Texas for the reasons which he has so clearly and strongly expressed. I recollect very well that Mr. Bryan not only voted against that bill, but I remember the reasons which he gave for doing so. I am not stating this in criticism of Mr. Bryan, but to continue what has been so well said by the Senator from Texas. I recollect that in his speech Mr. Bryan stated that the platforms of parties bound only the candidates who were running upon them and did not bind any Representative in Congress. I think I am correct about that.

Mr. BAILEY. The Senator from Mississippi is exactly correct. That was his statement.

Mr. MONEY. Will the Senator from Texas please find the passage and read it in my time?

Mr. BAILEY. Yes, sir; I will. It is as follows:

> It has been stated that every Democrat is in duty bound to vote for the repeal of the state-bank tax, because of the plank relating to that subject adopted by the last Democratic national convention. A platform can only bind those who run upon it.
>
> President Cleveland is, of course, pledged to the repeal of the tax, because he accepted a nomination and an election upon the national Democratic platform of 1892. Those also are pledged to repeal whose nominating conventions indorsed the national platform, and those are perhaps bound also who ran as Democrats without expressly repudiating that part of the national platform. In my own case I was not only nominated before the adoption of the national platform by the Chicago convention, but I expressly repudiated in my canvass the plank which declared in favor of repealing the state-bank tax.

Mr. MONEY. Mr. President, that is about as I recollect it. It was not worth while on my part to call it to the attention of the Senate, but since the subject has been introduced, I want to supplement what the Senator from Texas has said.

I want to say further to the Senate that I have no criticism to make of any member on this side or on the other side of the Chamber. I shall certainly exercise the right for myself to construe the Constitution and the platform and everything else by my light, and not by the light of any other man here or elsewhere; and I freely accord to others the privilege which I shall always exercise.

I want to say further, Mr. President, that there is hardly any man here or elsewhere who does not like approbation. The sweetest plandit that can meet the public servant is the declaration "Well done" from his own constituency; but above all is the approval of his own conscience, the maintenance of his self-respect and of his intellectual integrity. If he has these, he can defy criticism and censure from any quarter whatever. It is to be noted—and I did not intend to enter into any such discussion or to bring it before the Senate, but I will say it, now that I am up—that the criticism which has been severest upon the Democratic part of the Senate for voting a small duty of 25 cents per ton on iron ore and $1 a thousand feet on rough lumber, and so on, came from Democratic papers that never did indorse or support the candidacy of Mr. Bryan at any time and never approved a thing in his platforms except this part of this one.

I want to say further—it is not necessary to say it, because I am committing myself probably to a position which will elicit more criticism, to which I am indifferent—but I will say that there are other things in that platform which, if embodied in a bill brought before the Senate, I would never vote for. Not only would I not vote for them, but I would not vote for them if they had been proclaimed in every convention from the time of Thomas Jefferson to Jeff Davis, because they are not what I believe to be necessary in a platform. In my opinion, a party platform should be a plain, clear, explicit declaration of principles and great policies, and should never enter into details of legislation, and not have any arguments or illustrations. It is not necessary. The fewer holes the fewer pegs you will have to put in them of doubt, misgiving, and misconstruction.

So long as I shall be the servant of the people of Mississippi, I shall obey but one command, and that is of the legislature of my State. When that legislature sends me a message, a command which I can not obey, I will tender them my commission and let them put a man here who will do so; but until that time I declare now my absolute independence of everybody and everything. I am always glad, however, to go with those who agree with me, never conceding it to be possible at any time that I can forsake the Democratic party, for there is nowhere else on earth for me or anybody like me to go.

Mr. STONE. Mr. President, I disclaim any purpose in what I said to-day to criticise, inferentially or otherwise, anything done by any Senator here. The Senator from Texas [Mr. BAILEY] says that he denies the right of any convention by a declaration of party policy to bind the judgment or conscience of a Senator.

Mr. BAILEY. Will the Senator permit me——

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. I do.

Mr. BAILEY. Of course the Senator desires to state me accurately.

Mr. STONE. Certainly.

Mr. BAILEY. I said to bind the conscience or judgment of a Senator upon the details of legislation, not upon the policy of the party.

Mr. STONE. Mr. President, undoubtedly, whether stated in one form or another, that is a question which addresses itself to every Senator. If a declaration should be made in a party platform that a Senator's judgment and conscience could not approve, and he should refuse to subscribe to it, I do not consider it within my province here to call him to account. I have not attempted, nor shall I now attempt, to censure or criticise what other Senators may say or do. I shall do as I think right, and I assume that others will do the same.

Mr. President, I have no commission to speak in defense of Mr. Bryan or in eulogy of him. I have the honor of being his friend, but not any more than I have the honor of being the friend of Senators upon this floor.

I agree to what the Senator from Texas said about the repeal of the state bank tax. If I had been in the House of Representatives at that time I would have acted in concert with that Senator, and for the same reasons he has given.

Mr. Bryan was not in my thought when I had the floor a little while ago. Mr. President, although I am Mr. Bryan's friend and greatly admire him, I do not think that his record as a party man—and I am going to state this deliberatively—gives him license to read lectures to Democrats who on this floor or in the House of Representatives may act on their own judgment and their own consciences, even though they may not strictly observe the declarations of a party platform. He has not been overcareful in that respect himself. But sir, I am not controlled in my judgment or utterances by Mr. Bryan or by any other man, and I do not quite fancy an intimation that I am. I think, speak, and vote on my own responsibility.

Mr. President, I was on the committee that made the Denver platform last year. When the platform was in process of formulation I opposed putting into it a declaration about a mere detail of legislation.

I thought it was unwise and impolitic, and I have not changed my opinion about that; but the platform was made and promulgated by the supreme tribunal of the Democratic party, and, while I do not criticise what others may do, and had not that in mind when I was speaking this afternoon, I can not retreat now from the position I then took—that, in my opinion, the declaration of a national convention as to party policy and principle is entitled to and should receive the support of Senators and Members of the House who have been elected by that party. But what I had in mind when I was talking at that time was not the thing to which the Senator from Texas [Mr. BAILEY] or the Senator from Mississippi [Mr. MONEY] referred; but I had reference particularly to the controversy that was raging on the other side about the Chicago platform.

The Republican party had declared in its platform adopted at Chicago in favor of constructing a new tariff law on the basis of the difference in the cost of production in America and

in foreign countries. Senators on that side had been discussing that, and I thought it an opportune time to press upon them the obligation they were under to carry out not only the letter, but the spirit of that platform declaration. Senators upon the other side, numbers of them, were attempting to show, and, I think, with marked success, showing it even by the admissions of the Senator from Rhode Island [Mr. ALDRICH] himself, that there were paragraphs in this bill levying duties far beyond the difference in the cost of production here and abroad, far beyond any requirement of the Chicago platform; and I wanted to insist then, as I do now, that the Senator from Rhode Island and every Senator gathered about him was under obligation to the people of the country, who had commissioned them to come here and make this tariff law, to observe the declaration in their party platform, and to keep the pledge they had made.

Mr. ALDRICH. Will the Senator yield to me for a second?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. The rates to which I referred were the precise rates that were fixed upon cotton cloth by the Democratic Senate in 1894.

Mr. STONE. Well, Mr. President, the Senator stated, nevertheless, that there were such duties levied, and he was immediately called to account about it by the Senator from Indiana. Moreover, the Senators from Iowa and the Senator from Wisconsin [Mr. LA FOLLETTE] and others have demonstrated that the very thing I refer to is true, and this whether the Senator from Rhode Island admits it or not.

It was not my purpose to involve myself or involve anyone on this side of the Chamber in a discussion about the Democratic platform, but I wanted to say——

Mr. BAILEY. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. I do.

Mr. BAILEY. In order that I may excuse myself for having misunderstood the Senator from Missouri, I will say to him very frankly and to the Senate that I heard this morning that he was going to attack the majority of Democrats here for having voted against the motion to put lumber on the free list, and I supposed that it was intended so at that time. I regret that I misunderstood it, but that is the reason I did so.

Mr. STONE. I did not know, of course, what the Senator heard or from whom he heard it.

Mr. BAILEY. I guess the Senator from Missouri knows from whom I heard it.

Mr. STONE. I do not.

Mr. BAILEY. Sitting right here the Senator from Arkansas [Mr. CLARKE], the Senator from Missouri, and I talked about it, and I asked the Senator from Missouri not to do it.

Mr. STONE. That is true. The Senator from Texas said he had heard that and asked me not to do it. That the Senator did, but I asked the Senator from Texas at the moment from whom he got that information, and I have not been informed yet.

Mr. BAILEY. The Senator asked me?

Mr. STONE. I did.

Mr. BAILEY. The Senator from Arkansas [Mr. CLARKE] told me that the Senator from Missouri stated that he was going to do it, but that he would not.

Mr. STONE. Then it seems that the Senator got his information from the Senator from Arkansas that I was going to attack Senators here.

Mr. BAILEY. Mr. President, let us not have any misunderstanding. I got the information which I received from the Senator from Arkansas in the presence of the Senator from Missouri, and there were one or two other Senators that sat here and heard the whole conversation. The Senator from Missouri heard everything said by the Senator from Arkansas that I heard.

Mr. STONE. I did not hear that——

Mr. BAILEY. Well, that happened.

Mr. STONE. From the Senator from Arkansas? With all due respect to the Senator from Texas, I think he is mistaken about the Senator from Arkansas having said anything like that.

But that is wholly immaterial and unimportant. I stated that I did not know from whom the Senator had obtained his information, and I did not. If I cared to go into a private conversation, much said in a half-jocular way, that I had in my own room last night with the Senator from Arkansas—but, Mr. President, I will not do that. I made no attack upon Senators on this side. I have said nothing offensive, or intended to be offensive, to them; and that ought to be the one thing to be considered here—that is, what I did on the floor. If I had had any purpose, which I disclaim, of attacking the Senator from Texas or any other Senator for his vote on the lumber schedule, it is sufficient to say that I did not do it. I said nothing upon the subject and, therefore, I do not think that the Senator from Texas should have dragged a private conversation before the Senate. If I had wished to attack, there would have been no doubt about my purpose.

Mr. BAILEY. The Senator from Missouri asked me where I got my information. I am not in the habit of making a statement and then having an inquiry made of where I got my information without answering, and the Senator from Missouri is the one who dragged out the private conversation.

Mr. STONE. I said, Mr. President, that I did not know where the Senator got his information. That was what I said. Now, Mr. President, I desire to say, not only to the Democratic Senators, but to Republican Senators as well, that I stand by the proposition I announced this afternoon. I believe that the declarations of a party platform are obligatory and should have some binding force on party men.

Mr. GALLINGER. I ask for the regular order, Mr. President.

The PRESIDING OFFICER. The hour of 5 o'clock and 30 minutes having arrived, in obedience to the order of the Senate, the Senate will take a recess until 8 o'clock this evening.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. STONE. I make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Hale	Perkins
Beveridge	Cummins	Hughes	Piles
Brandegee	Curtis	Johnson, N. Dak.	Rayner
Briggs	Depew	Johnston, Ala.	Root
Bristow	Dick	Kean	Scott
Brown	Dillingham	Lodge	Simmons
Burnham	Dixon	McCumber	Smith, Md.
Burrows	Dolliver	Martin	Smith, Mich.
Burton	Elkins	Money	Smoot
Carter	Fletcher	Nelson	Stone
Clapp	Flint	Newlands	Sutherland
Clark, Wyo.	Foster	Oliver	Warner
Clarke, Ark.	Frye	Overman	Warren
Clay	Gallinger	Page	Wetmore
Crane	Gamble	Paynter	
Crawford	Guggenheim	Penrose	

Mr. WARNER. The Senator from Nebraska [Mr. BURKETT] is necessarily detained from the Senate.

Mr. PILES. I wish to announce that my colleague [Mr. JONES] is unavoidably detained, and can not attend the session of the Senate this evening.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present. The pending amendment is that offered by the Senator from Rhode Island for the committee.

Mr. STONE. Mr. President, when the Senate took a recess I had the floor. I resume it now to complete what I was saying. A disagreeable situation occurred just before the recess. The junior Senator from Texas [Mr. BAILEY] stated that I had declared a purpose to attack some Democratic Senators for some votes they had cast during the consideration of this bill. The RECORD will show, without going over it again, all that was said.

Mr. President, I confess that the statement made by my distinguished friend, the Senator from Texas, was annoying and somewhat embarrassing to me. I did not think that a conversation had in the cloakroom, where conversation is carried on with great freedom and abandon, should be repeated on the floor. But, under the circumstances, I now feel that I ought, in justice to myself, and in the presence of the Senator from Arkansas and the Senator from Texas, say just what there is about this whole matter.

On Friday last there came to me a gentleman who is associated with important mercantile interests in New York and he talked to me about some features of the cotton schedule. He had talked to me about that schedule before on several occasions. He said to me that if I would write to a certain firm in New York, one of the leading mercantile firms of that metropolis, and ask them certain questions, they would probably give me some interesting information.

On that day, Friday last, I addressed a letter to that firm, making some inquiries. Yesterday morning I received their answer. They sent me a number of samples of cotton goods—mercerized brocades and other things—and attached to each sample was a statement showing the cost of the article, the duty imposed under the present law, the duty that would be imposed under the Senate bill, and showing also the increase of duty under the proposed bill over the existing law. There were 14 or 15 of these samples and statements, and they were very striking. They were very interesting and very important, if true. While somewhat on the line of the things presented to the Senate by the Senator from Iowa [Mr. DOLLIVER] and the Senator from Wisconsin [Mr. LA FOLLETTE], these were especially clear-cut and distinct.

I had it in mind to rise here this morning and exhibit those samples and read the statements, and then to call a page and direct him to take them across the aisle here and deliver them to the Senator from Rhode Island [Mr. ALDRICH] and ask him to say whether the statements made were true or false, and if he declined to answer them to call upon the Senator from Utah [Mr. SMOOT] to answer. That was the purpose I had in mind.

Yesterday afternoon my friend the Senator from Arkansas [Mr. CLARKE] and I were together in my room, and I told him about this, and I went further and said—in substance, as I recall it—that it would be a good time to go a little further and ask how any Democrat could vote for such an increase in taxation, and so on. In the course of this conversation I went on further to say to my friend from Arkansas, "I do not know but that I will go a little deeper into it, and comment on some things in which you are concerned also." This talk, really not altogether serious, went on at some length. Of course, I would not attack the Senator from Arkansas, for there is no man here closer to me than he; and if I thought he was in error in his judgment about anything I would not assail him on the Senate floor, nor he me if he thought I was in error.

It seems that this morning in the cloakroom, in that free and easy sort of conversation which occurs in these cloakrooms, he made some half-jocular remark about this conversation which we had had.

To-day the Senator from Texas, while I was standing near him waiting for my name to be called on some vote, said to me, as I thought, in perfect good humor, "I understand you are going to jump onto some of us here," or something of that kind. I said, "Who told you so?" Now, he and I differ in our remembrance of that conversation, although the difference is not important. The Senator from Texas states it as his remembrance that the Senator from Arkansas said at that time that he had reported that I was going to do this awful thing. As I remember it, the Senator from Arkansas said to me, in a laughing way, while the Senator from Texas and I were having our little talk, which was entirely pleasant, "Well, you are going to let them bulldoze you," or something of that kind.

That is all there is to this great affair. I regret that a circumstance so trivial should be brought into the Senate, and that I should be compelled to detail a matter of this sort in self-justification.

Mr. CLARKE of Arkansas. Mr. President, I think this little incident has been distorted out of all relation to its real importance. I had a conversation with my distinguished friend, the Senator from Missouri, yesterday, in which he indicated that he was prepared to engage somewhat extensively in the debate on the bill now pending here, especially with reference to the cotton schedule; that he had equipped himself with the usual experts and samples, and thought he would make a display which would attract attention. And in further manifestation of the exuberance incident to the discovery he had made, and the equipment with which he had supplied himself, he said he would comment somewhat on the action of Democrats who were voting for schedules that involved increases beyond the Dingley rates. He said "when I get well started, I shall likewise include such pertinent comments upon certain votes which have been cast by Democratic Senators, not in accordance with the demands of the Denver platform." I said "when you do that you will get on my toes, in which event you will find you have accumulated an engagement somewhat greater in magnitude than the one you think you have taken in hand." [Laughter.]

When I reached the cloakroom this morning I found my worthy and distinguished friends—and they are friends—from North Carolina in a state of active perturbation about the comments being made upon their entirely commendable and wise votes against free lumber; and I said to them, "Your troubles have just begun. When the Senator from Missouri gets through with you you will have more to account for than that." It was a sore subject to them, because the comments and criticisms in their State are altogether out of line with the Democracy, wisdom, and patriotism of the vote they cast against free lumber.

I heard no more of the matter until the Senator from Missouri and the Senator from Texas had a little conversation in relation to it in my presence. I felt all the time that the Senator from Missouri did not intend to make any such speech; that he had more courage at home than he would have up here, because he would find difficulties to cope with here which were not present there.

I did not suppose that any private conversation I had had in reference to the incident was being made the basis of any serious statement of fact, and I have not fixed in my mind just what I said. Nor have I fixed in my own recollection all the occasions when I made statements concerning it, and therefore I am not prepared to contradict anything that anybody says about it.

The Senator from Missouri, I assume, although I was not here this afternoon, has not unjustly attacked anybody, and I hope that this incident will not be made the occasion, in the slightest degree, to disturb the cordial and harmonious relationship which exists between Senators on both sides of the Chamber. I probably am the innocent cause of the entire controversy.

Mr. STONE. Mr. President, I wish to make one further observation before surrendering the floor. I did not make the speech I intended to make about the cotton schedule, based on these samples and calculations to which I referred, because it occurred to me that before I did so I had better get some expert to look them over and see whether I could absolutely rely upon them. And so last evening, after I parted from my friend the Senator from Arkansas, I saw an expert familiar with the law and with cotton fabrics and consulted him. He took my data under advisement and this morning he came to my offices and convinced me that there were errors in the statements; in some of them at least. So I postponed my assault on the Senators from Rhode Island and Utah.

I postponed it because I do not wish to make any statement; I would not want to read into the RECORD any statement of fact unless I was first convinced that it was absolutely accurate, and so I took precaution to discover whether the statements furnished me were accurate, and when I was told by a gentleman in every way capable of determining that question that some of the statements were not accurate, I did not and could not use them.

If the Senator from New York desires to interrupt me, I will yield.

Mr. DEPEW. Will the Senator from Missouri allow me?

Mr. BAILEY. Before the Senator does that——

Mr. DEPEW. I simply wanted to ask why in the interest of truth and enlightenment of the Senate the Senator had not sent that expert to some of our insurgent friends.

Mr. STONE. I yield to the Senator from Texas.

Mr. BAILEY. I simply want to say that I accept, and probably I ought to have accepted earlier in the day, the statement of the Senator from Missouri, that what he said and what I took exception to his saying was not intended as any criticism of those of us who voted against the motion to put lumber on the free list. I had not before supposed that it was so much of a jocular matter, and I say that if I had known it had been treated as a matter of joke I probably would never have particularly observed the concluding sentence or two of the speech which the Senator from Missouri made in the afternoon. But having heard that, and since I was here this afternoon I recalled that the first word came to me while seated here, that a Senator suggested it to me, and then the conversation as I recalled it this afternoon occurred between the Senator from Arkansas, the Senator from Missouri, and myself. I want, however, to say that when I remonstrated with the Senator from Missouri about introducing a question of that kind he did not say whether or not he intended to do it, and as to whether or not I am supposed to know when he is joking he frequently changes his visage, and even when he smiles I am not always sure that he is joking.

Mr. STONE. Mr. President, I do not joke very often.

Mr. CLARKE of Arkansas. It will not do to leave now the impression that the Senator from Missouri was not justified when he made the announcement to me I had referred to. I was teasing my friend from North Carolina and this took place at that time.

Mr. STONE. I think it is well enough to end this. It is not of sufficient importance to continue. I want, in conclusion, to say a word or two about platforms. I want it understood, so far as I am concerned, that I regard a platform promulgated by a national convention as the deliberate expression of party judgment upon the policies and principles of that party.

From this position I can not recede. If what I say be not true then a platform is an idle and meaningless thing. If that be not true then there is no need of national conventions giving utterance to party convictions. If that be not true then I can understand why the Senator from Rhode Island and his colleagues on the Finance Committee can treat the declarations of the Chicago platform with indifference.

That is all I care to say.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Rhode Island, on the part of the committee, to paragraph 324. It will be stated.

The SECRETARY. On page 112, line 15, it is proposed to strike out all after the words "chief value," and insert in lieu thereof the words:

Tapestries, and other Jacquard figured upholstery goods, weighing over 6 ounces per square yard, composed wholly or in chief value of cotton or other vegetable fiber; any of the foregoing, in the piece or otherwise, 50 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire to say, first, that this amendment makes paragraph 324 very much more palatable than it originally was to me. I objected to it for two reasons. In the first place it made obscure the provisions of the Dingley law, because it proposed to deal not with curtains and draperies and coverings as the Dingley law did, but with articles suitable for draperies, coverings, and tapestry, and it was my judgment that such a phrase embodied in a paragraph would be very likely to provoke more litigation to wring the hearts of statesmen in the next generation or otherwise arising out of adverse decisions of the courts. I also objected to it because it was so awkwardly worded that it dragged into a paragraph that was to be devoted to curtains, draperies, and coverings so large a variety of ordinary women's dress goods as to be astonishing, to say the least.

I am very much gratified that the committee has simplified the language by confining the section to the goods which are intended to be included in it. The only objection I have to the paragraph as it is proposed to amend it is that it makes what looks to me like an unreasonable addition to the duties provided by the Dingley tariff law. I have here a very excellent specimen of this upholstery goods [exhibiting]. These goods are manufactured in the city of Philadelphia. I think they are manufactured there cheaper than they are made anywhere in the world. At any rate, the greatest merchant in the city of Washington tells me that it is his custom not to import these goods, but to import an advance sample of the patterns and coloring that are to be in vogue in Germany, France, and other countries engaged in making them, and when he gets the pattern here to send it to Philadelphia to be duplicated at a rate very much less than he could possibly import it.

I got this sample from a merchant in this city who is accustomed to handle these goods in that way. Being a Jacquard weave of upholstery cotton cloth, it is now assessed as countable cotton containing between 100 to 150 threads to the square inch at 35 per cent ad valorem. It is worth 80 cents a yard. While this amendment greatly improves the original phraseology of the paragraph, inadvertently I think it increases the duty to 50 per cent, and I hope that that will not be done.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I did not quite understand the Senator, and I rise only for information. Do I understand the Senator to say that this prominent merchant of Washington, from whom he gets his sample, tells him that under the present law he can get these very goods in America cheaper than he can get them abroad?

Mr. DOLLIVER. I made a memorandum of his statement exactly.

Mr. BEVERIDGE. That is what I understood, but I was not quite sure, and I wanted to get it clearly in my mind.

Mr. DOLLIVER. The foreign article can not be sold by the dealer, or rather importer, at less than $1.25 a yard to the retail merchant. Its valuation at the custom-house being 80 cents a yard, it is retailed at $1.60. The domestic article, made by a Philadelphia mill, costs the wholesale handlers 90 cents, and the consumer obtains it for $1.25.

Mr. BEVERIDGE. Under the present tariff?

Mr. DOLLIVER. Yes. So while I would not object to a reasonable protection for these goods, I very much doubt whether they need 50 per cent. I would suggest to the committee that as small as possible a rise over the 35 per cent now provided by law would be very much more reasonable.

Mr. SMOOT. Will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I have no doubt that the sample the Senator from Iowa has shown is correct, but he must remember, and I also call the attention of the Senate to the fact, that that is one of the very cheapest kind of tapestries woven upon a Jacquard loom. It is perhaps true that it falls in the countable paragraph at 35 per cent.

Mr. DOLLIVER. That is exactly what it does.

Mr. SMOOT. But I can bring here samples that to-day, under the countable paragraph, have been worth from $4 to $5 a yard. This is not a fair sample of tapestry work. I believe that the Senator from Pennsylvania [Mr. PENROSE] has samples of this kind of work [exhibiting]. This is the kind of work, and a great deal of it, that the Committee on Finance is trying to take care of. This is a cotton figure showing scenery.

Mr. DOLLIVER. Will the Senator from Utah kindly state what is the origin, history, and general moral character of that cloth?

Mr. SMOOT. This is a cotton tapestry cloth that comes now under paragraph 324.

Mr. DOLLIVER. Where does it come from?

Mr. SMOOT. It is woven in Philadelphia, and it is woven on a Jacquard loom, as no other loom can produce that class of work. It takes the very highest skilled labor in the cotton industry to finish such work. We are proposing a duty of 50 per cent, and we think that is small enough for this particular class of work.

Mr. DOLLIVER. Does the Senator know what countable paragraph that cloth would fall in?

Mr. SMOOT. I will see if I can turn to it.

Mr. ALDRICH. It occurs to me that it ought not to be included in any countable paragraph. The idea of assessing a duty upon that class under the countable provisions of cotton cloth is, I think, as good a statement in favor of the amendment as could possibly be made.

Mr. SMOOT. I will state that the size is 58 by 79, and the cost $8.70 a yard.

Mr. DOLLIVER. Then I suggest to my friend from Rhode Island it might be a good idea to separate those works of art from this tapestry, which is worth less than $1 a yard, and put upon one of them a moderate duty, which now it seems to enjoy, and put upon the other whatever duty you please.

Mr. ALDRICH. The Senator of course knows that in the preparation of countable cloths it is impossible to refer to all the particular items of manufacture in the United States. As I stated this morning, you would have a tariff bill hundreds of pages long if you undertook to put different rates on every one of these manufactures. The rate is only 50 per cent, which is certainly not a high rate for this kind of goods.

Mr. DOLLIVER. It is true, as the Senator from Rhode Island says, that it is a little difficult where there is a large number of articles, but I flashed upon the attention of the Senate a modest little poor man's tapestry, worth 80 cents a yard, made in Philadelphia, and when I suggest that the duty on it ought not to be raised I am confronted by the statement of magnificent works of art that belong in the palaces of kings and queens, also originating in Philadelphia, worth $8 or $10 a yard. As the bill makes dividing lines between cotton cloths, some 12 and the next 12½ cents a yard, for the purpose of making the thing equal and fair all around, I suggest that there ought to be some scheme by which a line of demarkation could be drawn against the trappings of royalty which the Senator from Utah exhibits and the modest tapestry of the poor which I hold in my hand.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I merely wish to ask a question, not being familiar with these various tapestries. The articles exhibited by the Senator from Iowa are more generally sold and used than the exquisite things exhibited by the Senator from Utah?

Mr. DOLLIVER. Rather, in a world like this.

Mr. BEVERIDGE. That being true, I understood the Senator from Iowa to say a moment ago that a great retail store in Washington had informed him that these that are generally used, even under 35 per cent ad valorem, could be made cheaper here than they could import them.

Mr. DOLLIVER. Yes.

Mr. BEVERIDGE. Would 50 per cent ad valorem, as far as the Senator has studied it, be prohibitive for those things?

Mr. DOLLIVER. I reckon. I would suggest, and I hope the committee will entertain the suggestion favorably, that the rate be fixed less than $1 a yard at 35 per cent and more than $1 a yard at 50 per cent.

Mr. BEVERIDGE. How would that strike the committee?

Mr. ALDRICH. Make it 40 per cent.

Mr. DOLLIVER. Well, let it be forty. Let us make some little difference between the king and the poor man.

Mr. BEVERIDGE. I suggest that that might be a happy solution.

Mr. PENROSE. Mr. President, I think it will be generally admitted, notwithstanding the reference to a king, that these are all articles of luxury, not of necessity. The framing of this amendment so as to segregate these upholstery goods from dress goods was attended with very great difficulty. Anyone conversant with the technicalities of their manufacture and the character of the different fabrics will recognize the importance of the amendment submitted by the chairman of the Committee on Finance, that is carefully thought out and accomplishes the purpose had in view, to classify these upholstery goods. They are articles of luxury, not of necessity.

Mr. ALDRICH. I would suggest to the Senator from Pennsylvania that we might make a dividing line.

Mr. PENROSE. I have no objection to a dividing line.

Mr. ALDRICH. I am anxious to get through this bill.

Mr. PENROSE. I think I ought to state, though, Mr. President, that with the exception of pile fabrics, chenille curtains, table covers, and goods made of chenille, all of which are provided for in the Dingley law, all these beautiful tapestries, all high works of art, came in at a rate of 30, 35, or 45 per cent ad valorem under the Dingley law, and the purpose of this amendment is to classify them as upholstery goods and have them bear a uniform duty.

Mr. DOLLIVER. If the Senator will permit me to interrupt him for a minute, does he know how many of them arrived under the Dingley law?

Mr. PENROSE. I know this Jacquard art and these new designs are comparatively recent. I do not suppose that the importations are very large just now, but I say the industry has languished, and it will become extinguished altogether unless it is provided for.

Mr. DOLLIVER. I think that is on account of the high colors of the goods.

Mr. SMOOT. It would be impossible to tell the amount of importations, because they are coming in under the countable clause. It would be impossible for us to say how many of them have been imported.

Mr. PENROSE. I simply want to add that this Jacquard finished work is quite high in the artistic line. I quote a part of the rather lengthy definition given by the Century Dictionary:

> The Jacquard attachment is a device for forming sheds or openings for the passage of the shuttle between the warp threads, invented by Joseph Marie Jacquard, of Lyons * * *. It consists essentially of a series of perforated paper on metal cards, of which there may be an indefinite number, joined together by flexible connections, which like an endless chain are carried upon a perforated revolving prism * * *. There is no limit to variety of form and color of the figures that may be woven.
> * * * The introduction of the method of weaving at once advanced the art of figured weaving beyond the limit of mere geometrical patterns into the realm of fine art industry, as even the finest tapestries may be successfully imitated by it.

The preparation for weaving Jacquard figured goods is very expensive, especially for upholstery, where the patterns are of important size. First the design is painted on plain paper by an artist, in the exact size and coloring to be produced in cloth. It is then repainted by a mechanical draftsman on paper ruled in small squares. The process is often more costly than the original painting or sketch. Then from the point or ruled paper a card stamper punches the cards, each hole separately, reading from the point paper as a piano player would from a sheet of music. As in new cards used it is possible to cut as many as 1,200 holes, you can judge how slow the process is. There is a set now in use in Philadelphia that contains 20,000 separate cards laced together. The cost of that set was $1,000. Each pattern requires different cards and each loom a different set. The manufacturer of cotton cloth has no such expense. He can use one weaver for a number of looms, where an upholstery manufacturer requires a weaver to each loom.

I think if there is one thing in the cotton schedule which should be encouraged it is these beautiful and artistic tapestries which are exhibited here to-night.

Mr. ALDRICH. I modify the amendment so as to read after the word "otherwise," in the sixth line of the amendment, "valued at $1 or less per yard, 40 per cent ad valorem; if valued at over $1 per yard, 50 per cent ad valorem."

That reduces the common goods 10 per cent.

The PRESIDENT pro tempore. The Senator from Rhode Island modifies his amendment, which the Secretary will read.

The SECRETARY. In the sixth line of the proposed amendment, after the word "otherwise," insert "valued at $1 or less per yard, 40 per cent ad valorem; valued at over $1 per yard, 50 per cent ad valorem."

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be read.

The Secretary read as follows:

325. Stockings, hose and half-hose, made on knitting machines or frames, composed of cotton or other vegetable fiber, and not otherwise specially provided for in this section, 30 per cent ad valorem.

Mr. ALDRICH. I ask that that paragraph be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. CLAY. I should like to ask the Senator from Rhode Island a question. It is my recollection that the House increased all the items named in this paragraph.

Mr. ALDRICH. No; not in this paragraph; in the next paragraph.

Mr. CLAY. Paragraph 326?

Mr. ALDRICH. Paragraph 326.

Mr. CLAY. I see now.

Mr. BACON. Several Senators in addressing themselves to the cotton schedule have stated that the cotton schedule in the Dingley Act is practically the same as the cotton schedule in the Wilson Act. I find that that is only true up to about the paragraph just passed, because it is not true of paragraph 322 or paragraph 323. It is certainly not true of both those paragraphs; in other words, the rates are to be raised 25 per cent.

Mr. SCOTT. Do I understand now that the next paragraph is 326?

Mr. ALDRICH. Paragraph 325 has just been agreed to. I understand that we are now going to take up paragraph 326. It has not been reached yet; that is, the amendment has not been stated.

The PRESIDENT pro tempore. Paragraph 326 will be read.

The SECRETARY. On page 112 the committee proposes to strike out all of paragraph 326 as printed in the House text and insert a new paragraph, as follows:

326. Stockings, hose and half hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless stockings, hose and half hose, and clocked stockings, hose or half hose, all of the above composed of cotton or other vegetable fiber, finished or unfinished, valued at not more than $1 per dozen pairs, 50 cents per dozen pairs; valued at more than $1 per dozen pairs, and not more than $1.50 per dozen pairs, 60 cents per dozen pairs; valued at more than $1.50 per dozen pairs, and not more than $2 per dozen pairs, 70 cents per dozen pairs; valued at more than $2 per dozen pairs, and not more than $3 per dozen pairs, $1.20 per dozen pairs; valued at more than $3 per dozen pairs, and not more than $5 per dozen pairs, $2 per dozen pairs; and in addition thereto, upon all the foregoing, 15 per cent ad valorem; valued at more than $5 per dozen pairs, 55 per cent ad valorem.

Mr. SCOTT. In connection with that paragraph I send to the desk a petition from a large manufacturing establishment in cotton hosiery in my State.

The PRESIDENT pro tempore. What is the request of the Senator from West Virginia?

Mr. SCOTT. I ask to have a petition read from the workmen employed in a large industry in my State making this class of goods.

The PRESIDENT pro tempore. Without objection, the petition will be read.

The Secretary read as follows:

MARTINSBURG, W. VA., *April 1, 1909.*

Hon. NELSON W. ALDRICH,
Chairman of the Finance Committee, Washington, D. C.:

We, the employees of the hosiery mills of the Kilbourn Knitting Machine Company, at Martinsburg, W. Va., realizing the important bearing of the tariff on hosiery to our means of livelihood, and the loss of production in this mill in the past, which has several times occurred, due to severe foreign competition, and wishing to signify our faith in the justice of an advance in the present rates of tariff on hosiery, which will enable us to secure steady employment without endangering our present rate of pay, do respectfully petition your honorable committee to vigorously support the proposed new tariff on hosiery.

Our conviction is that the manufacturers are not a body clamoring for additional profits, but they are asking for protection because they are threatened with annihilation, and that their many thousands of employees are threatened with a reduction of wages or entire loss of work.

The grades of hosiery in which we are most interested are those which retail to the consumer at 25 cents, 35 cents, and 50 cents per pair.

Mr. SCOTT. I ask that the petition be referred to the Committee on Finance, and also the additional petition which I have here that I will not ask to have read, but I shall be glad to have it go in the RECORD and then referred to the Committee on Finance.

The PRESIDENT pro tempore. The Chair hears no objection, and it is so ordered.

The petition was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE KILBOURN KNITTING MACHINE COMPANY,
Martinsburg, W. Va., April 5, 1909.

Hon. N. B. SCOTT,
United States Senate, Washington, D. C.

DEAR SIR: In the last ten years there has been a large increase, both in the domestic output and the importations of hosiery into this country, but it happens to be a fact that the increase in domestic output has been almost entirely confined to that class of goods best protected by the tariff. This class was formerly imported into this country at $1.75 per dozen and sold to the consumer at 25 cents per pair. Now, under the protective tariff, by domestic competition and rapid improvement in machinery, this same stocking, made from the same yarns, on the same gauge of machines, has been reduced until the price to-day is 57½ cents to 62½ cents per dozen, and the stocking is retailed at 2 pairs for a quarter instead of 25 cents per pair, as formerly; whereas the hosiery that retails at 25 cents and 50 cents per pair has been largely in the hands of foreign manufacturers, and they are to-day in this market to such an extent that they are the price-controlling factor which has stopped many of the hosiery mills of this country during the past year and a half which operate on this higher grade.

There has been no speedy nor average advance in price; the goods already referred to have been reduced from $1.75 to 57½ cents per dozen; from 25 cents per pair to 2 pairs for a quarter. Fancy half hose, made in Germany, formerly retailed at 75 cents per pair, have been made by domestic manufacturers and sold at 25 cents per pair, and they have more intrinsic value than the German goods which sold at 75 cents per pair. Since the so-called "German tariff agreement" came into operation the German manufacturers have made such a reduction in the prices of fancy goods that it is impossible for the domestic manufacturer to make them at a profit, with the consequence that two-thirds of the machinery which makes fancy hosiery in the country at the present time is idle.

In 1908 the domestic mills making goods coming in contact with foreign competition—which goods were sold at 25 cents per pair—were obliged to reduce the price not only to cost, but in some instances below cost, in order to maintain their organization and hold their help together; and yet the importations of this class of foreign goods for that year fell off only about 10 per cent, showing that the foreigner could make and sell the 25-cent goods in this country when we could not make them at a profit.

The domestic hosiery manufacturers have not only not made any tremendous profits in the past fifteen years, but it has been impossible but for a few to pay any dividends at all, on account of increased price in raw material, increased price paid for labor, and reduction in price of goods, brought about not only by domestic competition, but by reduction in prices in Germany and consequent lowering of prices by the German manufacturer. but also from the fact that improvements in hosiery machinery in this country have been so rapid during the past fifteen years that, in order to keep pace with the times and competition, it has been necessary for the manufacturer to replace his machinery at least every five years. The hosiery business for the manufacture of a good quality of goods being a comparatively new one in this country, tremendous outlays of money have been necessary not only for the constant purchase of new machinery, but for the teaching and training of labor to a business entirely new in the United States.

The cost of labor in the past fifteen years has more than doubled, and it will, therefore, be seen by all of the above that the chief benefit that has accrued through protective tariff has been in the reduction of price to the consumer and increased price paid to labor.

The hosiery business in this country is now in a transition period; machine builders are constantly developing new and improved machinery; many mills are reaching for the 25-cent, 35-cent, and 50-cent goods trade; and if these grades of goods are given the protection incorporated in the present House bill there will be no raise in the price of the goods to the consumer, but the same result with this grade of goods is bound to follow as it did with the goods that are now sold two for a quarter instead of 25 cents per pair. In the next ten years this country will have the complete possession of the manufacturing of this grade of hosiery, and the consumer will get better quality, better value, and lower prices, and ever-increasing amount of labor will be given employment at good wages in this line of business.

Very truly, yours,

CHAS. W. KILBOURN, *President,*
THE KILBOURN KNITTING MACHINE CO.

Mr. SCOTT. I hope it will be the pleasure of the Committee on Finance to restore the Payne rates in this paragraph. If the committee does not see proper to agree to it at this time, I shall try to put it in when we get into the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Finance.

Mr. DOLLIVER. It is a little difficult to those of us who do not see distinctly in the night to discover what was the occasion of striking out the House provisions and what changes are made in the italics reported by the Senate committee modifying in any way the meaning of the House provision and the provision of the present law.

Mr. SCOTT. If the Senator will allow me, I am very sorry to say the Senate committee amendment reduces the proposed tariff that was in the Payne bill, and that is the point I am objecting to. These people in my State have built up this industry and have made it one of the greatest manufacturing concerns that we have in our State. I went through it last fall. It employs a great many women and girls, and they earn fair wages, anywhere from three and one-half to seven dollars a week, by working five and one-half days. Since they have gone into the business the reduction has been nearly 50 per cent on the class of goods they are making, coming into competition with the foreign materials. They are only asking to have the rate that was originally in the bill when it came to the Senate restored.

Mr. DOLLIVER. What part of paragraph 326 was it which the House had and the Senate amendment omits?

Mr. ALDRICH. I assume the Senator from Iowa is as familiar with this paragraph as any Member of the Senate. I have no doubt he is. He has mentioned the paragraph several times with interest. I have no doubt in his studies in the last two weeks he has found out precisely what is in the paragraph. The House increased the duties on hosiery about 20 cents a dozen on all the classes, as I remember.

Mr. SCOTT. About 20 cents?

Mr. ALDRICH. About 20 cents a dozen; and the Senate committee recommend the original Dingley rate, which is 20 cents a dozen less than is provided in the House bill.

Mr. DOLLIVER. Mr. President, the thing that interested me more than anything else was to find out, if I could, with what strength of conviction and with what force of earnest enthusiasm the Senate would present itself in conflict with the House as to this disagreeing vote. It would surprise a great many good ladies all over the United States, who are dreaming of a great victory over the House of Representatives, if, in the inevitable conflict that must ensue between the two Houses, the House of Representatives should be victorious. It will present almost as great a disappointment as if my honored friend from Kentucky [Mr. BRADLEY], who the other night carried with great enthusiasm here, and apparently without a dissenting voice, a proposition to take jute butts from the free list, thereby disturbing the entire jute-manufacturing industry in the United States, should wake up some beautiful morning in June or July, and find that jute butts had fallen, almost without anybody seeing it, back to the free list, where they have enjoyed themselves for a great many years. [Laughter.]

I do not want those good women put in the same position which I am afraid will be occupied along about the Fourth of July by my honored friend from Delaware [Mr. DU PONT], who the other day, after a speech which we all listened to with interest and applause, found himself able, without a dissenting voice in this Chamber, either on the committee or off of it, to stimulate the duty on potatoes from 20 cents up to 45 cents. [Laughter.]

I am sorry to disturb a dream so comfortable as that in which the women of Chicago and the Senator from Kentucky and my honored friend from Delaware are now luxuriating—the dream that what the Senate has done to them, or for them, is to remain undisturbed amid the vicissitudes of time and events that are likely to happen between now and their celebration of the Fourth of July. It is because I desire some definite information about this hosiery schedule and some definite expression from the Senate upon it that I have suggested to the Senator from Pennsylvania [Mr. PENROSE] that if that effort is to be made to confute the action taken by the House to stand firmly against the invasion of the rights of these good women, at least the preliminary skirmish of that fight ought to be made here in the peaceable discussions which are now going on in respect to the tariff schedules. [Laughter.]

Mr. GALLINGER. Mr. President, I venture to express the hope that the proposed amendment by the Committee on Finance will not be agreed to, or if agreed to, that the House provision will be retained in conference. I have in mind at the present time several hosiery mills in New Hampshire that have been trying to compete with Germany during the past three years. To-day one of them is entirely idle, and the others are working on short time. The present duty is not adequate; it is not protective, and ought to be substantially increased.

Mr. President, at the port of New York alone during the months of January, February, and March 12,874,244 pairs of hose came into this country; and the deluge continues. It is an absolute impossibility under the rates of the Dingley law for our hosiery mills to compete with the mills of Germany. I have in my hands Senate Document No. 16, and turning to page 53 I find from our consul at Chemnitz these words:

> Chemnitz hosiery manufacturers sell nearly one-half of their total product in normal years to the United States, and the amount is about four times greater than what is required for consumption in Germany itself. In certain cases American firms contract for the entire annual product of various Chemnitz hosiery mills; in others, one or two American customers may contract for the chief bulk of wares produced by single mills.

Mr. President, that is the situation. The hosiery manufacturers of Chemnitz, in Germany, are selling their products in the United States because our manufacturers are utterly unable to compete with them under the rates of duty imposed by the existing law. The House of Representatives, recognizing that

fact, increased the duties to what they thought was a reasonable protective point, which I think ought to be continued beyond peradventure.

The Senator from Iowa [Mr. DOLLIVER] talks about the good ladies of Chicago. It is true, Mr. President, that a great concern in Chicago did succeed in getting up quite a movement on the part of the women of Chicago, who demanded that the rates should be reduced from those fixed by the House bill; but it is equally true that the women employed in the hosiery mills of this country, thousands and thousands strong, have entered a protest against reducing the rates fixed by the House. For my part, I prefer to legislate for the poor women who are earning their living in these hosiery mills rather than for the women of Chicago, who can afford to buy hose at a price such as the mills of the United States can afford to manufacture them for.

Mr. President, as I have said on several occasions heretofore, I have no disposition to enter into a lengthy controversy over this matter, because I want the bill to go along as speedily as possible; but I will ask to have read from the desk a letter from a gentleman recently a citizen of my State, and who is now connected with the American Thread Company in New York, which discusses this matter very intelligently, and, I think, very conclusively. I ask that the letter may be read.

The PRESIDENT pro tempore. If there be no objection, the letter will be read.

Mr. SMITH of Maryland. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Maryland?

Mr. GALLINGER. Certainly.

Mr. SMITH of Maryland. The Senator from New Hampshire states that the hosiery manufactories in his State are not working full time. I should like to ask the Senator if he knows of any manufacturing industry in this country that is working full time?

Mr. GALLINGER. Oh, a great many.

Mr. SMITH of Maryland. I do not know many.

Mr. GALLINGER. A great many.

Mr. SMITH of Maryland. There may be such, but they are exceptional. I want to say to the Senator from New Hampshire that there is no more reason why this industry should be protected in order that the mills may work on full time than that other manufactures in this country should be protected.

Mr. GALLINGER. Well, Mr. President, there is every reason why it should be protected to the point where it would prevent the importation in three months into the port of New York of over 12,000,000 pairs of hose. That is only one port of our country which shows that we are being literally deluged with German hose.

Mr. SMITH of Maryland. I know of no other article that is protected much better than hosiery.

Mr. GALLINGER. It simply is not adequately protected. That is the difficulty.

Mr. SMITH of Maryland. And there is no reason why the people of the whole country should be subjected to an unreasonable duty in order to protect a few manufacturing interests in the State of New Hampshire or in any other State.

Mr. GALLINGER. Mr. President, the Senator from Maryland is getting rather narrow in his discussion when he alludes to the State of New Hampshire in this connection. This industry is carried on in a great many States.

Mr. SMITH of Maryland. I say or any other State.

Mr. GALLINGER. Yes; or any other State. I say to the Senator from Maryland that this industry to-day is absolutely languishing, and has been languishing for several years. It is utterly impossible—and I speak from knowledge—to carry it on successfully in competition with the underpaid labor of Germany, where our merchants go into the great city of Chemnitz, buy the product there and bring it into this country and undersell the manufacturers of the United States.

I want, Mr. President, to have the letter which I have sent to the desk read, and I will rest the case there.

The PRESIDENT pro tempore. The Secretary will read the letter, if there be no objection. The Chair hears none.

The Secretary read as follows:

RE COTTON HOSIERY SCHEDULE.

THE AMERICAN THREAD COMPANY,
366 *West Broadway, New York, April 27, 1909.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am writing you in reference to the above matter, hoping that you will use your good offices in favor of the hosiery manufacturers of this country, whose interests the present bill before the Senate to some extent ignores. This, I am convinced, is due to the fact that the hosiery manufacturers did not have an opportunity to present their case before the Finance Committee of the Senate in the same manner as they did before the Ways and Means Committee. I therefore inclose you a copy of the brief submitted by the hosiery people to the latter.

The competition which the hosiery manufacturer has to meet in this country is mostly from Chemnitz, Germany. Chemnitz is a city of 300,000 inhabitants, and almost the exclusive industry in this place is hosiery, 60 per cent of the product being exported to the United States. When the Dingley bill became law twelve years ago, the rates were then sufficient to equalize the difference in the rate of wages paid to the operatives in Chemnitz and those paid in the United States. Since that period, however, reductions have taken place in the wages paid in Chemnitz amounting to, I am informed, 25 per cent. In this country, on the other hand, wages have steadily increased until the rate paid to-day is almost 50 per cent higher than was paid in 1897. It was in order to partially offset this difference in labor cost that the hosiery manufacturers of this country requested the Ways and Means Committee to grant them an increase in the rates of duty. They had an opportunity to present their case to the Ways and Means Committee in such a way that they convinced these gentlemen their claims were just.

The amount of opposition raised to the new rates of duty and the mass meetings held by women throughout the country was all cleverly engineered on the part of the jobbers and retailers, who, at the present prices at which they can import the finer grades of hosiery, divide between them a profit of 100 per cent. The goods retail at 25 cents, and, as a result of the low wages paid in Chemnitz, they can be imported under the present rate of duty at $1.50 per dozen by the jobber, who in turn sells them to the retailer at $2 and the retailer to the consumer at $3 per dozen, or 25 cents per pair. The advance which the hosiery manufacturers have asked would not affect the retail price of the goods, but would give the American manufacturer an opportunity to make the goods here, employing many thousands of hands in their manufacture, and there would still be a very large profit left to divide between the jobber and the retailer.

We are particularly interested in the hosiery schedule, for the reason that the fine yarns used by the hosiery manufacturers are made largely by spinners such as ourselves, and, should the prevailing Dingley rates remain in force, without the advance being granted to the hosiery manufacturers which the House bill conceded to them, no part of these goods can, I understand, be made in this country, and many thousands of people who would otherwise be employed not only in the making of the hosiery goods, but also in the spinning of the yarns for same, will perforce remain idle.

I would not trouble you in this matter at all had I not been fully convinced of the absolute fairness of the increase asked for by the hosiery manufacturers.

With kind regards, I am
Sincerely, yours,

F. E. KIRBY.

Mr. SCOTT. Mr. President, I think the Senator from New Hampshire neglected to state that where contracts are made on the other side for the output of a factory by American importers, it necessarily leaves that article in the home country without any fixed price; consequently the importer can have it billed at a rate greatly below what the actual value of the article is, and by that means he gets the hosiery into this country not only at the already low rate, but at a further reduction, because there is no home market for the goods contracted for.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this time by any lengthy discussion of the hosiery paragraphs. I am content to follow the chairman of the Finance Committee in his amendment of the bill and trust to ultimately working out an adequate and merited protection for this class of fabrics, than which I do not think there are any more meritorious contained in the numerous paragraphs of the tariff bill.

There are some 600 hosiery mills located in the country, in over 32 States. These hosiery mills employ about 50,000 people, on whom are dependent for a living some 500,000 persons. They are scattered all over the North, the South, and the West.

The German wages are about 25 cents, where we pay $1. The hosiery concerns are not open to any charge of being in a trust or ever having been in a trust or likely to be in a trust, so far as that statement may be a consolation to those who become apprehensive with a suspicion of such an occurrence.

I am told that the importations for last April are 63 per cent greater than they were for April, 1908. The importations for the last few years are most striking. In 1903 they were $8,000,000; in 1906 they rose to considerably over $9,700,000; in 1907 to $11,000,000, and in 1908 to nearly $11,000,000.

The rates of the Payne bill will have to be adopted by the Senate in this connection or the manufacturers of hosiery will have to reduce the wages of their employees 20 or 25 per cent or close their mills, as it is impossible for them to proceed longer under the Dingley law.

An effort has been made to show that they have been in full operation——

Mr. DOLLIVER. If it will not disturb the Senator——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Iowa?

Mr. PENROSE. Certainly.

Mr. DOLLIVER. What class of cotton hosiery does the Senator refer to as being threatened with this dangerous foreign invasion?

Mr. PENROSE. All hosiery, as I understand.

Mr. DOLLIVER. Does it affect what is called clock hosiery?

Mr. PENROSE. What hosiery?

Mr. DOLLIVER. Clock hosiery.

Mr. GALLINGER. It very seriously affects the higher price hosiery of that character.

Mr. PENROSE. As I understand, it affects all the hosiery that is made by American producers.

Mr. President, there are individual concerns now protesting against the proposed hosiery schedule who have more money than all the hosiery manufacturers in the country combined. The middleman's profit, which runs from 60 to 100 per cent, should convince any fair-minded man who has the prosperity of the country at heart that this small advance in duty can not affect the consumer.

The contention of the National Association of Hosiery and Underwear Manufacturers for an increase in the tariff on cotton hosiery is based entirely on the cost of manufacturing abroad and in this country.

The tariff of 1897 does not measure this differential in cost. In July, 1908, the manufacturers in Chemnitz, Germany, forced a lockout of their employees, which ended by the help returning to work at a reduction of about 25 per cent in wages.

Investigation shows that the following is about the comparative difference in wages at the present time. German wages can be substantiated by the government's official reports.

Chemnitz.

Males (knitters)	per week	$5.00 to	$6.50
Males (finishers)	do	3.00 to	4.00
Females	do	1.50 to	3.50

United States.

Males (knitters)	per week	$22.00 to	$33.00
Males (finishers)	do	11.00 to	16.00
Females	do	5.00 to	13.00

Wages are according to class and grade of work and skill required; deftness and ability largely enter in the matter of wages, the scale of wage being based on piecework.

I ask to have inserted a memorandum giving these figures more in detail.

The PRESIDENT pro tempore. In the absence of objection, permission is granted.

The memorandum referred to is as follows:

Imports of cotton hosiery.

	Dozens.	Value.	Duties.	Total value.
1903	3,814,055	$4,948,390	$3,149,387	$8,098,247
1904	4,119,579	5,430,995	3,264,040	8,694,945
1905	4,292,028	5,434,060	3,277,518	8,711,638
1906	4,690,870	6,119,195	3,675,829	9,795,024
1907	5,123,726	7,019,394	4,138,741	11,158,135
1908	4,829,123	6,855,075	3,994,824	10,849,899

Mr. PENROSE. In 1908, when American hosiery mills were being operated on half and three-quarter time, the importations fell off $300,000 only, owing to revised costs of manufacturing in Germany and reductions in the price of hosiery.

Mr. President, there is another menace to this industry which we must not lose sight of, and that is the increasing competition from Japan. A pure silk hose is retailed in Tokyo and Yokohama at $1 Mexican or 50 cents in American money per pair.

Investigation has disclosed the fact that the manufacturer sells the same articles at about $4 United States currency. At this price it would cost to import, all duties and charges paid to New York City, about $6.35 per dozen pairs for the Japanese silk article.

This hose, from the standpoint of a hosiery manufacturer, is absolutely the most perfect article known to the craft, combining, as it does, all the best features of both foreign and American made hosiery.

The frame on which this hose is made does not, to the best knowledge of anyone in the business here, exist outside of Japan. The product is absolutely perfect in every respect and can not be criticised in any way.

A German silk-lace hose of similar quality, while possessing only part of the best features of the exhibit, costs in Germany at wholesale about 40 marks, which would make the cost in the United States, duties and expenses paid, about $16 per dozen pairs.

Japanese hosiery workers, according to last reports, receive wages as follows: Males, 25 cents; females, 9 cents to 15 cents per day. The day's work is from twelve to fourteen hours, according to the season of the year.

Up to the present time the Japanese have not attempted to export their hosiery to this country, preferring first to gain the markets of the Orient; but the day is not far distant when they will be in a position to force the American market.

In Osaka alone there are about 1,300 manufacturers of and dealers in knit goods. Of the total imports of knitted goods to India, about 60 per cent is from Japan. This is said to have greatly alarmed Indian merchants interested in this line, and several plans have been laid to prevent the Japanese article entering the markets.

The popularity achieved by Japanese knitted goods is attributed to the excellent machines used and to the skill of the Japanese workmen.

In Japan a special machine has been invented by manufacturers. At the price of one German machine five or six Japanese machines can be purchased, while the Japanese machine turns out about twice the quantity of work produced by the German machines.

As to knitting, a Japanese can produce about three times the quantity produced by an Indian. The only drawback of the Japanese work is that it is inferior in quality when compared with that produced by German machines.

The value of hosiery sold by Japan to India increased from $36,460 in 1902–3 to $1,279,743 in 1907–8. One Japanese mill, engaged in manufacturing a class of goods largely shipped to India, employed 290 hands, nearly all girls, who work for very small wages. It should be noted, however, that the wages of girls in Japanese mills are fully as much as those paid the girls in Indian mills.

Mr. President, this industry, as I have said, is scattered all over the country. It gives employment to men, women, and children, and is a benefaction in every community where it exists. I join with what I assume to be the attitude of the Senator from Iowa, that something can be done later on to alleviate their condition.

An effort was made to create the impression that these mills had all been working on full time, or very nearly full time, and were in a prosperous condition. I have here a very large number of statements from mills all over the country, setting forth that while it is true some of these mills have been running during the winter at a reduced rate in order to keep their employees at work and to keep their machinery going, yet that condition is rapidly passing away, and few of them are working at more than 60 or 70 per cent of their capacity; that many of them are closed altogether, and that, in the opinion of everyone engaged in the industry, there is no future for it unless the Payne rates are restored to the tariff bill.

Mr. GALLINGER. Mr. President, just one word more. In this official communication from our consul at Chemnitz not only is the startling fact stated that almost the entire output of that great city is sent to the United States, but it is also stated that they are selling to the American importers at a less price than they sell to the domestic market. So that these goods are not only being sold lower here than they are sold to the people of Germany, but they are being practically dumped upon the American market to the extent of the output of those immense mills.

Mr. President, the Senator from Pennsylvania [Mr. PENROSE], who is himself a member of the Committee on Finance, suggested, as I understood him, that it might be well to allow this amendment to remain in the bill and have the matter further investigated both by the Finance Committee of the Senate and by the conference committee.

I have personally no particular objection to that procedure. What I wanted to do was to emphasize in the Senate the fact that this is an industry that needs more protection than it is receiving under the existing law; that unless it does receive it, the beginning of the end of the hosiery industry of the United States has already commenced; and that that great industry, employing a large number of people and struggling, as it is, against intense foreign competition and cheaper labor, is entitled to a very careful consideration on the part of the committee of the Senate and on the part of the Congress of the United States.

Mr. DOLLIVER. Mr. President, if the Senator will permit me——

Mr. GALLINGER. Certainly.

Mr. DOLLIVER. Does not the Senator from New Hampshire think it would be better for the Senate to consider this matter in view of the facts and circumstances concerning this case and take action upon it?

Mr. GALLINGER. I assume that the Senate will do that. I have no disposition, of course, to foreclose the discussion of this question at all. I have taken, as I have been in the habit of doing during the discussion of this bill, as little time as possible in stating my views on these various schedules, and I have no disposition to debate the matter at length, but there is no reason, of course, why every other Senator should not have the same privilege which I have taken in this matter.

Mr. DOLLIVER. I am sure everybody thinks the Senator from New Hampshire has taken altogether too little part in this discussion.

Mr. GALLINGER. I thank the Senator.

Mr. DOLLIVER. The thing that bothers me is that thousands of good women descended upon the Finance Committee, having first interviewed the Speaker of the House, with a view of defeating certain actions that were taken in the House of Representatives.

Mr. GALLINGER. And a very considerable proportion of them undoubtedly wore silk hose.

Mr. DOLLIVER. I have not examined that question. [Laughter.]

Mr. GALLINGER. But the Senator remembers the fact that a very large delegation of working women descended upon Washington protesting against the contemplated change in this bill.

Mr. DOLLIVER. When these good women came here at their own expense——

Mr. GALLINGER. Do not be too sure of that.

Mr. DOLLIVER. Claiming to represent thousands of people, and approached our marble palace yonder, the Finance Committee saw them coming——

Mr. GALLINGER. And surrendered.

Mr. DOLLIVER. And surrendered, and they went home at their own expense and are now resting peacefully in the belief that they have won a victory. Does the Senator from New Hampshire and the Senator from Pennsylvania, both noted for gallantry, believe it is the square deal to now remit the question to the darkness and secrecy of a conference committee and have these patriotic women wake up on the Fourth of July with this duty restored, when they had every reason to trust the wisdom and judgment of the Finance Committee in omitting it from this paragraph?

Mr. GALLINGER. I will say to the Senator that that is where it must inevitably go—to the dark recesses of the conference committee—whatever we do, unless we restore the rate of the House bill.

Mr. DOLLIVER. Why does not the honorable Senator from Pennsylvania make a motion to restore the House provision?

Mr. PENROSE. I am in hopes that the members of the Finance Committee, including the chairman, gradually, by thinking and reflecting upon this proposition, will become as earnest for the Payne rates as the Senator from New Hampshire and I are.

Mr. DOLLIVER. I have no particular occasion to cultivate my enthusiasm——

Mr. PENROSE. I do not want to force them. I know they have a great many things on their mind.

Mr. DOLLIVER. But the Senator expressed such confidence in the committee as almost led me to believe that it was perfectly safe to allow this great issue to lapse into silence and indifference here in the Senate——

Mr. PENROSE. Oh, no, Mr. President.

Mr. DOLLIVER. And to reappear with new strength and vitality when the Finance Committee in conference had finished the work of finally preparing this bill.

Mr. PENROSE. My thought would be that if the Finance Committee did not show a marked mental improvement on this paragraph by the time the bill is reported to the Senate, I would confer with the Senator from Iowa and arrange for an assault all along the line. [Laughter.]

Mr. DOLLIVER. I doubt whether I could fight successfully under such a hesitating and timid leader as the Senator from Pennsylvania. [Laughter.]

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. LODGE. At the end of the paragraph just adopted I offer an amendment on behalf of the committee.

The SECRETARY. Insert at the end of paragraph 326 the following:

Cotton gloves, knitted or woven, valued at more than $1.20 and not more than $6 per dozen pairs, 50 cents per dozen pairs and 45 per cent ad valorem; valued at more than $6 per dozen pairs, 55 per cent ad valorem.

Mr. BACON. It is very difficult for us, the amendment not having been printed, as I understand, to gather the import of it, or what the effect is to be.

Mr. LODGE. I can tell the Senator. It is a very simple amendment. Cotton gloves, which are as difficult of manufacture as stockings and hose, have come in under the clause of "manufactures of cotton not otherwise provided for." The result has been that the industry has hardly been able to live. In fact, it is practically dead. I believe there is only one maker left. These gloves are used chiefly for the army and the militia. Only the other day the Government of the United States bought 300,000 of these foreign-made cotton gloves for the army, something, I venture to say, no other government in the world would do. They buy their gloves from their own people.

This gives them simply the same rate of duty that is imposed upon hosiery, the rate of the Dingley Act, not an increase, but on the same basis as that, a compound rate, a somewhat lower specific than hosiery has, a somewhat higher ad valorem in the first clause, and in the last clause precisely the same.

Mr. BACON. I understood the Senator from Massachusetts to say that the class of gloves covered by this amendment are the gloves used particularly by military men; and what other class of men?

Mr. LODGE. That is all. I said the principal use was in the army and in the militia.

Mr. BACON. As I have said, we have not the opportunity to have this amendment before us for examination. Therefore the Senator will excuse me for making a further inquiry.

Mr. LODGE. Certainly.

Mr. BACON. So far as we could gather from the reading, it would include all classes of knit gloves?

Mr. LODGE. No; only cotton gloves.

Mr. BACON. I mean all classes of knit cotton gloves.

Mr. LODGE. Certainly; all along. It is a mere question of fineness.

Mr. BACON. If it covers all classes of knit cotton gloves——

Mr. LODGE. They are of precisely the same manufacture. It is only a question of fineness.

Mr. BACON. The Senator will permit me to finish the sentence?

Mr. LODGE. I thought the Senator had finished. I never can tell.

Mr. BACON. Oh, no; I had not.

What I desire to suggest, and to see whether or not I am correct in it, is this: That if it covers all classes of knit cotton gloves it must cover the class of cotton gloves that the poor people wear, and I can not understand how, unless it is guarded in some way, it should relate only to military gloves.

Mr. LODGE. Of course it can not be limited to military gloves. They are the ordinary cotton gloves.

Mr. BACON. I understand that, but I should suppose that——

Mr. LODGE. The foreign glove costs about 14 cents, and the gloves made here cost something over 20 cents a pair—the cheapest.

Mr. BACON. The point I am after is this: I want to find out from the Senator whether he is confident in the statement that the class of gloves covered by this amendment will be almost exclusively simply the military glove. Is it not true that it will cover all the cheap class of cotton gloves that the poorest people wear?

Mr. LODGE. It covers all classes of gloves which are arranged under the two brackets; it covers all cotton gloves——

Mr. BACON. Very well.

Mr. LODGE. Arranged under the two brackets. Military gloves are among the cheapest, I think.

Mr. BACON. That may be true, and I am not particularly concerned about the military gloves——

Mr. LODGE. The principal consumption is there. That is the only reason why I mentioned it.

Mr. BACON. I think the Senator must be mistaken about that.

Mr. LODGE. I dare say I am, as I got the information from the people who make the gloves. They say the principal consumption is in the military.

Mr. BACON. That may be. I am not disputing the fact that the Senator sought his information from——

Mr. LODGE. I dare say they do not know anything about it.

Mr. BACON. From the best source; but we all of us every day of our lives see the poorer classes wearing these gloves, and as there are several hundred thousand of them to each soldier, it seems to me it must necessarily be the case that the consumption by the people in the other walks of life is very much greater than it possibly can be as to military gloves. I think we ought to be very much more concerned about that than we would be about increasing the cost of the very highest class of gloves. The gloves that are worn by people who can less afford to pay for them ought to be the gloves as to which we ought most carefully to guard against any raise in prices. If the Senator can frame his amendment so as to limit it to military gloves, as seems to be his intention——

Mr. LODGE. I can not frame it so as to cover merely military gloves, and I have no desire to. Either we want to keep this industry alive or give it to the foreigners. It is almost dead now. If we do not give it this additional rate the industry will die. There seems to me no reason in the world why in a country raising cotton we should not make our own cotton gloves and why they should not have the same duty as is placed upon hosiery.

Mr. BACON. What would be the ad valorem rate?

Mr. LODGE. The ad valorem rate is 55 per cent, as stated on the last bracket; that is, over $6 a dozen, 55 per cent; valued under $6, 45 per cent, and 50 cents a dozen.

Mr. BACON. In other words, it will add 50 per cent to the cost of the common glove?

Mr. LODGE. It adds 50 cents a dozen to the rate they now carry, and 10 per cent ad valorem for the expensive class—over $6 a dozen.

Mr. BACON. I do not care about the expensive ones.

Mr. LODGE. That is, 50 cents a dozen. That is the exact amount of the addition—50 cents specific to the existing rate. That is exactly what the addition is.

Mr. CULBERSON. I ask that the amendment may again be reported.

Mr. LODGE. I do not mean to say that it adds that to the domestic price. I say to the duty.

Mr. BACON. I understand.

The PRESIDENT pro tempore. The amendment will again be stated, at the request of the Senator from Texas.

The Secretary read the amendment.

Mr. BACON. I shall not detain the Senate in discussing it. I am impressed by the fact that it ought not to be done, and I ask that we may have the yeas and nays.

Mr. DOLLIVER. If the Chair will permit me to inquire, is this amendment offered by the committee?

The PRESIDENT pro tempore. Offered by the committee. Is there a second to the demand for the yeas and nays?

Mr. ALDRICH. I hope we will not have a yea-and-nay vote, because it takes time, and it is my purpose, if we get through the cotton schedule, to move to adjourn before we take up the woolen schedule.

Mr. BACON. It will not take long to have the yeas and nays.

Mr. ALDRICH. Well.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I desire to announce my pair with the senior Senator from Tennessee [Mr. FRAZIER].

Mr. DILLINGHAM (when his name was called). Owing to the absence of the senior Senator from South Carolina [Mr. TILLMAN], with whom I have a pair, I withhold my vote.

Mr. DU PONT (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. I transfer the pair to the junior Senator from Washington [Mr. JONES], and I will vote. I vote "yea."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. PILES (when the name of Mr. JONES was called). My colleague is paired with the junior Senator from South Carolina [Mr. SMITH].

Mr. McCUMBER (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. FOSTER]. He being absent, I withhold my vote.

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I transfer the pair to the Senator from Connecticut [Mr. BULKELEY] and will vote. I vote "yea."

Mr. GORE (when Mr. OWEN's name was called). I desire to announce that my colleague is absent. If he were present, he would vote "nay."

Mr. RAYNER (when his name was called). I have a pair with the senior Senator from Oregon [Mr. BOURNE]. If he were present, I should vote "nay."

Mr. CURTIS (when Mr. SCOTT's name was called). I have been requested to announce that the Senator from West Virginia [Mr. SCOTT] is paired with the Senator from Florida [Mr. TALIAFERRO].

Mr. SUTHERLAND (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 41, nays 24, as follows:

YEAS—41.

Aldrich	Clark, Wyo.	Guggenheim	Piles
Borah	Crane	Hale	Root
Bradley	Crawford	Heyburn	Smith, Mich.
Brandegee	Depew	Johnson, N. Dak.	Smoot
Briggs	Dick	Kean	Stephenson
Brown	Dixon	Lodge	Warner
Burkett	du Pont	McEnery	Warren
Burnham	Elkins	Oliver	Wetmore
Burrows	Flint	Page	
Burton	Gallinger	Penrose	
Carter	Gamble	Perkins	

NAYS—24.

Bacon	Cummins	La Follette	Overman
Bailey	Dolliver	McLaurin	Paynter
Bristow	Fletcher	Martin	Shively
Clapp	Gore	Money	Simmons
Clay	Hughes	Nelson	Smith, Md.
Culberson	Johnston, Ala.	Newlands	Stone

NOT VOTING—26.

Bankhead	Curtis	Jones	Smith, S. C.
Beveridge	Daniel	McCumber	Sutherland
Bourne	Davis	Nixon	Taliaferro
Bulkeley	Dillingham	Owen	Taylor
Chamberlain	Foster	Rayner	Tillman
Clarke, Ark.	Frazier	Richardson	
Cullom	Frye	Scott	

So the amendment of the committee was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The paragraph as amended was agreed to.

The SECRETARY. Paragraph 327, shirts and drawers, pants, vests, union suits, and so forth.

Mr. ALDRICH. The paragraph has been read.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The SECRETARY. Paragraph 329, cotton table damask.

Mr. ALDRICH. The committee have some amendments to paragraph 328.

The PRESIDENT pro tempore. The Senator from Rhode Island for the committee offers an amendment, which will be stated.

The SECRETARY. It is proposed to amend paragraph 328 as follows: First by inserting at the beginning of the paragraph the words "Bandings, beltings, bindings, tapes, webs, or webbings not made on a braiding or other similar machine," and in line 11 strike out the word "articles," and strike out all of the Senate amendments in italics and restore the language of the House.

The amendment was agreed to.

Mr. DOLLIVER. I should like to inquire of the chairman of the committee whether the amendment he has just offered puts cotton duck back into the paragraph?

Mr. ALDRICH. It does.

Mr. DOLLIVER. It also puts in webbing and webs?

Mr. ALDRICH. Yes.

The PRESIDENT pro tempore. The paragraph as amended is agreed to.

Mr. BACON. Do I understand the Senator to withdraw the Senate Committee amendment to that paragraph?

Mr. ALDRICH. The other Senate amendment.

Mr. BACON. Which one?

Mr. ALDRICH. The one in lines 13 and 14, and all the Senate amendments that appear printed in the bill I withdraw.

Mr. BACON. That is the question I asked.

Mr. ALDRICH. Yes.

Mr. BACON. All those printed in the bill?

Mr. ALDRICH. Are withdrawn.

Mr. BACON. Oh.

Mr. ALDRICH. The others are inserted.

The PRESIDENT pro tempore. The Secretary will read the next paragraph.

The SECRETARY. Paragraph 329, cotton table damask.

Mr. DOLLIVER. What is the paragraph?

Mr. HALE. Paragraph 329.

Mr. DOLLIVER. I desire to make some remarks on the Senate amendment in paragraph 329, if that is now before the Senate.

The PRESIDENT pro tempore. It is an open question.

Mr. DOLLIVER. I desire to ask for the yeas and nays on the Senate amendment. Before I do that, I should like to ask the chairman of the committee, cotton duck being dutiable under existing law at 35 per cent in this paragraph, the Senate amendment appears to strike it out—it goes out and down or up—and I should like to know exactly where it reappears.

Mr. ALDRICH. It will go to the countable paragraphs of the schedule.

Mr. DOLLIVER. But I notice in the Book of Estimates it is put down at 45 per cent, which would seem to indicate that it does not go into the countable paragraphs.

Mr. ALDRICH. That is a mistake of whoever put it there, because it does not go there. It goes into the countable paragraph of the schedule, at whatever rate may be imposed upon the count and the weight.

Mr. DOLLIVER. I imagined from the fact that it is set down in the Book of Estimates as bearing the rate of 45 per cent under the Senate amendment, it found its way to the basket clause of the cotton schedule as a sort of manufacture of cotton.

the militia. Only the other day the Government of the United | dead now. If we do not give it this additional rate the in-

Mr. ALDRICH. That is the mistake on the part of Major Lord as to what rate should be imposed.

Mr. DOLLIVER. Is the Senator able to say into what countable paragraph it will go?

Mr. ALDRICH. The denomination which cotton duck had formerly had a stated meaning, but it has been so varied in various cases—some very valuable, some otherwise than valuable—that in the opinion of the committee it was absolutely necessary that this description of cloth should have a rate that would be the rate of duty established by the various countable provisions of the schedule. If a fine cloth, it would be dutiable as a fine cloth. If a coarse cloth, it would be dutiable as a coarse cloth.

Mr. DOLLIVER. If it will not trouble the Senator, has investigation been made to show what effect on this rate, which is now a flat rate, 35 per cent, according to value, this transfer to the countable paragraph will have upon the average?

Mr. ALDRICH. It will reduce some of them. I think it reduces them largely and increases some of the higher grades.

Mr. DOLLIVER. So that it will be below 35 per cent?

Mr. ALDRICH. I think the average will be.

Mr. DOLLIVER. If it shall fall below 35 per cent, it will be a very agreeable surprise to me.

Mr. ALDRICH. I suppose the Senator will agree that cotton duck, according to the count, should pay the duty that other cotton cloths do. I can see no reason why it should be picked out for a particular rate of duty.

Mr. DOLLIVER. But it always has been picked out.

Mr. ALDRICH. Because cotton duck heretofore has been a particular article; but in recent years, whenever it was desirable on the part of the man who was importing cotton duck to call it something else, or to call something else cotton duck for the purpose of getting it in at a lower rate, he did so, and therefore the phraseology has been changed.

Mr. DOLLIVER. I will say this——

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. DOLLIVER. I hope the Senator will let me finish this sentence.

Mr. GORE. I merely desire to say that if the Senators can, without violating any confidence, I hope they will talk louder. We on this side can not hear them.

Mr. DOLLIVER. I agree with the Senator from Rhode Island, that if this cotton duck can be carried into the general classification of cotton cloths, it is an improvement on the old law. The only thing I feared was that in the process of transporting it to the countable paragraphs it might partake of the general tendency of this bill to increase the rates somewhat; and unless that can be shown to be necessary I think it would be undesirable.

Mr. LA FOLLETTE. We were unable to hear what the Senator from Rhode Island said with respect to the effect of this change in line 12, paragraph 329, striking out those words. Does it operate to increase the duty?

Mr. ALDRICH. It throws all these articles of cotton duck into the countable paragraphs of the schedule. On the low grades it would probably reduce the duty somewhat and on the high grades increase it somewhat. The trouble is that various fine articles of cotton cloth have been imported as cotton duck for the purpose of getting them in at a lower rate. For instance, the linings of bicycle tires, which are about the most expensive manufacture that I know of in cotton cloth, have been imported and passed in some cases, anyhow, as cotton duck, and this is simply to give to cotton duck the rates which it would have under the countable paragraphs of the act. The arguments in favor of it, it seems to me, are unanswerable.

Mr. LA FOLLETTE. I notice in the table of estimates it was marked up as an increase in the duty of from 35 to 45 per cent.

Mr. ALDRICH. That is an error on the part of Major Lord, who prepared those figures.

Mr. LA FOLLETTE. In order to make certain in the case of cotton ducks, such as is not suitable for the lining of bicycle tires, would there be any objection to specifying that common duck should not have a higher duty than 35 per cent? I notice that those who appeared before the Ways and Means Committee asked for a change in this duty on account of the large percentage of the imports being brought in of the finer goods and brought into competition with that manufacture in this country. For linings for bicycle tires, it is stated—

that about nine-tenths of all the so-called "cotton duck" now imported into New York, the main port of entry for this material, is in reality tire fabric, which accounts for the relatively high per square yard valuation gained from the statistics given above.

The manufacturer who made this statement said further:

Fabrics used in the manufacture of tires cost far more to produce than ordinary cotton duck. Such fabrics must necessarily be very strong, and with the strength of every part equal to the strength of every other part. The manufacturer of this cloth requires especial care and skill, and very much more labor, therefore, enters into its production than that of ordinary cotton duck. It is, in the main, this very element of extra labor that calls for the differentiation of tire fabrics from ordinary cotton ducks in the tariff schedule.

Since cotton duck is so largely used for clothing for mechanics and laborers, it seems to me it ought not to be left in any possible doubt, and a different provision might be made for the tire linings, leaving the line just stricken out here in that paragraph, so that there can not by any possibility be any increase in that duty, because there are no importations calling for it. There does not appear to have been any manufacturers before the Ways and Means Committee of the House who suggested that any increase was necessary. If nine-tenths of the total of $15,000 of importations given in the imports and duties, as well as in the table of estimates, is of the cloth suitable for tire linings, there certainly ought not to be any possible increase made in the duty on this cheaper quality of duck.

I merely submit for the consideration of the chairman of the committee whether there might not be a provision made for tire linings in paragraph 330 where it would take 45 per cent duty and allow line 12 in paragraph 329 to stand.

Mr. ALDRICH. Cotton duck, as it was originally provided for in all the acts which were prior to this time heavy cotton cloth used for sail making.

Mr. LA FOLLETTE. That is true.

Mr. ALDRICH. It was a peculiar cloth, which was woven for that purpose. In recent years, more especially in the last year, they have been importing fine fabrics for women's dresses, for instance, a fabric which was never intended to be covered at all by the description of cotton duck originally. They have been importing, as I said before, casings for lining of bicycle tires and automobile tires. They have been importing both these classes of goods, and it is to cover these finer fabrics which are imported as duck for the purpose of evading the duty that the committee struck this out and proposed to put it in the countable paragraph.

Mr. LA FOLLETTE. If the Senator will permit me a moment, there could not have been very much fine duck for ladies' dresses imported, because the importations, as shown by the table of imports, have not overrun about $15,000.

Mr. ALDRICH. That is where the Senator from Wisconsin is very much mistaken. In 1908 the imports were 462,000 square yards, valued at $173,000, while the year before they were only 88,000 square yards, valued at $15,000. The importations, in other words, went in the last year from $15,000 to $173,000, showing that——

Mr. LA FOLLETTE. May I inquire of the Senator from what he reads?

Mr. ALDRICH. I am reading from the report of imports for the year 1908.

Mr. LA FOLLETTE. What paragraph?

Mr. ALDRICH. On this paragraph.

Mr. LA FOLLETTE. What page of imports and duties?

Mr. ALDRICH. I think it is not printed in all of the documents. These figures have been collected by me from the importations for the year 1908, which have not yet been published.

Mr. LA FOLLETTE. But, Mr. President——

Mr. ALDRICH. They are published in separate form.

Mr. LA FOLLETTE. On page 255 of "Imports and Duties," under Table No. 1121, entitled "Duck (acts of 1894 and 1897)," the total imports are given for the years from 1895 clear down to 1907. The imports for 1908, of course, are not given here.

Mr. ALDRICH. They were not available when that was prepared.

Mr. LA FOLLETTE. I presume not; but for a series of years they ran from twelve thousand to fifteen thousand dollars. The importations coming in under that paragraph were never of great value in all that period of time, nearly eleven or twelve years.

Mr. ALDRICH. That is perfectly true; but, as I said recently, the last year a new class of articles entirely has begun to be imported under the name of duck which never ought to have been classified as duck. Therefore it became necessary, in the opinion of the committee, to strike out this provision of law so that this cloth would be imported as it ought to be, according to its fineness and weight.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. I assure the Senator from Wisconsin that common ordinary duck will now come in under paragraph 314, under the countable clause, and it will not exceed 35 per cent ad valorem.

Mr. LA FOLLETTE. You say it now comes under paragraph 314?

Mr. SMOOT. No; it will when this bill becomes a law.

Mr. LA FOLLETTE. I know the Senator from Utah has a good deal of familiarity with the trade and with the mercantile business. Can he tell me what the count of common duck is per square inch?

Mr. SMOOT. The ordinary count is 100 to 150. Under the paragraph that will not carry more than 35 per cent ad valorem. It is the common, ordinary duck which the Senator speaks of?

Mr. LA FOLLETTE. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be read.

The SECRETARY. The next paragraph passed over is paragraph 330, which, amended, is as follows:

330. All articles of cotton cloth, whether finished or unfinished, and all manufactures of cotton, or of which cotton is the component material of chief value, not specially provided for in this section, except such as are composed in part of flax, hemp, or ramie, 45 per cent ad valorem.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

Mr. ALDRICH. In accordance with the notice given by me, I now move that the Senate adjourn; but before the motion is put, I will say that we will take up Schedule K to-morrow morning.

The PRESIDENT pro tempore. The Senator from Rhode Island moves that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 8, 1909, at 10.30 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 7, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

THE JOURNAL.

The SPEAKER. The Clerk will cause the Journal to be read.

Mr. MACON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MACON. To make a point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] There are 202 Members present, a quorum, and the Clerk will proceed.

Mr. MACON. Mr. Speaker, I do not know whether the House will sustain me or not in a call for tellers, but I would like to know whether there is really a quorum present; the Speaker may have unintentionally counted some of the officers of the House who are standing around.

The SPEAKER. Two more Members have come in, and the Speaker did not count himself, and that makes three more.

Mr. MACON. Mr. Speaker, if the Chair insists that a quorum is present, I will withdraw the request for tellers.

The Clerk read the Journal of the proceedings of last Thursday.

The Journal was approved.

CALL OF COMMITTEES.

Mr. PAYNE. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from New York demands the regular order. The Clerk will call the committees.

The committees were called.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. HAWLEY, for one week, on account of important business.

To Mr. THOMAS of North Carolina, indefinitely, on account of sickness in family.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Vice-President had appointed Mr. SIMMONS and Mr. GALLINGER members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce and Labor.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Porto Rican bill (H. R. 9541); and, pending that, I want to say that on Thursday last it was agreed by unanimous consent that general debate might proceed for the day and also that the gentleman from Missouri [Mr. BORLAND] might have thirty minutes and the gentleman from Texas [Mr. SLAYDEN] fifteen minutes of debate upon amendments. Of course, the House adjourning without going into Committee of the Whole on Thursday, that order as to general debate is off, and gentlemen who desire to address the committee on the subject of the bill can not do so unless we give them unanimous consent now. Therefore, in order to accommodate gentlemen, I ask that the time for general debate be extended for an hour and a half, and the same time be allowed to the gentleman from Missouri [Mr. BORLAND] and the gentleman from Texas [Mr. SLAYDEN] as was allowed on Thursday.

Mr. CLARK of Missouri. Mr. Speaker, I will say that the gentleman from Missouri [Mr. BORLAND] is not here now. If it should turn out that some other gentleman wanted Mr. BORLAND's thirty minutes, I would like to have an arrangement to that effect. I do not know that anybody will want it. I will take forty-five minutes of the time and the gentleman from New York forty-five minutes of the time.

Mr. PAYNE. Suppose we take two hours, which, I think, will cover it all.

Mr. CLARK of Missouri. Very well.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate be confined to the bill and be extended for two hours, one half to be controlled by the gentleman from Pennsylvania [Mr. OLMSTED], and the other half by the gentleman from Missouri [Mr. CLARK].

Mr. COOPER of Wisconsin. Mr. Speaker, I have notified the gentleman from New York that I should desire a few minutes upon the bill.

Mr. PAYNE. How much time does the gentleman want?

Mr. COOPER of Wisconsin. Not to exceed ten minutes. Perhaps I will not take that.

Mr. PAYNE. Then, Mr. Speaker, I modify the request so as to allow ten minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. GARRETT. Mr. Speaker, will that cut off the regular five-minute debate?

The SPEAKER. It will not.

Mr. CLARK of Missouri. I want it understood that the speeches are to be confined to this bill.

The SPEAKER. That was the request.

Mr. PAYNE. I will modify the request, so that the remarks shall be confined to the bill.

The SPEAKER. Is there objection to the request, as modified, of the gentleman from New York?

There was no objection.

The motion of Mr. PAYNE was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TOWNSEND in the chair.

Mr. OLMSTED. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I want to speak directly on this bill and urge the Members of the House to remain here to-day, as notice has been given that we must have a quorum in order to pass the bill. It is quite necessary that every Member should remain here so as to sustain the quorum. We already have agreed to a debate of two hours and ten minutes, but it may not go through that time, and we may be voting on amendments. I hope that gentlemen will forego any pleasure they may have outside, and that all gentlemen, including the gentleman from Pennsylvania, will stay here until the bill is finally disposed of.

Mr. OLMSTED. Mr. Chairman, the immediate difficulty which confronts us arises from the fact that the legislature of Porto Rico, at not only the regular session but also at an extra session called for the purpose, has adjourned without making the necessary appropriations to meet the current expenses of running the government and meeting its legal obligations for the fiscal year which will begin July 1, 1909. It is the object of the pending bill to remove that difficulty by providing that the appropriations upon which both houses of the insular legislature did agree for the current fiscal year shall be considered as reappro-

in reality are more, which accounts for the relatively high per square yard valuation gained from the statistics given above.

cousin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

priated and used for the payment of the necessary expenses until such time as the legislature shall act in the matter of appropriations, whereupon this bill will, by its terms, cease to operate.

But back of this particular difficulty, and in a measure accounting for it, lie other difficulties which in the near future Congress will undoubtedly find it desirable to consider. Those difficulties and the legislation necessary to remove them it is not my purpose to discuss at this time. But some statements have been made upon this floor and elsewhere to which I may be pardoned for referring briefly.

The so-called "Foraker Act," passed by Congress in 1900, provides a legislature for Porto Rico. If the two houses were to meet in joint session, there would be found 40 natives and 6 Americans. Of all the public officials in Porto Rico, about 85 per cent are natives and only about 15 per cent Americans, and yet the gentleman from Colorado [Mr. MARTIN] and the gentleman from Arkansas [Mr. MACON] are pleased to say that we have furnished to that island a carpetbag government. The 6 American members of the executive council, or Porto Rican senate, were nearly all, and, I think, all of them, selected by President Roosevelt after a conference with Mr. Taft, then a member of his Cabinet and now President of the United States. They were selected with great care. They are men of learning, wisdom, experience, and patriotism. They are men of affairs, and had been for some time familiar with Porto Rican matters. They have all been there long enough to acquire the ability to read, write, and speak the Spanish language. Of course they look after the interests of the United States. It is their duty to do so. It is equally true that they have the best interests of Porto Rico at heart. They could have no earthly reason for wishing to oppress those people or to deny to them anything which might be for their real benefit. They have never been accused of lack of ability or of unfairness, or even of arbitrary action until the present controversy arose. The only charge now is that the executive council, or senate, will not pass certain bills which the lower house desires to have passed. The bills in dispute are not appropriation bills. They do not form part of any appropriation bill. There is no serious dispute about the appropriation bills. If we are correctly advised, the lower house will not pass any appropriation bills at all because the upper house will not pass certain other desired bills.

The house of delegates desires an agricultural-bank bill. The senate opposes, because, it says, it would require $2,000,000 of capital, and they have not the money. The house desires 66 judges or justices made elective. The senate is willing to compromise on 47, but will not stand for 66. There are other and more serious matters, to which I shall presently refer.

Each party to the controversy has set forth its side of the case to the Federal Government. The house of delegates sent three commissioners to Washington to take up the matter with the President and Congress. They have addressed to us a pamphlet, of which I hold a copy in my hand. Upon the outside cover I find this:

SIR: The undersigned, as representatives of a people in servitude, beg of you, their representative of a free people, that before casting your vote in Congress on the question of Porto Rico you read these short pages and be convinced that we are simply asking for our rights and appealing to your sense of justice.

L. MUNOZ RIVERA,
C. COLL CUCHI,
EUGENIO BENITEZ,
Commissioners of the House of Delegates of Porto Rico.

Upon the fly leaf there is a single paragraph, giving us to understand—

One million souls are living in Porto Rico in an unbearable state of tyranny under the folds of the American flag.

I hold also in my hand a copy of Revista de Puerto Rico (the Porto Rico Review) of April 10, 1909. The motto of this paper, as stated upon its first page, is "El ideal de Puerto Rico es ser estado" (ultimate statehood for Porto Rico). This paper, in its leading editorial, says:

Why misrepresent? If some reported expressions made by the commissioners of the lower house to the newspapers in New York are true—and they probably are—we are afraid that our representatives are fast becoming fit candidates to take high places in the Ancient Order of the Sons of Ananias Society.

This editorial then proceeds to shy some very personal and uncomplimentary things about the members of the commission, and to quote some still more uncomplimentary things which, it says, the members of the commission have written, printed, or spoken concerning the people of the United States. I shall not repeat them.

In their pamphlet they say that England, Russia, and France all own and oppress slaves, and that we, in supplanting the Spanish Government and giving them the Foraker Act, have reduced them—the Porto Ricans—"to the sad condition of a people in servitude."

Then, under the caption "Self-government," they endeavor to convince us that the system in force in Porto Rico when General Miles landed there in 1898 was vastly more liberal in its terms than the Foraker Act. But they do not seem to understand exactly what form of government was in force there at that time. They say, on page 7 of their brief, that they had "an insular senate composed of 15 members, of which 8 were elected by the people and 7 appointed by the King of Spain;" and on page 24, regarding the council of administration (the senate), they pretend to quote article 5 of the royal decree of November 25, 1897, as follows:

ART. 5. The council shall be composed of 15 members, of whom 8 shall be elected in the manner directed by the electoral law and 7 shall be appointed by the governor-general, acting for the Crown, from among such persons as have the qualifications specified in the following articles.

The decree, however, does not read that way. According to the translation it reads quite differently.

Mr. EDWARDS of Georgia. Will the gentleman yield there for a question?

Mr. OLMSTED. Yes.

Mr. EDWARDS of Georgia. Whose pamphlet is this from which the gentleman is reading?

Mr. OLMSTED. The pamphlet is signed by the three commissioners, whose names are L. Munoz Rivera, C. Coll Cuchi, and Eugenio Benitez, commissioners of the house of delegates. As I stated, they have erred in quoting the royal decree of 1897. According to the translation on file in the Division of Customs and Insular Affairs here in Washington, it reads this way:

ART. 5. The council shall be composed of 35 members, of whom 18 shall be elected in the manner directed by the electoral law and 17 shall be appointed by the governor-general, acting for the Crown, from among such persons as have the qualifications specified in the following articles.

It would thus seem that these commissioners were mistaken just 20 in the number of senators.

As to the lower house, the royal decree did not fix 32, as they state, but did provide 1 for each 25,000 inhabitants. One might be led to suppose from the reading of this pamphlet that the Porto Ricans had lived under that form of government for a long time and found it very delightful; but everybody knows that the royal decree of 1897, which applied to Cuba as well as Porto Rico, was intended as a mere temporary makeshift until the Government of Spain could accomplish their pacification.

As matter of fact, the decree of 1897 was hardly in operation at all. In his report of December 30, 1898, Mr. Henry K. Carrol, special commissioner to Porto Rico, said of the constitution or decree of 1897:

This constitution was promulgated in Porto Rico on February 11, 1898, but was never fully installed. The war intervened, and the provincial legislature, which was its most important feature, was dissolved when Sampson's fleet appeared, and the governor-general conducted the government practically on the old plan.

I should like to hear from these commissioners how the people of Porto Rico liked the "old plan," and how much of liberty and how much of self-government they enjoyed under it.

The form of government in Porto Rico was changed every few years pretty much according to the whim or caprice of the Spanish Crown; as, for instance, by the royal decree of September 12, 1870, and the decree of January 4, 1883. A provincial law for the island was passed by the Spanish Cortes and approved March 15, 1895, and as of the same date several royal decrees were issued in pursuance thereof, changing the form of government in the island. The Spanish Cortes passed another law for the government of the island, approved by Her Majesty December 31, 1896, declaring all former provisions and laws relative to the provincial government repealed. The laws or constitutions of 1895 and 1896 both provided a very meager and ineffective sort of legislature for the island in the form of a so-called "provincial deputation," composed of 12 members. The governor-general, however, was not very much bound by any legislation that they might adopt, and had power to suspend not only their orders, but also to suspend the deputation itself, after allowing a hearing to the board of authorities, which was composed of certain officers, or without that requisite he might order, of his own accord, a suspension of individual members of the provincial deputation, "provided there remains a sufficient number of them to deliberate," and a deputy so removed by him could not be reelected until after six years. When a deputy had been so suspended, the governor-general was empowered to temporarily fill the vacancy with any person who had previously held the office by election.

The provincial deputation had very little power over the purse. They were authorized and required to prepare a budget and forward the same to the governor-general three months before the commencement of the fiscal year, but the governor-general was not bound by their action, and decided matters for

himself, the provincial deputation having the right of appeal from his decisions in matters pertaining to the budget. They were permitted to present to the governor himself an appeal from his decision, but he was to forward it to the colonial secretary at Madrid, whose decision was final.

There was, in article 78 of the Spanish law of 1896, a distinct provision that—

If the budget should not be approved at the beginning of the fiscal year, the previous budget shall remain in force in its necessary parts.

I find as far back as the constitution of September 12, 1870, in article 27, a provision that—

If, for any reason whatsoever, the Cortes failed to authorize any year the budget law for the colonies, the immediate previous law shall obtain.

Under Spanish rule the provincial legislature might prepare budgets, but its action amounted to little more than a recommendation. The Spanish Cortes or the Spanish authorities had the ultimate power over the purse. Even under the decree or constitution of 1897 there was reserved to the Spanish Cortes the right and duty of declaring what expenses should be obligatory and of fixing the amount every three years.

We have given to the provincial legislature, constituted under the Foraker Act, the absolute right to make their own budgets and their own appropriations—in short, have given them absolute power over the purse. We do not take that away at all by this bill. We provide merely that if they do not legislate for any fiscal year the budget for the preceding year shall remain in force. Before our occupancy of the island the budget of the preceding year always remained in force in the event of failure to approve a new one. We have inserted similar provisions in the constitutions of the Philippines and of Hawaii. There is not the slightest danger that applying the same principle to Porto Rico will reduce the people of that island to a condition of servitude. If it does, they can escape from that servitude at any time by getting together and passing the necessary appropriation bills.

Under the old plan of government in force in Porto Rico prior to American occupation, the governor-general appointed by the King of Spain was pretty much the whole shooting match.

Mr. GARRETT. Will the gentleman permit?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Tennessee?

Mr. OLMSTED. Assuredly.

Mr. GARRETT. I desire to ask the gentleman if it is not true that under the Foraker Act power is reserved here in Congress to repeal and suspend acts of the present legislature in Porto Rico?

Mr. OLMSTED. I have no doubt that under the language of the act Congress has the supreme power, but it has never exercised it and it has never placed any such arbitrary power in the governor of Porto Rico.

Mr. GARRETT. I am not controverting much what the gentleman says, but, as a matter of fact, the Foraker Act reserved the power in Congress.

Mr. OLMSTED. It is true.

Mr. GARRETT. So, while under the Spanish Crown power was vested in the governor, under the act here the power was vested in the legislative body of this country.

Mr. OLMSTED. That is true; but there the governor could suspend at once. It may be that——

Mr. GARRETT. It was never exercised under their authority.

Mr. OLMSTED. I think it was. There was very little power and very little governmental authority in the Porto Ricans themselves. Now, let us see what we have done for them since the American occupation. We have given them a congress, or legislature, of their own, of which 6 members are Americans and 40 are natives. We have turned into their treasury about $3,000,000 in cash, the amount of duties collected in the United States on Porto Rican products after the Spanish evacuation. We have given up about $15,000,000 annually of our own revenues so as to allow the free admission of their products into the United States. We gave them $200,000 to relieve the cyclone sufferers. The United States pays out of its own Treasury the whole cost of the Porto Rican regiment, which constitutes the local army, and also of the revenue vessels, the light-house service, the coast surveys, the harbor improvements, the marine-hospital service, post-office deficit, weather bureau, and the maintenance of the agricultural experiment stations.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. OLMSTED. I will.

Mr. HUMPHREYS of Mississippi. Just for information. The gentleman says we paid a part of their postal expenses.

Mr. OLMSTED. To make up the deficit.

Mr. HUMPHREYS of Mississippi. And they paid the rest out of their treasury?

Mr. OLMSTED. We made up the deficit.

Mr. HUMPHREYS of Mississippi. They paid the rest out of their own treasury?

Mr. OLMSTED. No. Whoever uses the mails pays it. All this is done at no expense to Porto Rico. The good roads in the island have been quadrupled. The value of real estate has been trebled. The cause of education has prospered as never before. Before we landed there they expended about $35,000 a year for education; under the present government, about a million dollars a year. All these added expenses and valuable improvements we made possible without running them in debt. The revenues of the island still exceed its expenses. We have doubled their commerce—particularly their over-seas commerce.

The Porto Rican legislature now has substantially all the powers of a state legislature in America. The laws under which those people are living have been made by their own legislature, under a constitution guaranteed to them by the act of Congress. We have never attempted to annul or revoke a legislative act of their making. Never before in the history of the island did those people live under laws of their own making. We have improved their condition in every way from the standpoint of education, of finances, and in the direction of self-government.

As the President has well said in his message—

Porto Rico has been the favored daughter of the United States.

We have, in fact, been giving her a "joy ride" for the past nine years or more, and believe that the people generally appreciate their blessings. But these three commissioners of the house of delegates, for reasons of their own, style them "a people in servitude," and "living in Porto Rico in an unbearable state of tyranny under the folds of the American flag." There never was a charge more unjust or more baseless. The people of Porto Rico never in their lives were so far from servitude as they have been since the American occupation and are to-day.

Mr. KEIFER. I want to ask the gentleman a question with reference to the bill, if he will allow me.

Mr. OLMSTED. Certainly.

Mr. KEIFER. I do not wish to take any particular time. I notice in the proviso that is proposed to be added to the act now in force it reads:

If at the termination of any session the appropriations necessary for the support of the government shall not have been made, an amount equal to the sums appropriated in the last appropriation bill for such purposes shall be deemed to be appropriated.

Now, suppose that the time should arrive when it is necessary to have appropriations, and that there is a session of this body going on, and no adjournment has taken place; this would not provide for that?

Mr. OLMSTED. I will state to the gentleman from Ohio that his suggestion has been covered by an amendment, already agreed to, so that it reads:

If at the end of any fiscal year the appropriation is not made.

Mr. BUTLER. Will my colleague yield?

Mr. OLMSTED. Certainly.

Mr. BUTLER. I understand that it is not proposed by this bill to settle the dispute between the executive council and the legislative body in Porto Rico.

Mr. OLMSTED. Not at all.

Mr. BUTLER. The present measure has no purpose in it except to maintain the government of Porto Rico?

Mr. OLMSTED. That is all.

Mr. BUTLER. And we do not, by passing this law, commit ourselves in any way upon the grievances existing now between the executive council and the legislative body in Porto Rico?

Mr. OLMSTED. We express no opinion upon that.

Mr. BUTLER. And these grievances, such as they are, will be the subject of consideration, probably, by Congress hereafter?

Mr. OLMSTED. In regular session.

Mr. BUTLER. We do nothing more by this bill than to reappropriate sufficient money to maintain the government of Porto Rico?

Mr. OLMSTED. Reappropriate for the ensuing year the sums which both houses of the Porto Rican legislature had already agreed upon for the current fiscal year.

Mr. BUTLER. I am obliged to my friend. Not being well informed, I would not be willing at this time to attempt to settle these disputes, for fear I might be a party to injustice.

Mr. FITZGERALD. Would not there be more likelihood of Congress taking these matters up at the next session if this bill were limited to one year only?

Mr. OLMSTED. I think not.

Mr. FITZGERALD. From my knowledge of the way Republican Congresses act, I think it would.

Mr. OLMSTED. We may gather from the pamphlet submitted by these commissioners that the withholding of the appro-

Spanish Government and giving them the Foraker Act, have reduced them—the Porto Ricans—"to the sad condition of a people in servitude."

and forward the same to the governor-general three months before the commencement of the fiscal year, but the governor-general was not bound by their action, and decided matters for

priations by the house of delegates was not alone for the purpose of forcing the upper body to consent to certain bills which would put greater political power in the hands of the dominant party in the island, but also that it was for the purpose of holding up Congress—of forcing the hand of the United States; for, after discussing the situation, they say:

> Therefore, a single aspect of the system is not at stake; it is the whole system; that is, the colonial policy of the United States, which you may decide in the spirit of liberty or in a reactionary spirit. The house of delegates of Porto Rico begs of you to decide it in the spirit of liberty, and that the Foraker Act be amended, because the present conflicts are due to its essential and organic defects. * * *
>
> It is not for us to suggest any specific solution to the Congress, where the wisest and most learned men of the country assemble, but it is for us to affirm in the most absolute and categorical way that Porto Rico would be satisfied with an elective council, either direct from the people or by primaries, according to your judgment and ideas, and that the chiefs of the executive departments would be appointed by the governor, with the advice and consent of the council, reserving to the latter the power of granting franchises and concessions.
>
> Such law will have the effect of consolidating forever in the island the love for America; would revive the almost lost hopes, and give rise to a spontaneous outburst of sympathies toward the Republic, promised to them as "the redeemer, the liberator." It would destroy not only the present difficulties, but even the germs of all others in the future.

So you see, Mr. Chairman, that this sad condition of servitude, to which they claim the Foraker Act has reduced them, may be entirely overcome by giving some more offices to these gentlemen.

Now, it may be that conditions over there may be improved by some modification of the existing constitution. The executive council suggests some changes, the house of delegates suggests some changes, and the President suggests some changes. Probably some ought to be made. That is a matter for Congress to determine at the proper time, but not in this extra session, and certainly not under duress. If this action of the house of delegates and of these commissioners was taken in the hope of forcing the hand of Congress, that hope must be disappointed. We can not, for one moment, agree that, by paralyzing the arm of the existing government in the island, they may force us to hasty or ill-considered action. All that we propose to do at this time is to make suitable provision for the payment of the absolute expenses of the government.

The appropriations for the current fiscal year ending June 30, 1909, were agreed upon by both branches of the Porto Rican legislature. The effect of the pending bill will be to continue those appropriations in force—to treat the money as reappropriated—after the 30th of June, 1909, until such time as the legislature shall choose to make new appropriations. The present appropriations, having been agreed upon by both houses, can not be very far wrong, but if they are not satisfied with them they may drop their other controversies and pass new appropriation bills. This bill will not take that right from them. It merely prevents chaos from reigning in that island pending the agreement of the two houses.

This bill leaves the act of 1900 without change, except in the single particular of continuing existing appropriations where the legislature fails to act for the ensuing year. Aside from that it merely adds in the second section authority for the President to indicate one department to which all reports from Porto Rico shall be made. At present the law requires various reports to be made to various departments and great confusion exists.

The gentleman from Missouri [Mr. BORLAND] declared himself as unequivocally opposed to this bill. I asked him whether he proposed to allow the present unhappy condition to continue, or whether he had some other remedy, and if so, what. He said that he had another remedy which he would propose in due time. He has now proposed it in the form of an amendment, which concedes the necessity of the pending bill, but limits its operation to one year. If it is a good provision for one year, why not for another?

The recommendation of the President in his message is that we provide that "whenever the legislative assembly adjourns without making appropriations" the existing appropriating acts shall be continued in force. That is just what we do in this bill. The amendment should be voted down. [Applause.]

Mr. CLARK of Missouri. Mr. Chairman, I yield thirty minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, it was with extreme difficulty that I could persuade myself to entertain even for a brief instant the idea of voting for such a measure as this—to amend the fundamental law of an island separated from us by several hundred miles, and in such a revolutionary way.

If it be true that the refusal to vote this appropriation will starve out the only government in Porto Rico and compel its dissolution, I suppose it is our duty to pass the bill. While I do not like to vote taxes on any people who have no voice in the matter, and then appropriate their money, such tyranny for a year, or even five years, is to be preferred to anarchy for the briefest period, and that seems to be the alternative. I think, however, we ought to make our action as little offensive as possible to the Porto Ricans, and for that reason I shall vote for the amendment offered by the gentleman from Missouri to limit its operation to one year.

We are evidently facing a crisis in the affairs of Porto Rico, and it behooves us, being charged with responsibility, to look carefully into the matter and make an effort, at least, to permanently relieve the situation. To that end I shall, if I find the opportunity, offer an amendment to this measure directing a joint committee to inquire into the situation and to report back a bill recommending such changes in the government of Porto Rico as will preserve order, make the people content, and develop the resources of the island. If such a report is ever made, I hope it will embody the American doctrine of the right of the governed to a full share in the government. I do not, under any circumstances, like to be engaged in this sort of legislation, but in this case it appears to be necessary whether we like it or not. We find ourselves in this undesirable situation because of mistakes made ten years ago and now, I fear, beyond recall.

A MONUMENTAL BLUNDER.

I do not now remember who said that in politics a blunder is worse than a crime.

Mr. GARRETT. Talleyrand.

Mr. SLAYDEN. Yes, it sounds like Talleyrand; but he was a wise man, anyhow, who observed that in politics a blunder is worse than a crime. A monumental blunder was committed when we gave way to hysteria in 1898 and interfered in the affairs of Spain and her colonies, and from that meddling a train of evil consequences, that are still at the flood, began to flow at once.

It was with reluctance that I played my humble part in that drama, and I have regretted it every day since. I distinctly then pointed out what I conceived to be the danger of meddling in Spanish-American affairs. Subsequent events have shown that I was right when I thought I saw trouble ahead. But it took no unusual sagacity to look beyond a war that could only have one ending. I apprehended that it would lead to the acquisition of a few million citizens whose society I did not want any more than they wanted mine, and my worst fears have been realized.

But, like others on that occasion, I was swept off my feet by the disaster to the *Maine*, and, for the time being, my reasoning faculties were paralyzed. We were all seized by the frenzy of war. We had the war, and now we have Porto Rico and the Philippines, and occasionally we have Cuba. And a nice kettle of fish it all is, too.

No good has come of it so far; in my opinion, none will ever come, for the union was not a natural or proper one. Up to this time, as I view the situation, we have merely increased our naval and military expenses, lengthened our pension roll, abandoned American principles, and given unsatisfactory government to the Philippine and Porto Rican people. Not a record to inspire pride, I should say.

CUBA.

Now, the question is, Are we to benefit by the lesson of the Philippines and Porto Rico, or shall we be driven into other blunders of this sort? In violation of solemn pledges and at the certain sacrifice of blood and treasure we are being urged to the permanent occupation of another island. From time to time the newspapers report trouble from Cuba and urge that course. Our type of civilization does not seem to attract the inhabitants of that island, and the effort to apply a Puritan code to the people of Cuba has not been entirely successful; indeed, it is clearly a misfit, disappointing to our own people and irritating to the Cubans. It merely serves to illustrate a fact that ought to be better known—that a government that suits one people is not always agreeable to another, and particularly when they are of different races. Our institutions meet our needs, but I should be slow to assert that they would suit other people.

Mr. SCOTT. Will the gentleman permit an interruption?

Mr. SLAYDEN. Certainly.

Mr. SCOTT. The gentleman has just stated that he believes our institutions are best for us, but that he would hesitate to say that the same institutions would be best for Porto Rico or Cuba. He realizes, of course, that the friction between the islanders and ourselves grows out of the fact that they desire substantially the kind of government they formerly had, with the present Porto Rican leaders in the place of the officials who were appointed by the Crown previous to the American occupancy. Does the gentleman believe that we ought to restore Spanish institutions in the island of Porto Rico, or establish

Mr. MIRAMONTES. Mr. Chairman, I ... out of their treasury?

Mr. OLMSTED. We made up the deficit.

Mr. OLMSTED. We may gather from the pamphlet submitted by these commissioners that the withholding of the appro-

there the kind of government they had before coming under our flag?

Mr. SLAYDEN. No, Mr. Chairman, I do not.

Mr. SCOTT. Does the gentleman believe that the establishment of any other kind of governmental institutions will be satisfactory to the people for a generation or two until they have been educated up to it?

Mr. SLAYDEN. I will say that I have an amendment which I propose to offer to this bill. As an answer to the gentleman's question I will read that amendment now. But the gentleman from Kansas will understand that because I offer this amendment, and when I undertake to cure this trouble in the way I do, that I confess that I do not know just what is best to be done politically for these islanders. I hope to have the amendment adopted so that I may know. I do not agree with him that the difference between the islanders and ourselves is due to the cause he ascribes. I stated my reason a while ago, and it is more deeply rooted than any form of government.

Mr. SCOTT. I meant to express entire concurrence in the opinion just so ably presented by the gentleman from Texas. I believe, with him, that the differences are fundamental, and it is because of that that the system of government which they desire will never be such as this country will be willing that they shall have.

Mr. SLAYDEN. Now, Mr. Chairman, I will read the amendment:

> That a special committee of 11, 7 of whom shall be Members of the House of Representatives, to be selected by the Speaker, and 4 of whom shall be Members of the Senate, to be chosen by the President of the Senate, be authorized and directed to investigate in the island, by public hearings or otherwise, the political and economic conditions in the island of Porto Rico, and report to the Sixty-first Congress not later than February 1, 1910, what, if any, change should be made in the act of April 12, 1900, and amendments thereto.

That is to say, the Foraker Act. I would like to say that I have submitted this amendment to the representative of the people of Porto Rico, the only voice here which may be truly taken as the voice of Porto Rico itself, and he assured me this morning that if this amendment was incorporated in the bill he should vote for it if he could, and that he would support it by his voice. I do not know whether the date I have taken is the proper one or not, but that is a minor detail that can be easily corrected. The gentleman from Kansas is much better informed as to that than I am. The purpose of the amendment is to learn what is necessary to restore order and develop the island. I recognize the embarrassing situation that we are in, and I want to do what is best for my own country primarily, and then what is best for Porto Rico.

Mr. GARRETT. I want to suggest to the gentleman that I am heartily for his amendment, but I believe the amendment ought to go far enough to say that the commission shall have the power to send for persons and force them to attend the hearings. I think that should be inserted, if it is not implied, in the gentleman's amendment.

Mr. SLAYDEN. I assume that it was implied, but I would be glad to accept a modification if necessary so as to cover the suggestion of the gentleman from Tennessee.

Mr. Chairman, I was trying to discuss the fundamental differences between those islanders and ourselves, and I was speaking with particular reference to the island of Cuba and the fact that we are urged to go back there. We are told every day that the new administration in Cuba is a failure, that it does not appreciate its responsibilities, that it is recklessly extravagant, that it wastes money in bribing bandits to be good, that it gives more attention to cock fighting than to commerce, and so on through a long list of national misdemeanors.

Mr. Chairman, I am suspicious of the origin of this propaganda, for propaganda it clearly is. It sounds very much like the talk I heard in Cuba years ago from American and other foreign land owners who wanted the free markets of the United States for the produce of their plantations and the increased value to their lands that they thought a transfer of sovereignty would bring them.

Certain sugar and tobacco growers down there, regardless of the interests of the people of this country, and inspired only by the basest selfishness, looking only to personal profits, persistently declare the incapacity of the Cubans to conduct their own affairs, and predict with a regularity that indicates concerted action the return of the soldiers of the United States. They want it done, so they say it will be done, and I believe that they would not scruple to bring it about by any method that offered, even though it involved treason to the Cuban Republic. All patriotic Americans should pray that never again will the blue uniform of our soldiers be seen on the island, for a permanent political association will be bad for both people.

RACE DIFFERENCES.

Mr. Chairman, these chronic troubles in Porto Rico, the Philippines, and Cuba transcend in importance the irritation that comes from the pressure of an unpopular statute. They come from a fact that is deeper and more abiding than any mere form of government. They remind us, or they should, that they and we are of different races and that in the very nature of things we can never view such affairs as government and society in the same way.

MIXED ISLANDERS.

We are mainly Anglo-Saxon, while they are of a composite structure, with liberal contributions to their blood from Europe, Asia, and Africa. They are largely mongrels now, as we will surely become in time if we do not shut out the undesirable immigration from Europe and Asia that threatens to overwhelm us. They do not want our guidance, and I doubt if we can guide them successfully. Nothing has ever happened to encourage the belief, and I do not see how we can hope to succeed where others have failed. Nothing in our history suggests that we are especially gifted in the solution of such problems. History tells us that distinct, radically different races have rarely if ever dwelt together in political harmony. We have our view of government and they have theirs. I know that ours suits us best, but I should hesitate to say that it would suit them best. Indeed I do not believe that it would, and that is one of the many reasons why I regret that we ever left the continent of North America for the purpose of acquiring territory or political control over other and a different sort of people. Great Britain is the nearest parallel the world offers us, and England has trouble in the East Indies all the time. Then her West Indian colonies have for years fluctuated between distress and disaster. Her African colonies, despite the gold mines, have produced more discord than wealth. Enough good English blood has moistened the burning sands of Africa to fertilize with energy every acre of her great Northwest Territory, and build up a mighty commonwealth of white Anglo-Saxon people in a climate and environment that suit them. And all because men of one race have tried to impose government on another and without the consent of the other. The sacrifice has been out of all reasonable ratio to the gain.

How can we hope to escape the penalties that have been imposed upon other branches of our race when we commit the same political blunders?

HOME TROUBLES.

Every day here at home we have troubles enough of this kind to occupy our attention. They are important enough to tax the resources of the wisest statesmen. The recent railway strike in Georgia was not a question of wages or of hours. It was a race issue. Not especially important in itself, it was of vast importance as a symptom. It indicated a deep-seated malady, and one that should be carefully considered by the doctors of state, not impatiently, not in a partisan way, but thoughtfully and in a statesmanlike way. Nor is this trouble confined to Georgia, or Texas, or Louisiana, as some gentlemen think. It manifested itself recently in Pittsburg, when the chauffeurs who were driving the machines that were to take President Taft and his friends on a holiday excursion struck because the machine in which the President sat was being driven by a negro. That was the only reason assigned. It was a clear, sharp race issue made in the very presence of the President. The demands of the white race were yielded to in that case in Pittsburg, as, in the main, they always will be everywhere.

Such incidents as these ought to teach us the folly of engaging in further political enterprises that will bring us into relations with alien races. They show us how important it is to handle this Porto Rican question just right, and also how difficult it is.

If it is to be the fate of this Government, as it has been that of others, to rise, prosper, decay, and disappear—which I pray God may never occur—I think that the calamity will be traceable to our abandonment of the noninterference policy of George Washington.

I firmly believe that the historian of the future who will hunt for the causes of the destruction of the great North American Republic, if that disaster does overtake us, will unavoidably reach the conclusion that the downfall began with the Spanish-American war. I believe that he will find that we introduced the seed of fatal disease when we annexed the Philippine Islands and Porto Rico, when we abandoned homogeneity and harmony for race complexity and discord.

Are we wise enough to confess our blunders, to retrace our steps, and, by confining our energies to the continental territory

we now possess, develop this great Republic to a glorious destiny along the lines laid down by the fathers, who saw more clearly because they were less tempted by greed or glory?

These are small troubles that we are having with our colonies now. I do not doubt that they are forerunners of greater to come. This Porto Rican question is a sort of test of our ability to handle such problems. By wise and considerate action we may minimize the trouble, but we can hardly efface it, because it comes from fundamental differences between the Porto Ricans and ourselves. We put on them a government without consultation, and we should not be surprised that it does not work smoothly nor to the entire satisfaction of those who are its subjects.

The Foraker law has not stood the test of a real crisis. I suggest by the amendment that I offer that we go into the whole question profoundly, and with the cooperation of the Porto Ricans themselves we may indulge the hope that we can evolve a system of government for the island that will be fairly satisfactory.

Mr. Chairman, I have already read this amendment and I want to say in closing that the gentleman from Porto Rico [Mr. LARRINAGA] has assured me that he hopes to see such an amendment put upon this bill. He believes that if we send a commission down there to investigate the conditions in the island, that commission will become convinced that radical changes should be made, and that it will submit recommendations of a useful nature that may bring order and harmony out of chaos and discord.

Mr. OLMSTED. Mr. Chairman, I yield twenty minutes to the gentleman from Colorado [Mr. RUCKER].

Mr. RUCKER of Colorado. Mr. Chairman, my distinguished colleague and friend from Kansas [Mr. SCOTT] has told you of our trip to the "Pearl of the Antilles," and has ably described to you what we saw, the pleasures of the trip, the information received, and the impressions formed. I take great pleasure in heartily concurring in and approving all he has so delightfully said, and I would not prolong the discussion upon such a simple proposition as the one now before the House but for some things that have been said by other Members of this body, intentionally or otherwise, looking toward reducing this question to a political phase. I never supposed for a moment when I became a Member of this great body that every question that might come before the House should necessarily be classed as a political one. I never voted the Republican ticket in my life, yet I was compelled the other day to cast the only Democratic vote on this side of the aisle, not only once but thrice, for the purpose of having this bill disposed of in an orderly manner under the rules of the House.

If my friend from Kansas [Mr. SCOTT] and I had been as fortunate in gathering information concerning the conditions of the island of Porto Rico upon our visit as some of these gentlemen were unfortunate in getting misinformation, and preparing their remarks upon this question with a view of giving it a political cast, and, by innuendo, at least, if not directly, besmirching the character of the able representatives of this Government down there, then indeed, though we believe our intrenchment strong, veritably we would be ensconced behind a Gibraltar rock.

This is not a political question, and no ingenuity coming from the ablest upon this side can make it such in the sense sought by some of the gentlemen who have spoken to the amendment. The American-Spanish war was not fought for the purpose of conquest. It was wholly humanitarian in its object. A butcher of human beings was fast exterminating a race of people 90 miles away from our shore. We would soon have had a parallel to what that same nation did to the peaceful and unoffending natives of the island of Porto Rico some four hundred years ago. When Ponce de Leon landed in 1508 in that island there were 600,000 docile, intelligent, and happy people. In 1544 all had perished from the face of the earth through the brutality and butchery of that foreign foe until there were, at the latter date, but 60 living, counting men, women, and children. Think of it! In thirty-six years 500,000 people had been exterminated by this cruel foreign nation. A Christian, enlightened, and patriotic people did not propose that history should repeat itself in Cuba, and it did not. I am proud of the fact that I belong to a political party which responded with alacrity to the tocsin of war. When the tocsin became so great that delay in action meant cowardice and desertion of Christian principles we sent to the front from the South such men as "Fighting" Joe Wheeler, Gen. Fitzhugh Lee, and other ex-confederate soldiers, and from the younger Democracy, such as the son of a confederate officer, and whose brought undertaking in the harbor of Santiago won for him the laurels of a hero as enduring as the annals of American history [applause]—RICHMOND PEARSON HOBSON, our able and distinguished colleague from Alabama, whose seat is to my right; and from our party of the North such patriots as our gallant leader in three of the greatest political battles our country has ever known—Col. William Jennings Bryan, of Nebraska. [Applause on the Democratic side.]

Now, Mr. Chairman, I have no special interest in this question. It is solely based upon my obligation as a Member of this Congress. The State which I have the honor in part to represent has possibly less interest in the products of the soil of Porto Rico than any of her sister States, and I am not unmindful of the fact that each Member of this Congress, regardless of special interest, has at heart with me the enactment of laws that will best serve every country where our flag kisses the breezes, whether it be in the frozen zone of the North or in the Antilles, the land of perfume and sweet-throated nightingales and the home of the Southern Cross. I say the State from which I come has but little commercial common interest with that island. Our cigars and tobacco come from a shorter distance and cost us less. Their pineapples and cocoanuts must come via New York, and that distance makes their use prohibitive. Their coffee is equally a foreign product. Their sugar can not come for the same reason, and besides, as between our woman's suffrage on the one side, and our constant increment of Kentucky and Missouri citizens on the other, sugar, as formerly used as a necessary ingredient in the favorite concoction of our newly acquired residents, has long since become nearly obsolete [applause], but if it were in much greater demand it could be abundantly supplied from the output of beet sugar in our own glorious and fertile State. It is true that there are large irrigation enterprises projected in Porto Rico, but we find a compensation in the fact that if our recently affiliated citizens from those splendid Commonwealths named should ever have the unusual desire to assimilate water, it goes without saying that they could be more than supplied from the never-ceasing flow of Colorado's own incomparable irrigation system. [Laughter and applause.]

No, Mr. Chairman; the whirlpool occasioned by the sinking of the *Maine* in front of Habana had not yet lost its bubbles when the mind of every American citizen was directed to the inquiry, "Why was the *Maine* there?" Those brutalities had gone on for years and years in Cuba, and the conscience of the American people had not up to then been sufficiently aroused to do what it should have done long before. The smoke of the guns of Dewey at Manila, of Sampson and Schley before Santiago, and of Sampson in front of Morro Castle in San Juan had not disappeared when every American citizen, regardless of politics, and, in fact, every foreign nation, realized that, as of right, the rule of Spain on this continent had come to an end. [Applause.] The possession of the island of Porto Rico by this Government was a mere incident to this great international tragedy. Spain had practically deserted her. The island was at the mercy of any or all national cormorants, and the Porto Ricans had the choice of declaring under what flag they would cast their lot. They chose ours with entire unanimity. Spain yielded without a murmur, and all the nations of the world acquiesced willingly, so that Porto Rico is ours incontestably. Concerning that question there never has been a division of opinion between the Republican party and the Democratic party, nor is there now. Hence, if a political question arises between the Democratic party and the Republican party, it is of necessity on account of the form of government which this country has provided for Porto Rico; and it is perfectly apparent from the remarks that have already been made upon this amendment that this is the crucial question to be hereafter dealt with, and for its intelligent solution we should know the history of this people—their environment for hundreds of years, their disposition, idiosyncrasies, and temperaments, and all other things—in contrast with a non-Latin people.

I shall not undertake to deceive my fellow-members concerning the possible import of the question raised by this amendment, as it appears to my mind, nor do I want them to deceive themselves. It has been truly said on this floor that the Foraker Act is the constitution of the island. Under its provisions 35 delegates are elected to what is known as the "house of delegates," corresponding to our National House of Representatives. The President is required to appoint 5 members to what is known as the "executive council," who, under the provisions of the above law, must be citizens of Porto Rico, and these 5, together with the attorney-general, the secretary, the treasurer, the auditor, the commissioner of the interior, and the commissioner of public education, ex officio, who are the legally constituted official representatives of the United States Government, appointed by the President, comprise the executive council, which council occupies a relation to the Porto Rican government similar to that of our Senate, under our Constitution, to our Government. A majority of the house of delegates, from time to time, has been elected by one or the other of the political parties peculiar to the island, and at the election of 1908 what is known as the "Union party" elected all of the 35 delegates. Subsequently a deadlock occurred between the house of delegates and the executive council over certain legislation sought to be enacted, and the house of delegates, because the executive council would not yield, endeavored to disrupt the government by refusing to pass the annual budget. A special session was immediately called by the governor upon the adjournment of the regular session. This extraordinary session continued for three days, but resulted in no agreement, and the matter is now submitted to this Congress for the purpose of solution.

The question in its acute form is whether this Congress will allow the government we have established and maintained there, and by which so many Americans with their capital have found permanent footing, to be subverted. It is an all-important question from many view points. To my mind, the passage of this proposed amendment to the Foraker law, whereby the government there will be allowed to continue, is but an entering wedge to the exercise of a greater power that should be vested in the executive council, to the end that it may be a more stable government, and do not any of you doubt for an instant that the action of the house of delegates, in its refusal to concur with the executive council in passing this appropriation bill, was premeditated and fully intended to be another entering wedge to not only prevent added powers being conferred upon the executive council, but to deprive this, the parent country, of any effective voice or authority in the administration of the laws of the island. In 1904 nearly the same state of affairs occurred concerning the passage of the bill known as the "agricultural loan bill." The Republican party at that time had control of the lower house, but, having a disagreement with the executive council, refused, up to the very hour of adjournment fixed by law, to correct a clerical error in the matter of the tax upon cigars. In the bill as copied an extra cipher had been added, through a typographical error of the clerk, changing the fixed tax upon cigars so that it read "1,000 cigars" instead of "100 cigars," and it was perfectly apparent that if the house of delegates should have its way in this particular instance, nine-tenths of the revenue received from the cigar industry would be lost to the insular government. They sulked in their tents until nearly the last minute of the session before they would yield to the correction of this obvious error, and then the bill only passed in its modified form by 1 majority.

Many other illustrations of the peculiar make-up of the delegates elected by these people could be given to demonstrate their utter lack of appreciation of their duties as legislators and the requirements and responsibilities of self-government. Every time one of these political upheavals occurs stagnation in business follows, due to a lack of confidence on the part of those who have money invested as to the stability of the government; money, the biggest coward in the world, ceases to seek investment, all of which is natural enough to any thinking mind, and, but for this being an extra session of Congress, called for a special purpose, and summer being upon us, and a hot one at that, the issue is so plainly outlined and the urgency for decisive action so great that we should here and now, without waiting for the December session, thrash the whole matter out. By reason of our occupation of the island and the establishment of the government, we are under solemn obligations to our American citizens, as well as to all the nations of the earth, whose citizens have either gone there with investments or who are doing business with the island, to maintain the government in all its integrity and effectiveness. As for myself, as long as an American citizen, or a dollar of his investment, remain in the island, my mind is made up to support any suggestion for greater and continued security to that citizen and his interests, whether that suggestion originates from a Republican or a Democratic source. [Applause.] I am not unlike the old justice of the peace down in CHAMP CLARK's county, who, after some days had been consumed in the introduction of testimony and arguments of counsel in a certain case and the time had arrived for a decision, straightened himself back in his chair and said: "Gentlemen, there are many complicated facts in this case, and as many more knotty propositions of law, and, in obedience to my conscience and oath of office, I must take this case under advisement until next Tuesday morning at 10 o'clock, at which time you may appear; but, in the meantime, I want to say to the plaintiff and to the defendant and to their respective counsel that I will on that day and hour render my decision in favor of the plaintiff." [Laughter.]

So, however long you keep me waiting, studying, and laboring with the questions of fact and law involved, I will exercise my characteristic patience, but you are served with notice that when the hour comes I am going to vote for the committee amendment [applause], and I will now, as briefly as I may, give some additional reasons for that vote.

When Ponce de Leon entered upon his career of pillage, plunder, and murder of the early inhabitants of the island his companions were men who were the riffraff, adventurers, and pirates of Spain. The galley slaves were allowed to lay down their oars and the prison doors were thrown open for recruits. Then followed promiscuous cohabitation between these undesirable banished citizens and felons with the native women. After a while women, the wives and friends of that delectable crew, came over and another cross in the human family was the result. In 1515 negro men slaves were introduced, and another cross ensued. Then the negro slave woman was brought in, and another admixture and cross followed. The French and English and Santo Dominicans and Venezuelans furnished their quota in turn, first their men and afterwards their women, and thus admixture after admixture, cross after cross, far beyond the multiplication table, is the unreadable genealogical tree of the island. Only thirty-six years ago the negro slaves in the island were emancipated.

Whether or not they were the most ignorant of the mixture, they unquestionably were the hardiest and the most robust, and better adapted to the climate—more prolific in the raising of children, for their prepotency is shown in the indelible impress made upon the race of people found there on July 25, 1898, when it became our possession. That, remember, was not quite eleven years ago. At that time the English language was scarcely known in the island, and, as the President said in his message advising Congress to pass this amendment, 87 per cent of the million people could neither read nor write their own language, and it is perfectly safe to say that to-day not as many of the native voting population can either read or write either their own language or ours; and it can be furthermore fairly said that more than 60 per cent of these native voters are colored people. Marriage among the natives is still a luxury indulged in by very few, but race suicide is not seriously threatened. On the contrary, the production of children, especially of the dark color, is largely on the increase. It costs nothing to raise them, either as respects food or clothing. The country ones are naked until they reach the age of 10 or 12 years, and thereafter they are but little better clad. Their food consists mainly of the windfalls of fruit and refuse, if they can beat the dog or the hog to it. [Laughter.]

In 1896 it was estimated by the shoe manufacturers and merchants that 700,000 of the population out of its 1,000,000 wore no shoes and never had a shoe, and the till of the shoe merchant in the last four years has not been bursting its sides from the pressure of the contents within. An immediate clash of arms over the duty on shoes is not anticipated. [Laughter.] I heard no complaints from the señoritas concerning the threatened rise in the price of hosiery. [Laughter.] Apparently they had neglected to read my speech made recently in this Chamber upon that matter, or else they deemed it too immodest to refer to such a delicate question to one of my sex. [Laughter.]

Judging from the great number of children going to school, and from what I was told, they are quick to learn. I objected to Mr. Dexter, the able and conscientious commissioner of education, who is an old acquaintance of mine in Colorado, that I thought it a great mistake to instruct the children in Spanish, because they would naturally use their mother language whenever they could, and as little English as they possibly could. I recited to him the fact that I had been most diligent in my efforts to get any of them to say a word in English when I tried to converse with them, but had utterly failed. By way of parenthesis, while on this subject of schools, I am reminded that what the President stated in his message to Congress in this respect was, in my judgment, absolutely correct, both as to facts stated and conclusions drawn, except as I will hereafter state.

The importance of the subject dealt with by him justifies the length of the document, notwithstanding the caustic criticism of my friend and colleague [Mr. MARTIN of Colorado]. I should be open to severe criticism by my friend did I not voluntarily supply him with the ammunition he is so energetically seeking, and of which he was so sorely in need when he essayed to attack the President and the government officials of the island. I have discovered that the President made one grievous mistake of fact as regards the public-school buildings turned over by

the Spanish Government; he stated in effect that there was not a single public-school building received, and, in contrast with the conditions of the island in this respect as it was then and is now, he says we have constructed 160 school buildings. The President was mistaken. When we took possession of the island, the Spanish authorities left standing erect the tremendous number—represented by the basic numeral—of one school building. [Laughter.] And to give due credit to the goodness of women, whose especial advocate I am, this one building was even donated to the Spanish Government by a benevolent lady of San German. So it would seem a pity that my friend should not, before unmasking his batteries, have sought to find out how little information I had obtained from my visit to Porto Rico. I sincerely beg his pardon for my failure to voluntarily enlighten him on my return, but which I now, though tardily, cheerfully do in order that he may be prepared with one fact at least when he next takes the floor to discuss this amendment, begging him, however, as a testimonial of his appreciation of this favor I now extend to him, that when we go upon the hustings in the next campaign in our State he will give me due credit for this exposure of the President. [Applause.]

But to proceed seriously, these people are the most law-abiding of any of the Latin races. Their indolence is doubtless due largely to climatic conditions, their illiteracy to that and Spanish dominion and slavedom, and their lack of inventive genius because of simple needs. They are inventive in nothing. "Manana" is their creed—the oldest way the best way at whatever cost of time or labor. They will walk 20 miles to sell 10 cents' worth of produce. Time counts as nothing. When night overtakes them, that place is their happy home. Their transportation is with oxen, and they are going all the time, but where and for what we do not know. Their time of starting depends upon how the oxen look and when in the course of the day they get them yoked up and their horns properly decorated with red cloth. I watched for an hour the yoking and hitching up of a pair of oxen by five men. One-third of the time was taken up by dressing their horns with red cloth. After they got them attached to the cart it was found that they would not pull because they were yoked on the wrong side. Then all had to be done over again. I did not await the result for fear that Congress might adjourn some time this autumn [applause], and I wanted to get my pay so as to get home.

On one occasion I was stopping at a hotel in Ponce and wanted a drink—of water. I called a waiter, and after five or ten minutes I made him understand what I wanted. He called another servant, and after consulting a while, the second one went after another, and after consulting with him a while, the third one went up two flights of stairs and from the balcony called down to the street and aroused another servant, who was asleep, just where I was standing all the time trying to get that drink; but in all fairness I admit I was finally accommodated. They have a ludicrous caste of distinction. It is beneath the dignity of one to do what another will willingly do, although you can observe no difference in the occupation of each. I was in company with the wife of the Hon. Charles Hartzel, a Coloradoan, the first secretary of the island after our occupation, doing some shopping. She called a boy to carry a small bundle containing one of her purchases. This boy called another boy who took the bundle from her hand; the first one took the tip for the service. Then she explained to me her great mistake. She said she had chosen in the first instance a boy of the upper class, and who was supposed to do no menial work. Both boys, however, were hatless and shoeless, and begging alike on the street, and both as black as the ace of spades. [Laughter.]

I mention these little things to convey a faint idea of the customs of our children down there, and when I say children I do not confine it to age. There is one way in which they can be made to work, and that is by holding back a part of their wages. Doctor Stephens, living at Cambridge, Mass., and who has a pineapple plantation, came up on the same boat with us. He told us of an experience he had had a few days before our departure. He had hired 25 adults to gather a certain number of pineapples. The work was getting slack and he decided that it was necessary to let 5 of them go. The other 20 immediately announced their intention to go, too. Contrary to his custom, he did not insist upon his contract by keeping part of the money back, and paid them all off. The next day but one they all returned, having walked 50 miles, in the meanwhile spending all their money, and asked for reemployment.

My attention is called by some of my Democratic brethren to our last national platform concerning Porto Rico. It reads as follows:

We demand for the people of Alaska and Porto Rico the full enjoyment of the rights and privileges of a territorial form of government, and the officials appointed to administer the government of all our Territories and the District of Columbia should be thoroughly qualified by previous bona fide residence.

You will observe that no time is fixed for such a government, and certainly it was not the intention to do so until a stable government should be established, such a one, at least, as is provided in another plank of the platform in reference to the Philippine Islands. What I insist upon is that we would be recreant to our trust to turn this island over to the control of a confessedly illiterate class. The time may come in Porto Rico, as in the Philippines, when self-government should be given. The resolution now before the Senate of the United States, introduced by Senator STONE, of Missouri, recognizes that in the Philippines it may be fifteen years hence before the time has arrived for a change in our attitude there, and then, as the resolution provides, only when the constituted authorities of that government as then existing shall petition therefor.

So we can not get up a substantive controversy upon the construction of that plank in the platform. I do not wish to be understood as being committed for all time to the views I now present, but only as they apply to existing conditions. And, another thing, I do not wish to be understood as favoring the one or the other of the political parties in the island. In fact, my investigation and observation is that if any party is given unlimited power, whatever its complexion may be, it could at any time subvert the government, and all the evils would follow that I have undertaken to point out. With perfect accord our representatives and our American citizens there, from the date of our occupation, agree that success wholly depends upon the literate class holding the balance of power.

I rely very much upon the testimony received from the able, competent, and conscientious official representatives now in Porto Rico. They should not be referred to as adventurers, politicians, or "carpetbaggers." I have known many of them for years, and my acquaintance with their work upon the ground convinces me that they are paying attention to their work and the upbuilding of the interests of the islands and none to politics. Many of them are only too willing to pack their "carpetbags" and return to this country at the expiration of their commissions. If they have committed any error, it is my firm conviction that it was of the head and not of the heart. I fully appreciate their endeavor to stay with the hounds and run with the hare, exhibiting always a conscientious attempt to minimize differences of opinion and compromise situations for the sake of peace. If anyone will take the time to read their annual reports, it will be discovered that no suspicion can live for a moment that anything has been done by them to bring the blush of shame to any of our cheeks or to lessen them in public esteem. [Applause.]

Now, my fellow-Democrats and southern friends, you have met the ancient enemy, and now your banner may, if you will, hang on the outer wall. I have shown you who the people are in whose hands you are asked to place the control and destinies of that island. It is shown to you that they are unlike any other people on the earth as respects forebears.

It is shown to you that they have always been slaves or its equivalent, abjectly subservient to a foreign taskmaster, and hence necessarily illiterate and deficient in their own language and in ours, and doubly, hence, incapable of self-government, much less to govern others. American and other capital has been invested because our flag is unfurled to the breeze; our citizens have gone there; their children have been born there; they pray to God as we do, in edifices erected to the glory of the same Almighty, and are as much of us, and should be as much to us, as though a sea did not separate us. [Applause.] Now, will you "Do unto others as you would have others do unto you?" Will you say that these fellow-citizens shall be dominated by a race of people whose illiteracy and incompetency is as midnight to noonday's sun, compared with that class of people whom you have been for years undertaking by constitutional means to deprive of the power to politically control you? The President of the United States and this Congress stand ready to give the same character of relief by legislation to your fellow-citizens of Porto Rico that you have by law been enacting for yourselves. In this there is a plain political principle recognized that you should appreciate—"agree with thine adversary quickly." [Applause.]

In conclusion, I wish to say that I fully indorse all the President has said to you, but wish to emphasize, if possible, his utterances regarding the ingratitude of the anti-American people in the island and their utter failure to appreciate what we have done for them. The history of recent events conclusively shows that if all the atoms of gratitude they have in their souls were poured into a humming bird's quill, and with a blast furnace blown into the eye of a mosquito, it is my unqualified judgment that eye would not bat. [Loud applause.]

The CHAIRMAN. The gentleman from Wisconsin [Mr. COOPER] is recognized for ten minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I have no speech to make, but take this time merely to state a few facts which I deem pertinent. I shall vote for this bill. It consists of two sections. The first section is an exact copy of a proviso in the bill to establish civil government in the Philippine Islands, which I had the honor, on behalf of the Committee on Insular Affairs, to report to the House in April, 1902, and which, with certain amendments, was enacted into law and became the so-called "Philippine organic act" of July 1, 1902. Here is the proviso as it appears in the Philippine act:

Provided further, That if at the termination of any session the appropriations necessary for the support of the government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated, and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

This language of the Philippine law is identical with that of the first section of the pending bill for Porto Rico.

The second section of the bill requires that—

All reports made by law or in accordance with law by the governor or members of the executive council of Porto Rico to any official of the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President, and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. GARRETT. Mr. Chairman——

Mr. COOPER of Wisconsin. I have only ten minutes, but I will yield for a question.

Mr. GARRETT. There is not any objection to that last section. But I want to suggest to my friend from Wisconsin that that last section means this: That if it passes in connection with the other part of it, there is not going to be any change in the organic law of Porto Rico within your lifetime or mine.

Mr. COOPER of Wisconsin. I will help the gentleman from Tennessee [Mr. GARRETT] to amend the Foraker law in a proper way, if we ever have an opportunity on this floor.

I have only this to say concerning the second section of the bill: On February 27, 1907, the gentleman from New York [Mr. PARSONS], a member of the Committee on Insular Affairs, of which I then had the honor to be chairman, presented from that committee a unanimous report recommending the passage of H. R. 23568, a bill which was in effect identical with the second section of the pending bill.

The gentleman from New York has given me the reason why the bill which he reported was not taken from the calendar and passed, and if he were here I should call upon him now to give it to the committee.

I have here his report made on H. R. 23568 in the Fifty-ninth Congress, which, as I said, embodies this second section. In the next—the Sixtieth—Congress the gentleman from New York reintroduced the bill, but did not press it for consideration before the Committee on Insular Affairs for the reason which he gave to me, namely, opposition, I believe, on the part of a member of the Cabinet.

I shall vote for the bill, because I think it ought to be enacted into law; but I should like it very much better if its provisions had been a part of the original Foraker Act. It looks now a little like taking sides with one or the other of these two hostile parties.

Mr. SCOTT. Can the gentleman suggest which side?

Mr. COOPER of Wisconsin. It will be so interpreted in the island. Yes; I can tell which side very easily. It will be interpreted, and I think the gentleman from Kansas can not consistently deny it, as being in support of the executive council.

Mr. SCOTT. If the entire fault of the present situation there were due absolutely to the action of the executive council, would not this measure be necessary just the same?

Mr. COOPER of Wisconsin. No, not quite as necessary; but as a matter of good policy I would very much prefer that it had been in the original Foraker Act. And I wish to say right here that the Foraker bill which became the Foraker Act was never submitted to the consideration of the Committee on Insular Affairs. It never would have been reported in that form from that committee.

The law limiting the holding of land by corporations in Porto Rico, which has been spoken about during this debate, was originally reported by the Committee on Insular Affairs as an amendment to a joint resolution to extend the time for the going into effect of the Foraker Act. It is only fair, I think, to say that I insisted that that amendment should go on, and that I appointed a subcommittee consisting of Mr. Moody—now Mr. Justice Moody of the Supreme Court—the gentleman from Indiana [Mr. CRUMPACKER], and myself, to consider that proposition. After considerable effort we succeeded in getting it reported and into the law, and there it now is for the benefit of the Porto Rican people.

I have said all that I intended to say, desiring merely to call the attention of the committee to my attitude upon the pending measure.

Mr. GRAHAM of Illinois. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Wisconsin [Mr. COOPER] yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. I will.

Mr. GRAHAM of Illinois. Will the gentleman state how he construes the last three lines of section 2? What do you think is the meaning of the words?—

The President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

That is, the executive department of the Government of the United States. What does "jurisdiction" mean there? What is the extent of control indicated by jurisdiction? Does that suspend the ordinary law in Porto Rico altogether or does it not? Does it include section 1 and that portion of section 2 preceding it?

Mr. COOPER of Wisconsin. No; I think not.

Mr. GRAHAM of Illinois. What is the meaning of it?

Mr. COOPER of Wisconsin. This being an amendment of the Foraker Act, the ordinary rule of statutory construction would require that the whole act and this amendment be interpreted together as one law, and therefore it can not be held that these last three lines would nullify the plain intent of Congress as revealed by the entire law. The intent of the Foraker Act can not be nullified by three lines saying no more than these three lines say.

Mr. Chairman, in addition to what I have already said I desire to say a word in reply to the gentleman from Texas [Mr. SLAYDEN].

The gentleman from Texas declared, or at least quite plainly intimated, that we ought to surrender the possession of Porto Rico. He discussed Porto Rico and the Philippine Islands together, a method of discussion that in many ways leads to great injustice to the people of Porto Rico. The interests of these people are not bound up with the interests of the people of the Philippine Archipelago, on the other side of the world. The Philippine Archipelago consists of hundreds of islands, whose inhabitants speak 50 or more different dialects, many of which are understood only by the particular tribes speaking them. There is no homogeneity there.

But Porto Rico is not on the other side of the world; it is at our door. The people are homogeneous. They speak one language. They are on a little territory 95 to 100 miles in length by 40 miles in width; and there is no analogy between the physical nor the political conditions of the Philippine Islands and those of Porto Rico.

There is another reason greater than the one I have indicated against the logic of the gentleman from Texas. It is found in the fact that we are always to retain Porto Rico, just as we are to retain Hawaii. Many a time and oft I have heard men say that the Hawaiian Islands are a great burden to the people of the United States and that we ought to give them up. But rightly looked at the Hawaiian Archipelago is not a burden to the people of the United States. Take your maps and see how Hawaii, with our great naval base at Pearl Harbor, will help us to defend one end of the Panama Canal, as Porto Rico and our naval bases in Cuba will help us to defend the other.

There are other unanswerable reasons why we are to retain Hawaii and Porto Rico.

Suppose we were to have a war. God forbid that we ever have another war. The United States wants peace, and only peace. But it is the duty of statesmanship to be provident of the future. Suppose that we should be driven into war with Japan or China, and that they send their *Dreadnoughts* to bombard our Pacific coast cities. We are making them impregnable to assault. Suppose these battle ships come here, and in attacking us exhaust their fuel or need repairs. Where will they secure fuel or repairs if we retain the Hawaiian Islands? They will have to go back thousands of miles across the Pacific if we hold Hawaii.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLMSTED. I yield the gentleman five minutes more.

Mr. COOPER of Wisconsin. But they will not have to go back unless we do hold Hawaii. Looked at with the eye of statesmanship, the Hawaiian Islands are not a burden to the United States, but an asset of incalculable value, and the United States will never let them go.

Mr. CLARK of Missouri. Mr. Chairman——

Mr. COOPER of Wisconsin. Now, will the gentleman let me finish along that line?

Mr. CLARK of Missouri. I will give you five minutes of my time, if you will let me ask you a question.

Mr. COOPER of Wisconsin. Yes.

Mr. CLARK of Missouri. This is strictly for information. When they annexed the Sandwich Islands, one of the chief arguments by which they overcame the opposition was that for a comparatively small consideration Pearl Harbor could be made as impregnable as Gibraltar. Now, I want to ask the gentleman if we are really taking any steps toward fixing that harbor so that we can use it; and if so, how long before we can use it?

Mr. COOPER of Wisconsin. The last two Congresses made specific appropriations for the improvement and fortification of Pearl Harbor, aggregating upward of $5,000,000.

Mr. Chairman, the permanent retention of the Hawaiian Islands by the United States is an assured fact. Nothing but force will ever compel this Republic to give them up. Build the Panama Canal, and do you want Porto Rico an independent power? We can not let it go to any European country. The Monroe doctrine will not permit that. Do you want Porto Rico to be an independent hostile power? With the completion of the Panama Canal, Porto Rico will become of such strategic importance as to preclude all doubt of its permanent retention by this Government.

Mr. GRAHAM of Illinois. Will the gentleman yield to a question there, which is apropos of that point?

Mr. COOPER of Wisconsin. Yes.

Mr. GRAHAM of Illinois. The gentleman spoke of Gibraltar.

Mr. COOPER of Wisconsin. The gentleman from Missouri [Mr. CLARK] spoke of Gibraltar.

Mr. GRAHAM of Illinois. Why not retain a Gibraltar in Porto Rico and let the rest of the island go? Would not that suffice for a coaling station?

Mr. COOPER of Wisconsin. It is only 95 miles by 40, and I would rather have the whole island. It is not too large for a naval base anyway, the whole island. [Applause.] I would rather have control of that little territory than to have a million people there under another government.

We want Porto Rico to help us to make the Gulf of Mexico an American lake. We want it for purposes of self-defense, and we want it for the benefit also of the people of Porto Rico. I think this controversy is exceedingly unfortunate. I think it was exceedingly unfortunate for the gentleman from Colorado [Mr. RUCKER] to speak so bitterly about the "ingratitude" of the people of Porto Rico.

Mr. RUCKER of Colorado. The anti-American sentiment of the island.

Mr. COOPER of Wisconsin. I know of no more unwise method of attempting to awaken the gratitude of a people than to speak bitterly of their ingratitude.

Mr. RUCKER of Colorado. Will the gentleman yield for a moment?

Mr. COOPER of Wisconsin. Yes.

Mr. RUCKER of Colorado. The gentleman does not want to be unfair or to misquote me, I am sure.

Mr. COOPER of Wisconsin. Oh, not at all.

Mr. RUCKER of Colorado. I said "the anti-American sentiment of the island." If you take exception to what I said, then certainly I have no objection.

Mr. COOPER of Wisconsin. Those words "the anti-American sentiment of the island," in connection with the rest of the gentleman's remarks, conveyed the impression that the sentiment of the island was anti-American. Does the gentleman mean that there is only a small proportion of the sentiment of the island that is anti-American?"

Mr. RUCKER of Colorado. I do not mean to say that there is only a very small proportion of it anti-American.

Mr. COOPER of Wisconsin. Substantially all anti-American.

Mr. RUCKER of Colorado. No; I should say not. At least the intelligent portion of it is not anti-American.

Mr. COOPER of Wisconsin. If the intelligent portion is not anti-American, then the controlling portion is not anti-American, for intelligence will control there as elsewhere. They do not like some of the things which are in the Foraker Act. They do not like some of the omissions of the Foraker Act. For example, the Philippine organic act contains a complete bill of rights. It guarantees to the people in the Philippine Islands practically every right which we enjoy in any of our States except only the right of trial by jury and the right to bear arms.

But the Foraker Act contains no bill of rights for the people of Porto Rico. If the Foraker bill had gone from the Committee on Insular Affairs, it would have included a bill of rights. Such a bill for Porto Rico ought to be in the law now by act of Congress.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman a question.

Mr. COOPER of Wisconsin. I will yield to the gentleman.

Mr. CLARK of Missouri. Does not the gentleman think this act ought to be confined to one year, as is proposed here, and then at the regular session of Congress overhaul the Foraker Act and do what the gentleman is talking about now?

Mr. COOPER of Wisconsin. There is something in the suggestion of the gentleman from Missouri, and yet, on the whole, I think that we should promptly pass the bill as it is now before us, at the same time doing our utmost to assure the Porto Ricans that we do not enact it in a hostile spirit. I do not feel like condemning the people of Porto Rico. I sympathize with them.

Mr. ESCH. Will the gentleman allow me an interruption? What effect would the granting of citizenship to the island have on the relation of the natives to the United States?

Mr. COOPER of Wisconsin. It is our duty to grant citizenship to the inhabitants of the island. There is no doubt that it would have a most happy effect. We gave American citizenship to the 200,000 people in Hawaii at the request of William McKinley. Why are not the people of Porto Rico equally entitled to enjoy this high privilege?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CLARK of Missouri. I will yield the gentleman five minutes more, as I promised to.

Mr. COOPER of Wisconsin. William McKinley in a message to the Congress of the United States advised the extension of American citizenship to the people of Hawaii. Do you think it is right for us permanently to retain Porto Rico because of its strategic importance and forever deny any sort of nationality to those people? They are not citizens of Spain; they are not citizens of the United States; they are citizens of Porto Rico, and Porto Rico is not a nation, and they have no nationality.

There sits a man [Mr. LARRINAGA] educated in this country. I never met a higher minded gentleman. There are thousands like him in Porto Rico. Their bitterness may come, in part, at least, from a feeling of humiliation in being made political nonentities. What harm can come, if we make them American citizens? The children of our country are American citizens. The women of the Republic are American citizens. The people of Hawaii are American citizens, and the principles upon which our Government is founded will not permit us to announce our intention forever to retain Porto Rico and at the same time deny its 1,000,000 of civilized inhabitants the rights of American citizenship.

The platform on which William H. Taft was elected President of the United States demands that all the people of Porto Rico be made citizens of the United States. The national Democratic platform demands it. Theodore Roosevelt three times in his messages to Congress urged that they be given it.

But it is said that this involves statehood. This assertion need not frighten us from doing our duty. Arizona and other Territories came to us under an act which practically pledged that they should be made States, and we have kept them out of statehood upward of sixty years. Statehood for Porto Rico is not a pressing problem to-day. The statesmen of the future will know what to do if it shall ever confront them. Possible—remotely possible—statehood for Hawaii did not deter McKinley from doing what he thought his duty toward the Hawaiians, nor should we be frightened from doing our duty toward the people of Porto Rico.

To give the Porto Ricans American citizenship would not promise them the right to vote for laws to govern us here any more than it promises the women of the United States the right to vote for such laws in this Republic. There has been a confusion of ideas on this proposition, but no man can arise here and say, as a Republican or as a Democrat, that when the opportunity is presented the platform pledges to give American citizenship to the people of Porto Rico, a land forever to be retained by this Republic, ought not to be redeemed. [Applause.]

Mr. STEPHENS of Texas. Mr. Chairman, I would like to inquire of the gentleman why his party has not redeemed those pledges made to Arizona and New Mexico in two or three different national conventions, when they guaranteed they would give them statehood? Is it not a fact that the attitude of your party is the reason why statehood has not been given to New Mexico and Arizona, and have we not on this side voted solidly for it?

Mr. COOPER of Wisconsin. Mr. Chairman, one failure to do right does not justify another.

Mr. STEPHENS of Texas. We only asked you to join us on this side.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. OLMSTED. I yield one minute more to the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, the Committee on Insular Affairs has twice reported, without a dissenting voice, a bill to give American citizenship to the people of Porto Rico, and each time the gentleman from Pennsylvania, Mr. OLMSTED, has joined in that report.

Mr. LARRINAGA. Mr. Chairman, while I was listening to the remarks of the gentleman from Wisconsin [Mr. COOPER], I felt that I had a few ideas to present to this House on the subject he was treating, of Porto Rico being taken in as a permanent part of the Nation, for the convenience to America of holding that island in the Atlantic, as she is holding Hawaii in the Pacific—in self-defense, so to speak, as the gentleman from Wisconsin seemed to view the case. I think this will take me a little further from the main point that I wanted to make just now, inside of the time allotted to me.

Mr. COOPER of Wisconsin. Will the gentleman permit me to interrupt him?

Mr. LARRINAGA. Certainly.

Mr. COOPER of Wisconsin. I wish to say one thing that I overlooked saying, and that is that the only amendment I will be in favor of would be the amendment offered by the gentleman from Texas [Mr. SLAYDEN], to have a commission go down there. I shall not at this time vote for any amendment to extend American citizenship or to limit this for one year or anything else. I shall vote for this bill, in the hope that at the next session of Congress right will be done.

Mr. LARRINAGA. Mr. Chairman, in connection with holding Porto Rico as a permanent part of the Nation, I want to say, first, that the President is right in his message when he says that Porto Rico was taken with the consent of her people. That is true. Every Porto Rican accepted that. The gentleman from Kansas [Mr. SCOTT] the other day said he had not found a man there who spoke of not being willing to have Porto Rico a part of the United States. In that he also was right. I am standing here elected at large by over 100,000 votes, and my opinion and sentiments were known forty years before the Americans landed there. That shows, Mr. Chairman, that the people of Porto Rico are willing to form a part of this great Nation. But that people also say as a unit that the Foraker Act is an injustice to them, and that they deserve a larger measure of self government. Mr. Chairman, every time a gentleman rises here to support this bill now before the House he is supporting a bill brought about by the executive council, a bill they had in their minds from the inception of the civil government, viz, to get by law that which they have been getting heretofore by threats. They made the house pass their bills; did not accept the house bills; made the house pass their appropriation bills, threatening that Congress would do away with the rights the house had to concur in the appropriations. That, Mr. Chairman, they have done.

The willingness of the Porto Rican lower house to show the American people that they were law-abiding, that they were good citizens, has been made an argument against us. Just because we stood it for nine years, in order not to have the American people get the impression that we were unruly, that we did not deserve self-government, the argument is presented to-day that we have gone now into the hands of politicians, and that we want to pull the government down; that we are proceeding in a revolutionary way, and that our attitude is anarchistic.

There is no such thing, Mr. Chairman. In connection with that Foraker Act, so repugnant to our people, I will tell the gentleman from Wisconsin [Mr. COOPER] that the American people do not know, and I think few Members in this House know, how far the Foraker Act has gone to neutralize the usefulness of Porto Rico as a means of defense on the Atlantic coast and to impair the safety of this Nation. Let me tell you that if St. Thomas is not flying the American flag over that port it is due to the Foraker Act. That great statesman, President McKinley, and Secretary Root saw it. They saw that Porto Rico was worthless in the hands of the American people if a weak nation held St. Thomas. St. Thomas is the foremost point in the West Indian Archipelago, and is the true key to the Caribbean Sea and the Mexican Gulf and the Panama Canal.

There you have a small island, Mr. Chairman, with a beautiful harbor, dry docks, a nice population, strong fortifications, a pro-American people, and an English-speaking people, for they speak Danish and English equally as well. At all times they have been the most pro-American people in the West Indies. Their great dream was to form, one day, part of this great Nation; but when the proper moment came they refused to give their consent to the deal proposed by President McKinley. Denmark knew of the friendly disposition of her distant subject toward the American Nation and readily accepted the bargain, but the people of the island, having represented to the King against the sale of the island, the King ordered a plebiscite of the inhabitants, that they might decide the case. The result was that the people of St. Thomas refused to become a part of the United States.

The bargain was already closed between President McKinley and the King of Denmark, and St. Thomas was to be a possession of the United States through a consideration of $4,000,000. But what had happened? It had happened, Mr. Chairman, that the St. Thomasans, who had been very ardent pro-Americans, had seen the workings of the first two years of the Foraker Act in Porto Rico. They had seen everything that had come to pass in our island. I do not want to bring up that subject; I do not wish to recall all outrages perpetrated on our people with the acquiescence of the local authorities; but I wish only to tell this House that the greatest injury that the American Nation has received since the Spanish-American war was the failure to acquire possession of the island of St. Thomas, and having it in the hands of a weak nation, which, at a given moment, might not be able to hold it, and then Porto Rico will be powerless and useless before the occupation of St. Thomas by a strong power.

I could go further on and speak of the condition of the Hawaiian Islands in the Pacific. I am sorry to see that every time somebody rises to back the bill presented by the gentleman from Pennsylvania he brings out this little book, the constitution of Porto Rico, to try to prove that it is no good, that there was no such a thing as self-government in its provisions. I do not wish to go back to the old time of Spain. I am willing to let that pass, but in justice to my people I am bound to take up the argument, always offered, that the governor of the island was everything, that the King could annul that constitution, called the "Porto Rican autonomic constitution." I appeal to every Member of this House to ask at the War Department for a copy of this book, and study it thoroughly. I will read only three articles in connection with this constitution that I marked this morning as the gentleman from Pennsylvania was reading from it, and which will show that the gentleman is not entirely correct. Now, take page 12, in regard to the formation of the legislature. According to the Foraker Act, out of 11 members, all appointed, 6 are at the same time the heads of departments.

They are all appointed, having the power to make the laws, so that the whole legislative and executive power is in the hands of only 6 men. Now, in regard——

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. LARRINAGA. Certainly, with the greatest pleasure.

Mr. SCOTT. I think it might be inferred from what the gentleman has said that on all important questions there is a racial division in the upper house——

Mr. LARRINAGA. Not at all.

Mr. SCOTT. I would like to ask the gentleman if it is not true, on the contrary, that there has been few, if any, such divisions.

Mr. LARRINAGA. Not at all. The Porto Ricans many times vote with the Americans. There is no such thing as a racial division, but the fact of the matter is that the Porto Ricans, as a rule, in political questions want more liberal laws than the 6 Americans, who, in such cases, vote on one side; but in general they do not divide on that line. Many times bills of the lower house have been defeated in the upper house by the vote of the Porto Ricans, and at times some Americans voted with the minority of the Porto Ricans. That is the fact. Now, comparing the upper house appointed by the Foraker Act with the upper house under the autonomic constitution, article 5, title 3, of the Porto Rican constitution reads:

> The council shall be composed of 15 members, of whom 8 shall be elected in the manner directed by the electoral law, and 7 appointed by the governor-general.

Mr. OLMSTED. Where does the gentleman find that?

Mr. LARRINAGA. On page 12.

Mr. OLMSTED. On page 12 of the pamphlet I have it says that the council shall be composed of 35 members.

Mr. LARRINAGA. That is the Cuban constitution. The Cuban and Porto Rican differ in the number of members only.

Mr. OLMSTED. But this applies to the islands of Cuba and Porto Rico.

Mr. LARRINAGA. Yes, sir; and of course Porto Rico being smaller, they reduce the number of members. That is the only difference between the two constitutions. This, Mr. Chairman, puts the whole legislative power in the hands of the Porto Ricans.

Now, as to the powers of the governor, I call the attention of the gentleman from Pennsylvania [Mr. OLMSTED] to page 19, article 44, as follows:

No executive order of the governor-general, acting as representative and chief of the colony, shall take effect unless countersigned by a secretary of the cabinet, who by this act alone shall make himself responsible for the same.

I believe, Mr. Chairman, if we had anything like a shadow of that to control the governor——

Mr. OLMSTED. Who appointed his cabinet? The governor appointed his cabinet?

Mr. LARRINAGA. Under the representation of the leader of the party who had won the elections.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. LARRINAGA. Certainly.

Mr. SLAYDEN. The gentleman says the appointment was made on the representation of the leader of the party who had won in the election?

Mr. LARRINAGA. Yes, sir. Presented some candidates——

Mr. SLAYDEN. They had a cabinet, then, that responded to the election, and went out if they were defeated?

Mr. LARRINAGA. Yes, sir. It was a parliament.

Now, I believe that in connection with another suggestion that has been made in the press and in different other papers——

The CHAIRMAN. The time of the gentleman from Porto Rico has expired.

Mr. CLARK of Missouri. Mr. Chairman, I will yield the remaining six minutes of my time to the gentleman from Porto Rico, if he wants it.

Mr. LARRINAGA. Thank you. This is a very important point, Mr. Chairman, namely, that the King could annul the organic act at any time, as it has been repeated. The King of Spain, since the constitution of Cadiz, 1812, can not do any such thing. The king is compelled to carry out and promulgate the decisions of the congress, called there the Cortes.

On page 23 the gentleman from Pennsylvania [Mr. OLMSTED] will find this statement regarding the guaranty that we had to have a permanent government of that kind. Article II of the adición reads:

When the present constitution shall be once approved by the Cortes of the Kingdom for the islands of Cuba and Porto Rico, it shall not be amended except by virtue of special law and upon the petition of the insular parliament.

So that, according to that constitution, this bill of yours could not have been taken into consideration by the Congress of the United States except upon petition of our legislature.

Mr. Chairman, I am sorry that I have not sufficient time. I have drifted into this discussion in order to answer the points touched by the other gentlemen speaking before me; but the point I want to make is that the statement that the agricultural bank was refused by the executive council on the ground that the island could not afford to establish it is erroneous; I suppose it was said in good faith.

Our people expected that the Congress of the United States would have taken up the bills, studied them, passed upon them, recognizing both sides, and if we Porto Ricans were wrong, and their bills did not deserve consideration at the hands of the upper house, that they should have been turned down; but if one or all of those bills were good, fair, just, and reasonable, it would have done justice to us and approved it. I propose only to take up one of the bills—the bill, as I have said, to establish an agricultural bank—a bill that was introduced by the legislative assembly of Porto Rico in 1901, and as the gentleman from Colorado [Mr. RUCKER] said, "It was then a Republican house." I do not wish to bring in here these local bickerings, but we hold that the Republican party was put in power by the executive council. This would be a very long story to tell, but the fact of the matter is that that house of delegates was a Republican house, friendly to the council and under obligations to the council.

Mr. Chairman, the only bill which has ever been vetoed by the governor of Porto Rico was a bill passed by that Republican house to give more power to municipalities. That house of delegates, although it was wholly Republican, wished also to stretch out the powers of the municipalities. Whether they had won the control of the house by good means or otherwise, they wanted, all the same, to do justice to the people and to strengthen themselves in their opinion; but the executive council would not let them do it; and if they have been swept out of existence at the last three elections, so that they can not elect one single man, it is partly owing to the obstinacy of the executive council wanting to rule the island arbitrarily, whether the house be Republican, Unionist, or anything else. That is the whole truth about it. [Applause.]

Mr. Chairman, I am going to prove by the statements of a member of the executive council, the treasurer of Porto Rico, that the agricultural bill was a good bill, and that the reason given by the executive council, that the island could not afford to guarantee the loan, was not acceptable. I will also prove that they could not believe it to be so. In the first place, the economic conditions of the island are sound and solid. Read, on page 47 of the last report of the governor of Porto Rico, what the treasurer says in the last paragraph:

The happenings of the past year but serve to emphasize the strong financial position of the island.

In page 48, line 10 from the top, referring to the panic in the United States, he says:

The financial depression caused no such stoppage of business in Porto Rico as it did in the United States.

Here again we had built well.

In page 52, at the middle of the page, they confess the necessity of the bank. The treasurer says:

All industrially new countries are greatly in need of capital. This is especially true of the Tropics.

They pretend, I believe, that as the island made a loan of $1,000,000 for improvements two years ago and is about to make a loan of $3,000,000 for an irrigation scheme in the southern part of the island, that the country has reached the limit of its borrowing power. Let us examine this argument. In the first place, the $3,000,000 loan to be made is destined to build the works necessary for irrigating some land in the southern part of the island. The planters are going to pay this loan with the tax paid for the water they are going to use. The insular treasury is only going to furnish the moral guaranty. This is a money-making proposition. Those sugar lands are amongst the most fertile in the world. One crop out of four or five is lost for lack of proper irrigation. When once the crops are assured, there is not the remotest probability of the planters not being able to pay their taxes for the capital and interest of the money loaned. But even admitting that the $4,000,000 constitutes a load on the treasury of the island, is $4,000,000 the limit of the borrowing power of the country?

If you read in page 54, sixth line from the bottom of the same report, you will see that the assessed property of the island is over one hundred millions; and, therefore, that 7 per cent of that sum will be the limit authorized by law. If to this is added, as we have proved before, the solid financial conditions of the island, as confessed by the treasurer, and the necessity of such institution, as also declared by the same gentleman, we must surely come to the conclusion that what they really wish is that the small farmer shall not be able to find money at long terms for the payment of the capital and at a cheap rate of interest and thereby escape from the claws of usury.

If from the bill of the agricultural bank we pass to the other bills of the house rejected by the council, we shall find that they were reasonable, and in no way against the fundamental law of the country; and any fair-minded person, after having duly studied the different points of the controversy, will surely come to the conclusion that the only aim of the members of the executive council was to bring about the present difficulty, sure, as they have been all the time, that you would pass that bill, putting in their hands the last remnant of the rights of the people of Porto Rico. But, as I have already said, it is far better that they should do it by a law, however unjust, than to have them accomplish the same object every year by threat. "Lex dura, sed lex." The American people will no longer be deceived as to the kind of colonial government we are having in Porto Rico. [Applause.]

Mr. OLMSTED. I yield fifteen minutes to the gentleman from Ohio [Mr. KENNEDY], and that is all I have to yield.

Mr. KENNEDY of Ohio. Mr. Chairman, when we accepted sovereignty over the island of Porto Rico (I do not know whether we did any good for ourselves or not), we took upon ourselves a great responsibility, and of course became responsible for whatever laws were enacted for the control of the island. Such authority as we have delegated to the legislature in Porto Rico is a delegated power. It was our duty, unless we had absolute confidence that no mistakes would be made by the framers of law in Porto Rico, to withhold from them such power as would enable us to control the legislation there. I think the Foraker Act is an admirable piece of legislation. I believe it was a great mistake to pass it when we passed it. But the mistake was not in the law. The law was admirably thought out and considered, concisely expressed in the most statesmanlike manner. The great mistake we made was in assuming that the Porto Ricans had any capacity for self-government whatever. We might have known better. Had we considered history, we would have learned that the Spaniard, of all civilized races, had the least capacity for self-government. His pride of knowledge, we should have learned, was in inverse

ratio to his achievement and to his intellectual capacity. What has he contributed to the discoveries in science?

What great philosophy has he given to the world? What useful inventions? He has made some inventions. He invented the thumb-screw, bastinado, and other ingenious tools which Spanish courts have invariably used to elicit the truth from witnesses. What has the Spanish race done to further the advancement of civil liberty in the world? The history of the genesis of liberty will record that its triumphs have been made in spite of the Spanish people. When we took possession of the island they welcomed us with great enthusiasm. Then we made another mistake. We supposed that they could remember—and be grateful. These two mistakes led us to enact the Foraker bill, which was a blunder only because we were mistaken when we were led to believe they had the capacity to legislate for themselves.

I have grown out of patience with those who speak of this revolt of the people of Porto Rico as a struggle for liberty. The criticism of our government of the island of Porto Rico by the Porto Ricans grows out of the fact that no Spaniard has ever yet seemed to know what liberty was. His conception of liberty may be defined as liberty to tyrannize over somebody else. Every communication that has come to this country from this island either clearly asserts or by direct implication proclaims that under our flag tyranny exists in Porto Rico. They do not set forth the specific tyranny, nor can they. Who is it that does not now in Porto Rico enjoy complete liberty?

Will somebody rise in his place on this floor and tell me what Porto Rican is not now free under our rule there? If our flag is fostering any species of oppression or tyranny in Porto Rico this Congress should find it out. It is a confusion of what civil liberty means that these men are babbling about here before this Congress. I hold in my hand a paper showing the relative number of offices they had under the Spanish Government, and showing that they had more offices under Spanish rule than they have now, therefore their contention is they were freer then than now. Why, the Spanish tyrant exercised the most cruel tyranny over the island. That is a fact of history. He chose the instruments of his oppression from among the residents of Porto Rico. Were they any freer under the Spanish tyrant if he chose Porto Ricans to kill them or imprison them than if the instruments of his oppression had been sent from Europe? I resent this imputation as to there being any tyranny in Porto Rico now. When we took sovereignty over this island we did just what we ought to have done—retained such control there as would prevent foolish and improper legislation.

Now, I want to call attention to the legislation which they peremptorily demanded before they would pass the appropriation bill. This bill provides for the abolition of the courts of the justices of the peace (Anglo-Saxon courts which we had established there), and substituting in their place a system of Spanish courts, the judges of which were to be appointed from the dominant political party in Porto Rico. We could not assent to this. This would have been a mere franchise to a political committee to have erected a tyranny in the island of Porto Rico upon the foundation of these Spanish courts. The idea among the Spanish people of a court is not that it is a place where justice is dispensed, but where favors are granted and old political scores are settled. It has been through all the history of Spain and her colonies, nothing higher, nothing better, nor anything different than simply an instrumentality for the enforcement and the carrying out of the processes of tyranny.

This bill, providing for the separation of the territory into counties, is also one the passage of which they demanded before they would do their duty in the passage of the legislative appropriation bill. The American officials in the island could not consent to its provisions. Why, my friends, it provides for imprisonment for debt. I read from page 18, section 54:

Section 54. A marshal who suffers the escape of a person arrested in a civil action, without the consent or connivance of the party in whose behalf the arrest or imprisonment was made, is liable as follows:

1. When the arrest is upon an order to hold to bail or upon surrender in exoneration of bail before judgment, he is liable to the plaintiff as bail.

2. When the arrest is on an execution or commitment to enforce the payment of money he is liable for the amount expressed in the execution or commitment.

3. When the arrest is on an executive or commitment other than to enforce the payment of money he is liable for the actual damages sustained.

The executive council should have refused to sanction any such law. We are in duty bound to see that every citizen of Porto Rico has his civil rights under our jurisdiction protected. When these men come here clamoring and talking about liberty, they simply wanted a larger share of the offices. They can not make a specification of any encroachment upon their liberty. They are free, and I agree with the gentleman from Wisconsin [Mr. COOPER] that we should repeal the Foraker Act, make them citizens of the United States, and give them a territorial government, just such a government as we gave every other Territory that we ever held, and let them wait for statehood until they become acquainted with our institutions and know what liberty is. And if it takes them a thousand years, we would not begrudge them the time.

When the Union party in Porto Rico succeeded in carrying the election, it became apparent at once to them what a tremendous opportunity they would have to exploit the minority and settle up old scores, if they only had control of the courts; hence their persistency in demanding this legislation.

Have any of the Members of the House stopped to reflect what has been going on around us in every Spanish civilization that has attempted to plant itself on the surface of this big round earth? Their initial steps toward a government maintaining order under law have been attended by insurrection and revolution every time the parties changed. Even if those countries be called republics, they are in every essential tyrannies. The party in power immediately controls all the courts. Then, with the Spanish devices and cruelties, their rule becomes absolutely intolerable, and there follows an insurrection or revolution. It is an insurrection if it does not succeed; a revolution if it does. There is a cause for these continual, everlasting revolutions in the Spanish civilizations that have found a foothold upon this Western Hemisphere. What is that cause? It is in the cruelty and rapacity which is exercised through their courts.

This bill was also demanded as a condition precedent to the passage of an appropriation bill. It was the most vicious of the lot. It was a demand that the schools we established in Porto Rico, with their American teachers, and the school funds, should be placed under the control of a native Porto Rican. It is the dream of every patriotic citizen of this country of an ultimate America which shall be homogeneous, speaking a common language, having like institutions, and where the rights and privileges are guaranteed everywhere under the flag. We are going to keep Porto Rico forever, and if it is not to be a plague spot upon our civilization they must adopt our ideas and accept our institutions and our laws. And it would be manifestly out of place to turn out the cultured and enlightened commissioner of education and put in his place some Porto Rican who should teach in the schools that the highest triumph of fiscal statesmanship was the adoption of a national lottery to replenish the public treasury and who would adjourn the schools that all might attend a bull fight.

The disaffected ones in Porto Rico are not here asking some guaranty of private rights. They are here complaining that we have more offices than they have, and they want us to turn out such Anglo-Saxon courts as we have and establish the old-style Spanish courts, every judge of which shall be a member of the Union party. What opportunities for revenge and extortion! This it was that started all the trouble. They began to talk about it, quickly lashing themselves into a hysterical fury, until they now seem to think that they no longer have liberty.

In accepting their guardianship we have taken a great responsibility, and we must treat these wards of ours as though they were children, protecting them even against themselves.

Mr. GARRETT. Will the gentleman yield?

Mr. KENNEDY of Ohio. Yes.

Mr. GARRETT. It is only fair to state that the only courts that they sought to elect were the justices of the peace—the lower courts.

Mr. KENNEDY of Ohio. Of course they have not attempted to establish a supreme court; but it is the magistrate who seizes and imprisons, and those courts are always summary ones. The judges are restrained by no regulation that prevents them from doing as they please. There is no guaranty of rights to the Porto Rican that one under arrest shall not be compelled to testify under the persuasion of the thumbscrew and bastinado. They are not asking for that sort of liberty. It is not that kind of people who come here with this protest against our Government. I get out of patience with them. After we fed them through a famine and sent our doctors down there and got the hook worms out of them, then they rebelled against the only liberty they ever had, the only chance they had a right ever to expect. I think we should stand by our own country and not discredit it by any doubtful action in this great House. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to occupy the time of the House for a minute. I was not in the House when the gentleman from Wisconsin made his speech.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Texas?

Mr. OLMSTED. If I have any further time, I will yield.

The CHAIRMAN. The gentleman has three minutes.

Mr. OLMSTED. Then I yield to the gentleman from Texas.

Mr. SLAYDEN. I was about to say that I was not in the House when the gentleman from Wisconsin [Mr. COOPER] made his speech. Therefore I had not the privilege of hearing it. I am told, however, that from something he said it is to be inferred that he was under the impression that I had said that I wanted to turn the island of Porto Rico loose and get rid of it entirely. The gentleman from Wisconsin is mistaken; I did not say that.

Mr. COOPER of Wisconsin. The gentleman was talking about Porto Rico and the Philippines, and I know that he wants to get rid of the Philippines.

Mr. SLAYDEN. I do, but they stand on a different plane. The political tie that brought Porto Rico to us was voluntarily assumed, but the political tie that brought the Philippines to us was involuntarily assumed, thrust upon them by force of arms, and not for a moment since have they consented to it. The cases are not parallel at all.

Mr. OLMSTED. Mr. Chairman, there is an amendment pending which has been discussed by one argument upon one side and one upon the other. I should like a vote on it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, after the word "further," in line 8, and insert in lieu thereof the following:

"That for the fiscal year beginning June 30, 1909, for the expenses, support, and legal obligations of the government in all its departments an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated, which shall be paid in the usual course by warrant drawn by the auditor upon the treasurer, countersigned by the governor."

Mr. GARRETT. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARRETT. To address myself to the amendment.

The CHAIRMAN. The Chair understands that all the time for the discussion granted has expired.

Mr. CLARK of Missouri. General debate has expired, but not discussion upon the amendment.

The CHAIRMAN. The present occupant of the chair was not in the chair at the time; but the Chair was informed that the amendment was discussed at the time it was offered.

Mr. GARRETT. When the gentleman from New York moved this morning to go into Committee of the Whole House on the state of the Union, and, pending that, asked unanimous consent for general debate to be extended for two hours, I made a parliamentary inquiry of the Speaker as to whether that would prevent the usual five-minute debate on the bill, and the Speaker answered that it would not; and therefore I did not object to unanimous consent.

The CHAIRMAN. The gentleman will be recognized for five minutes. The present occupant of the chair was not occupying the chair when it was brought up.

Mr. PAYNE. It does not interfere with the five-minute debate. Under the five-minute rule there has been debate for ten minutes on this amendment.

Mr. GARRETT. How did it happen that it was debated without being read?

Mr. PAYNE. The amendment was read.

Mr. GARRETT. It was read just now.

Mr. CLARK of Missouri. Mr. Chairman, I will ask unanimous consent for five minutes on each side, because there are Members here who have not heard the amendment or any discussion of it.

Mr. GARRETT. I object to that. It is not a question of unanimous consent; it is a question of parliamentary right.

Mr. PAYNE. I want to say to the gentleman that there is no difficulty about this. It is an original amendment, and he can move to strike out the last word and have five minutes. I ask that all debate on the amendment be closed in ten minutes.

Mr. GARRETT. I have no objection to that, but as a matter of maintaining a parliamentary right——

Mr. PAYNE. I say the gentleman is entitled to move to strike out the last word and debate it.

Mr. GARRETT. I think I am entitled to debate it without moving to strike out the last word, and I insist on recognition for that purpose.

Mr. OLMSTED. The gentleman from Missouri offered the amendment and debated it, and then the gentleman from New York debated it on the other side, which exhausted debate, under the strict interpretation of the rule. As the gentleman from New York says, the gentleman from Tennessee can offer another amendment to strike out the last word, to which nobody objects, and I hope the motion of the gentleman from New York will prevail.

Mr. GARRETT. The gentleman from New York moves to close debate in ten minutes, and I have no objection to that.

The CHAIRMAN. Without objection, it is so ordered.

Mr. GARRETT. Mr. Chairman, I wish to address myself directly to the amendment. I very much wish that the gentleman from Pennsylvania [Mr. OLMSTED] could see his way clear to acquiesce in the amendment offered by the gentleman from Missouri [Mr. BORLAND], or in the amendment that is proposed to be offered by the gentleman from Texas [Mr. SLAYDEN], or in both. I shall deal with entire candor in speaking of it. I believe that the gentleman from Pennsylvania concurs with the majority of this House in the opinion that there ought to be a scrutiny and, perhaps, a revision of the Foraker Act. Of course, the gentleman from Pennsylvania does not state what ought to be done, nor can any of us, but there is an opinion that there ought to be a scrutiny of the Foraker Act, and a possible revision of it. I do not hesitate to say that it is the opinion of many of us that if this amendment to the Foraker Act passes in the form of the bill that is now before the House, without the amendment of the gentleman from Missouri [Mr. BORLAND], or the amendment of the gentleman from Texas [Mr. SLAYDEN], or some similar amendments, that that will be the end of the matter, and that there will not be any revision—any scrutiny of the Foraker Act. We are dealing with an emergency. I believe that we ought to deal with that emergency by enacting emergency legislation merely. So far as I am concerned, I have already expressed my opinion to the House upon the bill as it now stands, and I am against the bill. However, if this amendment should be adopted, I do not hesitate to say that, so far as I am concerned, I recognize the necessity for doing something there, and I should be glad to support the bill. Another thing, Mr. Chairman, and that is the second section of this Olmsted bill is wholly unobjectionable in itself, but in candor I wish to say that it seems very significant to me that this clause about a mere matter of administration is attached to a proposition amending the fundamental law of Porto Rico, and I believe that this last section of the bill furnishes an additional reason for saying that if this bill is passed there will be no further disturbance, no further scrutiny of the Porto Rican fundamental law, and for that reason I wish that the amendment offered by the gentleman from Missouri might prevail. I believe, Mr. Chairman, that if it does prevail, there will be practically no division in this House upon the passage of the bill itself.

Mr. OLMSTED. Mr. Chairman, I am unable to agree with the gentleman from Tennessee [Mr. GARRETT] that the passage of this bill in its present form will prevent the revision of the Porto Rican constitution in the very near future. I am unable to agree with him as to the wisdom of the amendment which he favors. If this is a good provision for one year, it is good for another. It is the law permanently in the Philippines, in Hawaii, and, I am told, in several foreign countries, including Spain, and I quite agree with the President, who in his message said that he recommended an amendment to the Foraker Act providing that whenever the legislative assembly should adjourn without making an appropriation, then the previous appropriation should be extended to that particular year. I desire, without objection, to yield the balance of the time that I could occupy to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, there are two objections to this amendment, either one of which, in my judgment, is absolutely conclusive. The first objection is that if the amendment is adopted it will inevitably sooner or later force an extra session of Congress for no other purpose than to provide for continuing the government of Porto Rico. The legislature of Porto Rico, which meets annually, adjourns ordinarily about the middle of March. The Congress of the United States adjourns every alternate year on the 4th day of March. Obviously, therefore, it might easily happen, and I am sure from information which has come to me it would happen, that the legislature of Porto Rico might fail to pass the budget at a time when Congress was not in session. There would be no alternative left therefore to the President of the United States but to call an extra session for no other purpose than to provide for the payment of the expenses of the Porto Rican government. I can not believe that any Member of this House would be willing to cast a vote which would bring about, even remotely, such a contingency as that.

Another objection yet more vital and fundamental to this amendment is the political effect it would have in Porto Rico. There is no question but what the adoption of this amendment would be construed in that island as a victory for the radical anti-American party of Porto Rico. It would be heralded everywhere as a rebuke to the governor of Porto Rico and his American associates in the administration of the government, and that would bring a condition of political chaos that could not be compared with the crisis which now exists there. Gentlemen have read history, particularly the history of Spanish-American peoples, to little effect, indeed, if they have not discovered that those people have no comprehension of a spirit of concession and compromise, of generosity in government. It has been the evil fortune of the people of Porto Rico, until they came under the American flag, to have been ruled always by force. They never have taken a single step in the direction of more liberal government, except as the result of revolution or the threat of revolution. The Spanish Government never yielded anything or conceded anything that it had the power to refuse. The people have always, therefore, regarded any offer of concession or compromise as an evidence of weakness, and have pressed their advantage accordingly. That is the construction they would put upon this amendment if it were adopted. They would regard it as, in effect, an approval on the part of the Congress of the revolutionary method their legislature has pursued, and would come back next year with still more radical demands than they make now, backed up by still more revolutionary methods. There is only one way to deal with these people, and that is to let firmness go hand in hand with justice, letting them learn that the corner stone of republican institutions is orderly procedure under the law. [Applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced the "noes" seemed to have it.

Mr. GARRETT. Mr. Chairman, I will ask for a division on that amendment.

The committee divided; and there were—ayes 61, noes 110.

So the amendment was rejected.

Mr. SLAYDEN. I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk began the reading of the amendment.

The CHAIRMAN. Does the gentleman from Texas understand that his amendment applies to section 1 of the bill?

Mr. SLAYDEN. No, Mr. Chairman; I thought the other amendment applied to section 2.

The CHAIRMAN. Section 1 of the bill has not yet been read.

Mr. SLAYDEN. Very well, Mr. Chairman, I will wait until section 1 is read.

The CHAIRMAN. The Clerk will read section 2.

Mr. HOBSON. Mr. Chairman, I offer an amendment to section 1.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, at the end of line 4, add:

"*Provided, however*, That when any regular session shall fail to make said appropriations an extraordinary session shall be called in the manner prescribed by law, for which extraordinary session there shall be not less than seven days' notice between the date of the calling and the date fixed for assembling, which date of assembly shall come not less than ten days prior to the beginning of the fiscal year for which said appropriations shall not have been made."

Mr. OLMSTED. Mr. Chairman, the gentleman from Alabama showed that amendment to me, and I stated to him that so far as I am personally concerned—I can not speak for anybody else—I had no serious objection if he will strike out the word "when" in "*Provided, however*, That when" and insert "if at any time after the year 1909." I can speak for no one except myself.

Mr. PAYNE. I desire to ask the gentleman from Pennsylvania what good end would be accomplished by this amendment requiring the expense of an extraordinary session of the legislature there to again perform and attempt to compromise on an appropriation bill? Why can not it be done just as well in the regular session as to have it by special session, called every time in an effort to get to some conclusion? Why not have a little good common sense about these things and not try to negotiate and all of that sort of thing in connection with legislation?

Mr. OLMSTED. Mr. Chairman, I will say if the appropriations are made in the regular sessions there will be no occasion for an extraordinary session, and the only effect of this would be to give them a little time to cool off after the regular session.

The CHAIRMAN. Without objection, the Clerk will again report the amendment as modified by the gentleman from Alabama at the suggestion of the gentleman from Pennsylvania.

There was no objection.

The Clerk read as follows:

On page 2, at the end of line 4, add:

"*Provided, however*, That if at any time after the year 1909 any regular session shall fail to make said appropriations an extraordinary session shall be called in the manner prescribed by law, for which extraordinary session there shall be not less than seven days' notice between the date of the calling and the date fixed for assembling, which date of assembly shall come not less than ten days prior to the beginning of the fiscal year for which said appropriations shall not have been made."

Mr. HOBSON. Mr. Chairman, I wish to state briefly the effect of this amendment. It leaves the bill itself in full effect for the purpose for which it is intended, namely, to insure funds necessary for carrying on the functions of government, but it provides a way by which the Porto Rican legislative assembly itself could pass upon the question, simplified, disassociated from all other questions, after the heat and passions of the closing days of the regular session have had time to subside and after the people of Porto Rico have had time to realize the gravity of the situation and to give expression to public opinion. It further insures ample time for deliberation after the assembling of the special session. Under these conditions it is practically certain that a proper appropriation bill would always be passed. In any case, it would insure putting the issue fairly and squarely to the legislative assembly and the people whether or not they will provide the funds necessary for government, and only when they deliberately refuse to make provision themselves would provision be made automatically without their consent.

When we bear in mind that the executive branch of the Porto Rican government is appointed from Washington, and is not elected by the people of the island, and that this executive branch comprises all the members of the upper house of the legislative branch, and that this upper house originates the appropriation bills, then it becomes clear that only in the last extremity, involving the continuance of the government, the maintenance of law and order, should the revenues be appropriated and applied without their consent.

At first sight it may appear that the regular sessions provide for a fair and square issue on the question, but upon investigation it will become clear that such is not the case in practice. Following the course of human nature, appropriation bills and other important bills are liable to be postponed till the closing days of a short session in any parliament; and, as a matter of fact, the most important of these bills, as a rule, are thus postponed. All regular sessions of the Porto Rican assembly are short sessions, and the report of the governor of Porto Rico states that the appropriation bill has always been left for the closing days, and at times for the closing hours, of the session.

It is complained that this is not best, and I agree with the Secretary of the Interior, who acted as umpire between the three members of the executive council sent to Washington by the governor and the three commissioners of the house of delegates sent by that body, that it is not proper to try to trade off a question of fundamental principle involved in providing or refusing to provide funds necessary for the very life of the government against any question or any number of questions not involving a fundamental principle; and I think one of the most unfortunate and deplorable matters of this whole controversy is brought out when the commissioners of the Porto Rican house of delegates informed the President, in reply to his wise and happy suggestion of a compromise, that they thought no agreement could be reached on the appropriation bill except in a trade for other measures that were in dispute between the two houses. In this statement I can not feel that the commissioners made an accurate estimate either of the house of delegates or of the people of Porto Rico, whom they represent.

But this reply shows clearly that human nature has its sway in the Porto Rican assembly as it has its sway in our Congress, and that it is natural and to be expected that appropriation bills will be postponed till the latter part of short sessions and will be used to trade with, will be used as levers to secure the passage of bills with no bearing upon appropriation bills that may be in dispute or that otherwise might not have the approval of one house or the other. Thus in practice it is to be expected that the closing hours of short sessions will at times be stormy and in the tumult adjournment may be forced before the passage of appropriation bills necessary for carrying on the government. This experience has been known in our own Congress. In such a contingency we have recourse to an extra session, and the Porto Ricans ought to have similar recourse to an extra session before the executive takes the funds from their treasury. The amendment provides for such recourse without impairing the full effect of the bill in absolutely guaranteeing funds for carrying on the government. How can any Member of this House object to such a just provision?

Some have assumed that recourse to an extra session has just been tried to no avail. Investigation will convince anyone that such is not the case. The extra session in question was a wretched travesty. The governor of Porto Rico in his report to

New York says, the gentleman from Tennessee can offer another | anti-American party of Porto Rico. It would be heralded every-

regular session shall fail to make said appropriations an extraordinary | wretched travesty. The governor of Porto Rico in his report to

the Secretary of the Interior, copy of which is found on pages 6 and 7 of the report accompanying this bill, states that immediately upon adjournment at midnight Thursday, the 11th of March, he issued the call for the extra session, to convene at 10 o'clock the next morning, Friday, the 12th, and that upon the convening at this hour—

I sent in a message which permitted them to consider those bills which the council and house appeared to desire most.

I quote his own words. Of course, the appropriation bill was included in "those bills." It is clear that at the outset no special question or issue was made by the governor of the appropriation bill; but that, on the contrary, he left it in the extra session where it was in the regular session—involved and interlocked with many bills in controversy being used for trading. The governor himself can not escape part responsibility for the deplorable scene that followed. He goes on to say:

I also warned the legislature informally that a special session of Congress would convene on the 15th and that they must come to some settlement before that time, otherwise congressional action would be sought.

As Congress would be in session several months, at least, there was no justification in the governor giving the assembly any ultimatum whatsoever, and much less justification in giving them a loose and "informal" ultimatum covering many subjects, requiring them "to come to some settlement" before the 15th, with only two legislative days intervening. Nothing could have been better calculated to postpone or prevent an agreement than this untimely ultimatum. No wonder Monday afternoon found the assembly without any agreement. It was only then that the governor separated the appropriation bill from the other measures, and when he did so he again gave an ultimatum requiring the passage of the bill before midnight of the same day. What was the necessity for an ultimatum of any kind? As Cougress would be in session several months, and as three and a half months remained before the expiration of the fiscal year, what great haste required the passage of the bill before midnight?

The governor gives the interrogatory cable from Mr. Winthrop asking whether the appropriation bill had been passed as the only ground for his action. He states that upon the receipt of this cablegram:

I then verbally notified the leaders of both houses that unless the appropriation act was passed by midnight I should cable to Washington requesting congressional action.

It would baffle the imagination to conceive of anything more ill-timed than this senseless "verbal" ultimatum, given to men who are in the heat of passion.

The action of the governor made the passage of the appropriation bill humanly impossible. It all seems to have been by design. He states in his report that he anticipated trouble, but refrained from laying the situation before our Government, except in "personal" correspondence with Assistant Secretary Winthrop. He evidently did not wish the regular session of Congress to be informed: their action might have averted the trouble. He evidently did not wish the President to take early action. If an investigation had been made, such as the President subsequently suggested, the trouble might have been averted.

He states that he was "strongly opposed to the regular session of Congress taking any action, as there was an extra session pending," though he knew the session of the Porto Rican assembly would expire before the extra session of Congress convened. He anticipated and clearly desired the assembly's failing to pass the appropriation bill. He planned to call an extra session, stating, "I had intended to do this (call an extra session) in any case." * * * He then deliberately complicated the appropriation bill with the other bills and gave a series of unofficial ultimatums that made the passage of the appropriation bill impossible. The executive council cooperated with him and joined with alacrity to bring about adjournment, and its three members sent to Washington expressed satisfaction that there had been a failure to provide funds for carrying on the government. The governor has full power for calling extra sessions. He knew that funds would not be required before July 1; he knew that Congress could not take up Porto Rican matters for many weeks. Why did he not utilize part of this time in calling a proper extra session, such as is provided for in this amendment, and laying the appropriation bill, free from complications with other bills, fairly before the assembly and the people of Porto Rico? Why has he not given full official reports to this Government of conditions in Porto Rico? Why has he not given Congress, in whose name he made his threats to the house of delegates, a full and logical report of conditions and events, instead of confining himself to a pitiful recital of his personal outpouring to Mr. Winthrop? He has not sustained the charge he lays at the door of the house of delegates that they have struck a blow, or would strike a blow, at the foundation of government by refusing funds for the government's support. A disinterested examination of his own statement shows beyond any question of doubt that he himself is directly responsible for the present failure of passage of the appropriation bill. Furthermore, Mr. Chairman, a disinterested examination of the evidence before Congress shows beyond a doubt that no fair test has been made of the house of delegates or of the people of Porto Rico whether or not they would withhold from the government the funds necessary for its support. Such a fair test could not be made without a legitimate, reasonable extra session, with the appropriation bill alone before the assembly.

Mr. Chairman, I have an affection for the people whose destinies were left in our hands by the war with Spain. I have a peculiar affection for the people of Porto Rico. I took part in the bombardment of San Juan, when another flag was flying from the Morro. In the smoke of the bombardment my imagination pictured a day when the people of the island would look upon another flag and call it blessed. But it is not from unspoken pledges then registered in my mind nor from the affection I feel in my heart, but from a sense of justice that I now speak. A great wrong has been done the people of Porto Rico. There has been no fair trial upon which to base a judgment, the most serious that could be passed against any people, that they would strike at the foundation of government, and overthrow law and order.

The President is a great jurist, and his recent Porto Rican message is a great state paper. On the whole, it is judicial in tone, but at times it becomes the argument of an advocate instead of the finding of a judge. Nowhere does he take exception to the precipitate and unbecoming action of the governor, nor to the provocation under which the house of delegates acted. The responsibility for failure to pass the appropriation bill he lays entirely upon the house of delegates. I would not exonerate the house of delegates, but it is only just to attach part of the blame to the governor and to the executive council.

In interpreting the failure to pass the appropriation bill, the President says:

The house of delegates, as a coordinate branch of that assembly, shows itself willing and anxious to use such absolute power, not to support and maintain the government, but to render it helpless.

Mr. Chairman, this terrible judgment against the popular branch of the Porto Rican government and, through their representation, against the people of Porto Rico is unjust. Furthermore, it is absolutely unwarranted. Such a judgment could be justified only after the simplified issue had been put fairly and squarely before the assembly. This has never been done. Instead of bringing this about, the governor by his own action made it impossible. The stormy extra session was only a short extension of the deadlock of the regular session. Why did not the governor make the appropriation the only question for the extra session? Why did not the executive council and the governor keep it in session until it could get in position to accomplish the legitimate work of such a session? Who could expect any self-respecting legislators to comply with the unreasonable, arbitrary ultimatum of the governor, given in such an irregular way, when there was no clear and simple issue, and when more than three months remained in which the governor could call an extra session under reasonable conditions? There is still time for an extra session under proper conditions; but I expect to vote for the bill, because the first principle of government demands the providing of funds, and under the existing form of government, in which the executive branch is so mixed up in the legislative branch, a failure to make such provision can be brought about by the governor or executive council or the house of delegates, or by all of them in conjunction, as in the present case; but I hope the bill will be amended as provided for in this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOBSON. Mr. Chairman, I ask leave to extend my remarks.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. HOBSON. I ask this extension, Mr. Chairman, because I look upon this question as one of great importance, not only as bearing upon the efficiency of government in Porto Rico, but as affecting the general colonial policy of America. We have reached a new period in the history of our country, where responsibilities of a new kind have come upon us, responsibilities which we can not evade.

An examination of history will show that no great nation has ever yet escaped colonial responsibilities. We need not hope to escape. Colonial problems have always been the most diffi-

cult problems of government. The colonial policies of the world have reflected the stage of social evolution, and the colonial policies of a nation are a fair index of its progress in civilization. As a rule, colonies grow with a nation's growth, and colonial problems develop slowly; but with America colonial problems, full-fledged, have come upon us all at once, and we are called upon to find their solution without any experience to guide us. Furthermore, these difficult problems are but part of the great world problems that are now looming large in front of America's path. Heretofore our country has been passing through the unconscious and naturally selfish period of youth, meeting, as we have done successfully, the problems attending a great internal development. Now we are entering upon the period of manhood, where we must proceed consciously to do our unquestionably large part of the work of solving the world problems of mankind. It is high time that we should pause, when such questions as the present one are up, to consider the true principles that should be the basis of our relations with the outside world.

For the corner stone we must be just. For the next stone we must be of service. In seeking benefits we must confer benefits. I believe our wisest foreign policy for the greatest good to America is the policy that would render most service to the world as a whole. The true policy to get most benefit from any people is to help that people most.

In our relations with those peoples whom fate has committed to our charge the guiding principle is to seek always the highest good of those peoples themselves, even at apparent sacrifice on our part. The highest good calls not only for an efficient government, but also for the political development of the people themselves. Therefore our policy should be such as to insure the fundaments of good government, but at the same time to have the exercise of the functions of government given over in ever-increasing measure to the people themselves, allowing full scope for these peoples to make political mistakes, though not fatal mistakes. As in all other departments of human endeavor, the greatest progress comes from mistakes corrected. The people should have a chance to make mistakes. Mr. Bryan enunciated a great principle when he said: "The people have a right to make mistakes."

Following these principles, I believe this bill should pass to insure the funds necessary for any government, but that it should pass with the pending amendment to leave the provision of the funds, if possible, to the people of the island. Now, I believe measures should be taken looking toward a progressive increase rather than a decrease in the part that the people of Porto Rico play in all departments of government—legislative, judicial, and executive.

I thought that my amendment was acceptable to the other side of this Chamber, and have investigated and found that this side is favorable to it and, by indication of a large consensus, favorable to the bill as it would then be amended. But from remarks of the gentleman from New York it would appear that a different intention has suddenly developed on the other side. If this is the case, the greater is the pity, for the amendment leaves the bill in full effect to accomplish all the objects for which it was intended and at the same time calls upon the people of Porto Rico to settle the question themselves as a happier solution. It seems to me, therefore, that there should be no political lines drawn and that the amendment should be passed without division of the vote.

Mr. PAYNE. I hope this amendment will be voted down, Mr. Chairman. The bill is a plain proposition. To allow such an amendment as this to be incorporated in it would encourage those people to repeat the refusal to pass bills. The effect of this amendment is simply a notification to them that if the executive council would not agree to their propositions, they could hold out for their contention in the next legislature, not only in the regular but in extra session. It would make additional expense to the government down there. It answers no good purpose. The bill in itself is simple, and it provides that in the contingency that the Porto Rican people fail in their duty to make appropriations, then simply become available the appropriations of the preceding year—appropriations that have been passed on by the same people and by the same legislature. Therefore I hope the amendment will be voted down.

Mr. DOUGLAS. Mr. Chairman, I wish to add one word to the suggestion of the gentleman from New York, and that is an important one, as it seems to me. That suggestion is that this measure is substantially a copy of the same rule that we have in Hawaii and in the Philippines.

Mr. PAYNE. Certainly.

Mr. DOUGLAS. If we make any change for Porto Rico, they will be coming here demanding that it be changed for the Philippines and Hawaii. I see no good reason why the amendment should be adopted, and I certainly regret that the gentleman from Pennsylvania has intimated a willingness to have it adopted. I sincerely hope it will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. SLAYDEN. Mr. Chairman, now I ask to have my amendment read and considered.

The Clerk read as follows:

Amend by adding after line 12, page 2, as follows:

"SEC. 3. That a special committee of 11, 7 of whom shall be Members of the House of Representatives, to be selected by the Speaker, and 4 of whom shall be Members of the Senate, to be chosen by the President of the Senate, be authorized and directed to investigate, in the island, by public hearings and otherwise, the political and economic conditions in the island of Porto Rico and to report to the Sixty-first Congress not later than February 1, 1910, what, if any, changes should be made in the act of April 12, 1900, and amendments thereto.

"That $10,000, or so much thereof as may be necessary, be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated to pay the expenses of the committee while engaged in such investigation."

Mr. OLMSTED. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

Mr. SLAYDEN. On that point of order I would like to be heard for a moment.

The CHAIRMAN. The Chair would be very glad to hear the gentleman from Texas.

Mr. SLAYDEN. Mr. Chairman, the purpose of this bill is to cure certain political conditions alleged to exist in the island of Porto Rico. The purpose of the amendment is also to cure certain political conditions that have been alleged to exist in the island of Porto Rico. The bill that the gentleman from Pennsylvania presents proposes to make an appropriation by general act of this Congress for the government down there. This amendment that I offer, and to which I hardly expected any opposition, proposes that we shall be so considerate of the people of that island as to send a committee of gentlemen down there, commissioned to hear their complaints, and if there be a reasonable basis for them, to come back to Congress with the recommendation that there be a general law to correct those conditions. What possible objection can be urged to that amendment per se I fail to understand. I believe that the amendment is germane both to the spirit and the letter of the act we are considering, and, therefore, venture to express the opinion that the point of order is not well taken.

Mr. OLMSTED. Mr. Chairman, this bill proposes to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes." There is no other purpose or object expressed or carried in the bill.

Mr. SLAYDEN. Will the gentleman allow me to ask him a question?

Mr. OLMSTED. Certainly.

Mr. SLAYDEN. Does not the amendment I have offered go to the same end, the correction of the Foraker Act?

Mr. OLMSTED. I do not think so. It provides for the appointment of a special committee.

Mr. SLAYDEN. Specifically commissioned to report back what further amendments to that act are necessary.

Mr. OLMSTED. This is a bill to amend the Foraker Act. The amendment proposes to appoint a committee, and appropriate moneys to defray the expenses of a committee to ascertain whether some further amendments may be necessary. There is nothing of that kind in this bill. This bill is reported from the Ways and Means Committee. I suppose that is on account of the provision regarding revenue. I was unable to hear how the $10,000 proposed by the gentleman from Texas is to be payable; but if payable out of the United States Treasury, such a proposition should go to the Committee on Appropriations; if out of the contingent fund of the House, it would have to go to the Committee on Accounts. It seems to me it hardly needs argument that such a separate and distinct proposition for the appointment of a committee of the House and Senate and appropriating money for the expenses of that committee can not be germane to anything found in this bill.

Mr. SLAYDEN. Mr. Chairman, the second clause of the amendment that I have offered, making an appropriation to pay the expenses for such an investigation, originated in a suggestion made to me by a Member of this House. It would not have been put into the amendment except for his suggestion, and was not put into it as originally drawn. I would be de-

lighted to have the privilege of striking out that part of the amendment providing for the payment of the expenses of the committee of investigation and letting the amendment as offered cover only the first paragraph, providing for the appointment of a committee.

The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] proposes an amendment, to which the gentleman from Pennsylvania [Mr. OLMSTED] raises the objection that it is not germane. The proposition of the gentleman from Texas is to provide by statute for a committee of investigation. Section 2 of the bill, to which the amendment is offered, provides for the submission of reports to an executive department to be designated by the President. It seems to the Chair that the proposition of the gentleman from Texas is not germane to section 2 of the bill. Therefore the Chair sustains the point of order.

Mr. OLMSTED. I move that the committee do now rise and report the bill and amendments to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and had directed him to report the same back to the House with sundry amendments, and with the recommendation that as amended the bill do pass.

Mr. OLMSTED. I demand the previous question upon the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any amendment? If not, the vote will be taken upon the amendments en bloc.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. OLMSTED, a motion to reconsider the last vote was laid on the table.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries.

REPORT OF PROVISIONAL GOVERNOR OF CUBA.

The SPEAKER laid before the House the following message from the President of the United States (S. Doc. No. 80), which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to transmit herewith a communication from the Acting Secretary of War, under date of May 8, submitting the report, with accompanying exhibits, of Hon. Charles E. Magoon, provisional governor of Cuba, for the period from December 1, 1908, to January 28, 1909, when the provisional government was terminated and the island again turned over to the Cubans. I recommend, in accordance with the suggestion of the Acting Secretary of War, that this report and the exhibits be printed.

I think it only proper to take this opportunity to say that the administration by Governor Magoon of the Government of Cuba from 1906 to 1909 involved the disposition and settlement of many very difficult questions, and required on his part the exercise of ability and tact of the highest order. It gives me much pleasure to note, in this public record, the credit due to Governor Magoon for his distinguished service.

The army of Cuban pacification, under Major-General Barry, was of the utmost assistance in the preservation of the peace of the island and the maintenance of law and order, without the slightest friction with the inhabitants of the island, although the army was widely distributed through the six Provinces and came into close contact with the people.

The administration of Governor Magoon and the laws recommended by the advisory commission, with Colonel Crowder, of the Judge-Advocate-General's Corps, at its head, and put into force by the governor, have greatly facilitated the progress of good government in Cuba. At a fair election held under the advisory commission's new election law, General Gomez was chosen President, and he has begun his administration under good auspices. I am glad to express the hope that the new Government will grow in strength and self-sustaining capacity under the provisions of the Cuban constitution.

WM. H. TAFT.

THE WHITE HOUSE, *June 5, 1909.*

TELEPHONE SYSTEM IN PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 82), which was read, referred to the Committee on Insular Affairs, and ordered printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of a joint resolution amending said act, approved May 1, 1900 (31 Stat., 716), I have the honor to transmit herewith copy of an ordinance passed by the executive council of Porto Rico May 20, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Juan Bertran the right to construct, maintain, and operate a system of long-distance telephone lines between the playa of Yabucoa and the playa of Naguabo and their intervening towns and cities, together with local telephone systems in certain of said towns and local stations at other points.'"

WM. H. TAFT.

THE WHITE HOUSE, *June 7, 1909.*

PORTO RICO POWER AND LIGHT COMPANY.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 83), which was read, referred to the Committee on Insular Affairs, and ordered printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico May 19, 1909, entitled "An ordinance amending an ordinance entitled 'A franchise granting to the Porto Rico Power and Light Company, its successors and assigns, the right to develop the water power known as "Comerio Falls," situated on La Plata River, for the generation of electrical energy, and to build, construct, erect, and maintain lines of wires for transmitting and distributing electrical energy for commercial and industrial purposes,'" approved by the governor May 24, 1909.

WM. H. TAFT.

THE WHITE HOUSE, *June 7, 1909.*

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly the House (at 3 o'clock and 5 minutes p. m.), under its previous order, adjourned until Thursday next at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WICKERSHAM: A bill (H. R. 10418) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes—to the Committee on the Territories.

By Mr. AUSTIN: A bill (H. R. 10419) to extend the franking privilege to the officers of the national guard and naval militia—to the Committee on the Post-Office and Post-Roads.

By Mr. MURPHY: A bill (H. R. 10420) extending the provisions of the bounty-land law of March 3, 1855, to persons who served in the Fifteenth and Sixteenth Regiments of the United States Volunteer Veterans—to the Committee on the Public Lands.

By Mr. GILLETT: A bill (H. R. 10421) to facilitate the use for manufacturing purposes of square No. 328 in the city of Washington, as authorized in the act of Congress of February 1, 1907—to the Committee on the District of Columbia.

By Mr. SPARKMAN: A bill (H. R. 10422) to provide for site and public building at Bartow, Fla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10423) to provide for a site and public building at Lakeland, Fla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10424) authorizing and directing the Adjutant-General of the United States Army to furnish to the adjutant-general of the State of Florida copies of the muster rolls of certain military organizations filed or deposited in the

War Department or other departments of the Government—to the Committee on Military Affairs.

Also, a bill (H. R. 10425) authorizing the State of Florida to make an efficient survey of all unsurveyed lands patented by the United States to the State of Florida—to the Committee on the Public Lands.

Also, a bill (H. R. 10426) for the purchase of additional land for garrison purposes adjacent to the military reservation of Fort Taylor, Key West, Fla.—to the Committee on Appropriations.

Also, a bill (H. R. 10427) prescribing the boundaries of the northern and southern judicial districts of the State of Florida—to the Committee on the Judiciary.

Also, a bill (H. R. 10428) to extend the provisions of the existing bounty-land laws to the officers and enlisted men, and the officers and men of the boat companies, of the Florida Seminole Indian war—to the Committee on the Public Lands.

Also, a bill (H. R. 10429) to extend the franking privilege to literature published by boards of health of States, Territories, and municipalities in the United States—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10430) to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 10431) for the establishment of a fish-cultural station in the State of Florida—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 10432) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same—to the Committee on War Claims.

Also, a bill (H. R. 10433) to authorize the establishment of free public schools upon United States naval reservations—to the Committee on Naval Affairs.

Also, a bill (H. R. 10434) for the relief of certain surgeons in the Philippine service—to the Committee on Claims.

By Mr. RODENBERG: A bill (H. R. 10435) providing for participation in the universal and international exhibition to be held at Brussels in 1910—to the Committee on Foreign Affairs.

By Mr. HULL of Tennessee: Resolution (H. Res. 72) requesting the President to transmit to the House of Representatives copies of all correspondence and papers received from foreign governments pertaining to wages or manufactures—to the Committee on Ways and Means.

By Mr. TAWNEY: Resolution (H. Res. 73) for the relief of Mrs. Lauritz Olsen and to pay funeral expenses of Lauritz Olsen—to the Committee on Accounts.

By Mr. FITZGERALD: Resolution (H. Res. 74) of inquiry relative to appropriations for river and harbor improvements—to the Committee on Appropriations.

By Mr. RODENBERG: Concurrent resolution (H. C. Res. 17) accepting invitation to attend Alaska-Yukon-Pacific Exposition, authorizing the appointment of a committee, and making an appropriation to defray expenses of same—to the Committee on Industrial Arts and Expositions.

By Mr. COOPER of Wisconsin: A memorial of the legislature of Wisconsin, asking the cooperation of the Government in the work of road improvement—to the Committee on Agriculture.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact legislation to prohibit railroads from increasing their rates except upon notice—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A memorial of the legislature of Wisconsin, relating to coolie and Mongolian labor—to the Committee on Foreign Affairs.

Also, a memorial of the legislature of Wisconsin, petitioning Congress for the establishment of a permanent nonpartisan expert tariff commission—to the Committee on Ways and Means.

Also, a memorial of the legislature of Wisconsin, in regard to international peace—to the Committee on Foreign Affairs.

Also, a memorial of the legislature of Wisconsin, indorsing United States Senate bill No. 8323—to the Committee on Expenses of the Interior Department.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice—to the Committee on Interstate and Foreign Commerce.

Also, a memorial of the legislature of Wisconsin, relating to federal cooperation in the work of road improvement—to the Committee on Agriculture.

By Mr. CARY: A memorial of the legislature of Wisconsin, asking Congress to enact legislation creating a National Highways Commission, etc.—to the Committee on Agriculture.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10436) granting a pension to Hester J. Wilson—to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 10437) granting an increase of pension to Orrin B. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10438) granting an increase of pension to Ebon Van Kirk—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 10439) for the relief of David J. Collins—to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 10440) granting an increase of pension to Charles R. Gray—to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 10441) granting a pension to Morris J. Lovey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10442) granting a pension to Charles F. Winans—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 10443) granting a pension to Charles C. Meckel—to the Committee on Pensions.

Also, a bill (H. R. 10444) granting a pension to Frances E. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10445) granting an increase of pension to Jeremiah Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10446) granting an increase of pension to Amos Martin—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 10447) granting a pension to Samuel T. Ferrier—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10448) granting an increase of pension to Thomas Boggess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10449) granting an increase of pension to Zachariah Jewell—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 10450) granting an increase of pension to Carlton Routzahn—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 10451) granting a pension to Samuel B. Ridgway—to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 10452) granting an increase of pension to Isaac Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10453) granting an increase of pension to Willis H. Ryker—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Kentucky: A bill (H. R. 10454) for the relief of James T. Warden—to the Committee on Military Affairs.

Also, a bill (H. R. 10455) for the relief of Francis A. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 10456) for the relief of Amasa Hodge—to the Committee on Military Affairs.

Also, a bill (H. R. 10457) for the relief of Allison Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 10458) for the relief of Elijah Crabtree—to the Committee on Military Affairs.

Also, a bill (H. R. 10459) for the relief of James Brock—to the Committee on Military Affairs.

Also, a bill (H. R. 10460) for the relief of the New South Brewing and Ice Company—to the Committee on Claims.

Also, a bill (H. R. 10461) for the relief of P. H. Bridgewater—to the Committee on War Claims.

Also, a bill (H. R. 10462) for the relief of W. F. Tomlinson, administrator of Samuel Tomlinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10463) for the relief of the estate of Solomon Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10464) for the relief of the heirs of James Brandenburgh, deceased, of Buck Creek, Owsley County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10465) granting a pension to Robert Stivers—to the Committee on Pensions.

Also, a bill (H. R. 10466) granting a pension to Nimrod Nelson—to the Committee on Pensions.

Also, a bill (H. R. 10467) granting a pension to John Nelson—to the Committee on Pensions.

Also, a bill (H. R. 10468) granting a pension to Sarah F. Hatter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10469) granting a pension to Nancy A. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10470) granting a pension to Margaret Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10471) granting a pension to Henry Rutherford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10472) granting a pension to Thomas Burchett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10473) granting a pension to Elizabeth Pheity—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10474) granting a pension to Asa Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10475) granting an increase of pension to Richard Hadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10476) granting an increase of pension to Serena Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10477) granting an increase of pension to McKager Lawhorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10478) granting an increase of pension to William T. Belk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10479) granting an increase of pension to London C. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10480) granting an increase of pension to Sarah Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10481) granting an increase of pension to James McKelvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10482) granting an increase of pension to John Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10483) granting an increase of pension to William T. Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10484) granting an increase of pension to Samuel L. Brammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10485) granting an increase of pension to Jasper Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10486) granting an increase of pension to Zachariah T. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10487) granting an increase of pension to Perry T. Pollard—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 10488) granting a pension to John H. Gray—to the Committee on Pensions.

Also, a bill (H. R. 10489) granting a pension to Miles Harriman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10490) granting a pension to Cyntha R. McMurry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10491) granting an increase of pension to William Sturgeon, now known as William Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10492) granting an increase of pension to Benjamin McFarland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10493) granting an increase of pension to W. R. Gabbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10494) granting an increase of pension to John M. Hulick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10495) granting an increase of pension to Sylvester Bryant—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 10496) granting an increase of pension to Morris Greenfield—to the Committee on Invalid Pensions.

By Mr. FORNES: A bill (H. R. 10497) granting a pension to Ella Bernhard—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 10498) granting an increase of pension to Mathias R. Zahniser—to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 10499) granting a pension to Frank J. Kendrew—to the Committee on Pensions.

Also, a bill (H. R. 10500) granting a pension to Lilly B. Parkhurst—to the Committee on Pensions.

Also, a bill (H. R. 10501) granting an increase of pension to Nahan E. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10502) granting an increase of pension to Isadore L. Gabourу—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10503) granting an increase of pension to Monroe Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10504) granting an increase of pension to William H. Bigelow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10505) granting an increase of pension to Dwight N. Wright—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10506) granting an increase of pension to Charles A. Overton—to the Committee on Pensions.

Also, a bill (H. R. 10507) granting an increase of pension to Franz Nibler—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 10508) granting an increase of pension to F. L. Hersey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10509) granting an increase of pension to William Thornton—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 10510) granting an increase of pension to Andrew J. Chalmers—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 10511) granting a pension to Alice V. Keeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10512) granting a pension to Peter Lunsford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10513) granting a pension to John W. Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10514) granting an increase of pension to Andrew J. Otler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10515) granting an increase of pension to Robert J. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10516) granting an increase of pension to Benjamin F. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10517) granting an increase of pension to Griffin Chavers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10518) granting an increase of pension to Benjamin F. Anson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10519) granting an increase of pension to William Stokley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10520) granting an increase of pension to William Pine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10521) granting an increase of pension to Calvin Roberts—to the Committe on Invalid Pensions.

Also, a bill (H. R. 10522) granting an increase of pension to Martin Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10523) granting an increase of pension to Jesse Corn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10524) granting an increase of pension to Elijah Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10525) granting an increase of pension to Henry H. Clear—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 10526) granting an increase of pension to George Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10527) granting an increase of pension to John L. Bailey—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 10528) to carry into effect the findings of the Court of Claims in the matter of the claim of Milton S. Johnson, assignee of Jacob Johnson, deceased—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 10529) to amend the military record of William R. Boag—to the Committee on Military Affairs.

Also, a bill (H. R. 10530) granting an increase of pension to Michael Brady—to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 10531) granting an increase of pension to William Kelley—to the Committee on Pensions.

Also, a bill (H. R. 10532) granting an increase of pension to Richard J. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10533) granting an increase of pension to Doctor S. Haddon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10534) granting an increase of pension to Thomas J. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10535) granting an increase of pension to William A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10536) granting an increase of pension to John W. Rickards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10537) granting an increase of pension to Samantha E. Merrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10538) granting an increase of pension to James H. Rodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10539) granting an increase of pension to Jacob Reed—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10540) granting a pension to America E. Hatley—to the Committee on Invalid Pensions.

By Mr. MORGAN of Missouri: A bill (H. R. 10541) granting an increase of pension to Seneca L. Everts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10542) granting an increase of pension to Andrew M. Cage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10543) granting an increase of pension to John P. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10544) granting an increase of pension to James A. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10545) granting an increase of pension to John W. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10546) granting an increase of pension to Martin V. Welsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10547) granting an increase of pension to John A. Maples—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10548) granting an increase of pension to Joseph S. Olscamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10549) granting an increase of pension to James A. Whitworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10550) granting an increase of pension to Edward Holder—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 10551) for the relief of the owners of the steamship *Esparta*—to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 10552) granting a pension to Claude M. Crawford—to the Committee on Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 10553) for the correction of the naval record of Samuel Charles Hampton—to the Committee on Naval Affairs.

By Mr. SPARKMAN: A bill (H. R. 10554) for the relief of James D. Butler—to the Committee on War Claims.

Also, a bill (H. R. 10555) for the relief of D. F. Duckwall—to the Committee on War Claims.

Also, a bill (H. R. 10556) for the relief of Adam L. Eichelberger—to the Committee on War Claims.

Also, a bill (H. R. 10557) for the relief of William J. Hays—to the Committee on War Claims.

Also, a bill (H. R. 10558) for the relief of J. S. Huron—to the Committee on War Claims.

Also, a bill (H. R. 10559) for the relief of George A. Williams—to the Committee on War Claims.

Also, a bill (H. R. 10560) for the relief of Duncan G. Malloy—to the Committee on the Public Lands.

Also, a bill (H. R. 10561) for the relief of the heirs of J. L. F. Cottrell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10562) for the relief of Jacob H. May—to the Committee on War Claims.

Also, a bill (H. R. 10563) for the relief of Richard F. Ensey—to the Committee on Claims.

Also, a bill (H. R. 10564) for the relief of Robert B. Watson—to the Committee on Claims.

Also, a bill (H. R. 10565) for the relief of the city of Key West, Fla.—to the Committee on Claims.

Also, a bill (H. R. 10566) to permit Richard H. Whitehead, of Manatee County, Fla., to purchase certain lands herein mentioned—to the Committee on the Public Lands.

Also, a bill (H. R. 10567) for the relief of William M. Helveston and others—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 10568) granting a pension to Eugene Bourassa—to the Committee on Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10569) for the relief of Josiah Morris—to the Committee on War Claims.

Also, a bill (H. R. 10570) for the relief of J. D. Campfield—to the Committee on War Claims.

Also, a bill (H. R. 10571) granting a pension to John Wesley Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10572) granting an increase of pension to James Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10573) to remove the charge of desertion from the military record of Joseph Dobson—to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 10574) granting an increase of pension to Edward G. Cannon—to the Committee on Invalid Pensions.

By Mr. YOUNG of New York: A bill (H. R. 10575) granting a pension to Mary T. Austin—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDREWS: Petition by business men of Roswell, Chaves County, N. Mex.; Clovis, Curry County, N. Mex.; Artesia, Eddy County, N. Mex.; Portales, Roosevelt County, N. Mex.; and Carlsbad, Eddy County, N. Mex., praying Congress to take unfavorable action on any parcels-post legislation offered—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALL of Texas: Petition of citizens of Meridian, Tex., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. BENNET of New York: Paper to accompany bill for relief of Charles T. Wynans and Morris J. Lovey—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: Petition of Western South Dakota Stock Growers' Association, favoring reciprocity with various foreign countries relative to cattle products—to the Committee on Ways and Means.

By Mr. CLINE: Petition of Fort Wayne Perfection Company and 125 others, for reduction of duty on wheat—to the Committee on Ways and Means.

By Mr. CONRY: Petition of New Idea Publishing Company, of New York City, for free pulp; also New York Produce Exchange, New York City, for reduction of all duties; F. D. Matt & Co., New York City, against free tea; Keasby & Matteson, Ambler, Pa., for reduction of duty on carbonate of magnesia; Derbrow & Hearne Manufacturing Company, favoring exemption of embroidery machines and needles, etc.; Commercial Exchange of Philadelphia, Pa., favoring reciprocity; E. and J. Burke, New York City, favoring free malts; Scandinavian Canadian Land Company, favoring automatic tariff revision; New York League of Saving and Loan Associations, New York City, favoring reduction of duty on raw materials; L. J. Callahan, New York City, for a duty on tea; Amalgamated Woodworkers of America, against reduction of duty on lumber; Cincinnati Boot and Shoe Association, favoring free hides; New York Produce Exchange, New York City, against duty on cabbage—to the Committee on Ways and Means.

Also, petition of American Forestry Association, favoring Appalachian Forest Reserve—to the Committee on Agriculture.

By Mr. COOK: Petition of American Forestry Association, favoring an Appalachian Forest Reservation—to the Committee on Agriculture.

By Mr. DANIEL A. DRISCOLL: Petitions of Amalgamated Woodworkers' International Union of America and Commercial Exchange of Philadelphia, Pa., favoring reciprocity; Wholesale Merchants' Association of New York, against statement that large establishments are maintained abroad by American merchants; and National Gem Company, of New York, relative to duty on gems—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of Forestry Association, favoring Appalachian Forestry Reserve—to the Committee on Agriculture.

By Mr. ESCH: Petition of Wisconsin Natural History Association, favoring free lumber—to the Committee on Ways and Means.

Also, petitions of citizens of Wisconsin, against a duty on tea and for removal of duty from raw and refined sugars, and of the common council of Eau Claire, Wis., against reduction of duty on print paper—to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of American Federation of Arts, favoring plan for systematic development of city of Washington—to the Committee on the District of Columbia.

Also, petition of Federation of Fine Arts, for creation of a bureau of fine arts—to the Committee on the Library.

Also, petition of New York City Federation of Women's Clubs, protesting against conditions in Armenia—to the Committee on Foreign Affairs.

Also, petition of Leavy & Britton Brewing Company, Brooklyn, N. Y., for removal of duty on Canadian barley—to the Committee on Ways and Means.

By Mr. FLOYD of Arkansas: Paper to accompany bill for relief of William Sturgeon, alias William Patton; Benjamin McFarland, Miles Harriman, W. R. Gabbard, Cynthia J. McMurray, John M. Hulick, and Silvester Bryout—to the Committee on Invalid Pensions.

By Mr. FORNES: Petition of New York citizens, favoring abrogation of extradition treaty of 1893 with Russia—to the Committee on Foreign Affairs.

Also, petitions of Wholesale Merchants' Association, New York, denying statement that mercantile establishments are maintained in Germany by American merchants; also, Jewelers' Board of Trade of New York, favoring tariff commission; Commercial Exchange of Philadelphia, Pa., favoring reciprocity; American Newspaper Publishers' Association, New York, favoring free pulp; International Gem Association of New York, for moderate duty on gems and precious stones; and New York Produce Exchange, for placing life necessities on free list—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Local Branch No. 169, Rockford, Ill., of International Brotherhood of Stationary Firemen, for tariff on wood pulp and print paper—to the Committee on Ways and Means.

Also, petition of American Forestry Association, for Appalachian Forest Reservation—to the Committee on Agriculture.

Also, petition of J. O. Sharer, of Rockford, Ill., against a tax on tea and coffee, and William Demuth & Co., New York, against a tariff on brier wood—to the Committee on Ways and Means.

Also, petition of Roslyn Fuel Company, Seattle, Wash., against removal of duty on coal—to the Committee on Ways and Means.

Also, petition of the Alter Light Company, of Chicago, Ill., for reduction of duty on thorium nitrate and for increase of duty on gas mantles—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, for increased protection on hosiery—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of American Forestry Association, favoring an Appalachian forest reservation—to the Committee on Agriculture.

Also, petition of International Association of New York, favoring duty on gems—to the Committee on Ways and Means.

Also, petition of National Association of Lithographers, for a duty on all lithographic products—to the Committee on Ways and Means.

By Mr. HARDWICK: Paper to accompany bill for relief of Delilia McGuire—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Mary L. Walker—to the Committee on Pensions.

By Mr. HOLLINGSWORTH: Petition of J. S. McCready Post, No. 456, Department of Ohio, Grand Army of the Republic, against engraving picture of Jefferson Davis on silver service of the battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. JOHNSON of Ohio: Paper to accompany bill for relief of Ellen Leach, widow of Robert A. Leach—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition from the business men of Brooten, Minn.; Evansville, Minn.; Browerville, Minn.; and Eagle Bend, Minn., protesting against the enactment of a parcels-post law by Congress—to the Committee on the Post-Office and Post-Roads.

By Mr. MARTIN of South Dakota: Petition of Western South Dakota Stock Growers' Association favoring reciprocity with foreign countries relative to meats—to the Committee on Ways and Means.

By Mr. MURPHY: Petition of Texas County (Mo.) Farmers' Union, for parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON: Paper to accompany bill for relief of Edwin R. Mears—to the Committee on Pensions.

By Mr. SPERRY: Petition of citizens of New Haven, Conn., favoring the reduction of the duty on wheat—to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 8, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FRENCH SPOLIATION CLAIM.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel sloop *Diana*, Henry Nicoll, master (S. Doc. No. 84), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against any increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

He also presented petitions of sundry citizens of the United States, praying that an appropriation be made to place in Statuary Hall a suitable memorial to the memory of James Runsey, which were referred to the Committee on the Library.

Mr. FLETCHER presented a petition of the Board of Trade of Miami, Fla., praying for the imposition of a duty of at least 40 cents per box or crate on all pineapples imported into this country, which was referred to the Committee on Finance.

Mr. BURTON presented petitions of sundry citizens of Convoy and of Local Grange No. 873, Patrons of Husbandry, of Little Hocking, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Fremont, Vaniue, Findlay, Continental, Moline, Walbridge, Curtice, East Toledo, Elmore, and Oak Harbor, all in the State of Ohio, praying for the retention of the present duty on raw sugars, which were ordered to lie on the table.

Mr. PENROSE presented a petition of the National Board of Trade, praying that liberal appropriations be made for the improvement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens employed in the oil industry at Pleasantville, Tidioute, and Sheffield, all in the State of Pennsylvania, praying that a duty of 50 cents per barrel be placed on all crude oil, and also for a corresponding duty on the manufactured products of crude oil coming from foreign countries, which was ordered to lie on the table.

He also presented a petition of the National Board of Trade, praying for the substitution of specific duties instead of ad valorem duties in the pending tariff bill; for the appointment of a nonpartisan expert tariff commission, and also for the improvement of trade relations with insular possessions, which was ordered to lie on the table.

Mr. DEPEW presented a petition of Abraham Lincoln Council, No. 14, Junior Order United American Mechanics, of Brooklyn, N. Y., praying for the passage of the so-called "Overman amendment" to the pending tariff bill, proposing to increase the head tax on immigrants from $4 to $10, which was ordered to lie on the table.

He also presented memorials of members of the composing room of the North Side News chapel, of New York City; of members of the Buffalo Electrotype Works, of Buffalo; of members of the New York World composing room, of New York City; and of members of the Evening Call composing-room chapel, of New York City, all in the State of New York, remonstrating against the inclusion in the pending tariff bill of any duty on news print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of Local Union No. 11, Pulp, Sulphite, and Paper Mill Workers, of Morrisonville, N. Y., and a memorial of the International Brotherhood of Stationary Firemen, of Troy, N. Y., remonstrating against any reduction in the duty on print paper and wood pulp as contained in the Dingley bill, which were ordered to lie on the table.

He also presented petitions of sundry newspaper workers of New York City, Brooklyn, Glendale, Sheepshead Bay, and Bath Beach, all in the State of New York, praying for the retention of the duty on print paper and wood pulp as proposed in the so-called "Payne tariff bill," which were ordered to lie on the table.

He also presented a memorial of Typhographia No. 4, Zweig der Deutsch-Amerikanischen Typographia, of Buffalo, N. Y., remonstrating against any change in the rates on wood pulp and print paper as fixed by the House bill, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAGE:

A bill (S. 2542) granting an increase of pension to Lorenzo W. Shedd;

A bill (S. 2543) granting an increase of pension to John H. Sargent (with the accompanying papers); and

A bill (S. 2544) granting an increase of pension to Joseph A. Lambert (with the accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2545) to establish a fish-culture station in New Mexico; to the Committee on Fisheries.

A bill (S. 2546) to correct the military record of John C. Barrett (with the accompanying paper); and

A bill (S. 2547) to grant an honorable discharge to Harry P. Eakin; to the Committee on Military Affairs.

A bill (S. 2548) granting an increase of pension to John Bell;

A bill (S. 2549) granting an increase of pension to Alice M. Bright; and

A bill (S. 2550) to pension volunteer army nurses; to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2551) for the relief of M. T. Sigrest;

A bill (S. 2552) for the relief of heirs or estate of Mrs. Eunice Hurdle, deceased;

A bill (S. 2553) for the relief of J. W. Causey; and

A bill (S. 2554) for the relief of J. R. Hollowell; to the Committee on Claims.

THOMAS COYLE AND BRIDGET COYLE.

On motion of Mr. BURNHAM, it was

Ordered, That there may be withdrawn from the files of the Senate the papers accompanying the bill for the relief of Thomas Coyle and Bridget Coyle (S. 446, 60th Cong., 1st sess.), there having been no adverse report thereon.

SCHOOLS IN THE DISTRICT OF COLUMBIA.

Mr. NELSON. I present an article prepared by W. C. Dodge, a former trustee of the public schools in the District of

Columbia, relating to the schools and school buildings of the national capital. I move that it be printed as a document (S. Doc. No. 86).

The motion was agreed to.

INTERNATIONAL INSTITUTE OF AGRICULTURE AT ROME.

Mr. PERKINS. I present a letter from Mr. David Lubin, dated Rome, May 23, 1909, addressed to my colleague and myself, relative to the International Institute of Agriculture at Rome. I move that it be printed as a document (S. Doc. No. 85).

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 9541. An act to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, was read twice by its title and referred to the Committee on Pacific Islands and Porto Rico.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BEVERIDGE. Mr. President, in view of the criticism made yesterday by the Senator from Rhode Island [Mr. ALDRICH] of the attitude of some Republican Senators on the tariff bill as not being Republican, I send to the desk and ask to have read the following resolution of the executive committee of the Republican Editorial Association of Indiana, which was passed only a few days ago.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Indiana, and the Secretary will read the resolution.

The Secretary read as follows:

RESOLUTION OF EXECUTIVE COMMITTEE, INDIANA REPUBLICAN EDITORIAL ASSOCIATION.

INDIANA REPUBLICAN EDITORIAL ASSOCIATION.

The executive committee of the Indiana Republican Editorial Association unanimously indorses the attitude of Senator BEVERIDGE on the subject of tariff revision. His efforts to secure a *downward revision* of the tariff are in harmony with the will of the people throughout Indiana and *accord with the platform pledge of the Republican party.* What the people want Congress to do while in special session is to settle the tariff question for a period of years, and *nothing short of a revision downward* along protective lines as advocated by Senator BEVERIDGE will suffice.

The above expression was given out after a meeting of the executive committee held in Indianapolis May 28, 1909. Every member of the committee was present.

EDWARD A. REMY, *Seymour,*
A. M. WILLOUGHBY, *Greensburg,*
HARRY M. SMITH, *Greencastle,*
W. B. MADDOCK, *Bloomfield,*
A. A. MCCAIN, *Crawfordsville,*
Executive Committee.

Mr. BEVERIDGE. I had not intended to present this resolution, and would not now but for the criticism to which I referred.

I ask permission also to insert, without reading, excerpts from speeches of President Taft before and since the campaign, as well as an extract from the recent speech of Secretary MacVeagh, at Chicago. I should give more and fuller extracts but for the fact that I have given them heretofore. But they are so pertinent at this moment that I give these few brief extracts again.

The PRESIDENT pro tempore. The Chair hears no objection, and the request is granted.

The matter referred to is as follows:

OUR CANDIDATE AT CINCINNATI, JUNE 28, 1908.

The tariff *is a number* of the schedules *exceeds* the difference between the cost of production of such articles abroad and at home, including a reasonable profit to the American producer.

The *excess* over that difference *serves no useful purpose*, but *offers a temptation to those who would monopolize the production and the sale of such articles in this country to profit by the excessive rates.*

On the other hand, there are *some few* other schedules in which the tariff is not sufficiently high to give the measure of protection which they should receive upon Republican principles, and as to those the tariff should be raised.

OUR CANDIDATE AT CINCINNATI, SEPTEMBER 22, 1908.

The Dingley tariff has served the country well, but its rates *have become generally excessive.* They have become excessive because conditions have changed since its passage in 1896. *Some* of the rates are probably too low, due also to the change of conditions.

But on the whole, THE TARIFF OUGHT TO BE LOWERED in accordance with the Republican principles and the policy that it has always upheld of protection of our industries.

The *movement in favor of revision has arisen within* the Republican party and *is pressed forward by members of the* Republican party.

The revision which they desire is a revision *which shall reduce excessive rates* and at the same time preserve the industries of the country.

OUR CANDIDATE AT MILWAUKEE, SEPTEMBER 24, 1908.

It is intended under the protective system, by judicious encouragement, to build up industries as the natural conditions of the country justify to a point *where they can stand alone and fight their own battles in competition of the world.*

There are many articles in common use to-day which were unknown when the Dingley tariff bill was enacted. Conditions with respect to the cost of articles abroad *have changed* just as they have changed in this country, so that the *difference* between the cost of production at home and abroad ten years ago was in many instances different *and less* than it is to-day.

It is my judgment, as it is that of many Republicans, that there are *many schedules of the tariff in which the rates are excessive*, and there are *a few* in which the rates are not sufficient to fill the measure of conservative protection.

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican platform will be, on the whole, a *substantial* REVISION DOWNWARD, though there probably will be a FEW exceptions in this regard.

As the temporary leader of the party, I do not hesitate to say with all the emphasis of which I am capable, that if the party is given the mandate of power in November it will perform its promises *in good faith.*

Our candidate also made these same statements at Des Moines, Iowa, one day later.

THE PRESIDENT-ELECT AT NEW YORK, DECEMBER 17, 1908.

Mr. Taft dwelt almost wholly upon the revision of the tariff, which he singled out as the *most important declaration* made at the last national convention, and, *after having previously referred to the veto power of the Chief Executive*, said, with all the emphasis of which he was capable:

"*Better no revision at all*, BETTER THAT THE NEW BILL SHOULD FAIL, unless we have an *honest and thorough* revision on the basis laid down and the principles outlined in the party platform." (Report of New York Tribune, December 18, 1908.)

THE PRESIDENT IN HIS INAUGURAL, MARCH 4, 1909.

It is thought that there has been such a change in conditions since the enactment of the Dingley Act, drafted on a similarly protective principle, that the measure of the tariff above stated will permit the *reduction* of rates in certain schedules and will require the advancement *of few*, IF ANY.

It is imperatively necessary, therefore, that a tariff bill be drawn in *good faith* in accordance with *promises made before the election* by the party in power, and as promptly passed as *due consideration* will permit.

THE SECRETARY OF THE TREASURY, AT CHICAGO, JUNE 5, 1909.

If, then, the people, and especially the people of the Middle West, shall be made satisfied by the new tariff law, the tariff question is likely to be out of the way for a considerable time. *But if they are not made satisfied*, then *we will not have rest*, and we will not have a clear field for currency reform.

It seems to me that the chances are largely in favor of a revision that the people will accept.

What the people expect is what the protectionist Republican party *promised* in its last year's platform; and, while it is *talking against the wind* to argue that the revision expected is *not a* REVISION DOWN, it would be equally futile to say that the revision down was promised to be a revision down and out.

In conclusion, one word about the President. He, too, seems to be of good cheer as to this tariff question. He seems to place great reliance upon the wisdom of the Congress and upon its public spirit. Of course, it is easier to be complacent when you know you have the last word, and that the last word is a combination of language and big stick.

The President is an optimist, and tremendously able, with full confidence in his ability to bring things to pass. He is so strong and big and confident that he will wait a long time, however, before he will fully use his strength, but the impression he makes is that if his antagonism should be aroused nothing could stop him. (Report of Chicago Tribune, June 6, 1909.)

The PRESIDENT pro tempore. The Secretary will report the pending amendment.

The SECRETARY. In Schedule K, wool and manufactures of, page 129, paragraph 368, the committee proposes to strike out the paragraph as printed in the House text and to insert a new paragraph 368, as follows:

368. Top waste, slubbing waste, roving waste, ring waste, and garnetted waste, 30 cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. DOLLIVER obtained the floor.

Mr. BRISTOW. Mr. President——

The PRESIDENT pro tempore. The Chair has recognized the Senator from Iowa.

Mr. DOLLIVER. I yield to the Senator from Kansas.

Mr. BRISTOW. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Guggenheim	Piles
Bacon	Clay	Heyburn	Rayner
Beveridge	Crane	Hughes	Root
Borah	Crawford	Johnson, N. Dak.	Scott
Bradley	Culberson	Johnston, Ala.	Simmons
Brandegee	Cullom	Kean	Smith, Mich.
Bristow	Cummins	Lodge	Smoot
Brown	Curtis	McCumber	Stone
Bulkeley	Depew	McLaurin	Sutherland
Burkett	Dixon	Martin	Taliaferro
Burnham	Dolliver	Money	Taylor
Burrows	Fletcher	Nelson	Warner
Burton	Flint	Oliver	Warren
Carter	Frazier	Overman	Wetmore
Chamberlain	Frye	Page	
Clapp	Gallinger	Pearose	
Clark, Wyo.	Gamble	Perkins	

Mr. PILES. I desire to announce that my colleague [Mr. JONES] is unavoidably detained from the Chamber for a short time this morning.

Mr. SCOTT. My colleague [Mr. ELKINS] is unavoidably detained this morning, but will be here later.

The PRESIDENT pro tempore. Sixty-five Senators have responded to their names. There is a quorum present. The Senator from Iowa will proceed.

Mr. DOLLIVER. Mr. President, I do not rise for the purpose of antagonizing the amendment which has been offered by the committee to the paragraph now under consideration, although I desire to say that I contemplate offering amendments to paragraphs earlier in the schedule than the one now before the Senate.

The proposition now before the Senate restores the Dingley rates on such forms of wool wastes, including top waste and such like wastes, in the process of cloth manufacture. The Dingley rate was 20 cents a pound. The committee increases it to 30 cents a pound, and it is obviously absurd——

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. I call the Senator's attention to printed page 122 of the bill, which shows that the rate proposed by the amendment to which he referred is identical with the Dingley rate, to wit, 30 cents a pound.

Mr. DOLLIVER. I then have misunderstood what the Senator from Rhode Island said, and I will be compelled to withdraw some observations which I have already made.

Mr. ALDRICH rose.

Mr. DOLLIVER. I understood the Senator to state that the committee's amendment as presented restored the rate as it appeared in the House bill. I was in error about that.

Mr. ALDRICH. No; the Dingley rate.

Mr. DOLLIVER. Yes.

Mr. ALDRICH. The amendments of the committee in every instance propose to restore the Dingley rates on everything pertaining to wool

Mr. DOLLIVER. Now, Mr. President, I wish to call the attention of the Senate to what is done in the Dingley law and in this amendment to these forms of wool wastes. They are wastes arising in the process of manufacturing worsted cloths in the main. They are assessed here at 30 cents a pound. They are the raw material of the great carded-wool industry of America, an industry which counts thousands of mills in practically every State in the Union—that branch of the woolen industry the most widely scattered, the most honestly capitalized, and now struggling in the midst of much distress for its very life.

I want to call the attention of the Senate to what this proposition does to the largest department of woolen manufacture in America. As I said a moment ago, these wastes are by-products in the manufacture of worsted yarns and worsted cloths. What duty does the worsted manufacturer or spinner who imports those wools into the United States pay? He pays 12 cents a pound whether the wool is washed or unwashed. Of course such wool comes here washed. Its shrinkage upon the average is so insignificant that nobody will deny the truth of what I state when I assert that the duty upon a scoured pound of it is practically 15 cents. It shrinks less than 20 per cent. Most of the shrinkage has been taken up by washing it, which does not advance its duty at all, since in the case of combing wool when it is scoured the shrinkage is almost negligible, and the duty put upon it is 15 cents a scoured pound.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Will the Senator tell me what class of wool he refers to?

Mr. DOLLIVER. I am talking about English washed combing wool and Canadian wool.

Mr. WARREN. Will the Senator tell me what proportion of that character of wool goes into consumption?

Mr. DOLLIVER. I am not going into statistics now, although I will lay before the Senate a full statement of the statistics. But I want to ask the Senator from Wyoming a question: Is it not true that those wools, shrinking less than 20 per cent, come here under a scoured duty amounting to about 15 cents a pound?

Mr. WARREN. Answering that question, the Senator has placed the percentage of shrinkage considerably lower than what it is, in my judgment. But in connection with that, let me say that the imports of wool that will shrink less than nearly double that is only about 4 or 5 per cent of the consumption of the United States. It merely takes the wools that are used for luster goods, and so forth, and is not the wool in general use in the manufacture of worsted goods for men's and women's wear.

Mr. DOLLIVER. These wools that I am talking about are now coming into the United States at the rate of 2,000,000 pounds a month by our book of statistics, if I have them correctly analyzed, and the peculiar thing about it is that by the original draft or plan of this wool tariff they came in washed at the same rate that the clothing wools came in. They came in washed without any addition to the duty, whereas the clothing wools doubled the duty if they came in washed. And the shrinkage, as I have said, brings these wools into the Boston market at 15 cents a scoured pound.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Does the Senator assert that the imports of that class of wool are averaging 2,000,000 pounds a month; and if so, how far back does it go?

Mr. DOLLIVER. I noticed that in the carded importations——

Mr. WARREN. I desire to say to the Senator that they do not amount to one-half that, going back over a series of years.

Mr. DOLLIVER. I think they are getting ready for the situation that is liable to arise.

Mr. WARREN. I desire further to say that they have not amounted to that for sixteen years. Take sixteen years ago—they formed only 7 per cent of the imports to this country.

Mr. DOLLIVER. Very well. Now, Mr. President, the wools that are imported by the manufacturer of worsted goods are certainly the light-shrinkage wools, whatever their character may be. They do not bring here the heavy-shrinkage wools of South Africa or South America, or the scoured merino grades that fill the wildernesses of this world. They buy light-shrinkage wool, upon which the duty paid is equivalent to a duty of less than 20 cents a scoured pound into the United States.

Mr. WARREN. Will the Senator allow me there?

Mr. DOLLIVER. Certainly.

Mr. WARREN. To what class of wools other than the second-class wools does the Senator allude when he says that they shrink but 20 per cent?

Mr. DOLLIVER. There are wools of the other class, I think, that come within that description.

Mr. WARREN. The record shows, let me say in this connection, that worsted manufacturers are bringing wool from every one of the countries the Senator mentioned; bringing, of course, the lightest shrinkage they can get, just the same as the carded-wool people do. All people who wish to get into this market with wool will naturally bring that which shrinks the least in the process of cleansing to scoured wool.

Mr. DOLLIVER. Now, confining myself for the minute to the English combing wool and the Canadian combing wool, which comes in without any addition to their duty after they have been shorn, I repeat that their duty, put upon the average, is not in excess of 15 cents the scoured pound. Yet the proposition here is to take the wastes that fall off in the process of their advancement toward cloth and assess a duty upon it of 20 cents a pound, and that just opens a crack which enables the Senate to see what the complaint is of the great department of woolen industry, having more factories and employing more people than any other, which has been left out of the calculations of the framers of this measure.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. I will ask the Senator a question. He is addressing his remarks, as I understand, to paragraph 368?

Mr. DOLLIVER. Yes; and objecting to having a higher specific duty upon top waste and combing waste than the collective duties upon the scoured contents of the fleece from which they fall.

Mr. WARREN. There is not one of those wastes but what is used by the factories that make them in the manufacture of worsted cloth. The Senator is wrong in thinking that those wastes are the ones that the carded-wool men are seeking to get.

CARDED-WOOL INDUSTRY.

Mr. DOLLIVER. I intend to let the carded-wool men speak for themselves.

Mr. WARREN. Very well.

Mr. DOLLIVER. I ask the Secretary to read, for the information of the Senate, from an address to the President of the United States, issued the other day.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CARDED WOOLEN INDUSTRY APPEALS TO THE PRESIDENT—COMMITTEE EXPLAINS THE SERIOUS TARIFF BURDENS—SPECIFIC DUTY ON WOOL IN THE GREASE INEQUITABLE—BULK OF WOOL SUITED FOR CARDED WOOLEN MANUFACTURING IS OF THE HEAVY SHRINKING CLASS.

[New York Journal of Commerce, June 7, 1909.]

Edward Moir, president of the Carded Wool Association and chairman of a special tariff committee of the association, called upon President Taft on Wednesday last with other members of the committee and presented a petition to show the serious burdens now resting on the carded woolen industry and on the consumers of wool goods. The other members of the committee comprised H. J. Hamill and M. D. King, of Germantown, Pa.; W. A. Dickey, jr., of Baltimore, Md.; and F. P. Pilling of Klameusi, Del. The petition follows:

HIS EXCELLENCY THE PRESIDENT,
Washington, D. C.

SIR: We appear before you to-day for the purpose of stating certain facts relating to the tariff on wool and wool products in order that you may know of the serious burdens now resting on the carded woolen industry and on the consumer of wool goods.

1. Schedule K is the same in the Payne bill, now before the Senate, and in the Dingley law. Both provide for a specific duty of 11 cents and 12 cents a pound on wool in the grease. This is the first grievance to which we call your attention. Grease wool contains widely varying proportions of grease and dirt, which is washed out in the first process—scouring—and is of no value whatever to the wool manufacturer. This wool grease and dirt amounts in many cases to as much as 80 per cent of the grease weight of the wool, while on some light shrinkage grades it is much less—as low as 15 per cent.

From this you will understand how wide is the variation in the duty on the clean wool. With a shrinkage of 80 per cent, a duty of 11 cents per grease pound is 55 cents per clean pound. With a shrinkage of 20 per cent, the same 11 cents duty on the grease weight is only 14 cents per clean pound. The result is that the light-shrinking lots of wool can be imported at a very low duty, while the tariff on the heavy-shrinking wools is so high that they can not be imported at all. An application of the Dingley tariff to 80,000,000 pounds of wool recently sold at auction at London, Liverpool, Melbourne, and Sydney showed that the ad valorem equivalent of the Dingley 11 cents duty on grease wool varied from 23 per cent to 733 per cent.

Mr. WARREN. Mr. President, will the Secretary please go back and read those percentages of shrinkage again?

Mr. DOLLIVER. And, Mr. President, it will not disturb me if the Senator from Wyoming, who is an expert on wool raising, will hold his statistical controversy with those memorialists, rather than with me, because those people are also experts.

Mr. WARREN. I have some acquaintance with those people, and I have some knowledge of wool. I may have misunderstood the statement as to there being 733 per cent of shrinkage, but, as I understood it, it was that certain wools had 733 per cent of shrinkage.

The PRESIDENT pro tempore. The Secretary will reread the part of the article referred to by the Senator from Wyoming.

The Secretary resumed and concluded the reading of the article, as follows:

From this you will understand how wide is the variation in the duty on the clean wool. With a shrinkage of 80 per cent, a duty of 11 cents per grease pound is 55 cents per clean pound. With a shrinkage of 20 per cent, the same 11 cents duty on the grease weight is only 14 cents per clean pound. The result is that the light-shrinking lots of wool can be imported at a very low duty, while the tariff on the heavy-shrinking wools is so high that they can not be imported at all. An application of the Dingley tariff to 80,000,000 pounds of wool recently sold at auction at London, Liverpool, Melbourne, and Sydney showed that the ad valorem equivalent of the Dingley 11 cents duty on grease wool varied from 23 per cent to 733 per cent.

The bulk of the wool suited for our branch of the industry, carded woolen manufacturing, is heavy shrinking, while the wools suited for the other branch of the industry, worsted manufacturing, is light shrinking. The burden under which we are suffering arises from this fact, and hence our appeal to the House, the Senate, and now to you for relief from this injustice. The conditions we have described result not only in the oppression and ruin of the carded woolen industry, dotting the country with idle mills, but also in special privileges of immense value to the worsted spinning industry, which is being rapidly concentrated into a few wealthy, prosperous, and powerful combinations.

At the same time the wool grower is deprived of the protection contemplated by the Dingley tariff law. That law fixes the duty on scoured wool at three times the duty on unwashed grease wool; that is, at 33 cents a scoured pound for class 1 wool, and 36 cents a scoured pound for class 2 wool. This is on the assumption that it requires 3 pounds of grease wool to give 1 pound of scoured wool; and this assumption is further indicated by the Dingley and Payne provisions for compensatory duties on goods, based on the ratio of 4 pounds of grease wool to 1 pound of finished cloth, allowing for a loss of 25 per cent in manufacturing. This legal promise of 33 cents a scoured pound to the woolgrower has proved in practice to be a delusion and a sham, for the law that gives the promise of such protection breaks it by allowing the importation of light-shrinking wool at the 11-cent rate. The protection to the woolgrower is measured, not by the Dingley duty of 33 cents a pound on scoured wool, but by the equivalent per scoured pound of the 11-cent duty on grease wool actually imported, which equivalent runs as low as 14 cents and in practice rarely exceeds 20 cents. The average shrinkage of the grease wool imported during the past five years is 40 per cent, equal to a duty of 18.6 cents per scoured pound.

INCONSISTENCIES OF THE PRESENT TARIFF.

Thus under this present wool tariff the woolgrower is deprived of the expected protection, the carded wool manufacturer is deprived of all access to the foreign wool suited to his requirements, while the worsted spinners enjoy valuable special privileges by being permitted to import the wool they require at a very low duty per scoured pound.

2. Besides the inequality to which we have just called your attention, there are other serious abuses in the Dingley tariff on wool.

First, we will mention the provision by which wool of the first class, if washed on the sheep's back, is subjected to a double duty of 22 cents a pound, while wool of the second class, if washed on the sheep's back, is admitted at the single rate of 12 cents a pound. The result is that all wool of the second class is imported in the washed condition in order to avoid the payment of the duty on grease and dirt, while the very heavy wool of the first class can not be imported at all. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that the second-class wool is used for the manufacture of worsted while the wool adapted for carded woolen goods is of the first class. We demand the abolition of this discrimination and special privilege under the law.

Another inequality from which we ask relief is that provision of the Dingley and Payne bills which makes the duty on scoured wool three times the duty on grease wool. This is based on the assumption that 3 pounds of grease wool is required to yield 1 pound of scoured wool, whereas a very large part of the world's wool clip shrinks much less than two-thirds. The result of this inequality is to prohibit the importation of scoured wool and confine the imports to wool shrinking less than two-thirds. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that worsted spinners ordinarily buy wool in the grease, whereas scoured wools are used by the carded woolen manufacturers. Thus the scoured wool clause of the Dingley and Payne tariff bills constitute a burdensome discrimination against the carded woolen manufacturers from which we demand relief.

We desire to call your attention to the fact that the carded woolen and worsted branches of wool manufacturing, although distinct in respect to certain technical processes and grades of raw material used, still are competing branches of trade, because worsted and carded woolen goods are used for the same purposes. Consequently these tariff discriminations against the carded woolen industry aid the worsted branch of the business by injuring the latter's competitor.

PROHIBITORY DUTIES ON THE BY-PRODUCTS OF WOOL MANUFACTURING.

3. Another and very serious defect in the Dingley and Payne bills is the practically prohibitory duties on the by-products of wool manufacturing. Here again we find a discrimination against one class of people and special privileges for another, because these by-products can be used only by carded-woolen manufacturers, while worsted spinners, although they can not use them, have them for sale. This is one of the most serious of the tariff abuses from which we ask relief, as the duties on such by-products vary from 50 to 200 per cent.

4. The present wool schedule is practically that of 1867, which was primarily a war-revenue tax; and as all other schedules have been readjusted to meet changed conditions, this schedule should be redrawn to meet the changed conditions of wool growing and the wants of the manufacturers. Take Ohio wool, for example: The quality of wool grown in Ohio is changed in quality as well as in quantity. Fine merino was at one time the staple growth, but in a few years more that quality of wool will not be grown in Ohio. Much of the wool now grown there is from the mutton variety of sheep, and this wool carries a net protection of about 20 cents per scoured pound, against 33 to 44 cents to the grower in the West.

5. We ask for an equal opportunity with all others under the law, in order that we may enjoy the reward of our labor, skill, and enterprise in the business in which we are engaged. It is in this capacity of carded woolen manufacturers that we make our appeal to you. But our demands should be granted not only in justice to us as carded woolen manufacturers, but in justice to the consumer of wool goods. We expressly disclaim any intention of representing here to-day the special interests of the consumer. We, however, call your attention to the fact that every burden on the carded woolen industry that we have mentioned is also a burden on the consumer of wool goods, whether underclothing, outside clothing, blankets, or other articles made of wool; and that the special privileges granted to the worsted branch of this industry result in an increase of these burdens not only on the carded woolen manufacturers, but also on the consumers in this country.

6. It would not be possible at this time to go into detailed discussion of the proper remedies for the abuses to which we have called your attention. We will state, however, that it is our firm belief that the only complete remedy for these inequalities is a tariff based on value. Specific duties based on the scoured weight of the wool and graduated on by-products by classifications according to value, or compound duties consisting of both specific and ad valorem rates would give partial relief. But if the exigencies of the situation ever lead the Government to adopt any of these partial remedies, it should not be forgotten that they are partial, and that the only complete remedy is an ad valorem tariff. The protective rate on wool goods is ad valorem, and if this can be made effective on manufactured goods, there can be no doubt of its efficiency on the raw material.

ASKS THAT WOOL TARIFF BE THOROUGHLY INVESTIGATED AND REVISED.

7. We ask that the tariff on wool and wool goods be thoroughly investigated and revised. We desire to have the principle of protection maintained for all producers, whether of wool, wool goods, or clothing. And we are as ready to have inequalities corrected in the tariff on wool goods as in the tariff on raw materials. We are ready to go into the consideration of the technical details of this problem either with you

Trade, praying that liberal appropriations be made for the im-

Dodge, a former trustee of the public schools in the District of

yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

templated by the Dingley tariff law. We are really paying 36 cents a scoured pound for class 1 wool, and 36 cents a scoured wool at three times that duty on unwashed grease wool; that is, at 33 cents a scoured pound for class 1 wool, and 36 cents a scoured goods as in the tariff on raw materials. We are really not giving the consideration of the technical details of this problem either with you

or anyone you may designate, and to any extent you may desire. We are ready to do this with representatives of the woolgrowers, worsted manufacturers, and of the Government. We suggested such a conference to the Ways and Means Committee of the House of Representatives. We have at all times been willing to carry out that suggestion, confident that the better the truth is known the better will be our chances to gain an equal opportunity under the law.

We represent an industry that covers pearly every State in the Union, has over three times the number of establishments to those employed in the combing of wool with a greater number of employees. Under the present schedule many woolen mills have been closed, and a continuance of the same means great distress to many mill owners and operatives. We believe that the platform of the party meant an honest revision of the tariff. On a recent visit to the Finance Committee and placing the injustice of the wool duties before it, and being told that while we had a grievance that the schedule could not be opened, we felt indignant that such treatment should be meted out to us, that the cardinal principles of fair play and even-handed justice, under which we are supposed to live, should be cast aside or subordinated to a coalition of forces that are specially favored under the Dingley bill. Therefore, Mr. President, we appeal to you to use your influence in the proper quarter so that this industry may have what it is entitled to under our Constitution, even-handed justice, neither more or less.

Respectfully, yours,

EDWARD MOIR,
President Carded Wool Association.

Mr. DOLLIVER. Mr. President——

Mr. WARREN. May I ask the Senator from Iowa a question before he resumes?

Mr. DOLLIVER. Certainly.

Mr. WARREN. I do not see any proposition in the letter which has been read except the one for ad valorem duties. I should like to ask the Senator from Iowa if he has any information from the carded-wool people, from whom this comes, which makes any other or different provision for relief?

Mr. DOLLIVER. Mr. President, I entered upon my investigation of this case without knowing that there was a human being interested in it. I had no knowledge of the actual complaints of these good people who were trying to manufacture wool into cloth until I had spent a good deal of time trying to find my way through the wool tariff by myself.

Personally, I do not agree with the opinion which has been so often expressed here that there ought to be specific duties on everything. There are things where specific duties necessarily operate to create almost incredible inequalities, and the specific duty on wool by the pound is a case like that. That method of assessment is 50 years old in the United States and even older. There was a reason for it when it was adopted. We had not, fifty years ago, perfected our scheme of administration of customs laws, and the sheep people had many reasons to suspect ad valorem duties as applied to their product, because the Government was without any facilities to actually assess duties on that article upon the basis of value; but within these fifty years the wool trade of the world has developed in an intelligent way.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly I yield.

Mr. CARTER. Mr. President, I will ask the Senator from Iowa to take into consideration this state of facts and favor us with his views upon the basis furnished by them. When the wool tariff was passed in 1867, 90 per cent of the woolen clothing of the country was of carded woolen manufacture. Owing to a change in fashion and demand, the conditions have been so far reversed that we now have from 85 to 90 per cent of our clothing made of worsted goods, and 10 to 15 per cent only of the so-called "carded woolens." There is probably not in this Chamber a single suit of clothes made of carded woolen goods. At the time the carded woolen manufacturers appeared before the Committee on Ways and Means of the House, a gentleman present said:

If these advocates of this disappearing form of manufacture will stand up, I venture to say that every one of them is now wearing a suit of worsted woolen clothes.

And, strange to say, that proved to be the fact.

Mr. DOLLIVER. But General Grosvenor seemed to have on a suit of woolen clothes.

Mr. CARTER. Well, but he was a statesman out of a job. [Laughter.]

Mr. DOLLIVER. No; he was the representative of the woolgrowers of the United States, proving that an excellent article of woolen clothes was manufactured for $10. I do not intend now, however, to go into the question that the Senator from Montana has raised, because there is no way to settle it, but I will wait a long time before I become convinced that in the climate which prevails in Iowa in the winter time, and which we get notice of two days in advance from our weather stations in Montana, there is likely to be a very unanimous turning away from the woolen clothes, as my friend from Montana seems to believe.

Mr. CARTER. Well, Mr. President, worsted goods are, of course, woolen goods. I refer to the method of manufacture.

Mr. DOLLIVER. And as this debate develops it will be shown that a large range of the woolen goods are deliberately described as half cotton, and if that were not done in the law, it would be done under the eye of almost anybody who looks at them or almost anybody who tries to wear them.

Now, Mr. President, feeling that backwardness that would naturally characterize a man not connected with the wool business or the wool trade, and seeing the honored Senator from Maine [Mr. FRYE] in the Chair, I desire the Secretary to read what the Woolen Manufacturers' Association of the State of Maine has to say about the business.

The PRESIDENT pro tempore. Without objection the Secretary will read as requested.

The Secretary read as follows:

MAINE WOOLEN MILLS ASK FOR A FAIR TARIFF—GORDON DOBSON ADDRESSES ARGUMENT TO SENATOR HALE—REQUESTS SUCH REVISION OF THE DINGLEY BILL AS WILL GIVE FAIR PLAY TO ALL INTERESTS FROM WOOLGROWER TO CONSUMER—OTHERWISE AGITATION FOR REVISION WILL BE CONTINUED.

BOSTON, *June 2.*

Gordon Dobson, president of the Maine Woolen Manufacturers' Association, recently forwarded to Senator HALE a letter, arguing for more equitable treatment in revising Schedule K. The letter, which has just been given out for publication, is as follows:

Hon. EUGENE HALE, *Washington, D. C.*

SIR: We have your letter of the 12th instant, in which you ask us to strike out from a copy of Schedule K of the Dingley tariff what we do not wish to appear and write in what we want to appear; to make it as we would like to have it read when enacted into law. In complying as far as possible with your request we will at the same time state why we can not do all that you ask.

We are manufacturers of wool goods by the carded woolen process. Schedule K covers all products of wool, whether in the raw state, partly manufactured or finished, and by whatever process. To comply with your request it would be necessary for us to recommend classifications, tariff rates and methods of assessment, not only for the goods we manufacture, but also for those we do not make, and for the raw material for our mills.

Let us begin with the raw material. We have already stated to the Committee on Finance our objections to the present specific duties on grease wool, which are levied on grease and dirt as well as on wool, and to the prohibitory duties on by-products. They shut us out from the supply of foreign wool and by-products suited for our industry, and give the users of light shrinking combing wools access to the foreign markets at a very low rate of duty. By this arrangement the wool grower is deprived of the protection contemplated under the law, the worsted spinning industry enjoys special favors of great value, the carded woolen industry is strangled, while the ultimate consumer is deprived of an adequate supply of wool goods.

The complete remedy for these inequalities under the present law is an ad valorem tariff on wool, which automatically adjusts itself to all the conditions by which a tariff should be regulated. We recommend this complete solution to Congress. It would be manifestly improper for us to do more than to suggest to you a particular rate on wool. First, because we are not familiar with the business or cost of producing wool in this country or abroad; and, second, because we are buyers and users of wool, and therefore financially interested in obtaining a supply of this material at as low a cost as possible. In revising Schedule K the first thing is to fix the tariff rate on wool, which is the basis of the entire schedule of duties. This rate should be fair to the woolgrower and the consumer of wool goods, and should bear uniformly on all branches of the wool-manufacturing industry. The rate on wool must be fixed before it is possible for anyone to frame a system of duties on wool goods. For your guidance in fixing the tariff rate on wool we want to submit the following statement, showing the quantity and value of the wool of classes 1 and 2 imported during the five years ending June, 1907, together with the amount of specific duty collected and the ad valorem equivalent of that duty:

Quantity, 426,036,605 pounds; value, $93,667,959; duty collected, $47,553,548; ad valorem equivalent, 50.8 per cent.

This statement shows that if the duty collected on the wool imports for these five years had been ad valorem it would have been 50.8 per cent. This measures the protection the woolgrower has been receiving under the Dingley tariff on an ad valorem basis. The importations have been confined to grease wools, on which the shrinkage did not exceed 55 per cent, running as low as 15 per cent, the average shrinkage being about 40 per cent. An ad valorem tariff on wool will remove completely the inequalities by which the carded woolen industry is burdened and the worsted industry favored.

We also desire to call your attention to the fact that if the complete remedy for the inequalities in the wool tariff is not applied by the adoption of ad valorem duties, a partial remedy is available by levying a specific duty on the scoured weight. We ask that, whatever duty is levied on wool, it be applied without the arbitrary distinctions that now exist between unwashed, washed, sorted, and scoured wools, and that the division into class 1 and class 2 be abolished. The cost of washing, sorting, and scouring is trifling and the ad valorem or specific rate on the scoured weight can be made to cover such cost.

Either of the methods above suggested would raise the tariff rate on light-shrinkage wools to a point at which all wools, including those heavy-shrinkage grades now excluded by duties rising as high as 800 per cent, would be admitted at the same tariff tax, and thus the woolgrower would obtain better protection than at present.

As a suggestion to you in revising the Dingley tariff on wool, its by-products, and wool goods, we respectfully call your attention to the following extract from the political platform of 1908, which stated the principle that should guide you in the tariff revision in which you are now engaged.

"In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries."

Rates of duty on wool and its by-products that bear equally on all branches of wool manufacturing and are satisfactory to both the woolgrower and the American consumer of wool goods will be satisfactory to us. A tariff on the manufactures of wool based on the principle stated in the above contract will also be satisfactory to us. When the rates of duty on wool and its by-products are determined it will be possible to complete the revision of Schedule K.

We want, however, to call your attention again to the fact that Schedule K covers a wide range of fabrics other than carded-woolen goods, and that the proper way to complete the revision is for you to enlist the cooperation of all branches of the wool-manufacturing industry—wool growing, carded woolen, worsted, knitting, carpet, and felt—under conditions that will make it impossible for anyone to obtain an unfair advantage, or for the domestic industry to be deprived of adequate protection.

We do not claim to be less selfish or less anxious to do business under favorable conditions than are those engaged in wool growing or the other branches of wool manufacturing that we have named. What we want to make clear to you is that, burdened by the inequalities of the present tariff and conscious of the powerful popular sentiment in favor of the transaction of public business with justice to all,

Mr. DOLLIVER. Mr. President, feeling deeply as I do that this framework of wool duties, which has gradually taken on what appears to be permanent and final form for nearly fifty years, is oppressive, burdensome, and unequal in its operation as between great manufacturing interests entitled in common to the protection and guardianship of our laws, I am compelled also to become a very humble spokesman for the agricultural interests of this country, who are perhaps as much interested in this old schedule as any department of wool manufacturing. I have felt it necessary, however, owing to the aspersions that have been cast upon my political character, to occasionally return to the statement that I am within the Republican fold and the old-time Republican faith. I contemplate no attack on the sixth agricultural industry of America. It is the one point in tariff making upon which all parties can naturally agree.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Nobody, perhaps, knows better than I do the genuine Republicanism of the Senator from Iowa, or what feeling of interest he has in the farmer. He is a farmer, so am I. We are both farmers.

Mr. DOLLIVER. You are the greatest shepherd since Abraham. [Laughter.]

Mr. WARREN. Just at this moment, while the Senator is addressing himself to paragraph 368, I want to say to him that it is the woolgrowers' interests that are at stake in that paragraph and not the manufacturers. Not one of these wastes named in this paragraph is necessary to the carded-wool men, because it is all used by the worsted men before it leaves the machinery which creates it.

Mr. DOLLIVER. I have never been able to understand, although the Senator from Wyoming and myself are both interested in the sheep business—I on a very modest scale and he on a scale that will make his name historic——

Mr. WARREN. I may say to the Senator I own no sheep. I do not own a cow, or even a dog or cat. I own nothing in the live animal line except one horse. It is true I have some interests in the way of capital stock in live-stock companies, the same as I have in other companies—industrial and railroad. I do not personally own a hoof of sheep or a hoof of cattle; only a horse which I sometimes ride.

Mr. DOLLIVER. I have been deceived about the matter. When the Senator took me over that territory, he had all the airs of ownership, and afforded all those delicate hospitalities that could not have arisen in the heart of a mere renter. He not only exhibited to me these pastures and these flocks, but he confided to me much fine philosophy of life, both of men and sheep. I remember he told me there was one peculiarity about a sheep. He said a sheep does not seem to care particularly whether it lives or dies. [Laughter.]

Mr. WARREN. I am exceedingly gratified to know that I was able to teach the Senator from Iowa something he did not know before. I hope I may have equal success in the course of this debate.

Mr. DOLLIVER. The Senator is not only able to teach me many things, but his generous spirit has a sort of medicinal relation to the wounds I have received in this Chamber. Seeing, then, that we are both farmers, and seeing that the Senator's anxieties appear to be in behalf of agriculture, I should like to know why the American Woolgrowers' Association filled the post-office with letters from Washington to my constituents, telling them to hurry up; that Senator DOLLIVER had gone wrong on wool.

Mr. WARREN. I have not the slightest idea why they should pursue my friend, the Senator from Iowa.

Mr. DOLLIVER. Are you not president of that association?

Mr. WARREN. I am not.

Mr. DOLLIVER. You were.

Mr. WARREN. I am not connected with that association as an officer, and I am not certain that I am even a member. I presume I may pay my dues. That privilege is usually offered to the humblest of shepherds.

Mr. DOLLIVER. That is a privilege which ought never to be despised. That is the attitude of 90,000,000 people toward the weavers and shepherds at this hour in the United States. Nevertheless, a hurry-up call was sent to the sheep raisers in Iowa and other Western States, asking them without loss of time to put me right on wool. One of those letters fell into the hands of the Sheep and Woolgrowers' Association, of Minnesota, and was forwarded here to our honored colleague the junior Senator from Minnesota [Mr. CLAPP], whose service to the cause of a reasonable tariff revision is everywhere appreciated in the United States. The Senator from Minnesota [Mr. CLAPP] did me the compliment to send to me the letter of the president of the Sheep Growers' Association, of Minnesota, Mr. Magnus Brown, a great farmer and a great thinker, for a good deal of the deep thinking of the United States is done on the farm, even more than many of us imagine.

Instead of answering his letter at length he sent him a copy of the remarks which I had the honor to make in the Senate some weeks ago, not particularly for what I said, but because I had included in my remarks certain statements of Mr. Samuel Dale, editor of the Textile World Record, of Boston, who in my judgment is the best nonpartisan expert upon all departments of wool and woolens in the United States.

I desire the Secretary to read what the president of the Minnesota Sheep and Wool Growers' Association says in the letter to the Senator from Minnesota, and I want the Senator from Wyoming to listen to it, because this long-headed man seems to think that there is a more natural partnership between certain kinds of wool out in the West and the worsted manufacturers of New England than there is between the ordinary woolgrowers of Iowa and Minnesota and the Mississippi Valley and these same interesting people.

The PRESIDENT pro tempore. The Secretary will read, if there is no objection.

The Secretary read as follows:

THE MINNESOTA SHEEP AND WOOLGROWERS' ASSOCIATION,
Farmington, Minn., May 29, 1909.

Hon. MOSES E. CLAPP,
Washington, D. C.

DEAR SIR: Replying to yours of 25th, will say that I feel indebted to you for sending me Mr. DOLLIVER'S speech, which I take it for granted voices your own sentiments more or less. I feel, from my own observation, that there has been a great deal of misinformation gratuitously distributed by interested parties on the wool tariff.

The worsted people are necessarily interested in a high duty on nolls, as they are a by-product which they do not use. Of course we woolgrowers are also interested in the duty on nolls being fully protective, although we woolgrowers of Minnesota not so much so as the more western growers, as they produce a shorter fiber wool. This is why they and the worsted people work together, more or less at our expense. The worsted people must have long wool, which we produce largely in Minnesota, while the carded people want short wool. They are now introducing French combs to work a shorter staple into worsted, and these French combs also work cotton and wool together in spinning, which has not been quite successful in the past.

I feel that the only change I would make in the tariff on class 2 wools, which we produce in Minnesota, would be to eliminate the joker in section 362 of the Payne bill, which allows wool of the second class to come in washed at the same duty that it does unwashed. The effect of the present scheme is to allow the worsted people to leave our wool on our hands until the foreign supply is exhausted, or until the grower becomes discouraged and lets go his wool at the price offered. This, in a large measure, accounts for the erratic and violent fluctuations in the wool market. The market must always be in a starved condition to bring us a remunerative price. You can readily see where the high duty on tops and nolls, slubbing and roving waste, and the comparatively low duty on washed second-class wool gives the worsted spinners the advantage of us and also the carded men. They kill two birds with one stone.

To summarize:

I would suggest that washed wool of the second class be put on the same basis as washed wool of the first class.

That the adjustment between scoured wool and tops and scoured wool and nolls, in the interests of the consumer, be put on a more scientific and equitable basis.

I would put the duty on garnetted waste (shoddy) and shoddy so high that the Europeans would keep it, and if they sent us anything, send us their good wool. I am willing to compete, climatic conditions considered, with a European woolgrower, if public welfare demands it, but I am not willing to compete with European ragpickers, not even for the sake of the carded-woolen manufacturers. We can not compete with Australia, New Zealand, and South America in the production of wool on even terms.

I think if you follow these suggestions and then cut out the thousand and one little cunning phraseologies of the schedule which give some-

body a monopoly and advantage, you will satisfy the woolgrowers of Minnesota and you will see sheep husbandry grow, as it should have done long ago, in Minnesota.

Yours, truly,

MAGNUS BROWN, *President*.

P. S. Please send me about 100 copies of DOLLIVER's speech in franked envelopes and I will distribute them amongst the boys; it's good.

Mr. WARREN and Mr. SMOOT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and to whom?

Mr. DOLLIVER. I yield to the Senator from Wyoming.

Mr. WARREN. As the Senator from Iowa asked my particular attention to the letter, I will say there is very much in the letter of which I approve. In fact, I find no fault with any part of the letter, except that the writer has evidently not been in a woolen factory often enough to fully appreciate the difference between garnetted waste and rags and shoddy. The difference is that garnetted waste is a refinement of wool, which is worth about two and a half times as much as the best washed No. 1 wool, while the shoddy is simply rags, clothing that has been worn out, picked to pieces and washed out clean, and is a sort of second-hand wool, and short, poor wool at that. So I say the writer of the letter, when he speaks of prohibiting rags and shoddy, is right. When he speaks of garnetted waste, he evidently is not informed.

In speaking about second-class wool, if the Senator will allow me, I want to say to the Senator and to the Senate that there never has been entire satisfaction on either side regarding Schedule K. There has never been perfect satisfaction regarding any other schedule between the importers, manufacturers, producers, and consumers. The growers of wool have always said that as to second-class wool, if it was to be an important factor there should be a duty levied upon it at different rates, unwashed and washed. But the fact is there is so little of it—it is usually washed on the back of the sheep—that it does not become a real factor in competition with other wool. I want to say further——

Mr. DOLLIVER. Mr. President——

Mr. WARREN. Just a moment, please.

Mr. DOLLIVER. Right there, does not the fact that it is accessible to these people at 15 cents on the scoured contents of a pound of wool act as an automatic brake on the price of similar wools in the United States? In other words, do not people who would buy corresponding wools here turn away from this market place the very moment it becomes profitable to import it upon the payment of 15 cents on the scoured pound?

Mr. WARREN. The price of foreign wool is always regulated by the price of scoured wool laid down here duty paid. The consequence is if any class of wool bears a rate of import duty that allows it to be laid down here to advantage, immediately the price of the wool abroad increases.

Another thing. That class of wool is only grown upon mutton sheep—animals raised for mutton first and wool second. They never reach above about 7 per cent and often go down to 2 per cent and a fraction of the total consumption of wool in this country.

I know the Senator wants to whatever he may do to see that the woolgrower is fully protected. I am satisfied of that. But his remarks—and I say this for his information—are addressed to a paragraph where every single denomination of waste mentioned—and waste is a misnomer—where everything mentioned in that paragraph, 263, is a class of wool, a refinement of wool that directly stands in competition with washed wool, or, rather, scoured wool; and to depress that is to depress the American woolgrowers' product. You might as well take off half, or more, of the duty on No. 1 wool—even two-thirds—as to reduce any of these wastes. The unfortunate part and the unreasonable part is that it is not a carded-wool proposition. These wastes, so called, are all used by the worsted men, who create them, in manufacturing yarn for their own product.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. Referring to the letter just read, I wish to call the attention of the Senator to the fact that there is one statement which is hardly borne out by the facts, and that is this: He claims that the western wools are so short that the worsted people can not use them; that they use the long wools of the Middle West. Over 75 per cent of all the western wools are used by the worsted manufacturers of this country. It is true years ago, before they had improved the combs, they could not use the short wool, but to-day they can use short wools, and nearly all the wools raised in the western country——

Mr. WARREN. The Senator need not except any. They can all be combed. I have some samples which have been put into tops——

Mr. SMOOT. That is true. I was going to speak of the very best and finest goods in this country.

Mr. DOLLIVER. I am going to have those matters discussed by those who can speak with real authority about them. I desire now——

Mr. SMOOT. As far as the real authority is concerned, I have been in the wool business and handled these goods for twenty years, and that is a great deal longer than Mr. Dale ever handled them.

Mr. DOLLIVER. Is your mill in operation now?

Mr. SMOOT. No; and I can tell the Senator, if he wants to know, just why it is not. He is trying to legislate here on a proposition that can not be successful, because of the fact that to-day the American people are using worsted instead of woolens; and the Senator must know that that is the reason.

When the carded woolen people appeared before the Finance Committee asking for some change in these schedules, I called attention to the fact that there was not one single man among them who had a carded woolen suit on. Every one of them had a worsted suit on.

Mr. DOLLIVER. That is a very interesting thing. This group of gentlemen were pretty mad when they came away from the interview with the honored Senator from Utah.

Mr. SMOOT. Do you mean with the committee? I was only a member of the committee.

Mr. DOLLIVER. They said the Senator seemed somewhat unable to share the emotions which they themselves felt at the destruction of their industry.

Mr. SMOOT. I can appreciate just as much as they can the conditions that exist to-day, and I know that those conditions are most unfavorable.

Mr. DOLLIVER. It is rather a broad proposition to lay before the Congress of the United States—that proposition which the Senator from Utah laid before the most widely distributed and honestly capitalized department of woolen manufactures in America, employing more people than any other.

Mr. SMOOT. As far as the widely distributed manufacture of woolens to-day is concerned, the great bulk of them are worsted, and the only ones that are complaining that I have heard of do not represent more than 470 sets of cards out of a total of 4,500.

Mr. DOLLIVER. They complain that they have lost several hundred mills as the recent years have gone by—among others that which the Senator from Utah operates.

Mr. SMOOT. I wish to call the attention of the Senator from Iowa to the fact that there can be no advantage as far as class 1 and class 2 wools are concerned, for the worsted manufacturer can not take advantage of the purchase of either that the carded woolen people can not.

Mr. DOLLIVER. That is exactly what they say, and they say the worsted brother has done so.

Mr. SMOOT. No; I did not say that. I said they could not. As far as the second-class wools are concerned, the Senator must know there are only about 7 per cent of the second-class wools imported into this country of the total amount of wool imported.

Mr. DOLLIVER. I have promised to put into my speech the exact statistics about that.

Mr. SMOOT. Does the Senator deny it?

Mr. DOLLIVER. I am going to give what I myself think about that. The honored Senator from Wyoming has broached that matter gently to me once or twice, and I have stated that as the debate progressed I will discuss it, but I do not want to go into it now because I have not the figures with me. I did not expect we would go into it quite so early this morning.

I was saying that these carded woolen manufacturers from Maine and Pennsylvania and every place else felt the cold chill of the Senator's philosophy on the wool tariff as they left the Senate Office Building, and they were not concealing their resentment. The substance of what the Finance Committee's spokesman told them was that while their situation was desperate, nevertheless nothing could be done for them and nothing would be done, and they reported to their friends on the outside that the message they had from the committee and its spokesman on this question was that the true remedy for their troubles was to lock up their mills and quit a business that had become obsolete and no longer worth anything to the consumer.

Mr. SMOOT. If the Senator is referring to me, the gentlemen who reported to him reported a condition or circumstance that never happened.

Mr. DOLLIVER. I was undertaking to report accurately what they said, and I would not have alluded to it at all except

it corresponds with what the Senator said on the floor—that they are in a failing business, a business doomed to failure, a business going down hill, which can not be helped; that their troubles were beyond relief; that all that can be done is to let them die peacefully.

Mr. SMOOT. That is an exaggerated statement on the part of the Senator. I can not say and no one else can say but that next year the style of cloth wanted in this country will be carded woolens——

Mr. DOLLIVER. It never will be the style to intentionally select any other kind of clothes except woolens in cold weather.

Mr. SMOOT. Carded woolens are woolen clothes. They keep out the cold just the same. The only difference is in the process of manufacturing the goods.

Mr. DOLLIVER. The ordinary man in the United States can not tell the difference between the two.

Mr. SMOOT. The ordinary clothing manufacturer can tell.

Mr. DOLLIVER. The trouble is not that trouble which arises with respect to the fine turns of fashion and style and cut of clothes, but it is a more mysterious discrimination than that even.

Mr. WARREN. The Senator right there will allow me to express an opinion about the reason why they are not more fashionable.

Mr. DOLLIVER. I am, of course, delighted to have a few contributions to the sum total of knowledge.

Mr. WARREN. Worsted goods are woven with all wool both ways or with cotton warp and wool filling, and the man who buys them knows just what he buys; there are no rags or shoddy or waste used in their manufacture except such as I have mentioned, and those are simply a refinement of wool, while a very large proportion of the carded wool manufactured is made of shoddy, rags, flocks, mungo, and stuff of that kind.

I do not say that all their goods are made in that way. They make some beautiful goods of all wool, but unfortunately all of the cheap wastes and rags of other countries that we let in here go into carded-wool fabrics, and consumers have found that out. When a man buys a suit of clothes made out of worsted goods, it is not full of rags and mungo and flocks and stuff of that kind. When he buys a piece of carded-wool goods—called "woolen goods"—he does not know what it is made of; he takes his chances. He may think he is buying all good wool, but in a few days he may find a bag of flocks between the outside cloth and the lining.

Mr. DOLLIVER. There is one feature of this wool situation of a general character that has been interesting me for a long time. Men grow furious at the idea of a few pounds of garnetted waste coming in, or noils or fabrics of woolen manufacture. Men talk and act as if this world, and especially this country, was overrun with woolen goods, whereas the facts are that the sheep-producing business has not kept the wool supply abreast of the growing population of the United States; and the fact is that if all the wool that is produced in the country was put into all the clothes that are produced in the country, and if it had no other kind of clothes, there would not be one available suit of clothes a year for each citizen of the United States.

Mr. WARREN. The Senator certainly does not mean that. We are raising between three and four hundred million pounds of wool per year in this country.

Mr. DOLLIVER. I intend to give my authority for that.

Mr. WARREN. Any authority that the Senator may give will have to be as I stated it, if the Senator takes the authority of the statistics and the census of the United States as recorded in the departments.

Mr. DOLLIVER. The good Lord intended that there should be wool enough for people to wear.

Mr. WARREN. Then give the sheepman a chance to raise enough to furnish it, and do not permit rag waste and other substitutes to come in.

Mr. DOLLIVER. Scoured wool would come in here at a figure——

Mr. WARREN. Why is not the sheepman now furnishing more wool to the world?

Mr. DOLLIVER. He is furnishing more every year.

Mr. WARREN. As compared with the population of the country, yes. Mr. President, I surely did not suppose that the Senator from Iowa was opposed to an increase of population in this country. We glory in the increase in population. We are not the only country whose population is increasing.

Mr. DOLLIVER. Very well, then.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I wish to call the attention of the Senator to the fact that if it had not been for the tariff act of 1894 we would have had many more sheep in the country than we have now.

Mr. DOLLIVER. I do not think it is wise for my friend to enter the domain again of speculative statistics.

Mr. SMOOT. I do know that during those years the number of sheep in this country decreased——

Mr. DOLLIVER. Ten million.

Mr. SMOOT. There was a great decrease.

Mr. DOLLIVER. It will not take more than twenty years to recuperate against a loss like that.

Mr. SMOOT. There are more sheep to-day in the United States than we ever had.

Mr. DOLLIVER. I do not think you can attribute any factor in the increase to something that happened twenty years ago.

Mr. SMOOT. Not twenty years ago.

Mr. DOLLIVER. Pretty near. The good Providence that is above our affairs expressly made wool indestructible, practically. He seems to have had a benevolent outlook upon the world which he had made and upon the children of men. He seems to have known that it was impossible by any law to get sheep enough in nations that were to be like the United States to give everybody the fair chance of a good suit of woolen clothes. So wool was made in its very nature indestructible; so indestructible that if you look at rugs that are the most costly in America you will find some of them are five hundred years old, and some of them have been lying on the ground or the floors of tents in far-off lands century after century. All the wear and tear of centuries has not disturbed the fiber of which they are composed. Yet men are talking now very much as if rags were the offal clothing of the world and ought in some way to be made away with. I do not share that view.

Mr. WARREN. Then the Senator is at variance with the text that he quoted from a woolgrower in Minnesota.

Mr. DOLLIVER. I did not state that I was in harmony with everything that was said there. I think the present methods of making the duty absolutely prohibitory on rags has forced the rag supply of the Old World into England, from which rags are likely to come in the form of cloths, and which, sooner or later, certainly will be unloaded on somebody, and the price at which they have been sold has operated very much to the advantage of British manufacturers. I doubt very much whether these enormously prohibitory duties have operated to any advantage for our own people in the United States.

Mr. WARREN. Will the Senator permit me to say right there during this discussion that if he will note the market price of rags in this country in a trade journal which I will offer, he will find they start at about an eighth of a cent a pound—certainly the fraction of a cent—and run up, in different grades, to 5 or 6 cents per pound? I do not suppose there is any lack of rags in the markets of this country.

Mr. DOLLIVER. Rags in the United States have received the same fate as everything else. Does it surprise my friend from Wyoming to know that there is a rag trust in the United States? If he will open the Daily Trade Record of February 6, 1909, he will find under the head "Rags" an account of a meeting of the board of directors of the American Woolen By-Products Company and a statement that it has undertaken to reach out into all the cities of America to gather up on the streets and in tailor shops the whole field of rag waste that is left in the country, to be doled out upon their own terms to these woolen manufacturers. Is that a healthy state of society?

Mr. WARREN. The Senator surely has been seeing things, or some one else has.

Mr. DOLLIVER. I saw that, not in my mind's eye but in a trade paper of the wool business of the United States.

Mr. WARREN. The Senator does not believe there is a rag trust when you find rag peddlers going about in every town and in the backwoods country all over the United States, picking up rags and selling them at the nearest market they get. A rag trust at the present time strikes me as a bogey man.

Mr. DOLLIVER. It struck me as a little funny, but the daily trade journal of the woolen trade in New York, giving the news of the trade, gave the names of the president and the board of directors, and the meeting at which they changed officers and reelected the board. It gave the name of it, the American Woolen By-Products Company.

Mr. WARREN. May I ask the Senator, does he wish to lower the customs rates on rags so as to compete with the trust in this country, and so that we may have plenty of rags in our clothing?

Mr. DOLLIVER. I shall show before the debate closes that we have worn plenty of rags in our clothing under the situation we now enjoy.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. DOLLIVER. Certainly.

Mr. CURTIS. I understood the Senator to say that the number of sheep had decreased under the Wilson law only ten million.

Mr. DOLLIVER. That was just the recollection——

Mr. CURTIS. The record shows that the number decreased over eleven million.

Mr. WARREN. The Senator might go further than that. The number decreased from over fifty million to about thirty-six million.

Mr. DOLLIVER. It depends a little on the dates given. Mine was only a fugitive recollection of an old speech that I once made, I think, out in the country of the Senator from Kansas.

Now, Mr. President, I think we have overstated and exaggerated the danger to the wool industry of the United States in these elaborate preparations to guard this market against the approach of these things that are everywhere in the world used as a substitute for wool and ought to be used in the manufacture of cloth. Even in this despised shoddy there is no element of rags. The chemist has done his work until he has nothing left but the pure, clean animal fiber. The only thing about it is that it is a short fiber and liable, more or less, to destruction in ordinary use; but until we can get a supply of wool not only equal to the business of giving everybody at least one suit of clothes a year I think we waste a good deal of time filling the air with complaints about these wastes and by-products. I had my suspicions aroused about it when I found that these high rates of duty were not so much intended to keep the substitutes for wool out of the country as they were intended and are operating to enable a certain class of woolen manufacturers to unload their waste by-products on their competitors at exorbitant prices.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. So far as my knowledge of conditions goes and of those interested in this subject, I will state that the reason they want to keep out top waste, roving waste, and slubbing waste is for the very purpose of having the American people use the American wool, because if that class of wastes are imported they displace just that many pounds of wool. The Senator himself knows that under the law of 1883 the rates on wastes were so low that they even manufactured tops in England and shipped them here. I say to the Senator now that top waste is worth more in the market than a scoured pound of wool.

Mr. DOLLIVER. Is it worth more than nolls?

Mr. SMOOT. Top waste is worth more than noils and, Mr. President, top waste is carded wool with all the substances other than wool in it taken out.

Mr. DOLLIVER. How does it become a waste?

Mr. SMOOT. It comes through carding. It runs through different machines, passing through the cards to the comb. Every time you handle the wool there is an additional waste. There is no manufactured article where so much waste is made in the manufacturing as that of wool—from wool to cloth.

Mr. DOLLIVER. Mr. President, I am still of the opinion that we should get enough wool into this country, either from the backs of our own sheep or from other sources, to give each man, especially those of us who live in cold climates, one good, "square" suit of woolen clothes a year. If we had that situation I would regard the argument against the introduction of these by-products from other countries with a little more interest than I do under the situation that now prevails in the United States.

Mr. SMOOT. The Senator from Iowa, as I understand his position, is in favor of protecting the woolgrower.

Mr. DOLLIVER. Surely.

Mr. SMOOT. Then, Mr. President, I want to call his attention to the fact that if you lower the rates upon top waste, slubbing waste, and roving waste, every pound of that waste that enters this country will take the place of so many pounds of American wool, and you might just as well have no duty upon the grossed wool itself if you are going to take it off the roving waste, the top waste, and the slubbing waste.

Mr. DOLLIVER. I do not propose to take it off. I propose to reduce it so that those who produce it will also have a little mercy in selling it. That is all I am talking about.

Mr. WARREN. Mr. President, will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. WARREN. I think the Senator said he would be satisfied if there were wool enough here to buy a suit of clothes for every man once a year.

Mr. DOLLIVER. Yes.

Mr. WARREN. They are raising that amount of wool, and more, of clean, new, pure wool. Now, as to this matter of rags and its effect upon wool. The Senator will remember the Wilson-Gorman law of 1894, and he will probably remember it was not especially intended to protect the sheepman or the wool manufacturer. That bill gave free wool, and yet, Mr. President, they put 15 per cent ad valorem upon shoddy and other wastes. They were careful enough and thoughtful enough, even when attacking the woolgrower and making his product free, to protect in some measure the consumer by putting a duty upon wastes and upon shoddy.

But, even with that duty upon wastes and shoddy, and even with wool free, the importations increased over 2,000 per cent in one year after the passage of the law of 1894. We were importing annually in rags and shoddy something like a quarter-million pounds, and before the end of the first year in which that law prevailed we were importing at the rate of over 17,000,000 pounds per year, and this, too, with the 15 per cent ad valorem on shoddy and with wool free.

Mr. DOLLIVER. A few weeks ago, when I ventured to express in the Senate some views about this wool schedule, I encountered a rather peculiar storm of criticism. I thought in my guileless inexperience that when the Republican party talked about revising the tariff it must certainly have been in their minds that this schedule, which has survived for fifty years practically without any change——

Mr. WARREN. Mr. President, I wish to say to the Senator that that statement might be true as a general proposition. There is one of the wastes for which the Senator is pleading that was reduced 50 per cent in the Dingley law from the McKinley law.

Mr. DOLLIVER. Mr. President, these wastes in manufacturing yarns can not be so important after all. They certainly can not be as important as this English washed wool and Canadian wool, which my friend has dismissed as unworthy of any further discussion.

Mr. WARREN. One of those wastes amounts in each year to several times the total amount of importations of No. 2 wool; just one of those wastes.

Mr. DOLLIVER. I was, of course, confused a little when I found myself turned on by our great party leader in the Senate and found the RECORD littered up with a lot of old speeches, Democratic in their origin and purpose, made here years ago. I do not know whether the Senator intended to accuse me of stealing these speeches or simply following the ideas that were suggested in them. In either case I thought it was a very curious proceeding to leave the impression upon the Senate that I was exploiting here some raw, crude views that had been left over in an old debate in the Senate of the United States, in which Democratic leaders mainly had participated. So I have taken the liberty to reduce to writing a conversation with the editor of the Textile World Record, of Boston, who began his life on a farm, continued it in every stage of woolen manufacture in the greatest mills of New England, and finally, in the development of extraordinary knowledge of the subject, came to be the editor of the trade journal of the wool manufacturing world of America, and, as I have more than once described him, he is the most reliable and least partisan expert on these questions now living in the United States.

I want to have read at the Clerk's desk what he said, because it is a series of questions and answers, and if Senators who are listening so kindly to me will listen to him they will get a good deal more light on this subject than they will acquire either from this desk, or from the desk of the Senator from Utah, or that of the Senator from Wyoming. I ask that this dialogue be read.

The PRESIDENT pro tempore. The Secretary will read, if there be no objection.

Mr. SMOOT. May I——

Mr. DOLLIVER. Because the amendments which I have offered are suggested by the wisdom which is suggested by this great textile editor, and they are not inspired from any Democratic sources, because this man is one of the leading Republicans of New England, and is a protectionist who has defended the faith without fear and without reproach.

Mr. SMOOT. I simply want to say to the Senator from Iowa that Mr. Dale was employed by the Merchants' Wool Company, of Dedham, Mass., and remained there about two years and four months. Mr. Dale, with all of the protection given to the wool industry, has never made a success of it in this country.

Mr. DOLLIVER. I do not now think, after my friend confessed a failure of his own woolen mills, he ought to be heard to disparage the business career of others.

Mr. SMOOT. No; as long as I was manager of the woolen mill it ran and never shut down, and within the last few years——

Mr. DOLLIVER. It is certainly just as becoming for an editor——

Mr. SMOOT. I ran the mill for twenty years.

Mr. DOLLIVER. It is just as becoming for an editor of a great textile journal to be heard here, who is a nonpartisan witness in these matters, as it is to have our attentions directed to the judgment and opinion of a retired wool merchant, who has added the graces of statesmanship to the achievements of a long business career.

Mr. SMOOT. I want to thank the Senator from Iowa for his kind words, but I certainly did not go from the manufacture of woolens after making a failure of it to become the editor of a paper to tell men how to run woolen mills.

Mr. DOLLIVER. The Senator locked up his woolen mill and came to the Senate, and Mr. Dale seems to have retired from the woolen mill and gone into the editorial chair. I think at least from his own statement they stand upon a common footing.

Mr. SMOOT. The statement made by the Senator is altogether wrong. I have been here in the Senate for six years and more and the mill was run three years after I quit the management of it. When I did leave it I want to say that woolens were then in the height of fashion and we were running night and day. We never closed the mill, and we could not furnish enough woolen goods to the customers we had. But at that time woolens were fashionable and were demanded by the American people. I believe, as I said before, that it will not be long until they will be fashionable again, and then every woolen mill in Maine and every other State will be fully employed.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. Certainly.

Mr. NELSON. Is it because these people have begun to use mercerized goods that they have abandoned the use of wools?

Mr. SMOOT. Of course the Senator knows that wool is not mercerized. There is no need of trying to answer the question, because I take it as a little pleasantry on the part of the Senator.

The PRESIDENT pro tempore. The Secretary will read the matter sent to the desk by the Senator from Iowa.

Mr. DOLLIVER. Before the Secretary reads, I wish to say I am very glad that the Senator from Rhode Island is here. I have no hope, I say, of being able to push my views upon the committee or upon the Senate, but I have a very grave anxiety that this schedule, which has remained practically in the same form for so many years—more than a generation—should be included in our scheme of revision of the tariff. If it is not amended in the Senate, if the House propositions are accepted, then it is not in conference. I have a hope, based upon my anxiety to solidify and harmonize our views, that some measure will be taken to give jurisdiction to the conference committee of the disputed matters in the woolen schedule, so that at their leisure and without the disturbance of debate and controversy they may sit down and make at least a few revisions along the lines which I have suggested.

Therefore I am exceedingly anxious that the Senator from Rhode Island, who is engrossed with a thousand cares in the Chamber and outside, should hear not what I say, but what is said by this authority, the editor of the Textile World, who has carried into the subject his investigations into all departments, standardizing wools, examining them, and studying them with patient research now for more than twenty years.

Mr. ALDRICH. I do not know the gentleman to whom the Senator refers.

Mr. DOLLIVER. He is the editor of the Textile World, of Boston.

Mr. ALDRICH. I have never heard of him, but I have no doubt he is an authority.

Mr. DOLLIVER. It is in the hands of the entire cotton and woolen trade of the United States, I believe. The newspaper is almost as large as your tariff bill, on account of the advertisements it carries in all departments of textile industry.

Mr. ALDRICH. It is probably because I have not been familiar with the literature on this subject recently, but I never happened to hear of either the newspaper or the editor.

Mr. FLINT. I hope the Senator from Rhode Island will not place too much weight on this article of the editor. The Senator from Utah, who knows him, states that he was formerly in the wool business and failed and left it to go into the newspaper business.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Q. Will you state what the present condition of the woolen manufacturing industry is in the United States at present?—A. The worsted business is very prosperous and developing rapidly, while the carded woolen industry is very much depressed. This depression is due to two causes: First, the greater popularity of smooth, hard-faced finish for which worsteds are adapted; second, the fact that the carded woolen mills are excluded from access to the foreign wools adapted to their goods, while the worsted mills have a comparatively easy access to such sources of supply. These conditions have forced the carded woolen mills into idleness or to the use of wool substitutes and have stimulated the manufacture of inferior fabrics known as "cotton worsteds," made principally of cotton yarn with a small amount of worsted. These cotton worsteds are attractive to the eye before being worn, but they do not protect the body against cold and damp and make a generally unsatisfactory garment.

Q. What materials are open to the manufacturer of carded woolen cloth besides new wool?—A. There are nolls and the wastes from the manufacture of wool, and the material commonly known as "shoddy," which is made by tearing into a loose, fluffy, fibrous mass suitable for reworking into cloth the tailors' clippings and the woolen rags that are collected around the country. The use of these materials is essential, because the supply of new wool is entirely inadequate to clothe the people. As careful an estimate as I have been able to make from the best statistics available shows that if all the wool grown in the world were converted into cloth, without the admixture of any other material, and distributed pro rata among the people who inhabit the globe outside the Tropics, where very little wool cloth is required, the annual per capita share would be 14 ounces of pure wool cloth. The production of wool in the United States, if divided among the people of the United States, would amount to practically the same quantity—14 ounces—of pure wool cloth for each person. This is little more than enough for a breechcloth. The ordinary light-weight cloth weighs about 14 ounces per yard, 55 inches wide. A suit of clothes requires 3½ yards. A man's share of the wool clip is, therefore, enough cloth to make a light-weight suit every three and one-half years.

Q. What effect on the clothing, bedding, and household furnishings of the people has this situation which you describe produced, and what would be its ultimate effect upon the woolgrowing industry?—A. It has deprived the people of an adequate supply of wool clothing, blankets, and other articles of wool. It has compelled the use of inferior substitutes for wool, which do not give the protection against dampness and changes in temperature that is afforded by wool. It has forced manufacturers to reduce the weight of all-wool cloths, so that these goods, although made of wool only, fail to give proper protection to the wearer. The prohibitory duties on wool wastes, nolls, and similar materials restrict the mills to the comparatively limited domestic supply of these materials, so that the goods made of wool substitutes are much inferior to what they would be if a supply of the better grades of wool substitutes were made available by an equitable duty on these materials. The prohibitory duty on the heavy shrinking wools and on wool substitutes suited for the lower-priced goods and the low duties on the light shrinking wools suited for the higher-priced goods make it difficult to produce warm and durable wool garments at a low cost and at the same time facilitate the production of the high-priced cloths. My judgment is that these conditions will ultimately bring the tariff on wool and wool goods into such popular disfavor as may result in the violent removal of all duties on wool and its substitutes, as was the case in 1894, and that, therefore, the ultimate effect of these conditions is likely to be very injurious to the domestic woolgrowing industry.

Q. You spoke of the manufacturers of carded woolens being driven to the use of certain waste and by-products; you mentioned particularly nolls. Taking the sample of English wool which we have here, and which you say enters at 12 cents a pound washed, and pays a duty of only 15 cents on the contents of the scoured pound, owing to its light shrinkage, I will ask you to trace that wool from the condition in which we have it here to the cloth or dress goods for which it is adapted, stating as you go along what waste arises in the various processes of manufacture.—A. The first process is scouring. The waste from scouring wool runs almost invariably to waste in the stream, so that it need not be taken into consideration. The next process is carding; the waste here is a very small percentage of the weight of the wool, and its value is low, owing to the dirt and grease clinging to it. The next process is combing, which divides the wool into two parts, the long fiber called "tops" and the short fiber called "nolls." The nolls can not be used by the worsted mills and are therefore sold as a raw material for the carded woolen mills. The tops are converted into worsted, the process after combing being drawing; a comparatively small quantity of slubbing waste is produced in this process. The drawing process converts the tops into roving, and in the last operation of drawing a small quantity of roving waste is made. The roving is spun and twisted into yarn. During this process and in the subsequent operations of spooling, warping, and weaving a quantity of yarn waste is made. This is run through a garnett machine which converts it into a loose fibrous mass known as "garnetted waste."

Q. These wastes are, therefore, a sort of by-product in the manufacture of worsteds, and do not arise in the conversion of wool into woolen goods?—A. Wastes are made in the carded woolen manufacture, but they are of a different quality and character entirely.

Q. What becomes of these latter wastes?—A. They are used over again by the carded woolen manufacturers.

Q. Now, if I understand you, these wastes, nolls, slubbing wastes, roving wastes, and garnetted wastes are sold by the worsted factories to the carded wool people?—A. Yes, sir.

Q. What are noils worth now a pound?—A. Prices vary widely with the quality and state of the market. They vary from 15 to 50 cents per pound, and some perhaps higher.

Q. What are these noils worth abroad?—A. I recently received a large number of samples of noils and worsted waste from Bradford, England. Following is a list of them, with prices, at Bradford:

Memorandum of prices of foreign noils, waste, and shoddy.

		d.	Cts.
2540.	Crossbred 40s noils	6½	12½
2541.	Crossbred 40s noils	7	14
2537.	Crossbred 40s noils	7½	15
2534.	Crossbred 44s noils	8½	16½
2536.	Silped New Zealand noils	8½	17
2535.	Crossbred 46s noils	8½	17½
2539.	50s noils	9½	19½
2533.	Lister-combed English noils	10	20
2532.	Lister-combed English noils	10½	20½
28.	Australian crossbred 56/58s noils	11½	23½
27.	Australian Botany noils	15½	31½
28.	Cape Holden's dry combed noils	16½	33
23.	Australian 80s noils	17½	35
2155.	Carded light waste	11	22
2860.	Medium olive, medium shoddy	7½	15
2990.	Wd. carb. light shoddy	11	22
2785.	Wd. medium black shoddy	11	22
2460.	Fine fancy comforters, shoddy	8	16
2.	Dyed black-brown mungo	4½	8½
3.	Dyed green mungo	4	8
6.	Green cheviots, shoddy	3½	6½
4.	Dyed black-brown cheviots, shoddy	3½	6½
1.	Dyed green medium worsteds, shoddy	4	8
5.	Dyed light green medium worsteds, shoddy	4½	9
7.	White merino noils	14½	29
8.	English blanket noils	10	20
9.	English noils	8½	16½
10.	English noils	8	16
11.	English noils	7½	15
12.	English Down noils	10½	21½
13.	Pulled white hosiery waste	10½	21
14.	Colored hosiery waste	11½	23
15.	Gray hosiery waste	10½	20½
16.	Colored waste, carded	6½	13
17.	White waste	10½	20½
18.	Gray waste, carded	7½	15
19.	White Botany waste	17½	35
20.	Colored crossbred	9½	19
21.	Colored Botany	19½	39
22.	Carbonized black serge, pulled	3½	7
23.	Carbonized black worsted	4½	9
24.	New black worsted, carded	5½	10½

NOTE.—The trade discount on noils, 7 to 12, inclusive, is 1½ per cent, payment one month; also on tops from 13 to 21, inclusive, terms net.

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Q. I wish to talk with you a little about the framework of Schedule K, as it relates to the specific duties applicable to the weight of cloths and dress goods manufactured here. Have you ever studied the question of whether the multiples of 3 and 4 by which this compensatory duty on cloth as related to the duties on wools of the first class has been calculated for so many years?—A. Yes; I have.

Q. I would like to know what conclusions you have reached about that?—A. You will find my conclusions in this article, "How much wool to make a pound of cloth?" No tariff on wool goods should be based on a ratio between grease wool and finished cloth. As well might one attempt to fix a ratio between iron ore and watch springs. No wool manufacturer attempts to estimate the cost of his finished fabrics from the cost of the grease wool. Such a basis would result in gross errors and ultimate bankruptcy. In buying grease wool, the first considerations are the amount of scoured wool that the grease wool will yield, and the intrinsic worth of the scoured fiber. About twenty years ago I made an extensive test to determine the shrinkage in manufacturing all-wool cloth, and the result was that 1.54 pounds of scoured wool was required for 1 pound of cloth. The ratio between the grease wool and the finished cloth varies widely because of the difference in the shrinkage of wool in scouring. During the four years I was making the test referred to, I used many different lots of wool which varied widely in shrinkage. This variation of shrinkage is illustrated by 6 lots of grease wool, which in scouring shrank 73, 60, 62, 47, 35, and 16 per cent, respectively. Calculating the ratio between these lots of grease wool and the finished cloth from the ratio of 1.54 between the scoured wool and the finished cloth, we find the following ratios between the grease wool and the finished cloth: 6¾, 5, 4, 3, 2¾, and 1¼. This shows plainly that no single ratio can be true of all kinds of wool.

Q. What do you say, then, of the scheme of fixing these compensatory duties as this bill does, on the ratio of 4 to 1, and in the lower grades of 3 to 1? How does that work out?—A. It causes great inequalities in the tariff especially because the ratios named are applied not only to goods made of all wool, but to goods made of mixtures of wool and other materials.

Q. What do you say, then, of the scheme of fixing these compensatory on account of the wool duty, when in point of fact little or no wool appears in the cloth which he makes?—A. There is, of course, no reason for compensating a manufacturer for duties paid on wool that is not used in the manufacture of the cloth. The 4 to 1 ratio between grease wool and cloth is correct only for all-wool cloth made of wool shrinking 60 to 65 per cent. As a matter of fact, no wool shrinking as much as that is imported into the United States. The specific duty of 11 or 12 cents a pound on grease wool forces manufacturers to confine their purchases of foreign wool to the light-shrinking lots. Consequently, the Dingley and Payne bills compensate the manufacturer for wool duties which he has never paid. The defenders of the 4 to 1 ratio sometimes seek to justify it by referring to or paraphrasing Senator ALDRICH's defense of it twelve years ago. Some one of them recently said to me: "We need compensation at the ratio of 4 to 1 because our foreign competitors use these heavy wools." The large amount of grease and dirt in the heavy-shrinking wools is a advantage to the foreign manufacturer. Wool cloth is made from the wool fiber, not from wool grease and dirt. There can be no justification for compensating for wool duties that have not been paid.

Q. I have no purpose to expose any branch of the woolen manufacturing business of this country to injurious foreign competition, nor any purpose to take away from the woolgrower a fairly advantageous protective tariff; but I have been wondering whether a more equitable basis for the assessment of compensatory duties can not be found, and the result of my reflections upon it has led me to prepare some amendments to the Senate bill running through the schedules of cloths and women's and children's goods, so far as they can be made applicable, by which it is proposed to preserve the ratio of 4 to 1 between grease wool and cloth, and 3 to 1 where that ratio appears, and make the compensatory duty applicable, not to the weight of the cloth, but to the weight of the wool contents of the cloth, which I am informed, can be accurately determined by the analytical bureau connected with the appraiser's office. Have you ever reached a conclusion upon that subject?—A. I have, and was going to suggest that very thing to you; that it is easy to distinguish wool from vegetable materials, and that if that were done it would go far toward correcting the inequality resulting from the 4 and 3 to 1 ratios. It, however, would still leave the inequalities resulting from the wide difference in the shrinkage of wool in scouring and also from the different shrinkages in the conversion of the scoured wool into cloth. The shrinkage from the scoured wool to the finished cloth is by no means uniform, but varies somewhat on different fabrics.

Q. I have caused several calculations to be made of the effect of that change in the law. I find no case in which it appears to increase the existing rates of duty; but on the other hand, it materially reduces the rates of duty, particularly upon the ordinary grades consumed by the masses of the people, both of woolen cloths and dress goods. It eliminates from the woolen schedule rates of duty which are apparently inordinately high, rising sometimes to 150 per cent, and brings all duties on manufactured woolens substantially below the present rates. What effect, in your judgment, would such slight reductions as I have indicated have upon the rates from the standpoint of adequate protection? In other words, what, in your judgment, should be the maximum rates provided for the finished products of Schedule K?—A. The extremely high rates on wool goods which you mention are due largely to the excess of the compensatory duty over the compensation actually required to cover the duty on the raw material consumed in the manufacture of the goods. Such excess is not needed to protect the manufacturer, and consequently the removal of that excess could not injure the manufacturer. The injury to him would result from a continuance of this excess due to protection concealed in the compensatory duties, as the high rates invite attack on the protective system. Limiting the compensatory duties to the wool contents of the cloth, as you propose, would reduce the excess, and therefore would be a step in the right direction. It would, however, still leave an excess of compensation due to the use of light shrinking wools of which less than 4 pounds is required for 1 pound of cloth, and to the use of wool substitutes, such as noils, waste, shoddy, and so forth. These wool substitutes can not be distinguished from new wool in the finished cloth, and consequently would be returned as part of the wool contents of the cloth, on which the 4 to 1 compensatory rate would apply. But your plan would reduce the excess of compensatory duties and could not increase it in any case, and for that reason should be adopted if a better and more thorough method is not adopted.

Mr. DOLLIVER. Mr. President——

Mr. WARREN. Will the Senator from Iowa permit me to make a statement?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Yes, sir.

Mr. WARREN. Mr. President, I only want to make one observation as to the article (interview with Samuel S. Dale, editor of the Textile Record) which has just been read; and that is, that it deals in the extraordinary rather than the ordinary. For instance, the statement is made that upon a double width of cloth it takes 3½ yards to make a suit of clothes and that it weighs 14 ounces to the yard. That may be true of some suits of clothes for some men; but 3 yards to the clothing maker is sufficient to make any of the suits that he makes, on the average, including the small and the large.

Again, I doubt very much whether there is a piece of worsted goods upon any Senator's back here at present that will weigh 14 ounces per yard. As to this suit that I have on myself, I weighed the cloth carefully before it was made; it was about as good as I could get, and it weighs but 12 ounces to the yard. It took a little over 3 yards to make it—possibly 3¼—and I am somewhat larger than the majority of men.

When the question is asked about the waste, the Senator from Iowa asked if noils and slubbing waste, and so forth, are used by the carded-wool men, and he says "yes." If the Senator had asked if it was the usual practice for a worsted man to sell those wastes, except noils, he, of course, would have to say "no," for they are not often sold by the worsted men and are not usually bought by the carded-wool men, because they can not afford to buy them. The wastes, garnetted wastes, slubbing wastes, and so forth, as I said before, are a refinement of wool that comes off in one process, goes back and is worked in another, and is just as good as the original, and is worth, pound for pound, as much.

As to the price of noils, while I am not going to say that Mr. Dale, whose name has been used, would willingly state an untruth, undoubtedly a man interested in a business is likely to use those figures which best suit his purpose. He quoted from the price of noils abroad. I will not say to you, Mr. President; I will not say to the Senator from Iowa; I will not say to anybody that Mr. Dale gave the entire list of the prices of noils. He may have given it just as the firm abroad quoted it, but I have in my hand the latest market price of noils here. You may mark them in a range from one end to the other, from the cheapest to the highest, and this list gives the price of noils in Boston on June 5. We find they are quoted as low as 27 cents, 30 cents, 35 cents, and 38 cents, and yet

they run as high as 67 and even 70 cents. The consequence is that the range for noils runs from 27 cents to 70 cents in Boston. Of course, the range is in proportion abroad. Yet the statement submitted does not show the high-priced noils.

Mr. SMOOT. And, Mr. President, that is according to the grade of wool that is in the noils.

Mr. WARREN. So I want to say, without casting any reflection upon Mr. Dale, that he has, in the matter of noils and in the matter of cloth and in the matter of wool, undertaken in his paper to attack the manufacturers and show that the compensation of 3 to 1 and 4 to 1 is wrong, and yet, according to his own figures, he shows that it takes 6¾ to 1 in some cases as a compensatory duty.

He gives the shrinkage of wool in that statement. Why, Mr. President, the shrinkage of wool will run all the way from 1 per cent to 90 per cent, but that is not an average. I have seen wool where there was 18 per cent shrinkage in washing, and again where it was not over 10 per cent, and other cases where there was nearly 90 per cent shrinkage. I have seen wool that would shrink 10 per cent, possibly, or 12 per cent; but I submit that those are not fair statements as applied to the general market or to the general product.

The shrinkage in wool is well known. The carded-wool men, in their statement to the President, have said that the worsted men are using wool that shrinks 14 per cent. They know just as well as I know that there is not wool enough of that kind to last the worsted manufacturers in this country for one week. They know, furthermore, that that wool does not go into men's clothing. They know that that wool comes over here and goes into luster goods and braids, and so forth; and they know that the wools that go into worsteds are brought from South America and from other points, and that their shrinkage seldom, if ever, goes below 32 per cent, and from that up to 66 per cent. So it is begging the question, when this position of the carded-wool men is put before us, to say that the worsted man gets in his wool for his manufacture at 14 per cent shrinkage.

Again, when this arrangement of ratios was first established, as stated by the Senator from Montana, it was established by the carded-wool men themselves; and it has remained that way without very much change ever since. If it is unfair now to the carded-wool men, then it was unfair when they sought to have it made.

It is said again that the worsted men construct their goods from No. 2 wool, as if they could not do it from other wool. I have here, and will show it before we leave this question, about as mean a sample of tag locks as I ever saw in my life, and in almost every year of my life I have seen sheep shorn. That sample has passed through a Noble comb and the product is top and noils the same as if it were No. 1 or No. 2, only of a lower grade. I assert that there is not 1 per cent of the wool raised in this country that can not go into worsted top and noils and that does not go into worsted, because while heretofore they only had combs that took the very long wools, we now have the Hellmann comb, and we have the Noble comb.

All this talk about waste and noils, all of this making faces at No. 2 is nonsense, because there are no noils of any consequence in No. 2. Noils are simply short wool, the fibers of which are not long enough to go into yarn for worsteds. When you take the regular long No. 2 wool there are no noils of consequence. Only one-sixth of the wool goes into noils, even of ordinary short wools. The tags that I shall show later were shrunk 80 per cent in scouring, and in making top yielded 37 per cent noils. They are simply short pieces of wool, and look like the rakings of the yard. They are clipped from certain portions of the sheep.

Mr. CARTER. Mr. President, I inquire the present parliamentary status of paragraph 365, and likewise paragraph 366 as amended? Have both been adopted?

Mr. WARREN. Those paragraphs have already been adopted up to paragraph 368.

The PRESIDENT pro tempore. Those have all been agreed to.

Mr. CARTER. Then, with reference to paragraph 368?

The PRESIDENT pro tempore. That is the paragraph under consideration, to which an amendment is pending.

Mr. CARTER. That is the amendment pending, and the amendment to which the Senator from Iowa directed his attention.

Mr. DOLLIVER. Mr. President, so that——

Mr. CARTER. Does the Senator desire to proceed?

Mr. DOLLIVER. I had just yielded the floor to the Senator from Wyoming.

Mr. WARREN. I would say I simply asked the Senator from Iowa to yield to me for a moment.

Mr. DOLLIVER. I very gladly yield to the Senator from Montana, but I desire to retain the floor for a moment or two after he is through.

Mr. CARTER. Mr. President, the word "waste" implies inferiority in quality, and the natural implication to be drawn from the phraseology of this paragraph would be that the form in which wool appears as slubbing waste, or top waste, or roving waste, or ring waste, or garnetted waste represents a quality of wool inferior in character to the scoured wool. It must be borne in mind, in considering this paragraph or the committee amendments proposed to it, that the Senate and the House are in agreement on 11 cents per pound on unwashed wool of the first class. It must also be taken into consideration that the various definitions preceding paragraph 365 have been adopted by the Senate as they came from the House.

It is important, in attempting to fairly pass upon the amendment of the Senate, to determine the quality of the waste referred to as compared with the scoured wool. The bill provides that, as to the first-class wool in the grease, 11 cents per pound of duty shall be assessed; first-class wool, washed, 22 cents per pound; first-class wool, scoured, 33 cents per pound; or, in other words, 3 pounds of unwashed wool are taken as the equivalent of 1 pound of scoured wool, and 1 pound of washed wool is regarded as the equivalent of 2 pounds of unwashed wool. This classification or definition of the relation is based upon the theory that the wools of this country of the first class practically shrink two-thirds in scouring, and will shrink one-half in the process of washing on the back of the sheep.

In order, therefore, to determine the relation of the wastes described in this amendment to either the washed wool or the scoured wool or the wool in the grease, it is important to examine the process of manufacture. I have here, Mr. President, a series of samples. The first [exhibiting] shows wool in the grease, upon which the duty is 11 cents per pound, made so in this bill by concurrent action of the two Houses.

The second [exhibiting] is the scoured article, upon which we have agreed to place a duty of 33 cents a pound. For the purposes of this discussion, I will refer only hereafter to the scoured wool and the relation thereof to the various so-called "by-products." This scoured wool [exhibiting] in the process of manufacturing what is called "worsted goods" is carded and combed, and the process of carding and combing evolves what we know as "tops," wool in this refined form [exhibiting] and in long strands.

In order to produce these tops the process of carding and combing eliminates what is known as "noils"—short fibers carded and combed out of the scoured wool. These noils, together with certain other refuse matter of a very inferior grade, consisting of every kind of impurity in the scoured wool, amount to about one-sixth of all the weight of the scoured wool. So that this top [exhibiting] represents the purified form of the scoured wool, all noils and other impurities being eliminated from the scoured wool to produce the tops in the process of manufacture. These tops are finally advanced into what is called "slubbing" [exhibiting], which merely means another stage of advance toward yarn. In rolling these tops into balls, if you please, it occurs that the lengths do not always come out even, and in order that the lengths may be made even the operatives tear off pieces from the end [exhibiting], and that is called "top waste." It is the same identical material as the tops. It is free from noils, and it is free from all the impurities contained in the scoured wool. The noils and impurities make up one-sixth of the waste of the scoured wool.

We have agreed to place 33 cents per pound duty on the scoured wool [exhibiting], and yet the Senator from Iowa thinks we should preserve proportions by taking this refined product of scoured wool and giving it a duty of 20 cents per pound.

Mr. DOLLIVER. Mr. President, if the Senator will permit me——

Mr. CARTER. I am glad to.

Mr. DOLLIVER. Is it not true that the wool out of which those tops was made is liable to come in here with a duty upon the scoured contents of a pound very much less than 33 cents?

Mr. CARTER. Mr. President, I will address myself to that feature of this schedule a little later. There is a virtue in the contention of the Senator in that behalf. It is inherent in the effort which always obtains to secure an agreement between contending forces.

This is what is known as the "slubbing waste" [exhibiting]. The slubbing is the same identical quality of wool as the top. This has advanced just one stage further toward a yarn than the top. In the process of forwarding this slubbing to yarn it occurs, just as in the other case, that certain strands are raw and then found of unequal lengths, and pieces are left on the coils in order to make uniform lengths, and the pieces thus resulting, longer as a rule than the others—that is, the top waste—become known as "slubbing waste."

This slubbing waste, as I say, is of the same quality as the top waste, and both the top waste and the slubbing waste are superior in quality to the scoured wool. The Senator would place only 20 cents protective duty on this refined article in the same bill in which by common consent 33 cents per pound is pronounced a necessary protective duty on the raw article out of which this was made.

The same is true of garnetted wastes and the various wastes referred to in this amendment. I will not detain the Senate by going through the various wastes—the ring waste and the roving waste and the various wastes presented.

A little beyond the slubbing waste comes what is known as the roving waste. That is yarn in the initial stage, after passing from the form of slubbing. This [exhibiting] you will observe is a coarse yarn. This is called "roving," and in the course of trimming these rovings down into yarn, the single yarn, which is the refined product, and the 2-ply yarn, which is a little coarser, there is worked off a certain part of this slubbing, and that becomes known as "roving waste." It does not change in any sense or degree in quality from the material of which the top and the slubbing wastes are made. It is equally refined. It happens to be eliminated in the process of manufacture. The Senator would have us place 20 cents per pound as an alleged protective duty upon this refined article, while insisting that 33 cents per pound is a necessary duty on the scoured wool.

I am not now dealing with noils, be it known. These noils, cut out of the scoured wool, constitute about one-sixth of its weight, and I am informed that this product is worth only about 60 per cent of the market value of scoured wool. It is a shorter fiber, but useful; not in the worsted manufacture, because the fiber is too short for use in that class of manufacture, but it does become useful in the manufacture of so-called "carded woolens," and is a by-product sold to the carded woolen manufacturers.

Not so, sir, with the so-called "waste," called "slubbing," and "top waste," because the slubbing waste and the top waste are each in regular order and without any considerable expense thrown back into this long strand known as "tops" and run through the mill again until they end up in yarns and finally in cloth.

Mr. President, we are confronted with this situation by the proposal of the Senator from Iowa—either the 33 cents per pound duty on the scoured wool is too high or the proposed protective duty on the refined product of scoured wool is too low.

Mr. DOLLIVER. Mr. President——

Mr. CARTER. I yield with pleasure to the Senator from Iowa.

Mr. DOLLIVER. I used to think that the duty on scoured wool was 33 cents a pound. I got that notion from reading the statutes, and I find that the statute has made that kind of an impression on several other good people. But a little association with people who have become accustomed to paying these duties and understand the mechanism of the market as well as the mechanism of the tariff bill has convinced me that the duty of 33 cents a pound on scoured wool is a mythical sort of thing.

The actual duty, the actual amount of money that it costs a man to get wool into this country is not based upon that rate. It is based upon the shrinkage of the wool. If a man brings in a wool that shrinks 70 per cent, he actually pays 36¾ cents as duty upon the scoured contents of that fleece, and if he brings in here wool that shrinks only 20 per cent he actually pays only 15 cents a pound on the scoured contents of the fleece. Therefore I hope the Senator from Montana, who is now getting along in years, will not spend the remainder of his great career in laboring under the hallucination that that statute has fixed the amount that it costs people to get a scoured pound of wool into the United States.

Mr. CARTER. I have heretofore taken occasion to state that there is an element of virtue in the contention of the Senator from Iowa in that particular. It is true, undoubtedly, that the 33 cents per pound is guaranteed as a protective duty on the scoured wool only where the wool shrinks 66⅔ per cent, or thereabouts—66 or more. Certain wool shrinks less than 66 per cent, some as low as 30 per cent, and possibly some wools lower than that still.

This classification or fixing of the proportions is of ancient origin—as old as our legislative history goes. In 1867 a tariff commission reported on the proper basis for the wool schedule, and the due proportions of duty to be laid on the wool in the grease, the washed wool, and the scoured wool. That commission reported that the wools of the United States did shrink then as they do now, substantially 66 per cent. That is not true of all, but true of the great body of clothing wool known as "merino wool." Certain wools which shrink less are brought into our market and substituted for the first-class American wools to some extent, and to the extent that the substitution occurs, it proves injurious to the American woolgrower by reducing the nominal duty to a lower actual duty than that contemplated by the law.

But there is another view to be taken of this. First, that the low-shrinking wools of Canada and England are not generally used in the manufacture of worsted goods. But, as stated by the Senator from Wyoming [Mr. WARREN], they go, as a rule, into the manufacture of certain lustrous fabrics and do not compete with our clothing wools at all or with the worsted goods to any considerable extent.

One test which may be applied in the midst of the wilderness of contentions is the test produced by experience. We do know that under the present arrangement of these schedules the woolen industry prospered in this country from the enactment of the law of 1867 until it was changed or made applicable to different conditions in 1883.

Under the tariff of 1883 the domain of the American woolgrower was invaded by foreign competition to such an extent that our flocks were, as they always are under evil conditions, sent to the slaughter. Under the McKinley bill, which corrected the defects of the law of 1883, the number of sheep and the pounds of wool of American origin gradually increased. Under the Wilson tariff law our flocks almost disappeared in open competition with the world. The cutting down of the flocks was cruel, constant, and disastrous to the American woolgrower.

When the Dingley bill was passed we observed an immediate return to a steady increase, and if this increase is continued for the next ten years, we will be producing in this country every pound of wool required for the clothing of the American people.

Mr. DOLLIVER. If it will not disturb the Senator I should like the cooperation of the Senator from Montana to get an adequate protection on such wools as are produced on the farms of the Mississippi Valley, and those who are expert in the matter tell me, inasmuch as our wools are the English wools, this failure of Congress to put them upon a plane of equality with the clothing wools has operated almost fatally upon our wool industries, as was stated in the letter which I had read from the president of the Minnesota Woolgrowers' Association. May we have the cooperation of the Senator from Montana in putting clothing wools and combing wools upon the same basis in this tariff law?

Mr. CARTER. If the Senator needs cooperation in placing the so-called second-class wools in better relation to the protective tariff, I will be glad to cooperate with the Senator.

Mr. DOLLIVER. Our trouble is this: We have these English combing wools for sale. People come from all over the country to buy them or we send them to the wool markets for sale. They buy them, but they never pay us more for them than 15 cents above the London price of similar wools. The result is, whenever we think we are going to make money, when there is a scarcity of or a special demand for wool our prices rise gradually, but when it reaches 15 cents above the level of the London price the demand for our wool ceases altogether and our customers turn their attention to the London wool market, thereby creating what one of our oldest farmers describes to me as an automatic retarder of the price of the wool we are raising, a retarder that is working night and day.

Mr. CARTER. The class of wools referred to by the Senator are produced from mutton sheep. They are produced from flocks near the market, and are a coarse grade of wool and of limited use. I would be glad to cooperate, however, in a movement which would give the American farmer raising these mutton sheep all the protection he needs to develop that great industry in competition with the outside, on favorable terms fixed by our tariff laws.

I think it is a matter of very grave importance, aside from the production of wool, to maintain a healthy growth in the raising of sheep, because the mutton sheep is one of our staple sources of food supply, as well as a reliable source of supply for our clothing. I would be glad to see on every farm in this country a band of sheep as a guaranty not only of clothing wool, but of a meat supply; and as an assurance that the soil of the country would be bettered by running the sheep upon its pastures.

But I desire to ask the Senator how he expects to benefit the raiser of mutton sheep by putting the wool of this refined quality at 13 cents a pound lower in the tariff scale than the scoured wool?

Mr. DOLLIVER. Until a man knows——

The PRESIDING OFFICER (Mr. CUMMINS in the chair). Will the Senator suspend, in order that the Chair may state what he understands the situation to be? The Senator from Iowa [Mr. DOLLIVER] has the floor, and he yielded temporarily to the Senator from Montana [Mr. CARTER].

Mr. CARTER. That is correct.

The PRESIDING OFFICER. It is all right if it is understood by Senators.

Mr. DOLLIVER. The Senator from Iowa will not seek to recover the floor except upon equitable terms with the Senator from Montana.

Mr. CARTER. I am under many obligations to the Senator from Iowa for his indulgence.

Mr. DOLLIVER. It is no use to talk to me about what the duty on that scoured wool is until you tell me what the shrinkage of the material out of which it was made actually was. It is not worth while to waste our time talking about 33 cents a scoured pound. The duty put on the scoured contents of that fleece was determined entirely by its shrinkage. For example, that wool came here unwashed at 12 cents a pound, and it had a very slight shrinkage after that, and the duty paid on the scoured contents in the fleece was not 33 cents a scoured pound, but between 14 and 15 cents a scoured pound. And yet on that wool, my honored friend, the Senator from Montana, would insist that when it rises to the dignity of a top waste it ought to command 33 cents a pound.

Mr. CARTER. Thirty.

Mr. DOLLIVER. Thirty cents a pound. He might just as well say 50. It bears no actual relation; and that leads me to say that I desire——

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Wyoming?

Mr. CARTER. It is for the Senator from Iowa to say.

Mr. WARREN. I merely wish to make one observation.

Mr. DOLLIVER. Certainly.

Mr. WARREN. I want to say to the Senator from Iowa that this repetition over and over again that these products are made from wool which shrinks 15 or 16 or 14 per cent is entirely erroneous. It can not be true. Only a small percentage, as I remarked before, less than 6 per cent——

Mr. DOLLIVER. Yes; my friend did remark before——

Mr. WARREN. And that is true.

Mr. DOLLIVER. My friend remarked before——

Mr. WARREN. It matters not how many times it may be repeated.

Mr. DOLLIVER. My friend remarked before that the percentage of these wool wastes and wool substitutes imported was as great as the wool marked "second class."

Mr. WARREN. What is that?

Mr. DOLLIVER. I understood my friend to say that the wool waste imported equaled in value the amount of wool of class 2 that had been imported.

Mr. WARREN. I did not make that observation, but I quoted the price in this country of noils as reaching, in some cases, as high as 70 per cent. But I did not make the statement the Senator gives.

Mr. DOLLIVER. I understood the Senator from Wyoming, in his effort to emphasize the importance of these wool wastes and his effort to belittle the importance of class 2 wool, to say these wool wastes were a more important element in the wool market than the second-class wools themselves.

Mr. WARREN. I stated that in quantity the noils themselves amounted to more than the entire product imported of second-class wools.

Mr. DOLLIVER. And that led me to observe that the Estimated Revenues——

Mr. WARREN. I did not say imported, but the amount used here in this country.

Mr. DOLLIVER. I have no figures about that, but I know there were 9,807,394 pounds of wool of class 2 imported into the United States in 1907.

Mr. WARREN. Yes; there was more than that, I will say to the Senator.

Mr. DOLLIVER. Then the Senator corrects the official figures of the Government.

Mr. WARREN. No; I will say furthermore that there were less than half a million pounds of noils imported in the same year. But my observation as to the amount that went into consumption in this country is that there were more noils than second-class goods.

Mr. DOLLIVER. I do not know what sources of information the Senator has on that point. I wish I could get to some definite figures. The Senator's judgment is good, but I do not propose to spend another minute operating on even the judgment of good men when figures are available.

I wish to make another proposition to the Senator from Montana. We are here together in the presence of this great legislative assembly. Suppose I should offer an amendment placing the duty on wool and hair of the first and second classes in one paragraph, to be estimated, levied, and paid according to the shrinkage which would occur in scouring such wools, the ascertainment of such shrinkage to be made under such regulations as the Secretary will prescribe and levy duties like this. What would the Senator say to it? On wool and hair of the first and second classes, shrinking 65 per cent or more, 11 cents a pound; shrinking less than 65 per cent and not more than 55 per cent, 13 cents a pound; shrinking less than 55 per cent and not more than 45 per cent, 16 cents a pound; and so carrying the shrinkage down with the proportionate assessment, until finally upon shrinkage less than 15 per cent there shall be levied 33 cents a pound. What would the Senator say to that?

Mr. CARTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. To that I say that, in my judgment, if the basis proposed by the Senator from Iowa were presented as an original proposition, it would be infinitely superior from the woolgrowers' standpoint to that now provided by the statute. But I wish, with the Senator's indulgence, to say why, in my opinion, it is inexpedient to give adherence to that proposed amendment now.

In the first place, paragraph 365, which fixes the duty at 11 cents on first class, and 12 cents on second class, has been approved by the Senate as it came from the House. Preceding paragraphs have been adopted by the Senate as they came to us providing for the relation to which I have referred between wool in the grease or washed wool and scoured wool at 11, 22, and 33 cents.

Mr. DOLLIVER. When were those amendments adopted? I did not agree to that.

Mr. CARTER. I understand when we went over the bill the Senate agreed to those paragraphs.

Mr. DOLLIVER. With unanimous consent to reopen any paragraph that anybody desired.

Mr. CARTER. I suppose that could be done, but aside from a motion to reconsider, let me suggest to the Senator the reason. I represent, with my colleague, the largest wool-producing State in the Union.

Mr. WARREN. I beg the Senator's pardon, Wyoming——

Mr. CARTER. I know, but the figures are against Wyoming. Montana leads all the States in the production of wool.

Mr. WARREN. I will say to the Senator that the figures of the department show that out of three years that was true of Montana in one year, and of Wyoming in the other two years. But there is very little difference, I will say to the Senator. There is a difference of less than 2,000, I think, in the number recorded.

Mr. CARTER. Wyoming has been doing handsomely, following our example, and I am very happy to know that. The adoption of the amendment proposed by the Senator from Iowa would throw this entire wool schedule into conference.

Mr. DOLLIVER. Would not that be an easy thing?

Mr. CARTER. It might be an easy thing to throw it in, but I do not know what would evolve from a conference. We do know that under the present law this great industry of supreme importance to all this country is prosperous; that our flocks are increasing in number; that they have increased from about 37,000,000 head of sheep in 1897 to about 60,000,000 head now; that our wool clip has run from something like 200,000,000 pounds within the last ten years up to 311,000,000 pounds annually. The increase has been healthy and continuous under the existing law, which we hope to reenact in the pending bill. With the fate of so many people, the fate of this great industry, hanging in the balance, I, for one, do not propose to cast the whole responsibility and practically the whole power to control this entire matter in the hands of any conference committee, if I can help it.

Mr. DOLLIVER. Mr. President, on the theory which the Senator from Montana has stated I have found a great deal of comfort for my own heart. He thinks it would be all right to more adequately take care of the sheep in all the Middle West. He thinks that schedule that I have proposed is infinitely better than the old schedule, and yet he fears that if the box is opened you can not tell after the things are out whether you will be able to get them all back in. I should like to ask him at what period in the history of the United States it is to be done? This tariff schedule has escaped on that theory for nearly fifty

years. When in the evolution of free institutions upon this continent is the time likely to become opportune for opening this schedule, as my friend has just opened the wool casket behind him and, picking out with some intelligence, brought it up to a modern day, picking out the things that have grown obsolete, reducing the things that have damaged the husbandry and have nearly destroyed the greatest and most influential branch of woolen manufacture in the United States, which have brought here the protests of the knitting industry of America?

When, in the history of this country, is the time likely to come when it will be possible to reduce this schedule without taking up the details of it as some of us have suggested here? Are we to be forever placed upon this old schedule, now half a century old, simply because the conference committee under our rules is liable to put things in and leave things out in a mysterious and complex manner that is hard to understand in advance?

Mr. CARTER. Mr. President, I am warranted in hoping that the time will come when we may have placed upon the statute books a better classification for wool than that which now exists. This hope is born of the advance made by the Senator from Iowa, for in 1897, speaking of the identical schedule which he now would amend if he could, and if he could it would be well, the Senator from Iowa made some observations in the House, and they are so apt as indicating the progress of the Senator's mind and the basis of my hope that I will ask the Secretary to read them.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

SENATOR DOLLIVER ON THE DINGLEY LAW, DELIVERED DURING CONSIDERATION OF PRESENT DINGLEY LAW.

The proposed bill reclassifies the clothing wool, notwithstanding the statement of my friend from Colorado [Mr. Bell] to the contrary. It puts in the class of clothing wool all the wools of the world that can be used for clothing wools, and it restores the protective rates of 1890, in order that the American flocks may not be further scattered and in order that agriculture may enter upon and possess this half-occupied field of domestic production. The existing law was ingeniously framed to give cheap wool to the factories, and it accomplished that, incidentally putting most of them into the hands of a receiver. [Laughter.] Therein lies a double affliction on the American farm, because no rate of duty, as my friend from South Carolina ought to know, is worth anything to the farmer unless the factories of the United States are busy, since the American clip must either be sold in the United States or kept over as a souvenir of legislative stupidity. [Laughter.]

The woolen factories of New England, which my friend from South Carolina talked about, never asked for free wool, and they accepted it with doubts and fears; nor is it too much to say that all their fears have been realized, for the statement made yesterday by our honored leader [Mr. Dingley] as to the effect of this legislation on the farm and factory and on the Treasury is fully corroborated by the official reports. It was intended only to slaughter the sheep; it has operated to slaughter the factories and to slaughter the Treasury. They said that the price of wool would be kept up by the activity of the mills and the revenues of the Government would be kept up by the activity of the custom-house. Their theory is as beautiful as any dream that ever grew in the imagination of man. We were not only to hold our own, but we were to go out with our free-wool cloth and divide with Bradford and Chemnitz the job of clothing the naked inhabitants of the earth. [Laughter.]

That was the theory. What has actually happened may be stated in a few plain words and figures. Ten million sheep driven to the slaughter; 80,000,000 pounds of American wool displaced in our own market; the importation of cloth multiplied by 2; half the woolen mills idle and locked up, and the other half on scant wages and short time; the Treasury of the United States $21,000,000 shy [laughter]; our choice and select gentlemen disporting themselves in German, English and French clothes, and the rest of us shinning around in overcoats purchased during Harrison's administration. [Applause and great laughter.]

Mr. MAGUIRE. If the gentleman will permit a suggestion, would not the remedy for that be to do away with the civil-service rules?

Mr. DOLLIVER. Possibly that might help in the case of some of the gentleman's constituents. [Laughter.] Now, gentlemen, we propose to stop the slaughter of American flocks. That is the first thing. We propose to reopen the doors of the American factory; that is the second thing; and we propose to put $40,000,000 into the Treasury every year instead of $20,000,000; that is the third thing. What we have done we have done in the face of the world and before the eyes of all men, and I tell you right now that, so far as I am concerned, I welcome the lightning calculators of the Democratic party to begin their figuring on the McKinley ad valorem [laughter], and I will tell you another thing, gentlemen: Your sympathy for the poor man compelled to work a week for his clothes and another week to get them out of the custom-house has grown somewhat stupid and ridiculous in the glare of experience.

Mr. CARTER. The Senator from Iowa, of course, would repeat that speech to-day, because I do not question nor do I wish to have anyone question his loyalty to the party or his loyalty to the great body of American woolgrowers on farm and ranch, but I do feel that since in 1897 the Senator approved the schedules of the present law, his rather pronounced advance in the science of framing a tariff bill as far as the wool schedule is concerned shows that in the future a sufficient number of Senators may become qualified by study to frame a scientific if not a perfect wool schedule.

Mr. DOLLIVER. Mr. President, of course I appreciate the compliment which the Senator from Montana pays to me in saying that in the course of ten or fifteen years I have been able by diligence to pick up a few practical notions that I did not have twenty years ago.

I regret, however, that the Senator from Montana seems to be oblivious to the kind of tariff revision we were indulging in in 1897. We were revising the Wilson tariff law, which had put wool on the free list, and my remarks were directed to the effect of that proposition on the flocks and the factories and the Treasury.

I will say another thing to the Senator from Montana. I have not only in that time acquired some new notions about what ought to be done in these matters, but I am glad to see that my friend from Montana seems to have acquired practically the same notions, although he is afraid to let them out of the front yard by night for fear that they might be set upon by the wolves of the conference committee. Our ideas do not seem to differ enough to get up much of a joint debate. I believe that he is more afraid of the conference committee than I am.

Not only have I succeeded in acquiring some little knowledge about these matters since the Dingley tariff law was framed, but I have also acquired a rather more generous interpretation of the industrial and commercial situation of 1897 than I was accustomed in those days to put into my speeches either in the House of Representatives or upon the stump.

If I were called upon now, in the calm light of twelve years' reflection, to say that putting wool on the free list resulted in closing factories and destroying the flocks of the country and ruining the business of the country, I should hesitate to do it. It is a very wise man who can tell what was the cause of the industrial depression which burst in a panic upon the United States in all departments of its affairs in 1893. I have become satisfied that we, as Republican partisans, finding the argument too convenient, have exaggerated the relation of the tariff controversy to that great industrial crisis. It always was a little difficult to connect the panic of 1893 with the tariff act of 1894, in view of the fact that the event seemed to precede the cause in such a way as to put almost any ordinary man upon suspicion. So I am not going to discuss that question except to say that we have already had two or three mistakes made in this bill by misinterpreting the industrial conditions of 1894, 1895, 1896, and 1897.

My honored friend from Idaho [Mr. HEYBURN] the other day brought tears to my eyes when he was making his magnificent plea for putting a duty on certain mineral ores, because he said under certain tariffs the mines were shut. We ought to know that the mines were shut, not because of certain particular tariffs, but because the business of the country and of the world was long prostrate in the midst of financial disaster up to that time unapproached in our commercial history. While all these things entered into it, I do not think that it was necessary to attribute all of it to the tariff, and certainly not all the trouble that happened to lead and paint and the consumption of such merchandise to the little change that had been effected in tariff schedules some years before. And so the closing of these factories and the falling off in the demand for sheep and a thousand things entered into it.

He is not a wise man in the interpretation of statistics or commercial and industrial history who attributes to one thing a result of world-wide significance, to the production of which a thousand causes, some of them too obscure even to observe, operated over a long period of time.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. DOLLIVER. Certainly.

Mr. CURTIS. I wish to ask the Senator if he is not aware of the fact that while the sheep industry was ruined in this country, the importation of wool increased to the extent of over a hundred million pounds?

Mr. DOLLIVER. Oh, yes; after killing the sheep, before we could restore the flocks. I do not deny that putting wool upon the free list was a fatal error, injurious to the sheep industry in the United States. I never want to see it repeated. On the contrary, I offer here a proposition to enlarge and make certain the full measure of the protection which we have been laboring under the impression that we have been enjoying during the past twelve years without actually getting the benefit from it in most cases.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. I have been listening carefully to what the Senator said about the effect of the panic of 1893–94, and so

forth. I think the Senator will agree with me that since the wool industry was established—and it is a very old industry—any attack on the tariff upon either raw wool or the manufactures of wool has caused a diminution of the number of sheep.

If the Senator has studied the statistics, he has found in every case, starting back before he and I were born, up to the present time, that the number of sheep have run down after every tariff act that affected unfavorably either the woolgrower or the manufacturer. So you can not argue away the loss of sheep that occurred between 1894 and 1897 on the premise that other business troubles than the admission of wool free entered into it. The fact is it takes only just one thing to drive the sheep down or up in numbers, and that is unfavorable or favorable legislation for wool and its product, and when I say its product I mean the manufactures of wool.

Mr. DOLLIVER. Mr. President, there is some sound philosophy in what the Senator says, and it is only part of the general drift of what I have been trying myself to say. We make an error, I think, in attributing the business disaster of the fiscal year 1908 to any one cause. Our Democratic friends find it very convenient to say that it was caused by protection, or at least that protection was not able to prevent it, and technically they are correct in the last statement. We claim nothing of that sort had anything to do with it, and so we bandy with one another explanations about great movements in the commercial life of the whole world which none of us understand. If I were called upon now to repeat what I said as an enthusiastic youth in the House of Representatives many years ago, I would blue pencil a good many of the explanations I gave there for industrial conditions which surrounded our industries during that far-off period.

Mr. DEPEW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New York?

Mr. DOLLIVER. With a delight I have not experienced for years. [Laughter.]

Mr. DEPEW. Mr. President, the Senator is always interesting, and always will be; and he was never more interesting than when I last heard him in our own State make a speech for which we are largely indebted for the phenomenal majority which we received in illuminating all the arguments upon which McKinley was elected and upon which our great success was due at that time. He stated that he would wipe out, put a blue pencil through, the speeches that he made twenty years ago in his salad days in the House of Representatives. As a mature statesman, as the star orator of the party, traversing the country, making speeches in the campaign of 1896, he made speeches which largely produced the result for which we are so grateful in looking back that they occurred. Would he pass a blue pencil through those speeches?

Mr. DOLLIVER. Mr. President, when I spoke with the Senator I was reported in very brief fashion to the effect, "Mr. DOLLIVER" or "Mr. Dollinger" also spoke. I would be glad if I could get a blue pencil through that some time. [Laughter.]

Now, Mr. President, I am afraid I will be charged with having occupied the floor all this time, but I have not yet said exactly what I propose to try to do. I propose to present an amendment which will eliminate the unnecessary distinction between wool of the first and second class, and which will assess the duty upon wool on the basis of its proportionate shrinkage, the duty rising as the wool shrinks less, until at last, when it does not shrink at all, it stands at 33 cents to the scoured pound. I do not expect it to pass, but——

Mr. BEVERIDGE. Will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I understood the Senator from Montana [Mr. CARTER] to say, when the Senator from Iowa presented his proposition, that he liked it better than the present law and would be glad to see it adopted but for fear of what might happen in the conference committee. Is that correct?

Mr. DOLLIVER. Yes; that is what the Senator said.

Mr. BEVERIDGE. I was wondering if that was also the view of the Senator from Wyoming [Mr. WARREN] and the Senator from Utah [Mr. SMOOT].

Mr. DOLLIVER. I think it is.

Mr. BEVERIDGE. If it is, of course, and the Senator from Iowa, who has the floor and has the amendment, finds out from those two Senators that it is true that the only thing against the amendment is a fear of what might happen to it in conference committee, we might arrive at a conclusion very soon.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. In answer to the Senator from Indiana, I wish to state that that is not the reason why I would oppose any such proposition, but the reason is that it is absolutely impossible of administration. That is one objection. Another is that to administer it every pound of wool that comes into this country would have to be scoured.

Mr. BEVERIDGE. Mr. President, just a moment. I wish to put a question. Then the Senator thinks the Senator from Montana, who is a defender of the wool schedule, was wrong when he said a moment ago that he liked the amendment of the Senator from Iowa better than the present law.

Mr. SMOOT. He certainly was wrong, as far as my idea is concerned. I am going to tell the Senator from practical experience what this amendment would mean to a manufacturer. I think that is the proper way to consider this question.

Every manufacturer of woolen goods first wants to assort his own wool, and the success or failure of a woolen mill many times depends upon the assorting of wool. One man may have a half dozen grades; another man, a manufacturer of woolens, may have only three; another may have ten. The manufacturer wants to assort the wool for the particular goods that he makes to suit his own idea as to what the effect and result of the assortment will be.

This amendment is impossible of administration. Take one fleece of wool; I can take out of one fleece of wool five grades of wool. Who is going to administer the provision? Is it going to be assorted at the ports of New York or Boston, or whatever port it enters into the United States? Is it going to be scoured there?

Mr. President, there are hardly two manufacturers in the United States that scour their wool the same way or with the same process. Why? One, perchance, will want to scour with caustic soda, another with caustic potash, another with a manufactured article for scouring wool, all depending upon the judgment of the manufacturer.

Another thing, Mr. President, every manufacturer wants his wool in the grease.

Mr. BEVERIDGE. Will the Senator allow me a question there?

Mr. SMOOT. Certainly.

Mr. BEVERIDGE. Then I understand the Senator to say if it were capable of administration, if that difficulty were removed, the Senator would join the Senator from Montana in preferring the amendment of the Senator from Iowa to the present law. Is that correct?

Mr. SMOOT. I would see no harm as to the ad valorem rate if such a thing could be administered properly, but it is impossible of administration.

Mr. BEVERIDGE. Yes; the Senator said that, but we are trying now to get down to a sort of issue. There seems to be an understanding that is being arrived at here. The Senator from Montana unreservedly prefers the amendment of the Senator from Iowa, except for his fear as to the action in conference. The Senator from Utah occupies the same position himself.

Mr. SMOOT. No.

Mr. BEVERIDGE. He says it is impossible of administration. Now, I say to the Senator in case that difficulty were removed and if it were possible of administration, would he also join the Senator from Montana in preferring the amendment of the Senator from Iowa to the present law?

Mr. SMOOT. I will say again, I am positive that it can not be administered successfully, and no manufacturer in this country would approve of any such plan.

Mr. BEVERIDGE. I am simply supposing a case, putting a hypothetical question. Suppose it were capable of administration, then would the Senator prefer it, as the Senator from Montana does, to the present law?

Mr. SMOOT. No, Mr. President. So far as that is concerned, I wish to say that I do not want to take into consideration or pass an opinion upon a proposition that is absolutely impossible to carry out.

Mr. BEVERIDGE. I present, the Senator understands, a hypothetical question.

Mr. SMOOT. As to a hypothetical question, there is no need, I will submit to the Senator, of submitting such a question and asking for the passing of an opinion upon it when the person asked to pass his opinion says that the proposition is absolutely impossible of administration.

Mr. BEVERIDGE. I thought it might possibly be demonstrated a little later on in the debate that it could be administered. If it could be administered, then would the Senator think it was better than the present law?

Mr. SMOOT. I want to call the Senator's attention to the fact that, as I said before, in a fleece of wool one can take a

part of the fleece from the shoulder, and if he take a sample from the shoulder, it would not shrink as much as if you took it from the skirting. In assorting the wool there may be three grades of it, or even five grades in many cases in the same fleece. Therefore, under this amendment which is proposed here by the Senator from Iowa, I say again it would be absolutely impossible of administration, and because of that fact no manufacturer would ever in the world give his consent to it.

Mr. DOLLIVER. Mr. President——

Mr. WARREN. Will the Senator from Iowa permit me?

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. I do.

Mr. WARREN. Mr. President, I shall only detain the Senate for a moment. As the Senator from Utah [Mr. SMOOT] spoke for me to some extent, I wish to say that I shall undertake to give reasons why I shall not support the amendment. I say very frankly that I shall not support the amendment, because it is not at the present time for the good of the woolgrower. There would have to be an entire rearrangement; and that is utterly impossible at this time, as I shall attempt to show when the Senator from Iowa has concluded.

Mr. SMOOT. Mr. President, another thing I wanted to say was that I did not hear the amendment read; therefore I simply speak upon the question of principle contained in it, because I do not recall just now how the grades were named as to the amount of protection; but the principle is wrong. Therefore I can not support the amendment.

Mr. WARREN. The Senator from Utah knows that it would require an entire readjustment of the whole schedule of compensatory duties as to every fabric that is made from wool.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. I will yield if he will agree not to begin to retract the kind words that he spoke about my amendment.

Mr. CARTER. I would, if I spoke from my heart at length, add to the kind words I spoke.

Mr. DOLLIVER. I yield indefinitely to the Senator. [Laughter.]

Mr. CARTER. Mr. President, the amendment proposed by the Senator from Iowa [Mr. DOLLIVER] would give to the woolgrower a protection of 33 cents a pound on every scoured pound of wool brought into the United States, or on wool that would be the equivalent of a pound of scoured wool; but as the Senator from Wyoming [Mr. WARREN] well says, a complete readjustment, not only of the wool schedule, but of certain definitions and likewise of the schedules relating to woolens, would then be indispensable and unavoidable. I say that, while representing the woolgrowers, I would, if I could, have the identical arrangement proposed by the Senator from Iowa; yet I do feel that at this stage in the parliamentary proceedings to venture all of these schedules, all of the adjustments necessary to reach and become accommodated to that amendment, is extremely perilous for the woolgrower. I do not want to have all their interests referred to a committee of conference.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. I yield.

Mr. NELSON. The Senator from Montana, if I understand his remarks correctly, concedes that this woolen schedule could be well amended and changed in several particulars. This is one of the most ancient schedules in the bill, it being over fifty years since it was first established. Great changes have taken place since that time. If you will look at the ad valorem rates you will find that the woolen schedule contains the highest of all rates. If we are here to revise the tariff, why, in God's name, should not the Finance Committee or the Senate attempt to do something with this woolen schedule, and not leave it in the shape it is? Is that to be immune from all revision? Are we to revise everything else except this woolen schedule? Is that to remain for ever and ever sacred, like a Hindoo idol?

Mr. CARTER. Mr. President, in reply to the Senator from Minnesota, I very cheerfully assert that it would be well if we could readjust schedules in the interest of the woolgrower, but I aver this to be true, as sustained by a long experience extending over a wide territory, that the rate of duty fixed for the protection of the woolgrower is barely adequate, and in no sense excessive, and that it can not be reduced without starting a retrograde movement which will ultimately result in practically wiping out the wool production of this country. That would not be to the advantage of the consumer, because when it becomes commercially unprofitable to raise wool in this country, the sheep will inevitably go to the slaughter. There is always a demand for mutton, and no one will keep a wool-bearing animal on the ranch or on the farm when the wool can not be produced at a profit. The open market being ready to receive the sheep and turn the sheep into mutton, the individual withdraws his investment by selling the sheep to the butcher. This would, in the natural course of events, under the operation of a law that has never been enacted and can not be repealed, result in the extermination of our flocks; and the subtraction of 311,000,000 pounds of wool from the world's supply would, in the end, leave our clothing woolens more expensive than they are now.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. I do.

Mr. NELSON. Mr. President, I think the Senator from Iowa has pointed out here that there is a discrimination in this schedule against what is called the "mutton wool" of Minnesota and other States in the West. Why should our sheep in Minnesota, in Iowa, and in the Mississippi Valley, be discriminated against in favor of the sheep of the mountain States? They have the whole government range there; and they have nobody to deal with except Uncle Sam and Brother Pinchot. [Laughter.] They have all that range and a few sheep herders to look after all their sheep. But how is it with the farmers of Minnesota and of the Mississippi Valley? We have to stable our sheep, we have to mow hay for them, we have to feed them, and it costs us twice as much in the Mississippi Valley to raise sheep and raise wool as it does out in the range States; yet Senators who are representing the mountain States, the range States, where they have a free government range, where the Government gives them free pasture, and where their only struggle is to keep away the cattle men from their sheep ranges, are unwilling to give us as fair an advantage for our sheep in Minnesota, Iowa, and the Mississippi Valley. I refer this to the Senator from Iowa, who will correct me if I am not correct.

Mr. HEYBURN, Mr. SMOOT, and Mr. WARREN addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Iowa yield?

Mr. HEYBURN. I desire, with the permission of the Senator from Iowa, to ask a question of the Senator from Minnesota [Mr. NELSON].

Mr. DOLLIVER. I yield to the Senator from Idaho for that purpose.

Mr. HEYBURN. Is not the Senator from Minnesota advised that the Rocky Mountain sheep, to which he refers, pay a grazing fee of 7 cents a head, which amounts to $98 on a flock of 1,400 sheep?

Mr. NELSON. Not all of them. That only refers to the few who get on a forest reserve. There are great quantities of Uncle Sam's lands outside of forest reserves which are grazed without money and without price.

Mr. HEYBURN. Not in Idaho.

Mr. NELSON. The sheepmen and the cattlemen get in there, and through their herders they keep away homestead settlers and prevent the country from being settled up.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. Mr. President, I deny the fact that the woolgrowers of Minnesota or the Middle West are not protected. Speaking of the shrinkage of wool, does not the Senator know that all American wools are bought upon the scoured basis?

Mr. DOLLIVER. The Senator has just proved to the Senate that it is impossible to assess the duty upon scoured wool.

Mr. SMOOT. Ah, but, Mr. President, it is purchased upon the judgment of the purchaser as to what the shrinkage will be; and I want to say to the Senator that I have purchased wool sheared from sheep from the same pen, that ran upon the same territory, and I have paid from 5 to 6 and even 7 cents a pound more for one clip than the other. Why? Because one shrinks less than the other; and the low-shrinkage wools of Minnesota are purchased upon the basis of the amount of shrinkage in those wools, and the price is paid accordingly.

Mr. NELSON. Mr. President, I want to ask the Senator from Utah, with the permission of the Senator from Iowa——

Mr. DOLLIVER. Certainly.

Mr. NELSON (continuing). Why it is that you put our washed wool on the same basis as unwashed wool? Why discriminate? Why, when it comes to our wool, not have the same rate of duty on washed wool and unwashed wool? The Senator can speak for Utah, but he can not speak altogether for Minnesota and the Mississippi Valley.

Mr. SMOOT. Mr. President, I am speaking for no State. I am speaking for the great woolen interest of this country. The Senator wants to know what about washed wool of the second class, calling that "Minnesota wool." The second-class wools coming into this country have amounted to only 7 per cent of the importations for all of the time during the life of the present law. Those wools, Mr. President, are not used in common clothing; they are used in braids and luster goods. I say now that the total importation of second-class wool—which, the Senator claimed, is dutiable at only 12 cents a pound, instead of 24, on account of being washed—amounted to only 7 per cent of all the wool that has come into this country under the present law.

Mr. DOLLIVER. Will the Senator state what the total value of the importation of wools was in 1907?

Mr. SMOOT. I have not the figures here, and I can not give them offhand, but I can get them in a very few minutes if the Senator so desires. They, however, would not tell him how much of the second-class wools were imported——

Mr. DOLLIVER. Exactly.

Mr. SMOOT. But we can, under the importations of second-class wools, fix the amount of them, as the customs office keeps them separate.

Mr. DOLLIVER. In 1907 there were 9,809,794 pounds of this second-class wool brought in.

Mr. SMOOT. I should like to ask now, if the Senator has the figures, how much were the importations of third-class wool, and how much were the importations of first-class wool? The answer will demonstrate whether my statement was correct. There were only 12,000,000 pounds of second-class wool imported last year, and that went mostly into the manufacture of braids and luster goods. That is the use for which that class of wool is put to-day.

Mr. NELSON. If the Senator from Iowa will permit me, these statistics do not show the proportion of washed and unwashed wool of the second class that came in, for the reason that they all came in under the same duty, and hence the custom-house figures do not throw any light upon that subject.

Mr. SMOOT. That is just the reason I am taking all of them, the washed and unwashed. The Senator from Minnesota can see that they take the other forms of wool——

Mr. NELSON. Perhaps our wools are mercerized. Is that the trouble? [Laughter.]

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. "Mercerized" seems to haunt the Senator from Minnesota. He does not seem to be able to get over it somehow or other.

The PRESIDENT pro tempore. The Senator from Wyoming [Mr. WARREN] has the floor.

Mr. WARREN. I will later on give the exact amount of importations of second-class wool, but the importations of the first and third class amount to well up toward 200,000,000 pounds, while the importations of wool of the second class amount to something more than the Senator said, because he is giving the amounts without taking into account what comes in on the skin.

The Senator from Minnesota surely does not want to do the western sheep man an injustice. There was a time when the western sheep grower could take his flock of sheep and go out on the government domain. I want to assure the Senator now that for every sheep there is in Wyoming—and I think I can speak for Montana as well—there is an investment of from $10 to $15 in land, fences, reservoirs, and ditches, in machinery and hay and feed, and so forth; that is, there is a standing investment of from $10 to $15 for every sheep. Then comes the expense of running them. The public range as such is a thing of the past.

The Senator from Minnesota says that the wool in his State does not bring the amount that wool in the West does; that he is discriminated against. I do not know that Minnesota wools are given as such, but I assume that they would be given in the class of Michigan and Wisconsin wools. Am I right about that, I ask the Senator from Minnesota?

Mr. NELSON. I can not say as to Michigan wools, but I should think they might be classed with Wisconsin wools.

Mr. WARREN. The wools of Michigan and Wisconsin are to-day bringing 50 per cent more than the wools from the West, pound for pound.

The Senator talks about revision and says the wool schedule is an idol; that it never has been revised, and that it should now be revised. Mr. President, that is what has been the matter. The subject of wool and woolens has been revised and revised over and over again. More than twenty times it has been revised. That is the trouble. All these revisions have brought out a result, and that result is, of course, the ultimate success or nonsuccess of raising wool on the one hand and of manufacturing woolens on the other.

I am here to say that with all the twenty-odd tariff bills that have covered wool and woolens, the only time when there has been success has been when the laws of 1864, 1867, 1890, and 1897 have been closely adhered to. Every time the rates have been lowered the result has been disastrous. For instance, in 1883 the woolman was not attacked upon the surface, but the manufacturer was attacked. Hence our wool went down in price and our sheep went to the slaughter; and at the end of a very few years we had lost 18 per cent of our sheep, our manufactories were largely closed, and we were bringing in three or four times as much woolen goods from foreign countries as before, and bringing in, of course, much less unmanufactured wool.

It is true that this subject has been considered heretofore. The manufacture of wool, at least, is a highly technical industry. There is an individuality about wool that scarcely——

Mr. NELSON. Does the Senator say that the raising of sheep is a technical industry?

Mr. WARREN. Mr. President, if the Senator had waited a moment I would have come to that. I said that the manufacture of wool was a technical business, and I want to say that the raising of sheep, if not technical, is a very hazardous business. Now I will ask the Senator if he knows of any time—he is a reader of history—when both the woolmen and the manufacturers have been successful for any length of time, except under tariff bills that run closely parallel with that of 1897.

The Senator says that we do not revise. Here is the article of noils. While it has not developed yet perhaps as much as it may, I may say—I will not say this entire subject, but a large percentage of this difficulty and this proposition of the carded-wool men refers to noils. Noils have been reduced. In the McKinley Act the duty on noils was 30 cents a pound, and we reduced it to 20 in the Dingley Act. Was not that revision, and was it not revision downward?

It is asked to reduce the rate of duty from that point, and the wool men object because the reduction has gone down to a point where to accept the proposition of lowering the duty on noils would result in bringing in noils from foreign countries at a figure the equivalent of which would not be perhaps over one-third of what the present duty is on scoured wool.

The woolgrower simply asks a chance to live; he asks a chance to supply this country with all the clothing that it needs; and until the time comes when he can do that, he asks that such wool as may be brought in here shall be in the natural condition, as near as possible, so that the labor of making that wool into goods shall all be performed in this country and this country shall get the benefit of it. You may place a barrel of water on that table where the reporters are working and drive the head in solid and drive the bung in solid until you think it is water-tight, but if there is a gimlet hole on the other side, even if not seen, it will drain the entire vessel.

So if you open a place in this schedule on noils, and there are a dozen other, yes, two dozen other products—and when I say "products" I mean various stages of wool from the sheep's back to the cloth—that could be named, you reduce those duties and your importations all follow on the basis of the price that it costs to get it in as scoured wool.

So that we have had plenty of revision; we have had revision up and we have had revision down; we have had the duty on wool considerably higher than it is in the present tariff; we have had the duty on woolen manufactures lower; we have had wool lower; we have been up and down; we have been from free wool up to 12 or 13 or 14 cents a pound; and we have arrived at that stage when, enlightened by experience, we know that, taking the duty as it is, with business adjusted to it, we can proceed so that the woolgrower and the manufacturer can both be successful; but undertake to revise it, and, with the diversity of opinion, it is manifest on its face that it can not be done at this juncture.

Mr. NELSON. Mr. President, the Senator's argument is that because there is a diversity of opinion here, we ought not to revise the tariff on wool.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Vermont?

Mr. DOLLIVER. Certainly.

Mr. PAGE. I should like to ask the Senator from Wyoming, as he seems to be well informed in regard to this matter, whether he thinks it is practicable to adopt the amendment of the Senator from Iowa, even though he agrees to the provision?

Mr. WARREN. By no manner of means, Mr. President; because to undertake to enter that domain means to take up the entire schedule, from its title to its end. I submit that when we are proceeding along under a schedule that has had many years of study, that has been changed from time to time, and we have had the most illustrious woolmen and the most experienced woolmen working upon it as commissioners, in undertaking a revision of the entire schedule we must resort to something more than the thought of any one Senator, however able he may be, submitted on this floor at this time.

Mr. PAGE. I have had some experience in this matter. I have been handling wool for fifty-odd years, and have been a woolgrower for perhaps twenty years; and, instead of there being 3 or 4 or 5 kinds of wool, as has been stated here, I know I make 36 kinds. I can say that the more this matter is discussed the more it seems to me impracticable to make up a schedule in a moment. It must be the subject of a great deal of research and study, and I am quite confident that if the Senator from Iowa would study the whole problem to its source he would find that every movement he makes would involve him in more trouble in regard to the adjustment of his ideas to the grading and the producing of wool. I, myself, do not know as to the Minnesota and the Wyoming wool, but I imagine that the difference in the price is due not so much to the difference in the quality of the wool as to the difference in the shrinkage.

To-day the price of "A-super" scoured wool is somewhere from 70 to 75 cents, and we have wool which we call our "seller" wool, which runs down as low as 5 cents a pound. I do not know just where they would come in under any schedule, but I do know that the whole matter of wools is an intricate one. For instance, we have to-day an excellent market for every class of wool that goes into the ordinary clothing we wear, and I do not know that there has been a day in the year when there has not been a pretty good demand for all of that class of wool. On the other hand, ordinary carding wools have been so dull that there have been times in the last two years when we could not get enough for them, because the claim of the manufacturer was that the wools had gone out of style, and therefore there was no demand for them.

I do not know exactly what the Senator from Iowa means when he says that the people can not get clothing at a fair price, because I know that wools that were sold at 40 cents a pound three or four years ago have, by reason of the change in fashion, gone down to 25. The reduction has been immense. I imagine that the more this question is studied the more difficult it will be found to adjust any schedule here upon the spur of the moment.

Mr. DOLLIVER. Mr. President, nobody has ever intended to settle this matter on "the spur of the moment." These schedules have been made from generation to generation, practically, so far as Congress is concerned. They were originally made outside of Congress. They have been perpetuated because it has been easier for Congress to allow outsiders to adjust all these matters than to attend to them within the walls of this Chamber and the Chamber of the House. I am not complaining particularly about that. It is an ugly mess; it can not be approached without watchfulness and pious meditations of all sorts; but is that any reason why it should be left undisturbed for fifty years? What I am seeking now to have done is to have a genuine, scientific protection and Republican revision, and the word "revision" means "look at it again." Let us see whether what was fairly good fifty years ago has not become outgrown and behind these times. I regret that we are being denied even that poor privilege.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER (Mr. BRIGGS in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. DOLLIVER. Certainly.

Mr. HEYBURN. I should like to carry out the suggestion one step further. "Revise" means to look at it again, but there is nothing implied in the term "revision" that compels you to change, is there? You merely look at it to see whether a change is necessary.

Mr. DOLLIVER. When you look at it with the impartial and well-trained mind of the Senator from Montana the first thing you see is that it can be infinitely improved, and that is an interesting aspect of this matter to me.

Mr. President, I started out to tell what I intended to do or should try to do, and I have yielded without any embarrassment to everybody who desired to participate in the running discussion, and I am very glad that I did so. I now desire to state the amendment which I propose. I propose, in the first place, to offer an amendment placing the wool duties upon the basis of the proportional shrinkage of the wools imported.

My honored friend the Senator from Utah says that it is impracticable, because he once was deceived in buying a wagon load of wool in Utah, during the early settlement of that country. He overlooks the fact that the Government of the United States is now spending nearly a hundred thousand dollars a year for an analytical bureau in connection with the appraisers' stores in the city of New York to do with modern scientific accuracy what was impossible and incredible only twenty years ago. He overlooks the fact that we are able not only to tell the scoured contents of the fleece to-day by scientific means, but we can tell the moisture contained in the fleece as well. Beside every wool market in England stands a conditioning plant, which reports with scientific accuracy even the moisture contained in a scoured piece of wool submitted to this modern scientific instrument.

It is also interesting to find from the literature on this subject, that every international wool market is crowded with experts who almost at a glance can report with perfect accuracy the state of a fleece as to its wool contents. That seems incredible to the Senator from Wyoming, and yet such is the skill acquired at these London and Liverpool and Bradford auctions that there are there men who do not even need a machine to report with accuracy for those for whom they act the wool contents of every fleece sold at that auction.

Nobody in this world buys the dirt and grease in wool. Every man who buys wool buys the wool contents of the fleece or the bale, and if it were not possible to find out what it is, how would it be possible to conduct these auctions at the great centers of wool distribution throughout the world?

But I intend to accompany this proposed amendment with a little Treasury regulation, which is feasible, according to the testimony of our own Bureau of Standards, upon which we have also spent a good many thousand dollars since the Senator from Utah made an erroneous calculation as to the wool contents of a wagonload of wool in the early settlement of Utah, and I have spent many golden hours in the society of these great scientists. If any man will inquire of them, they will tell him it is perfectly feasible to levy this duty upon the scoured contents of the fleece and to determine with scientific accuracy, without scouring the wools, exactly what are the wool contents of every cargo of wool entering the ports.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. I do.

Mr. WARREN. I will say to the Senator that the Bureau of Standards, in my judgment, has laid out its work to attack about every problem on the earth and some under the earth and over it. They have succeeded in some. They have made no progress whatever and give no promise regarding this wool matter. There is not a single buyer of wool for direct manufacture within my acquaintance—and I have followed the matter for a great many years—who will trust his own judgment to buy closely on wool shrinkage, if a large amount of wool is at stake, but insists always upon samples and the scouring of such samples.

I wish to state to the Senator that if he goes to England and the markets there he will find a crowd of men there before the wool is taken up, taking samples and scouring them. So that the men buy each lot of wool upon what it actually shrinks.

Mr. President, go to Boston or New York. If a man wants to buy any wool of any consequence, and especially if it is close, he has sample bags sent to his place and he scours them. The trade is all conducted along that line rather than on the judgment of any man. I do not believe you can find a single wool dealer who would say to you that he can insure a correct estimate within 1 to 5 per cent on different wools of what the shrinkage actually will be. It is always a guess, although it may be a close one, and wool being such a valuable product guesses alone are not to be relied upon.

Mr. DOLLIVER. Then if that is true it is not necessary in the present state of the science to guess on this subject. So I will have printed in connection with that amendment the regulation—a brief one—which I have drawn to put the Government through just about the same process that the wool buyer puts his agent through in determining what to pay for his wool. I use the same process to determine what duty to assess upon it.

Mr. BEVERIDGE. May I ask a question?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The Senator's last remark seems to me a demonstration that the amendment is susceptible of being administered.

Mr. DOLLIVER. I have never submitted it to any expert who doubted it.

Mr. BEVERIDGE. I asked the question some time ago, when the Senator from Montana had said that he preferred the amendment of the Senator from Iowa to the present law, if that was also the opinion of the Senator from Utah—whether he would also prefer this amendment to the present law—and he said it was incapable of administration. The Senator from Iowa has demonstrated, by reason of these scientific tests, and so forth, that it is capable of administration. That being true, or supposing it is true, supposing the Senator from Iowa happens to be right about it, and it is capable of administration, will the Senator from Utah agree with the Senator from Montana that the amendment of the Senator from Iowa is better than the present law?

Mr. SMOOT. In answer to that, I wish to say that no one can tell what the wool shrinks until it is scoured, and then there are no two men who shrink wool who will get exactly the same result. If it was shrunk in New York port it may show one result. If it was shrunk in Boston port it may show a different result. It depends upon how the wool is scoured, and it is impossible to tell the shrinkage until it is scoured.

Mr. DOLLIVER. Could it possibly show such a startling variety of injustices as are involved in assessing a fixed amount upon the raw wool without any regard whatever to whether it shrunk 1 per cent or 75?

Mr. NELSON. Will the Senator from Iowa yield to me for a moment?

Mr. DOLLIVER. Certainly.

Mr. NELSON. Would it not be possible, with a consignment of wool arriving at the custom-house, to take a bunch of that wool and put it through a process of scouring and determine just what the net amount of wool is?

Mr. DOLLIVER. I have no doubt of it.

Mr. SMOOT. I wish to call the attention of the Senator from Minnesota to the fact that that can not be done. One bag of wool may shrink 60 per cent, another may shrink 65, just the same as the fleeces may differ.

Mr. NELSON. We have a way of inspecting wheat in Minnesota. We take out of every load of wheat a sample, and one out of every sack; and so if the wool comes in different bags or bundles, you can take a sample out of each and put it through the process of scouring and arrive definitely at the amount of net wool there is in the consignment.

Mr. SMOOT. Cleaning of wheat and wool are entirely different propositions.

Mr. DOLLIVER. I now desire to proceed a step further.

Mr. BEVERIDGE. Would the Senator object to my asking a question?

Mr. DOLLIVER. Certainly not.

Mr. BEVERIDGE. I did not want to insist on the Senator from Utah answering unless he wanted to. Therefore I did not pursue the question at first very much, because he said it was impossible of administration. But, now that the Senator from Iowa has demonstrated to his own satisfaction at least, and it looks plausible to us, that it is capable of administration, my question to the Senator is this: Supposing the Senator from Iowa is right about that, then would the Senator from Utah be in favor of this amendment rather than the present law, as the Senator from Montana has said he was?

Mr. SMOOT. I answered before, and I will answer again, that it is not possible of administration; and I say to the Senator now, as I said then, upon the hypothesis that he submits to me, I do not particularly care about offering an opinion.

Mr. BEVERIDGE. Then the Senator declines to give an opinion as to whether he prefers this amendment rather than the present law, supposing that the Senator from Iowa is right and that it can be administered?

Mr. DOLLIVER. I do not desire to discuss the matter further except to say I will print the Treasury regulations with which I propose to accompany this proposition. If that amendment is adopted it equalizes these duties as between the carded wool people and the worsted people and the spinning people so far as raw wool is concerned, and that, in my judgment, is the first thing necessary to be done if we are going to preserve the woolen manufacturing industry in the United States.

I again propose an amendment which relates to paragraph 371. I propose to strike it out and insert these words:

Woolens advanced from the scoured state, known as tops, valued at not more than 40 cents per pound, 30 cents per pound; valued at more than 40 cents per pound, 35 cents per pound; and in addition thereto on all the foregoing 20 per cent ad valorem:

Mr. WARREN. May I ask the Senator a question?

Mr. DOLLIVER. Certainly.

Mr. WARREN. The Senator knows what the Wilson Act provided. The Wilson Act, with free wool, made the duty on tops 20 per cent.

Mr. DOLLIVER. This is vastly more than that. It is 20 per cent ad valorem in addition to the specific assessments.

Mr. WARREN. You have now 30 per cent on tops.

Mr. DOLLIVER. Thirty and 35.

Mr. WARREN. How many pounds of wool make a pound of tops?

Mr. DOLLIVER. I understand that the tops are over two-thirds of the pound; the noils are less than one-third.

Mr. WARREN. There is a shrinkage besides the noils and the top.

Mr. DOLLIVER. Yes; there is a further shrinkage after you start in to make yarn.

Mr. WARREN. In other words, the top is an advancement beyond scoured wool.

Mr. DOLLIVER. I want to show my honored friend, the Senator from Wyoming, exactly what is done. If you will look into the coffin there, at the wool exhibition, you will see everything white and clean and beautiful. It is really an attractive thing, and yet it is a mere exhibit. I believe it is the same exhibit that the State of Montana had at the world's fair in 1903. I may be mistaken about that. If you showed an ordinary old carded-wool manufacturer those specimens he would laugh in your face. These are not the tops of commerce. These are not the noils of commerce. These are not the waste of commerce. If you want to see a genuine noil just as these poor fellows buy it in the market, I show it to you there [exhibiting]. If you come up here with me you will find the seeds of plants and burs and everything else in it. How does that happen? The man who is combing English wool does not scour it at all; or at least if he scours it, he touches it very lightly for fear of breaking the fibers still further, and his object is to get as many long hairs preserved in the fleece as possible.

So he hardly touches it. He does not put it in soda, but he combs it, and as he combs it out come the dirt and the burs and the accumulations—everything that was left in it after it was washed in the stream—and that is the noil of commerce, as I found out by talking to 20 manufacturers who are engaged——

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I do.

Mr. SMOOT. Do I understand the Senator to say they card wool unwashed or unscoured?

Mr. DOLLIVER. I did not say carded. I said combed it.

Mr. SMOOT. Of course if the Senator knew——

Mr. DOLLIVER. If they did not comb it, how did they produce a noil like that?

Mr. SMOOT. Before they could comb it they had to card it.

Mr. DOLLIVER. Very well.

Mr. SMOOT. I ask the question whether the Senator said that they carded the wool and combed it without scouring?

Mr. DOLLIVER. I did say that these long, delicate wools are not so scoured as to prevent the noils appearing of that color, which I undertake to say is the ordinary commercial noil that is sold to the carded woolen mills of the United States.

Mr. SMOOT. The Senator calls that what? What designation does he give it?

Mr. DOLLIVER. A noil.

Mr. SMOOT. I do not mean that; but what kind of wool—a delicate wool?

Mr. DOLLIVER. Whatever wool——

Mr. SMOOT. I want to say to the Senator that that is a coarse-fiber wool of the very lowest grade.

Mr. DOLLIVER. Do not make any unkind remarks about it. [Laughter.] That is not the only kind of noils we have here. There [exhibiting] is the noil produced in the preparation of wool for the weaving of carpets. Did you ever see that kind of noil out in Utah?

Mr. SMOOT. We do not make carpets in Utah. But this is hardly wool. This is camel's hair. [Laughter.]

Mr. DOLLIVER. And the peculiarity about this tariff act is that it treats camel's hair and goat's hair exactly as it does wool. [Laughter.] The hair of any animal has the same dignity as wool under this law, which has passed beneath the eyes of the wisdom that has come here from the State of Utah. There is no question about that. Why should I be derided for presenting camel's hair, when the statesmen for fifty years have rated it as wool and treated it with the same dignity throughout every paragraph of those schedules?

Mr. SMOOT. If the Senator wants to know, I will tell him.

Mr. DOLLIVER. Well, it would be interesting, seeing your contemptuous allusion to camel's hair, to know how it hap-

pened to creep into this schedule and say there for fifty years without any comments from anybody.

Mr. SMOOT. Camel's hair is used in the very coarest goods, and is mixed with wool for the purpose of manufacturing horse blankets, carpets——

Mr. DOLLIVER. Have you made provision in this bill for noils arising out of the manufacture of wool into horse blankets?

Mr. SMOOT. The provision we put into this bill is to protect all noils, and if we put a rate on noils that would protect that class, what would become of the great majority of the high-priced noils that are worth the same as scoured wool? They would not be protected.

Mr. DOLLIVER. When I come to noils I am going to tell you exactly what I think ought to become of them. I think it is not an act of statesmanship, but of very ordinary everyday—I will not say stupidity, but I can not think of a synonym that moderates that expression—that treats noils of camel's hair, ready to be thrown away, with the same dignity as the finest noils exhibited by my friend, the Senator from Montana, are treated. If I had the writing of it, I would put on a reasonable ad valorem to protect it. I would make it high enough to be prohibitory if necessary, but not so written as to make it ridiculous before the community.

Mr. President, the reason I do not like the rates upon these wool tops is that I do not think, while that is a beautiful specimen of tops, scoured, I have no doubt, with selected chemicals, for the instruction of my honored friend, the Senator from Montana, that even the top which he exhibited there ought to be protected by the same rate that is applied to woolen cloth of the highest kind. I feel sure that if there is any sense in making this tariff schedule, the duty on these wool tops ought to be somewhere above the duty on scoured wool and below the duty on finished yarns; and I should like to see somebody who has the leisure and the scientific taste to locate that duty about in the right place.

Mr. WARREN. The Senator thinks that in this readjustment the carded-wool men are the men who suffer and they are the ones he would like to relieve?

Mr. DOLLIVER. Yes; they are the ones I heard complaining.

Mr. WARREN. That being true, how does the Senator propose to relieve the carded-wool men by changing the duty on tops, for I want to say to the Senator what he perhaps already knows that tops are not used by the carded-wool men at all.

Mr. DOLLIVER. I know that; but they are bought and sold in this market.

Mr. WARREN. They have no effect whatever upon the carded-wool men——

Mr. DOLLIVER. I know.

Mr. WARREN (continuing). Unless they are put down low enough to cheat the woolgrower out of the tariff on wool.

Mr. DOLLIVER. They are, however, made for sale. Somebody buys them.

Mr. WARREN. Yes.

Mr. DOLLIVER. Somebody sells them.

Mr. WARREN. Yes.

Mr. DOLLIVER. If I did not know who the parties were, I would still want to take some precaution to see that an advantage was not given to the seller over the buyer by making the rate absurdly prohibitory.

Mr. WARREN. Would the Senator rather have the tops made abroad than here?

Mr. DOLLIVER. No; it is not necessary to make the tops abroad. The tops ought to be made here.

Mr. WARREN. Yes.

Mr. DOLLIVER. But where a combination of top makers is organized here, selling its product to the public, selling it to those who want to buy, I would have the rate so arranged that after it got to about the level of real extortion the man could turn with a cheerful countenance to the world's markets and relieve himself without being robbed world without end. That is the theory in my head.

Mr. WARREN. But, Mr. President, there is no combination of top makers. There is no trust in that business. The concerns which make tops are all separate and distinct. They have arbitrary qualities, and the nature of wool is such that they could no more combine in the top business than they could in any other branch of the woolen business. The three largest top makers in the country also comb on commission; that is, for a nominal fee they take wool from either merchants, or spinners who do only drawing and spinning, and comb the wool into tops, thus enabling men of small capital to engage in the worsted-spinning business without the investment necessary for washing, carding, and combing machinery, which constitutes half of the cost of equipment of a complete worsted-spinning plant making yarn from raw wool. No manufacturer has to buy tops, because tops are simply one of the products of wool as it goes along toward cloth, and if tops are too high, bring wool in and make the tops or make it into yarn, and bring in the yarn.

Mr. DOLLIVER. I instructed by self by wandering around the woolen mills of New England a good deal, and while I find it is true that everybody could make tops if he wanted to, and had the machinery and the capital to attend to it, is is not true that everybody does. But, on the contrary, there are many humble folk who are relying on their more highly capitalized neighbors for their tops, and within the last few years the largest top mill in the world has been built, largely as a mercantile proposition to manufacture and sell its articles to those who are not so situated as to make it themselves.

Mr. WARREN. I will ask the Senator one more question.

Mr. DOLLIVER. Certainly.

Mr. WARREN. Does the Senator know of a single manufacturer in the United States who is asking us to reduce the tariff on cotton so that he may buy the tops? I do not know of a single one in the United States who is asking us to reduce the price of tops so that he may buy these tops for his own use.

Mr. DOLLIVER. I know it has been twenty-two years since the farmer was put forward for the first time to remove this chestnut from the fire. In 1888 substantially the same duty on tops was suggested by a leading worsted manufacturer of New England. Here it is in this book exactly as he proposed it. Up to that time there is no trace of anybody else wanting it, and yet from that time to this every time a controversy has been raised about it, every time anybody has felt called on to say it is too high, the brethren who originated it drop into the background and outstep the magnificent wool raisers and sheep breeders, like my friend from Wyoming, to take the laboring oar in defense of a proposition that is absolutely indefensible.

Mr. WARREN. Shall I tell the Senator why that originated and what was the interest of the woolmen?

Mr. DOLLIVER. I think I know what the Senator is going to say. He says, "You do not want tops to come in;" but I say it is not necessary to have tops come in from abroad. It is not necessary to choose between having them come in in large quantities and this duty, which is so high that nobody would ever think of such a thing as undertaking any commerce in them whatever.

Mr. WARREN. The Senator guessed wrong. I will tell the Senator, if he will wait a moment—and it will take but a moment—why the farmer was interested.

Mr. DOLLIVER. I think I know what the Senator has in that envelope.

Mr. WARREN. I am glad the Senator does know. Following the law of 1883, under which neither the wool men nor the manufacturers were successful, the Treasury Department ruled that this material [exhibiting], which is tops, a refinement of wool, and costs a great deal more than scoured wools and a great deal more than washed wools, was subject to a duty of only 10 cents a pound, and that is what they collected.

Mr. DOLLIVER. That was wrong.

Mr. WARREN. Does the Senator wonder that the woolman, who was put out of business because this product was brought in at 10 cents, which left him but 2 or 3 cents protection on the wool he raised, awoke to the fact that tops ought to be looked after?

Mr. DOLLIVER. I have no reason to be astonished that he woke up, but I am amazed that he broke down the door and upset the furniture and in his effort to get that duty reenacted allowed people to write a schedule that put it upon the exact level with manufactured and finished cloth.

Mr. WARREN. Which hurts nobody.

Mr. DOLLIVER. It may hurt nobody, but is it not a mighty comfortable protection for a gentleman who is manufacturing tops for sale? If you find a man who is entitled, for example, to 25 or 30 cents protection, and by reason of the fright of the woolgrowers is given 44 cents a pound and 55 per cent ad valorem, as if the product was woolen cloth, do you not think such a man engaged in making tops for sale might be interested more than the public is in keeping such a duty upon them?

Mr. WARREN. There is only one use the tops can be put to, and that is to make them into yarns, unless you give them to the carded wool men as waste stock. The man who is making tops——

Mr. DOLLIVER. Did you ever hear of anyone giving anything to the carded wool men?

Mr. WARREN. They have had everything they have asked for up to date, and they could have everything they ask for now, if they did not ask the woolgrowers of this country to lay down and let them walk over them with a rate about a half and from that to a third of what we enjoy now upon wool.

Tops can only be made into yarn, and yarn is imported as yarn. Nobody need buy tops that are made in this country, because they can get it in yarn, and the Senator says that yarns are lower. Then the tops come in in yarn. If he is making tops, all he has to do is to bring in wool and scour his own wool.

Mr. DOLLIVER. Mr. President, I went into that more fully than I intended to do. I want now to approach one of the complaints that these great American manufacturers have made to me, and I confess it has not only convinced my judgment, but it has touched my heart. I am not so cold-blooded as some. When a man comes to me and says, "For fifty years my father and I have been building up a great woolen manufacturing industry, and I find myself ground to poverty and to bankruptcy by the laws of the United States," I am not so constituted that I can tell him not to occupy my time; that if the business is not profitable, to quit it; that the thing is obsolete; that their inheritance from their fathers is in a way to be totally destroyed; lock it up and quit and get into some other business. I am not so constituted. I would not do that until I had spent a good many days trying to find out what the man's real grievance was, and I think I have gotten down to this simple point.

Mr. WARREN. The Senator would not destroy another industry to save that one?

Mr. DOLLIVER. No; and I have not found one of these men, although borne down with care and anxiety about their own business, who would consent to that. They want an arrangement which will equalize their relations, and not an advantage, such as the Senator from Wyoming will demand in the way of increases for the purpose of the protection of the woolgrowers of the United States in this tariff schedule.

Mr. WARREN. Let me say to the Senator that I should be glad, and I stand ready, to help the carded wool industry, if I can.

Mr. DOLLIVER. When?

Mr. WARREN. I will tell the Senator. The Senator talks about carded industry as though everyone interested in carded wool was here asking that a change be made in the tariff. Does the Senator think that was the case?

Mr. DOLLIVER. There have been so many of them and so many associations represented here——

Mr. WARREN. As a matter of fact there are some 50 or 75 out of 700 who are asking for a change. My judgment is that they will be perfectly satisfied, because this change in values and the changes in fashion will bring up the industry.

Mr. DOLLIVER. Either that or death, industrial death, will put all their fears at rest.

Mr. WARREN. When the Senator says that he is going to offer an amendment which will give us a higher tariff on wool, he proposes also to put on a product of wool so low a tariff that not a pound of raw wool would enter in, and we would have all the products from foreign countries coming in at only a fraction of the duty upon wool. When you rob it of all the surrounding superfluous things, in a sentence that is what it amounts to. I do not care what you put on a pound of wool, if you take enough wool and put it at 10 cents——

Mr. DOLLIVER. It will not be found that I have taken any product of wool and put it at 10 cents a pound. I hope that I may have the honor of a careful examination by the Senator from Wyoming of the amendments I propose to offer. I have not done an unkind thing to wool.

Mr. WARREN. But you have offered an amendment which confessedly is very much lower than the present duty on wool.

Mr. DOLLIVER. What amendment does my friend refer to?

Mr. WARREN. On tops and on noils, both.

Mr. DOLLIVER. Mr. President, when I offered the amendment which I have proposed on tops, I am amazed at the consideration I have shown to that historic by-product.

Mr. WARREN. The cloth in that case might as well be called a by-product. The top is not only not a by-product, but it is one of the stairs up which the wool ascends on its way to finished cloth.

Mr. DOLLIVER. I want the tops as they are going up the stairs from wool to cloth to stop before they get to cloth.

Mr. WARREN. How would you stop it?

Mr. DOLLIVER. Valued at not more than 40 cents, 30 cents a pound; valued at more than 40 cents a pound, 35 cents a pound, and in addition thereto the ad valorem of 20 per cent. Do you not think that sounds pretty good to a man who is trying to get tops protected as they ought to be?

Mr. WARREN. It sounds mighty good to a man who wants a lower tariff on wool; it looks good to the importer; it looks mighty good to the manufacturer who, under the guise of friendship for the woolman, will import it at less than the present rates on wool.

Mr. DOLLIVER. If I had not had at the hands of manufacturing experts, as interested as the Senator from Wyoming is in the maintenance of the wool industry, figures that prove it is for protective purposes fully adequate, I would not offer it.

But I was speaking about the grievance the carded-wool people have in the imposition. Here is a man engaged in the manufacture of worsted goods buying flocks in England and paying upon them here a duty equal to a second duty of 15 cents a pound. He takes it to his mill and combs it. It is exactly as a man would comb his hair. The long fiber straightens itself out and the short fibers fall away.

The long fibers constitute the tops and the short fibers constitute the noils. If you will look there at those samples you will find noils whiter than snow, but in point of fact, as I said in the combing of the wool, according to the best testimony I have ever been able to get, they do not apply harsher processes of scouring for fear of still further injuring the long fibers. Consequently the comb passes through the tops and you find burs and various kinds of dirt, so that before the carded woolen manufacturers can use a pound of it at least 25 per cent has passed away in scouring it and in getting it absolutely clean. But here upon these noils is fixed an adamantine duty of 20 cents a pound. It does not make any difference what kind of wools they are, even if they are the noils of camel's hair, as my friend from Utah said these noils are, whether costly or not, whether high grade or low, whether they are white as snow or black as that wool, whatever their condition, the duty is 20 cents a pound.

I undertake to say that the man who is making worsted cloth, turning out that by-product in the United States to-day, will get profit enough to pay and more than pay all the duty he ever paid at the custom-houses of the United States on the wool out of which those noils were produced.

Mr. WARREN. The carded-wool men do not have to have noils.

Mr. DOLLIVER. Then, there is not one of them who knows anything about the business.

Mr. WARREN. The Senator is mistaken. Noils are but one product for them, and because they are cheaper they use them; but they can use instead every pound of wool that I might grow, or that people with whom I am interested grow, or that the Senator grows in Iowa. There is no trouble about that.

Mr. DOLLIVER. You would want to have this product thrown away?

Mr. WARREN. Not at all.

Mr. DOLLIVER. Why not have an act of Congress that once a year those things shall be burned up? Every woolgrower would be secure if that was in operation.

Mr. WARREN. The Senator seems to be going just a little away from the ordinary line. When I say it is not necessary to use the noils, I want to say that the carded-wool men are not such mendicants that they must depend upon them. If there is a product coming from the mills that is lower than other classes of wool, of course they use it, and if they can they will bear it down. It is a matter of fact that they have already borne the tariff upon it down from 30 per cent to 20 per cent. But now they are not satisfied. They have the privilege, I want to say to the Senator, of bringing in noils that are free from burs. They can bring in carbonized noils, and there are noils worth to-day 67 to 75 cents per pound. There is no trouble about that. It may be true that the more common noils can not be brought in with satisfaction. Why bring them in, then? Here is a sample of such noils as can be brought in under the tariff at 20 cents—absolutely pure, carbonized noils.

Mr. DOLLIVER. From where?

Mr. WARREN. This is from our American mills.

Mr. DOLLIVER. I thought the Senator said it had been brought into the country.

Mr. WARREN. I say noils just like that could come in. It is a recombed noil, but the noil carbonized makes it even purer than that.

Mr. DOLLIVER. It has a bright and glistening look that I have never seen on the noils here.

Mr. WARREN. If the Senator wants to know where those noils came from I can tell him, and I can tell him that I saw the cards working that made the noils. I saw them made, if that will be satisfactory to the Senator.

Now I want to return. The carded-wool men use almost everything in the shape of wool and cotton rags, and so forth, and if there were not a pound of noils from now to Christendom the carded-wool men would go on just the same.

Mr. DOLLIVER. Mr. President, I think the duties on all the by-products of worsted making are too high. They are prohibitory. They are unequal. The range of the prices of the articles is so great that when you set a specific duty on

one you are already necessarily creating inequalities. When you put the rate high enough for the highest, you make it ridiculously high for the low and the ordinary. Therefore, I propose to make some suggestions as to reducing these duties on all by-products of the worsted making and on all the waste incident to the wool market in the United States. So much for the material.

Mr. WARREN. Now, Mr. President, let the Senator remember that there is just one product of the worsted manufacturer—noils—that the carded-wool men seek, because the other products are used in the making of worsted yarns and in the construction of worsted cloth.

Mr. DOLLIVER. But the knitting people are giving me almost as much anxiety as the carded-wool people. I intend to put into the RECORD, into this speech——

Mr. WARREN. The knitters are buyers of yarn, unless they make their own yarn; but, as knitters only, they have no direct interest in the waste duties. Would the Senator like to know what the knitters put into their product?

Mr. DOLLIVER. I do not want to go into their product, but I want to put into the RECORD their complaint against this bill.

Mr. WARREN. I have here some of the material the knitting men use.

Mr. DOLLIVER. I hope the Senator is not meditating any suspicion of these good people.

Mr. WARREN. Not at all; I simply wish to show how unnecessary it is for these people to use slubbing waste in knitting stock.

Mr. DOLLIVER. Strangely, you stopped just a few inches ahead of the proposition that I am approaching in respect to our assessment of the compensatory duties upon woolen cloth.

Mr. WARREN. I am compensated if I have got ahead of the Senator in any way.

Mr. DOLLIVER. Just that little suggestion of yours to these woolen people—these yarn people claim certain privileges that they ought to have on account of wool, when in point of fact they do not patronize wool at all—has brought back to my mind the second thing that I have been struggling with during the past few weeks, and that is the old assessment, to which we have grown accustomed, of four times the duty on unwashed clothing wool of the first class to the pound of cloth; that is to say, 44 cents in some cases, and in the lower cases a less ratio is claimed necessary as a compensatory duty. Compensatory for what?

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I always welcome the light thrown on this subject by the Senator from Utah.

Mr. SMOOT. It simply means to compensate for loss in the manufacture of the wool and the cloth. There is not a question in my mind, and I do not think there is in the Senator's, but that there is a loss of a pound out of four, because the testimony of Mr. Dale, spoken of so highly, says even more than that, because he estimates that it takes 154 pounds to make 100 pounds of cloth.

Mr. DOLLIVER. Here is a man who does not live in the United States. He is making cloth in some other country. He comes over here with his cloth. It has only a little wool in it, only a few threads. Possibly half of it is cotton and the rest of it mostly cotton. He approaches our custom-house, and this bill, following the custom for the last fifty years, assesses him four times the weight of his cloth for the purpose of compensating somebody for something. Will the Senator from Utah kindly state who is the person to be compensated, and for what he is being compensated in a case like that?

Mr. SMOOT. I will take great pleasure in doing so. It is for the reason that there is not a question but that the compensatory duty is at least 1 pound out of 4 in the manufacture of this wool.

Mr. DOLLIVER. Certainly.

Mr. SMOOT. But the Senator refers to a piece of goods that comes in here with only a little. If we put the compensatory duty only to protect that little wool, then the whole system of manufacturing in this country would be placed upon the basis of a low-grade manufacture of woolens, and the whole door would be opened for the importation from foreign countries of the high-grade wool.

So, then, it becomes necessary absolutely to have this compensatory duty upon the very highest class of goods, and in doing it it keeps out of this country the goods made from mungo and waste of every kind. It is true that the Senator can figure upon a piece of cloth that is worth less than 40 cents a pound, and the ad valorem duty would be 150 per cent, perhaps.

But, Mr. President, if we did not have that compensatory duty of 4 pounds, as we reduce it so do we reduce the standard of our manufactures here of woolens and the protection that may be given to them. Therefore, in the hearings in 1867 that whole question was gone into, and every tariff bill that has been discussed upon this floor since has called attention to this very principle. It has been voted on in the Senate time and time again. If we followed out the counsel of the Senator from Iowa and reduced that compensatory duty, all our best goods would be imported from a foreign country, and we would only be protected upon the very lowest grades of goods.

Mr. WARREN. The Senator might have said that it is not always 4 to 1, but 3 to 1 and 2½ to 1. Furthermore, the ad valorem duty which is added to the compensatory is reckoned upon the value of the cloth. So what is lost in one class is made in the other.

Mr. DOLLIVER. Now, Mr. President, the Senator from Utah unconsciously exposes the real character of our situation.

Mr. SMOOT. Not unconsciously, because I want the Senate of the United States to understand exactly the position. If I were going to make a speech now, I would call attention to the very principle and the discussions that have been had in this Chamber time and time again upon this very point. I did not bring it out here unconsciously, because I wanted Senators to understand it.

Mr. DOLLIVER. Mr. President, I did not mean that the Senator was making any unconscious exposure of his views, but he is simply repeating what has been thrust at me from a good many quarters from the beginning of this controversy. He says this is all right because if you will examine it closely you will find the date 1867 on it; this is all right because if you go back far enough into the history you will find it has been indorsed and approved.

Mr. SMOOT. Mr. President, I want to say now that as far as shrinkage of wools is concerned, they shrink just as much to-day as they did in 1867.

Mr. DOLLIVER. That is more than can be said for the rates in this bill. [Laughter.]

Mr. SMOOT. We were talking about the changes that may have taken place in the last fifty years as far as the shrinkage of wools is concerned and the scouring of them. They shrink more to-day than they did in 1867, and if the basis was fair in 1867 it is certainly fair to-day.

Mr. DOLLIVER. Mr. President, I do not intend to judge with harshness the method of reasoning by which the Senator from Utah has fastened these things upon his mind, for the reason I have been for many years in the same case with him. I had read many of those old speeches, and in 1888, I think, I heard the honored Senator from Rhode Island state it in very much more accurate terms than the Senator from Utah has just now stated it, because in a carefully prepared address, which has become a little classic in the wool-tariff literature from that day to this, he not only showed that this 4 to 1 ratio was necessary, whether the wool was there or not, but he showed that unless we preserved it these great harms and hardships to our market place would happen.

He said we must make the ratio as high as the highest possible shrinkage of wool, because our competitors have access to those low-shrinkage wools. That seemed to be a very conclusive thing to me at the time, and I stated it with a solemn countenance to everybody who was disposed to dispute the sanctity of this ratio. It never occurred to me to talk with somebody who had made a specialty not of defending things after they are done, but of doing things after finding out how they ought to be done. So I laid that question before Mr. Dale, of the Textile World Record, and he said what I shall read. I asked him the following question:

Q. I wish to talk with you a little about the framework of Schedule K as it relates to the specific duties applicable to the weight of cloths and dress goods manufactured here. Have you ever studied the question of whether the multiples of 3 and 4 by which this compensatory duty on cloth as related to the duties on wools of the first class has been calculated for so many years?—A. Yes; I have.

Curiously enough, he did not flash on me those old speeches, but he stated that he had studied it himself. I went over to the House of Representatives during the early stages of the tariff controversy; in fact, I stayed over there nearly all the time, because there was nothing going on here. I was anxious to get the atmosphere that always comes from a live discussion of tariff questions. I was very much pleased when a very bright man, I think from Ohio, got up with a box of samples very much like that which we see before us, and exhibiting the same kind of goods, he said:

I now propose to demonstrate that this ratio is correct. Mr. Chairman, I will read from a speech made by the Hon. John Sherman on the 15th day of May, 1867.

and from that to a third of what we enjoy now upon wool.

rates on wool.

That is all the attention he gave to it, and he passed on.

So I was diving back into that literature—and I think I have perused it about as faithfully as any other man; certainly as any man who had other things to attend to—but here I ran across a man who said he had studied it himself.

Mr. SMOOT. He did not appear before the committee?

Mr. DOLLIVER. No; he did not.

Mr. SMOOT. He was not before the committee?

Mr. DOLLIVER. He was not before the committee. I can not find anybody who was before the committee, except our good worsted friends and a few habitual witnesses who hang around the committee rooms of both Houses of Congress like professional jurymen around the court-house out in our section of the country.

Q. I would like to know what conclusions you have reached about that?—A. You will find my conclusions in this article, "How much wool to make a pound of cloth?" No tariff on wool goods should be based on a ratio between grease wool and finished cloth. As well might one attempt to fix a ratio between iron ore and watch springs. No wool manufacturer attempts to estimate the cost of his finished fabrics from the cost of the grease wool. Such a basis would result in gross errors and ultimate bankruptcy. In buying grease wool, the first considerations are the amount of scoured wool that the grease wool will yield, and the intrinsic worth of the scoured fiber. About twenty years ago I made an extensive test to determine the shrinkage in manufacturing all-wool cloth, and the result was that 1.54 pounds of scoured wool was required for 1 pound of cloth. The ratio between the grease wool and the finished cloth varies widely because of the difference in the shrinkage of wool in scouring. During the four years I was making the test referred to, I used many different lots of wool which varied widely in shrinkage. This variation of shrinkage is illustrated by 6 lots of grease wool, which in scouring shrunk 76, 69, 62, 47, 35, and 16 per cent, respectively. Calculating the ratio between these lots of grease wool and the finished cloth from the ratio of 1.54 between the scoured wool and the finished cloth, we find the following ratios between the grease wool and the finished cloth: 6¾, 5, 4, 3, 2¾, and 1¼. This shows plainly that no single ratio can be true of all kinds of wool.

Q. What do you say, then, of the scheme of fixing these compensatory duties as this bill does, on the ratio of 4 to 1, and in the lower grades of 3 to 1? How does that work out?

Now, listen:

A. It causes great inequalities in the tariff especially, because the ratios named are applied not only to goods made of all wool, but to goods made of mixtures of wool and other materials.

Q. What reason is there for compensating the manufacturer of cloth on account of the wool duty, when in point of fact little or no wool appears in the cloth which he makes?—A. There is, of course, no reason for compensating a manufacturer for duties paid on wool that is not used in the manufacture of the cloth. The 4 to 1 ratio between grease wool and cloth is correct only for all-wool cloth made of wool shrinking 60 to 65 per cent. As a matter of fact, no wool shrinking as much as that is imported into the United States. The specific duty of 11 or 12 cents a pound on grease wool forces the manufacturers to confine their purchases of foreign wool to the light-shrinking lots. Consequently, the Dingley and Payne bills compensate the manufacturer for wool duties which he has never paid. The defenders of the 4 to 1 ratio sometimes seek to justify it by referring to or paraphrasing Senator ALDRICH's defense of it twelve years ago. Thus one of them recently said to me: "We need compensation at the rate of 4 to 1 because our foreign competitors use these heavy wools."

That is exactly what my friend from Utah has just said. Mr. Dale adds:

The large amount of grease and dirt in the heavy-shrinking wools is no advantage to the foreign manufacturer. Wool cloth is made from the wool fiber, not from wool grease and dirt. There can be no justification for compensating for wool duties that have not been paid.

That is the objection I have to this proposed statute.

Mr. WARREN. The Senator is making a very able speech from his standpoint. From the light of experience we know how easy it is to make faces and to find fault with wool schedules, both as to wool and its manufactures. We have heard it for years. It is nothing new. It is sometimes more difficult to propose a remedy. Now, this compensation that is given the manufacturer for the wool, as I understand it, is meant to place him in the same position finally as if he had free wool. That is correct, is it not?

Mr. DOLLIVER. I think that was the origin of the superstition.

Mr. WARREN. There has to be some basis upon which to start with the ratio.

Now, the Senator has just stated there that his correspondent, his expert, from whom he quotes, would require a ratio of 6¾ in one case and 1¼ in the other, an average of about 3 to 1, and 4 to 1, taking that consideration.

Mr. DOLLIVER. On last Friday night it was proved to us conclusively that averages are in the nature of an imposition on the understanding of man.

Mr. WARREN. Take the experiment he has quoted there and add them together and divide by 2, and you will find you have just what the present ratio is.

Mr. DOLLIVER. That has this advantage: One of those ratios is correct in some cases, but the average of them all is correct in no case.

Mr. WARREN. Very well. But I should like to ask the Senator, before he finishes, to state how he is going to make a ratio that will be all right and satisfactory to both the grower of the material and the manufacturer, for the individuality of the wool and the woolgrower is lost sight of when the wool goes into the factory. Wool may go up and wool may go down.

A man may buy his wool at a time when the clip is good. It may be 10 per cent higher, or it may be 10 per cent lower. If you undertake to fix a ratio ad valorem, where are you going to land? It is just like the ad valorem duty upon wool. You put the ad valorem duty upon wool, and the grower of sheep, at the time he can stand it the least, is going to be damaged the most. For instance, if wool is 20 cents to-day and an ad valorem of 50 per cent should be placed upon it, it would be 10 cents. If wool should go down to 10 cents, the ad valorem would be 2 cents, and the very time he needed protection most would be the time when he would be stripped of it. Again, wool goes up, and the time when he does not need them is just the time when you pile on duties and make them higher. Therefore, in manufacturing, where wool fluctuates as it has within a year and a half from 15 to 25 cents, how are you going to fix a compensatory ratio unless you can fix the average?

Mr. DOLLIVER. Mr. President, so persuasive are considerations such as the Senator from Wyoming has just made that I have postponed any final effort to secure a ratio which would be in the nature of an equitable and proportionate assessment. I have consented, with very great reluctance in my own mind, to preserve the historic ratio, not of 16 to 1, but of 4 to 1.

Mr. WARREN. It is sometimes 3 to 1, or 3½ to 1.

Mr. DOLLIVER. I do not intend to try to disturb that ratio, because I am so satisfied that it is sunk into the moral nature of so many good people in Wyoming that I could not undertake to extract it, even with delicate machinery, without upsetting the composure of friends, even here in the Senate Chamber. So I do not propose to change the ratio; but I intend to do a thing which I have thought of a great many times, though I never before could make out whether it was entirely feasible or not. I intend, in laying this compensatory duty, to make it 4 or 3 times the weight, not of the cloth, but of the wool contained in the cloth.

The idea got into my head that if you were compensating these manufacturers on account of not having free wool, you were carrying it a little too far when you gave them a compensation based upon the theory that the cloth was entirely made of wool, when, in point of fact, it is only half made of wool, and very often even a less proportion than that was in it. So I intend to push along these little amendments making this compensatory duty, intended to reimburse the manufacturer on account of the loss that he sustains by reason of the wool duty. I intend to make that compensatory assessment applicable to the wool contents of the cloth and not to the weight of the cloth.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I do.

Mr. SMOOT. Mr. President, again I call the attention of the Senator from Iowa to the fact that it is absolutely impossible to say how much pure wool is in a piece of goods, or how much woolen noils, or how much slubbing waste, or how much ring waste, or how much roving waste it contains. It is true that we can tell how much cotton there may be in a piece of goods, but no one ever lived who could tell how much woolen waste is mixed with the pure wool in a piece of goods.

Mr. DOLLIVER. Mr. President, my friend understood me to very poor purpose if he suspected me of trying to separate, in the weighing of the wool in a piece of cloth, the pure wool from those wools which differ chemically from the pure wool only in the fact that they have had a longer experience in a cold world.

Mr. SMOOT. Then, Mr. President, I want to call the attention of the Senator to the fact that this amendment would be absolutely unfair, for the very people who are in England to-day manufacturing cheap woolen goods, which contain from 80 to 85 and 90 per cent of wool waste, would come in here and have to pay, perhaps, or should pay, the full amount, because you can not tell the difference.

Mr. DOLLIVER. Exactly.

Mr. SMOOT. But if the honest manufacturer in that country would put in 10 per cent of the very best cotton in the world, he is to be penalized because he has done so.

Mr. DOLLIVER. No; he is only deprived of the compensation based on the idea that that cotton is wool.

Mr. SMOOT. Yes; but there is cotton that is worth a great deal more than the mungo which is contained in that piece of goods, and that is not penalized. But the man who would, perhaps, get in here 10 per cent of cotton is——

Mr. DOLLIVER. We do not put a duty on cotton, you know.

Mr. SMOOT. I am not speaking of the duty on cotton, for

lican party and our tariff system by taking out of the measure these unnecessary and extravagant rates of duty.

Mr. DOLLIVER. I would ask the Senator from Utah when it was that woolens were 11 cents?

the cotton would be in the woolen goods then. It is to be taken out, according to the argument——

Mr. DOLLIVER. Let me show my friend from Utah how beautifully and how automatically my scheme works. He is anxious to keep out these low, cheap, vile, worthless cloths, is he not?

Mr. SMOOT. Yes; but the programme which the Senator offers is not going to keep that vile, low stuff out, for they can not tell how much there is of it by testing. If they attempt to eat wastes out with acids, it all goes out.

Mr. DOLLIVER. Do we not keep them out now?

Mr. SMOOT. We keep them out now by having a duty so high that they can not come in.

Mr. DOLLIVER. We have the duty so high because it is a fixed assessment upon the weight of the cloth. I propose to fix the assessment upon the weight of the wool as found in the cloth; but these cheap shoddy goods are all wool in the cloth, and nothing else. They would report upon analysis that the wool content of the cloth is all there. Therefore on these cheap shoddy goods, which we are so anxious to keep out and which we are now keeping out, my scheme would operate automatically to still keep them out, and at the same time take away from people, who are sending here goods upon which they get a compensation on account of the presence of wool in them which is not there, that unnecessary compensatory which is supposed to reimburse them, but which, in fact, really subsidizes them and enables them to gather newspaper facilities and put forward my friend from Wyoming and other good people to fight their battles before the bar of public opinion with the people of the United States.

I propose that the goods coming into the United States in which wool does not appear, except in small quantities, in which there are materials other than wool, I propose to take away from them this bogus compensation, which they now have, by which the weight of the cloth is weighed up as if it contained 4 pounds of clothing wool of the first class in its texture and its make-up.

Mr. SMOOT. The Senator does not mean to intimate that an English manufacturer or a German manufacturer, if he was going to adulterate his goods, and if perchance there was cotton in them and it would not be counted in the value of the goods, he would still put cotton in them? No; of course he would not. He would put in them wool extracts and the lowest grade waste and mungo; and no one could tell it.

Mr. DOLLIVER. If that is true, you have got four or five hundred per cent of this mungo waste, flocks, and other wool waste.

Mr. SMOOT. And, Mr. President, I wish, therefore, that much more to keep it out of this country.

Mr. DOLLIVER. Mr. President, it seems to me that there appears to be a sort of practical contention between the duty on this wool waste and the statement just made by the Senator from Utah, that these goods are so cheap that it does not pay to adulterate them with cotton.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. I do.

Mr. WARREN. Mr. President, the Senator, I presume, knows—of course he must know—that since a tariff on wools was first established, more than a century ago, in all the tariff bills there is not a single exception, save one, which does not put a tariff on a fabric of which wool forms any part, and that one, away back in the early part of the nineteenth century, put it upon that of which wool was the chief factor; but every other law, including the Wilson-Gorman law, has been in almost the same identical language and has put a duty on fabrics, whether containing a large or small quantity of wool. Perhaps they have all been wrong; perhaps for one hundred and twenty years we have been wrong; perhaps the Senator is right; but I think he will see that it takes a little longer generally and a little more time—I will not say any more persuasive argument than that furnished us by the Senator—to bring about a great reform, when all parties on both sides have said all the way along for one hundred and twenty years that a tariff should apply to a fabric of which wool composed any part.

Mr. DOLLIVER. Mr. President, I do not now intend to go any more particularly into the amendment which I intend to offer to the woolen-cloth paragraph or schedule, but I hasten to state another thing that I intend to do, unless I am persuaded by some unseen influence not to do it. I think these woolen rates by reason of these calculations are so high that, whether they are good, bad, or indifferent, they make the protective-tariff system look ugly and malevolent in its relations to the market place.

Mr. WARREN. Mr. President, may I ask the Senator a question there?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Theories, of course, may sound good or bad, but it comes down to a simple, practical business proposition—how much does the tariff add to a man's suit of clothes or the cloth from which it is made?

Mr. DOLLIVER. I think I have heard that argument. That depends upon the suit of clothes.

Mr. WARREN. It is very small.

Mr. DOLLIVER. Yes.

Mr. WARREN. And you talk about this malevolent tariff and this——

Mr. DOLLIVER. I did not say "malevolent tariff;" I said that a tariff so framed as to have a malevolent countenance, although the purpose of it was benevolent and helpful and it ought to present such an appearance to the community.

Mr. WARREN. The Senator, dressed as well as he is, probably has not 3 pounds of wool upon his person.

Mr. DOLLIVER. I am very thankful for that. [Laughter.]

Mr. WARREN. I thought so. If a possible $1.33 protective tariff is too much to be levied upon a suit of clothes in order that we may employ in this country, as we do, a million people—families and all—in the raising of wool and hundreds of thousands more in the manufacturing of wool, rather than import all our cloths, then the Senator's judgment and mine differ.

Speaking of cloth, the cloth in the suit of clothes which I have on now cost a trifle over $4, and I submit that the cloth is good enough to wear even in the august presence of this Senate. I ask the Senator if I am not right.

Mr. SMITH of Michigan. We will all testify to that.

Mr. DOLLIVER. Let it be said that the Senator does not require a very elaborate suit of clothes to present an impressive appearance in the Senate. [Laughter.]

Mr. WARREN. The amount of wool in the suit of clothes I have on weighs less than 3 pounds. The cloth in it cost—and it is the best kind I could get; it is all wool, and there is no flock or mungo or waste in it—a little over $4. The making of the suit was $30, and the findings used cost $12.50; so that the suit of clothes as it hangs upon me now cost over $40, and yet the cloth, for which I paid the regular mill price, cost but a trifle over $4. When you talk about a malevolent tariff and talk about adding to the price for the workingman——

Mr. DOLLIVER. I hope my friend will not allow that to go into the RECORD. I have not said anything about a "malevolent tariff."

Mr. WARREN. Perhaps I misunderstood the Senator; if so, I withdraw it.

Mr. DOLLIVER. I was talking about a tariff that had some disfigurement of its countenance.

Mr. WARREN. The Senator surely spoke of the enormity of the tariff on wool and woolens. He will not withdraw that.

Mr. DOLLIVER. No; I really intend to illustrate it——

Mr. WARREN. I am illustrating it in my way, and I hope the Senator will illustrate it in his. If the Senator will figure out just how much the suffering consumer, who wears a suit of clothes like the one to which I have referred, pays in order to employ all the men along the line, from the time the raw wool comes in here until the cloth is made into a garment, I think he will find that the tariff on wool is a very small factor.

Mr. DOLLIVER. Mr. President, my friend presents the illustration to me exactly as I want it. He has got a good suit of clothes; he has got his American cloth cheap, everything smooth, our people as well dressed as anybody, cloth as cheap here as anywhere, the protective-tariff system is vindicated, and I agree with him.

Therefore I want him to vote for an amendment which I am going to offer, that in no paragraph of this bill referring to cloth shall the aggregate assessment of duties amount to more than 100 per cent. I am moved to propose that amendment because I know that that is enough. When a man comes into my office, as a poor fellow did who is manufacturing carriages out in our country, with an armful of cloth that he had been getting in England, shoddy and ordinary, cheap woolen cloth, for lining the interior of a buggy such as country boys and girls are accustomed to use on Sunday afternoon when the climate is propitious, and proved to me that if he brought that cloth in from England—they did not seem to be making that kind of cloth here anywhere—that he was paying a duty of 200 per cent on it, paying not twice, but twice over, what the valuation of the cloth was at the custom-house, it appeared to me that such a rate was not necessary and that it simply gave an ugly advertisement to our great protective-tariff system. That is the reason I am appealing to Republicans everywhere to make ready for the fight that is coming against the Repub-

lican party and our tariff system by taking out of the measure these unnecessary and extravagant rates of duty.

I hope I will have a good deal of cooperation here before I am through in reducing some of these rates, not to the point of exposing our industry to injury, but to the point when the ordinary man, with a good conscience, can stand up before the community and defend our policy and vindicate the policy which we have embodied in our laws.

Mr. WARREN. Will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. WARREN (continuing). The lowering of the duty upon shoddy, upon waste, and upon low-priced cloth has been tried. The Senator probably knows the result. When they put wool upon the free list they put shoddy and flocks and mungo and all of those materials on a lower duty than had theretofore prevailed. They followed exactly what the Senator proposes—to put a lower price upon cloth. Let us look at the practical result. As I said a moment ago, it is not a matter of theory about a tariff; it is a matter of result.

The Senator knows, surely, for he has communed with history, that during that time this country was flooded with a lot of cloth that for wearing purposes was hardly worth the paper upon which the bill was written. That was the result of lowering the tariff upon those cheap fabrics. For instance, take the one article of shoddy. Before the Wilson-Gorman bill passed we were importing an amount that had not equaled a million pounds in four years or so, and, if I remember correctly, the first year after that bill became a law we imported over 45,000,000 pounds of shoddy. That 45,000,000 pounds of shoddy displaced from 100,000,000 to 135,000,000 pounds of American wool. Cloths were made in this country from that shoddy and sold at the mill price of 18 cents a yard, single width; and a man made from the manufacture of that kind of cloth one of the largest fortunes upon the capital invested that perhaps has ever been made in the woolen manufacturing industry in so short a time. Of course, when those cloths went on the backs of the consumer they might last a few days, if the weather was fine; but if the weather was bad he was naked in a very few days, unless he had money enough left to go and buy an all-wool suit.

Mr. President, I do not think it is a matter of lowering the prices on low-priced goods if they are imitation or if they are nonwearable goods. It seems to me that we have got to protect the workingman in his clothing, as to whether it shall wear well or not, just as we ought to protect the returns for his labor.

If I were going to lower the duty, I would lower it on the pure wool. I would not lower the duty levied against this half-wool and half-shoddy or all-shoddy stuff, and in that I have the testimony of the correspondent from Minnesota which the Senator quoted. He wished we would make it prohibitory—the tariff on shoddy. We have all the rags and all the shoddy in this country that we ought to consume. We ought to keep out cheap cloths and counterfeit cloths. When I say "cheap clothing" I do not mean cheap, dollar for dollar, for what it is worth, but I mean cheaply constructed clothing, in which substitutes are used and upon which higher profits are made than upon the finer broadcloths and worsteds.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I do.

Mr. SMOOT. I wish the Senate now just to look at this one proposition to see how ridiculous conditions would be here in this country if the amendment of the Senator from Iowa, as last proposed, were adopted. Supposing wool in England, or in any part of this country, was 11 cents a pound in the grease, and our duty here was 11 cents—and, by the way, the Senator from Iowa says that he is not going to disturb that—that would be 100 per cent ad valorem duty. Where would there be any duty for the manufacturing of that wool?

Mr. DOLLIVER. I do not intend to disturb the 50 per cent. The duty of 100 per cent would be on the finished cloth, of which the wool constitutes but about half the cost.

Mr. SMOOT. Mr. President, the whole proposition is that we have to take into consideration not only the ad valorem duty that is upon wool, but the duty that is put upon the manufactured woolens. So that, if woolens in the markets of the world were 11 cents a pound and our duty upon grease wools was 11 cents, there is 100 per cent ad valorem duty, and nothing left to protect the manufacturing interests in this country in taking the wool and putting it into cloth. What would be the result? The result would be that every woolen manufacturing institution would have to cease. I would ask the Senator from Iowa if that is not the case?

Mr. DOLLIVER. I would ask the Senator from Utah when it was that woolens were 11 cents?

Mr. SMOOT. In foreign lands. Oh, many times, Mr. President.

Mr. DOLLIVER. Then, what is the present duty on the woolens that come from abroad here?

Mr. SMOOT. The price on unwashed wools was 11 cents; on second class——

Mr. DOLLIVER. What is the equivalent duty ad valorem?

Mr. SMOOT. Second class, 12 cents a pound——

Mr. DOLLIVER. What is the equivalent ad valorem?

Mr. SMOOT. Mr. President, that may be in one year a certain amount and in another year it may be another amount.

Mr. DOLLIVER. Has it ever risen far above 50 per cent?

Mr. SMOOT. Sometimes, Mr. President, it has been. It would have been in 1895, when we sold wool in our State for 4 and 5 cents a pound. I bought for the mill there nearly 1,000,000 pounds of wool, and it did not average over 5½ cents. If a condition like that should arise, where would our manufacturers be? Of course upon its face it looks as if the proposition that no duty should be over 100 per cent is a fair one; but suppose a condition should arise, as it did then, where would our manufacturers be? They would be absolutely stranded.

Mr. WARREN. Mr. President, will the Senator indulge me a moment?

Mr. DOLLIVER. Certainly.

Mr. WARREN. In extending the remarks that I made about the cheap clothing, I want to make this observation: It takes about the same labor to make a suit of clothing of very cheap goods that it takes to make a good suit; but, Mr. President, the poor suit of clothes made from shoddy, and so forth, may not give one-tenth of the wear that a good article gives.

I have here some samples of cloth. The mill price is on each one of them. They are about as handsome worsteds as you would care to see. They run from less than $1 to $1.12½ a yard. They are all wool; they are 56 inches wide; and it takes a little over 3 yards to make a single suit. If you buy a whole piece and take it to a tailor, it takes just about 3 yards to each suit if it is made up into ready-made clothing.

Mr. GALLINGER. Are they American cloths?

Mr. WARREN. These are American cloths. When you have got worsteds, about the best that are made and double-width, of which it takes 3 or 3½ yards to make a suit of clothes, a suit of clothes made from it will last a couple of seasons, perhaps. Is it to the interest of the poor man, we will say, to make up a fabric that will cost him a dollar or two less for the cloth, when its making costs the same? Will it pay to reduce the tariff upon the cheaper material, upon the substitutes, no matter what the percentage is? I am not afraid of putting 100 per cent upon something that is not desirable, upon something as to which we would have the thanks of every consumer if we should shut it out entirely.

Why talk about reducing the cost of cloth by reducing the tariff upon cheap articles, when cloth like this can be bought for a little over a dollar a yard? It only takes to-day about 3 yards to make up a suit. What is the use of bringing in a lot of cloth that may only be one-fifth wool and the balance cotton or shoddy or, for that matter, any other substitute? We are already protecting the workingman in this country who is making the cloth, and we are also protecting his back and body by so providing that, instead of being swindled with a lot of cheap cloth, which dissolves when he goes out in the rain, he may have a first-class fabric costing a little over $3 for cloth enough for a first-class suit of clothes.

During Mr. DOLLIVER'S speech,

Mr. BACON. Will the Senator permit me to send to the desk some amendments which I desire to offer to the bill, in order that they may be printed?

Mr. DOLLIVER. Certainly.

Mr. BACON. I ask to have printed as one document the series of amendments, and also that they may be printed in the RECORD without being read.

There being no objection, the amendments were ordered to be printed as a document, and to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. BACON to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, relating to the provisions of said bill prescribing duties upon wools and hair, as follows:

Amend by striking out all of said bill from paragraph 356 to paragraph 372, inclusive, and insert in lieu thereof the following:

"The duty upon all wools, hair of the camel, goat, alpaca, and other like animals, and upon shoddy, noils, wool extract, woolen rags, mungo, and flocks, yarn waste, thread waste, and all other waste composed wholly or in part of wool shall be 30 per cent ad valorem."

Amend further by striking out paragraph 372, which is as follows:

"372. On yarns made wholly or in part of wool, valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 25 per cent ad valorem; valued at more than 30 cents per pound, the duty per pound shall be three and one-half times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, 40 per cent ad valorem." (In equivalent, maximum 143.62 per cent ad valorem.)

And insert in lieu thereof the following:

"373. On yarns made wholly or in part of wool, 40 per cent ad valorem."

Amend further by striking out paragraph 374, on page 130, which is as follows:

"374. On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided for in this section, valued at not more than 40 cents per pound, the duty per pound shall be three times the duty imposed by this section on a pound of unwashed wool of the first class; valued at above 40 cents per pound and not above 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, 50 per cent ad valorem; valued at over 70 cents per pound, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class and 55 per cent ad valorem." (In equivalent, maximum 141 per cent ad valorem.)

And insert the following in lieu thereof:

"374. On knit fabrics, and all fabrics made on knitting machines or frames, not including wearing apparel, and on shawls made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not exceeding 40 cents per pound, 35 per cent ad valorem; valued at more than 40 cents per pound, 40 per cent ad valorem."

Amend further by striking out paragraph 375, on page 130, which is as follows:

"375. On blankets, and flannels for underwear composed wholly or in part of wool, valued at not more than 40 cents per pound, the duty per pound shall be the same as the duty imposed by this section on 2 pounds of unwashed wool of the first class, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem. On blankets composed wholly or in part of wool, valued at more than 50 cents per pound, the duty per pound shall be three times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 40 per cent ad valorem. Flannels composed wholly or in part of wool, valued at above 50 cents per pound, shall be classified and pay the same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section: *Provided*, That on blankets over 3 yards in length the same duties shall be paid as on cloths." (In equivalent, maximum 165.42 per cent ad valorem.)

And insert the following in lieu thereof:

"375. On blankets, hats of wool, flannels for underwear, and felts for printing machines, composed wholly or in part of wool, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents per pound, 25 per cent ad valorem; valued at more than 30 and not more than 40 cents per pound, 30 per cent ad valorem; valued at more than 40 cents per pound, 35 per cent ad valorem: *Provided*, That on blankets over 3 yards in length the same duties shall be paid as on woolen and worsted cloths."

Amend further by striking out paragraph 376, on page 131, and paragraph 377, on page 132, which are as follows:

"376. On women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character of which the warp consists wholly of cotton or other vegetable material, with the remainder of the fabric composed wholly or in part of wool, valued at not exceeding 15 cents per square yard, the duty shall be 7 cents per square yard; valued at more than 15 cents per square yard, the duty shall be 8 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem." (In equivalent, maximum 115.53 per cent ad valorem.)

"377. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character composed wholly or in part of wool, and not specially provided for in this section, the duty shall be 11 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing, weighing over 4 ounces per square yard, the duty shall be the same as imposed by this schedule on cloths." (In equivalent, maximum 118 per cent ad valorem.)

And insert the following in lieu thereof:

"On women's and children's dress goods, coat linings, Italian cloths, bunting, or goods of similar description or character, and on all manufactures composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not over 50 cents per pound, 35 per cent ad valorem; valued at more than 50 cents per pound, 50 per cent ad valorem.

Amend further by striking out paragraph 378, on page 132, which is as follows:

"378. On clothing, ready-made, and articles of wearing apparel of every description, wool hats, shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on 1 pound of unwashed wool of the first class, and in addition thereto 60 per cent ad valorem." (In equivalent, maximum 95.38 per cent ad valorem.)

And insert the following in lieu thereof:

"378. On clothing, ready-made, and articles of wearing apparel of every description, made up or manufactured wholly or in part, not specially provided for in this act, felts not specially provided for in this act, all the foregoing composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at above $1.50 per pound, 50 per cent ad valorem; valued at less than $1.50 per pound, 35 per cent ad valorem. On cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, and goods of similar description or used for like purposes, and on knit wearing apparel, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, made up or manufactured wholly or in part, 40 per cent ad valorem."

Amend further by striking out paragraph 379, on page 132, which is as follows:

"379. Webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, inserings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons, or barrel buttons, or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, 50 cents per pound and 60 per cent ad valorem." (In equivalent, maximum 80.83 per cent ad valorem.)

And insert the following in lieu thereof:

"379. On webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress trimmings, laces, embroideries, head nets, nettings and veilings, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, any of the foregoing which are elastic or nonelastic, made of wool, worsted, the hair of the camel, goat, alpaca, or other animals, or of which wool, worsted, the hair of the camel, goat, alpaca, or other animals is a component material, 45 per cent ad valorem."

Amend further by striking out paragraph 380, on page 133, which is as follows:

"380. Aubusson, Axminster, moquette, and chenille carpets, figured or plain, and all carpets or carpeting of like character or description, 60 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 66.34 per cent ad valorem.)

And insert the following in lieu thereof:

"380. Aubusson, Axminster, moquette, and chenille carpets, figured or plain, carpets woven whole for rooms, and all carpets or carpeting of like character or description, 40 per cent ad valorem."

Amend further by striking out paragraph 381, on page 133, which is as follows:

"381. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, 60 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 72.67 per cent ad valorem.)

And insert the following in lieu thereof:

"381. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, 40 per cent ad valorem."

Amend further by striking out paragraph 382, on page 133, which is as follows:

"382. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, 44 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 75.81 per cent ad valorem.)

And insert the following in lieu thereof:

"382. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, 40 per cent ad valorem."

Amend further by striking out paragraph 383, on page 133, which is as follows:

"383. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, 40 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 58.86 per cent ad valorem.)

And insert the following in lieu thereof:

"383. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, 40 per cent ad valorem."

Amend further by striking out paragraph 384, on page 133, which is as follows:

"384. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, 28 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 60.73 per cent ad valorem.)

And insert the following in lieu thereof:

"384. Tapestry Brussels, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, 40 per cent ad valorem."

Amend further by striking out paragraph 385, on page 134, which is as follows:

"385. Treble ingrain, three-ply, and all chain Venetian carpets, 22 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 66.72 per cent ad valorem.)

And insert the following in lieu thereof:

"385. Treble ingrain, three-ply, and all chain Venetian carpets, 30 per cent ad valorem."

Amend further by striking out paragraph 386, on page 134, which is as follows:

"386. Wool Dutch and two-ply ingrain carpets, 18 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 58.63 per cent ad valorem.)

And insert the following in lieu thereof:

"386. Wool Dutch and two-ply ingrain carpets, 30 per cent ad valorem."

Amend further by striking out paragraph 387, on page 134, which is as follows:

"387. Carpets of every description, woven whole for rooms, and oriental, Berlin, Aubusson, Axminster, and similar rugs, 10 cents per square foot and 40 per cent ad valorem: *Provided*, That in the measurement of all mats, rugs, carpets, and similar articles, of whatever material composed, the selvage, if any, shall be included." (In equivalent, 60.01 per cent ad valorem.)

And insert the following in lieu thereof:

"387. Carpets of every description woven whole for rooms, and oriental, Berlin, and other similar rugs, 40 per cent ad valorem."

Amend further by striking out paragraph 388, on page 134, which is as follows:

"388. Druggets and bockings, printed, colored, or otherwise, 22 cents per square yard and in addition thereto 40 per cent ad valorem." (In equivalent, 70.86 per cent ad valorem.)

And insert the following in lieu thereof:

"388. Druggets and bockings, printed, colored, or otherwise, felt carpeting, figured or plain, 30 per cent ad valorem."

Amend further by striking out paragraph 389, on page 134, which is as follows:

"389. Carpets and carpeting of wool, flax, or cotton, or composed in part of any of them, not specially provided for in this section, and mats, matting, and rugs of cotton, 50 per cent ad valorem."

An insert the following in lieu thereof:

"389. Carpets and carpeting, of wool, flax, or cotton, composed in part of either, not specially provided for in this act, 30 per cent ad valorem."

After the conclusion of Mr. DOLLIVER'S speech,

Mr. HEYBURN. Mr. President, I do not know that I can add very much to the technical discussion affecting the manufacture of woolen goods, but there is a practical side to this question affecting the people that constitute a very considerable percentage of the consumers of this country as well as producers that should not be lost sight of. We are apt to lose the consideration of that question in the consideration of these mysterious figures affecting the classification of imports and the duties upon them.

Of course the value of our home product depends upon the quantity and the condition of the importations of wool. If the people can obtain all the wool they want from abroad upon better terms than they can obtain it at home, they will largely buy the foreign product; and the purpose of a protective tariff is to regulate the conditions under which foreign wool may come into this country, so that there will be a greater burden upon the foreign wool and its products than upon the domestic wool. That is the spirit of the legislation now under consideration.

Largely we must appeal first to the labor item. I find, from a reference to the report of the committee of the Senate, that there are $135,069,063 of wages involved in this controversy. Those are the figures given us by the committee, and they are no doubt correct. That sum of money represents more than the value of all the land, with the buildings and improvements upon it, in about 17 States. There are 17 States in this Union whose total valuation of lands and improvements falls below the wages item in this schedule. I state that in order that we may carry in our minds all along some comparison upon which to determine the equities of this question.

There is not an enterprise in this country in which the wage item enters more largely than into the question of the woolen schedule. The largest item in the woolen schedule is men's clothing. That, of course, includes the cloths to which the Senator from Wyoming referred, but that item includes the wages of the people who convert the wool into clothing. That is about one-third of the wage item.

A brief comparison of the figures will throw some light upon this question as it affects the men who produce the wool. At the time of the enactment of the Dingley bill it cost $1,479 to produce in bale the wool of 1,200 sheep. To-day it costs $2,840 to do the same thing. There is a difference in wages to the men producing that item of $1,365 between free wool and the Dingley Act.

That item is denominated as a flock. Sheep raisers divide their sheep into flocks for convenience of care and protection. So it will be seen that the increase is practically 100 per cent of the cost of raising a flock of sheep and producing the wool to-day, as against the cost at the time of the enactment of the Dingley bill. Why? Because men at that time were working for less wages; were compelled to submit to less profit. And these are the items: In 1897, 1 herder, at $35 per month, $420 for the year; 1 camp tender, at $25 a month, $300 per year; board for the two, $25 a month, $300 a year; shearing, at 7 cents each, $119; feeding hay, at 20 cents each, $340. That makes up the total of $1,479 for taking care of and taking the wool from a flock of sheep.

Compare those wages, and you will have a very fair idea of the differing conditions under free trade and a protective tariff. The man who received $35 a month in 1897 now receives $50 a month. The man who received $25 a month as camp tender now receives $40 a month. The man who boarded them for $25 a month under free trade now gets $50 per month. We now pay to the Government a grazing fee of 7 cents upon each of these sheep, and that is whether they are on forest reserves or on any other government land. The shearing which in 1897 cost 7 cents to-day costs 10 cents; that is, the men get 3 cents apiece more now for shearing the sheep than they did then. The hay in 1897 cost 20 cents for each sheep and to-day it costs 50 cents.

There is a statement, a business statement of account between free trade and the existing condition. I have that from the man who engaged the herder, raised the sheep, and paid for their care. It is not dependent upon any official statistics. It is the actual charge, and I think it is one of the most enlightening and important items from the standpoint of the raiser of sheep that can be produced.

Let us apply that; that is, for a flock of a limited number of sheep. Of course, the figures carried forward would demonstrate the difference in cost as applied to the entire sheep industry. I will take my own State as a text, because what is true there is true elsewhere. We are the third largest wool-producing State in the United States—Idaho. We have close to 5,000,000 sheep in the State, and they carry fleeces close to 25,000,000 pounds. Of course, the department says that the average fleece in Idaho is 7 pounds. That is the average fleece that is sheared by the large sheep owners, but there are a very large number of sheep in the State which do not produce 7 pounds. I take them into consideration when I state the product.

I saw wool—2,000,000 pounds of it—in October, 1896, piled up in the warehouses and on the railroad platforms that could find no market. The freight to Boston—the wool market of this country at that time—was about 6 cents a pound, and the price of wool in Boston was about 6 cents a pound. So the wool stayed there, and this followed: The millions of sheep that had been running upon the grazing fields of Idaho necessarily disappeared. Men sold them; men gave them away. I saw a flock of 1,000 sheep, for which a man paid 10 cents apiece, being driven into Montana, in the hope of finding some pasture for them. I saw the flocks of Idaho disappear, practically, and that condition continued until the Dingley bill gave us a protective tariff upon the product of the sheep; and then I saw the industry grow again. Many of the men who had been formerly engaged in that business had gone into bankruptcy and had gone out into other fields of business occupation. Practically a new set of men came into the field to build up the sheep industry.

Now, sheep can not be produced in a day. They must grow, and necessarily they had to wait until they could regrow these flocks. The result was that wool went from 6 cents to 13 and 14 cents a pound in Idaho, and it has gone up as high as 20 and 21 and 22. It is worth about 18 to 20 cents there now because of the protective-tariff policy under the Dingley Act and for no other reason. You remove that duty or you tamper with it and you immediately hold a threat over that great industry which will result in men pulling in, so to speak, in this enterprise; and if you reduce the duties so as to reduce the profits upon sheep raising, they will go out of business. What will take its place? These great stretches of pasture lands will be idle. They will be nonproductive, because, as a rule, there are not other men to step in, even though the conditions were favorable to other classes of business, and take the places of the men who go out. We would lose that income.

In addition to the value of the wool, which is an annual product, there is the value of the sheep. I should say the sheep will average $4 a head in Idaho; and we have 3,000,000 of the class of sheep which would be worth $4 a head. There is $12,000,000 of property belonging to the sheep raisers in Idaho which would pass out of existence, which would go into the market at a depreciated price, if they could find a market at all. In 1896 they could find no market for them, so that they were disseminated throughout the fields of bankruptcy and low prices, and we had nothing to take their place.

That is the business situation. And can you wonder that we are here to oppose a reduction, or anything that may amount to a reduction, of the duty to be placed upon the product of our competitors? We compete within our own country, in the markets of the people, in the sale of these products. Are we to be brought into competition now, not with our own people, because the rule of destruction will apply to the entire product wherever it is in this country, but with the producers of other countries?

As I suggested once before, are we, because evils exist in our country, now to call in the Hessians to punish the people and compel them to submit to these conditions of depreciated value and trade? That is the spirit which appeals to me in this matter, and I do not feel that this question should be left to rest upon a discussion of the technical principles of trade in the custom-house. I do not intend to speak of the trade in the custom-house. I intend to speak of the trade on the plains—the conditions of those people. Any industry that contributes fifteen or twenty million dollars every year to a part of the people of this country is entitled to receive our consideration in legislating on that subject.

I am not content to risk the experiment whether or not some new theory might work as well. This great industry has been builded up and maintained under the existing condition, with which we are content, and we protest against any change in it. If conditions were unsatisfactory, if clothing was beyond the reach of the poor or the rich, if evils had grown up out of this industry, there might be some reason for reaching out and grasping new theories and for experimenting with new methods of government. But when it is admitted that the prices are reasonable, and further demonstrated that the people have money to pay the prices, which is the most important of all, why tamper with it? Why propose any change either of the method or of the basic value?

The Senator from Iowa [Mr. DOLLIVER] says he has another theory that is just as good. I have met these just-as-good men all along the road in my life. They are the unsuccessful peo-

ple, the people who always think they have something better than that which you have and are trying to tempt you to substitute their wares for yours. That is not a safe basis for government or a safe basis on which to enact a tariff law.

Mr. President, up well into my years of life the majority of this product was east of the Mississippi River. In 1877 only 25 per cent of the wool of this country was produced west of the Mississippi River. To-day 78 per cent of it is produced west of the Mississippi River. The interest, the selfish interest—and I charge it against no man personally—has shifted. To-day there is less interest in the East in protecting the product of the flocks of sheep than there was thirty years ago. To-day it is a western industry.

Mr. President, under the free-trade policy and practice of the Democratic party the importations of wool from foreign countries almost doubled—some years more than doubled—and the exportations of wool fell off proportionately. That meant that we were sending our money abroad to get clothes, the product of wool. If we had it, we were sending it abroad to buy the products of other nations.

Immediately upon the enactment of the Dingley bill and the restoration of a duty upon wool the tables turned and we began to produce wool in this country, and the importations decreased, notwithstanding that our necessities were enhanced by our prosperity and the balance of trade has been in our favor on this product ever since, to the extent of a great many million dollars.

There has been $900,000,000 of wool produced in this country since the Dingley bill was enacted, which would not have been produced under the free-trade Wilson-Gorman bill. I take that from the figures showing the exports and the imports and the production and the use of this article. Those figures represent good government in the interest of the people.

I care not for the prosperity of the woolgrowers of other countries. We have no responsibility for them. Our first duty lies toward our own people, and the enactment of laws should be in the interest of our own people, regardless of the effect upon other nations. The presumption is that the other nations could exist without us, and I know we can exist without them, in so far as the necessities of life are concerned.

It occurred to me, when I heard Senators speaking for an income tax, that we might reach one phase of that question here by placing duties upon the things used as luxuries by those from whom the income tax would be collected. You can raise revenue enough, by placing the tariff high enough upon the luxuries of life that would be used by the class of people who would pay an income tax, to make it unnecessary to resort to an income tax.

This talk of being under obligations to revise the tariff downward came from somewhere; I do not know from where; from some political, I was going to say swamp, like a miasma. No man dared to mention it in the national platform. It was a concession, a sop, thrown by those lacking in confidence to the voters whose support they thought they had to have. Four years ago, with similar conditions, without any such pretense, we cast the largest majority for the leader of the Republican party that had ever been cast. Have conditions changed so in four years that we must add some promise? There is nothing in the platform of the Republican party which requires us, as suggested by the Senator from Iowa, to make any concession, because some one or many may have promised a revision downward. They seem to think that the Republican party never had a platform until the last Chicago convention.

The platform of the Republican party includes every declaration which has been made since its organization, and the declarations of 1860 and 1864, and in every other campaign, are still a part of it.

The man who denies it had better review and revise his Republicanism. There is not a plank in its history, in any campaign, that any Republican would to-day strike out. If we do not repeat them all every time, it is because we have written them into the laws of the country, for which the Republican party stands, and it is no longer necessary to repeat them. But they have not been dropped out. We post our ledger every four years and include conditions that have arisen as a basis of a declaration to the people, but we do not unwrite the words of the Republican platforms of the past.

We have heard Senators reading from speeches—the speeches of candidates, the speeches of men who spoke on behalf of the Republican party—to prove that the Republican party has changed its doctrine. None of them whose remarks are entitled to our consideration ever dreamed that such a use would be made of the expressions they gave forth. There was a party in the last campaign that had a platform which was in conformity with the declarations and the demands of some Senators. But the people repudiated it. They did not elect anybody who stood upon that platform, which declared in favor of a reduction of the tariff.

The Senator from Iowa stated correctly to-day the meaning of the word "revision" or "revise." It was merely a promise to the people that we would look again at the tariff laws of the country. Look again, for what purpose? That we might inspect, as a man inspects the home in which he lives or his business system, to see whether or not there is need of repairs. When the people gave their sanction at the polls to the Republican party and continued it in power, it was a declaration that the conditions then existing were satisfactory to the people, and the mere promise that we look was unnecessary, because the Republican party is always looking to the wisdom and the effect of its action.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. NELSON. The Senator will concede that the Republican platform at Chicago did prescribe a revision of the tariff, and did provide for it. Now, what was the purpose of that? What was the purpose of putting any plank about the revision of the tariff in the platform? What was it for?

Mr. HEYBURN. Because there was an inquiry abroad in the land as to whether or not the tariff rested upon a sound basis.

Mr. NELSON. Was that all?

Mr. HEYBURN. That was all there was in the Republican convention. Outside of the Republican convention, and outside of the Republican party, there was denunciation and a demand for a transfer of power to another party, but within the Republican party no one on the day of that convention would have dared to confess inadequacy on the part of the Republican party in the management of the affairs of this country.

Mr. NELSON. What was the purpose of revision contemplated in the platform? What was the revision that the platform had in view?

Mr. HEYBURN. The purpose I have already stated. The insertion of that plank was an assurance to those who were in doubt, and in doubt because of their want of knowledge. It was an assurance that the Republican party would see to it.

Mr. NELSON. Then, as I understand the Senator, the only object was as to those who began to doubt whether some features of the protective tariff were too high, and it was simply a declaration in the platform to give us an opportunity to convert them to the efficacy of the tariff.

Mr. HEYBURN. No; it was a reply to their expression of uncertainty that the great Republican party would look into the matter. It was equivalent to a declaration that when they inspected that foundation of the Republican party if they found it sound they would stand by it, and if they found the conditions had changed and made it wise to reform some schedules in certain ways they would raise them or lower them. It was also an assurance that if there were any products that needed greater protection they would advance the duties.

Mr. NELSON. If the statement of the Senator from Idaho is correct, and all the object of the revision was to assure the people that the existing tariff was correct, why are we here to pass a tariff bill? What is the purpose of it? Ought we not to adhere to the Dingley law?

Mr. HEYBURN. I will refer the inquiry to the Senator from Minnesota as to why we are here. We are not here because the Republican party had proven incompetent to manage the affairs of this Government. We are not here because we did not have prosperity under Republican rule. We are not here because we intended to repudiate the lifelong principles of the Republican party. We are not here for any of those reasons.

Mr. NELSON. The Senator misconstrues me. When I used the expression "What are we here for?" I meant why are we here pretending to revise the tariff.

Mr. HEYBURN. We are here looking it over. We are here inspecting the great building occupied by the people of this country, to see whether or not it is in good working order. It was in good working order at the time of the Chicago convention. It has been in good working order always when the Republican party has controlled the destinies of this country; and it will be in good working order only so long as the Republican party controls its destinies along the lines upon which that party has always rested.

That is the answer I make to the Senator. He has been a lifelong member of the Republican party, if I am correctly advised, and he knows that the foundation stone upon which it rests is a protective tariff that will give the people of this country the markets of the country without any close competition

with the producers of other countries. This thing of trying to scale the wool protection down to a hairbreadth and then drawing fine lines and indulging in close analysis to see whether or not it is possible for our business opponent to slip over the line in a night and invade our ground is not my kind of revision or Republicanism.

Mr. NELSON. The Senator from Idaho talks about hairbreadth discriminations or distinctions. What does he think of a tariff of 165 per cent ad valorem upon woolen blankets? Is that a foundation stone of the Republican party?

Mr. HEYBURN. Mr. President, if it was necessary to enact such a tariff in order to give the American people the markets for the products upon which the duty was laid, I would not care if it was a thousand per cent. I would shut that foreign competitor out of our markets, and I would have those who are able to disregard the American product pay a price and put it into the Treasury of the United States.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield still further to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. Where would the Senator get his revenue if we shut everything out?

Mr. HEYBURN. There are always enough people whose vanity tempts them to buy anything because it has a foreign brand or a foreign coat of arms upon it. You can rest safely upon the vanity of the people to pay the duty.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. Certainly.

Mr. BORAH. I suggest to the Senator from Minnesota that he could get it from an income tax.

Mr. HEYBURN. Well, Mr. President, I think I will not take up the income tax at this time. I may possibly do so later. I am speaking in favor of the kind of income tax that appeals to me now, an income tax under the provisions and within the contemplation of the Constitution of the United States, which provided that the first resource of this Government to maintain itself should be duties upon imports to this country. That was the intention of the founders, and until that is exhausted or proven to be inadequate I would go no further; I would not even feel it necessary to consider whether or not we might resort to another class of taxation.

What do you propose to do in this country? You propose to run the American labor engaged in this industry, the average weekly wages of which is $8.31 per week, against the Italian labor, which is $3.77 a week, and I speak from official figures, the identical labor, the same number of hours.

Mr. NELSON. I do not understand that the Italians are raising sheep or sending any wool over here.

Mr. HEYBURN. The Senator would be astonished to know how many of them are engaged in the manufacture of articles within this schedule. I have it, but I want to finish the statement from the comparative tables. You would be running the American labor, that receives American wages and lives like an American, up against the corresponding labor of France at $5.03 per week. You would be running the American labor, with the attributes of the American citizen behind it, against English labor at $5.72 per week.

Why would we who are here to represent these American laborers trade off their prosperity in a vain attempt to follow after some untried theories of government, when we have, and know that we have, conditions here, the result of the republican system of government, that leaves us a margin which represents the profit to the American people?

Mr. President, I have heard some suggestions here as to the basis of a protective tariff that have not accorded with my idea. All these comparisons have been between great enterprises in America and like enterprises abroad. Senators have been comparing how possible it was for the well equipped and great American factories to compete with those abroad. Where, in their minds, were the small enterprises of this country? The true basis of a protective tariff is not with the great enterprises that might compete because of the volume of their business. It begins with the smaller concerns. The question in my mind is not whether the Amoskeag Mills might compete with the foreigner, but it is whether the little mill down in the valley that represents all that men of smaller means have shall compete with him. That is protection. The protective tariff was to protect those who need it, and those who need it most are not the great enterprises with vast capital and great buildings.

All through this discussion, as I have heard it on both sides of the Chamber, my mind has criticised that comparison and has been making inquiries all the time. The figures I have been making all the time have been applied to the small manufacturer, the small merchant, the small producer, because, when you come to the last analysis, they are the subjects in the contemplation of the fathers of the Republic when they established this doctrine of protection.

I think we might dispense very much with the elaboration of figures that we have listened to here for the last week on the cotton schedule, because they do not affect the legitimate object of protection. The question is as to the little woolen mill down in the valley that has not the most modern appliances and can not have them. How shall we protect that mill owner? Is he to become a mere satellite of the larger manufacturers, and be made to depend entirely upon their prosperity? I think not. The very first inquiry in my mind is, How will this affect the men who have not elaborate machinery or great buildings and large capital?

When we were discussing the lumber schedule I looked at the statistics and saw that out of 1,300 mills in one section of the country there are less than 400 of them that have band saws, and that 900 of them are equipped with less expensive machinery, but sufficient for the purpose of their trade. Yet everything was discussed from the standpoint of the great enterprises, and the only question that was asked was, Can these great enterprises live? They can live if they make 2 or 3 per cent on their investment, but the individual with the little industry or concern would starve to death on 2 or 3 per cent on an investment with only a handful of money.

Yet he is entitled to engage in that occupation. He is entitled to his share in the prosperity that comes from furnishing his neighbors with their stack of flour or their jag of lumber. He is entitled to flourish if he only wants to do so in his own neighborhood.

When I was a boy we raised our own sheep and our own wool. The sheep were sheared on the place, and I used to ride with my father to the Bancroft and other mills and take that wool and then go back there when we were notified that it was ready and bring home the cloth and the blankets. Some of those mills are in existence to-day; some of them have developed into great concerns; and some of them have advanced only a little beyond the condition of that day. Are they not entitled to consideration in making an estimate in this matter? Is not the farmer with a dozen sheep or a hundred entitled to consideration in making up a schedule here? The Senator from Minnesota gives a negative shake of his head. What shall he do? Cease to raise sheep? Cease to have a sawmill and a flour mill? What is he to do? Is he to be crushed between the wheels of these great enterprises and be ground out of existence? I think not.

When I speak for that class of the American people, I speak for 90 per cent of them. So far as I am concerned, I am here to legislate for that class of people as well as for the merchant princes and the great mill owners; and I am only impelled to speak on this occasion that I may, if I can, cause men to hesitate and cause them to get away from the intricate calculations into which we have been drawn and to which we have listened for the last ten days or two weeks, calculations that dealt only with millions.

Let us deal with the individual, not with his pocketbook. It is worth more to the individual to have a field for his labor than anything else. The opportunity is the thing that is valuable; the man will do the rest. But if he has no opportunity, if he has no protection except to become a part of the tail of a great kite that sails and carries him through the air, you will soon find this Nation degenerating so that the great mass of people will be mere accessories to those who are largely engaged in business.

Mr. President, I expect to vote for this bill. I expect also to leave in the records of the Senate of the United States my protest against basing our consideration and our action here on this or any other schedule upon the top notch of trade. I am not here to consider how possible it would be to live under certain circumstances. I am here to consider how great and grand it would be to share in the prosperity and the productiveness of this great country of ours.

Sometimes we all reach the same point by traveling over different roads, and if I arrive at my conclusions upon this question by those routes that seem to me the ones proper to travel over, we will arrive at the same ultimate result, even though all Senators do not come to it by that way.

I do not propose, if my vote or my voice can help it, to see the great sheep industry of our western country destroyed or frittered away in elaborate arguments or reasoning. I am more interested in the people whose lives and whose happiness and comfort depend upon the opportunity that grows out of and be-

longs to this enterprise than I am in any of the great mills. The mills will follow. They will exist and prosper on the American product better than they will upon the foreign product. I would rather see every pound of American wool go into the American mill and be used to clothe and cover the American people, and if we have a surplus we will sell it in the markets of the world.

But I would buy not one dollar of the surplus of other nations if I could avoid it. I would only do it when the home product was insufficient. I would rather trust the comfort and the destiny and the prosperity of the American people to competition within our own Nation and between our own citizens than to have it at the mercy of competition with foreign countries and foreign conditions. I would make it very difficult for the foreign producer to enter our household and take a seat at the table of Republican prosperity.

There is no people in the United States more interested in this question than the people whom I represent in this body. There was a time, when 78 per cent of the wool was produced this side of the Mississippi River, when you would have heard the voices of many men in States producing that commodity raised up in support of the principles for which I speak. They did, and they wrote the tariff upon wool in no uncertain letters. They did not make it subject to the vicissitudes of an ad valorem duty. An ad valorem duty on wool at 20 cents or at 10 cents, as was very well suggested by the Senator from Wyoming, not only affects the woolgrower, but it affects the Treasury of the United States. When we pass a tariff law here we want to be able, with some degree of certainty, to know what revenue it is going to produce; and if you put it on an ad valorem basis you will never know what the revenue to-morrow or next week or next year will be.

I saw wool not very long ago drop from 21 cents to 12 cents. Contemplate for a moment the effect of that upon the United States Treasury. Instead of taking in duties——

Mr. McLAURIN. Will the Senator allow me to ask him a question?

Mr. HEYBURN. Certainly.

Mr. McLAURIN. Was that caused by the Wilson law?

Mr. HEYBURN. We did not have any duty on wool under the Wilson law.

Mr. McLAURIN. But the drop of which the Senator speaks?

Mr. HEYBURN. We did not have any revenue.

Mr. McLAURIN. Was the drop of which the Senator speaks, from 21 to 12 cents the other day, caused by the Wilson tariff law?

Mr. HEYBURN. It was caused by the scare of the people. Somebody conjured up a ghost and scared the people, and they took to the woods.

Mr. McLAURIN. What were the people scared at?

Mr. HEYBURN. They were scared for the moment—the element that controlled it—at the financial condition in the country. They did not know that the Republican party, by the magic wand of wisdom, could correct any existing or temporary discomfort in the financial world.

Mr. McLAURIN. Were they scared at the Republican Congress?

Mr. HEYBURN. The Republican Congress applied the remedy in a very few moments.

Mr. WARREN. The Senator made an inquiry as to why the price of wool fell—what was the figure?

Mr. HEYBURN. From 21 to 12 cents.

Mr. McLAURIN. The Senator is mistaken about that. I made no such inquiry. I made inquiry whether it was attributable to the Wilson law.

Mr. WARREN. I presume the Senator would like to know something about the price of wool during the administration of the Wilson law or the effect of that law on wool.

Mr. McLAURIN. The Senator can not turn the question by any such way as that. That is not relevant to the question I asked.

Mr. GALLINGER. I think it is very relevant.

Mr. WARREN. Admitting that it is not relevant, I will say to the Senator from Idaho that the price of wool in my State and in the State the Senator so well represents was somewhere from 4½ to 6 cents. That was what it was worth during the Wilson law.

Mr. HEYBURN. Yes, Mr. President; the railroad companies required you to either prepay the freight or give a bond for it before they would receive it for shipment, because the wool was not worth the freight.

Mr. McLAURIN. Mr. President, that may be the best answer the Senator from Idaho or the Senator from Wyoming may be able to give to my question, but the question I propounded was whether the drop that the Senator saw the other day, from 21 to 12 cents, was attributable to the Wilson law.

Mr. HEYBURN. No. I have answered the Senator. I have already attempted to tell the Senator to what it was attributable. It was attributable to one of those temporary disturbances that will arise at all times to the great party. The party that is able to manage the affairs of this Government is the party that knows what to do when the question comes, and the other party that is not competent is the one that uses it only as a taunt.

Mr. McLAURIN. With the Senator's permission, I will say that it is customary on the part of the Senators both from Idaho and Wyoming, and other Senators on the Republican side, to lay everything to the charge of the Wilson law, and when the Senator said there was a drop a little while ago of from 21 to 12 cents, it occurred to me that probably it might be very pertinent to ask whether that was attributable to the Wilson law.

That was evaded, or attempted to be evaded, by stating the price of wool under the régime of the Wilson law and as to the ability of the Republican party to always manage the Government so that there will be no trouble in the revenues and no trouble in the affairs of the country, and the inability of the Democratic party to do that. I wish to say that the Republican party did not manage the finances of the country in the year 1907 in such a way that we were denied the benefit the Republican party gave us of the money panic.

Mr. HEYBURN. If I had the time or the inclination to go into an analysis of the financial panic I might do so for the entertainment of the Senator from Mississippi, but not to his profit, nor, I think, to the profit of anyone. I will call his attention to figures, however, which have been handed to me. In 1896, 38,298,183 sheep sold for $65,167,735; that is, they were averaged at that; and in the year of grace 1907, 53,240,282 sheep had a value of $204,210,129. A mere inspection of the figures is sufficient.

Mr. McLAURIN. The Senator will do another favor to me if he will show how that has any relevancy to the question I propounded to him.

Mr. HEYBURN. I am almost inclined to ask the Senator to what he attributes it; whether he attributes it to the great benefit and success of Democratic government, or whether he will concede some slight part of it to the character of the Government under which the conditions have arisen.

Mr. McLAURIN. I will just say in reference to that that there is one thing certain about it; the drop in the price of wool that has just occurred, from 21 cents to 12 cents, to which the Senator alluded, was not caused by any Democratic legislation.

Mr. HEYBURN. Mr. President, I think that is hardly relevant. The price of wool to-day, because of the Government and because of its quality and character, is back to 21 cents. A man may be sick overnight, but if he has a good physician or is a man of intelligence he may be recovered in the morning.

Mr. McLAURIN. Yes, Mr. President; and if he takes good care of his health he is not likely to be sick overnight.

Mr. HEYBURN. I hardly think the Senator will want that to stand as a complete answer.

It is, however, not my intention to prolong my remarks. I was inadvertently thinking that we adjourn at 5 o'clock, but I shall not prolong my remarks because of my error.

Mr. President, I have attempted to present this question from the practical side of the woolgrower, and that means the market that the woolgrower makes. Where do you suppose the $135,000,000, in wages paid in this country in this industry is distributed? It buys your cotton from the South; it buys your wheat from the North and your barley from Minnesota. Those wages are distributed throughout the entire business world in this country. They do not go abroad to purchase foreign articles. Suppose the industry was destroyed. To what field would this labor go for employment? Would you wipe it out? Would you wipe out the $15,000,000 worth of sheep product in Idaho? If you reduce the duty on wool, you will wipe it out to some extent, if not entirely.

I am speaking for the consumers who consume your wheat while they are raising our sheep. I am speaking of the consumers who consume the product of every State in the Union while they are thus engaged. I am speaking of the merchant and the manufacturer who because of the employment of these men have a market that they would not otherwise have. You take a cent a day from them and you lose a cent a day out of the volume of your business. You take 11 cents, or any other number of cents, off the duty on wool, and you lower the fence of protection and

increase the danger of competition at the expense of American labor.

There is invested in the sheep industry of the United States more than a hundred million dollars. Where would that capital find investment—in what field? It would be withdrawn or lost in either event at the expense of the business and commerce of the world. What income would take the place of this? What field of industry would offer employment to these men? I am appalled when I find any number of American people willing even to contemplate the withdrawal of opportunity from any other number of the people. The prosperity of this country is because of the opportunity offered to them. That is the only function or purpose of government as applied to the individual. It is opportunity. It is the Republican party that has given the American people the opportunity to engage in profitable enterprise; it is the Republican party, by the exclusion of the outside world, that has given the people of the United States the opportunity to build up the great riches and the great enterprises of this country.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. WARREN. Mr. President, if I understood the Senator from Idaho correctly, I think he misquoted the amount invested in the sheep industry. He spoke of it as being $100,000,000.

Mr. HEYBURN. I said more than $100,000,000.

Mr. WARREN. It is about $750,000,000. A hundred million dollars would be less than $2 a head for the sheep, without allowing anything for the ranches and other property.

Mr. HEYBURN. I did not intend to include those things. I was merely referring to the sheep industry. That represents an investment between ninety and one hundred million dollars. Of course, that does not include the capital invested in the great enterprises that grow out of it and are connected with it.

Mr. WARREN. The sheep alone, if sold on the market to-day, would bring considerably more than the amount stated.

Mr. HEYBURN. Yes; I suppose they would, if they were all marketed. I did not intend to include the cost of the land, the buildings, the factories, and the tonnage that is paid to build and maintain railroads. Those figures would soar into almost unbelievable sums.

Why should anyone, regardless of his politics, seek to take a chance of striking down even the protection of a cent? I hope that the existing law in regard to the tariff upon these subjects will not be disturbed one iota, because I believe you will have to pay dollar for dollar for every dollar that you take from it.

Mr. President, a system or a theory that has been tried in government and found successful in its application should never be disturbed, even because a very large number of people think they could do better. There is always some one who thinks he could improve on existing conditions; there are people ever ready to criticise others; but I have observed in life that, if they get an opportunity to substitute their ideas, conditions are rarely, if ever, improved.

A word in closing. There has been at times a spirit of resentment—it has amounted to that—toward those outside of the Finance Committee who felt impelled to express their views at such length as in their judgment might seem appropriate. It is not becoming in the consideration of a question like this to attempt to exclude anyone from participating in it within the limits of his own judgment. Because the Committee on Finance, in its wisdom, has struck the right measure in this bill is no reason why other Senators should be content merely to sit in silence and vote upon it. There should be a record—a public record—accompanying every measure that is enacted in this body that should tell not only why the particular committee recommended it, but why Senators supported it. I am impelled to make this statement because of the spirit of impatience that seems to pervade certain circles at those who exercise their right and perform their duty upon this floor.

Mr. McCUMBER. Mr. President, I shall take only a very few minutes in the discussion of this particular amendment, and will give plenty of time to vote upon the subject before the recess if anyone desires a vote before that time.

Mr. President, I know something about the conditions in the sheep industry for the four years prior to 1897. I am not going to take up any time in elucidating this subject, but will give one concrete incident. About the year 1895 or 1896 I know of a flock of sheep of some 4,000 in number sold for a dollar and a quarter a head. They were all full-grown sheep. Those sheep to-day would bring a price of $5 a head, or nearly five times as much. During the four years preceding 1897 I have seen the warehouses in the western part of my State loaded with wool that was not worth the price of the freight to the eastern market. That represented the general condition during those four years.

Mr. President, the people of the State of North Dakota and all of the western section lost enormously during those years. They have been making up those losses in the last ten years, but I do not think with all of the profits they have made that they have entirely recouped the losses for that particular period.

I am not going into the subject of what constituted the real cause. It may be that we were frightened; it may be that the Wilson-Gorman law had nothing to do with it, that it was just lack of confidence; but I can give another concrete incident in relation to how that lack of confidence worked with some of us. In 1892 I, with some other people, organized a sheep company. We incorporated along toward the fall of that year. We then thought that we had better wait until after the election before we either purchased the sheep or the lands that we had in contemplation. We waited until after the election. It did not go as we expected and hoped it would go; and that corporation was dissolved. We dropped the project. That is one instance in my life when my foresight of conditions that would ensue was absolutely correct. So nothing ever came of that organization.

Now I want to show whether or not we have been benefited by our tariff since that time; whether or not the wonderful prosperity of this country for the last ten years has manifested itself in the rapid and steady increase of the value of wool and the value of sheep in this country. I call attention to page 878 of the volume Imports and Duties from 1894 to 1907, inclusive; and I am going to ask that the three tables showing the imports, the rate of duty, the Dingley duty collected, the value per unit, and the ad valorem duty shall be placed in the RECORD. They are tables of the unwashed wool not on the skin, the washed wool not on the skin, and the scoured wool. They are the three grand subdivisions of wool imports.

The PRESIDING OFFICER. In the absence of objection, the tables referred to by the Senator from North Dakota will be printed in the RECORD. The Chair hears none.

The tables referred to are as follows:

Wool imports.

UNWASHED WOOL, NOT ON THE SKIN.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average.	
					Value per unit of quantity.	Ad valorem rate of duty.
		Pounds.				*Per ct.*
1898	11 cents per pound.	4,566,007	$790,508.00	$505,230.77	$0.170	63.91
1899	do	9,384,290	1,549,131.00	1,022,268.67	.165	66.04
1900	do	{ * 27,728 19,132,005	{ * 3,433.00 3,734,897.42	2,104,520.55	.195	56.35
1901	do	35,504,730.25	6,821,103.00	3,905,520.31	.192	57.26
1902	do	54,858,663.22	8,118,371.40	6,034,452.96	.148	74.32
1903	do	46,826,229.54	7,123,287.00	5,096,585.29	.154	71.54
1904	do	39,706,896.19	7,229,714.00	4,377,228.63	.182	60.55
1905	do	73,864,454	15,751,480.00	8,121,789.99	.213	51.57
1906	do	91,027,198.10	21,359,479.00	10,012,991.25	.235	46.88
1907	do	90,045,325.75	22,249,572.25	9,904,985.85	.247	44.52

WASHED WOOL, NOT ON THE SKIN.

1898	22 cents per pound.	45,269	$8,741.00	$9,959.15	$0.190	113.94
1899	do	964	168.00	212.08	.174	126.24
1900	do	12,398.50	2,839.40	2,727.72	.229	96.07
1901	do	806	122.00	177.32	.151	145.09
1902	do	569	113.00	125.18	.199	110.62
1903	do	24,824	11,557.00	5,461.28	.465	47.26
1904	do	12,169	6,500.00	2,677.18	.534	41.19
1905	do	29,356.19	8,622.00	6,458.36	.295	74.89
1906	do	9,172.75	3,135.75	2,018.00	.342	64.35
1907	do	1,675.25	601.00	388.56	.359	61.32

SCOURED WOOL.

1898	33 cents per pound.	28,175	$332.00	$9,297.75	$0.290	111.50
1901	do	18,163	6,783.00	5,993.79	.373	88.36
1902	do	5	5.00	1.65	1.00	33.00
1903	do	3,613.70	1,777.00	1,192.52	.492	67.11
1904	do	6,661	4,821.00	2,204.73	.722	45.73
1905	do	3,141	1,751.00	1,036.58	.557	59.19
1906	do	4,136	2,476.00	1,361.88	.599	55.12
1907	do	8,119.50	7,146.00	2,679.44	.88	37.50

* Damaged, duty remitted by Secretary of the Treasury.

Mr. McCUMBER. Mr. President, I want to call attention to the value of these wools in each succeeding year; and I will take the wool that the farmer sells, the unwashed wool, not on the skin. I find that in 1898, with 11 cents a pound duty, that the value per unit or pound in New York, probably, where it was imported, was 17 cents. Three years afterwards it was 19½ cents; then it was down to 14$\frac{1}{16}$, then to 15, then it went to 18 cents, then to 21, then to 23, and in 1907 it was 24 cents.

If I follow along in the same line, I find that the washed wool not on the skin was 19 cents in 1898, and that there was a gradual increase until it was 35 cents in 1907. I find that the scoured wool was 29 cents in 1898, and that it was 88 cents in 1907; in other words, the value of wool has considerably more than doubled during that period. This was under the Dingley rate. The House of Representatives this year report a bill in which they propose to cut down the Dingley rates on certain classes of wool, and I am now asked to vote for a reduction of the wool schedule that has given us this prosperity during these years and has helped us to recoup our losses during the preceding years. Remembering what those losses were, I for one refuse to do it. I do not think that the rates are at all excessive.

Mr. BEVERIDGE. Mr. President, will the Senator permit me to ask him a question?

Mr. McCUMBER. I should like to finish what I have to say, and have my argument appear in a logical way; but if the Senator insists, I will yield.

Mr. BEVERIDGE. I will ask the question when the Senator concludes his remarks.

Mr. McCUMBER. The Senate Committee on Finance put back the Dingley rates, the rates under which there has been a phenomenal increase in the value of sheep and the value of the wool that is raised upon those sheep.

The next question, then, that appeals to me is: Are those rates excessive? I know something about the care that is required and the labor that is expended in caring for lambs from the time they are born, and during their growth, in shearing the sheep, and in caring for and marketing the wool. Knowing the value of that labor, I am absolutely certain that the value of the farmer's wool product is not excessive. Mr. President, if they are not excessive, then I want to ask whether or not the American people have asked us indiscriminately to lower them, notwithstanding the fact that they are reasonable. There has been considerable talk about this matter of revision. I hardly agree with Senators on either side of this proposition. I will say, once and for all, that I believe the American people understood generally that the greater portion of the tariff rates were higher than necessary; and, therefore, if there were a revision, that it would be a revision downward, so that those rates would not be greater than necessary for honest and fair protection; but, Mr. President, they never have instructed us, either by a Republican platform or by popular expression, to lower a duty that is not excessive.

The House Committee on Ways and Means found that the iron schedule was considerably higher than was necessary; that it was excessive; and they cut it down considerably. The Senate Committee on Finance went over the same schedule and found that, in their opinion, it was still too high, and they very materially reduced it, even below the standard that was fixed by the House committee. The American public had read a great deal about the enormous fortunes of Carnegie and Frick and Schwab and that class of steel magnates, and they felt that the duties that had enabled them to amass such enormous fortunes were excessive. I believe that the American people were for the most part right in their opinion upon that proposition; and because they were right, those duties have been reduced.

I know Senators will say "Oh, yes; you made the cut, but then you did not hurt them any; you only cut where it would not hurt." Mr. President, we were not instructed to hurt any business in the United States, but to bring every duty down to a reasonable basis.

The Senator from Minnesota [Mr. NELSON] just now asked the Senator from Idaho his opinion as to a duty of about 150 per cent upon woolen blankets. The Senator from Idaho answered in substance that if that duty was necessary he was in favor of it. A duty of 15 per cent ad valorem may be excessive in some instances, while 150 per cent might not be in other cases. I want to show whether or not a duty of 150 per cent even in the wool schedule is necessarily excessive. I am not admitting there is any such rate. We have been instructed by our platform and by every utterance that has been made by Republican speakers that the measure of the duty should be the measure of the difference between the cost at home and the cost abroad, including a reasonable profit upon the investment. I am perfectly willing to measure the wool schedule by that standard, because I believe that is the proper standard.

When we were discussing the cotton schedule I telephoned to the Department of Commerce and Labor and asked them to give me in the form of a table or otherwise such information as they might have at hand showing the labor cost in the cotton textile trade in England, in the United States, in Germany, and in France. The day afterwards they sent up such a table, but before I present it I want to call attention to another table of the comparative labor cost in the woolen manufacturing industry that was introduced before the Ways and Means Committee. Here is the table, giving the wage scale of worsted mills, based on the same number of hours per week, in Bradford, England, and in Philadelphia. I will just enumerate a few of them. I find that head wool sorters in Bradford receive $9.52 a week; in Philadelphia, $25 a week, or two and one-fourth times as much; wool sorters, $8.96 in Bradford and $18 in Philadelphia; card-room overlooker, $7.50 in Bradford and $20 in Philadelphia. I will get down to the laborers. The common laborer receives $5.75 in Bradford and $10 in Philadelphia. The average in all lines necessary to produce a woolen fabric shows the American wage to be about two and one-fourth times as much as the British wage; in other words, it is an advance of 125 per cent over the average wage in Great Britain in this industry. I ask that this table be inserted in my remarks.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The table referred to is as follows:

Wage list of worsted mills based on same number of hours per week.

	In Bradford.	Philadelphia.
Head wool sorter	$9.52	$25.00
Wool sorters	8.96	18.00
Washhouse overlooker	6.00	20.00
Card-room overlooker	7.50	20.00
Combing-room overlooker	8.50	25.00
Drawing-room overlooker	8.50	25.00
Spinning-room overlooker	8.00	20.00
Twisting-room overlooker	8.00	20.00
Reeling-room overlooker	8.00	18.00
Back washers	3.12	6.00
Gill boxes	3.12	5.50
Combs (2)	3.37	8.80
Gill boxes (4)	3.00	8.80
Wool washers	5.25	10.00
Card strippers	6.00	12.00
Card feeders	4.25	5.50
Drawing gills	2.75	5.50
Drawing frames	2.75	6.00
Roving frames	2.50	5.50
Spinners, 256 spindle	2.50	6.00
Spinners, 332 spindle	2.62	7.00
Overlookers' assistants	2.12	12.00
Doffers	1.87	4.40
Twisters	2.87	6.60
Winders	2.62	4.40
Reelers	3.00	7.50
Engineers	6.50	20.00
Firemen	6.00	12.00
Laborers	5.75	10.00

Mr. BACON. Will the Senator from North Dakota permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Georgia?

Mr. McCUMBER. Just for a question; yes.

Mr. BACON. I ask for information as to the Senator's position. The Senator contends that, as the price of labor increases, according to the reasoning of the contention which he is now making, the rate of the tariff ought to be correspondingly increased to cover that increase?

Mr. McCUMBER. In so far, Mr. President, as the cost of labor adds to the value of the product. I take both the cost of labor and the cost of the material together. Of course I can only deal with one of them at a time.

Mr. BACON. Mr. President——

Mr. McCUMBER. I would ask the Senator to allow me to get through before half past 5, as I must necessarily do or divide these few remarks into two sections.

Mr. BACON. Very well.

Mr. McCUMBER. Mr. President, in addition I have a table showing the difference in wages in the cotton industry in Germany, the United States, France, and England. The table I received from the Department of Commerce and Labor. I will read just a few of the items. Take the dyers. Male dyers in the United States receive $7.88 a week; in Germany, $3.65 a week. Weavers receive $10.84 in the United States, and in Germany $5.11. I ask that this table may be also in-

serted, with the explanatory remarks from the Department of Commerce and Labor.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from North Dakota.

The matter referred to is as follows:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF LABOR,
Washington, June 4, 1909.

The accompanying tables give the only available data concerning wages and hours in certain occupations in the cotton and woolen industries in the United States, England, Germany, and France.

The figures for the United States are taken from the bulletins of the Bureau of Labor. The figures for England, Germany, and France are taken from the reports just issued by the British Government, giving the results of an investigation made by that Government in the countries named.

Unfortunately, the figures can not be reduced to any basis that would admit of satisfactory comparison. The figures for the United States give averages for both wages and hours. The figures in the British reports merely give the range of wages, and nothing is given to indicate where an average would fall between the two extremes.

The foreign figures are thus not only not comparable with the American figures, but the form in which the foreign figures are presented in the British reports does not even admit of satisfactory comparison between England, Germany, and France. Thus, the figures for England differentiate between males and females, whilst the figures for Germany in most instances do not indicate the sex of the workers at all; again, the figures for England, under both male and female, include alike adult workers and young persons, while the figures for France are for adult male workers alone. In the case of Germany and France the hours per week are given, but no hours are given for England.

In any comparison of wages as reflecting relative cost of production, wages per hour would be the only proper basis for comparison; and any accurate comparison would, of course, involve relative efficiency as well as relative wages, but the available reports not only do not deal with efficiency at all, but do not even furnish a basis for a comparison of hourly wages.

Rates of wages and hours of labor in the United States, England and Wales, Germany, and France in the cotton industry in 1905.

Occupation.	Sex.	Wages per week.				Hours per week.			
		United States.	England and Wales.	Germany.	France.	United States.	England and Wales.	Germany.	France.
Carders	Male	$6.60		$4.01-$5.11		60.7		66	
Do	Male adults				$3.85-$6.12				60
Dyers	Male	7.82		3.65- 6.33		60.6		60-63	
Do	Male adults				4.10- 4.66				60
Spinners, frame	Male	5.07				63.1			
Do	Female	5.53				60.7			
Spinners, mule	Male	11.34				59.4			
Spinners	do		$8.52-$12.17						
Do	Male adults				5.09- 7.58				60
Do	(*)			5.84- 7.30				62.5-66	
Weavers	Male	8.58	5.35- 7.06	4.01- 4.74		60.8		66	
Do	Male adults				3.75- 5.48				60
Do	Female	7.85	3.65- 6.81			60			

* Not reported.

Rates of wages and hours of labor in the United States, England and Wales, Germany, and France in the woolen industry in 1905.

Occupation.	Sex.	Wages per week.				Hours per week.			
		United States.	England and Wales.	Germany.	France.	United States.	England and Wales.	Germany.	France.
Card strippers	Male	$7.66				58.3			
Do	(*)			$3.89-$4.38				64.5	
Combers	Male	7.22	$4.87-$5.60			58.9			
Do	Male adults				$4.70				72
Do	Female	5.25	2.68- 3.41			57.0			
Do	(*)			4.38- 4.83				60-66	
Dyers	Male	7.88	5.84			59.3			
Do	Male adults				3.51				60
Do	(*)			3.65- 5.60				60-65	
Spinners, frame	Female	6.03				58.3			
Spinners, mule	Male	11.07				58.5			
Spinners	Male adults				4.32- 7.91				60-69
Do	Female		1.95- 2.92						
Do	(*)			4.87- 7.79				60-65	
Weavers	Male	10.84		5.11- 5.84		58.8		60.0	
Do	Male adults				4.66- 5.84				60
Do	Female	9.12	2.43- 5.11			58.2			
Do	(*)			5.56				62.5	

* Not reported.

Mr. McCUMBER. Mr. President, I understand that in the woolen industry, as well as in the cotton industry, labor represents about 80 per cent of the cost, and the material represents about 20 per cent of the cost of production. I want to make a mathematical calculation as to what would be the duty, taking those percentages. We will say that for the production of a given number of yards in Great Britain the labor cost is 80 cents and the material cost is 20 cents. That makes $1. In looking over the table from which I have just quoted I find that the average ad valorem on the wool itself that goes into these cloths is about 60 per cent; so I must add 60 per cent to start with upon the raw material, which would be 12 cents. Add this to the $1 and you have $1.12. Then take the 125 per cent upon the labor cost. You would have $1 more to add, making $2.12, or 112 ad valorem, without taking into consideration reasonable profits and many other incidents that might still further add to the cost in this country.

Mr. NELSON. If those figures are correct and the difference in the labor cost is as great as the Senator states, ought there not to be an increase in the duty to give the manufacturer a profit?

Mr. McCUMBER. Mr. President, the tariff will probably measure on the average very nearly the difference between the cost of production at home and abroad. Sometimes they may be a little less and sometimes a little more, as must be the case when the duties are specific. We have to get a general average. The figures are as I have obtained them from the Department of Commerce and Labor, and I am not going to quarrel with the Department of Commerce and Labor as to whether their figures are correct. I am quite certain they are, as they are taken from reports from our consular service, carefully tabulated.

Mr. NELSON. Mr. President, if the tariff is only 112 per cent ad valorem and the difference in the labor cost is $1.12, what provision does the Senator from North Dakota make for "a reasonable profit?"

Mr. McCUMBER. Mr. President, I have given the Senator that explanation as clearly as I could give it in a very short address.

Mr. ALDRICH. I ask the Senator if it will be convenient for him to finish his remarks to-morrow morning?

Mr. McCUMBER. Does the Senator want a vote on this question this afternoon?

Mr. ALDRICH. No; I desire to move to adjourn.

Mr. McCUMBER. It is not quite half past 5. I will conclude in a moment.

In addition, Mr. President, to what I have said, I wish also to have printed in the RECORD a further explanation of the difference in the wages of labor in the textile trades in Germany, France, and Great Britain, as prepared by our consular service and given me by the Department of Commerce and Labor.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

Special Agent W. A. Graham Clark, of the Department of Commerce and Labor, spent a considerable time in the investigation of the manufacture of cotton goods in Europe and elsewhere, and visited the mills and secured his information at first hand. In his report on "Cotton fabrics in middle Europe," printed as Document No. 1270, of the House of Representatives, he gives a report of wages paid at various leading mills, from which report extracts are herewith made.

The most important cotton mill in Germany, also the best paying, according to Mr. Clark, is the Augsburg Mechanische Baumwoll Spinnerei und Weberei at Augsburg, in Bavaria. This mill has 126,940 spindles. Speaking on the labor question, Mr. Clark reports:

"Until 1906 this mill ran an eleven-hour day, but it then changed to ten hours. This 9.1 per cent decrease in time was allowed by a 7.85 per cent decrease in production. In regard to wages at this mill, the picker-room hands and the carders get 50 to 70 cents a day; on two 900 self-actor mules the spinner averages about 90 cents a day, the piecer 71 cents, and each of the two creelers 35 cents a day. Weavers, on an average, run three looms apiece, and make about 80 cents a day; 170 of the looms have the Northrop attachment. At this mill a man is supposed to serve a two-years' apprenticeship before he can do as simple work as that of running three looms on plain goods. He has to sign a two-years' contract to this effect. He first works as extra assistant to a weaver for six months, then he is given one loom, which is run under the supervision of the regular weaver, who receives a certain percentage on the wages made. Then he is given two looms under the same conditions, and it is not until the new weaver has been working for two years that he is considered a full-fledged weaver and allowed to enjoy the fruits of his labor without division. During the first six months the mill usually pays the apprentice 24 cents a day. After all this elaborate apprenticeship system it is doubtful if the weaver is as good as the young American weaver who comes in from the farm and in a few months at most is getting off the required production along with the others."

Mr. Clark says that the wages paid in cotton mills in different parts of Germany vary, as also does the number of operators required for a given number of machines or for a given production. For mills on similar goods, and similarly located, wages are lowest in Saxony and highest in Rhine. The mills around Augsburg seem to afford a fair average of the German industry as a whole.

In Germany there is no law limiting the hours that may be worked by men, but there are numerous detail provisions in regard to the employment of women and children. It is forbidden to employ children under 13 years of age. Women must not be employed in the factory at night between 8.30 and 5.30 o'clock.

In giving the wages paid at Barmen in western Germany, for braided work, Mr. Clark reports: "For ordinary work at Barmen 1 operator, either man or women, makes 4 marks a day, or 24 marks a week (4 m.arks equal 95 cents; 24 marks equal $5.71). The time is usually 57 hours a week." Speaking of the work at Plauen, from which district in 1907 $4,479,021 in value of goods were exported to the United States, Mr. Clark reports that a skilled operator receives 23.8 cents for the same quantity of work that the Swiss worker at St. Gall receives 19.3 cents for. The best stitchers were paid at the rate of 18 pfennigs (pfennig equal about one-fourth of a cent) for 1,000 stitches, and on the supposition that he made 240,000 stitches a week he would make 43.23 marks, or $10.28. The average stitcher gets probably 30 to 35 marks per week ($7.14 to $8.33). Other factory employees receive lower pay. Two girls on a machine, one to watch the work and the other to keep the small shuttles filled, are paid, respectively, 18 and 14 marks per week ($4.28 and $3.33). The card punchers that punch the holes in the Jacquard cards for use on the automatic machines get higher wages, as the work requires quick and careful and well-trained men.

The most expert men made from 240 marks ($57) a month, to 300 marks ($71). The weekly wages of those engaged in "general scissor and needle work" were about 12 marks a week ($2.85). The man who owns a machine and is called the "lohnesticker," is paid at a fixed price per 1,000 stitches, and he has to provide all the cost of manufacture, including yarn, wages, power, etc. Mr. Clark states that at the time he was in Plauen the "lohnesticker" made a profit of only $3 on his machine for the week's work. Speaking of ribbon weaving, of which, including trimmings, etc., $1,500,000 worth was shipped from Barmen to the United States in 1907; Special Agent Clark reported that working three hundred days in the year the average earnings was 80 cents a day. Wages in Barmen and the surrounding section are higher than in most other textile centers of Germany. Ordinary weavers, Special Agent Clark says, will average 60 to 80 cents a day, and weavers on special work will get as high as $1.63.

The importation of knit goods from Germany increased in value to $8,384,836 in 1907. At Chemnitz, where hosiery is a great speciality, there are 88 American houses represented. The hours of work are either 61, 60, or 59 per week. There is, as Special Agent Clark reports, not the slightest uniformity in regard to the wages paid, each manufacturer getting his help as cheaply as he can. Special Agent Clark transmitted the wages paid in a hosiery factory where the operations were as follows: Spooling yarn, knitting leg, running on foot, finishing foot, hooking and toeing, running and mending. The dyeing and finishing were done outside. The prices are all given in pfennigs, owing to the difficulty of giving the equivalents in cents without too many decimals. (To change pfennigs into cents multiply by 0.238.)

The tables sent by Mr. Clark follow.

Spooling.

[Wages in pfennigs, per pound English.]

Yarn numbers (English)	8-15	16-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	98	112
Cotton cops:											
Spooler	2	2½	2½	2¾	2¾	3¼	3¾	3¾	4½	--	--
Rewinder	1½	1¾	2	2¼	2½	2¾	3	3¼	3½	--	--
On patent winder	2½	3	--	--	--	--	--	--	--	--	--
Wool cops:											
Spooler	1¾	2	2	2¼	2¾	3	3¼	4	5¾	8	12
Rewinder	1½	1½	1¾	2	2¼	2½	2¾	3	3¼	--	--
On patent winder	--	--	3	3½	--	--	--	--	--	--	--
Skein yarn, spooler on:											
Single gray cotton	3½	5	6¾	7½	9	10½	11½	13	--	--	--
Two-ply gray cotton	2½	3¾	4½	5¾	6	7	8	9	--	--	--
Single colored cotton	10	12	14	16	28	30	32	34	36	--	--
Two-ply colored cotton	4½	5¾	6¾	7½	8½	9½	10½	11½	--	--	--
Single colored wool	--	10	17	19	21	--	--	--	--	--	--
Two-ply colored wool	7	8	9	10	11	12	13	14	--	--	--
Skein yarn, rewinder on:											
Single colored cotton	2½	3½	4	5	5½	6	6½	7	--	--	--
Two-ply colored cotton	1½	1¾	2½	3½	4	4½	5	5½	--	--	--
Single colored wool	--	2½	3	4	5	6	7	--	--	--	--
Two-ply colored wool	--	--	1½	2½	3½	4	4½	--	--	--	--

Thread numbers	2/35	2/40	2/50	2/60	2/70	2/75	2/80	2/85	2/90	2/100	2/140
Thread:											
Spooling gray skein thread	7	8	9	10	13	16	18	20	21	23	27
Spooling colored skein thread	11	12	13	14	25	27	29	30	32	35	43
Rewinding gray thread onto cheeses	1½	1½	2	2½	3	3½	3½	3¾	4	4½	5½
Rewinding colored thread	3	3½	4	4½	4½	4¾	5	5½	5½	6	7
Rewinding lisle skeins onto cheeses	--	8½	9½	10½	11½	12½	12½	13	13½	14½	16½
Spooling silk	--	--	12	13	14	--	15	--	16	17	18

Leg machine.

[Wages in pfennigs, per dozen pairs.]

Gauge	30		33			36			39		42	48	2/1 rib	1/1 rib
Divisions	8	12	12	16	18	8	12	15	18	8	12	18	8	12	12
Women's gray cotton hose:															
With extra loose instep	55	37	45	37	32	76	55	45	40	95	73	55	137	65	70
Extra close knit	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Children's hose, all sizes less than women's	--	5	5	--	--	5	--	--	--	10	--	--	--	10	10
Short-leg stockings	10	5	5	5	5	10	5	5	5	10	5	--	--	5	5
Extra for long tops:															
In cotton	--	8	--	--	--	--	--	--	--	--	--	--	--	--	--
In wool	--	9	--	--	--	--	--	--	--	--	--	--	--	--	--
In lisle thread	--	10	--	--	--	--	--	--	--	--	--	--	--	--	--
With kneecap	--	3	--	--	--	--	--	--	--	--	--	--	--	--	--
Gray and natural wool and gray thread over cotton lache	5	5	5	4	4	5	5	4	4	5	5	4	10	5	5
Extra compensation for very fine numbers	5	5	5	5	5	5	5	5	5	10	10	--	50	10	10
Clerical wool and colored feet and rows, extra	12	12	12	12	12	12	12	12	12	12	12	12	80	12	12
Extra marking:															
When with striped apparatus	3	3	3	3	3	3	3	3	3	3	3	3	3	--	--
Without apparatus	3	3	3	3	3	3	3	3	3	3	3	3	3	--	--
Heel and toe cap of wool and colored, extra	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6
Under 2 dozen, extra	20	20	20	20	20	20	20	20	20	20	20	20	20	--	--
2 dozen or more	15	15	15	15	15	15	15	15	15	15	15	15	15	--	--
Kneecap, extra	--	5	5	--	--	5	5	--	--	5	--	--	--	--	--
Reenforced seam, extra	--	--	4	3	3	4	4	3	3	4	4	3	4	--	--
15 to 1 drop stitch, extra	25	25	25	25	25	25	25	25	25	25	25	25	25	--	--
Group drop stitch, extra	40	40	40	40	40	40	40	40	40	40	40	40	40	--	--
Extra wide	--	--	--	--	--	10	10	10	10	10	10	10	10	--	--
Opera lengths	--	--	--	--	--	--	--	20	20	20	20	20	20	--	--
Size marks with the hand, per row, extra	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Lot of 4 dozen or less, extra	10	10	10	10	10	10	10	10	10	10	10	10	10	5	5

Running on French foot.

[Wages in pfennigs, per dozen pairs.]

Gauge	30	33	36	36	36	39	48
Divisions	12	12	12	16	18	18	8
Gray, cotton foot:							
8 to 12 inches	10	11	12	15½	15½	16	50
4 to 7½ inches or less	1	--	--	--	--	--	--
Gray and natural wool and gray thread over cotton	2	2	2	2	2	2	4
Woven with merino, extra	1	1	1	1	1	1	1
Clerical wool (dark-gray mixture) and colored over gray	2	2	2	2	2	2	11
Woven with split, extra	2	2	2	2	2	2	--
Striped over plain	2	2	2	2	2	2	--
Woven with drop stitch, extra	2	2	2	2	2	2	--

French foot maker.

[Wages in pfennigs, per dozen pairs.]

Gauge	30	33	36	36	36	39	48
Divisions	12	12	12	16	18	18	8
Gray cotton sock, foot 9 to 12 inches	22	24	27	18	16	18	23
Gray cotton, woman's, foot 8 to 10½ inches	18	20	23	14	12	14	23
Gray cotton, child's, foot 4 to 9 inches:							
With 1 assistant	15	19	20	--	--	--	--
With 2 assistants	--	16	--	--	--	--	--
Foot with long border, extra, with 1 assistant	--	7	7	--	--	--	--
Gray and natural wool and gray thread over cotton	2	2	2	2	2	2	9
39-gauge to 36-gauge goods, extra	--	--	2	2	2	--	--
Extra compensation for very fine numbers	--	--	10	6	5	--	--
Clerical wool and colored, extra	4	4	4	3	3	3	13
1/30 and 1/36 clerical wool, extra	--	5	--	--	--	--	--
Heel and toe cap from wool and colored, extra	3	3	3	3	3	3	--
Striped over plain	10	10	10	--	--	--	--
Half sole, extra	3	3	3	2	2	2	3
Split sole, including heel and toe cap, extra	6	6	6	6	6	6	--
15 by 1 drop stitch, extra	8	8	8	--	--	--	--
Group drop stitches, over plain	16	16	16	--	--	--	--
Size marks, extra	1	1	1	1	1	1	1
Lot of 4 dozen or less, extra	5	5	5	5	5	5	--

Heeler.

[Wages in pfennigs, per dozen pairs.]

Gauge	24	30	33	36	39	42	48	Ribbed. 2/1	Ribbed. 2/1
Heel and toe, either gray or white	8½	9½	10	11½	13	14	18	7	7
Silk thread over gray	--	--	1	1	1	1	--	--	--
Colored over gray, also gray with colored toe	4	4	4	4	4	4	4	4	4

Seaming.

[Wages in pfennigs, per dozen pairs.]

Gauge	30	33	36	39	42	48
Gray cotton and stocking thread:						
French foot, 00-0	10½	11½	12½	13½	--	--
French foot, 1-2	12½	13½	14½	15½	--	--
French foot, 3-4	14	15	16	17	--	--
French foot, 5-6	15	16	17	18	--	--
8-10 inches	17	18	19	20	--	30
Silk thread over gray	1	1	1	1	--	1
Wool thread over gray	2	2	2	2	--	2
Colored thread over gray	6½	6½	6½	6½	--	6½
Goods with heel and toe cap, extra	2	2	2	2	--	2
Striped over plain	5	5	5	5	--	5
Opera lengths long knitted stockings	5	5	5	5	--	5
Gray cotton and loose thread:						
French foot, 4½-11½ inches	9	10	11	--	--	--
French foot, 6-7 inches	10	11	12	--	--	--
French foot, 7½-8½ inches	11	12	13	--	--	--
French foot, 9-12 inches	11	12	13	14	--	19
Wool over gray	1	1	1	1	--	1
Colored over gray	2	2	2	2	--	2
Goods with heel and toe, extra	2	2	2	2	--	2
Striped over plain	3	3	3	3	--	3

Some of the Saxon knit-goods manufacturers are very advanced in their plans for ameliorating the condition of their help, and besides giving the boys time off to attend technical instruction, as required by law, they also have courses of instruction for the girls and women in household duties, including cooking and sewing classes, and besides night classes some factories give the girls a few hours off each week to attend such classes in the daytime, the teachers also being paid by the factory. Most of the factories provide a lunch room, with tables and chairs, where the employees can eat their lunch, and many furnish food at cost in such places.

[Several photographs showing a typical Chemnitz knitting mill, groups of operatives, and some of the hosiery machines used accompanied Mr. Clark's report and are on file in the Bureau of Manufactures.]

Consul Pendleton King, in a report from the consular district of Aix-la-Chapelle, in Rhenish Prussia, furnishes the following information relative to wages in the textile industry in that district:

"The foreman of the spinning department in a woolen mill receives from $9 to $14 per week, the operatives from $5 to $6, and the other help from $4 to $5. In a weaving department the foreman, or weaving master, receives from $9 to $14, and the regulators, or setters, from $7 to $10.50. Weavers are paid by the piece, and if capable and diligent can make $9 a week. They earn on an average from $1 to $1.40 a day. The mistress of the darning department receives from $8 to $10 and her assistant from $5 to $7 per week. The working hours are generally ten and one-half a day. The cost of living is very high in the city and towns of that consular district. The family generally pays for two rooms from $4 to $6 per month; the lowest price of beef is 20 to 25 cents a pound and the highest 30 cents. Ham is from 40 to 55 cents a pound, and pork 20 to 25 cents. Horse meat, which is used by many workmen's families, is from 10 to 12 cents a pound."

Consul William Bardel, in a report from Bamberg, states that wages paid to foremen vary from $47 to $83 a month, workmen under 16 years of age receive from $2.18 to $2.86 a week, and those over 16 from $4.28 to $7.14 weekly. Women over 16 years old earn from $2.15 to $3.15, while those under that age receive from $1.71 to $2.15 a week. Sixty-one hours constitute a working week.

Consul Herman L. Spahr, of Breslau, sends the following information concerning the textile mills of Silesia:

"There are about a dozen large establishments engaged in the linen industry and a number of smaller ones. The average wages paid per week of ten hours per day are as follows: Overseers, 24 marks ($5.71); male operatives, 15 marks ($3.57); female operatives, 9 to 10 marks ($2.14 to $2.38). Cotton mills in Silesia number about a dozen for spinning and a score for weaving. The spinners ordinarily work ten hours a day and the weavers ten and one-half hours; overseers get from $5.36 to $7.38 weekly, male operatives average 55 cents daily, and female operatives 48 cents."

Consul Joseph E. Haven, in a report from Crefeld, says: "The wages in this district in the silk and velvet mills vary greatly. In the weaving department overseers receive from $5.95 to $7.14 a week, while laborers are paid from $5.71 to $6.18. Overseers in the winding and warping departments receive from $5.95 to $7.14 weekly, the laborers from $3.57 to $4.96. The overseers in the finishing department receive from $8.33 to $9.52 and the laborers from $4.76 to $6.18."

Consul Peter Leiber, writing from Dusseldorf, reports that in spinning mills where only women are employed the average daily wage is 71.4 to 83.3 cents. Young girls earn from 35.7 cents to 47.6 cents a day. In weaving mills the salary undergoes many fluctuations, reaching as high as $1.19 per day.

Consul William C. Pelchmann, of Elbenstock, reports that the most important textile industry in his district is the manufacture of cotton hosiery and underwear. "A strike revealed the wage scale so that a description of wage conditions, otherwise difficult to obtain, can be given. The five firms originally affected by the strike paid an average wage of $4.92 a week. Of the men, 65 per cent earned more than $4.76 per week, 55.6 per cent more than $5.36, and the remainder more than $5.95. The highest wages paid ranged from $8.64 to $10.13 to the men. The longest number of hours per week was fifty-eight." On the whole, the consul reports these wages high for the average Saxon factory.

Consul E. T. Liefeld reports from Freiburg that the hours of labor in mills there average about ten per day. Ordinary laborers in the mills are paid from 48 to 71 cents per day, their overseers from 71 cents to $1.20, while skilled laborers are paid as high as 95 cents, and their overseers $1.67.

Consul Robert J. Thompson reported from Hanover, where there are cotton spinning and weaving and other mills, that in one wool-washing and dressing factory with 1,800 employees, working ten hours a day, the wages paid men varied from 2.25 marks to 3.25 marks per day; and to females from 1.90 marks to 2.20 marks (1 mark equals 23.8 cents). The wages of foremen working in the principal corduroy and velvet factory vary from $7.14 to $9.52 per week. The male and female workers in the weave room and in the shearing establishment earn from $3.57 to $6.66 weekly. The men and women in other branches earn on an average about 79 cents a day. The wages for spinners in the leading cotton spinning and weaving factory are from $4.76 to $6.66 per week, and for helpers from 50 to 75 per cent of that amount. The self-acting spinning mill and water spinning mill employ women only, paying from $2.38 to $3.57 per week. Wages for making rugs, etc., vary from 71 to 83 cents per day for dyers, and from $1.43 to $3.09 per week for women and girl workers tending machines.

Consul S. P. Warner, of Leipzig, an important textile center of Saxony, sends extracts from a publication by the Imperial insurance office giving work wages paid in each of the 6 districts of the German Empire, so far as the average is concerned. According to this publication the average German wages paid in the textile industry in 1886 was $128.44 per year, and in 1905 the average was $163.66. In 1905 the average in Silesia was $126.62, and in southern Germany $153.75, running up to $176.60 in northern Germany. This only includes operatives in the mills, and not those engaged in the so-called "home industries."

Consul F. S. Hannah reports from the Magdeburg consular district that the average wages earned in the cotton mills by piecework are as follows: For overseers, $8.57 to $11.90 per week; male mill operatives, $7.14 to $8.57; women workers, $2.86 to $4.28. The average hours of labor are fifty-nine per week.

Consul-General Thomas W. Peters, writing from Munich, Bavaria, says that the wages paid to the overseers and weavers in the large cotton and linen mills at Augsburg range from $1 to $2.25 per day, while the unskilled workmen receive 75 cents.

Consul Car Bailey Hurst, of Plauen, reports that the wages paid in the lace and embroidery industry to overseers vary from $5.71 to $9.62 a week, and, on an average, to operatives, $3.81 a week. The consul says: "The families of the working people are rarely small, and it is not infrequent to find a man and his wife and several children subsisting on $3.81 a week. In many instances the wife is also a wage-earner, and the children go to work as soon as possible. Such families usually live in a kitchen and one other room. The rent for such an apartment is rarely less than $2.38 a month, and the general price is about $3.57. The principal nourishment of the weavers consists of potatoes and salt bread and the so-called 'pepper soup,' made of water, bread, a little fat, and plenty of pepper. Meat is seldom eaten, and then only in the form of soup meat or sausage."

Consul Edward Higgins reports from Stuttgart that the largest firm in the district informed him that the wages paid overseers vary from $28.56 to $47.60 per month. A female operative earns 47½ to 66½ cents a day and a male operative from 77 cents to $1.02. Eleven hours constitute a day's work.

Special Agent Clark, reporting on the labor conditions in Austria, after a personal investigation, says: "From wage lists obtained at various mills it would seem that 50 cents per day might be taken as the average cotton-mill wage throughout Austria. As a fair example of an average mill I give the following detail list of a 40,000-spindle, 900-loom Bohemian mill near Richenberg: loker room, per day, men, 48.7 cents; women, 34.5; cards, one card grinder to every 20 cards, $4.06 a week; can girl, 34.5 cents a day; lapman, 48.7 cents to every 12 yards; cleaner, 48.7 cents for every 24 cards; slubbers make $3.25 to $4.46 a week; intermediates, so called, make $2.84 to $3.85 a week; the fine frame tenders make $2.48 and $5.28 a week; for ring spinning, each girl runs one frame of 450 spindles and does her own doffing. The spinners are paid per hank, varying from 3.41 cents for Nos. 10 to 22's to 4.30 cents for No. 46's. For mule spinning one spinner, one apprentice spinner, and one creeler run two mules (1,136 spindles) and the spinners' wages are 63 cents a day; reelers, warpers, spoolers, and winders are paid by the kilo, and earn from 41 to 49 cents a day. Weavers as a rule run 2 to 3 looms, and make 61 to 81 cents a day. At Potsdorf, near Vienna, in a large mill having 52,000 mule spindles, and 8,000 ring spindles, I found that two spinners got $1.02 per day, one piecer 61 cents, and one boy creeler 41 cents per day. Each girl

ran one ring frame and did her own doffing and got 21 cents a day. (One carder, at 49 cents, and one boy, at 41 cents per day, attended to each 12 cards. On the fine frame one woman and two girls ran two machines of 180 spindles each, and their wages averaged $2.94 each per week.

From a table prepared from unpublished statistics given to Mr. Clark by the president of the Austrian Cotton Spinners as being actual figures recently compiled by a member of his association, and from statistics obtained personally by Mr. Clark, the following daily wages are given as paid in typical Austrian mills: Blow room, headman, 67 to 88 cents in lower Austria, 75 cents to $1.02 in Vorarlberg, and 71 cents to $1.02 in Bohemia. The operative received from 40 to 45 cents in lower Austria, from 41 to 65 cents in Vorarlberg, and from 41 to 57 cents in Bohemia. A card grinder in these three districts varied in wages from 49 cents to 71 cents; a draw-frame tender, from 38 cents to 56 cents; an operative on fly frames, from 38 cents to 57 cents; a spinner in ring spinning, from 31 cents to 49 cents; a spinner in mule spinning, from 61 cents to $1.09; a twisting operative, from 41 to 61 cents; a reeler, from 36 cents to 62 cents; a machinist, from 59 to 89 cents; and an engineer, from 51 to 84 cents. The average wages, in cents, was from $0.416 to $0.586. The legal limit of time in Austria is eleven hours.

Consul J. S. Twells, in a report from Carlsbad, reports that children get 8 cents a day and adults from 25 to 40 cents a day in summer in working in the fields, and one of the lace exporters of Neubek said that "of course we can not afford to pay such high wages to lace makers." Speaking of work in Bohemia, the consul says: "Wages are extremely low. In the Adler Hills weekly wages of $1 to $1.20 are paid, but as there are many weeks during the year when no work can be had, the average weekly earnings are not larger than 80 cents. In good times husband and wife work alternately eighteen hours a day. Linen shirt buttons are made, at which wages of 60 to 80 cents a week are earned. Weavers working at home earn $1.40 to $4 a week. The straw and haste matters earn from 20 to 40 cents a day, but after the so-called 'season' is over the wages are lower. Wood carvers earn $1.80 to $2.80 a week and the brush makers at Gabel from $1.60 to $2 a week. The wood carvers at the Wittigtal earn $1.60 to $3.60 a week and the wood and mat makers at Niemes from $1.20 to $1.60 a week. The artificial-flower makers earn $1 to $2.40 a week. Many women are employed in glove making who earn from $1.20 to $1.60 a week.

Vice-Consul Arnold Weissberger, of Prague, gives the wages of all cotton-mill operatives who are paid by contract as follows, on the average per day: Spinner, 80 cents; placer, 50 cents; drawing-frame attendant, 45 cents; weaver, 40 cents; warper, 44 cents; bobbing-machine attendant, 40 cents; overseers, $1.

Consul Charles B. Harris furnishes the following information of the weekly wages paid in the leading textile industries of Reichenberg: Cotton and woolen knitting, men, $2.40 to $3 a week; women, $1.80 to $2.40; linen department, men, $2.04 to $3.60; women, $2.16 to $2.40; woolen blankets and carpets, male operatives, $2.23 to $6.29; women, $2.23 to $4.06; spinner's assistant, men, $2.03 to $5.98; women, $1.82 to $3.65.

Special Agent Clark gives a report on the wages paid in Hungary, taking a leading mill of Budapest as a good type: Picker hands, men, receive 40 cents a day, and women 24 cents. Slubbers receive 40 cents on an average. Mule spinners on No. 20's receive $1, and pieceers 35 cents and boys 30 cents. In ring spinning, girls receive from 22 cents to 28 cents a day. Reelers paid by piecework make from 24 to 40 cents a day. Weavers are paid by the piece, receiving 40 cents for 100 meters (meter equals 39.37 inches) of 15-pick (per quarter inch) goods, and other cloth in proportion.

Special Agent Clark, reporting on cotton-goods production in Switzerland, says that the hours of labor are eleven per day, with nine on Saturday; and the average daily wages paid in the largest cotton manufacturing company in Switzerland, which he obtained from their books, was as follows:

Operatives:	Wages.
Weavers	$1.06
Picker hands	.74
On cards	.58
On draw frames	.62
On combers	.62
On fly frames	.62
Mule spinners	.85
Ring spinners	.55
Twisters	.51
On gassing frames	.64
On reels	.55
Outside laborers	.71
Wood workers	.97
Iron workers	1.06

Special Agent Clark gives the actual daily wages and cost of food at 4 mills in different parts of Switzerland in the first part of 1907, from which it appears that the head man in the blow room received in one mill 74 cents a day, and in another mill $1.06. The wages of a workman varied from 53 to 60 cents a day, and of a waste man from 55 to 61 cents. The head man on "cards" received from 85 cents to $1.42, while a card grinder got from 62 to 77 cents. Speeders received from 45 to 65 cents, and creelers from 35 to 39 cents. A ring spinner received from 44 to 67 cents, and a doffer from 31 to 33 cents. A mule spinner received from 65 to 91 cents, and a piecer from 44 to 66 cents. Reelers got from 41 to 56 cents, and a machinist from 73 cents to $1.12. A cabinetmaker from 69 cents to $1.02, and a carpenter from 83 cents to 97. The prices of the necessaries of life for the operatives in the 4 mills varied slightly, but 2½ pounds of bread of average quality cost 6.9 cents, the same amount of meat 36.5 cents, and of flour 9.7 cents, sugar 17.8 cents, and of coffee 62.9 cents.

Writing of the Swiss embroidery and lace industry, Special Agent Clark says that the great advantage of the Swiss manufacturer is cheap labor. For instance, the operators employed on the actual work of embroidering, or "stitching," as it is technically known, receive in St. Gall from $8 to $12 a week, while in New Jersey from $18 to $30 a week is paid for the same work. The girl overseer in St. Gall is paid from 38 to 50 cents a day, and in New Jersey from 83 cents to $1.35. The shuttle filler in St. Gall gets 38 cents a day, and in New Jersey 75 cents.

Consul-General Watts reports from Belgium that the majority of the lace makers earn from 10 to 17 cents a day, while an exceptionally good worker will earn about 20 cents; and the most expert workers, of whom there are only 10 or 12 out of 15,000, earn 38 cents a day.

Consul-General Michael, reporting from Calcutta, India, says that most of the embroidering on silk there is done by men. America takes two-thirds of all shipped from Calcutta. Patterns in 4 or 5 breadths, 27 inches wide, are made and sold in Calcutta at 15 to 20 rupees (rupee, 32.34 cents). The same kind of work on mull of suitable fineness and strength is done by men and women for 9 to 12 rupees. Handkerchiefs for ladies sell for 34 cents a dozen, and the highest priced ones, of chikon work, sell for less than $2 per dozen. An article that requires six days to make, the operatives working from ten to twelve hours a day, sells for $1, and out of this the man or woman whose toil produced the article receives less than 33 cents.

Special Agent William Whitham, jr., who spent considerable time in Great Britain investigating the cotton industry, reported that the average weekly wages per operative in 1882 were $4.08; and in 1893, $4.56; and in 1907, $4.68. Taking the same data for weaving mills, the hours being the same, the average weekly wages rose from $3.60 in 1882 to $3.96 in 1893, and again to $4.32 in 1895.

Mr. ALDRICH. I move that the Senate do now adjourn.

Mr. CLAY. Mr. President, one moment. Does that mean to come back in the morning or to come back to-night?

Mr. ALDRICH. To-morrow morning. The Senator from Wyoming [Mr. WARREN] desires to address the Senate, and he prefers to do so to-morrow rather than to-night.

Mr. CLAY. It does strike me that there ought to be some other schedule that we might be able to take up in the absence of the Senator from Wyoming.

Mr. ALDRICH. I think that we are practically through with the bill, except——

Mr. CLAY. The Senator is mistaken; there are several paragraphs in this bill that have not been considered yet. The question of hides has not been considered; the agricultural-implements paragraph has not been disposed of; the oil paragraph has not been considered.

Mr. ALDRICH. The paragraph in regard to agricultural implements has been agreed to.

Mr. CLAY. The Senator is mistaken, because we were on that paragraph when we adjourned.

Mr. ALDRICH. No; I think the Senator was probably not here when that paragraph was agreed to.

Mr. CLAY. I think I am correct, for I marked it, and I am sure that it has not been agreed to. We were on that paragraph when we adjourned, and we then turned to another paragraph the next day. Now, the Senator is fully aware——

Mr. ALDRICH. Mr. President, I hope my motion will not be lost sight of.

The PRESIDING OFFICER. The discussion is proceeding by unanimous consent.

Mr. ALDRICH. Inasmuch as it is almost half past 5, I shall have to call the attention of the Chair to the fact that I made a motion to adjourn.

The PRESIDING OFFICER. The Chair so understands.

Mr. CLAY. Well, I say this——

Mr. ALDRICH. I shall have to insist on my motion before half past 5.

Mr. CLAY. The Senator from Rhode Island has stated to the Senate time and again that he was anxious to get through with this bill and to have it passed. The Senator is fully aware of the fact that many of us on this side of the Chamber have come here night after night to attend the night sessions with a view of getting through with this bill. Now, Mr. President——

Mr. ALDRICH. I shall have to ask that my motion be put.

The PRESIDING OFFICER. The regular order is demanded.

Mr. CLAY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. A motion to adjourn is not debatable.

Mr. CLAY. I rise to a question of order. The Senate has heretofore fixed the hour of half after 5 o'clock to take a recess and to reconvene at 8 o'clock, and then to sit not later than 11 o'clock.

Mr. ALDRICH. A motion to adjourn is always in order.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. I rise to a question of order; and I ask to be heard on that question.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The motion to adjourn is not debatable.

Mr. CLAY. Oh; there is no parliamentary law, Mr. President——

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. I make the point that there is no quorum present.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island that the Senate adjourn.

Mr. CLAY. I make the point that there is no quorum here.

The PRESIDING OFFICER. Those in favor of the motion will say "aye" and those opposed "no."

Mr. CLAY. I call for a division.

The PRESIDING OFFICER. The ayes have it; and the Senate stands adjourned until to-morrow (Wednesday, June 9, 1909) at 10.30 o'clock a. m.

SENATE.

WEDNESDAY, *June 9, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

Mr. JEFF DAVIS, a Senator from the State of Arkansas, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress to enact a law providing for physical valuation of railroads.

Resolved by the assembly (the senate concurring), That the Congress of the United States be requested to enact a law providing for the physical valuation of all railroad property to form the basis for fixing the rates and charges for service by railroads.

Resolved, That the secretary of state is hereby directed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. DICK presented petitions of sundry citizens of Pleasantville, Findlay, and Toledo, all in the State of Ohio, praying that hides be placed on the free list, which were ordered to lie on the table.

Mr. PERKINS presented a memorial of members of the Commercial Art Company's engraving-room chapel, of California, and a memorial of sundry photo-engravers of California, remonstrating against the imposition of any duty on news print paper and wood pulp in the new tariff bill, which were ordered to lie on the table.

He also presented a memorial of the Pacific Rolling Mill, of San Francisco, Cal., and the memorial of Edward J. Schneider, contracting manager of the American Bridge Company, of New York, remonstrating against the proposed duty on structural iron imported into the United States, which were ordered to lie on the table.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against any increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress to enact a law providing for physical valuation of railroads.

Resolved by the assembly (the senate concurring), That the Congress of the United States be requested to enact a law providing for the physical valuation of all railroad property to form the basis for fixing the rates and charges for service by railroads.

Resolved, That the secretary of state is hereby directed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress relating to federal cooperation in the work of road improvement.

Whereas we believe that the adoption of a policy of federal aid for road construction is a most important step toward the establishment of a complete system of improved roads in all sections of the country, and that the cooperation of the National Government in this matter would be of great assistance to the various state, county, and township road authorities in placing the work of road improvement on a permanent and scientific basis; and

Whereas we would submit that the improvement of the country's highways deserves a share in the annual appropriations by Congress equally with the improvement of our waterways, and that it is only fair and reasonable that a part of the revenues derived from taxes paid by the people as a whole should be devoted to this purpose, thus aiding in the betterment of conditions affecting trade and commerce in all sections of the country:

Resolved by the assembly (the senate concurring), That we respectfully solicit the Congress of the United States, asking for the enactment of legislation creating a national highways commission, and making an appropriation for aiding in the improvement and maintenance of the public roads at the present session of Congress, so that the policy of federal cooperation in the work of road improvement can be inaugurated at the earliest possible date.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a joint resolution of the legislature of Wisconsin, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice.

Resolved by the assembly (the senate concurring), That the Congress of the United States is hereby requested to enact a law providing that the rates or charges of railroads shall not be increased except upon notice of any proposed increase filed with the Interstate Commerce Commission, and published in each State affected thereby, and upon such hearing as the Interstate Commerce Commission may, upon petition or its own motion, order, and that no increase of rates or charges shall go into effect unless said commission shall so order after such hearing.

Resolved, That the secretary of state be, and he is hereby, instructed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. STEPHENSON presented a petition of the Ladysmith Commercial Club, of Ladysmith, Wis., praying for the retention of the duty on print paper as provided in the Dingley tariff bill, which was ordered to lie on the table.

REPORT OF A COMMITTEE.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2493) to make Scranton, in the State of Mississippi, a subport of entry, and for other purposes, reported it without amendment and submitted a report (No. 5) thereon.

BILLS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 2555) granting a pension to William Stephens;

A bill (S. 2556) granting a pension to Mary A. Jordan;

A bill (S. 2557) granting an increase of pension to Margaret Dempsey;

A bill (S. 2558) granting a pension to Gertrude L. Bradley;

A bill (S. 2559) granting an increase of pension to Leonard Briggs;

A bill (S. 2560) granting an increase of pension to James H. Lewis; and

A bill (S. 2561) granting a pension to Amos H. Hampton; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 2562) granting an increase of pension to William R. Williams; to the Committee on Pensions.

By Mr. FRYE:

A bill (S. 2563) to require apparatus and operators for radiocommunication on certain ocean steamers; to the Committee on Commerce.

By Mr. LODGE:

A joint resolution (S. J. R. 38) fixing the terms of court in the Philippine Islands; to the Committee on the Philippines.

AMENDMENT TO THE TARIFF BILL.

Mr. SCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

SUGAR-TRUST SUIT.

Mr. CULBERSON. Mr. President, at the last session of the Congress the Senate, on my motion, adopted a resolution, directed to the Attorney-General, calling for correspondence between that department and the Pennsylvania Sugar Refining Company, making complaint to the department against the American Sugar Refining Company for a violation of the Sherman anti-trust law.

That resolution was answered and the correspondence was printed. It indicated that complaint had been made to the Department of Justice, and that that department had failed to take action against the American Sugar Refining Company,

commonly called the "sugar trust," for a violation of the Sherman law with reference to the absorption of the Pennsylvania company.

I also presented at a different time a decision of the United States circuit court for the southern district of New York, concurred in by three or four of the circuit judges, holding on demurrer in a suit between the Pennsylvania Sugar Refining Company and the American Sugar Refining Company that the latter had violated the antitrust law. Notwithstanding this, no action on the part of the Department of Justice against the sugar trust for violating the law has been taken, so far as we have any information.

Yesterday, according to the press reports this morning, the sugar trust adjusted this suit with the Pennsylvania Sugar Refining Company, it paying, according to the papers, $10,250,000 in a suit brought against it under the Sherman antitrust law for treble damages.

In view of the press of business here, I do not believe I will ask the Senate to stop to have the account of this adjustment read, but I do ask that the account of it, which appears in the New York World of this morning, may be printed in the RECORD, so that we can keep the run of this transaction, for I believe the American people will await with interest the action or non-action of the Department of Justice under the circumstances.

Mr. ALDRICH. I suggest to the Senator to have it printed as a document, if that will be agreeable to him. We really ought not to encumber the RECORD with articles of this kind.

Mr. CULBERSON. It is not a long statement, I will say to the Senator, and I do not believe it is long enough to make a document.

Mr. ALDRICH. I will not make any objection if the Senator desires to have it printed in the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and the order is made.

The matter referred to is as follows:

SUGAR TRUST HAS SETTLED SUIT FOR THIRTY MILLIONS—ADMITS CONSPIRACY CHARGE WHEN IT MAKES TERMS WITH PENNSYLVANIA SUGAR REFINING COMPANY—COURT'S DECISIONS WENT AGAINST ITS CONTENTIONS—TRIAL SUDDENLY ENDS WHEN THE CASE IS ABOUT TO BE GIVEN TO JURY.

The American Sugar Refining Company settled out of court last night the case brought against it for $30,000,000 damages by the Pennsylvania Sugar Refining Company, of Philadelphia.

For more than two weeks the trust, represented by Lawyers John G. Johnson, of Philadelphia; Henry W. Taft, John G. Milburn, W. L. Guthrie, Francis H. Kinnicutt and others, had fought an equally imposing array of counsel for the independent sugar company, headed by ex-Governor Frank S. Black and including H. Snowden Marshall, John W. Hutchinson, jr., Joseph De Forest Junkin, of Philadelphia, and Samuel Untermyer. Judge Holt and a jury in the United States district court had listened to the story of what the plaintiff alleged was a conspiracy in restraint of trade.

STARTS WITH $1,250,000 LOAN.

Witnesses testified that Adolph Segal, controlling power of the Pennsylvania Sugar Refining Company, borrowed from Gustav A. Kissel $1,250,000, for which he gave as security 26,000 shares of the company and a voting trust certificate for the stock, which was to run until the loan was repaid.

With the power thus conferred upon him Kissel installed himself and three clerks as directors of the independent sugar company, and that giving control of the board of directors he passed a resolution that the Pennsylvania's refinery, then nearing completion, be not opened until further order of the board.

That resolution, the plaintiff claimed, was drafted by John E. Parsons, counsel for the sugar trust. It was shown that Kissel was an agent for the trust.

Messrs. Kissel, Parsons, and the three clerks, Twigg, Robinson, and Werner, were made codefendants with the trust on the conspiracy charge, but on motion of Mr. Kinnicutt, appearing especially in their behalf, they were dismissed from the complaint late yesterday afternoon by Judge Holt.

As to the other defendants, the court ruled, after lengthy arguments by Henry W. Taft, for the trust and for Parsons, and by Mr. Guthrie, for Kissel, that their motion to direct the jury to bring in a verdict for the defendants was not to be sustained.

BLACK SAYS SETTLEMENT IS NEAR.

Then Judge Holt asked counsel on each side how much time they would want this morning for their summing up. Ex-Governor Black said he believed the time of the court and jury would only be taken up unnecessarily this morning, because he expected a settlement would be reached.

Following the adjournment there were two conferences of counsel. One was at the offices of Black & Peck, No. 170 Broadway. There were present in addition to counsel for the plaintiff company, George H. Earle, jr., of Philadelphia, receiver for the Pennsylvania Sugar Refining Company, the man at whose instance the litigation was started, and Adolph Segal.

At the offices of Carter, Ledyard & Milburn, No. 54 Wall street, John G. Milburn, John G. Johnson, and Henry W. Taft were the principal conferees.

Shortly after 6 o'clock the conference in ex-Governor Black's office broke up, with the announcement that though a settlement had been reached they could not give out its terms until ratified by the Pennsylvania court which appointed Earle receiver.

TRUST BRAZEN ON THIS POINT.

In arguments presented to the court yesterday afternoon by Henry W. Taft, the sugar trust's counsel dwelt upon the point that the same aspects of the case having already been presented in the New Jersey litigation, they could not be relitigated before the federal court in New York. Judge Holt ruled that, as the litigation in New Jersey was in a state court, it could not be held as a bar to litigation in the federal court here, based on the conspiracy charge in restraint of trade.

Mr. Taft, in arguing for a verdict in favor of the defendants, based his contention on the proposition that the complaint failed to show any violation of the Sherman law. The plaintiff company, he said, had not been engaged in interstate commerce. In behalf of Mr. Parsons Mr. Taft declared that whoever had "lugged him into the case took a heavy responsibility," as the evidence failed to connect Mr. Parsons with the alleged conspiracy. Mr. Parsons, he said, had acted within his rights as counsel to the American Sugar Refining Company.

If the Pennsylvania court that appointed Earle receiver of the Pennsylvania Sugar Refining Company fails to ratify the settlement, the case will have to be retried.

Mr. CULBERSON. I will accept the suggestion of the Senator from Rhode Island, and have the article printed as a document as well as in the RECORD.

The PRESIDENT pro tempore. The Senator from Texas also asks that the matter may be printed as a Senate document (S. Doc. No. 87). Is there objection? The Chair hears none, and the order is made.

VIEWS OF EX-GOVERNOR DURBIN, OF INDIANA.

Mr. SCOTT. Mr. President, before we get started on the tariff bill this morning, I should like to have the Secretary read the following from the Indianapolis Star, from ex-Governor Durbin.

The PRESIDENT pro tempore. The Senator from West Virginia asks that the paper which he sends to the desk may be read. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary proceeded to read the paper——

Mr. BEVERIDGE. Let the date be read.

Mr. SCOTT. I will state to the Senator that I do not think the date is given there. It was sometime in the latter part of May.

Mr. ALDRICH. Will the Senator from West Virginia allow it to be printed without being read?

Mr. SCOTT. I think it will help the Senator very much with the pending bill if he will allow it to be read.

Mr. ALDRICH. I am afraid not. I will ask the Senator from West Virginia to allow it to be printed in the RECORD without reading.

Mr. SCOTT. I will allow it to be printed in the RECORD, then, without reading.

The matter referred to is as follows:

EX-GOVERNOR DURBIN SHOWS WHAT CONGRESS SHOULD DO.

[From the Indianapolis Star.]

* * * * * * * *

Business is bound to stand still until Congress, after the year's uncertainty as to the future which has followed the declaration of both parties for tariff revision in the last twelve months, gives to the country the new basis for business. It is doubtful if any amount of talk in Congress will either enlighten the country or change materially the new tariff bill. Everybody knows that the debating done in Congress has little bearing on the action of Congress. It is mostly for home consumption; and if the thunder is needed, the people would be willing for Congress to pass the bill and then debate it afterwards.

Industrial conditions in the country are bad. It does not look as if the manufacturers had been getting the unholy profits attributed to them by the professional friends of the consumer, for nearly all of them have been either shut down or running with reduced pay rolls. This wasn't so bad for a while, but the time has about come when relief ought to be had. The savings of the wage-earner out of employment are about exhausted, the prices of food supplies are as high as if employment were ready and remunerative, and the wage-earner is decidedly up against it. He has plenty of time to read the CONGRESSIONAL RECORD, but that doesn't pay grocery bills. The manufacturer in many instances finds his credit reaching the straining point after so many months of inactivity. He doesn't mind being held up as a horrible example of inordinate prosperity, but he doesn't care to "bust" while the oratory is being turned on at Washington.

What the country needs more than all else is a chance to do business. If it doesn't get it pretty soon, the party in power will hear from the people, and no amount of oratorical fireworks will save it from the punishment it ought to get for fooling around unnecessarily in settling the tariff problem. People will not buy when they do not know the future basis on which business is to be done and prices fixed.

So far as American business and manufacturing is concerned, it has got beyond the point where the tariff system is of very vital importance to it. The big industrial combinations do not need, and most of them do not care for, protection. They can whip their competitors here on their own ground, and they can easily take care of foreign competition, and not by giving things away to the consumer, either. The tariff problem now is a revenue problem. One way to solve that problem is for Congress to back track in the matter of expenditures. There has been a riot of extravagance at Washington which has been imitated at many of the state capitals, our own not excepted. The last three sessions of the Indiana legislature have been extravagant, far beyond the actual needs of the State. A sinking fund is a sacred trust, and no money should be taken therefrom for any other than the express purposes for which originally intended—debt paying. It would appear that prosperous times makes busy legislation in the way of appropriations.

During all the debates and demands for larger revenue indulged in in Congress, do we read of anyone raising his voice against the extravagant expenditures in the several departments? A few years ago Hon. Jesse Overstreet paid me a decided compliment while we were in the Post-Office Department at Washington, in saying: "If you were at the head of the department and would apply the same business principles you did in the State's affairs, you would reduce the expenditures at least $10,000,000 per annum." If that amount could be saved in one department, the aggregate of the savings in all departments would be vast, and the people would not complain thereof, either.

The trouble lies largely in the fact that our legislators do not distinguish between a want and a need. There must be reform in this respect. To double the expenditures of a country like this in ten years is a crime. To add to the immense sum of billion-dollar Congresses, billion-dollar sessions will receive a request from the toiling millions for an explanation, itemization, and necessities therefor. The Congressmen raised their own salaries, and then seemed to think that this made the country so prosperous that it could stand anything.

President Taft is right in the belief that there must be economy in public administration. Congress had better pass the tariff bill, and then stay in special session until it pares down the governmental expenditures a good 33⅓ per cent. I do not know what could be done that would give the Republican party a better chance for success in the future.

With expenses reduced, the tariff can be pared down some more. Taxes can be lifted from the necessities of life, where a heavy burden must go so long as it is necessary to raise a billion dollars a year to pay the cost of government. We are worrying about how much water it takes to fill the barrel while the bunghole is open and running a stream. We need to get back to older ideas of the accountability of public servants to the people—that public business should be run after the fashion of a carefully conducted private business. This applies to the legislature at Indianapolis as well as to Congress at Washington. Extravagance is as catching as the Asiatic cholera, and it is epidemic in American public as well as private life. There has got to be a halt somewhere. We can't lift the burdens of taxation by howling against the imposition of tariff duties. If the bills are made they have got to be paid. The thing to do is to quit making so many and such big ones.

Special interests of all sorts have all sorts of ideas as to what Congress ought specially to do on the tariff question. The people who have a living to make through industry and enterprise want Congress to pass a tariff bill that will raise enough money to pay the bills Congress has contracted; then they want a little period of liberty to make enough money to pay their own bills, and then, if the statesmen who are running things do not cut down the cost of government, thereby making it possible to reduce taxes, the people will see to the election of Congressmen who will do that very thing.

So far as manufacturers and business men are concerned, I believe they ought to make themselves heard with a demand on their Members of Congress that something be done; otherwise we are likely to have months of wrangling, as we had in 1893, and a panic afterwards, the like of which this country has not seen in a long time, and a panic absolutely without excuse, except our own lethargy and indifference to what is going on at Washington.

The foregoing is prompted by numerous appeals by manufacturers of Indiana, who are under the impression that I am still president of the bureau of manufactures of Indiana, and also by the fact that I am directly interested in a half dozen or more manufacturing industries and personally know of the needs and desires of the manufacturing and laboring classes.

WINFIELD T. DURBIN.

ANDERSON, IND.

THE TARIFF.

The PRESIDENT pro tempore. The calendar is in order, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. WARREN. Mr. President, the debate yesterday developed quite a variety of feeling on the part of Senators and a diversity of information, or lack of information. I have thought, notwithstanding the haste which we were all in, that I should like to get into the RECORD this morning a few facts.

Mr. BACON. Mr. President, we desire to hear the Senator on this side, and it is impossible to do so.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to his colleague?

Mr. WARREN. I do.

Mr. CLARK of Wyoming. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Frye	Paynter
Bacon	Clarke, Ark.	Gallinger	Penrose
Beveridge	Crane	Gamble	Perkins
Bradley	Crawford	Hughes	Root
Brandegee	Culberson	Johnson, N. Dak.	Scott
Bristow	Cullom	Johnston, Ala.	Smith, Mich.
Brown	Cummins	Jones	Smoot
Bulkeley	Curtis	Kean	Stone
Burkett	Davis	Lodge	Sutherland
Burnham	Dick	McCumber	Taylor
Burrows	Dillingham	McLaurin	Warner
Burton	Dolliver	Money	Warren
Carter	Fletcher	Nelson	
Chamberlain	Flint	Overman	
Clapp	Foster	Page	

Mr. JONES. My colleague [Mr. PILES] is temporarily detained from the Chamber on departmental business.

Mr. JOHNSTON of Alabama. I desire to state that my colleague [Mr. BANKHEAD] is unavoidably detained from the Senate to-day.

The PRESIDENT pro tempore. Fifty-seven Senators have responded to their names. A quorum of the Senate is present. The Senator from Wyoming will proceed.

Mr. WARREN. Mr. President, like my friend the Senator from Iowa [Mr. DOLLIVER], I am a farmer, always have been and always expect to be.

Mr. CLAY. Mr. President, will the Senator yield to me for a privileged question?

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Georgia?

Mr. WARREN. I do.

Mr. CLAY. Mr. President, it appears from the CONGRESSIONAL RECORD that the following colloquy took place yesterday evening before we adjourned, the senior Senator from New Jersey [Mr. KEAN] presiding:

Mr. ALDRICH. I move that the Senate do now adjourn.

Mr. CLAY. Mr. President, one moment. Does that mean to come back in the morning or to come back to-night?

Mr. ALDRICH. To-morrow morning. The Senator from Wyoming [Mr. WARREN] desires to address the Senate, and he prefers to do so to-morrow rather than to-night.

Mr. CLAY. It does strike me that there ought to be some other schedule that we might be able to take up in the absence of the Senator from Wyoming.

Mr. ALDRICH. I think that we are practically through with the bill, except——

Mr. CLAY. The Senator is mistaken; there are several paragraphs in this bill that have not been considered yet. The question of hides has not been considered; the agricultural-implements paragraph has not been disposed of; the oil paragraph has not been considered.

Mr. ALDRICH. The paragraph in regard to agricultural implements has been agreed to.

Mr. CLAY. The Senator is mistaken, because we were on that paragraph when we adjourned.

Mr. ALDRICH. No; I think the Senator was probably not here when that paragraph was agreed to.

Mr. CLAY. I think I am correct, for I marked it, and I am sure that it has not been agreed to. We were on that paragraph when we adjourned, and we then turned to another paragraph the next day. Now, the Senator is fully aware——

Mr. ALDRICH. Mr. President, I hope my motion will not be lost sight of.

The PRESIDING OFFICER. The discussion is proceeding by unanimous consent.

Mr. ALDRICH. Inasmuch as it is almost half past 5, I shall have to call the attention of the Chair to the fact that I made a motion to adjourn.

The PRESIDING OFFICER. The Chair so understands.

Mr. CLAY. Well, I say this——

Mr. ALDRICH. I shall have to insist on my motion before half past 5.

Mr. CLAY. The Senator from Rhode Island has stated to the Senate time and again that he was anxious to get through with this bill and to have it passed. The Senator is fully aware of the fact that many of us on this side of the Chamber have come here night after night to attend the night sessions with a view of getting through with this bill. Now, Mr. President——

Mr. ALDRICH. I shall have to ask that my motion be put.

The PRESIDING OFFICER. The regular order is demanded.

Mr. CLAY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. A motion to adjourn is not debatable.

Mr. CLAY. I rise to a question of order. The Senate has heretofore fixed the hour of half after 5 o'clock to take a recess and to reconvene at 8 o'clock, and then to sit not later than 11 o'clock.

Mr. ALDRICH. A motion to adjourn is always in order.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. I rise to a question of order; and I ask to be heard on that question.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The motion to adjourn is not debatable.

Mr. CLAY. Oh; there is no parliamentary law, Mr. President——

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

Mr. CLAY. I make the point that there is no quorum present.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island that the Senate adjourn.

Mr. CLAY. I make the point that there is no quorum here.

The PRESIDING OFFICER. Those in favor of the motion will say "aye" and those opposed "no."

Mr. CLAY. I call for a division.

The PRESIDING OFFICER. The ayes have it; and the Senate stands adjourned until to-morrow.

Now, Mr. President, just a word. I will state what was my purpose in rising to a point of order. The Senate had by a previous order fixed the hour of convening at 10 and a half o'clock to stay in session until 5 and a half o'clock, and then reconvene at 8 o'clock and adjourn at 11 o'clock. Until that order was changed by the Senate the Senate was bound by a previous order of the Senate, and I intended to make the point of order that inasmuch as 5 and a half o'clock had arrived, and the motion of the Senator from Rhode Island had not been put to the Senate, by the previous order of the Senate the Sen-

ate stood adjourned until 8 o'clock in the evening, and therefore no motion was in order to adjourn.

Mr. President, I am fully aware of the fact that a motion to adjourn is of the highest order, but I insist that under the rules of the Senate and parliamentary law a point of order and a question of privilege are of the highest order, and when a motion is made to adjourn a Senator is entitled to rise to those orders and have them disposed of before the question to adjourn is put to the Senate.

Mr. President, I was entitled to have my question of order passed upon; but, leaving that question, the serious complaint that I make is that when the motion was made to adjourn and when it was put to the Senate for a vote, the Chair declared that the question was carried, and before the Chair announced that the question was carried I called for a division of the question. I insist that it was the duty of the Chair when I called for a division on the motion to put the question to the Senate by a rising vote.

Then, Mr. President, I called for the yeas and nays, and the Chair declined to put either the question or a division or to entertain the demand for the yeas and nays. If the Presiding Officer of the Senate on a motion to adjourn can refuse to allow a Senator to have the question put to the Senate when a division is called for, or refuse to allow a Senator to call for the yeas and nays on a motion to adjourn, the Presiding Officer can do the same thing on the passage of the most important bill.

For instance, Mr. President, if I should move to adjourn now, it is the privilege of any Senator on this floor to call for a division on that question. It is the privilege of any Senator to call for the yeas and nays on a motion to adjourn. And it is the duty of the Chair to entertain those demands.

If this ruling of the Chair should guide the Senate in the future, Mr. President, what would be the result when the tariff bill comes up for passage and the question is put to the Senate and the Chair shall declare that the bill is passed and a Senator should call for a division of that question? If a Senator called for the yeas and nays on the passage of the bill, if the ruling of the Chair was correct, then, Mr. President, the Chair could decline to put the question to the Senate as to whether or not the yeas and nays should be called.

When I asked for a division on the question, I was entitled to have that question submitted to the Senate on a motion to adjourn. When I asked for the yeas and nays, Mr. President, I was entitled to have that question put to the Senate on the motion to adjourn, and to deny a Senator that right is an open and flagrant violation of the rules of the Senate.

The PRESIDENT pro tempore. The Senator from Wyoming will proceed.

Mr. WARREN. Mr. President, I am a farmer. I have always been interested in farming, and naturally I must have had my attention called to sheep and woolgrowing, and all my life I have watched interestedly its ups and downs. I was born in a woolen-factory town, where when I went to church or school or to village market the odor of the woolen factory was always present. Thus I had some cause to notice the rise and growth, the struggles up and down, of the woolen industry.

I have never had, and never expect to have, a dollar's interest in woolen manufacturing. And I am not the owner of a single sheep or head of cattle—and only one horse—though I do own stocks in corporations that are interested in all kinds of live stock.

I make this introductory statement, because once or twice during the earlier debates on the tariff bill remarks were made which, I have been reminded, were veiled criticisms upon Senators sitting in this body and voting upon propositions that might directly or indirectly affect their pockets.

I assume that very many Senators are owners, as investments, of railroad and industrial stocks, but I do not think that voting upon a railroad rate law or upon laws affecting the various industries is inconsistent with either the honesty or propriety of a Senator, who must, as a matter of course, keep the interest of the public first in view.

It seemed yesterday, in the discussion, there was some misunderstanding about the history of the tariff, it being asserted by some that it had been changed and the carded-wool men had suffered accordingly, and, on the other hand, by others, that it was an old and moss-grown chestnut. The fact is, the present wool and woolen tariff is the same the carded woolen men helped to make.

Mr. President, woolgrowing is one of the oldest agricultural pursuits of which we have knowledge, and the manufacture of wool is also one of the earliest industries; and in the United States a tariff upon woolens dates back to 1790, nearly one hundred and twenty years ago.

The first act applied to hats manufactured of wool and to carpets, velvets, and so forth. The duty imposed was 7½ per cent ad valorem.

Twenty-six years later, in the tariff act of 1816, a duty was imposed upon wool and cotton of various manufactures, ranging from 20 per cent to 25 per cent ad valorem, and at that time the duty was made to apply where wool was the material of chief value.

The tariff act of 1824 applied to woolen and cotton manufactures and to unmanufactured wool. The duty was levied upon manufactures composed wholly or in part of wool, and thus was established a rule which has always been followed since that time—that the woolen-goods tariff shall cover any class of cloth or goods of which wool is a component part. The duty in the act of 1824 ranged from 15 per cent ad valorem to as high as 33⅓ cents per square yard specific duty and 25 per cent ad valorem.

And thus the double tariff of specific duty with ad valorem added was first inaugurated, and in 1828 the tariff was imposed in a similar way upon unmanufactured wool.

So it is shown that manufactures of wool have borne a tariff duty continuously for nearly one hundred and twenty years, while unmanufactured wool has been dutiable for eighty-five years continuously, with the exception of three years under the Wilson-Gorman Act.

Wool and woolens have been factors in at least 20 tariff acts, the last and best of all being the Dingley Act of 1897, although in that measure wool on skins was for the first time made to bear 1 cent less duty than sheared or pulled wool.

The tariff has always applied where wool has been mixed or changed in any way from its original condition at the highest rate made on any class included in an article or a package.

It will also be observed that wool partially manufactured or changed in any way toward a manufactured article has always been taxed as equal to the value of the finished product. This was true in all the low-tariff acts from 1832 to 1864.

The system of schedules seems first to have been introduced in the act of 1846, and for years afterwards each schedule represented the percentage of tariff imposed rather than the class of articles.

Up to the time of the breaking out of the civil war the total product of wool in this country aggregrated less than 60,000,000 pounds. The tremendous pressure at that time for clothing and blankets for our army pushed the price up and encouraged the growers and manufacturers, so that our product had increased to about a hundred million pounds in 1866. But with the receding market, consequent fall in prices, and disturbance in business generally following the war both grower and manufacturer felt the necessity of establishing some firm, rational basis.

The tariff upon wool in the earlier years was often changed and seldom adequate, and the same may be said of the tariff on manufactures of wool. Therefore, while the industry of woolgrowing was sometimes fairly successful and the manufacture of wool not sufficiently remunerative, at other times the manufacturers were doing fairly well while the growers were in distress.

And so it ran along until about the time of the beginning of the civil war.

From 1857 to 1864—seven years—there were 10 tariff acts, and in 4 of these—the acts of 1857, 1861, 1862, and 1864—the tariff on wool and woolens was changed. There had been contests and ill-feeling between growers and manufacturers, as would naturally be the case where so many changes had been made and where the business of each had been fluctuated, with perhaps no time or, at least, no considerable time in which both industries were similarly prosperous.

There is no record to show that any person or corporation has made any considerable fortune out of either of these industries from the Declaration of Independence down to the present time.

The desirablity of a wool tariff was so well recognized that the confederacy, among its earliest acts, provided that there should be a tariff upon manufactured woolens and, strange as it may seem, that there should be also a tax upon raw wool.

So, away back in May, 1861, the confederate government provided that there should be a tariff on wool and woolens. The language which has been objected to by my friend from Iowa [Mr. DOLLIVER] as to goods that are part woolen has been

in every tariff act since 1790, except one. There has been but one tariff act which has not read "manufactures of which wool is a component part," or words to that effect.

Toward the close of the civil war, in 1864–65, Congress evidently felt that there should be some satisfactory adjustment, and, if possible, one that would permit both growers and manufacturers to continue in business, one that would make it possible for the growers to raise all of the wool necessary to clothe the American people and for the manufacturers to manufacture the same, the Government at the same time taking advantage of any importations that might come in, and collecting therefrom an adequate revenue.

So Congress provided for a revenue commission in the act of March 3, 1865, as follows:

> That the Secretary of the Treasury is hereby authorized to appoint a commission, consisting of three persons, to inquire and report at the earliest practicable moment upon the subject of raising by taxation such revenue as may be necessary in order to supply the wants of the Government, having regard to and including the sources from which such revenue should be drawn and the best and most efficient mode of raising the same, and to report the form of a bill; and that such commission have power to inquire into the manner and efficiency of the present and past methods of collecting the internal revenue and to take testimony in such manner and under such regulations as may be prescribed by the Secretary of the Treasury.

The members appointed to that commission were: David A. Wells, of New York; Stephen Colwell, of Pennsylvania; and Snowden Hayes, of Illinois; with E. B. Elliott, of Massachusetts, as secretary.

The commission became fully organized in June, 1865. Their report was made to Hon. Hugh McCulloch, Secretary of the Treasury, in January, 1866, and in that same month the Secretary presented the report to Congress, with the following indorsement:

> In presenting this report it may be proper for me to remark that, with the single exception, perhaps, of the one in regard to the time at which the payment of the principal of the national debt should be commenced, the recommendations of the commission have my hearty approval. The very important work devolved upon the commission, as far as it has been prosecuted, has been most admirably performed. I earnestly ask that the report may receive the early and careful consideration of Congress.

Among the subjects to which this commission gave its most earnest attention was that of wool and woolens, and their report on the same covers some 136 pages of this book which I have in my hand.

To show the spirit of the commission, I will ask the Secretary to read what I shall send to the desk.

The Secretary read as follows:

SPECIAL REPORT NO. 13—REPORT OF THE UNITED STATES REVENUE COMMISSION ON WOOL AND MANUFACTURES OF WOOL—PRELIMINARY.

OFFICE OF THE UNITED STATES REVENUE COMMISSION,
May, 1866.

> No considerations pertaining to the revenue of the country are more important than those which relate to the employment and activity of its productive labor. The inquiry whether this labor is well or ill supported can never be amiss, when public wealth or revenue is in question; nor is it any less pertinent to examine whether any and what obstructions or disturbances lie in the path of labor and national production. The industry of a nation is an interest so vital as to be equaled only by its internal liberties and its independence of foreign control. These being secure, the highest national results can only be reached through widespread and fully diversified industry which is applied under the advantages of increasing intelligence and the aptitude of growing skill and experience.

Mr. WARREN. Thus it will be seen that their great motive was the employment and activity of productive labor. And I want to say here and now that that has been the text all of the time, and is now, respecting the wool and woolens schedule.

We want to raise in the United States all of the wool possible; and knowing as we do that the growth of the population will far exceed the natural increase in the growing of wool unless the producer may be protected in his market it behooves us to look after the interests of the producer.

We want to bring in from the outside whatever balance of wool may be necessary to clothe the Nation, in such form and condition as will give us the most employment for our labor. The only way to insure this is to bring in the wool in an unmanufactured state. In order to accomplish this, the duties, compensatory or ad valorem or compounded, must be favorable for the manufacturer. Our desire must be not to place the duties on any manufactures of wool so low that the necessary additional supply may be brought here in a manufactured state, but so that all additional supplies may be brought in as raw wool, so called, although that, by the way, is a misnomer, since wool is the finished product of the farmer.

The woolgrower's market must be here in his own country. He can not profitably ship his product abroad. Hence his ultimate market lies with the American, the manufacturer.

The manufacturer of this country must have the opportunity to compete successfully with the foreign manufacturer. The duties must be so levied that if he conducts his business in an economical and intelligent way he can use the home product of wool and import, as raw wool, any necessary additional supply. And thus we employ all of the labor to make all the cloth for American wear right here in our midst.

The woolgrower gets his greatest benefit when the tariff is so adjusted that little or no manufactured goods come in from abroad, but that all necessary additional supplies come in as unmanufactured wool.

Of course the ultrafashionable tailor and the ultrafashionable wearer will continue to demand a small importation of woolens of foreign manufacture. "It's so English, y'know," or "so French," or "so German." But that species of American is daily diminishing, and a few single suit patterns are now sufficient to supply the demand, whereas whole pieces or bolts of cloth were formerly necessary.

The Government gets its revenue from imported raw wool just as it would get revenue from the manufactures of wool.

It is admitted here that the Government would get a little less if all the wool should come into this country unmanufactured than if part of it should come in in cloths; but this difference is overcome many-fold in the benefits to the Nation of the additional manufactories and the employment of operatives therein.

The retail price of cloths and clothing in this country need not depend upon, and does not follow, the rate of tariff on cloths, because the competition in our woolen manufacturing and woolen trade in this country has always been keen and there is every prospect that it always will be.

The retail price of woolen fabrics to the consumer is that of the cost of the wool, the cost of the labor, and a reasonable profit to manufacturer and dealer, which can not be much if any more—and is often less—than the ordinary commercial rate of interest on money invested.

A woolen factory may be built without a vast fortune, because it may be a 2-set mill, a 20-set mill, or a 200-set mill, the first cost of the plant depending solely upon its size and extent.

The art of cloth manufacturing is old, and understood by many people; and consequently, without patents and trade secrets, and without necessity for a great outlay, a man who feels that the woolen manufacturer is making more than ordinary interest on money invested soon finds himself constructing a factory. And thus we have, and have always had, a most healthy competition in the price of cloths, and clothing continues to be cheap, tariff or no tariff.

As a matter of fact only two or three pounds of scoured wool are used in cloth enough for a man's suit of clothes, so that, even at a high tariff per pound, it amounts to but little toward the cost of a suit. The main cost of a suit of clothes is in the labor of making.

We have had more than a score, if I have counted aright, of tariff laws regarding wool and woolens. The rate has been up and down; and so far as the sheepman, the woolgrower, is concerned, he has been buffeted about by these changes in the tariff. He has come to know that what affects the manufacturer affects the woolgrower, because the woolgrower in this country has no valuable market except this market; and if the manufacturers by legislation are placed upon a footing where woolen cloths come into this country to compete with wool grown here, indeed, the woolgrower in this country is without a market.

The woolgrower asks to have a tariff that shall not be tinkered with up and down continually; that it shall be "live and let live;" that it shall be one under which the manufacturer can succeed; and then that the additional wool needed in this country shall come in as far as possible in the condition of raw wool instead of manufactured goods. You may say that it does not affect the woolgrower whether wool comes in or cloths come in. The woolgrower, if he is an American citizen of spirit—and he usually is—desires to have at every step the greatest employment for American labor.

The manufacture of wool is a technical business. It requires a great deal of labor. Hence, if we can raise wool enough in this country, we will have all the labor here required by the industry, all the way from cultivating the grass and the production of hay for the feed, that starts in to produce the sheep from which we get the wool. All of that is expended here. If we arrange a tariff so that seemingly we are protected upon

wool and do not arrange the tariff so as to sufficiently provide for the manufacturer, then our market is impaired, the wool comes in from other countries in cloths, and our laborers are out of work.

In the woolgrowing industry there are not less than a million people, farmers and all, interested. I will not undertake to say how many are interested in woolen manufacturing, but right here in the neighboring city of Philadelphia there are, if I am correctly informed, more than 75,000 operatives in woolen mills. Those 75,000 operatives, with their families, make a very considerable population in that city and in this country. If you grow wool here or bring in as wool what you need, those men are all employed and their families all supported from that industry. If you bring in the cloth, those 75,000 men are out of work, and they naturally crowd into other vocations, and therefore the men in the other vocations are crowded out, wages go down, and many men and women are without employment.

There has never been a time in this country, no matter what the tariff was, when the woolgrowers have been thrifty and their business has been profitable, unless at the same time the woolen manufacturers as a whole were prosperous.

It has been said with a sneer that the woolen manufacturers and the woolgrowers have made some agreement. Well, in all sincerity, I ask whether that is a proper thing, or whether they ought to have each other by the throat? What good can come of the woolgrower and the woolen manufacturer fighting each other? It as been tried. There have been many years in the past when the manufacturers and the woolgrowers were at variance; but it has never transpired that either industry was fully successful, except when there was some reasonable element of harmony.

Speaking of the carded-wool industry and the worsted industry, I love the one as much as I do the other. I have no interest in either one, except I want to see them both succeed; but it matters not to me whether the worsted manufacturer or the woolen manufacturer asks to have a benefit at the expense of the woolgrower. He must be met firmly, and the two must get upon common ground, because it can not be expected that the woolgrower is going to release and renounce a part of his protection in the way of lowering the duty upon all wool wastes, which displace just the same amount, pound for pound, as scoured wool. That is the particular subject now before the Senate in this attempt to lower the duty upon noils, shoddy, rags, flocks, and so forth.

But turning again to the commission of 1865.

From this report I quote the following as to the importance of the wool and woolen industry:

WOOL AND MANUFACTURES OF WOOL.

In considering what should be our public policy in reference to domestic production, with a view also to national revenue, our attention has been specially directed to sheep husbandry and manufactures of wool, as not only of great national importance, but as suitable to illustrate the whole subject of the relation of industry to revenue.

The vast armies recently on foot have revealed some truths which can not be overlooked for the future in adjusting our economical policy. Beef is the food for armies in active campaign, and the stock of the country has been seriously reduced. Not only the beef but the hides were required for military uses. The country was thrown by the high price of beef upon the consumption of mutton, but the wool was not less important than the mutton. It was soon ascertained that the supply of beef was not more than sufficient, and that the supply of wool and mutton was far from being adequate to the national urgency. If doubled, it would not have sufficed to clothe our armies and furnish meat enough to keep down the price of beef and prevent too great a reduction of the national herds of cattle.

To complete and adjust the entire circle of national production sheep husbandry should be stimulated and promoted until our flocks shall be doubled, and our supplies of wool shall exceed 200,000,000 pounds, and our consumption of woolen goods, domestic and imported, shall be equal to $10 per head.

There is much more in this statement that is exceedingly interesting, but I forbear quoting for the moment.

At the time this commission was at work statistics showed that the production of wool in the United States had reached, in round numberr, 100,000,000 pounds, and that the importations of wool were a little over 73,000,000 pounds and the importations of cloths of the equivalent of 55,000,000 pounds. Thus our importations of wool exceeded our production. We were importing nearly 30 per cent more than we were producing, while at the present time, notwithstanding the great increase in our population, the extra call for woolen goods, and the distressing fact that woolgrowing has been greatly diminished east of the Missouri River, it is a fact, in spite of all this, that we are growing two-thirds of what we require instead of less than half, and therefore are traveling in the right direction. We now have two and one-half times the number of sheep we had then.

As shown in one of the quotations cited, this commission, being unbiased and interested neither in the manufacturer nor the grower, sought to get information from every quarter where it was obtainable—from history and statistics, from Members of Congress and statesmen generally, from called meetings of manufacturers at various points; also called meetings of growers at various points. The manufacturers met and selected those whom they wished to represent them; the growers did the same; and the delegates, after wrestling with the subject, in the light of experience of long years of unsatisfactory results, became fully alive to the necessity for a live-and-let-live plan.

The commission invited the growers, on their part, to submit a draft of such a tariff bill as they would indorse, and asked the manufacturers to do the same. This both parties did. Then the commission, in view of the two bills thus submitted, and after taking evidence from other interested parties, and with all the evidence and information obtainable from the outside, submitted a proposition which was finally accepted by both parties.

I ask that the two proposed bills be read.

The Secretary read as follows:

DRAFT OF BILL PROPOSED BY THE NATIONAL WOOLGROWERS' ASSOCIATION.

That from and after the passage of this act, in lieu of the duties now imposed by law on the articles hereinafter mentioned, there shall be levied and collected on all unmanufactured wool, hair of the alpaca, goat, and other like animals, imported from foreign countries, the duties herein provided. All wools, hair, etc., as above, shall be divided, for the purpose of fixing the duties to be charged thereon, into three classes, to wit:

Class 1. Clothing wools.—That is to say, merino, Mestiza, Mets or Metis wools or other wools of merino blood, immediate or remote; down clothing wools; and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Aires, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.

Class 2. Combing wools.—That is to say, Leicester, Cotswold, Lincolnshire, down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the alpaca, goat, and other like animals.

Class 3. Carpet wools and other similar wools.—Such as Donskol, native South American, Cordova, Valparaiso, native Smyrna, and including also such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

For the purpose of carrying into effect the classification herein provided a sufficient number of distinctive samples of the various kinds of wool, hair, etc., embraced in each of the three classes above named, selected and prepared under the direction of the Secretary of the Treasury, and duly verified by him (the standard samples being retained in the Treasury Department), shall be deposited in the custom-houses and elsewhere, as he may direct, which samples shall be used by the proper officers of the customs to determine the classes above specified, to which all imported wools belong. The duty upon wools of the first class shall be the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, shall be 10 cents per pound, and, in addition thereto, 10 per cent ad valorem; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. The duty upon wools of the second class, and upon all hair of the alpaca, goat, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, shall be 10 cents per pound, and, in addition thereto, 10 per cent ad valorem; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, shall be 12 cents per pound, and, in addition thereto, 10 per cent ad valorem. The duty upon wools of the third class the value whereof at the last port or place whence exported into the United States, excluding charges in such port, shall be 12 cents or less per pound, shall be 3 cents per pound; the duty upon wools of the same class the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 12 cents per pound, shall be 6 cents per pound: *Provided*, That any wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than the ordinary condition as now and heretofore practiced, or which shall be changed in its character or condition, for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be subject to pay twice the amount of duty to which it would otherwise be subjected, anything in this act to the contrary notwithstanding: *Provided further*, That when wool of different qualities is imported in the same bale, bag, or package, it shall be appraised by the appraiser, to determine the rate of duty to which it shall be subjected, at the average aggregate value of the contents of the bale, bag, or package; and when bales of different qualities are embraced in the same invoice at the same price, whereby the average price shall be reduced more than 10 per cent below the value of the bale of the best quality, the value of the whole shall be appraised according to the value of the bale of the best quality; and no bale, bag, or package shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: *And provided further*, That the duty upon wool of the first class which shall be imported washed shall be twice the amount of duty to which it would be subjected if imported unwashed; and that the duty upon wool of all classes which shall be imported scoured shall be three times the amount of the duty to which it would be subjected if imported unwashed. The duty on sheep skins, raw or unmanufactured, imported with the wool on, washed or unwashed, shall be ——— per cent ad valorem; and on

woolen rags, shoddy, mungo, waste, and flocks, shall be 12 cents per pound.

HENRY S. RANDALL,
Chairman Executive Committee
National Woolgrowers' Association.

Hon. STEPHEN COLWELL,
Of the United States Revenue Commission.

DRAFT OF BILL PROPOSED BY THE NATIONAL ASSOCIATION OF WOOL MANUFACTURERS.

That on and after the day and year aforesaid the duties to be levied, collected, and paid on the importation of the articles hereinafter mentioned shall be as follows, that is to say: On woolen cloths, woolen shawls, and all manufactures of wool of every description made wholly or in part of wool, not otherwise provided for, 53 cents per pound, and, in addition thereto, 35 per cent ad valorem; on flannels, blankets, endless belts, or felts for paper or printing machines, hats of wool, knit goods, balmorals, woolen and worsted yarns, and all manufactures of every description, composed wholly or in part of worsted, the hair of the alpaca, goat, or other like animals, except such as are composed in part of wool, not otherwise provided for, valued at not exceeding 40 cents per pound, 25 cents per pound; valued at above 40 cents per pound, and not exceeding 60 cents per pound, 35 cents per pound; valued at above 60 cents per pound and not exceeding 80 cents per pound, 45 cents per pound; valued at above 80 cents per pound, 53 cents per pound; and, in addition thereto, upon all the above-named articles, 35 per cent ad valorem.

On women's and children's dress goods and Italian cloths, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, valued at not exceeding 20 cents the square yard, 6 cents per square yard, and, in addition thereto, 35 per cent ad valorem; valued at above 20 cents the square yard, 8 cents per square yard, and, in addition thereto, 45 per cent ad valorem: *Provided*, That on all goods weighing 4 ounces and over per square yard the duties shall be 53 cents per pound, and, in addition thereto, 35 per cent ad valorem.

On clothing ready made, and wearing apparel of every description, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other like animals, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, except knit goods, 53 cents per pound, and, in addition thereto, 45 per cent ad valorem.

On Aubusson and Axminster carpets, and carpets woven whole for rooms, 50 per cent ad valorem; on Saxony, Wilton, and Tournay velvet carpets, wrought by the Jacquard machine, 75 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on Brussels carpets, wrought by the Jacquard machine, 48 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on patent velvet and tapestry velvet carpets, printed on the warp or otherwise, 44 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on tapestry Brussels carpets, printed on the warp or otherwise, 30 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on treble ingrain, three-ply and worsted chain Venetian carpets, 19 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on yarn, Venetian, and two-ply ingrain carpets, 14 cents per square yard, and, in addition thereto, 35 per cent ad valorem; on druggets and bockings, printed, colored, or otherwise, 25 cents per square yard; on hemp or jute carpeting, 6½ cents per square yard; on carpets and carpeting of wool, flax, or cotton, or parts of either, or other material not otherwise specified, 40 per cent ad valorem: *Provided*, That mats, rugs, screens, covers, hassocks, bed sides, and other portions of carpets or carpeting shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description, and that the duty on all other mats, screens, hassocks, and rugs shall be 45 per cent ad valorem; on oilcloths for floors, stamped, painted, or printed, valued at 50 cents or less per square yard, —— per cent ad valorem; valued at over 50 cents per square yard, and on all other oilcloth, except silk oilcloth, —— per cent ad valorem.

* * * * * * *

We have the honor to be,
Very respectfully, your obedient servants,

E. B. BIGELOW,
T. S. FAXTON,
EDWARD HARRIS,
S. WILEY EDMANDS,
N. KINGSBURY,
THEODORE POMEROY,
S. W. CATTELL,
Executive Committee National Association of Wool Manufacturers.

JOHN L. HAYES,
Secretary.

Hon. STEPHEN COLWELL,
United States Revenue Commissioner.

Mr. WARREN. And so, finally, all agreed upon a common ground, neither growers nor manufacturers receiving what they had been desirous of and what they felt they should have; but, considering the consumer, general welfare, the Government's interest in revenue, and the cost of capital and labor in growing and manufacturing, a set of resolutions was adopted and laid before a convention called for the purpose of finally settling the question.

I will ask the Secretary to read these resolutions and also the concrete of their decision, presented by Mr. Randall on the part of the woolgrowers and by Mr. Bigelow on the part of the manufacturers.

The Secretary read as follows:

Resolved, That of the great industries with which the people of the United States can occupy themselves to advantage, the woolen interest is especially commended for combining and developing in the highest degree the agricultural and mechanical resources of the Nation.

Resolved, That the mutuality of the interests of the wool producers and wool manufacturers of the United States is established by the closest of commercial bonds—that of demand and supply—it having been demonstrated that the American grower supplies more than 70 per cent of all the wool consumed by American mills, and with equal encouragement would soon supply all which is properly adapted to production here; and, further, it is confirmed by the experience of half a century that the periods of prosperity and depression in the two branches of woolen industry have been identical in time and induced by the same general causes.

Resolved, That as the two branches of agricultural and manufacturing industry represented by the woolen interest involve largely the labor of the country, whose productiveness is the basis of national prosperity, sound policy requires such legislative action as shall place them on an equal footing and give them equal encouragement and protection in competing with the accumulated capital and low wages of other countries.

Resolved, That the benefits of a truly national system, as applied to American industry, will be found in developing manufacturing and agricultural enterprise in all the States, thus furnishing markets at home for the products of both interests.

Resolved, That it shall be the duty of the respective executive committees of the National Manufacturers' and National Woolgrowers' associations to lay before the revenue commission and the appropriate committee in Congress these resolutions, together with such facts and statistics as shall be necessary to procure the legislation needed to put in practical operation the propositions therein set forth.

Mr. WARREN. This commission was charged with considering the interests of both growers and manufacturers, and it was mutually understood, and could not be otherwise, that if a tariff were put upon unmanufactured wool, the manufactures of this country would have to have first a compensatory duty to cover and put them on an equality with the manufactures in other countries where wool was free. This being granted, then the manufacturer must have a tariff upon his product to cover the difference in labor in other countries, just the same as if he were getting free wool and had no compensatory duty.

It became the duty of the commission to regulate the ratio of the duties referred to. The commission not only had the oral and written evidence from both sides, but it had provided for sending sample lots of wool to different factories, in which the problem was worked out as to how many pounds of scoured wool would be used in producing fabrics, and a ratio was finally established and adopted, running from 1½ to 1 to 4 to 1, based upon unwashed No. 1 wool.

In order to protect the woolgrower and to protect the manufacturer maximums had to be at all times considered to secure protection for whatever advantages might accrue to competitors from minimums.

At the time this schedule and ratio were made up and the tariff bill followed in 1867 the natural outcome of the report of the commission, enacted by the next Congress, the manufacturers participating were nearly all manufacturers of carded wool, as that was then the fashion, and very little had been done in worsteds, and that little mainly in luster goods, braids, linings, and so forth.

To quote from the very able report already mentioned, the commission said:

Cut off the supply of American wool and our mills are stopped as effectually as by turning the water from the wheels which move them. We declare, therefore, with the utmost emphasis, that American wools are eminently the foundation of the prosperity of our manufactories.

And the commission further said:

Combing wools, required in the manufacture of worsted, are produced in this country only to a very limited extent. The domestic supply of very fine short-cloth wools, required in the manufacture of broadcloth and face goods, is at present inadequate to the necessities of the manufacture; and a moderate supply of these wools, to be mixed with our own, would increase the consumption of American wools.

And for this reason, it seems, second-class wools, which are usually washed on the sheep's back, were given the advantage of a rate which was the same on washed and unwashed, although the scoured duty applied the same in class 2 as in class 1.

At that time the combing wools for worsted were only those of very long growth. There were very few worsted cloths made. The great volume was carded, and so it is perfectly evident that in making up the ratios at that time, which have existed ever since practically the same, even under the Wilson and Gorman Act, the carded-wool men must have arranged the ratios as they desired to have them.

This commission recommended the division of the wool into classes 1, 2, and 3, using almost the identical language now used in describing them; and they proposed that there should be a set of distinctive samples of the various kinds of wool, hair, and so forth, embraced in each of the three classes, selected and prepared under the direction of the Secretary of the Treasury and duly verified by him.

The commission also considered the manufacturers' part of it, and provided for a duty almost identical with that under the present law.

The whole plan of the wool and woolen schedule is based upon the desirability—

First. To encourage the raising of sheep in this country in sufficient numbers, if possible, to give us wool enough for our

consumption, and to increase, as nearly as may be, the growth of wool in proportion to the growth of population.

Second. To manufacture all of our own product.

Third. To insure importations of raw wool instead of manufactured wool in making up any deficiencies between our home growth and consumption.

This being true, it naturally follows that the wool grown in this country can not be successfully exported, but must be utilized by our own manufacturers.

Hence, our home market being the only market, and our home manufacturers the only manufacturers of our wool product, it is vital to the grower that the manufacturer may be successful and that the latter's product may be fully protected.

The interests of the grower and manufacturer are mutual in the desire that all the needed imported wool material may come in in an unmanufactured state. Hence, the advantage of tariff must be so laid. The farmer must receive sufficient protection to keep his flocks from decreasing. The manufacturers must have high enough duties on cloths so that, after absorbing the home product, they can draw upon other countries for raw material and be able to compete successfully with the foreign manufacturer, who is struggling for this American market—the best in the world with reference to the consumption of wool.

Of course there will be importations of cloths in fancy styles and novelties, for the use of those who always desire "something different," "something foreign," "something imported," and so forth.

Now, if we go back and examine the record of woolgrowing and wool manufacturing, it is as clear as the light of day that when the relations of these industries have been disturbed so that either one has had insufficient protection, the industry has languished.

Prior to 1860 both branches were fitful and uncertain, and I can best describe the condition by a quotation from the report made by a combined committee, composed of seven members of the National Wool Manufacturers' Association and five members of the National Woolgrowers' Association, who signed the report. These members were the delegates from their respective associations selected to report to the revenue commission of 1865–66:

The question next arises as to our position under the present laws.

It is our duty to the revenue commission, as well as to the several interests which we represent, to submit at length our views of the operation of the present tariff laws, in their application to the production and manufacture of wool.

In order to understand clearly the object sought for in adjusting the present tariff on wool and woolens, it will be necessary to consider the operation of the two preceding tariffs, viz, those of 1846 and 1857, each of which having proved to be defective in opposite directions, suggested changes which were necessary to perfect a system equitably adjusted to the two branches of the woolen interest.

The tariff of 1846 placed, in the main, a duty of 30 per cent upon both wool and woolens; and in some cases a less duty upon the latter than upon the former. This arrangement was justified to popular opinion by its apparent equality. But the equality existed only in name. The grower of the wool had the full benefit of the protection of 30 per cent, without any drawbacks or neutralizing duties; and the arrangement would have proved most beneficial to him, at least, if the manufacturer had continued to consume his wool. But the manufacturer, being the consumer of the wool, had to pay the whole of the duty of 30 per cent by which the grower was protected, which, when deducted from the duty on the manufactured article, left him a protection so inconsiderable as to be unavailing.

Burdened with heavy duty, and receiving no equivalent, he had to contend with a foreign rival, who had the vast advantage of obtaining his wool without duty. Waiving argument upon the theoretical question of the equality or justice of this arrangement, it is sufficient to refer to the practical fact that the system, whether sound or not in theory, proved most disastrous in its actual results to both interests.

The manufacturers, encouraged by the policy of the tariff of 1842, had attempted the branches of manufacture requiring the utmost skill, and demanding large capital and expensive establishments. No less than 1,800 looms were in operation in the manufacture of broadcloths. The woolgrowers, encouraged by the demand for the finest cloth wools required in this manufacture, imported Saxony sheep, and had made progress in the growth of the finest wools, distinguished in Germany as "noble wools," which, if continued, would have placed this country at the present time on an equality with Silesia in the production of such wools. The manufacturers of fine cloths found it in vain to struggle against foreign rivals, who, in addition to cheap interest and cheap labor, had the crowning advantage of free wool. The higher branches of the manufacture were abandoned; soon every one of the 1,800 of the broadcloth looms in the country ceased work. The only branches of manufacture continued with activity were those like flannels, which were supplied by the common wool of the country—so superior in its spinning qualities as in itself to afford an advantage over the foreign manufacture. There was no longer a demand for any but common wools. The Saxon wool husbandry ceased with the manufacture of fine cloths, which had called it into existence.

* * * * *

We must regard the blow which prostrated alike the woolgrower and the wool manufacturer as one of the most disastrous that has ever fallen upon the industries of our country.

Armed with arguments, derived from the state of things above described, against giving preponderating consideration to the woolgrower, the manufacturers, on their side, approached the national councils and invoked legislation which should regard their interest as the predominating one of the country. The result was the passage of the tariff bill of 1857, which imposed a merely nominal duty upon wool, and protected the manufacturer by a duty of 24 per cent. This tariff, although temporarily advantageous to the manufacturer, did not continue long enough in operation to furnish facts as to its effect upon both interests, such as a longer experience under the tariff of 1846 had afforded. The obvious disadvantage to the manufacturer of the policy of the tariff of 1857 was its inherent instability.

The manufacturer investing large capital in structures and machinery which can not be diverted to other purposes, and which may not give returns until years of operation, demands, above all things, stability of legislation. This he could never expect under a system which made the agricultural interest secondary to his.

Influenced by these considerations, and candidly acceding to the reclamations of the woolgrowers, the manufacturers cordially responded to the proposal of the Committee on Ways and Means of the Thirty-seventh Congress; and particularly of the subcommittee, presided over by the distinguished member from Vermont, whose name is identified with the policy mainly due to his influence, to so adjust the tariff upon wool and woolens as to give not merely nominal but absolute equality to both branches of the woolen interest.

Whatever may have been the practical working of the Morrill tariff, which is the basis of our present system, it is a matter of history that equality of adjustment was the main object of the provisions of that bill and the tariff bill of 1864, respecting wool and woolens.

The object sought in these bills was to give a sufficient protection to the woolgrower, and to place the manufacturer in the same position as if he had his wool free of duty. A duty supposed to be sufficient to protect the woolgrower against wools competing with his own was placed upon such wools, and such a specific duty was placed upon woolen cloths as was supposed to be sufficient to reimburse the manufacturer for the amount of the duty paid on the wools. The ad valorem duty on the cloths was added to reimburse to the manufacturer the expenses of carrying the duty on the wools, the internal taxes, the duties on drugs and other materials used in manufacture, and to furnish the required protection.

While recognizing fully the correctness of the principles upon which the present tariff laws are based, it is our duty to point out defects in their practical operation. It has been proved by official returns that, while it was the manifest intent of the law of 1864 that the minimum rate of duty upon the class of wools most directly competing with our own should be 6 cents per pound, the average rate of duty upon this class of wools actually paid has been less than 5 cents per pound. The American producer has been thus deprived of the intended protection.

In view of the facts above stated, and of the requirements of our manufacturers for an increased supply of American wool, and in order to furnish a stimulus for such supply, and at the same time to secure "equal encouragement and protection to both interests," we recommend as a basis for the readjustment of the revenue laws applicable to wool and woolens the following propositions:

1. A provision to be inserted in the tariff laws requiring all wools now known as "Mestizo," "Metz," "Cape," and "Australian" wools, to be subjected to a duty of not less than 10 cents per pound and 10 per cent ad valorem; said provision to be so worded as most effectually to prevent these and similar wools from being admitted at a less rate of duty; the rates of duty on all other wools to remain as they now are, with the exception of wools the growth of Canada, which, in the absence of treaty stipulations, shall be subjected to a duty of —— cents per pound.

2. All manufactures composed wholly or in part of wool or worsted shall be subjected to a duty which shall be equal to 25 per cent net; that is to say, 25 per cent, after reimbursing the amount paid on account of duties on wool, dyestuffs, and other imported materials used in such manufactures, and also the amount paid for the internal-revenue tax imposed on manufactures and upon the supplies and materials used therefor.

E. B. BIGELOW,
T. S. FAXTON,
EDWARD HARRIS,
J. W. EDMANDS,
S. W. CATTELL,
H. KINGSBURY,
THEODORE POMEROY,
Executive Committee National Association of Wool Manufacturers.

HENRY S. RANDALL,
E. B. POTTLE,
E. HAMMOND,
R. M. MONTGOMERY,
GEORGE B. LORING,
Executive Committee of the National Woolgrowers' Association.

JOHN L. HAYES,
Secretary of the Comit Committee.

As to the production of sheep in this country, it is often said that we are going backward; that we are not producing the proportion of wool, according to the number of people, which we formerly did, that we were expected to raise and furnish. Going back about as early as we have any census—I might go back, for instance, to 1810—we find that we had then some seven and a half million people, and that we had less than 10,000,000 pounds of wool raised in the country, which is a pound and one-third of wool per capita. At the present time we have somewhere from 85,000,000 to 90,000,000 people, and we produced in this country last year 311,000,000 and odd pounds of home-grown wool. So, the proportion, you see, has very largely increased, and we are more nearly to-day furnishing the amount of wool that we consume than we were away back in the time to which I have referred.

Going back, for the purpose of our present consideration, to the year 1860, these industries recorded the following:

	Head.
Number of sheep in 1860	22,471,275
Number of sheep in 1880	40,765,900
Increase in 20 years	18,294,625

This shows the effect of a favorable tariff during this period of twenty years. Our manufactures of wool in 1860 were

$73,450,000 in value. Manufactures of wool had increased to $268,085,686 in value in 1880, two and two-thirds times as much.

I have used the years 1860 and 1880 because these were census periods, and therefore the figures used are official.

During this twenty-year period a few of the first years were not profitable, but nevertheless the period taken as a whole, with nearly double the sheep and almost four times the value in wool-manufactures, was a record of success.

At that time—1880—we imported in raw wool 128,131,477 pounds, and but $33,911,093 worth (duty paid) of woolen manufactures. Mark the figures and see what followed.

The first four years following showed progress and a gain of 10,000,000 sheep and a corresponding growth in manufactures.

Then came the tariff of 1883, which, while it left unmanufactured wool in almost the same notch where it had been, reduced the manufacturers' protection, and the result was a dullness in sheep husbandry following the dullness in manufacturing. The numbers of sheep were reduced, and instead of the rapid increase prior to the act of 1883, in the next ten years the decrease in sheep was as follows:

	Head.
January 1, 1884, when 1883 tariff went into effect	50,626,626
January 1, 1894, when 1894 tariff went into effect	45,048,017
Decrease	5,578,609

Late in 1892, when the election showed that we were to have in power a President and majority in Senate and House elected upon a platform which declared for free raw material (wool), greatly reduced tariffs, and so forth, the downward trend of wool and woolens was still more marked.

The period following 1883, which gave a dull and unsatisfactory business to the woolgrowers, was caused by an insufficient protection of woolen manufactures and the consequent importation into this country of vast quantities of manufactured woolens, decreasing proportionately the quantity of unmanufactured wool imported.

In 1880 we had in this country 2,330 woolen manufacturing establishments; the value of the product manufactured in that year was $238,085,686. We were importing:

In woolens	$33,911,093
In raw wool ..... pounds	128,131,747

Now, note carefully the following:

In 1890 the number of manufactories had decreased to 1,693, and the total product of our home manufactures of wool had increased to only $270,527,511, about 1¼ per cent per year, notwithstanding that the first three or four years after 1880, and before the change caused by the act of 1883, were prosperous, and notwithstanding our great growth in population during that decade. On the other hand, the value of imports of cloth had arisen to $56,582,432, nearly 70 per cent increase, and the imports of raw wool had fallen to 105,431,285 pounds, nearly 23,000,000 pounds decrease, notwithstanding our growth in population.

In other words, the law of 1883 seems to have impaired the manufactures and changed our imports in wool and woolens so that while we increased our importations of woolen cloths 70 per cent, we decreased our importations of raw wool 23,000,000 pounds, or 18 per cent. And this was before the manufacturers were permitted to import at the lower rates of the Wilson-Gorman Act.

So much for the wool tariff of 1883.

Now, following up this subject a little further, we had in this country in 1894, 45,048,017 sheep, valued at $89,186,110; in 1897, 36,818,643 sheep, valued at $67,020,942, showing a still further decrease of over 8,250,000, or nearly 20 per cent, in the number of sheep, and a decrease of over $22,000,000, or 20 per cent, in the value in the three short years intervening between the tariff law of 1894 and that of 1897.

And this much for the Wilson-Gorman tariff act of 1894.

In fact, Mr. President, the numbers and values of sheep have moved up and down with favorable or unfavorable tariff legislation much the same as the mercury in the thermometer moves with the change of weather, the one being about as sensitive as the other.

And so it is plain to me and to many more that it is to the interest of the manufacturer to encourage an increased growth of wool in this country, for if he should be entirely dependent upon foreign markets he might find himself with an uncertain and insufficient supply; and in times of war—if war should occur and this country should be cut off from the other wool-producing countries, when our army might greatly need increased supplies in woolen goods—it would be disastrous alike to manufacturers and consumers, and especially so to the army, if the manufacturers should find themselves cut off entirely from other bases of wool supply.

Furthermore, should the farmers of this country be forced out of the growing of wool, the world's supply being that much diminished, the effect would be that prices abroad would be raised, in fact, the world's prices would be higher, and thus we might have far higher prices than now; indeed, it is possible that the world's prices on wool might be as high (if free to all parts) as protected wool is now in this country, for we raise about one-eighth of the world's wool supply while we consume fully one-fifth of the world's supply. And we would suffer similarly because of the decreased supply of mutton, so necessary as a food product.

This statement may be new and startling to those who have not given the subject attention. But it is true that, although we have less than 90,000,000 population out of a total world's population estimated at one and one-half billions, nevertheless our consumption of the world's wool supply is one-fifth, as stated; and our mutton supply is most necessary in times of peace or war, as we slaughter about 9,000,000 at the regular slaughter establishments and thousands more on the ranches and farms.

Having thus stated the interest that manufacturers must have in woolgrowers, I may say that the growers are equally interested in all of the conditions named.

If the price of wool should increase because of a shortage in the world's supply, what would it matter to the woolgrower if he had gone out of the wool business and was engaged in other industries, wool raising having passed out of its leading place in his own country?

In 1810 the amount of wool grown in this country was estimated at 13,000,000 pounds, our population at that time being 7,293,913; so that the wool then grown in this country was less in amount than 2 pounds per capita, while at the present time it is 4 pounds. At that time (1810) there were but 24 woolen factories, and small ones at that, while there were nearly 1,700 fulling mills which were used by the farmers and woolgrowers in making domestic cloth woven in their residences and shops. To-day we have some 1,500 woolen factories, many of them immense in size and capacity.

There have been various seasons successful and unsuccessful to the woolgrowers, and the figures show perfectly plain that the numbers have gone up and down according to favorable or unfavorable tariff conditions respecting both wool and the manufactures of wool.

Under the earlier tariff laws, up to 1840, our sheep had reached in numbers 19,311,374.

With the low-tariff laws in the forties and fifties, and up to 1860, they had increased in the twenty years to only 22,471,277; only a little over 3,000,000 in number—a trifle over 20 per cent—in twenty years, or 1 per cent per annum.

With the higher tariffs of 1861 and 1867 they had increased in the seven years to 39,385,386, an increase of nearly 80 per cent in only seven years—over 11 per cent per annum—as against an increase of a trifle over 20 per cent in the twenty years preceding, or 1 per cent per annum.

Of course the necessities for woolen goods during the war and the high prices paid for them had something to do with this seven-year period.

Again, going to 1884, the year in which the 1883 tariff law became effective, we had 50,626,626 sheep, valued at $119,002,706.

In 1897, when the Dingley law was enacted, the number of sheep had decreased to 36,818,643, valued at $67,020,942, a decrease of 28 per cent in number and nearly 80 per cent in value.

This great decrease in thirteen years was caused by the tariff acts of 1883 and 1894, notwithstanding the counteracting effect of the two or three years under the favorable tariff act of 1890. That is to say, out of thirteen years of bad tariff legislation we may deduct three years of good tariff legislation, and the balance will represent the decrease as stated—a decrease of 3 per cent per annum in the number of sheep and 8 per cent in value in the remaining ten years.

And I am now tempted to make one more comparison.

Starting with the record of 1897, as given, and coming down to 1908—eleven years under the Dingley Act—we find that our sheep have increased from 38,818,643, valued at $67,020,942, to 54,631,000, valued at $211,736,000.

This shows an increase of 48 per cent in number and 215 per cent in value, or 4¼ per cent per annum in number and 20 per cent per annum in value.

RECAPITULATION.

And so it is all the way since 1840, when the first census enumeration of sheep and other live stock was first made, up to the present time.

First. We had twenty years with low tariffs on woolens and on wool, and our increase was but 1 per cent per annum.

Second. Then followed seven years with better tariff laws, and we had an increase of nearly 80 per cent, or 11 per cent per annum.

Third. From 1867 to 1884—continuing under favorable tariff—we had increased from 39,385,386 head to 50,626,626 head, an increase of 11,241,240 head—an increase in the sixteen years of nearly 26 per cent, or about 1½ per cent per annum.

Fourth. In the period after the bad tariff law of 1883 up to 1897, when the Dingley law was inaugurated, our sheep had decreased 28 per cent in numbers and 80 per cent in value, a decrease of over 2 per cent per annum in number of sheep and over 13 per cent per annum in value of sheep.

Fifth. From 1897 to 1908, eleven years, we find an increase of 48 per cent in the number of sheep in this country, about 4½ per cent per annum, and an increase of about 215 per cent in value, or nearly 20 per cent per annum.

Of course, in figuring these percentages, fractions are omitted and the figures used are the nearest approximate.

Can there be any better proof of the value to the sheep grower of an adequate or even nearly adequate tariff upon wool?

The figures I have given, and their fluctuations, seem enormous, but they are official figures.

It is sometimes said by those who oppose the tariff on raw wool, and sometimes by the manufacturer who would like to get his wool without duty, that the woolgrower has enjoyed the protection of the tariff long enough to enable him to grow all of the wool that is needed for our consumption if he can ever do so.

But the figures I have just quoted show the discouragements and the backsets which the woolgrower has had to contend with in past years.

The figures show conclusively that if we would grow all the wool needed for our consumption, we must continually and adequately protect the woolgrower.

No doubt it is thought by many of the growers that the present tariff rates and the rates proposed by the Senate committee are not sufficient and adequate; but I have believed, and I still believe, that, with the rates as proposed, although not as perfect as might be desired, the industry can be sustained, the numbers of sheep increased, and the quality of our wool greatly improved.

But there is one thing certain—without protection, or with less protection than that proposed in this measure by the amendments of the Senate, we can not increase the industry of woolgrowing, and we shall go down hill in the production of wool and mutton, as we have done heretofore when this tariff has been insufficient upon either wool or manufactures of wool. The grower is affected by either one or both. If the manufacturer's business is made unprofitable, the grower can not produce and dispose of his product with profit.

Now, all of this being true, we ask the question: Is the industry of growing mutton and wool of value to this Nation? Is the United States ready to allow that industry to perish, or to diminish into unimportance, and then take its chances in peace or war of purchasing all the product required for our home manufactures or of bringing into the country the manufactured product necessary for this great people, who consume a fifth of all the wool grown in the world?

Not only is it of interest to the sheep grower that fully manufactured goods shall bear a rate higher than raw wool, but he is also interested in every partially manufactured product of wool—tops, yarn, and the wastes that fall from wool in process of manufacture.

During the war, when we were cut off from supplies abroad, this country realized as it never before realized that mutton and wool were as necessary as powder and ball to carry on a war. Wool is an article of contraband as much as meat and as powder, in a sense. To let the wool and the meat industry languish would leave us where we could not clothe our soldiers, where we could not furnish them with blankets, and where we could not support them with our meat supply. During that time we had changed the tariff a number of times, and our good old friend who honored a seat in the Senate for so many years, the former Senator from Vermont, Mr. Morrill, made the matter of the tariff on wool a special study and brought out for the first time a tariff under which both industries could thrive. But there were yet differences; hence the commission to which I have already alluded.

The whole plan of protection for woolgrowers and wool manufacturers was based by Mr. Morrill upon the intention, first, to grow all of the wool it is possible to grow in this country; second, to add to that sufficient wool in its unmanufactured state to make up the difference; this in order that all of the labor in manufacturing might be done in this country.

Now, so long as we seek to add whatever is necessary in unmanufactured wool, we must be extremely careful to guard against every avenue which would lead manufactured goods through the customs-houses at better rates than those given to unmanufactured wools, plus the cost of manufacture here. We must also see to it that all substitutes, good and bad, shall bear duties equivalent to raw-wool duties, otherwise both the manufacturer and the grower would be injured.

Of course all of the importers of goods under Schedule K are arrayed against the tariff duties, and especially the duties upon manufactured goods, because, with the thousand-and-one varieties of cloth sought to be sold over here, manufactured by the cheaper labor of other countries, they are seeking a landing place in which to market their goods.

Hence, to carry out the plan, we must maintain the duty on unmanufactured wool, and when it enters into manufactured goods with cotton and other substitutes it stands us in hand to get the rate too high rather than too low, because the rulings of the customs-houses are almost invariably made in favor of the importer as against the producer—the farmer or grower—because the one is always present in his large transactions, clamoring for favorable rulings and endeavoring to obtain in some way advantageous classifications. The farmer or grower is almost never present. He is at home, producing the material.

And hence, from every direction and for all reasons, we must protect, first, the grower; second, the manufacturer; and, third, and more important than either, the working classes engaged in these industries, so that all of the labor may be done in this country, and also that all of our people may be well clothed at reasonable prices.

If we leave a door open for any class of manufactures to come through on more favorable terms than raw wool, both manufacturer and grower are injured. If we reduce the rate too greatly upon manufactured goods, and the manufacturer suffers, the grower suffers with him. So that for every reason and all reasons we must have an abundantly sufficient tariff on woolen goods.

It is no doubt true that in the case of some of the cheap goods in which there is but little wool and much cotton or other substitute, the cloth and the clothes made therefrom can be bought for sums nearly as low as the duty itself. But it must be acknowledged that this fact does not hurt the consumer. We are too apt to speak of the rate of duty as a cost or expense to the consumer. Under our tariff system this is very seldom the true measure of the consumer's extra cost where, indeed, there is any extra cost. In many cases, and in very many articles, the consumer is provided for at just as low a rate as if there were no tariff imposed. And yet the tariff is necessary, because it insures a continued and prosperous business for our own manufacturers, and they in turn, through competition in business, keep the prices to the consumer down to the very lowest possible notch.

If there were no protective tariff upon such articles as I have been speaking of, manufacturers would have no assurance as to what the foreign market might become; and with the fact always before them that foreign labor is cheaper than domestic, the field of manufacture is not inviting and will not be substantially filled unless a certainty is assured that their business shall continue through protection which shall at least equalize, and should somewhat exceed, the difference in cost of labor.

Ordinary wearing apparel for men and women is cheap in this country; and while our people buy liberally abroad, on account of fashions, love of variety, and so forth, there is no considerable difference in the cost of cheap woolen goods, clothing, and so forth, as between this country and the foreign countries; and the yearly cost to a man or woman or family is as nothing compared with the wondrous advantages of a protective-tariff system.

There has never been and can not be a successful trust or combination for handling wool. It can not be graded and sold upon grades and speculated in like wheat or cotton, because there is a certain individuality about wool, and it has so many requisites; there may be so many excellencies or deficiencies and so many contingencies, that every lot must be sold upon its own merits, varying greatly in different seasons from the same locations and flocks. It is true that in grading and sorting houses the fleeces of A, B, C, and D, can be assorted into different grades by actually handling each fleece of wool, but a combination of the clips of the same growers for the following year might present a different quality and a different condition, owing to many contingencies, such as good or bad weather, drought or flood, sufficiency or shortage of feed, method of shearing and caring for, and so forth.

As to the manufacturing of wool, it is true that one concern has been made up of 28 different companies; not a holding company handling the 28 different corporations, but one company which holds in fee simple all of this number excepting one or two, in which it holds all of the stock. This concern has been doing business some ten years, and probably never has reached a point of manufacturing 20 per cent of the output of the woolen mills of the country, and 8 per cent to 15 per cent would be nearer the mark, the average being about 12 per cent.

I have here some facts and figures relating to this company. I shall not read them, but I shall ask, Mr. President, that I may insert them in the RECORD.

The PRESIDENT pro tempore. The Chair hears no objection, and it will be so ordered.

The matter referred to is as follows:

American Woolen Company.—Incorporated March 29, 1899, in New Jersey, as a consolidation of the following New England woolen mills:

Washington Mills, Lawrence, Mass.
National and Providence Worsted Mills, Providence, R. I.
Saranac Mills, Blackstone, Mass.
Fulton Worsted Mills, Fulton, N. Y.
Fitchburg Worsted Mills, Fitchburg, Mass.
Beoli Mills, Fitchburg, Mass.
Valley Worsted Mills, Providence, R. I.
Riverside Worsted Mills, Providence, R. I.
Assabet Mills, Maynard, Mass.
Sawyer Woolen Mills, Dover, N. H.
Bay State Mills, Lowell, Mass.
Beaver Brook Mills, Lowell, Mass.
Vassalboro Woolen Mills, North Vassalboro, Me.
Puritan Woolen Mills, Plymouth, Mass.
Anderson Mills, Skowhegan, Me.
Kennebec Mills, Fairfield, Me.
Manton Mills, Manton, R. I.
Anchor Mills, Harrisville and Pascoag, R. I.
Chase Mills, Webster, Mass.
Brown Mills, Dover, Me.
Ray's Woolen Mills, Franklin, Mass.
Weybosset Mills, Providence, R. I.
Baltic Mills, Enfield, N. H.
Moosup Mills, Moosup, Conn.
Lebanon Mills, Lebanon, N. H.
Prospect Mills, Lawrence, Mass.
Hecla Mills, Uxbridge, Mass.

All the plants of the company are held in fee, with the exception of the National and Providence worsted mills, in which instance the entire capital stock is owned by the company. The bonds existing at the time of purchase upon two of the properties, aggregating $505,000, were paid off from earnings.

The increase in business having equaled the capacity for producing, the directors in August, 1905, organized the Wood Worsted Mill Corporation. The entire stock of this company, except shares to qualify directors, is owned by the American Woolen Company.

Capital stock authorized, $40,000,000 common and $35,000,000 7 per cent cumulative preferred (as increased November, 1906); outstanding, $29,501,100 common and all of the preferred; par, $100. No bonds. Dividends at the rate of 7 per cent per annum have been regularly paid on the preferred since the company began operations, but nothing has as yet been returned to holders of the common.

Officers: W. M. Wood, president; Frederick Ayer, vice-president; J. T. Shaw, secretary; F. G. Sherman, assistant secretary; W. H. Dwelly, jr., treasurer; W. A. Currier, assistant treasurer; B. F. Smith, jr., second assistant treasurer; P. C. Wiggin, comptroller, Boston.

Directors: G. E. Bullard, John Hogg, F. W. Kittredge, Boston; S. P. Colt, G. L. Shepley, Providence, R. I.; Frederick Ayer, Newton, Mass.; A. G. Pierce, jr., New Bedford, Mass.; C. H. Tenney, New York; W. M. Wood, Andover, Mass.; J. C. Woodhull, Summit, N. J.

Annual meeting, first Tuesday in March.

Office, National Shawmut Bank Building, Boston, Mass.

Selling agency, Eighteenth street and Fifth avenue, J. C. Woodhull, selling agent.

Agent in New Jersey, Registrar and Transfer Company, Jersey City.

Wood Worsted Mill Corporation (controlled by stock ownership).—Incorporated September 6, 1905, in Maine. Capital stock, $1,000,000, all owned, with the exception of shares to qualify directors, by the American Woolen Company.

Notes: Three million five hundred thousand dollars 4½ per cent construction and equipment notes, dated September, 1905; due, $500,000 March 1, 1910; $2,000,000 September 1, 1910; and $1,000,000 March 1, 1911. Int. M. and S. 1. Guaranteed, principal and interest, by the American Woolen Company.

THE TENTH ANNUAL REPORT OF THE AMERICAN WOOLEN COMPANY, FOR THE FISCAL YEAR ENDING DECEMBER 31, 1908.

PRESIDENT'S REPORT.

To the stockholders:

The depression which occurred during 1907 prevailed during the past year and reduced the volume of gross business 37 per cent compared with the previous fiscal year. This decrease naturally affected the net profits of your company. It is quite unnecessary to discuss further the disastrous effects of the business depression of 1907 and 1908. That is now past history, with which all are familiar. The business of your company naturally suffered as did all business. The vigorous curtailment of production, which your management thought necessary for the first six months of the year, was continued during the greater part of the last six months. Total gross sales of $29,986,000 speak for themselves.

The new year opens auspiciously, however, orders booked from January 1 to February 28 amounting to $22,000,000, so your directors have every reason to anticipate a greatly improved year in 1909. Notwithstanding decreased operations of the mills owned by your company, they have all been well maintained, and your company is in excellent condition to resume full operations at such time as improved business conditions permit.

The heavy advanced sales of cloth have been provided for by engagements of wool in anticipation of its wants. The company is still obliged to enter the open market for a part of its worsted-yarn requirements. Your directors, however, are considering a proposition to increase the company's yarn production during the coming year to meet its full requirements.

The number of shareholders of the company has increased during the year 10 per cent, following a 45 per cent increase in the 1907 year.

The operations for the past fiscal year are fully shown in the treasurer's report, which follows.

WILLIAM M. WOOD, *President.*

Treasurer's statement.

AMERICAN WOOLEN COMPANY, BALANCE SHEET, DECEMBER 31, 1908.

Cash		$2,892,168.71
Accounts receivable, net		14,543,498.36
Inventories; wool and fabrics—raw, wrought, and in process—and coal and supplies		14,317,069.09
		31,752,736.16
Plants, mill fixtures, and investments as per last year's report		42,352,876.84
Capital stock of Wood Worsted Mills		3,499,400.00
		77,605,013.00
Bank loans		2,890,400.00
Current vouchers and accounts		757,393.10
		3,647,793.10
Accrued dividends on preferred stock to December 31, 1908 (payable January 15, 1909)		510,416.67
Capital stock (common)	$29,501,100.00	
Capital stock (preferred	35,000,000.00	
		64,501,100.00
Surplus		8,945,703.23
		77,605,013.00

PROFIT STATEMENT FOR THE YEAR 1908.

Net sales and other income	29,986,978.50
Cost and expenses	28,706,273.30
Net profits for the year 1908	1,280,705.20
Dividend on preferred stock	2,450,000.00
Deficit, year 1908	1,169,294.80
Surplus December 31, 1907	10,114,998.03
Balance: Surplus December 31, 1908	8,945,703.23

By approval of the board of directors:

WILLIAM H. DWELLY, Jr., *Treasurer.*

I hereby certify that the above statement is correct.

GEORGE R. LAWTON, *Certified Public Accountant.*

Mr. WARREN. Mr. President, returning to earlier tariff struggles and the lack of contemporaneous success for woolgrower and manufacturer, and to the bill worked out by the revenue-tariff commission, which was presented to Congress and passed and which became the tariff law of 1867, I have this to say: Barring the time during which the war gave an added stimulus to the woolen business, that act of 1867 was the commencement of the really successful times in the woolgrowing and wool manufacturing industries.

I want to mark as we go along—and this was alluded to by my friend the Senator from Montana [Mr. CARTER] yesterday—that at that time the manufacture of worsteds was almost unknown. Ninety-nine per cent of wool manufacturing was so-called "carded wool," so that whatever influence was exerted in making the tariff of 1867, and whatever benefit accrued, can be charged to the carded-wool industry. There was at that time a call for the so-called "second-class wool" for making a certain class of goods. At that time there was no way of combing the short wools, designated as "No. 1 wools," and so the very rare goods of the day, mostly luster fabrics, were made of combing wool, and it had to be of very long staple.

The growth of the wool industry since has been phenomenal, very largely because of the inventions which have been developed and applied to the industry, and we have gone along to a point where there is really no wool of consequence now grown that is not combing wool.

While the carded manufacturer can use any kind of wool, cotton, shoddy, mungo, flocks, or wastes of any kind that he can get across the cards, the worsted manufacturer must have wool that will comb; the short and long particles must all be separated and drawn lengthwise and put in the form of a fine, highly twisted, hard yarn. That kind of yarn is used in weaving both ways. In the carded-wool industry a softer, coarser, larger yarn may be used and almost any kind of material can go into it.

To show the difference in the density of those yarns and their strength I have here a list. For instance, there are various sizes. In the carded-wool industry the numbers range from 1 to 50; a 1-cut yarn has 300 yards to the pound; a 25-cut yarn, 7,500 yards of yarn in a pound; a 50-cut yarn has 15,000 yards, or nearly 10 miles of yarn, to 1 pound.

In the worsted woolen industry the yarns run from No. 1 to No. 200 in all the even numbers up to 100, and in even tens from 100 to 200. They start with No. 1, a yarn that has 560

labor in manufacturing might be done in this country.

of shearing and caring for, and so forth.

yards to the pound, and they run up to No. 200, which has 112,000 yards in a pound. These figures are for single ply, and to ascertain the number of yards in 2 or 3 ply one may divide the number of yards by 2 or 3, as the case may be.

To show how relatively infinitesimal the wool tariff is when worked out, it will be observed that 1 pound of worsted wool yarn, No. 200, contains a thread over 63½ miles long. The 1 pound of wool in that yarn would reach from Washington to Baltimore and over halfway back.

A pound of wool makes a very great deal of cloth, and what may seem to be a large tariff, applied per pound to wool, sinks into utter insignificance when it comes to the difference in the price of a suit of all-wool clothes of ordinary weight, containing at most only 2 to 3 pounds.

I do not want to enter at this time into the question of trusts and great combinations, but if there is any line of business on this earth that is a hard one for the trusts to get into and manipulate and control, it is the manufacture of wool. It is utterly impossible, in the light of the experience we have had up to the present day, for any trust to be formed to handle the wool of this country. There is an individuality about wool and a difference in wools. The same clip changes from one year to another and the same sheep will bear a different clip on different pastures. So the only way that wool may be safely handled is upon samples, and the way large transactions are handled is upon samples large enough so that they may be taken to a scouring mill and scoured in mill-run quantities. So that, in contradistinction to wheat, corn, and other products, which can have a few grades and numbers easily distinguishable, wool must pass upon its merits and can be bought in small quantities or large quantities.

In the matter of the manufacture of wool a small mill will sometimes manufacture cloth cheaper than a large one, just the same as a man and his wife and two or three children can raise sheep cheaper than any corporation can, because he turns his own interested service and that of his family into the work of raising the sheep. In manufacturing, a mill may be a 2-set mill, which is complete, or it may be a 200-set mill; so that to undertake successfully to form a combination in this industry, as has been done, we will say, in the case of the Steel Corporation or the Standard Oil Company, would be, to my mind, an absolute impossibility. It is true, as I have said, that there is one corporation manufacturing woolens—and I may say parenthetically that it is manufacturing both worsted and woolen goods, or carded goods, so called—that has under one management what were formerly 29 companies, but it is not a trust or holding company.

All of those companies but one were bought outright with money or stock of the company, and the two which had mortgage, time securities out were taken in by buying the stock and putting it in the treasury of the company. That company has gone on in the business for some ten years. I have asked, first and last, probably 100 manufacturers of wool whether they felt injuriously the competition of this corporation—the American Woolen Company—in the market as against their interests, and they have all said no, except in so far as the company adds to the volume of manufactured goods.

That company—and I may say the same as to any other company that I know of in the wool-manufacturing business—has never made for any length of time an exorbitant profit. I know of no multimillionaires in the woolgrowing and wool manufacturing industries.

The American Woolen Company has never paid dividends except upon its preferred stock, and then only 7 per cent per year.

The total American consumption of woolen goods a year is valued at approximately $400,000,000.

The imported portion of this is approximately $20,000,000.

The woolen goods of domestic manufacture represent a value of approximately $380,000,000.

The American Woolen Company has manufactured, as its maximum, in some one year, 1½ per cent of this domestic production or approximately $5,000,000.

Last year, 1908, its product amounted to 7 per cent of the domestic production or about approximately $28,000,000. I will say, in passing, that I have had no communication with the American Woolen Company, nor with any men connected therewith. If I should meet on the street to-day every man connected with that company, I do not know that there would be a single acquaintance of mine among them. I have taken some of the matter from Moody's Manual, and as it is the company's own statement, I assume it to be correct as to organization. The matter relating to the product of its mills is taken from other sources which are thought to be reliable.

It is stoutly claimed that there is no monopoly, nor anything remotely approaching a monopoly, in the woolen business, and owing to the endless variety and grades of fabrics produced there never can be a monopoly. Therefore, in such an industry where there is unrestricted competition, the margin of profit can never be excessive, no matter how much higher than actually necessary the rate of duty may be. And who shall say what rate of duty is necessary to measure the difference in cost of production between America and Europe? A rate that would be exactly protective as against England would be insufficient as against Germany; a rate that would be exactly protective as against Germany would fall short as against Belgium; and a rate that would be effective as against Belgium would fall utterly as against Japan. The essential thing, if the American market is to be kept by the American manufacturer and the American workman kept employed, is to keep the rate of duty high enough as against all foreign competition.

The statement made to the stockholders of the American Woolen Company for last year, 1908, shows that their gross income from sales and other sources amounted to $29,986,978. Their costs and expenses were $28,706,273.30, and their profits for the year 1908, before any dividend was made, amounted to $1,280,705.20. The dividend on the preferred stock required $2,450,000, so that their deficit for the year 1908 was $1,169,294.80. Of course they took that from a surplus that had accumulated during more fortunate years, but the surplus since the company was organized—ten years or so ago—has only reached $8,945,000, and from that must be deducted the above deficit, the depreciation, and so forth.

I have here figures taken from the census—and, by the way, I do not see the Senator from Oklahoma in his seat, but he made a statement the other day concerning a company which had paid very large dividends—the Troy Cotton and Woolen Company—and spoke of a 66 per cent dividend. I want to say that I shall take no issue with him upon the cotton question, because that is not under consideration now. The Troy Cotton and Woolen Company never made a yard of woolen cloth and has no interest whatever in woolen manufacturing. I suppose it adopted the word "woolen" in its name with the intention of going into the woolen business, but during the many years that have since followed it is quite likely that the company has never seen profit enough in the business to enter upon it. I do not know of a single woolen manufactory in the United States that, going back twenty years, has paid a larger dividend than the regular going rate of interest of the State in which the mills are located.

Now, for a moment as to this difference, which one would think from the debate yesterday was a very wide one, between the carded-wool men and the worsted men. I know nothing of their differences, except that I do know that the customs tariff law as we have it to-day is framed, as to wool and woolens, like the acts of 1867 and 1890; and if the manufacturers had anything whatever to do with it, it was made by the carded-wool men, as they were in the large majority when those acts were approved.

Mr. DOLLIVER. Mr. President, if it will not disturb the Senator, before he passes the subject of the concentration of capital in the woolen and worsted industries, I desire to say a word.

Mr. WARREN. I shall be glad to yield.

Mr. DOLLIVER. I called attention yesterday to the organization of a rag trust, and the Senator in a good-humored way intimated broadly that I was seeing things. I at that time could recall only in a dim sort of way a reference to this rag trust in a trade newspaper. I have this morning the Daily Trade Record, of New York, which seems to be devoted mainly to the textile-mill industries, and in the news portion of it, under the head of "Rags," it says:

New York.—Stockholders of the United Woolen By-Products Company elect directors.

The article then goes on to describe a very interesting controversy between the stockholders and the higher officials of the company, in which the issue seemed to be the retirement of the original organizer of the concern, he refusing and stating he had seen it first and had introduced all the rest of them to a "good thing," and therefore he felt he ought not to retire just as the institution——

Mr. WARREN. Is not that "good thing" very much of the Colonel Sellers order—very much in the future?

Mr. DOLLIVER. I intend to put into the RECORD, if it will not mutilate the Senator's speech, a statement showing where the company has its scattered headquarters. It is a very flourishing institution, to which every carded manufacturer must go if he would purchase the by-products which are useful in his business.

Mr. WARREN. What are the by-products?

Mr. DOLLIVER. I suppose they are these wastes.

Mr. WARREN. I understood that was a rag trust.

Mr. DOLLIVER. It is mainly rags.

Mr. WARREN. What is the name of it?

Mr. DOLLIVER. The clippings of tailor shops.

Mr. WARREN. Those are rags.

Mr. DOLLIVER. The name of it is the United Woolen By-Products Company, so that it deals not only in the by-products of the manufacture——

Mr. WARREN. The Senator means that it proposes to deal.

Mr. DOLLIVER. It is in full blast. [Reading:]

Some change was made in the board of directors * * * at the adjourned annual meeting yesterday. * * * and, while it was stated the meeting was entirely harmonious, it is understood that greater control of the affairs of the company will be assumed by the clothing manufacturers and others actually interested.

Then follow other matters which I will ask the privilege of printing.

Mr. WARREN. It will be found on investigation that this "rag trust" is a myth. I will not burden the RECORD, but if I should take up the record of various "wild-cat" mining companies, with several million dollars alleged capital, which have had quarrels and have elected new boards of directors, the Senator would think it was a good deal in the air. This concern the Senator speaks of I never heard of before. I do not know who called it to his attention. I doubt very much whether they have yet gone very largely into the business, or else somebody must have heard of them. The Senator may have some information——

Mr. DOLLIVER. Somebody sent me that paper for another purpose, and as I was glancing at it my eyes caught the word "rags," and I thought I would inquire about it.

Mr. WARREN. The Senator is not able to give a balance sheet of the company or a statement of the amount of business it does?

Mr. DOLLIVER. Except the testimony of the president, who was refusing to retire under fire, that he introduced his associates to a good thing.

Mr. WARREN. I think, possibly, they may succeed, because they start out in about the same way that the woolen people and the woolgrowers did—with a quarrel.

Mr. DOLLIVER. Not to interrupt my friend too much, he spoke of the struggling character of the business of the American Woolen Company. I happen to have here the president's recent report to the stockholders, in which he gives some very cheerful and optimistic figures, verified, as he says, by the treasurer's report, stating that the new year opened auspiciously, that the orders amount to $22,000,000, and that the directors have every reason to contemplate a greatly improved year.

Mr. WARREN. What is the date of that?

Mr. DOLLIVER. This is of the date of December 31, 1908.

Mr. WARREN. I am perfectly willing that the Senator should insert it, but I have already had permission to insert the same thing.

Mr. DOLLIVER. Very well. Then I will not encumber the RECORD.

Mr. WARREN. This company shows a loss for 1908, as the Senator will see if he will look upon the fourth page of the report.

Mr. DOLLIVER. There is only one page of it.

Mr. WARREN. Will the Senator let me see it? I think I can call his attention to it.

Mr. DOLLIVER. I do not see how the president could be so cheerful with a loss staring him in the face.

Mr. WARREN. He expects to make it up. If the Senator will look at the third line from the bottom of that page, he will find the recorded loss, of which I speak, of nearly a million and a quarter of dollars.

Mr. DOLLIVER. I will examine it when I have more leisure.

Mr. WARREN. Yes; I hope the Senator will; and I hope the Senator will examine into the rag trust, because I want to be a member of that trust.

Mr. DOLLIVER. I spoke some weeks ago about a proposal still further to consolidate the woolen industry by organizing profitable concentrations, and I quoted, or referred without quoting, to the New York Journal of Commerce, which contained a sort of running prospectus of what was intended to be done. I ask the privilege of printing that statement from the New York Journal of Commerce. It seems to be in the nature of news.

Mr. WARREN. Does the Senator care to put it in just at this point?

Mr. DOLLIVER. No; I will abstain. I do not care to encumber the Senator's speech with my documents.

Mr. WARREN. I leave it to the Senator himself. I think there is a better place than this. I do not know what the document is.

Mr. DOLLIVER. I did not know whether to believe this statement in the newspapers, because there is always more or less hearsay——

Mr. WARREN. Will the Senator give the high point of the statement?

Mr. DOLLIVER. The high point which I was reaching out for here was a circular by bankers in Boston offering, subject to sale and change in price, a limited amount of the United States Worsted Company 7 per cent cumulative stock, at $100 a share, which price will net the investor about 7 per cent. It states the number of mills that were to be included in the enterprise. Such a cold business proposition has led me to believe that the New York Journal of Commerce had misinterpreted the situation when it spoke only a month ago, as a matter of news, of the organization of the worsted industry of the country into another great combination. I will not, however, take the Senator's space in the RECORD to print it, but will study it, and will print it in connection with a few observations of my own.

Mr. WARREN. The Senator, of course, has a good ally in the Journal of Commerce.

Speaking of periods of harmony and discord, I will ask the Secretary to read a portion of the report of which I spoke, of the commission which Congress authorized to investigate all matters of revenue—that of wool included. What I send to the desk is with reference to this particular industry.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

WANT OF HARMONY.

It is known that during the rise of the manufacture of wool in Great Britain a want of harmony existed between the woolgrowers and woolen manufacturers which not a little retarded the progress of their industry, lessened their influence with the Government, and damaged their interests in other respects. A similar want of harmony and good intelligence was exercising a like injurious influence here.

As nothing can be more certain than that the industrial interests of these two classes in the United States are substantially identical, it was a principal object to have the fullest possible interchange of opinion between them. Upon the first intimation of the wishes of the commission the necessary conferences commenced and continued for more than six months, without much pause, by conventions and separate and joint committees, in which the various interests of each class and the united interests of both were subjected to a scrutiny so patient, so intelligent, and so discriminating that the utmost deference and weight is due, and should be awarded, to conclusions so carefully prepared.

Joint meetings were held in Syracuse, in the city of New York, in Philadelphia, and in Washington.

As the carefully prepared opinions and statements of these committees will form a portion of this report, it is not proper here to anticipate what is so well stated by them. It was assumed, as a point of departure, that growing wool and increasing flocks of sheep were of national importance with reference to clothing, food, and the general interests of agriculture.

Mr. WARREN. Mr. President, I will ask to print.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Wyoming, nor to the request to print which the Senator heretofore has made.

Mr. WARREN. I wish it to be distinctly understood—and I make the statement subject to the challenge of any Senator or Senators present—that at no time in the history of the United States since the imposition of a tariff on woolens has there been any considerable length of time during which either the woolgrowing industry or the wool-manufacturing industry was successful unless both were. When I speak of that I do not mean that the woolgrowers have been successful in every State, but I refer to the industry as a whole. And when I speak of the manufacturers I do not say that there may not be mills, or even groups of mills, that have been successful, but I mean the manufacturers of woolens as a whole.

Take the complaint made yesterday by the Senator from Iowa regarding the carded-wool men. I have looked carefully through all they have said and I have looked through the records, and I find that only a small percentage of the carded-wool mills either signed this "round robin" or entertain the views represented by the items read from the desk yesterday and incorporated in the speech of the Senator from Iowa. The records show 747 carded-wool mills, and only 74 signed the protest.

I have a number of tables here, which have been taken from well-known authorities, largely from the census of the United States, and I will ask that they be incorporated in my remarks.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. HEYBURN. Mr. President, I rise for a question.

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Idaho?

Mr. WARREN. I do.

Mr. HEYBURN. What effect would it have upon the price of beef if all the mutton were withdrawn from market that furnishes animal food to the people?

Mr. WARREN. It would very materially raise it.

from other sources which are thought to be reliable.

if he would purchase the by-products which are useful in his business.

there is a better place than this. I do not know what the document is.

Mr. President, this difference about which I have spoken, if there is one, between the carded-wool manufacturer and the worsted men is of recent date. The woolgrower is equally interested in the manufacturer of carded wool and the manufacturer of worsted if he uses new raw wool and the legitimate wastes therefrom, and not shoddy, rags, and substitutes. If the carded-wool manufacturer happens to be one who uses nothing but shoddy and rags, of course the grower's interest in him is less; but nevertheless the grower stands ready at any and all times to bring about any improvement that can be brought about for the carded-wool men, unless he has to lose his tariff protection on wool by a lowering of the duty on wool wastes which will displace his product.

Mr. President, the question that is now before us is on these wastes. Excepting noils, there is not a single one of them enumerated in the paragraph that is used by the carded-wool men. Of course they can use all classes of wool and wastes, but they do not use them, because the worsted men use all their own wastes except noils. The word "waste" is a misnomer. It is purified wool. It is wool that has passed beyond the stage of scoured wool and is a still cleaner and more valuable product. On the other hand, as to the manufacture of noils, which are mentioned in another paragraph, the noils are useful in making carded wool and are very much sought after; yet they are a natural product of the worsted men, and the more worsted cloth made the more noils in this country, and the more noils made the cheaper the market price of noils.

There has been some controversy about the refined wool article called "tops."

Tops are selected, cleaned, pure, scoured wool, and in making them the wool has lost thus far in process of manufacture a large percentage which must be sold at a greatly reduced price—that is to say, noils and the several forms of wastes. And hence a duty must be levied very much higher than that upon wool itself in order to protect the woolgrower, because if tops come in at a duty relatively lower than raw wool, then the duty on raw wool must be immediately lowered, or the flow of raw wool will decrease and the stream of tops increase, and the rate of duty on raw wool will be practically reduced just that much.

Tops represent the result of the first process from scoured wool toward the manufacture of cloths, yarns, and so forth.

Tops, as such, are first mentioned in the tariff act of 1890, although they would have found a place in the so-called "basket clause" in preceding acts, which provided for manufactures of every description not specifically enumerated. The language of the act of 1890 was as follows:

390. Wools and hair of the camel, goat, alpaca, or other like animals, in the form of roping, roving, or tops, and all wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

And by referring to the paragraph covering woolen and worsted cloths, and so forth, it will be seen that the duty on tops thus became—

On manufactures valued at less than 30 cents a pound, three times the duty on a pound of first-class unwashed wool plus 40 per cent ad valorem.

Valued from 30 cents to 40 cents, three and one-half times plus 40 per cent.

Valued at more than 40 cents, four times plus 50 per cent.

The price of tops abroad has run from 35 cents to 60 cents per pound.

Tops were next mentioned in the act of 1894, which made raw wool free, in the grease or scoured. The duty placed upon tops in that act was 20 per cent ad valorem, the language of the law being as follows:

279. On flocks, mungo, shoddy, garnetted waste and carded waste, and carbonized noils or carbonized wool, 15 per cent ad valorem, and on wool of the sheep, hair of the camel, goat, alpaca, or other like animals, in the form of roving, roping, or tops, 20 per cent ad valorem.

Tops were covered by the Dingley Act as follows:

364. Wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

This clause is exactly, word for word, like that of the 1890 act, except for the omission of the lines in which were enumerated the various forms of wool and hair so advanced, and so forth.

The act of 1894 was not considered to be the woolgrowers' friend, but it did propose to give the wool manufacturers some manner of protection, and the 20 per cent ad valorem duty which Congress then placed upon tops was its conception of the difference in value brought about by the labor performed and by taking out a large percentage of short and less valuable wool.

And even under the act of 1894, when scoured wool could be, and was, imported free of duty, large quantities of tops were imported, notwithstanding the 20 per cent ad valorem difference between scoured wool and tops (equal to a displacement of 20,000,000 pounds of raw wool). This proves the great difference in value between scoured wool and tops.

Probably the reason for specifically mentioning tops in the law of 1890 was the result of a ruling of the Treasury Department officials, following the act of 1883, under Mr. Cleveland's first administration. That ruling permitted "broken tops" to come in as "waste," at 10 cents per pound.

Is it any wonder, then, that the subject of tops became a live wire, and that its consideration challenged the attention of manufacturers and growers alike, but more especially the latter, as this misruling of the department had permitted a product which, according to the act of 1894, was considered to be 20 per cent more valuable than scoured wool, to come in at less than one-third the tariff on scoured wool?

In the Dingley Act it was thought best to allow tops to go back into the "basket clause," where they would bear the same relation to scoured wool as before, except that noils, which compose one of the wastes and amount to practically one-sixth of the scoured wool, were reduced from 30 cents a pound to 20 cents, noils being considered to be worth only 60 per cent of the value of scoured wool.

This reduction of 33⅓ per cent in noils gave an advantage to carded wool manufacturers and to such other manufacturers, if any, as required noils, domestic and foreign, for use in the manufacture of their product.

Of course whatever wool is imported in noils displaces that much clean wool.

Tops are now made of all grades of wool grown in this country. Nearly every pound we grow can be combed and made into tops with the late inventions of French and American combs, short though the staple may be. Even the taglocks may become handsome combed top.

I have here [exhibiting] a sample of taglock and a sample of top made from similar taglocks. The tags are about as ordinary and unattractive looking a lot as could be shown, while the combed product is smooth and attractive. If all of our home product should be combed, then every pound of it would yield noils; and as the worsted makers who use tops for their yarns can not use their noils, and as the carded wool makers are the only consumers of noils, it would seem that the latter could themselves make the price, for the worsted spinners must dispose of noils in one of the following ways:

First. Sell them to carded-wool manufacturers.

Second. Export them and sell abroad.

Third. Go into the carded-wool manufacturing business themselves.

Again, if our importations are raw wool, then the tops are made therefrom on this side, and the noils also. So there would seem to be no necessity for the importation of noils.

The carded-wool manufacturers are certainly worthy, and we would accord them every attention; but up to this time I have not been able to get from them any plan for a change in duties that does not involve unfavorable results for the woolgrowers.

Ad valorem duties have never been satisfactory.

Mr. President, regarding the carded-wool manufacturers, some of them complain of the schedules. At the time the rates of the wool schedule were determined upon—before the 1867 tariff—very little worsted was manufactured in this country, in fact, scarcely any at all, and, therefore, it was practically all carded wool, and whatever influence was exercised by the manufacturers in gaining this schedule, now deemed too high as to woolen goods, or whatever inequalities, if any, there may be in the tariffs on wools of different shrinkages, came from efforts of the carded-wool men, as they were the dominant party in all of those negotiations. Rates and ratios have not materially changed, but have been much the same in the tariff acts of 1867, 1890, and 1897.

Noils, which seem to be one of the products of which the carded-wool people complain, were made 10 cents lower, or 20 cents per pound in the Dingley Act, while they were 30 cents per pound in the McKinley Act.

Noils are only one of the many waste products, there being very many others, such as slubbing, garnetted waste, ring waste, roving waste, top waste, yarn waste, and thread waste; also the commoner kinds, such as mungo, shoddy, and general waste. Slubbing, garnetted waste, and so forth, are used in the worsted manufactures, the others in the carded manufactures.

We have had various experiences and examples in importing these wastes in their effect upon our domestic wool. Every pound of these wastes imported displaces from 1 to 3 pounds of domestic wool, and of course rags, shoddy, mungo, flocks,

and so forth, are, to an extent, a fraud upon the consumer. They are used to thicken and make cloths heavier. Portions are woven in so that they will stay in place and give some wear as well as warmth, but much of the material rubs off, as many of us know, by finding large deposits in the linings and around the bottoms of our coats and vests. When the Wilson law made all of these wastes free, the tremendous increase in their importation was phenomenal, notwithstanding all kinds of raw wool were free.

In the first year after the passage of the Wilson-Gorman law importations which had been but 1,000,000 or less per annum before, increased to over 20,000,000 pounds, displacing about 60,000,000 pounds of our domestic wool in grease; this, too, when foreign wools came in free. The only protection our people have against the filthy rags and old clothing of foreign countries, which are ground up into shoddy, mungo, flocks, and so forth, for use, is to put a high tariff upon them—I personally wish that it might be prohibitive—so that pure wools may be imported as freely as may be to cover the difference between the amount of wool we raise and the amount we consume.

This would lessen the temptation for this counterfeiting, diluting, and, I might almost say, swindling business of grinding up and selling over and over again for decades and centuries rags and refuse of what was once pure wool and woven into good, honest cloth. But as the Wilson-Gorman Act was a failure—was acknowledged so in every respect as to its effect on wool and woolen imports—I will let it drop for the present as a bygone folly, and will turn back to the effect of the act of 1883, which, while leaving the woolgrowers' rates on wool at satisfactory figures, did not leave margin enough, the manufacturers were not given the proper ratio, and hence they were driven into the use of these wastes.

Importations under act of 1883.

RAGS, SHODDY, MUNGO, WASTE, AND FLOCKS.

Year ending June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average price.	Ad valorem.
		Pounds.				*Per ct.*
1884	10 cents per pound	1,225,360.50	$333,739.00	$122,536.05	$0.436	22.97
1885	do	2,696,517.00	919,771.00	269,651.70	.341	29.32
1887	do	4,902,381.00	1,835,618.00	490,238.10	.379	26.41
1888	do	4,057,731.00	1,576,013.00	405,773.10	.388	25.75
1889	do	8,478,984.00	3,339,480.00	847,898.40	.394	25.39
1890	do	4,965,260.00	2,037,731.00	496,526.60	.409	24.46

CLOTHS.

[Values not exceeding 80 cents per pound.]

1884	35 cents per pound and 35 per cent.	383,055.83	$242,975.17	$219,110.83	$0.634	90.17
1886	do	510,377.80	313,678.81	288,419.83	.615	91.95
1887	do	1,117,564.40	713,315.94	640,808.21	.638	89.81
1888	do	1,736,705.86	1,072,993.27	983,394.69	.618	91.65
1889	do	1,915,138.16	1,124,766.18	1,063,966.68	.587	94.59
1890	do	7,715,276.96	5,156,205.19	4,505,018.95	.668	87.37

MANUFACTURES OF WOOL, N. S. P. F.

[Values not exceeding 80 cents per pound.]

1884	35 cents per pound and 35 per cent.	68,101.25	$41,307.17	$38,292.98	$0.607	92.70
1886	do	99,540.50	61,691.78	56,431.30	.668	91.47
1887	do	123,783.40	80,510.00	71,502.76	.650	88.81
1888	do	109,508.60	62,771.00	60,297.85	.573	96.05
1889	do	304,720.72	121,838.00	114,295.60	.595	93.81
1890	do	260,636.93	157,133.85	146,219.85	.603	93.05

[Values above 80 cents per pound.]

1886	35 cents per pound and 40 per cent.	574,713.39	$968,955.80	$600,732.02	$1.74	60.14
1887	do	993,500.11	1,421,735.00	916,419.10	1.43	64.46
1888	do	700,826.43	1,021,284.28	653,803.05	1.46	64.02
1889	do	594,417.33	906,833.46	570,379.46	1.52	62.97
1890	do	982,690.48	1,458,112.87	929,186.82	1.48	63.59

FLANNELS.

[Values above 40 and not exceeding 60 cents per pound.]

1886	18 cents per pound and 35 per cent.	3,890.63	$1,939.00	$1,378.96	$0.498	71.12
1887	do	4,653.37	2,653.37	1,796.10	.551	67.69
1888	do	310,306.03	158,306.03	111,222.75	.511	70.29
1889	do	367,299.50	189,848.00	132,560.71	.517	69.82
1890	do	266,344.50	142,121.66	97,684.00	.534	68.73

Importations under act of 1883—Continued.

[Values above 60 and not exceeding 80 cents per pound.]

Year ending June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average price.	Ad valorem.
		Pounds.				*Per ct.*
1886	24 cents per pound and 35 per cent.	8,985.00	$5,216.30	$4,332.10	$0.692	69.60
1887	do	136,889.00	100,633.33	68,075.03	.735	67.65
1888	do	315,578.13	229,733.65	156,145.53	.728	67.97
1889	do	477,648.72	342,697.34	234,579.82	.717	68.45
1890	do	461,965.88	335,136.14	228,169.45	.725	68.06

[Values above 80 cents per pound.]

1886	35 cents per pound and 40 per cent.	36,920.44	$39,590.31	$28,746.29	$1.07	72.66
1887	do	77,097.15	81,722.45	59,673.03	1.06	73.02
1888	do	226,709.60	254,057.83	189,975.50	1.12	71.23
1889	do	521,470.48	587,201.13	417,435.21	1.13	71.08
1890	do	630,992.30	765,205.77	529,929.68	1.21	68.88

YARNS, WOOLEN AND WORSTED.

[Values above 30 and not above 40 cents per pound.]

1883	20 cents per pound and 35 per cent.*	2,406.33	$629.51	$701.60	$0.262	111.45
1885	12 cents per pound and 35 per cent.	1,258,466.38	471,863.05	316,168.03	.375	67
1887	do	661,683.43	241,074.00	163,706.28	.365	67.90
1888	do	500,949.40	182,735.40	124,071.25	.365	67.90
1889	do	409,050.00	150,652.00	101,604.21	.364	67.71
1890	do	737,762.13	282,054.00	187,130.86	.383	66.35

[Values above 40 and not above 60 cents per pound.]

1883	30 cents per pound and 35 per cent.*	1,958.00	$999.35	$939.17	$0.510	93.77
1886	18 cents per pound and 35 per cent.	1,353,886.75	733,584.41	500,445.20	.542	68.22
1887	do	753,993.72	410,264.12	279,311.35	.544	68.08
1888	do	1,985,028.48	1,094,621.20	740,422.55	.551	67.64
1889	do	2,567,050.06	1,446,064.60	968,193.22	.563	66.95
1890	do	1,198,465.87	657,829.15	445,964.15	.549	67.79

[Values above 60 and not above 80 cents per pound.]

1883	40 cents per pound and 35 per cent.*	87,467.25	$64,759.15	$64,759.15	$0.740	99.03
1886	24 cents per pound and 35 per cent.	1,190,202.56	819,238.82	573,829.19	.685	70.04
1887	do	1,275,844.79	875,280.12	612,550.51	.686	69.99
1888	do	820,656.80	551,819.00	390,094.28	.672	70.69
1889	do	726,023.51	475,973.00	340,836.20	.656	71.61
1890	do	1,189,144.63	795,064.00	561,507.11	.674	70.62

MANUFACTURES OF WORSTED, THE HAIR OF THE ALPACA, GOAT, OR OTHER ANIMALS, N. S. P. F. (EXCEPT SUCH AS ARE COMPOSED IN PART OF WOOL).

[Values above 40 and not exceeding 60 cents per pound.]

1883	30 cents per pound and 35 per cent.*	124,096.50	$66,950.00	$60,661.46	$0.539	90.61
1884	18 cents per pound and 35 per cent.	577,519.25	327,828.00	218,608.31	.568	66.71
1886	do	2,057,737.50	1,125,444.00	764,297.97	.547	67.91
1887	do	1,588,069.00	859,029.70	586,512.92	.541	68.28
1888	do	2,223,789.25	1,231,701.00	831,968.42	.554	67.50
1889	do	3,707,698.97	2,047,427.00	1,383,965.28	.552	67.60
1890	do	518,723.25	275,626.00	189,889.28	.531	68.89

[Values above 60 and not exceeding 80 cents per pound.]

1883	40 cents per pound and 35 per cent.*	374,543.25	$272,950.00	$245,352.95	$0.729	89.89
1884	24 cents per pound and 35 per cent.	777,327.25	560,219.08	382,635.23	.721	68.30
1886	do	2,795,244.60	1,992,840.53	1,368,852.89	.713	68.68
1887	do	3,785,978.60	2,740,630.00	1,867,855.36	.724	68.15
1888	do	4,016,268.85	3,258,232.00	2,283,285.71	.727	67.99
1889	do	5,949,772.34	4,292,352.00	2,896,768.55	.707	68.98
1890	do	500,278.25	354,331.00	244,082.63	.708	68.89

[Values above 80 cents per pound.]

1883	50 cents per pound and 35 per cent.*	438,775.77	$608,803.00	$432,468.94	$1.39	71.04
1884	35 cents per pound and 40 per cent.	1,234,677.25	1,508,724.00	1,035,626.67	1.22	68.64
1886	do	1,483,811.38	2,098,553.03	1,358,755.24	1.41	64.75
1887	do	1,343,256.80	1,469,661.75	1,038,094.68	1.09	71.30
1888	do	1,251,398.88	1,313,831.26	963,580.09	1.05	73.34
1889	do	2,298,026.58	2,576,565.50	1,834,935.58	1.12	71.22
1890	do	1,181,260.88	1,308,514.41	936,847.13	1.11	71.60

* Under act of 1867 rates.

difference in value brought about by the labor performed and by taking out a large percentage of short and less valuable wool.

these wastes in their effect upon our domestic wool. Every pound of these wastes imported displaces from 1 to 3 pounds of domestic wool, and of course rags, shoddy, mungo, flocks,

Number of pounds of wool imported in form of wastes or manufactures.

	1883.	1889.
	Pounds.	*Pounds.*
Waste	3,676,080	25,437,952
Cloths	1,187,460	23,462,210
Manufacturers of wool n. o. p. f.	2,502,155	4,712,668
Yarns	319,226	14,042,440
Worsteds	1,994,556	38,629,880
Total	9,680,477	106,285,150

The importations thus shown in the five years from 1884 to 1889 amount to increases from less than one and one-quarter million pounds to almost eight and one-half million pounds; and the number of pounds of wool imported in the form of waste or manufactures increased from 9,680,477 pounds in 1883 to 106,285,150 pounds in 1889.

I submit herewith a table showing the number of sheep in 1840, 1850, 1860, 1867, and every year thereafter, the values being given for each year, beginning with 1868.

I also submit a table of the products, imports, and so forth, of wool for 1840, 1850, 1860, 1864, and from that time up to and including 1908. I want to say in passing that in 1860, when the annual record I submit commenced, we were importing in wools and cloths 42.6 per cent of our consumption. Since that time it has run as low as 11.9 per cent in the year 1868, which was immediately after the civil war, when immense quantities of woolen army stuffs were distributed. It has run as high as 57.8 per cent in 1897; has run above 45 per cent for several years, and in others above 40 per cent. But in 1908—the lowest year—it was but 27.9 per cent.

I call attention to this showing because the claim is often made that protection of the woolgrower is a failure, since the number of sheep is growing less and less, while our wants for wool are growing more and more.

An examination of all of the figures which I have submitted will show:

First. That if we had had a continuance of protection, such as has been afforded for less than half of the time, we would have been growing all of our own wool.

Second. That notwithstanding the many years when we have suffered from insufficient protection, we have nevertheless increased a fair average.

The world's flocks of sheep number practically 500,000,000 head. In 1894 it was nearly 527,000,000, but had decreased up to 1904 to a little over 450,000,000, being a decrease of almost 72,000,000 head, or nearly 14 per cent, which occurred in the countries that did not have protection for the woolgrowers. Some part of it, and quite a large part, was caused by the drought in Australasia. The total number of sheep in Australasia in 1903—at the time of this low ebb in the world's number of sheep—was 75,765,457. But the figures of 1907 show that their flocks have increased with the good seasons and good prices since that time to 108,871,681 head. This increase of 33,106,224 head in four years is extremely interesting, as it shows an increase of about 44 per cent, or 11 per cent per annum, and shows what sheep may do under favorable circumstances.

In this country the sheep are widely distributed. We have no general droughts, such as beset the woolgrowers in Australasia, but, on the other hand, we have to contend with unfavorable weather conditions, high values of land, and lack of pasturage; nor do we have the benefits which the government of Australasia bestows upon the flock masters in that country.

During the consideration of House bill 9051, Fiftieth Congress, second session, on January 21, 1889, Senator Vance, of North Carolina, stated that Australasia led the world in the number of sheep and lambs, and he presented the following tables (CONGRESSIONAL RECORD, vol. 20, pt. 2, 50th Cong., 2d sess., p. 1031):

Table showing the number of sheep and lambs of the principal wool-producing countries of the world.

SHEEP AND LAMBS.

	Number.
Russia in Europe (1882)	47,508,966
United Kingdom (1886)	28,955,240
France (1885)	22,616,547
Spain (1878)	16,939,288
Germany (1883)	19,189,715
Hungary (1884)	10,594,831
United States of America (1887)	44,759,314
Argentine Republic (1885)	75,000,000
Uruguay (1884)	15,921,069
Australasia (1884 and 1885)	78,888,719
India (1877 and 1878)	17,140,757
Cape Colony and Natal (1875 and 1885)	11,815,225

Table showing the raw wool produced in each of the principal wool-producing countries of the world.

QUANTITIES PRODUCED.

	Pounds.
Russia in Europe (1884)	262,966,000
United Kingdom (1885)	135,936,000
France (1882)	80,138,000
Spain (1878)	66,138,000
Germany (1881)	54,894,000
Hungary (1885)	43,146,000
United States of America (1885)	302,000,000
Argentine Republic (1885)	285,047,000
Uruguay (1884)	59,084,000
Australasia (1885–1886)	455,470,000
British East Indies	36,354,000
Cape Colony and Natal (1885)	46,605,000

These tables showed that the United States was second in wool producing and fourth in number of sheep and lambs of all the countries in the world.

WOOL PRODUCTION OF THE ARGENTINE REPUBLIC.

Census reports of May, 1905 and 1908, show the following:

		1905.	1908.
Sheep and lambs	number	74,379,562	67,211,754
Exports of wool	pounds	421,098,000	386,981,000

Wool production has to be figured by the wool exportation; and as little, if any, manufacturing of woolens occurs in Argentina, the figures showing exports would be practically the full production.

In order to show the prices of wool, rags, shoddy, wastes, and so forth, I submit here the following tables, which give the market rates on May 15:

Boston wool market—Domestic wools.

[From the Commercial Bulletin, Boston, Mass., May 15, 1909.]

OHIO AND PENNSYLVANIA FLEECES.

XX	34 @ 35
X	32 @ 33
No. 1 washed	39 @ 40
No. 2 washed	39 @ 40
Fine unwashed	24 @ 25
Fine unmerchantable	26 @ 27
½ blood combing	31 @ 32
⅜ blood combing	31 @ 32
¼ blood combing	30 @ 32
Delaine washed	39 @ 40
Delaine unwashed	31 @ 32

MICHIGAN, WISCONSIN, AND NEW YORK FLEECES.

Fine unwashed	23 @ 24
Delaine unwashed	28 @ 30
½ blood unwashed	30 @ 31
⅜ blood unwashed	30 @ 31
¼ blood	29 @ 30

KENTUCKY, INDIANA, AND MISSOURI.

⅜ blood	30 @ 31
¼ blood	29 @ 31
Braid	24 @ 25

Scoured values.

TEXAS.

Fine 12 months	65 @ 67
Fine 6 to 8 months	58 @ 60
Fine fall	53 @ 55

CALIFORNIA.

Northern	63 @ 65
Middle county	55 @ 58
Fall, free	45 @ 48
Fall, defective	37 @ 38

OREGON.

Eastern No. 1 staple	68 @ 70
Eastern clothing	60 @ 62
Valley No. 1	53 @ 55
Valley No. 2	52 @ 53
Valley No. 3	47 @ 50

TERRITORY.

Fine staple	70 @ 72
Fine medium staple	68 @ 70
Fine clothing	65 @ 66
Fine medium clothing	63 @ 65
½ blood	65 @ 67
⅜ blood	62 @ 63
¼ blood	65 @ 66

PULLED.

Extra	70 @ 72
Fine A	63 @ 66
A supers	55 @ 60
B supers	46 @ 53
C supers	30 @ 35
Fine combing	60 @ 65
Medium combing	54 @ 58
Coarse combing	47 @ 50
California finest	65 @ 70
California second	55 @ 60

Foreign wools—Classes I and II.

AUSTRALIAN—SCOURED BASIS.

Port Philip combing:	
80s	88 @ 90
70s	84 @ 85
64s	78 @ 80
60s	74 @ 75

NEW SEALAND.

Crossbreds:	
36s to 40s	44 @ 46
40s	45 @ 47
46s	53 @ 57
50s	60 @ 62
56s	63 @ 66
Geelong 46s	57 @ 60
Geelong 50s	65 @ 67
Geelong 56s	68 @ 70
Geelong 60s	78 @ 82

MONTEVIDEO.

Grease:	
Fine combing	34 @ 35
Primera	31 @ 32
Merino	32 @ 33

ARGENTINE CROSSBREDS.

Lincoln	29 @ 30
Low ¼ blood	31 @ 32
Straight ¼ blood	34 @ 35
High ¼ blood	35 @ 36

ENGLISH AND IRISH.

Lincoln wether	29 @ 31
Irish hogs super	37 @ 38
Irish wether	35 @ 36
Shropshire hogs	36 @ 38
Shropshire wether	34 @ 36

CLASS III.

Aleppo washed	30 @ 32
Angora	16 @ —
Bokhara, colors	15 @ 16
Bokhara, white	21 @ 22
China combing	19 @ 20
China ordinary	14 @ 15
Donskoi combing	28 @ 29
Donskoi ordinary	24 @ 25
Jorias	27 @ 29
Kandahar	26 @ 27
Karadi choice	— @ —
Karadi ordinary	— @ —
Khorassan first clip	20 @ 22½
Khorassan second clip	19 @ 20
Vickaneer	27 @ 28
Mossul	— @ —
Scotch	18 @ 19

NOILS.—There was an improvement in demand for all fine noils, both domestic and foreign. Some dealers are well sold up. Coarse grades are also receiving a fair share of attention, and some sellers have advanced their prices during this past week. One-fourth blood noils range from 21 to 26 cents; three-eighths noils, best grades, 32 to 33 cents, lower grades, 28 to 31 cents; one-half blood, 40 to 45 cents, lower grades, 38 to 39 cents; fine domestic noils, 50 cents; fine Australian, 60 cents; fine Australian, carbonized, 65 to 70 cents.

SHODDIES.

White yarn, best all wool	40 @ —
White knit stock, best fine all wool	30 @ 35
White knit stock, No. 2	25 @ 28
New blue clip, best, fine	22 @ 25
New blue clip	17 @ 18½
New black, fine worsted	28 @ 30
Light yarn, extra fine	25 @ 28
Dark mixed, extra fine, and free from cotton and silk	22 @ 24
Medium to coarse goods all-wool yarn	14 @ 16
Red flannel, all wool	22 @ 24
Red knit stock, strictly all wool	22 @ 24
No. 2 dark blue, hosiery, not all wool	14 @ 16
Fine dark merino, all wool No. 1	18 @ 22
Medium dark merino, all wool No. 2	15 @ 17
Fine light merino, all wool	26 @ 28
Fine black merino, all wool	20 @ 26
Medium light merino, all wool	16 @ 18
Fine black, No. 2	17 @ 20
Medium black	14 @ 16
Fancy colors, all wool	20 @ 24

EXTRACTS.

Regular gray	11 @ 12
Black	13 @ 14
Light	16 @ 18
Fancy colors	14 @ 21
Choice black, strictly fine	20 @ 22

NEW CLIPS.

Fine merchant tailors' clips	7 @ 8
Merchant tailors' clips	6 @ 7
Factory wool clips	5 @ 6
Choice light	10 @ 12
Ordinary light clips	7 @ 8
Plain blacks	— @ 7½
Fine dark	7 @ 8
Medium dark	4 @ 5
Plain blues	6 @ 8
Black worsteds	14 @ 16
Blue worsteds	10 @ 12
New fancies	12 @ 13
New blue serges	10 @ 11
New black serges	9 @ 10
Mixed unions	1½ @ 2
Light unions	2 @ 2½
Blue unions	2½ @ 2¾
Fine dark unions	2¼ @ 2½
Ordinary dark unions	1½ @ 1¾
New satinets	1½ @ 2
Cloakings	3 @ 3½
New blue flannels	15 @ 16
New scarlet flannels	18 @ 19

SOFTS AND MERINOS.

Soft woolens, best	5 @ 5½
Soft woolens, ordinary	4½ @ 4¾
Soft woolens, ordinary	4½ @ 4¾
Soft woolens, old red flannels	10 @ 11
Soft woolens, old blue flannels	6½ @ 7½
White softs	14 @ 15
Old reds, seamed	13½ @ 14
Thibets	17 @ 18
Merinos, fine light	15 @ 17
Coarse light	7 @ 7½
Fine dark	9 @ 10½
Coarse dark	— @ 5
Black merinos, fine	10½ @ 11½
Fine dark flannels	— @ 8½
Seamed	18 @ 20

LINSEYS AND MISCELLANEOUS.

Linseys, common gray	½ @ ¾
Best	1 @ 1
White	— @ 2
White flannel	— @ 2½
Blues	1½ @ 2
Browns, nom	2 @ 2½
Plaids	1½ @ 2
Mixed woolens	1½ @ 1½
Old satinets	½ @ ¾
Black slatings	1½ @ 1½
Carpets, wool	2½ @ 2½
Carpets, hard backs	— @ ½
Carpets, soft backs	½ @ ½
Carpets, linsey	1 @ 1½
Wool hats, skirted	2 @ 2½
Wool hats, unskirted	1½ @ 1½
Wool hats, "rob't"	1½ @ —
Felt hats	— @ 2

KNITS.

Knit, stock, red	— @ 10
Brown	7½ @ 8
Light gray	7 @ 8
Light fancy	— @ 8
Fancy stockings	— @ 8
Blue knit	6½ @ 7
Clear hoods	10 @ 11
White knit stock	15 @ 16
White stockings	13 @ 14

CLOTH AND DELAINES.

Rough cloth	1½ @ 1½
Skirted, dark	— @ 2½
Skirted, light	4 @ 4½
Skirted, blue	2½ @ 2½
Skirted, black	— @ 2½
Black serge	4½ @ 4½
Blue serge	5 @ 5½
Black skirted worsted	— @ 6
Dark skirted worsted	4½ @ 5
Light skirted worsted	7 @ 7½
Seams mixed	— @ 85
Delaine skirted	1½ @ 1½
Unskirted	— @ 2

Old materials.

WOOL WASTE—ALL WOOL.

Fine white worsted yarn	45 @ 50
Medium white worsted yarn	28 @ 30
Coarse white worsted yarn	22 @ 24
Carpet white worsted yarn	16 @ 19
Fine colored worsted yarn	15 @ 20
Medium colored worsted yarn	10 @ 16
Coarse colored worsted yarn	7 @ 9
Fine white carded	20 @ 22
Medium white carded	16 @ 18
Low-grade white carded	— @ 15
Cotton mixed colored	3 @ 5
Burr waste white	8 @ 10
Burr waste dark	2 @ 3
Flyings	10 @ 12
Fine headings	6 @ 9
Sweepings	— @ 1

FINE ALL WOOL FLOCKS.

White shear	6 @ 8
Black and blue shear	4 @ 5
Indigo-blue shear	6 @ 7
No. 1 black cut	4 @ 5
Dark black cut	2 @ 3
Light gig	1 @ 2
Dark gig	1 @ 1½
Mill flocks	½ @ ¾
All-wool fancy shears	1½ @ 2
Bones	70 @ 75

As there has been much said in debate about cotton and woolen companies' dividends, I submit the following as to cotton mills' dividends and prices of stocks of such corporations:

A GOOD SHOWING.

[From Fibre and Fabric.]

In view of the improved conditions in cotton manufacture since last fall, it is not surprising that the dividends declared by the Fall River mills for the second quarter of 1909 should make a favorable showing. Out of 35 mills in that textile center only one passed its dividend, the average rate of all being a trifle over 1.59 per cent, or on the basis of 6⅜ per cent per annum.

The showing for the third quarter is likely to be better than that for the second, the improved demand for mill shares and the rising tendency which quotations on the latter have shown lately foreshadowing increased or extra dividend disbursements in some instances in the near future. The mills are doing a good, steady business; and while in most cases the unit of profit is not as large as it has been in some previous years, the surpluses of the mills are being steadily and materially enlarged. Financially, the Fall River mill corporations are in excellent condition, which will benefit stockholders in a substantial way before many months have passed.

COTTON MILL DIVIDENDS—FALL RIVER CORPORATIONS EARNED AN AVERAGE OF 1.59 PER CENT FOR SECOND QUARTER.

The statement of dividends paid or declared by the cotton manufacturing corporations of Fall River for the second quarter of 1909 shows a total of $396,400 on a total capitalization of $26,525,000. Excluding the Ancona common, the Barnaby Manufacturing Company's stock, and the increased capital of the Davis Mills and Sagamore Manufacturing Company, in all of which no dividend has been declared, and leaving a total of $24,925,000 in capital, the total of dividends declared gives an average of 1.59+ per cent.

The Barnaby is the only corporation in the list that passed its dividend. Last quarter it was also the only one to pass. The total amount paid last quarter was $396,400, and the average, figured with similar omissions of capital, was 2.73+ per cent. A dividend of 25 per cent, part in that quarter, by the Union, was almost entirely responsible for the large average. For the last quarter the Union paid only its regular amount, 1½ per cent. There was only one other change in rate from last quarter, the Troy paying 3 per cent this time.

For the second quarter of 1908 the total amount paid was $410,025.50, an average of 1.64 per cent. For the first quarter of 1906, $428,650, average 1.88 per cent; second quarter, $289,025, average 1.26 per cent; third quarter, $367,275, average 1.59 per cent; fourth quarter, $381,895, average 1.74 per cent; 1907, first quarter, $565,895, average 2.56 per cent; second quarter, $524,525, average 2.11 per cent; third quarter, $664,850, average 2.66 per cent; fourth quarter, $901,350, average 3.60 per cent; 1908, first quarter, $561,550, average 2.25 per cent; second quarter, $410,025.50, average 1.64 per cent; third quarter, $399,642, average 1.45 per cent.

Haffards & Co.'s statement is as follows:

Name of corporation.	Capital.	Rate.	Amount.
American Linen Co	$800,000	1½	$12,000
Ancona Co	[a] 100,000 [b] 200,000	1½	1,500
Arkwright Mills	450,000	1½	6,750
Barnard Manufacturing Co	495,000	1½	7,425
Bourne Mills	1,000,000	1	10,000
Border City Manufacturing Co	1,000,000	1½	15,000
Barnaby Manufacturing Co	350,000	------	------
Chace Mills	1,200,000	2	24,000
Cornell Mills	400,000	2	8,000
Conanicut Mills	[c] 300,000	1¼	3,775
Davis Mills	1,250,000	[d] 1½	7,500
Davol Mills	500,000	1½	7,500
Flint Mills	580,000	1½	8,700
Granite Mills	1,000,000	2	20,000
Hargraves Mills	800,000	1½	12,000
King Philip Mills	1,500,000	1½	22,500
Luther Manufacturing Co	350,000	1½	5,250
Laurel Lake Mills	600,000	2	12,000
Merchants Manufacturing Co	1,200,000	1½	18,000
Mechanics Mills	750,000	1½	11,250
Narragansett Mills	400,000	2	8,000
Osborn Mills	750,000	1½	11,250
Parker Mills	800,000	1½	12,000
Pocasset Manufacturing Co	1,200,000	1½	18,000
R. Borden Manufacturing Co	1,000,000	2	20,000
Sagamore Manufacturing Co	1,300,000	[e] 2	18,000
Seaconnet Mills	600,000	1½	9,000
Shove Mills	550,000	1½	8,250
Stafford Mills	1,000,000	1½	15,000
Stevens Manufacturing Co	700,000	1½	10,500
Tecumseh Mills	750,000	1½	11,250
Troy Cotton and Woolen Manufactory	300,000	3	9,000
Union Cotton Manufacturing Co	1,200,000	1½	18,000
Wampanoag Mills	750,000	1	7,500
Weetamoe Mills	500,000	1½	7,500
Total	26,525,000	------	396,400

[a] Preferred.
[b] Common.
[c] Authorized capital.
[d] Paid on capital of $500,000.
[e] Paid on capital of $900,000.

NOTE.—An average of 1.59+ per cent on the above capital, excluding Ancona common, Barnaby Manufacturing Company, and increased capital of Davis Mills and Sagamore Manufacturing Company.

New England mill stocks.

[Specially reported for Fibre and Fabric by A. B. Turner & Co., 24 Milk street, Boston.]

	Latest sale.	Par value.
Amoskeag	$301	$100
American Glue, preferred	133½	100
American Glue, common	85	100
American Linen Co	157½	100
Androscoggin Mills	204	100
Arlington Mills	133½	100
Appleton Mills	152½	100
Atlantic Cotton Mills	76½	100
Acushnet Mills	140	100
Bates Manufacturing Co	260	100
Border City Manufacturing Co	155	100
Bigelow Carpet Co	134	100
Boston Belting Co	300	100
Boston Storage Warehouse Co	104	100
Cornell Mills	210	100
Cabot Manufacturing Co	88	100
Chicopee Manufacturing Co	103	100
Continental Mills	88½	100
City Manufacturing Co	250	100

New England mill stocks—Continued.

	Latest sale.	Par value.
Dwight Manufacturing Co	$1,195	$500
Draper Co., common	150	100
Dartmouth Manufacturing Corporation	260	100
Essex Co	200½	50
Everett Mills	130	100
E. & T. Fairbanks Co	300	500
Great Falls Manufacturing Co	204	100
Hamilton Woolen Co	80	100
Hamilton Manufacturing Co	607	1,000
King Philip Mills	180	100
Laurel Lake Mills	210	100
Lawrence Manufacturing Co	170	100
Lockwood Co	102	100
Lyman Mills	120	100
Merchants Manufacturing Co	125	100
Massachusetts Cotton Mills, Lowell	134	100
Massachusetts Mills in Georgia	105½	100
Merrimack Manufacturing Co., common	51	100
Merrimack Manufacturing Co., preferred	95	100
Naumkeag Steam Cotton Co	130	100
Nashua Manufacturing Co	517	500
Pocasset Manufacturing Co	150	100
Pacific Manufacturing Co	3,500	1,000
Pepperell Manufacturing Co	305	100
Richard Borden Manufacturing Co	192½	100
Plymouth Cordage Co	230	100
Sagamore Manufacturing Co	185	100
Tecumseh Mills	150	100
Tremont and Suffolk Mills	129	100
Union Cotton Manufacturing Co	240	100
Wamsutta Mills	138	100
Whitman Mills	150	100
West Point Manufacturing Co	130	100

And I submit the following as to profits in wool manufacturing:

THE PROFITS IN THE WOOL MANUFACTURE.

LETTER TO THE COMMITTEE ON WAYS AND MEANS BY THE NATIONAL ASSOCIATION OF WOOL MANUFACTURERS, SUBMITTED FEBRUARY 10, 1909.

BOSTON, MASS., *February 9, 1909.*

Hon. SERENO E. PAYNE,
Chairman Committee on Ways and Means,
House of Representatives, Washington, D. C.

DEAR SIR: It is an assertion as old as the protective policy itself that the tariff on wool and woolens enables the manufacturers to heap up inordinate profits from their industry, and that their business is and always has been one of the most lucrative in the world. In our address of December 2, 1908, before your committee, we took the ground that the wool manufacture, as a rule, had yielded only a moderate rate of profit; that it had not proved especially attractive to investors; that stocks of corporations engaged in the industry were not eagerly sought and were rather difficult to dispose of; that dividends were relatively small; and that exceptional cases of large gains had been due to accretions of capital during a long series of years remaining uncapitalized—that is, to the undercapitalization or to extraordinary skill and good fortune in management. We cited the fact, brought out upon a careful inquiry by Gen. William F. Draper, that 65 representative Massachusetts manufacturing corporations, many of them textile concerns, had made in a decade an actual profit on the par value of their stock of a little less than 5 per cent.

We submit herewith an elaborate analysis prepared by Mr. Frank A. Ruggles, statistician, showing the average annual net earnings of a large number of New England textile corporations, most of them engaged in the manufacture of cotton, but seven of them engaged either wholly or partly in the manufacture of wool. This analysis covers a twenty-year period, and we believe that it is in many ways the fullest statement of the kind that has thus far been prepared. It will be observed that 38 cotton-manufacturing companies included in this analysis show an average net return of 6.38 per cent on their average capital stock, and that seven companies engaged in wool or wool and cotton manufacturing show an average net return of 7.08 per cent on their average capital stock. Considering the peculiar hazards of the wool-manufacturing industry, because of the capricious changes of fashion, requiring frequent alterations in machinery as well as in the products of the mills, we think it must be agreed that these are no more than reasonable rates of profit, no more than fair compensation to the manufacturers for the risks they run, and, indeed, no greater profits than are derived from other manufacturing industries or from important business undertakings in other sections of the country.

BOSTON, MASS., *December 19, 1908.*

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: Herewith I hand you condensed and detailed statistics covering the financial operations and stock-market fluctuations for the past twenty years of 44 companies and for the past ten years of 1 company, the list comprising 38 engaged in cotton, 3 engaged in wool, and 4 engaged in wool and cotton together.

This list of companies includes all of those whose stocks have been bought and sold with reasonable frequency in the Boston market over a period of twenty years.

Accompanying this letter are 3 compilations, marked A, B, and C, and 45 separate sheets, covering in detail the record of each company by single years, giving capitalization, par value of stock, dividends paid, and record of public sales of stock for each year, the high and low quotations being taken.

Common stock which has been issued as a bonus with preferred stock is omitted from these compilations.

Schedule A covers the operations of all the companies for the period from January 1, 1889, to December 10, 1908, and gives the average capitalization for the period, the average annual net return after deducting losses in capital from dividends paid, and the percentage of net return on the average capital stock.

From Schedule A we derive the following results:

Forty-five companies, with an average capitalization of $77,156,615, have shown an average net return for twenty years of $5,148,775 per annum, or 6.67 per cent on the average capital stock.

Five of these companies, three engaged in cotton, one in wool, and one in wool and cotton together, with an average capitalization of $31,662,100, have shown an average net return for the twenty years of $2,896,742 per annum, or 9.10 per cent on the average capital stock.

Excluding these five companies, the remaining forty companies with an average capitalization of $45,494,515 have shown an average net return for the twenty years of $2,252,033 per annum, or 4.95 per cent on the average capital stock.

Thirty-eight cotton companies with an average capitalization of $45,209,247 have shown an average net return for twenty years of $2,886,353 per annum, or 6.38 per cent on the average capital stock.

Seven companies, all engaged in wool or wool and cotton together, with an average capitalization of $31,947,368 have shown an average net return for twenty years of $2,262,422 per annum, or 7.08 per cent on the average capital stock.

Schedule B supplements Schedule A by giving the operations of all the companies in two decades separately, the first from 1889 to 1898 and the second from 1899 to date.

From Schedule B we derive the following results:

Forty-four companies with an average capitalization of $53,022,875 during the decade 1889–1898 showed an average net return of $3,243,573 per annum, or 6.12 per cent on the average capital stock.

Thirty-eight companies engaged in cotton, with an average capitalization of $44,548,000 during the decade 1889–1898 showed an average net return of $2,613,330 per annum, or 5.87 per cent on the average capital stock.

Six companies, all engaged in wool or wool and cotton together, with an average capitalization of $8,474,875 during the decade 1889–1898, showed an average net return of $630,243 per annum, or 7.44 per cent on the average capital stock.

Forty-five companies with an average capitalization of $78,883,830 during the decade 1899–1908 have shown an average net return of $5,341,485 per annum, or 6.77 per cent on the average capital stock.

Thirty-eight companies engaged in cotton, with an average capitalization of $45,810,630 during the decade 1899–1908 have shown an average net return of $3,068,435 per annum, or 6.70 per cent on the average capital stock.

Seven companies, all engaged in wool or wool and cotton together, with an average capitalization of $33,073,200, during the decade 1899–1908 have shown an average net return of $2,273,050 per annum, or 6.87 per cent on the average capital stock.

Schedule C shows the market selling value of the stocks of all the companies on January 1, 1889, July 1, 1899, and December 10, 1908, based on quotations recorded at public auction sale in Boston, the offerings in practically every case consisting of a few shares. The schedule also includes additional capital invested during the period and the total dividends paid.

From Schedule C we derive the following results:

The market value of the stocks of forty-four companies on January 1, 1889, was $62,798,850 and on July 1, 1899, it was $61,389,950, showing a depreciation of $1,408,900. There was invested in these companies during that period $2,270,000 of additional capital, so that the total depreciation for the ten years was $3,678,900.

The market value of the stocks of forty-two companies on July 1, 1899, was $67,775,450 and on December 10, 1908, it was $117,682,200, showing an appreciation of $49,907,750. There was invested in these companies during that period $35,940,000 of additional capital, so that the net appreciation was $13,967,750.

Excluding from this last compilation the stocks of four companies, two engaged in wool and cotton together and two engaged in cotton, the market value of the stock of the remaining thirty-eight companies on July 1, 1899, was $46,996,650, and on December 10, 1908, it was $76,625,000, showing an appreciation of $29,628,350. There was invested in these companies during that period $29,820,000 of additional capital, so that the comparison actually shows a depreciation for the period of $191,650.

The market value of the stocks of forty-two companies on January 1, 1889, was $58,306,350, and on December 10, 1908, it was $84,433,200, showing an appreciation of $26,126,850. There was invested in these companies during that period $13,210,000 of additional capital, so that the net appreciation has been $12,916,850, an average of $645,840 per annum, or about 1¼ per cent per annum appreciation on the selling price January 1, 1889.

Excluding from this last compilation the stocks of 5 companies, 3 engaged in cotton and 2 in wool and cotton together, the remaining 37 companies had a market valuation of $41,392,850 on January 1, 1889, and of $43,375,000 on December 10, 1908, showing an appreciation for the period of $1,982,150. There was invested in these companies during that period $6,190,000 of additional capital, so that there has been a net depreciation in the market value of these 37 companies during the past twenty years of $4,207,850.

Respectfully submitted.

FRANK A. RUGGLES,
Statistician.

Average capitalization, average annual net return after deducting losses from dividends paid and percentage of return on average capital, 1889–1908.

Company.	Product.	Capital.	Net return.	Per cent.
Ætna	Wool	$288,750	$14,250	5.3
American Woolen	do	22,375,000	1,566,250	7
Amory	Cotton	1,212,647	90,530	7.46
Amoskeag [a]	do	4,143,000	477,880	11.53
Androscoggin	do	1,000,000	85,000	8.6
Appleton	do	[b] 517,500	325	------
Arlington	Wool and cotton	2,762,438	243,247	8.8
Atlantic	Cotton	1,000,000	33,000	3.3
Bates	do	1,160,000	126,000	10.86
Boott	do	[b] 1,140,000	11,576	------
Boston Duck	do	350,000	45,400	13
Cabot	do	724,000	20,220	2.8

[a] Wool and cotton since purchase of Manchester in 1905.
[b] Loss.

Average capitalization, average annual net return, etc.—Continued.

Company.	Product.	Capital.	Net return.	Per cent.
Chicopee	Cotton	[a] $800,625	$10,944	------
Cocheco	do	1,500,000	15,000	1
Continental	do	1,500,000	7,500	.5
Dwight	do	1,200,000	142,800	11.9
Edwards	do	1,021,250	72,500	7.1
Everett	do	700,000	34,350	4.9
Fisher	do	472,500	27,100	5.74
Franklin	do	862,500	24,500	2.84
Great Falls	do	1,500,000	149,250	9.95
Hamilton	do	1,800,000	81,900	4.55
Do	Wool and cotton	1,000,000	30,250	3.02
Hill	Cotton	980,000	31,360	3.2
Jackson	do	600,000	36,600	6.1
Laconia	do	(Merged with Pepperell in 1899.)		
Lancaster	do	1,140,000	7,500	.66
Lawrence	do	1,218,750	75,000	6.15
Lockwood	do	1,800,000	92,700	5.15
Lowell Bleachery	do	335,000	1,700	.5
Lyman	do	1,470,000	56,595	3.85
Manchester	Wool and cotton	2,066,180	15,300	.75
Massachusetts	Cotton	1,830,000	101,700	5.55
Merrimack	do	2,930,000	133,813	4.57
Middlesex	Wool	750,000	30,375	4
Nashua	Cotton	1,000,000	79,250	7.92
Naumkeag	do	1,500,000	56,250	3.75
Newmarket	do	[a] 745,000	23,800	------
Otis	do	850,000	79,200	9.9
Pepperell [b]	Wool and cotton	2,725,000	362,750	13.3
Pacific	Cotton	2,419,100	489,832	20.2
Salmon Falls	do	600,000	18,300	3.05
Thorndike	do	529,875	47,139	8.9
Tremont and Suffolk	do	1,672,500	121,600	7.27
York	do	975,000	70,800	7.26
Grand total		77,156,615	5,148,775	6.67

[a] Loss.
[b] Includes Laconia for entire period.

NOTE.—Operations of Amory and Manchester are for seventeen years and American Woolen since organization in 1899.

An examination of these figures and the great difference in the cost of scoured wools and the various wastes substituted show clearly the constant temptation for the use of the cheaper product, and it shows me—and I think it will be plain to any thoughtful person—the necessity of keeping the tariff rate on wastes at high figures, so that, while the wastes from our own product in this country may still be used, and doubtless will be used, we will not have the added rags and cast-off substitutes of foreign markets.

Table showing number of sheep in the United States.

[Sheep not enumerated prior to 1840.]

January 1—	Number.	Value.
1840	19,311,374	------
1850	21,723,220	------
1860	22,471,275	------
1867	20,885,936	------
1868	38,991,912	$98,407,809
1869	37,724,279	82,189,979
1870	40,853,000	93,564,433
1871	41,851,000	74,035,837
1872	41,679,000	85,771,197
1873	38,002,400	97,922,850
1874	33,928,300	88,690,569
1875	33,783,600	94,320,652
1876	37,935,300	93,666,318
1877	35,804,200	80,892,683
1878	35,740,500	80,603,003
1879	38,123,800	79,023,984
1880	40,765,900	90,230,537
1881	43,576,899	104,970,759
1882	45,016,224	106,594,954
1883	49,257,291	124,365,835
1884	50,626,626	119,902,706
1885	50,360,243	107,980,650
1886	48,322,331	92,443,857
1887	44,750,314	89,872,839
1888	44,544,755	89,279,995
1889	42,599,079	90,640,369
1890	44,336,072	100,659,761
1891	43,421,136	108,307,447
1892	44,932,365	116,121,290
1893	47,273,558	125,930,264
1894	45,048,017	89,196,110
1895	42,294,064	66,685,767
1896	38,298,783	65,167,735
1897	36,818,643	67,020,943
1898	37,655,969	92,721,133
1899	39,114,452	107,097,590
1900	41,893,065	122,695,913
1901	50,756,718	178,072,476
1902	62,039,891	164,446,091
1903	53,934,876	168,315,750
1904	51,630,144	133,530,009
1905	45,170,423	127,331,850
1906	50,631,619	179,056,144
1907	53,240,222	204,210,199
1908	54,631,000	211,736,009

Table showing United States product, imports, etc., of wool.

WOOL PRODUCED, IMPORTED, EXPORTED, AND RETAINED FOR CONSUMPTION: QUANTITIES, 1840, 1850, 1860, AND FROM 1864 TO 1908.[a]

Year ended June 30—	Production.[b]	Exports of domestic.	Domestic retained for consumption.	Imports.	Exports of foreign.	Foreign retained for consumption.	Total consumption, domestic and foreign.	Per cent of consumption, foreign.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	
1840[c]	35,802,114		35,802,114	9,836,740	85,528	9,813,212	45,615,326	21.5
1850	52,516,380	35,886	52,481,061	18,695,294		18,695,294	71,176,355	26.3
1860	60,264,913	1,055,928	59,208,985	26,282,955	157,064	26,125,891	85,334,876	30.6
1864	123,000,000	155,482	122,844,518	91,250,114	223,475	91,026,639	213,871,157	42.6
1865	142,000,000	466,182	141,533,818	44,420,375	679,281	43,741,094	185,274,912	23.6
1866	155,000,000	973,075	154,026,925	71,257,968	852,045	70,435,943	224,462,868	31.0
1867	160,000,000	207,418	159,692,582	38,158,382	619,614	37,538,768	197,231,350	19.0
1868	168,000,000	558,435	167,441,565	25,467,336	2,501,852	22,965,484	190,107,049	11.9
1869	180,000,000	444,387	179,555,613	39,275,926	342,417	38,933,500	218,489,113	17.8
1870	162,000,000	152,892	161,847,108	49,230,199	1,710,053	47,520,146	209,367,254	22.7
1871	160,000,000	25,196	159,974,805	68,058,028	1,305,311	66,752,717	226,727,522	29.4
1872	150,000,000	140,515	149,859,485	126,507,409	2,343,867	124,163,472	274,022,957	45.3
1873	158,000,000	75,129	157,924,871	85,496,049	7,040,386	78,455,663	236,380,534	33.2
1874	170,000,000	319,600	169,680,400	42,689,541	6,816,157	36,123,384	205,803,784	17.5
1875	181,000,000	178,094	180,821,966	54,901,760	3,567,627	51,334,133	232,156,099	22.1
1876	192,000,000	104,768	191,895,232	44,642,896	1,518,426	43,124,410	235,019,642	18.3
1877	200,000,000	79,599	199,920,401	42,171,192	3,088,957	39,082,235	239,002,636	16.3
1878	208,250,000	347,854	207,902,146	48,449,079	5,952,221	42,496,858	250,399,004	16.9
1879	211,000,000	60,784	210,939,216	39,005,155	4,104,616	34,900,539	245,839,755	14.2
1880	232,500,000	191,551	232,308,449	128,131,747	3,648,520	124,483,227	356,791,676	34.9
1881	240,000,000	71,455	239,928,545	55,964,236	5,507,534	50,456,702	290,385,247	17.3
1882	272,000,000	116,179	271,883,821	67,841,744	3,831,836	64,029,908	335,913,729	19.0
1883	290,000,000	64,474	289,935,526	70,575,473	4,010,043	66,565,435	356,500,961	18.7
1884	300,000,000	10,393	299,989,607	78,350,651	2,304,701	76,045,950	376,035,557	20.6
1885	308,000,000	88,006	307,911,994	70,596,170	3,115,339	67,480,831	375,392,825	18.0
1886	302,000,000	147,023	301,852,977	129,084,863	6,534,426	122,550,532	424,403,609	28.9
1887	285,000,000	257,940	284,742,060	114,058,000	6,728,262	107,309,738	392,051,798	27.4
1888	269,000,000	22,164	268,977,836	113,558,753	4,359,731	109,199,022	378,176,858	28.9
1889	265,000,000	141,576	264,858,424	126,487,729	3,283,094	123,224,635	388,083,059	31.8
1890	276,000,000	231,042	275,768,958	105,431,285	3,288,467	102,142,818	377,911,776	27.0
1891	285,000,000	291,922	284,708,078	129,303,648	2,638,123	126,665,525	411,373,603	30.8
1892	294,000,000	292,456	293,707,544	148,670,632	3,007,563	145,663,089	439,468,633	33.1
1893	303,159,000	91,858	303,061,142	172,433,838	4,218,637	168,215,201	471,276,343	35.7
1894	298,057,384	520,247	297,537,137	55,152,585	5,977,497	49,175,178	346,712,315	14.2
1895	309,748,000	4,279,109	305,468,891	206,033,906	2,343,081	203,690,825	509,159,716	40.0
1896	272,474,708	6,945,981	265,528,727	230,911,473	6,026,226	224,885,247	490,413,974	45.9
1897	259,153,251	5,271,535	253,881,716	350,822,096	3,427,834	347,424,192	601,305,908	57.8
1898	256,799,084	121,139	256,599,545	132,795,202	2,504,832	130,290,370	386,889,915	32.8
1899	272,191,330	1,683,419	270,507,911	76,796,209	12,411,916	64,384,293	334,892,204	19.2
1900	288,686,621	2,200,309	285,436,312	155,928,455	5,702,251	150,226,204	436,662,516	34.4
1901	302,502,328	199,565	302,302,763	103,583,595	3,590,502	99,993,093	402,295,766	24.9
1902	316,341,032	123,278	316,217,754	166,576,996	3,104,663	163,472,303	479,690,057	34.1
1903	287,450,000	518,919	286,931,081	177,127,706	2,902,995	174,144,801	461,075,882	37.8
1904	291,783,062	319,750	291,463,282	173,742,834	2,868,053	170,879,781	462,343,063	37.0
1905	295,488,438	123,951	295,364,487	249,135,746	2,437,697	246,698,049	542,062,536	45.5
1906	298,915,120	192,481	298,722,649	201,688,668	5,450,378	196,238,290	494,960,939	39.6
1907	298,294,750	214,840	298,079,910	203,847,545	3,231,908	200,615,637	498,695,547	40.0
1908	311,128,321	182,458	310,955,863	125,980,524	5,684,357	120,296,167	431,252,030	27.9

[a] Does not include data with respect to commerce between the United States and its insular possessions after June 30, 1900.
[b] From estimates of the Department of Agriculture prior to 1896; from 1896 to date estimated by the secretary of the National Association of Wool Manufacturers.
[c] Year ended September 30.

The following is an estimate of the world's supply of wool:

[From the Daily Trade Record, New York.]

The American Wool and Cotton Reporter, in its issue of September 7, publishes the results of exhaustive researches to determine if the present world-wide elevation of wool prices is based on the fact, as is alleged, that the supply of wool is now smaller than the world's consuming demand, and that the price elevation is therefore likely to be permanent. The paper's conclusions are that no great quantity of wool can come here from any of the outside markets of the world. The result of its handling of the problem is as follows:

	Head.
World's flock of sheep in 1895	526,867,135
World's flock of sheep in 1904	455,046,936
Decrease in 9 years	71,820,199

Or 13⅝ per cent.

With the exception of the United States, all of this decrease has been in countries that do not have a tariff for the protection of woolgrowing. The number of sheep in the United States in 1895—before the destructive effects of the free-wool Wilson tariff act had yet done its full damage—was 42,294,064, and in 1904 was 40,121,477, a decrease of only 5 per cent, while the flocks of the whole world, including those of the United States, during the same period, decreased 13⅝ per cent.

Mr. President, I want the Members of the Senate who are interested in the wool question to keep in mind one thing, that the tariff on wool and woolens is not as it may seem from a cursory glance, but is a mere bagatelle when you come to compare the total amount, if any, that a family could possibly save if there were no tariff upon wool and woolens. The total wool consumption of the United States is but little over 1½ pounds of scoured wool per capita. I do not know that there is as much as a billion pounds of scoured wool produced in the world. There never has been more than 2,600,000,000 pounds of wool in the grease grown in the entire world, which would average a shrinkage of at least 60 per cent in cleansing. This country grows from one-eighth to one-tenth of the total wool grown in the world, and it uses between one-fourth and one-fifth. That difference must be made up in some way, and all that is asked by both parties, the woolgrower and the wool manufacturer, is that the woolgrower may have an opportunity to increase his flock so that he may cover this deficit and be able to furnish all if possible, and to give the manufacturer sufficient tariff protection so that he may manufacture, first, the wool of this country, and then, if there is a deficit, bring in the raw wool from other countries in its natural state, and not in manufactured fabrics, thereby giving employment to a great number of men and women. If you disturb these relations you are bound to cut down the supply of wool grown here, you are bound to put laboring people out of employment here, and putting them out of employment in one industry simply overcrowds others.

So it seems to me perfectly plain that we are not interested in bringing in goods manufactured from any kind of wool. If fashionable tailors want to have upon their shelves, as they do to-day, a lot of cloths for gentlemen who wish to pay any price asked for a suit and do not want any other man in the country to have a suit like it; if tailors want to send abroad and order a certain number of pieces, each for one suit of clothes, and put them upon their shelves and charge fabulous prices for making them, that is a matter between the fastidious wearers and the tailors. We need not care how much they pay for such clothing if we are able to furnish, in the meantime, all necessary clothing for the poor and rich alike, and leave no necessity for bringing in woven material in woolens. We certainly injure no workingman, no consumer, regardless of what that tariff may be, because the relation of capital to labor and the relation of the industries to cash-seeking, interest-paying investments, have always made, and always will make, in this industry, a competition that will render it impossible for the cloth manufacturer to get more for his cloth on an average than what will just about pay the interest upon the capital invested.

Such has been the history of this industry, and there is no reason why it should not continue. While the whole world is producing only about two and a half billion pounds of wool in grease, and we are producing an eighth or more of it, and might produce as much more if properly cared for, with a continuous, fair, protective tariff on wool, we have no right to complain because the percentages must be high on the very few pounds per capita that we use. It is not a matter of percentages or increases or decreases. What this Nation is interested in is net results. Are we clothing our people in good clothing at cheap prices? Yes; never more so than at the present hour. Was there ever a time when we were clothing them in rags or in clothing that was an aggregation of rags that could hardly hold together? Yes. When was it? It was during free-wool times.

It was after we had been importing shoddy to the extent of only about a quarter of a million pounds per year, which importations we increased to about 40,000,000 pounds during the three years while wool was free. Our people did not want free wool. They needed shoddy. For, as a matter of fact, the people were so infernally poor during those three years under the Wilson-Gorman Act that all they could do was to buy shoddy clothing, and mighty little of that.

Mr. President, yesterday there was some inquiry made about the different processes of woolen manufacture. We were asked what we meant by carded wool and what we meant by worsted wool, and what were the various stages through which wool had to pass to become cloth. I am tempted to take a little time to give some information that I may be able to give.

We will start in the manufacture of worsted yarn, and I may say that in the manufacture of cloth, except in feltings, there must always be yarn. So, while it may not be necessary to go beyond that, it is rather necessary for us to understand the course of the wool from the sheep's back to yarn.

Here is something of the process of worsteds. We start with wool which first has to be assorted and put into its various grades, fine, medium, coarse, and so forth. Then, in well-regulated mills, it goes through a duster, which, in part, cleans it and takes out a portion of the dust and foreign substances by sending currents of air through it. This reduces it about 12½ per cent in weight. It then goes into the scouring vat, and that is the most interesting proceeding. Passing out of the scouring, we get what is known as scoured wool and a further shrinkage of all the way from 15 per cent to 50 per cent, according to the character of the wool. Then it goes through a process of drying, and after the process of drying it must be carded. Here is where the two industries, if they do not meet, are similar, because they use cards in both industries. The difference is stocking up the cards with worsted. In the carding there comes one of the products they call "waste," termed "card balls." It then goes through a process called "back-washing," which more thoroughly cleanses it. Observe, please, how many stages the wool has to go through after it becomes scoured wool, which, by many, is believed to be the acme of refinement.

You will observe further how many stages it has yet to go through before it becomes cloth, and how many stages the product called "waste" has to go through after it starts from scoured wool. Here come the card waste and card strips and card fly, all of them pure wool, and yet all termed "waste"—waste for the moment to the worsted manufacturer, but stock supply later on—which goes right back with the other stock and becomes yarn again.

From the back washing it again goes through the drying machinery. From there it starts in on a series of machines in a process called "gilling," and there comes out of the first gilling, after the back washing, the "back-wash nolls;" there comes in the second gilling, "gill balls;" in the third gilling, "combed balls."

I want to say that nolls are the only product in waste that carry any amount of impurity. The nolls come from scoured wool; they are the shorter fibers, because in worsted the whole plan of the worsted is the length of fiber, whether short or long, that can be laid parallel and that can be twisted into fine yarns.

All these wastes were shown here as exhibits yesterday by the Senator from Montana [Mr. CARTER], every one in clean, white, pure wool.

From the third gilling it goes to the combs. Formerly combing wool was looked upon as quite a rarity. It was supposed that it must be long wool, that you could pull out in straight, long fibers in your hand and twist it and make yarn without the use of machinery. It is the second-class wool, the rate of duty on which is so much complained of by our carded-wool friends, who say that the carded-wool men have the disadvantage of having to buy for their product all heavy wool, that shrinks in percentages running from 60 to 80, while the second-class wool the worsted man buys is a class of wool that shrinks 16 to 20 per cent.

As I remarked yesterday, that is a fallacy long since exploded, because in second-class wool between 6 and 7 per cent only of the total importations, and 4 to 5 per cent only of the total consumption, have been of that class, on an average, in the last sixteen years, and even that has not gone into the worsted fabrics commonly worn by men and women in suits, but has gone into braids and luster goods. The entire growth of second-class wool is used for that purpose.

In combing wools formerly there were the luster combs, and the fiber had to be long in order to produce the product desired by worsted men.

Following the worsted processes already mentioned, there are ten more processes before we reach yarn, and during these processes seven kinds of so-called "waste products" are made, all of which are purified wool and go back into the best stock.

In carded woolen goods the scoured wool goes—after burr picking—to the cards and then to the mule and is spun into yarn. From yarn to the finished product the process is much alike in both worsted and carded-wool products.

I am going to show you here a product about as villainous looking as you ever saw in wool [exhibiting]. Here are the tags, all refuse, short in staple, ugly in appearance, crooked, and matted as you see them. Yet, Mr. President, with the machinery of to-day that wool becomes nolls. This sample was taken from a lot of 50,000 pounds of tags that had fallen from perhaps a million pounds of wool. It was refuse. In former times if a man had talked of putting such material into worsted he would have been thought fit for a madhouse. The grease wool shrank 80 per cent in scouring, and in making "top" 39 per cent went to nolls. Yet to-day they make that product, which, while it is slightly discolored, is nevertheless in texture a very good sample of what we term "tops." This is the progress which we have made since 1867, when the foundation was laid for our present schedule of tariffs.

Now, Mr. President, of what avail is it to rail against No. 2 wool, of which we consume only 5 or 6 per cent, and say that because its shrinkage is but 16 to 20 per cent the woolgrowers shall submit to the importation, at 20 cents a pound, of a clean product of wool called "nolls" into which over 2 pounds of wool in grease to each pound of nolls must enter, thereby bringing the tariff upon our wool in grease down to less than one-half of what it is now?

The pretense, Mr. President, that the woolgrower is to be benefited by a change in regard to this second-class wool will hardly bear the light of investigation if it shall develop that when we get another article of scoured wool called "tops," wool refined several times after it is scoured, it shall be brought in here at a tariff rate which would be much less than the present duty rate upon our wool.

Mr. President, it is just as easy to import into this country wool in the form of tops; it is just as easy to import it in the form of these several wastes; in fact, a great deal easier than it is to import it as wool. Therefore our interest as woolgrowers is that every pound of "waste," so called, that is imported shall bear a tariff in proportion to the tariff borne by the wool in its original state.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from North Dakota?

Mr. WARREN. I do.

Mr. McCUMBER. While the Senator is discussing that feature of the subject, I should like to have him make clear to the Senate why in the doubling and trebling of the rates we have doubled, not only in this bill, but in all the previous bills, on class 1 if it is washed, and three times the amount if it is scoured on class 2, with no additional if it is washed, but three times the amount if it is scoured. Why is class 2 left out of the last proposition, even though it may be only 7 per cent of whatever it may be? I want to have that made as clear as the Senator can make it.

Mr. WARREN. I want to discuss this question with the utmost frankness, and I want to say to the Senator that objections of that kind have been filed at meetings of woolmen and woolgrowers all the way down the line, but they have had to accept a great many disappointments, small and great. This one is usually a very small one when it is explained, first, that the percentage is very, very small, and, second, that that class of wool is grown only upon sheep raised principally for mutton.

Mr. McCUMBER. Why should we compel him to waive a right? What difference will it make whether that sheep can be used for mutton or otherwise, so far as his right to have the same duty upon the washed wool of the second class is concerned?

Mr. WARREN. I was about to pass on to the further fact, which perhaps will explain more fully that the mutton sheep are naturally an open-wool sheep. The shrinkage of their wool in the grease is very light. It scours to a slight percentage, and, as I said before, does not enter into competition with No. 1 and No. 3 wool to any great extent.

Mr. DOLLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. WARREN. Yes.

Mr. DOLLIVER. If the Senator from Wyoming will not be interrupted, the importations in 1907 of the second-class wool seemed to be in excess of twelve million, the total importations of wool outside of carpet wool being about ninety million. I think I may safely say to the Senator that it is running now at a rate that would amount to twenty-four million this year if it goes on as it has since last winter, which would make that variety of wool nearly one-fourth of our importations this year, and that variety in direct daily contact with the price of all the wool that is produced in States like Minnesota, Iowa, and even in the Dakotas.

Mr. WARREN. The Senator yesterday quoted the amount of wool at nine million and something, and I corrected him, by saying that it was more. It is true that it is nearly 12,000,000 pounds, including the pulled wool and the wool that comes in on skins, the entire product of No. 2, that is brought to this country, and it is also true that there were nearly 200,000,000 pounds of the other classes of wool brought in in the meantime.

Mr. DOLLIVER. One hundred million of that practically is carpet wool.

Mr. WARREN. No; not so much as that; and, furthermore, a very large proportion of third class, or so-called "carpet wool," goes into clothing, and a great deal more into blankets, as the Senator himself surely knows.

Mr. DOLLIVER. In 1897 it was only claimed that one-fourth of the carpet wool had ever gone into clothing; and that is the Bagdad wool. We took Bagdad wool out of the carpet class and put it into the clothing class.

Mr. WARREN. I beg the Senator's pardon. Documents in the archives of the Senate and House will show that it was not merely one class of wool that went into clothing, and also that the woolgrowers made a statement before the House committee that large quantities of carpet wool, as now imported, go into clothing and blankets. I have the report of it here, and I will bring it out at the proper time if the fact is disputed. Some of them claimed that as high as 80 per cent of that wool went into clothing. I do not believe so much as that went into clothing, but quite a large percentage of such wool goes into clothing and other manufactures outside of carpets, as the Senator knows and as every Senator knows who has investigated the subject. The sixteen years last past show that only about 7 per cent of the importations were second-class wools.

Mr. DOLLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. WARREN. I do.

Mr. DOLLIVER. I dislike exceedingly to get into a controversy, especially on a statistical matter, with my honored friend from Wyoming about wool, but I have sought authority on the subject of what proportion of wools now called "carpet wools" have been used for clothing, and every authority I have cited, many very good ones, nonpartisan in this controversy, said that years ago there were certain wools described as "carpet wools" which did in a measure enter into the total volume of clothing wools mentioned there, especially made of Bagdad wool, which was of a character that could be converted to the use of clothing manufacture. But Bagdad wools were taken out of the list of carpet wools in 1897, and I have authority which, I think, nobody will question, certainly not without producing contradictory authority, that at present these wools that are down in our tariff law because they are carpet wools and because they are not produced at all here are of such a character that enter in no way in competition with clothing wool.

Mr. WARREN. We have the assertion of the Senator, and I respect it very much. I place my assertion alongside of it that there is a large quantity. I am perfectly willing to enter into a contest with the Senator in the filing of statistics, and on any line he may see fit, if it is only comprehensive.

Mr. DOLLIVER. I will bring them, with pleasure.

Mr. WARREN. So we will dismiss that subject for the present.

As to this paragraph, when we vote upon it we vote upon something in which the carded-wool men really have no interest—I will say that they have not the slightest interest in it, except such interest as they may have in scoured wool. The only benefit to the carded-wool men and the only benefit to the worsted men would be a reduction of the tariff on it so that the duty would be reduced upon imported wool, which would take the place of the woolgrowers' product.

Mr. DOLLIVER. If the carded-wool people have no interest, who has? What becomes of the product which the woolgrowers have?

Mr. WARREN. What becomes of the product? It all goes back into the products of the worsted mills.

Mr. DOLLIVER. But the knitting people and felt people write me that they are buying all classes of these wastes.

Mr. WARREN. But the Senator must differentiate. If he will examine his correspondence, he will find a differentiation between noils and all the other wastes. But I am speaking of these particular classes of wastes. All of them are used in the yarn mills. I have visited several mills. All these wastes go right back into the yarns that are manufactured by the worsted men.

Mr. DOLLIVER. What I wanted to impress on the Senator was that my investigations have got upon my back the troubles of a great variety of people besides the carded-wool people. I am almost as much disturbed by the protests of people who are engaged in the manufacture of knit goods and felt goods, who seem to be in almost as much trouble as the carded-wool people.

Mr. WARREN. Mr. President, I am glad the Senator has called my attention to that; and I want to assure the Senator that there is not a single manufacturer of woolen goods or of cotton goods with a little wool who would not like to have his raw material cheaper than he now has it; and if he can get his material in the form of waste cheaper than he can in the form of raw wool, he, of course, wants it that way. Where does that end? It simply means that he proposes to gouge the woolgrower out of a part of the tariff protection which belongs to him in order that it may be used in knitting or felting or cloth or anything else. It comes down to that. It is not a matter of the manufacturers, it is a matter of the woolgrowers. It is a matter that enters in competition against his wool.

The waste can be used by the knitting people, but they do not have to have it; it can be used by the felting people, but they do not have to have it; it can be used by the carded-wool men, but they do not have to have it; it can be used by the worsted mills right where it is manufactured without any loss, and is so used, and it is not an article of general sale to-day, all things being equal, unless a mill is equipped with only part of the machinery and does only a part of the process of cloth making.

Mr. DOLLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. WARREN. I do.

Mr. DOLLIVER. These people represent to me that these wastes and noils differ.

Mr. WARREN. The noils do differ. I am not speaking of the waste referred to in the paragraph now before us and upon which we must first vote. Noils are not included in this paragraph.

Mr. DOLLIVER. For example, there are camel's hair tops as well as wool tops, are there not?

Mr. WARREN. The Senator from Iowa is probably as well versed about camel's hair as I am.

Mr. DOLLIVER. The bill says "hair of the sheep or camel's hair."

Mr. WARREN. It does.

Mr. DOLLIVER. "Or of other animals." Now, there are thousands of very humble manufacturers making horse blankets out of the refuse of the carpet mills—refuse in the form of noils and not top wastes; wastes that are of no value to anybody except these humble manufacturers—and that which follows here is of no importance to the woolgrower in any sense of the word, so far as I can see. Yet these cheap, worthless noils and cheap wastes and yarn waste, that have to be used by the humble manufacturer of horse blankets, bear the same top-waste duty that is assessed on these magnificent specimens of the spinner's art which were exhibited here yesterday by my honored friend from Montana [Mr. CARTER].

Mr. SMOOT. Mr. President——

Mr. WARREN. If the Senator will possess himself in patience for a moment, I will show just what kind of waste I am talking about and the kind of wastes that are referred to in this paragraph upon which we are called to vote. Then I shall ask the Senator whether they are refuse or whether they are material fit to be used only in carpets or coarse fabrics.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. WARREN. I do.

Mr. SMOOT. I merely want to state to the Senator from Iowa that the carpet makers do not use combs for making their yarns. They simply use them as three-set carded—first breaker, second breaker, and finisher.

Mr. PAGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Vermont?

Mr. WARREN. I do.

Mr. PAGE. I should like to ask the Senator from Wyoming if he can not explain to the Senator from Iowa [Mr. DOLLIVER] why it is that the manufacturers of worsteds are able to use such a large percentage of this so-called "waste?" I should like to have him explain the improvement in machinery which permits the use of a shorter wool than was used ten years ago. It seems to me that that would be instructive to him.

Mr. WARREN. I thought I had covered that in speaking of the different combs. Of course, it is hard to describe what a comb is and what the process of combing wool is; but I will state briefly, if I may, something that will give that idea.

In making worsted woolens, the combing process means the straightening out of the particles, bringing them parallel with each other, and arranging the fibers so that, as one overlaps the other, when they are woven into yarn they may make a continuous, long, strong thread. The shorter wools in the carded product—I will show some samples here that will give the idea—go into a soft, spongy sort of yarn that is not so tightly twisted. That goes into the cloth and then is sheared and sometimes "plastered over," I will term it, with flocks and other material that will remain in the cloth a short time and make a heavy, fine fabric.

I want to say here in all sincerity that I have just as much interest in the carded-wool men as I have in the worsted men, and I have no interest in either except a desire that both may succeed; but the moment that the worsted-wool men undertake to say that the sheep growers shall yield a part of their protection so that the worsted men's profit may be more, or the carded-wool men ask the same, and the proper equilibrium is disturbed, so that the sheepmen make nothing and the manufacturers make all, that is where I want to call a halt. In the carded-wool business they make beautiful cloths. There are beautiful cloths for ladies' wear and men's wear—broadcloth, and so forth—but the large line of carded-wool goods is made up of shoddy, of rags that have been torn up—short material. While it is warm and thick, yet it does not always meet the fancy of the American people.

The style will go one year one way and another year another way. I have known that, because I have been more or less interested every season for many a long year in the price of wool. Sometimes that which is best fitted for the carded-wool men goes up, while the worsted wool goes down. Sometimes the worsted wool goes up, and that of the clothing style goes down. The carded-wool men of late have had a series of years of dull business, and many of them have put in worsted looms. On the other hand, many of these so-called "worsted mills" have put in carded-wool machinery, owing to the lack of market for their noils, because of no demand for them.

Mr. PAGE. Just one word.

Mr. WARREN. I wish merely to finish this.

To-day I think I see, and I have for some months seen, a rising sun in the horizon of the carded-wool men, and I hope that it may go that way. I have every reason to hope and believe so. But the main difference is, that it has got to be pretty well understood that worsted goods are woven of wool; that is, they are claimed to be, unless they are made on a cotton warp; that the man who buys them is getting an all-wool fabric; that he is getting a fabric that does not necessitate his opening the seams of the lining and outside cloth to take out a bunch of flocks occasionally; and it is the same on heavier goods. It has got to be known that the cheaper stuff can get into the carded wool, and does get in.

Therefore in my opinion the carded-wool men have partially destroyed their own industry, and largely because they were forced to it under the Wilson-Gorman law, when it was almost impossible to get a sufficient price for cloth to cover a better article than that which was made of all flocks and of rags.

Mr. PAGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Vermont?

Mr. WARREN. I do.

Mr. PAGE. Has there not been some material improvement in machinery, so that since 1897 the man who makes the worsteds can use a very much shorter staple than he could then?

Mr. WARREN. Yes.

Mr. PAGE. I remember well that the wool puller, in pulling, measures the wool on his fingers, and that it must be long enough to reach over the second knuckle, or it is not long enough to go into the class known as "combings suitable for worsteds." We make in wool pulling a B-combing, a B-long, a B-medium, and a B-lamb; and formerly it all had to go into the spinner's wools except the B-combing. The B-long is now used for worsteds, and we have had a demand for that for the past two years that has taken it as fast as we could make it, while the carded wools, the shorter wools, have been absolutely unsalable. I imagine that the change in the machinery since 1897 may be something that we will have to take into account in considering this matter. I should like to know more about it than I do.

Mr. WARREN. Mr. President, the Senator from Vermont alludes to the time of the old Lister comb, when, as he says, a long wool was necessary in combing and in making worsteds. To-day, under the French comb and under the American comb, namely, the Hellman and the Noble, almost anything can be combed. It is a mere matter of whether it can be combed. But now, as to the tags. I have shown tags out of a lot of 50,000 pounds; a small proportion are really combed and put in the flocks, although that is not a profitable proceeding. The shrinkage of that, first, in washing was 80 per cent, and then 39 per cent in noils. The shrinkage in way of noils in the ordinary combing is about one-sixth; that is, 16⅔ per cent.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. WARREN. I do.

Mr. SMOOT. I was manager of a woolen mill for over twenty years, and during that whole time I never sold one pound of waste made in the manufacture of woolen. It was all put back and made into the cloth that was manufactured at that mill. The worsted people can not do that. What the Senator from Wyoming has said in relation to wastes, that we are discussing now, is true—namely, that they are different from noils. The worsted people, after the noils are taken out by combing, can not use those noils; but all the woolen mills use their waste from their products, and they buy thousands and hundreds of thousands of pounds more in the mixing and in the making of woolen goods.

Mr. WARREN. I may cite right there, Mr. President, a curious fact in connection with the wool industry. At the time when I was a boy, in the town where I was born, there were several woolen mills, and I used to spend a great deal of time in the mills, because at that time the farmers' daughters and farmers' sons worked in the factory and considered it no disgrace. I was often in those mills and have seen the work go on. They were then making the old-fashioned satinettes and broadcloths. They were then, as now, seeking to manufacture something cheaper from day to day, and I am sorry to say that I used to see evidences, as many another man has, of their trying to use adulterants to cheapen the cost without lowering the selling price.

From that day until now the changes have been great; but the provisions of law in regard to wastes and tops of wool were made at the time when there were practically no worsted manufactories in this country. The changes that have occurred since are not chargeable as being against the interests of the carded-wool men, or, if so, wilfully so. The carded-wool men have had the tariff as nearly like they wanted it as any class of manufacturers have, and it seems to me almost pathetic that they come down here now and demand that, because they are using one class of the wastes of the worsted manufacturers, Congress shall put the iron to the worsted manufacturers and give the carded-wool men an advantage that they never claimed before when they had the entire market and the entire subject within their control.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. I do.

Mr. CARTER. Mr. President, it occurs to me that this subject has been confused by the commingling of two distinct paragraphs in a discussion which should properly be directed to only the paragraph upon which we are about to vote. It is clear to my mind—and I think it is important to recognize the distinction throughout—that there are certain products of the

worsted manufacture that the worsted manufacturer must sell, because he can not use the so-called "waste."

This class of by-products, if you please, is called "noils," and is not being dealt with in the paragraph under consideration at all, but will be reached in paragraph 360, noils being classed in that paragraph with shoddy, wool extract, yarn waste, thread waste, and so forth. I understand the fact to be that the worsted manufacturers do not sell any part or portion of the alleged waste designated in paragraph 368, but that every part and portion of these so-called "wastes" is recast into tops, being of the quality of tops, and ultimately run into yarn in the worsted manufacturing establishments.

The noils, constituting a product of the worsted manufacturing establishment, sold to others because of no use in worsted manufacture, will be reached in the very next paragraph, and I think the discussion of the proper treatment of the noils and the arrangement of these duties should not be injected into the discussion of a paragraph which does not in any sense whatever deal with the noils or the duty to be placed upon them.

Mr. President, the Senator from Wyoming has the samples there to show that top waste is refined, scoured wool, and is of precisely the same quality as the tops from which they are torn; that they are returned to tops at inconsequential expense, and used in the manufacture of worsted yarn and worsted goods. The same is true of slubbing waste, of roving waste, of ring waste, and of garnetted waste, which is a waste the product of a machine invented by a man named Garnet. The machine does not deteriorate the quality of the wool, nor put it into such form as to prevent the recasting of the mass into the form of tops, thence into slubbing, and finally into yarn. The noils are cast aside for sale, and the noils are taken care of in the next paragraph on a different basis.

Mr. WARREN. Mr. President, what the Senator has said is true, and this discussion from the commencement has rather hung upon the whole field of so-called "wastes." As I have said before, the term "wastes" to me seems like a misnomer, in that while they are wastes in one sense, in another they are refined wool and more valuable than scoured wool, from which they are made. We are talking now about top waste, slubbing waste, and roving waste.

Mr. McCUMBER. Mr. President, let me ask the Senator if there are any of those things mentioned in paragraph 368 that can not be used in the worsted mills themselves?

Mr. WARREN. There is not one of them but what can be so used and is used.

Here, Mr. President [exhibiting], is top waste. Perhaps I ought to show, in the first place, the commodity called "scoured wool." Some people have the idea that scoured wool is absolutely clean.

Mr. DOLLIVER. Mr. President, if it will not disturb the Senator from Wyoming——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. WARREN. I do.

Mr. DOLLIVER. Is it not true that a very large number of worsted mills confine their operations entirely to weaving the yarn, leaving out the manufacture of tops and all of the various stages of yarn manufacture?

Mr. WARREN. The Senator probably means that they buy the products all the way as the process advances?

Mr. DOLLIVER. At the various stages of procedure.

Mr. WARREN. As it proceeds from scoured wool to yarn.

Mr. DOLLIVER. For instance, many of them buy their tops and manufacture their yarns, and then proceed with the manufacture of cloth.

Mr. WARREN. Undoubtedly.

Mr. DOLLIVER. Does not that create sometimes a commercial relation between these wastes in the manufacture of worsted yarns and the public?

Mr. WARREN. Mr. President, as to some of them, yes; but if the Senator will take any commercial paper in which market quotations are given, he will fail to find some of these things which we are now talking about, because, as I said before, they are used by the manufacturer in the first case. Of course there is no juncture in the manufacture of woolens preventing a product being bought and used by another. But I was speaking of scoured wool.

Here [exhibiting] is a little scoured wool, which I myself took from a large quantity. That passes the world over as scoured wool. The tariff on that wool is 33 cents in its present shape; and yet, Mr. President, if you go through that you will find, for instance, a cocklebur. There is one there [exhibiting], and you find smaller burs; there is one there [exhibiting], and you find vegetable matter, straw, hay, and so forth, which the soap and other ingredients in the bath have not taken out. That is scoured wool, and is a product that is known as such the world over. You would naturally suppose that scoured wool, worth three times what wool in the grease is worth, is perhaps the best product; but here we have what is called a "waste."

This [exhibiting] is top waste. I think you will see the difference even from the chair in which you sit. This [exhibiting] is yet full of impurities, which must be taken out. This [exhibiting] has had all the impurities extracted. These are the short pieces of tops that can not go out into the long line of tops, of which one piece only perhaps forms a large ball; and, while it is refined wool, it is called "top waste," and that is one of the wastes that we are now about to vote upon.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Washington?

Mr. WARREN. Certainly.

Mr. JONES. I understood the Senator from Iowa [Mr. DOLLIVER] yesterday to take issue on this very proposition to which the Senator is now referring in relation to top waste. The Senator from Iowa contended that this top waste had impurities in it, and all that sort of thing.

Mr. DOLLIVER. The article which I had the opportunity to exhibit on yesterday was not a top waste; it was the noils, a portion of the fleece that is left after the tops are combed out of it.

Mr. JONES. I understood the Senator from Iowa, in answering the Senator from Montana, to claim that what the Senator from Montana exhibited was not top waste.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. I do.

Mr. CARTER. Mr. President, the Senator from Iowa referred, as I understood, to the noils, as he now states. His objection was not based upon any reference to the quality of the tops made of the scoured wool with the noils eliminated. He did object to the cleanliness of the samples presented, and, in order to show that the noils exhibited were cleaner than noils usually appear, the Senator exhibited noils from a black sheep, or some noils that had been stored in a coal scuttle for a time, and thus apparently blamed my exhibit because it was too clean. [Laughter.]

Mr. PAGE. Mr. President, just a word. Is it not true, I would ask the Senator from Wyoming, that all of the vegetable matter in these noils can, by carbonization, be taken out, so as to make it absolutely clean?

Mr. WARREN. It not only can be taken out, but it is taken out. I want to say, in regard to the complaint of the carded-wool men, that, as the Senator from Montana has stated and as I have stated before, the truth is that the paragraph under consideration is one that concerns the worsted men alone, and in which the carded-wool men have no interest whatever, except that the carded-wool men can put almost anything across their cards into cloth from the finest and best wool made to the ordinary piece of an old carpet or a horse blanket; so that in the manufacture of carded wool, with the proper preparation, everything is used—flocks, shoddy, old rags, old carpets, horse blankets, and everything else.

I do not wish to say that to cast any imputations upon carded wool as such, because the carded-wool men, as I said before, make some of the most beautiful fabrics that have ever gladdened the eye of a man or that have ever emptied his pocket to buy a white broadcloth suit for his wife.

Here [exhibiting] is another sample of scoured wool—one I picked out of a lot "hit or miss." There is a bur in that wool weighing almost as much as the wool itself. That is scoured wool; but, as you see, it has not only got burs in it, but it has got splinters and straw and chaff. That all has to go through further machinery.

Speaking of the noils for a moment, I will show before I close my remarks the difference between carbonated noils and noils proper. If the worsted men should assert their rights, they would ask us to put a great difference between carbonized noils and straight noils, because the noils do carry a lot of impurities and vegetable matter; even after the burring machine has taken out these large amounts, there are bits of straw and other matter. Carbonizing takes out everything in the line of vegetable matter, but does not injure the animal matter, so that the noils that may carry 16 per cent shrinkage, by carbonizing carry nothing; and yet we put just the same tariff on carbonized noils as on the other.

The consequence is that under the rate of tariff which is proposed here for noils, we are only putting 20 cents a pound, whereas there is 33 cents upon this character of wool [exhibiting]. We put 20 cents a pound upon something that is more valuable to the carded-wool manufacturer, far more than this [exhibiting], because, in the first place, it has been refined down

from this [exhibiting]. By taking out all of this matter that is left in scoured wool proper, it is worth more to him than is the scoured wool itself. Carbonized noils ought to carry a duty of nearer 40 cents a pound than 20 cents a pound.

Under the old style the carded-wool man could only buy wool and scour it and manufacture his cloth; to-day, on account of the worsted men, he has a market in which to buy noils at a cheap rate and get almost or quite pure wool.

I do not blame the carded-wool man for buying wherever he can buy cheapest. I do not blame him for taking advantage of this opportunity that has been given him by the worsted men; but when they make a product which has put money in their pockets to take the worsted-mill man by the throat—the man who made it possible for them to get this product—and say that they, the carded-wool men, shall make the price upon it, it is, in my opinion, too much. The worsted man can not use the noils. The noils are the one by-product that he can not use. He has no other market on earth for noils except with the carded-wool men, unless he himself makes noils into cloth by putting carded-wool machinery into his factory.

Mr. NELSON. Mr. President——

Mr. WARREN. One moment. So that here we have a product made by the worsted men that is needed by the carded-wool men, and can only be sold to the carded-wool men, and the carded-wool men can make their own prices, it seems to me.

Mr. NELSON. If I understand the Senator from Wyoming correctly, he makes this differential duty in favor of waste, as between that and the scoured wool, because of the removal of the dirt and impurities in the wool as it is advanced in production.

Mr. WARREN. You mean between scoured wool and fleece grease wool.

Mr. NELSON. No; I mean between scoured wool, the wool you held up, and what you call "top waste." You held in one hand a sample of scoured wool, and then, in the other, what you called "top waste."

Mr. WARREN. Top waste.

Mr. NELSON. Why do you want a higher duty on top waste than on scoured wool?

Mr. WARREN. I think if the Senator will look at these two samples, it will carry the idea.

Mr. NELSON. What is the idea?

Mr. WARREN. One is free of impurities, and the other is full of them.

Mr. NELSON. What is it?

Mr. WARREN. Because this has impurities in it and the other has not.

Mr. NELSON. If that is the case, why do you not apply your doctrine to paragraph 364? Let me read:

> The duty upon wool of the sheep or hair of the camel, Angora goat, alpaca, and other like animals, of class 1 and class 2, which shall be imported in any other than ordinary condition, or which has been sorted or increased in value by the rejection of any part of the original fleeces, shall be twice the duty to which it would be otherwise subject—

This is what I wanted to call your attention to—

> *Provided*, That skirted wools as imported in 1890 and prior thereto are hereby excepted.

I find by turning to page 468 of the Tariff Notes this statement:

> The fleece of a sheep after being sheared and before sorting resembles the form or shape of the sheep. The fleece is first laid on the sorting table, and the poorest part and the dirty edges torn off. This process is known as "skirting" the fleece.

I find under paragraph 356 of the act of 1890 there is an exception provided, "that skirted wools as now imported are hereby excepted." Now, what is the effect of this? You take a fine piece of wool and trim off all the exterior, all the dirty trimmings, and you have the perfect fleece inside, and that you except from the provisions of this paragraph. In other words, you state first that any wool which has been sorted or increased in value by the rejection of any part of the original fleece shall pay twice the duty, and then in the next breath you state, practically, that skirted wool shall be exempt.

Mr. WARREN. What act has the Senator before him?

Mr. NELSON. I have the present bill—127.

Mr. WARREN. The Senator probably knows that that was put in the McKinley bill when he was a Member of the House.

Mr. NELSON. No; I was not in the House when the McKinley bill was enacted. But why do you not live up to the principle in that paragraph?

Mr. WARREN. That is the one exception which was demanded of the woolgrower, and that has been conceded, and, I may say, with bad grace and heartburnings on the part of a great many of them. It is the live wire that has made great trouble between the woolmen and the manufacturers. They have had many a tussle over it, but it is a practice that has gone on from time immemorial, that the Australian—the heavy-shrinking—wools are sold to countries near by, and they bring over here a wool that shrinks perhaps 55 per cent, that might shrink 65 per cent or 70 per cent, if it was altogether the whole fleece. Hence they skirt the fleeces; the main fleece comes here and the tags, and so forth, go to other countries.

Mr. NELSON. The entire fleece?

Mr. WARREN. Yes. The other paragraph——

Mr. NELSON. If the Senator will allow me, I do not intend to interrupt him——

Mr. WARREN. I am very glad to have the Senator do so.

Mr. NELSON. I do not interrupt him for the purpose of embarrassing him. But it seems to me that is a great incongruity and unfairness and discrimination in this bill, which ought to be cured. Does it not so strike the Senator, where you make this discrimination between the scoured wool and the wool tops, as you call them? You make that difference because one is of greater value than the other, has been improved; it has not as much dirt in it, as much rubbish. Now, why, after you take a fleece of wool and take off all the dirt and the trimmings, should you make an exception as to that class of wool? That is not a fair discrimination. Is not that a discrimination in favor of the foreign wool, the Australian wool, of which the Senator spoke?

Mr. WARREN. The Senator is a little wrong, because we do not charge, and the proposition is not to put the tariff upon these several wastes as we have on scoured wool, although they are cleaner wools. They do not carry all the fiber, and hence the price is 30 cents a pound, proposed, instead of 33 cents.

Mr. NELSON. The Senator is mistaken. Skirted wool——

Mr. WARREN. I will come to that in a moment. I am talking of waste.

Mr. NELSON. Let me understand the terms. Skirted wool is not the dirty wool, but the fleece trimmed off is the skirted wool.

Mr. WARREN. Certainly; that is what I intended to say. But the Senator is wrong in saying we are charging more on these wastes that I have exhibited than on scoured wool. We charge less.

Mr. NELSON. I did not mean that. I mean there is an undue discrimination in that case. You say, where any change or modification or improvement has been made in the wool it shall pay double the duty. You say that in one part of the law, and then in the next that skirted wool shall be immune from this provision.

Mr. WARREN. The Senator will understand that "skirted" means that the balance must be of one fleece.

Mr. NELSON. But the double rates do not apply to it.

Mr. WARREN. One moment; if the Senator will curb his impatience I will try to show. The character of this fleece is the same. They all represent honestly what they are. But that other, I will not say it is a penalization, but it is a preventive of frauds in undertaking to mix low and high qualities of wool together from different fleeces and of different kinds and get them in here under the lowest classification, which applies only to a percentage of the wool.

Mr. NELSON. I want to call the Senator's attention to the fact that the exception in the law permits the fraud, because but for that exception in the law skirted wool would come in under the double rate, like the other wool. It is the exception that permits the fraud.

Mr. WARREN. There is no fraud about it after you have named it in that way, the Senator will allow. As I said before, it has been found necessary, in undertaking to protect as well as we may all interests, that the woolgrower must have a market with the wool manufacturer, and he must have a margin, so that he may be prosperous; and these heavy wools are skirted, way back in the country where they grow, and the skirted wool, which becomes the main part of the fleece, comes in here. The other part makes equally fine goods, but it goes to other countries or is manufactured at home. The skirted wools are yet dirty, or in grease, as the term is.

The other proposition about mixed or damaged wools is to prevent first and second class wools from being mixed with third-class wools and having the tariff apply only to third class. The skirted wools can not be mixed—the different kinds; they must all be of the same kind.

Mr. President, about these wastes, I have just shown a sample of top waste, which is the first mentioned here. The next is slubbing waste. That is represented by this [exhibiting], which, as will be noticed, is refined wool. The next is roving waste. That is a similar product, only instead of being in the large rope or roving, is in the smaller rope, as it is preceded in gilling toward yarn making, but, as will be seen, that is a refinement of wool which carries it beyond the scoured wool.

The next mentioned is ring waste, and here [exhibiting] we have the ring waste, which, it will be noticed again, is very pure

wool, from which not only the dirt and grease but all the vegetable matter has been taken.

Here are the thread wastes. We have garnetted waste [exhibiting]. Here [exhibiting] is the garnetted waste. This is of a different character, because the finer bits that have been twisted up and become matted or closely assembled are separated again and put back as nearly as may be into all clean, pure wool. This again goes into machinery, and all these that I have shown come out as worsted woolen yarns. Upon those we have only 30 cents in this amendment, while on scoured wool we have 33. The carded-wool men do not use them. The worsted men do.

I have here some samples that I took out of the hopper as they were making some yarns for carded-wool or knit goods. This [exhibiting] is the stock that was in the hopper as it started to go into the set of cards. A part of that is cotton. A part of it is made of rags, picked to pieces and washed clean, and a very little of it is wool.

It passes across the first and second cards, and coming out of the condensing cards it is in that form [exhibiting]. From there it goes into another process and comes out in that form [exhibiting], which is from rope to yarn, to use the ordinary phrase, not to go into technical terms. Then there are the various processes from there. There is the warp yarn and the filling yarn. Then it goes to the loom, is made into cloth, comes out from there, and is burred and crabbed, steamed, dyed, carbonized—carbonizing takes out the vegetable matter. Then it is shorn—shears run over it to make it even. That takes off these little fibers which look almost as fine as dust, which are turned and sold or used as flocks. Then the cloth is pressed and it is on the market.

It will be observed that in carded-wool manufacture it does not matter how short the fiber may be. On the other hand, the worsted wool is made of a fiber that must be long enough to make a continuous, strong, fine yarn. In the next paragraph we have this product of noils; and I want to say in that respect that the wool can all be made into noils, no matter how long it may be. If you put a tariff on noils lower than what you may put upon the other product, raw wool would be put into noils unnaturally, in order to evade full duties on wool. Here [exhibiting], for instance, are a class of noils that are made from a perfect worsted product. It could just as well have gone into the worsted product, but by recombing it becomes a waste, and could come in as noils at 20 cents, instead of 30 cents or 33 cents.

So you could go on; by setting your combs differently you could recomb it.

Therefore it is necessary, if we are going to protect the grower of wool, to see there is no spot or place in the tariff where some product or waste can creep in under one name at a very much lower tariff than what it may come in under another name.

Mr. President, I do not wish to detain the Senate, for I know it is tired. I have here some tables which are taken from the census returns and other official records, which I ask may be included in the RECORD with the few remarks to which the Senate has been patient enough to listen.

The PRESIDING OFFICER (Mr. JONES in the chair). Without objection, it is so ordered.

Mr. KEAN. Question!

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. DOLLIVER. Upon that I demand the yeas and nays.

Mr. BURKETT. I should like to know what the amendment is. It has been a long time since it has been stated.

Mr. CLAY. I ask that the amendment may be stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 129 the committee proposes to strike out the paragraph of the House text and to insert the following:

368. Top waste, slubbing waste, roving waste, ring waste, and garnetted waste, 30 cents per pound.

Mr. ALDRICH. That restores the Dingley rate on these wastes.

The PRESIDING OFFICER. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague is unavoidably detained from the Chamber. He is paired with the junior Senator from Nevada [Mr. NIXON].

Mr. CURTIS (when his name was called). I desire to announce my pair with the junior Senator from Indiana [Mr. SHIVELY]. Were he here, I should vote "yea."

Mr. KEAN (when the name of Mr. ELKINS was called). The Senator from West Virginia is necessarily absent. If he were here, he would vote "yea." He is paired with the Senator from Texas [Mr. BAILEY].

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. FRYE (when Mr. HALE's name was called). My colleague is detained at home by sickness, and is paired with the junior Senator from Mississippi [Mr. MCLAURIN].

Mr. MCLAURIN (when his name was called). I am paired on this vote with the senior Senator from Maine [Mr. HALE].

Mr. NIXON (when his name was called). I am paired with the Senator from Alabama [Mr. BANKHEAD]. If he were here, I should vote "nay."

Mr. PENROSE (when Mr. OLIVER's name was called). My colleague is unavoidably absent from the city, and is paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. Were he present, he would vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. Owing to the absence of the senior Senator from South Carolina [Mr. TILLMAN], with whom I have a general pair, I withhold my vote.

Mr. BAILEY (after having voted in the negative). I am advised that the Senator from West Virginia [Mr. ELKINS] has not voted. I desire to ask if that is true.

The PRESIDING OFFICER. He has not voted.

Mr. BAILEY. Then, having a general pair with that Senator, I withdraw my vote.

Mr. PILES. I desire to state that my colleague [Mr. JONES] is paired with the junior Senator from South Carolina [Mr. SMITH]. The junior Senator from South Carolina being absent, and my colleague being in the chair (he has voted "yea"), I ask leave on his behalf to withdraw his vote.

The PRESIDING OFFICER. Without objection, it is withdrawn.

The result was announced—yeas 40, nays 30, as follows:

YEAS—40.

Aldrich	Carter	Gamble	Piles
Borah	Clark, Wyo.	Guggenheim	Root
Bourne	Crane	Heyburn	Scott
Bradley	Crawford	Johnson, N. Dak.	Smith, Mich.
Brandegee	Cullom	Kean	Smoot
Briggs	Dick	Lodge	Stephenson
Bulkeley	Dixon	McCumber	Sutherland
Burnham	du Pont	Page	Warner
Burrows	Flint	Penrose	Warren
Burton	Gallinger	Perkins	Wetmore

NAYS—30.

Bacon	Cummins	La Follette	Rayner
Beveridge	Davis	Martin	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Stone
Burkett	Foster	Newlands	Taliaferro
Clapp	Gore	Overman	Taylor
Clay	Hughes	Owen	
Culberson	Johnston, Ala.	Paynter	

NOT VOTING—21.

Bailey	Depew	Jones	Shively
Bankhead	Dillingham	McEnery	Smith, S. C.
Chamberlain	Elkins	McLaurin	Tillman
Clarke, Ark.	Frazier	Nixon	
Curtis	Frye	Oliver	
Daniel	Hale	Richardson	

So the committee amendment was agreed to.

The PRESIDING OFFICER. The Secretary will report the next paragraph passed over.

The SECRETARY. In paragraph 369, page 129, line 11, before the word "cents," strike out "twenty" and insert "twenty-five," so as to read:

Shoddy, 25 cents per pound.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. BACON. I desire to make an inquiry of the Senator from Rhode Island. I understand we are simply proceeding through this schedule for the purpose of acting on the committee amendments.

Mr. ALDRICH. The committee amendments.

Mr. BACON. We are not acting upon the paragraphs themselves, but simply upon the amendments.

Mr. ALDRICH. We are acting upon the paragraphs after the amendments are acted upon. If the Senator has an amendment, of course he can offer it.

Mr. BACON. I notice that there was no question put upon that particular paragraph.

Mr. ALDRICH. There should have been.

Mr. BACON. I made the inquiry for this reason: I have some amendments to offer to almost all the paragraphs in this schedule. I would prefer to have the privilege of offering them after the Senate has acted on the committee amendments. If I may have the privilege of returning to the original paragraphs, it will save a good deal of time, I think.

Mr. ALDRICH. I have no objection to that course. We want to agree to the committee amendments.

Mr. DOLLIVER. What is the understanding?

Mr. ALDRICH. There is no understanding except that after the committee amendments are agreed to, the Senator from Georgia may offer amendments to all the paragraphs.

Mr. BACON. Or any other Senator who has an amendment, I suppose. I do not know that there will be any others.

Mr. ALDRICH. The paragraph as amended ought to be agreed to.

The PRESIDENT pro tempore. The amendment which was agreed to was the insertion of a paragraph. It was simply an amendment in the nature of a substitute.

Mr. DOLLIVER. Do I understand that the amendments to paragraph 369 have been agreed to?

The PRESIDENT pro tempore. No; paragraph 368. The paragraph is agreed to. The question is on agreeing to the amendment of the committee in line 11, page 129, paragraph 369.

Mr. DOLLIVER. I suggest to the Senator from Rhode Island to place the two amendments before the Senate as one. I desire to ask for the yeas and nays, and would be very glad to have them consolidated.

Mr. ALDRICH. I shall be very glad to have that course followed. It will save one vote, of course.

The PRESIDENT pro tempore. The two amendments to paragraph 369 will be stated.

The SECRETARY. On page 129, line 11, before the word "cents," strike out "twenty" and insert "twenty-five;" and in line 14, before the word "cents," strike out "twenty" and insert "eighteen," so as to make the paragraph read:

369. Shoddy, 25 cents per pound; noils, wool extract, yarn waste, thread waste, and all other wastes composed wholly or in part of wool, and not specially provided for in this section, 20 cents per pound.

The PRESIDENT pro tempore. The Senator from Iowa demands on these amendments the yeas and nays.

Mr. DOLLIVER. I think there lies in this paragraph the root of much of the difficulty which is now besetting the carded woolen industry, the knitting industry, and felt-goods industry in all departments throughout the United States. The most definite complaint which this great company of American manufacturers have made to me I placed upon record on yesterday in the form of their memorial addressed to the President of the United States and to the Senate. The most tangible complaint they have is that these wastes and by-products which they must use, and which they do use, are dutiable at such prohibitory rates as to enable their competitors, who are trying to get their business away from them, and, according to all testimony, have fairly well succeeded in doing so, to hand out to them the necessary materials of their craft on such terms as they please. They are not asking that prohibitory rates be made on shoddy or noils or wool extract or card waste or thread waste, or any other of the wastes which are composed of wool and which appear in the process of the manufacture of woolen cloth, but they ask that they be put at least in touch with the foreign supplies of these materials, so that when they come to buy them their competitors may not be able to say to them, pay this or pay that, without regard to the value; but when the price rises to a point approaching unreasonableness or extortion that this law may give them the right to turn away from their home competitors and have their dealings with the market places of the world.

Mr. WARREN. To whom does the Senator allude when he speaks of their competitors?

Mr. DOLLIVER. I allude to the gentlemen who are manufacturing goods which, according to the testimony, have driven them out of business.

Mr. WARREN. I do not understand now to whom the Senator alludes as competitors, except he means as they compete with each other.

Mr. DOLLIVER. I suppose the worsted manufacturer is a competitor of the carded woolen manufacturer, in a sense of the word.

Mr. WARREN. In the use of noils?

Mr. DOLLIVER. No; in the manufacture of cloth.

Mr. WARREN. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. WARREN. This article, these noils, now before us, is not used by the worsted men. It is used by the carded-wool men. The only market in the United States for it is with the carded-wool men.

Mr. DOLLIVER. That is exactly what I have been trying to say.

Mr. WARREN. On the other hand, the only persons to whom the worsted manufacturers can sell noils are the carded-wool men or their agents; and the carded-wool men certainly have as good an opportunity to fix the price of the commodity as the men who have noils for sale.

Mr. DOLLIVER. Let us see, Mr. President. These noils are, in part, at least, the product of combing English washed goods and Canadian washed wools. Of these wools 12,000,000 pounds were imported into the United States in 1907, and in the last few months they have been arriving at a rate which would indicate that the importations for this year will be 24,000,000 pounds, or one-fourth of the total importations of wools into the United States outside of carpet wools. These men are thus importing by the millions of dollars' worth combing wools upon which the net scoured duty is 15 cents a pound, increasing the manufacture of worsted tops, and they turn aside this by-product, nearly one-third of the fleece, and sell it to their competitors, protected by a duty very much greater than the duty which they were called upon to pay on the fleece out of which the articles are made and in the manufacture of which they are a mere by-product.

Mr. WARREN. Does the Senator mean that the shrinkage on the average is less?

Mr. DOLLIVER. I mean to say that the shrinkage is very low. I believe the Senator will agree with me that if a shrinkage of 20 per cent would net a duty upon the scoured contents of a fleece of a value of 15 cents a pound——

Mr. WARREN. Let me say to the Senator, as to the wools from which these noils are made, there may have been a fleece or a few fleeces with a shrinkage of only 15 per cent, but the lowest shrinkage class of wools that we are importing, as a class, has a shrinkage of 32 per cent, and from that up to a higher percentage of shrinkage.

Mr. DOLLIVER. Do the English washed wools shrink 32 per cent?

Mr. WARREN. The English washed wools are scarcely as much as a mosquito bite upon the hide of a rhinoceros compared with the amount of wool that is used in this country by the worsted combers; and none of it is brought here except some from Canada.

Mr. DOLLIVER. I have just stated that in 1907 the total importations of these wools was above $12,000,000 worth.

Mr. WARREN. The Senator certainly does not mean that they brought in $12,000,000 worth.

Mr. DOLLIVER. I beg your pardon—12,000,000 pounds.

Mr. WARREN. The Senator yesterday said 9,000,000 pounds, and I have endeavored to instruct him since that it was 12,000,000 pounds, or thereabouts.

Mr. DOLLIVER. I verified the figures this morning, and while I would be very glad to concur always with the Senator's recollection, I sometimes find that it is fallible, as well as my own.

Mr. WARREN. But in this case the Senator found that I was about right.

Mr. President, that covers all the wool that came here in fleece and all that came in as pulled wool and all that came in on the skins of animals, and it means 12,000,000 out of about 500,000,000 pounds used.

Mr. DOLLIVER. Do you mean to say that we bring in 500,000,000 pounds?

Mr. WARREN. No.

Mr. DOLLIVER. I was talking about what we bring here.

Mr. WARREN. That is the total consumption in the United States.

Mr. SMOOT. I call the attention of the Senator to the fact that during the sixteen years passed 200,079,164 pounds have been imported into this country of class 2 wool, and that is an average of 12,504,948 pounds, or within a few hundred thousand pounds of what was imported last year. That is certainly a fair statement to make as an average of sixteen years, and it is an amount within a few hundred thousand pounds of what we imported last year.

Mr. DOLLIVER. Very well, Mr. President; these figures do not bother me, if I have time to sit down and look at them. I said the importations of the English wools were 9,000,000 pounds. That was correct because I had excluded from the calculation hair of the alpaca, wool on the sheep's back, and wool that never was on the sheep's back, and wool that grows on the back of the sheep in the park out here, that I saw on Sunday, which do not have any wool at all, and yet have every appearance of sheep.

Mr. WARREN. I should like to ask my brother shepherd if there is any product of pulled wool that did not come from the sheep's back or from some part of a sheep?

Mr. DOLLIVER. Nobody ever raised on a farm in the mountains of Virginia needs any instruction on the subject of the wool pulled from a sheep's back after it has died.

Mr. KEAN (when the name of Mr. ELKINS was called). The

it will save a good deal of time, I think.

In the figures which I gave yesterday, I was dealing with the English and Canadian washed wools of the second class, and in the figures that I give this morning I am dealing with the official statement of the amount of second-class wool imported, which included some of these eccentric hairs that have found their way into this tariff bill as they sometimes do into our butter at boarding houses in remote regions of the country. And here now is the Senator from Wyoming with the fact before him that 12,000,000 pounds of this wool came in last year, and with the additional fact before him that it is coming in now at the rate of 2,000,000 pounds a month, and has been for months, as the records of the Treasury Department show; if it goes on for this year, will make it 24,000,000 pounds, one-fourth and more of the total importations of wool into the United States; and yet he has the cheerful enthusiasm to stand up here and say that it is a negligible quantity.

Mr. WARREN. The Senator does not wish us to understand that he is now giving us the correct figures as to importations of wool. He certainly ought to correct it.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. To show that the amount is incorrect——

Mr. DOLLIVER. Now, I will ask the Senator to state it in dollars and to state it in pounds for this year. First, I talk about one and then he talks about the other.

Mr. SMOOT. I will say that the average for sixteen years——

Mr. DOLLIVER. I do not care anything about that.

Mr. SMOOT. Of all wools the average is 173,907,967 pounds. That is the average for sixteen years. Of the last year's importation I have not the exact amount here, but it was nearly 175,000,000 pounds.

Mr. DOLLIVER. Does that include all the carpet wools?

Mr. SMOOT. Of course; it includes all wools.

Mr. DOLLIVER. Why can not we get down to business and show how much English washed wool of the second class came into the United States last year and this year?

Mr. SMOOT. I have already stated that.

Mr. DOLLIVER. How much was it?

Mr. SMOOT. Twelve million pounds last year of class 2 wool.

Mr. DOLLIVER. Is it true, now, that it is coming in at the rate of 2,000,000 pounds a month?

Mr. SMOOT. Perhaps you can take one month which shows there are 2,000,000 pounds that come in. There will be scarcely any more importations than we have now.

Mr. DOLLIVER. And yet both Senators have denounced this importation of 12,000,000 pounds of wool as negligible, while they are wasting the time of the country and befogging this issue by debating hour by hour the question of thread wastes and roving wastes.

Mr. WARREN. What is the Senator going to do about it?

Mr. DOLLIVER. I will tell you in a minute what I am going to do about it.

I say it is not fair for men who import the class of wools privileged under our tariff law, so privileged that the total importation of duty net upon scoured contents of a pound of it is only 15 cents, and to be permitted under this law to manufacture that into tops, making a by-product of one-third of the whole weight of the wool called "noils," and then sell these noils to their competitors in the cloth business with an assessment of 20 cents a pound.

Mr. WARREN. Does the Senator wish to go on record and stake his reputation upon the fact that 12,000,000 pounds of second class come in this country that shrink only 15 per cent?

Mr. DOLLIVER. I have the authority of the finest experts I can get hold of who tell me that is so. Does the Senator deny that these wools washed shrink afterwards more than 20 per cent in such scouring as they get in the United States?

Mr. WARREN. I will simply enter my denial and say that we do not import 12,000,000 pounds of second-class wool that only shrink after scouring 15 per cent.

Mr. DOLLIVER. Mr. President, the peculiarity of this law is that these wools are not imported dirty. They are imported at the same rate after they are washed. Therefore they are all imported washed, and I make the proposition that the shrinkage in scouring, such scouring as they get before they become tops, is not more than 20 per cent.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. I understand the Senator's contention to be that the protective duty on this second-class wool should be classified somewhat as the protective duty on the first-class wool.

Mr. DOLLIVER. Yes, sir; I should like to see it done.

Mr. CARTER. Permit me to suggest to the Senator that he does not advance the cause of that classification by the effort to reduce the protective duty on the first-class wool, the classification whereof he would gladly follow. The noils of commerce are the product of the first-class wool, and a reduction of the duty on this by-product of the first-class wool below that which is a just relation to the duty on the scoured wool will, of course, tend to open the door for a reduction of the duty on the scoured wool by indirection.

The Senator's proposition is to better the condition of second-class wool growers by destroying the advantage, if any there be, enjoyed by first-class wool growers. Now, I would equalize it not by tearing down the wool grower whose sheep produce the merino wool, but by raising up the other, if, as suggested by the Senator, the measure of protection is inadequate, and as I really think it is.

Mr. DOLLIVER. Mr. President, there is no man more just in opinions on this floor, or wiser in the technique of such a controversy than the Senator from Montana. Therefore, I want to ask him one question. Is it not true that the combing of the English wools and the Canadian wools which come here washed produce noils?

Mr. CARTER. I presume noils could be produced from the wools referred to, but in the manufacture of worsted goods, and it is from that process of manufacture the noils are evolved, they do not use the Canadian wools or English wools so called. The process of manufacture known as "worsted manufacture," known as the "combing or carding manufacture," does not produce a noil at all.

Mr. DOLLIVER. What is it that they produce? The Senator's statement is a little ambiguous, or, rather faulty.

Mr. CARTER. It is the mechanism employed in refining the wool into the worsted yarn that produces noils.

Mr. DOLLIVER. Why are these English wools called "combing wools?"

Mr. CARTER. Because, I suppose, they are combed.

Mr. DOLLIVER. They are fit for combing. They need to be combed. What is the by-product that is combed out of them?

Mr. CARTER. The by-product combed out of the wool in the ordinary process of the manufacture of wool is merely the alien matter in the wool, and no part of the wool is combed away or disposed of, as I understand it. Then the shoddy may be incorporated in a woolen garment.

Mr. DOLLIVER. They comb out of it——

Mr. CARTER. Burs, straw——

Mr. DOLLIVER. Foreign matter?

Mr. CARTER. Foreign matter.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I want to call the attention of the Senate to the fact that only 12,000,000 pounds of second-class wool come into this country, and the great bulk of that wool is used in the making of braids and luster goods and never goes into the worsted goods at all. I do not believe there is over a quarter of it that ever reaches a worsted card. That one-quarter would be 3,000,000 pounds of wool; and the noils out of 3,000,000 pounds of wool would be only 16 per cent of 3,000,000 pounds at the outside. The great bulk of noils marketed in this country comes from first-class wool—at least 85 per cent of them.

Mr. CARTER. The Senator from Utah, having had experience in a woolen mill, can probably answer a question which will form a correct understanding between the Senator from Iowa and myself. My information is that the noils constitute only about one-sixth of the weight of the scoured wool.

Mr. SMOOT. That is correct, Mr. President, as to a number of them; I mean, taken as a whole, all classes of wool.

Mr. CARTER. I understand; the general average. The Senator from Iowa has been making an assertion that noils constitute about one-third.

Mr. DOLLIVER. I have no doubt that the amount of noils produced varies with the state of the wool and in the way in which it has been kept. The noils fall off by reason of the threads being broken and disfigured in various ways. If the wool has been carefully handled and scoured by a gentle process, the product of noils, of course, is smaller, but I was speaking of cases that I knew to be correct.

Mr. President, the thing that I want to call the attention of the Senate to is that all these wastes vary almost like the poles in their value. If they are made out of the highest grades of wool the noils may be very valuable and very beautiful, such as the Senator from Wyoming exhibited here this morning. If they are made from ordinary fleeces, if they are made of fleeces that have only been imperfectly scoured, there is a combing out of

burs, small pieces of vegetable matter, chaff, straw, and many things which the sheep accumulates in his earthly pilgrimage, and the result is a noil which is not an equivalent of any kind of scoured wool, but which has been made the receptacle of the dust and impurities in the wool that is being combed. Before it can be used after being bought, it must be carbonized and purified and scoured, and 25 per cent of it falls away into irrevocable waste before it can be used in many cases by the carded woolen manufacturer.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. The Senator must know that all wool has got to be scoured, and scoured clean, in order that it may be carded and combed successfully. It is true that the wool passing through the cards and then through the combs, the noil is combed out and with them the chaff and straw.

But I want to call the attention of the Senator to the fact that no importer would ever import noils in that condition. No importer would ever import a noil until it had been carbonized; and we are passing a law to take care of that class of noils. They would not pay the freight upon this chaff and straw that comes from the noil, but every pound of importations will be carbonized.

Mr. DOLLIVER. That is a speculation I have no statistics to follow the Senator in.

Mr. SMOOT. I believe common reason would tell the Senator that. Any manufacturer would import the noil in the best condition possible——

Mr. DOLLIVER. Common reason, sailing on the high seas of this tariff debate, has been shipwrecked and sunk to the bottom. [Laughter.]

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Mr. President, the Senator is a little wrong in his formula. The burs are taken out by the burring machine, through which the wool passes.

Mr. DOLLIVER. Do they never miss a little bur in that machine?

Mr. WARREN. The Senator seems to base his argument altogether upon the superlatives and upon the radical features. When he claims that the second-class wools shrink 15 per cent, he knows probably, as well as I do——

Mr. DOLLIVER. I did not say that they shrank 15 per cent. I said that they shrank in such a measure that the net duty upon the scoured contents of a pound was 15 cents.

Mr. WARREN. What percentage of shrinkage would the Senator now have us understand?

Mr. DOLLIVER. It would indicate a shrinkage in that case of 20 per cent.

Mr. WARREN. No doubt there may have been samples of wool that may have shrunk only that much.

Now, as to this matter of noils. They are made, as I said before, in the worsted process only. The Senator speaks of noils coming from second-class wool. What are noils? The noils are the short fibers that are too short to pass the comb and go into the product called "top." Second-class wool has no short fibers in it unless there are some broken fibers. So the noils from the second class amount practically to nothing. The noils, as a matter of fact, come from first-class wool.

It is true that originally, when these terms were first adopted, combing wools and second-class wools were synonymous, and that was at a time when you had to have a staple several inches long in order to comb it. But, as I have shown already by samples of wool, the different combs that have been adopted since comb practically every pound of wool that we grow, so that the noils do not come from the second-class wools to any appreciable extent. The second-class wool has a fiber that will pass the comb, so that practically there are no noils.

Mr. DOLLIVER. Mr. President, if I thought by consenting to the truth of every word which the Senator from Wyoming [Mr. WARREN] says I could induce him to vote for an amendment which I propose to offer, abolishing this classification of second-class wools altogether, I believe I would admit the truth of everything he says without further debate. If there is a negligible quantity of that wool, if it has no effect on this situation, then there is surely no reason for maintaining its ancient privilege, accorded first in 1867 to a worsted mill in Lawrence, Mass., by the testimony of a venerable gentleman sitting now in the gallery, which I have had the honor to present to this Senate. There surely can be no reason for continuing that privilege after the substance of it has become negligible and the result of it almost unintelligible.

Mr. President, on yesterday I took the opportunity that is so often exercised as a privilege in the Senate of having read some testimony of the editor of the Textile World Record, of Boston, a young American student of textile problems, who has, by his diligence and by the acuteness of his criticism, attracted a friendly international reputation as an expert in all departments of our textile industries. I sat down with him as a learner to see if it were possible for a man of moderate abilities to comprehend even what was talked about when the wool tariff was up in the Congress of the United States. The more I talked with him, the more distinctly I saw that he dealt with exact facts and with perfectly accurate statistics, and the more that was impressed upon my mind, the more anxious I became that his opinions, already expressed in a general way in the editorial columns of the Boston Textile World Record, should have the influence that the nonpartisan opinions of experts ought to have upon such a controversy as we have here.

So I asked him to let me talk with him as man to man; I, ignorant, trying to get some instruction from the wise and from the learned. I had hardly knowledge enough of the subjects, of the matters at stake, to frame my questions, and those who read will see how ignorant the questioner was and how accurate in his knowledge was the man who was kind enough to answer the questions. I put that dialogue into the RECORD, and here we are debating this question. Yesterday we came to matters to which he referred, and the only notice taken of those questions and answers by those who participated in the debate was not to dispute their truth or their accuracy, but to read a memorandum, scandalous in its character, handed to my friend the Senator from Utah [Mr. SMOOT], relating to the personal and business history of this man. I should like the Senator from Utah, if he is in the cloakroom, to hear what I have to say, for I never like to get into a row when the other fellow has gone.

Mr. President, it is a strange state of society when a man can not be brought into the Senate to give the public the benefit of his knowledge and his wisdom, a man who is not personally interested in the controversy, a man seeking solely light and giving out light and guidance to those interested in the pursuit of that form of knowledge—it is a strange moral state when that can not be done without invoking from the members of the Finance Committee of the Senate a personal insult and disparagement of his fitness, based upon his alleged failure in business. Such an assertion becomes all the more grotesque and repulsive in its appearance when that gratuitous disparagement is made by a Member of the body who confesses that he himself failed in the same business, and whose mill, which was once active and prosperous, is now silent there in the heart of the Rocky Mountains.

Mr. President, if I was in the business of manufacturing woolen goods, charged with the duty of fixing their relation to the American people, I should be very slow to depart very far from the facts and records and statistics by which the Congress of the United States ought to be guided in such a matter. I should fear that somebody might read the rules of the Senate to me, or point out to me some such landmarks in the world's parliamentary history as are contained in Jefferson's Manual; and, if nobody did it, I would be too thankful for their forbearance to undertake to disparage anybody else or to point out the impropriety of his being heard in the settlement of such a controversy as this.

I desire to say to my friend from Utah that I should not have brought into the Senate Chamber Mr. Dale, the editor of the Boston Textile World Record, unless I had had many opportunities to know both his intellectual qualifications for the work which he did at my request and his moral qualifications as well. I knew that he had been a student from his boyhood, and I knew that he would not have been chosen and maintained these long years as the editor of the most important textile trades journal in America, unless he had those qualities of brain and of heart to warrant the confidence and good will of the constituency to which that great periodical appeals every month. So, as I brought him here and quoted him—though he does not own any stock in any mill now, though he has no relations of a business character to the enterprise in which we are involved, though he is not seeking the protection of the law to care for an industry in which he is himself interested—seeing that his is a nonpartisan relation to this controversy—I feel that I ought to put into the RECORD a plain statement in his own handwriting of his connection with these matters, about which yesterday the Senator from Utah thought

that the protective duty on the second-class wool should be classified somewhat as the protective duty on the first-class wool. are made from ordinary fleeces, if they are made of fleeces that have only been imperfectly scoured, there is a combing out of

it both kind and helpful to the Senate to place upon him the brand of his disapprobation and disparagement. I ask that the Secretary read what I send to the desk.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

BOSTON, MASS., *June 8, 1909.*

MY DEAR SENATOR DOLLIVER: I have read in this afternoon's papers an account of the first day's debate on the wool schedule, in which Senator SMOOT replied to the statements in my interview with you by referring to the closing of the Merchants' Woolen Mills, Dedham, Mass., while I was agent of the mills in 1893. I am writing to acquaint you with the facts, that you may use them as you see fit in replying to the retorts, not arguments, of those who attack the statements I made to you.

In December, 1891, I made a year's contract with Edgar Harding, sole owner of the Merchants' Woolen Mills. That contract was renewed twice, first in 1892, and again in 1893. Within eleven months after I began my service there, Grover Cleveland was elected President of the United States, pledged to a revision of the tariff and the removal of all duties on wool. Within nine months after that election, and as a result of it, $700,000 worth of wool in the raw state and in process and of manufactured goods, which Mr. Harding had on hand, had depreciated in value until they were worth 50 cents on the dollar, making a loss of $350,000 by shrinkage of wool values alone. Mr. Harding, who would have failed if he had not been a very wealthy man, continued to run the mill for several months after this loss, and then in 1893 decided to run out the stock, sell the mill, and retire from the woolen business. In accordance with orders received from him, I ran out the stock and closed the mill, two years and four and one-half months from the date of my first contract. There was still seven and one-half months for which we were both bound by the contract. It was then that I made a sacrifice which has since given me a great deal of personal satisfaction. I voluntarily made the offer to Mr. Harding to relinquish one-half of the amount, $2,500, he was still bound to pay me (at the rate of $5,000 per year) for the remaining eight months. This offer was accepted and I received $1,250 and ended my business connection with him. He sold the mill and never again engaged in the carded woolen business. I have always taken much satisfaction in this voluntary sacrifice by which I shared to some extent my employer's losses, and which was altogether one-sided, because of the great disparity of worldly goods possessed by Mr. Harding and myself.

I have made this explanation because your opponents apparently think there is some connection between my business relations with Edgar Harding in 1893 and the duty on wool and worsted tops in 1909.

All who are connected with a woolen mill, whether in the capacity of owner, agent, overseer, or common operative, come into possession of their proper share of the credit or discredit attaching to the success or nonsuccess of the establishment. This is true whether the mill is Edgar Harding's or Senator SMOOT's. And I am not the one to seek to escape the consequences of this natural law. Instead of seeking to shift the blame for the closing of the Merchants' Woolen Mills on others, say, the selling agent, Harding, Whitman & Co., whose specialties then were dress goods, yarns, tops, and not heavy carded woolen beavers, or on the owner, or on employees, or even on Grover Cleveland, I am content to state the facts.

The years during which I was at Dedham have their peculiar lesson for us at this time. It is that we should maintain adequate protection to both woolgrower and manufacturer. Then it was endangered by those who would lower the duties on wool and wool goods. Now it is endangered by those who would establish a policy of exclusion for selfish special interests. The course for the true friends of protection to adopt is as plain now as it was then.

You are at liberty to use this letter in any way you may see fit. Judging from the press accounts of the debate, I would suggest that you make it a part of the RECORD to-morrow.

Yours, very truly, SAMUEL S. DALE.

Hon. J. P. DOLLIVER,
Washington, D. C.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I was not in the Chamber when the Senator made his remarks, but I suppose that they had reference to what I said yesterday about Mr. Dale's employment in the Merchants' Woolen Mills.

Mr. DOLLIVER. Yes; an indirect allusion to what the Senator said yesterday.

Mr. SMOOT. Does the Senator say that I cast any reflection upon the moral character of Mr. Dale in any way?

Mr. DOLLIVER. No; I did not say so.

Mr. SMOOT. I want the Senate to distinctly understand that I did not.

Mr. DOLLIVER. The Senator seemed to think he was a presumptuous man, however, having failed in the wool business, to be here instructing the Senate.

Mr. SMOOT. Mr. President, my whole contention was that the Senator from Iowa had Mr. Dale here in Washington, that he had an interview with him, that he thought it was of so much importance that he had the interview published, and that he based his argument for the changes that he wants made in this particular schedule upon the statement of Mr. Dale. I thought there was nothing wrong——

Mr. DOLLIVER. Mr. President, while it is not important, I will correct the Senator for saying that.

Mr. SMOOT. I want the Senator to do so, if it is not true.

Mr. DOLLIVER. I have suffered the affliction, which sometimes happens to very good people, of having my views attributed to Democrats now dead and gone.

Mr. SMOOT. O Mr. President, the Senator certainly can not lay that at my door.

Mr. DOLLIVER. Certainly not.

Mr. SMOOT. I never mentioned a Democrat; I never mentioned politics; I never mentioned a soul except Mr. Dale.

Mr. DOLLIVER. But I do not hold the Senator from Utah responsible for everything that emanates from the Finance Committee. The RECORD is surely filled with trumpery of the last generation, intended to show that I could not entertain such ideas as these without abandoning Republicanism and falling back onto a form of Democracy that has already been buried with the usual honors. [Laughter.]

Mr. SMOOT. I wish the Senator would correct me if I am wrong in my assumption; and that was that the Senator had an interview with Mr. Dale; that he had that interview published as a Senate document; and that he was speaking and basing his argument upon that document or interview. Is that not correct?

Mr. DOLLIVER. Well, the whole argument fell back on that as a sort of outer defense.

Mr. SMOOT. All I did was this: I called the attention of the Senate to the fact that Mr. Dale had not appeared before the Ways and Means Committee to be cross-examined there, but that he came here and had an interview with the Senator from Iowa——

Mr. DOLLIVER. Mr. President——

Mr. SMOOT. And then I called attention to the fact——

Mr. DOLLIVER. Just a moment. The Senator wants to be just.

Mr. SMOOT. Let me finish——

Mr. DOLLIVER. He came here at my request.

Mr. SMOOT. Certainly; I do not question that.

Mr. DOLLIVER. I will tell you how I happened to want him. I had been reading the Textile World Record for a good while every month. I do not take the same pride that the Senator from Rhode Island [Mr. ALDRICH] does, who puts himself forward as the master of the fate of the textile industry of the United States, and yet stands here to avow that he never heard of the paper or the magazine which, for twenty years, has been the representative trades organ of the most important branch of the textile industry of the United States.

Mr. SMOOT. Let us get back to Mr. Dale. That is the question here.

Mr. NELSON. Mr. President, will the Senator from Iowa yield to me for a moment?

Mr. SMOOT. Let me finish——

Mr. NELSON. I want to get at the point of this matter. I understood distinctly that the effect of the Senator's remarks was to belittle Mr. Dale because he had been in the woolen business and made a failure of it.

Mr. DOLLIVER. That was the idea, as it seemed to me.

Mr. NELSON. Exactly.

Mr. SMOOT. If the Senator from Minnesota had waited, I would have told him exactly my thought and what impression I wanted to convey to the Senate. When this question was before the Ways and Means Committee, the men interested in this subject appeared before the committee. Upon this very question there was a certain man before the Ways and Means Committee who gave testimony, but who upon cross-examination utterly failed to sustain his assertions. Mr. Dale did not go before the Ways and Means Committee. I do not know whether or not he was asked to do so. I suppose, if he was interested enough in this question, he could have gone before that committee, but he did not do so. I simply said that I wanted to call the attention of the Senate to the fact that this man, on whose statement the Senator from Iowa had based his argument, certainly was not a successful manufacturer, with all the protection that had been given. Other men had passed successfully through the same years; and, inasmuch as the Senator referred to me as a manufacturer, I want to say here that during those years the woolen mill that I managed ran every day.

Mr. DOLLIVER. Very well; but your colleague said that multipled tens of thousands of these corporations went to the bad during that period.

Mr. SMOOT. Well, Mr. President, we are discussing the question now between Mr. Dale and myself, as the Senator has thought proper to bring the question up.

Mr. DOLLIVER. The Senator was located more fortunately, surrounded by those magnificent mountains which give his city such beauty of situation, and evidently they operated to isolate him from the storm which was raging in the commercial world about that time.

Mr. SMOOT. Not altogether; we felt it just about as much as any other section of this country, and I can assure you that I hope never to live to see the day when we shall have to pass through such an experience again. I disclaim now that I have cast any reflection upon the moral character of Mr. Dale; but I do claim that he is not fitted, any more than a thousand other men are fitted, to give testimony upon this great branch of industry in this country.

Mr. NELSON. Mr. President, he might be if he were a Senator. [Laughter.]

Mr. SMOOT. Mr. President, I have no hesitation in saying, and in saying as forcefully as I can, that his testimony or his knowledge would exceed the testimony and the knowledge of the Senator from Minnesota upon the wool schedule.

Mr. DOLLIVER. Mr. President, I understood the Senator to say that nobody had ever recognized the skill of this man.

Mr. SMOOT. O Mr. President, I never said that.

Mr. DOLLIVER. The Senator said that he would have appeared before the Ways and Means Committee if he had been sent for.

Mr. SMOOT. I said that if he was interested in this subject, and if he wanted to do so, he could have appeared before the Ways and Means Committee.

Mr. DOLLIVER. Has the Senator read the testimony taken before the Ways and Means Committee?

Mr. SMOOT. I was in the committee room a great deal of the time when the testimony was being given.

Mr. DOLLIVER. Has the Senator read the testimony that was taken?

Mr. SMOOT. I can not say that I have read every word of the testimony, but I have read a great deal of it, and I know that Mr. Dale did not appear before that committee.

Mr. DOLLIVER. Mr. President, I undertake to say that the record will show that he did, or that his testimony is preserved in those hearings.

Mr. SMOOT. In this last hearing?

Mr. DOLLIVER. Yes, sir.

Mr. SMOOT. Well, Mr. President, I will leave the record to speak for that.

Mr. DOLLIVER. I may be in error about it——

Mr. SMOOT. I think the Senator is in error. I want to say right now that I have looked through it, not as carefully perhaps as I ought to have done, but I do not believe that Mr. Dale appeared there before the Ways and Means Committee.

Mr. DOLLIVER. I do not think it is necessary to authenticate his position as an expert that he should have been there, because I notice that nine-tenths of the testimony was given by Mr. Whitman and my old friend from Philadelphia, Mr. Theodore Justice.

Mr. SMOOT. Mr. President, that was not the question. The question was as to whether he did appear.

Mr. ALDRICH. Question!

Mr. DOLLIVER. Mr. President, I take it that these two amendments will be voted upon together.

Mr. ALDRICH. That is my understanding.

Mr. DOLLIVER. And on that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BACON. The question, as I understand, is on the two amendments?

The PRESIDENT pro tempore. On the two amendments.

Mr. BRADLEY. Are those amendments of the committee?

The PRESIDENT pro tempore. They are amendments of the committee.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague [Mr. BANKHEAD] is unavoidably detained on whose statement the Senator from Iowa had based his argument, certainly was not a successful manufacturer, with all the protection that had been given. Other men had passed successfully through the same years; and, inasmuch as the Senator referred to me as a manufacturer, I want to say here that during those years the woolen mill that I managed ran every day.

Mr. DOLLIVER. Very well; but your colleague said that multipled tens of thousands of these corporations went to the bad during that period.

Mr. SMOOT. Well, Mr. President, we are discussing the question now between Mr. Dale and myself, as the Senator has thought proper to bring the question up.

Mr. DOLLIVER. The Senator was located more fortunately, surrounded by those magnificent mountains which give his city such beauty of situation, and evidently they operated to isolate him from the storm which was raging in the commercial world about that time.

By an arrangement with the senior Senator from Rhode Island [Mr. ALDRICH] that pair can be transferred to the senior Senator from South Carolina [Mr. TILLMAN], which will permit the Senator from Vermont [Mr. DILLINGHAM] and myself to vote. I vote "nay."

Mr. NIXON (when his name was called). I am paired with the junior Senator from Alabama [Mr. BANKHEAD], and therefore withhold my vote.

The roll call was concluded.

Mr. DILLINGHAM. Under the transfer of pairs announced by the Senator from Mississippi [Mr. McLAURIN], I will vote. I vote "yea."

Mr. CURTIS. I desire to inquire if the junior Senator from Oregon [Mr. BOURNE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. CURTIS. Then I transfer my pair with the Senator from Indiana [Mr. SHIVELY] to the Senator from Oregon [Mr. BOURNE] and vote. I vote "yea."

Mr. OWEN. I wish to announce the pair of the Senator from Tennessee [Mr. FRAZIER] with the Senator from New York [Mr. DEPEW].

Mr. SCOTT. My colleague [Mr. ELKINS] is unavoidably absent. He is paired with the junior Senator from Texas [Mr. BAILEY]. If my colleague were here, he would vote "yea."

The result was announced—yeas 42, nays 31, as follows:

YEAS—42.

Aldrich	Crane	Guggenheim	Root
Borah	Crawford	Heyburn	Scott
Bradley	Cullom	Johnson, N. Dak.	Smith, Mich.
Brandegee	Curtis	Kean	Smoot
Briggs	Dick	Lodge	Stephenson
Bulkeley	Dillingham	McCumber	Sutherland
Burnham	Dixon	McEnery	Warner
Burrows	du Pont	Page	Warren
Burton	Flint	Penrose	Wetmore
Carter	Gallinger	Perkins	
Clark, Wyo.	Gamble	Piles	

NAYS—31.

Bacon	Cummins	La Follette	Paynter
Beveridge	Davis	McLaurin	Rayner
Bristow	Dolliver	Martin	Simmons
Brown	Fletcher	Money	Smith, Md.
Burkett	Foster	Nelson	Stone
Clapp	Gore	Newlands	Taliaferro
Clay	Hughes	Overman	Taylor
Culberson	Johnston, Ala.	Owen	

NOT VOTING—18.

Bailey	Daniel	Hale	Shively
Bankhead	Depew	Jones	Smith, S. C.
Bourne	Elkins	Nixon	Tillman
Chamberlain	Frazier	Oliver	
Clarke, Ark.	Frye	Richardson	

So the amendments of the Committee on Finance were agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph as amended is agreed to.

The SECRETARY. The next paragraph passed over is 370, and in line 15, after the word "flocks," the committee propose to strike out the word "six" and insert "ten."

Mr. DOLLIVER. Mr. President, just before the previous vote was taken, and just before the distinguished Senator from Utah [Mr. SMOOT] took his seat, a controversy, somewhat nebulous and uncertain in character on both sides, developed as to whether the Ways and Means Committee had had before it the witness to whose name reference had been made. The Senator from Utah being a little dim in his recollection as to whether he had read all this testimony, was unable to say whether Mr. Dale had appeared or not. I, for want of absolute confidence in the accuracy of my recollection, was unable to press that point with that vigor which would become a man who knew to a dead certainty that he was correct about it. Therefore, the controversy lapsed into what would be called in worldly circles a "controversial draw."

In the meantime I have examined these hearings, and I find there is a sense in which we were both wrong, and a sense in which I was not far from right, because I find on page 5183 of the tariff hearings, on Schedule K, before the Ways and Means Committee, a letter by Sidney Blumenthal, of New York, submitting for the consideration of the committee, not Mr. Dale's testimony, but an extract from an extraordinary editorial article printed in the Textile World Record, of Boston, for January, 1909; and in view of the fact that this editorial article thus appearing, occupying pages of this record, the work of Mr. Dale, states with felicitous accuracy, so that almost anybody can understand it, notwithstanding the complexity of the subject, the question that is at issue here, I wish to read a few lines of it, because he exhibits for our attention the grievances of large classes of woolen manufacturers in New England and everywhere else in the United States.

Mr. DOLLIVER. I have suffered the affliction, which some-

Mr. MULKEY (when his name was called). I am paired with the senior Senator from Maine [Mr. HALE].

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I take it for granted the Senator remembers what my statement was, and that was that Mr. Dale did not appear before the Ways and Means Committee of the House, that he was not there to be subjected to cross-examination.

Mr. DOLLIVER. That is true.

Mr. SMOOT. That is the statement I made.

Mr. DOLLIVER. He was absent in person and in body, but he had his ideas there. The rest of them were there in person, but there was a peculiar dearth of ideas in connection with their attendance in some cases. But here is what he says about these wastes:

It is evident that one of the most difficult problems before the committee is the removal of the inequalities in the tariff on wool and woolens. The new tariff should afford adequate protection to all branches of the industry.

So you see he is not a free trader.

That is the basic principle on which the revision must be made. It should also bear equally on all branches, favoring none at the expense of the others or of the consumer. The inequalities encountered first are those in rates on wool. As it comes from the sheep's back and is received at the mill, wool contains a widely varying amount of grease and dirt. Some lots may consist of three-quarters grease and three-quarters clean wool; other lots, one-quarter grease and one-quarter clean wool; and no two lots shrink exactly alike.

The Dingley law fixes the tariff on wool at a uniform amount per pound of grease wool, regardless of the amount of grease it contains. Here lies the fundamental and insurmountable difficulty with a specific duty on grease wool. A duty of 11 cents a pound amounts in fact to 44 cents per pound of clean wool if there is 75 per cent of grease present, and to only 14⅔ cents per pound of clean wool if there is 25 per cent of grease.

Now, listen:

The result is that the 11-cent duty on wool excludes the heavy shrinking wools from the country. In effect, the law says: "No wool shrinking over a certain amount shall be imported into the United States except at a loss." It is impossible to escape this prohibition by scouring the wool abroad, because the law expressly provides that the duty on scoured wool shall be three times the duty on grease wool.

The wools required by the carded woolen industry are the short, heavy shrinking grades. This explains one reason why the specific duty on wool is a serious burden on the carded woolen industry and bears lightly on the worsted trade for which the light shrinking wools are chiefly adapted.

Deprived wholly of any supply of foreign wool, the carded woolen industry is forced to rely on the domestic clip, which provides less than half the wool (clean weight) used in the country. This domestic supply is still further restricted by the fact that worsted machinery has been steadily developed so as to comb and spin shorter wools for worsted goods. This is a second reason why the carded woolen industry is placed at a disadvantage.

Restricted to a small part of a small domestic clip, the woolen manufacturer turns to the by-products of worsted manufacture and to reworked wool (shoddy) for a supply of raw material, and again finds conditions adverse to him. The duty on noils, the by-product of worsted combing, which the worsted spinner can not use, is so high as to prohibit importations, and as a result the carded woolen manufacturer is forced to pay the worsted manufacturer a high price for a very limited supply of domestic noils.

The carded woolen manufacturer finds a similar condition when he turns from noils to wool waste and reworked wool. Prohibitory duties on the foreign supply restrict him to the narrow limits of the home supply.

The products of the carded woolen industry are necessary in order to provide the people with warm clothing at a low price. They are preeminently the clothing of the poor and of those in moderate circumstances. The effect of the present law has been to make cotton, instead of carded woolen cloth, the substitute for the higher priced worsted, and thus deprive the consumer of an adequate supply of warm clothing at a moderate price.

It is difficult to avoid the conclusion that the carded woolen industry has been starved while the worsted industry has been placed in a favorable position by reason of the low duty on light shrinking worsted wools and of the high prices at which the worsted by-products have been sold to carded woolen and knitting mills.

It is not surprising that the carded woolen industry has languished under these conditions, nor that those identified with it should now appeal vehemently for a recasting of the tariff on wool and wool goods at the coming revision. It is our purpose here not to recommend a definite schedule, but rather to point out facts that would aid in framing such a schedule. If objection is raised to the abandonment of specific duties on wool on the score of danger of undervaluations, this question may well be asked, is the evil of undervaluations with an ad valorem tariff, which evil can be limited by the vigilance of the Government, likely to be greater than the evil of discrimination against heavy shrinking wools, which evil can not be limited in any way whatever? It is up to the advocates of specific rates on wool to propose a schedule under which such rates will not favor some and discriminate against others.

I ask leave to print as a part of my remarks the extract to which I have referred from the Boston Textile World Record of January, 1909.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Textile World Record, Boston, January, 1909.]

It is evident that one of the most difficult problems before the committee is the removal of the inequalities in the tariff on wool and woolens. The new tariff should afford adequate protection to all branches of the industry. That is the basic principle on which the revision must be made. It should also bear equally on all branches, favoring none at the expense of the others or of the consumer. The inequalities encountered first are those in rates on wool. As it comes from the sheep's back and is received at the mill, wool contains a widely varying amount of grease and dirt. Some lots may consist of three-quarters grease and one-quarter clean wool; other lots, one-quarter grease and three-quarters clean wool; and no two lots shrink exactly alike.

The Dingley law fixes the tariff on wool at a uniform amount per pound of grease wool, regardless of the amount of grease it contains. Here lies the fundamental and insurmountable difficulty with a specific duty on grease wool. A duty of 11 cents a pound amounts in fact to 44 cents per pound of clean wool if there is 75 per cent of grease present, and to only 14⅔ cents per pound of clean wool if there is 25 per cent of grease.

The result is that the 11-cent duty on wool excludes the heavy shrinking wools from the country. In effect, the law says: "No wool shrinking over a certain amount shall be imported into the United States except at a loss." It is impossible to escape this prohibition by scouring the wool abroad, because the law expressly provides that the duty on scoured wool shall be three times the duty on grease wool.

The wools required by the carded woolen industry are the short, heavy shrinking grades. This explains one reason why the specific duty on wool is a serious burden on the carded woolen industry and bears lightly on the worsted trade for which the light shrinking wools are chiefly adapted.

Deprived wholly of any supply of foreign wool, the carded woolen industry is forced to rely on the domestic clip, which provides less than half the wool (clean weight) used in the country. This domestic supply is still further restricted by the fact that worsted machinery has been steadily developed so as to comb and spin shorter wools for worsted goods. This is a second reason why the carded woolen industry is placed at a disadvantage.

Restricted to a small part of a small domestic clip, the woolen manufacturer turns to the by-products of worsted manufacture and to reworked wool (shoddy) for a supply of raw material, and again finds conditions adverse to him. The duty on noils, the by-product of worsted combing, which the worsted spinner can not use, is so high as to prohibit importations, and as a result the carded woolen manufacturer is forced to pay the worsted manufacturer a high price for a very limited supply of domestic noils.

The carded woolen manufacturer finds a similar condition when he turns from noils to wool waste and reworked wool. Prohibitory duties on the foreign supply restrict him to the narrow limits of the home supply.

The products of the carded woolen industry are necessary in order to provide the people with warm clothing at a low price. They are preeminently the clothing of the poor and of those in moderate circumstances. The effect of the present law has been to make cotton, instead of carded woolen cloth, the substitute for the higher priced worsted, and thus deprive the consumer of an adequate supply of warm clothing at a moderate price.

It is difficult to avoid the conclusion that the carded woolen industry has been starved while the worsted industry has been placed in a favorable position by reason of the low duty on light shrinking worsted wools and of the high prices at which the worsted by-products have been sold to carded woolen and knitting mills.

It is not surprising that the carded woolen industry has languished under these conditions, nor that those identified with it should now appeal vehemently for a recasting of the tariff on wool and wool goods at the coming revision. It is our purpose here not to recommend a definite schedule, but rather to point out facts that would aid in framing such a schedule. If objection is raised to the abandonment of specific duties on wool on the score of danger of undervaluations, this question may well be asked, is the evil of undervaluations with an ad valorem tariff, which evil can be limited by the vigilance of the Government, likely to be greater than the evil of discrimination against heavy shrinking wools, which evil can not be limited in any way whatever? It is up to the advocates of specific rates on wool to propose a schedule under which such rates will not favor some and discriminate against others.

Another problem before the committee, and which is still more closely interlaced with the technical details of textile manufacturing, is the framing of a schedule of rates on wool fabrics which will be uniform on all grades of goods. The first step in reaching a solution of this problem is to obtain facts. The present law is based on the assumption that it requires 4 pounds of grease wool to make 1 pound of wool cloth.

The error of such a general proposition is at once evident, because of the variable shrinkage of grease wools. But it is not enough for the committee to know that the 4-to-1 ratio is wrong. They are charged with the task of finding out what is right. It will aid them in this search to know just how the present law, with its 4-to-1 ratio, has operated on different fabrics. With this object in view we have applied the Dingley rates to a number of wool fabrics which have either been made or analyzed by us personally. We know as well as it is possible for anyone to know how much material is required to manufacture a pound of the respective cloths, and present here the results of our calculations. We believe this is the first time that the results of such an examination of the Dingley schedules have been published.

Dingley schedules.

A25—WORSTED SERGE.

[18.4 ounces per yard, 54 inches wide; 10,000 yards, at $1, $10,000; 11,500 pounds cloth. This requires 21,941 pounds grease wool.]

		Duty.	Per cent.
Dingley duty:			
11,500 pounds cloth, 44 cents		$5,060.00	50.6
55 per cent of $10,000		5,500.00	55.0
Total duty		10,560.00	105.6
Actual compensatory required:			
21,941 pounds grease wool, 11 cents		2,413.51	24.1
Actual protection		8,146.49	81.5

Dingley schedules—Continued.

A96—COTTON-WARP DRESS GOODS.

[6.7 ounces per yard, 50 inches wide; 10,000 yards, at 25 cents, $2,500; 4,187 pounds cloth. This requires 4,515 pounds of grease wool.]

		Duty.	Per cent.
Dingley duty:			
4,187 pounds cloth, 44 cents		$1,842.28	73.7
50 per cent of $2,500		1,250.00	50
Total duty		3,092.28	123.7
Actual compensatory required:			
4,515 pounds grease wool, 11 cents		496.65	19.9
Actual protection		2,595.63	103.8

C96—WORSTED DRESS GOODS.

[6.7 ounces per yard, 50 inches wide; 10,000 yards, at 40 cents, $4,000; 4,187 pounds cloth. This will require 9,760 pounds of grease wool.]

Dingley duty:			
4,187 pounds cloth, 44 cents		$1,842.28	46
55 per cent of $4,000		2,200.00	55
Total duty		4,042.28	101
Actual compensatory required:			
9,760 pounds grease wool, 11 cents		1,073.60	26.8
Actual protection		2,968.68	74.2

E119—WORSTED SERGE, PIECE DYED.

[14½ ounces per yard, 56 inches; 10,000 yards, at 90 cents, $9,000; 9,062 pounds cloth. This would require 20,945 pounds grease wool.]

Dingley duty:			
9,062 pounds cloth, 44 cents		$3,987.28	44.3
55 per cent of $9,000		4,950.00	55
Total duty		8,937.28	99.3
Actual compensatory required:			
20,945 pounds, 11 cents		2,303.95	25.6
Actual protection		6,633.33	73.7

A226—COTTON WORSTED.

[14 ounces, 55 inches wide; 10,000 yards, at 50 cents, $5,000; 8,750 pounds cloth. This would require 3,125 pounds grease wool.]

Dingley duty:			
8,750 pounds, 44 cents		$3,850.00	77
50 per cent of $5,000		2,500.00	50
Total duty		6,350.00	127
Actual compensatory required:			
3,125 pounds, 11 cents		343.75	6.8
Actual protection		6,006.25	120.2

A207—COTTON-WARP, CASKET CLOTH, COTTON, WOOL, AND SHODDY.

[15½ ounces per yard, 68 inches wide; 10,000 yards, at 50 cents, $5,000; 9,688 pounds cloth. This will require 2,375 pounds cotton warp, 1,600 pounds grease wool, 1,125 pounds raw cotton, 9,563 pounds shoddy.]

Dingley duty:			
9,688 pounds cloth, 44 cents		$4,262.72	85.2
50 per cent of $5,000		2,500.00	50.0
Total duty		6,762.72	135.2
Actual compensatory required:			
1,600 pounds, 11 cents	$1,760.00		
9,563 pounds, 5 cents	478.15		
		2,238.15	44.8
Actual protection		4,524.57	90.4

60S—PIECE-DYED KERSEY.

[25 ounces per yard, 55 inches. Stock: Back warp, 40 per cent Oregon, 60 per cent shoddy; face warp and filling, 50 per cent California, 50 per cent shoddy; 10,000 yards, $1.25, $12,500; 15,625 pounds cloth. This would require 32,426 pounds wool in grease, 13,167 pounds shoddy.]

Dingley duty:			
15,625 pounds, 44 cents		$6,875.00	55
55 per cent of $12,500		6,875.00	55
Total duty		13,750.00	110
Actual compensatory required:			
32,426 pounds, 11 cents	$3,566.86		
13,167 pounds, 5 cents	658.35		
		4,225.21	33.8
Actual protection		9,524.79	76.2

Dingley schedules—Continued.

E382—COTTON-WARP BEAVER.

[28 ounces per yard, 55 inches; 10,000 yards, at 75 cents, $7,500; 17,500 pounds. This quantity would require 3,611 pounds raw cotton, 1,300 pounds cotton warp, 22,123 pounds shoddy, 4,886 pounds fine wool, 1,137 pounds coarse wool.]

		Duty.	Per cent.
Dingley duty:			
17,500 pounds, 44 cents		$7,700.00	102.7
50 per cent of $7,500		3,750.00	50
Total duty		11,450.00	152.7
Actual compensatory required:			
6,023 pounds, 11 cents	$662.53		
22,123 pounds, 5 cents	1,106.15		
		1,768.68	23.6
Actual protection		9,681.32	129.1

E24—IRISH FRIEZE.

[34 ounces per yard, 55 inches. Stock: 50 per cent wool and 50 per cent waste; 10,000 yards, at $1, $10,000; 21,250 pounds cloth. This requires 23,625 pounds grease wool, 17,719 pounds shoddy and waste.]

Dingley duty:			
21,250 pounds, 44 cents		$9,350.00	93.5
50 per cent of $10,000		5,000.00	50
Total duty		14,350.00	143.5
Actual compensatory required:			
23,625 pounds, 11 cents	$2,598.75		
17,719 pounds, at 5 cents	885.95		
		3,484.70	34.8
Actual protection		10,865.30	108.7

A211—WOOL CASSIMERE, TERRITORY WOOL.

[13 ounces per yard, 54 inches wide; 10,000 yards, at 85 cents, $8,500; 8,125 pounds cloth. This will require 32,143 pounds grease wool, shrinking 65 per cent.]

Dingley duty:			
8,125 pounds cloth, 44 cents		$3,575.00	42
55 per cent of $8,500		4,675.00	55
Total duty		8,250.00	97
Actual compensatory required:			
32,143 pounds, 11 cents		3,535.73	41.6
Actual protection		4,714.27	55.4

DE—WOOL DRESS GOODS, PIECE DYED.

[6 ounces per yard, 50 inches wide; 10,000 yards, at 40 cents, $4,000; 3,750 pounds cloth. This would require 14,823 pounds grease wool, shrinking 65 per cent.]

Dingley duty:			
3,750 pounds, 44 cents		$1,650.00	41.2
55 per cent of $4,000		2,200.00	55
Total duty		3,850.00	96.2
Actual compensatory required:			
14,823 pounds, 11 cents		1,630.53	40.8
Actual protection		2,219.47	55.4

It will be noticed that the "actual compensatory" is based on the amount of grease wool extended at 11 cents a pound and of waste or shoddy extended at 5 cents. This is on the assumption that the cost of wool in this country is increased by the full amount of the duty, which is not always the case. In the case of waste and shoddy 5 cents a pound has been allowed, because it would clearly be wrong to take the full amount of the duty, 10 to 20 cents, which in many cases is more than the total cost of the material in question. We have sent to England for samples of the cheap fabrics on which the compensatory duty per pound, owing to the lower valuation, is less than four times the duty on a pound of wool, and hope to give the results of our analysis in an early issue.

The following summary enables a comparison to be made for each of the fabrics between the duty as divided between "compensatory" and "protective" in the present law and as actually divided in practice:

	Dingley duty.		Actual.		Total duty.
	Compensatory.	Protective.	Compensatory.	Protective.	
A25—Worsted serge	50.6	55	24.1	81.5	105.6
A96—Cotton-warp dress goods	73.7	50	19.9	103.8	123.7
C96—Worsted dress goods	46.0	55	26.8	74.2	101.0
E119—Worsted serge piece, dyed	44.3	55	25.6	73.7	99.3
A220—Cotton worsted	77.0	50	6.8	120.2	127.0
A207—Cotton-warp casket cloth	85.2	50	44.8	90.4	135.2
60S—Piece dyed kersey	55.0	55	33.8	76.2	110.0
E382—Cotton-warp beaver	102.7	50	23.6	129.1	152.7
E24—Irish frieze	93.5	50	34.8	108.7	143.5
A211—Wool cassimere	42.0	55	41.6	55.4	97.0
DE—Wool dress goods	41.2	55	40.8	55.4	96.2

We have purposely excluded details of cost of manufacturing from these tables in order to avoid complications and confine attention to one important phase of tariff revision. Even now they involve many details and require careful study in order to determine their bearing on the revision of the tariff. One of the defects in the present tariff on wool goods, and perhaps the only one that attracts the attention of the public, is that the aggregate ad valorem rates amount in many

cases to considerably more than 100 per cent. Popular attention is also directed to the fact that the tariff is prohibitory on the cheaper grades of goods. This fact is being seized by politicians as a basis for the cry of discrimination against the poor and in favor of the rich. It is the part of wisdom for the textile trade to look the situation squarely in the face and devise some plan by which the friends of protection at Washington may be able to frame a law that will not only avoid favoring one branch of the wool and wool-goods trade at the expense of the other, but which will remove all grounds for the belief on the part of the public that the rates favor the producer at the expense of the consumer.

When inequalities in a tariff are corrected some one must give up an unfair advantage in justice to others. The woolgrower, the worsted spinner, the woolen manufacturer, and Congress, representing all interests, including the consumer, should get together with the determination to incorporate in the tariff bill of 1909 the square deal of which we have heard so much for seven years. The woolgrower may find that he needs protection against evils at home more than against imports from abroad; the worsted spinner may realize that his higher interests require a yielding up of some of the advantages he now possesses; while the carded-woolen manufacturer would doubtless gladly exchange such tariff protection as he does not need for a supply of the raw material without which he can not live. And this general equalization of rates, while affording adequate protection to American industry, will satisfy the consumer, who is the final arbiter in this country.

A majority of the people in the United States believe in adequate protection and want it incorporated in the new bill. They also want excessive protection abolished. Under these conditions the course for the textile industry to adopt is plain. It is to aid Congress to determine what is adequate protection and to insist that the rates on all goods shall be lowered or raised as may be necessary to bring them to the "adequate" mark.

Mr. WARREN. I do not yet understand what the gentleman proposes to do, unless he proposes an ad valorem tax; and I will ask the Senator from Iowa whether that is his proposition?

Mr. DOLLIVER. I do not know what he proposes. I know what I propose, although I despair of getting my honored friend the Senator from Wyoming to help me with it.

Mr. WARREN. Let me say to my honored friend the Senator from Iowa if he will show me anything that will benefit those who grow the wool, those who manufacture it, and those who consume it, I will be glad to go with him.

Mr. DOLLIVER. I am afraid that in reality the Senator from Wyoming has the same misgivings about it that were expressed by the Senator from Montana. He has not so much opposition to it as a dull fear, intuitively interpreted by long experience, that if the schedule were once reopened, it does not lie with human wisdom to tell what may happen to it in the course of the next few weeks.

Mr. WARREN. What is the "it" to which the Senator from Montana assented and I did not?

Mr. DOLLIVER. A proportional statement of specific duties upon raw wool in the ratio of its shrinkage.

Mr. WARREN. How would the Senator decide the percentage?

Mr. DOLLIVER. By modern methods, of which I can not find that anybody in the Senate has ever heard.

Mr. WARREN. Will the Senator permit me right here?

Mr. DOLLIVER. Yes.

Mr. WARREN. I have within a very few days had some experience in regard to this matter, and I want to say, if the Senator has any way of unraveling that problem of deciding what is the shrinkage on wool, so that we can put on an ad valorem tax and base it upon the shrinkage, and go through the custom-house safely, he will perform one of the great wonders of the age.

Mr. DOLLIVER. Mr. President——

Mr. WARREN. One moment, please. I want to say to the Senator that neither his wool nor the wool of any other man will be sold in large quantities upon any market in this country without taking the wool itself, or some of it, to the factory and scouring it, and buying it upon what it really shrinks. Would the Senator undertake to say that the wool shall be scoured, all of it, under government supervision, before it passes out of the care of the custom-house?

Mr. DOLLIVER. On what basis does a man who is buying wool of the Senator from Wyoming buy it? Does he buy the dirt and grease in it?

Mr. WARREN. He buys it upon what he believes will be its scoured value.

Mr. DOLLIVER. Are there no facilities out in Wyoming to enable him to judge what are the scoured contents of a fleece?

Mr. WARREN. There are not.

Mr. DOLLIVER. Where is that decision made?

Mr. WARREN. There are not, because the wools purchased by the different dealers for different manufacturers are subjected to different treatments according to what they are intended for; and hence every western scouring concern which has been started, in my knowledge, except the one in Aurora, Ill., has closed, because the wool has to be brought to market in the grease and scoured after arrival at its destination.

When the wool is offered for sale and the Senator from Iowa comes in to buy it, if he is willing to trust his judgment sufficiently to pay the price asked by the dealer, he may buy it and take the chances, but in buying large quantities of wool it almost invariably happens that sample bags will be ordered and the sample sent to a factory, where it is scoured in order to find out what it shrinks, and then he comes back and buys the wool in quantity on the actual results of his test.

Mr. DOLLIVER. Is not that exactly what is going on at the custom-house when duties are assessed upon certain cloth? Are not samples removed and tested?

Mr. WARREN. The Senator certainly can not have given that the attention which he usually gives to matters about which he talks, if he thinks the custom-house is going to be able to say how the raw wool will scour.

Mr. DOLLIVER. I was not talking about wool.

Mr. WARREN. One moment.

Mr. DOLLIVER. There are many things that come into the custom-house upon which they do assess duties by taking specimens out of the consignment and making the assessment upon the consignment on a standard determined by what appears from the specimens.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. In answer to that question I wish to say this: I have gone to a wool camp where there have been racks of wool blocks long and containing hundreds of tons. The clips were offered for sale. I have taken one sack, sometimes two, sometimes three; I have shipped them to the mill. I have scoured the sample bags of wool and purchased the clip upon the scoured result of the three bags. When I came to scour the whole clip, I have found a discrepancy of at least 5 to 6 per cent. No one can tell what a clip of wool will shrink until it is all scoured.

Mr. DOLLIVER. But this was a very modest transaction in the open air, in a salubrious climate. There are millions of pounds of wool sold every year in London. The agents of every nation in the world are there buying wool. Nobody buys the dirt that is in the wool, or the grease. Everybody buys and pays for the scoured contents of the bale. How do these agents tell how much to bid at the London auction?

Mr. SMOOT. A man goes into the London auction—I have been there and seen purchases made; I have seen the samples taken from a lot—just the same as in purchasing wool in the West. They get it scoured, and upon that sample they bid on the wool. But that does not prove that the whole clip of wool or the amount of the purchase will shrink the same.

Mr. DOLLIVER. No.

Mr. SMOOT. But it gives them an idea as to what it will shrink. A man has to use his own judgment in buying wool in London the same as in the West. I have missed the scoured result in many clips as high as 5 and 6 and 7 per cent, and I think that every wool buyer who has had any experience has done the same.

Mr. DOLLIVER. If we could get a scheme here of assessing this wool that would reduce the error to 5 or 6 per cent, it would be the very step forward to which my friend the Senator from Wyoming has alluded. The truth is, we have now a system that in the very nature of the case has ranged from 75 per cent down to nothing, and everything is assessed as if it were of one value and one shrinkage.

When I propose to assess it upon the shrinkage, the Senator says there is sometimes a difference of 6 per cent in judging of the character of the fleece. If I could be certain we could reduce this inequality to 6 per cent, I would not for a moment hesitate in calling on my friend from Wyoming to follow my suggestion.

Mr. SMOOT. The Senator from Iowa is talking about percentages, and the illustration as stated by me is as to dollars and cents. I desire to say that wools, no matter what kind, are bought upon the scoured basis; and if they shrink 20 per cent, they are bought upon the basis of a shrinkage of 20 per cent. If they shrink 80 per cent, they are bought upon the basis of a shrinkage of 80 per cent.

Mr. WARREN. Mr. President, it stands to reason that if there is a tariff of a certain rate upon wool, those who raise the wool in a foreign country—if it is per pound—will select the lighter wools for this market. There is no doubt about that. You go to the shearing pens and you will find them throwing the light fleece in one direction and the heavy fleece in another; the light fleece for exportation to the United States; the heavy for Bradford and other markets. The concession which has been made, if I may term it such, by the woolgrowers in favor of the wool manufacturers, as regards the skirting clause, has helped those who intended to import wool to reduce it nearer to an equilibrium, because only the light wools will come into this country. There is no advantage in that given either to the

carded woolen men or to the worsted men. All of us understand that. The wools of lighter shrinkage will come here, and the market abroad is governed accordingly. The market abroad is governed by the shrinkage of wool, and if the worsted men want to buy No. 2, which shrinks but little, the price abroad is regulated by the price it will bring here, duty paid. So there is no advantage. Prices rise and fall according to the laid-down duty-paid scoured prices at the factory, and hence the light-shrinkage wool costs the buyer just as much more as the light shrinkage differentiates in the grease from the wool of heavy shrinkage.

Mr. DOLLIVER. Mr. President, I do not think the carded woolen manufacturers and the manufacturers of knit goods in the United States or other forms, outside of the worsted industry, ought to be shut out by so high a duty as the Senator proposes from the universal market for those wool substitutes. I recognize the fact that nearly everybody is prejudiced against rags, and I have often myself heard gentlemen—and I am not certain that I have not followed the custom—speak of the beggars of Europe raking the gutters of Constantinople for woolen cloths for the purpose of bringing them to the United States to be afterwards worn upon the backs of our people. There is a good deal of humbug about that.

As I said yesterday, the Providence that made this world made wool practically indestructible, and when the process of refining wool is completed, when the dirt is taken out of it and the filth and the disease purged away from it by chemical operations, the wool fiber remains absolutely pure and absolutely clean. That is true even of rags which have been dug up in Constantinople.

Mr. WARREN. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Is the Senator undertaking to assert that wool loses nothing in all these processes and that remanufactured wool, shoddy, and so forth, is equal to the original clean wool?

Mr. DOLLIVER. Oh, no. It is not equal to it. It has the disabilities of age and that treatment which comes to things and people who are without friends in a world like this.

Mr. WARREN. I am very glad to say that from the foundation of this plan of a tariff upon wool, people who have been interested in enacting the laws have felt that if they took care of their own rags in this, their own, country, they did not need to pull down the bars for the rags of the pauper cities of this world, diseased as they might be, old as they must be. We have rags enough and shoddy enough in this country to get along well with. Shall we let down the bars lower than we have heretofore? We have already reduced the rate in the tariff on noils since the McKinley law. We have reduced it 50 per cent. We have reduced it from 30 cents to 20 cents per pound, which is a reduction of 50 per cent.

Mr. President, it was stated yesterday by the Senator from Minnesota that this wool schedule was a time-honored sort of chestnut and had hoary whiskers on it, but we are talking now about a duty that has been reduced 50 per cent since the McKinley law was passed.

Mr. DOLLIVER. Mr. President, I want to say a word further. The outcast rags of the world are by no means the most important kind of rags that are involved in this amendment. Rags, in the sense of this amendment, are a by-product of the tailor shops, big and little. In fact, they are the by-product of every household in the country. They are saved, and they ought to be saved, because the supply of wool, as Mr. Dale shows distinctly by uncontroverted figures, is not sufficient to give the people who live in this world, outside of the Tropics, one suit of woolen clothes in three years.

Therefore it is of vast importance to the comfort of this world that there should be economy in the saving of all these wastes and by-products, and as I have intimated in illuminating a little broader philosophy, I think that was the design of Providence in making wool, as He has made the precious metals, indestructible.

Mr. WARREN. Would the Senator depend on the products of old rags from abroad rather than to have new, clean, fresh wool?

Mr. DOLLIVER. Mr. Dale shows that after all these things have been said and done, the woolen mills are compelled to turn to these products.

Mr. WARREN. I am talking about imported stock. Would the Senator rather import rags than pure wool? That is the question.

Mr. DOLLIVER. I do not want to import either; and I will tell you why I want to have this duty reduced a little.

Mr. WARREN. But admitting that we have to import one or the other, which the Senator knows is true, what will we import, rags or wool?

Mr. DOLLIVER. I think I would prefer to import wool myself.

Mr. WARREN. Very true. The Senator proposes now to reduce the price on shoddy or rags so that they come in here and cut out the pure wool of this country, and he is going to reduce it so that instead of importing good wool from other countries, the manufacturers are going to bring in shoddy. That is the difference.

Mr. DOLLIVER. Going upon the theory that these carded woolen manufacturers can get goods cheaper and sell cheaper, they will have to turn to the "rag market," so called, to the market that handles the by-products, in order to piece out the wool supply that lies in the United States, since they are shut out entirely from the high-shrinking wools by the unscientific way in which this duty is assessed upon all wools. I want to know whether it is the wish to leave them dealing with such rag dealers as now occupy this market in the United States?

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I think it would be very unfortunate for the carded woolen people to give it out to this country that they are depending upon rags to make their goods.

Mr. DOLLIVER. Mr. President——

Mr. SMOOT. Just a minute, and I will be through. That is one reason why the carded woolen people are suffering to-day. The market has been demanding year in and year out a cheaper class of goods, and because a manufacturer one year sold his line of tricots for $1.40, the very next year every clothing manufacturer in the United States would say we want a tricot for $1.35, the following year for $1.30, next for $1.25, and continued until they got the price down to $1.05 a yard.

Mr. President, how can they make it? In only one way; and that is to take out the pure wool and put in the waste and rags to cheapen the product. I believe to-day that if all the carded woolen men of this country had stood firm, and said to the American clothing manufacturer, "We will not so cheapen our goods," they would be better off than they are to-day. As far as I am concerned, I would like to see the duty on rags so high that no European rags could ever be brought into this country to be put in clothing to be worn upon the backs of the American people.

Mr. DOLLIVER. Mr. President, there is a good deal of truth in what the Senator says and a good deal of sentiment. He falls back on the prejudice against rags which everybody entertains. But that does not throw practical light upon the situation in which these manufacturers are placed. They say that they can not import the high-shrinkage wools because——

Mr. WARREN. Will the Senator permit me there?

Mr. DOLLIVER. Certainly.

Mr. WARREN. Mr. President, the Senator says they want to get shoddy because there is a shortage of wool. Why not import wool, then?

Mr. DOLLIVER. Because you have a scheme here in the first part of the bill that makes it impossible to import high-shrinkage wools. Whenever wool rises to a shrinkage of 70 per cent, you have a duty of 36⅔ cents a pound on the scoured contents of every pound. You have a statutory duty of 33 cents on scoured wool; that is our advertisement; and you have an actual duty of 36⅔ cents on every scoured pound of wool that comes in here shrinking 70 cents on the hundred.

Mr. WARREN. Let me tell the Senator what happened under the Wilson law.

Mr. SMOOT. Let me tell him about this other.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I should like to see the carded-wool people say to the American people, "We are not going to use rags at all; if we are going to cheapen the product, we will cheapen it by mixing cotton instead of woolen rags." Let me tell you why they do not do so. When the clothing manufacturer uses cloth he wants it in such a condition that he can say to the American people that it is all wool, and when it is tested by the chemicals it will show that it is all wool. If that same product carried cotton instead of waste, it would be a better article, but chemically treated it would show just the amount of cotton in it, and the clothing manufacturer could not say to the people that it is all wool. The cloth itself would be a great deal better if it had our best staple cotton instead of these chopped-up rags.

Mr. DOLLIVER. Mr. President, the eloquence of the Senator from Utah entertains, but it does not put a light on the pathway in which I was trying to walk.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN (continuing). Speaking of rags, some of our friends of the other party, when they were in power, feeling that the consumer ought to be cared for, gave him free wool. They wanted to be generous. They also gave him free shoddy. The consequence was that while we had been importing before that time, I think less than one-quarter of a million pounds of shoddy in a year, with wool free and with shoddy free, we imported over 45,000,000 pounds of shoddy the first year under the Wilson and Gorman tariff act.

Now, I ask the Senator, with wool free and shoddy free, which best serves the consumer? Would he have shoddy instead of wool?

Mr. DOLLIVER. At that time we had not money enough to buy either.

Mr. WARREN. That is true, probably; but at a time like the present, when the best worsted goods are being sold, double width of 56 inches, 3 to 3½ yards, sufficient to make a suit of clothes, at the small price of from 85 cents to $1.25 per yard, do we need to ask to put our tariff down where rags instead of all pure wool shall enter into the structure of the cloth for our working people? Here is the product of rags [exhibiting]. It has no fiber of length, as the Senator can see.

Mr. DOLLIVER. Do you mean to say that all shoddy is without any fiber at all?

Mr. WARREN. It is a broken and worn fiber. I want to say that while this shoddy does thicken the cloth and does make it warmer if you can keep it hanging together long enough, at the same time it cuts out just that much weight of our domestic wool—it takes just that much wool market away from the woolgrowers. The proposition right now is, Shall we clothe our people in rags or shall we clothe them in home-grown wool, and if we fall short between the supply and the need, shall we buy shoddy or shall we buy wool?

At the time the Senator speaks of, when over 45,000,000 pounds of shoddy came in here, we had all we could do to buy even cheap clothing. Does the Senator want to reduce us to that point now?

Mr. DOLLIVER. No.

Mr. WARREN. Does he wish to make the price of shoddy so much less than the price of wool that the temptation will be ten times as great as it was then? They made cloth at that time of single width—27 inches—that was sold here for 18 cents per yard, and the men who bought it were beaten out of 17¾ cents on every yard of it.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. I desire to ask the Senator from Wyoming if it is not a fact that those who sell the cloth made of this shoddy always advertise the cloth as all wool and never advertise it as a product of shoddy, and if it is not therefore an imposition on the purchasing public?

Mr. WARREN. Yes. In the past, not long ago, a tender of law along the lines of the oleomargarine and pure-food laws, to require cloth to be tabbed with the material in it, was offered, and there was such an earnest protest on the part of the manufacturers of cheap woolens as probably was never before offered under the Dome of this Capitol, and we were compelled to drop it there.

Mr. DOLLIVER. Mr. President——

Mr. WARREN. Just a moment more, if the Senator will allow me.

I may not be very well dressed at this moment, but of the suit of clothes that I now have on, the cloth, 54 inches wide, costs, the mill price, $1.20 per yard. Now, the cheapest shoddy cloth that ever was made, and that was in times of free shoddy, was 18 cents per yard for half that width, which would be 36 cents, in comparison with $1.20 for all pure new wool worsted cloth. I ask if we want to encourage by letting down the bars here the introduction of rags that take away pound for pound the market of the American woolgrower for just that much of his product; and, second, deal out to the customer a fabric which, if he once gets it wet, he will have to hang out and call in a neighbor to tell him what kind of garment it is when dry, for it will be out of shape if not all to pieces? Here we have the opportunity to have clothing of the best character for a matter of $3 or $4 for the cloth in a suit, and it costs for making the suit just as much if it is a rag suit made of shoddy as it does if it is an all-wool suit.

Is it necessary for us to reduce the price of shoddy down to a lower tariff ratio than we put on anything else in the woolen line, so that the consumers of this country at every point can be humbugged and robbed? Is that what the Senator would like to do? We have rags of our own. We make them into shoddy. As the Senator says, we take them from the tailor, we take them wherever they fall, and they enter into our manufactures. Now, the Senator asks us to let down the bars and import rags from all pauper cities of Europe to drive out the woolgrowers that grow wool here, and to keep from buying absolutely pure wool abroad that can be bought almost as cheap as the rags themselves.

Mr. DOLLIVER. Mr. President, I do not intend to allow the Senator's statement that I want this country flooded with rags from abroad——

Mr. WARREN. I ask the Senator if he wishes that to be done?

Mr. DOLLIVER. I do want this duty on rags high enough to keep them out, but I do not want them so high as to invite enterprising persons to organize the rag business into one hand.

I called attention this morning to the fact that this duty is mere guesswork. There is no man on the committee or on this floor who knows what the difference in the price of rags in London and New York is. It is just simply a piece of ordinary mental play in which these duties are put absolutely prohibitive. The result of it has been, first, to keep rags out, and I am glad of it; and the second result has been to organize in this market place the United Woolen By-Products Company, generally known as the "rag trust." The result is that every American woolen manufacturer is trying to buy our own rags sent, not to Europe, Asia, Africa, or the islands of the sea, but to the city of New York, and Cincinnati, and Cleveland, and Chicago, and St. Louis, and San Francisco, to the agents of the American Woolen By-Products Company, and these people are robbed without benefit of clergy; and they are here complaining about it.

Mr. WARREN. Will the Senator tell us about this great corporation that he mentioned that nobody else knows anything about?

Mr. DOLLIVER. My honored friend has not forgotten.

Mr. WARREN. Will he point us where we can go and find it, so we can learn where all the woolen factories are located and what their capital is, and so forth? Can he direct us to some point where we can get the particulars of the concern actually doing business that has a corner on rags?

Mr. DOLLIVER. If my friend will consult the junior Senator from Ohio [Mr. BURTON], whom I do not happen now to see in this Chamber, he will give him particulars of that branch of the rag trust that is now operating in Cleveland.

Mr. LA FOLLETTE. Mr. President——

Mr. WARREN. Does the Senator feel that we are going to be short of rags? Does he fear a dearth of rags?

Mr. DOLLIVER. I do not think the rag trust is going to be short of money so long as the carded woolen manufacturer must purchase from it.

Mr. WARREN. The carded woolen manufacturer desires to clothe the people well and that they shall not depend upon rags.

Mr. DOLLIVER. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. On the subject of shoddy, I have a bit of testimony taken from the hearings before the Ways and Means Committee which I think will be pertinent at this point of the discussion. When Mr. Whitman——

Mr. WARREN. Will the Senator please direct us to the page of the testimony?

Mr. LA FOLLETTE. I am not able to cite the page just now, but I will cite an incident and will give all of the testimony from the hearings. I think the Senator from Wyoming will be able to turn to it without any difficulty.

Mr. WARREN. I only wished to see what might precede and what succeed it.

Mr. LA FOLLETTE. When Mr. William Whitman, of "wool top" fame, was before the Committee on Ways and Means, on the 2d day of December, Mr. LONGWORTH, of Ohio, a member of the Committee on Ways and Means, propounded to him the following question. You can find it in Mr. Whitman's testimony without much difficulty, I think, but I will give you all there is of it. I have not garbled it.

Mr. LONGWORTH. I desire to ask you a question which will not involve any political theory, and I will put it in the form of reading to you a few sentences from a letter that I received this morning from a constituent of mine. I will say that he is a Republican—I know it because I served with him in the legislature—and therefore he would not be biased by free-trade theories in asking for a reduction in the tariff on woolens. He makes this statement:

"As a manufacturer of clothing for a period of almost fifty years, I can truthfully state that I never handled cloth of so inferior a quality for the price as I do now. The masses, consisting of laborers, mechanics, and farmers, the real users of ready-made clothing, are receiving practically no value for their money. The qualities and colorings are so poor that in many instances the colorings fade and cockle, and in the manufacture of garments give positively no satisfaction to the wearer."

End of the quotation from the letter. Mr. LONGWORTH says:

I would like to hear your comments on that statement.

Mr. WHITMAN. It is not true.

Mr. LONGWORTH. It is not true?

Mr. WHITMAN. It is not true. There never was a time in the history of the United States when goods were as well made as they are now, and there never was a time when the people wore such good clothing; and I will apply that to both men and women. (Pp. 5352 and 5353, Tariff Hearings, Vol. V, Woolen and Worsted Industry.)

At the bottom of the same page upon which I find this statement of Mr. Whitman as a footnote there appears a letter which evidently was placed in the hearings by Representative LONGWORTH. It came manifestly in response to Mr. Whitman's denial, and reads as follows:

CINCINNATI, OHIO, *December 9, 1908.*

Hon. NICHOLAS LONGWORTH,
Ways and Means Committee, Washington, D. C.

HONORED SIR: At a meeting of the Cincinnati Clothiers' Association, held on the 8th day of December, 1908, Max Silberberg presented and read copy of a letter which, under date of November 30, 1908, he had addressed to the Hon. NICHOLAS LONGWORTH, Congressman from the First Ohio District, member of the Ways and Means Committee, on the subject of the tariff as it affects fabrics entering into the manufacture of clothing, and the attention of the association was called by Mr. Silberberg to the fact that Mr. LONGWORTH had referred, in the course of an examination of Mr. William Whitman, president of the National Association of Wool Manufacturers (who appeared before the Ways and Means Committee to testify), to the letter addressed to him by Mr. Silberberg and asked Mr. Whitman to comment thereon, and especially to a statement made in said letter that "Never before in the history of the country had woolens from the mills been so rank and costly to the clothing manufacturers as now." To which Mr. Whitman replied: "It isn't true."

The Cincinnati Clothiers' Association, composed of substantially all the clothing manufacturers of Cincinnati, Ohio, wishes to corroborate each and every statement contained in the letter addressed by Mr. Max Silberberg to the Hon. NICHOLAS LONGWORTH, dated November 30, 1908, and desires in this way to make each and every statement contained in said letter the statement of this association, and the president and secretary of this association are authorized and directed to certify this action and forward the same to the Hon. NICHOLAS LONGWORTH, for presentation to the Ways and Means Committee of the Congress of the United States.

We, the undersigned, president and secretary of the Cincinnati Clothiers' Association, hereby certify that the foregoing action was taken and adopted by said association at a meeting thereof held on the 8th day of December, 1908.

CHARLES SHOHL, *President.*
ENOCH L. STRICKER, *Secretary.*

The PRESIDING OFFICER (Mr. SMITH of Michigan in the chair). The Senator from Iowa will proceed.

Mr. DOLLIVER. Mr. President, I do not want to go any further into that question except to state that if what these people say is true we have not escaped this affliction of rags by the policy that has been pursued up to this time.

Mr. WARREN. Will the Senator from Iowa permit me?

Mr. DOLLIVER. Certainly.

Mr. WARREN. The Senator knows that there is a large product of rags in this country. The larger portion is what falls from the tailor's cutting bench or table, because we do not have that ragged, poor population that some of the old countries have, thanks to our better country, better legislation, tariff acts, and so forth. So rags are bound to enter into the manufacture of cloth to a greater or less extent. But the point I want to make is, that after we have taken care of our own wool and our own rags, shall it be wool that comes in as an extra supply, or shall it be the rags from the slums of foreign countries?

Mr. DOLLIVER. Mr. President, I want to say just a word about this despised shoddy. I have in my mind a very excellent treatise on textile fabrics by Professor Matthews, who is the head of the chemical and dyeing department of the Philadelphia Textile School, and he speaks of this despised shoddy in such terms as would almost seem to refute some descriptions that have been made of it. In fact, he devotes a chapter to the various ways of determining whether goods are made of pure wool or shoddy, and he ends his chapter by saying, on page 74, that "Most samples of shoddy in fact show scarcely any structural difference from ordinary fleece wool." I have quoted that to show that there are all grades of these materials, though I desire to add that I do not want any of them admitted into the United States.

The thing I complain of is that we are putting a duty upon them not only high enough to keep them out, but high enough to warrant the organization here of mercantile agencies, the operation of which has been greatly to the disadvantage of those of our own manufacturers who are compelled to buy these articles in the ordinary course of their business.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended is agreed to, if there is no objection. The Chair hears none.

The SECRETARY. The next paragraph passed over is paragraph 372, "wool and hair which have been advanced in any manner," and so forth.

Mr. DOLLIVER. I desire to offer a substitute for the Senate amendment.

Mr. ALDRICH. There is no amendment to the paragraph.

The PRESIDING OFFICER. The question is on agreeing to paragraph 372.

The paragraph was agreed to.

The PRESIDING OFFICER. The Secretary will read the next paragraph.

The SECRETARY. The next paragraph passed over is paragraph 373.

Mr. DOLLIVER. I desire to offer a substitute for paragraph 372, which I will send to the desk.

The PRESIDING OFFICER. Paragraph 372 has been adopted, unless there is objection.

Mr. DOLLIVER. I desire to have it reconsidered for the purpose of offering a substitute.

Mr. GALLINGER. Let it be reconsidered.

Mr. ALDRICH. I have no objection to its being reconsidered for the purpose of offering a substitute.

The PRESIDING OFFICER. Reconsideration will be granted, unless there is objection. The amendment of the Senator from Iowa will be read.

The SECRETARY. On page 129, paragraph 372, strike out the House text and insert the following:

372. Wools advanced from the scoured state, known as tops, valued at not more than 40 cents per pound, 30 cents per pound; valued at more than 40 cents per pound, 35 cents per pound; and in addition thereto on all the foregoing, 20 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa as a substitute for paragraph 372.

Mr. DOLLIVER. I desire to have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. BOURNE'S name was called). I am requested to announce that the senior Senator from Oregon [Mr. BOURNE] is paired with the junior Senator from Indiana [Mr. SHIVELY].

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN], which, in his absence and with the consent of the junior Senator from Mississippi [Mr. MCLAURIN], I transfer to the senior Senator from Maine [Mr. HALE], which will leave the Senator from Mississippi and myself at liberty to vote. I vote "nay."

Mr. FRAZIER (when his name was called). I am paired with the senior Senator from New York [Mr. DEPEW]. If he were present, I should vote "yea."

Mr. MCLAURIN (when his name was called). Under the arrangement announced by the Senator from Vermont [Mr. DILLINGHAM], I am at liberty to vote, and I vote "yea."

The roll call was concluded.

Mr. SCOTT. I desire to announce—and it will not be necessary to make this announcement again—that my colleague [Mr. ELKINS] is unavoidably detained to-day from the Senate. He is paired with the junior Senator from Texas [Mr. BAILEY]. I shall not make this announcement on future roll calls.

The result was announced—yeas 29, nays 42, as follows:

YEAS—29.

Bacon	Davis	McLaurin	Simmons
Bristow	Dolliver	Martin	Smith, Md.
Brown	Fletcher	Money	Stone
Burkett	Foster	Nelson	Taliaferro
Clapp	Gore	Newlands	Taylor
Clay	Hughes	Overman	
Culberson	Johnston, Ala.	Paynter	
Cummins	La Follette	Rayner	

NAYS—42.

Aldrich	Crane	Guggenheim	Root
Borah	Crawford	Heyburn	Scott
Bradley	Cullom	Johnson, N. Dak.	Smith, Mich.
Brandegee	Curtis	Kean	Smoot
Briggs	Dick	Lodge	Stephenson
Bulkeley	Dillingham	McCumber	Sutherland
Burnham	Dixon	McEnery	Warner
Burrows	du Pont	Page	Warren
Burton	Flint	Penrose	Wetmore
Carter	Gallinger	Perkins	
Clark, Wyo.	Gamble	Piles	

NOT VOTING—20.

Bailey	Clarke, Ark.	Frye	Owen
Bankhead	Daniel	Hale	Richardson
Beveridge	Depew	Jones	Shively
Bourne	Elkins	Nixon	Smith, S. C.
Chamberlain	Frazier	Oliver	Tillman

So Mr. DOLLIVER'S amendment was rejected.

The paragraph was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is 373, to which the Committee on Finance propose an amendment on page 130, line 2, after the word "class," to strike out "in addition thereto 25 per cent ad valorem;" and in line 7, after the word "thereto," insert the words "upon all the foregoing."

The PRESIDENT pro tempore. The question is on the amendment proposed by the Committee on Finance.

The amendment was agreed to.

Mr. DOLLIVER. Mr. President, I desire to offer a substitute for paragraph 373, which has just been amended.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 129, beginning in line 25, it is proposed to strike out paragraph 373, and in lieu thereof to insert the following:

373. On yarns made wholly or in part of wool, valued at not more than 40 cents per pound, 27½ cents per pound on the wool contained therein; valued at more than 40 cents per pound, 38½ cents per pound on the wool contained therein; and, in addition thereto, on all the foregoing, 35 per cent ad valorem.

Mr. DOLLIVER. Mr. President, this is the first paragraph in which a peculiar anomaly of our wool tariff, which has been perpetuated for a great many years, appears, and that is our effort to compensate the manufacturer on account of the loss which he sustains by reason of the tariff on raw wool. So, in the case of yarn, we propose to compensate him by assessing on imported yarn three times the duty on the corresponding class of wool, and, in addition to that, a protective ad valorem of a given percentage.

I have already stated that I do not intend now to make any fight on this theory of compensatory duties, although I am sure that the compensatory rates are not scientifically proportioned, and in themselves operate to create unnecessary inequalities; but there is one thing of which I feel comparatively sure, and that is when you compensate a man for a loss which he has sustained you ought to be certain he has sustained the loss.

Therefore, in making compensation to the manufacturer for the loss which he has sustained by reason of the duty on the wool contained in these yarns, I propose to assess the compensation, not upon the weight of the yarns, but upon the weight of the wool contained in them. I submit that amendment for the friendly consideration of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. DOLLIVER].

Mr. LA FOLLETTE. Mr. President, on the 25th of September, 1908, Mr. Taft, then the candidate of the Republican party for the Presidency, said, at Des Moines, Iowa:

It is my judgment that a revision of the tariff in accordance with the pledge of the Republican party will be, on the whole, a substantial revision downward, though there probably will be a few exceptions in this regard.

I doubt if there were any schedules of the Dingley law more prominently in the mind of Mr. Taft when he uttered those words at Des Moines, Iowa, than the schedule now under consideration. He was then upon his western tour in the presidential campaign and was addressing voters in support of his candidacy. I think in no speech which he made in the Middle West did he neglect to emphasize this idea and to make substantially the statement which I have quoted.

Mr. President, all students of the tariff question must realize that this particular schedule relating to wool and woolens, essentially a necessary of life, should, above all others, be carefully reconstructed as to the manufactures of wool and revised downward. But this schedule has not been reconstructed in accordance with the petitions of the American people nor the pledges of the Republican platform.

I believe, sir, that the manufacturers of certain classes of woolen fabrics have come into almost supreme control and have succeeded in impressing upon the Congress their views and their interests to the exclusion of the interests of the consumers of the country.

I believe with the Senator from Iowa that the coalition formed many years ago between the representatives of the wool producers and the manufacturers now operates as a hardship upon the producers of wool and gives to the manufacturers, and especially to the manufacturers of one branch of this business, an unjust measure of protection.

I wish to direct the attention of the Senate to some of the reasons why this wool and woolen schedule should be dealt with thoroughly and comprehensively and according to the true principles of protection.

COMBINATION IN WOOL INDUSTRY.

First, I assert that there is a combination in one branch of this industry creating a changed condition, which must be recognized in fixing the tariff duties if the interest of the average citizen is to receive any consideration. I cite the highest authority in this country, giving the exact facts showing the existence of a trust in the manufacture of worsted cloth. I refer to Moody's "The Truth About the Trusts," published in 1904, from which I have already quoted in this debate. It is not a partisan work, but an authoritative compilation by one of our great economic students of the facts of record concerning every great trust in the country in 1904. It is not an attack upon the trust system; it simply records the facts respecting every important trust, the date of its organization, under what state law it was organized, the number of theretofore independent companies which came into it, and the percentage of control over the business, together with capitalization and other facts of a similar character.

Mr. Moody has this to say with respect to this trust:

AMERICAN WOOLEN COMPANY—THE WOOL TRUST.

Incorporated under New Jersey laws, March 29, 1899. It has acquired and now owns the property of the following establishments: Washington Mills, Lawrence, Mass.; National and Providence Worsted Mills, Providence, R. I.; Saranac Mills, Blackstone, Mass.; Fulton Mills, Fulton, N. Y.; Fitchburg Mills, Fitchburg, Mass.; Beoli Mills, Fitchburg, Mass.; Valley Mills, Providence, R. I.; Riverside Mills, Providence, R. I.; Assabet Mills, Maynard, Mass.; Sawyer Mills, Dover, N. H.; Bay State Mills, Lowell, Mass.; Beaver Brook Mills, Lowell, Mass.; Vassalboro Mills, North Vassalboro, Me.; Puritan Mills, Plymouth, Mass.; Anderson Mills, Skowhegan, Me.; Kennebec Mills, Fairfield, Me.; Manton Mills, Manton, R. I.; Anchor Mills, Harrisville, R. I.; Chase Mills, Webster, Mass.; Brown Mills, Dover, Me.; Ray Mills, Franklin, Mass.; Weybosset Mills, Providence, R. I.; Baltic Mills, Enfield, N. H.; Moosup Mills, Moosup, Conn.; Lebanon Mills, Lebanon, N. H.; Prospect Mills, Lawrence, Mass.; Globe Mills, Lawrence, Mass.

Capital stock authorized, $25,000,000; 7 per cent cumulative preferred, and $40,000,000 common stock. Par value, $100. Outstanding, $20,000,000 preferred and $29,501,000 common. Par value, $100. Dividends are regularly paid on the preferred stock.

Number of plants absorbed, 27; proportion of industry controlled, about 60 per cent; products: Woolens, worsteds, etc., all kinds. Element of monopoly: Strong (large tariff benefits). Total capital issued, $49,501,000; market value, $17,000,000.

Mr. President, I have been admonished in the last twenty-four hours that this trust is very active. We have in Wisconsin a few woolen mills. They are not manufacturing worsteds; they are not the people who get the cream of these tariff benefits, but they have been appealed to to wire me to support the existing rates of Schedule K. A curious thing about it is that I was not taken wholly unawares; I was warned of what was coming.

June 5 I received a letter which I must lay before the Senate without giving the name of the author, and I suppose it will be denounced as an anonymous communication. But the Senator from Massachusetts [Mr. LODGE] quoted in his speech certain communications in support of his arguments from which the signatures were withheld. Since we began the consideration of these schedules I have gone very carefully through the hearings before the Ways and Means Committee, and I find with respect to the cost of production many unsigned statements, which instead of being identified with the name of the persons offering the facts are designated by number. For instance, the National Association of Manufacturers through William Whitman filed a long statement with that committee purporting to give among other things certain information regarding the manufacture of woolen blankets, instead of giving the names of the manufacturers, the statements are headed "Statement of blanket manufacturer No. 1;" "Statement of blanket manufacturer No. 2," and so on, all submitted anonymously to the Ways and Means Committee.

The Finance Committee sought to discredit the document furnished by the German Government on request of the Secretary of State, giving information respecting wages and cost of production in Germany, because the names of the manufacturers who signed the statements were not—for trade reasons—to be given out for publication, although open for official inspection and verification at the State Department.

INSPIRED TELEGRAMS FAVORING PRESENT DUTIES.

However, the precedent established by the Senator from Massachusetts [Mr. LODGE] and by the Ways and Means Committee of the House of Representatives, warrants me in submitting without his name, this letter written me by a dealer in woolens in a Western State, warning me that I would receive certain telegrams. I read from his letter as follows:

DEAR SIR: You will some time next week receive 25 to 50 telegrams from Wisconsin saying something to this effect—

Now he quotes—

"Earnestly request your support Schedule K, duties on wastes, yarn, cloths, dress goods, as reported by Finance Committee, as important to woolgrowers as duty on raw wool."

You know we have nearly a million sheep in Wisconsin, and I am borne down upon as suggested by this letter in the name of the woolgrowers to support Schedule K. The letter continues:

The other man who is being the subject of attack is Senator BEVERIDGE, who, at a given signal, will receive a large line of letters, also telegrams, from his State, emanating from the same source. You may use this information in any manner that you desire, but it must not be

known that it emanates from me. As there is only one person outside of myself familiar with this subject at this time, * * *.

I have no desire to enter into any argument on the subject, and I also realize the futility of it; as the tariff measure will be passed, notwithstanding what all the friends of revision may desire. I merely thought I would apprise you of whence emanates the great clamor to protect wool, if you get the wires.

Now he adds the following:

You will not get many wires. The $50 which were sent to be distributed in dollar bills to pay for 50 telegrams were kept by the party who was to disburse them.

[Laughter.]

And it is not likely that many of the manufacturers will spend anything on telegrams.

As a matter of fact I did not get 50. I have four here and two in my committee room. All read just alike, and all read just as the writer of this letter said they would read. His letter was dated the 5th, and these telegrams are dated the 8th. I will read one of them.

Mr. GORE. Read them all.

Mr. LA FOLLETTE. I will read enough to show their similarity. I will not read the names of the men or the companies that signed them, because I think they have been misled into signing and sending them, and I do not want to subject them to embarrassment.

I remember when the Aldrich currency bill was pending before the Senate—a bill that was passed in the interest of the great group banks engaged in speculative finance—it was possible for them to enlist the small commercial bankers of the country to wire Senators to oppose amendments framed in the interest of the commercial banks. So I know the power of this system as it reaches out over these United States. It is all one great system. Behind all legislation of this character is one great power.

ALL READ ALIKE, SHOWING THE SAME ORIGIN.

I read you what is written in this telegram. Keep in mind what I have read from the letter. The telegram is addressed to me and is dated from a city in Wisconsin:

June 8, 1909. Earnestly request your support Schedule K, duty on wastes, yarns, cloths, dress goods, as reported by Finance Committee as important to wool growers as duty on raw wool.

I will read another one. It is dated the same day, June 8, from another city in Wisconsin.

Earnestly request your support Schedule K, duty on wastes, yarns, cloths, dress goods, as reported by Finance Committee as important to wool growers as duty on raw wool.

[Laughter.]

I will read you another one from still another town in Wisconsin.

Earnestly request your support Schedule K, duty on wastes, yarns, cloths, dress goods, as reported by Finance Committee as important to wool growers as duty on raw material.

All read alike. I have two more in my committee room.

I received another telegram from a gentleman who evidently knew that these messages were to be sent me and knew who inspired them. He wired me as follows:

Telegrams you are receiving to-day undoubtedly originate from big woolen interests. I request you keep on working for the people.

It is signed "T. H. Cochrane, Portage, Wis."

Mr. WARREN. Will the Senator from Wisconsin permit a question?

Mr. LA FOLLETTE. Certainly.

Mr. WARREN. Do the signers of the other telegrams which the Senator has read ask him to withhold their names?

Mr. LA FOLLETTE. No; they do not, but I withhold them because I think they have been fooled, just as I am inclined to think the Senator from Wyoming has been fooled. [Laughter.]

Mr. WARREN. The Senator from Wisconsin is probably a judge of the fooling business. I simply asked the question, in respectful manner, whether it was——

Mr. LA FOLLETTE. I gave you my reason. I stated to the Senate my reasons for withholding the names.

Mr. WARREN. I simply asked whether the senders of the telegrams requested that their names be withheld.

RESULTS GOOD—MORE PROGRESSIVES IN THE SENATE.

Mr. LA FOLLETTE. I stated that I withheld them just as I withheld the names of bankers in Wisconsin who wired me and wrote me with respect to the currency bill, which the Senator from Georgia immediately after it had been passed very properly denounced as an infamy.

Mr. WARREN. May I ask another question? Is it not possible that the signers of the telegrams would prefer to have the signatures follow the body of the telegrams?

Mr. LA FOLLETTE. I have so much doubt about it that I withhold them.

Mr. WARREN. Certainly.

Mr. LA FOLLETTE. And I will be the judge of that, with the permission of the Senator from Wyoming.

Mr. WARREN. The Senator feels that the men who sent him the telegrams do not know their business, and he withholds their names?

Mr. LA FOLLETTE. I know enough about methods of the system to warrant the belief that there are many people who do not know how they are being preyed upon by the special interests of this country.

Mr. WARREN. And the Senator is——

Mr. LA FOLLETTE. And I am inclined to think—I want to believe it if I can—that there are men on this floor who do not know.

Mr. WARREN. Do not know what?

Mr. LA FOLLETTE. Who do not know the interests they are really serving.

Mr. WARREN. I hope the Senator will tell us.

Mr. GALLINGER. Who are they?

Mr. WARREN. Who are they?

Mr. LA FOLLETTE. I have spent two or three years in an effort to make that very plain.

Mr. WARREN. What are the net results?

Mr. LA FOLLETTE. If you want me to be more explicit, I will be.

Mr. WARREN. I should like to know what the net results of his efforts have been.

Mr. LA FOLLETTE. They have been pretty good.

Mr. WARREN. Good.

Mr. LA FOLLETTE. When I came here I stood alone in this Chamber. Now there are nearly a dozen men who stand with me. The results have been pretty good.

Mr. WARREN. Good.

Mr. LA FOLLETTE. And they will be better, let me say to the Senator from Wyoming. The lines of those who wittingly or unwittingly serve great interests will be further broken, not only in the Middle West and the Far West, where great progress has been made, but in the East as well. I think I know what I am talking about.

Mr. BACON. Without requesting any yielding on the part of the Senator from Wisconsin, I desire to make the point of order that there is no quorum present.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gore	Paynter
Bacon	Crane	Guggenheim	Penrose
Beveridge	Crawford	Heyburn	Perkins
Borah	Cullom	Hughes	Piles
Bradley	Cummins	Johnson, N. Dak.	Rayner
Brandegee	Curtis	Johnston, Ala.	Root
Briggs	Davis	Jones	Scott
Bristow	Dick	Kean	Smith, Md.
Brown	Dillingham	La Follette	Smoot
Bulkeley	Dixon	Lodge	Stephenson
Burkett	Dolliver	McCumber	Stone
Burnham	du Pont	McEnery	Sutherland
Burrows	Flint	McLaurin	Taylor
Carter	Foster	Martin	Warner
Chamberlain	Frazier	Nelson	Warren
Clapp	Frye	Newlands	
Clark, Wyo.	Gallinger	Overman	
Clarke, Ark.	Gamble	Page	

The PRESIDENT pro tempore. Sixty-eight Senators have responded to their names. There is a quorum of the Senate present.

MANUFACTURERS HAVE ADVANTAGE OVER WOOL PRODUCERS.

Mr. LA FOLLETTE. I wish to discuss this schedule on its merits. It gives manufacturers an advantage over wool producers. The first evidence of that fact which I bring to the attention of the Senate is found upon page 51 of the Book of Estimates, two sheets of which I hold in my hand. The producer of wool in this country gets from 42 to 45 per cent ad valorem tariff benefit under the law. I will put it at the highest rate—45 per cent—for the comparison I shall make, which is to contrast the supposed benefit that goes to the farmer or producer of the wool with the so-called compensatory duty, conferred upon the manufacturer because there is a tariff upon the wool used in his business. Anybody can make this computation for himself, as I have made it.

On page 51 of the Book of Estimates, beginning with paragraph 372, it will be found that the tariff benefit given to the manufacturer on the first item in that paragraph amounts to 149 per cent ad valorem. Of that, 50 per cent is supposed to be his protective duty, to protect him on his manufacturing cost, and the balance is given to him because there is a duty on wool which increases the price of his raw material. Take the duty on raw wool from the duty that the manufacturer receives, and you find that upon the first subdivision in paragraph 372, the farmer or the producer of wool gets a tariff of 45 per cent upon the wool for which the manufacturer receives as a compensatory tariff 99 per cent.

I will not detain the Senate to read the descriptions of the cloths to which the different rates are applied, but I will follow down rapidly through the column, simply giving the figures, and anybody who chooses to follow me will have an opportunity to correct me if I am wrong.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Certainly.

Mr. SMOOT. Would it not be fair to the Senate for the Senator from Wisconsin to call the attention of the Senate to the fact that the average value of the cloth that he is speaking of now is 33.3 cents a pound, and that is why the ad valorem duty is 149 per cent? He must know it is not all wool, because wool itself, if it were all wool, is worth from 70 to 80 cents a pound.

Mr. LA FOLLETTE. I understand it perfectly well, and I understand the pretty little trick that is woven into the averages in every line of this tariff bill. I have been studying it, and while we have been driven under whip and spur in the consideration of this bill, and have been given short hours in which to work outside of this Chamber upon these schedules, I have done the best I could and have come, I think, to a pretty fair understanding of the entire scheme.

Mr. SMOOT. The only thing I have in view——

Mr. LA FOLLETTE. I understand the object of the Senator.

Mr. SMOOT. Is to get before the Senate the facts in the case.

Mr. LA FOLLETTE. That is my only purpose.

Mr. SMOOT. And the Senator must know that the scoured wool, to make the cloth specified here, is worth to-day about 70 cents a pound. So if the value here is only 33 cents the fabric must be mixed with the lowest kind of waste to bring it in here. Therefore that brings the ad valorem duty way up.

Mr. LA FOLLETTE. The value is expressed, in the line to which I was calling attention, at 33 cents per pound.

HIGH DUTIES ENJOYED BY MANUFACTURERS.

Passing down the column, I give the compensatory duty which the manufacturer gets, additional to his protective duty, as compared with the 45 per cent ad valorem duty which the woolgrower gets. On the third item he gets 103 per cent; on the next description of goods 47½ per cent; on the next description of goods 91 per cent; on the next description of goods 69 per cent; on the next description 45.67 per cent; on the next 91.78 per cent; on the next 64.34 per cent; on the next 45.33 per cent; on the next 90.55 per cent; on the next 78.11; on the next 37; on the next 22 per cent; on the next 84 per cent—I will not read the fractions—on the next 68 per cent; on the next 39 per cent; on the next 77 per cent; on the next 71 per cent; on the next 31 per cent; on the next 115 per cent; on the next 70 per cent; on the next 39 per cent; on the next 113 per cent; on the next 66 per cent; on the next 55 per cent; on the next 33 per cent; on the next 75 per cent; on the next 51 per cent; on the next 55 per cent; on the next 51 per cent; on the next 46 per cent; on the next 69 per cent; on the next 65 per cent; on the next 67 per cent; on the next 54 per cent; on the next 48 per cent; on the next 68 per cent; on the next 45 per cent; on the next 35 per cent.

MANUFACTURERS ABSORB BENEFITS INTENDED FOR FARMERS.

Mr. President, statistics of sheep raising and wool production prove that the manufacturer has absorbed the lion's share of the benefits supposedly granted in this schedule to the farmer engaged in sheep husbandry.

The first statistics of wool production that I have been able to discover are for the year 1884. I started with 1885, and in order to be as fair as I could I have taken five-year periods from that time to this. In 1885 we produced in this country 308,000,000 pounds of wool. Let us see how this production of wool has been stimulated by that alliance, which was supposed to be even handed between the woolgrower and the wool manufacturer when the weaver married the shepherd, as immortalized by my friend from Iowa [Senator DOLLIVER]. In 1885 we were producing 308,000,000 pounds; in 1890, 276,000,000 pounds; in 1895, 309,000,000 pounds of wool in this country was the production; in 1900, 288,000,000 pounds; in 1905, 295,000,000 pounds; in 1907, 298,000,000 pounds; and in 1908, as estimated by the wool manufacturers, 311,000,000 pounds.

Mr. WARREN. Has the Senator the figures for 1897 there?

Mr. LA FOLLETTE. I started with 1885, the first year after the statistics were preserved by the Agricultural Department, and I have come down at five-year periods since that time. Any Senator can go to the Statistical Abstract for himself and get all the years.

Mr. WARREN. Will the Senator allow me there?

Mr. LA FOLLETTE. Surely.

Mr. WARREN. Of course the Senator knows that starting at 1884 we started at the maximum growth of wool, because it had grown up under the law of 1867, which was more favorable than the legislation before it.

Mr. LA FOLLETTE. I started with 1885 so as to use the figures for the census years. I could not start earlier than 1884, because I could not find any statistics back of that time. That was the first year, as I was informed at the Agricultural Department, that that department began to preserve the statistics with respect to the number of sheep in this country.

Mr. WARREN. I will not interrupt the Senator if he does not wish me to do so.

Mr. LA FOLLETTE. That is all right.

Mr. WARREN. I think it is very fair to state that there was a steady growth, and when I say a steady growth, taking any group of years all the way, from the favorable legislation of 1867 up to the effect of the unfavorable legislation which occurred in 1883, but which was not applicable until 1884, and which could not actually cut down the fleeces growing on the sheep. Now, starting from the point the Senator has there, it went up and down until 1897, when there was a tremendous gap, a tremendous loss in sheep and wool, caused, in my judgment, and I think the Senator will agree with me, by unfavorable legislation affecting the woolgrower and manufacturer alike, especially the act of 1894.

Now, then, I want to say in this connection that in 1883 the duties upon the wool itself, which were practically those of the years prior to the cutting down of the manufactures, lessened the amount of wool that was purchased at home, and we have no other good market except at home; we can not export. Hence the effect of the reflex in putting out of business the manufacturers of wool and allowing cloths from another country to come in of course cut down the growth of wool, because we had not the market for it.

Mr. LA FOLLETTE. I will say to the Senator——

Mr. McLAURIN. Mr. President——

USES FIGURES OF THE DEPARTMENT OF AGRICULTURE.

Mr. LA FOLLETTE. I will yield in just a moment. I will say to the Senator from Wyoming I do not know where he gets his statistics with respect to the number of sheep in this country for the years previous to 1884. The Agricultural Department informed me that prior to that time there were no statistics of the number of sheep or of the wool production of this country. It may be that some benevolent manufacturers are able to furnish statistics covering the number of sheep and wool production back to 1860 which would be useful in this discussion from some points of view. In so far as I will give facts and figures to the Senate, they will be based upon authorities which ought not to be questioned here.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield further to the Senator from Wyoming?

Mr. LA FOLLETTE. I do.

Mr. WARREN. May I say to the Senator that the statistics published under the law of the United States furnish the figures the Senator wishes? For instance, I have in my hand a sheet which starts with the production of wool in 1840 and gives every year. It gives the wool grown here; it gives the exports and the imports.

Mr. LA FOLLETTE. I have no doubt the Senator can get——

Mr. WARREN. I have asked to have it included in the speech I made to-day. As to sheep from 1840, when we commenced enumerating sheep, we started in 1840—if the Senator wishes to have the number stated—with something over 19,000,000 sheep.

Mr. LA FOLLETTE. Are those reports furnished by the Agricultural Department?

Mr. WARREN. What you can not get in the Agricultural Department you can get in the Census Office. You can also get some of the figures from the Treasury Department.

Mr. LA FOLLETTE. I applied to the Agricultural Department, as I believed that department to be the proper place to get full statistics upon this subject. I inquired there and was informed that I could not get reliable data as to the number of sheep in this country for the years previous to 1884.

Mr. ROOT. Will the Senator allow me?

Mr. LA FOLLETTE. Certainly.

Mr. ROOT. I merely wish to say to the Senator from Wisconsin that he will find on page 589 of the Statistical Abstract for 1905 the wool production from 1840 down.

Mr. LA FOLLETTE. I understand. The wool production, I think, will be found——

Mr. ROOT. The number of sheep is not given before 1885.

Mr. LA FOLLETTE. Yes; I was talking at this time about the number of sheep.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. I do.

Mr. McLAURIN. It is the wool production that I was going to give. I thought that is what was called for by the Senator from Wyoming. I have the wool production of the United States from 1894 to 1907, inclusive, and if the Senator will allow me, as it will take but a minute, I will read it.

Mr. LA FOLLETTE. I am very glad to hear the Senator.

Mr. McLAURIN. The table is as follows:

The production of wool in the United States for years 1894–1908.

	Pounds.*
1894	325,210,712
1895	284,296,726
1896	272,474,708
1897	259,153,251
1898	266,720,684
1899	272,191,330
1900	310,953,140
1901	302,502,328
1902	316,346,032
1903	287,450,000
1904	291,783,032
1905	295,488,438
1906	298,915,130
1907	298,294,750
1908	311,138,321

Mr. WARREN. Will the Senator go on and read the next item or two?

Mr. LA FOLLETTE. Just a moment. Let me say to both Senators——

Mr. WARREN. I simply want to complete the statement.

Mr. LA FOLLETTE. Let me say to both Senators that I do not think that affects the argument I am making, which is that the number of sheep has not very materially increased from 1885, or that the production of wool has not very materially increased from 1885 down to the present time.

Mr. WARREN. Will the Senator allow me?

Mr. LA FOLLETTE. I will.

Mr. WARREN. The Senator is right. There was a large number of sheep in 1884–85, but if the Senator will look back——

Mr. LA FOLLETTE. I am speaking of the production of wool and——

TAKES FIGURES FOR REPRESENTATIVE YEARS.

Mr. WARREN. The Senator spoke of this, too. I am speaking of the sheep. He will find that in 1896 the number of sheep had decreased below 37,000,000; it had gone down from nearly 54,000,000 to something like 36,000,000.

Mr. LA FOLLETTE. All these figures, I suppose, are accessible to every Senator.

Mr. WARREN. Most of them.

Mr. LA FOLLETTE. I have taken, as I said, these years because I believed they would be fairly representative—the census period and the intermediate period. I will say that I was informed by the Agricultural Department that excepting for the census period it is always an estimated number. I think all these statistics that are quoted here for intermediate periods have been furnished by the woolen manufacturers; at least, the Agricultural Department informed me that they depended upon the manufacturers for their figures for this year.

Mr. WARREN. I have in my hand a sheet taken——

Mr. LA FOLLETTE. I know you will find those figures reprinted in government reports, but I, nevertheless, say that unless they were taken in census periods, as I am informed, they have been gathered from private sources and were not procured by the Government through its agencies for the collection of statistics.

Mr. WARREN. Does the Senator think the figures here published by the Government are erroneous?

Mr. LA FOLLETTE. I state the fact, and every Senator can make his own deduction. I say I am informed by the Agricultural Department that for the census period they are based upon the census, and that for the intermediate period for which I have given them, and for which I shall continue to give them, they are based upon estimates and are so given to me by the Agricultural Department.

Mr. WARREN. Has the Senator inquired at the Department of Commerce and Labor, which has these things in charge?

Mr. LA FOLLETTE. I went to the Department of Agriculture, Mr. President, which has a statistical bureau, because I thought it was pretty good authority on sheep.

Mr. WARREN. The Senator should have gone, I think, to the Department of Commerce and Labor, which has all the matters of census figures, whether they occurred in ten-year periods or otherwise.

Mr. CARTER. Mr. President——

Mr. LA FOLLETTE. I do not apprehend that the Department of Commerce and Labor has any more accurate information upon the number of animals in this country than has the Department of Agriculture, but I do not propose to spend any more time on that subject now, or to submit to further interruptions upon that branch of what I have to say, because, Mr. President, every Senator has the same source of information that I have, and no one will be misled by my statements. I have taken what I assume to be a pretty fair basis upon which to build in respect to the increase in the production.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I yield for a question, but I do not care to have the argument that I want to make interrupted by dissertations upon this subject any further.

Mr. CARTER. I will ask the Senator if he will not modify his statement with reference to the figures being based solely upon estimates as to the number of sheep, in the light of the fact that the Census Office determines the number of sheep outside of the regular census year from the assessment rolls in the various States? These assessment rolls, as a rule, show a less number of sheep than really exist, because it happens frequently that the sheep are not always at home the day the assessor calls.

Mr. LA FOLLETTE. All that relates, Mr. President, I suppose, only to the last decennial census, and does not relate to any previous time.

Mr. CARTER. The conditions to which I have referred obtained prior to the last decennial census. The assessment rolls of the respective counties in the States were taken as to the number of sheep, and they were taken by the Government as a correct return of the number of sheep in each county. I think that is only an approximation, but still it is based upon definite figures.

Mr. LA FOLLETTE. Mr. President, the figures which I have given from the Agricultural Department for the ten-year period are the census figures, and for the intermediate periods they are estimates, as I am informed by the Department of Agriculture. I will now proceed with my argument.

In 1885 we produced 308,000,000 pounds of wool in this country; in 1890 we produced 276,000,000 pounds; in 1895 we produced 309,000,000 pounds; in 1900 we produced 288,000,000 pounds; in 1905 we produced 295,000,000 pounds; in 1907 we produced 298,000,000 pounds; and according to the estimates of the Agricultural Department, based upon statements made by the Woolen Manufacturers' National Association, they think there were 311,000,000 for 1908.

The number of sheep in this country I get from the same source, as follows:

Total number of sheep.

Year.	Number.	Value.
1885	50,360,243	$107,960,650
1890	44,336,072	100,659,761
1895	42,294,064	66,685,767
1900	41,852,065	122,665,913
1905	45,170,425	127,851,850
1907	53,240,223	204,210,129
1908	54,631,000	211,726,000

For the year 1908 it is an estimate.

Mr. WARREN. I do not wish to disturb the Senator except, if he will permit me, I want to say that during that time, as the Senator knows, occurred both of the changes of the tariff that were disastrous to the growth of sheep.

Mr. LA FOLLETTE. Mr. President, let me say to the Senator from Wyoming that I know what changes were made in the tariff, and that I suppose every other Senator knows of the tariff changes during that period and will be able to interpret these figures in that light.

Now, Mr. President, let me give the wool consumption for the same period.

Mr. WARREN. Will the Senator be good enough to put in there the number of sheep in 1897?

Mr. LA FOLLETTE. No; I am giving the figures for five-year periods.

Mr. WARREN. Would the Senator allow me to put it in?

Mr. LA FOLLETTE. The Senator can put into the CONGRESSIONAL RECORD all the statistics that he thinks ought to go in.

Mr. WARREN. Does he think it would injure his speech?

Mr. LA FOLLETTE. No; not if they show average production.

Mr. WARREN. I think it might.

Mr. LA FOLLETTE. I left out exceptional years, because I did not think it a fair way in which to submit statistics. I thought it would be fair either to give every year or to take five-year periods. If the Senator wants to select exceptional years and incorporate those in his own remarks I have not the slight-

* Estimated statistics prepared by the National Association of Wool Manufacturers, also published in Yearbook of the United States Department of Agriculture.

est objection to his doing so; but I do not propose to have them run into mine, because if he does that then I should feel compelled to give the production for every year. I do not care to incorporate in what I propose to print anything excepting what seems to me to be a fair and necessary statement of statistics on this subject.

Mr. WARREN. I beg the Senator's pardon——

The PRESIDENT pro tempore. The Senator from Wisconsin declines to yield.

Mr. WARREN. But the official figures——

Mr. LA FOLLETTE. Of course the Senator will not state that in my time, and he should not seek to do so. If I had been fishing about, Mr. President, for exceptional years, it would be another matter. It is hardly becoming for Senators to interrupt me to inject years of exceptional production, which might make a favorable showing for their side of the argument. I have taken even five-year periods which fairly represent the average growth of this industry.

Now, Mr. President, for the same years I want to give the wool consumption of this country, and this includes not simply clothing wool but carpets as well, and all woolen manufactures. The total consumption of wool per pound per capita in this country for these corresponding years was as follows:

Wool consumption per capita.

	Pounds.
1885	6.69
1890	6.93
1895	7.39
1900	5.72
1905	6.52
1907	5.81
1908	

Clothing, carpets, and all woolen manufactures.

Mr. President, I think that shows the effect of this tariff as it is framed in Schedule K upon the wool producers of the country as compared with the manufacturers.

DEMONSTRATION OF INEQUALITY OF THE RATES.

And next I want to bring to the attention of the Senate the inequalities of the rates imposed in Schedule K. They become very apparent when we glance at the equivalent ad valorem duties based upon the imports of 1907.

Wool valued at 21.1 cents per pound will pay a duty of 47.46 per cent ad valorem, while that valued at 24.7 per pound will pay only 44.52 per cent.

Wool advanced in any manner by any process of manufacture not specially provided for, valued at not more than 40 cents per pound under the present schedule will pay 149 per cent ad valorem, while that valued at over 70 cents per pound will pay only 93.7 per cent.

The figures that I am giving now demonstrate not only the discriminations in this schedule against the wool producer, but the rank injustice with which these duties fall upon the users of the cheaper grades of woolen cloth.

This whole system as it has grown up not only seems to be sectionalized, but to be for the benefit of a very few manufacturers and a very limited class of consumers.

Yarns valued at not more than 30 cents per pound will pay 143.02 per cent ad valorem, while yarns valued at more than 30 cents per pound will pay only 87.25 per cent ad valorem. Any fabric other than wearing apparel, if valued at not more than 40 cents per pound, will pay 141 per cent ad valorem, while such fabrics classed by the Finance Committee as "luxuries," if you will study their schedules in the Book of Estimated Revenues, if valued at more than 70 cents per pound, will pay only 95 per cent ad valorem.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. CARTER in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. The Senator speaks of yarn worth only 30 cents a pound. The Senator must know, as every other Senator, that if a yarn is made that is not worth over 30 cents a pound nearly the whole of it is waste. There must be at least 85 per cent of waste in that yarn, made from shoddy of the very lowest class, because a great deal of shoddy is worth more than 30 cents a pound. So if the yarn is worth not over 30 cents a pound after it has been carded and spun, what on earth must the stock be that is in the yarn?

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I do.

Mr. DOLLIVER. It was because I had detected that situation and was able to perceive that these yarns which contain other materials besides wool, because many of them contain material cheaper than any ordinary wool wastes, when we come to assess the compensatory duty upon them should not be assessed upon the theory that they contain first-class clothing wools or other wools, but should be assessed, as my amendment provides, upon the wool content that is in them.

Mr. SMOOT. Mr. President, the Senator also knows that it would be impossible for him or any living man to tell what the wool content is; whether it is straight wool, or whether it is slubbing waste, or whether it is noils, or whether it is rags, providing they are all wool. Therefore it would be absolutely impossible of administration, as I have said to the Senator before. The position that we take upon this point is that if the yarns are so poor and made of such coarse stock as not to be worth more than 30 cents a pound they ought to be kept out of the country.

Mr. DOLLIVER. Mr. President, in 1897, when Senator Vest, one of the ablest Members of the Senate, certainly in our time, pointed out the impropriety of assessing these compensatory duties upon the weight of the cloth or of the yarn, without regard to the fact that they might not contain wool, but other substances, as they very often and in most cases actually do, the only answer that was made to him was made by my former colleague, Senator Allison, that there was no way of determining the contents of a yard of cloth, and with one sentence it was dismissed. That was true at that time.

Mr. SMOOT. It is true to-day.

Mr. DOLLIVER. We have made an expenditure of $100,000 in the port of New York to provide an analytical bureau in connection with the appraisers' stores, which makes that no longer true, and it is now perfectly possible by accurate scientific means to report at the custom-house the wool contents of yarn or of cloth.

Mr. SMOOT. Mr. President, I say the statement made by Senator Allison in this Chamber when this question was under discussion before is absolutely true. There is no way of separating wool waste from wool yarns or straight wool, and if it is mixed together it is impossible to tell how much waste or how much wool is in the yarn.

Mr. DOLLIVER. The amendment which I have submitted does not require this separation of the various kinds of wool or of wool fiber, but it does undertake to separate in these yarns and cloths vegetable fibers cheaper than any variety of wool wastes, if we may judge by the way wool wastes are assessed in this bill.

Mr. SMOOT. But the trouble with that, Mr. President, is that there is no vegetable fiber in these cheap yarns, unless it be cotton—and that can be detected by a chemical analysis—but a foreign country never will ship that kind of yarn in, because they can buy this mungo stuff, this wool waste, chopped up from rags, cheaper than they can buy cotton, and they put that in and call it all wool.

Mr. DOLLIVER. Does the Senator from Utah pretend to deny that a very great variety of these worsted cloths, especially ladies' dress goods, are composed from one-half to often a larger amount of cotton? And does he deny that the yarns, out of which these cloths are woven, are actually imported into the United States—with the mixture of cotton and wool made in the yarns—and that the mixture is sent in here to be assessed under our tariff laws?

Mr. SMOOT. Mr. President, the Senator from Utah certainly would not deny that a great many of these goods may come in here with cotton warps. There is no question about that at all.

Mr. DOLLIVER. Do not the yarns come in with these mixtures of cotton and wool in the yarns themselves?

Mr. SMOOT. The very finest yarns do come; 30 cents a pound yarns, which the Senator from Wisconsin is speaking of now. He is talking about yarn of a value of less than 30 cents a pound. That is where his whole figures are based upon something which looks plausible upon its face, but it is absolutely wrong. It can not be, and it will never be, a proposition that we could legislate against. The Senator knows, and every other Senator knows, that the scoured wools, as to which we are legislating, in many instances in these fine yarns are worth 80 cents a pound to-day upon the market. After the wool has been carded and spun and the waste in that process, what makes it drop to 30 cents a pound? Nothing on earth, except this low-class waste which is put into it.

HIGH DUTIES FORCE POORER PEOPLE TO USE SHODDY.

Mr. LA FOLLETTE. In other words, Mr. President, the scheme is to bar out the yarn that would furnish warm, substantial clothing to the poorer people, to put equally high duties upon everything that enters into the composition of such yarns, which are carefully cornered by this worsted trust, so that the

trust can impose whatever price it pleases upon the shoddy and everything else that goes into the manufacture of the cheaper yarns and clothing used by the great mass of the people.

Mr. SMOOT. Mr. President, I want to tell the Senator from Wisconsin that the dearest yarn that ever was bought by an American citizen is a yarn that can be made for less than 30 cents a pound. Because it will not hold together. The man who buys it or the family who buy it are cheated. It would have been cheaper for them to have paid 60 cents or 70 cents or 80 cents a pound for the yarn.

Mr. LA FOLLETTE. Possibly it would if they could afford to buy 60 or 70 or 80 cent yarn, but under these high rates the poorer people are forced to use shoddy. The fact is that this low-priced material made by the woolen trust in this country contains poorer shoddy and poorer waste than the low-priced foreign product, and these high rates enables the trust not only to charge higher prices for its goods, but also enable it to lower the quality of the material used.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator to the fact that there were but 3 pounds of that yarn imported here in the last year.

Mr. LA FOLLETTE. Of course, Mr. President, it could not get in for the very reason that the rate which the Senator from Utah and his associates on the Finance Committee are sustaining imposes a duty of 143 per cent on it. Small wonder that little was imported.

Mr. SMOOT. But, Mr. President, I would say to the Senator from Wisconsin that so far as that yarn is concerned at 30 cents, if I could only have a sample here and show its character, I do not believe the Senator himself would even want it to come into this country.

Mr. LA FOLLETTE. Is the Senator from Utah to be the judge of what the people of this country ought to buy? Give them a fair chance in the markets to buy at reasonable prices and do not impose a 143 per cent duty upon the cheap grade and only about one-half that rate upon the grade purchased by the rich.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. LA FOLLETTE. I do.

Mr. WARREN. If I understand the Senator from Wisconsin correctly, his objection is that there is a tariff charged upon something which is not all wool, and that it is charged as if it were all wool?

HIGH DUTY ON LOW AND LOWER DUTY ON HIGH PRICED YARN.

Mr. LA FOLLETTE. My objection is that upon yarns valued at not more than 30 cents per pound this bill proposes that the people of this country shall pay 143 per cent ad valorem, while on yarns valued at more than 30 cents a pound they will pay only 87 per cent. If you can offer any justification for those two different grades of duty on yarns differing only by the fraction of a cent in value, do it.

Mr. WARREN and Mr. SMOOT addressed the Chair.

Mr. LA FOLLETTE. I yield to the Senator from Wyoming, who arose first.

Mr. WARREN. I may have misunderstood the Senator. I want to say that perhaps we are all wrong, but I submit to the Senator that this is not a new matter which has been brought up here.

Mr. LA FOLLETTE. I understand that.

Mr. WARREN. The first law which imposed——

Mr. LA FOLLETTE. I do not care to suspend my argument for a review of the history of tariff legislation. I am familiar with that history. I am discussing the rates proposed in this bill, and I ask the Senator from Wyoming if he has any good excuse to offer for fixing a 143 per cent duty on a wool yarn which is worth less than 30 cents a pound and an 87 per cent duty on yarn worth a fraction over 30 cents a pound?

Mr. WARREN. I rose only to answer the Senator's question. If the Senator does not care to have me answer, of course I will yield the floor.

Mr. LA FOLLETTE. I yield to the Senator to answer the question.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. SMOOT. Let me call the Senator's attention——

Mr. LA FOLLETTE. I yield to the Senator from Utah to answer that question, if he thinks he can do it.

Mr. SMOOT. I wish to do so, if the Senator desires that I shall; but I do not unless the Senator does so desire.

Mr. LA FOLLETTE. I should be glad to have the Senator from Utah answer.

Mr. SMOOT. Mr. President, supposing the wool is 11 cents—and that is the low-value stock that would go into——

Mr. LA FOLLETTE. No, no. Supposing this yarn is worth less than 30 cents? That is the question.

Mr. SMOOT. I am coming to the ad valorem——

Mr. LA FOLLETTE. Supposing this yarn is worth less than 30 cents per pound, the question is: Why do you insist upon continuing a duty of 143 per cent upon it while if it is worth a fraction over 30 cents per pound your duty will be only 87 per cent?

Mr. SMOOT. Mr. President, the stock that goes into the yarn—and that is where we have got to begin—is not worth more than 11 cents, and if it is valued at 11 cents a duty of 11 cents is 100 per cent.

Mr. LA FOLLETTE. But this yarn——

Mr. SMOOT. Wait.

Mr. LA FOLLETTE. Let me say to the Senator from Utah——

Mr. SMOOT. Let me get through——

Mr. LA FOLLETTE. This yarn is worth less than 30 cents per pound; not more than 30 cents per pound——

Mr. SMOOT. Mr. President——

Mr. LA FOLLETTE. Now, you take this yarn—never mind about the analysis of it—if it is valued at 30 cents a pound or less, why do you tax it 143 per cent, and if it comes to the custom-house worth 30¼ cents a pound let it in at 87 per cent? That is the question.

Mr. SMOOT. Mr. President, I was going to get to the point and answer it if the Senator had not interrupted me.

Mr. LA FOLLETTE. The Senator has the point now; give us the answer.

Mr. SMOOT. I will if the Senator will only wait. I will say that on stock that is worth 11 cents per pound a duty of 11 cents is 100 per cent ad valorem, and that is the stock that goes into this cheap yarn——

Mr. LA FOLLETTE. I do not care for a part of the value of this yarn. The yarn itself is worth less than 30 cents a pound. Now, do not get away from that.

Mr. SMOOT. And the stock comes in——

Mr. LA FOLLETTE. Never mind how it is made up; it is worth less than 30 cents a pound, you tax it 143 per cent at the custom-house.

Mr. SMOOT. Mr. President——

Mr. LA FOLLETTE. But if it is worth 30¼ cents per pound or more, you let it in at 87 per cent. Why do you do it?

Mr. SMOOT. Evidently the Senator does not want the answer, and therefore I will not try to give it to him.

Mr. LA FOLLETTE. I want an answer, but I do not want a pipe dream.

Mr. SMOOT. Mr. President, I have not tried to give any pipe dreams. It is just as simple to a man who understands it as it is possible for a proposition to be; but evidently no answer that I can give the Senator will be satisfactory to him, nor will he even let me conclude, and therefore I will yield to the Senator. He will not even listen.

Mr. LA FOLLETTE. It is simple to a man if he understands it; if he can only explain it.

Mr. SMOOT. If the Senator would allow me to explain it, I would do so.

DISCRIMINATORY DUTIES ON ALL WOOLEN ARTICLES.

Mr. LA FOLLETTE. Then I will proceed, for I assume, since the Senator can not, without delivering a lecture, make a direct answer to a very direct question, that he can not answer it at all.

Knit fabrics, other than wearing apparel, if valued at not more than 40 cents per pound, will pay 141 per cent ad valorem; while such fabrics classed by the Finance Committee as luxuries in the table of Estimated Revenues, if valued at more than 70 cents per pound, will pay only 95.67 per cent.

Plushes and other pile fabrics, if valued at not over 40 cents per pound, will pay a duty of 141.78 per cent. If valued at over 70 cents per pound, the duty will be only 95.33 per cent.

Cloths, woolen or worsted, if valued at not more than 40 cents per pound, must pay a duty of 140.55 per cent ad valorem. But if a luxury, as classed by the Finance Committee, valued at over 70 cents per pound, the duty will be only 94.32 per cent ad valorem.

Blankets, if valued at not more than 40 cents per pound, will pay a duty of 107.6 per cent, but if valued at more than 50 cents per pound, will pay only 71.30 per cent. Blankets, more than 3 yards in length, valued at more than 40 cents per pound, will pay a duty of 165.42 per cent ad valorem; but if valued at more than 70 cents per pound, will pay only 106.57 per cent.

Flannels for underwear, if valued at more than 40 cents per pound, will pay 143.67 per cent ad valorem; but if valued at over 70 cents per pound, will pay only 86.39 per cent.

Carpets valued at 82.3 cents per square yard will pay 66.72 per cent ad valorem; but a carpet valued at $2.12 per square yard, and termed by the Finance Committee a luxury, will pay only 58.86 per cent.

In other words, Schedule K goes upon the theory that the necessaries of the "average man" shall pay the highest rates, and the luxuries of the rich the lowest.

It is with a considerable degree of hesitation that I present these facts, showing the inequalities in Schedule K. I feel that it is not at all improbable that the Senator from Rhode Island will agree that these inequalities do exist and should be remedied. I fear, however, that if the Finance Committee does remedy the inequalities, it will take the same method of doing so adopted in other schedules, that is, instead of reducing the higher duties to harmonize with the lower, they will raise all of the lower duties to harmonize with the higher.

ALL DUTIES ON WOOLENS ARE TOO HIGH.

Mr. President, the real defects in this schedule arise from the fact that all the protective duties upon manufactured products are too high and that the compensatory duties are also grossly excessive. Before I take up what seems to me to be conclusive proof of that fact, I wish to read a portion of the report of the British tariff commission.

This British tariff commission, organized for the purpose of investigating the industrial life of all of the great nations of the world, published a report upon this subject as late as 1905, in which I find the following with respect to the United States:

All witnesses are agreed as to the importance and far-reaching effects of the changes in the United States policy on the woolen and worsted industry of Great Britain. In the manufacture of the lower grades of cloth the United States is rapidly approaching Great Britain.

You would not suppose there would be any necessity for a tariff of 140 or 150 per cent on these cheaper goods, when an impartial report made by experts states that in the manufacture of the lower grades of cloth the United States is rapidly approaching Great Britain.

The report continues:

It is said that they have so improved in men's goods that it is doubtful if we could now compete with them, even supposing the old scale of American duties were restored.

It is the opinion of this British tariff commission that even if we had the Walker tariff it would be doubtful whether Great Britain could compete with America upon these lower grades of goods.

In carrying out their national aims and in competition with British manufacturers the Americans have many advantages. The high rate of wages paid in the United States works both ways. On the one hand, it tends to raise their cost of production above the British, the difference in wages not being entirely compensated for by increased efficiency.

Mr. ALDRICH. Would it be agreeable to the Senator to yield for a short executive session?

Mr. LA FOLLETTE. At any time that it suits the pleasure of the Senator from Rhode Island.

Mr. ALDRICH. Just for an executive session.

Mr. LA FOLLETTE. I can not conclude before 5.30 o'clock.

Mr. ALDRICH. Then I move, Mr. President, that the Senate proceed to the consideration of executive business.

Mr. LA FOLLETTE. I yield for that purpose.

Mr. ALDRICH. I thank the Senator.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened.

The PRESIDING OFFICER. The hour of 5.30 o'clock p. m. having arrived, the Chair declares the Senate in recess until 8 o'clock, under a previous order of the Senate.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CARTER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clark, Wyo.	Frye	Overman
Beveridge	Clay	Gallinger	Page
Brandegee	Culberson	Johnson, N. Dak.	Perkins
Bristow	Cullom	Johnston, Ala.	Root
Brown	Cummins	Jones	Scott
Burkett	Davis	Kean	Smoot
Burnham	Dick	La Follette	Stephenson
Burrows	Dillingham	Lodge	Sutherland
Burton	Dolliver	McCumber	Tallaferro
Carter	du Pont	Martin	Warner
Chamberlain	Fletcher	Money	Warren
Clapp	Flint	Nelson	

Mr. JONES. I wish to announce that my colleague [Mr. PILES] is indisposed.

Mr. OVERMAN. I desire to say that the Senator from Tennessee [Mr. FRAZIER] is quite indisposed this evening, and will not be present.

The PRESIDENT pro tempore. Forty-seven Senators have responded to their names. There is a quorum present. The question is on agreeing to the amendment offered by the Senator from Iowa.

UNITED STATES CAN COMPETE WITH ENGLAND.

Mr. LA FOLLETTE. Mr. President, when I yielded the floor for the Senator from Rhode Island [Mr. ALDRICH] to move an executive session I was presenting to the Senate a comment upon the American woolen industry by the British tariff commission, made in 1905. I was reading from that report in support of the statement that it was not necessary to maintain these excessively high duties in the woolen schedule in order to protect that industry against invasion by any foreign competitor.

It has seemed sufficient at any time in this debate, whenever a duty has been questioned, for some one representing the Finance Committee, or those seeking to sustain the very high duties of this bill, to rise and say that the duty did not represent any more than the difference in wages. The difference in wages is but a small part of the real cost of production. Many other things must be taken into account in measuring the true standard of a protective duty when that standard is gauged by the difference in cost of production.

The efficiency of labor is a matter of very great importance. The equipment of the factory, the speed with which the machinery is run, the output, and everything entering into the total cost of production. The British commission says:

The high rates of wages paid in the United States works both ways. On the one hand, it tends to raise their cost of production above the British, the difference in wages not being entirely compensated for by increased efficiency; on the other hand, it attracts to America some of the most competent artisans of this country. They do not yet export woolens and worsteds in considerable quantities, but there is a general impression among witnesses that they will soon be able to do so. America does not yet export any of her manufactures of woolen and worsted goods, but with the outrageous tariff by which her manufacturers are protected, who can prophesy that they will not soon invade this country? There is a huge syndicate in the United States called the American Woolen Company.

I brought the organization of that combination to the attention of the Senate this afternoon. Its fame seems to have traveled abroad.

There is a huge syndicate in the United States called the American Woolen Company, controlling 60 per cent of the woolen and worsted mills of that country. Let no man deceive himself with the thought that America will never be able to export textiles, for she is exporting large quantities of cotton goods to Turkey and to China at this moment.

I read that just simply as a general statement of the present-day opinion concerning this industry in this country emanating from those who are critically studying and observing its progress in the different countries of the world.

COMPENSATORY DUTIES ARE EXCESSIVE.

With reference to the extravagance of the duties in this schedule I wish to call the attention of the Senate to the compensatory duty, and primarily upon yarns. I had brought to my attention a decision by the Treasury Department which emphasizes in a way the excessive nature of this compensatory duty.

The Dingley Act allows a compensatory duty on yarns, valued at not more than 30 cents a pound, of two and one-half times the duty on the wool, and on yarns valued at more than 30 cents a pound three and one-half times the duty on the wool. That is to say, the assumption is made that it takes 2½ pounds of wool to make a pound of yarn of the first-mentioned class, and 3½ pounds of wool to make a pound of yarn of the second class.

An examination of the allowance made by the Treasury Department in the shape of drawback of duty on exported yarn shows that upon expert investigation the department found the proportion to be 1½ pounds of raw wool to 1 pound of yarn.

Of course it would not be found to be the same in every case. In other words, the wool waste used is in fact half a pound as against 1½ pounds allowed by the law, the tariff being generous to the spinner to the extent of three times the amount which should be actually allowed.

I am free to admit, for I wish to be perfectly fair about this, that there might be found cases where the full 2½ pounds of the compensatory allowance enters into the making of a pound of yarn, but it is rarely so; and yet that exceptional condition is made the standard and applied throughout upon the yarns of the first class, and in that way the protective duty is nearly doubled to the manufacturer. What is true of yarns of this class is true of yarns of every class. And what is true of all classes of yarns is true of all classes of cloths. In the first place, they have a protective duty to cover difference in cost of manufacture that is more than ample. Then they have a so-called "compensatory duty," which, besides compensating them for the amount of wool they use, more than compensates them and nearly doubles their protective duties.

I have here Treasury decision No. 27604, which fixes the matter of liquidation. I will not take any more time with it, but I cite the number of it so that anyone who chooses can make reference to it.

EXPERT ANALYSIS MADE BY SAMUEL S. DALE.

Mr. Samuel S. Dale, editor of the Textile World Record, has been referred to a number of times in the course of this discussion. The Senator from Iowa [Mr. DOLLIVER] has given Mr. Dale such an introduction to the Senate that any statement made by him will be accepted by Senators as that of a competent, trustworthy, and conscientious gentleman.

I wish to submit some investigations which Mr. Dale made with very great thoroughness demonstrating the excess of this compensatory duty in the manufacture of cloth.

It is charged by the representatives of the carded woolen industry—and these charges are supported by abundant testimony taken before the Ways and Means Committee, and all the information that can be obtained from other trustworthy investigations—that the duty on raw wool is neither scientific nor just. The duty is fixed at 11 and 12 cents, respectively, for classes 1 and 2 of raw wool, without regard to the shrinking qualities of the wool. Some wools, upon being washed and scoured, shrink to about one-fourth (or even less) of their original weight; others may lose but a small fraction of their weight. This makes greasy or heavy shrinking wool subject to a duty of 44 and 55 cents a pound after it has been scoured, where another class of wool of a far superior quality may not pay more than 15 cents a pound of actual wool, although both are assessed at a rate of 11 cents in the unwashed condition.

DUTIES SHOULD BE LEVIED ON SCOURED WOOL.

This inequality might be removed to some extent if the duty were levied on scoured wool, as suggested by the Senator from Iowa in the amendment which he has proposed, but the law prevents it by providing—see how ingeniously the thing has been worked out—(paragraph 362) that "the duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed."

It so happens that the wools required by the carded wool industry are the short, heavy-shrinking wools. It is the carded-wool industry that manufactures the coarser kinds of woolen cloth, such as would be used by the poorer people. The effect of the straight specific duty without distinction as to the shrinking qualities, or the fineness of the wool, has been to make the duty on the wool of the people of limited means many times that on the wool worn by those who purchase without regard to price. To overcome the prohibitive duty on the shorter wools the carded-wool manufacturers have been compelled to use shoddy and cotton to an extent detrimental to the health of the people, as well as to the cost of their clothing, since the cloth made of these substitutes has very poor wearing qualities.

DUTIES PROHIBITIVE ON COARSEST WOOLENS.

The compilation of estimated revenues submitted by the Senator from Rhode Island shows the highest ad valorem rate on raw unwashed wool not to exceed 47 and a fraction per cent. If the American people were to draw the conclusion that this represents the highest tax on imported wool, they would be greatly mistaken. It merely represents the highest average rate of taxation which imported wool could pay and still be imported during the year 1907. The prohibitive rates naturally are not apparent. To show what they are, Mr. Dale presents the calculations of ad valorem equivalents of the duty on wool sold in the open market in London, which will be found on pages 650–651 of the Textile World Record for March, 1909. The summary of the ad valorem equivalents of the specific Dingley duty on the woolens sold at the January London sales shows the lowest rate on coarsest wool to be 23 per cent ad valorem; the highest, 550 per cent; the lowest duty on washed wool, 22 per cent; the highest, 733 per cent; lowest on scoured wool, 52 per cent; highest, 412 per cent.

Of course those high rates will not be shown by Imports and Exports. They will not be shown by the table of estimates presented here, because these wools can not come in at all. Yet they are the wools for which provision should be made, so that the poor people of this country, who can not afford higher priced wools, may at least have coarse woolen cloth to wear rather than shoddy and cotton.

Needless to add that the highest rate applies to the cheapest and coarsest woolens, the very kind used in clothing the poor in Europe, and excluded under the high tariff from the American market. This arrangement does not in effect give the American sheep grower greater opportunity to sell his wool (for he does not supply more than three-fifths of the domestic demand), but it does compel the use of greater quantities of shoddy and cotton in the place of wool.

Mr. WARREN. May I ask the Senator from Wisconsin a question?

Mr. LA FOLLETTE. Certainly.

Mr. WARREN. Perhaps I did not understand the Senator correctly. Did he say we raised only two-thirds of the wool consumed in this country?

Mr. LA FOLLETTE. No; I did not say that. We produced last year, in 1908, about 311,000,000 pounds of wool, according to the estimate made by the manufacturers' association, and we imported, as I remember now, about 196,000,000 all told.

CARDED WOOLEN MILLS AT MERCY OF WORSTED MILLS.

Cut off from the supply of the greater part of the raw material which he requires in his industry, the carded-wool manufacturer is obliged to fall back upon products of the worsted industry, known as nolls, wool waste, and reworked wool. And again he finds that these by-products of the worsted industry are heavily overprotected. Says the Textile World Record, January, 1909:

It is difficult to avoid the conclusion that the carded-wool industry has been starved, while the worsted industry has been placed in a favorable position by reason of the low duty on light shrinking worsted wools, and of the high prices at which the worsted by-products have been sold to carded woolen and knitting mills—

as a result of the high duty on these by-products.

The Textile World Record then proceeds to give a series of investigations and analyses of cloths, conducted by Mr. Dale and under his supervision, to which I direct the attention of the Senate for just a moment. He says with respect to this:

We have applied the Dingley rates to a number of wool fabrics which have either been made or analyzed by us personally. We know as well as it is possible for anyone to know how much material is required to manufacture a pound of the respective cloths and present here the results of our calculation. We believe that this is the first time that the result of such an examination of the Dingley schedules have ever been published.

PRACTICAL APPLICATION SHOWS EXCESSIVE DUTIES.

Now, taking the first one of these analyses, No. 25, worsted serge, weighing 18.4 ounces per yard, 54 inches wide, of this particular cloth, there were 10,000 yards made at one time; its value was $10,000; it weighed 11,500 pounds. This required 21,941 pounds of greased wool. The Dingley compensatory duty on 11,500 pounds of cloth under the existing law, retained in this bill, would be 44 cents per pound, or $5,060, or, reduced to an ad valorem equivalent, 50.6 per cent. But as a matter of fact there was not that quantity. There were only 21,941 pounds in the entire 10,000 yards of cloth. At 11 cents a pound the specific duty on that greased wool, the compensatory duty should have been 24 per cent instead of 50 per cent, as shown by the quantity of wool actually weighed out and woven into the cloth. The duty which should have been allowed the manufacturer to compensate him for the higher price he was obliged to pay for his wool because of the duty on wool, assuming that the price of the wool was increased by the full amount of the duty on it, was $2,413. The compensating duty actually allowed under the Dingley law amounted in this analysis to $5,060.

Take the next number which was analyzed, and I will not go into any details. There were 10,000 yards in that piece. Taking the quantity of grease wool that was actually put into it, viz, 4,515 pounds, and assessing the Dingley duty upon it at the rate of 4 pounds of grease wool to each pound of cloth and reducing the duty to an ad valorem equivalent, gives a compensatory duty of 73.7 per cent. Take the actual amount of wool which was woven into that cloth and assess the 11 cents per pound duty and reduce it to an ad valorem equivalent,

and it was only 19.9 per cent; that is, that 10,000 yards of cloth, when it had the test applied to it, while it would take under the Dingley law and under this present bill a compensatory duty of 73.7 per cent, would have been entitled upon the actual amount of wool that went into it to 19.9 per cent instead. In other words, the difference between 19.9 per cent of the compensatory duty and 73.7 per cent was improperly secured by the manufacturer as an extra protective duty upon his product and given to him under the guise of a compensatory duty.

Take the next analysis presented by Mr. Dale—C 96, the details of which I will print in connection with my remarks, and which I will not go into fully now.

In this case 10,000 yards of cloth had woven into it 9,760 pounds of greased wool, but because the Dingley law said that it had woven into it 4 pounds of greased wool to each pound of cloth a duty was assessed upon it as though it had 16,748 pounds of wool instead of 9,760 pounds of greased wool.

The Dingley duty upon this cloth at 44 cents per pound, taking the weight of the cloth as 4,187 pounds, amounted to $1,842, or 46 per cent. The actual compensatory duty required upon the 9,760 pounds of greased wool at 11 cents per pound was $1,073.60, or, reduced to an ad valorem, 26 per cent, as against 46 per cent, which the cloth would actually take with the duty applied under the Dingley law.

The next was a worsted serge, a piece of 10,000 yards, at 90 cents a yard, worth $9,000. The cloth weighed 9,062 pounds. This, under the Dingley law, at 44 cents per pound for wool for every pound of cloth, would be assessed $3,987.28, or, reduced to an ad valorem, 44.3 per cent. The actual compensatory duty required upon the amount of wool which was actually woven into the 10,000 yards of cloth at 11 cents per yard would be $2,303.95, or, reduced to an ad valorem, 25.6 per cent. In other words, in this case the compensatory duty which the cloth took under the Dingley law was 44 per cent; the compensatory duty which it ought to have taken was 25 per cent.

In the next case, 10,000 yards of cloth, the compensatory duty which would have been assessed against that cloth, counting 4 pounds of wool for every pound of cloth, would have been $3,850 when it came to the custom-house, or 77 per cent. The amount of wool actually entering into the cloth, if assessed at 11 cents a pound, as required by the law, would have been $343, or 6.8 per cent. In other words, in that particular case the compensatory duty was 77 per cent in addition to the protective duty, and the compensatory duty should have been but 6.8 per cent. So the manufacturer was able to add to his protective duty an undue compensatory duty of over 70 per cent which did not belong to him, and which he could not have claimed upon any basis applied to any protective system ever supported in this country, but by the juggling of these protective and compensatory schedules he succeeds in more than doubling his duties.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. BEVERIDGE. Will the Senator permit a question?

Mr. LA FOLLETTE. Certainly.

EXPLANATION OF COMPENSATORY DUTIES.

Mr. BEVERIDGE. Is this compensatory duty supposed to be paid upon the yard of cloth upon the supposition that it is entirely made of wool?

Mr. LA FOLLETTE. It is paid upon the supposition that it contains 4 pounds of wool to each pound of cloth, against which there is assessed a compensatory duty of 11 cents per pound, and it takes this compensatory duty of 44 cents for every pound of cloth.

Mr. BEVERIDGE. Exactly. That is to say, each pound of cloth is supposed to take 4 pounds of wool.

Mr. LA FOLLETTE. It is supposed to have taken 4 pounds of this greased wool in making that pound of cloth.

Mr. BEVERIDGE. Was the compensatory duty paid upon that hypothesis?

Mr. LA FOLLETTE. Yes, sir.

Mr. BEVERIDGE. When, as a matter of fact, as I understand from the illustration, that was not the case at all, but it was a very much less amount.

Mr. LA FOLLETTE. A very much less amount of wool than that which is fixed by the law enters into the weaving of the cloth.

Mr. BEVERIDGE. Would it be too much trouble if the Senator would explain, so that it may appear in plain terms, just what the compensatory duty is?

Mr. LA FOLLETTE. The compensatory duty is an allowance made after the manufacturer has been granted his protective duty. The protective duty is supposed to measure the difference between the cost of doing the work in this country and doing the same work in the competing country. The compensatory duty is allowed in addition to a protective duty to offset and compensate the manufacturer for the extra price of the wool which enters into the cloth because of the tariff which has been assessed against foreign wool. The compensatory duty upon the wool which he weaves in that kind of cloth is 11 cents per pound. The law says that he shall be entitled to a duty equivalent to the duty on 4 pounds of wool in the grease, or 44 cents, as a measure of the additional price that he would have to pay for the 4 pounds of wool (presumed to be required to weave a pound of cloth), the price of which it is assumed would be increased to that extent by the assesment of 11 cents per pound duty upon it.

Mr. BEVERIDGE. Let me get it clear in my own mind. This compensatory duty, I suppose, in a sentence, is the amount that the manufacturer is given to compensate him for the extra amount which he will have to pay for any foreign wools that he buys to go into the cloth.

Mr. LA FOLLETTE. Exactly.

Mr. BEVERIDGE. As a compensatory duty.

Mr. LA FOLLETTE. Yes, sir.

Mr. BEVERIDGE. Then he is paid according to the law upon 1 pound of cloth upon the assumption that 4 pounds of such wool have gone into it.

Mr. LA FOLLETTE. That is it exactly.

Mr. BEVERIDGE. When the Senator is trying to show, and if his figures are correct he does show, that, as a matter of fact, that amount of wool which the law supposes to have gone into the pound of cloth has not gone into it at all.

Mr. LA FOLLETTE. In actual practice it does not require the 4 pounds which the law allows. I want to be perfectly fair. I think there may be exceptional cases where 4 pounds of wool might be consumed in weaving a pound of cloth, but I say that the exception should not have been made the standard, thus enabling the manufacturer to get an additional protective duty under the guise of a compensatory duty on a quantity of wool in excess of the amount used.

Mr. BEVERIDGE. Simply because, I take it, the standard as fixed by law exceeds the amount of wool which, as a rule, is used in manufacturing the cloth.

Mr. LA FOLLETTE. That is it exactly. I think that any wide range of investigation will show the compensatory duty to be unwarranted and excessive.

QUOTING THE REPORT IN FULL.

Mr. WARREN. Would I disturb the Senator if I should ask him a question? I am not quite certain what he is reading from—I have a copy of Mr. Dale's statement here. In the paper from which the Senator is reading are there not quotations showing that in some cases it will take six pounds of wool to a yard of cloth?

Mr. LA FOLLETTE. No; I do not find anything of that sort in the table from which I have been reading.

Mr. WARREN. I have an article here signed by Mr. Dale, which I presume the Senator has, which makes that calculation among others. I presumed that he might be making the same.

Mr. LA FOLLETTE. The Senator is mistaken.

Mr. WARREN. The Senator was quoting from the same authority and, I thought, from the same paper. I beg the Senator's pardon.

Mr. LA FOLLETTE. It is not the same paper at all. I am quoting. let me say to the Senator from Wyoming, everything that is in this paper of Mr. Dale's. I am not in the habit of juggling with facts which I am submitting to the Senate, and I have been reading consecutively each one of the examples presented by Mr. Dale, and I shall continue to do so until I have finished them.

Mr. WARREN. The Senator does not accuse me of suspecting that he was going to put anything in, of course, that was not there?

Mr. LA FOLLETTE. I do not know just exactly what the Senator means.

Mr. WARREN. I simply wanted to know if the Senator was reading from the same paper that I have here.

Mr. LA FOLLETTE. Either the Senator from Wyoming thought I was not going to read something which ought to be quoted, or else he thought it was very important that it should be introduced out of its regular order in the matter which I am at present submitting.

Mr. WARREN. Now, Mr. President, the Senator guessed wrong, as he sometimes does. I was undertaking to ascertain if it was the same paper that I have, because if it was the same paper, with the Senator's spirit of fairness, of course he would put in the entire statement.

Mr. LA FOLLETTE. Of course, if the Senator had been following me, he would have known that it was not the paper which he has at all——

Mr. WARREN. I think he has been quoting——

Mr. LA FOLLETTE. Because the numbers are not the same and it has no reference to the experiment referred to in the paper which the Senator says he has. If he had the paper I have and was following me, he would know perfectly well I was giving item by item just exactly what is in that series of investigations conducted by Mr. Dale.

Mr. WARREN. Very much of that is in the paper which I have, I will say to the Senator.

Mr. LA FOLLETTE. I think the Senator is entirely mistaken. I think the Senator has another paper. I noticed the paper which he held up is illustrated.

Mr. WARREN. I have two papers, I will say.

Mr. LA FOLLETTE. And there are some illustrations in it. I will be glad to put into the CONGRESSIONAL RECORD any paper of Mr. Dale's, pictures and all, if permitted to do so, because it will sustain and corroborate every single statement which Mr. Dale makes in the paper from which I am quoting.

Mr. WARREN. I think I can square myself to the Senator——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. LA FOLLETTE. The Senator is always square to me.

Mr. WARREN. I asked the Senator a respectful question, if the Senator was reading from the same paper, for if much that he read from there was the same then it would be——

Mr. LA FOLLETTE. What paper, let me inquire, has the Senator before him?

Mr. WARREN. I have two or three.

Mr. LA FOLLETTE. Now, let us see what one do you refer to. You say it is much the same. Let me see what it is. I do not believe Mr. Dale has any conflict in his analyses. What paper was the Senator inquiring about?

Mr. WARREN. If the Senator will permit me I will get to that.

Mr. LA FOLLETTE. If the Senator will permit me, since he has interrupted me, I will ask him what paper he is inquiring about. What is your paper?

Mr. WARREN. Will the Senator yield to me? He certainly will allow me to finish my sentence. If he is unwilling to do that I will surrender and will not interrupt him. I have several papers signed by this same party.

Mr. LA FOLLETTE. I should like——

Mr. WARREN. I asked in a respectful way whether that item was in it, because it made it unnecessary then for me to quote it later; that was all.

Mr. LA FOLLETTE. May I inquire of the Senator from Wyoming what that paper is?

Mr. WARREN. I have, in the first place, the one the Senator held up in his hand, the one with the illustrations.

Mr. LA FOLLETTE. That was not the one I was quoting.

Mr. WARREN. I have also another.

Mr. LA FOLLETTE. Has the Senator before him the paper from which I was reading?

Mr. WARREN. I have the same figures; it may not be the same paper.

Mr. LA FOLLETTE. I shall incorporate them all in my remarks.

Mr. WARREN. They are figures in the Textile World Record.

Mr. LA FOLLETTE. If he has the same figures before him he will not fall into any confusion about it at all. There is no conflict or contradiction in any of Mr. Dale's statements.

Now, Mr. President, resuming the illustration which I was giving to the Senate when the Senator interrupted me, I will quote the next analyses made by Mr. Dale. Mr. Dale, I want to say to the Senate, has rendered a very great service in making these analyses and publishing the facts to the world. It will aid materially in fixing either now or hereafter the right scale of duties upon woolen cloth. I do not believe we are going to dispose of this tariff question in this one session. Our work here is going out to ninety million people. Undoubtedly the stimulus of these extravagant duties will result in a business boom. But the excessive charges for everything that enters into the cost of living will compel the people to again demand that Congress honestly revise the tariff and relieve them from excessive and unjust burdens imposed upon them.

WHO ARE THE REAL REPRESENTATIVES OF REPUBLICAN POLICIES.

Senators might as well understand now that we are not going to get rid of this question by simply passing the pending bill. The tariff question will remain an issue in this country if we enact a law upon the lines proposed. Yesterday or the day before the Senator from Rhode Island arraigned the Republican Members of this body who are seeking to prevent an increase in the tariff schedules, and questioned their Republicanism. Why, Mr. President, the men who controlled the convention at Chicago were men who believed just as the little band of Republicans who are struggling to prevent these tariff increases believe. Need the stand-pat Senators upon the Republican side be reminded that they were in the minority in that convention? They would have defeated, if they could, the nomination of President Taft. There was a get-together organization here that was opposed to President Roosevelt and to the man President Roosevelt wanted to see nominated to carry forward his policies. I say, in response to the criticism of the Senator from Rhode Island, that the Chicago convention was not controlled and the Chicago platform was not made by his kind of Republicans, and I say to him here to-night that if he had been running for the Presidency of the United States upon a tariff platform such as this bill seeks to embody into law, he could not have carried four States in this Union.

MANUFACTURERS MADE THE RATES.

Now, Mr. President, a few progressive Republican Senators opposing an overwhelming majority bent on increasing the duties enter as best we can day by day our protest against the policy they are pursuing, and we make our appeal to our associates to frame this tariff bill for the best interest of the average American citizen who brought about this revision. Every time a rate is questioned, every time a request is made of the Finance Committee for their authority for an increased rate, some member of the Finance Committee arises and answers that the manufacturers have stated that they need it. The testimony of merchants is scoffed at because they sometimes import goods into this country; and the information called for by the Department of State, which would have enlightened us with respect to wages and cost of production in Germany, has been suppressed by the committee with a persistency that warrants the belief that it would not sustain the work of the committee. We have before us a tariff bill the rates of which have been, according to forty-odd admissions made by the chairman of the Finance Committee, fixed by the manufacturers, who, he says, ought to be followed, because they are giving employment to American labor, American capital, and sustaining American industry. I grant you, Mr. President, that their testimony should be taken and should be weighed; but they are directly interested parties and their testimony should not be considered final and absolute. The testimony of foreign experts as to the cost of production should be considered, the statistics of foreign countries ought to be taken, scanned very critically, to be sure, because foreign countries are interested parties; examined perhaps more critically than the testimony of an interested manufacturer in this country, but nevertheless it should be taken and weighed carefully if an honest effort is being made to frame a tariff on principle. No court excludes testimony that is material and relevant because it is offered by interested parties; but this Finance Committee assumes that it has higher authority than the Senate it is supposed to serve. Senators are denied access to testimony that ought to be submitted for consideration, and the committee takes the absurd position that it is disloyal and unpatriotic to consider statistics furnished by a foreign government or to seek any other testimony than that of manufacturers, who are interested parties and who want the highest possible rates.

BILL MADE LIKE THIS CAN NOT STAND.

Mr. President, such a system is inherently wrong. While it may temporarily postpone a just and fair revision of duties, it will not finally settle this tariff question. We are not sovereigns here; we are but servants. The sovereigns are in the workshops, on the farms, in the factories, in the stores and countingrooms. It is the average interest of the whole people we should serve, not certain special interests. The question is, Are we framing this bill with a view to all the interests of all the people of this country or just with reference to the manufacturers of this country? The manufacturers ought not to be injured, but they should be given just the measure of protection that constitutes the difference in the cost of production between this and competing countries. They should not be guaranteed a profit. It is not the duty of government to guarantee a particular class of its citizens a profit in business. We are here to act, I say, not for manufacturers alone, but for the great body of the citizenship of this country, wherever they dwell, whatever they do. If a revision of the tariff is made on that basis, it will stand. If it is made in the interest of a section of this country or of a class, it can not be maintained.

It does not lie with any man to make a lasting impression upon this Senate or upon the country unless he builds upon a basis of truth. I am submitting a statement of experiments

conducted by the editor of the Textile World Record. It is either true or false. If true, it will stand. If false, it will be swept aside. Misrepresentation must in the end fail. It can do no lasting harm except to him who employs it.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Frye	Penrose
Bacon	Clarke, Ark.	Gallinger	Perkins
Bailey	Clay	Gamble	Rayner
Beveridge	Crane	Heyburn	Root
Borah	Crawford	Hughes	Scott
Bradley	Culberson	Johnson, N. Dak.	Smith, Mich.
Brandegee	Cullom	Johnston, Ala.	Smoot
Briggs	Cummins	Jones	Stephenson
Bristow	Curtis	Kean	Stone
Brown	Davis	La Follette	Sutherland
Bulkeley	Depew	Lodge	Taliaferro
Burkett	Dick	McCumber	Warner
Burrows	Dillingham	Martin	Warren
Burton	Dolliver	Money	Wetmore
Carter	du Pont	Nelson	
Chamberlain	Flint	Overman	
Clapp	Foster	Page	

Mr. SCOTT (when the name of Mr. ELKINS was called). My colleague [Mr. ELKINS] is unavoidably absent from the Senate this evening.

Mr. OVERMAN (when the name of Mr. SIMMONS was called). I desire to announce that my colleague [Mr. SIMMONS] is absent at home, sick.

The PRESIDENT pro tempore. Sixty-five Senators have responded to their names. There is a quorum present.

Mr. NELSON. Will the Senator from Wisconsin yield to me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. NELSON. Mr. President, I simply rise to express my great surprise at the fact that while the Finance Committee are ready to hear the various protected interests, they are unwilling to hear Senators when they discuss those same items of the tariff bill from another point of view.

Mr. LA FOLLETTE. Mr. President, I was just saying, when interrupted by the call for a quorum, that it is not possible for Congress to inflict a permanent injury on the people by an unjust revision of these tariff schedules. We are about to pass a bill at this session that will impose additional burdens upon the consumers of the country. They asked for relief. This bill will increase the cost of living in every home in the land. I say it will not stand. Public indignation will compel its repeal. This is a free country. We may grow arrogant in official position. Given a long lease of authority we may become indifferent to the rights of those from whom we take our power; but, Mr. President, the rural free delivery, the improvement of our highways, the daily press, and the public platform will carry the truth to the people every day, and this Congress can not write and maintain legislation on the statute books that inflicts injustice upon 90,000,000 enlightened American citizens.

PEOPLE DEMANDED REVISION DOWNWARD.

Upon the whole we are revising this tariff upward, not downward; and that is not what we were commissioned to do. Nor was this extra session forced upon us merely to rewrite the Dingley law. The people certainly were not clamoring for a higher tariff so strongly as to force a call for an extra session, and if they were satisfied with existing rates we certainly would not be here. We are here because the people for more than five years have been demanding that the Dingley rates should be reduced. They know that great progress has been made in the industrial life of the American people. They know that all this industrial reorganization has cheapened production; that fabulous fortunes are being acquired by those who control industrial organizations. In the meantime they know that life has grown harder day by day for the great mass of the American people. The cost of living has increased year after year, without a corresponding increase in the earning power of the average man. They know it is wrong. They have talked it over at home and with their merchant, their groceryman, their butcher. They know that the foolish claim made in the course of this debate, that the increased cost of living is chargeable to the retail merchant, is a subterfuge to cover up the enormous profits of those who suppress domestic competition behind a tariff that excludes foreign competition.

HOW THE BURDEN IS LOADED ON THE CONSUMER.

So, Mr. President, any unjust profit that is made possible by this legislative enactment will be multiplied to the consumer and will become a matter of very serious import to him when it is placed, not only upon one product but upon another and another until it reaches everything that goes upon his table, everything that goes to clothe and warm his family and provide for their comfort.

The Senator from Iowa [Mr. DOLLIVER] and other Senators have analyzed this bill and made plain to the understanding of everybody the wrongs that are being imposed upon consumers by this revision. Others will supplement this work. And I say to you that in every nook and corner of this great land of ours the people are going to understand this tariff question. You can not write in the laws of this country an unjust tariff bill and have it stand. The country will not permit it.

TAKE TIME TO DO THE WORK PROPERLY.

Personally I do not believe, Mr. President, we can ever get onto a practical, workable, scientific basis for tariff revision without the help of a tariff commission. But we must revise this tariff without the aid of an expert commission. Let us take time to gather all information necessary to enable us to frame a law such as we promised, based on the difference in the cost of production. It is not too late yet, Mr. President. It is midsummer. What of that? A big task; all this work to do over again. For I doubt if we can justify any of the duties proposed in this bill under the Republican party platform. There has been no thoroughgoing investigation such as the changed conditions called for upon which to base revision. We had better go back and begin over. We may smile about it now, but it will not be a matter for levity hereafter.

BILL MUST BE APPROVED BY THE NINETY MILLION.

Mr. President, in the atmosphere of this Senate Chamber, we are cut off, alienated, and segregated from the popular thought and feeling of the country. We come here to serve out our time—brief for some of us, long for others—but even for those who serve longest, how brief! It is only a little time and we all pass off the stage, to be held in memory but for a few fleeting years in the communities where we live. Let us do our work here, mindful every hour that we are not doing it to meet the approval of the Senator from Rhode Island. In so far as we shall take pride in what we do, in so far as our children will take pride in what we do, Mr. President, it will be only as it shall accord with what is just to all the people of this country, not to the sixty or seventy manufacturers who are organized in the American Woolen Company, but to the ninety millions of people who work on the hillsides and at the forges and in the countinghouses and shops of every city and hamlet of the land.

EVERY INTEREST SHOULD BE CONSIDERED—NONE WRONGED.

The great manufacturers have their rights, which should be duly regarded. I would not disparage the men who are manufacturing under this wool schedule. I would wrong no man and do injustice to no corporation. I would give to these men all they are entitled to fairly, according to the protective principles that should be applied in the making of every tariff bill. But you are doing more than that, and you do not furnish the facts to justify what you are doing. You can not make lasting, under existing economic conditions, a tariff schedule that you can not justify with facts—established facts.

Mr. President, if I do not get in every one of these statements of Mr. Dale it will not make such a tremendous amount of difference. Mr. Dale and the Senator from Wyoming [Mr. WARREN], and the Senator from Utah [Mr. SMOOT], and the Senator from Wisconsin will not cut so very much figure in this whole problem after all. Everlasting right is what is going to settle it finally.

Mr. President, I digressed, and I apologize for it. I did not intend to, and I come back, if I may have the attention of the Senate, for just one or two more of these examples; then I will ask leave to print the balance of them. But I will print them all; I will not leave out one, and if the Senate will permit, I will print the pictures. [Laughter.]

Now, the next piece, Mr. President, shows this: On the 10,000 yards analyzed by Mr. Dale it did not take 4 pounds of wool to make a yard of cloth, but if you assess the 4-pound duty, which the Dingley law authorizes, the compensatory duty alone amounts to 102 per cent. Just the compensatory duty; besides that, you know, the manufacturer has his protective duty.

Now, had that sample of cloth, which you will find in my remarks in the speech in the RECORD as No. E382, been assessed for just the amount of wool that was actually put into it, it would only have received a 23 per cent compensatory duty. Under the Dingley law it is wrongfully assessed a compensatory duty of 102 per cent on top of the protective tariff duty.

I pass from this with the request that I may be permitted to print in the RECORD all the analyses which I have in my possession which have been made by Mr. Dale without reading them, if the President will kindly submit that request to the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none. The order is made.

The matter referred to is as follows:

A25.—Worsted serge; 18.4 ounces per yard, 54 inches wide; 10,000 yards, at $1, $10,000; 11,500 pounds cloth. This requires 21,941 pounds grease wool.

Dingley duty.	Duty.	Per cent.
11,500 pounds cloth, at 44 cents	$5,060.00	50.6
55 per cent of $10,000	5,500.00	55
Total duty	10,560.00	105.6
Actual compensatory required: 21,941 pounds grease wool, at 11 cents	2,413.51	24.1
Actual protection	8,146.49	81.5

A96.—Cotton warp dress goods; 6.7 ounces per yard, 50 inches wide; 10,000 yards at 25 cents, $2,500; 4,187 pounds cloth. This requires 4,515 pounds of grease wool.

Dingley duty.	Duty.	Per cent.
4,187 pounds cloth, at 44 cents	$1,842.28	73.7
50 per cent of $2,500	1,250.00	50
Total duty	3,092.28	123.7
Actual compensatory required: 4,515 pounds grease wool, at 11 cents	496.65	19.9
Actual protection	2,595.63	103.8

C96.—Worsted dress goods; 6.7 ounces per yard, 50 inches wide; 10,000 yards, at 40 cents, $4,000; 4,187 pounds cloth. This will require 9,760 pounds grease wool.

Dingley duty.	Duty.	Per cent.
4,187 lbs. cloth, 44c	$1,842.28	46
55 per cent of $4,000	2,200.00	55
Total duty	4,042.28	101
Actual compensatory required: 9,760 lbs. grease wool, 11c	1,073.60	26.8
Actual protection	2,968.68	74.2

E119.—Worsted serge, piece dyed; 14½ ounces per yard, 56 inches; 10,000 yards, at 90 cents, $9,000; 9,062 pounds cloth. This would require 20,945 pounds grease wool.

Dingley duty.	Duty.	Per cent.
9,062 pounds cloth, 44 cents	$3,987.28	44.3
55 per cent of $9,000	4,950.00	55
Total duty	8,937.28	99.3
Actual compensatory required: 20,945 pounds, 11 cents	2,303.95	25.6
Actual protection	6,633.33	73.7

A220.—Cotton worsted. 14 ounces, 55 inches wide. 10,000 yards at 50 cents, $5,000. 3,750 pounds cloth. This would require 3,125 pounds grease wool.

Dingley duty.	Duty.	Per cent.
3,750 pounds, 44 cents	$3,850.00	77
50 per cent of $5,000	2,500.00	50
Total duty	6,350.00	127
Actual compensatory required: 3,125 pounds, 11 cents	343.75	6.8
Actual protection	6,006.25	120.2

A207.—Cotton warp casket cloth, cotton, wool, and shoddy; 15¼ ounces per yard, 68 inches wide; 10,000 yards at 50 cents, $5,000; 9,688 pounds cloth. This will require 2,375 pounds cotton warp, 1,600 pounds grease wool, 1,125 pounds raw cotton, 9,563 pounds shoddy.

Dingley duty.		Duty.	Per cent.
9,688 pounds cloth, 44 cents		$4,262.72	85.2
50 per cent of $5,000		2,500.00	50
Total duty		6,762.72	135.2
Actual compensatory required:			
1,600 pounds, 11 cents	$1,760.00		
9,563 pounds, 5 cents	478.15		
		2,238.15	44.8
Actual protection		4,524.57	90.4

G06.—Piece dyed Kersey, 25 ounces per yard, 55 inches. Stock: Back warp, 40 per cent; Oregon, 60 per cent shoddy; face warp and filling, 50 per cent; California, 50 per cent shoddy, 10,000 yards, $1.25, $12,500; 15,625 pounds cloth. This would require 32,426 pounds wool in grease, 13,167 pounds shoddy.

Dingley duty.		Duty.	Per cent.
15,625 pounds, 44 cents		$6,875.00	55
55 per cent of $12,500		6,875.00	55
Total duty		13,750.00	110
Actual compensatory required:			
32,426 pounds, 11 cents	$3,566.86		
13,167 pounds, 5 cents	658.35		
		4,225.21	33.2
Actual protection		9,524.79	76.8

E382.—Cotton warp beaver; 28 ounces per yard, 55 inches; 10,000 yards at 75 cents, $7,500; 7,500 pounds. This quantity would require 3,611 pounds raw cotton, 1,309 pounds cotton warp, 22,123 pounds shoddy, 4,886 pounds fine wool, 1,137 pounds coarse wool.

Dingley duty.		Duty.	Per cent.
17,500 pounds, 44 cents		$7,700.00	102.7
50 per cent of $7,500		3,750.00	50
Total duty		11,450.00	152.7
Actual compensatory required:			
6,023 pounds, 11 cents	$662.53		
22,123 pounds, 5 cents	1,106.15		
		1,768.68	23.6
Actual protection		9,681.32	129.1

E24.—Irish frieze. 34 ounces per yard, 55 inches. Stock, 50 per cent wool and 50 per cent waste. 10,000 yards at $1, $10,000. 21,250 pounds cloth. This requires 23,625 pounds grease wool, 17,719 pounds shoddy and waste.

Dingley duty.		Duty.	Per cent.
21,250 pounds, at 44 cents		$9,350.00	93.5
50 per cent of $10,000		5,000.00	50
Total duty		14,350.00	143.5
Actual compensatory required:			
23,625 pounds, at 11 cents	$2,598.75		
17,719 pounds, at 5 cents	885.95		
		3,484.70	34.8
Actual protection		10,865.30	108.7

A211.—Wool cassimere, territory wool, 13 ounces per yard, 54 inches wide, 10,000 yards at 85 cents, $8,500; 8,125 pounds cloth. This will require 32,143 pounds grease wool, shrinking 65 per cent.

Dingley duty.	Duty.	Per cent.
8,125 pounds cloth, 44 cents	$3,575.00	42
55 per cent of $8,500	4,675.00	55
Total duty	8,250.00	97
Actual compensatory required: 32,143 pounds, 11 cents	3,535.73	41.6
Actual protection	4,714.27	55.4

DE.—Wool dress goods, piece dyed, 6 ounces per yard, 50 inches wide. 10,000 yards at 40 cents, $4,000; 3,750 pounds cloth. This would require 14,823 pounds grease wool, shrinking 65 per cent.

Dingley duty.	Duty.	Per cent.
3,750 pounds, 44 cents	$1,650.00	41.2
55 per cent of $4,000	2,200.00	55
Total duty	3,850.00	96.2
Actual compensatory required: 14,823 pounds, 11 cents	1,630.53	40.8
Actual protection	2,219.47	55.4

WRONG MUST BE MET IN NEXT CAMPAIGN.

Mr. LA FOLLETTE. The analyses of Samuel S. Dale, which I have just presented, show that in the cases of these various pieces of cloth a duty has been assessed against them which can not be justified. There is no justification for it. They prove the absolutely vicious character of this feature of the woolen schedule. These compensatory duties should be revised. The users of these woolen cloths demand it. They are willing to give to the manufacturer all of the duty necessary to protect him against labor which takes a lower wage than our labor and lives according to different standards. They are content that the manufacturer shall have the difference in the cost of pro-

duction, but deny on top of that his right to a duty running from 25 to 100 and a hundred per cent more than he is entitled to as a compensatory duty. We might just as well settle that question here and now. If this great wrong is not corrected now, you will have to confront it in the campaign two years and four years from this time. This issue will not be dropped here by the progressive Republicans. It will be fought out to a finish. We have faith in the power of public opinion. The right will finally prevail.

GOVERNMENT EXPERT CLARK PROVES PROTECTIVE DUTIES EXCESSIVE.

Mr. President, I have shown that the compensatory duty runs from 25 to a hundred per cent more than is sufficient to compensate for the duties levied on wool—and I now propose to demonstrate by analysis of the cloth, made by impartial and competent authority, that the protective duty is itself excessive.

One of the most reliable sources of information as to the cost of production in the woolen industry is the report on the manufacture of wools, worsted, and shoddy in France and England by W. A. Graham Clark, special agent of the Department of Commerce and Labor.

I pause here to say that this special investigation, made by Mr. Clark, has been challenged. I will not cite it without giving you the information that its results have been denied by the beneficiaries of these exorbitant rates.

Mr. OVERMAN. He is a North Carolina boy.

Mr. LA FOLLETTE. He is a North Carolina boy. He is the son of the chief justice of your State, who is one of the greatest lawyers and publicists in America.

RELIABILITY OF MR. CLARK'S INVESTIGATION.

Mr. Clark, at the time he made this investigation, had been doing work of this character for the Government for about two years. He has traveled in nearly all of the principal foreign countries in which information of value to the textile industry could be gathered. He is a graduate of Harvard University and has supplemented his general education with technical courses in the textile schools of New England. At the time that he entered the government service he had been for some time in the actual charge and management of a cotton mill, and he is, therefore, a man of practical experience. His appointment was made upon the recommendation of a great number of manufacturers, and he was practically selected for this work by the textile manufacturers of the country, and that, too, without regard to whether they were woolen or cotton manufacturers. His reports have always been received by the trade with the highest approval until he reported the facts with respect to wages and the cost of production in the woolen industry. Then he was singled out as a target for criticism and disapproval. I believe that if legislation to revise the tariff had not been impending at the time this report was made public, its results would have been accepted by these manufacturers with the approval accorded to reports of prior investigations made by Mr. Clark.

Mr. Clark gives a detailed analysis of the cost of production of eight typical samples of worsted and woolen cloths, which seem to contain ample material upon which to base a calculation of what the duty on woolen cloth should be to afford full protection on the basis of the difference in the cost of production here and abroad. Before taking up the discussion of the figures in connection with each sample, it will be necessary to consider two general points applicable to all of these samples, viz, the difference in the cost of labor in England and this country, and the cost of spinning the wool and weaving the yarn into cloth.

DIFFERENCE IN THE WAGE COST.

As to labor: On page 25 of his report, Mr. Clark gives the following table of wages in the worsted industry in Italy, France, England, and the United States:

	Italy.	France.	England.	United States.
Sorters	$4.60	$6.40	$7.30	$12.50
Washers or dyers	3.00	4.25	5.60	7.00
Carders	2.30	4.00	3.90	6.00
Gill boxes	2.30	3.70	3.00	6.00
Comb minders	2.30	3.70	3.00	6.00
Ring spinner	7.00	9.25	12.00	18.00
Mule spinner	5.60	6.20	7.30	9.50
Weavers	2.30	4.00	3.00	6.00
Fullers and pressers	3.00	4.60	4.00	9.00
	3.50	4.25	6.00	7.00

This table shows that the wages are lowest in Italy, higher in France, still higher in England, and highest in the United States. Mr. Clark also adds that the cost of living is lowest in Italy, higher in England, still higher in France, and highest in the United States. At the same time, as would have been expected, the productive efficiency of labor is lowest in Italy, higher in France, still higher in England, and highest in the United States. Mr. Clark does not furnish any figures that would show the extent to which the greater efficiency in the United States offsets the greater cost of labor. Mr. Clark's table shows that wages in the worsted industry in this country are from 17 to 125 per cent higher than in England.

To be on the safe side, as a protectionist, I shall assume in my calculations that the labor cost in this country is double that of England, thus making no allowance for the higher efficiency of labor in this country.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I have examined this report with a great deal of interest, and the Senator will note in the letter of submittal, dated Bradford, England, November 1, 1908, found on page 5, Mr. Clark says "in general it may be said that the cost of the manufacture of worsteds in England is about half that in the United States."

Mr. LA FOLLETTE. I had already stated that.

Mr. GALLINGER. Yes; I understood the Senator so to say.

Mr. LA FOLLETTE. I want to be entirely fair.

Mr. GALLINGER. I understood the Senator to say that, and I was merely confirming his statement.

Mr. LA FOLLETTE. It is all right to call attention to it.

Mr. GALLINGER. That was the only purpose.

Mr. LA FOLLETTE. I think we ought to start in on that basis, and I would not stand for a duty a hair's breadth lower than would be safe to the industries of the country.

I have Mr. Clark's samples here—the identical cloth that he brought over to this country. The samples were kindly loaned me by the Bureau of Manufactures.

SHOWING MADE ON THE CLARK SAMPLES.

The samples produced by Mr. Clark came from British weaving mills which buy their yarn. In order to get at the proportion which the labor cost of combing and spinning bears to the cost of yarn, I have made use of tables given on pages 70, 73, and 74 of Mr. Clark's report, which give in detail the cost of turning out worsted yarn in a mill with a capacity of 7,500 pounds per week.

The following table, taken from page 74, shows in detail the cost of worsted spinning 1/20s:

	Per year.
	£ s.
Departmental costing:	
Interest and depreciation (10 years), at 4½ per cent	214 16=$1,045.50
Rent, 930 square yards, at 3s. 6d	92 15= 451.37
Motive power, say 60 indicated horsepower, at £5	300 0= 1,459.95
Repairs	20 0= 97.33
Lighting, rates, taxes, and insurance	100 0= 486.65
Materials	50 0= 243.33
Miscellaneous expenses	10 0= 48.66
Wages, 50 weeks, at £14 7s. 6d	718 15= 3,497.50
Wages, 52 weeks, at £2	104 0= 506.12
Total	1,610 6= 7,836.44

Production, 7,500 pounds per week. Cost per pound, £1,610 6s. ($7,836.44) ÷ (7,500 by 50)=1.03d. (2.06 cents) per pound.

Adding the last two items in the table, representing wages, we get the total labor cost per year, $4,003.62. The total production per year is 7,500 pounds multiplied by 50, or 375,000 pounds, which gives the labor cost of spinning a pound 1.07 cents. The cost of combing is given on page 70 of Mr. Clark's report at 4 cents, making the total wage cost 5.07 cents per pound. The selling price of 1/20s worsted yarn is given on page 70 of Mr. Clark's report at 59.6 cents per pound, making the labor cost 8½ per cent of the total cost of yarn.

In the case of 2/44s yarn, the table of costs given on page 73 of Mr. Clark's report is as follows:

Worsted spinning, 2/44s.

	Per year.
	£ s.
Departmental costing:	
Interest and depreciation (10 years) on £6,500, at 4½	814 11=$3,964.00
Rent, 2,000 square yards, at 3s. 6d	350 0= 1,703.27
Motive power, say 200 indicated horsepower, at £5	600 0= 2,919.90
Repairs	50 0= 243.32
Lighting	120 0= 583.98
Rates, taxes, and insurance	250 0= 1,216.62
Materials	70 0= 340.66
Miscellaneous expenses	30 0= 146.00
Wages, 50 weeks, at £59 8s. 6d	2,971 5=14,454.50
Wages, 52 weeks, at £4	208 0= 1,012.24
Total	5,463 16=26,584.49

Production, 7,500 pounds per week. Cost per pound, £5,463 16s. ($26,584.49) ÷ (7,500 by 50)=3.54d. (7.08 cents) per pound.

ALLOWS AN EXCESSIVE LABOR COST.

Using the same method of calculation as in the first illustration, we get the cost of spinning per pound of yarn 4.1 cents and adding to that 4 cents per pound for combing, we get 8.1 cents. The cost of 2/44s yarn, as given on page 70, is 66.6 cents per pound, so that the proportion of the total wage cost to the cost of 2/44s yarn is 12 per cent.

Although 12 per cent is the highest percentage of labor cost of spinning given in Mr. Clark's report, I shall apply that figure in all cases; thus deliberately allowing for the proportion of labor cost of yarn an excessive proportion which, in the case of 1/20s yarn, will be 50 per cent too high.

I have taken these two cases of the labor cost of spinning the yarn, because in these two cases it is given in very great detail—in greater detail than in the lower classes. It was difficult, if not impossible, for the tariff expert of the Bureau of Statistics to get the figures in the lower number of yarns, and for that reason I give all the way through, in the costs which I shall submit to the Senate and incorporate in my remarks, the cost which applies to these two first samples. So no one can complain that this industry is being dealt with unfairly in the computation which is being made, and while this computation runs somewhat into detail, I beg the indulgence and patience of Senators, for the demonstration it makes is a very important one in the consideration of this bill.

We are now in a position to take up the several samples of cloth submitted by Mr. Clark, pieces of which I secured from the Bureau of Manufactures for presentation to the Senate.

The first sample is No. 1. It is a fancy worsted suiting; 1,056 yards of this cloth was made high grade; weight per square yard, 13.6 ounces; threads per inch in warp, 42; filling, 40; grade, botany No. 70, at 74 cents; yarn, 1,530 pounds; 2/16s. Then follows a table, which I ask leave to submit in connection with what I shall say here to-night, without reading to the Senate.

The PRESIDENT pro tempore. The Chair hears no objection.

The table is as follows:

Sample No. 1.—Fancy worsted suiting.

[1,056 yards, high grade; weight per square yard, 13.6 ounces; threads per inch in warp, 42; filling, 40; grade, botany No. 70, at 74 cents; yarn, 1,530 pounds, 2/16s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$1,132.20				
Office expense				$0.34	$0.16
Discounts, terms, etc		$30.60			
Warehouse				2.96	1.64
Patterns				.24	.24
Weaving		11.70	$3.12	4.56	4.70
Mending				1.20	1.20
Finishing and dyeing		10.08	1.78	5.98	4.98
Total	1,132.20	52.38	4.90	15.28	12.92

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$1,132.20
Office expense		$0.12		$20.18	20.80
Discounts, terms, etc					30.60
Warehouse		1.48	$2.96	20.56	29.60
Patterns		1.16	26.88	5.08	33.60
Weaving	$3.92	1.30	82.64	18.94	130.88
Mending			21.60		24.00
Finishing and dyeing	10.36	12.60	48.60	2.10	96.48
Total	14.28	16.66	182.68	66.86	1,498.16

Cost per yard, 58 inches, $1.419.

Mr. LA FOLLETTE. From data contained in the above table we derive the following figures:

Cost of yarn, 76 per cent of the cost of the finished goods (cloth)	$1,132.20
Cost per running yard (58 inches)	$1.419
Weight per square yard ounces	13.6
Weight per running yard do	21.896
Compensatory duty per running yard, at 44 cents per pound	60.214
Ad valorem duty, at 55 per cent ad valorem	78.1
Total duty	$1.38314

Or 97 per cent ad valorem.

Let us see what the wages for weaving this cloth are in England, and let us see what the wages for spinning the yarn woven into this cloth are in England, for we have the means of figuring it out here:

	Per cent of cost.
Wages, weaving	12.2
Wages, spinning (12 per cent of selling cost of yarn)	9.1
Total wages	21.3

CASES WHERE EXCESSIVE DUTY IS DEMONSTRATED.

On the assumption that the labor cost in this country is double that in England, the protective duty on that account should be 21.3 per cent of the cost of the cloth, instead of 55 per cent allowed by the Dingley tariff and retained in the Payne and Aldrich bills, making an excess of protective duty of 33.7 per cent.

This measures the excess of duty which these manufacturers will be able to exact under this law if we reenact the same duties in the pending bill.

But the 55 per cent does not represent the full amount of protection accorded to woolen cloth. There is also a compensatory duty of 44 cents a pound based on the assumption that it takes 4 pounds of grease wool to produce 1 pound of cloth. This assumption has been ridiculed by those who have any familiarity with the industry, as it has no reference to actual facts. To arrive at correct figures, a series of careful tests, extending over a long period and covering various kinds of cloth, was made, and the results published in the Textile World Record, January, 1909. I have presented to the Senate the results of these tests, which clearly establish that the 44 cents per pound compensatory duty is a fraud upon the consumers of this kind of cloth in this country.

I shall discuss the results of these tests more fully in the course of my remarks. For the present it is sufficient to say that these tests demonstrate beyond the peradventure of a doubt that a proportion of 2 pounds of wool to 1 pound of cloth of this grade is more nearly correct as an average than the allowance made in this bill and in the present law. On that basis the compensating duty per running yard of cloth would be one-half the figure given in the above estimate, or 30.107 cents per yard, equal to 21.2 per cent ad valorem. Summing up these figures, we find that the total duty should be made up of the following items:

	Per cent.
Compensatory duty	21.2
Protective duty	21.3
Total	42.5

as against the actual duty of 97 per cent, making an excess of duty equal to 54.5 per cent ad valorem.

The figures for the other samples are calculated on the same basis and can be given without further comment.

Sample No. 2, submitted by Mr. Clark, shows an excess of duty of 52.1 per cent. I will later put the entire table in the RECORD.

The next sample of cloth submitted by him is No. 3. The compensatory duty per running yard of this cloth at 44 cents per pound is 52 per cent; the protective duty is 55 per cent ad valorem. The total duty on that cloth is $1.09 per yard, or 106.6 per cent ad valorem.

Now, the wages for weaving that cloth amount to 16 per cent of the cost; the wages for spinning, 12 per cent of the cost of yarn, or 8.5 per cent of the total cost; the protective duty to cover wages should be 25.1 per cent; the compensatory duty should be 28 cents per yard, or 27.5 per cent; and the total duty should be 52.6 per cent; the present duty is 106 per cent, an excess of 54 per cent.

Sample No. 4, without going through the samples in detail, carries an excess of 56 per cent.

Sample No. 5, an excess duty as shown by an analysis of 49 per cent.

NO WONDER THE CLARK REPORT IS ATTACKED.

Do Senators marvel that these overprotected industries complain about the report of Mr. Clark? Mr. Clark is a trained scientist. He went into this investigation with no prejudice against the manufacturers. He is an American citizen. He was sent out by this Government to make a thoroughgoing and impartial investigation, and can anyone, for a moment, believe that he would bring back anything to this country that was not in accordance with his best understanding and best judgment, and if he did err in any respect that he would err against this country?

Mr. President, with this testimony before or accessible to the Finance Committee, having been presented by Mr. Clark to the Ways and Means Committee, it is almost inconceivable that

this Schedule K could have been passed over without a complete revision. The only possible excuse is that it is a very intricate schedule. It appears through nearly all the tariff legislation since this schedule was adopted, that no committee has had the courage to undertake its reconstruction upon a thoroughgoing scientific basis. In a way that may be some extenuation for the Finance Committee, but, Mr. President, we are not called upon to rush through a piece of legislation within any given time. The tariff question is of as much importance to this Nation as any nation in the world, and there is no other civilized power of any standing that would enact legislation as we are proceeding with this bill.

I directed attention to the fact a few days ago that France took two years to investigate this subject before a bill was presented to its Parliament. A committee of 32 members was put in charge, divided into sections, each given a separate schedule, and put in charge of a thoroughgoing investigation in preparation for legislation.

UP AGAINST A STONE WALL.

You know, Mr. President, every one of us knows, what we have been asked to do. It is next to an impossibility for any man to inform himself about this bill. This bill, put through the House under a special rule after a few weeks' investigation by the committee in charge, was brought into this Chamber, and in forty-eight hours, by the mandate of the chairman of the Finance Committee, we were compelled to begin its consideration by paragraphs for amendment. Yet we are all held responsible for the hasty judgment that we are compelled to form on this floor, without any detailed information.

We are up against a stone wall. It makes no difference what it provides or fails to provide, the legislation reported by the committee will go through. The system of making up committees insures that. It places all legislative power in the hands of a few men. I protest against it as a wrongful use of power, and shall continue to protest against it here and elsewhere as a violation of the fundamental principles of representative government.

Mr. President, allow me to read a recapitulation of these eight samples: On the first sample, omitting the fractions, the excess of duty is 54 per cent; on the second sample the excess of duty is 52 per cent; on the third sample it is 54 per cent; on the fourth sample 56 per cent; on the fifth sample 49 per cent; sixth sample 44 per cent; seventh sample 63 per cent; eighth sample 55 per cent; and on an average of all these samples there is an excess of duty of 53.8 per cent.

Mark you, these facts are presented here, I repeat, not upon biased and prejudiced testimony secured from among the beneficiaries of the excessive rates, but on the testimony of disinterested men employed by this Government to get truthful information. These facts are not presented by me to break down the protection system, but as a stanch advocate of maintaining it on a rational basis—a better friend, if I may say so, than those who insist on maintaining such excessive duties as to discredit the system and ultimately destroy it.

Now, Mr. President, I am not going to take the time of the Senate to go through all these samples. They all prove the same thing, and the proof of the iniquities of Schedule K is so overwhelming as to make it difficult, indeed, to believe that even the Senator from Rhode Island will not permit some revision in behalf of the woolgrower and consumer.

Mr. President, I have ready to lay before Senators a table which takes account of every increase. That table will be printed and put upon the desks of Senators within twenty-four hours, giving the increases and decreases exactly as they were at the time this bill was reported. If I can enlist sufficient expert help, I will have every amendment that has been adopted incorporated as a correction in that table when this bill is ready to go to a vote, so that Senators will have a revised statement of increases and decreases correctly figured according to the approved methods of the Bureau of Statistics, not counting so many decreases against so many increases—that is folly—but computed by "weighted averages," as it is termed, so that Members of this body and the country shall have full opportunity to know what changes from present rates are really made in this bill.

And now, Mr. President, I have some amendments which I propose to present. I shall offer them later, when the general debate upon this schedule is closed and the paragraphs taken up for amendment. If adopted my amendments will completely revise this schedule, reducing duties to a just compensatory and protective basis.

Mr. President, I ask permission to print in the RECORD the tables of Mr. Clark's report in full without taking the time of the Senate to read them to-night.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, the order will be made.

The matter referred to is as follows:

Sample No. 2.—Fancy worsted suiting.

[1,056 yards, medium quality; weight per square yard, 11.8 ounces; threads per inch in warp 45, filling 48; grade, dark gray botany No. 64 at 66 cents; No. 64 at 74 cents; yarn, 1,370 pounds, 2/20s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$908.20				
Office expense			$0.36	$0.18	$0.18
Discounts, terms, etc		$27.40			
Warehouse				3.12	1.72
Patterns				.16	.06
Weaving		12.36	3.30	4.80	4.94
Mending				1.20	1.20
Finishing and dyeing		6.30	1.08	3.72	3.12
Total	908.20	46.06	4.38	13.36	11.22

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$908.20
Office expense		$0.12	$20.82	$0.12	21.60
Discounts, terms, etc					27.40
Warehouse		1.56	3.12	21.68	31.20
Patterns		.72	16.58	3.28	20.80
Weaving	$4.12	1.38	86.40	19.90	137.20
Mending			21.60		24.00
Finishing and dyeing	6.48	8.10	30.48	.72	60.00
Total	10.60	11.88	179.00	45.70	1,230.40

Cost per yard, 58 inches, $1.165.

Cost of yarn, $908 20 = 74 per cent of the cost of finished goods (cloth).		
Cost per running yard, 58 inches		$1.165
Weight per square yard	ounces	11.8
Weight per yard, 58 inches	do	18.998
Compensatory duty per running yard at 44 cents per pound	cents	52.228
Protective duty at 55 per cent ad valorem	do	64.075
Total duty		$1.16303

(Or practically 100 per cent ad valorem.)

Wages, weaving	per cent of cost	14.5
Wages, spinning (12 per cent of cost of yarn)	do	9
Total wages	do	23.5

Mr. LA FOLLETTE. Compensatory duty should be 22 cents per pound, or 26.1 cents per yard, equaling 24.4 per cent of cost of cloth.

Total duty should therefore be—

	Per cent.
Protective duty	23.5
Compensatory duty	24.4
Total duty	47.9

Making present duty, 100 per cent; excess of duty, 52.1 per cent.

Sample No. 3.—Fancy worsted and woolen suiting.

[1,056 yards; weight per square yard, 11.9 ounces; threads per inch in warp 56, filling 54; grade, botany No. 1, 60s, at 67 cents; No. 2, 60s, at 67 cents; woolen weft, at 30 cents; yarn, 570 pounds, No. 1, 2/28s; 330 pounds, No. 2/24s; 534 pounds, woolen, 2 5/8 runs.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$764.28				
Office expense		$19.08			
Discounts, terms, etc				$0.36	$0.18
Warehouse				3.12	1.70
Patterns				.16	.06
Weaving		12.36	$3.30	4.80	4.94
Mending				1.20	1.22
Finishing and dyeing		6.30	1.08	3.72	3.12
Total	764.28	37.74	4.38	13.36	11.22

Sample No. 3.—Fancy worsted and woolen suiting—Continued.

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$764.28
Office expense					19.08
Discounts, terms, etc		$0.12	$20.82	$0.12	21.60
Warehouse		1.56	3.12	21.68	31.20
Patterns		.72	16.58	3.28	20.80
Weaving	$4.12	1.38	86.40	19.90	137.20
Mending			21.60		24.00
Finishing and dyeing	6.48	8.10	30.48	.72	60.00
Total	10.60	11.88	179.00	45.70	1,078.16

Cost per yard, 58 inches, $1.021.

Cost of yarn, $764.28=71 per cent of the cost of finished goods.		
Cost per running yard, 58-inch		$1.021
Weight per square yard	ounces	11.9
Weight per running yard, 58-inch	do	19.159
Compensatory duty per running yard, at 44 cents per pound, cents		52.668
Protective duty, at 55 per cent ad valorem	cents	56.153
Total duty		1.09

Or 106.6 per cent ad valorem.

Wages, weaving	per cent of cost	16.6
Wages, spinning, 12 per cent of cost of yarn	do	8.5
Protective duty, to cover wages, should be	per cent	25.1
Compensatory duty should be 28.078 cents per yard	do	27.5
Total duty should be	do	52.6

Present duty 106.6 per cent. Excess of duty 54 per cent.

Sample No. 4.—Piece dyed indigo suiting.

[1,056 yards; weight per square yard, 14 ounces; threads per inch in warp 44, filling 48; grade, botany No. 80, at 66 cents; yarn, 1,500 pounds, 2/20s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$990.00				
Office expense					
Discounts, terms, etc		$30.00		$0.36	$0.18
Warehouse				3.12	1.72
Patterns					
Weaving		9.84	$2.64	3.84	3.90
Mending				1.20	1.20
Finishing and dyeing		15.12	2.56	8.90	7.50
Total	990.00	54.96	5.20	17.42	14.50

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$990.00
Office expense		$0.12	$20.82	$0.12	21.60
Discounts, terms, etc					30.00
Warehouse		1.56	3.12	21.68	31.20
Patterns					
Weaving	$3.26	1.10	69.12	15.98	109.68
Mending			21.60		24.00
Finishing and dyeing	15.60	141.84	72.48		264.00
Total	18.86	144.62	187.14	37.78	1,470.48

Cost per yard, 58 inches, $1.392.

Cost of yarn, $990=67 per cent of cost of finished goods.		
Cost per running yard 58 inches		$1.392
Weight per square yard	ounces	.14
Weight per running yard	do	22.54
Compensatory duty, per running yard, at 44 cents per pound, cents		61.996
Protective duty, at 55 per cent ad valorem	cents	76.560
Total duty		$1.38556

Or 99.5 per cent ad valorem.

Wages, weaving	per cent	12.7
Wages, spinning (12 per cent of cost of yarn)	do	8.0
Protective duty to cover wages should be	do	20.7
Compensatory duty should be 30.993 cents per yard	do	22.2
Total duty should be		42.9

Present duty, 99.5 per cent; excess of duty, 56.6 per cent.

Sample No. 5.—Wool-dyed indigo suiting.

[1,056 yards; weight per square yard, 9.8 ounces; threads per inch in warp 48, filling 48; grade, botany worsted No. 70, at 80 cents per pound; yarn, 1,180 pounds, 2/24s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$944.00				
Office expense				$0.36	$0.18
Discounts, terms, etc		$31.20			
Warehouse				3.12	1.72
Patterns				.16	.06
Weaving		10.44	$2.78	4.08	4.20
Mending				1.20	1.20
Finishing and dyeing		10.08	1.76	5.96	5.00
Total	944.00	51.72	4.54	14.88	12.36

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$944.00
Office expense		$0.12	$20.82	$0.12	21.60
Discounts, terms, etc					31.20
Warehouse		1.56	3.12	21.68	31.20
Patterns		.72	16.58	3.28	20.80
Weaving	$3.48	1.16	73.20	16.66	116.00
Mending			21.60		24.00
Finishing and dyeing	10.36	12.96	48.60	1.28	96.00
Total	13.84	16.52	183.92	43.02	1,284.80

Cost per yard, 58 inches, $1.216.

Cost of yarn, $944=73.5 per cent of cost of finished goods.		
Cost per running yard, 58-inch		1.216
Weight of square yard	ounces	9.8
Weight of running yard, 58-inch	do	15.778
Compensatory duty per running yard, at rate of 44 cents per pound	cents	43.384
Protective duty, at rate of 55 per cent ad valorem	do	66.88
Total duty		$1.10264

Or 90.7 per cent ad valorem.

Wages, weaving	per cent of cost	14.3
Wages, spinning, 12 per cent of cost of yarn	per cent	8.8
Protective duty, to cover wages, should be	do	23.1
Compensatory duty should be 21.692 cents, or	do	17.8
Total duty should be	do	40.9

Present duty, 90.7 per cent. Excess of duty, 49.6 per cent.

Sample No. 6.—Wool dyed indigo suiting.

[1,056 yards; weight per square yard, 9.8 ounces; threads per inch in warp, 48, filling 48; grade, botany worsted (white) No. 70, at 68 cents (black) No. 70, at 68 cents; white spun silk, at $3; yarn, 500 pounds, 2/28s; 25 pounds, 10/4s silk.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$415.00				
Office expense				$0.36	$0.18
Discounts, terms, etc		$33.60			
Warehouse				3.12	1.72
Patterns				.44	.44
Weaving		15.96	$4.26	6.24	6.36
Mending				1.20	1.20
Finishing and dyeing		10.08	1.76	5.96	5.00
Total	415.00	59.64	6.02	17.32	14.90

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$415.00
Office expense		$0.12	$20.82	$0.12	21.60
Discounts, terms, etc					33.60
Warehouse		1.56	3.12	69.68	79.20
Patterns		2.00	46.08	8.64	57.60
Weaving	$5.34	1.78	109.44	28.22	177.60
Mending			21.60		24.00
Finishing and dyeing	10.36	12.96	48.60	1.28	96.00
Total	15.70	18.42	249.66	107.94	901.60

Cost per yard, 58 inches, $0.856.

Cost of yarn, $415—46 per cent of cost of finished goods.		
Cost per running yard, 58 inches	cents	85.6
Weight per square yard	ounces	8.8
Weight per running yard, 58 inches	do	14.168
Compensatory duty per running yard, at rate of 44 cents per pound	cents	38.962
Protective duty, at rate of 35 per cent ad valorem	do	47.08
Total duty	do	86.042
Or 100.5 per cent ad valorem.		
Wages, weaving	per cent of cost	27.6
Wages, spinning (12 per cent of cost of yarn)	per cent	5.5
Protective duty to cover wages should be	do	33.1
Compensatory duty should be 19.481 cents per yard	do	22.7
Total duty should be	do	55.8
Present duty 100.5 per cent excess of duty	do	44.7

Sample No. 7.—Fancy tweed, low quality.

[1,056 yards; weight per square yard, 11.9 ounces; threads per inch in warp 36, filling 32; grade, woolen blend at 20 cents, cotton yarn at 22 cents, worsted yarn and twist at 56 cents; material 1,310 pounds, woolen blend, 250 pounds, 1/20s., 60 pounds, 2/14s.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$350.62				
Office expense					
Discounts, terms, etc		$3.72		$0.18	$0.10
Warehouse				1.52	.76
Patterns				.08	.08
Weaving		8.20	$2.20	3.20	3.52
Mending				.60	.60
Finishing and dyeing		5.04	.86	2.98	2.50
Carding, spinning, and twisting		19.80	1.48	7.44	5.72
Total	350.62	36.76	4.54	16.00	13.28

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$350.62
Office expense					
Discounts, terms, etc		$0.06	$11.60	$0.06	15.72
Warehouse	$0.08	.76	10.56	1.52	15.20
Patterns		.42	9.60	1.82	12.00
Weaving	2.74	.10	57.60	13.64	91.20
Mending			10.80		12.00
Finishing and dyeing	5.18	6.48	24.36	.60	48.00
Carding, spinning, and twisting	9.70	4.64	27.68	7.54	84.00
Total	17.70	12.46	152.20	25.18	628.74

Cost per yard, 58-inch, 59.5 cents.

Cost of yarn, 56 per cent of cost of finished goods.		
Cost per running yard, 58 inches	cents	59.5
Weight per square yard	ounces	11.9
Weight per running yard, 58 inches	do	19.159
Compensatory duty per running yard, at rate of 44 cents per pound	cents	52.668
Protective duty at 50 per cent ad valorem	do	29.75
Total duty	do	82.418
Or 138.5 per cent ad valorem.		
Wages, weaving	per cent of cost	24.2
Wages, spinning (12 per cent cost of yarn)		6.7
Protective duty to cover wages should be	per cent	30.9
Compensatory duty should be 26.334 cents per yard or	do	44.2
Total duty should be	do	75.1
Present duty, 138.5 per cent; excess of duty	do	63.4

Sample No. 8.—Fancy fine woolen overcoating.

[1,056 yards; weight per square yard, 11.9 ounces; threads per inch in warp 60, filling 60; grade, fine Saxony woolen blend, at 56 cents; wool, 1,420 pounds.]

	Yarn.	Interest and depreciation.	Repairs.	Rent.	Gas, etc.
Material	$795.20				
Office expense		$33.60		$0.36	$0.18
Discounts, terms, etc					
Warehouse				3.12	1.72
Patterns				.44	.24
Weaving		17.28	$4.60	6.72	6.90
Mending				1.20	
Finishing and dyeing		12.60	2.16	7.44	6.24
Carding and spinning		34.80	2.40	13.10	10.08
Total	795.20	98.28	9.16	32.38	25.36

Sample No. 8.—Fancy fine woolen overcoating—Continued.

	Power.	Supplies.	Wages.	Salaries.	Total.
Material					$795.20
Office expense		$0.12	$20.82	$0.12	55.20
Discounts, terms, etc					
Warehouse		1.56	3.12	21.68	31.20
Patterns		2.00	46.08	8.64	57.40
Weaving	$5.76	1.92	120.48	28.34	192.00
Mending			21.60		22.80
Finishing and dyeing	12.96	16.20	60.96	1.44	120.00
Carding and spinning	17.04	8.16	48.60	11.86	146.04
Total	35.76	29.96	321.66	72.08	1,419.84

Cost per yard, 58-inch, $1.344.

Cost of yarn, 56 per cent of cost of finished goods.		
Cost per running yard, 58 inches		$1.344
Weight per square yard	ounces	11.9
Weight per running yard, 58 inches	do	19.159
Compensatory duty per running yard, at 44 cents per pound	cents	52.668
Protective duty, at 55 per cent ad valorem	do	73.92
Total duty		$1.26588
Or 94.2 per cent ad valorem.		
Wages, weaving	per cent ad valorem	22.7
Wages, spinning (12 per cent of cost of yarn)	per cent	6.7
Protective duty to cover wages should be	do	29.4
Compensatory duty should be 26.334 cents per yard	do	19.6
Total duty should be	do	39.0
Present duty, 94.2 per cent; excess of duty	do	55.2

Mr. LA FOLLETTE. Mr. President, may I inquire of some one who is authorized to speak for the Finance Committee whether it is proposed to take any votes to-night? I have some amendments which I desire to submit, and upon which I have something which I should like to say. I would naturally prefer to say it in connection with the amendments at the time they are presented and to be voted upon, and if I could do that I would like to do so. It is now 10.20, and if there is some one here authorized to speak for the Finance Committee, I should like to know if an adjournment could be taken at this time, so that I might offer my amendments and the observations which I have to make with respect to them at the session to-morrow morning.

Mr. FLINT. The chairman of the Finance Committee is absent just now, but he will be in the Chamber in a moment, and I will confer with him in reference to an adjournment.

Mr. OVERMAN. In the meantime, I suggest the want of a quorum.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Foster	Page
Bacon	Clarke, Ark.	Gallinger	Penrose
Bailey	Clay	Gamble	Perkins
Beveridge	Crane	Gore	Rayner
Bradley	Crawford	Guggenheim	Root
Brandegee	Culberson	Heyburn	Scott
Briggs	Cullom	Hughes	Smith, Mich.
Bristow	Cummins	Johnston, Ala.	Smoot
Brown	Curtis	Kean	Stephenson
Bulkeley	Davis	La Follette	Stone
Burkett	Depew	Lodge	Taliaferro
Burnham	Dick	McCumber	Warner
Burrows	Dillingham	McLaurin	Warren
Burton	Dolliver	Martin	Wetmore
Carter	du Pont	Money	
Chamberlain	Fletcher	Nelson	
Clapp	Flint	Overman	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. ALDRICH. I understand that the Senator from Wisconsin prefers to have the matter go over until to-morrow morning, that he may present some amendments.

Mr. LA FOLLETTE. It is pretty nearly adjournment time, and I would rather not undertake to present my amendments to-night, if it is the intention of the Senator from Rhode Island to adjourn.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 10 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 10, 1909, at 10.30 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 9, 1909.

REGISTER OF THE LAND OFFICE.

William S. McLain, of Presho, S. Dak., to be register of the land office at Bellefourche, S. Dak., a newly created office by act of Congress approved February 6, 1909.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

With rank of first lieutenant.

Henry Clay Coburn, jr., May 23, 1909, vice First Lieut. James Carroll, assistant surgeon, appointed surgeon with the rank of major March 2, 1907.

Arnold Dwight Tuttle, May 24, 1909, vice Capt. James M. Kennedy, assistant surgeon, promoted March 20, 1907.

John Brockenbrough Harvie Waring, May 24, 1909, vice Capt. Deane C. Howard, assistant surgeon, promoted April 24, 1907.

William Richard Dear, May 25, 1909, vice Capt. William H. Wilson, assistant surgeon, promoted May 10, 1907.

Charles Edward Doerr, May 25, 1909, vice First Lieut. Robert Smart, assistant surgeon, honorably discharged June 29, 1907.

Daniel Parker Card, May 26, 1909, vice Capt. John R. Devereux, assistant surgeon, resigned June 30, 1907.

Ralph Harvard Goldthwaite, May 26, 1909, vice Capt. Samuel L. Steer, assistant surgeon, resigned July 3, 1907.

Frederick Starr Wright, May 26, 1909, vice Capt. Samuel E. Lambert, assistant surgeon, resigned July 27, 1907.

Daniel Warwick Harmon, May 27, 1909, vice First Lieut. Harold W. Cowper, assistant surgeon, resigned March 18, 1908.

James Carre Magee, May 27, 1909, vice Capt. Charles E. B. Flagg, assistant surgeon, promoted March 31, 1908.

Corydon Goodrich Snow, May 27, 1909, vice Capt. William F. Lewis, assistant surgeon, promoted April 10, 1908.

Norman Lincoln McDiarmid, May 28, 1909, vice Capt. Thomas S. Bratton, assistant surgeon, promoted April 15, 1908.

Clarence Albert Treuholtz, May 28, 1909, vice Capt. Thomas J. Kirkpatrick, assistant surgeon, promoted April 22, 1908.

Eben Clayton Hill, May 29, 1909, to fill an original vacancy.

George Hudson McLellan, May 29, 1909, to fill an original vacancy.

Alexander Dwight Parce, May 30, 1909, to fill an original vacancy.

James Arthur Wilson, May 30, 1909, to fill an original vacancy.

Armin Mueller, May 31, 1909, to fill an original vacancy.

Thomas James Leary, May 31, 1909, to fill an original vacancy.

Morrison Clay Stayer, May 31, 1909, to fill an original vacancy.

Robert William Kerr, June 1, 1909, to fill an original vacancy.

Lee Roy Dunbar, June 2, 1909, to fill an original vacancy.

Leon Connallin Garcia, June 2, 1909, to fill an original vacancy.

William Stephens Shields, June 2, 1909, to fill an original vacancy.

Addison Dimmitt Davis, June 2, 1909, to fill an original vacancy.

William Hope Smith, June 3, 1909, to fill an original vacancy.

Clarence Elmer Fronk, June 3, 1909, to fill an original vacancy.

Rozier Clagett Bayly, June 4, 1909, to fill an original vacancy.

George Dawson Heath, jr., June 4, 1909, vice Capt. John H. Stone, Medical Corps, promoted April 23, 1908.

CHAPLAIN.

Rev. Robert R. Fleming, jr., of Illinois, to be chaplain, with the rank of first lieutenant from April 20, 1909, vice Wilkinson, resigned.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Arthur Williams, Fifteenth Infantry, to be colonel from June 5, 1909, vice Col. Richard T. Yeatman, Eleventh Infantry, appointed brigadier-general.

Maj. Hunter Liggett, Thirteenth Infantry, to be lieutenant-colonel from June 5, 1909, vice Lieut. Col. Arthur Williams, Fifteenth Infantry, promoted.

Capt. Frank L. Winn, Twelfth Infantry, to be major from June 5, 1909, vice Maj. Hunter Liggett, Thirteenth Infantry, promoted.

First Lieut. Will H. Point, Twenty-ninth Infantry, to be captain from May 12, 1909, vice Capt. George C. Martin, Sixth Infantry, retired from active service on that date.

Second Lieut. Joseph M. Cummins, Eighteenth Infantry, to be first lieutenant from May 12, 1909, vice First Lieut. Will H. Point, Twenty-ninth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Midshipmen to be ensigns in the navy from the 7th day of June, 1909, to fill vacancies existing in that grade on that date:

Richard S. Galloway,
Clarence N. Hincamp,
Edgar A. Ewing,
Riley F. McConnell,
Joseph W. Jewell,
Ralph R. Stewart,
Robert L. Montgomery,
Charles E. Hovey,
Ralph C. Parker,
Ezra G. Allen,
Emanuel A. Lofquist,
Jere H. Brooks,
Henry C. Gearing, jr.,
Elmer W. Tod,
Thaddeus A. Thomson, jr.,
Virginius E. Clark,
George W. Simpson,
Reuben R. Smith,
Homer H. Norton,
Alfred H. Miles,
Reginald E. Gillmor,
Carl C. Krakow,
James Parker, jr.,
Charles F. Pousland,
John F. Cox,
Grattan C. Dichman,
Harry A. McClure,
Louis J. Gulliver,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Emory F. Clement,
Robert F. Gross,
Patrick N. L. Bellinger,
William T. Mallison,
Philip O. Griffiths,
Newton H. White, jr.,
Burton A. Strait,
Herbert A. Jones,
Samuel A. Clement, and
Richard F. Bernard.

First Lieut. William E. Smith, United States Marine Corps, to be a captain in the Marine Corps from the 16th day of January, 1909, vice Capt. George C. Reid, promoted.

The following-named machinists to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service in present grade, in accordance with the provisions of an act of Congress approved March 3, 1909:

James H. Morrison,
Edward A. Manck,
Thomas O'Donnell,
Arthur Cottrell,
Kellum D. Grant, and
Ellwood W. Andrews.

POSTMASTERS.

KANSAS.

Griffith R. Hughes to be postmaster at Fort Scott, Kans., in place of Orlando A. Cheney, deceased.

MASSACHUSETTS.

Arthur W. Alden to be postmaster at Randolph, Mass., in place of Herbert A. Howard, resigned.

MICHIGAN.

Robert E. Newville to be postmaster at Boyne City (late Boyne), Mich., in place of Robert E. Newville; to change name of office.

MINNESOTA.

Grace M. Henderson to be postmaster at Verndale, Minn., in place of Henry M. Henderson, deceased.

OHIO.

Frank A. Chatfield to be postmaster at Bloomville, Ohio. Office became presidential January 1, 1908.

RHODE ISLAND.

William H. Barclay to be postmaster at Pawtucket, R. I., in place of Almon K. Goodwin, deceased.

TEXAS.

N. C. Schlemmer to be postmaster at Austin, Tex., in place of George B. Zimpelman, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 9, 1909.

ASSISTANT ATTORNEY-GENERAL.

William R. Harr to be Assistant Attorney-General.

CONSUL.

Gebhard Willrich to be consul at Quebec, Canada.

PROMOTION IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Milton F. Davis to be judge-advocate with the rank of major.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade) in the navy:

Cleon W. Mauldin,
Chester L. Hand,
Aubrey K. Shoup, and
John J. McCracken.

The following-named lieutenants (junior grade) to be lieutenants in the navy:

Cleon W. Mauldin,
Chester L. Hand,
Aubrey K. Shoup, and
John J. McCracken.

Passed Asst. Surg. Richard B. Williams to be a surgeon in the navy.

First Lieut. Albert N. Brunzell to be a captain in the Marine Corps.

Second Lieut. Paul A. Capron to be a first lieutenant in the Marine Corps.

The following-named machinists to be chief machinists in the navy:

Charles H. Hosung,
Adam Gibson,
Charles G. Nelson,
Fred J. Korte,
Clarence M. Wingate,
Jannis V. Jacobsen,
George W. Johson, and
Francis J. McAllister.

Carpenter Charles E. Richardson to be a chief carpenter in the navy.

POSTMASTERS.

COLORADO.

Charles W. White, at Julesburg, Colo.

ILLINOIS.

Jennie M. De Roo, at Fort Sheridan, Ill.
M. M. Hitchcock, at Berwyn, Ill.
James P. Jack, at Newton, Ill.
William W. Lowry, at Auburn, Ill.

IOWA.

Henry E. Westrope, at Corning, Iowa.

MAINE.

Fred W. Preble, at Bingham, Me.

MASSACHUSETTS.

Ralph W. Emerson, at Chelmsford, Mass.

NEW JERSEY.

Herbert C. Farrand, at Bloomfield, N. J.

NEW YORK.

Ivans Lewis Hubbard, at Bay Shore, N. Y.
Agnes M. Nolan, at Chateaugay, N. Y.

OKLAHOMA.

A. H. Holland, at Cushing, Okla.
William N. Walker, at Stillwater, Okla.

RHODE ISLAND.

William H. Barclay, at Pawtucket, R. I.

WEST VIRGINIA.

Lancey W. Dragoo, at Smithfield, W. Va.
William J. Crutcher, at Holden, W. Va.
Mary Hateley, at Follansbee, W. Va.
Frederick Moore, at Belington, W. Va.

SENATE.

THURSDAY, *June 10, 1909.*

The Senate met at 10.30 o'clock a. m.

Rev. Ulysses G. B. Pierce, D. D., of the city of Washington, offered the following prayer:

O God, our heavenly Father, with whom do live all the spirits of those who depart hence to labor with Thee, with tender heart we halt and hesitate to acknowledge the mystery of Thy providence. We know, alas, that in the midst of life we are in death. Open our eyes also, our Father, that we may know that in the midst of death we are in life.

For Thy servant whom Thou hast called to Thy higher labors we thank Thee, who art the giver of every good and perfect gift. Grant, we pray Thee, that his mantle of charity, of faith, and of love may in some measure fall upon all of us, that here and now in a measure we may walk like him with God. And unto Thee shall be ascribed all the glory, in life and death, now and forever more. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Board of Trade of Wilmington, Del., praying for the creation of a department of public works for the purpose of considering all work in connection with creating, maintaining, and lighting of the navigable waters of the country, which was referred to the Committee on Commerce.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against any increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

Mr. ROOT presented a memorial of sundry citizens of Oswego, N. Y., remonstrating against the imposition of a duty on tea in bulk, which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for the retention of the duty on print paper and wood pulp as contained in the Dingley tariff law, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying that no change be made in the rate of duty imposed by the House on print paper and wood pulp, which were ordered to lie on the table.

He also presented memorials of sundry citizens of New York, remonstrating against the inclusion in the pending tariff bill of any duty on news print paper and wood pulp, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of New York, praying for the restoration of the duty on foreign oil production, which were ordered to lie on the table.

He also presented memorials of members of the New York Times Chapel, of New York City; of members of the Quadri Color Company of New York City; of the employees of the Stereotype department of the New York World, of New York City; of the members of the Evening Telegram Chapel, of New York City; of the members of the American Press Association Stereotypers' Chapel, of New York City; of the members of Harper & Bros.' Chapel, of New York City; of the Stereotypers employed by the New York Volks-Zeitung, of New York City; and of the members of the German Herold Chapel, of New York City, remonstrating against the inclusion in the new tariff bill of any duty on news print paper and wood pulp; which were ordered to lie on the table.

He also presented a memorial of sundry photo-engravers employed by the Quadri Color Company, of New York City, N. Y., remonstrating against the adoption of the duty recommended on post cards in the new tariff bill, which was ordered to lie on the table.

Mr. BURNHAM presented a memorial of Local Union No. 30, Pulp, Sulphite, and Paper Mill Workers, of Berlin, N. H., remonstrating against any reduction of the duty on print paper and wood pulp as contained in the Dingley law, which was ordered to lie on the table.

Mr. DU PONT presented a petition of the Board of Trade of Wilmington, Del., praying for the creation of a department of public works, which was referred to the Committee on Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

A bill (S. 2564) for the relief of the trustees of the Baptist Church of Beckley, W. Va.; to the Committee on Claims.

By Mr. PAGE:

A bill (S. 2565) granting an increase of pension to George M. Lanpher (with the accompanying papers); to the Committee on Pensions.

By Mr. McENERY:

A bill (S. 2566) for the relief of Jean Marie Herlard;
A bill (S. 2567) for the relief of Edward Haskinson;
A bill (S. 2568) for the relief of Mrs. Martha B. King;
A bill (S. 2569) for the relief of W. G. Wheeler;
A bill (S. 2570) for the relief of Washington West;
A bill (S. 2571) for the relief of Mrs. Katherine Smith;
A bill (S. 2572) for the relief of heirs or estate of Mrs. E. J. Penny, deceased;
A bill (S. 2573) for the relief of heirs or estate of H. Pierce, deceased;
A bill (S. 2574) for the relief of heirs or estates of R. J. Packer and Mrs. R. V. Packer, deceased;
A bill (S. 2575) for the relief of heirs or estate of Mrs. Mary A. Meredith, deceased;
A bill (S. 2576) for the relief of heirs or estate of Charles Jolivet, deceased;
A bill (S. 2577) for the relief of Turner Merritt;
A bill (S. 2578) for the relief of Louis P. Turner;
A bill (S. 2579) for the relief of heirs or estate of George W. Hackett, deceased;
A bill (S. 2580) for the relief of heirs or estate of Henry J. Heard, deceased;
A bill (S. 2581) for the relief of heirs or estate of Patrick McCormack, deceased;
A bill (S. 2582) for the relief of heirs or estate of George Sallinger, deceased;
A bill (S. 2583) for the relief of heirs or estate of Edward Sigur, deceased;
A bill (S. 2584) for the relief of heirs or estates of Henry Vedrines and Alexis Hebert, deceased;
A bill (S. 2585) for the relief of Julien Semere;
A bill (S. 2586) for the relief of Evelyn Clark;
A bill (S. 2587) for the relief of heirs or estate of William Burgess, deceased;
A bill (S. 2588) for the relief of heirs or estate of Isaac Bloom, deceased;
A bill (S. 2589) for the relief of James Goodwin;
A bill (S. 2590) for the relief of E. A. Givens;
A bill (S. 2591) for the relief of heirs of Thomas J. Hickman, deceased;
A bill (S. 2592) for the relief of heirs or estate of Jacob Israel, deceased;
A bill (S. 2593) for the relief of heirs or estate of Henrietta Bauers, deceased;
A bill (S. 2594) for the relief of heirs or estate of H. T. Burges, deceased; and
A bill (S. 2595) for the relief of the heirs or estate of Louis Vuagnat, deceased; to the Committee on Claims.

AMENDMENT TO THE TARIFF BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Iowa [Mr. DOLLIVER].

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Bulkeley	Crawford	Dixon
Bacon	Burkett	Cullom	Dolliver
Beveridge	Burnham	Cummins	Fletcher
Borah	Burrows	Curtis	Flint
Brandegee	Burton	Davis	Foster
Briggs	Chamberlain	Depew	Frazier
Bristow	Clark, Wyo.	Dick	Frye
Brown	Clay	Dillingham	Gallinger
Gamble	Lodge	Page	Stephenson
Guggenheim	McCumber	Paynter	Stone
Heyburn	McLaurin	Penrose	Sutherland
Hughes	Martin	Perkins	Taliaferro
Johnson, S. Dak.	Money	Piles	Taylor
Johnston, Ala.	Nelson	Root	Warner
Jones	Newlands	Scott	Warren
Kean	Oliver	Simmons	Wetmore
La Follette	Overman	Smoot	

Mr. JOHNSTON of Alabama. My colleague [Mr. BANKHEAD] is unavoidably absent to-day.

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. There is a quorum present.

PORT OF SCRANTON, MISS.

Mr. MONEY. Mr. President, according to the unanimous-consent agreement we can do no legislative business except the census bill and the tariff bill, but I have a bill that will take about a minute to dispose of which it is absolutely essential should have immediate consideration. It will not take five minutes. It is Senate bill 2493, simply proposing to make the port of Scranton a port of entry. It has been so considered for many years. There are about 300 vessels clearing there every year, and now by a ruling of the Secretary of the Treasury, made the other day, upon application for a ruling from shippers abroad—in Philadelphia and Baltimore, I will say, to be specific—he has ruled that it is simply a port of delivery, and he requests that this bill be passed. It has been reported by the Committee on Commerce. The ruling works a great hardship, because vessels wishing to deliver at that port will have to sail 35 miles and pay double pilotage and it will cause loss of time and a general dislocation of business.

I hope the Senate will permit the bill to pass. There will be no debate about it whatever.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent for the present consideration of a bill which will be read for information.

The bill (S. 2493) to make Scranton, in the State of Mississippi, a subport of entry, and for other purposes, was read, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that Scranton, in the State of Mississippi, is hereby made a subport of entry in the district of Pearl River, and the necessary customs officers may, in the discretion of the Secretary of the Treasury, be stationed at said subport with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other service as, in his judgment, the interest of commerce may require, and said officers shall receive such compensation as he may allow.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The Secretary will report the pending amendment offered by the Senator from Iowa [Mr. DOLLIVER].

The SECRETARY. On page 129, beginning in line 25, it is proposed to strike out paragraph 373, and in lieu thereof to insert the following:

373. On yarns made wholly or in part of wool, valued at not more than 40 cents per pound, 27½ cents per pound on the wool contained therein; valued at more than 40 cents per pound, 38½ cents per pound on the wool contained therein; and, in addition thereto, on all the foregoing, 35 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire to state briefly that this amendment is intended to modify the historic scheme of compensatory duties which have appeared in our wool and woolen schedule now for forty-two years, by making the compensatory assessment not upon the weight of the yarn, but upon the weight of the wool contents of the yarn.

Many of these yarns are made very cheap by the admixture of various forms of low-grade cotton and cotton wastes. I hold it to be unjust and unreasonable and resulting in excessive assessments of duty to make the compensatory rate applicable to the entire weight of the merchandise, when the real compensation should be based upon the contents of the merchandise, our competing product having been raised in price by reason of our duties upon wool.

Mr. WARREN. Mr. President, I wish to ask the Senator a question. The Senator knows, of course, that, with one exception, in all our tariff laws in the past the tariff has applied

alike, whether an article was of wool or part wool. That is intended to prevent fraud and difficulty in collecting duties.

In my judgment, if they come in, being called "wool," they should pay as much tariff as if they were all wool. As I said, in something like twenty tariff laws that has always been thought necessary, except in one act, where it applied to an article whose chief value was of wool. In all the others it has applied where wool has been a component part, whether 1 per cent or 99 per cent. I do not care to see the bar raised to let in articles that may be 1 per cent or 10 per cent wool at such differentials as the amendment proposes. A lot of substitutes let in in that way should all come in at the value they would come in at if all wool.

Mr. DOLLIVER. Mr. President, the Senator from Wyoming is in error in supposing that these goods are sneaked in under the pretense of being wool. On the contrary, there is no concealment or uncertainty about the material of which they are made. When we come to the law referring to cloths the statute expressly in one paragraph covers goods in which the entire warp is made of cotton or other vegetable fiber.

Mr. WARREN. It states what it shall be—cotton warp and wool filling.

Mr. DOLLIVER. The statute covers only goods that are of that character, and describes them. So the Senator is in error in supposing that these goods are sneaked in containing vegetable fiber unknown to anybody for the purpose of destroying the efficiency of the wool tariff.

I simply desire to say that it is not only perfectly reasonable that this tariff should be assessed upon the wool, but when I come to the next amendment which I propose to offer I shall show that it is perfectly feasible in the present state of our administrative system.

Mr. ALDRICH. I ask that the vote be taken by yeas and nays.

Mr. BACON. Mr. President, one moment, please. It is difficult for us to understand the exact effect of this amendment. It has not been printed, and we have only heard it read. I understand, though, from the general tenor of the remarks of the Senator from Iowa that the effect of it will be to reduce the duty.

Mr. DOLLIVER. Substantially.

Mr. BACON. In this connection I desire to state, not only with reference to this amendment, but to others which will doubtless be offered by the Senator from Iowa, and possibly by the Senator from Wisconsin [Mr. LA FOLLETTE], that I do not wish to be misunderstood in giving my vote for them. In common with others on this side of the Chamber, who, I presume, agree with me, I shall vote for these amendments, not because they put the duties where I or my colleagues think they ought to be. I think they will still be too high. I shall vote for them simply because they reduce the duties.

There is another thing I wish to say. I do not myself approve of the plan of specific duties in this schedule, and in voting for the specific duties which are contained in this amendment, and will be contained in others which will be offered, I do not wish to be understood as approving specific duties. My vote is cast for them solely upon the ground that, according to my understanding of these amendments, they will reduce the rates of duty from those proposed in the bill. While they are not of the character which we prefer, and do not reduce the duties to the point which we regard as sufficiently low, we support them simply because they are an improvement, in our judgment, upon the provisions of the pending measure.

The PRESIDENT pro tempore. On this amendment the Senator from Rhode Island demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], who is absent. I transfer my pair to the senior Senator from Montana [Mr. CARTER] and I vote "nay."

The PRESIDENT pro tempore (when Mr. FRYE's name was called). The junior Senator from Maine is paired with the senior Senator from Virginia [Mr. DANIEL]. The Senator from Virginia is detained at his house by illness. I will announce this pair for the day.

The PRESIDENT pro tempore (when Mr. HALE's name was called). My colleague [Mr. HALE] is detained at his home by illness. He is paired, I think, with the Senator from Alabama [Mr. BANKHEAD].

The roll call was concluded.

Mr. McLAURIN. I understand that the Senator from Nevada [Mr. NIXON] is paired with the Senator from Alabama [Mr. BANKHEAD]. On this vote I am paired with the senior Senator from Maine [Mr. HALE.]

Mr. BAILEY (after having voted in the affirmative). I desire to inquire if the Senator from West Virginia [Mr. ELKINS] has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. BAILEY. I, then, desire to withdraw my vote, as I have a general pair with the Senator from West Virginia [Mr. ELKINS]. I make that announcement for the day.

Mr. CLARKE of Arkansas. I am paired with the junior Senator from Delaware [Mr. RICHARDSON], who is absent. If he were present, I should vote "yea." I will not make the announcement again to-day.

Mr. BANKHEAD. I am paired with the junior Senator from Nevada [Mr. NIXON], and therefore I will withhold my vote.

The result was announced—yeas 31, nays 43, as follows:

YEAS—31.

Bacon	Culberson	Hughes	Paynter
Beveridge	Cummins	Johnston, Ala.	Rayner
Bristow	Davis	La Follette	Simmons
Brown	Dolliver	Martin	Smith, Md.
Burkett	Fletcher	Money	Stone
Chamberlain	Foster	Nelson	Tallaferro
Clapp	Frazier	Newlands	Taylor
Clay	Gore	Overman	

NAYS—43.

Aldrich	Crane	Guggenheim	Piles
Borah	Crawford	Heyburn	Root
Bourne	Cullom	Johnson, N. Dak.	Scott
Bradley	Curtis	Kean	Smith, Mich.
Brandegee	Depew	Lodge	Smoot
Briggs	Dick	McCumber	Stephenson
Bulkeley	Dillingham	McEnery	Sutherland
Burnham	Dixon	Oliver	Warner
Burrows	Flint	Page	Warren
Burton	Gallinger	Penrose	Wetmore
Clark, Wyo.	Gamble	Perkins	

NOT VOTING—17.

Bailey	du Pont	McLaurin	Smith, S. C.
Bankhead	Elkins	Nixon	Tillman
Carter	Frye	Owen	
Clarke, Ark.	Hale	Richardson	
Daniel	Jones	Shively	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 374, on cloths, knit fabrics, and all manufactures of every description, and so forth.

Mr. DOLLIVER. Mr. President, I desire to offer a substitute for paragraph 374.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. In lieu of paragraph 374, it is proposed to insert:

374. Cloths, knit fabrics, women's and children's dress goods, coat linings, Italian cloths, bunting and goods of similar character or description, and all manufactures made wholly or in part of wool, not specially provided for in this section, valued at not more than 40 cents per pound, 33 cents per pound on the wool contained therein; valued above 40 cents per pound, 44 cents per pound on the wool contained therein; and in addition thereto, on all the foregoing, 50 per cent ad valorem: *Provided*, That all manufactures in part of wool not specially provided for in this schedule, when composed in chief value of a material other than wool, shall be subject to the rate at which the same would be chargeable under this section if composed wholly of the material thereof of chief value, and in addition thereto shall be subject to a duty of 44 cents per pound on the wool contained therein.

Mr. DOLLIVER. Mr. President, a proposition very similar to that embodied in the amendment which I have just submitted was once debated in the Senate. It was offered, as the RECORD will disclose the debate in reference to it, upon the 4th of May, 1897. At that time it was occupying a single sentence. My former colleague, the venerable Senator Allison, having the bill in charge, said that there was no way in which such a provision could be administered. With that brief statement, and without intimating his opinion as to intrinsic merits of such a proposition, it was dismissed from the consideration of the Senate. I am glad to be able to state to the Senate that within the last twelve years we have found how to administer a provision like that. We have expended large sums of money in improving our methods at the appraisers' stores under our administrative customs law, and to-day it is perfectly feasible to report with accuracy every fiber of wool contained in any kind

of cloth by weight. There is no difficulty of any sort at our analytical bureaus. In the case of a mixed fabric composed of cotton and woolen threads, a small sample of the cloth is unraveled, the cotton and woolen threads are weighed separately, and the percentage of weight of each material so found is accordingly applied to the entire cloth. Similar analyses are being made daily in order to properly classify, or find the "materials of chief value," in various mixed fabrics composed of wool, cotton, silk, and so forth. In cases where the wool and cotton are mixed in the yarns, samples of the goods are sent to the laboratory of the appraisers' office for chemical analyses, where, I am advised, the chemist finds no difficulty whatever in ascertaining the amounts of wool or cotton or other vegetable fiber contained therein.

In examining the testimony taken before the Committee on Ways and Means, I find that Mr. W. A. Graham Clark, the textile expert of the Bureau of Manufactures, stated as follows (p. 5723):

The CHAIRMAN. Would it be possible at the custom-house (feasible or practicable) to ascertain the weight of the wool in those cotton-warp goods?

Mr. CLARK. Yes, sir; very easily. Take a piece of cloth that is made of cotton and worsted, say cotton warp and worsted weft; you would soak it in 5 per cent solution of sulphuric acid or oil of vitriol. As the water is driven off the acid attacks the cotton and leaves the wool. If you will look at it you will then see the cotton warp showing where the vegetable cellulose has been changed to a friable hydro-cellulose. Shake it and this drops to powder, leaving you only the ends of wool weft.

The CHAIRMAN. That is a comparatively simple process and can be done exactly?

Mr. CLARK. Exactly. Weigh the sample before and weigh what is left.

The CHAIRMAN. Is it practicable to fix a rate of duty per pound on the wool contained in those goods?

Mr. CLARK. Yes, sir.

In the RECORD of May 4, page 1718, it will be seen that Mr. S. S. Dale, a qualified expert in the woolen business, testified that "it is very easy to distinguish wool from vegetable materials, and if the proposed amendments to Schedule K were adopted, it would go far toward correcting the inequality resulting from the 3 or 4 to 1 ratios."

It is therefore apparent that the proposed method of assessing the wool compensatory duties upon the wool actually contained in mixed goods, made only "in part of wool," is feasible and practicable, and I firmly believe no good reason can possibly be advanced to maintain the present antiquated and manifestly unfair method of applying these high "compensatory wool rates" upon vegetable materials. Nor is this proposed plan of fixing the wool duty on "the wool contained" in the goods a new scheme, for the same idea is carried out in many of the provisions of our tariff; for example, the new Senate amendment on zinc provides various rates per pound, according to the "zinc contained in the ore."

Paragraph 171 provides a duty on antimony ore of "1 cent per pound on the antimony contents therein contained."

Paragraph 179 provides on "Lead-bearing ore of all kinds, 1½ cents per pound on the lead contained therein."

Similar provisions are found in many places in our tariff, and I hardly think that even the most biased of those who are interested in retaining the present cumbersome, confusing, and deceptive arrangement of duties on woolen-cotton mixed goods can fairly claim that the proposed method of simply applying the wool duty to the wool contents of imported merchandise would be as difficult for appraising officers as it is for them to properly classify and appraise various other lines of importations under the complex and confusing classifications of the tariff schedules. Take, for example, the variety of things an examiner or appraiser of silk goods must ascertain in order to properly classify and appraise such goods under the Senate bill's new silk schedule. He must find out whether the goods are "in the gum" or "ungummed," also "the per cent in weight of silk" and the "number of single threads per square inch," and "in ascertaining the number of single-warp threads to the inch, double-warp threads shall be counted as two single threads, and so on."

And in the case of cotton goods, as previously shown, the examiner of such goods must find the count of threads per square inch, counting not only the ordinary warp and filling threads, but under that very remarkable new provision in the Senate bill amendment to the cotton schedule, "if the cloth contains other than the ordinary warp and filling threads superimposed to form a figure, whether clipped or unclipped," such extra threads must also be counted, notwithstanding the courts have held it impracticable to so count them. The "weight per square yard" must also be determined in fixing the proper rate of the duty, and the bewildered examiner must also send a sample of the goods to the analytical bureau to ascertain whether any thread or threads in the fabric have been mercerized "or subjected to a similar process;" then he must find the exact value, whether the market value, for instance, is 12 or 12½ cents per square yard, for this difference of one-half cent, or a difference of one quarter of a cent, over or below any of the proposed dividing lines makes quite a difference in the duty.

So it goes throughout these textile schedules, the examiners or appraising officers being obliged to ascertain this multitude of bewildering details in order to properly classify and appraise the goods; such as the "number of leas" in linen thread; the number of "points or spaces" in Nottingham lace curtains, pillow shams, and so forth; the number of "picks" and the "length of pile" in plushes and velvets.

In comparison with all these specifications and details in the various schedules of our tariff the amendments I have proposed are models of simplicity and fairness.

In order to facilitate the appraisement of woolen goods and articles containing an admixture of wool, and also to minimize any opportunity to defraud the Government of the proper duties under the proposed method of levying duties, I also propose a new provision making it obligatory on the part of the foreign exporter of such goods to specify in detail, in his consulated invoice, the correct weight of the wool contained in each article embraced in said invoice, and that the weights so specified shall be binding in the ascertainment of duty upon importation into our country, except in cases where the appraising officers find such weights underestimated. And if the weights are not so stated on the invoices, the weights fixed by the appraising officers shall stand as the correct weights.

The proposed rates on woolen and worsted cloths would operate as follows:

	Cents.	
Valued at 30 cents per pound, containing 33 per cent wool:		
33 per cent of 33 cents	11	
50 per cent of 30 cents	15	
	26	= 87 per cent.
Present duties on similar cloth valued at 30 cents per pound:		
1 pound at 33 cents	33	
30 cents at 50 per cent	15	
	48	=160 per cent.
Valued at 42 cents per pound, containing 45 per cent of wool:		
45 per cent of 44 cents	19.8	
42 cents at 50 per cent	21	
	40.8	= 95 per cent.
Present duty on similar cloth valued at 42 cents per pound:		
1 pound at 44 cents	44	
42 cents at 50 per cent	21	
	65	=147 per cent.
Valued at 52 cents per pound, containing 55 per cent of wool:		
55 per cent of 44 cents	24	
52 cents at 50 per cent	26	
	50	= 96 per cent.
Present duty on similar cloth valued at 52 cents per pound:		
1 pound at 44 cents	44	
52 cents at 50 per cent	26	
	70	=134 per cent.
Valued at 62 cents per pound, containing 65 per cent of wool:		
65 per cent of 44 cents	28.6	
62 cents at 50 per cent	31	
	59.6	= 96 per cent.
Present duty on similar cloth valued at 62 cents per pound:		
1 pound at 44 cents	44	
62 cents at 50 per cent	31	
	75	=120 per cent.
Valued at 75 cents per pound, containing 80 per cent of wool:		
75 per cent of 44 cents	35.2	
75 cents at 50 per cent	37.5	
	72.7	= 96 per cent.
Present duty on similar cloth valued at 75 cents per pound:		
1 pound at 44 cents	44	
75 cents at 55 per cent	41.2	
	85.2	=115 per cent.
Valued at $1 per pound, containing all wool:		
1 pound at 44 cents	44	
$1 at 50 per cent	50	
	94	= 94 per cent.

	Cents.
Present duty on similar cloth valued at $1 per pound, all wool:	
1 pound at 44 cents	44
$1 at 55 per cent	55
	99 — 99 per cent.

Mr. President, I have added to my amendment a little proviso intended to deliver the woolen schedule from the scandals and absurdities which have crept into it during the last forty-two years. I spoke not very long ago of a case where a cotton blanket, with a woolen fringe or cord about the end to prevent unraveling, had been classified as a woolen blanket and assessed at the full wool duty of 22 cents a pound and 30 per cent ad valorem because it was in part of wool. The Senator from Rhode Island [Mr. ALDRICH] and the Senator from Utah [Mr. SMOOT] arose at the same time to say that such a thing was impossible and that such a blanket could not be made. Are they still of that opinion?

Mr. SMOOT. Mr. President, as a manufacturer of woolen goods, I will state that it is sometimes possible to put a cotton selvedge upon a woolen cloth, but I never yet have seen in this country or in any other country or heard of any such thing as putting a woolen selvedge upon a cotton cloth, because I can not conceive how it could be gigged. I can not conceive how it could be finished. The shrinkage in wool is different from that of cotton, and the gigging of it would simply cut the selvage entirely off.

Mr. DOLLIVER. If the Senator from Utah had listened carefully to what I said some weeks ago, and to what I have just said, he would not have introduced the word "selvedge" into this controversy, because I spoke of a woolen fringe; and I have seen that term used in reference to an article of woolen manufacture in a decision of the appraisers' office in New York.

Mr. SMOOT. Mr. President, I want to say that I have seen a great many blankets in my life, but I never saw a blanket fringed; and if fringe was ever put upon a blanket, it was put there for no other purpose on earth than to deceive. I have seen fringes upon shawls, but I have never seen fringe upon a blanket.

Mr. DOLLIVER. I have, of course, seen a good many blankets, without giving very much attention to them; and I have read a good many Treasury decisions in the last few weeks, giving them the attention that they appeared to deserve. I read one of the reports called "General Appraiser's Decisions," on page 4313, wherein the blanket is described as a cotton blanket, the body of which is composed of cotton, the ends being whipped with colored threads of wool. So it seems that such a blanket can be made. I know of nothing to prevent the sewing of woolen fringe on any colored cotton blanket or other article, or any good reason why our tariff should be so framed that the wool duties must be applicable to all articles, no matter what they are composed of, if they happen to contain a small percentage of wool.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. The whipping of the ends of a blanket is not, certainly, a fringe. The Senator was unhappy in the use of the word, and I think, when he comes to think the matter over, he will certainly admit that the whipping of an end of a blanket is not a fringe.

Mr. DOLLIVER. When I find a thing attached to the edge of something I call it a fringe, and I do not intend to parley with my friend about the propriety of the language.

The Senator from Rhode Island resented my statement that rubber boots, if imported, would be classified as wearing apparel of wool if they were lined with wool. Does he still dispute the accuracy of that statement?

Mr. ALDRICH. I will not interrupt the Senator now. He can go on with the discussion.

Mr. DOLLIVER. And yet they would be so classified, and if anybody would be so foolish as to import them, knowing that that rate would be assessed upon them—for rubber boots are not especially provided for in the tariff—and if any part of wool they would be classified as wearing apparel in part of wool at 44 cents per pound and 60 per cent ad valorem. I think I know that by a careful perusal of the Treasury decisions, because in Treasury decision 17511 slippers of vegetable fiber and part wool were held to be dutiable as wearing apparel in part wool at 44 cents per pound and 60 per cent ad valorem.

In another case shoes made out of rawhide, with a little comforting fringe of wool around the tops of them, were classified as woolen wearing apparel.

In one case corn plasters—and I should like the attention of everybody to this, because it seems to have reached the limit of absurdity—corn plasters, those little things that you put between your toes on the advice of a corn doctor, were held dutiable under the provisions covering wearing apparel in part of wool by Treasury decision 12665. Do you think a corn plaster ought to be classified under the tariff laws of a modern nation as wearing apparel? [Laughter.]

You have seen those good old mottoes that our mothers used to make with woolen yarn on cardboard, "Welcome"—and there never was a hospitality in this world more beautiful than that which lay behind those quaint old cardboards—and "God bless our home"—even those, when they come to the custom-house, if they should, by this Treasury decision are assessed up to 33 cents a pound and 50 per cent ad valorem, because they are cloth "in part of wool."

Mr. GALLINGER. I will ask the Senator if he knows of an instance where those mottoes have been imported?

Mr. DOLLIVER. I reckon they have. I can tell you what happened to them, because I find in general appraisers' decision 5039 that exact decision made in reference to mottoes.

Mr. GALLINGER. There was probably but one such case.

Mr. DOLLIVER. In another case "mercerized cotton cloth; all cotton, except for some polka dots of goat hair which were glued upon the fabric, was held to be dutiable as cloth in part of wool at 44 cents per pound and 55 per cent ad valorem" because of the goat-hair polka dots. The same cloth without these goat-hair dots would have paid but 40 per cent ad valorem under the cotton schedule.

Mr. WARREN. Does the Senator think that if a poker game is indulged in with camel's hair the hair should come in free?

Mr. DOLLIVER. I hope the Senator will not introduce mysterious figures of speech with which I am not familiar. [Laughter.]

Mr. WARREN. I only thought the Senator was groping about for light on certain subjects.

Mr. DOLLIVER. Now what did the appraisers say about this polka-dot proposition?

Mr. WARREN. They probably said they would raise the limit. [Laughter.]

Mr. DOLLIVER. Now, let me tell you just what they did about it. They raised the limit from the duty provided in the cotton schedule, where the goods belonged, or rather, as a famous woman, once the wife of a foreign minister in this capital used to say, "Now, seeing that we are gentlemen, let us remove the limit. [Laughter.]

Mr. WARREN. How did the game go on?

Mr. DOLLIVER. I am going to tell you. The polka dots lost out.

Mr. WARREN. As they ought to.

Mr DOLLIVER No; I will tell you what the Board of General Appraisers in this case said. They said:

> The suggestion that the construction leads to the imposition of a duty which is exorbitant in amount and prohibitory in results is one that is more properly addressed to the Congress.

And that gave me the idea that I ought to present it here. Possibly I was mistaken. Maybe the appraisers did not know into what a state Congress had come; maybe they did not have it in their minds that Congress could get into such shape that everything is framed in solid framework in advance, not to be disturbed by any suggestion from any quarter. I am afraid there will be a good many heartburnings when this comedy is over. I do not want to be around near the seat of my honored friend from Delaware [Mr. DU PONT] when his potatoes, with tears in their eyes, going out of the bill, meet the stockings of the Senator from Pennsylvania [Mr. PENROSE] coming in. [Laughter.]

I believe the Board of Appraisers were right, and that the time has come to wipe out these absurd provisions of our tariff. When I suggested striking a similar provision for "in part" from the metal schedule the other day, I again incurred the displeasure of the Senator from Rhode Island, who stated that it had been in our tariff so long it ought to remain there, and that if it were not for that provision some wicked importer might succeed in bringing in fishhooks with feather flies as feathers, or sieves or something else in part of metal, at the rates they should come in under according to the material of which they were chiefly made. The truth is, these ancient "catch-all" provisions for "in part of" deserve to be denounced as the most vicious and unequal tariff provisions ever devised, and no matter what they were originally worked into our tariffs for, they should no longer remain. Their only purpose now is

to serve for excuses to classify any articles "in part of metal," or "in part of wool," and so forth, at rates of duty higher than the Congress intends to put upon them. In all cases where two or more rates are applicable the higher rate must be applied; and no matter how absurd or unreasonable the classification and rate so fixed, if a merchant succeeds in getting a fair ruling from the Board of General Appraisers, or the courts overruling these ridiculous classifications, there seem to be some who will still claim that the courts are in the wrong in making a sensible decision, and that the merchants are "committing frauds" upon the Government in thus trying to protect their rights. It seems to be for this reason that an attempt is to be made to create a new customs court of appeals, to take these cases from the federal courts.

And so, Mr. President, I have in the amendment asked the Senate to make this compensatory duty, which is intended to reimburse the domestic manufacturers for the extra price they are compelled to pay for their wool by reason of the wool tariff, assessable only on the wool in the goods. I want the assessment of these articles made, not on the weight of the article, which may contain many things beside wool, but upon the weight of the wool contained in the article; and then I add a proviso, applicable to the wool schedule, that when things come in they shall be assessed according to what they are, and if they have wool in them that the assessment shall be made on that wool upon the basis of the wool contents which they exhibit. That is all I desire to say.

Mr. ALDRICH. I ask that the vote on the amendment be taken by yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Owing to my general pair with the senior Senator from South Carolina [Mr. TILLMAN], I withhold my vote.

Mr. GUGGENHEIM (when his name was called). I am paired with the senior Senator from Kentucky [Mr. PAYNTER], who is detained from the Senate Chamber, and therefore withhold my vote.

Mr. JONES (when his name was called). On the preceding vote, as well as on all the other votes of the day, I am paired with the junior Senator from South Carolina [Mr. SMITH].

Mr. McLAURIN (when his name was called). On this vote I am paired with the senior Senator from Maine [Mr. HALE]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN], and vote. I vote "yea."

Mr. ALDRICH (when Mr. WETMORE's name was called). My colleague [Mr. WETMORE] is temporarily detained from the Chamber. He is paired on this vote with the junior Senator from Indiana [Mr. SHIVELY]. My colleague, if present, would vote "nay."

The roll call was concluded.

Mr. BANKHEAD. I am paired with the junior Senator from Nevada [Mr. NIXON]. I make this announcement for the rest of the day.

Mr. SCOTT. My colleague [Mr. ELKINS] is unavoidably detained from the Chamber. He is paired with the junior Senator from Texas [Mr. BAILEY]. I make this announcement now without having to repeat it during the day.

Mr. DILLINGHAM. I transfer my pair with the senior Senator from South Carolina [Mr. TILLMAN] to the Senator from Michigan [Mr. SMITH], and vote. I vote "nay."

The result was announced—yeas 30, nays 42, as follows:

YEAS—30.

Bacon	Culberson	Hughes	Rayner
Beveridge	Cummins	Johnston, Ala.	Simmons
Bristow	Davis	La Follette	Smith, Md.
Brown	Dolliver	McLaurin	Stone
Burkett	Fletcher	Martin	Taliaferro
Chamberlain	Foster	Money	Taylor
Clapp	Frazier	Nelson	
Clay	Gore	Overman	

NAYS—42.

Aldrich	Clark, Wyo.	Gallinger	Perkins
Borah	Crane	Gamble	Piles
Bourne	Crawford	Heyburn	Root
Bradley	Cullom	Johnson, N. Dak.	Scott
Brandegee	Curtis	Kean	Smoot
Briggs	Depew	Lodge	Stephenson
Bulkeley	Dick	McCumber	Sutherland
Burnham	Dillingham	McEnery	Warner
Burrows	Dixon	Oliver	Warren
Burton	du Pont	Page	
Carter	Flint	Penrose	

NOT VOTING—19.

Bailey	Frye	Nixon	Smith, Mich.
Bankhead	Guggenheim	Owen	Smith, S. C.
Clarke, Ark.	Hale	Paynter	Tillman
Daniel	Jones	Richardson	Wetmore
Elkins	Newlands	Shively	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The paragraph will be agreed to——

Mr. ALDRICH. Let the paragraph be agreed to.

Mr. DOLLIVER. I desire to offer a substitute for it.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment, which will be stated.

The SECRETARY. As a substitute for paragraph 374 it is proposed to insert the following:

> 374. Woolen or worsted cloths, woolen or worsted shawls, and all manufactures of every description made wholly or in part of wool, worsted, the hair of the goat, alpaca, or other animals not specially enumerated or provided for in this act, valued at not exceeding 40 cents per pound, 35 cents per pound, and in addition thereto 35 per cent ad valorem; valued at above 40 cents per pound and not exceeding 60 cents per pound, 35 cents per pound and 40 per cent ad valorem; valued above 60 cents per pound, 45 cents per pound, and in addition thereto 40 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I offer a substitute for this paragraph, because it has, among other things, the sacredness of age and the marks of authority. It was the paragraph prepared by the Senate Finance Committee in 1888, a short time prior to the enactment of the McKinley law, by the honored Senator from Rhode Island and my former colleague, the venerable Senator Allison. It was reported by the committee after exhaustive investigation. It was presented to the Senate in an admirable report which bears the name of the Senator from Rhode Island and commanded every Republican vote in this body. It is materially below the level of the rates now proposed, and yet not very much. I offer it in the vain hope that those who respect antiquity and are prone to follow authority will not find it in violation of their sense of duty to vote for an amendment which two years before the McKinley bill was enacted commanded the support of every Republican in the Senate of the United States.

Mr. ALDRICH. Mr. President, this paragraph which has been presented, was, I think, a part of the bill of 1888, but it is an entirely different scheme. It is a different scheme as to wools and a different scheme as to woolens. It has no place here.

Mr. DOLLIVER. The Senator is in error in supposing that the scheme is different in any way. It is the scheme of the McKinley bill, and the McKinley bill was the scheme of 1888, because the only thing that the Ways and Means Committee did was to take the great bill prepared by the Senator from Rhode Island and make a few immaterial amendments to it.

Mr. BACON. Mr. President, I ask that the amendment be again reported.

The Secretary again read the amendment.

Mr. BACON. I should like to inquire of the Senator from Iowa what is the proportion of reduction that he recognizes in the proposed amendment?

Mr. DOLLIVER. If the Senator will read the bill, paragraph 374, he will see it says that where the value is not more than 40 cents per pound the duty shall be three times the duty imposed by this section on account of wools of the unwashed class.

This makes a specific assesment of 35 cents per pound, and it is a very substantial variation of that duty.

Mr. BACON. What is the conclusion the Senator reaches about that as to the proportion, approximately?

Mr. DOLLIVER. I have a computation made here, which I will insert in the RECORD. I have already passed it up.

Mr. ALDRICH. I repeat that this was perhaps the provision in the bill of 1888. It was not the McKinley rates. When they were offered here and became the law they were entirely different from these and were upon a different scheme. The Senate act, to which the Senator refers, had a different scheme as to wools and woolens. This is taking out one part—a disjointed piece—which is entirely unlike the present law.

Mr. WARREN. The Senator speaks of it as an act. It was a bill.

Mr. ALDRICH. It was never enacted.

Mr. DOLLIVER. It was a bill drawn with such care and such a wise regard to the American public that we fought that campaign upon it under General Harrison's leadership. This is not an isolated passage, and I will do that which lies within the reach of any man to see what difference there is between the scheme of the act of 1890 and the Senate amendment to the Mills bill in 1888.

Mr. ALDRICH. The act reported in the House by Mr. McKinley did not incorporate these provisions at all. It incorporated provision of an entirely different character, so that these suggestions, based upon lower rates on wool, were a part of the scheme never adopted by the Senate, except as a substitute for the Mills bill.

Mr. DOLLIVER. The Senator from Rhode Island asks us to go back to the McKinley bill, and I differ with him only in

desiring to go back sixteen months further, and I took the testimony of Mr. Dale to show that the sixteen months did not make any difference in that industry which would make it improper to go back to authentic information. I have been accused on this floor of wanting in honoring the memory of a man who was once my colleague on this floor——

Mr. BACON. As the Senator from Iowa bases his contention for the support of this amendment upon the statement that it is the soundest Republican doctrine and that every Republican should vote for it, it is proper that I should say a word somewhat along the line of what I have already said to the Senate.

In voting for this amendment I do not do so because I think that is the rate at which the duty should be assessed. I recognize it as a Republican rate, not a rate in accordance with Democratic views as to what the rates of tariff should be.

In other words, Mr. President, I shall support it because I regard it as a less evil than the provision in the present bill. I recognize that there are gradations of evil in the protective tariff as there are gradations of good in the revenue tariff. I do not recognize gradations of good in the protective-tariff system. In other words, I think it is bad and worse, and not better and good. Therefore, I shall, in the exercise of the discretion and judgment which I have as to which is the least oppressive to the people, vote for the amendment of the Senator from Iowa as the least of the two evils—not only as to this amendment, but I wish this statement to stand as to other amendments of which he has given notice. But, speaking of all of them, as an abstract proposition, I should be opposed to them, and I only vote for them because of their relation to the other; and I think it proper that I should state that before his schedule shall have been disposed of I propose to offer amendments, which I have already offered, which shall express the rate of duties which we think are proper rates of duty upon this schedule.

Mr. STONE. Mr. President, in the timely declaration of the Senator from Georgia, I think he might with entire propriety have gone a step further and assumed that he was speaking for his colleagues on this side.

Mr. BACON. I have had no opportunity to be put in a position where I could assume to do so. I had a few moments ago said I believed my position was shared by others on this side. I am glad to have the statement of the Senator from Missouri to that effect.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

Mr. DOLLIVER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Again I announce my pair with the senior Senator from South Carolina [Mr. TILLMAN]. If he were present, I should vote "nay."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH], and therefore withhold my vote.

The roll call was concluded.

Mr. DILLINGHAM. I take occasion to transfer my general pair with the senior Senator from South Carolina [Mr. TILLMAN] to the senior Senator from Maine [Mr. HALE] for the entire day. I will make no further announcement of it. I will vote. I vote "nay."

Mr. FLINT (after having voted in the negative). I find that the senior Senator from Texas [Mr. CULBERSON] has not voted. I have a general pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas 30, nays 43, as follows:

YEAS—30.

Bacon	Cummins	Johnston, Ala.	Rayner
Beveridge	Davis	La Follette	Simmons
Bristow	Dolliver	Martin	Smith, Md.
Brown	Fletcher	Money	Stone
Burkett	Foster	Nelson	Taliaferro
Chamberlain	Frazier	Newlands	Taylor
Clapp	Gore	Overman	
Clay	Hughes	Paynter	

NAYS—43.

Aldrich	Clark, Wyo.	Gamble	Penrose
Borah	Crane	Guggenheim	Perkins
Bourne	Crawford	Heyburn	Piles
Bradley	Cullom	Johnson, N. Dak.	Root
Brandegee	Curtis	Kean	Scott
Briggs	Depew	Lodge	Smoot
Bulkeley	Dick	McCumber	Stephenson
Burnham	Dillingham	McEnery	Sutherland
Burrows	Dixon	Nixon	Warner
Burton	du Pont	Oliver	Warren
Carter	Gallinger	Page	

NOT VOTING—18.

Bailey	Elkins	McLaurin	Smith, S. C.
Bankhead	Flint	Owen	Tillman
Clarke, Ark.	Frye	Richardson	Wetmore
Culberson	Hale	Shively	
Daniel	Jones	Smith, Mich.	

So Mr. DOLLIVER's amendment was rejected.

The paragraph was agreed to.

The SECRETARY. Paragraph 375, blankets, flannels, and so forth.

Mr. DOLLIVER. I desire to offer a substitute for the paragraph.

The SECRETARY. In lieu of paragraph 375 it is proposed to insert the following:

375. Blankets and flannels for underwear, composed wholly or in part of wool, valued at not more than 40 cents per pound, 22 cents per pound on the wool contained therein, and in addition thereto 30 per cent ad valorem; valued at more than 40 cents and not more than 50 cents per pound, 33 cents per pound on the wool contained therein, and in addition thereto 35 per cent ad valorem. Blankets composed wholly or in part of wool, valued at more than 50 cents per pound, 33 cents per pound on the wool contained therein, and in addition thereto 40 per cent ad valorem. Flannels composed wholly or in part of wool, valued at above 50 cents per pound, shall be classified and pay the same duties as women's and children's dress goods.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. DOLLIVER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON], who is absent. If he were present, I should vote "nay."

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. NIXON (after having voted in the negative). I understand that I am paired with the junior Senator from Alabama [Mr. BANKHEAD]. I withdraw my vote.

The result was announced—yeas 31, nays 43, as follows:

YEAS—31.

Bacon	Cummins	Johnston, Ala.	Owen
Beveridge	Davis	La Follette	Paynter
Bristow	Dolliver	McLaurin	Rayner
Brown	Fletcher	Martin	Simmons
Burkett	Foster	Money	Smith, Md.
Chamberlain	Frazier	Nelson	Taliaferro
Clapp	Gore	Newlands	Taylor
Clay	Hughes	Overman	

NAYS—43.

Aldrich	Clark, Wyo.	Gamble	Perkins
Borah	Crane	Guggenheim	Piles
Bourne	Crawford	Heyburn	Root
Bradley	Cullom	Johnson, N. Dak.	Scott
Brandegee	Curtis	Kean	Smith, Mich.
Briggs	Depew	Lodge	Smoot
Bulkeley	Dick	McCumber	Stephenson
Burnham	Dillingham	McEnery	Sutherland
Burrows	Dixon	Nixon	Warner
Burton	du Pont	Oliver	Warren
Carter	Gallinger	Page	

NOT VOTING—17.

Bailey	Elkins	Nixon	Tillman
Bankhead	Flint	Richardson	Wetmore
Clarke, Ark.	Frye	Shively	
Culberson	Hale	Smith, S. C.	
Daniel	Jones	Stone	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The paragraph is agreed to.

Mr. DOLLIVER. To what paragraph does the Chair refer?

The PRESIDENT pro tempore. Paragraph 375.

Mr. DOLLIVER. I desire, before the paragraph is agreed to, to offer an amendment as a substitute for it.

The PRESIDENT pro tempore. It is an open question.

Mr. CLAPP. I understand the Senator from Iowa has a number of these amendments. Are they in such a form that we might, perhaps, vote on them all with one roll call?

Mr. DOLLIVER. I find upon examination that they are not exactly in that form. There are only two or three more of them, and we will be through with them in a very few minutes.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment, which will be read.

The SECRETARY. It is proposed to strike out paragraph 375 and to insert a new paragraph 375, as follows:

375. Flannels, blankets, and hats, composed wholly or in part of wool, the hair of the goat, alpaca, or other animals, valued at not exceeding 30 cents per pound, 10 cents per pound; valued at above 30 cents per pound and not exceeding 40 cents per pound, 12 cents per pound; valued at above 40 cents per pound and not exceeding 60 cents per pound, 18 cents per pound; and in addition thereto, upon all the

above-named articles, 35 per cent ad valorem; valued at above 60 cents per pound, 45 cents per pound, and in addition thereto, 40 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire the Senate to understand distinctly that this amendment is the prevailing phraseology of paragraph 355 of the Allison-Aldrich bill of 1888. I desire to say further that the Senator from Rhode Island is in error when he says that there was any difference in the wool duties on the scheme and schedule of that bill as compared to the McKinley Act or the present proposed bill that would explain this variation in the duties on blankets and these cheap cloths.

Mr. ALDRICH. The Senator from Iowa is mistaken in his last statement. The duty on wools of the third class by the act of 1888 was 2½ cents a pound.

Mr. DOLLIVER. Exactly; but——

Mr. ALDRICH. Any Senator at all familiar with the classification of wools knows that third-class wools then, as now, enter largely into the manufacture of blankets—more largely than any other class of wools.

Mr. DOLLIVER. That is true, possibly, of some kind of blankets, and especially horse blankets; but the duty on first and second class wool——

Mr. ALDRICH. On all blankets.

Mr. DOLLIVER. It is exactly now as in 1888.

Mr. ALDRICH. On the first and second, but not on the third class.

Mr. DOLLIVER. The duty on all these noils, wastes, and by-products is exactly the same.

Mr. ALDRICH. Oh, no.

Mr. DOLLIVER. I beg the Senator's pardon; I have the bill before me.

Mr. ALDRICH. So have I.

Mr. DOLLIVER. On top waste, roving waste, slubbing waste, garnetted waste, 30 cents per pound, just as that duty, although they did make a small concession in behalf of woolen rags, making them 10 cents, as I desired to do yesterday, but I encountered a storm of indignation from the Senator from Utah and the Senator from Wyoming.

Mr. SMOOT. The duty on woolen rags is 10 cents a pound now. What the Senator from Iowa wanted was 6 cents.

Mr. DOLLIVER. I think I ought to have had it.

Mr. SMOOT. The Senator was not stating the facts as they were; that is all.

Mr. DOLLIVER. Now, Mr. President, the act of 1888 received at the hands of the wisest and best men we had then not a few days' attention nor a few weeks, but attention month after month, day and night, as the Senator from Rhode Island will testify. What I ask now is that he permit me to make the same criticism of the bill that is pending here that he and Mr. Allison made of the Mills bill, that it put the heaviest duties upon the blankets and clothing of the humble people of the United States who were not able to bear them. That is demagogy now, and a man almost gets out of his party for saying that now. Yet the criticism hurled by the Senator from Rhode Island on the Mills bill was that by making uniform rates of duty it bore with such hardship on the poor that the Senate had rendered the country a real service when they modified those rates.

But I do not care to debate it. I simply desire the yeas and nays on the proposition to go back to the Allison bill rather than to some subsequent or previous measure.

The PRESIDENT pro tempore. On this amendment the Senator from Iowa demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I again announce my pair with the senior Senator from Texas [Mr. CULBERSON].

The roll call was concluded.

Mr. FOSTER (after having voted in the affirmative). I inquire if the senior Senator from North Dakota [Mr. MCCUMBER] has voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator has not voted.

Mr. FOSTER. Then I withdraw my vote.

Mr. FLINT. I am paired with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Montana [Mr. DIXON] and vote "nay."

The result was announced—yeas 29, nays 43, as follows:

YEAS—29.

Bacon	Clay	La Follette	Rayner
Bankhead	Cummins	McLaurin	Simmons
Beveridge	Davis	Martin	Smith, Md.
Bristow	Dolliver	Nelson	Taliaferro
Brown	Frazier	Newlands	Taylor
Burkett	Gore	Overman	
Chamberlain	Hughes	Owen	
Clapp	Johnston, Ala.	Paynter	

NAYS—43.

Aldrich	Clark, Wyo.	Gamble	Perkins
Borah	Crane	Guggenheim	Piles
Bourne	Crawford	Heyburn	Root
Bradley	Cullom	Johnson, N. Dak.	Scott
Brandegee	Curtis	Kean	Smith, Mich.
Briggs	Depew	Lodge	Smoot
Bulkeley	Dick	McCumber	Stephenson
Burnham	Dillingham	McEnery	Sutherland
Burrows	du Pont	Oliver	Warner
Burton	Flint	Page	Warren
Carter	Gallinger	Penrose	

NOT VOTING—19

Bailey	Elkins	Jones	Smith, S. C.
Clarke, Ark.	Fletcher	McCumber	Stone
Culberson	Foster	Money	Tillman
Daniel	Frye	Richardson	Wetmore
Dixon	Hale	Shively	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The paragraph is agreed to.

The Secretary will read the next paragraph.

Mr. OWEN. Before the paragraph is agreed to, I desire to offer an amendment.

The PRESIDENT pro tempore. The Senator is offering an amendment to paragraph 375?

Mr. OWEN. Yes, sir.

The PRESIDENT pro tempore. The Chair will regard the paragraph as open.

Mr. SCOTT. I thought paragraph 375 had been adopted. It will have to be reconsidered if the Senator wants to move to amend it.

The PRESIDENT pro tempore. The Chair will regard the question as open.

Mr. LODGE. The Senator from Oklahoma rose before the agreement was announced.

Mr. OWEN. I do not think it is absolutely essential for a Senator to rise in his place instantly in order to offer an amendment, and I do not agree to the rule of the Senate suggested by the Senator from Massachusetts.

Mr. LODGE. I quite agree if it had been agreed to it ought to be left open, and I think the Senator was before the time.

Mr. OWEN. I was simply answering the suggestion of the Senator from Massachusetts that it might not be offered even if it had been agreed to.

Mr. LODGE. I did not mean to suggest that at all.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Oklahoma will be read.

The SECRETARY. It is proposed to add at the end of paragraph 375 the following:

That the rate fixed on all articles enumerated in this paragraph shall be reduced 5 per cent per annum of the rate fixed in this act, annually on June 30, for each of the next ensuing ten fiscal years: *Provided*, That if such graduated reduction shall cause a diminution of the annual revenue from any one or more of the above enumerated articles, the President is authorized and directed to fix the rate on any such article or articles at the point at which such article or articles severally are found to have the greatest normal revenue-producing power, but not at a rate higher than the rate fixed in this act: *Provided further*, That the rate shall not be reduced or fixed below the point at which it would produce an amount equal to the difference in the cost of the production of any such article in the United States or abroad.

Mr. OWEN. Mr. President, I shall not ask for a yea-and-nay vote on this proposed amendment. I shall be content with its being voted down by the majority, by the usual majority supporting the committee.

Mr. ALDRICH. I think it is desirable to have a yea-and-nay vote on the proposition. I would be very glad to have a yea-and-nay vote.

Mr. OWEN. I have no objection to a yea-and-nay vote. Before that is taken, I shall therefore briefly explain its purport.

The theory of the majority, as expressed by the platform of 1904, is as follows:

The measure of protection should always at least equal the difference in the cost of production at home and abroad.

The platform of 1908 asserts that—

In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit—

And so forth.

Now, Mr. President, in the particular paragraph on blankets and flannel for underwear, paragraph 375, the rates run from 107.60 per cent on blankets valued at not more than 40 cents per pound up to 165 per cent on blankets more than 3 yards in length valued at more than 40 cents per pound.

I wish to call the attention of the Senate and of the country to the actual labor cost in blankets. The report of Carroll D. Wright, to which I have heretofore called attention, on the matter of blankets in case No. 390, puts the labor cost at 15 per cent of the value of the product, and yet this bill puts the tariff at over 100 per cent on the bald pretense of protecting American labor.

In case No. 391 of blankets the total cost of labor in transforming the materials is 15 per cent, and yet the pending bill puts this rate at exceeding 100 per cent on the pretense of protecting American labor.

In case No. 392 the total labor cost is 18 per cent, and yet this bill puts the rate at over 100 per cent on the pretense of protecting labor.

The Senator from Rhode Island, representing the Committee on Finance, on last Monday stated on the floor of the Senate that the labor cost was 80 to 90 per cent of all these products in the face of this official report in answer to a resolution of the Senate saying that the labor cost of these blankets is 15 per cent, and yet a rate of 165 per cent is put upon the blankets in order to give a monopoly to those who manufacture blankets in this country and enable them to levy a tax upon people who must use blankets for their protection against the inclemency of winter's weather.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Montana?

Mr. OWEN. With great pleasure.

Mr. CARTER. I ask the Senator whether in his judgment the proposal presented by his amendment could not be made applicable to every paragraph in this bill; that is, vest in the President discretion to reduce duties below the rate fixed in the paragraph when in his judgment the revenue would not thereby be impaired and the best revenue-producing point could be reached?

Mr. OWEN. Undoubtedly, Mr. President, that could be done.

Mr. CARTER. Then, Mr. President, I desire to ask the Senator if it would not be more simple to make the tariff bill consist of about three sentences, providing that the ad valorem rate on all articles presented to the custom houses for entrance into the United States should be fixed at, say, 200 per cent, provided that the President may reduce the rate below that amount when in his discretion the public revenues will thereby be benefited?

Mr. OWEN. Has the Senator concluded?

Mr. CARTER. I have concluded. Why engage in these multifarious paragraphs and subdivisions if we could prescribe a maximum ad valorem duty for the admission of all articles at the custom-houses, leaving the discretion with the President to reduce the duties when in his opinion such reductions would not impair the revenue, but would reach the best revenue-producing point upon each article?

Mr. GALLINGER. A sliding scale.

Mr. CARTER. A sliding scale. In other words, we could not tell from day to day what the duty would be next week on any particular article unless we were advised of what the President's opinion might be at that future date.

Mr. BEVERIDGE. Mr. President——

Mr. OWEN. I will answer the Senator from Montana first and yield to the Senator from Indiana second.

In answer to the suggestion of the Senator from Montana, I reply that legislative power can not be vested in the Executive.

Mr. CARTER. Mr. President——

Mr. OWEN. Excuse me, Mr. President. I will answer the Senator from Montana first and yield to the Senator from Montana second.

Executive power is vested in the executive and legislative power is vested in the legislative branch of the Government. No one understands that more distinctly than the Senator from Oklahoma.

But it is not vesting in the President of the United States legislative power when he is directed by the legislative power to do a certain thing in a certain contingency. I will place in the RECORD the decisions of the Supreme Court of the United States on that point for the information of the Senate and, incidentally, for the information of the Senator from Montana.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Montana?

Mr. OWEN. I yield, with pleasure.

Mr. CARTER. If a legislative power can be vested in the President, as this amendment proposes, why not a considerable amount of legislative power or all legislative power?

Mr. OWEN. Mr. President, I will answer the Senator from Montana by calling his attention to the fact that this very bill proposes to vest in the President the right to reduce a proposed additional 25 per cent tax upon all goods at his discretion, and if the objection to my proposed amendment of the Senator from Montana is well taken, it is equally well taken to the 25 per cent maximum and minimum amendment of the committee itself.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. OWEN. I will, with pleasure.

Mr. BEVERIDGE. Does not the Senator make this distinction, that in the case of the maximum and minimum provision to which he is now calling attention, as in the case of the maximum and minimum provision in one section of the present law, the legislature fixes its will and the Executive becomes the instrument of the legislature in applying that will under certain contingencies, whereas in the amendment the Senator proposes the President is not directed to fix any specific rates, thus carrying out specifically the legislative will as its executive instrument, but is authorized to fix rates of his own? The Senator observes that distinction.

Mr. OWEN. I do not.

Mr. BEVERIDGE. Then of course——

Mr. OWEN. There is a distinction without a difference, Mr. President. The spirit and purpose of both is substantially the same, that the legislative will is recorded and the Executive is required to carry it out. Every Executive must exercise some degree of discretion.

Mr. BEVERIDGE. But the first thing I observe in the Senator's amendment is that from line 7 to the semicolon on line 11 it authorizes the President to perform all the legislative power which we might perform ourselves. Of course, the Senator can perceive that fixing the tariff rates at whatever we like is purely a legislative power. This authorizes and directs the President not to apply a definite and specific rate fixed by ourselves, but any rate that he sees fit to fix in his discretion. In other words, the executive mind is directed to perform the functions of the legislative mind.

Mr. CARTER. Mr. President——

Mr. OWEN. I will yield with pleasure to the Senator from Montana when I have answered his colleague from Indiana. In this particular paragraph, item 1, blankets not more than 40 cents per pound, the legislative will is 107.6 per cent ad valorem. The legislative will under my proposed amendment next year would be 5 per cent less, which is as absolutely and mathematically an expression of the legislative will as it is possible to give. So, in each succeeding year the diminution is mathematically accurate, with a proviso, however, that when it goes below the maximum revenue-producing point it shall no longer be lowered, but the legislative will requires it to be definitely fixed at the maximum revenue-producing point found by means of this series of successive reductions. Therefore the Executive would be merely carrying out the legislative will and he would be an Executive and not a legislator. I yield to the Senator from Montana.

Mr. CARTER. Mr. President, the Senator from Indiana [Mr. BEVERIDGE] presents the facts upon a minimum rate with which the discretion of the President may operate; the Senator from Oklahoma [Mr. OWEN] presents a maximum rate, and leaves the President with unrestrained discretion down to nothing or a complete abolition of duty altogether. I will say to the Senator from Oklahoma that, in the case of the reciprocity agreement, it will be remembered that a treaty was required in order to put the new rate into effect. The Constitution provides that treaties shall constitute the supreme law of the land; and I doubt very much whether, without consulting Congress or framing a treaty, it will be competent for the President of the United States, even under the minimum and maximum provisions, to change a rate of duty where the Constitution vests the supreme power in Congress in this matter of taxation.

Mr. OWEN. Mr. President, I will now, with the permission of the Senator from Montana, ask him a question. How does he justify 165 per cent ad valorem when the cost of labor in the material is but 15 per cent?

Mr. CARTER. Mr. President, I was one of the auditors of the Senator from Wisconsin [Mr. LA FOLLETTE] last night, and heard him remark that the cost to the manufacturer of agricultural implements had increased, as far as steel products were concerned, over 100 per cent since the Dingley law went into operation. I could have assisted him somewhat on that in another illustration. The cost of wool has increased during the operation of the Dingley law 260 per cent, and measured by the price of wool to-day it has increased 275 per cent. The increase in the cost of the raw material was the difference between the conditions, doubtless, to which the Senator refers and conditions that have come to pass under the present law.

Mr. OWEN. I do not know whether or not the Senator from Montana intends to be humorous, but I should like him to make an answer to my question.

Mr. CARTER. I should like to know what the Senator from Oklahoma refers to specifically. I undoubtedly assume that the Senator has in his mind some peculiar phase of industrial life,

where a particular by-product, or some article, is produced at 15 cents, for instance, and that the duty, according to his method of calculation of the matter, amounts to what—60 per cent?

Mr. OWEN. To 160 per cent.

Mr. CARTER. To 160 per cent; or the duty, for instance, on wool at 11 cents.

Mr. OWEN. The Senator evidently did not hear my question.

Mr. CARTER. I wanted to say to the Senator that the duty on wool, as the price stood with us in 1897, is now in the neighborhood of 200 per cent, and yet it is a perfectly fair duty and the country has prospered under its operations. In the case doubtless in the mind of the Senator the application of a duty of 100 per cent instead of 60 per cent would, by its fruits, justify the levy.

Mr. OWEN. Mr. President, I understand the Senator from Montana, in fixing the rates on the paragraph in question, not to be guided by the difference in the cost of production at home and abroad at all?

Mr. CARTER. Mr. President, the highest markets this country has ever been inflicted with, so far as the consumer is concerned, have been the markets when controlled by the foreign manufacturer and jobber. The Senator from Oklahoma well knows that when we shipped in iron rails here of English manufacture we paid $130 a ton for them and more.

Mr. GALLINGER. We paid $170 a ton at one time.

Mr. CARTER. Yes; at one time we paid $170 a ton. We did not manufacture a single steel rail in this country. To-day, under this "oppressive tariff" to which the Senator refers, we are buying the best steel rails manufactured in the world for about 15 per cent of the cost of the old iron rails.

Mr. OWEN. And about $8 a ton more than the manufacturers sell the same rails to foreigners, Mr. President.

Mr. CARTER. Mr. President——

Mr. OWEN. Our people pay about $8 more than the foreigners pay for the same rails. The Senator from Montana, however, has not answered my question. I ask him whether or not he thinks the difference in the cost of production in this country and abroad shall control in these matters, and I have illustrated it by pointing out that the labor cost on these woolen goods is only 15 to 20 per cent, and yet the tariff is put as high as 165 per cent.

Mr. CARTER. Mr. President, undoubtedly the purpose of legislation on the protective basis is to equalize the difference in the cost of production here and abroad.

Mr. OWEN. Now, Mr. President, I call the Senator's attention to the fact that the cost of labor in these blankets is from 15 to 20 per cent; and I ask him how he justifies putting upon them, over and above the total cost of American labor, an additional tariff of from 80 to 140 per cent ad valorem up to 100 to 165 per cent duty?

Mr. CARTER. Mr. President, the Senator from Oklahoma is calculating the hard-time wages of 1897 and 1898 as the basis of the American wages, and comparing them with the wages abroad of to-day.

Mr. OWEN. Mr. President, on the contrary, I am agreeing, so far as this calculation is concerned, that the labor cost of the European product is absolutely nothing, and I call the attention of the Senator from Montana that the increase of wool price since 1898, the date of Commissioner of Labor Wright's report, up to 1907 has not been greater than the reported increase of labor, so his percentages are not affected by such changes.

Mr. CARTER. Mr. President, it was pretty nearly nothing in this country on the date the Senator's figures were made. In 1897 there were men in the country who could not get a day's work if they were willing to take a plate of soup as compensation.

Mr. OWEN. Mr. President, that does not answer the question at all, because the labor wages of that time—in 1897—are clearly shown; and while it is true that in 1896 the market price of the whole world was at a low tide because of the preceding panic of 1893, it is not true that the cost of labor in percentages to value of product is now above what it then was.

Mr. CARTER. Mr. President, in the production of a blanket the Senator wishes to make the comparison with the last man who touches the blanket in the factory. In order to estimate the cost of production it is necessary to go back to the sheep herder on the plains. That sheep herder in our competing country in South Africa receives $3.66 a month, while out on the plains in this country he receives $40 a month. Down in South Africa he receives a sack of corn and a sheep to board him for a month, while out in our country he must have as good a bill of fare as they give in the ordinary hotel in Washington, or he will not stay by the job. These differences from the beginning must be computed and considered, in order to ascertain the elements of cost.

Mr. OWEN. Mr. President, they were considered as far as justified by common sense when the calculation was made by Carroll D. Wright. He puts the labor cost of producing yarn, for example, to which I call the Senator's attention, and which bears directly upon this matter—because I call his attention to the fact that even as to woolen yarn Carroll D. Wright, in Table 430, puts the cost of the labor of transforming materials at 2.6 cents per pound for No. 1 yarn and 45.22 per cent for the cost of material, less than 6 per cent of the cost of the finished product being for labor.

Mr. BACON. Will the Senator from Oklahoma permit me to ask the Senator from Montana one question, not to interrupt further than a question?

Mr. OWEN. With pleasure.

Mr. BACON. Does the Senator from Montana think that, in order that the sheep herders of Montana shall be furnished with board on the scale of a Washington hotel, the price of wool should be raised to all the consumers of the United States, so that that purpose may be effected?

Mr. CARTER. Mr. President, if you eliminate the sheep herder of the country altogether and cut out the 311,000,000 pounds of wool we contribute to the factories of the country, you will pay more for your wool than you are paying for it to-day.

Mr. BACON. But the Senator from Montana does not deem it wise to answer that question yes or no.

Mr. CARTER. Mr. President, the Senator from Georgia proposes to settle a great, far-reaching economic question with the answer "yes" or "no." That, I think, is one of the elementary difficulties with the Senator's school of political economy in dealing with these questions. Each matter is taken in an isolated state, without any reference whatever to the surrounding conditions and circumstances; for instance, the standard of living, the standard of civilization, the education of the people, the manner of feeding and clothing them in this country, we think ought to be maintained. The maintenance of the standard, however, embraces certain costs in every avenue of life and endeavor which do not apply to the rice-eating millions of China; yet, if the Senator's theory should be carried into effect, the cotton of Georgia and South Carolina, instead of being manufactured in that country into merchantable shape, would be shipped to China, where the labor determines the element of cost to the best possible advantage of anywhere in the world.

Mr. BACON. The Senator from Montana well knows the fact, Mr. President, that the labor employed in the production of cotton does not receive the hundredth part of a mill of benefit from the protective tariff.

Mr. CARTER. I refer to the cotton mills, Mr. President. It is not a new idea. As a matter of fact, the cotton of the Mississippi Valley has been for over ten years in process of shipment up along the Mississippi River to St. Paul; thence across the country to Seattle; thence across the ocean to Japan, where cotton fabrics are being manufactured by labor so low that it is appalling to contemplate the reduction of American workmen to the standard; and if you take down the barriers and consider these workmen separate and apart from the civilization and conditions under which we live, of course you would, as a pure matter of economy, leave the southern people to raise the cotton, dismantle the factories in the South and in New England, and ship the cotton to the Orient, where it can be manufactured cheapest.

Mr. BACON. Is that the Senator's answer to my question whether or not the sheep herder of Montana should be furnished Washington City hotel board at the expense of the people of the United States?

Mr. CARTER. Mr. President, that sheep herder is entitled to good treatment. He is a part of a mighty system; he is a part of the economy of the country. It is believed that, in order to maintain a supplemental food supply to put the country where it can raise its own clothing, and thus maintain a certain coveted measure of industrial independence, that even at the expense of paying our sheep herders more than the South African native gets, we ought still to keep them employed.

Mr. BACON. If the Senator from Oklahoma will pardon me—and I will not trespass further on his time—I want to say to the Senator from Montana that it is indeed a mighty

system which is so compact and so powerful that it can levy taxes upon 85,000,000 people in order to benefit less than 5,000,000.

Mr. CARTER. Mr. President, may I now ask the Senator from Georgia a question?

Mr. OWEN. Mr. President, I yield to the Senator from Montana to ask a question of the Senator from Georgia.

Mr. CARTER. I thank the Senator from Oklahoma. I inquire of the Senator from Georgia whether he would, in order to get wool cheaper, reduce the American sheep herder to $3.66 a month in open competition with the South African native?

Mr. BACON. I would put the Montana sheep herder exactly where the Georgia cotton laborer is—making his living by the sweat of his brow, and receiving pay according to the value of his labor. I do not propose to ask that the people of Montana shall be taxed for the purpose of paying the wages of the Georgia cotton laborer, nor do I desire that the people of Georgia shall be taxed in order to pay the wages of the Montana sheep herder.

Mr. CARTER. Mr. President, I hope the Montana sheep herder will never be compelled to work for the wages paid the Georgia cotton-field hand. I wish his wages could be better; but the cotton production is, I think, the greatest monopoly of all the crops in the world, and I am glad we have the monopoly in the United States.

Mr. BACON. "Monopoly," Mr. President, when it has to meet in the markets of the world the prices of the world! The Senator does not weigh his words.

Mr. CARTER. The area within which cotton——

Mr. OWEN. I decline to yield further to this interesting colloquy of the Senators from Montana and Georgia.

Mr. CARTER. The area within which cotton can be grown is so circumscribed on the globe that the monopoly is a natural one.

The PRESIDENT pro tempore. The Senator from Oklahoma declines to yield further.

Mr. ALDRICH. Will the Senator from Oklahoma allow me to ask the Senator from Georgia a question?

Mr. OWEN. With great pleasure.

Mr. ALDRICH. I am afraid this great proposition of the Senator from Oklahoma is getting obscured in this debate, and I am anxious——

Mr. OWEN. It will not remain so.

Mr. ALDRICH. And I am anxious to know whether the Senator from Georgia is engaging in this debate for the purpose of supporting the Senator from Oklahoma or for other reasons? We are not able to distinguish.

Mr. BACON. I did not hear the question.

Mr. ALDRICH. I was wondering whether the Senator from Georgia was opposing or supporting the proposition of the Senator from Oklahoma?

Mr. BACON. Mr. President, I was not paying attention particularly to the debate that was being maintained by the Senator from Oklahoma, but I did catch——

Mr. ALDRICH. I was a little afraid the Senator was ignorant——

Mr. BACON. But I did catch the most remarkable proposition which was made by the Senator from Montana [Mr. CARTER], that the sheep herders of Montana were entitled to be paid wages which would enable them to get board equal to the board of any hotel in Washington City, and I knew that if that was done my people would have to pay part of the expense. That was what I was protesting against.

Mr. ALDRICH. I may not be a good judge of these propositions, but I think the proposition of the Senator from Oklahoma is much more strange than the one suggested by the Senator from Montana.

Mr. BACON. The Senator from Oklahoma is quite capable of dealing with this question himself without my interposition, and I do not intend to interpose. I was simply struck by that remarkable proposition of the Senator from Montana. I am glad the Senator has made it, because it illustrates more perfectly than I have heard in this debate the iniquities of a protective-tariff system, by which in one State the laborer shall be paid wages which would give him board at the New Willard, and the people of the United States shall be compelled to pay a high price for wool in order that that end may be accomplished. That is the argument reduced to a nutshell; and it applies in greater or less degree to the proposition of the protective system as to other industries—to tax the people of the country at large to sustain private enterprises and increase their profits.

Mr. ALDRICH. I was anxious to ascertain whether this proposition of the Senator from Oklahoma was presented after conference with his associates upon the other side of the Chamber, because it looks to me like an entirely new departure in tariff legislation, and it might revolutionize parties if it should be adopted. I am anxious to get a vote upon it as soon as possible.

Mr. OWEN. Before the vote is taken I will pursue the inquiry which I made of the Senator from Montana and which he so skillfully side stepped that he got into the Chinese labor question and the sheep herders of South Africa before it ended. I now desire to ask a question of the Senator from Rhode Island, who is the chairman of the Committee on Finance, who knows all about cost, and who was kind enough last Monday night to advise me that the labor cost of materials was between 80 and 90 per cent, and kind enough to invite me to take the matter into prayerful consideration and go home and study it over and overcome my being new in the discussion of the tariff. He suggested that I was very new to the tariff debate, and therefore must be excused if somewhat irrational. I agree with him in his compassionate regard for a new Member, and hope that if anything I say seems to be unlearned or unsound, it may be considered as due to my inexperience in the discussion of the tariff.

Mr. RAYNER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Maryland?

Mr. OWEN. Excuse me, Mr. President.

Mr. RAYNER. Will the Senator allow me?

Mr. OWEN. I would prefer not to yield now, but I will yield to the Senator.

Mr. RAYNER. All that I desired was this: I dislike to disagree with the Senator from Oklahoma, but his amendment strikes me as absolutely invalid. I think it goes directly——

Mr. OWEN. I decline to yield for a speech by the Senator from Maryland.

The PRESIDENT pro tempore. The Senator from Oklahoma declines to yield further.

Mr. OWEN. Mr. President, the Senate has fallen into a practice, when a Senator is making an argument and trying to establish a proposition, of incursive discussion that leads the speaker far afield from that which he is attempting to establish. I should like to courteously suggest that, as a rule of propriety, this practice would be "more honored in the breach than the observance." I do not think it is courteous to Senators on the floor, when they are trying to establish a proposition, to introduce a side issue leading them far away from that which they are discussing. While I am always anxious to be perfectly considerate of every Senator while I am on the floor, and will always yield for any reasonable question, I do not think that the practice to which I have referred ought to be pursued in the Senate. I have often felt like entering protest against it, and I do so now.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to his colleague?

Mr. OWEN. For a question.

Mr. GORE. Mr. President, I think it would be material if the Senator from Montana or the Senator from Wyoming would state what the price of wool was last September. The Senator from Montana has stated that it is 200 per cent more now than it was in 1897. I should like some one to state the price of wool in Wyoming and Montana last September.

Mr. CARTER rose.

Mr. OWEN. I yield to the Senator from Montana.

Mr. CARTER. Mr. President, I can not definitely state what the market price was last September, but my recollection is that the market price was about 18 to 20 cents per pound; it is about 24 cents now. The price in 1896 and 1897 ran down to about 6 or 8 cents per pound.

Mr. GORE. Mr. President, just a word.

Mr. OWEN. I yield to the Senator from Oklahoma.

Mr. GORE. I happened to be in Wyoming last September, and was informed by people engaged in the growing of sheep and wool that the price was less than 14 cents. I do not think it was one-third of that in 1897, though in 1894 and 1895 it got down pretty low.

Mr. CARTER. There are certain clips of wool of inferior kind that always sell some cents below the regular market price.

Mr. OWEN. Now, Mr. President, coming back to my question to the Senator from Rhode Island, he advised us that the labor cost of materials in the United States ran from 80 to 90

per cent. I call his attention to Carroll D. Wright's Table No. 430, on woolen yarns:

No. 430.—Woolen yarn: United States; 1897–98; unit, 1 pound; No. 1 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0260	5.44
Cost of materials and all other items except labor	.4522	94.56
Total cost	.4782	100.00

That does not correspond with the view of the Senator from Rhode Island as to 80 per cent being the labor cost, and I should like to have him explain it.

Mr. ALDRICH. Mr. President, the Senator from Oklahoma entirely misapprehended my statement. I will repeat it for him. I said the cost of every material and of every product is from 80 to 90 per cent labor, I care not what it is—I mean in the last analysis. In making that computation, you have to commence, of course, with the ore in the ground, with the elemental unit of production, whatever it may be. Everything beyond that is cost of labor. That is the proposition that I make; and I think the Senator will have great difficulty in arriving at any other conclusion if he investigates the subject carefully, as I am sure he will.

Mr. OWEN. Mr. President, the answer of the Senator from Rhode Island that every product is substantially composed of labor is true in a broad sort of fashion. That everything used by man is the result of his labor is generally true, but it has no bearing upon and no relation to the question of the labor cost in yarns. According to this table, the labor cost in yarns is 5 per cent, and the Senator from Rhode Island stands here and demands 145 per cent tax upon yarn on the ground of its labor cost. Granted that 100 per cent of the cost of yarn was labor, granted that capital has no interest in it whatever, still that 45 per cent above 100 per cent is an excess even on the ridiculous theory of the Senator from Rhode Island. But it is not true, as a matter of fact, that yarn has over 5 to 10 per cent of labor cost as compared with the cost of the material and the other items entering into the cost of the gross value of the product.

Mr. ALDRICH. I heard the Senator a few moments ago make the statement that if the cost of the foreign product was nothing, then——

Mr. OWEN. Excuse me; the Senator did not apprehend what I said. I said if the labor cost were nothing.

Mr. ALDRICH. Well, I understood the Senator to say if the cost of the foreign product was nothing.

Mr. OWEN. I said the labor cost.

Mr. ALDRICH. One proposition is just as good as another for my purposes.

Mr. OWEN. If one proposition is just as good as another for the Senator's purposes, he can state any proposition he pleases, but he must not make me responsible for it.

Mr. ALDRICH. If the Senator will wait patiently, I will give him a concrete illustration.

Mr. OWEN. I have great patience, and will wait.

Mr. ALDRICH. If the labor cost is nothing abroad and 10 cents in this country, what rate would have to be put upon the foreign value to equalize that condition? That is a mathematical problem which I should like to have the Senator work out.

Mr. OWEN. That is a mathematical problem which is very easily ascertained and worked out.

Mr. ALDRICH. What percentage would the Senator put upon the labor cost to equalize conditions?

Mr. OWEN. It is perfectly easy to determine the value of the labor cost in the United States; it is perfectly easy to determine the ad valorem which shall equal that cost.

Mr. ALDRICH. In case it cost nothing abroad, what would it be in figures?

Mr. OWEN. That is a question broadly stated, applying to four or five thousand items, which the Senator well knows is impossible of mathematical answer, and therefore he asks somewhat triumphantly a question which no man can answer. It reminds me, I was going to say, of an ancient adage——

Mr. ALDRICH. I will give a concrete illustration. Suppose that an article cost nothing abroad and 10 cents here, what percentage of duty would the Senator put upon the foreign article to equalize conditions in the United States?

Mr. OWEN. Mr. President, take the question of yarn, for example. Supposing that the total labor cost in the United States was 2.6 cents a pound, which is shown in Table 430 of Carroll D. Wright's report on labor cost; there is a cost of 2.6 cents a pound. If the value of the yarn was 26 cents, 10 per cent ad valorem would precisely equal that cost. There is a specific answer to the Senator from Rhode Island, mathematically.

Mr. ALDRICH. Will the Senator make that statement over again? My attention was diverted for a moment. I shall be glad to hear what he said.

Mr. OWEN. I will restate it with great pleasure. Carroll D. Wright's table, No. 430, shows that the total labor cost in a pound of No. 1 yarn is 2.6 cents a pound. If the wool entering our ports was valued at 26 cents per pound, 10 per cent ad valorem would meet the labor cost in the United States, granting that the labor cost in England was nothing; and 10 per cent is somewhat lower than 145 per cent, fixed in this bill as the tariff rate by the Senator from Rhode Island.

Mr. ALDRICH. The Senator does not understand my question or else certainly what he says now is not an answer to it. I will repeat what I said the other day. If the Senator had been familiar with tariff discussions, he would have been aware of the fact that this question of labor cost has always been injected and occupied a great deal of space in such discussions.

I want to say to him now that the labor cost at any single stage in this long process of manufacture has nothing whatever to do with duties, and can not be made to have. For example, take a jackknife. Jackknives are made abroad largely by farming out the different operations to people engaged in one particular process. For instance, one party might be grinding the blade, and it might cost a cent on that jackknife in one country and half a cent in another. That has nothing to do with the duties on jackknives. We are not dealing with a single part of or one process in this long series of operations any more than we are in yarns. It costs to pack yarns into boxes, for instance, a fraction of 1 per cent. Are you going to regulate the duty upon the cost of packing? Certainly not. It costs something to run the wool through the different processes, from one to another. Are you going to take one of those and talk about the labor cost involved?

The whole scheme is ridiculous. It does not get anywhere practically. What we want to compare is the total cost of production in one country and the other and equalize conditions on the total cost of production; and that total cost of production, in the last analysis, as I have stated, and I will repeat it, is based upon the cost of labor. If labor costs 50 per cent more in this country than it does in another country, or double what it costs in another country, that relative cost of production in the two countries is governed entirely by the scale of wages all through the production and all through every part of the life of the Nation. If you pay in Washington $3 a day for a policeman and they pay $1 in London, that difference of $2, or $1, or whatever it is, appears in additional taxes. It appears in the scale of living. It appears in the ultimate cost of production for every article; and the Senator will get back, I think, in the end to the proposition which I made the other day, that the ultimate cost of production of every article is 90 per cent labor; and if we live on a higher scale here, paying higher wages, we certainly, in the comparative cost of production, have to take all the wage scales of the United States into consideration. That is my answer to the Senator.

Mr. OWEN. I have a certain intellectual sympathy with the Senator from Rhode Island in his effort to defend the indefensible.

Mr. ALDRICH. There is no intellectual effort involved in it at all. It is just simply a plain statement of facts. I do not think it requires any intellectual effort either to make the statement or to understand it.

Mr. OWEN. The cost of production involves primarily as its chief factor, upon which the most part of all the debate has turned and the main discussion has occurred, the cost of labor and difference in the cost of production. I therefore, in the attempt to bring this matter to a clear comprehension of the relative cost of production, take the primary factor of the relative cost of labor, which can be presented plainly. The Senator from Rhode Island naturally and ingeniously obscures the issue by going into broad generalities and talking about the question of labor generally and the difficulty of determining the factors in manufacturing the thousands of involved items which enter into the general schedules, and he thereby skillfully obscures the issue, so as to make it incomprehensible to the ordinary investigator. But when I call his attention to the fact that Carroll D. Wright's table shows that in woolen yarn No. 1 the percentage of labor cost is almost a trifle less than 6 per cent of the value of the product, he explains it by a generality and

waves it lightly aside and imputes to me a lack of understanding as explaining why I ask the question.

Mr. ALDRICH. I will try this illustration. I will try to make an application of the rule I have stated to the very thing he has under consideration. He says it costs 2 cents a pound—labor cost—in making yarn. The cost of yarns in this country depends largely upon the cost of wool in yarns, and if wool costs 22 cents in Montana, and 11 cents for the same character in Australia, the American manufacturer pays 11 cents a pound more for his wool from which that yarn is made, to start with, and the same differences between the ultimate foreign and the domestic cost of production runs through every item. So you may be perfectly certain that you must, in your ultimate cost of production, consider the conditions of labor in both countries, both being in competition. The scale of wages in both countries determines the difference in the cost of production.

Mr. OWEN. The difference in the cost of wages in this country is conceded to be 2.6 cents a pound for No. 1 wool, and nothing more.

Mr. ALDRICH. Oh, not for No. 1 wool.

Mr. OWEN. No. 1 yarn. That is the Wright table, No. 430.

Mr. ALDRICH. He is talking about transforming materials from one stage to another and nothing else.

Mr. OWEN. Granting every possible concession that the Senator from Rhode Island can insist upon within the bounds of reason, when the labor cost of transforming wool into No. 1 wool yarn is between 5 and 6 per cent, there is no possibility by which a rate of 145 per cent can be justified.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I yield with pleasure.

Mr. GALLINGER. The Senator is reading, I believe, from a document issued in 1898 or thereabouts.

Mr. OWEN. Eighteen hundred and ninety-eight to ninety-nine.

Mr. GALLINGER. If the Senator will turn to this document, just printed, which was quoted by the Senator from Wisconsin [Mr. LA FOLLETTE] last evening with such approbation, prepared by W. A. Graham Clark, special agent of the Department of Commerce and Labor, he will find, on page 5, that Mr. Clark says:

> In general it may be said that the cost of manufacture of worsteds in England is about half that in the United States.

The Senator says it is 5 or 6 per cent. But here is Mr. Clark's statement that it costs twice as much in this country as in England.

Mr. OWEN. The Senator is making a comparison of the cost in England and in the United States of worsted goods, where they obtain their wool at about half the price of what obtains here. I am talking about the labor cost in No. 1 wool yarn, as given in the Wright table, which has not yet been set aside as unsound. I am not talking about the cost of yarns or of wool in Montana and Australia, as the Senator from Rhode Island well knows, and I am not talking about the cost of manufactures of worsteds as the Senator from New Hampshire. They ingeniously and with intellectual cleverness confuse the issue of 145 per cent tariff on yarn being excessive.

Mr. GALLINGER. We pay more for our wool.

Mr. OWEN. I agree that the difference in the price of wool must be provided for in determining the difference in the cost of production, but when I call your attention to the labor cost in No. 1 yarn and when I call your attention to it as one of the important parts of the cost of production, in order that we may determine the difference in the cost of production at home and abroad, I can not help but call the attention of the country to the vital fact that the Committee on Finance has furnished us with no record whatever of the labor cost of these articles nor of the cost of production, and has left it impossible for anybody to determine the difference in the cost of production at home and abroad. It can not be done with the data given to the Senate for that purpose, and I hold the party in power and the Finance Committee directly responsible for this fatal and deliberate omission.

Mr. ALDRICH. I have tried, with considerable patience, to explain this matter for the reason that these claims as to the labor cost of production appear and reappear in tariff discussions; and I want to state the fact that the labor cost of production at a single stage in a long process of manufacturing has no value whatever in determining either the relative cost of production or the proper rate of duty which must be assessed to equalize the cost of production. If the Senator, with his analytical mind, will follow the advice which I gave him the other day, and will read that in the RECORD to-morrow, he must agree with me as to the accuracy of the statement I have made.

Mr. OWEN. I did read the matter in the RECORD. I examined it with critical care, and I find it utterly unfounded and utterly worthless. I mean to be respectful about it. But I am giving the honest judgment of my mind upon that statement made by the Senator from Rhode Island.

Mr. ALDRICH. Do I understand that the Senator bases this scheme of his upon a misconstruction of the statement which I made?

Mr. OWEN. Is the Senator alluding to the excellent amendment which I have offered?

Mr. ALDRICH. Yes; I was alluding to that, and I hope to test the Senate at an early hour as to their views and judgment upon the amendment.

Mr. OWEN. I base that amendment upon the theory of the Senator from Rhode Island and upon the Republican pledges of a tariff based on cost of production, and upon the Democratic view of a tariff for revenue, and not upon any conclusions of my own. Assuming the correctness of the declarations made by the Senator from Rhode Island that he is guided by the difference in the cost of production, my amendment could not possibly do harm. It might serve a useful purpose in bringing into effect the pledges made by the Republican party in 1904 and 1908, that the tariff should be written in the light of the difference in the cost of production at home and abroad, always assuming that the tariff ought not to go below a revenue-producing point, which is the Democratic view, because that is essential to the maintenance of our Government.

Mr. ALDRICH. Does not the Senator see, while he is discussing in one breath the differences in the cost of production, that he is discussing mainly the difference in the labor cost at a single stage of the process?

Mr. OWEN. I have discussed the labor cost from these tables, taking the elementary cost of labor in wool yarns, taking the labor cost with the yarn as the crudest form of manufactured material in the woolen schedule, and I call the attention of the Senator, first, that there is only 5 and 6 per cent of cost of labor in the yarn, and then in blankets the labor cost is only 15 and 20 per cent.

Mr. ALDRICH. The Senator must be willing to admit, I think, that there is nothing whatever about the labor cost in the Chicago platform, and he is discussing a rule which no party has ever laid down, which no political economist has ever laid down, and which no party that had any idea or knowledge of tariff legislation has ever laid down. He is discussing something entirely immaterial and entirely outside of any of the questions to which I have alluded.

Mr. OWEN. I have sought in vain to obtain from some member of the Finance Committee, somewhere, the difference in the cost of production at home and abroad. The Senate of the United States has not been furnished with that information. The Senate will not be furnished with it. The inquiry is regarded as unreasonable and unsound, not in accordance with party promises, not in accordance with the desire of the people of the United States.

I desire to emphasize this because I believe the people of the United States do not feel willing to give greater advantages to our manufacturing classes than will put them upon an equality and a parity with manufacturers abroad; that it is not the intention of the American people to allow monopoly to be sheltered under this tariff; that it ought not to be done, and therefore I call attention to the Republican party pledges, and I call attention to the fact that the Committee on Finance has given us no data to show the difference between the cost of production at home and abroad, and when it is repeatedly called for and when it is emphasized we have mere glittering generalities, subtle evasions, and the vague mal apropos that everything which is made consists altogether of labor, that there is nothing in it but labor, and therefore we must deal with these questions as altogether the product of labor, and that nothing enters into it except labor.

Mr. GALLINGER. Mr. President——

Mr. OWEN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. If the Senator will again turn to this recent publication of Mr. W. A. Graham Clark, he will find that, treating of an all-wool sateen, of botany wool, on page 88, he concludes his observations by saying:

> This shows the American cost of manufacture per yard to be 127 per cent higher than the English.

And he gives a concrete sample, and yet the Senator says it is 5 or 6 per cent.

Mr. OWEN. I call attention, in reply to the Senator from New Hampshire, to the fact that again he side steps and discusses "all-wool sateen" and does not consider the point I make—that the estimated cost in Belgium of woolen yarn is 3 cents a pound, which is higher than the American cost.

Mr. GALLINGER. I am quoting from a recent publication, which has been quoted with great approbation on the other side of the Chamber.

Mr. OWEN. I have not seen the recent publication. But "sateen" has nothing to do with my point on the labor cost of No. 1 yarn, which has more labor cost in Belgium than in the United States.

Mr. CARTER. To begin with, it is perfectly safe to say that the difference in labor cost in producing the wool out of which the cotton yarn is made exceeds 100 per cent in this country, as against the markets in which Germany and England draw their wool supply. How that 100 per cent of excess is reduced to 5½ or 6 per cent in the computation of the Senator is a mystery, unless it be true that, according to the suggestion made by the Senator from Rhode Island, the Senator from Oklahoma, in his computation, disregards the various elements that enter into the matter of cost and selects only one of the many incidents of labor from the beginning to the close of the finished yarn.

Mr. OWEN. I call the attention of the Senator from Montana to the fact that I have shown the exact number of cents that the material in these articles costs, as well as the exact number of cents of labor cost.

Mr. CARTER. In producing yarn, it is first necessary to raise wool. Following the raising of the wool, it is necessary to shear it from the sheep.

Mr. OWEN. That is a very remarkable circumstance, and I am much struck with it.

Mr. CARTER. They sometimes pull it off. Then this item of shearing, for instance, costs from a cent and a half per head up to 4 and in some instances 5 cents in Australia. In the United States the cost of shearing is from 10 to 14 cents per head. Then comes the matter of scouring, and after the wool is scoured it has to go through the process into roving; then into another form; finally into yarn.

The Senator proposes to take the mere cost of transforming the rovings into yarn and say that that is the total difference in the cost of producing the yarn in the United States and the cost abroad, when he starts out with more than 100 per cent difference in the cost of producing the wool to start with.

Mr. OWEN. As far as this particular item is concerned, I simply call attention to the labor cost in making No. 1 yarn from wool, whether the wool be cut off or pulled out of the sheep by bodily force.

Mr. SMOOT. Mr. President——

Mr. OWEN. I yield with pleasure to the Senator from Utah in the midst of my explanation.

Mr. SMOOT. Does the Senator base his argument upon No. 1 yarn as numbered or as to the quality of the wool?

Mr. OWEN. I base my argument on No. 1 yarn, from table 430 of Carroll D. Wright's report, and the yarn described therein.

Mr. SMOOT. It would make a great deal of difference whether it is No. 1 quality or a No. 1 yarn; and I want to tell the Senator right now that there is no No. 1 yarn as numbered used anywhere in the manufacture of goods. A No. 1 yarn means that there is a pound of wool drawn out 640 yards, and there is no such number as that used in the manufacture of goods. No. 8 is about the first we use, and those are used only in blankets. Every number increases in fineness and it costs that much more to make the yarn. So if the figures which the Senator is reading here mean No. 1 yarn, then of course they are useless, and if they mean No. 1 grade of wool, I want to ask what number of yarn Mr. Wright is figuring on.

Mr. OWEN. Carroll D. Wright gives the precise cost of the materials and other items entering into the manufacture of No. 1 yarn, in Table 430, and he gives the cost of labor in transforming the materials; the cost of the materials and all other items except labor are 45.22 cents per pound. The cost of labor to transform the material is 2.6 cents per pound. In Table 431 he gives the cost likewise of No. 2 yarn; in Table 433, No. 3 yarn, and so on down to No. 10 yarn. The use to which No. 1 yarn is put is utterly immaterial and irrelevant to the discussion, as the Senator from Utah must know.

Mr. SMOOT. I see from the statement there what the Senator is driving at, and I want to call his attention to the fact that he is talking about No. 1 yarn—a great, coarse thread, almost coarser than is used in any kind of goods in this country.

Mr. OWEN. I am glad the Senator has discovered that there is a No. 1 yarn. He denied its existence but a few moments ago.

Mr. SMOOT. I say again it is not used in this country. I know what No. 1 yarn means. No. 1 yarn means that a pound of wool is drawn out 640 yards, and the Senator must know, if he knows anything of the wool business or the manufacturing of it, that that would be a very, very coarse wool thread indeed, almost a roving, and it is not used in the manufacture of goods. As I have said, the finest wool yarn that is used in the coarsest kinds of blankets is about an 8, and it runs from that up to 60. Take the difference between the manufacture of an 8 yarn and a No. 60 yarn. The whole argument of the Senator, based upon No. 1 yarn, is wrong in theory. It does not work in practice and it does not fit any goods manufactured in this country.

Mr. OWEN. The labor cost of producing blankets is 15 to 20 per cent.

Mr. SMOOT. Allow me to tell the Senator that no doubt on the cheapest-grade blanket that is made, the very cheapest, it would be 15 per cent, but I can tell the Senator that I have made blankets by the hundreds of thousands where the labor cost of making a blanket was 40 per cent.

Mr. OWEN. That may account for things which have happened in the Senator's woolen business.

Mr. SMOOT. It will happen to anybody who knows anything about the manufacture of goods.

Mr. OWEN. It is very interesting to know at least from some authority what the labor cost is in the making of blankets. So it is 40 per cent?

Mr. SMOOT. On some grades it is.

Mr. OWEN. Forty per cent under the highest-priced condition of labor that Utah affords, I think.

Mr. SMOOT. It is about the same as in other sections of the country, I think.

Mr. OWEN. The labor cost increases as you go west, in all lines. Everybody knows that to be true, and I suppose the Senator has overlooked the fact that it is true.

Mr. SMOOT. No, I have not overlooked it; I know what all the mills are paying in this country, and I know what we pay. The labor cost in the mills in Utah is about the same as in the East. Perhaps there may be some little difference on the lowest grade of labor, as an advantage to Utah, but the great bulk of labor is about the same there as in the East.

Mr. OWEN. I will ask the Senator from Utah whether he agrees with the Senator from Rhode Island that the labor cost is between 80 and 90 per cent, notwithstanding his experience of 40 per cent?

Mr. SMOOT. I am not going to discuss a question which was discussed when I was not here, and without knowing upon what basis it was made, but I judge from what the Senator says here that if he did make the statement that there was 80 per cent labor cost, it was the amount of labor from the raw product to the finished product, or in other words, to take a concrete case, from iron ore to the needle, and then I will agree with the Senator from Rhode Island that it is 80 per cent.

Mr. OWEN. If that were true, then I call the attention of the Senator to the fact that this tariff would be cumulative and would be several thousand per cent before you get to the finished product.

Mr. SMOOT. It is bound to be, from the very fact in the case I cited. Take the ore, which is worth only $2.50 a ton. It must be more than a thousand per cent between the ore and the manufacture of the finest needles.

Mr. OWEN. I am glad to hear the Senator improve upon the estimate of 80 or 90 per cent of the Senator from Rhode Island.

Mr. SMOOT. I will ask the Senator, Does he not believe it is?

Mr. OWEN. When you take the ore out of the ground and treat it, step by step, its increased value is due to human labor; but that proposition has no point in the proposition under discussion. It is a general truth that all things made are the products of labor.

Mr. SMOOT. That is right.

Mr. OWEN. That has nothing to do with the case where a manufacturer can bring in the material here.

Mr. SMOOT. Mr. President——

Mr. OWEN. Excuse me. I must be allowed to answer.

Mr. SMOOT. Certainly.

Mr. OWEN. When these yarns have to be brought in here as a product, finished up to a certain point, and then converted into a blanket, the labor cost in handling that yarn must be considered as a new proposition, beginning with the yarn in question; and that percentage of labor in making a blanket is what Carroll D. Wright's report says is 15 to 20 per cent. Our

blanket manufacturers can bring in the product for use in weaving blankets and use it as raw material for the purpose of making blankets; and then the question is, How much of labor cost is involved in making the blankets with that material purchased and ready for blanket making in their hands?

Mr. SMOOT. The Senator's argument places him even in a worse position than he was before, because for the coarsest kind of blanket you can take the wool, after being scoured and placed upon the cards, and get it at 15 per cent of the labor cost—not the yarn, the Senator says—ready to put into the loom. I do not think it would be 15 per cent from the yarn itself manufactured to simply weave it into a blanket. Certainly the Senator has made his case worse than ever.

Mr. OWEN. It is perfectly patent to anyone who considers this matter at all that the manufacturer who is protected in blankets by 165 per cent, and who gets his material, the yarn ready to go into the blanket, is only entitled to the protection covering the difference in the cost of labor.

Mr. SMOOT. The Senator evidently does not understand the processes of manufacturing woolen goods. If I could only take him into a woolen mill and show him the steps, I know the Senator could see it. It is a pretty hard thing, it seems to me, to show him by words in a way that the Senator can understand.

Mr. OWEN. I understand perfectly well the question of the cost of production involving the material and the labor. I have been through woolen mills and seen every step. I have been discussing the labor cost alone. The question of the material is provided for by the tariff duty upon wool and the various forms of wool. But in addition to that there is also the further tax provided for blankets and for every variety of woolen manufacture.

Mr. SMOOT. Mr. President, the Senator does not mean to say that one hundred and odd more percentage outside of the duty is upon the wool and the manufacture of yarn?

Mr. OWEN. I do not. I am calling attention to the elements which enter into this manufacture, and I have called attention to it because I think that these schedules ought to be written in the light of the difference in the cost of production at home and abroad. That is not being done, and I submitted the proposed amendment merely to call the attention of the Senate to this matter. Having done so, I now withdraw the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma withdraws the amendment. Paragraph 375 is agreed to. The Secretary will state the next amendment passed over.

The SECRETARY. In paragraph 376, page 131, line 26, after the words "ad valorem," the committee proposes to insert the following proviso:

Provided, That on all the foregoing, weighing over 4 ounces per square yard, the duty shall be the same as imposed by this schedule on cloths.

Mr. DOLLIVER. Mr. President, I desire to call the attention of the Senate to the fact that the proviso carries these goods—it makes no difference what they are made of—if they weigh more than 4 ounces to the yard, back into the paragraph assessing duties upon woolen cloth, where they will encounter 44 cents a pound, owing to the compensation of the manufacturer and the cloth duty ad valorem. The House omitted it in view of the fact that these goods confessedly are not made of wool. I do not think that the amendment ought to be adopted.

Mr. ALDRICH. The provision was dropped out by mistake. It is in the present law and certainly it ought to be restored. It is the Dingley law and should be voted in.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee, which has been read.

The amendment was agreed to.

Mr. DOLLIVER. Before the paragraph is agreed to, I desire to offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. In lieu of paragraph 376 it is proposed to insert:

376. Women's and children's dress goods, coat linings, Italian cloths, and goods of similar character or description, of which the warp consists wholly of cotton or other vegetable fiber, and the remainder of the fabric composed wholly or in part of wool, valued at not more than 20 cents per square yard, 11 cents per square yard and 25 per cent ad valorem; valued at more than 20 cents per square yard, 11 cents per square yard and 35 per cent ad valorem: *Provided*, That on all the foregoing weighing over 4 ounces per square yard the duty shall be the same as is imposed by this schedule on cloths.

Mr. DOLLIVER. Mr. President, I offer that amendment because it appears to me to be a more rational classification of these various kinds of cloths, which are not woolen cloths at all. They are described in the paragraph as cloths that are composed wholly of cotton or other vegetable fiber, so far as the warp is concerned. The remainder of the fabric may be composed in whole or in part of wool. So in these cloths there is no pretense made that they are woolen cloths except that they may have the weft of wool, though it is not necessary even for them to have all the weft of wool. I am told by expert weavers that when the warp is entirely cotton it is technically impossible to have the weft entirely of wool.

Mr. President, in 1897 Governor Dingley, chairman of the Ways and Means Committee, had by his side a very wise counselor, especially upon the woolen schedule, and I hold in my hand the letter of the chairman of the Ways and Means Committee of the House, dated January 26, 1897, in his own handwriting, introducing Colonel Tichenor, confidential adviser of the committee, to two gentlemen—the president and the secretary of the American Woolen Manufacturers' Association. I also hold in my hand Colonel Tichenor's letter to Governor Dingley, found among his papers, dated Washington, D. C., June 26, 1897, in which he calls attention to the fact that various changes have been made by the Senate committee in its bill on wools of classes 1 and 2, and reciting what he regarded as proper paragraphs covering yarns, cloths, blankets, and women's dress goods.

I have had such confidence in his knowledge in the mechanism of this tariff schedule, and I have had so many evidences of his dissatisfaction with the excesses and extravagances that have crept into the assessments of these rates, that I have taken the liberty to cut out of this yellow manuscript containing his notes upon the tariff law of 1897 this one, being in the form of a letter to Governor Dingley—paragraph 376 as Colonel Tichenor thought it ought to have been written in the Dingley tariff law.

Mr. ALDRICH. Has the Senator put that letter in the RECORD?

Mr. DOLLIVER. I have it not at hand here. I have a great mass of papers that I have not brought forward so as to avoid controversies of one sort and another which I do not desire to have arise at this stage of our proceedings.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. DOLLIVER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. I transfer that pair to my colleague [Mr. PILES], and I vote "nay."

The roll call having been concluded, the result was announced—yeas 30, nays 41, as follows:

YEAS—30.

Bacon	Clay	Hughes	Overman
Bankhead	Culberson	Johnston, Ala.	Owen
Beveridge	Cummins	La Follette	Payntor
Bristow	Davis	McLaurin	Rayner
Brown	Dolliver	Martin	Tallaferro
Burkett	Fletcher	Money	Taylor
Chamberlain	Foster	Nelson	
Clapp	Gore	Newlands	

NAYS—41.

Aldrich	Crawford	Guggenheim	Perkins
Bradley	Cullom	Heyburn	Root
Brandegee	Curtis	Johnson, N. Dak.	Scott
Briggs	Depew	Jones	Smith, Mich.
Bulkeley	Dick	Kean	Smoot
Burnham	Dillingham	Lodge	Stephenson
Burrows	Dixon	McCumber	Sutherland
Burton	du Pont	Nixon	Warner
Carter	Flint	Oliver	
Clark, Wyo.	Gallinger	Page	
Crane	Gamble	Penrose	

NOT VOTING—20.

Bailey	Elkins	Piles	Smith, S. C.
Borah	Frazier	Richardson	Stone
Bourne	Frye	Shively	Tillman
Clarke, Ark.	Hale	Simmons	Warren
Daniel	McEnery	Smith, Md.	Wetmore

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The paragraph is agreed to as amended. The next paragraph will be read.

The Secretary read paragraph 377, as follows:

377. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character composed wholly or in part of wool, and not specially provided for in this section, the duty shall be 11 cents per square yard; and in addition thereto on all the foregoing valued at not above 70 cents per pound, 50 per cent ad valorem; valued above 70 cents per pound, 55 per cent ad valorem: *Provided*, That on all the foregoing weighing over 4 ounces per square yard the duty shall be the same as imposed by this schedule on cloths.

Mr. DOLLIVER. I desire to offer a substitute for paragraph 377.

The PRESIDENT pro tempore. The Secretary will read the proposed amendment.

The SECRETARY. In lieu of paragraph 377, it is proposed to insert a new paragraph 377, as follows:

377. Women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar character or description, composed wholly or in part of wool, not specially provided for in this section, 12 cents per square yard and 35 per cent ad valorem: *Provided*, That on all the foregoing weighing over 4 ounces per square yard the duty shall be the same as imposed by this schedule on cloths.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was rejected.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The PRESIDENT pro tempore. Paragraph 377 will be agreed to. The amendment of the committee in the next paragraph will be stated.

The SECRETARY. In paragraph 378, page 132, line 15, the committee proposes to strike out the words "wool hats" and insert the word "including," so as to make the paragraph read:

378. On clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto 60 per cent ad valorem.

The amendment was agreed to.

Mr. DOLLIVER. I desire to offer a substitute for the paragraph.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. In lieu of paragraph 378 it is proposed to insert:

378. Clothing, ready-made, and articles of wearing apparel of every description, including shawls whether knitted or woven, and knitted articles of every description, made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, 44 cents per pound on the wool contained therein, and in addition thereto 60 per cent ad valorem.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was rejected.

The PRESIDENT pro tempore. The paragraph as amended is agreed to. The next paragraph will be read.

The Secretary read the next paragraph, as follows:

379. Webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, 50 cents per pound and 60 per cent ad valorem.

Mr. DOLLIVER. I desire to offer a substitute for paragraph 379.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. In lieu of paragraph 379 it is proposed to insert:

379. Webbings, gorings, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, 50 cents per pound on the wool contained therein and in addition thereto 60 per cent ad valorem: *Provided*, That if the duties upon any article held to be dutiable under Schedule K of this section shall exceed 100 per cent ad valorem, duty shall be assessed thereon at 100 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire to say a word about the proviso. The main part of the amendment is the pending paragraph, except that it provides for the compensatory assessment of a specific duty on the basis of the wool contents of the article rather than upon the weight of the article itself. I have already discussed that question somewhat at length, and I will not say anything more about it except that if the duty is assessed upon the wool contents of the article it will be very materially less than if it is assessed at random upon the weight of the article without regard to the wool that is in it. But the proviso coming in at the end of these paragraphs, which undertakes to assess duties upon articles manufactured of wool, is intended for a very distinct purpose, and it is by this statute to make it hereafter unlawful to assess any duties, specific or ad valorem or compound, upon any of these articles which in the aggregate raise the duty above 100 per cent ad valorem. I have every reason to believe that the maximum limit of the duty will not only adequately but amply protect every woolen manufacturing interest in the United States, and I have an idea that the Senate could do nothing more calculated to popularize the wool tariff than to take it out of the mouths of its enemies to say that we have so framed it that in any case the duty can rise in the neighborhood of 200 per cent. I say, make a maximum duty 100 per cent—no legitimate American manufacturing interest can suffer—and we have at least taken a step in the direction of refuting the evil reputation that has for so many years clustered about this schedule.

I am anxious also to have it done for another reason, I will say to the Senator from Rhode Island. I believe that it is the duty of the Senate and of its committees and of the joint committee upon conference to take some careful, well-considered steps to revise the woolen schedule. This amendment brings into question practically every paragraph in it and puts within the jurisdiction of the committee of conference all the questions which it would be necessary for them to examine in giving the Congress and the country the benefit of a final, careful, conscientious, patriotic review of this schedule, with a view to its revision according to the platform of our party and according to the just expectations of the American people.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. DOLLIVER. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CRAWFORD. I should like to hear the amendment read again.

The PRESIDENT pro tempore. The amendment will again be read.

The Secretary again read the amendment.

Mr. ALDRICH. The amendment of the Senator from Iowa contains two changes from the paragraph in existing law and as reported from the Finance Committee. First, it proposes to assess the duties upon the wool contained in these articles, which is an entire revolution and destruction of the wool tariff duties. If we are going to assess the duties upon wool contained in these different articles, we might as well abolish the wool schedule entirely.

The second proposition of the Senator from Iowa is that no duty shall be assessed at over 100 per cent ad valorem. This amendment has been always offered whenever the wool schedule has been before Congress for consideration. Our friends upon the other side have always placed great reliance upon a proposition of this kind.

The duties upon wool sometimes in the nature of things amount to much more than 100 per cent ad valorem. That is inevitable. As I stated the other night, in suggestions upon another subject, with a specific duty on first-class wool of 11 cents, and going up gradually for washed and scoured wools, many times the duty levied for the protection of the American woolgrower is more than 100 per cent ad valorem, and in cases like that, of course, it is necessary that there should be a compensatory duty which is greater than that which is imposed upon the wool. There are very few cases of this kind in any event, but if we should undertake to adopt this proposed paragraph as it stands woolen goods would be imported into the United States instead of wool.

We have had experience of that kind several times in our history. In 1883 and in 1894, by an improper adjustment between the wools and woolens, all the wools were imported into the United States in the form of wool goods, and the woolgrowers of the country were relegated to a condition which I will not undertake to describe, but which the Senator from Montana [Mr. CARTER] described this morning in very eloquent terms.

No; this amendment is only another disguise for breaking down the wool and woolen paragraphs by the use of terms which look well upon their face, but which are in effect destructive of the wool tariff.

Mr. CLAPP. The Senator from Iowa has repeatedly stated to the Senate that it is possible to measure this duty by the amount of wool that is contained in the article. Do I understand the Senator from Rhode Island to say that that is not a fact?

Mr. ALDRICH. I say, practically, that it is not a fact.

Mr. CLAPP. Why practically?

Mr. ALDRICH. Because you can not undertake in a completed fabric to so dissect it as to find out just what amount of wool is in it. In the first place, you can not tell what the character of the wool is, whether wool of the first class, second class, or third class. There is no chemical process which can tell the difference between the fibers in the various classes of

wool. It will be impossible beyond that to tell the precise character. How are you going to find out about it? We would have to have in every custom-house in the United States a chemical laboratory, and not only a chemical laboratory in the ordinary sense, but a chemical laboratory to take into consideration not every invoice of woolen goods, but every piece of woolen goods which comes into the United States, because one piece might contain 90 per cent, the next piece might contain 78 per cent, and the next piece might contain 60 per cent of wool.

I remember perfectly well the proposition which was made in the Senate in 1897 which the Senator from Iowa has alluded to. I was not here when the thing was done, but I remember that we discussed in the committee scores of times that very proposition. There was not a man then in the Senate, I mean sitting on this side of the Chamber and anxious to have protective duties levied on wool and woolens, who did not agree that it was absolutely impossible to undertake by a chemical examination of the various cloths what was the actual amount of wool contained in them.

This wool and woolen schedule is very elaborate. The Senator says we ought to take it up in conference. It is a very elaborate schedule. It has been considered for years. It has been agreed to on all hands. The Senator from Iowa must be as certain as I am that the conference committee between the two Houses is not going to take up this question with a view to its adjustment according to new lines. That would be impossible, unless we propose to stay here for six months.

I am quite willing that the body to whom we propose to refer these matters in the amendment to the maximum and minimum provisions shall take up the question of the conditions between these competing countries or of these industries. I should be very glad to have those people take up this question of whether any legislation on the wool and woolen duties is necessary; but I am absolutely as certain as that I stand here that, whenever a readjustment is made, if it ever is made, it can not be made upon the suggestion that as to goods imported into the United States the rate is going to be fixed by reference to the amount of wool contained in any of those articles. In the case of goods brought into the United States, articles of wearing apparel for instance, how is a customs officer to take a cloak or a dress or any of those things and cut out a piece for examination by chemical analysis in order to show the actual percentage of wool? Then, how is anybody going to know whether that wool is of one class or another, whether it shall pay the duty of 7 cents a pound or 12 cents a pound? The whole scheme is as impracticable as it is possible for any proposition to be.

Mr. CLAPP. Mr. President, the Senator from Rhode Island combines two propositions in one. I assume that the customs officers have got to know what the class of woolen goods may be under this bill as it is now framed.

Mr. ALDRICH. Oh, no.

Mr. CLAPP. The Senator from Iowa [Mr. DOLLIVER] says that twelve years ago this was not a practicable proposition, but that in the advance in this matter to-day, it has become practicable. I have sat here, Mr. President, for a couple of days and have listened to the arguments made by the Senator from Iowa and the Senator from Wisconsin [Mr. LA FOLLETTE] yesterday, and I must say that it seems to me that they have not been answered. It does seem to me that some recognition should be made of the arguments and illustrations offered in criticism of this schedule. I have asked a question, and it does not yet seem to me that the Senator from Rhode Island has given a sufficient answer why a duty should not be collected on the wool itself.

Mr. ALDRICH. Mr. President, if the Senator wants the evidence of anyone, I can bring him thousands of people who are engaged practically in the manufacture of these goods, and they will all tell him just what I tell him and just what the Senator from Utah [Mr. SMOOT], who is a practical manufacturer, has told him, that it is utterly impracticable. You might as well discard the whole wool tariff if you are going to change the basis of it in this way.

Mr. CLAPP. Mr. President, I have heard several propositions here. I heard the proposition on mercerized cotton, a proposition that placed the duty some several hundred times above the possible addition to one grade of mercerized cotton. I sat in this Chamber and heard the answer made that there was no remedy for that. I do believe that there is a remedy for these inequalities, but I am not going to take the time of the Senate now to discuss them.

The Senator from Rhode Island says that 100 per cent is not high enough; that that would force the importation of the goods, instead of the wool, into the country.

Mr. ALDRICH. I say it might.

Mr. CLAPP. The Senator from Rhode Island says it might. I want to ask him if the illustration he made that those woolen goods came in over a tariff wall of 100 per cent——

Mr. ALDRICH. No.

Mr. CLAPP. Well, what is proposed here is to place the limit at 100 per cent.

Mr. SMOOT. I will give the Senator a concrete case——

Mr. ALDRICH. Just one word, and then I shall be very glad to yield.

Mr. President, this question of adjustment between wool and woolens has been before Congress as an active, live question since 1867 on the present basis. The best men who were ever in this body, or in any other, have considered this question very carefully, and have considered every aspect of it from top to bottom. The present law is based upon the act which Mr. McKinley introduced in the House of Representatives, and which became a law in 1890. The present law was framed and reported to the House of Representatives by Governor Dingley; and I think there was no man who has ever had a seat in either House of Congress who pursued his investigations upon questions of this kind with more intelligence and more conscientious care for the interests of the Government and the interests of the people of the United States than did Governor Dingley. Mr. Allison, who sat in this Chamber, gave months and months to the consideration of this case. Has there been any newly discovered wisdom and virtue in regard to this matter; have there been any new experts brought here or suggested in reference to this matter, that the judgment of these men should be overthrown upon the mere say so of anybody? I think not.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Montana?

Mr. ALDRICH. I yield to the Senator from Montana.

Mr. CARTER. Undoubtedly the 100 per cent proposed as the total duty on the imported cloth is necessary as a protection to the woolgrower of this country.

Mr. ALDRICH. That is true.

Mr. DOLLIVER. But, Mr. President, the duties now collected in a specific form, reduced to their equivalent ad valorem, are less than 60 per cent.

Mr. CARTER. Mr. President, it is a question merely of valuation which classifies. I think it will appear as a fact capable of demonstration that the average cost to our competitors of producing wool is more than 11 cents per pound, and at anything less than 16 cents a pound the American woolgrower must go out of business. Even at 16 cents per pound he can not continue his investment unless totally disregarding profits upon it and depreciation as well.

Mr. WARREN. Right along the line of the remarks made by the Senator from Rhode Island [Mr. ALDRICH], who has just taken his seat, I have a few facts here which may throw some light upon the subject; but before I go into figures, I want to say that this matter has been tried both ways in tariff laws. In 1816 the tariff was placed upon manufactures in which wool was "the article of chief value," but in the other tariff laws the duty has always been put upon the fabric of which "wool was a component part," it mattered not whether it was 1 per cent, 50 per cent, or 100 per cent. That was done, in my judgment, for two reasons—not only to protect the grower of wool, but also to protect the consumers and laborers of this country. For instance, if an article came in here that had 5 per cent of wool and 95 per cent of substitutes, possibly substitutes upon which there was no duty, it came in practically free; it would be just that much manufactured in another country coming in against the manufacturers and laborers of this country and taking away just that much labor. So that it is maintained that what is put in here is not entirely a compensation for the wool which is in it, but is largely to protect the workingmen and the workingwomen in this country. We have had some trial of that heretofore.

I now go back to the official figures for 1880. That was before the change of the tariff of 1883, which was made against, as it seems it proved to be against, the interest of the manufacturers. As they were in dull business, or out of business, it reacted upon the woolgrowers and affected them also. These two industries suffered alike. I will give the official figures.

In 1880 we imported of raw wool—good, pure stock that could be made up into clothing—128,131,747 pounds. During that same period we imported only $33,911,093 worth of woolen goods. It only amounted to that much of the woolen manufactures. All of the balance for our consumption was manufactured at home. That period of success in both lines went on until the legislation of 1883, which went into effect in 1884. Of course I am skipping that date because we have not the census

figures; but we took the census again in 1890. It will be understood that while ten years passed, three of them would have been in favor of my contention of increased use of raw wool and decreased use of manufactured woolen cloth in our imports, as against seven the other way. So it is fair to presume that whatever benefits or losses occurred would be the result of about three or four years' gain and six or seven years' loss, one deducted from the other.

Now, we will proceed to sheep. On January 1, 1884, we had 50,626,626 sheep. That was the time when the 1883 tariff went into effect. On January 1, 1894—and I take that period because it was before the disastrous effect of the Wilson law, and therefore any losses occurring in that period must have been, if on account of any tariff regulation, on account of that tariff of 1883, which went into effect in 1884—from 50,626,626 sheep we went down to 45,048,017, showing a decrease in sheep of more than five and a half million head.

As I said before, that is really the destruction of seven years of bad times, caused by bad legislation, less three years of good, which makes a very great loss, even if you apply it to the whole ten years; but a still greater loss if applied to the portion left after the subtraction, giving an equivalent of four years net.

I will say that in 1880, just before this, we had in this country 2,330 woolen manufacturing establishments, all doing a fairly prosperous business. The value of their product was $238,085,686.

Now, we will note the result. We used, in round numbers, $33,000,000 worth of imported woolen manufactures and over 128,000,000 pounds of imported raw wool at that time. In 1890, ten years thereafter, the 2,330 woolen manufactories had decreased to 1,693 factories, and the total product of our home manufacture of wool, with all the growth of the country, which should have given us a very large increase, amounted to only $270,527,511, and showed an increase of about 1¼ per cent per year, which is infinitesimal when you compare it with the growth of the population for that time. In the meantime, instead of $33,000,000 worth of imported woolens, we imported over fifty-six and a half million dollars' worth.

When it comes to the importations of wool, which, with the great increase in the manufacture of woolen cloth and the increase in population, ought to have shown a very great result, they had shrunk to 105,431,285 pounds. That shows the effect of permitting manufactures of woolen goods to come in here to the detriment of both the woolgrower and the manufacturer, but more especially to the detriment of the laboring class of people who would find employment in the manufacture of these goods.

The goods might have but one thread of wool, or they might be all cotton; but, at the same time, if we can manufacture the goods here, the whole labor engaged in the manufacture is done by our own citizens and, therefore, adds that much to the wealth of the country.

Mr. BACON. Mr. President, will the Senator from Wyoming permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Georgia?

Mr. WARREN. I do.

Mr. BACON. The Senator speaks about the number of sheep and their diminution along about 1894 and 1895. I want to call the attention of the Senator to the figures for 1903 and 1905. It appears that in 1903 we had 63,964,876 sheep, and that two years thereafter we had only 45,170,423, a decrease of more than 18,000,000. How does the Senator account for that? That was almost ten years after the Wilson bill was passed.

Mr. WARREN. I am very glad the Senator asked that question. The first figures that he read, if he will notice, are not from the census, or mid-census, that occurs every five years between the decennial censuses, but are made up, without any regard to the figures of the census, upon estimates sent in. Such figures merely represent their opinions, while I am quoting from the official figures of the census of the United States.

Mr. CARTER. Mr. President, if the Senator will permit me a moment——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. Yes.

Mr. CARTER. I will state to the Senator from Georgia that which is generally known, and I think he will at once take note of it. The European wool market became thoroughly demoralized in 1902. The lowest price was reached for wool in the European market in 1903 that had ever been reached in the history of the wool market.

The result of that demoralization was the introduction into our markets, notwithstanding our duties, of an excess of European wool for sale at any price, and it was sold in many instances at a very great loss. The Senator will recall the market disturbances that occurred in England beginning with and growing out of the Boer war, the great demand for money, the inability to hold stocks that had accumulated, and the consequent throwing upon the market of the wool that had accumulated. That wool found its way into the American market with the duty paid. If it had not been for our duty at that time there would have been the most ruinous prices in this country ever encountered in the history of the trade.

Mr. BACON. If the Senator will pardon me for just a moment, I want to say that my object in calling attention to it was to illustrate the fact that our friends on the other side of the Chamber, when they are in the wrong, can always find some other reasons for it than those which are to be attributed to the tariff, if it happened to occur during the existence of a protective tariff. They find some reasons other than the tariff for the panic of 1907, although they do not think there could have been any other reason for the panic of 1893 and 1894.

Mr. WARREN. The Senator asked me a question, and I hope he will permit me to answer.

Mr. BACON. I beg the Senator's pardon. I was not responsible for the Senator not having an opportunity to answer.

Mr. WARREN. I have carefully examined the figures as to sheep, and I want to say that if the Senator will look upon a certain page of the report of the Woolen Manufacturers' Association he will find the total given as 38,000,000 at the time the official statistics here give the number at about 54,000,000. Those figures vary greatly; but when you come to examine the matter, you find that the association has taken into consideration only the grown sheep that were sheared and has excluded all the others.

Mr. BACON. If the Senator will permit me right there; he does not think any of those inaccuracies occurred when the census was taken in regard to the number of sheep along about 1894? I suppose the figures are always absolutely accurate then.

Mr. WARREN. If the Senator will allow me to finish, there is another thing in connection with a census of sheep. There is a time when a lamb becomes a sheep, or a calf becomes old enough to count; but those dates have been shifted in the counting of sheep. On the 25th day of December you may ask any farmer how many sheep he has and he will give you the number of grown sheep; but if you ask him after he has separated his flocks, taken his inventory, and arranged his bands for winter, then the lambs have become more than half a year old, and so in counting he puts them into the regular list of sheep.

The Senator will find recorded the differences that I mentioned. There have been times of difference, but when we accept these regular census figures of the United States, taken every decade, we do so with the assurance that they have been taken the same way every time and can be depended upon for each ten-year period.

Mr. BACON. Well, Mr. President, I do not dispute that at all; but I simply want to call attention to the fact that here is a fluctuation, according to these figures, of 18,000,000 sheep, and when that is called to the attention of Senators on the other side, these reasons are given why they are inaccurate; but Senators never recognize any inaccuracy when they hold up the fact that there was a diminution of sheep along about the nineties, after the Wilson bill was passed.

Mr. DOLLIVER. Mr. President, I desire to add a word on both subjects which were previously discussed by the Senator from Rhode Island. The question is whether it is impossible with modern apparatus to report at the custom-house the exact wool contents of a cloth containing wool. The Senator from Rhode Island says it is not. I say to you that it is. Within the last few years we have installed there apparatus by which in more than one way the exact wool contents of a piece of cloth can be determined with accuracy. You can do it without chemicals by merely taking the cloth, removing the wool fibers from a square yard of it, and weighing them; and that is done every day, according to the testimony of Mr. Clark, the expert of the Department of Commerce and Labor engaged in this textile-industry business.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Montana?

Mr. DOLLIVER. Certainly.

Mr. CARTER. Accepting the statement of the Senator, which I hope is correct, and have no doubt it is correct——

Mr. DOLLIVER. The Senator's confidence does not appear to be shared by his colleague from Utah.

Mr. SMOOT. It certainly is not.

Mr. CARTER. I will be glad to have the Senator permit me to finish the question. The Senator now states—and I say I hope it is true, and because of his statement I accept it—that it is possible by a chemical analysis to determine the quantity of wool in a given garment composed of wool and other material.

Assuming that to be true, what could be done in the way of a chemical analysis of the beautiful and tasteful necktie the Senator is now wearing should it appear for assessment at the custom-house? Would you put it through a chemical process, and then offer it for sale?

Mr. DOLLIVER. The present Treasury regulations require these materials to be accompanied by samples from which the character of these goods can be tested, and if they do not now sufficiently do so, it does not require very much ingenuity to require a dress presented here to be accompanied by an authentic sample of the material of which it is composed. In the case of ready-made clothing, however, it is not uncommon to take one suit of clothes and sacrifice it to the good cause of getting the duty accurately assessed.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I wish again to say to the Senator from Iowa that no man living can take a piece of woolen cloth that is manufactured as the great bulk of woolen cloths are manufactured in this country to-day, cut out a sample, pull out the fibers, weigh them, and tell the amount of the wool in a yard.

Mr. CARTER. Or quality.

Mr. DOLLIVER. We are not looking for quality just now.

Mr. SMOOT. I want to say to the Senator that many times flocks, and I mean by "flocks" the shearings from a piece of cloth that has no fiber whatever, is fulled into cassimeres and put upon the back of the cloth to make up the weight.

Mr. DOLLIVER. That can not be accounted for by counting the threads evidently.

Mr. SMOOT. There are no threads in flocks; there is no fiber in flocks.

Mr. DOLLIVER. There must be fiber and thread in a piece of cloth.

Mr. SMOOT. They put it into the cloth to give it weight; it never was woven there; it never was in the thread.

Mr. DOLLIVER. I should be glad if the Senator would wait a moment, as I desire to ask him another question. He can answer both propositions together.

Mr. SMOOT. Very well; I will answer later.

Mr. DOLLIVER. I put into the RECORD this morning the statement made by the textile expert of the Department of Commerce and Labor, who appeared before the Ways and Means Committee of the House, in which he said exactly what I am now saying and told exactly how the business is done. I know that he told the truth, because in the humble office where I have been trying to transact a little good business for the last few weeks I have had the exact machinery and the exact chemicals by which every item of wool in any kind of cloth is almost instantaneously reported by the almost total destruction of all other contents of the cloth.

When I saw that done before me, when I found myself able to take a piece of cloth, partly cotton or other vegetable matter, and destroy absolutely the vegetable fiber, leaving undisturbed the wool fiber in a practically pure condition, I knew that the textile expert of the Department of Commerce and Labor told the truth when he said the custom-house is now equipped with adequate facilities to report with absolute accuracy the wool contained in every cloth that is in question there.

Mr. SMOOT. Mr. President, I want to say to the Senator from Iowa that I know, as well as he or any living man, that the wool fiber of a piece of goods can be determined by a chemical analysis. I have never disputed the question that the wool within the cloth could be tested as against vegetable fiber, and the Senator from Iowa can not say that I have ever said to the contrary; but I do say——

Mr. DOLLIVER. But the Senator's honored colleague from Rhode Island made a very elaborate statement that led people to think in that direction.

Mr. ALDRICH. Mr. President, I said, and I repeat, that it is not practicable to attempt to make such an examination of goods coming into this country as to accurately define what the rates of duty should be.

Mr. SMOOT. Mr. President, yesterday this question was discussed here. I said then that where a piece of cloth was mixed with wool and cotton the chemical test would show the amount of animal fiber and vegetable fiber in it.

Mr. DOLLIVER. No; the chemical test in that case totally destroys the vegetable fiber.

Mr. SMOOT. Then, if it destroys it, what is left will show what was destroyed. That is the only way that it can be shown. I have tested thousands and thousands of pieces of cloth, and I say that no living man can take a piece of cloth and, as the Senator from Iowa stated, by pulling the fiber out and weighing the fiber tell the amount of wool that is contained in a yard of cloth.

Mr. DOLLIVER. Would the Senator from Utah mind answering me a question?

Mr. SMOOT. Let me finish the answer to this question, and then I will answer any other question with pleasure.

As I said, woolen cloths are frequently made heavier by shearings or flocks being sewed in and fulled in the back. They full them in the texture; they are not woven in the cloth. The cloth is fulled from 72 inches to 54 inches, the flocks are fulled in between the threads and become part of the back of the cloth; but as soon as the fibers of the threads are drawn out they drop to the ground, and there is no fiber in flocks. But that is not what we are trying to get at here.

No foreign manufacturer would ever think of importing cloths into this country with cotton in them if they were to be subject to a chemical test. They would use rags, mungo, and waste of the lowest kinds that are of animal fiber, and no chemical test would ever show them. No one could show whether they were 80 per cent wool and 20 per cent animal fiber, consisting of wool waste, or 40 per cent animal fiber and 60 per cent wool. It is impossible for the Senator or anybody else to correctly make such a test.

Mr. DOLLIVER. I am going to ask the privilege of resuming for a minute at this point.

Mr. SMOOT. Of course I do not want to trespass upon the time of the Senator from Iowa, if he objects.

Mr. DOLLIVER. I want the Senator to have a very full opportunity to go into this business, but it has a tendency to obscure the purpose of my remarks.

Mr. SMOOT. Not in the least.

Mr. DOLLIVER. Although I am glad to say it does not have a tendency to refute them. So I will ask to resume and will yield presently.

Mr. SMOOT. May I answer the question of the Senator from Minnesota?

Mr. DOLLIVER. I shall be glad to have the Senator engage in a controversy with the Senator from Minnesota.

Mr. SMOOT. The question that was asked by the Senator from Minnesota as to the 100 per cent amendment of the Senator from Iowa, and also by the Senator from North Dakota, is a fair one, and perhaps upon its face looks absolutely just. But let me call attention to what the result of that might be and would have been in the year 1902 if there had been this limit of 100 per cent, as by the amendment of the Senator from Iowa is put to this section, which means all the wool schedule and would take in all the wool schedule, as the amendment provides. This would be the result: If wool had a duty of 11 cents on it as it has to-day, and the foreign price of wool was 11 cents, then there would be 100 per cent on the wool and not one single solitary cent protection for the manufacturers of goods. What would be the result?

Mr. DOLLIVER. But the 100 per cent stands at the custom-house, and no manufacturer of foreign goods could approach that custom-house without getting ready to pay his 100 per cent on the goods.

Mr. SMOOT. He has an advantage right there, upon the price of the wool, of 100 per cent, and so if it stands there what advantage would it be to the American manufacturer? None whatever. The result would be that instead of shipping wool here, the manufactured articles would come in.

Mr. CLAPP. Does the Senator from Utah contend that under the amendment of the Senator from Iowa woolen goods could be shipped in here by paying a duty equal only to 100 per cent on the price of the wool itself?

Mr. SMOOT. I claim that if wool, as it was in 1902, was down to 11 cents—and I want to say these medium wools were in bond in New York that year for 10½ cents—if that were the case, then there would be no protection whatever for our manufacturers as long as we had 11 cents duty on wool. That is exactly what this amendment would amount to if perchance the wool should drop to that price to-day.

Mr. CLAPP. Suppose wool dropped to any price. Do I understand the Senator to say that the manufacturer of woolen goods under this amendment would have no protection except the 100 per cent on the wool itself?

Mr. SMOOT. If the amendment that the Senator from Iowa has offered was adopted, they would not have.

Mr. CLAPP. That is what we are discussing—the amendment of the Senator from Iowa.

Mr. SMOOT. That is just what I say. If only 100 per cent was upon the wool alone, then the American manufacturer would have no protection upon the manufacture of the goods.

Mr. CLAPP. The Senator has just admitted that the American manufacturer would be protected on his manufactured article by the amendment of the Senator from Iowa, without reference to the 100 per cent on the wool itself.

Mr. SMOOT. No; Mr. President, I never in the world admitted that, but said just to the contrary.

Mr. CLAPP. Then I ask the Senator again if he means that under this amendment, if wool was worth only 11 cents a pound——

Mr. SMOOT. In a foreign country.

Mr. CLAPP. In a foreign country——

Mr. SMOOT. And 22 cents here.

Mr. CLAPP. And cloth was imported into this country worth a dollar a yard, the only duty would be 11 cents, because that would be 100 per cent on the wool. If that is not so, then there is nothing to the argument.

Mr. SMOOT. I say this: If wool in a foreign country was 11 cents, and we had to pay here 22 cents for the same grade of home wool, then that is 100 per cent the manufacturers start out against them in manufacturing as against the foreign competitor.

Mr. CLAPP. In manufacturing foreign wool.

Mr. SMOOT. What is the difference?

Mr. CLAPP. We are protecting the domestic wool.

Mr. SMOOT. What is the difference if the price here is 22 cents for the domestic wool?

Mr. ALDRICH. Does the Senator from Minnesota think it would be desirable so to arrange these duties that the goods would all come in in manufactured form, as they certainly would under his suggestion?

Mr. SMOOT. They certainly would.

Mr. ALDRICH. If the foreign manufacturer buys his wool at 11 cents and the American manufacturer pays 22, and there is not an adequate protection upon the woolen cloth, of course all the wool will come in in manufactured form. That is perfectly obvious.

Mr. CLAPP. Undoubtedly; but that is not the scope of this amendment.

Mr. ALDRICH. Absolutely.

Mr. CLAPP. It can not be.

Mr. ALDRICH. That is my judgment.

Mr. NELSON. Will the Senator from Iowa yield to me for a moment?

Mr. DOLLIVER. Certainly.

Mr. NELSON. As an illustration of the peculiarities of the woolen schedule, I desire to call the attention of the Senator from Iowa—for it is no use to call the attention of anyone else—to paragraph 376 in the bill, which is paragraph 368 of the Dingley law.

Mr. DOLLIVER. To what paragraph does the Senator refer?

Mr. NELSON. Paragraph 376, on page 131, being paragraph 368 of the Dingley Act. That provides, and the law is identical:

On women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character of which the warp consists wholly of cotton or other vegetable material with the remainder of the fabric composed wholly or in part of wool, valued at not exceeding 15 cents per square yard, the duty shall be 7 cents per square yard.

In that case, when a piece of cloth of that kind comes in, they have to determine whether the warp is all cotton or vegetable fiber.

Mr. DOLLIVER. They have; unless the Senator from Utah is there on the spot to convince them it can not be done.

Mr. NELSON. And they have to determine as to the filling, whether there is any wool in it. They have to separate the filling from the warp in that case.

Mr. DOLLIVER. They would be fairly successful in that if they could keep the Senator from Utah away.

Mr. NELSON. I want to call the attention of the Senator from Iowa to a further fact.

Mr. SMOOT. Mr. President——

Mr. NELSON. The Senator from Utah will please rest quietly while I am talking to the Senator from Iowa.

Mr. SMOOT. Oh, yes; I am resting.

Mr. NELSON. I read from Tariff Notes:

Importations of women's and children's dress goods, coat linings, Italian cloths, and similar goods, the warp consisting wholly of cotton or other vegetable material, the remainder of the fabric consisting wholly or in part of wool: Value, $2,950,121.95; duties, $2,959,029.76; ad valorem, 100.

A little over a hundred per cent on a cloth where the warp itself was entirely cotton and where there could not by any possibility have been more wool than just the filling. Would not that amount practically to a duty of 200 per cent, or nearly that, on the wool in the cloth?

Mr. DOLLIVER. It requires a sort of aerial system of navigation to tell exactly what that would amount to.

Mr. ALDRICH. Will the Senator allow me for a moment?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. I suggest to the Senator from Minnesota that the fact that there was $2,900,000 worth of these goods imported, upon which a duty of $2,900,000 was assessed, is the very best evidence in the world that under existing conditions that duty is not excessive.

Mr. DOLLIVER. That importation was an insignificant item compared with the vast item of domestic production within that line of business, as the Senator from Rhode Island well knows.

Mr. ALDRICH. I hope so.

Mr. SMOOT. The intimation, of course, was that the Senator from Utah had in some way denied the fact that a cotton warp could be determined. I never have stated that it could not be determined. I never have stated that wool filling could not be determined. Anybody knows that it can be determined, but that is entirely different from determining the quality as to the woolen thread, whether it is waste wool or pure wool.

Mr. DOLLIVER. The Senator will also do me the credit of saying that I never pretended that there was any process which would report the various grades and values of the wool contained in cloth or anything else, except the wool fiber itself. That is all I have contended for, and I am anxious to have these duties, which purport to be compensatory to the people who have lost money by reason of buying American wool, assessed upon the basis of the wool content of the cloth, for the very purpose of avoiding appearance of humbuggery and deception as well as extortion that is involved in the situation in which we now live.

That has another advantage. As I said the other day, this inability to sort the character of cloths, classifying the wool-fiber content in it, makes this bill as I propose to amend it practically as high as the Senate bill, so far as goods are concerned actually of wool and not taking into account the character of the wool. This simply undertakes to prevent the assessment of the wool compensatory duty upon cotton cloth.

Mr. SMOOT. In further evidence of what the Senator from Rhode Island said in relation to every piece of cloth being tested—and it would require the testing of every piece of cloth—I want to say that I have made cassimere for one clothing manufacturer with 15 per cent of cotton, and have made exactly the same identical pattern of cassimere with all wool in it. The price was different, but no one on earth could tell the difference from looking at the cloth, and no one could tell without testing it by a chemical test. Therefore any foreign manufacturer could have a hundred looms running, and he could have half of them running on all-wool goods and the other half on the goods with 20 or 25 per cent of cotton. Those goods could be shipped in the same identical bale, and unless they were tested, and every piece of them tested, no one would know or could tell whether it was all wool or whether it was part cotton.

Mr. DOLLIVER. Does not the Senator know that only 1 package out of 10 imported is sampled and examined now in the appraiser's department, and if that package is found to correspond to the invoice the consignment is passed by the customs officials as correct? Is not that taken as conclusive?

Mr. SMOOT. Yes; if——

Mr. DOLLIVER. If all the packages of imported goods were sampled and examined, no building could be put up in New York large enough to accommodate the transaction which the Senator seems to think is necessary in connection with imported merchandise.

Mr. SMOOT. The Senator had better reverse that, and say that would be the case if his amendment were accepted here. I am perfectly aware of the fact that under the present law the administration of goods entering here is such that one sample of goods out of a case or bale is sufficient; but if the Senator's amendment was accepted here every piece would have to be tested, and there would not be buildings enough, as he says, in New York for the purpose.

Mr. DOLLIVER. On the contrary, a very simple Treasury regulation, such as I shall offer in a moment as an amendment, would make it just as simple to assess these woolens upon this basis as to tell whether silk is gummed or ungummed.

Mr. BEVERIDGE. Will the Senator from Iowa allow me to ask a question of the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The Senator gave an illustration from his own business a moment ago, in which he said he had made a piece of cloth; what was it?

Mr. SMOOT. Cassimere.

Mr. BEVERIDGE. Which had 15 per cent of wool in it.

Mr. SMOOT. Oh, no; of cotton.

Mr. BEVERIDGE. Cotton; and then another one of exactly the same pattern of all wool. Is that correct?

Mr. SMOOT. All wool.

Mr. BEVERIDGE. Yet the Senator had the benefit of the compensatory duty on the one containing 15 per cent of cotton, precisely as on the one containing all wool. Is that correct?

Mr. SMOOT. I am very glad——

Mr. BEVERIDGE. No; I am going to follow it by another question.

Mr. SMOOT. It is not correct from the very fact that I stated, when I stated the circumstance, that I sold for less money the goods containing 15 per cent of cotton than the goods of all wool. Therefore I did not take advantage of the compensatory duty.

Mr. BEVERIDGE. The compensatory duty, as I understand, is based upon the supposition that there are about 4 pounds of wool in 1 pound of cloth. Is that correct?

Mr. SMOOT. That is correct as a supposition, but sometimes it takes more than that.

Mr. BEVERIDGE. Pardon me until I ask a question. Then I will ask the Senator from Rhode Island one perhaps.

Mr. ALDRICH. I will be glad to answer the Senator's question.

Mr. BEVERIDGE. I know, but the illustration that the Senator from Utah gave is a little bit troublesome. Both of these pieces of cloth, both of which were supposed, so far as the theory of the compensatory duty is concerned, to be all wool, were operated on precisely alike by the compensatory duty, if they were operated on at all. There is plainly 15 per cent of error, to put it very mildly and kindly; and does not the Senator from Utah think that something ought to be done to correct such a situation?

Mr. SMOOT. I want to say to the Senator that he is wrong again when he says——

Mr. BEVERIDGE. If I am wrong, I am taking the Senator's own statement.

Mr. SMOOT. And the Senator will acknowledge it. He says there is a difference there of 15 per cent.

Mr. BEVERIDGE. You said that.

Mr. SMOOT. Oh, no. There was 15 per cent of cotton in the piece of goods. Yet it took just as much work——

Mr. BEVERIDGE. I am not talking about work.

Mr. SMOOT. It was finished just in the same way; it was pressed in the same press; and there was upon it all the work that it took to make the all-wool piece of goods.

Mr. BEVERIDGE. But the compensatory duty is not based upon the work or the press or anything else. It is based upon the amount of wool, and the Senator said he made one piece of cassimere that contained 15 per cent of cotton and the rest wool, and another one of precisely the same pattern that contained no cotton and all wool. There was, on the Senator's statement, a discrepancy of 15 per cent, and yet the compensatory duty, which is based upon the supposition that the piece contains all wool, operates on both alike.

Mr. SMOOT. If they were sold at the same price——

Mr. BEVERIDGE. It operates regardless of the selling or the work or the labor or any of the rest of the elements the Senator has spoken of, because it is based upon the matter of wool.

As a matter of fact, since the Senator from Utah will not answer it, I will ask the Senator from Rhode Island a question.

Mr. ALDRICH. I will be very glad to answer.

Mr. BEVERIDGE. It was in my mind a moment ago. I listened to his argument, demonstrating to his satisfaction that the proposition was objectionable because it was not practicable to test how much wool was in a piece of cloth. But the Senator from Iowa immediately followed that by a statement that he had seen the operation under his own eyes. He further followed that by the statement that at present the method is to require—or it could be done—an examination of a sample of the various goods that come in. I ask the Senator from Rhode Island this question: Assuming that this method is practicable, does not the Senator think it would be better to have the compensatory duty based upon the actual amount of wool in a piece of cloth, instead of upon the incorrect assumption that it is all wool, when it is not? I ask that question upon the assumption that it is practicable to do so.

Mr. ALDRICH. The Senator from Indiana evidently has not read this schedule, or perhaps any paragraphs in it, if he supposes that the compensatory duty in all these paragraphs, as applicable to all kinds of woolen goods, is four times the amount of the duty put upon first-class wool.

Mr. BEVERIDGE. Oh, no.

Mr. ALDRICH. What does the Senator think is the compensatory duty as fixed in the different paragraphs? Will the Senator explain that?

Mr. BEVERIDGE. I wish the Senator would not get away from my question by bringing up here something else.

Mr. ALDRICH. I will not.

Mr. BEVERIDGE. I listened to the Senator's very plausible statement that the chief objection to the method as proposed by the Senator from Iowa was that it was not practicable, for various reasons which he advanced. That was followed immediately by the statement of the Senator from Iowa that he had actually seen the process before his own eyes, and therefore he personally knew it could be done. So my question is confined to this: If the Senator from Rhode Island should happen to be incorrect about its not being practicable, and if the Senator from Iowa is correct in saying it is practicable, would it not be a fairer thing, a better thing? The Senator can answer that yes or no, or as he pleases.

Mr. ALDRICH. The compensatory duties in this schedule are graduated according to the percentage of wool which is probably in the cloth. To use the illustration which the Senator from Utah has used, a cloth which had 85 per cent of wool pays a different compensatory duty from a cloth which has 15 per cent of wool, according to the value of the cloth. These provisions in regard to compensatory duties are very complex in their character. They have been figured accurately as to the value of the goods. There are scores of compensatory duties in these various paragraphs, if the Senator from Indiana would take the time to examine them. This idea that 4 pounds of wool would apply in all cases is very misleading.

Mr. CLAPP. Mr. President——

Mr. ALDRICH. It applies to only a very small percentage of the importations; and in the other paragraphs the percentages are fixed according to the value of the goods, and the value of the goods is regulated by the amount of wool in it. These goods which contain 15 per cent of wool and 85 per cent of cotton would probably pay 20 cents a yard difference. Some of these goods pay only 7 cents a yard and others 44 cents compensatory duty. The compensatory duty runs, as I have just stated, from 7 cents to 44 cents to the yard, and that difference in compensatory duty is fixed by the value of the goods, and the value of the goods is fixed by the percentage of wool in almost all these cases.

The Senator from Indiana will see that if we adopt a new scale of compensatory duties, the whole schedule has to be turned upside down and adjusted according to this new schedule, because the value of the goods is not dependent entirely upon the proportion of wool that it contains. That might be the very worst test of the value of the goods. For instance, as the Senator from Utah has suggested, it might in one case be composed of flocks, of waste, or of any kind of material which is of the lowest possible value, and in another case it might be composed of all first-class wool. I say again, a test dependent only upon the proportion of wool to the entire fabric would be extremely misleading.

Now, beyond that, the value of these goods depends upon the other materials as well as upon the wool contained in them. They might be silk, for instance. A cloth might be composed of wool and silk—of a mixture of wool and silk—when the silk itself would be more valuable than the wool—three or four times, four or five, eight or ten times as valuable as the wool. To undertake to fix the compensatory duty upon that single element of all these elements which go into the values of these various cloths would be most unreasonable and most inaccurate—that is, if we want to assess these duties as we should, with a spirit of fairness over the entire scale.

The proposition of the Senator from Iowa turns the whole woolen schedule into chaos and confusion, and I venture to say that no expert in the world could within the next three weeks or the next three months undertake to readjust this schedule along the lines which the Senator from Iowa has suggested.

Now I yield to the Senator from Minnesota.

Mr. CLAPP. I certainly do not mean to question the purpose of any Senator, but it does so happen that whenever we ask a question we never can get the attempt at an answer directed to the question itself. It may not be wise to base the woolen schedule upon the wool itself, but I take it that the compensatory duty on woolen goods is measured in relation to the wool and not in relation to the cotton. The Senator from Utah stated yesterday a piece of goods which might be called "woolen goods" might have a percentage of cotton in it and yet be just as valuable as though that percentage of cotton was in fact wool. If that is true——

Mr. SMOOT. Wool waste.

Mr. CLAPP. Wool waste. I do not care what you call it. If that is true, then the Senator from Indiana is absolutely right—that if two pieces of goods were of the same value, and one of them contained 15 per cent of cotton, the compensatory duty protecting both of those pieces of goods would be absolutely the same amount, although one of them had only 85 per cent of wool.

I am not discussing at this time the wisdom of this. I am discussing the question of the Senator from Indiana, and I say again, he is absolutely right. If the prices of the two pieces of goods are the same, though one of those pieces may have 25 or even 50 per cent of cotton in it, in the woolen schedule it is protected and compensated by the same identical compensatory duty as though every fiber was wool.

Mr. ALDRICH. Will the Senator permit me to ask him a question? Suppose there are two fabrics, one containing 75 per cent of pure wool, clean wool, and the other containing 75 per cent of rags. Does the Senator think they ought to pay the same compensatory duty?

Mr. CLAPP. I do not.

Mr. ALDRICH. That is the whole question.

Mr. CLAPP. But I do think the compensatory duty levied in the woolen schedule should be limited to the wool and not apply to cotton.

Mr. ALDRICH. That is exactly what this schedule does and always has, by levying twice in one case the amount of duty upon first class, two and a half times in another case, three in another, and four in another, all based upon the idea that a certain percentage of wool appears in these fabrics. The whole schedule has been arranged precisely upon that basis.

Mr. CLAPP. With reference to the value of the goods, not with reference to the proportion of wool in them.

Mr. ALDRICH. Because the value of the goods——

Mr. CLAPP. Admit that——

Mr. ALDRICH. Because the value of the goods is the only test which experience has shown could be applied. That is the reason.

Mr. CLAPP. It is the only test that has heretofore been applied.

Mr. ALDRICH. It is the only test that now can be applied.

Mr. CLAPP. That may be, but nevertheless the Senator from Indiana and myself are correct when we say that under this woolen schedule a compensatory duty based on wool may apply to goods made in part of cotton, and pay the same duty if that piece of goods happened to be of the same value of another piece made entirely of wool.

Mr. ALDRICH. That is undoubtedly true. That is always true of any specific duty which covers a wide range of goods and a certain range of value. It must always apply unequally. There is nobody here who denies that or doubts it. Of course you can not make a specific rate unless you want to have thousands and thousands of items in these schedules. You can not make a specific rate of duty which would apply to every piece of cloth that was imported. You must have certain provisions as to value and as to the character of the goods. Under the present law the test of value is the test of the proportion of wool contained, and I say that is the only practical test that can possibly be applied.

Mr. BEVERIDGE. Mr. President, just one word further. In the illustration given by the Senator from Minnesota, two pieces of goods of equal value, one containing 50 per cent wool and the other 100 per cent waste or anything, no matter what it consists of, are subjected to the same compensatory duty, and does it not amount practically to just that much more duty upon such cotton as may be in it? Is it not an additional protection to cotton, under the guise of wool, when cotton has already been protected highly?

Mr. ALDRICH. The Senator from Indiana is taking a practically impossible case. Suppose it were possible, which could not be true——

Mr. BEVERIDGE. Suppose it possible; something else might happen.

Mr. ALDRICH. Let me suggest to the Senator from Indiana why it is not possible. If one cloth contains 85 per cent cotton and 15 per cent wool, and another cloth contains 15 per cent wool and 85 per cent cotton, the value would not be the same, and could not possibly be. That is out of the question. So the Senator is speaking about a case which never could arise.

Mr. BEVERIDGE. Then, will the Senator answer a hypothetical case, although it is based upon the direct statement of the Senator from Iowa? Suppose there are two pieces. One of them contains a certain per cent of cotton, the other a certain per cent of what you call waste—wool waste. Does it not follow that you give the cotton the full protection in addition?

Mr. ALDRICH. If the fabric was composed in part of cotton and in part of wool waste, those facts would fix the value high enough, the foreign value as well as the domestic value, and it would be assessed for duty in proportion to that value, at a rate based upon that value. That is the only test, I say again, that can possibly be applied.

Mr. BEVERIDGE. So we are all agreed, so far as this class goes, that the compensatory duty depends, after all, on the amount of cotton. The cotton is determined by the price. The price therefore is the test as to the amount of cotton in it, and the purpose in determining the compensatory duty according to the price is to determine how much cotton there is in it. Now, that being the case——

Mr. ALDRICH. That does not follow at all.

Mr. BEVERIDGE. Did not the Senator say that?

Mr. ALDRICH. It might be cotton or anything else.

Mr. BEVERIDGE. I meant to say that the amount of wool was determined by the price. The price is the test as to the amount of wool.

Mr. ALDRICH. The Senator should have put the proposition the other way. The wool determines the price, not the price the wool.

Mr. BEVERIDGE. Very well; it is a question of testing the amount of wool in a piece of goods, which is determined by the price. So it reduces itself to the fact that the only test is the amount of wool which is in the piece of goods on which what we are trying to determine is the price. Now, the question, it seems to me, is whether that is the best and the most accurate test. The Senator from Iowa says that the exact amount of wool in the piece of goods can be scientifically determined. If that should be true, if that is practicable, would not that be the better and more just method, because it must be apparent even to an uninstructed man, and I confess I am one, that the price could not accurately measure the amount of wool? It has been demonstrated here by exact figures——

Mr. ALDRICH. The Senator is mistaken on two points. In the first place, it is not possible practically to determine with such——

Mr. BEVERIDGE. The Senator from Iowa said he had seen it under his own eyes.

Mr. ALDRICH. Everything can be done in a laboratory if you have time and space enough.

Mr. BEVERIDGE. I understand the Senator will not answer the suppositious question, which is based on the direct statement of the Senator from Iowa.

Mr. ALDRICH. I will answer it in a moment. I say in the first place this method of assessing duties is not practical; and if it were practical, I will say that, if the proportion of wool contained should be shown by a chemical test, it is not an accurate test of the value of the goods, and can not be in the nature of things. Seventy-five per cent of waste or 75 per cent of pure wool would be assessed at the same duty, and that certainly is not just or accurate or proper as a basis for the collection of duties.

So, if even the Senator's first contention was correct, and I say it is not, his last contention would fall, because it does not afford an accurate test of the value of the goods.

Mr. McLAURIN. Mr. President, on Tuesday last, the 8th of this month, the Senator from Idaho [Mr. HEYBURN] made a statement that shortly before that time the price of wool had dropped from 21 to 12 cents a pound. I asked the innocent question whether the Wilson tariff law had anything to do with causing that drop. I think it was a very pertinent question, for the reason that everything that has happened wrong in this Government since 1892 has been attributed by the Republican party to the Wilson tariff law, which was enacted on the 28th day of August, 1894. The senior Senator from Wyoming [Mr. WARREN] offered to answer that question by saying that wool, during the existence of the Wilson tariff act, was sold in his State at from 4½ to 6 cents a pound. I did not think that that was relevant to the question that I propounded. I do not suppose that the Senator from Wyoming thought so. But that was the best that could be answered.

I have here the prices of wool, given in the American Wool and Cotton Reporter for January 2, 1896, which was a part of the time when the Wilson tariff law was in effect, and it does not show that in Wyoming any wool was as low as 4½ or 6 cents a pound; but the lowest was from 7 to 9 cents a pound.

Mr. WARREN. Will the Senator permit me?

Mr. McLAURIN. Certainly.

Mr. WARREN. Are the prices given there the prices in Wyoming or the prices on the market?

Mr. McLAURIN. Yes, sir; and the prices all over the country.

Mr. WARREN. The Senator may rely upon the Wool and Cotton Reporter, but I will produce, if he will give me time, certificate after certificate showing the exact amount of money received from an exact amount of wool; and in some places it went down as low as between 4 and 5 cents a pound to the grower, loaded on the cars, for the entire clip.

Mr. McLAURIN. Of course there may have been straggling instances of a very inferior grade of wool that went down as low as 4½ cents, but this American Wool and Cotton Reporter published——

Mr. WARREN. Mr. President——

Mr. McLAURIN. In one moment. It is published by Frank P. Bennett & Co., of Boston, Mass., and is considered an authority.

Mr. WARREN. By the Senator from Mississippi. But would he put a published price-current list from a Boston newspaper against the accounts of sale in actual transactions in Wyoming?

Mr. McLAURIN. I think it is an authority all over this country. It certainly is not a free-trade journal. It is a protective journal and protective people edit and publish it.

Mr. WARREN. At present; but let me say to the Senator——

Mr. McLAURIN. At that time.

Mr. WARREN. Yes. Let me say to the Senator, first, that I have seen the Wool and Cotton Reporter probably almost since its first issue came out. I know the gentleman he speaks of well, and I have known him for many years. I know something of the wool market. I want to say to the Senator, without any reflection upon Mr. Bennett or his paper, the Cotton and Wool Reporter, that clips which sold for less than 5 cents during the time mentioned have since been contracted for on the sheep's back at as high as 24 cents.

Mr. McLAURIN. I can hardly understand how those clips that were sold for 6 and 7 cents could have been contracted for afterwards on the sheep's back. But, aside from that——

Mr. WARREN. The Senator evades the question.

Mr. McLAURIN. I am not begging the question.

Mr. WARREN. He understands what I meant. A clip for the year 1907 would be loaded on the cars and perhaps bring 5 cents a pound, or even less. The clip from the same sheep the following year might bring an entirely different figure, and it would be the same clip, in the way we speak of such matters.

Mr. McLAURIN. Yes, Mr. President. Here is the American Wool and Cotton Reporter, devoted exclusively to this business, in Boston, Mass.; 530 Atlantic avenue, I believe, is where they do business. This book gives the price of these articles every year. It is a paper that is edited, and it gives the price every year; and here is the price that is given as the lowest price in Wyoming in 1896. There is one article of wool here as low as 7 to 9 cents, another from 8 to 11 cents, and another from 10 to 12 cents in the State of Wyoming. The lowest that is given is burred and defective wool in the State of California, that is from 6 to 7 cents. There is wool here that is quoted as high as 17 to 18 cents in the States of Texas and Georgia.

I do not desire to take up the time of the Senate, but I ask to insert this in the RECORD without reading it. It will give the prices of these wools, and I think that even the Senator from Wyoming may rely upon it.

Mr. WARREN. Mr. President, it may be that I shall have to go to Boston and to some building on Atlantic avenue to find out what the prices of wool have been in Wyoming, but I want to say to the Senator that the prices of wool in Wyoming have been as I stated. While most of those men who were compelled to take 5 and 6 cents were so ashamed of such a low price that they might hesitate about producing their vouchers, I can, nevertheless, show invoice after invoice, return after return of accounts of sales from men who do business along the same avenue, Atlantic avenue, in Boston, in proof of the low prices I have indicated, and which will show that the figures the Senator is now asking us to accept as the rule in Wyoming are totally and absolutely wide of the facts, so far as prices of Wyoming wool in Wyoming are concerned. But, Mr. President, the price of Wyoming wool in Boston would, of course, show 2½ to 4 cents increase, on account of transportation, commission, and other charges, the railroad freight alone costing 2¼ to 2½ cents per pound.

Mr. McLAURIN. I was just wondering how high the Senator from Wyoming would be to have to go down to the seventh story of a building in Boston.

Mr. WARREN. It depends upon how low down I would have to go to get to the low price of wool.

Mr. McLAURIN. I am not in favor of free wool; I favor a revenue tariff on wool; but I am not in favor of a tariff on manufactured goods and then a tariff on wool, and then adding another tariff to the manufacturer to compensate him for the privilege that he gives to the Congress of the United States to tax wool. That is what is meant by a compensatory duty.

Mr. WARREN. I have no doubt but that the Senator legislates always as honestly as it is possible for the Senator from Wyoming or any other Senator in this body to legislate.

Mr. McLAURIN. These are statistics that I think are reliable. I ask unanimous consent to insert them in the RECORD without reading them.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, the request of the Senator from Mississippi will be complied with.

The matter referred to is as follows:

Quotations of leading grades of wool in the seaboard markets.

[From the American Wool and Cotton Reporter, January 2, 1896.]

	Cents.
WASHED CLOTHING FLEECES.	
Ohio, Pennsylvania, and West Virginia XX and above	19 -20
Ohio, Pennsylvania, and West Virginia X	17½-18
Ohio, Pennsylvania, and West Virginia No. 1	21 -22
No. 1, ⅜ combing	22 -23
Ohio, Pennsylvania, and West Virginia No. 2	22
Ohio, Pennsylvania, and West Virginia coarse	22
Michigan, Wisconsin, and New York X and above	16 -17
Michigan, Wisconsin, and New York No. 1	20 -21
No. 1, ⅜ bleached, combing	21 -22
Michigan, Wisconsin, and New York No. 2	21 -22
Michigan, Wisconsin, and New York coarse	21 -22
WASHED COMBING AND DELAINE.	
Fine delaine, Ohio and Pennsylvania	20 -21
Fine delaine, Michigan and Wisconsin	18 -19
No. 1 combing, ⅜ and ½ bleached	22 -23
No. 2 combing, ½ bleached	22 -23
Coarse combing, brushed	21 -22
UNWASHED COMBING.	
¼ blood	17 -18
Kentucky, Indiana, and similar wool, ⅜ and ½	18 -19
Illinois, Missouri, and Wisconsin	17 -18
Coarse, braid	17 -18
UNWASHED LIGHT AND BRIGHT.	
Ohio and Pennsylvania fine, unmercerized	15
Michigan and New York fine, unmercerized	13 -14
Ohio and Pennsylvania fine, unwashed	14
Michigan and New York fine, unwashed	12 -13
¼ blood unwashed	16 -17
Kentucky, Indiana, and similar wools, ⅜ and ½ bleached	17 -18
Illinois, Missouri, and Wisconsin	16 -17
Coarse, unwashed	15 -16
Bucks	9 -10
TEXAS, GEORGIA, AND LAKE.	
Spring, 12 months, choice	12 -13
Spring, average	11 -12
Spring, 6 to 8 months	10 -11
Fall choice	10 -11
Fall average	9 -10
Georgia and lake	18 -19
CALIFORNIA.	
Northern spring, free	12 -15
Middle country, spring	11 -12
Southern spring	9 -10
Burry and defective	6 - 7
Free fall, northern	11
Free fall, southern	10
Defective, fall	6 - 7
OREGON.	
Eastern Oregon, choice	12 -13
Eastern Oregon, average	10 -11
Eastern Oregon, heavy	9 -10
Valley Oregon, No. 1	13
Valley Oregon, No. 2	15
Valley Oregon, No. 3	15
TERRITORY.	
Idaho fine	10 -11
Idaho fine, medium	11 -12
Idaho medium	12 -13
Kansas fine and fine medium	11 -12
Kansas medium	14
Wyoming fine	7 - 9
Wyoming fine, medium	8 -11
Wyoming medium	10 -12
Utah fine	10 -11
Utah fine, medium	12 -13
Utah medium	14 -15
Dakota fine	11 -12
Dakota fine, medium	12 -13
Dakota medium	14 -15
Montana fine, choice	12 -13
Montana fine, average	11 -12
Montana fine, choice medium	13 -14
Montana fine, medium average	12 -13
Montana medium, choice	14 -15
Montana medium, average	13 -14
Montana low	15
Washington fine	8 -10

	Cents.
Washington fine, medium	10 -11
Washington medium	11 -12
Colorado fine	9 -11
Colorado fine, medium	10 -12
Colorado medium	12 -13
Colorado coarse	10 -12
Southern Colorado and New Mexico, unimproved	12½-14
Southern Colorado and New Mexico, improved	13 -16
ARIZONA.	
Heavy clips	8 - 9
Average clips	11
Strictly choice	13
WESTERN AND ORDINARY PULLED, SCOURED.	
Extra and fine A	32 -33
A lambs	30 -31
B lambs	26 -27
C lambs	20 -23
No. 2	15 -18
Combing, nominal	28 -30
CHOICE BRUSHED, SCOURED.	
Extra and fine A	34 -36
A lambs	31 -32
B lambs	28 -29
C lambs	23 -25
Combing, nominal	29 -30
Fine combing, nominal	32 -33
California finest	33 -35
California second	30 -32
California defective	20 -30
FOREIGN.	
Australian:	
Combing, choice	21 -24
Combing, good	19 -21
Crossbreds	22 -24
Clothing	18 -20
Choicest clothing	21 -24
Cape and Natal	14 -16
Montevideo	15 -16
South American, pulled	27 -29
English coarse	24 -26
English ¼ to ⅜	25
Canadian combed, fleece	25 -26
Canadian combed, pulled	26 -27

Mr. NELSON. Mr. President, I rise for only a moment to say that it strikes me that the most unique argument advanced against any amendment to this bill is the argument advanced by the Senator from Rhode Island. In substance it is that the wool schedule is of such a complicated character that you ought not to change it in any particular, because that would involve a revision of the whole schedule.

Mr. President, I was foolish enough to believe when this session of Congress met that we were to revise the tariff, and if there was any one schedule in the whole tariff bill that needed revision it was the woolen schedule. The cotton schedule is a very complicated schedule, but perhaps not as much as the woolen schedule. Yet the Senator from Rhode Island found no difficulty in advancing and changing the duties in the cotton schedule. I think if the Finance Committee had given their attention to the wool schedule they could have had an opportunity, and the Senate would have given them an opportunity, to consider that schedule. It will not do to come in and say that this schedule is so complicated, so artistic, so artificial, that to meddle with it in any particular now would involve a revision of that schedule, and we have not time to go into that work now; that it should be done at some future time. There is always a future time in the eyes of some people when we attempt to make reforms. They are always postponing the work of reform. So here we have been told in reference to the woolen schedule: "To be sure there may be incongruities in it, but it is too late to do anything now; we will have to postpone it to some other time."

Now, that, it seems to me, is not such a revision of the tariff as the Republican party contemplated and assured the people of the country of in the last campaign.

Mr. HEYBURN. Mr. President, I have only a word or two to say in response to the suggestions of the Senator from Mississippi [Mr. McLAURIN]. The statements which I made as to the price of wool and sheep were based upon my own personal knowledge and not taken from any trade journal. I know what was offered for wool at the period to which I referred in 1896. I saw 2,000,000 pounds of wool at Mountain Home, in Idaho—and I can give the specific facts—that were under shelter waiting for a market, and I saw the wool buyer who was there for the purpose of securing the wool. I talked with him. I saw a number of wool owners who live there. I saw the proprietor of the warehouse in which the wool was sheltered. I gained my knowledge from those people. The best offer for that wool, which was a high-grade wool, was 6 cents a pound. I made personal inquiry in order that I might know facts from the original party. The parties at Mountain Home did not sell it for 6 cents a pound, but that was the best offer they got. I spoke to them that night and I told them to hold on to their wool, that the Republican party was coming into power and that conditions would be restored under which their wool would be worth a great deal more. So far as those people were concerned they did not sell the wool.

I went to Caldwell, in the State of Idaho, on the line of the road, and I saw practically the same conditions, with approximately the same quantities of wool. I saw those men in conversation with the would-be purchaser. I knew him and talked to him and talked to the men, and I gave them the same advice, and there was a great deal of that wool that was held over until the price had advanced and the people were able to market it. There were some people who were so situated, financially, that they could not carry their wool over, and they sold it for what they could get. Some borrowed enough money upon the wool to enable them to carry it. But the picture I gave the day before yesterday in regard to the conditions of the wool market there was not taken from any Boston trade journal.

Mr. WARREN obtained the floor.

Mr. McLAURIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Mississippi?

Mr. WARREN. Certainly.

Mr. McLAURIN. If the Senator from Wyoming has the floor I will wait until he gets through. I wish to make one or two remarks in reference to what was said by the Senator from Idaho.

Mr. WARREN. If the Senator wishes, I will yield now.

Mr. McLAURIN. I just want to say that the Senator from Idaho has been late in giving us this disquisition on the wool market in his State during the time of the Wilson law. He did not undertake to do that day before yesterday when this matter was up. That which brought out the controversy was this language of the Senator from Idaho:

> I saw wool not very long ago drop from 21 cents to 12 cents.

Now, that is what was said by the Senator with reference——

Mr. HEYBURN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. McLAURIN. Just wait a moment. After a colloquy had occurred between the Senator from Wyoming and me, the Senator from Idaho said:

> I will call his attention to figures, however, which have been handed to me. In 1896, 38,298,183 sheep sold for $65,167,735; that is, they were averaged at that; and in the year of grace 1907, 55,240,282 sheep had a value of $204,210,129. A mere inspection of the figures is sufficient.

That is what he said.

Mr. HEYBURN. That was eleven years after the period——

Mr. McLAURIN. That is all right; but the point I want to make is that the Senator has given his testimony as to the price of wool during the time of the existence of the Wilson law. That testimony he did not give day before yesterday, and I guess it ought to be closed out, because it is not in rebuttal, and he ought to have put in all of his direct evidence in his case.

Mr. HEYBURN. Will the Senator permit me at that point?

Mr. McLAURIN. Certainly.

Mr. HEYBURN. The price to which I referred, which was in 1907, was double the price that wool was at the lowest point under the Wilson law.

Mr. McLAURIN. Now, Mr. President, the Senator from Idaho in his statement is correct as far as he knows anything about it in his State, in his neighborhood; but in opposition to his information and his knowledge about it I put on record the American Wool and Cotton Reporter——

Mr. HEYBURN. If the Senator will permit me just a moment, the price to which wool fell under the financial disturbance of nearly two years ago was the result of the financial condition of the country at that short period of time, but it revived so quickly after the Republican party had readjusted the finances of the country and brought about the change that probably a very small quantity of wool, if any, was sold at that reduced price.

Mr. McLAURIN. I should like to ask the Senator from Idaho if he meant two years ago during the panic when he said it dropped not long ago from 21 to 12 cents?

Mr. HEYBURN. I referred to a period two years ago or thereabouts.

Mr. McLAURIN. As I understood the Senator day before yesterday, the remedy was applied overnight, and the whole trouble was cured the next morning.

Mr. HEYBURN. I was speaking within the range of the liberty of speech. I was demonstrating a position, illustrating a point, and the language was sufficiently applicable. So I do not feel called upon to state how many days or hours we were considering the financial measure.

Mr. WARREN. Mr. President——

Mr. McLAURIN. With the Senator's permission, I will yield in just a moment. I should like to ask the Senator from Iowa if wool remained at the price of 12 cents until the rearrangement by the Republican party of the financial laws of the country?

Mr. HEYBURN. It did not happen to be at a time of the year when wool was being sold. The wool had been marketed at a very much better price, from 16½ to 18½ cents, which is always a good price for wool.

Mr. WARREN. I will say to the Senator, the minimum in one case was in the neighborhood of 4 or 5 cents during the panic and advanced to 8, 9, 11, 12, or whatever the statement made by the Senator, according to the class of wool and where it was.

Mr. HEYBURN. While I used 1906, it was true in 1905 and it was true all the time that the Wilson-Gorman law was in force. I do not mean those exact figures, but as the market became exhausted or drained the price of wool went down; the herds had decreased, and there was nothing to bring it up until the absolute assurance contained in the duty provided by the Dingley law, which brought confidence to investment, confidence to the owners, and confidence to the purchasers of the product.

Mr. McLAURIN. Does the Senator understand that the Wilson law was in force in 1905 or 1906?

Mr. HEYBURN. The Senator from Mississippi, I know, does not intend to draw schoolmaster lines. Of course that was an inadvertence of speech. We were speaking all the time of when the Wilson-Gorman law was in effect, which was in 1894–95, and since, and until the Republicans changed it in 1897.

Mr. McLAURIN. I thought the Senator just a while ago was speaking of the time of the panic of 1907.

Mr. HEYBURN. I do not think the Senator's mind is at all confused as between those periods or as to the application of my remarks to the respective periods.

Mr. McLAURIN. The Senator's mind is not confused. It is a matter of the confusion of language by the Senator from Idaho.

Mr. WARREN. I have observed with no particular apprehension the system of reform which prevails here. I am a friend of reform. I am myself a reformer. The reform my friend the Senator from Iowa seeks to effect is one that I hope he will be successful in demonstrating; that is, this test of wool and woolens was easily made here in the Senate from the testimony of a Senator, but it is very difficult practically.

I will be glad to join the Senator when that time shall come when those who have practical knowledge of the subject can accept his theory; but it seems to me, Mr. President, that we ought to be guided somewhat by experience at all times, and certainly if we are about to effect a radical reform.

Now, if I shall give no offense to certain Senators present, and there are none whom I respect more, I may say that, regarding this proposed test, "I am from Missouri, and I have got to be shown." I go back to the experience of this country in the various tariff laws; I have searched them carefully, and they go back as far as 1790. After trial, up to 1816, the tariff law of that year was fixed to apply to such materials as we are now discussing under this amendment, as "manufactures of which wool is the material of chief value." We had long years of trial under that, and in 1824 the tariff read "of which wool is a component part." We have gone on, tariff law after tariff law; we have followed that along, and our friends on the other side, to whom I hope I give no offense, in their tariff law of 1894 made it read the same way, notwithstanding the same law made wool absolutely free. They were so certain that the tests ought to be applied in the way of assessing the duty on manufactured goods, where wool was a component part, that they used the same language respecting this particular section. All the other sections applied the same way to cloth that was made of part wool; in other words, they assessed the same duty upon an article in which wool was a component part, whether it was 1 per cent or 99 per cent wool.

So I say to my esteemed friend from Iowa—whom I expect to follow some time when he has got his reform sufficiently complete so that we may possibly swallow it—that I would rather trust to the Nation's experience that has been passed along to us, and been tried satisfactorily by both parties. I would rather wait until we have got more than the approval of one Senator, to whom some specialist has been able to demonstrate in the Senator's committee room that it is possible to determine under some circumstances whether certain goods contain a bit of wool or a bit of cotton or some substitute.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Iowa [Mr. DOLLIVER], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JONES (when the name of Mr. PILES was called). My colleague [Mr. PILES] is paired for the remainder of the day with the junior Senator from South Carolina [Mr. SMITH].

The roll call was concluded.

Mr. LODGE (after having voted in the negative). I ask if the Senator from Georgia [Mr. CLAY], with whom I am paired, has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. LODGE. Having a general pair with that Senator, I withdraw my vote.

Mr. WARREN (after having voted in the negative). I ask if the Senator from Mississippi [Mr. MONEY] has voted.

The PRESIDENT pro tempore. The Chair is informed that the Senator from Mississippi has not voted.

Mr. WARREN. I wish an arrangement made, so that he may stand paired with the Senator from Oregon [Mr. BOURNE] for the remainder of the day. I say that, of course, in case the Senator remains away from the Chamber, as I understand he has left for the day.

The result was announced—yeas 32, nays 43, as follows:

YEAS—32.

Bacon	Culberson	Hughes	Owen
Bankhead	Cummins	Johnston, Ala.	Paynter
Beveridge	Davis	La Follette	Rayner
Bristow	Dolliver	McLaurin	Simmons
Brown	Fletcher	Martin	Smith, Md.
Burkett	Foster	Nelson	Stone
Chamberlain	Frazier	Newlands	Taliaferro
Clapp	Gore	Overman	Taylor

NAYS—43.

Aldrich	Crane	Gamble	Penrose
Borah	Crawford	Guggenheim	Perkins
Bradley	Cullom	Heyburn	Root
Brandegee	Curtis	Johnson, N. Dak.	Scott
Briggs	Depew	Jones	Smith, Mich.
Bulkeley	Dick	Kean	Smoot
Burnham	Dillingham	McCumber	Stephenson
Burrows	Dixon	McEnery	Sutherland
Burton	du Pont	Nixon	Warner
Carter	Flint	Oliver	Warren
Clark, Wyo.	Gallinger	Page	

NOT VOTING—16.

Bailey	Daniel	Lodge	Shively
Bourne,	Elkins	Money	Smith, S. C.
Clarke, Ark.	Frye	Piles	Tillman
Clay	Hale	Richardson	Wetmore

So Mr. DOLLIVER's amendment was rejected.

Mr. DOLLIVER. Mr. President, I desire to offer an amendment on page 135, line 12.

Mr. ALDRICH. I ask that the pending paragraph may first be agreed to.

The PRESIDENT pro tempore. In the absence of objection, the paragraph is agreed to.

Mr. DOLLIVER. The amendment which I offer is an extra paragraph. I shall not ask to have it read, as it is administrative in character, and calculated to throw some light upon amendments that have previously been voted upon, which, but for the appearance of this amendment in the RECORD, might be a little obscure. As I have said, I shall not even ask to have it read.

The PRESIDENT pro tempore. In the absence of objection, the proposed amendment will be printed in the RECORD.

The amendment referred to is as follows:

Page 135, after line 12, insert the following:

"3913. All invoices of manufactured or partly manufactured articles subject to duty under this schedule shall specify separately the quantity of wool contained in every such article, and duty shall not be assessed upon a less quantity of wool than so stated in the invoice, and any such article concerning which the invoice does not specify the quantity of wool shall be assessed as if composed wholly of wool. This schedule shall take effect ninety days after the passage of this act, and until that time Schedule K of the act approved July 24, 1897, entitled 'An act to provide revenue for the Government and to encourage the industries of the United States,' shall remain in full force and effect."

Mr. DOLLIVER. Now, Mr. President, I desire to return to paragraph 370, with a view of offering an amendment to that paragraph.

Mr. ALDRICH. It will be necessary to ask for a reconsideration of the vote by which that paragraph was adopted; and I ask that the vote be reconsidered, for the purpose of allowing the Senator from Iowa [Mr. DOLLIVER] to offer his amendment.

Mr. BURKETT. It seems to me that the amendment proposed by the Senator from Iowa [Mr. DOLLIVER] should be acted upon one way or the other.

Mr. DOLLIVER. Mr. President, I do not desire to have anything more done with the amendment than to have it printed in the RECORD.

The PRESIDENT pro tempore. Is there objection to reconsidering the vote by which paragraph 370 was agreed to? The Chair hears none. The amendment proposed by the Senator from Iowa to that paragraph will be stated.

The SECRETARY. At the end of the paragraph it is proposed to strike out the period and in lieu thereof to insert a colon and the following proviso:

Provided, That in no event shall the duty on any of the foregoing articles in paragraphs 368, 369, or 370 exceed 60 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire to say that those paragraphs are the ones which assess the duties upon by-products of worsted manufacture, what are commonly called "wool extracts" and "wool wastes." One of the most pathetic complaints made to me—and I confess that it has touched my sympathies considerably—is the fact that the framework of our duties on wool is such that only the wools of the lighter shrinkage can be imported, thereby excluding a large part of the woolen-manufacturing interests of the United States from the right to participate in the foreign wool market, and leaving them to supplement the shortage of their home supply for manufacturing purposes by buying where they can noils and these various forms of wastes and wool extracts. They claim that the men who make these wastes are the men who are competing with them for the privilege of selling goods in this market.

They say, with a force that has greatly impressed me, that the law ought not to leave them to be dealt with on the extortionate terms of those who are interested in a business which, according to many statements that have been made here, has in some way practically extinguished the profits of the carded woolen manufactures, the knit-goods manufactures, and other of the more humble forms of woolen-goods manufactures in the United States. They say—and I stand ready to make their statements good—that the rates which we have fixed on these wastes, or some of them, rise to an incredible equivalent ad valorem percentage. They are willing to pay as much on these wastes as the equivalent ad valorem which people are called upon to pay on wool, but they do not like to be compelled to buy of their competitors the necessary materials of their craft protected by a rate higher than we have been accustomed to assess on wool itself.

Consequently, I have drawn that little amendment, attaching it to paragraph 370, and providing that these wool wastes shall be assessed just exactly as this bill assesses them, but that none of the articles mentioned in these paragraphs shall, in the aggregate, bear a duty in excess of 60 per cent. That equalizes them and places that level of charge and assessment high enough adequately to protect all interests and to deliver them, so they say, out of the hands of their adversaries.

Mr. CARTER. Mr. President, the Senator might just as well extend his amendment to include all the wool of all the farms and ranches of the United States as to include only these so-called "wastes." It must be remembered that these wastes are a product of scoured wool, superior to the scoured wool itself, except as to noils.

Mr. DOLLIVER. And rags.

Mr. CARTER. The rags of the world we do not desire to invite into the market or into the clothing of the people of the United States.

Mr. President, the Senator's amendment does not apply to rags exclusively. It takes in quantities of wool advanced in the cost of manufacture beyond the scoured stage, and reduces the duty of 11 cents a pound on wool of the first class in certain market conditions to less than 5 cents per pound alleged protection. That reduction would bring us to a point in the wool-growing industry in this country which would be no better than free trade in wool, because the one would destroy the flocks as quickly as the other.

Mr. DOLLIVER. Mr. President, what the Senator from Montana says would be true if the facts back of his statement could be verified; but the truth is that the equivalent ad valorem upon wool is now 45 per cent—not more, and possibly less—and it would be a godsend to States like Montana and Wyoming if they could be sure that they would have 45 per cent on the value of their wool standing all the time between them and the foreign imports of wool into the United States. But I can demonstrate that this simple scheme of wool assessment takes away from the good people in Montana and Wyoming what it appears to give them, and that in reality I would be conferring a blessing upon Montana if I could secure to every sheep husbandman there an authentic, bona fide ad valorem of 45 per cent on the wool that enters the market of the United States. I do not desire to mix that question up, although if the Senator from Montana desires, I will offer another amendment and ask that they be considered together. It might embarrass me if they were both adopted; but they might as well die peacefully in the same transaction. [Laughter.]

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Add at the same place the following proviso:

Provided, That in no case shall the duty upon wools, wool wastes, noils, or any of the foregoing articles in the previous paragraphs of this schedule exceed 60 per cent ad valorem.

Mr. ALDRICH. Mr. President, the representatives of the woolgrowers have always believed that an indirect attack, through wool duties, upon noils and similar products would be fatal to the wool duties, and I agree with them.

Mr. BACON. I should like to inquire of the Senator from Iowa if I am correct in understanding that the maximum which he puts upon wool, according to his own statement, exceeds the present duty on wool by 15 per cent?

Mr. DOLLIVER. It does; but it is the maximum. I do not desire to interfere with the actual wool duties that are collected.

Mr. BACON. Is it 15 per cent in excess?

Mr. DOLLIVER. That is the maximum. I am trying to equalize the duties. We have got here on wools at a given rate an equivalent ad valorem of 45 per cent, and yet in the same bill the wool wastes cast up, many of them, in the process of manufacture are assessed at a higher rate than the assessment upon wool itself.

Mr. SMOOT. Mr. President, I desire to call attention to the fact that if the price of wool should drop in a foreign country to 15 cents, under a maximum ad valorem duty of 60 per cent a pound, we would only have a duty of 9 cents on wool, instead of 11 cents; and when wool is low is the very time that the woolgrower wants his protection. I certainly hope that the amendment will not be adopted.

Mr. DOLLIVER. I ask for the yeas and nays on the first amendment. I shall not press the second.

Mr. OWEN. Before the yeas and nays are taken I should like to submit a table giving the actual market value of wool from 1885 to 1907, as compiled by Messrs. Mauger and Avery, of New York. I submit this table for the purpose of showing, in connection with the argument made against the suggestions which I submitted in regard to the relative cost of labor to the gross product in the matter of woolen yarns and blankets, that the value of wool has not changed in such a way as to make any substantial difference in the relation of the labor cost toward the gross product of the material; in other words, the cost of wool which has been washed was, in 1898, 29 cents for fine wool and 34 cents in 1907, a change of 5 cents a pound only. The tables of Carroll D. Wright were made up as of 1898 and were printed in 1897, so that his figures on the cost of materials will show a comparatively small variation in the price of wool in 1898 and 1897.

I submit also a table of labor cost, showing that the increased labor cost to 1906, as far as the tables are brought up, was a little more than the increase in the price of wool. So that the ratio submitted by Carroll D. Wright's tables will not be modified in any degree whatever by the change in the price of wool as compared with the change in the labor cost.

The PRESIDENT pro tempore. In the absence of objection, the tables will be printed as requested.

The tables referred to follow.

Market value of wool, 1885 to 1907.

NO. 193.—FINE, MEDIUM, AND COARSE WASHED CLOTHING OHIO FLEECE WOOL IN THE EASTERN MARKETS: PRICES AT THE BEGINNING OF JANUARY, APRIL, JULY, AND OCTOBER, 1885 TO 1907.

[Data furnished by Messrs. Mauger & Avery, New York.]

Year.	January.			April.			July.			October.		
	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1885	34	33	29	32	32	28	32	31	28	33	35	32
1886	35	36	32	33	34	30	33	33	29	35	38	34
1887	33	38	34	33	37	33	34	37	34	32	36	34
1888	31	35	33	31	34	33	29	33	31	31	34	31
1889	34	38	33	33	37	31	33	39	32	33	37	31
1890	33	37	29	32	36	29	33	37	29	33	37	31
1891	33	37	31	32	37	31	31	35	29	31	35	30
1892	30	35	31	29	34	31	28	34	30	29	33	29
1893	29	33	29	30	32	31	24	26	25	23	24	21
1894	23	24	21	21	23	20	20	21	18	19	21	19
1895	17½	20	19	16½	20	18	18	21	19	18	21	19
1896	19	21½	19	19	21	18	17	18	17	18	19	18
1897	19	21	19	21	22½	20	21½	23½	21	27	29	25
1898	29	30	26	29	29½	25½	28	29	24½	33½	30	24½
1899	26½	29	24	25½	28	24	29	31½	27	31	33½	29
1900	35	36½	31½	32½	35½	30½	28½	31½	27½	26½	28½	26½
1901	27	29	26	25	27	24½	25	26	22	25	26½	23
1902	25½	26½	24	25	26½	24	26	26½	25	28	28½	25½
1903	30	31	27	29½	30½	26	31½	31½	27	32	31½	28
1904	32½	32½	29½	33½	32½	29½	32½	32½	30½	32½	33½	31½
1905	34	35	36	34	36	36	36	39	36	35	35	34
1906	34	38	36	34	38	36	33	37	36	34	38	33
1907	34	39	36	34	38	36	34	36	35	35	38	34

NOTE BY MESSRS. MAUGER & AVERY.—This table exhibits in a concise form the prices of the three grades of a standard domestic fleece wool in the seaboard markets at the beginning of each quarter. In its present shape it is deemed to be intelligible to all interested in wool. In the special features of character and condition, "washed Ohio fleece wool" is less subject to variation than any other description, and thus is more a basis of value than any other class. Wool, owing to its wide variety, difference in character and condition, and liability to shrink in cleaning, is precluded from speculative operations which apply to products which may be dealt in as "futures." For these reasons the prices of wool are not liable to the same changes as cotton, wheat, etc.

Wages and hours of labor.

NO. 109.—WAGES AND HOURS OF LABOR: PER CENT OF INCREASE (+) OR DECREASE (—) IN 1906, AS COMPARED WITH PREVIOUS YEARS, IN EMPLOYEES, HOURS PER WEEK, WAGES PER HOUR, FULL-TIME WEEKLY EARNINGS PER EMPLOYEE, RETAIL PRICES OF FOOD, AND PURCHASING POWER OF HOURLY WAGES AND OF FULL-TIME WEEKLY EARNINGS PER EMPLOYEE, MEASURED BY RETAIL PRICES OF FOOD, 1890 TO 1906.

[From reports of the Bureau of Labor, Department of Commerce and Labor. Computed from the relative figures shown on page 210.]

Calendar year.	Per cent of increase (+) or decrease (—) in 1906 as compared with previous years.						
						Purchasing power, measured by retail prices of food, of—	
	Employees.	Hours per week.	Wages per hour.	Full-time weekly earnings per employee.	Retail prices of food, weighted according to family consumption.	Hourly wages.	Full-time weekly earnings per employee.
Average 1890-1899	+42.9	—4.6	+24.2	+18.5	+15.7	+ 7.3	+2.4
1890	+50.7	—5.3	+23.8	+17.3	+13.0	+ 9.6	+3.9
1891	+46.9	—5.1	+23.8	+17.6	+11.5	+11.1	+5.5
1892	+44.1	—5.1	+23.2	+17.0	+13.5	+ 8.5	+3.0
1893	+43.8	—4.9	+23.1	+17.1	+10.8	+11.1	+5.7
1894	+51.9	—4.4	+20.9	+21.3	+16.0	+ 9.3	+4.5
1895	+48.2	—4.7	+26.3	+20.4	+18.3	+ 6.8	+1.8
1896	+44.9	—4.4	+24.6	+19.1	+21.2	+ 2.8	—1.7
1897	+41.6	—4.2	+24.7	+19.5	+20.1	+ 3.8	— .6
1898	+34.3	—4.3	+24.0	+18.6	+17.2	+ 5.7	+1.2
1899	+27.5	—3.8	+21.8	+17.1	+16.3	+ 4.7	+ .7
1900	+23.0	—3.3	+17.7	+13.8	+14.4	+ 2.8	— .6
1901	+20.0	—2.8	+15.0	+11.9	+10.0	+ 4.5	+1.7
1902	+15.6	—2.0	+10.7	+ 8.5	+ 4.3	+ 6.0	+4.0
1903	+13.0	—1.2	+ 6.8	+ 5.5	+ 4.9	+ 1.8	+ .6
1904	+13.7	— .5	+ 6.2	+ 5.8	+ 3.6	+ 2.5	+2.0
1905	+ 7.0	— .5	+ 4.5	+ 3.9	+ 2.9	+ 1.4	+1.0

The PRESIDENT pro tempore. On the pending amendment the Senator from Iowa [Mr. DOLLIVER] has demanded the yeas and nays.

Mr. DOLLIVER. Mr. President, before the yeas and nays are taken I desire to say another word, which I overlooked. This amendment does not propose to fix any rate; it fixes a maximum rate, beyond which the assessment shall not go. In many cases the specific rate as reported by the Senate committee will be less than this maximum rate; but in the case of the cheaper varieties of noils and many varieties of these wastes, if we allowed the specific rate to stand at 10 cents, as the Senate committee has fixed it, the equivalent ad valorem would be something fabulous and very oppressive to these good people. Therefore I merely include this maximum limitation, so that in the calculation of these specific assessments, when they rise above 60 per cent, these two lines that I put in will stop it there, thereby not only reducing it somewhat, but equalizing it throughout the schedule.

Now, I want to say another word——

Mr. BACON. Before the Senator passes from that, the point he was on, I wish to know if I understand him correctly. I understand the Senator now to say that, while the 60 per cent maximum does exceed by 15 per cent the average of the duties on wool, there are some duties collected under the specifics which rise above 60 per cent. Am I correct in that?

Mr. DOLLIVER. I will say to the Senator from Georgia that the amendment upon which the vote is about to be taken does not allude to wool, but is confined entirely to noils and wool by-products.

I would like to have the attention of my friend from Montana [Mr. CARTER]. There has never been an hour in my life that I have not been interested in the prosperity of the section of the country which has been honored for so many years by his public service. I am a frequent visitor there. I have become attached to its people. I have been especially attached to them, because it seemed to me when I first went there that they were making

a hard fight. In those twenty years a great many changes for the better have occurred. Irrigation, increase of population, variety of agricultural pursuits—all these things have combined not only to fill up the country with good people, but to put a great variety of industries upon a sound footing. I have studied their interests, and I shall never cast a vote here that would injure or prejudice that great community between the Rocky Mountains and the ocean, which, within my own lifetime, has taken a distinct place on the commercial and industrial map of the United States.

I want to say to the Senator from Montana, to his colleagues, and to all those who are associated with him in taking care of the interests of that great community, that they are not being taken care of under the tariff act of 1897. On the contrary, in the Senate Chamber within this very week they are being put forward to apologize for impossible propositions. Every representative of the worsted mills has fallen to the rear. Speeches have been made by these great thinkers and students, speeches requiring days and weeks of preparation, and they have not been accorded even the poor compliment of the attendance and attention of men who are using them in this Chamber to defend this historic humbug called "Schedule K" in the tariff laws of the United States.

I want to tell them exactly what has been done to their woolen interests, and I reduced it to writing in the midnight hour last night in order that I might make it brief, and that it might at least get a reading if it does not get a hearing in the Senate of the United States.

The scoured-wool rate of 33 cents per pound is a delusion and deception, for, of course, no wool would be imported in its scoured condition and pay a duty of 33 cents per pound when it can be imported at 11 cents per pound, regardless of its value or shrinkage, which is equivalent to only about 16 to 20 cents per scoured pound. In fact, I am advised by numerous wool experts that on most of the imported wool the duty of 11 cents per grease pound will only amount to about 19 cents per scoured pound, owing to the light shrinkage of the wools imported by the worsted manufacturers. It is manifest, therefore, that, inasmuch as the present duty of 20 cents per pound upon noils is based upon the supposition that a scoured duty of 33 cents per pound is paid, when in fact only about 19 cents is paid, the proper duty on noils should be based upon the actual average duty per scoured pound collected and not upon an imaginary duty. If 20 cents per pound were the proper rate for noils, based on the scoured pound duty of 33 cents per pound, the proper rate for noils, based upon the actual average duty paid per scoured pound of only 18 cents, would be 10 cents per pound.

For many years I have wondered why the sheep industry has been languishing in the United States. I have pored over the statistics, and every now and then I find that twenty years ago we had more sheep than we have now. Every now and then I find a year when the wool production was greater than it is now. I called in experts to advise me, people capable of interpreting wool statistics.

They told me things I feel I ought to communicate to the Senate. They state as a statistical proposition that the wool industry in America, instead of being helped, has been crushed and ruined for practical purposes by this obsolete and nearly forgotten statute of 1867, which has become so sacred in our jurisprudence that nobody dares to look at it and nobody can inquire into it without being ordered out of the party which he has loved and served all the days of his life.

What has become of the sheep of Pennsylvania, of Ohio, of West Virginia, of Virginia, of the Middle West, of Iowa, of Minnesota? What has become of that great industry? It has moved to the West, and you can not even interpret the census statistics about sheep because when you state that the pounds of wool have increased along comes some practical man and says, "Yes; the pounds of wool have increased, because on the sandy areas of the Southwest the wool has accumulated pounds upon pounds of sand that enter into these statistics of the wool product, as produced by the pound, in the United States." I say, for practical purposes——

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. I do.

Mr. WARREN. I take it for granted the Senator, after having so pathetically mentioned here what we all feel a great deal of sorrow over—the disappearance of sheep in the Eastern States and some others—would not willingly remove them from the few States left that can produce them.

Mr. DOLLIVER. I am about to offer an amendment to give an inducement to the return of sheep not only to the West, but to the East.

Mr. WARREN. Furthermore, let me say, the Senator may have better information than I, but I had pretty early information. I know I am an older man than the Senator. I am sure the wools of this country way back many years ago were calculated, so far as they grew here, on an average shrinkage of 66⅔ per cent, and upon that basis this 3 to 1 scoured wool ratio was established. That, taking it altogether to-day, is just about the shrinkage of American wools. Some wools that may be imported skirted and selected may shrink as low as 20 per cent, but there is no regular wool product of any country on earth that is imported here or that can be imported which shrinks very much less than 35 per cent, and from that up to a shrinkage of even more than the shrinkage of wools of this country, which I have mentioned.

I want the Senator to tell me, if he will, whether he has had any delegations of woolgrowers here who insist that we shall submit to some new process of establishing what the ratio shall be through this chemical operation with which the Senator has amused himself during the summer evenings lately?

Mr. DOLLIVER. I have not had delegations here. I have had a good many letters from woolgrowers, and I put into the RECORD of yesterday's proceedings a very intelligent letter by a very bright man, the president of the Woolgrowers' Association of the State of Minnesota. I do not know that I am called upon to produce witnesses here about this matter. I know that the carded-woolen industry is here, by as able manufacturers as ever came into the corridors of this Capitol, asking that certain things be done and certain evils be remedied, and I know that instead of being received kindly, as they should have been received, they have been received with indifference and with affront by the Finance Committee, or, at least, by members of the Finance Committee, as I called to the attention of the Senate the other day in a little colloquy with the Senator from Utah.

They feel not only that they have been denied a hearing, but that they have been denied that respectful consideration which men ought to have whose business is being destroyed by the laws of the United States.

I hold in my hand a letter, which I received not very long ago——

Mr. WARREN. Will the Senator right here allow me to ask him a question regarding the letter which he introduced yesterday, and which he says made complaint? If I correctly heard that letter read, its chief complaint was against allowing importation at lower duty of the very products that the Senator now wishes to come in cheaper, and advocated that they should bear a higher duty.

Mr. DOLLIVER. If my friend understood that to be the complaint of the letter, he shows himself to be a very poor interpreter of correspondence.

Mr. WARREN. The RECORD will show.

Mr. DOLLIVER. I ask the Secretary to read the letter I send to the desk.

The PRESIDENT pro tempore. The Secretary will read as requested.

Mr. DOLLIVER. I want the country to know——

Mr. WARREN. Is this the letter the Senator had read yesterday?

Mr. DOLLIVER. I expect the Senator from Wyoming not to interrupt the serenity of my situation here. It is not the letter of yesterday.

Mr. WARREN. I should like to have it read again.

Mr. DOLLIVER. I should dislike to have it treated with the very poor attention it received yesterday.

Mr. WARREN. I should like to have it read again to determine whether my interpretation or that of the Senator is correct.

Mr. DOLLIVER. Let the Secretary read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

THE LEICESTER AND CONTINENTAL MILLS COMPANY,
Germantown, Philadelphia, June 9, 1909.

Hon. JONATHAN P. DOLLIVER,
United States Senate, Washington, D. C.

DEAR SIR: I desire to commend you for the stand you are taking in the interests of the carded woolen manufacturers, and trust you will be able to do us some good. In reading over the Daily Trade Record of June 9, I notice in your debate in the Senate, when you explained that the carded-wool manufacturers were mad at the Senator from Utah, and that the Senator from Utah stated "If the men reported such a tale, they reported something that never happened." I desire to state that the Senator from Utah is mistaken; the occurrence that you recite did happen, and in my presence, during one of the visitations by the carded woolen manufacturers to the Senate committee. This was in April. The first knock-out blow that we received at that

time came from the senior Senator from Pennsylvania. The writer of this letter asked to see the Senator from Pennsylvania before the manufacturers came before the committee. The Senator came out of the committee room where I met him, and introduced him to Mr. M. D. Ring, who can verify my statement. After introducing myself to the Senator, and also introducing Mr. Ring, I stated my object in appearing before the committee, and asked him to do all he could to help us, stating to him the deplorable condition of the woolen trade (not worsted), and that we needed assistance at the hands of the committee in order to keep our mills running and to make a living. The Senator from Pennsylvania kindly told us, and these are his exact words, "Well, Brown, if you folks can't make a living in the business that you are in, get out of it and go into something else." I replied to the Senator that that was simply impossible without losing all capital and all money that we have been struggling to get together for years, but if they would give us the proper legislation there would be no necessity for us getting out of business, but there would be work not only for the woolen manufacturers, but also for the worsted man.

As for Senator SMOOT, during the meeting in the Senate Finance Committee room he tried to cast every obstruction in our way and prevent us from getting a square hearing, and in fact was reproved by one of the Senators, who said he would like to hear the woolen manufacturers, and requested Mr. SMOOT to keep still a little while so that we could be heard. The Senator from Utah was not quite as blunt as our friend from Pennsylvania, but he did say, "Why do not you do as I intend to do, and that is to put in worsted machinery?" If the Senator could remember all that was said to him he could readily recall my answer to him, which was, that we did not all have as much money as he to do such things, and had to hold on to our woolen machinery, and trust to the assistance of our Representatives to help us in our business.

You will pardon me for trespassing upon your time, but when the Senator from Utah desires to cast reflections on the manufacturers, who have been treated as we were treated, I think it about time that somebody stated the true circumstances of the case. You can use this letter as you wish, as I can back up these statements with witnesses and dates.

Very respectfully, yours, EVERETT H. BROWN.

Mr. DOLLIVER. These complaints and anxieties of a great community of business men in the United States have not alone come to me from Pennsylvania, but from very many States and from nearly every section of the United States. I have had a good many weeks' struggle to make it understood that I am not here as an enemy of the protective tariff. I am not here for the purpose of so framing this measure as to injure American industries. Every word I have uttered, every amendment I have prepared and submitted to the Senate has had for its purpose to give more work, not less, to American workmen, more business to the American people, and to bring back to these industries that have languished under our laws that prosperity and success to which they are entitled under the equal administration of a tariff system.

I ask the Secretary to read this letter, handed to me to-day by the honored senior Senator from Minnesota.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

MANKATO MILLS COMPANY,
Mankato, Minn., April 19, 1909.

Hon. KNUTE NELSON,
Senate Chamber, Washington, D. C.

DEAR SIR: Since the receipt of a copy of the Payne bill we have been studying the woolen schedule, and we are convinced that in its present form it is most unsatisfactory to the carded woolen industry of this country. Apparently the wool schedule in the Payne bill is practically the same as it was in the old Dingley bill, and the injustice of this schedule lies in the fact that a specific duty is placed upon wool without any reference whatever to the shrinkage of wool.

If there must be a duty on wool, and if that duty must be a specific one, then we can not understand why it should not be based upon scoured wool instead of wool in the grease, although there is no question that under the present schedule, as well as the proposed schedule, the worsted manufacturers of this country can certainly have no cause for complaint.

There are no worsted mills in the State of Minnesota that we know of. There are, however, a few woolen mills, and it is in the interest of these mills that we are writing you to-day for the express purpose of showing you the rank injustice that is being done to the carded woolen industry under the old as well as the new proposed tariff.

A specific duty of 11 cents per pound on wool in the grease amounts to a very light tax per scoured pound on wool of light shrinkage. On wool that shrinks only 15 per cent, this 11 cents per pound specific duty is equivalent to 13 cents per scoured pound. This light-shrinkage wool is the wool that the worsted manufacturers use. On the other hand, on wool that shrinks 80 per cent, which is the only wool that can be used in the manufacture of woolen goods, this same specific duty of 11 cents per pound is equal to 55 cents per scoured pound. Do you not see the injustice of this schedule?

The worsted manufacturer is compelled to use long-staple combing wool, and it is these wools that have a very light shrinkage. It is a fact that the very unsatisfactory condition of the carded woolen industry of this country to-day is due, in a large measure, to the absolute unfairness of the present wool schedule. To make matters worse for the carded woolen industry, the present, as well as at the proposed new, tariff imposes a duty on all by-products of the American worsted manufacturer. We refer to noils and worsted waste.

While the new bill proposes a reduction of 2 cents per pound, compared with the old Dingley bill, the duty is still so high as to effectually keep out foreign noils and worsted waste. In our minds, therefore, an 18-cent duty is just as prohibitive as a 20-cent duty on noils and worsted waste.

We would like to see the by-product of worsted manufacturer, mentioned above, put on the free list if possible, and the duty on wool reduced and changed so that heavy shrinkage wools will not be dutiable to as large an extent as light shrinkage wool. On the other hand, so far as a duty on our own product, woolen hosiery, is concerned, we are perfectly willing to see the duty taken off of woolen hosiery manufactured in foreign countries, providing those countries do not impose any duty on woolen hosiery made in the United States.

There is no question but that a most unsatisfactory state of affairs exists to-day in this country so far as the carded woolen industry is concerned. We would be very glad indeed, were such a thing possible, to take the money we have invested in this business and loan it at 5 per cent per annum, rather than continue to run our plant, as with the margin of profit becoming less and less each year, there is apparently very little future for anyone who continues to manufacture woolen goods.

We trust, therefore, that in view of the facts above stated, it will be possible for you to use your influence toward procuring a decided reduction of the duty on noils, worsted waste, etc., and also a readjustment of the wool schedule which will be at least fair to the carded woolen industry of this country.

Yours, very truly, MANKATO MILLS COMPANY,
MUNSON BURTON, *Vice-President.*

Mr. WARREN. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. WARREN. I think the desire of the writer is perfectly plain. He wants free wool, if he can have it, or free noils rather, which amounts to the same thing. Every pound of noils displaces 2 or 3 pounds of wool in grease, according to the shrinkage of the wool, and it is a case where the manufacturer wants his raw material free, either that which comes from his competitor in noils or from the farmers in grease wool. He wishes to make prices on noils and raw wool and yet retain the right to make his own prices upon his own product.

Mr. DOLLIVER. It is not necessary for me to say that I do not accord with the opinion expressed in the letter that noils, or wool either, should be free. That is not the chief matter in the letter. That is a matter of minor consideration. The statement he makes is that the duties are so arranged as to practically exclude his branch of the business from an interest in the foreign market.

Mr. WARREN. It does show he has no consideration for the farmer or the man who raises the sheep.

Mr. DOLLIVER. That far I do not follow him. I stand for both. I want to equalize the situation. I want the farmer adequately protected and the manufacturer adequately protected and the rates so adjusted as to equalize burdens between all classes of people interested in this matter in the United States.

Mr. PENROSE. Will the Senator permit me?

Mr. DOLLIVER. Certainly.

Mr. PENROSE. I ask the Senator whether he would permit me at this time to have read—they are quite short—resolutions of the Manufacturers' Club of Philadelphia?

Mr. DOLLIVER. I do not think they belong in the few remarks I am engaged now in delivering.

Mr. PENROSE. The Senator read a letter from a gentleman in Philadelphia bearing on this matter.

Mr. DOLLIVER. If the Senator desires to——

Mr. PENROSE. I will postpone it until another time. I thought it was pertinent to these remarks.

Mr. DOLLIVER. Let it follow immediately. I know what some of the manufacturers in Philadelphia want; but if they were unanimous in Philadelphia on your side, I would have had a great deal more leisure in the last sixty days.

I desire the Secretary to read a telegram coming to me to-day from a woolen mill in Minnesota.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

MANKATO, MINN., *June 9, 1909.*

Hon. J. P. DOLLIVER,
Senate Chamber, Washington, D. C.:

Your stand on wool schedule, unassailable from every standpoint except to users of imported combing wools, in whose interests we all believe the tariff is designed. It is incredible that any woolgrower could be deluded into belief that his interests and those of manufacturers using foreign wool could be identical, for every pound imported displaces that much American wool to greater extent than shoddy or waste. If they think high tariff so good for them, reverse the position of the worsted and carded manufacturers; let the former enjoy a prohibitory tariff for a while in place of the latter to extent of per cent the carded people now pay, and give carded people per cent the worsted people pay. There will be practical demonstration present tariff has blighted the carded-wool industry and enriched the worsted manufacturers, making luxuries pay less tax than the cheaper grades.

MANKATO MILLS COMPANY.

Mr. DOLLIVER. Mr. President, I have offered an amendment not to make noils and other wool waste free, but to fix a maximum ad valorem upon them, so that these good people who have to use them will not be confronted with a duty that is not only prohibitory, but 15 per cent in excess of the duties which we have assessed upon carded wools.

Mr. CARTER. Mr. President, it would be ungracious in me not to recognize very fully and cordially, as I cheerfully do, the kindly words of the Senator from Iowa on the State of Montana and the people abiding there. I regret, however, that the compliment was followed by the advocacy of an amendment

which would cause the good people of that State to change their occupations about as radically as the Senator from Pennsylvania directed the carded-wool people to do.

The Senator's remarks would leave the Senate with the impression that this amendment merely fixes a maximum for certain rags and waste, products of the tailor shop, the rag-picker, and the worsted manufacturer. If any Senator will turn to the bill and scrutinize the paragraphs embraced in this amendment, he will perceive that the articles thus affected constitute a body of wool superior in quality to wool in the grease, to washed wool, and to scoured wool. Top waste, for instance, which he would have admitted at this reduced rate, is, as I have taken occasion heretofore to allege and now assert again, superior in quality to scoured wool, which is assessed at 33 cents a pound by this bill. It is wholly immaterial to the woolgrower how the duty is reduced if reduced so as to put him out of business.

The remarks of the Senator from Iowa and the letters presented in support of his observations here make it quite manifest that his inspiration, or that his point of view, if you please, upon the wool question is obtained from the manufacturers of so-called "carded woolens." The people engaged in that line of business are entitled to consideration, undoubtedly; they are a worthy body of people; but the Congress can not in any manner, shape, or form stay the tide of changing fashions or the public demand for goods.

In 1867, when the structure of this tariff on wool was framed substantially as it is to-day, 99 per cent of the wool manufactured in the United States was manufactured by the carded-woolen process. To-day, owing to change of fashion and improvement of machinery, the manufacturers by the worsted process have largely driven the carded manufacturers out of the market. The wool crop of the United States, or three-fourths of it, is sold to the worsted manufacturers and about one-fourth to the carded-wool men. The carded manufacturers supplement their purchases of first-class and second-class wool by rags and shoddy and mungo and all kinds of wastes. None of these wastes can be used in the manufacture of what is known as "worsted cloth."

Now it is proposed by the importation of rags and shoddy and high-grade wool at reduced duty, to bring to the rescue of a failing industry the strong arm of the law, not to give equal terms, but to give unequal terms, because the law would be interposed in case this amendment should be adopted to stay the natural tendency of the people of this country to buy the best instead of the worst. The natural desire of the people of the country is to wear goods made of pure wool in the best fashion the manufacturing art has devised rather than to wear clothes made of rags, picked up through the streets of the cities, or the waste products of other manufacturing establishments.

Our people are rather particular in the kind of goods they buy. And let it be understood that the average farmer realizes the difference between a good article and a bad article. Let an individual attempt to sell a poor quality of farm machinery, be it a rake or a thrasher or a mower or a reaper, and he will soon find that the farmer demands the best and the latest pattern.

You can not to-morrow sell at any price a machine, though never used a day, if it is 2 years old in manufacture, because the farmer demands the up-to-date, efficient piece of machinery. It is so with his clothing. The manufacturers of the country who can supply the best will take the market, and the laws of the United States can no more stay that national tendency than they can control the currents of the winds or the movements of the tides.

Mr. President, the manufacturer from Minnesota, quoted by the Senator from Iowa, is a candid man who does not deal in concealment or evasion. What he desires is that these so-called "wastes" shall come in free, and he would go beyond that and have the wool itself free. If that view shall finally be determined to be in harmony with the wish of a majority of the American people, they can so pronounce in due time. But at this time our sailing orders require that we shall protect the farmer and protect the manufacturer; that we shall protect the American producer against the producer of any other country in the world.

Mr. President, I do not question the sincere desire of the Senator from Iowa to do that which is just and right toward the farmer and the sheep grower of the plains, but the natural effect of his action would be entirely at variance with his purpose in this respect.

Mr. DOLLIVER. What does my friend from Montana mean by that? He knows that the present duty on wool reduced to an equivalent ad valorem is 45 per cent. He knows that I have suggested a maximum here for the different by-products of cloth manufacture at 60 per cent. In what possible way could any unfriendly result take place under such a proposition to the good people who are interested in sheep husbandry in Montana?

Mr. CARTER. Top waste and slubbing waste, together with roving waste and garnetted waste, all represent qualities of wool superior to scoured wool.

Mr. DOLLIVER. The quality of wool they represent depends upon the quality of wool out of which they are made.

Mr. CARTER. The original fleece, of course, gives the refined product in scoured wool, but the process of manufacture refines the wool still more.

Mr. DOLLIVER. Exactly; scoured, but the duty on scoured wool is only 33 per cent.

Mr. CARTER. The waste to which the amendment of the Senator is applicable is superior in quality to scoured wool, because the noils are eliminated in the process of carding and combing, and it is of this final refinement of wool that top waste and the other forms of waste mentioned in paragraph 368 is composed.

Mr. DOLLIVER. By what process does the honored Senator from Montana get so excited about top waste, and yet seems placid and calm in the presence of an importation of 24,000,000 pounds of wool of the second class coming into the United States during the current year, at an average scoured assessment on the contents of the fleece of 15 cents a pound?

Mr. CARTER. I shall not divert my contention with the Senator as to his mode of procedure in this transaction.

Mr. WARREN. Will the Senator permit me? The Senator from Iowa does not give the correct facts. I have not the figures for the last month or two, but when he says that for the current year the importation is at the rate of 22,000,000 pounds of second-class wool, he is about 100 per cent or a little more incorrect in his figures.

Mr. CARTER. That is a trifling per cent, as things go here.

Mr. DOLLIVER. The figures for 1907 were 12,000,000 pounds, but when the manufacturers began to come here last winter it indicated a stimulus of that trade to the amount of 2,000,000 pounds a month. If that should continue, it would be 24,000,000 pounds in the year.

Mr. WARREN. I have the figures in my committee room.

Mr. CARTER. Mr. President, I would in the beginning have cooperated with the Senator from Iowa to somewhat better the conditions applicable to second-class wool. I do think now that the bill could be improved in many particulars, but if I had charge of its improvement I would not propose the amendment suggested by the Senator from Iowa, who after all the paragraphs relating to compensatory duties on woolens and the protective duties on wool have been applied has come at the close of the entire proceeding to strike down the woolen duties themselves after the compensatory duties have been agreed to.

Mr. DOLLIVER. I come back because I had hoped to get the other things done. If they had been done, I might not have come back.

Mr. CARTER. Of course, if the other things had been done it would probably not have been necessary to have come back. But the bill has been approved as to all things practically requiring compensatory duties, and now comes the Senator to change the base itself by putting a lid, if you please, upon the woolgrower above which he may not rise regardless of the shifting changes in the market price of wool.

Mr. DOLLIVER. Will the Senator from Montana permit me to make a suggestion at that point?

Mr. CARTER. Certainly.

Mr. DOLLIVER. He said that the act of 1867 was adopted at a time when the carded woolen business occupied the larger field of woolen manufacture, and that is true. But there is one thing that the Senator has overlooked. The few people who are in the worsted manufacturing business seemed to be a little sharper than some of the farmers from Ohio who spoke for the wool raisers' association. This increase was in a far-off period before the time of the Senator from Montana, as he will undoubtedly admit——

Mr. CARTER. Cheerfully admit.

Mr. DOLLIVER (continuing). And while the worsted interest was not very largely represented, the people who did represent it seemed to know more about what was being done than anybody else.

I sought information in all directions to find out how that linotype line happened to be dropped out of the paragraph describing the classes of wool so smoothly that you could hardly recognize its absence. It takes a man of some literary ability, it takes some repeated readings, before he can see that the effect of the language is to introduce these English combing wools washed at exactly the same rate they would pay if unwashed, whereas they pay a duty of 11 cents unwashed, and it is doubled if they are washed.

I asked everybody how that happened. I consulted the oracles, I read in books, I asked every elderly gentleman who looked as though he had ever been in the sheep business, if he knew anything about it. I finally got hold of a venerable man whom you will see sitting yonder in the corner listening to me now—the oldest expert in wool in America, a Philadelphia wool merchant, manufacturer, trader, general manager. Everything about the wool business he knows, and when he came into my office and began to talk with me, I said to myself there is a man who is worth talking to. Among the first things I said to him was, "Mr. Green, do you know anything about how that sentence happened to be dropped out of the tariff act of 1877?" A very benevolent smile came over the face of Mr. Green, and he answered in these words:

Q. Have you ever given any attention to the phraseology of the wool tariff?—A. I have.

Q. There is one thing in this wool tariff that I have not been able to understand—a good many things, in fact, but this one particularly. Why has the language been so arranged as to double the rate on wool of the first class which are washed and at the same time leave the original rate on wools of the second class whether they are washed or not?—A. In 1867 the only wools that were imported into this country of the first class were from the Cape of Good Hope and from South America, the latter called "mestizo." The Cape wool shrank from 60 to 70 per cent; the mestizo shrank from 65 to 75 per cent. That was practically two-thirds. Washed wool was taken then at 20 cents and unwashed wool at 10 cents.

He refers to the assessment upon the varieties of wool.

Q. You refer to the high shrinkage of wools. Now, in the case of the other wools of low shrinkage, the law seems to have made no distinction as to whether they were washed or unwashed?

Now comes the answer:

A. Mr. Edmunds, who was treasurer of the Pacific Mills, at that time the largest worsted mills in the country, said: "This will not do for me. I must use either English or Canadian wools." They are all washed; and while he had a compensatory duty based on unwashed, he succeeded in getting the duty on washed wool the same as had been put on unwashed. His mills were, and are now, located at Lawrence, Mass.

So, while there may not have been very many of these good people present they seem to dominate the situation with a shrewdness and sagacity that has deceived even the elect.

Mr. BAILEY. Will the Senator from Montana permit me?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. Certainly.

Mr. BAILEY. It is obvious that we can not dispose of the wool schedule and at the same time dispose of what might be called the "regular order" to-day, and as a number of Senators want to know what is to be done, I ask unanimous consent that the consideration of the income-tax amendment to the bill, which was fixed for to-day, be fixed for to-morrow as of to-day, or the same as to-day.

Mr. ALDRICH. With the same rights that it would have to-day.

Mr. BAILEY. With precisely the same rights in all respects.

Mr. ALDRICH. I have no objection to its going over to-day, to come up at any time when the Senator calls it up.

The PRESIDENT pro tempore. The Senator from Texas asks that the income-tax amendment may be postponed until to-morrow, having the same rights that it has to-day. Is there objection? The Chair hears none.

Mr. BAILEY. Now, if the Senator will indulge me one moment, I have not wanted to interfere with the consideration and conclusion of this schedule; but as soon as the schedule is completed to-morrow, or if it is concluded this afternoon and to-night, then the first thing to-morrow I will call up the income-tax amendment; if the schedule is not concluded this afternoon or to-night, then as soon as it is completed to-morrow I will call it up.

Mr. CARTER. Mr. President, I shall not detain the Senate on the pending amendment further than to say that the adoption of this amendment will involve a complete recasting of Schedule K. There can be no adjustment at this time on the lines proposed by the Senator from Iowa. This is not a perfect schedule, and I know it; I realize very fully that it can be made more perfect; but, Mr. President, all legislation in the Congress of the United States, as in every parliamentary body in the world, represents but a consensus of opinion, a basis upon which men can actually accommodate their views one to another and abide by a result in order to obtain any result at all.

Mr. BEVERIDGE. Mr. President, will the Senator permit a question?

Mr. CARTER. I will be glad to do so.

Mr. BEVERIDGE. Does the Senator think it desirable that the schedule should be recast, it being defective?

Mr. CARTER. Mr. President, any schedule passed by the combined wisdom of all the experts ever collected together will still be a defective schedule.

Mr. BEVERIDGE. That may be; but my question was whether the Senator thought it would be well to have it recast.

Mr. CARTER. The Senator will permit me to reply to him completely?

Mr. BEVERIDGE. Certainly.

Mr. CARTER. Acknowledging the infirmities of the schedule, predicting that any schedule hereafter made to take its place will be defective from the point of view of some one, we accept this schedule as the best now obtainable, and accept it cheerfully, because under its provisions this great woolen industry has prospered, and its prosperity is sufficient vindication of the wisdom of those who framed the schedule.

Mr. BEVERIDGE. Mr. President, then the Senator's statement amounts in the end to this: That, after all, it is about as good a schedule as human wisdom could get, since the Senator said that any schedule that was constructed by any human wisdom would still be defective. My question merely was, in view of his statement the other day, whether, if it were possible, he thought the schedule could be improved by recasting. I call the Senator's attention to the fact that he has not answered that question, and I would be obliged if he would answer it.

Mr. CARTER. I will be glad to answer the question. I say to the Senator now that I could, by striking out a few lines and inserting a few lines in this wool schedule, make it a more perfect workable schedule from the standpoint of the woolgrower than it now is; but I venture to predict that 20 Senators would rise instanter and announce that there were other people in this country aside from woolgrowers who had some rights within the Congress and under the law. If our friend the manufacturer from Minnesota could have his way, he would put wool and woolens on the free list, and that would be, according to his judgment, a perfect and peaceful way out of this trouble, but it would be death to the woolgrower.

When wool goes to the free list I know that so many fortunes would be lost and so many homes would be ruined in the State I have the honor of representing in part that I would stand on this floor as long as I had the strength to stand here rather than suffer the adoption of any such amendment.

Mr. BEVERIDGE. So would I, Mr. President; but I call the attention of the Senator to the meaning of his words. He said that he himself by changing two or three lines and by striking out two or three lines could improve it from the point of the grower. The Senator from Iowa has demonstrated here with some clearness that he can improve it from the point of view of the manufacturer. Those two statements——

Mr. ALDRICH. I should like to enter a protest against the Senator from Iowa as a representative of the woolen manufacturers.

Mr. BEVERIDGE. He certainly represents some of them. Those two statements show that the schedule could be improved upon. Now, then, if it is true that it is ever to be recast, when will it be recast if not now?

Mr. CARTER. Mr. President——

Mr. BEVERIDGE. And if we are not going to recast it now will not the same legislative situation the Senator suggested the other day meet us then, and thus will the time ever come when it will be recast? We are here now to do this work if it needs to be done.

Just one word more and I will sit down. I will join the Senator with as much earnestness as he about the proposition of being against any free wool. I have entertained that position ever since I was grown and I always shall until I am convinced to the contrary. But I have not heard any amendment here that proposes any such thing as that.

I renew the question as to whether the Senator does not think if the schedule needs improvement and can be improved upon that now is the time to do it; and if now is not the time to do it, will the time ever come, in the Senator's judgment, when the same objection will not be made?

Mr. CARTER. The schedules have been in some measure improved from time to time since 1867. This wool schedule from the woolgrowers' point of view represents the very best judgment of the most thoroughly enlightened men upon this subject it has ever been my privilege to know.

Mr. BEVERIDGE. The Senator said he could improve it himself.

Mr. CARTER. Judge William Lawrence, of Ohio, who aided by his counsel and advice in the preparation of the bill of 1890, and again the bill of 1897, understood the wood schedule from the woolgrowers' point of view better than any man of his time. He observed defects in the schedule as finally adopted, but he recognized what no one will dispute, that the schedules represented the best obtainable, rather than what anybody desired.

The Senator is aware of the fact, because he has used his influence to produce it, that there will be an amendment offered to this bill to provide for a careful scrutiny not only of these schedules, but of the whole mass of data upon which they are based, with a view to hereafter making recommendations which may lead to the harmonizing of the schedules, the filling up of the low places and the leveling down of the high places upon a proposed scientific basis.

I hope that commission or committee or bureau, or whatsoever it may be designated, may finally bring forward something of a more symmetrical and effective character than any of the bills that have been heretofore enacted by Congress. But Congress, in the last analysis, will be compelled to pass the bill, and the bill will represent in every case just what the votes of the two Houses make it. It will probably embrace, after the scientific experts have exhausted their skill and research, certain inequalities and certain features, which, from the point of view of those in one line of production, will be regarded as unjust, whereas the particular point of objection will be regarded as the chief element of perfection in the bill from another point of view. As long as men have varied and varying interests, the matter must ultimately be settled by three hundred and odd Representatives of the people in one House, and 90-odd Senators in this Chamber. The views of the commission will finally be filtered through the judgment of each body, and the bodies will represent the convictions and interests of the people of the respective districts and States. The bill framed by the experts, or on their recommendations, will be amended in Congress to conform to the average judgment of the American people as announced through the ballot box.

Mr. PENROSE. I ask unanimous consent to have the Secretary read the resolutions of the Manufacturers' Club of Philadelphia, which I send to the desk.

The PRESIDENT pro tempore. The Secretary will read, as requested, there being no objection.

The Secretary read as follows:

MANUFACTURERS' CLUB OF PHILADELPHIA,
OFFICE OF THE PRESIDENT.

Whereas the existing tariff law relating to wool and woolens, in conjunction with the general prosperity maintained by the protective system, has so developed woolgrowing and woolen manufacturing that we now produce about three-fourths of the wool and 95 per cent of the cloth required for clothing the American people, which clothing they buy at very moderate prices, as is evidenced by the fact that they wear more and better clothing than any other people; and

Whereas the old trick of the free-traders of endeavoring to separate the woolgrower from the manufacturer by changing the equitable arrangement of Schedule K in such manner as to admit into this market foreign products of wool at less than relative duties placed on raw wool, thus destroying the woolgrowers' market, is foreshadowed in the recent speech of Senator DOLLIVER of Iowa: Therefore

Resolved by the board of directors of the Manufacturers' Club of Philadelphia, That we call upon all Senators and Representatives in Congress who are loyal to the Republican party and its platform to stand unswervingly for the wool and woolens schedule as it now is in the Senate bill.

N. T. FOLWELL, *President*.
[SEAL.] ELMER P. WEISEL, *Secretary*.

Mr. SMOOT. Mr. President, I wish to refer just a minute to a letter written by Mr. Brown, from Baltimore, and to the paper read by the Senator from Iowa. He charged that these carded-woolen people have been denied a hearing.

Mr. DOLLIVER. No; they had a hearing, but, with the temperature reduced so low, it made a deep impression upon their feelings.

Mr. SMOOT. I took the words of the Senator down as he gave them, and of course I was referring to what the Senator said; but, as modified, I will proceed to state just what did happen.

The carded-woolen people were the only woolen manufacturers who appeared before the Finance Committee. They were given a hearing, and they had Mr. Dobson there to speak for them, and he made his statement to the committee. Not only that, Mr. President, but they asked that I meet with them the next day. I made the appointment in my office for 8 o'clock in the morning, and I spent over an hour with carded-woolen men from Maine and other States, going over the whole situation; and I have met them on two other occasions.

I thought I had given them a respectful hearing. I listened to what they had to say. I discussed the question with them as one having an interest in the business, telling them exactly where I thought the trouble was. It ill becomes Mr. Brown, it seems to me, to write a letter complaining that I have not given a hearing to him.

Mr. President, I want to say further that I have had my office full of men representing the interests both for and against, some mornings from 7.30 until after midnight, for week in and week out.

I do not believe there is an American citizen who has ever asked me to give him a hearing, if I had the physical strength to do it, that I have not listened to what he had to say.

Mr. President, I fully sympathize with the condition of the carded-wool people; and when they say now that the question of noils is the very thing that has brought them to this unhappy condition I want to tell them it is not true. In all my history as a manufacturer of wools I purchased only one single lot of noils in my life. I never used them but once. In the most prosperous years I ever had as a woolen manufacturer there never was a time but that I used almost pure wool.

I know what is the matter, as I have stated it to the Senate before. It is that the styles have changed. The American people are wearing worsteds instead of woolens. The improvement in machinery has brought this about. I believe that some time or other the styles will change again, and then the carded wool people will be successful once more.

Mr. President, I wanted to say this much in relation to the charge here of Mr. Brown from Pennsylvania.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BACON. The Senator offered two amendments. Which one is this?

Mr. DOLLIVER. This is the first offered. I offered the second for the information of the Senate and for the accommodation of my friend from Montana.

Mr. BACON. It is only the first that is now to be voted upon?

Mr. DOLLIVER. The first.

Mr. BACON. It does not include wool.

Mr. DOLLIVER. No.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Iowa.

The Secretary proceeded to call the roll.

Mr. BRIGGS (when his name was called). I am paired with the junior Senator from Maryland [Mr. SMITH]. If he were present, I should vote "nay."

The PRESIDENT pro tempore (when Mr. HALE's name was called). My colleague [Mr. HALE] is detained at home by illness. If present and permitted to vote, he would vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. He being absent from the Chamber, I withhold my vote.

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH].

Mr. WARREN (when his name was called). The standing pair which I have with the Senator from Mississippi [Mr. MONEY], who is absent from the Chamber on account of illness, has been transferred, so that he will stand paired with the Senator from Oregon [Mr. BOURNE], leaving me at liberty to vote. I vote "nay."

Mr. ALDRICH (when Mr. WETMORE's name was called). My colleague [Mr. WETMORE] is unavoidably absent from the Senate to-day. He is paired on this vote with the Senator from Indiana [Mr. SHIVELY]. My colleague, if present, would vote "nay."

The roll call was concluded.

Mr. DEPEW (after having voted in the negative). Has the senior Senator from Maryland [Mr. RAYNER], with whom I am paired, voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator from Maryland has not voted.

Mr. DEPEW. Then, I withdraw my vote, having a pair with that Senator.

The result was announced—yeas 27, nays 39, as follows:

YEAS—27.

Bacon	Chamberlain	Foster	Nelson
Bailey	Clapp	Frazier	Newlands
Bankhead	Clay	Gore	Overman
Beveridge	Cummins	Hughes	Paynter
Bristow	Davis	Johnston, Ala.	Simmons
Brown	Dolliver	La Follette	Stone
Burkett	Fletcher	Martin	

NAYS—39.

Aldrich	Crane	Gamble	Penrose
Borah	Crawford	Guggenheim	Perkins
Bradley	Cullom	Heyburn	Root
Brandegee	Curtis	Johnson, N. Dak.	Scott
Bulkeley	Dick	Jones	Smoot
Burnham	Dillingham	Kean	Stephenson
Burrows	Dixon	Lodge	Sutherland
Burton	du Pont	McEnery	Warner
Carter	Elkins	Oliver	Warren
Clark, Wyo.	Gallinger	Page	

NOT VOTING—25.

Bourne	Frye	Piles	Taliaferro
Briggs	Hale	Rayner	Taylor
Clarke, Ark.	McCumber	Richardson	Tillman
Culberson	McLaurin	Shively	Wetmore
Daniel	Money	Smith, Md.	
Depew	Nixon	Smith, Mich.	
Flint	Owen	Smith, S. C.	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDING OFFICER (Mr. KEAN in the chair). The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. WARREN. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE] presented last night for printing a very valuable report of one W. A. Graham Clark, and it has been ordered to go into the RECORD. The National Association of Woolen Manufacturers made a careful analysis of that report, and I will ask that it also may go into the RECORD, so that we may have the benefit of their ideas upon the same subject, as they all tend to a betterment of the woolen condition.

The PRESIDING OFFICER. Without objection, the request of the Senator from Wyoming will be granted.

The paper referred to is as follows:

NATIONAL ASSOCIATION OF WOOL MANUFACTURERS,
Washington, D. C., June 10, 1909.

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.

DEAR SIR: In view of the bitter attack which Senator LA FOLLETTE, of Wisconsin, has made upon American wool manufacturers and their industry, using as justification for his charges a recent report and testimony of Mr. W. A. Graham Clark, special agent of the Department of Commerce and Labor, it seems both just and necessary that there should be laid before the Senate and printed in the RECORD the analysis of Mr. Clark's report and testimony prepared by the tariff committee of the National Association of Wool Manufacturers.

Senator LA FOLLETTE has stated, in substance, that Mr. Clark was selected with the knowledge and approval of American manufacturers, and that he was repudiated by them only because the results of his inquiry abroad were not favorable to their interests.

As a matter of fact, the wool manufacturers of this country were not consulted in any way about the appointment of Mr. Clark as an expert to examine the wool industry of foreign countries. He was selected entirely without their knowledge, and he was totally unknown to them. When it became noised about that Mr. Clark was to present a report on the wool industry, this association had considerable trouble in ascertaining the identity of Mr. Clark, for no one had ever heard of him as being associated with the woolen business.

Indeed, Mr. Clark had never spent an hour of his life in the woolen business. He had, for a short time, run a cotton mill in a southern State, and he was originally appointed and sent abroad as an expert to report upon the cotton industries, apparently without the slightest thought that he would be called on to consider the wholly different and unfamiliar industry of wool manufacture.

After twenty-eight months spent abroad in investigating the cotton industry, Mr. Clark seems suddenly to have been instructed to make an inquiry into the wool manufacturing industry of Europe, and on this work, for which several years might well have been allowed to an experienced and competent authority, Mr. Clark appears to have spent just two months in gathering the information on which Senator La Follette relies as the basis of his violent onslaught on the American wool manufacturing industry.

The grotesque inadequacy of a two months' inquiry by a special agent entirely unfamiliar with the subject aroused an immediate protest from American wool manufacturers. This association, through its tariff committee in February last, made formal remonstrance to the Committee on Ways and Means against the injustice to Mr. Clark, and the far more serious injustice to the wool manufacturing industry of America involved in the presentation of Mr. Clark's report and testimony, after only two months' inquiry abroad, as to the woolen industry, with which he was entirely unfamiliar, after having given twenty-eight months to the cotton industry, with which his short business career had been identified.

We would like to emphasize that this association did not in any way question the sincerity of Mr. Clark, or his personal zeal or intelligence. The point emphasized in the remonstrance was simply this—that it was so unfair as to be absolutely indefensible, to depute a man who had no knowledge of the wool manufacture in any practical way to make an investigation of this great industry in Europe, to give him only two months for this purpose, when two or three years ought to have been granted to competent authority, and then to cite the facts and figures thus hastily collected as a justification for striking down the protection given to the wool manufacturing industry of the United States.

Senator LA FOLLETTE has criticised the short time and the brief consideration granted to the present revision of the tariff, and he has laid stress upon the inadequacy of the preparation. But we venture to submit that nowhere is this alleged inadequacy so manifest and indefensible as in the work of the very witness whom the Senator from Wisconsin summons and eulogizes as a great authority in wool manufacture, though apparently Mr. Clark has never spent in the serious pursuit of this business a single hour of his life.

In our remonstrance against the inadequacy of Mr. Clark's equipment and information, and the very serious errors contained both in his report and in his testimony, the tariff committee of this association submitted to the Committee on Ways and Means a careful analysis and an answer to Mr. Clark's well-meant, but gravely misleading, assertions. In view of the conspicuous use made of these assertions by Senator LA FOLLETTE, we ask that, in the interests of truth and fair play to the wool manufacture of America, this remonstrance and analysis be submitted to the Senate and printed in the RECORD.

Sincerely, yours,

WINTHROP L. MARVIN, *Secretary.*

AN ANALYSIS OF THE REPORT ON THE "MANUFACTURE OF WOOLEN, WORSTED, AND SHODDY IN FRANCE AND ENGLAND, AND JUTE IN SCOTLAND," MADE TO THE BUREAU OF MANUFACTURES OF THE DEPARTMENT OF COMMERCE AND LABOR, BY MR. W. A. GRAHAM CLARK, SPECIAL AGENT OF THE DEPARTMENT, ON NOVEMBER 1, 1908; COVERING ALSO THE TESTIMONY OF MR. CLARK BEFORE THE COMMITTEE ON WAYS AND MEANS ON DECEMBER 11 AND 22, 1908, SO FAR AS THEY RELATE TO THE MANUFACTURE OF WOOL IN ENGLAND AND THE UNITED STATES.

The object of this analysis is, if possible, to aid the Committee on Ways and Means in arriving at a clear determination of what there is that is new and of value as to comparative costs of manufacture in the wool-manufacturing industry in Great Britain and the United States in the report of Mr. W. A. Graham Clark, special agent of the Bureau of Manufactures of the Department of Commerce and Labor, submitted on November 1, 1908, and in the testimony of Mr. Clark before the committee on December 11 and 22, 1908.

It is supposed that the Bureau of Manufactures was established primarily for the purpose of collecting information which might be of assistance to the manufacturing industries of this country. It is therefore natural to presume that information obtained with this object in view would be collected with such care and accuracy as to leave no question as to its absolute impartiality and reliability. It is because of this presumption in favor of the work of Mr. Clark as an expert, selected to collect such information for a government department, that much of interest and practical value to the wool-manufacturing industry of this country would be expected in his report. While it is true that much of the information reported by him is interesting from a general standpoint, it is nevertheless to be regretted that a careful reading of his report shows that his data as to comparative costs cover such a narrow field, contain so many inaccuracies, and are based so little on actual manufacturing experience as to raise a serious question as to its practical value.

We shall confine our attention to such errors as we deem of sufficient importance to call to the attention of the committee.

THE ENGLISH WOOLEN INDUSTRY.

There can be no question that the wool-manufacturing industry in England, which Mr. Clark was asked to investigate in two short months, is a matter of such intricacy and difficulty as to tax the knowledge and lifelong experience of the most skilled and best-informed manufacturers. Any doubt on this point must be dispelled by Mr. Clark's own description of the condition of that industry in England. He writes as follows:

"Employment in all branches of the wool industry is more or less irregular, for not only are there good and bad years, but the fluctuations of the demand for various kinds of wool manufactures sometimes throw a whole locality making some speciality into the depths of distress, and at the same time perhaps raise another to the heights of prosperity. This changing demand sometimes acts only between towns making various specialties and at others affects a whole country. When there is a great demand for very soft draping goods, France is prosperous and England can hardly keep her mills going, while, when the demand is for dinner worsteds and tailor-made goods, England will be prosperous and perhaps France losing ground. Sometimes woolen goods are in demand and then worsteds. One season the all-wool goods may bring in the most profit and another season, with high-priced wool, only the sections making mixed goods can show any profit at all. The wool industry is thus subject to many fluctuations, and in that sense is not a stable industry as are, for instance, certain branches of the cotton trade making staple cloths that are in demand year in and year out. In the wool trade there have to be new styles gotten out for the summer and winter, and the demand of the public for variety is growing all the time, so that the mills have to employ a larger number of men in their designing and sales departments, which adds to the cost."

The president of our association informed you as follows:

"There are very few, if any, woolen fabrics that can be considered staple fabrics. Such as might possibly be so regarded are not made exactly alike by either foreign or domestic manufacturers; nor are they made exactly alike by the same manufacturers for a continuous period. So-called "staple fabrics" are nearly always undergoing changes of construction, in conformity, with the varying quantities and character of raw-wool production and changing prices to meet the demands of buyers to produce garments at fixed prices. The variety of fabrics included under the classifications of Schedule K is so extensive that they can not be enumerated, much less compared.

"* * * In this connection it is necessary to consider the infinite variety of patterns, styles, colorings, and combinations embraced in this immense variety of fabrics, all of which are constantly changing under the capricious dictates of fashion."

COMMON BASIS OF FACT NECESSARY FOR COMPARISON OF COSTS.

There would also seem to be no question but that data as to comparative costs of manufacture in different countries, to be of practical value, must be collected in accordance with some common basis and standard of calculation. In the statement made before your committee by the president of our association, we gave you as a reason for not furnishing you with information relating to comparative costs of production of woolen goods in foreign countries and in the United States, that it is not obtainable, and we tried to show that a comparison of foreign and domestic costs is not practicable. We feel confident that a careful scrutiny of Mr. Clark's report and testimony fully bears out this contention.

At the very outset of any inquiry into comparative costs, we are, as our president stated to the committee, confronted with the fact that:

"Every avenue of information regarding the foreign wool manufacture is jealously guarded from American inquiry by foreign manufacturers;"

and by the fundamental questions:

"* * * What is the cost of production and what is meant by the relative cost of production in different countries?"

It must also be clear, as stated by him, that:

"* * * in order to determine the actual cost it will be found necessary to establish a given basis for calculations in order to make the comparisons of value."

We can not emphasize too strongly the great inherent difficulties in the way of the most highly qualified expert in obtaining trustworthy information as to foreign costs in this industry, not only because of its difficult and complex nature, and the natural jealousy with which English manufacturers guard their trade secrets and processes from our manufacturers and each other, but also because of the natural desire of such foreign manufacturers to have the protective tariff of this country broken down, in order to open our markets to their goods. For the latter reason, if for no other, any information as to foreign costs which any foreign manufacturer might seem willing to disclose should be subjected to the most careful scrutiny and analysis as to its sources, the possible selfish motive back of it, and the basis upon which such costs were determined.

COMMON STANDARD OF COMPARISON NECESSARY.

It is naturally a source of surprise that Mr. Clark, who was selected by the Bureau of Manufactures for this difficult task, should neither have had previous experience in the industry nor, so far as we know, sufficient, if any, knowledge as to costs of manufacture in this country to have made it possible for him to collect information abroad in accordance with any common fixed standard or basis for determining such costs.

Disclaiming any purpose to criticise Mr. Clark personally, we deem it necessary to point out that he was apparently sent abroad for entirely different purposes, and was, as an afterthought and without opportunity for preparation, given the task of investigating the wool industry in Great Britain and Europe upon completion of the special work for which he had been particularly sent abroad. The time allowed him, two months, was altogether inadequate. He testified as to the purpose of his trip abroad as follows:

"I have just returned from a twenty-eight months' trip, having been investigating the markets for cotton manufactures in Asia and the methods of cotton manufacturers in Europe, and for the last two months I have been working specially on getting information from the English wool mills in regard to their cost of manufacture for the use of this committee."

He also stated to the committee that he was called from Scotland while investigating the jute industry to take up the woolen business, and that he had been a practical cotton manufacturer for six years. His knowledge of the entire industry is apparently limited to that obtained by him by having—

"been through lots of woolen mills" while abroad "and studied the process," and "talked with the manufacturers."

His information as to the English industry is apparently limited to that obtained by visits to Bradford, Huddersfield, and, possibly, Leeds.

RELATIVE ADVANTAGES OF WOOL MANUFACTURERS OF ENGLAND OVER OUR MANUFACTURERS.

As we have before stated, some of the information given by Mr. Clark is interesting, and some in a general way true. We regard it as unquestionably true, as he states, that English wool manufacturers have the following advantages over our wool manufacturers: (1) Cheaper first cost of machinery and building; (2) cheaper money; (3) cheaper raw material; (4) cheaper labor; (5) cheaper power; and (6) cheaper supplies. While we agree with Mr. Clark's general conclusions on this matter, he fails to furnish us with sufficient reliable data upon which to determine the relative advantages as to any of the particular items. This we shall now endeavor to show to the committee.

CHEAPER FIRST COST OF MACHINERY AND BUILDING IN ENGLAND.

On page 4490, first print No. 31, Mr. Clark states that our machinery and costs of building are at least one-fourth or 25 per cent higher than in England; while on page 4492 he states that English machinery is from one-third to one-half cheaper than ours, a difference of from 50 per cent to 100 per cent. Such a wide margin of variation can hardly be based on sufficiently accurate information to be of aid to the committee.

CHEAPER RAW MATERIAL IN ENGLAND.

As to wool as a raw material, Mr. Clark apparently has no first-hand information. He testified as to his knowledge of Rocky Mountain wools, which constitute the greater proportion of the wool raised in the United States, as follows:

"I have no actual knowledge excepting what is contained in the textile magazines and papers and what I have learned from talks with men in the business."

He states that—

"The different wools vary so in quality that a cost comparison between England and America is difficult to make. In London in 1907 fine greasy Australian crossbred wool averaged 30 cents a pound, and in Boston similar wool from Pennsylvania averaged 68 cents a pound, which gives some basis of comparison."

It is difficult to understand why wool worth 30 cents in London could not be landed in Boston at 30 cents a pound plus 11 cents duty and other expenses of importation, probably not over 1½ cents a pound.

It would seem clear that Mr. Clark's knowledge in regard to wool is too indefinite to be of practical assistance.

But in spite of this fact he undertakes to make the general statement that the shrinkage of wools in general used by our manufacturers would not be two-thirds, but would run from 50 per cent to 60 per cent. This shrinkage is too small, and Mr. Clark's statement is erroneous. The actual facts in this matter, so far as an average can be struck, are covered by the information already given to the committee by our association.

LABOR CHEAPER IN ENGLAND BY ONE-HALF OR MORE.

While Mr. Clark's statement that labor is much cheaper in England is correct, he again furnishes no accurate data on which to base a comparison. Our president stated to you that on information received the night before he appeared before the committee, so far as he was able to judge—

"* * * The wages in the worsted and woolen industry in Great Britain are about one-half, rather less than one-half, the wages paid in New England and Pennsylvania."

This cost, however, was limited to wages of operatives. On the subject of wages of wool industry in England, Mr. Clark says that—

"* * * the industry is so complex and changeable that even if organized it would be difficult to secure any uniform scale of wages."

In his report to the Bureau of Manufactures he said:

"In the wool industry there is not only a great difference between the two branches of woolen manufacturing and worsted manufacturing, but in each case there is wide room for variations in methods and in number of machines employed."

"There is a great variety of materials employed and in the qualities and proportions of mixture of these materials, with consequent variation in production per machine; and as neither the employers nor the employees are strongly organized there is an absence of any universally accepted wage schedules."

As to the table of wages in the Bradford district given, Mr. Clark says:

"The foregoing wages may be taken as typical of the Bradford worsted industry, but there is more or less variation between the mills in the town and in the country, and there is no uniformity even between two mills running side by side."

To the committee he stated as to women's dress goods and their manufacture in Bradford:

"I have not the complete wage cost throughout on that because the worsted industry is a very special industry."

It must be clear that in a matter of such difficulty and intricacy as the wages question, Mr. Clark on his own statements has furnished nothing of definite value as a basis for comparison.

CHEAPER COSTS IN ALL OTHER ITEMS.

According to Mr. Clark these other items of cost cover everything after the yarn and the weaving, and include dyes, chemicals and other supplies, charges on money, interest on capital, insurance, and depreciation. In one place in his testimony he gives these costs in England as 5 cents a yard, as against 4.2 cents in the United States, and in another place he gives these expenses both in England and the United States as 4.2 cents, apparently on the same fabric. He figures out this equality or advantage on the part of the United States, although he had previously stated to the committee that—

"* * * In general everything that enters into the cost of manufacture of woolen and worsted goods is cheaper in England than America."

Such discrepancies between conclusions, and what purport to be facts, indicate the danger of using any of his work as a basis for legislation. A few more specifications will confirm this.

HIGH COST OF CLOTHES NOT DUE TO HIGH WOOL, BUT TO TAILOR.

Mr. Clark stated to the committee:

"High clothes are due more to high wool than to high wages."

Unless the word "clothes" has been erroneously substituted for cloths, he is clearly in error. It must be clear that the difference between the cost of the cloth in the manufacturer's hands and the cost of the finished suit of clothes in the tailor's hands is due almost entirely to labor cost, and that even then the additional cost depends largely upon the name and charges of the particular tailor. It is also to be observed that the difference between the cost of a suit of clothes in New York, given by Mr. Clark as $35, and the cost of a similar suit of clothes in Leeds, which he stated as from about $20 to $25, is not as great proportionately as the difference between the costs of manufacture in the two countries, as to which the English cost is given by Mr. Clark as about one-half or less.

Mr. Clark also stated that wool makes up 60 per cent of the cost of the goods. The general understanding among manufacturers is that the wool makes up 50 per cent of the cost of the cloth, and that the cloth represents about 50 per cent of the cost of a suit of clothes, in the wholesale clothing business. The result would be that the wool would represent only about 25 per cent of the cost of the clothes. A suit of clothes which costs about $13 would ordinarily be sold at retail for about $22. Furthermore, the question is complicated by the varying profits and selling expense connected with each stage of manufacture. The fact is that the proportion of wool in the cloth varies so, because of the immense and constantly changing variety of fabrics in which it is used, that it is impossible to strike an average, and the question of such proportion is a matter solely of individual opinion. The lack of specific data furnished by Mr. Clark confirms this fact. It must also be noted that he ignores entirely in his calculation what a large part labor represents in the cost of the wool.

INACCURATE COMPARISON OF CONSUMPTION OF WOOL IN GREAT BRITAIN AND THE UNITED STATES.

Mr. Clark's statement and table as to materials used in the wool industry in Great Britain and the United States contains two important errors.

The table is as follows:

	United States Government product census, 1905.		English estimates, 1907.	
	Value.	Per cent.	Value.	Per cent.
Wool and hair	$648,881,691	65	$640,300,000	63
Shoddy	191,261,993	19	219,000,000	22
Cotton	102,743,256	10	125,000,000	12
Others (silk lining, jute, etc.)	58,446,835	6	60,000,000	6
Total	1,001,333,775		1,035,300,000	

The columns headed "Value" should clearly represent pounds of weight. The figures as to the United States are taken from the census of 1905. An analysis of these figures will show that Mr. Clark has included twice in his table 70,801,994 pounds of shoddy and 5,720,319 pounds of cotton, which were produced from materials purchased otherwise reported, or from waste and clippings arising in the process of manufacture already once reported:

INACCURATE USE OF STATISTICS AS TO WOOL CONSUMPTION.

Mr. Clark states that:

"The per capita consumption of wool is increasing in the United Kingdom, and is not increasing in the United States."

In support of his contention that the consumption of raw wool in the United States is not increasing, he gives a table taken from the Statistical Abstract (U. S., 1907). In using this table Mr. Clark does not take into consideration the fact that while the United States exports a very small quantity of wool manufactures, it imports a considerable quantity of such manufactures, as indicated by a table in the statement made by our president before the committee, showing an increase of imports of manufactures of wool entered for consumption under the present tariff during the fiscal years ending June 30, 1898 to 1907, or from $13,500,241 to $22,357,206 foreign values, or from $24,150,565 to $42,349,232 duty-paid values. These imports of manufactures must clearly be included in any determination of the per capita consumption of wool in the United States.

The following is a table compiled from the census reports of 1890, 1900, and 1905 showing the quantity of "new wool in condition purchased" (i. e., greasy or scoured), exclusive of alpaca, angora, camel, and all other hairs, used in the United States wool manufacture, includ-

ing hosiery, knit goods, and shoddy, with the population of the United States and per capita consumption as shown by the wool used:

	New wool "in condition purchased."	Population.	Per capita consumption in mills.
	Pounds.		*Pounds.*
1890	374,102,813	62,662,250	5.97
1900	412,745,779	76,303,387	5.41
1905	501,424,203	83,143,000	6.03

These figures, of course, show a smaller per capita consumption than Mr. Clark's, because they cover only new wool, while the figures used by him included other items. He obtained his figures as to the United Kingdom from the table of the Bradford Chamber of Commerce Report for 1907, which purports to show the total quantity of wool retained in the United Kingdom and not the quantity consumed. Part of the wool retained might afterwards be exported either in a raw or manufactured condition. An examination of this table will further show that there is included in the wool 210,000,000 pounds of shoddy. Furthermore, in using this table as a basis for comparison of relative consumption of wool, it must be borne in mind that while the United States exports a very small quantity of wool manufactures, Great Britain exports, on Mr. Clark's figures, about 40 per cent of its entire production, amounting to $185,000,000 in 1907.

OUR IMPORTS OF WOOL MANUFACTURES—PERCENTAGE.

He states that our imports of wool goods are less than 5 per cent of our requirements. He figures on the foreign value of the goods, rather than on the basis of the foreign value plus duty, which would indicate the amount to which such goods displace domestic goods, and would, therefore, seem to be the proper basis to be used in considering the effect of a tariff. On this basis the percentage of imports would be slightly less than 10 per cent, and Mr. Clark's own figures show a little more than 5 per cent, instead of a little less than 5 per cent, as he states.

He makes the unsupported statement that cotton goods are sold in this country as wool goods. This is not true in so far as the manufacturers are concerned, and Mr. Clark must have been misinformed.

DUTY ON YARN NOT HIGHER THAN DUTY ON CLOTH—PERCENTAGES FALLACIOUS.

In referring to a piece of finished English cloth and its constituent elements, Mr. Clark states that the duty on the yarn in this cloth is higher than the duty on the cloth itself, and that the duty on the tops is much higher than the duty on the scoured wool. This statement as to the duties on the yarn and cloth is incorrect and misleading. It gives a striking illustration of the fallacies which may result from using percentages, and corroborates the statement made by our president on cross-examination at the time he made our original statement.

Assuming the percentages as stated by Mr. Clark to be correct, the actual duty would be as follows:

	Cents per pound.
On scoured wool	33.00
On tops	70.27
On warp yarn	65.23
On weft yarn	62.34
On cloth	96.23

That is, Mr. Clark is wrong in saying that the duty on the yarn is higher than the duty on the cloth. It is well known that the increased duty on tops, as compared with the duty on yarns, was intended to prevent the importation of wool in that form.

COMPARISON OF MEN'S AND WOMEN'S WAGES SHOULD NOT BE WITH EACH OTHER.

The comparison made between the weavers' wage, based on the average in Huddersfield and Bradford, and what Mr. Clark calls the the average of $9 in this country emphasizes the insufficiency of the information obtained by Mr. Clark as a basis for comparison of costs. To make a comparison, the weavers' wage in Huddersfield of $6 a week for work on wide men's wear looms, and probably confined to men as weavers, should be compared with the weavers in this country on similar fabrics, where it is almost universally a man's job and where the earnings are more likely to be from $14 to $18 than as low as $9. On the other hand, $9 to $12, which might be called the wage on dress goods in this country, as he states, might properly be comparable with $3.75 in Bradford.

MANY OTHER INACCURACIES.

The following inaccuracies appear in Mr. Clark's testimony at his second appearance before the committee:

In figuring the cost of "Sample A," the report repeatedly states the cost in terms of pounds, when it should be the cost in a yard of cloth.

He states that ordinarily there would not be more than 66⅔ per cent of wool in the filling on a pure cotton warp. As a matter of fact, the wool filling is frequently 70 per cent or more.

He states that a rag machine will tear rags into their "original fiber." It is not possible to obtain the original fiber at anywhere near its original length.

He states that shoddy can not be used by itself. As a matter of fact, it is used alone in some fabrics.

He states that there is a larger percentage of shoddy and cotton being used in the woolen manufactures of this country every year. This is a matter which varies much according to style.

He states that a suit of clothes at $25 in this country would not probably be altogether new wool. As a matter of fact, navy and black summer serge suits, which contain no shoddy, sell for about $15 and sometimes for less.

We hand to the committee herewith two all-wool suits, one purchased at retail in New York City for $20 and the other purchased in Boston for $25.

ACCURATE INFORMATION AS TO COMPARATIVE COSTS IMPORTANT.

We have left until the last the most important field which Mr. Clark has undertaken to cover, to wit, comparative costs of manufacture in Great Britain and the United States.

The only specific information given us by Mr. Clark as to comparative costs of fabrics in the two countries is limited to four fabrics, samples A, B, C, and D on pages 86 to 88 of his report. In addition, Mr. Clark has also undertaken to give the theoretical cost in a theoretical mill of a plain worsted coating, figure 4, on page 69 of the report. The only other information as to specific fabrics obtained by him is as to 14 other samples of English cloth, as to which he has only the costs of such fabrics in England. Mr. Clark's information as to costs in America was apparently obtained after his return to this country at the suggestion of an English manufacturer, who informed him that there was a mill in this country manufacturing a fabric similar to that which the Englishman was making. Rather than take up the time of the committee further than is absolutely necessary, we shall confine our analysis of Mr. Clark's work on the subject of comparison of costs to a consideration of the data furnished by him as to samples A, B, C, and D, and as to the theoretical fabric made in the theoretical mill and represented by figure 4, on page 69 of his report.

COMPARISON OF ENGLISH AND AMERICAN COSTS.

As representing the immense dress-goods industry of England we have only these four samples, A, B, C, and D, obtained from the city of Bradford. Samples A and B are cotton-warp fabrics with worsted filling. Sample C is an all-wool sateen, and sample D an all-wool serge. The city of Bradford plays an important part in the dress-goods industry only as to the manufacture of so-called "Bradford stuffs," of which Mr. Clark has only furnished two samples, A and B, out of an infinite variety.

SAMPLES A AND B.

For practical purposes the information obtained as to samples A and B is almost valueless at the outset, because they represent a fabric known to the trade as "cotton-warp cashmeres," which were formerly made in large quantities in this country, but are now out of fashion and nearly obsolete, having become so because of their poor intrinsic worth.

The information as to these samples is of still less value because of lack of sufficient detail to permit a fair comparison with American costs, and because of the numerous inaccuracies and discrepancies in the figures given, and the deductions drawn therefrom by Mr. Clark. He has not given us the separate costs for the cotton-warp and worsted-weft yarns. He states that the British manufacturer bought his yarns. The cost of the yarn must, therefore, include profits of manufacture and sale up to the point of weaving. The cost given by Mr. Clark must also include profits on the different processes of manufacture subsequent to the weaving, owing to the division and specialization of the different processes which Mr. Clark tells us exist in England, where, as a general rule, each manufacturer only carries out one process in the manufacture. In the United States, on the contrary, the processes are not so much subdivided, and it is not unusual for the same manufacturer to carry on all processes from the raw wool to the finished cloth. The costs obtained by Mr. Clark on the four domestic samples would appear to have been figured on this basis rather than on the English basis; that is, on a radically different basis.

It is to be noted that the details of construction of the English samples given by Mr. Clark are apparently based on tests made by the conditioning house of Bradford, England. The object of these tests is apparently not to determine the structure of the cloth in the gray state—that is, as it leaves the loom—but to determine whether finished goods sold by sample come up to the sample. The original analyses by this Bradford conditioning house of the samples obtained by Mr. Clark are in the possession of the Bureau of Manufactures. These analyses show the counts or sizes of the cotton warp and worsted weft yarn, together with the average twists in the yarns, only as they appear in the finished fabric. The weight of the original cloth in the gray is not given. The strength and elasticity of the cloth are given, warp way and weft way. A chemical test is also given, showing the proportion of the cotton and wool in the piece, calculated from the clean and dry weight of the cloth. While such analyses may be commercially valuable as determining the question, as before stated, of whether a cloth delivered is in accordance with sample, in cases of dispute, they are intrinsically of little value as a basis for comparison in considering the manufacture of other fabrics. The different processes of finishing cloth after the weaving produce effects of such marked difference in the finished fabric, as compared with the cloth in the gray, as to render the results of such analyses uncertain and of doubtful value.

SAMPLE A.—COTTON WARP PIECE-DYED CASHMERE WITH LOW BOTANY WOOL FILLING.

The inaccuracies and discrepancies between Mr. Clark's records of the construction and weights of this fabric, and the weights and construction as we find them to be from the actual sample obtained by Mr. Clark, are so numerous as to make it impossible to use his data as a basis for comparison with American fabrics. The following is a comparative analysis of sample A:

	Mr. Clark's records.	American analysis.
	Ounces.	*Ounces.*
Total weight finished	3.22	2.91
Weaving of warp	1.28	1.16
Weight of weft	1.94	1.75

It is true that these variations can be accounted for partially by different atmospheric conditions in the two countries, but we do not think that this would account for more than one-half of the variation.

Assuming this cloth to have been made from yarns purchased in the United States, under conditions existing on the 29th day of January, 1909, the cost to the mill would be as follows:

4.81 pounds of combed yarn	$2.45
.12 pounds of combed yarn for selvage	.09
7.8 pounds fine Botany worsted	11.32
Total materials	13.86
Cost of weaving	4.23
Cost of dyeing, finishing, packing, and delivering	2.30
Selling cards	.12
Plant charges	1.11
Interest charges from purchase of yarn to payment for goods	.82
Total	22.44

This cost is for a piece containing 65 yards finished, and would represent a cost per yard of 34.5 cents, exclusive of selling expenses.

If a weaving plant were fitted up exclusively to make this particular fabric or absolutely similar fabrics in large quantities, the cost might possibly be reduced 2½ cents per yard by securing the yarns at lower prices, and manufacturing at a reduced cost resulting therefrom. This might reduce the cost to 32 cents per yard. The foreign cost, as given by Mr. Clark, is 15.6 cents per yard; that is, the American cost under the most favorable conditions, and not including selling expenses, would be 105.1 per cent greater than the foreign cost, whereas Mr. Clark states it to be 67 per cent.

Mr. Clark gives the weft ends per inch in this cloth as 72, although the weight and structure of the finished cloth would necessitate about 92 weft ends.

The cost of these goods 42 inches wide is given by Mr. Clark as 15.6 cents per linear yard. In figuring the cost per square yard, the basis on which the duty is fixed, Mr. Clark figures a cost of 14.7 cents, as quoted in his testimony before the committee, although it is perfectly clear from his own figures that the cost per square yard would be 13.371 cents.

The filling in this cloth is described as low Botany wool, spun to the size or count of 66. We are positive that this wool could not have been what is commercially known as low Botany wool, and must have been fine Botany wool, because low Botany wool taken alone can not be spun to as fine a count as 66 for commercial purposes. The differences in the relative weights of materials in sample A, and the so-called similar cloth used for a basis of comparison in this country, would seem to indicate that the fabrics must have been different. These weights are as follows:

	Sample A.	American cloth.
	Ounces.	*Ounces.*
Weight per yard	3.22	3.36
Weight of warp	1.28 (39.8 per cent)	1.46 (43.5 per cent)
Weight of weft	1.94 (60.2 per cent)	1.9 (56.5 per cent)

These inaccuracies and this lack of similarity in data indicate the inherent danger in making comparisons of costs except upon accurate and fixed bases of calculation.

SAMPLE B.—CASHMERE MADE OF COTTON AND BOTANY WORSTED, CROSS DYED.

In this sample again it is clear, from the quantities and weights of materials and structure of fabric given by Mr. Clark, that yarn of the sizes described by him would produce a fabric lighter than finished weight given.

This sample purports to be made of 1/50's cotton warp. On the weight given it would seem to be clear that the yarn must have been as heavy as 40's. It can not be true that the warp in this case is 50's as compared with sample A, purporting to have the same size of warp, because in sample B there are 68 less ends given in the warp, and yet the weight of warp is given as 25 per cent greater per yard than in sample A.

The weft yarn in sample B is given as size 66, while its weight would correspond to the weight of 60's. This difference might be accounted for by the use of glue to stiffen the goods, which would at the same time add to the weight. We find no mention of any extraneous substance in Mr. Clark's figures, and yet the weight of materials is of most vital consideration in determining costs of goods.

In both samples A and B, as to foreign cost we are given the supposed construction, yarn cost, weaving wage, expenses, and dyeing cost. It is most unusual and hardly credible that a Bradford mill did its own dyeing. It is most unusual and hardly credible that a British mill sold its goods in a finished condition, as the custom in that country is to divide and specialize the processes of weaving and dyeing and finishing.

An analysis of this cloth shows the following variations:

	Mr. Clark's records.	American analysis.
Ends of warp	71	75½
Weft ends per inch	93	96½
Weight of cloth, ounces	3.86	3.71
Weight of warp, ounces	1.6	1.65
Weight of weft, ounces	2.26	2.06

These variations are too great to be accounted for purely by atmospheric conditions. The estimated American cost of sample B would be as follows:

Cotton warp yarn, per cut	$2.75
Worsted weft yarn	13.33
Weaving	5.37
Dyeing, finishing, packing, and delivering	2.96
Selling cards	.15
Plant charges	1.41
Interest charges until goods are paid for	.98
Total at mill	26.95

This would be the cost of a piece containing 67 yards, representing a cost per yard of 40.2 cents, exclusive of selling expenses.

It is also possible in this case that a weaving plant fitted up especially to make these goods in large quantity might, by purchasing materials at lower prices, and with the reduced cost resulting from purchases and manufacture in quantity, make a saving of 3 cents per yard, leaving a cost of 37.2 cents. The foreign cost is given as 17.85 cents; that is, the American cost under the most advantageous circumstances, and not including selling expenses, would be 108.4 per cent greater, whereas Mr. Clark states it to be 67 per cent greater.

It is to be noted that this piece was cross-dyed; that is, the warp was dyed before weaving and the cloth dyed after being woven, although this is not noted in Mr. Clark's report. In this sample, as in sample A, Mr. Clark apparently derives his construction from the finished cloth. It is to be noted that, according to the Bradford Conditioning House test, the count of the cotton warp is 36.4 and of the worsted weft 62.7, although Mr. Clark's statement gives the cotton warp as 50's and the worsted weft as 66's.

The chemical test made to determine the relative quantities of cotton and wool in the fabric is not objectionable for determining the variations between two pieces of cloth purporting to be the same, but it is misleading as to the proportion of cotton and wool in any given piece of cloth under natural atmospheric conditions, because under natural, conditions there is a large amount of moisture in the cloth. It is to be observed that in the test the materials have been reduced to a clean and dry weight. As, however, the natural moisture in the cotton is only about one-half that in the wool, and the quantity of the wool is greater in proportion, under natural conditions the percentages would be materially changed. This merely shows how inadequately Mr. Clark has indicated the intricate and puzzling conditions which arise in determining costs of manufacture.

SAMPLE C.—ALL-WOOL SATEEN.

A comparison of Mr. Clark's figures and our American analysis is as follows:

	Mr. Clark's records.	American analysis.
Warp ends	110	112½
Picks of filling	53	54
Total weight of weft per yard, ounces	7.07	6.79
Total weight of worsted warp, ounces	4.7	4.4
Total weight of filling, ounces	2.37	2.39
(These analyses agree as well as could be expected.)		
Ends of worsted warp	62	62
Number of worsted weft	30	28

	American estimate of cost.
Worsted yarn	$48.54
Weaving	4.74
Dyeing, finishing, packing, and delivering	5.04
Selling cards	.34
Plant charges	.89
Interest charges	2.35
Total	61.90

This is the cost on a piece of 84 yards, representing a cost per yard of 76.4 cents, exclusive of selling expenses. If the mill were fitted up especially to make these goods and nothing else, these costs could be somewhat reduced, possibly by about 4 cents per yard, making a cost of 72.4 cents. The foreign cost is given as 31.12 cents. The American cost would be, therefore, 132.6 per cent greater. This agrees very well with the American cost quoted by Mr. Clark.

Sample D—All-wool serge made of crossbred wool.

	Mr. Clark's records.	American analysis.
Ends of warp	53	54½
Picks of filling	42	42½
Total weight ... ounces	6.16	5.81
Weight of warp ... do	3.42	3.05
Weight of weft ... do	2.74	2.76

The variations in the total weight, about 5 per cent, might possibly be accounted for by differences in atmospheric conditions. This is a fabric of very peculiar character which must have been subject to unusual shrinkage from the gray yarn to the finished cloth, over and above the usual loss in finishing this class of goods, the unusual shrinkage being produced by the singeing and scouring processes.

American cost of yarn	$36.98
Weaving	3.83
Dyeing, finishing, packing, and delivering	5.22
Selling cards	.28
Plant charges	.82
Interest charges	1.85
Total	48.99

This would be the cost on a piece of 91 yards, representing a cost per yard of 42½ cents, exclusive of selling expenses.

If this cloth could be made at all in this country under our climatic conditions, and if a mill were especially fitted up to do it, the cost could probably be reduced 2½ cents per yard, but we regard it as a cloth that it would not be practicable to make in the United States.

A THEORETICAL FABRIC MADE IN A THEORETICAL MILL.

We will now consider Mr. Clark's figures as to the cost of the worsted coating represented by figure 4, on page 69, of his report.

All of the data relating to the manufacture of this cloth appears to be purely theoretical, and derived from a great many sources. None of it purports to have been obtained from actual results of any one manufacturer. The whole structure is evidently built up in this way:

A. An imaginary machinery equipment for 100 wide looms is assumed. This does not include power plant or buildings, the cost of power and rent being determined on some hypothetical basis, as to which the detail is not stated.

B. Then a fabric is imagined, namely, a 60-inch wide worsted coating, made according to a certain formula, of which a sample of cloth put in evidence purports to be the finished result.

C. Then the practically impossible assumption, is made that on this fabric 100 looms could be run for one year (fifty weeks) continuously without interruption and with a yield of 70 per cent of their theoretically maximum product; in other words, that a maximum daily product could be secured continuously throughout a whole year.

D. By calculation it is then determined how many pounds of worsted yarn of a certain kind and quality would be required to keep this weaving mill in operation during the year. This amount is fixed at 512,000 pounds.

E. Then theoretical calculations are entered into to determine the cost of this yarn to the weaver, basing the whole amount, a year's

product of 512,000 pounds, upon a fixed price, namely, 11½d. for Port Phillip greasy wool. As the present price of Port Phillip wool of the kind described is, within about two months of the date of Mr. Clark's report, 14½d. in London, an advance of about 30 per cent over the price named by Mr. Clark, it would hardly seem safe to establish such a mill on the assumption of a fixed price of wool for a whole year, particularly in a business so variable and subject to changes of fashion, as Mr. Clark describes this business to be.

F.—It is assumed that every yard of these goods will be perfect; that there will be no seconds; that the number of pounds of worsted yarn estimated will produce 8,000 pieces 61½ yards each, each yard being 37 inches long; and that the goods will weigh when finished 16.15 ounces to the lineal yard.

These are all theoretical calculations, so far as appears, none of the alleged facts having been taken from the books of manufacturing concerns. It must be clear that this method of arriving at the cost of an article can not fairly be regarded as a correct basis on which to establish a business, and that the results hoped for can not be depended upon.

Furthermore, it would seem as if Mr. Clark had left out in his calculations certain necessary elements of cost under the English system of carrying on the wool-manufacturing business. For example, he bases his calculations upon a price of wool fixed at 11½d. per pound for a whole year's supply. It is evident that some one must have to stand the expense of carrying this wool from the time the contract of purchase is made until the wool is all manufactured, which might extend several months beyond the time of the last delivery of the wool, and yet Mr. Clark only includes such expense for a period of three months. It would also appear that Mr. Clark has omitted the selling charges and profits of the merchants who take part in the intermediate transactions in the course of manufacture in England, and has only considered the commissions paid by those merchants for work done on their wool and tops by other persons, for instance, the wool comber and spinner.

Furthermore, it is a physical impossibility to produce 496,640 pounds of finished cloth from 512,000 pounds of worsted yarn. This result would show a waste between the worsted yarn and the finished cloth of only 3 per cent. This should be at least 10 per cent. The following calculation will show the amount of cloth ordinarily obtainable from 100 pounds of yarn.

According to the trade terms quoted by Mr. Clark, the yarn is sold in England on the basis of containing 18¼ per cent of moisture—that is, in each 100 pounds of yarn there would be 84.56 pounds of yarn in a bone-dry condition. According to the trade terms in England, cloth in a standard condition contains 16 per cent of moisture; 16 per cent of 84.56 pounds is equivalent to 13.53 pounds, which, added to 84.56 pounds, would give 98.09 pounds of cloth. From this, however, there must be deducted the amount of oil and other foreign substances in the yarn, which would be not less than 5 per cent of its original weight, i. e., 5 pounds. Deducting this from 98.09 pounds, we have 93.09 pounds of cloth under normal conditions. This shows a shrinkage of about 7 per cent from the original 100 pounds of yarn. From this there must be deducted also the amount of absolutely necessary waste made in the preparation of the warp and in the manufacture of the cloth, which surely could not be less than 3 per cent, or 3 pounds. Deducting this from 93.09 pounds, we have practically 90 pounds of finished cloth from 100 pounds of worsted yarn, or a shrinkage of 10 per cent, instead of 97 pounds and a 3 per cent shrinkage, as estimated by Mr. Clark. In actual practice in the United States, in the manufacture of goods of this class it is not expected to get over 16 ounces of finished cloth from 18 ounces of worsted yarn, and the percentage of loss varies from 10 per cent to a much higher percentage, according to the nature of the cloth and conditions of manufacture.

Furthermore, the testimony of leading manufacturers who have been consulted in regard to this matter is unanimous that, from the formula laid down by Mr. Clark on page 69 of his report, it would not be possible to manufacture this cloth, either in the weight stated to be required or the width; in other words, that the formula given by Mr. Clark would not produce the cloth that is alleged to have been produced from that formula. Following is a letter from one of our leading manufacturers demonstrating this fact:

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: We have studied over the particulars of the plain worsted coating which you sent us very carefully, and we do not think it is possible to make this cloth to finish 60 inches wide and weigh 16.15 ounces with particulars given. The way we would make this cloth from the size of yarn given to finish 60 inches wide and to weigh finished 16 ounces would be as follows: Seventy-two ends of 2/44's worsted warp per inch, 72 picks of 1/20's worsted filling per inch, goods to be laid 78 inches wide in loom, to finish 60 inches wide. It would take 72 yards of warp to produce 61½ yards of finished cloth, and each piece would require 34½ pounds of warp and 35½ pounds of filling.

Yours, very truly,

DUNN WORSTED MILLS,
E. S. DUNN, *Treasurer.*

This being the case, of what value can Mr. Clark's calculations be? Instead of taking 94 pounds of worsted yarn to make 62.66 pounds of finished cloth, as Mr. Clark states, it would take at least 98.9 pounds, according to Mr. Dunn, and this is the opinion of American manufacturers who have been consulted.

A careful checking of the figures given by Mr. Clark on pages 69–79 of his report will show many inaccuracies. We shall not endeavor to point them out in detail. As indicating the danger of using Mr. Clark's work we wish, however, to call attention to one important fact. On page 70 of his report he estimates a return of 46 pounds of tops from 100 pounds of wool. In testifying to the committee he stated that there would be a return of 40 pounds of tops out of 100 pounds of wool, shrinkage 50 per cent. A difference of 6 pounds in the amount of tops, at 48.6 cents per pound, would obviously make a great difference in the cost of cloth.

DOUBLE COST REQUIRES TWICE THE PROFITS TO PAY THE SAME PERCENTAGE.

If it be true that in the United States the cost of plant, equipment, and manufacture is double that in England, it is obvious that, in order that the manufacturer in this country may be compensated at the same rate as the foreign manufacturer, his aggregate profits must be double in amount those of the foreign manufacturer.

CONCLUSION.

In conclusion, we submit that Mr. Clark has not furnished to the committee, nor did he have for use in his investigation, what is absolutely essential to a comparative study of costs, to wit, a common fixed basis for collecting data relating to such costs. And we say that facts as to costs obtained in accordance with the varying conceptions of individual manufacturers can not safely be compared.

He has obtained only 18 samples of the fabrics of an industry in which the variety is infinite and which, he says, are controlled by the "vagaries of fashion," and which our president informed you were subject to the "capricious dictates of fashion." For purposes of comparison he has taken the trouble to obtain from one wool-manufacturing establishment, out of over 1,200 in this country, the costs of 4 samples supposed to be similar to 4 of the English samples which he obtained. Two of the 4 fabrics are going out of fashion and nearly obsolete. This is all the basis which we have for comparison of costs of fabrics, and the details of these costs were not obtained on a known or accurate basis, nor have we any means of testing their truth or accuracy. Furthermore, though Mr. Clark is undoubtedly a clever student and a truthful young man, his lack of knowledge of the business would not enable him to test information imparted to him in such manner as to confirm in any degree its accuracy.

We wish to register our protest against the unfairness done to Mr. Clark in giving him the task of investigating such a complex and difficult industry upon such inadequate notice.

We wish further to register our protest against the unfairness to our industry resulting from the selection for such an important matter of a man unfamiliar with the industry either in this country or abroad. The most expert manufacturer could not hope to obtain a clear insight into such an industry in two months. It is not reassuring as to the value of government expert work that an expert department should, for the purpose of aiding the Committee on Ways and Means in their work of revising the tariff, conduct in such a perfunctory manner an investigation into the costs of an industry which, according to the census report of 1905, employed in this country 185,592 persons, used a capital of $370,861,691, used materials of a cost of $242,561,066 and produced a finished product of $380,934,003. A private manufacturer who undertook to carry on his own business on a knowledge of costs thus obtained would meet nothing but bankruptcy.

It is furthermore to be regretted that in spite of the short and inadequate investigation of comparative costs that Mr. Clark was allowed to make, and in spite of the uncertain nature of the data which he has reported, he should have had in mind, while carrying on an impartial investigation of comparative costs, the question of the effect of the duties placed on the cloth by this country as indicated by the table on page 86 of his report. Nothing could be more misleading than this table unless Mr. Clark's data as to American costs was accurate and fairly representative of the costs in the entire industry. We feel that there can be no question that they are neither representative nor of practical value as a basis for comparison.

It is our opinion that the discrepancies between the details of construction and English costs of samples A, B, C, and D as given by Mr. Clark, and the results shown by analyses made in this country, are so marked as to raise a grave doubt as to whether the American manufacturer who furnished the American costs to Mr. Clark did not act under a misapprehension as to the problem submitted to him, and whether he was correctly informed of the basis of calculation of the English costs or the purpose for which the information was to be used. And we feel convinced that the results of Mr. Clark's work fully confirm the opinion expressed to the committee by our president, that reliable information as to foreign costs of manufacture is not obtainable.

Very truly, yours,

William Whitman, Boston, President and Chairman ex Officio; Frederic S. Clark, North Billerica, Mass.; Charles H. Harding, Philadelphia, Pa.; Louis B. Goodall, Sanford, Me.; Joseph R. Grundy, Philadelphia, Pa.; John Hopewell, Boston, Mass.; John P. Wood, Philadelphia, Pa.; J. R. MacColl, Pawtucket, R. I.; Francis T. Maxwell, Rockville, Conn.; J. F. Maynard, Utica, N. Y.; Thomas Oakes, Bloomfield, N. J., Tariff Committee National Association of Wool Manufacturers; Winthrop L. Marvin, Secretary.

SUMMARY OF THE STATEMENT OF THE NATIONAL ASSOCIATION OF WOOL MANUFACTURERS IN RELATION TO THE REPORT OF W. A. GRAHAM CLARK TO THE BUREAU OF MANUFACTURES ON NOVEMBER 1, 1908, AND HIS TESTIMONY BEFORE THE COMMITTEE ON WAYS AND MEANS ON DECEMBER 11 AND 22, 1908.

P. 152. The purpose of this statement is to aid the committee in determining what new and valuable information Mr. Clark obtained.

P. 152. The Bureau of Manufactures is supposed to have been established to aid our industries; therefore the work of its agents should be impartial and reliable. Mr. Clark's report, however, although interesting, covers too limited a field, is too full of inaccuracies, and based too little on manufacturing experience to be of practical value.

P. 153. Mr. Clark's and Mr. Whitman's description of the unstable and complex nature of the industry agree.

P. 154. Common basis of fact necessary for comparison of costs.

P. 155. Mr. Clark's report and testimony bear out the contention of our association before the committee that information as to comparative costs of production in foreign countries and the United States is not obtainable, and a comparison of foreign and domestic costs is not practicable, for the following reasons:

"Foreigners guard trade secrets jealously.

"There is no common or definite understanding of what is meant by cost of production.

"A certain basis of calculation is necessary to make comparisons.

"The most highly qualified expert would find it a difficult matter to obtain reliable data.

"Foreign manufacturers have a selfish interest in breaking down our tariff, and information given by them should be carefully scrutinized."

COMMON STANDARD OF COMPARISON NECESSARY.

P. 155. Mr. Clark had had no practical experience in the industry or knowledge of it on which to base his study of comparative costs. He was apparently sent abroad for other purposes, and the two months given him were too short.

RELATIVE ADVANTAGES OF WOOL MANUFACTURERS OF ENGLAND OVER OUR MANUFACTURERS.

Paragraph 156. Some of Mr. Clark's information is in a general way interesting and true, yet his data is too indefinite to be of practical value in the following among other very important particulars.

CHEAPER FIRST COST OF MACHINERY AND BUILDING IN ENGLAND.

Paragraph 156. He states that machinery and building are one-half to one-third cheaper in England, making ours cost from 50 per cent to 100 per cent more.

CHEAPER RAW MATERIAL IN ENGLAND.

Paragraph 157. He states that he had no first-hand knowledge of wool, and yet makes the erroneous statement that the average shrinkage of wool used in this country is 50 per cent to 60 per cent.

LABOR CHEAPER IN ENGLAND BY ONE-HALF OR MORE.

Paragraph 157. He found no uniform scale of wages in England, giving as reasons the complexity and changeableness of the industry and lack of labor organization. Our president stated to the committee that in so far as he was able to judge, English wages were one-half or less than one-half of wages in New England and Pennsylvania.

CHEAPER COSTS IN ALL OTHER ITEMS.

Paragraph 159. Costs of sample A, subsequent to weaving, are stated to be equal in both countries, which is inconsistent with Mr. Clark's general conclusion that all costs in England are less.

HIGH COST OF CLOTHES NOT DUE TO HIGH WOOL BUT TO TAILOR.

Paragraph 159. Mr. Clark undertakes to fix the proportion of the value of the wool to the value of a suit of clothes as 60 per cent. He ignores the labor cost in production of the wool. The general understanding among wholesale clothing manufactures is that the wool represents about 25 per cent, although the infinite variety of fabrics makes such an average a matter of individual opinion. A suit costing $13 will ordinarily sell at retail for $22.

INACCURATE COMPARISON OF CONSUMPTION OF WOOL IN GREAT BRITAIN AND THE UNITED STATES.

Paragraph 160. Mr. Clark's table states values instead of weight of materials used in the wool industry. He includes certain items twice and ignores the imports and exports. He does not distinguish between wool retained which may be manufactured and exported and wool for consumption.

Paragraph 161. He uses foreign values, instead of duty-paid values, in estimating the relation between our imports and our total wool consumption.

Paragraph 162. The duties from the wool to the cloth are given to disprove the statement that the duty on the yarn is higher than on the cloth. Percentages are shown to be fallacious.

Paragraph 163. The increased duty on tops is stated to be to prevent importation in that form.

Paragraph 163. Mr. Clark is shown to be in error in comparing men's with women's wages.

Paragraph 164. Many other inaccuracies.—Two all-wool suits are introduced as exhibits; New York retail price $20, Boston retail price $25, to disprove statement that an all-wool suit can not be bought in this country for $25.

ACCURATE INFORMATION AS TO COMPARATIVE COSTS IMPORTANT.

Paragraph 164. Mr. Clark's information as to comparative costs is limited to four samples. His only additional information as to special fabrics is limited to 14 samples as to which he obtained English and not American costs, and a theoretical fabric made in a theoretical mill.

Paragraph 165. Samples A and B.—These are cotton-warp dress goods which are nearly obsolete. The details of construction are insufficient and inaccurate, and the costs are apparently figured on a radically different basis because of the different division of manufacture in England and in this country. Details of construction are apparently based on analyses of the finished fabric.

Paragraph 167. Sample A. Cotton-warp piece-dyed cashmere with low botany-wool filling.—Inaccuracies and discrepancies make comparison impossible, partly, but not wholly, accounted for by different atmospheric conditions.

Paragraph 168. American analyses and comparison of costs give American cost 105.1 per cent greater, instead of 67 per cent. Selling expenses not included.

Sample B. Cashmere made of cotton and botany worsted cross dyed.—Inaccuracies and discrepancies make comparison impossible; not accounted for by different atmospheric conditions.

Paragraph 169. American analyses and comparison give American cost 108.4 per cent greater, instead of 67 per cent. Selling expenses not included.

Paragraph 171. Sample C. All wool sateen.—American analyses and comparison give American cost 132.6 per cent greater, exclusive of selling expenses. This compares very well with the American cost quoted by Mr. Clark.

Paragraph 172. Sample D. All wool serge made of crossbred wool.—American analyses and cost given, exclusive of selling expenses. This cloth it would not be practicable to make in the United States.

Paragraph 172. Theoretical fabric made in a theoretical mill.—Mr. Clark's figures here are not based on actual manufacturing experience or results. His results are impossible for the following among other reasons:

Paragraph 173. His estimated production is too great. Paragraph 174. He does not include part of the cost of carrying his wool which he buys at a fixed price on a year's contract. His estimate of the amount of wool necessary is too small. Paragraph 174. He figures his waste between the yarn and the finished cloth as 3 per cent instead of 10 per cent. Present price of the wool which he figures at 11½d. is now 14½d. American manufacturers say unanimously that it is impossible to produce the fabric on the details of construction given by him. Letter of Mr. Dunn to this effect quoted. Paragraph 176. He estimates a larger return of tops, i. e., 46 pounds, per 100 pounds of wool, as against about 40 pounds in his testimony before the committee.

Paragraph 176. Double the cost of plant, equipment, and manufacturing requires double profits to give the same rate of compensation.

Paragraph 176. Conclusion.—Mr. Clark's report confirms the fact that reliable information as to foreign costs is not obtainable and suggests a doubt as to the correctness of the basis on which the American costs of samples A, B, C, and D were figured.

Mr. WARREN. Mr. President, if the Senator from Wisconsin is willing, I should be glad if the article which I have just asked to have printed night follow immediately the one that he asked to have inserted in the RECORD last night.

Mr. LA FOLLETTE. Mr. President, I prefer that it should take its place in the proceedings of to-day. As I said last night, it emanates from interested parties and is a prejudiced criticism of the work of the government expert in the report which he made to the Government as to industries in Great Britain.

Mr. WARREN. I withdraw the request. Let it go into the RECORD in regular course.

Mr. President, there have been two or three articles—I do not know whether they are exactly the same—from an expert, Mr. Dale, printed in the RECORD, and, as they have called up a great question, I have here some practical suggestions relating to the same matter from the National Woolen Manufacturers' Association, which I ask may go into the RECORD.

The PRESIDING OFFICER. Without objection, the request of the Senator from Wyoming will be agreed to. The Chair hears none.

The matter referred to is as follows:

NATIONAL ASSOCIATION OF WOOL MANUFACTURERS,
Washington, D. C., June 10, 1909.

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.

DEAR SIR: The attack by Mr. Samuel S. Dale, of Boston, on the compensatory duties of Schedule A—an attack brought before the Senate by Senators opposed to the present tariff system—is no new line of hostility. Precisely the same attack, based on similar figures, can be found in the congressional debates in every tariff revision for forty years.

This method is perfectly familiar. It is well known that the shrinkage of wool varies so greatly that of some kinds of wool in the raw state only 2 pounds are required to make a pound of finished cloth, while of other wools 6 pounds are required. Mr. Dale has followed the usual expedient of limiting his examination chiefly or altogether to wools of low shrinkage, which of course give the desired result.

In reply to Mr. Dale we desire to submit the testimony of a large group of representative practical manufacturers, already presented to the Committee on Ways and Means. These statements are based upon standard fabrics in large use. They show that in the making of these fabrics from 3½ to upward of 4 pounds of unwashed wool have actually been required to make 1 pound of finished cloth, and that therefore on these standard goods the present compensatory duties are no more than adequate.

Mr. Dale is one of many editors engaged in writing on the textile industries. The publication to which he is attached is not the single organ of the wool industry, as has been represented to the Senate, but is one of several publications. The majority of these publications, and presumably the majority of these editors, are not in accord with Mr. Dale in his attitude toward the protective tariff and the wool schedule.

Without disparagement of Mr. Dale, it may be fairly said that the manufacturers whose testimony as to the adequacy of the compensatory duties are submitted herewith, have had a very much larger experience than Mr. Dale in practical wool manufacture, and are qualified to speak out of a very much broader observation.

Sincerely, yours,

WINTHROP L. MARVIN, *Secretary.*

COMPENSATORY DUTIES.

STATEMENTS OF PRACTICAL MANUFACTURERS AS SUBMITTED TO THE COMMITTEE ON WAYS AND MEANS BY THE NATIONAL ASSOCIATION OF WOOL MANUFACTURERS.

The statement of an average shrinkage of 60.5 per cent in American wools represents the loss up to and including the scouring process—not the further shrinkage in the various processes of manufacture. On this point we now present the largest amount of testimony from practical manufacturers ever procured and given to Congress. First are the letters of a group of manufacturers who state the shrinkage between the greasy wool and the finished cloth.

Thomas Oakes & Co., of Bloomfield, N. J., submit five samples of carded woolen cloth, in which from 3 pounds to 4.16 pounds of greasy wool are required to make 1 pound of finished cloth, and also four samples of worsteds in which from 3.7 to 4 pounds of greasy wool are required to make a pound of finished cloth.

The Talbot Mills, of North Billerica, Mass., submit two samples of carded woolen cloth, and state that it requires 3.52 pounds of greasy wool to make a pound of finished cloth.

S. Slater & Sons, of Webster, Mass., submit two samples of black broadcloths, in one of which 3.99 pounds of greasy wool are required to make 1 pound of finished cloth, and in the other 4.64 pounds of greasy wool are required to make 1 pound of finished cloth.

M. T. Stevens & Sons Company, of North Andover, Mass., submit three samples of dress goods and three of broadcloths, in which from 3.34 to 4.03 pounds of greasy wool are required to produce 1 pound of finished cloth.

The Globe Woolen Company, of Utica, N. Y., submit samples and state that 3 pounds 1 ounce of greasy wool are required to make 1 pound of carded woolen cloth, and that 2 pounds 9 ounces and 2 pounds 15 ounces of greasy wool are required to make 1 pound of worsted cloth, according to the samples presented.

The Forstmann & Huffmann Company, of Passaic, N. J., state that 100 pounds of greasy wool will yield from 24 to 34 pounds of finished cloth, according to samples submitted by the company.

The letters in full are as follows:

BLOOMFIELD, N. J., *December 16, 1908.*

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers.

DEAR SIR: At the hearing before the Ways and Means Committee, held at Washington on the 2d instant, many of the questions asked and some of the testimony filed with that committee indicated a very erroneous and exaggerated idea of the compensatory duty as now incorporated in the Dingley tariff laws.

To convince ourselves as to the real facts, we have examined our own records as manufacturers of fine woolens and worsteds, and herewith submit to you samples of our product, with all particulars pertaining to their manufacture. We have selected such cloths as are made of fine wools, both foreign and domestic, in order to give a fair and comprehensive comparison as to the compensatory duty at its present ratio of 4 to 1.

We have given this our careful attention, taking the data used from our books in the different departments, and we stand ready to vouch for its accuracy.

We wish to say that we manufacture all our yarns, both woolen and worsteds, and use only the finer qualities of wool, and no cotton is used whatever. Our woolen goods are largely faced or napped goods, and the loss in weight is probably greater in their manufacture than any other class of woolen goods, due to excessive fulling or felting, napping, and shearing.

We submit five samples of woolen goods designated by letters A, B, C, D, E.

Carded woolen cloth.

Fabric.	Wool made of—	Grease wool required.	Cloth finished.
		Pounds.	*Pound.*
A—Kersey	Australian geelong, 80's	3.00	1
B—Uniform	XXX territory	4.16	1
C—Beaver uniform	XXX Ohio	3.7	1
D—Doeskin uniform	XXX territory	4.05	1
E—Kersey	Cape	3.84	1

Worsted cloths made of combed wools.

We also submit four samples of worsteds, as follows, viz:

	Wool made of—	Grease wool required.	Cloth finished.
		Pounds.	*Pound.*
F	Ohio delaine	3.7	1
G	do	3.85	1
H	Fine territory	4	1
I	Ohio delaine	3.7	1

Yours, very truly, THOS. OAKES & Co.

TALBOT MILLS,
North Billerica, Mass., December 18, 1908.

WILLIAM WHITMAN, ESQ.,
President National Association of Wool Manufacturers,
683 Atlantic avenue, Boston, Mass.

DEAR SIR: Replying to your 11th instant, I send you herewith the following samples of carded woolen cloths:

A. piece dye casimere, weighing 11½ ounces to 56 inches in width.
B. piece dye carriage lining, weighing 7½ ounces to 54 inches in width. The latter is really what would be called a sacking. These are both made from a blend of 50 per cent fine Texas, eight months, shrinking 63 per cent, and 50 per cent California, eight months, shrinking 60 per cent.

It takes 3.52 pounds of this wool to make 1 pound of finished cloth.

Yours, truly,

FREDERIC S. CLARK, *President.*

S. SLATER & SONS (INCORPORATED) WOOLEN MILL,
Webster, Mass., January 5, 1909.

WILLIAM WHITMAN, ESQ.,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: Acknowledging receipt of your letter of December 11, we would report as follows:

A. With this letter please find two samples of black broadcloths made of carded wools.

B. The quantity of greasy wool in 1 pound of each cloth (by greasy wool meaning before sorting), Silesian twill, 3.69 pounds; 444 cloth, 4.64 pounds.

C. The class and character of the wool in the Silesian twill is first-class XXX grade clothing wool.

D. The Silesian twill is made of one-half fine Australian foreign and half fine Ohio domestic, and the 444 cloth is made entirely of domestic wool. We do not make worsted cloths, so can not send samples or answer the questions under that heading.

Respectfully,

FRANK BULKELEY SMITH, *Treasurer.*

M. T. STEVENS & SONS COMPANY,
North Andover, Mass., January 1, 1909.

Goods.	Weight per square yard	Quality of stock.	Pounds wool required to produce one pound of goods.
	Ounces.		
E—Dress goods	2.75	Fine medium territory	3.71
F—Dress goods	4.5	do	3.66
D—Dress goods	4.7	do	3.89
A—Broadcloth	4.5	do	3.84
B—Broadcloth	4.3	do	4.03
C—Broadcloth	4.9	Cape and Port Phillip	3.34

GLOBE WOOLEN COMPANY,
Utica, N. Y., December 29, 1908.

Mr. WILLIAM WHITMAN,
Herding-Whitman Company, 78 Chauncy street, Boston, Mass.

DEAR SIR: We inclose statement regarding carded woolen cloths and worsted cloths made from combed wools, as you have requested, and which we trust will convey the information you desire.

We also return the letter written by Mr. Robert Middleton to Mr. Rufus S. Frost.

Under separate cover we have sent you samples of cloth described in the statement inclosed.

Yours, truly, GLOBE WOOLEN COMPANY.

Carded woolen cloth.

Samples.	Greasy wool in 1 pound of cloth.	Class.	Character.	Foreign or domestic.
T C	3 pounds 1 ounce	1	XX. Ohio clothing washed.	Domestic.
13	do	1	do	Do.

Worsted cloths made of combed wool.

Samples.	Greasy wool in 1 pound of cloth.	Class.	Character.	Foreign or domestic.
1103	2 pounds 9 ounces	1	Ohio ¾'s unwashed	Domestic.
3191	2 pounds 15 ounces	1	80's Australian	Australian.

FORSTMANN, HUFFMANN & Co.,
Passaic, N. J., January 8, 1909.

STATEMENTS REGARDING SAMPLES OF WOOL AND CLOTH.

Out of 100 pounds of imported greasy wool (sample No. 8) we produce 33 pounds of cloth No. VI.

Out of 100 pounds of scoured wool of the same grade (sample No. 12) we produce 81 pounds of finished cloth No. VI.

Out of 100 pounds of the greasy wool which is used for the manufacture of cloths Nos. IV, V, and VII, and which is also imported, we produce 24 pounds of finished cloth.

Out of 100 pounds of scoured wool of the same grade (sample No. 10) we produce 78 pounds of the three above-mentioned cloths Nos. IV, V, and VII.

Out of 100 pounds of greasy wool No. 9, which is of domestic origin, we produce 31 pounds of cloth No. I, 34 pounds of cloth No. II, and 32 pounds of cloth No. III.

Out of 100 pounds of scoured wool of the same grade of domestic wool (sample No. 11) we produce 78 pounds of cloth No. I, 84 pounds of cloth No. II, and 81 pounds of cloth No. III.

Taking into consideration the fact that the cost of freight and wages for sorting and scouring wool are much higher for the American than for the European manufacturer, the duty of 44 cents per pound on such finished cloths as are represented by samples Nos. I to VII does not give any protection with the duty of 11 cents per pound on greasy wool.

JULIUS FORSTMANN.

FROM WOOL TO TOPS.

An important statement from Harry Hartley & Co., top manufacturers, of Boston, is submitted, showing the amount of top produced from various wools grown in the United States. This shows that 100 pounds of fine merino territory wool yields 21.73 pounds of tops; 100 pounds of fine medium territory wool yields 24.45 pounds of tops; 100 pounds of medium half-blood territory wool yields 28.80 pounds of tops; 100 pounds of fine unwashed Ohio and Michigan wool yields 26.47 pounds of tops; 100 pounds of average fine Texas wool yields 24.45 pounds of tops; 100 pounds of twelve months' Texas wool, long staple, yields 27.90 pounds of tops; and 100 pounds of quarter-blood territory wool yields 37.30 pounds of tops. This statement further confirms the soundness of the proposition that 4 pounds of wool are, on the average, required to produce a pound of finished cloth. It should be remembered that from the top there is a further considerable shrinkage in the process of manufacturing. The statement of Harry Hartley & Co. is, in full, as follows:

HARRY HARTLEY & CO. (INC.).

Particulars of amount of top yielded by various wools grown in the United States.

Fine merino territory wool (American). Take 100 pounds: Taking off string, dung locks, and refuse (4 per cent) leaves 96 pounds of sorted wool. Shrinking, 70 per cent, yielding 30 per cent of clean wool, yields 28.80 pounds of scoured wool. In carding it makes 8 per cent of card and burr waste, yields 26.50 pounds of carded sliver. In combing it makes 18 per cent of noil (waste), yields 21.73 pounds of top. Result, 100 pounds of fine territory wool yields 21.73 pounds of top.

As the shrinkage of fine territory wool varies from 68 to 73 per cent, I have taken an average shrinkage as 70 per cent.

Fine medium territory wool. Take 100 pounds: Taking off strings, dung locks, and refuse (4 per cent) leaves 96 pounds of sorted wool. Shrinking 67 per cent, yielding 33 per cent of clean wool, yields 31.68 pounds of scoured wool. In carding it makes 7 per cent of card and burr waste, yields 29.46 pounds of carded sliver. In combing it makes 17 per cent of noil (waste), leaves 24.45 pounds of top. Result, 100 pounds of fine medium territory wool yields 24.45 pounds of top.

Medium half-blood territory wool (American). Take 100 pounds: Taking off string, dung locks, fribs, and refuse (4 per cent) leaves 96 pounds of sorted wool. Shrinking 62 per cent, yielding 38 per cent of scoured wool, yields 36.48 pounds of scoured wool. In carding it makes 6 per cent of card and burr waste, yields 34.29 pounds of carded wool. In combing it makes 16 per cent of noil (waste), yields 28.80 pounds of top. Result, 100 pounds of half-blood territory wool yields 28.80 pounds of top.

Fine unwashed Ohio and Michigan wool. Take 100 pounds: Taking off strings, dung locks, and refuse (8 per cent) leaves 92 pounds of sorted wool. Shrinking 64 per cent, yielding 36 per cent, yields 33.12 pounds of scoured wool. In carding it makes 5 per cent of card and burr waste, yields 31.46 pounds of carded sliver. In combing it makes 15 per cent of noil (waste), leaves 26.74 pounds of top. Result, 100 pounds of fine unwashed Ohio and Michigan wool yields 26.47 pounds of top.

Average fine Texas wool. Take 100 pounds: Taking off strings, dung locks, and refuse (4 per cent) leaves 96 pounds sorted wool. Shrinking 67 per cent, yielding 33 per cent, yields 31.68 pounds scoured wool. In carding it makes 7 per cent of card and burr waste, 29.46 pounds carded sliver. In combing it makes 17 per cent of noils (waste), 24.45 pounds top. Result, 100 pounds of average fine Texas wool yield 24.45 pounds top.

Twelve months' Texas wool, long staple. Take 100 pounds: Taking off string, tags (dung locks), and refuse (3 per cent) leaves 97 pounds sorted wool. Shrinking 64 per cent, yielding 36 per cent of scoured

wool, 34.92 pounds scoured wool. In carding it makes 6 per cent of card and bur waste, 32.82 pounds carded sliver. In combing it makes 15 per cent of noils (waste), 27.90 pounds top. Result, 100 pounds of merino Texas yields 27.90 pounds top.

Quarter-blood territory wool (American). Take 100 pounds: Taking off strings, dung locks, fribs, and refuse (3 per cent) leaves 97 pounds sorted wool. Shrinking 54 per cent, yielding 46 per cent of scoured wool, 44.62 pounds scoured wool. In carding it makes 5 per cent of card and bur waste, 42.39 pounds carded sliver. In combing into top it makes 12 per cent of noils, 37.30 pounds top. Result, 100 pounds of quarter-blood territory yields 37.30 pounds top.

SCOURED WOOL TO CLOTH.

The statements submitted above have shown the total shrinkage from mited below show separately the shrinkage from the scoured wool to the top, a partially manufactured product. Further statements submitted below show separately the shrinkage from the scoured wool to the finished cloth in the processes of manufacturing, and in some cases also the shrinkage from the greasy wool to the scoured wool. That 3 pounds of greasy wool are required to make 1 pound of scoured wool has long been a fundamental proposition in the framing of the tariffs of the United States. These statements that follow show conclusively the additional shrinkage from the scoured wool to the finished fabric.

The Talbot Mills, of North Billerica, Mass., state that on the basis of their three samples submitted it requires 1½ pounds of scoured wool to produce 1 pound of cloth.

The Botany Worsted Mills, of Passaic, N. J., whose managers have important experience on both sides of the ocean, state that the loss between the top and the finished dress goods approximates from 15 to 20 per cent, and that 100 pounds of scoured wool produces about 60 to 65 per cent of finished cloth, and give other important particulars. Four samples of dress goods are submitted.

The Hockanum Company, of Rockville, Conn., submits samples of fine worsteds made from Australian yarn, and states than 100 pounds of yarn in the gray produces 81.2 pounds of finished cloth.

The Globe Woolen Company, of Utica, N. Y., submits samples of carded woolen and worsted cloth, and states that 1 pound of scoured wool will yield 11.25 ounces of woolen cloth, and that 1 pound of scoured wool will yield in one sample 10.41 ounces, and in another 11.40 ounces of worsted cloth.

George E. Kunhardt, of Lawrence, Mass., submits eight samples of wools, worsteds, and serges, and states that in one fabric 1 pound of scoured wool yields 0.78 pound of finished cloth, and in the other 1 pound of scoured wool yields 0.83 pound of finished cloth.

The Rock Manufacturing Company, of Rockville, Conn., submits a sample of uniform cloth, and states that 4,000 pounds of fine domestic wool in the grease will yield 1,280 pounds of clean white wool, and that this wool will yield 921.60 pounds of finished cloth.

The Waterloo Woolen Manufacturing Company submits two samples of blue broadcloth, and states that the quantity of scoured wool in each pound of cloth is approximately 1½ pounds. It adds that although the shrinkage of the Australian wool used in one of the samples is given as 56 per cent.

* * * It is proper to state that in Europe similar goods are made from wools of a much higher shrinkage. On account of the specific duty on wool, it is necessary to select for importation such as is of low shrinkage. Owing to the relatively small quantity of this, there is keen competition among purchasers for America. It follows that European manufacturers obtain equally good wool of heavier shrinkage at a lower price per scoured pound. It follows also that America can import only in very limited quantities the fine wools grown in South America and the Cape of Good Hope.

Thomas Oakes & Co., of Bloomfield, N. J., state that from 1.38 to 1.44 pounds of scoured wool are required to produce a pound of finished cloth, according to samples submitted by them.

M. T. Stevens & Sons Co., of North Andover, Mass., submit samples of dress goods and broadcloth, and state that from 1.30 to 1.40 pounds of scoured wool are required to produce 1 pound of cloth.

The letters are published below:

TALBOT MILLS,
North Billerica, Mass., January 2, 1909.

WILLIAM WHITMAN, Esq.,
President National Association Wool Manufacturers,
Boston, Mass.

DEAR SIR: Replying to yours of December 30, the samples already sent in, A and B, require 1½ pounds of scoured wool per pound of cloth.

Yours, truly,

FREDERIC S. CLARK, *President.*

Passaic, N. J., January 4, 1909.

WM. WHITMAN, Esq.,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: In answer to your esteemed favors of December 15 and 18, 1908, and as requested, we beg to reply to your several queries as follows:

1. One hundred pounds wool in the grease usually yield from 25 per cent in territory up to 44 per cent of best Australian finished top.
2. One hundred pounds wool in the grease render the following results:

	Australian.	Fine territory.	One-half blood domestic.
	Per cent.	*Per cent.*	*Per cent.*
Sorted wool ... about	85	80	80
Top and noll ... do	44½	26	32
Tops, standard condition ... do	39½	21½	27½

3. The loss between top and finished dress goods approximates 15 per cent to 22 per cent.
4. One hundred pounds scoured wool would produce about 60 per cent to 65 per cent finished cloth.
5. Regarding the question of comparative scale of wages here and as paid on the European continent, we beg to say that so far as we are informed the wages in this country are at least twice that paid abroad, and in many cases three times higher.

The Australian wools that we use are the lighter shrinkage wools from that country, which, under existing conditions, we can import to better advantage than the heavier shrinkage wools which form the bulk of the clip.

By express we are sending you four specimens of our dress goods, marked as follows:

"Style No. 3 (low);" "style No. 6 (med.);" "style No. 7 (fine);" "style No. 4 (best)," which we hope will serve your purpose.

We also take pleasure in acknowledging receipt of your favor on the 2d instant, with pamphlet referred to by you, for which we thank you.

We trust the above information will aid you in convincing the Ways and Means Committee of the importance that the compensatory duties as now fixed be maintained on our class of goods, and that they will see the justice to so recommend the present tariff to be continued in the new tariff law they intend to introduce.

We remain, yours, very truly,

BOTANY WORSTED MILLS,
FERD. KUHN, *Treasurer.*

HOCKANUM COMPANY,
Rockville, Conn., January 6, 1909.

Mr. WILLIAM WHITMAN,
78 Chauncy street, Boston, Mass.

DEAR SIR: At your request we are sending you a number of samples of fine worsteds made from Australian worsted yarns. Our experience in manufacturing these goods is that they show an average shrinking from the worsted yarn in the gray to the finished cloth of 19 per cent, and we account for this 19 per cent shrinking as follows: Six per cent loss in dyeing; 5½ per cent loss in waste; 8½ per cent loss in finishing. Thus, 100 pounds of yarn in gray produces 94 pounds after dyeing, 88.7 pounds greasy cloth, 81.2 pounds of finished cloth.

Trusting that this is what you want,

Yours, very truly,

F. T. MAXWELL, *Treasurer.*

GLOBE WOOLEN COMPANY,
Utica, N. Y., January 1, 1909.

Mr. WILLIAM WHITMAN, *President,*
683 Atlantic avenue, Boston, Mass.

DEAR SIR: Your favor of December 30 received. Inclosed please find statement showing weight of finished cloth in each of the samples we sent you that can be made from 1 pound of scoured wool. The inclosed statement, taken in connection with our statements sent you dated December 23, 1908, will show the details of shrinkage from greasy wool to finished cloth.

The 80 Australian referred to means grade of wool and not size of yarn.

Yours, truly, GLOBE WOOLEN COMPANY,
JOHN SIMSON, *Superintendent.*

Carded woolen cloth.

Sample.	Weight of scoured wool.	Weight of finished cloth.
	Ounces.	*Ounces.*
Tc	16	11.25
13	16	11.25

Worsted cloths made of combed wool.

Sample.	Weight of scoured wool.	Weight of finished cloth.
	Ounces.	*Ounces.*
1103	16	11.40
3191	16	10.41

LAWRENCE, MASS., *January 4, 1909.*

NATIONAL ASSOCIATION OF WOOL MANUFACTURERS,
Boston, Mass.

GENTLEMEN: With reference to your favor of December 31, and answering the inquiries you made in your letter of December 11, we are herewith inclosing eight reference samples: First, two fancy woolens, our 5600 and 6000 lines; second, three fancy worsteds, our 4450, 5250, and 8200 lines; and third, serges, our 160, 180, and 300.

In paragraph 3 we designate the loss between scoured wool and finished cloth on our woolen fabrics.

We hope this matter is sent you in satisfactory shape.

Yours, faithfully,

GEORGE E. KUNHARDT.

I. *Carded woolen cloths.*

A.	B.	C.	D.	
5600	4 pounds 9 ounces	Class 1	Domestic	Fall California.
6000	3 pounds 1 ounce	do	do	California and territory.

II. *Worsted cloths made of worsted yarns.*

A.	B yarn.	
160	17.3 ounces	2/40s X Arlington gray yarn, colored.
180	17.3 ounces	2/42s XXX special Arlington gray yarn.
300	17.5 ounces	2/28s Arlington gray yarn.

III. LOSS BETWEEN SCOURED WOOL AND FINISHED CLOTH.

In the above 5,600 line the equivalent for 1 pound of scoured wool is 0.78 pound of finished cloth.

In the above 6,000 line the equivalent for 1 pound of scoured wool is 0.83 pound finished cloth.

MEMORANDUM.

If 1 pound of scoured wool makes 0.78 pound finished cloth, it would require 20.5 ounces of scoured wool to make 1 pound of finished cloth.

If 1 pound of scoured wool makes 0.83 pound finished cloth, it would require 19.3 ounces of scoured wool to make 1 pound of finished cloth.

THE ROCK MANUFACTURING COMPANY,
Rockville, Conn., December 17, 1908.

GENTLEMEN: We hand you herewith our method of figuring the cost per finished yarn of the wool used in making an indigo, wool-dyed, steam-finished dark blue uniform cloth, to weigh 16 ounces per linear yard.

Taking 4,000 pounds of fine domestic wool in the grease, there will be a shrinkage during the process of scouring of 68 per cent. This will give 1,280 pounds of clean white wool.

During the various processes of manufacture—carbonizing, coloring, carding, spinning, dressing, weaving, and finishing—there will be an additional shrinkage of 28 per cent, which will leave 921.60 pounds of finished cloth.

	Pounds.
Fine domestic wool in the grease	4,000
68 per cent shrinkage during scouring	2,720
Clean white wool	1,280
28 per cent shrinkage during manufacture	358.4
Pounds of finished cloth	921.6

Four and one-half pounds of greasy wool to 1 pound of cloth.

We hand you below a sample of the cloth produced by the above schedule.

Truly, yours,

THE ROCK MANUFACTURING COMPANY.

WATERLOO WOOLEN MANUFACTURING COMPANY,
New York, January 4, 1909.

WILLIAM WHITMAN, Esq.,
President National Association of Wool Manufacturers.

DEAR SIR: Replying to your various communications, I have sent you two samples, as follows:

CARDED WOOLEN CLOTHS.

(1) Blue broadcloth, 54 inches wide inside selvage, weight 16 ounces per linear yard, made from Australian 70s merino; quantity of greasy wool in each pound of cloth, 55 ounces, on the basis of 56 per cent shrinkage. Quantity of scoured wool in each pound of cloth, approximately 1¼ pounds.

(2) Blue broadcloth, 54 inches wide inside selvage, weight 16 ounces per linear yard, made from fine unwashed fleece wool grown in Ohio, West Virginia, or Pennsylvania; quantity of greasy wool in each pound of cloth, 67 ounces, on the basis of 64 per cent shrinkage. Quantity of scoured wool in each pound of cloth, approximately 1¼ pounds.

2. We do not make worsted cloths from combed wools.

3. We spin all of the woolen yarns used in our fabrics.

Although the shrinkage of the Australian wool used in sample No. 1 is given as 56 per cent, it is proper to state that in Europe similar goods are made from wools of a much higher shrinkage. On account of the specific duty on wool, it is necessary to select for importation such as is of low shrinkage. Owing to the relatively small quantity of this there is keen competition among purchasers for America. It follows that European manufacturers obtain equally good wool of heavier shrinkage at a lower price per scoured pound. It follows also that America can import only in very limited quantities the fine wools grown in South America and the Cape of Good Hope.

It is stated above that approximately 1¼ pounds of scoured wools are required to make 1 pound of goods. This is subject to variation, depending on the amount of vegetable matter, kemp, and short fiber in each purchase of wool, upon the amount of finish given the cloth, and is also influenced by the fact that most broadcloth manufacturers deliver goods weighing more than the contract calls for. Thus 1¼ pounds of scoured wool will produce sometimes .975 pound of cloth, sometimes 1.08 pounds of cloth, the variation between these limits depending on the factors mentioned above.

Yours, truly,

WATERLOO WOOLEN MANUFACTURING CO.,
A. M. PATTERSON, *President.*

BLOOMFIELD, N. J., *January 9, 1909.*

WILLIAM WHITMAN, Esq.,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: We have your favor of yesterday's date requesting that we send the quantity represented in pounds of scoured wool required for 1 pound of finished cloth in the several samples previously sent to you. We forwarded yesterday the same information represented by percentages, but now inclose the same, as you request, in pounds:

Pounds scoured wool to 1 pound finished wool.

Woolens:	
Sample A	1.44
Sample B	1.41
Sample C	1.40
Sample D	1.38
Sample E	1.38
Worsteds:	
Sample F	1.41
Sample G	1.42
Sample H	1.44
Sample I	1.41

The results, so far as our samples are concerned, are so uniform we think an average of 1.40 would fairly represent the scoured quantity for 1 pound finished product.

Yours, truly,

THOMAS OAKES & Co.

M. T. STEVENS & SONS COMPANY,
North Andover, Mass., January 11, 1909.

Goods.	Weight per square yard.	Quality of stock.	Pounds clean wool required to produce one pound of goods.
Dress goods:	*Ounces.*		
E	3.75	Fine medium territory	1.30
F	4.5	do	1.30
D	5.7	do	1.32
Broadcloth:			
A	5.5	do	1.32
B	6.8	do	1.4
C	6.9	Cape and Port Phillip	1.4

A SUMMARIZED STATEMENT.

The tables of Harry Hartley & Co. show the actual quantity in pounds of wool top, worsted yarn, and finished goods made from 100 pounds of greasy wool in the bale, and the equivalent number of pounds of greasy wool required for the cloth, recapitulated as follows:

Character of wool.	Pounds of tops.	Pounds of worsted yarn.	Pounds of finished goods.	Equivalent of greasy wool in cloth.
Fine merino territory	21.73	20.64	17.55	5.7
Fine medium territory	24.45	23.23	19.75	5.1
Medium one-half blood territory	28.80	27.36	23.27	4.3
Fine medium unwashed Ohio and Michigan	26.47	25.15	21.38	4.7
Average fine Texas	24.45	23.23	19.75	5.1
Twelve months Texas, long staple	27.90	26.50	22.53	4.4
One-quarter blood territory	37.30	35.43	30.12	3.3

From the best estimate obtainable the average shrinkage from greasy wool to scoured wool of the entire wool product of the United States is at least 60 per cent.

On this basis, 100 pounds of such greasy wool would, as a broad, general statement, yield, on the average, 97½ pounds of sorts, 39 pounds of scoured wool, 31.2 pounds of top, 29¼ pounds of worsted yarn, 25 pounds of finished worsted cloth.

From the testimony already received we have the following results:

Carded woolen cloths.—Ten exhibits; 24 samples from mills making finished goods from greasy wool bought in the bale. Average, 3.73 pounds of wool to 1 pound of cloth; lowest, 3 pounds; highest, 4.64 pounds.

Carded woolen cloths.—Eight exhibits; 28 samples showing the amount of scoured wool required to make 1 pound of finished cloth. Average, 1.37 pounds; lowest, 1.20 pounds; highest, 1.55 pounds.

Compensating duty required on the basis of scoured wool dutiable at 33 cents equals 45.21 cents.

Worsted cloths from mills making their own tops and yarns.—Three exhibits; 12 samples. Average, 3.66 pounds of wool to 1 pound of finished cloth; lowest, 2.56 pounds; highest, 4.55 pounds.

Worsted cloths from mills making their own tops and yarns.—Three exhibits; 12 samples showing the number of pounds of scoured wool required to make 1 pound of finished cloth. Average, 1.55 pounds of scoured wool to 1 pound of finished cloth; lowest, 1.40 pounds; highest, 1.78 pounds.

Compensating duty required on the basis of scoured wool dutiable at 33 cents equals 51.15 cents.

Worsted cloths made by manufacturers who purchase their worsted yarns, showing loss between yarn and cloth.—Two exhibits; 11 samples; 8 Australian worsted yarn; 1 Australian and territory yarn; 2 fine medium territory yarn; 18.84 ounces of worsted yarn are required to make 1 pound of finished goods; shrinkage, 15+ per cent.

These exact statements, drawn from the actual business experience of representative importers of wool and manufacturers of woolen and worsted fabrics, are strong cumulative testimony that the standard of 4 pounds of greasy wool to 1 pound of finished cloth, the long-recognized basis of the compensatory duty, is a just standard, and that it ought to be embodied in the wool and woolen schedule of the tariff law which the Committee on Ways and Means is now considering. It is not denied that there are wools less than 4 pounds of which will produce a pound of cloth.

These hostile interests which attack our compensatory duty as a part of the protective system are in the habit of selecting such wools, as has been done by certain English manufacturers of Bradford, in a brief submitted to your committee by their representatives, F. Butterfield & Co., of New York. But, on the other hand, there are wools in constant use in this country, of both foreign and domestic production, more than 4 pounds of which are required to produce a pound of finished cloth.

That statement of Senator ALDRICH, chairman of the Senate Committee on Finance, which we have already quoted, goes right to the heart of this question of compensatory duties when, referring to the foes of a protective policy, Senator ALDRICH says:

"They have selected certain kinds of wool, and declared that in these particular instances the proportion of shrinkage and waste is only as 2 or 3 pounds of wool to 1 of cloth. I grant there are such instances; but as it is the weakest link in the chain or the lowest point in the levee that determines efficiency, so we are bound to take the highest shrinkage wools accessible to foreigners and to calculate the compensatory duty on the basis of these. If our manufacturers are excluded from the use of this class of wools, their competitors do use them, and it is against these that the equalization of conditions is to be effected.

"Again, it has been argued that the formula is wrong, because certain fabrics are produced in which 4 pounds of wool, even of this high-shrinking quality, are not required to manufacture a pound of goods, while the compensatory duty is fixed at four times the wool duty. Goods woven on cotton warps or containing some admixture of

shoddy are cited. I grant the facts in this instance also. But we must, as I have already shown, arrange the compensation on the basis of the best cloths; otherwise we should determine, by our legislation, that the manufacture in this country shall be confined to the lower grades of goods. That would be to affix the brand of permanent inferiority upon our woolen manufactures. Nor is it possible in a tariff bill to so adjust a system of compensatory duties that it shall exactly fit the amount of wool consumed in an almost infinite variety of fabrics."

Another objection that may be urged to accepting the proportion of 4 pounds of wool to 1 pound of cloth, and allowing a compensatory duty on this basis, is that the great shrinkage in the wool is not always fully lost—as in the case of noils, for instance. But the manifest reply to this, which has been presented before and is now emphasized again, is that though these noils have a value, that value is very much less than the foreign or original cost of the wool from which they were made—less than the foreign cost of the wool, exclusive of the duty. Thus, it is plain that the manufacturer, who pays the duty on the wool and the noils included in it, does not recover the duty paid upon the noils when he sells them. Therefore the value of the noils can rightfully be eliminated from the calculation.

What the tariff makers have sought in past years is to fix a fair average standard, sufficient under all normal circumstances to compensate American wool manufacturers for the relatively high rates of duty which they are required to pay upon their raw material. This standard of 4 pounds of greasy wool to 1 pound of cloth, though often assailed by rival foreign manufacturing interests and their representatives in the United States, has stood the test of forty years of critical examination, and we urge you respectfully that it once more be adopted by your committee in the preparation of the new tariff law.

Very truly, yours,

William Whitman, Boston, president and chairman ex officio; Frederic S. Clark, North Billerica, Mass.; Walter Erben, Philadelphia, Pa.; Louis B. Goodall, Sanford, Me.; Edwin Farnham Greene, Boston, Mass.; Joseph R. Grundy, Philadelphia, Pa.; John Hopewell, Boston, Mass.; George E. Kunhardt, Lawrence, Mass.; J. R. MacColl, Pawtucket, R. I.; Francis T. Maxwell, Rockville, Conn.; J. F. Maynard, Utica, N. Y.; Thomas Oakes, Bloomfield, N. J.; Winthrop L. Marvin, Secretary, Tariff Committee National Association of Wool Manufacturers.

COMPENSATORY DUTIES.

ADDITIONAL STATEMENT SUBMITTED BY THE NATIONAL ASSOCIATION OF WOOL MANUFACTURERS, FEBRUARY 10, 1909.

BOSTON, MASS., *February 9, 1909.*

Hon. SERENO E. PAYNE,
Chairman of the Committee on Ways and Means,
House of Representatives, Washington, D. C.

DEAR SIR: We wish to submit to you herewith some supplementary statements from manufacturers relative to the compensatory duties, showing the amount of greasy wool required to make a pound of cloth, the shrinkage between top and yarn, etc.

The American Woolen Company submits 10 samples of woolen and worsted fabrics, and states that from 3.34 to 4.55 pounds of greasy wool are required to produce 1 pound of these fabrics.

John and James Dobson, of the Falls of Schuylkill Carpet and Plush Mills, submit four samples of cloths, and state that with the exception of the Australian wool it takes more than 4 pounds of unwashed wool to make a pound of these cloths—the Australian a little less.

The Middlesex Company submits two samples of uniform cloth, and states that a little more than 4 pounds of greasy wool are required to make 1 pound of one of these fabrics and slightly over 5 pounds to make 1 pound of the other.

Statements of the Pocasset Worsted Company, S. Slater & Sons, the Standish Worsted Company, and the Dunn Worsted Mills relate to the shrinkage between tops and yarn, yarn and cloth, scoured wool and cloth, etc.

This testimony is confirmatory of other statements of manufacturers already submitted by us to your committee.

We submit, also, a statement of Brown & Adams, wool commission merchants of Boston, that Australian fine wools will shrink from 45 to 65 per cent, Cape wools from 55 to 75 per cent, and South American wools from 50 to 72 per cent—confirming in general statements already filed with the committee from John G. Wright and Farnsworth, Thayer & Stevenson, that 4 pounds of greasy wool to 1 pound of finished cloth is the proper basis of a compensatory duty.

Very truly, yours,

William Whitman, Boston, president and chairman ex officio; Frederic S. Clark, North Billerica, Mass.; Charles H. Harding, Philadelphia, Pa.; Louis B. Goodall, Sanford, Me.; Joseph R. Grundy, Philadelphia, Pa.; John Hopewell, Boston, Mass.; John P. Wood, Philadelphia, Pa.; J. R. MacColl, Pawtucket, R. I.; Francis T. Maxwell, Rockville, Conn.; J. F. Maynard, Utica, N. Y., and Thomas Oakes, Bloomfield, N. J., tariff committee, National Association of Wool Manufacturers; Winthrop L. Marvin, secretary.

AMERICAN WOOLEN COMPANY,
WM. M. WOOD, *President,*
Boston, Mass., January 18, 1909.

WM. WHITMAN, Esq.,
President National Association of Wool Manufacturers,
78 Chauncey Street, Boston, Mass.

DEAR SIR: We forward you herewith samples of woolen and worsted fabrics and trust the information given below is what you require.

Sample "A": 9½ ounces broadcloth made from domestic wool. Requires 4 pounds of grease wool or 22½ ounces of clean wool to make 1 pound of cloth.

Sample "B": 20 ounces kersey made of Australian wool. Requires 3¾ pounds of grease wool or 22 ounces of clean wool per pound of cloth.

Sample "C": 16 ounces kersey made from Australian wool. Requires 3¾ pounds of grease wool or 22 ounces clean wool per pound of cloth.

Sample "D": 17 ounces indigo kersey made from domestic wool. Requires 4 pounds of grease wool or 22½ ounces clean wool per pound of cloth.

Sample "1": 13½ ounces worsted cloth made from domestic wool. Requires 3.34 pounds of grease wool or 1.64 pounds of clean wool per pound of cloth.

Sample "2": 16 ounces worsted made of territory wool. Requires 4.24 pounds of grease wool or 1.70 pounds of clean wool per pound of cloth.

Sample "3": 18 ounces worsted made from territory wool. Requires 4.34 pounds of grease wool or 1.78 pounds of clean wool per pound of cloth.

Sample "4": 16 ounces worsted made from territory wool. Requires 4.55 pounds of grease wool or 1.54 pounds of clean wool per pound of cloth.

Sample "5": 15 ounces worsted made from Australian wool. Requires 3.37 pounds of grease wool or 1.61 pounds of clean wool per pound of cloth.

Sample "6": 18 ounces worsted made from Australian wool. Requires 3.37 pounds of grease wool or 1.61 pounds of clean wool per pound of cloth.

Yours, truly,

AMERICAN WOOLEN COMPANY,
C. J. BODFISH,
Manufacturing Secretary.

FALLS OF SCHUYLKILL
CARPET AND PLUSH MILLS,
Philadelphia, January 16, 1909.

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: I herewith send you four different samples of cloths, numbered 1 to 4, inclusive.

No. 1 is a cloth made from all Australian wool. I also send you the amount of scoured fine wool that it will take to make a pound of this cloth, calculated, as you will see, as per sheet inclosed.

I also send you sample marked No. 2, made from half Australian and half domestic fine Montana, with the same calculations.

I also send you samples made from Ohio wool, marked No. 3, with the same calculations.

I also send you samples No. 4, made from territory wool, with calculations.

In making these calculations, I take 4 pounds of each kind of wool in unwashed condition. I think you will find these calculations as near accurate as it is possible to get them. The shrinkage of wools you can ascertain in Boston as well as I can. Of course, these are from actual experience. The higher the finish of the goods in the way of broadcloth, the more the shrinkage will be.

You will notice that the manufacture of broadcloth is a very different proposition from the manufacture of a worsted piece of goods. In many cases these goods are in the fulling mills for a whole day to be felted; the higher the felting the heavier the logs.

You will notice that, with the exception of the Australian wool, it takes more than 4 pounds of unwashed wool to make a pound of cloth; the Australian takes a little less. The wools grown in Silesia, in Russia, and the Cape of Good Hope have a much higher shrinkage than the Australian wools, but the average is about the American standard of shrinkage.

Hoping the above information will be of service to you, I remain,

Yours, very respectfully,

JAMES DOBSON.

MIDDLESEX COMPANY,
Lowell, Mass., January 14, 1909.

WM. WHITMAN, Esq.,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR SIR: I beg to hand you herewith two samples of cloth manufactured by the Middlesex Company. These are of a type produced by this company for a great many years and are used in making uniforms.

Sample No. 1 is made of fine Ohio wool, and from 100 pounds of wool in the bale we made 24.36 pounds of cloth, or a little more than 4 pounds of wool to a pound of cloth.

Sample No. 2 is made chiefly from Idaho wool, and from 100 pounds of this wool we made 19.87 pounds of cloth, or slightly over 5 pounds of wool to a pound of cloth.

From this it appears that the specific or compensating duty, which is based on the theory that 4 pounds of wool are required to make 1 pound of cloth, is not placed too high as far as it concerns the uniform cloths made by this company.

Yours, respectfully,

C. BROOKS STEVENS, *Treasurer.*

POCASSET WORSTED COMPANY,
Boston, Mass., January 11, 1909.

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers,
Boston, Mass.

DEAR MR. WHITMAN: Replying to your letter of January 9, I am inclosing a memorandum giving the shrinkage losses from top to worsted yarn for the years 1905, 1906, 1907, and 1908. These losses include the invisible losses, and they are exactly as taken from our books. They are figured on the basis of a half-blood quality similar to your 4's quality. During the year 1908 the loss is smaller than during the previous years, and this is accounted for by the fact that we have been using finer qualities of wool. We have found, when using quarter blood, both domestic and foreign, our shrinkage loss to go up as high as 16 per cent, and on low quarter bloods I can readily believe that it will in some instances go above 20 per cent.

I am also inclosing some data giving prices of labor in England for a worsted yarn mill similar to the Pocasset; and also data on the selling price of worsted yarn and worsted tops in various qualities in Bradford in November, 1908. You may find it of interest to tabulate these figures, and they may be of value to your committee in showing the exact conditions, as regards costs, at the present time in this country and Bradford.

Roughly speaking, I find that the labor costs in our own mill are about 130 per cent higher than the costs here given. I think it is fair to assume that general fixed charges in this country are about double to what they are in England. In tabulating some of these figures I seem to find that if the duty on wool is dropped from 11 to 8 cents, it will be necessary to have a larger ad valorem duty on worsted yarn in order to compensate for this drop, especially on yarns from 40's up to

70's. As the tariff is now, we could readily have a little higher tariff on numbers like 70's and 80's, we finding that we have been unable to compete in the general market against yarn imported from Germany and England in these numbers. Of course we do not care to make any great amount in these numbers, but if a scientific duty is arranged it should be arranged so that all classes of worsted yarn should be proportionate in the protection they have from the tariff.

Very truly, yours, F. C. FLETCHER.

Pocasset Worsted Company—Memorandum of shrinkages between the top and the finished yarn, including waste and invisible loss.

	Per cent.
1905	10.12
1906	10.60
1907	10.12
1908	8.92

These shrinkages are based on a half-blood quality. During the year 1908 the qualities run in the mill were finer than a half-blood; during the other years about an average half-blood. When using three-eighths and quarter-blood wools we have had the shrinkages go as high as 16 per cent. The invisible loss, largely moisture, averages about 2½ per cent.

BOSTON, MASS., *January 18, 1909.*

WILLIAM WHITMAN,
President National Association of Wool Manufacturers, Boston, Mass.

DEAR SIR: I am in receipt of your letter of January 15. In the shrinkage report which I gave you there was included the waste made in the spinning, this shrinkage showing the total difference between the pounds of top used during the year and the yarn produced, taking waste of all kinds made in the mill. We find in making tests on small lots that there is a great variation in the percentage of shrinkage, owing to the invisible loss being different on different days. We also find that there is a loss between the tops at 13½ per cent condition and the yarn shipped out of from 2½ to 3 per cent, and our yearly figures of invisible loss bear out the average loss figured from week to week.

Another point which I might mention is that we take a great deal of silver out of the top in the drawing, seldom finding the top clear enough all the way through to allow none of the silver to be taken out in one or the other of the preparations. It is possible that we make more waste here than a mill ordinarily would do which makes the tops in its own mill, and to some degree this might account for a seemingly higher proportion of waste than you figure at the Arlington Mills.

Trusting the above answers your question,

Very truly, yours, F. C. FLETCHER.

MARLBOROUGH-BLENHEIM,
Atlantic City, N. J., January 14, 1909.

WILLIAM WHITMAN, Esq.

DEAR SIR: Inclosed please find original letter from Mr. Spaulding Bartlett to me under date of January 19, answering the questions in yours to me of January 7.

I am, very truly, yours, FRANK BULKELEY SMITH,
Treas., S. Slater Sons, Inc.

S. SLATER & SON (Incorporated),
Webster, Mass., January 12, 1909.

FRANK BULKELEY SMITH, Esq.,
Marlborough-Blenheim, Atlantic City, N. J.

DEAR SIR: Yours of the 11th, from Baltimore, inclosing Mr. Whitman's letter of January 7, is received, and I would answer his questions as follows:

1. Silesian twill. The fine Ohio wool used in the manufacture of this cloth was washed.

2. The 444 cloth was made of unwashed wool, and in using the word "domestic" we do not intend to distinguish it from territory wool because it was made of territory wool, but used the word "domestic" because, in Mr. Whitman's letter of December 11, under the head, "Carded woolen cloths," question D, he asks us to state in the case of each whether it is made of foreign or domestic wool.

3. It takes 20.8 ounces of scoured wool to make 1 pound of finished cloth of the character of the two samples sent him; that is, the Silesian twill and the 444 cloth.

Respectfully, S. BARTLETT.

B. F. Mellor, president The Standish Worsted Company, makers of high-grade cloth; mills, Plymouth, Mass.

PLYMOUTH, MASS., *January 20, 1909.*

Messrs. HARDING, WHITMAN & CO., *Boston, Mass.*
Mr. WM. WHITMAN.

DEAR SIR: Yours of the 14th received and noted. In reply please find inclosed four samples of our cloth, two light and two heavy weights. On sample marked No. 1 we require 13¾ ounces of yarn and the cloth finishes 12½ ounces. On sample marked No. 2 we require 15 ounces of stock and the cloth weighs 13½ ounces. On sample marked No. 3 we require 18¼ ounces of stock and the cloth weighs 17 ounces. On the sample marked No. 4 we require 18¼ ounces of stock and the cloth weighs 17 ounces.

These samples represent the various kinds of yarn which we use in largest quantities, and we hope they will give you the information you desire.

Yours, truly, THE STANDISH WORSTED COMPANY,
E. H. DOW.

DUNN WORSTED MILLS,
Woonsocket, R. I., January 18, 1909.

Mr. WILLIAM WHITMAN,
President National Association of Wool Manufacturers, Boston, Mass.

DEAR SIR: Your favor of the 11th received during writer's absence, hence the delay in answering same. Under separate cover we are mailing you samples of cloth made from XXXX grade, XXX grade, and PX grade. We do not make a cloth from grade similar to Prime. These goods we have made for some length of time, and writer has gone over our figures very carefully and finds that they average as follows: XXXX stock averages 1.10 pounds of worsted yarn to make 1 pound of worsted cloth. XXX stock averages 1.113 of worsted yarn to make 1 pound of worsted goods. PX stock averages 1.16 pounds of worsted yarn to make 1 pound of worsted goods. We trust this information will be satisfactory to you.

Yours, very truly, DUNN WORSTED MILLS,
E. L. DUNN, *Treasurer.*

BROWN & ADAMS,
Boston, January 13, 1909.

WILLIAM WHITMAN, Esq.,
President National Association of Wool Manufacturers, Boston, Mass.

DEAR SIR: In response to your question as to the shrinkages of foreign wools we beg to reply that, based on our experience as wool merchants, covering a long period of years, it is our belief that by far the larger proportion of the foreign wools grown of merino blood will shrink on the average over 56 per cent. To be more specific, would say that the Australian fine wools as a class will shrink all the way from 45 per cent to 65 per cent. Wools from the Cape of Good Hope, the shrinkage is from 55 to 75 per cent. From South America, from 50 to 72 per cent. The Spanish wools will average around 64 per cent, the French wools around 65 per cent, and the German wools around 65 per cent.

Very truly, yours, BROWN & ADAMS.

THE BUSTED RAG TRUST.

Mr. WARREN. Mr. President, we were informed by the Senator from Iowa [Mr. DOLLIVER] that there was a rag trust. I have some information here—I think some of it comes from the same newspaper from which the Senator quoted—and while this information may differ from his, I do not think it will differ very much, as it looks as though it were more a "rag bust" than a rag turst. I submit it, however, and ask that it may be printed. It is not long, only two or three small items and a couple of letters.

Mr. DOLLIVER. I have no objection to its being printed. It appears that this American United Woolen By-Products Company is in the hands of receivers. I learn that it went into the receivers' hands not on account of its failure to succeed in business, but because of a controversy as to who should be the president of it, the original organizer claiming that they ought not to move him out because he had introduced the rest of them to a very good thing. [Laughter.]

Mr. WARREN. As this relates to the general subject of trusts and we are anxious to get all the information we can regarding them, and as there is not much of it, I ask that this matter may go into the RECORD. It is a most formidable trust. It claims to owe as much as $13,634 and to have assets amounting to approximately $8,000.

The PRESIDING OFFICER. In the absence of objection, the request will be granted.

The matter referred to is as follows:

BUSINESS TROUBLES—NEW YORK—THE UNITED WOOLEN BY-PRODUCTS COMPANY.

[From the Daily Trade Record, May 21, 1909.]

Following an unrecorded assignment made by the company to Samuel S. Levor, associated with the P. B. Q. Clothing Company for the benefit of creditors, an involuntary petition in bankruptcy was filed yesterday against the United Woolen By-Products Company, of 35 Vestry street. The petition was filed by Collins, Wells & Hughes for these creditors: Hays, Levi & Co., $279; The Washington Clothing Company, $275, and The Fechheimer-Fishel Company, $286. It was alleged that the company made an assignment on May 19 and admitted in writing its inability to pay its debts.

When it became known yesterday morning that the stockholders of the company had agreed to an assignment being made at a meeting the evening before, the bankruptcy petition was anticipated. As stated yesterday, a sheriff went into the place on Tuesday on a judgment for electrical work. The liabilities of the company are $13,634 and the assets approximately $8,000.

[From the Commercial Bulletin, May 22, 1909.]

It is reported that at a meeting of the creditors of the United Woolen By-Products Company, of New York, held some days ago, resolutions were adopted to call a meeting this week for the purpose of making a general assignment of the business for the benefit of the creditors. The liabilities of the company are said to be more than $13,500, while the value of the stock on hand is estimated at $8,000.

UNITED WOOLEN BY-PRODUCTS COMPANY.

[From the Commercial Bulletin, May 29, 1909.]

Every little while the clothing manufacturers of the country are approached by some "wise guy," who tells them that they are being unmercifully robbed by the denier in woolen rags, that they are not receiving what they should from the dealers for their clips and that the only sure "get-rich-quick" method of disposing of their new clips is to form a combination with other clothing manufacturers and sell through a concern to be formed by themselves, thus eliminating the wholesale dealer, and thereby reaping the enormous profits that should rightfully go to them. The scheme has been tried time and time again, but never with success. The latest concern in this line to fall was the United Woolen By-Products Company, of 25 Vestry street, New York, a petition in bankruptcy having been filed against them by the following creditors: Hays, Levi & Co., $279; Washington Clothing Company, $275; and Fechheimer Fishel Company, $286.

The following is what the New York Journal of Commerce and Commercial Bulletin has to say about them:

"It was alleged that the company is insolvent, on May 19 made an assignment, and admitted in writing inability to pay its debts and willingness to be adjudged bankrupt. Deputy Sheriff Forges had already made a levy on the assets under an execution of $271 in favor of the Charles A. Borne Company, and put a keeper in the place of business."

The company was incorporated on December 27, 1907, with a capital stock of $3,000,000, and great things were expected of the new concern,

which sought to revolutionize the business in this line. The original plan was to form an association of clothing and cloak manufacturers, take from them their woolen clippings, and disposing of them to shoddy and paper manufacturers. Stock of the corporation was to be given to the members in payment for clippings up to July 1, 1908, after which cash was to be paid for the clippings.

The business depression following the panic of 1907, it is said, operated against the venture; there was a lack of cash capital, dissentions arose among those interested in the corporation regarding the policy of the business, and various changes took place among the company. Since the start there have been four presidents, the last one, Joseph I. Klatz, having taken charge about three weeks ago. Meetings have recently been held to devise plans to pay off the claims of creditors and liquidate the assets, and it was finally decided to make an assignment for the benefit of all the creditors.

NEW YORK CITY, *June 9, 1909.*

Mr. WINTHROP L. MARVIN,
New Willard Hotel, Washington, D. C.

DEAR SIR: I received your telegram to-day, as follows:

"Can you ascertain and send to me the capitalization, volume of business, and other important details of United Woolen By-Products Company, referred to by our enemies in Congress as a gigantic trust?"

To which I sent the following reply:

"Telegram received. New York corporation. Capital stock, $3,000,000. Will send further details."

Since sending above, which I confirm, I have learned that this so-called "trust" is now in bankruptcy. I inclose clipping from the Daily Trade Record of May 21. This is the same $3,000,000 company referred to in my telegram. I verified this by later reports in the papers.

Yours, very truly, MALCOLM D. WHITMAN.

S. RAWITSER & CO. (Incorporated),
Rawitser, N. Y., June 9, 1909.

Hon. FRANCIS E. WARREN,
United States Senate Chamber, Washington, D. C.

DEAR SIR: I have read in this evening's paper that the question of a rag trust has come before you. To enlighten you about the so-called "United By-Products Company," would say that a concern under that name was formed about two years ago, simply combining a lot of clothing house people, who wanted to dispose of their own cuttings, perhaps with the idea that they could do so to better advantage. I would also say that it was merely a small affair and the concern has since gone into the hands of a receiver. I give you this information, not because I am looking for any advertising, but because I think it may be well for you to know.

Respectfully, yours, S. RAWITSER & CO. (Incorporated),
H. RAWITSER, *Treasurer.*

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 380.

Mr. DOLLIVER. I desire to ask unanimous consent for a reconsideration of the vote by which paragraph 365 was adopted, for the purpose of offering the last amendment which I intend to offer.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent to reconsider the vote by which paragraph 365 was agreed to. Without objection, the vote is reconsidered.

Mr. DOLLIVER. I send the amendment which I offer to the Secretary's desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. On page 128, it is proposed to strike out paragraph 365, from line 9 to line 11, inclusive, and to insert:

365. The duty upon all wools and hair of the first and second classes shall be based upon the shrinkage which would result in scouring such wools, under such regulations as the Secretary of the Treasury may prescribe; if shrinking 65 per cent or more, 11 cents per pound; if shrinking less than 65 per cent and not more than 55 per cent, 13 cents per pound; if shrinking less than 55 per cent and not more than 45 per cent, 16 cents per pound; if shrinking less than 45 per cent and not more than 35 per cent, 20 cents per pound; if shrinking less than 35 per cent and not more than 25 per cent, 24 cents per pound; if shrinking less than 25 per cent and not more than 15 per cent, 27 cents per pound; if shrinking less than 15 per cent, 33 cents per pound.

Mr. BACON. I should like to inquire of the Senator whether that amendment makes a reduction of the rates as found in paragraph 365 of the bill?

Mr. DOLLIVER. Mr. President, the paragraph for which this amendment is offered as a substitute contains a specific assessment of 11 cents a pound on first-class wools and of 12 cents a pound on second-class wools, without any regard to their shrinkage. As I have previously shown, in the case of wools of a very large shrinkage that makes a very great assessment. For example, if the shrinkage is 70 per cent, a man who brings in 100 pounds of that wool, after his scouring process is over, finds himself with only 30 pounds of wool upon which he has paid 11 cents, which indicates that he has paid on the scoured contents of his cargo 36⅔ cents a pound, whereas if the wool shrinks, for example, 20 per cent, his duty paid upon the scoured contents of the fleece is only 15 cents a pound. So, with this fixed specific on wools without any regard to their shrinkage, we have that tremendous variation by which the man importing low-shrinkage wools gets them in at a very exorbitant rate.

I have undertaken to state these duties. This is keeping them specific, but making them proportional to the shrinkage and, as near as may be, corresponding to the equivalent for each shrinkage to the duty assessed in this Senate bill. I would not be surprised, however, if this stimulated a little the duties upon wool. Some of them have been very low.

My own interpretation of the wool statistics of the United States is that our brethren who are raising sheep have been in the enjoyment of an imaginary protection for a good many years. Otherwise, it would be hard to account for the slow progress of wool husbandry in America; otherwise, it would be hard to account for the gradual disappearance of the sheepfold from the farms of West Virginia, Pennsylvania, Indiana, Illinois, Wisconsin, and my own State; otherwise, it would be difficult to understand why, in a climate as cold as that of the United States, the production of wool is, for practical purposes, at a standstill and the clothing of the people gradually taking the direction of cheap substitutes for wool, which are neither an improvement upon its quality nor upon its beauty.

Mr. WARREN. Mr. President, will the Senator from Iowa allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Yes.

Mr. WARREN. Mr. President, I want to say to the Senator that an examination of the statistics would show that the wool production here has not stood still, but that it has always gone up rapidly under proper legislation, and that it has always gone down rapidly under improper legislation. When you can lose in the space of seven years one-half, or nearly so, of the production of wool, it takes some time to get back to where you were when you started on the downward grade.

Mr. DOLLIVER. Mr. President, there have been no variations in the progress of sheep husbandry in the United States; but the thing which impressed me in studying the statistics was that this production of wool has been hanging around 300,000,000 pounds annually for a good many years, practically for a whole generation, and I feel that there must be something wrong in the situation, which in a country of such enterprise as ours has left the statistics of wool production in such a shape as that.

During my recent discourse on this subject the Senator from Wyoming kindly called my attention to the fact that the wools of the second class, bearing a duty of but 12 cents a pound when washed, constitute only a small part of our total importations of wool. I find, however—if I may have the attention of the Senator from Wyoming—that at the present time such wools arriving in our ports have reached 2,000,000 pounds per month, which, if continued at that rate for a year, would amount to 24,000,000 pounds, upon which the worsted spinners and weavers would save during the year, on 12 cents a pound duty, the amount of $2,500,000.

Mr. WARREN. If the Senator were a shepherd and knew of the habits of the sheep, of course he would understand that just at present this country is receiving wool as it is sheared abroad. This is soon after the shearing season of most countries, and the average, which has been less perhaps than 12,000,000 pounds per year, will probably be struck before the end of the present year. The main portion of the wool comes in immediately after shearing.

Mr. DOLLIVER. Mr. President, I intend to put in some place in some of these little discourses a statistical table giving the origin of these imports; and while it is true that it is now getting past shearing time here [laughter], there are antipodes on this earth where shearing time comes in another portion of the year, and on that other side of the world a good deal of wool business is being transacted, if I am correctly informed.

The thing about that business that bothers me most is that this steady stream of second-class wool coming in here at a scoured duty of 15 cents a pound is the exact wool that is in conflict and competition with the wools of my own State and the States of West Virginia, Pennsylvania, Missouri, and a number of our Middle Western States.

Mr. WARREN. But you do not raise much wool in Iowa, do you?

Mr. DOLLIVER. We are not raising very much now, because we find here a little automatic mechanism that was devised in 1867, by which a man looking for this particular kind of wool, if he finds the price of it going up 1 cent above the London price plus 15 cents that would have to be paid for the scoured duty upon it, turns away from us and seeks his profit in dealing with the foreign market. So I have felt a deep interest

in this subject, and every time my friend from Wyoming has become so excited about noils and about cheap wastes and about roving wastes and slubbing wastes and ring wastes, and is kind enough to tell the people that they are more important than second-class wool, I made up my mind that when I got a chance to do so I would give my friend from Wyoming an opportunity to help me consolidate these two classes of wool. It will not hurt anybody, as the amount is negligible, according to his own statement. Let us consolidate them, and do away with this little peculiarity that crept into our statutes so many years ago.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. DOLLIVER. Certainly.

Mr. WARREN. The Senator's State is one of the most beautiful that I know of. I have to pass through it from end to end very often during every year; and as I see such beautiful sheep among the pastures, I ask, Is the Senator quite sure that they grow second-class wool?

Mr. DOLLIVER. They look like English mutton sheep to me; most of them.

Mr. WARREN. Yes; but English mutton sheep is not a long-wool or a second-class wool sheep, but happens to be a short-wool sheep, and the wool the Senator speaks of is very largely Southdown and similar grades.

Mr. DOLLIVER. The reason that I think that these sheep of ours are No. 2 is the fact that they seem to be a diminishing quantity, passing off the scene of action like the carded woolen industry of Provo and Philadelphia.

Mr. WARREN. Well, the Senator's State is so productive in corn and other products that it becomes impossible for the poor and humble sheep herder to raise sheep.

Mr. DOLLIVER. Examination of the amendments which I offer must soon convince any fair-minded man that I propose no such radical change in the tariff rates upon either wool or woolen goods as might injure any domestic industry, or which should offer any excuse for lowering the wages of any operatives in our mills. Nor will anything be found in these amendments that can possibly justify the statement that I am engaged in an attempt to pull down that ancient "citadel of protection," the "wool schedule," or that I stand in anything like the same position as those Democrats who favored free wool, and who put wool upon the free list of the Wilson-Gorman bill. On the contrary, I shall show that I am a fairer and more consistent protectionist than those who have so criticised me, for my amendments are drawn, not to excessively protect a small coterie of worsted top and yarn spinners and weavers, but to better and more equally protect all interests, from the woolgrower to the consumer; though by such proper readjustment and equalization of tariff rates it is possible that the excessive profits of the worsted combination (due to a large extent to the discriminations in their favor because of the inequalities of Schedule K) may be slightly reduced. In any event, I believe it to be the duty of this Congress to so readjust and equalize the rates of duty on wool and woolen goods that they shall no longer discriminate in favor of one branch of the industry to the detriment of any other, or benefit a favored few at the expense of the many.

As the foundation of the Woolen Schedule K rests upon the classifications and rates of duty on the various kinds of wool, I have endeavored, and I believe succeeded, in working out a new arrangement for equalizing the duties upon wools of the first and second classes, according to their shrinkages, which will result in strengthening the "citadel's" foundation and give greater protection to the woolgrower; or at least give him the protection he has been misled into believing he is now receiving, but which he is not receiving, because of the peculiar provisions of the present and former tariffs fixing a duty of 11 cents per pound on unwashed wools of the first class, and only 12 cents per pound on washed wools of the second class, regardless of their value or shrinkage.

This arbitrary and manifestly unfair and unequal method of assessing the wool duties has operated to deceive the woolgrowers, and to discriminate against the carded woolen manufacturers using high-shrinking wools of the first class, and has greatly favored the worsted spinners, top makers, and weavers, who import most of the light-shrinking wools of the first class, and nearly all the washed wools of the second class, upon which the saving in duties is very great because of their light shrinkage and the consequent amount of clear wool recovered in scouring.

While the tariff provides that "wool imported in the scoured condition shall pay three times the duty on unwashed wool," the woolgrowers should be no longer deceived into believing they derive any benefit by reason of this provision, for no wools are imported in the scoured condition. For why should the worsted manufacturer import his wool in the scoured condition and pay a duty of 33 cents per pound thereon, when he can import wools which will shrink less than 50 per cent in scouring at 11 cents per pound, equal to only 22 cents per scoured pound? As a matter of fact, most of the wool imported by the worsted manufacturers shrink less than 50 per cent in scouring, while the duty per scoured pound on wool of the second class, shrinking but 20 per cent, would amount to but 15 cents. On the other hand, the carded woolen manufacturers are practically debarred from importing their high shrinking wools, as the 11-cent per pound rate on wools such as they use, shrinking, say, 65 per cent in scouring, would amount to 31 cents per scoured pound, or to 33 cents per pound on such wool shrinking 66 per cent, the shrinkage on which the present scoured rate of three times 11 cents is based.

During my recent discourse on this subject the Senator from Wyoming [Mr. WARREN] kindly called my attention to the fact that wools of the second class, bearing a duty of only 12 cents per pound when washed, constituted but a small part of our total importations of wools. I find, however, that at the present time such wool is arriving at our ports at the rate of about 2,000,000 pounds per month, and if continued at this rate for a year would amount to 24,000,000 pounds, upon which the worsted spinners and weavers would save 10 or 12 cents per pound duty, or about $2,500,000 per year; a neat little saving, to be divided among a few needy New England gentlemen at the expense of the domestic woolgrowers, particularly of Virginia, Indiana, Tennessee, Kentucky, Wisconsin, Missouri, Iowa, and other States where wool of this class is most largely grown, for these 24,000,000 pounds of imported wool of class 2 would take the place of at least twice the amount of the heavy shrinking domestic wools, and also operate to depress the prices of our own wools.

It is therefore proposed to readjust the rates upon all wools of the first and second classes in a manner that will make the duty as nearly uniform and equal as possible to all users. There are three ways this can be accomplished. First, by the adoption of an ad valorem rate, which would bear uniformly on all grades or values of wools. Second, a compound rate of, say, 4 or 5 cents per pound and the rest ad valorem, the specific rate tending to steady the protective feature and the ad valorem to equalize the duties. Third, an arrangement of duties based on the various percentages of shrinkage in scouring or upon the scoured contents. It is this last method that I have adopted in the proposed amendment, using the present rate of 11 cents per pound as the basis for such wools having a shrinkage of 65 per cent or more, and increasing the rate for each 10 per cent less shrinkage, until the completely scoured stage is reached, when the duty will remain as at present, viz, 33 cents per pound. Analysis of this carefully prepared arrangement of progressive rates, according to shrinkage, shows that the average duties on all classes of wool will be as nearly the equivalent of the present "scoured rate" of 33 cents per pound as can be arrived at through the adoption of specific rates.

	Cents.
Shrinking 66 per cent, at 11 cents per pound	33
Shrinking 60 per cent, at 13 cents per pound	32½
Shrinking 50 per cent, at 16 cents per pound	32
Shrinking 40 per cent, at 20 cents per pound	33
Shrinking 30 per cent, at 23 cents per pound	32¾
Shrinking 20 per cent, at 26 cents per pound	32½
Shrinking 10 per cent, at 30 cents per pound	33
Shrinking less than 5 per cent, at 33 cents per pound	33

Under the present tariff the duties on wools of the first and second classes are as follows, according to the shrinkage of the wools in scouring:

	Cents.
First class, at 11 cents per pound:	
Shrinking 30 per cent	14
Shrinking 35 per cent	16
Shrinking 40 per cent	18
Shrinking 45 per cent	20
Shrinking 50 per cent	22
Second class, at 12 cents per pound:	
Shrinking 15 per cent	14
Shrinking 20 per cent	15
Shrinking 25 per cent	16

The proposed method of fixing the duties upon wools according to their shrinkage is merely for the purpose of more properly equalizing the duties and making effective the theory upon which the duty on scoured wools have been assessed for so long, viz: That imported wools shrink 66 per cent in scouring, and therefore the duty on scoured wools should be three times the duty of 11 cents per pound on unwashed wools, or 33 cents per scoured pound. As it is clear that all wools do not shrink the same, it is necessary, in order to make this theory effective, giving the woolgrowers the "scoured" wool protection he believes he is getting, and to properly equalize the rates so that all the woolen and worsted manufacturers shall be on the same basis as far as their customs duties are concerned, to readjust these duties in some such manner as I have proposed. I do not claim that the plan I have proposed is perfect. It will not operate as uniformly and fairly on all grades and values of wools as an ad valorem rate; but it is a far better and more equal arrangement of duties than the present system and will prove fairer to all interests. While it is subject to the same criticism as all those provisions in our tariff based upon dividing lines of values, or "percentages of contents," it is no more objectionable than the other similar provisions to which I have alluded, and it does possess the great advantage over the present system of greatly eliminating the inequalities and discriminations we now so thoroughly understand exist in the application of one specific rate of duty to an article of wide range of values.

There certainly is no other article in our tariff schedules of such general and necessary use as wool or which has such a wide range of values that is afflicted with but one specific rate of duty, regardless of its value or the amount of dirt it contains, and so forth. On all other articles in our tariff that enter into general use and where the range of values is as wide as upon wool, some method is adopted to properly equalize the duties, either by the adoption of ad valorem duties, which is the fairest method in such cases, or by the use of compound rates, or by fixing the duty upon the actual useful contents that may be recovered, as in the case of zinc, lead, or antimony ores; and surely it is time that our tariff experts should be able to devise some scheme or plan to properly readjust and equalize the duties in this ancient woolen schedule, which has been practically unchanged for forty years. It is not a question how well adapted this schedule may have been to all concerned when it was originally devised in 1867. All conditions in the woolen trade and in woolgrowing have greatly changed in the past forty years. In 1867 we produced about 81 per cent of the wool we consumed and imported but about 19 per cent. In 1868 we produced about 89 per cent and imported but about 11 per cent. In 1907, however, see the change that has taken place, for we produced but about 60 per cent and imported 40 per cent. In 1867, when the compensatory scheme of 4 pounds of wool to 1 pound of cloth was agreed upon, our woolen cloths were very different in character from the present worsted and cotton light-weight mixtures. They were then "all wool and a yard wide."

In fact, "worsted" cloths were unknown at that time. It is clear, therefore, that we must so revise this old woolen schedule and bring it up to date by equalizing its rates properly to fit changed conditions, as we have done with all the other schedules in our tariff many times during the past forty years, for otherwise we shall starve the great carded woolen industry in its efforts to receive its necessary raw materials at reasonable prices. And this carded woolen industry is one that I believe is more worthy of protecting than the worsted industry, in whose favor the present schedules discriminate, for the carded woolen mills largely outnumber the worsted mills; they are scattered all over the country, and employ more operatives at better wages; their capitalization, however, is somewhat less, and their production less than the worsted interests, as they are in no combination.

Now, Mr. President, the effect of the amendment which I have offered is to consolidate these two classes of wool to a state of duties not in the crude terms of other generations, but in the carefully adjusted scheme of proportionate specifics, based upon the shrinkage of the wool, so that there will be a perfect equalization of the burdens of the wool tariff as they fall upon all departments of the woolen industry, giving to each one his fair share of the burden, and incidentally operating to lift up those who have fallen down and to offer to a great American industry a consolation which it appears from their own statement they were not able to secure within the hospitable doors of our Finance Committee.

Mr. PENROSE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. DOLLIVER. Certainly.

Mr. PENROSE. The Senator from Iowa has referred two or three times to the sheep in Pennsylvania. I observe from the bulletin of the National Association of Wool Manufacturers that there are 950,000 sheep of shearing age in Pennsylvania as of April 1, 1908.

Mr. DOLLIVER. What is the shearing age of sheep in Pennsylvania? [Laughter.]

Mr. PENROSE. I do not know. I know of my own knowledge that the bulk of these sheep are raised in two counties in the western part of the State. I have heard directly from those two counties, and they have urged me to support Schedule K as it stands reported by the Senate Finance Committee.

Mr. SCOTT. Will the Senator from Iowa yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from West Virginia?

Mr. DOLLIVER. Certainly.

Mr. SCOTT. Mr. President, the Senator from Iowa has alluded to West Virginia several times. I am very glad that he has fond recollections of his early boyhood days that he passed in West Virginia and has not forgotten us. I find that we have 525,000 sheep in West Virginia, and the wool is classed 75 per cent fine. If any set of woolgrowers would be affected by this particular schedule, it certainly would be ours, and yet our people are asking me to do everything I can in order to secure the passage of Schedule K at the rates as they are now in the bill.

The flocks in West Virginia, as the Senator from Iowa knows, are owned by small farmers, who only have from 40 to 60 head of sheep each. They sell the wool, and probably realize $100 or $125 for the entire clip of the wool for one year. During the year they usually go to the country store at the crossroads or close towns and there run what we call a "store bill," for groceries and for their children's clothing and shoes, and so forth, and they agree to pay for the bills of goods when they sell their wool. I am sure the Senator wants to help me protect those old friends of his in West Virginia who are carrying on this industry in a modest way, for there are no large herds of sheep in West Virginia like they have in the Western States.

Mr. A. R. Jacobs, of Clinton, W. Va., probably one of the best posted men on sheep and wool industry in our State, gives the following cost of growing an average pound of wool of what is known as "Ohio," "Pennsylvania," and "West Virginia" wools. This statement he made before the Ways and Means Committee of the House:

Pasturing 100 head of sheep 7½ months, at 8 cents per head per month	$60.00
Feeding 100 head of sheep 4½ months, one-half bushel corn and oats mixed per day, at 30 cents, for 30 days	40.50
Feeding 100 head of sheep 4½ months, 8 tons of hay, at $8 per ton on the farm	64.00
Washing 100 head of sheep	2.00
Shearing 100 head of sheep, at 7 cents per head	7.00
Labor attending to the same sheep	25.00
Total	198.50
Wool from 100 average sheep shearing 5½ pounds, at 30 cents per pound	165.00

We can keep a flock of about 500 average sheep on one of our best 350 to 400 acre farms.

Cost of keeping 100 head, $198.50, or 500 head	$992.50
Wool from 100 head, $165; from 500 head	825.00
Fertilizer from sheds and droppings	10.00
Sale of increase of stock	300.00
Total	1,225.00
Extra feed and care rearing lambs	35.00
	1,190.00
Cost of keeping 500 head	992.50
Profit	198.50

From this, Mr. President, you can see that the profit in the woolgrowing industry is very meager indeed.

Mr. DOLLIVER. What class of wool are those people raising?

Mr. SCOTT. Wool that is 75 per cent fine.

Mr. DOLLIVER. What class? Class 1 or 2?

Mr. SCOTT. The very best that is grown.

Mr. DOLLIVER. What class? The worst class is taxed the most. The duty on No. 1 is 11 cents and the duty on No. 2 is 12 cents.

Mr. SCOTT. We are willing to stand in the 11-cent class, I will say to the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I again announce my pair with the senior Senator from Texas [Mr. CULBERSON].

Mr. GUGGENHEIM (when his name was called). I again announce my pair with the senior Senator from Kentucky [Mr. PAYNTER].

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH].

Mr. BRIGGS (when the name of Mr. SMITH of Maryland was called). I have a pair with the junior Senator from Maryland [Mr. SMITH]. If he were present I should vote "nay."

Mr. WARREN (when his name was called). As already announced, I am regularly paired with the Senator from Mississippi [Mr. MONEY], but by the arrangement which has been heretofore made he stands paired with the Senator from Oregon [Mr. BOURNE], which leaves me at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. CURTIS (after having voted in the negative). I desire to ask if the senior Senator from Tennessee [Mr. FRAZIER] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. CURTIS. Then I desire to withdraw my vote, and announce my pair with that Senator.

Mr. DEPEW. I wish to announce my pair with the senior Senator from Maryland [Mr. RAYNER], and therefore I withhold my vote.

The result was announced—yeas 21, nays 37, as follows:

YEAS—21.

Bacon	Clapp	Gore	Newlands
Bankhead	Clay	Hughes	Overman
Beveridge	Cummins	Johnston, Ala.	Simmons
Bristow	Davis	La Follette	
Brown	Dolliver	Martin	
Burkett	Fletcher	Nelson	

NAYS—37.

Aldrich	Clark, Wyo.	Gamble	Root
Borah	Crane	Heyburn	Scott
Bradley	Crawford	Johnson, N. Dak.	Smoot
Brandegee	Cullom	Jones	Stephenson
Bulkeley	Dick	Kean	Sutherland
Burnham	Dillingham	Lodge	Warner
Burrows	Dixon	Oliver	Warren
Burton	du Pont	Page	
Carter	Elkins	Penrose	
Chamberlain	Gallinger	Perkins	

NOT VOTING—33.

Bailey	Foster	Nixon	Smith, S. C.
Bourne	Frazier	Owen	Stone
Briggs	Frye	Paynter	Taliaferro
Clarke, Ark.	Guggenheim	Piles	Taylor
Culberson	Hale	Rayner	Tillman
Curtis	McCumber	Richardson	Wetmore
Daniel	McEnery	Shively	
Depew	McLaurin	Smith, Md.	
Flint	Money	Smith, Mich.	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDING OFFICER. Without objection, the paragraph will be agreed to. The Chair hears no objection.

The hour of 5.30 o'clock having arrived, the Senate stands in recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BULKELEY. I desire to introduce an amendment to the pending bill, which I ask may be printed and referred to the Committee on Finance.

The PRESIDENT pro tempore. It will be received, printed, and referred to the Committee on Finance.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Foster	Overman
Bacon	Clay	Frye	Page
Beveridge	Crane	Gallinger	Penrose
Borah	Crawford	Gamble	Perkins
Bradley	Culberson	Gore	Root
Brandegee	Cullom	Heyburn	Scott
Briggs	Cummins	Johnston, Ala.	Simmons
Bristow	Curtis	Jones	Smoot
Brown	Davis	Kean	Stephenson
Bulkeley	Depew	La Follette	Stone
Burkett	Dick	Lodge	Sutherland
Burnham	Dillingham	McCumber	Warner
Burrows	Dolliver	McEnery	Warren
Burton	du Pont	McLaurin	Wetmore
Carter	Elkins	Martin	
Chamberlain	Fletcher	Nelson	
Clapp	Flint	Oliver	

The PRESIDENT pro tempore. Sixty-five Senators have responded to their names. There is a quorum present. The question is on paragraph 380.

Mr. McCUMBER. Mr. President, at this time I want to place in the RECORD some statements which shall give a concise and comprehensive view of the whole wool schedule, not only for my own ready reference, but for the benefit of those who have neither the time nor the inclination to go through the whole complex mass, the labyrinth of arguments presented on this schedule.

I want this statement to show just what protection the woolgrower is securing upon that which his labor produces, and just what added protection the manufacturer is receiving upon his output.

I want it to show, as nearly as can be shown, the cost of production of woolen fabrics abroad and the cost of producing the same character of fabrics at home.

Then I want it to show the ad valorem percentage of duties upon imports, and see how nearly those duties measure the added cost of production in this country.

I understand, as everyone understands, that in the nature of things there can be no specific duty that will operate with exact or equal justice upon every article of its class imported. It could only so operate when goods of only one value enter into the imports. If, therefore, you should take the cheapest piece of goods manufactured of a particular class of goods and apply the specific duty, it would be excessively high. If you should take the highest valued product of the class, it would be excessively low. No better demonstration of that fact could be given than that which was brought out by the Senator from Iowa in presenting the lowest added value of goods by reason of mercerization, and the Senator from Massachusetts, who presented goods of the highest added value by mercerization.

The Senator from Iowa presented a concrete case where the few added threads of mercerization only added one-eighth of a cent per yard to the cost of the goods, while the duty for mercerized cloth is 1 cent per yard additional. The Senator from Massachusetts exhibited an article showing 12 cents added value for mercerization. The lowest extreme would show, as stated by the Senator from Iowa, a duty eight times higher than the added cost by mercerization, while the highest valued goods would show a duty only one-twelfth as much as the added cost.

Neither of these concrete cases represents any average, and is therefore an improper guide. Taking the goods whose value is added to by mercerization we find that of the great bulk the 1 cent additional duty is fairly compensatory.

The only duty that could work with exact justice upon all articles and which would furnish a basis to which you could apply the difference between the cost of production at home and abroad would be an ad valorem duty. Years of experience have demonstrated that the ad valorem duties are subject to greater inequalities by undervaluations and other injustices than the specific duties, and not only the enlightened judgment of this country, acquired through experience, but also that of every other country is leading toward the substitution of specific duties wherever possible.

To give a comprehensive view of the woolen importations and corresponding duties we must reduce to an average ad valorem in order that we may determine whether or not we are applying the proper measurement of duties in changing to the specific.

I shall take as a basis of my calculation the imports of wool for the year 1907. A glance at the table of importations will show that almost all of the wool product imported comes in under "Class 1, unwashed," "Class 3, unwashed on the skin," and "Class 3, washed and unwashed not on the skin." All other importations of wool are of such a negligible quantity that they need not be taken into consideration, as they would not influence to any appreciable extent the result of the deductions.

The following is a table showing the importations of wool for the year 1907 of the classes and kinds which I have mentioned, and I ask that this table be inserted as a part of my remarks:

1907.	Pounds.	Value.	Duties collected.	Ad valorem.
				Per cent.
Class 1, unwashed	90,645,325	$22,249,792	$9,904,985	44.52
Class 3, unwashed on skin	1,836,804	206,159	55,104	26.73
Class 3, washed and unwashed not on skin	43,924,833	4,891,660	1,756,994	35.92
Total pounds imported	135,806,962			
Total value		27,347,571		
Total duties collected			11,717,083	
Average ad valorem				42.85

This per cent represents the average duty paid by the American manufacturer on the great bulk of all the wool imported which he manufactures into cloths, there being only a negligible

quantity of washed and scoured wool imported under the first class of wools and comparatively little under the second class of wools.

From estimates of imports and duties for the ensuing year reported by the Finance Committee, page 53, it will be found that the average ad valorem duty upon woolen goods described as—

	Per cent.
"Luxuries" is placed at	88.47
The average ad valorem duty on all other imported woolen goods is	45.85
The average ad valorem duty on all kinds is	67.16
Average ad valorem on the wools imported	45.85
Average ad valorem on manufactured goods in excess of average ad valorem on wools entering into them	24.21

The following estimates will show whether this average duty of 67.16 per cent is excessive or fair. The tables which were presented by me yesterday show that the average charge for labor in the United States is more than double the amount paid in Great Britain in the woolen-textile trade. Using this double cost of labor as a basis, and assuming that the labor represents 80 per cent of the cost of an article and the raw material 20 per cent of its cost, we will have this comparison:

Cost of production in Great Britain:	
Labor	$0.80
Material	.20
Total	1.00
Add to this 67.16 per cent duty, the average under this bill	.67
Making the cost of the British article, when imported into this country	1.67
Cost of production in United States:	
Labor—double cost of British	1.60
Original cost of material	.20
Duty on material 42 per cent of 20 cents	.08
Total cost in the United States	1.88

As against British cost, with duties paid, $1.67.

This would show a duty levied under this bill of about 21 per cent less than the difference between cost abroad and at home, if those two items alone made up the cost. This would have to be overcome with other advantages which might lessen the American cost of production.

But there are those who deny vigorously that the wage cost in the United States is double the wage cost in Great Britain or Germany. I believe that it is double. My belief is sustained by the comparative table of wages which I received the other day from the Department of Commerce and Labor and inserted in the RECORD. But assuming that it is not double, assuming that it is only 75 per cent higher in the United States—I do not think any Senator will say it is less than 75 per cent higher in the United States—taking the British cost of 80 cents would make the American cost $1.40. Add to this the 20 cents original cost of material, plus 8 cents duty, and you would have $1.68, which it costs the American manufacturer on the average as against the $1.67 that it costs the British manufacturer to lay down the same goods in the port of New York, exclusive of very light ocean freight.

So, measured by that standard, if there were no other elements to be considered than that of the cost of the material and the cost of the labor, the average duty provided by this bill accurately measures within 1 cent the difference between the cost of production in Great Britain and the cost of production in the United States. In other words, we would now have the American cost of production, $1.68, and the British cost, with the duty added, $1.67.

This would make the duty levied practically represent the difference between the cost of production at home and abroad and place the American and the British merchant on about equal terms. Of course the American would have the further advantage resulting from closer proximity, both to the product entering into the manufactured article and to the field of consumption, and, it may be said, a further advantage in being able, with a given number of employees, to produce a greater quantity of manufactured fabrics. But, giving him these advantages, we only fairly fulfill the requirements that the tariff should represent the difference between the cost of production at home and abroad, including a reasonable return upon investment in favor of the American producer.

Is the duty upon the wool itself too high for reasonable protection to the American farmer or woolgrower? I went into that subject the other day, and I think I showed conclusively that it was not too high; that we have not yet recouped the losses that we incurred during the time when it was lessened; that we had to almost go out of the business of sheep raising in my State.

Believing that the farmer's protection is not too high, we are then brought face to face with the question, Can we reduce the manufacturer's protection without injuring the farmer? Every farmer in this country who raises sheep understands that the value of his product is always determined by the amount of wool raised in this country and the amount imported into this country. The less the imports the greater the demand for and the value of his wool product, and the greater the imports the less the demand and value.

Therefore, if we give the farmer adequate protection, so that, we will say, there is imported into this country only $135,000,000 worth of wool, and if we take away the differential from the manufacturer, so that instead of importing wool he imports $200,000,000 of woolen goods, does not the farmer suffer the same result as though we had lowered the tariff upon his own products and allowed more wool to come in?

In other words, if we introduce $200,000,000 worth more of woolen goods, we introduce a proportionately greater amount of wool, which is in those goods, into the country and thereby depress the market for the American woolgrower. It is just as bad for the farmer whether the wool comes in raw or in woolen fabrics; there is just so much more wool in the country to depress the price.

Mr. President, it would be just as reasonable for me to stand here and insist that while the Senate should give the farmer a protection of 30 cents a bushel upon his wheat, at the same time we should take away the protection upon the flour and let the flour come in and take the place of his wheat. I certainly would fail very materially to perform my duty if I did not insist upon a duty on the flour which would be as much greater than that upon the wheat as will measure the difference between the value of the wheat and the value of the flour. I can not excuse myself in attempting to represent the farmer honestly and fairly if I excite his hope that I will keep out the Canadian wheat by reason of the 30-cent-per-bushel barrier and at the same time allow the Canadian wheat to come in in the shape of flour. What I have said with reference to wheat would also apply to the case of flax if I should cut off the duty upon linseed oil, the product of the flax.

What I wish to make clear to the Senate and to those farmers who may read any portion of these debates is that the farmer's protection depends upon the protection to both the raw wool and to the woolen textile trade in the United Sates. Not only from concrete reasoning upon the subject, but from past experiences, he can see that his product has gone up or gone down just in proportion as the prosperity of the manufacturer has gone up or down. Then taking these averages—and I have shown conclusively by the records that the average protection is only 67 per cent for the manufacturer and that he pays 42.85 per cent added cost for the wool that is imported and goes into his manufactured fabrics, over and above what he would pay if wool were free, and that the difference between the American cost and the British cost is such as to render it necessary to have that much of a spread between the tariff on the wool and the tariff on the cloth manufactured from it—I feel that I am protecting his interest only when I vote for a duty, on an average, I say, that will represent this difference between the cost of his manufactured article in the foreign country and in this country.

There may be some instances, Mr. President, in which on a particular article the duty in favor of the manufacturer may considerably more than measure this difference, and upon another particular article it may be considerably less than what will measure the difference in the cost.

It may be also true that the cost of production of one article in Great Britain may be almost as much as in the United States while in the production of another article it may be almost three times as much in the United States. But taking them all upon the principle of averages, and that is all we can do when we fix a bill upon specific duties, the average protection is not more than is necessary to measure the difference between the cost at home and abroad, and it is as necessary for the North Dakota producer of wool as it is for the producer of the fabric made out of that wool.

Mr. President, there is just one other thought in connection with this matter that I wish to present. There is no reason in the world why we should not produce in the United States all the wool that is necessary to manufacture in the United States the same as we produce all the wheat in the United States that is necessary to manufacture into the flour in the United States. Why do we not do it? We do not do it simply because the woolen industry has not paid. Whenever we can so protect the woolen industry, both the farmer and the manufacturer in the United States, that the woolen industry on the farm will pay more for the labor that is employed in it than the wheat produced by the same labor, the farmers will go into raising more sheep and less wheat, and the result will be that we will be

able to furnish all the wool that is necessary for use in this country.

Mr. President, we have had commissions appointed in the United States to look after the interests of the farmer and to devise ways and means of making the rural life so agreeable that the young men will not leave the farms and come to the city. Those are beautiful ideas, but they will never amount to anything. There is just one thing that will make farm life more attractive than any other, and that is to make it pay better. The question of dollars and cents is always the determining question which sends the boy to the farm or sends him into the city. The young man who gets up at 4 o'clock in the morning and starts to milk cows to bring milk into this city from his farm 5 miles distant, through mud and slush and in all kinds of weather, and gets back home again and completes his chores at 10 o'clock at night, and finds that he has just made a living, while an average clerk, working from 9 o'clock in the morning until half past 4 in the afternoon, is receiving from $1,200 to $1,400 per annum, naturally feels that he would prefer to come to the city.

Now, I want to make all of our farming industries so valuable, by needed protection and other assistance, that the farming interests will be as profitable for the same number of hours of labor per day as any other industry in the United States. When the young man on the farm, coming to town, finds that the merchant closes his store at 6 o'clock in the afternoon in these beautiful summer days and then takes his family in his automobile and gives them a ride through the country and brings them back to a beautiful home, he is naturally attracted into mercantile business. The only way to keep him at home is to demonstrate to him that the laws of this country will so assist his business that he will make as much upon the farm as in the city, that he can cease all his labors at 6 o'clock, and that his business will be just as profitable as that of the merchant in the city.

No other scheme on earth is going to keep him on the farm. Neither circulating libraries nor singing birds; nothing but prosperity will make farm life attractive.

I feel that I am assisting a little in that line in protecting his wool against the competition of wool raised by 5 cents per day labor in India, or 15 cents per day labor in South America, and protecting that wool whether it comes in competition with the wool fleece produced by that cheap labor, or the cheap wool fabrics produced by the cheaper labor. So far as I can secure it I want the benefit of the American for the product of the American farmer and the American woolgrower.

Mr. GORE. Mr. President, I desire to say that I have been very much enlightened by the luminous discussion of the wool and woolen schedule during this afternoon.

I think we would have had a perfect flood of light upon this schedule if it were not for the conflicting statements and the contradictory theories advanced by the disinterested Senators on the other side. Those Senators have been engaged so long and so constantly in pulling the wool over the eyes of the people that I believe they have really gotten to woolgathering themselves.

The senior Senator from Wyoming [Mr. WARREN] stated this afternoon that the production of sheep and the production of wool in the United States have always responded to favorable tariff legislation. A resolution from the manufacturers of Philadelphia, presented by the senior Senator from Pennsylvania [Mr. PENROSE] this afternoon, stated that, owing to the protection vouchsafed to the growers of wool and the manufacturers, we have come to produce three-fourths of all the wool in the United States which is required for domestic production, and that the golden prosperity insured by protective tariff had brought about these beneficent results.

Mr. President, the only trouble I experience is that I have never been able to believe two statements that were absolutely contradictory. I have never been able to accept theories that were diametrically antagonistic to each other. But that occasions no trouble to a standpat protectionist. The fact that statements and arguments are contradictory to each other causes no perplexity to his luminous intellect.

The production of wool and of sheep in the United States either does respond to our tariff legislation, as alleged by the Senator from Wyoming this afternoon, or it does not. One or the other is certainly true.

I wish to present several questions to the Senator from Wyoming [Mr. WARREN], the Senator from Montana [Mr. CARTER], and the Senator from Utah [Mr. SMOOT], questions which must be answered before we can accept their theory that the production of sheep and wool responds to favorable tariff legislation.

The senior Senator from Georgia [Mr. BACON] this afternoon propounded a very pertinent question to the Senators from Wyoming and Montana. He asked why it was that we had in this country in 1903, 63,000,000 head of sheep, and two years later, in 1905, we had only 45,000,000 head of sheep. The Senator asked why it was that under a high-protective tariff the number of sheep in the United States diminished 18,000,000 in two years. The Senator from Georgia was entitled to a candid answer to his inquiry, and he received two answers. The Senator from Wyoming stated with great complacency that the returns for 1903 were "mere estimates"—"mere opinions"—a sort of uninspired guess. That is not the first time that statistics quoted from an official document have been whistled down the wind by a mere suggestion that they were the fancies of an enthusiast.

But, sir, that answer hardly convinced my judgment, and the senior Senator from Montana came to the rescue of his colleague. The Senator from Montana is the Œdipus of the Republican party, the only one who can solve the riddle of the sphinx, the only man who can reconcile irreconcilable statements, the only man who can extract the mote of truth from the mountain of error. This new Richmond came to the rescue, and what was his answer to that question? He said the reason why we had 18,000,000 more sheep in 1903 than we had in 1905 was because the European wool market was demoralized in 1902, in consequence of the Boer war of 1899.

Now, Mr. President, that is getting down to business. That is what a lawyer would call "the proximate cause." That answer struck me as having a great deal of force. It was extremely persuasive, to my judgment. The Senator was interrupted in the course of his lucid observations, and I was left to infer that the reason that the number of sheep decreased in the United States was this: The sheep in South Africa belonged to the International Peace Society; when the black clouds of war were lowering in that region they migrated to the United States; and later on, when that "cruel war was o'er," when the white-winged angel of peace and the black-winged angel of death hovered over the prostrate form of those stricken Republics, those sheep slowly and sorrowfully wended their way back to the green fields and the pleasant pastures; they trekked their way back to the verdant veldts of the once glorious Transvaal.

There was some confusion in the Senate, and I could not quite understand his reference to the demoralization of the wool market in Europe in 1902. The Senator assured us that wool was cheaper in Europe that year than it had ever been during the history of the trade, and the senior Senator from Utah set the seal of Solomon on the whole fairy tale by saying that wool was placed in bond in the custom-house in New York, I believe, for 10½ cents.

So, amid the confusion, I was driven to the conclusion that wool was so cheap in Europe and throughout the world that it stimulated the production of sheep in the United States. That was the reasoning of the Senator from Montana, and that was his conclusion.

That is not the only phenomenon connected with this response of wool and sheep and favorable tariff legislation in the United States. Here is another question I want those Senators to answer for the benefit of those who are unenlightened, like myself, and for the benefit of the Philadelphia woolen manufacturers. Those gentlemen, no doubt, have founded their conclusions upon supposed facts. They believe that the tariff really helps the growers of sheep, as well as the manufacturers of wool, and if they were convinced that it did not, they would change their theory and their views upon the tariff question. They are governed by what they believe is a scientific investigation of facts, and are not warped by their own sordid interests in the proposition.

I want the Senator from Wyoming when he next elaborates upon the response of sheep and wool to tariff legislation to tell the Senate why it was that in 1885 there were 50,000,000 head of sheep in the United States, and in 1890 there were only 44,000,000 head of sheep in the United States. The tariff had not varied one centime during that five years, and yet sheep had decreased 6,000,000 head in five years, more than 1,000,000 head per year. Was that in response to favorable tariff legislation?

Not only that, but from 1890 to 1895, during the terrible panic, sheep decreased from 44,000,000 to 42,000,000 head, a decrease of 2,000,000 during those five years, whereas there had been a decrease of 6,000,000 head during the previous five years.

Now, there had been unfavorable tariff legislation during the meantime, and yet sheep had not decreased in number one-half so much under the unfavorable legislation during that five years as they had decreased during the preceding five years under favorable legislation. I want the Senator from Wyoming to tell the Senate why that was when he again states with so

much eloquence and confidence that wool and sheep "respond to favorable tariff legislation."

I know just about what the Senator from Wyoming will say. I have heard him dilate so much upon the panic of 1893. He will say that during the years from 1885 to 1890 those sheep—

> Dipped into the future far as sheepish eyes could see,
> Saw a vision of the world and all the panics that should be.

Those sheep caught glimpses of the shadow, of the coming panic, and they instantaneously committed suicide. [Laughter.]

That is why the sheep decreased 6,000,000 from 1885 to 1890 under favorable legislation.

Well, you ask why the process did not go on with an increasing ratio. Eighteen hundred and ninety-three arrived, the panic actually burst upon the country, and the sheep of the country increased 3,000,000 head that year over the number we had the preceding year, the panic to the contrary notwithstanding. The sheep seemed to thrive on the panic and increased 3,000,000 head.

Now, why was that? Why, Mr. President, those sheep saw that the panic was already here. They consulted the stars. They cast a horoscope. They penetrated the future again, and they discovered that the Wilson-Gorman tariff law would not be enacted for fifteen months, and they stopped the process of self-destruction. You see, the sheep in this country have been close students of tariff schedules, and when the panic came in the spring of 1893 they knew that it was not due to the unfavorable tariff legislation in the Wilson bill, and which was not to supervene for fifteen months yet to come. You see, those sheep knew that the panic of 1893 was not due to the tariff act of 1894, but they deserve no credit for that conclusion. Any "mutton head" ought to know that, Mr. President, if I may be pardoned for that elegant phrase. [Laughter.] Anyone who knows that the cause must precede the effect knows that the panic of 1893 was not attributable to the tariff act of 1894.

But, Mr. President, there were more sheep in the United States in 1895, during the very heart of the panic, than there were in 1900, after the Dingley law had been enacted for three years, and during the very time that the Republican party declared in national platform that they had restored a prosperity more general and abounding than was ever known. Yet the sheep of 1900 did not equal by 1,000,000 the sheep of 1895.

Mr. President, I propose to be entirely fair, because I want those Senators to look the facts in the face. The number of sheep in this country did decrease from 1894 to 1897. There was a decrease of 8,000,000 head of sheep in the United States. During those four years there was a decrease equivalent to the decrease from 1885 to 1890; but, Mr. President, let me remind the Senators again that from 1903 to 1905 there was a decrease of 18,000,000 head of sheep in this country, according to the official report, and from 1893 to 1894, only one year, there was a decrease of 12,000,000 head of sheep.

Now, sir, during the entire operation of the Wilson tariff law, which placed wool on the free list, the number of sheep in the United States decreased 8,000,000 head, and yet during two years under the present Dingley law they decreased 18,000,000 head—more than twice as many—and during the one year from 1903 to 1904 they decreased 12,000,000 head, not quite twice as much as during the entire operation of the Wilson tariff law, which placed wool absolutely upon the free list.

But, Mr. President, that is not the only question that I want those Senators to answer who say that sheep and wool respond to "favorable tariff legislation." I want the Senator from Montana or the Senator from Wyoming to answer this one other question. I will not call upon the senior Senator from Utah to answer it. Of course he could answer it. That good-natured Senator has already demonstrated that he knows less about more things than any other Member of this body. [Laughter.]

Now, Mr. President, when the eloquent Senator from Wyoming comes to explain how prosperity, how sheep and wool trailed along in the wake of favorable tariff legislation, I want him to go up against this question: In 1895, in the very heart and storm of the panic, we produced in this country 309,000,000 pounds of wool, more wool than was ever produced in one single year in the United States during our entire history up to that time. That was a larger production of wool than we have ever seen in the United States from the beginning of our Government until the present hour, except in 1902 and the estimates for 1908.

Now, let the Senator explain why, if the production of wool responds to tariff legislation, we produced more wool in 1895 than we ever did produce under high tariff prior to that time, or than we have ever produced under a high tariff since that time, except, as I have said, in 1902 and the estimates for 1908.

Not only did the number of sheep decrease 6,000,000 from 1885 to 1890 when the tariff was unchanged, but the production of wool decreased during the same five years 32,000,000 pounds; and during the next five years, the panic and unfavorable tariff legislation to the contrary notwithstanding, the production of wool in the United States increased 33,000,000 pounds. I have just a curiosity to know if wool responds to the tariff, why, under a free-wool tariff, production increased?

I know that facts do not weigh in the balance against these theories and perhaps it is an idle curiosity, but I want an answer.

Mr. WARREN. I have just come into the Chamber and I do not know whether I heard the Senator's figures correctly. In what year does he claim the high production occurred?

Mr. GORE. In 1895.

Mr. WARREN. Does the Senator know why it was higher in 1895?

Mr. GORE. Yes, sir; the panic was prevalent that year and the sheep were sorrowful; they had long faces and naturally grew more wool under those circumstances. [Laughter.]

Mr. WARREN. Whenever——

Mr. GORE. I suppose, Mr. President, that those figures were merely the estimate of an enthusiast, as the Senator said about the 63,000,000 sheep in 1903.

Mr. WARREN. I do not hear the Senator. Will he make that statement again, please?

Mr. GORE. Oh! The Senator said this afternoon that the high-water mark in the number of sheep in 1903, the statement that we had 63,000,000 of sheep, was a mere statement or estimate of an enthusiast. I say, probably that was the reason why we produced more wool in 1895.

Mr. WARREN. The Senator does not wish, I know, to quote me incorrectly. I did not say that.

Mr. GORE. I so understood the Senator. Of course, I may have misunderstood him. I am perfectly willing to leave it to the CONGRESSIONAL RECORD.

Mr. WARREN. Well, if the Senator will leave it there.

Mr. GORE. I am sorry the Senator was not in, because I had propounded several inquiries. There are, of course, good reasons why the production of wool was more in 1895.

Mr. WARREN. Would the Senator like to have me answer that now?

Mr. GORE. Yes, sir.

Mr. WARREN. In that year there was the regular clip of the sheep, and added to that were the pelts and the wool of the sheep that were slaughtered by those who could no longer afford to hold them at the price that wool was bringing. It always follows; a slaughter of the animals of course increases the skins; and in the case of sheep it increases the wool for a time, as in this way there are practically two clips in one year from those slaughtered.

Mr. GORE. Mr. President, that could not be.

Mr. WARREN. If the Senator will notice, or if he has the figures in his mind, and I dare say he has, he starts with 1895. Three hundred and nine million and some pounds was the production of wool. In 1896 we had but 272,000,000 pounds. As I said, the year before the law went into effect which disastrously affected sheep, in 1894, the clip increased by the addition of felts and pulled wool, as I have stated. The clip following that shows the fact that in 1896 we were down to 272,000,000 pounds, and in 1897 down to 259,000,000 pounds of wool.

Mr. GORE. Mr. President, that is merely another one of those fairy tales with which the disinterested Senators on the other side meet these arguments. I have but one objection to the Senator's answer and to the Senator's theory, and that is, that it is not true; and that is a tolerably serious objection to any argument except to a "standpatter."

Now, I will convince the Senator that he is wrong.

Mr. WARREN. Does the Senator mean that I have quoted wrong figures?

Mr. GORE. I mean your theory that it was dead sheep. [Laughter.]

Mr. WARREN. I will say to the Senator that I quoted the figures of the United States census. I presume the Senator may know more than the United States officials do about those things.

Mr. GORE. No, sir; I am not at all pretentious, but I know more than to yield any credence to that fanciful theory advanced by the Senator from Wyoming, and I will convince every Senator here that it is not true and that it is not founded on facts. I allude not, of course, to the Senator's veracity, but to his theory. I believe that he imagines that that is true. Now, let us see. In 1890 we had 44,000,000 head of sheep. The

wool amounted to 276,000,000 pounds. In 1895 we had 42,000,000 head of sheep, and we cut 300,000,000 pounds of wool, and the year before that we only had 44,000,000 head of sheep. So the Senator gets 33,000,000 pounds of wool from 2,000,000 dead sheep. The dead ones must be far more prolific than the live ones. [Laughter.] Mr. President, the death rate amounted to only 2,000,000 between the two years.

If the Senator did not say that the sheep amounted to 63,000,000 in 1903 and sunk down in 1905 to 45,000,000, if he did not say that the former figures were the estimate of an enthusiast, I again propound to him the question to explain, if favorable tariff legislation influenced wool and sheep production, why it was that under the present high tariff the number diminished in the United States from 1903 to 1905 the enormous number of 18,000,000, and from 1903 to 1904, in one year, they decreased 12,000,000 head? I do not think I am in error as to those figures. When he or some one else has the leisure I should like to know why it was that the number of sheep decreased 12,000,000 head in one year, and that without any variation in the tariff? Of course, if the tariff had been changed, we could easily account for the diminution of wool and sheep according to his theory. It has occurred to me that possibly the reason that sheep declined from 1903 to 1904 12,000,000 head was that the sheep were apprehensive of Judge Parker's election and thought that the "strenuous one" would go to his Waterloo, and were simply hedging on that account. [Laughter.]

Mr. WARREN. Mr. President, as I stated, I do not wish to interrupt the Senator's flow of oratory, but I know he does not want to misquote me. What I said to-day was that, counting the sheep had proceeded along for a time, counting not only all the sheep, but the lambs less than a year old. From the date which the Senator mentioned the mode of counting was changed so as to count only the adult sheep, and that makes the difference, as the Senator would have discovered if he had also followed out the amount of the wool clip for those years.

Mr. GORE. Let me understand the Senator. He says they counted all the sheep up to this time.

Mr. WARREN. I do not say that they counted them all the time. I say that the count to which the Senator refers was a count obtained from sources which gave the lambs with the sheep; but that a change was made, so that the lambs were not carried to the count of the sheep until later in the season. So it makes the difference of just what the lamb crop was at that particular time.

Mr. GORE. You only counted the grown sheep up to 1904 or 1905? Will the Senator state why that change was made?

Mr. WARREN. The Senator can see from the wool clip that you could hardly have an increase of that many sheep, and shear them, and still show a shortage; or, rather, you could not have quite so large a shortage as that and have it show directly the opposite in the wool product of that year.

Mr. GORE. I notice the variation of the clip was also very striking from 1902 to 1904 and 1905. I supposed they sheared the lambs in 1902, as the fleece that year was the largest in our history. It has never been equaled since; it had never been equaled before. That seems to sustain the idea that there was a pretty goodly number of sheep. We would offhand conclude that, if there was more wool, there were more sheep; but, of course, I do not undertake to combat all these theories trumped up to explain these figures. I am not swearing by any figures. I merely had the curiosity to know why it was. This baby sheep business, of course, will prove satisfactory to everybody; but the variations before that in the number of sheep is quite as hard to explain and will call for some other theory than this.

Mr. President, I do not know whether or not it ever occurred to these Senators to examine the quotations of cotton. Cotton is unprotected. I have seen cotton sell for less than 4 cents a pound. I have seen cotton vary in prosperous times from 6 cents to more than 12 cents a pound. Did it ever occur to Senators that the same economic conditions, that the same trade conditions which influence cotton, might possibly influence wool also? Is the great universal law of supply and demand limited to cotton alone, and is wool exempted from its operations? Do the laws of trade and commerce take cognizance of vegetable fiber and have no jurisdiction over animal fiber? The same conditions which explain the variations of the cotton market will explain the variations in the wool market. And cotton is unprotected. The cotton farmer does not lean upon the strong arm of the Government; he does not thrust his hand into the pocket of any other citizen in this country in order to compensate himself for his product; yet his fabric varies in the market, and wool and woolen fabrics vary in the market in almost equal measure, and that is attributable to identically the same causes, to identically the same influences and conditions.

Mr. LA FOLLETTE. Mr. President, when I concluded what I had to say last night, I had arrived at a point in my argument where I wished to submit some amendments to Schedule K, but the lateness of the hour caused me to defer submitting them at that time. The Senator from Iowa [Mr. DOLLIVER] had already submitted amendments, which were pending, and had others which he desired to offer to complete the plan of changing Schedule K, hence I have deferred offering the amendments which I wished to submit to the Senate until the present time.

While seeking to accomplish generally the same purposes that the Senator from Iowa had in mind, my plan is somewhat different. I submit amendments, which begin with ad valorem duties on raw wool. I believe that to be, under all the circumstances, the best plan of amendment which can be made to this schedule; and, according to that plan, I have worked out 24 amendments which I wish to submit to the Senate.

I have said to the Senator from Rhode Island that I should like to submit these amendments en bloc, and with the indulgence of the Senate, asking for a vote upon all of the amendments at one time, because they are all a part of one scheme or plan of modification of Schedule K.

So I send to the Secretary's desk and ask to have the several amendments read for the information of the Senate, after which I will briefly explain their purpose and effect.

The PRESIDENT pro tempore. The Secretary will state the amendments.

The Secretary read as follows:

Amend paragraph 356 by striking out the word "three" in line 23, on page 124, and insert the word "two."

Amend paragraph 357 by striking out the same and inserting in lieu thereof the following:

357. Class one, all wools not hereinafter included in class 2.

Strike out paragraph 358.

Amend paragraph 359 by striking out the word "three" in line 14, on page 125, and insert in lieu thereof the word "two."

Amend paragraph 361 by inserting after the word "duty" in line 9, on page 126, the words "as class one" and by striking out all of the balance of line 9 and all of line 10.

Amend paragraph 362 by striking out the same and inserting in lieu thereof the following:

Paragraph 362. The duty on wools of the first class shall be 45 per cent ad valorem.

Strike out all of paragraph 363.

Amend paragraph 364 by striking out all of line 9, on page 127, after the word "be," and inserting in lieu thereof the following: "Thirty-five per cent ad valorem;" also by striking out all of lines 10 to 20, inclusive, on said page 127.

Strike out all of paragraphs 365 and 366.

Strike out all of paragraph 367.

Amend the committee amendment to paragraph 368 by striking out the words "30 cents per pound" in line 10, on page 129, and insert in lieu thereof the words "45 per cent ad valorem."

Amend paragraph 369 by striking out the words "25 cents per pound" in line 11, on page 129, and the words "20 cents per pound" in line 14, and inserting after the word section, in line 14, the words "45 per cent ad valorem."

Amend paragraph 370 by striking out all of line 15, on page 129, after the word "flocks" and all of line 16, and insert in lieu thereof the words "45 per cent ad valorem."

Amend paragraph 371 to read as follows: 371. Tops, 50 per cent ad valorem.

Amend paragraph 373 by striking out all of the paragraph after the word "pound" on line 26, on page 129, and inserting in lieu thereof the words "55 per cent."

Amend paragraph 374 by striking out the words "or in part of wool" in line 9, on page 130, and inserting in lieu thereof the words "of wool, or of which wool is the component material of chief value."

Also amend the paragraph by striking out all of the paragraph after the word "section," and inserting in lieu thereof the words "65 per cent ad valorem."

Strike out all of paragraphs 375, 376, 377, 378, and 379.

Amend paragraph 380 by striking out all of the paragraph after the word "description" in line 11, on page 133, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 381 by striking out all of the paragraph after the word "description" in line 15, on page 133, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 382 by striking out all of the paragraph after the word "description," in line 18, on page 133, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 383 by striking out all of the paragraph after the word "description," in line 23, on page 133, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 384 by striking out all of the paragraph after the word "otherwise," in line 1, on page 134, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 385 by striking out all of the paragraph after the word "carpets," in line 4, on page 134, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 386 by striking out all of the paragraph after the word "carpets," in line 6, on page 134, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 387 by striking out all of the paragraph after the word "rugs," in line 11, on page 134, and inserting in lieu thereof the words "60 per cent ad valorem."

Amend paragraph 388 by striking out all of the paragraph after the word "otherwise," in lines 15 and 16, on page 134, and inserting in lieu thereof the words "60 per cent ad valorem."

Mr. LA FOLLETTE. The object of changing from specific to ad valorem duties in this schedule is not, so far as the raw wool is concerned, to lower the existing rates, but to impose a protective ad valorem duty upon the wools imported. The average rate of the present law reduced to an ad valorem basis is now a fraction less than 45 per cent. The actual result is that high-class wools coming into competition with wools in this country pay less than 45 per cent, while a lower grade of wools of classes 1 and 2 pay a much higher duty than 45 per cent. For instance, one shipment of wool having a shrinkage of 20 per cent and another shipment having a shrinkage of 80 per cent would pay the same amount of duty, while really the first shipment will contain four times as much wool as the second. By substituting an ad valorem duty duties will be paid upon the actual value of the wool regardless of the shrinkage or waste or dirt that may be in the same, and at the same time will better protect the woolgrowers of this country.

The theory of these amendments, carried through all of them, is that in all cases a compensating duty of 45 per cent ad valorem shall be imposed, whether the wool be imported raw or advanced in manufacture, and when wool is advanced in manufacture an additional ad valorem is imposed to cover the difference in the cost of production at home and abroad in the manufactured state.

The purpose of the amendment to paragraph 356 is to divide the raw wool into two classes instead of three. Classes 1 and 2 under the Dingley law, as shown by Estimated Revenues, have practically the same value; and if the duty is to be placed on an ad valorem basis, there is no occasion for having more than one class to cover any of the wool described in classes 1 and 2 of the existing law.

The amendment to paragraph 357 puts into class 1 all wools now described in paragraphs 357 and 358 of the bill, and the class is described as being "all wools not hereinafter included in class 2."

Paragraph 358 is stricken out because the classification therein provided is thrown into class 1 and covered by the amendment to paragraph 357.

Paragraph 359 is proposed to be amended by striking out the word "three" and inserting the word "two," the only change being made in numbering the class, but leaving the description as it is in the bill.

Paragraph 360 is not changed in any way.

The amendment to paragraph 361 merely provides that the wool therein described shall be classified as Class 1, this for the reason that as before stated, classes 1 and 2 in the present bill are both thrown into Class 1.

The amendment to paragraph 362 strikes out all of the paragraph and inserts in lieu thereof a provision for a 45 per cent ad valorem duty upon all wool in Class 1. This 45 per cent as stated before is a little higher than the present duty paid upon woolens in classes 1 and 2 when reduced to equivalent ad valorems. Its purpose is not to reduce the duties upon woolens in this class, but to equalize them, maintaining them as a whole at as high a protective point as is provided in the recent law.

Paragraph 363 is stricken out because if an ad valorem basis is provided the 45 per cent duty will automatically adjust itself to washed and unwashed wools; that is to say, unwashed wool being less valuable than washed wool, when the 45 per cent duty is applied to it will pay a less rate of duty than the 45 per cent rate applied to washed wools.

The amendment to paragraph 364 imposes a duty for wools upon class 2 (under the present law class 3). The ad valorem duty proposed is 35 per cent, which is the average of the present specific rates reduced to equivalent ad valorems now imposed upon wools in this class.

Paragraph 365 is stricken out because fully covered by the proposed amendment to paragraph 362.

Paragraphs 366 and 367 are stricken out for the same reason.

The amendment to paragraph 368 changes the rate upon top waste and the other wastes therein designated from 30 cents per pound to 45 per cent ad valorem. It is thought that these wastes, being a by-product of manufacture, should not pay a higher duty than the raw wool.

The amendment to paragraph 369 and the duty therein imposed is for the same reasons as have been stated with reference to paragraph 368.

The amendment to paragraph 370 strikes out the specific duty of 10 cents per pound and inserts an ad valorem duty of 45 per cent ad valorem.

The statement made with reference to the amendment to paragraphs 368 and 369 apply to this amendment.

The amendment to paragraph 371 imposes an ad valorem duty upon tops of 50 per cent, 45 per cent for the wool and 5 per cent protective duty to cover difference in labor cost at home and abroad.

Paragraph 372 is not changed.

The amendment to paragraph 373 changes the duty upon yarns from specific duties to an ad valorem rate of 55 per cent. This rate is arrived at by allowing 45 per cent as a compensatory duty for the wool and 10 per cent ad valorem for the difference in the cost of manufacture between this country and abroad. In arriving at this 10 per cent for difference in cost of production it has been assumed that wages in this country are 100 per cent higher than abroad, and the 10 per cent ad valorem allowed upon the full value of the yarn gives a protective duty of 100 per cent upon the labor cost.

The amendment to paragraph 374 is in line 9, by striking out the words "or in part of wool" and inserting in lieu thereof the words "of wool or of which wool is the component material of chief value." This amendment is for the purpose of bringing within the provisions of Schedule K manufactures containing wool only if such manufacturers have as their component material wool of chief value.

The next amendment to this paragraph strikes out the specific duties and imposes a duty of 65 per cent ad valorem upon the manufactures of wool. Here, too, this 65 per cent is made up of a compensatory duty of 45 per cent upon the material, which I have shown is 65 per cent of the total value of the product; and 45 per cent upon the material is therefore equal to an ad valorem rate of 30 per cent upon the total value of the product. In addition, I have allowed 30 per cent of the total value as a protective duty to cover the difference in the cost of manufacture in this country and abroad, and, as I have already shown to the Senate, this 30 per cent protective duty goes upon the assumption that the wages in this country are 100 per cent higher than abroad, and the 30 per cent more than covers this difference in cost.

Paragraphs 375, 376, 377, 378, and 379 are stricken out, for the reason that the 65 per cent ad valorem duty provided in paragraph 374 will cover all of the products mentioned in these various sections and provide for all of them a compensatory duty of 45 per cent for the wool and 100 per cent upon the wage cost.

The amendments to paragraphs 380 to 388, inclusive, relate to carpets of various kinds and substitute for the specific duties proposed in the bill an ad valorem duty of 60 per cent.

Here, too, a compensatory duty of 45 per cent is provided for the wool and 100 per cent for the difference in the cost of production. To again explain how this is arrived at, it is assumed that 65 per cent of the value of these carpets is for the material, and 45 per cent ad valorem duty upon this 65 per cent gives 30 per cent. Therefore, a duty of 30 per cent upon the total value of the product is equal to a duty of 45 per cent upon the value of the material. The additional 30 per cent is to cover the difference in the cost of manufacture here and abroad, and this 30 per cent upon the total value gives a protective duty of 100 per cent upon the wage cost.

The effect of these amendments, if adopted, will be to impose ad valorem duties as follows:

	Per cent.
Upon wool of class 1	45
Upon wool of class 2	35
Upon tops	50
Upon yarn	55
Upon carpets	60
Upon all other manufactures of wool or having wool as component part of chief value	65

Mr. ALDRICH. Mr. President, I ask that the votes by which these various paragraphs were agreed to be reconsidered for the purpose of allowing these amendments to be offered and to be voted upon together.

The PRESIDENT pro tempore. That can only be done by unanimous consent.

Mr. ALDRICH. That was my request, that by unanimous consent that be done.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. LA FOLLETTE. Now, Mr. President, I will just say generally that the plan contemplated by these amendments combines classes 1 and 2 in the first class and makes class 3 the second class. It applies an ad valorem duty of 45 per cent to what is now classes 1 and 2 of the Dingley law and an ad valorem duty of 35 per cent to what is now class 3 of the Dingley law. I speak now of the raw wool. That is a bit higher than the present ad valorem upon those classes.

Mr. President, I wish to send to the Secretary's desk and have read a letter which I received in my mail to-night from Mr. Edward Moir, the president of the Carded Woolen Manufacturers' Association.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

THE CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
Boston, Mass., June 10, 1909.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: Since early in the year, when tariff revision became the burning question of the hour, we, the carded woolen manufacturers of the country, have in numerous ways made known the changes that were necessary in the wool schedule in order that even-handed justice might be given the woolgrower, the carded-woolen manufacturer, the worsted spinner, and the consuming public.

Our latest appeal is in a letter to our Chief Executive, on whom will fall the burden of approving or rejecting the bill you are now at work upon. Thinking that this statement of our grievances may aid you to appreciate the importance and justice of our demands, we herewith present a copy of our letter to President Taft, where at considerable length we show the inequalities of the tariff schedule as affecting wool and wool goods, and strongly recommend an ad valorem duty on wool, so that a tax on grease and dirt, which are substantially all discounted in the price paid for wool, may be eliminated from the tariff.

Yours, very truly,

EDWARD MOIR, *President.*

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. LA FOLLETTE. I do.

Mr. CULBERSON. I simply want to know from the Senator if I understood him correctly as saying that the amendments proposed by him provide duties in excess of the existing Dingley rates?

Mr. LA FOLLETTE. Oh, no; I said that with respect to the rates upon raw wool the present rates, figured upon the imports, are a fraction less, as I make it, than 45 per cent. I fix the rates at an even 45 per cent in the amendments, which makes it a fraction more upon raw wool; but these duties, taken throughout the schedule as I have prepared them, applying ad valorem rates instead of the present specific rates as compensatory duties, make a reduction upon all of the manufactures of wool in conformity with the investigations made by the special agent, Mr. Clark, which I presented to the Senate last night.

Mr. CULBERSON. But as to raw wool, as I understand, the amendents propose rates slightly in advance of the Dingley rates?

Mr. LA FOLLETTE. A fraction of a per cent in advance. The amendments can not be objected to, Mr. President, as a reduction upon raw wool; and I might as well say it now as at any other time that if anybody is to be indulged by continuing Dingley rates it might as well be the one producer in this country who rarely gets any direct benefit from a protective tariff. Outside, perhaps, of the duties upon barley and the duties upon wool the agriculturist of this country can not be said to receive anything from the protective tariff except an indirect, roundabout benefit which he takes from feeding the people who are employed in the protected manufactures.

Mr. President, I propose to follow the letter of Mr. Moir with the letter which accompanied the communication which I received from him, which that association has addressed to the President of the United States. I ask that the Secretary read the appeal to the President by this association of the Carded Woolen Manufacturers' Association.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
Boston, Mass., June 2, 1909.

SIR: We appear before you to-day for the purpose of stating certain facts relating to the tariff on wool and wool products, in order that you may know of the serious burdens now resting on the carded woolen industry and on the consumer of wool goods.

A TARIFF ON GREASE AND DIRT.

Schedule K is the same in the Dingley law and in the Payne bill now before the Senate. Both provide for a specific duty of 11 cents and 12 cents a pound on wool in the grease. This is the first grievance to which we call your attention. Grease wool contains widely varying proportions of grease and dirt, which is washed out in the first process—scouring—and is of no value whatever to the wool manufacturer. This wool grease and dirt amounts in many cases to as much as 80 per cent of the grease weight of the wool, while on some light-shrinking grades it is much less, as low as 15 per cent.

From this you will understand how wide is the variation in the duty on clean wool. With a shrinkage of 80 per cent, a duty of 11 cents per grease pound is 55 cents per clean pound. With a shrinkage of 20 per cent, the same 11-cent duty on the grease weight is only 14 cents per clean pound. The result is that the light-shrinking lots of wool can be imported at a very low duty, while the tariff on the heavy-shrinking wools is so high that they can not be imported at all. An application of the Dingley tariff to 80,000,000 pounds of wool recently sold at auction at London, Liverpool, Melbourne, and Sydney showed that the ad valorem equivalent of the Dingley 11-cent duty on grease wool varied from 23 per cent to 733 per cent.

NURSING THE WORSTED TRUST.

The bulk of the wool suited for our branch of the industry, carded woolen manufacturing, is heavy shrinking, while the wool suited for the other branch of the industry, worsted manufacturing, is light shrinking. The burden under which we are suffering arises from this fact, and hence our appeal to the House of Representatives, to the Senate, and now to you for relief from this injustice. The conditions we have described result not only in the oppression and ruin of the carded woolen industry, dotting the country with idle mills, but also in special privileges of immense value to the worsted-spinning industry, which is being rapidly concentrated into a few wealthy, prosperous, and powerful combinations.

A DELUSION AND A SHAM.

At the same time the wool grower is deprived of the protection contemplated by the Dingley tariff law. That law fixes the duty on scoured wool at three times the duty on unwashed grease wool; that is, at 33 cents a scoured pound for class 1 wool, and 36 cents a scoured pound for class 2 wool. This is on the assumption that it requires 3 pounds of grease wool to give 1 pound of scoured wool, and this assumption is further indicated by the Dingley and Payne provision for compensatory duties on goods, based on the ratio of 4 pounds of grease wool to 1 pound of finished cloth, allowing for a loss of 25 per cent in manufacturing.

This legal promise of 33 cents a pound to the woolgrower has proved in practice to be a delusion and a sham, for the law that gives the promise of such protection breaks it by allowing the importation of light shrinking wool at the 11-cent rate. The protection to the woolgrower is measured not by the Dingley duty of 33 cents a pound on scoured wool, but by the equivalent per second pound of the 11-cent duty on grease wool actually imported, which equivalent runs as low as 14 cents, and in practice rarely exceeds 20 cents. The average shrinkage of the grease wool imported during the past five years is 40 per cent, equal to a duty of 18.6 cents per scoured pound.

Thus under this present wool tariff the woolgrowers are deprived of the expected protection, the carded wool manufacturers are deprived of all access to the foreign wool suited to their requirements, while the worsted spinners enjoy valuable special privileges by being permitted to import the wool they require at a very low rate of duty per scoured pound.

WASHED WOOL PRIVILEGE FOR THE WORSTED SPINNER.

Besides the inequality to which we have just called your attention, there are other serious abuses in the Dingley tariff on wool. First, we will mention the provision by which wool of the first class, if washed on the sheep's back, is subjected to a double duty of 22 cents a pound, while wool of the second class, if so washed on the sheep's back, is admitted at the single rate of 12 cents a pound. The result is that all wool of the second class is imported in the washed condition in order to avoid the payment of duty on grease and dirt, while the very heavy wool of the first class can not be imported at all. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that the second-class wool is used for the manufacture of worsted, while the wool adapted for carded woolen goods is of the first class. We demand the abolition of this discrimination and special privilege under the law.

SCOURED WOOL DISCRIMINATION AGAINST CARDED WOOLEN MANUFACTURERS.

Another inequality from which we ask relief is that provision of the Dingley and Payne bills which makes the duty on scoured wools three times the duty on grease wools. This is based on the asumption that 3 pounds of grease wool is required to yield 1 pound of scoured wool, whereas a very large part of the world's wool clip shrinks much less than two-thirds. The result of this inequality is to prohibit the importation of scoured wool and confine the imports to grease wool shrinking less than two-thirds. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that worsted spinners ordinarily buy wool in the grease, whereas scoured wools are used by the carded woolen manufacturers. Thus the scoured wool clause of the Dingley and Payne tariff bills constitutes a burdensome discrimination against the carded woolen manufacturers, from which we demand relief.

PARTS OF ONE INDUSTRY.

We desire to call your attention to the fact that the carded woolen and worsted branches of wool manufacturing, although distinct in respect to certain technical processes and grades of material used, still are competing branches of trade, because worsted and carded woolen goods are used for the same purposes. Consequently these tariff discriminations against the carded woolen industry aid the worsted branch of the business by injuring the latter's competitor.

MORE FAVORS FOR THE WORSTED SPINNERS.

Another and very serious defect in the Dingley and Payne bills is the practically prohibitory duties on the by-products of wool manufacturing. Here, again, we find a discrimination against one class of people and special privilege for another, because these by-products can be used only by carded woolen manufacturers, while worsted spinners, although they can not use them, have them for sale. This is one of the most serious of the tariff abuses from which we ask relief, as the duties on such by-products vary from 50 to 200 per cent.

The present wool schedule is practically that of 1867, which was primarily a war-revenue tax; and as all other schedules have been adjusted to meet changed conditions, this schedule should be redrawn to meet the changed conditions of woolgrowing and the wants of the manufacturers. Take Ohio wool, for example. The quality of wool grown in Ohio has changed in quality as well as in quantity. Fine merino was at one time the staple growth, but in a few years more that quality of wool will not be grown in Ohio. Much of the wool now grown there is from the mutton variety of sheep, and this wool carries a net protection of about 20 cents per scoured pound against 33 to 44 cents to the grower in the West.

EQUAL OPPORTUNITY UNDER THE LAW.

We ask for an equal opportunity with all others under the law, in order that we may enjoy the reward of our labor, skill, and enterprise in the business in which we are engaged. It is in this capacity of carded-woolen manufacturers that we make our appeal to you. But our demands should be granted not only in justice to us as carded woolen manufacturers, but in justice to the consumer of wool goods. We expressly disclaim any intention of representing here to-day the special interests of the consumer. We, however, call your attention to the fact that every burden on the carded woolen industry that we have mentioned is also a burden on the consumer of wool goods, whether underclothing, outside clothing, blankets, or other articles made of wool; and that the special privileges granted to the worsted branch of this industry result in an increase of these burdens not only on the carded woolen manufacturers, but also on the consumers in this country.

AD VALOREM TARIFF THE ONLY COMPLETE REMEDY.

It would not be possible at this time to go into detailed discussion of the proper remedies for the abuses to which we have called your attention.

We will state, however, that it is our firm belief that the only complete remedy for these inequalities is a tariff based on value. Specific duties based on the scoured weight of the wool and graduated on by-products by classifications according to value, or compound duties consisting of both specific and ad valorem rates, would give partial relief. But if the exigencies of the situation ever lead the Government to adopt any of these partial remedies, it should not be forgotten that they are partial, and that the only complete remedy is in an ad valorem tariff. The protective rate on wool goods is ad valorem, and if this can be made effective on manufactured goods, there can be no doubt of its efficiency on the raw material.

INVESTIGATE AND UPROOT ABUSES.

We ask that the tariff on wool and wool goods be thoroughly investigated and revised. We desire to have the principle of protection maintained for all producers, whether of wool, wool goods, or clothing. And we are as ready to have inequalities corrected in the tariff on wool goods as in the tariff on raw materials. We are ready to go into the consideration of the technical details of this problem with you or anyone you may designate, and to any extent you may desire. We are ready to do this with representatives of the woolgrowers, worsted manufacturers, and of the Government. We suggested such a conference to the Ways and Means Committee of the House of Representatives. We have at all times been willing to carry out that suggestion, confident that the better the truth is known the better will be our chances to gain an equal opportunity under the law.

EVENHANDED JUSTICE, NO MORE AND NO LESS.

We represent an industry that covers nearly every State in the Union, has over three times as many establishments as has worsted manufacturing, and a greater number of employees. Under the present schedule many woolen mills have been closed, and a continuance of that schedule means great distress to many mill owners and operatives. We believed that the platform of the Republican party meant an honest revision of the tariff. On a recent visit to the Finance Committee we placed the injustice of the wool duties before it and were told that while we had a grievance the schedule could not be opened. We feel indignant that such treatment should be meted out to us; that the cardinal principles of fair play and evenhanded justice, under which we are supposed to live, should be cast aside or subordinated to a coalition of forces that are specially favored under the Dingley bill. Therefore, Mr. President, we appeal to you to use your influence in the proper quarter, so that this industry may have what it is entitled to under our Constitution—evenhanded justice, neither more nor less.

Respectfully, yours,

EDWARD MOIR,
President Carded Woolen Manufacturers' Association.

His Excellency The PRESIDENT,
Washington, D. C.

Mr. LA FOLLETTE. Mr. President, from many letters received from woolen manufacturers, I offer one which I send to the Clerk's desk and ask to have read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

COOPER UNDERWEAR COMPANY,
Kenosha, Wis., April 23, 1909.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: We have your letter of April 22. We thought we had made plain in our letter of the 19th where there is a discrimination against the 1,500 wool manufacturers in favor of the few manufacturers of worsteds. The discrimination consists in this: That the duty on clothing wool and on combing wools is the same, and also because the duty is based upon the wool in the grease instead of in the scoured state.

As explained to you in ours of the 19th, clothing wools used by the woolen mills are high-shrinkage wools. Wools in that state carry a large amount of grease and foreign matter, which is scoured out in cleaning, but upon which dirt a duty is paid pound for pound with the wool.

The illustration we gave in ours of the 19th is that worsted and combing wools shrink even as low as 15 per cent. This 15 per cent of dirt, of course, pays the 11 cents per pound duty. Upon clothing wools, however, which are used by the woolen mills, the shrinkage is even as high as 80 per cent, and on this 80 per cent of dirt 11 cents duty is assessed and paid, which makes the wool pay five times the duty that it would pay if it was assessed on the scoured pound.

The point we make is this: That the duty should be based on the scoured pound, so that combing wools and clothing wools would bear the same duty. If not based on the scoured pound then the combing wools should bear at least three times as much duty. And in many instances it should pay five times as much to bring the two wools to a parity.

It is a fact that the best of the woolen mills are almost paralyzed by the competition they meet from the worsted mills which is due to the discrimination, although unintentional, of the two classes of wool used by the two industries which are using the same rate of duty in the unscoured state, but which duty should be assessed on the wool clean, which would put them on an even basis.

To prove what we say regarding the fact that woolen mills are paying more duty than the worsted mills you will please look about you and nearly every man you meet is wearing a suit of worsted, whereas a few years ago they were all wearing serges, cheviots, and other classes of woolen fabrics made by the woolen mills.

We trust we have made ourselves clear to you, if not, we will be glad to write you again. We certainly assure you that this matter is a vital question with the woolen mills, and as stated before there are 10 to 1 worsted mill. The woolen mills are smaller in size, are scattered over the country, and can not concentrate their efforts in asking for justice in the matter of tariff as simply and as easily as can the large worsted mills, which readily get together and work solidly for their ends.

Trusting that this matter may receive your consideration, and that your efforts be effective, and thanking you in advance, we remain,

Very truly, yours,

COOPER UNDERWEAR CO.,
Per HENRY S. COOPER,
President and Treasurer.

Mr. LA FOLLETTE. I have just this to say in recapitulation with respect to these amendments. In the first place, they change the classification of raw wool from three classes to two, and from specific to ad valorem duties. On the first and second class wool, which is made class 1 by my amendment, a duty of 45 per cent is imposed. This is practically the duty in the Dingley law. Upon the coarse wools embraced in class 3 of the Dingley law, provided for as class 2 in my amendment, I provide for an ad valorem duty of 35 per cent, which is practically the duty of to-day. It is not an increase of the existing duty upon the imports of the year upon which the table of estimates is based of more than the smallest fraction of a per cent, due to the fact that I state the ad valorem in round numbers for the two classes at 45 and 35 per cent ad valorem.

In reference to the amendments which follow, they simply carry over into the manufactured product the application of this ad valorem duty based, however, with respect to the protective duty and the compensatory duty, upon the investigations conducted by the government expert, which I submitted last evening.

There are many reasons for substituting an ad valorem duty on raw wool for the present specific duty. Without hurting the producer of raw wool the substitution will benefit the consumer and help the carded-wool industry in the desperate struggle for existence to which it is driven by the worsted industry.

While the average duty on raw wool is about 45 per cent, it is much higher on the coarse heavy-shrinking wools used by the poor and considerably below that on the finer light-shrinking wools used by the rich. If a 45 per cent duty on all imported woolens were imposed, it would accord the same measure of protection to the farmer as it does to-day, and do away with the inequality just referred to.

Mr. BEVERIDGE. Will the Senator let me ask him a question?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. I gather from these letters which the Senator has had read and that I heard here this afternoon that there seems to be a conflict between what are called the "carded-wool people" and the worsted industry. Do any of these amendments, while helping the carded-wool people, while remedying what they think is an injustice, at the same time injure the worsted people in any way?

Mr. LA FOLLETTE. They take no duty away from any industry to which it would be fairly entitled in accordance with any just standard of protection. It accords to the manufacturer of worsted cloths, as well as to the manufacturer of woolen cloths, the measure of duty to which he is fairly entitled, as shown by the analyses which have been very carefully worked out by government experts.

Mr. BEVERIDGE. I could not understand the objection of the worsted people to it, except upon one or two possible grounds. One, that these amendments, or any amendments which have been offered, might in some way injure them, or the other one which has been suggested here, that the worsted people really wanted to see the carded people go out of business. But the direct question is whether or not any of these amendments would do what might reasonably be called any possible injury to the worsted industry.

Mr. LA FOLLETTE. No; these amendments would place the worsted industry and the woolen industry on an equal footing.

Mr. BEVERIDGE. Would they put it at any disadvantage?

Mr. LA FOLLETTE. At no disadvantage whatever. Under the amendments which I offer the worsted industry would be given duties to cover the difference in cost of production against foreign competition.

Mr. BEVERIDGE. Or would it give the carded people any advantage over them?

Mr. LA FOLLETTE. No; it would not. It would place them upon an equality with the worsted industry, whereas they are, under the provisions of the Dingley law, at a very great disadvantage.

The amendments which I propose would enable the carded-wool manufacturer to import cheap wool, where to-day the prohibitive duty compels him to make use of cotton and shoddy. This would, by no means, displace any of the domestic wools, since we can only supply to-day 60 per cent of our demand. It would merely enable the poor people to wear all-wool clothes,

where to-day they have to content themselves with shoddy and cotton.

The position of the carded-wool industry is such as to invite the earnest attention of Congress. It is the last branch of the wool industry which is still accessible to the man with moderate capital, since it does not require as complicated machinery or as expensive a plant as is necessary in the worsted industry. With the American Woolen Company in control of about 60 per cent of the output of American woolen cloth, and with the independent manufacturers of worsted cloth organizing into another combination, the carded-wool industry accords the only chance for the small manufacturer. Instead of being encouraged in its struggle for an independent existence, Congress lends its powerful aid to the trust in helping crush the carded-wool manufacturer out of existence.

I have already shown how the wool manufacturer is discriminated against through the specific duty on raw wool. The same discrimination pursues him in the distinction made between wools of the first and second class, those of the first class being subject to 11 cents per pound if unwashed, twice that amount if washed, and three times that amount if scoured, while the duty on wools of the second class, which are used by the worsted manufacturers only, is 12 cents a pound, whether washed or unwashed.

To sum up the disadvantage to the carded-wool industry: First, there is the natural disadvantage of being obliged to use the heavy shrinking wools which, under the specific duty, are subject to a much higher rate than the light wools used by the worsted industry. Second, the necessity of importing a heavy wool in the grease under what amounts to a penalty under the tariff of paying double duties if the wool is imported washed, while the powerful trust, which is already favored by technical conditions in the use of lighter wools, is granted an additional favor by Congress, which generously allows it to pay the same duty on washed wool as it does on unwashed. But Congress is not content to leave the small manufacturer with this handicap, as against this powerful trust, and adds another one by imposing an unreasonably high duty which can not be defended on any grounds of logic or fact on two products of the worsted industry, which constitute the raw material of yarn, viz, tops and noils. Tops are the long wools separated in the process of combing in the worsted mills, which are used in spinning worsted yarn. Although they are less advanced in the process of manufacture than yarn, they are subject to the same duty as woolen cloth, which is the final product of several stages of manufacture, in each of which labor is an important factor.

Mr. President, I do not know, I say, whether it will be possible to fix the attention of the Senate long enough upon these different manifestations of injustice to effect any change in this legislation.

But, Mr. President, I am going to do as best I can my part and share to make a record of it, and to get it before the country, because I am looking forward to a time when we shall secure a real revision of the tariff—a revision in accordance with the public interest and public demand; a revision in keeping with the promises of the Republican party.

Such revision is not provided in this bill, but it will come.

Mr. CLAPP. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I do.

Mr. CLAPP. I followed the Senator last evening very carefully in his analysis of this question and listened very attentively to the reading of the amendments, and I am disposed to vote for the amendments. I believe they are calculated to reach an evil; that, while they leave the worsted manufacturer protected as to foreign competition, they take from the worsted manufacturer some advantages which to-day he has over the carded industry.

But I want to say to the Senator here are 24 amendments, I think, going to this whole subject. I do not believe that anyone, except those who may have listened very carefully last night and very carefully to the reading of the amendments, can efficiently apply those amendments to the present system, even with the careful statement which the Senator is making at this time, and with all the explanation which the Senator will be able to make this evening. If there was any way of bringing it about—I do not know whether we can—so as to have those amendments printed, that Senators could take them and compare them with the present law, I believe it would be at least more satisfactory to those of us who are trying to make an effort to place before the Senate the proposition for a change in this system.

I do not know whether that can be done or not. If it can not be, I feel very certain that the Senator's amendments are going to suffer in the votes which will be had upon them by reason of Senators who might desire to vote for them not seeing their way clear sufficiently to understand them.

Mr. LA FOLLETTE. I shall be very glad indeed to have these amendments printed in the RECORD and voted upon to-morrow morning, if that will meet with the approval of the Senate.

Mr. CLAPP. I am going to ask unanimous consent that the amendments may lie over and be printed, and be acted upon in the morning.

Mr. ALDRICH. Does the Senator from Minnesota seriously think that he will have time between now and to-morrow morning to master the intricacies of the various amendments?

Mr. CLAPP. The intricacies of these amendments are not as formidable as they were a few days ago. I think a great many Senators are beginning to realize that this system which has stood here for years after all does not meet the situation. I believe a great many Senators are beginning to realize that notwithstanding the legislation sought to have been enacted for the sheep grower, somehow the sheep industry in this country has not prospered under the legislation as it ought to have prospered. I believe that the average Senators, with the discussions we have had upon this question and with the study that has been given to the question, will be able, if they could have the amendments printed so that they could take them and compare them line for line and page for page, so that they will know just what change would be effected by these proposed amendments—they would be prepared, at least, much better to-morrow morning than they will be prepared to-night to vote upon them.

Mr. LA FOLLETTE. I will say to the Senator from Minnesota that there is not anything complicated or formidable at all about these amendments or about Schedule K.

Mr. CLAPP. It may sound egotistical, but I undertake to say that we have been led to believe that there is something mysterious, something incomprehensible in these things that the ordinary individual is not able even to get a sort of glimmering idea of, but in the analysis of this question in the last few days that has, to my mind at least, very largely disappeared.

Mr. ALDRICH. I must have misapprehended the suggestion of the Senator from Minnesota. I understood the Senator from Minnesota to suggest that the amendments go over in order that they might be examined for the purpose of finding out what the effect of them would be. I understand that now everybody has arrived at a conclusion.

Mr. CLAPP. I submit that that is not a fair criticism upon what I said.

Mr. ALDRICH. Then I misunderstood the Senator.

Mr. CLAPP. What I said was that if the amendments could be printed, Senators could then take the amendments and read them and have them on their desks and compare them with the bill, whereas to-night in the one or two readings of the amendments before the Senate it would be difficult for Senators to understand just the force and scope of the amendments in their relations to the pending bill. That is what I said.

Mr. BEVERIDGE. I will state to the Senator from Rhode Island that when the Senator from Minnesota made the request, which was not a very extraordinary request, but rather a reasonable one, the Senator from Rhode Island responded as a reason for refusing it, Does the Senator from Minnesota think that he can master the intricacies of Schedule K and these amendments by to-morrow morning? Then the Senator from Minnesota responded that it was not so mysterious, after all.

Mr. ALDRICH. I understood from his last statement that he had already mastered the mysteries——

Mr. BEVERIDGE. How could he master the mysteries by hearing 24 amendments read?

Mr. ALDRICH. And that he was ready to vote, as far as he was concerned.

Mr. CLAPP. I did say that having paid particular attention last night to the analysis of this question, and having paid particular attention to the reading of the amendments, I was prepared, and for one I am prepared now, to vote for these amendments.

But I want to say this, Mr. President: We are legislating to-day for a great people, and one thing is absolutely certain, as was uttered by the Secretary of the Treasury last Saturday night at Chicago. Either this bill will meet the approval of the American people or the agitation upon revision will be immediately renewed by the American people.

It may be, sir, that when the proposition of the Senator from Wisconsin comes to be analyzed it is not worth considering; but when we stand confronted here by a system that has existed for years, a system that has been passed repeatedly and passed upon the theory that it was in the interest of the industry of America, and when in the face of that assertion and that legislation we have seen that industry fall far short of prospering as it should; when we realize the importance and the market in this land of ours for mutton, as no other market perhaps in the world, and that coupled with this industry while the tariff sought to protect and develop the industry, we have seen the industry fail to prosper as it should prosper, I believe that, standing here to-night for the American people, we can well afford to devote even one night's time to the proposition of printing and placing before the Members of this body the proposition of the Senator from the State of Wisconsin. It will not be time entirely lost, even though it should turn out that, upon an analysis of the proposed amendments, few, if any, Senators could support them.

This question is worth looking into, because we stand confronted to-night by the undeniable fact that for some reason the effort in the past to develop the sheep industry of this country has not succeeded as under all the conditions, with our climatic conditions and our great population furnishing a great market for the mutton itself, the industry should have developed. Somewhere in the system of the past there is a radical mistake. I do not say, sir, that the Senator from Wisconsin has found the remedy; but it does seem to me that, in view of the importance of this question, we can well afford to let the amendments be printed, so that Senators may have them on their desks to-morrow morning.

While I am on my feet there is one other thing I want to say. In an ordinary session of Congress, when one Senator is busy with the work of his committee and another Senator is busy with the work of his committee, and the work of a particular committee does not come to the other Senators in their respective every-day experience, it is very natural that when a bill comes in here recommended by a committee, as those who are not on that committee would not have an opportunity to study the question, being engaged with the work of their own committees, having little opportunity, if any at all, we accept the report of the committee.

But, Mr. President, I have heard it time and time again that we must stand by the committee here. I undertake to say that in this discussion and in this revision of the tariff there is nothing sacred in the report of this committee. The report of this committee is entitled to respect only so far as the experience of its members and the time and study which they have given to the subject entitles it to receive.

In an extra session, when there is no other committee work, every Member of the Senate has the same amount of time, the same opportunity by access to the sources of information, the hearings before the House committee, that the members of this committee have. Consequently, instead of accepting the dictum of a committee, as we so often do when we can not take up the work outside of our own committees, in this case, when we are here with nothing else to do but to study this question, I submit that one man's investigation, if he possesses the same ability of investigation, is as good as another man's. I for one do not subscribe to the doctrine that in an extra session of Congress, when every Member has the same time to spend and has access to the same sources of information, that we have to take the dictum of a committee, especially in a case where it stands self-confessed that in all the years that have gone, when with but few exceptions the legislation was designed to build up and develop a particular industry, we find that industry languishing under the legislation of past years.

Again I ask the Senate for unanimous consent that the amendments of the Senator from Wisconsin may lie upon the table and be printed, and that the matter be taken up on the assembling of the Senate to-morrow morning.

Mr. ALDRICH obtained the floor.

Mr. NEWLANDS. Will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Nevada?

Mr. ALDRICH. For what purpose does the Senator desire to interrupt me?

Mr. NEWLANDS. I wish to suggest to the Senator, if he will permit me, that the consideration of these amendments and the vote will certainly exhaust this evening. I understand the request of the Senator from Minnesota to be simply that we postpone the vote until to-morrow morning at 10.30 o'clock. The vote will take only seven minutes and a half; so it only trespasses upon to-morrow that short space of time in yielding to the suggestion of the Senator from Minnesota.

Mr. ALDRICH. Mr. President, the propositions of the Senator from Wisconsin are, to my mind, perfectly simple. The Senator proposes to levy an ad valorem duty upon all classes of wool of 45 per cent.

Mr. LA FOLLETTE. Not upon all classes of wool; upon wools of the first and second class. Let me correct the Senator from Rhode Island.

Mr. ALDRICH. Wools of the first and second class. That is a perfectly simple proposition. The Senator from Wisconsin estimates that that will increase duties upon first and second class wools slightly. That is his estimate. It is a perfectly simple proposition whether that slight increase shall be made and whether Senators would like to put an ad valorem rate in place of specifics.

It seems to me there is nothing unreasonable in asking that a vote be taken upon this proposition. We have had, I do not know how many, but I should say a score of votes, to-day in the Senate, yeas and nays, involving all these propositions.

The Senator from Minnesota says that Senators are not obliged to follow the committee. No member of the committee has ever made such a suggestion, and I have never seen any indication of a desire on the part of certain Senators to follow the committee so far, and there certainly has been no fault found that they have not. They have been exercising their independent judgment and they have been voting against the committee, as they have a perfect right to do. There has been no restraint put upon anybody that I know of to vote with the committee on any vote in connection with the bill.

Now, we have passed upon these questions to-day by a great variety of votes, involving, I think, every phase of this subject. I am quite sure that neither the Senator from Wisconsin nor the Senator from Minnesota nor the Senator from Indiana expects the Senate to reverse its deliberate action to-day and vote for an ad valorem duty on wool. I do not believe there is a man in this Chamber who has the slightest idea that the Senate will change its action in this respect and try to impose an ad valorem duty on wool.

I do not want to be unreasonable about this business. If we can get an agreement to take the vote upon the assembling of the Senate to-morrow without any further discussion, I certainly will agree to it. I do not want to be unreasonable about it. I am willing to go on with the free list and spend the time between now and 11 o'clock in accomplishing something upon the bill, with the understanding that the vote shall be taken upon the amendments of the Senator from Wisconsin upon the assembling of the Senate to-morrow morning at a quarter to 11.

Mr. KEAN. Without further debate?

Mr. ALDRICH. Without further debate.

Mr. BEVERIDGE. Mr. President——

Mr. ALDRICH. The Senator from Wisconsin has not yielded the floor.

Mr. LA FOLLETTE. No; I have not yielded the floor.

Mr. ALDRICH. There is an attempt, I understand, to reach some agreement.

Mr. BEVERIDGE. I wish to make a suggestion to the Senator as to agreeing to vote immediately upon the assembling of the Senate to-morrow morning, or in ten or fifteen minutes. The Senator will at once see that that would not be reasonable or just to a Senator who wanted to study these amendments and who would have a question or two questions to ask before voting upon them. He could not ask them.

Mr. ALDRICH. What time would the Senator suggest?

Mr. BEVERIDGE. I do not know; I am suggesting merely any time that is reasonable; but the suggestion to vote immediately upon assembling is hardly reasonable.

Mr. ALDRICH. The discussion can go on to-night. I suggest that at 11 o'clock to-morrow morning we take a vote on the propositions of the Senator from Wisconsin without further discussion. The Senator from Georgia [Mr. BACON] also has certain amendments which he desires to have voted on, and I should like to include those if we could.

Mr. LA FOLLETTE. I think the Senator from Georgia has intimated that he wishes to take fifteen or twenty minutes in presenting his amendments.

Mr. ALDRICH. I did not mean to cut off the Senator from Georgia. It would be perfectly agreeable for me to vote at half past 11 to-morrow morning upon these propositions.

Mr. CUMMINS. Mr. President, I understand that there is a proposition——

Mr. LA FOLLETTE. I yield to the Senator from Iowa.

The PRESIDENT pro tempore. The Chair thought the Senator from Wisconsin had yielded the floor.

Mr. LA FOLLETTE. No; I had not yielded.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I yield to the Senator from Iowa, as I have yielded to other Senators.

Mr. CUMMINS. I understand there is a proposition to vote at a quarter to 11 in the morning.

Mr. ALDRICH. At half-past 11, I am willing to make it, if that is satisfactory to the Senate.

Mr. CUMMINS. It depends entirely upon how much time the Senator from Wisconsin will occupy in submitting his amendments. I have some observations to make upon this schedule.

Mr. LA FOLLETTE. I will get through in a very few minutes. I will conclude to-night.

Mr. CUMMINS. The observations I desire to make, however, I would prefer to submit after I have had an opportunity to read the amendments, and therefore I hope the Senator from Rhode Island will consent to the suggestion made by the Senator from Minnesota. I shall not detain the Senate very long upon the subject.

Mr. ALDRICH. Suppose we say 12 o'clock. I think that would certainly give sufficient time. I should like to dispose of this schedule. I certainly have not cut anybody off from a reasonable discussion. I am yielding to the suggestions of Senators. I expected to get a vote on these amendments to-night. The Senator from Wisconsin expected to get a vote on the amendments to-night. Both of us expected that. But I want to be perfectly reasonable about it, and if we can fix some time, say 12 o'clock to-morrow, that will be agreeable to me.

Mr. CUMMINS. I am entirely willing to agree to vote at 12 o'clock if I can have fifteen or twenty minutes between half past 10 and 12.

Mr. LA FOLLETTE. It is not necessary to spend all this time in higgling over this matter. I believe that the time for adjournment expires at 11 o'clock.

Mr. BEVERIDGE. It does. That is the regular order.

Mr. LA FOLLETTE. I was perfectly willing that the amendments should be disposed of this evening if they could be disposed of all at one time, because I did not wish to consume the time of the Senate. I know what will happen to the amendments when they are voted upon perfectly well, no matter how well they are explained and how perfectly satisfactory they are to everybody who wants to reform the abuses of Schedule K. I understand that; and with a view of getting along with this matter, I submitted to the Senator from Rhode Island that the vote might be taken upon all of the amendments together, because when Senators have worked them out as I have they will find that they are consistent and are based upon a principle which starts with an ad valorem duty of 45 per cent or less on wools which are now known as "wools of the first and second class," and 35 per cent on wools of the third class. It then applies the compensatory duty and the protective duty according to the results of the investigations which have been made showing what the labor cost and the wage cost is which should be protected by the duty.

Now, Mr. President, if it is going to be any hardship for members to vote upon this matter to-night we can get along, I think, by debating it to 11 o'clock and then voting on it when we get to it to-morrow. We do not have to bargain and deal about this business.

Mr. CLAY rose.

Mr. LA FOLLETTE. I will yield in a moment. As far as I was concerned, I was perfectly willing if I could make it appear so that Senators could understand it, and there was not any disposition to debate it further, to have a vote upon it, and to dispose of it.

I confess that I have held the floor in debating the schedule on cotton and the schedule on wools, it may be somewhat at length; but I do not believe that there is anybody who will say that I have done anything that was not the entire right of a Senator to do here who in good faith is discussing the measure.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I must yield first to the Senator from Georgia.

Mr. CLAY. Go ahead.

Mr. ALDRICH. My desire was to accommodate all the Senators. As that does not seem to be possible, to the satisfaction of all Senators, I withdraw the suggestion, and we will go on with the bill.

Mr. CLAY. I simply desire to ask the Senator from Wisconsin a question. It is a difficult matter to understand 24 amendments. I do not desire to vote on 24 amendments unless I know what they are. I should like to ask the Senator, taking the entire amendments, how do they compare with the Dingley rates and how do they compare with the rates fixed by the Senate committee's bill? I understood the Senator from Rhode Island to state that the rates proposed by the Senator from Wisconsin are higher than those in the pending bill.

Mr. LA FOLLETTE. Applying the ad valorem on the raw wools it figures out a fraction less than 45 per cent on the average rate of duties in class 1 and class 2, and in order not to write into the proposed amendments 44 and a fraction per cent, I put it at round numbers, 45 per cent. It may be said to be the slightest fraction of a percentage of increase over existing duties as measured upon the imports of this year.

But it is fair to say that the proposed amendment on raw wool is an ad valorem of the same duty as the specific duty in the existing law. Then, I have carried into the manufactured goods the same ad valorem to take the place of the specific compensatory duty, but I base it upon the measure of compensation, which it is shown by the investigations they are entitled to receive in order to fully compensate for the wool that actually enters into the cloth. Then for the protective duty I have carried in the same calculation based upon the investigations by the government experts.

Mr. BAILEY. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Texas.

Mr. BAILEY. I hope the Senator from Wisconsin will go one step further and say what I know to be the fact, that all the amendments together make a very substantial reduction over the rates as fixed in the bill by the Senate committee.

Mr. LA FOLLETTE. They make a much more complete and thorough reduction than any amendments which have been offered to the Senate upon this schedule, taken altogether, and yet do not go one shade below what is a fair protective duty as ascertained by thoroughgoing investigations of all the industries covered in Schedule K.

Mr. BAILEY. Therefore it is the Senator's desire, as they together form a complete system, to have them voted upon at the same time.

Mr. LA FOLLETTE. I thought that would be better. I do not stickle about that. I am perfectly willing to have the first amendment fixing an ad valorem duty instead of a specific duty on wool voted upon separately, if that is desired by Senators.

Mr. BAILEY. I will say to the Senator that I myself would not hesitate to apply an ad valorem duty of 45 per cent as against a specific duty that amounts to an ad valorem equivalent of 44.52, and that is substantially what it is; yet there might be Senators who would not want to vote for even a fraction of 1 per cent increase on a particular amendment. Therefore, a Senator in that frame of mind voting upon all the amendments together would more than offset this particular increase by the other and greater decreases.

Mr. LA FOLLETTE. That is true.

Mr. BAILEY. I should like to have the Senator make it plain in the RECORD that the whole reason for making this increase of a mere fraction of 1 per cent was simply to make an ad valorem duty——

Mr. LA FOLLETTE. In round numbers.

Mr. BAILEY. I do not recall that anybody who ever prepared a tariff bill has followed the ad valorem duties by fractional per cents.

Mr. LA FOLLETTE. I do not think that can be found anywhere in the tariff history of the country. I took 45 per cent as the nearest per cent which could be stated in full numbers without the fraction, that was all. If I had taken 44 per cent, it would have been objected to as a reduction upon the duties on raw wool by Senators who otherwise might be willing to support the general plan of a reduction along the whole line involved in all these amendments.

Mr. President, I am going over this matter as carefully as I can in order to have it well and thoroughly understood. When interrupted by the question I had just brought again to the attention of the Senate the unjust advantage that has been given to the worsted industry. There has been worked into this tariff legislation a proposition that they shall have an unreasonably high duty upon two products of the worsted industry which constitute the raw material for the woolen industry, namely, tops and noils.

I suppose that the Senate understands what constitutes tops. Some correspondence has been printed in the CONGRESSIONAL RECORD which, upon its face, has the appearance of an influence exerted by these worsted mills to their great advantage at the time of the framing of the Dingley law.

Let us get in our minds here to-night just what tops are. Tops are the long wools which are separated in the process of combing in the worsted mills, such as the Whitman Mill, for instance. These long-combing fibers are used in spinning worsted yarns. They are not so much advanced as yarn in the process of manufacturing. They have not had so much labor

put upon them, and yet they are subject to the same duty as the woolen cloth. That does not look reasonable, does it? That appears to be a sort of carbuncle on this perfect system of protection on this sacred wool schedule which nobody has been permitted to lay hands on during all these years. Can anybody justify that discrimination? I have not heard any justification for it. Do Senators think that discrimination should be legislated again into this revision of the tariff by this Congress? Are Senators willing to go out and defend a new tariff bill that shall have this same provision in it, which seems to have gotten its place in the old Dingley law through influences—as disclosed by the correspondence placed before this body—that have not been explained, and that, without explanation, on their face do not look just exactly right?

It does seem to me that anyone can defend economically the proposition that these tops combed out of wool, not made into yarn, shall have the same duty as woolen cloth. There ought to be some explanation of that. That correspondence is a piece of evidence that points pretty strongly to this worsted industry having had an undue influence in the making of Schedule K, and it gives pretty strong support to the claim of these half-starved woolen mills all over the country that somebody has made this tariff in favor of this rich and powerful organization that has been built up to dominate the wool industry, to crowd out woolens, and to make the people of the country purchase and wear worsteds instead.

Now, I say again, although tops are less advanced in the process of manufacture than yarns, they are subject to the same duty as woolen cloth, which is the final product of several stages of manufacture, in each of which labor is a most important factor. As a result of this, such concerns like Mr. Whitman's Arlington Mills, which makes both tops and yarn, are able to charge an unfairly high price for the tops to the small spinning mills and to deprive them of their raw material whenever the large spinners choose to do so. The small spinner is completely at the mercy of the large mills, because the prohibitive duty on tops completely cuts off the foreign supply.

The story of the surreptitious removal of all reference to tops in the Dingley bill, through manipulation behind closed doors in the Senate Finance Committee by paid representatives of the worsted industry, is on record in the hearings of the Ways and Means Committee (p. 5490–5492), reluctantly admitted by the chief manipulator of that industry.

Sensational disclosures made at the hearings before the Ways and Means Committee compelled its chairman to make a specific provision for tops in paragraph 371 of the bill, by which they were to be subject to the same duty as scoured wool of which they are made, and 6 cents per pound in addition.

That was enough. Such was the opinion of Chairman PAYNE and of his committee after going into this matter with a great deal of care. I will not say that the same interest which wrought this change in the duty in 1897, which gave to tops its special and particular place, has been operating again; but, for some reason or other, the provision of the Ways and Means Committee is completely stricken out in the Senate bill and tops, not being specially mentioned, go back to the place they had in the Dingley law, and continue to enjoy the protection which is accorded to woolen cloth.

The average ad valorem duty on raw wool is less than 45 per cent. My amendment proposes a duty of 45 per cent on wool, which is a little higher than the average, and therefore can not be assailed on the ground of insufficient protection. It will have the advantage, however, of doing away with the inequalities in the present specific duties on raw wool, which results in excessive rates on the cheaper grades, and very low rates on the more expensive grades of wool.

On page 5709 of the hearings before the Ways and Means Committee Mr. Clark testified that wages make up to 20 to 25 per cent of the cost of the goods, as against 60 per cent for material. This agrees with the figures given above.

Mr. Whitman, speaking as the chairman of a committee appointed by the National Association of Wool Manufacturers, to disprove Mr. Clark's figures, makes a statement on page 160 of the Bulletin of the National Association of Wool Manufacturers for March, 1909, in which he takes issue with Mr. Clark's statement that wool makes up 60 per cent of the cost of the goods, saying that—

> The general understanding among manufacturers is that the wool makes up 50 per cent of the cost of the cloth.

He takes no issue, however, with the other part of Mr. Clark's statement as to the proportion of wages to the total cost of the cloth, apparently because the figures can not be assailed.

Mr. Whitman, as I have just stated, assumes that the material constitutes 50 per cent of the value of the cloth. Mr. Moir, representing the carded-wool industry, estimates the wool as 65 per cent of the value of the cloth. In a statement to the Ways and Means Committee, which appears on page 5660, Mr. Clark's estimate quoted above is 60 per cent.

To give the woolen industry the benefit of the doubt, as a protectionist, I shall take the highest figure again, namely, 65 per cent. In that case the compensating duty on woolen cloth on the basis of an ad valorem duty of 45 per cent on raw wool should be 45 per cent of 65, or 30 per cent. Although I have shown the labor cost to be 25 per cent, I shall allow, in order to be on the safe side, 30 per cent, and will assume that wages are 100 per cent higher than in England, while Mr. Clark found them from 17 per cent to 125 per cent. Therefore, I am allowing the most ample margins in applying the ad valorem duties to this woolen schedule.

On the basis of these very liberal assumptions the protective duty on woolen cloth should be 30 per cent, making a total duty of 30 per cent and 30 per cent, or 60 per cent ad valorem. Since allowing 30 per cent for labor and 65 per cent for material, it leaves 5 per cent of the total cost unaccounted for.

I shall add this 5 per cent also to the duty, making the total duty 65 per cent ad valorem, which I offer as an amendment for the present complicated compound duties on various manufactures of wool. To enlarge a little on how the rate is obtained, the compensatory duty of 45 per cent on the wool should be carried through the entire schedule. A piece of cloth valued at $1 has in it 65 cents worth of wool. That is allowing all that Mr. Whitman claims to be material; it is allowing more than Mr. Clark finds to be material, and allowing all that Mr. Moir claims to be material.

A piece of cloth valued, as I say, at $1, has in it 65 cents worth of wool; the compensatory duty of 45 per cent upon that 65 cents of material is 30 cents when you reduce it to a specific equivalent.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (Mr. HEYBURN in the chair). Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I do.

Mr. BEVERIDGE. What is the other 60 per cent?

Mr. LA FOLLETTE. It is labor.

Mr. BEVERIDGE. Oh, I see.

Mr. LA FOLLETTE. All that, overhead charges and everything.

Mr. BEVERIDGE. I see. I misunderstood. The whole material is how much?

Mr. LA FOLLETTE. Mr. Whitman says that 65 per cent should be charged up against material.

The compensatory duty of 45 per cent upon this 65 cents is 30 cents, which is the amount of the compensatory duty which should be paid. Thirty cents is 30 per cent of the value of the cloth; therefore an ad valorem duty of 30 per cent is equal to the duty of 45 per cent upon the raw wool.

Next, the labor cost of the material is 30 cents, or 30 per cent of the total value. Assuming that wages are 100 per cent higher in this country than abroad, the protective duty, therefore, on the one dollar's worth of cloth should be 30 cents, or 30 per cent of the total value.

Therefore we have 30 per cent for the material and 30 per cent for the labor to be provided for in an ad valorem duty.

The material being 65 per cent of the value and the labor 30 per cent of the value, we have 5 per cent of the value unaccounted for, but which is really made up of the expense of manufacture other than labor. I assume that even in this the cost in this country is 100 per cent greater than abroad. Therefore, in arriving at 65 per cent as the proper ad valorem duty, it is made up as follows:

	Per cent.
Material	30
Labor	30
Other expense	5

Making a total of 65 per cent, which more than covers all proper compensatory and protective duties required.

The proposed rate would do away with the crying inequality of the compound duties which result in much higher rates on cheaper cloth than the rates on the expensive varieties, as I have had occasion to demonstrate in the course of my remarks.

Mr. President, I am advised that it is desired on the part of the Finance Committee to take an adjournment at this time; and therefore I yield the floor. I ask, Mr. President, that my amendments may be printed in the RECORD and that they also be printed and placed upon the desks of Senators to-morrow morning.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

[The amendments referred to appear earlier in the course of Mr. LA FOLLETTE'S remarks.]

Mr. WARREN. Mr. President, the Senator who has just yielded the floor [Mr. LA FOLLETTE] introduced some matter earlier in the evening that referred to the woolgrowers, and so forth. I have here a telegram just received from the National Woolgrowers' Association, and as it contains but a few lines, I ask that it be read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

CHEYENNE, WYO., *June 9, 1909.*

Gen. CHARLES H. GROSVENOR,
Washington, D. C.:

The National Woolgrowers' Association, representing over 500,000 sheep farmers of the United States, requests that you transmit to each Member of the United States Senate the earnest request that he support Schedule K duties on wool and woolens, as reported by the Senate Finance Committee. Any revision of these duties downward will destroy an industry employing more than 3,000,000 hands in growing and manufacturing wool.

THE NATIONAL WOOLGROWERS' ASSOCIATION,
GEO. S. WALKER, *Secretary.*

DEATH OF REV. EDWARD EVERETT HALE.

Mr. LODGE. Mr. President, it is with deep regret, which I know is shared by all Senators, that I rise to make formal announcement of the death of the Chaplain of the Senate, the Rev. Edward Everett Hale. I am sure that all Senators who have known him here during the past six years will feel in his death the loss of a personal friend and of one whose kindness has made him beloved, I think, by everybody with whom he has been brought in contact.

He was a man of great patriotism; and so long as men love works of the imagination and love their country his famous story will be read. A brilliant writer, a great preacher; he was greatest of all, I think, in the unwearied service to which his long life was given in behalf of humanity. If any man ever had the right to say to the Recording Angel the words of Abou Ben Adhem, "Write me as one who loves his fellow-men," it was he.

Mr. GALLINGER. Mr. President, supplementing the appropriate and touching words of the honored Senator from Massachusetts [Mr. LODGE] and voicing the feelings of my own heart, I beg to submit the following resolution, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 57) as follows:

Senate resolution 57.

Resolved, That we have heard with profound regret and sorrow of the death of Rev. Edward E. Hale, D. D., late Chaplain of the Senate of the United States. Doctor Hale's services to literature, philanthropy, and religion are known the world over and place him in the front rank of the Nation's benefactors. The Senate desires in this way to place on record its appreciation of the distinguished character and eminent services of this great and good man.

The resolution was considered by unanimous consent and unanimously agreed to.

Mr. LODGE. I move that the Senate adjourn.

The motion was unanimously agreed to, and (at 10 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 11, 1909, at 10.30 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 10, 1909.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, offered the following prayer:

Infinite and Eternal Spirit, Father of all souls, above all, through all, and in us all, humbly and reverently do we bow in Thy presence, acknowledging with love and gratitude all that has come down to us out of the past to the uplift, ennobling, and purifying of mankind; and we most fervently pray that if there be any virtue, and if there be any praise, we may cherish these things in our hearts and strive earnestly as individuals and as a Nation to live whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, that Thy kingdom may come and Thy will be done in earth as it is in heaven.

Our hearts are touched profoundly by the news of the death of the Rev. Edward Everett Hale, Chaplain of the United States Senate, who for so long has been a conspicuous figure in the affairs of our Nation, contributing in his sermons, in his writings, in his prayers, in his life to the uplift of mankind. God grant to be with the aged wife and the children, that they may be comforted in the thought of all he has contributed and left to us, and Thine be the praise forever. Amen.

The Journal of the proceedings of Monday last was read and approved.

WITHDRAWAL OF PAPERS.

Mr. HUBBARD of West Virginia was given leave to withdraw from the files of the House, without leaving copies, papers in the case of H. R. Huffman, Sixtieth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. SLEMP, by unanimous consent, for ten days, on account of important business.

To Mr. GRIEST, indefinitely, because of illness.

To Mr. FOSS, on account of illness in his family.

APPROPRIATIONS FOR RIVER AND HARBOR IMPROVEMENTS.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. FITZGERALD. Pending that, Mr. Speaker, I ask the gentleman from New York to withhold his motion for a moment. I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 74.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the House of Representatives the following information, namely:

The amounts of all appropriations for river and harbor improvements, with the date of each appropriation and the specific purpose for which it was made, which appropriations are affected by section 10 of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes," approved March 4, 1909.

Mr. FITZGERALD. If the gentleman from New York will permit me, I will state the object of this resolution. The sundry civil act approved March 4, 1909, required that all unexpended balances of appropriations of a certain character on the books of the Treasurer on July 1, 1904, which were not expended or which had not been obligated by contract, should be covered into the general fund. It is now asserted that this may seriously affect a number of appropriations which have been made for river and harbor improvements.

The War Department claims that there are some appropriations more than five years old for river and harbor improvements which have not yet been obligated by contract. A request has been made that section 10 of the sundry civil act passed in the last session be amended so as to eliminate from its operations certain appropriations for river and harbor improvement. It seems to me that the Members of the House should know if there are appropriations more than five years old for river and harbor improvements for which no contracts have yet been made, and the information is necessary also in order to determine whether this act should be amended to exempt appropriations of this character. Every Member of the House who is interested in river and harbor improvements should be glad to know whether appropriations made for such purpose prior to July 1, 1904, have been lying idle in the Treasury more than five years without even a contract having been made for their expenditure.

Mr. ALEXANDER of New York. Mr. Speaker, I think the resolution a very proper one. The information has already been compiled by the Chief of Engineers, who has furnished it to some of us, including the chairman of the Committee on Appropriations, for the purpose outlined by the gentleman from New York [Mr. FITZGERALD].

Mr. PARKER. Mr. Speaker, may I ask the gentleman from New York, before he takes his seat, whether this information is in the hands of the Secretary of the Treasury or in the hands of the Board of Engineers?

Mr. FITZGERALD. I was in some doubt as to whether the Secretary of the Treasury or the Secretary of War should be asked for this information, but the provisions of the act require the Secretary of the Treasury to cover the money into the Treasury, and I have no doubt that if he be asked for the information he will obtain it, even if he has to consult the Department of War.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the resolution.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I renew my motion that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 11 minutes p. m.) the House adjourned until Monday, June 14, 1909.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred by the Speaker as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the sloop *Diana*, Henry Nicoll, master (S. Doc. No. 84)—to the Committee on Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Paschal Henshaw v. The United States (H. Doc. No. 46)—to the Committee on War Claims and ordered to be printed.

A letter from the Secretary of the Interior, transmitting papers relating to the pension of Israel Sturges, with certain explanations relating thereto (H. Doc. No. 47)—to the Committee on Invalid Pensions and ordered to print letter of transmittal only.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney-General submitting an estimate of appropriation for salaries of district judges (H. Doc. No. 48)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for expenses of Brownsville inquiry (H. Doc. No. 49)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of survey of Mississippi River, with a view to a 14-foot channel, and consideration of a waterway from Chicago to St. Louis (H. Doc. No. 50)—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WICKERSHAM: A bill (H. R. 10576) to provide for the purchase of a site and the erection of a public building thereon at Juneau, in the Territory of Alaska—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10577) to amend an act entitled "An act for the protection of the lives of miners in the Territories," and for other purposes—to the Committee on Mines and Mining.

By Mr. HANNA: A bill (H. R. 10578) to establish a fish-culture station at the city of Fargo, in the State of North Dakota—to the Committee on the Merchant Marine and Fisheries.

By Mr. GREENE: A bill (H. R. 10579) to promote the merchant marine and foreign trade of the United States, to provide auxiliaries for the national defense, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. SIMS: A bill (H. R. 10580) providing for the establishment of a system of local rural parcel post—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10581) relating to star-route mail contractors, etc.—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10582) relating to star-route mail contractors, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. ANDREWS: A bill (H. R. 10583) giving pensionable status to United States volunteers who had rendered prior service to Confederate States army, and for other purposes—to the Committee on Invalid Pensions.

By Mr. HAMER: A bill (H. R. 10584) authorizing States and Territories to select lands in lieu of lands included within forest reserves—to the Committee on the Public Lands.

By Mr. MURPHY: Resolution (H. Res. 75) directing the Secretary of the Interior to transmit to the House of Representatives the report of Cyrus Bede, Indian inspector—to the Committee on Indian Affairs.

By the SPEAKER: Memorial of the legislature of Wisconsin, favoring federal aid for road improvement—to the Committee on Agriculture.

Also, memorial of the legislature of Wisconsin, praying for legislation to prevent the increase of railroad rates except upon notice filed with the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. KOPP: Memorial of the legislature of Wisconsin, asking Congress to enact a law providing for physical valuation of railroads—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the legislature of Wisconsin, asking Congress to enact a law providing for physical valuation of railroads—to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Memorial of the legislature of Wisconsin, asking Congress to enact a law providing for the physical valuation of railroads—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 10585) to muster out and grant an honorable discharge to Sampson McGhee—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 10586) granting an increase of pension to Edgar H. Cooper—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 10587) granting an increase of pension to William A. Withers—to the Committee on Invalid Pensions.

By Mr. COCKS of New York: A bill (H. R. 10588) granting an increase of pension to Margaret Kuhlwein—to the Committee on Pensions.

By Mr. CULLOP: A bill (H. R. 10589) granting an increase of pension to John A. Thomas—to the Committee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 10590) granting a pension to Louisa H. Highley—to the Committee on Pensions.

Also, a bill (H. R. 10591) to carry into effect the findings of the Court of Claims in the matter of the claim of the county court of Ste. Genevieve County, Mo.—to the Committee on War Claims.

By Mr. FITZGERALD: A bill (H. R. 10592) granting an increase of pension to Cornelius Horgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10593) granting an increase of pension to Enoch W. Lawrence—to the Committee on Invalid Pensions.

By Mr. GRANT: A bill (H. R. 10594) granting a pension to Thomas J. Bradshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10595) to complete the military record of Dolphas McCraery—to the Committee on Military Affairs.

By Mr. HANNA: A bill (H. R. 10596) granting an increase of pension to Ole O. Jordet—to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 10597) granting an increase of pension to William A. Newman—to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 10598) granting an increase of pension to William A. Mallonee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10599) granting an increase of pension to Albert N. Barnes—to the Committee on Invalid Pensions.

By Mr. KENNEDY of Ohio: A bill (H. R. 10600) granting a pension to Annie Bye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10601) granting an increase of pension to Henry Older—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 10602) granting an increase of pension to Lewis Sippy—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 10603) granting an increase of pension to William W. Lindsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10604) to correct the military record of Henry A. Hunting—to the Committee on Military Affairs.

Also, a bill (H. R. 10605) to amend the military record of Aaron T. Wakefield—to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 10606) granting an increase of pension to John W. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10607) to remove the charge of desertion from the military record of John C. Bennett—to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 10608) granting an increase of pension to August C. Studer—to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 10609) granting an increase of pension to Lovina C. Smith—to the Committee on Invalid Pensions.

By Mr. TENER: A bill (H. R. 10610) granting an increase of

pension to Joseph Swihart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10611) granting an increase of pension to James D. Leech—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10612) granting an increase of pension to William H. Fetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10613) to correct the military record of Harvey H. Young—to the Committee on Military Affairs.

By Mr. THOMAS of Kentucky: A bill (H. R. 10614) granting an increase of pension to John L. G. Thompson—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 10615) granting an increase of pension to George T. Coltrider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10616) granting an increase of pension to George Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10617) for the relief of the heirs of A. G. Hoyman, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Councils of the Order of United American Mechanics, of Steelton, Wanamie, and Philadelphia, Pa., praying for legislation for the exclusion of Asiatics—to the Committee on Foreign Affairs.

By Mr. ANDERSON: Petition of William Demuth & Co., of New York, N. Y., against restitution of 25 per cent duty on brier wood—to the Committee on Ways and Means.

By Mr. CALDER: Petition of American Forestry Association, for creation of Appalachian and White Mountain forest reservation—to the Committee on Agriculture.

Also, petition of William Demuth, against restitution of 25 per cent duty on brier wood—to the Committee on Ways and Means.

Also, petition of sundry bonding and surety companies against appropriation of $200,000 for creation of a fidelity bond bureau—to the Committee on Appropriations.

Also, petition of Austin, Nichols & Co., of New York, N. Y., against increase of duty on sweetened biscuits—to the Committee on Ways and Means.

Also, petition of Flandrau & Co., of New York City, against raising tariff on foreign automobiles—to the Committee on Ways and Means.

By Mr. CLINE: Petition of Woman's League and 30 others, of Fort Wayne, Ind., for reduction of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. COCKS of New York: Petition of Washington Camp, No. 9, Patriotic Order Sons of America, of College Point, N. Y., for abrogation of extradition treaty with Russia—to the Committee on Foreign Affairs.

By Mr. HANNA: Petition of many business men of Dickinson, N. Dak., against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Papers to accompany bills for relief of Theo. Messenger and David W. Travis—to the Committee on Invalid Pensions.

By Mr. HEALD: Petition of Wilmington Board of Trade, for creation of a national department of public works, chief of same to be member of the Cabinet—to the Committee on Interstate and Foreign Commerce.

By Mr. LOVERING: Petition of citizens of Sandwich, Mass., against increase of duty on gloves—to the Committee on Ways and Means.

By Mr. MACON: Paper to accompany bill for relief of Mrs. America C. Hatley—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of Commercial Exchange, of Philadelphia, Pa., favoring treaty of reciprocity with Canada—to the Committee on Ways and Means.

Also, petition of board of presidents and ex-presidents of United Societies of Philadelphia for Relief and Protection of Immigrants, against raise of tax from $4 to $10 on immigrants—to the Committee on Immigration and Naturalization.

Also, petition of National Agricultural League, in New York City, for removal of duty on wood pulp—to the Committee on Ways and Means.

By Mr. PATTERSON: Paper to accompany bill for relief of Claude M. Crawford—to the Committee on Pensions.

By Mr. RUCKER of Missouri: Petition of many business men of Newtown, Mo., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. SCOTT: Petition of Bankers' Association of Kansas and Mercantile Club of Kansas City, urging early vote on the tariff bill—to the Committee on Ways and Means.

By Mr. YOUNG of Michigan: Petition of Red Jacket Lodge, Brotherhood of Railway Trainmen, No. 367, of Calumet, Mich., favoring S. 1986 and H. R. 7553, full-crew law—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *June 11, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, D. D., of the city of Washington.

The VICE-PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

ACTS OF PORTO RICO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of the acts and resolutions of the fourth legislative assembly of Porto Rico, in special session, September 8 to 18, 1908, which, with the accompanying paper, was referred to the Committee on Pacific Islands and Porto Rico.

PRICES OF AGRICULTURAL IMPLEMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in further response to a resolution of the 7th instant, certain additional information relative to the prices at which agricultural implements manufactured in the United States are sold in foreign countries (S. Doc. No. 6, pt. 2), which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. DEPEW presented a petition of William McKinley Council, No. 125, Junior Order United American Mechanics, of Lockport, N. Y., praying for the passage of the so-called "Overman amendment" to the pending tariff bill, proposing to increase the head tax on immigrants from $4 to $10, which was ordered to lie on the table.

He also presented memorials of members of the M. B. Brown job room chapel, of New York City; of the Street & Smith electrotype chapel, of New York City; and of the J. J. Little & Ives chapel, of New York City, all in the State of New York, remonstrating against the inclusion in the new tariff bill of any duty on news print paper and wood pulp, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (H. R. 9609) to grant to John Rivett privilege to make commutation of his homestead entry, reported it without amendment.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (S. 2459) authorizing the Minnesota, Dakota and Pacific Railway Company to build a bridge across the Missouri River, reported it with amendments and submitted a report (No. 6) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAGE:

A bill (S. 2596) granting an increase of pension to Hobart J. Marr;

A bill (S. 2597) granting a pension to Annie E. Belden;

A bill (S. 2598) granting an increase of pension to Augustus J. Crane; and

A bill (S. 2599) granting an increase of pension to Augustus F. French (with the accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 2600) granting a pension to Margaret Samuel Sprigg; to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 2601) granting an increase of pension to Charles H. Windsor (with the accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. CLARK of Wyoming submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. Is there further morning business? If not, the morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. Page 133, paragraph 380; no amendment in the paragraph.

Mr. ALDRICH. I understood the pending question to be on the amendments offered by the Senator from Wisconsin [Mr. LA FOLLETTE.]

The VICE-PRESIDENT. The Chair understands that the various amendments offered by the Senator from Wisconsin are, by unanimous consent, to be voted on en bloc.

Mr. ALDRICH. Yes; together. I ask that the vote be taken by yeas and nays.

The yeas and nays were ordered.

The VICE-PRESIDENT. The question is on agreeing to the amendments offered by the Senator from Wisconsin.

Mr. CUMMINS. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Overman
Bacon	Crane	Guggenheim	Page
Beveridge	Crawford	Heyburn	Paynter
Brandegee	Cullom	Hughes	Penrose
Briggs	Cummins	Johnson, N. Dak.	Perkins
Bristow	Curtis	Kean	Piles
Brown	Davis	La Follette	Rayner
Bulkeley	Depew	Lodge	Root
Burkett	Dick	McCumber	Scott
Burnham	Dillingham	McEnery	Smoot
Burrows	Dolliver	McLaurin	Stephenson
Burton	Elkins	Martin	Stone
Carter	Flint	Money	Sutherland
Chamberlain	Foster	Nelson	Taylor
Clapp	Frazier	Nixon	Tillman
Clark, Wyo.	Frye	Oliver	Warren

Mr. PILES. My colleague [Mr. JONES] is necessarily detained for a short time this morning.

Mr. FRYE. My colleague [Mr. HALE] is detained at home by ill health.

Mr. BURROWS. My colleague [Mr. SMITH of Michigan] is necessarily absent from the Chamber.

The VICE-PRESIDENT. Sixty-four Senators have answered to the roll call. A quorum of the Senate is present.

Mr. CUMMINS. Mr. President, I understand the question before the Senate is upon the amendments offered by the Senator from Wisconsin [Mr. LA FOLLETTE]. I intend to vote for these amendments, not because I am absolutely sure that they are right, but because I am absolutely sure that the paragraphs which they seek to amend are wrong. I have had sufficient opportunity this morning to examine the amendments offered by the Senator from Wisconsin to ascertain that they employ a correct principle, and I believe that the conclusions reached are accurate. I have not had time, however, to personally apply the principle announced in the amendments to the various paragraphs to which they are directed.

I have risen, Mr. President, not so much to attempt to further explain these amendments as to make some suggestions relating to the schedule as a whole, which I hope will meet with favor on the part of the Finance Committee. I have very little hope that the amendments offered by the Senator from Wisconsin will be adopted. The history of this schedule in its discussion here rather teaches us that the amendments will not be adopted, not because they are wanting in merit, but because they do not meet the approval of the Finance Committee.

I intend, if these amendments are unsuccessful, to present a motion to recommit the schedule to the Finance Committee. I can not believe that the members of this committee remain indifferent to the showing that has been made with respect to the injustice and inequality of the duties that they have reported. I can understand that they may not agree with the amendments offered by my colleague, the Senator from Iowa [Mr. DOLLIVER]; I can understand that they are not satisfied with the amendments offered by the Senator from Wisconsin; but I can not and I will not believe, until I am compelled to do it through the medium of a vote, that the members of this committee are unwilling to make the changes in some form, in some manner, that are so imperatively required by the undisputed facts as they have been developed in this debate. Therefore, inasmuch as they do not like the amendments which have been offered for the purpose of correcting these obvious defects, I want to give them an opportunity to correct them in their own way, under instructions which I believe will represent the real sentiment of this body, as I know that they will represent the real sentiments of the great majority of the people of the United States.

I intend to take up the schedule, not for the purpose of attempting to add to the richness of illustration presented by my colleague, not to attempt to add to the fullness and the conclusiveness of the showing presented by the Senator from Wisconsin, but to suggest to the committee plain and obvious defects which demand a remedy.

It will not do, Mr. President, to assume that the people are unacquainted with the woolen schedule. There is nothing mysterious about the woolen schedule. There is nothing difficult to understand about the woolen schedule. Its wrongs are just as apparent as though they had been written across the face of the bill in letters of fire. The people have been studying this schedule for a good many years. The demand for a revision of the tariff arose partially out of a knowledge of the injustice of the woolen schedule. It is quite true that the people as a whole have not given a technical study to every schedule in this tariff bill. There were a few of the schedules, however, which came into intimate contact with their daily lives and the merits of which they were compelled to consider day after day and night after night. The steel schedule was one of them; the lumber schedule was one of them; the woolen schedule was another of them; and it is a grievous error to suppose that the great part of the thinking, studious men of the United States do not understand the woolen schedule sufficiently to have a judgment with respect to it.

I have been debating the woolen schedule before the people of Iowa for eight years. I have given it some study during these eight years, and my people know something with regard to the consequences and the effects of these duties. I shall in a very brief time point out what I know and what you know, because what I know arises from information just as open to all of you as it has been to me.

We all want to protect the woolgrower. I have no suggestion to make that will indicate a desire upon my part to reduce the duty on wool. I believe that the duty on wool is due to the woolgrower of the United States, for the reason that it costs that much more in the United States, all things considered, to raise wool than it does to produce it in those countries with which we must compete. The duty on wool is amply, it is fully, it is completely vindicated by the policy of the Republican party and by the platform whose behests we ought to carry out in this revision of the tariff. Therefore, I have nothing to say touching any reduction in the duties upon wool.

I intend to offer presently a motion, which I may as well read at this time, in order that I may direct my remarks directly to it.

I shall move to recommit Schedule K, with instructions to again consider the same and to report a schedule as follows, to wit: First, with the duties on wool unchanged; second, with so-called "compensatory duties" to the woolen manufacturers that will measure the difference between the price which domestic manufacturers pay for wool and the price paid by their chief foreign competitors; third, a further duty upon imported woolen manufactures that will represent the difference between the cost of production at home and abroad, with a fair manufacturer's profit added, less the compensatory duties already given to domestic manufacturers because of the higher price they are compelled to pay for wool.

We have been treating our tariff and our platform at times as though the measure of protection was simply the difference between wages, or the efficiency of labor, if you please, at home and abroad. That is not the test. It never has been and it never ought to be. Our test of protection is a duty that will enable the domestic manufacturer to meet his rival in the markets of his own country successfully and carry on with a fair profit the enterprise in which he is engaged. That measure of duty involves a consideration, not only of the difference between the cost of labor at home and abroad, but it involves a consideration of the difference between the cost of materials at home and abroad; and it is just as essential to protect our manufacturers against the added cost of material as it is to protect them against an added cost of labor, if they are to meet their competitors in our markets successfully.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I should like to ask a question. I think I will first take occasion to say that the presentation of the question by the Senator from Iowa this morning is the clearest presentation of his position, and the position of his party and those who control it that has been made. How much of a margin would you give the American manufacturer in the field of the production of wool and in the field of the manufacture over and above the even balance between home and abroad? That is the interesting question.

Mr. CUMMINS. That margin of balance can not be defined. It is better determined by experience than by the attempt to express it in a definite percentage.

Mr. HEYBURN. We would have to do it.

Mr. CUMMINS. Precisely; and it is, therefore, a matter of sound judgment. It must be remembered, however, that the foreign manufacturer must make profit as well as the domestic manufacturer. The end——

Mr. HEYBURN rose.

Mr. CUMMINS. Allow me to complete the sentence. The end to be sought, after all, is the meeting of the two manufacturers in our markets, with an advantage on the side of our manufacturer. That is the rule which should be applied. It is the rule which I recognize and have attempted to enforce in every vote I have given in this Chamber and in every word I have attempted to express upon the subject.

Mr. HEYBURN. Mr. President, that brings us to the question as to who is to determine what is the margin of profit which our producer, whether he produces the raw material or the manufactured product, should have as against the foreign competitor, and who should fix it. I contend that the producer should fix it. There has been a contention here that we should fix it through the medium of the duty.

Mr. CUMMINS. Mr. President, therein lies the difference between the Senator from Idaho and myself. I say it is the duty of the Senate to fix that difference. It is inseparable from the duty that is involved in the making of a tariff law. We must derive our information from every source from which we can obtain it. It is not fair to accept the statement of the domestic manufacturer without allowance. It is not fair to accept the statement of one who desires to import goods into our country without allowance. We must try that question precisely as we are compelled to try all questions, and give to it our most intelligent, dispassionate, and impartial consideration, and reach a judgment upon it giving, I agree, the benefit of the doubt to our own manufacturers.

Mr. HEYBURN. Would it interrupt the Senator if I should ask him one more question?

Mr. CUMMINS. Not at all.

Mr. HEYBURN. Would not such a bill be correctly entitled "A bill to protect the foreign competitor against the American producer?"

Mr. CUMMINS. Mr. President, on the contrary, it would be a bill named just as this one is named—a bill to give to our manufacturers our market, provided those manufacturers are willing to occupy it with a fair and reasonable profit upon the ventures in which they are engaged; but if they are not willing to take our market without advancing their profits beyond a fair and reasonable allowance upon the capital which they have invested in their enterprises, then they have no right to occupy it, and it is the highest patriotism to invite somebody else to occupy it if our own manufacturers and our own producers will not do this simple justice to those who must use and consume their products.

Mr. HEYBURN. Mr. President, if the Senator will allow me to retract and interrupt him once more——

Mr. CUMMINS. Gladly.

Mr. HEYBURN. The serious question in my mind—though it has not been very serious, either—but the question in my mind that has always practically controlled it, has been who should determine what was a reasonable profit to our people—not to the foreign producer, but to our people. I should like to suggest to the Senator that the rule he suggests as to profits might be applicable to large enterprises, but it would absolutely wipe out small enterprises, because they must make a larger percentage than the large ones.

Mr. CUMMINS. Mr. President, I do not think the Senator from Idaho understands my position. The Senate and the House of Representatives must fix these duties; and these duties determine whether our manufacturers shall take our market or whether the foreign manufacturers shall take our market. Therefore it is necessarily an exercise of judgment upon the part of the Congress of the United States. If the Senator from Idaho means to assert that the Senate must accept the opinion of a manufacturer as to the terms upon which he can enter and occupy our market, I repudiate that idea, because then the ordinary natural selfishness of the human heart would leave no limit whatsoever to our duties. There is not a manufacturer in the United States but who, if he could have his own way, would prohibit the importations of articles made in the business in which he is engaged; there is not a woolen manufacturer in the United States who, if he had his own way, but would put such a duty upon every yard or pound of woolen cloth that it would be utterly impossible under any circumstances, no matter how high the domestic manufacturer might raise his price, to relieve that injustice by the competition of a foreign concern. I can not think that we will ever accept, or that we ever have accepted, any such criterion for the composition of our tariff laws.

Now, I come directly to the schedule under consideration. I am delighted that the Senator from Montana [Mr. CARTER] does me the honor to make one of my auditors in the Senate Chamber. I wish the Senator from Wyoming [Mr. WARREN] did me a like honor, for I intend to talk to them and men like them, because they represent, and they are chiefly interested in, the protection of the woolgrower. I have no greater interest in the woolgrower than I have in the woolen manufacturer, because I do not represent a State that is largely, at least, concerned in the growing of sheep. We have a great many sheep; we should like to have more; but as I view the economic side of this particular question as it relates to my particular State, we can put our farms to a little better use, in the main, and to a little more profitable use, in the main, than the breeding and development of sheep. Therefore it seems to me that I speak from a somewhat impartial standpoint.

Let us see, first, looking at it from the woolgrower's point of view, what the woolgrower wants. Assuming that this duty is sufficient—and I shall not discuss that, because I do not ask the committee to change the duty on wool in any way—he wants, first, a duty so imposed that it will increase the price of his wool. He wants a price for his wool that he could not get if he were in competition with the world. I turn to the Senator from Utah [Mr. SMOOT], who has given the subject profound study, and I am glad to see that he nods assent to that proposition. If that is not true, then the whole schedule is a delusion, a snare, a sham, and a farce.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. If the Senator will permit me, I understood him to state the proposition that the first thing that the woolgrower wants is protection; that is, a duty upon wool. That is not the first thing he wants. He wants, first, a market at home.

Mr. CUMMINS. Mr. President, the Senator from Idaho is simply quarreling with me as to precedence. I was about to state the other fundamental, the other essential, of this schedule so far as the woolgrower is concerned; and I assure the Senator from Idaho that I will give the suggestion he has just made sufficient prominence to satisfy anyone.

I repeat that the first consideration for the woolgrower is a duty on wool that will add the amount of the duty to the world's price.

Mr. President, I do not, of course, concur with the general view of my associates on the other side of the Chamber that the duty is always added to the price of the product. On the contrary, there are a great many things within these schedules in which the duty is not added to the price which the American consumer must pay. I admit that. If I could not admit that, if I could not believe it, I should not be a protectionist, as I am. In the case of wool, however, in the case of a product which we produce in a lesser quantity than our market demands and——, I say that the duty on wool, as a broad and general proposition, is added to the American price of wool, and in its operation accomplishing that result the woolgrower is benefited by the duty so imposed. If the duty is not added to the price of wool, then this bill commits the gravest outrage in giving to the manufacturer a compensatory duty based upon the hypothesis that he pays more for his wool than does his foreign competitor. To me the proposition that I have just outlined is irrefutable; there is no one who can assail it, and I am in favor of it because it does raise the price of wool to the American woolgrower. If it did not, I could not find it in my conscience to give my adherence to any plan of industrial economy that involves or embraces a schedule of this character.

Therefore I begin this investigation from the point of view that the woolgrower first wants to increase the price of his product by the amount of this duty; and it is our obligation, having assumed that as the basis of this schedule, to see that throughout he gets the benefit of the duty so imposed. I make the suggestion merely in passing that the reason, as I

view the subject, that the American woolgrower is not now supplying the entire American market lies in the fact that he does not get the benefit of the full duty that we have imposed in the first paragraph of this schedule upon his product.

Now, as to the second thing which the woolgrower wants. I am quite willing to put it first, if you please, because there are no ranks in these necessities; you can not rank necessities. If a thing is absolutely essential to a man's life or to the prosperity of his business, then one of them is just as high in rank as the other; and I agree with the Senator from Idaho that the second in order, though not in importance—equal in importance—that the American woolgrower has a right to ask is a market in which he can dispose of his product; that is a created condition, which will require the manufacturer of woolens in the United States to buy his wool, and all the wool that he produces, at the price enhanced by the duty laid upon wool. If you have not accomplished these two things for the woolgrower, then your efforts here will end in dismal failure, as they have ended in times past in partial failure. Therefore we have the woolgrower now wanting, first, that price for his wool created by the imposition of 11 cents a pound upon one class of wool, 12 cents a pound upon another class of wool, and 4 cents a pound, I believe, upon another.

Mr. WARREN. The duty on first-class wool is 11 cents a pound, on second-class wool 12 cents a pound; on third-class wool 7 cents a pound for wool worth over 12 cents; and 4 cents a pound for third-class wool worth 12 cents or less per pound.

Mr. CUMMINS. Those are the changes made by the pending bill. I had the present law in mind.

Mr. WARREN. The proposed rates are as I have stated them to the Senator.

Mr. CUMMINS. Precisely. I had it in mind accurately. You want a market that will enable him to dispose of this product at that amount above the amount which these manufacturers could buy their wool for if they were admitted into the markets of the world. Now, I want that conclusion, theoretical as announced in the bill, to be realized in fact; and I want to do nothing that will destroy by a hair's breadth the encouragement that has been given and that ought to be given to the producers of wool.

The agriculturists of the United States are benefited by a protective tariff, vastly benefited, as I will admit, yet there are but few of the products of the soil, there are but few of the products of the farm that are directly the beneficiaries of the protective tariff, and, therefore, when we can find one, I want to do what I can do to see that it receives all the benefit and all the advantage which a protective tariff can confer upon it.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. Would the Senator object to specifying what products of the farm are not protected in his State?

Mr. CUMMINS. There are a great many things that are not protected, as I view the situation. I know that my friend the Senator from North Dakota [Mr. MCCUMBER] does not agree with me in respect to these things; but I do not believe that we in Iowa receive any direct benefit for the 400,000,000 bushels of corn that we raise every year; I do not believe that we receive any direct benefit from the duty on the 8,000,000 or 10,000,000 hogs that we market every year; I do not believe that of the $700,000,000 of agricultural products that we pour every year into the channels of trade protection advances the price of a tithe of them.

I want Senators to remember that I come from a State that probably puts more in value into the channels of trade every year than any other State of the Union in agricultural products. We will this year supply the people of the United States and the people of the world with a product that will surpass in value $700,000,000, and it is idle for even any enthusiast to assert that the price of these products is directly affected by the protective tariff. We are benefited, however—and I want, in passing, to acknowledge the benefit, for I am just as firm a believer in the policy of saving our own markets as one who may live in New England, in New York, or in California—we are benefited because protection creates a great, prosperous multitude of men and women and children in America who use our products, who are able to buy them, and who are able to pay for them. If, instead of exporting from the United States something like $800,000,000 in a year of agricultural products, we were compelled to export practically all, or a very large proportion of the things which we produce of that kind, then the price in America would be very much less than it is now for all of them. I want no man to be able to accuse me of any infidelity or want of allegiance to the doctrine of protection simply because we are not directly and immediately advantaged by the protective law. But here is a point where protection does help the agricultural producer. It adds just that much to the value, to the price, of his yearly output of wool.

Mr. WARREN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. WARREN. Would it disturb the Senator if I made an observation there?

Mr. CUMMINS. It would not.

Mr. WARREN. The Senator is proceeding in a very able and in a very fair way, and I think, from the drift of his remarks, I see where he will probably land in the matter of the duty on wool. As the Senator proposes to be candid and fair, I want to be just as candid and fair.

The protection upon wool is valuable, and without it the woolgrower of this country can not succeed. It is valuable to him because it does raise the price of his product sufficiently so that he can pay the difference in labor and the difference in other expenses, for that is the plan of the protective tariff system in this country. There never has been a plan—and I do not know that there ever will be during my lifetime—where the levying of a duty is ideal; but the trouble here comes in the hundreds of varieties of wool, sometimes even in the same flock. There is an individuality about the growth of wool upon sheep much the same, and, perhaps, I might go further and say even more than the individuality of the hair on men's heads or the features of men's faces. The duty of 11 cents on first class was applied upon the supposition that wool shrunk two-thirds—it is 33 cents on scoured wool. Of course, wool seldom comes in scoured, because the wools of other countries, or some of them, shrink less, and because in late years we have always permitted, as I have said, a concession as to skirted wool.

What we fear in the change which the Senator's colleague [Mr. DOLLIVER] so ably espouses is this: An ad valorem duty has never in all of the existence of the country and the growth of the wool industry been satisfactory to the woolgrowers, for many reasons. I will simply mention two for the Senator to consider as he goes along. One is the impossibility of application practically—and when I say "impossibility," I mean so far as we know at present. The second is this: In order to raise wool, of course the farmer has to have sheep and they have to be cared for. He has to have his mother flock, and it is a matter of years to bring the flock up. He must have from year to year a sufficient income to support his business or it goes to the wall.

In times when the world's product goes up and goes down, there is a great variation in the price of wool. If he is raising at a high expense a clip of wool and the world's market goes down, and he goes into the market where wool is, we will say, 10 cents a pound, that is the very time when he needs the most protection, but under an ad valorem system it is the very time when he gets the least, because if the duty were 45 per cent and the price of wool were 10 cents he would get but 4½ cents per pound protection. A year or two of that kind would, to use the phrase of the farmer, "clean him out," and he would have no sheep left, and when the pendulum swings, and the year comes when wool is worth 20 cents, he can not avail himself of the benefit, because his sheep are gone. On the other hand, the price of wool might go to 30 cents. Then, under an ad valorem system, he would have protection amounting to 13½ cents at the time when he needed it least. So that the adoption of an ad valorem system, even though the ad valorem could be determined all right, would not give the woolgrower the assistance that a specific duty does, even though the latter may be somewhat imperfect. I want to say to the Senator that to all the western wool that we grow the duty of 11 cents is not applicable as 11 cents. It amounts to about 7 or 7½ cents actually, because that is the average, shrinkages considered.

In the large study I have given to this question, I have never found, up to the present time, a better method than that now proposed, and I do not see any prospect of a better method.

So the woolgrower had better stick to what he has than to adopt some new principle or idea that will weaken him in his protection.

The woolgrower under the present tariff is fairly successful, and our numbers are increasing, taking the United States together. The trouble has been heretofore that when he has gone up 10 stairs toward success, some change in the tariff has been made which has knocked him down 9, and he has had to recover those 9 stairs before he could start over again from a place as high up as he was before.

Mr. CUMMINS. Mr. President, the Senator from Wyoming is in error. Of course, I have not suggested anything up to this time——

Mr. WARREN. I had no reason to say that, except the general drift of his remarks. So, if I have offended the Senator, I will withdraw that.

Mr. CUMMINS. That would furnish the foundation for the argument made by him. I admit the force of the argument of the Senator from Wyoming. I would not willingly change an existing specific duty into an ad valorem, and never unless it becomes absolutely necessary to correct a far greater injustice than the imposition of ad valorem can inflict.

Mr. WARREN. Mr. President——

Mr. CUMMINS. Just a moment, if the Senator will allow me.

Mr. WARREN. I want to thank the Senator for his statement, and to say I am sorry I misunderstood him.

Mr. CUMMINS. I began my argument before the Senator from Wyoming came into the Chamber, and I think I had better repeat that part of it, or at least state that part of it, so that he may know it, inasmuch as I am really appealing to the Senator from Wyoming and the Senator from Montana as representing at least the foundation stone in this great structure. I am speaking now upon a motion, which I intend to make when these amendments are disposed of, to recommit this schedule to the Finance Committee with instructions. I have stated that the inaccuracy and, as I thought, the injustice of the schedule had been shown so clearly and positively that no man could deny the force of the facts that have been developed. I suggested that the Finance Committee evidently was not satisfied with the amendments offered by my colleague [Mr. DOLLIVER].

Mr. ALDRICH. I think perhaps the Senator had better amend his statement by saying that the Senate was not satisfied.

Mr. CUMMINS. Mr. President, I know that to be true; but I am sure that I am accurate when I say that the Finance Committee was not satisfied with the amendments, because not a single member of the Finance Committee voted for them.

Mr. ALDRICH. That is very true, for the very best of reasons, I think.

Mr. CUMMINS. Mr. President, I shall not now enter into the reasons, but the Senator from Rhode Island ought not to correct me until I make a misstatement. I said that the Finance Committee was not satisfied with the amendments. I did not know, however, and do not know yet, that the Finance Committee is blindly, determinedly adhering to a schedule that has been shown here to be so imperfect and so inadequate and so antiquated as to be incapable of meeting present conditions. I am trying to convince the Finance Committee now. I am not in opposition to it; I am not challenging motives; and I am not aspersing character; but I want you to listen to me, and if I convince you that you ought to make some change, then what I ask is that you take the subject and make the change under certain instructions and following out certain principles.

I realize how difficult it is for a Senator on the floor to present amendments upon a subject like this which will compose a harmonious whole. I can understand some of the repugnance of the Finance Committee to accept these amendments, however just and meritorious they may seem to be. I can understand how the Committee on Finance would prefer, if it is convinced, as I intend to convince it, if it is not already convinced, that there ought to be a change here, to retake this schedule and rewrite it from that comprehensive standpoint the committee now occupies.

I had stated the difficulties about accepting these amendments which have been offered by my colleague and by the Senator from Wisconsin, and I proposed to move to recommit the schedule with certain instructions, and the very first instruction was to leave the duty on wool unchanged; and therefore the Senator from Wyoming was quite in error when he assumed that I am requesting the Finance Committee in this motion to put an ad valorem duty on wool. I do not ask it. I recognize all the difficulties that have been so graphically pointed out by the Senator from Utah and the Senator from Wyoming.

I have, as it seems to me, sufficiently pointed out that what the farmer wants is to see the duty carried through the manufacture of woolen garments and woolen cloths. He wants to get in the one case 11 cents a pound, and in the other 12 cents, and in the other 4 cents, and in the other 7 cents upon his wool. He wants to see the result of those duties in the ultimate product into which his wool goes, and therefore, as I said, and I repeat, he wants a market that will take his wool at that price; and therefore he is just as much interested in the prosperity of the woolen manufacturer as he is in his flock of sheep, because the duty on wool would be of no value to him if the woolen manufacturer should pass out of existence. Therefore I am in favor, thoroughly and heartily in favor, of giving to the woolen manufacturer that measure of protection which will enable him to hold our market reasonably against his foreign competitor.

We come now to the next step in this argument. What does the woolen manufacturer want? I do not mean what his avarice or greed prompts him to ask, but what does he need in order that he may hold his own market, may manufacture the wools of the United States as well as those he must import, and sell them at a profit to his own people? I look at the subject from the manufacturer's standpoint for a moment. What he needs and what he must have is a compensation that will put him upon even terms with his foreign competitor with respect to the price of the wool which he must buy in order to carry on his undertaking. Is there a Senator here who disagrees with that proposition?

Mr. HEYBURN. Yes; I disagree with the "even terms." I disagree with the rule which gives the American producer only even terms. He must have an advantage and a very decided one before my idea of protection is realized.

Mr. CUMMINS. The Senator from Idaho has so keen a mind, it advances so rapidly to the ultimate end, that he often assumes that a speaker is omitting consideration of the element which he attempts to inject. I have no objection whatever to the suggestion of the Senator from Idaho. I know that is true, and I will presently bring that element into it. I can not give all the elements at the same moment and in the same sentence.

I repeat that he first needs to be put upon an equality with his foreign competitor with respect to the price of the wool, which is his chief raw material, and if he is compelled to pay more for his wool than the manufacturer of Bradford or any other point in England, Germany, or France, of course he can not get into our markets at all. Therefore the first purpose of this bill, after it leaves the woolgrower, is to give to the American manufacturer that opportunity. We have agreed that the duty on wool raises the American price ordinarily by just the amount of the duty, and the American manufacturer must pay the foreign price with the duty added, and we therefore, in order to sustain and encourage the manufacturer, must give him as a protection a duty that will represent the difference between the price that he must pay for the wool he uses in his work and the price which his English competitor must pay for the wool he buys for his work, providing their output is the same.

That must be perfectly obvious to every person who gives this subject the respect of even casual examination. Therefore I have asked in this instruction to the Finance Committee that it work out some plan to do this and no more, because, if it has not been demonstrated here that the present plan does more than to give to the manufacturer this difference between the price which he pays for wool and the price which his foreign competitor pays for wool, then I would despair of the force of either facts or argument. I do not believe there is a Senator here who will say that what is known in this bill as a "compensatory duty" accurately measures the difference between what the domestic manufacturer in a year pays for his wool and the amount which the foreign manufacturer pays for his wool, and that is what the compensatory duty is for. That is why we levy it. That is why we separate it from what is known as the "protective duty."

We have used in this schedule what is very rarely used—namely, compensatory duties. I do not know—probably the members of the Finance Committee can advise me upon that point—another schedule in the tariff in which the protective duty is separated, so that one part of it may fall upon the material and another part of it upon the other elements or factors of the business. It may be that there are such other schedules, but I do not recall them.

Mr. ALDRICH. The same principle runs through the whole tariff bill.

Mr. CUMMINS. I agree to that, but the practice is confined to this schedule.

Mr. ALDRICH. The practice varies in different paragraphs and schedules according to the articles.

Mr. CUMMINS. I do not believe there is another schedule in the tariff in which expressly, confessedly, there is an attempt to separate the protection that shall be given for the material and the protection that shall be given for labor and other factors of expense.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. Certainly.

Mr. SMOOT. There is a very good reason for that, and I should like to call the Senator's attention to it. There is no

other article manufactured from what may be called the "raw material," as the manufacturer calls wool, that loses so much in the manufacturing. If I could take the Senator into a woolen mill——

Mr. CUMMINS. May I interrupt the Senator from Utah for a moment?

Mr. SMOOT. Yes.

Mr. CUMMINS. I know he is advancing to refute an argument I do not intend to make against this separation. I agree with the Senator's view that the woolen schedule is one in which it must be made. I am not prepared to admit that there are other schedules in which the same separation with propriety might not be made. But I am not arguing against the long-continued practice of separating the protective duty upon the raw material from the protective duty upon the process of manufacturing. What I am attempting here is to make the manufacturer good for the additional price that he must pay for wool, and nothing more, in the so-called "compensatory duties."

I know it has been established by that overwhelming proof which leaves no opportunity for uncertainty or indecision that the woolen manufacturer in these compensatory duties gets more than the difference between the price he pays for wool and the price that the English manufacturer pays for wool. He gets more. First, because the plan of shrinkage is a false and an artificial plan, and does not correspond actually to the experience of men.

The average shrinkage of wool imported in the United States or produced in the United States is not the proportion named in this bill, and therefore the domestic manufacturer does not pay that much more for his wool, as compared with his foreign competitor. I am not going into those figures. They have been amplified and illustrated and poured upon the Senate in such overwhelming current that no man can resist the conclusion, and it is not attempted on the part of the Senator from Montana and the Senator from Wyoming. They very frankly admit that the shrinkage proportion is not the true shrinkage proportion; but they do not know any way, apparently, in which they can substitute a better plan for determining the shrinkage. But there have been pointed out here plans that deserve at least the very careful and prayerful consideration of the members of the Finance Committee. To me it is idle, and worse than idle, to say, in the full noontide of our knowledge and our intelligence and our advance in science, that there is not a better plan for ascertaining the shrinkage in wool than the arbitrary proportion which has been chosen by this committee, and that was chosen forty years ago or more, in order to determine the compensatory duty which manufacturers are entitled to in order to enable them to legitimately and profitably prosecute their enterprises.

Do not go to the people with the statement that the woolgrower of America is not getting the full benefit of his duty and that the wool manufacturer is getting more than his fair compensatory duty because it is impossible to ascertain the real wool in a given bale or fleece or cargo. It is not true, and no man can assert it or will assert it, except as accompanied with that vague and indefinite statement that the modern and the scientific methods for doing justice to the farmer and taking away from the manufacturer his undue advantage are not practicable. There never has been an advance which has not been denounced as impracticable. There never was a new machine that was not rejected because it was too complicated, because it was too mysterious. You can not mention a single step that we have ever taken in the world's progress that was not criticised just exactly as the method proposed or some like method is here criticised with respect to ascertaining the amount of wool in a single package or bale or bundle.

I am doing this with all the earnestness at my command, and I am doing it because for years I have been profoundly convinced that you were doing the people of this country a grave injustice, which can not be corrected or repaired too soon, by continuing this false and artificial plan. That is my first request; that is the first statement with regard to compensation to the manufacturer. You give him more than the additional price that he pays, and if your other duty is right, you give him a part of the profit which should belong to the woolgrower, or if it does not attach to the woolgrower, you give him a part of the money that is due to the people who wear the clothes which are the result of the woolen manufacturer's capital and labor.

I now advance to the second point. What I have stated is upon this hypothesis that you ought to protect the cloth. It is just as fatal to the woolgrower in America to allow foreign cloth to take our markets as it is to destroy the duty on his wool. Everybody understands that. Therefore I want this compensation given so that the manufacturer can live, and all the manufacturers, although I do not intend at this time, and possibly not at any time, to enter into the hardships imposed upon the carded wool manufacturers. But what I have said is based upon the hypothesis that when a hundred pounds of cloth are weighed, that cloth is all wool.

Now I return again to my proposition—and I am going to make it mathematical. I am not going to leave a loophole for escape. What you are trying to do is to put the domestic manufacturer, so far as this part of the duty is concerned, on an even plane with his foreign competitor. That is your object. That is your purpose. You ought to do it. I applaud it. I will do everything in my power to carry it out. There is the foreign manufacturer with his thousand pounds of cloth, we will say, all wool. Here is the domestic manufacturer with his thousand pounds of cloth, all wool. Imagine them coming up into competition with each other.

The compensatory duty, as I have been attempting to describe, fastens itself upon that thousand pounds of woolen cloth and says that before the foreigner can bring in his thousand pounds of woolen cloth he must pay a duty. Mark you, I am not speaking of all the duty that will measure the difference between what the English manufacturer of that thousand pounds paid for his wool and what the domestic manufacturer paid for his wool. I have considered that feature. I am passing now to another phase of the compensatory duty.

Mr. HEYBURN. Before passing to it, is it not well to inquire whether or not you would place the English merchant with his cloth on an equal footing with the American merchant? Would you not give the American merchant a margin of profit which should not be fixed by the English merchant?

Mr. CUMMINS. Certainly.

Mr. HEYBURN. I understood the Senator's statement to be that they were to be started evenly under the law. I would not start them evenly, and I would not allow the foreign merchant to fix the price or the profit of the American merchant.

Mr. CUMMINS. I am getting them ready for a start. I have not yet started them. I will start them presently. You will see we have handicapped the foreign competitor—I am speaking now simply of the compensatory duty. Hold that in your mind. I have already shown by a simple reference to what has occurred here that the manufacturer gets much more than the compensatory duty, simply because the shrinkage proportion is not the true proportion. The shrinkage proportion of the law is not the shrinkage proportion of commerce. But now I pass to another step.

Suppose the English manufacturer has a thousand pounds of cloth and half of it is cotton and half of it wool. He comes with his thousand pounds to the American shores and applies at our custom-houses for admission. We are still offering to give to our manufacturer the compensation which is due him on account of the difference in the price of wool in England and the United States. But what more do we do? We again exact toll of the wool producer in the United States or we exact it of the consumer in the United States, possibly one and sometimes the other, by putting a duty upon that cloth in favor of our own woolen manufacturers, not measured by the difference between the price that the English manufacturer had to pay for the wool in that cloth and the price which the home manufacturer must pay for the wool in a like cloth, but we exact a duty upon the hypothesis that the cloth thus presented is all wool, and we thus give to the woolen manufacturer of America as a compensatory duty relating to the price of the wool a still further unfair and unjust advantage.

I am not saying there should be no duty assessed on the cloth, with respect to that portion of it which is not of wool, but we do not want any compensatory duty upon it because the home manufacturer gets his cotton cheaper than the English manufacturer gets his cotton. It is worse than idle to put a compensatory duty upon cloth half cotton, upon the theory that you are going to try to give to the home manufacturer a compensation for the difference between what he pays for wool and what his foreign competitor pays for wool in that manufacture.

Mr. WARREN. Mr. President——

Mr. CUMMINS. Just a moment, now. That cloth is dutiable and ought to be dutiable, because it costs more to make it here than it costs abroad, and I am for putting a duty on it that will make up that difference; but when you put upon it, in favor of the home manufacturer, a duty of a compensatory kind, measured upon the wool that it might have if it were all wool, and try to give to the home manufacturer in that way what he is out at the end of the year, because he has had to pay more for his wool than the English manufacturer paid for his wool, you are defying all the laws of logic, you are defying the principle of your party, you are destroying the structure that we are endeavoring to build up, you are

subjecting the policy of the party to unmeasured censure, unlimited ridicule, and to eventual defeat and destruction.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I do.

Mr. McCUMBER. I have listened with a great deal of interest to the Senator's exposition of this matter, and I want to ask him a question right here, so that he may explain it at this point, because it is an interesting step in his argument. The Senator, as I understood him, would base the compensatory duty upon the actual amount of wool that is in the cloth. Now, how would the Senator determine—assuming that he can determine how much wool there is in it—the character of the wool in it—whether it is of the first or second class; whether it is of the higher-grade wool or whether it is the lowest class, or shoddy or chopped up woolen rags which are not worth one-tenth of what the higher-priced wool would be? In order, as I understand, to get the compensatory duty, he must know what the value of the wool in that cloth is. Now, how is he going to get at that?

Mr. CUMMINS. Mr. President, of course the question which has been put to me by the Senator from North Dakota applies as well to cloth that is composed wholly of wool as to cloth that is composed partially of wool, because in using the term "wool," as far as its manufacture is concerned, I have embraced these wastes of life and of commerce that are ordinarily known as "wool rags." There is no difficulty whatever in that.

Mr. McCUMBER. I appreciate the fact that there may be a class of wool used that makes it a little cheaper than cotton goods would be.

Mr. CUMMINS. Precisely. One of the ways to ascertain that is to apply the very same rule that we have applied with regard to third-class wool. When a cloth is manufactured of the materials just mentioned by the Senator from North Dakota it, of course, bears a lower price. That is one test. But there is another test, so far as separating the vegetable from the animal fiber is concerned, which I think everyone recognizes.

Now, I would not be nice and finical about this matter. I am perfectly willing that they shall put on the same duty that they do now; that the duty shall be imposed upon the theory that it is the highest priced wool, if you like; I do not believe you can reach all these fine shades of distinction; but what I am objecting to is that you are giving to the manufacturer a compensatory duty upon cotton.

Mr. WARREN. Will the Senator allow me a moment?

Mr. CUMMINS. Certainly.

Mr. WARREN. The Senator spoke of a duty on goods half cotton. I think he has overlooked the fact that there is a special rate upon that class of goods, and lower duties. There is a lower duty on goods half cotton, that are of cotton warp.

Mr. CUMMINS. Yes; there is a lower compensatory duty.

Mr. WARREN. There is a lower compensatory duty and lower duties all the way up. Again, upon the other classes where some portion of old wool is taken into the cloth, the Senator has admitted what must be admitted, that it is very hard to tell whether it may be rags or flocks, or whether it may be pure wool. It is so difficult to determine old from new, shoddy from fleece wool, that it has been thought better in protecting the woolgrower, also the consumer, the wearer, to have the importer pay just the same as if it were all good wool, because it displaces just that much all good wool, as against the business of our domestic woolgrowers, if it comes in, no matter what its quality, and no matter what its value. It also furnishes the consumer with an inferior, poor-wearing garment. But when you proceed up the line beyond the compensatory duties and take up the specific duties upon the cloth there the ratio of percentage is reduced, so that if a man really wants to wear the cheaper goods—shoddy goods—they can be imported at a cheaper figure, because the ad valorem that applies to the cloth is less.

Mr. CUMMINS. I understand, I think, the suggestion made by the Senator from Wyoming. It is true, but the principle is not changed. No matter what duty you impose, if it is a duty based upon the hypothesis that the cloth is all wool, it is wrong; wrong in principle and, as I think, wrong in effect. It is not true either that a cloth imported, half wool and half cotton, takes the place of a cloth of all wool in the United States. It may take the place of cloth half wool and half cotton in the United States, but it does not supplant the use of domestic wool in that respect.

The Senator from Wyoming, I think, agrees with me. I think he understands and admits in his mind and in his conscience that the compensating duty given to the manufacturer, first, should be graduated according to the shrinkage of wool, the actual shrinkage, and, second, it should be limited to wool that is actually in the cloth imported, whether that wool be first class or second class, or whether it be rags or mungo, or what not.

Mr. WARREN rose.

Mr. CUMMINS. I pause.

Mr. WARREN. The Senator will mark the fact that upon the half-cotton and half-wool goods there has been provided a compensatory duty according to that proportion. That was something the true value of which could be determined. If the warp is cotton and the filling wool, it can be so determined, and that has been taken care of, and such goods are not of questionable material and value, but are desirable as cheap fabrics.

Mr. CUMMINS. Precisely.

Mr. WARREN. The idea of direct compensation was that the manufacturer should have his wool as if free, and that is precisely right in theory. It is precisely right in practice, as far as we have been able to apply it. But in the matter of these adulterants, the matter of flocks and wastes, upon the one side, you might say that it is not fair to assess the same duties upon flocks and mungo as upon wool, because it is worth a great deal less, and the manufacturer ought to buy where he can buy the cheapest and get the cheapest materials he can and bring them in here and pay only an ad valorem duty. But, on the other hand, as the Senator has well said, every pound brought here displaces a pound of washed wool, as against the growers of this country. Furthermore, it gives the wearer a poor fabric.

Therefore these duties have in view not only the interest of the grower of wool and the manufacturer, but, so far as may be, the interest of the consumer. We want people to get for as little as possible the best goods. As I explained the other day, worsted goods, all wool, 3 yards or a little more in a suit, at a dollar a yard, more or less, factory price, will make a suit of clothes of the first grade so cheap that there is no reasonable excuse for bringing in shoddy and no reason why the poor man, or the rich man, for that matter, should wear shoddy, as we are not a shoddy nation.

Mr. CUMMINS. Mr. President, I do not believe that the Senator from Wyoming upon reflection will think the argument he has just made to be sound. It might be if it were directed to a proper object, but it is not relevant to the question we are now considering.

I am not ready to enter upon a revision of the tariff with a view to correcting the habits or propensities of our people. This is too vast a subject. Sociology is one of the most interesting studies known to mankind, but I would despair if we were to attempt to revise this tariff so as to correct any delinquencies upon the part of our tastes or habits or customs. There are other schools in which we will better our morals and our practices. A tariff schedule is not the place for the education of human kind.

I am discussing it solely with reference to the financial condition of our manufacturers, not with regard to what the people ought to wear, what they are able to wear, or whether they prefer white or black or gray. I am only considering it to ascertain what the manufacturer can do under the conditions that we have created by this schedule, and I say again that because it can be done, it ought to be done. You make your schedule a byword among men. Were I to go out and defend this woolen schedule, if it be subject to the criticism that I have attempted to express; were I to answer the farmer and the merchant and the laborer when he says that, in pretending to give your woolen manufacturer a compensatory duty in order to equalize him with his competitor abroad, you have heaped upon him an advantage that belongs to no living man; that you have given him access to the Treasury of the people that he may plunder at his will and gratify all his greed and avarice, you have no answer to that. I want a schedule that will enable me in the next campaign to say to the people of my State that this compensatory duty that was given to the wool manufacturers scattered everywhere is a duty that simply compensates them for the higher price that they had to pay for wool, and they had to pay the higher price for wool because we put a duty on raw wool. That is the position in which I hope to be.

I have been fighting this tariff campaign for a good many years. I expect to fight it for a good many years to come. I had hoped when we began this debate—and you will remember that I expressed the hope—that the light of reason would so shine in upon these schedules, that the demands of justice would be so imperative, that these duties would be so revised that I might vote for this bill, and that I might defend it when we come to the great forum of the people. But if you insist upon putting on a duty of this kind, indefensible according to its own supporters and unjust according to the most casual analysis,

how can you expect any Republican who believes in the platform of his party, who understands something of its history and what it has tried to do for the people of the United States—how can you expect a Republican who regards his political faith and honor to vote for such a schedule or such a bill? How can you expect a Republican, born in the faith and nurtured in the principles of the party, to go before the people and defend the work that you are now proposing to the Senate?

I marvel at your blindness. I marvel that you are willing to commit the Republican party to such a schedule; for while granting the righteousness of the principle involved in it, it is so radical a misapplication of the policy to which we are all pledged that I can not conceive that the Senate will, upon reflection, agree to it.

Mr. McLAURIN. Mr. President——

Mr. CUMMINS. I will yield in just a moment, if the Senator from Mississippi will pardon me. I am not asking just now that you shall reconsider and accept these amendments that have been offered from the floor; for while I think they are right, yet I can understand that you may believe that they have been composed in a hurry, that they have been composed without taking into view the full situation; but how can you, in view of what has been disclosed, refuse to recommit this schedule and command the committee to report it in harmony with certain principles that lie at the foundation of the Republican structure, and, as I think, at the foundation of the welfare of the people of the United States?

I now yield to the Senator from Mississippi.

Mr. McLAURIN. I understood the Senator to say that he is in favor of a compensatory duty, because the manufacturers are required to pay a higher price for their wool by reason of the tariff upon the raw wool. Are the manufacturers, by reason of that tariff, required to pay a higher price for wool produced in this country, as well as a higher price for the imported wool?

Mr. CUMMINS. Certainly. It is the very object of the duty on wool not only to raise the price of our domestic production, but of course to raise the price of that which is imported to meet it in our market.

Mr. McLAURIN. I had understood that it was the argument of Republican Senators that the tariff did not raise the price of the manufactured article. It is my judgment, as it is that of the Senator from Iowa, I understand, that the tariff does raise the price of the manufactured article in this country, but I have understood that it has been the contention of Republican Senators that the manufacturer did not raise the price of his goods because of the tariff, but that the price was raised by the wholesalers, jobbers, and retailers, and there is where the high prices are put upon the consumer.

Mr. CUMMINS. Mr. President, there has been a very great deal of inaccurate talk on this floor with regard to the effect of tariff duties, both on the other side of the Chamber and upon this side of the Chamber. It is not true, as we all know, with regard to a great many of the articles upon which a duty is laid that the price is enhanced or advanced by the measure of the duty. That is perfectly evident everywhere. It is, on the contrary, just as evident that there are some things upon which, if a duty is imposed, the price is increased by just the amount of the duty.

Mr. McLAURIN. Mr. President——

Mr. CUMMINS. Allow me. There is no general rule that can be applied to the case. For instance, suppose that you put a duty of a dollar a pound on cotton, it would not raise the price of cotton one hair's breadth. Why? Because we produce more cotton than we consume, we export a large part of it, and the price is fixed in the markets of the world. With regard to wool, we produce much less wool than we use. We necessarily import a large part of that which we consume. Therefore the price of wool is fixed by the import into the United States, and the imported price is increased by the amount of duty levied upon it.

Mr. WARREN. If the Senator will allow me, the same will be as true of wool as of cotton when we have arrived at the same point and have sheep enough to furnish a full supply of wool.

Mr. CUMMINS. Precisely.

Mr. McLAURIN. Is the compensatory duty that is imposed intended to allow the manufacturers of this country to raise the price of their goods to the extent of the compensatory duty or to any extent at all?

Mr. CUMMINS. It is. It is to enable them to do business; and it is the belief of those who hold the Republican doctrine, it is profoundly my belief, that when the industry is thus begun, is thus developed, competition among the American manufacturers, aided by development of science and improvements in the arts, will eventually reduce the price of the ultimate product below what it would otherwise be.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. BEVERIDGE. The Senator said a moment ago that there was no rule which might measure the increase of price by the addition of the duty, but has not the Senator himself most aptly and clearly stated such a rule, to wit, that when we do not produce enough to supply our needs in that event, of course the duty would be added. Would not that be the rule? Second, where the production here was in the hands of a combination of sufficient size to fix the price, in that event it might, after all, be a rule that might be applied.

Mr. CUMMINS. Certainly; the Senator from Indiana has stated the matter, as he always does, with great clearness and felicity.

Now, I go just one step further. I shall consume but a moment in the further argument that I shall make. I now come to what we Republicans call "the real protective duty" in the woolen schedule. Of course, the compensatory duty is protective, but inasmuch as we have segregated it and called it a "compensatory duty," at least in our discussions, I put that aside now, because I have shown how, coupled with what else has been said here, this prescribes a scheme, a scale, that can not and will not be approved by the great mass of the intelligent people of the United States.

Now, we go forward to the protective part of this schedule. I will not go over the paragraphs, because you are all familiar with them; but it is sufficient to say that these paragraphs, in addition to the compensatory duty for the higher price of wool paid by our domestic manufacturers, levy a protective duty upon the manufactured product of 50 per cent on some, of 40 per cent on others. Possibly there may be one or two higher duties and one or two lower, but in a broad way the woolen manufacturers, so far as their manufactures are concerned, are protected in these paragraphs by an ad valorem duty of 50 per cent upon the value, the foreign value, of the imported product that seeks to enter our market. I would not much complain of that protective duty, I would make no complaint at all with respect to its principle, were it not that the manufacturer has already taken a great share out of either the woolgrower or the consumer under the guise of compensatory duties.

I want you to think for just a moment with respect to the protective duty. After you have given to the manufacturer his compensation for the increased cost of his material, what remains? The increased cost of his labor and the increased cost of any other things that he must buy or use in the course of his manufacture. It is not shown here, nor can it be shown, that there is any increased cost with respect to anything that the wool manufacturer uses materially except his labor, and I will agree, for the purposes of this argument, that he has to pay his labor two times as much as his foreign competitor. Now, what protective duty ought he to have in order to compensate him for the difference between the cost of labor abroad and at home?

Here is where the advantage is given to the manufacturer of our own country, and where it ought to be given. Here is where I would allow the scales always to tip in favor of the domestic manufacturer. But you are giving him 50 per cent of advantage in the production of an article of which the raw material upon average costs 65 per cent. Take a yard of cloth, or a hundred pounds of cloth, or a thousand pounds of cloth, whether it is abroad or whether it is at home, 65 per cent of the wholesale price of the thousand pounds of cloth is the amount which the manufacturer paid for his wool, and you have 35 per cent, at the outside, of the cost of this example of woolen cloth as the aggregate of the labor and all the other material and the expense incident to the manufacture. Will you go out next year before the people of this country and say that 50 per cent of the entire value of the article is necessary to protect the woolen manufacturer in an enterprise in which he pays out 65 per cent of it for his wool and concerning which you have already compensated him by giving him the duty I have already described?

Senators, you are simply courting the destruction of your party, if you have no regard for the welfare of the people. I know you want to do the thing that will bring prosperity and happiness to our homes and to our workingmen, to our farmers and our merchants and our professions, but you are simply courting annihilation for the party when you announce a duty so indefensible as the one I have just suggested.

Mr. HEYBURN. If the Senator will permit me, I will ask him if he could state an account with 100 yards of cloth, covering those items.

Mr. CUMMINS. I can not.

Mr. HEYBURN. And how much of it then would seem to be in excess of a fair account stated on that cloth?

Mr. CUMMINS. I can not state that account while I am on my feet. It would not be difficult——

Mr. HEYBURN. It would be necessary.

Mr. CUMMINS. It would not be difficult for me to state it in its application to any particular factory, if you will give me the capital invested.

Mr. HEYBURN. That is just what I wanted to have stated.

Mr. CUMMINS. Precisely.

Mr. HEYBURN. That is what I wanted to see in the account.

Mr. CUMMINS. It will be in the account.

Mr. HEYBURN. I wanted to see the capital invested originally; I wanted to see the capital used, and what it was doing, how long it was idle.

Mr. CUMMINS. Precisely.

Mr. HEYBURN. And when its profits commenced. Then I want the balance sheet before I will make up my mind.

Mr. CUMMINS. If the Senator from Idaho waits before voting upon this schedule until he receives all those things, we will have one less Republican vote than we have ordinarily had.

Mr. HEYBURN. I can present them in any five hours of the day.

Mr. CUMMINS. I think you would do the people of this country the greatest favor and confer upon your party the greatest advantage and benefit that any of its members could confer upon it, if this is to become a law, if you would present such a statement as will justify this duty in the eyes of unprejudiced men.

Mr. HEYBURN. Mr. President, I certainly am not to be compelled to believe that the Senator was asking a question for which he knew no answer, and one which nobody could answer, because there would be no proof in that.

Mr. CUMMINS. I can answer the question, but there is a vast difference between measuring the necessity or the degree of a duty and sitting down and making up an account that has reference to any particular industry. The foreign manufacturer must have interest on his investment; he must have a profit upon his product. The American manufacturer must also. I agree that the American manufacturer ought to have a higher profit, a greater reward upon his capital, than the foreign manufacturer; but there are extremes that are so absurd that you do not need to test them with particular details; you know they are wrong. I have said, and if it be not true somebody ought to correct me, that the 65 per cent of the mill price of a thousand pounds of woolen cloth is represented in the price paid for the wool, and that 35 per cent of it is represented in all other expenses. Then to say that you need a duty of 50 per cent of the value in order to equalize the difference between the way capital is rewarded in our own country and abroad, and to equalize the difference between the cost of labor here and elsewhere, even assuming that we pay twice as much as they, it seems to me does not need any ledger statement of profit and loss.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I do not desire to interrupt the Senator more than seems fair.

Mr. CUMMINS. I am very glad to have the Senator interrupt me, because I want to reach the truth about this matter.

Mr. HEYBURN. Well, Mr. President, when I want to reach the truth in regard to any question, especially one of business, I do it through this method: I state an account with the item, and it makes no difference how small or how large the item is, the result will be as instructive. For instance, it happened to occur to me that I had in my desk what perhaps numbers of other Senators have, an account stated with a beef; and it is so nearly along the line that I had in my mind that I will call attention to it.

Mr. CUMMINS. I have that.

Mr. HEYBURN. Yes. Well, now, is it not a very good example of a hundred yards of cloth?

Mr. CUMMINS. No.

Mr. HEYBURN. Why not?

Mr. CUMMINS. No. It bears no more resemblance to a hundred yards of cloth than do the brilliant rays of the sun to the sweet and tranquil light of the moon.

Mr. HEYBURN. Mr. President, I was not speaking from either a poetical or an artistic standpoint, but from a business standpoint.

Mr. CUMMINS. I am speaking also from a business standpoint. The Senator from Idaho knows perfectly well that the proportion of labor in various enterprises differs. He knows that the cost of the raw material in the various enterprises differs. Therefore, the statement of the cost of a steer sheds no light with regard to the cost of a thousand pounds of cloth as it is manufactured.

Mr. HEYBURN. Mr. President, I think it sheds an average light.

Mr. CUMMINS. That is the trouble. We deal in averages; we do not deal in anything but averages here. That is the difficulty.

Mr. HEYBURN. All of life is averages.

Mr. CUMMINS. You might just as well put an average duty of 100 per cent upon everything.

Mr. BEVERIDGE. We deal in averages instead of accuracies.

Mr. HEYBURN. Tariff bills are averages.

Mr. SMOOT. I do not want to deal in averages.

Mr. CUMMINS. I did not accuse the Senator from Utah of dealing in averages.

Mr. HEYBURN. I will ask the Senator from Utah to defer his differences until I have finished.

Mr. SMOOT. I thought the Senator was through.

Mr. HEYBURN. I do not care to have a new kind of difference injected into the interchange of ideas which the Senator from Iowa has so kindly granted me here.

Mr. CUMMINS. It is hard enough to settle one at a time.

Mr. HEYBURN. Yes.

Mr. SMOOT. I will sit down, if the Senator prefers.

Mr. HEYBURN. Very well.

Mr. President, here are four statements. No two of them represent the same exact quality of skill or efficiency in performing the act performed. That is true all the way through in business. It is true over the merchant's counter; it is true over the money changer's counter; and it is true in the field with the plow. No two men will do just the same quantity and produce just the same quality of work, and there is an average, a safe one, within which the functions of business move. Here are four accounts stated, each with a different subject. From them we get a result showing the relation of values to labor—that is, of the result to labor. You take 100 or 1,000 or 10,000 yards of cloth; you state the account, the merchant's account; the first item is the expense upon which his business operation rests—that is, either the acquisition of the property, or the use of the property, the accommodations that surround and are necessary for his business—the clerk hire, the salaries. That is the first item, because he can not do business at all without that item.

The second item is the capital that is necessary to be used in connection with that first item, and, further, in connection with acquiring a stock. As he is going to manufacture the stock, he considers the expense of the machinery, of maintaining and operating it to the point of production in the bale. Then he has the product.

He then states an account, including those former items, with that bale of cloth, so many yards of it, and it has cost him the aggregate items that I have enumerated. The relation which those items bear to that bale of cloth gives you its commercial or business status.

When you are comparing that man's rights in the field of labor or enterprise with the rights of somebody in some other country engaged in the same enterprise, you take that account stated as the basis, and you say to the other man, or to those who are speaking for him in endeavoring to enact a tariff law for the protection of the foreign merchant. "Now, let the other man state his account." Every item of it will be different. Then you have brought those two bales of cloth to the counter of the retailer, ready to pass into the hands of the consumer. They are rival merchants, the foreigner on one side and the American on the other, each of them compelled by the law of necessity and of business to realize enough to compensate or make him whole in the transaction, and, in addition to that, such profit as in his judgment warrants him in engaging or continuing in business.

Now, you are right up to that point with your account stated. That cloth may pass into the hands of middlemen—we will leave that element out of it. The man may make it up himself or do as he pleases with it; but is it not absolutely necessary at that point on the counter, as that product passes out to the consumer, that we must know every item that enters into the production of that article as to cost, and that in our duty to our own people we must say to the American merchant, "We are not going to compel you to sell for the same price as this foreigner, because that would be unfair to you and would enable him to fix your price;" but we are going to say, "Mr. American,

fix your price and we will fine the foreigner the difference between the price you want to sell it for and the price at which the foreigner brings in his goods."

With the permission of the Senator from Iowa, just a word further. The Senator is very frank to say that he does not deal in averages. An expression like that injected into the remarks of anyone at times creates a wrong impression. It is not the way to get ideas into a discussion to be measured alongside of a general statement such as I was making. The Senator from Iowa may not know it or believe it, but everything is a question of averages and not of superlatives.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. Mr. President, I stated that I was not going to deal in averages. I want to understand the position of the Senator from Iowa. Do I understand the Senator from Iowa to make a statement here in the Senate that in that piece of cassimere cloth [exhibiting], costing net $1 a yard, 65 per cent of it is wool and that there is 35 per cent of other material in it?

Mr. CUMMINS. I have never seen that piece of goods before, and hence I could not have made that statement.

Mr. SMOOT. Mr. President, I will then say I understood the Senator to state that, taking a thousand pounds of cloth, 65 per cent of the value of it was the wool and that all the other expenses were 35 per cent.

Mr. CUMMINS. The testimony before the Ways and Means Committee of the other House varies from 50 per cent to 70 per cent as to the cost of the raw material that enters into all kinds of woolen cloths. That is an instance of averages which I very readily adopt.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Iowa that that is a very unfair way to put it. I want to say to the Senator that I know, as well as I know that I live, that there is not 50 per cent of the value of that cloth in wool. If the Senator wishes to know absolutely what it is, I can dissect it for him and tell him just what is the amount of labor, the amount of dyestuffs, and the amount of overhead charges that should be put upon it, including the cost of selling and every detail entering into the cloth.

I want to say again to the Senator that the statement made as to a thousand pounds of cloth taking 65 per cent wool and putting all the other expenses at 35 per cent is a very unfair argument.

Mr. CUMMINS. Mr. President, if I have been unfair, it is because the only evidence before either the other House or the Senate is untrue, for I have my information from that source. Manifestly the Senator from Utah would readily know and see that that statement was not applied to any particular form of manufacture. It was stated by the manufacturers themselves, by their most enthusiastic and extreme advocates, as I remember, that the cost was 50 per cent in the raw material which they had to buy, and that all the other cost was 50 per cent. The better opinion seemed to be—and I am sure the Senator from Utah has read that testimony—that the cost of the material was 65 per cent, and, of course, there only remained 35 per cent for every other thing, including labor.

Mr. SMOOT. Mr. President, has not the Senator from Iowa misunderstood what the cost of material means? The cost of material that is in the wool is not only the wool itself, but it is the dyestuffs, it is the oils——

Mr. CUMMINS. I understand that perfectly.

Mr. SMOOT. But the statement which the Senator made was that there was 65 per cent of wool; that the cost of the wool was 65 per cent.

Mr. CUMMINS. I was speaking of wool as the chief raw material. The others bear a very small percentage to the wool itself, aside from the labor and the capital charges.

Mr. SMOOT. Mr. President, so far as that is concerned, if the Senator will now say that 65 per cent includes all of the material and all expenses outside of labor, then we are very near together. In my experience in manufacturing woolen goods, it is just about that percentage.

Mr. CUMMINS. I did not suppose that proposition would be doubted; but I have here something that will show what it is in regard to silk, which we will reach presently. It may shed some light upon it.

Mr. SMOOT. Mr. President, the manufacture of silk is an entirely different proposition from the manufacture of wool.

Mr. CUMMINS. I understand that; but there is a broad, general relation between the cost of the material and the cost of labor.

Mr. SMOOT. But not between silk and wool.

Mr. CUMMINS. I think there is.

Mr. BEVERIDGE. Will the Senator from Iowa permit me to ask a question of the Senator from Utah?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I do.

Mr. BEVERIDGE. The Senator from Iowa quotes as his authority the testimony given before the House committee, as showing that 65 per cent of the cloths which we are discussing was material. Does the Senator from Utah take issue with that?

Mr. SMOOT. The Senator from Iowa said it was 65 per cent wool, not material.

Mr. CUMMINS. That is substantially true.

Mr. BEVERIDGE. But does the Senator from Utah agree that 65 per cent of it is material?

Mr. SMOOT. Mr. President, I will agree that 65 per cent of it is wool, and all material that goes into the cloth and expenses attached to it, outside of labor——

Mr. BEVERIDGE. Then, how much of it is wool, I ask the Senator? Let us get down to accuracies.

Mr. SMOOT. That, of course, would depend a great deal upon the size of the yarn and the class of the goods; but I should judge, upon an average, it would be close to 50 per cent, probably a little under that.

Mr. BEVERIDGE. What is the rest of the material?

Mr. SMOOT. The rest of the material is dyestuffs, which constitute a very expensive element in the manufacture of cloth; then there are the oils that are used, and everything that goes into the washing of the wool.

Mr. BEVERIDGE. But as to the subject of materials that go into the wool, so far as they are concerned, the cost of the wool, the dyestuffs, and various other methods of preparation, which after all are a part of the wool, as we now find does constitute 65 per cent.

Mr. SMOOT. It is not part of the wool.

Mr. BEVERIDGE. It is part of the wool for the purposes of cloth, is it not? We do not speak of wool as the wool is grown on the sheeps' backs, of course, as a part of the cloth.

Mr. CUMMINS. While I admit there is no close comparison to be drawn between wool and silk, yet the material cost is not very different between the two articles. I happen to have a table showing the matter with respect to silk, and I intend to submit it to the Senate in order that Senators can see what that industry does in this regard. According to the census of 1905, the value of silk products of our own manufacture was only $133,288,072; the wages paid out and required to produce this $133,288,072 worth of silk amounted to $26,767,943; the salaries amounted to $4,000,000, in round numbers, and the miscellaneous expenses $14,000,000, making a total of all expenses, aside from material, of something like $45,000,000. The cost of the materials used was $15,861,188. So that my statement with regard to wool is not inaccurate. It is simply a reproduction of the testimony before the House committee. I ask the privilege here, in order either to contradict or to vindicate what I have said, of inserting at this point in my remarks that part of the testimony given before the Ways and Means Committee.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The matter referred to is as follows:

EXHIBIT C.

AVERAGE WAGES AND RELATIVE WAGES PER HOUR IN THE WOOLEN AND WORSTED INDUSTRY OF THE UNITED STATES.

[From Bulletin No. 77, Bureau of Labor, Department of Commerce and Labor, Washington, D. C., July, 1908.]

Average wages per hour, woolen and worsted goods.

Burlers, female	$0.1153
Carders, male	.1290
Card strippers, male	.1555
Dyers, male	.1500
Loom fixers, male	.2074
COMBERS.	
Male	.1239
Female	.0958
SPINNERS.	
Frame—	
Male	.1159
Female	.1185
Mule, male	.2066
WEAVERS.	
Male	.2116
Female	.1841

Relative wages per hour, woolen and worsted goods.

BURLERS, FEMALE.	
Average, 1890–1899	100.0
1890	93.3
1891	93.7
1892	97.5
1893	100.5
1894	99.2

1895	99.6
1896	107.9
1897	100.4
1898	102.9
1899	105.5
1900	111.3
1901	108.3
1902	113.3
1903	119.4
1904	118.7
1905	124.4
1906	129.5
1907	136.7

CARDERS, MALE.

Average, 1890–1899	100.0
1890	99.1
1891	99.6
1892	101.7
1893	103.4
1894	98.5
1895	97.7
1896	95.1
1897	101.7
1898	99.8
1899	100.0
1900	110.9
1901	106.2
1902	106.7
1903	109.4
1904	115.0
1905	116.8
1906	121.0
1907	128.7

CARD STRIPPERS, MALE.

Average, 1890–1899	100.0
1890	92.4
1891	99.3
1892	103.3
1893	99.5
1894	99.0
1895	96.5
1896	104.0
1897	100.2
1898	98.9
1899	106.7
1900	111.4
1901	112.2
1902	116.6
1903	117.6
1904	120.5
1905	121.8
1906	122.6
1907	125.5

COMBERS, MALE.

Average, 1890–1899	100.0
1890	95.7
1891	98.9
1892	95.7
1893	99.5
1894	107.2
1895	94.0
1896	104.6
1897	95.4
1898	95.9
1899	113.3
1900	106.6
1901	107.9
1902	103.8
1903	102.1
1904	93.3
1905	94.8
1906	95.3
1907	96.9

COMBERS, FEMALE.

Average, 1890–1899	100.0
1890	98.3
1891	98.8
1892	98.5
1893	101.3
1894	93.4
1895	96.3
1896	103.1
1897	102.9
1898	104.0
1899	103.3
1900	110.3
1901	111.1
1902	112.6
1903	110.4
1904	105.8
1905	101.7
1906	105.4
1907	106.5

DYERS, MALE.

Average, 1890–1899	100.0
1890	100.2
1891	101.5
1892	100.7
1893	103.1
1894	95.5
1895	96.5
1896	98.5
1897	99.4
1898	101.4
1899	102.6
1900	109.3
1901	106.8
1902	108.4
1903	108.2
1904	108.9
1905	109.3
1906	114.8
1907	122.3

LOOM FIXERS, MALE.

Average, 1890–1899	100.0
1890	98.3
1891	98.2
1892	100.2
1893	102.0
1894	96.4
1895	96.7
1896	101.2
1897	102.0
1898	102.0
1899	102.8
1900	112.5
1901	112.2
1902	114.0
1903	115.9
1904	112.7
1905	114.5
1906	122.7
1907	128.9

SPINNERS, FRAME, FEMALE.

Average, 1890–1899	100.0
1890	96.7
1891	97.6
1892	98.4
1893	103.5
1894	94.2
1895	95.1
1896	101.1
1897	102.5
1898	104.4
1899	106.5
1900	118.0
1901	115.4
1902	122.8
1903	123.2
1904	120.2
1905	121.6
1906	125.6
1907	139.8

SPINNERS, MULE, MALE.

Average, 1890–1899	100.0
1890	96.6
1891	95.5
1892	93.9
1893	101.5
1894	98.1
1895	96.2
1896	103.7
1897	104.2
1898	111.1
1899	99.0
1900	115.6
1901	114.3
1902	114.0
1903	124.8
1904	125.9
1905	131.1
1906	140.6
1907	143.3

WEAVERS, MALE.

Average, 1890–1899	100.0
1890	101.6
1891	102.2
1892	103.8
1893	109.7
1894	92.8
1895	94.9
1896	94.7
1897	98.0
1898	101.1
1899	100.9
1900	111.7
1901	113.6
1902	120.4
1903	124.7
1904	116.6
1905	123.8
1906	136.0
1907	142.1

WEAVERS, FEMALE.

Average, 1890–1899	100.0
1890	100.4
1891	99.1
1892	100.8
1893	106.7
1894	94.3
1895	93.8
1896	96.7
1897	100.7
1898	104.6
1899	102.4
1900	109.8
1901	112.5
1902	112.5
1903	115.9
1904	113.4
1905	117.1
1906	126.4
1907	137.1

Relative wages per hour for whole industry, woolen and worsted goods.

1890	98.1
1891	99.1
1892	99.6
1893	101.5
1894	97.2
1895	96.8
1896	100.9
1897	100.2
1898	102.5
1899	103.7
1900	110.4
1901	110.6
1902	113.5
1903	115.2
1904	116.4
1905	118.3
1906	124.0
1907	131.9

EXHIBIT D.

Statement showing the quantities and value of certain articles of clothing, equipage, and materials purchased by the Quartermaster's Department, United States Army, during the fiscal years 1904, 1905, 1906, 1907, and 1908, as called for in communication from the president National Association of Wool Manufacturers, dated November 20, 1905.

Articles.	1904.		1905.	
	Quantity.	Value.	Quantity.	Value.
ALL WOOL.				
Blankets, wool, heavy	11,172	$38,690.28	41,976	$146,496.84
Blankets, wool, light	17,311	42,931.28	29,289	82,686.72
Cloth, dark blue, army standard ... yards	167,117	292,464.75	59,400	126,522.00
Cloth, dark blue, cap ... do	3,528	6,491.52		
Cloth facing (all colors) ... do			2,300	5,775.00
Flannel, dark blue, blouse ... do			1,090	2,375.00
Kersey, sky blue, 22-ounce ... do	99,150	125,920.50	27,147	42,620.79
Stockings, wool, heavy ... pairs	100,000	27,846.56	50,000	13,923.28
WORSTED.				
Breast cords	94,283	47,047.22	14,573	7,577.00
Cord edge braid ... yards	300,080	7,187.60	10,300	248.92
Hat cords	244,803	12,240.15	238,247	11,912.35
Lasting, black ... yards	100,326	109,155.42		
Lasting, olive drab ... do	240,218	217,996.20	399,774	415,728.46
Trumpet cords	6,050	1,996.60	509	167.79
WOOL AND WORSTED.				
Cloth, covert ... yards	288,514	675,122.76	353,775	704,012.25
Flannel, olive drab ... do	454,283	288,469.70	221,352	154,946.40
Serge, olive drab ... do	220,342	493,566.08	118,093	139,940.20
WOOL AND COTTON.				
Drawers, winter, heavy ... pairs	72,746	42,192.68	25,131	15,581.22
Stockings, wool, light ... do	384,994	71,721.31	431,740	77,713.20
Undershirts, wool, heavy	62,000	33,747.50		
Undershirts, wool, light	50,000	17,825.00	1,006	402.40

Articles.	1906.		1907.	
	Quantity.	Value.	Quantity.	Value.
ALL WOOL.				
Blankets, wool, heavy	67,090	$351,551.60	64,154	$320,694.62
Cloth, dark blue, army standard ... yards	104,115	203,024.25	63,862	124,511.40
Cloth facing (all colors) ... do	11,704	15,435.00	3,280	10,828.75
Cloth facing, olive drab ... do			750	3,000.00
Kersey, sky blue, 22-ounce ... do	99,145	166,563.60	55,001	93,400.68
Stockings, wool, heavy ... pairs			40,000	10,800.00
WORSTED.				
Breast cords	58,212	29,166.60	35	17.50
Cord edge braid ... yards	195,600	4,727.60	92,436	2,426.45
Hat cords	52,355	2,617.75	79,681	3,984.05
Lasting, olive drab ... yards	105,698	144,678.85	41,795	57,219.42
Trumpet cords	1,604	211.24	1,456	451.36
WOOL AND WORSTED.				
Cloth, covert ... yards	69,924	139,148.76		
Flannel, olive drab ... do	17,105	11,973.50	36,351	22,124.84
Serge, olive drab ... do	119,970	146,363.40	133,894	163,240.88
WOOL AND COTTON.				
Drawers, winter, heavy ... pairs	55,879	37,267.72	108,399	79,131.27
Stockings, wool, light ... do	185,475	34,395.60	457,732	74,412.91
Undershirts, wool, heavy	75,164	51,111.52	30,009	21,009.00
Undershirts, wool, light	40,998	21,996.92	30,675	16,257.75

Statement showing the quantities and value of certain articles of clothing, etc.—Continued.

Articles.	1908.		Total for five years.	
	Quantity.	Value.	Quantity.	Value.
ALL WOOL.				
Blankets, wool, heavy	45,400	$222,101.22	229,798	$1,081,833.96
Blankets, wool, light			46,600	125,568.00
Cloth, dark blue, army standard ... yards	14,341	26,674.26	408,825	773,186.66
Cloth, dark blue, cap ... do			3,528	6,491.52
Cloth facing (all colors) ... do	3,520	12,584.92	20,794	44,024.67
Cloth facing, olive drab ... do	100	450.00	850	3,450.00
Flannel, dark blue, blouse ... do			1,000	2,375.00
Kersey, sky blue, 22-oz ... do			281,043	428,344.57
Stockings, wool, heavy ... pairs			190,000	52,560.84
WORSTED.				
Breast cords	9,330	4,665.00	176,433	88,413.68
Cord edge braid ... yards	60,000	1,650.00	658,336	16,239.87
Hat cords	165,632	9,937.92	780,718	40,692.22
Lasting, black ... yards			100,382	109,165.42
Lasting, olive drab ... do	21,603	20,596.11	808,989	865,219.04
Trumpet cords	1,425	613.18	10,445	3,489.57
WOOL AND WORSTED.				
Cloth, covert ... yards			712,213	1,518,283.77
Flannel, olive drab ... do	98,763	109,696.93	817,854	587,151.87
Kersey, olive drab, 22-oz ... do	115,575	243,405.00	115,575	243,405.00
Kersey, olive drab, 16-oz ... do	112,425	191,182.88	112,425	191,182.88
Serge, olive drab ... do	158	192.76	502,367	943,303.32
WOOL AND COTTON.				
Drawers, winter, heavy ... pairs	45	35.10	262,200	174,937.99
Stockings, wool, light ... do	776,372	124,219.52	2,160,304	372,451.94
Undershirts, wool, heavy			167,164	106,759.92
Undershirts, wool, light			131,674	56,482.07

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER-GENERAL,
Washington, D. C., November 25, 1908.

Statement showing the quantities and value of clothing purchased for the navy—Woolen and worsted cloths.

CLOTH, BLUE, FOR CAPS AND TROUSERS, 17-OUNCE, ALL WOOL.

Year.	Quantity.	Value.
	Yards.	
1904	175,000	$339,500
1906	75,000	141,750
1907	100,000	177,000
1908	100,000	157,000
Total		815,250

CLOTH, BLUE, FOR OVERCOATS, 30-OUNCE, ALL WOOL.

1903	40,000	$68,560
1904	40,000	80,280
1907	30,000	82,050
1908	30,000	85,750
Total		325,500

FLANNEL, BLUE, 11-OUNCE, FOR OVERSHIRTS, ETC., ALL WOOL.

1904	100,000	$77,000
1905	200,000	199,750
1908	150,000	115,500
Total		392,250

FLANNEL, BLUE, 7-OUNCE, FOR LINING OVERCOATS, ETC., ALL WOOL.

1903	10,000	$6,700
1904	15,000	12,712
1907	15,000	12,675
1908	15,000	10,800
Total		44,887

SERGE, BLUE, 12½-OUNCE, FOR CHIEF PETTY OFFICERS' UNIFORMS, ALL WORSTED.

1904	80,000	$103,120
1908	20,000	27,400
Total		130,520

Statement showing the quantities and value of clothing purchased for the navy—Woolen and worsted cloths—Continued.

MOHAIR CLOTH FOR CURTAIN MATERIAL ON SHIPBOARD, ALL WOOL.

Year.	Quantity.	Value.
	Yards.	
1905	3,500	$7,000
1906	6,113	9,500
1907	3,000	4,982
1908	5,250	8,060
Total		29,542

BILLIARD CLOTH FOR TABLE COVERS ON SHIPBOARD, ALL WOOL.

1904	300	$1,500
1905	600	2,690
1906	300	1,200
1907	820	3,410
1908	300	1,256
Total		10,056

BUNTING FOR FLAGS, PENNANTS, ETC., ALL WOOL.

1904	100,000	$39,040
1905	143,000	35,000
1906	192,000	48,729
1907	224,940	58,181
1908	239,700	59,323
Total		240,273

TOTAL, ALL KINDS.

1903	50,000	$97,260
1904	600,300	662,052
1905	347,100	244,440
1906	273,413	201,179
1907	373,770	338,238
1908	560,250	445,089

Woolen and worsted clothing.

None purchased; see paragraph 4 of indorsement.

Woolen and worsted knitted cloth.

None purchased.

Woolen and cotton mixed knitted cloth.

None purchased.

JERSEYS, ALL WOOL.

Year.	Quantity.	Value.
	Each.	
1904	45,000	$50,836
1905	20,000	36,948
1906	30,000	50,994

WATCH CAPS, ALL WOOL.

1904	60,000	$15,468
1905	20,000	5,898
1907	25,000	7,495
1908	30,000	8,694

GLOVES, ALL WOOL.

	Pairs.	
1905	30,000	$10,500
1906	35,000	13,082
1908	30,000	10,000

TOTALS.

	All units.	
1904	105,000	$75,304
1905	30,000	10,500
1906	75,000	53,928
1907	25,000	7,495
1908	90,000	69,688

Woolen and cotton mixed knitted goods.

UNDERSHIRTS, LIGHT AND HEAVY, 33⅓ PER CENT TO 35 PER CENT OF WOOL; NOT MORE THAN 65 TO 66⅔ PER CENT COTTON.

	Each.	
1904	75,000	$50,250
1905	250,000	230,875
1907	10,000	11,700
1908	70,000	40,720

Woolen and cotton mixed knitted goods—Continued.

DRAWERS, LIGHT AND HEAVY, 33⅓ PER CENT TO 35 PER CENT OF WOOL; NOT MORE THAN 65 TO 66⅔ PER CENT COTTON.

Year.	Quantity.	Value.
	Pairs.	
1906	250,000	$233,375
1907	10,000	11,750
1908	44,000	32,710

CARPETS, 20-OUNCE WOOLEN AND 11-OUNCE COTTON TO 1 RUNNING YARD.

	Yards.	
1904	1,800	* $1,975.00
1905	2,000	* 2,199.00
1906	3,000	* 3,541.00
1908	4,400	5,262.50

* Estimated.

RUGS, 35-OUNCE WOOLEN, 8-OUNCE LINEN, AND 10-OUNCE COTTON TO 1 RUNNING YARD, 27 INCHES WIDE.

1904	800	* $1,975
1905	900	* 2,199
1906	1,400	* 3,541
1908	4,900	13,676

* Estimated.

Woolen and worsted hosiery.

1903. Socks, all wool, 75,000 pairs	$22,237.50
1908. Stockings, football, all wool, 540 pairs	513.00

Woolen and cotton mixed hosiery.

1906. Socks, merino, 65 per cent wool and 35 per cent cotton, 100,000 pairs	$25,735
1907. Socks, merino, 65 per cent wool and 35 per cent cotton, 100,000 pairs	26,460

Any other articles in which wool is a component part.

1906. Blankets, all wool, 3¼ pounds each, 30,000	$88,433
1907. Blankets, all wool, 3¼ pounds each, 50,000	126,000
1908. Blankets, all wool, 3½ pounds each, 53,000	129,124

Prison cloth (wool and cotton so proportioned that boiling for one hour in 2 per cent caustic potash solution leaves not more than 17 per cent dry insoluble matter).

1907. 16,000 yards	$13,440
1908. 16,000 yards	10,350

Flannel, Shaker, gray (wool and cotton so proportioned that boiling for one hour in 2 per cent caustic potash solution leaves not more than 20 per cent dry insoluble matter).

1905. 2,400 yards	$1,860
1906. 2,500 yards	1,825
1908. 4,000 yards	3,880

EXHIBIT E.

SYNOPSIS.

I. The German agreement was negotiated and signed, although no consultations were held with or advice given by any body of manufacturers or merchants as to the wisdom of its provisions, those engaged in these pursuits being thrown off their guard by the public and seemingly authoritative announcement that the commission sent to Berlin did not go to conclude a bargain or make promises, but, after investigation, to report the difficulties and demands of Germany.

II. Open hearings, conceded in some cases by the agreement, have been long opposed by many most familiar with customs procedure, the chairman of the Berlin commission himself going on record against them in 1906.

III. Since open hearings have been granted the attorney for German exporters says they have been beneficial to the foreign exporters and his connections in this country.

IV. Seven of the nine general appraisers opposed the open hearings, one of the two advocating them favoring them simply as an experiment for six months. Formerly the board secured evidence, because the records of tradespeople were carefully guarded. Since the agreement went into effect witnesses deemed material by the Government in establishing market value have declined to appear before the board in open session.

V. German exporters are not required to furnish statements of cost, except upon request of the appraiser of the port of entry. But witnesses needed here to make out a case for the Government must testify at open hearings, perhaps divulging important trade secrets.

VI. Where there is little or no competition between foreign and American goods the open hearings may be held with considerable success, but where there is commercial rivalry they fail.

VII. Although the President declared that under our practice the abuses under the administrative customs law had become gross and discreditable, not one purchasing importer appeared before the Committee on Ways and Means to protest against the alleged abuses.

VIII. Appraisements are not judicial proceedings, but simply ascertainments of value. In few States when property is assessed has the owner a right to be heard or to present witnesses. In appraisement and reappraisement cases the importer has the right to appear and also produce witnesses, together with the right of appeal, a method under which greater opportunities are offered for determining the taxable value of property than under any other.

IX. This method of determining dutiable value has been approved by the Supreme Court, who have held that the question is not to be tried before the appraisers as if it were an issue in a judicial tribunal.

X. Our system is much more liberal than that followed in Germany, where there is no appeal and no reappraisement.

XI. A tariff war between Germany and the United States was freely predicted when negotiations were undertaken. But foreign papers conversant with conditions in Germany pointed out that Germany could not afford to inaugurate such a war, or, if inaugurated, to wage it.

XII. Germany's exports to the United States during the fiscal year 1907 were valued at $161,500,000, of which $147,000,000 were manufactured goods. On the contrary, the exports of the United States to Germany were chiefly unmanufactured products, cotton and foodstuffs making up a large percentage of the total.

XIII. Germany is not a self-sufficing nation, can not get such supplies from her continental neighbors, and must secure them from this country. Under such conditions, it was not likely that the German authorities would have taken steps to make their importation more difficult or expensive.

XIV. Herr Max Goldberger, a privy councilor of the German Imperial Government, scouted the idea of an industrial war being waged by the two countries.

XV. German exporters have endeavored for years to conceal the market value and cost of production of goods sent to this country. Their hostility to the requirements of our law has been so marked that it is hard to believe they feel that certificates of values to be furnished by German chambers of commerce will lessen the frauds acknowledged to have been committed.

XVI. German chambers of commerce are semiofficial bodies through which German business men make known to the Government grievances to which they wish attention directed. When their certificates of value are accepted, no chance for cross-examination of those furnishing these values is given, whereas the opportunity to cross-examine witnesses at the reappraisement hearings was strongly urged as a right of the importer.

XVII. If the chambers of commerce are to certify the true values of exports, why did the President promise to recommend the amendment of the law to permit a 10 per cent undervaluation of imported merchandise?

XVIII. Competent attorneys declare the President, when he negotiated and proclaimed the agreement, exceeded his powers under the Dingley law, because the agreement alters not only the Treasury regulations, but the existing law, which can be changed only by Congress.

XIX. Advantages granted by the agreement caused a strong effort on the part of other countries to secure the extension of the same privilege to them. England's unofficial boards of trade now issue certificates as well as Germany's chambers of commerce, which we are told are official bodies—"part of the Government."

XX. The present tariff is not prohibitive. The value of partly manufactured goods imported freely into the United States exceeds by $25,000,000 the value of the same class of goods imported by Germany, while the value of wholly manufactured goods exceeds by $126,000,000 the value of those imported by Germany, and exceeds by $65,000,000 the value of those of France and Germany combined.

XXI. If European countries, neighbors of Germany, with which she has reciprocity treaties, fall of access to Germany's market in many lines of manufacture, the United States is not likely to succeed.

The German agreement and its defense by the chairman of the commission to Germany.[a]

AN EXAMINATION OF SOME POINTS INVOLVED.

In an annual report made to the National Association of Wool Manufacturers one year ago in noting the sending to Germany by the President of a commission, consisting of the Hon. S. N. D. North; N. I. Stone, tariff expert of the Department of Commerce and Labor; and James L. Gerry, Chief of the Customs Division of the Treasury Department, the writer said:

"The commission was not sent abroad to conclude a bargain or to make promises, but, after investigation and consultation, to make a report of the differences and the demands. The hope of the State Department is said to be that the American commissioners may 'be able to recommend some change in existing methods of administration of the Dingley Act where it bears hardest upon German exporters.'"

THAT STATEMENT SUPPORTED BY THE PRESIDENT'S MESSAGE.

That the object of the commission's appointment, as there set forth, was correct is shown by the President's message to Congress, wherein he says:

"This commission was engaged for several months in conference with a similar commission appointed by the German Government, under instructions, as far as practicable, to reach a common understanding as to all the facts regarding the tariffs of the United States and Germany material and relevant to the trade relations between the two countries."[b]

This commission not only made an "investigation," but actually concluded a bargain or agreement. Not only did they negotiate a temporary agreement, but they brought back with them a tentative draft of a permanent reciprocity treaty. Chairman North, in his defense of this temporary agreement, stating that Germany had granted the "Provisorium," extending her conventional tariff to our exports to her until July 1, 1907, "in belief and on the understanding that this extension would lead to the negotiation of a treaty of reciprocity which would place the commercial relations of the two nations on a permanent and equitable basis." Who, it may be asked, had the authority to make such a promise? The President could promise that a treaty would be negotiated, but he could not assure the Germans that it would be ratified by the Senate; and the mere negotiation, without that ratification, could not place "the commercial relations of the two nations on a permanent basis." Or can it be that this treaty was to become effective without the consent of the Senate?

It is not our purpose to go over in detail the various provisions of this compact and present arguments against them, but rather to sketch the several steps taken in reaching the agreement (which, more than any other event of the year, except the financial flurry, has disturbed the manufacturing and direct importing industries of the country), and glance at some of the reasons in justification of it advanced by the chairman of the commission, who was charged, apparently, by the administration to try to allay the fears of all interests alarmed, by explaining how much to the advantage of all will be the concessions so magnanimously granted by the German Government! In our opinion, the points emphasized by the chairman are not so important as some left untouched, and these we shall also notice.

THE ACTION WAS HASTY AND SECRET.

First, let us trace the steps taken in the consummation of this agreement. The commissioners sailed in December, 1906, their announced purpose being as above set forth. Some time late in February they returned with a report, which was kept so secret by the State Department that efforts as late as April 10, 1907, to get a copy of the agreement failed, the Acting Secretary of State writing, April 26, that "the preliminary schedules in question are not yet perfected, and any statement by the department as to what is offered by Germany or expected of her by the United States as compensating favors would be premature and might be misleading." At that date the agreement had been already signed at Washington by Secretary Root, although the German ambassador's signature was not attached to the document until May 2. Under date of April 4 the "project of a commercial agreement with Germany," together "with drafts of notes proposed to be exchanged," was transmitted by the Secretary of State to Secretary Cortelyou, of the Treasury, who, without training or preparation, had come, within a month, to the discharge of his new and perplexing duties. April 9, 1907, the new Secretary of the Treasury wrote to the Secretary of State that "the proposed modifications of the consular and customs regulations will, in my opinion, conduce to the proper administration of the law in cases where the ordinary procedure, as embodied in present regulations, is inadequate." Then he added: "After careful consideration of the matter [he had not had the papers more than four days] I am led to the conclusion that the negotiation of the proposed commercial agreement would promote friendly relations and otherwise be of benefit to this country."

SECRECY IN THIS COUNTRY—CANDOR IN GERMANY.

Whether the trade made with Germany was to the advantage of that country or to ours, as it has been declared to be, one can not help being struck by the secrecy with which the proceedings were conducted in this Republic and the openness and evident candor with which they were conducted in the Empire. In the United States no consultation was held with any body of merchants or manufacturers, so far as we have heard, before the agreement was drawn and signed. In Germany, on the contrary, the agreement was first submitted to the German Economic Association, an organization of industrial producers, and only after its indorsement was it transmitted to the Reichstag for consideration and confirmation. But that is not the only difference in the methods followed by the two Goverments, some provisions of this agreement being inserted, against the advice of the best experts of this country, by men most of whom had but little first-hand knowledge of the everyday workings of the custom-house and its practices.

THERE HAS BEEN MISAPPREHENSION ABOUT OPEN HEARINGS.

We are free to acknowledge that there has been considerable misapprehension respecting the provision in the agreement concerning open hearings in reappraisement proceedings. To us there seems to be but slight difference between the concessions made by Secretary Shaw in 1906, when he modified the regulations so that the general appraisers were given the privilege "to grant open hearings whenever it could be done without prejudicing the Government,"[a] and the stipulation in the agreement which provides that in "reappraisement cases the hearings shall be open and in the presence of the importer or his attorney, unless the board of appraisers shall certify to the Secretary of the Treasury that the public interest will suffer thereby;" and in that case a summary of the facts developed at the closed hearing upon which the reappraisement is based is to be furnished to the importer. The latter seems to contemplate that all reappraisement hearings shall be open unless the certificate shall be filed, while under the rule as modified by Secretary Shaw the hearings were to be open only when, in the opinion of the general appraisers, they could be so held "without prejudicing the Government."

When Mr. North attacked the closed hearing, designating it as "the American star-chamber proceeding," and wrote, "Now that this closed hearing has been done away with, I do not believe that it will ever again be heard of in our customs administration," his explanation, instead of clarifying the situation, deepened the misunderstanding and intensified the alarm he hoped to allay, the language of the agreement not justifying so sweeping a statement or furnishing the slightest basis for it.

RESPECTING CLOSED HEARINGS.

But let us examine his "explanation" of the agreement intended to allay "some apprehension regarding the details" and to correct an "unfounded prejudice against it."

Respecting the open or closed hearing, he correctly says it "is wholly a matter of regulation within the control of the Secretary of the Treasury, the law itself being silent upon the subject." Then he launches forth in praise of the open hearing, declaring that after a year's trial it "has proved a complete success;" that "the Government has had no difficulty in obtaining expert evidence, given under the sanctity of an oath. None of the dire consequences so freely predicted have been realized. On the contrary, the open hearing has proved an effective aid to the Government as a guard against undervaluation." Like importer Downing and Attorney Wickham Smith, he assures those laboring under misapprehension that "the merchant who desires and expects to remain in the importing business is going to be more careful about invoices when he knows that the evidence of undervaluation is to become a part of the public record."

IS THE OPEN HEARING PRODUCING THE RESULT MR. NORTH DESCRIBES?

Who has benefited by the open hearings? Has the Government had no difficulty in obtaining expert evidence? And has the open hearing been "an effective aid to the Government as a guard against undervaluation?" A prominent customs attorney, who has been urging all kinds of alterations and modifications in the law, recently said, "The open hearings prescribed by the reciprocal tariff agreement with Germany have, in the main, been successful and meet with the approval of my clients, most of whom are prominent German exporters and their American representatives." After entering a strong protest against the taking of any ex parte testimony as being contrary to the letter and spirit of the German agreement, he said, "In instances where there have been 'real' open hearings the results have, in the main, been beneficial to the foreign exporter and his connection in this country." Respecting ex parte testimony, he continued: "Its taking is not contemplated by the German agreement, and its practice is vicious and full of danger to the honest (?) foreign exporter, and I sincerely trust that in the new treaty to be made with Germany there will be a cast-iron agreement that all hearings, under whatever circumstances the case may be, shall be free and open, and that no testimony shall be considered that is not given in the presence of the importer and his legal or other representatives." Given an inch they now demand an ell, and all in the interests of the honest foreign exporter and the revenues of this Government. The kind of open hearings now granted, he confesses, have been beneficial to the foreign exporter and his connection in this coun-

[a] Bulletin for September, 1907, pp. 267 and 273.

[b] Annual message to Congress, p. 60.

[a] See Hearings before Ways and Means Committee, 1906, p. 28.

try, and they meet with the approval of his clients, "most of whom are German exporters and their American representatives."

ON BOTH SIDES OF THE QUESTION.

Mr. North now "dubs" the closed hearing "the American star-chamber proceeding," having "no other defense than the one calmly advanced whenever the system was criticised, viz, that unless people are permitted to secretly testify against their neighbors and rivals they won't testify at all."

Were we so disposed we could quote from his reports to this association in which he wrote enthusiastically of the almost perfect basis to which the customs administrative law had been brought by the amendments of 1897, and also those in which he graphically described the losses suffered by the American manufacturers and honest purchasing importers from the laxer previous laws. But it is not necessary to go so far back to find his opinion respecting open hearings. About a year previous to his return from Berlin, when the Committee on Ways and Means was giving hearings on proposed amendments to the customs administrative law, seeking light and information from various sources, Mr. North, who had severed his connection with this association several years before to become Director of the Census, was quoted by Secretary Shaw as then being "absolutely against open hearings."* The query is, Which view of the open hearing is to be accepted and which rejected?

TESTIMONY AGAINST OPEN HEARINGS.

But laying aside these contradictory views, as well as the question of the advisability or inadvisability of open hearings, the fact remains that not only Secretary Shaw, but seven of the nine general appraisers went on record against open hearings, and one of those two favored them simply as an experiment for six months, recognizing the fact that it would be dangerous. Even he "was opposed to any legislation looking to open hearings because" he "thought it was too risky an experiment." The president of the Board of General Appraisers gave it as his opinion that "if we had open hearings we would never get through the volume of cases,"* while another member of the board said: "If they (the hearings) were conducted openly, the ability of the board to procure evidence would be destroyed and all reappraisements fail. It is due to the fact that the secrets of tradespeople are guarded that the board is enabled to get evidence. Frequently an importer's own witnesses will request that their testimony be taken privately, preferring that the information imparted be sacredly kept from competitors. The class of evidence sufficient to establish market value will be wholly improper and insufficient in a trial at law, and if the rule prevailing in the latter were necessary the Government would be wholly prevented from collecting its revenue."*

On this question the Supreme Court years ago recorded its opinion as follows:

"It is due to the merchants and others who give such information that their statements shall be taken in the presence of official persons only. It must often occur that persons in possession of facts which would be of value to the appraisers in determining market value would be deterred from appearing and testifying by publicity given to reappraisement proceedings."*

Such was some of the testimony of men having actual experience with the workings of the administrative law and such the opinion of the Supreme Court; yet this commission (composed of three men), with the Secretary of State and the President, whose combined practical experience can not be compared with that of the general appraisers, calmly ignore these opinions and as calmly proceed to denounce the law and the regulations which embody the experience of years in the battle to prevent frauds on the federal revenue. Compare the chairman's sweeping statement with the following, made after several months of experience with the open hearings, by the general appraisers' chairman, who says:

"Witnesses deemed material by the Government in establishing proper market value have declined absolutely to appear before the board in open session and give their testimony, on the ground that important trade secrets and other information which is considered undesirable to give competitors would be brought out on cross-examination by the protestant's attorney. So acute has this situation become during the last five months that in some instances the board has been obliged to ask material witnesses for the Government to submit their testimony in writing. This testimony has been shown to the importer and his attorney in specific cases, but with the identity of the informant cut from the letter heads on which the testimony was written. Only in this way was it possible to obtain the desired information. On other occasions so strong has been the aversion of importers and domestic manufacturers and their representatives to appear at "open hearings" that the Government has been obliged to go without testimony of any kind, thereby practically permitting the case to go by default in favor of the importer whose goods were under consideration."

Chairman North scoffs at the idea that witnesses will refuse to testify unless permitted to do so privately, being deterred by the fear that trade secrets of importance will be drawn from them on cross-examination; but when the Germans demanded that section 8 of the law should be modified by new regulations he joined his fellow-commissioners in writing in their report that "the statements of cost required by the act require the expenditure of a great deal of time and energy on the part of German importers; they contemplate the divulgence of trade secrets of the utmost importance and value to the manufacturer, and they are only of importance to the appraisers of merchandise. We therefore agreed to recommend that the consular regulations be so amended that the statements * * * need not be exacted except upon the request of the appraiser of the port after entry of the goods."*

Great consideration is shown for the German exporters who have to expend "much time and energy in the preparation of statements of cost, which contemplate the divulgence of trade secrets." But when witnesses are needed in this country to make out a case for the Government they must testify at open hearings, although by their testimony they may be obliged to divulge trade secrets of the "utmost importance" to them. Where does the consistency of this concession come in? It is beyond our ken, and must be credited as one of those advantages, which are so many, we are told, but which have not yet been discovered by those who have studied the terms of this agreement.

Another member of the board, who believes in liberality in the administration of customs, after his experience since July last, says:

"I believe that open hearings will never be an absolute success, although in some circumstances they may be practicable. The truth seems to be that where little or no competition exists between foreign goods and American productions open hearings may be had with considerable success, but that in cases where commercial rivalry between the United States and the foreign country is concerned the open hearings fall to the ground."

The writer does not pretend to say who is right in this matter, the chairman of the commission to Germany or the men who see the workings of the new regulations at close range. We simply record the facts.

The President, in his last annual message to Congress, joins in the clamor against the administration of the law, saying, "Under our practice as I found it to exist in this case the abuse had become gross and discreditable." Yet at a time when the German agents and their sympathizers and all enemies of the protective tariff were leaving no stone unturned to secure the concessions for which they had striven for years, it is rather remarkable, if the abuses under the law had become "gross and discreditable," as the President says, or the conditions had become "intolerable," as Mr. Smith described them, that not a single purchasing importer appeared in person before the Committee on Ways and Means to enter a vigorous and indignant protest against these abuses and conditions. It is true that many merchants signed the petition approving the amendments suggested by the New York Merchants' Association; but of the New York merchants favoring them, Secretary Shaw said that at least "two-thirds were engaged in the consignment business."* At the same time he quoted the representative of Marshall Field & Co.* as telling him that "they (the firm) had no more fears of the penalties of the customs law than they had fear of the penalties against murder or arson."

Can not the gentlemen responsible for the agreement be fairly likened to a man who, ill almost to death, seeks an eminent physician or surgeon and refuses to take his advice, or of a client who, in serious legal difficulties, employs a skillful attorney and refuses to follow his counsel?

A CASE OF MISCONCEPTION.

Mr. North inveighs further against the closed hearing in reappraisement cases, declaring that "a man may be deprived of his property and goods without due process of law, as that phrase has come to be otherwise universally understood in this country—i. e., without the privilege of knowing on whose evidence he is * * * penalized or what the character of that evidence is and without the right of cross-examination."

He has great horror of admitting any evidence without giving the importer the right of cross-examination; yet he and his fellow-commissioners agree that certificates of German chambers of commerce are to be admitted as competent evidence, although no chance to cross-examine the officials who sign the certificates can ever be obtained for those who protest against the value put upon the importation for which the certificate may be given.

Evidently he has read with close attention the argument (put in the form of questions) by Mr. Cockran in the hearing before the Committee on Ways and Means. Apparently he was greatly impressed thereby, for he has adopted the phrase of that voluble, gifted man. Yet he has qualified Mr. Cockran's use of the constitutional phrase "without due process of law" and construed its meaning in a way not contemplated by the expounders of that document. He can not be very familiar with the methods of appraising values of real estate, or he would not have assumed the untenable position of demanding that the right of cross-examination should be given importers in cases where a valuation is made of the importation. Let us repeat what we have once said, that the appraisements are not a proceeding, judicial in character, where the officers sit as judges and render decisions according to the preponderance of testimony produced, but they are simply an ascertainment of value. In few, if any, States has the owner of real estate the right to be heard in the first instance when his property is assessed; nor has he the chance to present witnesses or cross-examine the assessor, either there or on appeal. This summary method is adopted because otherwise it would be impossible for taxes to be levied and collected within a reasonable time. But in appraisement and reappraisement cases the importer has the right to appear himself and produce witnesses, together with the right of appeal from the decision of the appraiser to one general appraiser and from his decision to a board of three general appraisers, "a method," General Appraiser De Vries says* (if compared with the laws of any State in the Union or with the procedure in any other nation), "under which there are greater opportunities offered for the purpose of determining the taxable value of property than under any other."

THE SUPREME COURT HAS APPROVED OUR METHOD.

In a decision respecting the question of dutiable value of merchandise, the Supreme Court has well said:

"We are of opinion that under the statute the question of dutiable value of merchandise is not to be tried before the appraisers as if it were an issue in a judicial tribunal. Such is not the intention of the statute, and the practice has been to the contrary from the earliest history of the Government. No government could collect its revenues or perform its necessary functions if the system contended for by the plaintiffs were to prevail."*

THE OBJECTING COUNTRY HAS AN ARBITRARY SYSTEM.

Secretary Shaw, in his testimony to the Committee on Ways and Means, declared* that in Europe (he was speaking of Germany and France)—

"they have no reappraisement proceedings. It is a military system. A little company of soldiers with side arms stands on the dock. They look at your merchandise and do not tell you what it is worth, but mark what it is worth, pass it over to the cashier, and you pay it.

"If you complain enough they will go inside, see a man there, and talk with him. They come out, write their decision, pass it over, and that settles it. There is no appeal and there is no reappraisement."

If this description of the procedure in the country objecting to our law and practice is correct (and we have no reason to question its accuracy), which follows the "star-chamber" method and which the enlightened, liberal one?

* See Hearings before Committee on Ways and Means, House of Representatives, 58 Cong., 1st sess., p. 19.
* Ibid., p. 36.
* Ibid., p. 47.
* See message of the President to Congress, Jan. 22, 1908, p. 28.

* Ways and Means Hearings, 1906, p. 20.
* Ibid., p. 29.
* Ibid., p. 43.
* Ibid., p. 31.

WAS A TARIFF WAR LIKELY?

As a justification of this temporary agreement, a studied effort has been made to alarm the American public by proclaiming that if it had not been concluded, "the exports of American manufactured goods to Germany," as Mr. North states it, "would have been greatly reduced after July 1. This because on that date these exports would have become subject to the maximum duties which Germany universally applies to goods from all countries which fail to extend to her a corresponding equivalent for her minimum or conventional duties which are reserved for nations who consent to negotiate treaties carrying equivalent concessions or granting 'most-favored-nation' treatment."

The President, in his message to Congress, wrote: "Deeming it my duty to make every possible effort to prevent a tariff war between the United States and Germany * * * I sent to Berlin a commission."*

Mr. North writes that "the German agreement was negotiated by Secretary Root with the cordial approval of President Roosevelt, because they both believe that it will prevent a commercial war with Germany." The daily press was printing news items and editorials headed, "Our last chance with Germany," while a free-trade writer in the Journal of Political Economy, discussing "Reciprocity with Germany," in an article printed after the agreement was concluded, said: "It was plain that tariff warfare of unusual severity and extent was within the range of immediate possibility."

Was there real danger of tariff warfare "of unusual severity?" Before submitting some facts bearing on that question, let us quote a few extracts from a paper entitled "The tariff and the export trade of the United States,"* read before the American Academy of Political and Social Science in January, 1904:

"There was much talk in Europe and some fear in this country of a combination against the United States among European countries for retaliatory legislation for the exclusion of American-made products from these countries, on the ground that their own products are excluded from the United States by customs rates which are practically prohibitive in direct competition with American-made goods of the same general character.

"Fear has been expressed that the United States will ultimately find the great manufacturing nations of the world united in trade leagues against us. I can not share in this apprehension. * * * The whole course of the foreign commerce of the United States under a protective tariff justifies the conclusion that retaliatory legislation need not be feared, and that high duties on foreign products entering this country do not interfere in any perceptible degree or measurable manner with the outflow of American-made products. * * *

"So far as our agricultural products are concerned, the question of the influence of the tariff upon the export trade in them is hardly worth considering. The world takes our foodstuffs—as much of them as we can spare ourselves—because it can not get along without them. It takes our raw cotton because it has no other source of supply that can meet its demands, either in quantity or quality. It takes our meat products and lumber products because they are better and cheaper than it can get elsewhere."

CONDITIONS IN GERMANY DID NOT WARRANT A TARIFF WAR.

But it may be replied that Germany intended to apply her maximum rates to United States exports after July 1, 1907. Grant that there appeared to be some danger of her doing so, we answer by asking a question: Was she in a condition to take such action, and if taken, how long would she have continued that attitude? For an answer let us examine for a moment German conditions at the time of or shortly after the negotiation of this agreement.

In an article based on one contained in the semiofficial Continental Correspondence, treating of Germany's trade with America, the Literary Digest for October 26, 1907, says:

"In its effort to gain tariff modifications from the United States the Berlin Government has been urged on by the German manufacturers, who want our tariff bars lowered so they can sell more goods here. The German agrarians second this effort with the suggestion that if we do not capitulate, Germany should retaliate by raising its own tariff bars against American products. This is just what it can not very well do, however, for Germany must have our grain and meats, and to raise the tariff on these supplies, while enriching the agrarian landowners, would be to raise the cost of living in Germany—and that is what makes socialists. So the Government is letting well enough alone, and assuring the tariff complainants that they are doing splendidly and don't need any help.

"The tariff on imports into the United States imposed by law some ten years ago has not, according to the Continental Correspondence, interfered in any way with the sale of German goods in the United States. Of the increase in the German importations into this country this organ remarks:

"'In every respect the fiscal year ending in 1907 shows record figures. The value of German wares imported into the United States reached the amount of $161,500,000, while Germany bought $240,000,000 worth of American goods. That shows an excess of 50 per cent on the side of Germany's purchases, and seems at the first glance very disadvantageous for the fatherland; but we find that seven years ago this excess amounted to 90 per cent, and in 1898 even to 130 per cent of Germany's exports into the United States. In proportion, at least, the German balance of trade shows a considerable improvement. If we limit our attention to the increase in the last two years, we find even absolutely the same figures. Germany got in 1907 American goods of $43,000,000 value more than in 1905; and by the same amount of $43,000,000 we find the German imports into the United States higher in 1907 than in 1905. Now, if we go into details, we notice that among the American goods imported into Germany cotton is principally responsible for the increase. On account of the large demand of the German spinning mills and the higher prices, the United States increased their sales of raw cotton to Germany within two years by not less than $34,000,000, so that the cotton imported into Germany accounts for 80 per cent of this very remarkable increase.'"

"When we come to ask the proportion between the exports and imports of the United States and Germany, this writer tells us that while German exports to the United States are less than those of the United States to Germany in regard to raw materials, the contrary is the case when we calculate the interchange of manufactured articles. America exported to Germany $90,600,000 worth of such goods for the year ending 1907, but imported from Germany manufactured goods to the amount of $147,000,000."

Germany's era of prosperity, according to careful observers, was showing signs of waning; and if the conditions set forth in the following quotations were accurate, surely Germany was in no condition to engage in a tariff war with any country, much less the United States. The London Standard, perhaps not a friendly authority, said of the German period of remarkable commercial prosperity:

"The same unmistakable tendency toward a diminution of prosperity is noticeable in practically all the other German industries, which in the near future will be affected by the same wave of bad fortune. This termination of the unparalleled period of industrial success which Germany has now been enjoying for several years has long since been foreseen on the German bourses, so that capitalists whose money was invested in industrial undertakings have had time to make adequate preparations for the approaching depression."

Even German papers recognized the trend of affairs, as the following extract from the commercial columns of the National Zeitung (Berlin), printed during the very month when those threatened maximum duties were to be applied to American exports, will show. It said:

"'The period of great prosperity is at an end. The Düsseldorf Iron and Steel Exchange, by the laconic bulletin it has recently issued, puts this fact beyond all doubt, and stamps with official authority all the forebodings as to an approaching decline in German industrial prosperity. The Düsseldorf Iron and Steel Exchange was the last quarter from which we should have looked for this frank avowal of its commercial decline. The reports hitherto issued have declared that the wave of industrial prosperity was permanent and the iron market was a fixed reality. But all concealment is now at an end. It is admitted, even by this authority, that the future is uncertain, and that the period of great prosperity, which has lasted for five years, comes to a close in 1907.

That these opinions were not without foundation is shown by a news item from Berlin under date of December 4, 1907, respecting the many immigrants returning from the United States and the alarm felt lest they would "entirely glut" the already overcrowded labor market in Germany. It said:

"Labor organizations are greatly troubled over the prospect of an influx at a time when the question of employment is acutely difficult. Commodities, even the barest necessities, are rising to almost famine prices. It was stated at a meeting of the municipal council of Schoeneberg, a suburb of Berlin, last night that there were 30,000 skilled and 35,000 unskilled workmen idle in Berlin alone. A proportionate number are idle in other industrial centers and in the farming regions. The trades unions have already been compelled to cut in half their doles to the unemployed. Similar conditions prevail in Austria, to which country more American emigrants have returned in a fortnight than departed. The prices of food are rising."*

FRIENDS OF GERMANY AVER THERE WAS NO DANGER OF SUCH WAR.

Even if conditions had been better in Germany than as above described, it is plain from the following views that the fear of a tariff war was much magnified, if, in fact, there was any basis for it at all.

A commercial paper which loses no chance to attack the protective system, and which has been the chief mouthpiece for German representatives and the German cause, in an editorial said: "Neither the manufacturers of Germany nor their workmen could afford to dispense with the raw material and the foodstuffs which they have been accustomed to buy from the United States."

In a recent article Herr Max Goldberger, a privy councilor of the German Imperial Government, said: "Serious men in both countries do not for a moment think that Germany and the United States will wage industrial war upon each other. Germany and the United States must compete with each other in peaceful fashion, for each is an excellent customer of the other, whose trade, if withdrawn, would inflict immediate and serious injury."

If these maximum rates had been imposed July 1, as threatened, how long would they have been enforced in the face of such conditions? Even under normal conditions, Germany could not have afforded to take part in a tariff war with the United States, and we believe she had no intention of so doing.

GERMANY IS NOT A SELF-SUFFICING NATION.

Germany's population is increasing at the rate of 1 per cent a year, a rate exceeded by that of the United States only, the productive capacity of her agriculture being totally inadequate to supply her increasing needs. Nor can she secure sufficient foodstuffs from the several countries with which she has concluded treaties of reciprocity to fill her wants. Austria, Hungary, and Italy need their own products to maintain their population, and Russia, whence Germany has drawn heretofore a portion of her supplies, is in no condition to support her starving peasants and her industrial workers, much less to send increased exports to Germany to supply any deficiency in her crops or decreased importations from the United States, if you please, granting full weight to the extreme statements of those who regarded the imposition of the maximum duties to American products as imminent.

With the Empire unable to provide food for the rapidly increasing numbers of her artisans, save by importing supplies from this country, with the cost of living increasing at an alarming rate, with the industrial prosperity receding and the necessity of keeping the industries of the country in position to furnish work for these same artisans, were the extreme statements of those who professed a fear that Germany's maximum duties would be applied to American exports justified? Under the conditions existing, would a wise government—and we presume it will be conceded that the German Government is wise—have taken the threatened step? And if taken, how long could the industrial captains have resisted the demand for higher wages which, in view of the greater cost of living, would surely have been made? How long, with the increased cost of production, could the manufacturers have enlarged the export of manufactures which must be sent abroad to pay for imports? The trade relations of the two countries have been examined so frequently and so analytically

* See annual message to Congress, p. 59.
* Pp. 1, 2, and 3 of pamphlet reprint.

* The foregoing statements are enforced by the following item from a recent number of the London Economist:

"The signs of business decline in Germany are multiplying and are growing visibly more serious. The most significant index to the situation, perhaps, is to be found in the report of the Steel Works Association for December, which was issued several days ago. It shows a surprisingly heavy shrinkage of business in steel material for further manufacture and in structural forms. A steady decline in the employment of labor is another most significant phenomenon of the day."

that it is unnecessary at this time for us to do more than remark that the exports of Germany to the United States are nearly all manufactures—which have been increasing under our present tariff and the customs administrative law, some portions of which have been so strenuously denounced by the President and Chairman North—while the exports of this country to Germany are nearly all raw materials for German manufactures or food products, such as flour, corn meal, biscuits, oils, oleomargarine, and lard, classified by the census as products of manufacture. It is sufficient to ask whether Germany could have got along as well without our exports as we could without hers in case worst had come to worst and a tariff war had been declared, which few now think would have been done.

CERTIFICATES OF VALUE BY CHAMBERS OF COMMERCE.

Mr. North lays much emphasis on the great point gained by the American commission when the Germans agreed that German chambers of commerce in the district where the goods originate shall grant certificates which will officially guarantee the correctness of the "export price" given in the invoice. These certificates are to be accepted as "competent" (not necessarily conclusive) evidence by the customs officers and the general appraisers—a protection against individual fraud, which, he writes, "has never heretofore existed." It is hardly possible to think of the German exporter actually fighting for a chance to protect us against individual fraud and even urging the Government to go to the length of threatening a tariff war to gain that privilege.

HOW THE GERMAN EXPORTER VIEWS OUR LAWS AND PROCEDURE.

A different feeling on the part of the German exporter is shown by the following quotations from the speech made behind closed doors by the chairman of a commercial gathering in Berlin in October, 1905. These were all available to the commission before their departure from this country on their mission. How kindly disposed this eminent person (Secretary Shaw vouched for his prominence) was to assist the United States officials to get correct values can easily be seen. Complaining of the administration of the tariff law "in which is concealed the power and purpose to make entry of certain competing articles as difficult as possible," he declared that "the United States Government agents resort to the meanest and smallest measures." Then, citing specified complaints, he said:

"The first of these is the certification of the invoices by consular officers stationed in various districts of the Empire; second, the investigation by customs officials as to the correctness of statements in the invoices which have not the force or effect of an oath in the German Empire; third, the reexamination in cases where there is reason to doubt values by agents of their Treasury Department; and, fourth, of the high penalties for undervaluations."

Treating of market value, he remarked:

"Market value, as defined under American law, is the wholesale price at the time of export, and our trouble lies in having two sets of prices, one for export and the other for home trade. We have to resort to a division of shipments under the so-called '$100 clause' to keep our matters secret, save fees, and avoid control on that side."

In speaking of declarations in the invoices "compelling all sorts of statements as to how goods were obtained, * * * values in detail," etc., he continued:

"These things all lead to abuse, and we are promised that the means of gaining information through American consuls and agents will be shut off. Our boards of trade are fully awake to the dangers that surround us, and in making every effort to close the doors against this abuse they are hoping for the whole support of the Government.

"Experience has taught that the workings of paragraph 8 of the Dingley tariff have not fulfilled the purpose for which it was enacted, but, on the contrary, the information gained under this regulation consuming centers of production has been so defective that in many cases it has been misleading, because through the prudence of our officials we have taken care that investigations of this character shall throw little light upon the actual value of their consignments.

"In many cases trouble has been avoided by having invoices consulated remote from districts in which the goods are manufactured, but we must follow up this whole question as to the rights of consular or other officers to pry into our business, * * * and in this we are assured of the cordial support of our Government. Such treatment on the part of American officials and the cause for it is plain, and now that concessions must be made by the American Government, if we stand together firmly as a body, aided and supported by our boards of trade, we can bring about a change that will be of untold benefit to our American export trade."

These men or their predecessors, undervaluers for twenty years or more, have not regarded it and do not now regard it as improper to deprive our Treasury of the tariff duties as written in the statute books of the Nation. They have not hesitated to act on the advice, freely and unblushingly given in their trade journals and by their prominent spokesmen, to conspire to evade, by all means possible, the laws of this country. If the results are to be what Mr. North says they will be, and what all interested in honest dealings and obedience to the law wish them to be, one can not help but wonder at the universal and exceptional anxiety of these German consigning exporters for an agreement making it well-nigh impossible for them to escape the rigors of the law they have been antagonizing for many years. It is marvelous that these men, convicted decades ago by unbiased investigating committees of gross undervaluations (which, Mr. North impliedly admits, are still committed, but which, he argues, will be stopped by the new agreement), should urge their Government to the point of demanding an agreement which will deprive them of their illicit gains.

THIS SEEMS TO BE AN ANOMALY.

Imagine men holding such views, demanding a "change which will be of untold benefit to the American export trade," fighting for a chance to protect their Government against fraud! Fancy chambers of commerce, "fully awake to the dangers surrounding them," and through whose "officials the German consignors have taken care that "investigations should throw little light" upon the actual value of their consignments, consumed with a burning desire to act as a protection against individual fraud upon the revenues of the United States! It is difficult to understand how the composite honesty and integrity of them "quasi official," "semiofficial" chambers of commerce can be much, if any, higher than the average honesty of the average member, when, if the extract quoted represents his feeling, was not strongly in favor of regulations providing for control on this side. If the concessions made (corresponding closely as they do with the specifications set out in the various reports we have quoted) are to put a stop to individual fraud, or are to be seen as a protection against it, one does not readily understand the reason for Germany's alleged belligerent position.

If these chambers of commerce are to furnish evidence of absolutely correct values; if the values are to have the stamp of official approval, why did the commission provide that their certificates should be only "competent" (not necessarily conclusive) "evidence?" That provision shows either that the Germans did not understand the distinction between competent and conclusive or that the certificates of these chambers of commerce were not expected to be what Mr. North writes they will be—"the guaranty not merely of the chamber, but of the Government itself." He adds, "If they (the accredited special agents) have reason to question the accuracy of a chamber of commerce" over which the Imperial Government exercises the minutest supervision and of which Government the chamber is a part—"if they have reason to question the accuracy of a chamber of commerce certificate, they will have the right to ask that it be verified." If this official chamber, a "part of that Government," gives an inaccurate certificate, the agents will have a right to have the other part of the Government verify it. We dissent strongly from this idea of the efficacy of these certificates. In our view the provision, as worded, will do no harm to domestic interests so long as the appraisers follow the directions given them by Assistant Secretary Reynolds, of the Treasury, that "the United States did not mean to acknowledge foreign chambers of commerce as final authority in fixing export values. Their opinion is to be taken merely as evidence competent to be considered by the appraisers in their examination of commodities." This advice they have since followed, having thrown aside such certificates as of little value, if any, in determining questions before them. But if the certificates of these official bodies, "part of the Government," are to be treated with such lack of consideration (and the commission must have known they would be if they were not to be accepted as "conclusive"), why was such a chance given for misunderstanding and cause for complaint in the future? If the "backdoor" operations of the special agents were to be stopped for our benefit, although their methods were distasteful to Germany, why was this loose provision inserted? For it will be difficult to avoid unpleasantness with the German Government if its certificates are to be accepted as of no more worth than the testimony of any merchant witness. The commissioners can not now claim that they did not comprehend the exact status of these chambers of commerce, for Mr. North asserts "they are part of the Government" and argues that the chambers would not think of issuing false certificates of value. Instead of clearing away causes of discontent, the commissioners by this stipulation have added fuel to the flames.

WHAT ARE GERMAN CHAMBERS OF COMMERCE?

Officials differ so radically in their statements as to their character that after each utterance the mystery deepens. The President says the German chambers of commerce are "quasi official;" Secretary Straus says they are "semiofficial;" Mr. North says they are "part of the Government," while Commissioner Stone, "tariff expert of the Department of Commerce and Labor," differs radically from his fellow-commissioner as to the function of the chambers and agrees with Secretary Straus as to their status, for he says:[a]

"The chambers of commerce are semiofficial bodies whose functions and activities are strictly regulated by law. They are representative bodies consisting of men elected by the manufacturers and wholesale dealers in each district. Membership in the constituent body of the chamber of commerce is compulsory, and whether a business man takes part in the election of representative members of the organization or not he is required to contribute his share to cover its expenses. * * * The chambers of commerce serve as the medium through which confidential information as to trade openings abroad is communicated to manufacturers and exporters. It is to these bodies that German business men resort whenever they have any grievances to which they desire to call the attention of the Government. The chambers are especially valuable to the Government as sources of information which comes directly from the business interests involved."

Which does not support the statement that they are "part of the Government," and the inquirer is embarrassed by the conflicting and contradictory statements of the two commissioners.

If the chambers of commerce are "part of the Government," which we doubt, then the commission, instead of allaying antagonisms and irritations which were said to exist, increased the opportunities for such irritations and misunderstandings. If they are not "part of the Government," which we believe, the provision that their certificates should be merely competent evidence was not improper; for it is inconceivable that anyone would agree to permit men, chosen by foreign manufacturers and wholesale dealers, to be the final authority in fixing export values. This provision seems to be harmful when the language is strictly construed, but difficulties will be encountered if Mr. North's explanation of its meaning is accepted, and we do not wonder that there is some dissatisfaction over it in Germany.

THESE PROVISIONS ARE CONTRADICTORY.

Mr. North contends that "opportunities for the special Treasury agents to obtain evidence of undervaluations have not been lessened by the agreement that they shall be accredited to the German Government, but, on the contrary, their power and authority in this respect have been enormously strengthened and increased," this provision, in his opinion, being "another long step in the direction of the prevention of undervaluation"—more effective than any law Congress can pass for that purpose. "Instead of getting information by the back door, as heretofore, they will enter and leave by the front door. I anticipate that they will be given every facility to find out that the German people, as a rule, are just as honest and as high-minded in their commercial transactions as are the American people."[b]

But the question arises, Why must provision be made for special agents, if the certificates of these chambers of commerce are to be official guaranties by a "part of the Government" of "the correct and honest price?"

Think of the necessity of providing that "these officers sent abroad," as ex-Assistant Secretary Hamlin has well said, "to examine suspected undervaluation schemes shall be persona grata to the very persons they are sent to investigate, and that they shall be recalled whenever their presence ceases to be agreeable to the exporters!"

If under this agreement we are to have valuations never so honest and accurate, why did the President promise to urge Congress to amend the law (which he has since done) to provide for a 10 per cent undervaluation, without penalty? Why the necessity for this provision, if the value of merchandise imported from Germany is to be surely ascertained and knowledge of such valuation is to become "world-wide?" Why give this demoralizing privilege to a class of men who have been taught that it is not only not immoral, but not even "incorrect," to undervalue German goods for the purpose of entry into American ports, and who became notorious for their frauds upon the revenue complained of so bitterly in the eighties?

Consider these two contradictory provisions of this agreement and tell us, if the true value is to be so certified, why a right to undervalue up to 10 per cent must be written in the law. Think of providing that the German chambers of commerce shall certify "the true values" of exports, and the President promising to recommend an amendment to existing law that will permit undervaluations up to at least 10 per cent without penalty.

ABUSE OF SPECIAL AGENTS—THEIR WORK IN THE PAST YEAR.

These special agents, through whose indefatigable efforts much smuggling and many irregularities against our laws have been unearthed and prevented, come in for an additional "fling" from the President, who characterizes them as "detectives," whose employment, "though often necessary, tends toward abuse." It may not be necessary to employ special agents at all, as far as our actual knowledge of this service goes, but it is hardly to be expected that a body of men like the chairman of the Berlin meeting, whom we have quoted, will fall over one another in their efforts to furnish information to those officials, now that they must be persona grata to the German Government. They may do so; but we have a suspicion that, in the future as in the past, through the prudence of their officials, investigations will throw "little light upon the actual value of their consignments." That there is still need for the services of these men who "get their information by the back door" may be gathered from the recent report of the Secretary of the Treasury, who, after nine months' experience in his position, wrote to Congress:[a]

"Special agents of the department have been actively and effectively employed during the last fiscal year in the prevention and detection of frauds on the customs revenue through undervaluation and irregular classification, as well as in the suppression of smuggling. They have cooperated with collectors of customs and appraising officers in all parts of the country and with the Board of General Appraisers, submitting information as to values. In many instances it is due to their efforts and their information that advances in value have been made by the appraising officers and such advances sustained when the cases came for final decision before the Board of General Appraisers. In the aggregate these advances have been large and the revenue from customs much increased thereby."

DID THE PRESIDENT EXCEED HIS POWERS?

While the agreement concerning the open hearing was misapprehended, there was still greater "misunderstanding" not only on this side, but by the Germans also, concerning section A, defining market value and construing provisions of section 19 of the customs administrative act. The agreement provides that the "export price" shall constitute market value where the goods in question are made wholly for export and not sold at home "in the usual wholesale quantities packed ready for shipment to the United States."

It has been claimed that this clause of the agreement alters not only the Treasury regulations, but the existing law. If that be true, then the President had no right to alter the law without the consent of Congress. In answer to this objection the President says that the method adopted for determining the actual market value of goods is in accordance "with what I am advised to be the true construction of the law."[b] Mr. North says that this interpretation of section 19 was submitted to the Attorney-General and by him decided "to be wholly within the letter of the law. Those who contend otherwise can not have carefully read section 19."

Without entering into an examination of the sections involved or making an argument against the right contended for, it will be sufficient to quote the opinions of several good lawyers in opposition to the construction insisted upon by Mr. North. The mere fact that in the opinion of the Attorney-General this interpretation of section 19 is "wholly within the letter of the law" does not make it so. Attorneys-General have been known to be wrong in the past in their views of the law, and it is within the range of possibilities that the present incumbent may be mistaken; for he is not so great a lawyer as to inspire the utmost confidence in the finality of his construction of any legal question. It was perfectly proper for the President and the commissioners to be guided by the opinion of their legal adviser; but it does not follow that all who dissent must accept his view of the law. It may excuse the commissioners for negotiating the agreement and the President for approving it, but it is not necessarily conclusive as to the correctness of the construction.

While the Attorney-General advises that the President had the right to make the alteration complained of, the Hon. Charles S. Hamlin, one-time Assistant Secretary of the Treasury under the Cleveland administration, and an attorney having quite as good professional standing in Boston as the Attorney-General had in Baltimore, dissents vigorously from that view, calls the President's action unconstitutional, and declares that he has "repealed some of the most important parts of the act of Congress known as the 'customs administrative act,' which for about seventeen years has been a portion of the law of the land."

The Hon. John S. Wise, a reputable lawyer of the New York bar, and a man of undoubted ability, has given the following opinion respecting the President's right to do what he has done. Mr. Wise says:

"By the third section of the Dingley Act power was undoubtedly granted to the President to enter into negotiations with foreign governments exporting the enumerated articles to the United States, with a view to the arrangement of commercial agreements, in which reciprocal and equivalent concessions may be secured, etc. And it was further declared that, whenever such government should enter into a commercial agreement with the United States, etc., which in the judgment of the President, should be reciprocal and equivalent, he was authorized and empowered to suspend, during the time of such agreement, by proclamation to that effect, the imposition and collection of the duties mentioned in the act on such articles, and thereupon and thereafter the duties levied, collected, and paid upon such articles were to be as described in section 3, at the alternative rate mentioned in section 3.

"That was the whole power of the President. There is not a word in the act authorizing him to make any agreement with any government concerning the method by which the valuations on the imported articles were to be ascertained as a basis for levying the duty.

[a] See pamphlet entitled "Promotion of Foreign Commerce in Europe and the United States," by N. I. Stone, p. 14.

[a] See Report, p. 53.

[b] See annual message to Congress, p. 61.

"The commercial agreement entered into by the President on behalf of the United States with Germany does something more than agree upon the alternative and reduced tariff rates of duty.

"Article 2 expressly adopts, as part of and consideration for the agreement, an undertaking to assume by the President, on behalf of the United States, certain modifications of the customs and consular regulations set forth in the annexed diplomatic note. That diplomatic note (Par. A), which is to be read in the agreement as part of it, provides that whenever goods, etc., sold wholly for export can not be valued on the basis mentioned in section 19 of the customs administrative act, another rule of valuation shall be substituted to ascertain the market value, to wit: That 'market value shall be construed to mean the export price.' The export price must, in the nature of the case, be the price at which the goods are invoiced to their consignee in the United States. It must be an arbitrary sum. It would not be a price unless it was a fixed figure. It is fixed by a mutual agreement between vendor and vendee. It leaves nothing to be ascertained but the fact of price fixed upon, and is compulsory upon the government agents in assessing the tariff duty.

"Had the President a right to do this? There is nothing in the third section of the tariff act extending his powers to any such subject. His power was exhausted under the guaranty of the third section when he fixed the alternative rate by the commercial agreement. If any power to adopt this arbitrary basis of market value existed anywhere, it was in the Secretary of the Treasury under his power to make treasury regulations. If the regulation he made was valid, the commercial agreement could carry it out. If it was invalid, the commercial agreement could not validate it.

"It seems to me that neither the Secretary of the Treasury nor the Secretary of State nor the President had any authority to determine or to instruct their subordinates to construe the act so that the export price should determine the market value.

"The eleventh section of the customs administrative act, as amended by section 32 of the act of July 24, 1907, prescribes a method of ascertaining and determining the market value where the conditions named in section 19 fail, which seems to me to be complete and exclusive of any other method. It seems to me that this construction, agreed upon by this commercial agreement, abrogates the legal method of ascertaining market value, as defined by section 11, repeals its provision, and substitutes a new and inconsistent method of ascertaining market value for the complete method supplied by section 11.

"This action falls within a rule long recognized and repeatedly adjudicated, that no action of any department of the Government which in effect repeals an existing law and substitutes something else for it is legal. If I am correct, so much of the commercial agreement as adopts this rule is illegal, null, and void.

"If this rule to ascertain market value is to stand, it would seem to take away from the general appraisers all the powers conferred upon them by section 16 of the customs administrative act.

"The question reduced to its last analysis is:

"1. Had the President a right to make this commercial agreement?

"To that I answer 'yes.'

"2. In doing so, had he the right to alter a mode of appraisement applicable to all imported goods, whether they come in under commercial agreements or not, prescribed by sections 19 and 11 of the customs administrative act?

"To that I answer 'no.'

"Nothing is said in any law of power in the President to alter the prescribed mode of ascertaining values of goods imported. Until I am shown such, I am of opinion that in attempting to do so he has exceeded his authority."

It will be observed that Mr. North, in contending that the President when ordering the change "was wholly within the letter of the law," relies alone upon section 19; on the other hand, Mr. Wise, in reaching an opposite conclusion, bases it upon both sections 11 and 19, the former of which Mr. North ignores or overlooks.

We are not arguing for the incorrectness of the view held by the Attorney-General or for the correctness of the view of Mr. Hamlin or Mr. Wise; but it is plain that, with such divergence of opinion, all can not be right, and in our opinion there is just as much chance of the Attorney-General being wrong as the others. In view of these different opinions held by capable lawyers, we dissent strongly from Mr. North's positive statement that "the administration has agreed that hereafter it will consent to construe its customs administration law in accordance with 'its terms.'" Because the President has been so advised does not make it so, and Mr. North's position will be denied and contested until the Supreme Court decides otherwise.

IF TO OUR GREAT ADVANTAGE, WHY THE SCRAMBLE FOR LIKE PRIVILEGES?

In view of Mr. North's contention that the agreement is to be of inestimable value to the United States and of so little value to Germany, one marvels at the scramble among foreign countries to be permitted to give still more advantages to us; for soon after the German agreement became known various European powers, fearing that the concessions were exclusive, were clamoring for a chance to share in the good things Germany, in their opinion, had secured, and Secretary Root announced that they would be extended as a "free gift" to every country "which can comply with the conditions under which they were granted to Germany;" meaning, no doubt, that all countries in which chambers of commerce are "part of the government" would be extended the same concessions.

DIFFICULTIES ARISE.

England, our best customer, was soon "stirred up" over Secretary Root's further announcement that "it is impossible to accept any statement by a British chamber of commerce as evidence of value of goods exported, as is the case with the commercial bodies of Germany and France, as the latter are quasi official, while the British bodies are nonofficial." This was regarded by the British people "as a gratuitous slight and as a distinction inspired rather by a desire to hamper British trade than by a genuine belief that the valuations of the chambers could not be depended upon." A protest was made against that distinction and the President, together with the Secretary of State, seeing that it would be impossible to apply two different sets of customs regulations to the imports from different countries, reversed this ruling, and within a few days another announcement was made, this time to the effect that "certificates of invoices of shipments of British goods to America, issued by chambers of commerce, will be accepted by the Treasury officials on the same grounds as arranged in the German-American tariff agreement." And why should not the British exporters, who have never been undervaluers on the scale set by the German consigning exporters,

object to the distinction drawn against their chambers of commerce, composed surely of men of as high moral character, honesty, and integrity as are the German bodies?

WHO ARE THE PRESIDENT'S EXPERTS?

Respecting certain of our methods of administration which have been the cause of much complaint on the part of German exporters, the President, in his annual message to Congress, said: "I became satisfied that certain vicious and unjustifiable practices had grown up in our customs administration, notably the practice of determining values of imports upon detective reports, never disclosed to the persons whose interests were affected. Under our practice as I found it to exist in this case the abuse had become gross and discreditable. * * * In the judgment of the most competent experts of the Treasury Department and the Department of Commerce and Labor, it was wholly unnecessary for the due collection of the customs revenues, and the attempt to defend it merely illustrates the demoralization which naturally follows from a long-continued course of reliance upon such methods."

This tirade against "the practices which have grown up in our customs administration" is based, the President writes, upon his "investigation" and upon the judgment of experts, who, in giving this opinion, are in opposition to the majority of the general appraisers; but he vouchsafes no names, that we may know their experience and their fitness for giving such opinion and such advice. No such conclusion, as the President says he reached, can be based on the testimony of the Secretary of the Treasury or the United States officials as given to the Committee on Ways and Means in February, 1906, when they were investigating this whole question. It is to be regretted that in view of so much adverse testimony then given Congress could not have been informed who these men are that know more about the custom-house practices than the Secretary of the Treasury and the general appraisers.

THE AGREEMENT WAS MADE FIRST; INFORMATION WAS SOUGHT LATER.

Notwithstanding the confident tone of the President, a slight experience under the agreement served to show that the opinion of the office experts in Washington and the views of "the competent experts in the operation and administration of the customs tariff" were not quite equal, after all, to that of men dealing every day with importations, and in September it was deemed necessary to send abroad another commission, consisting of Assistant Secretary Reynolds, of the Treasury, and General Appraisers de Vries and Waite, charged with the duty of making a thorough investigation of export prices and market values, for, it was stated, "within the few months between July and September, it had become apparent that determined efforts were being made abroad to enter goods into this country at the export rates rather than at the regular foreign value." The whole attitude of the commission, it was also stated, "was to be that of seeking light on a subject which has been giving much trouble to the customs tribunals, with the idea of suggesting such reforms as may be deemed necessary." Addressing the members of the American Chamber of Commerce in Paris, Mr. de Vries remarked that the commission had gone "to France to study the organization of French chambers of commerce. Upon the signing of the German agreement, and after its extension to France and other countries, the Board of General Appraisers and the Treasury Department naturally desired to know the manner in which these chambers of commerce were constituted for the purpose of arriving at the weight which should be attributed by the board to the findings and certificates of these commercial bodies."

CERTIFICATES FROM OFFICIAL AND UNOFFICIAL BODIES ON AN EQUALITY.

Secretary Reynolds and his commission agreed with the British Government, according to a press dispatch, that "the board of trade shall investigate the local boards of trade and chambers of commerce and recommend those which it considers competent to undertake the work of certification." The effect of this arrangement is that these "commercial bodies," which, according to Secretary Straus, "are unofficial, very much the same as over here," have been given the same right to issue certificates of value as the German bodies which Mr. North says are "part of the Government." In view of this concession, what becomes of the effect of his assertion that the German certificates, because they are official, are to be a "protection against individual fraud which has never heretofore existed?" If the protection is secured in Germany because the certificates are given by a "part of the Government," what protection is there to be in the case of English certificates given by commercial bodies which are "unofficial, very much the same as over here?"

WAS WISDOM SHOWN IN THE NEGOTIATION?

All of which suggests the inference that the President and the Secretary of State, when they authorized the negotiation of the German agreement, did not see all the difficulties involved in the questions in dispute. If they had, it goes without saying that the President might have been more circumspect and cautious in his denunciation of the "vicious and unjustifiable practices which had grown up in our customs administration;" and the Secretary might have pictured in less glowing colors the great benefits which were to flow to us from the agreement.

The sending of the second commission to seek light after the agreement, under which the trouble arose, was signed and promulgated, reminds one of the man who locked the stable door after the horse was stolen. In our view, it would have been wiser to seek light on the troublesome subject and receive suggestions of needed reforms (if any were needed) before sending the first commission to conclude an agreement with Germany. If the first commission put "our commercial intercourse with that nation on an honorable, dignified, and self-respecting footing of international comity," why was the second commission necessary?

MISUNDERSTANDING STILL EXISTS IN GERMANY.

It seems now that the Germans insist upon an interpretation of certain sections of the agreement decidedly different from that taken by some of our officials. Mr. Ludwig Max Goldberger, a privy councilor of the German Empire, in a carefully prepared article recently published, contends that "market value" in the agreement means "export value," "the provision being valuable in that it establishes a standard." Mr. Goldberger glories in the fact that Germany is a "consigning nation;" which he regards as "a perfectly legitimate and unimpeachable business." He notices an address President Roosevelt is alleged to have made to the Textile Importers' Association, and criticises some of the statements said to have been made, declaring them to be by no means "free from recklessness and error." It is not pleasant for us to criticise the words or actions of the President, but it is much less pleasant to have the Executive accused by a representative of a foreign power of making statements "by no means free from recklessness and error."

WHAT GERMANY WISHES TO FORCE.

What Germany wishes is not a temporary agreement "attacked by strong interests in the country or one whose validity may be questioned," but a reciprocity treaty, which Herr Goldberger hopes will be permanent. This, he suggests, can be accomplished in one of two ways—either by adopting the recommendations of Mr. N. I. Stone, one of the members of the first commission, who proposes that article 3 of the Dingley law be so altered by Congress as to include a considerable number of imported articles in which states of different climate and yielding different productions have their interests centered, or (and this proposal Mr. Goldberger indorses) by modifying article 4 of the law so that without any time restriction the President may be empowered, with the assent of the Senate alone, to make reciprocity treaties upon a universal basis of 20 per cent duties. This, he declares, will not be an agreement but a "treaty which will live for a long time. Nothing short of a treaty can help us in Germany or you in the United States."

DISAPPOINTMENTS HAVE OCCURRED AND WILL OCCUR.

Since the negotiation of a reciprocity treaty has been promised Germany, it is well to discover the professions of some organizations favoring such a convention. The Bulletin of the American Reciprocal Tariff League says, "standing for adequate protection to all our industries, it (the league) believes that the time has come for the trading off of duties no longer needed in exchange for valuable trading privileges to be granted us abroad." If some industries are so strong as completely to dominate the domestic markets and require no protection, or can dispense with "duties no longer needed," what would it benefit the rivals abroad to have them traded off? If foreign powers were lured into the making of a treaty on such a basis, would they not soon realize what this Reciprocal Tariff League has found out in respect to German minimums,[a] that "the privileges granted do not enable them to export the goods?" And if the foreigners are enabled to export goods in quantities sufficient to gratify and satisfy them with the bargain made, would adequate protection be afforded all our industries? It seems plain to us that the league can not cling to its announced tenet of "adequate protection to all our industries" and at the same time "drive" for reciprocity treaties which trade off one industry for the benefit of another or some industries for the advantage of others. Trading off "duties not needed" is a snare and a delusion which is not likely to catch many victims abroad; and our experience with Germany, accepting as true the statement made by the league paper, is not calculated to make many on this side of the water believe that we made a great bargain in our first attempt with that country.

HERR GOLDBERGER OFFERS GRATUITOUS ADVICE.

Like the Austrian manufacturer from Brünn, Mr. Latzko, who advised the Committee on Ways and Means during the framing of the Wilson bill, Herr Goldberger repeats gratuitous advice given on a former occasion, which, he hopes, will not be "unpalatable to Congress." In part, he says:

"It is also my opinion that the producer himself, on calmer reflection, as soon as the years have brought hard times, which are never far off, even in countries of unlimited possibilities, will arrive at the conclusion that a steadier and sounder policy in foreign trade, such as the ever-increasing flood of industrial activity demands, can not be maintained and developed merely by framing tariff and commercial treaties valid for many years, but only by the abolition of an insecure and prohibitive protection system, which does not benefit the people in general, but only promotes to an inordinate degree the plans of a single group of men who are interested in its maintenance."

This privy councilor joins the chorus of that ignorant choir who constantly sing the refrain, "prohibitive tariff." It is amusing, coming from a German, inasmuch as the value of partly manufactured goods imported yearly into the United States exceeds by $25,000,000 the value of the same class of goods imported by Germany, while the value of wholly manufactured goods exceeds by $126,000,000 the value of those imported by Germany, and exceeds by $65,000,000 those of France and Germany combined. "Prohibitive protection system," forsooth!

It does not lie in the mouth of any German to complain of the American tariff or falsely to characterize it as "prohibitive," when, in the year 1905, Germany imported[b] not a pfennig's worth of fabrics of silk or wool, while her exports of silk fabrics were valued at $35,557,200 and her exports of wool fabrics at $66,000,600; nor a farthing's worth of clothing, while her exports were valued at $27,298,600; nor a penny's worth of aniline dyes, while her exports were valued at $23,966,600. This exclusion of foreign products in these various lines may have been due to "prohibitive" tariff rates for aught we know, or to a cost of production which was so low as to accomplish the result. Whether it is due to the one or the other, or to both, matters not; for were the markets free, what would it profit us if we found ourselves unable, by reason of greater cost of production, to compete with the highly developed German industries in their home markets? We challenge anyone to cite any similar schedule or any schedule of our tariff which produces the results in our markets that are to be found in the German figures of foreign trade for 1905.

IF EUROPEAN COUNTRIES FAIL OF ACCESS TO GERMANY'S MARKETS, COULD WE SUCCEED?

Neither Austria-Hungary, Italy, Servia, Roumania, Switzerland, Belgium, nor Russia, her continental neighbors, with which countries Germany has reciprocity treaties, nor Great Britain, the greatest exporting nation of the world, nor France, sent her a mark's worth of silk or wool fabrics in 1905 (these being the latest figures at our disposal), and there is no reason to believe that they have succeeded any better during any year since. She imported of bicycles and parts not a penny's worth, while her exports were valued at $7,092,400; of manufactures of copper, including brass, she imported none, while the value of her exports was $11,566,800; of iron and steel and manufactures thereof her exports were valued at $180,213,600, her imports of the same class being but $18,730,000, and all machinery, a portion, no doubt, being textile machinery, in the manufacture of which Germany as yet does not hold a preeminent position. The story is the same in leather and leather goods—no imports, and exports valued at $31,439,800—and the list could be extended if there were need. But enough have been given to

[a] Bulletin of the American Reciprocal Tariff League for November, 1907, p. 1.

[b] See Monthly Consular and Trade Reports, No. 317, February, 1907, p. 72.

show that if Germany's European neighbors, with the benefit of lowest rates under reciprocity treaties and with lower cost of production than the United States, failed to gain access to her markets in the classes of manufactures enumerated, surely no better results can be hoped for by us if given the minimum rates also.

NEITHER SIDE SEEMS WHOLLY PLEASED.

This temporary agreement wholly pleases neither Germany nor the editors of the American Reciprocal Tariff League Bulletin, who have said:

"Now, it is entirely true that the temporary agreement which has received the sanction of the administration is not exactly what our people want. Indeed it is far from it. * * * As a matter of fact, Germany's minimums on many of our products are too high to enable us to export the goods." "Two years ago we pointed out that these irreducible minimums on agricultural products and provisions were inserted in the German tariff at the demand of the agrarians, and that it was futile for these reciprocitarians in the United States to hope for great things from a "trade" with Germany. Now, after an agreement under which, as Secretary Root says, 96.7 per cent of our exports to Germany have the benefit of the lowest tariff rates, these insistent agitators confess that the minimums are still "too high to enable us to export the goods." Although we get so much and Germany so little from this agreement, we find that even those who vehemently favored the agreement and applauded its negotiation are now dissatisfied with the results obtained, which avail them nothing.

Compare the foregoing with the glowing announcement made by President Saunders of the league upon his recent peaceful invasion of Washington that "$75,000,000 of foreign gold will be one of the first fruits of reciprocity treaties with France and Germany." Was this intended for consumption by the credulous public, and the other to express the true feeling of disappointment entertained by the editors of the league paper? Which is to be accepted as true?

THE MOST OBJECTIONABLE FEATURES OF THE AGREEMENT.

But some of the most objectionable features of this agreement have not been touched upon thus far. We regard as the most dangerous feature of the agreement the implied promise of the President to negotiate a reciprocity treaty and his absolute promise, in the diplomatic note of Secretary Root to the German ambassador on May 2, 1907, to recommend to Congress the enactment of an amendment to section 7 of the customs administrative act of June, 1890, to provide that—

"If the appraised value of any article of imported merchandise subject to an ad valorem duty or to a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry by more than 10 per cent, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent in excess of 10 per cent that such appraised value exceeds the value declared in the entry"—

Which means that undervaluations of 10 per cent will be allowed, and the invitation will be unanimously accepted.

THE PROMISE IS AGAINST ADVICE AND EXPERIENCE.

This promise was made contrary to the advice of the chairman of the Committee on Ways and Means,[a] who, at the hearings already referred to, said: "The law of 1890 contained a provision that unless there was a difference of 10 per cent there was no penalty. We changed the law afterwards, and we did it because of the representations of the Treasury Department and of the appraisers and everybody else connected with it, that dishonest importers could take their chances on 10 per cent of fraud, because it amounted to that in relation to the revenue; and it got to be almost the universal practice of a certain class of importers to guess 10 per cent below the actual value, because it did not harm them any, as they simply had to pay duty on the real value."

REASONABLE SUGGESTIONS WERE SPURNED.

Secretary Shaw suggested to the Ways and Means Committee, as one of the "gentlemanly concessions," that the penalty be remitted in every case when the undervaluation is less than 5 per cent and the Secretary of the Treasury be given the power to remit the next 5 per cent upon the recommendation of the Board of General Appraisers—the first of which seems to be reasonable enough, perhaps, taking into consideration the diversity of opinion among experts as to values.

The amendment suggested by General Appraiser Fischer[c] provided that when the increased valuation did not exceed 5 per cent the penalty should be remitted if the general appraiser or Board of General Appraisers should certify that the increase was due to trade conditions only and was not an intentional undervaluation. This, he felt, would "protect the honest merchant and punish the other class."

But the President ignored this testimony and, in ignorance, let us say, of the iniquities practiced under the law of 1890 and previous laws, agrees to return to conditions which were intolerable.

In this day of great specialization (when no one man understands the whole of any modern business, much less the whole of all businesses) would it be wise to intrust the negotiation of a complete reciprocity treaty involving the manifold interests of our various industries to a man and his advisers who have agreed to make a recommendation such as the foregoing or a man who writes that "there must always be as a minimum a tariff which will at least make good the difference in cost of production here and abroad; that is, the difference in the labor cost here and abroad?"[d]

Who agrees with him that "cost of production" is the same thing as the "labor cost?" If only that were considered, what would become of the countless other differences, such as higher cost of materials in some lines, higher charges for fuel, higher interest charges, higher taxes, and many other items proper to be considered in reaching the "cost of production?" In this day of close trading, with large sales and small profits, these alone in this country are sufficient to spell success when they are favorable, or failure when they are unfavorable.

This ill-considered and ill-advised compact would not, we believe, have been approved by Congress. By that body it would have been viewed in an entirely impersonal way; and, in our opinion, open discussion of its provisions and promises would have condemned it to the defeat it merited. It is a conspicuous example of the difficulties and dangers to be encountered continually if the power to alter existing laws is to be lodged in the hands of one man, no matter how brilliant he may be or how pure his motives; and it is justification, if one were needed, of the opposition, long declared by this association, to reciprocity treaties and similar agreements with other nations.

[a] Bulletin American Reciprocal Tariff League for November, 1907, p. 4.

[b] See Hearings, p. 24.

[c] Ways and Means Hearings, 59th Cong., 1st sess. (1906), p. 67.

[d] See annual message, 1907, p. 14.

EXHIBIT F.

SYNOPSIS.

I. Importation by consignment and undervaluation have been complained of for nearly a century, the Hon. William H. Crawford, Secretary of the Treasury, sending a report to Congress on the subject January 19, 1818.

II. A margin of 10 per cent was allowed by the tariff laws of July 30, 1846, March 3, 1857, and June 30, 1864. Under them the importation by consignment, by which goods were entered at factory cost, thereby diminishing the duties, grew to formidable dimensions. The evils of the system were strongly pointed out by Stephen Colwell, member of the revenue commission of 1865–66.

III. In 1881, under section 2900 of the Revised Statutes, which continued the 10 per cent margin allowed by the tariff act of 1864, complaints of its evil effects became so numerous and persistent that the tariff commission of 1882 investigated the workings of the law and unanimously recommended the repeal of the section. As a substitute the commission provided for a variation of 5 per cent between the appraised and entered value.

IV. In 1884 the Hon. Charles J. Folger, Secretary of the Treasury, reported to Congress on the extensive undervaluation of imported merchandise, which worked great injury to importers refraining from such dishonest practice. He submitted a bill which withdrew all margin for undervaluation and provided drastic penalties for all discrepancy between the actual foreign value of imported merchandise and the invoice value, but it was not acted upon by Congress.

V. In 1885 an investigation of undervaluations was made under the direction of the Hon. Hugh McCulloch, Secretary of the Treasury, by three special agents of the Treasury. They reported that the general practice of undervaluation was admitted. It had been successfully practiced for so many years that nothing short of legislation, it was thought, could suppress it.

VI. The Senate Finance Committee next undertook an exhaustive examination of the evil and, in reporting in 1889 against the margin of 10 per cent permitted by section 2900 and in favor of reducing the leeway to 5 per cent, declared the intention of the change to be to prevent the present habitual practice of undervaluing.

VII. A Boston committee of merchants and manufacturers, investigating the same question in 1886, reported in favor of reducing the 10 per cent margin to 5 per cent.

VIII. Even after the creation of the Board of General Appraisers by the act of June 10, 1890, the effort to prevent undervaluations was not wholly successful, the 10 per cent margin being a factor in the failure.

IX. In 1893 the Hon. John G. Carlisle appointed a committee, of which ex-Secretary Charles S. Fairchild was chairman, to report on the workings of the administrative customs act of June 10, 1890. They reported against the 10 per cent margin allowed by it and recommended no margin whatever for difference of opinion as to values.

X. Before the Committee on Ways and Means in 1896, General Appraiser Tichenor favored a reduction of the margin for undervaluation from 10 to 5 per cent, a limit prevailing in Great Britain and on the Continent.

XI. On March 17, 1896, the House of Representatives passed an amendment to the customs administrative act abolishing all margin for undervaluation and providing for additional duties at the point where the appraised value exceeds the invoiced value, changes suggested by the Secretary of the Treasury, the Board of General Appraisers, and the commission appointed by Secretary Carlisle. No action, however, was taken by the Senate.

XII. The margin of 10 per cent was finally taken away by the law as amended in 1897, the importer being required to state the correct value.

XIII. Complaint having been made that the amended act of 1897 was too severe, in 1906, when Germany was pressing for modifications and the Committee on Ways and Means was hearing testimony, neither the Secretary of the Treasury, the general appraisers, nor any witness or bill before the committee suggested an unconditional return to the 10 per cent margin permitted by the act of June 10, 1890. Even the representative of the importers and the customs committee of the Merchants' Association of New York asked for only half that margin.

XIV. In spite of past experience under a 10 per cent margin, its condemnation by commissions, commerce experts, and Secretaries of the Treasury familiar with the wrongs committed under the privilege, the return to the old margin is recommended to Congress by the commission to Germany without furnishing a single reason for this reversal of policy.

XV. The privilege of undervaluation up to 10 per cent is especially advantageous to importers bringing into the country manufactures subject to an ad valorem duty. In cases where the statutes provide for dividing lines of value the rewards for undervaluation are most attractive, the injury done the honest importer and the domestic manufacturer is the most effective, and the loss to the federal revenue is the greatest.

XVI. Unless conclusive reasons for this retrograde step are furnished it would be unsafe and unwise to make the concession.

SHOULD THERE BE A 10 PER CENT MARGIN FOR UNDERVALUATION OF IMPORTED MERCHANDISE?—AN EXAMINATION OF THE QUESTION.

Carrying out his promise made in the diplomatic note of May 2, 1907, to the German ambassador, the President, in a special message to Congress on January 22, 1908, "earnestly recommended to the Congress the enactment into law" of an amendment to the customs administrative act to permit undervaluation of imported merchandise up to 10 per cent without the payment of additional duties for undervaluation. He added: "Besides promoting harmonious relations between the contracting parties to the agreement in question [Germany and the United States], I regard the proposed legislation as a meritorious measure for the improvement of our customs administrative act, the provisions of which are applicable to importations from all countries alike."

The changes urged by the President with which we are chiefly concerned in this investigation are to be found in section 7 of the administrative act, which, with the amendments made, would read as follows (the proposed changes being indicated by brackets for words to be stricken out and italics for those to be inserted):

"SEC. 7. That the owner, consignee, or agent of any imported merchandise [which has been actually purchased] may, at the time when he shall make and verify his written entry of such merchandise, but not afterwards, make such addition in the entry to or *such deductions from* the cost or value given in the invoice or pro forma invoice or statement in form of an invoice, which he shall produce with his entry, as in his opinion may raise or *lower* the same to the actual market value or wholesale price of such merchandise at the time of exportation to the United States, in the principal markets of the country from which the

same has been imported [but no such addition shall be made upon entry to the invoice value of any imported merchandise obtained otherwise than by actual purchase]; and the collector within whose district any merchandise may be imported, or entered, whether the same has been actually purchased or procured otherwise than by purchase, shall cause the actual market value or wholesale price of such merchandise to be appraised; and if the appraised value of any article of imported merchandise subject to an ad valorem duty or to a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry *by more than 10 per cent* there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent *in excess of 10 per cent* that such appraised value exceeds the value declared in the entry, but the additional duties shall only apply to the particular article or articles in each invoice that are so undervalued, *and shall not be imposed upon any article upon which the amount of duty imposed by law on account of the appraised value does not exceed the amount of duty that would be imposed if the appraised value did not exceed the entered value*, and shall be limited to [50] 25 per cent of the appraised value of such article or articles. Such additional duties shall [not] be construed to be penal, and *within the purview of sections 5292 and 5293, Revised Statutes, and sections 17 and 18, act June 22, 1874, and further* shall [not] be remitted, [nor payment thereof in any way avoided, except] in cases arising from [a] *unintentional or* manifest clerical error, [nor shall they be refunded] *but these duties shall not be refunded* in case of exportation of the merchandise [or on any other account,] nor shall they be subject to the benefit of drawback: *Provided*, That if the appraised value of any merchandise shall exceed the value declared in the entry by more than [50] 35 per cent, except when arising from *an unintentional* or a manifest clerical error, such entry shall be held to be presumptively fraudulent, and the collector of customs [shall] *may* seize such merchandise and proceed as in case of forfeiture for violation of the customs laws, and in any legal proceeding that may result from such seizure the undervaluation as shown by the appraisal shall be presumptive evidence of fraud, and the burden of proof shall be on the claimant to rebut the same and forfeiture shall be adjudged unless he shall rebut such presumption of fraudulent intent by sufficient evidence. The forfeiture provided for in this section shall *only* apply to [the whole of the merchandise or the value thereof in the case or package containing] the particular article or articles [in each invoice] which are undervalued: *Provided, further*, That all additional duties, penalties, or forfeitures applicable to merchandise entered by a duly certified invoice, shall be alike applicable to merchandise entered by a pro forma invoice, or statement in the form of an invoice, [and no forfeiture or disability of any kind incurred under the provisions of this section shall be remitted or mitigated by the Secretary of the Treasury.] The duty shall not, however, be assessed in any case upon an amount less than the [invoice or] entered value.

The proposal to allow a 10 per cent leeway we regard as a piece of legislation more dangerous to the business of honest importers, domestic industries, and the federal revenue than any made to Congress within the last dozen years, because if enacted into law it will turn back the wheels of progress for a quarter of a century and again grant opportunities for frauds upon the federal revenue, now needed for pressing wants, afford splendid opportunities for the immoral, if not the criminal, to flourish as the green bay tree, and drive out of the importing business the honest men engaged in it.

MR. ROOT SEES NO DANGER.

We recognize that that is a strong indictment of a recommendation made by the Secretary of State and indorsed by the President, who, we believe, would not knowingly urge or recommend any piece of legislation the effect of which would be to give the opportunities we have recorded in the foregoing paragraph. It is not based, however, on any arguments of the writer, but rests upon the testimony of numerous competent experts and conclusions reached by many committees, two commissions, and at least four Secretaries of the Treasury, together with the Board of General Appraisers, who, coming into closest contact with imported merchandise, know most intimately the evils produced by the consignment of that merchandise, and the undervaluation practiced by those who make it a business to evade the customs of this country.

The President accompanied his message with a communication from Secretary ROOT under date of January 9, 1908, in which Mr. ROOT said:

"The foregoing changes were carefully considered and approved by the representative of the Treasury Department on the American tariff commission sent to Berlin and have been unanimously recommended for adoption by the commission in its report.

"I have the honor to express the opinion that the enactment of the proposed amendment to the existing law would not only strengthen the present good understanding between the United States and Germany in respect of the commercial relations, but would promote harmonious trade relations with other powers without, at the same time, prejudicing in any way the fiscal or economic interests of the United States."

THE PURPOSE OF THIS PAPER.

It is to examine the country's experience with the undervaluation evil with which this Government has been struggling for almost a century, considering in this connection the opinion of Secretary ROOT with respect to the margin he urges, that this paper is written in the hope and full expectation that the writer can so fortify his position by quotations from various reports made by former Secretaries of the Treasury, the tariff commission of 1882, committees of the Senate and House, the testimony of custom-house officials, and the general appraisers, the chairman of the Ways and Means Committee, and the committee on customs of the Merchants' Association of New York, as to compel an admission from unbiased persons that the amendment permitting so great a margin for undervaluation would be inimical to the federal revenue, to the interests of the honest importer, the domestic manufacturer, and, in a word, to the "economic interests of the United States."

By calling the attention of our readers to the experiences of the past, and the advice of many competent men and committees who have known the frequency and extent of undervaluations under the old laws, it is our purpose to show that it would be extremely hazardous and unwise, in the light of that experience and that counsel, to return to the 10 per cent privilege for undervaluation.

This association, recognizing the difficulty in finding experts in appraisement of merchandise who will agree absolutely in their views of value, never advocated the provisions of the present law which were adopted on the advice, largely, of Treasury officials. On the contrary, in 1883, when the tariff commission of 1882 reported a bill, a leeway of 5 per cent was provided, and that provision was supported by Dr. John L. Hayes, secretary of this association, who was the chairman of the commission. In 1885, when making to the Hon. Daniel Manning, Secretary of the Treasury, recommendations for administrative tariff legislation, Doctor Hayes said: "There may be honest difference of opinion as to values. It is believed that the ordinary range of honest difference of opinion as to values will not exceed 5 per cent. No penalty should therefore be imposed when the difference does not exceed that percentage. There should be imposed a certain, though not ruinous, penalty for every experiment beyond that line, the penalty increasing in proportion to the extent of the undervaluation;" and in 1896, when the Committee on Ways and Means were giving hearings on the bill which practically became the law in 1897, the then secretary of this association, Mr. S. N. D. North, the successor of Doctor Hayes, appeared before the committee, and in suggesting that a 5 per cent leeway be given a trial, said:

"The argument in making 5 per cent the point where the additional duties shall begin was very well stated by this Boston committee when it said that by fixing the limit at 10 per cent, which was also the limit prior to the passage of the present administrative law, the law places a premium upon undervaluations below that figure. I do not think there is any escape from that conclusion. As a matter of fact, the undervaluations which the appraisers detect are generally kept below the 10 per cent point—I might almost say as a rule—simply for the purpose of avoiding encroachment beyond the penalty limit. It was the judgment of the tariff commission that a difference of 5 per cent was ample margin to allow for difference of opinion as to the value of imported articles. I see from the hearings held before this committee that Secretary Hamlin proposes that the penalty shall begin at once with any increase of appraisement over invoice value; and that it shall be 1 per cent for every 1 per cent of undervaluation, instead of 2 per cent for every 1 per cent as now. That proposition is a rather drastic one; but I believe a margin of 5 per cent is an ample margin to allow for differences of opinion, and that anything beyond 5 per cent is an invitation by the law for dishonest importers to undervalue to just 10 per cent of true value, for the purpose of getting the benefit of the avoidance of duty to that extent.

"Every importer who chooses to do so can keep within the penalty line with a margin of 5 per cent in his favor. The purpose of the law is to stop undervaluation, and the way to stop undervaluation is to stop it, and not to encourage it. If the committee will carefully consider these two propositions, I feel sure they will find in them the most effective means to stop undervaluations. It is simply a plan to go back to the original suggestion made ten or fifteen years ago after the most careful consideration by the best experts in the country at that time, and agreed upon with practical unanimity as being the proper limitations upon permissible undervaluation. We have tried the 10 per cent limit, and the universal testimony before this committee is that the 10 per cent limit has been a failure. We never tried the 5 per cent limit. Let us try that and see whether it will also be a failure."*

Fortunately, in considering this subject, we shall be wholly unembarrassed by any political or economic issues. "It is," as another has written, "purely a practical question as to the best means of remedying an evil universally admitted except by those who turn it to their own fraudulent advantages."

Fortunately again, it is not a question requiring many new arguments to be advanced by the writer, but one which has been so thoroughly investigated by competent and unbiased committees and commissions that an examination of their findings, suggestions, and arguments will throw convincing light on the question and place our conclusions on a solid foundation, against which, we believe, the assault of opponents will be directed in vain.

A CENTURY-OLD TROUBLE.

Undervaluation of imported merchandise has been a most troublesome matter for nearly a century, chiefly because ad valorem rates in our various tariffs have afforded rare opportunities for unscrupulous importers to amass ill-gotten gains and swollen fortunes without any danger of imprisonment and with little or no danger of any financial loss, if their efforts to pass importations through the custom-house at an undervaluation failed.

As early in the life of the Government as January 19, 1818, the Hon. William H. Crawford, Secretary of the Treasury, felt impelled to transmit to the Congress an elaborate report, based upon evidence, that frauds upon the revenue were committed in the importation of articles on consignment paying ad valorem duties. In that report he wrote:

"There is just reason to believe that frauds to a considerable extent have been and now are committed upon the revenue, in the importation of articles upon consignment, paying ad valorem duties."

The practice of shipping merchandise from Europe to the United States on account of the foreign shipper has greatly increased since the late peace. The immediate cause of this increase may be probably found in the general distress which at and since that epoch pervaded universally the manufacturing establishments, from whence our supply of foreign merchandise has been principally derived. The manufacturers, unable to dispose of the products of their labor in their accustomed markets, assumed the character of exporting merchants and shipped their merchandise directly to the United States, where it has been sold by their agents or consignees. In adopting this course, not only the fair profit of the manufacturer and exporting merchant is concentrated in the hands of the latter, but also the loss which the revenue sustains by invoicing the merchandise at the actual cost of the raw material and the price of the labor employed in its manufacture. Should any part of this profit not be realized, from the circumstance of the merchandise being sold in a glutted market or from any other cause, the articles reach the hands of the consumer at a rate lower than it [they] could be sold by the fair American importer. In either event the honest American merchant is driven from the competition, and in the latter the domestic manufacturer is deprived of the protection which was intended to be secured by the legislature. But independent of this evasion of the revenue laws, which, by those who practice it, may be deemed consistent with the principles of morality, a practice of a less equivocal character is known to exist in importations made by foreign merchants upon consignments. There is abundant reason to believe that it is now customary in importations of this nature to send with the merchandise an invoice considerably below the actual cost, by which the entry is made and the duties secured. Another invoice, at or above the natural cost, is forwarded to a different person, with instructions to take and sell the goods by such invoice.

* Hearings on administrative customs law before Committee on Ways and Means, January, 1896, pp. 101 and 102.

In this manner the person who enters the goods remains ignorant of the fraud to which he has been innocently made a party, and the fraudulent importer escapes with impunity. The facility with which frauds may be practiced by permitting entries to be made by persons who know nothing of the correctness of the invoices by which the duties are to be ascertained so strongly invites to the substitution of false for true invoices that the practice must necessarily become universal if suitable checks are not devised against it.

When Secretary Crawford made that report the act of March 2, 1799, section 66, then in force, was as follows:

"If any goods, wares, or merchandise of which entry shall have been made * * * shall not be invoiced according to the actual cost thereof at the place of exportation, with design to evade the duties thereupon, or any part thereof, all such goods, wares, or merchandise, or the value thereof, to be recovered of the person making entry, shall be forfeited."

Ever since that date to the present time we have had always present with us that dangerous and resourceful enemy, the undervaluer. It was, however, only within the past twenty years that legislation was secured which perceptibly decreased this nefarious business. With our imports in 1791 worth only $28,000,000, the opportunities for illegitimate gain were not to be compared with the chances offered when the total value increased to $692,000,000 in 1887, and to $790,391,064 in 1907. As the Senate Finance Committee observed in its report of 1888-89, manifestly "with such an increase some radical change in the system (of appraisement) is forced upon us. What might have been a perfectly satisfactory method in the former period, or even in 1842, * * * proves at this time unreliable, dilatory, and very imperfect."

The act of 1799 was ineffective to prevent or curb the increase of consignments and undervaluations. They increased with the growth of our foreign commerce, because yielding greater returns to the men who would not or could not resist the temptations offered by the lax law then in force; for manifestly the difficulty of proving that the merchandise was entered "with design to evade the duties thereupon, or any part thereof," was well-nigh insuperable. As far as we have been able to discover in our investigation of the question, the first law by which it was attempted to compel those guilty of undervaluations to pay some penalty for their attempt to evade the customs was the tariff act of July 30, 1846, section 8 of which provided that "if the appraised value thereof" (imported merchandise) "shall exceed by 10 per cent or more the value so declared on the entry, then in addition to the duties imposed by law on the same there shall be levied, collected, and paid a duty of 20 per cent ad valorem on such appraised value."

This section was reenacted by the act of March 3, 1857, amending the act of July 30, 1846, and was likewise reenacted as section 23 of the tariff act of June 30, 1864.

This law giving the privilege of 10 per cent undervaluation was scarcely more efficient in preventing the increase of undervaluations than the one it replaced, if reliance can be placed upon what Mr. Stephen Colwell, a member of the Revenue Commission of 1865-66, said in his official report. He stated the situation thus:

"The trade (our foreign trade) has for many years been taking a shape which has now grown to formidable dimensions. The factories, workshops, and the workmen are in Europe; the warehouse is in New York. Goods intended for the warehouse are invoiced at the factory cost, are entered at the custom-house at that price, the duties are largely diminished, and the end of competition with cheap labor increased. The mischiefs of harboring a class of men whose business it is to debauch or mislead our officers, to rob us of revenue, and impair our domestic industry are so apparent that they should long since have found a remedy. These foreign agents cooperate constantly for the evasion of our revenue laws, and their business is to nullify laws pertaining to our commerce and our industry.

"The concentration of foreign commodities in New York gives this foreign interest the control of prices there, and of course, in a large degree, of the whole country. This is an advantage which places our home industry very greatly in the power of those who are interested to prostrate it altogether. It is well known that a few million dollars' worth of goods may be so sold as to inflict a loss on corresponding articles of home production to perhaps twenty times the amount.

"Foreign manufacturers can, when they please, by means of cheap labor, abundant and cheap capital, and the strong position they hold in New York, assail our whole domestic system, and without any material loss to themselves inflict a blow upon our industry which disturbs the whole fabric of our industrial as well as our credit system."

Notwithstanding this forcible presentation of the frauds committed upon the revenue and the injuries suffered by domestic industries, no statute requiring close approximation to the actual value of the importation was passed by Congress, a comfortable leeway being permitted, and no adequate penalties being provided for importations not accidentally or ignorantly, but intentionally, undervalued.

Prior to the passage of the act of 1874, in all cases where the appraised value exceeded the entered value by 20 per cent, proceedings of forfeiture were begun on the ground that the entry was presumptively fraudulent; but after the passage of the act of 1874—known as the "antimoieties act"—the Government was required to prove fraudulent intent, which was and is now almost impossible, and no seizures were made under it even when there was such excess of 20 per cent of the appraised over the entered value.

WHAT HAPPENED UNDER A 10 PER CENT LEEWAY.

Under the law as it stood in 1881 (sec. 2900, R. S.) it was provided that if the "appraised value shall exceed by 10 per cent or more" the declared value—the limit the President now urges the Congress to adopt—"there shall be collected a duty of 20 per cent ad valorem on such appraised value."

This law gave rise to complaints of undervaluations so serious and so shocking to men of sensibility and business morality that the tariff commission of 1882 gave careful and painstaking efforts to discover the basis for the complaints, if basis there was. This commission was in no sense partisan or sectional; for both parties, all sections of the country, and all shades of economic opinion were represented by the membership. The commission heard many competent witnesses, whose testimony and personal communications all agreed that undervaluation was practiced largely and that the existing law was inadequate to remedy the evil. We annex excerpts from some of the striking testimony.

Mr. David C. Sturges, assistant appraiser in the appraiser's department at the port of New York, in recommending an increase of the penal duty for undervaluing merchandise, said:

"There have been undervaluations to the extent of 75 per cent or more in which the intent to commit fraud could not be legally established. I have had recently an invoice of furniture in my division invoiced in francs (at 19.3 cents) where my advance to make value was more than equal to the substitution of the pound sterling for the francs."*

Mr. L. B. Carhart, an examiner in the appraiser's department of the New York custom-house, having "the supervision of the article of French worsted goods," said:

"I should say that about one-half of the goods I handle are consigned. In other words, they are owned by the manufacturer until they are sold, and the proceeds collected here. Of course the tendency is for the manufacturer to try to get his goods from the custom-house at as low a rate of valuation as possible. I think it not unfair to presume that they would invoice their goods at 25 per cent less than they do if they thought they could get them through the custom-house at such prices."*

He further said that "there was more of a tendency toward undervaluation when goods were consigned to agents than when they were purchased."*

Mr. Marshall Field, of the firm of Marshall Field & Co., of Chicago, importers of dry goods, speaking of foreign merchandise, such as "silks, velvets, ribbons, laces, kid gloves, fine shawls, and similar merchandise," said:

"To-day it (the trade) is almost entirely in the hands of Frenchmen and Germans, mostly aliens, and agents of foreign principals, and men who have no interest whatever in this country save to make their fortunes in it and then return to make their residence in Europe. An American merchant can not go to the foreign market and buy these goods for importation at the ruling foreign prices except at a ruinous loss. They are delivered in the United States to the agents I have mentioned only in prices in American money, which is done to avoid establishing a foreign market value. This is a business very hard to detect, and the American Government, with all the forces at its command in the shape of consuls and special agents, has been unable to break it up."*

Mr. William Kent, assistant appraiser in the silk department of the New York custom-house, said:

"I suppose the fact is we are passing many silks, colored and black, at 10 per cent below their value, because we have no means of knowing their true value. None of the goods are bought—they are all consigned; and every manufacturer (foreign) tries to see how low he dares to invoice these goods, with the hope of their passing the custom-house."*

Mr. George C. Tichenor, special agent of the Treasury Department, said:

"There is scarcely any kind or description of merchandise subject to ad valorem duty imported into this country from beyond the seas but has been or is being undervalued more or less. I would not be understood as saying that all of any class has been undervalued, but that some of all classes have been, even of regular purchases; while those consigned to agents for sale on commission, notably from the continent of Europe, have been and are being, as a rule, considerably undervalued. * * *

"By means of the consignment system now so generally in vogue foreign manufacturers and shippers have been enabled so to close the avenues of information as to the market values of their products in the country of production as to enable them to undervalue the same with comparative impunity. It is the habit of many manufacturers and shippers so consigning to make, or have made, goods especially for the American trade, which differ in width or style from those made for their home trade and other markets to such an extent as to render it difficult to identify them sufficiently with such other goods as to fix their true market value.

"It is well known that for years past even our wealthiest and most extensive importers have been unable to purchase in regular way abroad very many of the most important articles and classes of merchandise made there, but have been compelled to buy them to be delivered through commission agents in this country, at the dollar price—duty paid, of course. This system is becoming more and more general, and its disastrous effects, both upon the revenue and the legitimate importing trade, are becoming more marked year by year."

THE TARIFF COMMISSION OF 1882 AGAINST THE MARGIN.

The report of this commission may safely be accepted as representing the best opinion of men considered competent for the task on which they were engaged. In treating of undervaluations and in unanimously recommending the repeal of section 2900—a return to the provisions of which the President urges and the Secretary of State advises to "strengthen the present good understanding between the United States and Germany without prejudicing in any way the fiscal or economic interests of the United States"—the tariff commission, respecting the evils which existed and flourished under that law, reported as follows:

"The proposed amendments to section 2900 are, as it will be perceived, radical and important; the law at present merely permits the appraisement, and in practice, unless there is some cause for suspicion, the invoice is often taken as correct without much, if any, investigation. We think that there should be an appraisement separate and distinct from the invoice in all cases.

"Under the existing statutes no penalty is imposed unless the appraised value exceeds the entered value 10 per cent or more, and then (on variance of a few cents often) there results the imposition of a 20 per cent penalty on the entire appraised value. This is believed to induce the making of entries by unscrupulous importers as nearly as they regard safe within the limit, while, on the other hand, great hardships frequently occur to honest importers who have made some mistake and are subjected to this penalty, from which they can have no relief.

"From the information at our command we have been led to believe that the ordinary range of honest difference of opinion in values of imports will not exceed 5 per cent, in the absence of error or mistake, and the proposed amendment imposes no penalty where the difference does not exceed that percentage; the proposed section then provides for a gradually increasing penalty until the appraised value exceeds the entered value more than 15 per cent, and then declares that such excess of 15 per cent shall be presumptively fraudulent, and that the collector shall seize the goods and proceed to forfeit as in other cases for violations of the customs laws; and that in such proceeding the fact of the undervaluation exceeding 15 per cent shall be presumptive evidence of fraud and throw on the claimant the burden of removing the presumption by proof. We think there can be no doubt that systematic undervaluation is rather the rule than the exception, as seems to be evident from the well-established fact that persons visiting European countries

* Report of Tariff Commission, Vol. I, p. 506.
* Ibid., p. 622.
* Ibid., p. 521.
* Ibid., p. 1084.
* Ibid., p. 516.

are often, without request, tendered an invoice at less than the price paid, with the explanation (when explanation is asked for) that it is necessary to enable them to enter the goods without paying full duties; and from the further fact, which seems equally clearly established, that many European manufacturers decline to fill orders or sell goods for this market except through their agencies established in this country, so that the importing business is largely passing into the hands of consignees, who are mere agents for the foreign manufacturers. It is claimed that these arrangements are not infrequently made for the purpose of defrauding the customs laws, and there is reason to believe that the claim is not without foundation.

"Fraudulent undervaluation, when it occurs, is not only injurious to the Government by depriving it of revenue to which it is entitled under the laws, but is also destructive of the business of the honest importer, who can not successfully compete with those who thus avoid payment of a considerable proportion of the revenues to which he is subjected. The purposes of the amendment are to discourage experiments in even slight undervaluation by imposing penalties which, while not too severe, will probably result in loss, and to expose the importer to forfeiture in cases where the undervaluation is so great as to be beyond the range of probable honest difference of opinion or mistake, reserving, however, in all cases authority to grant relief when the collector and Secretary of the Treasury are satisfied that the undervaluation is the result of manifest clerical error or mere mistake, and without any intention to undervalue or defraud the revenue. We recommend the proposed change in the confident belief that it will be advantageous to the Government and to honest importers.

THE VIEWS OF CHAIRMAN HAYES.

Dr. John L. Hayes, chairman of the tariff commission, in an article on the "Prevention of undervaluation," said:

"The admitted abuses of valuation in the entry of imported goods so seriously affected the interests of the Government, honest importers, and domestic manufacturers that further legislation to remedy these abuses was an imperative necessity. * * * The only remedy existing was the imposition under section 2900 of the penalty of 20 per cent additional duty when the appraised value exceeded by 10 per cent the value declared in the entry. This penalty was too small for cases of actual fraud and too large for errors of judgment on the part of honest but inconsiderate importers. The present law (similar to the one recommended by the President and his German commission) encouraged a general system of undervaluation within the range of 10 per cent, as there was no penalty unless it exceeded that amount, whereas each experiment in undervaluation beyond the line of a reasonable difference of opinion ought to subject the importer to a loss proportionate to the extent of the undervaluation.

"The adoption of 5 per cent as the limitation of an honest difference of opinion as to values—a matter very carefully considered, the imposition of a certain though not ruinous penalty for every experiment beyond that line—the penalty increasing in proportion to the extent of the undervaluation; the adoption by law of a reasonable criterion of presumptive fraud, viz, an undervaluation exceeding 15 per cent; provisions not existing in the present law; all these measures were conceived and devised not less to protect the honest but inconsiderate importer than to afford a certain and practical remedy for fraudulent valuation."

As a result of the consideration of the testimony heard, and after mature and careful deliberation, the commission unanimously recommended as a substitute for section 2900 of the Revised Statutes an amendment of the law to provide that in all cases where the appraised value of any article, subject to an ad valorem duty, exceeded the entered value more than 5 per cent and not more than 15 per cent, then in addition to the duty imposed by law on such article there should be levied 2 per cent of such total appraised value for each full 1 per cent of such value above the 5 per cent. In case the undervaluation should exceed 15 per cent, the entry was to be deemed fraudulent.

The chairman of the tariff commission is authority for the statement that "the commission had in its own body a member, Colonel McMahon, of unsurpassed experience in the administration of the customs laws, of excellent sense, and of eminently judicial mind, who had made a legislative remedy for undervaluation the subject of peculiar attention." The scheme submitted was devised by Colonel McMahon and reduced to legal phraseology by Judge Ambler, who wrote the comments on the measure in the report. As indicating the care with which the proposed law was considered, it is well to quote again what Chairman Hayes has said:

"It was subjected to careful consideration at successive days, word by word and line by line, and with but slight, if any, changes received the unanimous sanction of the commission."

In the struggle attending the passage of the tariff law of 1883 the recommendations of the tariff commission, however, did not receive the attention to which they were entitled, and no attempt was made to change the law permitting undervaluation.

But the agitation for relief from the burdens placed by undervaluing pirates upon men attempting to conduct their business on legitimate and honest lines did not cease, and on January 15 of the following year (1884) the House of Representatives passed a resolution requesting the President to forward to the House information, including reports from consuls and others, concerning undervaluation, false classification, and other irregular practices in the importation of foreign merchandise.

SECRETARY FOLGER REPORTS ABOUT CONDITIONS.

In complying with this resolution the Hon. Charles J. Folger, Secretary of the Treasury, reported to the President, in part, as follows:

"These papers seem to furnish conclusive evidence of general and extensive undervaluation of imported merchandise subject to ad valorem duties. They show that this evil has been steadily growing since the passage of the law approved June 22, 1874, entitled "An act to amend the customs revenue laws and to repeal moieties."

"Whatever may have been thought as to the need of protecting the rights of individuals by the enactment of this law, it is clear that its result has been to render the Government almost powerless to enforce the revenue laws in cases of fraudulent undervaluation by foreign manufacturers or unscrupulous importers and to work great injury to the interests of importers who refrain from engaging in this dishonest practice.

"Besides the serious loss to the revenue consequent upon undervaluations, as indicated in these reports, the practice has a demoralizing influence upon our trade with foreign countries. The lack of safeguards against it offers a premium to dishonesty and makes it impossible for an honorable manufacturer or dealer in Europe to compete with his less conscientious rival for the American trade, and the honest American merchant is precluded from importing lines of goods thus undervalued.

"When such practices go unpunished the foreign shipper is practically enabled to make his own tariff, subject only to the contingency of having the rate increased by the appraiser's advance upon his invoice valuation. It thus happens that when Congress enacts that the rate of duty on certain goods shall be 50 per cent ad valorem, it is found that perhaps only 30 per cent or 40 per cent is actually paid, according to the boldness and skill of the shipper and his American agent, in falsifying market values and deceiving the appraising officers.

"The most skillful expert can not be depended upon to fix values with absolute correctness; and where, as is now the case with many classes of imported goods, the true market values are studiously concealed by European manufacturers in order that no proper criterion for appraisements may be obtained, the difficulties confronting the appraisers are well-nigh insuperable.

"Responsibility for a correct valuation should be placed upon the consignee who makes entry, and the fact that the invoice and entry are false should be deemed presumptive evidence of fraudulent intent, subjecting the goods to forfeiture unless innocence can be shown.

"So long as the ad valorem system exists, equality and uniformity in its administration can only by secured by providing adequate means to prevent undervaluations. Such means are not to be found in existing laws."

ANOTHER INVESTIGATION AND ANOTHER REPORT ADVERSE TO THE MARGIN AND CONSIGNMENTS.

In January, 1885, the Hon. Hugh McCulloch, Secretary of the Treasury, owing to the conduct of certain special agents of the Treasury Department at the port of New York, was moved to order an investigation thereof. Three special agents of the Treasury, Mr. George C. Tichenor, Mr. O. G. Spaulding—both of whom later became Assistant Secretaries of the Treasury—and Mr. A. K. Tingle, were chosen to make the necessary inquiries. A month later, in February, 1885, on the suggestion of the investigators themselves, the scope of the inquiry was broadened so as to include undervaluations, damage allowance, drawbacks, and such other irregular practices at the port of New York as might come under their notice.

Before the investigation was concluded and the report made, the Arthur administration went out of office, Mr. McCulloch being succeeded by Secretary Manning, who, in his letter transmitting the report to the Speaker of the House under date of December 7, 1885, said:[a]

"It is to be assumed that during the present and next fiscal year quite $150,000,000 must annually be raised by duties on merchandise. The necessity of correct invoices, * * * classifications, and appraisements will exist under any practicable and possible reform of a tariff to raise that large sum, but the peril to the Government of false valuation in invoices need not be so great as now. * * * That false invoices and the evasion of duties legally chargeable on merchandise inflict definite evils upon the Government and those who make true invoices and pay full duties can not be denied."

On the subject of undervaluation the three special agents reported to the Secretary of the Treasury, as follows:[b]

"Continuing the investigation of the methods of conducting the customs business at this port [New York], we have given careful consideration to the subject of undervaluation. While there is no doubt that the invoices of merchandise consigned to the United States for sale on foreign account are, as a rule, undervalued, this is notably true as to silk goods. During the past ten years, since the repeal of former restrictive and penal provisions of the revenue laws, a system of successful evasion of duties on silks has been gradually built up and established. This system of evasion has been a subject of frequent investigation and report at home and abroad. It is a matter of common notoriety in official circles."

Then, after devoting a paragraph to the difficulty of securing uniform and proper appraisement of merchandise coming to the country consigned to commission merchants for sale on foreign account or for delivery to a purchaser buying them at a dollar price—a price in United States currency—the goods to be delivered here, duties, freight, and charges paid, the report continues:

"The essential feature of the consignment system is the concealment of the actual foreign market value, so that customs officers may have no standard by which to make appraisements. The greatest care is exercised in Lyon and Zurich and other principal silk markets to prevent the prices at which sales are made to European buyers from becoming known to anyone who might possibly disclose them to persons connected with the American customs. So universal is this practice of concealment that there is no longer any such thing known to American buyers or customs officers as the actual market value or wholesale price of silk goods in the principal markets of the countries of production; and this, to a great extent, is also true of kid gloves, laces, embroideries, and other articles, which are almost exclusively imported by consignment instead of purchase."

* * * * * * *

"The extent to which specific invoices are undervalued depends upon the audacity of the shipper and the degree of confidence he has in the ability of his New York agent to pass them through the appraiser's office without incurring penal duties. The only risk to be apprehended under the law, as it has been administered for years past, is the advance of value upon appraisement.

"Foreign shippers and their New York agents do not appear to regard this method of evading duties as in any degree unlawful. We inclose a list (marked "A") of invoices advanced beyond 10 per cent for the months of December, 1884, January, and a part of February, 1885. None of these cases have been referred to the district attorney for such action as he might deem proper. It is the practice of the collector's office, in cases of advances to a penalty, to waive a seizure and accept additional duty. The importer has thus come to understand that in undervaluing his merchandise he runs the risk neither of criminal prosecution nor of losing his goods. His object appears to be to enter his merchandise as low as possible and escape a 10 per cent advance. But if such advance is made, he is sure of no punishment beyond the 20 per cent additional duty.

"Attention is called to the frequent recurrence of undervaluations by the same importers; the advances range from 12 per cent to more than 100 per cent. We also invite attention to Schedule B, showing advances of less than 10 per cent during the months of October and November, 1884, and to the frequent repetition of the names of the same importers on the list. A remarkable feature of these advances is that

[a] See Report of the Secretary of the Treasury on Collection of Duties, 1885, p. lvi.

[b] Ibid., pp. 40–46, inclusive.

so many of them are just a shade under 10 per cent. For example, in eighteen invoices of one firm the advances ranged from 9.02 to 9.99 per cent, showing that the appraising officers, in passing the goods, apparently made careful computations, with special reference to the penalty, and this, too, on goods about which the best experts rarely agree within 5 per cent of the value. During the three months ending December 31, 1884, more than 2,200 invoices were advanced on appraisements, two-thirds of which were invoices of forty of the leading houses receiving consigned goods, chiefly silks, for sale on foreign account.

* * * * * * *

"Whenever, as at the present time, undervaluations have become as flagrant as to call for special inquiry by the department, the agents of the foreign shippers, while defending with vigor the integrity of particular invoices in which they have an interest, frankly admit the general practice of undervaluing and deplore its demoralizing and injurious effect upon trade. * * * Under the present system, they say, the manufacturers are always cutting each other's throats. No matter how low one may invoice his goods, and thus be enabled to lower his selling price to the extent of the duties saved, another can undersell him by simply invoicing his goods a few centimes lower. * * * As one Swiss manufacturer expressed it, 'the invoicing is largely a matter of conscience.' No sales being made, the shipper invoices his goods at whatever price he pleases."

These special agents further reported that the entered value of silk importations at the port of New York for the year 1884, including additions made by importers themselves, was $30,494,797. The undervaluation was reported at $6,040,450 and the loss in duties at $5,029,225.

The report continues:

"There is always a reluctance on the part of appraising officers to advance values to the 10 per cent limit, as it is expressed, in the common parlance of the appraiser's store, 'to put the importer to a penalty.'[c] This idea runs through the entire proceeding, and according to the expressed opinions of the appraiser, is inseparable from it. The ascertainment of the true value of the goods and the appraisement thereof is thus coupled with the consideration whether a penalty will be involved; if so, a strong effort will be made to reduce the appraisement, in whole or in part, so that the advance will be a shade under 10 per cent. This tenderness toward importers—this disposition of officials to shield them from the legal consequences of undervaluation—has tended to encourage and establish the practice.

"Successful undervaluations have prevailed for so many years that the belief has generally obtained that nothing short of legislation will suppress them."

THE SENATE FINANCE COMMITTEE LOOKS INTO THE MATTER.

Notwithstanding the widespread knowledge among the commercial classes of the constantly expanding practice of undervaluation and the various reports made to Congress, neither the recommendations of the Tariff Commission, nor the bill drawn by Secretary Folger, nor the report of Secretary Manning resulted in any remedial legislation, so that after many inquiries had shown much injury done to varied interests by the practice possible under the old law, permitting and encouraging undervaluations up to 10 per cent, it remained on the statute books unaltered and unchanged, and so stood when on December 21, 1885, Senator George F. Hoar, of Massachusetts, offered a resolution in the Senate which authorized and directed the "Committee on Finance by themselves or a subcommittee to investigate the frauds and abuses alleged to exist in the collection of the customs revenue at the port of New York, and especially the subject of undervaluations of imported merchandise." The committee, it was provided, should "report the result of their investigation to the Senate, with recommendations as to what changes, if any, should be made in the customs laws in order to prevent frauds in the importation of merchandise and in the collection of the revenue from customs."

On January 19, 1886, the scope of the investigation was enlarged by a resolution adopted by the Senate, which authorized the committee "to make further investigation on the same subject at any other collection port in the United States."

On that day Senators Allison, of Iowa; ALDRICH, of Rhode Island; Warner Miller, of New York; Beck, of Kentucky; and John R. McPherson, of New Jersey, were appointed by the chairman of the Finance Committee to make the investigation. Republicans and Democrats, protectionists, and tariff-for-revenue advocates, men of various shades of economic belief, were there represented. The term of Senator Miller expiring before the labors of the committee were concluded, his place was taken by Senator Morrill, of Vermont. The report[a] of this committee, submitted to the Senate February 16, 1888, recommended many changes in the law and gave, in considerable detail, the reasons for those changes. One change was a modification of section 2900 of the Revised Statutes, to provide that "if the appraised value of any article of imported merchandise shall exceed by more than 5 per cent and not more than 20 per cent the value declared in the entry there shall be levied and paid, in addition to the duties imposed by law on such merchandise, a further sum equal to 2 per cent of the total appraised value for each 1 per cent above the entered value"—almost the recommendation made by the Tariff Commission.

In giving the reasons for this suggested change the committee reported, in part, as follows:[b]

"It is proposed by this section to make the penalty proportionate to the undervaluation and to make it applicable to invoices advanced 5 per cent and over instead of 10 per cent and over as under the present law, the object being to prevent the present habitual practice of undervaluing so as to get the invoice through the appraisers at an advance of just under 10 per cent and thus escape the statutory penalty of 20 per cent additional duty. It is assumed that a variance of more than 5 per cent between the entered value and the actual value as ascertained by the appraiser could not occur except through the fault or negligence of the importer. It is also assumed that a variance of more than 20 per cent could not result from mere negligence, and should carry with it the presumption of an intention to defraud the revenue."

A BOSTON COMMITTEE CONDUCTS AN INDEPENDENT INVESTIGATION.

In addition to the investigation made by the Tariff Commission of 1882, an independent investigation was made by committees appointed at a meeting of merchants and manufacturers held in Boston January 20, 1886, to suggest "for the consideration of the Senate Finance Committee facts as to undervaluations of imported merchandise, errors in classification, and evils in practical administration in the appraisal of merchandise which can be established by testimony." From the report of the committee on testimony we make the appended extracts, which supplement and support in every particular the findings of the Tariff Commission and the Senate Finance Committee. In part this report says:

"The committee have made a careful personal inquiry as to the subject committed to them, have conferred with merchants engaged in importation, have employed agents specially informed as to the administration of our customs laws, and have sought all available sources of information.

"The charge of undervaluation, particularly at the port of New York, can be sufficiently sustained in respect to silks, cottons, embroideries and edgings, woolen and worsted goods, some kinds of pottery and glassware, cutlery, and ribbon isinglass, because it can be shown that these articles are invoiced and entered at less than their true market value.

"The fact of undervaluation as to these goods can be established by the circumstance that regular dealers in these goods have been largely driven out of the importing trade, because they can purchase them delivered in New York at a less sum than they can import them direct.

"These statements, particularly as to silks, embroideries, and edgings, can be sustained by domestic dealers in these goods in our principal cities, who can show that the prices paid by them to the New York agents of foreign houses sometimes exhibit such an enormous profit upon the invoiced value, with duties added, as to admit of no doubt as to undervaluation.

"The same system of undervaluation can be shown in the same manner in respect to woolen and worsted goods, especially those from Germany, none of which are regularly imported. It can be shown that woolens purchased in Germany are often shipped and invoiced from France; that French goods are shipped from London or Bradford, and English goods from France, with the evident purpose of having them examined in the appraiser's stores by persons not familiar with the goods.

"It can be shown by documentary proof that cutlery, more particularly goods from Germany, has been for many years largely and systematically undervalued upon entry at the port of New York, and that in some instances there has been an excess of importation of these goods over the amount invoiced and entered.

"Sufficient evidence can be adduced establishing the fact that a large proportion of the importations into the port of New York consists of consignments to agents or partners of foreign houses who ship the goods; that as a rule these consignees are foreigners, and that the system of consignment is adopted for the purpose of evading payment of the proper duty."

The committee on legislation, in considering the then existing law, under which no penalty was imposed unless the appraised value exceeded the entered value 10 per cent or more, reported in part as follows: "This is a practical encouragement by law of a general system of undervaluation within the range of 10 per cent and an inducement to unscrupulous importers to make their entries as nearly as they regard safe within the limit." And in referring to the proper margin to be allowed for difference of opinion as to values, the report said: "This margin has been placed by experts at 5 per cent. It certainly should not exceed that. It may, perhaps, properly be less." * * *

REPORTS BROUGHT NO CONGRESSIONAL ACTION.

Notwithstanding the continued efforts put forth to have the law amended so that it would make it more difficult to practice extensively the proven undervaluations in many lines of imported merchandise, the recommendations of the Senate Finance Committee, like the recommendations of the tariff commission, were not enacted into law, and undervaluers were still permitted and invited to continue their rich harvest of gain. It was not until some five years after Senator Hoar's resolution was offered that any legislation looking to an improvement of our customs administration was secured.

THE BOARD OF GENERAL APPRAISERS CREATED.

When the act of June 10, 1890, providing for the Board of General Appraisers, was approved, it was quite generally believed that this board would be able greatly to improve the administration of the customs laws; but, as it turned out, although some improvement was noticed, they were unable wholly to prevent undervaluations, the wide margin being an important factor in their nonsuccess. With the law permitting a 10 per cent margin, the chairman of the commission to Germany, in an article published in 1893, wrote concerning the undervaluations, as follows:

"Ad valorem duties invite, encourage, and facilitate undervaluations and false invoicing. * * * For fifty years these things have been the scandal and the curse of customs administration. Investigation has followed investigation, under the rule of both political parties, always uncovering this fester at the custom-houses. * * *

"The public is little aware of the extent to which undervaluation is practiced and the lamentable consequences which have resulted from the practice. * * * The proportion of textiles so imported has been placed as high as 90 per cent. They are consigned to foreign manufacturers' agents resident here, and American merchants are compelled to buy their goods from this class of "landing importers." * * * This means that the goods enter the country on undervalued invoices, which destroy all possibility of competition on the part of the honest importer. No one familiar with the history of the importing business in New York requires to be told what a change has come over it in the past thirty-five years; of the great and honorable houses that have taken down their signs and closed their doors; and of the new standards, the different ideals, the general demoralization which have come in as the old houses have gone out. It is a record both sorrowful and humiliating."

SECRETARY CARLISLE APPOINTS A COMMITTEE TO INVESTIGATE.

While the Board of General Appraisers were able to improve the administration of the customs laws, the new law so radically changing the administration of tariff laws was not entirely satisfactory to all whose interests were affected by it.

Probably the first expression of dissatisfaction by an organized body was at a meeting of the Boston Associated Board of Trade on February 16, 1891, when the delegates of the Boston Merchants' Association called the attention of the board to the need of amendments to the act, and it was voted that the committee on customs of the board be instructed to consider the matter. The committee, "after careful consideration through the year," presented a report December 21, 1891, in which it was said in reference to the law: "It is not surprising that in the framing of a law having such wide-reaching consequences some errors, both of omission and commission, should appear; it is

[a] See also p. 31 for testimony of J. R. Leeson before Committee on Ways and Means in 1896.

[b] Senate Report No. 295, 50th Cong., 1st sess.

[c] See Tariff Testimony Finance Committee, United States Senate, 50th Cong., 1888–89 Part IV, p. 2694.

rather a marvel that the changes which seem desirable should be so few."

Respecting section 7, which provided that "If the appraised value of any article of imported merchandise shall exceed by more than 10 per cent the value declared in the entry, there shall be levied, collected, and paid in addition to the duties imposed by law on such merchandise a further sum equal to 2 per cent of the total appraised value for each 1 per cent that such value exceeds the value declared in the entry," the committee reported:

"This provision was directed against undervaluation and was intended to punish dishonest importers. It does not in all cases accomplish the purpose intended. By reference to the reappraisement decisions in New York it will be noticed that the advance is seldom more than 10 per cent."

In 1893, during the second administration of President Cleveland, the Hon. John G. Carlisle, Secretary of the Treasury, appointed a special committee to report on the workings of the administrative act of June 10, 1890, and to examine the administration of the custom-house. Of this committee the Hon. Charles S. Fairchild, ex-Secretary of the Treasury, was the chairman. After suggesting a number of changes deemed advisable, the committee reported, respecting undervaluations, as follows:

"Under the present system the importer has a margin of 10 per cent, within which he may incorrectly state the market value, subject to no greater risk, should his entry be advanced, than the payment of the regular duty on the amount added by the appraising officer to make market value. If, however, no margin is allowed for difference of opinion between the appraising officer and the merchant, there is always an inducement to the importer to state the market value as accurately as he can, irrespective of the price that he may himself have paid."[a]

In 1894, in discussing the Wilson bill, the minority of the Committee on Ways and Means reported to the House as follows:

"It is in evidence before the Ways and Means Committee that there are lines of woolen goods, manufactured abroad almost wholly for the American market and sent here upon consignment, upon which no market value is placed until they have passed our custom-house and evaded some share of their legitimate duty. * * * Where specific duties exist, the home producer always has a definite standard by which he can operate with some degree of certainty. With a law such as is now proposed, his struggle will be against an antagonist in ambush, who has only to change his fictitious invoices to underbid every effort of the American to hold this market.

"The enormous field for undervaluation that will be opened by the abolition of all specific duties on woolen goods is evident from the fact that the importations under this head equal $36,987,904 in 1893, and run up in 1890 to $54,165,422, the average for the last five years being larger in amount than under any other tariff schedule."[b]

In their report of 1895, the Board of General Appraisers wrote concerning undervaluations as follows:[c]

"Undervaluation is not only an offense against the Government, but an offense against mercantile honor. It not only depletes the revenue, but filches away the business of the honest importer and transfers it to the undervaluer. Nor are small undervaluations less disastrous to honest competing importers than large ones. An advantage of 5 per cent in price is sufficient to control the trade of an empire. It follows that undervaluation is a graver offense than the common one of evasion of state, county, and city taxation because in the latter case no question of the business of a competitor is involved."

HEARINGS BY THE COMMITTEE ON WAYS AND MEANS IN 1896.

Early in January, 1896, extensive hearings were given by the Committee on Ways and Means on the general subject of what amendments should be made to the customs administrative act.

Judge Henderson M. Somerville, a general appraiser, in testifying concerning the increase of consignments and the difficulty of ascertaining correct valuations in that class of merchandise, said:[d] "The consignment business is increasing rapidly. There is no doubt about that, and I can not see any reason why it should, except that there are difficulties in the way of ascertaining correct valuations of this class of merchandise." Then the following questions were asked by Chairman Dingley and answers were given by Judge Somerville:

"CHAIRMAN. Do I understand you to say that the business of importations through consignees is increasing, and that the opportunities for frauds through undervaluations are greater when goods are consigned than when imported by purchase?

"Judge SOMERVILLE. I think so.

"CHAIRMAN. And is it not true that in a large class of these importations, where there may be a question of the valuations, that the importations are through consignments?

"Judge SOMERVILLE. A very large proportion of them is."

And in answer to a question by Gen. Joseph Wheeler, Judge Somerville said: "The tendency of the consignment business is very largely to drive out the purchasing business."

While Judge Wilbur F. Lunt, a general appraiser, was of the opinion that in some classes of goods it would be impossible to tell the value within 5 per cent, Mr. George C. Tichenor, another general appraiser, who had been a member of the committee that examined the administration of customs at the port of New York by appointment of Secretary Hugh McCulloch, favored the reduction of the limit for undervaluation from 10 to 5 per cent.

Mr. J. R. Lesson, president of the Boston Merchants' Association, when testifying concerning the working of the 10 per cent leeway provision, said:[e]

"That section [7] might almost as well never have existed, in so far as the penal provisions go; they are practically inoperative. It is a fact that an examiner, when he is examining merchandise with a view to ascertaining a proper dutiable value, is largely influenced in his decision in regard to advancing values by the hard and fast lines of the penal 10 per cent provision. I know from my own personal acquaintance that in the case; she as a merchant appraiser under the system existing before the act of June 10, 1890. As a merchant appraiser, it changed and its effect upon me. One would naturally hesitate about bringing the case of a competitor or friendly opponent in business to the line where a penalty would be involved.

"The conversations both with great force on the examiner and appraiser, and presumably on the Board of General Appraisers. They hesitate to put a man's goods up to a point involving an application of the penalty provision. The appraiser of the port of Boston, a thoroughly fearless man, stated recently that it was surprising to see the number of invoices that he had advanced which were returned to his office from the board just enough below the line of 10 per cent to avoid the penalty. The local appraiser of New York, also a most able administrator of the law, is of the same opinion. This is a fact of such general acceptance that it is not worth while to waste words in endeavoring to substantiate its truth. It is a very serious question, however, what step would be best to take under those conditions to bring about a different state of things."

Mr. Walter H. Bunn, appointed an appraiser in August, 1893, was the only witness appearing before the committee who advocated no "penalty"—additional duties—unless the invoice was advanced at least 10 per cent, and as a reason for his opinion he stated that experts will vary in judgment of valuations from 5 to 10 per cent. In reply to a question by the chairman of the committee asking whether it was not true that the British customs laws and the general laws of most of the nations of Continental Europe impose an additional duty for all undervaluations which exceed 5 per cent, Mr. Bunn replied, "Yes, sir; I think that is true."

THE COMMITTEE ON WAYS AND MEANS MADE A REPORT ON AMENDMENTS.

In the first session of the Fifty-fourth Congress a bill (No. 4437) to amend the act of June 10, 1890, was introduced into the House and referred to the Committee on Ways and Means.

In reporting the bill back to the House March 13, 1896, the committee said:

"The act of June 10, 1890, was the culmination of many years of effort and study to simplify the laws relating to the collection of the customs and to prevent fraud upon the revenue by reason of undervaluation.

"That the result was a long step in advance of all former legislation on the subject has been abundantly proved by the result of six years' experience under the present law. These years have also demonstrated some weak points in the law of 1890, some of which the present act is calculated to remedy."

In reaching their conclusions the committee, after stating that they had confined "their efforts to the strengthening of the present law" and had "availed themselves of the advice and assistance of the Assistant Secretary of the Treasury, members of the Board of General Appraisers, importers, and others who have had practical experience on the subject, and of a commission appointed in 1893 to investigate the subject, of which ex-Secretary Fairchild was chairman," continued as follows:

"The difficulties of administration under the present law do not arise from the regular importations of standard goods. These have a fixed market value which can be easily and definitely ascertained at the point and date of shipment. Reliable testimony as to the quality and value of these goods is easily found. But the chief trouble is in relation to consigned goods, and, second, in relation to goods of a kind peculiar to a locality or a factory.

"The consignment of goods is increasing very rapidly. There seems to be no reason for this increase except the fact of the difficulties in the way of detecting fraud in the valuations of consigned merchandise. * * *

"One of the most important amendments is that proposed to section 7. The present law provides, in effect, that when the appraised value exceeds the value in the entry by not more than 10 per cent only the same duty shall be collected as though the true value had been correctly stated in the entry. * * *

"The present practice for dishonest importers is to get as near the danger line of 10 per cent as possible in their undervaluations, knowing that they will be obliged to pay no more duty if detected than would be required in an honest invoice. This system offers a premium for dishonesty. In addition, when the value is advanced more than 10 per cent, the Treasury Department generally remits the additional duty, holding that under the present law it is a penalty and subject to remission.

The most important amendment, in the opinion of the committee, was to section 7, which provided that an additional duty should begin at the point where the value fixed by the appraisers exceeds that stated in the invoice and should be equal to 1 per cent of the total appraised value for every 1 per cent of increase of valuation by the appraisers, such additional duty to be limited to 50 per cent.

DEBATE IN THE HOUSE.

When the amendments were on their passage through the House, March 17, 1896, quite a discussion occurred over several changes, and an effort was made to modify the recommendations of the committee, but the committee was sustained and the effort failed. Speaking for the amendments, Mr. PAYNE, who introduced the amended bill, said in part:

"We have had experience under this law of 1890 now for about six years, and it has been found generally to have saved a good deal of revenue to the Government as well as prevented a good deal of fraud in the collection of the revenue. At the same time, years of experience have developed various weak spots in the law with reference to which the consensus of opinion of those who have been engaged in administering it is that there may be found some remedy.

"Of course, Mr. Chairman, it is utterly impossible to enact any law that will make all men honest. No law can be framed to collect the revenues of the Government where the duties are ad valorem that is not open to evasion by reason of fraud, fraudulent invoices, and fraudulent valuations, even though the invoices and the valuations are made under the oath of the importer, and the experience under this law up to the present time has been that various methods of evasion have been resorted to to escape the payment of duties. The most favored one is that of importing goods on consignment. For instance, a large manufacturing concern will have a local agent in New York, generally some clerk to whom the goods are consigned, and as there is no sale there is no necessity for any declaration of sale, or for any false affidavit as to sale, and the value depends largely—entirely, so far as the declaration of the importer is concerned—on the honesty and truthfulness of the importer of the goods. * * *

"I would say that in adopting this amendment the committee have been guided by the suggestions of the Secretary of the Treasury, by the Board of General Appraisers, and also by a report of the commission which was formed in 1893, of which ex-Secretary Fairchild was the president, and, with ex-Collector Magone, Mr. Dunn, of Arkansas, a former Member of Congress, and another gentleman, composed the commission. They very strenuously recommend the amendment of section 15, which we have adopted, and also section 7."

[a] See House Report No. 792, 54th Cong., 1st sess., p. 11.

[b] Hearings on administrative customs laws before Committee on Ways and Means, January, 1896, p. [illegible]

[c] Ibid., p. 94.

[d] Ibid., p. 82.

Mr. Walsh, of New York, offered an amendment to make section 7 read thus:

"And if the appraised value of any article of imported merchandise subjected to an ad valorem duty * * * shall exceed the value declared in the entry 6 per cent, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, etc."

In speaking for this amendment he said:

"The bill as it is reported from the committee inflicts a penalty where there is any undervaluation. As I said in my former remarks, it is almost impossible for any importer, or any appraiser, or any expert, to get at the exact value of any article, and the law under which we are living now allows 10 per cent leeway. My amendment reduces it to 6 per cent, or I would be willing to make the rate 5 per cent; but I say that it is a great hardship on the importer or the merchant to hold him down to the exact valuation of any article that he imports into this country."

In discussing this amendment the following colloquy took place:

"Mr. PAYNE. Mr. Chairman, this amendment simply provides for 6 per cent of a fraud. That is the whole proposition. The additional duty can not be incurred unless there is fraud in the valuation. If the appraisers add 6 per cent to the importer's valuation, then the line of the additional duty commences there.

"Mr. MCMILLAN. The gentleman has said that this is only a tax of 6 per cent on fraud. Does he not know that this imposition is to be placed on the goods, however honestly the mistake may have been made originally?

"Mr. PAYNE. If I said a tax of 6 per cent on fraud, I did not mean it. I meant that this offered a premium of 6 per cent on fraud—that it gave a chance for the importer to advance his goods 6 per cent without incurring the risk of losing a dime.

"Mr. WALSH. Does not the present law allow 10 per cent?

"Mr. PAYNE. It does; and that is one of the worst features of the present law, if not its worst feature. It encourages more fraud, undervaluation, and crime against the revenue than any other feature in the present administrative law; and it was because the committee wanted to reduce those offenses to a minimum that they made the increased duties commence at the point of the increased valuation, ascertained by an honest appraisement by the Board of Appraisers. If the appraisers increase the importer's valuation only 1 per cent, then there is an increase of only 1 per cent in the duty.

"Mr. WALSH. An increase of 1 per cent not on the overvaluation, but on the whole importation.

"Mr. PAYNE. An increase of 1 per cent on the valuation of the whole importation. Now, the provision of the bill is no hardship to the honest importer. He has a hearing before the appraiser; his witnesses are heard; he can prove the value of his goods, which he knows better than any other man. There is no hardship on him. This provision will operate only against those who may seek to evade the law, and we want to cut off the opportunity of evasion even by those who would evade the law by only 6 per cent of undervaluation. We want to reduce the evasion to a minimum. We want to provide, in effect, that if there should be only 1 per cent of undervaluation additional duty to the extent of 1 per cent shall be added upon the appraised value of the goods.

"The committee considered the advisability of fixing the line at 5 per cent or at 10 per cent. It was the judgment of the committee, following the judgment of the board that examined the question for months in the city of New York, the board of which ex-Secretary Fairchild was chairman—following the judgment of that board, we have made the increased duty commence with the increased valuation of the Board of Appraisers. I hope that the amendment will be voted down and that the section will be allowed to stand as reported.

"Mr. DINGLEY. I desire to say that it is the judgment both of the Treasury Department and of the board of which ex-Secretary Fairchild was chairman that the point of additional duty should commence at the point of undervaluation. Allow me to read what ex-Secretary Fairchild says in his report on this point: 'This penalty or additional duty is required not only to punish and prevent willful undervaluations, but also to operate as a constant inducement to the importer to state with the greatest possible accuracy the true market value'—and I may say the importer knows the exact market value of the goods which he imports; in many cases he is the only man who does know accurately their exact market value—'and thus to aid the government appraising officers in the performance of their duty. Under the present system the importer has a margin of 10 per cent within which he may incorrectly state the market value, subject to no greater risk, should his entry be advanced, than the payment of the regular duty upon the amount added by the appraising officer to make market value.'

"And as a rule he states the market value where there is a difference, or if there is a difference in valuation, substantially 10 per cent below the market value, because he has 10 per cent leeway.

"'If, however, no margin is allowed for differences of opinion between the appraising officer and the merchant, there is always an inducement to the importer to state the market value as accurately as he can, irrespective of the price he may himself have paid.'

"And for this reason that board, presided over by Secretary Fairchild, as well as the Treasury Department, unanimously agree that the assessment of additional duty should begin at the point of undervaluation.

"Mr. MCMILLAN.[a] As I conceive it, it was very wisely provided there that the penal duty should not attach unless there was a difference of at least 10 per cent between the invoice value of the importation and the finding of value of the Board of Appraisers. It was at first thought by the committee that this difference might be fixed at 5 per cent, and I confess that I might have been content with 5 per cent; but when the committee undertakes to fix the penalty on the invoice because there is a difference between the invoice and the value which is fixed by the appraisers which is less than 5 per cent, I think they go into an impracticable administration of the law and undertake to fix penalties for that which is impossible. * * * The expert said that it would be wholly impracticable for two men to come to the same conclusion as to the value of the goods to such an extent that the difference between them would amount to no more than 1 or 2 or even 5 per cent on the valuation."

The House passed the bill March 17, but owing to the late date, probably, and the early adjournment of Congress, because of the pending presidential contest, no action was taken by the Senate.

After Mr. McKinley was elected President and it became certain that the tariff would be revised again, the Committee on Ways and Means, in their hearings, received testimony on the effect of undervaluations, the following being put in evidence by Wilson Brothers, of Chicago, who wrote:

"In visiting the several cities throughout Germany one's attention is especially called to the magnificent estates of parties who were formerly in the importing business in New York City. Scores and scores of such instances are named where the owners were residents of New York but a few years, returning to the old country to enjoy their wealth the remainder of their lives. As a rule, ten or fifteen years at the most has been the limit of time required to accomplish this result. We know of an instance where the founder made his fortune and returned within ten or fifteen years, his son succeeding him for the same length of time and returning likewise, and now the grandson is pursuing the same policy, with the expectation of following the footsteps of his predecessors. This has been and is being done by foreigners who have no earthly interest in this country other than to make money, regardless of the method, and return at the earliest possible date. All this is largely done at the expense of the native American importer, whose life, money, and influence is [are] at the call of the Government. This system will continue as long as consignments and ad valorem duties are in vogue."[b]

RESULTS FINALLY OBTAINED.

The long struggle to have the 10 per cent privilege taken out of the law was nearing the end; for when amendments were finally made to the customs administrative act the old invitation, eagerly and generally accepted, was revoked. The new law, as amended in 1897, closely following the amendments passed by the House at the last session of the previous Congress, required the importer, knowing the value of his importations, to state it correctly in his invoice, he being held to strict accountability and being obliged to pay extra duty for every 1 per cent of variation between the entered and the appraised valuation. The Committee on Ways and Means unanimously favored this change abolishing the 10 per cent, and it met with no opposition in its passage through Congress.

This law, like the act of June 10, 1890, was not long on the statute books before an effort was made to change certain of its features.

The Merchants' Association of New York appointed a committee, at the suggestion of President McKinley,[c] "to make a careful analysis of the customs administrative act of June 10, 1890, as amended by the act of July 24, 1897, and to suggest such changes therein, or amendments thereto, as they might deem wise, for the better protection of the Government, domestic manufacturer, and the honest importer alike." When this suggestion was made by President McKinley, or when the investigation was made by the committee, consisting of Messrs. John Gibb, A. D. Juillard, H. D. Cooper, J. Crawford McCreery, and Thomas H. Downing, the pamphlet does not disclose, the letter transmitting the report to President McKinley being dated March 1, 1900. It is safe, however, to conclude that the suggestion was made and the committee appointed between July 24, 1897, and March 1, 1900. The committee said in the letter that the suggestions contained in their report were prepared "after careful and earnest investigation of the many conflicting interests involved," and yet their suggestion for an undervaluation margin was only half that recommended by the commission to Germany and urged by the Secretary of State and the President. They wrote: "A margin of 5 per cent should be allowed between the entered and appraised value of merchandise before any penalties (additional duties) should accrue," and in suggesting 5 per cent they declared, "We believe that herein we express the views of the leading customs officials, as well as those of the importers."

As far as we can learn, after transmitting this report to the President, the Merchants' Association committee allowed it to slumber for some half dozen years before they took steps to revise and resubmit it. But when the German Government, urged by German exporters chafing under their inability to ply their undervaluations with old-time success, began in 1905 to negotiate for concessions in our customs administrative act where they "bear hardest upon German exporters," the time seemed opportune to join forces with the German ambassador and call the report to the attention of the President and the Committee on Ways and Means.

The German exporters asked, among other things, for a return to the 10 per cent margin under which so many of them grew wealthy at the expense of the Government's revenues and the honest importers of the country.

This request for a return to the old margin is significant and makes one familiar with their past record in this line doubt the good purpose of their demand and the wisdom of conceding it. The secret, it seems to the writer, can be found in the testimony given by witnesses, and especially in the report of the Boston committee in 1896, which said:

"The same system of undervaluation can be shown in the same manner in respect to woolen and worsted goods, especially those from Germany, none of which are regularly imported, and it can be shown by documentary proof that cutlery, more particularly goods from Germany, has been for many years largely and systematically undervalued upon entry at the port of New York."

SUGGESTIONS MADE AT THE HEARINGS GIVEN BY THE COMMITTEE ON WAYS AND MEANS.

At the hearings given by the Committee on Ways and Means, Secretary Shaw, who thought "to give the importer no margin at all is a little severe," testified respecting the changes he would recommend as follows:[c]

"Among the recommendations that I have made is a conditional concession that no penalty—additional duty—shall be imposed on undervaluation when the undervaluation is less than 5 per cent. If Germany had rejected our overtures, I should then have recommended, in justice to the importer, the right to the Secretary of the Treasury to remit the penalty for undervaluation of less than 5 per cent when the Board of General Appraisers certified that in their opinion this undervaluation was the result of good-faith difference of opinion." * * *

The Olcott bill[d] was worded thus:

"And if the appraised value of any article of imported merchandise subject to an ad valorem duty or a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry by more than 5 per cent, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent in excess of 5 per cent that such appraised value exceeds the value declared in the entry."

It further provided that the additional duties should not be penal and should not be remitted.

[a] CONGRESSIONAL RECORD, March 17, 1896, p. 2889.

[a] Hearings before Ways and Means Committee, 54th Cong., 2d sess., 1896-7, Vol. II, p. 2105.

[b] See letter of transmittal, March 1, 1900, contained in pamphlet to President McKinley.

[c] Hearings, Committee on Ways and Means, 1906, p. 23.

[d] Ibid., pp. 108 and 109.

The committee on customs service and revenue laws of the Merchants' Association of New York wished section 7 to be amended so that it would read as follows:

"And if the appraised value of any article of imported merchandise subject to an ad valorem duty or to a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry by more than 5 per cent, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent in excess of 5 per cent that such appraised value exceeds the value declared in the entry."*

Mr. Thomas H. Downing, chairman of the above-mentioned committee, in addressing the Committee on Ways and Means, said,* "I am only speaking of the honest representative merchants of the country and not the undervaluers." The explanation of the foregoing amendment submitted to the Committee on Ways and Means, and found on page 14 of the pamphlet printed by the Merchants' Association committee, reads as follows:

"We respectfully submit that as actual market value of merchandise is not a definite quantity, but fluctuates within certain limits and is more or less proportionate to the volume of the transaction, and since there is always a certain difference in the values given for identical merchandise when appraised by the best experts, margin of 5 per cent should be allowed between the entered and appraised value of merchandise before any penalty should accrue. We believe that herein we express the views of leading customs officials, as well as those of the importers."

THE SUGGESTION OF THE GENERAL APPRAISERS.

The general appraisers testified concerning the proper margin to allow for difference of opinion as to value. General Appraiser Fischer criticised the amendment submitted by the Merchants' Association of New York, as follows:

"They provide for a 5 per cent allowance between the entered and appraised value; as their proposal reads it would amount to this: Suppose, after a hearing of the board on a reappraisement case, they should find that the goods are undervalued 55 per cent; according to the reading of the amendment that will lop off 5 per cent and put them down to a 50 per cent basis. My amendment provides that when the whole increased valuation does not exceed 5 per cent the penalty shall be remitted if the general appraiser or Board of General Appraisers shall certify that the increase is due to trade conditions only and is not an intentional undervaluation. This will protect the honest merchant and punish the other class." *

The Board of General Appraisers' bill* provided "that if the appraised value of any merchandise shall not exceed the value declared in the entry by more than 5 per cent, and the board of three general appraisers who decided the case shall certify that such increase was caused solely by reason of trade conditions the additional duties herein provided for shall not be levied or collected."

THE COMMITTEE ON WAYS AND MEANS AGAIN RECOMMENDS AMENDMENTS.

The hearings resulted in a number of amendments to the act being reported to the House by the Committee on Ways and Means, the one with which we are chiefly concerned providing that "if the appraised value of any article of imported merchandise subject to an ad valorem duty or to a duty based upon or regulated in any manner by the value thereof shall exceed the value declared in the entry by more than 5 per cent, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, an additional duty of 1 per cent of the total appraised value thereof for each 1 per cent that such appraised value exceeds the value declared in the entry."

THE HOUSE VOTED AGAINST THE 10 PER CENT MARGIN.

When the amendments were on their passage in the House June 27, 1906, Mr. OLCOTT, who had introduced a bill making radical changes in the law, attempted to incorporate four of his own amendments into the various sections amended.

He made no argument against the section compelling accurate entry of merchandise; neither did he give any reason for his proposed amendment allowing a 10 per cent margin for undervaluation, except to say that he offered the amendments because of information he had obtained from the State Department. Then he added:

"It seems that in a recent arrangement made, a modus vivendi between the State Department and the German Government in connection with the restriction sought to be placed by the German Government on American goods, the State Department, I think after consultation with the Treasury Department, made an agreement for a temporary agreement. Letters passed between the Secretary of State and the German ambassador, and my impression and my feeling is, on information from the State Department, that unless these amendments which have proposed are placed in this bill, it will be an evidence of bad faith by us, or show that there is something in the nature of bad faith in the relations between our Government and the German Government. I certainly do not wish to do anything to interfere with the proper collection of customs or proper administration of our tariff laws, but I would rather temporarily have something disturb the system than that a well-grounded charge should be made against our Government that we had been guilty of bad faith in our relations with any other government.

Answering Mr. OLCOTT's remarks, Chairman PAYNE replied as follows:*

"It is true that there was some negotiation between the State Department and the German ambassador, and it is true that the State Department recommended to Congress a change similar to the change involved in this amendment—and I think the Secretary of the Treasury was present at the time. Whether he agreed to that change or not, he did agree to recommend another change in another particular in the bill. * * That arrangement did not permit [prevent] the appraisers appearing before the committee and telling the truth; that did not permit [prevent] the committee investigating this matter and getting at the facts, and we are unwilling, whether the State Department recommends it or not, to consider this amendment proposed to the law."

That Mr. OLCOTT was mistaken in his view of the negotiation with Germany is shown by the letter of Secretary ROOT to Chairman PAYNE in response to a resolution of the House requesting "information as to what arrangement or agreement the Department of State has made with the German Government in reference to tariff relations between the United States and Germany." Mr. ROOT, under date of February 28, 1906, wrote that "there has been no arrangement or agreement made between the United States and Germany except as appears in the inclosed correspondence."

The correspondence as printed shows that in a communication written November 21, 1905, the German ambassador asked Secretary ROOT this question among others: "Could it be arranged than an additional duty be levied only in case the appraised value exceeds the declared value more than 10 per cent?"

Under date of February 16, 1906, Secretary ROOT, in a reply to the German ambassador, restated his question and replied as follows:

"This would require congressional action. I inclose, marked 'E,' a proposed recommendation from the Secretary of the Treasury to Congress which applies the rule for which you ask to the extent of 5 per cent, and as to the remaining 5 per cent gives the Secretary of the Treasury authority to waive or remit the additional duty upon a certificate that the undervaluation was the result of honest difference of opinion—that is to say, under the proposed rule the additional duty would be imposed only in case the appraised value exceeds the declared value more than 5 per cent, and could then be remitted up to the point of a 10 per cent difference upon a certificate of good faith." *

The amendment relating to undervaluation, offered by Mr. OLCOTT, read as follows:

"That where the appraised value of any merchandise exceeds the entered value by not more than 10 per cent, the Secretary of the Treasury may remit the additional duties if the Board of General Appraisers should report that, in their opinion, there was no fraud or intentional undervaluation on the part of the owner, importer, or consignee of said merchandise and shall recommend such remission."

Speaking on this amendment, Chairman PAYNE said:

"When the administrative act was adopted, in 1890, it had a provision similar to that giving the importer 10 per cent leeway on a guess, and as a rule he guessed about 9½ per cent. In other words, they undervalued 9½ per cent, and strained their consciences to that extent. When we came to pass the act of 1897 the committee was unanimously in favor of abolishing this 10 per cent leeway. Now, if the goods have been undervalued and the valuation is raised by the Board of Appraisers over and above the price at which they are entered by the importer, the duties are paid according to the increased value and an additional duty, which outsiders sometimes call a "penalty"—but which is not a penalty, because, under the law, it is a duty—an additional duty of 1 per cent on the undervaluation is exacted upon the goods. Now, it does seem that at some time the Secretary of State agreed to recommend, and did recommend, an amendment similar to this amendment, * * * but the committee did not feel it was safe to go back to the old plan of 1890 to 1897. It was sought to get this 10 per cent clause in the bill, but we then thought we would go as far as 5 per cent and give them a chance to guess 4½ per cent; but we did not want to go any further than that, because it might make too great a reduction of revenues and certainly would give the dishonest importer an advantage over the honest importer, who honestly appraised his goods and swore to his invoices when he tried to enter them. Now, by the action of the committee, after consideration, we concluded to give not to exceed 5 per cent."

This third amendment was lost, and Mr. OLCOTT withdrew the fourth.

Notwithstanding the recommendation of the Board of General Appraisers, the suggestion of the Secretary of the Treasury, the report of the Committee on Ways and Means, and the action of the House of Representatives, all made or taken within six months of their departure on their mission, the commissioners sent to Berlin ignored them, set up their judgment as superior to all others, and made a recommendation which not only doubled the margin which the House of Representatives was willing to concede, but also doubled that urged by the importers' representative and the chairman of the Merchants' Association committee, who, in asking for a 5 per cent margin, declared that therein they were representing the views, not only of the leading customs officials, but the importers themselves.

If the amendment suggested by Mr. Downing's committee, which provided for a margin half as great as that recommended by the commissioners to Germany, represented the views of the leading customs officials of the country and the views of the importers themselves, whose views are represented by the recommendations of the Berlin commission? Clearly they represent those of the German consigning exporters, whose wishes were expressed by the German ambassador in his note of November 21, 1905, to Secretary ROOT, when he asked for an arrangement allowing a 10 per cent margin. His countrymen knew, if our Secretary of State and the commissioners to Germany did not, what the concession meant to them, for they had had experience under a like privilege, from which they had reaped handsome returns, the loss of which "bore heavily" upon them and a return to which they eagerly awaited.

If granted, the effect of this privilege on the woolen duties and the protection accorded the wool manufacturer will be better understood by an illustration of its operation.

Under paragraph 316, of the act of 1897, woolen cloths valued at 71 cents per pound are dutiable at 44 cents per pound and 55 per cent ad valorem, which equals $3.05 cents duty, but if entered at 64 cents valuation, not quite 10 per cent less than true value, the duty would be 44 cents per pound and 50 per cent, equal to only 76 cents, a loss in protective duty of 7.05 cents per pound. If, however, the undervaluation is made on goods valued at between 40 and 70 cents per pound, the loss of protection to the domestic manufacturer would be much greater, for he would lose not only a portion of the ad valorem duty, but also 25 per cent of the compensating duty allowed him because of the duty on wool. For example, the duty on such goods is 44 cents per pound and 50 per cent ad valorem, and on an importation valued at 41 cents per pound the duty is 44 cents plus 20.5 cents, or 64.5 cents; but if they should be entered at 37 cents value, not quite 10 per cent less than the true value, the duty would be assessed at 33 cents per pound and 50 per cent (18.5 cents), equal to 51.5 cents, a loss in revenue of 13 cents per pound and a reduction in the protective duty to the manufacturer of over 20 per cent. Similar conditions exist in all the paragraphs of the woolen schedule where dividing lines of value exist.

THE CHANGES IN SECTION 7 RECOMMENDED BY THE COMMISSION TO GERMANY.

In summarizing the changes the commission to Germany agreed to recommend to section 7 of the customs administrative act, the report of the commission says:

"This recommendation covers the following changes in the law:

"I. The right to add to an entry to make market value as to consigned goods.

"II. The right to deduct from the invoice value at the time of entry, as to both consigned and purchased goods.

* See pamphlet, Revision of the Customs Laws: Report of the committee on customs service and revenue laws. The Merchants' Association of New York, January, 1906, pp. 13 and 31.
* Hearings, Committee on Ways and Means, 1906, p. 13.
* Ibid., p. 67.
* Ibid., p. 102.
* CONGRESSIONAL RECORD, June 30, 1906, p. 9833.

* CONGRESSIONAL RECORD, June 29, 1906, p. 9839.

"III. A 10 per cent margin within which additional duties shall not be levied.

"IV. Reducing the 50 per cent limit, at which point the presumption of fraud arises and merchandise is seized by the collector to 35 per cent.

"V. Granting to the Secretary of the Treasury the right to remit additional duties when it has been established that undervaluation was due to unintentional error.

"VI. The provision that additional duties shall be construed to be penal and within the purview of section 5292 of the Revised Statutes, by virtue of which the Secretary of the Treasury is authorized to refund them in cases where the absence of fraud has been established to his satisfaction.

"VII. Preventing the assessment of additional duties on goods subject to specific duty in all cases where the rate of duty is not changed by reason of the fact that the value found by the appraiser is greater than the entered value.

"VIII. The privilege of paying duty on less than the entered value.

"All of these propositions, with two exceptions (Nos. IV and VI), have been discussed in Congress and in published hearings before the Ways and Means Committee."

If these proposals had been discussed in Congress and in the published hearings before the Ways and Means Committee, why did not the commission also tell the President and the Congress that in the hearings of 1906 no suggestion was made by any advocate of a change for an absolute margin of 10 per cent, which the commissioners recommended and which experts have practically said is double what is fair or safe? The only witness testifying before the Committee on Ways and Means in 1906 who favored a 10 per cent margin was Mr. William M. Dunn, and he was obliged to admit that in Europe the margin allowed for undervaluations is fixed at 5 per cent. The suggestion for the 10 per cent margin was made in 1906 in the House of Representatives by Mr. OLCOTT, whose one reason for offering an amendment not in harmony with those made by the Committee on Ways and Means we have set out above; and in the House Mr. OLCOTT's amendment was rejected—of which important fact the report of the commission makes no mention. Mr. ROOT wrote the German ambassador February 16, 1906, that such a concession "would require congressional action;" the House voted down the proposal, and still the commission ignored that action, and went to the full limit of conceding Germany's wishes in recommending the margin of 10 per cent for undervaluations "without penalty." This return to the old law is urged by the commission in spite of all our investigations and experience without setting down in their published report a single reason for it. The only reason advanced by the President for the passage of the amendment is that "besides promoting harmonious relations between the contracting parties to the agreement in question" he regards "the proposed legislation as a meritorious measure for the improvement of our customs administrative act." *

In his annual message to Congress, quoted in his message of January 22, 1908, the President said:

"This careful examination into the tariff relations between the United States and Germany involved an inquiry into certain of our methods of administration which have been the cause of much complaint on the part of German exporters. * * * It is quite probable that this system tended toward an increase of the duties collected upon imported goods, but I conceive it to be a violation of law to exact more duties than the law provides, just as it is a violation to admit goods upon the payment of less than the legal rate." *

Why the law has caused "much complaint on the part of German exporters" becomes plain when the testimony, taken in the various investigations, conducted by the Senate Finance Committee, Treasury officials, and the Tariff Commission, is examined. Such examination will show that undervaluations occur almost universally in merchandise consigned for sale, a branch of the importing business in which Germans are very generally engaged.

The President conceives "it to be a violation" of law "to admit goods upon the payment of less than the legal rate;" but nevertheless advocates the passage of a law which a quarter century's experience shows facilitated the entrance of merchandise at valuations enabling the owners to pay greatly less than the legal rates, with harmful results to the honest men in the importing business, domestic manufacturers, and the federal revenue. That this fact has been conclusively established we confidently believe no one will deny who has examined the voluminous reports of the testimony given before investigating committees and the reports of commissions, committees, and Secretaries of the Treasury and Treasury officials.

Even Secretary ROOT when he wrote to the President under date of January 6, 1908, that the foregoing changes "are in line with the recommendations for the amendment of section 7 of the customs administrative act made by the Secretary of the Treasury in his letter of February 28, 1906, to the Speaker of the House of Representatives," was scarcely accurate in his statement. "In line with the recommendations of the Secretary," but going far beyond what he considered wise or safe, or what the General Appraisers advised and urged in the bill they drew.

Reference to Secretary Shaw's letter will show wherein his recommendation as to the margin for undervaluation is altogether unlike the one made by the commission and urged by the President for enactment into law.

Secretary Shaw's letter * is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, February 28, 1906.

SIR: I beg to recommend the following amendments and modifications of the customs administrative act of June 10, 1890:

1. That section 7 of the customs administrative act of June 10, 1890, be so amended as to permit, at the time entry is made, such addition to the cost or value given in the invoice of consigned merchandise as, in the opinion of the consignee or his agent, may raise the same to the actual market value or wholesale price thereof the same as is by said act permissible of merchandise actually purchased.

2. I further recommend that section 7 be so amended as to impose no additional duty for undervaluation unless such undervaluation shall equal 5 per cent of the market value of the merchandise, and that the Secretary of the Treasury be authorized to remit all additional duty whenever the undervaluation is less than 10 per cent of the value of the imported merchandise, provided the Board of General Appraisers shall certify that in its opinion the undervaluation is the result of good faith, differences of opinion, or error.

Respectfully,

L. M. SHAW, *Secretary.*

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Although "in line with the recommendations" of the Secretary, there is a marked difference between the proposal that no additional duty shall be collected "for undervaluation unless such undervaluation shall equal 5 per cent, and that the Secretary of the Treasury be authorized to remit all additional duty whenever the undervaluation is less than 10 per cent of the value of the imported merchandise, provided the Board of General Appraisers shall certify that in its opinion the undervaluation is the result of good faith, differences of opinion, or error," and the proposal that only in case the appraised value shall exceed the entered value by more than 10 per cent shall additional duties of 1 per cent for each 1 per cent in excess of the 10 per cent be imposed, as section 7, in its amended form, would mean. The two proposals are so dissimilar that it is difficult to understand how one can be in line with the other.

In view of the careful study given the laws governing the importation of foreign merchandise by so many competent committees since 1880 and the conclusions they reached, which are diametrically opposite to those reached by the Berlin commission, one can not help but believe that the President was unaware of the great complaints caused by the lax law prior to 1897, a return to which he urges, of the investigations made concerning its working, and the almost identical conclusions unfavorable to it reached by the several investigating committees. We are persuaded, therefore, that his indorsement of the proposed amendment, allowing the 10 per cent margin, rested entirely upon the recommendations of the commission and was not the result of a personal examination of the testimony given to the Tariff Commission or the Senate Finance Committee or to the report submitted by the special agents to Secretary Manning.

WHAT DID THE REPRESENTATIVE OF THE TREASURY DEPARTMENT CONSIDER IN REACHING A DECISION?

Secretary ROOT informs the President, and through him the Congress, that "the foregoing changes were carefully considered and approved by the representative of the Treasury Department on the American Tariff Commission sent to Berlin, and have been unanimously recommended for adoption by the commission in its report."

If the representative of the Treasury Department carefully considered the changes recommended, as Secretary ROOT states he did, did he, in reaching his conclusions, consider the testimony given the Tariff Commission in 1882 on the evils following the increase of the importation of merchandise on consignment and the undervaluation of such merchandise? And did he consider the unanimous report made by the members of that commission, in which they recommended certain changes in the law which they deemed necessary and imperative?

Did he ponder the conditions described by Secretary Folger and the bill he urged to cure the conditions which caused grievous annoyance to the purchasing importers and Treasury officials?

Or did he take any notice whatever of the testimony heard by the Senate Finance Committee of 1885–86 or their conclusion that the right to undervalue imported merchandise 10 per cent should not be permitted to continue longer?

Did he give any weight to the report of the three special agents of the Treasury, two of whom later occupied higher positions in the department, made to Secretary Manning in 1885?

Or did he deem worthy of consideration the report of the Customs Commission, of which ex-Secretary Fairchild was the chairman, in 1893?

Or did he consider the testimony on the subject of undervaluation given to the Committee on Ways and Means in 1896, and that committee's unanimous action in 1897 against the 10 per cent privilege for undervaluation, or the additional testimony given the same committee in 1906 by the then Secretary of the Treasury and the changes suggested by him, the general appraisers, and even the committee on customs service of the Merchants' Association of New York?

NO REASONS GIVEN FOR THE MARGIN RECOMMENDED.

If the representative of the Treasury Department carefully considered all the aforementioned testimony and reports and made his recommendation with full knowledge of the opposite conclusions reached by the Tariff Commission of 1882, congressional committees, Secretaries of the Treasury, Treasury officials and agents, he does not furnish the Congress a single reason or a single argument for favoring a reversal of their recommendations and reverting again to a law unsparingly condemned by all the reports ever made to Congress on the subject, that body being informed simply that this Treasury representative "carefully considered and approved the changes recommended." We have no record of any hearings held by this Berlin commission or of any witnesses heard who favored the return to the 10 per cent margin, the value of their recommendation resting entirely and solely upon the knowledge of this one commissioner, whose action has the approval of his two colleagues.

In the face of such preponderating, overwhelming, and conclusive testimony as we have marshaled against the 10 per cent leeway, when considered with the character of the witnesses giving the testimony, how can this unsupported recommendation be accepted by those who seek not to legislate for special interests, if you please, but to make it possible for the Government to get a fair proportion of the duty written in the law, for the honest importer to continue in business, and for the domestic manufacturer to compete on something like equal terms with foreign rivals?

NO COURT WOULD ALLOW A VERDICT FOR A 10 PER CENT MARGIN TO STAND.

Where could be secured a jury prejudiced or rash enough to render a verdict for the 10 per cent margin in the case as made up in the records of Congress, unsupported as it is by any report or recommendation in its favor? And if rendered, where could he found the judge who would not speedily set it aside because against the evidence and the weight of the evidence? Where is the court that would ignore the overwhelming and convincing evidence against the margin and rest a finding in its favor on the suggestion of a single under-official of the Treasury Department, even though approved by his fellow-commissioners?

Ought the legislation urged by all the committees of Congress, the Tariff Commission, and enacted by the House itself, be reversed solely on the suggestion of one man, who gives no reason for favoring the

* See Message, January 22, 1908, p. 3.
* Document No. 576, Fifty-ninth Congress, first session.

change? Ought the testimony of competent witnesses, almost unanimously against so large a margin, be treated as of no value, and the recommendation of the commissioner be adopted and enacted into law? Has such a case for the proposed amendment been made out as to justify a return to the intolerable conditions which prevailed in this country for more than a quarter of a century and which we had hoped had gone never to return?

UNACQUAINTANCE WITH THE HISTORY OF UNDERVALUATION AND THE HAVOC PLAYED BY THEM DOES NOT EXCUSE.

If this recommendation in favor of the 10 per cent margin was given by the "representative of the Treasury Department" in ignorance of the testimony heard and the conclusions reached by the tariff commission of 1882, the Senate Finance Committee in 1888–89, various Secretaries of the Treasury, the General Appraisers, the Committee on Ways and Means, and the House of Representatives itself, ignorance of the testimony given and of the conditions existing under the old law, allowing the same margin he now urges, is not an excuse any more than "ignorance of the law" is a valid defense for a man charged with the commission of an act made criminal by a federal or state statute. It was his business, as it was the duty of his colleagues, to be thoroughly familiar with the country's experience under a law like the one for which German interests were pressing.

If he "carefully considered and approved" the proposed change with full knowledge of and in spite of the testimony of the expert witnesses we have quoted, then we are quite content to set their conclusions and their recommendations over against his, and rest the case thus made up without further argument.

It would be, we submit, a startling precedent for the Congress to set if the conclusions reached by its own committees, after searching examination of witnesses were ignored, the advice of experienced General Appraisers and Secretaries of the Treasury disregarded, and the recommendation of a division chief in the Treasury Department accepted and enacted into law.

Is the Congress expected to reverse its own action in 1897 and 1906, stultify the labors of its own investigating committees and the tariff commission created by it, simply because the Berlin commission says it ought to be done, or because the President authorized the Secretary of State almost a year after the adverse action by the House on the Olcott amendment—identical with the one now urged—to state to the German ambassador that "he will recommend to the Congress the enactment of the amendment" which the German consigning exporters so anxiously wish again to become the law?

Should this privilege—if granted now—produce a tithe of the evil consequences which followed in its wake when the old law allowed the margin, how can it be said that it will do no harm to the fiscal and economic interests of the country? Would it not be a tremendous price to pay for the good will of any nation? In the name of honesty, ought it to be granted?

Grant this right by law, and all the boasted advantages—if there be any—gained by the United States in the German agreement will vanish as the fog before the noonday sun. The 10 per cent undervaluation privilege would be worth more to the consigning, duty-evading exporters than all the open hearings—though they have not been without their value—and all the modifications of customs regulations combined. This they knew, and their efforts were directed toward its attainment, first, by diplomacy with the State Department, and, second, through the commission sent to Berlin, who yielded the very point which, we believe, the German negotiators deemed of the highest importance to their cause—next to the consummation of a complete reciprocity treaty—and agreed to recommend an amendment to the law permitting the coveted privilege. The favor of the commissioners was won, the support of the President and the Secretary of State was secured, and all that stood, and all that now stands, between many domestic interests and great loss, if not ruin, is the consent of Congress to this startling suggestion. Will the Members of the Senate and the House "turn their backs" on past experience, the counsel of many of their distinguished colleagues, and accept the amendment urged? Or will they stand firm for the law passed in deference to a wide demand from all classes having to do with the importation of merchandise, that the gross frauds perpetrated under the privilege of a law should be lessened, and, if possible, stopped by the passage of an act compelling honest valuation of imports?

The honor of the United States is in no wise involved in negative action on this request, for the reason that the German ambassador was informed several months before the agreement was signed that the granting of a 10 per cent margin was a matter requiring congressional action. The President has fulfilled to the letter his promise to "recommend to Congress the enactment of an amendment to section 7 of the customs administrative act of June 10, 1890, as amended by section 32, act of July 24, 1897." What it is wise to do remains for the Congress to decide.

The argument used for tariff revision, that times and industries have so changed since 1897 that schedules satisfactory then are out of date, is not at all applicable to this question of margin. On the contrary, with each year's growth of our imports, strict requirements for their entry at approximately correct valuations become the more imperative; for with the increasing quantity imported the greater are the chances for illicit gain, the greater is the temptation to undervalue, and the more difficult it is for honest importers and domestic manufacturers to withstand the dishonest methods employed by the undervaluers.

If it was against good morals ten years ago to permit this margin, why is it advisable to grant it now? If it was inimical to the federal revenue, if it was destructive of the business of the honest importer ten and twenty years ago to permit this margin to continue, why would not a return to it now bring back the old disadvantages intensified by present conditions and greater opportunities?

If a 10 per cent margin was too much in 1882—when the value of imported dutiable merchandise in the calendar year was $538,807,117—in 1885, 1893, and 1896, why is it not too much now when the value of such imports has reached the enormous sum of $787,035,536 in 1907?*

What reasonable man familiar with the gross wrongs committed under the old law and having a thought for the collection of the federal revenue and the preservation of the business of honorable men striving to comply with the law can conscientiously vote for the recommendation made by the commission, the Secretary of State, and the President?

* These figures are for the fiscal year and differ slightly from those to be found on page 9. They are the latest corrected figures, and are to be found in the Commerce and Navigation reports for 1907.

EXHIBIT G.

Wages in woolen mills, England and Massachusetts, on basis of fifty-six hours per week for each country.

[Statement by William Whitman.]

Occupation.	Wages per week.	
	England.	Massachusetts.
Scouring hand	$4.00	$8.54
Yard hand		8.54
Wool sorter	7.50	12.93
Card stripper	5.00	8.54
Creel tender:		
4 creels	3.00	6.76
2 creels		5.30
Finisher tender	3.00	6.76
Apperly tender		6.76
Bramwell tender	3.00	8.54
Picker hands	4.50	8.54
Spinner	5.00	12.68
Dresser	6.00	12.55
Filling carrier	4.50	8.54
Twister:		
Piecework	5.00	12.93
Day work		10.62
Spooler (actual)	3.00	5.30
Loom fixer	7.50	14.00
Weaver:		
2-loom work		9.60
1-loom work	4.50	10.56
Fulling-mill hand	5.50	8.54
Carbonizing hand	4.50	8.54
Carbonizing hands, boys		6.78
Burlers, after one year wages are	2.00	5.65 / 6.37
Sewer	3.00	7.72
Dye-house hand	4.50	8.54
Shear tender	5.25	9.60
Wet brush and steam brush	4.50	8.54
Gig hand	6.00	8.54
Steaming machine		8.54
Scouring-machine hand	7.00	8.54

Wages in woolen mills—England and Pennsylvania.

[Statement by Walter Erben, of Erben-Harding Company, Philadelphia, Pa.]

Occupation.	Wages per week.	
	England.	Pennsylvania.
Head wool sorter	$9.52	$25.00
Wool sorter	8.96	18.00
Overlooker:		
Wash-room	6.00	20.00
Card-room	7.50	20.00
Combing-room	8.50	25.00
Drawing-room	8.50	25.00
Spinning-room	8.00	20.00
Twisting-room	8.00	20.00
Reeling-room	8.00	18.00
Back washer	3.12	6.00
Gill box	3.12	5.50
Combs, 2	3.37	8.80
Gill boxes, 4	3.00	8.80
Wool washer	5.25	10.00
Card stripper	6.00	12.00
Card feeder	4.25	5.50
Drawing gill	2.75	5.50
Drawing frames	2.75	6.00
Roving frames	2.50	5.50
Spinner, 2563	2.50	6.00
Spinner, 332	2.62	7.00
Overlooker's assistants	2.12	19.00
Doffer	1.87	4.40
Twister	2.87	6.00
Winder	2.62	4.40
Reeler	3.00	7.50
Engineer	6.50	20.00
Fireman	6.00	12.00
Laborer	5.78	10.00

Mr. CUMMINS. Now, Mr. President, I will reach the conclusion. If it does not appear clear to you that a duty of 50 per cent upon the foreign cost of woolen cloths is vastly more than is necessary to compensate these manufacturers for the wage difference and the capital difference, then I would despair of ever reaching any conclusion with you. Take a yard of cloth that, we will say, cost $2 abroad, a high-priced piece of cloth. The duty upon it is $1, and that, not for the purpose of equalizing the difference in the cost of production, but of labor and capital only; $1 duty to measure the difference between the labor here and abroad, the entire labor cost being, as I think, not to exceed 70 cents, and I think not to exceed 50 cents.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I beg pardon. I have inadvertently named an incorrect sum, but then the Senator from New Hampshire will readily see wherein I made the mistake.

Mr. GALLINGER. I observed that; but, Mr. President, I want to suggest to the Senator—which I feel sure has not escaped his attention—that the domestic manufacturer is laboring under some disadvantage in the matter of the undervaluation of foreign goods. I do not know how extensive that is; but, being intimately acquainted with some gentlemen in New York who, I think, speak by the book, it has been represented to me that it has been in the past very great in the matter of woolen goods as well as in silk goods. If that be so, it puts an added burden upon the American manufacturer, which ought to be counted in making up the difference, I think.

Mr. CUMMINS. Mr. President, I am quite willing to agree to the suggestions just made by the Senator from New Hampshire. There are several items that ought to be taken into account—the motive for, the tendency toward undervaluation, the greater reward that capital should bear in our country as compared with foreign countries, and the difference between the efficiency of labor here and abroad; that is, what efficiency costs in our country as compared with the efficiency cost in England. But when you have taken all these into account and when you have added 50 per cent to them, you will still have less than one-half of the duty which you have imposed here as protective.

My friend the Senator from Idaho [Mr. HEYBURN] suggests a case with which I have great sympathy. I have no particular fault to find with his analysis; and if he carries out his premises to their logical end he will vote for the motion that I am about to make, in order that this matter may be considered in that careful analytical way which will be required in order to reach safe and sound conclusions.

The difficulty is that too many Senators, as it seems to me, with regard to the tariff wall which we are building around the United States, adopt the maxim which was common in my old country, in Pennsylvania, where I was born and bred. It was a very stony country, and we picked up the stones from the fields as well as from the quarries with which to build our fences and our cellar walls and sometimes our houses. It was one of my common, if not my favorite, occupations when I was a boy to haul stones for walls; and this is the maxim or rule that was prevalent in that country with regard to hauling stones: "First, haul what you think is enough; then haul twice as much, and you'll have just half enough." Some Senators seem to approach the consideration of this subject in just that frame of mind. They want to build a tariff wall, and they put in what they think is enough, and then they put in twice as much, and then they still believe they only have half enough.

I am sure that I have convinced the Finance Committee that this subject deserves further consideration. The Finance Committee could not have known the facts that have been developed; they could not have appreciated their application to the subject when they adopted, with hardly a single change, the law of 1897.

Mr. ALDRICH. Will the Senator permit me right there to interject a very brief remark?

Mr. CUMMINS. I yield to the Senator.

Mr. ALDRICH. There has been no argument advanced here and no statement made that has not been presented to the Committee on Finance in infinite variety and at infinite length.

Mr. CUMMINS. Well, that destroys what little faith I had for the Finance Committee. I had hoped that these things had not been presented before the committee in the fullness and in the richness that they have appeared here. If that be true, I despair of human understanding——

Mr. ALDRICH. Mr. President, not with the richness that they have been presented here; not with the rhetoric that has been used here; but the facts and the ideas have been presented to the committee, crudely perhaps, but at great length.

Mr. CUMMINS. And, notwithstanding, Mr. President, these facts, the Finance Committee still persists in this schedule.

Mr. ALDRICH. Notwithstanding those facts, elaborated and illuminated by the eloquence of the Senator from Iowa and other Senators, the Senate, by repeated votes, has shown their disbelief in the theories and in the facts which these gentlemen have presented.

Mr. CUMMINS. The Senator from Rhode Island hardly touches the issue. I have explained how the Finance Committee might find some difficulty, might find some objection to the amendments that have been offered, and I can understand that the Senate was reluctant to accept them without that careful, comprehensive study which such a subject requires; but that is not the point. What I want the Finance Committee to do is, in view of the things that have transpired, to give this subject further consideration. The Finance Committee found no difficulty in overriding the cotton schedule when it was desired to raise the rates; the Finance Committee had no difficulty in applying modern and scientific methods to the silk schedule when it was desired to raise the rates; and why, therefore, should it be blind to modern and scientific methods with regard to the woolen schedule? There must be some way to better this schedule in the way of accomplishing justice and right, just as you have believed that there was a way to better the cotton schedule and the silk schedule.

Mr. ALDRICH. Will the Senator permit me?

Mr. CUMMINS. Yes.

Mr. ALDRICH. I think the Committee on Finance would have no difficulty in destroying this schedule. That is not a difficult task at any time. The most delicate mechanism, all the creations of the human mind and human thought, built up, perhaps, as the result of ages of study and investigation, can be destroyed by a single blow. It does not take a sledge hammer to destroy the mechanism of a watch; it is an easy thing to do. But when a man undertakes to produce a watch—I am only using that as an illustration—he is dealing with a matter which requires great skill, infinite patience, and great judgment in every direction.

We are approaching this subject, I think, with all due deference to the Senator from Iowa, from entirely different standpoints. I am desirous of preserving to the American farmer a market for his wool in the United States.

Mr. CUMMINS. So am I.

Mr. ALDRICH. I am in favor of preserving to the people engaged in the manufacture of wool in the United States a market.

Mr. CUMMINS. So am I.

Mr. ALDRICH. But I am not willing to try experiments, and especially I am not willing to try any experiments along the lines of the suggestions which have been supported by the Senator from Iowa on the pending proposition.

Mr. CUMMINS. I realize the force of all that the Senator from Rhode Island has said. I would not want to intrust the construction of a watch to a blacksmith.

The Senator from Rhode Island or the Finance Committee evidently regards my colleague and the Senator from Wisconsin as blacksmiths trying to build a watch, and therefore I have departed from that and have asked the Finance Committee to try to rebuild this watch. You have reconstructed the watch which represents the silk schedule. You have reconstructed the watch which represents the cotton schedule. Why do you not try your hand at reconstructing the watch which represents the woolen schedule?

Mr. ALDRICH. I think I will be able to show the Senate later on that each and all these amendments are not for the purpose of reconstruction in the nature of reform, but in the nature of changes that will result in destruction. Of course, I am not advised as to everybody's opinions upon this subject, but so far as I know, there has been no agitation or suggestion from any source of dissatisfaction with the wool and woolen schedules, except from one class of woolen manufacturers. If the great masses of the farmers of this country, or any of them, are dissatisfied with the present schedule, that dissatisfaction has not been reflected here. If the manufacturers of the country, with the exception——

Mr. CUMMINS. It is being reflected at this moment, so far as I can reflect it.

Mr. ALDRICH. It is being reflected not by any direct representation of the farmers of the country or the woolgrowers, who are represented here by their organizations, by the men who understand their interests better than any other men in the Senate. Sheep raising in Iowa is certainly not a lost art, but it is not a profitable business, as compared with many other things that the people of Iowa produce.

Mr. CUMMINS. That is quite true.

Mr. ALDRICH. And the woolgrowers of the country—I make the statement without fear of contradiction—are satisfied with the present tariff. The woolen manufacturers, with the exception of one class—and their dissatisfaction arises from natural conditions, which it is beyond the power of this Congress to change—are, as a rule, satisfied with this schedule. The persons engaged in production, the textile workers of the United States, without exception, so far as I know, are satisfied with this schedule. Who is dissatisfied? Who are the men?

Of course the Senator from Iowa has always been a tariff reformer. I do not use the term in an offensive sense, but he has been in favor of lower duties all along the line. If he

were required to reconstruct our tariff, he would do it upon a different basis from what I would and what I think a majority of the Senate would. I do not find any fault with that, but I suggest to him that all these other interests and people are satisfied with this schedule. It does not necessarily follow, because he is dissatisfied, and a few other Senators are dissatisfied for any reason, that we must halt the public business and try the impossible task of reconstructing the schedules.

Mr. CUMMINS. I am not conscious of employing in my inadequate efforts any different principle from that which the Senator from Rhode Island adopts, although I reach very different results in many instances.

He asks who are dissatisfied? I have discussed the woolen schedule all over the State of Iowa, and even though it is attempted to be minimized here, our people believe that in the end, if duties are imposed that are unconscionable and too high, those who wear the woolen fabrics must pay the cost, and those people are therefore dissatisfied if those duties are too high. I understand, of course, the harmony between the woolgrowers as represented here and the woolen manufacturers. The truth is, as I analyze the situation, that the woolgrowers here are as helpless as were the beet-sugar producers in the schedule we were considering the other day. They do not dare to disagree with the Woolen Manufacturers' Association, just as the sugar-beet producers were compelled by their self-interest—I am not speaking of any compulsion other than the ordinary motive of the human heart and mind—to stand by and defend the iniquities of the American Sugar Refining Company, because they dared not proclaim their emancipation.

Mr. ALDRICH. I will say to the Senator from Iowa, what he probably may not be aware of, that the present woolen schedule—that is, Schedule K of this bill, of the existing law, of the act of 1890—was prepared more largely at the suggestions and under the control of the woolgrowers of the United States than of the woolen manufacturers or of any other force or power. I hope the Senator from Iowa will not misunderstand me. I am aware that for many years that Senator has been carrying on a campaign in his own State for lower duties. One representative of that State in this body had very much to do not only with regard to Schedule K, but the entire tariff legislation here. There was a marked, I perhaps might say, without being too strong, a wide difference of opinion between the late Senator from Iowa and the present Senator from that State. That difference was fought out before the people of Iowa, and the Senator from Iowa is now here.

In regard to the wool schedule, the people of Iowa are not particularly interested directly in whether the tariff on wool is high or low; but we have upon this floor ten or twelve Senators whose people are directly interested in the wool tariff, and those Senators are unanimous and enthusiastic in favor of maintaining the existing schedules. That those Senators represent in this matter their constituents, the woolgrowers of the country, I think the Senator from Iowa will not venture to deny. We have a large number of other Senators here who are protectionists, who believe in the protection on wool; and I shall try to voice their sentiments later on in the day, when I will show. I think to the satisfaction of every Senator, that these repeated amendments—everyone of them—have but one purpose and could have but one result, and that would be not to reform the wool and woolen schedules, but to destroy them.

Mr. CUMMINS. It would be vain for me to attempt to defend these amendments. They have been presented, defended, advocated with a wealth of reason and of argument and of fact that leaves me no opportunity whatever. The Senator will understand that I am not at the present time inquiring into the merits of these amendments. I am asking the Finance Committee—in view of the developments here, of the facts, that can not be disputed; that the manufacturer is receiving more than his compensatory duty; of the fact that the protective duty, so called, is more than can possibly be defended—to take this schedule, preserve its harmony, see that the structure is ample and fully bound together, so that it will be as secure as it ever was; to put it so that it can be defended before the American people, because if the American people are not satisfied with what you do, eventually they will overturn the structure which you are here rearing with such infinite care and patience.

Mr. ALDRICH. If I understand the present situation at all, it is something like this: These amendments have been offered. They have been supported, as the Senator says, with a wealth of eloquence and with a great many statistics and with a great many statements alleged to be facts. Whether or not they are, I will not stop now to consider. But this discussion has been going on. After this matter has been presented to every Member of the Senate, after it has been presented——

Mr. CUMMINS. Will the Senator pardon me for a moment? I yield the floor, as I have concluded what I wish to say.

Mr. ALDRICH. Then I also yield the floor. I am very desirous of getting a vote on this question.

Mr. WARREN. I should like to ask the Senator a question before he leaves the floor. I understand his contention to be that the manufacturers are receiving too much compensatory duty, coupled with a protective duty.

Mr. CUMMINS. That is what I have been driving at for the last hour and a half or two hours.

Mr. WARREN. I do not wonder that the Senator follows a line of that kind, because I myself followed it for a great many years, and there have been times, especially in my earlier consideration of this subject, when I figured it very much as the Senator figures it. But as I grew older and after a somewhat active business life I am inclined to judge more and more by final results. I think that is the safest way. I do not think the matter of technicalities enters into it so much as does the final result. We know what the final result has been to the sheepmen. We know that when we have had favorable tariff legislation they have succeeded, and when we have not had favorable legislation they have failed. They have demonstrated that if they are protected they can raise in this country every pound of wool consumed in this country.

On the other hand, we have been hearing of other lines of manufactures. We have heard of dividends on sugar. We have heard of dividends on oil. But I can not find in my investigation that the manufacturers of woolens have shown more than a reasonable profit, more than a reasonable interest earned; and if the Senator has any information, or any Senator has information, which proves that, taking it altogether, from first to last, the manufacturers of woolen goods have become multimillionaires or the sheep growers have become multimillionaires, then I am ready to change my opinion.

But I want to see some evidence, if somebody is getting too much compensatory duty or protective duty, that, after good management, he has made more than the ordinary rate of interest.

Mr. CUMMINS. Will the Senator from Wyoming vote for my motion if I show him that the woolen manufacturers have made more than a fair interest on their money?

Mr. WARREN. In the first instance, I will not, so far as his amendment is concerned, because that does not touch the question, his motion being simply a motion to rerefer to a committee; but I shall be very glad to have the Senator show me where this great profit has come in.

Mr. CUMMINS. I will be very glad to do so at some time. I want to know, inasmuch as the Senator from Wyoming has conceded the force of my argument, that the woolen manufacturers have made more than a fair share of the duty, and therefore I assume that he believes that this subject should be remitted to the Finance Committee for its further consideration—I want to know, if I show him that the woolen manufacturers, as a whole, have made more than a fair interest, if he will vote for this amendment?

Mr. WARREN. The Senator is exceedingly persuasive; but let me say to the Senator that I will vote for any proposition he may produce here that looks as if it would bring the finality he wants if he will show me that the woolen industry, taking it from the time it started up to date, considering its profits and losses, has more than it is entitled to in interest or dividends. If he does, I will vote for any change he may suggest.

Mr. CUMMINS. I am not half so persuasive as is the Senator from Wyoming, who says he will vote for whatever he wants to vote for, and nothing else.

Mr. WARREN. The Senator has not informed me whether he thinks the woolen manufacturers as a class, taken as a whole, and throughout a period of years, have made more than a reasonable profit.

Mr. CUMMINS. I believe their profits have been inordinate.

Mr. WARREN. I should like to have the evidence of that.

Mr. CUMMINS. I understand there have been some very unfortunate manufacturers. Certainly the carded-woolen manufacturers have been very unfortunate and very unprosperous, but there are reasons for that, as pointed out by my colleague.

There have been other ventures which may have proved to be failures, but the profits on properly conducted, wisely managed, woolen manufactures in this country have been greatly more than a fair interest upon the money invested.

Mr. BEVERIDGE. Will the Senator permit me to ask him a question before he takes his seat?

Mr. CUMMINS. Yes.

Mr. BEVERIDGE. The Senator from Wyoming has raised the question as to woolen manufacturers.

Mr. WARREN. I have not raised the question. It has been raised all the morning.

Mr. BEVERIDGE. You immediately called attention to it. I wish to ask the Senator from Iowa a question before he takes his seat. I think the statement of the Senator from Wyoming is pertinent. I will preface my question by summing up. It seems that the carded-woolen people have not prospered under the present law, for reasons pointed out by the senior Senator from Iowa, and not denied, coming down to the fact that the worsted people regard that as an antiquated method. But that does not seem to be true of the worsted manufacturers. The carded people, which includes all the little mills, or most of them, over the country, being in one class, are discriminated against, as it is claimed, by this bill. Will the Senator point out who the chief woolen manufacturer—what corporation is the chief woolen manufacturer in this country, and what is the extent of its manufacture?

Mr. CUMMINS. I have not the details before me. They have already been pointed out.

Mr. BEVERIDGE. Is it the American Woolen Company?

Mr. CUMMINS. The American Woolen Company. But the Senator from Wisconsin submitted all the statistics with regard to that.

Mr. BEVERIDGE. I was not here. I did not hear that. Otherwise I would not ask for a repetition of it.

Mr. CUMMINS. I am not prepared to duplicate the showing already made. All the observations I have made have been rather in the nature of gathering up——

Mr. BEVERIDGE. Surely.

Mr. CUMMINS. What has already been put before the Senate in the way of testimony, cementing it if I could into a harmonious whole.

Mr. BEVERIDGE. Is it true that it is the largest manufacturer?

Mr. CUMMINS. Undoubtedly.

Mr. BEVERIDGE. Is it true that it is chiefly engaged in the manufacture of worsteds as distinguished from the carded product?

Mr. CUMMINS. Wholly.

Mr. WARREN. I will say it is a manufacturer of both and not wholly of one.

Mr. BEVERIDGE. I said chiefly. Can the Senator in one word inform the Senate in regard to the extent of its business and its profit?

Mr. CUMMINS. I would much rather refer to the Senator from Wisconsin.

Mr. BEVERIDGE. So that, if the statements made by the senior Senator from Iowa are true, the net result will be that the schedule will operate in the future, as it has in the past, to the injury of the carded-wool manufacturer, who, I understand from statements made on the floor and not denied, includes most of the little mills throughout the country, and very much to the advantage of the worsted manufacturer, chief of which is the American Woolen Manufacturing Company. I want to get it clear in my mind.

Mr. CUMMINS. The Senator has stated it accurately.

Mr. DOLLIVER. The Senator has omitted the fact that the American carded-wool people have the largest pay roll.

Mr. WARREN. And the largest carded-wool mill in the country, and perhaps anywhere in the world, is one owned and erected by the American Woolen Company—the Asabet mill.

Mr. CARTER. Before the Senator from Iowa resumes his seat, I should like to ask him a question, with the permission of the Senator from Wyoming.

Mr. CUMMINS. I yield.

Mr. CARTER. We have passed the metal schedule, to which the Senator from Iowa filed objections. We have passed the cotton schedule, contrary to his views of right and propriety, and a number of other schedules, all of which the Senator opposed.

Mr. CUMMINS. I will not assent to the statement just made. I have found some objections to each of those schedules, but not to all of the items in those schedules. I have attempted to be discriminating in my objections as we have passed along.

Mr. CARTER. None of the schedules referred to met the approval of the Senator in all particulars.

Mr. CUMMINS. That is quite true.

Mr. CARTER. It appears that the woolen schedule does not meet his approval in all particulars——

Mr. CUMMINS. You might broaden that a little.

Mr. CARTER (continuing). But does in some. I desire to ask the Senator why it is, with the number of schedules objectionable, each in its way, in some particular, the Senator from Iowa selects the woolen schedule alone to be recommitted for the purpose of being reframed?

Mr. CUMMINS. Simply because there is in the woolen schedule a fallacy that is not found in any other schedule in the tariff bill. There is no other schedule in which there is an attempted separation of a so-called "compensatory" duty from a protective duty, and in the other schedules we are compelled to allow the protective duty to embrace all the factors or elements in it with regard to which the American manufacturer needs protection. With regard to the woolen schedule there is injected a separate duty which is called "compensatory," which is so—no; I will not use the word which comes to my lips—but which is so unjust and indefensible that I thought it was my duty to object to it.

Mr. BEVERIDGE. Mr. President——

Mr. CARTER. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair will admonish Senators to address the Chair. The Chair for the last ten minutes has not known who was entitled to the floor. The Senator from Montana had the floor.

Mr. CARTER. I will yield it in a moment. Schedule K, known as the "woolen schedule," does not embrace anywhere the word "compensatory." That is a phrase used to define a thought arising from the schedule itself. Specific duties are assessed which we, for convenience, call "compensatory duties," and then comes the assessment by the yard or an ad valorem based upon what we call the "manufacturer's protective duty;" but I understand that this arrangement extends through all these schedules without any exception.

Mr. ALDRICH. Absolutely.

Mr. CUMMINS. In a broad, comprehensive way it does. You have referred to the metal schedule. Let us take it. We will take the iron ore, supposed to have a duty of 25 cents a ton upon it. Its next form is in pig iron. It is proposed that there shall be a duty of $2.50 upon pig iron. That advance, it is imagined, covers the transformation, if you please, of iron ore into pig iron. From pig iron it is converted into steel ingots, and the ingots bear a higher duty on account of that advance; from ingots into billets, from billets into rods, from rods into wire, from wire into nails.

Mr. OLIVER. Mr. President——

Mr. CUMMINS. I understand what the Senator from Pennsylvania means; and I agree, and I shall point out presently that there is just as fatal a mistake in the metal schedule as there is in the woolen schedule, and the Senator from Rhode Island will recognize it when I say that this committee has reported a duty of $5 a ton on wire nails, when the duty on the very rods out of which the wire comes has double the duty on wire nails.

Mr. ALDRICH. Does the Senator from Iowa think that a correction of that mistake is a part of the work of tariff revision which we are called upon to do by the fact that we are here?

Mr. CUMMINS. I think so.

Mr. ALDRICH. Does not the Senator realize that when he makes that statement he is conceding the right and the justness of the committee taking care of all these defects?

Mr. CUMMINS. Precisely, and that is why I want you to take this schedule back and correct just as radical, just as obvious, a mistake as there is in the metal schedule which I have just pointed out.

It is just as bad and indefensible. I do not want you to understand—I will reach that in a moment—nor do I want the Senate to understand that I think this correction in the metal schedule should be by lifting up the duty on wire nails. It should be by graduating the material which finally passes into wire nails. But I know you will do that. I know the Finance Committee will not leave the metal schedule in that way, and I hope you will not leave the woolen schedule in the way in which we have found it to be.

Mr. ALDRICH. Is the Senator willing to admit that in any case a revision to cure defects might be a revision upward?

Mr. CUMMINS. I am quite willing to admit it.

Mr. ALDRICH. Upward?

Mr. CUMMINS. Upward. I am willing to admit it.

Mr. ALDRICH. I am very glad to hear that admission.

Mr. CUMMINS. You have heard it a score of times since the revision began. Possibly, however, the Senator may not have been in the Chamber. I recognize the rule we have adopted in the revision of the tariff. I recognize that in some instances—they are not numerous, of course—there ought to be an increase in duties. You will not find me objecting to an

increase of duties unless I can show good reason why they should not be increased.

Mr. ALDRICH. I can not for the moment remember of any single instance in which the Senator from Iowa voted for an increase of duty. There may have been some, but I am not mindful of them at present.

Mr. CUMMINS. I have allowed to pass over here without any objection on my part a score, aye, two score, of increases that came from the committee and which I believed to be just, and, therefore, of which I made no complaint.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Iowa yield?

Mr. CUMMINS. I am glad to yield the floor if my cross-examiners will discharge me.

Mr. WARREN. If I may be granted one moment, I understood that I had the floor to ask a question of the Senator from Iowa while he had the floor, and I supposed I yielded to the Senator from Indiana and to others.

Mr. CUMMINS. May I excuse myself to the Senator from Wyoming by the statement that I waited what seemed to me a reasonable time for the question to appear, and the Senator from Wyoming seemed to be stating in his clear and felicitous way the argument upon his side of the case. Therefore I withdrew, in order that his argument might have full force and effect.

Mr. WARREN. The question I wished to ask the Senator from Iowa was whether the Senator could cite us to a continuation of successes on the part of either manufacturers or woolgrowers that would be proof that either one of those avocations have been overprofitable, taking them from the foundation of the business in this country to the present time or for any considerable length of time. Back in the Senator's remarks where he was dealing with profit the question was apropos, but it has been deflected by the interruptions.

I merely want to make this observation, and I will not ask the Senator to answer it unless he desires. I think you may start at the Atlantic and go to the Pacific, and from the Canadian line to Mexico, and you will hunt in vain to find any overrich men or corporation, any multimillionaires who have been engaged in the sheep business. I think you may start following the same lines, and you will find very few, if any, multimillionaires who made their money in the manufacture of woolens. There have been years when the manufacturers of woolens have made large profits, and there have been years when they made losses, and submitted the figures to show it. I submitted the figures a day or two ago regarding the largest woolen manufacturing company in this country, and it is a manufacturer of both carded woolens and worsted. The statement shows that this corporation has never paid dividends upon any of its stock, except 7 per cent per annum upon its preferred. The company has had at times, covering the ten years or so of its existence, a surplus varying from nothing to perhaps 15 per cent of its capital. It has taken from or added to this each year, according to whether the business made losses or gains. For the year 1908 it had to take over $1,200,000 from the surplus in order to meet the 7 per cent upon its preferred stock, and the remaining surplus is doubtless less than what ought to be charged out as depreciation of plant.

Now we will turn from the manufacturer to the sheep grower, and I will speak of that which I know, because I was present at the board that made the necessary entries in the books, to distribute dividends or assess losses. In one case it was a profit and in the other a large deficit. The same people, interested together in sheep growing and doing business in the same way, under the law of 1867, made, in a five years' run, 180 per cent, and divided that among those interested in the business.

The same people, with two or three more added at a later date, and doing business in the same way, only on a larger scale, wrote off their books in one entry six hundred and fifty-eight thousand and some dollars, as a loss occurring in less than four years because of the Wilson-Gorman law. On the average that concern has not made over 6 per cent per annum upon its money from the time it started to the present date, and yet it could be truthfully reported as having made thirty-odd per cent per annum not for one year alone, but for three or four years successively in one particular period.

I look at general results. If this country were filled with multimillionaires, if we had a wealthy class of that description grown up out of the manufacture of woolens, it would show that it had been a profitable business, an overprofitable business, but I have not seen any figures and I can not find any, and I do not believe any Senator can submit any that will show that that industry as a whole, covering a period of years, has made anything more than a reasonable interest upon the capital invested.

Mr. RAYNER. Mr. President, I desire to explain my vote on the pending amendment. During the roll call, under the rules of the Senate, we have no right to explain our votes. I intend to vote in favor of the amendment, on the ground that it reduces instead of increases the duty on raw wool. I do not want to increase the duty on raw wool.

I find on page 3058 of to-day's RECORD that the senior Senator from Texas [Mr. CULBERSON] put this question to the Senator from Wisconsin:

> But as to raw wool, as I understand, the amendments propose rates slightly in advance of the Dingley rates.

The Senator from Wisconsin answered:

> A fraction of 1 per cent in advance.

Then again the Senator from Wisconsin said:

> The average ad valorem duty on raw wool is less than 45 per cent. My amendment proposes a duty of 45 per cent on wool, which is a little higher than the average.

I have made a calculation, which has been verified, and I think the Senator from Wisconsin was mistaken. I think instead of raising the duty on raw wool he reduces it by a slight percentage. It is upon that belief that I propose to vote for his amendment, because if I thought it would increase the duty on raw wool, I am very frank to say that I would vote against it.

Mr. DOLLIVER. Mr. President, in view of the fact that the chairman of the Committee on Finance, who announced an intention to discuss the amendment which has been offered, is evidently inclined to postpone the discussion until after it has been disposed of by the Senate, I intend just before this vote is taken to say a few things which are intended as a sort of farewell address as far as I am concerned on this wool schedule.

The chairman of the Finance Committee said a moment ago that the effect of the amendments which I had offered and which yesterday met the common fate that sometimes happens in this world to good and evil alike operated to entirely destroy the framework and the system of the wool schedule. I was sorry to hear the honored chairman of the Finance Committee say that, after I had spent so much time putting the amendments in harmony with the scheme of Schedule K as it has come down to us from our ancestors.

The amendments which I proposed retained every outpost of this so-called "citadel of protection." I proposed simply to abolish an obsolete and, as I think I showed, disadvantageous distinction between the classes of clothing wool. I proposed to make the compensatory specific duties of the existing law applicable to the wool contained in imported cloths. And yet on reading the debate yesterday, for I have felt it my duty not only to listen to it but to read it, I find an evident misunderstanding or misinterpretation of the amendments proposed by me fixing the duty on the wool contents of woolen goods. I certainly ought not to have been understood to say that there was anything in the amendments which necessitated the ascertainment of the particular kind of wool which the completed fabrics are composed of. Yet the Senator from Utah [Mr. SMOOT], in answering me, and I think the Senator from Rhode Island also, claimed that it was impossible to ascertain the kinds of wool, whether pure wool or noils or wastes, in the finished goods. That is, of course, so; but there is nothing in the amendments which I proposed that requires the ascertaining of any of these things.

The amendments merely proposed to apply the wool rates of 33 cents or 44 cents per pound to the weight of the wool found upon examination to be in the cloth or other article, regardless of whether such wool is of the first or second classes, or noils or wastes. These wool rates are just the same as at present, and there certainly is no necessity in either case to find out the kinds of wool which enter into the finished articles.

In the case of mixed wools, shoddy, wastes, noils in finished goods, my amendments would operate precisely as at present, as the rates of duty are the same, and would be applied to all the animal fibers found in the goods, regardless of their quality, just as at present. Moreover, I have adhered to the same dividing lines of values adopted in the present law. I have also retained the same ad valorem rates as now in the law, in order to fully cover the materials and cost of production which might enter into the fabrication of the finished goods, a fact which the Senator entirely overlooked in criticising the amendments, as he seemed to think that the cotton or other vegetable contents of the goods would not receive any duty. This ad valorem duty of 50 per cent applies to the values of the finished goods, and necessarily covers all its ingredients, even the wool contents, besides the specific wool duties. And as the 50 per cent ad valorem is one of the highest ad valorem

rates in the tariff, it fully compensates for any vegetable fibers found in the goods. Yet it was stated that if the amendments which I offered were adopted, every piece of goods would have to be analyzed, in order to ascertain the weight of the wool contained therein, and the honored chairman of the Finance Committee gave the Senate the weight of his great authority to show the thing was visionary and impracticable and impossible of administration. Yet, Mr. President, does every ton of lead or zinc ore have to be sent to the New York laboratory to assay its contents to find the exact percentages of contents, and so forth? Does every piece of cotton cloth have to be examined microscopically, every inch of such goods, to rightly determine the number of threads to the square inch? Does each yard of silk goods have to be analyzed to determine the various details necessary to properly fix the duties? All such articles, subjected to specific duties based upon the various conditions or contents, are left in this bill, exactly the same situation in which I have proposed to leave articles that are composed in whole or in part of wool.

I have said this because I do not desire the impression to go abroad that I was contemplating any disturbance of the framework of Schedule K. I was trying to repair it, or seeking to do so, and to improve it, but if every amendment which I suggested had been adopted, the framework, the scheme, of Schedule K would have been found fitted to all of them.

But these amendments have all been rejected, and now the distinguished Senator from Wisconsin, whose speeches on this floor have reflected days of toil and research, altogether creditable to the office of Senator of the United States, has offered a series of amendments differing somewhat in form, although not generally differing in purpose, from the things which were in my own mind, in connection with the amendments which I offered upon yesterday.

It is to be regretted that so many of them are to be put together and to be disposed of in one vote. It would be a very useful work for the Senate to take up each one of them and analyze it with care and with skill. We will probably not be able to do that. It is sufficient to say that the Senator proposes a straight ad valorem upon wool. The scheme which I proposed undertook in a general way to equalize the duty on wool of the first and second classes by stating it proportionally in the ratio of the shrinkage of the raw wool; but in view of the fact that wools which have the same shrinkage sometimes have a variation in value, it will be seen at once that the scheme which I had in mind was not in any sense a perfect ad valorem scheme. It equalized only the shrinkage and left out of the calculation the inequalities that would remain by reason of the differences in value, which sometimes appear in case of the same shrinkage.

The Senator from Wisconsin has carefully calculated the ad valorem equivalent for the present duties which have existed in our laws year after year and have operated fairly well. He has proposed an ad valorem assessment of 45 per cent. If I had been writing the amendment, I would have put it a little higher, in order to cover certain possible vicissitudes in the wool trade, which appear from an examination of the statistics sometimes in the most eccentric fashion. Nevertheless, he substantially reproduces in an ad valorem statement the existing duties upon raw wool, and then by a calculation, aided by experts of our own Government, he has fixed the manufacturers' protective duty and the corresponding compensatory duty upon what appears to be an orderly, scientific basis—a basis which we have a right to look to in the settlement of such a question.

Nobody, so far as I can find out, came before either the Committee on Ways and Means or the Committee on Finance to give a definite foundation for any man's opinion as to what the relative cost of production in the United States and the countries which compete with us actually is. Mr. Whitman, president of the American Woolen Manufacturers' Association, who was the chief witness before the Ways and Means Committee of the House, not only refused to go into that question, but he solemnly told the committee that the question was an idle one, impossible of solution. He said:

> We should have been glad to furnish you with information relating to comparative costs of production of woolen goods in foreign countries and the United States, but this is unobtainable. Our manufacturers are not admitted to the factories of Europe, and it is not possible to secure reliable details from foreign manufacturers regarding either costs, operations, or systems of production. Every avenue of information regarding the foreign wool manufacture is jealously guarded from American inquiry by foreign manufacturers; but even if we were granted every opportunity for investigating costs of production both abroad and at home, we do not believe the results would assist you in revising the woolen tariff under conditions that now exists in the industry.

So here we have the spokesman of these great interests seriously telling Congress not only that it was not possible to find out the cost of this production in other countries, but he also said that it was impossible to find out the cost of production here, and adding, with a cynicism that is almost humorous, that even if we could find out the relative cost of production, it would be of no importance in the work which we are now trying to do in the Congress of the United States.

I do not go as far, possibly, as my honored friend from Wisconsin in following this method of determining what the duties ought to be. I expect I am a little more radical in my attachment to the protective doctrine, at least in some particulars, than many of my associates here. I have always held that even if the level of production between two countries is the same, nevertheless such a country as this, with such a market as we have, is entitled to an advantage of a substantial character, even in doing business with a competing country upon the same industrial level with ourselves, for the reason that there are ups and downs in the business of all countries, and there are now nations in the world that are making a specialty of their export business. They have given bounties to stimulate exports. They have subsidized the merchant marine with advantages in favor of the exports of home production. They have given over the use of state railway systems to help out the export trade, by giving it favorable rates compared with the rates commonly enjoyed by citizens in the ordinary business of the country. There are evil times in the business of the world when markets which are accessible are made the receptacle of the remnants of stocks that can not be sold at home, and it is that system of modern business which sometimes dumps vast masses of merchandise upon unprotected market places that has broken down the doctrine of free trade in England.

Not long ago Mr. Chamberlain made speeches in all the great cities of England and Scotland on the reformation of the British revenue laws. They form a book nearly as large as that book [exhibiting], which contains this tariff bill, with the notes and comments attendant upon it. All of them were long speeches, all of them practically on the same subject, and the bound volume of these discourses exhibits Mr. Chamberlain—now at the end of his great career, entering the valley of the shadow of death—in the days of his strength, one of the greatest popular orators who ever spoke the English tongue, especially in his dealing with the practical everyday questions that relate to the business and welfare of the community of which he was a part. His proposition was to put around the little island a protective wall, a tariff of 10 per cent ad valorem, not particularly for the purpose of aiding home industries, but to prevent the competitors of English factories in other countries from using that English market place as a dumping ground for their surplus products in evil times, thereby breaking down the industrial interests of the nation.

I welcome that as a new evidence of the fact that the doctrine of protection, world-wide in its acceptance, embracing now, as it looks to me, all parties in the United States, is about to enter upon a new era of rational and systematic and just application to all the market places of the world, and especially to the market place of our own country.

So I am not sure that my honored friend from Wisconsin has taken into account all the elements that ought to enter into this problem, but I do know with what fidelity he has studied it. I do know that, without regard to weariness and the loss of sleep, day and night, he has pursued the problem which ought to have been solved for us by those who are charged with direct responsibility for this business in the Congress of the United States. Therefore, as a protest against Schedule K, as an evidence that I still demand its reexamination, in the light of all the facts and all the attendant circumstances connected with it, I shall cheerfully cast my vote for the amendments that have been offered by the Senator from Wisconsin.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. STONE. Mr. President, I have no wish to address the Senate on the pending schedule, but I wish to inquire of the Chair whether the junior Senator from Iowa [Mr. CUMMINS] has submitted a motion to recommit the schedule.

The PRESIDING OFFICER. The Chair understands that the motion to recommit has not been made.

Mr. STONE. Then the pending question is upon the amendment of the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator is correct.

Mr. STONE. Mr. President, just a word.

The amendments of the Senator from Wisconsin were submitted only a short while before we adjourned last night, and the adjournment was taken about 11 o'clock. The amendments were read from the Secretary's desk and printed in the RECORD

this morning. We had no opportunity to examine the amendment or amendments until this morning, about the time the Senate reassembled.

In looking over the amendments as well as I could without assistance, it is evident that they cover practically the whole of this schedule and constitute an entirely new scheme, not only as to the form in which the duty is to be levied, but also in other important particulars.

Mr. President, much just complaint has been made here about the haste with which the Finance Committee has driven the Senate along in the consideration of the pending bill, and without giving sufficient opportunity to Senators to intelligently examine its provisions. The Senator from Wisconsin has now submitted a plan wholly different from that embodied in the bill, and we are asked to pass judgment upon this plan with only an hour or two within which to examine it. At the very start there are two or three things perfectly evident. The bill which passed the House of Representatives, and as it came to the Senate, made numerous material reductions in the Dingley rates as applied to various paragraphs of this schedule. The Senate Committee on Finance has stricken out those House reductions and in every instance restored the rates carried in the Dingley law. I have looked into the rates proposed in the sweeping amendments submitted by the Senator from Wisconsin—that is, as well as I could under the circumstances—and I find that in some instances he has increased the Dingley rates and in some instances has reduced them.

Mr. President, for myself I am earnestly and aggressively in favor of a substantial reduction of the rates prescribed by this schedule below the rates fixed in the Dingley law. If the scheme presented by the Senator from Wisconsin, taken as a whole, is a substantial reduction below the rates fixed in the Senate bill or the present law, then, from my point of view, it is preferable to the Senate bill. But I would like to know if it is also a substantial reduction below the rates fixed in the bill passed by the House.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. STONE. Certainly.

Mr. LA FOLLETTE. Mr. President, the amendment which I have offered is substantially the rate of the existing law on all raw wool. The House bill left the rate of the existing law on all raw wool. On all manufactured products it is a substantial reduction, based upon the carrying over into the manufactured products as a compensatory duty the ad valorem of 45 per cent on the high-class goods and 35 on the low-grade class goods, which it provides for the raw product. That compensatory duty carried over into the manufactured product is a substantial reduction in the compensatory specific duty which is fixed by the existing law. The House bill left the same specific duties on all manufactured products except flocks. So, Mr. President, the amendments which I have offered here present the most substantial reduction which has been offered to this Senate for their consideration during the pendency of this bill.

I will say that these amendments are based upon the most careful investigations which have been conducted by impartial experts employed by the Government, whose testimony has been furnished not only to the Department of Manufactures, but was also laid before the Committee on Ways and Means of the House of Representatives, and is the only impartial testimony which has been furnished as bearing on Schedule K in this whole proceeding.

Mr. STONE. Mr. President, last night the Senator from Wisconsin stated that the general average on wool as provided in his amendments would be a fraction of 1 per cent above the general average fixed by the present law, treated from an ad valorem standpoint.

Mr. LA FOLLETTE. Mr. President——

Mr. STONE. Now, if the Senator will pardon me just a second, I have taken his amendments this morning and compared the ad valorems he fixes with the ad valorems stated in the present law and in the Senate bill, which are the same. I have compared the ad valorems fixed in the amendments of the Senator with the ad valorems set forth in the statistics which have been furnished us from various official sources, and I discover that in some cases the ad valorem fixed by the Senator from Wisconsin on wool is less than that——

Mr. LA FOLLETTE. I understand.

Mr. STONE. It is less in some cases than that we find in the present law and in other cases it is greater. Is the general average on wools proposed by the Senator larger than the general average of the present law?

Mr. LA FOLLETTE. As I calculate it, Mr. President, it is a shade more, a small fraction of a per cent; but the Senator from Missouri will understand that that was based upon the importations of 1907. The importations are varying always, and the ad valorem rises and falls with the importations; but 45 per cent is substantially, taking one year with another, the duty upon raw wools, combining the first and second classes together. So it is fair to say that as a proposition to write into a statute that is to go along year after year, it is substantially the law of to-day, you might say exactly the law of to-day, as applied over a long series of years.

Mr. STONE. Mr. President, I have not attempted to strike the average, for that would be difficult without expert assistance, but the Senator from Wisconsin, having such assistance, has struck the average. But as I view it, after the hasty examination I have been able to give it, it seems to me that the general average of the rates proposed by the Senator from Wisconsin on the various grades of wool is lower than the present average, and certainly not higher than the present average as it will run from year to year. His amendments would leave wool substantially where it is under the present law. But upon manufactured fabrics made of wool, while there appear to be occasional increases, yet, taken as a whole, the amendments proposed by the Senator would make very material reductions in the existing rates. The present rates are extravagantly high, and although I do not think that the proposals of the Senator from Wisconsin go far enough, they seem to me to be a good, long step in the right direction. Because I so believe, Mr. President, I shall vote with the Senator from Wisconsin.

The VICE-PRESIDENT. The question is on the amendments proposed by the Senator from Wisconsin [Mr. LA FOLLETTE], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRYE (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. DANIEL], who is at his home ill. My colleague [Mr. HALE] is also at his home ill. I transfer my pair with the Senator from Virginia to my colleague, and shall vote. I vote "nay." I shall not make this announcement again during the day.

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH] on all votes to-day. I make this announcement for the remainder of the day.

Mr. McLAURIN (when his name was called). I transfer my pair with the junior Senator from Michigan [Mr. SMITH] to the junior Senator from Indiana [Mr. SHIVELY], and vote. I vote "yea."

Mr. GORE (when Mr. OWEN's name was called). My colleague [Mr. OWEN], if present, would vote "yea."

The roll call was concluded.

Mr. TALIAFERRO. I wish to announce that my colleague [Mr. FLETCHER] is unavoidably absent from the Senate. He has a pair with the junior Senator from New Jersey [Mr. BRIGGS] on this vote.

Mr. KEAN. My colleague [Mr. BRIGGS] is necessarily absent. He is paired, as has just been stated, with the Senator from Florida [Mr. FLETCHER]. If present, my colleague would vote "nay."

Mr. McLAURIN (after having voted in the affirmative). With the permission of the Senate, I will withdraw my vote and observe my pair with the Senator from Michigan [Mr. SMITH].

The result was announced—yeas 32, nays 44, as follows:

YEAS—32.

Bacon	Clapp	Hughes	Owen
Bailey	Clay	Johnston, Ala.	Paynter
Bankhead	Cummins	La Follette	Rayner
Beveridge	Davis	Martin	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Foster	Nelson	Stone
Burkett	Frazier	Newlands	Taliaferro
Chamberlain	Gore	Overman	Tillman

NAYS—44.

Aldrich	Crawford	Gallinger	Penrose
Borah	Cullom	Gamble	Perkins
Bourne	Curtis	Guggenheim	Piles
Brandegee	Depew	Heyburn	Root
Bulkeley	Dick	Johnson, N. Dak.	Scott
Burnham	Dillingham	Kean	Smoot
Burrows	Dixon	Lodge	Stephenson
Burton	du Pont	McEnery	Sutherland
Carter	Elkins	Nixon	Warner
Clark, Wyo.	Flint	Oliver	Warren
Crane	Frye	Page	Wetmore

NOT VOTING—15.

Bradley	Daniel	McCumber	Smith, Mich.
Briggs	Fletcher	McLaurin	Smith, S. C.
Clarke, Ark.	Hale	Richardson	Taylor
Culberson	Jones	Shively	

So Mr. LA FOLLETTE's amendments were rejected.

The VICE-PRESIDENT. Without objection, the paragraphs down to 330——

Mr. CUMMINS. Mr. President, I desire at this time to present a motion——

Mr. ALDRICH. I hope the Senator will allow the declaration to be made by the Chair.

The VICE-PRESIDENT. Simply to have the paragraphs agreed to as amended. That is all. Then the Chair will recognize the Senator.

Mr. CUMMINS. My motion, Mr. President, was that if we are going to recommit this schedule to the Committee on Finance, it had better be done before the paragraphs are agreed to by the Senate.

Mr. ALDRICH. No; these paragraphs were reconsidered by unanimous consent solely for the purpose of allowing these amendments of the Senator from Wisconsin to be voted upon, and I ask that they——

The VICE-PRESIDENT. The paragraphs being agreed to would not prevent the Senator from Iowa from offering his motion thereafter.

Mr. ALDRICH. A motion to recommit would be just as much in order then.

The VICE-PRESIDENT. Without objection, the paragraphs to which the amendments were rejected will be agreed to. The Chair hears no objection.

Mr. GORE. Mr. President——

Mr. ALDRICH. Mr. President, I addressed the Chair some time ago.

The VICE-PRESIDENT. The Chair desired to know whether the Senator from Oklahoma wished to object.

Mr. GORE. I merely wish to inquire the numbers of the paragraphs included in the announcement.

The VICE-PRESIDENT. Down to paragraph 380.

Mr. GORE. I wish to offer an amendment to paragraphs 370 and 375 before they are finally agreed to.

The VICE-PRESIDENT. Would it be——

Mr. ALDRICH. I object to this manner of procedure. These paragraphs were understood to be reconsidered simply for the purpose of permitting the Senator from Wisconsin to offer some amendments with respect to them; and I ask that the paragraphs be now agreed to. They have been agreed to, I think.

The VICE-PRESIDENT. Is there objection to the request?

Mr. GORE. Mr. President, I object. I have two amendments which I desire to offer.

The VICE-PRESIDENT. Then the Chair will put the motion. The Senator from Rhode Island moves that the paragraphs——

Mr. ALDRICH. Mr. President, that ought not to be necessary.

Mr. BACON. I rise to a point of order.

Mr. ALDRICH. These paragraphs were only reconsidered for that purpose, and for that purpose alone. If we can not do business by unanimous consent in the Senate without having somebody, after the thing is done, interpose an objection, we had better find it out. I consented frankly and freely to the suggestion of the Senator from Wisconsin to have all these paragraphs reconsidered. Of course we could have insisted upon a vote upon them; and then they would not have been reconsidered at all. The last vote settled that. I hope the Senator from Oklahoma will not try to interfere with what has been the unbroken custom of the Senate with reference to these matters.

The VICE-PRESIDENT. The Senator from Oklahoma will still have an opportunity to present his amendments——

Mr. GORE. I certainly have no disposition to violate the unanimous-consent agreement, but I will say to the Senator from Rhode Island that I think the amendments will only occupy a few moments, and it might be just as well to dispose of them now as when the bill gets into the Senate.

Mr. ALDRICH. After these paragraphs have been agreed to as they have been heretofore adopted, then I shall have no objection to considering the amendments to which the Senator from Oklahoma refers.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none, and the paragraphs are agreed to.

Mr. ALDRICH. Mr. President, I have a few remarks to make upon the nature of some of these amendments. If the Senator from Iowa desires to——

Mr. BACON. The Senator from Rhode Island will remember that it was agreed that I should offer certain amendments which I have prepared.

Mr. ALDRICH. Undoubtedly. I only want to occupy the attention of the Senate for five or ten minutes in the discussion of one of the amendments on which the Senate has just voted.

Mr. BACON. I certainly have no objection to that. My object in rising was that I understood the Senator from Iowa [Mr. CUMMINS] was about to make a motion to recommit, and I desired my amendments acted upon before that was done.

Mr. ALDRICH. I think the Senator from Georgia is right in that. I think the amendments of the Senator from Georgia ought to be disposed of first.

Mr. CUMMINS. I withhold my motion to recommit until whatever amendments are desired to be submitted shall be submitted and acted upon; but before we pass from the schedule I want a chance to offer my motion to recommit.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. ALDRICH. I do.

Mr. BACON. I think, Mr. President, the amendments which I have to offer are probably in order at this time. The Senator from Rhode Island does not wish to discuss any pending amendment, and his remarks can be made just as well after my amendments are offered.

Mr. ALDRICH. But I want to make some remarks while this vote is fresh in the minds of the Senate, and I think I am entitled to the floor for that purpose.

The VICE-PRESIDENT. The Senator from Rhode Island has the floor.

Mr. ALDRICH. Mr. President, the suggestion of the Senator from Iowa [Mr. CUMMINS] was more or less to the effect that the Committee on Finance has not properly considered this schedule. He also suggested that the amendments which have been offered were in the nature of reform amendments. I do not intend to take the time of the Senate to discuss but one of them, and that the amendment upon which the Senate has voted providing for the imposition of a duty of 45 per cent ad valorem upon wools of the first and second class. I say—and I think I will be able to show—that this amendment is in violation of the platform declarations of both political parties and of every political party; that it violates the theory upon which the protective policy is based; and it also violates the theory upon which free trade or tariff reform is based. The effect of this amendment upon wools of the first class is to practically reduce the duties one-half. The effect of the amendment as it applies to wools of the second class is to increase the duties considerably, at least 2 cents a pound upon the basis of the importations of last year.

The protective theory, as we have always supposed and as it has always been voted for in the Senate, is based on the idea that the duties should be equivalent to the difference in the cost of production in this country and abroad. The duty as proposed by the amendment to which I now refer, so far as it applies to first-class wools, puts the woolgrowers of the United States at the mercy of their competitors abroad.

A few years ago foreign wools of the first class were offered for sale in this country and sold at a price of from 10 to 11 cents. Forty-five per cent of that is from 4½ to 5 cents a pound, instead of 11 cents, as imposed by the law and imposed by the committee amendment—4½ to 5 cents a pound at a time when the woolgrowers of the United States were threatened with destruction on account of the incursions of foreign wools. At such a time as that, if we were to have a change in the rates, it ought to be an increase, instead of a decrease. The amendment takes this duty of 11 cents a pound, in other words, a specific duty, such as has been imposed by all protective tariffs from time immemorial, and reduces it in the name of reform one-half.

Senators may say that is a very exceptional case. Within a few years cross-breed wools have been quoted in foreign markets at 9 cents a pound. By this amendment the duties would be reduced from 11 cents a pound to between 4 and 5 cents. I have on my desk the present quotations of foreign wools in the last number of the London Economist, which has just reached here, showing that the average price of grease wools from the Cape is from 7¾ to 8 pence per pound, or in the neighborhood of 15 or 16 cents. Forty-five per cent of that would be a duty of from 6 to 7 cents a pound, instead of 11 cents a pound.

These wools do not come to the United States in competition with our wools now. Why? Because Congress in its wisdom has erected a barrier to keep them out. None of them are now imported. For whose benefit? For the benefit of the woolgrowers of the United States.

These Cape wools, as I have said, are quoted at from 7¾ to 8 pence. I have before me also a statement of the price of South

American wools for the December sales of 1907, the only figures available. The sales averaged from 4¾ pence to 8 pence, and the highest price of the whole lot was 8 pence per pound, or less than 16 cents. I use round figures for illustration. That would mean a duty of 7 cents a pound, instead of 11 cents. The duties on all the wools upon which it is the policy of Congress, and always has been the policy of Congress, to impose protective duties are proposed to be reduced nearly 50 per cent by this amendment, which has received the votes of Senators upon both sides of the Chamber.

I should like to know what my friend from Iowa [Mr. CUMMINS] and my friend from Indiana [Mr. BEVERIDGE] are going to say in their protective speeches in this country. How are they going to explain their votes in reducing the protection which is afforded the woolgrowers of the United States from 40 to 50 per cent by their action in this matter?

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Iowa?

Mr. ALDRICH. I do.

Mr. CUMMINS. The Senator from Rhode Island will find out what the Senator from Iowa will say immediately. In my remarks this morning I stated directly and positively that I favored a specific duty on wool.

Mr. ALDRICH. The Senator was not recorded that way in the vote which has just been had.

Mr. CUMMINS. I did not speak for a reduction of the duty on wool; and the motion that I was attempting to make contained in its first paragraph an instruction to the committee to report the duty on wool unchanged. I voted on the amendments offered by the Senator from Wisconsin——

Mr. ALDRICH. I am afraid the Senator's explanation will be too long, and I have promised the Senator from Georgia [Mr. BACON] that I would consume but a brief time——

Mr. CUMMINS. No; it will not. I voted for all the amendments of the Senator from Wisconsin, because they were to be voted for en bloc. It was solely——

Mr. ALDRICH. Mr. President——

Mr. CUMMINS. I do not believe primarily in an ad valorem duty on wool, and have so stated over and over again.

Mr. ALDRICH. I think the Senator's apology will be accepted here.

Mr. CUMMINS. Mark you, Mr. President, I have made no apology.

Mr. ALDRICH. I will have to ask the Senator to excuse me.

Mr. CUMMINS. Nothing that I have said can be construed in that way.

Mr. ALDRICH. Now, I will have to ask the Senator to excuse me from further colloquy in that connection. The votes of the Senator from Iowa, the Senator from Indiana, and of a number of other Senators who have heretofore been and are now, I assume, protectionists will have to be explained on the stump to the people who are interested in this wool business.

Mr. CLAPP. Mr. President, if the Senator will pardon me——

Mr. ALDRICH. I will pardon the Senator, but I must go on.

Mr. CLAPP. I merely want to say it will keep us much busier explaining somebody's else votes. [Applause in the galleries.]

The VICE-PRESIDENT. The Chair will again admonish the visitors in the galleries that they must not indulge in any demonstrations of approval or disapproval.

Mr. ALDRICH. Mr. President, my votes on this schedule and upon this bill certainly will need no explanation to myself, and I am quite sure that they will need no explanation to my constituents, to whom I am directly responsible; but I say again that those Senators who are protectionists, who have been especially insistent that the farmers of this country should be protected by tariff duties, and who have been appealing to the farmers who have sheep, who produce wool, and who are entitled to protection in every community of the land—that those Senators, for the purpose of trying to bring about a reform upon the tariff bill which is now under consideration and to secure revision according to their ideas, are found voting here for reducing the duties practically one-half upon wool which comes in direct competition with the woolgrowers of the United States. The Senators can explain that vote as they please to their constituents or to anybody else; but I am stating the facts as to what their votes have done, and they will not be able to explain that.

I have just been handed this dispatch:

John L. Bows & Bros.' Liverpool circular of May, just received, quoted unskirted Buenos Aires merino, shrinking 65 per cent, at 6½d., equivalent to 12¾ cents.

Or 6 cents a pound duty on wools that are more competitive with the wools of the United States than any other wools in existence. That is the effect of this provision as to wools of the first class.

Now, what effect does it have upon wools of the second class? It increases the duties upon wools of the second class 2 or 3 cents a pound. Why? Was that done for the protection of the farmers of the United States? Those wools are not in competition with the woolgrowers of the United States, and the increased duties upon wools of the second class can only be justified as a revenue duty.

Now, do Senators sitting upon the other side think that a revenue duty should be as high as 45 per cent? Has any Senator, within the knowledge of anybody, in any of the tariff debates or discussions of the past, suggested making revenue duties as high as 45 per cent upon articles that enter into the consumption of our manufacturers? I think not. Wool was put upon the free list in 1894. I have never found in any Democratic tariff or in any Democratic speech, or in any Democratic platform in the United States, a suggestion that a duty upon raw material as high as 45 per cent ought to be levied as a revenue duty. Does any Senator upon the other side think that he would be justified in voting for that kind of a duty as a revenue duty? He certainly would not, I assume, vote for it as a protective duty, because, as I repeat, wools of the second class are not competitive. The worsted manufacturers, about whom so much talk has been indulged in in this Chamber, do not use wools of the second class. They used them in 1867, when these rates were first suggested, but now I think I am perfectly safe in saying that ninety-nine one-hundredths of the wool now used by the worsted manufacturers of the United States are wools of the first class—one hundred and odd million, or 80,000,000 pounds, or whatever it is, that comes into this country in competition with the woolgrowers of the United States.

I am suggesting to our friends upon this side of the Chamber who voted for this amendment that reform of a protective tariff ought not to be carried on in that way. We are here bound by every obligation of our platform, by every obligation that we have as Senators loyal to our party and to its principles, loyal to the principle of protection—we are bound, in my judgment, to resist all efforts of this kind, even if they are made in the name of reform, and if, as they think, they are pledged to vote for a downward revision. This is not the spot, gentlemen, for a downward revision by which you will take away from the woolgrowers of the United States one-half the protection which the policy of our party, which every enactment for protection, has always included. I say, gentlemen, it is easy to carry this talk of reform and of downward revision to an extreme which will destroy the confidence of the people of the United States that we intend to maintain the protective policy at all.

Mr. LA FOLLETTE. Mr. President, I hope the Senator from Rhode Island will be able to take great satisfaction out of the course which he has pursued this afternoon. Assuming that he is right in the position which he has taken, that his declarations are unassailable, it is an impeachment of his leadership in the Senate. The want of confidence in that leadership which has come to some Republican Members of this body finds justification in his course to-day if never before. He knows well, sir, the position in which Republican Senators have been placed in attempting conscientiously to find their way in the consideration of this great measure. What aid, what assistance has he given them, withholding, as he has, information upon this bill until he had compelled everybody to vote upon amendments paragraph by paragraph?

Does he expect, sir, to instill confidence in the Republican membership of the Senate and before the country by proceeding in that manner, by assuming that in our effort to discharge our obligations we have blundered, while he, the Republican leader, has aided in placing us in a position of embarrassment before our constituents?

I say this, not because the Senator from Rhode Island, with all his craftiness, has succeeded in placing anything before the Senate that will embarrass a Republican who supported these amendments, because he has not. He has stated half truths. He has pursued the same policy to-day that has discredited his leadership in this body and before the country.

He brings in a great bill here for the revision of the tariff, keeps everybody in the dark with respect to all the important facts upon which that revision should be made, and is silent when he should speak. But now because there are men here representing their constituencies according to principle, this Senator, since they will not vote blindly, because they will not permit Rhode Island arbitrarily to dictate to them, throws

about the feet of Senators who are here pressing forward in the line of what they conceive to be their duty, the network of his superior knowledge and of his fine chicane.

Mr. President, let me say to that Senator that I come from a State where by long training the people demand reasons for what their representatives do. The Senator said in response to the interruption of the Senator from Minnesota that his vote would need no explanation to his constituents. That is true. The Senator has a system in the State of Rhode Island under which 11 per cent of the voting population can control the election of a United States Senator. He comes from a State where it is possible for a man to put through the legislature a franchise for nine hundred and ninety-nine years for the public-service corporations of his State and still maintain his political supremacy there. He does not need to explain. He can vote as he will, without explanation.

We come from States where we are expected to explain, and we are doing the best we can to determine what is right. The Senator from Rhode Island did not give us any information.

He made no report upon this bill. He made no explanation of this bill when it was presented to this body for its consideration, and whenever Senators have arisen here in their places and have asked for light, what has been the answer? I have gathered here and shall present to the Senate before this debate finishes the answers the Senator has made, beginning with a rebuff when the first explanation was asked for by the Senator from Iowa, and on through the whole course of this debate.

Mr. President, I will not detain the Senate or trespass upon the favor of the Senator from Georgia to contrast again the proceedings on this tariff bill with proceedings on former tariff bills.

Being thrust on the floor by the chairman of the Finance Committee, without either oral explanation or written statement, it stands alone, I say, in tariff history, and I am constrained to remind the Senate that there is a reason for it.

Since 1897 economic changes have occurred in this country which puts the protective system upon an entirely different basis than in the framing of any previous tariff laws. Duties which were excusable and justifiable in 1883, in 1890, in 1897 can not be justified to-day.

If duties were to be maintained at the high standard fixed in the law of 1897, if they were to be raised as in the cotton and many other schedules of this bill so that the general average would stand at nearly 4 per cent higher than the general average of the Dingley law, with combinations preventing the people of this country from having any protection through competition, it was perhaps just as well that the Senator from Rhode Island attempted to put this bill through without explanation.

No revelation has been made by the Senator with respect to this particular amendment or the wools to which it applies. I called attention on this floor to the fact that there were classes of wools against which these specific duties levied 500 and 600 and 700 per cent. And I said then, and I say now, and I am prepared to defend anywhere a proposition to put that duty upon a reduced ad valorem basis that will admit the wool with which to weave the coarser fabrics and give the poor people of this country an opportunity to wear something besides shoddy and cotton.

It is true that my amendment fixed the ad valorem duty at 45 per cent. On the wools included within the whole bracket of the first paragraph covering first-class wools the average duty was 46 per cent under existing law. However, taking just the one principal item of imports, valued in round numbers at more than $22,249,000 and which produced the great bulk of revenue, amounting to nearly $10,000,000, the ad valorem equivalent of the present duty was 44.52 per cent. My amendment would not work upon that importation a reduction that any Senator from any wool-producing State of this Union would have any trouble in defending.

Mr. President, let me say to the Senator from Rhode Island that he need not feel any anxiety about the report which Senators from the Middle West will be able to make when they return here after having met their constituents and stated their positions upon all these questions. He can not by any legislative trick respecting amendments that have been voted upon plant in the minds of Senators here who have been exercising some independence any timidity or terror with regard to their votes. I have no——

Mr. GALLINGER. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from New Hampshire will state it.

Mr. GALLINGER. I ask that paragraph 2 of Rule XIX be read.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. The Chair was looking at it when the Senator rose to the point of order.

Mr. LA FOLLETTE. The Senator invokes that rule every time I speak.

The VICE-PRESIDENT. The Senator from New Hampshire rises to a question of order.

Mr. LA FOLLETTE. I surrender the floor. I have finished what I have to say.

The VICE-PRESIDENT. Regardless of that, the Senator from New Hampshire rises to a point of order. That does not dispose of the point of order.

Mr. LA FOLLETTE. I do not state that it does.

Mr. GALLINGER. I desire to say that in my experience in this body I have never heard so often repeated accusations against individual Senators. The Senator from Wisconsin has just charged the Senator from Rhode Island with practicing a legislative trick. I ask that the rule be read, that the Senate may know what it is.

The VICE-PRESIDENT. The Secretary will read the rule, section 2.

The SECRETARY. Rule 19, paragraph 2, page 19, of the standing rules of the Senate:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The VICE-PRESIDENT. Does the Senator from New Hampshire desire a ruling?

Mr. GALLINGER. The Senator from New Hampshire would like a ruling on that point. I think it is time we had a ruling.

The VICE-PRESIDENT. The Chair thinks that the words used by the Senator from Wisconsin violated that section of the rule, and the Chair trusts that in further debate the Senator from Wisconsin and every other Senator will bear that provision in mind and not again transgress the rule.

Mr. LA FOLLETTE. I should like to say, in response, that that rule seems to be invoked against those who stand on this side of these questions. It has never been read, and the reading has never been called for by the Senator from New Hampshire, when some one upon the other side of these issues has transgressed it.

Mr. President, I shall endeavor, while I remain a Member of this body, to observe this rule, and I should like to have it applied to me—and it has not been applied to me, as the RECORD will show, and as I can call Senators on both sides to witness—as it is applied to other Members of this body.

The VICE-PRESIDENT. The Chair begs to say——

Mr. LA FOLLETTE. I am not criticising the Chair.

The VICE-PRESIDENT. That he will apply it to all Senators with equal fairness whenever the rule is invoked.

Mr. LA FOLLETTE. Yes. I want to say to the Chair that I understand it is the business of the Chair to enforce the rules when they are called to the attention of the Chair.

The VICE-PRESIDENT. Certainly.

Mr. LA FOLLETTE. My suggestion of criticism was not leveled at the Chair.

The VICE-PRESIDENT. There is no request now pending. The Secretary will read the first amendment offered by the Senator from Georgia [Mr. BACON].

The SECRETARY. It is proposed to strike out of the bill from paragraph 356 to paragraph 372, inclusive, and to insert in lieu thereof the following:

The duty upon all wools, hair of the camel, goat, alpaca, and other like animals, and upon shoddy, noils, wool extract, woolen rags, mungo, and flocks, yarn waste, thread waste, and all other waste composed wholly or in part of wool shall be thirty per centum ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia.

Mr. BACON. Mr. President, the several paragraphs which are enumerated, six or seven of them, and in lieu of which it is proposed to strike out and to insert an amendment, are paragraphs which relate entirely to the duty on raw wool, and the amendment which I propose is one which would impose an ad valorem duty of 30 per cent on all classes of raw wool.

I shall not attempt to make any general discussion of this question to-day, and I desire to say only a few words on this amendment. Of course those of us in the minority can not make the tariff bill nor can we determine its provisions. At the same time we have a responsibility here, in the absence of the ability to make the bill, to contribute whatever may be in our power to make it as good a bill as possible, or, if I may express it in another way, to make it at least as unobjectionable a bill as possible in the removal of the burdens imposed on the people by the existing tariff law.

For that reason Senators with whom I am associated politically have continuously endeavored to assist those, whoever

they might be and to whatever party they might belong, or on whatever side of the Chamber they might sit, in any effort that has been made to reduce these duties. Whatever of action there has been in that regard by ourselves has been solely animated by that purpose and with that design.

We do not believe in the principle of a protective duty. We believe in the principle of the levying of tariff for the purpose of raising revenue. Therefore when we have in the progress of this consideration voted for protective duties, as we frequently have done in voting for the amendments proposed by the Senator from Iowa [Mr. DOLLIVER], the Senator from Wisconsin [Mr. LA FOLLETTE], and other Senators, we have done so not because they were the duties which we would have desired to impose, but because the duties proposed in such amendments were duties less objectionable than the duties proposed in the bill. They were amendments which, although protective, proposed duties which, if such amendments had been adopted, would have made those duties less onerous to the people than the duties which are contained in the pending bill.

Mr. President, the amendments which I have proposed do not profess to be amendments for protective purposes. They are framed and designed as revenue duties. They do not propose to impose duties which shall in themselves be protective. Nevertheless, it is true that every duty, whatever may be the purpose of it, is necessarily in a degree protective. Every duty imposed, however light, disturbs normal conditions. It imposes a burden upon some and confers a benefit upon others. It imposes a burden on those who consume, and it confers a benefit upon those who produce similar articles in this country. That is what we know as incidental protection. It is unavoidable as the necessary effect of every tariff duty. But the amendments which I have offered have not that as the primary design, and only recognize that it is unavoidable in their influence.

I desire to say in this connection that, in my opinion, the duties which are proposed in these amendments, although in themselves designed for revenue, furnish all the legitimate aid and encouragement to our domestic industries which are required for their successful prosecution.

I have but one word to say with reference to the duty on raw wool, while under other circumstances I would be glad to discuss that question somewhat at length. There is one suggestion which I desire to make to Senators on the other side of the Chamber.

The Senator from North Dakota [Mr. MCCUMBER] last evening spoke of the fact that it was very much to be desired that in this country we should produce all the wool which would be needed for our domestic consumption, and he added that there was no reason why we should not do so. I assume that that is a sentiment which finds an echo in the wish of every Senator, that it is to be desired, and furthermore, that we not only desire it, but believe it to be practicable for this country to produce all the wool which it consumes.

But I desire to go a step further and say that it is not simply desirable that this country shall produce the wool which it consumes, but that it is also desirable that it shall produce a great deal more than it will consume, and that it shall sell a large surplus of raw wool abroad, as we sell abroad a great surplus of raw cotton. If there is any Senator in the sound of my voice on either side of the Chamber who differs with me in that proposition, I want him now to say it.

Mr. MCCUMBER. I will not say that, but I ask the Senator where we would find a market for wool more than we would consume in this country as long as the conditions are such that the foreign wools are worth only about half as much?

Mr. BACON. I am not going to be led aside upon that now, because the question I have asked is simply a step in the proposition which I am proposing to submit to the Senate. I do not understand the Senator from North Dakota, or any other Senator, to take the position that it is not desirable that we shall produce wool, not only to the extent of our consumption, but in excess of our consumption; in other words, that it is to the interest of our country that there should be just as much wool produced as it is possible for us to produce, just as it is to our interest to produce just as much cotton as it is possible for us to produce.

The point that I want to call to the attention of Senators is that the moment we produce more wool than is consumed in this country and there is a surplus of it, that moment the protective tariff ceases to be a protection to the woolgrower, and the woolgrower has got to take his place in the domestic industry and economy of this country. In the same way that the producer of cotton has to take it, or the producer of wheat has to take it, or the producer of any other great agricultural staple in the country where there is a surplus production over domestic consumption.

Mr. MCCUMBER rose.

Mr. BACON. I beg the Senator will kindly wait until I get through with the statement of the proposition.

Mr. MCCUMBER. I thought the Senator asked a question and wanted it answered.

Mr. BACON. I did ask the Senator a question, and I thought he had answered it. If the Senator desires to still further answer the question, I will be more than happy when I finish the proposition.

Mr. MCCUMBER. All right.

Mr. BACON. One of two things must be conceded: Either that it is not desirable that in this country there should be a production of wool which shall exceed the needs of the country, or we have to concede the further proposition that if it is produced to that extent it must then stand upon its own strength and can not call upon the balance of the country to support it in its alleged weakness. The surplus fixes the price of any article. There is a great surplus of cotton produced in the United States, and in consequence the price of cotton is fixed in the markets of the world. A duty of a dollar a pound would not affect the price of cotton a fraction of a cent. In the same way, whenever we produce a surplus of wool, the tariff can not, by duties imposed, affect the price of wool in the United States.

We now produce in this country something like 300,000,000 pounds of wool, three-fifths of what we consume, and we have only to double our present product in order to have 100,000,000 pounds of wool in excess of our domestic consumption.

We hear every day, repeatedly, in this debate the complaining and mournful statement by Senators that unless the wool industry receives aid by having a contribution levied on and collected from the balance of the country for its support, it must go down and fail. If that contention is true, then we are confronted necessarily by the conclusion that we must confine the production of the wool product in this country, not only now but always, to the amount of our domestic consumption, and that we can never look to the production of wool in the same way that we produce other staple agricultural products—cotton, wheat, corn, rye, oats, and all others—not only for our own consumption, but to sell to the world and to receive back that which constitutes in our favor the balance of trade.

Such a conclusion as this can not be accepted. It is offensive and repulsive to everyone who has an appreciation of the resources of our country and of the enterprise and industry of our people. I have no idea that it costs any more to make a dollar's worth of wool than it costs to make a dollar's worth of cotton. I do not believe it costs as much; and the same effort and industry which enables the production of cotton, without any help from a tariff duty of any kind, will enable the woolgrower to produce wool without crying out to the people of the United States to contribute money out of their pockets to make their industry successful.

And yet it was only yesterday that the Senator from Montana [Mr. CARTER] stood on this floor and claimed the right to a high protective duty on raw wool on the ground that the woolgrowers there paid in wages $40 a month to the sheep herder, and gave him board, in the words of the Senator, "as good as that found in a Washington City hotel." The Senator's State is the largest wool-producing State in the Union, and his argument, put in plain English, is this: The Montana woolgrowers can not afford, out of the legitimate profits of their business, to pay $40 a month and New Willard board to their sheep herders, and therefore to enable them to pay these high wages and give this fancy board to their sheep herders, and besides this put immense increased profits in their own pockets, the whole people of the United States must be taxed for their benefit, and the money handed over to them for this purpose. And, in the very same breath that the Senator demanded that the Georgia cotton grower should be taxed to help pay the high wages and give the fancy Washington City hotel board to the Montana sheep herder, he said he hoped "the Montana sheep herder will never be compelled to work for the wages paid the Georgia cotton-field hand." That, Mr. President, is a striking illustration of the whole protective-tariff principle, and, of course, I utterly denounce and protest against the whole scheme. If the business of woolgrowing in America is to become a great business like cotton growing, the woolgrowers of America must face the world prices for wool in the world's markets, and not be dependent upon the artificial protective prices of a paternalistic subsidy.

I repeat what I said on yesterday, that I would put the Montana sheep herder exactly where the Georgia cotton laborer is—making his living by the sweat of his brow, and receiving pay according to the value of his labor. I do not propose to ask that the people of Montana shall be taxed for the purpose of paying

the wages of the Georgia cotton laborer, nor do I desire that the people of Georgia shall be taxed in order to pay the wages of the Montana sheep herder.

Therefore it is, Mr. President, that this duty of 30 per cent, proposed in the amendment offered by me, is not designed as a protective duty, but is designed as a revenue duty.

I can not elaborate that, Mr. President, and I do not propose to further occupy the time of the Senate in the discussion of this amendment. But I will reply to any question the Senator from North Dakota may wish to ask me. I will now listen to the Senator from North Dakota if he wishes.

Mr. MCCUMBER. I did not care to take any part in the discussion. I understood from the Senator's statement that he is not feeling well, and I did not care about entering into the discussion at this time. I simply wished to make a statement. I made one statement, but I thought I had not sufficiently answered the Senator, and I wanted more time for that purpose. I will not press it.

Mr. BACON. The Senator may propound the question generally, and after I conclude some other Senator on my side will answer it if desired. There will be no trouble about that. I do not want the Senator to let it pass with the idea that a question was asked that can not be answered. The Senator can be accommodated if he desires to discuss that question.

I shall say no more with regard to this amendment, and I will not ask for a vote if any other Senator desires to discuss it.

Mr. NEWLANDS. Mr. President, I have only recently examined the amendments suggested by the Senator from Georgia, and I trust that the Senator will postpone the consideration of these amendments until the bill is reported to the Senate in order that Senators on this side of the Chamber may have the opportunity to examine them and vote intelligently. I wish to say that unless that course is pursued, I shall have to ask to be excused from voting. I wish, Mr. President, to follow the Democratic platform in my votes regarding the reduction of tariff duties. The Democratic national platform declares as follows:

> Material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Now, Mr. President, pursuing the policy of gradual reduction called for by the Democratic platform, my view is this: That the duties on the necessaries of life should not exceed 30 per cent and that the duties on those articles termed "luxuries" should not exceed 60 per cent. I believe that upon the total volume of dutiable products now imported into this country an average duty of from 30 to 40 per cent will have to be imposed in order to provide the revenue which the country needs, but I would reach this result gradually and not precipitately.

One of the amendments offered by the Senator from Georgia, the amendment to paragraph 373, contains the following note at the end of the paragraph:

> In equivalent, maximum 143.02 per cent ad valorem.

In other words, I understand that the computation of the Senator from Georgia, doubtless derived from experts and from the report of the Finance Committee, is that the duty imposed upon articles contained in paragraph 373 amount to 143 per cent. Now, what is the reduction which the Senator proposes to make in the paragraph which he proposes to substitute for paragraph 373? It is a reduction to 40 per cent ad valorem.

So I find, with reference to paragraph 374, the equivalent maximum under the Senate bill is 141 per cent ad valorem, and the reduction made by the amendment proposed by the Senator from Georgia is a reduction to 35 per cent ad valorem.

So throughout these amendments I find these great reductions made. Whilst they would reduce the duties imposed upon these particular articles to a revenue basis, and whilst I should favor a gradual process of reducing them to that basis, the basis suggested by the Senator from Georgia, yet, in my judgment, it is too radical to attempt immediately to reduce the duties in excess of 100 per cent to a maximum of from 35 to 45 per cent.

I would much prefer to see this accomplished by a gradual process extending over a period of five or ten years and accomplishing a reduction of these excesses above revenue duties at the rate of one-fifth or one-tenth per annum, so that gradually and progressively we would reach the revenue basis, which is the standard established by the Democratic party as the ultimate goal.

Mr. President, the Democratic party, in my judgment, acted wisely in this platform when it declared for a gradual reduction of excessive rates. It realized the fact that these abuses created by a high protective system had entered into the industrial life of the Nation, and that it would be impossible, without injuring the prosperity of the Nation itself, to radically cut out these abuses. Therefore it declared its purpose to be to gradually make these reductions of excessive duties, leaving it to the judgment of Congress as to the period over which the reduction should be extended and the percentage of each reduction.

As I understand it, the minority members of the Finance Committee have not yet deliberated upon any particular bill or schedule with a view to action pursuant to our platform. That may be regarded as unnecessary, in one view, because it is impossible for us to write our policy in the statute book; and thus far we have contented ourselves simply with aiding the minority of the Republican party in attempting to reduce duties admittedly excessive. But if, as a party, the Democratic party now proposes to take this entire tariff and shape a tariff of its own, or to take a schedule as important as the wool schedule and shape a tariff of its own, it seems to me that that work should be entered upon with great deliberation; that we should have the benefit of the deliberation and the advice of the minority members of the Finance Committee; that we should have a conference upon the subject; that we should determine what this policy of gradual reduction of excessive duties means; that we should determine the period over which it should be extended; and that we should determine the installments in which it should be made. And until the Democratic party takes deliberate action of that kind I should prefer not to vote upon any amendment to that effect offered by an individual Senator, whose ultimate conclusion I might approve as involving a return to the revenue basis, but whose process of reaching such conclusion I might object to as too rapid and revolutionary and contrary to the rule declared by the Democratic convention.

I trust the Senator from Georgia will delay the consideration of this matter until we will have an opportunity of conferring together.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. BACON].

Mr. BAILEY. On that I demand the yeas and nays.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ALDRICH and Mr. BAILEY answered to their names.

Mr. BRISTOW. Mr. President, I was trying to get the attention of the Chair.

The VICE-PRESIDENT. Does the Senator from Kansas desire to debate the question?

Mr. BRISTOW. I wish to say a few words.

The VICE-PRESIDENT. The Chair did not see the Senator. The Chair will recognize the Senator from Kansas.

Mr. ALDRICH. I think it will not do to establish a precedent of that kind.

The VICE-PRESIDENT. The Chair does not mean to establish a precedent. The Senator from Kansas was on his feet, demanding recognition when the roll call began. The Chair thinks that it is not the intention of any rule to shut off a Senator arbitrarily. The Senator was upon his feet demanding recognition.

Mr. ALDRICH. Two Senators answered to their names, and under the Senate rules I think the roll call must proceed. I will not raise the point now, but I want to say that is too dangerous a precedent to go unprotested.

The VICE-PRESIDENT. The Chair agrees that there is no possibility of waiving the rule, and if a roll call has been begun it can not be interrupted, but in theory the roll call had not been begun, because the Senator from Kansas was demanding recognition. The Senator from Kansas will proceed.

Mr. BRISTOW. Mr. President, in voting against the amendments which the Senator from Georgia may present, where, in my judgment, the duties proposed are lower than they ought to be, I do not want to have it understood that it is any indorsement of the bill as it now is. Some of us have expressed our views as to what the duties ought to be by voting for the reductions suggested by the Senator from Iowa [Mr. DOLLIVER] and the Senator from Wisconsin [Mr. LA FOLLETTE]. While there may be a number of the amendments which have been offered by the Senator from Georgia which I can not vote for, I do not want, as I said, that vote to be in any way construed as an indorsement of the schedule as it has been framed by the Finance Committee.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from Georgia.

The Secretary proceeded to call the roll.

Mr. TALIAFERRO (when Mr. FLETCHER'S name was called). I again announce the unavoidable absence of my colleague [Mr. FLETCHER] and his pair with the junior Senator from New Jersey [Mr. BRIGGS].

Mr. CRAWFORD (when Mr. GAMBLE's name was called). My colleague [Mr. GAMBLE] is unavoidably absent. He is paired with the Senator from Indiana [Mr. SHIVELY].

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH]. If the junior Senator from Michigan were present, he would vote "nay" and I would vote "yea."

Mr. GORE (when Mr. OWEN's name was called). My colleague [Mr. OWEN], if present, would vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH of South Carolina] is detained at home because of illness in his family. If he were present, he would vote "yea." He is paired with the Senator from Washington [Mr. JONES].

The roll call was concluded.

Mr. OLIVER (after having voted in the negative). I have a general pair with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I discover that he has not voted, and I therefore withdraw my vote.

The result was announced—yeas 21, nays 50, as follows:

YEAS—21.

Bacon	Foster	Money	Stone
Bailey	Frazier	Overman	Taliaferro
Bankhead	Gore	Paynter	Tillman
Clay	Hughes	Rayner	
Culberson	Johnston, Ala.	Simmons	
Davis	Martin	Smith, Md.	

NAYS—50.

Aldrich	Clark, Wyo.	Flint	Penrose
Borah	Crane	Frye	Perkins
Bourne	Crawford	Gallinger	Piles
Brandegee	Cullom	Guggenheim	Root
Bristow	Cummins	Heyburn	Scott
Brown	Curtis	Johnson, N. Dak.	Smoot
Bulkeley	Depew	Kean	Stephenson
Burkett	Dick	La Follette	Sutherland
Burnham	Dillingham	Lodge	Warner
Burrows	Dixon	McCumber	Warren
Burton	Dolliver	Nelson	Wetmore
Carter	du Pont	Nixon	
Clapp	Elkins	Page	

NOT VOTING—20.

Beveridge	Daniel	McEnery	Richardson
Bradley	Fletcher	McLaurin	Shively
Briggs	Gamble	Newlands	Smith, Mich.
Chamberlain	Hale	Oliver	Smith, S. C.
Clarke, Ark.	Jones	Owen	Taylor

So Mr. BACON's amendment was rejected.

The VICE-PRESIDENT. The Secretary will state the next amendment proposed by the Senator from Georgia.

Mr. BACON. Mr. President, before proceeding to the statement of the next amendment, I desire to extend my congratulations to the other side of the Chamber that I have been enabled to do what even the great power and ability and unwearied effort of the Senator from Rhode Island [Mr. ALDRICH] has not been adequate to accomplish during this debate—I have put the Republican party in this Chamber solidly together upon at least one vote on this bill.

The VICE-PRESIDENT. The Secretary will state the further amendments proposed by the Senator from Georgia. Then the Chair—

Mr. BACON. Possibly that had better be done before I state what I desire.

The VICE-PRESIDENT. The Chair will then ascertain whether there is objection to voting on all the amendments at once. The amendments will be stated.

The SECRETARY. It is proposed to amend the bill further by striking out paragraph 373 and succeeding paragraphs to paragraph 380, inclusive, and by inserting the several paragraphs in lieu thereof as follows:

"373. On yarns made wholly or in part of wool, valued at not more than thirty cents per pound, the duty per pound shall be two and one-half times the duty imposed by this section on one pound of unwashed wool of the first class and in addition thereto twenty-five per centum ad valorem; valued at more than thirty cents per pound, the duty per pound shall be three and one-half times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, forty per centum ad valorem." (In equivalent, maximum 142.02 per cent ad valorem.)

And insert in lieu thereof the following:

"*373. On yarns made wholly or in part of wool, forty per centum ad valorem.*"

Amend further by striking out paragraph 374, on page 130, which is as follows:

"374. On cloths, knit fabrics, and all manufactures of every description made wholly or in part of wool, not specially provided for in this section, valued at not more than forty cents per pound, the duty per pound shall be three times the duty imposed by this section on a pound of unwashed wool of the first class; valued at above forty cents per pound and not above seventy cents per pound, the duty per pound shall be four times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto, upon all the foregoing, fifty per centum ad valorem; valued at over seventy cents per pound, the duty per pound shall be four times the duty imposed by this section on one pound of unwashed wool of the first class and fifty-five per centum ad valorem." (In equivalent, maximum 141 per cent ad valorem.)

And insert the following in lieu thereof:

"*374. On knit fabrics, and all fabrics made on knitting machines or frames, not including wearing apparel, and on shawls made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not exceeding forty cents per pound, thirty-five per centum ad valorem; valued at more than forty cents per pound, forty per centum ad valorem.*"

Amend further by striking out paragraph 375, on page 130, which is as follows:

"375. On blankets, and flannels for underwear composed wholly or in part of wool, valued at not more than forty cents per pound, the duty per pound shall be the same as the duty imposed by this section on two pounds of unwashed wool of the first class, and in addition thereto thirty per centum ad valorem; valued at more than forty cents and not more than fifty cents per pound, the duty per pound shall be three times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto thirty-five per centum ad valorem. On blankets composed wholly or in part of wool, valued at more than fifty cents per pound, the duty per pound shall be three times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto forty per centum ad valorem. Flannels composed wholly or in part of wool, valued at above fifty cents per pound, shall be classified and pay the same duty as women's and children's dress goods, coat linings, Italian cloths, and goods of similar character and description provided by this section: *Provided*, That on blankets over three yards in length the same duties shall be paid as on cloths." (In equivalent, maximum 165.42 per cent ad valorem.)

And insert the following in lieu therof:

"*375. On blankets, hats of wool, flannels for underwear and felts for printing machines, composed wholly or in part of wool, the hair of the camel, goat, alpaca, or other animals, valued at not more than thirty cents per pound, twenty-five per centum ad valorem; valued at more than thirty and not more than forty cents per pound, thirty per centum ad valorem; valued at more than forty cents per pound, thirty-five per centum ad valorem: Provided, That on blankets over three yards in length the same duties shall be paid as on woolen and worsted cloths.*"

Amend further by striking out paragraph 376, on page 131, and paragraph 377, on page 132, which are as follows:

"376. On women's and children's dress goods, coat linings, Italian cloths, and goods of similar description and character of which the warp consists wholly of cotton or other vegetable material, with the remainder of the fabric composed wholly or in part of wool, valued at not exceeding fifteen cents per square yard, the duty shall be seven cents per square yard; valued at more than fifteen cents per square yard, the duty shall be eight cents per square yard; and in addition thereto on all the foregoing valued at not above seventy cents per pound, fifty per centum ad valorem; valued above seventy cents per pound, fifty-five per centum ad valorem." (In equivalent, maximum 115.53 per cent ad valorem.)

"377. On women's and children's dress goods, coat linings, Italian cloths, bunting, and goods of similar description or character composed wholly or in part of wool, and not specially provided for in this section, the duty shall be eleven cents per square yard; and in addition thereto on all the foregoing valued at not above seventy cents per pound, fifty per centum ad valorem; valued above seventy cents per pound, fifty-five per centum ad valorem: *Provided*, That on all the foregoing, weighing over four ounces per square yard, the duty shall be the same as imposed by this schedule on cloths." (In equivalent, maximum 118 per cent ad valorem.)

And insert the following in lieu thereof:

"*On women's and children's dress goods, coat linings, Italian cloths, bunting, or goods of similar description or character, and on all manufactures composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not over fifty cents per pound, thirty-five per centum ad valorem; valued at more than fifty cents per pound, fifty per centum ad valorem.*"

Amend further by striking out paragraph 378, on page 132, which is as follows:

"378. On clothing, ready-made, and articles of wearing apparel of every description, wool hats, shawls whether knitted or woven, and knitted articles of every description made up or manufactured wholly or in part, felts not woven, and not specially provided for in this section, composed wholly or in part of wool, the duty per pound shall be four times the duty imposed by this section on one pound of unwashed wool of the first class, and in addition thereto sixty per centum ad valorem." (In equivalent, maximum 95.98 per cent ad valorem.)

And insert the following in lieu thereof:

"*378. On clothing, ready-made, and articles of wearing apparel of every description, made up or manufactured wholly or in part, not specially provided for in this act, felts not specially provided for in this act, all the foregoing composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at above one dollar and fifty cents per pound, fifty per centum ad valorem; valued at less than one dollar and fifty cents per pound, thirty-five per centum ad valorem. On cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, and goods of similar description or used for like purposes, and on knit wearing apparel, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, made up or manufactured wholly or in part, forty per centum ad valorem.*"

Amend further by striking out paragraph 379, on page 132, which is as follows:

"379. Webbings, gorings, suspenders, braces, bandings, beltings, bindings, braids, galloons, edgings, insertings, flouncings, fringes, gimps, cords, cords and tassels, ribbons, ornaments, laces, trimmings, and articles made wholly or in part of lace, embroideries and all articles embroidered by hand or machinery, head nets, nettings, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, and manufactures of wool ornamented with beads or spangles of whatever material composed, any of the foregoing made of wool or of which wool is a component material, whether containing india rubber or not, fifty cents per pound and sixty per centum ad valorem." (In equivalent, maximum 80.83 per cent ad valorem.)

And insert the following in lieu thereof:

"*379. On webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress trimmings, laces, embroideries, head nets, nettings and nettings, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, any of the foregoing which are elastic or nonelastic, made of wool, worsted, the hair of the camel, goat, alpaca, or other animals, or of which wool,*

worsted, the hair of the camel, goat, alpaca, or other animals is a component material, forty-five per centum ad valorem."

Amend further by striking out paragraph 380, on page 133, which is as follows:

"380. Aubusson, Axminster, moquette, and chenille carpets, figured or plain, and all carpets or carpeting of like character or description, sixty cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 66.34 per cent ad valorem.)

And insert the following in lieu thereof:

"*380. Aubusson, Axminster, moquette, and chenille carpets, figured or plain, carpets woven whole for rooms, and all carpets or carpeting of like character or descriptions, forty per centum ad valorem.*"

Amend further by striking out paragraph 381, on page 133, which is as follows:

"381. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, sixty cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 72.67 per cent ad valorem.)

And insert the following in lieu thereof:

"*381. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, forty per centum ad valorem.*"

Amend further by striking out paragraph 382, on page 133, which is as follows:

"382. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, forty-four cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 75.81 per cent ad valorem.)

And insert the following in lieu thereof:

"*382. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, forty per centum ad valorem.*"

Amend further by striking out paragraph 383, on page 133, which is as follows:

"383. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, forty cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 58.86 per cent ad valorem.)

And insert the following in lieu thereof:

"*383. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, forty per centum ad valorem.*"

Amend further by striking out paragraph 384, on page 133, which is as follows:

"384. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, twenty-eight cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 60.73 per cent ad valorem.)

And insert the following in lieu thereof:

"*384. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, forty per centum ad valorem.*"

Amend further by striking out paragraph 385, on page 134, which is as follows:

"385. Treble ingrain, three-ply, and all chain Venetian carpets, twenty-two cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 66.72 per cent ad valorem.)

And insert the following in lieu thereof:

"*385. Treble ingrain, three-ply, and all chain Venetian carpets, thirty per centum ad valorem.*"

Amend further by striking out paragraph 386, on page 134, which is as follows:

"386. Wool Dutch and two-ply ingrain carpets, eighteen cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 58.63 per cent ad valorem.)

And insert the following in lieu thereof:

"*386. Wool Dutch and two-ply ingrain carpets, thirty per centum ad valorem.*"

Amend further by striking out paragraph 387, on page 134, which is as follows:

"387. Carpets of every description, woven whole for rooms, and oriental, Berlin, Aubusson, Axminster, and similar rugs, ten cents per square foot and forty per centum ad valorem: *Provided*, That in the measurement of all mats, rugs, carpets and similar articles, of whatever material composed, the selvage, if any, shall be included." (In equivalent, 60.01 per cent ad valorem.)

And insert the following in lieu thereof:

"*387. Carpets of every description woven whole for rooms, and oriental, Berlin, and other similar rugs, forty per centum ad valorem.*"

Amend further by striking out paragraph 388, on page 134, which is as follows:

"388. Druggets and bockings, printed, colored, or otherwise, twenty-two cents per square yard and in addition thereto forty per centum ad valorem." (In equivalent, 70.86 per cent ad valorem.)

And insert the following in lieu thereof:

"*388. Druggets and bockings, printed, colored, or otherwise, felt carpeting, figured or plain, thirty per centum ad valorem.*"

Amend further by striking out paragraph 389, on page 134, which is as follows:

"389. Carpets and carpeting of wool, flax, or cotton, or composed in part of any of them, not specially provided for in this section, and mats, matting, and rugs of cotton, fifty per centum ad valorem."

And insert the following in lieu thereof:

"*389. Carpets and carpeting, of wool, flax, or cotton, composed in part of either, not specially provided for in this act, thirty per centum ad valorem.*"

The VICE-PRESIDENT. Is there objection to the offering of the amendments as one amendment and voting upon them all at the same time? The Chair hears none. It is ordered that all the amendments be voted on together.

Mr. BACON. Mr. President, without unduly detaining the Senate, I want to say that this schedule is, in my opinion, one in which it is of the utmost importance that there should be reductions, and very material reductions. This importance is because the articles contained therein, and upon which most excessive duties are imposed, relate to those things which are most commonly in use, which are necessary, not only for the comfort, but for the health and the very life of the people. They relate to all articles of clothing of wool or in part made of wool, whether for the rich or the poor; they relate to all materials out of which clothing is made of wool, or wholly or partly of wool; they also relate to all such things as carpets, rugs, blankets, not only the fine ones but the commonest, and everything else essential to clothing of the person or the comfort of the home so far as that class of articles is concerned.

Mr. President, it staggers belief when we look through this schedule of the bill to note the excessive and extortionate duties which this bill proposes to levy and collect from the people of all classes on all these articles of universal and necessary use—things essential to health, comfort, and decency of appearance of the people throughout every hour of the day and of the night.

Sir, let us look at some of them. Without going through the matter at length, I want to call attention to some figures which I have taken from the book of Estimated Revenues, which the Finance Committee itself has furnished to us.

The first paragraph now before us in the bill relates to yarns. I am not going to go into details at all as to these articles, but just simply indicate their nature, unless some Senator desires that I should do so with more particularity. The first article relates to yarns from which the cloths, and so forth, are made, and upon which, according to the tables furnished us by the Finance Committee, the maximum ad valorem equivalent is 143.02 per cent. This amendment proposes to reduce that to 40 per cent ad valorem.

The next paragraph in the bill is on cloths, knit fabrics, and articles of that class upon which, according to the tables furnished, the duty in the bill is 141 per cent ad valorem; and upon that the amendment offered by me proposes a duty of 35 per cent and of 40 per cent upon the different classes of those articles.

The next paragraph in the bill relates to blankets and flannels. According to the tables furnished by the Finance Committee the maximum duty upon those articles is 165.42 per cent, and the amendment proposes to reduce the duty on the same articles to 25, 30, and 40 per cent, according to the different classification of those articles.

The next amendment is to the paragraph providing duties for women's and children's dress goods and things of that class, upon which the duty prescribed in the bill is 115.53 per cent, and in an additional paragraph on the same subject the maximum duty is 118 per cent. For those two paragraphs the amendments proposed by me will reduce the duty to 35 and 50 per cent, according to the classification of the article, the same classification being preserved as that which is specified in the bill.

The next paragraph is ready-made clothing. On articles of wearing apparel of every description the duty in the pending bill is 95.98 per cent, and the amendment which I propose is an ad valorem duty of 40 per cent.

The next paragraph is as to webbings, gorings, suspenders, braces, and so forth, upon which the equivalent ad valorem duty in the pending bill is 80.83 per cent, while the amendment proposed by me is for a duty of 45 per cent ad valorem.

The next paragraph is for the various kinds of the finer carpets, Aubusson, Axminster, moquette, and so forth, upon which the ad valorem duty in the pending bill is 66.34 per cent, and upon which the amendment proposed by me would impose a duty of 40 per cent ad valorem.

The next paragraph is upon a different class of carpets, Wilton and Tournay velvet carpets, upon which the duty in the pending bill is 72.67 per cent and upon which the proposed amendment would levy a duty of 40 per cent ad valorem.

The next paragraph is as to Brussels carpets and all carpets of like character, upon which the equivalent ad valorem duty is 75.81 per cent, and upon which it is proposed in the amendment to that paragraph to impose a duty of 40 per cent ad valorem.

The next paragraph is upon velvet and tapestry velvet carpets, upon which the equivalent ad valorem duty in the pending bill is 58.86 per cent, and upon which it is proposed in the amendment to levy a duty of 40 per cent ad valorem.

The next paragraph is on tapestry Brussels carpets, upon which in the pending bill the duty is 60.73 per cent, and upon which it is proposed in the pending amendment to impose a duty of 40 per cent ad valorem.

The next paragraph is on ingrain three-ply carpets, upon which the duty imposed in the pending bill is 66.72, and upon which the pending amendment proposes to impose a duty of 30 per cent ad valorem.

The next paragraph is on two-ply ingrain carpets, upon which the equivalent ad valorem duty in the pending bill is 58.63 per cent, and upon which the amendment proposes to levy a duty of 30 per cent ad valorem.

The next paragraph is upon carpets of every description enumerated here, Axminster and others, and including rugs, on

which the equivalent duty in the pending bill is 60.01 per cent, and upon which the pending amendment proposes to levy a duty of 40 per cent ad valorem.

The next amendment is as to druggets and bockings, printed or colored, upon which the equivalent ad valorem in the bill is 70.86 per cent, and upon which the pending amendment proposes to levy a duty of 30 per cent ad valorem.

The next is carpets and carpetings of wool, flax, or cotton, or composed in part of any of them, not specially provided for otherwise, on which the duty proposed by the pending bill is 50 per cent ad valorem, and on which the pending amendment proposes to impose a duty of 30 per cent.

I do not know, Mr. President, that it is necessary for me to say anything further in this regard, certainly not unless some debate grows out of it. The figures presented constitute a sufficient argument in themselves. The Senator from Rhode Island says that this particular schedule is not the one where revision downward should be had, but, according to my view, it is the schedule of all schedules, relating, as it does, to the clothing of the people and those other things which are essential for their warmth and comfort in their homes—the one schedule, above all others, upon which there should have been material reductions.

Mr. ALDRICH. Mr. President, I suppose the Senator from Georgia is aware that the rates which he proposes are as low, or lower, than those imposed by the Wilson-Gorman Act, which put raw wool upon the free list.

Mr. BACON. Mr. President, I will suggest to the Senator that they are not identical, but that they are in that neighborhood; and I would say to the Senator that the material difference between the amendment which I have proposed to the wool schedule and the Wilson law is the fact that, while there is no effort to impose a protective duty upon raw wool, there is the imposition of that which I think is important as a general rule in cases of raw materials—a proper revenue duty.

It is proper to say that ignoring the fact that the Wilson law permitted raw wool to come into the country free, the proposed amendment imposes a duty of 30 per cent. I am not unmindful of the argument which is made by Senators that there should be a differential duty; but the Senator from Rhode Island, above all men in this Senate an expert upon the tariff schedules, will of course recognize the fact that that is purely a protective argument and not a tariff-for-revenue argument.

I am not indifferent, Mr. President, to the suggestion that the industries of this country should have an advantage, so far as it can be legally had in the imposition of legitimate revenue duties, over industries in other countries; but at the same time I am very frank to confess, if there were no revenue required to be raised by a tariff, I myself could not, according to my view of the law, favor the imposition of a tariff simply for the purpose of raising prices in this country. I do not think we have the power to do that; and it is only under the guise of the raising of revenue that all these high-protective duties are levied. Although it would be the logical conclusion of the protective-tariff argument, yet I think it would be a bold man who, in the absence of any necessity for revenue, would impose a tariff duty simply to keep desirable articles out of the country, and in that way advance the prices of domestic articles. Therefore, in recognizing that, I go upon what I consider to be the broader principle.

Besides the important reduction in rates of duty, the distinguishing feature, I will remark in passing, between this amendment and the bill is that the amendment substitutes ad valorem duties for specific duties, which, I think, is the only fair way of collecting this tax from the people. We are taxed in direct taxation according to valuation, and we ought, so far as practicable, to be equally taxed in indirect taxation according to valuation. While it is true that the tax upon raw wool is approximately, but not altogether, as great under my amendments as upon the manufactured article, it is also true that the value of a manufactured article out of a given quantity of wool has been, by the manufacture, increased over the value of the original raw wool, and consequently the manufactured article does not come in at the same tariff cost, even if at the same rate of duty, as that at which the raw article comes in. If a raw article costs $1, and in its manufactured state it is worth $2 when it is imported, of course the importer of the manufactured article necessarily pays twice as much duty upon a given quantity of the manufactured wool as he does when he imports raw wool.

But I will not go into that discussion, because it is not necessary. This matter has been very largely thrashed over in the Senate in the differences among the Republicans themselves, and the only difficulty which I have had with my learned and distinguished brethren on the opposite side—or rather on the opposite side of the political division, because it so happens that there are some of them sitting physically on this side—the great difficulty I have had with them is that they have not followed their arguments to their logical conclusion. The arguments which they have used here have not simply been arguments against extortionate rates, but they are arguments which, reduced to their proper analysis, have exposed in as graphic a manner as it would be possible to have any tariff-for-revenue-only advocate expose—I will not use harsh words, but I will say the injustices and the illegalities and the partiality and the favoritism which are inseparable and inevitable in the case of the imposition of a tariff for protective purposes.

Mr. BRISTOW. Mr. President, before this vote is taken, I want to repeat practically what I said preceding the other vote. If I felt that the duties provided in the amendment of the Senator from Georgia [Mr. BACON] would amply protect the labor engaged in the making of these articles for commerce from direct competition with labor abroad and would make up the difference in the cost of production, I would cheerfully vote for them; but, after having examined very briefly the data accumulated by the Senator from Wisconsin [Mr. LA FOLLETTE], it seems that these duties are somewhat less than the duties suggested in his amendments, which were figured out very carefully to provide for the difference in the cost of production here and abroad. So while voting against this amendment, or these amendments, as they are to be voted upon en bloc, I do not want it to be construed to be in any sense an indorsement of what I regard as the inordinate duties of the pending bill. I have protested against them as best I could by supporting the amendments offered by the Senator from Iowa as well as those offered by the Senator from Wisconsin, and I want to let that protest stand; but being a Republican, believing in the principles of protection, and believing that the duty should cover the difference between the cost of production here and abroad, I can not vote for these amendments because I fear such provision is not amply made.

Mr. BACON. Mr. President, for the benefit of the distinguished Republican Senators who have not, previous to my intervention, voted with the Senator from Rhode Island, I desire to call attention to one fact. Of course the suggestion which has been made by Senators on both sides of the Chamber as to any alliance or agreement between the Democrats and any element of the Republican party in this controversy, has had its complete quietus by the failure of the Republicans upon that side to vote with us upon the amendment last considered. We have voted for amendments which they have proposed simply because they were in furtherance of the views which we entertained as to the necessity of reducing the tariff in order that the people might be relieved from the burdens, the outcry against which called forth this extra session. We sacrificed very much of our particular views when we voted for certain measures which were offered here by them, because we did not, as an abstract proposition, favor any of them; but we thought it was in furtherance of a great object, to wit, the reduction of existing duties. I regret that the Senators on the other side of the Chamber whom we thus cooperated with, with the view that I have stated, have not seen fit to waive any of their particular views in order to join with us in furthering this great movement through the amendments proposed by us.

I want to call attention, in order that the importance that they should have done so may be realized, to the testimony of a Republican which I have read before to Senators in this Chamber as to the great necessity and importance, in order that the people might be relieved from grievous burdens, that this tariff should be reduced, and reduced most materially.

I heretofore in a debate called attention to it, the Senator from Rhode Island being the one from whom I particularly asked consideration when I read it before, because, Mr. President, coming from this source, it seems to me the truth of the allegations should have been inquired into by the Republican party; they should have known whether what this high Republican authority states is true or is not true. If it is the truth, as stated by him, then what is the answer to be given to the action of the Senate in the passage of the bill which has been presented to us by the Finance Committee, and which has been so tenaciously clung to by the majority of Republicans, and the opportunity to change which has not been now taken advantage of by those Republicans in the Senate who seem to recognize the propriety and the importance of this revision?

I did not intend, Mr. President, prior to what the Senator from Kansas [Mr. BRISTOW] has said, to read this, but I think it should be emphasized that we stand in the face of a tremendous injustice being done to the American people by the existing tariff law; and if what this distinguished Republican—and he avows himself a Republican—says is true, a most monstrous and unjust tribute of money is being daily levied continually upon the American people. I want Senators, if they can, whether they be the followers of the distinguished Senator from Rhode Island or whether they be those who are called "progressives," to answer the question, In what way the iniquity pointed out in the statement of this distinguished Republican is to be met by the passage of this bill, and how can it be met unless those who believe that the iniquities should be removed are ready, by joining with others, to sacrifice something of personal view in order to accomplish the end?

Mr. President, two years ago there appeared an interview in the Washington Herald with Mr. Miles, who is the chairman of the tariff committee of the Manufacturers' Association and president of the National Association of Agricultural Implement and Vehicle Manufacturers—certainly a man very strongly and closely identified with all those interests which are the peculiar care and solicitude of the Republican party, and especially that portion of it which is most concerned about the maintenance of protective duties. Here is what Mr. Miles, who avows himself in the interview to be a Republican and a protectionist—here is what this high authority said on that subject. I will read it through without stopping to comment upon it. This appeared, I repeat, in the Washington Herald:

> The annual output of the manufacturers of the United States, as shown in the last census, is valued at $14,800,000,000. The tariff which covers the prices is inexact, antiquated, and inapplicable at the present time. Scarcely a single schedule has any honest and direct application at this time to the principle of protection. Under present conditions the tariff is not a protective tariff in any sense. It is a tariff of graft and discrimination, hurtful in a thousand ways.
>
> From one-half to two-thirds of the stuff made under this tariff bears to the consumer an unjust and unreasonable price because of the tariff.
>
> It is estimated by competent authorities that the graft, overcharge, and wrong done the American public because of the present tariff reaches $3,000,000 a working day. We have the facts, schedule by schedule, and are prepared to make the details public should we receive opposition to our demand for a permanent tariff commission, through the appointment of which a proper adjustment of the tariff can be procured.
>
> We are not agitators or reformers. We are mostly Republicans, and all protectionists.

Mr. President, that indictment, coming from a high Republican authority, raises an issue which I respectfully submit it is incumbent upon the dominant party to inquire into. It was not a fugitive newspaper article from some irresponsible person. It was a grave charge from a man holding a high position in an important tariff organization and holding a high position in an industry materially affected by the tariff. Mr. President, I repeat that was read in the hearing of the Senate in the early part of the session, or, at least, several weeks ago. Has it been inquired into? Is it true? If it is not true, it is due to the country that the fact that it is not true should have been made plain to the people of this country.

Mr. ALDRICH. Mr. President——

Mr. BACON. If the Senator will pardon me for just a moment, but aside from that charge made by Mr. Miles, we certainly were called into session for some purpose. We are not here, I respectfully submit, as was suggested by the Senator from Rhode Island in the early deliberations of this Senate, simply for the purpose of readjusting protective duties. This session was called because the outcry which had come up from the people was so great that the Republican party could not turn a deaf ear to it—a cry based on the fact that the burdens of the people were grievous, and they were unable to bear them without an outcry.

Mr. President, this schedule, which relates to the question of the clothing of the people—the men, the women, and the children, the rich and the poor—the carpets which shall be in their houses, the rugs that shall be on their floors, the blankets and comforts which shall cover their beds—this schedule, of all others, it seems to me, is the one which should have material reduction. Can it be said that there is any material reduction? Can it be said that there is any such fixing of rates, even if there is a reduction, as would make it possible for the people of this country to enjoy the reasonable comfort of all the things which relate to the clothing of the person or the furnishing of the home, so far as concerns fabrics of this kind?

I beg pardon. Does the Senator from Rhode Island desire to interrupt me?

Mr. ALDRICH. I was about to answer the suggestions which the Senator has been making about the high character of the gentleman whose interview he has read. The universality of the support of the protective policy in the United States is nowhere better evidenced than when a man in undertaking to criticise the doctrine announces himself in the first place as a Republican and a protectionist. All through this discussion, and the things that are collateral to it, that has been the main statement of everybody who wants to say any bad things or any disagreeable things about either the policy or the party. He prefaces his statement by saying "I am a Republican, and I am a protectionist." I have no doubt this man is as far from a protectionist as any man can be. His statement shows that very plainly.

It is not incumbent upon me, I suggest to the Senator from Georgia, to read all the newspaper articles or listen to all the statements that are made throughout the United States with reference to the wickedness of protection as a policy or the high rates that are imposed by this or any other legislation. We are here to discuss, I assume, in a practical way the terms of the bill which is now under consideration and to try to ascertain whether it is fair and proper in its provisions, having in view all the time the fact that we intend to pass a protective measure. If the Senator from Georgia has any idea that, so far as I am concerned, we intend ever to pay any attention to statements and articles like that he has just read, whether they are in the press or are statements made in this Chamber or out of it, he is very much mistaken.

Mr. BACON. I do not desire to reply to that further than to say that when the Senator says he is not going to take notice of newspaper articles which may appear, of course it would be unreasonable to expect him to do so as to all of them. This particular statement was, however, read by me in the hearing of the Senator a month or more ago.

Mr. ALDRICH. The fact that it was read by the Senator in my hearing does not change my attitude toward the subject.

Mr. BACON. I understand that, but it is nevertheless unfortunate that it is so.

The VICE-PRESIDENT. The question is on agreeing to the amendments proposed by the Senator from Georgia.

Mr. BACON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). In the absence of the Senator from New Jersey [Mr. BRIGGS], with whom I am paired, I withhold my vote. If he were present, I should vote "yea."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "yea" and he would vote "nay."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "nay."

Mr. TAYLOR (when his name was called). I am paired with the junior Senator from Kentucky [Mr. BRADLEY].

The roll call was concluded.

Mr. CRAWFORD. I wish the RECORD to show that my colleague [Mr. GAMBLE], who is absent, is paired with the junior Senator from Indiana [Mr. SHIVELY]. If my colleague were present, he would vote "nay."

Mr. FOSTER (after having voted in the affirmative). I desire to inquire whether the senior Senator from North Dakota [Mr. McCUMBER] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. FOSTER. I withdraw my vote.

Mr. OLIVER. I transfer my pair to the senior Senator from Illinois [Mr. CULLOM] and will vote. I vote "nay."

The result was announced—yeas 20, nays 50, as follows:

YEAS—20.

Bacon	Davis	Martin	Simmons
Bailey	Frazier	Money	Smith, Md.
Bankhead	Gore	Overman	Stone
Clay	Hughes	Paynter	Taliaferro
Culberson	Johnston, Ala.	Rayner	Tillman

NAYS—50.

Aldrich	Clark, Wyo.	Frye	Penrose
Borah	Crane	Gallinger	Perkins
Bourne	Crawford	Guggenheim	Piles
Brandegee	Cummins	Heyburn	Root
Bristow	Curtis	Johnson, N. Dak.	Scott
Brown	Depew	Kean	Smoot
Bulkeley	Dick	La Follette	Stephenson
Burkett	Dillingham	Lodge	Sutherland
Burnham	Dixon	McCumber	Warner
Burrows	Dolliver	Nelson	Warren
Burton	du Pont	Nixon	Wetmore
Carter	Elkins	Oliver	
Clapp	Flint	Page	

NOT VOTING—21.

Beveridge	Daniel	McCumber	Smith, Mich.
Bradley	Fletcher	McLaurin	Smith, S. C.
Briggs	Foster	Newlands	Taylor
Chamberlain	Gamble	Owen	
Clarke, Ark.	Hale	Richardson	
Cullom	Jones	Shively	

So Mr. BACON's amendments were rejected.

Mr. SMOOT. I offer a proposed substitute for paragraph 471d, and I ask that it may be printed.

The VICE-PRESIDENT. Without objection, the amendment will be printed.

Mr. ALDRICH. I suggest to the Senator from Utah that he should state that this is the Philippine amendment, and to

offered now in order that it may be printed. It is my purpose to call it up some time to-morrow.

The VICE-PRESIDENT. The Senator from Oklahoma now asks unanimous consent to reconsider certain paragraphs.

Mr. GORE. Paragraphs 370 and 375.

The VICE-PRESIDENT. Three hundred and seventy and 375, for the purpose of offering amendments. Is there objection?

Mr. ALDRICH. I ask that the Senator's amendment may be read.

Mr. GORE. I have not reduced it to writing.

The VICE-PRESIDENT. The Secretary will take it, if the Senator will state it slowly.

Mr. GORE. At the close of paragraph 375 I move to insert:

Provided, however, That in no case shall the duty on blankets exceed 75 per cent ad valorem.

The VICE-PRESIDENT. Will the Senator state the other amendment?

Mr. GORE. Not at present. I will suggest, however, that that is the only one on which I shall probably desire the yeas and nays, and it may be proper also to say that if this amendment should happen to be adopted, it may be necessary to reform the phraseology of the entire paragraph in order to make it answer more specifically the end in view.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oklahoma? The Chair hears none. The question is on agreeing to the amendment.

Mr. GORE. I wish to submit just one or two observations.

Mr. President, possibly I am a little supersensitive, but I may say that to me the thought is painful and pathetic that any man, woman, or child should be obliged to sleep cold by night. I would say that the toiler who sleeps so is not qualified to render the best possible service, either at the spinning jenny or the loom, on the following day. I make that practical argument as an appeal to the stand-pat revisionists in the Senate. But, sir, above and beyond that sordid consideration every human being and every American citizen has a right to buy those things which are necessary to his health, warmth, and comfort without being obliged to pay a double price or a double profit to the manufacturer who makes those articles. The right of every American to be protected in these comforts is as sacred as the privilege of the manufacturer to realize a net dividend ranging from 6 to 66 per cent.

I understand that the duty proposed by the pending bill on blankets ranges from 71 per cent to 106 and 107 per cent ad valorem. The duty of 71 per cent is imposed on the blankets of the finer fabric, which will be found only in the sumptuous palaces and in the heated apartments of the wealthy and the opulent. The duty of 106 and 107 per cent——

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Carolina?

Mr. GORE. Certainly.

Mr. SIMMONS. If the Senator will permit me, looking at the Book of Estimates furnished us, I find that the equivalent ad valorem on one class of these blankets is as high as 165 per cent.

Mr. GORE. I am very much indebted to the Senator.

Mr. SIMMONS. And if the Senator will further permit me, I should like to say that it appears that the blankets which carry this enormous ad valorem are the cheaper class of blankets.

Mr. GORE. Certainly.

Mr. SIMMONS. I further discover, if the Senator will permit me——

Mr. GORE. With pleasure.

Mr. SIMMONS. That of blankets valued at not more than 40 cents per pound—that is a very cheap blanket, as I take it—there were imported last year 142,000 pounds; that the average value is 28.6 cents per pound. The specific duty upon a blanket of that kind, worth 28 cents a pound, is 33 cents. That is 5 cents more than the total value of the blanket, plus 50 per cent ad valorem.

Mr. GORE. I am deeply indebted to the Senator for making this very important suggestion. The blankets which bear the highest rates of duty are those of inferior quality, those which are found only—and too often are not found—in the humble homes of the poor.

Mr. President, I shall not ask Senators on the other side to violate their convictions by voting to place blankets on the free list. Those Senators have just refused to sear their tender consciences by voting to fix the duty at 65 per cent ad valorem, the amendment proposed by the Senator from Wisconsin. As I have suggested, the finer blankets bear a duty of 71 per cent. If I should consult my own feelings, I would fix the duty on inferior blankets at not exceeding 71 per cent. But it seems to be a fundamental principle with the Republican party, one from which they make no deviation, to levy a higher tax upon the poor than upon the rich, and out of an enforced respect for that inviolate principle I have proposed to make the duty on these inferior blankets 75 per cent ad valorem and allow the wealthy still to purchase their blankets at 71 per cent.

I really believe it is a matter of indifference to some Senators what the duty fixed by this bill on blankets may be, for I expect the American people to make it so warm for some of these standpatters that they will not need any blankets for the coming year.

Mr. President, I simply wanted to present that issue—whether or not the poor people of this country should have blankets at not exceeding 75 per cent ad valorem when those who are more fortunate obtain theirs, as I believe, for 71 per cent. I simply desire to tender that issue. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I am paired with the Senator from New Jersey [Mr. BRIGGS]. If he were present, I should vote "yea."

Mr. McLAURIN (when his name was called). I again announce my pair with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. FOSTER (after having voted in the affirmative). I am paired with the Senator from North Dakota [Mr. MCCUMBER], and therefore withdraw my vote.

The result was announced—yeas 29, nays 43, as follows:

YEAS—29.

Bacon	Culberson	Martin	Simmons
Bailey	Davis	Money	Smith, Md.
Bankhead	Dolliver	Nelson	Stone
Bristow	Frazier	Newlands	Taliaferro
Brown	Gore	Overman	Tillman
Burkett	Hughes	Owen	
Clapp	Johnston, Ala.	Paynter	
Clay	La Follette	Rayner	

NAYS—43.

Aldrich	Crawford	Frye	Perkins
Borah	Cullom	Gallinger	Piles
Bourne	Cummins	Guggenheim	Root
Brandegee	Curtis	Heyburn	Scott
Bulkeley	Depew	Johnson, N. Dak.	Smoot
Burnham	Dick	Kean	Stephenson
Burrows	Dillingham	Lodge	Sutherland
Burton	Dixon	McEnery	Warner
Carter	du Pont	Nixon	Warren
Clark, Wyo.	Elkins	Page	Wetmore
Crane	Flint	Penrose	

NOT VOTING—19.

Beveridge	Daniel	Jones	Shively
Bradley	Fletcher	McCumber	Smith, Mich.
Briggs	Foster	McLaurin	Smith, S. C.
Chamberlain	Gamble	Oliver	Taylor
Clarke, Ark.	Hale	Richardson	

So Mr. GORE's amendment was rejected.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. ALDRICH. I ask that the paragraphs which have not yet been agreed to in Schedule K be now agreed to.

The VICE-PRESIDENT. The Senator from Oklahoma desires to offer an amendment to paragraph 370, the Chair understands.

Mr. ALDRICH. Paragraph 375 has been agreed to, I suppose.

The VICE-PRESIDENT. Paragraph 375 has been agreed to.

Mr. GORE. I wish to say that I appreciate the indulgence of the Senator from Rhode Island, and I will abuse it for only a few moments longer. I shall not ask for a yea-and-nay vote on the amendment I now offer.

The VICE-PRESIDENT. The Senator from Oklahoma submits an amendment, which will be read.

The SECRETARY. It is proposed to add at the end of paragraph 370 the following proviso:

Provided, That upon all cloth of every description manufactured for sale, from any or all of said articles, in whole or in part, whether domestic or imported, there shall be levied, collected, and paid an excise tax of 25 cents per yard and 25 cents per pound.

Mr. GORE. Mr. President, this amendment relates to a tariff on rags. The pending bill levies a duty of 10 cents a pound on rags of various kinds.

Mr. President, I have sat here and heard a holy shriek come up on the other side of the Chamber whenever there has been a suggestion of admitting rags into this country free of duty; an acclaim of patriotic indignation has gone up from those Senators, and they have vociferously declared that they did not want anybody's old rags imported into the United States free of duty, and that they did not desire the American citizen to be clothed in a garment made of foreign rags.

Mr. President, for once I find myself in perfect accord with the stand-pat revisionists in this Chamber, and that is the only

reason which I have to suspect the soundness and the justice of my position. I confess, however, Mr. President, that my taste is not sufficiently cultivated to distinguish between domestic and foreign rags. I heard the senior Senator from Montana [Mr. CARTER] say on yesterday that the woolen manufacturers of this country manufacture cloth and clothing from rags that were picked up in the streets. We have heard a great deal of superheated eloquence during this debate concerning the well-clad American citizen. I rejoice in his apparel as much as any Senator in this Chamber, and doubtless well-clad Americans would be much amazed to learn that they were attired in apparel which had been manufactured from rags picked up in the streets.

I offer this amendment not exactly to penalize this evil further, but I want to make it a source of revenue to the Treasury of the United States. I have not conferred with my associates touching the amendment. Perhaps it reflects nobody's views but my own. I offered it merely that this record might show that I for one am opposed to the ragman, whether he be an alien or an American.

I am perfectly willing to have the amendment go to a vote without demanding the yeas and nays upon it.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Oklahoma.

The amendment was rejected.

The VICE-PRESIDENT. Without objection, paragraph 370 is agreed to.

Mr. ALDRICH. I ask that the paragraphs be now taken up——

Mr. BAILEY. If these paragraphs are to provoke any debate or to consume much time I think I ought to insist on the regular order. I waited all day yesterday because I knew so many Senators were interested in this particular schedule, and I know they are still interested in it. That interest, however, has considerably abated in view of the votes that have been taken. If the Senator from Rhode Island has much more to suggest, I think it would be impossible to conclude it this afternoon, and we might as well now proceed to the consideration of the amendment which has been postponed by a vote of the Senate until to-day.

Mr. ALDRICH. I will say to the Senator from Texas, it is my present purpose to move a further postponement when the matter is up. I am quite willing to have it disposed of now, if that is agreeable to the Senator. I shall move to postpone the consideration until, say, a week, perhaps, from to-day, with the hope that before that time all these paragraphs may be disposed of, and then I shall be quite willing to take up the proposition of the Senator from Texas, my purpose being now, as it was ten days ago, to dispose of all the dutiable provisions of the bill before we take up any provision with regard to income or revenue taxes.

Mr. BAILEY. Recalling the position of some of those who are cooperating with me in favor of this amendment, and remembering that they are of the opinion that for certain reasons sufficient to themselves they would prefer to have the matter suspended until the schedules are concluded, although that is not in accordance with my own judgment, I will again agree to yield my individual judgment in the matter and consent to a postponement until the schedules are completed, provided the Senator from Rhode Island will couple with that an agreement to take a direct vote on the question.

Mr. ALDRICH. My own position on the matter, and I think the position of the Senate, has not changed with reference to that subject.

Mr. BAILEY. I hope the position of the Senate has not changed, Mr. President, for if it has not, and if it does not, the Senator might as well take the vote this afternoon as to take the vote at the conclusion of the schedules, because this amendment will go into the bill as certain as we take the vote unless the condition does change.

Mr. CUMMINS. Mr. President——

Mr. ALDRICH. I assume we will probably not get an agreement upon that particular subject at this moment. I am quite willing that the matter shall go over either by general consent or by a motion. If it is not possible to procure a unanimous agreement as to what shall be done with it, I shall make a motion to defer the further consideration of it for one week.

Mr. CUMMINS. Mr. President——

Mr. BAILEY. I yield to the Senator from Iowa.

Mr. CUMMINS. The reason why I endeavored to secure recognition was that it was utterly impossible for me to hear what the Senator from Rhode Island was saying, and, being somewhat interested in the subject, I should like to know what his suggestions were.

Mr. ALDRICH. My suggestion was that I have not changed my own attitude or opinion as to when the matter ought to come up, and I certainly could not consent to any agreement as to what disposition shall be made of it when it does come up. I think that would not be a proper thing for me to do. I am quite willing that an agreement shall be reached that it may be taken up after the schedules are disposed of. I am willing to agree or I shall make a motion to postpone the further consideration of it for one week—that is, until the 18th.

Mr. CUMMINS. Mr. President——

The VICE-PRESIDENT. The Senator from Texas still has the floor. Does he further yield?

Mr. BAILEY. Certainly.

Mr. CUMMINS. I have not changed my mind, either, with regard to the matter. I believe that the proper time, the best time, to dispose of the matter is at the conclusion of the consideration of the schedules or the paragraphs imposing duties. But I hoped that the Senator would assent to the suggestion made by the Senator from Texas that at such time we would enter upon the consideration of the amendment and dispose of it by a direct vote upon its merits. I should like to see that arrangement made now. But if it can not be made now, then we must do the next best thing.

Mr. BAILEY. Mr. President, neither have I changed my mind about this matter. I am as thoroughly convinced this afternoon as I was three weeks ago, and not more convinced then than I was two months ago, that the proper place to have decided this question was before a single schedule of the bill had been disposed of. I believed then, and I believed when this matter was before the Senate on a former occasion, and I believe now, that if the Senate had determined upon raising a given amount of revenue in this particular way, it would have been easier to have dealt intelligently with the schedules and the rates. Believing that, I have sought to force a vote at every suitable occasion.

But I want to be entirely frank with the Senate and with the country. I have had another purpose in my mind. I have been seeking to arrest and concentrate the attention of the country on what I believed was transpiring in the Senate and in influential circles at Washington. I have believed all the while what the Senator from Rhode Island has repeatedly made manifest, that it is his purpose to avoid, if possible, a direct vote on this question by making a motion to refer it to some committee. If that motion could have been made before the attention of Senators had been properly directed to it, it is my fear that some Senators might have been persuaded to vote for it who could not be persuaded to vote directly against the amendment.

But here, as in all other cases, it has happened that a due and orderly consideration has brought us to the point where in my opinion no Senator in this body will vote to refer the amendment to any committee and then go to his constituents and pretend that he was in favor of it. If I have accomplished nothing else, I have the satisfaction of believing, though I may be mistaken about that, that we have brought the matter to so direct an issue that the Senator from Rhode Island can poll as many votes against the amendment as he can in favor of his motion to refer it.

Of course the Senator can poll a larger number of votes in favor of his motion to postpone, because it is within my personal knowledge that a number of Senators who will vote with him for personal or party reasons to postpone it, as he now suggests, and who voted with him on the other occasion to postpone it until yesterday, will not vote with him either to refer it or to defeat it. I want to say here—and I do not say it in the expectation of influencing any Senator, because I will not insult the self-respect of Senators by suggesting that they can be driven to do what their conscience forbids—that it is my opinion that there are Senators here who, for one reason or another, have not wanted to break with the majority of their party and vote for this amendment, who are still more anxious not to misrepresent their people. I assume that no Senator wants to dodge, and yet it is a dodge, pure and simple, to send this amendment to a committee; and a Senator who expects to convince his people otherwise must remember that every man who is sincerely in favor of an income tax will vote against the reference, and every man who is earnestly opposed to it will vote in favor of the reference.

The people can not be deceived about it. They will despise a Senator who wants to defeat it and who seeks to defeat it in this indirect and covert way, and I hope there are no such Senators here. If they were ever here, I believe they have now learned from their people that the open, manly way is not only best, but it is safest. A man may vote against this though his people favor it, and he may lose his office; but if his conscience

commands him to vote against it he will save his self-respect. But if he be against it, and even his people were willing to excuse him for voting against it, they will not excuse him for avoiding a vote.

Mr. President, I may have too much respect for the intelligence of the American people, but I love to think that they will forgive a man for differing with them, but they will not forgive him for being afraid to differ with them. Let us in the straightforward and manly way say it ought to pass or it ought not to pass.

If I can get that kind of an agreement with the Senator from Rhode Island, I will be very glad to wait patiently until even the Senator from Rhode Island thinks the proper time has come, and I will risk the subtle influences which are counted, and have heretofore been wisely counted, potential in these matters to do their work.

After a careful and thorough canvas of the matter, my opinion is that the majority of the Senate this afternoon are in favor of this amendment, and if we could now take the vote, we would write it into this bill. If Senators shall change, I assume they will stand up here in the presence of their colleagues and the country and assign the reasons which have influenced their judgment; but if a Senator has changed and seeks to conceal it from his people, he is the man above all others whose people ought to know the reasons for his conduct.

Mr. President, I renew the request that the vote on this income-tax amendment shall be fixed for a time immediately succeeding the disposition of the schedules, with the understanding that its consideration shall then be entered upon and disposed of finally by a direct vote upon its adoption.

The VICE-PRESIDENT. Does the Senator's request contemplate a vote in the Senate as in committee, or after the bill has been reported to the Senate?

Mr. BAILEY. I will conform to the pleasure of those in charge of the bill in that respect.

The VICE-PRESIDENT. The Chair wished to put the request, and made the inquiry in order to have a clear understanding.

Mr. ALDRICH. If the Senator has concluded, I have a few remarks to make.

Mr. BAILEY. The Senator, then, wants to answer my request by making a motion to postpone?

Mr. ALDRICH. No; I do not.

Mr. BAILEY. Very well; I will hear what the Senator has to say.

Mr. ALDRICH. Mr. President, I am greatly surprised at the character of the statement which the Senator from Texas has just made. I know of no influences that have been used to restrain Senators from voting as they please upon this question. If I am not mistaken, I could construe the remarks of the Senator from Texas as a threat that if Senators did not vote as he has classified them, these Senators would be held up to execration as having deserted their principles.

Now, I do not know what the classification of the Senator may be, and I do not know what information he may have, but, so far as I know, no restraint is being exercised, and I think no restraint can be exercised, either by the Senator from Texas or myself, as to the votes of Senators upon this proposition. I certainly have no intention, and I do not know of anybody else who has any intention, of persuading Senators to vote differently from what their judgment under all the circumstances shall lead them to do.

I can not consent to the suggestion of the Senator from Texas. I think I have repeated that to him and in the presence of the Senate at least a dozen times. I am quite willing that this amendment should go over, either by unanimous consent or by a vote of the Senate. If no unanimous consent can be given, I shall then move that the further consideration of the amendment be postponed until the 18th day of June; but I do not wish to cut off anybody in the discussion.

Mr. CUMMINS. I hope the Senator from Rhode Island will withhold the motion for a moment.

Mr. ALDRICH. Certainly.

Mr. CUMMINS. I am very sorry that the Senator from Rhode Island can not see his way clear to assent to the suggestion of the Senator from Texas. I have believed that the strength of this measure upon the Republican side was growing. I believe it is growing because there is merit so obvious in the measure itself that a close, impartial investigation and study will from day to day add to those who will vote for the income-tax amendment.

I do not suggest this with a view of postponing the action of the Senate. I feel so confident with regard to the strength of the following for an income tax in this body that I would be wholly willing to take a vote upon the amendment at this time without an additional word having been said in its behalf; but I recognize that in this protective measure it is fair for Republicans to believe that the proper time to consider a vote upon the income tax is after the conclusion of these paragraphs.

However, before any motion is made which shall have for its purpose the withdrawal of the amendment offered by the Senator from Texas [Mr. BAILEY] from the consideration of the Senate, I wish to say—and in saying it I assume that the amendment offered by the Senator from Texas is now before the Senate——

The VICE-PRESIDENT. The amendment is not now before the Senate.

Mr. ALDRICH. The amendment is not now technically before the Senate.

Mr. BAILEY. Mr. President, I must respectfully dissent from that view. The amendment was pending and the Senator from Rhode Island moved to postpone it until the 10th. Yesterday, to accommodate the Senators who desired to discuss the wool schedule, particularly the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Iowa [Mr. DOLLIVER], I allowed it to pass well-nigh to the close of the day and then called it up. It was agreed that I had the right and power to call it up. I asked that it might be passed over to-day, holding in all respects the same rights and privileges that it had yesterday. Exercising what I believed was my right under the rules, I called up the matter, and with it pending before the Senate I preferred this request. I think there can be no doubt that the amendment is now before the Senate.

Mr. ALDRICH. It is only a question of technical difference. The Senator can undoubtedly make his motion now. It is not necessary that he should go through the form——

Mr. BAILEY. I have no motion to make. I had already moved the amendment when the Senator from Rhode Island moved to postpone it on the other occasion. The amendment was then before the Senate.

Mr. ALDRICH. But it would require now the formal motion of the Senator from Texas to amend the bill as he has indicated. It is only a technical question.

Mr. BAILEY. Mr. President, I think, while not important here, it might be important on some other occasion, because a Senator would have to obtain the floor to make the motion when a measure or an amendment, as in this instance, was pending before the Senate. The Senator from Rhode Island moved to postpone the consideration of it until a given time. I think the very effect of that motion is to carry it in statu quo, preserving the status of it, to that future time. When that future time arrives, then the matter reappears precisely as it was when it was postponed.

The VICE-PRESIDENT. May the Chair call the attention of the Senator from Texas to what he finds in the RECORD? The present occupant of the chair was not here yesterday.

Now, if the Senator will indulge me one moment—

Said the Senator from Texas—

I have not wanted to interfere with the consideration and conclusion of this schedule; but as soon as the schedule is completed to-morrow, or if it is concluded this afternoon and to-night, then the first thing to-morrow I will call up the income-tax amendment; if the schedule is not concluded this afternoon or to-night, then as soon as it is completed to-morrow I will call it up.

The schedule is not completed.

Mr. BAILEY. That was merely a notice of my intention. It was made when we thought we would have a vote in a few minutes and have the woolen schedule out of the way. For instance, I can illustrate to the Chair how that could be considered no more than a notice. Suppose they did not conclude the woolen schedule to-day. This matter was postponed until to-day, and then I would have lost my day in court. So I must have, under the order of the Senate, the right to call it up, and having called it up it reappears in the body precisely as it was when it was postponed.

But, Mr. President, in order to remove all possible doubt about it, I offer the amendment precisely as it was before, although I think that is not the way I would prefer. So I call the amendment up for consideration in the Senate.

Mr. ALDRICH. I think it might be considered as the pending amendment. I have no objection.

Mr. BAILEY. It is immaterial, but it will save my question.

The VICE-PRESIDENT. Without objection, the amendment will be considered to be pending.

Mr. CUMMINS. Mr. President, the amendment being now at least properly before the Senate, I desire to say just a word with regard to the matter. I have been so solicitous with respect to this amendment, I believe it to be so necessary that an income tax shall now be provided for, that I have felt no

pride of opinion with respect to my own amendment. I have felt at perfect liberty to confer with my friend, the Senator from Texas [Mr. BAILEY], in order that we might compare the amendment offered by him with the amendment offered by me. I have been exceedingly anxious to reach some plan by which there need be but a single vote upon the subject of the income tax. There were but slight differences—no essential differences—between his plan and the one found in the amendment which I last offered.

I say candidly and frankly that I have conferred with the Senator from Texas, with a view to framing this measure so that the very best elements in his amendment might be combined with the best elements in mine, and therefore command the utmost strength that the proposition to levy an income tax has in this body.

I therefore move an amendment to the amendment offered by the Senator from Texas to strike out, in line 7, page 1, the word "three" and to substitute therefor the word "two."

Mr. ALDRICH. Mr. President, if it would be convenient to the Senator from Iowa, I would suggest that this amendment be offered and printed. I am desirous, if possible, if we are to have a postponement of this proposition for a week, that we should go on as rapidly as possible with the pending schedule.

Mr. CUMMINS. Mr. President, I agree, I think, fully with the Senator from Rhode Island. I do not intend to argue these matters. I had hoped that after the amendment shall be perfected, as I believe it will be in a very few minutes, we might then have it printed, so that, before it is finally considered, it may be seen as a whole and connectedly.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Iowa.

The SECRETARY. On page 1, line 7, before the words "per centum," it is proposed to strike out "three" and to insert "two."

Mr. CUMMINS. I also offer——

Mr. BAILEY. I suggest to the Senator from Iowa that we agree to that amendment as we go along.

Mr. CUMMINS. Precisely.

Mr. ALDRICH. I think that the Senator from Texas [Mr. BAILEY] and the Senator from Iowa [Mr. CUMMINS] ought to be permitted to modify and perfect their propositions without the approval of the Senate, because they have a right to do that—a moral right—but I should not like to have them expect the Senate to concur.

Mr. BAILEY. The Senator from Iowa and the "Senator from Texas" are doing, in the presence of the open Senate, what we have agreed——

Mr. ALDRICH. What you have already done——

Mr. BAILEY. Is a right and proper adjustment of any differences. If the Senator from Rhode Island wants the matter printed as we shall offer it, I think it fair to do it in this way.

Mr. ALDRICH. I have no objection to that; I have no objection to any modification that the high contracting parties may agree to; but I do not myself desire to be made a party to this controversy.

Mr. BAILEY. We shall try to accomplish that later.

The VICE-PRESIDENT. The Chair then understands that the Senator from Texas modifies his amendment.

Mr. CUMMINS. I offer the amendment, and I think the Senator from Texas accepts it.

Mr. BAILEY. I accept the amendment of the Senator from Iowa.

The VICE-PRESIDENT. Then it becomes a part of the amendment offered by the Senator from Texas.

Mr. CUMMINS. I also move to strike out from and including line 23, on page 3, to, but not including line 15, on page 6, and to substitute therefor that which I send to the Secretary's desk; which I say to the Senate is a substitute of the provision in my amendment respecting corporations for the provision in the amendment offered by the Senator from Texas. As originally offered, they differ only in this: That I provided for the reimbursement to stockholders of corporations, taxed under this law, whose total incomes from all sources are less than $5,000, of the amount which, as stockholders, they contributed to the tax paid by the corporation, the intent being to relieve all persons whose incomes were not more than $5,000 from the operation of this tax. I call that also to the attention of the Senator from Texas.

Mr. BAILEY. That amendment, Mr. President, is entirely understood between the Senator from Iowa and myself, and I accept it.

The VICE-PRESIDENT. The Senator from Texas [Mr. BAILEY] accepts the modification of the amendment in accordance with the suggestion of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Those are the only amendments which I propose to the amendment offered by the Senator from Texas. Without debating the subject at all at this time, I leave it, saying that, with these amendments, I am wholly satisfied with the measure as presented by him.

Mr. BAILEY. Now, Mr. President, I wish——

The VICE-PRESIDENT. May the Chair interrupt the Senator to request that the Secretary report the amendment moved by the Senator from Iowa to the amendment of the Senator from Texas? It has not yet been reported.

Mr. BAILEY. I thought the Secretary did report the amendment when the Senator from Iowa offered it.

The VICE-PRESIDENT. The Senator from Iowa stated the substance of it, but it has not been reported from the desk.

Mr. ALDRICH. That is not necessary.

The VICE-PRESIDENT. The Chair does not suppose that is necessary.

Mr. BAILEY. I ask that the amendment be printed in the RECORD without taking time to read it.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

The modification proposed by Mr. CUMMINS to the amendment of Mr. BAILEY was to strike out from the amendment, beginning in line 23, on page 3, down to and including line 14, on page 6, and in lieu thereof to insert:

SEC. —. That there shall be assessed, levied, and collected for the calendar year 1909, and for each calendar year thereafter, a duty of 2 per cent on the net gains, profits, and income over and above $5,000 of all corporations, companies, or associations organized for pecuniary profit under the laws of the United States or under the laws of any State or Territory or doing business for pecuniary profit in the United States, no matter where or how created or organized, but not including copartnerships. The aforesaid net gains, profits, or income of any such corporation, company, or association shall include its entire gains, profits, and income save and except the amounts paid out during the year for maintenance, operation, and a reasonable allowance for depreciation; and the Secretary of the Treasury is authorized to prescribe and establish such system of bookkeeping and reports as may be necessary to insure uniformity in this respect: *Provided, however*, That nothing herein contained shall apply to corporations, companies, or associations organized and conducted solely for charitable, religious, or educational purposes, including fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, or associations and dependents of such members; nor to the stocks, shares, funds, or securities held by any fiduciary or trustee for charitable, religious, or educational purposes; nor to building and loan associations or companies which make loans only to their shareholders; nor to such savings banks, savings institutions, or societies as shall, first, have no stockholders or members except depositors and no capital except deposits; secondly, shall not receive deposits to an aggregate amount, in any one year, of more than $1,000 from the same depositor; thirdly, shall not allow an accumulation of total of deposits, by any one depositor, exceeding $10,000; fourthly, shall actually divide and distribute to its depositors, ratably to deposits, all the earnings over the necessary and proper expenses of such bank, institution, or society, except such as shall be applied to surplus; fifthly, shall not possess, in any form, a surplus fund exceeding 10 per cent of its aggregate deposits; nor to such savings banks, saving institutions, or societies composed of members who do not participate in the profits thereof and which pay interest or dividends only to their depositors; nor to that part of the business of any savings bank, institution, or other similar association having a capital stock, that is conducted on the mutual plan solely for the benefit of its depositors on such plan, and which shall keep its accounts of its business conducted on such mutual plan separate and apart from its other accounts; not to any insurance company or association which conducts all its business solely upon the mutual plan and only for the benefit of its policy holders or members, and having no capital stock and no stock or share holders, and holding all its property in trust and in reserve for its policy holders or members; nor to that part of the business of any insurance company having a capital stock and stock and share holders, which is conducted on the mutual plan, separate from its stock plan of insurance, and solely for the benefit of the policy holders and members insured on said mutual plan, and holding all the property belonging to and derived from said mutual part of its business in trust and reserve for the benefit of its policy holders and members insured on said mutual plan; nor to any part of the business of any insurance company having a capital stock and stock and stockholders except as to those gains and profits and income legally distributable to such capital stock and among such stock and stockholders. All State, county, municipal, and town taxes paid by corporations, companies, or associations shall be included in the operating and business expenses of such corporations, companies, or associations.

Provided further, Any stockholder of any corporation, company, or association the income of which is taxable and taxed under the provisions hereof, whose total income from all sources does not render him liable to the duty herein provided for, may, at any time within six months after the corporation or association of which he is a stockholder has paid the duty herein required, file a written application with the collector of the district in which he resides, in such form as the Secretary of the Treasury may prescribe, showing that his total income for the year under consideration, computed as hereinbefore set forth, did not exceed $5,000. Such application shall be under oath and accompanied by such other proof as the rules and regulations may require. If the application and proof are satisfactory to the collector, and are approved by the Secretary of the Treasury, and it further appears that the gains or profits of any share or shares of capital stock owned by any such stockholder in any such corporation have been included in the income upon which the corporation has paid a duty, then the Secretary of the Treasury shall pay to the applicant the proportionate part which his share or shares contributed to such duty, the intent being to exempt any person whose total income, computed as herein provided, is not more than $5,000

from the payment, directly or indirectly, of an income duty, and the Secretary of the Treasury is expressly authorized to establish such rules and regulations, and to provide such forms, as will enable such persons to present their claims and receive their reimbursement with least difficulty and delay consistent with the due administration of the law.

Mr. ALDRICH. I think the Senator from Texas has a right to modify his own amendment to make it agree with this joint production of the Senator from Iowa and the Senator from Texas.

The VICE-PRESIDENT. The Senator from Rhode Island is right.

Mr. BAILEY. Now, in order that the Senator from Rhode Island may have the benefit of "the joint production," to which he refers, I ask that the pending amendment as modified by these amendments shall be printed in bill form.

The VICE-PRESIDENT. Without objection, that request is agreed to.

Mr. ALDRICH. I now move that the further consideration of this amendment be postponed until the 18th day of June.

Mr. BAILEY. On that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS (when the name of Mr. CLARKE of Arkansas was called). My colleague [Mr. CLARKE of Arkansas] is paired with the junior Senator from Delaware [Mr. RICHARDSON]. If my colleague were present, he would vote "nay."

Mr. CRAWFORD (when Mr. GAMBLE's name was called). My colleague [Mr. GAMBLE] is paired with the junior Senator from Indiana [Mr. SHIVELY]. If my colleague were present, he would vote "yea."

Mr. McLAURIN (when his name was called). I again announce my pair with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "nay," and he would vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH of South Carolina] is absent on account of illness in his family. If present, my colleague would vote "nay."

The roll call was concluded.

Mr. PILES. My colleague [Mr. JONES] is absent for a few minutes. If he were present, he would vote "nay."

The result was announced—yeas 45, nays 34, as follows:

YEAS—45.

Aldrich	Crane	Frye	Perkins
Beveridge	Crawford	Gallinger	Root
Bradley	Cullom	Guggenheim	Scott
Brandegee	Curtis	Heyburn	Smoot
Brown	Depew	Johnson, N. Dak.	Stephenson
Bulkeley	Dick	Kean	Sutherland
Burkett	Dillingham	Lodge	Warner
Burnham	Dixon	Nelson	Warren
Burrows	Dolliver	Nixon	Wetmore
Burton	du Pont	Oliver	
Carter	Elkins	Page	
Clark, Wyo.	Flint	Penrose	

NAYS—34.

Bacon	Culberson	La Follette	Rayner
Bailey	Cummins	McEnery	Simmons
Bankhead	Davis	Martin	Smith, Md.
Borah	Fletcher	Money	Stone
Bourne	Foster	Newlands	Taliaferro
Bristow	Frazier	Overman	Taylor
Chamberlain	Gore	Owen	Tillman
Clapp	Hughes	Payntor	
Clay	Johnston, Ala.	Piles	

NOT VOTING—12.

Briggs	Gamble	McCumber	Shively
Clarke, Ark.	Hale	McLaurin	Smith, Mich.
Daniel	Jones	Richardson	Smith, S. C.

So the motion of Mr. ALDRICH to postpone was agreed to.

Mr. BROWN. Mr. President, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

Mr. BROWN. I ask to have the amendment printed without reading, and that it lie on the table.

The VICE-PRESIDENT. Without objection, that order will be made.

Mr. BROWN. I desire to say, however, that the amendment proposes a joint resolution for an amendment of the Constitution, which shall give Congress the undoubted power to levy a tax on incomes. I give notice further that as soon as the amendment offered by the Senator from Texas [Mr. BAILEY] is disposed of, whenever that may be, I shall call up the amendment I now present.

Mr. FLINT. Mr. President, on the vote which was taken on the amendments of the Senator from Wisconsin [Mr. LA FOLLETTE], I inadvertently voted without noticing that my pair, the senior Senator from Texas [Mr. CULBERSON], was absent. I therefore desire to withdraw my vote.

The VICE-PRESIDENT. Is there objection to the request of the Senator from California to withdraw his vote? The Chair hears none.

Mr. BACON. Mr. President, that, as I understand, is a vote which has been passed and announced.

Mr. FLINT. It is.

Mr. BACON. I do not think, Mr President, that it is in accord with the practice of the Senate to withdraw a vote under such circumstances. The simple statement made by the Senator will accomplish the same purpose. It is not competent to change the record as it has been made.

The VICE-PRESIDENT. It can only be done by unanimous consent. Therefore, the Chair——

Mr. BEVERIDGE. The only thing that can be done is to correct the record.

Mr. BACON. I would suggest to the Senator that the announcement made by him that his vote was caused by a misapprehension, and that it did not change the result would accomplish the purpose which he has in view.

Mr. BEVERIDGE. Yes.

The VICE-PRESIDENT. The Chair thinks the Senator can withdraw his vote by unanimous consent.

Mr. BACON. Undoubtedly. I simply stated, Mr. President, that the request of the Senator from California was not in accord with our custom.

The VICE-PRESIDENT. The Chair so understood the Senator.

Mr. ALDRICH. I ask that the remaining paragraphs of Schedule K be agreed to.

The VICE-PRESIDENT. Without objection, the remaining paragraphs of Schedule K are agreed to.

Mr. CUMMINS. Mr. President, I now present the motion upon which I delivered some remarks this morning, which I ask may be stated.

The VICE-PRESIDENT. The Secretary will state the motion.

The Secretary read as follows:

Mr. CUMMINS moves to recommit Schedule K to the Finance Committee, with instructions to again consider the same and report a schedule as follows, to wit:

1. With the duties on wool unchanged.
2. With so-called "compensatory duties" to the woolen manufacturers that will measure the difference between the price which domestic manufacturers pay for wool and the price paid by their chief foreign competitors.
3. A further duty upon imported woolen manufactures that will represent the difference between the cost of production at home and abroad, with a fair manufacturers' profit added, less the compensatory duties already given to domestic manufacturers because of the higher price they are compelled to pay for wool.

Mr. CUMMINS. Mr. President, I do not intend to repeat anything I said this morning, and I said then everything I desired to say respecting this motion. I believe it embodies the Republican view of a protective tariff upon these duties and puts upon the Finance Committee a specific instruction, under which, as good Republicans, they ought now to act, by virtue of our platform. Upon the motion, if there is to be no further discussion, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McLAURIN. Mr. President, I merely wish to put in the RECORD, before the vote is taken, some statistics, furnished me by a statistician in whom I have confidence, showing that, according to the statistics of the Department of Agriculture, there were in this country in 1884, 50,360,243 sheep.

Mr. ALDRICH. Mr. President, will it inconvenience the Senator from Mississippi to allow a vote to be taken on this proposition?

Mr. McLAURIN. I will only take half a minute. In 1884 the number of sheep in this country was, as I have stated, 50,360,243; in 1890 the number of sheep was 44,336,072; in 1903 the number was 63,964,876; and in 1908 it was 54,631,000. I merely make this statement so that it may appear in the RECORD, for the purpose of showing that in years when the Wilson tariff law was not in force there was a great falling off in the sheep in this country.

The VICE-PRESIDENT. The pending question is on the motion of the Senator from Iowa [Mr. CUMMINS] to recommit to the Committee on Finance Schedule K, with instructions, on which the yeas and nays have been ordered.

Mr. TILLMAN. With what sort of instructions?

The VICE-PRESIDENT. The instructions have been read. The Secretary will again read them, if there be no objection.

Mr. TILLMAN. There is a difference of opinion in regard to the matter, and I should like to hear them again read.

The VICE-PRESIDENT. The Secretary will again read.

The Secretary again read the motion of Mr. CUMMINS.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I desire to announce my pair with the senior Senator from Maryland [Mr. RAYNER].

Mr. FLETCHER (when his name was called). I am paired with the junior Senator from New Jersey [Mr. BRIGGS], and therefore withhold my vote.

Mr. McLAURIN (when his name was called). I again announce my pair with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BURROWS. My colleague [Mr. SMITH of Michigan] is unavoidably absent. He is paired with the Senator from Mississippi [Mr. McLAURIN]. I am at liberty to say, however, that if my colleague were present, he would vote "nay."

Mr. McLAURIN. Upon the statement of the Senator from Michigan that the junior Senator from Michigan [Mr. SMITH], with whom I am paired, would vote "nay" if present, I will take the liberty of voting. I vote "nay."

Mr. KEAN. My colleague [Mr. BRIGGS] is necessarily absent. He is paired with the Senator from Florida [Mr. FLETCHER]. If my colleague were present, he would vote "nay."

Mr. CULBERSON. I am requested to announce that the senior Senator from Maryland [Mr. RAYNER] is paired on this question with the Senator from Kansas [Mr. CURTIS]. If the Senator from Maryland were present, he would vote "nay."

Mr. CURTIS. In view of the announcement of the Senator from Texas [Mr. CULBERSON] as to how the Senator from Maryland [Mr. RAYNER], with whom I am paired, would vote if present, I will take the liberty of voting. I vote "nay."

Mr. LA FOLLETTE. I desire to say that I withheld my vote because I am opposed to a portion of the motion of the Senator from Iowa and in favor of a portion of it, and so could neither vote for it or against it.

The result was announced—yeas 8, nays 59, as follows:

YEAS—8.

Beveridge	Brown	Clapp	Dolliver
Bristow	Burkett	Cummins	Nelson

NAYS—59.

Aldrich	Crawford	Gore	Paynter
Bacon	Culberson	Guggenheim	Penrose
Bankhead	Cullom	Heyburn	Piles
Bourne	Curtis	Johnson, N. Dak.	Root
Bradley	Davis	Kean	Scott
Brandegee	Depew	Lodge	Simmons
Bulkeley	Dick	McEnery	Smoot
Burnham	Dillingham	McLaurin	Stephenson
Burrows	Dixon	Martin	Stone
Burton	du Pont	Money	Sutherland
Carter	Elkins	Nixon	Taliaferro
Chamberlain	Flint	Oliver	Tillman
Clark, Wyo.	Foster	Overman	Warren
Clay	Frye	Owen	Wetmore
Crane	Gallinger	Page	

NOT VOTING—24.

Bailey	Frazier	La Follette	Shively
Borah	Gamble	McCumber	Smith, Md.
Briggs	Hale	Newlands	Smith, Mich.
Clarke, Ark.	Hughes	Perkins	Smith, S. C.
Daniel	Johnston, Ala.	Rayner	Taylor
Fletcher	Jones	Richardson	Warner

So the motion of Mr. CUMMINS was rejected.

The VICE-PRESIDENT. The hour of 5.30 o'clock having arrived, the Senate stands in recess until 8 o'clock this evening.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. SMOOT. I ask unanimous consent that we now take up the free list for consideration.

Mr. BROWN. I should like to inquire why we should pass over——

Mr. CULBERSON. We on this side are unable to hear.

The VICE-PRESIDENT. Will the Senator please speak a bit louder?

Mr. BROWN. I want to inquire why it is necessary to pass over the schedule relating to pulp and print paper?

Mr. BEVERIDGE. For how long?

Mr. SMOOT. The committee thought it was proper to pass that over, at least for a day or two, in the absence of the Senator from Maine [Mr. HALE], who is not well enough to be here, and I would not like to have it taken up in his absence.

Mr. BROWN. Of course under those circumstances I would not insist on taking up the schedule.

The VICE-PRESIDENT. The Senator from Utah asks unanimous consent that the Senate now proceed to the consideration of the free list. Is there objection?

Mr. BEVERIDGE. Wait a minute. Pardon me a minute.

Mr. GORE. Mr. President——

The VICE-PRESIDENT. In one moment; the Chair will recognize the Senator from Oklahoma.

Mr. CLAPP. I suggest the want of a quorum.

The VICE-PRESIDENT. The Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Frye	Penrose
Bacon	Clarke, Ark.	Gallinger	Perkins
Bailey	Crane	Gore	Piles
Beveridge	Crawford	Heyburn	Root
Borah	Culberson	Johnston, Ala.	Scott
Brandegee	Cullom	Kean	Simmons
Bristow	Cummins	La Follette	Smith, Md.
Brown	Curtis	Lodge	Smoot
Bulkeley	Davis	McCumber	Stephenson
Burkett	Dick	McEnery	Stone
Burnham	Dixon	Martin	Sutherland
Burrows	Dolliver	Money	Taliaferro
Burton	du Pont	Nelson	Tillman
Carter	Fletcher	Oliver	Warren
Chamberlain	Flint	Overman	Wetmore
Clapp	Foster	Page	

Mr. PILES. My colleague [Mr. JONES] is necessarily detained from the Chamber to-night.

The VICE-PRESIDENT. Sixty-three Senators have answered to the roll call. A quorum of the Senate is present. Is there objection to the request of the Senator from Utah?

Mr. BROWN. Of course, on the statement of the Senator from Utah, I would not insist on an objection, but I call the attention of the Senator from Rhode Island to the fact that this bill has been before the Senate now for nearly ten weeks.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. For what purpose does the Senator from Texas rise?

Mr. CULBERSON. I rise to inquire what is the request of the Senator from Utah?

The VICE-PRESIDENT. That the Senate now proceed to the consideration of the free-list provisions of the bill.

Mr. BROWN. This bill has been pending in the Senate now for almost ten weeks. It came here with no report and no recommendation with respect to Schedule M, the schedule relating to pulp, paper, and books; and I should like to inquire if it is not about time that the Senate had some light as to when a report is likely to be made. The Senate, I believe—and I know I, myself—would be enlightened considerably if it were known what the report is likely to be.

Mr. ALDRICH. The committee reported on all the paragraphs of Schedule M except the clause relating to printing paper. As I stated to the Senate the other day, the report of the committee is likely to be a rate which is less than the present law and in excess of the House rate.

Mr. BROWN. That is a wide margin, Mr. President. Can we have any indication about where——

Mr. ALDRICH. It is not so very wide. The House provides for a duty of $2 a ton on print paper, and the present law is 0.3 of a cent a pound, or $6 a ton. The Senator can exercise his ingenuity within those limits in making as good a guess as he can as to what the rate will be.

Mr. BEVERIDGE. What the rate recommended by the committee will be.

Mr. BROWN. I was going to say it would take great ingenuity on the part of any man to divine what the committee will report. I want to say that the hesitation and doubt of the committee on this subject give hope to men that the increase may not be so high on this schedule as on some of the others.

Mr. ALDRICH. There is sure to be a reduction. Whether the reduction will reach the rather radical ideas of my friend, the Senator from Nebraska, I am not so sure. I have been trying in all these provisions, so far as I could, to make the reductions conform to his views.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Utah?

Mr. BEVERIDGE. The Senator from Rhode Island was addressing the Chair at that particular moment.

The VICE-PRESIDENT. Is there objection? The Chair hears no objection.

Mr. BEVERIDGE. What is the request?

The VICE-PRESIDENT. The Senator from Indiana was not understood by the Chair.

Mr. BEVERIDGE. I was listening to the remarks of the Senator from Rhode Island, and in the midst of them the Chair suggested the order.

The VICE-PRESIDENT. The Chair did not intend to present the request until the Senator from Rhode Island had taken his seat.

Mr. BEVERIDGE. He was still on his feet. But that is a small matter. What is the request?

The VICE-PRESIDENT. The Chair regrets that he affronted the Senator from Rhode Island. He did not do so intentionally, and the Senator from Rhode Island had not complained. Is there objection to the request of the Senator from Utah?

Mr. BEVERIDGE. Now, what is that request?

The VICE-PRESIDENT. The Chair will again repeat the request—that the Senate now consider the free-list portion of the bill. Is there objection? The Chair hears none. The Secretary——

Mr. LODGE. Beginning with the free list, line 17, page 193, has been agreed to by the Senate, and I ask leave to add—it is an oversight in the bill—in line 17, after the words "Philippine Islands," the words "and the islands of Guam and Tutuila."

The VICE-PRESIDENT. The Secretary will report the amendment proposed by the Senator from Massachusetts.

Mr. SCOTT. That is a committee amendment?

Mr. LODGE. Yes; a committee amendment.

The VICE-PRESIDENT. It is a committee amendment.

The SECRETARY. In line 17, page 193, after the words "Philippine Islands," insert the words "and the islands of Guam and Tutuila."

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the amendment be agreed to. Is there objection? The Chair hears none, and it is so ordered. The Secretary will report the first paragraph passed over.

The SECRETARY. The first paragraph passed over is 472.

Mr. GORE. Mr. President, I desire to say a word concerning my vote on the last roll call before the recess was taken, and I refer to the motion of the Senator from Iowa [Mr. CUMMINS] to recommit the woolen schedule, with instructions to the Finance Committee to report the same back in accordance with the Republican platform, covering the difference between wages here and abroad plus a reasonable profit to the manufacturer. That motion was made during my absence from the Chamber, and I returned after the roll call had been concluded and upon the eve of the announcement of the result of the vote being made by the Secretary. I did not at that time fully appreciate the issue which had been raised by that motion, and I do not wish my vote against the motion to be understood as committing me in any measure to the pending bill or as committing me to any of its sections, schedules, principles, or provisions. Indeed, it was impossible for me to register my views by my vote upon that question.

I regard the pending measure as being just about as bad as human ingenuity can make it. I regard it as a great deal worse than the present Dingley law. I will vote with pleasure for any motion which might have any possible tendency either to defeat this measure or to improve it in the interest of the American people and the American consumer. The motion of the Senator from Iowa, however, was to instruct the committee to report this measure back in accordance with the Republican platform and in accordance with the principle of protection.

Mr. President, I do not believe in the principle of protection. I do not believe that the American consumer should be taxed to enrich the American producer. I believe that American people and American labor in an open contest with the rest of the world can win the race. I believe that low taxation is a blessing and that high taxation is a curse, whether that taxation be either direct or indirect. It is apparent, therefore, that I could not either by an affirmative or a negative vote register my views with fidelity and precision upon that motion. If I had been present, I should have asked to be excused from voting.

The VICE-PRESIDENT. The Secretary will report the first paragraph passed over.

Mr. STONE. It is paragraph 472.

The SECRETARY. The first paragraph passed over is No. 472.

Mr. STONE. I desire to offer an amendment to the paragraph.

The VICE-PRESIDENT. The Senator will present his amendment, and the Secretary will state it.

The SECRETARY. Amend paragraph 472 by inserting, after the word "carbolic," in line 18, the word "chlorosulphonic."

Mr. STONE. Mr. President, there is a large manufacturing chemical company in St. Louis, known as the "Monsanto Chemical Works." It is a very large and very responsible chemical concern. The president of that company was here, and, I think, conferred with some members of the Finance Committee about one or two matters, at least. I am sorry to say that he is a very pronounced Republican.

I will read to the Senate, and particularly to the Senators who are in charge of this bill, a brief statement which he made to me, with reference to this matter. He said:

> In explanation: Chlorosulphonic acid is produced by injecting hydrochloric (muriatic) acid into fuming sulphuric acid, which results in a chemical reaction in the formation of a new chemical compound which is itself an acid.
>
> Used largely in Germany in chemical manufacturing for the sulphonation of organic chemical compounds.
>
> None manufactured in this country and none probable. We approached every acid manufacturer in the United States to produce it for us, but they refused to undertake it because of limited demand and heavy cost for installation for its manufacture.
>
> We imported 250,000 to 300,000 pounds a year for two years, paying the assessed rate of 25 per cent as a "chemical compound," but were forced to discontinue a year ago.
>
> None imported now and none likely so long as it is on the dutiable list. We will use about 300,000 pounds annually if placed on the free list.
>
> MONSANTO CHEMICAL WORKS,
> *St. Louis.*

According to this statement, in which I have absolute credence, none of this article is manufactured here and none is likely to be.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SMOOT. I remember that the gentleman called at my office, and we discussed the question. I think I have an exact copy of the statement the Senator has just read.

Mr. CUMMINS. I suggest if this is a matter to be submitted to the Senate, we would like to hear what is going on.

Mr. SMOOT. I say I think I have an exact copy of the statement which was just read by the Senator from Missouri.

Mr. STONE. I have no doubt of it.

Mr. SMOOT. I have not the copy with me, and I forget whether the gentleman stated what they are using to-day in place of this particular chemical.

Mr. STONE. He does not state what they are using in place of it. I asked him that question, and he told me there was nothing they could use in place of it, and they had to discontinue the manufacture of the article in which this acid was employed.

Mr. DU PONT. I should like to ask the Senator from Missouri for what purpose this acid is used?

Mr. STONE. He says in this statement it is used for "the sulphonation of organic chemical compounds." The point I make is that as it is an acid used in a considerable degree in manufacture, as none is made here, and none can be made here, it ought to go on the free list.

Mr. ALDRICH. I have no objection to its going on the free list, and before it is reached in conference the committee will make a careful examination of it.

Mr. STONE. I am entirely satisfied with that course.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended, without objection, is agreed to. The Secretary will report the next paragraph passed over.

The SECRETARY. On page 194, line 6, the committee proposes to strike out paragraph 480, in the following words:

> 480. Ammonia, sulphate of.

Mr. ALDRICH. Several Senators who are interested in this particular amendment are not present to-night, and I think I will have to ask that it may go over.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? The Chair hears none. The Secretary will report the next paragraph passed over.

The SECRETARY. On page 194, line 8, in paragraph 482, after the word "imported," the committee proposes to strike out the words "by a citizen of the United States."

Mr. ALDRICH. The second amendment, in lines 10 and 11, striking out the words "whether intended to be so used by the importer himself or for sale for such purpose," the committee are satisfied would be a mistake. They therefore withdraw the second amendment.

Mr. BURKETT. I suggest to the Senator that, in my opinion, this privilege has always been given to citizens of the United States.

Mr. ALDRICH. I have no objection to withdrawing them both.

Mr. LODGE. That is not the way it is in the old law.

Mr. BURKETT. I have three or four copies of acts where it stands as it would with the clause out.

Mr. LODGE. The existing law has no limitation to citizens of the United States.

Mr. BROWN. Of course under those circumstances I would not insist on taking up the schedule.

The VICE-PRESIDENT. The question is on agreeing to the first amendment, which will be stated.

The SECRETARY. In lines 8 and 9, strike out the words "by a citizen of the United States," so as to read:

> 482. Any animal imported specially for breeding purposes shall be admitted free.

The amendment was agreed to.

Mr. GALLINGER. I understood the chairman of the committee to withdraw the amendment.

The VICE-PRESIDENT. The chairman of the committee could not withdraw the amendment. It is a committee amendment to strike out a part of the bill, and it can be disagreed to.

Mr. GALLINGER. I ask that the matter be submitted to the Senate again. There was a misunderstanding.

The VICE-PRESIDENT. The Chair will again submit the first amendment in lines 8 and 9 to the Senate.

The amendment was rejected.

The VICE-PRESIDENT. Without objection, the second amendment is disagreed to. The Chair hears no objection. Without objection, the paragraph as amended is agreed to. The Chair hears no objection. The Secretary will read the next paragraph passed over.

Mr. DU PONT. I do not understand what action has been taken by the Senate in regard to these amendments.

The VICE-PRESIDENT. The amendments have been disagreed to and the words remain in the bill.

The next paragraph passed over will be stated.

The SECRETARY. Paragraph 488——

Mr. KEAN. I should like to move an amendment to paragraph 483 by inserting, in line 13, page 195, after the word "agricultural," the word "polo," if there is no objection to it.

Mr. ALDRICH. There is no objection to that. The paragraph will have to be reconsidered for that purpose. I ask unanimous consent that it be reconsidered.

The VICE-PRESIDENT. Without objection, it will be reconsidered. The amendment proposed by the Senator from New Jersey will be read.

The SECRETARY. On page 195, line 13, after the word "agricultural," insert the word "polo."

The VICE-PRESIDENT. Is there objection to the amendment?

Mr. MONEY. Mr. President, we can not understand what is going on when amendments are agreed to simply by paragraphs and numbers. It seems to me that the language ought to be read so that the Senate can hear it.

The VICE-PRESIDENT. The Secretary will state the amendment in connection with the language of the paragraph.

The SECRETARY. The first clause of paragraph 483, if amended as proposed, will read:

> Animals brought into the United States temporarily for a period not exceeding six months, for the purpose of exhibition or competition by prizes offered by any agricultural, polo, or racing association.

Mr. ALDRICH. There should be a comma both before and after "polo."

The VICE-PRESIDENT. Is there objection to agreeing to the amendment? The Chair hears none, and the amendment is agreed to. Without objection, the paragraph as amended is agreed to. The next amendment passed over will be stated.

The SECRETARY. On page 196, line 5, paragraph 488, reads as follows:

> 488. Arsenic and sulphide of arsenic, or orpiment.

Mr. ALDRICH. I ask that that be agreed to.

Mr. GUGGENHEIM. I ask that the paragraph be passed over.

The VICE-PRESIDENT. The Senator from Colorado asks unanimous consent that the paragraph be passed over. Is there objection? The Chair hears none. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 490, page 196. The committee proposes to strike out all after the numerals down to and including the word "refunded" in line 22, and to insert:

> Articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks and staves when returned as barrels or boxes; also quicksilver flasks or bottles, of either domestic or foreign manufacture, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof, and if any such articles are subject to internal-revenue tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded.

Mr. ALDRICH. I desire to modify the committee amendment by inserting certain words.

The VICE-PRESIDENT. The Secretary will state the modification.

The SECRETARY. In line 6, on page 197, after the word "bottles," insert the words "iron or steel drums used for the shipment of acids."

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

Mr. DOLLIVER. I called attention some weeks ago to the fact that there were decisions which have held that animals pastured in Mexico and Canada can be sent over for practically an unlimited time and brought back under this paragraph. I suggest, in line 23, on page 196, to insert after the words "United States" the words "not including animals."

Mr. ALDRICH. I think I expressed a purpose to agree to that amendment when the Senator proposed it before.

The VICE-PRESIDENT. The Secretary will report the further modification of the amendment sent to the desk by the Senator from Rhode Island.

The SECRETARY. On page 197, line 16, after the word "manufacture" insert the words "except moving-picture films" in parentheses.

The VICE-PRESIDENT. Without objection, the amendment of the committee will be so modified. The modification suggested by the Senator from Iowa will be stated.

The SECRETARY. In line 23, page 196, after the words "United States" insert "not including animals."

The VICE-PRESIDENT. The amendment will be so modified. The question is on agreeing to the amendment of the committee as modified.

Mr. SUTHERLAND. I wish to ask the chairman of the committee with reference to the provisions in lines 22 and 23, on page 196. It reads "articles the growth, produce, and manufacture of the United States." Should it not be "articles the growth, produce, or manufacture of the United States?"

Mr. ALDRICH. We simply followed the existing law. I am not sure.

Mr. GALLINGER. "Or" is better.

Mr. ALDRICH. I think "or" is perhaps better than "and," although we copied the provision of the existing law, the act of 1894.

Mr. SUTHERLAND. I suggest to strike out the word "and" and insert "or" before the word "manufacture."

The VICE-PRESIDENT. The amendment will be so modified. The question is on agreeing to the modified committee amendment.

Mr. TILLMAN. I should like to ask the Senator from Rhode Island if, on page 197, the exemption of bags from duty means wheat sacks which have been exported and are reimported?

Mr. ALDRICH. Unquestionably.

Mr. TILLMAN. I just wanted to find out whether the Senator was "toting fair" with the rest of the country. You want to help the wheat growers of the West, and I want to see if you are going to help the fertilizer users of the South who use cotton and guano sacks.

Mr. ALDRICH. The existing provision——

Mr. TILLMAN. I am talking about the duty placed in the bill in another place, instead of being put on the free list along with these articles exported and reimported. Why do you not give us the privilege of getting our guano sacks in free?

Mr. ALDRICH. That does not seem to be exactly germane to the paragraph now under consideration.

Mr. TILLMAN. We are on the free list, and you are providing for the reimportation of sacks that have been sent abroad with wheat, and when we want to get our guano sacks in free to use, you say we shall not do it.

Mr. ALDRICH. Oh, no; this applies to all sacks.

Mr. TILLMAN. But we do not export any guano; we are importing it. We want a good many things; we want nitrate of soda on the free list, and you passed over sulphate of ammonia, which is manufactured here, but it is also imported, or it could be imported. The Senator was very much in love with the South several days ago. He made a very eloquent appeal that we should help him to develop it; and I want to see whether he is going to "tote fair" with us or not. [Manifestations of applause in the galleries.]

The VICE-PRESIDENT. The Chair desires once again to suggest to the occupants of the galleries that they are guests of the Senate, and the Senate rules do not permit any demonstration of approval or disapproval by such guests.

Mr. ALDRICH. I will say to my friend from South Carolina that my advances were repulsed with more or less——

Mr. TILLMAN. There was no repulsion at all. We simply could not afford to sell out. We could not afford to join the Senator in that programme.

Mr. ALDRICH. I was not trying to have anybody sell out.

Mr. TILLMAN. Perhaps I was too blunt. The Senator did not mean it in that sense. He was very patriotic and statesmanlike in his appeal to us to protect certain things down South. We will have to look around and see. There are several things down there and we would like to get a little of old Sam's generosity.

Mr. ALDRICH. My ideas of protection are in protecting industries by levying duties on competing articles and not by putting products on the free list. The Senator's idea of protection and mine are not alike in that regard.

Mr. TILLMAN. I am not after protection. I am after an opportunity to have the farmers of the South get some of the relief which you are giving to the farmers of the West. You give them free binding twine here. I want to put bags and ties on the free list. I do not know whether the Senator will permit me to make any progress that way.

Mr. ALDRICH. The agricultural interests of the West do not have free grain bags or free wheat bags.

Mr. TILLMAN. But you are providing for their reimportation.

Mr. ALDRICH. That is a different proposition entirely. This provides that when American products are shipped out of the country in bags or coverings of any kind, upon the reimportation of those articles they shall not pay a duty, or shall not pay a duty the second time, if duty has already been paid.

Mr. TILLMAN. Does the Senator imagine that any but secondhand bags are brought back? If you allow the bags in which wheat is exported to be reimported, will not all bags be "reimported?"

Mr. ALDRICH. Oh, no; we are importing millions every year.

Mr. TILLMAN. I say you are reimporting millions.

Mr. ALDRICH. No; not reimporting, but importing new bags upon which duties are assessed and collected.

Mr. TILLMAN. I see our friend the Senator from California. He knows that the two penitentiaries of Oregon or Washington, one of those Northwestern States, and of California are the main beneficiaries of this bag duty.

Mr. FLINT. The State is.

Mr. TILLMAN. I say the State. It is a new thing that you have States in it. You are not simply going to protect American manufacturers, but you have the convict labor in the penitentiary making sacks, and you sell them to the wheat growers and to the guano manufacturers, and you think that is the right thing to do.

Mr. HEYBURN. Mr. President, perhaps the Senator from South Carolina may not be advised of the fact that that is not a money-making institution. Under the laws of the State of Washington they can not sell them to any other than the actual users, the farmers, and the price is fixed by the State. It is not a money-making institution. It insures to the farmers their grain sacks at the very lowest possible price.

Mr. TILLMAN. We do not manufacture any of those down South. We have to make our sacks there at home, but we have to import the burlaps, and we would like to get free cloth to make sacks out of, or get our sacks free, one or the other.

Mr. PILES. My colleague [Mr. JONES] has an amendment pending to put sacks on the free list.

Mr. TILLMAN. I will wait and see what becomes of it.

Mr. PILES. My colleague is not here to-night. The matter can be passed over so that he can be here to present it.

Mr. SIMMONS. I wish to inquire of the Senator from Rhode Island if he means to say that under this provision sacks containing wheat which have been shipped abroad can be reimported into this country free. I want to call the attention of the Senator from Rhode Island to the condition of things that has been brought to my attention, with reference to cotton bagging. I am told that there are in my State now at least three mills engaged in working over bagging in which cotton has been baled for use a second time by the cotton growers. I am told that a considerable part of the bagging that comes off the cotton exported from this country to Europe is worked over and sent back to this country; that probably not more than one-fourth, but still a considerable part of the bagging that is used in the South now, is bagging that has already been used once, and I think it is. I got this information from one of the manufacturers of cotton bagging—jute bagging—in this country. I ask the Senator, if that is the case, why would it not be well to provide, also, that cotton bagging might be reimported into this country free of duty? The case which the Senator from South Carolina [Mr. TILLMAN] put a little while ago as to guano does not seem to be a parallel case; but the case which I now put is on all fours with what the bill provides for.

Mr. ALDRICH. I can not see any reason why cotton bagging which has been exported should not be returned free of duty upon reimportation.

Mr. SIMMONS. I am sure there can be none, but I doubt very much whether the language here would embrace cotton bagging.

Mr. ALDRICH. There certainly could be no reason why the bagging should not be embraced, if it is not.

Mr. SIMMONS. Then I will see if I can not draw an amendment which will cover cotton bagging.

Mr. McLAURIN. If the Senator from North Carolina will allow me, I will suggest an amendment; after the word "bags," in line 2, page 197, to insert the words "cotton bagging."

Mr. SIMMONS. That would cover it, Mr. President.

Mr. McLAURIN. Then I offer that amendment, or the Senator can offer it.

Mr. SIMMONS. That is all right. The Senator can offer it.

Mr. McLAURIN. I offer the amendment.

Mr. LODGE. Let it be read.

The VICE-PRESIDENT. The Secretary will report the amendment to the committee amendment.

The SECRETARY. On page 197, line 2, after the word "bags," insert the words "cotton bagging."

The VICE-PRESIDENT. The question is on the amendment to the amendment as modified.

Mr. McLAURIN. It would probably be better instead of using the words "cotton bagging" to say "bagging for cotton." When the bagging that wraps the cotton goes to the factory in Europe it is taken off and discarded, and the amount of it is deducted from the weight of the bale; so that the bagging is an entire waste to the producer of the cotton. If it can be reimported exactly as bags for grain or anything else can be reimported free, it will give the cotton producer that much advantage in the reduction of the price of their bagging for cotton.

Mr. SMOOT. I should like to ask the Senator from Mississippi how this cotton bagging would be identified?

Mr. McLAURIN. How would any other bags be identified?

Mr. SMOOT. I will explain to the Senator as to grain sacks, for instance. One of the manufacturers on the Pacific coast manufactures grain sacks with a dark strip through, and another manufactures them with a red strip through, and they are identified and shipped back, known as "American bags." Cotton bagging is woven so loosely I can not see how you are going to identify it. In order to get the bags returned free they must be identified in some way.

Mr. McLAURIN. That would be a matter of detail for the custom-house officers. I should think it would be a matter of administration.

Mr. ALDRICH. This paragraph already contains a provision that the "proof of the identity of such articles shall be made under general regulations to be prescribed by the Secretary of the Treasury." I should think that the department probably will be able to identify the articles.

Mr. McLAURIN. I will say that I propose before the free list shall have been finished to offer an amendment putting all bagging on the free list, and I have some hopes that the committee will let that amendment pass.

Mr. BURTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. McLAURIN. I do.

Mr. BURTON. Without expressing any opinion about the desirability of this amendment, I do not think its adoption would meet the desire of the Senators who are advocating it. There are several classes of receptacles and products which can be reimported without payment of duty.

First. "Articles the growth, product, or manufacture of the United States."

Second. "Casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products."

Third. Described in lines 5 and 6, "also quicksilver flasks or bottles of either domestic or foreign manufacture."

It is evident that the first refers to an article of American manufacture, the second to a bag or other receptacle of American manufacture, and the third to an article of either domestic or foreign manufacture. Certainly that is the effect of the paragraph.

Mr. FLINT. Most of the bags are of American manufacture.

Mr. McLAURIN. At the suggestion of some of my colleagues who are interested in this subject, I will withdraw the amendment and will insist upon another amendment.

Mr. TILLMAN. I suggest to the Senator from Mississippi that the amendment he proposed would give us no relief whatever, and I for one do not want it.

The VICE-PRESIDENT. The Senator from Mississippi withdraws his amendment to the amendment.

Mr. CULBERSON. I simply suggest what is known on this side of the Chamber to practically all Senators, that there are other amendments pending putting cotton bagging absolutely on the free list, which is what is desired, if I may use such an expression, by the cotton States. The Senator from Mississippi has an amendment of that kind I understand. The Senator from Oklahoma has one. I have myself introduced an amendment of that character. I introduced it on the 3d of May, and it is intended to come in as paragraph 593½.

Mr. ALDRICH. That amendment comes up primarily in the dutiable list. The paragraph is on the dutiable list.

Mr. CULBERSON. The paragraph would be taken from the dutiable list and put on the free list as paragraph 593½ as prepared by myself, but, as I said, the Senator from Mississippi has an amendment of that kind, and so has the Senator from Oklahoma, I am advised, but I do not know where they come in. I am satisfied to have either amendment adopted, of course.

Mr. McLAURIN. I request that this question of cotton bagging be passed over for to-night.

Mr. ALDRICH. It has nothing whatever to do with this paragraph. In line 2 I think the word——

Mr. SIMMONS. Before it goes over, will the Senator allow me a moment?

Mr. ALDRICH. I was going to suggest an amendment which I think would cover the suggestions which have been made.

The word "vessels" in line 2 is the old language. It was put in when this provision only applied to casks, barrels, and carboys. The word "vessels" would not be appropriate as used in connection with cotton bagging, and I suggest that the word be changed to "containers," which is the usual word now used in tariff legislation to cover all kinds of coverings.

Mr. TILLMAN. I want to say to the Senator, he had better use the word "wraps" if he wants to get bagging in, because a bag never contains cotton. It is simply outside of it as a protection against the loss from picking off and from contact with mud and things like that.

Mr. ALDRICH. The cotton is contained in the bagging.

Mr. TILLMAN. My understanding of the word "contained" would not allow the use of the word "container."

Mr. ALDRICH. It is technically used. It has had the construction of the courts, and includes the packages which contained merchandise imported into the United States.

Mr. TILLMAN. If the technical meaning is a wrap or something outside, all right.

Mr. ALDRICH. It means just that; it means a covering.

Mr. MONEY. If the Senator will permit me, I suggest to the Senator from Rhode Island to pass this whole matter over.

Mr. ALDRICH. It is not necessary to pass over the matter, because this does not include the cotton bagging at all.

Mr. MONEY. I mean the whole question of cotton covering of any kind, because the Senator from Utah was correct in saying that it would be almost impossible, if not quite so, to identify bagging once used.

Mr. ALDRICH. I am not suggesting this change to cover cotton especially. It would cover cotton and everything else, I think. I am only making the suggestion.

Mr. MONEY. No; it will not affect cotton covering.

Mr. ALDRICH. It does not.

Mr. MONEY. Of course I have no objection to the Senator making the proposition as to anything else.

Mr. ALDRICH. I would suggest that the word "vessels" be stricken out and the word "containers" or "coverings" be inserted.

Mr. SIMMONS. Before the matter is passed over, I would, with the rest of my colleagues on this side of the Chamber, like to see all cotton bagging upon the free list. The words "containers or coverings," added by the Senator from Rhode Island, would seem to accomplish the object I have in view, and that is satisfactory to me, and also suggesting that cotton bagging which had once been used may be on the free list.

Mr. ALDRICH. I ask that the modification of the amendment proposed by me to the committee amendment be agreed to, if it has not already been.

The VICE-PRESIDENT. The Secretary will state the modification proposed by the Senator from Rhode Island to the committee amendment.

The SECRETARY. In paragraph 490, page 197, line 2, after the word "other," the committee amendment is modified by striking out the word "vessels" and inserting the words "containers or coverings."

The VICE-PRESIDENT. The question is on agreeing to the committee amendment as modified.

Mr. HEYBURN. I should like to inquire of the Senator from Rhode Island whether we have not by inserting in line 2 the word "cotton"——

The VICE-PRESIDENT. That has not yet been done.

Mr. HEYBURN. Who shall determine? I make the suggestion, while I am about it, that the language now would probably include one of the very important items that are protected. I refer to paragraph 347, which covers an article running into the millions in revenue. We want to guard that pretty carefully. Part of those bags are of cotton. Those are what we call "burlaps." They include grain bags, wrappings for furniture, and all that kind of thing, and we do not want them to come in free.

Mr. ALDRICH. I ask that the paragraph may be agreed to as amended.

Mr. HEYBURN. I should like to ask whether the words "iron or steel drums used for the shipment of acid" have been inserted in line 6, after the word "bottles?"

Mr. ALDRICH. They have been.

The VICE-PRESIDENT. Those words have been inserted. The committee have so modified their amendment. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The VICE-PRESIDENT. The Secretary will state the other amendment to the paragraph.

The SECRETARY. In paragraph 490, page 197, line 16, after the word "manufacture," it is proposed to insert "except moving-picture films" in parentheses.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 497, binding twine.

Mr. HEYBURN. Mr. President, I have paragraph 491 marked as passed over. I think we had some agreement that it should be passed over.

Mr. ALDRICH. Not that I know of.

Mr. HEYBURN. It covers asbestos, unmanufactured.

Mr. ALDRICH. I do not know anything about its having been passed over.

Mr. HEYBURN. I have it marked here as a matter for further consideration. As I say, it relates to the item of asbestos, and I ask that it be passed over.

Mr. ALDRICH. I have no objection to that, if the Senator so desires.

The VICE-PRESIDENT. Is there objection to passing over paragraph 491? No objection is heard, and it is passed over. There is no amendment pending to the paragraph.

Mr. SCOTT. I should like to ask the chairman of the Finance Committee why binding twine is put on the free list? I noticed to-day that corn is selling for 68 cents and wheat at over $1.15 a bushel. Why should the farmer be given this advantage over other portions of the citizens of this great country? Why should not the South have their cotton bags free if the farmer in the Northwest is to have his binding twine free? I should like to know why that is put on the free list?

Mr. CULBERSON. Mr. President, I offer the amendment which I introduced on the 3d of May as paragraph 493¼. That is the proper place for it, alphabetically considered. I understand, however, that the Senator from Mississippi [Mr. MONEY] has proposed, and that the proposition has been accepted by the Senator from Rhode Island [Mr. ALDRICH], to have this entire matter gone over. Of course I have no objection to that; but I want to offer this amendment now, so that it may be considered as pending.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. It is proposed to insert in the free list a new paragraph, to be known as paragraph 493¼, as follows:

493¼. Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed (except for purposes of identification), not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces to the square yard.

The VICE-PRESIDENT. The Chair understands the Senator desires the amendment passed over.

Mr. CULBERSON. I accept the suggestion made by the Senator from Mississippi, which I understand was accepted by the Senator from Rhode Island, that the whole matter go over.

The VICE-PRESIDENT. Without objection, the amendment is passed over. Without objection, paragraph 497 is agreed to.

No objection is heard. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over was paragraph 508, as follows:

508. Books and pamphlets printed exclusively in languages other than English; also books and music, in raised print, used exclusively by the blind.

Mr. BACON. Mr. President, I want to call attention to the fact that when paragraph 497 was heretofore before the Senate, it was passed over at my request. I still desire it to be left open for this reason: I do not desire to offer any amendment now to that paragraph or at any time unless the amendment which is offered by the Senator from Texas [Mr. CULBERSON] should fail. In that event, I wish to offer an amendment to paragraph 497. In the meantime I ask that it be passed over.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia that paragraph 497 be passed over?

Mr. ALDRICH. I did not understand the Senator to desire that it be passed over.

Mr. BACON. Yes. I said that when it was first reached I had asked that it be passed over. I have it so marked on the bill. I now desire that it be passed over simply to await the action of the Senate on the amendment offered by the Senator from Texas [Mr. CULBERSON].

Mr. ALDRICH. Three or four different amendments on that subject are pending, and all of them have been passed over. It does not seem to me necessary to pass over all the provisions of the bill.

Mr. BACON. I do not understand that anything has been passed over except the amendment offered by the Senator from Texas [Mr. CULBERSON].

Mr. ALDRICH. And the amendment offered by the Senator from Mississippi [Mr. MONEY], and I think, also, one other amendment on the subject.

Mr. BACON. They are all on the same subject, and this is a cognate subject.

Mr. ALDRICH. It seems to me the pending question is not dependent on cotton bagging.

Mr. BACON. It is not dependent upon it in any degree; but I think they ought to be considered together.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. BACON. I do.

Mr. TILLMAN. Mr. President, I was going to suggest that I should like to see these things nailed down as we go along. What is the use of keeping on going back? Why do we not agree on bagging and settle the business to-night or disagree? If the Senator from Rhode Island is going to harden his heart and is not going to let us have it, we shall have to put up with it. That is all there is about it. The committee have had the matter under consideration for a month or more, and I do not see why we should keep on putting it off and putting it off. Why not vote on it, or let the Senator and his committee agree on it?

Mr. ALDRICH. That paragraph was properly in order on the dutiable list; and when it is reached on the dutiable list, it can be taken up and disposed of.

Mr. TILLMAN. Binding twine? I do not see any connection between the two, because if the Senator intends to give the western farmers their binding twine free and does not intend to give us free bagging, that will be done.

Mr. ALDRICH. Binding twine has been free for many years, and there has been no disposition to change it.

Mr. TILLMAN. I do not want to change it. If we can not get free bagging and ties, I do not want to rob the western farmers of their free binding twine.

Mr. BACON. I want to say to the Senator, that this matter was fully discussed twelve years ago, and at that time the Senate passed an amendment, which was offered by myself, putting bagging and ties on the free list. In the debate which occurred on that occasion what has been stated by the Senator to-night was stated by all the Senators representing the cotton States, that we did not propose, even in case the Senate should refuse to accord free bagging and ties to the South, to ask that free binding twine should be denied to the wheat farmers of the North; in other words, we thought each was entitled to it for the reason that the great agricultural interests receive little or no favor from the tariff system. They contribute a great deal to the prosperity of this country, and they are the foundation of all prosperity, and where it is possible to concede something to them, it ought to be done. Therefore when the Dingley bill was before the Senate we took the position that we desired that the western farmers should have their binding twine free, even in case free bagging and free ties were denied to the South; and I desire to reiterate to-night that I myself would not be a dog in the manger or endeavor, because of injustice done to us, to impose a like injustice on anybody else; but I can not see, Mr. President, why there should be any hesitation upon this subject. It is really a very small matter—in speaking about a small matter, I mean compared to the general items of the tariff bill—and it does seems to rest upon very solid grounds of justice. Why it should be denied I can not understand.

My purpose is this: If the amendment offered by the Senator from Texas is not adopted, I wish this paragraph to remain open, because I desire to offer an amendment of a similar nature to it, though differing sufficiently to make it in order directly in connection with binding twine, to see whether or not the Senate, in passing upon one and according it to the one, will deny it to the other. That is the object I have, and that is the object I had when it was first reached in asking that it be passed over.

I am perfectly willing that we should go on and determine the whole matter to-night; I prefer that that should be done, but if the other paragraph is to be passed over, I think that one should be passed over also.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia?

Mr. ALDRICH. If the Senator insists upon it, of course there is nothing to do but to pass it over; but I do not see any connection between the two paragraphs.

Mr. BACON. I think there is considerable.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia that the paragraph be passed over? The Chair hears none, and the paragraph is passed over.

The next paragraph passed over will be stated.

The SECRETARY. Paragraph 508.

Mr. LODGE. On page 199, in paragraph 502, line 6, after the word "integuments," I move to insert the word "tendons," with a comma before the word.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 199, line 6, after the word "integuments," it is proposed to insert a comma and the word "tendons."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 508. Books and pamphlets printed exclusively in languages other than the English; also books and music.

Mr. DU PONT. I move to strike out the word "exclusively."

Mr. ALDRICH. The committee has an amendment to strike out the word "exclusively," and insert the word "chiefly."

Mr. DU PONT. That covers it.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 200, line 5, after the word "printed," it is proposed to strike out the word "exclusively" and insert in lieu the word "chiefly."

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 524, chromate of iron, or chromic ore.

Mr. HEYBURN. Mr. President, I ask that that item go over.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Idaho? The Chair hears none. The paragraph is passed over. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 541, cotton and cotton waste, or flocks——

Mr. STONE. Mr. President, I desire to inquire about paragraph 528. Has that gone over?

The VICE-PRESIDENT. Paragraph 528 was agreed to on the first reading.

Mr. STONE. Well, I want to offer a little amendment to that paragraph, but I will wait until another time.

The VICE-PRESIDENT. The Secretary will state the amendment proposed to paragraph 541.

The SECRETARY. On page 203, line 2, the committee propose the following amendment: After the word "flocks" and the comma insert "not advanced in value or condition by any process of manufacture."

Mr. BACON. I desire to offer an amendment to the paragraph now under consideration, and to which an amendment has just been adopted.

The VICE-PRESIDENT. The amendment has not yet been adopted. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. I will say to the Senator from Georgia that this is not the place to put a duty on cotton.

Mr. BACON. But I am not trying to put a duty on cotton. I want to offer an amendment.

The VICE-PRESIDENT. The Senator from Georgia has been recognized to offer an amendment.

Mr. BACON. I offer an amendment to paragraph 541, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 203, in paragraph 541, after the word "cotton," where it first appears, it is proposed to insert "having fiber or staple less than 1½ inches in length."

Mr. BACON. Mr. President, I should like, if it can be done, that the Senate would consider the question of this amendment in connection with another amendment which I have offered and which I had at one time before the Senate, but which, at the request of the Senator from Rhode Island, was displaced for a time. I will state very frankly that I consented to its displacement at the time under a misapprehension as to what the purpose of the Senator was. The amendment had been offered by me and was being discussed by me, when the Senator suggested, as I thought, that if I would yield, he would move an adjournment. I do not, of course, mean to suggest in the remotest degree that the Senator intentionally misled me; but I was misled. It seems what the Senator said—and in the confusion I did not hear him accurately—was that if I would consent to a temporary displacement of it, in order that some unobjected paragraphs might be considered, he would then move an adjournment. I consented to the displacement of it, thinking there was to be a speedy adjournment and for that purpose, but it so happened that what the Senator thought would be an undisputed amendment turned out to be a very hotly contested one, and the debate continued during that afternoon and a considerable portion of the next day.

Mr. ALDRICH. There is no objection to the suggestion of the Senator from Georgia. The amendments suggested by him can be considered pending, and we can take up the question of the duty on cotton.

Mr. BACON. Take them up together?

Mr. ALDRICH. Take them up together.

Mr. BACON. Very well. At what time will it best suit the Senator to take them up?

Mr. ALDRICH. At almost any time, but not to-night.

Mr. BACON. Very well; with that understanding I am perfectly willing, if it will best suit the convenience of the committee, to let the two go over, so that they may be considered in conjunction, with the understanding that the Senator will consent to an early consideration of them.

The VICE-PRESIDENT. Without objection, paragraph 541 is passed over, with the amendment of the Senator from Georgia pending.

Mr. ALDRICH. I offer an amendment to paragraph 534.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 202, in paragraph 534, after the word "Coins," strike out the comma and insert the word "of," so that it will read "Coins of gold, silver, copper, and other metal."

Mr. ALDRICH. The word "or" should also be inserted, in lieu of the word "and."

Mr. LODGE. "Coins of gold, silver, copper, or other metal."

Mr. BACON. What paragraph is that?

Mr. ALDRICH. Paragraph 534.

The VICE-PRESIDENT. Paragraph 534, on page 202.

The SECRETARY. After the word "copper" and the comma it is proposed to strike out the word "and" and insert "or."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 548. Diamonds and other precious stones, rough or uncut——

Mr. BACON. Mr. President, that paragraph was passed over at my request in order that I might offer an amendment. I desire to offer an amendment to a previous paragraph, which has been passed over, on the subject of imposing a duty upon pearls, diamonds, and other precious stones. I have forgotten the number of the paragraph, but it was adopted at one time and was reconsidered. The Senator from New York, I think, was the Senator who made the motion for its reconsideration, and after that had been done, in order to make certain of it, I asked if I correctly understood that it had been reconsidered and was then still open, and the reply was that it had been so done. Now, I propose to offer an amendment to the preceding paragraph, by which the duty upon cut diamonds will be increased and by which uncut diamonds will be put upon the dutiable list.

The question now comes up upon the paragraph before the Senate, under which uncut diamonds are proposed to be put upon the free list. I would say to the Senator from Rhode Island, if I may have his attention for a moment, that if he prefers to give the same direction to that that was given to cotton——

Mr. ALDRICH. Oh, no; let us settle this.

Mr. BACON. Very well, that is perfectly convenient to me.

Mr. President, I would desire to know of the Senator from Rhode Island whether he desires to take up now paragraph 445 and consider it in connection with paragraph 548?

Mr. ALDRICH. Of course, the consideration of paragraph 548 involves the consideration of the other.

Mr. BACON. It does.

Mr. ALDRICH. And the Senator can address his arguments to both.

Mr. BACON. Very well. Mr. President, the amendment which I propose to offer to paragraph 445, which, if carried, would necessitate a corresponding amendment to paragraph 548, is to increase the duty on cut diamonds to 25 per cent.

Mr. CRAWFORD. If the Senator will permit me——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from South Dakota?

Mr. BACON. I do.

Mr. CRAWFORD. Does the Senator mean paragraph 445? That paragraph appears to relate to pearls.

Mr. BACON. It relates to diamonds, pearls, rubies, cameos, and other precious stones. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 178, paragraph 445, amend by striking out the word "ten," in line 9, page 178, and insert the word "twenty-five" in lieu thereof, so that it will read "25 per cent ad valorem;" and then amend, further, in line 9, by inserting after the semicolon the words "on uncut diamonds and other uncut precious and semiprecious stones, 10 per cent ad valorem.

Mr. BACON. Mr. President, I have a very few words to say on the subject. As I understand, the only argument in favor of the admission of cut diamonds free is that if a higher duty is imposed upon them it would be such an inducement to smuggling that the collection of the revenue thereunder would not be any greater than if the duty should be left at 10 per cent. I understand that to be the argument upon which is based that imposition. I do not think that that is a good reason.

Mr. ALDRICH. Then there would be no revenue, practically, if we made the duty 25 per cent. That has been the experience of the Government.

Mr. BACON. I do not know that we have ever had any experience upon that subject, except that a duty was put on under the Wilson law, and it did seem that immediately after the Wilson law was passed there was a very great decrease in the importation of diamonds. There is no doubt about that; the statistics show that fact; and the statistics also show that there was a very great decrease in the year of 1908. In other words, there were similar conditions at both times.

Mr. ALDRICH. Mr. President, I do not know whether the fault is on the floor or in the galleries, or where it is, but it is absolutely impossible to go on with the public business unless we can have better order. I can not hear what the Senator says, and I think that is true of everybody.

Mr. BACON. I can not hear what the Senator from Rhode Island says. It is a little buzz, Mr. President, that does it. It makes a very distinct disorder, for a very slight conversation of a number of people makes a buzz.

The VICE-PRESIDENT. The Chair adds his appeal to that of the Senator from Rhode Island and the Senator from Georgia, that Senators who desire to converse, and who can not do so in a tone that is not audible, may go some other place than the floor of the Senate.

Mr. BACON. I do not think, Mr. President, that what I have referred to is a good argument, and I can not conceive that the suggestion made by Senators that there would be no

revenue can be a correct statement of what will occur. There are in other countries very careful provisions made by which spies are set upon those who are presumed to be engaged or endeavoring to engage in the crime of smuggling, and the penalty is very great. It is true, now, that the inducement would only be to the amount of 15 per cent over and above the rate which is imposed in the present bill; in other words, in raising the duty from 10 per cent to 25 per cent there is only the inducement to save 15 additional per cent as an inducement to smuggling. On the other hand the penalty is the utter loss of the article smuggled, and we constantly see in the papers that attempts at smuggling precious stones are foiled; and we know the fact that there are agents in other countries where diamonds are bought and sold who are constantly on the outlook for those who are engaged in such business, and as a consequence the officials on this side are put upon notice and those who attempt to smuggle are frequently caught in the act.

I have no doubt in the world that it is perfectly feasible and would be found to be effective to so guard this matter that the importation of diamonds by smugglers could be prevented. They would be detected in the effort; and the penalty is so disproportionate to the possible advantage that I can not see how it can be considered as a probable thing that an increase of this duty to 25 per cent will result in such wholesale smuggling that there will be no duty collected whatever.

Mr. President, we certainly have in this country very large importers of diamonds who are recognized as honest men. Those who are legitimate importers certainly would not go to smuggling in order to save 15 per cent; and it is an unthought of thing that to raise this duty to 25 per cent would result not only in the increase of smuggling, but in the loss of all revenue whatsoever. That is an impossibility to my mind. Of course we all recognize the general proposition that luxuries of this kind should be highly taxed; and I think this is one case where nothing but the most peremptory, controlling consideration should put such articles as diamonds almost on the free list.

Mr. President, that is all I care to say on the subject of cut diamonds themselves; but on the uncut diamonds it seems to me that bringing them in free is absolutely indefensible, and I wish to make a suggestion to the Senator. But before I pass from this, I want to state another fact. I have had some conference with diamond experts upon the subject, and have had, through them, some little information as to the diamond trade. I have had this fact, which it seems to me is not an insignificant fact, presented, and that is, that the increase in the price of diamonds does not deter their importation. I am told that within the past six years, I think it is—I have had the information in my desk, but I was not anticipating this matter coming up, thinking that we would return to the other clause—but within six years—I think it is six years—diamonds have increased about 50 per cent in value, and yet the importation of diamonds has not decreased, but, on the contrary, has increased. Therefore the imposition of this increase of 15 per cent would not deter the importation, nor can I conceive that, except in the case of a few dishonest men, it would to any large degree increase the effort at smuggling; nor can I conceive, with the great precautions that we have, that it would increase the success in smuggling. Therefore I think that by all means we ought to put on this duty.

Mr. President, it does not look right to me, in a tariff bill in which most of the great necessities of life are taxed between 100 and 150 per cent, even upon the most common articles the people have to use for their comfort and their health, that diamonds should be put at the low rate of 10 per cent. It does look to me to be indefensible. But I shall not elaborate on that.

I want to say, however, on the subject of uncut diamonds, that it seems to me the proposition to admit them free is not supported by any good reason. A certain amount of diamonds are demanded in the United States for the trade; a certain amount of diamonds are bought by those who desire to use them; and if no uncut diamonds were imported, the amount of cut diamonds imported would be equal to the cut diamonds now imported plus the uncut diamonds, because the uncut diamonds, when imported, take the place of cut diamonds and supply the demand to that extent. The effect is this: I am told that the enhanced value of the uncut diamonds in cutting is about 20 per cent. Twenty per cent is a reasonable amount to credit as the increased value on the uncut diamond when it is cut. So that the importer of the uncut diamond receives for his work a compensation of 20 per cent, and in addition to that he gets in that diamond less the 10 per cent which is paid upon the cut diamond. I am speaking upon this now upon the assumption that the present rate upon cut diamonds will stand. If the present rate on cut diamonds stands, the Government loses the revenue upon that amount of cut diamonds which is represented by the uncut diamonds when cut.

The importer of the uncut diamonds gets not only the enhanced value of 20 per cent, but he gets also the 10 per cent.

I am told there are no regular establishments in this country for the cutting of diamonds, as there are in Amsterdam, where it is a regular business; that the cutting of diamonds is pursued in this country only in connection with the jewelry business; that there are a few large houses in New York—possibly, although I am not sure, some in Boston; at any rate, but a few in the largest cities—I think, limited to New York, although of that I am not sure—which have it as a side business to their regular business. There is no establishment in the United States for the cutting of diamonds. There are no people engaged in that business as their principal business. It is only in the large jewelry establishments, where they have it as a side business.

I should like to know upon what theory it can be defended. I am told that about half the diamonds imported are the uncut diamonds. I think I looked it up in one of the documents here. About half of the importations of diamonds are uncut diamonds, and in that way the Government loses the revenue upon one-half the diamond importation, as small as it is. If it remains at 10 per cent, the Government loses the 10 per cent on about one-half the diamonds imported into the United States, by allowing the uncut diamonds to come in free.

Mr. ALDRICH. What becomes of the uncut diamond?

Mr. BACON. It is cut.

Mr. ALDRICH. By whom?

Mr. BACON. By the diamond cutter in this country, after it has come in free, however.

We will say, for instance, there would be $20,000,000 of diamonds imported in a year, $10,000,000 of cut diamonds, $10,000,000 of uncut diamonds. The Government gets a revenue upon $10,000,000 of diamonds. The trade demands $20,000,000, and if no uncut came in there would be $10,000,000 additional cut diamonds. But as the uncut diamonds are permitted to come in free, the jeweler makes his 20 per cent in cutting the diamonds and in addition is allowed the 10 per cent practically that the Government imposes upon the cut diamond. So he not only gets his compensation—a liberal compensation—of 20 per cent in the cutting of the diamonds, but he is also allowed practically to put in his pocket—it is true it does not come out of the Government, except the Government is deprived of it; it never gets it in its pocket—but he is put in a position where he can charge and does charge the public 10 per cent more than he would charge if the 10 per cent were not upon the cut diamonds. He gets his 20 per cent advantage in the cutting of the diamond, and he gets the 10 per cent on the diamond which the Government imposes on the cut diamonds, and which it does not derive from these diamonds which take the place of the cut diamonds. Therefore I think this ought to be done.

There is no doubt about one thing, that the diamond dealers of this country want the rate at this low figure. It is not simply that the Government is seeking to impose this rate in order to insure revenue, but the diamond dealers and the diamond cutters want this low rate, and they have been around this Capitol and have sent for me to argue with me that they ought to be allowed this low rate of duty, and have pulled out of their pockets and showed to me samples of diamonds or facsimiles of diamonds in glass and talked to me about it.

It is not simply the interest of the Government that is exciting the action of those on the outside, at least, and I think that of all things in the world we ought to do two things—first we ought to impose a higher rate of duty, but if we do not impose a higher rate of duty by all means the uncut diamond ought to be charged the same rate as the cut diamond, from the fact that the cutter of the diamond has his full reward in cutting the diamond and the diamond which he cuts takes the place of cut diamonds to an equal amount, and the Government to that extent loses its revenue.

Mr. LODGE. Mr. President, everyone will admit, I suppose, that we ought to collect upon diamonds the highest possible rate; and the Senator's amendment is either too much or not enough. I should be very glad if we could collect a hundred per cent upon diamonds, and at the time of the passage of the Wilson bill, when I was here in the Senate, I was strongly in favor of the imposition of 25 per cent duty. It is a mere question whether you will collect any duty on diamonds or whether you will collect 10 per cent. You can get a large revenue at 10 per cent. If you raise it substantially higher—20 or 25 per cent—you get substantially no revenue.

In 1891 the imports of diamonds were $12,380,000 and the duty was $1,238,000. In 1892 the imports of diamonds were $12,261,000, and the duty collected was $1,226,000. In 1896, under the 25 per cent rate, there was $3,351,000 of cut diamonds imported, with a duty collected of $750,000; and in 1897,

$1,378,000 were all that were imported, and the revenue had fallen to $285,000.

The explanation that these were bad times and that, therefore, there was a decrease does not explain this condition, because the retail sales of diamonds during 1896 and 1897 were larger than in 1891 and 1892. More diamonds were sold in New York in those years than there were in the years when $12,000,000 was imported and $1,200,000 was collected.

In 1906 we imported $29,000,000 worth of diamonds, with a corresponding duty of $2,900,000. In 1907 we imported $30,000,000 worth of diamonds with $3,000,000 revenue.

It is simply a question of how high we put the rate and have it remain a collectible rate. It has been proved that if we lift the rate so as to make any substantial increase, smuggling takes the place of lawful introduction, and the revenue disappears. The diamond is so easily smuggled; the chances of detection are so small in most cases, and the profit is so large, that the temptation is irresistible, and the honest importer ceases to import. He can not compete with those who have smuggled diamonds. He ceases to import and buys his diamonds in the home market, because they are smuggled diamonds which he buys. That is exactly what happened when we had the 25 per cent rate. The honest importer ceased to import. He suspended his importations, and the revenue declined to $250,000.

The times may have been depressed; they undoubtedly were, but I do not think there was any such depression as to account for that, and the retail stores showed an increase over the two years which I have cited for comparison—1891 and 1892. It is extremely easy to smuggle diamonds.

Mr. BACON. Will the Senator kindly permit me to make an inquiry of him?

Mr. LODGE. Certainly.

Mr. BACON. Does the Senator think it is as easy to smuggle diamonds as laces?

Mr. LODGE. Very much easier.

Mr. BACON. I should not think it would be nearly so easy.

Mr. LODGE. Take the case of one historic diamond that probably everybody has read about, the diamond which everybody who has been to Paris has seen in the Louvre, that famous diamond known as the "Regent diamond," which was known first as the "Pitt diamond," because at the beginning of the eighteenth century it was brought by Thomas Pitt or his nephew to England. That diamond was smuggled out of the mines in an uncut state by a slave, who inserted it in a cut in his leg. It was brought to England, because they found great difficulty in transporting valuable stones in those times, by the nephew, I believe, of Thomas Pitt, who inserted it in the heel of his shoe. That is one of the largest diamonds in the world. I do not remember how many karats it weighs, but it is one of the famous historic diamonds and one of the most beautiful diamonds.

A diamond can be very easily concealed, more easily than anything else, and, of course, it has more condensed value than anything else. What is true of diamonds is equally true of any precious stone or of a pearl.

I should like to collect a hundred per cent on diamonds. I wish we could, and, as I say, in 1894, when this was proposed, at the time of the Wilson bill, I was heartily in favor of raising the duty to 25 per cent. I thought it was an excellent thing to do. It seemed to me that there was a place where we ought to get revenue, and the result was we lost all our revenue.

Now, so far as the uncut stone is concerned, that is a simple matter of whether you will put all the diamond cutters in the United States out of business or not. There are six or seven firms in New York alone which are cutting diamonds. It is a skilled and highly paid occupation. If you put an equal rate of duty on the diamond cut and the diamond uncut, of course the cut stones will come in, and the diamond-cutting industry, which exists not only in New York, but in different parts of the country, will cease. It would end the diamond-cutting industry in this country, which is a very important industry and employs highly skilled labor.

Mr. BACON. If the Senator will pardon me, I should like to know whether he has made any investigation, as I have, a partial one, as to the profit there is in the cutting of diamonds. My information is, after consulting a number of lapidaries, that the profit in cutting diamonds in this country is 20 per cent. That is a sufficient inducement for the importation of uncut diamonds.

Mr. LODGE. I do not know just what the percentage of profit is. Undoubtedly it is a business which yields a good return.

I happened to be in Amsterdam last summer, and went to the greatest diamond-cutting establishment there, and saw the cutting of the Cullinan diamond—the largest diamond known in the world, which made three stones, that went to the King of England, each one of them larger than any existing stone in the world. They told me that it cost $75,000 to cut the three stones which were made from it, and that they lost money on it, and that they only did it because it was a great advertisement to do it. So it is an expensive work, and I had not supposed that it was a work of very great profit. They can not be making any very extravagant profits in this country when within a year they have brought $30,000,000 of cut stones into the country.

Mr. BACON. I have not any statistics as to the importations later than 1907. It appeared then that the importations of cut diamonds were $23,965,438, and the importations of uncut diamonds were $11,154,152. Of course, as to the uncut diamonds, after they were cut they had an increased value, and those uncut diamonds when cut took the same place in supplying the demand of this country as if they had been imported as cut diamonds. Therefore the Government, by having the uncut diamonds free, loses the duty upon some twelve or fourteen million dollars' worth.

Mr. LODGE. Undoubtedly it would get the revenue on the cut stone. But the diamond industry and dianiond cutting employ a great many skilled workmen. Whatever money the diamond cutters make, either the workmen or the employers, is paid by a class which I think can afford to pay it. The people who buy diamonds can afford to pay a reasonable profit to the cutter in this country.

Mr. BACON. I am speaking of the Government losing that amount.

Mr. LODGE. The Government probably loses some revenue, because if we placed a duty on the uncut stones, we would undoubtedly import nothing but cut stones.

Mr. BACON. I do not see that.

Mr. LODGE. It would end the business here. There would be no profit in it. We should have them all cut abroad, and we would end the business here. It is obviously cheaper to do it there. The duty on diamonds is necessarily low. Therefore it is impossible to make a differential. You have to allow the uncut stone to come in, and the uncut stone is the only thing that creates the American industry. As for raising the duty, that is equivalent to abolishing the duty, or very nearly so.

Mr. ROOT. Mr. President, I think the Senator from Georgia [Mr. BACON] is at variance with practically the universal judgment of those who have had experience in attempting to collect customs duty upon precious stones. I have prosecuted a great many people who have been caught smuggling them; forfeited a good many; and I have no doubt whatever, and none of the people who five years ago were enforcing the customs laws have any doubt, that it was only the low rate of duty which made it possible for the honest importers to compete with smugglers.

The ease with which a diamond can be smuggled is such that there is very little possibility of detection. You can press diamonds into a cake of soap, and bring in four or five thousand dollars' worth of value. A woman can put them in her hair or in her cheek. There is an infinite number of ways in which it can be done, and if you put the duty so high as to make it an object for men to go into the business of smuggling diamonds, you lose your revenue.

The detection by means of agents abroad does not amount to very much. We have some people there who hang around the hotels and railroad and steamship offices, and they get into conversation with Americans and occasionally some foolish fellow or some foolish woman will talk about what plans he or she may have for bringing in some precious stones. But that is a very exceptional case.

Our revenue in 1907 from diamonds was nearly $2,400,000. I would be very glad to impose a higher duty upon diamonds, but I do not believe it is practicable to collect it.

Mr. BACON. I suggest to the honorable Senator that a similar consideration does not actuate the law-making power when we come to impose duties upon laces, which are so easily concealed, and some of which are of very high value.

Mr. ROOT. It is more difficult to conceal laces than precious stones. With precious stones the value in proportion to size, and consequently the greater variety of ways in which they can be smuggled, is very much higher than the value of laces.

There is a class of precious stones in the same paragraph to which the same rule does not apply, or it does not apply to the same degree, and regarding that I offered an amendment the other day; that is, the semiprecious stones. I think a much higher rate of duty can be imposed upon them without incurring the danger of smuggling taking the place of honest importations. At the same time it would protect the American lapidary, who is now not protected at all, in the cutting of these semiprecious stones—the amethyst and the garnet and the aquamarine and a great variety of very beautiful stones, the value of

which is very much lower than that of the diamond, the ruby, and the sapphire. So the 10 per cent amounts to very little in proportion to the cost of the cutting. There is a very large body of very excellent workmen in the United States, many of them, it is true, with jewelry houses, but many of them not connected with those houses. I know them; I have been to their places—lapidaries engaged in the general business for all comers.

So far as concerns the cutting of diamonds and the hard precious stones, they exist; they are making a living. It is a flourishing trade. But so far as concerns the semiprecious stones we can not compete with the European Continent. If this paragraph is to be deemed as before the Senate generally, rather specially for the amendment proposed by the Senator from Georgia, when the amendment of the Senator from Georgia is disposed of I should like to bring up the amendment I propose to offer.

Mr. BACON. I shall not detain the Senate further than to say there are two amendments proposed by me. Whatever may be thought as to the amendment on the subject of cut diamonds I have not heard anything satisfactory to my mind why this large amount of uncut diamonds should be allowed to come in free and in that way displace an equal amount of cut diamonds from which the Government would get revenue.

We have just had the statement by the honorable Senator from New York that so far as the cutting of precious stones in this country is concerned it is a flourishing business, which accords with the information which I have from lapidaries whom I have consulted—that it is a flourishing business, a highly profitable one, and they put it at a minimum of 20 per cent as the clear profit upon cutting diamonds.

It seems to me the Senator from Massachusetts is not borne out in his suggestion that if a duty were put upon the uncut diamonds no uncut diamonds would be imported, and that there would be only cut diamonds imported, as suggested by him. If that were true, the Government would get its duty upon the cut diamonds. But with the 20 per cent as an inducement, it seems to me it is an unwarranted assumption that to impose a duty upon uncut diamonds would stop the importation of uncut diamonds. We have before us the very pertinent fact—it seems to me it ought to be the controlling fact—that the uncut diamond takes the place of a corresponding number of cut diamonds. The custom of the country requires a certain amount of diamonds to meet the demand. That demand is met in part—two-thirds, it seems—by the cut diamonds and one-third by the uncut diamonds. Under this bill the Government gets its revenue upon the cut diamonds, but upon the diamonds cut here the Government gets no revenue whatever.

Twenty per cent as the minimum, as I am informed, is an ample inducement to the importation of cut diamonds, and if you impose upon them the same rate of duty that is imposed upon cut diamonds there will still be a profit to the diamond cutter and still a revenue to the Government.

I want to call attention to a very remarkable condition of affairs, to show how far the desire to protect industries in this country will carry people, to the utter ignoring not only of the interests of the community at large, but of the Government. In a case where there are competing industries in this country we insist upon the imposition of a high duty to prevent importations, but in a case where there is an industry which will not be benefited by a high duty, but which will be injured by a high duty, we sacrifice the interests of the Government altogether and take off all the duty. That is just the difference between the two.

In the case suggested by the honorable Senator from New York, as to semiprecious stones, the semiprecious stones in this bill have a very much larger tariff against them than the precious stones. I have forgotten how much; two and a half times as much, I think. I will look at it in a moment and see.

Mr. CLAPP. What is the duty on diamonds?

Mr. BACON. Ten per cent only, and free on uncut, and on imitation precious stones for use in the manufacture of jewelry, and so forth, it is 20 per cent. It is twice as much as on diamonds. The imitation stone is not used by the wealthy people. It is used by the common people, and why these little matters of ornamentation should be made additionally expensive to them I can not see.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. BACON. I yield with pleasure.

Mr. CLAPP. What rate does the Senator propose to put on the uncut diamond?

Mr. BACON. I propose to put 10 per cent.

Mr. CLAPP. Does the Senator propose to raise the rate of duty on cut diamonds?

Mr. BACON. I have two amendments. One is to raise the proposed rate of duty of 10 per cent on cut diamonds to 25, but the two are absolutely independent, so far as that goes.

Mr. CLAPP. Yes; except, the Senator will pardon me——

Mr. BACON. Certainly.

Mr. CLAPP. It is an inquiry. Except if we put the same duty on the uncut diamond that we put on the cut diamond, of course the importations will be entirely of cut diamonds.

Mr. BACON. That is where I think the Senator is in error, if he will pardon me, for the reason that, under the undisputed testimony, the minimum profit on the cutting of a diamond is 20 per cent. There is that inducement.

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from New York?

Mr. BACON. Certainly.

Mr. ROOT. Does the Senator understand that 20 per cent is profit?

Mr. BACON. I do.

Mr. ROOT. I understood the Senator to say it had that increased value.

Mr. BACON. No; that is not my information.

Mr. ROOT. My understanding is that 20 per cent is what goes to the lapidary. It includes the cost of cutting over and above the cost of uncut stones.

Mr. BACON. I have no information as to the cost of cutting.

Mr. ROOT. Stones can be cut much more cheaply in Amsterdam than in any American city. If you put a duty on cut stones, you wipe out the trade of the lapidary in the United States, because there will be no uncut stones brought in. The cheap cutting of Amsterdam will supersede the cutting of the American cities.

Mr. BACON. I want to make a suggestion. I do not know what the importation in 1908 was, but in 1907 the uncut-diamond importation was over $11,000,000. That is the price of the uncut diamond, of course, after it was cut. If you only added 20 per cent to the value, as suggested by the Senator from New York, there would be between thirteen and fourteen million dollars of cut diamonds. If there were no profit whatever in the cutting of the diamonds, there is at the rate of 10 per cent one million and two or three hundred thousand dollars of profit to the jewelry stores of the city of New York which have offices of precious-stone cutters as a side show to their business. It is an absolute profit if there was not a dollar of profit in the cutting. If there was not a dollar of enhanced value over and above the cost of the cutting, there would be a profit of one million and between two and three hundred thousand dollars, which is that much taken out of the Treasury of the United States Government.

Mr. ALDRICH. I was unable to follow the Senator from Georgia in his reasoning. He says the diamond cutters make 20 per cent of the value of the diamonds for cutting, and that the 10 per cent differential as reported by the committee is too great, and then he offers an amendment which makes a differential of 15 per cent.

Mr. BACON. No; I do not.

Mr. ALDRICH. Then I did not understand the Senator's amendment.

Mr. BACON. I did not offer a differential.

Mr. ALDRICH. He proposes a duty of 25 per cent upon diamonds cut and a duty of 10 per cent on diamonds uncut, making a differential of 15 per cent, when he says 10 per cent is too high.

Again, he says there is 20 per cent profit in diamond cutting in the United States, when to-day, with only 10 per cent, it is a well-known fact that the lapidaries of Amsterdam are the most skillful men in the world in this connection, and that diamonds can be cut much more cheaply in Amsterdam than in any other place of the world. They have had a pretty large monopoly of this business.

The question of a duty on diamonds was first brought to my attention in 1883, in the consideration of the tariff act of that year. From 1861 up to 1872 there was a duty on diamonds of 25 per cent. In 1874 it was reduced to 10 per cent, and the question came up in the consideration of the act of 1883 as to whether the duty of 10 per cent should be increased to 25 per cent. The universal testimony of the government experts was against it; and the government experts of that time, in 1883, I think, were the brightest men I have ever known in the customs service.

The principal of those men was Colonel Tichenor, whose name has been mentioned frequently in this debate. All these customs experts said it was absolutely impossible, from the experience of the Government during those years, to collect a duty higher than the lowest revenue duty upon diamonds. Not only did the revenue fall, between 1861 and 1872, but all the

honest importers were driven out of the business. It was impossible for any diamond dealer like Tiffany, or men of that class, to import any diamonds into the United States. They had to buy them here of people who smuggled them in various ways, and diamonds could be bought on the market in New York at not over 5 per cent above the price in Paris or London.

Not only was it the universal testimony of these customs experts, but the universal testimony of the leading jewelers in New York was to the same effect. They appealed to Congress to protect them by the imposition of a duty which would allow them to import their own diamonds, instead of having to go into the market and buy them from people who, they knew to a moral certainty, had smuggled them into the country without the payment of the duty. So not only was the revenue destroyed by this increased duty, but the business of importing diamonds was forced into the hands of people who were destroying the Government all the time.

Mr. CULLOM. Thieves.

Mr. ALDRICH. Yes; they might properly be denominated "thieves," as the Senator from Illinois characterizes them.

This went on and in 1890, with this experience staring us in the face, the act of 1890 still maintained the rate of duty at 10 per cent. In 1894, without consideration, and by a motion made upon the floor, something like this has been made to-night, the duty was increased to 25 per cent. What was the result? The same result that had followed in the years between 1861 and 1872. The revenue decreased and the business of importing diamonds left the honest importers, like Tiffany & Co., and went once more into the hands of those men who were cheating the revenue and smuggling diamonds into the United States.

So I can say, without the slightest danger of having the statement criticised, that the universal experience of every customs officer who has ever had anything to do with this question and of every diamond importer who has had anything to do with the importation of diamonds was that 10 per cent was about as high as it was possible to fix the rate and secure the revenue and prevent smuggling to a very great extent. I have no question whatever but that a differential rate of 10 per cent between cut and uncut diamonds is necessary to preserve the industry of cutting diamonds in the United States.

Mr. CLAPP. May I ask the Senator how long the rate established in 1894 lasted?

Mr. ALDRICH. For three years—from 1894 to 1897.

Mr. CLAPP. Then, what was it fixed at in 1897?

Mr. ALDRICH. At 10 per cent.

Mr. CLAPP. Then the importations increased?

Mr. ALDRICH. The importations increased, and the revenue has increased.

Mr. CLAPP. If the rate was lowered and the importations increased, of course the revenue would increase.

Mr. BEVERIDGE. Will the Senator pardon me? From the figures given by the Senator from Massachusetts, curiously enough the importations decreased, and, of course, the revenue decreased when the 25 per cent duty was put on in 1896; the importations sank enormously and the revenue sank enormously. Then 10 per cent ad valorem was put on and the importations increased and the revenue increased.

Mr. CLAPP. If the Senator will pardon me a moment, of course anybody can see that if on a commodity so easy to hide as a diamond you put the duty too high undoubtedly you will stimulate smuggling. But, notwithstanding these government experts, according to the statement of the Senator from Rhode Island, it just happens, and I am not saying this in any spirit of fault-finding, that the importations decreased and simultaneously the rate was raised and simultaneously there was a time of depression in this country.

Mr. BEVERIDGE. I think the figures presented by the Senator from Massachusetts happen to cover that point. For instance, there was the depression in 1907, yet under the 10 per cent ad valorem the importations increased, and of course the revenue increased. It does not seem that periods of depression keep pace with the decrease.

Mr. CLAPP. You can not call the little temporary bank scare of 1907 a depression. The Dingley law was enacted in 1897, and the rate was lowered at that time. The importations and the revenue, according to the statement of the Senator from Rhode Island, increased from that time on.

Mr. BEVERIDGE. Mr. President, just one word.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. CLAPP. I do.

Mr. BEVERIDGE. I will say to the Senator from Minnesota, that taking such a bank scare, as he calls it, as occurred in 1907, which affected chiefly the rich, it is precisely that kind of a depression that would affect the purchasers of diamonds and not such a depression as we had in the other years which affected all people who could not import diamonds.

I agree with what I think the Senator has in mind. These rates are not right, and I propose to offer an amendment myself. But I must say in all frankness that the figures offered by the Senator from Massachusetts do not cover both years; that is to say, when the rate was raised to 25 per cent the importations and revenue did fall off; and further, that was not due entirely to depression, because we find that in 1907 there was a depression exactly among those people who are the kind of people who buy diamonds. If the amendment now proposed should fail, I myself propose to offer an amendment that I think will cure the difficulty.

Mr. CLAPP. How much was the rate increased at the outbreak of the war, when people naturally were not buying diamonds?

Mr. ALDRICH. But from 1866 to 1872 more money was expended for luxuries than in any other period.

Mr. CLAPP. I am not so certain about that time.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. CLAPP. Certainly.

Mr. LODGE. I gave the figures for 1891 and 1892. There were, in round numbers, $12,000,000 of importations of diamonds in each of those years. I compared those with the years under the 25 per cent rate, showing an immense decline in revenue and importations, but the retail sales in New York during the years 1896 and 1897 were larger than during the years 1891–92, when we imported $12,000,000 worth. During 1896 and 1897 we imported $3,000,000 worth one year, and thirteen hundred thousand dollars the next year; and then, I say, the retail sales were larger in New York.

Mr. CLAPP. Larger in what years?

Mr. LODGE. In the two years when the imports were lowest.

Mr. CLAPP. What were the years, if the Senator will pardon me?

Mr. LODGE. I have given the years 1896 and 1897.

Mr. CLAPP. They were large?

Mr. LODGE. The importations were very small and the retail sales were larger than in 1891 and in 1892, when the importations were $12,000,000 a year.

Mr. CLAPP. Of course in 1896 we began the upward stride again.

Mr. LODGE. In 1896?

Mr. CLAPP. In 1896 and 1897.

Mr. LODGE. Were those good years?

Mr. CLAPP. 1897 was a good year.

Mr. ALDRICH. After the election.

Mr. CLAPP. Yes; but according to the statement of the Senator from Rhode Island, in 1895 the importations fell off, and simultaneously they increased, but also simultaneously that followed the universal depression in this country.

Mr. LODGE. More diamonds were bought and sold in New York in the years when we imported $3,000,000 and $1,000,000. That seems to me to be of great force.

Mr. CLAPP. That was a part of the argument of the Senator from Rhode Island. He brought two facts before the Senate: One can be established as a fact by the import record; the other was the statement that diamonds were bought, for which we must take the say so, and a sort of judgment based on guesswork after all.

Mr. LODGE. As to the retail business.

Mr. CLAPP. As to who bought them.

Mr. LODGE. The statements about the retail sales in New York came, of course, from the people who sold the diamonds themselves.

Mr. CLAPP. Exactly; and we can not have the data in that respect as we have as to importations.

Mr. LODGE. I think a reputable firm like Tiffany would not willingly state that there were more diamonds sold in that year if there were not.

Mr. CLAPP. That firm would not state that there were more unless there were; but who has taken the time to ascertain the total sales of diamonds in the great city of New York for any year? It would be a task that no man would be called on to perform.

Mr. LODGE. They could find enough to make a comparison.

Mr. CLAPP. But the record of importations the Senator from Rhode Island bases his figures on is a fact, and measuring the diamond trade by that definite fact the importations go up and down with the depression in the country. But it so happened that from each time, from the Senator's argument,

the rate was attached accordingly. So it strikes me that there is perhaps more force given to the rate than there ought to be given to it in view of the business conditions of the country. I would be personally in favor of putting more duty on the uncut diamonds and correspondingly raising the duty on the cut diamonds.

Mr. ALDRICH. The Senator falls in my judgment as to the years between 1866 and 1872 entirely. I do not think there was ever a time in the history of the country when as much money was spent for luxuries in proportion to the wealth of the country and extravagantly spent as in the period from 1866 to 1872. It was a period of immense inflation, but lapsed of course in 1873, and in that period diamonds and all other articles of luxury were purchased freely by the people of the United States.

Mr. CLAPP. I admit there is not quite as clear an illustration of that time as there is in the effect sought to be placed on the law of 1894.

Mr. ALDRICH. The statements which I have made are based upon the opinion of people who ought to know, and so far as I know we have no other means of information in considering and deciding upon the terms of a tariff bill. The men who have had experience and judgment are the men we ought to rely upon certainly in the absence of any conflicting testimony.

Mr. BACON. Of course I can have no possible object in this matter except that which is best for all concerned. I presume the Senator recognizes that there is nothing partisan in any suggestion I have made in this regard. I would be willing to come to any kind of agreement by which there could be possibly a small rise on the cut diamond and a smaller duty upon the uncut diamond. I do not think the uncut diamond ought to come in free.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. BACON. Certainly.

Mr. BEVERIDGE. I wish to make a suggestion in view of the statement which the Senator from Georgia has just made. I have been listening with great interest to this important discussion. My suggestion is to split the difference, as it were, between the amendment of the Senator from Georgia and the present law. I suggest the following, since the Senator from Georgia now invites any possible rate: I suggest that on paragraph 445, pearls and other precious stones, provided on line 9, instead of 10 per cent we put 15 per cent; on line 12, instead of 20 per cent we put 25 per cent; and instead of putting paragraph 248 on the free list—that is, diamonds in the rough—we put the rate at 10 per cent. This makes the differential.

I think the Senator from Massachusetts has demonstrated beyond all question that a rate of 25 per cent defeats its own purpose, which is of course exclusively that of revenue. As the Senator from Massachusetts has said, if the revenue would be derived he and everybody else would be in favor of 100 per cent, because this distinctly falls upon those who can afford to pay, upon those who indulge in luxuries. But it is the experience of the Government that by reason of the extraordinary facility with which these small things are smuggled, when the rate gets to 25 per cent the revenues and importations fall off, and 10 per cent makes them greater. But it would seem in listening to this discussion that 5 per cent might be added to the 10 per cent which now prevails.

Now, Mr. President, in 1906, instead of $2,904,248.26 that would have brought in $4,356,472.39, and in 1907 instead of bringing in $3,013,577.75 it would have brought in $4,520,261.50 of revenue; that is, to raise it from 10 per cent to 15 per cent. It would appear that the extra 5 per cent would not be such a discouragement to the legitimate importers of diamonds as to discourage the business as 25 per cent does to encourage smuggling; and, on the other hand, it would add that much, which is so much needed for the Government.

Pursuing that portion, we add to line 12, 25 per cent, instead of 20 per cent.

Mr. ALDRICH. Oh, no.

Mr. BEVERIDGE. I am proposing a duty which seems to me to be reasonable. Instead of putting diamonds and other precious stones that are rough and uncut on the free list, I propose that we put them at 10 per cent. We will then have a proper differential, even, according to the Senator from Rhode Island, on the uncut, and we have an undeveloped source of revenue derived from 10 per cent on the uncut stones. In view of the fact that this is purely a revenue feature, and in view of the further fact——

Mr. ALDRICH. In order to avoid what seems to me to be an interminable discussion——

Mr. BEVERIDGE. I hope the Senator does not apply that to me.

Mr. ALDRICH. Not at all. I will agree to put up the duties on cut diamonds to 15 per cent and make the duty on uncut 5 per cent, and then we will consider it in the committee hereafter.

Mr. BEVERIDGE. That is right. It is understood that in line 9——

Mr. ALDRICH. I want to avoid further discussion, if I can.

Mr. BEVERIDGE. We are delighted to get this large revenue for the Government, which involves two or three millions, at the purchase of a few minutes' conversation.

Mr. ALDRICH. Provided we get it.

Mr. BEVERIDGE. I think the Senator can get it. It is understood that in line 9, paragraph 445, instead of 10, the rate shall be 15.

Mr. BACON. I desire to say to the Senator from Rhode Island that I will be content with that change.

Mr. ALDRICH. I can not consent to the rate on semi-precious stones or imitation stones being put up. That is ridiculous. There is no occasion for that.

Mr. BEVERIDGE. If it is ridiculous of course the Senator's statement would not establish that fact. He might advance some argument against the proposition.

Mr. ALDRICH. Let it be 5 per cent on uncut diamonds and 15 per cent on cut.

Mr. BEVERIDGE. Very well; that is a very good solution. We shall perhaps add a million and a half of revenue by a half hour's talk.

The VICE-PRESIDENT. Does the Senator from Georgia withdraw his amendment?

Mr. BACON. I will modify it, in accordance with the suggestion of the Senator from Rhode Island.

The VICE-PRESIDENT. The Secretary will report the modified amendment.

The SECRETARY. Paragraph 445, page 178, line 9, strike out "ten" where it occurs and insert "fifteen," and at the end of paragraph 548 insert the words "5 per cent ad valorem."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. Paragraph 548 will have to be transferred to paragraph 445.

The VICE-PRESIDENT. Paragraph 548 is transferred. It no longer remains in the free list.

The SECRETARY. With the addition of the words "5 per cent ad valorem."

Mr. BAILEY. I ask unanimous consent to recur to paragraph 483, page 195.

The VICE-PRESIDENT. If the Senator from Texas will permit the Chair one moment, paragraph 445 as amended is agreed to, if there be no objection. The Chair hears none. Is there objection to returning to paragraph 483? The Chair hears none. The Senator from Texas offers an amendment.

Mr. BAILEY. After the word "of," line 12, I move to insert the word "breeding," and a comma.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 195, line 12, after the words "purpose of," insert the word "breeding" and a comma, so as to read:

Animals brought into the United States temporarily for a period not exceeding six months, for the purpose of breeding, exhibition, or competition for prizes, etc.

Mr. ALDRICH. There is no objection to that, Mr. President.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The VICE-PRESIDENT. The paragraph as amended is agreed to, if there be no objection. The Chair hears no objection. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 549, page 203, miner's diamonds, whether in their natural form or broken. The committee proposes, in line 18, after the word "broken," to strike out "and bort; any of the foregoing," so as to read:

Miner's diamonds, whether in their natural form or broken, not set, and diamond dust.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended will be agreed to. The Secretary will report the next paragraph passed over.

The SECRETARY. Paragraph 573, page 206, grasses and fibers.

The VICE-PRESIDENT. No amendment was offered to

this paragraph. If there be no objection, the paragraph is agreed to.

Mr. ALDRICH. In paragraph 569, page 206, line 8, the final letter in the word "skins" should be struck out, so as to read, "fur skin of all kinds," and so forth.

The VICE-PRESIDENT. Without objection, the amendment is agreed to. The Chair hears no objection.

Mr. NELSON. It seems to me that paragraph 573 ought to be corrected. My impression is that we put jute and jute butts on the dutiable list on the motion of the Senator from Kentucky [Mr. BRADLEY].

Mr. LODGE. The committee has an amendment to offer to that paragraph.

The VICE-PRESIDENT. Without objection paragraph 569 is agreed to as amended. The Chair hears none.

Mr. ALDRICH. In paragraph 566, after the word "dried," I move to insert the words "and fruits in brine," so as to read—

Fruits, or berries, green, ripe, or dried, and fruits in brine, and so forth.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection the paragraph as amended is agreed to.

Mr. ALDRICH. In paragraph 573, page 206, line 19, after the word "fiber," I move to strike out the words "jute, jute butts."

Mr. DOLLIVER. Why are those words stricken out?

Mr. ALDRICH. Jute and jute butts were placed on the dutiable list.

Mr. DOLLIVER. Has the committee recommended any changes in the paragraphs that apply to cloths manufactured from jute?

Mr. ALDRICH. Not yet; the committee are considering that question now.

The VICE-PRESIDENT. The question is on agreeing to the amendment to paragraph 573.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection the paragraph as amended is agreed to.

The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 576, in which the committee proposes an amendment in line 7, after the word "manure," to insert "including basic slag, ground or unground;" so as to make the paragraph read:

576. Guano, manures, and all substances used only for manure, including basic slag, ground or unground.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. ALDRICH. The committee have another amendment to that paragraph, which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island on behalf of the committee will be stated.

The SECRETARY. After the word "unground," in line 7, it is proposed to strike out the period, insert a comma, and insert the words "and calcium cyanamid or lime nitrogen."

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I should like to inquire of the Senator from Rhode Island what was done with paragraph 480?

Mr. ALDRICH. The paragraph to which the Senator from North Carolina refers was passed over.

Mr. SIMMONS. I was not in when the paragraph was passed over. I wish to ask the Senator what was the objection to including sulphate of ammonia with basic slag? Sulphate of ammonia is also an ingredient of fertilizer, as well as basic slag.

Mr. ALDRICH. That is one of the complicated things in this bill, one of the things the committee are trying to ascertain whether it should be dutiable or whether it ought to be on the free list.

Mr. SIMMONS. Sulphate of ammonia is used probably for other things besides fertilizer. My suggestion was that you put it on the free list, or put that part of it on the free list that is used in the making of fertilizer and let the other remain on the dutiable list.

Mr. ALDRICH. Does the Senator from North Carolina know any way in which one could distinguish what was to be used in fertilizers and what was not?

Mr. SIMMONS. This paragraph says:

Guano, manures, and all substances used only for manure, including basic slag, etc.

If the words "sulphate of ammonia" were added after the words "basic slag," that would be putting sulphate of ammonia used in the manufacture of guano on the free list.

Mr. ALDRICH. It is impossible to distinguish sulphate of ammonia used for fertilizing purposes from sulphate of ammonia used in a thousand other ways.

Mr. SIMMONS. Is not basic slag used for some other purposes than for fertilizer?

Mr. ALDRICH. The Senator has not, perhaps, read the paragraph. I wish the Senator would read it again. He will see it provides:

576. Guano, manures, and all substances used only for manure, including basic slag, ground or unground.

It is used for other purposes. It includes all basic slag, whether used for one purpose or another.

The VICE-PRESIDENT. Without objection, paragraph 576 as amended is agreed to.

Mr. HEYBURN. Mr. President, I should like to inquire of the Senator from Rhode Island, having the bill in charge, whether that would include phosphates? The language is not protected in the usual form. It says:

Including basic slag, ground or unground.

Mr. ALDRICH. Paragraph 648 relates to phosphates.

Mr. HEYBURN. But this paragraph does not use the language generally used "except otherwise provided for in this section." I think that exception ought to be in. Crude phosphates are provided for in paragraph 648, but if not crude they are made dutiable.

Mr. ALDRICH. I think this description is all right.

Mr. HEYBURN. Just so that it does not put them on the free list.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

Mr. ALDRICH. That is paragraph 575, to which the Committee on Finance has an amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 575, page 207, line 1, after the word "grease," it is proposed to insert the words "fats, vegetable tallow."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 578, hair of horse, cattle, and other animals, cleaned or uncleaned, and so forth.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 579, hide cuttings, raw, with or without hair, and all other glue stock.

Mr. HEYBURN. I ask that that be passed over.

Mr. LODGE. That has nothing to do with the question of hides. Those articles have been free in every tariff bill.

Mr. ALDRICH. That has nothing to do with the hide question.

Mr. HEYBURN. But paragraph 581 has.

The VICE-PRESIDENT. Without objection, paragraph 579 is agreed to. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 580, hide rope.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 581, hides of cattle, raw or uncured, whether dry, salted, or pickled.

Mr. LODGE. Let that be passed over.

The VICE-PRESIDENT. Without objection, paragraph 581 will be passed over. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 582, hones and whetstones.

The paragraph was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 592.

Mr. CULBERSON. Mr. President, I have an amendment to come in as paragraph 583¾, the effect of which is to place cotton ties on the free list. I wish to strike out paragraph 123 and to put cotton ties on the free list as paragraph 583¾. The question of cotton bagging has gone over, at the suggestion of the Senator from Mississippi [Mr. MONEY], and if the Senator from Rhode Island [Mr. ALDRICH] desires the cotton-ties amendment proposed by me to go over with the cotton-bagging amendment,

it will be satisfactory. I think the Senator from Mississippi has gone home, on account of illness.

Mr. ALDRICH. There is no objection to the suggestion of the Senator from Texas.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be considered as pending, and will be passed over. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 592, iron ore, and so forth.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. The committee amendment to the paragraph will be stated.

The SECRETARY. The committee propose to strike out paragraph 592, as follows:

592. Iron ore (except such as is used chiefly in the production of pigments and colors), including manganiferous iron ore, and the dross or residuum from burnt pyrites; basic slag, ground or unground.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 608—licorice, extracts of, in paste, rolls, or other forms.

The VICE-PRESIDENT. The amendment proposed by the Committee on Finance to the paragraph will be stated.

The SECRETARY. The Committee on Finance propose an amendment to strike out the paragraph.

The amendment was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. The next paragraph passed over is paragraph 618, manganese, oxide and ore of.

The paragraph was agreed to.

Mr. ALDRICH. Mr. President, the committee recommends striking out paragraph 617. The articles contained in that paragraph are included in the dutiable list, and they should be stricken from this part of the bill.

The VICE-PRESIDENT. The amendment proposed by the Committee on Finance will be stated.

The SECRETARY. The Committee on Finance propose to strike out paragraph 617, as follows:

617. Magnesium not made up into articles.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. The next paragraph passed over is paragraph 633, nuts.

The VICE-PRESIDENT. The amendment proposed by the committee will be stated.

The SECRETARY. The Committee on Finance propose an amendment in paragraph 633, line 8, after the word "nuts," to strike out "Palm" and to insert "Brazil nuts, cream nuts, palm."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. PENROSE. Mr. President, I desire to call the attention of the chairman of the Committee on Finance to an additional paragraph, which I understand he will accept, about miners' rescue appliances. It ought to be paragraph 626½. It was introduced as an amendment by the Senator from Ohio [Mr. DICK], and I offer it now.

Mr. ALDRICH. The committee had that amendment to offer as a committee amendment. It escaped my attention for the moment. I intended to offer it.

The VICE-PRESIDENT. The amendment proposed by the Senator from Pennsylvania [Mr. PENROSE] will be stated.

The SECRETARY. It is proposed to add as a new paragraph on page 210, to be known as paragraph 626½, the following:

626½. Miners' rescue appliances, designed for emergency use in mines where artificial breathing is necessary in the presence of poisonous gases, to aid in the saving of human life, and miners' safety lamps shall be admitted free of duty until January 1, 1912.

Mr. CULBERSON. I ask the Senator from Ohio why the time is limited at all?

Mr. DICK. Mr. President, these safety appliances are not made in this country. They are coming into very general use. The purpose of their admission free of duty is to make their use more general in the rescue of human lives that have been endangered in the explosions which occur so frequently in mines, particularly in coal mines. That, in brief, is all that can be said about it.

Mr. CULBERSON. Evidently the Senator did not hear my inquiry. I agree, of course, that these appliances ought to go on the free list; but why is the provision limited to a certain time? I ask that the amendment be read again.

Mr. DICK. It is limited in the hope and with the idea that by the time set it will be possible that inventions of this kind may be made in our own country and such apparatus produced here.

Mr. CULBERSON. I move to amend the amendment by striking out the limitation.

The VICE-PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. Strike out the words "shall be admitted free of duty until January 1, 1912."

Mr. CULBERSON. No; strike out all after the word "duty."

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PENROSE. In connection with the amendment just adopted, I ask unanimous consent to have inserted in the RECORD a brief letter from the head of the United Mine Workers of America, who asked for the adoption of this amendment.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The letter referred to is as follows:

UNITED MINE WORKERS OF AMERICA,
Indianapolis, Ind., May 14, 1909.

HON. BOIES PENROSE,
Washington, D. C.

DEAR SIR: I am taking the liberty of forwarding to you the paragraph which, in my judgment, should be inserted in the proposed amended tariff bill.

You will probably understand that there is great necessity for doing something to increase the facilities for protecting the lives and health of those engaged in the occupation of mining in this country.

There were over 3,000 men killed in the coal mines in the year of 1908. This is a tremendous sacrifice of life.

The Government has begun a good work in the establishing of experimental rescue stations in different parts of the country in which men can be given a thorough training in rescue work when disasters occur in the mines as a result of explosions of gas or from other causes.

The mine workers of the country are deeply interested in everything that is being done to protect their lives and health, and will appreciate anything that you can do to help along this splendid cause.

Yours, very truly,

T. L. LEWIS, *President.*

Mr. LODGE. In paragraph 627, which has not been read this evening because it had been previously agreed to, on behalf of the committee I offer an amendment, after the word "models" in line 14, to insert the words "or patterns" and strike out the committee amendment.

The VICE-PRESIDENT. Without objection, the votes by which the committee amendment was agreed to and the paragraph as amended were agreed to will be reconsidered. The amendment will be stated.

The SECRETARY. On page 210, paragraph 627, after the word "models," insert the words "or patterns" and disagree to the committee amendment in line 15.

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 637——

Mr. ALDRICH. In paragraph 633 the committee have an amendment to offer.

The VICE-PRESIDENT. Paragraph 633 has been agreed to.

Mr. ALDRICH. Then I ask that it be reconsidered for the purpose of offering an amendment.

The VICE-PRESIDENT. In the absence of objection, the paragraph will be considered as open. The amendment offered by the Senator from Rhode Island will be stated.

The SECRETARY. After the words "cream nuts," in the committee amendment, in line 8, it is proposed to insert "marrons, crude."

The amendment was agreed to.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 637. The committee propose to strike out all of the paragraph and to insert in lieu thereof——

The VICE-PRESIDENT. The amendment has heretofore been read.

Mr. ALDRICH. The committee have several amendments to that paragraph. I think perhaps it had better go over. One amendment is in line 10, to strike out the words "orange oil," which I think might be agreed to now.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 10 of the committee amendment, on page 212, it is proposed to strike out the words "orange oil" and the comma.

Mr. ALDRICH. This paragraph contains provisions regarding crude and refined petroleum. I understand that amendments will be offered to that paragraph, and I ask that it be passed over.

Mr. KEAN. I suggest that another amendment be made before the paragraph is passed over, by inserting "nut oil or oil of nuts," which by amendment are made dutiable at 8 cents a gallon in paragraph 35½.

The VICE-PRESIDENT. The Chair desires to inquire of the Senator from Rhode Island whether he desires a vote upon the amendment which he offered in line 10 before the paragraph is passed over?

Mr. ALDRICH. Yes; I ask that the Senate agree to the amendment striking out "orange oil."

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Now, the Senator asks that the entire paragraph be passed over.

Mr. ALDRICH. Before that is done, I move to insert in line 9 the words "nut oil or oil of nuts."

Mr. BURTON. After the words "enfleurage grease," which occur at the end of line 9, the words "nut oil or oil of nuts" should be inserted.

Mr. ALDRICH. That is the amendment I have just suggested.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "grease," at the end of line 9, it is proposed to insert the words "nut oil or oil of nuts" and a comma.

The amendment was agreed to.

The VICE-PRESIDENT. In the absence of objection, the paragraph will be now passed over.

Mr. BEVERIDGE. That is the oil of the alurites cordata, or the Chinese nut, is it not?

Mr. ALDRICH. The Chinese nut.

The VICE-PRESIDENT. In the absence of objection, the paragraph will be passed over.

Mr. CULBERSON. I will say that the Senator from Mississippi [Mr. MONEY] desires to move to put on the free list oleo stearin. He has been called away from the Senate to-night on account of sickness; but whatever may be done to preserve his rights in the matter, I wish to do.

Mr. ALDRICH. The Senator refers to oleo stearin?

Mr. CULBERSON. Yes.

Mr. ALDRICH. I will offer that amendment. I move to insert a new paragraph to be known as paragraph 637½, "Oleo stearin."

Mr. PENROSE. Mr. President, I should like to ask the chairman of the committee whether there have been inserted, in line 13, page 212, after the word "palm," the words "palm kernel?"

Mr. ALDRICH. Not yet; but I am willing that that shall be done.

Mr. PENROSE. I offer that amendment. I understand it has been offered in the Senate by the Senator from Ohio, and I ask for its adoption.

The VICE-PRESIDENT. The Senator from Rhode Island has already presented an amendment which has not yet been acted upon. In the absence of objection, that amendment will be laid aside, and the amendment proposed by the Senator from Pennsylvania will, without objection, be now considered. The amendment will be stated.

The SECRETARY. Paragraph 637, page 212, line 13, after the word "palm," it is proposed to insert the words "palm kernel."

The amendment was agreed to.

Mr. ALDRICH. I have another amendment to that paragraph, while we are upon it. I move to strike out, in line 12, after the word "use," the words "and valued at not more than 60 cents per gallon."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 12, page 212, after the word "use," it is proposed to strike out the words "and valued at not more than 60 cents per gallon."

The amendment was agreed to.

Mr. ALDRICH. I ask that the amendment inserting oleo stearin be agreed to.

Mr. KEAN. I have another amendment to paragraph 637, which I was going to ask the Senator if he would accept. It is to insert the words "soya-bean oil."

Mr. ALDRICH. I presume I will have to take the Senator's statement that it is all right.

Mr. BEVERIDGE. I should like the Senator from New Jersey to explain what that oil is.

Mr. KEAN. It is oil used in the making of soap.

Mr. BEVERIDGE. I know; but what is the oil?

Mr. KEAN. It is soya-bean oil, which is used in the making of soap.

Mr. STONE. Is soap on the free list?

Mr. KEAN. No; it is not; but this is one of the materials of which soap is made.

Mr. DOLLIVER. Mr. President, I desire to understand what new article is suggested for the free list.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. After the words "nut oil, or oil of nuts," insert "soya-bean oil," at the end of line 9, page 212.

Mr. DOLLIVER. I was going to suggest to the Senator from New Jersey that, while I have been familiar with that subject for a long time, I never heard of oil being produced from beans. [Laughter.]

Mr. KEAN. I think if the Senator would examine the bean family he would know that there is a great deal of oil in beans.

Mr. PILES. Should not the words "soya bean" be used in place of "soya-bean oil?"

Mr. KEAN. That is what I desire.

Mr. PILES. I move to amend so that it will read "soya bean."

Mr. SMOOT. The amendment comes in under the heading of "Oils," and all that it is necessary to say is "soya bean."

Mr. KEAN. That is all.

Mr. DOLLIVER. That simplifies it. [Laughter.]

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. After the amendment inserted at the end of line 9, it is proposed to insert the words "soya bean."

The amendment was agreed to.

Mr. CULBERSON. Mr. President, I call the attention of the Senator from Rhode Island to the amendment which he has proposed and which has not been adopted.

Mr. ALDRICH. The amendment to insert "oleo stearin?"

Mr. CULBERSON. Yes.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 212 it is proposed to add as a new paragraph the following:

637½. Oleo stearin.

The amendment was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 638, orange and lemon peel, not preserved, candied, or dried.

The paragraph was agreed to.

Mr. ALDRICH. I ask to reconsider paragraph 641 for the purpose of offering the amendment which I send to the desk.

The VICE-PRESIDENT. In the absence of objection, the vote by which the paragraph was agreed to is reconsidered. The amendment will be stated.

The SECRETARY. In paragraph 641, on page 213, line 1, after the word "bagging," insert "and all other waste."

The amendment was agreed to.

The SECRETARY. Also in line 2, after the word "bags," strike out "fit only to be converted into," and insert in lieu thereof "used chiefly for."

The amendment was agreed to.

The SECRETARY. And also after the word "paper," at the end of the paragraph, insert the word "making."

The amendment was agreed to.

Mr. FLETCHER. If the words which are proposed to be stricken out, as the amendment has been reported by the Secretary, were to be replaced by the words mentioned by him, the paragraph would not make sense.

Mr. ALDRICH. Is the Senator speaking of paragraph 641?

Mr. FLETCHER. Yes; paragraph 641. I think the amendment does not read properly.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the paragraph as amended.

The Secretary read as follows:

641. Paper stock, crude, of every description, including all grasses, fibers, rags (other than wool), waste, including jute waste, shavings, clippings, old paper, rope ends, waste rope, and waste bagging, and all other waste, including old gunny cloth and old gunny bags, fit only to be converted into paper making.

Mr. BURTON. I do not think that is quite correct. It should read "used chiefly for paper making." The words "fit only to be converted into" should be stricken out, and in place of those words should be inserted the words "used chiefly for."

Mr. ALDRICH. That is correct, "used chiefly for paper making."

The VICE-PRESIDENT. That is the way the amendment reads as it has been agreed to.

Mr. DOLLIVER. The Senator from Georgia was speaking some time ago of the discrimination in the free return of bags that had been used in the conveyance of wheat in our exports of wheat as against the free importation of cotton bagging. I call his attention to the fact that the cotton bagging seems to return to the United States free, just as other bagging does, except that it happens to come back as paper stock and waste of jute fit for paper stock, and commonly used as such. So that any additional legislation is unnecessary, as they are practically on the same basis now.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 651, plumbago.

Mr. HEYBURN. I should like to inquire if the language of paragraph 641 as to paper stock would not include wool?

Mr. ALDRICH. Oh, no.

Mr. HEYBURN. Well, it reads "paper stock, crude, of every description."

Mr. ALDRICH. Oh, no; it does not include that.

Mr. FLINT. "Paper stock * * * other than wool" is the language used.

The VICE-PRESIDENT. The question is on agreeing to paragraph 651.

The paragraph was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 652, potash, crude, or "black salts." In line 7, after the word "crude," the committee propose to insert "or refined."

Mr. KEAN. I hope that amendment will not be agreed to. It puts refined saltpeter on the free list.

Mr. ALDRICH. Very well; I withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn. In the absence of objection, the paragraph is agreed to.

Mr. CLARK of Wyoming. I desire to ask that this paragraph be passed over. I have an amendment that I think I shall want to propose to it, but I do not desire to do so at present.

Mr. KEAN. I have no objection to the paragraph being passed over if the words "or refined" are withdrawn, and that has already been done.

The VICE-PRESIDENT. Paragraph 652 will be passed over, with the committee amendment disagreed to.

Mr. ALDRICH. It is almost 11 o'clock, and I think we might as well conclude our labors. I therefore move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 12, 1909, at 10.30 o'clock a. m.

SENATE.

SATURDAY, *June 12, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, D. D., of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against an increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Lawrenceville and Armagh, in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented memorials of compositors, stereotypers, pressmen, and mailers employed by the Binghamton Press, of Binghamton, N. Y., remonstrating against any change in the rates on pulp and paper as fixed by the House bill, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for the restoration of the duty on foreign oil production, which was ordered to lie on the table.

CALLING OF THE ROLL.

Mr. HEYBURN. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Page
Bacon	Crane	Guggenheim	Paynter
Beveridge	Crawford	Heyburn	Penrose
Borah	Culberson	Hughes	Piles
Bradley	Cullom	Johnson, N. Dak.	Root
Brandegee	Cummins	Kean	Scott
Briggs	Curtis	La Follette	Smoot
Brown	Davis	Lodge	Stephenson
Bulkeley	Dillingham	McCumber	Stone
Burkett	Dolliver	McLaurin	Sutherland
Burnham	du Pont	Martin	Taliaferro
Burrows	Fletcher	Money	Tillman
Burton	Flint	Nelson	Warner
Carter	Foster	Oliver	
Chamberlain	Frazier	Overman	
Clapp	Frye	Owen	

Mr. PILES. My colleague [Mr. JONES] is unavoidably detained for a short time this morning.

Mr. CRAWFORD. I desire to state that my colleague [Mr. GAMBLE] will necessarily be absent during the day. He is paired with the Senator from Indiana [Mr. SHIVELY].

The VICE-PRESIDENT. Sixty-one Senators have answered to the roll call. A quorum of the Senate is present. The introduction of bills and joint resolutions is next in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OWEN:

A bill (S. 2602) for the relief of widows and orphans of marshals or special officers killed in the service of the United States while in the performance of their duty; to the Committee on Claims.

A bill (S. 2603) to authorize the President to appoint Brig. Gen. Frank D. Baldwin to the grade of major-general in the United States Army and place him on the retired list; to the Committee on Military Affairs.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. OVERMAN. Mr. President, I have voted to reduce the duties provided for in every schedule in the bill where a vote has been taken, as I shall vote against the whole bill when it comes up on its final passage. I shall vote against it because it is unjust and full of inequalities; because it does not guarantee equal and exact justice to the whole people of this country, but it is, in my judgment, framed in the special interest of the privileged few, while the great mass of the consumers of this country will continue to groan under its heavy burdens of increased taxation. I believe it to be one of the most iniquitous tariff bills ever passed by Congress, as pass it will.

According to the reports of the last census, there were in the United States in 1900 (I speak in round numbers) more than 29,000,000 persons engaged in the five principal groups of occupation. Of these groups more than 10,000,000 people were engaged in the agricultural pursuits, 7,000,000 in manufacturing and mechanical pursuits, 5,000,000 in trade and transportation, and the others were engaged in domestic, personal, and professional services. Out of this grand total of 29,000,000 persons engaged in business in this country, only the small number of 243,000 were reported as manufacturers and officers, and so forth, and, I should say, only about 150,000 of these were manufacturers.

In deducting this privileged and protected class from the grand total we have more than 28,000,000 of our countrymen who are directly affected by this legislation, upon whose backs and appetites is to fall the burden of this indirect taxation. In behalf of this great toiling mass of our laboring people, the wealth-producing people of this country, these people who support the Government in time of peace and fight its battles in time of war, the great majority of whom make their living by the sweat of their brow, I desire to enter my protest against the passage of this bill, which carries a duty of about 46 per cent ad valorem; and when the maximum duty of 25 per cent ad valorem is added to each item on the 31st of March next, as provided in the maximum and minimum rate amendment, the average rate will be something like 71 per cent, making it the highest tariff bill that has been passed in this country, or by any legislative body in the world's history. The average duty in the Dingley bill is 44.88 per cent. This is a reduction with a vengeance; and this is the way the Republican party keeps its promise to the people. No one now has any doubt

but that the bill will pass with practically all its provisions as reported by the committee, notwithstanding the great fight made here against the different schedules. When the bill does pass, the final words written in it should be not "party perfidy and party dishonor," but there should be written across the back of the bill in black letters the words "bad faith and broken promises," for that, in my opinion, will be the judgment of the American people.

Mr. President, the demand for tariff revision came from the people. It was not confined either to the Republican or the Democratic party, but it was well-nigh universal, except from the protected interests. When the Republican convention met in Chicago, for the first time in a quarter of a century, whether yielding to this great demand to meet the wishes of the great mass of the people, or whether from fear, as has been intimated upon this floor, the Grand Old Party surrendered and dropped the old party's shibboleth of "stand pat," and it declared for a revision of the tariff; and for the first time the two parties were united in the expressed desire to bring about a great reform in the tariff. It was understood then, and it was understood by the voters all during the campaign, that there was to be a revision downward. The Democrats charged that the Republican party could not be trusted to revise downward, but that it would be a revision upward. The Republicans replied, bitterly protesting against the Democrats impeaching the sincerity of their party, and earnestly contended that if again intrusted with power they would revise downward. In none of the great speeches made by Republicans of that campaign, I think, can be found any utterance made for a revision upward. It was said that there was to be an adjustment of rates, and an honest and genuine reduction of rates all along the line; and so anxious was the party to show their sincerity and honest purpose in carrying out this pledge, it further pledged that Congress would be called in extra session for this purpose, and for this purpose only.

When the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Massachusetts [Mr. LODGE] and other Senators a few days ago announced on this floor that there had been no such pledge given, that there was no such understanding, these statements must have startled the whole country, from the President down to the humblest voter who read the party platform and heard the speeches during the campaign, when revision was advocated and it was not denied that the tariff must be revised, but claimed that it should be revised by its friends. The people believed, and the President so announced, that his party was for an honest and genuine revision, and that he was in favor of an honest and genuine revision downward.

Mr. President, would any man have dared stand up in the Republican convention, or have proclaimed from the stump at any time during the campaign, that the tariff plank meant what these Senators here have declared it means? Can it be that those distinguished men who wrote that plank in the platform, or the convention which adopted it, intended to deceive the people? Was it purposely worded in order that after the election a different interpretation could be placed upon it? Of course not.

Mr. President, I believe it was written with an honest and sincere purpose to give the people the relief they demanded. The President of the United States is to-day, as he was in the last campaign, in favor of an honest and genuine revision of the tariff downward. He can not put such an interpretation upon his platform as Senators here have put upon it. He specifically declared that the present tariff must be lowered; but his party in Congress upon this question is out of line with the administration, and will not heed his wishes nor keep faith with the people. The high protectionists are again in the saddle, riding roughshod over the people, unmindful of the great trust reposed in them, and the "standpatters" are again in control, and in their glory are winking aside at the trusts, which protection has nourished and fostered.

All during this extra session—and especially since the bill was reported from the House to the Senate—an army of men, representing the great interests and trusts, have been here, filling these halls and hotels, with selfish greed lobbying with Senators, asking for more protection. They have dogged our footsteps in Congress and out of it. They have followed us to our offices and to our homes by day and by night, while the people at home are looking for and expecting us to carry out our promise to give them a genuine reform. It is charged upon this floor by some of our friends on the other side—and I have not heard it denied—that some of these schedules have actually been written, not by the Finance Committee, but by these representatives, in their own interest. Their testimony has been given to the Republican members of the committee, the minority being denied the opportunity of cross-examination—no one permitted to controvert their ex parte statements.

The great demand was for a lowering of the Dingley rate. The demand is not to be heard, and I hazard the opinion that the people of this country will not be satisfied with a law framed in the interest of the few and against the many. Both under the McKinley and under the Dingley high-tariff bills the great trusts and combines, which have monopolized and controlled a large per cent not only of the manufactured products of the country, but many of our natural resources as well, have grown up, been encouraged, nourished, and fattened, while within a comparatively short time, under this policy, untold millions have been accumulated in the hands of a few men and money centralized.

This high protective tariff is a part of the great scheme, devised more than a quarter of a century ago, whereby a moneyed aristocracy has been created in this country, and under its blighting system discontent and socialism have grown and strikes and rumors of strikes become frequent. It is a system by which tolls are taken from the vast majority of the people to enrich the few. The great masses of the people pay the tolls, while the very rich go free of taxation. The 150,000 of the men composing the combines and syndicates reap the benefit, and are never satisfied, but are here to-day, like a horse-leech, crying for more.

In your platform you not only declare for a tariff high enough to cover the cost of production in this country and foreign countries, but for an additional duty high enough to guarantee to the manufacturer a reasonable profit, in addition to the cost of freight and carriage.

Why guarantee, Mr. President, to this privileged and protected class a reasonable profit in addition to the protection afforded, as it is claimed, against the cheap foreign labor? You do not guarantee to the farmer $1 per bushel for his wheat or 75 cents per bushel for his corn. You do not guarantee to the southern farmer 10 cents per pound for his cotton. No, Mr. President; these people, who are the bone and sinew of our land, who produce its wealth and feed and clothe the world, never ask, nor do they get, any protection. They get not only no protection, but by this system you compel them to pay tribute to the already rich, while they are forced to buy the highly taxed articles which they are compelled to consume, to wear and eat, in order to live.

Tell me how such a system can be a blessing to the farmer. What compensation, I ask, has he for this indirect tax on all he wears and eats, and all that his family consumes? No, Mr. President, this man has learned to read and to think, and the old siren cry of protection to American labor will no longer delude him. While he and the other 15,000,000 people are ready and willing to pay a just tax to raise revenue with which to run the Government, economically administered, they are tired of contributing their hard-earned money to enrich the few who are protected by this bill, and who share not their proportion of the burden. The time has passed when you can further deceive them by levying a duty on such articles as corn, wheat, tobacco, cotton, and other things raised upon the farm. They know they can sell abroad and feed and clothe the world. They have learned that they need no protection, and such a provision in a tariff bill in this day and time is a sham. Under the cover of this pretended protection, which affords little or no protection on that which the farmer has to sell, he is beginning to understand that he has to pay an average of 45 per cent or more on his cotton bagging, tin plates, milk cans, cooking utensils, furniture, window glass, his earthen and stone vessels, his chains, wire fencing, axes, tools, and farming implements of every description which he has to purchase, and that much of this tax which he pays goes not into the Treasury of his country to swell the revenue, but goes into the pockets of the beneficiaries of such a system. Mr. President, taxation, direct or indirect, except for the purpose of providing sufficient revenue to support the Government, is immoral and wrong, and, in the language of a great Supreme Court judge, is "robbery."

To quote the language of Judge Miller in the case of the Loan Association *v.* Topeka (20 Wallace, 657):

> To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes is none the less robbery because it is done under the old form of law and is called "taxation." This is not legislation, but it is a decree under legislative forms.

Tariff is an indirect tax; and tax, as defined by the Century Dictionary, is—

> 1. A disagreeable or burdensome duty or charge; an exaction; a requisition; an oppressive demand; strain; burden; task.
> 2. An enforced proportional contribution levied on persons, property, or income, either (a) by the authority of the State for the support of the Government, and for all its public or governmental needs, or (b) by local authority, for general municipal purposes.

In this opinion Justice Miller quotes with approval certain cases from the State of Maine, to be found in the Fifty-

eighth Maine Reports, page 500, and amongst other things, as follows:

Taxes are the enforced proportional contribution of each citizen out of his estate, levied by authority of the State for the support of the Government and for all public needs. They are the property of the citizen, taken from the citizen by the Government, and they are to be disposed of by it.

There is nothing of a public nature any more entitling the manufacturer to public gifts than the sailor, the farmer, or the lumberman. Our Government is based upon equality of rights. All honest employments are honorable. The State can not rightfully discriminate among occupations, for discrimination in favor of one branch or one industry is discrimination adverse to all other branches. The State is to protect all equally, giving no undue advantage or special and exclusive preference to any.

No public exigency can require private spoliation for the private benefit of favored individuals. If the citizen is protected in his property by the Constitution against the public, much more is he against private rapacity.

It is high time, Mr. President, that this system by which we have built up, and are now building up, these moneyed aristocracies, with their lavish and ostentatious display of wealth taken from the people by the enormous profits made by these high-tariff bills, should be changed. There is little sympathy now existing between these plutocrats and the great middle class of the people—the plain people of the land—and the breach is widening; and this inordinate wealth is exercising too great influence on the legislative and executive bodies of the States and this Nation and upon those who make and administer our laws. This means danger to the Republic. The people are beginning to feel that they have been legislated against and are not receiving fair play in this great Government, which they themselves have established for themselves.

Taxation is necessary, Mr. President, for the support of the Government, but the burden should be borne by all alike. There should be no unjust discrimination.

The consumer, the producer, the laboring man, and the farmer should share and pay his part and no more. Tariff duties can not be dispensed with, but the people will not submit to direct taxation to run the Government. Taxation which robs the many to enrich the few is a crime. The Democratic party favors a tariff for revenue, with the incidental protection which it necessarily brings. This system does not, has not, nor will it tear down, cripple, or injure any industry in this country. A reduction of the duties in this present bill—a substantial reduction in every item of the bill—will not destroy or injure any one of our great industries.

Mr. President, I am in favor of an income tax, and I most heartily favor the adoption of the amendment offered by the Senator from Texas [Mr. BAILEY], which provides for an income tax, but which, however, seems doomed to go down in defeat, although I believe nine-tenths of the people of this country are in favor of it. I believe the rich people in this country who have these large incomes should accept it and urge its adoption. I am satisfied it would produce a better feeling among all classes of the people. They may successfully resist it now, but, just as sure as the sun shines, it is coming. I do not believe there are a hundred lawyers in this country but who, if asked, would not give it as their opinion that the Pollock case, decided by a divided court, decided under such circumstances as to almost amount to a scandal—which decision when rendered overruled the decisions of that court for over a hundred years—was wrong. If the decision is right, the sooner we know it the better. If this great Government has not the right to levy such a tax even in an emergency, the Constitution must at once be amended. I think it will be needed, for I feel sure that this bill will not raise sufficient revenue to run the Government; and we, sooner or later, will be required to issue the bonds provided for in the bill in order to meet the deficiency that will probably arise. If not needed now, the time may come in a great crisis when such a tax will be needed, and the question should be freed from doubt forever. I believe that levying unjust tax upon the many for the benefit of a few, and allowing these few to go free of taxation, sooner or later will cause a revolution and the downfall of any government; and the history of the black despair which settled upon many countries in the past, when the few grew rich and the many grew poor, where money was centralized by law in the hands of the few and the many were made to bear the burdens, became serfs and slaves, where opportunity, individualism, and freedom were entirely blotted out, may be repeated in this country.

HEAD TAX.

In order to lighten the burdens of taxation upon the consumer and at the same time protect our American labor and make one of our departments, which has had a deficit of more than $2,000,000, self-sustaining, I have introduced an amendment which I propose to offer at the proper time, and which I have discussed at some length on this floor on a former occasion. It provides for a head tax of $10 for every alien entering the United States.

This amendment, Mr. President, has the hearty indorsement of state legislatures; the American Cotton Manufacturers' Association, which recently met in Richmond, Va.; the National Farmers' Union, the National Grange, labor unions, and many other national associations which have the welfare of the country at heart. It has been held by the Supreme Court to be a constitutional tax. It is a just tax. Such an amendment as this means not only revenue to the Treasury, but it means a more select class of immigrants, and therefore the protection of American labor and everything American.

It is shown by the government reports that each emigrant who lands here has an average sum of $23, and five-sixths of those who come are adults. They do not come as did our fathers of old, with their tents and children to make this their permanent home; but a majority of them come over to work in competition with our labor, save every cent, and return to their own country. They love not our institutions and have no reverence for our flag.

STEERAGE RATES.

Mr. President, it will go far toward equalizing the steerage rates from European points to this country and putting us on an equality with other countries. The steerage rates to this country are cheaper than to any other country, making it the cheapest country in the world for Old World emigrants to reach. At present the steerage rates of the United States are from eight to sixty dollars less than to other countries, consequently the present ever-increasing alien influx. It is no wonder that this is the only dumping ground for the surplus population of every foreign country. Last year's ebb is but the harbinger of another flood tide running much higher than the last, and has, in fact, already set in with the first signs of industrial revival.

The present class of immigration, in the main, comes here like birds of passage, to pick up what they can find and bear it away, and they will not go as did the immigrants of the olden time, out into the West and on to the frontier. They share in the blessings and privileges of this great Government, often supplanting the American—native or naturalized—who has a home and family and pays taxes. They share its opportunities and benefits, but undertake none of its burdens. They share our schools, hospitals, charitable institutions, and other advantages, and contribute nothing to their support. Granting that all of this falls upon the newcomer, which I deny, why should not a tax of $10 be collected from them for the purpose of defraying all the immigration-service expenses, contributing something to the support of the Federal Government, and by way of keeping out the more shiftless, less industrious, and less frugal?

Mr. President, I believe it will raise at least nine or ten million dollars of revenue from sources at present contributing comparatively nothing to the support of the Federal Government, and it will certainly tend to give us, in addition, a better class of immigrants.

TRUSTS.

I also introduced an amendment, which I shall offer after the schedules are finally considered, for the relief of the people from the extortionate and unreasonable prices which have prevailed in this country for a long time upon certain articles of manufacture principally used by the farmers of the country, and which are produced and controlled by some of the great, unlawful, and protected trusts and combines. This amendment provides:

That whenever the President of the United States shall be satisfied that any company, combination, monopoly, or trust is producing more than 50 per cent of any product consumed in the United States, and is so organized, managed, and controlled that any of its products, articles, goods, wares, and merchandise is exported and sold by it, or by and through its agents, in a foreign market at a less price than they are sold in the home market, and that the price at which said products, articles, goods, wares, and merchandise are sold in the United States or the home market is unreasonable or extortionate he is hereby authorized and directed to suspend, by proclamation to that effect, in whole or in part, the collection of custom duties or taxes on any products, articles, goods, wares, and merchandise of a like character which may be imported into this country for such a period of time as the President may deem proper.

It has been suggested here, Mr. President, that such a provision in the tariff bill would be unconstitutional, as being a delegation of legislative power. But surely, Mr. President, there can no longer be any doubt upon this question. This question was settled in Field *v.* Clark (143 U. S., p. 649), in which opinion the court uses the following language. The language is taken from Lock's appeal (72 Pa. State, 491), and is quoted by the Supreme Court, by Justice Harlan, with approval:

The legislature can not delegate its power to make a law, but it can make a law and delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must

depend which can not be known to the lawmaking power, and must, therefore, be a subject of inquiry and determination outside of the halls of legislation.

Also, in Butterfield *v.* Stranahan (192 U. S., 496), wherein was involved the construction of the law of Congress appointing a board of seven members, who were to prepare and submit to the Secretary of the Treasury samples of tea, and upon their recommendation the Secretary of the Treasury was authorized to fix and establish a uniform standard of purity, quality, and fitness for consumption of all kinds of tea, the court says:

This case is within the principles of Field *v.* Clark, where it was decided that the third section of the tariff act of October 1, 1890, was not repugnant to the Constitution as conferring legislative and treaty-making power on the President, because it authorizes him to suspend the provisions of the act relating to the free introduction of sugar, etc. We may say of the legislation in this case that it does not in any real sense invest the administrative officials with the power of legislation. Congress legislated on the subject as far as was reasonably practicable, and from the necessities of the case was compelled to leave to executive officials the duty of bringing about the results pointed out by the statute. To deny the power of Congress to delegate such a duty would, in effect, amount to declaring that the plenary power vested in Congress to regulate foreign commerce could not be efficaciously exerted.

Messrs. Prentice and Eagen, in their valuable work on the commerce clause of the Federal Constitution, on page 31, also say, in summing up the whole matter:

The test determining the validity of a delegation of discretionary power therefore appears to be that if a controlling rule is fixed by the legislature and the power delegated is to apply this general rule to specific facts, or to determine some fact upon which the legislature makes its action depend, then the law is valid.

If it is true, as I undoubtedly believe, Mr. President, that many of the articles produced by these trusts and combines, which practically have a monopoly in them, are sold to the people at unreasonable and exorbitant prices, then by all means this amendment should be adopted. If such is not the case, the amendment will do no harm, as the decision is left entirely with the President, and he must be satisfied that the manufacturers are selling at unreasonable and exorbitant prices before he is to issue his proclamation for suspension of the duties.

For a long time the allegation, frequently made by the Democrats, that articles made and produced by the steel and iron trusts, as well as other trusts in this country, and principally those articles which are used by the farmers and mechanics, were sold in foreign countries at from 40 to 75 per cent cheaper than they are sold at home, was denied. But the fact that this is so, Mr. President, can not be and is no longer denied, as the proof of it has been made. Senators now boast of this fact, and have done so during this discussion. The Senator from Rhode Island [Mr. ALDRICH] does not deny it.

It has also been admitted by one of the leading Members of the House [Mr. DALZELL] and during this session by the Senator from New Hampshire [Mr. GALLINGER] and the Senator from Michigan [Mr. SMITH].

I ask, Mr. President, to print as an appendix to my remarks a list of the articles sold abroad cheaper than they are sold here, giving the domestic and foreign prices.

The VICE-PRESIDENT. In the absence of objection, permission to do so will be granted.

METAL AND STEEL.

Mr. OVERMAN. Mr. President, next to the food he eats, iron, metal, and steel enter more largely into the uses and needs of the farmer and mechanic, to enable him to make his crops and perform labor, than anything else he has to purchase. By an examination of the tables which I append to my remarks, it can be seen that many of the articles which are sold so much cheaper abroad than here are produced by the steel and iron trusts, and it is very evident, to my mind, that when we consider the low price at which they are sold in other countries and the price at which they are sold here, considering the freight paid when shipped abroad, these prices at which they are sold to our people are outrageous, exorbitant, and unreasonable.

Everybody expected greatly reduced rates to be provided in the metal, iron, and steel schedules. The steel magnates themselves expected it and made no objection. Yet I am told, Mr. President, by a government expert, that while there seems to be in a few of the items some reduction, when taken as a whole there are no substantial reductions from the duties imposed in the Dingley bill; and now we are informed by the Finance Committee, and by a majority of the Senators, since this schedule has been adopted, that these poor little infant industries, which are mainly controlled by the steel trust, need protection from the pauper labor of Europe. It is by reason of the protection afforded in these schedules that these monopolies have been enabled to rob the people by these extortionate and unreasonable prices. The duties are practically prohibitory, and there is very little competition. They fix the price, over and above the cost of production, of the duty, and such profit as they think the people will stand for. This is denied, of course, by the protectionists, but all nonpartisan economic writers upon the subject, from Alexander Hamilton down to Mr. Cooley, say this is true. Here I will quote Mr. Cooley upon the subject:

Taxes are said to be indirect when they are demanded from persons who it is supposed, as a general thing, will indemnify themselves at the expense of others—that is, when they are levied on commodities before they reach the consumer, and are paid by those upon whom they ultimately fall, not as taxes, but as a part of the market price of the commodity.

STEEL—EXPORT PRICES.

On May 11, 1901, Charles M. Schwab, president of the steel trust, testifying before the Industrial Commission, stated that export prices are always somewhat lower than home prices, and cited that the export price for steel rails was about $22 a ton, and the price here was $26 and $28.

In July, 1904, the first volume of the report of the Chamberlain commission, which consisted of about 60 of the leading business men of England, was published. It related to iron and steel, and the evidence of some of the witnesses that appeared before that body throws a lurid light upon the "dumping" process of protectionist countries on free-trade England. A few extracts make interesting evidence for American consumers of iron and steel products:

EVIDENCE OF ENGLISH FIRMS AS TO PRICES ON "DUMPED GOODS."

Firm No. 898. Pig iron from the United States is imported into this country below cost price here. Our customers are buying at 5s. per ton less than we can produce at, and the Americans are reported to be selling for export to England at a price equivalent to 8s. per ton lower than the price at which they are supplying their own country.

Firm No. 1147. We were informed by an American mattress maker last summer that American wire which could be bought in Birmingham at $18 per ton was sold for $21 in the States, and, when freight was taken into consideration, this would be a drop of between 15 per cent to 20 per cent. Our price in Birmingham is 18 10s., but 90 per cent of the wire used by mattress makers in Birmingham is American, and doubtless the same condition prevails in other towns.

Mr. H. F. Lyman, in a letter to the Ways and Means Committee, says:

I have seen prices on wire quoted by the American Steel and Wire Company from their London office to wire-rope manufacturers in England which were nearly 50 per cent less in price than the prices I found existing at the same time on the same grade of wire in this country.

Mr. Samuel M. Nicholson, president of the Nicholson File Company, known as the "file trust," acknowledged on January 15, 1909, in his evidence before the Ways and Means Committee, that his company sold files in the United States for 25 to 28 per cent more than those they sold in Germany. (Hearings, pp. 2202, 2203.)

On November 10, 1908, Mr. N. B. Arnold, of the Keystone Varnish Company, of Brooklyn, N. Y., representing the Varnish Manufacturers' Association, gave testimony before the Ways and Means Committee, asking that the present duty on varnish be retained. He testified as follows:

But, as a matter of fact, we are absolutely able to compete with the foreigner. We go into foreign countries and compete with the world. We sell the goods, and those shipments are increasing from year to year, the goods being sold at a profit. There is no dumping ground for varnish. I have sold goods in foreign countries all over the world myself as far back as 1882. I do not believe this story about giving away goods to get rid of them. I will say that I sold sewing machines in 1882 abroad at a price of $10.50 for the same machines that were selling in this country for $65, and they were not made anywhere else excepting in this country, and I will say, too, that I made money out of it. I sold them in South Africa at a profit. There was some difference in the profit between Africa and America. The same kind of machines were sold at home at a price of $65. I sold plows in South Africa for $8.50 that you could not buy for less than $12.50 up to $20 in this country. And I say that all this is rubbish about dumping goods in foreign countries. I have been connected with the foreign business, as I say, for three years, and I want to say that I can do better business here than I can over there. I have been over there looking the situation over, and there is nothing in it.

Of all the export journals the Exporters and Importers' Journal gives by far the most comprehensive assortment of export prices. At the publication offices of all the export journals precautions are taken to prevent copies from getting into the hands of any domestic buyers or inquirers. The greatest precautions are observed at the office of the Exporters and Importers' Journal. It is very difficult for anyone but a subscriber or advertiser to obtain a copy of this periodical. If a copy is obtained in this country, it contains only the list prices in the department of prices current for export, which is the Journal's most important feature. The key to the actual prices of these articles is given only in a separate special discount sheet, which is inserted only in the copies of the Journal actually mailed to a foreign country. This sheet contains several hundred discounts, arranged in columns, each discount opposite a number, each number referring to a certain part of the list of prices current in the Journal, so that with the discount sheet and Journal together the actual selling prices of the articles listed can be determined.

Table I shows the difference in discounts, and is therefore much more comprehensive than Table II, which shows the differences in dollars and cents between exports and home prices of certain specific articles.

For example, the export discount on plumbs and levels is 70, 10, 10, 10, and 5 per cent, while the home discount is only 60 and 10 per cent. This means not merely that a particular plumb or level is referred to, but that these discounts apply to many kinds and sizes of plumbs and levels made by the manufacturer mentioned, all of which are sold for 72 per cent more in the home market than for export. Frequently, if not usually, the price lists of other manufacturers of the same articles as are here compared show about the same differences between export and home prices. It has been thought best in most cases not to publish the names of the manufacturers whose prices are quoted.

TENNESSEE COAL AND IRON COMPANY.

Mr. President, the absorption of the Tennessee Coal and Iron Company by the United States Steel Company was one of the most outrageous and scandalous transactions which ever happened, and should not be tolerated. The Tennessee Company was one of our southern industries, of which we were justly proud. It was making money and declaring dividends annually. They produced better steel rails and cheaper steel rails than the United States Steel Company could possibly make. It was its greatest competitor, and was selling their goods in the territory of this trust; but the great moneyed kings of Wall street, headed by J. Pierpont Morgan, with their power and control of the money situation, in the fall of 1907 forced a condition of things so as to acquire this great southern industry, which could make steel rails as cheap as any country in the world, as testified to before the Ways and Means Committee of the House. They forced the stockholders to sell their stock, forced the sale of this property, which was worth, according to low estimates, with its 700,000,000 tons of iron ore and 1,200,000 tons of coal, the sum of $805,000,000, at the ridiculously low price of $39,000,000.

By this transaction this great bloated trust, with its tube companies, its bridge companies, its steel and wire companies, its steel and hoop companies, its cement company, its iron mines and coal mines, its tin-plate companies, its railroad company, its steamboat company, and other subsidiary companies, now owns and controls about 61 per cent of all the iron and steel output of this country, with the power to crush out all opposition, to fix prices at will, and to compel the people to pay tribute to enrich its Carnegies, Fricks, and Schwabs, and a hundred other millionaires, who have grown rich beyond the dream of avarice by the aid of this Government, which has nourished and fostered them by its high protective policy. It now has still greater power to make unreasonable and extortionate prices, with still greater power to crush out and own competitors, and the 15,000,000 of people of this country who are compelled to use their products are absolutely at their mercy and contribute to swell their mighty dividends.

Is it to be wondered at, then, that this company, even prior to the absorption of the Tennessee Coal and Iron Company, was declaring an annual dividend of $35,000,000 and adding $10,000,000 to its surplus fund; that they now have more than $35,000,000 in the surplus fund, as is shown by its last report? Yet, Mr. President, we are giving them further protection upon the articles which they produce. You give them a duty on the iron ore, a duty on the pig iron, a duty which goes into the manufacture of steel, and a duty on their finished product. Without any authorization of law this absorption was consented to by those higher up in authority in this Government, and the wheels of justice, which should have at once been set in motion to protect the people against such a combination, were clogged, did not move, and this great trust escapes the criminal law, and the people will continue to groan under the burdens laid upon them by this trust, one of the beneficiaries of this law.

INTERNATIONAL HARVESTER COMPANY.

Another poor little infant $200,000,000 industry, which they tell us needs protection and which is protected under this bill, is the International Harvester Company, one of the mightiest trusts in the country, and which in prices discriminates in favor of the foreigner and against the American citizen. On the 17th day of December, 1906, a resolution was passed by the Senate directing the Department of Commerce and Labor to make an investigation of the affairs of this company, and so far as I can learn, Mr. President, this resolution in the Senate has met no response. Two years and more have passed and no report.

I also learn that the Department of Justice has made an investigation of this company, and yet we have not the facts which we should have concerning this company. There is no indictment, and there has been a mysterious silence in both departments in regard to it. Is this information which the Congress desires held back purposely, or have the officers of the Government failed in the duties required of them by the Congress? Is the Senate to be ignored in its demand upon one of the great executive departments? They seem to treat this law-making power with silent contempt. I sent my secretary to the office of the Commissioner of Corporations to get the information, and their reply was that the information they had was so fragmentary that it could not be given out.

Mr. STONE. Mr. President, will the Senator permit me to interrupt him?

Mr. OVERMAN. Certainly; I yield.

Mr. STONE. The Senator referred to the fact that he had sent his secretary to the Department of Commerce and Labor to ask for some information, as I understood him, that was in the possession of the Department as to the prices which agricultural implements were sold for here and abroad, and he failed to get it.

Mr. OVERMAN. That is true.

Mr. STONE. A resolution was adopted by the Senate some time since calling upon that department for that information, and on yesterday that information was sent to the Senate, but it has not yet been printed.

Mr. OVERMAN. I hope we shall get it at last.

Mr. STONE. I tried to get it this morning, but it is not in print.

Mr. OVERMAN. I know it was stated more than a year ago upon this floor that, on inquiry, the Department of Justice stated that the Department of Commerce and Labor was investigating the subject, and when we went to the Department of Commerce and Labor they said "the Department of Justice are investigating it;" and we could not get anything from them. If they have at last sent in the report, I am glad to know it, although I have not seen it; but I have some evidence myself upon that question.

Mr. MONEY. Will the Senator yield to me for a moment?

Mr. OVERMAN. Yes.

Mr. MONEY. I am extremely interested in the very able speech the Senator is making; and while he is on this point of the sale of our manufactured products abroad cheaper than at home, I should like to ask him if his attention has been directed to the fact that when sold to a citizen at home they are delivered on the car at the point of manufacture uncrated, while, when sold abroad, they are crated free of charge and delivered to the ship f. o. b., which is a very great discrimination in favor of the foreign buyer?

Mr. OVERMAN. Not only that, but I have evidence here showing that the machines they sell abroad are better than those sold to our consumers; they are heavier machines, made to suit that market; and yet they are sold from 25 to 50 per cent cheaper than at home.

Mr. MONEY. If the Senator will permit me to refer to a part of his speech which he seems to have passed, I should like to have him state to the Senate why there was no prosecution of the American steel trust for the merger of the Tennessee Coal and Iron Company, if he is aware of any reason.

Mr. OVERMAN. I can not tell, Mr. President. It is a very strange thing to me that no action has been taken looking to the prosecution of this great trust, perhaps the greatest in this country, which acquired, under circumstances which have been published not only in the press, but published, I might say, by the report of the majority of the Committee on the Judiciary, although, as to the facts, there is a minority report upon its conclusion as to the authority of the President to authorize the merger. That report gives the facts as to the manner in which the United States Steel Company forced the great southern concern, which was doing a legitimate business and making dividends, to sell $800,000,000 worth of property for $30,000,000; and now they are holding it in reserve, so that when their mines in the Lake Superior region give out, they will have all this property, control 61 per cent of the output, and, of course, can name the prices and control the prices to the consumer in this country.

Now, as to the International Harvester Company. This trust was organized in 1902, and at that time there were 8 or 10 companies in the country engaged in the manufacture of harvesting machines; and, in order to break down competitors, those different constituent companies were consolidated and entered into a trust, under the name of the International Harvester Company. It was organized with a capital of $120,000,000. At the time that monopoly was created the average price to the farmer of a self-binder was from $90 to $100. To-day it costs the American farmer from $125 to $150; while I am informed that the same self-binder sells abroad at from $90 to $100; and the $50—the difference between the price at which one of their best machines is sold to a foreigner and the price at which it is sold to the American citizen—goes not into the Treasury for revenue, but into the pockets of this trust;

and the farmer continues to pour his money into the hopper of this trust to make multimillionaires.

They control not only the price of the machines, but they control the price of the ingredients entering into the manufacture of binding twine, so that the farmer must also buy from them his binding twine. They control establishments devoted to making gasoline engines, manure spreaders, mowers, and rakes. They control the harness business and many other necessary articles which the farmer has to buy. So that the farmer who purchases his harvesting machines must also buy his binding twine, his harness, and other articles used in farming from this company, as he can not purchase them elsewhere, or, if he does, the price is controlled by this trust.

Mr. President, the men who form these unlawful combinations for the purpose of crushing out competitors, fixing unreasonable prices, robbing the people, and violating the laws of the land, should be punished by imprisonment in the penitentiary. But above all things the protection which they have been given for years under the Republican tariff system should be stricken down, and the duty on the articles which they make should be suspended so that the people will not be compelled to purchase all their goods from one or two concerns.

Olaf Larson, a hardware dealer of Lynden, Kans, in a letter published in the Commoner, of Lincoln, Nebr., states how agricultural machinery is sold cheaper abroad than here. He says:

The writer has spent several years in the employ of the International Harvester trust, the last four years of which I spent having charge of a large territory for them in northern Europe, quitting their employ about seventeen months ago; am now engaged in the hardware and implement business here.

During my trips to Europe I sold to European dealers harvesting machines f. o. b. at Chicago, as follows:

Binders, $33; mowers, $12; hay rakes, $5; and reapers for $15 less than they are sold to American dealers, besides selling the European trade a special, stronger made, and more durable machine than domestic types, in order to handle the heavy crops raised over there and compete with the substantially built European machine. Here the trust is free from any such competition, as our tariff imposes a prohibitive duty on machinery, viz, $85 on a self-binder.

LUMBER.

Mr. President, I voted to put lumber on the free list; I voted for the amendment to put lumber, nails, hinges, glass, paint, and everything which goes into building the home, the schoolhouse, and the church on the free list. But when you voted down this amendment and singled out one single item, lumber, to go on the free list, while other things which go into building the home were to be taxed on an average of about 40 per cent, I voted against it. I did not propose to see my people bear the burden of a heavy tax upon every article they had to buy which goes into the building of a home and at the same time have the great products of my State go on the free list. While the average ad valorem duty of the bill is 46 per cent, I shall now vote for $1 on lumber, which is an ad valorem duty of only 5 per cent, and which will produce some revenue to run the Government. The people of North Carolina are true and loyal citizens, and they do not object to paying their just share of the taxes for the support of the Government. What I do object to and protest against is that they shall be compelled to pay more than their just proportion. I do most earnestly protest against their being compelled to pay their hard-earned money into the pockets of the millionaires, who control the trusts, instead of having it go into the Treasury for revenue. I protest against the provision of the bill which requires them to pay taxes on everything they buy, while what they have to sell shall be sold free.

DEMOCRATIC DIFFERENCES.

Mr. President, there has never been a tariff bill passed by Congress but that there were differences between individual Senators belonging to the same party in regard to some details or items in the schedules of every bill, and especially those items to be locally affected. But there was, and is now, very little difference among the Democrats as to the fundamental principles of the party upon this great question. We have differences on nonessentials, but on the main question and fundamental principles we are more united here than we have ever been before. There are differences also among our friends on the other side of the Chamber, but the great parade which is being made by the press of the country as to the division and dissensions of our party is far from true. As far back as 1816, I find there were differences then. There were differences in 1846, when the Walker tariff bill was passed. There were differences when the McKinley bill was passed, when the Dingley bill was passed, and when the Wilson bill was passed.

I have here, Mr. President, a letter, which I will incorporate in my remarks, written by Judge Gaston, of my State, at that time a Member of Congress, and one of the greatest men produced by my State. He resigned from Congress and became the great, renowned chief justice of our supreme court. Showing that there were troubles then, he says:

It is exceedingly uncertain as when we shall adjourn. We are now engaged with the tariff of duties, which threatens to be an exceedingly tedious and unpleasant subject. It has already occasioned the strangest division and combination of parties I have ever witnessed—agricultural, navigating, commercial, manufacturing—and all the subdivisions of these great interests are made to separate and reunite in the most whimsical varieties as we go from cotton to sugar, from woolens to hardware, and vice versa. God knows whether we shall agree upon anything; if we do, I am afraid it will not be for the benefit of our section of the country. The probability is, I think, I shall not reach Carolina before May.

The responsibility of making the bill is upon the Republican side of the Chamber. It is to be a high protective-tariff bill; and as you intend to pass such a bill, we did not propose to see our section of the country discriminated against when certain items were reached in the different schedules in which we were vitally interested. We have honestly differed as to whether some few articles should not go on the free list or the dutiable list; but, however we may have differed in this respect, the party has been united on the fundamental principles of a tariff for revenue.

THE SOUTH AND ITS PROSPERITY.

Mr. President, I am sure that the distinguished Senator from Rhode Island [Mr. ALDRICH] intended no reflection upon the South when, in alluding to that section, he said upon this floor a few days ago:

I am glad to see that Senators upon the other side recognize this fact, and are willing to cooperate with us in giving such protection—I care not what you call it—such encouragement, if you please, to this development as will make your country what it ought to be—a country which will blossom as the rose compared with the wilderness which existed there twenty-five years ago.

When he says the South was a wilderness twenty-five years ago, I tell him he never was more mistaken in his life. Neither twenty-five years ago nor forty years ago was the South a wilderness. The South has not been a wilderness since the Cavalier, the Huguenot, and the Puritan settled in her borders; not since we declared our independence and sounded the death knell of absolutism and the divine right of kings; not since we wrote in the sky, as it were, a pillar of fire by night and a cloud by day to lead the people, "Freedom, equal rights to all men and special privileges to none, righteousness and justice."

Forty years ago, Mr. President, there was poverty, distress, sorrow, and desolation there. But there was still left fair women and brave men—men with blood of the Teutons, the Angles, the Saxons, the Caucasians, flowing in their veins. When the curtain went down on the awful tragedy at Appomattox your people, amidst shouts of triumph and pæans of glory, with flags unfurled to the breezes, returned to homes of plenty. Our people, ragged, barefooted, with sadness returned to their homes, leaving blood in their tracks as they wended their weary way along the country road, to find poverty and almost despair. There was desolation everywhere. Here and there the silent chimney told where the torch of the invader had been. The old homestead was no more.

Their fields were laid waste, their stock all gone, the roof of his house caving in. When he reached his old home he beheld the sad, worn face of that noble, loyal woman he had left four years before, who had remained as true and loyal to him and his cause as he himself had been as a soldier. He beheld his children in rags. There was a vacant chair in every home. From 10 to 40 per cent of the South's population had died or had been slain in battle. Still it was not a wilderness.

The glad smile and loving welcome of his wife and children were an inspiration to him. The old fire came into his eyes, and he looked up. He threw aside the old musket, which had been his faithful companion for four long years, and took up the old worm-eaten, rusty plow, which for months had lain idle in the furrows, and began to till the soil—State building again. He laid aside the old sword that had flashed in the face of the enemy upon a hundred battlefields and took up the old rusty scythe, and began to cut down the briars—State building again. Since he had surrendered in good faith, he determined to be loyal to the flag and true to the Union again. The cause for which he fought had been shot to death.

Then came, Mr. President, the awful, cruel, dark days of reconstruction, more terrible than war. We had lost, but we saved our manhod, our instinct for local self-government, and nowhere else in this world, Mr. President, is it more intensified to-day than in the South. Three million of the former slaves were turned loose suddenly upon us, and, pitiful to tell, given the right to govern their former masters. For a time these former masters, who were descendants of the men who had formed the Government, were denied the right to vote. A tax of 3 cents on every pound of cotton which they raised was levied,

while the wheat, corn, and other crops of the prosperous farmers of the North and West went free of taxation. There was rottenness in high places, corruption in office—everywhere a perfect saturnalia of crime and insult. Still it was no wilderness.

By the providence of our merciful Heavenly Father, these old soldiers raised the biggest wheat crop ever known in their history. They had bread to eat, but little else. Hope, courage, determination, and patient endurance were left, and a mighty and knightly race of people were there—men who had governed men and knew how to govern, and who determined, by the help of God, that they would govern. The bayonet, the reconstruction laws, no power of earth, could prevent them from coming into their own and rebuilding their own States. It was their home, the home of their ancestors. To them that soil was sacred, and, without sympathy or encouragement from abroad, suffering for a time under the yoke of oppression, they at last brought order out of chaos and gave peace and good government.

These men and their sons struggled onward and upward through great tribulations. They rebuilded their homes, their churches, and their schoolhouses.

What amidst all these trials they have accomplished in forty years, Mr. President, has been the admiration and wonder of the whole world. To-day, if the flag of our country was insulted or our honor at stake, the sons of these heroes could and would wage as great a war for the Union as their fathers did for the rights of the States in the sixties.

When war was declared with Spain, her young men volunteered by thousands and rallied around the old flag. It was a southern man, a North Carolinian, who was first to shed his blood in behalf of his country when Worth Bagley gave his life to his country on board the *Winslow*. It was the gallant Shipp, another North Carolinian, who was killed while gallantly leading a negro regiment up San Juan heights.

The South to-day, Mr. President, is richer by far than the whole country was before the war. It has more money in its banks, more miles of railroads, more iron and coal mines, more cotton mills, than the entire country had prior to 1861. We are a homogeneous people and have less foreign population than any other section. Her population has increased 63 per cent since 1880. Since that time her capital in manufacturing industries has increased 716 per cent; cotton mills, 1,169 per cent; cottonseed oil mills, 2,268 per cent; in iron, 768 per cent; farming products, 468 per cent; bank deposits, 769 per cent.

With her great cotton crop—of which she has a natural monopoly—she has added annually to the wealth of the country more than $600,000,000. She brings back from foreign countries more than $400,000,000 in gold, giving us the balance of trade each year. She furnishes a great basis for our foreign exchange; furnishes most of the means to purchase imports and supply a revenue, making a bond of peace with foreign nations constituting a stronger preventive of war than armies and navies; furnishing raw material abroad for foreign capital and wages of a thousand of the working class, all of whom would be injured by any distress growing out of the state of war of the direct and adequate supply of raw material. She has cheerfully contributed her proportion of the many, many millions of dollars which is sent to the North and West to pension the widows of soldiers, and has received but little in return. No section of our country is prospering more. She is growing great without any aid from the General Government. She is prosperous in spite of your high protective-tariff laws. She is not here asking for favors or special privileges.

All the South asks is that she be given justice, be treated fairly, and not discriminated against. She has no monopolies, no "robber barons," plutocrats, or aristocratic bosses. They will not live in that climate. It is unhealthy for them. With her wonderful natural resources, her unopened mines, her undeveloped lands, awaiting the plow of the husbandman, her possibilities and her potentialities can not be measured. She is already "blossoming like a rose," and her prosperity is no longer a problem. This land of sunshine and song, of heroes and heroines, is to be one of the fairest and most prosperous sections, protection or no protection.

What constitutes a State?
Not high-raised battlement or labored mound,
* * * * * *
Not cities proud with spires and turrets crowned,
* * * * * *
No; men, high-minded men,
* * * * * *
Men who their duties know,
But know their rights, and, knowing, dare maintain.
* * * * * *

APPENDIX.

Showing difference between export and home price of certain specified articles.

Articles and description.	Export price.	Home price.	Difference.
			Per cent.
Auger bits, Irwin's solid center:			
4/16 ... per dozen	$1.30	$1.80	39
16/16 ... do	2.92	4.05	39
Auger handles, Gunn's No. 5 ... do	9.75	11.48	18
Bolt clippers, "Easy" and "New Easy," No. 1, each	1.71	2.03	18
Bird cages, Hendryx's No. 316 ... per dozen	13.00	18.20	40
Bolts:			
Carriage, ⅜ by 6 inches ... per hundred	.60	.75	25
Machine, ⅜ by 4 inches ... do	.57	.68	19
Tire, ⅜ by 6 inches ... do	.65	.76	17
Braces, Fray's:			
Genuine "Spofford," No. 107 ... per dozen	6.30	8.40	33⅓
Ratchet, No. 81 ... do	10.44	14.50	39
Ratchet, No. 62 ... do	6.90	11.50	66⅔
Sleeve, No. 207 ... do	7.13	11.00	54
Sleeve, No. 606 ... do	7.56	10.50	39
Plain, No. 306 ... do	3.60	6.00	66⅔
Bunghole borers, Enterprise, No. 1 ... do	.74	.94	27
Can openers, "King" ... per gross	4.50	6.00	33⅓
Coffee mills, Enterprise, No. 1 ... each	1.22	1.35	11
Files, Nicholson's:			
Mill and round bastard—			
3 to 4 inch ... per dozen	.40	.64	60
5-inch ... do	.48	.68	45
6-inch ... do	.59	.75	27
Flat bastard—			
3 to 4 inch ... do	.40	.79	98
5-inch ... do	.48	.83	73
6-inch ... do	.59	.92	56
7-inch ... do	.75	1.03	37
8-inch ... do	.88	1.13	28
9-inch ... do	1.01	1.35	34
11-inch ... do	1.51	1.84	22
13-inch ... do	2.11	2.52	19
Square—			
3 to 4 inch ... do	.40	.81	102
5-inch ... do	.48	.88	83
6-inch ... do	.59	.98	66
7-inch ... do	.75	1.09	45
8-inch ... do	.88	1.18	34
9-inch ... do	1.01	1.41	40
10-inch ... do	1.26	1.58	25
11-inch ... do	1.51	1.94	29
12-inch ... do	1.82	2.18	20
13-inch ... do	2.11	2.67	27
Gauges, Disston's:			
Combination steel ... each	.55	.62	12
Center ... do	.17	.19	12
Harness snaps:			
"Trojan," 1⅛ loop ... per gross	2.70	3.60	33⅓
"Yankee," 1⅛ loop ... do	2.90	3.98	37
"Derby," No. 733 ... do	2.70	3.75	39
Lamp chimneys, Macbeth's:			
No. 502 ... per dozen	.40	.68	70
No. 504 ... do	.50	.82	64
Lawn sprinklers, Enterprise, No. 2 ... each	1.76	2.10	19
Levels, Starrett's 24-inch bench ... do	1.28	1.42	11
Plumbs and levels, Disston's No. 12 ... per dozen	5.82	10.08	72
Pocket knife and tool kit, Ulery's ... per set	1.15	1.50	30
Rifles, Stevens's:			
"Little Scout," No. 14 ... each	1.35	1.75	30
"Maynard Jr.," No. 14 ... do	1.80	2.20	22
No. 16 ... do	2.00	2.60	30
"Little Krag," No. 65 ... do	2.50	3.00	20
"Favorite" ... do	3.47	4.50	30
Sausage stuffers, Enterprise, No. 5 ... do	2.20	2.61	18
Saws:			
Disston's—			
Hand, 30-inch, No. 7 ... per dozen	13.74	17.48	27
Hand, 30-inch, No. 16 ... do	15.39	19.98	28
Combination, No. 43 ... do	15.26	19.42	27
Butcher, 24-inch, No. 7 ... do	8.50	11.90	40
Framed wood, No. 60 ... do	6.00	9.00	50
Band, 2-inch, 18-gauge ... per foot	.157	.26	65
Barnes's combined scroll and circular ... each	28.00	32.00	14
Screws:			
Flat-head, iron, wood—			
Size, ¼ inch, Nos. 1 to 4 ... per gross	.034	.073	115
Size, ⅜ inch, Nos. 1 to 4 ... do	.034	.073	115
Size, ⅜ inch, Nos. 1 to 3 ... do	.034	.073	115
Size, ½ inch, No. 4 ... do	.038	.076	100
Size, ½ inch, No. 4 ... do	.04	.079	97½
Flat-head, brass, wood—			
Size, ¼ inch, No. 1 ... do	.072	.136	89
Size, ⅜ inch, No. 6 ... do	.084	.195	132
Size, ½ inch, No. 6 ... do	.084	.211	151
Size, ⅝ inch, No. 6 ... do	.096	.227	136
Size, ¾ inch, No. 6 ... do	.108	.251	132
Round-head, iron, wood—			
Size, ½ inch, No. 1 ... do	.034	.087	156
Size, 1 inch, No. 6 ... do	.05	.112	57
Size, 1¼ inches, No. 10 ... do	.10	.17	70
Size, 2 inches, No. 16 ... do	.228	.378	66
Size, 3 inches, No. 18 ... do	.412	.67	63
Round-head, brass, wood—			
Size, ½ inch, No. 1 ... do	.072	.168	133
Size, 1 inch, No. 6 ... do	.16	.329	106
Size, 1¼ inches, No. 10 ... do	.336	.776	131
Size, 2 inches, No. 16 ... do	.768	1.955	155
Size, 3 inches, No. 18 ... do	1.24	3.646	194

Showing difference between export and home price of certain specified articles—Continued.

Articles and description.	Export price.	Home price.	Difference.
			Per cent.
Screwdrivers, Disston's electric, 12-inch ... per dozen	$1.36	$1.86	37
Shoe dressing, Whittemore's:			
"Gilt Edge" ... do	1.20	1.75	46
"Baby Elite" ... do	.60	.67	12
Shotguns, Stevens's:			
No. 105 ... each	2.80	4.25	52
No. 107 ... do	3.00	4.50	50
No. 225 ... do	8.67	9.75	12
Smoked-beef shavers, Enterprise, No. 23 ... do	4.32	5.55	28
Squares, Disston's:			
Try, rosewood, 10-inch, No. 1 ... per dozen	1.66	2.88	72
Steel, 4-inch ... each	1.10	1.46	13
Traps, Lovell's mouse and rat, metallic ... per gross	5.50	7.33	33⅓
Trowels, Disston's brick, 8-inch, No. 1 ... per dozen	4.07	6.00	47
Vises:			
Armstrong's—			
Hinged, No. 1 ... each	1.80	4.00	122
Combination, with leg sockets ... do	6.40	8.00	25
Bonney's, No. 112 ... per dozen	2.25	2.84	26
Watches, Elgin movement:			
Twenty-year gold-filled case ... each	7.98	10.23	28
Silveroid case ... do	3.04	4.47	47
Wrenches, Hawkeye, "5 in 1" ... per dozen	3.60	4.50	25

Showing differences in discounts between export and home prices.

Articles and description.	Export discount from list.	Home discount from list.	Difference.
	Per cent.	*Per cent.*	*Per ct.*
Auger bits:			
Irwin's solid center	60, 10, and 10	50 and 10	20
Snell's	70	60	33⅓
Snell's "King"	60 and 10	50	20
Auger handles, Gunn's No. 5, adjustable and ratchet	35	15 and 10	18
Bells, Texas cow	50 and 10	50	11
Bird cages, Hendryx's brass	50	30	40
Bolt clippers, "New Easy"	60, 10, and 5	50, 10, and 10	18
Bolts:			
Machine, ⅜ by 4 inches and smaller	80 and 10	75, 10, and 5	19
Carriage, ⅜ by 6 inches and smaller	80 and 10	75 and 10	25
Tire	80, 10, and 5	80	17
Borers, bunghole, Enterprise	40 and 2	25	27
Braces, Brays:			
Genuine "Spofford's"	70	60	33⅓
Ratchet, Nos. 81-161	60 and 10	50	20
Ratchet, Nos. 81-143	60 and 10	50	20
Ratchet, Nos. 62-142	70	50	66⅔
Ratchet, Nos. 61-165	60 and 10	50	20
Sleeve, Nos. 207-214	60, 10, and 10	50	54
Sleeve, Nos. 407-414	60 and 10	50	39
Sleeve, Nos. 605-614	60 and 10	50	39
Plain, Nos. 306-314	70	50	66⅔
Can openers, "King"	25		33⅓
Cartridges, rim fire	60, 10, 10, and 6	50	64
Chains, kennel	60 and 10	60	11
Coffee mills, Enterprise	40 and 10	20 and 25	11
Door rollers and hangers, Lane's	60, 10, 10, and 5	60 and 10	17
Gauges, Disston's steel and center	45	25, 7½, and 10	12
Harness snaps, Covert's:			
"Trojan"	50 and 10	40	33⅓
"Yankee"	50	30 and 2	37
"Derby"	40 and 10	25	39
Lawn sprinklers, Enterprise	40 and 2	30	19
Levels, Starrett's bench and pocket	40 and 5	33⅓ and 5	11
Oilstones, "Lily White" and "Washita," No. 1	50	33⅓	33⅓
Plumbs, levels, etc., Disston's	70, 10, 10, 10, and 5	60 and 10	72
Sausage stuffers, Enterprise	40 and 2	25 and 7½	18
Saws, Disston's:			
Nos. 7, 107, 107½, 3, and 1	45 and 7½	30 and 7½	27
Combination	45 and 7½	30 and 7½	27
Nos. 12, 16, D8, 120, 76, 8	40 and 10	25 and 7½	28
Compass and keyhole	40 and 10	25 and 7½	28
Butcher	50	20	40
Framed wood	50	25	50
Band	70, 10, and 10	60	65
Scroll saws, Barnes's velocipede	30	20	14
Screw-drivers, Disston's electric	70, 10, 10, and 10	70	37
Smoked-beef shavers, Enterprise	40 and 10	25 and 7½	28
Squares, Disston's:			
Try, rosewood handle	70, 10, 10, 10, and 5	60 and 10	72
Steel	45	25, 7½, and 10	13
Traps, Lovell's rat and mouse	50	33⅓	33⅓
Trowels, Disston's brick	45 and 7½	25	47
Vises:			
Armstrong's—			
Plain and hinged	80 and 10	60	122
Pipe	60	50	25
Bonney's	50	30 and 10	26

The VICE-PRESIDENT. The Secretary will report the pending paragraph.

The SECRETARY. Page 214, paragraph 652.

Mr. KEAN. That has been agreed to.

The VICE-PRESIDENT. If there be no objection——

Mr. KEAN. That was agreed to last night with the words "or refined" stricken out.

The VICE-PRESIDENT. That amendment was agreed to. If there be no objection, the paragraph will be agreed to as amended.

Mr. STONE. Which paragraph?

The VICE-PRESIDENT. Paragraph 652.

Mr. STONE. I desire to make an inquiry. I do not see the Senator from Rhode Island present. I do not know who is in charge of the bill. Is the Senator from Utah?

Mr. SMOOT. The Senator from Rhode Island will be here in just a minute.

Mr. STONE. I observe, Mr. President, that in paragraph 59 caustic, or hydrate of, potash bears a duty of 1 cent a pound, and upon chlorate of potash there is 2 cents per pound, the latter being a reduction of one-half cent per pound below the Dingley rate. I wish to inquire of the Senator having charge of the bill why carbonate of potash and hydrate of, or caustic, potash, not refined, in sticks or rolls, are put upon the free list, while chlorate of potash, for instance, is put on the dutiable list. They have exactly, as I am informed, the same basic material, and both are used in the manufactures of this country. Chlorate of potash bears 2 cents under the bill, while carbonate of potash is put on the free list. Muriate of potash, which is the basic material of both, is found chiefly in Germany, and that country has a practical monopoly of the mines from which that material is derived. The raw material is largely imported here, and is used, so I am told, largely for fertilizing and other purposes. Muriate of potash is on the free list, as it should be, but if chlorate of potash is to be kept on the dutiable list, then carbonate of potash and caustic potash should also be made dutiable.

I do not see why this discrimination should be made, why a duty should not be levied upon the one as well as upon the other. A large amount of all these is being imported. I am informed that of carbonate of potash in 1907 over twenty-five and a half million pounds were imported; in 1908, over twenty-four and a half million pounds; and of caustic potash in 1907, 7,483,000 pounds; in 1908, 5,947,000 pounds. They ought to be made a source of revenue. I do not care to make any motion with reference to the matter, but I should like to ask the Senator from Rhode Island if he objects, or has a reason for objecting, to putting these articles on the dutiable list, and why they are discriminated against in favor of other like products.

Mr. ALDRICH. The deposits of potash in Germany give them a great advantage over everybody else in the world, and this potash goes into the production of fertilizers and various things of that sort. There is no competition in this country. There can be none. It has been thought desirable in all the tariff bills in recent years to keep it upon the free list, for the benefit of the consumers in this country, there being practically no competition here.

Mr. STONE. Then, I think I will in due time move to put chlorate of potash on the free list, for, if chlorate is to be put on the dutiable list, the other two ought to go on. They ought all to pay duty or all should be free.

Mr. ALDRICH. My opinion is there is no considerable manufacture of chlorate in the United States.

Mr. STONE. There is of the other.

Mr. ALDRICH. Not very much.

Mr. STONE. Not very much.

Mr. ALDRICH. It stands in a different position from muriate of potash, and the manufacturers in the United States having the advantage of free raw material——

Mr. STONE. The Senator did not understand me. I said nothing about muriate of potash. Muriate is the raw material——

Mr. ALDRICH. Yes.

Mr. STONE. Out of which the others are made; out of which chlorate of potash is made, caustic potash is made, and carbonate of potash is made.

Mr. ALDRICH. Of course chlorate of potash is not a fertilizer, and the farmers are not especially interested.

Mr. STONE. Neither is caustic potash.

Mr. ALDRICH. But it is used for making a great many things—soap making and for medicinal purposes. I think the paragraph is not exactly correct, but it is as near correct as we could make it in this connection.

The VICE-PRESIDENT. The RECORD shows that paragraph 652 was passed over at the request of the Senator from Wyoming. Does the Senator from Wyoming desire to take it up this morning?

Mr. ALDRICH. Mr. President——

Mr. CLARK of Wyoming. Is that soda?

Mr. ALDRICH. Not soda, but potash.

The VICE-PRESIDENT. The Secretary will report the next paragraph which has been passed over.

Mr. ALDRICH. Has the Senator from Wyoming any objection to paragraph 652?

Mr. CLARK of Wyoming. I think I have.

Mr. ALDRICH. Suppose we agree to it, and then if the Senator wants to take it up later, we will reconsider it.

The VICE-PRESIDENT. Without objection, paragraph 652 is agreed to.

Mr. OWEN. I have in my hand a copy of the proceedings of a conference of the independent oil producers and independent oil refiners, which took place in Washington, April 21, 1909. I should like to have it put in the form of a document (S. Doc. No. 88), if there is no objection.

The VICE-PRESIDENT. Is there objection? The Chair hears none. It is so ordered. The Secretary will report the next paragraph passed over.

The SECRETARY. The next paragraph passed over is 655.

Mr. ALDRICH. I offer as a new paragraph 655½, radium.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 215, after line 6, insert:

655. Radium.

The amendment was agreed to.

Mr. NELSON. With respect to paragraph 658——

Mr. LODGE. In paragraph 657 I move to strike out the comma after the word "gems" and to insert a semicolon; after the word "statuary," in the same line, I move to strike out the comma, and after the word "sculpture" I move to strike out the comma.

The VICE-PRESIDENT. Without objection, the amendments are agreed to.

Mr. NELSON. I desire to offer an amendment to paragraph 660.

Mr. ALDRICH. What is that?

Mr. NELSON. Paragraph 660. I ask that it may be reconsidered in order that I may offer an amendment.

The VICE-PRESIDENT. There is no amendment there. The Senator can offer his amendment.

Mr. NELSON. My amendment is to strike out, in line 3, page 216, the words "and sago flour," and in support of that amendment I ask that the letter which I send to the desk be read.

The VICE-PRESIDENT. The Secretary will report the amendment and, without objection, thereafter read the letter.

The SECRETARY. On page 216, after the word "crude," strike out the words "and sago flour."

The VICE-PRESIDENT. The Secretary will read the letter.

The Secretary read as follows:

MINNESOTA POTATO STARCH COMPANY,
Anoka, Minn., May 3, 1909.

Hon. KNUTE NELSON,
Washington, D. C.

MY DEAR SENATOR: If not too late, I would like to call your attention to the clause in the proposed tariff bill placing sago and tapioca flour on the free list. This commodity comes into direct competition with the potato-starch business, which is manufactured quite extensively in this part of Minnesota, from culls and small potatoes; and also from the good ones during times of over production. The starch factories are, with hardly any exception, owned and operated by farmers in their respective communities. They are not, as the term is used, money-making propositions; but erected and operated for the purpose of protecting themselves against low-priced potatoes, poor crops, or seasons of rot. While sago and tapioca are called "flour," they are used for starch purposes, and should properly be classified as starch, for as such they come in direct competition with potato starch, and are used to replace this commodity in most instances. I know that the bill provides for the retaining of the tariff on potato starch, which is quite satisfactory; but statistics show that millions of pounds of sago and tapioca are now being imported each year, and replacing to a large extent the potato starch.

In fact, we know that for several years past the demand has been lessened considerable for potato starch, and largely on this account. I believe, and I think that the people of the West believe, that the tariff should be reduced only on the necessities of life; but I hardly see how this could be classed as such, as the production is used almost entirely in cotton and carpet mills. There is no trust or combination in the potato-starch business. The factories are all owned and operated in rural communities, and none of them are money-making propositions. Although the factories cost to build from $12,000 to $20,000, there are at the present time about 25 factories in Minnesota, and about the same number in northern Wisconsin, a few in the irrigated sections of Colorado, and the balance are all in the northern part of Maine, where the potato industry is carried on extensively; and without them it would not be safe for the farmers to plant such enormous acreage or engage so extensively in the raising of potatoes, for by the aid of the factories they are able to realize at least cost for their seed and labor from any any crop they might raise. The new timber sections between Brainerd and Bemidji are destined to be great potato-raising sections, but without the factories they would be slow in developing.

If you can do anything in favor of a duty on sago and tapioca starch or flour, I am sure it would be very much appreciated.

Yours, truly,

ROBT. W. AKIN.

Mr. NELSON subsequently said:

Mr. President, I have some more letters which I should like to be incorporated with my remarks on this subject, following the letter which was read heretofore.

The PRESIDING OFFICER. Without objection, the letters referred to by the Senator from Minnesota will be so incorporated.

The letters referred to are as follows:

CALEY HARDWARE COMPANY,
Princeton, Minn., May 3, 1909.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

DEAR SIR: I write you in regard to duty on potato starch. I understand that sago flour and tapioca flour (which are potato starch) are on the free list.

Now, if there is not at least a duty of 1½ cents per pound placed on these products, it will practically close all of the potato starch industry in the West.

In foreign countries I understand they raise from 450 to 600 bushels of potatoes to the acre, and here in the West the farmers raise from 75 to 150 bushels to the acre, hence we can not compete with the foreign manufacturers at the same price, and we have been running our starch factory without making any money for some years now.

Now, Mr. NELSON, I hope you will interest yourself in behalf of the potato starch makers.

Thanking you in advance, I remain,

T. H. CALEY,
President Princeton Potato Starch Co.

THE FARMERS' COOPERATIVE STARCH COMPANY,
North Branch, Minn., May 3, 1909.

Hon. KNUTE NELSON,
Washington, D. C.

DEAR SIR: Having paid a close attention to the daily review by the United States Senate in relation to the fight going on there by some parties aiming to get the sago and tapioca (starches) on the free list, I have been instructed by managers of starch-manufacturing concerns to write and request that you give your earnest attention toward helping the elimination of such move. We, as starch manufacturers of such starch, need all the protection possible against foreign importers on equal basis with other interests. We believe in thus appealing to you for aid and support that you will stand by your duty, thus respecting the earnest desire and need of your constituents for the maintainance of the present prosperity, caused principally by the enactment of the McKinley Act. Believing this to be a just and reasonable request by your constituents and hoping to see the enactment of a just and fair duty on all starches, we beg to remain,

Yours, for permanent prosperity,

FARMERS' COOPERATIVE STARCH COMPANY,
C. E. OBERG, *General Manager,*
Per K. O. WARME, *Secretary.*

RUSH CITY, MINN., *May 7, 1909.*

Hon. KNUTE NELSON, M. C.,
Washington, D. C.

DEAR SIR: Are you aware of the fact that the proposed tariff bill now before the Senate specifically places sago and tapioca flours, which are starches, in the free list, and that it is going to require the concerted efforts of all American starch industries to bring enough pressure to bear to correct this great injustice? The imports of these starches have already increased from, roughly, 2,000,000 pounds in 1882 to 50,000,000 pounds in 1908. The increase during the last five years alone being about 34,000,000 pounds, with every indication that it will not only continue but more largely increase if free of duty.

We respectfully urge upon you to support the movement for the elimination of sago and tapioca flours (starches) from the free list. This is vital to the potato-raising farmers of Chisago County, as well as all adjoining counties in this great potato belt.

Please do your best to promote our industry by not allowing these other starches to enter free of duty.

Yours, very truly,

RUSH CITY STARCH COMPANY,
By C. M. JOHNSON, *Secretary.*

Mr. ALDRICH. The proposition of the Senator from Minnesota is to take an article which has always been upon the free list and put it upon the dutiable list at a very high rate. I think the facts as stated by the Senator's correspondent are not correct. There is a combination in this business, which may not include the gentleman who writes the letter, but does include a large part of the business, I think. I am quite willing that this amendment should go over. I think I can convince the Senator that this attempt to revise the tariff upward to a very great extent is not justified by conditions.

Mr. NELSON. Whether there is a starch trust or not I do not know; but there is certainly no starch trust among the people of Minnesota. In a certain portion of our State, the northeast portion, which was originally a pine country—it is rather sandy land—they found it difficult to make a living raising small grain, and they went into the business of raising potatoes. In order to have an assured market for their potato industry they organized small companies and built small starch factories. When potatoes are high those starch factories are not in operation, because as a rule when potatoes out in that country sell for more than 25 or 30 cents a bushel, it does not pay the starch factories. But there are many seasons when potatoes are as low as 15 and 20 cents a bushel. At that time they can not afford to ship them on account of the freight, and they are utilized by the local starch factories.

The large importation of sago flour comes in direct competition with the potato-starch industry, and they feel that as

long as they submit to protection in all other directions they ought to have some protection in reference to this industry. I have simply presented their case on its merits here, and I do not intend to take up the time of the Senate. I will say that there are something between 25 and 30—I do not know exactly, but I believe the letter states 25—of these starch factories in the State of Minnesota. I do not think any of them belong to the trust, for they are mainly like the creameries in Minnesota, the property of farmers who furnish the raw material to the factories. If we are going to distribute protection liberally, I do not know why these potato-starch manufacturers can not have the benefit.

I might say that my good friend the Senator from Delaware [Mr. DU PONT] succeeded in getting the tariff on potatoes raised a good deal. That is a great advantage to the farmers here on the seaboard. But, owing to the transportation rates, even if you put the tariff on potatoes up to 75 cents a bushel, it would be of no avail and would be no protection to the farmers of Minnesota. I can remember that a number of years ago I had quite a liberal crop of potatoes on my farm and I succeeded in selling a part of them for 15 cents a bushel at home, and the balance were left in the ground, because I could not afford to ship them to St. Paul and Minneapolis on account of the railroad freight. So the only way we can get protection is by means of this industry in the manufacture of sago flour, and this tariff will be a help to the people of the Mississippi Valley.

Mr. ALDRICH. Sago flour and tapioca flour are articles of food in almost every household in the United States. They are now and have been for many years free of duty. The suggestion that they be taken from the free list and be put on the dutiable list, according to the contention of our friends who are talking about a tariff revision downward, would amount to several hundred per cent increase, and it seems to me a rather startling proposition for the Senator from Minnesota to make.

I appreciate fully his desire to look after the farmers of Minnesota, and especially the companies or corporations engaged in the manufacture of potato starch, but it is contrary to my ideas of tariff revision—as I have thought it was to the idea of tariff revision held by the Senator from Minnesota—that the duties on articles of food certainly should not be largely increased above the present law. These articles are not made in the United States; they can not be grown in the United States. They go into the household of every family in the United States. It seems to me that this is a very unusual character of tariff revision upward.

Mr. GALLINGER. Mr. President, some time ago a gentleman, who formerly resided in New Hampshire, called on me with a suggestion that he was about to engage in some other State in the manufacture of potato starch and very much desired that sago flour should be put on the dutiable list. Without looking into the matter, I submitted a proposed amendment, which is in print. After that I made inquiry about the matter and found that sago flour is used largely in our manufactures as well as in the manufacture of oilcloth and linoleum. I understand that the cotton manufacturers have not found any other article that will take the place of sago flour in their manufacture. That is an added reason to the reason submitted by the Senator from Rhode Island why I feel that the change ought not to be made. I fully persuaded myself that what I first contemplated doing was a mistake.

I trust, Mr. President, that sago flour will be allowed to remain on the free list, where it has always been, I understand, and where I think it ought to remain.

Mr. JOHNSON of North Dakota. I understand that sago flour is provided for in the tariff act of 1897, in paragraph 652, which reads:

Sago, crude.

Exactly as paragraph 660 of the pending bill would read if the amendment of the Senator from Minnesota passes.

Mr. ALDRICH. But sago, crude, has been held by the customs officers and by all the decisions to include sago flour.

Mr. GALLINGER. And by the courts.

Mr. ALDRICH. And by the courts. It has been absolutely settled. This is simply to put into words what all the decisions upon this matter have been.

Mr. JOHNSON of North Dakota. Mr. President, there is a defect, then, in our tariff law. Here is a crude raw material that can not be produced in our climate. Sago is the product of tropical climates. Under all the policies of the party we have admitted articles of that kind free of duty. I am not prepared now, while on my feet, to write a paragraph that would fit the case, but the distinction, in my mind, is a clear one that all the articles we can not produce in our own country should be admitted free. That is the way the present law reads. I dare say the Senator from Minnesota or some member of the Finance Committee could so amend the paragraph as to admit this raw material, which we can not produce here, free of duty, and give the manufacture of that flour to our own workshops. It is the same principle we applied to logs. We put logs on the free list because we could not produce them in sufficient quantities, and we protected American labor by putting a duty on the manufactured products of logs.

There is another reason, too, why I think we should have a tariff on this article, even if there is no way of distinguishing between crude sago and sago flour. In the State I in part represent we had years ago these sago starch factories. There were two of them I was quite conversant with at Hillsboro and at Hankinson. I spoke with some of the proprietors of those factories, now long since closed, and they told me that at the time when they went out of business, finding it not profitable, they were not aware of the causes why the business was unprofitable, but they have learned since, they told me, it is on account of the growing and excessive competition of sago flour which comes to them already manufactured from foreign countries.

I am a little more radical than my friend from Minnesota as to the benefit of the duty on potatoes. While I would not for a moment pretend that the duty of 45 cents a bushel on potatoes will raise the price of every bushel of potatoes in North Dakota to that extent, yet I do contend that the same principle applies to it as to the lemon raisers of California. The slight duty of a quarter of a cent a pound on lemons extends the market of the California lemon producer beyond the Missouri River and may enable him to reach the markets of New York City.

Exactly the same economic principle applies to us in the matter of potatoes. We usually here in Washington find foreign potatoes in the market. I have known the time, when keeping house in Washington, I was unable to find anything but imported potatoes, Scotch and Irish potatoes, in the market here in the city of Washington, and I found the reason for that was that the freights were so much cheaper from Edinburgh and Dublin to Washington than they were from Grand Forks, N. Dak., that it was impossible for us to compete. We produce the nicest potatoes in the world. They are in every way superior and would come in competition on their merits, but the tariff was not high enough to enable us to reach Washington and New York. Now, since levying a duty of 45 cents a bushel on potatoes you will find nice, mealy, glistening potatoes here next year in Washington, such as you never found before, and they will come from North Dokato. Leave the law as it was and relieve us from this competition of a foreign, ready-made, completed, finished manufactured article of sago flour, and we will put into the cotton mills of New Hampshire and Massachusetts a superior article of starch that will give a gloss and a luster that will make them think the cloth goods were mercerized.

Mr. SCOTT obtained the floor.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. SCOTT. I do.

Mr. BACON. I simply desire to ask the Senator from North Dakota if that pretty gloss would not disappear with the first washing.

Mr. JOHNSON of North Dakota. I am not an expert in the manufacture of cloth, and I can not answer.

Mr. SCOTT. Mr. President, after six or eight weeks' warring on the trusts of this country by the progressives, I would like to say for the benefit of our friends the progressives here it is strange that the Senator from Minnesota would ask to have this article put under a protective duty and taken out of the free list, because we all know that the starch trust is one of the greatest that we have in this country. My friend on my right, the Senator from Nebraska [Mr. BURKETT], says that one of the large starch factories in his State was bought up by the trust and then closed down.

While keeping sago flour on the free list may work an injustice to the small starch manufacturers in Minnesota and other States, yet it seems to me that to put a duty on it would be in the interest, as I take it, of the starch trust, if the rule worked in this case as our friends say that it worked with the United States Steel trust. Some of us who are interested in the outside or independent steel corporations say that the action to punish the United States Steel Company punishes the independent operators, and that is the case with my friend from Minnesota. If we punish the starch trust, then we punish these independent operators. But must we legislate, as they have claimed that we should not, in the interest of the starch trust?

Mr. CUMMINS. Mr. President, I fear the Senate has not received an adequate understanding of this subject from the statement of the Senator from Rhode Island.

Passing, however, from the Senator from Rhode Island to the last suggestion of the Senator from West Virginia [Mr. SCOTT], I beg to say that no taunt of inconsistency could deter me from walking straight forward in the path that I have laid out for myself. I have not voted or asked that others should vote for putting the products of iron and steel on the free list, notwithstanding the fact that the monopoly is there as complete as it can be found in any field of industry. I have not asked that the products of any field of enterprise that may be partially or wholly monopolized shall be put on the free list, for I said in the beginning that I did not believe that was the way to treat the trust question. It may be the way to treat the monopoly question, but not the question that we ordinarily mean when we use the word "trust."

Now, let us see a moment with regard to sago flour. When the Dingley law was passed there was no such thing known commercially as sago flour used for starch.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. To my certain knowledge, by experience, there has been sago flour imported into the United States for very, very many years.

Mr. CUMMINS. The Senator from Rhode Island, however, did not answer my statement. I am informed that until recently sago flour was not used in any large quantity anyhow for starch.

Mr. ALDRICH. Mr. President, it is not now used for starch in any quantity.

Mr. CUMMINS. Precisely. If that be true, then there is no use for taking this article from the free list. My information is that the United States used last year—I will not attempt to give the exact number of pounds, but as I remember it, 30,000,000 pounds of sago flour and tapioca flour for starch.

Mr. ALDRICH. We did not use one single pound for starch, in my judgment. Sago flour and tapioca flour are used for food. They are used for filling cotton goods, oilcloths, woolen goods, and a great variety of manufactures for filling. It does not takes the place of starch at all.

This is rather a remarkable proposition in any event, that an article grown in the Tropics, and which can not be produced in the United States at all, shall be forced out of use for the benefit of another industry which makes another article, and in which I think there is the largest and most flagrant combination—if that is an objectionable feature—of any in the United States.

Mr. CUMMINS. The men who are engaged in making starch tell me that the sago flour, especially, is used for starch, and is used in competition with the starch made in the United States.

I am perfectly willing to put all starch on the free list; but if you intend to put any starch on the dutiable list, then you have no right to discriminate against the men in my part of the country. You put, as it seems to me, in the most ridiculous fashion, a duty of 15 cents a bushel on corn, and yet the only way in which you can give the corn producer the very slightest protection is to put a duty upon the starches that come into competition with the starch made from corn. I am not now speaking of potatoes so much. If I am wrong——

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CUMMINS. Yes.

Mr. ALDRICH. Does the Senator think that it is a proper application of the protective principle to put a prohibitory duty upon an article which can not be produced in the United States to keep it from competition with another article that is produced in the United States?

Mr. CUMMINS. Mr. President, the question of the Senator from Rhode Island is very misleading. It is true that sago can not be produced in the United States, for it is a tropical tree or shrub; but sago flour, when it reaches that condition, is starch, and it is exactly like cornstarch, so far as its use is concerned and so far as its effect is concerned.

I do not mean to say that there is not a difference between the quality of cornstarch and sago starch, but I do assert that they are used for exactly the same thing, although sago starch may have other uses as well. I do not want to put any duty whatsoever on sago flour or sago in any other form for food. I do not want to see any duty put on tapioca flour or any other product of sago flour that is edible; but when you bring into this country a starch—and I assert that sago flour is starch pure and simple, and is nothing else but starch——

Mr. ALDRICH. If the Senator will turn to paragraph 292——

Mr. CUMMINS. I have it before me, Mr. President.

Mr. ALDRICH (continuing). He will find that "all other starch, including all preparations, from whatever substance produced, fit for use as starch"——

Mr. CUMMINS. Precisely.

Mr. ALDRICH. Is dutiable at 1 cent per pound. That answers the Senator's argument conclusively. I will say that this article is not used as starch, and the Senator can not produce any evidence that it is used as starch. It is used for an entirely different purpose. If it were used as starch, and fit to be used as starch, it would be dutiable at a cent a pound, under the provisions of the paragraph which I have just read.

Mr. CUMMINS. That is the very difficulty with this arrangement. If it were not for the specific reference to sago flour in the paragraph now under consideration, paragraph 292 would cover the case completely. You have provided that "all other starch, including all preparations, from whatever substance produced, fit for use as starch, 1 cent per pound," and then you provide specifically for sago flour, which, as I assert again, is starch and nothing else but starch, at least I am so advised by those in whom I have the highest confidence. I do not pretend to any technical knowledge of my own, but we have two cornstarch manufactories in the State of Iowa. They are independent of the Corn Products Company, and they are trying to get along as best they can.

I do not value very highly the duty on corn, but I do believe that there ought to be a duty upon the product of starch. You have given us a duty on starch, and yet by the employment of the words "sago flour" in the free list you take out of the operations of paragraph 292 the starch that is known to commerce as "sago flour." I am perfectly willing that sago in all its forms except starch shall be admitted free.

Mr. McCUMBER. Will the Senator suggest the character of an amendment that he would offer to the paragraph so that it shall apply only to sago flour not suitable for the uses of starch?

Mr. CUMMINS. I prepared an amendment. I handed it to some member of the Finance Committee long ago, and I had some reason to believe that it would meet with a favorable consideration, but it has not. I have not at hand that amendment, but the statement just made by the Senator from North Dakota would fit the case precisely. If you just add to this paragraph in the free list, after the words "sago flour," the words "not fit for use for starch," if, as the Senator from Rhode Island says, it is not starch and is not used for starch, it would do nobody any harm.

Mr. ALDRICH. Here is an amendment to take an article of food, which has been free for almost a generation, an article of food in common use, from the free list and put a prohibitory duty on it; not to protect any manufacturer in the United States of the same article, but for the benefit of another article that is produced and controlled by a great combination in the United States. I say, if the Finance Committee had made this recommendation, the country would have rung from one end to the other about the enormity of even the suggestion. The proposition is not defensible from any standpoint, and I am surprised at this attempt, when the opposite course was taken so recently by the Senators who are advocating this change. It might have been all right if it had been made weeks later. I say, we are not bound as protectionists, it seems to me, to try to exclude one article because it may possibly compete with another.

Mr. BEVERIDGE. May I ask the Senator a question, with the Senator's permission?

Mr. CUMMINS. I have been trying to get the attention of the Chair to ask the Senator from Rhode Island a question.

Mr. ALDRICH. I will be very glad to answer it.

Mr. CUMMINS. This is the question I desire to ask: When sago flour is mentioned in commerce, does the Senator from Rhode Island assert that it embraced the edible products of sago? Do you not know that sago flour is not eaten at all?

Mr. ALDRICH. Sago flour does embrace edible articles. It is used in that direction, and was imported as sago flour for years free of duty.

Mr. CUMMINS. That answer is not entirely right, as it seems to me, because you have put sago flour in the law for the first time. It never had been mentioned at all in a tariff law.

Mr. ALDRICH. But the Senator is willing to admit, I suppose, that it has been admitted free of duty under the decisions of the courts and of the appraisers.

Mr. CUMMINS. Precisely; it has been admitted free of duty very recently; but originally, when it began to be imported here, it was admitted as starch and paid a duty of a cent a pound, I am so informed.

Mr. CRAWFORD. Mr. President, I desire to ask what duty it will bear if it is taken from the free list? What is the proposition? What rate will be imposed upon it if it is stricken out of the free list?

Mr. CUMMINS. If the words "sago flour" are stricken from the free list, it would then fall under paragraph 292 as a starch.

Mr. ALDRICH. I beg the Senator's pardon; under the decisions of the courts, it would not fall there at all.

Mr. CUMMINS. I am willing to risk it.

Mr. ALDRICH. Of course the Senator is willing to risk it, because it would pay a much higher duty.

Mr. CUMMINS. I do not quite catch the import of the statement just made.

Mr. ALDRICH. I say it would pay a higher duty than 1 cent a pound. Of course the Senator is willing to risk it.

Mr. CUMMINS. Mr. President, that accuses me——

Mr. ALDRICH. Oh, no; I did not accuse the Senator——

Mr. CUMMINS. Of bad faith.

Mr. ALDRICH. Oh, no; I beg the Senator's pardon.

Mr. CUMMINS. I say it would fall under paragraph 292, as I understand it, and would bear a rate of 1 cent a pound.

Mr. ALDRICH. That depends upon whether it is starch or not, and the courts have decided that it is not starch.

Mr. NELSON. Mr. President, the Senator from West Virginia [Mr. SCOTT], seems to be troubled a good deal about my attitude on this tariff question. It does not trouble me at all. I am always here to do what I think is right from my standpoint, and to represent, as far as I can, the people of the State of Minnesota.

This trust that is spoken of is not a trust among the manufacturers of potato starch; it is among the manufacturers of what is commonly called "cornstarch." I will state what the trouble here is, and I am surprised that my friend from Iowa [Mr. CUMMINS] did not see it. This is a case where the farmers of Minnesota run up against the cotton manufacturers of New England again. Sago flour is used in the manufacture of cotton as a filling. If it was not for that, if it was merely a matter of food, I have no doubt but that the Senator from Massachusetts and the Senator from Rhode Island would have no conscientious scruples; but it interferes with the cotton manufacturers of New England. They want this article in their industry free, and although it comes in competition with the potato farmers of Minnesota that has nothing to do with the matter.

Those cotton manufacturers must not only have their tariff increased, as we increased it by five paragraphs in the cotton schedule, but in addition to that they want free raw materials in their manufacturing industries. I am not surprised at it, and I throw myself upon the mercy of the country. All I can do in this case, in the face of the combination that confronts us here, is to enter a plea of nolo contendere. That is all a poor criminal can do when the court and the jury and everything is set against him.

Mr. FRYE. Mr. President, in Aroostook County, the northeast county in the country, I think there are from 30 to 40 potato-starch mills. They use up practically those potatoes that are not in first-class shape as merchantable. It is a very important industry. They protest very seriously against free sago flour and tapioca, because they assert that they are used as starch. They suggested to me that all they would ask in this bill was that the items relating to sago and tapioca flour should be amended by adding to them "to be used as food." That is satisfactory to the Senator from Minnesota?

Mr. NELSON. Certainly, that would be satisfactory. That is all I ask.

Mr. FRYE. What is the objection to adding to "sago and tapioca" the words "to be used as food?"

Mr. ALDRICH. I have no objection especially to the words being added, but I can not understand how a customs officer could tell whether tapioca imported was to be used for food or some other purpose. It strikes me that the provision would be useless. However, I have no objection to putting those words in if the Senator desires to have them inserted.

Mr. FRYE. Mr. Fair, who is a very intelligent man and the collector of Aroostook County, suggested those words to be added, stating that they would be satisfactory. He ought to know.

Mr. ALDRICH. I will accept the amendment.

Mr. MONEY. I wish to know whether I understand the proposition correctly. Has the Senator from Rhode Island [Mr. ALDRICH] accepted the proposition that sago flour is to be admitted free of duty when used for food or other purposes?

Mr. ALDRICH. No; but when it is to be used for food.

Mr. FRYE. "To be used as food."

Mr. JOHNSON of North Dakota. Mr. President, we were unable in this part of the Chamber to hear the amendment suggested by the Senator from Maine [Mr. FRYE].

Mr. FRYE. It was suggested to me by the starch makers in Aroostook County, Me., that it would be satisfactory to them if, after the words "tapioca-flour and sago-flour products," the words were added "to be used as food."

Mr. CRAWFORD. Mr. President, I do not quite see how the addition of those words will settle this question. How are you to tell if sago flour, imported for the purpose of being used in cotton mills, is identically the same as the sago flour used as food? How are you going to tell what the intention of the importer is—whether he is going to use it in a cotton factory or use it as an article of food? A mere designation of that kind, as to what use it is to be put, seems to me is going to be a general term which will not settle this question.

Mr. FRYE. Mr. President, I do not know; but these men, who are making potato starch in Aroostook County, are very intelligent men and do understand this subject. Mr. Fair, who made this proposition to me, is the collector. He said there was no difficulty in settling the question whether this article was to be used as flour or as starch, and he stated that the Aroostook farmers would be satisfied to have the words which I have suggested added. I have done my duty to them in accepting their proposition, so far as I am concerned.

Mr. McLAURIN. Mr. President, I should like to know whether this article of food is to be free of duty only when it is to be used by the importer?

Mr. ALDRICH. Oh, no.

Mr. McLAURIN. If not, then the importer imports it for sale; and how can it be told how the purchaser of it from the importer is going to use it? How can he be held to give bond or security or assurance that the man to whom he sells it will use it for food, and for nothing else? It seems to me that it is a provision that could not be enforced nor be regulated at all. I can not see, for my life, how the importer can be held to guarantee in any way, or how he could guarantee in any way, that his vendee will use it for food, and for nothing else. It seems to me that such a provision will complicate the bill very much.

Mr. ALDRICH. Mr. President, the Senator from Michigan [Mr. BURROWS] has an amendment, which has been prepared by tariff experts, who say that it would be enforceable, which is substantially the same as that proposed by the Senator from Maine [Mr. FRYE].

Mr. BURROWS. Mr. President, in harmony with the suggestion of the Senator from Maine, I have submitted this matter to the Board of Appraisers on this very question, having from my State numerous complaints in the apprehension that the starch industry would be interfered with. The Board of Appraisers suggest the very amendment, in substance, which the Senator from Maine has submitted, which is to strike out the words contained in the bill and insert "sago flour when used for food." I send that and another amendment to the desk.

Mr. ALDRICH. That is the same thing.

Mr. BURROWS. It covers the same thing.

The PRESIDING OFFICER (Mr. DEPEW in the chair). The question is on the amendment proposed by the Senator from Michigan [Mr. BURROWS].

Mr. NELSON. Mr. President, if that is satisfactory to the Senator from Michigan and the Senator from Maine, I shall accept that as a substitute for my motion.

Mr. BURROWS. I think that covers it.

Mr. McLAURIN. I suggest that, instead of saying "when used for food," the words "susceptible of use for food" be inserted.

Mr. ALDRICH. No.

Mr. FRYE. That will not do.

Mr. McLAURIN. If you insert the words "when used for food," it can not be imported at all, because it will have been used for food.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Michigan [Mr. BURROWS], which will be stated.

The SECRETARY. In paragraph 660, page 216, line 3, after the words "sago flour," it is proposed to insert "when used for food."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Michigan [Mr. BURROWS] will be stated.

The SECRETARY. It is proposed to add the same words after the words "tapioca flour," in paragraph 685, on page 219, line 1.

Mr. CRAWFORD. Is it proposed to insert the words "when used for food?" It seems to me such an amendment is farcical. I do not know what it means.

Mr. ALDRICH. That was the suggestion of the expert. I will say, however, to the Senator from South Dakota, that we shall hereafter take care of the phraseology; which, however, I think is all right; but if it is not all right, we shall make it so.

The SECRETARY. In paragraph 685, page 219, line 1, at the end of the paragraph, it is proposed to add the words "when used for food."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Michigan.

The amendment was agreed to.

Mr. ALDRICH. I now ask that the paragraph as amended be agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On page 216, line 13, in paragraph 664, the word "seedlings" should be stricken out and the word "seeds" inserted. The Senator from Minnesota [Mr. NELSON] has called my attention to that.

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 664, page 216, line 13, it is proposed to strike out the word "seedlings" and to insert in lieu thereof the word "seeds."

The amendment was agreed to.

Mr. DOLLIVER. Mr. President, has paragraph 665 been disposed of?

The PRESIDING OFFICER. It has not yet been disposed of.

Mr. ALDRICH. The Senator from Delaware [Mr. DU PONT] has an amendment, which I think he proposes to now offer.

Mr. DU PONT. Do I understand that paragraph 665 has been taken up, Mr. President?

The PRESIDING OFFICER. Paragraph 665 is now before the Senate.

Mr. DU PONT. Mr. President, I have an amendment to offer to that paragraph which is in relation to sheep dip. Sheep dip, I will say briefly, is simply a preparation which interests all agriculturists who are engaged in the raising of sheep. It is an insecticide. The trouble with the paragraph as it now stands, which is identical with the provision of the Dingley law, is that it includes any preparation or compound that is used for any other purpose. As a matter of fact, being an insecticide, most of the sheep dips contain carbolic acid and other similar articles, which are disinfectants; they are disinfecting compounds as well as insecticides; consequently I offer the amendment to remedy that. I now send the amendment to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Delaware will be stated.

The SECRETARY. In lieu of paragraph 665 it is proposed to insert the following:

665. Sheep dip, not including any compound or preparation that can be used for any other purposes than that of a disinfectant, antiseptic, or insecticide.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Delaware.

Mr. DU PONT. I hope the committee will accept that amendment.

Mr. ALDRICH. The committee are willing to accept the amendment.

The amendment was agreed to.

Mr. SCOTT. Mr. President, I wish to ask the chairman of the Committee on Finance why, in paragraph 666, shotgun barrels in single tubes are put on the free list? I ask the question for information.

Mr. ALDRICH. Our manufacturers have never been able to make this class of shotgun barrels, and it is a matter of protection to the shotgun makers of this country.

Mr. SCOTT. If we were to put a duty on shotgun barrels, tubes, and so forth, could they not then be made in this country?

Mr. ALDRICH. I think not. I have never heard any claim that they could be.

Mr. BEVERIDGE. It would be a source of revenue.

Mr. ALDRICH. It would be a source of revenue, but it would destroy the shotgun manufacturers of the United States; that is, unless you readjust the rates. I have never heard any complaint on account of the fact that these articles were on the free list.

Mr. SCOTT. Nor have I. So far as I am concerned, I am not much in love with the free list, anyway.

The PRESIDING OFFICER. The Senate has not yet acted upon paragraph 665 as amended. That is now the pending question.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 667 the committee have an amendment. That paragraph relates to shrimps and other shellfish. I move to add to that the words "not otherwise provided for in this section."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add at the end of the paragraph the words "not otherwise provided for in this section."

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. Paragraph 674½, spices——

Mr. KEAN. That was agreed to.

The PRESIDING OFFICER. No; it was passed over at the request of the Senator from Delaware [Mr. DU PONT]. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. HEYBURN. I inquire as to the status of paragraph 672?

The PRESIDING OFFICER. It has been agreed to.

Mr. LODGE. That is always in tariff bills.

Mr. ALDRICH. That does not interfere with the question of the duty on hides.

Mr. LODGE. It is an old provision.

Mr. HEYBURN. Well, we will see when we come to the hide item.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

The SECRETARY. Page 219, paragraph 691, tin ores——

Mr. GORE. Mr. President, I desire to offer an amendment to paragraph 664, and I ask unanimous consent to do so at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

Mr. GORE. Mr. President, at the close of the paragraph, in line 15, I move to add these words:

Provided, however, That all bulbs and bulbous roots of every description shall be admitted free of duty whenever grown in and imported from any country which shall admit to its ports free of duty wheat grown in the United States or flour manufactured therefrom.

Mr. ALDRICH. What paragraph is that?

Mr. GORE. Paragraph 664, at the close of the paragraph.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. Add at the end of paragraph 664 the following proviso.

Provided, however, That all bulbs and bulbous roots of every description shall be admitted free of duty whenever grown in and imported from any country which shall admit to its ports free of duty wheat grown in the United States or flour manufactured therefrom.

Mr. GORE. Mr. President, I submit that amendment because the millers of the country seem to manifest a good deal of concern in it. They seem to think that if we should let down the bars with reference to the importations of bulbs from Holland we might possibly obtain some concessions with reference to our exports of wheat, and especially flour, to that country, so that it might bring about reciprocal arrangements that would be beneficial, not only to the millers, but to the growers of wheat.

Mr. McCUMBER. Mr. President, I simply want to say that I have had the same matter under consideration, and with special reference to the bulbs imported from Holland. There appeared before a subcommittee representatives of the importers, together with representatives of the raisers of bulbs in this country. Those who are importing from Holland were perfectly satisfied with a rate that would be equivalent to one-fourth of a cent a pound. Upon an examination, however, of the character of the importations it was found, for instance, that bulbs of a certain class coming from Holland would weigh three or four times as much as bulbs of a similar kind coming from France, as between Holland and France. We went over the matter very carefully and fixed a rate that would be about equivalent to one-fourth of a cent per pound by placing a specific duty upon all of the different kinds of bulbs by the thousand in number rather than by the pound. That has practically been agreed upon by the Committee on Finance, and it seems to be entirely satisfactory to the bulb raisers, so far as I understand, and it is all they have asked for.

Mr. ALDRICH. It has been also agreed to by the Senate, has it not?

Mr. McCUMBER. Yes; I believe it has already been agreed to by the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Oklahoma [Mr. GORE].

The amendment was rejected.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. Paragraph 691, tin ore, and so forth——

Mr. ALDRICH. Mr. President, the senior Senator from South Dakota [Mr. GAMBLE], who is now absent, desires to submit some remarks upon this paragraph. I think, however, we might agree to the paragraph, with the understanding that when the Senator returns—he is now absent from the city—he shall have an opportunity to have it reconsidered for the purpose of making his remarks. I call the attention of the junior Senator from South Dakota [Mr. CRAWFORD], who is now in his seat, to the statement which I have just made. I said that the senior Senator from South Dakota desired to submit some remarks on this paragraph.

Mr. CRAWFORD. Is that the tin-ore paragraph?

Mr. ALDRICH. Yes.

Mr. CRAWFORD. The senior Senator from South Dakota is absent to-day, but before that paragraph is finally acted upon he desires to submit some remarks upon it.

Mr. ALDRICH. I suggested that the paragraph be agreed to, and that I would ask for a reconsideration when the Senator's colleague returns, so as to enable him to submit his remarks.

Mr. CRAWFORD. That is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. LODGE. On page 221, paragraph 708¾, which has been agreed to, in line 10, after the word "rattan" and the comma, I move to insert "reeds, unmanufactured," and a comma.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 221, in paragraph 708¾, in line 10, after the word "rattan" and the comma, it is proposed to insert the words "reeds, unmanufactured," and a comma.

Mr. SCOTT. Mr. President, in that same paragraph, in line 6, I should like to have stricken out the words "briar root or briar wood and similar wood unmanufactured."

Mr. ALDRICH. I hope that that amendment will not be agreed to. I am willing, however, to let the matter go over, for the consideration of the committee.

Mr. SCOTT. While the wood schedule was under consideration, if the Senator will remember, he promised me that I should have a hearing for our laurel-root pipes.

Mr. ALDRICH. The Senator will have that hearing.

Mr. SCOTT. I will let it go over with that understanding.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. LODGE], which has been stated.

Mr. CLAY. The Senator from Massachusetts has offered an amendment to paragraph 708¾. As I understood, although I am not certain, the amendment was in line 10, after the word "rattan." I should like to inquire what words the Senator moved to insert?

Mr. LODGE. "Reeds, unmanufactured."

Mr. CLAY. That has reference to chair canes?

Mr. LODGE. Chair canes are covered by a duty, but the other reeds are not. This is simply to restore the old language, which was omitted from this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. Page 223, paragraph 711¼, works of art, and so forth, inserted as a new paragraph by the committee.

Mr. LODGE. Mr. President, I desire, on behalf of the committee, to modify that amendment in line 8, page 224, before the word "Works," by inserting the word "Other," and after the word "art," by inserting "except rugs and carpets."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 224, in paragraph 711¼, line 8, before the word "Works," it is proposed to insert the word "Other;" to make the word "Works" begin with a small "w;" and after the word "art," to insert the words "except rugs and carpets."

Mr. GALLINGER. Mr. President, I ask the Senator from Massachusetts if that will allow tapestries to come in under this provision free of duty?

Mr. ALDRICH. I think it would.

Mr. LODGE. Unquestionably, tapestries would come in free of duty if they are more than 100 years old.

Mr. GALLINGER. The older they are the more valuable they are. It seems to me that we ought to have a duty on tapestries, and I move to amend by adding "tapestries" to the enumerated articles, so that it will read "except rugs, carpets, and tapestries." I move that amendment.

The PRESIDING OFFICER. The question is on the amendment.

Mr. SCOTT. Let the amendment of the Senator from Massachusetts [Mr. LODGE] be stated, so that we may know what it is.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the amendment of the committee, beginning in line 8, so that it will read: "Other works of art"——

Mr. LODGE. Has my amendment been agreed to?

Mr. GALLINGER. No; I have moved an amendment to it.

Mr. LODGE. Of course the Senator can not do that, my amendment being an amendment to an amendment of the committee. That would be an amendment in the third degree, but I am willing to accept it, if there is no objection, though it is not parliamentary.

Mr. GALLINGER. I have no objection to having the matter disposed of in a parliamentary way. Let the Senator's amendment be adopted first, and then I will move my amendment.

Mr. LODGE. I am perfectly willing that the amendment shall be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts to the amendment of the committee. If there be no objection, the amendment to the amendment will be considered as agreed to.

Mr. CARTER. Mr. President, if an objection may be lodged, I hope the proposed amendment will not be considered as agreed to. In view of the amendment as originally presented by the Senator from Massachusetts [Mr. LODGE] I venture to predict that tapestries might be excluded under the paragraph. If admitted free at all, tapestries over 100 years old would be admitted under the designation "artistic antiquities." I believe that tapestries 100 years old or more should not be subject to a duty. They are generally introduced for the purpose of permanent exhibit in the museums and art collections of the country, and there does not seem to be any argument available in favor of admitting a picture 100 or more years of age free of duty which does not apply with equal force to tapestries.

Mr. LODGE. The limitation is 20 years in the case of pictures or sculptures.

Mr. CARTER. Twenty years. But, Mr. President, if a picture over 20 years old should be admitted free of duty to encourage art and to cultivate an artistic taste in this country, most assuredly a duty should not be levied on a tapestry more than 100 years old, which can not, in the nature of things, enter into the commerce of the country in competition with anyone and which, from the artistic character of the production and its antiquity, will constitute a most interesting exhibit in any of our great art galleries. There are few homes in which tapestries over 100 years old are kept for private exhibition. They are as clearly contributions of interest and value to the art galleries as the paintings or the porcelains or the etchings or the engravings mentioned in this paragraph.

Porcelain is produced by one method, bronze by another, marble by another, and terra cotta by still another. Tapestry embodies in its construction more skill and patience and time than any of the other creations referred to in the paragraph. It would be strange, indeed, if a piece of porcelain in a given art gallery in this city could be pointed to as having been admitted free of duty because more than 100 years old, while the tapestry on the wall, beautiful as any picture in the gallery, embracing more of interest than the porcelain itself, was a dutiable article. The inconsistency, I think, will be at once apparent.

Of course the primary purpose of placing these tapestries on the dutiable list will be to raise revenue. There can be no element of protection, because the hundred-year period precludes the possibility of present competition.

Mr. President, I do sincerely hope that the Senator will withdraw his objection, and in order that there may be no obstacle to the admission of tapestries I shall move, after the amendment pending has been disposed of, to insert "tapestries" after the word "antiquities," in line 10.

Mr. GALLINGER. Mr. President, I am still of the opinion that we ought not to go into the importation of tapestries free of duty, whatever the age of the tapestry may be. I apprehend

that if we put tapestries 100 years old on the free list a great many tapestries not 100 hundred years old will come in free of duty. I think it will be a very difficult matter to determine that a tapestry is just a century old, and we know how we are imposed upon in other matters of importation in various ways. I apprehend that this will be simply an additional item where the importer will take advantage of the Government. However, I am not very strenuous about it. I think we have enlarged the free list in this paragraph to a very great extent. I have in my own mind a serious question as to the advisability, in the name of art, of permitting these large importations of pictures and a great many other things that will adorn not our galleries, but the homes of the rich people of our land. I have little sympathy with the argument that this is altogether in the interest of the people of the United States and that these articles when imported will be found only in the galleries to which the people will have free access.

However, I have been appealed to by several Senators not to urge this amendment, and, deferring to their wish, I will withdraw my amendment.

Mr. BURKETT. Mr. President, I should like to ask the chairman of the committee what this paragraph is for; what the real object of it is? I have heard it rumored here——

Mr. ALDRICH. It seems to be perfectly plain. It is to admit artistic antiquities and works of art, more than a hundred years old, free of duty.

Mr. BURKETT. But I have understood it is claimed to be in the interest of art galleries and that sort of thing, while in their interest there can be brought in——

Mr. ALDRICH. It is in the interest of education and civilization.

Mr. BURKETT. Of course every import is in the interest of education and civilization.

Mr. ALDRICH. Not by any means.

Mr. BURKETT. I hope we do not import anything that is not in that interest. This is to let some people bring in their works of art to decorate their mansions. I am not in favor of it, I will say to the Senator. We can not escape that criticism. This paragraph reads:

Works of art, productions of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution—

Shall be admitted free.

Under that we have had year after year admitted a good deal of art free. I can not see why at this time, in view of certain conditions, especially the rumors that obtain, we ought to put in here a provision to let anybody bring in his collection of art free. I doubt if we are justified in doing it. It seems to me we will be criticised if we do it, especially in the face of that paragraph which is already in the law admitting these articles free when they are for public institutions. You can not read this in any other way. It is to permit somebody to bring in these articles free, for his private gain.

Some patriotic Americans have been willing to pay the tariff on the articles they have brought in, and are displaying these great exhibitions of art for the public benefit. They are beneficial. If they are willing to buy this art abroad, they ought to be willing to contribute a little amount to the Treasury of the United States and relieve Congress of the criticism that is bound to come if we insert this clause 711.

While I glory in the generosity of anyone who is willing to bring in these exhibitions here for the benefit of our people, it does not seem to me that we are justified in passing this law now, in view of the other law that is on the statute books.

Mr. NELSON. I desire to offer an amendment to paragraph 711½.

Mr. LODGE. I should like to ask if the amendment I offered was adopted?

The PRESIDING OFFICER. It is now the pending amendment.

Mr. NELSON. To what paragraph is that?

Mr. LODGE. I offered an amendment to this paragraph, to insert before the word "works" the word "other," and after the word "art" insert "except rugs and carpets."

The PRESIDING OFFICER. The question is on that amendment.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana rise to the amendment?

Mr. DIXON. No; I do not.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. BURKETT. Has the twenty years been changed to one hundred?

Mr. LODGE. Twenty years for pictures and statuary; one hundred years for all other works of art.

Mr. NELSON. I desire to offer an amendment to paragraph 711½ to put it exactly on the same footing as 711. I move to insert after the word "importation," in line 21, the following words, and I take them, I may say, from the preceding paragraph:

Imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution.

So these works of art will come in free when imported for such institutions. We make a distinction in the preceding paragraph, and I think we ought to make it here. If these works of art are imported for the benefit of these public institutions, in which the entire public have an interest, it is well and proper to let them come in free. But if some wealthy capitalist sees fit—a man who has made his millions—to import a lot of these luxuries or works of art for the adornment of his own expensive mansion, I do not see why he should be immune from paying the usual tariff taxes.

Mr. LODGE. The amendment of the Senator from Minnesota would simply convert 711½ into a repetition of 711. Seven hundred and eleven covers entirely every work of art imported for public institutions. Seven hundred and eleven and a half is designed to admit to this country free of duty works of art more than twenty years old and more than a hundred years old, for the purpose of encouraging the importation of works of art in the interest, as the committee believes, of civilization and education and enlightenment.

I have no desire to take the time of the Senate. I think we all understand the question and can vote upon it.

Mr. NELSON. The Senator is utterly mistaken when he says it is the same as paragraph 711.

Mr. LODGE. I said it would be the same if we accepted the amendment.

Mr. NELSON. No; it would not be. It does not cover the same subject. Seven hundred and eleven relates to works of art, the production of American artists residing temporarily abroad.

Mr. LODGE. Read on. It covers everything.

Mr. NELSON. But the other paragraph covers all kinds of art.

Mr. LODGE. So does the first one, much more comprehensively.

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. DIXON. Does the Senator from Minnesota offer an amendment to 711½?

Mr. NELSON. Yes; I take the words that are found, if the Senator will allow me, in 711, commencing after the word "glass," in line 9, and extending down to the word "except," in line 12. In other words, I move to amend paragraph 711½ by inserting after the word "importations" the following words:

Imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution.

Mr. DIXON. What I want to suggest to the Senator is, Why should not the proviso be inserted at the end of the whole paragraph, 711½? After that there is a whole page, 224:

Works of art, collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art.

Should not his amendment come in as a proviso at the end of the paragraph?

Mr. NELSON. I think not. The Senator will observe that all these others are in the nature of definitions, explaining what comes before it. For instance:

But the term "sculptures" as herein used shall be understood to include professional productions of sculptors only, whether round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal; and the word "painting," as used in this act, shall not be understood to include any article of utility nor such as are made wholly or in part by stenciling or any other mechanical process; and the words "etchings" and "engravings."

It seems to be all in the nature of definitions as to the works referred to in the first part of the paragraph.

Mr. DIXON. That was my first impression, but on a more careful reading of it——

Mr. LODGE. Will the Senator allow me?

Mr. DIXON. Certainly.

Mr. LODGE. Paragraph 711, which is the existing law slightly reworded, but the existing law, covers everything the amendment of the Senator from Minnesota covers, because it says in the broadest way:

Works of art, productions of American artists residing temporarily abroad, or other works of art.

Under that paragraph every work of art is included which is imported expressly for presentation. The works of art of

American artists come in because they are the works of American artists, but all other works of art, that are for presentation to a national institution, come in free and always have come in free. To add those words to this paragraph would simply make this paragraph a repetition of 711. It is much easier to vote it down, rather than to add this proviso, which simply makes a repetition of the preceding paragraph.

The reason why this paragraph is drawn differently is because it was necessary to get an extremely careful definition to prevent fraud under it.

Mr. DOLLIVER. Mr. President——

Mr. NELSON. Will the Senator from Montana yield to me for a moment?

Mr. DIXON. I yield first to the Senator from Iowa.

Mr. DOLLIVER. I simply wanted to ask the Senator from Massachusetts to corroborate a thing I have thought was so. For about twelve years the newspapers of a certain type and the magazines and all the organs of American culture and education have been denouncing the Congress as being composed of rude barbarians, who deliberately put a tax upon popular education by the tariff on works of art. My recollection is that that tariff was put on in 1897, at the request of the most important society of artists in the city of New York, and I wanted to ask my friend the Senator from Massachusetts if I am correct about that.

Mr. LODGE. No; I think not. It was the Art Dealers' Association.

Mr. DOLLIVER. My recollection is that representatives of the artists appeared, claiming that the art market in New York City was flooded with importations of pictures from Paris, which occupied the attention of a large group of our people who were buying pictures. Therefore they desired these things to be kept out. My recollection is that what Congress did at that time was done not out of any inherent barbarism which it had itself, but out of deference to the desire and appeal of these very good people, who now desire the law changed; and I am very glad the committee have changed it.

Mr. LODGE. I desire to say to the Senator from Iowa that the provisions of the Wilson bill made art free. They were very loosely drawn, and gave rise, undoubtedly, to a great many frauds, and a great deal of cheap merchandise was brought in under that paragraph which ought never to have come in under the bill. The result was that in 1897 the Art Dealers' Association favored a low rate of duty on works of art on account of the introduction of this merchandise. My remembrance—and I saw some of the representatives of the artists—is that they were not in favor of the duty, but desired an amendment to the law.

The committee at this time are all united in favor of the provisions of the law. But the committees have now provided—in the House and the Senate—a clause which I believe will exclude works that ought not to come in as works of art. One of the important limitations is the limitation of time. But the other provisions are such that the Secretary of the Treasury can make regulations which will shut out anything which ought not to come in.

These works of art, brought in by individuals, in the history of all countries have inevitably found their way to museums and other places where the great works of art are preserved for the benefit of the entire public. I think this clause is absolutely safe. A great deal of time has been spent upon it. I believe it will keep out the undesirable and will promote the bringing into this country of those works of art which we desire to see collected here.

Mr. NELSON. Mr. President——

Mr. DIXON. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say to the Senator from Montana that I have noticed in the papers—and I think it is a general idea among the public—that there are certain big millionaires in New York City and other places who are purchasing a lot of foreign paintings and other works of art, and they are very anxious to get their collections in free. It is a very laudable enterprise, and the only view that strikes me in the matter is, in the first place, that those men who are so well supplied with funds and have become so wealthy, who import these works of art, paintings, can afford to contribute something to the needs of the Government. In the next place, the more you import of these, the more you enter into competition with our own artists.

There is another fact. I do not want to be held up as a barbarian from the wild West. If there is anything I enjoy it is a fine painting. I never go to New York but that I go up to Central Park and visit that fine-art gallery. I am reminded of an incident that occurred some years ago. I was going up one of the corridors of the museum, and on the wall there was a fine lot of paintings of the Flemish school of the seventeenth century—barnyard scenes; elegant; in the finest colors; lifelike. A stout old lady, with a black silk dress on, and her daughter were there. They had more jewelry and diamonds than my whole farm and possessions in Minnesota are worth; and as they were going up the old lady got her eye on that picture and she said, "Julia, do you notice how that pig curls his ears." That was the one thing which struck her in that important picture, while I, a rude barbarian from the wild West, stood there and admired that picture as much as any picture in that noble art gallery.

I make these remarks because I do not want the Senator from Massachusetts, or anyone else, to understand that I am opposed to art. But I believe that the men who procure paintings abroad and pay high prices for them, which is to their credit——

Mr. GALLINGER. And hold them in storage.

Mr. NELSON. And hold them in storage, waiting for this legislation—I think, in view of our depleted revenues, in view of the importance of having sufficient funds to run this Government, and I am anxious in that respect to aid the Senator from Rhode Island, we ought to make these gentlemen pay a small duty when they bring in these articles.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. The Senator from Montana has the floor. Does he yield to the Senator from New York?

Mr. ROOT. I will wait until the Senator from Montana is through.

Mr. DIXON. I will yield in just a moment.

I expressly disavow any intent on my part to embarrass the importation of barnyard scenes for the benefit of my friend, the Senator from Minnesota [Mr. NELSON]. He has already stated the things that I really had in mind to say. So far as concerns the importation of works of art or paintings for public galleries, educational institutions, or anything that is in the broader sense for the education of the public, I am wholly in sympathy with the free importation. But when it comes to the importation of the most valuable marbles and bronzes, bought and paid for only by the very wealthy for the decoration of their homes and mansions here at home, for my part, I can see no possible argument in favor of putting them on the free list, and I am wholly in sympathy with the amendment of the Senator, for the reasons which I now state.

Mr. ROOT. Mr. President, I can say to the Senator from Minnesota [Mr. NELSON] that the great gallery of paintings which he has been in the habit of enjoying during his visits to New York has been almost entirely made up of the gifts of paintings from Americans who already had them in this country.

I have been for many years a trustee of that museum and have watched the growth of its collections with intense interest, and substantially the only way in which that collection and all the great art collections of our country, which are now educating our people, are brought together is by American citizens buying and bringing into this country the masterpieces of art and ultimately turning them over to museums.

The Senator from Massachusetts has well said that such works of art in the end always find their way to museums. I know now personally of two great collections in the city of Philadelphia, collected by private individuals, which are intended for the art museums in that city. What I have said about the museum in New York I know to be true of a large number of other museums in the country. People do not give to these institutions money with which to buy paintings. People give their paintings to the museums when they find they will do more for the enjoyment and the benefit of our people in a museum than they will when shut up within the walls of a private house.

The great amounts that are being expended in the building up of museums in our great cities—in Boston, and New York, and Philadelphia, and Baltimore, and Buffalo, and Cleveland, and Chicago, and Cincinnati, and St. Louis, and in substantially all the principal towns of the country—represent a vast expenditure in the most public spirit and deserving of commendation and encouragement.

Mr. President, after men have all that material wealth can do for them—after they have food to eat, clothing to wear, and roofs to shelter them, after they have all the comforts that religion can give, after they have the opportunity of intellectual education—there still remains one great blessing which can be conferred upon them for their enjoyment and their happiness, and that is the cultivation of taste. I believe there is nothing which will contribute more—I believe there is nothing which has contributed more—to the happiness of our people

than that wonderful display in the court of honor in the international exhibition at Chicago in the year 1893. I believe that no single impulse has ever been given to the American people which has contributed more toward enlarging the limits of their capacity for happiness than was given by that exposition.

The vast expenditures that have been made in the art museums of the country but follow along the same line? Expenditures which are being utilized by all our people ought to be encouraged. No step can be taken to advance more rapidly the building up of these great agencies for education in taste, for cultivation, for enlarging the capacity for happiness, than the measure which is now before us, for it affords the greatest opportunity for bringing into the museums of the country the best of all the art of the world.

Mr. TILLMAN. Mr. President, in this debate it has not been my good fortune to be very often found indorsing the views expressed by the Senators from New York and Massachusetts. But on this question I feel bound to say, in an humble and modest way, making no pretense whatever of being an art connoisseur, that if that poet who told us that "a thing of beauty is a joy forever" told the truth, this is not the place where the American Senate should display a niggardliness, a narrowness, and a penny-wise-and-pound-foolish policy.

The contemplation of beautiful paintings and statuary by even the most ignorant person must exert an elevating and refining influence. Many a boy has become inspired to do likewise, has had his soul enthused and his mind fired with the ambition to become a painter or a sculptor, by seeing great works of art.

I had the misfortune last year to become very ill, and I was ordered to Europe as a means of relaxation and rest. I had the opportunity to visit the great art galleries of Florence, Paris, and London, to say nothing of the smaller ones in other cities where I sojourned briefly. While I did not get as enthusiastic over some of those things as other people seemed to be, I saw enough to convince me that the American people can afford to encourage the importation of some of those masterpieces, something that we can get as a means of elevating the thought and inspiring the artistic genius of our people.

Therefore I for once in this debate, as I said, feel anxious to see the gates thrown wide open and every opportunity offered for wealthy Americans, who have been made rich as they are going to be made rich by this very bill, to bring in works of art. If you want to whack these multimillionaires, cut out some of the special privileges you are giving them elsewhere in the getting of money; but if they want to bring anything from abroad here which is worth while, let us let them do it. They will in time die out and an art gallery will become, in all probability, the legatee of their collections.

I noted in London that a half dozen of the finest collections were donated to the public by private individuals who had spent a lifetime and a fortune, or two or three fortunes, in collections such as are no more to be gathered together on the globe, because they have scoured the four corners of the earth almost to get these curios and artistic gems which have been given to those people; and they are the greatest treasures in London to-day.

When we consider that a painting is imperishable if it is cared for—that is, for several centuries at least, and no one hardly knows how long a well-cared-for painting will last—we can understand how it is impossible that these multimillionaires will not add to the stock of artistic wealth in this country, and in time they will increase the artistic genius of our people by merely having their galleries accessible. Many of these rich people are liberal enough to allow their art galleries to be visited by the public on given days, and others have loaned their masterpieces to this or that public gallery.

As I said, if you want to be hard on these rich people and want to make them do this, that, and the other, let us cut out some of the methods by which they get this money, but let us allow them to spend it to bring as many great and glorious works of art to America as possible.

Mr. MONEY. Mr. President, I do not know that it is necessary to say anything to defeat this amendment, because I do not know what the sentiment of the Senate is; but I certainly feel very much pleased to hear the expressions of Senators in regard to the introduction of works of art, as expressed in different parts of the Hall. There is one feature, however, which I think has been a little bit overlooked.

About thirty years ago I had the honor of being a guest at a dinner of the Commercial Club of Boston. I was received with great hospitality by the inhabitants of that magnificent city. During one day I was carried through an art gallery, not a gallery of art, but a studio. It was composed of many rooms, and in those rooms were men and women, boys and girls, some of them copying from living models, some from still life, some copying celebrated paintings and drawings, and all kinds of things. That evening at dinner I happened to sit next to a gentleman largely interested in cotton mills. I think his name was Little, if I am not mistaken. He reminded me of the visit made that morning, and he said: "We are now preparing to surrender to the South the manufacture of the heavy cotton goods, where the weight of material will be the principal item in the cost of the finished product. This art school that you have seen to-day is to educate our people to give them that needed artistic skill that it is possible to foster any genius they may have in artistic work, so we will forever retain all that cotton-goods production which requires artistic skill and finish, where the price of the product does not depend upon the weight of the raw material in it." That was a practical view which he took. It is a view that is worthy of consideration, I think.

Certainly there should be no complaint if works of high art are admitted free to be the example for our people to copy and instruct, as well as to elevate and refine them.

I want to say that even a multimillionaire can have his uses in the economy of social existence. If there were no inequalities of fortune there would be no magnificent capitals, there would be no pictures, no statuary, no palaces, no temples, no works of art, no civilization. The only possible equality of life is where the people are all savages, where every man is his own hunter, his own cook, his own tailor, his own shoemaker, if he knows what a shoe is. All that we have in this life that makes life worth living springs from inequalities of fortune. If some men have accumulated more than would seem to be their share, and yet are disposed to return it to the people by these magnificent gifts of works of high art, I think we ought to permit them to do so without taxing their benevolent purposes.

I recollect that some eight or ten years ago I spent a week at the home of Mr. Clark, then a Senator from Montana, a very rich man. He told me that he had spent two months of every year for twenty-two years in Europe, collecting articles of virtu, bronze statues, paintings, tapestries, and so forth; and all with a view ultimately of making the public the beneficiary of his collection. I suppose when he dies it will go probably to the Clark Museum of Art, or something of that sort; and from the time he began to make that collection it was for the benefit of the American public.

I hope there will be no discord in this note here to-day, and that we will stand committed for the reception of everything in the way of art free of any cost whatever to the importer.

Mr. CARTER. Mr. President, the issue presented by the amendment of the Senator from Minnesota [Mr. NELSON], briefly stated, is that all the works of art over 100 years old imported for presentation to public or quasi-public institutions shall be admitted free of duty; but that works of art of the same character presented by individuals at the customs-house shall be subject to a duty hereafter agreed upon by the committee or the Senate, if the amendment shall prevail, or by the application of some rate already prescribed in the bill.

Mr. President, the observation of the Senator from New York [Mr. ROOT], based upon an experience extending over many years, is quite instructive and very reasonable indeed. I know of one man in the city of Milwaukee who started into the pork-packing business many years ago. As extra funds appeared available from time to time his natural inclination led him to invest in pictures and works of art. They were first imported by him individually. In the course of time he retired from the pork-packing business with a competency and some surplus. He established an art gallery in the city of Milwaukee which is now one of the genuine sources of pleasure and delight not only to the inhabitants of that city, but to the people of the State of Wisconsin. The Leighton Gallery will compare favorably with any gallery in a city of that size in the United States or any other country outside of the art centers of Europe. Further still, this venerable old gentleman enjoys the evening of his life traveling all over the globe collecting works of art for that gallery. That is the culminating work of his life.

My former colleague in this Chamber started out as a mail carrier between Deer Lodge and Walla Walla, riding horseback carrying the United States mail, and a little later on kept a store in Hellgate Canyon; ultimately he accumulated a fortune. It is pleasing to know that this young native of Pennsylvania, when favored by fortune to an unusual degree, has shown that there exists in the American character a capacity to appreciate the beautiful, the exquisite, the artistic, for he, too, in obedience to that impulse has been traveling through all the art storehouses of the world, finding pleasure and recreation in picking up pieces of artistic work here and there, and collecting them all together, a portion of them now in the Corcoran Art Gallery, some portion stored, and some on exhibition in New York, some in his private gallery,

and all ultimately to be collected together in a gallery by themselves or to be contributed in the end to some public art gallery.

I cite these cases only as showing the logic of the position presented by the Senator. The pork packer from Milwaukee, the mail carrier from Montana, have collected and are collecting art treasures that will, in time, be contributed to permanent institutions in this country, to abide here forever, I hope, for the edification, enlightenment, and ennoblement of the character of our people.

I was reminded by the Senator from South Carolina [Mr. TILLMAN] of a bit of experience which was an inspiration and an instruction combined. I spent a day or two in the city of Antwerp in 1899. I learned that it was the home-coming time of the pictures of Rubens and Van Dyck. The pictures had gone to various resting places and galleries and private collections all over the globe, but by common consent the people had agreed that the creations of these two wonderful men should stand side by side in the home city of the artists. A more impressive scene I have never witnessed than I witnessed in the gallery where these pictures were collected together. People who seemed, from their dress and manners, to be country people, working people, many of them advanced in life, shed tears as they passed in procession by the wonderful array of pictures come home from all over the earth for this reunion. The persons who shed tears in the presence of the old pictures were of refined feeling, and that feeling has been cultivated by residence in that city of artists and art's creations.

I would, Mr. President, encourage our people of wealth to collect here on this continent the creations of genius, the masterpieces of the ages. There is no competition in the highest art. The great artist lives in an empire of his own. There has been but one Michelangelo in all the centuries. He stands out as bold, unique, and alone as does Shakespeare in the realm of letters. The idea of putting a duty on one of Michelangelo's pictures coming to the ports of the United States is absurd.

In the very nature of things, the great art collections of private individuals must gravitate to the public galleries, because the love of the art and the artistic which originally inspired the individual to make the collection will be accompanied by a keen solicitude for the preservation of the pictures and works of art in company with each other. The private galleries are generally organized in harmonious fashion, according to the artistic taste of the individual making the collection. They are not thrown together in a haphazard manner. The works are, in a measure, corelated, so as to present the collector's idea of harmony and propriety in the selection; and the natural tendency is to keep these collections together. The man who spends a lifetime making the collection will look with great disfavor upon any event which might lead to the dismemberment of the collection. Thus it is that in the great galleries you see the private contributions are often kept in separate apartments, in accordance with stipulations in the will or act of dedication.

Mr. President, the collector generally provides for the disposition of the art gallery or collection in his will. It does not always occur that the children have the same enthusiastic devotion to art as the parent; hence the collector, in nine cases out of ten, will provide for the safety of the collection and its continuance as a collection; and the only way in which that can be done with safety is by committing the treasures to the tender care and solicitude of the public, and the public always cares for works of art. There need be no fear when the public is intrusted with one of these collections that there will ever be a scattering of the pictures or an auction sale of the collection.

Mr. DIXON. Mr. President, I wish to say one word further. I have taken very little time in this debate.

The beautiful picture that Senators draw of the multimillionaire pork packers and copper kings who go to Europe and collect great galleries of paintings and works of bronze and of marble is nice. We are delighted to have great multimillionaires, when they are through with works of art in their lifetime, turn them into some public gallery for the instruction and edification of the public. But the truth is, Mr. President, that not a single picture, that not a single collection of works of art that has been mentioned on this floor has been kept out by the duty. The small duty heretofore placed on these things has not in any way deterred the multimillionaires from bringing them into this country, and the continuation of the present duty will in no way on earth in the future prevent these same men, who are ready to spend millions of dollars in the purchase of these articles, from paying the small duty when brought into the home country.

But that is not the crux of the situation. Where one painting or one work "in bronze, marble, terra cotta, parian, pottery or porcelain, artistic antiquities, and objects of art of ornamental character," eventually finds its way into a public museum, the great wealthy classes of the country will import a hundred pieces of art for their own use in their own homes. The people who buy these articles of luxury may do it in isolated cases for a public museum at the end of their lives, but they are bought for the purpose of decorating in great and artistic profusion and wealth their own palaces at home. Ninety-nine articles are imported for that purpose where one goes into a public museum.

For that reason I do not see how we can defend the tariff bill which we are now passing with an average duty of 40 per cent on the ordinary things of life, when we absolutely throw down the bars to the men who can afford to pay, who will pay, and who will not import a single piece of antique furniture or high-priced bronze or high-priced marble more than they would do if these things still remained on the dutiable list.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. NELSON].

The amendment was rejected.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. BURKETT. Let us have a vote on the paragraph.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. NELSON. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. NELSON. I suggest the absence of a quorum.

Mr. ALDRICH. We may as well have the yeas and nays. I suppose perhaps the roll will have to be called first.

Mr. LODGE. The yeas and nays will show a quorum.

The VICE-PRESIDENT. Does the Senator from Minnesota demand a call of the Senate?

Mr. ALDRICH. I ask the Senator from Minnesota to withdraw his request for a call.

Mr. NELSON. I withdraw that, but I want a yea-and-nay vote on agreeing to the paragraph as amended.

The yeas and nays were ordered.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRYE (when Mr. HALE's name was called). My colleague [Mr. HALE] is paired with the senior Senator from Virginia [Mr. DANIEL]. Both Senators are at their homes ill.

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. If he were present, I should vote "yea."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH]. I announce that pair for the day.

Mr. SUTHERLAND (when his name was called). Has the Senator from Alabama [Mr. BANKHEAD] voted?

The VICE-PRESIDENT. The Senator from Alabama has not voted.

Mr. SUTHERLAND. I am paired with that Senator, and withhold my vote.

The roll call was concluded.

Mr. CRAWFORD. My colleague [Mr. GAMBLE] is absent. He is paired with the junior Senator from Indiana [Mr. SHIVELY]. Both Senators are absent.

Mr. CLAPP (after having voted in the negative). I voted "nay," but I find that my pair is not voting. As there is some division of sentiment on the other side, I feel that I should withdraw my vote.

The result was announced—yeas 53, nays 14, as follows:

YEAS—53.

Aldrich	Crane	Johnson, N. Dak.	Root
Beveridge	Crawford	Kean	Scott
Bourne	Cullom	La Follette	Smith, Md.
Bradley	Davis	Lodge	Smoot
Brandegee	Depew	Martin	Stephenson
Briggs	Dick	Money	Stone
Bristow	Dillingham	Newlands	Taliaferro
Bulkeley	Dolliver	Nixon	Tillman
Burnham	du Pont	Oliver	Warner
Burrows	Elkins	Overman	Warren
Burton	Flint	Page	Wetmore
Carter	Frye	Penrose	
Chamberlain	Gallinger	Perkins	
Clay	Guggenheim	Rayner	

NAYS—14.

Borah	Cummins	Heyburn	Paynter
Brown	Curtis	Hughes	Piles
Burkett	Dixon	McCumber	
Clark, Wyo.	Fletcher	Nelson	

NOT VOTING—24.

Bacon	Daniel	Johnston, Ala.	Shively
Bailey	Foster	Jones	Simmons
Bankhead	Frazier	McEnery	Smith, Mich.
Clapp	Gamble	McLaurin	Smith, S. C.
Clarke, Ark.	Gore	Owen	Sutherland
Culberson	Hale	Richardson	Taylor

So the paragraph as amended was agreed to.

Mr. ALDRICH. I move to insert a new paragraph, to be known as "711¾." It was left out by an error.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Rhode Island.

The SECRETARY. It is proposed to insert as a new paragraph the following:

711¾. Yams.

The amendment was agreed to.

Mr. ALDRICH. I ask that paragraph 712 be agreed to.

Mr. LODGE. Paragraph 712 has been agreed to, has it not?

The VICE-PRESIDENT. Paragraph 712 has been agreed to.

Mr. ALDRICH. With the exception of certain paragraphs that have been passed over for various reasons, this completes the consideration of the various schedules, with the exception, I think, of lumber and paper.

Mr. BRISTOW. And hides.

Mr. ALDRICH. It is my purpose to ask for an executive session, with the view of an adjournment after the executive session has been concluded, in order that the committee may take up some of the matters which they have not already acted upon.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. ALDRICH. I do.

Mr. McLAURIN. I desire to add a new paragraph, to be numbered 497¼. I send it to the desk, and ask that it may be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Mississippi will be stated.

The SECRETARY. It is proposed to add as a new paragraph the following:

497¼. Bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton.

Mr. ALDRICH. That matter went over yesterday by general agreement, and I ask that it still go over.

Mr. McLAURIN. That is satisfactory to me.

Mr. MONEY. I ask the Senator from Rhode Island if he will not take time to take up a paragraph that has been passed over. I do not know on what page it is, but it is the paragraph relating to sulphate of ammonia. I should like to have that article put on the free list. It has always been on the free list. In the Payne bill it is on the free list, and I think also in the present law. It is one of the principal ingredients of commercial fertilizers; and certainly I think it is wise husbandry, as well as wise statesmanship, to feed the land.

Mr. ALDRICH. That article is not on the free list now, I will say to the Senator. It is dutiable now at three-tenths of a cent a pound.

Mr. MONEY. I ask the Senator if he will not permit it to go on the free list?

Mr. ALDRICH. There are a number of Senators interested, on both sides of that question, and I have promised them not to take the matter up for the present. I therefore ask that it go over.

Mr. MONEY. Very well; let it go over.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I do.

Mr. TILLMAN. I was just going to remark that this article is on the free list in the Payne bill.

Mr. ALDRICH. Yes; in the Payne bill.

Mr. TILLMAN. And the Senate amendment striking it out of the free list and leaving it dutiable at the rate of——

Mr. ALDRICH. Two-tenths of a cent a pound.

Mr. TILLMAN. Has not yet been agreed to?

Mr. ALDRICH. It has not been.

Mr. TILLMAN. So that the whole matter is open for discussion on Monday?

Mr. ALDRICH. It is.

Mr. OWEN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oklahoma?

Mr. ALDRICH. I do.

Mr. OWEN. I wish to give notice that at 2 o'clock on Tuesday next I should like, at the convenience of the Senate, to address the Senate in regard to the pending bill.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Maine?

Mr. ALDRICH. I do.

Mr. FRYE. Mr. President, I received this morning a very intelligent and forcible statement of the difficulties and troubles of the carding-mill industry. There are 60 of those mills in my own State. They are all in a very depressed condition. There are suggestions contained in this statement as to amendments which would be favorable to that industry. I ask that this letter may be printed in the RECORD, and I ask the Committee on Finance to give as careful consideration to this question as the importance of it deserves.

The VICE-PRESIDENT. In the absence of objection, the letter referred to will be printed in the RECORD.

The letter referred to is as follows:

Hon. WILLIAM P. FRYE,
Senate, Washington, D. C.

SIR: We desire to lay before you certain facts relating to the tariff on wool and wool products, in order that you may know of the burdens now resting on the carded woolen industry and on the consumer of wool goods.

1. Schedule K is the same in the Payne bill now before the Senate and in the Dingley law. Both provide for a specific duty of 11 cents and 12 cents a pound on wool in the grease. This is the first grievance to which we call your attention. Grease wool contains widely varying proportions of grease and dirt, which is washed out in the first process—scouring—and is of no value whatever to the wool manufacturer. This wool grease and dirt amount in many cases to as much as 80 per cent of the grease weight of the wool, while on some light-shrinkage grades it is much less, as low as 15 per cent.

From this you will understand how wide is the variation in the duty on clean wool. With a shrinkage of 80 per cent, a duty of 11 cents per grease pound is 55 cents per clean pound. With a shrinkage of 20 per cent the same 11-cent duty on the grease weight is only 14 cents per clean pound. The result is that the light-shrinkage lots of wool can be imported at a very low duty, while the tariff on the heavy-shrinking wools is so high that they can not be imported at all. An application of the Dingley tariff to 80,000,000 pounds of wool recently sold at auction at London, Liverpool, Melbourne, and Sydney showed that the ad valorem equivalent of the Dingley 11-cent duty on grease wool varied from 23 per cent to 733 per cent.

The bulk of the wool suited for our branch of the industry—carded woolen manufacturing—is heavy shrinking, while the wool suited for the other branch of the industry—worsted manufacturing—is light shrinking. The burden under which we are suffering arises from this fact, and hence our appeal to the House and the Senate. The conditions we have described result not only in the oppression and ruin of the carded woolen industry, dotting the country with idle mills, but also in the special privileges of immense value to the worsted-spinning industry, which is being rapidly concentrated into a few wealthy, prosperous, and powerful combinations.

At the same time the woolgrower is deprived of the protection contemplated by the Dingley tariff law. That law fixes the duty on scoured wool at three times the duty on unwashed grease wool; that is, at 33 cents a scoured pound for class 1 wool and 36 cents a scoured pound for class 2 wool. This is on the assumption that it requires 3 pounds of grease wool to give 1 pound of scoured wool, and this assumption is further indicated by the Dingley and Payne provisions for compensatory duties on goods, based on the ratio of 4 pounds of grease wool to 1 pound of finished cloth, allowing for a loss of 25 per cent in manufacturing. This legal promise of 33 cents a scoured pound to the woolgrower has proved in practice to be a delusion and a sham, for the law that gives the promise of such protection breaks it by allowing the importation of light-shrinking wools at the 11-cent rate. The protection to the woolgrower is measured not by the Dingley duty of 33 cents a scoured pound, but by the equivalent per scoured pound of the 11-cent duty on grease wool actually imported, which equivalent runs as low as 14 cents and in practice rarely exceeds 20 cents. The average shrinkage of the grease wool imported during the last five years is 40 per cent, equal to a duty of 18.6 cents per scoured pound.

Thus, under the present wool tariff the woolgrower is deprived of the expected protection, the carded woolen manufacturer is deprived of all access to the foreign wool suited for his requirements, while the worsted spinners enjoy valuable special privileges by being permitted to import the wool they require at a very low rate of duty per scoured pound.

2. Besides the inequality to which we have just called your attention there are other serious abuses in the Dingley tariff on wool. First, we will mention the provision by which wool of the first class, if washed on the sheep's back, is subjected to a double duty of 22 cents a pound, while wool of the second class, if so washed on the sheep's back, is admitted at the single rate of 12 cents a pound. The result is that all wool of the second class is imported in the washed condition in order to avoid the payment of the duty on grease and dirt, while the very heavy wool of the first class can not be imported at all. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that the second-class wool is used for the manufacture of worsted, while the wool adapted for the carded woolen goods is of the first class. We demand the abolition of this discrimination and special privilege under the law.

Another inequality from which we ask relief is that provision of the Payne and Dingley bills which makes the duty on scoured wool three times the duty on grease wool. This is based on the assumption that 3 pounds of grease wool are required to yield 1 pound of scoured wool, whereas a very large part of the world's wool clip shrinks much less than two-thirds. The result of this inequality is to prohibit the importation of scoured wool and confine the imports to wool shrinking less than two-thirds. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that worsted spinners ordinarily buy wool in the grease, whereas scoured wools are used by the carded woolen manufacturers. Thus the scoured-wool clause of the Dingley and Payne tariff bills constitutes a burdensome discrimination against the carded woolen manufacturers, from which we demand relief.

We desire to call your attention to the fact that the carded woolen and worsted branches of wool manufacturing, although distinct in respect to certain technical processes and grades of raw material used, still are competing branches of trade, because worsted and carded woolen goods are used for the same purposes. Consequently, these tariff discriminations against the carded woolen industry aid the worsted branch of the business by injuring the latter's competitor.

3. Another and very serious defect in the Dingley and Payne bills is the practically prohibitory duties on the by-products of wool manufacturing. Here again we find a discrimination against one class of people and special privileges for another, because these by-products can be used only by carded woolen manufacturers, while worsted spinners, although they can not use them, have them for sale. This is one of the most serious of the tariff burdens from which we ask relief, as the duties on such by-products vary from 50 to 200 per cent.

4. The present wool schedule is practically that of 1867, which was primarily a war-revenue tax; and as all other schedules have been readjusted to meet changed conditions, this schedule should be redrawn to meet the changed conditions of woolgrowing and the wants of the manufacturers. Take Ohio, for example. The quality of wool grown in Ohio has changed as well as the quantity. Fine merino was at one time the staple growth, but in a few years more that quality of wool will not be grown in Ohio. Much of the wool now grown there is from the mutton variety of sheep, and this wool carries a net protection of about 20 cents per scoured pound, against 33 to 44 cents to the grower in the West.

5. We ask for an equal opportunity with all others under the law, in order that we may enjoy the reward of our labor, skill, and enterprise in the business in which we are engaged. It is in this capacity of carded woolen manufacturers that we make our appeal to you. But our demands should be granted not only in justice to us as carded woolen manufacturers, but in justice to the consumer of wool goods. We expressly disclaim any intention of representing here to-day the special interests of the consumer. We, however, call your attention to the fact that every burden on the carded woolen industry that we have mentioned is also a burden on the consumer of wool goods, whether underclothing, outside clothing, blankets, or other articles made of wool; and that the special privileges granted to the worsted branch of this industry result in an increase of these burdens not only on the carded woolen manufacturers, but also on the consumers in this country.

6. It would not be possible at this time to go into detailed discussion of the proper remedies for the abuses to which we have called your attention. We will state, however, that it is our firm belief that the only complete remedy for these inequalities is a tariff based on value. Specific duties based on the scoured weight of the wool and graduated on by-products by classification according to value, or compound duties consisting of both specific and ad valorem rates, would give partial relief. But if the exigencies of the situation ever lead the Government to adopt any of these partial remedies, it should not be forgotten that they are partial and that the only complete remedy is an ad valorem tariff. The protective rate on wool goods is ad valorem, and if this can be made effective on manufactured goods, there can be no doubt of its efficiency on the raw material.

7. We ask that the tariff on wool and wool goods be thoroughly investigated and revised. We desire to have the principle of protection maintained for all producers, whether of wool, wool goods, or clothing. And we are as ready to have the inequalities corrected in the tariff on wool goods as in the tariff on raw materials. We are ready to go into the consideration of the technical details of this problem with you, or with anyone you may designate, and to any extent you may desire. We are ready to do this with representatives of the woolgrowers, worsted manufacturers, and of the Government. We suggested such a conference to the Ways and Means Committee of the House of Representatives. We have at all times been willing to carry out that suggestion, confident that the better the truth is known the better will be our chance to gain an equal opportunity under the law.

We represent an industry that covers nearly every State in the Union, has more than three times the number of establishments of those employed in the combing of wool, with a greater number of employees. Under the present schedule many woolen mills have been closed, and a continuance of the same means great distress to many mill owners and operatives. We believe that the platform of the party meant an honest revision of the tariff. On a recent visit to the Finance Committee we placed the injustice of the wool duties before it, and were told that while we had a grievance, the schedule could not be opened. We are indignant that such treatment should be meted out to us; that the cardinal principle of fair play and even-handed justice under which we are supposed to live should be cast aside or subordinated to a coalition of forces that are specially favored under the Dingley bill. We appeal to you to use your influence in the right quarter, so that this industry may have what it is entitled to under our Constitution, even-handed justice, neither more or less.

Respectfully, yours,
THE CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
EDWARD MOIR, *President*.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Carolina?

Mr. ALDRICH. Certainly.

Mr. SIMMONS. Before the Senator makes his motion to proceed to the consideration of executive business, I should like to ask him a question, which will take but a moment, as to paragraph 553, which relates to the eggs of game birds. I notice that heretofore the regulations with respect to the eggs of game birds for the purpose of propagation have been left to the Secretary of Agriculture. This bill changes that and places the regulations of those importations under the Secretary of the Treasury. I have a letter here from the president of the Audubon Society of my State, protesting against that. I do not know what is the reason of the committee for making the change.

Mr. LODGE. There was no provision whatever for authorizing the importation of eggs of game birds for purposes of propagation until it was put in by the House. That is new legislation.

Mr. SIMMONS. That I understand.

Mr. LODGE. It is not in the present tariff law.

Mr. SIMMONS. Not in the old law?

Mr. LODGE. The committee placed the matter in the hands of the Secretary of the Treasury, because the entire administration of tariff acts is under the Secretary of the Treasury.

Mr. SIMMONS. I call the attention of the Senator from Massachusetts——

Mr. LODGE. It is a question of the customs.

Mr. SIMMONS. I understand that.

Mr. LODGE. The officers of the Agricultural Department can not regulate the importation of articles.

Mr. SIMMONS. But the Secretary of Agriculture has had charge of regulating this matter ever since the act of 1902.

Mr. LODGE. He never has had charge of this subject, for this is new legislation entirely.

Mr. SIMMONS. I understand the act of 1902, to which I have referred, was very much the same as this provision. It authorized the importation of the eggs of game birds for purposes of propagation.

Mr. LODGE. There was never any authority given to the Secretary of Agriculture or to the Secretary of the Treasury to make any exceptions under the law until the House put this provision in the pending bill.

Mr. SIMMONS. I will ask the Senator if it is not a fact that ever since 1902 we have been importing the eggs of game birds for the purpose of propagation, and if the Secretary of Agriculture has not had charge of making the regulations?

Mr. LODGE. If the Secretary of Agriculture has been doing it, he has been doing it without authority of law.

Mr. SIMMONS. Of course I have not investigated this matter, for I have just received this letter; but my understanding from the letter is that for seven years such eggs have been coming in under regulations prescribed by the Secretary of Agriculture. During that time about 25,000 eggs have come in, and they have been shipped chiefly to my State and to the State of Illinois.

Mr. LODGE. It was for the precise purpose of permitting that to be lawful that this provision was put in by the House. But, Mr. President, we can not turn the administration of the customs laws over to officers of the Agricultural Department. There is no intention of preventing the importation of eggs for purposes of propagation, but it is not proper to undertake to have two sets of men enforce the customs laws of the United States.

Mr. SIMMONS. The point I make, Mr. President, is this: I do not care particularly with reference to the Secretary of the Treasury making these regulations; but at present, as I understand, all the work in connection with the importation of animals and of birds into this country is under the control of the Department of Agriculture. I do not mean the matter of importations, but I mean the work in connection with distributing the eggs and seeing that they are used for purposes of propagation.

Mr. LODGE. There is nothing to interfere with his doing that at all. This refers merely to the rules and regulations covering the importations, which are to be prescribed by the Secretary of the Treasury. The Senator must see that to have the Secretary of Agriculture prescribing rules and regulations for the officers of the customs, who are under the Secretary of the Treasury and who might decline to obey the rules, would make it impossible to administer the law.

Mr. SIMMONS. I have merely stated, Mr. President, what has been going on for seven years. That has been done for seven years.

Mr. LODGE. I will venture to say that for seven years the officers of the customs have been administering the tariff laws, and not the officers of the Agricultural Department.

Mr. SIMMONS. I assume so; but during those seven years the Secretary of Agriculture, under the law, has had charge of these importations.

Mr. LODGE. No such language was in the law until the House put it in two months ago.

Mr. SIMMONS. I have not examined it; I am merely stating it from the letter I have from my correspondent.

Mr. LODGE. I have examined the matter with great care.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 2 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, June 14, 1909, at 10.30 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 12, 1909.

JUDGE OF DISTRICT COURT FOR ALASKA.

Peter D. Overfield, of Alaska, to be judge of the district court for the district of Alaska, and assign him to Division No. 4, vice Silas H. Reid, resigned.

APPOINTMENT IN THE ARMY.

GENERAL OFFICER.

Col. Marion P. Maus, Twentieth Infantry, to be brigadier-general from June 10, 1909, vice Brig. Gen. Richard T. Yeatman, who was retired from active service June 5, 1909.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. Henry M. Bankhead, Seventeenth Infantry, to be captain from June 2, 1909, vice Capt. George I. Feeter, Seventh Infantry, retired from active service on that date.

First Lieut. Henry F. McFeely, Tenth Infantry, to be captain from June 5, 1909, vice Capt. Frank L. Winn, Twelfth Infantry, promoted.

Second Lieut. Thomas C. Musgrave, Eighteenth Infantry, to be first lieutenant from June 2, 1909, vice First Lieut. Henry M. Bankhead, Seventeenth Infantry, promoted.

Second Lieut. Converse R. Lewis, Twenty-third Infantry, to be first lieutenant from June 5, 1909, vice First Lieut. Henry F. McFeely, Tenth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Lieut. Commander Philip Andrews to be a commander in the navy from the 27th day of May, 1909, vice Commander William Braunersreuther, promoted.

The following-named lieutenant-commanders to be lieutenant-commanders in the navy from the dates set opposite their names, to correct the dates from which they take rank as previously confirmed:

Frank H. Brumby, April 24, 1908;
James P. Morton, April 24, 1908;
Frank P. Baldwin, May 15, 1908;
George L. P. Stone, July 1, 1908;
Rufus Z. Johnston, jr., July 11, 1908;
Thomas D. Parker, July 20, 1908;
Jonas H. Holden, August 1, 1908;
Thomas T. Craven, September 3, 1908;
Daniel W. Wurtzbaugh, September 3, 1908;
Ralph Earle, September 7, 1908;
Gatewood S. Lincoln, October 25, 1908;
Ivan C. Wettengel, October 30, 1908;
Charles M. Tozer, November 12, 1908;
Wat T. Cluverius, December 15, 1908;
Albert W. Marshall, January 7, 1909;
Thomas A. Kearney, February 1, 1909;
Arthur MacArthur, jr., February 25, 1909; and
Frank E. Ridgely, March 2, 1909.

Lieut. Edward H. De Lany to be a lieutenant-commander in the navy from the 23d day of April, 1908, vice Lieut. Commander John C. Leonard, promoted.

Lieut. Cassius B. Barnes to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Hilary P. Jones, jr., promoted.

Lieut. Michael J. McCormack to be a lieutenant-commander in the navy from the 4th day of July, 1908, vice Lieut. Commander Volney O. Chase, promoted.

Lieut. Ernest F. Eckhardt to be a lieutenant-commander in the navy from the 19th day of July, 1908, vice Lieut. Commander George R. Slocum, promoted.

Lieut. Duncan M. Wood to be a lieutenant-commander in the navy from the 17th day of December, 1908, vice Lieut. Commander Charles M. McCormick, promoted.

Lieut. Leigh C. Palmer to be a lieutenant-commander in the navy from the 23d day of December, 1908, vice Lieut. Commander Gleanie Tarbox, promoted.

Lieut. Dudley W. Knox to be a lieutenant-commander in the navy from the 11th day of March, 1909, vice Lieut. Commander Webster A. Edgar, promoted.

Lieut. Edward McCauley, jr., to be a lieutenant-commander in the navy from the 1st day of June, 1909, vice Lieut. Commander James E. Walker, resigned.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in the present grade:

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named paymasters with the rank of lieutenant-commander to be paymasters in the navy with the rank of lieutenant-commander from the 23d day of April, 1908, to correct the date from which they take rank as previously confirmed:

George G. Seibels,
Edmund W. Bonnaffon,
Joseph Fyffe, and
John H. Merriam.

Paymaster Timothy S. O'Leary, with the rank of lieutenant-commander, to be a paymaster in the navy with the rank of lieutenant-commander from the 1st day of July, 1908, to correct the date from which he takes rank as previously confirmed.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 19th day of July, 1908, to correct the date from which they take rank as previously confirmed:

George Brown, jr.,
Walter B. Izard,
David Potter, and
Samuel Bryan.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 20th day of July, 1908, to correct the date from which they take rank as previously confirmed:

Arthur F. Huntington,
Harry H. Balthis,
Charles Conard, and
William T. Gray.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 15th day of December, 1908, to correct the date from which they take rank as previously confirmed:

George P. Dyer,
John W. Morse,
Robert H. Woods,
Robert H. Orr,
William A. Merritt,
John Irwin, jr.,
Webb V. H. Rose,
William H. Doherty,
Charles Morris, jr., and
Frederick K. Perkins.

Paymaster George C. Schafer, with the rank of lieutenant-commander, to be a paymaster in the navy with the rank of lieutenant-commander from the 27th day of May, 1909, to correct the date from which he takes rank as previously confirmed.

Asst. Paymaster Kenneth C. McIntosh to be a passed assistant paymaster in the navy from the 8th day of July, 1908, to fill a vacancy existing in that grade on that date.

Naval Constructors Stuart F. Smith and William G. Groesbeck, with the rank of lieutenant-commander, to be naval constructors in the navy with the rank of lieutenant-commander from the 23d day of April, 1908, to correct the date from which they take rank as previously confirmed.

Naval Constructor Richard H. Robinson, with the rank of lieutenant-commander, to be a naval constructor in the navy with the rank of lieutenant-commander from the 20th day of July, 1908, to correct the date from which he takes rank as previously confirmed.

The following-named machinists to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1909:

John E. Cleary,
Richard Jeffares,
Charles Hammond,
James W. Murray,
John Dexter,
Martin J. Clancy,
John J. Fuller,
John T. Pennycook,
James A. Hickey,
John T. Riley,
Benjamin F. Beers,
David Purdon,
Bernard Gebhardt,
George C. Ellerton,

Charles H. Gilhuley,
Murray S. Holloway,
William B. Stork,
Clarence R. Johnson,
Ben Smith,
William James,
Patrick Fernan,
Frank Risser,
John Bryce,
Rasmus Iversen,
Henry E. White,
Charles C. Holland,
Cornelius J. Collins,
Lee Grossenbaker, and
Daniel C. Beach.

POSTMASTERS.

COLORADO.

Mary S. Clark to be postmaster at Akron, Colo., in place of Edwin W. Clark, deceased.

INDIANA.

James E. Zook to be postmaster at Howe (late Lima), Ind., in place of James E. Zook; to change name of office.

NEBRASKA.

Walter L. Minor to be postmaster at Morrill, Nebr. Office becomes presidential July 1, 1909.

OHIO.

Alva G. Sutton to be postmaster at Attica, Ohio, in place of Alva G. Sutton. Incumbent's commission expired January 11, 1909.

Charles B. Morris to be postmaster at Columbus Grove, Ohio, in place of Charles B. Morris. Incumbent's commission expired March 4, 1908.

SOUTH DAKOTA.

Charles E. Tenney to be postmaster at Summit, S. Dak. Office became presidential January 1, 1909.

UTAH.

Clifford I. Goff to be postmaster at Midvale (late West Jordan), Utah, in place of Clifford I. Goff; to change name of office.

Albert E. Hopkinson to be postmaster at Sunnyside, Utah, in place of George H. Richards, resigned.

WISCONSIN.

Louisa Whitcomb to be postmaster at Albany, Wis. Office became presidential January 1, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 12, 1909.

REGISTERS OF THE LAND OFFICE.

W. N. Ivie to be register of the land office at Harrison, Ark.

William S. McLain to be register of the land office at Bellefourche, S. Dak.

Guy W. Caron to be register of the land office at Little Rock, Ark.

PROMOTIONS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Harvey C. Carbaugh to be judge-advocate with the rank of colonel.

Maj. Frank L. Dodds to be judge-advocate with the rank of lieutenant-colonel.

CAVALRY ARM.

First Lieut. Samuel B. Pearson to be captain.
First Lieut. Freeborn P. Holcomb to be captain.
Second Lieut. Beauford R. Camp to be first lieutenant.
Second Lieut. Seth W. Cook to be first lieutenant.
Second Lieut. Thomas B. Esty to be first lieutenant.

POSTMASTERS.

INDIANA.

William Heiminger, at Bremen, Ind.
James Nejdl, at Whiting, Ind.

OHIO.

Frank G. Hoskinson, at Montpelier, Ohio.
Sylvanus P. Louys, at Stryker, Ohio.
James T. McCready, at Butler, Ohio.
De Witt C. Pemberton, at New Vienna, Ohio.
Charles B. Saxby, at Weston, Ohio.
John M. Shafer, at Edon, Ohio.
Harry M. Wolfe, at Germantown, Ohio.

OKLAHOMA.

Sid Smith, at Stilwell, Okla.

PENNSYLVANIA.

John E. McCardle, at Charleroi, Pa.
John W. Miller, at South Sharon, Pa.
George L. Thomas, at New Bethlehem, Pa.
Lily Watters, at Evans City, Pa.

TEXAS.

Frank L. Irwin, at Terrell, Tex.

VIRGINIA.

James F. Williams, at Amherst, Va.

SENATE.

MONDAY, *June 14, 1909.*

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. John Lee Allison, D. D., of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

SUITS AFFECTING INDIAN ALLOTMENTS IN OKLAHOMA.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting in response to a resolution of March 3, 1909, certain information with respect to suits instituted by the United States since May 27, 1908, against various persons in the eastern district of Oklahoma to enforce restrictions upon the alienation of lands of the allottees of the Five Civilized Tribes (S. Doc. No. 89), which was referred to the Committee on the Judiciary and ordered to be printed.

EXECUTIVE SESSION.

Mr. WARREN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

Mr. NELSON. I present resolutions adopted by the Minnesota Bankers' Association which I ask may be printed in the RECORD, without reading, and referred to the Committee on Finance.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

To the gentlemen of the Joint Bankers' Association of Group 1, of Minnesota, and Group 7, of Wisconsin:

Your committee appointed to prepare a resolution on a bill authorizing national banking associations to make loans on real estate security in certain cases, known as "bill S. 623," beg leave to report that while the bill might be changed to suit the needs of this particular locality, yet inasmuch as the bill is already before Congress and a suggestion of a change might further complicate its passage, and as we consider the bill allowing real estate loans under any conditions most advantageous, as it will serve to demonstrate that such loans are desirable; and

Whereas we believe the Comptroller can be influenced to give us proper recognition in this matter under the pending bill more easily than if the said bill were encumbered with many conditions: Therefore be it

Resolved, That we recommend the passage of this bill as introduced. And be it further

Resolved, That the secretary of each group be instructed to urge upon the Congressmen and Senators of their respective States the support of this bill. Be it further

Resolved, That the secretaries of these groups be instructed to send a copy of these resolutions to the secretaries of the respective state bankers' associations and request them to lay it before their committee on resolutions at the proper time.

JOSEPH BOSCHERT.
A. C. GOODING.
L. WHITMORE.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on Interstate Commerce.

There being no objection, the joint resolution was read and referred to the Committee on Interstate Commerce, as follows:

Joint resolution memorializing Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice.

Resolved by the assembly (the senate concurring), That the Congress of the United States is hereby requested to enact a law providing that the rates or charges of railroads shall not be increased except upon notice of any proposed increase filed with the Interstate Commerce Commission and published in each State affected thereby, and upon such hearing as the Interstate Commerce Commission may, upon petition or its own motion, order, and that no increase of rates or charges shall go into effect unless said commission shall so order after such hearing.

Resolved, That the secretary of state be, and he is hereby, instructed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFTER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on Agriculture and Forestry.

There being no objection, the joint resolution was read and referred to the Committee on Agriculture and Forestry, as follows:

Joint resolution memorializing Congress relating to federal cooperation in the work of road improvement.

Whereas we believe that the adoption of a policy of federal aid for road construction is a most important step toward the establishment of a complete system of improved roads in all sections of the country, and that the cooperation of the National Government in this matter would be of great assistance to the various state, county, and township road authorities in placing the work of road improvement on a permanent and scientific basis; and

Whereas we would submit that the improvement of the country's highways deserves a share in the annual appropriations by Congress equally with the improvement of our waterways, and that it is only fair and reasonable that a part of the revenues derived from taxes paid by the people as a whole should be devoted to this purpose, thus aiding in the betterment of conditions affecting trade and commerce in all sections of the country:

Resolved by the assembly (the senate concurring), That we respectfully solicit the Congress of the United States, asking for the enactment of legislation creating a national highways commission, and making an appropriation for aiding in the improvement and maintenance of the public roads at the present session of Congress, so that the policy of federal cooperation in the work of road improvement can be inaugurated at the earliest possible date.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.

Mr. LA FOLLETTE. I present a petition of sundry citizens of Berlin, Wis., relative to the reduction of the duty on cotton goods and other necessities of life. I ask that the petition be printed in the RECORD without reading.

There being no objection, the petition was ordered to lie on the table and be printed in the RECORD, as follows:

Sent by George W. Croffman, Berlin, Wis.

To our Wisconsin Senators at Washington:

We, the undersigned citizens of Berlin, Wis., and vicinity, do respectfully petition you to use your entire influence against any attempt to increase the duty on cotton goods and the other necessities of life. We believe that the wish of the American people for a downward revision of the tariffs, so emphatically expressed at our last national election, should be heeded and complied with.

Mrs. Bertha Bassett, Berlin, Wis.; Mrs. L. T. Hodgkins, Berlin, Wis.; Mrs. L. C. Smith, Berlin, Wis.; Mrs. O. Ludwig, Berlin, Wis.; Miss Freda Zimmer, Berlin, Wis.; Mrs. R. Bertram, Berlin, Wis.; Mrs. H. Le Roy, Berlin, Wis.; Mrs. J. Fuller, Berlin, Wis.; Miss Clara Piekarski, Berlin, Wis.; Carrie R. Garner, Berlin, Wis.; Mrs. M. Murphy, Berlin, Wis.; Mrs. Jno. Crommings, Berlin, Wis.; Mrs. E. T. Winkel, Berlin, Wis.; Mrs. L. E. Wilson, Berlin, Wis.; Mrs. O. L. Wolfe, Auroraville, Wis., Ina Angle, Berlin, Wis.; Elizabeth Doyle, Berlin, Wis.; Maud Thomas, Berlin, Wis.; Clara Kisserow, Berlin, Wis.; Martha Kisserow, Ripon, Wis.; Marguerite Jenkins; Mrs. I. Jenkins; Margaret A. Franle, Berlin, Wis.; Mrs. T. W. Gales, Berlin, Wis.; Thomas W. Gales, Berlin, Wis.; Fannie Hale; Mrs. E. E. Trowe; Mrs. W. Spencer; Mrs. T. A. Bassett, Berlin, Wis.; Mrs. H. S. Bassett, Berlin, Wis.; Mabel Connolly, Berlin, Wis.; Mrs. Martin Kileen, Berlin, Wis.; Mrs. Thomas Davlin, Berlin, Wis.; Mrs. J. C. Gogin, Redlands, Cal.; Mrs. J. F. Dellivet, Berlin, Wis.; Mrs. W. H. Sexton, Neshkoro, Wis.; Mrs. Con O'Brien; Miss Gertrude Thomas, Auroraville; Mrs. Peter Thomas, Auroraville; J. E. Starling, Berlin, Wis.; Mrs. C. Dies, Berlin, Wis.; Mrs. E. Hardy, Berlin, Wis.; Miss A. Bush, Berlin, Wis.; Mrs. M. Safford, Berlin, Wis.; Mrs. H. Sackett, Berlin, Wis.; Miss Alice Krebs, Berlin, Wis.; Mrs. Mary Krebs, Berlin, Wis.; Mrs. Stillman Wright, Berlin, Wis.; Mrs. Mary A. Clark; Mrs. J. Brace, Berlin, Wis.; Mrs. P. Wellner, Oshkosh, Wis.; Mrs. A. McCallum, Berlin, Wis.; Mrs. Chas. Gibberd, Berlin, Wis.; Miss Lottie Banis, Berlin, Wis.; Mrs. Frank L. Wilson, Berlin, Wis.; Mrs. Martha E. Kenyon, Berlin, Wis.; Mrs. G. E. McIntyre; Mrs. Wm. Elmer, Berlin, Wis.; Mrs. Edw. Debley, Berlin, Wis.

Mr. PERKINS presented memorials from the San Francisco, (Cal.) male agents of the American Sheet and Tin Plate Company, the American Steel and Wire Company, and the Carnegie Steel Company, remonstrating against the proposed duty on structural steel, which were ordered to lie on the table.

He also presented a petition of the board of park commissioners of San Francisco, Cal., praying for the enactment of legislation authorizing the Secretary of the Treasury to erect a suitable building or buildings for marine-hospital purposes on the present marine-hospital site at San Francisco, Cal., and to remove all or any of the present structures thereon, which was referred to the Committee on Public Buildings and Grounds.

Mr. McCUMBER presented a petition of the American Society of Equity, of North Dakota, which was ordered to lie on the table and be printed in the RECORD, as follows:

Whereas the States of North Dakota, South Dakota, and Minnesota raise 93 per cent of the flax produced in this country, the seed of which only has a commercial value at the present time; and

Whereas the Department of Agriculture, in Farmers' Bulletin No. 274, says concerning the flax industry in the above-mentioned States, "Millions of tons of straw have been burned each year, much of which, in quality and length for the production of fiber, far excels the average straw from which the Russian peasant makes the fiber which chiefly supplies the linen fabrics in the world;" and

Whereas there are millions of tons of coal lying under the lands of these States, which, if it were mined and used to generate power for industrial purposes, would give these States as cheap power as can now be had in any State; and

Whereas the Fargo Forum, in an editorial in its issue of June 4, under the heading "Why not make linen?" clearly points the way in which the millions of flax straw now destroyed annually can be utilized and converted into money for the benefit of the flax grower; and

Whereas certain parties are now making arrangements to erect a linen factory in Fargo on the lines suggested in the Forum; and

Whereas all of the machinery now used in the manufacture of linen is made in England, and the import duty on such machinery is very heavy and adds much to the cost of erecting a factory for the manufacture of linen goods: Now, therefore be it

Resolved by the American Society of Equity, District No. 1, in convention assembled at Fargo this 10th day of June, That the members of this meeting do what they can to further the work of establishing linen industries in Fargo or points in these States, to the end that useless destruction of flax straw may cease, and the $40,000,000 annually burned up may be put in the pockets of the flax producer; and be it further

Resolved, That Senator McCUMBER, as a prominent member of the Finance Committee in the United States Senate, and Senator JOHNSON and our other Representatives in Congress be, and they are hereby, requested to use all diligence to secure suitable legislation to place flax-making machinery on the nondutiable list, to the end that we may do all that is possible to encourage the erection of linen mills in these States; and be it further

Resolved, That the secretary of this meeting send a copy of these resolutions to our Senators and Representatives in Congress and the daily newspapers of these States.

Mr. DEPEW presented memorials of members of the New York Evening Journal, stereotype department, of New York City; of members of the New York Press chapel, of New York City; of members of the Trow chapel, of New York City; of members of the electrotype department of the Methodist Book Concern, of New York City; of members of the New York American, stereotypers' department, of New York City; of members of the Evening World stereotype chapel, of New York City; of members of the New York Evening Sun chapel, of New York City; of members of the Stereotypers and Electrotypers' Local Union No. 20, of the Independent Stereotypers and Electrotypers' Union, of Binghamton, all in the State of New York, remonstrating against the inclusion in the new tariff bill of any duty on news print paper and wood pulp, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULLOM (by request):

A bill (S. 2604) to pay the legal heirs of the late John A. Lynch for valuable services rendered by him as the projector and promoter of the International American Conference and the Intercontinental Railway (with the accompanying paper); to the Committee on Railroads.

By Mr. BURROWS:

A bill (S. 2605) for the relief of George Davis; to the Committee on Claims.

By Mr. BURKETT:

A bill (S. 2606) granting an increase of pension to Cyrus G. Stevens;

A bill (S. 2607) granting an increase of pension to John W. Penny; and

A bill (S. 2608) granting a pension to Sarah C. Mansfield; to the Committee on Pensions.

By Mr. DAVIS:

A bill (S. 2609) for the relief of the estate of George Byerly, deceased (with the accompanying papers);

A bill (S. 2610) for the relief of Mary A. Haney and Clarence E. Haney (with the accompanying papers);

A bill (S. 2611) for the relief of heirs or estate of Nathaniel S. Word, deceased;

A bill (S. 2612) for the relief of the heirs or estate of Jesse Hollingshead, deceased; and

A bill (S. 2613) for the relief of the heirs or estate of James S. Ford, deceased; to the Committee on Claims.

By Mr. McENERY (by request):

A bill (S. 2614) to incorporate the cult of The Aryans; to the Committee on the District of Columbia.

A bill (S. 2615) granting a pension to Frederick G. Rockel; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. BURTON submitted two amendments intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which were ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. LODGE. Mr. President, on page 2, I wish to make the same insertion that was made in the paragraph preceding the free list, which was omitted by mistake. I move to insert after the words "except the Philippine Islands," the words "and the islands of Guam and Tutuila."

Mr. BACON. What line is it?

Mr. LODGE. Line 5.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 5, after the words "Philippine Islands" and within the parentheses, insert the words "and the islands of Guam and Tutuila."

The VICE-PRESIDENT. Without objection, the amendment will be agreed to.

Mr. BACON. I should like to know more about it.

Mr. LODGE. It was agreed to at the beginning of the free list. It is simply to except those two islands from the operation of this tariff act.

Mr. BULKELEY. I should like to inquire what the amendment applies to.

Mr. LODGE. It applies to the two islands of Guam and Tutuila, two small islands which are naval stations.

Mr. BULKELEY. To what sections does it apply?

Mr. LODGE. To the whole bill. It is to prevent the entire bill from applying to those two small islands, which are merely naval stations.

The VICE-PRESIDENT. The Chair hears no objection, and the amendment is agreed to.

Mr. LODGE. I ask that the clerks may have authority where that exception occurs in the bill to make the same addition.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I ask to take up the provisions in regard to the Philippines, paragraph 471d.

Mr. BACON. I should like to inquire what direction is proposed to be given to the parts of the free list which have not yet been acted on?

Mr. ALDRICH. They are still passed over.

Mr. BACON. I suppose so. I merely desired to know if the Senator had any definite plan as to when they will be resumed.

Mr. ALDRICH. It is my purpose to take up this morning the Philippine amendment, and after that the provisions in regard to zinc.

Mr. BACON. I understood that, but I did not know whether the Senator had any——

Mr. ALDRICH. All these are passed over, and those the Senator from Georgia is interested in will not be taken up without his knowledge.

Mr. BACON. I understand that, but I wanted to know what was the programme, as I supposed the Senator had some plan in view as to when that will be resumed.

Mr. ALDRICH. It is my purpose to dispose as far as we can of all the contested questions in the dutiable schedule before we get to the free list.

Mr. BACON. I simply wanted to know what the programme is.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? The Chair hears no objection. The amendment of the committee to paragraph 471d will be read.

Mr. ALDRICH. The committee modifies its amendment.

The SECRETARY. In lieu of the amendment on page 189, paragraph 471d, it is proposed to insert:

471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles, the growth, product, or manufacture of the Philippine Islands, upon which no drawback of customs duties has been allowed therein, coming into the United States from the Philippine Islands shall hereafter be admitted free of duty, except rice, and except, in any fiscal year, sugar in excess of 300,000 gross tons, wrapper tobacco and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco in excess of 300,000 pounds, filler tobacco in excess of 1,500,000 pounds, and cigars in excess of 150,000,000 cigars, which quantities shall be determined by the Secretary of the Treasury under such rules and regulations as he shall prescribe: *And provided further*, That sugar, refined or unrefined, and tobacco, manufactured or unmanufactured, imported into the Philippine Islands from foreign countries, shall not pay less rates of import duty therein than the rates of import duty imposed upon sugar and tobacco in like forms when imported into the United States: *And provided further*, That, under rules and regulations to be prescribed by the Secretary of the Treasury, preference in the right of free entry of sugar to be imported into the United States from the Philippine Islands, as provided herein, first, to the producers of less than 500 gross tons in any fiscal year, then to producers of the lowest output in excess of 500 tons in any fiscal year: *Provided, however*, That in consideration of the exemptions aforesaid, all articles, the growth, product, or manufacture of the United States, upon which no drawback of customs duties has been allowed therein, shall be admitted to the Philippine Islands from the United States free of duty: *And provided further*, That the free admission, herein provided, of such articles, the growth, product, or manufacture of the United States, into the Philippine Islands, or of the growth, product, or manufacture of the Philippine Islands into the United States, shall be conditioned upon the shipment thereof upon through bills of lading from the country of origin to the country of destination: *Provided*, That same may be transshipped en route if discharged at the port of final destination within one year from the date of shipment, as originally packed without having been opened or in any manner changed in condition: *Provided, however*, That if such articles become unpacked while en route by accident, wreck, or other casualty, or so damaged as to necessitate their repacking, the same shall be admitted free of duty upon satisfactory proof that the unpacking occurred through accident or necessity and that the merchandise involved is the identical merchandise originally shipped from the United States or the Philippine Islands, as the case may be, and that its condition has not been changed except for such damage as may have been sustained: *And provided further*, That all articles, the growth, product, or manufacture of the Philippine Islands, admitted into the ports of the United States free of duty under the provisions of this act and shipped upon through bills of lading from said islands to the United States for use and consumption therein, shall be hereafter exempt from the payment of any export duties imposed in the Philippine Islands: *And provided further*, That there shall be levied, collected, and paid, in the United States, upon articles, goods, wares, or merchandise coming into the United States from the Philippine Islands, a tax equal to the internal-revenue tax imposed in the United States upon the like articles, goods, wares, or merchandise of domestic manufacture; such tax to be paid by internal-revenue stamp or stamps, to be provided by the Commissioner of Internal Revenue, and to be affixed in such manner and under such regulations as he, with the approval of the Secretary of the Treasury, shall prescribe; and such articles, goods, wares, or merchandise, shipped from said islands to the United States, shall be exempt from the payment of any tax imposed by the internal-revenue laws of the Philippine Islands: *And provided further*, That there shall be levied, collected, and paid, in the Philippine Islands, upon articles, goods, wares or merchandise going into the Philippine Islands from the United States, a tax equal to the internal-revenue tax imposed in the Philippine Islands upon the like articles, goods, wares, or merchandise of Philippine Islands manufacture; such tax to be paid by internal-revenue stamps or otherwise, as provided by the laws in force in the Philippine Islands, and such articles, goods, wares, or merchandise going into the Philippine Islands from the United States shall be exempt from the payment of any tax imposed by the internal-revenue laws of the United States: *And provided further*, That, in addition to the customs taxes imposed in the Philippine Islands, there shall be levied, collected, and paid therein upon articles, goods, wares, or merchandise, imported into the Philippine Islands from countries other than the United States, the internal-revenue tax imposed by the Philippine government on like articles manufactured and consumed in the Philippine Islands or shipped thereto, for consumption therein, from the United States: *And provided further*, That from and after the passage of this act all internal revenues collected in or for account of the Philippine Islands shall accrue intact to the general government thereof and be paid into the insular treasury, and shall only be allotted and paid out therefrom in accordance with future acts of the Philippine legislature, subject, however, to section 7 of the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

Mr. ALDRICH. In line 5, page 3, I move to strike out "one year" and insert "three months."

The VICE-PRESIDENT. The Secretary will state the modification.

The SECRETARY. On page 3 of the printed amendment, line 5, after the word "within," strike out the words "one year" and insert in lieu the words "three months."

Mr. BAILEY. Do I understand that this amendment is now before the Senate for disposition?

Mr. ALDRICH. The pending amendment is changed from one year to three months in the transshipment of hemp; that is all.

The VICE-PRESIDENT. The Senator from Rhode Island modifies the pending amendment in that particular.

Mr. BAILEY. I understand that, but I wanted to inquire if the whole amendment is before the Senate.

Mr. ALDRICH. The whole amendment is now before the Senate for consideration.

Mr. BAILEY. I have not myself been able to examine it. I rather think it is an important one.

Mr. ALDRICH. There is another mistake in the printed amendment that I should like to correct, if the Senator will permit me.

Mr. DOLLIVER. There seems to be a variation in the lining of these amendments. I find no such words in line 5 in the copy I have here.

Mr. BULKELEY. The copy I have has no such word.

Mr. ALDRICH. After the word "herein," in line 14, page 2, I move to insert the words "shall be given."

The VICE-PRESIDENT. The modification will be stated.

The SECRETARY. On page 2 of the printed amendment, line 14, after the word "herein," insert the words "shall be given."

The VICE-PRESIDENT. This is another modification of the amendment. It will be made.

Mr. BAILEY. Mr. President, while I am on the floor I simply want to make a statement to go into the RECORD.

Saturday when the vote was taken on the motion made, I believe, by the Senator from Minnesota [Mr. NELSON] to strike out the art works from the free list and to impose a duty on them, I did not vote, because I was under the impression that my pair, the Senator from West Virginia [Mr. ELKINS], was not in the Chamber. I find on examining the RECORD that he did vote. I simply want to say that, if I had known he was voting, I would have voted against leaving those works of art on the free list. I never will agree to exempt a man's pictures as long as we lay a tax on his clothes.

The VICE-PRESIDENT. The question is on agreeing to the amendment as modified.

Mr. BULKELEY. I desire to say a word at this time. I have no particular opposition to the substitution of the paragraph as just read for the paragraph 471d as in the bill.

Mr. ALDRICH. I ask that the substitution be agreed to, if it has not already been done.

The VICE-PRESIDENT. The modification of the Senator's amendment has been made, of course. The Senator has a perfect right to change his amendment.

Mr. BULKELEY. The substitution has been agreed to, I understand.

The VICE-PRESIDENT. The amendment offered by the committee is the amendment which has just been read. That is pending.

Mr. BULKELEY. It is pending. It has not been adopted.

The VICE-PRESIDENT. It has not been agreed to. It is a substitute for the former amendment by the committee; that is all.

Mr. BULKELEY. I can not permit this substitution to take place, although I shall vote for it, without stating to the Senate that I am opposed to the adoption of the paragraph itself, even if the substitute is adopted in lieu of it. I should like to inquire if an amendment to the proposed substitute is now in order?

The VICE-PRESIDENT. Certainly.

Mr. BULKELEY. The substitute proposes absolutely different legislation from what has heretofore been asked for these islands. It not only provides for the free admission of all articles the growth and product of the islands, but also of its manufactures, and not necessarily manufactures from the growth and products of the islands. In all previous legislation that has been asked in behalf of the Filipinos, and in all bills that I have been able to collect relating to the trade of the islands, it has been provided that all articles wholly the growth and product of the islands might be admitted free, and those are the recommendations that have come to the Congress from time to time from the Philippine Commission. There is interjected into this measure the words "or manufacture," referring in no manner to the growth or product of the islands, but to the manufactures of anything from any part of the world in applying the cheap labor of the Philippine Islands to the products of the whole world.

Mr. ALDRICH. The word "wholly" was left out by mistake, after the word "articles."

Mr. BULKELEY. That is just what I am criticising, and I propose, before the vote is taken even on this substitute, to suggest that in line 5, after the word "articles," the words "wholly the growth and product," and in line 6——

Mr. ALDRICH. It was left out by a typographical error.

Mr. BULKELEY. And on line 6 to add, before the word "manufacture," the word "articles," so that it will read:

Articles manufactured wholly the growth or product of the Philippine Islands.

Mr. ALDRICH. I think the Senator's purpose will be accomplished by inserting the word "wholly" before the word "the," in the fifth line. I think that that accomplishes it.

Mr. BULKELEY. It seems to me that that does not apply to the manufactures.

Mr. ALDRICH. Undoubtedly it does; "and all articles wholly the growth, product, or manufacture."

Mr. BULKELEY. My position is that, as it stands, you can bring into those islands the raw product of the world.

Mr. ALDRICH. That is not the intention of the committee.

Mr. BULKELEY. I understood at the hearing before the committee that that was not the intention, but as I read it, it provides for manufacturing in the Philippine Islands practically all the raw material of the world, which can then be sent into the United States in competition with the labor of this country. I will ask the Senator to consider my amendment, which is to insert, in line 5, the words "manufactured wholly of," so that it will read:

Articles manufactured wholly of the growth or product of the Philippine Islands.

I think it is a fair interpretation of the bill and of the substitute which is now pending that the word "wholly" does apply only to the growth and product of the islands to be admitted free, and applies in no way to the word "manufacture" in the sixth line; and that is what I should like to correct before the adoption of the substitute. I suggest that amendment. I have written it in the print I send to the desk.

Mr. LODGE. I suggest to the Senator, I think that can be worded a little better, perhaps: "Of articles wholly the growth or product of the manufactures from material wholly the growth or product."

Mr. GALLINGER. That is right.

Mr. BULKELEY. That is quite satisfactory.

Mr. ALDRICH. It was the intention of the committee to do exactly what the Senator proposes.

Mr. BULKELEY. I understood it was.

Mr. LODGE. After the word "articles," in line 5, I move to insert the word "wholly;" in the same line, after the word "growth," to insert the word "or;" and then, at the beginning of line 6, to strike out the word "manufacture" and insert "manufactured from materials wholly the growth or product."

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Massachusetts to the amendment.

The SECRETARY. In line 5, after the word "articles," it is proposed to insert the word "wholly;" in the same line, after the word "growth," to insert the word "or;" and at the beginning of line 6, to strike out the word "manufacture" and to insert the words "manufactured from materials wholly the growth or product," so that if amended it will read:

Provided, That all articles wholly the growth or product or manufactured from materials wholly the growth or product of the Philippine Islands, etc.

Mr. ROOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BULKELEY. I do.

Mr. ROOT. Should not there be inserted there still other words, so that it will read "manufactured in the Philippine Islands from the growth or products of the islands?" Otherwise the articles might be manufactured from the growth or product of something from Hongkong or Singapore.

Mr. ALDRICH. I think that language is better.

Mr. LODGE. That is better.

Mr. BULKELEY. I accept that suggestion.

Mr. LODGE. "Manufactured in the Philippine Islands from materials wholly the growth or product of the Philippine Islands."

Mr. BULKELEY. I am only trying to get it worded properly; and I am pleased to have any suggestions.

Mr. LODGE. I think that is better.

The VICE-PRESIDENT. The Secretary will state the amendment as now presented.

The SECRETARY. As modified, the proviso will read:

Provided, That all articles wholly the growth or product or manufactured in the Philippine Islands from materials wholly the growth or product of the Philippine Islands.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. HEYBURN. The word "of" should be in there after the word "product" where it first occurs.

The SECRETARY. So that the proviso will read:

That all articles wholly the growth or product of or manufactured in the Philippine Islands, etc.

Mr. BRANDEGEE. Will my colleague yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Connecticut yield to his colleague?

Mr. BULKELEY. Certainly.

Mr. BRANDEGEE. Mr. President, I want to call the attention of the committee to this situation and to ask them what would be their construction of it: Under the language of the amendment as proposed and agreed to by the committee, supposing that cigar wrappers imported into the United States from the Philippine Islands free of duty, and there made into cigars, are reimported into the United States; then, under the language of the amendment of the committee as proposed, it seems to me that they would have to pay a duty here over again, because they would not be made wholly from the product of the Philippine Islands.

Mr. LODGE. The Senator means wrappers that are of United States growth?

Mr. BRANDEGEE. Yes; if Connecticut leaf wrappers, for instance, or Massachusetts leaf wrappers should be sent to the Philippines.

Mr. BULKELEY. I think the words "United States" should be inserted there as well as "Philippine Islands," so that it will read "wholly from the growth or product of the Philippine Islands or the United States."

Mr. BRANDEGEE. "Be of American-growth leaf tobacco."

Mr. LODGE. I see no objection to that. I think it is covered by language used in a later paragraph, but I see no objection to making it safe in that way.

Mr. BULKELEY. I do not think it is covered by the later paragraph, for I have examined the paragraph very carefully.

Mr. LODGE. There is no objection to putting those words in, "of the Philippine Islands or of the United States."

Mr. BRANDEGEE. I think that language would cover it.

Mr. LODGE. Let us do that, if there is any danger.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to the Senator from Idaho?

Mr. BULKELEY. Certainly.

Mr. HEYBURN. The Philippine cigars of the better grades have Connecticut wrappers.

Mr. LODGE. No.

Mr. HEYBURN. Yes.

Mr. BULKELEY. The Senator from Idaho is mistaken about that. There have never been but 3 tons of tobacco sent into the Philippine Islands, as I learned from Connecticut friends, on the suggestion of the Philippine Commission; and those 3 tons were sent there as an experiment.

Mr. HEYBURN. Mr. President, the experiment seems to have been adopted, I think. I have here a package from the Insular Bureau of cigars with a Connecticut wrapper. [Exhibiting.] The question was raised in the consideration of another bill.

Mr. BULKELEY. They are a part of the experiment. I have some of the same kind in my desk. General Edwards, who is in charge of the bureau, informed me that the commission had sent 3 tons of Connecticut wrapper leaf tobacco from Connecticut for the purpose of experimenting. He took up a box of the same character from his desk, as the Senator has in his possession, and furnished me with some of the cigars.

Mr. HEYBURN. I presume that those 3 tons made a number of cigars.

Mr. BULKELEY. They would make quite a quantity of cigars.

Mr. HEYBURN. We had this question up for responsible consideration, and this question was raised. In pursuing it, I obtained this information. In looking at this amendment it seemed to me that no proper provision was made for the use of Connecticut wrappers in manufacturing cigars in the Philippine Islands.

Mr. BULKELEY. The insertion of the words "United States," so that it would read "the growth or product of the Philippine Islands or of the United States," will provide for that.

Mr. HEYBURN. But the trouble about that is, that that includes a great many other things than tobacco and its products.

Mr. BULKELEY. I think that the language should be carefully guarded.

Mr. LODGE. Why should they not use them if they come from the United States?

Mr. BRANDEGEE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to his colleague?

Mr. BULKELEY. I do.

Mr. HEYBURN. I will wait until the Senator who has the floor concludes.

Mr. BRANDEGEE. Mr. President, I should like the Secretary to state the amendment.

The VICE-PRESIDENT. The Secretary will state the amendment to the amendment as it is now proposed to read.

The SECRETARY. As modified the proviso will read:

Provided, That all articles wholly the growth or product of or manufactured in the Philippine Islands from materials wholly the growth or product of the Philippine Islands or the United States.

Mr. BRANDEGEE. Mr. President, I want to suggest to the committee, being unable to examine the amendment and it not having been reduced to writing, that it occurs to me that it should be carefully considered, and I assume time will be given for that purpose. I would suggest that the word "or" in the amendment be carefully considered as to whether it should not be "and," so that goods manufactured in the Philippine Islands wholly of the products of the islands or partly of the products of the islands and partly the products of the United States may come into this country free if any of the Philippine goods are coming in free, and not leave it in the alternative with the word "or," which might not comprehend the combination of the two.

Mr. ALDRICH. There is no reason why the word "and" should not be substituted if the Senator from Connecticut desires that it shall be.

Mr. BRANDEGEE. As I say, the amendment which has just been proposed and as it at present exists is a combination of half a dozen suggestions, and I should like the opportunity to examine it in print before it is finally perfected.

Mr. ALDRICH. The pending bill will not be finally disposed of to-day, and the Senator can examine the amendment after it shall have been adopted.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BULKELEY. I do.

Mr. CARTER. I suggest that the language is such at present that if cigars are manufactured in part of Philippine tobacco and in part of Connecticut tobacco, the cigars will be dutiable here.

Mr. ALDRICH and Mr. BULKELEY. Oh, no.

Mr. CARTER. "Wholly the growth of the Philippine Islands or wholly the growth of the United States." If partly the growth of the United States and partly the growth of the Philippine Islands combined in one manufactured product, it would be subject to a duty under our legislation.

Mr. BRANDEGEE. That is just what I am afraid of, Mr. President.

Mr. BULKELEY. It may be desirable, Mr. President, in the course of this debate, to word the amendment in more precise language.

Mr. LODGE. The language is "manufactured from materials wholly the growth."

Mr. CARTER. "Wholly the growth of the Philippine Islands or wholly the growth of the United States."

Mr. LODGE. Connecticut wrapper is a material which is wholly the growth of the United States. The filler tobacco is Philippine wholly, and the products combined are manufactured—manufactured wholly from materials which came from one place or the other. "Wholly" applies to the materials, not to the result of the manufacture.

Mr. ALDRICH. Mr. President, the amendment can be adopted in this form, and then, after it is adopted, the committee will examine it and so frame it as to cover the point at issue.

Mr. BULKELEY. I take it there will be no objection, if there are found any mistakes in the wording of the amendment, to correcting them afterwards.

Mr. ALDRICH. There will be no trouble about correcting them afterwards.

Mr. BULKELEY. If this amendment is adopted, I want to call the attention of the committee to see if it is not necessary to change another provision of it.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut to the amendment.

Mr. HEYBURN. Mr. President, we are moving a little rapidly. Has the Senator from Connecticut [Mr. BULKELEY] finished discussing the amendment which he has offered?

Mr. ALDRICH. The committee will take the matter in controversy into consideration and see that it is covered.

Mr. HEYBURN. I did not know that the Senator from Connecticut had yielded the floor.

Mr. BULKELEY. I have not yielded the floor.

Mr. HEYBURN. Then I do not see how it is possible to put the question until the Senator from Connecticut has yielded the floor.

The VICE-PRESIDENT. The Chair will not put the question until the Senator from Connecticut desires it put.

Mr. HEYBURN. When the Senator yields the floor; yes. But he desired to make a suggestion in regard to the amendment.

Mr. BULKELEY. I yield the floor to the Senator from Idaho, if I am at liberty to do so, though I do not know, under the rule, that I am.

The VICE-PRESIDENT. The Chair understood the Senator from Connecticut [Mr. BULKELEY] had yielded the floor for the purpose of having the question put on the amendment.

Mr. BULKELEY. That is what I did. Then I want to suggest to the committee if it will not be necessary, if that amendment shall be adopted, to make another change in the phraseology on page 3?

The VICE-PRESIDENT. The amendment has not been agreed to. Prior to a vote on the amendment, the Senator from Idaho asked for the floor to discuss the amendment.

Mr. BULKELEY. I yield to the Senator from Idaho.

provides for manufacturing in the Philippine Islands practically all the raw material of the world, which can then be sent into

again, because they would not be made wholly from the product of the Philippine Islands.

wholly of the products of the islands or partly of the products of the islands and partly the products of the United States

asked for the floor to discuss the amendment.

Mr. BULKELEY. I yield to the Senator from Idaho.

Mr. HEYBURN. I asked for the floor to suggest an elaboration of the amendment, which seems to be made necessary. It would seem to be necessary after the amendment had been made on line 5, page 1, after the word "That," to insert the words "except as otherwise hereinafter provided," because we make two exceptions. After the limit on tobacco is passed or the limit on sugar is passed, then this provision does not apply; so that, in order to make that exception applicable, the words "except as otherwise hereinafter provided" should be inserted. That will then cover the excess of sugar and the excess of tobacco.

Mr. ALDRICH. I think that is provided for by the language that follows.

Mr. HEYBURN. I went through it, but I could not find that it is covered.

Mr. ALDRICH. There is no objection to using that language, however.

Mr. HEYBURN. I think it will be necessary.

Mr. ALDRICH. Very well; let the words "except as hereinafter provided" be inserted. That makes all goods dutiable when the limit is reached.

Mr. HEYBURN. They become dutiable?

Mr. ALDRICH. Yes.

The VICE-PRESIDENT. The Secretary will state the amendment in its present form.

The SECRETARY. So that the proviso will read:

Provided, That, except as otherwise hereinafter provided, all articles wholly the growth or product of or manufactured in the Philippine Islands from materials wholly the growth or product of the Philippine Islands and of the United States upon which, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BULKELEY. I should like to ask the chairman of the committee, in view of this change, if it is not also necessary to make another change on page 3, commencing in line 16. Beginning there it reads:

And provided further, That all articles, the growth, product, or manufacture of the Philippine Islands, admitted into the ports of the United States free of duty—

I should like to inquire whether it will not be necessary to change that language to conform to the other change made. I am not quite certain myself about it.

Mr. ALDRICH. I do not think so; but the words "hereinbefore provided" might be inserted.

Mr. BULKELEY. I think that would be better.

Mr. ALDRICH. Very well; after the word "admitted," in line 18, insert the words "as hereinbefore provided."

Mr. BRANDEGEE. Would it not be better, I ask the Senator from Rhode Island, to insert the words "as hereinbefore provided," after the word "That," in line 16?

Mr. ALDRICH. After the word "That?"

Mr. BRANDEGEE. Yes. There will be no question about it then.

Mr. ALDRICH. Well, at the end of line 16, after the word "That," insert "as hereinbefore provided."

Mr. BRANDEGEE. On second thought, perhaps it would be better to let it come in after the word "Islands," so that it will read: "*Provided*, That all articles," and so forth, "the growth, product, or manufacture of the Philippine Islands, as hereinbefore provided."

Mr. ALDRICH. No; I think that would not do.

Mr. BULKELEY. I suggest that it read "admitted into the ports of the United States as hereinbefore provided."

Mr. ALDRICH. It does not make much difference where you put the words. They might be put after the words "United States."

Mr. BULKELEY. It only occurred to me that there should be some such provision there.

Mr. LODGE. Yes; that will cover it.

Mr. ALDRICH. Insert the words "as hereinbefore provided," after the words "United States," at the end of line 18.

Mr. CURTIS. Mr. President, it seems to me that this is a very important amendment. The people of the Philippine Islands are anxious to use the Connecticut wrappers, and I suggest that the amendment be adopted, with the understanding that the words can be changed when the amendment comes up in the Senate, or that the amendment go over until the necessary changes can be prepared.

Mr. ALDRICH. Oh, no. Everybody understands it, I think. Insert after the words "United States," in the eighteenth line, the words "as hereinbefore provided."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 18, after the words "United States," it is proposed to insert the words "as hereinbefore provided."

Mr. BURKETT. Mr. President, it seems to me that the words following, "free of duty under the provisions of this act," cover it just as well and as completely as could be done by saying "as hereinbefore provided."

Mr. ALDRICH. I think they do fully; but in excess of caution the Senator from Connecticut thought the change should be made.

Mr. BURKETT. If there is anything that comes after it in this bill, or anything that should happen to be in any other part of the law which practically covers all imports, the words "hereinbefore provided" would be ambiguous and would perhaps be embarrassing at some time.

Mr. ALDRICH. I think perhaps we had better strike out the word "act" and insert "section" in the nineteenth line. That will surely cover it. I will withdraw the other amendment, inserting the words "as hereinbefore provided," and move to strike out the word "act," in the nineteenth line, and insert the word "section."

Mr. BULKELEY. I was not quite certain that it needed anything further, but I wanted to make sure.

Mr. ALDRICH. I think it would be better to change the word "act" to the word "section," and I move that amendment.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 3, line 19, after the word "this," it is proposed to strike out the word "act" and insert in lieu the word "section."

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. HEYBURN. I should like to inquire of the chairman of the committee whether or not the word "otherwise," in line 18, page 4, should not come out, and also the words "in force," in line 19?

Mr. ALDRICH. Mr. President, that allows the government of the Philippine Islands to provide for internal-revenue taxation otherwise than by stamps, if they so desire. This legislation only applies to the Philippine Islands.

Mr. HEYBURN. I understand that; but was it the intention to give them that latitude?

Mr. ALDRICH. Yes; it was.

Mr. HEYBURN. They will collect their revenues in the way of licenses under the law, which power is accorded to them by this provision.

Mr. ALDRICH. It is so intended.

Mr. HEYBURN. What internal-revenue taxes in this country are collected otherwise than by stamps?

Mr. ALDRICH. We do not intend to regulate the legislation of the Philippines by anything that might be adopted here. All of their legislation must be approved by Congress.

Mr. HEYBURN. Yes; but, of course, the system of stamps has been inaugurated to avoid the danger of a floating fund in cash passing through the hands of government officers. That was the purpose of it, and I should like to ask why it is not a wise purpose there as well as here?

Mr. ALDRICH. There are a great many of the internal-revenue taxes in the United States that are not collected by stamps; for instance, all license taxes are not collected by stamps. I think it would be very undesirable——

Mr. HEYBURN. I merely wanted to inquire. Now, as to the words "laws in force in the Philippine Islands." The words "in force" are words of limitation. I think they had better be left out of the laws of the islands.

Mr. ALDRICH. I have no objection to that.

Mr. HEYBURN. I move that the words "in force," in line 19, page 4, of the amendment, be stricken out.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 4, line 19, it is proposed to amend the amendment by striking out the words "in force."

Mr. ALDRICH. Then the words "of the Philippine Islands" should be used, instead of "in the Philippine Islands."

Mr. HEYBURN. It would not make any difference. The Philippine Islands have no laws "of them;" they are laws "in them;" they are made by Congress, and they are applicable to the islands.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho to the amendment.

The amendment to the amendment was agreed to.

Mr. HEYBURN. Now, on page 5, line 11, the words "future acts" should be stricken from the amendment.

Mr. LODGE. That should not be done.

Mr. HEYBURN. To what did the Senator refer?

Mr. LODGE. The striking out of the words "future acts," because they must be acts that are to be approved by Congress hereafter. We do not know what acts there may be hereafter.

Mr. HEYBURN. I want to make a suggestion. The amendment we just voted on was to strike out the words "in force." In line 11, on page 5, the use of this language is confined to "future acts:" that is, to be disposed of only under future acts. Now, let us see what it is:

And provided further, That from and after the passage of this act all internal revenues collected in or for account of the Philippine Islands shall accrue intact to the general government thereof and be paid into the insular treasury, and shall only be allotted and paid out therefrom in accordance with future acts of the Philippine legislature, subject—

Subject, of course, to our confirmation. Now, there may be a hiatus there which will be very uncomfortable. We have one in Porto Rico now.

Mr. LODGE. If the Senator will allow me, I think I can explain that. The internal-revenue taxes under the present law are, some of them, paid to the provincial government, and it is considered very desirable by our Government that they should be paid direct to the central government.

Mr. HEYBURN. I think that is right.

Mr. LODGE. That is the purpose of this paragraph. But the method of payment will have to be established by future acts of the Philippine assembly.

Mr. HEYBURN. There is a possibility of considerable embarrassment. The provision for paying to the central government is all right, but there is no provision for paying it out or devoting it to the use for which collected until the legislature of the Philippine Islands acts.

Mr. LODGE. There can not be.

Mr. HEYBURN. The existing laws ignore it, and the wheels of government may stop, as they have in Porto Rico.

Mr. LODGE. It can only be allotted and paid out after it has been given to them. Then, of course, it is for them to allot them and pay them out, and that will be done under the future acts of the assembly. We do not interfere with their expenditures of money.

Mr. HEYBURN. They now have a law for disbursing the funds.

Mr. LODGE. It is now distributed among the provinces. We want it in the general treasury. There is no danger of such trouble in the Philippines as there has been in Porto Rico, because the organic act, as the Senator knows, is different. The commissioners have the right, in case of failure to make appropriations, to continue the appropriations by their own act.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. HEYBURN. The commissioners would have no right to pay out this money in advance of legislation.

Mr. BULKELEY. The internal-revenue taxes collected in the United States naturally take the same course that the customs duties collected in the United States do. They are all returnable to the General Treasury.

Mr. HEYBURN. That is, under our general law.

Mr. BULKELEY. The collections at our custom-houses on imports from the Philippine Islands are never covered into the Treasury, but are held for the benefit of the Philippine government, and I suppose the intent of this is to make the internal-revenue taxes take the same course.

Mr. CURTIS. As I understand, this change in the existing law will require changes in the Philippine revenue laws.

Mr. HEYBURN. Until that legislation is had, not a cent of revenue can be paid out. I think we all know, as a matter of fact, that these revenues will begin to accrue to the government within at least three months after the passage of this act. The revenues that are thus collected go into the treasury under the provisions of this act. There should be some convenient method of applying them to the expenses of the government. This fund will be about twenty-six and a half million dollars, and it is for the specific purpose of paying the expenses of that government.

Mr. ALDRICH. The purpose is that it shall not be distributed under the present legislation of the Philippine Islands.

Mr. HEYBURN. Let us see the working of it. The legislature of the Philippine Islands, so far as I am advised, can not meet and enact a law providing for the distribution of this money for the expense of the government until next fall. That act, by the very terms of this act, must be submitted to Congress, and we can only act on it next winter, at the regular session of Congress. It looks to me as though there must be a period of nearly a year in which there will be no law in force for the distribution and use of the public funds.

Mr. ALDRICH. These provisions have had the approval of the Insular Bureau of the War Department.

Mr. HEYBURN. That is not an argument which is legitimate here.

Mr. ALDRICH. I think it is perfectly safe.

Mr. HEYBURN. We are here to legislate on our own responsibility.

Mr. ALDRICH. It is safe to say that the Insular Bureau have an idea of practical legislation in the Philippine Islands, and I assume they would not purposely create a hiatus of a year in the disposition of these funds.

Mr. CURTIS. I understand there has been submitted to Congress a general tariff act for the Philippine Islands. That measure has passed the House and is now pending before the Senate committee, and I should think the legislation suggested could be cared for in that measure.

Mr. HEYBURN. Yes; it is for that purpose that I have raised these objections. I know something of what is proposed to be done by that bill should it be enacted into law. I am anxious that there shall be nothing done in this bill which will tie the hands of that government under the proposed legislation. Under existing law the Insular Commission have powers which they will not have if this law is passed. This is not a thing to be disposed of lightly, in a moment, or by a nod. It is a pretty large proposition.

Mr. LODGE. The Senator will allow me?

Mr. HEYBURN. Yes.

Mr. LODGE. The point which the Senator has just made is a very important one. If this affects the powers of the commission under the organic act, it is a very serious thing indeed.

Mr. HEYBURN. We will have to change it.

Mr. LODGE. I did not suppose there was anything like that in here, or I never would have assented to it.

Mr. HEYBURN. I have been spending hours over it, and I am looking forward to harmonious legislation in the Philippine tariff bill with that which we enact here.

Mr. ALDRICH. Will the Senator please point out any provision in this amendment which limits the powers given by the organic act?

Mr. HEYBURN. Oh, the organic act; the organic act now is supplemented by the legislation enacted pursuant to it, which is in force, just as the Dingley bill is in force at this time, and it will remain in force until something is substituted for it.

In my judgment, with such time as we have had to compare the provisions of this measure with those recommended by the Insular Bureau and already within the proposed legislation, this provision is inconsistent.

Mr. BULKELEY. I want to say, for the information of the Senator from Idaho, who I believe is a member of the Committee on the Philippines, that I shall not oppose but shall favor the adoption of this substitute, so that if the legislation is finally adopted by the Congress it will be in better shape, to my mind, than the original bill. I have a view of my own that this legislation has no proper place in a bill creating a tariff for the United States of America, and that it should properly be considered in connection with the tariff bill for the Philippine Islands, many measures of which are dependent upon this very legislation pending before this body. I shall move, if the substitute is agreed to, that the whole paragraph be stricken out and that it be referred to the Philippine Committee, that it may be perfected.

Mr. HEYBURN. I suggest to the Senator from Connecticut that it would not be accomplished by striking out the whole paragraph, but by striking out all after the colon, in line 6, page 5——

The VICE-PRESIDENT. The Senator from Connecticut understands that the proposed amendment has already been substituted for the provision printed in the bill?

Mr. HEYBURN. It is all open for discussion.

The VICE-PRESIDENT. It is all open for discussion. The Chair thought the Senator from Connecticut had an erroneous impression in regard to it.

Mr. BULKELEY. I want to suggest to the Senator from Idaho, who is chairman of the subcommittee, that this legislation, in the tariff bill now pending, should properly be considered with the other, in order that the bills should be drawn in entire harmony. Heretofore all Philippine legislation with which I am familiar has first been considered by the committee of the Senate having these items under their particular charge, and has not been mixed up with general legislation for the United States.

Mr. CURTIS. Mr. President——

Mr. LODGE. I only wanted to say, in reference to what the Senator from Connecticut has just said, that I am chairman of the Committee on the Philippines, as it happens, and I have not the slightest desire to take anything from any committee which properly belongs there, but I am clear that this proviso ought to stay here and that it is of great importance to the proper administration of those islands.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. HEYBURN. I yield.

Mr. CURTIS. I should like to ask the Senator from Massachusetts if it would be proper to provide for this legislation in the Philippine tariff bill?

Mr. LODGE. It seems to me it comes more appropriately here. We can do it in the other or by a separate bill, but we are dealing here with their internal-revenue taxes and making arrangements in regard to them.

Mr. CURTIS. As I understand, this provision is necessary because if the new tariff law takes effect it will reduce the revenue in the Philippine Islands, and under existing laws they are paying now to the provinces more money than they can afford to turn over to them in case the new tariff bill passes; and in view of that fact it is important that this change be made.

Mr. HEYBURN. I have no desire to delay or in any way to embarrass this legislation, but it is a question of too much importance to be passed over lightly. I am satisfied it is not wise to enact this as it is proposed. There might be a long interval during which no one would be authorized to distribute or use this fund. One branch of the government would have lost the power and the other would not have obtained it. However desirable it may be to change the financial system of the Philippine Islands and to have the money paid out in pursuance of an act of the legislature, approved by this Congress, we must not lose sight of the fact I have presented.

The Senator from Massachusetts has suggested that we might insert here a provision that would give the Insular Commission the authority, until the enactment of legislation, in the interval, to disburse this money. Otherwise you are going to have a lot of money lying idle in the treasury. I would suggest that if the Senator from Massachusetts will formulate such an amendment, it would cure the objection which I have.

Mr. LODGE. I would suggest to insert in line 12, after the word "legislature," the words "or of the Philippine Commission."

The VICE-PRESIDENT. Does the Senator offer that amendment?

Mr. LODGE. I suggest it.

Mr. HEYBURN. It would have to come in somewhere else. That would make the action of the Philippine Commission subject to the approval of Congress.

Mr. LODGE. I suggest to insert at the end of the proviso that it shall be expended under the direction of the commission until action by the legislature.

Mr. HEYBURN. That can be formulated.

The VICE-PRESIDENT. The question is on agreeing to the substitute offered by the committee.

Mr. HEYBURN. That takes the place of the whole business.

Mr. BULKELEY. Mr. President——

Mr. BRISTOW. If the Senator wants to continue his remarks——

Mr. BULKELEY. I simply desire to make a motion as a substitute for the adoption of this paragraph while this is before us. I desire to make a motion to refer.

Mr. BRISTOW. It may eliminate the necessity of my making any remarks. I was going to talk on some other phases. But I understand the Senator from Connecticut desires to offer a substitute for this paragraph.

Mr. BULKELEY. The motive for my present action is to get this substitute bill into shape that will be more satisfactory than the bill as originally reported by the committee, and if that is done, not with any view to delay this legislation, I shall make a motion to refer to the Committee on the Philippine Islands, in the first place, that the whole Philippine matter can be considered in connection with the tariff bill for that archipelago, which is dependent upon the tariff bill, and dependent in large measure on the bill that is now pending, and that they may be both considered together and worked out in proper form.

Mr. BRISTOW. If I can have the attention of the members of the committee, I should like to inquire what is the effect?

The VICE-PRESIDENT. The Senator from Kansas desires the attention of the Senator from Rhode Island.

Mr. BRISTOW. I should like to inquire if the paragraph following that proviso in line 5 incorporates the tariff laws of the United States on the importation of sugar into the Philippine tariff laws, and makes them applicable to the importation of sugar into the Philippine Islands from other countries than the United States?

Mr. ALDRICH. That provision does not, but the other provisions of the act extend the tariff laws. They are already extended by other legislation and by this legislation. It has to pay the same rate of duty that sugar imported into the United States does, unquestionably.

Mr. BRISTOW. What is the purpose of that proviso, which was not in the original House measure, and why is it necessary in this measure to impose our tariff laws as relates to the importation of sugar from other countries to the Philippine Islands? You do not do it in regard to anything else.

Mr. ALDRICH. It must be apparent to everyone in the Senate that we can not have Java and Sumatra sending their sugar to the Philippines and then have it sent to the United States.

Mr. BRISTOW. This provision does not——

Mr. ALDRICH. It does not touch that question at all. It refers only to the admission of sugar into the United States. That provision does not touch that.

Mr. BRISTOW. These 300,000 tons must be the product wholly of that Philippine Islands.

Mr. ALDRICH. Certainly.

Mr. BRISTOW. It is not necessary to incorporate this provision in order to prevent sugar from being imported from Java into the Philippine Islands and then into the United States.

Mr. ALDRICH. If the Senator from Kansas can tell whether sugar imported from the Philippine Islands is the product of the Philippine Islands or not, he is much wiser than I am. After it is once in there, admitted free, and it is proposed to be exported, I know of no process by which you can tell whether it is the growth of the Philippine Islands or not. The only way to be certain is to make the same import duties in the islands as in the United States, subject to all the penalties for fraudulent importation. That is true of sugar, tobacco, and everything else. If we are going to admit tobacco free into the Philippine Islands, this provision, that it shall be free if the growth of the Philippine Islands, would amount to nothing.

Mr. BRISTOW. But the committee does not provide that other articles than tobacco and sugar shall have the same duties if they are imported into the Philippine Islands as when imported into the United States. This provision applies only to sugar and tobacco. It is just as easy to commit frauds with respect to other articles as with regard to sugar and tobacco. You do not propose the same thing with regard to the importation of cotton.

Mr. ALDRICH. Those things can be easily followed, but in the matter of sugar and tobacco it seems to me it is absolutely impossible to determine that question; and so long as sugar and tobacco are the only real questions in controversy, it seems to me and to our committee, without any difference of opinion, that this provision is absolutely necessary. I think, unless the Senator wants to have all the sugars of the world imported into the United States free of duty, that this provision must be adopted.

Mr. BRISTOW. Take liquors or anything else other than sugar and tobacco. There are a thousand things that might be imported into the Philippine Islands and then imported here that are just as hard to detect, and I can not see why the Philippine Islands should be burdened with our tariff laws relating to sugar when they are not burdened with our tariff laws relating to all the other things comprised in this bill. The result will be, it seems to me, that the sugar provisions relating to the importation of sugar into the United States will be attached to this Philippine tariff; and it means this, that in the future, after this law is enacted, all the sugar not produced in the Philippine Islands will have to be imported from the United States unless they pay a very large duty, and the result will be that all refined sugar consumed in the Philippine Islands after the enactment of this law will be imported from the United States to those islands. That will be the effect of this legislation, and it is plainly in the interest of the sugar refineries of the United States more than in the interest of the Philippine Islands. I can not see anything else to it.

Mr. ALDRICH. This is certainly a new objection. The sugar producers in the United States and the tobacco producers in the United States have strenuously objected to the free importation of these articles from the Philippine Islands, and they are strenuously objecting to the importation of 300,000 tons. I never before heard the suggestion that the purpose of this legislation was to force the people of the Philippine Islands to use American sugar. They make all their own sugar now, and send sugar to China and to various other places, and the fear of the sugar producers of the United States is that they will soon produce sugar greatly in excess of the 300,000 tons which they will send here. I think the Senator's imagination is getting a little the better of the facts in this case.

Mr. BRISTOW. It is not a question of imagination, and as to the statement that the Philippines consume only their own sugar, that is not a fact. They consume a great deal of sugar not made in the Philippines. They import a great deal from

other countries. They import some from the United States, some from England, some from Germany, but much more from China.

Mr. FOSTER. I suggest to the Senator that unless some provision of this kind is placed in this bill, does he not think there would be a great danger of the Filipino people importing cheap sugars from Java and the surrounding islands, thus enabling them to ship their entire product to this country, while consuming what may be necessary of these cheap sugars from adjoining islands?

Mr. BRISTOW. I think that could be provided against just the same as we now import raw sugars from other countries into the United States in bond. It is refined and exported. There is no duty on that. It would be just as easy to prevent fraud in the Philippine Islands as fraud here. What is to prevent a refiner importing raw sugar, and instead of exporting that identical sugar, using it for consumption in the United States, and thereby avoid the duty, thus committing a fraud? That is provided against, and the same provision can be made against the Filipino importing sugar and sending it to the United States. It is purely a question of protecting the revenue against fraud.

Mr. FOSTER. If the Senator will permit me——

Mr. BRISTOW. Certainly.

Mr. FOSTER. I did not mean that the Filipino would buy this cheap sugar in Java and the other islands and import that sugar into this country. What I did mean was that they would buy this sugar for their own consumption and then ship all of their product to this country.

Mr. BRISTOW. I see the point.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Utah?

Mr. SMOOT. In answer to the Senator from Louisiana I will say that would be impossible to-day, for there is a duty upon sugar entering into the Philippine Islands from other countries.

Mr. BRISTOW. I should like to inquire if the committee feels that it is the wisest and best course, beyond question, to limit to 500 tons the amount that any one factory may ship here?

Mr. ALDRICH. That provision was put into the bill for the purpose of discouraging—I will not say preventing, but discouraging—large combinations of sugar growers in the Philippine Islands. There was fear expressed by the sugar producers of the United States that either the American Sugar Refining Company or some other large combination would go over there and practically take possession of the sugar production of the Philippines; that they would build large factories, central factories, and control the production in that way. This was put in at the suggestion of the sugar producers of the United States to prevent those combinations. I think the contention of the gentlemen is correct.

Mr. BRISTOW. I may be mistaken in regard to that, but I wanted to offer a few suggestions upon two phases of this sugar legislation. The 300,000 tons are, of course, to be imported to benefit the sugar producers of the Philippine Islands. That is what this legislation is for, as I understand it. It is to improve the market for raw sugar in the Philippines, and encourage the production of sugar in those islands, which has very greatly declined or is very much less now than it was under the Spanish control and government of the Philippine Islands. It can not in any way benefit the American people, because it means 300,000 tons of a very crude raw sugar, or the part of 300,000 tons which shall be imported into the United States free of duty. It will not lessen the cost of sugar to the American people any whatever, because we are now receiving practically 500,000 tons from Hawaii, 225,000 tons from Porto Rico, and from 1,200,000 to 1,400,000 tons from Cuba at a reduction of 20 per cent. This tremendous importation of raw sugar into the United States in the last five years has not reduced materially the price of sugar to the American consumers. The question is, Will this legislation benefit the Filipinos?

It is interesting to note that the only sugar that is produced in the Philippines is of a very crude kind. We imported for the year 1907, according to the table of statistics furnished by the committee, about 35,000 tons. None of that tested higher than 89° by the polariscope. Much of it was very much lower than that. There was quite a large part that tested 82°. None of this sugar that comes in is suitable for direct consumption. It is sold to the refineries. I have been told by representatives of the independent refineries that the American Sugar Refining Company, or the trust, is the only refinery in the United States that purchases in any considerable quantities Philippine sugar for refining; that it is the only one of the refineries that is equipped for the refining of the crude raw sugar that comes from the Philippine Islands; and that practically the only sales which have been made from the Philippine Islands since we have had this reduction have been to this company.

What will be the result, then, of admitting 300,000 tons of this sugar? It will simply give the American Sugar Refining Company 300,000 tons more of raw sugar to be refined at a much cheaper price than it is now paying for that raw sugar, and it will sell the product of the 300,000 tons after it is refined to the American people for the same price that it is now receiving for granulated sugar. It is simply another favor extended, so far as the Americans are concerned, to the American Sugar Refining Company, and the Filipinos will receive the advantage of whatever increase there is in the price they receive for their raw sugar. But since in the United States they will have but one customer of any consequence, the price that they will receive will depend upon the will of that customer. So it is problematical as to what benefit the Filipinos will receive.

Just to illustrate the kind of sugar that is produced in the Philippine Islands, I have secured from the Department of Agriculture some samples of Philippine sugar. There is one [exhibiting] that tests 83°. We had last year something over 11,000,000 pounds of that kind of sugar that came into the United States. The only customer in this country for that sugar is the American Sugar Refining Company. It is the only refinery that can handle it, or that does handle it, or that buys it.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Will the Senator from Kansas yield to his colleague?

Mr. BRISTOW. Certainly.

Mr. CURTIS. I suggest to my colleague that the principal customers for the Philippine sugar are the people of China and Japan. The Chinese use that sugar in the state the Senator has presented it to the Senate. It was generally contended in the Philippine Islands that the advantage to them of letting their sugar into this country free would be the increase in price they would receive from their customers in China and Japan. Of course the price of the Philippine sugar is fixed at Hongkong. It is the New York price less the freight from Hongkong to New York.

I do not suppose anyone will contend that anywhere near 300,000 tons of Philippine sugar will ever be imported into this country. The truth is the Philippine people, under the most advantageous circumstances, never produced for exportation over 260,000 tons of sugar.

Mr. BRISTOW. I realize that——

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Connecticut?

Mr. BRISTOW. Certainly.

Mr. BULKELEY. I should like to ask the Senator from Kansas [Mr. CURTIS] a question. Does he not know that the quality of Philippine sugar is so poor that there is no market for it in the United States, and that this proposed legislation is all humbug?

Mr. CURTIS. No; I can not agree with the Senator that "this proposed legislation is all humbug." I think as those people said there, their sugar is being used in China and Japan, and the price is fixed at Hongkong. They say the Filipino producer receives the New York price less the freight from Hongkong to New York. If there is a duty added it will add that much more to the New York price, and they will receive that much of a benefit.

The limitation of 300,000 tons was placed upon the importation to satisfy the American producers of sugar. They thought if sugar was admitted free Americans would go to the islands and buy plantations and begin the manufacture of sugar in the Philippine Islands for exportation to this country.

Mr. BULKELEY. It was not only the fear that Americans would go to those islands, but that the great exploration companies of the world would go in there and buy those cheap lands of the Philippine Islands adapted to the raising of sugar and instead of two hundred and fifty or two hundred and sixty thousand tons, which was the largest amount they ever exported in the best days of sugar planting in these islands, it would largely increase under free trade with the United States.

It is true, I think, Mr. President, that sugar culture has very much deteriorated in those islands, and the quality of sugar has deteriorated rapidly. Instead of 265,000 tons they are now exporting about 125,000 tons. If you will refer to the report of the then Secretary Taft, our President, you will find he states clearly that it is not in the interest of the Filipinos to develop the sugar culture in the Philippines.

Mr. CURTIS. If my colleague will permit me, I will state that at a hearing given by the committee those who represented

the beet-sugar interests of the United States said they were afraid the people of the United States would buy the lands, because they had agents there at that time. I think the reduction of the production of sugar in the Philippine Islands was not so much on the account of the conditions set forth by the Senator from Connecticut as it was the result of the destruction of the great sugar plantations during the Spanish war, the war between the Filipinos and the Spanish people, and afterwards in the insurrection. I visited a lot of those plantations, and they were absolutely destroyed. The people who produced sugar said that if the United States would permit them to import sugar into this country free it would give them this additional price in Hongkong, which would be of great advantage to them. I think they were right in their contention.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Connecticut?

Mr. BRISTOW. Certainly.

Mr. BULKELEY. I will say that possibly the destruction to which the Senator refers was not the only element in the deterioration of the sugar industry of the islands, but that it grew more largely from the attack of a disease upon the animals of the island which they were obliged to use in connection with the sugar industry, and which they have never been able to restore to the sugar fields.

Mr. CURTIS. If my colleague will permit me, an additional reason was the destruction of the carabao, or water buffalo, by a disease which spread over the islands, and then, I might say, there were other reasons. The hemp industry is the particular industry of the islands. People can make much more money in producing hemp there than they can in producing sugar. There are other paying industries, and tobacco pays better than sugar, and rice could be produced to a better advantage, in my judgment, than sugar.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Connecticut?

Mr. BRISTOW. Certainly.

Mr. BULKELEY. By the report to which the Senator has referred, hemp has deteriorated almost as fast as the tobacco, and both in about the same degree as the production of sugar. It is the laziness and the stupidity of the people more than anything else that has contributed to the conditions in those islands in regard to agricultural products.

Later, when I come to discuss this question on the paragraph itself, I shall endeavor to show, not from any knowledge of my own, but from an official document and those acquainted with the islands, that it is the people themselves who are more largely to be blamed than any other condition.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield further to his colleague?

Mr. BRISTOW. Certainly.

Mr. CURTIS. I dislike to take so much of my colleague's time, but I would like to say that I know nothing about what the reports show, but if there is any claim that the hemp industry has greatly decreased in that country, it must be a mistake. I visited the hemp island there, and every place we went where they produce hemp we found placards stating, "Leave us alone; we are doing well enough." There was evidence of prosperity in every section where hemp was produced in the Philippine Islands.

Mr. BULKELEY. It is true that the quality of hemp has deteriorated in the Philippine Islands.

Mr. BRISTOW. I would very much prefer that this discussion as to hemp be injected in a speech on hemp, instead of sugar, if it would suit the Senators just as well. Referring to the suggestion of my colleague, that the market for the Philippine sugar is in China and that this will help the Filipinos by increasing the price which they can secure from the Chinese, I think that that is a mistaken notion, because it is a well-known fact, and I will endeavor to cite authority bearing that out, that the reason why there is a decline in the amount of sugar produced—one of the reasons at least, and an important one—is that the market in China has been taken away by the Java sugar, which is of a superior quality, and can be sold just as cheaply and really produced much cheaper in Java than it is produced in the Philippines. So the Filipinos are losing the Chinese market because of the inferior quality of the sugar they are producing.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to his colleague?

Mr. BRISTOW. Certainly.

Mr. CURTIS. My authority is the principal producers of sugar in the Philippine Islands. I asked the question myself of the producers and the exporters of sugar in the Philippine Islands; they made answers to the questions I asked, and I brought out the facts which I have given to the Senate, that their market is China and Japan, and that the market price is fixed in Hongkong, the New York price less the freight; and that they would be benefited by this change. Of course I know nothing about it myself. I depend wholly upon what the sugar producers and the sugar exporters of the Philippine Islands gave to the committee.

Mr. BRISTOW. I will refer to that later before I get through; and I want to say I am not going to take much time on this subject. As to the method used in making sugar in the Philippines, it is the old method that has been used for generations and probably for centuries. They make what is called "muscovado sugar." The process, if I understand it properly, is similar to that which was employed in Louisiana for a century. That sugar [exhibiting] was made by grinding the cane in old wooden mills, sometimes iron mills. Usually the power is the water buffalo, or the animal that they use there, and they grind the cane over and over again. Then they boil it in kettles or pans and after it is boiled and gets thick and pasty, they take it out and pile it away somewhere to let the molasses drain out of it. By the modern method of manufacturing sugar, known as the "centrifugal process," the same cane juice can be taken and good sugar produced without refining it. That is a bottle of unrefined [exhibiting] sugar that was sent me from New Orleans.

It is 98 centrifugal sugar that has never been refined. The molasses was thrown out of it by the revolutionary process in a modern sugar factory. The old way was to drain the molasses out of it when it was in a box of some kind or in hogsheads with holes in the bottom of them. The top part of sugar so produced is the better, and the bottom is the cruder.

That is the only way they have of making sugar in the Philippine Islands to-day, I am told. There is not a single centrifugal mill in the islands, I have been informed by a gentleman who came from the Philippines sixty days ago. All of it is made by the old crude process.

I want to call the attention of the Senate to the duty that was paid on sugars that came from the Philippine Islands in 1907. It was purchased, as I have said, by the American Sugar Refining Company. Now, what duty was paid on a sufficient amount of raw sugar to make 100 pounds of refined sugar? I have a table here which has been made up from the records furnished us by the committee. There is a Treasury decision which finds the amount of raw sugar it takes in every degree of polarization down to 75° to make 100 pounds of refined. According to this Treasury decision, which is Treasury Decision No. 20174, rendered October 12, 1908, it requires of sugar testing 83, as this is, 124 pounds of that sugar to make 100 pounds of refined.

I think that that is more than it takes. My judgment is, from other information that I have, that the Treasury has been very liberal in allowing an amount of sugar that is necessary to make 100 pounds of refined. This decision was rendered in connection with fixing the amount that should be paid as drawback for sugar that comes in to be refined and then exported.

The sugar refining company that bought 100 pounds of this sugar and refined it paid a duty on the 124 pounds which it took to make 100 pounds of refined of $1.14\frac{1}{10}$. That is the duty that was actually paid on the amount of sugar that it requires to make 100 pounds of refined sugar. The duty on that 100 pounds of refined sugar is $1.95 after it is refined. The duty paid on the amount of sugar that it requires to make that 100 pounds was $1.14. There is not any theory about this; that is the actual transaction of the Treasury Department. They paid on that $1.14 duty, and as soon as it was refined they were protected by a duty of $1.95, leaving a difference in the amount of the duty on the refined product of 80.3 cents. That is the differential on Philippine sugar to-day, and there is not any escaping from that conclusion, because it is absolutely accurate. The differential on Cuban sugar grading 83° is 80 cents per hundred pounds. There were last year 9,250,000 pounds of that grade imported. There were 11,500,000 pounds of 82° sugar that came in from the Philippines. The differential on the 82° sugar was 81.7 cents. That is, for every 126 pounds, which is the amount it took of 82° sugar imported from the Philippines to make 100 pounds of refined sugar, there was paid $1.13 duty. As soon as that is refined and becomes the 100 pounds of refined-sugar product, it then carries a duty of $1.95 under the present law, which, on that eleven million five hundred thousand, would be 81.7 cents per hundred as the differential.

Now, on the 70,000,000 pounds that were imported in 1907 there was an average differential of 70 cents per hundred pounds, counting the duty paid on enough sugar to make 100

pounds of refined. On 75° sugar it is 136 pounds; on 89° sugar, which is the highest that came in from the Philippine Islands, it is 115 pounds.

Mr. BURKETT. I should like to ask the Senator a question there.

Mr. BRISTOW. Certainly.

Mr. BURKETT. Does not the same 25 per cent reduction on sugar from the Philippines apply to refined as it would to the raw sugar?

Mr. BRISTOW. There is no sugar refined in the Philippines.

Mr. BURKETT. But the Senator is speaking of a differential. If they refined it, the refined sugar coming in from the Philippines would get the same reduction that the raw sugar does, would it not?

Mr. BRISTOW. Certainly; but there is no refined sugar there.

Mr. BURKETT. I understand that, of course; but you can not figure on differentials.

Mr. BRISTOW. You can not in theory, but you must in fact.

As I was showing, the sugar produced in the Philippine Islands is of the coarsest variety. I want to read from Mr. Austin's report on the production of sugar in the Philippines, because it will give the Senate a very clear idea as to how they make sugar in the Philippine Islands. Mr. Austin, on page 1346 of the World's Sugar Production and Consumption, which can be found in the Library, and is very interesting, gives a very graphic idea of the crude methods of making sugar there. He says:

> In the production of sugar, as stated before, the crudest and most primitive methods are still being used. This is especially true of the Taal district, in the Province of Batangas. The total product, a very coarse muscovado, is called "Taal" sugar, from the name of the shipping port, Taal. Although by the year 1890 there were already a few steam and hand mills imported from England, the bulk of the establishments used old stone and wooden mills, such as were customary in Europe about five or six hundred years ago, the natives who owned the plantations in that part of the island being either indifferent or hostile to any improvements or innovations. By means of this crude "machinery," put into slow motion by water buffaloes or oxen, after repeated crushings of the cane, about 40 per cent of its weight is turned into juice. The latter runs through bamboo tubes into iron open pans, which stand in the open field over clay hearths, oftentimes without roofs. In these pans the juice is boiled with its impurities until it constitutes a pasty, dirty mass. The sugar gained in such a manner is taken out of the pans and heaped up in barns. After a while these heaps are packed into sacks, of which about six constitute a load for a buffalo cart, and long rows of such carts may be seen daily moving along like a creeping serpent in the direction of the port, the molasses dripping from the carts the whole length of the road. The loss in weight to Manila only is estimated to be between 2 and 3 per cent.

That is the usual method of making sugar in the Philippine Islands, and that is the method that produced that kind of sugar [exhibiting]. There is a little better grade of sugar that is made there, which is made in this way.

> A third system of producing sugar, customary in the sugar districts of central Luzon, consists in pouring the thick juice into clay funnel-shaped vessels called "pilones," which contain an opening at the bottom, closed by a stopper for some time. When the mass has sufficiently cooled, the stopper is taken out and the molasses flows slowly into pots put under these openings. Sometimes a thin layer of wet clay is put on the sugar, which is repeatedly moistened, allowing the water to pass through the sugar mass below. In this way a somewhat better quality is obtained, but this method requires many easily frangible and thus costly vessels and large storehouses, in which the pilones are kept until the primitive clarification process is completed.

Now, Mr. President, the result is that the only sugar that is made in the Philippine Islands is of the coarsest quality—that [exhibiting] is the best grade that comes to the United States.

I got this from the collector of customs at New York. It has no market except the American Sugar Refining Company. The other refineries in the United States are not prepared to handle it.

Mr. President, when you enact a law giving free import into the United States of 300,000 tons of this sugar you do not benefit a single American citizen except those interested in the American Sugar Refining companies, and there is no one who can demonstrate that a single American citizen receives any advantage whatever from the importation of this 300,000 tons of sugar except the American Sugar Refining Company. What are we enacting this law for? Primarily and solely for the benefit of the Philippine Islands and for the Filipinos, and for no other reason. I am not going to discuss at this time whether or not we should admit 300,000 tons of their sugar for their benefit. That is a question I shall leave until later. If we are going to admit it for their benefit, should we not enact provisions into this bill which will benefit them the most? We are not making it for ourselves; we shall get no good out of it. If we are going to help them, should we not help them in every way that we can? There are several million pounds of refined sugar imported into the Philippine Islands every year for consumption by the people who want a better grade of sugar than that [exhibiting], and that is the best they have unless they import it. The Senator from Massachusetts [Mr. LODGE] said that they did not import any sugar into the Philippine Islands, and therefore this provision which makes the Filipinos pay the same duty on refined sugar that we have to pay is a matter of no consequence to them. I had here—I do not know whether I brought it with me this morning—the exact amount that they did import.

But I say they import several million pounds. They get most of it from Germany, because the refined sugar that they get from Germany they can buy very much cheaper than they can from the United States. They get a great deal of it from China; it goes through China in transit to the Philippines and is bought by sugar brokers located in China, but it is not a Chinese production, of course. It is largely Java sugar which is sold in China. They imported in the year 1908 from Hongkong 2,900,000 pounds of refined sugar; in 1907 they imported 2,700,000 pounds of refined sugar from Hongkong. From the United States they imported in 1906, 30,000 pounds; in 1907, 215,000 pounds; and in 1908, 8,000 pounds. I do not know why they bought 215,000 pounds from us in 1907 and only 8,000 pounds in 1908; but I do know that, regardless of what the Senator from Rhode Island and the Senator from Massachusetts may say, the incorporation into this bill of this paragraph, to which I have objected, will compel the people of the Philippine Islands to buy every pound of refined sugar which they use from the United States, because it puts a duty of $1.90 per hundred pounds on every pound of refined sugar which is imported by those islands from any other country than the United States; and if you are legislating for their benefit, you are depriving them of the privilege that they now enjoy of buying their refined sugar in the markets of the world where they can get it cheapest. In return you are permitting them to deal with the American Sugar Refining Company for 300,000 tons of their crude sugar. They have no other purchasers of any considerable amount, and will not have any other purchasers under the provisions of this bill in the United States.

I want to submit to Senators, if they think that that legislation is in the interest of the people of the Philippine Islands, why should you compel them to pay a tax of $1.90 per hundred pounds on refined sugar and shut out the sugar that they have been importing from other countries of the world with whom they have commercial relations as well as they have with us; and then incorporate a provision in the bill that makes it impossible, as I will show, for them to produce practically any better sugar than that? [Exhibiting.]

The Senator from Rhode Island said that the purpose of limiting this importation of sugar free of duty to 300,000 tons was to prevent some great institution like the American Sugar Refining Company going to the Philippine Islands and establishing a sugar plantation there that would absorb all of these 300,000 tons of their sugar.

Mr. President, it is interesting to note the decline in the production of sugar in the Philippines. Various reasons have been assigned, but none of them appear satisfactory to me. The United States does not buy the amount of sugar from the Philippines which it used to do. We purchased more raw sugar from the Philippines in 1883 than was produced in the Philippine Islands last year all told. We purchased, in 1883, 149,000 tons of Philippine raw sugar. In 1885 we purchased 155,000 tons of raw sugar from the Philippine Islands, while last year, 1907, the last full year's statistics given here—Willett & Gray's statistics—we purchased 8,000 tons. Great Britain has been a better customer for the Philippine sugar than we have been in recent years; and China and Japan, as was stated by my colleague [Mr. CURTIS], have been the best customers for Philippine sugar. Willett & Gray's Weekly Statistical Sugar Trade Journal, on page 447, December 23, 1908, in regard to the Chinese market for Philippine sugar, says:

> Just think of the great market for sugar in China and Japan. They use Java sugar there now. Why? Because in Java they have central sugar mills, where the highest percentage of sugar is extracted from the cane at the lowest cost. They send centrifugals to China, where it easily outclasses the raw sugar of the Philippines—

That is sensible, is it not?—

> Men who have studied the question carefully say that if the Philippine sugar industry was run on the same lines to-day as it is in Java the Philippines product would crowd that of her neighbor out of the Far Eastern field.

That is, if we enact a law that will enable the Philippine sugar producer to produce a quality of sugar that must compete with Java sugar in the markets of China and Japan, the Phil-

ippines, because of their proximity and their commercial relations, will be able to take and hold that market. That is the view of the author and publisher of this journal. That [exhibiting] is a centrifugal. That kind of sugar is made in Java and can be exported. Here [exhibiting], as I understand, is a Java centrifugal sugar. It needs no argument to demonstrate that if you put those two sugars in the market at practically the same price that [exhibiting] will sell first. As long as you have a provision limiting the production of sugar to 500 tons per factory, you never will get centrifugal factories established in the Philippines, will you? I appeal to the representatives from Louisiana here, who know. There are in the Philippines to-day between ten and twelve thousand sugar farms. There are, I think, about 12,000 sugar farms in Louisiana. In Louisiana there are about 250 central sugar factories that take cane from those farms. They purchase it, grind it, turn it into sugar, and put the sugar on the market; but there would not be one there if they were limited according to law to producing only 500 tons, because that amount does not pay to make the great investment that is necessary in order to establish one of those factories.

The intention of the legislation is good. It is to prevent the concentration of the sugar production under one control; but in the Philippine Islands a sugar company can not purchase vast tracts of land, as is done in Cuba. Their holdings are limited to certain amounts. The average size of the sugar farm in the Philippine Islands is only 16 acres. They can not get tracts of land much larger than that, because the holdings of land can not be concentrated into vast areas, thereby creating practically a condition of servitude similar to what there is in some of the tropical countries. Why can not the Filipinos raise their sugar cane and sell it to a central factory the same as is done in Louisiana?

Do not the restrictions that we now have preventing the acquiring of large bodies of land guard against the concentration of sugar production in one hand? To establish a central factory that would make sugar by the centrifugal process, so as to turn out sugar of this grade [exhibiting] and market it in the Philippines and in Japan, and in competition with Java and other countries that use that process, would it not be best for the sugar growers in the Philippine Islands?

Mr. President, those who are familiar with sugar production, discussing this from the standpoint solely of the Filipino's interest, can not call in question that declaration, because if a central should be located that could turn out a thousand or fifteen hundred tons per annum, it would furnish a market for a vast amount of cane that could be grown by the independent farmers on the land that they own, and a much better grade of sugar could be made; so that there would be a far better market for that which is made, and yet they would produce a sugar that could be marketed in China, Japan, and elsewhere, and that would not have to be sold to the American Sugar Refining Company.

I want to say now, regardless of the laughs and sneers of those who do not agree with me, that practically the sole beneficiary of this legislation, as it is now framed, is the American Sugar Refining Company, except that small part that they might be willing to give to the Filipinos in order to induce them to produce as large a quantity of their sugar as they can. You are putting the Filipino farmer and the American Sugar Refining Company into a deal between themselves and shutting out every other competitor for the Filipino market. Not only that, but you are taking from them the rights that they now enjoy of buying in other countries the refined sugar which they consume, without having to pay a tax of $1.90 per hundred pounds upon that sugar. I want to appeal to the Senate not to consummate this.

I have some amendments that I have prepared. I was in hopes that the committee would consent to take that provision out without the controversy which seems to be necessary. But I have an amendment here that I want to offer first, and I will send it to the desk and ask that it be read.

The VICE-PRESIDENT. The Senator from Kansas offers an amendment, which will be stated.

Mr. BRISTOW. An amendment to the amendment submitted by the Committee on Finance.

The VICE-PRESIDENT. What the Committee on Finance has presented is practically a substitute, and has been accepted, so that it is an amendment.

Mr. LODGE. There is an amendment pending, being a proviso that I offered at the end of the bill, to which, I think, there is no objection, and which was suggested by the Senator from Idaho. I think that amendment will have to be disposed of first.

The VICE-PRESIDENT. No amendment is pending. The Chair asked the Senator if he offered the amendment, and he said he suggested it.

Mr. LODGE. I intended to say that I was preparing it. I certainly thought I offered it. It is in the hands of the Secretary.

The VICE-PRESIDENT. Very well. If the Senator from Kansas will permit, the amendment offered by the Senator from Massachusetts [Mr. LODGE] will first be disposed of. The Secretary will state the amendment.

The SECRETARY. Add at the end of the amendment the following proviso:

Provided, That until action by the Philippine legislature, approved by Congress, internal revenues paid into the insular treasury as hereinabove provided shall be allotted and paid out by the Philippine Commission.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The Senator from Kansas offers an amendment, which will be stated.

The SECRETARY. On page 2 of the printed amendment, in lines 5 and 6, it is proposed to strike out "sugar, refined or unrefined, and;" and in line 9 to strike out the words "sugar and."

Mr. BRISTOW. That simply removes the provision requiring the Philippine Islands to accept the American sugar tariff as applying to their islands, and leaves it just as the House had it, permitting them to buy refined or unrefined sugar at any place they wish.

Ample provision can be made by the Treasury Department to protect the people of the United States from having any sugar that is imported from the Philippine Islands that is not the product of the islands reimported into the United States, the same as other kinds of manufactured articles are forbidden that are not produced in the Philippine Islands.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas.

Mr. BRISTOW. I do not care to have the vote on that amendment taken now. I desire to submit another amendment to be voted on after the one I have just offered.

The VICE-PRESIDENT. The Senate must dispose of one amendment at a time; but the second amendment can be stated for information.

Mr. LODGE. As to the first amendment, as I understand——

Mr. BRISTOW. I do not want either of them voted upon just now.

The VICE-PRESIDENT. The Senator from Kansas has the floor. Does he yield to the Senator from Massachusetts?

Mr. BRISTOW. Yes.

Mr. LODGE. I want to see if I understand the first amendment. As I understand, the first amendment would admit all sugar into the Philippines at the rates imposed by their tariff.

Mr. BRISTOW. Of course, at whatever rate they impose.

Mr. LODGE. They impose a very low rate on sugar and it would admit sugars at a low rate into the islands, and then they could be exported to this country.

Mr. BRISTOW. It would permit them to fix the tariff on their sugar, the same as we permit them to fix the tariff on everything else.

Mr. LODGE. Exactly.

The VICE-PRESIDENT. The Secretary will state for the information of the Senate the second amendment proposed to be offered by the Senator from Kansas.

The SECRETARY. On page 2 of the printed amendment, beginning in line 11, strike out the words:

That, under rules and regulations to be prescribed by the Secretary of the Treasury, preference in the right of free entry of sugar to be imported into the United States from the Philippine Islands, as provided herein, shall be given, first, to the producers of less than 500 gross tons in any fiscal year.

Mr. KEAN. The Senator proposes to strike that out?

Mr. BRISTOW. Yes; that is the amendment. The purpose in striking that out is to give opportunity for the establishment of centrals in the Philippine Islands for the purpose of enabling them to equip themselves to produce sugar that can find a market anywhere in the world.

Mr. FOSTER. Mr. President, will the Senator allow me to interrupt him?

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Louisiana?

Mr. BRISTOW. Certainly.

Mr. FOSTER. Under the first amendment all unrefined sugar, as well as the refined, will be admitted into those islands under such tariff regulations as may be hereafter adopted by

the Philippine government or provided by Congress for the Philippine government?

Mr. BRISTOW. Yes.

Mr. LODGE. If the Senator will permit me, of course the Senators are both aware that all Philippine tariffs are made by the Congress of the United States or subject to their approval; and it makes no difference whether we fix this matter here or fix it in the Philippine tariff. The Senator understands that.

Mr. FOSTER. I understand that. Does the Senator from Kansas think that if this amendment goes through—and I am opposed to the amendment—that it would be fair to the sugar producers of this country to permit the Philippine Islands to buy their sugar from Java and other surrounding countries at a low rate of duty, and then consume that sugar and ship all the products of the islands to this country free?

Mr. BRISTOW. Up to 300,000 tons.

Mr. FOSTER. To 300,000 tons.

Mr. BRISTOW. Yes.

Mr. FOSTER. Now, as to the next amendment——

Mr. BRISTOW. Just a moment, if the Senator will excuse me. I am discussing it from the standpoint of the interests of the Filipinos.

Mr. FOSTER. And I am discussing it from the standpoint of the American producer.

Mr. BRISTOW. I do not want the Senate to get confused or the Senator to get confused. The question as to whether or not we shall admit 300,000 tons of Filipino sugar into this market free is one question. That is a question that interests the American sugar producers as well as the Filipino sugar producers, and that is a question in which the Senator from Louisiana is very much interested. But I am discussing this from the standpoint of that which is for the best interest of the Filipino. I want to ask the Senator, if we agree to take 300,000 tons of their sugar, should we, in making that agreement in their interest, make it impossible for them to send but a small part of that sugar here? Is that in the interest of the Filipino?

Mr. FOSTER. I do not agree with the Senator, in the first place, that they will send only a small part of their sugar here. I believe that they will ship to this country the greater proportion of their sugar if this amendment passes. But I am looking at this subject from the standpoint of the American producer, and I ask the Senator, if this amendment of his passes, will it not permit the Filipino to import sugar from adjacent countries at a low rate, consume that sugar, and then ship the whole of the product of the islands to this country?

Mr. BRISTOW. Up to 300,000 pounds.

Mr. FOSTER. Yes, sir. As to the other amendment, I discuss that, again, from the American standpoint and not from the Filipino standpoint. The object of this amendment, as I understand, is to encourage the small farmer and the small and medium size producer of sugar in those islands, and prevent the exploitation of those islands by speculators from this country, from Germany, from England, and from other countries, by the erection of magnificent establishments which will be conducted purely in the interest of the exploiter and not in the interest of the Filipino.

Mr. BRISTOW. Let me ask the Senator from Louisiana, would he be willing for such a provision to apply to the State of Louisiana—limiting the production of any one sugar factory there to 500 tons?

Mr. FOSTER. I would not.

Mr. BRISTOW. Why? Because he thinks it would not be to the interest of the State of Louisiana to have such limitation; and if it is not to the interest of Louisiana to have such a limitation, why is it to the interest of the Filipinos?

Mr. FOSTER. I do not think it is to the interest of the American producer of sugar to encourage the exploitation of those islands by large corporations organized for the purpose of concentrating the sugar interests in the hands of a few people and practically destroying the development of the small farming interests of that country. That is the difference.

Mr. BRISTOW. Will the Senator from Louisiana again state from memory what is the average production of the sugar plants in the State of Louisiana; that is, of the factories?

Mr. FOSTER. They run from about 800,000 pounds to about seven or eight million, and some of them 15,000,000 pounds.

Mr. BRISTOW. I mean the average production.

Mr. FOSTER. Average production of what?

Mr. BRISTOW. Of the centrals in Louisiana. It is about fifteen hundred tons, is it not?

Mr. FOSTER. I do not exactly understand the Senator.

Mr. BRISTOW. There are, as I understand, in Louisiana 245 central sugar factories, that buy the cane from the Louisiana farmers, and there are about 12,000 farmers that raise cane, are there not?

Mr. FOSTER. I judge there are between ten and twelve thousand.

Mr. BRISTOW. It is to the interest of the cane grower of Louisiana to have a factory there that can produce high-grade sugar, is it not?

Mr. FOSTER. Certainly.

Mr. BRISTOW. And the more of those factories there are there that can turn out and make this centrifugal sugar, the better market there is for the cane that grows on the farm, is there not?

Mr. FOSTER. To a certain extent that is true.

Mr. BRISTOW. Take away those centrals, and return to that system which you once had, of making the muscovado instead of centrifugal sugar, and you would discourage the production, because it would not be so profitable, and you could not compete with that system with the centrifugal factory, could you?

Mr. FOSTER. No.

Mr. BRISTOW. The result of this limitation is to prevent the development of the sugar industry in the Philippine Islands.

Mr. FOSTER. No, sir; I do not agree with you in that.

Mr. BRISTOW. If it is necessary for the proper production of sugar in Louisiana to have these centrals to turn out this grade of sugar [exhibiting], why is it not in the interest of the Philippine Islands to have them?

Mr. FOSTER. The object of this amendment is to encourage the development of a small farming interest in that country. It does not exclude the importations from those islands of sugars produced in those large factories. It simply gives the preference to the small farmer as against the large refiner.

Mr. BRISTOW. The small refiner makes that sugar, does he not?

Mr. FOSTER. He can make the sugar, and he can make a much better sugar if he makes a million pounds of sugar.

Mr. BRISTOW. How? How much better than with the old muscovado system? It never gets above 89°.

Mr. FOSTER. I do not know.

Mr. BRISTOW. The centrifugal sugar drives the muscovado out of the market. You can not make a centrifugal sugar if you are forbidden by law to turn out more than 500 tons per annum. One would not put in a centrifugal plant under that limitation.

Mr. FOSTER. Yes; that is a million pounds of sugar. But this provision in the bill does not exclude from the markets of this country the sugar made in factories producing over 500 tons. It simply gives a preference to the small farmer of that country who wishes to ship sugar into this country, and it looks to me that unless some provision of this kind is in the bill you are practically going to have the small Filipino farmer wiped out of existence.

Mr. BRISTOW. Has he been wiped out of existence in Louisiana?

Mr. FOSTER. No; we are not the Filipino farmer. You are going to encourage the concentration of capital in these large refineries and large factories, by which they can absolutely dominate and control the prices which the small farmers are to have for their cane.

Mr. BRISTOW. Who will dominate the price of sugar under this law?

Mr. FOSTER. That sugar will come into this country.

Mr. BRISTOW. Who will buy it?

Mr. FOSTER. I think as a rule the sugar refiners will be the principal purchasers.

Mr. BRISTOW. Will anybody buy it except the refiner?

Mr. FOSTER. I do not think anybody else would buy it; but if you establish or permit the establishment of these large central factories in those islands, inviting German, English, and French capital, these factories will be established, and they will absolutely control the production of the small farmer in the price of his cane. That is one of the objections——

Mr. BRISTOW. The small farmer would sell his cane to the central.

Mr. FOSTER. For just what the central would give for it and nothing more.

Mr. BRISTOW. He sells it now to the agent of the American Sugar Refining Company for what it will give him. There is no other market. The central will seek a market for that sugar not only in the United States, but elsewhere. The central sugar factories are in every great sugar-producing country in the world except the Philippines, and the reason the Filipinos are producing only from 130,000 to 150,000 tons, when they used to produce a very much larger amount, is because of their crude methods. They make a sugar that will not sell in competition with Java sugars.

There would probably be fifteen or twenty or more central sugar factories established in the Philippine Islands if this 500-ton limit was taken out and the cane grower, instead of having to sell his sugar as it is now—sugars made in a crude way, with all the waste—would sell it to the central, the same as the farmer does in Louisiana. The central would afford a market. They could sell the centrifugal sugar they produce the same as is done in Louisiana. They could sell it to the trust or in China or any place else, and they would have a quality of sugar which would compete with Java sugar. This amendment of mine is solely in the interest of the Filipino, to give him a better market for his cane than he now has.

The Senator from Louisiana can not lose sight of the fact that it will make a sugar that will be more popular in the United States, that will find a more ready market here, and it will develop the sugar business there, so that the 300,000 tons, which is the limit, will come in probably within a very short time. I am discussing this matter from the standpoint of the best interest of the Filipino and not from the standpoint of whether or not we should extend to them this market for 300,000 tons. I am protesting against extending to them this market and then depriving them of the use of it in the most advantageous way after it is extended. If it is not for the best interest of the American people to open a market here for 300,000 tons of Philippine sugar, then vote down the amendment and this provision; but if we are going to open this market for 300,000 tons of their sugar, I want to appeal to the Senator and ask him if he thinks it is right to prevent them from putting in and establishing the same kind of factories that will make the same kind of sugar that is made in every great sugar-producing country in the world?

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. BRISTOW. Certainly.

Mr. BURKETT. I should like to ask the Senator a question. As I understand him, from his address, he is objecting to the admission of the 300,000 tons.

Mr. BRISTOW. I am not now——

Mr. BURKETT. He is objecting to the details under which it will be admitted.

Mr. BRISTOW. That is exactly it.

Mr. BURKETT. As I understand him, he objects to giving the first chance in this market to the man who produces less than 500 tons. Let me ask him a question. Where does he get the idea that you can not start a centrifugal for quantities of less than 500 tons?

Mr. BRISTOW. I get that in talking with sugar men, sugar producers.

Mr. FOSTER. If the Senator will permit me, there are factories of that kind in my State, and quite a number of factories that produce less than a million pounds of sugar, and they are doing very well. I do not consider that this provision will in any manner prevent the erection of those small factories. I think it will discourage—I doubt if it will prevent—the erection of these tremendous factories which would destroy the small factory and absolutely control the price of the raw material in those islands.

Mr. BURKETT. I want to ask the Senator another question. I want to get the Senator's idea. I understand, as a matter of fact, there are such centrifugals, and the Senator from Louisiana confirms it. If there are any of these over there, certainly the Senator would not object to their taking the first place in this market. But let me put this question to the Senator: Three hundred thousand tons is contemplated to take in all the Philippine sugar for export. So, with that provision in or out, they can go ahead and organize centrifugal factories there for even twice that much or three times that much, and we will get all the sugar that they produce in the Philippine Islands into the United States free of duty in any form they want to put it. Is not that the fact?

Mr. BRISTOW. No. The Senator is mistaken as to that.

Mr. BURKETT. This bill, as I understand it—and I have looked over the figures—contemplates 600,000,000 pounds. That is more sugar than they will export. It is more than they have ever exported. It is calculated to take care of all the sugar the Philippines have for export now or will have for some years to come. With that provision in there, I can not see what difference it makes whether they can successfully operate centrifugals under 500 tons or whether it takes two or three times that much. But it does give the preference to the small producer of sugar, which, it seems to me, is a good thing, provided we are going to admit all this sugar into competition with the sugar we produce in the United States.

Mr. BRISTOW. Referring to the statement of the Senator from Nebraska, there are, so I am informed by a representative of the Insular Bureau whom I saw the other evening and who returned from the Philippines a short time since, no centrifugal factories in the Philippine Islands. They do not make any centrifugal sugar there. In talking to some sugar planters and some representatives of sugar refineries I was told that there could and would be no successful development of centrifugal sugar factories in the Philippine Islands as long as the 500-ton limit was in, because after the centrifugal factory was put in it might be a year or two until they would not have the privilege of the American market, because the 300,000 tons would be imported. My judgment is that under proper provisions the 300,000 tons will soon come in from the Philippine Islands.

Mr. BURKETT. But the proprietor of the 500-ton centrifugal would always have the first chance, even if it does go over 300,000 tons.

Mr. BRISTOW. The statements of the Senator from Louisiana are not in harmony with the information I have received from other sugar planters and men——

Mr. FOSTER. What statement is that?

Mr. BRISTOW. That it was practicable to establish centrifugal factories under a limitation of only 500 tons per annum. I am told that in order to have a centrifugal that limitation would have to be removed.

Mr. FOSTER. I will say to the Senator that the tendency of sugar manufacture in my State in the last four or five or six years—probably longer—has been toward the concentration in large factories.

Mr. BURKETT. We can not hear the Senator.

The PRESIDING OFFICER (Mr. KEAN in the chair). Will the Senator kindly speak a little louder. It is impossible to hear him.

Mr. FOSTER. It has been toward the concentration of the manufacture of sugar in large factories. There are now, and there were before this tendency took place, numbers of sugar factories that made less than a million pounds of sugar, and there are quite a number now in our State, and some of them are in my parish, making seven hundred thousand to a million or twelve hundred thousand pounds, although the tendency has been toward the absorption into the large factories.

Mr. BRISTOW. Does the establishment of large factories work against the interest of the cane grower?

Mr. FOSTER. That depends entirely upon the number of those factories. If there are a sufficient number to establish anything like competition, it is in the interest of the cane grower. But if they are not in sufficient numbers to excite competition, it is almost destruction to the cane sugar, because the central sugar factory then fixes absolutely the price of the raw material.

Mr. BRISTOW. Yes; that is reasonable and is perfectly natural. We are facing that condition now, so far as the Filipinos go. As it is, he is producing this sugar [exhibiting]. This law makes the American Sugar Refining Company his only purchaser; the only customer he has. To establish a number of centrals in the Philippines would give the cane grower the competition which might exist locally between those centrals. It is a presumption that is altogether unwarranted that there would be but 1 central when there is a market for 300,000 tons; there would be 15 or 20. There are hundreds in Louisiana, where there are produced about 350,000 or 400,000 tons at most. You have 245 centrals in Louisiana now, and Louisiana is producing about 350,000 tons. The largest number of these centrals that ever existed there, if I am correctly informed, is about 300. They have been concentrated until the number has now been reduced to 245. The smaller ones are not able to turn out as good a quality of sugar as economically as the large ones.

Mr. FOSTER. Oh, just as good.

Mr. BRISTOW. Is the quality just as good?

Mr. FOSTER. The process is the same.

Mr. BRISTOW. Where is the market for the better grade of the centrifugal sugars like this [exhibiting]? You rarely send that sugar to the refinery. That is sold in the South to the trade—the candy makers, grocers, and so forth. Now, which would be better for the Filipino—to have exclusively and only the American Sugar Refining Company as the customer for his product, located in New York, or to have 20 or more centrals in the islands seeking his cane, to turn it into sugar, which they would sell either to the American Sugar Refining Company, or in Japan or China, or any place else where they could get the best market? Which would be better for the Filipino? I am not discussing this from the standpoint of American interest, but that of the Filipino.

Mr. FOSTER. The Filipino sugar producer has always had China and Japan for his markets.

Mr. BRISTOW. Until it was taken away from him by Java, by making a much better sugar.

Mr. FOSTER. So that the passage of this amendment or this bill will not in any manner give any better advantages to the Filipino than he enjoyed before its passage.

I want to say to the Senate there is little or no money among the Filipino people generally. The sugar producer and the sugar planter is in rather a poor condition financially. Under this bill there is an opportunity for the Filipino himself to establish these small factories, and I believe that he will do it unless the foreign exploiter goes in there and establishes these mammoth factories, which will practically drive him out of the market. From the Filipino standpoint, in my judgment, the elimination of this provision of the bill would be the worst for him, because he can not get among his people and among the landowners there sufficient capital to establish one of these tremendous sugar factories. If these sugar factories are established, they are going to be established by foreign capital, and those refineries are going to be established just only in so far as they will benefit foreign capital.

They will not be established for the benefit of the Filipino cane producer. They will be established solely in the interest of these exploiters, and they are going to exploit those islands just so long as the experiment proves advantageous and furnishes a return upon their capital.

I do not believe with the Senator that there will be these factories established in such numbers as will beget competition among the factory builders. I believe the result of factory building and the centralization of the manufacture of sugar in the hands of these mammoth central concerns will be the worst thing possible for the Filipino cane producer and the Filipino cane manufacturer, because he can not furnish the capital. The foreign capitalist will only furnish it in such quantities as will make a handsome return on his investment.

Mr. BRISTOW. Let me inquire of the Senator what has been the result of the concentration or the erection of these larger central factories in Louisiana. Has that been for the best interests of the cane growers of Louisiana or not?

Mr. FOSTER. In some sections of the State it has been for the benefit of the sugar-cane grower, for the reason that they have been established in sufficient capacity and numbers to create competition. But where those factories have gone in other localities they, as a rule, have reduced the price to the cane producer—the cane grower—to just exactly what price they saw fit to pay for the raw material.

Fortunately for us, railroads have sprung up in all the different sections in the sugar-producing portion of the country, and there is competition within a radius of 100 miles. But unless we have that railroad competition these large factories would bear down—and the Senator can see it is reasonable that it would be so—the price of the raw material and pay for it as little as possible.

Mr. BRISTOW. Just as the American Sugar Refining Company does with the Louisiana product.

Mr. FOSTER. Just about that.

Mr. BRISTOW. The question from the standpoint of the Senator is whether the central will bear down the cane grower harder than the American Sugar Refining Company. Would the Senator object to having this limit—instead of being 500 tons—fixed at the average amount produced by the factories now located in Louisiana and have that as the limit instead of 500 tons?

Mr. FOSTER. How was that? My attention was distracted for the moment.

Mr. BRISTOW. The average production of the sugar factories in Louisiana is about 1,500 tons a year. Now, instead of having a limit of 500 tons a year, which makes it impracticable, at least, to have a central factory located, say that that limitation be raised to the average production of the 245 factories now in existence in Louisiana. Then these mammoth institutions could not be established—not so much as they are in your State—because the production would be limited to the average. Would not that, then, open up an opportunity for investors to put in a central mill, believing that they could find their market for its full capacity?

Mr. FOSTER. Senator, my judgment is that these large factories, if established in the Philippines, will be established by foreign capital entirely.

Mr. BRISTOW. Just as in Cuba and in Java and everywhere else. Of course, the Filipino has not the money to put up a factory. It will be established by Englishmen, Germans, or Americans.

Mr. FOSTER. The Americans have gone to Cuba and established these large factories.

Mr. BRISTOW. All sugar factories in tropical countries have been put up by foreign capital.

Mr. FOSTER. I do not know the exact number, but I understand very few of the old Cuban people have established any factories of any consequence.

Mr. BRISTOW. There never were sugar factories built by the Cubans themselves. They were always Spaniards or Englishmen or Americans.

Mr. FOSTER. I do not want to see take place in the Philippine Islands what has taken place in Cuba. That is just exactly what this bill is providing against.

Mr. BRISTOW. Is there any cane-producing country in the world where the native population has established the factories? The very conditions surrounding the cane-growing regions seem to prevent that. The only purpose I have is to offer an opportunity for the establishment of central factories that will furnish a market to the Filipino for his cane and not compel him to grind it in an old wooden mill and turn out that kind of stuff [exhibiting] which practically has only one purchaser, and that is the American Sugar Refining Company.

Mr. FOSTER. Of course the Senator knows that the process of making sugar in the Philippines is a very crude and primitive process, but there are a great many intermediate processes which will make a decided improvement upon that process.

Mr. BRISTOW. This is the best [exhibiting]. That is 89 sugar.

Mr. FOSTER. The Filipino has made no progress at all in making sugar. The brown sugar which is so earnestly yearned for, especially by the Senator from South Carolina [Mr. TILLMAN], can be successfully made by the Filipinos in small factories. That used to be the process in Louisiana. The process had to be changed because they could find no market for their sugar. The Filipino people can build up gradually those processes, and I have no doubt that under this bill, with the preference given to the Filipino, he will diligently build up a better process and a cheaper process for making his sugar.

Mr. BRISTOW. There is no doubt that if you will raise this limitation to an amount that will justify capital in establishing a centrifugal factory that will make a good quality of sugar, you will greatly encourage the production of sugar in the Philippine Islands, and you will make a better market for the farmer who grows the cane; and you will enlarge the market not only in the United States but elsewhere for the product of the sugar mills. But with this 500-ton limitation the tendency is to keep down that result, to prevent him from making the quality of sugar which will find a market in the world's market.

My purpose in seeking to remove this limitation or to increase it is for the purpose of giving him an opportunity to develop the sugar there the same as in every other sugar-producing country in the world. I have asked Senators to consider this merely from the standpoint of the Filipino, not from the standpoint of the Filipino as a competitor with Louisiana. I am asking the Senator from Louisiana to give the Filipino an opportunity in the Philippine Islands under the same conditions that exist in his own State. The mills that produce this sugar [exhibiting] now turn out from 50 to 100 tons, as they did in Louisiana before centrifugal factories were established. But would the Senator from Louisiana turn back to the old way? Does he seek by this to prevent the Filipino from making the progress he has made and which his State has made? That is the result that is sought by this legislation. Under the pretense of building up a market here for 300,000 tons of his sugar and helping him you are putting an impediment here that makes it practically valueless to him, and that is what I am objecting to.

Now, as to whether the importation of this sugar would be desirable from the standpoint of the American sugar producer, that is a different question. It depends wholly upon another proposition, and I am perfectly willing to consider that later. It is a question as to whether we are willing to jeopardize the interests of the American sugar producer to the extent of admitting 300,000 tons more of tropical cane sugar to compete with it. That is all there is in that. If that is not desirable, and if a majority of the Senate believes that it ought not to be done, then they will vote against the amendment offered by the committee. But if it is to be done, I want to ask the Senator if it should not be extended in the way that will be of the greatest benefit to the Filipino? If you want to help him, do not put in an impediment that will prevent him from finding a market except with one corporation for the sugar that he produces.

The Cuban has not received any very large benefit from the 20 per cent reduction in the tariff duty on Cuban sugar. The Filipino has not received any from the 25 per cent reduction, because he is not sending as much sugar here now as he did before. Last year there was a small importation as compared with the year before. Take all the duty off instead of 25 per cent, and he will get, I think, some benefit, but he will get very little. If you will fix the limit at 1,200 tons or 1,000 tons, and

from Nebraska, there are, so I am informed by a representative

by making a much better sugar.

if 300,000 tons are ever imported, there would have to be 30 or more factories to make it. Then there would be competition. It could not all be absorbed by any one institution. Would it not be better for the Filipino to raise the limit to 1,000 or 1,200 tons than to leave it at 500? Would it not be better for him to have that limitation, which is less than the average production of the 245 factories that now exist in Louisiana?

Mr. FOSTER. Is the Senator asking me a question?

Mr. BRISTOW. Yes.

Mr. FOSTER. I do not think so.

Mr. BRISTOW. Why is it not better to have as good factories in the Philippines as in Louisiana?

Mr. FOSTER. Because conditions are entirely different. The factories in Louisiana are built up very largely by individual capital. It has been the outgrowth of many years. Our own people build their factories. Very frequently the factories are built by the owners of large plantations. But in the case of the Philippines, the Filipino himself is not going to be able to establish any such factory as the Senator wishes. The factory must be established by foreign capital. The Filipino then will be practically driven out of the market so far as the erection and construction of any small factory is concerned, and the cane producer will be practically at the mercy of the large central factory.

In my judgment, if you allow this provision to remain there will be hundreds and hundreds of factories with a capacity of from 800,000 to 1,000,000 pounds that will spring up over those islands. At least I am afraid that they will do so, because I am not in favor of encouraging the production of the sugar interest of the Filipinos to the detriment of the sugar interest of our own country. But it is my deliberate judgment that if this preference is given to this million pounds of sugar, or 500 tons, if you please, it will encourage the establishment of small sugar factories in those islands by the Filipino people themselves. If you are looking for their benefit, it looks to me that this is more favorable to them than to encourage the establishment of large central factories. This does not prohibit the establishment of those factories, but it simply gives a preference in these markets to the product of the smaller factories. It appears to me that it is to the interest of the Filipino, if you consider it from that standpoint, to have this limitation placed upon the importation.

Mr. BRISTOW. The Senator does not believe that there will be any central factories established in the Philippine Islands under this legislation.

Mr. FOSTER. I have no doubt of it, absolutely none in the world, because the sugar-factory interests in my State during the earlier period of their establishment were largely small factories producing, some of them, I think, not over 500,000 pounds, running up to 700,000 to 1,000,000 to 1,200,000, some of them now to over 20,000,000. But those sugar factories did fairly well. Of course the Senator understands that with the concentration of large factories, the employment of fewer people, and the economies practiced they can make the sugar cheaper than smaller factories can; but this has been a process that has been worked out gradually in our State. I have no doubt if this measure passes it will encourage the establishment of the smaller factories and will result in competition all over the island for the raw material. Otherwise, I am afraid that the factories will be the large central factories built by foreign capital and will deter and prevent the development of the sugar manufacture in small factories, looking at it from the Filipino standpoint.

Mr. BRISTOW. The information which comes to me—and I think the Senator from Louisiana will not be able to controvert it—is that the successful development of sugar production in every country in the world at this time demands that sugar be made by the centrifugal process, and with the limitation of 500 tons a year to be produced it is not an inviting field for the establishment of this kind of sugar factories. The sugar factory is the market place for the cane grower. It is just like the creamery business in the West. The farmer gets a great deal more for his cream than when his wife used to make it into butter and sell it at the country store. The large creamery is making a market for the cream that is separated from the milk on every farm in the country, and nobody can deny that it has given the farming community a very great increase in the profits on their milk.

To refuse to permit the establishment of central sugar factories that can take this cane and grind it in an economical way, so as to get the greatest result, is to refuse to permit the Filipino to utilize the processes and the results of modern development and thus cheapen the production of his sugar. The sugar production of the islands is now at a very low stage, and it is to help it that we are trying to legislate here; and it is proposed to incorporate into the legislation the very provision which would prevent us from doing them the good we are seeking to do.

Mr. FOSTER. The Senator does not mean to say that this will prevent the establishment of the large factories?

Mr. BRISTOW. Certainly.

Mr. FOSTER. Simply because a preference is given to the markets of this country?

Mr. BRISTOW. No man with capital to invest is going to invest his capital in a sugar factory when he can produce but 500 tons a year and find a market for it, because the expense is too great for that amount of production.

Mr. President, I want to withdraw the second amendment that I offered, and offer a substitute for it. In line 15 I strike out "five hundred" and substitute "one thousand." That is the second amendment. I will wait until the first amendment has been acted upon.

Mr. LODGE. One amendment is pending. The second amendment can not be voted on now.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Nevada?

Mr. BRISTOW. Certainly.

Mr. NEWLANDS. I wish to make an inquiry of the Senator. I understand that he is urging that in order to help the Filipinos, it is necessary to enable them to avail themselves of modern methods in the production of sugar.

Mr. BRISTOW. Exactly.

Mr. NEWLANDS. Modern methods involve, first, a plantation on a large scale; second, a radial railroad to bring in the cane to the central factory; and, third, a central factory. I understand these things are lacking in the Philippine Islands, and to the lack of these things is attributable the inferior quality of their sugar and the smallness of the output.

Mr. BRISTOW. That is correct.

Mr. NEWLANDS. I understand the Senator is not as yet committed to the committee amendment, but that he is simply arguing now on the question as to whether it is desirable to admit Filipino products free into our country, and the question as to what is the best policy for the Filipino in case we do. I will ask him whether this is not a very involved way of giving the Filipino people a subsidy? Under the amendment the Filipinos will be entitled to bring into this country 300,000 tons of sugar duty free, and if that sugar is of high quality, as it doubtless will be if large interests engage in its production there, it means that that sugar will escape a tariff duty of about $35 a ton, which would otherwise be paid into the Federal Treasury, making a total for the entire year of ten and a half million dollars. That is the subsidy which it is proposed the United States Government shall pay in order to stimulate the Philippine production of sugar.

Mr. BRISTOW. I think the Senator's question bears upon——

Mr. NEWLANDS. I just want to complete my question. Now, I ask the Senator whether, if this subsidy is contemplated, aggregating from nine millions to ten and a half millions annually, in order to stimulate sugar production in the Philippines, it would not be better to directly appropriate a portion of that $10,000,000 and spend it in the construction of radial railways and of great mills, as public utilities, and thus enable the Filipinos to produce sugar and to contend with the world's prices instead of the high, subsidized prices that exist in America; and whether we will not help the Filipinos more if we enable them by such direct aid involved in so large an expenditure of money to compete with the world for the world's prices than if we give them a subsidy which will forever fasten them upon the subsidy bottle and will absolutely unfit them for continuance in the world's markets?

Mr. BRISTOW. I think the Senator's question bears upon the desirability of permitting the 300,000 tons to come in more than to the immediate question as to whether this limitation should be made.

Mr. NEWLANDS. That is true; but I am considering now the question simply in the interest of the Filipinos themselves, whether it is not best for us by direct appropriation to instruct them in improved methods of agriculture, to give them the public utilities necessary to transport their cane to the mill and to crush the cane in the mill, and thus fit them to contend with the world in the world's markets in the production of sugar, instead of fastening them upon this subsidy bottle in the United States, the result being that if the islands are once parted from us, as we all hope they may be, there will be a collapse of the industries of the islands, for they will be utterly unable then, accustomed as they will be to the stimulated and subsidized prices of America, to accept the lower prices of the world.

I am arguing the matter just as the Senator is, from the standpoint of the interest of the Filipino people, with a view to making them a self-supporting people, a separate entity in the civilized world, capable of having their own fiscal system, uncomplicated with that of the United States.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. The Senator from Kansas several times during his speech made the statement that no one but the American Sugar Refining Company could handle the Filipino sugar and refine it. I have a letter from Doctor Niese, in which he says:

Referring to Philippine sugars, I want to confirm what I stated to you in my letter of April 15, that every refinery in the United States can use the present grade of Philippine sugar for refining purposes, and, if properly handled and equipped, should be able to use it to the same advantage as other raw sugars.

I am just in receipt of the following telegram in answer to one I sent to Willett & Gray, of New York:

NEW YORK, *June 14, 1909.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.:

Philippine Islands sugar was sold this year 2,800 tons to McCahan refinery, Philadelphia; also last year 5,000 tons to McCahan and 4,000 tons to Arbuckle refinery; also three years ago 3,000 tons to Howell refinery and 3,000 tons to Arbuckle refinery.

WILLETT & GRAY.

Mr. BRISTOW. That is a very small part. I did not say every bit of it; I said practically all of it; and the Senator simply says that 5,000 tons were handled by the Philadelphia refiner; and it is true that the Philadelphia refiner has handled more of the Philippine sugar than any other except the American Sugar Refining Company.

Mr. SMOOT. The only object I had in bringing it to the Senator's attention was to correct the idea that he gave me, at least, that the American Sugar Refining Company is the only concern that handles Philippine sugar.

Mr. BRISTOW. It is practically the only concern. There have been some individual sales now and then, but the market for the Philippine sugar is the American Sugar Refining Company. A representative of the Bureau of Insular Affairs called upon me and I asked him the direct question, and he said it was a matter of fact that practically all of it was sold to the American Sugar Refining Company. I talked with the representative of the Federal Refining Company, and he said the American Sugar Refining Company is the only one that handles to any advantage the Philippine sugar; that some other refineries occasionally bought some of it, but they did it under a stress of circumstances; that it was undesirable, and that they were not equipped to handle it; that practically the American Sugar Refining Company was the only market for the sale of this sugar; that other refiners took it when they could not get all the Cuban or other sugar they needed; that Filipino sugar was not coming to the United States so much as it did last year, because of the uncertainty of the market for the sugar.

Mr. SMOOT. The only object I had was to call attention to the fact that the American Sugar Refining Company is not the only concern that can handle that sugar, for there are three refineries here that can handle it and can refine the sugar. As to the amount of sugar purchased by each one of the refineries, I have nothing to say, but I do say that at least three of the refineries in the United States have purchased Philippine sugar and refined it in this country.

Mr. BRISTOW. Occasionally there are conditions when, of course, if the American Sugar Refining Company refuses it, it would have to find a market somewhere, if it is here. These small purchases are insignificant. The largest purchase given is only one-seventh of the entire amount imported during one year. If six-sevenths has to find its market with the American Sugar Refining Company, it is practically the only market for it.

To repeat what I said, the result of this legislation is to prevent the Filipinos from developing the sugar production of their islands, from producing a sugar that will command a market throughout the country, to confine their market to one institution in the United States, the American sugar trust, and, in addition to that, you compel the Filipinos to buy refined sugar from the United States and cut them out from the markets of the world, which they have always heretofore enjoyed. That can not be denied, for it proposed to put the same provision in the Philippine tariff law that we have in our tariff law, including the Dutch standard.

Whether we are justified in giving the Filipinos the market for 300,000 tons of sugar is not the question I am discussing. If the provisions of this law are made so that they get the highest and largest possible advantage from this favor which we propose to extend to them, we ought not to impose the burden upon them of purchasing their refined sugar from us at exorbitant prices, as they will have to pay. Unless the provisions in the bill are changed, I can not see how any Senator can vote for the measure if he wants to help the Filipino.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. The Senator certainly must know that President Taft spent a great deal of time in the Philippine Islands, and that he is deeply interested in the welfare of the Filipino people. I want to say that this provision is indorsed by President Taft, and he thinks it is for the benefit of the Filipino people.

Mr. BRISTOW. If the Senator from Utah will indorse the other declarations of President Taft in regard to the revision of the tariff now pending, we can soon come to an agreement in this Chamber. The President has demanded a revision of this tariff by reducing the exorbitant duties that are now in the present law, but his promise to the American people goes unheeded by the members of the Finance Committee of this body.

I can say no one has a higher regard for the President of the United States than have I, and the fact that he feels that it is a duty we owe to the Philippine Islands to give them this market is the only reason that I have considered at all the proposition we have here.

Mr. BULKELEY. I should like to ask the Senator from Utah a question.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Florida?

Mr. BRISTOW. Certainly.

Mr. FLETCHER. Mr. President, just a moment. I wish to suggest to the Senator further what would appear to me the unfairness and injustice of this proviso to the growers of tobacco in this country.

Mr. BRISTOW. If the Senator will pardon me, I would rather that the tobacco discussion would come up under tobacco, as I am only considering sugar. I take it for granted that there are others here who are very much interested in the tobacco production. If the Senator will pardon me, I would a little prefer that he will offer whatever suggestions he has to make in regard to tobacco when the tobacco provision is being discussed.

Mr. FLETCHER. I was simply going to recur just a moment to one of the provisions in the amendment affecting tobacco. I agree to some extent with what the Senator has said regarding sugar. I am opposed, however, to the entire proviso. I do not believe that there ought to be any provision in the bill for the admission of sugar or tobacco or cigars from the Philippines free of duty. I submit that already, as has been indicated by the Senator very clearly, they have advantages sufficient over there to take care of themselves, and, as suggested by the Senator from Nevada [Mr. NEWLANDS], they ought to begin to learn to work out their own salvation, with such encouragement as we can give in the right directions.

I do not believe that we ought to go to this extent in endeavoring to take care of the Filipinos, nor do I believe we will work out permanent benefits to the Filipinos by provisions such as are submitted by this amendment.

I quite agree in part with the Senator regarding his position on sugar. I submit also that in connection with this same amendment it is proper to observe that it is unfair and unjust to the growers of tobacco to admit 300,000 pounds of wrappers into this country free; that it is unjust and unfair to them to admit 1,500,000 pounds of fillers free of duty; and that it is unjust and unfair to the manufacturers of cigars in the United States to admit 150,000,000 cigars free of duty. Nor should we sacrifice the revenue on these commodities.

Mr. BRISTOW. I will ask the Senator to defer that discussion until it will apply.

Mr. FLETCHER. I will, of course, comply with the wish of the Senator. I only want to conclude in a few words, which will show the relevancy, my hope being to have the Senator favor striking out of the substitute the word "Provided" where it first appears and all that follows it. What I am saying is in line with the whole discussion with reference to this amendment, it seems to me. I thought it proper to direct the attention of the Senate to other provisions in this amendment or substitute, and urge that the whole proviso ought to be defeated. In addition to all that, both the provision with reference to sugar and the provisions with reference to tobacco will have the effect, I submit, of enlisting and fastening in the Philippines American capital and American interests to such an extent that it will postpone, if not prevent, the final independence of those people.

I hope to see the day, so far as I am concerned, when the Filipinos will run up the flag of the new Philippine Republic,

We can not expect that day to come when sugar interests and tobacco interests will have exploited those islands and become largely concerned in the development of those several interests on their own account. The proposed amendment encourages that prospect. So, I submit, it is not to the best interest of the Filipinos themselves nor is it wise on our part to indulge in a policy such as is contemplated by the amendment.

Mr. BRISTOW. I should like to inquire of the Senator from Utah which specific provision it is that the Senator thinks the President is anxious to have enacted?

Mr. SMOOT. I think he is anxious to have the whole paragraph enacted. I do not feel like holding out any one particular part of the paragraph, but I think——

Mr. BRISTOW. Does the Senator think that the President indorses the policy of compelling the Filipinos to buy American refined sugar?

Mr. SMOOT. That is a question, of course, as to construction. The Senator from Kansas puts that construction on it. I do not think the President puts that construction on it.

Mr. BRISTOW. Does the Senator from Utah think that under this provision the Filipinos will buy their refined sugar as they are buying it now, from other countries, instead of from the United States?

Mr. SMOOT. As I understand it, the Filipino people are not buying refined sugar.

Mr. BRISTOW. Does the Senator claim that they are using their own sugar to-day? If so, he is entirely mistaken. They are buying it in large quantities.

Mr. SMOOT. How much sugar do they buy?

Mr. BRISTOW. I have the amount right here. They bought, in 1908, the following amounts from the following nations: From the United States, 8,739 pounds——

Mr. SMOOT. I want to tell the Senator what kind of sugar it was. It was cube sugar, the finer sugar, and it was bought in the islands by Americans there.

Mr. BRISTOW. It is refined sugar, is it not?

Mr. SMOOT. It is bought by the American people living there.

Mr. BRISTOW. Has not an American living in the Philippine Islands some rights?

Mr. LODGE. There were 4 tons bought.

Mr. BRISTOW. Much more than that. From the United Kingdom they purchased, last year, 3,104 pounds; from Germany, 160,905 pounds; from the Netherlands, 906 pounds; from China, 12,553 pounds; from Hongkong, 2,922,000 pounds; from the British East Indies, 17,730 pounds, and so forth. In all, they purchased 3,197,799 pounds of refined sugar last year. They bought that from the different markets as other countries buy it.

This provision not only compels them to sell their crude sugar to the American Sugar Refining Company in the main, but it also imposes upon them the excessive tax of $1.90 per hundred pounds on all refined sugar that they might buy from other countries for their own consumption. It imposes the No. 16 Dutch standard into their sugar tariff, and it imposes a heavier tax on the sugar they purchase than on any other commodity that they use, except tobacco. Why should that be done?

Mr. LODGE. The reason is perfectly obvious, Mr. President. It is to prevent the introduction of foreign sugars there and the export of foreign sugars to this conury under the guise of Philippine sugars.

Mr. BRISTOW. Certainly; and why can they not introduce other kinds of merchandise and export it here the same way? Is sugar the only article that they use that they could export from the Philippines here?

Mr. LODGE. It is the only article on which any extensive fraud of that kind is likely to take place.

Mr. BRISTOW. I beg to disagree with the Senator. There are a thousand articles they could import fraudulently; for instance, cotton goods or woolen goods, or wools or any other similar article. They do not produce wools there now, though they might at some future time, but anything that they produce there they could send here in the same way.

Mr. LODGE. The duties on everything except sugar and tobacco are the duties of the Philippine tariff.

Mr. BRISTOW. Why should not the same duties of the Philippine tariff apply to tobacco and sugar imported into the Philippines as to other commodities?

Mr. LODGE. The other commodities are under a different rate entirely.

Mr. BRISTOW. They come in here free.

Mr. LODGE. Certainly; they come in here free.

Mr. BRISTOW. There is no limitation.

Mr. LODGE. If they are manufactured in the Philippine Islands.

Mr. BRISTOW. Certainly. So sugar comes in exactly under the same provision now, and the same provision applies to foreign sugar that might be imported into the Philippine Islands and exported here that applies to every other article of merchandise. All other articles of merchandise, except rice, tobacco, and sugar, come into the United States from the Philippines free if a Philippine product. Why should not sugar come in in the same way and be placed upon the same basis, because, in my judgment, there is no more danger of fraud in sugar than in any other article that comes here?

Mr. LODGE. That may be the Senator's judgment, but my own impression is that it would be much more serious. All the money, however, collected as revenue on sugar goes into the Philippine treasury. None of it comes to us.

Mr. BRISTOW. Certainly; and there will be none collected on refined sugar, as there is none collected on refined sugar in the United States of any consequence. It simply means that you will confine the opportunity of the Filipinos to purchase refined sugar to the United States; compel them to buy it from us, and impose upon them this burden which, in my judgment, has been very unjustly imposed upon the American people.

Mr. LODGE. Mr. President, if we are going to limit the amount of sugar and tobacco to the production of the Philippine Islands, I think we ought to take every precaution that that sugar and tobacco should be the product of the islands, and that it should not be the product of Java or some other place.

Mr. BRISTOW. I am in absolute accord with the Senator on that. I believe that the same provision should be applied to sugar which applies to other articles of commerce, because it is not intended that other Philippine products that come to the United States shall be brought from any place else. It is simply a limitation that applies generally, and it ought to be applied to sugar the same as to other articles of commerce.

Now, Mr. President, I think I have covered this point; but I want to repeat, with all the emphasis that I can, that the limitation placed in this bill opens up a market in fact for 300,000 tons of raw sugar for the American Sugar Refining Company at its own price. It helps to some extent the sugar producer of the Philippines, and it greatly increases the cost of the light-colored raw and refined sugars to the people of those islands; but it also fastens the grip of the sugar trust upon the sugar commerce of those islands. It will fix the price that it will pay them for their raw sugars and the price that the people shall pay to it for all the other grades of pure and refined sugar that the people of the islands consume.

Mr. NEWLANDS obtained the floor.

Mr. STONE. Mr. President, I ask the Senator to yield to me for a moment.

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. NEWLANDS. I yield to the Senator from Missouri.

Mr. STONE. I desire to offer an amendment, and to have it pending.

Mr. BULKELEY. I inquire what is the amendment pending at this moment?

The VICE-PRESIDENT. The amendment pending is the one offered by the Senator from Kansas [Mr. BRISTOW].

Mr. STONE. I understood the Senator from Kansas——

The VICE-PRESIDENT. The Senator from Kansas had also read another amendment, which he stated he intended to offer as soon as the first one was disposed of.

Mr. STONE. But he did not wish to have them acted on at this time.

Mr. BRISTOW. I am ready to vote now on the first amendment that I have offered, and any further amendments may be voted on afterwards.

Mr. STONE. I will offer this amendment, with the consent of the Senator, in his time and have it pending.

The VICE-PRESIDENT. The proposed amendment will be read for information, with the understanding that it is to be offered by the Senator from Missouri as soon as the other amendments are disposed of.

Mr. STONE. Intended by me to be offered at that time. The amendment is to insert at the end of the amendment the words I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of the paragraph already agreed to the following:

And provided further, That it is hereby declared not to be the policy and purpose of the United States to maintain permanent sovereignty over the Philippine Islands, but to exercise authority in and over said islands only so long as may be necessary, not to exceed fifteen years from and after the passage of this act; to organize and establish a native government capable of maintaining public order in said islands, and until such international agreements shall have been made between the United States and foreign countries as will insure the independence of said islands and the people thereof.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. NEWLANDS. Certainly.

Mr. BULKELEY. I should like to suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Connecticut suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Crane	Heyburn	Piles
Bankhead	Crawford	Hughes	Rayner
Borah	Cullom	Johnson, N. Dak.	Root
Bradley	Cummins	Johnston, Ala.	Scott
Brandegee	Davis	Jones	Simmons
Briggs	Depew	Kean	Smith, Md.
Bristow	Dick	La Follette	Smith, S. C.
Brown	Dillingham	Lodge	Smoot
Bulkeley	Dixon	McCumber	Stephenson
Burkett	Dolliver	Martin	Stone
Burnham	Elkins	Money	Sutherland
Burrows	Fletcher	Nelson	Taliaferro
Burton	Flint	Newlands	Tillman
Carter	Foster	Nixon	Warner
Chamberlain	Frye	Oliver	Warren
Clapp	Gallinger	Overman	Wetmore
Clark, Wyo.	Gore	Page.	
Clay	Guggenheim	Perkins	

Mr. CRAWFORD (when Mr. GAMBLE's name was called). My colleague [Mr. GAMBLE] is necessarily absent.

Mr. FRYE (when Mr. HALE's name was called.) My colleague [Mr. HALE] is detained at home.

The VICE-PRESIDENT. Seventy Senators have answered to their names. A quorum of the Senate is present.

NOBODY WANTS THE PHILIPPINES—IT IS MERELY A QUESTION OF GETTING OUT WITH CREDIT.

Mr. NEWLANDS. Mr. President, I am opposed to the proposed amendment admitting Philippine sugar and tobacco free of duty to our markets; not because I wish to protect American cane or beet sugar, but because the proposed subsidy to Philippine products will, in my judgment, bind those islands to us indissolubly and forever. Since Dewey's victory in Manila Harbor the United States and the Philippines have been under the tyranny of an accident. Each country desires to be free from the other. The Filipinos, from the highest to the lowest, from the richest to the poorest, from the most intelligent to the most ignorant, desire independence and aspire to complete national life. The people of the United States desire to be freed from the burden, the perplexity, the responsibility, and the danger which permanent occupation of the Philippines involves.

We realize that there has been no glory in their conquest nor profit in their occupation; that the islands are almost worthless, agriculturally and commercially; that they are out of the line of travel and commerce, and constitute no link in our trade with China and Japan; that, unlike Hawaii, they constitute no part of our defensive line, but, on the contrary, their occupation obtrudes us into all the problems, jealousies, contentions, and possible wars of Asiatic peoples, and will some time involve us in an oriental war, 7,000 miles from our base, more costly than the billion-dollar Boer war was to England.

All illusions have vanished. The prevailing feeling of the American people is regret that we are there and a longing to get out creditably. We have no wish to hold them as a subject dependency or to exploit them. We wish to execute quickly our self-imposed trust, to train them in a common language, in industrial pursuits, and in capacity for self-government, and then to retire. Our only differences arise as to methods of training and time of retirement; but the temporary nature of our occupation and the nature of our trust are evident from the history of congressional action, the declarations of party platforms, and the utterances of party leaders on both sides.

Thus far our policy has been in the main to regard the Philippine government as a separate entity, with its own officials, laws, and revenue system, the only connecting link being the Philippine Commission, which governs the islands under authority given by Congress.

IF THEY ARE EVER TO BE FREE, THE ISLANDS MUST NOT BE MADE ECONOMICALLY DEPENDENT UPON US.

But if we complicate their tariff system with ours and grant the enormous subsidies on sugar and tobacco secured by this amendment, the two countries will be so bound together by these subsidized interests that it will be difficult to separate them. If American interests take control of this subsidized production, they will strongly exercise their influence against legislation tending to their separation, and if the Filipinos become the beneficiaries of these subsidies, they will find that when the separation comes the drop from the subsidized prices in America to the lower level of the world's prices will produce an instant collapse of all their industries. If the Philippines are at some time to be independent and self-supporting, their people must accept the world's prices for their products. It is the height of folly to accustom them to the subsidized prices of this country.

The purpose of permitting the Philippines to import 300,000 tons of sugar annually into the United States without the payment of the duty at present imposed upon foreign importations, and amounting to about $35 per ton, is to enable the Filipino producers to receive in our markets, without the payment of duty, nearly double the price which they can get anywhere else in the world; for the duty on sugar makes the American price of sugar nearly double the world's price.

This legislation means the diversion of nearly $10,000,000 annually from the American Treasury into the pockets of Filipino producers and without lowering the price of sugar a penny to the American consumer. It is claimed that this advantage will stimulate the production of Philippine sugar, and thus promote prosperity there. But to what extent will this help the Filipino people in acquiring a common language, in receiving better industrial training, and in learning the methods of self-government?

DIRECT GRANTS PREFERABLE TO SUBSIDIES.

It would be much better, if we are to make this benefaction, to give it directly to the Filipino government, which can expend it for these worthy purposes, and not to the Filipino planters or, as will ultimately prove to be the case, to the sugar trust itself, which will doubtless obtain a monopoly of the production of sugar there, as it is now acquiring it in Cuba.

If we were to give the Filipino people $10,000,000 annually, let us do it in a way that will absolutely secure the benefit to the masses of the Filipino people, and not to interests that will simply exploit the Filipino people. This will mean honest bookkeeping between the two countries and will be much more praiseworthy than giving $10,000,000 annually to the sugar planters in the Philippines, whether Filipino or American, in the hope that a part of it will filter down to the masses of the people.

Let me call attention here to the fact that direct aid would probably extend only over a few years, while this subsidy of $10,000,000 will last as long as these tariff laws, and in twenty years will mean that $200,000,000 will be diverted from the American Treasury into the pockets of the producers of Filipino sugar, whether those producers be Americans, including the sugar trust, or the Filipino planters themselves.

The training of the Filipino people for self-government means that all the children shall be trained to speak English, as no other common language is possible; that they must be trained in habits of thrift and industry, and taught improved methods of agriculture and of manufacture; and that they must be trained in self-control and the principles of free government. All this can possibly be done in time, with the aid of money. But the Philippines are poor. The total revenue, insular, provincial, and municipal, is not more than $17,000,000 annually—a little more than the amount required for the government of the District of Columbia.

The United States has undertaken the paternal work of training 7,000,000 people in self-control and the principles of self-government. The Filipinos have demonstrated their inability to produce wealth in competition with the rest of the world. Their total exports last year to all countries were only $32,000,000. During the last ten years they have been unable to raise enough rice for home consumption. If we would accomplish our benevolent purpose, they must be helped; but it would be better to help them by direct appropriation, rather than through subsidized industries. The former would be effective and economical; the latter, ineffective and costly.

But, assuming that the $10,000,000 of annual sugar subsidy will go mainly to the Filipino laborers, shall we really do them a service by accustoming them to a price for their sugar which is double what they can get from the rest of the world? Is it just to them to accustom them to the subsidy bottle? Is it just to them to accustom them to prices which it will be impossible for them to realize when independence comes? Will not the ending of the subsidy and the reduction of the favored prices which they have received for their products plunge them into such a condition of suffering and distress as they have never yet realized? Subsidizing production with fictitious prices is one way to stimulate it, but artificial aid can not be suspended without intense suffering.

The right way to help the Filipinos is to train them in self-sustaining methods. The declared purpose of the whole movement in the Philippines is philanthropic. Philanthropy always costs the philanthropist something. But this proposed scheme of philanthropy through subsidized inflation of prices to be obtained in America creates grave danger in the future. If we

are bent upon real philanthropy, we should appropriate the additional amount necessary and let our books show the loss.

SUBSIDY WILL DEFEAT WITHDRAWAL.

But above all things it must be recollected that the surest way of tying the islands to us for all time is to subsidize the industries of those islands.

Build up by subsidy and bounty sugar and tobacco production in the Philippines; extend your coast and navigation laws to those islands; give Americans a monopoly of transportation and a monopoly of production of the subsidized products; add to all this the artificial prosperity caused by subsidized prices and you will create factors that will absolutely defeat any future legislation tending to our withdrawal from the Philippines.

By a system of direct aid, instead of subsidized aid, the desired end of ultimate withdrawal with honor would be accomplished, with the maintenance in the Philippines of an absolutely separate autonomy, at a cost which is nothing compared with the sum we shall actually pay if the subsidy system is followed during the next twenty years, and with the infinitely better result that instead of being tangled in tariff and navigation complications impossible to sever without causing untold distress, the islands will be self-sustaining, self-supporting, and self-governing, the only connection of this country being the Philippine Commission, acting as a higher house, and the governor-general as chief executive.

By this means we may establish in twenty years a complete autonomous government in the Philippine Islands—a government uncomplicated with our own, with its own fiscal system, and with all the branches, judicial, legislative, and executive, that are essential in a national life. Then, when the time comes to cut the tie, it will be a safe and easy matter to substitute Filipinos for Americans on the commission and to substitute a Filipino governor-general for the American governor-general; and after neutralizing the islands by international agreement and reserving a naval and coaling station, to permit the Filipinos, trained to hold their own in the struggle without subsidized aid, to take their place as a thoroughly individualized nation among the nations of the world.

THE "OPEN DOOR" IN ASIA.

There is another view to be taken of this Philippine policy, and that is that it violates the spirit of the "open-door" policy in the Orient, insisted upon by Mr. Hay and since asserted by our Government. It is true that that policy was declared by Mr. Hay regarding China, but it applies in its spirit to the entire Orient. Mr. Hay's purpose was to have a clear understanding with Japan and the great European powers that, regardless of all readjustments in their relations to China, the open door and equal trade privileges should be maintained for all nations.

When Japan attacked Russia in Korea and Manchuria her Government took care to assure the civilized world that there was no disposition to violate this policy; that her purpose was to maintain the integrity and the independence of Korea, to protect Manchuria against Russian aggression, and to keep the door open in both countries to the trade of the world without preference to Japan in any form. The relations of Japan to Korea and, in a less degree, to Manchuria resemble somewhat the relations of the United States to the Philippines. In both cases it was declared that the war was not for conquest or for commercial advantage. It is true that the Philippines fell into the possession of the United States by an accident not contemplated when the war with Spain commenced; but it is to be assumed, of course, that the United States, having declared to the world that her position in the Philippines was that merely of discharging a sacred trust to the people of those islands, would not, while contending for the open door in Manchuria and all China, close the door in the Philippines. Under this tariff arrangement it is proposed to give the United States an advantage in trade in the Philippines not enjoyed by other countries; and if we follow this up by giving to American shippers, as is proposed, the monopoly of transportation between the Philippine Islands themselves and between those islands and this country, we will practically close Japan, China, and other countries out of their present trade with the Philippines. Can we afford to take so inconsistent a position? Can we close the Philippines against the trade of sister oriental countries, as well as European countries, while we are clamoring for the open door in China?

THE RIGHT WAY TO HELP THE FILIPINO.

I wish to add one word upon the subject discussed by the Senator from Kansas. As I understand his argument, it is addressed entirely to the consideration of this question as it relates to the interests of the Filipinos themselves. He was contending that it was best to facilitate there the erection of great central factories, which could deal with the question of sugar production in a large way and thus enable the Filipinos to produce a high grade of sugar which would command a better price in the world's markets, instead of the low grade of sugar which they now produce.

I have no doubt that sugar production is one that requires centralized operation. In the first place, you have to deal with a large area of territory. In many cases you have to provide for irrigation, which means large works of a costly character. You have to provide a radial railroad running from the mill to all parts of the large plantation, on which the cane can be transported to the central mill, and you have to provide a central mill in which this cane shall be crushed.

It is of course impossible for an individual producer of sugar, owning a few acres of land and producing only a few tons of sugar, to engage in this system of centralized operation. It is a form of operation that necessarily tends to monopoly, and it should therefore always be a regulated monopoly. My own view has been, with reference to this matter, that it is best in the first place to facilitate the control of very large areas, so that great corporations can undertake the construction of irrigation works, of radial railways, and of central factories; and then, when all that is done, the law itself should provide for a system of gradual decentralization under which these estates shall be divided up and sold in small holdings, within a period sufficient to insure a profit to the promoters of the enterprise and under which the irrigation works, the radial railway, and the central factory should be held as public utilities, under public regulation, for the service of all. That is the only way in which we can develop free and independent citizens in a country that is devoted to sugar culture. Otherwise, you will always have these large plantations and the laborers attached to the soil in a semiservile capacity, without any right in it, and without those rights which are absolutely essential to citizens in a free government.

In pursuance of that humane purpose to which President Taft has devoted a large part of his life with singular disinterestedness, it is suggested that this assistance should take the practical form of direct aid to the Filipino people in the great work of education and industrial development rather than in bounty or subsidy to exploiting interests.

We can take up the great work of the improvement of the methods of agriculture in those islands. Their methods of agriculture are the crudest possible. Organize there your agricultural schools, such as you have in this country. Train the younger generation in improved methods of production, and if you choose then to establish as self-supporting public utilities these radial railways, these irrigation works, these central sugar mills, imposing a charge for the use of the water and for the carrying and the grinding of the cane, you will have a system at a tithe of the cost imposed by this subsidy system that will be of real service to the Filipino people, that will advance them in the acquisition of a common language, that will advance them in industrial training, that will increase their capacity for the production of wealth, and that will enable them to meet competition in the world's markets.

I understand, of course, the answer to all this is that it involves paternalism, and of course we all stand aghast at paternalism in our own country when it involves the protection of the masses. The prevailing form of paternalism which we enjoy in this country is that which consists in giving benefactions and privileges to the great corporations and interests.

But confessedly the whole Filipino programme is an experiment in philanthropy. The whole government there is paternal. We are there discharging a trust. The United States is the self-imposed father of the Filipino people. If then the whole government is paternal, if the whole administration is paternal, why should we not make that paternalism effective, economical, and productive of results?

Mr. President, these are the views which I entertain regarding the Philippine tariff. I am sincerely desirous of aiding President Taft in the work he has undertaken for developing the Philippine Islands. I honor the great courage, energy, enthusiasm, and humanity which he has shown in that great work.

I have been in the Philippine Islands, and so far as the administration of those islands is concerned, within the limited revenue which they enjoy, I have found nothing to criticise. The administration there is a credit to the United States, but the critical time has now come for us to determine what is the best method of developing the Filipino people—one of subsidies to great interests or one of aid directly to the people themselves. And the additional question is involved as to whether we shall pursue a system that will invite hostility in the entire Orient; that will close the Philippine Islands to the trade of China and Japan; that will arouse enmity and jealousy

and suspicion there; that will make every demand that we make for the open door in China absolutely inconsistent with our maintenance of the closed door in the Philippines; and, above all, we have to face the question whether we shall pursue an economic system regarding those islands that will tie them indissolubly to the United States, by the creation of its favored interests there, which we all know have been so powerful in the history of the legislation of this country and which are likely to be as powerful hereafter.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. BRISTOW. I should like to have a yea-and-nay vote on that.

Mr. CURTIS. I should like to have the amendment stated.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays?

Mr. BURKETT. What is the amendment?

The VICE-PRESIDENT. Without objection, the Secretary will again report the first amendment offered by the Senator from Kansas.

The SECRETARY. On page 2 of the printed amendment, line 5, after the word "That," strike out "sugar, refined or unrefined, and," and in line 9, strike out "sugar and."

The VICE-PRESIDENT. The question is on agreeing to the amendment which has just been stated.

Mr. BRISTOW. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BRISTOW. I will say, before a vote is taken on the amendment, that the amendment will remove the requirement in this bill which makes the United States sugar tariff laws a part of the Philippine tariff. If this amendment carries, it will allow the Filipinos to fix the same tariff on their sugar importations as they do on all other importations into the islands, and it will not engraft what, to my mind, is the iniquitous provision of the Dutch standard on the Philippine Islands, by which they would have to import all sugar under the same provision that applies to its coming into the United States; that is, all the refined sugar. The House did not have any such provision in the bill. This provision that I am contending against was incorporated in the bill by the Senate Committee on Finance, and I do not think that it ought to prevail.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE-PRESIDENT. The roll call will demonstrate that fact.

Mr. SMOOT. Are we about to vote now on this proposition?

The VICE-PRESIDENT. The yeas and nays have been ordered on the amendment.

Mr. SMOOT. I understand the Senator from Massachusetts [Mr. LODGE] desires to submit some remarks upon it.

The VICE-PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names.

Bankhead	Daniel	Johnston, Ala.	Rayner
Borah	Davis	Jones	Root
Bradley	Depew	Kean	Scott
Brandegee	Dick	La Follette	Smith, Md.
Bristow	Dillingham	Lodge	Smith, S. C.
Brown	Dixon	McCumber	Smoot
Bulkeley	Elkins	McEnery	Stephenson
Burkett	Fletcher	Martin	Stone
Burnham	Flint	Money	Sutherland
Burrows	Foster	Newlands	Tillman
Burton	Frazier	Oliver	Warner
Clapp	Gallinger	Overman	Warren
Clark, Wyo.	Gore	Page	Wetmore
Clay	Guggenheim	Paynter	
Crane	Hughes	Perkins	
Cummins	Johnson, N. Dak.	Piles	

The VICE-PRESIDENT. Sixty-one Senators have answered to their names. A quorum of the Senate is present.

Mr. LODGE. Mr. President, I do not desire to discuss this amendment generally or the importance of putting in these provisions with respect to the Philippine Islands. The amendment proposed, on which the Senate is about to vote, is the amendment of the Senator from Kansas taking sugar out, so that it may come into the Philippine Islands at a lower rate of duty than that imposed in the United States. Whatever tariff the Philippine Islands impose on their own can only be made subject to the approval of Congress, and whether it is arranged in this amendment, where it ought to be arranged, or whether separately, the Philippine tariff, which will shortly be before us, is not essential.

The point is, in view of the gift we are making to them of exporting free 300,000 tons of sugar and a certain amount of tobacco, whether it should not pay the same rate going into the Philippine Islands as into the United States. In the opinion of the committee, that was not an unreasonable provision. All the revenue from it will go into the Philippine treasury.

Mr. BRISTOW. Mr. President——

Mr. LODGE. I yield.

Mr. BRISTOW. I should like to inquire why that is necessary in regard to sugar and not as to other articles of merchandise?

Mr. LODGE. The reason is a very simple one. Under the law as it now stands everything from the Philippine Islands comes into the United States free except sugar and tobacco, which come in at a reduction of 25 per cent from the Dingley rates. This bill gives to the islands an additional privilege, of exporting to this country 300,000 tons of sugar free of duty and a certain amount of tobacco free of duty.

There is great contention over that concession to the islands. There has been a strong effort made to make all articles free between the United States and the Philippine Islands. This is in the nature of a compromise between the contending interests—those who want to keep it all out and those who wish to have it all free. This is simply an arrangement which was thought fair to all parties, that the tobacco and sugar imported into the Philippine Islands, as they were to have these concessions in our markets, should pay the same rates of duty as they would pay coming into the United States; that it was only justice to the sugar growers and tobacco growers of this country.

Mr. BRISTOW. But the question is, Why should an exception be made in regard to sugar? On other articles of commerce we do not impose the American tariff.

Mr. LODGE. Because there has been an exception about sugar and tobacco from the beginning.

Mr. BRISTOW. Why should there be?

Mr. LODGE. Because sugar and tobacco are the only products in the Philippine Islands that compete with our home production. The other exports do not compete directly with the products of the United States.

Mr. BRISTOW. This relates to refined sugar, which——

Mr. LODGE. I ought to say in addition that since we took possession of the islands and deprived them of the Spanish market we remain their only market, and for that reason the concession has been made.

Mr. BRISTOW. I beg to advise the Senator that he is very much mistaken. The Spanish never did consume Philippine sugar. They got their sugar from Porto Rico and Cuba. The market for Philippine sugar has been the United States and Great Britain very largely, always. It was before we got possession of the islands. We bought more sugar from the Filipinos before than we have ever done since. There is a great market in the United States; and we simply impose upon them the necessity of buying their refined sugar from us instead of from other people, as they have heretofore done, and we do not impose that necessity in regard to any other product that they use.

Mr. LODGE. Except tobacco.

Mr. BRISTOW. Except tobacco.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. LODGE. I do.

Mr. NEWLANDS. This arrangement also involves compelling the Filipino people to pay the same price in their markets for refined sugar that the American people pay in theirs. In other words, the price will be very nearly double the world's price for sugar. Will not that be the effect, I ask the Senator from Massachusetts?

Mr. LODGE. I do not know precisely the present duty on sugar. It is lower than ours, I know. I could not tell without looking at their tariff.

Mr. NEWLANDS. Instead of permitting our sugar to go in subject simply to a duty of 25 per cent, I understand you are to impose there a duty equal to the duty imposed in this country, which is upon refined sugar nearly 2 cents a pound, or double the world's price. It seems to me that if you are engaged in an act of philanthropy to the Filipino people it is hardly the proper thing for us to put their consumers of refined sugar under the same burden the American people are under to-day, for under the present system we impose upon the consumers of sugar in this country a burden of $130,000,000 more annually than would be imposed if our present duty did not exist, and we raise the domestic price of sugar to nearly double the world's price. It seems to me we should not force our highly protective system upon the Philippine Islands and compel them to pay for refined sugar double the world's price by imposing this duty.

Mr. LODGE. I have no desire to discuss the sugar schedule. The price of sugar in the United States, with the exception of England, is cheaper than in any other country. I do not care to go into that at all. This is a concession to the Philippine Islands. As chairman of the committee which has had their

affairs in charge for a good many years and having been much interested in them, I should like to give them a great deal more than we have given them; but, speaking as their friend, I believe we are giving them a much better condition than they have had before, and to secure that I for one am ready to make certain concessions and to limit the amount and put an import duty on sugar similar to that which we have here. It will be no unreasonable burden to them. All the money will go into their treasury, and they will have to make it up by other means of revenue in what they import, because it will now go in free of duty.

Mr. ELKINS. Has the Finance Committee followed the House provision in respect to sugar from the Philippine Islands?

Mr. LODGE. In the main. We have modified the House provision somewhat.

Mr. ELKINS. Over what the House allowed?

Mr. LODGE. We reduced the amount on tobacco.

Mr. ELKINS. And on sugar it is the same?

Mr. LODGE. Yes; 300,000 tons.

Mr. ELKINS. That comes in free.

Mr. LODGE. It comes in free.

Mr. ELKINS. What will be the duty above 300,000 tons?

Mr. LODGE. The same duty as on all sugar; the same as before.

Mr. ELKINS. From Cuba they have 200,000 reduction?

Mr. LODGE. There is no reduction on anything above 300,000 pounds.

Mr. ELKINS. I understand that if 300,000 pounds are imported it would have to pay a higher duty than the Cuban sugar.

Mr. LODGE. Yes; higher than they pay now. They come in at the Dingley rate.

Mr. ELKINS. It seems to me this is a discrimination against the Philippines. They belong to the United States as much as the people of Arizona and New Mexico, territorially and otherwise, and we ought not to make any discrimination against them, especially in favor of a foreign country like Cuba. My theory is that the Filipinos are the same as the people of any other Territory, and why this discrimination or distinction is made against them I do not know. I do not know much about the merits of the case. I am glad the committee has agreed to allow them 300,000 tons, but they are citizens of the United States, belonging to the United States, and I do not see why in the world Cuba should get an advantage over the Philippine Islands. I can not understand——

Mr. JOHNSTON of Alabama. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Alabama?

Mr. LODGE. Let me reply first to the Senator from West Virginia. I am not going to discuss our relations with the Philippine Islands. It is rather too large a topic. The islands are in our possession, and we want to treat them as justly and fairly and generously as we can. We can not legislate on a hypothesis. They are not citizens under the law. They are citizens of the Philippine Islands, made so by statute. It is not a Territory. The islands are simply within the jurisdiction of the United States.

There has been for some years a strong effort in which the then Secretary of War and the present President of the United States has made every possible effort to have absolute free trade between the Philippine Islands and the United States. That has been resisted in regard to sugar and tobacco by the home producers of those two articles, and finally this compromise has been reached that we should let in a certain amount of sugar and a certain amount of tobacco free of duty. The Philippine Islands have never produced anything approaching either amount capable of export.

Mr. BULKELEY. Will the Senator allow me? I understood the Senator to state that a compromise has been reached fixing the limitation. With whom?

Mr. LODGE. Between the people who are interested on one side and the people who are pressing for it on the other.

Mr. BULKELEY. I do not understand that there has been any compromise as far as tobacco is concerned in my State and in other States where they produce leaf tobacco for wrappers. I do not understand that there is any compromise on the part of the sugar manufacturers as to the quantity, except possibly the beet-sugar men.

Mr. LODGE. Then the committee has been greatly misled by the information brought to it.

Mr. BULKELEY. I had the honor myself to appear before the committee in opposition to it.

Mr. LODGE. I am not speaking of the Senator from Connecticut. We have reached no compromise with him.

Mr. BULKELEY. Perhaps you will have to.

Mr. LODGE. We will see that by the vote.

Mr. JOHNSTON of Alabama. I want to ask the Senator from Massachusetts how the Delegates from the Philippine Islands stand on this amendment, because it seems to me we ought not to confer a benefit——

Mr. LODGE. Of course, they want a great deal more.

Mr. JOHNSTON of Alabama. Do they want this?

Mr. LODGE. I understand they will accept this rather than nothing.

Mr. JOHNSTON of Alabama. I am not advised, but it seems to me we ought not to confer benefits which they themselves do not desire.

Mr. BRISTOW. I think the Senator from Massachusetts is entirely in error when he says that the Philippine Islands never produced anything like 300,000 tons of sugar.

Mr. LODGE. For export.

Mr. BRISTOW. They exported in one year 260,000 tons.

Mr. LODGE. That I am aware of. That is the largest I think they ever exported.

Mr. BRISTOW. That is not very far from 300,000 tons.

Mr. LODGE. But as a matter of fact, what they produce now for export is very far below that.

Mr. BRISTOW. But the very purpose of this legislation is to encourage the production of sugar there.

Mr. LODGE. It is.

Mr. BRISTOW. It is not fair to presume that they never will produce 300,000 tons when they have produced so nearly that amount.

Mr. BURKETT. Already sugar from Hawaii and Porto Rico is free. Suppose we admit 200,000 tons from the Philippines. What is the rate now on sugar imported into Porto Rico and into Hawaii? How much do they get on sugar?

Mr. LODGE. The Dingley rate; the same as our own.

Mr. BURKETT. Then, I understand, by striking out this provision, it would put the Philippines at an advantage over Porto Rico and Hawaii.

Mr. LODGE. It would.

Mr. BURKETT. With reference to buying sugar.

Mr. BRISTOW. It would put them in exactly the same position as to sugar that they have as to every other article of commerce except tobacco. The Philippine Islands and Hawaii have the same provision as to sugar that they have as to every other article of commerce.

Mr. LODGE. Mr. President, I have nothing further to say. I do not care to go into the discussion of the Philippine Islands at this time.

Mr. MONEY. I should like to ask the Senator from Massachusetts a question for information.

Mr. LODGE. Certainly.

Mr. MONEY. I am asking for information. I should like to ask the Senator from Massachusetts how it is practical to apply the remission of duty on 300,000 tons of sugar. You have a class of factories that produces less than 500 tons, and the next class produces over that amount. Suppose that the class first named produces the first half of the 300,000 tons or 200,000 tons as a supposition. Then how are you going to divide among the producers of the next class the remission of this duty? I have asked for information, because I do not understand how it is to be done. I suppose probably it has been thought out by somebody.

Mr. LODGE. It is provided in the bill that it shall go first to the producers of less than 500 gross tons in any fiscal year. That is easily understood.

Mr. MONEY. I dispose of that, but——

Mr. LODGE. Then to the producers of the lowest output in excess of 500 tons in any fiscal year.

Mr. MONEY. Then the result would be that after you get over 500 tons production there would be a discrimination in favor of somebody, and a discrimination against somebody to the amount of $1.68 per hundred pounds of sugar. That seems to me to be an inequality of favor or benefit which would be most inequitable.

Mr. LODGE. After the lowest producers are exhausted then comes the next lower output until the 300,000 tons are made up. The purpose of the clause, as I understand it, is to prevent the establishment of one great concern there which would absorb the whole 300,000 tons and send it all to the United States and prevent the small growers from getting any advantage from this reduction.

Mr. MONEY. I know that is the purpose, and it is a very wise and benevolent purpose to prevent that monopoly, but still the difficulty is not solved. There is still a discrimination left. There is very little difference in the merit of the man who can produce 500 tons and the man who can produce 501 tons.

Mr. LODGE. Very little.

Mr. MONEY. We can go on in that way to the highest production. But there must be somewhere, according to the bill, a discrimination in favor of somebody. I will take two plants adjoining. They make five and six hundred tons. One gets sugar admitted free of all duty. The other has a tax of $1.68 per hundred pounds.

Mr. LODGE. That is, if they go over the 300,000 tons.

Mr. MONEY. Then they are on the wrong side of the breastworks, and there is a discrimination against one planter who may have swords crossed against him in the matter of labor and his hands taken away. There are a thousand things in the competition of business which may interfere. I want some enlightenment on the point. I am not trying to ask a hard question, but I really would like to know if the Senator has in view any way by which the benefit can be so equalized that there will not be a discrimination?

Mr. LODGE. If we wish to confine it to small producers, I do not think it is practical to confine it in any other way than that suggested in the bill. It seems to me that there is no other way practical.

Mr. MONEY. I know the purpose of it.

Mr. LODGE. We start out to discriminate in favor of the small producers, and we discriminate as they rise in proportion.

Mr. SMOOT. Mr. President——

Mr. MONEY. If the Senator will excuse me, the fact that classes are named shows that the committee does not believe that the whole 300,000 tons will be covered by the first class. Then the next class is being considered, and it can not take all the sugar manufactured or produced by that class. Therefore the discrimination must be applied in some way that I do not yet understand, and I would be very glad if I could understand it.

Mr. LODGE. I suppose that all substantially with the same gross output would be taken and the residue would be divided between them. There has to be a certain discretion in the administration of such a law.

Mr. MONEY. I know how it can easily happen, as it happens in the market every day, when a producer gets his crop to market. He says, "I am within the provision of this bounty," and it is extended to him. The other man is a little slower; he is on the wrong side of the mountain, for instance, 2,000 feet higher up the mountain; his crop matures more slowly, and it does not get into market in time; and when he gets there the 300,000 tons have been supplied and the remission has been issued, and he must pay the tax.

Another thing, in a tropical country you do not count the seasons as here; you can not have a man importing and making sugar, as in Louisiana. I have seen crops made in the Hawaiian Islands from cane 23 months old. You would see cane made in one part of an island, and six or eight months or a year afterwards the same thing would be going on somewhere else. I presume the same condition holds in the Philippines, which I have never visited. So it seems to me as this remission of duty on 300,000 tons can only happen in the fiscal year, there is going to be an inequality in some way. I have not yet solved it in my own mind, and I would be glad to know if anybody has.

That is the only question I desire to ask. I desire to relieve the bill from any inequality if it becomes a law.

Mr. LODGE. I think that is a matter which it is impossible to provide for absolutely in a statute. We can only indicate in a statute the preference to be given and then leave it to administrative officers to grant that discrimination in accord with the statute as fairly as they can. It is intended as a discrimination, of course.

Mr. JONES. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. Certainly.

Mr. JONES. The Senator may have answered the proposition, but if he did I did not hear it. I assume that this provision is framed for the benefit of the Filipinos primarily. What special benefit will it be to them to place this tariff on the refined and unrefined sugar imported into the Philippines?

Mr. LODGE. To relieve them of all their tariff duties. Of course the Senator understands they have got to have money from tariff duties of their own. The only question is how much.

Mr. President, when I said a few moments ago that this provision, as it passed the House and has been reported by the Finance Committee, was a compromise, I meant that the Finance Committee and the Committee on Ways and Means, in order to get legislation which they thought desirable, had to compromise with contending interests.

Mr. CLAY. Mr. President——

Mr. LODGE. Let me finish answering the Senator from Washington.

Mr. CLAY. Certainly.

Mr. LODGE. I do not myself think they will be affected at all, but those people who thought they would be affected by the introduction of 300,000 tons of free sugar from the Philippines, or a certain amount of tobacco into this country, felt that it was only just to them that the Filipinos should pay the same rate of duty that they were obliged to pay when they imported sugar or tobacco.

Mr. JONES. That special feature of this amendment is not specially, then, for the benefit of the Filipinos?

Mr. LODGE. No; it is done for the protection of our own people, and to put money in their treasury, of course.

Mr. JONES. The tax raised by it goes into their treasury?

Mr. LODGE. It goes into their treasury; every cent of it.

Mr. CLAY. The Senator from Massachusetts is fully aware of the fact that at this time we import into the country a little over 300,000 tons of raw sugar paying the full duty of $1.68½ per hundred. If we let into this country 300,000 tons of raw sugar free hereafter, there will be practically no sugar coming into this country paying $1.68½ per hundred. Three hundred thousand tons of raw sugar pay into the Treasury of the United States about $10,000,000 revenue. If we let the people of the Philippine Islands bring into this country 300,000 tons of raw sugar, we take out of the Treasury of the United States $10,000,000. Does the Senator claim that any real, substantial benefit will accrue to the American consumer by reason of this fact, or does the Senator believe that the people of the Philippines will get a benefit of $10,000,000 equal to the $10,000,000 revenue which we lose in this country?

Mr. LODGE. Of course we shall lose the revenue if that amount of sugar is sent in. There is no question about that. That is the precise concession we make to the Philippine people. We give them our market to that amount, just as many years ago, before Hawaii was any part of this country, under a special treaty we admitted all Hawaiian sugars free of duty, which amounted to many, many millions. We gave it because we thought it was the interest of the United States to encourage and build up those islands, and the belief is that it is for the interests of the United States, and it is a matter of justice and fairness that we should give the Filipinos the opportunity to develop their industry and have access to our markets to that amount since they are in our possession; and in return, of course, everything that is the product of the United States goes in there free of duty.

Mr. ELKINS. I should like to ask the Senator a question. I will ask the Senator from Massachusetts what the annual production of sugar is in the Philippine Islands now?

Mr. LODGE. It was about 143,000 tons last year.

Mr. ELKINS. How much of that is home consumption?

Mr. LODGE. It is all consumed in the islands or sold in China and Japan.

Mr. ELKINS. None comes to the United States?

Mr. LODGE. Very little.

Mr. ELKINS. How long will it be before they can export the 300,000 tons contemplated in the bill?

Mr. LODGE. I am sorry to say I think it will take them a very long time to approach it.

Mr. ELKINS. With the ultimate demand, the Senator means, of Japan and China and their own home consumption.

Mr. LODGE. Yes; I think it will be a long time before they send any considerable amount of sugar here.

Mr. ELKINS. It would not be a substantial injustice to them to deny it?

Mr. LODGE. If I take an interest in them and wish to see them prosper, I am afraid we shall lose very little revenue by the importation of 300,000 tons, and they will send very little sugar to this country.

Mr. ELKINS. I am not concerned about the loss of revenue. I think it is a discrimination. I think they ought to belong to the United States, and I think they do, not only under the treaty, but by the purchase of the territory for $20,000,000; and we ought to make no discrimination against them whatever. That is my judgment. I regret to see any legislation in that direction.

Mr. LODGE. I am not disposed to dispute the justice of the Senator's position in that respect. I am representing here simply the committee, and this is in substance the provision of the House and the decision of the two committees as to what was best to be done under these circumstances.

Mr. ELKINS. One more question. How does the amendment of the Senator from Kansas affect the Senate committee amendment?

Mr. LODGE. It would not have any practical effect whatever, because when we pass the Philippine tariff act, which we must pass as soon as this bill is out of the way, in order to make it conform to ours, you may be very sure that the same rate of duty will be placed on sugar.

Mr. BRISTOW. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. LODGE. Certainly.

Mr. BRISTOW. I understood the Senator from Massachusetts to say that the provision covered by the amendment now pending was incorporated in the House provision of the bill. Did I understand the Senator correctly?

Mr. LODGE. No; I did not say that. I said the amendment in substance is in both the House bill and the Senate committee's bill.

Mr. BRISTOW. But the proposition to extend the tariff law on sugar to the Philippines was not in the House provision.

Mr. LODGE. No; I am aware of that.

Mr. BRISTOW. I understood the Senator to say that the Philippines would get the duty collected. Is it not a matter of fact that there would not be any duty collected, because the tariff on refined sugar is prohibitive, so that it would all be shipped from the United States to the Philippines and not be imported from any country that would pay a duty?

Mr. LODGE. There is the provision as to refined sugar in the United States which is wholly the production of the United States.

Mr. BRISTOW. The production of beet sugar is 225,000 tons.

Mr. LODGE. We do not produce in Hawaii, Porto Rico, Louisiana, and the beet factories, I think, altogether over 1,200,000 tons. I can be corrected if I am wrong.

Mr. BRISTOW. Yes; about that quantity.

Mr. LODGE. We buy a thousand tons from Cuba.

Mr. BRISTOW. More than that.

Mr. LODGE. None of Cuba's could go into the Philippines except on the payment of duty, because it is not the growth and product of the United States.

Mr. BRISTOW. Let me inquire, then, how can we tell whether the American refiners ship to the Philippines Cuban sugar?

Mr. LODGE. I think that could be detected. I think it would be detected by the officials of the customs in the Philippines and here.

Mr. BRISTOW. Would it be any easier to detect fraud in importing it into the United States and refining it and sending it to the Philippines than in detecting fraud in importing it into the Philippines and then sending it to the United States?

Mr. LODGE. No; I do not think it would.

Mr. BRISTOW. I think that answers fully the objection the Senator offered to my amendment.

Mr. LODGE. I do not think it does. That this country will export refined sugars to the Philippines it seems to me out of the question. Why should they send sugar all that distance when they have not enough to supply the home demand?

Mr. BRISTOW. They do it. Why do they do it?

Mr. LODGE. They do do it—when they send 8,000 pounds, four tons?

Mr. BRISTOW. They get refined sugar from other countries. They consume about 3,000,000 pounds a year of refined sugar. They have been importing it from other countries. Now, you will compel them, if they still import that, to pay a much higher tax than they now pay, and then you will prevent them from getting the Java sugars or the German dark-colored sugars because you incorporate in this amendment the Dutch standard provision which is in the American law. So that you put a restriction upon the Philippine Islands consumption of refined sugar that was never before imposed, which was not in contemplation by the House provision, and which would be very much to the detriment of the Filipinos. Then it would not pay the duty, because it would go from the United States and be purchased much cheaper.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I do.

Mr. BURKETT. Mr. President, I would like to ask the Senator from Massachusetts a question. Perhaps I had better repeat what he said, for fear I misunderstood it. Permit me to say, first, that after listening to this discussion I had about come to believe that perhaps we ought to put the regular American rate on sugar going into the Philippines from the outside world, because we are throwing open our market, the greatest market in the world, to Philippine sugar. But about the time I got my mind made up along that line the Senator from Massachusetts stated, as I understood him, that we are not going to admit any sugar anyway from the Philippines; that they are not going to send any over here, and therefore if that is not true——

Mr. LODGE. I did not quite say that.

Mr. BURKETT. The Philippines are getting practically nothing, and we are putting on to them our tariff rates.

Mr. LODGE. I did not say that we are not going to admit their sugar, because we are going to admit it free up to 300,000 tons. What I said was that, in my belief, it will take them a long time to reach that limit of 300,000 tons. I think it will take them a very long time, and a still longer time to reach the limit in the tobacco concession, but that it will encourage them and help them to have the market open to that extent on those two products I think is undoubted.

Mr. BURKETT. Mr. President, I have gathered from what I have listened to here that this provision with reference to the Philippines is the result of what we know has been the effort of a great many years on the part of then Secretary and now President Taft to encourage the industries of the Philippine Islands. I want to say that since I have been a Member of Congress, about ten years, I have seen one thing after another, with almost the regularity of the assembling of Congresses, rise up, as it seemed to me, to interfere with the beet-sugar industry of this country. I have never failed to observe what seemed to be a genuine friendliness on the part of the Congress for the beet-sugar industry of this country. Congress has always sought to encourage the production of beet sugar. Away back in the sixties beet-sugar machinery was admitted free of duty; again, in the McKinley law in 1890, the tariff was taken off of machinery that comes in to make beet sugar. In that law Congress also gave a bounty on American-produced sugar. In addition to this Congress gave a drawback on the taxes of sugar exported. We have done all manner of things to help the beet-sugar industry of this country; yet in some way or other, through the happening of events which we could not control, there has been one thing after another during these last ten years which has been batting away and bumping away continuously at the beet-sugar industry.

But I want to say that notwithstanding that fact, notwithstanding the assaults upon it, I have seen the beet-sugar industry grow in those ten years and multiply its factories by five and increase in output from 40,000 tons of production to over 400,000 tons of production of beet sugar in this country. Yet, as I say, all the way along there has been one thing after another that has happened to raise up new and unexpected competition for the beet-sugar producer in this country. I have almost despaired at times. But I have been relieved and cheered to see the industry multiply ten times in ten years in spite of all the adverse circumstances that have surrounded it. And, Mr. President, do you know that that one thing has made me more sanguine of the future of the beet-sugar industry in this country than I might otherwise have been? We have changed our laws; we have admitted sugars from different countries at different rates from one year to another. We have not had any fixed laws for any great length of time, but in spite of all that, the beet-sugar industry has developed and multiplied, as I say, in production ten times.

I remember that among the first things that happened with reference to the beet-sugar industry during the ten years I have mentioned, and these last ten years mark the period of real development and progress in the production of beet sugar, was the admission free of duty of the Porto Rican sugar by the act of April 12, 1900, as a competitor of our beet sugar in this country. Then we admitted the Philippine sugar at 75 per cent of the Dingley law by the act of March 8, 1902. Then, by the act of December 17, 1903, we admitted Cuba's enormous production at 80 per cent of the Dingley rates. We have admitted the Hawaiian sugar free of duty for a number of years, and now in this bill we propose to admit 600,000,000 pounds of Philippine sugar free. I submit, Mr. President, that that recital of our doings shows more liberality to sugar producers outside of the United States than it shows protection to our own producers here in Nebraska and Colorado and Louisiana.

As a friend of the beet-sugar industry, if it were not for the peculiar circumstances that surround us here, as it seems to me, toward those islands, over which we are exercising control, I would be rather inclined to object to this last assault. I know how concerned the people are in the beet-growing sections of our country. I have met with the men who are raising the beets that produce beet sugar in my own State. I have talked with them face to face. A year ago I went into the North Platte Valley in Nebraska, and those people rose almost in arms to

meet me and to protest against such an arrangement as this bill contemplates. They complained of what Congress had done and implored me not to permit the gates to be further opened for sugar importation. It seemed to me then that the beet-sugar producers never would consent to the admission of Philippine sugar free; but it appears that our great President, using his good offices and his mild manner of persuasion, has finally obtained the consent, as I understand, of the beet-sugar producers in this country to admit, in addition to the Porto Rican sugar, in addition to the Hawaiian sugar, in addition to the Cuban sugar, in addition to the Philippine sugar that we have already admitted at 75 per cent, to admit practically all they produce absolutely free; and I am willing to go along on that line, believing, as I do, that we are performing a duty imposed upon us by the responsibilities we have assumed in those islands.

But in doing it, Mr. President, I want to preserve all the proper safeguards that we can. As the Senator from Kansas [Mr. BRISTOW] was speaking I sat here figuring, and I doubt if all the people of this country, or if all the Senators, realize just how small a percentage of the sugar we use pays the rates of the Dingley tariff law now, and how little will be fully amenable to the rates of this bill hereafter. We produced in this country last year of cane sugar 777,280,000 pounds. We produced of beet sugar 851,768,000 pounds. To that I have added the amounts of Philippine sugar that came in last year at 75 per cent of the Dingley rates, the amount that came in from Cuba at 80 per cent of the Dingley rates, the amount that came in from Hawaii free, and the amount that came in free from Porto Rico and from all other countries, and I found that what we produced, together with what we imported, was 6,715,909,620 pounds. I want to call attention to what a small per cent paid the Dingley law rates. Of course what we produced paid nothing. The total amount of our imports last year was 5,186,861,620 pounds, and of that there were only 1,048,559,200 pounds which paid the Dingley rates. The rest all came in free or at reduced rates. In short, of all the sugar which we imported into this country last year, just 22 per cent of it paid the Dingley rates.

Of all the sugar that we used, including what we produced and what we imported, only 15½ per cent of our sugar last year paid the Dingley rates; and if this bill goes into effect and becomes operative, and we shall import sugar from the Philippines, as it contemplates—and I will say that I do not share the ideas of the Senator from Massachusetts, as I shall show in a moment—when this bill becomes operative, taking the figures of imports as they were last year, there will be just 9.2 per cent of the sugar which we will consume in the United States that will pay the rates under this new tariff bill, and 90.8 per cent will be free sugar or at reduced rates.

I submit that when you look at this thing squarely we have not been overly generous, to say the least, with our own sugar producers here at home. When I contemplate the progress that the beet-sugar industry has made in this country, in the face of these facts and in spite of the terrible competition during these ten years while we have been admitting one competitor after another, I have grown to have a great deal more faith in the future of the beet-sugar industry than I had before. I believe if the beet-sugar industry can multiply ten times in ten years under such conditions that there is hope for it even beyond what its strongest defenders have anticipated. If that be true, Mr. President, we shall yet produce our own sugar in this country.

Mr. President, the Senator from Massachusetts seems to have no fear that we shall receive much sugar from the Philippines. It seems to me that that is only a song to lure us to sleep. You can not make me believe, with the climate, with the conditions, with the cheap labor, and all that prevails in the Philippine Islands, that when you throw open to them absolutely free this the greatest sugar market on the face of the earth that there is not going to be somebody over there who is going to grasp the situation and take advantage of it. In a comparatively short time they will fill up the 600,000,000 pounds of sugar that we permit them to bring in free.

Heretofore they have had to fight for a market in a cold world overstocked with sugar, but hereafter by the terms of this bill they are provided and guaranteed a market for their product in this the best sugar market in the world. They will not be slow to grasp the opportunity and to take advantage of it.

Now, I want to get to the amendment of the Senator from Kansas. If I thought we were giving the Filipinos nothing by this bill, I certainly should not want in this bill in which we gave them nothing to place any burden on them. Of course, the Senator from Massachusetts suggests if we do not do it in this bill that in the general Philippine tariff bill, which is coming along, it will be done. I stated that I would rather leave it until that bill comes before us, if I did not think that we were giving the Filipinos something in this bill.

I submit to the Senator from Kansas, however, that the Filipinos believe it will help them. They have petitioned us for it, and we know that the burden of their song and of their petition has been all these years that we shall freely open our market place to receive their products. I submit to the Senator from Kansas if, after we have thrown down the bars; if, after we have opened the gates of our tariff laws and permitted all the sugar production of those islands to come into America and enjoy the best sugar market on the face of the earth without the payment of a single cent of tariff, is it just to our own people in Porto Rico, in Louisiana, in Nebraska, and in all the other States of the Union that produce sugar to give those Filipinos advantages that we withhold from our own people? Is it fair to permit them to come into our market and sell their sugar here on the same terms with our people, and then let them go to Germany and to all the world and buy bounty-produced sugar at less, perhaps, than it costs us to produce it here in America? I am willing to help the Filipino, but I do not want to be better to him than we are to our own people right here at home.

In my opinion, Mr. President, it is going a little too far to pledge ourselves to buy all his product and then put him on a basis to buy on better terms than we can and to buy of other countries than where he sells. I asked the Senator from Massachusetts this question: What sort of terms do we accord to Porto Rico? Porto Rico is our own child; she lies near unto our gates; she belongs to us; and the Senator from Massachusetts replied that when she goes to Germany to buy sugar or to any other country in the world she must pay on that sugar that comes in the Dingley tariff rate; and yet to the Philippine Islands, when we are admitting her product and giving her the enjoyment of our market place absolutely free, we say, in turn, "You shall have a better opportunity than Porto Rico has got; we are going to give you better terms than we have given Cuba; we are going to give you better conditions than Hawaii has got"—and we have had that island a long time—ah, more, Mr. President, if we adopt the amendment of the Senator from Kansas, "we are going to give you better terms than the sugar planters of Louisiana have, better than all the beet-sugar producers of Nebraska and Colorado and California have; we are going to let you go to Germany, where they pay the people for raising sugar, to buy your sugar as cheap as you can."

Mr. President, if Germany should put up her bounty as liberally as she did along in the latter part of the eighties or the early nineties, I can imagine the time when the Philippine Islands will be buying bounty-paid refined sugar of Germany at a less rate than that at which she will sell her raw sugar in the United States. I submit to the Senator from Kansas, with all deference to his good judgment and his study of the question, that it is going a little too far when we say to those people that we will give them better terms than we give to Porto Rico, to Cuba, to Hawaii, to Louisiana, and even to Nebraska. Our sugar laws may be all wrong, but certainly it would not make them right or just to make such a discrimination as his amendment contemplates.

Mr. President, with reference to the second amendment, I am not going to say very much now; but it seems to me that that is an amendment against the interest of the small sugar planter. Further than that I do not care to speak; but I do want to call the attention of the Senator from Kansas to these advantages I have outlined, and in addition to that I ask him to consider also another proposition that has been a troublesome one, and that is the one of protecting our market against the sugar of the world, that would have beat down our producer, and at the same time guarding the interests of our consumer against extortionate prices. I have never heard much complaint about the price of sugar. While everything else has been going up during the last few years, sugar is the one article of consumption, and almost the only one, that has not gone up in price. Of course I would have been glad if it might have gone down.

I do not know whether or not we have handled our sugar business as well as we might have done in this country. There are a great many people who criticise Congress for the way it has managed the sugar question; but I want to say, without fear of contradiction, that there is not any nation on earth that has handled its sugar question as well as has the United States. Germany, Austria, and all the European countries have tried one thing after another in order to protect their consumers of sugar against high-priced sugar, on the one hand, and for building up their sugar production, on the other hand. They have gone even to the extreme of paying a bounty equal almost if not quite to the cost of producing sugar; and notwithstand-

ing this the people of the United States are buying sugar to-day cheaper than any other people on the face of the earth except the people of England.

And at what a price has England bought her cheap sugar. If we go back into history, we will find a time not a great many years ago when England had the sugar factories of the world. She made her sugar and sent it around the globe; but she began to do one thing and then another, to admit sugar here and to admit sugar there, until finally she cut off her tariff, and to-day she is without her great sugar industry that was once her glory. She is buying sugar cheaper because temporarily—and I am certain it can not be more than temporarily—there are other nations willing to go into their public treasury, take their people's money, and pay for the raising of sugar through a bounty system, so that those people can sell it to England for less than it costs them to produce it, because she admits it free of duty.

So that while our sugar legislation may be subject to criticism—and I dare say there is not any legislation but what is subject to criticism—and while there will always be those who can criticise sugar legislation, I submit that in the face of the history of the sugar production of the world there is no other nation on earth that has managed its sugar legislation as successfully for its people, both producers and consumers, in the long run as has the United States. There are certain wrongs perpetrated under it perhaps, but, Mr. President, there are always wrongs to correct under every legislation.

Now, Mr. President, as I have said, I am willing that Philippine sugar shall come in, because I understand the deep interest and the endeavors of President Taft in that direction. I know full well, and other Senators who have been here for ten years know, how long, how earnestly, and how persistently Mr. Taft, as Secretary and as President, has been laboring to get for the Philippine people legislation whereby they could enjoy our market for their sugar and their tobacco; and, after he has finally harmonized all differences and compromised upon this bill, I for one am willing to stand by President Taft in this matter.

The Senator from Kansas asked a pertinent question when he asked "Why should we make a difference between tobacco and sugar and the other products of the Philippine Islands?" It is very easy to answer, however, by saying it is because there are no other products of any great consequence in the Philippines. There is not anything over there that they want to send here to us except tobacco and sugar. They do not care anything about what rates we place on anything else that they produce except their sugar and tobacco and perhaps their hemp. Why? Because about all the things that are brought over to this country are carried back by American citizens as presents or souvenirs of the trip and they pay the tariff.

Mr. LODGE. Mr. President, if the Senator will allow me to interrupt his question, I will say that on the matter of hemp the Filipinos produce the best hemp in the world, and it is much more profitable to us to have their hemp. They can sell that hemp to anyone.

Mr. BURKETT. I will simply say that while I was speaking a Senator to my left called my attention to hemp, and I simply included that as another Philippine product.

Mr. LODGE. It is not of special benefit to them to have it admitted free here, but it is a benefit to us.

Mr. BURKETT. The only point I was seeking to make was—we admit the hemp, of course, for our own benefit, as the Senator said, as much as for the benefit of the Philippines—that the thing they have been contending for all these years is to get their tobacco and their sugar into our market; and it seems to me that when we are throwing this market—the greatest and the best sugar market in the world—open to the sugar production of the Philippine Islands, we ought to be protected by a law that would prevent them from bringing in the world's sugar at their back door and dumping it onto America through the front door. We ought to see to that. We ought to say to them, "If we let you sell in our market, you ought to be willing to buy in the same markets and on the same terms as the men who produce sugar in America, with whom we are admitting you here to compete, have to buy their sugar."

Mr. BULKELEY. I should like to ask the Senator from Nebraska if he does not think that the advantage of giving the Filipinos a market for more than half of their production of hemp is an advantage to them in maintaining a better price for that article, as well as a benefit to the American manufacturer?

Mr. BURKETT. Undoubtedly the American market is a privilege to any people or any nation on earth. The best evidence of that is that there are tramping these corridors every day the representatives of the men who produce things in foreign countries and who desire to get them into the American market. There is no country where hemp or anything else can command the price and can secure as steady and desirable a market as in America.

Mr. BULKELEY. I understood the Senator to say that the advantage in the admission of hemp was entirely to the American people, and that there was no advantage to the Filipinos. My claim is that opening this market for the producers of hemp in the Philippine Islands, as we have for a long period of years—in fact, before they came into our possession—has been of great advantage in maintaining the price and raising the price of hemp in the markets of the world, as it has been an advantage to the American users.

Mr. LODGE. Mr. President, manila hemp is the best hemp grown. Formerly all manila hemp went to London, and reached us by way of London, but the Filipinos collected an export duty on it. We took off the export duty, and the result is that the entire manila-hemp trade has been turned to the United States. The export duty which they formerly collected, and which went into their treasury, was taken from them. The transfer of the manila-hemp trade to the United States has been a great advantage to us. They have no difficulty about selling their hemp. It is of such quality that the entire market of the world is open to them, and they can always get a good price for it.

Mr. RAYNER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Maryland?

Mr. LODGE. Certainly.

Mr. RAYNER. Mr. President, I merely rise for information. I should like the Senator to state whether or not, in his judgment, the importation of raw sugar from the Philippines does not work in the interest of the American Sugar Refining Company? I am unwilling—I am going to be very frank about it—to vote for any measure at all that works for the advantage and benefit of that company. I should like the Senator from Massachusetts to explain whether, in his judgment, it is not a great advantage to the American Sugar Refining Company to obtain free raw sugar from the Philippines.

Mr. LODGE. They are not the only buyers. I suppose they would buy some of this sugar if it came over, as they buy some of the Porto Rican sugar and as they buy the Cuban sugar; but it would be open to all the buyers of the country, to the independent refiners, as well as to the American Sugar Refining Company. I do not suppose we could help their buying part of the Philippine sugar; but it certainly will be of no especial benefit to them, so far as I can judge.

Mr. ALDRICH. Mr. President, this proposition is practically to pay the sugar producers of the Philippine Islands a bounty of about one and sixty-eight one-hundredths cents per pound. I think there is no one who is at all familiar with sugar growing in any part of the world that does not know that the process will be immediately changed in the Philippine Islands for the production of sugar. They will no longer make sugar under the old open-kettle process; they will have modern machinery; they will make the best class of centrifugals; and there will undoubtedly be established in the Philippine Islands refineries for their own sugar. I venture the prediction that the sugar will come to the United States in a refined condition. That is inevitable. It has been the history of all sugar-producing countries in the world.

It is not very many years ago that Java, for instance, was making sugar by the old-fashioned process. They now make it entirely by the new process. It is not a long time since sugar was made in Cuba by the open-kettle process, but now nobody would think of making sugar by any except the modern method. That will undoubtedly be true in the Philippine Islands, and of course the sugar producers of the United States will have that question to face. The Philippine sugar producers will necessarily adopt modern methods, because they can not compete in the sugar markets of the world, even with this bounty, unless they do adopt modern methods.

Mr. CLAPP. Mr. President, while the question of the Senator from Maryland [Mr. RAYNER] is not, perhaps, particularly germane to the amendment of the Senator from Kansas [Mr. BRISTOW], still I want to call the attention of the Senator from Maryland to the fact that the Senator from Massachusetts [Mr. LODGE] did not answer the question. The broad fact remains that to-day, no matter what they may do when they get to refining sugar in the Philippines, the sugar that would come from there under this amendment would be what is known as "raw sugar." Neither the Senator from Maryland nor anyone else in this country to any extent whatever would use that kind of sugar. That sugar has to be refined before it is used by the American consumer; and if the American sugar refining trust is not the beneficiary of the reduction of the duty upon the raw material, I should like to know

whether, when the Senator from Massachusetts comes to plead for free raw hides, he will make that plea in behalf of the cattle raiser of the Argentine, Brazil, and the Venezuelan Republic? The theory upon which the duty is taken from a raw material is not that it benefits the country where the raw material is produced, but that it benefits in some way the country which permits that raw material to enter with the duty taken off. That was our experience in the case of Cuban reciprocity, and it will be our experience in the case of the Philippine Islands.

Mr. RAYNER. Mr. President, I should like to ask the Senator just one question.

Mr. CLAPP. I yield to the Senator.

Mr. RAYNER. What benefit and advantage—for that is the point that I am after—will the American Sugar Refining Company receive from these importations from a pecuniary point of view?

Mr. CLAPP. Simply this benefit: If Congress acts wisely in placing the final duty on refined sugar, it will place that duty at a point where it will prevent, to a reasonable extent, the coming in over that tariff wall of refined sugar. That is elemental. If we have fixed that at the right point precisely—I do not believe we have—but if we have, that is then the protection to the refiner, and refined sugar can not come in here unless the conditions will warrant the payment of that duty on refined sugar. Then, if there is no purchaser in the United States for raw sugar except the refiner, the cheaper that raw sugar can be brought here, the more benefit it becomes to the refiner. If it is a fact that the bringing in of raw sugar from the Philippine Islands free of duty will beat down the price, if they can bring it over cheaper than the cane grower of the South can raise his raw sugar, then it is to the benefit of the refiner. In the last analysis, it would be to the benefit of the American people were it not for the tariff wall, over which no considerable quantity of refined sugar can come.

I think, Mr. President, that that fact ought to be emphasized in the Senate, so that there may be no mistake throughout the country that when we insist that the refiners shall buy in competition with the American producers of raw sugar, we are not adding to the cost of refined sugar to the American consumer.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Rhode Island?

Mr. CLAPP. With pleasure.

Mr. ALDRICH. I suppose it must be conceded on all sides that the importation of 300,000 tons of sugar will not affect the price.

Mr. CLAPP. Of what?

Mr. ALDRICH. Of sugar.

Mr. CLAPP. What kind of sugar?

Mr. ALDRICH. Any kind of sugar.

Mr. CLAPP. I can not concede it. It will not affect the price of refined sugar.

Mr. ALDRICH. But the price of sugar is fixed in the markets of the world, both as to raw and refined; and it is impossible to suppose that the sugar producers in the Philippine Islands will sell their sugar in the American markets at a lower price than the people who produce sugar in the Hawaiian Islands or in Louisiana or in Cuba or anywhere else sell their sugar. The price of raw sugar, for instance, of 96 centrifugal, is fixed by the law of supply and demand; and the fact that the producers of the Philippine Islands get the advantage of the bounty will not affect the price at which they will sell their sugar in the markets of the United States.

Mr. RAYNER. I should like to ask the Senator what the duty now is?

Mr. ALDRICH. The duty varies. On 96 test sugar it is 1.685 cents per pound.

Mr. RAYNER. Will not the American Sugar Refining Company get the benefit of that if it gets free raw sugar from the Philippines?

Mr. ALDRICH. But the American Sugar Refining Company does not get the benefit.

Mr. RAYNER. One Senator says "no," and another Senator says "yes." Which is right?

Mr. ALDRICH. If we stop to consider for a moment, it will be apparent that the man who brings his sugar over from the Philippine Islands sells in competition with the man who brings sugar over from the Hawaiian Islands and Porto Rico. It is sold in the New York market at the market price there, and he gets no benefit or gets no loss. He stands in the same position as everybody else; and the American refiner buys that sugar, as he buys the sugar of everybody else, at the market price.

There is no benefit to any refiner because the sugar is brought here—300,000 tons of it—without duties being paid. The benefit goes to the Philippine producer of sugar or to some middleman who may buy it perhaps. But when it is sold here it is sold at the market price, and that market price is the market price which is fixed primarily by the Hamburg market or the markets of the world, and, secondarily, by the law of supply and demand.

Mr. CLAY. Will the Senator permit me to ask him a question?

Mr. SMITH of Maryland. I should like to ask the Senator from Rhode Island a question.

The VICE-PRESIDENT. Does the Senator from Minnesota yield, and to whom?

Mr. CLAPP. Certainly; I yield to the Senator from Maryland.

Mr. SMITH of Maryland. I wish to ask the Senator from Rhode Island if in his judgment the importation of sugar from the Philippine Islands duty free will decrease the price of refined sugar to the people?

Mr. ALDRICH. Not one particle. I venture to predict that the importation of 300,000 tons into the United States free of duty will not make one particle of difference to anybody in the price of sugar. Of course if the importation of 300,000 tons should be increased indefinitely, if we should have a million tons or two million tons, as some people think we may have in time from the Philippine Islands—whenever the supply of sugar in the United States from the domestic product of beet sugar, or the domestic product of Louisiana, or the domestic product of Porto Rico, or the domestic product of the Philippine Islands, and the importations at reduced rates from Cuba, reach a point where the total supply of the United States is sufficient for the total consumption, then the price will be changed. That is, unless the duties are entirely removed; because then we will be under different conditions. But so long as we must import 500,000 tons or a million tons or a million and a half tons, and buy that in the markets of the world, the world's price fixes the price in the United States. There can be no question about that.

Mr. SMITH of Maryland. Then the judgment of the Senator from Rhode Island is that the only parties to be benefited by the free importation of sugar from the Philippine Islands are the Filipinos themselves.

Mr. ALDRICH. Absolutely.

Mr. SMITH of Maryland. And that the consumers in this country will get no advantage.

Mr. ALDRICH. No advantage at all.

Mr. SMITH of Maryland. And sugar will not be lower?

Mr. ALDRICH. The only advantage which will accrue to anybody will be the advantage which the American people and the American Government will derive on account of its promises and on account of its relations with the Philippine Islands and the Filipinos.

Mr. CLAY. With the Senator's permission——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. CLAPP. Certainly.

Mr. CLAY. I should like to ask the Senator from Rhode Island a question. When we passed the reciprocity treaty with Cuba, we gave a reduction of the Dingley rates of 20 per cent. From the time that treaty was ratified up to the present time that treaty has taken from the Treasury of the United States $41,680,000. In other words, from December 3, 1903, up to the present time we would have received that much more revenue than we have received if we had not passed that treaty.

Does the Senator think that the people of Cuba received the entire benefit by the loss which we sustained resulting from the ratification of that treaty? In other words, I can not believe the $41,000,000 went entirely to the people of Cuba, considering the price of sugar there. If that entire amount went to the people of Cuba and we were trying to help an impoverished people, there would be some justification for the ratification and continuation of a treaty of that kind. But if the Cuban people did not get the $41,000,000 and it went to the American refiner—not all of it, but even a part of it—then, in my opinion, we can not justify the continuation of that treaty.

Mr. ALDRICH. That is not a question here.

Mr. CLAY. It is the question that is here.

Mr. ALDRICH. I beg pardon.

Mr. CLAY. One moment; it is the identical question that is here, for the Senator says that the people of the Philippine Islands will get the entire benefit that is to accrue by reason of this free sugar coming into this country, just as the people of Cuba got the benefit of the concession sugar that came to

this country. The two cases, to any intelligent mind, must seem absolutely parallel.

Mr. RAYNER. That gives us a great deal of information. However, the question I am after does not appear yet to have been answered. I want to know, assuming that the consumer gets no benefit from this, whether the American Sugar Refining Company does not get the benefit. That is the question I should like to have answered, and it has not yet been answered at all.

Mr. CLAPP. There can be no question of that, with all deference to the Senator——

Mr. ALDRICH. Mr. President——

Mr. CLAPP. Wait until I get through. I should like to ask any man who votes to reduce the tariff or to put a commodity upon the free list if he ever heard, until the song of Cuban reciprocity rang in our ears, that we do that for the foreigner? It is elementary; the whole drift of every argument for reducing a duty, and especially reducing a duty on raw material, is that somebody within our own confines gets the benefit of it. Will any Senator—and there will be a score of them stand here in a few days to vote for free hides—say he is doing that for the cattle grower on the Argentine plains or the savannas of Venezuela? He is doing that with a view to in some way, direct or indirect, benefit the American people.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Minnesota yield to the Senator from Rhode Island?

Mr. CLAPP. I yield.

Mr. ALDRICH. Does the Senator from Maryland or the Senator from Minnesota suppose that sugars 95 or 96 centrifugal brought into this market and sold in the New York market from Cuba will be at one price, and 96 from the Philippines will be another price, and 96 centrifugal from the Hawaiian Islands at another price? Does the Senator suppose there would be a quotation on one kind on 96 centrifugal coming from the Philippine Islands because no duty has been collected? Certainly not. That is against plain common sense and against the laws of trade.

Mr. CLAPP. The Senator is absolutely correct. The reported quotations at New York will show no difference between the sugar of the same grade that comes from Cuba, Porto Rico, the Hawaiian Islands, or anywhere else. If that sugar does not bring the same price in the home market, some one buys it here for less than the sugar would otherwise have brought. If that is not true, what possible support is there for one moment to the proposition of ever reducing a duty, and especially a duty on a raw material? It is true that the market quotation is gathered from Hamburg, and from Hamburg to Wall street, but, nevertheless, somebody receives it, and if it is not the people within our own confines who get the benefit of it, then there is no benefit conferred.

The market quotations, as shown here by the Senator from Georgia the other day, with reference to the price of raw sugar in Cuba after Cuban reciprocity, showed they did not get the benefit of it. The quotations of refined sugar within our tariff walls show that the consumer did not get the benefit of it. Then who does get the benefit of it, except somebody between the producer of the raw sugar in Cuba and the consumer of the refined sugar at the American table? There can be no escape from that conclusion.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Rhode Island?

Mr. CLAPP. With pleasure.

Mr. ALDRICH. Fortunately for this discussion we have a practical test of this question to which we can refer. Some twelve or fifteen or twenty years ago, possibly, the United States made a treaty with the Hawaiian Islands, then an independent sovereignty, by which we admitted Hawaiian sugar into the United States free of duty. The records will show that the price of sugar never varied a fraction of a cent or a fraction of a fraction of a cent on account of those importations.

Mr. CLAPP. The price of sugar?

Mr. ALDRICH. In this country never valued at all. The record shows that all that reduction in duty or restoration of duty was for the benefit of the people of the Hawaiian Islands. It constituted a bounty paid to the sugar producers of the Hawaiian Islands. It is the same case as this. It is simply paying to the people of the Philippine Islands a bounty of 1½ cents, or whatever the rate may be.

Mr. CLAPP. There is not a Senator on this floor, Democrat or Republican, who would vote to pay a bounty of that amount direct to the Philippine government or producer of sugar. When we had Cuban reciprocity in this Chamber, I proposed a proposition to donate to the Government of Cuba $3,000,000 a year. It was ridiculed. And yet we could have made that donation and saved $4,000,000 a year from that day to this. The figures as given from the quotations with respect to Cuba have absolutely proved that the Cuban producer did not get that benefit. Some one between the producer and the consumer at our table got it.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Maryland?

Mr. CLAPP. With pleasure.

Mr. SMITH of Maryland. I should like to ask the Senator a question. As I understand, if this sugar comes in free it will deprive this Government of a revenue of $10,000,000. It has been answered that there is no benefit to accrue to the consumer. That $10,000,000 has to be raised in some other way. I want to ask the Senator if the people of this country will not have to pay this in some other tax elsewhere in order to make up the deficiency?

Mr. CLAPP. There is not any question about it. The American people have paid into the Treasury of the United States since Cuban reciprocity the difference between what we would have collected on that sugar and what we did collect. I think it is——

Mr. RAYNER. State the amount.

Mr. CLAPP. I think it is six or seven million dollars a year. I forget exactly.

Mr. SMOOT. Mr. President——

Mr. CLAPP. Now, here is another question.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. CLAPP. With pleasure.

Mr. SMOOT. In relation to the question whether Cuba gets the benefit of the 20 per cent reduction that we give her, I have here the quotations of June 4, 1909, in the New York market—of centrifugals, Cuba 96 test and centrifugals 96 test, nonpreferential sugar.

Mr. ALDRICH. The price in bond?

Mr. SMOOT. The price in bond. The price of Cuban was 2.53 on June 4, 1909. Centrifugals, nonpreferential sugar from all other countries, were 2.20, showing a difference in favor of Cuban sugar—the same identical kind of sugar——

Mr. CLAPP. Where was that price quoted?

Mr. SMOOT. In New York.

Mr. CLAPP. Certainly.

Mr. ALDRICH. It is the price in bond.

Mr. SMOOT. Certainly. This firm buys and sells the sugar. This is a daily quotation. It shows a difference of 33 cents on that day between the nonpreferential sugar and the Cuban sugar and 20 per cent on 16S½ is just 33.70 per cent. This is quotation on June 4.

Mr. RAYNER. Mr. President——

Mr. CLAPP. I yield to the Senator from Maryland.

Mr. RAYNER. Could the Senator tell me how much revenue we collected upon Cuban sugar before reciprocity?

Mr. SMOOT. Yearly?

Mr. RAYNER. Yes.

Mr. SMOOT. No; I do not remember.

Mr. RAYNER. I understand it was about $40,000,000. Is that right?

Mr. SMOOT. I could soon tell.

Mr. RAYNER. That is the information I have.

Mr. SMOOT. No; there are only a million tons now. It could not be that.

Mr. RAYNER. How much was the amount?

Mr. ALDRICH. It is a perfectly plain proposition.

Mr. RAYNER. How much was the amount?

Mr. ALDRICH. We do not receive as much revenue from Cuban sugar by 20 per cent as we would if we had not reciprocity.

Mr. RAYNER. How much does that 20 per cent amount to? The Senator from Minnesota states about $3,000,000. My information is it is nearly twice that—nearly three times that.

Mr. CLAPP. Not three times that. I think it was about $7,000,000 a year. I spoke hastily. But it is about $42,000,000 we have lost.

Mr. RAYNER. About $42,000,000.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. CLAPP. With pleasure.

Mr. BRISTOW. I wanted to inquire of the Senator from Utah if he means to convey the idea by that quotation that the Cuban sugar producer has received for all the sugar that he has sold since the Cuban reciprocity treaty 33.8 cents a hundred pounds more than he would have received if that treaty had not been in force.

Mr. SMOOT. In my statement on the sugar question here the other day I frankly stated that there were conditions which, especially when the Cuban sugar was rushed here, that affected the price in the market; when the Cuban did not get the full amount. But there are times, and most of the year, when he does get the full amount, as the quotations of June 4, 1909, will show.

Mr. BRISTOW. That is, sometimes he gets it and sometimes he does not.

Mr. SMOOT. That is just the statement I make.

Mr. BRISTOW. He does not get it when there is the most sugar coming in.

Mr. SMOOT. That affects the market.

Mr. BRISTOW. And the price goes down. When there is very little coming in the price is up.

Mr. SMOOT. Not necessarily that. I think that is putting it in rather an unfair position.

Mr. BRISTOW. Generally, that rule prevails, does it not?

Mr. SMOOT. No; I would not want to say that.

Mr. CLAPP. To continue——

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Nevada?

Mr. CLAPP. For a question. It is getting late.

Mr. NEWLANDS. I will not interrupt the Senator.

Mr. CLAPP. To continue the remarks I was making, I want to say that to my mind this is the most remarkable proposition that was ever presented by a Republican committee. The Senator from Rhode Island the other day——

Mr. ALDRICH. Will the Senator permit me for a moment?

Mr. CLAPP. With pleasure.

Mr. ALDRICH. It is well understood, an absolutely open secret, that this proposition is here at the request and suggestion of a Republican President of the United States, and that he is extremely desirous, for the benefit of a people whom he believes to be wards of the United States, and over whose destinies he presided, that this proposition should be adopted.

Mr. CLAPP. I am glad to hear that.

Mr. ALDRICH. I think the Senator from Minnesota knew it as well before I stated it as he knows it now.

Mr. CLAPP. I did not know it.

Mr. ALDRICH. Well, I do.

Mr. CLAPP. The Senator from Indiana stood here a few days ago and read speech after speech of the President of the United States in which he had promised the American people in the main a reduction upon these tariff schedules. Why are not the Senators who are controlling this legislation as desirous and solicitous for maintaining the integrity of a President's promise which had been written into a thousand newspapers, which had been written into his public address in this Chamber on the 4th day of March, and about which there can be no quibble, instead of insisting here about promises of which the Senate, so far as I know, has no knowledge direct from the President?

There is in the President's message, however, a discussion as to the danger of allowing oriental immigration into this country, and pursuing that same line I, for one, am opposed to allowing the product of oriental labor to come into this country as against that of the American workingman.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Rhode Island?

Mr. CLAPP. With pleasure.

Mr. ALDRICH. Has the Senator's attention ever been called to the provision of the Republican platform upon this subject?

Mr. CLAPP. I have heretofore discussed that platform in the Senate, perhaps to the Senate's own weariness.

Mr. GALLINGER. Not that phase of it.

Mr. CLAPP. Yes; I think so.

Mr. ALDRICH. The President of the United States and his predecessor in office have repeatedly called the attention of Congress to the desirability of adopting legislation of this precise character.

Mr. CLAPP. Of this precise character?

Mr. ALDRICH. Yes, sir; this precise character; full free trade.

Mr. CLAPP. Oh, that is another proposition.

Mr. ALDRICH. This is only partial free trade.

Mr. CLAPP. This is not anything except something that I prophesy on this floor to-day will, if it succeeds, be reflected in the advance of the stock of the American Sugar Refining Company of this country.

Mr. ALDRICH. Certainly; absolute free trade would do that.

Mr. CLAPP. Absolute free trade in refined sugar would not.

Mr. ALDRICH. I suppose it is of no consequence to the Senator from Minnesota what the views of the President of the United States may be upon this question; but while I do not pretend to be his official representative on this floor, I do not transcend my own ideas of my obligation to the President and I am sure I do not transcend anyone's idea of propriety when I say that I know that not only is the President in favor of legislation of this kind, but he is in favor of this identical legislation.

Mr. CLAPP. I should like to just analyze this for a moment and see whether he is.

Mr. BRISTOW. Will the Senator permit me?

Mr. CLAPP. With pleasure.

Mr. BRISTOW. I should like to ask the Senator from Rhode Island, if he will give me his attention——

Mr. CLAPP. No; of course not.

Mr. BRISTOW. I should like to ask the Senator from Rhode Island if the President is in favor of incorporating into this bill the identical provision which my amendment seeks to take out, and that is, fixing the same duty on refined sugar for the Philippine Islands, including the Dutch-standard provision, that we have in the laws of the United States? That is the question before the Senate now. Does the Senator stand here and say that the President has told him he is in favor of putting that provision into this law?

Mr. ALDRICH. I do not know what the Senator's amendment is or what his views are upon this subject.

Mr. BRISTOW. Of course the Senator does not know what the amendment is, because he will not stay here and listen to the discussion.

Mr. ALDRICH. Therefore I am not able to say whether the President agrees with the Senator from Kansas or not.

Mr. CLAPP. To resume, I want to know whether he believes that any man fit to be President, unless it be a man who has never been President, although three times he has aspired to that high office, would agree to that proposition. There is no man on this floor who holds in higher esteem the opinion of our President than I do, and for a month here, perhaps without very much progress yet—although I believe that some light is coming through the clouds—I have tried to make that man's promise a part of the performance of our duty. But the President has a means by which he can communicate to the Senate.

I find in the Democratic platform of last year two wonderful propositions. One was to allow the products of other countries to come into this country free when they came into competition with a trust product; and in my humble capacity I helped to punch holes through that proposition, upon the theory that when an article reached our shores, no man on earth could tell whether it would be sold at a particular point in competition with a trust-produced article or in competition with an article produced by an independent concern. And yet the Senate last Saturday solemnly enacted that the duty upon a certain commodity when it reached our shores should depend upon the question whether it was going into the American stomach or going into a piece of cotton goods as a part of the finished product of the cotton itself.

Then we have another——

Mr. RAYNER. And yet the Senator is now standing on the Democratic platform?

Mr. CLAPP. It struck me at the time, and I reminded some of my colleagues, that it was a problem.

We have another proposition in the Democratic platform of last year, and that was that a license should be issued to allow these combinations to make 25 per cent of the product of the country, and the Senator and every Republican in this country ridiculed that, saying it was absolutely impossible to administer any such proposition, and it passed into innocuous desuetude along with the balance of that platform.

See what we have here. Here is a proposition to allow 300,000 tons of Philippine sugar to come into this country free; and how is it to be determined? It is not every prophet who lives to see his prophecy worked into legislation by his opponents. It is to be determined by first taking those men who produce less than 500 tons, giving them the first chance. Then when they are filled, if there is still something left of the

300,000-ton limit, it can be put in by men who have raised more than 500 tons. I do not believe that the President indorses any such fallacy as that—a proposition that could never be worked out in practical results.

Here we find a Filipino farmer, for whom we shed tears and for whom we plead to-day, and out of the bounty of our sympathy we must take care of that man. He lives within reach of the market, so that he can get his 500 tons in before the 300,000-ton limit is reached, and then comes another poor Filipino for whom we are weeping and shedding tears of sympathy, but he does not get there within the 300,000-ton limit, and consequently he does not get the benefit of this so-called "bounty." Of all the patchwork that was ever reported for legislation, it does seem to me, with all due deference, this takes the palm.

The Senator from West Virginia is absolutely right. There are two principles involved in this tariff—either a moral question or a question of dollars and cents. If it is a question of dollars and cents, we should collect a duty on the Philippine product. If it is a moral question, there can be no compromise on it. If it is the duty of the American Republic to let in Philippine sugar because it is due as a moral right to the Filipino, then it is an equal duty to let in every pound that every poor Filipino may be able to produce. The Senator from West Virginia is absolutely right. There can be no compromise upon this question.

I do not believe that any such proposition as that ever passed the scrutiny of that great jurist who to-day sits in the executive chair of this Nation. If so, there is a way to bring that approval to the Senate rather than the mere say so of some Senator. When we had up Cuban reciprocity, we were told that somebody had promised something to the Cubans, and we must maintain that promise. Now it is proposed to enact this proposition into legislation, based upon the theory that there are two Filipinos entitled to the benefaction of this Republic, and yet the one who can get to the market first with his 500 tons of sugar is benefited and the other is barred out. That involves no such proposition as should in the last analysis be a solution of a moral question or the recognition of a moral obligation.

There is one thing more, and then I will quit. I did not intend at this particular time to talk on this subject. For eight years I have stood in the Senate, and I have legislated as honestly and conscientiously as I knew how for what I believed, next to the agricultural interest of America, to be the basis upon which our prosperity rests, and that is the industrial life of our country.

For the last few months this Chamber has rung with the exclamations of those who wanted to do something for American labor, and now it is proposed to open the Philippine Islands to allow men to go there and exploit that cheap labor and then bring the product here in competition with American labor.

A Senator said this matter has been arranged. Have the men who have eked out only half an existence in making cigars appeared here and consented to this arrangement? Have the independent beet growers who are left in this country come here and consented to this arrangement? I think not.

For one, let the consequence be what it may, I will not and can not vote for a proposition that will bring in competition with the American laborer the product of the laborer of the Philippine Islands, employed, as he inevitably will be, not by Filipino capital, but by American capital, and exploiting the product of that cheap labor here in our very midst in competition with our own American labor.

Mr. BRISTOW. Mr. President, referring to the suggestion made by the Senator from Nebraska [Mr. BURKETT], the Senator seems to be disturbed because the Filipinos now are buying sugar upon which a bounty is paid on its export from the countries where it is produced. In this he is mistaken. There is no bounty-produced sugar in Germany now, nor has there been for about five years.

The drift of the Senator's argument was that we were opening up to the Filipinos a market for their raw sugar. I made a statement in addressing the Senate this morning to the effect that the sugar which comes here from the Philippine Islands has practically but one buyer. Occasionally some other refinery may buy a small amount, but the great bulk of the sugar that comes from the Philippine Islands here is bought by the American Sugar Refining Company.

It is not sold to the trade. It is bought to be refined. The removal of the duty from Philippine sugar will give the American Sugar Refining Company its raw sugar from the Philippines cheaper than it gets it now. That can not be denied, because I will cite Cuba as an illustration. The refiners in this country who buy Cuban sugar to-day do not pay the same that they did before the treaty, plus the duty; that is, the Cuban people do not get the full advantage of the 33.8 cents per hundred pounds that was taken off the duty. It did not increase the price of their sugar that much. Take the present tariff of the Dingley rate off the Philippine sugar, and the Filipino will not get as much for his sugar as he is getting now. He is not sending his sugar here. He is selling it where he can. He will not get what he is now receiving, plus the duty.

The Senator from Rhode Island has said that it will not reduce the price of refined sugar in this country a penny, and that is true. The Filipino will not get the price that he now gets, plus 75 per cent of the duty. That will not happen. That can not be denied. The Cuban does not get it. He has not gotten it a single year since the treaty has been ratified, and the Filipino will not be as fortunate as he, because the Cuban makes better sugar, and therefore has a better and a wider market for his product.

The difference between the amount that the Filipino gets for his sugar now, plus the duty, and the amount he will get then, will be the amount that the American Sugar Refining Company will make out of this concession, the same as it made a large amount of money out of the Cuban reciprocity treaty.

The Senator from Rhode Island made the statement that 96° centrifugal sugar coming from the Philippine Islands commanded a certain price. I should like to have informed him, if he had honored me by remaining here, that there is no 96° centrifugal sugar coming from the Philippines to the United States and never has in the history of those islands. The highest degree of sugar imported from the Philippine Islands to the United States last year was 89°.

The Senator from Rhode Island says if this bounty is extended, there will be sugar refineries established in the Philippines. There are no sugar refineries in Hawaii, although they produce 500,000 tons a year and sell it in the United States free of duty. There have never been any sugar refineries established there; there are none there now.

Mr. PERKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from California?

Mr. BRISTOW. Certainly.

Mr. PERKINS. I will say to the Senator from Kansas that the planters of the Hawaiian Islands have a sugar refinery in San Francisco.

Mr. BRISTOW. But they did not establish it in Hawaii; they established it in San Francisco.

Mr. PERKINS. Eighty-five per cent of it is owned by planters in the Hawaiian Islands.

Mr. BRISTOW. There is a sugar refinery, owned largely by Hawaiian sugar planters, established at San Francisco. The Senator from Rhode Island said that there would be refineries established in the Philippines. There are none in Cuba, there are none in Porto Rico, there are none in Hawaii. For some reason—why, I do not know—when the Hawaiian planters established their refinery they put it at San Francisco instead of in their own islands, and they established that—and if I am wrong in this I invite the Senator from California to correct me—for the purpose of being able to refine Hawaiian raw sugar, if it was necessary, instead of being compelled to depend upon the trust that fixed their prices for sugar.

Mr. PERKINS. I think the Senator is correct in that respect.

Mr. BRISTOW. As the result of establishing that refinery they were able to make a far better contract than they were before they owned the refinery, and they have the best contract for their raw sugar of any country in the world. That is because they were rich enough and strong enough to establish a refinery of their own and to be independent of the sugar trust.

But the Filipinos can never do that, because the 300,000 tons, which is the limit that they can export here, would not justify them if it was practical. For some reason there are no refineries established in the Tropics. The sugar is refined in England, in the United States, Canada, and so forth. They do not refine it where it is grown, except the beet sugar.

The Senator from Nebraska [Mr. BURKETT] stated that the English refineries had been destroyed for some vague and indefinite reason. The English refineries are running now; they are refining the sugar that is consumed in England, and they have no protection whatever except about 40 cents per hundred pounds, the same on refined sugar that is on the same degree of raw sugar. There is no Dutch standard proviso there. Their pure sugar, whether it is raw or refined, is judged by the

polariscopic test as to its saccharine strength, and that fixes its price as well as the duty.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. BRISTOW. Certainly.

Mr. SMOOT. If I understand the Senator, he says that England refines all her sugar.

Mr. BRISTOW. Yes; they do now, practically, since the bounty was taken off of German sugar.

Mr. SMOOT. England does not refine 50 per cent of her sugar. I know that she refined 79 per cent, but the amount has now fallen down to about 49 per cent.

Mr. BRISTOW. It is true that when Germany was paying a bounty on the sugar they undersold the English refiner, and the English refineries were closed, but since the bounty has been taken off German sugar, they are now refining their sugar. If the Senator will visit me at my office some time, I will show him some English sugar that has been refined, and I will tell him what it was sold for.

Mr. SMOOT. I know that England refined last year 49 per cent of the refined sugar, and I know they used to refine 79 per cent of it; and it is because there is no differential in England that the refinery of sugar is leaving England and going to Germany.

Mr. BRISTOW. They probably have not such a class of refineries there as we have built up here by exorbitant protection on refined sugar. I take it for granted that the refiners in England have not robbed the treasury and everybody else they could get at.

The Senator from Nebraska claims that we should not permit the Filipinos to buy refined sugar from any other country because we are going to permit them to market 300,000 tons of their sugar here. If the Senate would remove the restriction limiting the amount that could be imported by any one sugar factory to 500 tons, so that centrifugal mills or factories would be established in the Philippines and have an opportunity to make that sugar [exhibiting], then we would have a high grade of raw sugar made in the Philippines; but it is not practicable to establish centrifugal factories there when 500 tons is the limit they can produce.

By the amendment which I have modified, raising that limit to a thousand tons, it would enable the establishment of centrifugal factories and then you would enable the Filipinos to make a sugar that can find a market not only in this country at a reasonable price, but also in other countries, and you would encourage and help them in sugar producing; but as long as you confine it to that small amount and do not permit them to put in the modern machinery that is necessary to make the high-grade raw sugar, then you prevent them from taking advantage of the very laws of manufacturing that will enable them to develop their resources. Instead of extending to them this favor that we propose to extend to them, we pretend to extend it, but so hedge it about it is not much of a favor at all, because with the production of that kind of sugar [exhibiting] there is but one market for it in the United States, and that is the refineries, and the American Sugar Refining Company is the only company that will take it and use it except occasionally when they sell an order to some other company.

They are absolutely at the mercy of the trust to find a market for their product, and you are not only placing them at the mercy of the trust for a market for the raw sugar, but it is proposed to make them pay upon any refined sugar that may be imported the full rate of this bill, not for the purpose, as suggested by the Senator from Massachusetts, of securing revenue to their treasury, because they would not get any revenue; there is no revenue that comes to the people of the United States from the importation of refined sugar, because the duty is prohibitory. So the result of this legislation is that you confine them to the old crude method of making sugar and do not give them an opportunity to embrace the modern facilities for making a high-grade sugar such as that which is made in Louisiana.

Then as the compensation for this pretended favor you impose upon them a provision in regard to the importation of refined sugar into their own country that is obnoxious to the sense of justice of mankind, and you will add, if the Philippines ever become free, one more of the nations of the world that use the Dutch standard, making eight instead of seven, excepting this country of ours.

Now, Mr. President, that is why I am objecting to this. I am not discussing the desirability of admitting 300,000 tons into this country, as has been discussed by a number of Senators. That is an entirely different question. If this legislation is for the benefit of the Filipinos, should they not be given the opportunity to get the greatest possible advantage out of the legislation? Should they not have the widest possible market for their product? Should they not have an opportunity to develop the most important facilities for the production of sugar, so as to make a sugar that can sell in competition with other countries in China, that will compete with Java and the other sugar-producing countries?

But we deny them the facilities their competitors have for producing the best sugar in the world, and selling it in their markets; we, as their guardians, propose to engraft into this legislation a provision which prevents them from utilizing advantages which their competitors have, and compel them to send it all here, practically, to one purchaser, the American Sugar Refining Company; and, as I have frequently said, compel them to pay this high duty on their refined sugar.

We compel them to sell to the American Sugar Refining Company their crude sugar, which brings practically nothing; 75° sugar brings, I think, $1.30 a hundred. If I should take the time of the Senate, I could give you the price paid for this [exhibiting] 82° sugar. I think it brings $2.14 a hundred. The refiner pays more than anybody else will pay, because it is unfit for use except when refined, and there is no market in the United States except that refinery. So the Filipino has no place to sell except a refinery, and then by this legislation you propose to make him buy his refined product from the same refinery also. You compel him to sell his product to one institution, and then you make him buy the refined product from the same, and that institution fixes the price it pays him for his raw product as well as the price it charges him for his refined.

You may indulge in all the statistics you please; you may argue here from the standpoint of misinformation; you may make declarations here that are not in harmony with the facts, as every one of the Senators who has defended this provision has, but it does not remove the naked fact from this legislation; that is, the result of this legislation will be to compel the Filipino to sell his raw product to the American Refining Company, and then the people of that island to buy the refined sugar, if they use it at all, practically from the same company. That will be the practical effect. In my judgment, it is vicious and wrong.

APPROPRIATIONS, IF NECESSARY, FOR EDUCATION, INDUSTRIAL TRAINING, OR AGRICULTURAL DEVELOPMENT, BUT NOT ONE DOLLAR TO FAVORED INTERESTS.

Mr. NEWLANDS. Mr. President, I understood the Senator from Rhode Island to state that this remission of duty to the Philippine Islands constitutes a bounty to the Filipino producers, and that it will doubtless so stimulate the production of sugar that they will perfect their processes and make 96° centrifugal sugar, upon which the duty is 1.68 cents per pound, or about $35 per ton. I thus understand the Senator from Rhode Island to admit that upon 300,000 tons the total annual bounty to be paid to the Filipino producers by the remission of this duty is about $10,000,000.

Now, Mr. President, the question arises as to who the Filipino producers are. Are they the masses of the people, or are they the owners of large estates; and if the latter, as I understand is the case, will any of the benefit of this bounty filter down to the masses of the people themselves, whom it is our purpose to benefit? Then the question arises as to who will be the producers of sugar after this bounty is voted.

I take it for granted that the American sugar trust will be as active in the Philippine Islands, in case this bounty is given to sugar production, as it has been in the island of Cuba; and the indications are that this trust and the persons associated with it will ultimately absorb the cultivation and production of sugar in Cuba, just as they have absorbed the control of the beet-sugar companies in this country.

The total bounty amounts to $10,000,000 annually. The period of our occupation in those islands is assumed to be not less than fifteen or twenty years; so that during the period of fifteen years we will pay a bounty of $150,000,000, and during twenty years, if our occupation lasts that long, we will pay a bounty of $200,000,000.

What is the purpose of the bounty? The purpose of Mr. Taft doubtless is to benefit the Filipino people, not to subsidize the sugar trust, not to subsidize the large owners of land in the Philippine Islands, but to benefit the people themselves.

We all know that the class of labor engaged in cane culture is semiservile, attached to the soil, with no rights in it. We all know that this bounty will go either to the sugar trust or to

the large planters, and that very little of it will go to the people themselves, whom it is the President's desire to benefit.

If this philanthropic purpose of the President is to be carried out, and I have no objection to the purpose, on the contrary, I would applaud it, is there not a better way of benefiting the Filipino people than to subsidize the sugar trust or the Filipino planters to the extent of $10,000,000 annually? The Senator says that if production is stimulated there the Philippines will soon produce the highest standard of sugar. How?

By the erection of sugar mills. I am told by the Senator from Louisiana, who sits at my side [Mr. McENERY], that the cost of a sugar mill, which turns out 30,000 tons of sugar per annum, is about $300,000. Ten sugar mills would turn out 300,000 tons of Philippine sugar, the amount which it is proposed to import into this country free of duty. So that $2,500,000 would cover the total cost of 10 modern sugar mills which the Government could help to establish, and thus accomplish some good to the small producers of cane sugar, who would have access to mills having an established toll for the purpose of crushing sugar cane and turning it into sugar, according to the most improved methods.

So in the place of this enormous bounty of one hundred and fifty million or two hundred million dollars, contemplated by this tariff, to the producers of sugar, the Government could, at a cost of $2,500,000, aid in establishing in the Philippine Islands these great mills, which would assure improved methods of sugar production at reasonable tolls. The small producer of cane would thus be protected, and the great masses of the people would be more effectively reached.

So there is the contrast. A present expenditure of two and a half million dollars against an expenditure of one hundred and fifty million or two hundred million dollars in a period of ten or fifteen or twenty years, the most of which would go to the sugar trust or to the great land proprietors of those islands.

Mr. President, I am in absolute sympathy with the President's purpose to discharge in full our trust regarding the Filipino people. It is true that I was opposed to the assumption of such trust. When Dewey won his great victory at Manila, I urged President McKinley to immediately order Dewey and his fleet to Cuba, claiming that whilst the destruction of the Spanish navy, wherever found, was a legitimate part of the humane war inaugurated for the freedom of Cuba, it was not a legitimate part of that war to take possession of any of Spain's possessions except Cuba and that our efforts should be concentrated there.

I would have been glad if this had been done, but we have now assumed a certain responsibility toward the Philippine Islands. We have assumed a trust toward those islands, and it is obligatory that we should discharge it in a manner becoming the intelligence, the honor, and the conscience of our country.

So, I stand ready to vote direct appropriations, if they are necessary, in aid of the education, in aid of the industrial training, in aid of the agricultural development of the Filipino people, but I will not vote for one dollar of bounty to favored interests; I will not vote one dollar to the sugar trust, which, in my judgment, in the end will become the monopolistic producer of sugar in these islands; nor will I vote one dollar to the great sugar planters of those islands who view the laborers upon their plantations as mere slaves, attached to the soil, but without right in it. I do not believe that this kind of agricultural development will advance the capacity of the Filipino people for self-government.

Mr. STONE. Mr. President, it is not my purpose at this moment to discuss the committee amendments as a whole. I want, however, to make one or two observations with regard to the particular amendment now pending. That amendment relates to the second proviso in the committee amendment. That proviso in effect provides that where sugar or tobacco is exported from foreign countries into the Philippine Islands it shall bear the same rate of duty as like articles would be subject to if imported into the United States. The Senator from Kansas [Mr. BRISTOW] moves to strike from the proviso so much of it as relates to sugar.

The question was asked a while since by the Senator from Maryland [Mr. RAYNER] as to who would be benefited by the passage of this proposed provision of law, as a whole. The Senator from Rhode Island answered that question by saying that no one under heaven would be benefited by this proposition of free trade, or limited free trade, if such a thing can be conceived, except the Filipino planter.

The Senator from Rhode Island was speaking with regard to the whole amendment. I will not now speak to the whole question; but I will answer the inquiry as applied to the particular amendment proposed by the Senator from Kansas to the committee amendment. Under this proviso, the second in the amendment, the Filipino planters would perhaps get a benefit at some time—not now, but at some indefinite period in the future. The Senator from Massachusetts [Mr. LODGE] stated this afternoon that, in his opinion, the enactment of this provision would not increase—at least for a very long time—the importation of sugar from the Philippine Islands to the States. There is a prospect of some good coming to the Filipinos by opening up our markets to them—at least so it is said—at some time in the distant future. It is a privilege to be enjoyed in futuro, not in præsenti.

But, Mr. President, the sugar refineries—the sugar trust—of the United States would be immediately benefited by the enactment of this provision. The Filipino can now import his refined sugar from foreign countries for use in his home at a lower rate of duty than like sugars can be imported into the United States.

Pass this law, and immediately upon its being signed by the President the Filipino, importing sugar for his own consumption or for sale in his local market, will be obliged to pay a much higher duty than now—a duty equivalent to that exacted in this country—and will be in effect compelled to purchase from the sugar refiners here, because the sugar refiners of the United States, under the provisions of this amendment, can export sugars from our shores and land them in the ports of the Philippine Islands free of duty; and, to be sure, that would give to them the same monopoly of the Philippine market they now enjoy in the United States.

The question is, Who gets the benefit of that? There is a vague hope of benefit held out to the Filipinos lying somewhere in the distant future; but the sugar trust would enter upon the full enjoyment of its advantage at once.

Mr. President, this is simply another instance of the bunco game that is being played upon the Philippine people in the course of our policy of "benevolent assimilation." If the view of this matter to which I have alluded covered the case, I would not hesitate to vote for the amendment proposed by the Senator from Kansas.

But there is another consideration which seems to me to be important, and which has been several times adverted to, which makes me hesitate, and that is this: If this proposition carries, and it will, and if the tariff rate in force in the United States is not applied to the Philippines, and they are permitted to bring in outside sugars from the wide world free of duty, or at a rate of duty far below that obtaining in the States, I can see how a vast amount of outside sugar might be brought in here as Philippine sugar. They could take it into the islands at a low rate, and then send it here. That result might possibly be avoided by some well-matured plan of administration, but I doubt it.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kansas?

Mr. STONE. I do.

Mr. BRISTOW. Mr. President, of course it is to be presumed that the Treasury Department will make ample provision to protect us from such fraudulent importations. This proposed law requires that only the product, and wholly the product, of the Philippine Islands may enjoy this benefit; and so any sugar that was not the product wholly of the Philippine Islands could not come, according to the proposed law. The same provision should be made to protect us from importations of that kind that is now made to prevent the sugar refineries from importing sugar in bond, refining it, and selling it to the American people without paying the duty. The same system or process in administration would be necessary; but that would be no more difficult in one case than it is in the other.

Mr. STONE. It is true other provisions of this measure do provide that the products of the Philippines coming into the United States shall be wholly of material produced in the Philippine Islands; still, if a large amount of Java sugar, or other oriental sugar, should be imported into the Philippine Islands, I apprehend that the law-enforcing part of the Government would find it difficult to keep track of those importations and prevent them being unloaded, to a greater or less extent, upon the American market.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kansas?

Mr. STONE. Yes, sir.

Mr. BRISTOW. Mr. President, I should like to advise the Senator that the provision in the bill requires that any importations from the Philippines must be direct, accompanied by a through bill of lading, and, as amended, within three months.

Mr. STONE. I know that. However, I do not care to prolong this phase of the discussion. The Senator from Kansas and others went over it very fully this afternoon, and, if I revive it now, it would result in little more than a repetition of what has been already said. I listened with great care to all that was said, and I am not able to escape the apprehension to which I have alluded. That is the only thing that makes me doubt in the least degree the wisdom of what the Senator from Kansas proposes.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas [Mr. BRISTOW].

Mr. BRISTOW. Mr. President, the yeas and nays, I understand, have been ordered on the amendment.

The PRESIDING OFFICER. They have been ordered.

Mr. BULKELEY. Mr. President, I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. On page 2, line 5, of the amendment, after the word "That," it is proposed to strike out the words "sugar, refined or unrefined, and;" and in line 9, after the word "upon," to strike out the words "sugar and."

Mr. BULKELEY. Are we to vote on both amendments at the same time, Mr. President?

The PRESIDING OFFICER. The Chair so understands. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. STONE (when Mr. BEVERIDGE's name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK], who is in the Senate, but I have a special pair this afternoon with the Senator from Indiana [Mr. BEVERIDGE], and therefore withhold my vote.

Mr. ELKINS (when his name was called). I am paired with the Senator from Texas [Mr. BAILEY]. I will therefore withhold my vote.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. He being absent, I will withhold my vote. If he were present, I should vote "nay."

Mr. McLAURIN (when his name was called). I am paired for the day with the junior Senator from Michigan [Mr. SMITH].

Mr. BURTON (when Mr. OLIVER's name was called). The Senator from Pennsylvania [Mr. OLIVER] is unavoidably detained this afternoon. If he were present, he would vote "nay." He is paired with the junior Senator from Oregon [Mr. CHAMBERLAIN].

Mr. ELKINS (when Mr. SCOTT's name was called). My colleague [Mr. SCOTT] is unavoidably detained from the Senate this afternoon. He is paired with the senior Senator from Florida [Mr. TALIAFERRO]. If present, my colleague would vote "nay."

Mr. TALIAFERRO (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. SCOTT]. In his absence, I withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Mississippi [Mr. MONEY], who is temporarily absent from the Chamber, and I therefore withhold my vote. If permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I withdraw my vote.

Mr. CURTIS (after having voted in the negative). I desire to inquire if the Senator from Alabama [Mr. BANKHEAD] has voted.

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. CURTIS. Then I desire to announce my pair with that Senator and to withdraw my vote.

The result was announced—yeas 11, nays 49, as follows:

YEAS—11.

Bristow	Cummins	Fletcher	Newlands
Brown	Davis	Gore	Tillman
Clapp	Dolliver	La Follette	

NAYS—49.

Aldrich	Crane	Johnson, N. Dak.	Perkins
Bacon	Crawford	Jones	Piles
Borah	Cullom	Kean	Root
Bradley	Daniel	Lodge	Simmons
Brandegee	Depew	McCumber	Smith, S. C.
Briggs	Dick	McEnery	Smoot
Bulkeley	Dillingham	Martin	Stephenson
Burkett	Dixon	Nelson	Sutherland
Burnham	du Pont	Nixon	Warner
Burrows	Foster	Overman	Wetmore
Burton	Gallinger	Page	
Carter	Guggenheim	Payntar	
Clark, Wyo.	Heyburn	Penrose	

NOT VOTING—31.

Bailey	Curtis	Johnston, Ala.	Shively
Bankhead	Elkins	McLaurin	Smith, Md.
Beveridge	Flint	Money	Smith, Mich.
Bourne	Frazier	Oliver	Stone
Chamberlain	Frye	Owen	Taliaferro
Clarke, Ark.	Gamble	Rayner	Taylor
Clay	Hale	Richardson	Warren
Culberson	Hughes	Scott	

So Mr. BRISTOW's amendment to the amendment of the committee was rejected.

Mr. FLETCHER. Mr. President, I wish to offer an amendment. I will not delay the Senate by discussing it, as I have already expressed my views and explained my position about it. I move to amend the amendment on page 1, line 5, by striking out the colon after the word "countries," inserting a period, and striking out the remainder of the substitute amendment, so that it will read:

471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries.

Mr. ALDRICH. I hope we can get a vote on that.

The PRESIDING OFFICER. There is an amendment pending, offered by the Senator from Kansas [Mr. BRISTOW] upon which he desires a separate vote. Does the Senator insist on a vote on the amendment?

Mr. BRISTOW. I ask merely for a viva voce vote.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas, which will be stated.

The SECRETARY. On page 2 of the amendment, in line 15, it is proposed to strike out the words "five hundred" and insert "one thousand."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The Senator from Missouri [Mr. STONE] has given notice of an amendment which he desired to offer, which will be stated.

Mr. STONE. That comes in at the end.

The PRESIDING OFFICER. Does the Senator desire to withhold the amendment?

Mr. STONE. I will withhold it for the present.

The PRESIDING OFFICER. The Secretary will then state the amendment of the Senator from Florida [Mr. FLETCHER].

The SECRETARY. Page 1 of the amendment, line 5, it is proposed to amend by striking out the colon after the word "countries," inserting a period, and striking out all that follows.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. FLETCHER. I understand there are Senators who desire to discuss that matter in detail, and therefore I ask to withdraw the amendment for the present.

The PRESIDING OFFICER. The amendment is withdrawn. The question now is on the amendment of the Senator from Missouri [Mr. STONE].

Mr. STONE. Let the amendment be stated. I desire to discuss the amendment for about fifteen minutes.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the amendment already agreed to, insert the following:

And provided further, That it is hereby declared not to be the policy and purpose of the United States to maintain permanent sovereignty over the Philippine Islands, but to exercise authority in and over said islands only so long as may be necessary, not to exceed fifteen years from and after the passage of this act, to organize and establish a native government capable of maintaining public order in said islands, and until such international agreements shall have been made between the United States and foreign countries as will insure the independence of said islands and the people thereof.

Mr. STONE. Mr. President, I ask the Senator from Rhode Island, it being now within three or four minutes of the time for a recess, if he will not consent to have the recess begin now?

Mr. ALDRICH. I supposed the Senator from Connecticut [Mr. BULKELEY] had the floor. I do not know whether he desired to offer an amendment. I take it the Senator from Missouri does not desire to dispose of his amendment now.

Mr. STONE. The amendment I have offered comes at the end of this paragraph; and if there is anything ahead of that I withhold my amendment and will let the other one come in.

Mr. BULKELEY. I have not the floor.

Mr. ALDRICH. It is immaterial to me how the thing goes, so long as it goes.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. STONE. I am waiting to see if the Senator from Rhode Island is going to move to take a recess.

Mr. ALDRICH. The Senate will take a recess without any motion in a moment.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. STONE. I do not care to proceed with what I wish to say when in one moment the Senate will take a recess. I move that the Senate take a recess until 8 o'clock.

Mr. ALDRICH. The order of the Senate provides for a recess at half past 5.

The PRESIDING OFFICER. The hour of half past 5 has not yet arrived.

Mr. STONE. I ask unanimous consent that the Senate now take a recess until 8 o'clock this evening.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent that the Senate take a recess until 8 o'clock this evening. Is there objection? The Chair hears none.

The Senate thereupon (at 5 o'clock and 28 minutes p. m.) took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri.

Mr. CARTER. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Montana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Piles
Beveridge	Curtis	Heyburn	Root
Brandegee	Daniel	Johnston, Ala.	Scott
Briggs	Davis	Jones	Smith, Md.
Brister	Depew	Kean	Smoot
Brown	Dick	La Follette	Stephenson
Bulkeley	Dillingham	McCumber	Stone
Burkett	Dolliver	McEnery	Sutherland
Burnham	du Pont	Martin	Tillman
Burrows	Elkins	Nelson	Warner
Burton	Fletcher	Newlands	Warren
Carter	Flint	Oliver	Wetmore
Chamberlain	Foster	Overman	
Clapp	Frye	Page	
Clark, Wyo.	Gallinger	Perkins	

The VICE-PRESIDENT. Fifty-seven Senators have answered to the roll call. A quorum of the Senate is present.

Mr. STONE. Mr. President, it goes for the saying that I am opposed to the proposition submitted by the Finance Committee, unless the amendment I offer is agreed to. I do not intend to discuss this question at any considerable length to-night. Several weeks ago, in an address I then delivered, I laid my objections to this amendment in extenso before the Senate, and there is no need for me to repeat that argument at this time. I do wish, however, to trespass briefly on the time of the Senate to register a final protest against the measure, and thus end, at least for the time being, the vain effort I have made here in behalf of Filipino independence. We know now that the proposition of the Finance Committee will be adopted as well as we will know it after the vote is taken. It would be a useless task, therefore, and a waste of time for me to speak at length against it. It would not change the result.

Mr. President, I hold to the fundamental idea that if the Philippine Islands are American territory, absolutely and permanently under the sovereignty of the United States, sustaining a relation to this Government analogous, for example, to that which Alaska sustains, then the Congress can not constitutionally impose import duties upon articles brought into our ports from those islands. Regarding the question from that point of view, and assuming the islands to be a part of our national domain, I deny the constitutional power of Congress to enact this legislation.

However, I do not believe that the Philippine Islands sustain that relation to the United States, or that the United States have ever yet assumed to hold or to exercise absolute sovereignty over the islands. On the contrary, my contention is that our occupation of these islands is temporary in its character. They have never as yet been incorporated into or accepted as a part of our territorial domain. They still lie outside of that recognized limit. We hold possession in trust, somewhat as we held Cuba in trust, for the native people of the islands. In the speech I delivered here several weeks ago, in which I discussed this whole subject at considerable length, reviewing the leading cases adjudicated before the Supreme Court applicable to the consideration, I sought on authority to show, and I think successfully, that the political relations existing between the United States and the Philippine Islands are such as I have outlined. I do not care to repeat that argument to-night. I start in to-night where I left off then. The Philippine Islands do not of right belong to us, and we can not appropriate them as our own without an act of supreme injustice and bad faith. I want our great Nation to keep faith with those people, and the purpose of my amendment is to give a renewed assurance of our national purpose and to forestall any future contrary construction of this legislation. I regard this legislation as full of peril to Philippine independence, but I am anxious for a declaration that it is not so intended. I want some assurance upon which the friends of liberty and the defenders of national good faith may lay their hands in future.

Mr. President, all along we have proceeded upon the theory that our occupation of and jurisdiction over the islands was temporary, and not permanent. That was solemnly declared to be our policy in a resolution adopted by the Senate about the time the Paris treaty was ratified, and that declaration has been many times repeated in high official quarters and by the great leaders of all parties. We are firmly committed by every consideration that should influence an honorable and enlightened nation to the policy of conferring governmental autonomy upon and granting national independence to the people of the Philippine Islands.

Mr. President, who is demanding this legislation? For whose benefit, for whose advantage, is it to be written into our statute books? We have heard some grandiloquent expressions as to the duty of the United States to the Philippine people. The Senator from Rhode Island described them as the wards of the Nation, as people we should care for with a delicate sense of justice. Very well; so be it. Are they asking for this legislation? No. On the contrary, they protest against it. The Philippine legislature, composed of educated and enlightened men, representing the different provinces composing that government and familiar with the sentiments and aspirations of the native people, has formally and emphatically protested against this identical legislation.

The Resident Commissioners sent here under authority of law by the Filipino people to represent and speak for them, Mr. LEGARDA and Mr. OCAMPO, and who by virtue of their offices are entitled to seats on the floor of the House of Representatives, that they may there voice the opinion and judgment of their constituency, have each addressed the House in earnest and eloquent protest against the very proposition embodied in the pending measure. These are intelligent men, men holding high positions in the social, industrial, and political life of the Philippine Islands, and are in every way thoroughly representative.

Mr. LEGARDA was for some time one of the commissioners appointed by the President to aid in administering the central government of the islands. I had the pleasure of meeting him more than once during a visit I made to Manila two years ago, and I had it from his official associates, including the governor-general, that he was a man of the highest repute, clear-headed, intelligent, patriotic, representative, and worthy in every way of the greatest confidence. Mr. OCAMPO is his peer in all respects. Is it to be supposed, Mr. President, that these men, and the men who constitute the legislative body of the insular government, are not cognizant of the wishes and the sentiment of their people, or that they have not a clear conception of what is best promotive of their welfare?

Mr. President, a few days ago I put into the RECORD, without reading, an interview with Commissioner OCAMPO. It is brief,

and I am going to read it now, and I ask you to remember that it is substantially a repetition of the speech he made on the floor of the House. I invite the attention of Senators to it. I know it is authentic:

In reply to a question about a statement that appeared Tuesday morning in the Washington Post purporting to be a protest against free trade between this country and the Philippines from some Filipinos residing in Boston, Mr. OCAMPO, one of the Resident Commissioners from the Philippine Islands, said:

"When I spoke in the House last month, discussing the proposed free-trade relations between this country and the Philippines as contained in the Payne bill, I clearly stated that the establishment of such relations would inevitably hinder the political aspirations of the Filipinos; in other words, their constant and profound desire of being an independent country would be imperiled by such commercial ties.

"The Philippine assembly, the true representative of popular sentiment, has, in conjunction with the upper house, which is composed largely of Americans, expressed itself before this in opposition to free trade, and since the passage of the bill by the House of Representatives the feeling against it has grown more intense, for the reasons stated above, apart from the economic view point of the matter, which also is in no way encouraging, because it necessarily will embarrass the Philippine government financially.

"This free-trade proposition is a case of life and death with us. The ambition of the Filipinos to live an independent life is one which is undeniable and persistent, and any measure tending to oppose it would only stir the people of the islands and operate to prevent the development of a better feeling between Americans and Filipinos.

"The Filipinos who signed the protest have done nothing more than to give expression to a feeling universal in the islands against free trade for the consequence it would bring to the islands in the long run.

"I hope that no one will think that in expressing the aspiration of the Philippine people for ultimate reasonably prompt and absolute independence, I am lacking in or that they have ceased to feel profound gratitude for the opportunity that the American Republic gave us to be rid of Spain. Surely in the land of Washington, Jefferson, and Adams it can be permitted us to express the wish that we may be allowed to govern ourselves. It ought to be understood that in the centuries of protest against the rule of Spain we were not merely trying to throw off one foreign yoke to go under another.

"Providence in its wisdom made us a different race. Our problems are not those of Europe or America, and we can not approach their consideration with the same mind. What is best for Europe or America is not necessarily best for Asia, and Asiatic problems ought better be left to the people of that part of the world for solution. But one idea we do have in common, and that is a desire to be permitted to govern ourselves. This thought is stronger with us than the desire for more economic gain, and, while we would like the greatest possible commercial prosperity, we are willing to defer it rather than forever lose our hope of independence by an artificially rapid development through American corporations. I concur in the protest of the Filipinos who reside in Boston."

Mr. BRANDEGEE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. STONE. Certainly.

Mr. BRANDEGEE. I should like to inquire of the Senator from Missouri if the Philippine legislative assembly is opposed to this proposition of free trade between the Philippine Islands and the United States, and if the Delegates of the Philippine nation in this Congress are opposed to it; whether the Senator is in a position to advise us what portion of the Philippine people are in favor of it and are advocating it?

Mr. STONE. Mr. President, I can not answer that. I do not know. I have no personal information as to that. I only know that their representatives at home and their representatives here say they are opposed to it. I do know one thing, however. I think I can say I know one thing with certainty—that the native people of the islands are to-day, as they have been from the start, unanimously and to a man in favor of severing political relations with the United States and of establishing and conducting an independent government of their own.

When I was in the Philippines I visited many of the islands inhabited by the most intelligent and progressive of the population, representing the dominant forces of the islands, and I heard but one voice upon this subject, and that was for independence. That is the one supreme cry which goes up from the hearts and falls from the lips of practically every man, woman, and child born in the islands.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. Certainly.

Mr. GALLINGER. I will ask the Senator if from his observation in the Philippine Islands and his association with the Filipinos he believes that they are now capable of self-government?

Mr. STONE. Mr. President, that question was asked me once before on the floor, and I answered as I do now, that I believe the Philippine people are as well or better qualified to maintain and conduct an orderly government as the people of Cuba, and as well qualified to do that as the people of the Latin States south of the Rio Grande. And in saying this I speak in no disparagement of those I use for comparison.

Mr. GALLINGER. I will say, if the Senator will permit me, that I asked the question in entire good faith, knowing the Senator had been in the islands and had come in contact with the intelligent portion, at least, of the people. I wanted his opinion as a matter of information. I did not ask the question for any other purpose.

Mr. BACON. Will the Senator permit me to add to what he has said, that Admiral Dewey once, in an official communication, bore testimony to the same effect in a comparison between those same two peoples, and in the debates which we had in the Senate ten years ago—I can not lay my hand on it, but I can if it is desired—that was quoted from Admiral Dewey in certainly one speech, and probably more than one, in which he said he believed that they were more capable than the people of Cuba? And he said that after having had the opportunity of familiar acquaintance with each of the people.

Mr. STONE. Mr. President, the Filipinos are a Christian people, and have been for centuries. They are not heathens or pagans. To be sure, there are such in the islands, and we have had and still have such in this country—wild, uncivilized bands, who rove our plains and burn, murder, and commit all kinds of depredations—but in the islands there is a large population of earnest, faithful, patriotic, intelligent, Christian people.

Their pathway has been a thorny one. They passed through centuries under the shadow of a relentless despotism, and, pity it is, they have not even yet escaped political bondage. Undoubtedly since our connection with them their condition has been improved, but still they are denied the opportunity of self-assertion, and still we keep the old stigma of incompetency upon them, and still suppress their longing aspiration to stand alone.

Why, sir, among the Filipinos there are some of the most scholarly men in the world—scientists who have achieved renown; lawyers who would rank in any country with the best; trained men in the science of surgery and in the art of medicine; educators, historians, poets, and musicians of the highest type. And then there are men engaged, and successfully engaged, in conducting large commercial and financial enterprises. The chief justice, for example, who presides over the supreme court of the Philippine Islands, is a man who, in the wide range of his learning and in the stately dignity of his character, would adorn the Supreme Bench of the United States. No man could stand in his presence for an hour without being impressed with the fact that he is a great lawyer and a great man. And what I am saying of him was in substance said to me of him by the governor-general of the islands and by his American associates on the bench. There are other native judges who sit with him in the administration of justice in that supreme tribunal who are also men of great learning and of the highest character.

The majority of the nisi prius judges, or judges of the first instance, as they are called, who go through the provinces to hold courts and administer justice are Filipinos, native born. The attorney-general, a young lawyer of exceptional ability and promise, is also native and to the manor born. The administration of the central government is also shared in in a most responsible way by natives, and the municipal and provincial governments are almost wholly in the hands of the natives. The officials who administer the municipal and provincial governments are, for the most part, elected by the people, and I was told by our American officials—by such men as Governor Smith and Mr. Forbes, the present acting-governor, and by others, all men of high character, and officials who are devoting themselves with most commendable zeal to the discharge of their arduous duties—that these local governments were administered with rare integrity and admirable ability.

The constabulary, which constitutes perhaps the larger part of the military force now operating in the islands, is a native organization. No man who ever saw these native soldiers—soldiers wearing our uniform—in the camp, on the parade, or in any line of duty, could doubt that they constituted a well-disciplined and effective military organization, or doubt that they would bear themselves with credit under the most trying circumstances that might test the souls of men.

Mr. President, to tell me that such men do not know what they want or do not know what is best for themselves, is to assert what is so utterly unreasonable as to arouse in me a spirit of indignation, and I can scarcely speak of it with any degree of patience. These men do not want this legislation. They see danger in it to their hopes, and they think it will be hurtful, not helpful, to their material interests. But Senators here pretend to know better than these people know themselves what is good for them, and, with much affectation of deep solicitude for their welfare, this Senate is proceeding to extort from them an unwilling sense of gratitude by the compelling force

of our own statutory enactments. Mr. President, this is colonialism pure and simple, and of the worst type. It is a most shocking example of governmental paternalism. It is a shameful instance of despotic power despotically used by the strong against the weak.

Mr. President, what are we going to do with these islands? What do our friends upon the other side want to do with them? What is the purpose? Do you now mean to hold them indefinitely? Do you mean to assert and maintain absolute and unlimited sovereignty over them? If so, then, in the name of right and justice and in the name of common decency, have the courage to say so and put an end to the patient and hopeful waiting of these people. This terrible business has in it all the elements of a great tragedy. For heaven's sake, let there be an end to it in one form or another. Mr. President, we have a great national history. If I should be asked to say which one among all the glorious chapters of that history was the most splendid, I would not know how to answer.

But this I can say—that after striking the manacles from the hands of this people, after lifting them out of the darkness of a long bondage into the light of liberty, after devoting millions of money and years of patient effort to aid them and to qualify them for the arduous and difficult task of administering an orderly government, if we should now go, as we ought to go, a step further and negotiate such international agreements as would neutralize and safeguard the islands, and then give quick answer to the prayer these unfortunate people have been breathing through the centuries for liberty and independence, we would write a chapter in our history as bright and shining as could be found on the pages which record the life and deeds of any nation which has ever risen or fallen since the morning stars first sang together.

And, sir, what an impetus an act like that would give to the better thought and higher aspirations and to the loftier and nobler yearnings of mankind throughout the world. But if, on the other hand, we are to be governed by lower considerations—considerations of trade advantage and selfish pride of power; if we are to hold the Philippines in some vain hope of making them a base from which to exploit the Orient for our enrichment—then we will lower our standard, debase our old and high ideals, and descend to the level of the despoiling nations of the world. Ah, Mr. President, that would be pitiful indeed!

Mr. President, pass this pending legislation and we will, I fear, follow it, Congress after Congress, with other legislation of like kind, ever expanding in its scope. We will go on along the same line of advance. If we take this long stride now without any check upon it or declaration of purpose regarding it, it will be a sorry day for us and a sad one for the Filipinos. With this kind of legislation you will encourage, aye, invite, great investments of American capital in Philippine enterprises. Some of the islands are covered with magnificent forests, among the finest in the world. The mineral resources of the islands have not been amply developed, but sufficiently so to demonstrate that they are extensive and opulent. The lands of the islands are rich and fertile, and their agricultural possibilities are enormous. Let American capital once begin, on a large scale, to exploit and utilize these natural sources of wealth, to build railroads, and to invest in all kinds of industrial enterprise, and I fear we can bid farewell to all hope of Philippine independence.

Mr. President, we know how such things go. The history of the world shows how they go, and they will go in the Philippine Islands as elsewhere. Conscience will be dulled by the passion of power and gain. Investors, with millions at stake, will cry out against every suggestion of Philippine independence. They will denounce it as an act of injustice, endangering their possessions, and as an act of national folly. They will say to Congress, "You invited us to make these investments; you opened the door to us, we entered, and here we are. Here is what we have, and here is what we have done, and do you now propose to pull down the flag and leave the islands and us and all we have to the protection of the natives?" We would find all these powerful interests standing in the way of any future attempt on our part to keep faith with the native sons of the archipelago. For myself, I want to sever our existing relations with the islands. I want to do that as much in our own interest as in that of the Filipinos; I want to do it as much for the sake of our national honor as for the happiness of those who live in those far-away islands of the Orient.

Mr. President, I am opposed to this measure. But if it is to pass, as I have no doubt it will pass, I offer the pending amendment, so that we may say to the world and to all men, "Take notice; we do not intend to hold these islands; we expect to give them up in fifteen years." Do that and the sky will brighten with hope and our way be clear. Mr. President, fifteen years from now we will have had possession of the Philippines for more than a quarter of a century. That period of time substantially covers the life of a generation. Is that not long enough to teach these people what we profitably can, and long enough to hold them in unwilling subjection? Senators, let us give back these islands to the people to whom they belong, and let them, in God's good providence, work out their own weal and destiny.

CONDITIONS IN THE PHILIPPINES—A COMMON LANGUAGE—EDUCATION, ETC.

Mr. NEWLANDS. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] inquired of the Senator from Missouri [Mr. STONE] whether he thought these people were capable of self-government. I wish to add but one observation to the observations made by the Senator from Missouri, and that is, that whilst the intelligence of many of the Filipinos is of a very high order, and whilst the local government, insular, provincial, and municipal, is largely under the direction of native Filipinos, yet there is one difficulty regarding self-government that is perfectly apparent. The Senator from Missouri stated that they were as competent for self-government as are the people of Cuba or the people of Central or South America; but in those countries the people have a common language, whilst in the Philippine Islands a common language does not exist. The two leading races there are the Tagalogs and the Visayans, and they comprise more than one-half of the entire population of the islands. I believe that they can not understand each other's language.

It is claimed that there are numerous other races and tribes, each of which has its own language and dialect. The effort of the Philippine Commission is to give these people a common language. Their hatred of Spain is so great that they are unwilling to acquire the Spanish language, while they are eager to acquire the English language. I was struck when in the Philippines with the fact of the absence of a common language. At a celebration in one of the islands, given in honor of Mr. Taft, there was a procession and a banquet and a large gathering in the open, which Mr. Taft addressed, his speech being interpreted into Spanish, sentence by sentence, by a very apt interpreter, Mr. Ferguson. It was a speech of rare power and dignity. I observed that the people did not respond to the sentiments which he uttered, and I called the attention of one of the prominent American officials there to the fact. I said: "It is impossible for me to understand why these people do not respond to the nobility of Mr. Taft's utterances." The reply was that the people in this large gathering understood neither English nor Spanish. That brought me to a realizing sense of the absolute necessity of a common language in the Philippine Islands.

Upon that point I wish to say briefly that there are about 2,000,000 children in the Philippine Islands. If those 2,000,000 children were taken into the schools in which English is taught by American teachers and by Filipino teachers to whom English has been taught by American teachers, these primary schools, these industrial schools, these manual-training schools, these agricultural schools, which the commission has established there with so much wisdom, bearing in view the fact that it is much more important that they should train the hands of the Filipino people at present than it is that they should train their heads, and that the best way of training their heads is through their hands, and that thus they will not only enlarge their intelligence, but bring them into habits of industry and thrift—if those 2,000,000 children could attend these schools and receive thorough training, they would within ten years constitute a large part of the adult population of the islands, and they could then have a common language. But as it is, there are only 500,000 of these children in the schools, and the revenue of the islands is so scanty that if you were to employ the entire revenue of $17,000,000 annually you could hardly meet the expense of educating 2,000,000 children.

There is the difficulty; there is the danger—that we shall simply give these children a smattering of English, and that then, when they return to their families, their old language will reassert itself, just as is the case with the Indians, who attend the schools which we have furnished, and who, when they get out, return to their tribal life.

I am, therefore, in entire sympathy with Mr. Taft in his desire to see those people properly trained and educated in a common language. I think that it would be economical to do this quickly, to take ten years in accomplishing it, rather than to take one hundred years. If we take one hundred years, we shall probably never accomplish it. If we take ten years and train all these children at one period of time in the English language and give them a newspaper which can circulate among them and in their families, we shall find that in ten years English will be the predominant language in those islands and

that they will have a common language through which they can communicate their ideas to each other and through which they can obtain some conception of the great political and economic and governmental questions that are addressed to them.

THE PHILIPPINES NOT A SOURCE OF REVENUE, BUT ALWAYS A BURDEN.

I wish to say also regarding these islands that I do not share with the Senator from Missouri the opinion that they can be made at any time the source of opulence. The forests, to which the Senator refers, are beautiful to the eye, but they are mainly forests of soft wood. Here and there you will find a magnificent tree of hard wood of great value; but I was told that the cost of taking out these occasional trees here and there in the forest was very great. The islands are mountainous, and you can hardly cultivate a mountain side. The only level and cultivable land is the land in the river valleys, which is very limited, and the land on the coast formed by the wash from the mountains. The area of cultivation is exceedingly limited.

In addition to that, all nature seems to be hostile to the development of the Philippine Islands. They have a constant recurrence of cholera; they have a constant recurrence of surra and rinderpest among their cattle; so that their draft animals and animals with which they cultivate their farms, the buffalo, and so forth, are destroyed year after year.

I do not believe that those islands can be made a source of great wealth; and that being the fact, I prefer to present it in all its baldness to the American people, for I fear that if those islands are represented to the American people as the source of great future wealth, the greed of many of us will prevent us from letting them go. I believe the very fact that those islands have cost us this great expense of $500,000,000 or $600,000,000, including the war, that they are to-day costing us one-fourth of the military and naval expense of the Nation; and that they will cost us a large expenditure in the future in fortifying them with a view of holding them, not only against a foreign foe, but against domestic violence has had much to do with the present sentiment which exists throughout the country in favor of letting the islands go. The American people are becoming convinced that there was no glory in their conquest and that there is no profit in their occupation; and I believe that they will have to be convinced of both before they will let them go.

THE CASE SUMMED UP.

The objection I have to this legislation—and I will simply say a word upon that, for I have already stated fully my views—is that we are proposing to give $10,000,000 annually to the planting interests, with a view to stimulating the production there, so that those islands, which are now poverty stricken, may become prosperous. I would rather, in the discharge of the great benevolent trust which we have assumed to those islands, appropriate a tithe of that money annually to instructing those people, to aid them in getting central sugar factories which can develop sugar production there in the perfection which the Senator from Rhode Island thinks will at some time be attained.

I would rather appropriate money to train them in agricultural methods, in modern methods, to train them industrially, to train their hands and their heads, and to train them in a common language—I would rather do that than give the planters this large bounty, which in fifteen years will amount to $150,000,000 and in twenty years to $200,000,000.

I quite join with the Senator from Missouri in the desire that we should make this declaration of our purpose now, for if we once determine to let them go fifteen years hence, we will then shape our course with a view to that result. If we were to attempt to determine now the method of our withdrawal, we would all differ as to details; but we can determine upon one thing, and that is that we will withdraw in fifteen years, and then we can leave the elaboration of details to the future, and we will have plenty of time to accomplish our work of giving these people a common language and of training them in industrial and manual pursuits.

The prospect at best is not the most roseate. The tropical islands throughout the world have been beaten by the Temperate Zone in the products which they used to monopolize. Disease is against them; the climate, tending to ease, apathy, and inertia, is against them. They have not that hard contest with nature itself, so far as food and clothing and shelter are concerned, that impels to work; and so I am not very hopeful that these people will develop a high order of self-government, but they can maintain some form of autonomy there. They may have wars among themselves; they may have race wars; they may finally fall under the control of some dictator, some man of great power and ability, but if they are to be killed, I would rather they should kill each other than that we should kill them.

I believe that they must go through the process of evolution that every country composed of diverse races must go through, resulting, perhaps, in the domination of a single race, and perhaps in the dominance of a single man.

But I do feel assured that in the future those islands will be the source of great peril to the United States. They are 7,000 miles away from our basis of operations. If we should have internal difficulties there, the expense of conducting the defense of our power would be enormous. Besides that, those islands push us into all the activities and all the jealousies and all the contentions of the Orient; and with these two countries, Japan and China, just rising from their sleep—Japan already a great military nation, China bound at some time to be a great military nation, I do not think that we can escape war with those countries if we maintain our intrusion in the Orient. So I would prepare to withdraw at a time when we can withdraw with honor, rather than be compelled, perhaps, to withdraw in the future as the result of a useless and costly war maintained so far from our base of supply.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri [Mr. STONE] to the amendment.

Mr. STONE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON], who is absent this evening. I transfer that pair to the junior Senator from Nebraska [Mr. BROWN], and vote. I vote "nay."

Mr. FRAZIER (when his name was called). I am paired with the junior Senator from Nevada [Mr. NIXON]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON], and vote. I vote "yea."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "yea."

Mr. RAYNER (when his name was called). I am paired with the junior Senator from Kentucky [Mr. BRADLEY]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CRAWFORD. I desire to have the RECORD show that my colleague [Mr. GAMBLE] is necessarily absent. He is paired with the junior Senator from Indiana [Mr. SHIVELY]. If present, my colleague would vote "nay."

Mr. DANIEL. I am paired with the Senator from Maine [Mr. FRYE]. If he were present, I should vote "yea."

Mr. BANKHEAD. I am paired with the senior Senator from Illinois [Mr. CULLOM]. If he were present, I should vote "yea."

Mr. FOSTER (after having voted in the affirmative). I inquire if the senior Senator from North Dakota [Mr. McCUMBER] has voted?

The VICE-PRESIDENT. The Chair is informed that he has not voted.

Mr. FOSTER. Then I withdraw my vote, as I have a pair with that Senator.

Mr. SMITH of South Carolina (after having voted in the affirmative). I have a general pair with the Senator from Washington [Mr. JONES]. As he is not present, I withdraw my vote.

The result was announced—yeas 18, nays 44, as follows:

YEAS—18.

Bacon	Frazier	Money	Stone
Bailey	Gore	Newlands	Taliaferro
Clay	Hughes	Overman	Tillman
Davis	Johnston, Ala.	Paynter	
Fletcher	McEnery	Simmons	

NAYS—44.

Aldrich	Chamberlain	Flint	Page
Beveridge	Clapp	Gallinger	Perkins
Brandegee	Crane	Guggenheim	Piles
Briggs	Crawford	Heyburn	Root
Bristow	Depew	Johnson, N. Dak.	Scott
Bulkeley	Dick	Kean	Smoot
Burkett	Dillingham	La Follette	Stephenson
Burnham	Dixon	Lodge	Sutherland
Burrows	Dolliver	Nelson	Warner
Burton	du Pont	Nixon	Warren
Carter	Elkins	Oliver	Wetmore

NOT VOTING—29.

Bankhead	Cullom	Jones	Shively
Borah	Cummins	McCumber	Smith, Md.
Bourne	Curtis	McLaurin	Smith, Mich.
Bradley	Daniel	Martin	Smith, S. C.
Brown	Foster	Owen	Taylor
Clark, Wyo.	Frye	Penrose	
Clarke, Ark.	Gamble	Rayner	
Culberson	Hale	Richardson	

So Mr. STONE's amendment to the amendment of the committee was rejected.

Mr. BULKELEY. I now desire to move, if it is in order and proper to do so, that the paragraph now being considered—471d I think it is entitled—be referred to the Committee on the Philippines.

I do this for the reason that I do not desire, under any circumstances, that legislation shall not be enacted at this session of Congress in regard to the Philippine Islands. But from the examinations I have been able to make of the records, all measures heretofore considered by the Congress—revenue measures as well as others—for the Philippine Islands have been considered and acted upon by the committee of this body created for that purpose. It seems to me this is not the place, as I said this morning, for legislation with respect to these islands, in the tariff bill we are preparing for ourselves.

We have already pending before the Philippine Committee of this body an act to raise revenue for the Philippine Islands, and for other purposes. Many of the provisions of this act now being considered by this committee are dependent in a large measure on the legislation that is proposed in the bill pending before this body; and it seems much more in order, to my mind, that the two should be considered by the same committee, which can give the thought that is necessary, in my judgment, to a matter that is so important to those possessions which we control and for the government of which the Congress of the United States at this time is responsible.

I therefore make the motion that the paragraph we are now considering be referred to the Committee on the Philippine Islands.

Mr. ALDRICH. We are considering a tariff bill for the United States and not for the Philippine Islands, I would suggest.

The VICE-PRESIDENT. The Senator from Connecticut moves to commit the substitute for 471d to the Committee on the Philippines.

Mr. DANIEL. I should like to ask the Senator from Rhode Island if there is involved in this amendment any question of favored nations? Does picking out certain articles to be permitted to come to us free in this fashion from an alien, which is no part of this country, though it is said to belong to it, involve us in any controversy about favored nations?

I presume the answer will be that the Philippine Islands are not a nation and not a part of this Nation. They are something, somewhere. Their status is unanalyzable. It is also nondescript and absolutely indescribable, and why a wave of tariff or free trade in this momentous and grave fashion should be involved in a tariff bill for the United States is certainly only a technical statement without any basic facts to support it.

I therefore think that the motion by the Senator from Connecticut is a very wise and apt motion. We have a special committee to deal with the Philippine Islands and its peculiarities—like the subject. There is no geography in this question. There is no jurisprudence to this question. It has confounded the courts and the legislatures, and is now beginning to confound and override our sedate and careful tariff provisions about our own country. It is such a close and material arrangement proposed about another country and another people that we can not fitly embrace it, although technicality will support the proposition, perhaps. Here is a proposition for the introduction into this country of millions upon millions of free trade in certain subjects. It is confusing; it is unprecedented; it is totally off—uniquely by itself—and of all things that should go to the Philippine Committee of this body, it seems to me to be the chief.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Connecticut.

Mr. BULKELEY. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I announce my pair with the senior Senator from Illinois [Mr. CULLOM] for the balance of the evening.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. He is absent this evening. I transfer my pair to the junior Senator from Nebraska [Mr. BROWN], and will vote. I vote "nay."

Mr. PILES (when the name of Mr. JONES was called). My colleague has been called away from the Chamber this evening. He is paired with the junior Senator from South Carolina [Mr. SMITH].

Mr. McLAURIN (when his name was called). I again announce my pair with the junior Senator from Michigan [Mr. SMITH]. If he were present, I would vote "yea."

Mr. RAYNER (when his name was called). I again announce my pair with the junior Senator from Kentucky [Mr. BRADLEY].

Mr. SMITH of South Carolina (when his name was called). I again announce my pair with the junior Senator from Washington [Mr. JONES]. If he were present, I would vote "yea."

Mr. TILLMAN (when his name was called). Has the Senator from Vermont [Mr. DILLINGHAM] voted?

The VICE-PRESIDENT. He has not.

Mr. TILLMAN. I have a general pair with that Senator, and therefore withhold my vote.

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the negative). I desire to inquire if the senior Senator from Missouri [Mr. STONE] has voted. I do not see him in the Chamber.

The VICE-PRESIDENT. He has not.

Mr. CLARK of Wyoming. I withdraw my vote.

Mr. FLETCHER. I wish to announce that my colleague is paired with the Senator from West Virginia [Mr. SCOTT].

Mr. CLARK of Wyoming. I transfer my pair with the Senator from Missouri [Mr. STONE] to the Senator from Kansas [Mr. CURTIS], and will allow my vote to stand.

Mr. DANIEL. I am paired with the Senator from Maine [Mr. FRYE]. If he were present, I should vote "yea."

Mr. FOSTER (after having voted in the affirmative). Observing that the senior Senator from North Dakota [Mr. McCUMBER], with whom I am paired, has not voted, I withdraw my vote.

The result was announced—yeas 21, nays 40, as follows:

YEAS—21.

Bacon	Clapp	Gore	Newlands
Bailey	Clay	Hughes	Overman
Brandegee	Davis	Johnston, Ala.	Paynter
Bristow	Dick	La Follette	
Bulkeley	Fletcher	McEnery	
Chamberlain	Frazier	Martin	

NAYS—40.

Aldrich	Crane	Heyburn	Perkins
Beveridge	Crawford	Johnson, N. Dak.	Piles
Borah	Depew	Kean	Root
Briggs	Dixon	Lodge	Scott
Burkett	Dolliver	Money	Smoot
Burnham	du Pont	Nelson	Stephenson
Burrows	Elkins	Nixon	Sutherland
Burton	Flint	Oliver	Warner
Carter	Gallinger	Page	Warren
Clark, Wyo.	Guggenheim	Penrose	Wetmore

NOT VOTING—30.

Bankhead	Curtis	McCumber	Smith, Mich.
Bourne	Daniel	McLaurin	Smith, S. C.
Bradley	Dillingham	Owen	Stone
Brown	Foster	Rayner	Taliaferro
Clarke, Ark.	Frye	Richardson	Taylor
Culberson	Gamble	Shively	Tillman
Cullom	Hale	Simmons	
Cummins	Jones	Smith, Md.	

So Mr. BULKELEY's motion was rejected.

The VICE-PRESIDENT. The question is on agreeing to the substitute. Without objection, the substitute is agreed to.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. No objection is heard.

Mr. BULKELEY. I should be glad to speak on that question.

The VICE-PRESIDENT. Does the Senator from Connecticut desire to speak on the question of agreeing to the substitute?

Mr. BULKELEY. I have no objection to an agreement to the substitute.

The VICE-PRESIDENT. Without objection, it is agreed to.

Mr. LA FOLLETTE. I wish to offer an amendment before the substitute is voted upon.

The VICE-PRESIDENT. Before the substitute is agreed upon the Senator from Wisconsin desires to offer an amendment.

Mr. BULKELEY. Do I understand the motion now is to substitute this for the paragraph of the bill?

The VICE-PRESIDENT. That has already been done. The motion now is to agree to the substitute.

Mr. BULKELEY. I wish to speak on that question.

The VICE-PRESIDENT. The Senator from Wisconsin desires first to offer an amendment to the substitute. Will the Senator from Wisconsin submit his amendment?

Mr. LA FOLLETTE. In line 2, page 2, strike out the words "one hundred and fifty" and insert "seventy-five."

The VICE-PRESIDENT. The Secretary will state the amendment offered by the Senator from Wisconsin.

The SECRETARY. On page 2 of the printed amendment, in line 2, strike out the words "one hundred and fifty" and insert "seventy-five," so that if amended it will read:

And cigars in excess of 75,000,000 cigars.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Wisconsin desire to discuss it?

Mr. LA FOLLETTE. Just a word.

Mr. President, the proposition to admit 150,000,000 cigars free of duty means displacing labor in the cigar factories of this country to the number of 2,500 men. There are to-day 12,000 unemployed cigar makers in the United States. I do not believe it is wise or just that that army of unemployed men shall be increased by 2,500 men, whose labor will be taken from them if 150,000,000 cigars are admitted into this country from the Philippines free of duty.

I have offered this amendment as a compromise, hoping that it may be adopted by the Senate. I send to the desk and ask to have read a communication from the Cigar Makers' International Union of America.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

HEADQUARTERS CIGAR MAKERS' INTERNATIONAL UNION OF AMERICA,
Chicago, Ill.

DEAR SIR: In behalf of the Cigar Makers' International Union, an organization composed of 47,000 members, we earnestly protest against free trade in cigars with the Philippine Islands, even to a limited extent, which at this time would be extremely disastrous to the trade, which is already badly demoralized by the continued depression in trade. The government statistics show that there has been no material improvement in the manufacture of cigars since the depression started in October, 1907.

These reliable government statistics are reenforced and made doubly sure, as to the condition of trade, by the amounts we expend for out-of-work benefits.

During the year 1908 we expended $101,483.50, while in 1903, a year normal in trade conditions, we only expended $15,558, and in 1907 we expended $19,497.50 for out-of-work benefit purposes.

The condition of trade and the cigar industry is in a most precarious condition and at a point where it can not, with safety, be charged with any additional burdens.

I hold and assert, without fear of successful contradiction, that the importation of cigars from the Philippine Islands free of duty, even in limited numbers, will have a disastrous effect upon the already overwrought and seriously menaced trade.

When the Porto Rican Islands were annexed and their products admitted free it was claimed that, owing to the limited number of cigar makers and the alleged inferior quality of the tobacco, we here would not experience any injurious effects. The result has been that American enterprise and capital at once commenced to exploit the cheap labor and cheaply grown tobacco in the islands to an extent that the importations of cigars from Porto Rico has now become a serious menace to the wages and well-being of the cigar makers and manufacturers of the mainland.

The American Tobacco Company, with its unlimited capital and resources, immediately seized the opportunity to avail itself of the cheap labor of the Porto Ricans and at once commenced the manufacture of cigars in the Porto Rican Islands, with the consequent decrease of the number of American cigar makers here.

Our advices indicate that the Porto Ricans are now, generally speaking, fully employed, while, as stated in the foregoing, thousands of our members and thousands of American cigar makers are walking the streets in idleness. Including union and nonunion, there are fully 12,000 cigar makers now idle in the United States. The same conditions concerning cheap labor, cost of living, light, clothing, apply with even greater force in the Philippine Islands.

To admit 150,000,000 cigars free of duty from the Philippine Islands will come in direct competition with the American product and have a disastrous effect in the nature of cutting prices, far more so than the operation of any sweat shops or other hostile influences in our own country.

We are not deluded by the assertion that only a limited number of cigars are now manufactured in the Philippine Islands and that all of the product would not in any event reach our shores. We know from experience the rapidity with which the industry grew in the Porto Rican Islands, and boldly assert that, give the American Tobacco Company, the trust, the opportunity to exploit the cheap labor of the Philippine Islands, and in a very short time they will double, treble, or produce any amount to suit their purposes.

We know that under Spanish rule the cigar industry in the Philippine Islands developed to a very high degree, and assert that those capable of being pressed into the business of cigar making are still there, and if given an opportunity, such as proposed by the pending legislation, they will come in direct competition with the American cigar makers and crowd just that many more into the now dangerously large army of unemployed, who are bordering on starvation and vainly asking for an opportunity to earn a livelihood at their chosen occupation.

In the name of humanity, in the name of the best interests and welfare of our own people, as loyal American citizens, we protest against free trade in cigars with the Philippine Islands.

A bulletin of the Department of Labor shows that there were employed, all told, in the cigar industry of the Philippine Islands about 20,000 people, at an average of $10.21 per month. The rate of wages for cigar makers, as near as I can learn, is 37½ cents per day, while the government census of 1900 shows that the average wage of the workers of this country is about $400 per year, or about $1.36 per day.

A good cigar can be bought in Manila for 1 cent apiece, or from $5 to $10 per thousand. The home-produced cigar sells for 5 cents, 10 cents, 15 cents apiece, or from $20 to $60 per thousand, generally, and from that up for especially high grades.

Under the proposed legislation cigars could be laid down at San Francisco for from $8.50 to $13.50 per thousand.

We protest against being pitted against oriental labor in our struggle for existence. We hold that no amount of legislation on the part of the Congress of the United States can or ever will lift this people to our standard, and that the act proposed, and against which we respectfully protest, will have a tendency to and will drag us down nearer their level.

About one-half of the cigar factories in the Philippine Islands are said to be controlled by Chinese manufacturers, and with the number of Chinese now in the islands, will monopolize the cigar trade, as they did prior to the exclusion act in San Francisco.

Prior to the passage of the Chinese-exclusion act in 1882, the cigar factories of San Francisco employed about 40 American citizens and over 6,500 Chinamen.

The bill proposed means that the Chinese-exclusion act, so far as it relates to the cigar industry, will be nullified completely by establishing free trade.

Mr. Edward Rosenberg, an American citizen, while in Manila, in a letter dated August 1, 1903, says: "Considering the very small wages paid the Filipino workers, the poor and scanty food they necessarily live on, they are, next to the Chinese, the cheapest and best workers of the Orient. They live in light shacks, built of bamboo, and covered with leaves; cost of building from $30 to $70. The number of Chinese living on the island I estimate to be between 100,000 and 150,000."

We would like to know how a man living in a northern climate, who needs from seven to eight tons of coal per year and needs warm clothing and lives in a house for which he must pay a large rent, is going to compete on a free-trade basis with people living under such conditions.

If the Filipinos should ever cease to be subjects and become American citizens in every particular, with the right to organize for their own protection, with factory laws, similar to those prevailing in the States of Illinois, New York, Massachusetts, etc., for the protection of women and children against unscrupulous exploitation, then it will be the time to talk about the changing of the tariff.

Manila alone has 31 cigar and cigarette factories; also about 48 others run by Chinese, which, if they get free trade, will also become exporters; and in the event of free trade they can export to the United States enormous quantities of cigars.

At the hearing before the Committee on Ways and Means, January 27, 1905, Secretary Taft, in the testimony submitted, in speaking of the fears of the cigar makers, when a similar bill was under consideration, as to the effect of the proposed legislation, said: "There may be some justification for the apprehension of the cigar makers that this measure would injure them. I admit that a perfection-shaped cigar, which the cigar makers of this country receive $34 per thousand for making, is made in the Philippine Islands for $6 per thousand."

An act that will tend to build up the cigar industry of the Philippine Islands at the expense of a like industry and the citizens employed therein in our own country proper, is neither wise nor just legislation. Knowing that we are positively right in this matter, we, in self-defense, vigorously yet respectfully protest against its enactment.

Yours, very respectfully,

G. W. PERKINS,
International President.

Mr. ALDRICH. If the Senator from Wisconsin will yield to me for a moment, I should like to ask unanimous consent that the order of meeting be modified so that on and after to-morrow the Senate shall meet at 10 o'clock in the morning and remain in session until 7 in the evening, and that the night sessions, for the present anyhow, be dispensed with.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island?

Mr. BRISTOW. Mr. President, I object to coming here at 10 o'clock in the morning and——

The VICE-PRESIDENT. The Senator from Kansas objects.

Mr. ALDRICH. Then I move that the order be changed in the manner I have indicated.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the order heretofore made for the meeting of the Senate be changed after to-day so that the Senate shall meet at 10 o'clock in the morning and sit until 7 o'clock in the evening, the evening session to be dispensed with.

Mr. BRISTOW. Oh, I beg pardon; I thought the evening session was to be continued also. That is a different proposition. I withdraw my objection.

The VICE-PRESIDENT. The Senator from Kansas withdraws his objection. Is there objection? The Chair hears none, and the order is so modified. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. I only desire to say that representatives from the International Cigars Makers' Union, despairing of being able to amend the bill so as to prevent the importation of 150,000,000 cigars, have asked me to offer the amendment in this form, and I hope that the Senate will adopt it. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered.

Mr. ALDRICH. I was not able to listen attentively to the statement made by the Cigar Makers' Union. The committee have considered this matter very slightly. I am not sure whether the statements made in the memorial correspond with the other facts that are before the committee. If the Senator from Wisconsin will allow this matter to go over until to-morrow, the Finance Committee have a meeting at half-past 9 in the morning and they will consider it. I am not sure but that the committee will be willing to accept the amendment of the Senator from Wisconsin.

Mr. LA FOLLETTE. Of course I am willing that it shall go over, as suggested by the Senator from Rhode Island.

The VICE-PRESIDENT. Is there objection to the matter going over until to-morrow with the amendment pending, the yeas and nays having been ordered? The Chair hears no objection.

Mr. BULKELEY. Does that carry the whole matter over?

The VICE-PRESIDENT. Simply the amendment. The Chair understands that the Senator from Rhode Island wishes that the question may be taken on agreeing to the paragraph as modified.

Mr. ALDRICH. No; that will go over until to-morrow, also. I understood the Senator from Connecticut to wish to move that the paragraph be rejected. That motion is not necessary, because the same question will come up on agreeing to the paragraph.

The VICE-PRESIDENT. The Senator from Connecticut opposes the motion to agree to the paragraph.

Mr. ALDRICH. Yes; that is it.

Mr. BULKELEY. It was my intention to move to strike out the entire paragraph, but there is an amendment now pending.

The VICE-PRESIDENT. If the motion to agree to the paragraph is negatived, that strikes it out. As soon as the amendment of the Senator from Wisconsin is disposed of, then the question will be on agreeing to the paragraph.

Mr. BULKELEY. I understand.

The VICE-PRESIDENT. The Chair understands that that motion the Senator from Connecticut desires to oppose.

Mr. BULKELEY. I desire to oppose that motion. If the amendment of the Senator from Wisconsin should be adopted, there are possibly some other degrees in the limitation which might change the position entirely of some Senators in the matter.

The VICE-PRESIDENT. Does the Senator from Connecticut desire to discuss the question now?

Mr. BULKELEY. Under those circumstances I should prefer to defer my remarks until the amendment of the Senator from Wisconsin has been acted upon, and possibly some other amendments of the same character.

The VICE-PRESIDENT. Has the Senator from Rhode Island something to suggest as to the order?

Mr. NELSON. I suggest to the Senator from Rhode Island that we adjourn.

Mr. ALDRICH. Oh, no; we will not adjourn. We will take up some other subject. If the Senator from Connecticut desires to go on in the morning rather than to-night, I will ask the Senate to take up some other subject.

Mr. BULKELEY. It was the suggestion of the Senator from Rhode Island that it should go over.

Mr. ALDRICH. The only suggestion I made was that the amendment of the Senator from Wisconsin should go over. The general subject I did not suggest should go over.

Mr. BULKELEY. The suggestion was that it might go over and that it might receive favorable consideration from the committee, I understand.

Mr. ALDRICH. Yes.

Mr. BULKELEY. There might be some suggestion in regard to reducing some of the other limitations, if the committee are disposed to consider them, that might change the view of the question.

Mr. ALDRICH. The committee have a meeting at half past 9 to-morrow morning, and the Senator can present his suggestions now.

Mr. BRANDEGEE. Will my colleague yield to me for a moment?

Mr. BULKELEY. Certainly.

Mr. BRANDEGEE. I propose to offer an amendment, on page 1, line 13, of the proposed substitute amendment, to strike out the words "three hundred thousand" and to insert the words "one hundred and fifty thousand." I offer that now as an amendment, and if the committee care to take it into consideration in the morning, very well.

Mr. ALDRICH. The Senator can not offer it; he can give notice of it.

Mr. BRANDEGEE. I give notice, then, that I will offer it.

Mr. FLETCHER. Mr. President, following that I will suggest that the committee might consider a further reduction as to the number of pounds of filler tobacco from 1,500,000. The suggestion has been made to reduce the number of cigars and the number of pounds of wrappers. I suggest a similar reduction as to fillers, and that that be considered also by the committee. Otherwise I shall feel inclined to press the motion I made this afternoon to strike out the entire proviso from the substitute.

Mr. FOSTER. While the committee is considering the reduction of the quantity of tobacco and cigars which shall be imported from the islands into this country free of duty, I suggest that it at the same time consider the reduction of the quantity of sugar which shall be imported into this country.

The VICE-PRESIDENT. Has the Senator from Rhode Island any suggestion to make as to the procedure?

Mr. ALDRICH. Yes; I offer——

Mr. LA FOLLETTE. Before the matter is passed over, I have been unable to hear on this side just what the suggestions were with respect to disposing of the entire paragraph.

The VICE-PRESIDENT. That it go over until to-morrow morning was the only suggestion, as the Committee on Finance is to meet at 9.30 and will consider the amendment offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. Do I understand that, except as to the amendment, the entire paragraph is to be disposed of to-night?

Mr. ALDRICH. No.

The VICE-PRESIDENT. No; nothing further is to be done with the paragraph to-night.

Mr. ALDRICH. The Senator from Connecticut does not desire to speak until after the amendment has been considered, I understand.

Mr. BULKELEY. I thought it would be better, but I can go on to-night.

Mr. ALDRICH. I should prefer that the Senator would go on to-night, unless he prefers to wait until to-morrow.

Mr. DICK. Will the Senator permit me to have the attention of the chairman? Does the committee contemplate considering other features of the clause respecting tobacco and cigars?

Mr. ALDRICH. If any Senator desires to present any views on the subject there will certainly be no objection to considering them.

Mr. BRANDEGEE. In view of the statement of the Senator from Rhode Island, I will say, in relation to the wrapper and filler tobacco, without pretending to any expert knowledge on the subject, I am informed that it makes a difference of about 30 per cent in the weight of the leaf whether it comes in stemmed or unstemmed. So, if the bill should authorize the importation of 200,000 pounds of tobacco, and they should take the stems out of the tobacco over there, it would really, in effect, bring 400,000 pounds into this country. The stemming process and the profits to be derived therefrom in the way of wages of labor, it seems to me, might just as well be paid to the laborers in this country as to the Filipino laborers at 6 to 10 cents a day, or else the amount should be limited so that the extra hundred thousand pounds would not come in. I suggest that as one point for the committee to take under advisement.

Mr. BULKELEY. Mr. President, I intend to discuss this question from perhaps an entirely different standpoint from any Senator who has spoken up to this time. I am very firm in my belief that there are conditions that surround the tobacco and sugar industries in the Philippine Islands that will cause to the Filipinos themselves a great disappointment from the results that will be attained if this proposed legislation is enacted, and that while the experiment is pending will prove to the Filipinos that they themselves are responsible by their careless methods of production for their own condition; and for a series of years this legislation will be standing up as a menace to the tobacco growers and the cigar manufacturers of the United States.

But I should be, Mr. President, neglectful of my duty to a large class of my own constituents engaged in the tobacco-growing industry and to an equally large number engaged in the manufacture of cigars, if I permitted this bill to be enacted into a law without presenting on their behalf, and equally as well on behalf of the tobacco growers, cigar manufacturers, and wage-earners of other States and communities, my most earnest protest.

For nearly two hundred years after its settlement Connecticut was strictly an agricultural State, and in this pursuit its people were successful in conquering its sterile soil and providing for the maintenance and education of their families by the exercise of the same skill, ingenuity, and energy which they displayed in

the nineteenth century, when their agricultural industries had practically disappeared, overshadowed by the development of the fertile lands of the Western States, and turned the State into a busy hive of industrial workers, who, through the products of their ingenuity and skill, have made Connecticut known almost over the entire civilized world.

The culture of tobacco, to the growth of which the soil of the fertile valleys seems peculiarly adapted, was the only one of the agricultural pursuits that longer promised to keep its producers in the markets of the world and to contribute adequate returns for their labor, and to the development of this product the best thought, skill, and labor of our agricultural communities was given until Connecticut tobacco acquired for itself a prominent place in the markets of the country.

The Department of Agriculture this morning furnished me some statistics in regard to the acreage, production, and value of the tobacco crop in Connecticut. Without reading in detail, I will quote the last year, 1908, when there was an acreage of tobacco of 13,824 acres, producing an average per acre of 1,680 pounds, and a total production of 23,224,320 pounds, which brought an average price in the market of 17 cents. The total farm value of this product on December 1 was $3,948,134.

The average price at which the 1908 crop was sold on the farm was about 11.5 cents, the higher price quoted for December 1 being only temporary. The marked decrease in price for 1907 and 1908 over previous years is to be attributed to unfavorable growing season and to a decided falling off in the manufacture of cigars. The above figures do not take into account the production of cigar-wrapper tobacco under artificial shade. For the year 1908 something over 100 acres of tobacco were grown under artificial shade, and for 1909 this acreage will be increased by about 60 acres. The farm value of this wrapper tobacco is from 50 cents to $1 per pound.

The value of the tobacco manufactured in Connecticut in 1905, which was the last year on which we have official returns—there were 226 establishments, with a capital of $1,173,806; value of product, $2,349,710. In 1900 there were 1,960 farms; the total acreage was 133,013; improved acreage, 82,029; total value of tobacco farms, $10,196,800; and there were invested in implements and machinery $458,110; in live stock, $788,560; and the expenditure for labor was $514,710, and for fertilizers $428,170.

There was frequently spent, to my knowledge, in Connecticut on the tobacco lands of that State in a single year more for the fertilizers than the lands are valued themselves.

I am aware of the Republican platform of 1908 in regard to the Philippine Islands, and I will quote that platform, because I expect in my remarks to follow the line of that platform, taken in connection with other paragraphs of the same platform, with which it should properly be coupled. But in regard to the Philippine Islands "between the United States and the Philippines we believe in free interchange of products, with such limitations as to sugar and tobacco as will afford adequate protection to domestic industries." But I would couple with these all that runs through the spirit of the whole platform and the platform of the preceding Republican convention, which is substantially this. It is the preceding part in the platform of 1908 to the paragraph that I have just read:

> The aim and the purpose of the Republican policy being not only to preserve without excessive duties the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country, who are the most direct beneficiaries of the protective system.

The limitations provided for in these declarations, particularly the last one which I have read, are equally applicable to all the products of the islands as to any other country in the world; and, in fact, these paragraphs appear to me to have been so interpreted by the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate in their preparation of this bill, entitled, "To provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

The paragraph relating to the Philippine Islands provides limitations of two characters. First, it provides that rice, which is one of the large products of the islands, shall not come into the United States except upon the payment of a duty. Now, that is no particular concession to the Filipinos or any great inducement for the Filipinos to engage in the rice industry. We all know that there is produced in these islands but about one-half of the rice which they consume, and that they have imported from time to time, some times as high as ten or twelve million dollars' worth of rice a year, and that answers their own purpose. So it would seem to me of no necessity, in this bill, because it is to produce no revenue so far as the United States Treasury is concerned, and it can present no inducement to the Filipinos themselves to increase their industry in that direction.

The other limitation we have heard elaborately discussed to-day is on the other line. It is proposed to admit sugar from the Philippine Islands free from duty and to bring in different kinds of tobacco and cigars in limited quantities.

I believe, Mr. President, that the limitations contained in this bill on sugar, cigars, and tobacco are just as necessary as the duty on rice. In the first place, the labor conditions in the islands are such that their modes of life and their methods of conducting their agricultural pursuits are such that they have almost lost the oriental markets for their tobacco and cigars.

Now, in legislation which is proposed, we are suggesting to them that possibly for wares that have been practically abandoned by the people of the Orient, possibly they can send into the United States of America and find a market.

I believe it will prove a disappointment to the Filipino if the Filipino deals in tobacco himself, which I very much doubt, and it will prove a financial loss to whoever undertakes to exploit Filipino cigars and tobacco in this country under the present condition of producing those articles in the Philippine Islands. We all know—we have heard it talked here to-day—that the sugar produced is of equally poor character, the poorest, almost, produced in the world, if I am correctly informed, and that we are very much better off, and certainly our producers in this country are very much better off, if we allow the Filipinos to consume their own sugar or else to palm it off on their oriental neighbors rather than the people of the United States.

I can see nothing in this legislation that can give great hope to the Filipino that the United States is endeavoring to lead them on to great advances and to give them great encouragement in the development of the industries in which they are most largely engaged.

You will find, Mr. President, almost the same condition in regard to the principal and largest product of the islands, and which covers 65 and sometimes 70 per cent of their entire exports—I refer to hemp. The last few years have witnessed such deterioration in the quality of the hemp produced in the Philippine Islands as to cause grave questions to rise as to whether it can maintain its position unless decided improvements are soon brought about—whether it can maintain the position which it has maintained for many years in the markets of the world.

CHIEF PRODUCTS OF THE PHILIPPINE ISLANDS.

Hemp, tobacco, sugar, and copra are perhaps the most important agricultural products of the islands that enter into competition with other than a home market. I append herewith tables exhibiting the largest exports shown in Spanish times, covering the period from 1885 to 1894.

[Extract from the report of the Secretary of War to the President on the Philippine Islands, January 28, 1908.]

Value of Philippine exports in Spanish times, calendar years 1885–1894.

Calendar year.	Hemp.	Sugar.	Tobacco and manufactures.	Copra.	Total, including all other articles.
1885	$5,509,757	$8,609,522	$2,297,358	------	$20,551,434
1886	4,340,068	7,019,978	2,010,082	$5,781	20,113,847
1887	9,161,550	6,156,709	1,559,070	36,909	19,447,907
1888	8,099,422	6,271,030	2,449,181	131,347	19,404,434
1889	10,402,614	9,101,024	2,255,494	209,820	25,671,322
Average annual	7,302,660	7,443,653	2,114,240	76,732	21,037,807
1890	6,925,564	7,265,030	2,469,063	85,704	21,547,541
1891	10,323,913	5,696,746	2,150,300	------	20,878,359
1892	6,886,526	7,708,505	2,535,740	743,918	19,163,920
1893	7,697,164	10,368,883	2,433,304	414,652	22,183,223
1894	7,243,842	5,476,617	1,576,175	1,172,191	16,541,842
Average annual	7,815,402	7,315,174	2,222,912	483,305	20,062,988

I also call your attention, Mr. President, to a like table of exports during the years of American invasion from 1903 to 1907.

Value of Philippine exports, 1903–1907 of American occupation.

Fiscal year.	Hemp.	Sugar.	Tobacco and manufactures.	Copra.	All other.	Total.
1903	$21,701,575	$3,955,568	$1,882,018	$4,473,029	$1,107,709	$33,119,899
1904	21,794,900	2,668,507	2,013,287	2,527,019	1,246,854	30,250,027
1905	22,146,241	4,977,026	1,999,193	2,095,356	1,134,909	32,352,015
1906	19,446,709	4,863,565	2,380,880	4,043,115	1,173,495	31,917,134
1907	21,085,081	3,934,460	3,129,194	4,053,198	1,511,429	33,713,357
Average annual	21,234,925	4,079,885	2,222,716	3,438,342	1,234,857	32,270,726

NOTE.—Total exports do not include gold and silver coin.

So that in hemp, as well as tobacco, these islands have certainly been in a prosperous condition; the large increase, in a measure, adds to the increased price of the article.

You will notice, Mr. President, that the tobacco exports have already regained the position which they occupied during the Spanish régime. Sugar has rapidly declined. At the highest average which they ever gained during Spanish administration, the Philippine Islands exported about 265,000 tons of sugar; and during the last year, I think, it was about 125,000 tons; at least somewhere in that neighborhood. I have not the exact figures.

A careful examination of these tables, taken from the report of the then Secretary of War and now President, January 27, 1908, shows that in those export products the islands have, with the single exception of sugar, more than regained their position and prosperity in their exportations; the aggregate annual exports during the five reported years of the Spanish rule, 1890–1894, inclusive, being $20,062,983, as against an aggregate average annual export during American occupation, 1903–4, inclusive, of $32,270,720.

I can not improve on the words of this report in regard to the sugar and tobacco industries:

> * * * It seems to me wonderful that the exports from the islands have so far exceeded the exports in Spanish times, and have been so well maintained that last year there was more exported from the islands than ever before in the history of the Philippines. * * *

I will also quote in detail from the same report the admirable conclusions which the Secretary reached in regard to these leading industries:

> The chief products of the islands are abacá, or manila hemp, as it is generally called, the fiber of a fruitless variety of banana plant; cocoanuts, generally in the form of the dried cocoanut meat called "copra;" sugar, exported in a form having the lowest degree of polarization known in commerce, and tobacco exported in the leaf and also in cigars and cigarettes. There are other exports of course, but these form the bulk of the merchantable products of the islands. In addition to these, and in excess of most of them except hemp, is the production of rice, which constitutes the staple food of the inhabitants. Some years before the Americans came to the islands the production of rice had diminished in extent because the hemp fiber grew so much in demand that it was found to be more profitable to raise hemp and buy the rice from abroad. In the first few years of the American occupation, however, during the insurrection and the continuance of the guerrilla warfare, and finally the prevalence of ladronism, many of the rice fields lay idle and the importation of rice reached the enormous figure of $12,000,000 gold, or about four-tenths of the total imports. With the restoration of better conditions, the production in rice has increased so that the amount of rice now imported is only about $3,500,000 in gold, and the difference between the two importations doubtless measures the increased native production of the cereal.
>
> During the six years of American occupancy under the civil government agriculture has been subject to the violent destruction which is more or less characteristic of all tropical countries. The typhoons have damaged the cocoanut trees, they have at times destroyed or very much affected the hemp production, and drought has injured the rice as well as the cocoanuts. The character of the tobacco leaf has deteriorated much because of a lack of care in its cultivation due to the loose and careless habits of agriculture caused by war and ladronism, and locusts have at times cleared the fields of other crops without leaving anything for the food of the cultivators.
>
> There is a good deal of land—

The Secretary says—

> There is a good deal of land available for sugar in the Philippines, but there is very little of it as good as that in Cuba, and the amount of capital involved in developing it is so great that I think the possibility of the extension of the sugar production is quite remote. The moment it expands, the price of labor, which has already increased 50 to 75 per cent, will have another increase. All that can really be expected is that the sugar industry—and this is also true of the tobacco industry—shall be restored to their former prosperity in the earlier Spanish times, when the highest export of sugar reached 265,000 tons to all the world.
>
> The tobacco industry needs a careful cultivation, which, under present conditions, it is very difficult to secure. The carelessness with which the plant is grown and the defective character of the leaves is such as to make the manufacturers of cigars and tobacco in Manila despair of using the Philippine product without the addition of the wrappers either from Sumatra or the United States.
>
> All that a friend of the Philippines can hope for is that the sugar and tobacco industries shall regain their former reasonably prosperous conditions. The development of the islands must be in another direction.

I read this because it is the result of the careful thought and study of the man who has thought and studied over the Philippine question to a greater extent, probably, than any other man in the world, who is now our President, and was Secretary of War when he wrote these words:

> The question of labor and capital both must always seriously hamper the growth of sugar production. Nor would I regard it as a beneficial result for the Philippine Islands to have the fields of those islands turned exclusively to the growth of sugar. The social conditions that this would bring about would not promise well for the political and industrial development of the people, because the cane-sugar industry makes a society in which there are wealthy landowners holding very large estates with most valuable and expensive plants and a large population of unskilled labor, with no small farming or middle class tending to build up a conservative, self-respecting community from bottom to top. But, while I have this view in respect to the matter, I am still strongly of the opinion that justice requires that the United States should open her sugar and tobacco markets to the Philippines. I am very confident that such a course would not injure, by way of competition, either the sugar or the tobacco industries of the United States, but that it would merely substitute Philippine sugar and tobacco for a comparatively small part of the sugar and tobacco that now comes in after paying duty. Their free admission into this country would not affect the prices of sugar and tobacco in the United States as long as any substantial amount of those commodities must be imported with the full duty paid in order to supply the markets of the United States.
>
> So confident am I that the development, which the sugar and tobacco interests of the United States fear in the Philippines from an admission of those products free to the United States, will not ensue to the injury of those interests that I would not object to a limitation on the amount of sugar and tobacco in its various forms, manufactured and unmanufactured, which may be admitted to the United States from the Philippines, the limitation being such a reasonable amount as would admittedly not affect the price of either commodity in the United States or lead to a great exploitation of the sugar and tobacco interests in the islands.

I call attention, Mr. President, to the words of the President, then Secretary of War, that he did not deem it well for the islands or its people to develop those interests of sugar and tobacco to a very large extent.

Mr. DICK. What was the date of that communication?

Mr. BULKELEY. This is the special report of the Secretary of War to the President of the United States in 1908, the final report of Secretary Taft after he returned from his last trip to the Philippine Islands.

There are but three islands in all this archipelago that are largely interested in the tobacco industry. They are Isabella, with a population of 76,431; La Union, with a population of 137,839; and Cagayan, with a population of 156,239, making a total population of 370,509. Those engaged in the production of tobacco principally in those islands own lands to the extent of about 50,000 acres. Most of their farms are small—a trifle over an acre each, it is estimated, as I was informed by the collector of internal revenue in the islands, Mr. Hord, with whom I had some conversation about this matter.

I had intended, Mr. President, to call attention to the provisions of this bill as compared with the provisions of bills heretofore enacted providing revenue for the Philippine Islands; but, gratifying to myself, the Committee on Finance this morning accepted some amendments to the bill relating to the manufactures of that island in tobacco as well as other industries.

I will casually remark that in all these exemptions the provision has been that they should be products wholly the growth and product of the islands; and the word "manufacture" has never appeared in all the legislation of Congress in connection with the Philippine Islands until in the present bill.

I sincerely trust that nothing will happen to this tariff bill if this provision shall be enacted into law as now amended. I hope the committee will find occasion to-morrow, in their further consideration of the case, to reduce to a minimum the amount that can be brought in free of duty even under this proposed law. Under the law—and I called attention to the fact this morning when I suggested the amendment—all the raw material of the world could have been shipped into the Philippine Islands, paying of course the duties prescribed by the tariff which is now in the course of preparation for the Philippine Islands and applying the cheap labor of those islands.

I called attention to the bulletin of the Bureau of Labor giving the wages of those engaged in the tobacco industry:

> In Spanish times wages were, for sowers, transplanters, cutters, and packers, 20 cents silver currency (15 cents American currency) a day. Selectors received double this wage. When day-labor can be secured in the tobacco provinces at the present time the wage is about 40 cents silver currency (17 cents American currency) per day.

So that, if the bill as originally reported—fortunately now amended—had become a law, the wage-earners of this country would have had, during its continuance, the possible competition of the cheap labor of 7,000,000 people, more or less, inhabitants of those islands, at the wages to which I have called your attention in the bulletin of the Bureau of Labor, No. 58, published in May, 1905.

The Philippine Commission, in its annual report for 1905, made this specific recommendation for a change in the tariff laws affecting duties on sugar and tobacco:

> Legislation which shall reduce the duties on sugar and tobacco exported from the Philippine Islands into the United States to not more than 25 per cent of the present rates fixed by what is known as the "Dingley tariff law." (Page 33, Annual Report, Phil. Com., 1905.)

This recommendation failed to receive favorable consideration from the Congress, and was renewed in the annual report of June 30, 1906, page 65, Vol. VII, as follows:

> The commission, with the utmost earnestness, renews its recommendation that Congress be asked to amend the Dingley tariff in such way as to provide free entry into the United States of products of the Philippine Islands, or at least to reduce the duties on these articles to 25 per cent of the present rate.

This suggested legislation also failed to receive the approval of the Sixtieth Congress, and the tariff laws affecting the Philippine Islands still remain in force as enacted in 1902.

I ask the attention of Senators to the marked distinction between the legislation proposed in the bill now pending and the tariff legislation heretofore suggested. The act of 1906, which failed of enactment, provided:

> That all articles wholly the growth and product of the Philippine Islands coming into the United States from the Philippine Islands shall hereafter be admitted free of duty, except sugar, etc.

The pending bill provides, in addition, for "the manufacture," and omits the provision that these free manufactures shall be in whole or even in part of the growth or product of the islands. They might, and undoubtedly would, be the growth and product of the cheap labor of the world, and in their production or manufacture subject only to the cheaper labor of the Philippine Islands, which would immediately open a new field of competition with American labor, which the pending legislation seeks to overcome, and which the Republican platform of 1908 plainly declared should be properly safeguarded in the proposed revision of the tariff schedules.

The tobacco grown in these islands at present, at least, is not a quality that is desirable to introduce into the United States, and I need only quote from the reports of the Philippine Commission from year to year to verify this statement, and the reports of the governors of the provinces where tobacco is raised are of the same general tenor:

TOBACCO PRODUCTS.

> The provinces of Cagayán and Isabela produce the only tobacco fit for use in the manufacture of the better quality of cigars and cigarettes. In several provinces tobacco leaf is produced to a limited extent, but it is believed to be of inferior quality. If the tobacco of the Philippine Islands is to attract foreign markets, it is necessary that immediate steps be taken to improve the character of the seed used, the methods of cultivation, and means of preparation for market. It is not believed that the market for tobacco products has been, on the whole, injured by the new internal-revenue law. The largest wholesale and retail dealers in cigars and cigarettes in Manila, who is likewise a distributor for all the cigar and cigarette manufacturers, has recently issued a pamphlet to the trade entitled "The Cigar Question." Among other things in that pamphlet, he says: "The demand for Philippine cigars and cigarettes has in the past two years exceeded the output, causing long and vexatious delays in filling orders." This difficulty is a real one, and it is not apparent, in view of the enormous domestic consumption of cigars, how the manufacturers of the islands can largely avail themselves of the markets of the United States for their products should those markets be opened to them by striking off the present insurmountable tariff barriers. It will be several years before measures can be made effective to produce a sufficient amount of tobacco suited to American tastes so as to affect the American market or materially to help the industry in these islands.
>
> In this connection it should be remarked that the total output of cigars from all manufactories during the year ended July 31, 1905, was 150,910,950, of which 81,258,130 were for export. The normal annual consumption of cigars in the United States is 7,000,000,000. If it were possible to divert every cigar made in these islands to the United States, home producers would still practically have to supply 98 per cent of the cigars consumed there. Most of the cigars exported from the islands to China and other markets—and China is the greatest market—are of a very inferior quality, and could find no market whatever in the United States. In view of these facts it seems certain that if the Philippine cigars were admitted customs free into the United States, the cigar manufacturers of that country would, for a long time to come, retain considerably over 99 per cent of the trade.
>
> The total taxes collected for twelve months prior to July 31, 1905, on cigarettes amounted to ₱1,996,131.57, 96 per cent of which was paid in the city of Manila and 4 per cent in the provinces, approximately. The total output of cigarettes during that period was 2,964,441,590, besides 14,910,265 exported. The Manila and provincial markets were largely overstocked with cigarettes removed from the manufactories prior to August 1, 1904, to escape the tax. The result was that the cigarette market was dull during the last five months of 1904; but beginning with January, 1905, and continuing down to the date of this report the volume of cigarettes removed from the manufactories, taken as a whole, has attained normal dimensions. The tax rate imposed upon cigarettes in the Philippine Islands is one-third of the rate imposed in Porto Rico and less than one-third of that imposed in the United States. The consumption of cigarettes in these islands, as statistics show, is enormous.

I quote from the report of the Philippine Commission for 1906:

> But if there were an absolutely free admission of the Filipino-made cigars into the United States only a comparatively small portion of those produced would seek the American market. Manufacturers would not be willing to abandon their present markets nor to send all their cigars to the United States. A greater portion of the cigars produced here are of a very inferior quality or grade and are sold in China, and would not find purchasers at all if sent to the United States. Even of the better class of cigars produced in the islands many of them would continue to go to Europe, Africa, and other regions where they have heretofore been sold, and from whence goods are imported into the islands. Comparatively few people in the United States have acquired a taste for Philippine cigars, and the demand for them would be only gradual. The area of lands suitable for raising good tobacco in the islands with any satisfactory means of transportation is very limited. It will be many years before, under the most favorable circumstances and alluring hopes of lucrative trade, tobacco planters could possibly increase the yield of their present holdings or increase their present holdings so as to supply sufficient leaf for the manufacture of a greater percentage of cigars than are being manufactured here to-day. The supply of tobacco leaf is at present inadequate to meet the demands of the local manufacturers to make cigars for domestic consumption, and most of the leaf is totally unsuited for making cigars for export to the United States and to European markets.

As a matter of fact, wrapper tobacco is produced in the islands only to a limited extent. The collector of internal revenue of the islands, who is very familiar with all matters of that character, having to deal with the internal-revenue collection of the islands, tells me that not 5 per cent of the tobacco produced in the islands is suitable for wrappers. Most of the cigars that they make for export are what are familiarly known to the trade as "paper cigars." They are not cigarettes, but they are cigars wrapped in paper. The Filipinos themselves are not smokers of cigars to a large extent; but men, women, and children use cigarettes, and the 7,000,000 people in the islands use altogether nearly as many cigarettes as are made in this country.

The Philippine Commission in 1905, the year previous to the report from which I have just read, had this to say:

> In every report made by the commission it has urged the repeal of, or at least a large reduction in, the duties imposed by the tariff laws of the United States upon exports of sugar and tobacco from the Philippine Islands to the United States. We now renew our recommendations in this behalf. The reasons which we have so often presented still remain in full force. As we have heretofore stated, both of these industries are in a languishing state, both because of the very considerable destruction of work animals by rinderpest and other cattle diseases and the lack of capital to enable the farmers engaged in raising tobacco and sugar to do more than barely to exist. The producers of tobacco, it is true, have a precarious home market, but they are completely in the hands of the comparatively few manufacturers of tobacco, who generally fix the price which the producer is compelled by his necessities to accept or starve. There is only a limited area of lands adapted to the profitable cultivation of tobacco, and the quality produced is generally poor. Even if the markets of the United States were open to Philippine tobacco, the crude methods obtaining in farming and the conservatism of the people make it certain that no very large increase in output can be expected for many years to come. Even if all the tobacco produced or to be produced in the Philippine Islands now or in the future were exported to the United States and consumed there, it would be so insignificant a proportion of the total amount of tobacco used by the people of the United States that it could not by a possibility disturb the home market, but, as a matter of fact, the greater portion of the output here must be consumed here. The only effect of the abolition of existing duties in the United States on Philippine tobacco, either now or for years to come, would be simply to enable the producer to obtain a living price.

As for sugar, it is the same story. I am reading from the statements of those who are best acquainted with the condition of the people, the condition of their industries, and the results that are produced by their industry—the report of the Philippine Commission. The universal testimony in report after report, not only of the commission, but of the governors of the several provinces, who make their reports to this same commission, are that these products have reached such a low state in their production that they are hardly fit for any market.

The first effort to introduce this tobacco into the United States was caused by the loss of the oriental markets. They produce a tobacco apparently so rank that it is hardly fit for any smoker, but their customers forget that in their eagerness to have a light wrapper cigar, or perhaps they prefer it because oftentimes a light wrapper is stronger than a dark one, a lesson which many of us have to learn.

To continue the quotation from the report of the Philippine Commission of 1905:

> As for sugar, it may be said that the high-water mark of annual production was about 300,000 tons during Spanish sovereignty. Since American occupation its production has steadily decreased, so that for the fiscal year 1905 the total amount exported was only 125,276 short tons, which included a considerable amount held in warehouses from previous years. The sugar planters last year obtained a better price for their sugar than for many years before, and this to some extent has served to increase the area planted to sugar this year; and while crop prospects are good, it can hardly be hoped that the total amount produced will exceed 125,000 tons. Moreover, the price of sugar has steadily declined since the last crop was sold. We shall not attempt to repeat in detail the many reasons which forbid any really large increase in sugar production in these islands for many years to come. We content ourselves with stating briefly some of the controlling reasons why this must be so. In the first place, as in the case of tobacco, the area of the lands upon which sugar can be profitably grown in these islands is comparatively small. The supply of native labor is limited and there is no probability of a change in the policy of the Government of the United States forbidding the importation of Chinese or other foreign labor.

The universal testimony is that the unmanufactured tobacco is of such an inferior quality, only about 5 per cent being fit for wrappers, that no benefit will accrue to the Filipino producers by an attempt to open a market in the United States for a product confessedly distasteful for use, and must only end in disappointment to the would-be beneficiary. It is equally true as regards the manufactured product—cigars. Without venturing an opinion of my own, I will again quote from the testimony of

the then Secretary of War, in 1905, before the Ways and Means Committee:

* * * I hope that the Philippine cigar will achieve a better reputation among American smokers after its exportation to this country than it has now. I have brought several thousands of cigars from the Philippines in ecstasy of Philippine enthusiasm, and have sent them to my friends who smoke; but the expresion of thanks is for the courtesy, but not for the cigars. And while that may not indicate that the taste will not be formed for Philippine cigars, it nevertheless shows that time must be taken, and that they will not permit a rival cigar on the same level as the Cuban cigar, whether that cigar be made in this country or in Cuba.

* * * * * * *

Tobacco is raised in nearly every province in the Philippine Islands, but it is not usually exported, except from the provinces I have named. It is of a poor character—

This is President Taft's own statement—

but it is quite sufficient to make cigars as long as 2 feet and 2 inches thick, that hang from the roofs of the cabins and are used as family cigars—the mother, the father, and the children all taking a whiff when convenient. The truth is, that in the United States you calculate that one-half—that is, the female portion—do not use tobacco at all, and not, I suppose, more than 60 or 70 per cent of the male. In the Philippine Islands, of the 7,000,000, I suppose six-sevenths of the men, women, and children must be considered as active consumers of tobacco. And that creates an enormous demand—I mean enormous in proportion to the population—for the tobacco which is raised in the islands. It is only the better kind of tobacco that is exported; the rest is used for home consumption. * * *

As it is almost the hour when, under the order of the Senate, it will adjourn, I will stop at this point. It would only take me a few moments longer to conclude, but I fear there is not time enough to do so to-night, although I am practically through.

The VICE-PRESIDENT. The hour of 11 o'clock having arrived, under the order heretofore adopted, the Senate stands adjourned until to-morrow, June 15, 1909, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 14, 1909.

DIRECTOR OF THE CENSUS.

Mr. Edward Dana Durand to be Director of the Census.

SURVEYOR OF CUSTOMS.

Louis P. Bryant to be surveyor of customs in the district of New Orleans.

DEPUTY COMMISSIONER OF CORPORATIONS.

Luther Conant, jr., to be Deputy Commissioner of Corporations in the Department of Commerce and Labor.

POSTMASTERS.

CALIFORNIA.

Frank D. Burrows, at San Anselmo, Cal.
Charles B. Fischer, at Burbank, Cal.
William H. Macy, at San Dimas, Cal.

INDIANA.

Edwin L. Lautzenhiser, at North Manchester, Ind.

KANSAS.

Griffith R. Hughes, at Fort Scott, Kans.

LOUISIANA.

Arthur F. Clement, at Mansfield, La.
Tolbert J. Wakefield, at Lake Charles, La.

MASSACHUSETTS.

Arthur W. Alden, at Randolph, Mass.

MICHIGAN.

Robert E. Newville, at Boyne City, Mich.

MINNESOTA.

Grace M. Henderson, at Verndale, Minn.

OHIO.

Frank A. Chatfield, at Bloomville, Ohio.

OREGON.

J. C. Pritchett, at Freewater, Oreg.

SOUTH DAKOTA.

Jacob R. Guthrie, at Murdo, S. Dak.
A. W. Prewitt, at Philip, S. Dak.

TEXAS.

N. C. Schlemmer, at Austin, Tex.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 14, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D., as follows:

Our Father in heaven, we bless Thy holy name for the spirit that moved our fathers, in Congress assembled, to that high and patriotic resolve that gave to us our national ensign, the Star Spangled Banner, which for an hundred and thirty-two years, in peace and in war, has floated in triumph o'er land and o'er sea, the emblem of liberty and union.

God grant that it may continue to wave, since in liberty is opportunity, in union strength, in strength peace, in peace prosperity and achievement; and grant, we beseech Thee, that its history and triumphs may be told in song and in story till all the ends of the earth shall know liberty, justice, truth, righteousness—yea, until the emblem of peace shall be perched upon every banner and the curse of war be known no more among men; that the Prince of Peace may indeed reign supreme in every heart, to the glory and honor of Thy holy name, our God and our Father. Amen.

The Journal of the proceedings of Thursday, June 10, 1909, was read and approved.

THE TARIFF.

Mr. CULLOP. Mr. Speaker, in 1843 the tariff was the great question absorbing the attention of the American people, and they were then, as now, engaged in its consideration, as it was then, as now, the most important question commanding the attention of Congress.

Hon. James Whitcomb, of Indiana, during the campaign that year, wrote a pamphlet on the subject, entitled Facts for the People.

Governor Whitcomb was a man of the people, and every act of his noble life and distinguished career was to serve them in the advancement of their interest. By his own efforts he won his way from a humble farmer's boy to a seat in the United States Senate, where he took high rank among the great men in that body at that time. He was appointed Commissioner of the General Land Office by President Van Buren, was elected governor of Indiana in 1843, and reelected in 1846. In 1849 he was elected to the United States Senate from Indiana, and after serving about one-half his term died full of honors, leaving an imperishable name as a legacy to the great State which had bestowed upon him its highest honors.

By those who knew him he was regarded as one of the wisest men that great State ever produced and one of the ablest political debaters in the whole country. The arguments made in his pamphlet, Facts for the People, which then attracted the attention of the country and won him fame, are directly applicable to the question to-day, and so far as the same applies I herewith submit them for consideration on the pending measure.

WHAT IS A TARIFF?

This question is often asked, but not satisfactorily answered. It is of the greatest importance to every taxpayer that it should be correctly understood. What little information we have on the subject among the farmers, mechanics, and laborers is either derived from interested sources, and is therefore one-sided, or it is so covered up with hard words as not to be understood by the mass of the people. When plainly expressed, the humblest individual of sound mind in the community can understand it. To all such we say, "You are precisely the class of men who, above all others, should understand it." We believe that the mass of the people are virtuous and intelligent and that they are capable of self-government. We believe that God in His kind providence has given them minds equal to the management of their own affairs. It is only necessary that they should know about the facts to enable them to form a correct judgment on every question, public or private, in which they are interested.

The doctrine that a freeman must surrender the right of thinking for him to some knowing neighbor is essentially slavish and unworthy a rational being. Let not the poorest lay away the noble faculty of his reason, like a talent in a napkin. It was bestowed on him by the author of his being for active use. It is of little consequence that the hands are used in procuring a livelihood or in acquiring property if the mind is neglected. In that case too frequently it is others only who are benefited. All wealth comes through the hands of the laborer. "The cloud-capped towers and gorgeous palaces," the splendid cities, and the smiling fields of cultivation are of his creation.

And why, then, do they generally retain so little of that which passes through their hands? It is because the ingenuity of a few, who work their minds and neglect their hands, to make a living from those who work their hands and neglect their minds has been exercised in all ages. When a fair return is made for all this, no objection is made. It is necessary, or at least desirable, that some should engage in business or callings that require the particular exercise of the mind. It is a division of labor and is for the advantage of the whole community.

But we do object to those who by unjust or partial laws, or by their mere wits, suck up their living from the roots that strike into the earth without contributing anything themselves to the common wants of society. They are a dead weight on the community, for the more idlers there are the harder must the rest work. Let it not be said that we make war on the rich. We only defend the poor. Industry, enterprise, and skill are in the highest degree meritorious, and wealth acquired by their means is a merited reward and should be protected. We only desire that all should start fair in the race for wealth and happiness. Poverty at the best is a heavy weight to carry, and it should not be made heavier by unjust laws. Our country is our common mother, and if she is excusable in showing more of her sympathy and kindness toward some of her children, it should be for the weak and unfortunate. Let it not be said that we are playing the demagogue. We abhor the character. The demagogue flatters the people for his own sinister advantage in the shape of power or wealth, and it is precisely that character that we are about to combat. But are not the sentiments and opinions we have put forth true? Can any man of correct feeling, can any friend of justice, can any lover of mankind, who looks into his heart object to them? We think not.

Again we ask:

WHAT IS A TARIFF?

It is a law of Congress which requires goods landed in our ports or brought into our country to pay a tax, and this tax is called a "duty." The great object of such a law is to raise money for the National Treasury, to pay the expenses of the Government. The goods, when landed, pass through custom-houses at the ports, where they are examined, weighed, measured, or counted by the government officers, who receive the amount of the tax.

But this tax, although at first paid by the importer of the goods at the custom-house, is at last paid by the people, because the higher the tariff or tax is on a particular kind of goods the higher must the wholesale importer sell it afterwards to make a profit in his business. For instance, if the importer brings in cloth for which he gave $1 a yard, and he wants to make 10 per cent profit on it, he must sell it for $1.10. If the tariff duty or tax on it is 100 per cent, that is another dollar on the yard, and as he wants to make 10 per cent on all his outlay, he must sell it for $2.20. This he sells to the Indiana merchant, and the latter also wants to make his profit of 50 per cent, being one-third more. He will therefore have to sell it to one of our farmers or mechanics for $3.30 a yard.

Here we see that the importer in the first place paid only $1 a yard tax into the Treasury, but the dollar at last comes out of the farmer or mechanic who buys the cloth for use, with the profit on it, making 60 cents more. Thus we see that the importing merchant, when he sells his goods, not only charges the first cost and a profit on it, but he adds the amount of the tax at the custom-house and a profit on that also. And an additional profit is charged on both cost and tax by every merchant through whose hands they afterwards pass, until they are at last bought for actual use of the retail merchant, who charges his profit at, say, from 33 to 100 per cent on the whole.

In this manner it is clear that the tax caused by the tariff is always paid by the consumer, and that, too, with the addition of the profits on the amount of the tax at every step. The farther the consumer lives from the seaboard the greater are the profits which he is compelled to pay on the tax, besides refunding it. The tax therefore is swelled much larger to the people of the new States than to those of the old.

Hence it is clear that a tariff makes the goods just so much dearer to the people as the tax amounts to with all the profits added to it.

That this is the nature and result of a tariff all parties admit, and they are only mentioned here that what we may say hereafter may be fully understood by every person. It is our intention to guard the people against deceptions too frequently practiced on this subject and to enable them to be their own judges in a matter which so nearly concerns them.

To apply this to our state revenue. If the law of Indiana were to require that all the taxes should be paid by the merchants of the State for the privilege of selling their goods, it is plain that in selling their goods they would charge a profit, not only on their first cost and carriage, but on the taxes also. And if they charged but 50 per cent profit, the purchaser or consumer would thus have to refund to the merchant not only the taxes by him paid, but 50 per cent, or one-third, more than the buyer would have had to pay if called on by the collector. And this is precisely the operation of a tariff tax, excepting that in the latter case the goods generally pass through more hands before they are finally bought for use by the real taxpayer, and there is a fresh profit charged at every step.

Every tax is an evil. But so far as a tax is necessary to defray the expenses of government it is a necessary evil. When such expenses become extravagant, the additional tax thereby created is an unnecessary and unmitigated evil. It is the duty of the Government, therefore, to cut down and retrench its expenditures as much as possible, so as to lessen the burden of the taxes.

There has always been a tariff law in the United States of some kind or other since the first Congress under the Constitution. No serious proposition has ever been made in Congress or by the Government to abolish it. The only contest has been between those who are for a high, or, as it is sometimes called, a "protective," tariff and those who are for a low, or revenue, tariff.

On this point the testimony of Daniel Webster himself, who was in favor of a high tariff, should be sufficient.

In his speech on the tariff in Congress, April, 1824, he says:

Consider that our whole revenue, with a trifling exception, is collected at the custom-house, and always has been, and then say what propriety there is in calling on the Government for protection—to manufacture—as if no protection had heretofore been afforded.

Then, as both political parties have always been in favor of a tariff of some kind and have always had one, the question is, In what do they differ on this point? It is simply in this: Those who style themselves the Democratic party are in favor of a revenue tariff, and those who style themselves the Whig party are in favor of high, or, as they call it, a protective tariff.

A revenue tariff is such a tax on imported goods as is sufficient to pay the expenses of the Government and no more.

A high or protective tariff is a higher tax on such goods, and, of course, beyond what is necessary for the support of the Government.

The friends of a high tariff insist that such a measure is necessary to protect our own manufactures; that many foreign articles are made so cheap abroad that they would, unless they were heavily taxed, undersell similar articles made by the manufacturers in the United States.

They contend that the people ought to be made to pay a higher price for their cotton shirting and sheeting, their flannels and baizes, their cassinettes and other coarse woolen cloths, their articles made of iron and steel, their salt, and many other articles of necessary and daily use in every log cabin in the country, so as to enable the large cotton and woolen cloth and other manufacturers in some of the old States, and the salt companies, to sell their articles at a higher price. And this they insist is necessary to enable these manufacturers and companies to carry on their business.

They know, however, that the people, and especially the poorer part of them, would like to sell the fruits of their labor for a full or at least a fair value, and to buy their necessaries as cheap as possible; and, therefore, to reconcile them to this tax, they say that it is to last only until the manufacturers and companies are able to stand alone and make these articles as cheap as the foreign ones, and, therefore, that the people, in the long run, will be benefited by it.

But the smallest amount of a tariff tax is some protection to similar articles made in our country.

Let us make all this plain by

A FAMILIAR EXAMPLE.

Suppose one of our incorporated towns in Indiana should pass a law or ordinance that all articles brought within the town limits to market from the country should pay a tax. Among others, suppose the tax of 50 cents on every bushel of potatoes. Suppose a bushel of potatoes could be raised for 50 cents. The farmer, taking them to market, to "make himself whole," would be obliged, then, to charge $1 a bushel; that is, 50 cents for the trouble of "raising and hauling" them to town and 50 cents for the tax which he would be obliged to pay for the privilege of selling them.

Now, one raising potatoes in town, in his garden, or on his outlot, with the same trouble or expense of 50 cents a bushel, could get his $1 a bushel in market also, although he would have to pay no tax, because he would ask and could get the highest price in market, for the tax on the farmer's potatoes would keep them up to a dollar, and the town people must pay that or do without. And it is manifest that the tax, although paid by the farmers in the first instance, would, after all, be paid by the people in town, who were the buyers, the farmers

being obliged to charge just so much more. So high a tax, to be sure, would cause fewer potatoes to be eaten in town, and, of course, fewer would be sold by the farmer. The farmer also could not buy as many articles in town as he would have done had he sold more potatoes. He could not be as good a customer to the mechanics in town, nor get as much sugar, tea, coffee, salt, iron, and so forth, as he would have done if he had sold or exchanged more of his potatoes. He can not, for instance, get leather from the tanyard in town, because the people in town can not afford to give the money for his produce. He is not well prepared for tanning leather on his farm, and, besides, has too many other matters to attend to; but leather he must have, and the time that he takes to tan an inferior article would have enabled him to raise potatoes enough to buy twice as much from the tanner if the tax was not in the way.

So far such tax would diminish trade and be injurious to both parties.

Now, the operation of such a law between town and country is precisely that of a tariff between this and a foreign country. The most difficult national question can be understood by any man who is able to attend to his own business without the aid of a guardian, if exhibited to him by a familiar example and if he will think for himself. There are too many who are interested in veiling such questions beneath the mist of deceptive words and pompous declamation.

But to return. Another and more important effect would be produced by this town tariff. The advanced price on potatoes, occasioned by the tax, would not all be paid into the town treasury. That part paid on the potatoes sold by the farmer would go into the treasury, but the extra 50 cents a bushel paid for those raised in town would go into the gardener's pocket. The gardener would be benefited by that part of the operation, and not the town government, for carrying on which the tax was imposed.

Again, if the tax on potatoes should be so high that the farmers would take theirs to other towns where the taxes were not so high, then none would be brought from the country to the first town, and no tax would be derived from that source. That would be a prohibitory tariff, and the first town would be compelled to resort to direct taxation to pay the town expenses. The farmers, too, being compelled to trade with other towns, the mechanics, merchants, and so forth, in the first town would lose the benefits of their custom.

But the potatoes that might yet be raised in our own town would still bring a dollar a bushel, although it would cost the gardener but 50 cents a bushel to raise them. The remaining 50 cents would then be a tax on the rest of the community for the exclusive benefit of the gardener, not a cent of it going into the treasury for the common benefit of the citizens.

All this would be bad enough; but the argument of the town council would be that they wanted to protect the gardeners until they could raise and sell potatoes as cheap as the farmers, and make the town independent of the country. Well, suppose the ten or a dozen gardeners should have bought up nearly all the outlots for that purpose, and, having no other cultivation to attend to, should, by the aid of machinery, wealth, and so forth, actually raise potatoes so cheap that after the people of the town had bought all the potatoes they wanted of them, at a high price, there would still be an overplus, which the gardeners could afford to be at the expense of sending to the other towns and undersell the farmers. Would the gardeners need a tax on their neighbors for their own protection any longer?

But perhaps it might still be urged that, if the profits of the gardeners were so high, it would encourage others to turn gardeners also, and so cheapen the article. But—to make the comparison just as to our large manufactories—suppose it required great wealth to procure machinery, and so forth, to engage in the business, that it could generally be done only by rich companies. They could then undersell any new beginner and break him up, and then indemnify themselves by again raising their prices. Besides, it is seen that they already raised more potatoes than were used in town. And would the gardeners ask for an increased tax if they believed it would cheapen the article and diminish their profits?

Another argument is that by encouraging others in town to turn gardeners there would be fewer mechanics, and so forth, left to attend to their old business and more gardeners to buy their work. But there are but few gardeners needed, as their work is carried on by machinery, and so forth, and it is not machinery, but human beings, that need shoes, leather, salt, sugar, coffee, and so forth. The gardeners can use only a small part of these articles which are for sale in town, and by their high tax they have driven off the farmers, who would have used them in exchange for their productions. Is it strange that under such circumstances the gardeners should become rich and the rest of the town complain of "hard times?"

Not satisfied with all this, however, suppose the gardeners, made wealthy by this very tax, should beg the town council to lay a still higher tax on potatoes. Would there be any reason or justice in it? It might be natural enough for the gardeners to ask, but would you suppose that a town council, fairly elected by all the citizens, would pass such a law? Would you suppose that, to gratify one-tenth part of the people in the town, they would be willing to increase the already heavy burdens of taxation on the other nine-tenths?

Now, let us suppose that each one of the 26 divisions or wards of the town was entitled to elect a member of the town council, and that these gardeners lived in the 4 or 5 outer divisions, and where, by their wealth, which they had got by this very tax, they should be able to control the elections and elect members friendly to their wishes and interests. It would not be very strange if these members should vote for any amount of tax; but would it not be passing strange if the members elected in the other wards or divisions should vote for it? If, however, they should be so ignorant, or so far seduced by plausible speeches and flattery, as to desert the interests of their confiding neighbors and vote to tax them still more, ought they ever to be elected again?

Now, this is a plain and familiar example of the operation of the last tariff upon the whole United States as to most articles of necessity. The reader will be able to make the application.

We ask our farmers and laboring men, without distinction of party, seriously, if they can approve such a law? We ask them if they have not been deceived, if their confidence has not been abused?

We have heard this, aye, this very law, imprudently praised on the stump and in the press as the poor man's best friend. And if a modest complaint is only hinted, we are told that we are making war against the rich. If the friends of the poor who are ground under the iron heel of taxation mildly protest against such treatment, they are told not to make war against the rich. The rich are to be protected; but if war is made against the poor, they are not to be allowed the privilege of defending themselves.

The unjust distinction against the poor is made still greater in other articles. The coarser kinds of woolen goods so much used by the farmer and laborer, and especially flannels and baizes, so necessary for infancy, for old age, and sickness, is taxed still higher by this bill.

It would be some consolation to the farmer if the tax he had to pay should go into the Treasury for the common benefit. But where, as we have shown, the taxes are so high that the foreign article is excluded, the domestic article only can be bought and the tax or tariff on it, of course, goes into the pocket of the manufacturer.

So as to salt—salt, that prime necessary of life, which the wealthy inhabitant of the city only uses on his table, but which the western farmer uses extensively to save his pork and beef and bacon, and to salt his stock, and so forth. This article, even in tax-oppressed England, is admitted tax free. It is there regarded, like the air we breathe, as an absolute necessity. But in this land of liberty where we have so many stump professions for the poor, the poor man's salt is sorely taxed. Ay, taxed by this boasted tariff, this "poor man's best friend."

It may be said that the laborer may pay as little tax as he pleases by buying less from the merchants. To this we answer that his necessities compel him to buy something; and even if he bought nothing, he would still pay his portion of the tariff tax. This is well understood and easily proved. If the laborer should stint and deprive himself of the comforts and necessaries of life sold at the "store," yet those who did buy would, by paying the increased price, be so much the less able to pay the laborer his fair wages, so true is it, in most instances, that all such impositions in the long run weigh on the hands of the laborer. Such a policy is not only unjust, but it is impolitic and unwise. For there is nothing at last that gives solid and permanent wealth to a country but labor.

All wealth comes from that humble and too frequently despised source. It is the business of trade, commerce, and navigation, merely to traffic in or exchange the products of labor. If labor should cease, these proud interests would be annihilated, they would pass out of existence. A free and prosperous laboring and farming interest in a country is its glory and its pride. It constitutes the very sinews and life-blood of its prosperity. Without its life-giving breath every other interest would sink in death. Every wise government therefore should foster and encourage, cherish and protect the laborer.

Why then manacle, cripple, and palsy its hands? The poor man pays, under this tariff, in proportion to his purchase more for his coat, his shirt, his blanket, his salt, and other necessaries than the rich man does for his wines, his furnitures, his silks, and apparel.

When any class of men are "protected" in their business, it must be that they obtain an advantage, a substantial benefit. And if so, it comes from others. "Protection" to one class is therefore a tax on the rest of the community. In buying and selling "what is one man's gain must be another's loss."

Rest assured that, however successful Members of Congress from manufacturing districts may be in "humbugging" our Members on this subject, they are too wise to be "humbugged" themselves. We have already shown from the speech of Mr. Webster himself, in 1824, that he regarded the protection of his constituents who were manufacturers as a sacrifice of the other great interests in his community.

We have seen, too, that Mr. Clay, in 1816, viewed a tariff as a tax on the rest of the people for the benefit of the manufacturer, for he did not venture to propose that it should last always. It was to continue only until the "protected" article could be made as cheap here as abroad. And how far that has been, and is, the case we have shown already.

Let us see if the manufacturers can give us the double price for our produce. Let us see if they can consume it. In the good old times of virtue and simplicity the mother and daughter in a thrifty farmer's family did their own spinning and weaving and were able to clothe their fathers and brothers. By modern improvements most of our clothing is made in the large manufactories. Now, suppose that 10 men engaged in manufacturing were to clothe as many who might be engaged in raising provisions, and that they should mutually supply each other. But the thrifty farmer and his sons could easily raise a great deal more provisions than the whole family, men and women could eat. Ten able-bodied men on our western farms, therefore, can furnish far more than 10 puny manufacturers could consume. But this comparison would be conceding entirely too much. Calculate the number of yards of clothing and the number of hats and pairs of shoes that the 10 farmers would use in the course of a year, and then how long it would take the 10 manufacturers to make those articles.

Now, the real condition of our manufactories makes the difference still greater. That great difference consists in the wonderful improvements made in machinery. It is ascertained that one man with a spinning machine can produce as much yarn as 267 men can with each a one-third wheel. Now, even if it took one manufacturer all his time to make clothing for one farmer, the same manufacturer, with the assistance of a machine, could make enough, from the above calculation, to clothe 267 farmers. But this labor-saving machine has but one mouth to feed—the man who "tends it"—and one farmer, by planting a few more rows of corn, could stuff that mouth into an apoplexy. What will the other 266 farmers do with their surplus produce?

But, say some, can we not induce our farmers to abandon their lands and turn their attention to something else? But to what shall they turn their attention? To manufacturing? We have shown that the cotton factories not only supply the whole United States at a high price, but send a surplus to foreign countries. The large manufactories at the East glut our markets with boots and shoes and hats and saddles and tinware and woodenware, and so forth, until our village and country mechanics are nearly broken up.

Well, but what is the remedy, then? To ascertain this we must first know what is the evil. The fact is that the few manufacturers necessary to glut this country with their goods can not consume the twentieth part of our surplus produce.

They exclude by a high tariff an immense amount of cheap necessaries that we could get from abroad in exchange for our provisions. But the foreigner can not buy our produce unless we buy his articles. This is easily proven. It is charged, indeed, as an argument for a high tariff that we can not buy goods from abroad unless our staples are taken in return. This is certainly true. And is it not just as true that those from abroad can not buy our produce unless we buy their goods in return? If one proposition is true, the other is also.

The fact is that exports and imports must, in a given length of time, be about equal. This is admitted by every man of experience who has any regard for his reputation as a statesman. Mr. Webster, in sustaining this position as true, in a clear and forcible argument, observes.

> We inhabit a various earth. We have reciprocal means for gratifying one another's wants. This is the true origin of commerce, which is nothing more than an exchange of equivalents, its only object being, in every stage, to produce that exchange of commodities between individuals and between nations which shall conduce to the advantage and happiness of both.

Mr. Clay himself has said:

> For we are instructed by all experience that the consumption of any article is in proportion to the reduction of its price, and that, in general, it may be taken as a rule that the duty (tax) forms a portion of its price.

John Quincy Adams, in his fourth annual message, also says:

> In our country a uniform experience of forty years has shown that whatever the tariff of duties upon articles imported from abroad has been, the amount of importations has always borne an average value nearly approaching to that of the exports, though occasionally differing in the balance, sometimes being more and sometimes less.

Imports and exports, then, being equal, they who are opposed to our getting goods from abroad are necessarily opposed to our sending off our surplus produce; the one depends on the other.

Will a high tariff make manufactures cheaper? If its friends did not sometimes urge this as an argument in its favor, we should scarcely deem it worthy of a reply.

Does the manufacturer himself believe it? He complains that they are now too cheap, and therefore he asks for a high tariff to enable him to sell at better prices. If the manufacturer is embarrassed because he can not sell his goods high enough, would he ask for a high tariff if it would cause his goods to fall still lower in price? By no means. That would not be "protection." Yet the manufacturers were foremost in urging the higher tariff upon Congress at its last session; and Mr. Simmons, of Rhode Island, himself a wealthy manufacturer, was the chairman of the Committee on Manufactures in the Senate which reported in its favor.

But it is said that prices of manufactures have declined; that cotton goods, for instance, are much cheaper than they were twenty or thirty years ago. This is very true. But this has been owing, not to a high tariff, but to the vast improvements in machinery. If one man, with the aid of a machine, can now spin as much cotton or wool as 267 men could formerly, the only wonder is that goods are not much cheaper than they are. The truth is, low prices are the excuse and cause of high tariffs. But high tariffs are the enemies of and prevent low prices. If it were not for high tariffs, machinery would supply our wants at far less expense. High tariffs are the deadly enemies of all the advantages flowing from improvements in the social arts, and confine those advantages to a privileged few.

A high tariff is injurious to commerce, navigation, and the defense of the country. The United States are happily separated from the most powerful nations of the globe by the wide ocean. A war with either of them, therefore, must, to a great extent, be fought on that element. Ships and sailors are necessary in such a contest. Who has not heard of—who among us does not feel—the valor of a John Paul Jones of the Revolution, of the Porters, the Decaturs, the Bainbridges, the Lawrences, and our other naval heroes of the last war, in successfully grappling with proud England, the queen of the sea, the first naval power of the world, on her own boasted element, and tearing from her reluctant grasp the wreath of victory? Who does not see the necessity of keeping up the numbers and spirits of our hardy sailors, with whose assistance we can hold foreign arrogance and foreign aggression "at arm's length?"

Now, it is well known that nearly all our brave tars are reared in the merchant service. They commence their life of peril and daring on the stormy deep in trading vessels. This is their apprenticeship. Thence they go into our ships of war and make our glorious flag respected in every port and on every sea, or they enter on board of privateers, despoiling the enemy's commerce and crippling his energies.

But if our merchant vessels are thrown out of employ, what becomes of this apprenticeship of the American tar, this nursery of seamen? Whence can our men-of-war get their supply of skillful hands and stout hearts?

Now, it is manifest that a high tariff, by diminishing imports, diminishes trade; and, of course, diminishes the number of vessels employed in trade. It diminishes the shipping interest engaged in exchanging our products over the whole world. Its direct tendency, therefore, is to cripple our naval force, which has been well termed the "right arm of the national defense."

Now, let us see how far this is borne out by the facts. During the ten years from 1800 to 1810, although our merchant vessels were annoyed by both England and France, they increased in tonnage nearly 50 per cent. In the five following years, even when we were engaged in a war with the immense naval power of Great Britain, our tonnage was but slightly diminished. But in the following fifteen years, ending with the year 1830, under the high tariff of 1816, 1824, and 1828, our shipping was reduced to the amount of 277,819 tons, being over 50 per cent, although our population was increased over 50 per cent. Thus the high tariffs had nearly destroyed our shipping

and had accomplished what England with her thousand ships of war was unable to effect.

Now, contemplate the other side of the picture. In 1833 the compromise tariff was passed by which the tariff tax on imports was gradually diminished from time to time for ten years, and within the nine years since we have more than recovered all that we had lost, our foreign tonnage amounting in 1841 to 946,073 tons. And yet it be said that this shipping interest has been exclusively engaged in importing goods from abroad. It was also employed in taking out at least an equal amount of exports, as we have already established.

Is the present high tariff impartial in its operations? Many of the remarks already made might be referred to this head. But we desire to submit a few more to the candid reader. We say the candid reader, for in the recent state of political excitement there were, and doubtless there yet are, some who will not be convinced; some whose prejudices are too strong for argument; some who are so anxious for office that the permanent interests of the people are of less importance in their eyes than the attainment of short-lived distinction. Strange as it may seem, there are some who would be sorry to find their opponents right. With such it would be lost time to argue. We only ask the attention of those of all parties who desire to know the truth for its own sake.

We have already proved that the operation of a high tariff is to compel one part of the community to pay another class of persons a higher price for their products. We will now examine the whole amount of these higher prices caused by the late tariff, and compare the numbers and occupation of those who pay and those who get paid.

The census taken in 1840 shows that there were then in the United States 3,700,000 persons engaged in "farming" or agriculture, and that the products of their labor and their farms amounted in the year to $794,000,000. This makes $213 to each tiller of the soil.

The census also shows that there were 791,000 persons engaged in trade and manufactures, and that their products were $394,000,000 in the year, which gives $500 to each of them.

Now, in the present times, which man most needed protection, the manufacturer, who makes $500 a year, or the farmer, who makes only $213 a year, not one-half?

The above does not yet show the full extent of the evil; for from this number of 791,000 persons engaged in trade and manufactures should be taken our village and country mechanics, whose profits generally are not larger than those of the farmer, and who are greatly injured by the overshadowing competition of the large factories of the old States.

And we should also take from that number the mere hands or workmen employed in these factories; for, as they receive only their humble wages, the profits caused by the high tariff go to the rich companies or individuals who own those establishments.

Are not the farmer and laborer equally entitled to protection? At any rate, if either part of the community is to be favored, ought it not to be the many and not the few? Yet we find the smallest class, who are not already doing more than twice as profitable a business as the others, are to be still further benefited at their expense.

Is it just, is it sound policy, that these few wealthy manufacturers on whose behalf it was promised in 1816 that a "protection" of three years would be sufficient, and who have since received higher and higher "protection," should again be quartered on the country?

Is it just, is it fair, that they should have many of their goods "protected" when there are none of the same brought into the country to compete with them?

In vain do we look into this bill for "protection" to the farmer of Indiana. We beg pardon. To preserve the appearance of impartiality, it is most graciously provided in this bill that any beef, pork, meat, flour, oats, and corn imported from abroad shall pay a duty. As if we were afraid that the half-starved of foreign countries should spare these articles, send them here, and undersell us—undersell us in our own country, when our complaint is that we raise more than we can sell, and can only sell at the lowest prices.

We pretend to exclude foreigners from sending provisions into our country, when they themselves are dying in their cellars and in their streets for want of such provisions. The manufacturers prevent the importation of articles from abroad, which, of course, must prevent the foreigner from exchanging them for our produce, which is rotting in our stacks, barns, and cribs. And then, as a set-off, say the foreigner shall not bring agricultural products to Indiana. This is nothing but the mockery of protection to the farmer. They know that such produce can not be brought here.

Let us not be misunderstood. We are the friends of the manufacturers. We rejoice in the mechanical and chemical improvements of the age by which nations are clothed with far less labor and at far less expense than formerly. We are gratified to see industry encouraged and rewarded everywhere, but we do object to the elevation of the interests of a few above those of the many to give assistance where it is not needed at the expense of honest labor which is crying for relief.

Let it not be said that we are opposed to American labor or to home industry. We claim to be, and can prove that we are, more friendly to these great interests on which, under a kind Providence, our national wealth and happiness depend than our opponents themselves. We are not for the home league, on the part of a pampered few, to fleece and rob the needy and suffering multitude. Is there no American laborer but what is found in the wealthy factories? Is there none at the plow, the scythe, and the sickle? Have we no home crops, home herds of cattle, and home flocks of sheep?

Home industry! At that inspiring name the tide of patriotism rushes to our heart, we raise our heads and cast our eyes over our whole beloved country. We can not fetter and contract our affections to the noisome precincts of the factory alone. But see! Look abroad over our thousand hills and boundless plains. "See the emigrant cutting down the trees, building his log cabin, and turning up the prairie where golden harvests have slept ever since the flood." There is "home industry." Look at the farmer improving his fences, feeding his cattle, and taking his crops to market. There is "home industry." Look at his wife and daughters cooking his food, making his clothes, doing everything to save what he has earned and giving comfort to his habitation. This is "home industry."

This class exceeds all others in society, both in numbers and importance. Without them our widespread and fertile lands would be as valueless as the deserts of Arabia. Not a house would be built did he not feed the builders. Not a village or city would spring into existence or continue to exist did they not draw substance and wealth from the farmers around them. Not a ship floats whose freight is not, in the first instance, the product of his toil or the labor of those whom he feeds. The lawyer, the doctor, the divine, the mechanic, the seaman, the soldier, the public officer, the merchant, the banker, the broker, the idler, and the knave are all fed from his hands, clothed by his toil. The wealth of the Girards and the Astors is the accumulation of his industry; it is he who fills the treasuries of States and nations, builds navies and supports armies. Without him society can not exist, and the world would be surrendered to a few wandering savages living by the chase.

This is the "home industry" which, above all others, merits "protection." But what "protection" does he obtain or ask? Or what is it possible for the Government to give? Does the immigrant expect or ask the Government to cut down the trees for him or build his cabin and plow up the prairie? Does the farmer ask or expect the Government to build his fences or plow his fields? Does he go to his Government and say: "My land is poor; I can scarcely get a living; I beg for protection; I beg you to impose a tax on the produce of my neighbor's more productive lands, that my crop will sell higher, and I may get rich?" If he were to approach Congress or the state legislature with such a petition he would be laughed to scorn. He would be told that he had himself chosen his occupation and chosen his home; that he must encounter the hazards of the one and the inconvenience of the other; that it would be as unjust to tax his neighbor's crops to enable him to sell his goods at a higher price as it would be to take his neighbor's property without consideration and give it to him.

There are but few men in society who advocate an equal distribution of property by law, and these are stigmatized as agrarians and levelers. But is not a protective tariff, so called, founded on the same principle? When the law compels me to pay more for a hat than I should otherwise be obliged to pay, does it not take a part of my property and give it to the hatter? If the law compels the farmer to give 5 bushels of wheat for goods which he could otherwise purchase for 4, does it not take from him a part of his property and give it to the manufacturer?

And this is called "protecting home industry." The industry of thousands is taxed to swell the income of one; but the thousands are forgotten and the one only remembered. And because he gets rich there is as much gratulation as though the rest of the community had not thereby become poor.

The main object of a tariff, as we have said, is, or should be, to raise a revenue. But if the taxes imposed on articles from abroad are too high, they either diminish the amount imported or shut them out altogether. If less goods are imported, less taxes are paid at the custom-house. If the tax is so high that the foreign article can not afford to pay the tax and afterwards

sell for a saving price, it will not be brought into the country at all. In that case no goods would pass through the custom-house to pay taxes, and, no taxes being collected in that manner, there would be no way left to supply the Treasury but by excises or direct taxation, which the friends of a high tariff profess to abhor. The quantity of articles from abroad that can be used in a country is in proportion to the number of its people. Every tax on such articles, as we have proved, raises their price, and the price is raised in proportion to the amount of the tax. If such articles are raised but a little, by a small tax, the poorest of the people only will be prevented from buying them.

If such taxes are raised still higher, those who are a little better off than the poorest will next be unable to buy, and so on, until they are so high that, from inability or on account of domestic competition, none will buy, and then the revenue from that source will cease altogether. If the taxes are very high, although the amount paid on a particular article is then greater, yet there will be fewer of such articles sold on account of the high price, and consequently fewer brought into the country, and therefore less revenue collected. So that if the taxes are either too high or too low, the revenue will be diminished at the custom-house. If the object is to raise a great amount of revenue, therefore, a medium should be observed.

We have thus endeavored seriously to place this great question before our countrymen. If we knew our own hearts, we have been actuated only by an anxious desire to guard their labor and their property from the spoiler. The manufacturers are rich and powerful. They can afford to employ writers and politicians to battle for their interests. They crowd their papers and their speeches with praises of high tariff. Members of Congress scatter their speeches in their favor throughout the country. But if you listen to or read those speeches carefully you will find that they are loose and "flowery." They do not go into explanations. They do not descend into facts. They are plausible and pretty, but not to the point. They avoid the true question and endeavor to excite prejudices.

But while wealth commands its thousands of advocates, poverty and labor are too often left undefined. In such a case we can not withhold our humble aid. We have confined ourselves to public documents and to the speeches of our opponents themselves—to facts and to figures. We ask a patient hearing.

We know that we are exposing ourselves to the assaults of selfishness. Whoever undertakes to protect the many from being plundered by the few expect all the abuse, ridicule, and misrepresentation that hireling talent, political prejudices, and aristocratic interests can bring into the field. Our support and consolation will be found in an approving conscience. Our opponents claim to be the exclusive friends of a tariff for the purpose of smuggling in an unrighteous tax upon the backs, the mouths, and the labor of the country. They know that if their scheme of taxation stood out in its naked deformity, it would receive the hooting and execrations of the honest and unsuspecting of their own party.

"Let us reason together." We are satisfied that, striving as you do to make an honest living, you do not desire to be robbed of your hard earnings. We are convinced that you are anxious for the best interests of our common country. Many of us are attached to you by mutual acts of neighborly kindness, by the ties of relationship, and often by a common religious faith. Can we not have charity toward each other, and, throwing away passion and prejudice, go earnestly in quest of truth for its own sake?

Our opponents, disguise it as they may, are afraid of the people. They doubt their capacity for self-government. They believe the mass of them to be ignorant and vicious. Hence their constant endeavors to excite their passions, their prejudices, and their imagination by mere shows, parades, and spectacles. Hence, too, their endeavors to gratify their appetites, as if the readiest channel to man's reasoning faculties was down his throat. And why do they do so? It is because they do not believe the laboring part of mankind has any reason, or, at least, not enough to understand their own rights or the nature of our Government. They can only allow them sense enough to attend to the narrow limits of their humble calling. And the only use that they can imagine they have of them is that they should grope and drag out an obscure life of toil and weariness, to pay taxes, to be cajoled, deceived, and "humbugged," to serve as stepping-stones for men to get into office, and finally to sink into the earth, unmourned and forgotten. Let us repeal so unworthy an estimate of us, as independent freemen.

Let us rise to the dignity of our nature. If a foreign or savage foe invades our beloved country, these dictators are ready to call upon us in their behalf, to bare our toil-worn bosoms to the strife of battle; they are compelled to admit that we can then "do our own fighting." Let us show them also that we can "do our own thinking and our own voting." They are forced to admit that we are men in the battlefield; let them not treat us as children at the ballot box. Let us, by protecting the hand of labor, press on in the road of national wealth and social happiness. And let our rallying cry be, "No political advantages from birth or fortune; no monopolies or special privileges; equal rights and equal taxes; and equal and exact justice to all men."

[Mr. SIMS addressed the House. See Appendix.]

ARBITRATION AND PEACE.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to print in the RECORD certain remarks of the gentleman from Minnesota [Mr. TAWNEY], Dr. Nicholas Murray Butler, Mr. Andrew Carnegie, and myself on the subject of arbitration and peace.

The SPEAKER. Is there objection?

There was no objection.

J. BLAIR SHOENFELT.

Mr. MURPHY. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Missouri demands the regular order. The Clerk will call the committees.

The Clerk called the committees.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 76.

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the House of Representatives, if not deemed inconsistent with the public good, a copy of all reports of Indian Inspector Cyrus Bede on the conduct of J. Blair Shoenfelt while Indian agent at Union Agency, located at Muskogee, Ind. T., which said reports were made during the year of 1904 or 1905.

Mr. PAYNE. I understand the resolution has been introduced and referred to a committee regularly and that the time has expired.

Mr. MURPHY. Yes.

Mr. LIVINGSTON. Mr. Speaker, is this subject to unanimous consent?

The SPEAKER. What disposition does the gentleman desire to make of his resolution which he has called up; does he offer it on the floor and desire action now?

Mr. MURPHY. Yes.

The SPEAKER. What action does the gentleman desire?

Mr. MURPHY. I move that the committee be discharged from the further consideration of the resolution and it be adopted.

The SPEAKER. It has not been referred to a committee.

Mr. LIVINGSTON. Then, at least the gentleman from Missouri must explain his resolution before we can stand for it.

The SPEAKER. As the Chair understands it, the gentleman's resolution is a printed resolution interlined with the words "copy of all," "while," "at," and "were," and not the resolution which was referred to the Committee on Indian Affairs, but a new resolution.

Mr. MURPHY. Then the Chair has the wrong one.

The SPEAKER. The Chair has the one which seems to be interlined as stated, and the gentleman offers it, as the Chair understands, as a resolution upon the floor as a Member of the House.

Mr. PAYNE. Mr. Speaker, I desire to know if it requires unanimous consent. I understood the gentleman offered a resolution which has been referred to the Committee on Indian Affairs, and they have failed to report it, and, under the ruling of the Chair some weeks ago, I believe that to be in order. The resolution which the gentleman showed me this morning was a printed resolution, purporting to have been referred to the Committee on Indian Affairs. I now understand the gentleman to say he sent up the wrong resolution in the place of sending up another one.

The SPEAKER. Hence the Chair asked the gentleman from Missouri if he offers this resolution as an original resolution. If so, the Chair will recognize the gentleman for that purpose. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. PADGETT was granted leave of absence for two weeks on account of important business.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 9 minutes p. m.) the House adjourned until Thursday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting the acts and resolutions of the fourth legislative assembly of Porto Rico in special session (H. Doc. No. 51)—to the Committee on Insular Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for erection of certain markers on the battlefield of Gettysburg (H. Doc. No. 52)—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for rent of certain rooms in connection with the work of the Bureau of Engraving and Printing (H. Doc. No. 53)—to the Committee on Appropriations and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. W. Phillips, administrator of estate of Absalom Phillips, deceased, v. The United States (H. Doc. No. 54)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Jeremiah Cain v. The United States (H. Doc. No. 55)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. P. Boales, administrator of estate of A. J. Wiglesworth, v. The United States (H. Doc. No. 56)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Baxter Smith, administrator of estate of Hugh C. Jackson, v. The United States (H. Doc. No. 57)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. Pettie Light-Johnston and Mrs Scrappy Light-Bradshaw v. The United States (H. Doc. No. 58)—to the Committee on War Claims and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HANNA: A bill (H. R. 10618) to establish a fish-culture station at the city of Sykeston, in the State of North Dakota—to the Committee on the Merchant Marine and Fisheries.

By Mr. OLDFIELD: A bill (H. R. 10619) for the improvement of the navigation of the White and Black rivers in the State of Arkansas—to the Committee on Rivers and Harbors.

By Mr. BARNHART: A bill (H. R. 10620) for the improvement of the naval militia, and for other purposes—to the Committee on Naval Affairs.

By Mr. HANNA: A bill (H. R. 10621) to establish a fish-culture station at or near Sykeston, in the State of North Dakota—to the Committee on the Merchant Marine and Fisheries.

By Mr. SPIGHT: A bill (H. R. 10622) to confer jurisdiction on the Court of Claims in certain cases—to the Committee on War Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 10756) to establish a national wagon roads commission, with a view to the improvement and construction of wagon roads in conjunction with the several States in the interest of commerce and the postal service—to the Committee on Agriculture.

By Mr. VREELAND: Resolution (H. Res. 77) for the relief of Michael Fitzpatrick and to pay funeral expenses of Charles C. Fitzpatrick—to the Committee on Accounts.

By Mr. COOPER of Wisconsin: Memorial of the legislature of Wisconsin, asking Congress to enact a law providing for the physical valuation of railroads—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of Wisconsin, petitioning Congress for the establishment of a permanent nonpartisan expert tariff commission—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, relating to investigation of stock exchanges—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 10623) granting a pension to Lou E. Grill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10624) granting an increase of pension to Nancy C. Kirk—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 10625) granting an increase of pension to Amos H. Stevenson—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 10626) granting a pension to Henry Spurgeon—to the Committee on Pensions.

Also, a bill (H. R. 10627) granting a pension to Stanley S. Stout—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 10628) for the relief of the estate of Sterling Walker, late of Robertson County, Tenn.—to the Committee on War Claims.

By Mr. CHAPMAN: A bill (H. R. 10629) granting an increase of pension to A. J. Gray—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 10630) granting an increase of pension to James Taylor—to the Committee on Invalid Pensions.

By Mr. DODDS: A bill (H. R. 10631) granting an increase of pension to Michael Reichard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10632) granting an increase of pension to Charles E. York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10633) granting an increase of pension to Jacob Souders—to the Commiteee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 10634) for the relief of John A. Martin—to the Committee on Military Affairs.

By Mr. FOCHT: A bill (H. R. 10635) granting a pension to L. W. Sieber—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 10636) granting an increase of pension to James Jones—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 10637) granting an increase of pension to Samuel Paxton—to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 10638) to carry into effect the findings of the Court of Claims in the matter of the claim of the trustees of the Christian Church of Nicholasville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10639) to carry into effect the findings of the Court of Claims in the matter of the claims of the trustees of the First Presbyterian Church of Harrodsburg, Ky.—to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 10640) granting an increase of pension to Sylvester Hendrix—to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 10641) granting an increase of pension to William A. Nixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10642) granting an increase of pension to Levi P. Thompson—to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 10643) granting a pension to Dorotha C. Swihart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10644) granting a pension to Harrison Wagner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10645) granting a pension to Frank Richardson—to the Committee on Invalid Pensions.

By Mr. SHEFFIELD: A bill (H. R. 10646) granting a pension to Hannah Kelley—to the Committee on Pensions.

Also, a bill (H. R. 10647) granting a pension to Mary E. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10648) granting a pension to Jennie L. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10649) granting a pension to Alice Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10650) granting an increase of pension to Sarah A. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10651) granting an increase of pension to George L. Nye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10652) granting an increase of pension to James Maguire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10653) granting an increase of pension to James McCaffrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10654) granting an increase of pension to Sarah A. Hunt— to the Committee on Invalid Pensions.

Also, a bill (H. R. 10655) granting an increase of pension to George Dempster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10656) granting an increase of pension to Patrick Connors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10657) granting an increase of pension to Thomas Congdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10658) granting an increase of pension to Lewis M. Boria—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10659) granting an increase of pension to James D. Barnes—to the Committee on Pensions.

By Mr. SMITH of California: A bill (H. R. 10660) for the relief of Nancy J. Wilkins, heir of Robert W. McNeil—to the Committee on War Claims.

Also, a bill (H. R. 10661) granting an increase of pension to Daniel W. Edwards—to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 10662) granting an increase of pension to Jesse Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10663) granting a pension to Mary Clinton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10664) granting a pension to S. W. Knapp—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 10665) granting a pension to Louisa S. Flournoy—to the Committee on Pensions.

Also, a bill (H. R. 10666) granting an increase of pension to William Hardcastle, alias Jacob Salter—to the Committee on Pensions.

Also, a bill (H. R. 10667) for the relief of Mrs. A. T. Mason, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10668) for the relief of Caroline Elliott, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10669) for the relief of Alfred McFadgen—to the Committee on Military Affairs.

Also, a bill (H. R. 10670) for the relief of Willis J. Moran—to the Committee on War Claims.

Also, a bill (H. R. 10671) for the relief of Mrs. Martha T. Davis—to the Committee on War Claims.

Also, a bill (H. R. 10672) for the relief of D. W. Carpenter, of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10673) for the relief of James H. Knox—to the Committee on War Claims.

Also, a bill (H. R. 10674) for the relief of W. M. McKie—to the Committee on War Claims.

Also, a bill (H. R. 10675) for the relief of J. J. Miller, of De Soto County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10676) for the relief of Jeremiah H. Morgan, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10677) for the relief of W. D. Aston—to the Committee on War Claims.

Also, a bill (H. R. 10678) for the relief of William Moyers, of Marshall County, Miss.—to the Committee on Claims.

Also, a bill (H. R. 10679) for the relief of J. N. McIntyre—to the Committee on War Claims.

Also, a bill (H. R. 10680) for the relief of Nancy P. Garrison—to the Committee on War Claims.

Also, a bill (H. R. 10681) for the relief of J. R. Hollowell, of Lafayette County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10682) for the relief of James H. Benton—to the Committee on War Claims.

Also, a bill (H. R. 10683) for the relief of George L. McGehee and John C. McGehee, heirs of Mary McGehee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10684) for the relief of Mrs. G. W. Ross, Mrs. H. C. Cary, Mrs. Annie Brooks, L. C. Wilcoxon, and Willie Wilcoxon, heirs at law and representatives of Wiley Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10685) for the relief of Miss Emily Clayton and other heirs of Thomas F. Clayton, deceased, late of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10686) for the relief of the estate of James Boswell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10687) for the relief of the estate of William West, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10688) for the relief of estate of William Bayliss, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10689) for the relief of the estate of Asa R. Chilton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10690) for the relief of estate of Dr. I. H. Hayes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10691) for the relief of the estate of John M. Rook, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10692) for the relief of the estate of Andrew B. Conley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10693) for the relief of the estate of M. W. Ham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10694) for the relief of the estate of Gideon E. Franklin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10695) for the relief of the estate of Francis S. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10696) for the relief of the estate of Mark M. Harwell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10697) for the relief of the estate of William A. Jeffries, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10698) for the relief of the estate of Elizabeth Hull Wellford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10699) for the relief of the estate of Harriet W. Fleming, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10700) for the relief of the estate of A. M. Doak, deceased, late of Lafayette County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10701) for the relief of the estate of Isham G. Bailey, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10702) for the relief of the estate of W. F. Gaines, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10703) for the relief of the estate of Jacob Joiner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10704) for the relief of the estate of C. G. Boswell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10705) for the relief of the estate of David A. Hamilton—to the Committee on War Claims.

Also, a bill (H. R. 10706) for the relief of the estate of Joseph N. Moran, deceased, late of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10707) for the relief of the estate of Mrs. E. J. Matlock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10708) for the relief of the estate of Alfred Swearingin, deceased, late of De Soto County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10709) for the relief of the estate of William Joslin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10710) for the relief of the estate of Abner W. Lanier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10711) for the relief of the heirs of John P. Caruthers—to the Committee on War Claims.

Also, a bill (H. R. 10712) for the relief of heirs of Wiley Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10713) for the relief of heirs of George A. Barbee—to the Committee on War Claims.

Also, a bill (H. R. 10714) for the relief of heirs of John Nicholson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10715) for the relief of heirs or estate of T. H. P. Morton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10716) for the relief of heirs of C. H. Hicks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10717) for the relief of the heirs or estate of W. H. Cooper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10718) for the relief of the heirs or estate of Ransom Vick, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10719) for the relief of heirs or estate of Mrs. Eunice Hurdle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10720) for the relief of the heirs of John Hughey, deceased, late a citizen of Tippah County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10721) for the relief of heirs of W. M. Stevenson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10722) for the relief of the heirs of Thomas Duty, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10723) for the relief of heirs or estate of Lemuel I. Capell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10724) for the relief of the heirs or estate of Joel L. Ingram, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10725) for the relief of the heirs of Frances Pickle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10726) for the relief of the heirs of Hardin P. Franklin, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10727) for the relief of the heirs of Jacob Kuykendall—to the Committee on War Claims.

Also, a bill (H. R. 10728) for the relief of the heirs of William Bailey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10729) for the relief of the heirs of Mrs. Polly Callahan, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10730) for the relief of the heirs of William M. Kimmons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10731) for the relief of heirs of Mrs. Susan L. Bailey, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10732) for the relief of the heirs of J. B. Fuller, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10733) for the relief of the heirs of Abraham Jones—to the Committee on Claims.

Also, a bill (H. R. 10734) for the relief of the heirs of W. E. Tomlinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10735) for the relief of the heirs of W. T. Eason, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10736) for the relief of the heirs of Mrs. Louisa Ragsdale—to the Committee on War Claims.

Also, a bill (H. R. 10737) for the relief of the heirs of Mrs. M. A. Allen—to the Committee on War Claims.

Also, a bill (H. R. 10738) for the relief of the heirs of John Parham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10739) for the relief of heirs of Joseph A. Brunson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10740) for the relief of the heirs of Thomas Ingram, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10741) for the relief of heirs of John Housten, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10742) for the relief of heirs of Durant Lane Tyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10743) for the relief of heirs of Sidney Dean, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10744) for the relief of heirs of Robert W. Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10745) for the relief of the heirs of Charles T. Alexander and Jane B. Alexander, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10746) for the relief of the heirs of John Carruth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10747) for the relief of the heirs of John C. McGehee, deceased, late of De Soto County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10748) for the relief of the heirs of Samuel Scott, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10749) for the relief of the heirs or legal representatives of A. M. Rayburn, deceased—to the Committee on Claims.

Also, a bill (H. R. 10750) for the relief of the heirs of Mrs. Charity Clements, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10751) for the relief of the heirs of Nancy Baker, deceased, of Senatobia, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10752) for the relief of the heirs of John D. Martin, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

By Mr. THOMAS of Kentucky: A bill (H. R. 10753) for the relief of Kate Oakes Smith—to the Committee on War Claims.

Also, a bill (H. R. 10754) granting an increase of pension to Phillip Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10755) granting an increase of pension to James G. Durham—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of Golden Rule Council, No. 131, Junior Order United American Mechanics, of Tennessee, favoring an exclusion law against all Asiatics to the United States and possessions of the same—to the Committee on Foreign Affairs.

By Mr. BYRNS: Paper to accompany bill for relief of Augustus Barber—to the Committee on Invalid Pensions.

By Mr. CONRY: Petition of Publishers' Association of America, favoring free pulp—to the Committee on Ways and Means.

Also, petition of Charles N. Prouty, favoring free hides—to the Committee on Ways and Means.

Also, petition of International Gem Company, of New York, favoring moderate duty on gems—to the Committee on Ways and Means.

Also, petitions of American Newspaper Publishers' Association and Butterick Publishing Company, favoring free pulp—to the Committee on Ways and Means.

Also, petition of Darling & Co., of Long Island City, N. Y., for reduction of duty on glue—to the Committee on Ways and Means.

Also, petition of Farm Life, of Chicago, Ill., favoring free lumber—to the Committee on Ways and Means.

Also, petition of Hall & Ruckel, of New York, favoring reduction of duty on soda ash—to the Committee on Ways and Means.

Also, petition of National Association of Lithographers of America, favoring duty on postal cards and lithographs—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Works, favoring division of schedule on wool—to the Committee on Ways and Means.

Also, petition of Isaac Prouty & Co., of Spencer, Mass., for free hides—to the Committee on Ways and Means.

Also, petition of Powers & Moyer, of New York, favoring duty on precious stones—to the Committee on Ways and Means.

Also, petition of Standard Fashion Company, of New York, favoring free pulp—to the Committee on Ways and Means.

Also, petition of Thomas & Thompson, of Baltimore, Md., favoring duty on sheep dips—to the Committee on Ways and Means.

By Mr. DODDS: Petition of citizens of Trupant, Mich., against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. FULLER: Paper to accompany bill for relief of James Jones—to the Committee on Invalid Pensions.

Also, petition of J. F. Steward, of the International Harvester Company, favoring section 41 of the original Payne bill, concerning patents issued to nonresidents—to the Committee on Ways and Means.

By Mr. HAMLIN: Papers to accompany bills for relief of Samuel P. Kinkert, John T. Broke, Miss Fay Milligan, Oscar M. Peck, and Thomas Braswell—to the Committee on Invalid Pensions.

By Mr. HANNA: Petition of citizens of North Dakota, against any parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Papers to accompany bills for relief of Martha J. Hill and Michael Burns—to the Committee on Invalid Pensions.

By Mr. MACON: Paper to accompany bill for relief of Josephine McGuire—to the Committee on Pensions.

By Mr. OLDFIELD: Paper to accompany bill for relief of James Hatfield—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Petition of citizens of Massachusetts, favoring reduction of tariff on wheat to not over 10 cents per bushel—to the Committee on Ways and Means.

By Mr. WOODYARD: Petition of citizens of West Virginia, asking increase of pensions of survivors of Mexican and civil wars to $25 per month, and pensions of widows to $20 per month; for payment of pensions monthly and through postal savings banks—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *June 15, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, D. D., of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of Fannie B. Stothard, widow of Thomas Stothard, *v.* United States (S. Doc. No. 96);

In the cause of the Cumberland Presbyterian Church of Athens, Ala., *v.* United States (S. Doc. No. 92);

In the cause of the trustees of the Eudora Baptist Church, of White Station, Tenn., *v.* United States (S. Doc. No. 97);

In the cause of William Halloran *v.* United States (S. Doc. No. 95);

In the cause of Louis V. Metoyer, administrator of estate of Theophile Metoyer, deceased, *v.* United States (S. Doc. No. 94);

In the cause of the vestry of St. Thomas's Protestant Episcopal Church, of Hancock, Md., *v.* United States (S. Doc. No. 90);

In the cause of St. Paul's Protestant Episcopal Church, of Chattanooga, Tenn., *v.* United States (S. Doc. No. 91); and

In the cause of Andrew J. Meade *v.* United States (S. Doc. No. 93).

The foregoing causes were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Helena Commercial Club, of Helena, Mont., praying for the enactment of legislation giving power to the Interstate Commerce Commission to suspend the taking effect of proposed advances in existing rates, etc., which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Helena Commercial Club, of Helena, Mont., praying that an appropriation be made to enable the Interstate Commerce Commission to make valuations of all railroad property in the country, which was referred to the Committee on Interstate Commerce.

Mr. SCOTT presented memorials of sundry citizens of West Virginia and Ohio, remonstrating against the imposition of a duty on feldspar, which were ordered to lie on the table.

Mr. BRISTOW presented petitions of sundry citizens of Kansas City, Kans., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of the Warren M. Crosby Company, of Topeka, Kans., remonstrating against any increase of the duty on gloves above those provided for in the pending tariff bill, etc., which was ordered to lie on the table.

He also presented a petition of sundry citizens of Kansas, praying for the removal of the duty on hides, which was ordered to lie on the table.

Mr. BURTON presented a petition of the city council of Cleveland, Ohio, praying that crude asphalt be placed on the free list, which was ordered to lie on the table.

He also presented a petition of the National Refining Company, a corporation in the State of Ohio, praying that an ad valorem tax of not less than 50 per cent be placed upon all crude oil and products imported into the United States, which was ordered to lie on the table.

Mr. DEPEW presented a memorial of members of the Evening Mail chapel, stereotype department, of New York City, N. Y., and a memorial of members of the New York World chapel, electrotype department, of New York City, N. Y., remonstrating against the inclusion in the new tariff bill of any duty on news print paper or wood pulp, which were ordered to lie on the table.

Mr. ROOT presented petitions of sundry citizens of Rochester, Melrose, Bath, Gorham, Mount Morris, Canandaigua, Middlesex, Rushville, Penn Yan, Elmira, Murray, Wolcott, Benton, Auburn, Alabama, Batavia, Seneca Falls, Buffalo, Pavilion, Dresden, Victor, Halls Corners, Holley, Troy, Urbania, Syracuse, Stanley, Phelps, Fleming, Hammondsport, Dansville, Geneva, Waterloo, Italy, Romulus, Oakfield, Akron, Medina, and Brockport, all in the State of New York, praying that a protective duty be placed on foreign-oil productions, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2616) granting an increase of pension to George A. Hamilton; and

A bill (S. 2617) granting an increase of pension to John Otto; to the Committee on Pensions.

By Mr. WARNER:

A bill (S. 2618) granting a pension to John Ammerman (with accompanying papers);

A bill (S. 2619) granting an increase of pension to Henry W. Thieman (with accompanying papers); and

A bill (S. 2620) granting a pension to Joseph R. Allred (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. KEAN submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE AMERICAN MERCHANT MARINE.

Mr. GALLINGER. I ask that 2,000 copies of Senate Document No. 225, Sixtieth Congress, first session, entitled "Development of the American Ocean Mail Service and American Commerce," together with a brief additional paper, be printed as a document for the use of the Senate document room. It is a document that is being constantly called for and is out of print.

The VICE-PRESIDENT. Without objection, it is so ordered.

THE SUGAR TRUST.

Mr. BORAH. I have an article, appearing in the New York Times of June 13, relative to the sugar trust's loan deal with the Pennsylvania Sugar Refining Company. I move that it be printed as a document (S. Doc. No. 87, pt. 2).

The motion was agreed to.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Chamberlain	Frye	Oliver
Bacon	Clapp	Gallinger	Overman
Beveridge	Clay	Guggenheim	Page
Borah	Crane	Hughes	Paynter
Brandegee	Crawford	Johnson, N. Dak.	Penrose
Briggs	Cullom	Johnston, Ala.	Perkins
Bristow	Cummins	Jones	Piles
Brown	Davis	Kean	Root
Bulkeley	Dick	La Follette	Scott
Burkett	Dillingham	Lodge	Smoot
Burnham	Dolliver	McCumber	Sutherland
Burrows	Fletcher	McLaurin	Taliaferro
Burton	Flint	Martin	Tillman
Carter	Foster	Nixon	Warner

Mr. PAYNTER. I desire to announce that my colleague [Mr. BRADLEY] was ill last night and is ill to-day. Hence he could not attend the session last night and he will not be able to be here to-day.

Mr. GALLINGER. I have been requested to announce that the Senator from Wisconsin [Mr. STEPHENSON] is detained by illness in his family.

The VICE-PRESIDENT. Fifty-six Senators have answered to the roll call. A quorum of the Senate is present.

Mr. BULKELEY. Mr. President, I will detain the Senate but a very few moments this morning, to conclude the remarks which I had prepared and was not able to finish at the time of the adjournment of the Senate last night.

I was endeavoring to impress upon Senators the position of the tobacco industry, particularly in the Philippine Islands. My remarks, and my quotations from the report of the Philippine Commission, the Secretary of War, and the Collector of Internal Revenue I might supplement by very extended quotations from the governors of the various provinces in which the tobacco industry especially is carried on, but it would only be accumulating the evidence which I have striven to present to show that the tobacco of the Philippine Islands is to-day actually unfitted for the American market, in addition to the fact that the tobacco is not of that character which, up to the present time, at least, has acquired favor in this country.

I wish to read one or two quotations from the report of the collector of internal revenue of the Philippine Islands in regard to this industry. This is on page 226 of the Annual Report of the War Department for the fiscal year ending June 30, 1905, Volume XIII, being the report of the Philippine Commission, part 4:

> In the districts where tobacco cultivation has been carried on for years, no one should be contented with the results obtained, but should by constant experimentation with new seed and improved cultivation endeavor to improve the quality of the crop. Here in the Philippines it is commonly stated that the tobacco grown to-day is inferior to that formerly grown. This is greatly to be regretted, and it should be the especial effort of every planter to produce tobacco, not equal to that grown a few years ago, but far superior to the finest crops that were ever harvested. The tobacco markets of the world willingly pay, and pay well, too, for tobacco of a superior quality, whether it is to be used for cigars, cigarettes, or manufacturing purposes. The trade does not pay well for common tobacco, for anyone can grow coarse, common tobacco of low grade. The quality of the tobacco must be superior to that formerly grown to command a good price, for tobacco consumers are becoming more fastidious and constantly demand better goods for their money.

The author is of the opinion that the Philippine Islands can and should produce cigar-filler tobacco that is fully equal to the finest product of the famous Vuelta Abajo district of Cuba and a cigar wrapper equal to Sumatra tobacco. With careful attention to soil and climatic conditions, it is believed districts can be found that will raise tobacco similar in flavor and aroma to that grown in the best districts of Turkey. These results can only be obtained, however, by persistent, intelligent, well-directed efforts on the part of the planter.

Philippine tobacco to-day does not occupy the position it should, and every planter or company engaged in its cultivation should strive to place it on the high standard it deserves.

In his report, one of the provisional governors in the island of Cagayan writes as follows:

The principal source of wealth and revenues of the province is in tobacco, from which business nearly all of the pueblos derive profit, even where the plant is not cultivated, as, for example, the pueblos of Gattaran and Lal-loc, because they supply the packing and rattan needed for this article to others producing tobacco.

In another place:

Another contributory cause of the evil from which the tobacco business suffers is the internal-revenue tax—

Not the customs duty, but the internal-revenue tax—

that, excessively increasing the expense of production, makes it impossible for our tobacco to compete with that of other countries. Formerly the Spanish Government favored the introduction of Cuban and Philippine tobacco in Spain, and even went so far as to prohibit the planting of tobacco in the latter nation, but with the change of sovereignty we at once lost the protection extended to us by Spain.

In the island of Isabela, another province where tobacco is raised in large quantities, the governor reports:

Tobacco is the only crop that is raised for export, and this province raises more and a better tobacco than any other province in the island. Great fears are entertained by the people in regard to the internal-revenue law, but as its provisions are being explained and understood the objections are disappearing. There are no manufactories of any kind in this province, all the tobacco being shipped to Manila.

But I will not prolong the reading of these reports. They are all of a similar character, indicating that, in the mind of the most intelligent observers of the industries of those islands, it is the inferior quality of their products that is losing them the markets of the world, and that their own internal-revenue laws are interfering more with the production of tobacco on account of its excessive cost than are the customs duties laid by the United States.

As a matter of fact, the customs duties of the United States are all returned to the Philippine Islands for the purposes of their government, and to-day, with that condition, we have practically actual free trade, so far as the Government of the United States is concerned, with the Philippine Islands.

My own view of the matter, as I have studied the question, is that we had far better, for the benefit of the Filipinos and their future, put a prohibitory duty on all their products until they have raised their quality so that they will be fit to enter into competition with the markets of the United States and the products of our own industry. We should educate them with the idea that they can not come into competition with the world and its markets and its wage-earners until they produce a quality of goods, either tobacco or sugar or anything else, that warrants entering into that competition.

I believe to-day, Mr. President, that the Filipinos can probably receive no benefits from this proposed legislation, and that the only benefit which can accrue, if any accrue, will be to the large manufacturing tobacco industries and the five or six large tobacco companies and cigar manufacturers of the city of Manila, who to-day fix the price in the rural districts of all the commodities for which we are legislating. But let us educate them first not only in their schools, but in their agricultural industries, with the idea, as I have said before, that it is the quality of goods that they put upon the market which produces a market for the goods themselves, and that a poor quality of goods will never find a market in the United States of America.

The only benefits, to my mind, that can accrue to anyone from free trade in the principal products of the Philippines, especially in tobacco, are to the two or three large companies located in Manila who control very largely the dealings with the producers as well as the exportation of the manufactured products. The producers of tobacco are limited in number, and the tobacco-producing lands are located largely in the valleys of the islands I have heretofore named; their land holdings are small, generally about a single acre, and their product is traded for merchandise almost exclusively with Chinese dealers, fairly to be presumed in the interest of the Manila companies; it is possible, of course, that with the advent of free trade, even to a limited extent in the greater productions of the islands, that the great corporations of our own country may see another opportunity for the development of their varied interests.

On behalf of the tobacco industry of this country, and particularly of my own State, for which I speak here to-day, and representing, I believe, the views of the growers of leaf and wrapper tobacco and manufacturers engaged in its use, I ask you to give due consideration to this section before permitting it to be enacted into law.

I ask to have inserted as a part of my remarks, without reading, sundry letters and petitions from individuals and trade unions, which I now send to the desk.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

EAST HARTFORD, CONN., *April 21, 1909.*

Hon. MORGAN G. BULKELEY,
United States Senate, Washington, D. C.

MY DEAR SIR: Inclosed you will find a copy of resolutions recently passed by the directors of the New England Tobacco Growers' Association, which in themselves speak the sentiment of the New England tobacco growers, who number in this vicinity about 5,000, and producing, on a safe estimate, about 20,000 acres of a type of the best tobacco that can be grown.

This product is the moneyed crop grown in the Connecticut Valley in the States of Connecticut and Massachusetts, and our growers have expended large sums of money to develop the finest tobacco for cigar purposes, and to-day there are thousands of dollars invested in the industry, and we feel that if any of the Philippine tobacco should get free entry into this country that it would be a deathblow to the tobacco growers in New England.

We know well that the Philippines to-day are not developed, but that they have climatic and soil conditions favorable to produce a type of tobacco which would be equal to Sumatra goods, which now have a market of 85 per cent of the entire wrapper trade in this country.

We are of the opinion that if the present proposed tariff bill is passed capitalists will go into the islands to develop them, and with the cheap labor put our industry out of business, and then demand entire free trade, thus depriving the Government of any revenue whatever on wrapper tobacco, as this would naturally supersede the tobacco now coming into bond as grown in Sumatra.

We ask that you use your best influence to defend our industry and defeat the measure as proposed.

Yours, truly,

W. K. ACKLEY,
Secretary pro tempore New England Tobacco Growers' Association.

[From CONGRESSIONAL RECORD, April 27, 1909.]

HARTFORD, CONN., *April 20, 1909.*

At a meeting of the directors of the New England Tobacco Growers' Association the following resolutions were unanimously adopted:

Whereas the present tariff measure which is now before the United States Senate, known as the "Payne bill," is a menace to the tobacco-growing industry of the New England States on account of allowing a certain portion of the product of the Philippine Islands to enter this country free of duty, thereby compelling the tobacco growers of the United States to enter into competition with the cheap labor of the Filipino;

Whereas we believe that if the present tariff measure now before Congress becomes a law that part of the bill which relates to the free entry of the Philippine tobacco will be used as an entering wedge for a greater quantity to come into this country free of duty in the near future;

Whereas we, the directors of the New England Tobacco Growers' Association and the growers of Connecticut tobacco, strongly reiterate our former action on this subject and strenuously object to any measure in the proposed tariff bill which may become a hardship to the producers of leaf tobacco in this country:

Resolved, That Mr. Marcus L. Floyd and Joseph G. Mitchelson, of Tariffville, Conn., are hereby duly appointed as delegates to represent the New England Tobacco Growers' Association at Washington, D. C., and are requested to use every honorable means in their power to defeat this proposed legislation;

Resolved, That we fully concur in any action which they may take in our behalf; be it further

Resolved, That we, the directors of the New England Tobacco Growers' Association, appreciate the efforts which have been made by our Senators and Congressmen to protect our interests, and that it is the sense of this meeting that a copy of the above resolutions be forwarded to them.

The above is a true copy.

Attest:

W. K. ACKLEY,
Secretary pro tempore New England Tobacco Growers' Association.

NORTH BLOOMFIELD, CONN., *April 8, 1909.*

Senator MORGAN G. BULKELEY,
Washington, D. C.

DEAR SIR: I inclose copy of resolutions adopted by the Connecticut Valley Leaf Tobacco Board of Trade at a meeting held April 6 at Hartford.

Tobacco men in general, both farmers and dealers, feel that any tobacco admitted free into this country from the Philippine Islands, no matter how small a quantity, serves as an entering wedge to develop the industry in the islands, thus making one more competitor for the tobacco grower.

Connecticut tobacco now costs about 12 cents per pound in the bundle; and by the government report, from 1901 to 1906, inclusive, the average price of tobacco in the bundle was about 16 cents per pound; and if the crops of 1907 and 1908 were included in this average, it would have figured between 14 cents and 15 cents per pound in the bundle; so you will easily see that the farmer, even at the present protection, is not making an exorbitant profit.

Thanking you in advance for anything you may be able to do for us, we remain

Yours, very truly,

THE CONNECTICUT VALLEY
LEAF TOBACCO BOARD OF TRADE,
F. B. GRIFFIN, *Secretary.*

Resolutions.

Resolved, That we are opposed to that part of the Payne tariff bill that provides for the free entry into the United States of certain quantities of Philippine leaf tobacco and cigars, and we further protest against any change whatever in the present rate of duty on leaf tobacco as provided for in the Dingley bill.

Resolved further, That a copy of these resolutions be sent to each of our Representatives and Senators, with the request that they use every honorable means to defeat that part of the Payne bill that provides for the free entry into this country of Philippine tobacco and cigars.

[From CONGRESSIONAL RECORD, May 18, 1909.]

MIDDLETOWN, CONN., *April 29, 1909.*

Hon. MORGAN G. BULKELEY,
Hartford, Conn.

DEAR SIR: We the undersigned citizens of Middletown, Conn., being employed in the cigar industry, do vigorously protest against the free admittance of Philippine manufactured cigars in any quantity.

Since October, 1907, the cigar industry, owing to the general depression in business, has seriously suffered. We believe that if the cigar business received any additional impairment a good percentage of the cigar makers in this country would have to give up their trade, in which they served three long years' apprenticeship, and be forced to go into competition with the cheaper paid and less skilled laborers.

We protest against being pitted against oriental labor in our struggle for existence. We hold that no amount of legislation on the part of the Congress of the United States can or ever will lift the Filipinos to our standard.

We respectfully call your attention to the fact that while the Filipino lives in a country where clothing, shoes, and warm houses are unnecessary, we live in a climate which necessitates these protections for our bodies, and we have to pay American prices for them. Again, we can not live on 6 cents' worth of rice a day.

For these reasons we beg of you to use your voice and vote against the enactment of any bill providing for free trade in Philippine cigars.

Respectfully, yours,

Chas. Anderson, E. B. Convey, Charles Twenty, J. F. Richey, J. J. Convey, Chas. H. Smith, Charles P. Abbey, Stephen Spaw, Daniel Robert Convey, Bruno Daigle, Jas. Daly, Jas. W. Convey, William Fluhrer, L. L. May, John C. Graham, Frank E. Convey, Frederick J. La Rouche, James A. Dunn, John R. Hill, Jack S. La Vialette, John J. Smithwick, Edmond Fitzgibbons, John T. Barry, Wm. O'Donnell, Humphrey O'Connor, John Cushing, John Anderson, Gus Boden.

NEW YORK, *May 1, 1909.*

Hon. MORGAN G. BULKELEY,
United States Senate.

DEAR SIR: In connection with E. J. Howard and A. J. Ensign, of East Hartford, I have been engaged for thirty years in packing and buying Connecticut tobacco.

The experience I have gained in all these years enables me to fully understand the difficulties the Connecticut grower is laboring under. Owing to a changing climate, Connecticut will only produce three wrapper crops during a period of ten years. The seven off years will produce only a binder crop, which, taking the seven years together, will hardly pay the cost of production. According to my calculation, the average receipts per acre during a cycle of ten years, yield about $200 per acre. Against this result stands an outlay for fertilizers of $80 to $100, labor $65, leaving a margin of $35 to pay for interest on investment and taxes. This is exactly the position in which the Connecticut tobacco grower stands, and unless he has acreage enough to raise a variety of crops, which many tobacco farmers have not got, he simply works year in and year out for a bare living.

Why, then, endanger that existence still further by the free admission of 300,000,000 cigars, 3,000,000 pounds of filler, and 300,000 pounds of wrapper tobacco from the Philippines?

The cigars alone will reduce the domestic manufacture by just that many, and what is still worse, they may be covered with a Sumatra wrapper, for which the Philippine manufacturer pays 22 cents per pound duty, whilst American manufacturers have to pay $1.85 per pound duty. There is absolutely no justice or equity in that proposition, and, after all, the only beneficiary in the matter would be the tobacco trust. They are ready to gobble up the whole free-entry material, dump it into this country, and sell through the hundreds of their stores to the consumer. As the illustrious Representative of the great State of Connecticut, the originator of the Monumental Bridge over the Connecticut River, I appeal to you to stand out for the best interest of the Connecticut tobacco grower when the Philippine clause of the new tariff comes up in the Senate.

I have the honor to be, sir,

Yours, very respectfully,

F. ANTHAUSER,
214 Pearl Street, New York.

OLDS & WHIPPLE,
Hartford, Conn., March 31, 1909.

Hon. MORGAN G. BULKELEY,
Washington, D. C.

DEAR SIR: Your kind letter of March 22 duly received, also copy of the new tariff bill which you kindly mailed us. The tariff bill relating to tobacco is the one that interests us the most and the bill in which we are directly interested.

We have given this matter a great deal of careful thought, and we believe it to be for the best interests of all the tobacco-growing districts of the United States to have the tariff on tobacco remain as it is at the present time; and, also, this includes our relations with the Philippine Islands.

It hardly seems a fair proposition to the farmer in the United States who pays from $1.50 to $2 per day for ordinary farm labor to be compelled to sell his products on a par with the products of the Philippine Islands, produced where, we understand, the price paid for labor is from 8 cents to 12 cents per day.

We understand it is the wish of at least a portion of the Filipinos to have the tariff on tobacco remain the same as at present; that they do not wish any change made in the tariff with the United States. If this is true, and the farmers of the United States do not desire it, why should there be any change from the present tariff rate?

Personally we would prefer to have the tariff on all grades of tobacco and our relations with the Philippine Islands remain the same as at present. We think when the tariff legislation is settled that the tobacco business will resume its normal conditions in a shorter period if it is generally known that the tariff rates and conditions will all remain the same as in the past. If any changes are made, it will take a longer period, in our opinion, for the trade to adapt itself to those conditions, and we do not believe will result in the best good to all parties, both growers and dealers in leaf tobacco.

Yours, truly,

OLDS & WHIPPLE.
Per F. H. WHIPPLE.

THE KETCHIN & HAYES TOBACCO CORPORATION,
Tariffville, Conn., March 31, 1909.

Senator MORGAN G. BULKELEY,
Washington, D. C.

DEAR SIR: We are pleased to have a chance to say our little mite regarding the bill presented by Mr. PAYNE, and particularly that portion touching free admission of Philippine tobacco to the United States we are very much opposed to.

We are very much opposed to admitting any tobacco from the Philippine Islands at less duty than from any other country.

We have spent a great deal of money in trying to grow a very superior tobacco in the Connecticut Valley, and we believe that which we have accomplished other States can accomplish. The great expense incurred by us in the line of tobacco experimentation should receive some reward. Until now we have received the moral support of the Government and, as our hopes are about to be fully realized, we find that support slipping from under our feet and we feel there is danger of again being dashed to earth on the tobacco question.

The situation from our point of view is this: Assuming that in a year or two the American Tobacco Company or some Dutch company will have every available spot on the Philippines covered with tobacco, and assuming that every pound of this tobacco will reach the United States free of duty, we shall then find a competitor who will bother us considerably if he does not absolutely put us out of business, and our reason for this assumption is the fine point of distinguishing between imported filler and wrapper tobaccos. The matter of determining the per cent of wrappers in a bale of fillers is indeed an art, and the relation is so close that it gives the inspector or customs-house officer an absolutely free hand. For vivid examples of this little game, we need look no further than Tampa, Fla.

Under conditions now existing in the Philippines we have no fear, but with cooly labor backed by American capital and free admission of tobacco to the United States we should have cause to fear.

Thanking you for the opportunity of expressing our opinion, we are,

Most respectfully, yours,

KETCHIN & HAYES TOBACCO CORPORATION,
W. M. KETCHIN, *Secretary and Treasurer.*

SUFFIELD, CONN., *March 30, 1909.*

Hon. M. G. BULKELEY,
United States Senate, Washington, D. C.

MY DEAR SIR: Through your esteemed favor I received a copy of the proposed new tariff bill, which I looked over very carefully. As for my part I can not see where the Filipinos will derive any benefit from the limited importation of wrapper, filler, and cigars, as it would be possible for any large corporation to produce the entire importation, and you know a large corporation could deliver the goods at port ahead of the small individual producer. As for our part (the Connecticut Valley tobacco growers), the Government through the Department of Agriculture has expended many thousands of dollars in the last nine years in methods of growing and curing. A part of these experiments have been carried on under my personal supervision, having a contract with the department until 1910 without recompense. Just now we are beginning to reap the benefit of these experiments and it doesn't seem right to be forced into competition with cooly labor when we are just commencing to creep. All we ask is to be left alone under the present Dingley rate.

Very respectfully, yours,

W. S. PINNEY.

STATE OF CONNECTICUT, GENERAL ASSEMBLY,
Hartford, April 5, 1909.

Hon. MORGAN G. BULKELEY,
United States Senate, Washington, D. C.

MY DEAR SIR: In answer to your inquiry of March 22 ultimo as to my opinion regarding the tariff matter as affecting our Connecticut tobacco industry, I must say that I am most strenuously opposed to any reduction of the tariff on leaf tobacco or any measures or propositions that will have a tendency to destroy our main and almost only agricultural industry.

I believe that all Connecticut growers feel, as I do, the absolute necessity of maintaining our present condition in the leaf market, meager as it now is. We have been gradually forced by foreign competition to surrender more than 60 per cent of our home market to the product of slave labor, whose product in no way benefits the consumer or adds to the quality of the cigar. We are reduced to this absolute fact that the small farms in the Connecticut tobacco-growing districts can not exist if competition goes further or prices grow less. Our domestic competition, against which there can be nothing said or done, is all Connecticut can stand. The product known as "shade grown," produced under syndicate management or by companies or corporations aggregating large capital and their immense facilities for production of the popular and valuable Florida and Georgia leaf, are almost sufficient in themselves to destroy the Connecticut industry—and this is especially true of the smaller farmers—without the product of foreign soils.

Philippine tobacco coming to this country under a less handicap than at present can be placed in the same category as Sumatra. I do not consider it at all as experimental.

I believe that all growers in Connecticut are of this opinion; they all feel that, without the strongest protection, under the present peculiar circumstances, the small grower, at least, must abandon the growing of tobacco, though his farm may be inadequate for other branches of farming.

Yours, very truly,

EDW. E. KING,
Member of the General Assembly, January Session, 1909.

HARTFORD, CONN., *April 12, 1909.*

Hon. MORGAN G. BULKELEY,
United States Senator, Washington, D. C.

DEAR SIR: At a regular meeting of Local Union No. 42, of Hartford, Conn., a branch of the Cigar Makers' International Union of America, held Thursday, April 1, 1909, the undersigned committee was instructed to prepare a letter setting forth the views of the members of this union on the tobacco schedule in the proposed tariff act as submitted by the Ways and Means Committee to the Congress now in session, as wage-workers engaged in the manufacture of cigars, an industry ranking twelfth in importance, and also a large contributor toward the expense of the Government.

We view with apprehension and alarm the attitude of the Ways and Means Committee in reporting a tobacco schedule that provides for even a limited amount of tobacco and cigars to enter the home markets of our country from the islands of the Philippines on practically a free-trade basis, to compete, we believe, with an already over-crowded industry.

Several thousands of cigar makers are now out of work, and to add to this number through the admission of even 150,000,000 cigars per year from those islands is manifestly unfair to cigar makers and unjust to employers of labor in this, an overtaxed industry. The wages paid to us amount to nearly $300,000 per year. Hartford factories producing but a small percentage of the total production of the country, the effect of this proposed measure to further encroach upon our home markets appears to our members to seriously lessen the opportunity to secure employment.

Believing the industry is threatened by this entering wedge to ultimate free trade with the Philippine Islands, we respectfully request that you give this letter your serious consideration and to protect the cigar makers and tobacco growers in preventing the unjust schedule from becoming a part of the general tariff laws of the United States, and believing we have made clear to you the effect the adoption of this schedule will have upon the trade at large, we hope and believe this schedule will not be adopted by Congress nor receive support from the Connecticut delegation in Congress.

Hoping to hear from you, we are,

Respectfully,

JOHN PRINTZ,
JOHN H. KILLIAN,
G. F. KNEEBUSCH,
J. S. POWELL,
J. C. KLEE,
Committee.

S. SOUTHEINER,
President Cigar Makers' Union No. 42, Hartford, Conn.

HARTFORD, CONN., *April 5, 1909.*

Hon. MORGAN G. BULKELEY,
United States Senator, Washington, D. C.

MY DEAR SENATOR: I write to-day upon the subject of the tobacco schedule as reported by the Ways and Means Committee to the Congress of the United States.

As a workingman engaged in the industry of cigar making, I view with apprehension and alarm the attitude of the Ways and Means Committee in reporting a tobacco schedule which provides for a limited amount of tobacco and cigars to enter the home markets of our country from the islands of the Philippines, on practically a free-trade basis, to compete seriously, I believe, with an already overcrowded industry.

Several thousands of our members are now out of work, and to add to this number by the admission of 150,000,000 more cigars per year from those islands does not seem to me to be fair treatment toward an already overtaxed industry.

In our own city of Hartford there are upward of 500 persons employed in the cigar factories, to say nothing of those employed in the tobacco-packing plants. There are dependent upon the output of the cigar factories between 1,800 and 2,000 people. The wages received amount to nearly $300,000 per year.

Hartford factories producing but a small percentage of the total production of the country, and the workers viewing this measure, as they do, and believing their industry is threatened by this entering wedge to ultimate free trade with the Philippine Islands, I am impelled to write you and respectfully request that you give this matter your serious attention, and to protect the cigar makers and growers of leaf tobacco in preventing this unjust schedule from becoming a part of the general tariff laws of the United States.

Hoping I make clear to you as we feel about this question, I am,

Most sincerely, yours,

SOL. SOUTHEINER,
President Cigar Makers' Union, Hartford, Conn.

E. A. & W. F. FULLER,
Hartford, Conn., March 25, 1909.

Hon. MORGAN G. BULKELEY,
United States Senate, Washington, D. C.

DEAR SENATOR BULKELEY: Your esteemed favor of the 22d instant, also copy of the new tariff bill, is before me.

My view of that part referring to Philippine tobacco, in its immediate effect, is the difficulty of fairly and honestly apportioning the distribution of tobacco and cigars admitted duty free, i. e., what particular person or firm is to have the benefit of free entry in respect to the stated quantity of wrapper leaf, filler leaf, and cigars.

To my mind, this whole plan has back of it the tobacco trust, the American Cigar Company.

The opportunity for crooked work in connection with the bringing in of Sumatra leaf is something to be reckoned with.

This is an entering wedge, which in the no very distant future will furnish the present growers of Sumatra leaf a field to produce an almost unlimited quantity of wrapper leaf for admission free that now pays a duty of $1.85 per pound.

Yours, very truly,

EDW. A. FULLER.

THE CONNECTICUT TOBACCO CORPORATION,
Tariffville, Conn., June 3, 1909.

Hon. MORGAN G. BULKELEY,
United States Senate, Washington, D. C.

DEAR SENATOR: Statistics show now that the tobacco trust controls more than 70 per cent of the tobacco business of this country. The annexation of Porto Rico gave them quite an impetus, and the bringing in from the Philippine Islands any amount of tobacco or cigars free of duty will fall directly into their hands and give them another step forward. You can figure out that they have made this wonderful gain on the tobacco business of this country in the past few years, and in spite of all the fighting we can do they seem to continue to make such gains. Now, then, for Congress to go to work and open up a new field for their activities—one that will be so easily controlled by them—it does seem unfair. The strangest part of the whole thing to us is that while our Federal Government is spending a great deal of money apparently fighting the trust, they will then, with the other hand, apparently feed and open up such avenues for trust operations.

Yours, truly,

MARCUS L. FLOYD.

Showing attitude of tobacco growers of Pennsylvania, tobacco growers of Massachusetts, Leaf Tobacco Packers' Association of Ohio, and cigar manufacturers:

PENNSYLVANIA FARMERS OPPOSE THE FREE IMPORTATION OF TOBACCO FROM THE PHILIPPINES.

Mr. Chairman and Gentlemen of the Finance Committee:

I, as president of the Lancaster (Pa.) Tobacco Growers' Association, again make my appearance in behalf of our society and fellow-farmers, to enter our protest against the removal of duty on Philippine tobacco. By the result of the Spanish war three great tobacco countries came into our possession—Cuba, Porto Rico, and the Philippine Islands. We made many concessions for them in many ways by the lowering of duties in their favor. We tobacco men suffered severely, not only with the lowering of duties on their products, but by the lowering of duties on Sumatra. Then we were raisers of wrapper goods, but the lowering of duty on Sumatra drove us completely out of that field. We then changed our modes, and are now producing fillers; in fact, the only field left open to us. By the lowering of duties on Cuba and Porto Rico we were again assailed in our standpoint, for from raising fillers we have no retreat. There is nothing left for us lower in the tobacco field. Now comes the wiping out of the duty on Philippine tobacco. This reduction affects the great States of Pennsylvania and Ohio more than any other States in the Union, for their chief crop is the raising of fillers. So is the crop of the Philippines. Give them a lower duty and our industry is ruined, and we are no small producers. Between the years 1860 and 1907, a period of forty-six years, our tobacco crop in Lancaster County has varied from 35,000 to 75,000 cases per annum, grown on from 14,000 to 18,000 acres, and has brought into our country $80,000,000 in cash—a larger sum of money than was ever realized from tobacco in the same area of any country in the world, except Sumatra. Also, the ninth internal-revenue district, of which we are the chief, has in the last seven years paid to the Government in revenue $17,377,343. We also manufactured in the year 1906, 801,369,429 cigars. This district is the banner cigar-manufacturing district in the United States. Is this industry not worth protecting? Verily, it is; and that is why I am sent here by my fellow-farmers to enter our solemn protest against the lowering of this duty. I know the Republican party, in its platform upon which his honor Judge Taft was elected to the Presidency, has promised a revision and a modification of the tariff; but we naturally supposed they were those things which in our infancy we could not manufacture in competition with foreign manufacturers which were long established, but now, since we have become established, we can manufacture under a reduced duty. We never for a moment supposed that it had reference to an industry where every advantage is on their side. We can not compete with the cheap labor and the long season of the Philippine Islands. We have also made a promise that trusts, especially the tobacco trust, shall be held in check. Suits by the Government are now pending for that purpose. Reducing the tax will give them the field in the Philippine Islands, and they will have the whip hand over Pennsylvania and Ohio. They can snap their fingers at us and say they can get fillers elsewhere. You see the condition of affairs in Kentucky. Tobacco can scarcely be raised there now at a profit. You lower this duty and thousands and thousands of my fellow-farmers will be in the same condition. I am sure my constituents had no idea when they gave to Judge Taft 16,000 majority that the reduction of duty would be in those things which compete with what we produce from the soil. As I said on a former occasion, we have always been protectionists, and are so now; but never before this tobacco industry was assailed had we anything to protect. Yet we stood shoulder to shoulder with the iron maker and the wool-grower to protect their products, knowing it would finally be a blessing to all. Yet how can this prove a blessing to anyone by ruining our industry, which is well established, to try to foster an industry which has just got a foothold? We have contributed much for their welfare, and will do more; but do not ask us to sacrifice that which we live by. The protective principles, which dominated everything pertaining to free trade at the last election, are paramount over all the tobacco-growing States, and tens of thousands of growers scattered over this great Union have not given up hope, but turn their eyes to this Congress and ask them for justice—first, last, and all the time. And in seeking this we are asking protection for millions of dollars expended in buildings which are suitable for no other industry but this. There is not a farm in our whole county that has not from $3,000 to $10,000 expended in shedding, which, as I said before, would be useless. We have not the flimsy shedding of the Tropics, but permanent buildings erected especially for this purpose.

Again, gentlemen, let me say, if you grant this removal of duty, what will prevent Sumatra from being smuggled into the Philippine Islands and passing it here duty free as Philippine tobacco? The present Army of the United States is not large enough to guard these islands to prevent it. Much more could be said in behalf of the cigar-tobacco industry, but you, gentlemen, certainly see the justice of our claim. If we thought as some think—that this reduction would not affect our industry—we would not be up in arms to prevent it. So, gentlemen, we leave this with you, trusting you may see your way clear to give the tiller of the soil the protection he asks for.

B. EZRA HERR,
M. L. GREIDER,
GEORGE HIRSHMAN,
Officers of Lancaster County (Pa.) Growers' Association.

APRIL, 1909.

AGAWAM, MASS., *March 30, 1909.*

Hon. M. G. BULKELEY,
Washington, D. C.

DEAR SIR: Your favor of the 26th received; in reply will state that I do not think that I can suggest anything to you on the Payne tariff bill that will be of any use to you, but will gladly give my opinion as I understand the bill: Philippine tobacco wrappers, 300,000 pounds

fillers, which include binders or seconds, in fact, all grades except wrappers, 3,000,000 pounds with the proviso that such bales or packages may include 15 per cent wrappers yearly, free. I think it is all wrong, and that if it passes that it will prove such a handicap to the tobacco growers of the Connecticut Valley that they will have to go out of the business, which will mean a great loss, as they are equipped with sheds, etc., for which they have been to great expense. It not only hits the Connecticut Valley, but all other parts of the country where tobacco is raised. Now, then, for my argument, which is: That Philippine tobacco will be of about the same quality in a few years as Sumatra, as the soil and climate is about the same, and that 300,000 pounds means just that much trade taken from us if it stops even there, which I doubt very much. And the 3,000,000 pounds of fillers, which means a large proportion seconds, would hit us hard, as a good share of our goods and all of Wisconsin's are seconds or binders.

Yours, truly,

A. E. BELDEN,
Agawam, Mass.

DAYTON, OHIO, *April 28, 1909.*

At a special meeting of the board of directors of the Ohio Leaf Tobacco Packers' Association, an association comprising in its membership all the representative packers of Ohio leaf tobacco, the following resolution was unanimously adopted:

Whereas there is now pending before Congress a tariff bill in which a clause provides for the free entry of 300,000 pounds of wrapper-leaf tobacco, 1,500,000 pounds of filler-leaf tobacco, and 150,000,000 cigars from the Philippines, as found in paragraph 471d, page 189, of said tariff bill, as reported by Mr. ALDRICH on April 12, 1909; and

Whereas if such bill becomes a law, it will work a great injustice and cause untold injury to our tobacco industry, comprising as it does all the growers, packers, dealers, jobbers, and cigar manufacturers, both in this State and throughout the United States; and

Whereas the free importation of cigars in a limited quantity, as specified in said bill, simply works to provide employment for 2,000 Filipinos at a low rate of wages and takes away the livelihood of the same number of American citizens, whose cost of living demands and who receive fair wages for their work; and

Whereas said tobacco, which is proposed to be imported free, is raised by cheap Filipino labor, whose cost of living is so small that a very meager wage scale suffices for their support; and

Whereas the specifying of a "limited quantity" of either the raw or manufactured article will put into the hands of one or a few large operators the possibility of absolutely controlling the importation of this limited quantity at an abnormal margin of profit; and

Whereas the importation of a limited quantity will do more harm to the general trade in the United States than it will benefit the Filipinos; and

Whereas, along the present lines of duty established by the Dingley tariff bill, the tobacco trade and the producers of tobacco are all fairly satisfied, now that different interests have become adjusted to those rates: Therefore be it

Resolved, That we, as a trade organization and being one of a number of similar organizations located throughout the tobacco-growing districts of the United States, whose purposes are to promote and foster the growing of leaf tobacco and the handling and manufacturing in all its branches and to look after the interests of tobacco raisers, tobacco packers, tobacco jobbers, cigar and tobacco manufacturers, and their employees, do hereby strenuously protest against the admitting free of duty of any tobacco or cigars whatsoever in the United States from the Philippine Islands; and be it further

Resolved, That 500 copies of this resolution, duly signed, be printed and distributed among the members of the association and kindred associations throughout the country, each to be forwarded to their respective Congressmen and Senators, with a personal request that they use their best efforts to defeat the passage of the proposed measure; and be it further

Resolved, That a special appeal be made to Senator DICK, of Ohio, who is a member of the Finance Committee, to use every endeavor to prevent the passage of the Philippine free clause in the Senate bill.

WALTER M. BRENNER, *President.*
C. H. SOLLIDAY, *Vice-President.*
W. J. LUKASWITZ, *Secretary-Treasurer.*
A. H. REEDER.
L. A. WHEELER,
S. M. KROHN,
CHAS. BILLMAN,
HENRY MEYER,
Directors.

CIGAR MANUFACTURERS PROTEST AGAINST THE FREE ENTRY OF TOBACCO AND CIGARS FROM THE PHILIPPINE ISLANDS.

Mr. Chairman and Gentlemen of the Finance Committee:

In this hearing we have the honor to directly represent the cigar manufacturers of one of the greatest cigar-manufacturing States. Pennsylvania alone manufactures approximately 2,000,000,000 cigars annually, which is about one-quarter of the total annual output of one of the greatest industries of our country, and which annually manufactures under normal trade conditions over 8,000,000,000 cigars, the total value of this product being about $350,000,000, and for which we pay in wages alone over $75,000,000 and contribute toward the maintenance of our Government an internal-revenue tax of over $25,000,000 annually.

This great industry has been built up and is maintained under a protective tariff. Prior to 1863 the cigar-manufacturing industry of this country was practically nil. Nearly all the cigars consumed here were made in and imported from Germany. At that time, all told, less than 3,000 people were employed in the cigar-making trade in the United States. To-day we give employment to 125,000 skilled mechanics, and employ all told in and about our factories over 200,000 American citizens, representing 1,000,000 human beings who are dependent upon the cigar industry for a livelihood.

The cigar manufacturers have suffered greatly during the present period of industrial depression, and in many instances we have kept our workmen employed despite the fact that our stock rooms are crowded to the limit with cigars for which there is no market in sight.

The trade has already and is now suffering the effect of anticipated hostile tariff legislation. We have been promised adequate protection to the industries of our country, and we fail to see why the Congress should endeavor to avoid its pledges in this direction.

Remove the duty from the cigars imported from the Philippine Islands, and just to that extent you curtail the production of cigars in this country, displace American workmen, who under normal trade conditions are employed in the production of these cigars.

Owing to the enormous difference in the wages paid in this country and the Philippine Islands, and the difference in the cost of the raw material, light, fuel, rent, etc., the ability to successfully compete with the Philippine Islands on a free-trade basis in cigars is positively out of the question. The difference in wages alone amounts to $1 or more per day, say nothing of the advantage they possess in the way of cheap raw materials and other favorable means of production.

We have shown that the cigar industry has grown to its present magnificent proportions and given employment to 200,000 people, with an annual disbursement to the wage-earner alone of $75,000,000, and a revenue to the Government of $25,000,000, under a protective tariff. We earnestly protest against legislation of which we are not only firmly convinced, but about which there can be no dispute, that it will have a disastrous effect on this great industry, and without any resultant good to the people of our country in general.

The cigar manufacturers of this country have invested upward of $100,000,000, and expend annually for raw material alone $75,000,000. We respectfully submit that legislation destructive to the best interests of this great industry merits your careful consideration. We can not compete on a free-trade basis even to a limited extent with the Philippine Islands. Upon this point the cigar manufacturers, the tobacco growers, and the leaf-tobacco dealers, and the working men and women employed in this industry are united in their opposition to the transfer, from the United States to the Philippines, of that industry from a generally prosperous business and fairly paid labor to the competition of the cheapest workers in the world.

A. B. HESS,
S. R. MOSS,
I. H. WEAVER,
Committee of Cigar Manufacturers.

Amount of revenue lost to the United States Government in the event of the passage of either the Payne bill or the bill as reported by the Senate Finance Committee dealing with the importation of tobacco and cigars from the Philippine Islands:

Tariff rate on wrappers, per pound	$1.85
Tariff rate on fillers, per pound	.35
Lowest possible tariff on cigars, per thousand	50.00
Revenue lost to the Government by the bill proposed by the Senate Finance Committee:	
300,000 pounds of wrappers, at $1.85 per pound	$555,000
1,500,000 pounds of fillers, at 35 cents per pound	525,000
150,000,000 cigars, at $50 per thousand	7,500,000
	8,580,000

The above is the amount of duty it is proposed to contribute to the Filipinos, or whatever interests that should import into the United States from the Philippine Islands, as proposed by the pending tariff bill as reported by the Senate Committee on Finance, or a direct contribution to the American Tobacco Company of $8,580,000 a year.

Should the House bill be enacted into law, it would mean a further contribution of $525,000, or a total of $9,105,000 a year.

While no deduction has been made in the above figures for the 25 per cent reduction in the present rates, neither has any computation been made for the 25 per cent ad valorem on manufactured cigars and tobacco, which amount would be greater than the reduction on the manufactured article.

Submitted by the representatives of the Cigar Makers' International Union.

Mr. BULKELEY. I desire to offer one or two amendments to the amendment of the committee, which I send to the desk.

The VICE-PRESIDENT. They will be read for information. An amendment is now pending and will be first acted upon.

Mr. BULKELEY. I will read them.

The VICE-PRESIDENT. They can be read at the desk, if the Senator prefers.

Mr. BULKELEY. I should like to have them read from the desk. Possibly they may meet the views of the committee.

The VICE-PRESIDENT. The amendments will not be in order until the pending amendment is disposed of. The Senator from Connecticut gives notice of amendments that he proposes to offer, which will be read.

The SECRETARY. On page 1 of the printed amendment, line 11, after the words "filler tobacco," insert the word "unstemmed" in parentheses; on page 2, line 1, strike out the words "five hundred thousand;" on page 2, line 2, strike out the words "one hundred and fifty" and insert the word "seventy."

Mr. BULKELEY. These amendments meet somewhat the criticism that I have been called upon to make in the course of my remarks, limiting to some extent the quantity that may be admitted into this country free of duty, cutting the number of cigars from 150,000,000 to 70,000,000, cutting the quantity of filler tobacco from 1,500,000 pounds to 1,000,000 pounds; and correcting wrapper tobacco, so as to provide that it shall be unstemmed. Those cover the three amendments.

Mr. PENROSE. The amendments offered by the Senator from Connecticut are in line with the wishes of the tobacco-growing sections of Pennsylvania, and I ask unanimous consent to have printed in the RECORD the resolutions of the Lancaster Leaf Tobacco Board of Trade, also the resolution of the Tobacco Growers' Association of Lancaster, Pa., and a communication from the president and officers of the Lancaster County (Pa.) Tobacco Growers' Association.

The VICE-PRESIDENT. Without objection, the request is granted.

The matter referred to is as follows:

THE LANCASTER LEAF TOBACCO BOARD OF TRADE,
Lancaster, Pa., April 19, 1909.

At a special meeting of the Lancaster Leaf Tobacco Board of Trade held this day the following resolution was passed unanimously:

Whereas there is now pending before the Senate of the United States a tariff revision measure, section 5 of which provides for the free entry into the United States of 3,000,000 pounds of filler tobacco, 300,000 pounds of wrapper tobacco, and 150,000,000 cigars free of duty from the Philippines; and

Whereas this number of cigars, together with the cigars which will be made from the above amount of tobacco, exceeds the number of cigars manufactured in the Philippines during the year 1907 and is equal to one-fiftieth of all cigars manufactured in the United States during 1907, we believe the passage of this measure would work untold injury to the tobacco growers, tobacco packers, dealers and jobbers, cigar manufacturers, cigar jobbers, bench workers, and the many thousands of people who, in one way or another, make their livelihood out of the tobacco industry; and

Whereas the free entry of this number of cigars and this amount of tobacco is equal to one-seventh of all tobacco grown in the State of Pennsylvania: Therefore be it

Resolved, That we most vehemently protest against the passage of this section of the proposed tariff revision bill, and that a copy of this resolution be forwarded to our Representatives in both Houses of Congress, urging them to use their best efforts to defeat the passage of the proposed measure.

I. H. WEAVER,
A. B. HESS,
M. ROSENTHAL,
C. EMORY LONG,
Committee.

LANCASTER, PA., *December 14, 1908.*

Hon. BOIES PENROSE,
United States Senate:

The Tobacco Growers' Association of Lancaster County, Pa., in session December 14, 1908, unanimously passed the following resolution:

Resolved, That the tobacco growers of Lancaster County hereby protest against the introduction into this country of any tobacco and cigars from the Philippine Islands free of duty, and hereby request our United States Senators and the Congressman from this district to use every effort before the Ways and Means Committee to prevent the passage of a law that would be detrimental to the tobacco interests of Pennsylvania.

Attest:

B. EZRA HERR, *President.*
GEORGE HIBSHMAN, *Secretary.*

FARMERS OPPOSE THE FREE IMPORTATION OF TOBACCO FROM THE PHILIPPINES.

Mr. Chairman and Gentlemen of the Finance Committee:

I, as president of the Lancaster (Pa.) Tobacco Growers' Association, once again make my appearance in behalf of our society and fellow-farmers to enter our protest against the removal of duty on Philippine tobacco. By the result of the Spanish War three great tobacco countries came into our possession—Cuba, Porto Rico, and the Philippine Islands. We made many concessions for them in many ways by the lowering of duties in their favor. We tobacco men suffered severely not only with the lowering of duties on their products, but by the lowering of duties on Sumatra. Then we were raisers of wrapper goods, but the lowering of duty on Sumatra drove us completely out of that field. We then changed our modes and are now producing fillers; in fact, the only field left open to us. By the lowering of duties on Cuba and Porto Rico we were again assailed in our standpoint, for from raising fillers we have no retreat. There is nothing left for us lower in the tobacco field. Now comes the wiping out of the duty on Philippine tobacco. This reduction affects the great States of Pennsylvania and Ohio more than any other States in the Union, for their chief crop is the raising of fillers. So is the crop of the Philippines; give them a lower duty and our industry is ruined, and we are no small producers. Between the years 1860 and 1907, a period of forty-six years, our tobacco crop in Lancaster County has varied from 35,000 to 75,000 cases per annum grown on from 14,000 to 18,000 acres, and has brought into our country $80,000,000 in cash, a larger sum of money than was ever realized from tobacco in the same area of any country in the world except Sumatra. Also the ninth internal-revenue district, of which we are the chief, has in the last seven years paid to the Government in revenue $17,377,343. We also manufactured in the year 1906, 861,399,420 cigars. This district is the banner cigar manufacturing district in the United States. Is this industry not worth protecting? Verily it is, and that is why I am sent here by my fellow-farmers to enter our solemn protest against the lowering of this duty. I know the Republican party, in its platform upon which his honor Judge Taft was elected to the Presidency, has promised a revision and a modification of the tariff, but we naturally supposed they were those things which in our infancy we could not manufacture in competition with foreign manufacturers which were long established, but now, since we have become established, we can manufacture under a reduced duty. We never for a moment supposed that it had reference to an industry where every advantage is on their side. We can not compete with the cheap labor and the long season of the Philippine Islands. We have also made a promise that trusts, especially the tobacco trust, shall be held in check; suits by the Government are now pending for that purpose. Reducing the tax will give them the field in the Philippine Islands, and they will have the whip hand over Pennsylvania and Ohio. They can snap their fingers at us and say they can get fillers elsewhere. You see the condition of affairs in Kentucky. Tobacco can scarcely be raised there now at a profit. You lower this duty and thousands and thousands of my fellow-farmers will be in the same condition. I am sure my constituents had no idea when they gave to Judge Taft 16,000 majority that the reduction of duty would be in those things which compete with what we produce from the soil. As I said on a former occasion, we have always been protectionists, and are so now, but never before this tobacco industry was assailed had we anything to protect. Yet we stood shoulder to shoulder with the iron maker and the woolgrower to protect their products, knowing it would finally be a blessing to all. Yet how can this prove a blessing to anyone by ruining our industry, which is well established, to try to foster an industry which has just got a foothold? We have contributed much for their welfare and will do more, but do not ask us to sacrifice that which we live by. The protective principles, which dominated everything pertaining to free trade at the last election, are paramount over all the tobacco-growing States, and 10,000 growers scattered over this great Union have not given up hope, but turn their eyes to this Congress and ask them for justice first, last, and all the time; and in seeking this we are asking protection for millions of dollars expended in buildings which are suitable for no other industry but this. There is not a farm in our whole county that has not from $3,000 to $10,000 expended in shedding, which, as I said before, would be useless. We have not the flimsy shedding of the Tropics, but permanent buildings erected especially for this purpose.

Again, gentlemen, let me say, if you grant this removal of duty, what will prevent Sumatra from being smuggled into the Philippine Islands and passing it here duty free as Philippine tobacco? The present Army of the United States is not large enough to guard these islands to prevent it. Much more could be said in behalf of the cigar-tobacco industry, but you, gentlemen, certainly see the justice of our claim. If we thought as some think—that this reduction would not affect our industry—we would not be up in arms to prevent it. So, gentlemen, we leave this with you, trusting you may see your way clear to give the tiller of the soil the protection he asks for.

B. EZRA HERR,
M. L. GREIDER,
GEORGE HIBSHMAN,
Officers of Lancaster (Pa.) Growers' Association.

APRIL, 1909.

Mr. ALDRICH. So far as the committee are concerned, they are willing to accept the amendments offered by the Senator from Connecticut and to modify the committee amendment in that way. I ask that that modification be made.

The VICE-PRESIDENT. The Secretary will state the modification.

The SECRETARY. On page 1 of the printed amendment, line 11, after the word "tobacco," insert the word "unstemmed" in parentheses; on page 2, line 1, after the words "one million" strike out the words "five hundred thousand;" on page 2, line 2, strike out the words "one hundred and fifty" and insert the word "seventy," so as to read: "seventy million cigars."

Mr. JONES. I have two communications from cigar makers which I should like to have printed in the RECORD. I think the amendment suggested by the Senator from Connecticut will be satisfactory to the organizations.

The VICE-PRESIDENT. Without objection, the communications will be printed in the RECORD.

The matter referred to is as follows:

CIGAR MAKERS' LOCAL UNION, NO. 325,
Spokane, Wash., April 22, 1909.

Senator JONES,

DEAR SIR: I represent but a few hundred of the 40,000 cigar makers in our union, who come to you in the most serious difficulty of our existence of fifty years. The clause in the new tariff bill relating to the admission of cigars from the Philippines, free of duty, is a menace to our very existence. It takes years to learn our trade, and it usually bounds our career; and it is impossible to maintain the standard of American living in competition with the Chinamen and natives of a land where a few cents a day is sufficient to supply its people with all they are accustomed to.

I ask you, in all seriousness, to consider the welfare of your own people, among which our union stands forth as an organization whose aim is to better the condition of its people.

Yours, very truly,

W. A. MITCHELL, *Financial Secretary.*

SEATTLE, WASH., *May 7, 1909.*

Hon. W. L. JONES,
Washington, D. C.

DEAR SIR: I wish to protest against allowing 150,000,000 cigars from Philippine Islands free from duty, because it will put me out of business. It costs more for tobacco at present than it does for cigars. Remember, my cigar makers can not live on $8 per month. According to C. H. Hubbard's report, labor commissioner in the State of Washington, they get $2.25 per day when they work.

Respectfully,

LAWRENCE MORGAN.

Mr. FLETCHER. I believe the amendments which have been offered to the substitute have been accepted by the committee, and the substitute as amended is now before the Senate.

The VICE-PRESIDENT. The pending question is on the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. FLETCHER. I supposed that that had been accepted.

Mr. LA FOLLETTE. No; I do not understand that it has been accepted. After having their attention called to this subject last night, the committee had a meeting this morning and reduced the amount 5,000,000 below the 75,000,000 provided in my amendment.

I count myself fortunate, Mr. President, in having so strongly impressed the committee with the protest of the cigar makers of America. I am almost tempted, Mr. President, in view of the readiness with which the committee yielded in reducing the number of cigars to be imported from the Philippines free of duty by 80,000,000, to suggest that they give to the cigar makers

of this country the opportunity to manufacture 10,000,000 more of the cigars that shall go to supply the trade each year. That would mean the employment of quite a number of idle cigar makers. Possibly, if I modify my amendment offered last night at 75,000,000 to 60,000,000, it will be accepted. I think I will chance it, Mr. President, by offering it in that form.

The VICE-PRESIDENT. The Senator from Wisconsin withdraws his former amendment and offers another amendment?

Mr. LA FOLLETTE. Yes.

The VICE-PRESIDENT. Without objection, the former amendment is withdrawn. The Secretary will report the amendment as modified.

The SECRETARY. On page 2, line 2, of the amendment as modified, it is proposed to strike out "seventy million" and insert "sixty million," so as to read, "and cigars in excess of 60,000,000 cigars."

Mr. LA FOLLETTE. I do this especially in the hope, Mr. President, that it will be accepted, or perhaps that the number will be reduced to fifty-five millions.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. PILES. I should like to ask that the amendment proposed by the Senator from Connecticut be stated. I did not quite catch it.

The VICE-PRESIDENT. The Secretary will state the amendment.

Mr. LA FOLLETTE. The pending amendment, upon which the vote was about to be taken, is not the amendment of the Senator from Connecticut.

The VICE-PRESIDENT. The amendment which the Senator from Connecticut offers——

Mr. LA FOLLETTE. It is a modification of the amendment which was pending.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. On page 2, in line 2 of the committee amendment, before the words "million cigars," it is proposed to strike out "seventy" and insert "sixty," so that, if amended, it will read:

And cigars in excess of 60,000,000 cigars.

The VICE-PRESIDENT. The question is on the amendment to the amendment, which has just been stated.

Mr. PILES. What I asked to have stated was the amendment of the Senator from Connecticut, which, I understand, provides for "70,000,000 cigars."

Mr. ALDRICH. The committee have modified their amendment, reducing the number of cigars from 150,000,000 to 70,000,000.

Mr. LA FOLLETTE. I understood that was the amendment offered by the Senator from Connecticut [Mr. BULKELEY].

The VICE-PRESIDENT. The Senator from Rhode Island [Mr. ALDRICH], on behalf of the committee, has modified the amendment heretofore presented.

Mr. LA FOLLETTE. Mr. President, before the vote is taken upon this modification of the amendment I offered last night, I ask to have read a communication from the legislative representative of the Cigar Makers' International Union, which I send to the Clerk's desk.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, *June 12, 1909.*

Senator R. M. LA FOLLETTE.

DEAR SIR: Relative to the proposed admission of 150,000,000 cigars free of duty from the Philippine Islands, we beg to submit for your further consideration the following facts, which we believe proves conclusively that free trade in cigars with the Philippine Islands, even in a limited degree, would prove disastrous to our industry. One hundred and fifty million cigars represents the labor of about 2,500 cigar makers for a full year, and in view of the fact that there are already about 12,000 idle cigar makers in the United States, we are justly alarmed by the proposed legislation, which would unquestionably add another 2,500 to the large army of unemployed cigar makers, together with those dependent upon them.

The tobacco and cigar exports of the Philippine Islands under American occupation have reached a higher degree of prosperity during the years 1903 to 1907 than prevailed from 1895 to 1899, when they were still under Spanish rule, as the following figures from the special report of Secretary of War Taft show: For the five years referred to under Spain the annual average exports of cigars and tobacco amounted to $2,114,240, for the five years reported under American occupation the annual average was $2,129,194; thus disproving any contention that our occupancy of the islands has seriously impaired their tobacco and cigar export trade.

The report of the insular collector of internal revenue for 1908 shows that the total number of cigars manufactured in the Philippine Islands during 1907 was 197,000,000, and for 1908, 198,754,787. Of this number there were imported into the United States during the year 1907, 1,593,000, and during 1908, 1,365,000.

A bulletin of the Department of Labor shows that there are about 20,000 persons employed in the cigar industry in the Philippine Islands, at an average of $10.21 per month. The rate of wages for cigar makers, as near as we can learn, is 37.12 cents a day.

As noted above, there were imported into the United States from the Philippine Islands during 1907, 1,593,000 cigars, and during 1908, 1,365,000. In this connection we desire to show the confusing nature of the figures contained in a note on tariff revision, and Insular Bureau reports, as contained in the following memorandum:

The Notes on Tariff Revision, issued by the Ways and Means Committee, on page 227, under the caption "Importations," referring to leaf tobacco, furnishes the "general information" to the effect that the total importation of unmanufactured tobacco from the Philippines was 70,163 pounds, valued at $4,584. On page 280, referring to the duty on cigars, the paragraph furnishing "general information" as to the importations does not show any importation from the Philippine Islands.

The publication Estimated Revenues, as issued by the Finance Committee of the Senate, on page 28, referring to paragraph 221 of the Senate bill, shows the importation of cigars from the Philippine Islands during the fiscal year ending June 30, 1907, to have been 3,141.89 pounds, valued at $4,150.

Averaging 12 pounds to a thousand cigars, 3,141.89 pounds would equal 261,820 cigars; 3,141.89 pounds of tobacco, at $4.50 per pound, minus 25 per cent reduction on account of Philippine importation and plus 25 per cent ad valorem (based on 261,820 cigars), will about equal $11,352.74, which is noted on page 29 as the revenue under the present law.

The Insular Bureau reports the exportation of cigars to the United States in 1907 as 1,593,000, and in 1908 as 1,365,000, which figures agree with the importations of cigars from the Philippines to the United States, as stated on page 279 of the quarterly report for April—June, 1908, issued by the Insular Bureau. In the report named the Insular Bureau states the value of 1,593,000 cigars in 1907 as $26,067, which valuation does not seem to agree with the valuation placed upon these cigars upon importation into the United States as noted on page 28 of the Senate Finance Committee's publication entitled "Estimated Revenues."

We further desire to call to your attention that our industry has greatly suffered by the free importation of cigars from Porto Rico. During the past two years there has been admitted into the United States from Porto Rico on an average of about 10,000,000 cigars a month, or an amount per year almost equal in number to that which it is proposed to admit free of duty from the Philippine Islands. This amount of cigars admitted free of duty from Porto Rico has already displaced about 2,000 American workmen, and we have borne this injustice with hardly any complaint on our part; but we feel that we are now compelled to earnestly yet respectfully protest against the further contemplated injustice, which will cause untold hardship on the already too large number of American citizens now out of employment, with no immediate prospects for obtaining the same, and the thousands of women and children dependent upon them for the necessaries of life.

And, furthermore, in the event of the passage of that part of the pending tariff bill dealing with the importation of cigars from the Philippine Islands, the amount of revenue lost to the United States Government on 150,000,000 cigars, at $50 per thousand, would be $7,500,000.

The above is the amount that it is proposed to contribute to the Filipinos, or whatever interests that should import into the United States from the Philippine Islands the above amount of cigars, or a direct contribution to the American Tobacco Company of $7,500,000 annually.

While no deduction has been made in the above figures for the 25 per cent reduction in the present rates, neither has any computation been made for the 25 per cent ad valorem on manufactured cigars, which would amount to a greater sum than the reduction in the present rates.

Submitted by the representative of the Cigar Makers' International Union.

J. CRONIN.

Mr. LA FOLLETTE. Mr. President, I ask to have read a communication from the cigar makers of Marinette, Wis., which I send to the Clerk's desk.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read the communication just presented by the Senator from Wisconsin.

The Secretary read as follows:

CIGAR MAKERS' LOCAL UNION NO. 287,
Marinette, Wis., April 13, 1909.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SIR: We understand the Ways and Means Committee of Congress has proposed a bill providing that 150,000,000 cigars shall be permitted to come from the Philippines free of duty in any one fiscal year. The cigar makers of Marinette protest against admitting any cigars from the island except at the regular import duty, as we believe it would be an injustice to the cigar industry of the United States. Hoping you will give this your earnest consideration and attention.

Yours, respectfully,

J. FITZHENRY, *President.*
A. E. SANDERS, *Secretary.*

Mr. LA FOLLETTE. Mr. President, I shall detain the Senate but a moment longer. I send to the desk two other communications out of a very large number which I have received from the cigar makers of Wisconsin and other States, and ask to have them read in this connection.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CIGAR MAKERS' LOCAL UNION NO. 168,
Oshkosh, Wis., April 14, 1909.

Mr. ROBERT M. LA FOLLETTE,
United States Senate.

DEAR SIR: I wish you would do all you can against that Philippine Island bill for admitting cigars into this country free from duty, for that would hurt the cigar industry a great deal in this country, for we can not compete with such cheap labor such as the Philippine cigar

makers are. They only receive about 28 cents a day. What would the American cigar makers do with such a cheap wage? Hoping to receive fair play, I remain,

Yours, truly,

J. GALLATIN, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 447,
Kenosha, Wis., April 14, 1909.

Hon. R. M. LA FOLLETTE.

DEAR SIR: As one of your constituents, we beg to request you to use your influence to defeat the bill introduced by the Ways and Means Committee to reduce the duty or let any cigars manufactured in the Philippine Islands in the United States free of duty from the rate fixed by the Dingley law, or any bill aiming to let cigars in free in any form. The bill, should it become a law, would practically destroy our trade, as the cigar makers on these islands earn about 37 cents per day. Our workmen can not possibly get along on less than they are now earning. Reduction of duty or free means reduction of wages and ruin to our trade. We protest against any change in duty, and beg of you to earn the commendation and gratitude of our members by standing like a stone wall against any change.

WM. SCHRADER, *President.*
CHAS. F. SCHMIDT,
Corresponding Secretary.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment of the Committee on Finance.

Mr. BURKETT. Mr. President, it seems to me that if anything were wanting to justify a vote of lack of confidence in the committee in charge of this bill or to justify a word in criticism for the neglect of a due and proper regard for a conscientious and honest endeavor at legislation here, the proceedings which have transpired this morning would fill any omission of that kind. The committee brought in here originally a proposition, said to come from the President, to be the result of his wisdom, in conjunction with other matters in the bill, to permit 150,000,000 cigars to come in from the Philippine Islands free of duty. The Senator from Wisconsin [Mr. LA FOLLETTE], in a due and orderly way, as was his legitimate right, and backed by the judgment, I suspect, of a good many more Senators in this assembly than might be supposed at first thought, moved to amend that proposition by reducing it to 75,000,000. The Committee on Finance took that up almost at midnight last night and have reported this morning, without any excuse or reason being given, a reduction from the first proposed amendment, from 150,000,000 cigars down to 70,000,000 cigars, just 5,000,000 decrease beneath the amount provided for in the amendment offered by the Senator from Wisconsin.

It seems to me that on a question of this sort, especially when it is involving our relations with the Philippines, we ought to be alone controlled by the highest sense of responsibility and duty. It seems to me this is too important a matter to juggle with and to play what looks to me—and I suspect it looks the same to others—to be a game of petty politics.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Rhode Island?

Mr. BURKETT. Yes.

Mr. ALDRICH. Mr. President, there is no mystery about this; there is no "petty politics" in it. As I said last night, the committee had not given this matter of cigars full consideration in the committee. We have since last night heard the views of a dozen Senators upon this subject, who believe that this amendment ought to be made. It is upon the insistence of Senators from the Pacific slope, of Senators from the center of the country, and of Senators in the eastern part of the country that we have made this change. There is no mystery about it; there is no politics about it; there is nothing about it except a desire on the part of the committee to do the right thing; and, above everything else, to pass this bill.

Mr. BURKETT. That looks, Mr. President, to me as if there was also another desire—to hang the Senator from Wisconsin [Mr. LA FOLLETTE] up in the air somewhere with his amendment.

Mr. ALDRICH. There is no disposition of that kind, and no such——

Mr. LA FOLLETTE. It would not be possible for the committee to do that with me. The Senator from Nebraska need not worry about me.

Mr. ALDRICH. Mr. President, the Committee on Finance have no desire to leave the Senator from Nebraska or any other Senator in the air or anywhere else, except where he places himself.

Mr. BURKETT. Now, Mr. President, so much for that. Whatever may have been the reason for cutting this amendment so suddenly, since last night at midnight, down to just five million underneath the proposed amendment of the Senator from Wisconsin, I leave the Senate and the country, so far as that is concerned, to judge of motives.

Mr. PILES. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. BURKETT. I do.

Mr. PILES. Mr. President, I will say to the Senator from Nebraska that before anyone proposed any amendment to this cigar proposition, I myself asked the committee to cut it down to the lowest possible notch. I realized that the President, having been in the Philippines, was more familiar with that country than any other man in the United States, in all probability, and I felt that something ought to be done for the Filipino people. At the same time I realized that the cigar manufacturers on the Pacific coast, especially in my home city, were everywhere opposed to letting in a very large number of Philippine cigars, and so I urged upon the committee the taking up of this proposition and of reducing to the lowest possible number the quantity of cigars which should come in free from that country. I am very much gratified at the action of the Senator from Wisconsin in this matter, and I am deeply gratified over the result of the action of the committee.

Mr. BURKETT. Now, Mr. President, I do not care for any more apologies for the action of the Committee on Finance——

Mr. DEPEW. Mr. President——

Mr. BURKETT. Will the Senator from New York just wait until I get through? There are a number here who are always ready to spring up in defense of the Finance Committee whenever it needs it. But what I want to call attention to is this: I will say that I have shared, as I took occasion yesterday——

Mr. PILES. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. BURKETT. Let the Senator wait until I get through, and then he can make all the speeches he desires.

The VICE-PRESIDENT. The Senator from Nebraska declines to yield.

Mr. BURKETT. As I took occasion yesterday to say, when I was speaking upon the sugar question, there is but one thing that will make me vote to admit free of duty all these cigars, and that is our obligation and duty to the Philippine Islands. I look with a good deal of apprehension, I will say, and with a good deal of disfavor upon the proposition to admit 150,000,000 cigars free from the Philippine Islands. I have received letters while we have been in session here from cigarmakers in my own State, calling attention to the importance of this matter to them. I have written back and said to them and recited to them the seriousness of the condition that confronts the people of the Philippine Islands.

I have reminded them of the importance of our obligation on account of the responsibility that we have assumed with reference to the Philippine Islands, and I have made up my mind only after much reflection and hesitation to join with others in what it seemed to me a just thing to do in these respects with reference to the people of the Philippine Islands. I regret, as I have said, that it seemed to be the judgment of the committee that we should admit 150,000,000 cigars from the Philippine Islands free of duty, but that proposition was brought in by the committee and we were told that this whole amendment was the result of investigation and was in accordance with the judgment of the President of the United States; but when the Senator from Wisconsin introduced his amendment to reduce the number of cigars to be admitted free from the Philippines, after a very few minutes' consideration the committee reported to reduce the amount 5,000,000 below the number he proposed.

The Senator from Rhode Island [Mr. ALDRICH] says, of course, that they have considered the proposition since then. That only reenforces what I said in the beginning of our right to cast a vote of lack of confidence upon the work of this committee, if anything else were needed to justify us in this particular.

Mr. GALLINGER. Why does not the Senator introduce it?

Mr. BURKETT. I will say to the Senator from New Hampshire that I have cast a good many votes of lack of confidence in the work of the committee. Propositions have been brought in time after time, and when attention has been called to them members of the committee, after the matter has been brought in, have risen to say that they have not investigated the matter. What right, I want to know, has the committee to report a bill or any part of a bill and ask us to legislate upon it and to vote upon it, if they have not given it enough attention and enough investigation to justify them in bringing it in here?

I have no manner of criticism of the committee if, after additional evidence and additional hearings, it is their wisdom that the number of cigars to be admitted free can safely be reduced, and that we would fulfill our obligations to the Philippine Islands and to the Filipinos by reducing the number to 70,000,000; but, Mr. President, I submit that the manner and the method in which it has been done does justify the action of those of us who have, as I have said to the Senator from New Hampshire, on several occasions taken the opportunity of voting a lack of confidence in the action of this committee.

There have been too many times during the hearing of this bill that this same sort of thing has occurred. Whether it is petty politics, as it appears to be to me, or whether it is not, as the Senator from Rhode Island assures us, I am certain that the people who will observe this action, not only here, but throughout the country, will realize that it is an effort to get just a little under the Senator from Wisconsin in order that he and his amendments may be hung up in the air.

Now, sir, if in a single half hour session the Finance Committee can afford to change their judgment and reduce the number from 150,000,000 down to 70,000,000, it seems to me that it justifies me and everybody else who feels friendly disposed to the makers of cigars in this country to go 10,000,000 further in accordance with the amendment now proposed by the Senator from Wisconsin.

Mr. DICK. Mr. President, in my judgment, the highest compliments that have been paid to the Finance Committee are some of the bitter criticisms which have been cast upon it by some Members of this body. The fact that it changes its opinion once in a while upon some important schedule, after careful discussion and consideration, instead of inviting the condemnation or criticism of Senators, should invite their commendation and praise.

The importation of cigars and other Philippine products free of duty is a matter of very broad range and wide discussion. It is not new in the Congress of the United States. The obligations are so conflicting between our trust on the one hand toward this dependent archipelago, and our industries on the other, that it is not to be wondered at that Senators may differ, and honestly differ, as to what our exact duty may be.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. DICK. Certainly.

Mr. GALLINGER. In connection with these harsh and, as I think, unmerited criticisms of the committee, the Senator is aware of the fact that after the Committee on Appropriations has spent weeks, and oftentimes months, in preparing an appropriation bill, when it is brought into the Senate scores of changes are made in the bill. Appropriations are reduced or increased as circumstances may require, and upon additional testimony that is presented, but nobody has ever risen in the Senate to criticise the Committee on Appropriations for making those changes. I agree with the Senator from Ohio that it is a tribute to the committee, rather than a matter that merits condemnation, that the committee is willing to make changes when the circumstances seem to demand it.

Mr. DICK. It would seem so to me, Mr. President, and, furthermore, it seems to me to disprove absolutely the claim that this committee, with arbitrary power, is forcing through every schedule as it wants it passed. I have been voting as loyally as I can with the committee. I do not agree entirely with all its conclusions or with all the presentations it makes; but, in the main, it is my judgment that we are working out a tariff bill which will satisfy the country, which will restore confidence, and which will bring back to the country the prosperity we so much need and desire.

But, Mr. President, one thing more I want to say, because I feel it. I think the country is to be congratulated, the Congress is to be congratulated, and the Senate is to be congratulated that we have so able a committee, headed by so able a chairman, as those who represent this body in the consideration of this great measure. This is not said for political reasons; it is not said to curry favor; it is my own estimate of an exact and just criticism, if such it may be termed, of the men who, in my judgment, as I have had opportunity to observe, have disposed of their obligations in a manner that ought to meet the approval of all Senators agreeing or disagreeing with their conclusions.

They have not been required, as has been stated here earlier in this debate, to hear everybody or to invite contentious opinions upon the schedules; but, day and night, in season and out of season, encroaching even upon the Sabbath day, if you please, always and ever they have been ready to hear all Senators and their constituents with reference to every matter involved in this great measure.

I have had some occasion to know that this is the truth. Ohio, studded from the Lakes to the Ohio River with a greater diversity of interests, perhaps, than is true of any other State in the Union, has been represented here perhaps oftener than any other requesting such courtesy, and never has it been denied.

I give this assurance, if I may, that the people of Ohio are not unappreciative of what has been done for them nor ungrateful. Nor would it be becoming in me as their representative to longer submit without a protest to these unfair and unjust criticisms of this committee, which has done its work so faithfully and so well.

Mr. DEPEW. Mr. President, in regard to this matter and the committee, the bitter attack now made upon it by the Senator from Nebraska seems to be the culmination of a criticism that has been running against the committee since it presented its tariff report to the Senate. The charge has been made as to the unfair constitution of the committee and the way it has been formed, and that charge has been repeated often to the Senate; and now the charge is made that it is playing petty politics in regard to this matter of the duty on Philippine cigars and in other ways.

As to the Philippine measure, while I do not know the personal views of the President, we all of us have read the declarations which he made both before he became President and since, growing out of his intimate knowledge of Philippine conditions, for the largest possible measure of free trade between the Philippine Islands and the United States. He has frequently declared such a measure most important for the welfare and uplift of the Philippine people and their loyalty to the United States.

I had no doubt, when this matter was presented by the Finance Committee, that it was substantially in agreement with the views entertained by the President, because they were the views he has so often expressed. Only the proposition of the Committee on Finance was less in what was granted to the Philippines than what the President had repeatedly said he thought would be good policy in the development of those islands and the creation of friendly relations between the Filipino people and the United States.

In regard to this particular proposition, just before the Senator from Wisconsin offered his amendment to reduce the cigars imported free from 150,000,000 to 75,000,000, the president of the Cigar Makers' Union of the United States interviewed me on the subject. He told me the views of the Cigar Makers' Union, the condition of its members as to nonemployment, and said that what they wanted was to reduce the number imported free to 75,000,000.

I want to say, if the Senator from Wisconsin had not offered the amendment to reduce the number of cigars imported free from the Philippines, I would have done so. The president of the union is a New Yorker, and there are more cigar makers in the State of New York than in any other State in the Union.

In regard to the committee having reduced it from 75,000,000 to 70,000,000, it was the demand of the Senator from Connecticut, who had been speaking here for several hours and who represents a great tobacco State, that the number should be reduced from 75,000,000 to 70,000,000. I want to say that I appealed to the committee personally, because of this presentation that had been made to me by the Cigar Makers' Union, to have the number reduced to the lowest possible figure, which would satisfy the Executive and the friends of the development of the Philippine Islands.

Now, sir, it has been charged that this committee has been unfairly formed, and one of the best posted of the correspondents of the great newspapers in the gallery, who are so keen and clear on all matters, said to me the other day, when I explained to him how the committee had been formed, that with his long experience here he had not thoroughly understood it, because he had not had occasion to look it up. I think it had better go into the RECORD, so that the country may know whether we are dominated by one-man power and by an automatic and self-constituted committee—just how the committees of the Senate are formed.

How are the committees of the Senate formed? This being a continuing body, we make new committees every two years, when one-third of the membership is changed. Then, sir, the officers of the caucus, elected the previous two years, cause a notice to be sent to all Senators on the Republican side asking them to meet in the marble room for the purpose of organization. When we meet there are 60 chairs. There are now 60 Republican members. Those chairs have no names upon them. There is no assignment of seats for Senators of prominence or long service. Everything is informal and free. Every man can take any seat he pleases, and if it so suits him he can take a

front seat, where he can be most conspicuous. There are no rules restricting any Senator as to what he shall propose or how long he shall speak. We are equals in the caucus.

Then, in the usual and ordinary way a motion is made for the organization of the caucus, and that is put to a vote by the oldest Senator in term of service, according to a rule which has prevailed in the Senate ever since its organization. When that is done a motion is made that the Chair shall appoint 11 or 13 Senators to constitute a committee on committees. That reaches the ideal that the uplift reformers have been claiming in their venomous attacks on the methods in the House. The attack upon the methods in the House has been that it is wrong for the Speaker to name the committees, and that they should be made by a committee of the House itself.

This committee on committees is appointed by the Chair. When it is complete, another caucus is called by due notice in writing to submit this committee on committees for the action of the Senators. The whole body thus assembled can reject, change, or adopt the report. If the caucus votes to accept the committee as reported, the committee goes to work. It addresses a letter to every Senator, asking him what he wishes in committee assignments; and it does its best, according to my experience, having gone five times through it, to gratify the wishes and ambitions of each Senator.

But when you come to the conditions existing at the beginning of this extra session, they were peculiar. Everybody knew that all the business of this session would come from one committee, and of the 50 Republican Senators, a large majority wished to get on that committee. The rules restrict its membership to 14, of whom 9 are Republicans. To select from this number of applicants 9 was a problem difficult for this committee on committees to solve. They accomplished the task and reported the result of their conclusions to the caucus, and it was a very full caucus. There was the opportunity again for any Senator to charge that the committee was unfairly made up; that the country, in its different parts, was not properly represented. There was one such protest in the caucus, but the Senator making the protest did not criticise the committee except to claim that his own State ought to be represented on it. He did not, however, make a motion or ask for a vote.

Therefore, the committee as suggested by the committee on committees received the vote of every single Republican Senator who was present in the caucus. But if any Senator was dissatisfied with the committee, he still had another opportunity, because that committee was reported to the full Senate, in order that the Senate might vote whether that committee should stand as the Committee on Finance or whether it should be changed in any particular. On that vote the committee was accepted by the Senate by the unanimous vote of Senators on both sides of the Chamber. So that the committee stands before us having been at least four times indorsed by the Republicans or the joint votes of both sides.

I understand the same process exactly is pursued by the minority Members of the Senate in the recommendations they make as to who of their number shall go upon committees.

My colleague and I represent a State that has a great variety of interests. I think the statistics show that New York is the largest manufacturing State in the Union and has more varied productions than any other State; and my colleague and I, representing those interests, both the employees and the employers, have not hesitated to go day by day to the committee in order to present the claims of these industries in New York for their consideration, and in many instances we have succeeded in placing before them views and testimony from people directly interested which have led to a modification in rates which the committee had reported to the Senate upon particular items in this bill. We have found the committee, even when disagreeing with our views, eminently open minded and courteous.

Now, as to the charge that this committee is discredited in this body, how are we to judge? How are we to know and how is the country to know whether this committee is discredited? Votes talk louder than speeches. We have been told here repeatedly that the people of the United States are hostile to this committee. We have been told here repeatedly that only the Senators who oppose the committee know what is the opinion of the people of the United States. We have been told here repeatedly that every Senator who supports this committee is marching headlong to political destruction, and he does not know it; the only people who know it are the critics of the committee. If that be so, then the Senate is the most extraordinary suicide club which has ever existed. There have been here—taking the wool schedule, which it was said was the real test of popular feeling—practically 51 Senators supporting the committee and 8 Senators opposing the committee; 8 Senators only with salvation free and 51 going headlong and heedless to oblivion; 51 not knowing the sentiment of their own States and 51 ignorant of what the people of the country think and want.

When I look at the electoral college, which selected the President of the United States and you, sir, for the high offices which you adorn—both of you—I discover that the total electoral vote is 483; necessary for a choice, 242. Taking the wool schedule, upon which there was the greatest controversy, the Republican Senators voting to support the committee represented 294 electoral votes, or a majority of 52 of the electoral college, and yet the country has been repeatedly informed by several of the 8 Republican Senators who antagonize the committee that they have a knowledge of the wishes, the opinions, and the desires of the people which is not possessed by the Senators supporting the committee who represent a majority of 52 in the entire vote, Republican and Democratic, of the electoral college. If we take the highest vote cast against the committee on the most important schedules, they represented 55 in the electoral college, while the Senators supporting the committee represent 272.

Now, sir, this committee has had duties to perform greater than any that have fallen upon any other committee during my ten years in the Senate. I was not here during the consideration of the Dingley bill, but it strikes me that the framers of that measure had an easy task compared with the framers of this bill. The committees of the two Houses which prepared the Dingley bill met when a terrific industrial disaster had overwhelmed the country, and the people believed that it was due to the Democratic revenue measure which was then in force. The demand of the country upon that committee was to protect the industrial interests of the United States. The demand of the country upon the committee was that the action of that committee should be protective—protective everywhere; to give employment to labor and employment for capital. The difficulty that committee had to contend with was not to put rates up or down, but to restrain the eager desire of the whole community for rates so high as to be prohibitive in their practical application. The action of the committee in this easy process was sustained point by point by the concurring opinion of a distressed country.

But now we meet in the midst of great prosperity for the purpose of revising the schedules which have been eleven years in existence. The development of the country during that period has been such in many lines of industry as to require changes. I doubt very much—and I have many sources of information, and travel about the country almost as much as anyone—the strength of the demand originally which led the national convention to put that plank into the platform, and I believe, sir, that if that plank had not been in the platform Mr. Taft would not have lost a single electoral vote and that his phenomenal popular majority of over a million would have been just as great.

But it was put into the platform, and in obedience to that promise the Committee on Ways and Means met immediately after election, in the early part of November. They continued their work until March, and I think into April, and then the work with all the testimony which had been taken, filling 13 large volumes, with the discussions which had been given to it in the public press, came to the Senate, in a large measure perfected, and then the Finance Committee of the Senate had to undertake on their part to meet the requirements of the country, first for revenue and next for protection.

I have been a member of many committees, and the older Senators are familiar with the hard work of committees. They know that there are Members of this body whose names rarely appear in the RECORD, but who have their monuments in the statute books; many Senators who rarely appear in debate, do not appeal to popular prejudice or popular passion, who are working day and night with an energy, with an industry, and with an intelligence often impairing their health, giving their best time and mind to what they believe, though knowing they will get no individual credit for it, is for the best interests of the country.

Knowing as I do from intimate study of the action of this committee and of its results, I believe that no committee intrusted with so great a labor and so tremendous a responsibility has ever more faithfully, intelligently, and patriotically performed its work.

Mr. OLIVER. Mr. President, when the Senator from Wisconsin [Mr. LA FOLLETTE] offered his amendment last night, after listening to him—and, in fact, before I heard his speech—it was my full intention to vote for the amendment as presented

by him. I made up my mind to do this in deference to the wishes of the thousands of tobacco growers and cigar makers in the State of Pennsylvania, whose interests are jeopardized, as I think, by the proposition as it originally emanated from the committee.

I made up my mind to vote with the Senator from Wisconsin entirely without reference to the source from which the amendment emanated. I intend to vote on this proposition, as I will vote on every other proposition that comes before the Senate, in accordance with what I believe to be right; and I will vote for it as readily coming from the Senator from Wisconsin as if it came from the Senator from Rhode Island.

But in this instance, Mr. President, the developments of this morning seem to indicate that the Senator from Wisconsin resembles the Irishman who went into a shop and asked the price of a pair of suspenders. "The price is 15 cents." "Fifty cents!" said he. "I will give you 37." The shopkeeper, being an honest man, said: "I did not ask you 50 cents; I asked you 15 cents." "Fifteen cents!" says the Irishman. "Oh, I will give you 10 cents, then."

The Senator from Wisconsin offered an amendment last night which seemed to me to be fair and right, and simply because the proposition of the Senator from Connecticut was below his, and that that proposition has been accepted by the committee, he now proposes to go still lower; and I suppose if his amendment is adopted, he will endeavor to secure from the conference committee another amendment putting it down to fifty or forty million.

I thought for a little while I would be one of the men whom the Senator from Wisconsin, with his characteristic modesty, denominates his followers, but I can not follow him that far down.

Mr. ALDRICH. Mr. President, I do not intend to delay the Senate now or at any time with any apologies for or to answer any criticism upon the Committee on Finance or any of its members. This is not only in consonance with my feeling of obligations to the people of the United States and to the Senate and to my party, but it is in consonance with the course which I have followed throughout my public life. There are men whose condemnation is the highest commendation—whose disparagement is a decoration.

My duty here is in reference to this bill, and I desire to say to the Senator from Nebraska [Mr. BURKETT], whose vote and whose voice have from the start betrayed an entire want of confidence in the committee, that in the future, as in the past, the committee will take into consideration the questions which are presented to them by Senators and others, and that they will decide these questions from time to time according to what they believe to be the public interest, following the lines of policy which the party which we represent has adopted, and which the people of the United States have approved, and they will not be deflected a thousandth part of an inch from following their obligation and discharging their duties, as they look upon them, and this without reference as to how it shall affect one Senator or another Senator.

It matters not to us, from our standpoint of the public interest, what the opinion of any individual Senator may be. If any Senator sees fit for any cause to express a want of confidence in the committee, that is the position which he is entitled to take, and there has been no criticism on the part of any member of the committee of the views or the acts of any Senator, and there will not be.

I have had long experience in public life and in service upon many committees, and I want to say now, in justice to the Republican membership of the Committee on Finance, that I have never yet, in my long experience, been in cooperation with, and in conference with, men who have so clearly and positively appreciated their public obligations and who have so unflinchingly followed what they believed to be right as the members of that committee; and this applies to every one of them.

We have never presented matters here for the consideration of our associates or of the Senate that have not had the absolutely unanimous approval of the Republican members of that committee.

It is true that on one or two questions we have had an understanding that the members of the committee would have the right upon the floor to exercise their individual judgment and to express their individual opinions, but upon all the great questions that affect this tariff legislation the Republican members of the committee have been entirely unanimous; and the committee appreciate to the fullest extent the fact that their associates in this body, with a few exceptions, have stood behind them and given them their generous support and approval. We should be less than human if we did not fully appreciate that support.

We shall continue the same course in the future that we have adopted in the past, and whenever Senators come to us and say that we have made mistakes, errors in judgment, and convince us that changes ought to be made, they will be made, and be made promptly, without reference to criticism or denunciations on the part of any Senator or Senators.

Mr. BORAH obtained the floor.

Mr. BAILEY. Mr. President, just a moment.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Texas?

Mr. BORAH. Certainly.

Mr. BAILEY. Mr. President, during this entire debate the Senator from Rhode Island frequently refers to the Finance Committee. Of course those of us here perfectly understand that he means the majority of the committee.

Mr. ALDRICH. I think perhaps I did not state clearly, as I should have stated, the fact that I was referring simply to the Republican members of the committee.

Mr. BAILEY. We all understand that here, but possibly when they are debating some other tariff bill some benighted Senator will do us the honor to review these proceedings. I therefore think it well enough once for all to say that except when the Senator from Rhode Island specially declares otherwise his references to the Finance Committee include only the Republican majority of that committee.

Mr. BORAH. Mr. President, I do not rise to discuss the matter of the action of the committee or to take any part in the discussion as to the particular action of the committee this morning. I am not seriously disturbed over the probability of the committee leaving the amendment of the Senator from Wisconsin in the air, if it should desire to do so, and I have no idea that they desire to do so.

I merely wanted to say a word in view of the vote which I proposed to cast with reference to the Philippine tariff, both in this bill and the bill which will come later before the Senate. The broad subject which is involved here is our relationship to the Philippine people. I am not going into an extensive discussion of that relationship, or what it ought to be, further than to say that I propose to cast every vote that I do cast here with a view of loosening the bands that ties the Philippine people to the United States Government.

I am aware that when I speak that sentiment I express a view perhaps contrary to the view of the President of the United States, for whose opinion and for whose great service to those people I have a profound regard. Nevertheless, I have a firm conviction that the first duty of the people of the United States is to arrange and prepare those people for separate and independent government and for separate and independent sovereignty.

I do not believe that it is in accordance with the spirit of our Constitution or with the spirit of our institutions that we should continue a policy which must have for its ultimate effect the binding to us of a colonial possession and in a sense a people governed and controlled by colonial policies.

While I must therefore differ to some extent with my party and with the President in these matters, nevertheless, it is a conviction which I can not put aside for mere party policy. I regret that the committee has not seen fit to go further than it has. I regret that the commitee has not seen fit to wipe out the clause in the sugar provision with reference to the tariff. I regret very much any step or any movement which would seem to bind these people closer to us, because I believe what they are entitled to and what the interests of the United States demand is a separate and independent sovereignty just as soon as we can give it to them.

Mr. BACON. Mr. President, I desire to make an inquiry of the honorable Senator from Rhode Island in regard to the effect of this particular amendment.

I think it is generally conceded that the provisions in the bill which permits the introduction of sugar from the Philippine Islands to the extent of 300,000 tons free of duty will represent in duties thus lost to the Government about $10,000,000. That is not the question I wish to ask the Senator. It is something leading up to it.

We have had this morning read from the desk a communication from those who are engaged in the manufacture of cigars, in which it is stated that the introduction of 150,000,000 cigars from the Philippine Islands free of duty will displace the revenue from a corresponding number of imports to an amount of $7,500,000. With the number reduced to 70,000,000, if that amendment should be adopted the question I want to ask the Senator is this— [A pause.]

Mr. ALDRICH. I think the Senator commenced to ask a question some time ago, but I lost sight of the question in his preliminary statement. If he will tell me the question, I will be very glad to answer it.

Mr. BACON. I was proceeding to state it when the Senator deliberately turned his back to talk with some members of the committee.

Mr. ALDRICH. All right.

Mr. BACON. I was stating it, and let me say I was not stating it in a manner which the Senator could not have understood if he had paid attention.

Mr. ALDRICH. But the Senator's premises were so contrary to what I understood to be the fact——

Mr. BACON. That simply led up to the other question and was entirely independent of it, except in the relation which they might bear to each other. There was nothing in the first question which made it necessary that the Senator should understand in order that he should reply to the second.

I will repeat it, in response to the Senator's request. I stated the fact, prior to the time when the Senator withdrew his attention from me, that a communication had been read from the desk, sent to the Senator from Wisconsin by some parties engaged in cigar manufacturing, in which it was stated by them that upon a calculation made the estimated value of the duty upon 150,000,000 cigars would be $7,500,000. With the proposed amendment reducing the number to 70,000,000 cigars, we might say, in round numbers, it would be half that or a little less than half. With that half the corresponding revenue or loss of revenue would be three and a quarter million dollars.

I desire to know of the Senator whether his committee, in fixing this limitation within which there should be a free importation of cigars from the Philippine Islands, estimated the amount of revenue which would be lost by that amount of free importation?

Mr. ALDRICH. The Senator's question involves so many things he will have to bear with me if he expects an answer. It will take a little time. It is a question which can not be answered categorically.

Mr. BACON. The Senator says there are so many "ifs." I will state it with one "if." Possibly that may be within my power of felicitous expression, I will not say in the power of the Senator to comprehend, because of course everybody knows he does comprehend, and when there is a failure of comprehension on his part the cause is undoubtedly mine. Therefore I will try to state it more simply.

If 70,000,000 cigars are imported free of duty from the Philippine Islands, what is the estimate of the committee as to the loss of revenue to the United States Government upon those 70,000,000 cigars thus freely imported? I hope that is sufficiently plainly expressed.

Mr. ALDRICH. That involves also the same number of "ifs" and "buts," and so forth. For instance, the statement which the Senator refers to shows that in 1908 there were 1,500,000 cigars imported into the United States from the Philippine Islands and the year before 1,300,000, in round numbers. It is an impossible supposition, but suppose that 70,000,000 cigars will ever be imported into the United States from the Philippine Islands, the Senator understands. I suppose, from the start that this is not a question of revenue. Does the Senator suppose that any Senator upon this side of the Chamber would suggest the free importation of cigars or anything else from a foreign country or from territory that was not a part of the territory of the United States? Does the Senator think that this is a question of dealing with the free importation of articles from territory which does not belong to the United States? The question is entirely aside from any of the considerations which he is suggesting.

I remember that years ago I was obliged, by bitter experience at the time, to conclude that a man never loses anything he never had. We may easily enough construct losses in all our individual experiences, to say nothing about losses to the Nation, of things that we never possessed. There is no loss of revenue in this case, because we never had it, and we never could have it to the extent which the Senator is talking about. This is simply and only a question as to how we intend to treat the Filipinos and the Philippine Islands, they now being in our possession, and no suggestion being made which has either the approval of the Congress or the approval of the country to surrender that territory to anybody else. It is whether we shall recognize our obligation to that people and whether we shall try, within proper limits, to give them aid and assistance. That is the whole question which is involved in these amendments.

Mr. BACON. Mr. President, I may be mistaken in my recollection, but if I am not, the Senator has changed his views in a few years on the question of the free importation of goods from the Philippine Islands.

Mr. ALDRICH. I have never changed my opinion upon that subject. So far as my personal views are concerned, I would go much further than any suggestion which is made in this bill.

Mr. BACON. I presume, after the statement of the Senator, I am undoubtedly mistaken in my recollection that he voted against the removal of duties on importations from the Philippine Islands. I presume that from the Senator's present statement I am incorrect in that recollection. I am not, however, incorrect in my recollection that a majority of the Senator's party in this Chamber did oppose it and defeat it. I supposed that, with the usual dominance of the Senator, he was with the majority in that instance, as he has been in almost all others since.

But, Mr. President, the Senator has replied with a good deal of feeling to a question which I asked for information. I asked it purely for information.

Mr. ALDRICH rose.

Mr. BACON. If the Senator will excuse me a moment I wanted to know whether or not the Finance Committee had investigated this matter and had come to any conclusion in regard to it. I presumed from the readiness with which the Senator replied to the suggestion as to the amount of revenue lost in the matter of sugar they had considered that and the Senator had the information to give us on that subject. Having considered the question with reference to sugar, I supposed they had also considered it with reference to cigars. I wanted to get information in reference to it, and I asked it with utmost good faith, believing that the Senator could give it.

So far as the question being a matter of discussion about the loss of something we never had, I do not think the Senator is entirely correct in that, for these reasons, if I do not in giving them too much complicate it by again illustrating by sugar and do not call down upon myself the severe criticism of the learned Senator:

There is a certain amount of sugar to be consumed in the United States. The production of sugar in this country is less than our consumption. Consequently the balance must be made up by importation, and if a certain amount of that importation is by artificial means induced to come from the Philippine Islands and is introduced free, it necessarily decreases the amount of the importations from other countries, which do not come in free, and therefore there must necessarily be a loss of revenue to the extent of every pound that comes in from the Philippine Islands free. Now, by way of illustration, I do not know that the illustration would hold in its entirety as controlling the question of the importation of cigars, but it certainly will throw some light upon it.

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me a moment, I will then yield with pleasure. There are, of course, very many more cigars consumed in the United States than are produced in the United States. The production is less than the consumption, and the possible production, you might say, is less than the consumption, for the reason that we do not manufacture to a sufficient extent or produce to a sufficient extent the class of tobacco that is made up into cigars.

There are a certain number of millions of cigars to be imported upon which we derive a very handsome revenue in the way of impost duties. If we provide for seventy million of that surplus to come from another country free, of course we decrease to that extent the number of cigars which are to be imported and upon which there would be a duty. Consequently it is not a question of the loss of something which we did not have.

I now yield with pleasure to the Senator.

Mr. ALDRICH. We import a certain amount of cigars from Cuba and not any particular amount from anywhere else. It is extremely doubtful in my mind whether we shall ever import under any circumstances any considerable amount of cigars from the Philippine Islands. We have imported a million and a half. I think that is the maximum in any one year.

I will say to the Senator, as far as the loss of revenue is concerned, if the cigars which we have ever imported from the Philippine Islands had not been admitted free the loss of revenue on them would have been $712. The same rule which applies to Cuban cigars to a certain extent and Porto Rican cigars do not now apply to the Philippine cigars. Possibly there may a taste grow up in the United States for Philippine cigars. It never has up to this time. So far as that part of it is concerned, I think we are now only in the dark as to what cigars, if any, will be imported into the United States.

But, as I said before, it is not a question of revenue. It is true that if we should import from the Philippine Islands 300,000 tons of sugar free of duty the country would lose the revenue from that 300,000 tons if it was imported from some country that was obliged to pay a duty, and the amount of that duty is a bonus unquestionably to the producers of sugar in the Philippine Islands.

Mr. BACON. The same as if it were taken out of the Treasury?

Mr. ALDRICH. No, sir; because it never was in the Treasury.

Mr. BACON. It would be but for that.

Mr. ALDRICH. That might be. There might be a great many things go into the Treasury if it were not for circumstances.

Mr. BACON. It prevents that amount from going into the Treasury.

Mr. ALDRICH. It is entirely problematical whether there would be any large amount; but whether the amount is large or small, whatever it is, is a bonus to the sugar producers of the Philippine Islands.

Mr. BACON. Of course.

Mr. ALDRICH. In other words, it is an encouragement to people who are under the United States flag and inhabiting territory belonging to the United States. That is all of the proposition.

Whether the aid or assistance or encouragement proposed goes too far or not every Senator must decide for himself; but I can not conceive of any Senator of the United States, with the obligations which we are under to that people, who would not only be willing, but anxious, to do everything possible to encourage those people to develop their industries, to put them on the road to self-government, which is what we are all after, I take it.

Now, that is the whole proposition. I can conceive that a Senator might think we were doing too much or too little, but I can not conceive any Member of the American Senate not feeling that we must do something, and do as much as possible, in that direction.

Mr. BACON. Mr. President, the Senator by his remarks opens considerations that I did not intend to enter upon at all. The Senator and I were both in the Senate at the time the question came up as to whether we should deprive that people of the right to govern themselves and whether we should take possession of them and hold them as a conquered province. Upon one side of that question was the Senator from Rhode Island; upon the other side of it, whether my efforts were feeble or otherwise, was myself; and it will always be to me a source of personal gratification that by no word or vote of mine was that great wrong done to that people or was that great injury done to the United States.

I am not going into it now; we have thrashed it over in the Senate in the years past, and I am willing to stand on the record. I echo every word the Senator from Idaho [Mr. BORAH] this morning said on this subject. I think the words of the Senator from Rhode Island as to the desire of this people to put the Filipino people on their feet, that they might be forwarded in self-government, are not consistent with the vote which the Senator cast yesterday afternoon or last night—I have forgotten which.

Mr. ALDRICH. On what?

Mr. BACON. On the amendment offered by the Senator from Missouri [Mr. STONE], which simply committed ourselves to the proposition that we would do this in time. It is true it said not exceeding fifteen years; and, Mr. President, when those who profess to wish that the Filipinos shall enjoy an independent government put it in the indefinite, distant future, generations ahead, and they go forward to tighten the bonds which tie us to that country, professions of an intention to turn them loose do not amount to anything. There can be no Senator in the sound of my voice who does not know the fact that if we tie that country, whether by innumerable commercial bonds, innumerable bonds of interest with those in this country who will be influential to see that their interests are there protected and fostered and advanced, the day will never come when we will be rid of what I consider to be, so far as concerns the United States, a very body of death. So far as the interests of this country are concerned, it is a monumental injustice, perpetrated by a Government based upon free institutions, which tie us to a people every impulse of every man of which is for freedom and for independence.

But, Mr. President, I am not going to discuss that now. I did not rise for the purpose of starting anything of that kind; I was impressed by the fact, Mr. President, that while we might permit that people to work out their own salvation, as they ought to do, we are in what I consider to be a false pretense, extending to them alleged benefits at a time when we are but forging all the stronger the manacles which shall enslave them forever.

It has been suggested to me, in response to the statement of the Senator, that the importations of cigars from the Philippines are so very small as to amount to nothing; if it be true that the small importations from that country do not give promise of any larger importation, why fix the limit at 70,000,000, or 60,000,000, or 50,000,000, unless it is expected that that limit is to be reached?

Mr. ALDRICH. Mr. President, for the same reason that we are extending this aid in every direction which presents the possibility or probability of use. It may be true, as I said, that the taste may grow up in this country for Philippine cigars or Philippine tobacco.

Mr. BACON. I want to say something in regard to that matter. I am glad the Senator mentioned it, because I was about to forget it.

I am not now addicted to the weed, except a very occasional indulgence; but the time was when I was a regular smoker, and I have smoked, to a considerable extent, Philippine cigars. I have smoked them in the islands, and I have smoked them when they have been sent to me from the islands. I want to say to the Senator that they are, according to my taste, a very desirable cigar—a cigar, I believe, that could be made extremely popular in this country if it should be generally introduced.

The question as to the amount which has been introduced in the past when a tariff existed is not an index as to what will be the amount imported when there is no tariff upon it. If the importation is not to be increased, then it is not going to give any such benefit to the Filipinos as the Senator promises; and if it is to be introduced, then it does come to the question of the displacement of an amount of importation from other countries where we would have import duties.

It was not with a view to any argument of this question that I made the inquiry of the honorable Senator, but in good faith I wanted to know if the Finance Committee, represented by its majority membership, when they brought in here an amendment limiting the amount of importations to 150,000,000 cigars, had considered the question, if the 150,000,000 cigars which are thus permitted free should be imported, what would be the loss of revenue to the Government? We are certainly entitled to that information.

Mr. ALDRICH. Mr. President——

Mr. BACON. When it was reduced to 70,000,000, I wanted to know if the committee had considered it.

Mr. ALDRICH. It would be impossible for any man to make a mathematical calculation on a matter of speculation.

Mr. BACON. Certainly, not with accuracy.

Mr. ALDRICH. You can not do it with approximate accuracy; there are so many different conditions which affect the rate, for instance, which would be imposed on cigars—their value, their size. There is an infinite variety of conditions.

The Senator can make that mathematical calculation himself as well as I can. He knows what the duties are on cigars, I take it, and he knows that we must take a certain amount, but it is entirely a matter of calculation whether the number is one million or two million or fifty million or sixty million or seventy million. If there are seventy million of a certain character imported, one could state what the duty would be. But that is not the question involved here at all.

Mr. BACON. I think both questions are involved.

Mr. ALDRICH. All right; the Senator has a right to his own opinion. He is as good a mathematician as I am. He can calculate with equal facility with myself as to how many would be imported and what the duty would be if not admitted free.

Mr. BACON. I should like to say to the Senator that his reply to me is one which he could have made to any question for information which any Senator could have propounded to him in the progress of this debate as to probable revenue. Yet the Senator stood in his place right where he now sits and figured out, I think, to a 50-cent piece what was to be the revenue from this entire bill. He could have with great propriety turned to the Senate and said, "Why should I give you any such information? You are all good mathematicians; take a pencil and paper and figure it out for yourselves."

Mr. ALDRICH. In estimating the revenue I did not estimate any revenue from free importations.

Mr. BACON. No; I said the entire revenue under this bill; I did not say from free importations. I have been handed by the Senator from Nevada [Mr. NEWLANDS] the statement which the Senator from Rhode Island made on the 14th of June, which

was yesterday. There the Senator made a precise statement as to sugar, and I can not understand how there can be any more difficulty in the matter of estimating regarding cigars than there is as to the matter regarding sugar. On page 3180 of the RECORD the Senator from Rhode Island is reported to have said yesterday:

Mr. President, this proposition is practically to pay the sugar producers of the Philippine Islands a bounty of about 1.68 cents per pound.

That, I am told by the Senator from Nevada, is $10,000,000 annually on 300,000 tons. That is what I had understood. Of course, though, that is not the question now. We are not now on the sugar question; we are on the cigar question.

I want to say this, and very frankly: When the question of annexing foreign land, tropical land, was involved in the votes which we had in the Senate eleven years ago, I recollect saying that while I was not a protectionist, and I am not, that while I do not believe in the principle or in the practice, I was not in favor of going out and hunting up countries in the world for the purpose of having them come into competition with the productions of our own country and in competition with the industries of our own country. That view of it I have now. I do not believe in a protective tariff, nor do I believe in taking the Philippine Islands and encouraging industries there with the undoubted and necessary effect of bringing them into competition with industries in this country.

I think it is true the Senator has no anticipation of the introduction of any 70,000,000 cigars. Then this limitation ought not to be put at that rate. If it is true that there are to be only one or two million cigars imported, we ought to have a limitation, if any at all, which would be corresponding in amount.

Mr. ALDRICH. Mr. President, the papers which have been read show the anticipations on the part of cigar makers that the amount will be greatly in excess of 150,000,000.

Mr. BACON. Then, Mr. President, why should the Senator, or why should the Senate—possibly they are synonymous terms, so far as the question of what shall be done in this bill is concerned—why should the Senate unduly alarm and disturb a large body of our citizenry by the fixing of a limitation which they think will be reached, and which, if reached, will be of great disadvantage to them at a time when the Senator says that there is no possibility that it will be reached or any prospect of it?

Mr. ALDRICH. Mr. President, it is very difficult for me at times to understand the reasoning of the Senator from Georgia. He is now expressing great alarm, which seems to affect him seriously, that there may be importations into the United States to the disadvantage of some workingmen in the United States. That alarm has not been expressed heretofore on any of these schedules, so far as I have heard, either by his voice or by his vote.

Mr. BACON. The Senator is undoubtedly mistaken.

Mr. ALDRICH. Now, he picks out the wards of the United States, the people to whom we are under the greatest obligations, and suddenly becomes a protectionist.

Mr. HEYBURN. Not under obligations.

Mr. ALDRICH. Well, we have obligations to them. We have the greatest obligations. Suddenly the Senator from Georgia becomes a great protectionist——

Mr. BACON. No; the Senator is mistaken about that.

Mr. ALDRICH. And, with the greatest anxiety in his voice, he appeals to us to save the workingmen of the United States from the competition of somebody. Now, I hope the Senator will, in the consideration of this bill, extend that sympathy to workingmen employed in other industries in the United States, and by his voice and his vote try to save those workingmen from competition in every direction.

Mr. BACON. Mr. President, the Senator is entirely mistaken. I have not changed in any particular. I am still opposed to levying a tax on importations for the purpose of benefiting private industries, no matter who may be the beneficiaries under such a tax. At the same time, while I repeat that that is true, I am not so indifferent to those industries that I am in favor of going out to the islands of the sea for the purpose of fostering industries and bringing them into competition, unnecessarily, with our own.

Mr. ALDRICH rose.

Mr. BACON. I hope the Senator will pardon me a moment. I have not got through. I heard him through with great patience, and waited until he took his seat before I began to reply.

Mr. President, the Senator from Rhode Island says that I have shown indifference to the question of the laboring men in this country. The difference between the Senator and myself in that regard is this: We take a broader view of the interest of the laboring men. This entire tariff legislation, although there are some pretenses to a more enlarged view, when properly analyzed is in the interest of a very small percentage of the laboring men of the United States. All these schedules, which are not deceptive delusions, are for men engaged in certain lines of industry, which constitue, in the number of those engaged, I think, possibly one-twentieth of the others engaged in the industries of the United States, certanly not over a tenth of those who are actually engaged in them, and all the other nine-teths of those laboring men have to pay tribute in order that these men may have increased wages, and, as the Senator from Montana [Mr. CARTER] said two or three days ago, that they may have a bill of fare equal to that furnished by the best hotel in Washington City.

Mr. President, some of us on this floor represent a large number of the laboring class, who contribute very much by their labors to the wealth of this country, who get not one dollar of benefit under this bill, but who have imposed upon them burdens, which they bear every hour of the day and of the night, in order that others may reap that which they have not sown. As the Senator from Montana said, he wants a high tariff on raw wool in order that the sheep herder of Montana shall have $40 a month of wages, and board equal to that at the New Willard; wages which the legitimate profits of their business will not give them, and board which the legitimate profits of their business will not afford to them, but to secure which they must tax the men who labor in the cotton fields. They are the men, Mr. President, as well as millions of others in other employments, about whom we are concerned. We are concerned as to the whole country, but we absolutely protest against a policy which seeks to tax nine-tenths of the people in order that one-tenth may have that which the legitimate rewards of their labor will not give to them.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. I do.

Mr. ALDRICH. The arguments and theories of the Senator from Georgia belong to past and forgotten ages.

Mr. BACON. Well, the Senator is mistaken about that.

Mr. ALDRICH. I think not. Now, let us see. There is not a protectionist or a man who defends the protective policy in the United States, or anywhere else that I know of, who does not defend it as a national policy. If the policy of protection does not give wages to all of the laboring people of the United States engaged in all of the industries in every vocation, then it is indefensible.

Mr. BACON. Then, it is without defense, if the Senator from Rhode Island depends upon that defense of it.

Mr. ALDRICH. I say, without hesitation, that every wage-earner in the United States gets the advantage; that it is a national policy; that it raises the general scale of wages; that it enables our people to live in a better and more comfortable way. That is what the doctrine of protection is. It is not for the people who are engaged in any specific industry.

Does the Senator think that a boiler maker or a man who is running an engine in a protected manufactory will get greater wages than the man who is running an engine across the street in some other enterprise that is not protected? Certainly we have never advanced any such doctrine as that. We hold no such doctrine as that. The Senator from Georgia is setting up a man of straw which nobody on this side has ever claimed existed. We have no such idea about it at all.

We ask the Senator from Georgia to join us in the protective policy for the benefit of the men who are working in the cotton fields in his State, for the benefit of the men who are raising cotton in his own State, in order that they may have this higher scale of wages which the protective policy makes possible in the United States. We ask him to join with us in the protective policy—he, of course, politely declines—because it enables the people of Georgia, as well as the people of my State, to live more comfortably and more in consonance with our ideas of the way that civilized people ought to live.

Mr. BACON. Mr. President, the Senator from Rhode Island is too well informed a man for me to give him credit for sincerity when he says that the protective-tariff system is a benefit to the man who produces cotton, the man who labors in the field producing cotton, or the man who employs labor producing cotton. I will tell the Senator how the protective tariff benefits the man who raises cotton. The Senator from Rhode Island knows the fact that the protective tariff does not affect the price of cotton. The price of cotton is fixed in the free markets of the world, and no duty which could be put upon cotton would advance the price of cotton. As I have said in this Chamber,

if you were to put $10 a pound upon cotton, it would not increase the price of cotton in this country a fraction of a hundredth part of a mill.

Of course, Mr. President, those who are engaged in the production of any article must have their wages measured by the value of the article which they produce and by the profit which may be made in its production. While it is true that the protective tariff does not in the slightest degree enhance the wages of a man engaged in the production of cotton, or the profits of the man who employs the laborer engaged in the production of cotton, it is also true that the so-called "benefits" that the protective tariff confers upon the man engaged in the production of cotton are the benefits of tremendous and burdensome taxation upon every article which he has to use in the production of that cotton.

It is even now grown to be considered to be a tremendous favor, if the small amount of revenue, which is to be derived from fertilizers, is to be remitted in his favor. Senators are not willing even that there should be the small concession of free bagging and ties; but upon every piece of harness, upon every piece of machinery, upon every trace chain, upon every vehicle and tool and implement, upon everything which is used outside of what he can make upon the farm in the way of food, there is an immense tax, which the farmers have to pay, and on account of which they receive no reciprocal benefit whatever. On account of this tariff tax the cotton farmer must pay two prices for all these things. And this is not only true of the cotton growers, but in greater or less degree of all others in the United States engaged in agriculture.

Mr. President, I want to say one word in regard to what the Senator from Rhode Island says about his State. Whenever you impose a protective-tariff system under which the direct benefits go to those who are engaged in manufacturing, and where it is a matter merely of theory as to whether or not anybody else gets any reciprocal or resulting indirect benefits, if it is true under these conditions that there is in one part of the country great concentration of manufacturing enterprises and a comparatively small amount of it in the other parts of the country, the necessary result of it is that in the country at large, and from the people at large, there is a tremendous revenue gathered for the benefit of those engaged in manufacturng, and all of it poured into the particular section where this manufacturing interest is concentrated.

Mr. President, take these schedules or the schedules of any protective tariff, and figure out honestly and sincerely what benefits the agricultural classes get under it and what benefits the manufacturing classes get under it, and then, when you have arrived at the conclusion, which is inevitable, that the manufacturing classes get immeasurably the greater benefit—when you go a step further and show that while they get the greater benefit, they are so concentrated in one particular section that they get almost the entire benefit, and the agricultural classes, spread over the country, bearing the burdens, getting no benefit, it is no wonder, Mr. President, that New England is solid for the protective tariff. I should like to know how much of agricultural interest there is in New England. Almost her entire industries are the protected industries of the country. It is true, as the Senator says, that it is not limited to the man who is engaged in making a boiler, upon which there is a protective tariff, but that it extends to another across the street making something else; but it unfortunately happens that that other something else is also protected, and the man who is not protected, and can not in the nature of things be protected, has to be taxed to pay them both.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do, with pleasure.

Mr. GALLINGER. I would say to the Senator that the people of New England, a large portion of whom are employed in the so-called "protected industries," consume between five and six million barrels of western flour each year, and every bushel of corn, of barley, and of oats, and every pound of beef that they consume comes from the farmers of the West.

Mr. BACON. Oh, yes.

Mr. GALLINGER. Now, I submit to the Senator that the farmers, after all, are getting a good deal of benefit out of the fact that the operatives in the mills of New England are being kept employed. I will say to the Senator that the consumption of flour in the six New England States, under a tariff law that destroyed to a large extent our industries, was reduced one-half, and the farmer suffered to that extent because of the legislation of the Senator's party a few years ago.

Mr. BACON. Mr. President, the Senator from Rhode Island spoke of an antiquated argument. I should like to know if there is one more hoary with age and one that would be gray, if it were not baldheaded, than the argument just suggested by the Senator from New Hampshire as to the market furnished by the manufacturing industries to agricultural products. Of course I understand that the Senator will not——

Mr. GALLINGER. Mr. President, if the Senator will answer it, I should be very happy to hear his answer. If he thinks that the people of New England, consuming the products of the western farmer, are not doing something toward benefiting the western farmer, I should like to know the logic of the Senator on that point.

Mr. BACON. Well, Mr. President, while this hoary-headed argument is advanced with so much confidence, I should like to know what would become of the products of the manufacturing classes if the agriculturists were not there to take them and use them?

Mr. GALLINGER. I think it is a reciprocal matter.

Mr. BACON. Of course it is, Mr. President, so far as that is concerned; but the difference is that the farmer sells his product to the manufacturer at its real value, while he is compelled to buy the products of the manufacturer at artificial, high prices, and there are ten agriculturists to where there is one manufacturer.

Mr. GALLINGER. The Senator is mistaken about that. If he means merely manufacturers, that is true; but if he means employees, it is not quite correct.

Mr. BACON. Well, Mr. President, I have not got the statistics before me now, and I do not speak with accuracy, but of course we all know that very much the larger proportion is in favor of the agricultural classes as opposed to the manufacturing classes, even including their employees.

But, Mr. President, I had no expectation of doing anything more when I rose than to ask information from the Senator from Rhode Island. I am sorry I can not get it. I should like to know very much if the 150,000,000 or 70,000,000 cigars which are to be imported from the Philippine Islands—whether or not the Finance Committee, or the majority members of it, have made any estimate as to the amount of revenue which would be represented—I will put it in this way for the Senator—by a corresponding importation from some country where there is a duty imposed?

Mr. ALDRICH. Mr. President, perhaps it will inform the Senator if I say that the duty on cigars is four dollars and a half and 25 per cent ad valorem; and perhaps he may be able to tell us what that would be on a thousand Philippine cigars. I am not able to do so at present. It depends entirely upon how much they weigh and various other things in connection with them.

I do not intend to be led into a discussion of the general question of protection, but I will say to the Senator from Georgia that it can be established beyond the slightest doubt that the people engaged in agricultural pursuits in the United States are the principal beneficiaries of the protective policy. It is proximity to profitable markets which is the basis of the protective system.

Mr. BACON. Well, Mr. President, that is something, of course, that requires a good deal of argument on both sides, and would occupy more time than could be now properly devoted to it. It certainly does not apply to those engaged in the production of cotton, which keeps the balance of trade in this country and has kept it for forty years, and without which it would have been against us most if not all the time.

Mr. NEWLANDS. Mr. President——

Mr. BACON. I have finished. I yield to the Senator from Nevada.

Mr. NEWLANDS. I merely wish to state, Mr. President, that the Senator from Georgia [Mr. BACON] has inquired of the Senator from Rhode Island [Mr. ALDRICH] what amount of duty would be lost to the Treasury of the United States by permitting the free importation of 70,000,000 of Filipino cigars. The Senator from Rhode Island was unable to give an estimate, or, at all events, did not give an estimate. The Senator from Rhode Island was able to give an accurate estimate of the amount that would be lost to the Treasury of the United States by the bounty on their sugar to the Filipino producers. I quote from his language of yesterday at page 3180 of the CONGRESSIONAL RECORD:

Mr. ALDRICH. Mr. President, this proposition is practically to pay the sugar producers of the Philippine Islands a bounty of about 1.68 cents per pound.

One and sixty-eight one-hundredths cents per pound means a little less than $35 a ton, and that rate on 300,000 tons would be

$10,000,000 in bounty, as the Senator from Rhode Island states, to the Philippine producers. That amount is lost to our National Treasury as the duty paid upon the importations of foreign sugar and is turned over to the Philippine producers.

With reference to cigars, an equally accurate estimate can be made by the Senator from Rhode Island. The duty upon cigars is $4.50 per pound and 25 per cent ad valorem. The table which the Senator from Rhode Island has prepared states that the total ad valorem duty on cigars is 151 per cent. The action, then, of the committee proposes to take this duty out of the National Treasury and to turn it over as a bounty to the Filipino producers of cigars. Certainly four dollars and a half per pound and 25 per cent ad valorem would amount at least to 5 cents on each cigar, for 100 cigars must weigh approximately a pound; so that 5 cents on 70,000,000 cigars would be three and a half million of dollars lost to the National Treasury and paid over as a bounty to the Filipino producers.

TO WHOM WILL THE BOUNTY BE PAID.

Now, I wish to remark regarding the Filipino producers that this bounty is not paid to the humble worker who makes the cigars, but it is paid to the great combination in the Philippine Islands that has practically the control of the cigar industry there, just as the Bocks have the control of the cigar industry in Cuba. Those who have been to the Philippine Islands will recall the fact that there is an immense building in the city of Manila, the largest and most valuable building there, devoted entirely to the business of the great tobacco combination and trust organized under the Spanish law, which had a monopoly practically of the tobacco business before our occupation, and which has continued it since. So that the action proposed by the committee means that $10,000,000 of sugar duties will be taken from the Federal Treasury and turned over, not to the workers upon the sugar plantations, but to the big planters owning large tracts of land, and probably to the sugar trust itself, which will ultimately monopolize the cultivation and production of sugar in the Philippines if it shall prove profitable, as they are now doing in Cuba. It will also take three and a half million of dollars out of the National Treasury, which otherwise would go there as duties upon 70,000,000 of cigars, and pay that over, not to the workers, but to this great tobacco combination. I ask how much of it will filter through the hands of these great combinations and into the pockets of the Filipino workmen, the common men, the peasants, whom these bounties are intended to benefit and whose education and advancement and prosperity it is intended to promote?

I call attention to the fact that in cigars and sugar alone we are to give annual bounties of over $13,000,000 to these great interests. Would it not be better, instead of doing that, to consider direct aid to the Philippine Commission itself, either in the shape of a bond issue or of a direct appropriation, that will enable them to go right down to the class of people whom it is intended to benefit, and train them in agricultural and industrial pursuits, and let them receive the benefit of this bounty, instead of the favored interests?

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. NEWLANDS. I will yield in just a moment. I call attention to the fact that this bounty is not for one year; it is for twenty years; it is for all time if those islands remain in our perpetual occupation; and during twenty years the total sum taken from the Federal Treasury and paid to special interests will amount to $300,000,000, or approximately that; and that by direct aid—involving only a tithe of that expenditure, only a few million dollars annually, and expended wisely by the Philippine Commission itself—in the advancement of the agricultural methods of the common people themselves would do more to train those people, to give them an education, and to train them in habits of industry and improved methods of production, than to turn this money over to the great combinations and the employers of these people, who are simply serfs attached to the soil.

Mr. HEYBURN. I should like to ask the Senator, if he has the knowledge—and I think he has—have the Filipinos advanced since the conquest intellectually or in a material sense? If so, how much does the Senator think they have advanced?

Mr. NEWLANDS. It is very difficult for me to say, from the casual observation I had there during a six weeks' or a two months' experience; but I should say, from my observation and from what I heard whilst there, that the Filipino children are quite apt at learning; that they are quite apt in learning the English language; and that they are quite apt in acquiring new methods. There is a disposition among them, I must say, to avoid labor, as there is amongst white people in that hot climate; and whenever they get a little education, the disposition is to drift away from manual labor into clerical and other pursuits.

Mr. HEYBURN. Will the Senator permit me further?

Mr. NEWLANDS. Certainly.

Mr. HEYBURN. Had they advanced in material prosperity as a people at the time the Senator had an opportunity to observe them?

Mr. NEWLANDS. I should judge they had not improved much materially from what I saw at the time and from what I heard and from the representations which we have received since from the commission.

Mr. HEYBURN. Will the Senator permit me to inquire whether or not, in his judgment, this bill would benefit the Filipinos?

Mr. NEWLANDS. I do not think it would benefit the masses of people themselves; I think that it would promote these great interests; I think they would absorb the profit; and I think the masses of the people would get very little of this proposed bounty.

Mr. HEYBURN. Would they be injured by the provisions of this bill in their material prosperity?

Mr. NEWLANDS. Injured only in one way. I should say that if we stimulate production in those islands by giving them the prices of this country, prices double the world's prices, and accustom them to such prices, then, if we should conclude to let them go, they would have to drop down to the world's prices, and no man can measure the industrial collapse that would be caused in those islands by the change. For instance, in this country they will get 4 cents a pound for their sugar under this arrangement. At Hongkong they can only get 2 cents. When we should part with them, they would be compelled to fall back to the Hongkong price, the price which sustains Java and which sustains other sugar-producing countries. The Senator can understand that the collapse would be a very serious one.

Mr. HEYBURN. Would this larger use of money tend in any way to elevate the grade or character of the lives of those people?

Mr. NEWLANDS. I can not understand how it would. I am inclined to think that if you give the great interests that are employed in production there $15,000,000 or so annually out of the National Treasury as a subsidy it will be reflected perhaps in a partial increase in the prosperity of the masses of the people; but I have no doubt that the mass of this money will be absorbed by the great employers themselves, and that little of it will accrue to the benefit of the people. I am talking now about the comparative efficiency of the aid given to those islands. If we have in view a philanthropic purpose there of aiding the people themselves, so that ultimately they will become prosperous and self-supporting, the thing to do is to aid them directly.

Mr. HEYBURN. If the Senator will pardon me just a moment. I was in some doubt whether the Senator's plea was on behalf of the Filipinos or the American Government, and I wanted to ascertain, if I could, whether or not it would elevate or depress the standard of the civilization of the Philippine Islands.

Mr. NEWLANDS. It is impossible for me to say that the increased expenditure of bounty of nearly $15,000,000 to the producers of sugar and to the great combinations that control the tobacco there will not to some degree benefit the employees of those great industries. I would not deny that. But I say the degree is entirely inconsequential when you compare the largeness of the bounty with the results obtained, and I contend if we are disposed to enter upon a philanthropic work of giving these people $15,000,000 annually in order to increase the prosperity of the masses of the people, there is a much more effective and a much more economical way.

I should be glad to avoid it myself; I should be glad to entirely administer the Philippines with their own revenues; but we know now that those islands are comparatively poverty stricken; that they are almost worthless; that the total exports do not exceed $32,000,000 annually; that the total revenue is only $17,000,000, a sum hardly adequate to support the municipal administration of the District of Columbia. The whole revenue, insular and municipal, amounts to only $17,000,000. At the rate of $5 a head, if you propose to educate 2,000,000 children in those islands, it would take $10,000,000 annually, two-thirds of the entire revenue.

You have entered upon an impossible task in endeavoring to train those people in a common language and to train them in industrial pursuits with the small revenue of those islands, and

you will have to abandon the task or else you will have to increase the amount of money with which it is to be done.

Now, those alternatives being before you, I contend that this sugar and tobacco bounty is the most expensive and costly and ineffective way of giving aid to the Filipino people.

Mr. DANIEL. Before the Senator from Nevada sits down I should like to ask him if there is any idea of this tobacco coming here paying revenue taxes to the Government?

Mr. NEWLANDS. Here?

Mr. DANIEL. Yes.

Mr. NEWLANDS. I do not know how that is.

Mr. DANIEL. As I understand, it will be free from the tariff tax. How about the revenue tax?

Mr. NEWLANDS. I do not know. The Senator will have to inquire of some one else.

Mr. SCOTT. Mr. President, the Senator from Nevada [Mr. NEWLANDS], in his very able remarks on the Philippine Islands, reminds me a little of the man who was going into the egg business. He had a hundred hens, counted on a hundred eggs every day, and had his wealth all figured out. So with the Senator from Nevada. He has all this sugar and tobacco coming from the Philippines each year and the natives growing rich. Just like the egg man. The Senator, in referring to the fact that the islands will send 300,000 tons of sugar and 70,000,000 cigars here annually, knows from a personal visit to those islands that that is practically impossible, and that it could not be made possible within the next fifteen or twenty years.

The tobacco of that country will never come into competition with the tobacco of this country; and I say that because I have a knowledge of tobacco, having had experience when I was a young man in buying leaf tobacco. When the tobacco was submitted, as the Senator knows, to the party that visited the Philippine Islands, it was found to be of an inferior quality. It is fit scarcely for a filler and for a very few wrappers, and the character of the cigars made is such that they will never be smoked in any large quantities by the people of this country.

If I were representing here a constituency such as that, say from Connecticut, I would welcome the coming in of leaf tobacco from the Philippine Islands. Why? Because it would make a market for our wrapper.

The Senator knows, as well as any man can possibly know from a personal visit, that with the appliances for growing and producing sugar there, which are most unprogressive, as he has admitted, the islands can not in the next fifteen years produce sugar enough to ever send over the amount we provide in this bill.

I wish to say just this, while I am on my feet. I do not want to take the time of the Senate, because so much of it is being wasted that I am ashamed even to rise in my seat. The country is clamoring for us to stop talking. It is praying for us to act. I desire to emphasize this all I can. I intend to vote for everything to come in from the Philippine Islands as I would from Arizona or Alaska. They either belong to us, they are either a part of us, or they are not. I believe they are a part of us, and anything they have to sell they have the same right to send to this country as Alaska or any other Territory has. That will be the reason for my vote upon all these propositions.

We have large cigar-manufacturing establishments in my city, my home place. We make the noted stogie that is known the world over, and I am not afraid to go to my people and show them that we are not injuring the cigar maker because we are admitting these cigars from the Philippine Islands, because I believe they have just the same right to come into competition with the cigars of my city as the cigars from any other State in this Union have. Consequently, I make this statement, so that it may be known when I vote that I am not doing it to injure any industry or to put any man out of employment, but because I believe those people have the same right that the people of any other Territory have.

Mr. ROOT. Mr. President, I wish to record my dissent both from the proposition of the Senator from Wisconsin and from the reduction in the amount of cigars to be admitted free from the Philippine Islands, to which the committee has now given its assent.

I regret that the Senator from Nebraska [Mr. BURKETT] should have for so long a period changed the discussion of this question into a question of the committee, and I reject his suggestion that a vote which does not agree with the conclusions of the committee is a vote of want of confidence.

I do not doubt, sir, that the committee reached the conclusion which they have announced this morning upon the most painstaking and sincere consideration. Personally, I do not agree with that conclusion. There are many cigar makers in my own State who have expressed to me the same opinions which have been contained in the letters and memorials read from the desk deprecating any interference with the prosperity of the cigar-making trade in the United States.

I would not injure the cigar makers of New York or of any other State, but, in my opinion, sir, they are mistaken in supposing that the passage of the pending measure in its full and original proportions would be any real injury to them. It appears by the report of the Commissioner of Internal Revenue for the year 1908 that there has been a large and steady increase in the production of cigars in the United States since the year 1898. That increase has been, notwithstanding the introduction of cigars from Porto Rico, without the payment of duty.

Bear with me, sir, while I read the figures which show the increase. There were produced in the United States of cigars in 1898, 4,915,000,000; in 1899, 5,531,000,000; in 1900, 6,176,000,000; in 1901, 6,914,000,000; in 1902, 6,907,000,000; in 1903, 7,308,000,000; in 1904, 7,376,000,000; in 1905, 7,551,000,000; in 1906, 8,137,000,000; in 1907, 8,376,000,000.

I do not believe, sir, that the prosperity and growth of the United States have yet come to an end. Our population will continue to increase; our wealth will continue to increase; our purchasing power will continue to increase, and this steady, natural, normal growth will continue.

What this measure in its full and original form proposed to do was to permit the tobacco raisers of the Philippine Islands to send to the United States a quantity of cigars which at its maximum could never equal the actual and regular increase in the consumption of cigars in this country for one single year.

Mr. President, there can be from this measure, even after the long course of years has brought it to the fullest development that is possible, no injury to the cigar makers of the United States. The utmost that it can do would be to take over to the Filipinos a part of the possible increase in the cigar business that is to come in the future.

Mr. President, we have some duties to the Filipinos. I am sure no Member of this body really desires to bring about a separation between the Philippine Islands and the United States by making our administration of the government of those islands a failure, by making the guardianship of the United States the cause of injury rather than of benefit, the cause of disaster and poverty rather than of prosperity and growth.

The die is cast, Mr. President, upon which we have the responsibility for the Philippine Islands. No action of ours can reverse it. The good faith, the good name, the honor of the American people are all pledged to lead the people of the islands on by paths of growing prosperity and capacity for government to the point where they will be capable of supporting and governing themselves.

We can not fulfill that high duty by giving them money, as the Senator from Nevada [Mr. NEWLANDS] would have us do. Gifts of money tend to reduce the independence of individual character. We can not fulfill that duty by making the islands unsuccessful in business, by retarding and confining their industry. We can fulfill it only by giving to them the opportunities to grow in habits of industry, to grow in the building up of national pride and national power, to grow in the accumulation of property and the diffusion of wealth, lying at the foundation of civilization. We can fulfill that duty only by making the people of the Philippines at once prosperous and intelligent.

Mr. President, we are now proposing in this measure to provide that all the products of the United States shall be admitted into the Philippine Islands free of duty. We are proposing to take to ourselves the benefit of the free introduction of our products into that gateway of the trade of the Orient. We had already proposed that in return for that benefit to ourselves we should admit their products free of duty, but with a limitation upon their great products of sugar and tobacco at such a point that, in the judgment of the Members of the House of Representatives, no injury whatever would be done to the American sugar and tobacco producers. We are now proposing to cut in two, and more than cut in two, the remnant that the original measure allowed to be introduced from the Philippines into the United States free of duty in return for the introduction of all our products into the Philippines free of duty.

Why, Mr. President, do we not go on and say to the Filipinos, "You shall take all of our products free of duty, and we will take none of yours without imposing upon them a duty." Ah, sir, we have the power. By the fortune of war the supreme, the irresistible power of this great Nation has been set over the weak and distracted people of the Philippines. But the possession of power carries with it an obligation that rises

above all considerations of trade, all considerations of particular and of selfish interests—an obligation that we must recognize. If we do not, dishonor is the name of America. Terrible and arbitrary power that we exercise over these poor people, and they are helpless! They must accept our words.

I for one, sir, am not willing to vote for a bill which, in my judgment, secures this great and powerful Nation an undue advantage over the weak people of the Philippine Islands; and I am against the reduction, whether the Senator from Wisconsin or all the committees of the Senate approve it; and I shall vote against it.

Mr. NEWLANDS. May I ask the Senator from New York whether his proposal for training the Philippine people in self-government also involves ultimate independence, and, if so, when, in his judgment, that can be attained?

Mr. ROOT. I will cheerfully answer the Senator from Nevada. My proposal to train the people of the Philippine Islands to the capacity for self-government involves the expectation and the belief that the time will come when they will be able to assume relations to the United States quite similar to those that now exist between Cuba and the United States, probably not precisely identical, because the conditions must necessarily differ, but that the people of the Philippine Islands shall assume toward the United States such a relation that they will exercise the privilege and the right of self-government under the protecting care of the Government of the United States.

It may be that at some day in the far distant future they will be able to maintain themselves without that care, but I think that that period must be regarded as too far in the future to be made the subject of consideration or discussion now.

As to the question when, I do not think, sir, it will be possible for the people of the Philippine Islands to reach such capacity for self-government as to make them able to go alone, even with the protection of the United States, during the life of the present generation or until a new generation and, perhaps, more than one new generation, has been trained up under the influences of education and with observation of the practice of constitutional governments which they now have before them in those islands.

Mr. President, nations in their development move slowly. The rules to be applied to them are not those which we apply to human life. It is impossible to develop a people from the civilization of one century to the civilization of future centuries in a few months or a few years. Self-government does not come by nature. It is a matter of development of character, and the development of character among a people is slow and laborious.

I believe, sir, that we have now upon us a duty we can not escape, but must perform, and that we shall be engaged in the performance of that duty, doubtless with many protests and many expressions of dissatisfaction, but with a fine, faithful, and loyal purpose on the part of the American people, after the Senator from Nevada and the Senator from New York shall have passed off the scene of action. I do not look to its accomplishment during the lives of any who are within the hearing of my voice, but it will be accomplished, and I am not one of those, sir, who think that my country will be the worse for the performance of this great act of unselfish altruism, which befits the mission of liberty and justice to the poor and the weak of the earth that is a part of our heritage from our fathers.

Mr. NEWLANDS. Mr. President, I will further ask the Senator from New York whether within the last twenty years or more, in the contention which has taken place amongst the great and powerful nations of the world for the Asiatic trade, he knows of an instance where any power obtaining territory, port concessions, or other favors or concessions of that character, has sought to exercise its power in such a way as to exclude from the territory controlled by it the accustomed trade of other nations. Is this effort made by us for a reciprocal arrangement with our own dependency, which we hold in trust for the Filipino people, to secure a favored arrangement for ourselves, which permits our imports into the Philippine Islands free, and to cut out the trade with other nations with those islands, now constituting over three-fourths of the Philippine imports, justified at a time when the United States is demanding that the policy of the open door should be maintained in China, and that no nation, whatever readjustment it may make with China, whatever status it may obtain in any port, whatever control it may acquire over any territory there, shall grant such a readjustment or secure such control in a way to interfere with the open door to all nations? I ask the Senator whether the policy which we propose to inaugurate there is consistent with the pretensions of our country in China?

Mr. ROOT. Mr. President, I have never heard any one question the right of any government to determine itself what the tariff dues should be upon imports into its own territory. That, sir, is not the open-door question. The "open door" is a phrase that is used as an equivalent for the proposition that no country should undertake to secure advantages in trade in the territory of any other country to the exclusion or detriment of still other nations. Its immediate application was to the Empire of China, in which a number of countries were securing concessions and establishing spheres of influence. It was apprehended a few years ago that those countries would seek in the concessions and within the spheres of influence to secure preferential advantages to the exclusion of other countries. It was against that that the open-door policy was directed, and not for a moment against the right, the privilege, the propriety of any country, or every country, fixing its own tariff dues around its own territories as it saw fit.

We have never questioned and, so far as I know, no one has ever questioned, the right of China to impose tariff duties at all her ports. Indeed this country is under a treaty with China which will naturally and necessarily lead to an increase of the duties of China at all her ports. But, sir, what we objected to, and what the countries of the western world agreed to and what the countries of the West and the East have now agreed to, is that no other country should secure over any part of the territory of China a preference which would close the door to her neighbors.

Mr. President, it follows that, whether wise or unwise, the establishment, as between the United States and the Philippine Islands, of a tariff arrangement stands on the same basis as the establishment between the United States and Porto Rico of a tariff arrangement. It is upon the same basis as the establishment between the United States and Hawaii of a tariff arrangement. We determine for ourselves what shall be the tariff duties upon the admission of goods to our territory, and we do not question the right of every other country in the world to determine for itself what shall be the tariff dues upon the admission of goods to its territory.

Mr. NEWLANDS obtained the floor.

Mr. ALDRICH. Mr. President, I appeal to the Senator from Nevada to allow a vote to be taken on this proposition. If we shall proceed to discuss and consider every phase of every international question which may be involved with any country in the world, we shall not pass the bill this year. I hope the Senator from Nevada will allow a vote to be taken upon this proposition.

Mr. NEWLANDS. Mr. President, I prefer to reply now to the remarks of the Senator from New York [Mr. ROOT]. I shall be, of course, mindful of the desire of the Senator from Rhode Island for an early vote upon the amendment.

As I understand the Senator from New York, he proposes that the policy of the United States toward the Philippine Islands shall involve ultimate independence, though that independence may be under a protectorate and the time is indeterminate. He therefore realizes that the Philippine Islands are to be regarded not as the possessions of the United States, but as a separate entity temporarily under our control, under a great trust declared by us, that our occupation is simply for the benefit of the Filipino people and not for our own advantage. Our position, therefore, with reference to the islands is not that of absolute sovereignty over and ownership of a Territory to be held for all time as a part of the United States, but it is the position of temporary occupation under a trust to the people entitled to independence, whose independence is absolutely assured by the pledged faith of our own Nation.

In that view the Philippine Islands constitute a part of the Orient entitled ultimately to independent national life, and the question I presented is, Whether we can intrude ourselves into the Orient and, under the plea of philanthropy, take possession of numerous islands there, and then impose upon them the policy of the closed door to the trade of other nations while we are insisting that the open door shall be maintained in the neighboring country of China.

What has been our contention in China? Our contention has been that whatever control the great nations should obtain in China, whether by concession of privilege or concession of territory, the power of that nation should not be exercised in such a way as to close the door to other nations, but that equal trade privileges should be maintained to all the nations of the world; that while China might impose a tariff, that tariff should be equal to all; not a tariff which would give concessions to Germany because of the power of Germany there, or concessions to England because of the power of England there, or concessions to Japan because of the power of Japan there.

So conscious has Japan been of the nature of this pledge demanded by Mr. Hay of the open door, that when she entered upon a war intended to check the aggressions of Russia, and

took possession of Korea and of Manchuria, she declared her purpose, in accordance with Mr. Hay's manifesto, to recognize the integrity and the independence of Korea, and to maintain the open door in Korea and Manchuria to all the nations of the world. Japan was entering upon an era of conquest as a means of national preservation. We in our movements in the Philippine Islands were entering simply upon an era of benevolence—of international philanthropy. How can we claim that Japan should keep the faith as to Korea and Manchuria, which she has won by the force of her arms, by the expenditure of enormous sums of money, when we propose to break the faith in the Philippine Islands?

What is the position of the trade of the Philippine Islands to-day? She has about $32,000,000 exports and about $32,000,000 imports. From what countries do those imports come? Eight million dollars from England, something less from Germany, something less from the United States, and the rest of the importations from Japan, China, and other countries. It is proposed by this arrangement to give the United States the right to put its importations into the Philippine markets without the payment of the 20 or the 25 per cent duty imposed by the Philippine Islands upon importations from every other country. The purpose is to absolutely monopolize for this country the importations in the Philippines; to exclude the importations of England, Germany, France, Japan, and China; to cut off even her importations in the Orient from her neighboring people. And we do this at the same time that we are demanding of all these nations, England, Germany, France, and Japan, that in all their negotiations and in all their acquired concessions, and in all their gaining of spheres of influence in China, they shall, whatever may be their expenditures, either in blood or in treasure, preserve the open door and maintain equal trade facilities in all the ports of China to all the nations of the world.

So, I ask, what consistency is there in this policy of greed in attempting to exclude and cut off and annihilate the trade of other nations with the Philippine Islands, whilst in China we are demanding the open door, and whilst, on the part of Japan, we are insisting upon the observance of faith regarding the Manchurian country, which she has absolutely won by force of arms, just as thoroughly won as we have won the Philippines? We are intruders in the Orient. Japan is a part of the Orient, yet we demand of her a policy regarding Manchuria and China which we ourselves refuse to pursue in the Philippines.

WHAT IS OUR DUTY TOWARD THE PHILIPPINES?

The Senator from New York has commented upon the great duty which we have to discharge to the Philippine Islands; that we stand before the world facing all history as to the performance of the assurance we have given of our philanthropic and humane intentions. I would not abate one jot of the performance of that duty. I only differ as to the method in which that duty shall be performed. I would much prefer if we could simply administer those islands upon their own revenues. But we have something in view beyond the mere administration of the islands. We have in view the termination as quickly as possible of our occupation there. What does that involve? Not simply the mere administration of the government of the islands, but the instruction of their people in a common language, in improved industrial and agricultural methods, in the principles of self-government, and in the capacity to stand alone.

In that work I would utilize the Philippine revenues, and I would not call upon the Government of the United States for a dollar if the work could be performed with the Philippine revenues. But all our illusions have vanished regarding those islands. We realize that they are not the source of wealth, and though beautiful to the eye they never can have any great productive capacity. We realize that all nature is against them. The cholera is there, the Asiatic cholera, destructive of man; the surran and rinderpest, so destructive to animals; the hurricane and the typhoon, destructive of property and life.

We all realize that the Philippine Islands to-day are taxed to their utmost capacity, that only $17,000,000 can be raised, and that that amount of money for the insular government, for the municipal government, is not adequate, is hardly adequate to meet the requirements of administration, much less the great humane, educational, and philanthropic work which we have in view.

If we are to carry out our pledges to the world it has got to cost us something. We have assumed the rôle of international philanthropy, and philanthropy always costs something. What has it cost us already? Nearly $600,000,000 in war and military occupation there. What is it costing to-day in military expense? One-fourth of the annual expense of our army and navy is attributable to our occupation of the Philippines, a sum aggregating nearly $50,000,000 annually. That is what it has cost us—$600,000,000 in the past, $50,000,000 annually in the future. Is it not about time that we were bringing this great trust to an end, not by abandonment of it, but by working vigorously and energetically toward the goal of accomplishment? Is it working vigorously and energetically in giving these people a common language when we put only 500,000 of their children in their schools and leave 1,500,000 out of school? Are we training them in habits of industry, in improved methods of agriculture, when we fail to give them in all their provinces industrial schools and agricultural schools which can improve their methods of industry and of agriculture? Will it not be money saved to accomplish all this work of philanthrophy in twenty years, instead of stringing it out over one hundred years?

Are we to continue this plan of philanthropic work over one hundred years, costing the United States in military and naval expenditures $50,000,000 annually and with the prospect of a war in the end costing us a billion dollars? Are we to continue this for a hundred years when by putting a little fire and a little energy into this philanthropic work we can accomplish it in twenty? Are we to continue for one hundred years to teach the Filipino people a common language, or shall we accomplish it in ten, fifteen, or twenty years? Do we not all recognize that the work is to be done with the children and not with the adults, and that the thorough training of 2,000,000 children for ten years will mean that in the next generation the majority of the people of those islands will be speaking the English language, and that they will then have a common language through which they can convey to each other their ideas upon government, upon economics, upon administration, upon morals?

Now, I protest against an ineffective way of doing this. The Senator from New York says I would make gifts to the Filipino people that would demoralize them. I would not make gifts to the Filipino people. I would avoid a bounty of $15,000,000 annually to favored interests in the Philippine Islands, to the great planters, to the sugar trust which in the future will monopolize the production there, to the great tobacco organization which is now there and which will monopolize the tobacco industry in those islands, and I would devote a tithe only, a small proportion of it, to the advancement of the Filipino people, and I would put it in the hands of the Philippine Commission and give them the power to expend it in a way that would best advance the educational and industrial development of the Philippine Islands.

I wish to bear witness to the rare judgment and disinterestedness and efficiency with which the Philippine Commission is discharging its difficult duties. Their work there is a credit to the United States. Our work here is not. Instead of appropriating this $15,000,000 annually to favored interests, a part of which only will filter down to the masses of the people and give them perhaps a slightly increased prosperity in a slightly increased way, I would apply only a portion of it to the Filipino government itself, not for gifts to the people, not for the purpose of debauching them, not for the purpose of demoralizing them, but for the purpose of enabling the Philippine Commission to carry out the philanthropic work which we have inaugurated, and which we must always keep in view, not the simple administration of the islands, but the instruction of the people in a common language, the development of industrial and agricultural training, the development of the capacity to stand alone.

Mr. President, I am proposing no gift to the Filipino people. I am not to-day proposing any gift to the Filipino people. I say that if they can not get along with their revenues, if the United States can not discharge its great obligation to those people and to civilization out of the revenues now afforded by the taxation of that country, then we must either abandon our trust and leave the islands or we must put up some money; and I suggest that that shall be done in an efficient way, not in a way that will debauch and demoralize.

THE PHILIPPINES DIFFERENT FROM PORTO RICO.

The Senator from New York says that their relations are somewhat similar to those of Porto Rico. Porto Rico is a part of the United States. We are exercising no trust regarding Porto Rico. We realize the fact that for all time Porto Rico is a part of the United States. It will soon receive a territorial government. It may sometime be admitted to statehood. I hope the time will come when Cuba, by voluntary act, will apply for political union with this country, instead of the maintenance of a mere commercial union; that she will see the large advantage of political union with this country, which

will also involve the advantage of commercial union; and I hope to see Cuba and Porto Rico one of these days, first as Territories and then united as a single State, in the Union.

Our policy regarding Porto Rico, therefore, is entirely different from that which we should pursue toward the Philippine Islands. Our occupation there is temporary. The Senator from New York admits that it is temporary. And what policy are we to pursue under this bill? We are to pursue the policy of accustoming those people not to the world's prices for their products, but to the favored prices that exist in the United States, the subsidized prices, prices double the world's prices. We propose to stimulate sugar production there by giving them not the $40 a ton which they get in the Hongkong market, but the $75 a ton which they get in the American market.

We propose to stimulate production not by giving them the power by improved methods to meet the low prices which they now receive for their products in China, Japan, and in the Orient generally, but by giving them the subsidized prices maintained in this country by a tariff amounting on sugar to nearly 100 per cent and on tobacco to 151 per cent. When our temporary occupation ends, as he admits it will end, and the Philippines have a separate autonomy, absolutely distinct from us, with their own government, their own fiscal system, their own revenue system, I ask the Senator from New York whether, under those conditions, those islands can sink to the acceptance of the world's prices without an utter collapse of their industries?

True humanity dictates that we should not accustom them to the subsidized prices of this country, to these props to their industries, which later will be withdrawn; but to teach them by improved methods of industrial training and agricultural development to meet the world's prices; to be able to accept in Hongkong the price of $40 a ton for sugar, instead of seeking the favored price in the United States of $75 a ton; to be able to accept the price that Bremen gives and London gives in the sugar market. Then the Philippines will be able to maintain their autonomy; but if you once give them autonomy—an autonomy based upon the subsidized prices of this country—and then cut the cord that binds them to this country, they will be a derelict in the ocean and will go to wreck.

The PRESIDING OFFICER (Mr. CARTER in the chair). The question is on the amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment of the committee.

Mr. LA FOLLETTE. Mr. President, I shall detain the Senate but a moment. I offered the amendment last evening in the utmost good faith. I said when I offered it that it did not accord with my own views and that it did not represent the opinions of the cigar makers of this country. They would have preferred, as I stated last night, that no cigars from the Philippine Islands be admitted free of duty. When the Committee on Finance conceded the reduction I proposed, and even extended it somewhat, I felt that possibly the Senate might be willing to make a still further reduction. Because I regard it unjust to the workingmen employed in this line of manufacture that they be asked to bear the burden of concessions made to the Filipinos, I sought to get a still further reduction from the Senate by the amendment which I offered, and which is now pending.

I grant, Mr. President, that when these islands passed into our possession we incurred certain obligations with respect to the Filipinos. While we retain possession we are bound to maintain peace and order and do within the limits of reason what we can to educate, improve, and elevate those whom the fortunes of war gave into our custody for the time being. But, sir, I deny that the plan offered by the committee as an amendment to this tariff bill, taken as a whole, is fair to the Filipinos.

Almost the entire day yesterday was spent upon a discussion of this amendment in so far as it relates to sugar. I do not know whether Senators followed closely the debate upon the provisions respecting sugar.

The vote upon the amendments offered by the Senator from Kansas [Mr. BRISTOW] in support of his contention was very small; and yet, Mr. President, when all of that debate is reviewed and all of the arguments submitted by the Senator from Kansas in support of his amendments fully considered, I am confident that many Senators will feel that they did not give to his arguments and to the facts submitted by him and by the Senator from Minnesota [Mr. CLAPP] the weight and consideration to which they were entitled.

If we are to deal fairly by the Philippines, we should not, Mr. President, so adjust our tariff relations with those islands that they will be compelled to sell the sugar which they produce to the sugar trust, and forced to buy the refined sugar which they consume from the sugar trust. If we are to enact legislation for the benefit of these islands rather than the sugar trust, then we will reject this entire proposition which has come from the Committee on Finance.

Mr. President, coming back to the amendment before the Senate, I stand here to deny the right of this Government to single out men in any particular industry, and make them carry the burden of the so-called "liberality" and "generosity" and "benevolence" which the country should bear as a whole in helping the people of the Philippine Islands. The producers of tobacco in Connecticut, the tobacco farmers of Wisconsin, and all the other States; the manufacturers of cigars and the men employed in our cigar factories, should not be called upon to divide their wages and their profits in order to improve the condition of the people in the Philippine Islands.

I have wondered, Mr. President, whether if those Filipinos instead of weaving mats were weaving by better processes cotton cloth, we would find the Committee on Finance ready to admit into this country the product of their looms free of duty. Every million of cigars that comes to our custom-house manufactured by Filipino labor at 37 cents a day will take away from the cigar manufacturer and the men employed in his factory labor to produce that million cigars. Fixing it at 60,000,000 or 70,000,000 or 150,000,000, means, unless it is a fraud upon the Philippine Islands, the importation into this country of that number of cigars. Mr. President, wherever the line is drawn, it means that the cigar maker of this country is to lose the labor that enters into every cigar imported free of duty under this provision.

There are 2,500 cigar makers walking the streets of the cities of this country without employment, and their families have nothing to sustain them excepting out of the accumulated earnings of those unemployed men. It is right and proper to consider the Filipino, but it is our first duty, Mr. President, to consider the American wage-earner.

I ask the adoption of this amendment at the lowest point at which it is possible to get the united support of enough votes to write it into this bill, and upon the amendment as I have offered it, fixing the limit at 60,000,000, I ask for the yeas and nays.

Mr. DICK. Mr. President, while the Senator from Wisconsin has been speaking, I have received a telegram, which I desire to have read from the desk.

The PRESIDING OFFICER. The Secretary will read, in the absence of objection.

The Secretary read as follows:

DAYTON, OHIO, *June 15, 1909.*

Hon. CHARLES DICK,
United States Senate, Washington, D. C.:

The tobacco growers, packers, dealers, and cigar manufacturers and workmen are united in beseeching you to vote against the free importation of any cigars or leaf tobacco from the Philippine Islands, and respectfully refer you to the protest of the leaf-tobacco boards of trade, as well as the Chamber of Commerce of Dayton, Ohio.

THE OHIO LEAF TOBACCO PACKERS' ASSOCIATION.

Mr. DICK. Mr. President, I will not detain the Senate by discussing the protests referred to nor by their reading, but request that they be printed in the RECORD. They are the resolutions of the Ohio Leaf Tobacco Packers' Association.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The resolutions referred to are as follows:

THE OHIO LEAF TOBACCO PACKERS' ASSOCIATION,
Dayton, Ohio, April 29, 1909.

At a special meeting of the board of directors of the Ohio Leaf Tobacco Packers' Association, an association comprising in its membership all the representative packers of Ohio leaf tobacco, the following resolution was unanimously adopted:

Whereas there is now pending before Congress a tariff bill, in which a clause provides for the free entry of 300,000 pounds of wrapper leaf tobacco, 1,500,000 pounds of filler leaf tobacco, and 150,000,000 cigars from the Philippines, as found in Article 471d, page 189, of said tariff bill as reported by Mr. ALDRICH on April 12, 1909; and

Whereas if such bill becomes a law it will work a great injustice and cause untold injury to our tobacco industry, comprising as it does all the growers, packers, dealers, jobbers, and cigar manufacturers, both in this State and throughout the United States; and

Whereas the free importation of cigars in a limited quantity, as specified in said bill, simply works to provide employment for 2,000 Filipinos at a low rate of wages, and takes away the livelihood of the same number of American citizens, whose cost of living demands and who receive fair wages for their work; and

Whereas said tobacco which is proposed to be imported free is raised by cheap Filipino labor, whose cost of living is so small that a very meager wage scale suffices for their support; and

Whereas the specifying of a "limited quantity" of either the raw or manufactured article will put into the hands of one or a few large operators the possibility of absolutely controlling the importation of this limited quantity at an abnormal margin of profit; and

Whereas the importation of a limited quantity will do more harm to the general trade in the United States than it will benefit the Filipinos; and

Whereas along the present lines of duty established by the Dingley tariff bill the tobacco trade and the producers of tobacco are all fairly

satisfied now that different interests have become adjusted to those rates: Therefore be it

Resolved, That we, as a trade organization and being one of a number of similar organizations located throughout the tobacco-growing districts of the United States, whose purposes are to promote and foster the growing of leaf tobacco and the handling and manufacturing in all its branches, and to look after the interests of tobacco raisers, tobacco packers, tobacco jobbers, cigar and tobacco manufacturers and their employees, do hereby strenuously protest against the admitting free of duty of any tobacco or cigars whatsoever into the United States from the Philippine Islands; and be it further

Resolved, That 500 copies of this resolution, duly signed, be printed and distributed among the members of the association and kindred associations throughout the country, each to be forwarded to their respective Congressmen and Senators, with a personal request that they use their best efforts to defeat the passage of the proposed measure; and be it further

Resolved, That a special appeal be made to Senator DICK, of Ohio, who is a member of the Finance Committee, to use every endeavor to prevent the passage of the Philippine free clause in the Senate bill.

WALTER M. BRENNER, *President.*
C. H. SOLLIDAY, *Vice-President.*
WM. J. LUKASWITZ, *Secretary-Treasurer.*
C. S. BILLMAN,
A. H. REEDER,
L. A. WHEELER,
S. M. KROHN,
HENRY MEYERS,
Directors.

Mr. DICK. I also ask to have inserted in the RECORD a protest from the Dayton Chamber of Commerce against the adoption of this provision.

The PRESIDING OFFICER. In the absence of objection permission is granted.

The matter referred to is as follows:

DAYTON, OHIO, *May 8, 1909.*

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: We are attaching hereto a copy of resolutions adopted by the Chamber of Commerce, in convention assembled, Tuesday, May 4, 1909, protesting against the clause in the proposed new tariff bill, permitting the importation of wrapper and filler tobacco and cigars from the Philippines into the United States free of duty, when above a certain amount. The resolutions are self-explanatory, and we trust that you will lend your support to our interests in this very important matter.

Yours, very truly,

DAYTON CHAMBER OF COMMERCE,
W. B. MOORE, *Secretary.*

Whereas there is now pending in the Senate of the United States a tariff bill containing a clause which if adopted by Congress will permit of the importing into the United States from the Philippine Islands free of duty of 300,000 pounds of wrapper tobacco, 1,500,000 pounds of filler tobacco, and 150,000,000 cigars; and

Whereas the raising of tobacco and the manufacturing of cigars comprise one of our largest industries, requiring vast amounts of capital and employing large quantities of labor; and

Whereas we believe that the free importation from the Philippine Islands of the above-named amount of tobacco and cigars will come in direct competition with these products of our city and the surrounding territory, and will tend to largely reduce the crop value to our farmers, and will also take away the employment of a large number of the employees of our tobacco packing house, cigar factories, and their allied industries: Therefore be it

Resolved, That we, the Chamber of Commerce of the city of Dayton, through the special committee appointed for this purpose at a regular monthly meeting held in the city of Dayton on May 4, 1909, do hereby strenuously protest against the admitting free of duty of any tobacco or cigars whatsoever into the United States from the Philippine Islands; and be it further

Resolved, That copies of this resolution be sent to the Senators and Congressmen from this State with a request that they use their best efforts to defeat the passage of the proposed measure.

THE DAYTON CHAMBER OF COMMERCE,
LEOPOLD RANER, *President.*
W. B. MOORE, *Secretary.*

Mr. DICK. I make the further request, Mr. President, that resolutions of the Cigar Makers' Union, No. 17, of Cleveland, Ohio, together with other protests I have received from large numbers of cigar makers' unions and manufacturers throughout the State of Ohio, be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, the resolutions will be printed in the RECORD at the request of the Senator from Ohio.

The resolutions referred to are as follows:

CIGAR MAKERS' UNION NO. 17,
Cleveland, Ohio.

Hon. CHARLES DICK.

DEAR SIR: In behalf of the Cigar Makers' International Union, an organization composed of 47,000 members, we earnestly protest against free trade in cigars with the Philippine Islands, even to a limited extent, which at this time would be extremely disastrous to the trade, which is already badly demoralized by the continued depression in trade. The government statistics show that there has been no material improvement in the manufacture of cigars since the depression started in October, 1907.

These reliable government statistics are reinforced and made doubly sure, as to the condition of trade, by the amounts we expend for out-of-work benefits.

During the year 1908 we expended $101,483.50, while in 1903, a year normal in trade conditions, we only expended $15,558, and in 1907 we expended $19,497.50 for out-of-work benefit purposes.

The condition of trade and the cigar industry is in a most precarious condition, and at a point where it can not with safety be charged with any additional burdens.

I hold and assert, without fear of successful contradiction, that the importation of cigars from the Philippine Islands free of duty, even in limited numbers, will have a disastrous effect upon the already overwrought and seriously menaced trade.

When the Porto Rican Islands were annexed and their products admitted free, it was claimed that, owing to the limited number of cigar makers and the alleged inferior quality of the tobacco, that we here would not experience any injurious effects. The result has been that American enterprise and capital at once commenced to exploit the cheap labor and cheaply grown tobacco in the islands to an extent that the importations of cigars from Porto Rico have now become a serious menace to the wages and well-being of the cigar makers and manufacturers of the mainland.

The American Tobacco Company, with its unlimited capital and resources, immediately seized the opportunity to avail itself of the cheap labor of the Porto Ricans and at once commence the manufacture of cigars in the Porto Rican Islands, with the consequent decrease of the number of American cigar makers here.

Our advices indicate that the Porto Ricans are now, generally speaking, fully employed, while, as stated in the foregoing, thousands of our members and thousands of American cigar makers are walking the streets in idleness. Including union and nonunion, there are fully 12,000 cigar makers now idle in the United States. The same conditions concerning cheap labor, cost of living, light, clothing, apply with even greater force in the Philippine Islands.

To admit 150,000,000 cigars free of duty from the Philippine Islands will come in direct competition with the American product and have a disastrous effect in the nature of cutting prices, far more so than the operation of any sweat shops or other hostile influences in our own country.

We know that under Spanish rule the cigar industry in the Philippine Islands developed to a very high degree, and assert that those capable of being pressed into the business of cigar making are still there, and if given an opportunity, such as proposed by the pending legislation, they will come in direct competition with the American cigar makers and crowd just that many more into the now dangerously large army of unemployed, who are bordering on starvation and vainly asking for an opportunity to earn a livelihood at their chosen occupation.

In the name of humanity, in the name of the best interests and welfare of our own people, as loyal American citizens, we protest against free trade in cigars with the Philippine Islands.

A bulletin of the Department of Labor shows that there were employed, all told, in the cigar industry of the Philippine Islands about 20,000 people, at an average of $10.21 per month. The rate of wages for cigar makers, as near as I can learn, is 37½ cents per day, while the government census of 1900 shows that the average wage of the workers of this country is about $400 per year, or about $1.36 per day.

A good cigar can be bought in Manila for 1 cent apiece, or from $5 to $10 per thousand. The home-produced cigar sells for 5 cents, 10 cents, 15 cents apiece, or from $20 to $60 per thousand generally, and from that up for especially high grades.

Under the proposed legislation cigars could be laid down at San Francisco for from $8.50 to $13.50 per thousand.

We protest against being pitted against oriental labor in our struggle for existence. We hold that no amount of legislation on the part of the Congress of the United States can or ever will lift this people to our standard; and that the act proposed, and against which we respectfully protest, will have a tendency to, and will, drag us down nearer their level.

About one-half of the cigar factories in the Philippine Islands are said to be controlled by Chinese manufacturers, and with the number of Chinese now in the islands, will monopolize the cigar trade, as they did prior to the exclusion act in San Francisco.

Prior to the passage of this Chinese-exclusion act, in 1882, the cigar factories of San Francisco employed about 40 American citizens and over 6,500 Chinamen.

The bill proposed means that the Chinese-exclusion act, so far as it relates to the cigar industry, will be nullified completely by establishing free trade.

Mr. Edward Rosenberg, an American citizen, while in Manila, in a letter dated August 1, 1903, says: "Considering the very small wages paid the Filipino workers, the poor and scanty food they necessarily live on, they are, next to the Chinese, the cheapest and best workers of the Orient. They live in light shacks, built of bamboo, and covered with leaves; cost of building, from $30 to $70. The number of Chinese living on the island I estimate to be between 100,000 and 150,000."

We would like to know how a man living in a northern climate, who needs from 7 to 8 tons of coal per year and needs warm clothing and lives in a house for which he must pay a large rent, is going to compete on a free-trade basis with people living under such conditions.

If the Filipinos should ever cease to be subjects and become American citizens in every particular, with the right to organize for their own protection, with factory laws similar to those prevailing in the States of Illinois, New York, Massachusetts, etc., for the protection of women and children against unscrupulous exploitation, then it will be the time to talk about the changing of the tariff.

Manila alone has 31 cigar and cigarette factories, also about 48 others run by Chinese, which, if they get free trade, will also become exporters, and in the event of free trade they can export to the United States enormous quantities of cigars.

At the hearing before the Committee on Ways and Means January 27, 1905, Secretary Taft, in the testimony submitted, in speaking of the fears of the cigar makers when a similar bill was under consideration, as to the effect of the proposed legislation, said: "There may be some justification for the apprehension of the cigar makers that this measure would injure them. I admit that a perfection-shaped cigar, which the cigar makers of this country receive $34 per thousand for making, is made in the Philippine Islands for $6 per thousand."

An act that will tend to build up the cigar industry of the Philippine Islands at the expense of a like industry and the citizens employed therein in our own country proper is neither wise nor just legislation. Knowing that we are positively right in this matter, we, in defense, vigorously, yet respectfully, protest against its enactment.

Yours, very respectfully,

W. J. CANNON, *Secretary.*

WASHINGTON, *June 12, 1909.*

DEAR SIR: Relative to the proposed admission of 150,000,000 cigars free of duty from the Philippine Islands, we beg to submit for your further consideration the following facts, which we believe proves conclusively that free trade in cigars with the Philippine Islands, even in a limited degree, would prove disastrous to our industry. One hundred and fifty million cigars represents the labor of about 2,500 cigar makers for a full year, and in view of the fact that there are already about 12,000 idle cigar makers in the United States, we are justly alarmed by the proposed legislation, which would unquestionably add another 2,500 to the large army of unemployed cigar makers, together with those dependent upon them.

The tobacco and cigar exports of the Philippine Islands under American occupation has reached a higher degree of prosperity during the years 1903 to 1907 than prevailed from 1895 to 1899, when they were still under Spanish rule, as the following figures from the special report of Secretary of War Taft show for the five years referred to under Spain the annual average exports of cigars and tobacco amounted to $2,114,240. For the five years reported under American occupation the annual average was $2,129,194, thus disproving any contention that our occupancy of the islands has seriously impaired their tobacco and cigar export trade.

The report of the insular collector of internal revenue for 1908 shows total number of cigars manufactured in the Philippine Islands during 1907 was 197,000,000, and for 1908, 198,754,787. Of this number there were imported into the United States during the year 1907, 1,593,000, and during 1908, 1,365,000.

A bulletin of the Department of Labor shows that there are about 20,000 persons employed in the cigar industry in the Philippine Islands, at an average of $10.21 per month. The rate of wages for cigar makers, as near as we can learn, is 37.12 cents a day.

As noted above, there were imported into the United States from the Philippine Islands during 1907, 1,593,000 cigars, and during 1908, 1,365,000. In this connection we desire to show the confusing nature of the figures contained in a note on tariff revision and Insular Bureau reports as contained in the following memorandum:

The Notes on Tariff Revision, issued by the Ways and Means Committee, on page 227, under the caption "Importations," referring to leaf tobacco, furnishes the "general information" to the effect that the total importation of unmanufactured tobacco from the Philippines was 70,163 pounds, valued at $4,564. On page 280, referring to the duty on cigars, paragraph furnishing "general information" as to the importations does not show any importation from the Philippine Islands.

The publication Estimated Revenues, as issued by the Finance Committee of the Senate, on page 28, referring to paragraph 221 of the Senate bill, shows the importation of cigars from the Philippine Islands during the fiscal year ending June 30, 1907, to have been 3,141.89 pounds, valued at $4,150.

Averaging 12 pounds to a thousand cigars, 3,141.89 pounds would equal 261,820 cigars. Three thousand one hundred and forty-one and eighty-nine one-hundredths pounds of tobacco, at $4.50 per pound, minus 25 per cent reduction on account of Philippine importation and plus 25 per cent ad valorem (based on 261,820 cigars), will about equal $11,352.74, which is noted on page 29 as the revenue under the present law.

The Insular Bureau reports the exportation of cigars to the United States in 1907 as 1,593,000, and in 1908 as 1,365,000, which figures agree with the importations of cigars from the Philippines to the United States as stated on page 279 of the quarterly report for April–June, 1908, issued by the Insular Bureau. In the report named the Insular Bureau states the value of 1,593,000 cigars in 1907 as $29,067, which valuation does not seem to agree with the valuation placed upon these cigars upon importation into the United States, as noted on page 28 of the Senate Finance Committee's publication entitled "Estimated Revenues."

We further desire to call to your attention that our industry greatly suffered by the free importation of cigars from Porto Rico. During the past two years there has been admitted into the United States from Porto Rico on an average of about 10,000,000 cigars a month, or an amount per year almost equal in number to that which it is proposed to admit free of duty from the Philippine Islands. This amount of cigars admitted free of duty from Porto Rico has already displaced about 2,000 American workmen, and we have borne this injustice with hardly any complaint on our part, but we feel that we are now compelled to earnestly, yet respectfully, protest against the further contemplated injustice, which will cause unfold hardship on the already too large number of American citizens now out of employment, with no immediate prospects for obtaining the same, and the thousands of women and children dependent upon them for the necessaries of life.

And, furthermore, in the event of the passage of that part of the pending tariff bill dealing with the importation of cigars from the Philippine Islands, the amount of revenue lost to the United States Government on 150,000,000 cigars at $50 per thousand would be $7,500,000.

The above is the amount that it is proposed to contribute to the Filipinos, or whatever interests that should import into the United States from the Philippine Islands, the above amount of cigars, or a direct contribution to the American Tobacco Company of $7,500,000 annually.

While no deduction has been made in the above figures for the 25 per cent reduction in the present rates, neither has any computation been made for the 25 per cent ad valorem on manufactured cigars, which would amount to a greater sum than the reduction in the present rates.

Submitted by a representative of the Cigar Makers' International Union.

CIGAR MAKERS' LOCAL UNION NO. 4,
Cincinnati, Ohio, April 22, 1909.

Hon. CHARLES DICK.

DEAR SIR: Cigar Makers' Union No. 4, comprising in its membership of 700 wage-earning citizens, fathers of families, whose desire it is to continually improve their own conditions, at a regular meeting unanimously adopted a resolution whereby they earnestly request you to vote against the bill allowing 150,000,000 cigars to come from the Philippines free of duty in any one fiscal year. Hoping that you will grant us the above request, I remain

Yours, respectfully, JOSEPH RAPP, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 75,
Columbus, Ohio, May 20, 1909.

Senator CHARLES DICK.

DEAR SIR: Cigar Makers' Union No. 75, of this city, again requests that you vote against the free admission of cigars from the Philippine Islands. There are thousands in our craft out of employment at present, and the admission free of duty of 150,000,000 cigars free of duty would add thousands more to the list.

Yours, fraternally, JULIUS EBE,
Financial Secretary.

CIGAR MAKERS' LOCAL UNION NO. 75,
Columbus, Ohio, April 21, 1909.

Senator DICK.

DEAR SIR: Cigar Makers' Union No. 75, of this city, emphatically protests against the admission to this country, free of duty, of cigars manufactured in the Philippine Islands, and respectfully requests that you assist in the defeat of the measure.

Respectfully, yours, JULIUS EBE,
Financial Secretary.

CIGAR MAKERS' LOCAL UNION NO. 313,
Lima, Ohio, May 10, 1909.

Hon. CHARLES DICK.

DEAR SIR: We call your attention to the tariff bill in regard to letting into the United States 150,000,000 cigars free of duty from the Philippine Islands. Owing to the dull times our industry is at present suffering from an overproduction, and many of our people out of employment, and it would be impossible for the manufacturers to compete against those people. I have been requested to call your attention to the condition of the cigar industry by many of the unemployed. Sincerely trusting you favor our request,

Yours, truly, W. F. BATTY,
Financial Secretary.

CIGAR MAKERS' LOCAL UNION NO. 123,
Hamilton, Ohio, April 14, 1909.

Mr. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: Cigar Makers' Union No. 123 protests against the bill providing that 150,000,000 cigars shall be permitted to come from the Philippines free of duty in any one fiscal year. Hoping that you will vote against the bill.

Yours, respectfully,
[SEAL.] A. P. LOMBARD,
Corresponding Secretary.

CIGAR MAKERS' LOCAL UNION NO. 123,
Hamilton, Ohio, April 26, 1909.

Mr. CHARLES DICK,
United States Senate, Washington, D. C.

MY DEAR SIR: Your esteemed favor of the 21st at hand, and in reply will state the reasons why Cigar Makers' Union No. 123 protests so vigorously is there are so many thousands of cigar makers out of work in this country now. And if there would be 150,000,000 cigars coming free of duty it would mean so many more out of work. And we think that the home industry should be protected. Because one-half of the cigar factories in the Philippine Islands are controlled by Chinese, and it is impossible for an American citizen to live on a Chinaman's wages. Now for the sake of humanity cast your vote against cigars coming to this country free of duty from the Philippines.

And besides the cigars are not made under healthy conditions. Now, if there is anything else you want to know will gladly furnish it, and will be glad to hear from you.

I remain,
Yours, respectfully,
[SEAL.] A. P. LOMBARD,
Corresponding Secretary.

CIGAR MAKERS' LOCAL UNION NO. 115,
Canton, Ohio, April 20, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: We, the cigar makers of Canton, Ohio, do hereby earnestly protest against any change of duty on cigars from the Philippine Islands.

Yours, fraternally, ALBERT KELLER, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 79,
Sandusky, Ohio, April 6, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: Cigar Makers' Union No. 79, of Sandusky, Ohio, protest against the proposed bill, that 150,000,000 cigars be permitted to come from the Philippine Islands free of duty, in any one fiscal year.

Yours, respectfully,
FRANK J. MILLER,
Financial Secretary.

CIGAR MAKERS' LOCAL UNION NO. 48,
Toledo, Ohio, April 5, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: We understand that the Committee on Ways and Means of the Congress has proposed a bill providing that 150,000,000 cigars shall be permitted to come from the Philippines free of duty in any one fiscal year. This union is strictly opposed to such a measure, and request that you use your voice and vote against the importation of any cigars free of duty, because it would be a direct injury to our craft.

Yours, fraternally,
ARTHUR SCHETTER,
Financial Secretary.

FEDERAL LABOR UNION NO. 6854,
Zanesville, Ohio, May 23, 1909.

Senator CHARLES DICK,
United States Senate.

DEAR SIR: Federal Labor Union, No. 6854, of Zanesville, at a regular meeting held May 20, 1909, by motion voiced its most emphatic protest against the clause in the new tariff bill regarding the importation of free cigars from the Philippines and the section providing that no label be placed on the boxes or packages of cigars or tobacco save the United States revenue stamps and the name of factory. We believe both these sections are harmful to organized labor, and call upon our Representatives and Senators to use their utmost endeavors to defeat those clauses.

Trusting this may receive your careful attention, I remain,

Truly, yours,
[SEAL.] J. W. BARRETT, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 173,
Zanesville, Ohio, April 19, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: This union directs me to acquaint you with our opinions and to offer our protests against the placing of cigars imported from the Philippines on the free list. We believe this uncalled for and in direct opposition to the best interests of American workmen as a whole.

We also are opposed to any restrictions of what a manufacturer sees fit to place on his products other than what is necessary for the maintenance of our internal revenue. We are informed that there are clauses in the tariff bill now before Congress that can be used against the use of union labels, and especially against the tobacco workers' union label.

Trusting we see these questions in the light of public good, we are,

Fraternally, yours,
CIGAR MAKERS' UNION NO. 173,
[SEAL.] CHAS. O. DOZER, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 173,
Zanesville, Ohio, May 14, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: The members of this union again appeal to you to prevent, if possible, the placing of cigars imported from the Philippine Islands on the free list, and especially the provision which limits the amount to 150,000,000. We feel that such free list is wholly uncalled for and can not benefit anyone, either from the standpoint of the cigar manufacturers or their employees of our country.

Trusting you will give every possible effort toward the establishment of a fair rate of duty, we are,

Very truly, yours,
[SEAL.] CHARLES O. DOZER, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 96,
Akron, Ohio, May 11, 1909.

Hon. CHARLES DICK.

DEAR SIR: Cigar makers and manufacturers of Akron, at a joint meeting held Monday, May 10, request you to do all in your power to stop the free duties on cigars from Philippines, as it would be a great injustice to American workmen.

Yours, respectfully, CHRIS. FREUDEMANN, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 360,
Delaware, Ohio, May 17, 1909.

Hon. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: At a meeting of the cigar makers of Delaware, Ohio, held May 17, for the purpose of discussing the Philippine bill in regard to the importation of 150,000,000 cigars free of duty, it was resolved that we would ask your aid to defeat the bill. It would hurt all of the men that work for a living at the cigar trade, and would in time force them to try and make a living at something else.

D. T. GRIFFIN, *President.*
H. DAUERHEIM, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 249,
Findlay, Ohio, May 10, 1909.

Hon. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: At our regular meeting yesterday I was instructed to write you and have you vote against the Philippine bill having cigars shipped in this country free of duty, as it means a great harm to the cigar makers of this country and manufacturers. Hoping you will vote against free duty and use your influence against passing the bill. We have 27 members here; all are against passage of the bill.

Trusting you will consider before voting, we remain,

Yours, truly,
HENRY SCHELLING, *President.*
PHILIP SETZLER, *Financial Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 86,
Mansfield, Ohio, May 10, 1909.

Hon. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: The Philippine bill, in reference to the importation of 150,000,000 cigars free of duty, is now before your honorable body. The members of cigar makers' union and manufacturers of Mansfield, Ohio, earnestly petition, urge, and request you to vote and use your utmost influence against the passage of the Philippine bill.

Yours, very respectfully,
G. B. DORMAN, *Secretary.*
VALENTINE THOMA,
ED ERDENBERGER,
Officers.
WILLIAM EPKE,
JACOB THOMA,
CHARLES GIMBEL,
ERNST MINK,
J. A. BICKEL,
CHARLES SPAMER,
A. ERDENBERGER,
Cigar Manufacturers.

CIGAR MAKERS' LOCAL UNION NO. 86,
Mansfield, Ohio, June 3, 1909.

Hon. CHARLES DICK,
United States Senate.

DEAR SIR: Your letter of recent date received, and in reply will say in regard to free trade with the Philippine Islands, even to a limited extent, at this time would be extremely disastrous to the trade, which is already badly demoralized by the continued depression in trade. The government statistics show that there has been no material improvement in the manufacture of cigars since the depression started in October, 1907. To admit 150,000,000 cigars free of duty from the Philippine Islands will come in direct competition with the American product, the American cigar makers, and crowd just that many more into the now dangerously large army of unemployed, who are bordering on starvation and vainly asking for an opportunity to earn a livelihood at their chosen occupation.

Yours, very respectfully,
G. B. DORMAN, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 176,
Newark, Ohio, May 10, 1909.

Hon. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: At a regular meeting of Cigar Makers' Local Union No. 176, the following resolution was unanimously adopted:

"*Resolved*, That this organization, in meeting assembled, do hereby earnestly protest again admitting any cigars from the Philippine Islands, except at the regular import duty; And be it further

"*Resolved*, That we humbly petition our Senator to use his influence to carry out the wish of this organization and thereby confer a favor upon the members thereof."

Respectfully submitted.
E. D. EVERTS, *Secretary.*

CIGAR MAKERS' LOCAL UNION NO. 416,
Norwalk, Ohio, May 25, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: In reply to yours of the 19th. The reason the above union opposes the free importation of cigars from the Philippines is: The cigar makers of this country can not compete with the cheap labor of the islands, which are mostly Chinese and Filipinos, and if cigars come in free from there most of them would come to the Pacific coast. The cigar industry on the coast now is very small, and cigars free from the Philippines, we are afraid, would put what factories are on the Pacific coast out of business. Trusting this is the information you wish, I remain.

Yours, truly, L. C. COLSON, *Secretary.*

CIGAR MAKERS' UNION NO. 45,
Springfield, Ohio, May 17, 1909.

Hon. CHARLES DICK,
United States Senate, Washington, D. C.

DEAR SIR: The Cigar Makers' Union No. 45, of Springfield, Ohio, and the manufacturers protest against the passage of the Philippine bill, admitting 150,000,000 cigars free of duty, and we would ask you to vote and work against the passage of the bill.

Thanking you for past favors,

I am, respectfully, yours,
[SEAL.] L. E. HORLACKER,
Corresponding Secretary.

CIGAR MAKERS' UNION NO. 416,
Norwalk, Ohio, May 12, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: Cigar Markers' Union No. 416, of Norwalk, Ohio, protest against admitting cigars free of duty from the Philippine Islands.

Yours, truly,
L. C. COLSON, *Secretary.*

CIGAR MAKERS' UNION NO. 152,
Youngstown, Ohio, May 15, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: The cigar makers of Youngstown, Ohio, protest against the importation of 150,000,000 cigars from the Philippine Islands free of duty.

I have no doubt that you have cognizance of the reasons why we should protest against such importation, therefore I will not go to details.

Hoping you will favor us by voting against such injurious legislation.

Yours, truly,
E. WILLIAMS, *Secretary.*

THE UNION CIGAR MANUFACTURERS' ASSOCIATION,
Cincinnati, April 12, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: At a meeting of the Union Cigar Manufacturers' Association, of Cincinnati, the following resolution was passed:

"*Resolved*, That this association enter its solemn protest to that section of the Payne tariff bill, now before your honorable body, that will permit any further increase—admitting cigars free of duty—to this country from the Philippine Islands."

It is palpable that this section of the bill, if enacted in its present form, will incur further hardship on the manufacturers of this country, as well as to their employees.

Respectfully submitted.

JULIUS ADLER, *President.*
O. E. SCHULTE, *Secretary.*

THE FRITZ BROTHERS COMPANY,
Cincinnati, Ohio, April 8, 1909.

Hon. CHARLES DICK,
Senate, Washington, D. C.

DEAR SIR: We wish to refer to the feature of the Payne tariff bill which relates to the free admission into the United States of 150,000,000 cigars per year, and we respectfully enter a strong protest to this proposed feature.

The total export of cigars from the Philippines in 1906 were 93,000,000; in 1907, 116,000,000; and in 1908, 118,000,000, and the Payne bill in its present form not only provides for the free admission into the United States of the entire cigar output of the islands, but even provides for a substantial increase in same.

It is a known fact that the labor employed in the manufacture of these Philippine cigars is not a fair competition to our American labor, and the cigars will be sold in this country at a much lower price than it is possible to manufacture a like article here. Every Philippine cigar imported into this country will positively replace an American cigar. The burdens already shouldered by the cigar industry in this country are great enough without this additional one.

The passage of this bill will absolutely and positively throw out of employment many additional operatives, and in addition to this, capital which is invested in this industry will be directly affected. We therefore protest most strongly to the passage of this clause in the bill, and petition you to use your best influence to that effect. Thanking you in advance, we remain,

Very respectfully,

THE FRITZ BROS. CO.

L. NEWBURGER & BRO.,
Cincinnati, Ohio, April 8, 1909.

Hon. CHARLES DICK,
Washington, D. C.

DEAR SIR: We have gone over carefully the new tariff schedule applying to free admission of 150,000,000 cigars from the Philippine Islands, and respectfully solicit your effort in defeating this, as it would work untold hardship to our industry. We have no doubt you are familiar with the great number of people employed in the cigar manufacturing interests in this State, and if the schedule should pass in its present form it would affect us considerably, as every one of these Philippine cigars would mean the cutting off of just so many domestic made.

We are confident you can readily see the justice of our claim, and beg to thank you in advance for your assistance in having it stricken out or at least greatly modified.

Assuring you of our appreciation of your effort, and thanking you in advance for your prompt consideration of our request, we remain,

Yours, truly,

L. NEWBURGER & BRO.

THE MIAMI VALLEY LEAF TOBACCO COMPANY,
Dayton, Ohio, April 12, 1909.

Senator CHARLES DICK,
Washington, D. C.

MY DEAR SIR: We beg to call your attention to that portion of the new tariff bill embodied in section 2, pages Nos. 176 and 177, and referring especially to the free admission into this country of 300,000 pounds of wrapper-leaf tobacco, 3,000,000 pounds of filler-leaf tobacco, and cigars not in excess of 150,000,000.

We consider this a very dangerous provision to our trade. The State of Ohio produces about 33 per cent of the cigar leaf filler tobacco of the United States, and this provides for the free entry of filler tobacco equal to very close to 10 per cent of the Ohio crop per annum. There is no doubt but what the trade can stand this percentage if things are to be taken on the face, but, first, the trade considers this but the entering wedge for free tobacco from the Philippines in unlimited quantities, and it certainly appears to us that it would be a much better proposition to make a concession over the regular rates on leaf tobacco in unlimited quantities, even were that concession to be 50 per cent of the present rates, rather than admit a limited amount free. The admission of 150,000,000 cigars free of duty will put out of employment 2,000 American cigar manufacturing employees at American wages and put 2,000 Filipinos to work at Philippine wages, and the importer will get most of the benefit, as he will be protected by a limited importation.

Now comes the important point I wish to call your attention to: Who is going to import this limited amount of tobacco and cigars that is to be admitted from the Philippines? Is there not a very grave danger that the so-called "cigar trust" will have in quick time after the passage of the bill the full amount of this tobacco bought, ready to ship to this country; and if they think well of it and intend to do it, what individual dealer in this country will have a chance to import any of it? It looks to us like this grant of free duty on a limited quantity of tobacco and cigars from the Philippines will turn out as a present of cheap tobacco to the said tobacco trust. Even if this does not so occur, how is this limited importation to be apportioned and regulated? Are there any other instances in any tariff bill where a limited amount of any article has been admitted free? Can such a law be justly operated?

I understand that this filler tobacco can be bought in the Philippines to-day ready for shipment at 5 cents per pound actual weight, whereas the similar grades of Ohio tobacco are to-day bringing in the merchantable form about 20 cents actual weight wholesale.

One other small point: Referring back to page 60, Schedule F, you will note it makes a distinction between stemmed and unstemmed tobacco, while section 2, on page 176, does not make this distinction, as it should. May we ask you to look over this proposition carefully and see if we are not right?

Very truly,

A. H. REEDER.

Mr. CLAPP. Mr. President, would the Senator object at this point to another protest being made in connection with those he has already submitted?

Mr. DICK. Certainly not.

Mr. CLAPP. Then I desire to enter a protest on behalf of several thousand cigar makers of this Republic who are out of employment and who have not even the means to communicate their protests in a formal manner to the Senate.

Mr. DICK. The Senator voices my own sentiments, Mr. President, in his protest. I want to be as generous in dealing with the Filipinos as anyone, but I can not bring myself to believe that by any vote of mine I ought to menace any American industry or deprive a single toiler in our country of a day's wage.

I wish that all the people engaged in this great industry in this country and in my State might feel as free from alarm as the Senator from West Virginia and others who have voiced the opinion here that the importation under this provision of tobacco and cigars into this country would be infinitesimal in amount.

The arguments against the proposed tariff law are uniform and are based on the damage to American cigar makers who will be thrown out of work by the introduction of foreign cigars and the fear that this provision is but an entering wedge for unlimited free trade with the Philippine Islands in tobacco and cigars.

My information, based upon the experience we have had in Porto Rico, is that the use of tobacco from these islands is a matter of acquired taste. The consumption of Porto Rican cigars has been constantly on the increase, until to-day it is estimated that 10,000,000 Porto Rican cigars are used in this country every month, or the equivalent of 120,000,000 annually. Army officers who have served in the Philippines tell me that after a while the use of Filipino tobacco comes to be a matter of preference with them; and my judgment is that as we come to use them more, and the use of them is somewhat stimulated by the low price, they will very largely displace the use of American tobacco and American cigars in our own country.

If, as contended, no harm will come to the American industry and no real good to the Filipino, since none will be exported from the Philippine Islands and none sold here, then there is no real merit in the tobacco feature of this proposition.

I am not so much opposed to the sugar amendment. That is a developing industry, and men largely engaged in it tell us that the importation of 300,000 tons will not seriously affect that business; but we are face to face with another condition so far as the manufacture of cigars is concerned. Twelve thousand idle cigar makers are petitioning Congress for relief. The resolutions presented here last night were more than a protest; they were an appeal to protect them against the encroachment of cheap labor and the competition of the oriental producer. While we are here shaping up a bill which seeks to protect American industries, and particularly the American laborer, no appeal coming from the toilers shall go without fair consideration; and if I can conscientiously do so, I shall vote to sustain their request.

Nor is my vote against the recommendation of the committee to be counted as indicating a lack of confidence. I appreciate perfectly the embarrassing attitude in which it must stand. This legislation is recommended by the President of the United States. I am satisfied that the sentimental opinion of the country favors it. We have heard so much about our little "brown brother," about our responsibility, and our duty to the Philippines that we sometimes forget the old adage, "Charity begins at home," which might be applied quite as well with reference to other affairs.

First of all, Mr. President, it seems to me our duty is to our own, and next to others. The toilers of our own country are entitled to our first consideration. Our charity for others should come afterwards. I can not bring myself, I repeat, to vote for any provision in this bill which threatens an American industry or a single day's toil to any laborer.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Wisconsin [Mr. LA FOLLETTE], upon which he has demanded the yeas and nays.

The yeas and nays were ordered.

Mr. SMOOT. I should like to have the amendment stated, so that we may know just what we are voting upon.

The PRESIDING OFFICER. The amendment will again be stated.

The SECRETARY. It is proposed to strike out "seventy" and insert "sixty," so as to read:

And cigars in excess of 60,000,000 cigars.

The Secretary proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I have a pair with the junior Senator from Wisconsin [Mr. STEPHENSON], and therefore withhold my vote.

Mr. CURTIS (when his name was called). I desire to announce my pair with the senior Senator from Maryland [Mr. RAYNER].

Mr. FLINT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON], who is absent. I transfer that pair to the senior Senator from Maine [Mr. HALE], and vote. I vote "nay."

Mr. CRAWFORD (when Mr. GAMBLE's name was called). My colleague [Mr. GAMBLE] is necessarily absent. He is paired with the junior Senator from Indiana [Mr. SHIVELY].

Mr. BURROWS (when the name of Mr. SMITH of Michigan was called). My colleague [Mr. SMITH of Michigan] is paired with the junior Senator from Mississippi [Mr. MCLAURIN].

Mr. STONE. I inquire whether the Senator from Wyoming [Mr. CLARK] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. STONE. I have a general pair with that Senator, and therefore withhold my vote.

The roll call was concluded.

Mr. ELKINS (after having voted in the negative). At the time I voted I did not observe that the junior Senator from Texas [Mr. BAILEY] was absent from the Chamber. I am paired with that Senator, and therefore withdraw my vote.

Mr. FRYE. I inquire if the senior Senator from Virginia [Mr. DANIEL] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. FRYE. I am paired with that Senator, but I transfer that pair to the Senator from Pennsylvania [Mr. PENROSE] and vote. I vote "nay."

Mr. MONEY. My colleague [Mr. MCLAURIN] has just been called from the Chamber. He is unavoidably absent, and is paired with the junior Senator from Michigan [Mr. SMITH]. If my colleague were present, he would vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. If he were present, I should vote "yea."

Mr. BACON (after having voted in the affirmative). At the time I cast my vote I had forgotten that I had agreed to pair on this question with the senior Senator from Indiana [Mr. BEVERIDGE]. I understand, however, that the junior Senator from Virginia [Mr. MARTIN] has not voted. I therefore transfer my pair with the Senator from Indiana to the Senator from Virginia, and will permit my vote to stand.

Mr. SCOTT. I desire to announce, on behalf of the junior Senator from Wisconsin [Mr. STEPHENSON], that he is paired with the Senator from Alabama [Mr. BANKHEAD]. If the Senator from Wisconsin were here, he would vote "nay."

The result was announced—yeas 27, nays 38, as follows:

YEAS—27.

Bacon	Cummins	Hughes	Owen
Borah	Davis	Johnston, Ala.	Paynter
Bristow	Dolliver	La Follette	Simmons
Brown	Fletcher	McEnery	Smith, S. C.
Burkett	Foster	Money	Taliaferro
Clapp	Frazier	Newlands	Tillman
Clay	Gore	Overman	

NAYS—38.

Aldrich	Crawford	Heyburn	Piles
Bourne	Cullom	Johnson, N. Dak.	Root
Brandegee	Depew	Jones	Scott
Briggs	Dick	Kean	Smoot
Bulkeley	Dillingham	Lodge	Sutherland
Burnham	du Pont	McCumber	Warner
Burrows	Flint	Nelson	Warren
Burton	Frye	Nixon	Wetmore
Carter	Gallinger	Page	
Crane	Guggenheim	Perkins	

NOT VOTING—26.

Bailey	Culberson	McLaurin	Smith, Md.
Bankhead	Curtis	Martin	Smith, Mich.
Beveridge	Daniel	Oliver	Stephenson
Bradley	Dixon	Penrose	Stone
Chamberlain	Elkins	Rayner	Taylor
Clark, Wyo.	Gamble	Richardson	
Clarke, Ark.	Hale	Shively	

So Mr. LA FOLLETTE's amendment to the amendment of the Committee on Finance was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the committee.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FLETCHER. I desire to offer an amendment to the pending substitute and have it read. My amendment will leave the Philippine Islands to enjoy and retain the concession of 25 per cent which they already enjoy. In other words, the act of March 8, 1902, would still remain in force in reference to all importations from the Philippine Islands. I should like to have the amendment read.

The PRESIDING OFFICER. It will be read to the Senate.

The SECRETARY. Amend the substitute amendment on page 1, line 5, by striking out the colon after the word "countries" and adding the words "except as provided by existing law now in force," and striking out the remainder of the substitute, so that it will read:

471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries, except as provided by existing law now in force.

Mr. FOSTER. Mr. President, it is my purpose to submit some remarks upon the amendment. Understanding that the Senator from Oklahoma has the preference at this hour, I suppose I am compelled to yield to him.

Mr. OWEN. Mr. President, do I understand that the committee desires to have a vote, or that it can be taken at this time?

Mr. ALDRICH. What is that?

Mr. FOSTER. It can not, because I want to speak.

The PRESIDING OFFICER. The Chair is advised of the desire of the Senator from Louisiana to address the Senate before a vote is taken.

Mr. OWEN. Before beginning my remarks, I would ask, there being no objection, that I be not expected or required to read the various tables which I shall use as illustrative of my comments on this bill or any matter which is not essential to the statement I desire to submit to the Senate in regard to it.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to insert certain tables in the RECORD without reading, the same to be considered a part of his remarks. Is there objection?

Mr. ALDRICH. What is the request?

Mr. CLAPP. It strikes me, while there may not be any objection to it at this time, it is better to preserve the order that when a speaker reaches anything which he desires to have printed, he call the attention of the Senate to the fact that he desires to insert it without reading.

Mr. GALLINGER. We might want something read.

Mr. CLAPP. Yes. It would establish rather a bad precedent, I think.

Mr. CULLOM. We had better adhere to the rule.

Mr. OWEN. I have no objection whatever to the rule. It will be entirely agreeable to me. The Senate, I am sure, will not care to have them read in extenso, as it would take some hours, perhaps, to read them.

Mr. CLAPP. It is a mere matter of form, I think.

Mr. OWEN. Mr. President, no consideration would induce me to propose or contend for a tariff reduction which would seriously harm any American industry whose existence is justified by the natural resources of our country.

Upon my oath as a Senator of the United States, I feel charged with a solemn responsibility of defending the welfare of the people of the United States, including as vigorously and as distinctly the interests of the people of Maine, of Rhode Island, or of California as the interests of the people of Oklahoma. I shall discharge that duty as an American in a broad and liberal spirit, with patience, with tolerance, and perfect fairness.

By that sense of duty I have felt impelled to submit to the Senate the reasons which make it impossible for me to support H. R. 1438. I can not agree to the passage of this bill without the registration of a solemn protest against it. I plainly see the evil results upon the people of the United States, which have followed the McKinley bill and the Dingley bill, and which must follow the passage of a worse measure.

Mr. President, I am not unmindful that what I shall say will not deter the managers of this bill in the Senate in the least from their predetermined course, but I deem it my duty to place upon the records of the Senate and of the United States the reasons which justify my protest and from which future students may perhaps find something of value in determining this question, when they shall consider it with intellectual and moral integrity and not in a spirit of trade, of barter, or of easy compliance with the demand of special interests, whose lobbyists swarm the corridors of this Capitol.

Mr. President, mere denunciation of a bill, or of the managers of the bill, I regard as serving no good purpose unless proof is offered which shall be convincing to thoughtful and honest men that the condemnation is thoroughly justified.

In pointing out the injurious effects of what I shall demonstrate to be a monopoly-protecting tariff upon our entire people, including every class of consumers, every class of producers, every class of manufacturers or distributers or merchants except the masters of monopoly, I shall do so dispassionately, with a composed temper and with an earnest desire to offer reasons, at least, to those now trusted by our people with power

why they should not persist in a policy full of injury and harm to the Republic.

I shall be compelled in this discussion to point out the logical consequences of a monopoly-protecting tariff; its effect, its dangerous effect, in piling up stupendous wealth on the one side in the hands of its favorites, and in causing great wretchedness and poverty on the other side among the weaker and more defenseless classes of our people.

When I point out the unavoidable effect of extreme poverty as the necessary complement of unlimited wealth in the hands of the few, accumulated under the shelter of law, I wish it distinctly understood that the dark picture of human misery which the truth compels me to portray breathes from me no spirit of pessimism, because I am full of hope. I recognize the immediate dawn of better things and an early remedy. The increasing intelligence of our people already begins to understand the causes of these conditions and to formulate the natural and reasonable remedy for their correction. The spirit of benevolence and of patriotism which characterizes the great body of our people and, I rejoice to say, moves a multitude of the beneficiaries of our unwise system gives promise for an early correction of the injurious consequences which naturally follow a prohibitive tariff, with its necessary brood of successful monopolies, by the reduction of that tariff; if not now, through the party in power, then by the unwearied Democracy that has been faithfully pointing out its evils for twenty-five years. I shall endeavor to point out some of the injurious consequences of the tariff-engendered monopolies and their crushing effect upon human life; but in doing so I shall not be understood as a pessimist, because I am precisely the contrary.

OPTIMIST.

Mr. President, I am an optimist; because I feel that the Anglo-Saxon race and the Teutonic blood represented in this country by millions of men of the northern races of Europe and Great Britain and the adopted sons of other great nations in our land have an unquenchable love of liberty, of justice, and of compassion, and will correct every evil of our great Government; because our forefathers distinguished themselves by a love of liberty that dared death in every form to establish it and maintain it in the bosom of this Republic; because our immediate forefathers not only loved liberty, but they practiced that form of government which made liberty a working force in the administration of this Government from the days when the town meeting in New England, in Massachusetts, Mr. President, in Connecticut, and in Rhode Island instructed their representatives according to the will of a free people. In those good old days when the Representative was not a machine-made politician, but was a Representative in the highest and best sense—of representing directly the opinions and the commercial interests of the common people who sent him.

I am an optimist because of my perfect confidence in the great body of the American people, whose stability, patriotism, and common sense will control this country and direct it along sound paths of good government; because I see in many directions the gradual restoration of the right and power of the people to select their public servants directly, and directly require them to carry out their will. I rejoice to see the establishment of the initiative and referendum in Maine and in Oregon and in other States, as well as in Oklahoma, and the establishment of the direct primary in so many of our States.

I rejoice to see the people instructing their legislatures in the selection of Senators, and while I did not receive any report from the Senator from Michigan, as chairman of the Committee on Privileges and Elections, of the proposed amendment to the Constitution of the United States I had the honor to submit during the last Congress for the election of Senators by direct vote of the people, I have felt justified in being an optimist because I was able to point out 24 States in the Union that had requested from their legislative assemblage this restoration to the people of their ancient right of rule.

Now, Mr. President, I am an optimist, notwithstanding the hostile attitude of the leaders now in control of the Senate, because already there are 29 States, including Michigan, the State of the distinguished chairman of the Committee on Privileges and Elections, in which the election of Senators is controlled by the direct voice of the people.[a] It will only be a few short years when 46 of the States will be controlled in this manner; and when that day comes, no Senator in this Chamber will be so callous as to mock the pledges made to the people in national platforms.

I am an optimist, Mr. President, because of the magnificent growth of our Republic under the blessings of liberty.

From 5,000,000 people in 1800 we have over eighty-five millions in 1907. From five billions of wealth in 1800 we have a hundred and twenty-five billion in 1900. From a weak nation we have become potentially the greatest nation in the world; but above all, Mr. President, has been our increase in the means of intelligence.

Forests are now converted into paper with lightning speed. Volumes innumerable, filled with learning upon every subject, are crowding into the pathway of knowledge; but chief of all the modern newspapers, filled with learning, wit, and humor, illustrated with splendid descriptions and photographs of everything "in the heavens above, the earth beneath, and the waters under the earth," are thrust into the hands of the wayfaring man for a price incredibly small, so that he who runs may read and instantly learn what is transpiring in regard to everything of human interest at home and abroad, so that every citizen may know at breakfast every fact transpiring on earth that he cares to know, from the diplomatic questions of foreign courts to the wonderful home run of Casey on the Chicago ball grounds, from the market quotations of London and New York to the astonishing description of the last wild beast slain on the eastern coast of Africa by one of our very distinguished fellow-citizens.

While it is true that thirty-five thousand millions of dollars of the proceeds of human labor in the United States have passed into the hands of various corporations, and a very large part of all of the net proceeds of American labor have been improperly acquired by monopoly; and while 7,000,000 women have been driven from out the peaceful shelter of the American home into commercial rivalry with men; and while 5,000,000 children in like manner are being driven under the commercial whip to sacrifice their youth, in large part, to the demand of Mammon; and while there are many millions of men who regard life with great anxiety, constantly in fear of the drastic power of extreme poverty and lack of employment, still I see that the American workmen, in the factories of our land, have exhibited a net output per capita of over twelve hundred dollars, from which the legitimate demand on him for the support of an American family can be met and still leave a large surplus earning.

The American people have shown that they are far more than abundantly capable of sustaining themselves and making the most substantial contribution to the wealth of the Republic and of the world and still leave themselves reasonable leisure.

And, finally, Mr. President, I am an optimist because I believe that the American people—who love liberty, who believe in self-government, who believe in mercy and in charity as well as in industry and providence—will see to it that this Government is so conducted by their representatives that in the future there shall be *a more equitable distribution of the proceeds of human labor;* that we shall change the present policy, whose inevitable tendency is the useless, the vulgar, and insane enrichment of the few at the expense of the misery and sorrow and of the physical and spiritual degeneration of millions of men, women, and children who are now submerged by the devices of commercialism gone mad.

The bill should not pass,

BECAUSE IT IS CONTRARY TO THE WILL OF THE AMERICAN PEOPLE.

Mr. President, the American people were promised by both parties a reduction of the tariff, and had a right to expect substantial reduction. The representatives of one-half of the people, assembled at Denver, emphasized this matter most vigorously in the Democratic platform in the following language:

> We welcome the belated promise *of tariff reform* now offered by the Republican party. * * *

This platform declared:

> The people can not safely intrust the execution of this important work to a party which is so *deeply obligated to the highly protected interests as is the Republican party.*

This platform states:

> We call attention to the significant fact that the promised relief *was postponed until after the coming election*—an election to succeed in which the Republican party must have *the same support from the beneficiaries of the high protective tariff as it has always heretofore received from them;* and to the further fact that during years of uninterrupted power no action whatever has been taken by the Republican Congress to correct the admittedly existing tariff iniquities.

This platform further declared:

> We favor immediate revision of the *tariff by the reduction of import duties.* * * *

[a] Alabama, Arkansas, California, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Missouri, Mississippi, Nebraska, Nevada, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, and Wisconsin. Of these California, Nevada, Idaho, and Michigan came in this year—1908.

The party to which I have the honor to belong has, since 1876, demanded a proper reform of the inequalities, injustices, and false pretenses of a tariff controlled by selfish interests at the expense of the American people.

It never has, Mr. President, at any time contemplated so reducing the tariff as to injuriously affect any legitimate industry whatever. On the contrary, while it has pointed vigorously to the fraud and false pretenses of the monopoly protecting tariff, it always has been mindful of the rights of capital legitimately employed in manufacture, and equally mindful of labor employed in industries established under the shelter of our tariff system.

In 1884 the Democratic national platform said:

> Many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subjected in the execution to this plain dictate of justice; *all taxation shall be limited to the requirements of economical government.* The necessary reduction of taxation can and must be effected *without depriving American labor of the ability to compete successfully with foreign labor* and *without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.*

The practice of writing these schedules at prohibitive rates and preventing competition and engendering monopoly has been fiercely condemned by the Democracy as "robbery of the great majority for the benefit of the few" (1892). It has demanded a constitutional tariff drawn for the purpose of revenue, but has not condemned the unavoidable incidental protection which any tariff for revenue, or for revenue only, unavoidably affords, and which will always be found sufficient for the incidental protection of legitimate industry.

The reason why protection AS PRACTICED has been denounced as "robbery" is because such schedules have been drawn not for constitutional revenue purposes, but to shelter monopoly and permit monopoly to wrongfully tax the people under the color of a pretended revenue law.

The party to which I have the honor to belong, therefore (1908), welcomed the promise of tariff reform offered by the Republican party in 1908 on the basis of "the difference between the cost of production at home and abroad," for the obvious reason that a tariff so drawn would necessarily be a tariff for revenue with only such incidental protection as justice and common sense requires.

It was this kind of tariff law drawn in 1846, with which both parties were well satisfied in 1856. If this law were now so drawn, the contention between the two great parties on this issue would necessarily cease. [For party platforms compared see Exhibit 11.]

The party leaders of both great parties declared the purpose of reducing the tariff downward. No manner of explanation or evasion can alter the substantial truth that it was the expressed will of the American people making itself felt through both party platforms and through both party leaders that there should be a substantial reduction of tariff duties.

The Republican platform of 1908 declares "*unequivocally*"—a remarkable word in a platform, and suggests the purpose of equivocation—"for revision of the tariff by *special* session of the Congress *immediately* following the inauguration of the next President," and says:

> In all tariff legislation the true principle of protection is best maintained by the imposition *of such duties as will equal the difference between cost of production at home and abroad,* together with a reasonable profit to American industries.

The platform also says that it is the Republican policy—

> To preserve *without excessive duties* the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country, who are the most direct beneficiaries of the protective system.

Excessive duties are here condemned by the leaders of the Republican party, and in 1904 the Republican platform declared:

> *The measure of protection should always at least equal the difference in the cost of production at home and abroad.*

Even in the majority report of the House committee, page 2, section 1, they declared:

> *While duties should be protective,* they should be adjusted as nearly as possible to *represent the difference in cost of production at home and abroad.*

IT VIOLATES THE REPUBLICAN PLEDGES.

The rates of the bill submitted by the Finance Committee average higher than the Dingley bill and are not a reduction at all.

The chairman of the Committee on Finance ostentatiously sets forth 379 items on which reductions are made.

These reductions, as will appear in the CONGRESSIONAL RECORD of May 5 and by Exhibit 12, I here submit, are items of no national importance. Two hundred and seventy-four of these items involve articles whose imports are less than $25,000, or severally less than one-thirtieth part of 1 penny gross imports per capita. The table which I submit gives the items in excess where the imports of such articles amounted to over $25,000, and the table discloses the fact that the total imports excepting lumber was extremely small, and that the pretended reductions are of no importance, while the increases are of substantial importance.

Mr. President, this bill should not passs, because it violates the pledges of the Republican party and of the Republican leader during the last campaign. The party platform, I have shown above, is unequivocal. Its reasonable and natural interpretation is plain. The Senator from Indiana on May 25 set forth at great length the declarations of the President of the United States, quoting him as pledging the American people—

> Genuine and honest revision * * * substantially a *revision downward,* though there will probably be a few exceptions—

As delivered by the President September 24, 1908.

No wonder the Republican Senator from Minnesota [Mr. NELSON] demands to know what this special session was called for, if it was merely to rewrite the Dingley bill.

No wonder the Republican Senators from Iowa, Indiana, Nebraska, Minnesota, and Wisconsin and other States *vehemently protest* against this betrayal of the party pledge. The Senator from Massachusetts will explain in vain to the American people that it was not the purpose of the party to have a substantial revision downward, as the President said, September 24, 1908, at Milwaukee.

The President in his inaugural address reiterated his construction of the purposes of the party, as was strongly pointed out by the Senator from Indiana, and stated in the most positive manner:

> It is imperatively necessary, therefore, that a tariff bill be drawn in *good faith* in accordance with *promises made before the election* by the party in power.

And on December 17 last the President is quoted as having said before the Ohio Society:

> Better no revision at all, better that the new bill should fail, unless we have an honest and thorough revision on the basis laid down and the principles outlined in the party platform.

The Republican platform declared in 1904 for a tariff law merely "equal to the difference in the cost of production at home and abroad," and in 1908 likewise declared for—

> Such duties as will equal the difference between the cost of production at home and abroad.

And yet the leaders of that party, neither in the House nor in the Senate, have concerned themselves to compile "the difference in the cost of production at home and abroad," although they have submitted many volumes of thousands of pages of confused miscellany, a small portion under oath, a large portion not under oath, with no safeguard whatever, and coming from selfish interests seeking the privilege of monopoly over the American people.

When I, as a Senator of the United States, representing the people of the United States, from Maine to California, and entitled by the honor and dignity of my position to a proper answer, demand to know "why the difference in the cost of production at home and abroad" had not been compiled as a basis for the drafting of this statute, the Senator from New Hampshire rises in his place and solemnly advises me that my inquiry is "absurd." [Turning to the Senator from New Hampshire, Mr. GALLINGER.] He will find his remarks on page 2134 of the CONGRESSIONAL RECORD.

The suggestion is made by other Republican leaders that the information can not be obtained, and when I myself offer over 446 items which had been compiled ten years ago by Carroll D. Wright, Commissioner of Labor, they show themselves acquainted with the matter, confess that this information can be obtained, and plead that the report is not up to date.

The Senator from Rhode Island, chairman of the Committee on Finance, rises in his place and, with a fine sense of humor excited by my request and inquiry why the difference in cost of production had not been compiled, advises me with amused satire that he will have a clerk compile for me a list of publications relating to the tariff, but will be unable to furnish me with the intelligence to digest them.

I shall not question the intelligence of the chairman of the Committee on Finance, nor shall I reply to him in kind. I appeal from him to the American people, who will not hold him

guiltless for his callous and reprehensible conduct in this matter.

Mr. President, I keenly regret to feel impelled to comment in this manner upon the conduct of public business in the Senate. Not only has the chairman of the Committee on Finance not furnished the Senate "the difference in the cost of production at home and abroad;" not only has he not made a proper report to the Senate in regard to this matter; not only has he replied with satirical indifference to a respectful demand for proper information which he was charged with the duty of obtaining, but he has withheld information upon this point obtained by our Department of State, through the German Government, for the express purpose of our enlightenment. He has done, Mr. President, what is infinitely more reprehensible; he has refused to the Senator of Virginia and to the other Democratic members of the Senate Finance Committee the privilege of having the same information as he himself has enjoyed by virtue of being an officer of this body; and when, Mr. President, his attention is called to this unjust and unconstitutional conduct, he justifies it by quoting from an evil precedent of Democratic origin and seemed to think he had fully answered for this breach of duty.

Mr. President, a bad Democratic precedent is no more respectable to me than a bad precedent from any other source.

The conduct of the chairman of the Committee on Finance in holding secret meetings with regard to this public matter and in giving repeated confidential audiences to the agents of monopoly, whose advice is influencing the various paragraphs of this bill in their own interests against the interests of the American people, is a bad precedent either to set or to follow, and puts the management of the Senate of the United States under the suspicion of a want of frankness and of a want of sincerity in drawing these schedules. It is of the highest national importance that the Senate of the United States and every Member of it should not only be above suspicion, but, as far as possible, beyond danger of being deceived or misled.

This evil precedent has already borne bad fruit, and the chairman of the Committee on Finance has been induced to put into this bill and to retain in this bill many so-called "jokers"—that is, words and phrases, innocent in appearance, with far-reaching consequences, favorable to the beneficiary and unfavorable to the people. These devices have already been pointed out on the floor, and I shall not pause to enumerate them. No court of justice, and no high official of government charged with a sacred trust should permit himself to conduct "star-chamber proceedings," because it is almost sure to bring upon himself the odium of suspicion and public hostility as a Member of the United States Senate.

I enter my emphatic protest against this conduct of the public business as a precedent. It should not be permitted to stand as a precedent.

The poor excuse that the Democratic Members were lately furnished with the assistance of two statisticians does not in the least degree excuse this grossly improper method of conducting the public business. These experts were not furnished until it was too late to use their services advantageously for the proper digest and amendment of this bill.

For over a year the Republican Members have given it out that they were preparing this bill, and yet with all this time they have never yet furnished either the House or Senate with "the difference in the cost of production at home and abroad" of the items in the paragraphs of the Dingley bill, which they were honor bound to do by the platform of 1904 and by the platform of 1908, which required the redrawing of these paragraphs on this precise basis.

They can furnish no explanation of this astonishing and shocking neglect of duty, except perhaps the explanation offered by the Senator from South Carolina, who humorously apologized for them—

> That they could not be expected to furnish a rope with which to hang themselves.

Is it possible, Mr. President, that men of nobility and character, that Senators trusted by the people with such power, have knowingly refused to compile "the difference in the cost of production at home and abroad" on the items of the Dingley bill for our present guidance because they intended to break faith with the American people and did not dare to make the truth manifest by compiling this damning evidence of their betrayal of their party pledges?

Whatever the purpose, Mr. President, the responsible authorities of the Senate in charge of this bill have furnished everything else except the evidence in point, and have obscured the issues both in the Senate and House by many volumes of undigested and undigestible matter, as well calculated to confuse the mind of an intelligent and laborious legislator as the huge volumes of testimony bundled before the petit jury in the criminal-rich cases, for the purpose of befogging the issue and assuring a miscarriage of justice.

In answer to my resolute demand for this information, the managers of the Senate, presenting and sustaining this bill, undertook to ridicule and discourage the inquiry. The chairman of the Committee on Finance [Mr. ALDRICH] indulges in satire, evasion, and suggests a lack of intelligence in the inquiry. The Senator from New Hampshire [Mr. GALLINGER] declares the inquiry absurd. The Senator from Montana [Mr. CARTER] suggests that Senators can not expect to be fed with an intellectual spoon, and so forth. And this is the utterly contemptible and pusillanimous manner in which party pledges are redeemed. This is the answer made to a respectful inquiry, why this information is not furnished as to "the difference in the cost of production at home and abroad," and why this bill is not written in the light of this evidence, as the party pledged itself to do to the American people.

Mr. President, the Republican leaders in charge of this bill occupy a position absolutely and utterly indefensible. They have boldly and openly violated the pledges of the party and have sacrificed the interests of the American people to benefit those selfish interests which are using these high schedules for the purpose of sheltering monopoly.

Mr. President, I can not help but believe that the Republican leaders, acting through the subtle influence of machine politics, have been led into a support of these high schedules without fully realizing that they are violating their party pledges, which confines them to the difference of the cost of production at home and abroad, but having made the error, defend it from false pride of opinion.

They have been, not perhaps quite hypnotized, but overwhelmed with the "power of suggestion" enveloping them and creating the atmosphere and controlling environment established by a swarm of attorneys, special pleaders, and fascinating representatives of the high-tariff beneficiaries.

They seem to have entirely lost sight of the principle of protection taught by their forefathers and defended by their own platform. This bill ought not to pass

BECAUSE IT VIOLATES THE TRUE PRINCIPLE OF LEGITIMATE PROTECTION, WHICH DOES NOT ENGENDER OR DEFEND MONOPOLY.

This bill ought not to pass, because it violates the principle of protection from beginning to end.

Mr. President, if there is one thing that ought to be more thoroughly understood than another in this country it is—

The principle of legitimate protection.

There is not the slightest doubt about what it means from the days of Alexander Hamilton to this good day. The meaning of protection is absolutely clear to all students of economy, and that is a duty under a constitutional revenue tariff, so levied as to equal "the difference in cost of production at home and abroad," and thus enable the American manufacturer *to meet on equal terms the competition of the foreign manufacturer*, who enjoys cheaper labor or more favorable conditions, but not to establish monopoly by prohibitive duties.

Alexander Hamilton, in his famous report on the encouragement of manufacturers, gives the reasons for this policy. It was accepted by Washington, by Jefferson, by Madison, by Andrew Jackson, and various Democratic leaders down to the days of Samuel J. Tilden and Grover Cleveland, and has not been denied, as far as I am informed, by any great Democratic leader.

The Democratic platform of 1884 vigorously declared that in reducing the tariff the reduction—

> Must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

And the Republican platform of 1904 says:

> The measure of protection should always, at least, equal the difference in the cost of production at home and abroad.

And this doctrine is repeated again in the tariff of 1908 in the following words:

> The true principle of protection is best maintained by the imposition of such duties as will *equal the difference between the cost of production at home and abroad.*

The Republican platform of 1908, however, adds the words:

> Together with a reasonable profit to American industries.

This latter is not the doctrine of protection. It is the political wedge of monopoly. It is the latest political device of those who have been fraudulently building up monopoly under color of the doctrine of protection.

The Democrats have sincerely and justly declared "Republican protection" a fraud and the shelter of monopoly. The Republicans have unjustly and deceitfully declared the Democratic tariff for revenue to be free trade.

I shall undertake, Mr. President, to show that the tariff under the doctrine for revenue would be three times as high as a tariff drawn purely for purposes of protection under the principles laid down in the Republican platform of equaling the difference in the cost of production at home and abroad, if it were honestly drawn.

The Democratic doctrine of a tariff for revenue is not free trade or anything which approximates it. It is a tariff high enough to abundantly afford every protection to any American industry which it has an honest right to ask, as I shall immediately show.

The Democratic doctrine has been the correct one; that is, a tariff as low as economical government will permit, and not so low as to injure any legitimate industry established under our tariff system, contending that a tariff for revenue properly drawn will meet by incidental protection every legitimate demand.

I shall not pause to discuss the difference between the two parties. I shall content myself with showing that this bill does not conform to the principle of legitimate protection, absolute or incidental, laid down by either party, but under the pretense of protecting American labor and American capital legitimately employed it is written in such a manner as to utterly ignore the principles of protection as taught by the Republicans themselves. This will be perfectly obvious to any man who will take the schedules submitted under the head of "Estimated revenues of this bill," of April 12, 1909, showing the rates proposed by this present bill and the comparison of the rates with the Dingley bill.

THE DIFFERENCE IN THE COST OF PRODUCTION AT HOME AND ABROAD.

The cost of production depends on materials and labor.

Materials are as cheap in the markets of the world to the American as to the European, except as we tax import of raw material by our own statute. Our policy, with few exceptions, is to admit raw material free, so that the question of the relative cost of materials is of very small relative importance.

Our manufacturers get free raw materials for their export business by refund of duties paid.

Many materials are cheaper in the United States than they are abroad, except where controlled by our unrestrained monopolies.

LABOR COST.

Labor cost in wages *in the protected industries, measured by efficiency* and *the purchasing power of wages* paid to labor, is approximately the same in the United States as in Europe, except where the American wage-earner is highly organized.

1. I shall undertake to show that this is true by showing that the money paid American labor *in protected industries* is approximately on an average but little more than that paid in Europe.

2. That the American workman is *twice as efficient*, and because of efficiency is entitled to twice the wage of the European workman, and that the difference in labor cost compared to the value of the product is in favor of the American manufacturer.

3. I shall undertake to show that $150 of wages in the United States buys only what a hundred dollars buys in Europe in manufactured goods, and for this reason the American manufacturer does not pay his labor as much in proportion to work done as the European manufacturer.

4. I shall undertake to show, finally, that the total percentage of wages to the gross product of all American manufacturers is only 17.8 per cent of the gross value of the product, and, therefore, that the difference in the cost of production in the United States and abroad must be on an average less than this percentage. If labor abroad cost half as much as in the United States, as the high protectionists pretend, then the difference in cost of production necessary to be provided for by a purely protective tariff would be less than the average of 10 per cent, while a revenue tariff would be between 30 and 40 per cent.

I shall undertake to show the bad effect of a prohibitive tariff on wages, on commerce, on distribution of wealth, and in corrupting of public and private life.

3. Effect of prohibitive tariff.

ON WAGES.

(*a*) Has lowered wages relative to product.

(*b*) Has lowered wages in protected industries compared to unprotected industries.

(*c*) Has lowered purchasing power of wages.

(*d*) Has established monopoly, and, consequently,

1. Has prevented or obstructed the organization of labor.
2. Restricted output and diminished demand for labor.
3. Has substituted foreign pauper labor for American labor.
4. Has required ruinous hours.
5. Subjected labor to bad housing, bad water, insanitary conditions.
6. Has increased mortality of labor.
7. Has destroyed political liberty of its labor in large measure.
8. Has impaired labor's commercial independence.
9. Has appropriated all the net proceeds of labor and accumulated it in the hands of the few.

ON COMMERCE.

(*a*) Has weakened our imports and exports.

(*b*) Has diminished the output of smaller factories, depending for material on monopolies.

(*c*) Has raised prices in United States 50 per cent above the prices abroad, thus *diminishing consumption.*

1. This means a ruinous tax on the man or woman with fixed income. A man with income of $1,500 *has one-third of income* confiscated by monopolies' high prices.

This affects all men with fixed income. The clerk, the servant, the government employee, the pensioner, the man receiving fixed return from investment, yields one-third of it all to monopoly.

ON DISTRIBUTION OF WEALTH.

1. It has piled up enormous wealth in few hands, which now grows with accumulating force, absorbing all *natural opportunities* of life. The oil fields, coal, ore, timber, transportation, and transmission services, municipal franchises, real estate, water powers, with the inevitable result, if not checked, of commercial mastery and commercial slavery and destruction of political independence.

2. It has *corrupted our public life*, our elections, our cities, our courts, legislatures, and executive officers, and our private citizens.

FIRST. RELATIVE LABOR COST.

Mr. President, I wish to point out the relative labor cost, because in considering this matter as a student, I have faithfully undertaken to do so. What I shall say will be as a student of this matter and not as a mere controversialist—and I defy the Committee on Finance to challenge the accuracy of the figures which I submit to the Senate—the labor cost of material is the first great factor that ought to be considered by the Senate. The percentage which labor bears to various products, as shown by our statistical tables, is carefully set forth in Exhibit 1, taken from volumes 7–10 on manufactures of our federal census.

It is true that the Census Bureau neglected to work out the percentages of labor cost, but that is a mathematical problem easy of solution, to which I have given industrious attention. I call the attention of the Senate to these percentages, which are of vital importance if this bill is to be writen in a spirit of integrity. From this table it appears that labor's share of the gross product in the food industries was 5.7 per cent; in textiles, 19.5 per cent; in iron and steel, 22.10 per cent; lumber, 27.4 per cent; leather industries, 16.5 per cent; in paper and printing, 21.6 per cent; in liquors and beverages, 8.9 per cent; in chemicals and allied products, 8 per cent; clay, glass, and stone products, 37.1 per cent; in metals and metal products, 12.7 per cent; tobacco products, 18.9 per cent; for vehicles for land transportation, 34.4 per cent; in shipbuilding, 35.2 per cent; in miscellaneous industries, 19.9 per cent.

The average of wages paid to labor, compared with the gross product in the 14 great industries, therefore, is only 19.7 per cent of the gross product. And yet the leaders bring in this bill with the average three times as high as the total labor cost, and ask us, representing the people of the United States, to accept it without a murmur and without a protest. They have neglected to point out the difference of the cost of production at home and abroad. I have undertaken to do so, and to put upon the records of the Senate a lasting memorial of what this cost is, that they shall not leave this matter without explanation to the people of the United States. It shall be recorded and it is recorded by the tables which I shall immediately submit.

Mr. President, before I submit these tables, however, I wish to call attention to the report of Carroll D. Wright. I have suggested heretofore to the managers of this bill that they might consult the tables of Carroll D. Wright with advantage. He

offers 446 different articles, with the total labor cost measured to the cent in each and every one of them, taking this information from the United States, from Germany, from Belgium, from England, and he verifies in these particular instances the accuracy of our general tables taken from the Census Bureau.

Obviously, the difference in the percentage which the wages of labor abroad would bear to manufactured products in like great industries will be somewhat similar to the percentage in this country. Wages are somewhat cheaper abroad in the protected industries than they are in this country, and if the average wage was only half abroad what it is at home, the difference in the cost of wages at home and abroad would not exceed 10 per cent ad valorem on the gross products of labor in all of our 14 great groups of manufacturing industries; but when it is remembered that American labor is twice as productive in this country as it is abroad, even this 10 per cent disappears. Notwithstanding this important and vital fact, the representatives of high protection continually declaim that a 50 per cent tariff is almost solely and exclusively in the interest of the American laborer and for the protection of the American manufacturer from bankruptcy.

THE LOWER WAGES IN EUROPE OFFSET BY GREATER EFFICIENCY OF AMERICAN LABOR.

James G. Blaine once said:

> That the actual labor cost of the American product is less because the effectiveness of American labor was superior to that of the workingman of any other nation on earth.

Prof. William G. Clark, indorsed as an authority by the Senator from New Hampshire [Mr. GALLINGER], in the Engineering Magazine for May, 1904, submits a table, which he bases on official data, showing the comparative productivity of American labor for the year 1900, as follows, to wit:

American, average annual output	$2,450
Canadian, average annual output	1,455
Australian, average annual output	900
French, average annual output	640
England, average annual output	556
German, average annual output	460

I do not assert that these figures are strictly correct, but believe it will be generally conceded that the American workman has at least twice the efficiency of the European workman, because of the use of superior machinery, modern appliances, and more effective invention.

PER CENT OF WAGES TO VALUE OF PRODUCT NOT CONSIDERED IN TARIFF RATES OF PENDING BILL.

The percentage which labor receives upon the gross product in the textiles industry, for example, as compiled by our own census on manufactures, is only 19.5 per cent; and yet when the woolen schedule, for example, is examined, the present bill puts yarn, 143 per cent (par. 373); knit fabrics, 141 per cent (par. 374); plushes and other pile fabrics, 141 per cent; wool advanced in any manner beyond scouring, 140 per cent; woolen cloths or worsted, 134 per cent (par. 374); blankets, 107 per cent; flannels for underwear, 143 per cent; dress goods, coat linings, and so forth, 105 per cent (par. 376); felts, not woven, 95 per cent; wearing apparel, clothes, dolman, jackets, ulsters, and so forth, for ladies and children, 80 per cent; hats of wool, 92 per cent; shawls, 92 per cent; woolen carpets, 114 per cent (par. 389).

Grossly violating the principle of protection, even from the Republican standpoint, and even in cotton cloth, which is particularly needed by our poorest people, cotton carpets are taxed 50 per cent (par. 389); cotton cloth 42 per cent, and as high as 61 per cent for different kinds of cotton cloth; cotton handkerchiefs, 55 per cent; cotton sleeve linings, 58 per cent.

Mr. President, the cost of labor in transforming wool and cotton into cloth is small. It does not exceed an average of 25 per cent, and in England it is slightly more than in the United States, because the labor there is not so efficient as in the United States; and the difference in the cost of production at home and abroad as far as the labor cost in cotton and woolen cloth is concerned is almost a negligible quantity.

It will not do, Mr. President, to attempt to deceive anyone by pretending that the difference in cost of production of items on this bill at home and abroad is not available, or that it would take years to compile it, as the managers of this bill have asserted on the floor of the Senate during this debate. It is available, and it has been collected on many sample products.

I had the honor to submit to the Senate, during the present session, the report of Carroll D. Wright, Commissioner of Labor, of 1898, who carefully examined into this question of costs, giving the precise amounts of costs in 446 instances. And in regard to woolen goods he shows that No. 1 woolen yarn can be made at a labor cost of 5.44 per cent of the finished product (S. Doc. 20, 55th Cong., 3d sess., p. 84); that woolen yarn No. 2 could be made with a labor cost of 4.74 per cent of the finished product; that woolen yarn No. 3 could be made for 7.11 per cent of the finished product; that woolen yarn No. 4 could be made for 6.49 per cent of the finished product; that woolen yarn No. 5 could be made at a cost of 7.71 per cent of the finished product; that woolen yarn No. 6 could be made at a labor cost of 9.29 per cent of the finished product; and including the entire cost of labor in transformation materials, which are shown in No. 426, that woolen cloth in the United States, 55 inches wide, 24 ounces to the yard, can be made at a labor cost of 16.44 per cent of the finished product.

But the Committee on Finance approve a rate of 143 per cent on woolen yarn.

Mr. President, if I should point out all of such inequalities between the cost of production at home and abroad and the rates fixed by this bill, with its 4,000 items, it would require a volume and many days of time. I therefore content myself with a complete demonstration of the general character of this bill in its indifference to the principles of protection as laid down in the Republican platform, and will then proceed with other considerations.

I take a few items from Carroll D. Wright's report, giving the cost of labor in transforming wool into blankets in the United States, compiled by him under the instructions of the Senate ten years ago, and of woolen cloth.

He explains that this work was obtained directly from the manufacturers by the Department of Labor, using "experts from the department, detailed for that purpose."

He shows the total cost of labor in blankets, cloth, and woolen yarns to be from 5 per cent to 30 per cent.

[From report of Carroll D. Wright, Commissioner of Labor, 1898, by experts on cost, in answer to Senate resolution.]

Woolen goods.

No. 390.—*Blankets:* United States; 1897; unit, 1 pound.
White; best grade; all wool; warp, 16 cut; filling, 10 cut; 46 threads of warp and 38 picks of filling per inch; size, 72x80 inches; weight, 6 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.145	15.56
Cost of materials and all other items except labor	.787	84.44
Total cost	.932	100.00

No. 391.—*Blankets:* United States; 1897; unit, 1 pound.
White; navy; all wool; warp, 7½ cut; filling, 6½ cut; 24 threads of warp and 24 picks of filling per inch; size, 58x78 inches; weight, 3¼ pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0978	15.28
Cost of materials and all other items except labor	.5422	84.72
Total cost	.6400	100.00

No. 392.—*Blankets:* United States; 1897; unit, 1 pound.
White; medium grade; all wool; same general description as product No. 390, but made of cheaper quality wool.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.13	18.57
Cost of materials and all other items except labor	.57	81.43
Total cost	.70	100.00

No. 393.—*Blankets:* United States; 1897; unit, 1 pound.
All wool; warp, 11 cut; filling, 9 cut; 23¾ threads of warp and 27 picks of filling per inch; size, 58x76 inches; weight, 2 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1417	31.40
Cost of materials and all other items except labor	.3096	68.60
Total cost	.4513	100.00

Woolen goods—Continued.

No. 394.—*Blankets:* United States; 1897; unit, 1 pound.
White; best grade; cotton warp and wool filling; warp, No. 16; filling, 10 cut; 52 threads of warp and 42 picks of filling per inch; size, 60x72 inches; weight, 5 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.125	15.76
Cost of materials and all other items except labor	.668	84.24
Total cost	.793	100.00

No. 395.—*Blankets:* United States; 1897; unit, 1 pound.
White; mixed cotton and wool; warp, 10 cut; filling, 10 cut; 36 threads of warp and 36 picks of filling per inch; size, 60x72 inches; weight, 5 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.135	16.71
Cost of materials and all other items except labor	.673	83.29
Total cost	.808	100.00

No. 396.—*Blankets:* United States; 1897; unit, 1 pound.
White; medium grade; all wool; same general description as product No. 390, but made of cheaper quality wool.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.13	18.57
Cost of materials and all other items except labor	.57	81.43
Total cost	.70	100.00

No. 397.—*Blankets:* United States; 1897; unit, 1 pound.
All wool; warps, 11 cut; filling, 9 cut; 23¾ threads of warp and 27 picks of filling per inch; size 58x76 inches; weight, 2 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1417	31.40
Cost of materials and all other items except labor	.3096	68.60
Total cost	.4513	100.00

No. 398.—*Blankets:* United States; 1897; unit, 1 pound.
White; best grade; cotton warp and wool filling; warp No. 16; filling, 10 cut; 52 threads of warp and 42 picks of filling per inch; size, 60x72 inches; weight, 5 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.125	15.76
Cost of materials and all other items except labor	.668	84.24
Total cost	.793	100.00

No. 399.—*Blankets:* United States; 1897; unit, 1 pound.
White; mixed cotton and wool; warp, 10 cut; filling, 10 cut; 36 threads of warp and 36 picks of filling per inch; size, 60x72 inches; weight, 5 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.135	16.71
Cost of materials and all other items except labor	.673	83.29
Total cost	.808	100.00

No. 400.—*Blankets:* United States; 1897; unit, 1 pound.
Horse; medium grade; all wool; warp and filling, both 5-cut; 22 threads of warp and 22 picks of filling per inch; size, 84x90 inches; weight, 7 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0850	19.07
Cost of materials and all other items except labor	.3607	80.93
Total cost	.4457	100.00

No. 401.—*Blankets:* United States; 1897; unit, 1 pound.
Horse; plaid; all wool; warp and filling, both 4½-cut; 21½ threads of warp and 17 picks of filling per inch; size, 78x80 inches; weight, 5 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1000	21.42
Cost of materials and all other items except labor	.3669	78.58
Total cost	.4669	100.00

Woolen goods—Continued.

No. 402.—*Blankets:* United States; 1897; unit, 1 pound.
Horse; low grade; mixed wool and cotton; warp and filling, both 4-cut; 20 threads of warp and 20 picks of filling per inch; size, 84x90 inches; weight, 7 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0550	32.09
Cost of materials and all other items except labor	.1164	67.91
Total cost	.1714	100.00

No. 403.—*Blankets:* United States; 1897; unit, 1 pound.
Horse; blue; cotton warp and wool filling; warp, No. 10; filling, 4-cut; 32½ threads of warp and 48 picks of filling per inch; size, 84x90 inches; weight, 7 pounds.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0714	24.43
Cost of materials and all other items except labor	.2209	75.57
Total cost	.2923	100.00

No. 404.—*Blankets:* Belgium; 1897; unit, 1 pound.
White; all wool; medium quality.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0525	14.99
Cost of materials and all other items except labor	.2977	85.01
Total cost	.3502	100.00

No. 405.—*Cloth:* United States; March, 1898; unit, 1 yard.
Beaver; 54 inches wide; weight, 29 ounces per yard; warp yarn, No. 16 colored cotton; weft yarn, ¾ of 2¼ run and ¼ of 1 run aboddy; 85 ends of warp and 62 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.240	28.20
Cost of materials and all other items except labor	6.11	71.80
Total cost	.851	100.00

No. 406.—*Cloth:* United States; March, 1898; unit, 1 yard.
Cassimere; 54 inches wide; weight, 20½ ounces per yard; warp yarn, 2¾ run; weft yarn, 2¾ run; 50 ends of warp and 36 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.20	23.81
Cost of materials and all other items except labor	.64	76.19
Total cost	.84	100.00

No. 407.—*Cloth:* United States; March, 1898; unit, 1 yard.
Cassimere; 54 inches wide; weight, 22 ounces per yard; warp yarn, 2 run; weft yarn, 2¼ run; 50 ends of warp and 36 picks of filling per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2100	23.80
Cost of materials and all other items except labor	.6725	76.20
Total cost	.8825	100.00

No. 408.—*Cloth:* United States; 1897; unit, 1 yard.
Cassimere; 54 inches wide; weight, 26 ounces per yard; warp yarn, 4-run; weft yarn, 5-run; 75 ends of warp and 64 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.3554	28.31
Cost of materials and all other items except labor	.9252	71.69
Total cost	1.2806	100.00

Woolen goods—Continued.

No. 409.—*Cloth:* United States; 1897; unit, 1 yard.
Cassimere; 54 inches wide; weight, 20 ounces per yard; warp yarn, 4-run; weft yarn, 5-run; 60 ends of warp and 52 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2301	28.09
Cost of materials and all other items except labor	.7172	71.91
Total cost	.9973	100.00

No. 410.—*Cloth:* United States; 1897; unit, 1 yard.
Cassimere; 55 inches wide; weight, 22 ounces per yard; 4½-run yarn, single, double, and twisted, is used in both warp and weft; 38 ends of warp and 38 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2163	17.30
Cost of materials and all other items except labor	1.0337	82.70
Total cost	1.2500	100.00

No. 411.—*Cloth:* United States; November, 1897; unit, 1 yard.
Cheviot; 56 inches wide; weight, 32 ounces per yard; warp yarn, 2-ply No. 24 worsted face and ¾-run wool; back weft yarn, 2¾-run face and 2-run back; 86 ends of warp and 60 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.42	28.00
Cost of materials and all other items except labor	1.08	72.00
Total cost	1.50	100.00

No. 412.—*Cloth:* United States; November, 1897, unit, 1 yard.
Cheviot; 55 inches wide; weight, 28 ounces per yard; 1½-run yarn used in both warp and weft; 38 ends of warp and 32 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.22	22.45
Cost of materials and all other items except labor	.76	77.55
Total cost	.98	100.00

No. 413.—*Cloth:* United States; 1897; unit, 1 yard.
Cheviot; half shoddy; 56 inches wide; weight, 22 ounces per yard; 1¾-run yarn is used in both warp and weft; 28 ends of warp and 26 ends of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.15	28.30
Cost of materials and all other items except labor	.38	71.70
Total cost	.53	100.00

No. 414.—*Cloth:* United States; November, 1897; unit, 1 yard.
Cheviot; piece dyed; 55 inches wide; weight, 20 ounces per yard; 2 threads of 3¾ runs each, doubled and twisted, used in both warp and weft; 40 ends of warp and 30 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1688	22.51
Cost of materials and all other items except labor	.5812	77.49
Total cost	.7500	100.00

No. 415.—*Cloth:* United States; 1897; unit, 1 yard.
Kersey; high grade; finely finished; 55 inches wide; weight, 20 ounces per yard; 4½-run yarn is used in both warp and weft; 48 ends of warp and 48 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.54	30.86
Cost of materials and all other items except labor	1.21	69.14
Total cost	1.75	100.00

Woolen goods—Continued.

No. 416.—*Cloth:* United States; November, 1897; unit, 1 yard.
Kersey; 55 inches wide; weight, 27 ounces per yard; warp yarn, 4 run; weft yarn, 4½-run face and 2-run back; 76 ends of warp and 60 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.38	31.93
Cost of materials and all other items except labor	.81	68.07
Total cost	1.19	100.00

No. 417.—*Cloth:* United States; November, 1897; unit, 1 yard.
Kersey; piece dyed; 55 inches wide; weight, 32 ounces per yard; warp yarn, ⅞ of 7 run and ⅛ of 2½ run; weft yarn, ⅞ of 5 run and ⅛ of 2½ run; 88 ends of warp and 66 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.4202	22.47
Cost of materials and all other items except labor	1.4498	77.53
Total cost	1.8700	100.00

No. 418.—*Cloth:* United States; 1897; unit, 1 yard.
Kersey; one-third shoddy; 56 inches wide; weight, 28 ounces per yard; warp yarn, 20 ends of 3½ run and 20 ends of 1½ run per inch; weft yarn, 2 run; 40 ends of warp and 40 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.288	25.09
Cost of materials and all other items except labor	.860	74.91
Total cost	1.148	100.00

No. 419.—*Cloth:* United States; November, 1897; unit, 1 yard.
Kersey; half shoddy; piece dyed; 55 inches wide; weight, 32 ounces per yard; warp yarn, ⅞ of 3 run and ⅛ of 1 run; weft yarn, 2¼ run; 54 ends of warp and 40 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2388	28.09
Cost of materials and all other items except labor	.6112	71.91
Total cost	.8500	100.00

No. 420.—*Cloth:* United States; November, 1897; unit, 1 yard.
Frieze; 55 inches wide; weight, 32 ounces per yard; warp yarn, 3⅞ run; weft yarn, 1½ run; 44 ends of warp and 44 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.26	25.49
Cost of materials and all other items except labor	.76	74.51
Total cost	1.02	100.00

No. 421.—*Cloth:* United States; 1897; unit, 1 yard.
Melton; 54 inches wide; weight, 28 ounces per yard; warp yarn, 3 run; weft yarn, 3¼ run; 58 ends of warp and 54 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2549	25.67
Cost of materials and all other items except labor	.7431	74.33
Total cost	.9980	100.00

No. 422.—*Cloth:* United States; November, 1897; unit, 1 yard.
Thibet; 55 inches wide; weight, 23 ounces per yard; 3¼ run yarn used in both warp and weft; 95 ends of warp and 46 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.32	28.57
Cost of materials and all other items except labor	.80	71.43
Total cost	1.12	100.00

Woolen goods—Continued.

No. 423.—*Cloth:* United States; November, 1897; unit, 1 yard.
Thibet; piece dyed; 55 inches wide; weight, 22 ounces per yard; warp yarn, 5 run; weft yarn, 1½ run; 46 ends of warp and 32 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1825	28.08
Cost of materials and all other items except labor	.4675	71.92
Total cost	.6500	100.00

No. 424.—*Cloth:* United States; November, 1897; unit, 1 yard.
Tricot; piece dyed; 32 inches wide; weight, 3½ ounces per yard; 6½ run yarn used in both warp and weft; 35 ends of warp and 26 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.035	25.00
Cost of materials and all other items except labor	.105	75.00
Total cost	.140	100.00

No. 425.—*Cloth:* United States; November, 1897; unit, 1 yard.
Whip cord; 55 inches wide; weight, 22 ounces per yard; warp yarn, 5½ run and 9 run, twisted; weft yarn, 4 run; 98 ends of warp and 40 picks of weft per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.38	24.36
Cost of materials and all other items except labor	1.18	75.64
Total cost	1.56	100.00

No. 426.—*Cloth:* United States; November, 1897; unit, 1 yard.
Woolen cloth; 55 inches wide; weight, 23 to 24 ounces per yard; warp yarn, 2-ply 3½ run wool; weft yarn, 2-ply $\frac{1}{16}$ worsted; 30 picks per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.24	16.44
Cost of materials and all other items except labor	1.22	83.56
Total cost	1.46	100.00

No. 427.—*Cloth:* Great Britain; 1897; unit, 1 yard.
Cheviot; 54 inches wide; worsted warp and woolen weft; warp 2 fold No. 10 worsted; weft No. 9½ and No. 30 twist; 20 picks per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2233	29.45
Cost of materials and all other items except labor	.5349	70.55
Total cost	.7582	100.00

No. 428.—*Cloth:* Great Britain; 1897; unit, 1 yard.
Melton; 54 inches wide; woolen warp and weft; warp No. 12; weft No. 12; 32 picks per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2026	29.89
Cost of materials and all other items except labor	.4752	70.11
Total cost	.6778	100.00

No. 429.—*Cloth:* Great Britain; 1897; unit, 1 yard.
Undress worsted; 56 inches wide; woolen warp and weft; warp No. 18; weft No. 18; 50 picks per inch.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.2407	25.15
Cost of materials and all other items except labor	.7162	74.85
Total cost	.9569	100.00

Woolen goods—Continued.

No. 430.—*Woolen yarn:* United States; 1897–98; unit, 1 pound.
No. 1 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0260	5.44
Cost of materials and all other items except labor	.4522	94.56
Total cost	.4782	100.00

No. 431.—*Woolen yarn:* United States; December, 1897; unit, 1 pound.
No. 2 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0287	4.74
Cost of materials and all other items except labor	.5773	95.26
Total cost	.6060	100.00

No. 432.—*Woolen yarn:* United States; November, 1897; unit, 1 pound.
No. 2 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0800	21.82
Cost of materials and all other items except labor	.2866	78.18
Total cost	.3666	100.00

No. 433.—*Woolen yarn:* United States; 1897–98; unit, 1 pound.
No. 3 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0382	7.11
Cost of materials and all other items except labor	.4987	92.89
Total cost	.5369	100.00

No. 434.—*Woolen yarn:* United States; December, 1897; unit, 1 pound.
No. 3 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0337	5.50
Cost of materials and all other items except labor	.5788	94.50
Total cost	.6125	100.00

No. 435.—*Woolen yarn:* United States; November, 1897; unit, 1 pound.
No. 3½ yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1000	23.12
Cost of materials and all other items except labor	.3325	76.88
Total cost	.4325	100.00

No. 436.—*Woolen yarn:* United States; December, 1897; unit, 1 pound.
No. 4 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0412	6.49
Cost of materials and all other items except labor	.5938	93.51
Total cost	.6350	100.00

No. 437.—*Woolen yarn:* United States; 1897–98; unit, 1 pound.
No. 5 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0640	10.48
Cost of materials and all other items except labor	.5469	89.52
Total cost	.6109	100.00

Woolen goods—Continued.

No. 438.—*Woolen yarn:* United States; December, 1897; unit, 1 pound. No. 5 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0512	7.71
Cost of materials and all other items except labor	.6133	92.29
Total cost	.6645	100.00

No. 439.—*Woolen yarn:* United States; November, 1897; unit, 1 pound. No. 5½ yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1200	22.37
Cost of materials and all other items except labor	.4165	77.63
Total cost	.5365	100.00

No. 440.—*Woolen yarn:* United States; 1897–98; unit, 1 pound. No. 6 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0742	11.88
Cost of materials and all other items except labor	.5505	88.12
Total cost	.6247	100.00

No. 441.—*Woolen yarn:* United States; December, 1897; unit, 1 pound. No. 6 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0637	9.29
Cost of materials and all other items except labor	.6218	90.71
Total cost	.6855	100.00

No. 442.—*Woolen yarn:* United States; 1897–98; unit, 1 pound.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0941	13.51
Cost of materials and all other items except labor	.6025	86.49
Total cost	.6966	100.00

No. 443.—*Woolen yarn:* United States; November, 1897; unit, 1 pound. No. 9 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1500	19.85
Cost of materials and all other items except labor	.6055	80.15
Total cost	.7555	100.00

No. 8 yarn.

No. 444.—*Woolen yarn:* United States; 1897–98; unit, 1 pound. No. 10 yarn.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.1085	14.65
Cost of materials and all other items except labor	.6322	85.35
Total cost	.7407	100.00

No. 445.—*Woolen yarn:* Belgium; 1897; unit, 1 pound.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0700	26.66
Cost of materials and all other items except labor	.1926	73.34
Total cost	.2626	100.00

Woolen goods—Continued.

No. 446.—*Woolen yarn:* Belgium; 1897; unit, 1 pound.

	Amount.	Per cent of total.
Cost of labor in transforming materials	$0.0306	11.65
Cost of materials and all other items except labor	.2320	88.35
Total cost	.2626	100.00

CENSUS TABLES, SHOWING PERCENTAGE OF LABOR TO VALUE OF PRODUCT IN COST OF PRODUCTION.

Mr. OWEN. Mr. President, I submit the following tables, taken from Table 156 of the Abstract of the Census of 1900, relative to 15 groups of industries. While these tables can not be called microscopically exact, they certainly comprise the best evidence available to show the relative return to labor and to capital affected by the tariff, and in so far as they lack precision are more favorable to capital than to labor, because these figures were obtained from the reports of manufacturing establishments controlled by capital, and the evidences, therefore, are out of the mouths of the manufacturers themselves, but are based on watered stocks, and cover returns to capital contained in salaries and miscellaneous items which can not be determined.

These tables which I shall submit will show the capital alleged to be invested in 1890, 1900, and 1905, with the expenses, including salaries of officers, amounts paid in wages, amounts paid under the head of "Miscellaneous," and the amount paid for "materials," with the value of the product and the profit, showing the percentage of profit to capital and the percentage paid to labor out of the proceeds of labor, and the percentage of wages to the increase of value by manufacture.

I have been compelled to make these compilations, and am indebted for the calculations to Mr. Josiah H. Shinn, of Washington, a statistical expert of high standing, and to Mr. J. J. McCoy, Actuary of the United States Treasury. The Census Bureau neglected to point out in its tables the comparative reward of capital and labor, and I have done so, in order to show the truth with regard to it.

Neither the Committee on Finance nor the Committee on Ways and Means in the House has seen fit to furnish this information to the country, and yet only in this direction and by like methods and tables can be determined "the difference in cost of labor or of production at home and abroad" on which this tariff bill is falsely pretended to be drawn.

The percentage of labor is worked out in every one of the great tables affecting the 14 groups of industries in the United States from details gathered with infinite care from the manufacturer himself, and are therefore as favorable to him as they might naturally be expected to be. A very interesting ratio of the relative wages is found in these tables; that is to say, that under this high prohibitive tariff, engendering monopolies, the result has followed which might be expected to follow—that labor continually receives a diminishing share of that which it produces. For instance, taking the textile industry, in 1890 labor received 22 per cent of the gross product; in 1902 it received 20.8 per cent of the gross product; and in 1905 it received 19.5 per cent. So it will be found all through these tables that the monopolies which have been built up upon these tariffs have gradually diminished the part which labor receives.

Look at these wonderful tables, showing the profits of the various manufacturers of the country by groups of industries. Remember the enormous stock-watering operations shown by Moody's Manual and by Poor's Manual and the corporation statistics of the last fifteen years, and then consider what it means when this watered capital on food products pays 16.4 per cent interest, with a fairly estimated profit, considering water, of 32 per cent; on textiles, of 12 per cent, with a fairly estimated profit of 24 per cent; on iron and steel, of 10.6 per cent, which would be probably 30 per cent; on lumber, of 18.7 per cent, and probably of nearly 50 per cent; on the industries of leather, 13.5 per cent, when it should be at least three times that; and so all through the list.

These monopolies are shown to have the certain enormous rates of profits which these tables point out. These tables necessarily include a multitude of companies whose profits are reasonable and just in every respect, who are not monopolists, who are doing business on a fair competitive market, so that the profits of monopoly are the special profits which swell this total to a high figure, and which stand above, and far above, the averages

which are given. When there is also taken into consideration the fact that on a physical valuation they would not have probably one-third of the capital invested which they pretend to have by their capital stock; when it is remembered that under the head of salaries and miscellaneous expenses and other artful methods of bookkeeping the earnings of these monopolies are being secretly used and concealed and being invested in various forms of property, it is no exaggeration to say that the earnings on physical valuation are probably three times what they appear to be on the face of the census reports.

Mr. President, I call the attention of Senators in considering these tables and invite them to remember that since 1890 the United States has gone through the most remarkable stock-watering operation that the civilized world has ever seen. And *the earning power of labor and of public franchises has been capitalized in a multitude of monopolies*, which have been established by combining competing enterprises into single companies, so that, while the capital of 1890 was in a large measure watered stock, it is probably no exaggeration to say that the capital of 1905 will average probably 66 per cent of "water;" so that when you consider the percentage of profit on the capital in these tables it should be at least doubled and should be probably trebled to give a fair estimate.

Another item which should be kept in mind is that the men who control corporate organizations can allow themselves such enormous rewards under the head of salaries that this item is also an important additional item in favor of capital. With this explanation, it will be seen that labor's share of the return of the work done in this aggregate group of all the great industries relating to manufactured products is very small and, after supplying the necessaries of life, leaves labor no surplus; the profit of capital, confessedly, is 16.4 per cent.

Now, Mr. President, I submit a tabulated abstract showing the profits of capital conceded; also a table of estimated profits and a table of probable profits in the 14 great groups of our national industries.

THE MEANING OF WORDS USED IN THE TABLES.

Salaries.—Covers the salaries of officials, salesmen, bookkeepers, clerks, stenographers; in some cases, superintendents and foremen.

Wages.—The word "wages" means the wages of workingmen.

Miscellaneous.—Means (see Special Report of Census, Manufactures, vol. 1, 1905, p. xcix):

1. Amount paid for rent of factory or works.
2. Amount paid for taxes, not including internal revenue.
3. Amount paid for *rent of offices and buildings* other than factory or works, and for *interest, insurance*, internal-revenue tax, *ordinary repairs of buildings and machinery, advertising, traveling expenses*, and *all other sundry expenses not reported under the head of "Materials."*

Materials.—The word "materials," page ci, means:

1. Cost of components of the product.
2. Cost of fuel, oil, and waste.
3. Packing boxes, and materials to make them.
4. Wrapping paper.
5. Freights paid by the manufacturers.
6. Rent of power and heat.

The salaried officials include the administration force, whether of *sales, manufacturing, purchasing, advertising, or mail orders* (p. lxxiv).

See Exhibit 1.

EXHIBIT 1.

Summary of manufactures by fourteen groups of industries.

[Special Census Report, Manufactures, pt. 1, 1905, p. 28 et seq.; Twelfth Census, 1900, Manufactures, pt. 1, p. 20 et seq., and pp. cxliv and cxlv; with special calculations by Josiah H. Shinn and J. J. McCoy, actuary of United States Treasury.]

	1905.	1900.	1890.
1. Food-products industries:			
Capital	$1,173,151,276	$940,889,838	$507,678,328
Expenses—			
Officers	$51,458,814	$39,313,634	$33,313,664
Wages	$164,601,813	$129,910,070	$90,373,450
Miscellaneous	$131,773,642	$77,988,185	$52,598,052
Materials	$2,394,416,564	$1,839,256,143	$1,318,963,830
Total	$2,652,248,833	$2,086,468,032	$1,495,587,926
Profit	$192,986,067	$191,235,948	$140,609,265
Gross product	$2,845,234,900	$2,277,702,010	$1,636,197,191
Per cent profit on capital stock	16.4	20	27.6
Labor's share of gross product, per cent	5.7	5.7	5.5

Summary of manufactures by fourteen groups of industries—Continued.

	1905.	1900.	1890.
1. Food-products industries—Continued.			
Value of gross output	$2,845,234,900	$2,277,702,010	$1,636,197,191
Cost of materials	$2,394,416,564	$1,839,256,143	$1,318,963,830
Increase in value	$540,818,336	$438,445,867	$317,233,361
Cost of labor	$164,601,813	$129,910,070	$90,373,450
Per cent of cost of labor to increase in value	30.4	33.7	35.1
2. Textile industries:			
Capital	$1,744,169,234	$1,365,604,058	$1,008,059,208
Expenses—			
Officers	$59,281,445	$40,982,357	$33,408,483
Wages	$419,811,630	$341,734,399	$278,157,769
Miscellaneous	$199,056,284	$128,481,214	$78,404,675
Materials	$1,246,552,061	$895,984,796	$705,004,909
Total	$1,934,751,370	$1,416,182,766	$1,097,073,839
Profit	$212,690,048	$221,301,718	$164,598,665
Gross product	$2,147,441,418	$1,637,484,484	$1,261,672,504
Per cent profit on capital stock	12	16.1	16.3
Labor's share of gross product, per cent	19.5	20.8	22
Value of gross output	$2,147,441,418	$1,637,484,484	$1,261,672,504
Cost of materials	$1,246,552,061	$895,984,796	$705,004,909
Increase in value	$900,879,253	$741,499,688	$556,667,595
Cost of labor	$419,811,630	$341,734,399	$278,157,769
Per cent of cost of labor to increase in value	46.6	46.1	50
3. Iron and steel industries:			
Capital	$3,331,498,157	$1,528,979,076	$997,872,489
Expenses—			
Officers	$109,414,639	$53,099,781	$36,583,536
Wages	$482,357,503	$381,975,400	$285,351,714
Miscellaneous	$165,806,557	$91,492,127	$37,694,853
Materials	$1,179,981,458	$987,198,370	$617,554,226
Total	$1,929,680,234	$1,518,655,777	$997,184,329
Profit	$247,059,492	$274,834,131	$146,872,208
Gross product	$2,176,739,726	$1,793,490,908	$1,144,056,537
Per cent profit on capital stock	10.6	17.9	14.7
Labor's share of gross product, per cent	22.10	21.2	24.9
Value of gross output	$2,176,739,726	$1,793,490,908	$1,144,056,537
Cost of materials	$1,179,981,458	$987,198,370	$617,554,226
Increase in value	$996,758,268	$806,292,538	$526,502,311
Cost of labor	$482,357,503		
Per cent of cost of labor to increase in value	48.5	45	46
4. Lumber industries:			
Capital	$1,013,927,138	$946,116,515	$314,418,472
Expenses—			
Officers	$13,571,861	$28,982,927	$20,863,131
Wages	$336,058,173	$212,201,768	$201,558,705
Miscellaneous	$130,850,824	$42,142,321	$45,510,782
Materials	$918,908,150	$561,501,302	$462,658,350
Total	$1,031,389,008	$844,828,318	$740,591,022
Profit	$189,341,328	$183,073,261	$137,363,898
Gross product	$1,220,730,336	$1,030,903,579	$877,954,920
Per cent profit on capital stock	18.7	19.6	16.2
Labor's share of gross product, per cent	27.4	20.6	22.9
Value of gross output	$1,220,730,336	$1,030,903,579	$877,954,920
Cost of materials	$518,908,150	$561,501,302	$462,658,350
Increase in value	$704,822,186	$469,405,277	$415,296,570
Cost of labor	$336,058,173	$212,201,768	$201,558,705
Per cent of cost of labor to increase in value	47.7	45.2	48.5
5. Leather industries:			
Capital	$440,777,194	$343,600,513	$246,795,712
Expenses—			
Officers	$18,372,722	$14,186,600	$15,348,257
Wages	$116,694,149	$99,759,885	$98,432,593
Miscellaneous	$40,737,343	$22,942,504	$18,587,831
Materials	$471,112,921	$395,551,232	$294,446,011
Total	$646,917,125	$532,440,401	$426,814,702
Profit	$58,830,344	$51,290,645	$60,741,328
Gross product	$705,747,470	$583,731,046	$487,556,030
Per cent profit on capital stock	13.3	14.9	24.6
Labor's share of gross product, per cent	16.5	16.9	20.1
Value of gross output	$705,747,470	$583,731,046	$487,556,030
Cost of materials	$471,112,921	$395,551,232	$294,446,011
Increase in value	$234,634,549	$188,179,814	$193,110,019
Cost of labor	$116,694,149	$99,759,885	$98,432,593
Per cent of cost of labor to increase in value	49.7	53	51

Summary of manufactures by fourteen groups of industries—Continued.

	1905.	1900.	1890.
6. Paper and printing:			
Capital	$[illegible],758,312	$557,610,887	$344,003,723
Expenses—			
Officers	$[illegible],809,311	$48,974,138	$34,625,986
Wages	$185,547,791	$140,092,453	$117,611,864
Miscellaneous	$[illegible],245,437	$76,069,663	$59,524,277
Materials	$[illegible],209,655	$214,158,423	$149,597,579
Total	$[illegible],811,194	$479,294,677	$361,359,706
Profit	$143,301,062	$127,023,091	$84,227,724
Gross product	$657,112,256	$606,317,768	$445,587,430
Per cent profit on capital stock	17.9	22.7	24.4
Labor's share of gross product, per cent	21.6	23.1	26.5
Value of gross output	$657,112,256	$606,317,768	$445,587,430
Cost of materials	$[illegible],209,655	$214,158,423	$149,597,579
Increase in value	$[illegible],902,601	$392,159,345	$295,989,851
Cost of labor	$185,547,791	$140,092,453	$117,611,864
Per cent of cost of labor to increase in value	33.8	35.7	39.7
7. Liquors and beverages:			
Capital	$[illegible],547,620	$534,101,049	$310,002,635
Expenses—			
Officers	$[illegible],421,353	$16,836,405	$11,118,673
Wages	$45,146,285	$36,946,557	$29,140,916
Miscellaneous	$[illegible],446,420	$188,754,387	$117,046,590
Materials	$[illegible],854,147	$122,218,073	$109,830,410
Total	$[illegible],868,205	$364,812,422	$267,136,589
Profit	$71,398,400	$60,691,745	$74,018,772
Gross product	$501,266,605	$425,504,167	$341,155,361
Per cent profit on capital stock	10.8	11.3	23.8
Labor's share of gross product, per cent	8.9	8.6	8.5
Value of gross output	$501,266,605	$425,504,167	$341,155,361
Cost of materials	$[illegible],854,147	$122,218,073	$109,830,410
Increase in value	$[illegible],412,458	$203,286,094	$231,324,951
Cost of labor	$45,146,285	$36,946,557	$29,140,916
Per cent of cost of labor to increase in value	12.5	12.2	12.6
8. Chemicals and allied products:			
Capital	$1,[illegible]4,728,510	$498,390,219	$322,543,674
Expenses—			
Officers	$[illegible],864,233	$26,335,164	$14,171,587
Wages	$[illegible]6,965,248	$43,870,602	$33,872,540
Miscellaneous	$[illegible],579,323	$49,835,945	$29,508,992
Materials	$[illegible],351,160	$356,192,334	$239,915,794
Total	$[illegible],959,964	$476,224,045	$317,468,913
Profit	$[illegible],905,299	$76,667,832	$92,587,584
Gross product	$1,[illegible],965,263	$552,891,877	$380,056,497
Per cent profit on capital stock	9.9	15.3	19.4
Labor's share of gross product, per cent	8	7.9	8.9
Value of gross output	$1,[illegible],965,263	$552,891,877	$380,056,497
Cost of materials	$[illegible],351,160	$356,192,334	$239,915,794
Increase in value	$[illegible],614,103	$196,699,543	$140,140,703
Cost of labor	$[illegible],965,248	$43,870,602	$33,872,540
Per cent of cost of labor to increase in value	22.2	22.3	24.2
9. Clay, glass, and stone products:			
Capital	$[illegible],846,682	$350,992,367	$217,385,297
Expenses—			
Officers	$[illegible],555,724	$13,718,906	$11,370,622
Wages	$[illegible],471,903	$109,022,582	$90,541,771
Miscellaneous	$[illegible],822,036	$19,185,657	$14,094,740
Materials	$[illegible],124,392	$94,615,281	$68,990,146
Total	$[illegible],974,055	$236,542,486	$184,997,279
Profit	$[illegible],256,367	$57,021,749	$44,808,724
Gross product	$[illegible],230,422	$293,564,235	$229,806,003
Per cent profit on capital stock	10.8	16.2	20.6
Labor's share of gross product, per cent	37.1	37.4	39.3
Value of gross output	$[illegible],230,422	$293,564,235	$229,806,003
Cost of materials	$[illegible],124,392	$94,615,281	$68,990,146
Increase in value	$[illegible],106,030	$198,948,954	$160,815,857
Cost of labor	$[illegible],471,903	$109,022,582	$90,541,771
Per cent of cost of labor to increase in value	55.4	54.8	56.3
10. Metals and metal products other than iron and steel:			
Capital	$[illegible],340,758	$410,646,057	$204,285,830

Summary of manufactures by fourteen groups of industries—Continued.

	1905.	1900.	1890.
10. Metals and metal products other than iron and steel—Continued.			
Expenses:			
Officers	$24,854,590	$16,059,194	$14,924,017
Wages	$117,599,837	$96,749,051	$64,055,644
Miscellaneous	$41,595,062	$21,205,406	$14,731,078
Materials	$644,367,583	$496,979,368	$179,169,940
Total	$828,417,072	$631,063,019	$272,881,579
Profit	$93,845,384	$117,712,445	$44,026,571
Gross product	$922,262,456	$748,795,464	$316,908,150
Per cent profit on capital stock	15.6	28.6	21.5
Labor's share of gross product, per cent	12.7	12.9	20.4
Value of gross output	$922,262,456	$748,795,464	$316,908,150
Cost of materials	$644,367,583	$496,979,368	$179,169,940
Increase in value	$277,894,873	$251,816,096	$137,738,210
Cost of labor	$117,599,837	$96,749,051	$64,055,644
Per cent of cost of labor to increase in value	42.3	38.4	46.5
11. Tobacco:			
Capital	$323,983,501	$124,089,871	$96,094,753
Expenses—			
Officers	$8,800,434	$8,951,534	$10,241,271
Wages	$62,640,303	$49,852,484	$44,550,735
Miscellaneous	$80,145,016	$79,495,422	$37,501,681
Materials	$126,088,608	$107,182,656	$92,304,317
Total	$277,674,361	$245,482,096	$184,658,004
Profit	$53,443,320	$37,594,450	$27,088,619
Gross product	$331,117,681	$283,076,546	$211,746,623
Per cent profit on capital stock	16.4	30.2	28.1
Labor's share of gross product, per cent	18.9	17.6	21
Value of gross output	$331,117,681	$283,076,546	$211,746,623
Cost of materials	$126,088,608	$107,182,656	$92,304,317
Increase in value	$205,029,073	$175,893,890	$119,442,306
Cost of labor	$62,640,303	$49,852,484	$44,550,735
Per cent of cost of labor to increase in value	30.5	28.3	37.3
12. Vehicles for land transportation:			
Capital	$447,697,020	$396,778,672	$248,224,770
Expenses—			
Officers	$24,334,118	$15,191,444	$11,172,134
Wages	$221,800,517	$164,614,781	$118,212,379
Miscellaneous	$29,107,649	$19,842,352	$9,460,374
Materials	$334,244,377	$268,278,205	$174,624,639
Total	$609,486,661	$467,926,762	$313,469,526
Profit	$34,437,781	$40,722,367	$31,006,717
Gross product	$643,924,442	$508,649,129	$344,476,243
Per cent profit on capital stock	7.6	10.2	12.4
Labor's share of gross product, per cent	34.4	32.4	34.3
Value of gross output	$643,924,442	$508,649,129	$344,476,243
Cost of materials	$334,244,377	$268,278,205	$174,624,639
Increase in value	$309,680,065	$240,370,924	$169,851,604
Cost of labor	$221,800,517	$164,614,781	$118,212,379
Per cent of cost of labor to increase in value	71.6	68.5	69.6
13. Shipbuilding:			
Capital	$121,623,700	$77,382,701	$53,396,074
Expenses—			
Officers	$3,339,741	$2,008,537	$1,104,870
Wages	$29,241,087	$24,839,163	$14,833,977
Miscellaneous	$5,235,506	$3,685,661	$1,392,551
Materials	$37,463,179	$33,483,772	$16,925,109
Total	$75,299,513	$64,020,133	$34,346,507
Profit	$7,469,726	$10,558,025	$5,995,608
Gross product	$82,769,239	$74,578,158	$40,342,115
Per cent profit on capital stock	6.1	13.6	11.2
Labor's share of gross product, per cent	35.2	33.3	35.7
Value of gross output	$82,769,239	$74,578,158	$40,342,115
Cost of materials	$37,463,179	$33,483,772	$16,925,109
Increase in value	$45,306,060	$41,091,386	$23,417,006
Cost of labor	$29,241,087	$24,839,163	$14,833,977
Per cent of cost of labor to increase in value	64.5	60.4	63.3

Summary of manufactures by fourteen groups of industries—Continued.

	1905.	1900.	1890.
14. Miscellaneous:			
Capital	$974,316,571	$1,348,920,721	$768,870,920
Expenses—			
Officers	$50,655,229	$49,199,283	$33,363,252
Wages	$187,514,312	$202,746,162	$136,643,444
Miscellaneous	$101,168,364	$81,933,611	$49,025,823
Materials	$460,205,501	$490,073,705	$300,231,851
Total	$799,573,406	$823,952,761	$519,263,870
Profit	$142,091,467	$180,139,533	$126,310,583
Gross product	$941,001,873	$1,004,092,294	$645,574,453

Summary of manufactures by fourteen groups of industries—Continued.

	1905.	1900.	1890.
14. Miscellaneous—Continued.			
Per cent profit on capital stock	14.5	13.3	16.4
Labor's share of gross product, per cent	19.9	21.6	21.1
Value of gross output	$941,001,873	$1,004,092,294	$645,574,453
Cost of materials	$460,205,501	$490,073,705	$300,231,851
Increase in value	$481,399,372	$514,018,589	$345,342,602
Cost of labor	$187,514,312	$202,746,162	$136,643,444
Per cent of cost of labor to increase in value	38.9	39.4	39.5

Average percentage of wages to labor compared to gross product in the 14 great classes of industries.

Industries.	Profit on capital, 1905.	Ratio of wages to gross product.			Estimated profit on capital.	Probable profit on capital.	Per cent of labor wages to gross product.	Per cent of wages to increase of value in manufactures by labor.		
		1905.	1900.	1890.				1905.	1900.	1890.
1. Food products	16.4	5.7	5.7	6.5	32.8	49.2	5.7	30.4	33.7	35.1
2. Textiles	12	19.5	20.8	22	24	36	19.5	40.6	46.1	50
3. Iron and steel	10.6	22.1	21.2	24.9	21.2	31.8	22.1	48.5	45	49
4. Lumber	18.7	27.4	29.6	22.9	37.4	56.1	27.4	47.7	43.2	48.5
5. Leather	13.3	16.5	16.9	20.1	26.6	39.9	16.5	49.7	53	51
6. Paper and printing	17.9	21.6	23.1	26.5	35.8	53.7	21.6	33.8	35.7	39.7
7. Liquors and beverages	10.8	8.9	8.6	8.5	20.6	32.4	8.9	42.5	42.2	42.6
8. Chemicals and allied products	9.9	8	7.9	8.9	19.8	29.7	8	22.2	22.3	24.2
9. Clay, glass, and stone	10.8	37.1	37.4	39.3	20.6	32.4	37.1	55.4	54.8	56.3
10. Metal and metal products other than iron and steel	15.6	12.7	12.9	20.4	31.2	46.8	12.7	42.3	38.4	46.5
11. Tobacco	16.4	18.9	17.6	21	32.8	49.2	18.9	30.6	28.3	37.3
12. Vehicles for land transportation	7.6	34.4	32.4	34.3	15.2	23.8	34.4	71.6	68.5	69.6
13. Shipbuilding	6.1	35.2	33.3	36.7	12.2	18.3	35.2	61.5	60.4	63.3
14. Miscellaneous	14.5	19.9	24.6	21.1	29	43.5	19.9	38.9	39.4	39.5

For full details see Exhibit 1. Average rate of wages to gross product in all industries, 17.8 per cent, calculating from table of totals of wages and value of products.

RELATIVE LABOR COST.

Mr. OWEN. The first important deduction shown from these tables is the relative cost of labor as compared with the gross product. It is less than 6 per cent in food products, and yet the tariff on food products is an average of 32 per cent, in order to measure the cost of difference at home and abroad.

The total labor cost in textiles is 19.5 per cent, and yet the tariff in this bill on flax manufactures is over 44 per cent, on cotton manufactures over 47 per cent, on wool manufactures over 58 per cent, and on silk manufactures over 60 per cent to measure the difference in the cost of production at home and abroad; a patent and ridiculous fraud on its face, which has not been explained, which will not be explained, and which can not be explained by the managers of this bill, and so it goes all through this table.

The total percentage of the value of the product paid in wages in textiles is 19.5 per cent.

If we concede that the labor cost in Europe is absolutely nothing; if we concede that the foreigner would not have to pay any freight to bring his goods to America, would pay nothing for ocean insurance, for breakage, wharfage, dockage, leakage, rattage, or stealage, still 19.5 per cent would be high enough to protect the American manufacturer *on an average*.

Granting, however, that the European laborer earns half as much, then one-half of 19.5 per cent would be sufficient.

Granting that the American laborer has twice the efficiency of the European laborer, then no tariff whatever is necessary to protect the American manufacturer; and granting that the wages paid in Europe buy more of manufactured products and as much of food products as in America, the European manufacturer would be entitled to a bonus from his home government to put him on a parity with the American manufacturer.

In some cases a duty is necessary for protective purposes, but the cases are few and the rate not high. A tariff for revenue intelligently drawn will be more than three times as high as a tariff for pure protection drawn in a spirit of perfect honesty.

If the Finance Committee can show any justification for the schedules on the basis of the "difference of the cost of production at home and abroad," I am willing to concede this measure of incidental protection under a tariff for revenue, but to conceal the facts, to refuse to hear, to ridicule the inquiry, and ignore the facts when proven is surely indefensible.

This abstract briefly exhibits the ratio of wages to gross products and affords a basis of comparison with the ratio of wages to gross products in countries competing with ours. This supplies a basis for a generalization showing the difference in the cost of production at home and abroad.

It will be seen, for example, that the average ratio of wages paid to the gross product in the textile industry averages 19.5 per cent, less than 20 per cent. The difference in the wage cost in the United States and abroad, conceding that the foreign workman receives a wage only half of that paid the American workman and conceding that he is equally efficient and conceding that his wages (half in money) has a purchasing power of half the wages of the American workman, the difference in the cost of production based on such wages would be an average of less than 10 per cent.

But it is not true that the wages paid foreign workmen buys only half as much, but the fact is that every dollar paid the foreign workman buys at least 50 per cent more than the dollar paid the American workman, so that $10 paid a European workman is equivalent to $15 in purchasing power in the United States.

So that the difference in the amount paid in wages because of this factor as compared to the value of the gross product is less than an average of 10 per cent, as above estimated.

Another factor of vital importance is the superior efficiency of the American workman. Ten dollars paid to him turns out twice as much goods as that paid the European workman; consequently the difference in wages compared to gross product is not only not against the American workman, but it is in his favor, although he does not get the benefit of it from the man who employs him.

It is not surprising, in view of these calculations based upon our national statistics and well-established facts, that the managers in charge of this bill dare not answer the question whether this bill is being written in accordance with the pledge of the party that the rates should be determined by the difference in the cost of production at home and abroad.

The monopolist can not and does not consume his profit. So that the result is that the capital of monopoly is rolling up like

a huge snowball, picking up every opportunity offered by God to mankind in our natural resources—the forests, the mines, the water powers, the highways, and the land, both of city and of the countryside; and labor, the creator of wealth, languishes and grows weaker as the creature of wealth grows stronger and exercises a natural but unrestrained appetite by "acquiring" the title to every visible and invisible natural resource.

Mr. President, I am a firm friend of capital and always ready to befriend its just rights. I believe in giving it safety and stability, protecting it in its right to earn a fair reward upon its employment. It is of great importance that the incentive should be removed neither from the capitalist nor from the business man who uses capital nor from the laborer who is employed by capital, but I do not believe that all of the net proceeds of human labor and every opportunity of human life should be appropriated by capital and all the reasonable opportunities of life cut off from millions of wage-earners who have no more wisdom or knowledge of how to protect themselves against the crafty schemes of monopoly than if they were so many blind girl babies. The Senate and the Senators on this floor, it seems to me, are under a solemn personal responsibility to find the way to protect the weaker elements of society, and they ought not to write the laws of this country to serve monopoly at the expense of the defenseless citizen wage-earner.

The incentive ought not to be taken away from capital; neither should the incentive be taken away from the small business man who may be crushed by gigantic organizations of capital, and above all the incentive of a reasonable reward, of a reasonable return for labor, of the power to support a family by labor, industry, and providence. The power to have some leisure for playtime should not be taken away from the American workingman or the American working woman or the American working child by the grinding process of unthinking corporate monopoly.

Under the head of "Miscellany" are concealed many items favorable to capital by increasing the capital itself under color of repairs, and so forth.

The estimate of the profit on capital is also too small, because more than half of the capital claimed is water.

All of the return on capital, except a small percentage, necessary to provide for a reasonable return on capital, is a net profit, while the return on labor contains no net profit worth mentioning, although it is true that by long, hard hours of labor, great deprivation, rigid economy, and careful saving, the labor classes, through the savings banks exhibit a considerable accumulation out of the proceeds of their labor.

Statistics of the savings banks of the United States for 1906.

[Comptroller Currency Report, 1907.]

	Total depositors.	Amount of deposits.	Average.
New England	2,967,271	$1,168,148,705	$391.01
Eastern States	3,562,804	1,658,905,727	405.06
Southern States	21,598	6,143,167	194.41
Middle States	1,067,746	335,503,885	351.41
Pacific States	357,783	265,435,714	741.89
Total United States	8,027,192	3,482,137,198	433.79

The savings under forty years of high-protective tariff average $433.79 to those who have been able to save, and these figures include hundreds of millions of the savings of the well-to-do and many of the capital class, but only one person in ten, after all, has a savings account, and the savings between the laboring people and actual want will not average $43 per capita for our entire productive population, counting all savings as the savings of labor, while many millions are utterly defenseless against the exactions of capital.

When it is remembered what the enormous product of the labor of the average American workman is—$2,500 per annum—it will be observed that these savings of many years comprise but a small part of the proceeds of labor.

In the table exhibited—the industries engaged in "food products"—labor's share of the gross product is very small, because of the very large amount of raw material used, out of which labor had previously been paid in the process of production.

The same thing is relatively true of the industries dealing with liquors and beverages.

It is also true that labor's share in lumber and iron and steel, and clay, glass, and stone products, and in vehicles and shipbuilding reaches a high percentage relative to the product, for the simple reason that nearly all of the value in lumber, outside of the stumpage, is pure labor. Labor goes into the woods, cuts the tree down, hauls it to the mill, puts it on the runway, saws the log, planes it, stacks the lumber, and puts the lumber on the car. Capital, having acquired the land, furnishes the sawmill, and permits labor to have a part of its own profits in wages, but no more than labor can command in a free, competitive market for labor.

The same thing is true with regard to clay products. The workman digs the clay out of the ground, puts it through every process with the work of his hands, and converts it into a finished product. Capital, having acquired the title to the clay, permits the workmen to dig upon the earth, owned by the capitalist, and furnishes the workmen with tools, and pays the workmen precisely as much, and no more, as his labor commands in a free, competitive, labor market.

The laborer has a very narrow margin, and unless he be exceptional in self-denial, in providence, and is free from accident or sickness or other incidental loss, he may, perhaps, save enough to lift himself from the severe conditions which so environ him to a more fortunate place where he can join the capital class and get the benefits of a system which is well devised to make the rich richer and the poor poorer.

THE HIGH TARIFF HAS LOWERED THE WAGES OF AMERICAN WORKMEN.

Mr. President, the advocates of a high tariff have always professed, and I suppose usually felt, the greatest solicitude for the welfare of the laboring man, and have believed, or appeared to believe, that a high tariff would protect the American laboring man against the injurious competition of the "pauper labor" of Europe. I shall show by our own statistics that *the wages of the American workman have been lowered under the operation of this tariff.*

Wages are not valued alone by dollars and cents; dollars change in purchasing power, depending on the number of dollars put in circulation in any given country and the intimacy of its commercial relations with other countries, and the whole world is confused in the question of prices by the grossly unequal distribution of currency in the different nations of the world; a great problem, which is now undergoing and will undergo a more rapid readjustment under the fast increasing improvement of rapid modern intercourse.

Attention is expressly called to the fact that labor's share of the proceeds of labor has not increased in the highly protected industries—it has decreased.

In the textile industries labor received 22 per cent of the gross product in 1890, 20.8 in 1900, and 19.5 in 1905.

In iron and steel labor received 24.9 per cent in 1890 and 22.1 per cent in 1905.

In leather goods labor received 21.1 per cent of the proceeds of labor in 1890, 16.9 per cent in 1900, and 16.5 per cent in 1905.

In paper and printing labor received 26.5 per cent of the proceeds of labor in 1890, 23.1 per cent in 1900, 21.6 per cent in 1905.

In chemical and allied products labor received 8.9 per cent in 1890, 8 per cent in 1905.

In clay, glass, and stone products labor received 39.3 per cent in 1890, 37.1 per cent in 1900.

In metal and metal products, other than iron and steel, labor received 20.4 per cent in 1890 and 12.7 per cent in 1905.

In tobacco labor received 21 per cent in 1890 and 18.9 per cent in 1905.

In shipbuilding labor received 36.7 per cent in 1890 and 35.2 per cent in 1905.

In miscellaneous industries labor received 21.1 per cent in 1890 and 19.9 per cent in 1905.

It is perfectly obvious that under the high tariff the reward of labor has diminished relatively to the gross product of labor.

When we compare the increase of the value of products, the increase of the cost of materials, and the number of wage-earners, and the total wages between 1890 and 1900, we find that the growth of capital value corresponding with that of the value of products is decidedly more than the increase of total wages; that the average wage for all classes of wage-earners, in dollars and cents, is less in 1900 than in 1890. The increase of earnings is 25 per cent; that of wages only a little over 22 per cent.

	Capital value.	Value of products.	Cost of materials.	Number of wage-earners.	Total wages.	Average value, product of the wage-earner.	Per cent.
1900	$9,813,834,390	$13,000,149,159	$7,343,627,875	5,306,143	$2,320,968,168	$2,450	17.8
1890	6,525,000,759	9,372,378,843	5,162,013,878	4,251,535	1,891,933,795	2,204	20.2
Increase	3,288,783,631	3,627,770,316	2,181,613,997	1,054,608	428,984,373		

Nineteen hundred average wage, $437; annual weekly wage, $8.60, to support 3 people, a labor loss of 10 per cent in wages relative to value of product.

The percentage of wages to value of products was 17.8 per cent in 1900, 20.2 per cent in 1890, a loss for labor of 10 per cent.

Here is an increase of $3,627,740,316 in the value of the products of labor under the "value of products," and $428,984,373 goes to 1,054,608 additional laborers, while $3,198,755,943 is the net value of the products of such labor. One million fifty-four thousand six hundred and eight new workmen get $428,984,373 with which to sustain approximately 3,000,000 people; to feed, clothe, and shelter them; *leaving no surplus for enforced idleness, sickness, accident, or death;* and a vast profit goes to capital that does not have the same exacting demands for food and clothing. The annual weekly wage is only $8.60 to support three people. How does this compare with Europe where the dollar buys 50 per cent more, and $8.60 here is only equal to $5.73 there? Look at their wages, their earning power, and ask what is the difference in the cost of production here and there. Do these census records teach us nothing?

The above figures demonstrate beyond the possibility of dispute that wages are being lowered under the operation of a monopoly-protecting tariff. It shows more, that a tariff averaging nearly 50 per cent is thoroughly unjustifiable on the Republican theory of protecting labor, since the gross amount of labor's wages only comprises an average of 19.7 per cent of gross product value (Exhibit 1), much less on the theory of providing only the "difference in the cost of labor," since the difference in the cost of labor will not approximate 20 per cent, nor equal the half of it.

The plain truth is the bill will not protect labor, but will gratify the clamorous demand of organized greed and avarice urged by the lobby of numerous monopolies. This tariff, in the pretended interest of the American workman, does not properly include over 1,000,000 *out of 29,000,000 workmen*, while it taxes all.

It has been convincingly shown by Edward Atkinson, in his learned report of December, 1902 (Exhibit 2), that not over 1,000,000 persons out of 29,000,000 persons would be affected in an adverse way if the tariff were absolutely abolished. This calculation, made in great detail, goes far to show the utterly false pretense of a great public demand for a high protective or prohibitive tariff. Attention is earnestly called to it in Senate Document No. 46, Sixty-first Congress, first session, from which I submit the essential part as Exhibit 2.

THE HIGH TARIFF HAS LOWERED THE WAGES OF AMERICAN WORKMEN IN PROTECTED INDUSTRIES MORE THAN THE WAGES OF WORKMEN IN UNPROTECTED INDUSTRIES.

I submit as Exhibit 3 a carefully compiled table of the labor wages of our American railways (Statistics of Railroads in United States, 1907, Interstate Commerce Commission, p. 59), showing the wages of railroad employees in the unprotected industries of the railroad service, and also a table of the wages of employees in building trades, which are not protected, but which are duly organized, prepared by William J. Spencer, secretary of the building-trade department of the American Federation of Labor, for 1908 (Exhibit 4), showing the average wages of masons and bricklayers, structural iron setters, ornamental iron setters, plasterers, lathers, hoisting engineers, tile setters, plumbers, steam fitters, steam fitters' helpers, gas fitters, carpenters, stonecutters, marble cutters and setters, painters, sheet metal workers, electricians, roofers, cement finishers, laborers, and hod carriers. Their wages per hour will be seen to be, on an average, at least twice as high as the wages of labor in protected industries (Exhibit 5), as shown by Census Bulletin 77 of the Bureau of Labor of 1907.

Mr. President, here will be seen that the cheapest workmen (Exhibit 3) in the railroad service, the brakemen, received an average throughout the United States for 1907, $1.46 a day; section foremen, $1.90; other shopmen, $2.06; carpenters, $2.40; machinists, $2.87; firemen and other trainmen, $2.54; conductors, $3.69; engineer men, $4.30; station agents, $2.05; general office clerks, $2.30; other officers, $5.99; general officers, $11.93. These wages in unprotected industries are decent, are reasonable, are just according to service, in the transportation work of the United States. These people have their wages influenced to an important degree by labor organization.

Now, Mr. President, I wish to call the attention of the Senate to the fact—and a vital fact in this matter—that in the protected industries of the United States the wage-earner does not receive one-half as much as in the unprotected industries, and these tables abundantly exhibit it.

Exhibit No. 4 shows that masons and bricklayers get from 45 to 87 cents an hour; structural iron setters, 30 to 62 cents an hour; ornamental iron setters, 30 to 70 cents an hour; plasterers, 50 to 87½ cents an hour; lathers, 45 to 62½ cents an hour; hoisting engineers, 50 to 75 cents an hour; tile setters, 35 to 75 cents an hour; plumbers, 50 to 75 cents an hour; steam fitters, 35 to 75 cents an hour; steam fitters' helpers, 15 to 37½ cents an hour; gas fitters, 35 to 81 cents an hour; carpenters, 35 to 62½ cents an hour; stonecutters, 45 to 70 cents an hour; marble cutters and marble setters, 30 to 62½ cents an hour; painters, 25 to 56 cents an hour; sheet metal workers, 30 to 62½ cents an hour; electricians, 25 to 65 cents an hour; roofers, 25 to 75 cents an hour; cement finishers, 35 to 75 cents an hour; laborers and hod carriers, 15 to 50 cents an hour.

Mr. President, these people are outside of the protected industries; they have some degree of organization and can demand the value from capital for their labor.

The laws of human nature operate upon the laboring man precisely as they do upon the capitalist, and he tries to get the greatest return for his wares. Labor organizations have sometimes gone to extremes and put the price of labor above a reasonable market value and lowered the demand to the point of putting themselves out of business. The urgency of labor's need for supplying food and clothing is an extenuating circumstance even when the demand itself is unreasonable and foolish, but when the demand of monopoly puts an exorbitant price upon the necessaries of life its motive is not hunger for food or need for clothing or shelter for children, but merely ambition for power or mere greed for gain.

Now, Mr. President, I wish to call the attention of the Senate to the astonishing difference between the wages of men in unprotected industries with the wages in the "protected industries," so called, and you will observe that the wages in the protected industries, except where modified by a powerful organization of the laborers, as in the glass industry, are far below the wages in unprotected industries. Organized capital has beaten down the wages of labor to a point at which the proper support of a family required by a decent American standard is often impossible. This meanness on the part of such offending manufacturers is painfully apparent.

THE PROTECTED INDUSTRIES HAVE DRIVEN OUT THE AMERICAN AND SUBSTITUTED THE FOREIGNER.

It has resulted in driving out the native American who was able to escape and has substituted in his place the oppressed people of other races, who, having been under the grinding monopoly of the landed nobility and powers which have seized every opportunity in European countries, do not feel so keenly the crushing conditions imposed upon them in these offending factories.

I call attention to the low wages which are paid in the protected industries, so low as not to be sufficient to sustain an American family upon the wages of the head of the family, who may be devoting all his time to that purpose. The average wage in the cotton and wool industry will not exceed a dollar a day, and that is shown by our census tables, which I submit.

Now, Mr. President, the protected industries have driven out the American and substituted the foreigner. We have been listening for years to talk about the protection of American labor against the pauper labor of Europe; and yet our census shows how shallow and how hollow that pretension is. I call your attention to what is shown by our census.

The Boston Traveler in the article of June 2, 1909, ridicules the argument of the Senator from Massachusetts [Mr. LODGE], and says:

He made an impassioned plea for the mill operatives of New England, who "must not be deprived of their right to work and wages," and for the manufacturers, who must be protected against "cheap labor abroad." The mill operatives, for whom the Valiant Senator's eloquence was unloosed, are practically all Greeks, Syrians, Poles, Armenians, and Italians, who have driven out every other kind of labor, because, under present wages in the cotton mills, to bring up a family under American conditions is absolutely impossible. * * *

Mr. LODGE's defense of the cotton manufacturers, whose mills are filled with aliens on starvation wages, is paralleled in history only by the arguments made in parliament at the time England was attempting to abolish the slave trade, that if the bringing of black people from Africa to America and elsewhere was prohibited shipowners would not find any use for their vessels, and that these slave ships furnished the only market for decayed fish and other putrid food, on which there would be a dead loss if the slave trade was outlawed.

The Pittsburg Survey gives a tabulated map showing that the Carnegie mills at Homestead, from which organized labor was driven by private armed military power in the Homestead riots, is filled with Slovaks, 6,477 of them; with Poles, 611 in number; with Bohemians and Germans, in another group; with Croatians, 1,249 in number; with Hungarians, 1,323 in number; with Roumanians, 410 in number; with Poles, 1,644 in number; with Lithuanians, 476 in number. Austria-Hungary furnished 10,421; Russia, 2,577; etc.

Representatives on behalf of these monopolies make "impassioned appeals" to protect the American workman against the foreign pauper labor which the monopolies have imported and are using wholesale with the effect of driving the native American to despair.

Mr. President, examine the census of 1900, Volume I, pages cxxxi and 698, on population and see what it exhibits.

Table of foreign born, etc.

Census 1900, Volume I.	Foreign born (cxxxi).	White population foreign parentage (p. 698).	Total foreign born and of foreign-born parentage.	Total population.	Percentage of population foreign born and of foreign-born parentage.
Massachusetts	846,324	897,386	1,743,710	2,805,346	62.1
Rhode Island	134,519	140,292	274,811	428,556	64.1
Connecticut	238,210	282,245	520,455	908,420	57.3
New York	1,900,425	2,415,845	4,316,270	7,268,894	59.3
New Jersey	431,831	556,294	988,125	1,883,669	52.4
Pennsylvania	985,250	1,430,028	2,415,278	6,302,115	38.3

It will be seen by the table which I submit that Massachusetts has 1,743,710 persons foreign born or of foreign-born parentage out of 2,805,346 total population, having therefore 62.1 per cent of people who are foreign born or of foreign-born parentage; Rhode Island, in like manner, has 64.1 per cent of its population foreign born or of foreign-born parentage; Connecticut has 57.3 per cent of foreign born or of foreign-born parentage; New York has 59.3 per cent of its people foreign born or of foreign-born parentage; New Jersey has 52.4 per cent of its population foreign born or of foreign-born parentage; thus disclosing in the completest manner the extent to which this use of foreign labor has driven out the American.

Mr. KEAN. What is the date of that?

Mr. OWEN. The last census of 1900, to which I invite the Senator's prayerful attention.

Mr. DILLINGHAM. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Vermont?

Mr. OWEN. With pleasure.

Mr. DILLINGHAM. I will be glad to have the Senator give, if he has them, the figures of the percentage of foreign-born as distinguished from their children.

Mr. OWEN. I have it, Mr. President, in the table which I submit, giving the exact details.

I call attention to this matter because too much has been said in behalf of protecting the American laborer and keeping out the pauper labor of Europe. The pauper labor of Europe to-day fills the very factories of these protected monopolies, and those same pauper laborers of Europe are coming into this country at the rate of 100,000 a month. It is time that this hypocrisy should cease.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. Certainly.

Mr. GALLINGER. Has the Senator the statistics for the State of Wisconsin?

Mr. OWEN. The statistics will be found in the same tables to which I have referred.

Mr. GALLINGER. The Senator has them not at hand?

Mr. OWEN. Not at hand. I have them available, but not so as to easily read them.

I will say that, of course, on the eastern coast, with our country inviting foreigners into this land we should expect a large percentage; and I do not speak that in any sense of reproach to those States. I, for one, am not at all in favor of closing our ports by any tax upon these poor souls who seek a refuge in our land from a monopoly which is worse by far than that which we endure. I invite them, and bid them God speed and welcome. This Republic is under the deepest obligations to those who have come from abroad and to their children. I honor them, and I am glad, as one American, to give them a cordial welcome. I wish they were better paid; and when they go West and enter the fields of the West, perhaps they will find conditions more congenial to human life and more profitable and beneficial to them.

Mr. President, I am glad to see America, the land of liberty, made an asylum for the oppressed of other lands, and recognize the fact that the United States is under enormous obligations to people who have come from foreign lands, and I only call attention to these figures to show that the plea of the monopolies that they are deeply concerned about high wages for the American workman is so offensively hypocritical and absurd that no words known to the English language are capable of describing it.

I have submitted Table 5, showing the wages of workmen in American industries; and I call your attention to the fact that, except where they are organized, they are on almost starvation wages. The papers were full a few days ago of the slavery of white women brought into these protected factories from Italy, sold by their kinspeople, and all their wages practically taken for their keep and to pay to the foreign home—a substantial exhibition of white slavery under the color of freedom and under the protection of the American flag, which ought not to endure slavery either of the white man or the black man.

WAGES IN PROTECTED INDUSTRIES LOWER THAN IN UNPROTECTED INDUSTRIES.

I respectfully submit a table (Exhibit 5) showing the wages of workmen in the protected industries of every class: In the industry of making carpets; of clothing; cotton goods; foundry and machine shops; furniture; glass; fur hats; hosiery and knit goods; iron and steel, bar, and iron and steel, Bessemer; iron and steel, blast furnace; lumber, paper, and wood pulp; pottery; printing and binding; shipbuilding; silk goods; woolen and worsted goods. I have indicated in every case in these tables the condition of labor organization.

It will be seen by the tables of Exhibit No. 5, in the grouped industries, for example, that in 1907 burlers got 14 cents an hour; dyers, 16 cents an hour; loom fixers (who must be men of a high class), 28 cents an hour; spoolers, 13 cents an hour; twisters, 12 cents an hour; weavers, Wilton (high-class experts), 30 cents an hour; weavers, ingrain, 15 cents an hour; winders, 13 cents an hour; and, except where the workmen must be trained experts, their wages are very low.

Buttonhole makers (female), 12 to 14 cents an hour; examiners (female), 11 to 14 cents an hour; finishers, 10 to 13 cents an hour; pressers (male), 19 to 26 cents an hour; sewing-machine operators, 22 to 31 cents an hour; carding-machine tenders, 10 to 13 cents an hour; dyers, 11 to 15 cents an hour; loom fixers, 16 to 24 cents an hour; spinners, 9 to 13 cents an hour; spinners (female), 7 to 12 cents an hour; weavers (male), 11 to 19 cents an hour; weavers (female), 9 to 16 cents an hour; bleachers, 13 cents an hour; calenderers, 14 cents an hour; color mixers, 14 cents an hour.

In the hat business, colorers get 19 cents an hour; fitters, 12 cents an hour; flower blowers, 17 cents an hour; trimmers, 15 cents an hour; weighers, 13 cents an hour.

Silk goods.—Beamers get 19 cents an hour; doublers, 11 cents an hour; dyers, 19 cents an hour; loom fixers, 27 cents an hour; pickers, 12 cents an hour; quillers, 9 cents an hour; spinners, 10 cents an hour; weavers, female, 10 cents an hour; weavers, female, 17 cents an hour.

Woolen goods.—Burlers get 11 cents an hour; carders, 12 cents an hour; card strippers, 13 cents an hour; combers, 12 cents an hour; combers, female, 9 cents an hour; dyers, 15 cents an hour; loom fixers (experts), 26 cents an hour; male spinners, 11 cents an hour; male weavers (expert), 21 cents an hour; female weavers (expert), 18 cents an hour.

It must be remembered that these figures, low as they are, are not uniformly paid; that the laborer who misses an hour from sickness or weakness, or who is thrown out of employment by the closing of the shop for repairs or for any other reason must then rely upon his accumulation in savings out of the wages paid. The matter which I wish to call attention to is that under the pretense of protecting the American workman in protected industries, the most of whom are foreigners, they are paid only about half of the wages that workmen received in unprotected industries, and with these pretenses of "passionate interest" in the American workman is an unspeakable fraud which ought not to be endured by men who regard this matter soberly and seriously from a standpoint of patriotism and the better interests of the American Republic.

A great advantage which men have who are organized and not in the "protected industries," so called, is that they no longer submit to the long, grinding, sweat-shop hours, but have an eight-hour day.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. With pleasure.

Mr. GALLINGER. Will the Senator kindly inform me in what part of the country the wages are paid that he has just read?

Mr. OWEN. Table No. 5, which I submit with this matter, shows the wages paid in different parts of the country.

THE ORGANIZATION OF AMERICAN WORKMEN.

Mr. President, I have been gratified to observe the growing organization of workingmen, which is steadily advancing in the United States. Only by such organization and by the solidarity of their interests can labor make effective its righteous hope for a decent market for its wares; only in this way can men, under present conditions of organized capital, obtain a fair return for their labor.

It is true that sometimes the unwise members in certain labor organizations compel their leaders to stand for wages "higher than the traffic will bear," and in this case they throw themselves out of employment and are thus compelled to be more moderate in their demands. It is true that sometimes thoughtless men force their leaders into gross error and compel them to make demands that are unreasonable, but all men make errors, and all men are unreasonable at times, and these things are self-correcting.

Examine these tables which I submit, and you will observe that just in degree as they are organized just in that degree do they receive proper compensation and obtain decent hours.

They deserve the greatest credit for what they have done in obtaining the eight-hour rule among the organized trades and in promoting legislation to protect labor and to promote its interest. If Congress had heretofore seen more clearly its duty, their organization would have been in large measure unnecessary.

Shall the organization of labor be condemned because of the thoughtless or even criminal act of some occasional individuals out of this vast army? It would be as reasonable to condemn the church because of the sins of its occasional members. The organization of labor stands in the main for good order, for respect to law, for patriotism, for the upbuilding of our country, for the preservation of human life and a decent reward to those who perform the hardest labors of life and bear the sweat and dust, exposure and danger, of life's hard places.

These great organizations are a bulwark to society and stand for the future stability and preservation of our institutions, while their chief antagonists, the captains of monopoly, who, I trust, will soon be led by public opinion to better methods, have been often misled by avarice and greed, have been thus blinded to their duty toward the working people, and are blindly pursuing a policy whose results constitute a menace to the stability of our present peaceful progress.

I think the less of the management of the United States Steel, and of the American Tobacco Company, and of the sugar trust, and the Cramp shipbuilding yards, and others, that they have so opposed organized labor that no member of organized labor can be employed by these monopolies.

Prof. John R. Commons, of the University of Wisconsin (vol. 2, Publications of the American Sociological Society, p. 141), says:

The unions have practically disappeared from the trusts, and are disappearing from the large corporation as they grow large enough to specialize minutely their labor. The organized workmen are found in the small establishments like the building trades or the fringe of independents on the skirts of the trusts; on the railways where skill and responsibility are not yet displaced by division of labor; in the mines where strike breakers can not be shipped in; on the docks and other places where they hold a strategic position.

Aaron Jones, esq., master of the National Grange, November 11, 1903, at Rochester, N. Y., said:

Combinations and trust methods in the sale of supplies and in the purchase of the products of the farm have in previous addresses been set out. A striking and forceful illustration of these methods and their effect on both the producer and the consumer is furnished by the market reports of meats. October 10, 1902, market reports show that in one of the leading live-stock markets of the country the price of hogs has been lowered during the year 30 per cent and the price of pork raised 10 per cent. These manipulations add 40 per cent profit to the meat trust, taking 20 per cent from the farmer and 10 per cent from the consumer. Beef steers in the hands of farmers were reduced 20 per cent and dressed beef raised 10 per cent, thus adding 30 per cent profit to the trust and taking 20 per cent from the farmer and 10 per cent from the consumer. More than $150,000,000 has been lost to the live-stock industry in the past year by the manipulations of the meat trust. This may in a measure explain how the meat trust may contribute $50,000 to place the official management of a single city under obligations to it. If the entire product of the farm—wheat, corn, hay, cotton, live stock, dairy, and fruit—is taken into account, farmers have lost more than $700,000,000 in the past year through manipulations of combines and trusts, and because farmers have not developed and maintained a wise, safe, and well-guarded business system of selling the products of the farm. Farmers have also suffered another great loss in the purchase of supplies needed in this business.

Monopolies prefer unorganized labor; they prefer that labor should be helpless and incapable of making effective any demand for its comfort or convenience, or for its rights.

The law should firmly and unhesitatingly demand and require of labor, organized or unorganized, strict obedience to the law; but it should also demand and require of monopoly considerate and decent treatment of labor and of its rights both as producer and consumer.

The tables indicating the wages of working people in high-tariff industries are taken from Bulletin No. 77 of the United States Bureau of Labor for 1907.

I call upon the chairman of the Committee on Finance to explain the astonishing parallel between the low rate of wages paid to people in protected industries and the high wages paid those in industries not protected.

What satisfactory explanation can the Senator from Rhode Island offer for the difference in the pay of masons and bricklayers, who receive 60 cents an hour in Boston, and the burler in the carpet factory receiving 14 cents; the dyer, 16 cents; the loom fixer, 28 cents; the spooler, 13 cents; the twister, 12 cents; the weaver of Brussels and Wilton, 30 cents; the weavers of ingrain, 16 cents; and the winders, 13 cents an hour?

How does the Senator from Rhode Island explain why the plasterer receives 60 cents an hour in Boston and the workers in cotton goods can not possibly receive half as much, and do not average one-third as much?

In good old Boston the plasterer gets 60 cents an hour; the tile setter gets 60 cents an hour; the plumber, 55 cents an hour; the steam fitter, 53 cents; the stonecutter, 50 cents; the carpenter, 40 cents; the marble cutter, 56 cents; and side by side with these unprotected industries the carding-machine tender in the cotton goods protected industry receives 13 cents; the dyers, 15 cents; the loom fixers, 24 cents; the spinners, 13 and 14 cents; the mule spinners, 24 cents; the weavers, 20 cents; the female weavers, 17 cents; the bleachers, 14 cents; the color mixers, 14 cents; the male dyers, 15 cents; the male engravers, 45 cents; the male printers, 44 cents; and this remarkable comparison is most striking all the way through these tables, except in cases where labor itself, by its own organization, has prevented itself from being plundered by the employer.

PROTECTION AS IT IS PRACTICED IS AN OPEN, OBVIOUS FRAUD.

It is time that the New England Senators were dropping the mask of superior knowledge and of mysterious learning with regard to the protective tariff.

The worst enemy of protection, as it is practiced, is detection.

The infinite pains taken by the committee in charge of this bill to furnish Members of this body with all sorts of data except the vital facts with regard to "the difference in cost of production at home and abroad," does not argue well for their judgment or for their sincerity in dealing with this question.

I am more than willing to believe that they have merely followed a beaten track and trodden the pathway of greatest convenience, of easy good nature, but I can not but feel that a generous complaisance to those who have contributed to their successful campaigns is also responsible for the lack of this essential information. I wish to make record here that the information which I have obtained with regard to this matter is due to no effort of theirs. I have been compelled as a Member

of this body to dig out laboriously the information which I lay before the Senate.

How does the Senator from Rhode Island explain the fact that in the unprotected industries of New England, of transportation for example, the station agents get an average daily pay of $2.03, while a carding machine tender in the protected cotton-goods industry receives 13 cents an hour, and the dyers 15 cents an hour, and the spinners 13 cents an hour, and the weavers 19 cents an hour.

How does he explain that enginemen in the unprotected industry on the railway service receive $3.78 a day and conductors $3.26 a day, and in the protected industry of printing textiles the bleachers receive 13 cents an hour, the calenderers 14 cents an hour, the color mixers 14 cents an hour, and dyers 15 cents an hour?

How does the Senator from Rhode Island explain why it is that in the unprotected industry of railways in New England firemen receive $2.20 a day, trainmen $2.32 a day, carpenters $2.25 a day, section foremen $2.24 a day, laborers $1.85 a day, when in the protected industry of hosiery and knit goods the knitters receive only 20 cents an hour for men and 13 cents an hour for women, loopers 14 cents an hour, the menders 13 cents an hour, the men pressers 17 cents, and the women pressers 10 cents an hour?

And how do these higher wages in unprotected industries contrast with the blast-furnace men and cinder snappers receiving 15 cents an hour, the hot-blast men 19 cents an hour, the keepers' helpers 17 cents an hour, and the top fillers 17 cents an hour?

The plain truth is that in the unprotected industries of transportation, as shown by the compilation of wages by the Interstate Commerce Commission and the labor in the unprotected industries of the building trades, compiled by the American Federation of Labor, by William J. Spencer, secretary, is far better paid than in the protected industries of the cotton mills, the hosiery mills, the woolen mills, and iron mills, and other factories.

The tables submitted of the wages of the building trades, which are unprotected, show that they receive a wage over 200 per cent higher than the wages in the protected industries, and the reason for this is not difficult to see. Labor in the building trades and in the railroad business is comparatively easy of organization, because the men in the railroad and building trades are out of doors and can be reached and talked to and organized. They are not locked up inside of the jail-like inclosures of private factories, where it is almost impossible to reach the employees or to organize them.

Labor has rarely succeeded in thoroughly organizing itself in any of the great manufacturing industries, which are usually controlled by monopolies and mechanical corporate power.

Organized labor was practically driven out of the shops of Andrew Carnegie and of the United States Steel Corporation, American Tobacco Company, Cramps' shipyards, and various others of the existing monopolies.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. Certainly.

Mr. GALLINGER. The Senator has put in tables—I have not seen them—showing the wages in protected and unprotected industries. In the New York Sun of the 13th instant there is a dispatch from London giving the wages paid in unprotected industries in Great Britain. Is the Senator willing that I should have this inserted in the RECORD?

Mr. OWEN. I am perfectly willing that it should be inserted in my remarks.

Mr. GALLINGER. Thank you.

The VICE-PRESIDENT. Without objection, it will be inserted.

Mr. OWEN. I will state to the Senator from New Hampshire that in my examination of this matter I have tried not to make a partial statement giving the facts favorable to my view and those unfavorable to the other side, but have tried to give, in a just measure, both sides, because the only purpose which I have in view is to arrive at the truth and to make it manifest. I do not know what the quotation from the Sun is nor its sources nor its accuracy.

Mr. GALLINGER. It is a dispatch bearing a London date, I will say to the Senator.

Mr. OWEN. I have heard of dispatches from London which were not reliable.

The matter submitted by Mr. GALLINGER is as follows:

WOMEN ON STARVATION PAY—REVELATIONS OF THE "SWEATING" SYSTEM IN LONDON—FACTS BROUGHT OUT BY A POOR SEAMSTRESS'S ATTEMPT AT SUICIDE—HOME WORKERS, 62 CENTS TO $1.10 A WEEK—AVERAGE WEEKLY PAY OF ENGLISH WOMEN $1.75.

[From New York Sun, June 13, 1909.]

LONDON, *June 2.*

A poor little seamstress attempted suicide in London recently. She jumped into the Thames and was ignominiously fished out, not drowned, and not in the least repentant. When questioned as to reasons for her act she had only one to give. She simply could not keep body and soul together by working her hardest at her trade, and in utter fatigue she had decided to end her struggles.

There was nothing very new in her story, but when she explained that she always had plenty of work to do, the only difficulty being to live on the prices paid for her labors, London was roused from its apathy long enough to protest against the "sweating" of women thus revealed.

The House of Lords once defined "sweating" as a condition under which work is carried on in insanitary surroundings and for low wages. There are those who would add that it is a condition of labor which does not give the laborer, in return for a fair day's work, enough to maintain himself and his family in decency and comfort.

In England it is women who are the greatest sufferers from sweating. Their average wage, taking it all the year round and allowing for sickness and slackness, is not much more than $1.75 a week. The Lancashire textile trade average is $3.75, and in some districts as much as $6; but this comparatively high rate is pulled down by the East End home worker, who earns anything from 62 cents to $1.10 a week.

In the unskilled women's trades there is no standard by which wages are computed. For instance, one famous firm of cocoa manufacturers pays women for filling bags with cocoa 28 cents a thousand bags, and exactly the same work is done for 16 cents for another firm. In East London there is a firm whose girls earn $3.50 a week by packing tea. In the same locality there is another firm, the head of which is a well-known sportsman and yachtsman, where the earnings of the girls average only $1.87 a week.

The manager of a tin-plate factory recently fixed time rates at $1.50 a week for his women workers, and he openly gave the reason that they had taken advantage of piecework rates to make too much. Some had earned $4!

The average wage paid to waitresses in tea shops or restaurants throughout the country does not exceed $2.50 a week. On this the girls must keep up a neat and well-dressed appearance. Then wages are likely to be interfered with and even, if "necessary," reduced.

Many firms don't pretend to pay their girls a living wage. The head of a large company was asked recently how he expected the girls in his employment to live on $1.50 a week.

"I don't expect it," he answered. "Immediately we hear that a girl has lost her father or that she has no outside means of support, she is discharged."

This same firm employs what it calls "half-day waitresses." They work from 11.30 a. m. till 6.30 p. m. for $1 a week. All tips are forfeited.

The lot of the home worker is the worst of all. Miss Mary MacArthur, secretary of the Women's Trade Union League, gave a picture of the home worker in the East End in an interview.

"So terrible is their life that I wonder that they take the trouble to exist at all," she said. "Here is a single room in a Stepney slum. The furniture consists of a table, a chair, and a bed. The unfinished trousers at which the woman stitches serves as a blanket at night.

"She slaves from daybreak until her eyes fail, and she never earns more than 5 shillings a week. She sustains herself mainly, almost entirely, upon weak tea. Some days she drinks 14 cups, making the same tea leaves do service again and again. That is one of the women slaves of England, and there are thousands in similar plight.

"I know many women who make men's shirts at 1 shilling or 9 pence a dozen. I have even found the actual worker making at 8 pence a dozen shirts which had originally been given out at 1 shilling a dozen.

"There is a girl in Woolwich; she has one child, aged 2 years, entirely dependent upon her. She is a shirt finisher and does buttoning and buttonholing by hand. She is paid 5 shillings a dozen for collars. Remember, this is high-class work. Cotton costs her from 3 pence to 4 pence a week. Her average earnings are 4 shillings 6 pence a week, or from one-half pence to three-fourths pence an hour.

"Every day she has to spend an hour and a half in fetching her work, as it is only given out in small quantities. Sometimes she has worked with hardly any break for twenty hours, from 6 a. m. until 2 a. m. the following morning. The rent of the room is 1 shilling and 6 pence a week.

"All this she told the parliamentary committee. The members of Parliament were aghast. Some were incredulous. 'But how do you live, you and the child?' asked one member of Parliament. 'We don't live,' the woman replied, with a passion in her tone I had never heard before. 'Often we have no food at all.'"

Miss MacArthur contends that goods are not sold any cheaper when made by sweated labor. She tells of a fur-lined motor coat, marked at $105, which was made for $1.88 by sweated labor; and of a $5.25 nightdress for which the home worker who made it got 5 cents—63 cents for a dozen of these nightdresses. The employer of the girls who made these nightdresses said he could not pay more, as there was no profit in his trade.

There are many persons who are struggling to organize and help the women workers of England. There is a scheme for a trades board, which shall fix a legal minimum wage, and there are other propositions which will help to do away with the present sweating system, if they are ever put into practice.

Mr. OWEN. Mr. President, the Senator from New Hampshire might have struck out the London heading and inserted New York, Pittsburg, or Jersey City, and the cruel oppression of

labor by organized capital, *uncontrolled by law*, would not be overdrawn, as I shall abundantly show before I conclude.

The Senator and the party of which he is a conspicuous leader have a duty to perform in which they seem strangely oblivious.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. With pleasure.

Mr. SMOOT. The Senator has made a comparison about a man, a bricklayer——

Mr. GALLINGER. Or a plumber.

Mr. SMOOT. In an unprotected industry, receiving 60 cents an hour, while a little girl who does spooling in a woolen mill gets 14 cents. Is that a fair comparison?

Mr. OWEN. I should say it is not a fair comparison. That comparison has not been made.

Mr. SMOOT. The Senator just made a comparison that was even worse than that, because he spoke of burlers in a woolen mill, and they were receiving only 11 cents.

Mr. OWEN. I gave, in extenso, the wages paid to burlers and to all other employees in woolen mills and in silk mills and in cotton mills, stating what it was, whether they were male or whether they were female. I have given them all, and the comparison is just which I have made, substantially, and no comparison the Senator might suggest of a little girl and a big, burly brick mason, who weighs 247 pounds, will affect the general comparison in the slightest degree.

Mr. SMOOT. That is exactly the comparison which the Senator makes. And in relation to the wages paid here for weavers, I may say I do not know a weaver in any part of this country who earns so small an amount as that stated by the Senator. I have many times seen weavers earn as high as $3 a day, and the higher the wage they earn the better it is for the manufacturer, because they are all on piecework.

Mr. OWEN. Does the Senator challenge the accuracy of the census in this matter?

Mr. SMOOT. I challenge the figures the Senator gave here as to the wages paid to woolen weavers in this country.

Mr. OWEN. Then I commend the Senator to the United States census, from which the table was taken, and he may dispute the authoritative tables of the Federal Government; but he can not correct the accuracy of my quotation from the census reports.

Mr. SMOOT. I am not saying that the figure quoted by the Senator was not quoted from some table, but I do positively say that weavers in this country are not paid the price the Senator quoted.

Mr. OWEN. I appeal from the evidence of the Senator from Utah, as a special pleader, to the evidence of the federal census and of the London Board of Trade, and prefer to take the census of the United States and the official figures to his off-hand comments.

Mr. DOLLIVER. Mr. President——

Mr. OWEN. I cordially yield to the Senator from Iowa.

Mr. DOLLIVER. I have been very much interested in the Senator's statistics and figures, but it has often occurred to me that the industries to which he refers as unprotected industries are really the only perfectly protected industries we have in the United States, for the reason that if a man is to build a brick house here at all he has no competition from any quarter on earth. A man making a horseshoe has to be protected by a law, but a man shoeing a horse has an absolute, perfectly natural protection, because the horse has to be shod where he is and not in some other country, and no competition, direct or indirect, beats upon those occupations which are naturally and perfectly protected.

Mr. OWEN. I think there is force in the observation of the Senator from Iowa, and I shall not quarrel with it, but content myself with saying that like industries abroad are also much better paid than factory labor. But I do call attention to the fact that these men who are in the railway service and in the unprotected building trades and not in the business of manufacturing woolen or cotton or flax textiles are receiving a very much higher reward than those who are in those industries, and I have shown by these tables that they could be paid a much larger price without depriving the factories of a just reward. If there were some competition, it would be far better for labor; and if there were some measure of competition in this country, I believe it would be better for the manufacturers themselves.

LABOR HAS NOT BEEN ABLE TO SHARE EQUITABLY WITH THE EMPLOYERS IN THE VALUES THAT LABOR HAS INCREASINGLY CREATED.

In Volume VIII, page 982, of the Twelfth Census, 1900, is the following table. It shows that labor received in 1850, 23.21 per cent of the total value of products, while in 1900 it received only 17.8 per cent of the product, although the per capita increase in production was greater by 130 per cent in 1900 than in 1850.

Year.	Average number of wage-earners.	Total annual wages.	Total annual value of products.	Average per capita production.
1850	957,830	$236,755,464	$1,019,106,616	$1,064
1900	5,321,389	2,330,578,010	13,039,279,566	2,451

Year.	Average annual wage.	Per cent of product paid in wages.	Per capita increase in production in the 50 years.	Per capita increase in wages in 50 years.
			Per cent.	*Per cent.*
1850	$247	23.21		
1900	437	17.80	130	77

From Exhibit 1 labor shows a diminishing wage as compared to value of its product.

In textiles labor received 22 per cent of the product in 1890, 20.8 per cent in 1900, 19.5 per cent in 1905.

In the iron and steel industries labor received 24.9 per cent of the product in 1900, 22.1 per cent in 1905.

In the leather industries labor received 20.1 per cent of the product in 1890, 16.9 per cent in 1900, 16.5 per cent in 1905.

In paper and printing industries labor received 26.5 per cent in 1890, 23.1 per cent in 1900, 21.6 per cent in 1905.

In metal and metal products labor received 20.4 per cent of the gross product in 1890, 12.9 per cent in 1900, 12.7 per cent in 1905.

In tobacco industries labor received 21 per cent in 1890, 18.9 per cent in 1905.

Labor has constantly grown in efficiency, but has not been able to share equitably in the value it has created.

Taking a special industry, such as iron and steel, including rolling mills and blast furnaces, as shown by the special report of the United States Census Office, Part IV, selected industries, 1905, on pages 5 and 16, will be found the tables for the years 1890 and 1905. I submit an analysis which shows that the per capita increase of the product of labor by weight was 50 per cent; by value, 33.5 per cent; while the increase in wages is only 11 per cent.

Year.	Average number of wage-earners employed.	Total annual wages paid.	Total value of products.	Total weight of products in tons.
1890	171,181	$89,273,956	$478,687,519	16,264,478
1905	242,740	141,439,906	905,654,152	24,844,933

Year.	Per capita increase in production in 15 years in values.	Per capita increase in production by weight.	Per capita increase in wages in 15 years.	Average weekly wage.
	Per cent.	*Per cent.*	*Per cent.*	
1890				$10.02
1905	33.5	50.5	11.5	11.20

These figures might be multiplied indefinitely in all of the monopoly-controlled industries.

I submit a table of the wages in the woolen and cotton goods factories of New England. It shows that they do not receive today an average wage of exceeding a dollar a day, a fact of special interest in connection with this controversy where the schedules are supposed to be written for the protection of labor.

Wages 1860 and 1900 compared in woolen and cotton goods factories of New England.

Year.	Number of employees.	Wages.	Wages per capita.	Value of product.	Value of output per capita.	Pounds of cotton used.	Actual increase in output by weight.
Cotton:							*Per ct.*
1860	81,403	$16,720,920	$205	$79,359,000	$794	283,701,306	.....
1900	164,944	56,258,202	341	191,690,913	1,162	940,908,114	331
Woolen:							
1860	25,583	6,144,847	240	47,722,814	1,474	.....	.....
1900	82,472	31,220,772	378	161,566,277	1,934	.....	.....

This schedule shows that, counting the best paid labor, the annual average wage of the employees in the cotton and woolen mills do not exceed $1 a day, and that, therefore, the pretense of better paid labor in the United States in the cotton and woolen mills, at least, is not true, because such wages do not greatly exceed the wages in Europe; and measured by purchasing power, probably do not exceed them at all; and measured by the output of American labor, which is twice as efficient as European labor, the American labor is not as well paid as European labor. The American manufacturer gets all the net profit. It has been shown in this debate what the enormous profits of the cotton and woolen mills have been, and our statistics clearly demonstrate the inequitable manner in which these profits have been proportioned between the American monopolists and his foreign-born workmen.

AMERICAN AND EUROPEAN WAGES IN PROTECTED INDUSTRIES COMPARED.

I submit this comparison of wages in the United States, Germany, France, and the United Kingdom, with the proper authorities, showing that the wages paid in the United States in the textile industry do not very greatly exceed those paid in Germany, France, and England, while it is conceded that the output of the American laborer is twice as much as in Europe.

The spinners, for example, in Germany in 1905, at Mulhausen, received from $6.57 to $7.30 per week. In France they received $5.91 and in the United States $4.12. The weavers, on the contrary, received in Germany $4.02 to $4.75; in France, $4.48 to $5.19; in the United Kingdom, $5.11 to $7.06; and in the United States, $8.29. So that the weavers in our country received double as much as they did in Germany, and the spinners in our country received a smaller money wage than in either Germany or France.

Mr. SMOOT. Does the table show that the weavers receive less than the spinners in Germany?

Mr. OWEN. Yes, sir.

Mr. SMOOT. Whoever prepared the table does not know a thing about manufacturing, and it can not possibly be true.

Mr. OWEN. The Senator from Utah, having corrected the United States census with regard to employees in cotton factories, may now correct the tables used by the Board of Trade of the United Kingdom in their report to Parliament, from which this is taken.

Mr. SMOOT. I know just as well as I know I am alive that there is no country that can employ weavers at a less price than they can spinners. Spinners are boys and girls. Weavers are men and women. It can not be possible. It is a mistake.

Mr. OWEN. I again appeal from the personal assurances of the Senator from Utah [Mr. SMOOT] to the records of the Board of Trade of London and of the United States census, from which these figures are accurately taken; and I call attention to the fact that the Senator from Rhode Island, the chairman of the Committee on Finance, when he was giving these tables, confined himself to those parts of the tables favorable to his contention and failed to insert those parts of the tables which were unfavorable to his contention, and such a leadership I neither approve nor follow.

These tables show the differences which I have pointed out, and they speak for themselves and are easily capable of their verification.

Wages in textile industry in Germany, France, United Kingdom, and United States.

In the protected industries.	Germany, 1905, Mulhausen.		France, 1905, Lille.		United Kingdom. Weekly pay, 1906 (W. K. Preston).	United States. Average, 1904.	Hours.
	Weekly pay.	Hours work.	Weekly pay.	Hours work.			
COTTON INDUSTRY.							
Spinners:							
Male	$6.57–$7.30	66	$5.91	60	.....	$4.12	64.55
Female	.....	.....	.....	.....	.....	5.16	61.01
Weavers:							
Male	4.02– 4.75	66	4.48– 5.19	60	$5.11–$7.06	8.29	60.42
Female	.....	.....	.....	.....	.....	7.58	60.13
Piecers	4.42– 4.87	66	3.51– 5.19	60	.....	.....	.....
Laborers	3.81	66	4.10	60	.....	.....	.....
Dyers	3.65– 4.62	58½–63	4.66– 5.25	60–66	.....	6.89	62.48
Mule spinners	.....	.....	11.78–12.45	60	8.52–10.95	11.24	59.32
WOOLEN INDUSTRY.							
	Mulhausen.		Roubaix.		Bradford.		
Spinners	7.20– 7.79	61	6.22– 6.81	60	1.95– 2.68	6.52	58.34
Weavers (Aachen):							
Male	5.11– 5.84	60	5.45– 5.84	60	3.16– 4.14	9.87	58.47
Female	4.38	60	.....	.....	.....	8.79	57.57
Combers (Leipzig):							
Male	4.38	65	4.20– 4.26	60	4.87– 5.60	7.11	58.33
Female	.....	.....	.....	.....	2.68– 3.41	5.49	57.40
Dyers (Leipzig)	5.60	65	3.79– 3.91	60	5.84	7.86	59.11
SILK INDUSTRY.							
Weavers:							
Silk—							
Male	Crefeld, 1905.		Lyon, 1905.				
Female	5.11– 5.84	58–58½	3.20– 3.51	60	.....	9.74	56.52
Velvet	.....	.....	.....	.....	.....	8.19	57.82
Ribbon—							
Male	5.84– 6.57	58–58½	4.10– 4.97	60	.....	.....	.....
Female	7.30	58–58½	[a] 3.51– 4.66	60	.....	10.93	52.98
Dyers	.....	.....	5.84– 6.81	60	.....	9.84	50.71
	6.57	60	.....	.....	.....	10.98	55.05

[a] St. Etienne.

NOTE.—In 1905 the wages received at St. Etienne, France, by ribbon weavers varied from $3.51 to $4.66 per week. In 1906 it was over 100 per cent more than this. In August, 1907, it was from 30 per cent to 50 per cent higher than in 1905. These weavers received as pay, in piecework, from one-half to two-thirds the value of their product.

Authority for United States figures: Bulletin of the Bureau of Labor, No. 59, July, 1905.

Authority for foreign figures: Cost of Living in German Towns (1908); Cost of Living in French Towns (1909); Cost of Living of Working Classes, United Kingdom, 1908; Report of Board of Trade to Parliament.

I exhibit a comparison of wages in the United States, Germany, France, and the United Kingdom in the nonprotected industries, which present a very much more favorable wage to the unprotected American workingman and much more favorable hours.

Comparison of wages in United States, Germany, France, and United Kingdom.

Class of labor. (In the unprotected industries.)	Berlin (1905).		London (Oct., 1905).		Paris (Oct., 1905).		United States—North Atlantic (1904).	
	Weekly wages.	Number of hours.	Weekly wages.	Number of hours.	Weekly wages.	Number of hours.	Weekly wages.	Number of hours.
Bricklayers and masons	$9.51	53½			$9.35	60	$25.52	46.92
Carpenters	9.51	53½	$10.65	50	10.50	60	18.03	47.89
Joiners and cabinetmakers	7.77	52			9.35	60	.....	.....
Plumbers	7.81	53½	11.16	50	9.35	54	20.60	48.00
Painters	7.10	53½	8.77	50	9.35	60	16.95	48.40
Laborers (building trades)	6.25	53½	7.10	50	5.84	60	9.50	54.70
Hod carriers (building trades)	8.86	53½	7.10	50	5.84	60	13.88	46.72
Molders	8.27–9.41	58½–60	9.49	50	[a] 11.97	60	17.17	50.38
					[b] 8.17	60		
Turners	9.02–9.41	58½–60	9.49	50	[a] 11.23	60	15.34	50.07
					[b] 8.17	60		
Smiths	7.30–7.58	58½–60	9.49	50	[a] 12.73	60	16.73	57.03
					[b] 9.05	60		
Pattern makers	8.77–9.01	58½–60	10.56	50	[a] 12.60	60	17.87	56.25
					[b] 8.88	60		
Brewers	7.79	57	7.30	54	6.43	60	17.54	58.20
Compositors (printing)	8.73	54	9.49	50	[c] 11.09	48	18.24	52.16
					[d] 12.86	42		
Street sweepers	5.11–5.84	63	.....	.....	5.59	60	9.50	58.28

[a] Piecework. [b] Time work. [c] Day. [d] Night.

Report of board of trade: Cost of living in German towns, 1908; cost of living in French towns, 1909; cost of living of working classes, United Kingdom, 1908.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. With pleasure.

Mr. GALLINGER. I will ask the Senator if he has consulted Bulletin No. 80, published in January, 1909? It is four years later than the one he quoted from. If the Senator will turn to page 63, he will find that in Dundee male shifters are working for $2.29 a week in the textile mills, and male preparers are working for $2.51 a week. It seems to be an extraordinarily low wage. There is nothing like it in this country, I take it, and yet that is in the unprotected textile mills of Great Britain and from a recent publication by our Commissioner of Labor.

Mr. OWEN. I have these tables of 1904 and 1905, which compare the dates as nearly as they could be compared, and have not attempted to compare the tables of Great Britain, made by the board of trade there, with the tables made at a very different period. I have compared them as nearly as they were available of adjacent years. But, I will say to the Senator from New Hampshire, that the question of "the difference in the cost of production at home and abroad" is easily discovered, and he illustrates that he knows how to do it.

I now take a table—Exhibit No. 6, the wages and cost of living in the United Kingdom, Germany, and France—showing the average family income, the cost of living, the articles of food, and so forth. I ask that it may be printed in my remarks without reading.

As Exhibit No. 6, I submit the wages and cost of living in the United Kingdom, Germany, and France.

EXHIBIT 6.

Wages and cost of living in United Kingdom, Germany, and France.

Limit weekly income.	Under $6.08.			$6.08 and under $7.40.			$7.40 and under $8.52.			$8.52 and under $9.73.			$9.73 and over.		
	United Kingdom.	Germany.	France.	United Kingdom.	Germany.	France.	United Kingdom.	Germany.	France.	United Kingdom.	Germany.	France.	United Kingdom.	Germany.	France.
Number of returns	261	1,065	614	289	1,329	931	416	1,223	1,065	382	692	821	506	737	1,951
Average family weekly income	$5.20	$5.30	$5.58	$6.56	$6.59	$6.73	$7.77	$7.75	$7.87	$8.89	$8.92	$9.08	$12.65	$11.85	$12.88
Average number of children	3.1	2.3	1.77	3.3	2.5	1.80	3.2	2.5	1.92	3.4	2.8	2.13	4.4	3.8	2.91
COST OF LIVING.															
Bread and flour:															
Cost	$0.74	$0.64	$0.73	$0.81	$0.70	$0.76	$0.80	$0.74	$0.82	$0.82	$0.83	$0.89	$1.05	$1.09	$1.15
Amount ... pounds	28.44	23.04	24.10	29.97	25.05	24.58	29.44	26.06	26.19	29.99	29.83	27.62	37.76	38.21	35.89
Meat:															
Cost	$0.79	$0.99	$0.92	$1.01	$1.18	$1.12	$1.25	$1.41	$1.38	$1.32	$1.57	$1.55	$1.75	$2.10	$2.11
Amount ... pounds	6.42	5.83	5.55	7.57	6.60	6.49	8.66	7.82	7.81	9.25	8.77	8.57	11.87	11.35	11.55
Fish, cost	$0.15	$0.06	.....	$0.18	$0.06	.....	$0.20	$0.06	.....	$0.24	$0.07	.....	$0.32	$0.09	.....
Eggs:															
Cost	$0.12	$0.11	$0.13	$0.17	$0.15	$0.15	$0.22	$0.17	$0.18	$0.24	$0.19	$0.19	$0.34	$0.24	$0.26
Amount ... number	6.2	6.9	6.9	8.7	9.2	8.1	11.3	10.2	9.3	12.0	11.06	10.2	16.3	14.4	13.4
Milk:															
Cost	$0.16	$0.25	$0.15	$0.23	$0.31	$0.18	$0.31	$0.34	$0.20	$0.33	$0.40	$0.22	$0.41	$0.44	$0.27
Amount ... pints	5.54	10.57	5.81	7.72	12.30	6.88	9.85	12.83	7.6	10.34	14.45	8.1	12.63	16.10	9.73
Cheese:															
Cost	$0.10	$0.06	$0.08	$0.11	$0.08	$0.10	$0.12	$0.09	$0.12	$0.12	$0.10	$0.14	$0.16	$0.13	$0.19
Amount ... pounds	0.67	0.40	0.46	0.70	0.40	0.55	0.79	0.62	0.68	0.77	0.60	0.75	1.02	0.77	1.00
Butter, lard, etc.:															
Cost	$0.41	$0.49	$0.42	$0.51	$0.60	$0.47	$0.58	$0.65	$0.50	$0.62	$0.72	$0.55	$0.90	$0.90	$0.72
Amount ... pounds	2.05	2.56	2.25	2.47	2.79	2.41	2.67	3.07	2.59	2.87	3.45	2.80	3.96	4.23	3.62
Potatoes:															
Cost	$0.18	$0.20	$0.15	$0.20	$0.21	$0.16	$0.21	$0.21	$0.16	$0.20	$0.23	$0.18	$0.28	$0.29	$0.24
Amount ... pounds	14.05	26.04	12.30	15.84	23.96	13.93	16.11	23.81	14.64	15.87	24.63	15.85	19.93	33.55	20.50
Fruit, cost	$0.10	$0.11	$0.24	$0.14	$0.16	$0.28	$0.20	$0.19	$0.33	$0.23	$0.21	$0.35	$0.32	$0.27	$0.48
Macaroni, oat meal, etc., cost	$0.09	$0.07	$0.08	$0.10	$0.09	$0.10	$0.12	$0.09	$0.10	$0.11	$0.10	$0.11	$0.14	$0.12	$0.13
Coffee, cocoa, and tea:															
Cost	$0.23	$0.15	$0.15	$0.29	$0.19	$0.16	$0.33	$0.21	$0.20	$0.35	$0.24	$0.21	$0.46	$0.50	$0.30
Amount ... pounds	.....	.....	0.44	.....	.....	0.46	.....	.....	0.55	.....	.....	0.55	.....	.....	0.82
Sugar:															
Cost	$0.16	$0.09	$0.11	$0.20	$0.10	$0.11	$0.22	$0.10	$0.12	$0.23	$0.11	$0.13	$0.30	$0.13	$0.16
Amount ... pounds	3.87	1.83	1.49	4.62	1.96	1.50	4.97	1.98	1.72	5.21	2.14	1.83	6.70	2.67	2.22
Sirups, condiments, etc., cost	$0.26	$0.13	$0.01	$0.33	$0.17	$0.01	$0.41	$0.17	$0.02	$0.46	$0.20	$0.02	$0.62	$0.24	$0.04
Meals away from home	$0.03	$0.09	$0.22	$0.05	$0.13	$0.32	$0.08	$0.16	$0.42	$0.14	$0.18	$0.53	$0.18	$0.31	$0.75
Total expenditure for food:															
Per week	$3.50	$3.44	$3.38	$4.34	$4.10	$3.94	$5.05	$4.58	$4.56	$5.43	$5.14	$5.09	$7.22	$6.66	$6.81
Per year	$182.00	$178.88	$175.76	$225.68	$213.20	$204.88	$262.60	$238.16	$237.12	$282.36	$267.28	.....	$375.44	$346.32	.....

NOTE.—Totals are found by converting the totals in foreign money into United States money, and may differ from true totals.

Authority for above table: Report of an inquiry by the Board of Trade for both Houses of the English Parliament, 1908, as to cost of living in German towns; 1909, as to cost of living in French towns.

As Exhibit No. 7, I submit the income and cost of living in the United States of workingmen's families.

EXHIBIT 7.

Workingmen's families, income and cost of living in the United States, 1891.

Geographical division.	Number of families noted.	Average size of family.	Average income of family.		Average expenditure of family.		Average expenditure for food.	
			Annual.	Weekly.	Annual.	Weekly.	Annual.	Weekly.
North Atlantic States	1,415	5.25	$834.83	$16.05	$778.04	$14.96	$338.10	$6.50
South Atlantic States	219	5.30	762.68	14.67	700.62	13.47	298.64	5.74
North Central States	721	5.46	842.60	16.20	785.95	15.11	321.60	6.18
South Central States	122	5.65	715.46	13.76	690.11	13.27	292.68	5.36
Western States	90	4.69	891.52	17.15	781.46	14.45	308.53	5.32
United States	2,567	5.31	827.19	15.91	768.54	14.78	326.90	6.99

Authority for above table: Bulletin of the Bureau of Labor, United States, No. 59, July, 1905.

As Exhibit No. 8 I submit the quantity and value of the food consumed by workingmen's families in the United States per week, 1901:

EXHIBIT 8.

Quantity and value of certain articles of food consumed by workingmen's families in the United States per week, 1901.

(Average income, $14.78 per week. Number of families, 2,567.)

Article.		Amount.	Cost.
Bread and flour	pounds	17.95	$0.56
Meats	do	14.78	1.97
Fish	do	1.54	.15
Eggs	number	19.7	.32
Milk	pints	13.7	.41
Cheese	pounds	.31	.05
Butter and lard	do	3.87	.73
Potatoes	do	17.0	.25
Vegetables and fruit			.68
Rice	pounds	.48	.04
Coffee and tea	do	1.10	.31
Sugar	do	5.16	.30
Condiments, molasses, etc.			.11
Other food			.39
Total expended for food per week			6.27
Total expended for food per year			326.90

Authority: Bulletin of the Bureau of Labor, No. 59, July, 1905.

As Exhibit No. 9 I submit the weekly rents workingmen pay in England, Germany, France, and United States.

EXHIBIT 9.

Weekly rents in England, Germany, France, and United States.

Tenements.	London.	Berlin.	Paris.	United States.
Two-room	$1.46	$1.34	$1.12	a $1.91
Three-room	1.82	1.98	1.46	
Four-room	2.19		1.67	

a Average of 2,567 families, 1901, irrespective of size of tenement, in total United States.

Report of board of trade to Parliament: (1908) cost of living in German towns; (1909) cost of living in French towns; (1908) cost of living of working classes, United Kingdom.

Exhibit No. 10 is the per cent of income of workingmen's families spent for food.

EXHIBIT 10.

Per cent of income of workingmen's families spent for food.

Limit of income.	United Kingdom, 1905.	Germany, 1905.	France, 1905.	United States.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*
$6.68–$7.30 per week	66	62	59	a 42½
$7.30–$8.52 per week	65	59	58	
$8.52–$9.73 per week	61	58	56	

a 2,567 workingmen's families.

Authority: Bulletin of United States Bureau of Labor No. 59. Report of board of trade to Parliament on cost of living (1908–9).

IT WOULD NOT BE DIFFICULT TO DETERMINE WITH COMPARATIVE PRECISION THE DIFFERENCE IN THE COST OF PRODUCTION MEASURED BY THE COST OF MATERIALS AND OF WAGES, THE RELATIVE EFFICIENCY OF LABOR, AND THE PURCHASING POWER OF THE WAGE RECEIVED. FUTURE TARIFFS SHOULD BE BASED UPON SUCH INFORMATION COMPILED BY EXPERTS EMPLOYED FOR THE PURPOSE. THIS WOULD GIVE A PROPER BASIS FOR DETERMINING THE DIFFERENCE IN COST OF PRODUCTION AT HOME AND ABROAD, AND FOR DETERMINING THE EXTENT TO WHICH THE AMERICAN MANUFACTURER WOULD BE PROTECTED IN PERCENTAGES OVER AND ABOVE THE DIFFERENCE IN THE COST OF PRODUCTION, AND WOULD ESTABLISH A SOUND FOUNDATION UPON WHICH TO WRITE A TARIFF FOR REVENUE WHICH WOULD AFFORD A LEGITIMATE AND REASONABLE INCIDENTAL PROTECTION, WITHOUT GIVING SHELTER TO MONOPOLY.

It will be observed from these tables the vital fact that the American laborer in the protected industries, and especially in the cotton and woolen industries, does not receive the enormous wages in comparison with the European workman in like industries which the advocates of high tariff would have us believe. On the contrary, their wages are very little, if any, better than those of the European workman, and that the workman in the United States, especially in the textiles, has been compelled to supplement his own wages by compelling his wife and his daughter and his children of tender years to help earn sufficient to enable them to keep body and soul together.

THE EXTREME USE OF WOMEN AND CHILDREN IN THE RACE FOR MONEY-MAKING.

An untutored, full-blood Sioux Indian was taken East and shown the glories of its civilization and, when he had been surfeited with sight-seeing, the question was asked him, what had struck him as the most important thing he saw, and he replied: "The way in which the white man makes his little children work."

So evil has been this result of a monopoly-breaking tariff in this Nation that a general alarm has been widely excited, and various States and committees throughout the Nation are engaged in attempting its correction. (Proceedings of the fifth annual conference, Chicago, Ill., National Child Labor Committee, 105 East Twenty-second street, New York.)

Bulletin No. 69, on Child Labor, Department of Commerce and Labor, shows that 26 per cent of the male children of the United States between 10 and 15 years of age are breadwinners; 1,264,000 male children between 10 and 15 years are breadwinners; 485,000 female children between 10 and 15 years are breadwinners.

2. If the number of children over 15, wage-earners and not yet adults, were classified, it would be found very large. Table 164, Census Bulletin, page 69, for example, gives the number of children at home, at school, and employed as breadwinners in families in which there are female textile workers 10 to 14 years of age, for Chicago, and New York, and out of 3,595 children over 15 years of age, 190 were at home, 52 at school, and 3,353 employed in gainful occupations. No record is made by the census of children not employed in gainful occupations under 10 years of age, nor over 15 years of age; so that it is probably no exaggeration to state that four or five million of children are engaged in labor when they ought to be in school or at play.

By Census Volume 2, page cxxxi, it is shown that the number of females engaged in gainful occupations, outside of domestic service was 5,329,292, and the probable number of women and girls now engaged in gainful occupations will probably exceed seven millions; 28 per cent being so employed in Massachusetts, 29.6 per cent in Rhode Island, 24.3 per cent in Connecticut, 20.8 per cent in New Jersey, 23 per cent in New York and 7.9 per cent in Oklahoma. The reason for women being compelled to go into competition with men in the gainful occupations is largely because the men of the family do not receive enough to maintain the family and enable the women to have the means they require and to remain at home where they properly belong

in a civilization of a high order. The driving of the American woman from the home where her activities would best be employed in promoting her own happiness and the happiness of mankind, and where her services to the race would be best employed in raising children and teaching them the lessons of religion, morality, and the sturdy virtues taught by our forefathers, is not the least of the crushing effects of modern monopoly engendered by a monopoly protecting tariff, and by the unrestrained avarice and ambition with their false standards of life which are thus set up in a mad race for power.

It will be seen by the wages in the textile industries that the cotton spinners of Germany and France are paid more in money than in the United States, the weavers less, and the mule spinners of France more, than those of the United States; that the woolen spinners of Germany and France are paid more money than they are in the United States, while the weavers are paid less, but in considering the fact that the money of the cotton spinners and woolen spinners of France and Germany will buy 50 per cent more than in the United States, the wages they receive are decidedly better. When it is remembered the American workman turns out twice as much as the German or Frenchman, then the ungenerous treatment of the American cotton and woolen spinners is obvious. It is also obvious that the plea of the Massachusetts and Rhode Island *manufacturer* that the HIGHER WAGES he is compelled to pay his cotton and wool spinners in order to meet the pauper labor competition of France and Germany is a *monumental falsehood* used to hoodwink the patriotism of the American people and lead them to tax themselves for the poor spinner's sake who toil in the cotton and woolen mills.

It is interesting to observe that labor in the protected industries of Germany, France, and the United Kingdom are paid much smaller wages than in the unprotected industries, and labor might well question the value of a protective system which operates throughout the world to give them less remuneration for their labor than in the unprotected industries.

A COMPETITION-PROHIBITING TARIFF HAS SERVED TO INCREASE PRICES AND LOWER THE PURCHASING POWER OF ALL WAGES AND OF ALL INCOMES.

In the Journal of the Royal Statistical Society for March, 1909, page 68, A. Sauerbeck, an acknowledged authority, gives a comparison of world prices, based on 45 commodities, and using as an index the standards fixed by the period of eleven years, 1867–1877, which in the aggregate was the equivalent of the average of the twenty-five years preceding; that is, from 1853–1877. The index number is 100.

Prices of commodities in 1908.

[By A. Sauerbeck.]

The following table shows the course of prices of 45 commodities during the last twenty years as compared with the standard period of eleven years, 1867–1877, which in the aggregate is equivalent to the average of the twenty-five years, 1853–1877. (See the Society's Journal, 1886, pp. 592 and 648; and 1893, pp. 220 and 247.)

(Summary of index numbers. Groups of articles, 1867–1877=100.)

Year.	Vegetable food (corn, etc.).	Animal food (meat, etc.).	Sugar, coffee, and tea.	Total food.	Minerals.	Textiles.	Sundry materials.	Total materials.	Grand total.	Silver.	Wheat harvest.	Average price of consols.	Average Bank of England rate.
													Per cent.
1889	65	86	75	75	75	70	68	70	72	70.2	103	98	3 5/8
1890	65	82	70	73	80	66	69	71	72	78.4	106	96¾	4 1/16
1891	75	81	71	77	76	59	69	68	72	74.1	108	95¾	3 3/8
1892	65	84	69	73	71	57	67	65	68	65.4	91	96¾	2 5/8
1893	59	85	75	72	68	59	68	65	68	58.6	90	98¾	3 1/16
1894	55	80	65	66	64	53	64	60	63	47.6	106	101	2 1/16
1895	54	78	62	64	62	52	65	60	62	49.1	91	106½	2
1896	53	73	59	62	63	54	63	60	61	50.5	116	111	2 1/16
1897	60	79	52	65	66	51	62	59	62	45.3	109	112¼	2 7/16
1898	67	77	51	68	70	51	63	61	64	44.3	120	111	3¼
1899	60	79	53	65	92	58	65	70	68	45.1	113	107	3¾
1900	62	85	54	69	108	66	71	80	75	46.4	99	99¾	4
1901	62	85	46	67	89	60	71	72	70	44.7	108	94	3¾
1902	63	87	41	67	82	71	71	71	69	39.6	113	94¼	3 7/16
1903	62	84	44	66	82	66	69	72	69	40.7	104	90¾	3¼
1904	63	83	50	68	81	71	67	72	70	43.4	93	88¼	3 9/16
1905	63	87	52	69	87	72	68	75	72	45.7	113	89¾	3
1906	62	89	46	69	101	80	74	83	77	50.7	116	88¾	4¼
1907	69	88	48	72	107	77	78	86	80	49.6	117	84	4 15/16
1908	70	89	48	72	89	62	73	74	73	40.1	111	86	3
Average:													
1899–1908	64	86	48	68	92	67	71	75	72	44.6	109	92¼	3 7/16
1888–1897	62	81	66	70	70	59	66	65	67	61.0	101	101¼	2 7/16
1878–1887	79	95	76	84	73	71	81	76	79	82.1	97	99¾	3 3/16

It will thus be observed that as compared with 100 for 1853–1877, the grand total index number of world prices for 1889 was 72, and for 1899 to 1908 it was 72, a fall in prices due to the demonetization of silver throughout the world.

It will also be observed that the index number for 1889 and 1905 was 72; for 1908 it was 73, thus indicating a singular stability in the grand total of the world prices (London), since 1889, notwithstanding important intermediate variations.

Conceding that the volume of metallic money in the world, together with the law of supply and demand of other materials, are the determining factors fixing the average of world prices, it should be observed that the wonderful increase in the output of modern machinery as applied to all classes of products seems to have been about equaled by the output of metallic money, whose annual rate of gold output has approximately doubled since 1896.

This table also shows the effect upon world prices by the disturbance of commercial credits of the world by financial panic; the panic of 1893 being followed by the lowest world prices in a generation.

It would seem to follow that the lowering of prices stimulated purchases and exchanges and led to a corresponding reaction. The panic of 1907 was followed by an immediate reaction in world prices.

It is important to point out that, notwithstanding the increased output of merchantable articles, the increase of gold circulation available for the use of the world markets has been very large, and that this probably accounts for the substantial stability of world prices since 1889. These figures are of intense interest when compared with the changes in prices which have taken place in the United States. Taking the tables of the Statistical Abstract of 1907, it will be seen that middling cotton which was 11.07 cents in 1890 was 11.5 cents in in 1906, having reached a very low price of 6.94 cents in 1894, just after the panic, and a still lower point of 5.94 cents in 1898, just after the Dingley bill passed; while standard sheetings for 1890 was 7 cents, and 1906, 7.25 cents, reaching a low point of 5.11 cents in 1894, just after the panic, and its lowest point, 4.2 cents, in 1898, just after the passage of the Dingley bill.

In like manner standard drillings and other cotton cloths fluctuated similarly following the panic and following the Dingley bill.

Mr. President, I now submit a table (No. 202) from the Abstract of Our National Statistics (1907), giving the relative wholesale prices of raw and of manufactured commodities of 1890 to 1906 and per cent of increase in prices for 1906 over prices for each preceding year; and also Table 203, giving the relative wholesale prices of commodities from 1890 to 1906 and the per cent of increase in prices from 1906 over prices for each preceding year by group of commodities.

Great increase in prices under Dingley Act. Relative wholesale prices of raw and of manufactured commodities, 1890 to 1906, and per cent of increase in prices for 1906 over prices for each preceding year.

Calendar year.	Raw commodities.		Manufactured commodities.		All commodities.	
	Relative price.	Per cent of increase in 1906 over each preceding.	Relative price.	Per cent of increase in 1906 over each preceding.	Relative price.	Per cent of increase in 1906 over each preceding.
1890	115.0	9.5	112.3	8.3	112.9	8.4
1891	116.3	8.3	110.0	9.9	111.7	9.6
1892	107.9	16.7	105.6	15.2	106.1	15.4
1893	104.4	26.6	105.0	14.8	105.6	15.9
1894	93.2	35.1	95.4	25.6	96.1	27.4
1895	91.7	37.3	94.0	29.4	93.6	30.8
1896	84.0	49.9	91.9	32.3	90.4	35.4
1897	87.6	43.7	90.1	35.0	89.7	36.5
1898	94.0	33.9	93.3	30.3	93.4	31.0
1899	105.9	18.9	100.7	20.8	101.7	20.4
1900	111.9	12.5	110.3	10.3	110.5	10.8
1901	111.4	13.0	107.8	12.8	108.5	12.8
1902	122.4	2.9	110.3	9.9	112.9	8.4
1903	122.7	2.6	111.5	9.1	113.6	7.7
1904	119.7	5.2	111.3	9.3	113.0	8.3
1905	121.2	3.9	114.5	6.1	115.9	5.6
1906	125.9	.....	121.9	.....	122.4	.....

NOTE.—From reports of the Bureau of Labor, Department of Commerce and Labor. This table summarizes wholesale prices of 258 staple commodities. The commodities designated as "Raw" are such as are marketed in their natural state and also such as have been subjected to only a preliminary manufacturing process; this group includes 50 articles. The commodities designated as "Manufactured" are such as have been subjected to more than a preliminary factory manipulation and in which the manufacturing labor cost constitutes an important element in the price; this group includes 208 articles. A relative price, or index number, as it is technically called, of any article is the per cent which the price of that article at any date is of the price of the same article at a date or period which has been selected as the base or standard. The base selected by the Bureau of Labor for this compilation is the average price for the ten-year period 1890 to 1899. The relative prices shown under each group are simple averages of the relatives of all articles included within the group. Average price for 1890–1899=100.

EXHIBIT 6.

Relative wholesale prices of commodities, 1890 to 1906, and per cent of increase in prices for 1906 over prices for each preceding year, by groups of commodities.

Calendar year.	Farm products.		Food, etc.	
	Relative price.	Per cent of increase in 1906 over each preceding year.	Relative price.	Per cent of increase in 1906 over each preceding year.
1890	110.0	12.4	112.4	0.2
1891	121.5	1.7	115.7	*2.7
1892	111.7	10.7	103.6	8.7
1893	107.9	14.6	110.2	2.2
1894	95.9	28.9	99.8	12.8
1895	93.3	32.5	94.6	19.0
1896	76.3	57.9	88.8	34.4
1897	85.2	45.1	87.7	28.4
1898	95.1	28.6	94.4	19.3
1899	100.0	23.6	98.3	14.5
1900	109.5	12.9	104.2	8.1
1901	116.9	5.7	105.9	6.3
1902	130.5	*5.3	111.3	1.2
1903	118.8	4.0	107.1	5.1
1904	126.2	*2.1	107.2	5.0
1905	124.2	*.5	108.7	3.6
1906	123.6	.....	112.6	.....
1907	.....	.....	117.8	.....

Calendar year.	Cloths and clothing.		Fuel and lighting.	
	Relative price.	Per cent of increase in 1906 over each preceding year.	Relative price.	Per cent of increase in 1906 over each preceding year.
1890	113.5	5.7	104.7	23.7
1891	111.3	7.8	102.7	26.1
1892	109.0	10.1	101.1	28.1
1893	107.2	11.9	100.0	29.5
1894	96.1	24.9	92.4	40.2
1895	92.7	29.4	98.1	32.0
1896	91.3	31.4	104.3	24.2
1897	91.1	31.7	96.4	34.3
1898	93.4	28.5	95.4	35.7
1899	98.7	24.1	105.0	23.3
1900	104.8	12.4	120.9	7.1
1901	101.0	13.8	118.5	8.4
1902	102.0	17.6	134.3	*3.6
1903	106.6	12.6	149.3	*12.3
1904	109.8	9.3	132.6	*2.3
1905	112.0	7.1	128.8	.5
1906	120.0	.....	129.5	.....

* Decrease.

Relative wholesale prices of commodities, 1890 to 1906, etc.—Continued.

Calendar year.	Metals and implements.		Lumber and building materials.	
	Relative price.	Per cent of increase in 1906 over each preceding year.	Relative price.	Per cent of increase in 1906 over each preceding year.
1890	119.2	13.4	111.8	25.3
1891	111.7	21.0	108.4	29.2
1892	106.0	27.5	102.8	36.3
1893	100.7	34.3	101.9	37.5
1894	90.7	49.1	96.3	45.5
1895	92.0	47.0	94.1	48.9
1896	93.7	44.3	93.4	50.0
1897	86.6	56.1	90.4	55.0
1898	86.4	56.5	95.8	46.2
1899	114.7	17.9	105.8	32.4
1900	120.5	12.2	115.7	21.1
1901	111.9	20.8	116.7	20.1
1902	117.2	15.4	118.8	17.9
1903	117.6	15.0	121.4	15.4
1904	109.6	23.4	122.7	14.2
1905	122.5	10.4	127.7	9.6
1906	135.2	.....	140.1	.....

Calendar year.	Drugs and chemicals.		House furnishing goods.	
	Relative price.	Per cent of increase in 1906 over each preceding year.	Relative price.	Per cent of increase in 1906 over each preceding year.
1890	110.2	*8.2	111.1	*0.1
1891	103.6	*2.3	110.2	.7
1892	102.9	*1.7	106.5	4.2
1893	100.5	.7	104.9	5.8
1894	89.8	12.7	100.1	10.9
1895	87.9	15.1	96.5	15.0
1896	92.6	9.3	94.0	18.1
1897	94.4	7.2	89.8	23.6
1898	106.6	*5.1	92.0	20.7
1899	111.3	*9.1	95.1	16.7
1900	115.7	*12.5	106.1	4.6
1901	115.2	*12.2	110.9	.1
1902	114.2	*11.4	112.2	*1.1
1903	112.6	*10.1	113.0	*1.8
1904	110.0	*8.0	111.7	*.6
1905	109.1	*7.2	109.1	1.7
1906	101.2	.....	111.0	.....

Calendar year.	Miscellaneous.		All commodities.	
	Relative price.	Per cent of increase in 1906 over each preceding year.	Relative price.	Per cent of increase in 1906 over each preceding year.
1890	110.3	9.8	112.9	8.4
1891	109.4	10.7	111.7	9.6
1892	106.2	14.0	106.1	15.4
1893	105.9	14.4	105.6	15.9
1894	96.8	21.3	96.1	27.4
1895	94.5	28.1	93.6	30.8
1896	91.4	32.5	90.4	35.4
1897	92.1	31.5	89.7	36.5
1898	92.4	31.1	93.4	31.0
1899	97.7	24.0	101.7	20.4
1900	109.8	10.3	110.5	10.8
1901	107.4	12.8	108.5	12.8
1902	114.1	6.1	112.9	8.4
1903	113.6	6.6	113.6	7.7
1904	111.7	8.4	113.0	8.3
1905	112.8	7.4	115.9	5.6
1906	121.1	.....	122.4	.....

* Decrease.

NOTE.—From reports of the Bureau of Labor, Department of Commerce and Labor. The group farm products includes 10 commodities; food, etc., 53; cloths and clothing, 75; fuel and lighting, 13; metals and implements, 38; lumber and building material, 27; drugs and chemicals, 9; house furnishing goods, 14; and the miscellaneous group, 13. Average price for 1890–1899=100.

I also submit Dun's tables showing the variations in prices in the United States.

It should be kept clearly in mind that the federal census is, to a very appreciable degree, influenced by the manufacturing industries of the country favorably to themselves, and this difference is demonstrated by Dun's tables, which show the increase of prices to be much larger in the United States than as shown by Census Abstract Tables 202 and 203:

Leading classes of necessary articles of daily consumption—Prices, at primary markets, from July 1, 1860, to May 1, 1907.

[Index number, from Dun's Review.]

Date.	Breadstuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
July 1—	*Dolls.*	*Dolls.*	*Dolls.*	*Dolls.*	*Dolls.*	*Dolls.*	*Dolls.*	*Dolls.*
1860	20.530	8.973	12.662	8.894	22.439	25.851	15.842	115.101
1861	15.749	7.485	10.813	7.653	21.147	22.500	16.573	101.920
1862	18.057	7.156	13.406	10.987	28.413	23.207	17.290	118.510
1863	26.154	10.115	13.530	16.359	45.679	37.079	24.264	173.180
1864	45.616	15.685	26.053	27.303	73.485	59.192	31.653	278.987
1865	25.404	16.112	18.049	21.057	49.307	38.956	25.551	194.436
1866	31.471	17.155	23.472	20.821	45.377	41.762	27.922	207.978
1867	36.537	14.278	18.418	20.167	35.169	35.426	25.529	188.524
1868	38.416	13.210	23.614	19.720	35.694	27.385	24.786	182.825
1869	29.116	13.181	18.121	16.347	35.309	28.355	24.201	164.630
1870	25.322	14.161	16.112	13.308	31.480	26.612	21.786	148.781
1871	24.809	12.177	20.799	13.823	30.624	27.371	21.907	151.510
1872	22.171	11.055	16.019	14.845	32.427	32.943	21.319	150.479
1873	20.460	10.114	15.629	13.625	29.411	32.298	21.355	143.089
1874	25.657	11.566	19.142	13.678	27.260	25.254	19.582	143.133
1875	24.848	13.287	14.918	14.418	25.318	23.515	18.398	134.702
1876	18.777	10.726	15.912	12.914	21.747	20.452	15.951	116.479
1877	21.812	10.036	11.790	13.321	21.850	15.578	15.160	109.547
1878	15.672	8.181	10.606	11.346	19.636	15.789	14.836	96.268
1879	17.054	8.236	10.253	9.884	20.420	15.149	16.286	97.285
1880	17.461	9.236	12.594	11.539	21.984	18.708	17.139	108.655
1881	20.369	11.351	11.311	11.663	20.962	19.295	16.900	111.901
1882	25.494	13.740	14.685	11.627	21.202	19.832	16.650	123.230
1883	19.018	11.210	12.250	10.726	20.209	18.671	15.764	107.248
1884	17.871	11.172	11.369	9.323	19.014	16.272	14.685	99.706
1885	16.370	9.205	10.872	8.712	17.740	14.132	13.666	90.697
1886	15.311	8.906	10.241	8.570	18.053	14.466	13.669	89.226
1887	15.156	8.667	11.488	9.252	18.174	16.035	15.153	93.624
1888	16.994	9.416	11.849	9.917	17.447	15.366	14.155	95.134
1889	14.351	8.244	9.695	10.912	17.107	14.782	14.600	89.691
1890	14.867	8.036	10.711	9.749	17.264	15.506	15.416	91.549
1891	19.782	9.217	12.455	9.339	16.501	15.107	13.691	96.092
1892	17.426	8.700	10.403	8.733	15.648	14.827	14.252	90.105
1893	14.963	10.135	11.710	9.188	15.871	14.030	14.716	90.613
1894	15.115	9.389	10.394	8.478	13.860	12.015	14.041	83.292
1895	14.765	8.622	9.874	8.689	15.315	11.021	13.233	81.519
1896	10.504	7.058	7.872	8.529	13.602	13.232	13.520	74.317
1897—January 1	11.729	7.327	10.456	8.170	12.407	13.014	12.399	75.502
July (low)	10.587	7.529	8.714	7.887	13.808	11.642	12.288	72.455
1898—January 1	13.511	7.336	12.371	8.312	14.654	11.572	12.184	79.940
July 1	12.783	7.694	9.437	8.826	14.663	11.843	12.522	77.768
1899—January 1	13.816	7.520	11.458	9.096	14.150	11.843	12.540	80.423
July 1	13.483	7.988	10.974	9.157	15.021	15.635	12.969	85.227
1900—January 1	13.254	7.258	13.702	9.200	17.484	18.085	16.312	95.295
July 1	14.898	8.906	10.901	9.482	16.324	14.834	16.070	91.415
1901—January 1	14.496	8.407	15.556	9.504	16.024	15.810	15.861	95.658
July 1	14.904	9.430	11.030	9.086	15.098	15.344	16.617	91.509
1902—January 1	20.002	9.670	15.248	8.952	15.547	15.375	16.793	101.587
July 1	20.534	11.628	12.557	8.748	15.533	16.084	16.826	101.910
1903—January 1	17.104	9.522	14.613	9.418	15.938	17.185	16.578	100.356
July 1	17.473	9.269	13.083	9.186	17.136	16.544	16.765	99.456
1904—January 1	17.102	8.138	15.267	9.653	17.316	15.887	16.759	100.142
July 1	18.244	9.033	10.648	10.406	16.514	15.428	16.919	97.192
1905—January 1	18.278	7.950	13.948	10.699	16.319	16.188	16.936	100.318
July 1	18.831	8.614	9.982	9.922	17.986	15.916	17.061	98.312
1906—January 1	16.554	8.426	14.399	9.822	19.313	17.141	18.809	104.464
July 1	17.923	9.677	12.500	9.645	19.177	16.649	19.555	105.216
1907—January 1	16.079	9.350	14.965	9.760	19.637	18.087	19.386	107.264
May 1	18.165	9.641	14.461	9.824	20.098	17.524	19.242	108.955

NOTE.—In the above table the course of prices of commodities is shown, and in each case the price is multiplied by the annual per capita consumption, which precludes any one commodity having more than its proper weight in the aggregate. Breadstuffs include many quotations of wheat, corn, oats, rye, barley, beans, and pease; meats include live hogs, beef, sheep, and many provisions, lard, tallow, etc.; dairy and garden products embrace eggs, vegetables, fruits, milk, butter, cheese, etc.; other food includes fish, liquors, condiments, sugar, rice, tobacco, etc.; clothing covers the raw material of each industry, and many quotations of woolen, cotton, silk, and rubber goods, as well as hides, leather, boots, and shoes; metals include various quotations of pig iron and partially manufactured and finished products, as well as the minor metals, tin, lead, copper, etc., and coal and petroleum; miscellaneous includes many grades of hard and soft lumber, laths, brick, lime, glass, turpentine, hemp, linseed oil, paints, fertilizers, and drugs. The third decimal is given for accuracy of comparison.

There thus appears by Dun's more accurate tables an increase from 1896 to May 1, 1907, of 46.7 per cent on total average of prices of 1896, and on clothing the increase from January 1, 1897, to May 1, 1907, was 69 per cent, and on miscellaneous articles was 55 per cent.

The two tables from our own census contain overwhelming evidence of the injurious results of the Dingley bill upon labor; it shows, for example, Mr. President, that prices have been increased on raw commodities 25.9 per cent over the average prices from 1890 to 1900, and 49.9 per cent over the prices of raw commodities under the Wilson bill.

Our prices were already in 1906 much higher than in Europe, so that these increases are the more striking.

Mr. President, do not the manufacturing classes themselves see that such an enormous raise in prices of raw commodities is injurious both to their domestic and foreign trade? Do they not see it necessarily limits the consumption of the people, whose little salaries are fixed, whose little pension can not be increased in dollars and cents, whose purchasing power is limited to a fixed wage, a wage not exceeding, among the manufacturing laboring classes, $160 per annum per capita?

The obvious result is to restrict consumption of goods, limit the output of goods, lower the factory output, and limit the demand for labor.

Mr. President, in like manner the increase of manufactured commodities in price, including a group of 208 articles, has been 35 per cent since the lower prices under the Wilson bill and an increase of 36.5 per cent upon all commodities above the more reasonable prices under the Wilson bill.

What corresponding increase of wages has labor received? Their wages are relatively less than they were ten years ago, both in relation to the output of labor and in relation to the purchasing power of the wage received; and the demand for labor has been necessarily diminished by preventing the consumption of manufactured and other commodities, because of prices which could not be paid out of the limited number of dollars the ordinary American has received. Such a policy is injurious to the manufacturer, to the wage-earner, to the common citizen consumer, to the business men of the entire Nation, and to our national growth and development.

And differentiating these increases of prices, it will be seen by Table 203 that the prices of 1906 for food are 34 per cent higher than they were in 1896 under the Wilson bill; the cloths and clothing have increased 31.4 per cent above the prices of 1896 under the Wilson bill; that fuel and lighting have increased 40 per cent since 1894 under the Wilson bill; that metals and metal implements have increased 56 per cent above the prices under the Wilson bill; that lumber and building material have increased 55 per cent over the prices under the Wilson bill; that house furnishings have increased 23.6 per cent above the lower prices of the Wilson bill; and miscellaneous articles of various kinds have increased 32.5 per cent above the more reasonable prices of the Wilson bill. Are the American people utterly oblivious to these striking and conclusive facts?

It is perfectly obvious from Sauerbeck tables of the prices of the world and from Dun's table of American (United States) prices that American (United States) prices have increased far beyond European prices since the low price of 1896, notwithstanding American (United States) prices were then much higher than they were in Europe. It therefore follows, beyond question, that the purchasing power of American wages, even of the starvation wages paid in the cotton and woolen mills, has been lowered in such a way as to greatly harm the American workmen, even in protected industries, and has harmed equally the entire American people, workmen, consumers generally, and even the manufacturers, who are severely taxing each other by high prices—the finished product of the one being the raw material of the other. The only people who have a net profit are those who own and control the successful monopolies.

Is the Finance Committee so committed to the demands of the representatives of organized greed in this country that they will refuse to deal justly by the American people?

Or do they believe that by making the rich richer and the poor poorer they will receive adequate political benefit at the hands of those whom they enrich?

I know, Mr. President, that it has been easy to finance Republican campaigns, and I know many good men have not stopped to think that this money was extorted from the misery and sweat of helpless men, women, and children.

Members of the Senate do not often visit the sweat shops; nor do they often see the sorrow and distress of the individuals who compose the weaker elements of our great Nation. I remind them that 500,000 die annually by our neglect, as shown by the comparison between the death rate of New Zealand and Australia, where better laws prevail, where the maxim of the law is "Better reduce want than increase wealth."

Mr. President, I feel charged with a solemn duty to make a record before the Senate of these conditions, and I deem it a great opportunity to have the privilege of submitting a prayer to the leaders of the Senate that they do not be unmindful or inconsiderate of the need and the rights of the inarticulate mass, and that they do not lend too complacent attention to the trained advocates of unsatisfied greed.

Senator Orville H. Platt, the late distinguished Senator from Connecticut, once said, in substance, in commenting on the faults of the American legislator, that "The American legislator should not be charged with incompetency. As a rule, he is fairly well qualified; neither can he be justly charged with dishonesty. There are a few who may be dishonest, perhaps, but they do not exercise any control of legislation. The fault of the American legislator is 'good-fellowship' and doing for a friend what under no other circumstances would the legislator for a moment consider. For that reason," said he, "I deem it the highest legislative virtue to be cross and crabbed to all the world, especially in the last ten days of the session."

It will be thus seen that, from Sauerbeck's tables, the increase of the world prices has been much lower than the increases of prices in the United States, and that this difference must be accounted for in some reasonable manner.

The most natural way in which to account for it is to show that the prices in the United States are artificially controlled by monopoly.

And this average high increase must be interpreted in the light of a great offset of the lowering of prices of all products produced by the American people of which monopoly controls the price. For example, crude oil is produced by Oklahoma in vast quantities—approximately 50,000,000 barrels per annum—which sells for less than 1 cent a gallon, while the refined product retails for over 11 cents a gallon. It costs half a cent a gallon to refine it. The low price is fixed by the Standard on the crude and the high price is fixed by the Standard on the refined. And the increase of all prices is in the face of the vital fact that monopoly fixes an extremely low price on the articles produced by the people of which the monopoly controls the price. *The average high price would be far higher except for the very low price* fixed by monopoly on its purchases, as on crude oil. This is not only true with regard to oil, but also is true with regard to cattle, hogs, sheep, hides, wool, various minerals, tobacco, and so forth. That this low price of articles bought by monopoly prevented the general average from reaching the high point which they would otherwise reach in the statistical tables is a factor of great importance.

Without regard to statistics, everybody knows that the prices are now very much higher than they have ever been.

The schedules of this bill are approximately 50 per cent on the value of proposed imports, and this is proof that the prices in the United States are 50 per cent higher than they are in Europe and abroad on the articles of these schedules by the open confession of the managers of this bill, and I therefore do not need to furnish further proof of this matter as the schedules confess that the prices in this country are approximately 50 per cent higher than they are abroad on articles affected by the present tariff law.

Mr. President, it is of great importance to observe these differences between our present prices and the increase of our present prices as compared with the increase of the prices of the world, because it thus enables us to determine to what extent local conditions have raised our prices above the level of the prices of the world.

WORLD PRICES AND PRICES IN THE UNITED STATES—RISE IN PRICES IN THE UNITED STATES NOT DUE TO INCREASE IN PER CAPITA CIRCULATION.

At first thought it might occur to some one that the higher prices in the United States were due to the larger per capita circulation, but this conclusion is impossible because, while our per capita circulation December 31, 1906 (Statistical Abstract, 1907, Table 269), was $33.99 per capita, France had a per capita of $40.88 and Germany $25.03 and the British Empire $28.12, with no substantial differences in competitive prices at London, thus exhibiting the interesting fact that this enormous increase of prices in the United States, and the fact that United States prices are much higher than the level of world prices, is not due to our increased circulating medium, but is due to the monopolies in this country which have for commercial purposes raised these prices in America far above the prices in the markets of the world.

That these high prices are not necessary for the maintenance of a reasonable profit is shown by the table of lower prices at which these same American goods are sold abroad by the protected monopolies in this country.

A few of these prices are submitted to prove that the prices in the United States under monopoly will average 50 per cent higher than in the markets of the world.

As evidence of this I submit a table from James G. Parsons showing the differences in discounts between export and home prices.

TABLE I.—*Showing differences in discounts between export and home prices.*

[By James G. Parsons, Senate Document No. 54, Sixty-first Congress, first session.]

Articles and description.	Export discount from list.	Home discount from list.	Per cent difference.
	Per cent.	*Per cent.*	
Auger bits:			
Irwin's solid center	60, 10, and 10	50 and 10	39
Snell's	70	60	33⅓
Snell's "King"	60 and 10	50	39
Auger handles, Gunn's No. 5, adjustable and ratchet	35	15 and 10	18
Bells, Texas cow	50 and 10	50	11
Bird cages, Hendryx's brass	50	30	40
Bolt clippers, "New Easy"	60, 10, and 5	50, 10, and 10	18
Bolts:			
Carriage, ¾ by 6 inches and smaller	80 and 10	75 and 10	25
Machine, ¾ by 4 inches and smaller	80 and 10	75, 10, and 5	19
Tire	80, 10, and 5	80	17
Borers, bunghole, Enterprise	40 and 2	25	27
Braces:			
Fray's genuine "Spoffords"	70	60	33⅓
Fray's ratchet, Nos. 81-161	60 and 10	50	39
Fray's ratchet, Nos. 83-143	60 and 10	50	39
Fray's ratchet, Nos. 62-142	70	50	66⅔
Fray's ratchet, Nos. 66-166	60 and 10	50	39
Fray's sleeve, Nos. 207-214	60, 10, and 10	50	54
Fray's sleeve, Nos. 407-414	60 and 10	50	39
Fray's sleeve, Nos. 606-614	60 and 10	50	39
Fray's plain, Nos. 306-314	70	50	66⅔
Can openers, "King"	25	0	33⅓
Cartridges, rim fire	60, 10, 10, and 6	50	64
Chains, kennel	60 and 10	60	11
Coffee mills, Enterprise	40 and 10	20 and 25	11
Door rollers and hangers, Lane's	60, 10, 10, and 5	60 and 10	17
Gauges, Disston's steel and center	45	25, 7½, and 10	12
Harness snaps:			
Covert's "Trojan"	50 and 10	40	33⅓
Covert's "Yankee"	50	30 and 2	37
Covert's "Derby"	40 and 10	25	39
Lawn sprinklers, Enterprise	40 and 2	30	19
Levels, Starrett's bench and pocket	40 and 5	33⅓ and 5	11
Oilstones, "Lily White" and "Washita" No. 1	50	33⅓	33⅓
Plumbs, levels, etc., Disston's	70, 10, 10, 10, and 5	60 and 10	72
Sausage stuffers, Enterprise	40 and 2	25 and 7½	18
Saws:			
Disston's Nos. 7, 107, 107½, 3, and 1	45 and 7½	30 and 7½	27
Disston's combination	45 and 7½	30 and 7½	27
Disston's Nos. 12, 16, D8, 120, 76, 8	40 and 10	25 and 7½	28
Disston's compass and keyhole	40 and 10	25 and 7½	28
Disston's butcher	50	30	40
Disston's framed wood	50	25	50
Disston's band	70, 10, and 10	60	65
Scroll saws, Barnes's velocipede	30	20	14
Screw-drivers, Disston's electric	70, 10, 10, and 10	70	37
Smoked beef shavers, Enterprise	40 and 10	25 and 7½	28
Squares:			
Disston's try, rosewood handle	70, 10, 10, 10, and 5	60 and 10	72
Disston's steel	45	25, 7½, and 10	13
Traps, Lovell's rat and mouse	50	33⅓	33⅓
Trowels, Disston's brick	45 and 7½	25	47
Vises:			
Armstrong's plain and hinged	80 and 10	60	122
Armstrong's pipe	60	50	25
Bonney's	50	30 and 10	26

TABLE II.—*Showing difference between export and home prices of certain specified articles.*

Articles and description.	Export price.	Home price.	Difference.
			P. ct.
Auger bits:			
Irwin's solid center, 4-16 ... per doz.	$1.30	$1.80	39
Irwin's solid center, 16-16 ... do	2.92	4.05	39
Auger handles, Gunn's No. 5 ... do	9.75	11.48	18
Bird cages, Hendryx's No. 316 ... do	13.00	18.20	40
Bolt clippers, "Easy" and "New Easy," No. 1 ... each	1.71	2.03	18
Bolts:			
Carriage, ¾ by 6 inches ... per 100	.60	.75	25
Machine, ¾ by 4 inches ... do	.57	.68	19
Tire, ¾ by 6 inches ... do	.65	.76	17
Braces:			
Fray's genuine "Spofford," No. 107 ... per doz.	6.30	8.40	33⅓
Fray's ratchet, No. 81 ... do	10.44	14.50	39
Fray's ratchet, No. 62 ... do	6.90	11.50	66⅔
Fray's sleeve, No. 207 ... do	7.13	11.00	54
Fray's sleeve, No. 606 ... do	7.55	10.50	39
Fray's plain, No. 306 ... do	3.60	6.00	66⅔
Bunghole borers, Enterprise, No. 1 ... do	.74	.94	27
Can openers, "King" ... per gross	4.50	6.00	33⅓
Coffee mills, Enterprise, No. 1 ... each	1.22	1.35	11
Files, Nicholson's:			
Mill and round bastard, 3 to 4 inch ... per doz.	.40	.64	60
Mill and round bastard 5-inch ... do	.48	.68	42
Mill and round bastard, 6-inch ... do	.59	.75	27
Flat bastard, 3 to 4 inch ... do	.40	.79	98
Flat bastard, 5-inch ... do	.48	.83	73
Flat bastard, 6-inch ... do	.59	.92	56
Flat bastard, 7-inch ... do	.75	1.03	37
Flat bastard, 8-inch ... do	.88	1.12	28
Flat bastard, 9-inch ... do	1.01	1.35	34

TABLE II.—*Showing difference between export and home prices of certain specified articles*—Continued.

Articles and description.	Export price.	Home price.	Difference.
			P. ct.
Files, Nicholson's—Continued.			
Flat bastard, 11-inch ... per doz.	$1.51	$1.84	22
Flat bastard, 13-inch ... do	2.11	2.52	19
Square bastard, 3 to 4 inch ... do	.40	.81	102
Square bastard, 5-inch ... do	.48	.88	83
Square bastard, 6-inch ... do	.59	.98	66
Square bastard, 7-inch ... do	.75	1.09	45
Square bastard, 8-inch ... do	.88	1.18	34
Square bastard, 9-inch ... do	1.01	1.41	40
Square bastard, 10-inch ... do	1.26	1.58	25
Square bastard, 11-inch ... do	1.51	1.94	29
Square bastard, 12-inch ... do	1.82	2.18	20
Square bastard, 13-inch ... do	2.11	2.67	27
Gauges:			
Disston's combined steel ... each	.55	.62	12
Disston's center ... do	.17	.19	12
Harness snaps:			
"Trojan," 1¼ loop ... per gross	2.70	3.60	33⅓
"Yankee," 1¼ loop ... do	2.90	3.98	37
"Derby," No. 733 ... do	2.70	3.75	39
Lamp chimneys:			
Macbeth's No. 502 ... per doz.	.40	.68	70
Macbeth's No. 504 ... do	.50	.82	64
Lawn sprinklers, Enterprise, No. 2 ... each	1.76	2.10	19
Levels, Starrett's 24-inch bench ... do	1.28	1.42	11
Plumbs and levels, Disston, No. 12 ... per doz.	5.82	10.08	72
Pocketknife and tool kit, Ulery's ... per set	1.15	1.50	30
Rifles:			
Stevens's "Little Scout," No. 14 ... each	1.35	1.75	30
Stevens's "Maynard Jr.," No. 14 ... do	1.80	2.20	22
Stevens's No. 16 ... do	2.00	2.60	30
Stevens's "Little Krag," No. 65 ... do	2.50	3.00	20
Stevens's "Favorite" ... do	3.47	4.50	30
Sausage stuffers, Enterprise, No. 5 ... do	2.20	2.61	18
Saws:			
Disston's hand, 30-inch, No. 7 ... per doz.	13.74	17.48	27
Disston's hand, 30-inch, No. 16 ... do	15.39	19.98	28
Disston's combination, No. 43 ... do	15.23	19.42	27
Disston's butcher, 24-inch, No. 7 ... do	8.50	11.90	40
Disston's framed wood, No. 60 ... do	6.00	9.00	50
Disston's band, 2-inch, 18-gauge ... per foot	.157	.26	65
Barnes's combined scroll and circular ... each	28.00	32.00	14
Screws, flat-head iron wood:			
Size, ½ inch, Nos. 1 to 4 ... per gross	.034	.073	115
Size, ¾ inch, Nos. 1 to 4 ... do	.034	.073	115
Size, ½ inch, Nos. 1 to 3 ... do	.034	.073	115
Size, ¾ inch, No. 4 ... do	.038	.076	100
Size, ¾ inch, No. 4 ... do	.04	.079	97½
Screws, flat-head brass wood:			
Size, ½ inch, No. 1 ... do	.072	.130	80
Size, ¾ inch, No. 5 ... do	.084	.195	132
Size, ¾ inch, No. 6 ... do	.084	.211	151
Size, ¾ inch, No. 6 ... do	.096	.227	136
Size, ¾ inch, No. 6 ... do	.108	.251	132
Screws, round-head iron wood:			
Size, ½ inch, No. 1 ... do	.034	.087	156
Size, 1 inch, No. 6 ... do	.06	.112	87
Size, 1¼ inches, No. 10 ... do	.10	.17	70
Size, 2 inches, No. 16 ... do	.228	.378	66
Size, 3 inches, No. 18 ... do	.412	.67	63
Screws, round-head brass wood:			
Size, ½ inch, No. 1 ... do	.072	.168	133
Size, 1 inch, No. 6 ... do	.16	.329	106
Size, 1½ inches, No. 10 ... do	.336	.776	131
Size, 2 inches, No. 16 ... do	.768	1.935	155
Size 3 inches, No. 18 ... do	1.24	3.646	194
Screw-drivers, Disston's electric, 12-inch ... per doz.	1.36	1.86	37
Shoe dressing:			
Whittemore's "Gilt Edge" ... do	1.20	1.75	46
Whittemore's "Baby Elite" ... do	.60	.67	12
Shotguns:			
Stevens' No. 105 ... each	2.80	4.25	52
Stevens' No. 107 ... do	3.00	4.50	50
Stevens' No. 225 ... do	8.67	9.75	12
Smoked-beef shavers, Enterprise, No. 23 ... do	4.32	5.55	28
Squares:			
Disston's try, rosewood, 10-inch, No. 1 ... per doz.	1.66	2.88	72
Disston's steel, 4-inch ... each	1.10	1.46	13
Traps, Lovell's mouse and rat, metallic ... per gross	5.50	7.33	33⅓
Trowels, Disston's brick, 8-inch, No. 1 ... per doz.	4.07	6.00	47
Vises:			
Armstrong's hinged, No. 1 ... each	1.80	4.00	122
Armstrong's combination, with leg sockets ... do	6.40	8.00	25
Bonney's No. 112 ... per doz.	2.25	2.84	26
Watches:			
Elgin movement, 20-year gold-filled case ... each	7.98	10.23	28
Elgin movement, silverold case ... do	3.04	4.47	47
Wrenches, Hawkeye "5 in 1" ... per doz.	3.60	4.50	25

(Senate Document No. 54, Sixty-first Congress, first session.)

It is thus seen that our own manufacturers, to obtain the protection from foreign competition, not only do not give American consumers the low prices they are entitled to, but they give all the benefit to foreigners. These tables demonstrate that the pretense of high tariff to protect themselves against the cheap labor of Europe is false; that our manufacturers can compete and do compete in the open markets of the world, and that they actually do give to foreigners the benefits they deny to Americans, of whose patriotic self-sacrifice they take wrongful advantage.

Protection's favors to foreigners is strongly set forth in Senate Document No. 54, Sixty-first Congress, first session, prepared by James G. Parsons, and submitted by me to the Senate, and to which I refer for the most abounding evidence for the truth of my contention—that this bill and its immediate predecessors, the Dingley bill and the McKinley bill, were written under the color of serving the American laborer, when, in point of fact, it has done nothing of the kind, but, on the contrary, favors the foreigner at the expense of the American.

The defense of this indecent practice has been abundantly answered in Document 54, and I shall not take the time to further comment upon it.

A similar table, showing that our prices are 50 per cent higher than world prices, is submitted (Exhibit 12), prepared by Byron W. Holt, of New York.

Our great agricultural products have their prices fixed by the markets of the world, except where freight prevents.

The price of corn per bushel was 55 cents in 1892 and 53 cents in 1906, and wheat was 93 cents in 1891 and 82 cents in 1906, and exported cattle in 1891, $81.25, and $93.17 in 1906 under improved methods of feeding and transportation, while cotton was 10 cents in 1890 and 11 cents in 1906.

We have a right to expect cheapening of manufactured products because of the constant increasing improvements in machinery—and in this we are disappointed—and a rise in the price of agricultural products produced from an area necessarily limited, and in this we are not gratified.

The prohibitive tariff has increased the cost of living of the workman and of every other person in the United States, and, therefore, *has diminished the purchasing power of the wages received.*

I have submitted Table No. 202, Abstract of Census, 1907, page 577, which shows that raw commodities have increased since the Dingley bill went into effect 49.9 per cent, manufacturers' commodities have increased 32.3 per cent up to 1906, and all commodities have increased 35.4 per cent up to 1906, and still higher in 1909.

Mr. President, I now submit Tables 197 and 206, which show in detail the increase of price of food products, showing lard to have increased, since 1896, 38 per cent, corn meal 29 per cent, fresh pork 41 per cent, salt pork 55 per cent (Statistical Abstract of Census, 1907), and similar increases in other things required by the consumer.

LABOR IS HARMED BY THESE HIGH PRICES.

Mr. President, it is obvious that the laboring man who receives a fixed wage, or the laboring woman who receives a given number of dollars, whether in the factory, on the farm, in the mine, in the forest, or in domestic service, by an increase of 34 per cent in the price of all articles to be bought with wages received will be required to pay $134 to buy the same amount of goods which cost $100 in 1896 under the Wilson bill.

This means the equivalent of a flat loss of 25 per cent of the narrow wages received by the working people, and shows that the results of this tariff have been seriously injurious to the working people, because of these artificial prices.

HIGH PRICES INJURIOUS TO SALARIED PEOPLE.

Under these high prices it would take, in 1906, $1,354 to buy as much as $1,000 bought in 1896; in other words, a salaried man who received a salary of $1,354 in 1896 could save out of it $354, but to buy the same things in 1906 would take his entire salary of $1,354, and leave him nothing saved.

The effect of these high prices on the salaried man is to diminish the purchasing power of his salary 25 per cent.

This is the probable reason why Congress raised the salaries of Members of Congress and of Senators 50 per cent; it was to keep the Senators and Members of Congress from suffering the injury which the Dingley bill inflicted on the balance of the country.

HIGH PRICES ARE INJURIOUS TO THE MANUFACTURERS.

High prices on raw material (and one manufacturer's raw material is the finished product of another manufacturer) has the effect of making it more difficult for American manufacturers to compete in the markets of the world, because their first cost on this very account is heavier than would be the case with their foreign competitors.

Our manufacturers do compete, however, on a considerable scale, because of the greater efficiency of the American workman and of American invention and improved processes, and because of rebates in *foreign material* bought and reshipped in manufactures.

In this way a market is afforded foreign material and denied our own materials unless they compete with foreign material at world prices.

But if the manufacturers could obtain a uniform cost of material 35 per cent less than it is now our commerce would be greatly multiplied, the activity of our factories wonderfully stimulated, all of America's laboring elements would be employed, and the productive energies of the Nation brought to the highest degree of activity and efficiency.

If lower prices should prevail, we would avoid the evil of underconsumption and need have no fear of overproduction.

The percentage of weekly earnings, retail prices, and the weekly earnings as measured by retail prices is shown by the Bureau of Labor bulletin, July, 1905:

	Weekly earnings per employee.	Retail prices.	Weekly earnings as measured by retail prices.
	Per cent.	*Per cent.*	*Per cent.*
1890	101.0	102.4	98.6
1891	100.8	103.8	97.1
1892	101.3	101.9	99.4
1893	101.2	104.4	96.9
1894	97.7	99.7	98.0
1895	98.4	97.8	100.6
1896	99.5	95.5	104.2
1897	99.2	96.3	103.0
1898	99.9	98.7	101.2
1899	101.2	99.5	101.7
1900	104.1	101.1	103.0
1901	105.9	105.2	100.7
1902	109.2	110.9	98.5
1903	112.3	110.3	101.8
1904	112.2	111.7	100.4

100 equals the standard prices averaged between 1890–1900.

It will be observed that even by these tables, coming from sources interested in putting the best face on the matter, the weekly earnings bought no more in 1904 than they did between 1890 and 1900, while they rose in 1896 to 104.2 from 96.9 in 1894, showing an increased purchasing power of over 7 per cent following the passage of the Wilson—lower tariff—Act.

Mr. President, the tables prepared by Edward Atkinson, of Boston (Exhibit 2), showing the relative number of persons who could be affected by a tariff as far as their wages are concerned in the so-called "protected or partially protected industries," should not be forgotten. It will be shown by these tables that 10,381,765 persons are farmers, planters, overseers, agricultural laborers, gardeners, florists, nurserymen, dairy men and women, and other agricultural pursuits; lumbermen and raftsmen, stock raisers, herders and drovers, turpentine farmers and laborers, and wood choppers, to which must be added all persons in professional service, 1,258,739; all persons in domestic and personal service, 5,580,657; and all persons in trade and transportation, 4,766,964; making a total of 21,788,125; and estimating those who are engaged in other services which could not be regarded as in any degree open to competition, it is found that out of a total of 29,074,117 there could not be exceeding 600,000 persons occupied in arts which would require a protective duty. This table is very carefully drawn and is convincing to a sincere and disinterested student. It therefore appears that very little over 2 per cent of the American people are employed in such a way as to really require any measure of so-called "protection," while 100 per cent of our people are taxed about 50 per cent on an average on all dutiable goods, to their very great injury, and without even benefiting the 2 per cent who are employees, mostly of foreign birth or parentage, in the so-called "protected industries," while nearly all of such industries are owned by monopolies who give their foreign employees the lowest wages in America and keep millions for themselves.

MONOPOLY.

This bill ought not to pass, because similar bills heretofore have established, and this bill will continue to maintain, monopoly, labor's chief oppressor, and will be followed by high prices, low wages, greater mortality to labor, increased crime, and extravagant and corrupt standards.

Mr. President, no man familiar with history of his country will seriously question that when the tariff has its schedules so high as to prevent competition from abroad it must engender monopoly at home.

The first step of triumphant monopoly is to cut off foreign competition; the next step is easily effected by any of a variety of successful expedients.

First. By the policy of placing a control of the stock of competing companies in the hands of a trustee for the purpose of preventing competition. This was nothing more nor less than a conspiracy in restraint of trade. The courts in due time pronounced the so-called "trust" an unlawful combination. The reason why it was unlawful was because it violated the common law of the English-speaking people. *It violated the common law, which holds as void any contract in restraint of trade.* The common law of our States holds a man is entitled to buy at a price fixed in a free competitive market, and that any restraint of trade denying the citizen this common-law right is a fraud upon him. *The present tariff law and the proposed law is conspicuously guilty of this sin,* although its error has not yet been declared by the courts. A test case should be brought.

Indeed it is a form of robbery under the color of law and carried on under the safeguards of organized society; *it is a fraud to impose a prohibitive tax under the pretense of raising revenue, but in reality to protect monopoly.* It is a species of immoral conspiracy which ought not to be endured by any nation of intelligent and liberty-loving men.

The contracts putting the control of the stock of competing companies in the hands of a "trustee," being the first form in which organized monopoly became conspicuously bad, has led to the term "trust" being loosely and incorrectly used to describe any monopoly.

Second. Another expedient by which monopoly was established was "a gentleman's agreement," by which prices were fixed by verbal agreement and not by contract. This was nothing more nor less than a verbal conspiracy, and was no less a fraud and unlawful than if the verbal agreement had been a legal contract in writing. The only difference between the two was the greater difficulty of detection of the combination.

The gentleman's agreement usually proved inefficient, because men engaged in this character of fraud could not trust each other.

Third. Another form by which the American people have been defrauded by monopoly is where a giant corporation, like the Standard Oil Company, sets a fixed price on crude oil and a price on the refined products, and because of its power intimidates the independent refiner and compels the refiner through fear of destruction, in the crafty ways so fully described by Ida Tarbell in the history of Standard Oil, to recognize and maintain the prices so fixed. In this way the Standard Oil Company, through its subsidiary companies, sets the price of crude oil in Oklahoma of the best quality at 41 cents a barrel. No refiner wishes to violate this rule for fear of the Standard, and no refiner dares to offer to sell refined oil at less than the Standard price for fear of the Standard. It only costs one-half cent a gallon to refine petroleum, and crude oil costs 41 cents a barrel in Oklahoma. The people ought to get very cheap oil, but they do not get it, because the Standard Oil Company overshadows the land and controls the market, both of crude oil and of the refined products.

It is a common practice for the independent refiners to stand on the prices fixed by the Standard, both on crude and refined, for fear that they will be destroyed. The history of the past is strewn with the wreckage of companies who have ventured to cut the prices of the Standard Oil Company.

I think the Congress of the United States ought to impose a rule on interstate corporations using the mails and enjoying public protection that they shall not vary their price to the consumers of the United States, except in so far as the difference in freight justifies. In this way the Standard Oil Company could not put the price of refined below cost locally for the purpose of running out an independent competitor in a local field while the Standard at the same time raises the price in another field, with which to make the consumer pay the cost of this illegitimate warfare on a competitor. If the Standard were compelled to give the same price plus freight in all parts of the United States to the consumer, the Standard could not in that event afford to lower its local price for the purpose of killing off a petty competitor. And I appeal to the leaders of the Republican party in the Senate of the United States to bring in an amendment to this bill providing this remedy.

I am sure the chairman of the Committee on Finance will appreciate the force of this observation, and if he does not afford the country the relief which I invite him to do he at least shall have no complaint of me that he did not receive a wise and virtuous suggestion from Oklahoma. I assure him that if he will submit the proper amendment he can rely upon the Senators from Oklahoma giving him enthusiastic support in such a policy.

I pause to ask the chairman of the Committee on Finance whether he will bring in or support such an amendment.

I appeal to the leaders of the Republican party in the Senate of the United States to bring in an amendment to the bill providing this simple, effective remedy against monopoly. If we want to establish competition in the United States, if we hope

to maintain competition in the United States, we must protect the little competitor and not permit him to be killed off by ingenious processes. Otherwise we might as well recognize now that monopoly is fixed and is to be dealt with as monopoly. If we deal with it as monopoly, then a different process would be available, which I suggest to the Senate of the United States, and that is, conceding monopoly to be established, conceding that we can not control or that we will not control monopoly, I suggest that monopoly, having the power of taxation of the American people without limitations, shall be controlled by being limited in the dividends it may pay upon its invested capital, determined by physical valuation.

Fourth. But another and far more dangerous form of monopoly, skillfully drawn to avoid the decisions of the Supreme Court of the United States with regard to contracts in restraint of trade, is the more recent successful plan of merging one corporation with another, such as illustrated in the United States Steel Corporation, by which all competitors of any importance were absorbed. It was organized in 1901, and at that time absorbed a number of gigantic concerns, to wit: Federal Steel, National Tube, American Steel and Wire Company, National Steel, American Tin Plate, American Steel Hook, American Sheet Steel, American Bridge, Shelby Steel Tube, The Carnegie Company, The Lake Superior Consolidated Iron Mines, and acquired interests in numerous other companies, such as the Pittsburg Steamship Company, The Oliver Iron Mining Company, The National Steel Company, including The Sharon Steel Company, The Union Steel Company, The Donora Mining Company, The Republic Coke Company, The River Coal Company, The Sharon Coke Company, The Sharon Ore Company, The Sharon Sheet Steel Company, and a controlling interest in the companies of the Sharon Coal and Limestone Company and the Sharon Tin Plate Company, and directly and indirectly controlling the American Coke Company, The Continental Coke Company, The H. C. Frick Coke Company, The McClure Coke Company, The Southwest Connellsville Coke Company and the United Coal and Coke Company, consolidated under the title of H. C. Frick Coke Company, acquiring also the Clairton Steel Company in May, 1904, The St. Clair Furnace Company. This contract carried with it the stock of the Champion Iron Company, The Clairton Land Company, the St. Clair Terminal Railroad Company, and 51 per cent of the stock of the St. Clair Limestone Company; in April, 1905, the Heckler Coke Company was acquired. On April 15, 1907, by lease United States Steel obtained the control of the Great Northern Railroad Company ore properties through the Great Western Mining Company, a subsidiary company of the United States Steel Corporation, and so forth.

These gigantic mergers of the various companies, by which their competition with each other was effectually destroyed, formed the new company, which issued a total of stocks and bonds of about fourteen hundred millions, a large part of which was "watered," having no physical value corresponding with the face values of the stocks and bonds issued.

In 1907 this gigantic merger company took over the Tennessee Coal, Iron and Railroad Company, which was itself composed of various companies merged together in the same fashion as the United States Steel Corporation, and was its only great competitor; under the control of this great merger company are various water-supply plants, natural-gas properties, pipe lines, ore docks, a multitude of iron mines, and some 25 railroad companies.

By these gigantic mergers competition is effectually controlled under the forms of law, and the resulting giant corporation has such a dominating and masterful position that smaller corporations dare not compete or cut the price or attempt to do so. Competition is thus utterly destroyed.

Moody's Manual for 1907, page 2320, gives over 1,000 companies absorbed or merged by or into other companies for 1907.

The smaller corporations engaged in the same business are indeed of some use to the giant monopoly, because the smaller corporation being in existence and doing business at the same prices fixed by the larger corporation, the greater concern can point to the smaller concern as evidence to the common people that there is active competition in the field. The common people may accept the testimony, but it will be a Barmecide feast when they test the prices.

When the people threaten to remove the monopoly tariff, which shelters monopoly, all of the agents of monopoly join in one mighty chorus in defense of the poor little independent man who will be utterly ruined if the tariff is lowered a particle. But the smaller concern is used as a highwayman might hold up a child to ward off a merited chastisement. It is, however, no chastisement and no injustice whatever to the monopoly to take down the tariff wall that shelters monopoly from reasonable competition, but merely a just action in restoring the competition which never should have been interfered with.

The United States Steel Corporation, I am informed, permits no organized labor in its service. The thoughtlessness of this monopoly of its labor, and its forgetfulness of its moral obligation toward poor human beings engaged in its service has been shown with great force in a recent philanthropic investigation conducted under the Russell Sage Foundation in the "Pittsburg Survey." What these giant monopolies are capable of doing when not restrained by any other consideration than what is called "business" and the pressure for "dividends," "dividends," "dividends," is set forth in great detail in the Journal of Constructive Philanthropy, published by the Charity Organization Society of the City of New York, 105 East Twenty-second street, New York; Robert W. deForest, president; J. P. Morgan, treasurer; Edwin T. Devine, general secretary, 105 East Twenty-second street, New York City, in "Charities and the Commons" in the issues of January, February, and March, 1909.

What a monopoly tariff does for its protected workmen is abundantly set forth in this wonderful report of the unspeakable conditions which have grown up under our system of government, where the beneficiaries of the tariff have forgotten manhood, and have forgotten womanhood, and even childhood in their insane pursuit of wealth and power.

Ida M. Tarbell, a critical and learned student of sociology, has described it in a few words in the American Magazine of May, 1909:

A TARIFF-MADE CITY—WHAT IT DOES FOR ITS WORKMEN.

The city of Pittsburg is the greatest monument in this country to the practice of high protection. For fifty years it has been the stronghold of the doctrine. For fifty years it has reaped, as no other center in the United States, the benefits of prohibitive duties.

The town lies at the heart of a district in which is produced from one-quarter to one-half of all the various kinds of American iron and steel, as well as a goodly proportion of all our tin, plate glass, and machine-shop products. All of these articles have for years had the American market practically to themselves. All of these articles have for years been exported and sold at less prices than the American consumer can buy them. All these industries have produced enormous fortunes. So many, so conspicuous are they, that a recognized American type in Europe and the United States is the "Pittsburg millionaire." Now, it is certain the tariff produced the Pittsburg millionaire, but that was not what the tariff was fixed for by the Congress of the United States. The tariff was laid to protect and help the Pittsburg workman. According to the protectionist argument, Pittsburg, as the bulwark and center of protected industries, should produce the happiest, most prosperous, and best conditioned workmen in the United States. How is it?

There has just been published in *Charities and The Commons* (now *The Survey*) one of the most significant pieces of investigation the country has seen. It is the result of a year or more of work on the part of a band of trained investigators commissioned by the Charities Publication committee. It gives a blueprint of Pittsburg—the place itself, the people, and their work. What does this blueprint show of the workingman under protection?

It shows him working *twelve* hours a day for SEVEN days in the week, and once in two weeks filling a "long turn," or a twenty-four-hour shift. It is not simply the exceptional man who overworks in this cruel fashion. The twelve-hour day is the extreme of an "altogether incredible amount of overwork by everybody," so the Survey declares. Can you make a man by these hours? Is it any wonder that those who lived and walked among these men preparing this Survey report their saying: "Too tired to read—too tired to think. I work and eat and sleep." Any wonder that they report the God-fearing women crying out for the old country: "We might not have been able to live so well there; but, oh, man, we could have brought up the children in the fear o' God and in a land where men reverence the Sabbath." Any wonder that those men who have not the restraining influence of a family drown fatigue at night in saloons and brothels?

And what do they earn for their toil? In the tariff-protected industries, steel and iron, the greatest number receive a wage, says the report, "so low as to be inadequate to the maintenance of a normal American standard of living—wages adjusted to the single man in the lodging house, not to the responsible head of a family." And this in industries where "to protect the workingman" this country has for years taxed itself millions upon millions of dollars. The estimated tariff profit in the steel trust alone in 1907 was $80,000,000. Who got the money? Go look at the steel palaces and chateaux in New York and Paris. Go ask the Pittsburg millionaires who fill the glittering places of pleasure in the great cities of Europe and this country, who figure in divorce and murder trials, who are writing their names on foundations and bequests and institutions.

How does this "protected" workingman live? What kind of households are these "builded on steel?" The reporter of the situation summarizes them: "*Evil conditions were found to exist in every section of the city. Over the omnipresent vaults graceless privy sheds flouted one's sense of decency. Byrie rookeries perched on the hillsides were swarming with men, women, and children—entire families living in one room and accommodating boarders in a corner thereof. Cellar rooms were the abiding places of other families. In many houses water was a luxury, to be obtained only through much effort of toiling steps and straining muscles. Courts and alleys fouled by bad drainage and piles of rubbish were playing grounds for rickety, pale-faced, grimy children. An enveloping cloud of smoke and dust, through which light and air must filter, made housekeeping a travesty in many neighborhoods; and every phase of the situation was intensified by the evil of overcrowding—of houses upon lots, of families into houses, of people into rooms.*"

Among the worst illustrations of these *typical* conditions are certain properties owned by the very corporations who are reaping wealth from the tariff-protected products. These beneficiaries of the generosity of the American people, these gentlemen who, when they see the taxation in their interest threatened, hold up the laborer and his good as a reason for continuing it, what do *they* say when these conditions are pointed out to them: "*We don't want to go into the housing business.*

We are manufacturers, not real estate dealers. We may be forced to build houses in certain new districts in order to attract and hold labor, but in an old, settled community let the laboring man take care of himself. We don't believe in paternalism."

They have had no more interest in preserving the lives of the men who do the terrible toil necessary to their wealth than in giving them decent housing. For years the death rate from typhoid fever in Pittsburg has been the highest of any city in the civilized world. Everybody knew it. Everybody knew why. There was no supply of pure drinking water. A filtration plant was needed. Did any Pittsburg millionaire offer to build it—insist that the industries which called the vast army of labor to Pittsburg should build it? No; they left a corrupted city government to fight over the appropriations for the work and scattered in endowments and in institutions in other cities and other States many times the five millions needed in Pittsburg to save the lives of the workmen. They hold up to the world for admiration their love of great material problems—they argue with the American people that their skill in solving these problems is a good and sufficient reason for continuing general taxation in their favor. But a problem which, worked out, would benefit nobody but the humble two-dollar-a-day man who sweats out his life in the heat of their profitable furnaces does not interest them. It might savor of paternalism!

Not even the child has touched them. The conditions under which the children of the poor are brought up in Pittsburg are such that babies die like flies. Of those along the river, a settlement worker told Samuel Hopkins Adams, when he was working on health conditions for the Survey: "*Not one child in ten comes to us from the river-bottom section without a blood or skin disease, usually of long standing. Not one out of ten comes to us physically up to the normal for his or her age. Worse than that, few of them are up to the mental standard, and an increasing percentage are imbecile.*"

As to the schools, here is what an authority says: "*The school buildings are in many cases crowded, dark, dirty, often of three stories, and bad fire risks. The condition of the children in these schools, good and bad, rich and poor, may be known by the large proportion having defective teeth, reduced hearing, imperfect vision. An excessively large number of them are mouth breathers, partially so because they are unable to breathe through their noses in the smoky air of Pittsburg, and a very considerable number are below the stature and she weight determined for the average child. In a large percentage the defects of teeth, nose, and throat bring them below the physical normal. These are the children that wear out in childhood.*"

Is it a wonder that this gentleman suggested:

"*Ought not the Pittsburg schools to be closed and the children repaired?*"

This Pittsburg Survey is the most awful arraignment of an American institution and its resulting class pronounced since the days of slavery. It puts upon the Pittsburg millionaire the awful stamp of greed, of stupidity, and of heartless pride. But what should we expect of him? He is the creature of a special privilege which for years he has not needed. He has fought for it because he fattened on it. He must have it for labor. But look at him and look at his laborer and believe him if you can.

Justice takes a terrible revenge on those who thrive by privilege. She blinds their eyes until they no longer see human misery. She dulls their hearts until they no longer beat with humanity. She benumbs their senses until they respond only to the narrow horizon of what they can individually possess, touch, feel. She makes, as she has in Pittsburg, a generation of men and women who day by day can pass hundreds of tumbled-down and filthy homes, in which the men and women who make their wealth live, and feel no shock; who can know that deadly fevers and diseases which are preventable are wiping out hundreds of those who do their tasks, and raise no hand. Little children may die or grow up stunted and evil within their sight and no penny of their wealth, no hour of their leisure, is given them. Women may pass hours of incessant toil and die, broken and unhonored, within their sight, and they raise no hand. Wealth which comes by privilege kills. The curse of Justice on those who will not recognize injustice is the sodden mind, the dulled vision, the unfeeling heart.

I. M. T.

I was interested after reading this distressing record of the misery and degradation of the employees in protected industries at Pittsburg, and their great poverty, to observe, in striking contrast, that Mr. H. C. Frick, one of the masters of the iron, steel, and coke monopoly, was reported by the public press as trying to buy an oil painting by Holbein from the Duke of Norfolk for $350,000. I could not help thinking how scandalous it was to take the labor of these poor people and dissipate it in such folly.

The papers announce also that Mr. Schwab, another steel magnate, was successfully "bucking the tiger" at Monte Carlo, and gambling on a gigantic scale. No doubt he has millions which he may hazard at the gambling table and not feel the loss, but where does he get it? He gets it out of the grimy sweat of a labor so poorly paid that the women and children must, of necessity, suffer degradation and physical, social, and spiritual degeneration.

The morning papers state that a New York lady now suing her husband for divorce has spent in the last ten years $770,000 in various interesting and fanciful extravagances, paying from $500 to $800 for dresses, having scores of servants to dance attendance and promote the wildest vagaries of fashion. One can not pick up a paper without reading the unseemly and indecent waste of the national resources by those beneficiaries who profit by monopolies sheltered under a noncompetitive tariff, one which prevents all competition, and gives them the power to combine at home for the purpose of fleecing the American people and picking their pockets wholesale by prices which are 50 per cent higher than the prices in the markets of the world. Side by side are babies dying like flies for want of proper food and air and decent environment. The omnipotent God will surely punish a nation or a party that sees these evils with callous heart and offers no remedy.

Some one might say that Ida Tarbell's picture is too graphic. I do not think it possible to convey in two pages the terrific arraignment of our civilization which is exhibited in the Pittsburg Survey.

But I submit another authority, whose calm and disinterested judgment and statement of the facts ought to command the attention of the entire nation.

RESULTS OF PITTSBURG SURVEY.

Prof. Edward T. Devine, of New York City, general secretary of the Charity Organization Society of the City of New York (see Vol. III, Amer. Sociological Soc., May 1, 1909), gives a sketch of the results of the Pittsburg Survey, describing what was found to be the actual fact at this great center of the protective industries. He says they found the following results:

I. An altogether *incredible amount of overwork* by everybody, reaching its extreme in the twelve-hour shift for seven days in the week in the steel mills and the railway switch yards.

II. *Low wages for the great majority* of the laborers employed by the mills; not lower than in other large cities, but low compared with the prices—so low as to be *inadequate to the maintenance of a normal American standard of living; wages adjusted to the single man*, not to the responsible head of a family.

III. Still *lower wages for women*, who receive, for example, in one of the metal trades in which the proportion of women is great enough to be menacing, *one-half as much as unorganized men in the same shops* and *one-third as much as the men in the union.*

IV. *An absentee capitalism*, with bad effects strikingly analogous to those of absentee landlordism, of which also Pittsburg furnishes noteworthy examples.

V. A *continuous inflow of immigrants with low standards* attracted by a wage which is high by the standards of southeastern Europe, and which yields a net pecuniary advantage because of *abnormally low expenditures for food and shelter*, an inadequate provision for *sickness, accident, and death.*

VI. The *destruction of family life*, not in any imaginary or mystical sense, but by the demands of the day's work, and by the very demonstrable and material method of typhoid fever and industrial accidents, both preventable, but costing last year in Pittsburg considerably more than a thousand lives, and irretrievably shattering many homes.

VII. *Archaic social institutions* such as the aldermanic court, the ward school district, the family garbage disposal, and the unregenerate charitable institution, still surviving after the conditions to which they were adapted have disappeared.

VIII. *The contrast*—which does not become blurred by familiarity with details, but on the contrary becomes more vivid as the outlines are filled in—*the contrast* between the *prosperity* on the one hand of *the most prosperous of all the communities* of our western civilization, with its vast natural resources, the generous fostering of government, the human energy, the technical development, the gigantic tonnage of the mines and mills, the enormous capital of which the bank balances afford an indication, and, *on the other hand, the neglect of life, of health, of physical vigor, even of the industrial efficiency of the individual.* Certainly no community before in America or Europe has ever had such a surplus, and *never before has a great community applied what it had so meagerly to the rational purposes of human life.* Not by gifts of libraries, galleries, technical schools, and parks, but by *the cessation of toil one day in seven, and sixteen hours in the twenty-four, by the increase of wages, by the sparing of lives, by the prevention of accidents, and by raising the standards of domestic life, should the surplus come back to the people of the community in which it is created.*

The details of this tragic condition is found in the January, February, and March numbers of Charities and Commons, 1909, published in New York.

Mr. President, I have not the slightest doubt that the great and powerful city of Pittsburg, supplied as it is with some of the best brains and best men in the world, will correct, or at least abate, in some degree these conditions. I have no doubt that public sentiment throughout the United States will so influence our great commercial monopolies that they themselves will be led to a more considerate treatment of their laborers and cease to regard them as machines of iron or wood, to be worn-out in production and renewed by others. I have the confidence in the patriotism and good sense of the leaders of both of the great parties of our country to believe that they will not endure the prolonged continuance of these conditions.

THE PROFITS OF MONOPOLY.

The Senator from Iowa gave us a graphic description of the unreasonable profits of the United States Steel upon its watered stock. Its net earnings after paying interest on bonds of subsidiary companies and the accounts of miscellaneous expenditures and charges amounted to one hundred and fifty-six millions. Its products for 1906 amounted to 13,511,149 tons of ingots, out of which was produced 10,578,433 tons of finished products.

Its assets for 1906 are stated (Moody's Manual, p. 2282) at $1,681,309,769; its net profits for dividends 1906 were $98,219,088, exceeding $9 a ton on 10,578,433 tons of product, not counting profits to subordinate corporations.

Its profit on the finished product has exceeded $9 a ton, collected from the consumers of the United States under a tariff which prohibits the consumer buying elsewhere, and thus

enables this gigantic corporation and its independent allies to exercise a complete monopoly of all our people.

The proposed schedule in this bill of 31.65 per cent average tariff upon all metal and all manufactures of metal operates not for the benefit of labor, but to establish monopolies which control labor, compel it to disorganize, imposes cruelty and extraordinary conditions upon labor, and, together with other monopolies, established in like manner, pick the pockets of the laboring men and of all other men from the Atlantic to the Pacific by artificial prices, which the retailer and jobber is compelled by penalties to observe, so that the wages received by labor is craftily and fraudulently taken out of his pockets by these stealthy organizations, whose lobbyists now infest this capital and falsely advise Senators and Members with regard to their duty in the premises.

Side by side with these abnormal developments will be found hundreds of thousands of honest companies, working at reasonable profits, engaging in legitimate competition, content with the ancient maxim of—

Live and let live,

and who are also victimized by the exactions of monopoly in greater or less degree as the case may be.

The prices which are lowered in the United States by legitimate competition are so far offset by the unreasonable high prices of monopoly that the general average has gone far above the markets of the world, as I have heretofore shown.

Mr. President, several Senators have shown on the floor the enormous profits made by various monopolies.

The authoritative record can be found in Moody's Manual of 1907, a volume of twenty-five hundred pages, giving the accounts of the corporations doing business in the country, but not by any means all of the monopolies. In these tables will be found the enormous profits which have been advertised to the public stating what they have made. The record does not tell the entire story by any means, but it tells enough. The manner in which the people of the United States are unjustly taxed by these artificial high prices in the interest of monopoly is shown by sugar.

Our record shows that the people of the United States consume 2,993,979 tons of sugar per annum. The London price is 2 cents a pound less than the New York price, so that the people pay about $40 a ton for sugar in excess of the London price—approximately one hundred and thirty millions of dollars—while the duty collected is only sixty millions, leaving a profit of seventy millions to the monopolies and interests protected by the tariff, amounting in this one item to about $5 per annum for every family in the United States.

In similar manner will be shown the profits to the trusts on pig iron, on steel billets, on steel rails, as compiled by the Actuary of the Treasury. (S. Doc. 45, 61st Cong., 1st sess.)

PIG IRON.

	Per ton.
United States	$17.75
United States duty	4.00
United States price, less duty	13.75
Germany	11.21
France	11.25
Belgium	11.75
England	11.00

United States production of pig iron, 1907, 25,781,361 tons; duty, $4 per ton; tax on consumer, $103,125,444; government revenue, 1907, $1,466,825.

BILLETS, STEEL.

	Per ton.
United States	$24.71
United States duty	6.72
United States value, less duty	17.99
Germany	14.88
France	15.00
Belgium	15.50
England	15.14

United States production, 1906, 23,398,136 tons; duty, $6.72 per ton; tax on consumers, $157,235,474; government revenue, 1906, $590,663.

RAILS, STEEL.

	Per ton.
United States	$25.41
United States duty	7.84
United States price, less duty	17.57
Germany	17.84
France	17.89
Belgium	18.59
England	18.14
Average of above—Europe	18.14
United States price	25.41
Difference	7.27

United States production of steel rails, 1907, 3,977,872 tons; difference in price, home and abroad, $7.27; tax on consumer, $28,919,129; government revenue, 1907, $30,670.

NAILS.

	Per ton.
United States	$47.13
United States duty	11.20
United States price, less duty	35.93
Germany	33.60
France	34.60
Belgium	33.00

United States production, wire nails, 1906, 512,800 tons; United States duty, $11.20 per ton; tax on consumer, $5,743,360; government revenue, 1907, $91; cost to the people for each dollar collected by the Government, $63,114.85.

RÉSUMÉ.

	United States revenue.	People pay additional.	Cost to the people for each $1 tax collected by the Government.
Sugar	$60,135,181.00	$70,641,821.00	$2.17
Pig iron	1,466,825.00	103,125,444.00	71.23
Steel billets, etc	590,663.00	157,235,474.00	267.05
Steel rails	30,670.00	28,919,129.00	943.91
Nails, wire	91.00	5,743,360.00	63,114.85

Census Bulletin No. 57, 1905, points out the confessed profits on various manufacturing enterprises, a few of which I give.

CENSUS PROFITS ON WOOL MANUFACTURING, CLOTHING, AND TILE.

Census Bulletin No. 57, 1905, gives the following statistics on woolen and worsted goods and clothing manufactures, and so forth, from which the profit can be calculated:

Number of establishments	8,873	
Expenses:		
Salaries paid 28,454 officials and clerks		$30,015,521
Wages paid 394,893 workmen		163,503,042
Miscellaneous expenses		98,564,867
Cost of materials		514,002,738
Total expenses		806,086,168
Value of product		911,399,841
Profit		105,313,673
Capital		529,892,740
Approximately 20 per cent.		

MEN'S CLOTHING.

Number of establishments	4,504	
Expenses:		
Salaries paid 13,210 officials and clerks		$13,703,162
Wages paid 137,190 workmen		57,225,506
Men over 16	58,769	
Women over 16	75,468	
Children under 16	2,963	
Miscellaneous expenses		57,695,240
Materials		185,793,436
Total expenses		314,417,344
Value of product		355,796,571
Profit		41,379,227
Capital		153,177,500
About 27 per cent.		

WOMEN'S CLOTHING.

Number establishments	3,351	
Salaries paid 10,920 officials and clerks		$9,975,944
Wages paid 115,705 workmen		51,180,193
Men over 16	42,614	
Women over 16	72,242	
Children under 16	849	
Miscellaneous expenses		24,349,282
Materials		130,719,996
Total expenses		216,225,415
Value product		247,661,560
Profit		31,436,145
Capital		73,947,823
About 42 per cent.		

BRICK AND TILE.

Number of establishments	4,634	
Salaries paid 3,690 officials and clerks		$3,530,474
Wages paid 66,021 workmen		28,646,005
Miscellaneous expenses		6,969,161
Cost of materials		16,316,499
Total expense		55,462,139
Value product		71,152,062
Profit		15,689,923
About 22 per cent.		

The profit on men's clothing amounts to 27 per cent, on women's clothing 42 per cent, and yet side by side with this manufacturer's profit the sweating system is in full force (an interesting account of which will be found in H. Rept. No. 2309, 52d Cong., 2d sess.), with ruinous conditions under which oppressed labor earns its miserable bread; industrious young

women, twelve hours a day in the shops of unremitting industry, and increasing speed, earning $4, $5, and $6 a week. For a $10 suit 85 cents is paid for the making of a coat, 25 to 35 cents for the pants, and 20 to 25 cents for the vest; for a $15 suit $1.50 is paid for making the coat, and so on. It is no wonder, of course, people living in abject wretchedness of the sweat shops exhibit a very great mortality as compared with other people, and develop tuberculosis and other diseases.

The CONGRESSIONAL RECORD of June 4, 1909, gives a table of some of the profits of the cotton mills of the country, submitted by Senator SMITH of South Carolina. I ask that it be printed in the RECORD.

Statistics relative to cotton-mill stocks as investments.

Name of company.	Date of incorporation.	Capital.	Surplus.	Debt.	Earnings per share, 1907.	Dividends, 1907.	Total dividends for eight years.	Average dividends for eight years.	Book surplus per share.	Capitalization per spindle.	Par value.
							Per cent.	*Per cent.*			
Amoskeag	1831	$5,760,000.00	$3,720,601.00	$1,425,000.00	$21.30	$16.00	126	15.75	$64.59	$10.76	$100.00
Androscoggin	1860	1,000,000.00	1,123,884.00	16,559.00	24.91	10.00	75	9.37	112.38	12.06	100.00
Bates	1832	1,200,000.00	1,376,361.00	117,865.00	41.87	35.00	190	16.25	114.61	14.61	100.00
Border City	1880	1,000,000.00	333,598.00	500,000.00	37.50	23.50	119	14.87	33.35	12.51	100.00
Richard Borden	1871	1,000,000.00	502,774.00	541.00	33.62	20.00	[a]101	12.62	50.21	10.37	100.00
King Philip	1871	1,500,000.00	851,765.00	150,431.00	25.65	6.00	168½	21.25	56.78	11.10	100.00
Dartmouth	1895	600,000.00	685,105.00	470,529.00	82.50	66.00	158	19.75	114.18	5.00	100.00
Dwight	1841	1,250,000.00	1,299,219.00	735,740.00	103.94	12.00	100	12.50	108.26	5.45	500.00
Great Falls	1823	1,500,000.00	930,609.00	338,603.00	21.33	12.00	117	14.62	64.00	11.36	100.00
Laurel Lake	1881	600,000.00	184,251.00	None.	28.24	14.00	[b]100½	23.75	37.08	10.03	100.00
Massachusetts Cotton	1839	1,800,000.00	1,431,690.00	2,160,763.00	41.30	5.00	50	6.25	79.53	14.13	100.00
Lawrence	1831	1,250,000.00	787,000.00	500,000.00	25.27	8.00	123	15.25	62.96	12.50	100.00
Pacific	1833	3,000,000.00	6,332,854.00	None.	550.00	320.00	124	15.50	2,110.95	.....	1,000.00
Pepperell	1899	2,556,000.00	1,628,487.00	117,940.00	.....	12.00	158	19.75	63.71	10.27	100.00
Sagamore	1879	900,000.00	355,693.00	607,899.00	48.53	30.00	85	10.63	39.52	9.80	100.00
Troy	1814	300,000.00	474,294.00	2,816.00	335.00	67.00	189	23.63	794.20	6.31	500.00
Union	1879	1,200,000.00	581,044.00	None.	46.00	35.50	183	22.87	48.67	10.89	100.00
Whitman	1895	1,500,000.00	945,411.00	474,245.00	29.76	8.00	58½	7.25	63.02	11.35	100.00

[a] In addition to which a 25 per cent dividend was paid.
For eight years average annual dividends for group, 15.65 per cent.

[b] In addition to which a 100 per cent dividend was paid.

The merger in the capital of earnings is not shown, nor in plant improvements out of earnings, which would make the earnings still larger. W. Irving Bullard, of Danielson, Conn., a great cotton manufacturer, is quoted as saying at Boston April 16, 1908:

A summary of 100 cotton mills in Oldham district, in England, shows the following remarkable facts: Capital invested, $30,501,230; net earnings, $6,605,785; average earning per mill, $66,055; dividend, 15¼ per cent.

The average dividend disbursements for these 100 mills was 15¼ per cent, while the net earnings show an average of 35½ per cent.

The indecent treatment of helpless labor by organized capital is not confined to America, but we ought to lead the world in the conservation of human life and unrewarded toil by laws wisely and humanely drawn.

The recent giant monopolies, engendered and sheltered by the prohibitive tariff, are responsible for the unrest of the country.

The American Tobacco Company, which has become sufficiently powerful to fix the price of all tobacco raised in the United States, advertises its assets for 1906 at $278,628,564. By merger and otherwise it controls the American Cigar Company, American Stogie Company, the Havana Tobacco Company, with various subcompanies, the American Snuff Company, the Lorillard Company, and so forth. The impatience and violence of the tobacco raisers in Kentucky and Tennessee, known as the "Night Riders," is due directly to the tyranny of this company, which, being strong enough to control prices, is enabled to exercise its will on the tobacco growers, who have been making a blind effort to protect themselves by force. In like manner the crushing effect of extreme poverty, due to the processes which I have described, is leading to actual crime in many ways and is responsible for the growth of radical socialism and anarchism throughout the world.

DISTRIBUTION OF WEALTH.

In The Social Unrest, John Graham Brooks, on page 161, quoting Thorold Rogers (Oxford Economy), says:

In a vague way they (the laborers) are under the impression that the greater part of the misery which they see is the direct product of the laws enacted and maintained in the interest of particular classes. *And on the whole they are in the right.*

Quoting Professor Smart, of Glasgow:

But when machinery is replacing man and doing the heavy work of industry, it is time to get rid of that ancient prejudice that men must work ten hours a day to keep the world up to the level of the comfort it has attained. Possibly, if we clear our minds of cant, we may see the reason why we still wish the laborer to work ten hours a day is that we, the comfortable classes, may go on receiving the lion's share of the wealth these machines, iron and human, are turning out.

So Professor Cairnes, an economist noted for ability and caution, in his Leading Principles (ibid., 162), says:

Unequal as is the distribution of wealth already in the country, the tendency of industrial progress—on the supposition that the present opposition between industrial classes is maintained—is toward an inequality still greater. The rich will be growing richer; the poor at least relatively poorer. It seems to me, apart altogether from the question of the laborers' interest, that these are not conditions which furnish a solid basis for a progressive social state; but, having regard to that interest, I think the considerations adduced show that the first and indispensable step toward any serious amendment of the laborer's lot is that he should be, in one way or another, lifted out of the groove in which he at present works and placed in a position compatible with his becoming a sharer in equal proportion with others in the general advantages arising from industrial progress.

Spahrs's table for the distribution of wealth in the United States, taken from his work, "The Present Distribution of Wealth in the United States," when our national wealth was $60,000,000, is as follows:

Class.	Families.	Per cent.	Average wealth.	Aggregate wealth.	Per cent.
Rich	125,000	1.0	$263,040	$32,880,000,000	54.8
Middle	1,362,500	10.9	14,180	19,320,000,000	32.2
Poor	4,762,500	38.1	1,639	7,800,000,000	13.0
Very poor	6,250,000	50.0	.....	.....	.....
Total	13,500,000	100.0	4,800	60,000,000,000	100.0

The inequalities have been steadily growing worse, and when a single person's fortune is estimated at a thousand millions and is gathering in $50,000,000 per annum of the net proceeds of the products of the labor of this country, while millions of human beings can not lay aside $50 apiece per annum, what must be the inevitable result? It is this condition, half understood, that is developing rapidly a sentiment of radical socialism, discontent, and social unrest.

Moody's Manual of 1907, page 30, presents a "General Summary" of corporations offering stocks and bonds for sale to the stock exchanges and recorded by him in great detail in a volume of nearly 3,000 pages, as follows:

	Total stocks and bonds.
Steam railroad division	$15,436,758,000
Public utilities division	8,130,464,000
Industrial division	10,156,333,000
Mining division	2,525,173,000
	36,248,668,000
Page 10, Report (1907) Comptroller of the Currency, resources national banks	8,390,328,402
Page 35, Report (1907) Comptroller of the Currency, resources other banks and trust companies	11,168,511,516

In addition to this enormous volume of corporate wealth, which comprises a registered one-third of our national wealth, there is an unregistered volume of corporations which are close corporations which do not sell stock, which are personal corporations, amounting to thousands of millions of dollars.

I respectfully call your attention to the Statistical Abstract of 1907, Table 244, which sets forth the wealth of the United States, which shows clearly where its approximate ownership may be found, to wit:

Table 244, Statistical Abstract, 1907.

Total wealth in United States	$107,104,211,917
Real property	62,341,492,134
Live stock	4,073,791,736
Farm implements and machinery	844,989,863
Manufacturing machinery, tools, etc	3,297,754,180
Railroad equipment	11,244,752,000
Street railway, shipping, waterworks	4,840,546,909
Agricultural products	1,899,379,652
Manufactured products	7,409,291,668
Imported merchandise	495,543,685
Mining products	326,851,517
Clothing and personal ornaments	2,000,000,000
Furniture, carriages	5,750,000,000
Total for United States	107,104,211,917

Where do the city laborers under protection come in as joint heirs of modern prosperity?

What part of this wealth created by labor is theirs?

They have no real estate, no live stock, farm machinery, manufacturing machinery, railroads, or under any visible classification. The only thing that they can have under this tabulation is clothing and a little personal property.

And yet the products of the labor in our specified manufacturing industries of 1905 reached a total of $14,802,147,087, for 5,470,321 wage-earners, whose product was therefore worth $2,708 per capita.

These people received $2,611,540,532 in wages (Stat. Abst. U. S., 1907, p. 144), or $479 per capita.

This $479 each must feed and shelter and clothe and educate and provide leisure and the joyous participation in the common providences of God for an average of three people, on about $160 each per annum, or about an average of $13.33 per month.

There can hardly be much margin of saving under the circumstances for sickness, ill health, accident, or loss of employment.

In New York City, with over four millions of people, less than 1 in 40 has any real estate.

LESS THAN 100,000 OWN CITY.

[From the New York Times.]

Lawson Purdy, president of the board of taxes and assessments, in a speech at the City Planning Municipal Art Exhibition, said that the value of the taxable property in New York City is now estimated to be about $6,800,000,000. Two-thirds, or 67 per cent, of this property, he added, is land. Mr. Purdy said that it is estimated that less than 100,000 persons own every particle of the land.

Our wealth increases over $4,500,000,000 every year over and above our expenses. What proportion does labor, the creator of wealth, retain net out of its own creation?

A beggarly part, Mr. President. Our national policy can be improved; our national policy should be changed.

We ought not to persist in a policy artfully designed to make the rich richer and the poor poorer.

FALSE STANDARDS OF LIFE.

Piling up enormous wealth in few hands is setting false standards of life and making classes whose sympathies are very far apart.

One can not help but be struck with the enormous cost of hotel services, for example, in the New York hotels conducted expressly for the patronage of the rich; $15 to $20 a day for a bedroom, sitting room, and bath is nothing unusual; $15 for a dinner for two persons is not regarded as extravagant; and side by side with this will be found families who can not save $30 net out of their labor of a year's time.

This may seem unimportant; I regard it as a matter of very great importance, illustrating the grossly unequal distribution of the proceeds of human labor; a condition which pampers one class and starves another; a condition which ought not to be encouraged by a nation which desires to preserve its liberties.

TIPPING.

The whole tipping system which in sections where these differences of wealth are most pronounced is an evidence offering itself on every hand to show that the servants who render service are not properly paid, and that the well-to-do class ought voluntarily to pay the servants for every little act. This system degrades the servant and puts him in an attitude of a beggar—a beggary which the giver of tips encourages in spite of himself. The whole practice which universally prevails in Europe emphasizes the relation of master and servant, of master and dependent, in which the servant is to be thankful for gifts, and it is injurious both to the one who gives and the one who receives and illustrates the false standards of living which are being established in this country. Men who serve ought to be properly paid in the first instance and not compelled to be put in the attitude of beggars in order to make a living. It lowers the moral tone of the American Republic.

MONOPOLIES' EVIL AND DANGEROUS METHODS.

Mr. President, piling up stupendous wealth in a few hands is dangerous to the welfare of the country. The Senator from Wisconsin, in his remarks on Senate bill 3023 a year ago, pointed out that practically 100 directors, interlocked with each other, controlled all of the great corporations of transportation, telegraph, telephone, express, and industrials in the United States. He gave their names and the corporations which they controlled in part.

In the remarks which I had the honor to submit on February 25, 1908, upon this bill (S. 3023), I pointed out the ability of a few men in New York to create a panic whenever they wanted to, and I pointed out how they could profit by it.

A few men control the management of the banks in New York City, Boston, Philadelphia, and Chicago, with associate banks throughout the country, and can make the stock market go up or down as they please by the simplest of all processes, to wit:

BY RESTRICTING CREDITS

when they want the market to go down—

BY EXTENDING CREDITS FREELY

when they want the market to go up.

The panic of 1893 was an artificial panic, because it was brought about in this manner for the purpose of putting an end to the talk of remonetizing silver, and as a political argument, ingeniously and powerfully exerted, it did finally put an end to it.

I was in the banking business myself at that time, and received a circular letter from New York pointing out the mischievous character of the discussion favoring remonetization of silver; that it was driving gold abroad. Several letters followed along the same line, and, I am informed, and believe, that these circulars were sent out at the instance of a committee representing banks belonging to the New York clearing house; that it was the definite and predetermined policy then and there to constrict credits; and that, finally, these banks struck the crowning blow by "calling," in June, 1893, the large volume of demand loans then on the street for immediate payment, when the usual credit accommodations were already quite cut off by these banks and their associate institutions and other associated financiers.

When this panic was over the weaker elements of the financial world by thousands had been compelled to give up their properties to the financial masters, who had accumulated cash for the purpose of taking over the property of less farsighted and powerful operators.

I pointed out in my remarks February 25, 1908, the astonishing manner in which these forces had caused the stock market to go up and down by which the unwary have been fleeced of their property during the preceding ten years.

The panic of 1907 was an artificial panic, brought about by conspiracy, in my opinion, of men discussed by President Roosevelt as "malefactors of great wealth."

I think his description was precise and apt, and I think that the Senate ought never to be content until a proper inquiry has been made into the panic of 1907, to determine who the beneficiaries were of that artful, crafty, far-reaching, and terrible conspiracy, which has thrown millions of men out of employment and brought tears and grief to the unnumbered women and children in this land who have suffered the consequence of that financial panic.

I was informed with regard to what might be expected to happen nearly a year before it did happen.

The panic of 1907 was brought about by a prolonged bull movement, free extension of credits, maintaining stocks and bonds at a high figure until in sufficient volume they were loaded upon the unwary, to whom money was freely loaned on a proper margin, and then began the process of restricting credits, slowly, steadily, firmly, the masters of the market, the high priests of monopoly, having accumulated an immense volume of cash and cash credits, to be used when the market struck bottom. This they did, with the most magnificent results, making unnumbered millions out of the weaker elements who had been led into the trap of obtaining credits.

It is true that the panic resulted in paralyzing productive energies of the American people, disturbing credits throughout the whole world, and throwing millions of men out of employment and causing unspeakable suffering to many millions of women and children. But monopoly had its reward, if the accumulation of money beyond the needs of a human being can be called a reward; if a callous heart and deadened sensibilities to the sufferings of human kind can be called a reward.

I wish to say to the chairman of the Committee on Finance that his committee is, in my judgment, honor bound to determine who the beneficiaries of that financial panic were and to take steps against the possibility of its repetition. There was a double purpose in this panic. One was that the very powerful financially might double their holdings of property by smashing values, accumulating cash and cash credits, and buying

in the stocks and bonds of weak financiers who could not stand the storm.

Another purpose was to discredit Theodore Roosevelt, whose heart had been moved by a resolute purpose to protect the people against such sinister forces.

In his message of January 31, 1908, he said:

WHO COMMIT HIDEOUS WRONG.

The attacks by these great corporations on the administration's actions have been given a wide circulation through the country, in the newspapers and otherwise, by those writers and speakers who, consciously or unconsciously, act as the representatives of predatory wealth—of the wealth accumulated on a giant scale by all forms of iniquity, ranging from the oppression of wage-workers to unfair and unwholesome methods of crushing out competition, and to defrauding the public by stockjobbing and the manipulation of securities. Certain wealthy men of this stamp, whose conduct should be abhorrent to every man of ordinary decent conscience and who commit the hideous wrong of teaching our young men that phenomenal business success must ordinarily be based on dishonesty, have during the last few months made it apparent that they have banded together to work for a reaction. Their endeavor is to overthrow and discredit all who honestly administer the law, to prevent any additional legislation which would check and restrain them, and to secure, if possible, a freedom from all restraint, which will permit every unscrupulous wrongdoer to do what he wishes unchecked provided he has enough money. The only way to counteract the movement in which these men are engaged is to make clear to the public just what they are seeking to accomplish in the present.

The absurd fluctuations of stocks controlled by these high financiers, I set forth at the time, illustrate the unspeakable folly of any citizen trusting himself upon a market capable of such uncontrolled manipulation. Monte Carlo is perfectly innocent by the side of this gigantic gambling house with its wonderfully improved modern machinery for misleading the judgment of the ordinary citizen, with its secret pitfalls and ingenious traps by which to defraud our people.

The spirit of monopoly—the idea of getting something for nothing—has done a great harm to the American people. Hundreds of thousands of people are the beneficiaries of it and many millions are the victims of it. Those who are enriched by it set new standards of extravagant living, of wasteful expenditure, and of false pride and bad example, the imitation of which has made the American citizen notorious throughout the whole world.

This bill, Mr. President, is a taproot from which monopoly partly draws its power, fattens, grows strong, and overshadows the land like an evil tree killing and impairing the life of those who stand beneath.

The violent manner in which the monopolists of this country juggle the stock market subjects it to tremendous changes from time to time, as shown in the following quotations:

These ranges are since 1900, and will be found in the New York Times Weekly National Quotation Review, page 13, of October 21, 1907:

	High.	Low.
Adams Express	315	114
Allis Chalmers Co	27	4
Amalgamated Copper	130	33
American Beet Sugar Co	35	9
American Cotton Oil	57	24
American Express	272	142
American Grass Twine	62	3
American Hide and Leather	13	2
American Ice Securities	94	20
American Linseed Co	39	5
American Snuff Co	250	96
American Steel Foundries	18	3
American Woolen Co	48	7
Atchison, Topeka and Santa Fe	110	18
Baltimore and Ohio	125	55
Delaware, Lackawanna and Western	560	171
Denver and Rio Grande	53	16
Duluth, South Shore and Atlantic	24	4
General Electric	334	109
Great Northern preferred	348	140
Iowa Central	57	11
Kanawha and Michigan	76	10
Kansas City Southern	39	7
Knickerbocker Ice	85	8
Lake Erie and Western	76	12
Manhattan Beach	23	4
Missouri, Kansas and Texas R. R.	43	9
National Biscuit Co	86	23
New York, Chicago and St. Louis	76	11
New York Central	174	99
Norfolk and Western	97	22
Northern Pacific	700	45
Northern Central	250	150
Ontario Mining	13	1
Pennsylvania Railroad	170	110
Peoria and Eastern	39	5
Pere Marquette	103	30
Pullman Co	228	148
Reading	164	15
Tennessee Coal and Iron	106	25
United Railways Investment	23	9
United States Cast Iron	53	8
United States Express	160	45
United States Leather	39	6
United States Steel	55	9

I call attention to some of these figures, however: Adams Express went from 114 to 315, about 300 per cent; the Allis-Chalmers Company went from 4 to 27, over 600 per cent. Amalgamated Copper, one of the giant concerns of this country, from 33 to 130, 400 per cent. And so it goes on through the list.

The monopoly protecting tariff shortens the life of labor and exposes it to greater mortality.

Mr. President, in the last forty years the world has wonderfully improved in medical knowledge. It has wonderfully improved in inventive processes, which have led to increased conveniences of life, which have developed the most important economies of production, manufacture, and distribution.

All of these things have tended to the prolongation of human life where people could receive the full benefit of them; so much so, that it is probably no excessive estimate to say that the average of human life in the well-to-do classes has been increased by a period of ten years. It has been one of the wonderful developments of increasing modern intelligence.

It is a grievous thing, therefore, to observe that notwithstanding these great benefits, which ought to be a common heritage of the human race, and notwithstanding the increasing longevity of the well-to-do classes, the entire average of life shown by the mortality tables has not been improved. The number of persons who die per thousand is substantially the same.

Mr. President, I submit the comparative mortality statistics of our country and the other civilized nations of the world.

The mortality statistics exhibit the remarkable fact that just in degree as poverty obtains and governments permit monopoly, without protecting the weaker elements from dangerous exposure, just in that degree the number of deaths from all causes rises in the annual average.

It is a very important matter, and it shows that just in degree as thoughtful men write their laws for the preservation of human life to that degree is human longevity extended; to that degree there is the conservation of the best of all national resources—the lives of the children, the lives of the workingmen and working women of the country.

The following table gives the number of people per thousand who died in the following countries from 1903 to 1906 (p. 28 of the Mortality Statistics of the Census Office for 1907):

Country.	1903.	1904.	1905.	1906.
Ceylon	25.9	24.9	27.7	34.3
Hungary	26.1	24.8	27.8	24.8
Roumania	24.8	24.4	25.4	------
Spain	25	25.8	25.9	26.2
Austria	23.8	23.7	25	------
Italy	22.4	21.1	21.9	20.8
Japan	20	21.2	21.9	------
France	19.2	19.4	19.6	19.9
German Empire	20	19.6	19.8	------
United States	16.1	16.0	16.2	16.1
Netherlands	15.6	15.9	15.3	14.8
Norway	14.8	14.3	14.8	13.7
Denmark	14.7	14.1	15	13.5
United Kingdom	15.8	16.5	15.5	15.6
Australasia	11.8	10.8	10.5	10.6
New Zealand	10.4	9.6	9.3	9.3

There is no table which has ever been read in this body that has such vital significance as that table, which shows that if the people of the United States took the same pains to preserve the life of the Nation that New Zealand has done, we would save over six to the thousand; and, measured by our 80,000,000 people, it would mean a saving to this country of over 500,000 lives annually. Pittsburg is no exception in the exposure of human life to bad conditions. It is merely illustrative.

The policy of New Zealand is expressed in their great motto, "Better reduce want than increase wealth;" and when you reduce want, even if it be at the expense of increasing wealth, you prolong human life. You make life worthy to be lived, and you raise the standard of men physically, morally, and spiritually.

Let our national standard be "*Men first, then wealth.*"

New Zealand has abolished monopoly and given a more even distribution of the opportunities of life to willing labor than any other country in the world, and it offers to the United States an example of how to care for its people, because the difference of these vital statistics of an average of 9.9 deaths per annum out of a thousand and 16.3 per thousand, makes a difference of 6.4 per thousand, or the vast multitude of 512,000 people who annually die in the United States in excess of the deaths that would occur under more favorable conditions of life. Are they not worth preserving as fully as we agree on the conservation of our other national resources?

The death rate in our cities, especially the industrial cities, seems to run still higher than the general average; for example, the annual average number of deaths from all causes, per thousand population for 1901 to 1905, was as follows (id., pp. 91 and 92):

In Massachusetts:	
Boston	18.8
Fall River	20.3
Lowell	20.2
Providence, R. I	18.8
New York City	19.0
Pittsburg, Pa	20.7
Philadelphia	18.2
Norristown, Pa	24.5

Notwithstanding the fact that the cities with their opportunity of cooperation in improved water supply, sewerage, hospital service, and sanitary supervision ought to have better health than those less favorably situated. The heavy death rate in cities is due to the extreme high death rate among the very poor, who are compelled to live in insanitary places and are otherwise exposed, while the more favored population of the cities would show a better rate than the average.

TABLE 21.—*Death rates from all causes per 1,000 population in registration States in 1900.*

Connecticut	16.977
Maine	17.493
Massachusetts	17.736
Michigan	15.867
New Hampshire	17.979
New Jersey	17.378
New York	17.921
Rhode Island	19.078
Vermont	16.962

Table 95, Abstract of the Census, 1900, shows a heavy mortality in manufacturing cities and in cities where negroes live. For example, per thousand, from all causes:

Augusta, Me	26.4
Baltimore, Md	21.0
Biddeford, Me	23.2
Boston, Mass	21.1
Cincinnati, Ohio	19.1
Hoboken, N. J	21.1
Jersey City, N. J	20.7
Pittsburg, Pa	20.0
Philadelphia, Pa	21.2

Census Bulletin No. 77 gives an interesting account of 42 of the so-called "dusty trades," showing, for example, that of polishers who die between 25 and 34 years, 56 per cent of such deaths are due to consumption. The per cent of like deaths due to consumption in each age group is very high; for example, between the ages of 25 and 34 years, 70 per cent of the grinders who die, die of consumption; 59 per cent of the tool makers, 50 per cent of the gold-leaf makers, 50 per cent of brass workers, 56 per cent of printers, 66 per cent of compositors, 61 per cent of engravers, 52 per cent of stone workers, 50 per cent of marble workers, 56 per cent of glass blowers, 46 per cent of glass cutters, 44 per cent of plasterers, 49 per cent of paper hangers, 62 per cent of lithographers, 68 per cent of the hosiery and knitting mill employees, 50 per cent of spinners, 53 per cent of weavers, 50 per cent of rope makers, 55 per cent of cabinetmakers, 62 per cent of wood turners, 55 per cent of hatters, 52 per cent of silk-mill employees, 58 per cent of upholsterers, showing that workers in these dusty trades are very liable to die of tuberculosis.

This table shows that the exposure of human life to dust and hard conditions leads to the destruction of human life by tuberculosis in a serious way. I think these tables are of interest.

Mr. President, I deem it my duty to call the attention of the country to the fact that this death rate stands in startling contrast to the death rate of New Zealand, where the average for 1901 to 1906 was less than 10 deaths per thousand. It is equally important, in considering the reason for the greater security of life in New Zealand, to remember that in New Zealand the people take great care to prevent the destruction of human life by the extremes of poverty.

Finally, Mr. President, I wish to call the attention of the Senate to the fact that in New Zealand great pains are taken to protect the people against monopoly, against the appropriation of everything in heaven and on earth, everything visible or invisible by men, because they happen to have piled up available credit at their command. In New Zealand they believe that the land was made for the use and benefit of the living generation, who make it desirable to live in. Therefore they control monopoly in that great republic. We have copied them before in their political processes when we adopted the greatest of all means for the control of fraud in elections by the adoption of the Australian ballot, and we will do well to imitate them in other matters, where they protect the living generation against the uncontrolled and natural ambition and greed of man for wealth and power.

BETTER REDUCE WANT THAN INCREASE WEALTH.

In New Zealand they do not impose a tariff tax artfully drawn to make the poor poorer and the rich richer. In New Zealand they do not establish a tariff under the false pretense of raising revenue, where the legislator openly or secretly intends the tariff rate not to raise revenue, but to prevent importation, to prevent competition, and to protect monopoly in the home market.

THE PURPOSES OF TAXATION.

Constitutionally, a tax can have no other basis than the raising of a revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise a revenue, *but to discourage and indirectly prohibit some particular import for the benefit of some home manufacture, may well be questioned as being merely colorable,* and *therefore not warranted by constitutional principles.* (Cooley, Prin. Con. Law, 57.)

The Supreme Court of the United States, in the Topeka case, said:

"To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to add private enterprises and *build up private fortunes is none the less a robbery because it is done under the forms of law and is called 'taxation.'* This is not legislation; it is a decree under legislative forms." (20 Wall., 664, in Loan Asso. v. Topeka.)

New Zealand pursues the policy

BETTER REDUCE WANT THAN INCREASE WEALTH

and imposes a 10 per cent inheritance tax on estates of one hundred thousand and more, and imposes also an income tax.

New Zealand does not hesitate to protect her working units from excessive house rent, providing concrete houses at a low rate of interest.

I am not unaware of the fact that this latter suggestion will furnish occasion to the clamorous advocates of special privileges to burst into a chorus of denunciation against New Zealand, that this is socialism. It is true that it is socialistic. But no wise policy should be condemned by a mere epithet "socialism," for our post-office system and common-school system, and municipal waterworks, sewers and streets system are "socialistic." New Zealand believes that the land upon which the New Zealanders live and move and have their being ought not to be monopolized by the very rich, nor used by them through the acquirement of titles to dictate terms upon which the New Zealanders shall be allowed to live.

The New Zealanders must be a very foolish people. They actually believe that the land upon which they live should be controlled in the interest of the living generation of men who cultivate it and make it beautiful. I understand that this foolish doctrine is contrary to the fundamental canons of monopoly.

It violates the fundamental law of continental Europe and of Great Britain. It would overthrow the idea of the good old days of William the Conqueror when he took charge of Britain and parceled the lands among his warlike leaders.

These titles have thence come down in the good old way, and the dukes and princes of England, and of Germany, of Austria, and of Russia still hold the titles and in measure still impose their will upon the inhabitants thereof. It is also true that this special class of landed nobles, who exercised monopoly of the land, having finally learned that they could only eat so much and only wear so much and only occupy a given number of palaces, were obliged to throw out the younger brothers of each succeeding family, and, human selfishness having become satiated in princely and luxurious living, have turned themselves to some extent to the service of their fellow-men. But they have had the wisdom and been compelled to limit the extortion which their legal rights made possible.

Indeed, they had a great example in France, which was serviceable in teaching them not to go too far. It was this monopoly of land—the Senator from New York [Mr. DEPEW] to the contrary notwithstanding—which caused the French revolution, sending the land monopolists to the guillotine, and resulted in the minute subdivision of the lands of France among those who tilled the soil and made it productive.

Mr. President, one might be misunderstood in discussing the greed of modern times. I do not blame an individual for exhibiting the natural tendency of human life. I do not blame a man for becoming greedy for wealth and power; all of us have these impulses; but I do blame the laws which persist in sheltering him at the expense of those who are entitled to protection in the constitutional right to life, liberty, and the pursuit of happiness.

I wish to call attention to what is the effect of monopoly. Monopoly is worse in Europe than in our country because under the rule in Europe the land was monopolized in the first place by imperial power, and the control of the land was handed down to dukes, princes, and various others, and those people who come to our shores and are willing to submit to any kind of treatment do so because they come from conditions of monopoly more severe than those which we have in our own country.

It was the monopoly of land which led to the French revolution, notwithstanding the comments of the Senator from New York, who attributed it to other reasons. Thomas Jefferson, when minister to France in 1785, pointed out the terrific effect of land monopoly in that Empire. He said:

The property of France is absolutely concentrated in a very few hands, having revenues of from half a million of guineas a year downward. These employ the flower of the country as servants, some of them having as many as 200 domestics, not laboring. They employ also a great number of manufacturers and tradesmen, and, lastly, the class of laboring husbandmen. But, after all, there comes the most numerous of all the classes; that is, the poor, who can not find work. I asked myself what could be the reason that so many should be permitted to beg who are willing to work in a country where there is a very considerable proportion of uncultivated lands? Those lands are undistributed only for the sake of game. It should seem, then, that it must be because of the enormous wealth of the proprietors, which places them above attention to the increase of their revenues by permitting these lands to be labored.

I have always felt sorry for the French nobility, for the so-called "flower of France," and have wondered why it was they were incapable of realizing the fatal danger which their greed, their extravagance, and their frivolity engendered. They played with a powder magazine of human passion which finally exploded.

Our laws should protect the people in the peaceful enjoyment of life, liberty, the pursuit of happiness, and of the fruits of their own industry. If the laws fail, there will be built up in this country a powder magazine of human passion that may some day explode with fatal consequences.

A safety valve has been furnished, for possible danger to the land monopolist and other thence engendered monopolists of continental Europe, by modern transportation, which has permitted their great surplus of population to go to other parts of the world and build up homes by their peaceful labor, where they would not be subject to princes or potentates or to tyranny in any form, whether governmental, religious, or plutocratic; and our forefathers came to this land to free themselves from this tyranny and to establish a government whose fundamental doctrine was that the precious privileges of life, liberty, and the pursuit of happiness were inalienable. That is to say, Mr. President, the individual could not deprive himself of them if he would; that he had no right to deprive himself of these things.

It has remained for the representatives of the people in Congress to permit the dangers of monopoly to grow up by special privileges granted by statute, by building up a monopoly breeding tariff, by which foreign competition has been cut off and home competition controlled and commercial mastery of our people established by the organization of trusts, by secret agreements, and by gigantic mergers, which embraced in one corporate body every competitor.

Mr. President, there is no evil to a free people more dangerous in every way than financial and commercial monopoly.

When a monopoly is organized strong enough to dictate the prices of the product of labor, or to dictate the prices of the necessaries of life to the laborer and the entire people, there has also been established a *commercial master on the one side and a commercial slavery on the other.* The Standard Oil Company, which fixes the price of crude oil to the producer and fixes the price of kerosene and gasoline to the consumer, regardless of values either to one or the other, exercises a commercial mastery that differs in degree, but does not differ in kind, with the mastery which Pharaoh exercised over the Egyptians when he established a monopoly in corn in Egypt.

Mr. President, under the advice of Joseph, Pharaoh and his captains stored all the surplus corn of Egypt during seven years of plenty. They exercised their legal rights. During the seven years of drought which followed they had the richest monopoly recorded in history.

The price of corn went up; the price of corn went sky-high under this monopoly of the home market. The Holy Bible advises us that, in exchange for enough of this monopolized product—

Joseph gathered up all the money that was found in the land of Egypt, and in the land of Canaan, for the corn which they bought. * * *

And when money failed in the land of Egypt, and in the land of Canaan, all the Egyptians came unto Joseph and said, "Give us bread, for why should we die in thy presence? for the money faileth."

And Joseph said, "Give your cattle; and I will give you for your cattle, if money fail."

And they brought their cattle unto Joseph, and Joseph gave them bread in exchange for horses, and for the flocks, and for the cattle of the herds, and for the asses.

And the Egyptians then gave up to this triumphant monopoly all of their land in exchange for corn for bread.

And Joseph bought all the land of Egypt for Pharaoh, for the Egyptians sold every man his field because the famine prevailed over them, so the land became Pharaoh's.

Then Joseph said unto the people, "Behold I have bought you this day, and your land for Pharaoh: lo, here is seed for you, and ye shall sow the land.

"And it shall come to pass in the increase, that ye shall give the fifth part unto Pharaoh, and four parts shall be your own, for seed of the field, and for your food, and for them of your households, and for food for your little ones."

Mr. President, we probably in this day of greater liberty and greater enlightenment would rise in revolution against the dictation of Pharaoh in this form, but the practice upon which Pharaoh acted, the principle upon which he established a monopoly in a necessary of life by the exercise of his legal rights and thereby acquired, by mastery of prices, all of the property of the Egyptians and made them his commercial servants and slaves, are in full play in this Republic under the operation of a thousand varieties of monopolies, dictating prices upon all of the necessaries of life and gradually absorbing—I may say, Mr. President, rapidly absorbing—all of the property of this Republic.

Pharaoh and his captains gave the Egyptians four-fifths of what they produced. The present masters of monopoly do not give to labor so large a part of what it produces. I have demonstrated by Exhibit 1 the wages paid as compared to the value of the gross product, and have demonstrated by those tables that taking the raw materials at the factory and calculating the additional value created directly by labor, it does not receive one-half of the value it actually creates, much less four-fifths, which was the rule established by Pharaoh.

Mr. President, it may seem austere to recall the monopoly of Pharaoh, but I think it very important that the Senate of the United States should consider and feel itself more actively responsible for the development and care of the interest of the productive masses of the Republic. I have no desire to hold the leaders of the Republican party responsible for the drift of modern times. I shall be content to see them exert themselves to retain its good features and restrain its bad features.

I am willing to exculpate them. I will be very glad to see them take advantage of a great opportunity to make themselves permanently the representatives of the people if they will only give those things to the people which they are in honor bound to give to enable them to enjoy life, liberty, the pursuit of happiness, and the fruits of their own industry, which are now filched from them by prices 50 per cent higher than the prices of the world.

WHO IS GETTING ALL THE NET PRODUCTS OF LABOR IN THIS COUNTRY?

Mr. President, it is perfectly obvious to thoughtful men that the tremendous accumulation of wealth in a few hands is leading to the rapid monopolization of every natural opportunity. Nearly all of our national transportation is so controlled. There is obvious control by monopoly of telegraph, telephone, the express, of lumber, of building material, of coal, of cotton manufactures and woolen manufactures, of farm machinery, of oil, of iron, of steel and their products; and on the other hand we have a rather pitiful condition of extreme poverty exhibiting itself in all of our great cities, side by side with this enormous concentration of wealth.

Mr. President, I believe we have the best people in the world; that even our masters of monopoly have shown a greater measure of liberality in their gigantic benefactions to the people from whom their fortunes have been drawn than any men in the history of the world. I rejoice in their benevolence. I know that they are neither hard-hearted nor lacking in generous impulse; they have simply been following the rules of business established by a rigorous commercial age, where "dividends" were emblazoned on every battle flag and "success"—"financial success"—was the only standard. It is no wonder that the weak and the poor and the inarticulate mass have been forgotten in the fierce contest for wealth and power.

We have a wonderful country and a great and magnificent people. We have a great mass of the middle classes of people, who are not in penury, have neither riches nor poverty, but comprise the bulwark of this Republic, whose patriotism, whose wisdom, whose penetrating intelligence can be perfectly relied upon; and the petty larceny of the two millions of our revenue by the sugar trust, to which they pleaded guilty in New York within the last few days, being but a trivial circumstance beside the universal plundering of the national pocketbook by the wholesale fraudulent prices fixed by the monopolies of this country, our great middle class, conservative and sound, will soon correct these evils at the ballot box.

I am deeply disappointed that the party in power has apparently lost its opportunity to serve the people by removing the tariff wall sheltering monopoly and by lowering prices in the United States.

MONOPOLY HAS SUBJECTED LABOR TO IRREGULAR EMPLOYMENT.

The panic of 1907 was caused by monopoly and by the dangerous plutocracy our system has erected in the United States, as I fully set forth on February 25, 1908. This panic threw out of employment millions of men, two millions of whom are out of employment now, according to the recent report of Samuel Gompers, president of the American Federation of Labor, from whose report I quote:

Permit me to call attention to this: At the beginning of December, 1908, I sent out a circular letter to the executive officers of a number of international trade unions of America and got from them a report as to the state of employment and unemployment, and from the reports which were made to me within fifteen or twenty days I culled the following information:

The blacksmiths report during the past year about 50 per cent of the trade unemployed; those employed averaging about four days a week.

Boiler makers and iron-ship builders, 30 per cent unemployed.
Boot and shoe workers, 25 per cent unemployed.
Bridge and structural-iron workers, 25 per cent unemployed.
Carpenters and joiners, 40 per cent unemployed.
Wood carvers, 30 per cent unemployed.
Cement workers, 30 per cent unemployed.
Cigar makers, 10 per cent unemployed.
Commercial telegraphers, 15 per cent unemployed.
Coopers, 15 per cent unemployed; two-thirds of the employed working half time.
Elevator constructors, 40 per cent unemployed.
Steam and hot-water fitters, employment in the West fair; in the East fully 40 per cent unemployed and working about one hundred and eighty days a year.
Freight handlers, about 30 per cent unemployed.
Glass-bottle blowers, about 20 per cent unemployed. On account of conditions of the trade, no work is performed during July or August.
Window-glass blowers, 20 per cent unemployed.
Granite cutters, about 15 per cent unemployed.
Hatters, men working about three-fourths time.
Hod carriers and building laborers, 60 per cent unemployed.
Hotel and restaurant employees, 30 per cent unemployed.
Machinists, 20 per cent unemployed.
Railway maintenance-of-way employees, 25 per cent unemployed.
Butcher workmen, 40 per cent unemployed.
Coal miners, work about two hundred days during the year.
Painters and decorators, 70 per cent unemployed.
Pattern makers, 30 per cent unemployed.
Pavers and rammer men, 25 per cent unemployed.
Printing pressmen, 20 per cent unemployed.
Shipwrights, joiners, and calkers, 50 per cent unemployed.
Tile layers, "state of employment very poor."
Tin-plate workers, 40 per cent unemployed.
Tobacco workers, working on two-thirds time.
Iron molders, 70 per cent unemployed.

I am sure it is not an exaggeration to say that there are now in our country, and have been with little variation since October, 1907, nearly 2,000,000 of wage-earners unemployed.

Secretary STRAUS. Do you mean by that that before that period those 2,000,000 were employed?

Mr. GOMPERS. I do, sir.

Secretary STRAUS. Are there not always some unemployed?

Mr. GOMPERS. In some trades, some callings, and seasons, yes, sir; but up to October, 1907, and for a few years just prior thereto, it was a practical fact that any man who could work could find work to do. I refer to the condition now of the men who want to work and who can find no work to do.

It is probably one of the greatest tributes that can be paid to all our people—and I think in a great measure that credit belongs to the organized workers, organized labor—that during that whole period of nearly eighteen months, and two winters, with so vast a number of unemployed, life and property have been secure and public order has been maintained; and I know of no force in all our country so potent as a conservator of the public peace as the much-abused and maligned labor organizations. In this morning's papers we read of a demonstration of the unemployed in Berlin yesterday, where the sabers of the soldiery were drawn to disperse hungry crowds. It is set forth in the cablegrams that the unemployed there proposed socialistic remedies for relief. I do not know of what those remedies or propositions for relief consisted. I take it that any proposition coming from the poor crowd of fellows who want work or relief would be regarded as extremely radical. But the American workmen ask for no relief that can at all be construed as socialistic. The relief which we ask for the men and women of our country who have been walking the streets in idleness for eighteen months we ask upon high patriotic, practical, and humane grounds, and for good economic reasons. I know, of course, that we are often met when these matters are presented, with the statement that they are paternalistic, and that our form of government does not admit of the Government undertaking projects that would smack of paternalism. Yet in the great calamity which overtook the people of Italy quite recently the Government of our country generously and promptly appropriated $800,000 as the direct gift of the American people as a whole—this in addition to the many generous contributions of our people in their individual capacity. No word of adverse criticism has been indulged in. On the contrary, the appropriation of this vast sum of money was looked upon as a duty which in common humanity the people of our country owed to a stricken people. It is only referred to to illustrate the thought that the lingering hunger and misery due to the unemployment of our people, brought about by forces entirely beyond their control, should receive consideration at the hands of our government, both national and state.

THE MONOPOLY PROHIBITIVE TARIFF HAS EXPOSED AMERICAN LABOR TO TYRANNY.

Mr. President, the monopolies established under the prohibitive tariff have almost entirely destroyed the organizations of labor among their employees and have driven out in large measure the liberty-loving Americans and have introduced in their place foreigners who know but little of liberty—Slovaks, Bulgarians, Hungarians, Poles, Greeks, Italians.

The American workman has been subjected to foreign pauper competition; he has been refused the right to organize for his own protection.

He has been denied his political liberty.

He has been compelled to march in political parades against his will.

He has been compelled to vote against his conscience under the threat of being discharged or denied the opportunity of working for his living.

THE DEFENSE OF THESE SCHEDULES UNSOUND.

Mr. President, the chairman of the Committee on Finance, on June 4, made the only defense which has been offered of these high schedules, and in discussing the matter he said:

In general, it may be stated that the wages of textile operatives in America are double those of England, France, and Germany. A very exhaustive inquiry has recently been made into the subject of wages by the British Board of Trade, which shows that in Germany the wages of cotton weavers run from 16s. 6d. to 19s. 6d., or from $4.12 to $4.87 per week; that in France the wages run from 16s. 10d. to 19s. 2d., or from $4.20 to $4.79 per week; that in Great Britain the wages run from 16s. to 24s. 11d., or from $4 to $6.22 per week.

For the United States the Bureau of Labor, in Bulletin No. 77, July, 1908, shows that the average wages of all cotton weavers for the year 1907 was $9.74. In addition, I may state that in many of the fine yarn mills of New England making high-priced fancy fabrics the weavers earn from $11 to $13 per week.

Many of the fabrics that will be dutiable under these provisions are valued at a dollar a pound. The cost of the cotton is 20 cents a pound at the outside, leaving 80 cents a pound for cost of labor in various forms in this country. Suppose that that labor costs twice as much in the cotton-manufacturing States of the United States as it does in our competing countries abroad, it is easy to see by a mathematical calculation that 50 per cent ad valorem, to say nothing about 45 per cent, will not equalize the conditions on these various high-priced goods between our own and competing countries.

If this was an original proposition, and we were to submit to the Senate rates which were protective and adequate, in view of the difference in the cost of production, we could not make them any lower than those fixed in these specific rates which we have asked the Senate to adopt.

The chairman takes the wages of the cotton weavers of Germany, France, and Great Britain for 1905, reported by the British Board of Trade to Parliament, just after the panic, and compares these wages with the weavers in the United States for 1907, and withholds the statement made in the report from which he quotes that the wages of ribbon weavers at St. Etienne, France, was twice as great in 1906 as in 1905 and 50 per cent higher in 1907 than in 1905.

The chairman does not point out that the spinners, both male and female, in the United States, by these same tables, were paid less wages in the cotton industry in the United States than they were in Germany or France. The male spinners received $4.12 a week in the United States, $5.91 in France, and $6.57 in Germany, and the spinners in the woolen industries were paid $6.52 in the United States, $6.22 to $6.81 in France, and $7.20 to $7.79 in Germany. The foreign weavers were paid less than our weavers and the foreign spinners were paid more than our spinners, and the chairman of the Committee on Finance withholds this important fact.

It is impossible to follow a leadership that is either careless or inaccurate in making statements for the guidance of the Senate. The chairman has withheld information from this body, and the quotations he offers, being a partial truth, are wholly untrustworthy and misleading.

Mr. President, this is the only defense that has been made, and in effect it amounts to this, that a pound of fabric of cotton costs 20 cents a pound for the cotton and 80 cents a pound for the cost of labor.

The chairman proves too much; he leaves nothing for capital. The statement is obviously false. He leaves nothing for capital, for the enormous dividends paid by the cotton mills of his State.

He is flatly contradicted by the census, which shows that the total labor cost in the entire textile industry is 19.5 per cent of the gross value of the product.

He is flatly contradicted in his contention by the census reports as to every schedule.

He is flatly contradicted by Carroll D. Wright's report on relative labor cost in 446 individual cases.

The aggregate value of the products of cotton mills for 1900 was $332,806,156 (vol. 10, Table 14). The materials used cost $116,108,879 (Table 13), and the total wages (Table 9) amounted to $86,689,752, and for cotton small wares amounted to $63,194.

Total cost	$332,806,156
Material cost	$116,108,879
Total wages	$86,689,752
Per cent of labor to gross product	26
Average per cent of tariff rate fixed by the Senate bill	47.14

Approximately twice as much as the total wages paid the American workmen, thus sheltering the manufacturer in monopoly by excluding foreign goods.

The chairman of the Committee on Finance, in the face of these census reports, rises in his place as an expert and tells

this Senate that the labor cost of these manufactures is 80 per cent, when the truth is 26 per cent, and he justifies the cotton schedules upon this gross and indefensible error.

Granting that foreign goods have no labor cost whatever, 26 per cent is the maximum schedule to protect the American workmen; 26 per cent is the maximum average rate required if the Republican platform is to be carried out of providing the difference in the cost of production at home and abroad.

If the labor cost abroad is one-half the labor cost in the United States, the rate required to prevent the foreign manufacturer from having the advantage in cheaper labor would be 26 per cent, the American cost, less 13 per cent, the European cost, or a net rate of 13 per cent.

The difference in the labor cost at home and abroad would therefore be 13 per cent and not 47 per cent, as the schedule is written.

Mr. President, the gross error, to use the mildest terms possible, of the Committee on Finance and the advocates of a prohibitive tariff runs in like manner through other schedules, the proof of which I submit. Taking the table of the committee itself in print No. 3 of April 12, 1909, page 68, I place side by side with the proposed ad valorem rate the total percentage of labor cost to the value of the product, the proof of which will be found in Exhibit 1, taken from the census reports, and in the volumes on manufactures, of census, 1900, and is verified by the figures of the Committee on Finance giving wages and the value of products in columns 8 and 9.

I ask attention to the recapitulation compiled by the Committee on Finance April 12, 1909, and ask permission to print that table with an interlineation which I have placed in it showing, from the figures submitted by the chairman of the Committee on Finance in that table, what is the percentage of wages to value of product as shown in 1904.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

The matter referred to is as follows:

Estimated revenues.

RECAPITULATION.

[Compiled by Committee on Finance, April 12, 1909. The ad valorems are based on the dutiable values.]

Schedules.	Value of merchandise (dutiable and free).	Revenue under— Present law (act of 1897).	Revenue under— Proposed bill (H. R. 1438).	Equivalent ad valorems. Present.	Equivalent ad valorems. Proposed.	Volume IX. Census 1900.[h] Percentage of labor cost to value of product.	Census of manufactures, 1905[a] (calendar year 1904). Wages.	Census of manufactures, 1905[a] (calendar year 1904). Value of products, including custom work and repairing.	Percentage of labor cost to value of products by wages and value, as shown, 1904.[h]
				Per ct.	Per ct.				
A—Chemicals, oils, and paints	$42,067,649.85	$11,187,405.69	$11,754,112.86	27.62	28.20	8	[b]$44,238,256	[c]$572,848,476	7.5
B—Earths, earthenware, and glassware	31,306,008.97	15,350,019.67	15,247,487.70	49.03	48.70	37.1	154,652,719	429,944,049	36.7
C—Metals, and manufactures of	68,018,829.55	21,812,195.72	21,523,699.22	32.44	31.65	12.7	652,109,633	3,130,253,195	20.8
D—Wood, and manufactures of	24,498,810.90	3,705,024.34	2,723,658.08	15.12	11.21	-------	378,461,021	1,393,489,978	27.1
E—Sugar, molasses, and manufactures of	92,784,061.60	60,338,523.31	50,635,940.54	65.03	65.30	-------	23,596,189	413,333,428	5.6
F—Tobacco, and manufactures of	29,959,081.79	26,125,037.41	26,113,185.29	87.20	87.18	18.9	62,640,393	331,117,681	18.9
G—Agricultural products and provisions	63,925,575.39	19,181,915.96	20,594,283.57	30.16	32.28	5.7	100,339,094	2,194,833,894	4.5
H—Spirits, wines, and other beverages	23,063,420.03	16,318,120.14	20,518,168.77	70.69	88.89	8.9	43,924,676	474,467,379	9.2
I—Cotton manufactures	31,969,814.07	14,291,026.65	15,021,742.16	44.84	47.14	26.0	217,955,322	1,014,094,237	21.4
J—Flax, hemp, and jute, and manufactures of	114,172,202.94	49,900,590.31	50,353,153.25	43.67	44.07	13.3	27,223,574	185,094,092	14.6
K—Wool, and manufactures of	62,818,797.81	36,554,815.89	36,554,815.89	58.19	58.19	19.7	135,069,063	767,210,990	17.6
L—Silks and silk goods	38,816,839.20	20,313,706.39	23,581,996.60	52.33	60.76	22.6	26,767,943	133,288,672	20.0
M—Pulp papers and books	20,005,025.62	4,136,029.42	4,042,076.14	20.67	21.88	16.2	123,903,633	548,957,239	22.5
N—Sundries	135,821,484.06	29,896,513.49	31,307,603.27	22.50	23.06	19.9	[d]340,506,182	[e]1,954,228,027	18.3
Total from customs	779,140,621.87	329,110,914.39	338,973,303.34	-------	-------	-------	[f]2,331,968,518	[g]13,534,180,743	-------
Net increase	-------	-------	9,862,388.95	-------	-------	-------	-------	-------	-------
Total luxuries, articles of voluntary use, dutiable	289,411,904.23	149,837,286.47	160,454,103.74	52.48	55.47	-------	-------	-------	-------
Total necessaries, dutiable	489,728,717.59	179,273,627.92	178,519,199.60	36.77	36.69	-------	-------	-------	-------
Total entries for consumption, dutiable and free	1,415,402,284.78	-------	338,945,001.07	-------	23.95	-------	-------	-------	-------
Total necessaries, dutiable and free	1,125,990,380.50	-------	178,519,199.60	-------	15.85	-------	-------	-------	-------

[a] Industries grouped to conform as nearly as possible with the articles enumerated in the respective schedules of the tariff law. Industries with products named in two or more schedules are credited to the schedule which includes the major product. The value of products for each group is the sum of all products of all industries in the group, and hence includes a large amount of duplication due to the product of one industry serving as material for another.

[b] Should be $56,796,143; addition erroneous.

[c] Should be $767,401,417; addition erroneous.

[d] Should be $273,959,320 (see page 67).

[e] Should be $1,495,686,437 (see page 67).

[f] Should be $2,277,838,543.

[g] Should be $13,270,192,088.

[h] Percentage of wages to value of product calculated and inserted by R. L. OWEN.

SCHEDULE A—CHEMICALS, ETC.

Mr. OWEN. This table shows that the percentage of labor to the value of the product in Schedule A, for example, by the very figures given by the Finance Committee itself, is only 7.5 per cent, while the proposed schedule is 28 per cent—four times as high as the entire labor cost involved in the product.

SCHEDULE B—GLASSWARE, ETC.

In like manner in Schedule B the total labor cost is 36 per cent. The total labor cost in Europe, if it were half as much, would leave the net difference in labor cost only 18 per cent, while the proposed tariff is 48 per cent for Schedule B.

SCHEDULE C—METALS, ETC.

In like manner Schedule C exhibits a total labor cost of 20 per cent. The difference in this labor cost and the European labor cost, accepting the statement of the chairman of the Committee on Finance that the labor cost in Europe is only half as much, would be 10 per cent, and the difference in labor cost for which the protection might be required would not exceed 10 per cent, but the proposed rate is 31 per cent—three times as high as it ought to be for protective purposes.

SCHEDULE D—WOOD, ETC.

In Schedule D the total labor cost is 27 per cent, and the difference in labor cost in this country and abroad would be 13½ per cent, not counting freight, which would be as much more in favor of this heavy material; and here the proposed rate is 11 per cent, and this schedule ought to be absolutely free in order to protect our forest and conserve our natural resources otherwise, as well as supply our people with cheap building material and our publishers with cheap paper.

SCHEDULE E—SUGAR, ETC.

In Schedule E, sugar, and so forth, the labor cost is 5.6 per cent; the difference in labor cost would be less than 3 per cent, which would be more than offset by freight, and here the proposed duty is 65 per cent, giving a complete monopoly to the sugar trust, which takes nearly all the profit, leaving a small fraction of the profit to the sugar planter.

SCHEDULE F—TOBACCO, ETC.

The total percentage of labor cost in tobacco manufactures is 18.9 per cent. The difference in this country and abroad, taking the word of the chairman of the Committee on Finance,

would be approximately 9½ per cent; the ad valorem rate of the Senate bill is 87 per cent.

SCHEDULE G—AGRICULTURAL, ETC.

Here the labor cost is 4.5 per cent; the difference in labor cost could not possibly equal the freight, and these products might as well be free, with some very minor exceptions, even from a standpoint of absolute protection.

But instead of corresponding with the rate required to protect, the rate is put at 32 per cent, which is perfectly silly, and should not deceive the most stupid man that ever plowed a furrow. For example, the tariff on corn is 15 cents a bushel (par. 227), and the total amount imported in 1907 was 9,000 bushels, and the amount raised was 2,595,320,000 bushels.

And the farmers of the country are flattered with 15 cents a bushel tax to keep the pauper labor of Europe from running them out of their cornfields. The American farmer who does not see the hypocrisy of this schedule and the profound contempt which it exhibits for his intelligence is assuredly incapable of reason.

SCHEDULE I—COTTON MANUFACTURES.

The labor cost in cotton manufactures, according to the figures of the chairman of the Committee on Finance, is 21.4 per cent. The difference in the labor cost in the United States and abroad would be between 10 and 11 per cent. The schedule is put at 47 per cent.

SCHEDULE J—FLAX, ETC.

In like manner the difference in the cost of labor in the production of flax, hemp, and jute goods is 7 per cent. The schedule is 44 per cent.

SCHEDULE K—WOOL, ETC.

The difference in the cost of production measured by labor in this country and abroad is about 8 per cent. The tariff is 58 per cent.

SCHEDULE L—SILK, ETC.

Silk and silk goods: The difference in labor cost of production is 10 per cent, but the proposed tariff is 60 per cent, so as to insure a monopoly.

SCHEDULE M—PAPER, ETC.

Pulp, paper, and books: In this schedule the difference in the labor cost of production at home and abroad is between 11 and 12 per cent. The tariff schedule is 21 per cent.

SCHEDULE N—SUNDRIES.

And, finally, in sundries the difference of labor cost in this country and abroad is 9 per cent, while the Committee on Finance imposed an equivalent ad valorem of 23 per cent.

I challenge the chairman of the Committee on Finance to answer this exhibit, and invite him to use all of his experts, and to put on the pages of the CONGRESSIONAL RECORD his answer, where it may be critically examined by the scholars of the country.

I charge him before the country and before the eyes of civilized mankind with writing these schedules, under the pretense of protecting the American workingman, far above the total cost of the labor in the gross product, which would not be justified even if the percentage of labor cost in similar articles abroad was absolutely nothing. But granted that the labor cost abroad is one-half what it is in the United States, I put in this table the maximum average rate, thus measuring the difference in the cost of production at home and abroad, and call the attention of the country to it.

The defense of these monopoly protecting schedules has been as remarkable as the schedules themselves. To my inquiry as to why the rates were not adjusted to the difference in the cost of production at home and abroad, the first defense was that of the Senator from New Hampshire, that the inquiry as to what was the difference in the cost of production at home and abroad was absurd.

Mr. President, I have demonstrated that the answer of the Senator from New Hampshire is itself absurd, if it were offered in perfect good faith, as I am sure it was.

The next answer would appear to come from the Senator from Massachusetts, who, having explained a question I did not ask, saw fit to suggest he could not give the Senator from Oklahoma the understanding with which to comprehend, and when I succeeded in enabling him to understand my question he confessed that he was not prepared to answer it.

The Senator from Rhode Island, the chairman of the Committee on Finance, whose genuine good temper at least I always admire, suggested as a proper answer to my inquiry that I was "new to the Senate," a polite way of suggesting a lack of learning and understanding which is commonly practiced by the managers of the committee on committees when they can not answer intelligently an embarrassing question.

The Senator from Montana, another one of the able defendants of this totally indefensible bill, with its monopoly-protecting schedules, thought it a sufficient answer to suggest that the Senator from Oklahoma could not expect to be furnished with intelligence.

Mr. President, I invite the defenders of this bill to put upon the face of the CONGRESSIONAL RECORD an answer to these tables which I have submitted, showing the relative labor cost of our manufactures and the gross disparity of the schedules they submit in comparison with the lower rates which would properly measure the difference in the cost of production at home and abroad.

The proponents of these schedules, in my opinion, can not answer my objections without putting themselves to utter confusion, if they answer in a spirit of perfect moral and intellectual integrity and frankness, because it contains a multitude of items which are practically prohibitive, which produce no revenue worth mentioning, and has resulted necessarily in the exclusion of foreign competition, followed by combinations in restraint of trade and the establishment of monopoly prices—charging the people too much for what they buy from monopoly and paying them too little for what they sell to monopoly. This is why the Republican organization pledged itself to revise the tariff and made the people believe it would be a downward revision.

I give a table of examples of these prohibitive duties, together with the paragraph of the bill, duty, the revenue, and the table from which the information is drawn.

These are but a few of the items which might be multiplied indefinitely.

EXHIBIT 14.

It should be remembered that in products of wholesale international use our imports may be prevented by a small tax where it makes the imports unprofitable, so that the prohibitive rates which average just high enough to prevent competition, as shown by the table below, serve as a great check to international commerce and lower the amount of revenue which we ought to receive under a system of liberal imports and exports.

The trivial reductions claimed to have been made by the Senate bill as amended are of no consequence, because the rates lowered were so far above the prohibitive point that lowering the rates leaves them still prohibitive and reminds me of the quotation of my colleague from Macbeth:

> Then be these juggling fiends no more believed,
> Who palter with us in a double sense,
> Who keep the word of promise to our ear,
> And break it to our hope.

TAXING RAW MATERIALS INJURIOUS TO AMERICAN MANUFACTURERS AND NATIONAL COMMERCE.

Mr. President, when we tax by the tariff the materials needed by our manufacturers, whether such materials are raw materials or partly in the process of manufacture, we put our American manufacturers at a serious disadvantage in competing with foreign manufacturers in the markets of the United States and obstruct our own commercial expansion.

Foreign countries provide their manufacturers in large degree with free raw material, and therefore with cheaper materials needed for manufacture. Foreign manufacturers have, therefore, this advantage over our manufacturers in competing for the markets. Taxing raw materials used by our manufacturers will, for this reason, limit our foreign exports of manufactured goods. This means limiting the production of American factories. This means restricting the number of our workmen, lessening the demand for their labor, lowering their wages; and, what is more, means also a smaller output and a consequent greater cost to the consumer (over and above the increased cost imposed by higher raw materials), for the reason that the greater the output the more economic the production.

Cheaper material means a greater foreign market for American productions; it means increased demand for American labor; it means higher wages for American labor; and it means cheaper prices for American consumers, always believing, as I believe, that the artificial prices now fixed by monopoly will be in due season abated.

American manufacturers are at a further disadvantage because *they sell to foreigners* the goods needed in more advanced manufactures *cheaper than they do to each other within our own borders.* Because of this, millions of capital created by American labor is going abroad to get the advantage of these cheaper prices and to employ, not American workmen, but foreign workmen. (See North's report.)

ANY OBSTRUCTION TO COMMERCE LIMITS THE OPPORTUNITIES FOR THE LEGITIMATE EMPLOYMENT OF BOTH CAPITAL AND LABOR.

Mr. President, it is perfectly obvious, that having provided a tariff high enough to equal "the difference in the cost of production at home and abroad," so as to put our manufacturers

on a perfect level with the manufacturers of foreign lands in the cost of production, that any further tax upon our imports or our exports, or upon their imports or exports, is merely a barrier to a free interchange of commerce, limiting both our commerce and their commerce.

There is a very important factor in commerce separate and apart from the question of equality of cost. We import woolen goods, cotton goods, silk goods, and we export goods of the same material to the very countries from which we import such goods. The factor entering into this proposition is not one of cold economy alone, for it obviously would be more economical to buy our woolen goods in our own country and save the difference of freight and the same thing would be true for the Europeans—that it would be better for them to keep their goods at home from a standpoint purely of economy.

But the question of economy is not the only factor controlling or guiding exports and imports. It is a question of taste and of personal fancy that causes Americans to buy French, Scotch, or English goods, and which causes the Scotch, English, and French to buy American goods. We enlarge their markets by buying their stuff. They enlarge our markets by buying our stuff. We increase the demand for their labor; they increase the demand for our labor; and we export no more than we import, for the volume of our exports is determined by the volume of our imports (using these terms to cover credits and expenditures).

VOLUME OF EXPORTS CONTROLLED BY VOLUME OF IMPORTS.

This question can be reduced to a mathematical demonstration, properly interpreted. It is only necessary to take the unit of the export or of the import to determine this question. When the American exports $100,000 worth of goods in any form, whether in cotton bales or in cotton cloth, he receives from his foreign customer a hundred thousand dollars in money, or credit, which he may convert at his will into cash or into goods, and his export will be balanced with an import or its mercantile equivalent in cash, in credit, or expenditure abroad, or with work performed, as in carrying freights, and so forth.

A vast multitude of such transactions do not alter this substantial truth. It merely enlarges and emphasizes it, and it may be taken as a sound commercial maxim that our exports are balanced by our imports and our imports are balanced by our exports, and when we obstruct our imports we obstruct our exports, and thereby diminish the world's demand for the goods of our manufacturers; we thereby diminish the world's demand for the products of American labor; we thereby diminish the demand for American labor; we thereby diminish the employment of American labor and lower the wages of American labor.

BALANCE OF TRADE.

[Giffen Essays in Finance, 161.]

Tables showing the balance of trade are apt to mislead men. For example, our statistics will exhibit in one column our imports, in another column our exports, and the balance is called the "balance of trade." If we have exports more than we have imports in these tables the balance of trade is said to be in our favor.

This conclusion of the balance being in our favor is unmitigated nonsense. Whenever we ship goods from the United States we get what our citizens regard as the equivalent, in cash, credits, or other property.

He who attempts to draw any conclusion whatever as to a nation's wealth or poverty from the mere fact of a favorable or unfavorable balance of trade has not grasped the first fundamental principle of political economy. (R. T. Ely, Problems of To-day, p. 28.)

The plain truth is our statistics, showing merely "exports" and "imports," do not and can not take into account our credits abroad or the credits of foreigners in the United States.

They do not and they can not take into account the payment by the United States of exceeding $100,000,000 annually for ocean-going freight and passengers carried exclusively in foreign bottoms. These tables can not take into account expenditures of citizens of the United States abroad, which probably exceed $100,000,000 per annum.

These tables do not take into account millions of dollars shipped abroad by foreigners working in the United States.

These tables do not take into account numerous foreign investments made by citizens of the United States in foreign lands and by foreigners in our land.

These tables do not take into account even the transfer of great estates from the United States abroad by international marriages.

The plain truth, which can not be disputed without stultification, is this, that for every export we receive its equivalent in cash or credit, and for every import we pay in cash or credit.

The available gold in the world, which is the basis of what we call "cash," is a comparatively small amount. The total gold in the United States amounted to one thousand five hundred and ninety-three millions December 31, 1906. (Statistical Abstract of the United States, 1907, pp. 742.)

The annual production of gold in the world amounted to four hundred millions in 1906. Germany had over a thousand millions in gold, and France about a thousand millions in gold, and the British Empire about a thousand millions in gold in 1906, and all of the gold money on earth combined did not exceed seven billions.

No thoughtful man will pretend that we can pursue a policy by which our exports would be paid in gold and not paid in the goods and credits and properties of foreign countries. It can therefore be taken as true *that our exports are paid for by imports*, and that *when we limit our imports we limit our exports* and our national commerce under *a law as fixed as the law of gravitation.*

Mr. President, the Senator from New Hampshire made a single defense with regard to these schedules which I desire to answer, and it is the only defense, outside of that of the chairman, so far as I have observed in the RECORD, that I regard as meeting the matter in any degree, and that is the statement, in effect, that by lowering these schedules we would invite into this country the imports of other countries, which would throw out of employment our own laborers.

This theory, Mr. President, is not sustained by the theory of economic teaching which shows that inevitably exports are always paid for by imports and imports are paid for by exports. If we examine into the individual transactions of which the aggregate is composed, we will observe that when any American ships abroad any export, whether it be cotton or cotton goods of any kind, he is immediately paid in cash or cash credits or its equivalent, and therefore there comes back to the United States the immediate equivalent of that which the American exports. That individual export is instantly balanced. Since the whole must be composed of its several parts, it follows that exports are paid for by imports and imports are paid for by exports, and when we reduce the tariff and invite into our country foreign exports in effect we stimulate American industries; we enlarge the productive power of the American factory; we increase the demand for labor and the employment of capital; and we put ourselves in the attitude of shipping abroad more things than we now ship and enlarging both our exports and imports in like volume. I think the reason why our imports and our exports compare so unfavorably with the other nations of the earth is largely because we have followed the Chinese method of excluding, in large measure, the products of other lands.

I wish to call attention to our status as to imports and exports per capita.

COMPARISON OF THE COMMERCE OF THE UNITED STATES AND OTHER COUNTRIES.

We plume ourselves on our tremendous commerce in exports and imports when, in point of fact, our rank among other nations of the world in the quantity of our foreign commerce per capita is entirely discreditable to us. In the quantity of our exports and imports we rank far inferior to every highly civilized country in Europe, as the following table will exhibit, taken from the Statistical Abstract of the United States for 1907, page 738:

Imports and exports per capita of countries, 1906.

Country.	Imports.	Exports.
United States	17.30	22.10
Argentina	34.87	54.87
New Zealand	70.23	83.70
Australia	53.77	79.70
Belgium	93.90	75.30
Canada	45.08	39.84
Costa Rica	22.53	29.25
Chile	31.25	29.80
Cuba	62.31	66.06
Denmark	64.82	55.55
France	25.86	24.77
German Empire	28.05	22.56
Netherlands	184.30	143.01
Norway	36.22	21.91
Sweden	29.23	22.93
Switzerland	81.97	59.97
United Kingdom	68.45	42.49
Uruguay	21.13	38.34

The imports of the German Empire, of France, United Kingdom, of the Netherlands, of Norway and Sweden, of Switzerland, exceed their exports by hundreds of millions, but the exports of Siam, Egypt, Peru, British Indies, Haiti, Cuba, Mexico, Russia, Santo Domingo, and the Kongo have their exports exceeding their imports, and we are not in a good class if civilization and intelligence are considered.

We are in the activity of our foreign commerce, however, decidedly ahead of the Kongo Free State, Persia, Peru, Paraguay, India, Siam, and Turkey. Our country can feel but little pride in the school of political economy, if organized blind greed can be called a school of political economy, controlling the United States and its pitiful comparison with the foreign output of the other intelligent nations of the world. Let us at least equal Great Britain, which has learned the economic truth that prohibitive tariffs obstruct and do not promote commerce, and let us act upon that policy, retaining our tariff for revenue, high enough for honest incidental protection and no higher.

Our patriotic citizenship has been grossly misled by the leaders of the party in power as to our comparative commercial activities.

The growth of our exports and imports show a small relative increase:

Our total imports:	
1881	650,000,000
1890	773,000,000
1900	830,000,000
1907	1,415,000,000
Our total exports:	
1881	883,000,000
1890	845,000,000
1900	1,370,000,000
1907	1,853,000,000
Population in—	
1881	58,000,000
1890	62,000,000
1900	75,000,000
1907 (estimated)	88,000,000

It will be seen from these tables that notwithstanding the tremendous improvement in modern machinery and the increased output from that source, and the wonderful growth of seagoing vessels and their freight-carrying capacity, our exports and imports have about doubled in twenty-six years and have not increased much faster than our population. This is a discreditable showing to the intelligence of the American people.

It will thus be seen, Mr. President, that our exports and imports are small compared to the exports and imports of nations whom we have been taught to believe inferior to us; but in the building of a nation we are ourselves vast consumers of our own products, and this must stand to our credit.

It will also be seen that our exports and imports have not grown in the last quarter of a century much more rapidly than our population, which shows in fact that we have not kept pace in foreign exports with the enormous productive capacity of modern machinery and invention.

These are facts worthy of consideration, which tend to show the natural consequences of obstructing our imports by prohibitive taxes, by vexatious and difficult regulations; and the present bill is peculiarly unwise because instead of providing a substantial reduction on the prohibitive tariff rates and removing the obstructions to our commerce it has utterly failed to do so. On the contrary, it has increased many items and the average of all items, and the crowning absurdity is offered in proposing to penalize foreign countries, who are already largely excluded from our markets, by threatening them with a 25 per cent advance on rates now largely prohibitive unless they promptly remove within the year the tariff obstructions which are obnoxious to us, and thus we invite the retaliation of the nations of all the world. Nations are composed of individuals, and the law of human nature which governs the individual will govern nations to a substantial degree.

OUR NATIONAL PROSPERITY IS NOT DUE TO A PROHIBITIVE TARIFF, BUT IN SPITE OF IT.

Mr. President, it has been a common practice for the advocates of the high tariff to claim that the prosperity of the people of the United States and the employment of its people is due to the so-called "protective tariff;" nothing could be more utterly fallacious.

Modern prosperity is due to the dissemination of human knowledge through the printing press, inventions of labor-saving machinery, hundreds of thousands of inventions under the reward of personal patents granted by the United States, granted by Great Britain, by Germany, by France, by Norway and Sweden, by Italy, by Japan, by every civilized country in the world.

The United States has granted over 900,000 different patents covering art in manufacture, but the art to which we are chiefly indebted for our modern prosperity is the development of paper making and the printing presses, by which the learning and the knowledge of all men is made the common property of every man and enriched him beyond all computation.

Out of these inventions have sprung the incredibly cheap manufacture of cloth and fabrics of every description; of metals in a multitude of forms, from Bessemer steel to the Waterbury watch, made by machinery and distributed to man at an incredibly cheap price. The telegraph, the telephone, the modern railway, the mail service, and every agency of civilization have been brought into service by the wonderful increase of the intelligence of man. China has just completed its first railway built by Chinese engineers and workmen, and soon will be the joint heir of the wonderful increase in human knowledge.

All of the nations of the world prosper in this magnificent development of the human race, due to the increased intelligence of man, due to modern processes, springing chiefly, and above all, from the great invention of Gutenberg.

Mr. President, not long since I stood upon the banks of the Niagara River. Down the canal below the great falls I saw a great wood yard, and saw two men passing pieces of wood to an endless belt. I followed it down the bluff nearly 200 feet; below a giant penstock of 7 feet in diameter delivered a column of water upon a turbine wheel developing over 1,000 horsepower, which caused to spin with lightning speed French burr wheels, against which these pieces of wood were placed and pressed by hydraulic pressure.

They melted almost instantly, and the macerated fiber by an endless belt, passing immediately to the paper factory on top of the bluff, was automatically delivered into a circular vat with moving arms; adjacent was a man engaged in putting into this vat sizing; the prepared mixture was fed upon an endless belt, porous—the water dripped through, the sheet of wet paper emerged, passing through a series of rolls, the last ones heated by steam, and at the end of the comparatively small room the material which a few minutes before had been logs of wood appeared as rolls of news paper ready for the Hoe press.

At Herald square, New York, I saw these same rolls being fed like lightning into giant printing presses and emerging a modern newspaper, a miracle of design; hundreds of thousands of copies turned out in a few short hours, full of learning, literature, art, full of business, full of wit and humor, full of the news of the whole world gathered together by the ablest men with the aid of the telephone and telegraph; filled with beautiful illustrations and photographs of everything conceivable.

Mr. President, where is the advocate of the prohibitive tariff so lacking in common sense or intellectual integrity that he will assert that these great advances of the human race, which are common to all the civilized nations, whether they have or whether they have not a protective tariff, nevertheless enjoy all of these things. Let those who believe that these things are due to the protective tariff support this bill and applaud it. But those that see that these things are due to the development of the human race and to the providence of God can be misled by no such shallow sophistry.

Mr. President, England has been very prosperous; she is the mistress of the seas; the sun never sets upon her dominions; her wealth is enormous. The prosperity of England is not due to the protective tariff, but to the policy of the greatest freedom of international commerce.

France and Germany have the protective tariff and are likewise prosperous, but they are prosperous in spite of the protective tariff and not because of it. The prosperity of the whole world is due to the increasing intelligence of the human race, its mastery over the forces of nature, its substitution of machinery for the labor of man.

"Protectionists justly contend that the high tariff of 1897 has not ruined the foreign trade of the United States, which on both its import and export sides has exhibited a great advance." Undoubtedly this contention is true, but the obstructions interposed in commerce has not served to make the imports and exports of the United States contrast favorably with the exports and imports of other nations. The imports and exports of the United States do not compare favorably with those of the civilized nations of the world, as I have already shown.

One thing should be settled for all time, and that is such prosperity as we have can not be due to the artificial obstruction of our international commerce.

HOW THE PRESENT SYSTEM WAS ESTABLISHED.

It would seem incredible that the monopoly engendering policy could be established and persisted in against the will of the people, and I shall endeavor to show how this has occurred and its proper remedy.

In 1856 both parties were agreed on a low revenue-producing tariff. For fifteen year everybody had been content with the low Walker tariff of 1846. The exigency of the civil war required a high tariff for the extra revenues demanded at that time.

Like all tariffs this Morrill tariff of 1861 raised the prices on the consumer and gave the American manufacturer a special opportunity to make money at the expense of the consumer.

When the war was over the question of lowering the tariff began to be considered.

The Protective Tariff League was thereupon organized, with far-reaching affiliations, powerful press agencies, with an educational bureau which instructed every boy who approached the voting age throughout the United States in the sophistry of a high tariff, appealing to his patriotism to stand by American labor. This policy has had abundant success, but it could not have succeeded except for the political changes in party administration which had taken place prior to the war.

This change to which I refer was the transfer of the power directly from the people through the agencies of precinct conventions, nominating delegates to county conventions, county conventions composed of delegated delegates to select delegates for the state convention, state conventions composed of delegates delegated by delegated delegates.

These political functionaries were thrice removed from the people, the state delegates being delegated by county delegates, the county delegates being delegated by precinct delegates, and the precinct delegates probably delegated by the local representatives of what is known as the "machine politician" and his petty circle.

In machine politics the precinct manager will call a primary at some place convenient for his control and probably inconvenient for the attendance of the people. He will notify his strikers in advance and be sure of a sufficient number to put through a slate and plan agreed upon. In this manner the machine can evade a wholesome public opinion and manipulate the delegates to the county convention, and with this machine county convention a machine state convention is assured.

In this manner any person having an important material interest to serve, such as establishing or maintaining a policy of government, permitting some people to tax other people for their benefit, have a political opportunity.

All that the Protective Tariff League and its commercial and political allies had to do under this system of government was to have a proper bureau established, see to it that representatives of the system were in place to manage the machine politics; and in this way they have been able to control nominating conventions—county, State, and national—and the will of the great body of the people could not make itself freely felt, being unorganized and not clearly realizing the manner in which the monopoly-producing system was taxing them.

The Protective Tariff League and the representatives of selfish commercial interests, the beneficiaries of the manipulations of our statutes, have intertwined and interwoven themselves with the organization of the Republican party in such a manner as to be inextricable. They have successfully appealed to the well-known patriotism of the great body of Republican citizens and skillfully trained them to believe as true, things which were not true in fact, and were sophistical in reason and unsound in conclusion. This process has gone on until it has become impossible to separate the political and patriotic impulse from the commercial, so that men of high character and upright purposes find themselves used against their will and are more often used in total unconsciousness of the fact that they are being used by commercial interests under the color of patriotism and party pride. The machine method of politics is a bad method and ought to be abated.

BOTH PARTIES HAVE BEEN AFFECTED BY THIS EVIL.

It is this method which sometimes sends to the Senate of the United States representatives who would not be the choice of the people at a popular election.

It is natural therefore that the election of Senators by direct vote, or the nomination of Senators by direct vote, should not be approved by those who have been or might expect to be indebted to machine politics hereafter for their own preferment.

It was a recognition of this abuse, which has grown up in our country, that led the Democratic party at Denver, which, I freely confess, is not entirely purged of this evil of machine politics, to put the query to the people of the United States, Shall the people rule?

The true remedy for this condition is not by an inconsequential debate with the chairman of the Committee on Finance, who has spent months and years over these schedules without ever touching the only question of importance, to wit, the difference in the cost of the production at home and abroad, but it is to be found by reducing the political machine to innocuous desuetude and the restoration of the people's rule by the direct primary, allowing each citizen, regardless of party, to nominate and elect his representative in county, State, and Nation, and to establish an "initiative and referendum," with its salutary check on the representatives of the people.

Machine politics glorifies organization and forgets that the best safeguard of society is to allow the actual sentiment of the majority of the people having appreciable education to rule and not take that power out of their hands by clever machine manipulation.

When we follow delegation of power from the citizen to the primary delegate, from the primary delegate to the county delegate, from the county delegate to the nominee for the legislature, from the member of the legislature to the United States Senate, a Senator chosen in this manner is four degrees removed from the people.

Through machine politics selfish interests can exercise an undue influence in our parties and in our administration of government. I can not but feel that the influences of monopoly in this country are in present control; that this bill is written to serve their purposes; to make the rich richer and the poor poorer; to benefit the few at the expense of the many.

In making this comment I do so with the profound conviction that this condition can not be greatly prolonged, but that the American people will in a short time cause the laws to be so amended as to promote the greatest of all modern needs—*the more equitable distribution of the proceeds of human labor.*

> Ill fares the land to hastening ills a prey,
> Where wealth accumulates and men decay.

Mr. President, I do not desire to detain the Senate longer. I have taken some pains to show that in the protected industries the labor of the country is not paid as well as in the unprotected industries; that labor has continued to receive a diminishing part of the proceeds of labor; that labor has not received a fair share of its own product. I have undertaken to show how labor was naturally oppressed by the upbuilding of gigantic monopolies in this country, whose policy was to close up factories, to pay labor as small a wage as possible, to raise prices, and to limit the output; to tax the people as high as they thought the "traffic would bear," and to control their wage-earners, both commercially and politically. That is a very natural thing for them to do. They are not greatly to blame if the law permit. The lawmaker is greatly to blame if the law continues to permit.

But I have also demonstrated that our census shows, in the most overwhelming and convincing manner, that this bill has paid no attention whatever to "the difference in cost of production at home and abroad;" that that difference, even if the foreign manufacturer paid nothing whatever for his labor, could not exceed nineteen and a fraction per cent for pure protective purposes, while many of the rates in this bill exceed 100 per cent. Having shown this, having pointed out what the effect has been upon the wages and general conditions of labor and upon the mortality of human life under this system of government which we have been following; having submitted the suggestions for the amendment of these conditions, in the hope that perhaps in the future they may be of some use to future students of these questions, I am done.

I have called attention to the policy of New Zealand, which protects human life first, which has controlled monopoly, in order that the poorer and the weaker elements of society may have a better opportunity to live. I have called attention to what the necessary result is of gigantic fortunes piling up until the fortune of a single individual will reach nearly a thousand millions; that its only effect upon this country must be to absorb all of the transportation and transmission companies, all the coal mines, all of the purchasable lumber and ores, all of the purchasable real estate, all of the things visible and invisible desired by men and generally grouped together and called the "opportunities of life."

There can be but one result, and the Senate is in honor bound to consider this and to find a way to control it and correct it, in order to protect the children and the women, as well as the men of this country.

I can do nothing more than appeal to the Senate and to call their attention to their responsibility in this matter. Having done so, I have discharged the only duty which it is possible for me to discharge. I have given many days of hard labor to this question, and of unremitting industry, in a desire to place upon this record the truth, and nothing but the truth, in the hope that it might appeal to the leaders of the Senate, and, if it did not, that it might appeal to the people of the United States.

APPENDIX.

EXHIBIT 2.

Tables prepared by Edward Atkinson, of Boston, showing the relative number of employees in the so-called "protected or partially protected industries." (S. Doc. 46, 61st Cong., 1st sess.)

CLASS I.

Persons occupied for gain who are free from the competition of an import from a foreign country:

(We sell to Canada twice the quantity of the products of agriculture and of manufactures that we import. In ratio to numbers the Canadians are now our best foreign customers, and there is little opposition to the treaty of reciprocity.)

Free of foreign competition in agriculture or listed under that title.

Farmers, planters, and overseers	5,674,875	
Agricultural laborers	4,410,877	
Gardeners, florists, and nurserymen	61,788	
Dairy men and women	10,875	
Other agricultural pursuits	5,530	
		10,163,945
Lumbermen and raftsmen		72,020
Stock raisers, herders, and drovers		84,988
Turpentine farmers and laborers		24,737
Wood choppers		36,075
		10,381,765
Less the number subject to competition removed to Class III		200,000
		10,181,765

Also free of foreign competition.

All persons in professional service	1,258,739
All persons in domestic and personal service	5,580,657
All persons in trade and transportation	4,766,964
	21,788,125

Free from foreign competition in manufactures and the mechanic arts.

Persons occupied in building trades		1,212,526
Oil wells and employees		24,626
Brick and tile makers (with a few exceptions)		49,933
Miners and quarrymen (with a few exceptions)		563,866
Bakers		79,188
Butchers		113,956
Confectioners (with a few exceptions)		31,194
Millers		40,548
Blacksmiths		226,477
Iron and steel workers (with a few exceptions)		290,611
Steam boiler makers		33,046
Stove, furnace, and grate manufacturers		12,473
Wheelwrights		13,505
Boot and shoe makers (with a few exceptions)		208,912
Leather curriers and tanners (with a few exceptions)		42,671
Bottlers and soda-water manufacturers		10,519
Cabinetmakers (with a few exceptions)		35,610
Coopers		37,200
Saw and planing mill operatives		161,624
Other woodworkers		111,273
Paper-box makers		21,098
Charcoal, coke, and lime burners		14,448
Model and pattern makers		15,673
Rubber factory operatives (with a few exceptions)		21,866
Upholsterers		30,821
Small miscellaneous industries (with a few exceptions)		471,300
Printers, lithographers, and pressmen (with a few exceptions)	68,177	155,147
Fishermen and oystermen		
Less the small number in deep-sea fisheries transfered to Class III numbering not over	8,000	60,177
Engineers and firemen	223,495	
Less the proportion probably occupied in arts in Classes II and III in part or fully subject to foreign competition	23,495	200,000
		4,289,697

CLASS II.

Persons occupied for gain who would be practically free from foreign competition if materials of foreign origin used in their processes were free of duty:

Chemicals (other than oil wells and oils)		14,814
Glass workers (subject to a few exceptions)		49,998
Marble and stone cutters (subject to a few exceptions)		54,460
Potters (mostly making tiles, drainpipes, etc.) (subject to a few exceptions)		16,140
Butter and cheese (subject to a few exceptions)		19,241
Food preparations (subject to a few exceptions)		28,782
Machinists (subject to a few exceptions)		283,145
Tool and cutlery makers (subject to a few exceptions)		28,122
Wire-workers (subject to a few exceptions)		18,487
Harness and saddle (subject to a few exceptions)		40,101
Trunk and leather case (subject to a few exceptions)		7,051
Brewers and maltsters (subject to a few exceptions)		20,962
Distillers and rectifiers (subject to a few exceptions)		3,144
Brass workers (subject to a few exceptions)		26,760
Clock and watch makers (subject to a few exceptions)		24,120
Gold and silver workers (subject to a few exceptions)		26,112
Tin plate and tinware (subject to a few exceptions)		70,505
Other metal workers (subject to a few exceptions)		56,602
Bookbinders (subject to a few exceptions)		30,278
Engravers (subject to a few exceptions)		11,151
Paper and pulp mills (subject to a few exceptions)		36,328
Textile industries	567,065	
Less those occupied in the finer and fancy fabrics, say, removed to Class III	67,065	500,000
Tailors, seamstresses, milliners, shirt makers, and makers of other clothing	907,466	
Less those who are on the finest articles of fancy and fashion	7,466	900,000
Engineers and firemen		23,495
Glove makers	12,271	
Less removed to Class III	2,271	10,000
Broom and brush makers		10,220
Photographers (with a few exceptions)		26,941
Tobacco and cigars (with a few exceptions)		131,452
Manufacturers and officials	243,082	
Less transferred to Class III	3,082	240,000
		2,708,411

Deducting for the few exceptions in fine and fancy cut and plate glass; Italian marble; fine and hand-decorated china; Stilton, Roquefort, and other fancy cheeses; Scotch marmalade and the like; worsted combers and other machinery in which there is much hand work; fancy cutlery; English saddles and harnesses of high cost; handmade trunks, boots, and shoes; foreign beer and ale of special brands; fine wines and liquors; hand work in brass, copper, gold, and silver; a few watches; finely bound and printed books, engravings, and photographs; fancy paper; handmade brushes; and a few other articles not specifically transferred to Class III, estimated in number at 312,116

There remains in Class II free of competition 2,396,295

CLASS III.

Subject to foreign competition—

In agriculture	200,000
In deep-sea fisheries	8,000
Textile operatives	67,065
Clothing	7,466
Glove makers	2,271
Manufacturers and officials	3,082
	287,884
Add from tabulation of Classes I and II as per previous list of exportations	312,116
Probable number subject to foreign competition	600,000

That number comprises all who, in the judgment of the compiler, could be subject to foreign competition of an adverse or urgent kind if no duty, even for revenue, were maintained. A moderate duty for revenue purposes would incidentally protect them.

RECAPITULATION.

Class I.—Persons who can not be subjected to foreign competition, but who pay their proportion of duties on imports and of the enhancement of prices brought into effect by protection	26,077,822
Class II.—Persons not subject to foreign competition, whose industry in many branches would be promoted by the abatement of duties on materials of foreign origin used by them	2,396,295
Class III.—Persons occupied in arts which would require a readjustment if all duties were suddenly removed, which no one proposes	600,000
Total	29,074,117

In dealing with Classes I and II, I have used my own experience and judgment in putting into Class III such proportion of persons occupied (especially in the textile arts) as may make the finer and fancy or handmade fabrics which depend mainly on fashion and fancy for their sale.

I have also assumed the abatement of duties on wool, hides, drugs, dyestuffs, and chemicals, from which about $15,000,000 of revenue are now derived. So long as these taxes exist the manufactures of textile fabrics, boots, shoes, and leather goods, paper, and many other articles are restricted and their exports are much lessened.

Under Class II, subject only in small part to foreign competition, are also listed glass, pottery, chemicals, tools, brewers, clocks, watches, gold and silver ware, tailors, milliners, photographers, and machinery. I have made allowance by exceptions in these arts to the best of my judgment.

In all these arts there is, and probably always will be, an import of the fine and fancy fabrics or of articles chosen for style or fashion, all of which are suitable subjects for revenue duties. These imports rather set a standard for domestic manufacturers to emulate than subject them to competition in the great bulk of their products, which are for the use of the millions rather than the millionaires. Tobacco will always be subject to revenue duties. Under existing conditions there is no justification for duties on machinery, pig iron, copper, coal, ores, or other metals, which are the materials and tools of our domestic industry. We are exporting the highest types of metallurgy and machinery, while the tax on special machinery of other kinds which we import, and upon coal, ores, hay, potatoes, fish, beeres, and other necessities are burdens upon industry of the most obnoxious kind.

If anyone takes exception to this division, and now justifies the continuance of a tariff for "protection with incidental revenue," let him carry over as many as he honestly can from Classes I and II into Class III, giving reasons for such changes. I think it will prove impossible for any sincere student of the subject to designate 1,000,000 persons out of the 29,000,000 now occupied for gain whose industry would be seriously or adversely affected, even if all duties on foreign products of like kind were at once removed—an act which no one proposes. If all duties on materials were removed, the number would be lessened far below a million.

On the other hand, there are proportionately in agriculture from 1,500,000 to 2,000,000 out of 10,000,000 who rest upon exports for the disposal of their surplus products. There are about as many persons occupied even in manufacturing and in the mechanic arts only, whose products are exported, as there are in all the same arts which are now or can be protected by duties on imports. Out of 29,000,000 persons occupied for gain, not over 2,000,000 to 4,000,000 are or can be directly affected by tariff legislation, either by the obstruction of exports or imports in consequence of duties on imports. Twenty-five million are engaged in arts necessary to the existence of society and which can neither be promoted nor retarded by duties on imports, except so far as the cost of their living is increased by an ill-adjusted or injudicious system of taxation.

EXHIBIT 3.

Distribution of employees for the year ending June 30, 1907, by groups.

[Statistics of railways in United States, 1907, Interstate Commerce Commission.]

Territory covered.	General administration.		Maintenance of way and structures.		Maintenance of equipment.		Conducting transportation.		Unclassified.	
	Number.	Per 100 miles of line.	Number.	Per 100 miles of line.	Number.	Per 100 miles of line.	Number.	Per 100 miles of line.	Number.	Per 100 miles of line.
Group I	2,728	33	22,517	276	13,282	163	47,069	577	73	1
Group II	12,905	54	101,183	424	89,965	377	197,476	827	196	(a)
Group III	7,458	29	73,098	283	56,484	217	106,302	409	57	(a)
Group IV	4,238	32	25,011	192	17,848	137	34,083	262	603	5
Group V	6,396	24	45,714	176	35,441	136	62,415	240	764	3
Group VI	12,606	25	99,734	195	57,470	112	124,588	244	270	1
Group VII	2,043	17	22,654	190	10,838	91	19,386	162	.....	.....
Group VIII	7,331	23	66,563	210	30,491	96	59,998	190	102	(a)
Group IX	3,587	22	29,800	181	16,293	99	25,574	156	697	4
Group X	5,516	29	51,129	267	24,069	126	36,514	191	855	4
United States, 1907	64,808	28	538,003	236	352,181	155	713,465	314	3,617	2
United States, 1906	57,054	26	495,879	223	315,952	142	649,820	292	2,650	1
United States, 1905	54,141	25	448,370	207	281,000	130	595,456	274	3,220	1
United States, 1904	48,746	23	415,721	196	261,819	123	566,798	267	3,037	2
United States, 1903	45,222	22	433,648	211	253,889	124	576,881	281	2,897	1
United States, 1902	41,071	20	399,592	200	228,280	114	518,390	259	1,982	1
United States, 1901	38,816	20	343,717	176	206,418	105	479,111	245	3,107	2
United States, 1900	36,451	19	324,946	169	197,799	103	450,063	234	8,394	4
United States, 1899	34,170	18	287,163	153	180,749	96	417,508	223	9,334	5
United States, 1898	32,431	18	261,866	142	171,600	93	398,907	216	9,754	5
United States, 1897	31,871	17	244,873	134	160,667	88	378,361	206	7,704	4

* Less than 1.

Comparative summary of average daily compensation of railway employees for the years ending June 30, 1907 to 1897.

[Average daily compensation in dollars.]

Class.	United States.										
	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	11.93	11.81	11.74	11.61	11.27	11.17	10.97	10.45	10.03	9.73	9.54
Other officers	5.99	5.82	6.02	6.07	5.76	5.60	5.56	5.22	5.18	5.21	5.12
General office clerks	2.30	2.24	2.24	2.22	2.21	2.18	2.19	2.19	2.20	2.25	2.18
Station agents	2.05	1.94	1.93	1.93	1.87	1.80	1.77	1.75	1.74	1.73	1.73
Other station men	1.78	1.69	1.71	1.69	1.64	1.61	1.59	1.60	1.60	1.61	1.62
Enginemen	4.30	4.12	4.12	4.10	4.01	3.84	3.78	3.75	3.72	3.72	3.65
Firemen	2.54	2.42	2.38	2.35	2.28	2.20	2.16	2.14	2.10	2.09	2.05
Conductors	3.69	3.51	3.50	3.50	3.38	3.21	3.17	3.17	3.13	3.13	3.07
Other trainmen	2.54	2.35	2.31	2.27	2.17	2.04	2.00	1.96	1.94	1.95	1.90
Machinists	2.87	2.69	2.65	2.61	2.50	2.36	2.32	2.30	2.29	2.28	2.23
Carpenters	2.40	2.28	2.25	2.26	2.19	2.08	2.06	2.04	2.03	2.02	2.01
Section foremen	2.06	1.92	1.92	1.91	1.86	1.78	1.75	1.73	1.72	1.70	1.71
Other trackmen	1.90	1.80	1.79	1.78	1.78	1.72	1.71	1.68	1.68	1.69	1.70
Switch tenders, crossing tenders, and watchmen	1.46	1.36	1.32	1.33	1.31	1.25	1.23	1.22	1.18	1.16	1.16
Telegraph operators and dispatchers	1.87	1.80	1.79	1.77	1.76	1.77	1.74	1.80	1.77	1.74	1.72
Employees—account floating equipment	2.26	2.13	2.19	2.15	2.08	2.01	1.98	1.96	1.93	1.92	1.90
All other employees and laborers	2.27	2.10	2.17	2.17	2.11	2.00	1.97	1.92	1.89	1.89	1.86
	1.92	1.83	1.83	1.82	1.77	1.71	1.69	1.71	1.68	1.67	1.64

Comparative summary of average daily compensation of railway employees for the years ending June 30, 1907 to 1897, by groups.

GROUP I.—NEW ENGLAND.

[Average daily compensation in dollars.]

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	13.34	12.76	12.58	11.92	11.32	10.91	10.92	10.70	10.53	9.75	9.42
Other officers	5.72	5.65	5.89	6.22	5.79	6.01	5.58	5.80	5.67	6.15	6.18
General office clerks	2.13	2.06	2.08	2.04	2.05	2.06	2.07	2.08	2.08	2.11	2.12
Station agents	2.03	1.99	1.96	1.93	1.88	1.84	1.82	1.80	1.81	1.79	1.79
Other station men	1.91	1.89	1.84	1.83	1.78	1.74	1.77	1.79	1.76	1.77	1.76
Enginemen	3.78	3.62	3.60	3.55	3.51	3.50	3.48	3.48	3.45	3.48	3.45
Firemen	2.20	2.08	2.07	2.02	2.00	1.98	1.98	1.97	1.96	1.97	1.95
Conductors	3.26	3.19	3.12	3.09	3.01	2.94	2.96	2.97	2.94	2.93	2.89
Other trainmen	2.32	2.17	2.12	2.09	2.02	1.96	1.94	1.94	1.91	1.92	1.88
Machinists	2.61	2.45	2.44	2.41	2.34	2.26	2.31	2.29	2.26	2.26	2.17
Carpenters	2.25	2.15	2.13	2.11	2.07	2.06	2.06	2.06	2.04	2.03	2.00
Section foremen	2.02	1.95	1.93	1.88	1.86	1.85	1.85	1.86	1.87	1.89	1.82
Other trackmen	2.24	2.17	2.14	2.13	2.10	2.07	2.04	2.03	1.96	2.00	2.00
Switch tenders, crossing tenders, and watchmen	1.55	1.52	1.50	1.49	1.46	1.44	1.44	1.44	1.43	1.43	1.40
Telegraph operators and dispatchers	1.68	1.65	1.60	1.57	1.54	1.53	1.53	1.48	1.46	1.48	1.49
Employees—account floating equipment	2.15	2.07	2.01	1.94	1.86	1.80	1.82	1.84	1.76	1.75	1.78
All other employees and laborers	2.22	2.17	2.13	2.10	1.85	1.70	1.70	1.71	1.65	1.64	1.63
	1.85	1.80	1.76	1.72	1.68	1.65	1.64	1.66	1.63	1.70	1.65

Comparative summary of average daily compensation of railway employees for the years ending June 30, 1907 to 1897, by groups—Continued.

GROUP II.—NEW YORK, PENNSYLVANIA, NEW JERSEY, DELAWARE, MARYLAND.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	14.12	13.43	13.81	13.50	12.91	12.00	11.59	11.25	11.11	10.36	9.91
Other officers	6.24	5.81	6.32	6.55	7.09	6.96	6.97	6.66	6.50	6.33	6.06
General office clerks	2.46	2.35	2.44	2.41	2.43	2.30	2.32	2.30	2.30	2.28	2.27
Station agents	2.03	1.91	1.88	1.89	1.84	1.76	1.72	1.68	1.69	1.69	1.66
Other station men	1.82	1.73	1.79	1.79	1.75	1.64	1.63	1.64	1.65	1.65	1.64
Enginemen	4.26	4.06	4.06	4.06	4.00	3.76	3.65	3.62	3.60	3.61	3.56
Firemen	2.55	2.46	2.38	2.33	2.26	2.14	2.08	2.05	2.02	2.03	1.97
Conductors	3.49	3.33	3.39	3.38	3.33	3.08	3.00	2.97	2.93	2.94	2.86
Other trainmen	2.56	2.40	2.28	2.21	2.14	1.98	1.93	1.90	1.87	1.87	1.84
Machinists	2.66	2.55	2.44	2.42	2.34	2.21	2.20	2.19	2.20	2.18	2.14
Carpenters	2.52	2.42	2.28	2.29	2.21	2.08	2.08	2.04	2.03	2.03	2.01
Other shopmen	2.06	1.95	1.89	1.89	1.86	1.74	1.75	1.64	1.59	1.57	1.58
Section foremen	1.96	1.89	1.87	1.87	1.82	1.71	1.69	1.66	1.68	1.69	1.69
Other trackmen	1.48	1.40	1.31	1.30	1.27	1.20	1.20	1.19	1.18	1.17	1.17
Switch tenders, crossing tenders, and watchmen	1.65	1.60	1.67	1.67	1.61	1.58	1.56	1.59	1.56	1.55	1.53
Telegraph operators and dispatchers	2.21	2.07	2.27	2.25	2.20	2.05	2.01	2.01	1.97	1.94	1.90
Employees—account floating equipment	2.31	2.20	2.25	2.27	2.23	2.11	2.12	2.01	1.96	2.02	2.00
All other employees and laborers	1.82	1.74	1.67	1.68	1.63	1.58	1.57	1.56	1.54	1.51	1.54

GROUP III.—OHIO, INDIANA, SOUTHERN MICHIGAN.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	11.51	11.72	12.10	12.11	11.85	11.03	10.43	10.12	9.86	9.96	9.84
Other officers	6.48	6.25	6.48	6.45	6.79	6.14	5.91	5.83	5.83	6.02	5.85
General office clerks	2.24	2.34	2.32	2.27	2.28	2.25	2.21	2.19	2.17	2.21	2.24
Station agents	2.06	1.95	1.90	1.90	1.84	1.77	1.72	1.70	1.69	1.69	1.68
Other station men	1.77	1.72	1.71	1.70	1.65	1.58	1.55	1.55	1.55	1.55	1.55
Enginemen	4.14	3.98	3.98	3.99	3.94	3.73	3.65	3.67	3.57	3.57	3.52
Firemen	2.46	2.35	2.34	2.33	2.28	2.15	2.08	2.09	2.00	2.01	1.98
Conductors	3.56	3.37	3.36	3.39	3.35	3.21	3.12	3.14	3.07	3.10	3.03
Other trainmen	2.59	2.39	2.36	2.36	2.31	2.16	2.09	2.04	1.99	2.00	1.96
Machinists	2.77	2.60	2.56	2.58	2.47	2.35	2.23	2.22	2.17	2.13	2.09
Carpenters	2.30	2.19	2.21	2.17	2.11	2.02	1.96	1.93	1.93	1.91	1.86
Other shopmen	2.04	1.91	1.91	1.88	1.85	1.70	1.69	1.68	1.69	1.69	1.64
Section foremen	1.92	1.79	1.79	1.78	1.75	1.68	1.63	1.60	1.59	1.59	1.61
Other trackmen	1.52	1.43	1.39	1.42	1.37	1.28	1.25	1.22	1.18	1.17	1.16
Switch tenders, crossing tenders, and watchmen	1.75	1.65	1.66	1.60	1.56	1.68	1.61	1.75	1.71	1.70	1.71
Telegraph operators and dispatchers	2.11	2.00	1.99	1.94	1.87	1.82	1.78	1.78	1.78	1.78	1.79
Employees—account floating equipment	1.53	1.76	1.73	1.67	1.63	1.48	1.44	1.38	1.46	1.48	1.51
All other employees and laborers	1.86	1.78	1.81	1.83	1.73	1.64	1.57	1.58	1.55	1.54	1.59

GROUP IV.—WEST VIRGINIA, VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	9.63	10.49	9.59	9.92	9.54	9.52	8.40	6.92	7.06	7.31	7.96
Other officers	4.89	4.66	4.60	4.39	3.76	3.69	3.92	3.25	3.01	2.87	2.93
General office clerks	2.08	1.98	1.92	1.87	1.88	1.87	1.75	1.64	1.68	1.94	1.95
Station agents	1.70	1.62	1.61	1.56	1.56	1.36	1.38	1.39	1.39	1.35	1.36
Other station men	1.33	1.26	1.21	1.06	.81	1.14	1.14	1.12	1.16	1.14	1.12
Enginemen	4.54	4.28	4.25	4.19	4.04	4.12	3.95	3.76	3.76	3.66	3.56
Firemen	2.18	2.04	1.94	1.95	1.85	1.90	1.85	1.75	1.76	1.67	1.61
Conductors	3.50	3.19	3.11	3.07	3.08	3.02	2.92	2.97	2.92	2.80	2.66
Other trainmen	1.82	1.66	1.65	1.54	1.52	1.55	1.52	1.51	1.45	1.54	1.39
Machinists	2.78	2.69	2.57	2.53	2.41	2.26	2.19	2.25	2.22	2.29	2.13
Carpenters	2.11	2.02	1.94	1.89	1.76	1.54	1.65	1.52	1.57	1.60	1.61
Other shopmen	1.76	1.69	1.68	1.59	1.55	1.48	1.44	1.45	1.45	1.45	1.37
Section foremen	1.69	1.64	1.56	1.51	1.48	1.42	1.40	1.35	1.37	1.35	1.39
Other trackmen	1.15	1.09	1.05	.97	.90	.93	.93	.90	.88	.87	.88
Switch tenders, crossing tenders, and watchmen	1.61	1.53	1.44	1.32	1.23	1.33	1.33	1.21	1.20	1.23	1.21
Telegraph operators and dispatchers	2.23	2.04	1.97	1.72	1.66	1.65	1.62	1.54	1.59	1.57	1.58
Employees—account floating equipment	1.56	1.58	1.62	1.60	1.50	1.50	1.57	1.55	1.38	1.55	1.31
All other employees and laborers	1.54	1.41	1.39	1.40	1.26	1.24	1.28	1.38	1.28	1.31	1.33

GROUP V.—KENTUCKY, TENNESSEE, GEORGIA, ALABAMA, MISSISSIPPI.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	10.11	11.33	10.65	10.53	9.69	10.35	10.47	9.49	9.01	8.36	8.19
Other officers	5.00	5.05	4.81	4.90	4.07	3.94	4.05	3.66	3.67	3.63	3.40
General office clerks	2.17	2.12	2.13	2.09	1.92	1.96	2.20	2.13	2.19	2.26	1.61
Station agents	1.78	1.70	1.69	1.65	1.59	1.53	1.52	1.45	1.45	1.41	1.44
Other station men	1.54	1.46	1.45	1.37	1.33	1.38	1.37	1.39	1.40	1.38	1.40
Enginemen	4.59	4.35	4.28	4.25	4.22	4.01	3.90	3.88	3.96	3.83	3.69
Firemen	2.30	2.10	2.03	2.09	2.03	1.97	1.96	1.95	2.01	1.92	1.85
Conductors	3.78	3.41	3.29	3.31	3.31	3.12	3.14	3.12	3.13	3.04	3.07
Other trainmen	2.24	2.01	1.89	1.88	1.79	1.75	1.75	1.71	1.76	1.73	1.71
Machinists	2.91	2.77	2.71	2.62	2.59	2.27	2.29	2.34	2.34	2.26	2.20
Carpenters	2.18	2.04	2.02	2.01	1.94	1.83	1.80	1.81	1.83	1.74	1.78
Other shopmen	1.76	1.65	1.63	1.63	1.61	1.58	1.52	1.49	1.50	1.45	1.50
Section foremen	1.74	1.69	1.65	1.66	1.63	1.67	1.57	1.52	1.56	1.57	1.53
Other trackmen	1.15	1.07	1.03	1.02	.98	.96	.95	.95	.93	.88	.88
Switch tenders, crossing tenders, and watchmen	1.66	1.55	1.77	1.63	1.72	1.68	1.53	1.77	1.61	1.75	1.73
Telegraph operators and dispatchers	2.13	2.04	2.01	1.94	1.87	1.80	1.76	1.77	1.81	1.67	1.64
Employees—account floating equipment	1.11	1.18	1.15	1.20	1.36	1.45	1.41	1.40	1.37	1.14	1.21
All other employees and laborers	1.75	1.68	1.65	1.57	1.45	1.47	1.44	1.54	1.50	1.52	1.40

GROUP VI.—WISCONSIN, ILLINOIS, IOWA, MINNESOTA.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	14.73	14.72	15.12	13.66	14.20	14.07	13.10	12.59	11.46	10.92	10.89
Other officers	7.50	7.33	7.71	7.59	7.42	6.89	6.64	6.71	6.57	7.16	7.01
General office clerks	2.22	2.20	2.12	2.15	2.11	2.14	2.10	2.16	2.16	2.22	2.14
Station agents	2.08	1.97	1.95	1.94	1.86	1.80	1.77	1.77	1.74	1.76	1.78
Other station men	1.77	1.68	1.69	1.66	1.61	1.55	1.55	1.57	1.55	1.56	1.63
Enginemen	4.18	4.08	4.05	3.98	3.88	3.71	3.68	3.68	3.67	3.70	3.68
Firemen	2.57	2.48	2.44	2.39	2.34	2.24	2.22	2.23	2.17	2.16	2.16
Conductors	3.82	3.71	3.69	3.65	3.36	3.29	3.27	3.29	3.25	3.21	3.24
Other trainmen	2.53	2.37	2.36	2.34	2.19	2.04	2.00	1.97	1.96	1.97	1.96

Comparative summary of average daily compensation of railway employees for the years ending June 30, 1907 to 1897, by groups—Continued.

GROUP VI.—WISCONSIN, ILLINOIS, IOWA, MINNESOTA—continued.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
Machinists	2.88	2.70	2.62	2.58	2.42	2.29	2.18	2.18	2.13	2.15	2.12
Carpenters	2.30	2.21	2.20	2.24	2.18	2.06	2.01	2.03	1.99	1.97	1.98
Other shopmen	2.02	1.94	1.96	1.95	1.88	1.79	1.74	1.73	1.73	1.71	1.77
Section foremen	1.80	1.70	1.68	1.70	1.69	1.64	1.63	1.63	1.63	1.64	1.66
Other trackmen	1.55	1.46	1.41	1.45	1.43	1.34	1.31	1.30	1.23	1.20	1.19
Switch tenders, crossing tenders, and watchmen	2.29	2.13	2.11	2.10	2.10	2.01	2.00	2.07	1.97	1.95	1.91
Telegraph operators and dispatchers	2.19	2.11	2.12	2.11	1.94	1.98	1.94	1.92	1.90	1.92	1.91
Employees—account floating equipment	1.81	1.71	1.68	2.05	2.07	1.83	1.66	1.63	1.81	1.62	1.68
All other employees and laborers	2.07	2.03	2.01	2.01	1.96	1.91	1.85	1.90	1.89	1.90	1.71

GROUP VII.—NORTH DAKOTA, SOUTH DAKOTA, MONTANA, WYOMING, NEBRASKA.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	14.72	15.24	11.79	10.01	10.32	10.52	10.04	9.61	9.59	8.75	8.75
Other officers	8.19	8.26	8.38	8.42	7.74	7.63	7.81	7.01	7.52	7.29	8.16
General office clerks	2.31	2.26	2.23	2.12	2.26	2.22	2.31	2.22	2.18	2.24	2.29
Station agents	2.27	2.19	2.17	2.16	2.08	2.01	2.00	2.00	1.97	1.94	1.96
Other station men	1.91	1.84	1.85	1.81	1.82	1.77	1.83	1.81	1.81	1.82	1.85
Enginemen	4.31	4.27	4.27	4.17	4.08	3.89	4.00	3.90	3.87	3.94	3.82
Firemen	2.66	2.58	2.58	2.47	2.49	2.36	2.41	2.32	2.31	2.34	2.28
Conductors	3.86	3.82	3.82	3.74	3.45	3.31	3.36	3.38	3.35	3.38	3.26
Other trainmen	2.66	2.55	2.56	2.47	2.22	2.23	2.22	2.20	2.16	2.18	2.11
Machinists	3.43	3.35	3.29	3.16	2.98	2.84	3.00	2.96	2.87	2.86	2.86
Carpenters	2.62	2.55	2.49	2.40	2.25	2.27	2.41	2.38	2.31	2.37	2.36
Other shopmen	2.31	2.22	2.19	2.18	2.15	1.90	1.94	1.96	1.96	2.05	2.02
Section foremen	1.99	1.85	1.80	1.78	1.78	1.74	1.75	1.73	1.72	1.70	1.71
Other trackmen	1.56	1.46	1.42	1.47	1.44	1.41	1.49	1.44	1.37	1.33	1.35
Switch tenders, crossing tenders, and watchmen	2.37	2.22	2.07	2.06	2.21	2.04	2.12	2.28	2.38	2.36	2.32
Telegraph operators and dispatchers	2.60	2.44	2.39	2.34	2.26	2.11	2.11	2.14	2.12	2.13	2.15
Employees—account floating equipment	2.31	2.47	2.45	2.29	2.11	2.10	2.10	1.70	1.93	2.08	2.16
All other employees and laborers	2.19	2.11	2.03	2.10	2.10	2.07	2.10	2.07	2.00	1.95	2.04

GROUP VIII.—MISSOURI, ARKANSAS, OKLAHOMA, KANSAS, COLORADO.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	10.40	9.52	9.94	10.90	10.88	11.29	11.25	10.85	10.42	10.55	10.35
Other officers	6.09	5.88	6.07	5.88	6.07	5.45	5.23	5.43	5.46	5.24	5.29
General office clerks	2.22	2.22	2.19	2.13	2.23	2.17	2.17	2.20	2.24	2.25	2.29
Station agents	2.05	2.01	1.97	2.07	1.97	1.94	1.89	1.87	1.84	1.83	1.75
Other station men	1.70	1.71	1.65	1.75	1.68	1.66	1.54	1.57	1.60	1.62	1.58
Enginemen	4.56	4.36	4.22	4.28	4.02	4.05	3.95	3.91	3.88	3.93	3.89
Firemen	2.86	2.74	2.62	2.62	2.44	2.46	2.42	2.38	2.34	2.35	2.34
Conductors	4.12	4.04	3.91	3.94	3.69	3.45	3.40	3.42	3.33	3.32	3.33
Other trainmen	2.78	2.65	2.63	2.50	2.37	2.22	2.20	2.12	2.12	2.13	2.12
Machinists	3.35	3.12	3.12	2.97	2.83	2.73	2.68	2.57	2.53	2.57	2.49
Carpenters	2.33	2.36	2.41	2.49	2.44	2.36	2.32	2.27	2.22	2.27	2.31
Other shopmen	2.06	1.99	1.96	1.99	1.95	1.90	1.86	1.89	1.88	1.87	1.90
Section foremen	1.74	1.71	1.68	1.68	1.71	1.69	1.67	1.68	1.68	1.58	1.67
Other trackmen	1.43	1.37	1.35	1.37	1.41	1.33	1.30	1.26	1.22	1.21	1.21
Switch tenders, crossing tenders, and watchmen	2.18	2.13	1.98	2.12	2.35	2.12	2.10	2.31	2.27	2.21	2.21
Telegraph operators and dispatchers	2.47	2.35	2.40	2.32	2.31	2.25	2.30	2.26	2.26	2.27	2.27
Employees—account floating equipment	2.42	2.47	2.35	2.28	2.26	2.15	2.04	2.04	2.05	2.06	2.12
All other employees and laborers	1.93	1.87	1.92	1.76	1.88	1.87	1.86	1.82	1.80	1.81	1.86

GROUP IX.—LOUISIANA, TEXAS, NEW MEXICO.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	7.69	8.04	7.67	7.54	7.11	6.80	7.48	6.93	6.47	6.55	6.48
Other officers	4.60	4.82	4.74	4.77	4.95	4.92	4.94	4.87	4.70	4.76	4.88
General office clerks	2.41	2.32	2.29	2.23	2.26	2.09	2.25	2.30	2.16	2.39	2.44
Station agents	2.48	2.37	2.40	2.29	2.28	2.35	2.42	2.34	2.28	2.27	2.29
Other station men	1.87	1.73	1.76	1.74	1.73	1.63	1.63	1.58	1.71	1.86	1.78
Enginemen	4.68	4.35	4.45	4.32	4.29	4.09	4.07	4.10	4.06	4.08	3.99
Firemen	2.79	2.65	2.66	2.56	2.53	2.42	2.37	2.40	2.36	2.34	2.32
Conductors	4.13	3.88	3.83	3.89	3.81	3.48	3.58	3.62	3.65	3.62	3.54
Other trainmen	2.77	2.53	2.46	2.50	2.37	2.26	2.25	2.26	2.25	2.23	2.21
Machinists	3.37	3.09	3.03	3.05	3.01	2.87	2.80	2.63	2.86	2.85	2.77
Carpenters	2.46	2.38	2.46	2.51	2.38	2.31	2.35	2.32	2.31	2.34	2.32
Other shopmen	2.01	2.01	1.99	1.99	1.88	1.87	1.80	1.83	1.82	1.83	1.81
Section foremen	1.90	1.80	1.78	1.79	1.80	1.86	1.91	1.86	1.87	1.86	1.87
Other trackmen	1.34	1.26	1.22	1.21	1.22	1.18	1.16	1.15	1.15	1.15	1.71
Switch tenders, crossing tenders, and watchmen	2.07	1.98	2.02	2.07	2.44	2.37	2.21	2.27	2.22	2.22	2.24
Telegraph operators and dispatchers	2.61	2.54	2.32	2.55	2.41	2.39	2.41	2.42	2.23	2.22	2.23
Employees—account floating equipment	1.99	1.83	1.88	2.01	1.85	1.78	1.72	1.78	1.77	1.86	1.84
All other employees and laborers	1.88	1.79	1.76	1.77	1.74	1.67	1.75	1.65	1.70	1.70	1.75

GROUP X.—PACIFIC STATES, ARIZONA, NEVADA, UTAH.

Class.	1907.	1906.	1905.	1904.	1903.	1902.	1901.	1900.	1899.	1898.	1897.
General officers	11.88	9.27	10.00	10.66	9.97	10.24	11.30	11.05	11.05	10.98	9.94
Other officers	6.97	6.09	6.89	7.21	6.84	7.07	7.34	7.62	7.38	7.54	6.81
General office clerks	2.59	2.24	2.33	2.48	2.46	2.63	2.59	2.61	2.63	2.70	2.76
Station agents	2.55	2.41	2.57	2.60	2.55	2.47	2.45	2.46	2.43	2.42	2.42
Other station men	2.23	2.03	2.19	2.27	2.24	2.18	2.20	2.20	2.20	2.18	2.26
Enginemen	4.47	4.32	5.02	4.97	4.83	4.58	4.58	4.53	4.45	4.47	4.23
Firemen	2.83	2.80	2.96	2.97	2.80	2.67	2.67	2.68	2.53	2.51	2.39
Conductors	4.27	4.05	4.07	4.09	3.81	3.70	3.75	3.70	3.65	3.67	3.68
Other trainmen	3.15	2.74	2.92	2.93	2.73	2.61	2.64	2.64	2.64	2.65	2.61
Machinists	3.52	2.96	3.27	3.07	2.97	2.89	2.89	2.87	2.96	2.91	3.06
Carpenters	3.00	2.65	2.86	2.78	2.75	2.71	2.73	2.76	2.82	2.77	2.75
Other shopmen	2.30	2.26	2.36	2.45	2.35	2.23	2.12	2.35	2.33	2.34	2.38
Section foremen	2.41	2.19	2.34	2.30	2.31	2.28	2.26	2.24	2.22	2.22	2.28
Other trackmen	1.65	1.45	1.40	1.47	1.47	1.41	1.39	1.39	1.38	1.30	1.37
Switch tenders, crossing tenders, and watchmen	2.32	2.13	1.89	2.05	1.89	2.49	2.50	2.51	2.54	2.57	2.52
Telegraph operators and dispatchers	2.73	2.71	2.91	2.95	2.91	2.83	2.81	2.81	2.67	2.76	2.77
Employees—account floating equipment	3.13	2.64	2.54	2.68	2.41	2.35	2.32	2.24	2.22	2.21	2.21
All other employees and laborers	2.35	2.13	2.30	2.22	2.40	2.24	2.07	2.29	2.31	2.29	2.30

EXHIBIT 4.

Labor wages in building trades where not protected but duly organized.

[Prepared by Wm. T. Spencer, Secretary Building Trades Department, American Federation of Labor.]

Name of city.	Masons and bricklayers.	Structural iron setters.	Ornamental iron setters.	Plasterers.	Lathers.	Hoisting engineers.	Tile setters.	Plumbers.	Steam fitters.	Steam fitters' helpers.	Remarks.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	
Albany, N. Y.	60	45	.....	60	45	a$3.00	.....	50	43¾	.....	
Atlanta, Ga.	45	44⅛	44⅛	40	29⅛	29⅛	40	40	a$3.50	a$1.25–$2.00	Roofers work 10 hours; other trades, 9 hours.
Baltimore, Md.	b 56¼ c 62½	50	31¼–43¾	62½	50	62½	50	43¾	43¾	25	Slate and tile roofers, 50 cents.
Boston, Mass.	60	50	50	60	45	50	60	55	53	25	Rate of wages is the maximum.
Buffalo, N. Y.	b 50 c 55	50	30	50	d $2.25	a$3.00	56¼	43¾	43¾	a$1.50	
Burlington, Vt.	40–45	.....	.....	40–45	a$2.50	.....	.....	a$3.00	a$3.00	a$1.50	All trades work 9 hours.
Birmingham, Ala.	62½	62½	62½	56¼	37½	50	62½	62½	62½	31¼	Roofers and ornamental iron setters, 9 hours.
Chicago, Ill.	62½	60	56¼	68¾	62½	62½	62½	65	59¾	30	Painters, 55 cents, January 1, 1909.
Cincinnati, Ohio	62½	50	50	62½	52½	50	50	60	37½	23	Marble cutters and setters work 9 hours.
Cleveland, Ohio	60	60	50–60	56¼	e 4	50	43¾–50	61¼	50	25	
Columbus, Ohio	b 50 c 62½	60	40	56¼	d $2.00	a $3.00–3.60	40	50	45–50	a$1.50	
Denver, Colo.	b 62½ c 75	50	30–50	68¾	e 4½–6	50	50–56¼	62½	62½	31¼	
Detroit, Mich.	50–60	25–37½	a$2.50–$3.00	a $4.00–4.50	40	a $2.00–2.25	50	a $3.00–3.75	a $2.50–3.75	a $1.50–2.00	
Duluth, Minn.	b 60 c 65	45	45	62½	50	45	50	62½	60	31	
Erie, Pa.	b 45 c 60	45	.....	40	e 3	.....	.....	37½	37½	.....	
Grand Rapids, Mich.	b 40–55 c 55	50	50	50	45	a $2.00–2.50	50	38¾	38¾	a $2.00	Nearly all trades work 9 hours.
Galveston, Tex.	75	.....	.....	75	e 3¼–4	.....	75	62½	62½	25	Rate of wages paid same as 1907.
Indianapolis, Ind.	65	50	50	50	45	50	50	50	50	25	Rate of wages paid same as 1907.
JerseyCity, N. J.	65	.....	.....	65	62½	62½	62½	56¼	56¼	37½	
Kansas City, Mo.	b 60 c 70	50	50	68¾	50	50	62½	62½	62½	25	
Louisville, Ky.	b 55 c 60	30–40	22–30	62½	50	f $10	50	50	43¾–50	15⅛–17½	Marble and sheet-metal workers, 9 hours; cement finishers and iron setters; 10 hours.
Milwaukee, Wis.	60	50	50	60	45	50	56¼	56¼	50	2	
Minneapolis, Minn.	60	50	45	62½	e 4	40	35–50	50	50	25	Wages same as in 1907.
Montreal, Canada	b 40 c 50	20–25	22½–27½	33⅓–40	30	25	25	35	35	a $1.25	All trades work 9 hours per day.
Memphis, Tenn.	70	50	.....	62½	e 3	50	56¼	50	50	.....	Rate of wages paid same as in 1907.
New Orleans, La.	62½	50	50	50–65	50	50	62½	56¼	56¼	17½	Plasterers' hod-carriers, 35 cents.
New York City, N. Y.	70	56¼	56¼	68¾	56¼	a $5.50	62½	62½	62½	37½	
Newark, N. J.	65	43¾–56¼	55–62½	65	55	60	50	50–55	50	25	
Omaha, Nebr.	62½	47½	47½	62½	43¾	37½	50	62½	56¼	25	Rate of wages paid same as in 1907.
Portland, Oreg.	b 56¼ c 81¼	37½–40	37½–40	68¾	d $1.75	.....	62½	56¼–62½	56¼–62½	.....	
Pittsburg, Pa.	60–65	50	50	52½	40	50	50–55	56¼	50	.....	
Providence, R. I.	b 45 c 55	35	40	55	40	37½	55	50	37½	21¾	Rate of wages paid same as in 1907.
Philadelphia, Pa.	b 50 c 62½	50	30	59¾	48¾	50	55	43¾	30–37½	18–25	Marble laborers, 25 cents. Fresco painters, 47½ cents.
Rochester, N. Y.	57	50	50	57	a $4.00	a $3.00	37½	40¾	40¾	a $1.50	Iron setters' helpers $2.50 per day.
Seattle, Wash.	75	55	50–55	75	62½	50–62½	62½	81¼	81¼	.....	
St. Paul, Minn.	b 50 c 60	50	50	56¼	c g 3½ c h 5	f 40 j 45	37½–50	42½–56¼	45	32½	Roofers work 9 hours per day; engineers and laborers, 10 hours.
San Francisco, Cal.	87½	62½	62½	87½	62½	75	75	75	75	37½	Cement laborers, 50 cents.
St. Louis, Mo.	b 56¼ c 65	60	65–70	75	62½	62½	56¼	66¼	68¾	37½	
Salt Lake City, Utah	$6.00	$5.00	$5.00	$5.00	$4.00	$4.00	$5.00	$5.00	$5.00	$2.50	Rate scale is by the day.
Scranton, Pa.	b 45 c 55	50	50	50	50	30	50	47	40	25	
Syracuse, N. Y.	55	50	.....	55	d $2.25	40	.....	50	50	.....	
Toronto, Canada	56	25–30	30–35	50	42	35	50	40	40	.....	Rate of wages paid same as in 1907.
Tacoma, Wash.	62½	55	55	75	d $2.25 h 5	43¾	70	70	70	31	
Toledo, Ohio	60	40	25	50	45	30	.....	43¾	37½	50	
Wheeling, W. Va.	60	50	50	43¾	43¾	45	50	46⅛	46⅛	15	Rate of wages paid same as in 1907.
Washington, D. C.	62½	50	50	62½	a $2.25–2.50	50	50	50	50	a $2.20	
Wilmington, Del.	b 45 c 51	50	50	50	35	40	45	40	40	35	

a Per day. b Masons. c Bricklayers. d Per thousand. e Per yard. f Per week. g Pine. h Metal. i Hoisting. j Swing. k Cutters.

Labor wages in building trades where not protected but duly organized—Continued.

Name of city.	Gas fitters.	Carpenters.	Stone cutters.	Marble cutters and setters.	Painters.	Sheet-metal workers.	Electricians.	Roofers.	Cement finishers.	Laborers and hod carriers.	Remarks.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	
Albany, N. Y.	.....	37½	45	.....	37½	50	37½	.....	50	31¼	
Atlanta, Ga.	a $3.00	a $2.50-3.50	50	50	a $2.50-2.75	a $3.00	a $3.00	a $1.75	45	a $1.25	Roofers work 10 hours. Other trades 9 hours.
Baltimore, Md.	43¾	34¾-43¾	b 45 c 50	37½-50	31¼-37½	37½	43¾	25-35	50	a g $1.50 c 31¼	Slate and tile roofers, 50 cents.
Boston, Mass.	45	43¾	50	45	39¼	43¾	45	f 37½ g 43¾	50	d 25 e 30	Rate of wages is the maximum.
Buffalo, N. Y.	43¾	40	50	56¼	37½	37½	40	22½-30	40	18-22	
Burlington, Vt.	a $2.75	a $2.75	37½	.....	a $2.50	.....	a $2.50	.....	.....	a $1.50-1.75	All trades work 9 hours.
Birmingham, Ala.	62½	40	45	62½	47½	47½	43¾	25	56¼	a $1.25	Roofers and ornamental iron setters, 9 hours.
Chicago, Ill.	65	56¼	56¼	56¼	50	56¼	62½	52½	55	35	Painters 55 cents, Jan. 1, 1909.
Cincinnati, Ohio	37½	45	56¼	a $4.00	45-47½	25-40	40¾	37½	40	c 40	Marble cutters and setters work 9 hours.
Cleveland, Ohio	56¼	42½	50	f 31¼-43¾ g 50	37½	37½	43¾	25-40	50	25-28¾	
Columbus, Ohio	35	40-45	50	50	35	a $2.50-3.00	37½-40	31-40	35	d 20 e 34¾	
Denver, Colo.	62½	55	56¼	f $3.00-3.50 g 55	50	56¼	50	40	37½-56¼	34¾-37½	
Detroit, Mich.	c $2.50-3.50	30-40	50	a $2.00-3.00	25-40	25-35	a $2.50-3.00	f 30-35 g 20-30	a $.250-3.50	a $1.50-2.00	
Duluth, Minn.	62½	45	56¼	50	45	47½	46¾	45	50	.....	
Erie, Pa.	.....	30	45	.....	35	25-30	30¾	.....	40	20-25	
Grand Rapids, Mich.	38½	35	45	50	35	27-30	27-40	a $2.25-3.00	a $2.50-3.60	11½-22½	Nearly all trades work 9 hours.
Galveston, Tex.	62½	45	.....	.....	45	40	45	45	75	25	Rate of wages paid same as 1907.
Indianapolis, Ind.	40	40	50	40-75	30-37½	40	25-37½	.....	.....	d 25 e 25-31¼	Rate of wages paid same as 1907.
Jersey City, N. J.	56¼	50	62½	62½	45	50	50	50	62½	37½	
Kansas City, Mo.	62½	40	56¼	56¼	45	42½	40-50	35	50	d 25-30 e 35	
Louisville, Ky.	.....	37½-40	50	f 33¼ g 44¼	37½	30¾	37½-43¾	.....	30-40	a d $1.75 a e $2.50	Marble and sheet metal workers, 9 hours; cement finishers and iron setters 10 hours.
Milwaukee, Wis.	56¼	37½	50	56¼	37½	37½	40	40	50	30	
Minneapolis, Minn.	40	42½	56¼	20-50	42½	42½	31¼-37½	25-30	30-35	20	Wages same as in 1907.
Montreal, Canada	35	22½-30	36-40	25-30	25-30	30-35	22½-30	22½	30	15-20	All trades work 9 hours per day.
Memphis, Tenn.	50	45	62½	.....	40	41½	40	41½	30-50	30	Rate of wages paid same as in 1907.
New Orleans, La.	50	35-45	45-50	45-50	37½	35-45	45	30	60-50	20-27½	Plasterers' hodcarriers, 35 cents.
New York City, N. Y.	62½	62½	62½	62½	a $3.50	56¼	56¼	b $4.75 c $3.00	62½	a $2.80	
Newark, N. J.	50	50	60	56¼	47½	50	50	43¾-50	35-40	35	
Omaha, Nebr.	56¼	30-43	50	45	45	40-50	40	52	50	25-30	Rate of wages paid same as in 1907.
Portland, Oreg.	.....	37½-43¾	56¼	43¾	37½-43¾	50	37½-43¾	.....	28-44¾	30-40	
Pittsburg, Pa.	56¼	43¾-50	50	50	42½	37½-42½	50	50	40-50	25-37½	
Providence, R. I.	40	41	50	50	35	40	37½	25	.....	21-28	Rate of wages paid same as in 1907.
Philadelphia, Pa.	30-37½	45	50	50	40	40	40	40	45	f 18¾ f 30-35	Marble laborers, 25 cents. Fresco painters, 47½ cents.
Rochester, N. Y.	.....	40¾	57	37½	$3.00	37½	37½	37½	37½	21-23	Iron setters' helpers, $2.50 per day.
Seattle, Wash.	81¼	30-62½	62½	62½	50	50-62½	50	50	62½	25-31¼	
St. Paul, Minn.	40-56¼	35-45	56¼	f 30-40 g 37½-50	40	40	41¼	h 41¼ h 50	62½	15-25	Roofers work 9 hours per day; engineers and laborers, 10 hours.
San Francisco, Cal.	75	62½	62½	62½	56¼	68¾	62½	i 68¾ h 75	75	f 37½ f 50	Cement laborers, 50 cents.
St. Louis, Mo.	66¼	60	56¼	56¼	50	56¼	65	62½	.....	42½-45	
Salt Lake City, Utah	$5.00	$4.50	$4.00	$6.00	$4.50	$4.50	$3.50-4.00	$5.00	$5.00	$4.50	Rate scale is by the day.
Scranton, Pa.	47	37½	45	45	37½	45	37½	40	50	25	
Syracuse, N. Y.	.....	40	50	.....	43¾	37½	43¾	.....	50	20	
Toronto, Canada	40	30-35	50	30-35	35	32½-35	50	25-30	30-40	25	Rate of wages paid same as in 1907.
Tacoma, Wash.	70	45	70	40	45	62½	50	62½	50	31-45	
Toledo, Ohio	50	35	50	50	35	.....	37½	25	35	25	
Wheeling, W. Va.	46¼	37½	50	50	42½	37½	40	37½	40	a $2.25-2.50	Rate of wages paid same as in 1907.
Washington, D. C.	50	50	50	56¼	43¾	50	50	50	50	a d $1.50 a e $2.50	
Wilmington, Del.	40	40	50	50	40	35	35	35	55	35	

a Per day. b Hard stone. c Soft stone. d Laborers. e Hod carriers. f Cutters. g Setters. h Composition. i Per week. j Hoisting. k Slate. l Metal.

EXHIBIT 5.

[From Bulletin 77, United States Bureau of Labor, 1907.]

CARPETS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Burlers, female:				
North Atlantic	59.02	58.87	$0.1434	$0.1467
Dyers, male:				
North Atlantic	58.56	58.49	.1586	.1623
Loom fixers, male:				
North Atlantic	58.98	59.11	.2777	.2817
Spoolers, female:				
North Atlantic	58.68	58.62	.1285	.1311
Twisters, female:				
North Atlantic	58.48	58.53	.1116	.1239
Weavers, brussels and wilton, male:				
North Atlantic	58.29	58.24	.3004	.3048
Weavers, ingrain, male:				
North Atlantic	59.75	59.88	.1593	.1575
Weavers, ingrain, female:				
North Atlantic	57.16	59.46	.1567	.1501
Winders, female:				
North Atlantic	58.47	58.59	.1250	.1378

Protected by a tariff of from 50 to 114 per cent. (Pars. 380 to 390.) Work people in trade poorly organized in some localities; it is prohibited by employers.

Average labor percentage of all textiles is 19.5.

CLOTHING—FACTORY PRODUCT.

Occupation and geographical division.	Average hours per week.		Average wages. per hour.	
	1906.	1907.	1906.	1907.
Buttonhole makers, machine, male:				
North Atlantic	56.25	56.75	$0.2469	$0.2450
South Atlantic	55.54	55.70	.2641	.2487
United States	55.78	56.09	.2583	.2473
Buttonhole makers, machine, female:				
North Atlantic	53.50	53.38	.1282	.1428
South Atlantic	53.10	53.77	.1688	.1271
North Central	54.27	54.43	.1692	.1350
South Central	55.22	56.00	.1217	.1212
United States	54.21	54.46	.1487	.1317
Cutters, hand, male:				
North Atlantic	52.10	52.51	.3672	.3697
South Atlantic	53.77	53.62	.3192	.3203
North Central	48.61	48.63	.4131	.4326
South Central	57.14	57.14	.2255	.2380
United States	51.15	51.37	.3761	.3846
Cutters, machine, male:				
North Atlantic	50.00	50.54	.4267	.4300
South Atlantic	54.18	54.35	.3616	.3757
North Central	48.07	48.09	.4382	.4262
United States	49.27	49.14	.4244	.4198
Examiners, male:				
North Atlantic	52.08	52.84	.2858	.2904
South Atlantic	53.74	56.15	.2388	.2358
North Central	50.95	50.51	.3247	.3217
United States	51.95	52.56	.2921	.2921
Examiners, female:				
North Atlantic	53.57	52.93	.1447	.1468
South Atlantic	55.14	55.38	.1159	.1195
United States	54.36	54.07	.1303	.1341
Finishers, female:				
North Atlantic	55.13	54.88	.1161	.1301
South Atlantic	57.88	56.78	.1155	.1278
North Central	54.00	54.00	.1346	.1377
South Central	56.14	55.91	.1015	.1051
United States	55.63	55.16	.1201	.1286
Pressers, male:				
North Atlantic	53.87	54.06	.2152	.2285
South Atlantic	56.25	56.96	.2116	.2149
North Central	54.08	54.06	.2676	.2675
South Central	56.95	56.76	.2071	.1975
United States	55.04	54.70	.2280	.2369
Sewing machine operators, male:				
North Atlantic	54.94	55.12	.2188	.2243
South Atlantic	58.71	55.88	.2579	.2349
North Central	54.02	54.03	.3103	.3161
South Central	57.50	56.75	.2791	.2809
United States	55.50	55.16	.2220	.2351

CLOTHING—FACTORY PRODUCT—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Sewing machine operators, female:				
North Atlantic	53.75	53.70	$0.1330	$0.1378
South Atlantic	56.26	56.63	.1373	.1407
North Central	54.10	54.09	.1939	.1885
South Central	54.59	54.95	.1302	.1317
United States	54.41	54.53	.1420	.1454

Protected by tariff of from 70 per cent to 118 per cent. Paragraphs 376 to 399.

Work people in trade making brave endeavors to organize.

Average percentage of labor in all textiles 19.5 per cent.

COTTON GOODS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Carding machine tenders, male:				
North Atlantic	59.20	58.62	$0.1242	$0.1383
South Atlantic	65.38	63.51	.0875	.1046
South Central	63.95	63.17	.1053	.1115
United States	61.25	60.47	.1127	.1263
Dyers, male:				
North Atlantic	60.00	58.27	.1413	.1549
South Atlantic	64.73	62.79	.0966	.1124
United States	60.71	58.96	.1346	.1484
Loom fixers, male:				
North Atlantic	59.27	58.10	.2171	.2448
South Atlantic	65.27	63.39	.1434	.1560
South Central	64.32	64.51	.1642	.1683
United States	60.73	59.56	.1999	.2228
Spinners, frame, male:				
North Atlantic	58.82	58.29	.1199	.1333
South Atlantic	65.82	64.16	.0899	.0909
United States	61.18	59.99	.1098	.1210
Spinners, frame, female:				
North Atlantic	59.05	58.38	.1120	.1290
South Atlantic	65.59	63.50	.0761	.0904
South Central	64.27	64.31	.0668	.0710
United States	60.96	60.09	.0999	.1146
Spinners, mule, male:				
North Atlantic	59.37	59.07	.1978	.2328
Weavers, male:				
North Atlantic	58.48	58.55	.1698	.1940
South Atlantic	65.56	63.54	.1117	.1270
South Central	65.00	64.82	.1105	.1127
United States	60.89	60.21	.1408	.1719
Weavers, female:				
North Atlantic	58.85	58.67	.1483	.1668
South Atlantic	65.76	63.44	.0958	.1129
South Central	62.89	62.98	.0950	.0995
United States	60.17	59.73	.1366	.1531

DYEING, FINISHING, AND PRINTING TEXTILES.

Bleachers, male:				
North Atlantic	58.47	58.36	$0.1282	$0.1368
Calendrers, male:				
North Atlantic	59.02	58.85	.1435	.1472
Color mixers, male:				
North Atlantic	58.98	58.74	.1333	.1417
Dyers, male:				
North Atlantic	58.66	58.53	.1460	.1501
Engravers, male:				
North Atlantic	57.72	56.86	.4534	.4520
Printers, male:				
North Atlantic	58.20	58.27	.4476	.4477

Protected by tariff of from 17 per cent to 61 per cent (par. 313 to 314–315–317) and on cotton threads from 20 per cent to 78 per cent (par. 310).

Work people making brave endeavors to organize.

Average percentage in all textiles, 19.5.

FOUNDRY AND MACHINE SHOP.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Blacksmiths, male:				
North Atlantic	57.70	57.30	$0.2962	$0.3068
South Atlantic	55.17	55.13	.2887	.3062
North Central	56.51	56.40	.3094	.3115
South Central	56.06	56.65	.3435	.3541
Western	54.39	54.11	.3873	.4207
United States	56.69	56.52	.3111	.3200
Boiler makers, male:				
North Atlantic	56.46	56.32	.2992	.3055
South Atlantic	54.28	54.09	.2976	.3163
North Central	55.58	55.42	.3196	.3121
South Central	58.42	58.34	.3146	.3076
Western	54.03	53.42	.3997	.4645
United States	56.00	55.73	.3162	.3200
Boiler riveters, male:				
North Atlantic	55.24	55.64	.2871	.2755
South Atlantic	54.00	54.00	.2639	.2533
North Central	57.11	57.95	.3087	.2647
South Central	58.50	57.18	.1809	.1679
United States	55.35	55.78	.2774	.2614
Brass finishers, male:				
North Atlantic	54.17	54.12	.2748	.2793
North Central	55.76	55.93	.2736	.2699
United States	54.73	54.73	.2744	.2762
Core makers, male:				
North Atlantic	56.51	55.64	.2706	.2816
South Atlantic	55.00	54.86	.2769	.2862
North Central	55.18	55.34	.2511	.2603
South Central	55.50	56.00	.2987	.2934
Western	53.53	53.21	.4131	.4239
United States	55.81	55.43	.2701	.2780
Core makers, female:				
North Atlantic	54.73	54.67	.1314	.1472
North Central	54.94	54.88	.1257	.1497
United States	54.93	54.88	.1259	.1496
Laborers, male:				
North Atlantic	56.90	56.19	.1623	.1681
South Atlantic	55.18	55.29	.1477	.1518
North Central	56.52	56.40	.1744	.1786
South Central	56.91	56.86	.1540	.1572
Western	54.39	55.04	.2412	.2508
United States	56.45	56.19	.1690	.1750
Machinists, male:				
North Atlantic	56.61	55.86	.2829	.2948
South Atlantic	54.55	54.47	.2960	.3096
North Central	55.17	55.12	.2926	.2999
South Central	56.07	56.25	.3248	.3367
Western	54.46	53.94	.3759	.3940
United States	55.83	55.40	.2949	.3051
Molders, brass, male:				
North Atlantic	54.70	54.39	.3105	.3126
North Central	56.56	56.74	.2912	.2960
South Central	54.00	54.00	.3222	.3500
Western	54.00	54.00	.4305	.4653
United States	55.27	55.13	.3077	.3107
Molders, iron, male:				
North Atlantic	56.20	55.76	.3180	.3290
South Atlantic	55.31	55.18	.3090	.3219
North Central	55.94	55.99	.3104	.3220
South Central	56.77	56.10	.3218	.3339
Western	54.21	54.54	.4227	.4277
United States	55.93	55.74	.3234	.3317
Pattern makers, metal, male:				
North Atlantic	56.30	56.56	.3282	.3422
North Central	54.53	54.70	.3093	.3064
United States	54.72	54.95	.3113	.3113
Pattern makers, wood, male:				
North Atlantic	55.89	55.62	.3458	.3642
South Atlantic	55.30	55.17	.3437	.3540
North Central	55.18	55.05	.3420	.3436
South Central	56.42	56.45	.3342	.3522
Western	54.71	54.83	.4534	.4590
United States	55.52	55.37	.3512	.3567

Protected by tariff up to 91 per cent on knives and variable on innumerable articles.
Various trades in this industry fairly organized. Average percentage of labor cost in iron and steel products, 21.30.

FURNITURE.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Cabinetmakers, male:				
North Atlantic	53.36	53.06	$0.3012	$0.3041
South Atlantic	59.37	59.42	.1721	.1720
North Central	55.80	56.13	.2514	.2503
South Central	59.75	59.74	.1904	.1927
United States	55.50	55.65	.2577	.2577
Carvers, hand, male:				
North Atlantic	48.64	49.17	.3691	.3630
North Central	55.97	56.01	.2850	.2956
United States	52.73	53.30	.3221	.3222
Machine woodworkers, male:				
North Atlantic	56.32	56.27	.2576	.2636
South Atlantic	59.37	59.38	.1706	.1741
North Central	57.97	58.04	.2106	.2135
South Central	59.84	59.82	.1778	.1745
United States	58.03	58.03	.2101	.2156
Sawyers, male:				
North Atlantic	54.26	54.20	.2772	.2860
South Atlantic	59.57	59.62	.1897	.1855
North Central	57.84	57.72	.2174	.2236
South Central	59.91	59.90	.1898	.1907
United States	57.36	57.28	.2256	.2313
Upholsterers, male:				
North Atlantic	48.89	49.01	.3969	.3981
North Central	55.77	55.48	.2675	.2748
United States	53.48	53.38	.3104	.3148
Varnishers, male:				
North Atlantic	55.93	55.53	.2378	.2441
South Atlantic	59.58	59.62	.1922	.1528
North Central	57.31	57.24	.1997	.2044
South Central	59.82	59.73	.1554	.1632
United States	57.25	57.11	.2072	.2080

Protected by tariff of 35 per cent. (Par. 211.)
Work people poorly organized.
Average percentage of labor in general manufacturing goods, 19.9.

GLASS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Batch makers, male:				
North Atlantic	59.30	59.12	$0.1810	$0.1832
South Atlantic	57.78	57.40	.1969	.1994
North Central	61.11	61.16	.1984	.2076
United States	59.89	59.74	.1891	.1939
Blowers, flint glass, male:				
North Atlantic	49.60	49.65	.6413	.6570
South Atlantic	55.42	55.50	.5738	.5698
North Central	49.98	49.90	.6722	.6806
United States	50.21	50.24	.6510	.6616
Blowers, green glass, male:				
North Atlantic	47.91	47.77	.7616	.7963
South Atlantic	50.00	50.00	.7994	.8909
North Central	49.64	49.49	.7846	.7704
United States	48.65	48.42	.7718	.7894
Blowers, window glass, male:				
North Atlantic	41.91	41.95	.8892	.9443
North Central	40.00	40.00	.8571	.9213
United States	41.20	41.21	.8772	.9356
Cutters, window glass, male:				
North Atlantic	44.41	44.45	.7044	.7490
North Central	55.14	55.54	.6831	.7490
United States	49.02	49.07	.6953	.7490
Flatteners, window glass, male:				
North Atlantic	57.16	57.55	.7519	.8471
North Central	56.35	56.00	.6788	.7738
United States	56.81	56.87	.7208	.8151
Gaffers, flint glass, male:				
North Atlantic	51.17	51.28	.5376	.5306
North Central	49.50	49.50	.8014	.7989
United States	51.04	51.10	.5533	.5580

GLASS—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Gatherers, flint glass, male:				
North Atlantic	50.41	50.48	$0.3032	$0.3090
South Atlantic	58.00	58.00	.2956	.3031
North Central	49.50	49.50	.3248	.3361
United States	50.62	50.51	.3115	.3231
Gatherers, window glass, male:				
North Atlantic	41.91	41.94	.6429	.6867
North Central	40.00	40.00	.6079	.6829
United States	41.19	41.20	.6298	.6852
Laborers, male:				
North Atlantic	59.07	59.07	.1511	.1527
South Atlantic	58.75	58.88	.1391	.1380
North Central	59.65	59.66	.1530	.1726
United States	59.39	59.41	.1518	.1641
Leersmen, male:				
North Atlantic	57.18	57.44	.1718	.1784
South Atlantic	59.54	59.54	.1702	.1702
North Central	57.41	56.36	.1829	.1994
United States	57.37	57.21	.1761	.1846
Packers, male:				
North Atlantic	56.01	56.40	.1997	.2022
South Atlantic	51.62	52.16	.2073	.2096
North Central	59.47	59.46	.1886	.1921
United States	57.49	57.53	.1947	.1981
Pressers, male:				
North Atlantic	52.51	52.44	.4074	.5002
South Atlantic	53.23	53.27	.7866	.8817
North Central	49.99	50.33	.6357	.6388
United States	51.70	51.73	.5084	.5751
Press gatherers, male:				
North Atlantic	52.51	52.44	.3109	.3833
South Atlantic	53.00	53.00	.6404	.7230
North Central	50.05	50.00	.4826	.4723
United States	51.71	51.65	.3815	.4257
Teasers, male:				
North Atlantic	76.49	76.42	.2022	.2035
South Atlantic	80.31	80.80	.1782	.1783
North Central	83.58	83.63	.1751	.1840
United States	79.43	79.68	.1903	.1936

Protected by tariff of from 40 per cent to 382 per cent (par. 97 to 102).
Work people in trade highly organized.
Average percentage of labor in glass, 37.1.

HATS, FUR.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Blockers, male:				
North Atlantic	53.85	53.88	$0.3534	$0.3647
Colorers, male:				
North Atlantic	55.43	54.67	.1960	.1971
Coners, male:				
North Atlantic	53.79	53.92	.2881	.2891
Curlers, male:				
North Atlantic	53.48	53.46	.5031	.4348
Feeders, female:				
North Atlantic	54.12	54.16	.1145	.1266
Finishers, male:				
North Atlantic	53.91	53.45	.3317	.3310
Flangers, male:				
North Atlantic	55.95	54.14	.3304	.3244
Fur blowers, male:				
North Atlantic	55.18	54.09	.1644	.1759
Hardeners, male:				
North Atlantic	54.00	54.11	.2925	.2959
Pounceers, male:				
North Atlantic	54.31	53.72	.2542	.2451
Sizers, male:				
North Atlantic	53.94	53.58	.3004	.3135
Stiffeners, male:				
North Atlantic	53.79	53.91	.3991	.3665
Trimmers, female:				
North Atlantic	54.33	53.65	.1460	.1507
Weighers, female:				
North Atlantic	53.29	53.32	.1260	.1386

Protected by a tariff of from 35 to 62 per cent. (Par. 442.)
Work people in trade fairly organized.
Average percentage of labor in miscellaneous, 19.9.

HOSIERY AND KNIT GOODS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Boarders, male:				
North Atlantic	58.60	58.08	$0.2002	$0.2220
South Atlantic	63.80	63.70	.1148	.1444
North Central	58.12	57.75	.1403	.1415
United States	59.66	59.12	.1682	.1885
Finishers, female:				
North Atlantic	58.05	58.97	.1377	.1458
South Atlantic	64.16	64.20	.0865	.1032
North Central	58.20	57.18	.1108	.1165
United States	58.51	58.87	.1271	.1353
Knitters, male:				
North Atlantic	63.28	60.39	.2031	.2030
South Atlantic	64.33	64.41	.1103	.1241
North Central	57.48	57.23	.2741	.3023
United States	61.65	60.33	.2112	.2144
Knitters, female:				
North Atlantic	58.35	58.07	.1348	.1381
South Atlantic	59.38	59.25	.1001	.1059
North Central	56.33	56.12	.1073	.1164
United States	57.74	57.46	.1226	.1270
Loopers, female:				
North Atlantic	58.62	58.42	.1455	.1471
South Atlantic	63.98	63.68	.0885	.1017
North Central	58.48	57.89	.1219	.1252
United States	59.88	59.40	.1275	.1332
Menders, female:				
North Atlantic	59.16	58.87	.1272	.1310
South Atlantic	62.64	62.18	.0756	.0847
North Central	57.50	56.98	.1187	.1194
United States	59.45	59.06	.1151	.1199
Pressers, male:				
North Atlantic	59.26	59.35	.1697	.1757
South Atlantic	65.30	65.54	.0877	.1158
North Central	56.32	56.59	.1628	.1853
United States	60.19	60.33	.1470	.1629
Pressers, female:				
North Atlantic	58.63	58.75	.1032	.1014
North Central	56.00	55.00	.1203	.1216
United States	58.35	58.30	.1051	.1038
Ribbers, female:				
North Atlantic	59.78	59.62	.1495	.1704
North Central	59.09	58.96	.1226	.1224
United States	59.62	59.41	.1430	.1549

Protected by a tariff of from 30 to 64 per cent. (Pp. 325 to 327.)
Work people poorly organized.
Average per cent of labor in textiles, 19.5.

IRON AND STEEL, BAR.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Catchers, male:				
North Atlantic	64.04	63.89	$0.3338	$0.3484
South Atlantic	60.92	60.92	.2530	.2732
North Central	67.36	67.36	.5489	.5320
South Central	72.00	72.00	.2647	.3055
United States	65.44	65.29	.3978	.4034
Heaters, male:				
North Atlantic	64.70	64.63	.4948	.5656
South Atlantic	61.85	62.00	.4793	.5504
North Central	67.52	67.52	.6553	.6368
South Central	72.00	72.00	.4546	.4913
United States	66.49	66.50	.5719	.5926
Heaters' helpers, male:				
North Atlantic	67.64	67.50	.2456	.2587
South Atlantic	60.92	61.00	.2218	.2740
North Central	66.99	66.99	.3340	.3224
South Central	72.00	72.00	.1821	.1933
United States	67.10	67.10	.2797	.2844

IRON AND STEEL, BAR—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Hot straighteners, male:				
North Atlantic	63.41	63.97	$0.2066	$0.2124
South Atlantic	61.16	61.06	.1535	.1701
North Central	69.66	69.75	.2600	.2543
South Central	72.00	72.00	.1366	.1418
United States	65.67	65.76	.2078	.2125
Rollers, male:				
North Atlantic	63.76	63.66	.7042	.7734
South Atlantic	61.33	61.33	.7002	.7739
North Central	70.25	70.30	1.0830	1.0397
South Central	72.00	72.00	.9401	1.0059
United States	66.69	66.61	.8674	.8931
Roughers, male:				
North Atlantic	65.36	65.33	.3854	.4040
South Atlantic	61.14	61.14	.3410	.3785
North Central	61.01	61.37	.5182	.5761
South Central	72.00	72.00	.3324	.3519
United States	63.43	63.54	.4407	.4804

IRON AND STEEL, BESSEMER CONVERTING.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Blowers, male:				
North Atlantic	60.33	61.26	$0.5440	$0.5329
South Atlantic	74.00	74.00	.4229	.4412
North Central	66.55	66.55	.6174	.6382
South Central	75.00	75.00	.3898	.4125
United States	65.69	66.00	.5302	.5360
Bottom makers, male:				
North Atlantic	69.00	69.89	.3142	.2982
South Atlantic	72.00	72.00	.2193	.2320
North Central	67.00	67.00	.3430	.3428
South Central	65.14	64.29	.1790	.1689
United States	68.38	68.45	.2879	.2812
Ladle liners, male:				
North Atlantic	64.74	65.40	.3807	.3710
South Atlantic	73.50	73.50	.3166	.3459
North Central	66.55	66.55	.4443	.4424
South Central	75.00	75.00	.2240	.2427
United States	67.86	68.09	.3702	.3736
Melters, male:				
North Atlantic	66.48	67.29	.4084	.3831
South Atlantic	72.00	72.00	.3846	.4212
North Central	50.55	50.55	.5765	.5440
South Central	66.00	66.00	.4229	.4695
United States	61.09	61.73	.4705	.4301
Steel pourers, male:				
North Atlantic	56.41	53.20	.5259	.5135
South Atlantic	74.00	74.00	.4592	.5071
North Central	51.53	51.53	.7068	.6090
South Central	66.00	66.00	.4229	.4636
United States	57.19	55.42	.5712	.5500
Vessel men, male:				
North Atlantic	65.00	57.00	.5512	.5734
South Atlantic	72.00	72.00	.4123	.4484
North Central	55.09	55.09	.7634	.7349
South Central	78.00	78.00	.3049	.3316
United States	63.97	60.55	.5777	.5863

Protected by a tariff of from 13 to 14 per cent. (Par. 124.)
Work people in trade fairly organized among independent producers; poorly organized where the trust controls.
NOTE.—Frightfully long hours these people work.
Average per cent of labor in iron and steel products, 22.10.

IRON AND STEEL, BLAST FURNACE.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Cinder snappers, male:				
North Atlantic	84.00	84.00	$0.1478	$0.1367
South Atlantic	84.00	84.00	.1375	.1404
North Central	84.00	84.00	.1743	.1794
South Central	84.00	84.00	.1287	.1264
United States	84.00	84.00	.1499	.1569
Hot-blast men, male:				
North Atlantic	84.00	84.00	.1813	.1907
South Atlantic	84.00	84.00	.1536	.1561
North Central	84.00	84.00	.1759	.1897
South Central	84.00	84.00	.1560	.1530
United States	84.00	84.00	.1738	.1822

IRON AND STEEL, BLAST FURNACE—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Keepers, male:				
North Atlantic	84.00	84.00	$0.2023	$0.2137
South Atlantic	84.00	84.00	.1836	.1865
North Central	84.00	84.00	.2133	.2228
South Central	84.00	84.00	.1662	.1656
United States	84.00	84.00	.1981	.2070
Keepers' helpers, male:				
North Atlantic	84.00	84.00	.1637	.1718
South Atlantic	84.00	84.00	.1396	.1428
North Central	84.00	84.00	.1749	.1841
South Central	84.00	84.00	.1287	.1331
United States	84.00	84.00	.1573	.1644
Top fillers, male:				
North Atlantic	81.95	81.98	.1640	.1763
South Atlantic	84.00	84.00	.1330	.1537
North Central	79.46	79.46	.1995	.2095
South Central	84.00	84.00	.1583	.1591
United States	82.04	82.11	.1655	.1765

Tariff of from 19 to 41 per cent. (Par. 129.)
Average per cent of labor gross of product, 22.1.

LUMBER.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Cant setters, male:				
North Atlantic	60.00	60.00	$0.1950	$0.1950
North Central	60.83	60.83	.2089	.2179
South Central	60.00	60.00	.1875	.1875
Western	60.00	60.00	.2050	.2175
United States	60.63	60.63	.2053	.2129
Carriage men, male:				
North Atlantic	60.00	60.00	.2686	.2759
South Atlantic	61.98	60.76	.1589	.1638
North Central	60.25	60.26	.2330	.2432
South Central	60.82	60.42	.1967	.2152
Western	60.00	60.00	.2417	.2578
United States	60.55	60.31	.2183	.2300
Choppers and sawyers, in woods, male:				
South Atlantic	62.21	62.27	.1433	.1449
North Central	60.34	60.48	.1831	.1906
South Central	60.37	60.39	.1787	.1844
Western	61.56	61.50	.2940	.3138
United States	60.64	60.73	.1934	.2013
Edgermen, male:				
North Atlantic	60.00	60.00	.2765	.2773
South Atlantic	62.00	61.06	.1765	.1821
North Central	60.22	60.21	.2576	.2641
South Central	60.57	60.30	.2428	.2523
Western	60.00	60.00	.3268	.3420
United States	60.44	60.28	.2554	.2624
Filers, male:				
North Atlantic	60.00	60.00	.3500	.4421
South Atlantic	62.50	60.00	.4440	.4725
North Central	60.00	60.00	.4816	.4864
South Central	60.09	60.52	.5387	.5708
Western	60.00	60.00	.5113	.5402
United States	60.43	60.18	.4814	.5057
Laborers, male:				
North Atlantic	60.00	60.00	.1688	.1799
South Atlantic	60.71	59.96	.1332	.1367
North Central	60.32	60.16	.1744	.1804
South Central	61.00	60.74	.1507	.1604
Western	60.00	60.00	.2103	.2245
United States	60.44	60.22	.1729	.1805
Sawyers, band, male:				
North Atlantic	60.00	60.00	.5136	.4870
South Atlantic	62.45	61.36	.5191	.5304
North Central	60.29	60.30	.5063	.5230
South Central	61.14	60.60	.5697	.5970
Western	60.00	60.00	.4975	.5069
United States	60.54	60.37	.5170	.5303

LUMBER—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Sawyers, circular, male:				
North Atlantic	60.00	60.00	$0.3500	$0.3500
South Atlantic	61.67	60.83	.3673	.3700
North Central	60.00	60.00	.3667	.3411
South Central	60.00	60.00	.5119	.5378
Western	60.00	60.00	.5456	.5699
United States	60.24	60.12	.4477	.4439
Sawyers, gang, male:				
North Atlantic	60.00	60.00	.2308	.2375
South Atlantic	59.33	56.00	.1667	.1833
North Central	60.38	60.38	.3072	.3210
South Central	60.00	60.00	.2815	.2877
Western	60.00	60.00	.3063	.3250
United States	60.13	59.84	.2766	.2886
Trimmers, male:				
North Atlantic	60.00	60.00	.2067	.2133
South Atlantic	62.74	62.19	.1494	.1496
North Central	60.27	60.31	.2274	.2285
South Central	60.43	60.43	.1799	.1836
Western	60.00	60.00	.2487	.2595
United States	60.46	60.46	.2150	.2160

Protected by a tariff of from 2.78 to 15.84 per cent. (Par. 197.)
Work people fairly organized in the West.

PAPER AND WOOD PULP.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Back tenders, male:				
North Atlantic	64.14	55.14	$0.1766	$0.2249
North Central	68.33	68.33	.1580	.1664
United States	65.02	57.57	.1727	.2142
Beaters, male:				
North Atlantic	61.23	53.34	.1783	.2054
North Central	68.79	68.74	.1628	.1665
United States	62.82	56.19	.1750	.1982
Bleachers, male:				
North Atlantic	53.25	53.47	.2036	.2113
North Central	62.57	62.57	.1640	.1668
United States	55.60	55.81	.1936	.1999
Calenderers, male:				
North Atlantic	54.56	56.20	.1980	.2047
North Central	64.88	64.88	.1752	.1777
United States	57.00	57.97	.1926	.1992
Calenderers, female:				
North Atlantic	55.00	55.00	.1382	.1595
Cutters, male:				
North Atlantic	52.24	58.01	.2123	.1722
North Central	59.14	59.12	.1758	.1796
United States	54.38	58.37	.2010	.1746
Cutters, female:				
North Atlantic	54.94	60.18	.1088	.1101
North Central	59.95	59.97	.0956	.1046
United States	56.13	60.13	.1056	.1086
Enamelers, male:				
North Atlantic	48.55	48.37	.2160	.2333
North Central	60.00	60.00	.1796	.1879
United States	51.64	50.18	.2062	.2263
Finishers, male:				
North Atlantic	60.05	56.96	.1776	.1959
North Central	59.93	61.40	.1791	.1835
United States	60.02	58.07	.1780	.1928
Finishers, female:				
North Atlantic	57.70	56.70	.1313	.1374
North Central	59.97	60.52	.1013	.1082
United States	58.97	58.60	.1144	.1229
Laborers, male:				
North Atlantic	59.31	58.65	.1573	.1606
North Central	60.62	60.59	.1499	.1550
United States	59.63	59.11	.1555	.1593

PAPER AND WOOD PULP—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Machine tenders, male:				
North Atlantic	61.11	53.99	$0.2771	$0.3349
North Central	68.35	68.35	.2696	.2716
United States	62.41	56.27	.2757	.3249
Press tenders, male:				
North Atlantic	66.73	58.90	.1572	.1842
North Central	61.44	61.44	.1343	.1453
United States	65.79	59.33	.1531	.1777
Pulp grinders, male:				
North Atlantic	68.11	62.64	.1592	.1975
North Central	71.93	71.92	.1342	.1492
United States	68.51	54.07	.1566	.1939
Rag sorters, male:				
North Atlantic	57.85	59.86	.1675	.1628
Rag sorters, female:				
North Atlantic	52.10	52.85	.1043	.1150
North Central	59.56	59.64	.0979	.1168
United States	53.77	54.63	.1029	.1155
Wood cookers, male:				
North Atlantic	61.39	56.28	.2036	.2421
North Central	71.75	71.75	.1833	.1885
United States	62.22	57.72	.2019	.2371
Wood preparers, male:				
North Atlantic	62.32	56.76	.1637	.1990
North Central	59.90	59.89	.1505	.1618
United States	61.81	57.24	.1609	.1933

Protected by a tariff of wood pulp free to 10 per cent. (Par. 402.)
Paper from 5.58 to 49 per cent. (Pars. 403 to 409.)
Work people fairly organized.
Average percentage of labor miscellaneous, 19.9.

POTTERY.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Dippers, male:				
North Atlantic	46.50	46.50	$0.5206	$0.5654
North Central	44.43	44.54	.5382	.5268
United States	45.06	45.12	.5329	.5382
Jigger men, male:				
North Atlantic	51.39	51.28	.4354	.4356
North Central	53.00	53.00	.4772	.4406
United States	52.41	52.37	.4620	.4445
Kiln firemen, male:				
North Atlantic	62.44	62.44	.3684	.3684
North Central	82.15	82.15	.2500	.2500
United States	74.09	74.09	.2984	.2984
Kiln men, male:				
North Atlantic	46.43	46.70	.3809	.3707
North Central	45.73	45.71	.4038	.4262
United States	46.04	46.13	.3933	.4084
Mold makers, male:				
North Atlantic	53.15	53.15	.3868	.3833
North Central	52.40	52.40	.3452	.3461
United States	52.70	52.70	.3616	.3607
Pressers, male:				
North Atlantic	52.72	52.68	.4354	.4445
North Central	53.00	53.00	.3737	.3619
United States	52.81	52.77	.4140	.4207
Sagger makers, male:				
North Atlantic	50.81	51.07	.5046	.4822
North Central	47.41	47.44	.5223	.5420
United States	49.13	49.19	.5134	.5131
Setters out, male:				
North Atlantic	46.22	46.22	.4867	.4915
North Central	45.68	45.68	.5120	.5477
United States	45.93	45.93	.5006	.5224

Protected by a tariff of from 20 to 60 per cent. (Pars. 90 to 92.)
Work people highly organized. Note the reasonable working hours.
Average percentage of labor in clay products, 37.1.

PRINTING AND BINDING, BOOK AND JOB.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Bookbinders, male:				
North Atlantic	53.34	52.82	$0.3440	$0.3514
South Atlantic	54.00	53.08	.3081	.3269
North Central	53.84	53.63	.3150	.3195
South Central	53.52	53.17	.3128	.3213
Western	49.56	49.64	.3946	.4165
United States	53.36	53.02	.3280	.3363
Compositors, male:				
North Atlantic	50.53	50.16	.3614	.3712
South Atlantic	51.82	50.85	.3271	.3336
North Central	51.29	51.19	.3421	.3433
South Central	52.60	52.91	.3337	.3409
Western	49.07	48.91	.4335	.4671
United States	51.01	50.75	.3537	.3620
Compositors, female:				
North Atlantic	51.87	51.59	.2887	.3077
North Central	52.96	52.29	.2758	.2871
United States	52.24	51.74	.2843	.2989
Electrotypers, male:				
North Atlantic	51.54	51.63	.4216	.4239
North Central	52.95	51.45	.3505	.3617
Western	49.83	49.04	.4200	.5222
United States	51.99	51.26	.3960	.4350
Linotype operators, male:				
North Atlantic	49.49	49.42	.4545	.4581
South Atlantic	50.34	50.03	.4213	.4263
North Central	49.53	49.61	.4608	.4743
South Central	48.80	49.16	.4731	.4572
Western	47.91	47.50	.5690	.5743
United States	49.46	49.38	.4625	.4675
Linotype operators, female:				
North Atlantic	52.11	52.42	.3062	.3085
North Central	53.11	53.00	.2037	.2716
Western	46.00	45.75	.5321	.4808
United States	51.74	51.78	.2812	.3118
Press feeders, male:				
North Atlantic	52.38	52.49	.2086	.2264
South Atlantic	53.83	52.75	.1609	.1622
North Central	53.90	53.49	.1896	.1949
South Central	53.23	52.86	.1649	.1712
Western	49.06	49.05	.2366	.2498
United States	52.91	52.62	.1949	.2053
Press feeders, female:				
North Atlantic	53.95	53.96	.1265	.1244
South Atlantic	54.00	53.70	.1136	.1208
North Central	53.90	53.43	.1450	.1407
South Central	53.75	53.69	.0989	.1168
United States	53.93	53.74	.1279	.1282
Pressmen, male:				
North Atlantic	52.81	52.62	.3550	.3691
South Atlantic	53.85	52.95	.3024	.3143
North Central	53.94	53.52	.3384	.3517
South Central	53.55	52.94	.3136	.3358
Western	49.00	48.94	.4357	.4533
United States	53.10	52.75	.3475	.3619
Proof readers, male:				
North Atlantic	50.15	49.81	.4101	.4197
South Atlantic	53.67	51.88	.3258	.3402
North Central	52.91	51.33	.3815	.4022
South Central	53.50	53.50	.3598	.3481
Western	48.86	48.86	.4096	.4275
United States	51.03	50.41	.3958	.4071
Proof readers, female:				
North Atlantic	52.44	51.72	.2928	.3195
South Atlantic	54.00	54.00	.1636	.1713
North Central	52.40	52.03	.2736	.2800
South Central	53.17	51.14	.2388	.2789
Western	50.40	49.50	.3099	.3930
United States	52.47	51.98	.2709	.2945
Sewers and stitchers, book, female:				
North Atlantic	53.34	52.98	.1260	.1306
South Atlantic	53.79	52.82	.0994	.1073
North Central	53.81	53.63	.1180	.1219
South Central	53.07	53.06	.1059	.1057
Western	49.79	49.58	.1525	.1663
United States	53.08	52.83	.1206	.1249

PRINTING, NEWSPAPER.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Compositors, male:				
North Atlantic	46.97	47.08	$0.5006	$0.5140
South Atlantic	47.21	44.88	.4711	.5069
North Central	47.19	47.11	.5148	.5281
South Central	48.46	48.52	.5037	.5060
Western	46.48	46.66	.6124	.6363
United States	47.17	46.92	.5135	.5296
Linotype operators, male:				
North Atlantic	46.56	46.46	.5557	.5641
South Atlantic	44.60	44.64	.5560	.5745
North Central	47.32	47.22	.5336	.5455
South Central	47.79	47.74	.6391	.6451
Western	46.35	46.73	.6237	.6653
United States	46.67	46.64	.5646	.5791
Pressmen, male:				
North Atlantic	46.66	46.47	.4645	.4871
South Atlantic	48.11	48.44	.3717	.3721
North Central	49.68	48.52	.4024	.4195
South Central	52.73	52.41	.4312	.4233
Western	48.75	47.56	.4754	.5344
United States	48.34	47.73	.4337	.4558
Stereotypers, male:				
North Atlantic	45.89	45.64	.5285	.5367
South Atlantic	46.80	46.56	.4067	.4466
North Central	48.93	48.73	.4296	.4380
South Central	51.42	51.36	.3973	.4200
Western	50.03	48.74	.5027	.5467
United States	47.68	47.39	.4752	.4905

Protected by a tariff of from 16 per cent to 49 per cent (par. 408).
Work people highly organized. Note the reasonable hours.
Laborers well organized, as a rule.
Average percentage of labor in printing products, 21.6.

SHIPBUILDING.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Blacksmiths, male:				
North Atlantic	54.92	55.13	$0.3093	$0.3066
South Atlantic	57.52	57.77	.2738	.2753
North Central	58.72	58.58	.2956	.3095
Western	53.87	53.83	.3833	.3995
United States	56.01	56.29	.3086	.3063
Boiler makers, male:				
North Atlantic	54.16	54.09	.2876	.2957
South Atlantic	58.36	58.67	.2589	.2622
North Central	59.46	59.11	.3048	.3125
Western	54.00	54.00	.4274	.4702
United States	55.29	56.41	.2892	.2965
Calkers, iron, male:				
North Atlantic	55.74	55.49	.2732	.2810
South Atlantic	54.28	54.23	.2332	.2905
North Central	57.56	57.66	.2995	.3532
Western	54.00	54.00	.3554	.4257
United States	55.70	55.52	.2849	.2990
Calkers, wood, male:				
North Atlantic	52.76	51.26	.3551	.3700
South Atlantic	54.15	54.32	.3005	.2997
North Central	54.00	54.00	.3100	.3300
Western	49.00	49.00	.5658	.7000
United States	52.94	51.85	.3506	.3656
Carpenters, male:				
North Atlantic	53.88	52.64	.3146	.3340
South Atlantic	57.25	57.13	.2746	.2815
North Central	58.55	58.41	.3000	.3087
Western	52.81	53.23	.4329	.4509
United States	54.99	54.21	.3146	.3296
Drillers, male:				
North Atlantic	55.92	55.73	.2368	.2536
South Atlantic	56.29	56.02	.1791	.1775
North Central	56.94	56.85	.2082	.2359
Western	54.00	54.00	.2823	.3016
United States	55.93	55.79	.2297	.2403
Fitters, male:				
North Atlantic	55.19	55.07	.2608	.2700
South Atlantic	58.39	58.05	.2437	.2526
North Central	56.98	57.73	.2736	.2960
Western	54.00	54.00	.4036	.4123
United States	56.74	56.65	.2692	.2814

SHIPBUILDING—continued.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Joiners, male:				
North Atlantic	55.53	55.15	$0.2988	$0.3063
South Atlantic	57.01	57.02	.2759	.2765
North Central	59.00	58.30	.2995	.3172
Western	53.72	53.66	.4305	.4458
United States	55.92	55.87	.3181	.3148
Laborers, male:				
North Atlantic	55.54	55.58	.1677	.1756
South Atlantic	56.81	56.68	.1356	.1418
North Central	58.02	59.00	.1695	.1755
Western	53.90	53.60	.2204	.2309
United States	56.56	57.02	.1622	.1677
Machinists, male:				
North Atlantic	55.16	55.05	.2707	.2787
South Atlantic	58.36	57.88	.2683	.2794
North Central	59.32	59.04	.2869	.3032
Western	54.00	54.00	.3769	.3928
United States	56.41	56.28	.2915	.2958
Molders, iron, male:				
North Atlantic	56.07	55.28	.2870	.2907
South Atlantic	57.38	57.43	.2876	.2971
North Central	55.37	55.14	.3266	.3466
Western	54.00	54.00	.4358	.4397
United States	56.07	56.14	.3218	.3225
Painters, male:				
North Atlantic	54.85	54.72	.2687	.2814
South Atlantic	55.95	56.36	.2425	.2471
North Central	59.18	57.30	.2410	.2246
Western	54.00	54.00	.3025	.3279
United States	55.34	55.51	.2598	.2664
Pattern makers, male:				
North Atlantic	55.92	55.79	.3226	.3235
South Atlantic	57.69	58.11	.3162	.3346
North Central	59.16	59.00	.3384	.3487
Western	54.00	54.00	.4747	.5073
United States	56.56	56.80	.3440	.3454
Riggers, male:				
North Atlantic	55.57	55.19	.2064	.2163
South Atlantic	56.15	55.86	.2366	.2361
North Central	56.69	56.10	.2183	.2281
Western	50.57	52.29	.4892	.4039
United States	55.00	54.92	.2499	.2458
Riveters, male:				
North Atlantic	55.19	54.85	.3345	.3375
South Atlantic	58.56	58.15	.2280	.2294
North Central	57.10	56.94	.2722	.3498
Western	54.00	54.00	.3097	.3689
United States	56.58	56.28	.2784	.3072

Work people well organized in the West.

SILK GOODS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Beamers, male:				
North Atlantic	56.97	56.89	$0.1887	$0.1938
Doublers, female:				
North Atlantic	57.09	57.17	.1055	.1163
Dyers, male:				
North Atlantic	55.64	55.66	.1954	.1902
Loom fixers, male:				
North Atlantic	58.15	58.03	.2656	.2768
Pickers, female:				
North Atlantic	58.18	57.76	.1185	.1274
Quillers, female:				
North Atlantic	57.74	57.75	.0918	.0984
Spinners, male:				
North Atlantic	58.02	56.74	.1017	.1035
Spinners, female:				
North Atlantic	58.91	58.44	.1035	.1136
Twisters-in, male:				
North Atlantic	57.91	57.92	.2391	.2564
Warpers, male:				
North Atlantic	56.27	56.37	.2403	.2505
Warpers, female:				
North Atlantic	58.12	57.70	.1563	.1663
Weavers, male:				
North Atlantic	57.06	57.68	.2086	.2177
Weavers, female:				
North Atlantic	58.33	58.02	.1543	.1700
Weavers, ribbon, male:				
North Atlantic	56.14	56.16	.2543	.2813

Protected by a tariff of from 46 per cent to 130 per cent. (Par. 392 to 395.)
Work people poorly organized.
Average percentage of labor in textile products, 19.5.

WOOLEN AND WORSTED GOODS.

Occupation and geographical division.	Average hours per week.		Average wages per hour.	
	1906.	1907.	1906.	1907.
Burlers, female:				
North Atlantic	58.31	57.89	$0.1092	$0.1153
Carders, male:				
North Atlantic	58.73	58.49	.1213	.1290
Card strippers, male:				
North Atlantic	58.08	57.95	.1324	.1355
Combers, male:				
North Atlantic	59.20	58.57	.1219	.1239
Combers, female:				
North Atlantic	56.62	56.21	.0948	.0958
Dyers, male:				
North Atlantic	59.43	58.91	.1408	.1500
Loom fixers, male:				
North Atlantic	58.38	57.99	.2546	.2674
Spinners, frame, male:				
North Atlantic	58.32	57.70	.0931	.1159
Spinners, frame, female:				
North Atlantic	58.68	58.00	.1065	.1185
Spinners, mule, male:				
North Atlantic	58.57	58.45	.2027	.2066
Weavers, male:				
North Atlantic	58.73	58.51	.2025	.2116
Weavers, female:				
North Atlantic	58.18	58.07	.1697	.1841

Protected by a tariff on—
Wool, from 35 to 149 per cent. (Pars. 365 to 372.)
Yarns, from 55 to 141 per cent. (Par. 374.)
Knit fabrics, from 55 to 141 per cent. (Par. 374.)
Blankets, from 71 to 143 per cent. (Par. 375.)
Work people poorly organized.
Average percentage of labor in textile products, 19.5.

EXHIBIT 11.

A comparison between the platforms of the two great political parties from 1856 to 1908 on the tariff, monopoly, reciprocity, and income tax:

Republican platforms.	*Democratic platforms.*
1856.	1856.
Tariff, silent.	Tariff, silent.
Monopoly, silent.	Monopoly, silent.
Reciprocity, silent.	Reciprocity, silent.
Income tax, silent.	Income tax, silent.
1860.	1860.
TARIFF.	Tariff, silent.
12. That while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an *adjustment of these imposts as to encourage the development of the industrial interests of the whole country;* and we commend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence.	
Monopoly, silent.	Monopoly, silent.
Reciprocity, silent.	Reciprocity, silent.
Income tax, silent.	Income tax, silent.
1864.	1864.
Tariff, silent.	Tariff, silent.
Monopoly, silent.	Monopoly, silent.
Reciprocity, silent.	Reciprocity, silent.
Income tax, silent.	Income tax, silent.
1868.	1868.
Tariff, silent.	Tariff, silent.
Monopoly, silent.	Monopoly, silent.
Reciprocity, silent.	Reciprocity, silent.
Income tax, silent.	Income tax, silent.
1872.	1872.
TARIFF.	TARIFF.
7. The annual revenue, after paying current expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal, and that revenue, except so much as may be derived from a tax on tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country.	6. We demand a system of Federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the Government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts, and to the decision of the Congress thereon, wholly free from executive interference or dictation.
11. Among the questions which press for attention is that which concerns the relations of capital and labor, and the Republican party recognizes the duty of so shaping legislation as to secure	

full protection and the amplest field for capital, and for labor, the creator of capital, the largest opportunities and a just share of the mutual profits of these two great servants of civilization.

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1876.

TARIFF.

8. The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country.

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1880.

TARIFF.

5. We reaffirm the belief avowed in 1876, that the duties levied for the purpose of revenue should so discriminate as to favor American labor.

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1884.

TARIFF.

The largest diversity of industry is most productive of general prosperity, and of the comfort and independence of the people.

We therefore demand that the imposition of duties on foreign imports shall be made, not "for revenue only," but that in raising the requisite revenues for the Government such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer, to the end that active and intelligent labor, as well as capital, may have its just reward, and the laboring man his full share in the national prosperity.

Against the so-called "economic system of the Democratic party, which would degrade our labor to the foreign standard, we enter our earnest protest.

The Democratic party has failed completely to relieve the people of the burden of unnecessary taxation by a wise reduction of the surplus.

The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such methods as will relieve the taxpayer without injuring the laborer or the great productive interests of the country.

We recognize the importance of sheep husbandry in the United States, the serious depression which it is now experiencing, and the danger threatening its future prosperity; and we therefore respect the demands of the representatives of this important agricultural interest for a readjustment of duties upon foreign wool, in order that such industry shall have full and adequate protection.

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1876.

TARIFF.

Reform is necessary in the sum and modes of federal taxation, to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon nearly 4,000 articles, as a masterpiece of injustice, inequality, and false pretense. It yields a dwindling, not a yearly rising revenue. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sales of American manufactures at home and abroad, and depleted the returns of American agriculture—an industry followed by half our people. It costs the people five times more than it produces to the Treasury, obstructs the processes of production, and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

Reciprocity, silent.
Income tax, silent.

1880.

TARIFF.

13. The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorant and the commune.

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1884.

TARIFF.

Commenting on the Republican party, the platform says: "It professes a desire to elevate labor; it has subjected American workingmen to the competition of convict and imported contract labor."

* * * *

"It proffers a pledge to correct the irregularities of our tariff; it created and has continued them. Its own tariff commission confessed the needs of more than 20 per cent reduction; its Congress gave a reduction of less than 4 per cent. It professes the protection of American manufactures; it has subjected them to an increasing flood of manufactured goods and a hopeless competition with manufacturing nations, not one of which taxes raw materials. It professes to protect all American industries; it has impoverished many to subsidize a few. It professes the protection of American labor; it has depleted the returns of American agriculture and industry, followed by half of our people."

"The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive respect for law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners. Knowing full well, however, that legislation affecting the operations of the people should be cautious and conservative in method, not in advance of public opinion, but responsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all interests. But, in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government, taxes collected at the custom-house have been the chief source of federal revenue. Such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice; all taxation shall be limited to the requirements of economical government. The necessary reduction and taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country. Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from the custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity. We therefore denounce the abuses of the existing tariff, and, subject to the preceding limitations, we demand that federal taxation shall be exclusively for public purposes and shall not exceed the needs of the Government, economically administered."

Monopoly, silent.
Reciprocity, silent.
Income tax, silent.

1888.

PROTECTION TO AMERICAN INDUSTRIES.

We are uncompromisingly in favor of the American system of protection; we protest against its destruction as proposed by the President and his party. They serve the interests of Europe; we will support the interests of America. We accept the issue and confidently appeal to the people for their judgment. The protective system must be maintained. Its abandonment has always been followed by general disaster to all interests except those of the usurer and the sheriff. We denounce the Mills bill as destructive to the general business, the labor, and the farming interests of the country, and we heartily indorse the consistent and patriotic action of the Republican Representatives in Congress in opposing its passage.

DUTIES ON WOOL.

We condemn the proposition of the Democratic party to place wool on the free list, and we insist that the duties thereon shall be adjusted and maintained so as to furnish full and adequate protection to that industry throughout the United States.

MONOPOLY.

We declare our opposition to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens; and we recommend to Congress and the state legislatures, in their respective jurisdictions, such legislation as will prevent the execution of all

schemes to oppress the people by undue charges on their supplies, or by unjust rates for the transportation of their products to market. We approve the legislation by Congress to prevent alike unjust burdens and unfair discriminations between the States.

Reciprocity, silent.
Income tax, silent.

1892.

THE PRINCIPLE OF PROTECTION.

We reaffirm the American doctrine of protection. We call attention to its growth abroad. We maintain that the prosperous condition of our country is largely due to the wise revenue legislation of the last Republican Congress. We believe that all articles which can not be produced in the United States, except luxuries, should be admitted free of duty, and that on all imports coming into competition with the products of American labor there should be levied duties equal to the difference between wages abroad and at home.

We assert that the prices of manufactured articles of general consumption have been reduced under the operations of the tariff act of 1890.

We denounce the efforts of the Democratic majority of the House of Representatives to destroy our tariff laws piecemeal, as manifested by their attacks upon wool, lead, and lead ores, the chief products of a number of States, and we ask the people for their judgment thereon.

equality before the law and the fairness and the justice which are their right. Thus the cry of American labor for a better share in the rewards of industry is stifled with false pretenses, enterprise is fettered and bound down to home markets, capital is discouraged with doubt, and unequal, unjust laws can neither be properly amended nor repealed. The Democratic party will continue, with all the power confided to it, the struggle to reform these laws in accordance with the pledges of its last platform, indorsed at the ballot box by the suffrages of the people.

Of all the industrious freemen of our land the immense majority, including every tiller of the soil, gain no advantage from excessive tax laws, but the price of nearly everything they buy is increased by the favoritism of an unequal system of tax legislation. All unnecessary taxation is unjust taxation. It is repugnant to the creed of Democracy that by such taxation the cost of the necessaries of life should be unjustifiably increased to all our people. Judged by Democratic principles, the interests of the people are betrayed when, by unnecessary taxation, trusts and combinations are permitted to exist, which, while unduly enriching the few that combine, rob the body of our citizens by depriving them of the benefits of natural competition.

Reciprocity, silent.
Income tax, silent.

1892.

TARIFF LEGISLATION.

SEC. 3. We denounce Republican protection as a fraud—a robbery of the great majority of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

We denounce the McKinley tariff law enacted by the Fifty-first Congress as the culminating atrocity of class legislation; we indorse the efforts made by the Democrats of the present Congress to modify its most oppressive features in the direction of free raw materials and cheaper manufactured goods that enter into general consumption, and we promise its repeal as one of the beneficent results that will follow the action of the people in intrusting power to the Democratic party. Since the McKinley tariff went into operation there have been ten reductions of the wages of the laboring men to one increase. We deny that there has been any increase of prosperity to the country since that tariff went into operation, and we point to the dullness and distress, to the wage reductions and strikes in the iron trade, as the best possible evidence that no such prosperity has resulted from the McKinley Act.

We call the attention of thoughtful Americans to the fact that, after thirty years of restrictive taxes against the importation of foreign wealth in exchange for our agricultural surplus, the homes and farms of the country have become burdened with a real-estate mortgage debt of over $2,500,000,000, exclusive of all other forms of indebtedness; that in one of the chief agricultural States of the West there appears a real-estate mortgage debt averaging $165 per capita of the total population, and that similar conditions and tendencies are shown to exist in the other agricultural exporting States. We denounce a policy which fosters no industry so much as it does that of the sheriff.

TRIUMPH OF RECIPROCITY.

We point to the success of the Republican policy of reciprocity, under which our export trade has vastly increased and new and enlarged markets have been opened for the products of our farms and workshops. We remind the people of the bitter opposition of the Democratic party to this practical business measure, and claim that, executed by a Republican administration, our present laws will eventually give us control of the trade of the world.

Monopoly, silent.

Income tax, silent.

1896.

TARIFF.

We renew and emphasize our allegiance to the policy of protection as the bulwark of American industrial independence and the foundation of American development and prosperity. This true American policy taxes foreign products and encourages home industry; it puts the burden of revenue on foreign goods; it secures the American market for the American producer; it upholds the American standard of wages for the American workingman; it puts the factory by the side of the farm, and makes the American farmer less dependent on foreign demand and price; it diffuses general thrift, and founds the strength of all on the strength of each. In its reasonable application it is just, fair, and impartial; equally opposed to foreign control and domestic monopoly, to sectional discrimination and individual favoritism.

We denounce the present Democratic tariff as sectional, injurious to the public credit, and destructive to business enterprise. We demand such an equitable tariff on foreign imports which have come into competition with American products as will not only furnish adequate revenue for the necessary expenses of the Government, but will protect American labor from degradation to the wage level of other lands. We are not pledged to any particular schedules. The question of rates is a practical question to be governed by the conditions of time and of production; the ruling and uncompromising principle is the protection and development of American labor and industry. The country demands a right settlement, and then it wants rest.

RECIPROCITY.

We believe the repeal of the reciprocity arrangements negotiated by the last Republican administration was a national calamity, and we demand their renewal and extension on such terms as will equalize our trade with other nations, remove the restrictions which now obstruct the sale of American products in the ports of other countries, and secure en-

RECIPROCITY.

SEC. 4. Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith, but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchanges, by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products, with other countries that are also agricultural, while erecting a custom-house barrier of prohibitive tariff taxes against the richest countries of the world, that stand ready to take our entire surplus of products, and to exchange therefor commodities which are necessaries and comforts of life among our own people.

MONOPOLY, TRUSTS, AND COMBINATIONS.

SEC. 5. We recognize in the trusts and combinations, which are designed to enable capital to secure more than its just share of the joint product of capital and labor, a natural consequence of the prohibitive taxes which prevent the free competition which is the life of honest trade; but we believe their worst evils can be abated by law, and we demand the rigid enforcement of the laws made to prevent and control them, together with such further legislation in restraint of their abuses as experience may show to be necessary.

Income tax, silent.

1896.

TARIFF RESOLUTION.

We hold that tariff duties should be levied for purposes of revenue, such duties to be so adjusted as to operate equally throughout the country, and not discriminate between class or section, and that taxation should be limited by the needs of the Government, honestly and economically administered. We denounce as disturbing to business the Republican threat to restore the McKinley law, which has twice been condemned by the people in national elections, and which, enacted under the false plea of protection to home industry, proved a prolific breeder of trusts and monopolies, enriched the few at the expense of the many, restricted trade, and deprived the producers of the great American staples of access to their natural markets.

Until the money question is settled we are opposed to any agitation for further changes in our tariff laws, except such as are necessary to meet the deficit in revenue caused by the adverse decision of the Supreme Court on the income tax. But for this decision by the Supreme Court there would be no deficit in the revenue under the law passed by a Democratic Congress in strict pursuance of the uniform decisions of that court for nearly one hundred years, that court having in that decision sustained constitutional objections to its enactment which had previously been overruled by the ablest judges who have ever sat on that bench. We declare that it is the duty of Congress to use all the constitutional power which remains after that decision, or which may come from its reversal by the court as it may hereafter be constituted, so that the burdens of taxation may be equally and impartially laid, to the end that wealth may bear its due proportion of the expense of the Government.

Reciprocity, silent.

larged markets for the products of our farms, forests, and factories.

Protection and reciprocity are twin measures of Republican policy and go hand in hand. Democratic rule has recklessly struck down both, and both must be reestablished. Protection for what we produce; free admission for the necessaries of life which we do not produce; reciprocity agreements of mutual interests which gain open markets for us in return for our open market to others. Protection builds up domestic industry and trade, and secures our own market for ourselves; reciprocity builds up foreign trade, and finds an outlet for our surplus.

Monopoly, silent.

MONOPOLY, TRUSTS, AND POOLS.

The absorption of wealth by the few, the consolidation of our leading railroad systems, and the formation of trusts and pools require a stricter control by the Federal Government of those arteries of commerce. We demand the enlargement of the powers of the Interstate Commerce Commission, and such restriction and guarantees in the control of railroads as will protect the people from robbery and oppression.

Income tax, silent

1900.

TARIFF POLICY REAFFIRMED.

We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained. By protecting the home market, competition has been stimulated and production cheapened. Opportunity to the inventive genius of our people has been secured and wages in every department of labor maintained at high rates—higher now than ever before, and always distinguishing our working people in their better conditions of life from those of any competing country. Enjoying the blessings of the American common school, secure in the right of self-government, and protected in the occupancy of their own markets, their constantly increasing knowledge and skill have enabled them to finally enter the markets of the world.

TRUSTS.

We recognize the necessity and propriety of the honest cooperation of capital to meet new business conditions, and especially to extend our rapidly increasing foreign trade; but we condemn all conspiracies and combinations intended to restrict business, to create monopolies, to limit production, or to control prices, and favor such legislation as will effectively restrain and prevent all such abuses, protect and promote competition, and secure the rights of producers, laborers, and all who are engaged in industry and commerce.

RECIPROCITY FAVORED.

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

Income tax, silent.

1904.

THE PROTECTIVE TARIFF.

Protection which guards and develops our industries is a cardinal policy of the Republican party. The measure of protection should always at least equal the difference in the cost of production at home and abroad.

We insist upon the maintenance of the principles of protection, and therefore rates of duty should be readjusted only when conditions have so changed that the public interest demands their alteration; but this work can not safely be committed to any other hands than those of the Republican party. To intrust it to the Democratic party is to invite disaster. Whether, as in 1892, the Democratic party declares the protective tariff unconstitutional, or whether it demands tariff reform or tariff revision, its real object is always the destruction of the protective system.

However specious the name, the purpose is ever the same. A Democratic tariff has always been followed by business adversity; a Republican tariff by business prosperity.

To a Republican Congress and a Republican President this great question can be safely intrusted. When the only free-trade country among the great nations agitates a return to protection, the chief protective country should not falter in maintaining it.

We have extended widely our foreign markets, and we believe in the adoption of all practicable methods for their further extension, including commercial reciprocity wherever reciprocal arrangements can be effected consistent with the principles of protection and without injury to American agriculture, American labor, or any American industry.

COMBINATIONS OF LABOR AND CAPITAL.

Combinations of capital and of labor are the results of the economic movement of the age, but neither must be permitted to infringe upon the rights and interests of the people. Such combinations when lawfully formed for lawful purposes are alike entitled to the protection of the laws, but both are subject to the laws, and neither can be permitted to break them.

tions to show, before doing business outside the State of their origin, that they have no water in their stock and that they have not attempted, and are not attempting, to monopolize any branch of business or the production of any article of merchandise; and the whole constitutional power of Congress over interstate commerce, the mails, and all modes of interstate communication shall be exercised by the enactment of comprehensive laws upon the subject of trusts.

THE FREE LIST AS A REMEDY.

Tariff laws should be amended by putting the products of trusts upon the free list to prevent monopoly under the plea of protection.

TRUSTS CONDEMNED.

We reaffirm our opposition, declared in the Republican platform of 1888, to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens. We heartily indorse the action already taken upon this subject, and ask for such further legislation as may be required to remedy any defects in existing laws and to render their enforcement more complete and effective.

Reciprocity, silent.

Income tax, silent.

1904.

TARIFF LEGISLATION.

The Democratic party has been, and will continue to be, the consistent opponent of that class of tariff legislation by which certain interests have been permitted, through congressional favor, to draw a heavy tribute from the American people. This monstrous prevention of those equal opportunities which our political institutions were established to secure has caused what may once have been infant industries to become the greatest combinations of capital that the world has ever known. These especial favorites of the Government have, through trust methods, been converted into monopolies, thus bringing to an end domestic competition, which was the only alleged check upon the extravagant profits made possible by the protective system. These industrial combinations, by the financial assistance they can give, now control the policy of the Republican party.

We denounce protection as a robbery of the many to enrich the few, and we favor a tariff limited to the needs of the Government economically administered, and so levied as not to discriminate against any industry, class, or section, to the end that the burdens of taxation shall be distributed as equally as possible.

We favor a revision and a gradual reduction of the tariff by the friends of the masses and for the common weal, and not by the friends of its abuses, its extortions, and its discriminations, keeping in view the ultimate ends of "equality of burdens and equality of opportunities," and the constitutional purpose of raising a revenue by taxation, to wit, the support of the Federal Government in all its integrity and virility, but in simplicity.

TRUSTS AND UNLAWFUL COMBINATIONS.

We recognize that the gigantic trusts and combinations designed to enable capital to secure more than its just share of the joint products of capital and labor, and which have been fostered and promoted under Republican rule, are a menace to beneficial competition and an obstacle to permanent business prosperity. A private monopoly is indefensible and intolerable.

Individual equality of opportunity and free competition are essential to a healthy and permanent commercial prosperity, and any trust, combination, or monopoly tending to destroy these by controlling production, restricting

competition, or fixing prices should be prohibited and punished by law. We especially denounce rebates and discrimination by transportation companies as the most potent agency in promoting and strengthening these unlawful conspiracies against trade.

CAPITAL AND LABOR.

We favor enactment and administration of laws giving labor and capital impartially their just rights. Capital and labor ought not to be enemies. Each is necessary to the other. Each has its rights, but the rights of labor are certainly no less "vested," no less "sacred," and no less "unalienable" than the rights of capital.

RECIPROCITY.

We favor liberal trade arrangements with Canada and with peoples of other countries where they can be entered into with benefit to American agriculture, manufactures, mining, or commerce.

Reciprocity, silent.

Income tax, silent.

1908.

TARIFF REVISION PROMISED.

The Republican party declares unequivocally for a revision of the tariff by a special session of the Congress immediately following the inauguration of the next President, and commends the steps already taken to this end in the work assigned to the appropriate committees of Congress, which are now investigating the operation and effect of these schedules. In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between cost of production at home and abroad, together with a reasonable profit to American industries. We favor the establishment of a maximum and minimum rate to be administered by the President under limitations fixed by the law, the maximum to be available to meet the discrimination by foreign countries against American goods entering our markets, and the minimum representing the normal measure of protection at home, the aim and the purpose of Republican policy being not only to preserve without excessive duties the security against foreign competition to which American manufacturers, farmers, and producers are entitled, but also to maintain the high standard of living of the wage-workers of this country, who are the most direct beneficiaries of the protective system.

TRUSTS.

The Republican party passed the Sherman antitrust law over Democratic opposition, and enforced it after Democratic dereliction. It has been a wholesome instrument for good in the hands of a wise and fearless administration; but experience has shown that its effectiveness can be strengthened and its real objects better obtained by such amendment as will give the Federal Government greater supervision and control over and greater publicity in the management of that class of corporations engaged in interstate commerce having power and opportunity to effect monopolies.

Reciprocity, silent.

1908.

TARIFF.

We welcome the belated promise of tariff reform, now offered by the Republican party, as a tardy recognition of the righteousness of the Democratic position on this question; but the people can not safely intrust the execution of this important work to a party which is so deeply obligated to the highly protected interests as is the Republican party. We call attention to the significant fact that the promised relief is postponed until after the coming election—an election to succeed in which the Republican party must have that same support from the beneficiaries of the high protective tariff as it has always heretofore received from them; and to the further fact that during years of uninterrupted power no action whatever has been taken by the Republican Congress as to correct the admittedly existing tariff iniquities.

We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list; material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and great reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

Existing duties have given the manufacturers of paper a shelter behind which they have organized combinations to raise the price of pulp and of paper, thus imposing a tax upon the spread of knowledge. We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list.

TRUSTS.

A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal law against guilty trust magnates and officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States. Among the additional remedies we specify three: First, a law preventing a duplication of directors among competing corporations; second, a license system which will, without abridging the right of each State to create corporations, or its right to regulate as it will foreign corporations doing business within its limits, make it necessary for a manufacturing or trading corporation engaged in interstate commerce to take out a federal license before it shall be permitted to control as much as 25 per cent of the product in which it deals, the license to protect the public from watered stock and to prohibit the control by such corporation of more than 50 per cent of the total amount of any product consumed in the United States; and, third, a law compelling such licensed corporations to sell to all purchasers in all parts of the country on the same terms, after making the allowance for the cost of transportation.

Income tax, silent.

INCOME TAX.

We favor an income tax as part of our revenue system, and we urge the submission of a constitutional amendment specifically authorizing Congress to levy and collect a tax upon individual and corporate incomes, to the end that wealth may bear its proportionate share of the burdens of the Federal Government.

Reciprocity, silent.

EXHIBIT 12.

[Tables prepared by Byron W. Holt, October 15, 1906, 42 Broadway, New York.]

TABLE 1.—*Showing differences in discounts between export and home prices.*

Articles—Description.	Export discount from list.	Home discount from list.	Per cent difference.
	Per cent.	*Per cent.*	
Auger bits, Snells or Mathieson	70 and 10	60	48
Auger bits, Jennings pattern	70, 10, and 10	60	60
Auger bits, Kings or Star	60, 10, and 5	60	17
Auger bits, Bates	80 and 10	75	38
Auger bits, handled	33⅓	25	13
Auger bits, car, Jennings pattern	60, 10, and 10	60	23
Alarms, electric	55 and 10	55	11
Axle pulleys	60 and 10	60	11
Ash cans, galvanized	25, 10, and 2	25	17
Bread or meat slicers	50	40	20
Box trucks	50	40	20
Barber's shears	75 and 5	70	26
Bellhanger's gimlets	60, 10, and 5	60	17
Boring machine augers	80 and 10	70 and 10	50
Boring machine ship augers	50 and 10	40	33⅓
Butts, door	50	40	25
Bolts, window	55, 20, 5 and 5	60	23
Bells, hand, nickel-plated	60 and 5	60	6
Bells, jingle	60 and 10	60	11
Bits, expansive, Clark Brown	70 and 10	50 and 10	66
Bits, expansive, Clark's genuine	60 and 10	50 and 10	25
Bits, expansive, cutters and screws	70 and 10	50 and 10	66
Bootjacks	55, 5 and 10	55 and 5	11
Bench hooks	70, 10, 5 and 10	70, 10 and 5	11
Blacksmith's butterises	75, 10, 5 and 10	75, 10 and 5	11
Bridle rings	70, 10, 5 and 10	70, 10 and 5	11
Belt hooks	80, 10 and 10	80 and 10	11
Blind hinges	75, 10 and 10	75 and 10	11
Brass pulleys	60 and 10	60	11
Bird-cage hooks	50	40	20
Bell pulls	55 and 10	55	11
Bells, door	70, 7½ and 10	70 and 7½	11
Bell cranks	70, 5 and 10	70 and 5	11
Barn and cabin door catches	60, 10, 10 and 10	60, 10 and 10	11
Box corners	80 and 10	80	11
Bench screws		Net.	11
Cattle ties	60, 10, 10 and 10	60, 10 and 10	11
Cornice hooks	90, 25 and 10	90 and 25	11
Chandelier hooks	70, 5 and 10	70 and 5	11
Chain bolts	70 and 10	70	11
Cake turners	50	40	20
Compasses and calipers	75, 10 and 7½	75 and 5	13
Chisels, box	60	50	20
Carpet stretchers, No. 5	75	60 and 10	44
Casters, stove leg	50	40	20
Casters, rubber tire	40	30	17
Casters, boss	80	70 and 10	35
Coat holders	50	40	25
Coat and hat hooks, crescent	80 and 5	70	53
Carriage washers, perfection	20, 10 and 2	20	17
Chains, hitching	25, 10 and 2	25	17
Carts, hand	50 and 5	40	27
Coal tongs	60, 10 and 10	60 and 10	11
Coal shovels	60, 10, 10 and 10	60, 10 and 10	11
Cow bells	70, 10, 5 and 10	70, 10 and 5	11
Can openers	10	Net.	11
Clamps	60, 10, 10 and 10	60, 10 and 10	11
Cotton, box, and hay hooks	60, 10 and 10	60 and 10	11
Curtain pins	50 and 5 and 10	50 and 5	11
Chest handles	60, 10 and 10	60 and 10	11
Corner braces	80, 10 and 10	80 and 10	11
Clothes line pulleys	70 and 10	70	11
Door bolts	60 and 10	60	11
Door springs	75 and 10	75	11
Door checks	75 and 5 and 10	75 and 5	11
Door holders; pulls and knobs	60, 10, 10 and 10	60, 10 and 10	11

TABLE I.—*Showing differences in discounts between export and home prices*—Continued.

Articles—Description.	Export discount from list.	Home discount from list.	Per cent difference.
	Per cent.	*Per cent.*	
Barn door rollers, hangers, or stops	60, 10 and 10	60 and 10	11
Drills, blacksmith's	60, 10, 10 and 10	60, 10 and 10	11
Drill chucks, Reids	50 and 5	40	27
Door bells, rotary	60 and 10	50	36
Drip pans	65, 10 and 12½	65 and 10	14
Door keys	55 and 10	55	11
Door knockers	75, 5 and 10	70 and 5	11
Desk hooks	60, 10, 10 and 10	60 and 10 and 10	11
Escutcheons, door	55 and 10	55	11
Extension table fasteners	70, 5 and 10	70 and 5	11
Feed cars and measure holders	25, 10 and 2	25	17
Forges, machinist's portable	60, 10 and 7½	60	20
Fire iron sets	60, 10, 10 and 10	60, 10 and 10	11
Fluting scissors, Nos. 93, 94	33⅓	25	12½
Freezers, lightning	65 and 10	50	51
Freezers, blizzard	70 and 10	60	41
Floor scrubbers, No. 1	60 and 10	60	18
Faucets, metal key	60, 10 and 5	60	17
Foot scrapers	70, 5 and 10	70 and 5	11
Game traps	75, 10 and 10	75 and 10	11
Garden trowels and hooks	60, 10 and 10	60 and 10	11
Grindstone fixtures	70, 10, 10 and 10	70, 10 and 10	11
Grass hooks, Bardens	10 and 10	Net.	23
Gate hinges	60, 10, 10 and 10	60, 10 and 10	11
Gate latches	70, 5 and 10	70 and 5	11
Hoof nippers	10	Net.	11
Harness snaps	50 and 10	50	11
Hot-house pulleys	70 and 10	70	11
Harness hooks	60 and 10	60	11
Hackaw frames, Sterling	50	30, 10 and 10	13
Hackaw blades, Sterling	50	20, 10 and 5	19
Hackaw power, Sterling	25 and 10	25	11
Hat and coat racks	50	40	20
Hammers, Spalding; masons	80, 10, 10 and 2½	80 and 10	17
Hammers, shoe	60, 10, 10 and 10	60, 10 and 10	11
Hammer saw-sets, No. 1	75	60 and 10	44
Horseshoe turning sledges	80, 10, 10 and 2½	80 and 10	17
Hinges, hook and strap	50	40	20
Hinges, refrigerator	60 and 10	50	11
Hasps and staples, No. 850	50 and 10	50	11
Hammock hooks and hitching rings	50	40	20
Hand rail stays	50 and 10	50	11
Handles, drop	55 and 10	55	11
Hatchets, shingling	70, 20 and 10	70 and 20	11
Handles, chisel	80, 10 and 10	80 and 10	11
Handles, screw-driver and file	60, 10, 10 and 10	60, 10 and 10	11
Handles, awl	60, 10 and 10	60 and 10	11
Harness brackets and chamois wringers	25, 10 and 2	25	17
Ice box fasts and ice axes	60, 10 and 10	60 and 10	11
Iron manger, hay racks and posts	25, 10 and 12	25	17
Jack chain, steel or brass	60, 7½ and 10	60 and 7½	11
Jackscrews	75, 10, 5 and 10	75, 10 and 5	11
Jacks, carriage	25, 10 and 2	25	17
Keys, padlock	90 and 10	90	11
Knife trays	50	40	20
Label plates	60, 10 and 10	60 and 10	11
Lamps, driving or police	50	40	25
Lamps or lanterns, tubular	50 and 10	45	22
Lamps, automobile	50, 10 and 10	45	35
Lemon squeezers	50¼	40	20
Ladles, melting	60 and 10	60	11
Linemen's pliers No. 4 and splicing	70	60	33⅓
Locks, ventilating	55, 20 and 5 and 5	60	23
Letter plates	55 and 10	55	11
Locks and latches—door and spring	55 and 10	55	11
Locker catches	60 and 10	60	11
Line cleats	70 and 10	70	11
Links, D	85 and 10	85	11
Lamp hooks	70 and 5 and 10	70 and 5	11
Measuring tapes, architects	50	40	20
Measuring tapes, leather case	40	25	25
Measuring tapes, steel, pocket	50	33⅓	33
Mattocks, adze eye	75, 10 and 5	75	17
Mauls, R. R., ship and wood choppers'	80, 10, 10 and 2½	80 and 10	14
Mop wringers	50	40	20
Mane combs	50 and 10 and 5	50 and 5	11
Match safes	60 and 10	60	11
Meat cutters, Hale	10	Net.	11
Molasses gates	80, 10, 5 and 10	80, 10 and 5	11
Nut cracks	70, 10, 5 and 10	70, 10 and 5	11
Nails, wagon	60 and 10	60	11
Oilstones, Washita, mounted	50 and 10	33⅓	48
Ornamental figures, bronze	75, 5 and 10	70 and 5	11
Oilers, steel, copper and nickel plated	75 and 5	60 and 10	57
Oilers, brass	50 and 10	50	11
Oilers, engineers' and railroads, copper	70	60 and 10	20
Ox-bow pins	80 and 10	80	11
Ox bells	60, 10 and 10	60 and 10	11
Padlocks	60, 7½ and 10	60 and 7½	11
Peat augers	70 and 10	60	48
Picks, railroad, Hunt eye	75 and 5	70	26
Picks, stone and contractors'	70, 10, 10 and 5	70	30
Picks, mattocks, coal and ore picks	75, 10 and 5	75	17

TABLE I.—*Showing differences in discounts between export and home prices*—Continued.

Articles—Description.	Export discount from list.	Home discount from list.	Per cent difference.
	Per cent.	*Per cent.*	
Pliers, farmers' and machinists'	80	70	50
Pruning shears	75	60 and 10	44
Planes, iron or wood bottom	70 and 10	60	48
Push buttons	70, 10, 5 and 10	70, 10 and 5	11
Push plates and picture nails	55 and 10	55	11
Picture knobs and hooks	60, 10 and 10	60 and 10	11
Paper weights and files	60, 10, 10 and 10	60, 10 and 10	11
Paste jaggers	55 and 5 and 10	55 and 5	11
Plumb bobs	70, 5 and 10	70 and 5	11
Plows, sulky and gang	40	25	25
Plows, hand and contractors'	40	25	25
Road scrapers	40	25	25
Rope binding clamps	60, 10 and 10	60 and 10	11
Rein chains	75, 5 and 10	75 and 5	11
Rim locks	60	50	25
Reamers, square	40, 10 and 10	40	23
Stair buttons	50	40	20
Shutter knobs, No. 30	80, 10 and 5	80	17
Spice cabinets	50	40	20
Slaw cutters	50	40	20
Sawbucks	50	40	20
Sash locks, cast	60, 20, 5, and 5	62½	30
Sash locks, Ives	55, 20, 5 and 5	50 and 10	40
Staples, wrought, No. 849	50 and 10	50	11
Screw-drivers, union	50	40	20
Screw-drivers, No. 40	60, 10 and 10	50	23
Screw-drivers, No. 30	60	60	60
Screw-driver countersinks	40, 10, 10 and 10	45	25
Sledges, 3 to 24 lbs. and railroad	80, 10, 10, 10 and 2½	80⅓	14
Shears, tailors', simplex	55	40 and 10	20
Scythe snaths	50, 12½, 7½ and 5	50	30
Stable gutters, drains, and gratings	25, 10 and 2	25	17
Scoops, potato	50, 10 and 5	40	40
Screws, saw	60 and 10	60	11
Steel rules	70, 7½ and 10	70 and 7½	11
Steel squares	75, 10 and 10	75 and 10	11
Soap boxes and racks, metal	25, 10 and 2	25	17
Stoves, crucible or scorcher	10 and 2	Net.	17
Scales, brass scoop, spring or platform	60 and 10	60	11
Sausage stuffers	55 and 10	55	11
Screen-door handles	50 and 5	40	11
Shutter screw rings	50, 10 and 10	50	23
Spring hinges	60, 10 and 10	60 and 10	11
Screen-door sets	60, 10, 10 and 10	60, 10 and 10	11
Shutter bolts	40, 10 and 10	40 and 10	11
Screen catches	60, 10 and 10	60 and 10	11
Store door handles	60, 10, 10 and 10	60, 10 and 10	11
Shutter knobs and sash pulls	60, 10 and 10	60 and 10	11
Sash rails and shutter sheaves	60 and 10	60	11
Sash rollers	60, 10, 10 and 10	60, 10 and 10	11
Shutter sheaves	60 and 10	60	11
Screw pulleys	70 and 10	70	11
Shelf brackets	80 and 10	80	11
Shutter rings, cord irons	60, 10 and 10	60 and 10	11
Screw and stair-rod eyes	90, 25 and 10	90 and 25	11
Safety chain, brass	66⅔ and 10	66⅔	11
Sheep bells	70, 10, 5 and 10	70, 10 and 5	11
Sad-iron stands	50, 5 and 10	50 and 5	11
Saw rods	80, 10 and 10	80 and 10	11
Twine boxes	70, 10 and 10	70 and 10	11
Telegraph hooks	66⅔ and 10	66⅔	11
Trucks, grocery	75 and 5	60	60
Trucks, baggage	65 and 5	50	50
Trucks, store	70	60 and 10	20
Tongs, blacksmiths'	75, 10, 5 and 10	75, 10 and 5	11
Tortilla mills	10	Net.	11
Tack hammers	60 and 10	60	11
Tacks, double pointed	{80, 10, 10, 10 10 and 10}	80, 10, 10 and 10	23
Tree pruners, standard	80, 10, 10 and 5	80 and 10	17
Tree pruners, telephone	75	60 and 10	44
Trimmers, bent, japanned	75 and 5	70	26
Trimmers, bent, nickel	70	60	33⅓
Tinners' snips, forged steel	50 and 10	50	11
Trucks, barrel, No. 950	50	40	20
Tobacco cutters	40, 5 and 10	40	17
Tills, tool racks, and towel rollers	50	40	20
Towel bars	50 and 5	40	26
Transom butts and tub handles	60, 10 and 10	60 and 10	11
Transom catches and chains	60 and 10	60	11
Towel and toilet hooks	60 and 10	60	11
Tackle pulleys	70 and 10	70	11
Turn-buckles	60, 10 and 10	60 and 10	11
Umbrella stands, iron	60, 10 and 10	60 and 10	11
Vise boxes and screws	33⅓	25	13
Vises, solid box, 25 to 100 lbs	60, 10 and 5	60	17
Vises, solid box, 140 to 200 lbs	60	50	25
Veneer points	60, 10 and 10	60 and 10	11
Wrenches, Sargent's	75, 10, 5 and 10	75, 10 and 5	11
Wrenches, Coes, Star	40, 10, 7½, 7½, 5 and 5	40, 10, 5 and 5	10
Weather strips, flexible	75	60 and 10	44
Window cleaners and wagon stake irons	50 and 10	60	11
Well wheels	70, 5 and 10	70 and 5	11
Washers, bright	22½ and 10	22½	11
Washers, cutters	60, 10, 10 and 10	60, 10 and 10	11
Whip racks and wheel guards	25, 10 and 2	25	17
Watering troughs, iron	30, 10 and 2	30	17
Yoke hooks	25, 10 and 2	25	17

TABLE II.—*Showing difference between export and home prices of certain specified articles.*

Articles and description.	Export price.	Home price.	Difference.
			Per cent.
Boring machines, upright ... each	$2.25	$2.50	11
Boring machines, angular ... each	2.40	2.75	14
Crowbars, 10 to 40 lbs ... per 100 pounds	2.35	3.25	38
Track wrenches, single ... do	5.00	5.75	15
Lining bars ... do	2.60	3.25	25
Tamping bars ... do	3.15	3.50	11
Nail sets, No. 15 ... per gross	3.50	4.00	14
Saw sets, No. 1 ... per doz	3.00	3.50	16
Saw sets, Taintor ... do	5.00	6.75	35
Box scrapers, No. 21 ... do	2.25	2.50	30
Revolving punches, No. 26 ... do	3.25	3.50	8
Saddler's punches, Nos. 1 to 6 ... do	.65	.75	10
Box hooks, 10-inch ... do	2.25	2.50	11
Carpet stretchers, No. 66 ... do	1.75	1.90	9
Tack claws, No. 68 ... per gross	5.50	6.00	10
Gimlets, No. 18 ... do	4.25	4.60	8
Gimlets, German pattern ... do	4.85	5.75	19
Can openers, No. 98 ... do	9.00	10.00	11
Sardine scissors ... per doz	2.50	3.00	20
Cold chisels, ½ inch ... per lb	.17	.19	12
Spoke shaves, No. 0 ... per doz	1.12	1.25	12
Plows, disc No. 1 ... each	32.50	40.00	25
Harrows, 25-tooth ... do	18.25	22.00	25
Harrows, wood-frame, 18-tooth ... do	7.50	9.00	20
Cultivators, wheel, No. 61 ... do	4.00	5.00	25
Plows, shovel, No. 20 ... do	2.15	2.50	16
Hoes, berry and grape ... do	7.00	8.00	15
Hoes, potato, No. 1 ... do	4.75	5.50	16
Wheelbarrows, wood, bolted ... per doz	14.50	16.00	11
Wheelbarrows, mortar ... each	18.00	20.00	11
Wheelbarrows, stone ... do	17.50	19.00	11
Wheelbarrows, garden, wood-wheel ... each	2.50	3.00	20
Road scrapers, No. 1 ... do	4.00	5.00	25
Shoes, horse ... per 100 pounds	3.38	3.90	15
Shoes, mule ... do	3.38	3.90	15
Calks, toe ... do	3.00	3.90	30
Threshers, grain, horse or steam power, 32-in ... each	300.00	400.00	33⅓
Straw stackers, 18-ft ... do	25.00	30.00	20
Grain weigher and bagger ... do	45.00	60.00	33⅓
Rubber belting, 6-in ... per ft	.30	.30	33⅓
Clover hullers, 32-in ... each	335.00	450.00	33⅓
Horsepowers, 10-horse ... do	143.00	190.00	33⅓
Sawmills, 24-ft. carriage ... do	244.00	325.00	33⅓
Pumps, jet ... do	3.00	4.00	33⅓
Engines, traction, 8-horsepower ... do	917.00	1,225.00	33⅓
Engines, Farm, 8-horsepower ... do	563.00	750.00	33⅓
Clothes wringers, 10 by 1¾ ... per doz	18.70	22.50	20
Scales, wagon and hay, 3 tons ... each	67.50	75.00	11
Scales, depot, 4 tons ... do	162.00	180.00	11
Scales, platform, with wheels, 800 lbs ... do	17.10	19.00	11
Scales, grocer's, brass scoop, 244 lbs ... do	8.10	9.00	11
Incubators, No. 1 ... do	15.00	20.00	33⅓
Brooders, 200 chicks ... do	9.20	11.50	25
Potato planters, plain ... do	45.00	50.00	11
Potato diggers ... do	90.00	100.00	11
Forges, machinists, portable ... do	14.50	16.80	20
Shovels, D handle, square point, No. 2 ... per doz	8.25	11.00	33⅓

TABLE II.—*Showing difference between export and home prices of certain specified articles*—Continued.

Articles and description.	Export price.	Home price.	Difference.
			Per cent.
Spades, D handle, No. 2 ... per doz	$9.00	$12.00	33⅓
Watches, 23 jewel Vanguard, nickel case ... each	22.47	26.22	16
Watches, 21 jewel Vanguard, nickel case ... do	19.07	24.11	26
Watches, 21 jewel Crescent st., nickel case ... do	15.43	19.88	28
Watches, 17 jewel Premier, nickel case ... do	14.12	16.50	16
Watches, 23 jewel Riverside Maximus case ... do	31.77	43.15	35
Watches, 19 jewel Riverside, nickel case ... do	14.69	18.19	23
Watches, 21 jewel Father Time, nickel case ... do	14.42	19.89	38
Beds, brass, 1½ inch pillars ... do	22.67	27.50	5
Beds, brass, cribs, 1-inch pillars ... do	20.00	22.50	11
Beds, enameled, 1-inch pillars ... do	8.00	9.00	12
Bed springs, woven wire ... do	2.70	3.04	13
Bull rings, steel, 2½-in ... per doz	.67	.75	12
Bull rings, copper, 2½-in ... per gross	10.85	12.45	24
Cattle leaders, No. 2 ... do	6.00	7.20	20
Corn hooks, serrated blade ... do	23.70	25.20	7
Knives, kitchen ... do	12.00	16.00	33⅓
Auger bits, Snells, ½-in ... per doz	1.62	2.40	48
Auger bits, Jennings, ½-in ... do	1.21	2.00	60
Auger bits, Kings, ½-in ... do	1.71	2.00	17
Auger bits, Star, ½-in ... do	1.37	1.60	17
Auger bits, Mathieson, 1-in ... do	3.08	3.60	48
Pulleys, axle, 2½-in ... do	.72	.80	11
Pulleys, hothouse, 2½-in ... do	.81	.90	11
Bits, expansive, Clark Brown ... do	4.86	8.10	66
Bits, expansive, cutters, ½ to ¾-in ... do	.81	1.35	66
Locks, rim, 5-in ... do	3.60	4.01	11
Locks, mortise, No. 4607 ... do	3.24	3.60	11
Locks, padlocks, assorted, No. 5 ... per gross	3.89	4.32	11
Springs, coil, steel, ½-in ... per doz	.48	.54	11
Springs, coil, brass, 2-in ... do	.40	.45	11
Keys, door, No. 105 ... per gross	.80	.90	11
Keys, padlock, No. 20 ... do	1.77	1.97	11
Wagon stake irons, 2-in ... per doz	.77	.86	11
Staples, in kegs, 1-in ... per keg	4.80	5.30	11
Shears, barbers, 8-in. Japanned ... per doz	3.80	4.80	26
Shears, tailors, 13-in ... per pair	3.60	4.32	20
Shears, tinner's snipps, 13-in ... do	.90	1.00	11
Shears, pruning, 9-in ... per doz	13.50	16.20	20
Soap, toilet, Violet ... per gross	32.00	40.80	25
Soap, toilet, Jockey Club ... do	23.87	28.05	25
Soap, toilet, Lettuce ... do	19.50	22.44	15
Soap, toilet, Vioris, large ... do	16.62	19.12	15
Soap, toilet, Sweet Lavender ... do	14.04	19.12	35
Soap, toilet, Shaving stick, large ... do	13.00	16.74	20
Soap, toilet, Honey ... do	11.11	12.75	15
Soap, toilet, Cashmere Bouquet ... do	20.48	30.24	48
Soap, toilet white Castile ... do	9.94	12.11	25
Soap, toilets Glycerine ... do	8.34	12.75	52
Flavoring extract, vanilla ½ pints ... per doz	7.58	8.43	11
Flavoring extract, lemon pints ... do	9.65	10.88	12
Florida water ... per case	2.75	5.00	81
Perfumery Edition de Luxe, 2 oz ... per doz	15.60	17.85	15
Perfumery, violet, 2 oz ... do	11.70	13.38	15
Talcum powder, violet, large ... do	1.39	1.60	16
Vaseline No. 2 ... do	.58	.70	20

EXHIBIT 13.

Dingley prohibitive duties.

[See H. R. Doc. 1504, 60th Cong., 2d sess., for reduction in these revenues.]

Payne-Aldrich bill.	Article.	Duty.	Ad valorem.	Revenue, 1907.	Evans's Imports and Duties, 1894–1907.
			Per cent.		*Table No.*
Par.	Barley	30 cents per bushel	53.64	$3,544	148
423	Buttons:				
	Bone	¼ cent per line plus 15 per cent	66.45	631	161
	Horn and vegetable ivory	⅜ cent per line plus 15 per cent	71.88	49,270	182
	Nickel bar	⅛ cent per line plus 15 per cent	73.79	601	185
	Pearl shell	1½ cents per line plus 15 per cent	57.40	94,219	189
	Shoe buttons	1 cent per gross	44.02	84	190
	Acid, salicylic	10 cents per pound	38.30	918	234
1	Acids, n. s. p. f.	25 per cent	25.00	12,435	242
59	Potash, chlorate of	2½ cents per pound	34.61	514	459
58	Potash, chromate and bichromate	3 cents per pound	41.14	283	460
68	Soda-bicarbonate, etc.	¾ cent per pound	22.87	1,020	484
73	Soda ash	⅞ cent per pound	34.63	25,295	500
81	Vanillin	80 cents per ounce	320.00	80	537
287	Chicory root	1 cent per pound	64.25	26,778	549
91	Clock cases, with or without movements, composed of china, porcelain, bisque, etc.	60 per cent	60.00	156	589
290	Dandelion root and other articles used as substitutes for coffee, n. s. p. f.	2½ cents per pound	37.00	8,306	614
425	Corks three-fourths inch or less in diameter	25 cents per pound	42.08	22,898	642
323	Plushes, velvets, and other pile fabrics of cotton, etc., dyed, colored, etc.	12 cents per yard plus 25 per cent	58.42	257,068	1174
323	Corduroys of cloth, dyed, colored, etc.	12 cents per yard plus 25 per cent	56.10	1,704	1178
344	Collars and cuffs of cotton	45 cents per dozen plus 15 per cent	68.68	650	1220
	Corsets, n. s. p. f.	50 per cent	50.00	37,344	1221
344	Collars and cuffs, part linen	40 cents per dozen plus 20 per cent	49.60	25,787	1637
353	Manufactures of flax, n. s. p. f.	45 per cent	45.00	302,528	1700
273	Oranges	1 cent per pound	59.69	207,828	1792
	Lemons				
	Oilcloth				

Dingley prohibitive duties—Continued.

Payne-Aldrich bill.	Article.	Duty.	Ad valorem.	Revenue, 1907.	Evans's Imports and Duties, 1894-1907.
Par.					
97	Glass:				*Table No.*
	Cylinder, crowned, common window glass, unpolished—		*Per cent.*		
	Above 16 by 24 inches, not exceeding 24 by 30 inches	2¾ cents per pound	74.32	$82,569	1921
	Above 24 by 30 inches, not exceeding 24 by 36 inches	2¾ cents per pound	78.69	26,970	1922
98, 99, 100, 101	Plate, cast, polished, silvered, etc.—				
	Not exceeding 16 by 24 inches	11 cents per square foot	43.80	78	1973
	Above 16 by 24 inches and not above 24 by 30 inches	13 cents per square foot	39.44	469	[a]1974
441	Haircloth, crinoline cloth	10 cents per square yard	65.68	228	2029
254	Hay	$4 per ton	50.18	251,280	2037
151	Table, carving, cooks, kitchen, etc., knives, forks, and steels, with handles, n. s. p. f.	1½ cents each plus 15 per cent	69.43	17,554	2397
150	Tubes and tubing for cycles	35 per cent	35.00	9,324	2472
450, 451	Gloves, ladies' and children's:				
	Schmaschen, glace finish, not over 14 inches in length, unlined	$1.75 per dozen	41.63	182,722	2527
	Lamb or sheep, glace finish, not over 14 inches in length, unlined	$2.50 per dozen	49.48	548,283	2542
	Of sheep origin, with exterior grain surface, not over 17 inches in length, unlined.	$2.50 per dozen	41.64	9,040	2560
	Goat, kid, or other leather than sheep, glace finish, not over 14 inches in length, unlined.	$3 per dozen	43.34	126,570	2573
	Goat, etc., with exterior surface removed, not over 14 inches in length, unlined.	$3 per dozen	41.41	5,684	2591
306	Malt extract in casks (fluid)	20 cents per gallon	33.37	265	2652
418	Manufactures of palm leaf, n. e. p. f.	30 per cent	30.00	3,698	2881
457	Masks of paper or pulp	35 per cent	35.00	282	2911
464	Slate pencils, all other	3 cents per 100	59.77	6,471	2956
302, 304	Bay rum or bay water	$1.50 per proof gallon	331.84	2,021	2961
246	Rice, cleaned	2 cents per pound	62.66	539,061	3022
215	Saccharine	$1.50 per pound plus 10 per cent	216.71	847	3034
397	Silk goods, ornamented with beads or spangles	60 per cent	60.00	3,293	3155
395	All other manufactures of silk, n. s. p. f.	50 per cent	50.00	637,337	3162
	Spar, manufactures of	50 per cent	50.00	699	3171
455	Straw and grass manufactures, n. s. p. f.	30 per cent	30.00	200,830	3226
213	Sugar, refined	1.95 cents per pound	72.57	84,220	3295
198	Sticks for umbrellas, parasols, and sunshades	40 per cent	40.00	2,977	3351
250	Cabbage	3 cents per head	44.58	174	3355
	Spirits				
356, 357, 365	Wool, Class I:				
362	Washed	22 cents per pound	61.32	369	3498
362	Scoured	33 cents per pound	37.50	2,679	3499
	Wool, Class II:				
362, 365	Scoured	36 cents per pound		(b)	3511
	Wool, Class III:				
362, 365	Scoured	12 and 21 cents per pound		(b)	3530, 3535
373	Yarns, valued not more than 30 cents per pound	27½ cents per pound plus 40 per cent	143.02	31	3562
375	Blankets—				
	Valued more than 30 cents and not more than 40 cents per pound	22 cents per pound plus 20 per cent	107.60	340	3565
375	Valued more than 40 cents and not more than 50 cents per pound	33 cents per pound plus 35 per cent	106.12	232	3567
375	Over 3 yards long, valued not more than 40 cents per pound	33 cents per pound plus 50 per cent	165.42	67	3571
375	Valued more than 40 cents, not more than 70 cents per pound	44 cents per pound plus 50 per cent	120.98	4,438	3572
	Valued more than 70 cents per pound	44 cents per pound plus 55 per cent	101.55	8,591	3573
382	Carpets—				
	Brussels	44 cents per square yard plus 40 per cent	75.81	8,645	3577
384	Wool, Dutch and 2-ply ingrain	18 cents per square yard plus 40 per cent	58.63	993	3581
	Tapestry, Brussels	28 cents per square yard plus 40 per cent	60.73	1	3581
375	Flannels for underwear—				
	Valued over 30 cents, not over 40 cents per pound	22 cents per pound plus 50 per cent	143.67	34	3623
	Valued over 40 cents, not over 50 cents per pound	33 cents per pound plus 35 per cent	101.23	130	3625
	Valued over 50 cents, not over 70 cents per pound	11 cents per square yard plus 50 per cent	105.49	117	3626
	Valued over 70 cents per pound	11 cents per square yard plus 55 per cent	86.39	5,217	3627
	Weighing over 4 ounces per square yard, valued more than 50 cents and not more than 70 cents per pound.	44 cents per pound plus 50 per cent	125.80	5,481	3630
378	Knit fabrics—				
	Valued not over 40 cents per pound	33 cents per pound plus 50 per cent	141.00	1	3635
	Valued over 40 cents, less than 70 cents per pound	44 cents per pound plus 50 per cent	119.06	642	3636
	Valued above 70 cents per pound	44 cents per pound plus 55 per cent	95.67	9,255	3673
378	Hats of wool, valued over 50 cents per pound	44 cents per pound plus 60 per cent	86.61	13,771	3648
378	Shawls, knitted or woven	44 cents per pound plus 60 per cent	92.70	57,813	3654

[a] See others. [b] More imported.

EXHIBIT 14.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, compared with the present tariff law, showing percentages of decrease.

[Prepared under direction of the Senate Committee on Finance, Sixty-first Congress, first session.]

SCHEDULE A.—CHEMICALS, OILS, AND PAINTS.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
1	Acids:				
	Boracic	5 cents per pound	2 cents per pound	60.00	$28,425.00
	Chromic	3 cents per pound	do	33.33	303.00
	Gallic	10 cents per pound	8 cents per pound	20.00	7,086.00
	Lactic, containing not over 40 per cent of actual lactic acid	3 cents per pound	2 cents per pound	33.33	
	Salicylic	10 cents per pound	5 cents per pound	50.00	2,397.00
	Tannic, or tannin	50 cents per pound	35 cents per pound	30.00	2,797.00
	Tartaric	7 cents per pound	5 cents per pound	28.57	3,876.00

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE A—CHEMICALS, OILS, AND PAINTS—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports by value, 1907.
2	Alcoholic compounds	60 cents per pound and 45 per cent.	60 cents per pound and 25 per cent.	20.09	$1,365.30
4	Alumina, hydrate of, containing not more than 64 per cent of alumina	1/10 cent per pound	1/10 cent per pound[a]	33.33	1,296.00
	Alum, alum cake, etc.:				
	Containing less than 15 per cent of alumina and more than 1/10 of 1 percent of iron oxide.	¼ cent per pound	⅛ cent per pound	50.00	24,582.30
	Containing more than 15 per cent of alumina or less than 1/10 of 1 per cent of iron oxide.	do	⅛ cent per pound	25.00	
5	Ammonia, sulphate of	1/10 cent per pound	1/10 cent per pound	33.33	1,770,222.00
6	Argols, crude:				
	Containing not more than 40 per cent of bitartrate of potash	1 cent per pound	5 per cent	85.26	114.00
	Containing more than 40 per cent of bitartrate of potash	1½ cents per pound	do	65.59	10,443.00
	Argols, partly refined:				
	Containing not more than 90 per cent of bitartrate of potash	4 cents per pound	3 cents per pound	25.00	2,634.00
	Containing more than 90 per cent of bitartrate of potash	5 cents per pound	4 cents per pound	20.00	1.00
	Tartrate of soda, or potassa, or Rochelle salts	4 cents per pound	3 cents per pound	25.00	76.00
	Cream of tartar, and patent tartar	6 cents per pound	5 cents per pound	16.67	614.00
9	Blue vitriol	¼ cent per pound	⅛ cent per pound[a]	50.00	75,650.50
11	Borax	5 cents per pound	2 cents per pound	60.00	48,118.00
	Borates of lime or soda:				
	Containing not more than 36 per cent of anhydrous boracic acid	3 cents per pound	1¼ cents per pound	58.33	346.00
	Containing more than 36 per cent of anhydrous boracic acid	4 cents per pound	do	68.75	2,325.00
14	Chloroform	20 cents per pound	10 cents per pound	50.00	1,575.00
17	Collodion, etc.:				
	Collodion and all compounds of pyroxylin	50 cents per pound	40 cents per pound	20.00	2,195.00
	Rolled, or in sheets, unpolished and not made up into articles	60 cents per pound	45 cents per pound	25.00	205.00
538	Copperas, or sulphate of iron	¼ cent per pound	Free of duty	100.00	89.00
20	Ethers:				
	Sulphuric	40 cents per pound	8 cents per pound	80.00	372.00
	Nitrous, spirits of	25 cents per pound	20 cents per pound	20.00	
	Fruit ethers, oils, or essences	$2 per pound	$1 per pound	50.00	1,439.00
	Other, n. s. p. f.	$1 per pound	50 cents per pound	50.00	1,012.00
21	Extracts of mangrove bark	⅞ cent per pound	¼ cent per pound	37.50	42.46
22	Gelatin, fish glue, or isinglass, prepared fish bladders and fish sounds, valued not above 10 cents.	2½ cents per pound	2 cents[a]	20.00	
27	Iodoform	$1 per pound	75 cents per pound	25.00	59.00
	Licorice, extracts of	4½ cents per pound	20 per cent	49.77	77,984.00
3	Croton oil	20 cents per pound	25 per cent	22.88	1.10
	Cotton-seed oil	4 cents per gallon	3 cents per gallon[a]	25.00	9,342.00
33	Flaxseed or linseed oil	20 cents per gallon	15 cents per gallon	25.00	5,712.00
	Poppy-seed oil	do	do	25.00	3,243.00
37	Peppermint oil	50 cents per pound	25 cents per pound	50.00	18,839.00
45	Ocher and ochery earths, ground in oil or water	1½ cents per pound	1 cent per pound	33.33	
	Sienna and sienna earths, ground in oil or water	do	do	33.33	
	Umber and umber earths, ground in oil or water	do	do	33.33	
48	Ultramarine, dry, in pulp, or mixed with water	3¾ cents per pound	3 cents per pound	20.00	66,753.00
	Wash blue containing ultramarine	do	do	20.00	23,623.00
49	Varnishes, spirit	$1.32 per gallon and 35 per cent.	35 per cent	66.38	5,154.00
52	Whiting, ground in oil (putty)	1 cent per pound	¾ cent per pound	25.00	143.00
58	Potash:				
	Bichromate and chromate of	3 cents per pound	2¼ cents per pound	25.00	685.00
59	Chlorate of	2½ cents per pound	2 cents per pound	20.00	
61	Nitrate of, or saltpeter, refined	¼ cent per pound	Free of duty	100.00	15,833.12
64	Plasters, healing or curative, and court-plaster	35 per cent	25 per cent	28.57	9,468.50
68	Soda:				
	Bicarbonate of, or supercarbonate of, or saleratus, etc.	¼ cent per pound	⅛ cent per pound	16.67	4,274.00
	Bichromate and chromate of	2 cents per pound	1¾ cents per pound	12.50	425.00
70	Crystal carbonate of, etc.	1/10 cent per pound	⅛ cent per pound	16.67	2,626.00
	Chlorate of	2 cents per pound	1½ cents per pound	25.00	
71	Hydrate of, or caustic	¼ cent per pound	⅛ cent per pound	33.33	39,336.00
	Nitrite of	2½ cents per pound	2 cents per pound	20.00	37,623.00
	Hyposulphite of	¼ cent per pound	⅛ cent per pound	25.00	1,028.00
	Sulphide of	do	do	25.00	20,988.00
72	Sal, or soda crystals	1/10 cent per pound	⅛ cent per pound	16.67	4,771.00
73	Soda ash	¼ cent per pound	⅛ cent per pound	33.33	73,052.00
	Arseniate of	1½ cents per pound	1 cent per pound	20.00	9,306.00
74	Silicate of	¼ cent per pound	⅛ cent per pound	25.00	11,461.00
75	Sulphate of—				
	Glauber salts	$1.25 per ton	$1 per ton	20.00	4,974.00
	Salt cake, or niter cake	do	do	20.00	37,679.00
76	Moss, sea	10 per cent	Free of duty	100.00	17,567.00
	Prepared	20 per cent	10 per cent	50.00	12,029.00
77	Sponges, manufactures of, n. s. p. f.	40 per cent	30 per cent	25.00	45.00
78	Strychnia, or strychnine, and salts of	30 cents per ounce	15 cents per ounce	50.00	338.00
79	Sulphur:				
	Refined	$8 per ton	$6 per ton	25.00	18,080.00
	Sublimed	do	do	25.00	41,501.00
81	Vanillin	80 cents per ounce	25 cents per ounce	68.75	25.00

SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE.

82	Brick, fire, not more than 10 pounds each: Glazed, enameled, etc.	45 per cent	35 per cent	22.22	$20.00
	Weighing more than 10 pounds each, not glazed	35 per cent	30 per cent	14.28	
	Weighing more than 10 pounds each, glazed	45 per cent	35 per cent	22.22	
	Brick, other than fire: Glazed, enameled, etc.	do	do	22.22	7,665.00
86	Plaster rock or gypsum:				
	Crude	50 cents per ton	20 cents per ton	60.00	457,047.00
	Ground or calcined	$2.25 per ton	$1.75 per ton	22.22	21,807.00
89	Mica:				
	Unmanufactured or rough trimmed only	6 cents per pound and 20 per cent.	5 cents per pound and 20 per cent.	7.58	1,116,320.25
	Cut or trimmed	12 cents per pound and 20 per cent.	10 cents per pound and 20 per cent.	7.47	73,364.00
90	Rockingham ware, decorated	60 per cent	40 per cent	33.33	
94	Carbons for electric lighting	90 cents per 100	70 cents per 100 feet	[b]22.22	157,311.00
	Filter tubs	45 per cent	35 per cent	22.22	1,755.00

[a] Amendment to be submitted by committee. [b] Estimated.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE B—EARTHS, EARTHENWARE, AND GLASSWARE—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
97	Cylinder, crown, and common window glass, unpolished:				
	Above 24 by 30 and not exceeding 24 by 36 inches	2⅞ cents per pound	2⅞ cents per pound	4.00	$34,273.37
	Above 24 by 36 and not exceeding 30 by 40 inches	3⅜ cents per pound	3⅜ cents per pound	3.70	26,346.45
	Above 30 by 40 and not exceeding 40 by 60 inches	4 cents per pound	3⅞ cents per pound	3.23	11,698.00
	Above 40 by 60 inches	4½ cents per pound	4½ cents per pound	2.86	93.00
98	Cylinder and crown glass, polished, unsilvered:				
	Above 24 by 30 and not exceeding 24 by 60 inches	15 cents per square foot.	12 cents per square foot.	20.00	
	Above 24 by 60 inches	20 cents per square foot.	15 cents per square foot.	25.00	
99	Plate glass, fluted, rolled, etc.: Above 24 by 60 inches	35 cents per square foot.	22½ cents per square foot.	35.71	1,613.00
100	Plate glass, cast, polished, unsilvered: Above 24 by 60 inches	do	do	35.71	40,687.00
101	Plate glass, cast, polished, silvered, and looking-glass plates: Above 24 by 60 inches	38 cents per square foot.	25 cents per square foot.	34.21	1,944.00
	Cylinder and crown glass, polished, silvered, and looking-glass plates: Above 24 by 60 inches.	do	do	34.21	1,173.00
102	Plate glass, cast, polished, silvered, when bent, etc., above 24 by 60 inches	38 cents per square foot and 5 per cent.	25 cents per square foot and 5 per cent.	31.26	45.00
	Plate glass, cast, polished, unsilvered, when bent, etc., above 24 by 60 inches	35 cents per square foot and 5 per cent.	22½ cents per square foot and 5 per cent.	33.65	6,324.00
	Cylinder, crown, and common window glass, unpolished, when bent, etc.:				
	Above 24 by 30 and not exceeding 24 by 36 inches	2⅞ cents per pound and 5 per cent.	2⅞ cents per pound and 5 per cent.	4.04	1,731.00
	Above 24 by 36 and not exceeding 30 by 40 inches	3⅜ cents per pound and 5 per cent.	3⅜ cents per pound and 5 per cent.	3.38	1,668.00
	Above 30 by 40 and not exceeding 40 by 60 inches	3⅞ cents per pound and 5 per cent.	3⅞ cents per pound and 5 per cent.	3.05	15,173.00
	Above 40 by 60 inches	4½ cents per pound and 5 per cent.	4½ cents per pound and 5 per cent.	[a] 3.00	
	Cylinder and crown glass, polished, silvered, when ground, bent, etc., above 24 by 60 inches	38 cents per square foot and 5 per cent.	25 cents per square foot and 5 per cent.	30.64	18.00
	Cylinder and crown glass, polished, unsilvered, when ground, bent, etc., above 24 by 30 and not exceeding 24 by 60 inches.	15 cents per square foot and 5 per cent.	12 cents per square foot and 5 per cent.	18.18	208.00
109	Marble:				
	Sawed or dressed, over 2 inches in thickness	$1.10 per cubic foot	$1 per cubic foot	9.09	360.00
	Slabs or paving tiles—				
	Not more than 1 inch in thickness—				
	Unrubbed	12 cents per superficial foot.	8 cents per superficial foot.	33.30	48,593.00
	Rubbed	15 cents per superficial foot.	10 cents per superficial foot.	33.33	16,686.00
	More than 1 inch and not more than 1½ inches thick—				
	Unrubbed	do	do	20.00	8,212.00
	Rubbed	18 cents per superficial foot.	12 cents per superficial foot.	33.33	724.00
	More than 1½ inches and not more than 2 inches thick—				
	Unrubbed	do	12½ cents per superficial foot.	30.55	202.00
	Rubbed	21 cents per superficial foot.	14½ cents per superficial foot.	30.91	
	Onyx:				
	In block, rough or squared	$1.50 per cubic foot	65 cents per cubic foot.	56.67	71,437.00
	Sawed or dressed, over 2 inches in thickness	$1.10 per cubic foot	$1 per cubic foot	9.09	
	Mosaic cubes of marble, onyx, or stone, not exceeding 2 inches in size, loose	1 cent per pound and 20 per cent.	½ cent per pound and 20 per cent.	58.99	49,405.00
	Attached to paper or other material	20 cents per superficial foot and 35 per cent.	5 cents per superficial foot and 35 per cent.	[a] 7.08	

SCHEDULE C—METALS, AND MANUFACTURES OF.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
115½	Iron ore	40 cents per ton	25 cents per ton	37.50	$1,212,607.00
576	Basic slag	$1 per ton	Free of duty	100.00	8,197.00
116	Iron in pigs:				
	Ferromanganese	$4 per ton	$2.50 per ton	37.50	6,027,240.00
	Spiegeleisen	do	do	37.50	2,486,086.00
	All other (except ferrosilicon)	do	do	37.50	5,862,930.00
	Scrap iron and steel:				
	Iron, wrought and cast	do	do	37.50	193,973.22
	Steel	do	do	37.50	100,996.00
117	Bar iron:				
	Rolled or hammered, comprising—				
	Flats not less than 1 inch wide nor less than ⅛ of 1 inch thick	3/16 cent per pound	3/16 cent per pound	50.00	5,647.00
	Round iron not less than 3/16 of 1 inch in diameter	do	do	50.00	163,050.00
	Square iron	do	do	50.00	3,115.10
118	Bars or shapes of rolled or hammered iron n. s. p. f., and round iron in coils or rods, less than 3/16 of 1 inch in diameter	3/16 cent per pound	3/16 cent per pound	25.00	7,195.92
	Slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig, except castings.	1/10 cent per pound	1/10 cent per pound	20.00	1,060.00
	Bars, blooms, billets, slabs, or loops in the manufacture of which charcoal is used as fuel.	$12 per ton	$8 per ton	33.33	1,495,326.00
119	Beams, girders, joists, etc., and all other structural shapes of iron or steel	1/10 cent per pound	1/10 cent per pound	20.00	467,466.00
120	Boiler or other plate iron or steel (except crucible plate steel and saw plates), etc.:				
	Valued 1 cent per pound or less	do	3/10 cent per pound	40.00	
	Valued above 1 cent and not above 2 cents per pound	3/10 cent per pound	1/10 cent per pound	33.33	7,667.00
	Valued above 2 cents and not above 4 cents per pound	1 cent per pound	3/10 cent per pound	30.00	1,307.00
	Valued above 4 cents per pound	25 per cent	20 per cent	20.00	
	Cold rolled, smoothed only, valued above 2 cents and not above 4 cents per pound.	1 1/10 cents per pound	3/10 cent per pound	25.00	2,198.00
121	Anchors, or parts of	1½ cents per pound	1 cent per pound	33.33	2,208.50
	Forgings of iron or steel or combined iron or steel	35 per cent	30 per pound	14.28	190,105.49
122	Hoop, band, or scroll iron or steel n. o. p. f., etc.:				
	Not thinner than No. 10 wire gauge	3/10 cent per pound	3/10 cent per pound	40.00	3,479.00
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/10 cent per pound	3/10 cent per pound	33.33	95.90
	Thinner than No. 20 wire gauge	3/10 cent per pound	3/10 cent per pound	25.00	3,769.00
	Hoop or band iron, or hoop or band steel, flared, splayed, or punched, etc.:				
	Not thinner than No. 10 wire gauge	3/10 cent per pound	3/10 cent per pound	33.33	390.00
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/10 cent per pound	3/10 cent per pound	28.57	
	Bands or strips of steel, suitable for making band saws: [b]				
	Untempered	3 cents per pound and 20 per cent.	1 3/10 cents per pound [a]	63.06	3,602.00
	Tempered, or tempered and polished	6 cents per pound and 20 per cent.	3 3/10 cents per pound [a]	61.77	11,589.00

[a] Estimated. [b] Not enumerated in Senate bill.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
123	Hoop or band iron, or hoop or band steel, cut to lengths, wholly or partly manufactured into hoops or ties, etc.	1/10 cent per pound	1/10 cent per pound	40.00	$20,805.00
124	Bars or rails for railways:				
	Iron	$7.84 per ton	$3.92 per ton	50.00	824.00
	Steel	do	do	50.00	106,484.00
	Railway fish plates or splice bars of iron or steel	1/10 cent per pound	1/10 cent per pound	50.00	11,938.00
125	Sheets of iron or steel, common or black, and skelp iron or steel, etc.:				
	Thinner than No. 10 and not thinner than No. 20 wire gauge	7/80 cent per pound	1/8 cent per pound	28.57	22,643.00
	Thinner than No. 20 and not thinner than No. 25 wire gauge	3/16 cent per pound	1/8 cent per pound	25.00	7,890.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	11/160 cents per pound	3/16 cent per pound	27.27	
	Thinner than No. 32 wire gauge	11/160 cents per pound	3/16 cent per pound	25.00	
	Sheet iron or sheet steel, corrugated or crimped	11/160 cents per pound	3/16 cent per pound	27.27	205.00
126	Hoop, band, or scroll, iron or steel (excepting tin plates, etc.), galvanized or coated, etc.:				
	Not thinner than No. 10 wire gauge	7/80 cent per pound	1/8 cent per pound	28.57	1,429.00
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/16 cent per pound	1/8 cent per pound	25.00	1,477.00
	Thinner than No. 20 wire gauge	1 cent per pound	3/16 cent per pound	20.00	4,590.00
	Sheets or plates of iron or steel (except tin plates, etc.), galvanized or coated, etc.:				
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/16 cent per pound	7/80 cent per pound	22.22	342.00
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	3/16 cent per pound	20.00	917.10
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 1/16 cents per pound	1 cent per pound	23.08	5,967.00
	Thinner than No. 32 wire gauge	1 3/16 cents per pound	1 1/16 cents per pound	21.43	1.00
	Sheet iron or sheet steel, corrugated or crimped, galvanized, etc	1 3/16 cents per pound	1 cent per pound	23.08	
	Sheets or plates composed of iron, steel, copper, nickel, or other metal, with layers of other metal imposed by forging, etc.	45 per cent	40 per cent	11.11	4,801.00
127	Sheet iron or sheet steel, polished, planished, or glanced	2 cents per pound	1½ cents per pound	25.00	8,834.00
	Sheets or plates, pickled or cleaned by acid, etc.:				
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/16 cent per pound	7/80 cent per pound	22.22	305.00
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	3/16 cent per pound	20.00	
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 1/16 cents per pound	1 cent per pound	23.08	429.00
	Sheets of iron or steel, common or black, etc., cold rolled, smoothed only, not polished:				
	Thinner than No. 10 and not thinner than No. 20 wire gauge	3/16 cent per pound	7/80 cent per pound	22.22	3,117.00
	Thinner than No. 20 and not thinner than No. 25 wire gauge	1 cent per pound	3/16 cent per pound	20.00	611.00
	Thinner than No. 25 and not thinner than No. 32 wire gauge	1 1/16 cents per pound	1 cent per pound	23.08	623.00
128	Tin plates, etc.:				
	Lighter than 63 pounds per 100 square feet	1½ cents per pound	1 3/16 cents per pound	20.00	4,009,312.00
	All other	do	do	20.00	623,409.00
129	Steel ingots, cogged ingots, blooms and slabs, etc.:				
	Valued above ¾ and not above 1 1/16 cents per pound	3/16 cent per pound	1/8 cent per pound	25.00	171,370.00
	Valued above 1 1/16 and not above 1 3/16 cents per pound	1/8 cent per pound	1/8 cent per pound	16.67	12,134.00
	Valued above 1 3/16 and not above 2 1/16 cents per pound	7/80 cent per pound	3/16 cent per pound	14.28	
	Valued above 2 1/16 and not above 3 cents per pound	1/9 cent per pound	1/8 cent per pound	11.11	
	Valued above 3 and not above 4 cents per pound	1 1/16 cents per pound	1/8 cent per pound	8.33	
	Valued above 4 and not above 7 cents per pound	1 1/16 cents per pound	1 1/16 cents per pound	7.69	541.00
	Valued above 7 and not above 10 cents per pound	2 cents per pound	1 1/16 cents per pound	5.00	1,366.00
	Valued above 10 and not above 13 cents per pound	2 3/16 cents per pound	2 1/16 cents per pound	4.17	69,154.00
	Valued above 13 and not above 16 cents per pound	2 3/16 cents per pound	2 1/16 cents per pound	3.57	43,488.00
	Sheets and plates n. s. p. f., and saw plates of steel wholly or partially manufactured:				
	Valued ¾ cent per pound or less	3/16 cent per pound	7/80 cent per pound	41.66	3,995.00
	Valued above 1 1/16 and not above 2 1/16 cents per pound	7/80 cent per pound	3/16 cent per pound	14.28	30,905.00
	Valued above 2 1/16 and not above 3 cents per pound	1/9 cent per pound	1/8 cent per pound	11.11	24.00
	Valued above 3 and not above 4 cents per pound	1 1/16 cents per pound	1 1/16 cents per pound	7.14	695.00
	Valued above 4 and not above 7 cents per pound	1 1/16 cents per pound	1 1/16 cents per pound	6.67	31.00
	Valued above 7 and not above 10 cents per pound	2 1/16 cents per pound	2 1/16 cents per pound	4.54	2,367.00
	Valued above 10 and not above 13 cents per pound	2 3/16 cents per pound	2 1/16 cents per pound	3.85	346.00
	Valued above 13 and not above 16 cents per pound	3 cents per pound	2 1/16 cents per pound	3.33	714.00
	Valued above 16 and not above 24 cents per pound	4 3/16 cents per pound	4 1/16 cents per pound	2.04	2,074.00
133	Wire rods, etc.:				
	Untempered or untreated—				
	Valued 4 cents or less per pound	3/16 cent per pound	3/16 cent per pound	25.00	852,080.00
	Valued over 4 cents per pound	¼ cent per pound	3/16 cent per pound	20.00	33,341.00
	Tempered or treated or partly manufactured—				
	Valued 4 cents or less per pound	9/160 cent per pound	1/16 cent per pound	11.11	6.00
	Manufactures of, valued over 4 cents per pound	2¼ cents per pound	2 1/20 cents per pound	6.00	297.00
134	Round iron or steel wire:				
	Valued 4 cents per pound or less—				
	Not smaller than No. 13 wire gauge	1½ cents per pound	1 cent per pound	20.00	52,172.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	1½ cents per pound	1¼ cents per pound	16.67	76,607.50
	Smaller than No. 16 wire gauge	2 cents per pound	1¾ cents per pound	12.50	79,783.00
	Manufactures of—				
	Not smaller than No. 13 wire gauge	2½ cents per pound	2¼ cents per pound	10.00	9,385.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2½ cents per pound	2¼ cents per pound	9.09	16,571.46
	Smaller than No. 16 wire gauge	3½ cents per pound	3 cents per pound	7.69	6,809.92
	Cold rolled, etc., blued, brightened, tempered, etc., manufactures of, smaller than, No. 13 and not smaller than No. 16 wire gauge.	3¾ cents per pound	2 7/9 cents per pound	22.67	27.00
	Hat, bonnet, crinoline, etc., and all wire n. s. p. f., valued more than 4 cents per pound.	45 per cent	40 per cent	11.11	198,489.00
	Do. (manufactures of)	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.60	23,318.43
	Do. (coated with zinc or tin, etc.)	45 per cent plus 3/16 cent per pound.	40 per cent plus 3/16 cent per pound.	10.60	333.10
	Do. (coated with zinc, etc., manufactures of)	45 per cent and 1 3/16 cents per pound.	40 per cent plus 1 3/16 cents per pound.	9.34	372.00
	Brass wire, manufactures of	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.74	20,082.00
	Copper wire, manufactures of	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.34	53.00
	Corset clasps, corset steels, and sheet steel in strips, etc	45 per cent	40 per cent	11.11	48,470.00
	Do. (manufactures of)	45 per cent plus 1½ cents per pound.	40 per cent plus 1½ cents per pound.	10.63	6,880.00
	Do. (cold rolled, etc., blued, brightened, tempered, etc.)	45 per cent plus 1 cent per pound.	40 per cent plus 3/16 cent per pound.	16.07	3,343.00

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
	Wire of iron or steel, coated with zinc, etc.:				
	Not smaller than No. 13 wire gauge	1 9/16 cents per pound	1 7/16 cents per pound	17.24	$321.00
	Smaller than No. 16 wire gauge	2 7/16 cents per pound	1 13/16 cents per pound	11.36	2,581.00
	Manufactures of—				
	Not smaller than No. 13 wire gauge	2 7/16 cents per pound	2 3/16 cents per pound	9.26	79.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2 13/16 cents per pound	2 7/16 cents per pound	8.47	9.00
	Smaller than No. 16 wire gauge	3 3/16 cents per pound	3 1/16 cents per pound	7.25	6,966.00
	Wire rope and wire strand:				
	Made of iron and steel wire—				
	Not smaller than No. 13 wire gauge	2¼ cents per pound	1¾ cents per pound	22.22	738.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2½ cents per pound	2 cents per pound	20.00	1,980.00
	Smaller than No. 16 wire gauge	3 cents per pound	2½ cents per pound	16.67	6,278.00
	All valued more than 4 cents per pound	40 per cent plus 1 cent per pound.	40 per cent plus ¾ cent per pound.	6.10	21,726.00
	All valued more than 4 cents per pound, n. s. p. f.	45 per cent plus 1 cent per pound.	do	13.64	24,981.56
	Made of iron or steel wire, coated with zinc, etc.—				
	Not smaller than No. 13 wire gauge	2 3/16 cents per pound	1 13/16 cents per pound	20.41	1,654.00
	Smaller than No. 13 and not smaller than No. 16 wire gauge	2 7/16 cents per pound	2 3/16 cents per pound	18.52	1,077.00
	Smaller than No. 16 wire gauge	3 3/16 cents per pound	2 7/16 cents per pound	15.62	5,078.00
	All valued more than 4 cents per pound	40 per cent plus 1 9/16 cents per pound.	40 per cent plus ¾ cent per pound.	5.28	7,379.00
136	Steel ingots, cogged ingots, blooms and slabs, etc., cold rolled, etc., galvanized or coated with zinc, etc., valued above 7 and not above 10 cents per pound.	2 1/16 cents per pound	2 1/16 cents per pound	4.54	674.00
	Sheets and plates, n. s. p. f., and saw plates of steel, etc., cold rolled, cold hammered, blued, brightened, tempered, etc.:				
	Valued above 2½ and not above 3 cents per pound	1 3/16 cents per pound	1 3/16 cents per pound	36.84	112.36
	Valued above 3 and not above 4 cents per pound	2 3/16 cents per pound	1 9/16 cents per pound	31.81	3,072.43
	Valued above 4 and not above 7 cents per pound	2 9/16 cents per pound	1 9/16 cents per pound	30.43	58.00
	Valued above 7 and not above 10 cents per pound	3 cents per pound	2 1/16 cents per pound	23.33	2,359.00
	Valued above 10 and not above 13 cents per pound	3 3/16 cents per pound	2 7/16 cents per pound	20.59	676.00
	Valued above 13 and not above 16 cents per pound	3 13/16 cents per pound	3 1/16 cents per pound	18.42	745.00
	Steel circular saw plates:				
	Valued above 4 and not above 7 cents per pound	1 9/16 cents per pound	1 3/16 cents per pound	19.44	16,038.00
	Valued above 7 and not above 10 cents per pound	2¼ cents per pound	2 3/16 cents per pound	14.00	51,199.00
	Valued above 10 and not above 13 cents per pound	2 7/16 cents per pound	2 1/16 cents per pound	12.07	6,005.00
139	Anvils	1½ cents per pound	1¼ cents per pound	13.33	43,629.00
141	Axles, or parts of, axle bars, etc	1 cent per pound	¾ cent per pound	25.00	36,825.00
142	Hammers and sledges, etc	1½ cents per pound	1¼ cents per pound	8.33	4,286.05
143	Bolts, etc	do	1½ cents per pound	25.00	14,998.95
	Castings:				
145	Cast-iron pipe of every description	3/16 cent per pound	⅛ cent per pound	37.50	23,775.50
146	Cast-iron vessels, not above 2 cents per pound	3/16 cent per pound	3/16 cent per pound	37.50	
	Chiseled, drilled, machined, or otherwise advanced	do	3/16 cent per pound	12.50	
147	Malleable-iron castings, n. s. p. f	9/16 cent per pound	do	22.22	45,085.86
148	Hollow ware, coated, glazed, or tinned	2 cents per pound	1½ cents per pound	25.00	743.00
	Chain or chains, made of iron or steel:				
149	Not less than ⅜ inch in diameter	1½ cents per pound	⅞ cent per pound	22.22	629.00
	Less than ⅜ inch and not less than ⅛ inch in diameter	1½ cents per pound	1½ cents per pound	18.18	131.00
	Less than ⅛ inch and not less than 1/16 inch in diameter	1½ cents per pound	1½ cents per pound	6.67	26.00
150	Boiler tubes, pipes, flues, or stays, etc.:				
	Not less than ⅜ inch in diameter	2 cents per pound	1 cent per pound	50.00	
	Less than ⅜ inch and not less than ⅛ inch in diameter	do	1½ cents per pound	12.50	
	Cylindrical or tubular tanks, etc	45 per cent per pound.	30 per cent	33.33	
	Flexible metal tubing or hose, n. s. p. f	35 per cent per pound.	do	14.29	
	Welded cylindrical furnaces, made from plate metal	2½ cents per pound	2 cents per pound	20.00	4,274.00
	Tubes and tubing for cycles	35 per cent	30 per cent	14.29	26,640.00
	Tubes, finished, n. s. p. f	do	do	14.29	63,830.00
153	Table, carving, cooks', etc., knives, forks, and steels, etc.:				
	With handles of mother-of-pearl, shell, or ivory (silver, etc.)	16 cents per piece and 15 per cent.	14 cents each and 15 per cent.	9.30	4,740.00
	With handles of deerhorn	12 cents per piece and 15 per cent.	10 cents each and 15 per cent.	12.67	7,863.00
	With handles of hard rubber, solid bone, celluloid, or any pyroxylin material	5 cents per piece and 15 per cent.	4 cents each and 15 per cent.	14.31	5,537.00
	With handles of any other material	1½ cents per piece and 15 per cent.	1 cent each and 15 per cent.	26.14	25,283.94
	Butchers', hunting, plumbers', painters', etc., knives, etc.:				
	With handles of mother-of-pearl, shell, or ivory (silver, etc.)	16 cents per piece and 15 per cent.	14 cents each and 15 per cent.	8.91	69.00
	With handles of deerhorn	12 cents per piece and 15 per cent.	10 cents each and 15 per cent.	14.11	11.00
	With handles of hard rubber, solid bone, celluloid, or any pyroxylin material	5 cents per piece and 15 per cent.	4 cents each and 15 per cent.	15.41	72.50
	With handles of any other material	1½ cents per piece and 15 per cent.	1 cent each and 15 per cent.	25.25	322.85
154	Files, file blanks, rasps, and floats:				
	2½ inches in length and under	30 cents per dozen	40 per cent	50.79	4,951.61
	Over 2½ and not over 4½ inches in length	50 cents per dozen	do	52.32	26,484.00
	Over 4½ and under 7 inches in length	75 cents per dozen	do	54.27	36,919.32
	Nails, spikes, and tacks:				
158	Nails and spikes, cut, of iron and steel	¼ cent per pound	⅛ cent per pound	33.33	1,792.00
159	Nails, horseshoe, hob, and all other wrought-iron or steel nails, n. a. p. f.	2½ cents per pound	1¾ cents per pound	33.33	83.00
160	Nails, wire, made of wrought iron or steel—				
	Not less than 1 inch in length and not lighter than No. 16 wire gauge	½ cent per pound	¼ cent per pound	50.00	3,258.00
161	Spikes of wrought iron or steel	1 cent per pound	¾ cent per pound	25.00	738.30
	Nuts and washers, of wrought iron or steel	do	do	25.00	2,553.00
	Horse, mule, or ox shoes, of wrought iron or steel	do	do	25.00	34.00
162	Tacks, brads, or sprigs, etc—				
	Not exceeding 16 ounces to the thousand	1½ cents per pound	¼ cent per pound	50.00	140.00
	Exceeding 16 ounces to the thousand	1½ cents per pound	¾ cent per pound	50.00	2.00
165	Rivets, of iron or steel	2 cents per pound	1¼ cents per pound	37.50	5,430.00
166	Saws:				
	Circular saws	25 per cent	20 per cent	20.00	884.00
	Crosscut saws	5 cents per linear foot	5 cents per linear foot	16.67	2,384.00
	Hand, back, and other saws, n. s. p. f	30 per cent	25 per cent	16.67	32,564.50
	Mill saws	10 cents per linear foot	8 cents per linear foot	20.00	
	Pit and drag saws	8 cents per linear foot	6 cents per linear foot	25.00	205.00
	Steel band saws, etc	10 cents per pound and 20 per cent.	5 cents per pound and 20 per cent.	23.22	1,706.00
					62.00

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE C—METALS, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty. Present law.	Rates of duty. Senate bill.	Percentage of reduction.	Total imports, by value, 1907.
167	Screws, wood:				
	Over ½ inch and not more than 1 inch in length	8½ cents per pound	8 cents per pound	5.88	
	Over 1 inch and not more than 2 inches in length	6 cents per pound	5 cents per pound	16.67	$107.00
	More than 2 inches in length	4 cents per pound	3½ cents per pound	12.50	36.00
169	Wheels, or parts of, etc	1¼ cents per pound	1½ cents per pound	16.67	158,550.00
	Ingots, etc., for railway wheels or tires, etc	1¼ cents per pound	1 cent per pound	20.00	
170	Aluminum:				
	In crude form, etc	8 cents per pound	7 cents per pound	12.50	258,601.40
	Plates, sheets, etc	13 cents per pound	11 cents per pound	15.38	7,333.00
176	Silver leaf in packs of 500 leaves	75 cents per pack	50 cents per pack	33.33	804.00
178	Hooks and eyes, metallic, etc	5½ cents per pound and 15 per cent.	4 cents per pound and 15 per cent.	17.56	$4,702.00
181	Monazite sand and thorite	6 cents per pound	4 cents per pound	33.33	
186	Agraffes, barettes, bars, etc., not jewelry	45 per cent	40 per cent	11.11	
191	Zinc:				
	In blocks or pigs	1½ cents per pound	1 cent per pound	33.33	95,069.00
	In sheets	2 cents per pound	1¼ cents per pound	37.50	5,286.00
194	Cash registers, linotype and all typesetting machines	45 per cent	30 per cent	33.33	
195	Aluminum rope (made from aluminum wire)	45 per cent plus 1 cent per pound.	40 per cent plus ¾ cent per pound.	11.98	1,913.00

SCHEDULE D—WOOD, AND MANUFACTURES OF.

196	Timber:				
	Round, used for spars, etc	1 cent per cubic foot	½ cent per cubic foot	50.00	$25,902.86
	Hewn, squared, or sided, etc	do	do	50.00	49,811.78
197	Lumber:				
	Boards, planks, etc., whitewood, etc.—				
	Not planed or finished	$1 per M feet	50 cents per M feet	50.00	211,967.74
	Planed or finished on two sides	$2 per M feet	$1.50 per M feet	25.00	12,302.00
	Planed on one side and tongued and grooved	do	do	25.00	
	Planed on two sides and tongued and grooved	$2.50 per M feet	$2 per M feet	20.00	
	Sawed lumber n. o. p. f.—				
	Not planed or finished	$2 per M feet	$1 per M feet	50.00	14,623,256.00*
	Planed or finished on one side	$2.50 per M feet	$1.50 per M feet	40.00	238,649.28
	Planed or finished on two sides	$3 per M feet	$2 per M feet	33.33	48,348.91
	Planed or finished on three sides	$3.50 per M feet	$2.50 per M feet	28.57	34.00
	Planed or finished on four sides	$4 per M feet	$3 per M feet	25.00	1,224.00
	Planed on one side and tongued and grooved	$3 per M feet	$2 per M feet	33.33	83,415.75
	Planed on two sides and tongued and grooved	$3.50 per M feet	$2.50 per M feet	28.57	15,482.78
200	Paving posts, railroad ties, etc	20 per cent	10 per cent	50.00	570,323.41
201	Clapboards:				
	Pine	$1.50 per thousand	$1 per thousand	33.33	7,391.20
	Spruce	do	do	33.33	149,609.30
558	Fence posts	10 per cent	Free	100.00	16,620.34
203	Laths	25 cents per thousand	20 cents per thousand	20.00	1,736,525.17

SCHEDULE E—SUGAR, MOLASSES, AND MANUFACTURES OF.

213	Sugar, Dutch standard in color, above No. 16, etc	1.95 cents per pound	1.90 cents per pound	2.56	$116,060.70
215	Saccharine	1.50 per pound and 10 per cent.	75 cents per pound	52.32	391.00

SCHEDULE G—AGRICULTURAL PRODUCTS AND PROVISIONS.

232	Corn meal	20 cents per bu. of 48 lbs	40 cents per 100 pounds	4.00	$87.50
258	Pease, green, in bulk, etc	40 cents per bushel	25 cents per bushel	37.50	2,910.03
262	Seeds: Celery	30 per cent	10 cents per pound	51.07	92.95
	Canary	do	Free of duty	100.00	96,145.00
266	Fish: Anchovies, etc., in other packages	40 per cent	30 per cent	25.00	103,452.50
286	Tallow	¼ cent per pound	⅛ cent per pound	33.33	29,733.00
	Wool grease, etc., crude and not refined	¼ cent per pound	⅛ cent per pound	50.00	
292	Starch, all other than potato	1¼ cents per pound	1 cent per pound	33.33	51,973.00
293	Dextrine, etc	2 cents per pound	1½ cents per pound	25.00	142,320.00

SCHEDULE H—SPIRITS, WINES, AND OTHER BEVERAGES.

300	Ginger wine or ginger cordial:				
	In casks or packages other than bottles or jugs—				
	Containing 14 per cent or less of absolute alcohol	40 cents per gallon	$2.60 per proof gallon	35.00	(a)
	Do. (reciprocity)	35 cents per gallon	do	25.71	$13,303.00
	In bottles or jugs, containing each more than 1 pint and not more than 1 quart	$1.60 per dozen	do	2.38	6,983.00

SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.

334	Yarns, of jute, single, finer than 5 lea or number	35 per cent	30 per cent	14.28	$68,354.50
335	Cables and cordage composed of istle or tampico fiber, etc	1 cent per pound	¾ cent per pound	25.00	8,577.50
336	Threads, twines, etc.:				
	Made from yarn not finer than—				
	5 lea or number	13 cents per pound	10 cents per pound	23.08	8,159.00
	10 lea or number	16¼ cents per pound	13¼ cents per pound	17.91	1,017.00
	[Senate rate on these threads is 3 cents per pound less than present rate for each corresponding lea or number.]				
337	Yarns of flax, hemp, or ramie, etc., single in the gray, not finer than 8 lea or number	7 cents per pound	6 cents per pound	14.28	14,395.00
338	Gill netting, etc.:				
	Made of thread, twines, etc., not finer than—				
	5 lea or number	13 cents per pound and 25 per cent.	10 cents per pound and 20 per cent.	22.44	3,205.75

* None.

Estimate of reductions in duties of H. R. 1438 as reported from the Committee on Finance, United States Senate, etc.—Continued.

SCHEDULE J—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF—continued.

Paragraph of Senate bill.	Article.	Rates of duty— Present law.	Rates of duty— Senate bill.	Percentage of reduction.	Total imports by value, 1907.
338	Gill netting, etc.—Continued.				
	Made of thread, twine, etc.—Continued.				
	6 lea or number	13½ cents per pound and 25 per cent.	10½ cents per pound and 20 per cent.	21.01	$1.00
	[Senate rate on this gill netting is 3 cents per pound and 5 per cent less than the present rate for each corresponding lea or number of the thread from which made.]				
340	Carpets, etc., of flax, etc.:				
	Value not exceeding 15 cents per square yard	5 cents per square yard and 35 per cent.	4 cents per square yard and 30 per cent.	17.42	359.00
	Valued over 15 cents per square yard	10 cents per square yard and 35 per cent.	8 cents per square yard and 30 per cent.	16.43	71,361.00
341	Hose, hydraulic, etc	20 cents per pound	15 cents per pound	25.00	1,758.00
343	Oilcloths, etc., 12 feet and over in width	20 cents per square yard and 20 per cent.	12 cents per square yard and 15 per cent.	34.65	89,396.00

SCHEDULE L—SILKS AND SILK GOODS.

392	Silk partly manufactured from cocoons, etc	40 cents per pound	35 cents per pound	12.50	$295.05
395	Plushes on which ordinary duty does not amount to 50 per cent	50 per cent	$1.85 per pound [a]	.90	11,481.00
	Other, on which ordinary duty does not amount to 50 per cent	do	$2.50 per pound [a]	40.64	453.06
	Fabrics weighing not over ¼ ounce per square yard	$4.50 per pound	$4 per pound	11.11	459,935.00
396	Handkerchiefs:				
	Not hemmed or hemmed only—				
	Weighing ¼ ounce to 1½ ounces per square yard—				
	Boiled off	$3 per pound	50 per cent	15.25	8,520.00
	Dyed or printed in the piece	$3.25 per pound	do	18.41	4,282.00
	Weighing 1½ ounces to 4 ounces—				
	Dyed in the piece, etc., containing over 45 per cent in weight of silk	$3 per pound	do	32.83	3,151.00
	Dyed in the thread, etc., containing 30 per cent to 45 per cent in weight of silk	$1.30 per pound	do	10.71	9.00
	Hemstitched, etc.—				
	Weighing ¼ ounce to 1½ ounces per square yard, boiled off	$3 per pound and 10 per cent.	60 per cent	5.50	20,304.00
	Weighing 1½ ounces to 4 ounces per square yard, dyed in the piece, etc., containing over 45 per cent in weight of silk	do	do	23.28	4,133.00

SCHEDULE M—PULP, PAPERS, AND BOOKS.

405	Printing paper, book paper, etc.:				
	Valued 2 to 2½ cents per pound	1/16 cent per pound	1/20 cent per pound	25.00	$3,634.00
	Valued above 3 and not above 4 cents per pound	1/16 cent per pound	1/18 cent per pound [b]	16.67	
408	Lithographic prints, etc.:				
	On paper, etc.—				
	Exceeding 1/250 to 1/125 inch in thickness—				
	Exceeding 35 to 400 square inches	8 cents per pound	7 cents per pound	12.50	423,019.00
	Exceeding 400 square inches	35 per cent	do	52.17	9,764.62

SCHEDULE N—SUNDRIES.

431	Gunpowder, etc.:				
	Valued 20 cents or less per pound	4 cents per pound	2 cents per pound	50.00	$291.00
	Valued over 20 cents per pound	6 cents per pound	4 cents per pound	33.33	213,303.00
432	Matches:				
	In boxes	8 cents per gross	6 cents per gross	25.00	197,816.00
	Otherwise	1 cent per thousand	¾ cent per thousand	25.00	10,183.00
433	Blasting caps	$2.36 per thousand	$2 per thousand	15.25	15,982.00
	Cartridges	35 per cent	30 per cent	14.28	101,492.57
	Mining and blasting fuse	do	do	14.28	14,063.00
441	Haircloth, known as crinoline	10 cents per square yard.	8 cents per square yard.	20.00	347.00
442	Hats, bonnets, etc., of fur, etc.:				
	Valued not over $5 per dozen	$2 per dozen and 20 per cent.	$1.25 per dozen and 15 per cent.	34.92	4,907.25
	Valued $5 to $10 per dozen	$3 per dozen and 20 per cent.	$2.25 per dozen and 15 per cent.	25.00	77,155.41
	Valued $10 to $20 per dozen	$5 per dozen and 20 per cent.	$4 per dozen and 15 per cent.	21.76	69,032.24
	Valued over $20 per dozen	$7 per dozen and 20 per cent.	$5.50 per dozen and 15 per cent.	22.92	82,402.44
448	Leather band or belting	20 per cent	5 per cent	75.00	61,739.11
	Upper, dressed	do	15 per cent	25.00	2,167,945.75
	All other	do	do	25.00	1,231,369.25
	Calfskins, tanned, etc	do	do	25.00	216,854.00
	Skins dressed and finished other than chamois	do	do	25.00	806,589.75
	Skins for morocco—				
	Finished	do	do	25.00	41,697.58
	Tanned	10 per cent	5 per cent	50.00	3,112,821.75
	Patent leather, etc.—				
	Weighing not over 10 pounds per dozen skins	30 cents per pound and 20 per cent.	27 cents per pound and 15 per cent.	18.31	216,113.00
	Weighing 10 pounds to 25 pounds per dozen skins	30 cents per pound and 10 per cent.	27 cents per pound and 8 per cent.	13.07	92,185.00
	Pianoforte leather	35 per cent	20 per cent	42.86	
	Boots and shoes	25 per cent	15 per cent	40.00	164,509.30
	Shoe laces	50 cents per gross and 20 per cent.	50 cents per gross and 10 per cent.	25.20	343.00
453	Harnesses, etc	45 per cent	35 per cent	22.22	160,632.83
462	Paintings, etc	20 per cent	15 per cent	25.00	2,544,262.08
	Statuary	do	do	25.00	9,138.00
468	Agricultural implements, etc	do	do	25.00	23,643.70

[a] Estimated.

[b] Amendment to be submitted by committee.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on the amendment submitted by the Senator from Florida [Mr. FLETCHER] to the amendment of the committee.

Mr. FOSTER. I will state that it was my purpose to address myself to this amendment——

Mr. STONE. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Page
Bacon	Crane	Heyburn	Paynter
Beveridge	Crawford	Hughes	Perkins
Borah	Cullom	Johnson, N. Dak.	Piles
Brandegee	Cummins	Johnston, Ala.	Root
Briggs	Curtis	Jones	Smoot
Bristow	Davis	Kean	Stone
Brown	Dick	La Follette	Sutherland
Bulkeley	Dillingham	Lodge	Taliaferro
Burkett	Dolliver	McCumber	Tillman
Burnham	du Pont	McEnery	Warner
Burrows	Fletcher	Martin	Warren
Burton	Flint	Nelson	Wetmore
Carter	Foster	Newlands	
Chamberlain	Gallinger	Overman	
Clapp	Gore	Owen	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. A quorum of the Senate is present. The Senator from Louisiana is recognized.

Mr. FOSTER. I will state that it will be impossible for me at this hour to conclude my remarks to-day, and if it does not put the chairman of the committee to any special or great inconvenience——

Mr. ALDRICH. Not at all.

Mr. FOSTER. I will request that he take up some other item of the bill.

Mr. ALDRICH. Mr. President, that is quite agreeable to me.

Mr. FOSTER. I thank the Senator.

Mr. ALDRICH. Mr. President, there are several verbal changes, and two or three changes in rates which the Committee on Finance have decided should be made in the silk schedule. The phraseology in several paragraphs is defective, and I think perhaps that I might offer this modification, and have it read. I call the attention of the Senator from Iowa [Mr. CUMMINS] to some of the changes which have been made in the velvet provisions. The only changes made are reductions and changes in phraseology. I offer this now as a substitute for the proposition as originally introduced, and I ask that it may be read. I shall not ask to have it acted on to-night. I ask the Senator from Iowa to examine it before morning, so that he can see the changes which have taken place.

Mr. CUMMINS. I hope that, after it has been read, it may be printed, so that we may examine it.

Mr. ALDRICH. It is already in print, and I send a copy of it to the Senator.

The PRESIDING OFFICER. The Senator from Rhode Island submits an amendment, which will be stated.

The SECRETARY. On page 135, after line 13, it is proposed to insert:

SCHEDULE L.—SILK AND SILK GOODS.

392. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 35 cents per pound.

393. Spun silk or schappe silk yarn, valued at not exceeding $1 per pound, whether in singles, or advanced beyond the condition of singles by grouping or twisting two or more yarns together, 35 cents per pound; if valued at exceeding $1 per pound, in the gray, in skeins, warps, or cops, if in singles or not advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 45 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 45 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 50 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 50 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if valued at exceeding $1 per pound, in the gray, on bobbins, spools, or beams, if in singles or not advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 55 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 55 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 60 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if valued at exceeding $1 per pound, colored, bleached, or dyed, in skeins or warps, if in singles or not advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 55 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 55 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 60 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 60 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if valued at exceeding $1 per pound, colored, bleached, or dyed, on bobbins, cops, spools, or beams, if in singles or not advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 65 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; exceeding No. 205, 65 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound; if advanced beyond the condition of singles by grouping or twisting two or more yarns together, on all numbers up to and including No. 205, 70 cents per pound, and in addition thereto ten one-hundredths of 1 cent per number per pound; on all numbers exceeding No. 205, 70 cents per pound, and in addition thereto fifteen one-hundredths of 1 cent per number per pound. In assessing duty on all spun silk or schappe silk yarn, the number indicating the size of the yarn shall be taken according to the metric or French system, and shall, in all cases, refer to the size of the singles: *Provided*, That in no case shall the duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams. But in no case shall any of the goods enumerated in this paragraph pay less rate of duty than 37½ per cent ad valorem.

394. Thrown silk in the gum, if singles, 50 cents per pound; if tram, 75 cents per pound; if organzine, $1 per pound; and if ungummed, wholly or in part, or if further advanced by any process of manufacture, in addition to the rates herein provided, 50 cents per pound. Sewing silk, twist, floss, and silk threads or yarns of any description made from raw silk, not specially provided for in this section, if in the gum, $1 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture, $1.50 per pound, *Provided*, That in no case shall duty be assessed on a less number of yards than is marked on the skeins, bobbins, cops, spools, or beams.

395. Velvets, chenilles, and other pile fabrics, not specially provided for in this section, cut or uncut, composed wholly or in chief value of silk, weighing not less than 5¾ ounces per square yard, $1.50 per pound; weighing less than 5¾ ounces per square yard, but not less than 4 ounces, and having more than 130 picks per inch, or if all the filling is not cotton, $2.75 per pound; if having 130 picks per incl. or less, and if all the filling is cotton, $2 per pound; all the foregoing weighing less than 4 ounces to the square yard, $4 per pound. Plushes, cut or uncut, composed wholly or in chief value of silk, weighing not less than 9½ ounces per square yard, $1 per pound; weighing less than 9½ ounces per square yard, $2.40 per pound. Measurements to ascertain widths of goods for determining weight per square yard of the foregoing articles shall not include the selvedges, but the duty shall be levied upon the total weight of goods, including the selvedges. The distinction between "plushes" and "velvets" shall be determined by the length of the pile; those having pile exceeding one-seventh of an inch in length, to be taken as "plushes;" those having pile one-seventh of 1 inch or less in length, shall be taken as "velvets." The distance from the end of the pile to the bottom of the first binding pick shall be considered as the length of the pile. Velvet or plush ribbons, or other pile fabrics not over 12 inches and not less than three-fourths of 1 inch in width, cut or uncut, of which silk is the component material of chief value, not specially provided for in this section, containing no silk except that in the pile and selvedges; if black, $1.60 per pound; if other than black, $1.75 per pound; if containing silk other than that in the pile and selvedges; if black, $2 per pound; if other than black, $2.25 per pound; for each one-fourth of 1 inch or fraction thereof, less than three-fourths of 1 inch in width, there shall be paid in addition to the above rates, 40 cents per pound. Woven fabrics in the piece, composed wholly or in chief value of silk, not specially provided for in this section, weighing not more than one-third of 1 ounce per square yard, $4 per pound; weighing more than one-third of 1 ounce, but not more than two-thirds of 1 ounce per square yard; if in the gum, $3 per pound; if ungummed, wholly or in part, $3.25 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.50 per pound; if weighing more than two-thirds of 1 ounce but not more than 1 ounce per square yard; if in the gum, $2.65 per pound; if ungummed, wholly or in part, $3 per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.25 per pound; if weighing more than 1 ounce but not more than 1½ ounces per square yard; if in the gum, $2.50 per pound; if ungummed, wholly or in part, $2.85 cents per pound; if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3.10 per pound; if weighing more than 1½ ounces, but not more than 2 ounces, and if containing not more than 20 per cent in weight of silk, if in the gum, 70 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 85 cents per pound; if containing more than 20 per cent, but not more than 30 per cent in weight of silk; if in the gum, 85 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing more than 30 per cent, but not more than 40 per cent in weight of silk; if in the gum, $1.05 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.25 per pound; if containing more than 40 per cent, but not more than 50 per cent in weight of silk; if in the gum, $1.25 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.50 per pound; if containing more than 50 per cent in weight of silk or if wholly of silk; if in the gum, $2.50 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $3 per pound; if weighing more than 2 ounces, but not more than 8 ounces per square yard, and if containing not more than 20 per cent in weight of silk; if in the gum, 57½ cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 70 cents per pound; if containing more than 20 per cent, but not more than 30 per cent in weight of silk; if in the gum, 75 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, 90 cents per pound; if containing more than 30 per cent, but not more than 40 per cent in weight of silk; if in the gum, 90 cents per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.10 per pound; if containing more than 40 per cent, but not more than 50 per

cent in weight of silk; if in the gum, $1.10 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture or otherwise, or if dyed or printed in the piece, $1.30 per pound; if containing more than 50 per cent in weight of silk, or if wholly o* silk; if in the gum, $2.25 per pound; if ungummed, wholly or in part, or if further advanced by any process of manufacture, or otherwise, or if dyed or printed in the piece, $2.75 per pound. Woven fabrics in the piece, composed wholly or of chief value of silk, if dyed in the thread or yarn, and the weight is not increased in dyeing beyond the original weight of raw silk, if containing less than 30 per cent in silk, $1.25 per pound; if containing more than 30 per cent but not more than 45 per cent in weight of silk, $1.60 per pound; if containing more than 45 per cent in weight of silk, $3 per pound; if weight is increased in dyeing beyond the original weight of raw silk; if weighing more than one-third of 1 ounce, but not more than 1 ounce, per square yard; if black (except selvedges), $2.25 per pound; if other than black, $3 per pound; if weighing more than 1 ounce, but not more than 1½ ounces per square yard; if black (except selvedges), $2 per pound; if other than black, $2.75 per pound; if weighing more than 1½ but not more than 2 ounces per square yard; if black (except selvedges), $1.80 per pound; if other than black, $2.50 per pound; if weighing more than 1¾ but not more than 2 ounces per square yard; if black (except selvedges), $1.65 per pound; if other than black, $2.25 per pound; if weighing more than 2 but not more than 8 ounces per square yard, and if containing not more than 30 per cent in weight of silk; if black (except selvedges), 75 cents per pound; if other than black, 90 cents per pound; if containing more than 30 per cent but not more than 45 per cent in weight of silk; if black (except selvedges), $1.10 per pound; if other than black, $1.30 per pound; if containing more than 45 per cent in weight of silk but not more than 60 per cent; if black (except selvedges), $1.40 per pound; if other than black, $1.60 per pound; if containing more than 60 per cent in weight of silk, or if composed wholly of silk, and if having not more than 220 single threads to the inch in the warp; if black (except selvedges), $1.50 per pound; if other than black, $2 per pound; if having more than 220 but not more than 300 single threads to the inch in the warp; if black (except selvedges), $1.65 per pound; if other than black, $2.25 per pound; if having more than 300 but not more than 380 single threads to the inch in the warp; if black (except selvedges), $1.80 per pound; if other than black, $2.50 per pound; if having more than 380 but not more than 460 single threads to the inch in the warp; if black (except selvedges), $2 per pound; if other than black, $2.75 per pound; if having more than 460 single threads to the inch in the warp; if black (except selvedges), $2.25 per pound; if other than black, $3 per pound; if printed in the warp and weighing not more than 1½ ounces per square yard, $3.50 per pound; weighing more than 1½ but not more than 2 ounces per square yard, $3.25 per pound; weighing more than 2 ounces per square yard, $2.75 per pound. But in no case shall any goods made on Jacquard looms or any goods containing more than one color in the filling, or any of the goods enumerated in this paragraph, including such as have india rubber as a component material, pay a less rate of duty than 45 per cent ad valorem.

396. Handkerchiefs or mufflers composed wholly or in chief value of silk, finished or unfinished, if cut not hemmed or hemmed only, shall pay 50 per cent ad valorem; if such handkerchiefs or mufflers are hemstitched or imitation hemstitched, or revered, or have drawn threads, or are embroidered in any manner, whether with an initial letter, monogram, or otherwise, by hand or machinery, or are tamboured, appliquéed, or having tucking or insertion, 60 per cent ad valorem.

397. Ribbons, bandings, including hatbands, beltings, bindings, all of the foregoing not exceeding 12 inches in width, and if with fast edges, bone casings, braces, cords, cords and tassels, garters, gorings, suspenders, tubings, and webs and webbings, composed wholly or in chief value of silk, and whether composed in any part of india rubber or otherwise, if not embroidered in any manner by hand or machinery, 50 per cent ad valorem.

398. Laces, edgings, insertings, galloons, flouncings, neck ruffings, ruchings, braids, fringes, trimmings, ornaments, nets or netting, veils or veilings, and articles made wholly or in part of any of the foregoing, or of chiffons, embroideries and articles embroidered by hand or machinery, or tamboured or appliquéed, clothing ready made, and articles of wearing apparel of every description, including knit goods, made up or manufactured in whole or in part by the tailor, seamstress, or manufacturer; all of the foregoing composed of silk, or of silk and metal, or of which silk is the component material of chief value, whether in part of india rubber or otherwise and braid composed in part of india rubber, not specially provided for in this section, and silk goods ornamented with beads or spangles, 60 per cent ad valorem: *Provided*, That articles composed wholly or in chief value of any of the materials or goods dutiable under this paragraph shall pay not less than the rate of duty imposed upon such materials or goods by this section: *Provided further*, That tamboured or appliquéed articles or fabrics shall pay no less rate of duty than that imposed upon the material if not so tamboured or appliquéed.

399. All manufactures of silk, or of which silk is the component material of chief value, including such as have india rubber as a component material, not specially provided for in this section, 50 per cent ad valorem: *Provided*, That all manufactures of silk enumerated under any paragraph of this schedule, if composed in any part of wool, shall be classified and assessed for duty as manufactures of wool.

400. In ascertaining the weight of silk under the provisions of this schedule, either in the threads, yarns, or fabrics, the weight shall be taken in the condition in which found in the goods, without deductions therefrom for any dye, coloring matter, or other foreign substance or material. In ascertaining the number of single-warp threads to the inch under the provisions of this schedule, the number of all warp single or two or more ply threads shall be determined by the singles.

401. Yarns, threads, filaments of artificial or imitation silk, or of artificial or imitation horsehair, by whatever name known, and by whatever process made, if in the form of singles, 45 cents per pound; if in the form of tram, 50 cents per pound; if in the form of organzine, 60 cents per pound: *Provided*, That in no case shall any yarns, threads, or filaments of artificial or imitation silk or imitation horsehair, or any yarns, threads, or filaments made from waste of such materials, pay a less rate of duty than 30 per cent ad valorem; braids, laces, embroideries, galloons, neck ruffings, ruchings, fringes, trimmings, beltings, cords, tassels, ribbons, or other articles or fabrics composed wholly or in chief value of yarns, threads, filaments, or fibers of artificial or imitation silk or of artificial or imitation horsehair, by whatever name known, and by whatever process made, 45 cents per pound, and in addition thereto, 60 per cent ad valorem.

Mr. ALDRICH. I shall not call this up for action now, but when I do I shall explain the changes which have taken place. As I have stated, they are mostly changes in phraseology. The only changes in rates are reductions upon some of the velvet items.

Mr. CUMMINS. I should like to ask the chairman of the Committee on Finance whether there will be printed a comparison between the schedule as now framed and the proposed law that will take the place of the tariff now in force?

Mr. ALDRICH. Does the Senator mean the provisions that are already in the bill as reported from the Committee on Finance?

Mr. CUMMINS. I mean the same comparison which has already been instituted between the bill as reported and the Dingley rates which we have. In so far as there has been a change of duties, will the Committee on Finance present a similar comparison? This is a complicated schedule, and it is a little difficult to those who have not given a great deal of study to the matter to make that comparison.

Mr. ALDRICH. It will be easier to have a comparison made and printed between the paragraphs as originally reported from the Committee on Finance and the proposition which is now made.

I think perhaps that had better be ordered. We will have that printed, so that Senators can see the changes which have been made from our original report. It will be impossible to have any sort of a comparison that would be intelligible between this plan of assessing duties and the original law, for the reason that they are based upon an entirely different plan. These duties are entirely specific.

Mr. CUMMINS. I understand that.

Mr. ALDRICH. And the others are compound.

Mr. CUMMINS. The committee did institute that comparison?

Mr. ALDRICH. Yes. I can state in general terms what the differences are, and I shall do so when the matter is up for consideration.

Mr. CUMMINS. So far as the changes now made are concerned, the committee will compare them with the original report, so they can be seen at a glance?

Mr. ALDRICH. Yes; I will have this printed as an amendment. I ask that it may be printed as an amendment to the bill, with the changes printed in italics.

The PRESIDING OFFICER. Without objection, that order will be made.

Mr. BACON. Mr. President, with the permission of the Senator, I desire to ask that certain amendments which I propose to offer may lie on the table and be printed.

Mr. ALDRICH. I have several suggested changes, largely of a verbal character, which I think might be disposed of now. I think there will be no objection to any of them. I send the amendments to the desk.

The PRESIDING OFFICER. The Senator from Georgia [Mr. BACON] requests that the amendments which he submitted may be printed and lie on the table.

Mr. BACON. Yes, sir; in order that I may offer them at the proper time.

The PRESIDING OFFICER. That order will be made.

Mr. ALDRICH. I wish to move an amendment on page 8, line 16. I ask first that the vote by which the paragraph was agreed to may be reconsidered.

The PRESIDING OFFICER. Without objection, the vote by which the paragraph was agreed to will be reconsidered. The Chair hears none. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. On page 8, line 16, after the word "gelatin," it is proposed to strike out the comma and the word "edible."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 40 I withdraw the committee amendment, or I will ask that it be disagreed to. The paragraph has been passed over in this case. I think it has never been acted upon.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 11, line 23, paragraph 40, the Committee on Finance reported an amendment to strike out the words "one dollar and fifty," and to insert "seventy-five."

The PRESIDING OFFICER. The question is on the amendment.

Mr. LA FOLLETTE. What is the proposition, Mr. President?

Mr. SCOTT. I understand the amendment is withdrawn.

Mr. ALDRICH. I ask that the amendment heretofore proposed by the committee may be disagreed to. It amounts to the same thing.

The PRESIDING OFFICER. The amendment can not be withdrawn. The Chair will put the question to the Senate.

Mr. ALDRICH. I ask that the Senate disagree to the amendment.

The amendment was rejected.

Mr. SCOTT. Am I to understand that that restores the duty to $1.50?

Mr. ALDRICH. It does.

I ask that paragraph 49 be amended so as to read as proposed in the amendment which I send to the desk.

The PRESIDING OFFICER. Without objection, the vote by which paragraph 49 was agreed to will be reconsidered. The amendment proposed by the Senator from Rhode Island will now be stated.

The SECRETARY. On page 13, after line 3, it is proposed to insert as a substitute for the House text and the Senate committee amendment the following:

49. Varnishes, including so-called gold size or Japan, and spirit varnishes or enamel paints made with varnishes containing 5 per cent or more of methyl alcohol, 35 per cent ad valorem.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On the same page, in line 24, paragraph 54, I move to strike out the words "including oxide of iron pigment and oxide of iron polishing powder."

The PRESIDING OFFICER. Without objection, the paragraph will be reconsidered. The Senator from Rhode Island now offers an amendment to it, which will be stated.

The SECRETARY. On page 13, line 24, strike out the words "including oxide of iron pigment and oxide of iron polishing powder."

Mr. BURKETT. Where will those articles come in if those words are stricken out?

Mr. ALDRICH. They will come in in the iron paragraph or under the chemical paragraph, where they ought to be anyhow. They ought not to be here.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Rhode Island.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 93, page 23, after line 11, I move to insert the words I send to the desk.

The PRESIDING OFFICER. In the absence of objection, the vote whereby the paragraph was agreed to will be reconsidered. The Senator from Rhode Island offers an amendment, which will be stated.

The SECRETARY. On page 23, at the end of paragraph 93 as amended, it is proposed to insert a semicolon and the following:

Electrodes, brushes, plates, and disks, all the foregoing composed wholly or in chief value of carbon, 30 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 97, on page 26, the Senator from North Dakota [Mr. MCCUMBER] has an amendment to offer.

Mr. McCUMBER. I offer the amendment which I send to the desk as a substitute for paragraph 97.

The PRESIDING OFFICER. The amendment submitted by the Senator from North Dakota will be stated.

The SECRETARY. On page 26, in lieu of paragraph 97, as printed in the bill, it is proposed to insert:

97. Unpolished, cylinder, crown, and common window glass, not exceeding 150 square inches, valued at not more than 1½ cents per pound, 1¼ cents per pound; valued at more than 1½ cents per pound, 1⅝ cents per pound; above that, and not exceeding 384 square inches, valued at not more than 1¾ cents per pound, 1⅝ cents per pound; valued at more than 1¾ cents per pound, 1¾ cents per pound; above that, and not exceeding 720 square inches, valued at not more than 2⅛ cents per pound, 1¾ cents per pound; valued at more than 2¼ cents per pound, 2⅜ cents per pound; above that, and not exceeding 864 square inches, valued at not more than 2½ cents per pound, 2⅜ cents per pound; valued at more than 2½ cents per pound, 2¾ cents per pound; above that, and not exceeding 1,200 square inches, valued at not more than 2¾ cents per pound, 2⅜ cents per pound; valued at more than 2¾ cents per pound, 2¾ cents per pound; above that, and not exceeding 2,400 square inches, valued at not more than 2¾ cents per pound, 3¼ cents per pound; valued at more than 2¾ cents per pound, 3⅜ cents per pound; above that, valued at not more than 3 cents per pound, 3½ cents per pound; valued at more than 3 cents per pound, 3¾ cents per pound: *Provided*, That unpolished cylinder, crown, and common window glass, imported in boxes, shall contain 50 square feet, as nearly as sizes will permit, and the duty shall be computed thereon according to the actual weight of glass.

Mr. NELSON. Mr. President, this is a very complicated and lengthy amendment, and I should be glad to have it explained, so as to be informed whether it is an increase or a decrease.

Mr. ALDRICH. It decreases the duty upon common window glass.

Mr. NELSON. What is the effect on the other kinds of glass? There are a large number of classifications not contained in the original amendment.

Mr. ALDRICH. The Senator from North Dakota [Mr. MCCUMBER] will explain it.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from North Dakota to the fact that the amendment as sent to the desk includes paragraph 98. Does the Senator desire to have that considered as part of his amendment?

Mr. ALDRICH. No; only paragraph 97 at present.

The PRESIDING OFFICER. The question is upon the amendment submitted by the Senator from North Dakota [Mr. MCCUMBER] as a substitute for paragraph 97.

Mr. SCOTT. Mr. President, I am utterly opposed to this amendment if it reduces the duty; and from the mere reading at the desk no one can tell what effect it will have upon paragraph 97 as it is now in the bill. I think it is only fair that it should go over and be printed.

Mr. McCUMBER. I can say, Mr. President, that it reduces the duty on all classes of glass from the rates of the Dingley law as well as the rates of the pending bill as it came from the House.

Mr. NELSON. On all these brackets?

Mr. McCUMBER. On all these brackets, as will be seen when it is printed. It provides for very slight reductions in the higher grades.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. I yield.

Mr. CUMMINS. It will be remembered that I raised the question with reference to the duties on glass in this paragraph. I have examined the amendment offered by the Senator from North Dakota. The general tendency of the amendment is to reduce the duties upon the low-priced glass, with very slight reductions upon the higher-priced glass. While I would have been better satisfied if the reductions had been made without introducing the element of value into the subject at all, yet, upon the whole, I believe that this is a fair reduction of the rates on glass of this kind and will fairly meet the demand that exists for reduction in common window glass.

Mr. DICK. Mr. President, I ask the Senator in charge of the amendment to explain, if he will, the ratio of reduction.

Mr. McCUMBER. Mr. President, I can give it. For instance, on glass not exceeding 150 square inches the Dingley rate is 1⅝ cents; the rate as fixed by the bill as it came from the House is 1⅜ cents; and the amendment makes the rate 1¼ cents on glass valued at not over 1¼ cents per pound and 1⅜ cents when it is of a higher value, the higher value, as has been shown, being glass used for pictures mainly, and the other is used in window frames, and each of the brackets is divided into those two classes.

We will take the next class, glass over 150 square inches and not exceeding 384 square inches, the Dingley rate on which was 1⅞ cents per pound, and the rate of the House bill was the same. The rate as fixed by this amendment is 1⅝ cents when valued at not over 1¾ cents per pound, and 1¾ cents if valued at over 1¾ cents per pound. You may take each of the brackets as they follow on, and in no instance is the rate greater than the rate fixed by the House bill, and on the cheaper glass the rate is lower than the rate fixed by the House bill.

Mr. NELSON. As I understand, Mr. President, with the permission of the Senator, the paragraph has been divided into two brackets in each case?

Mr. McCUMBER. Yes.

Mr. NELSON. And in each of the first brackets the rate has been made lower?

Mr. McCUMBER. Yes.

Mr. NELSON. And the higher brackets have not gone over the Dingley rates?

Mr. McCUMBER. That is correct. In the second bracket and in the third, fourth, fifth, sixth, and seventh the rates are lower than the Dingley rates, even on the higher grades of glass.

Mr. DICK. If I understand the Senator correctly, he states that all the rates have been reduced both as compared with the Dingley law and as compared with the bill as it came from the House. Am I right about that?

Mr. McCUMBER. Every bracket has been reduced on a portion of the glass that would come in under that bracket; that is, on that which would be denominated "common window glass" the rates have all been reduced; and when we get up to the larger sizes, they have been reduced both as to the higher and

the lower brackets. In other words, an investigation showed that the rates could be reduced without injury to the higher class on both values; but upon the lower class of glass we thought that the rates could not be reduced except as to window glass. The amendment may seem to be rather complicated, but I can go through it and explain each subdivision if the Senator so desires.

Mr. DICK. No; I do not care so much about that as to know where the deepest cut was made.

Mr. McCUMBER. The deepest cut was made in the larger sizes.

Mr. DICK. But in the effort to equalize, no sizes have been increased?

Mr. McCUMBER. No sizes have been increased.

Mr. SCOTT. Mr. President, I do not intend that this amendment shall be adopted if I can help it. West Virginia has been pretty patient. This is one of her chief industries; and I know of my own personal knowledge that those engaged in the manufacture of window glass in my State have not only not made any money, but that they have been making window glass at a loss. Why we should be picked out and discriminated against in this bill by a member of the committee, I can not understand. I shall insist that the amendment go over until we have an opportunity to examine it, or I shall try to talk upon it until 7 o'clock.

Mr. ALDRICH. Mr. President, the amendment provides a much better adjustment of the rates upon various classes of glass than the provision originally presented. It is true that it does reduce the duties upon common window glass, but I think the reduction has been pretty fairly done and that the rates are preserved sufficiently to be protective. I do not think that any interest will seriously suffer if this paragraph shall be adopted.

Mr. McCUMBER. I want to call the Senator's attention to the fact that in no case is the duty less than 100 per cent. Take glass valued a not over 1½ cents. On such glass the duty is 1½ cents per pound. That is a pretty fair duty. I appreciate the fact that common window glass is sold exceedingly low. There is no great demand for glass of 150 square inches; it is not used in building homes to any extent. The small-size glass is used in factories, mills, and places of that kind. The glass provided for in the next bracket below that is used in factories and mills as well as in the building of dwelling houses, but in no instance do we find the duty much less than 100 per cent on that class.

Mr. ALDRICH. I suggest to the Senator from West Virginia, in order to facilitate the transaction of business, that he allow this to be agreed to, and if to-morrow morning he finds that he is injured, I will be very glad to have the paragraph reopened.

Mr. SCOTT. I have no objection to that, and I do not want to be an obstructionist; but I do want to say the fact that the Senator from North Dakota informed the Senate that it is 100 per cent does not make any difference to me. If it takes 200 per cent to protect the glass industry of my State and other States, I am in favor of putting it on. That is no argument at all. I know that the window-glass industry is in a languishing condition, and I do know those engaged in it have lost money. Why should this industry be selected for a reduction?

I am willing to let this matter go over until to-morrow, with the understanding that I shall have the opportunity to call it up.

Mr. ALDRICH. I ask that the amendment may be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. BACON. What is the amendment?

The VICE-PRESIDENT. Without objection, the Secretary will again state the amendment.

Several SENATORS. No.

Mr. BACON. If it is too long to be read——

Mr. ALDRICH. It is in regard to window glass.

Mr. ROOT. Before this matter goes over, I wish to call the attention of the Senator from West Virginia to a fact which was well understood when this was up in the Senate before. It was generally agreed that the importations of window glass which appear in our statistical tables were entirely of glass not used for glazing windows, but used for photographic plates and in picture frames and for similar purposes, and that there was no importation whatever of common window glass. So it seemed to be the general understanding that the committee would undertake to find a way of discriminating between these two different products and would arrange the duties so that the smaller duties would be upon the cheaper glass of more common use. As the duty now stands, it permits the introduction of high-grade glass, coming under the head of window glass, and is absolutely prohibitive upon the real window glass.

This amendment discriminates between the duties, so that the duty upon the high-grade glass, of which there is already a large importation, will be left practically as it is, and the duty upon the low-grade glass, which is now practically prohibited, shall be reduced, so that it will practically have the same relation to the production and importation of that kind of glass that the other duty has to the high grade of glass.

Mr. SCOTT. Mr. President, if I understood correctly the Senator who introduced this amendment, he said that the amendment would reduce all sizes, kinds, and characters of window glass. There have been several weeks of discussion here on the tariff bill, and I am glad in one sense that the committee is willing at last to agree with the gentlemen who have been trying to revise downward, and it happens to be on window glass, a product of an industry in my State that is languishing now, as I stated before, and can scarcely keep its head above water. I do not think that is fair. Of course there must be a victim. There has to be a reduction downward. Now, I suppose they have struck the place where the victim is to be offered up as a sacrifice.

Mr. McCUMBER. May I ask the Senator a question?

Mr. SCOTT. Certainly.

Mr. McCUMBER. The Senator says the trade in window glass is languishing. I want to ask the Senator if it is languishing by reason of the importation of window glass or its overproduction. If I understand correctly, there are no importations whatever of this lower class of glass. I do understand there is an overproduction at the present time.

Mr. SCOTT. So far as I am concerned, I am perfectly willing always to accommodate the chairman of the Finance Committee, a gentleman who has been overworked, and who I know has done the very best he could for us all. But I want it distinctly understood that it goes over, so far as I am concerned, with the privilege, when I see the amendment in print, to ask, if I object to it, that it be reconsidered, and that there will be no objection.

Mr. ALDRICH. That was my statement.

The VICE-PRESIDENT. The question then is——

Mr. DICK. The chairman of the committee can speak for himself with reference to that single objection. But somebody else can make it. The Senator from West Virginia reserves no right except that which the chairman of the committee, in making this concession, is willing to surrender. I see no advantage to the committee in having it at once agreed to, if the privilege is to be open to have it reconsidered when once the amendment is printed.

Mr. ALDRICH. I ask that it may go over, in order that it may be disposed of. I am anxious to get ahead with the bill.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent that the schedule, or the paragraph——

Mr. ALDRICH. The paragraph.

The VICE-PRESIDENT. May go over until to-morrow. In the absence of objection, it is so ordered.

Mr. ALDRICH. On page 71, paragraph 208, I offer the amendment which I send to the desk.

The SECRETARY. On page 71, paragraph 208, line 19, after the word "cane," insert the words "or reeds;" and in line 22, strike out "twenty-five," and insert "twenty."

Mr. OVERMAN. The words "or reeds" are in the paragraph now. What is the change?

Mr. LODGE and others. No.

Mr. ALDRICH. It is in line 19, after the word "cane" to insert "or reeds."

The amendment was agreed to.

The SECRETARY. In lines 23 and 24, strike out "forty-five" and insert "forty."

The amendment was agreed to.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Are there other amendments to this paragraph?

Mr. ALDRICH. No.

Mr. TALIAFERRO. I wish to ask if paragraph 207 has not been passed over?

The VICE-PRESIDENT. On the first reading it was. Without objection, paragraph 208 as amended is agreed to. No objection is heard.

Mr. SCOTT. I wish to ask the chairman a question. If I recollect aright, I have a promise out from him. I refer to paragraph 199, in reference to brier root, where I am trying to get in my laurel root, of which to make pipes.

Mr. ALDRICH. I think the Senator has a right to go back to that whenever he feels like. However, I will ask that the amendment which I send up be considered.

The SECRETARY. In paragraph 210, page 72, line 3, after the word "blinds," insert "baskets."

The amendment was agreed to.

The SECRETARY. In line 5——

Mr. SCOTT. I will now offer my amendment to paragraph 199, by consent.

Mr. ALDRICH. The committee will take it up later.

Mr. SCOTT. I always get that.

The SECRETARY. In line 5, strike out the words "natural or raw;" and in lines 5, 6, and 7, strike out the words "if stained, dyed, painted, printed, polished, grained, or creosoted, 40 per cent ad valorem."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I move to strike out paragraph 212. I call the attention of the Senator from Minnesota to the amendment.

The amendment was agreed to.

Mr. SCOTT. Now, will the Senator allow me to offer an amendment to paragraph 199, on page 70?

Mr. ALDRICH. Not the amendment which he suggested, because the committee will take it up and consider it; but if he has another, I will be very glad to have him offer it.

In paragraph 260 I offer an amendment which makes some modifications both in rates and in language. The Senator from Kansas [Mr. CURTIS] is interested in this amendment, and I ask him to give attention to it while it is being read.

The SECRETARY. In lieu of paragraph 260, as printed in the bill, it is proposed to insert:

260. Stocks, cuttings, or seedlings of Myrobolan plum, Mahaleb or Mazzard cherry, Manetti multiflora and briar rose, 3 years old or less, $1 per thousand plants; stocks, cuttings, or seedlings of pear, apple, quince, and the St. Julien plum, and evergreen seedlings, 3 years old or less, $2 per thousand plants; rose plants, budded, grafted, or grown on their own roots, 4 cents each; stocks, cuttings, and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines, and all trees, shrubs, plants, and vines commonly known as "nursery" or "greenhouse" stock, not specially provided for in this section, 25 per cent ad valorem.

Mr. BACON. Mr. President, I do not understand this paragraph. After we pass line 15 there are duties imposed upon general classes of plants, and I presume there is a good reason for the special duties upon those found in lines 10, 11, 12, 13, 14, and 15. But it seems there are certain particular varieties of plum trees and cherry trees which are selected for this duty. As to pear, apple, and quince, they are general, and as to all other classes they seem to be general. But there is no duty on plum trees generally. There are, however, two or three kinds of plum trees selected, and upon them a duty is placed. I suppose it is quite a trivial matter. Still it is something out of the ordinary, to my mind. I have no doubt there is an explanation for it, and I should be very glad if the Senator would give it.

Mr. ALDRICH. The designations which the Senator alludes to are the present law and have been for some time. There are some few designations of important plum trees or trees of various kinds that are new, and it is thought best by the people interested——

Mr. BACON. I can not hear the Senator to save my life. I beg his pardon.

Mr. ALDRICH. The men who are interested in nurseries have asked the committee to make these changes, to designate certain trees and shrubs and plants which are not designated in the paragraph as it stands.

So far as the rates are concerned, I think they are without exception reductions. The Senator from Kansas can give us some information on the subject.

Mr. BACON. I do not know that I made myself entirely clear to the Senator. I am not objecting to the rate, although it may be high. I do not know. I have not examined it.

The only fact that struck me was that whereas as to other plants the imposition of a duty is general, when you come to plum trees the amendment picks out two or three particular classes of plum trees. If it said plum trees, just as it says pear and quince trees, I would not ask any questions. But my curiosity was excited to know what there was in this particular variety of plum trees which entitled them to a duty when the other plum trees did not have a duty imposed.

Mr. ALDRICH. They are 3-year old trees; rare trees; that is all.

Mr. BACON. If they are rare, that is the very reason why they should come in free, instead of being selected to pay a duty. Although of course I know that the committee has had no such desire, it looks very much to me as though some of these horticulturists or those interested in fruit trees must have a particular interest in a particular kind of plum tree. I can not imagine anything else. If there is any other good reason, I will be very willing to accept it.

Mr. CURTIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Kansas?

Mr. BACON. I do.

Mr. CURTIS. This amendment was suggested by the American Association of Nurserymen. Its object is to change from the mixed specific and ad valorem duty of the Dingley law to a specific duty. I do not know why certain plum trees are named, unless the nurserymen desire protection against the importation of those varieties.

Mr. BACON. I should like to know from the Senator whether there is any reason why these plum trees should have a protective duty other than plum trees generally? Why not have all plum trees included, unless it be that there is some particular interest in that kind of a tree.

Mr. CURTIS. I regret not to be able to give the Senator the information he desires.

Mr. BACON. I do not think there is any doubt about the fact—of course I am not going to offer any amendment—that somebody has got a special job in this particular class of plum tree.

Mr. GALLINGER. It may be a political plum tree.

Mr. BACON. Possibly. They seem to be given out here with a good deal of freedom and very much partiality.

Mr. CURTIS. No, Mr. President, in all seriousness, so far as plum trees are concerned, I have not the data. I proposed the amendment at the request of the nurserymen's association. The data furnished me was turned over to the Senator from Pennsylvania. I notice that these plum trees were specifically named in the Dingley law.

Mr. ALDRICH. I ask that the amendment may be agreed to.

Mr. BACON. Without——

Mr. ALDRICH. If the Senator from Georgia was only a farmer, he would not be obliged to ask all these questions.

Mr. BACON. It is because I am one and live on a farm that I am interested in this matter.

The VICE-PRESIDENT. The question is on agreeing——

Mr. BACON. But I confess that my curiosity has not been gratified, and I am still left to a surmise—a surmise which I think is very well founded—that somebody has a monopoly of this particular kind of plum trees.

Mr. ALDRICH. When the Senator from Pennsylvania returns to the city I will see that he informs the Senator from Georgia in regard to this matter.

Mr. BACON. In the meantime does the Senator propose that the amendment shall be adopted by the Senate?

Mr. ALDRICH. Yes.

Mr. BACON. Very well.

Mr. DANIEL. I ask that the amendment be again read.

The VICE-PRESIDENT. Without objection, the Secretary will, at the request of the Senator from Virginia, again report the amendment.

The SECRETARY. It is proposed to strike out paragraph 260, on page 80, and insert in lieu thereof the following:

260. Stocks, cuttings, or seedlings of Myrobolan plum, Mahaleb or Mazzard cherry, Manetti multiflora, and briar rose, 3 years old or less, $1 per thousand plants; stocks, cuttings, or seedlings of pear, apple, quince, and the St. Julien plum, and evergreen seedlings, 3 years old or less, $2 per thousand plants; rose plants, budded, grafted, or grown on their own roots, 4 cents each; stocks, cuttings, and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines of all trees, shrubs, plants, and vines commonly known as "nursery" or "greenhouse" stock, not specially provided for in this section, 25 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. NELSON. I find that duty on this variety of plum trees and cherry trees here described is increased from 50 cents, under the Dingley law, to $1, an increase of 100 per cent. That bothers me more than the characteristic of the plum tree. I should like to hear an explanation why the duty is doubled in this case.

Mr. ALDRICH. As long as the agriculturist of the committee, the Senator from Pennsylvania, is absent, I will let this go over until to-morrow.

What is the plum the Senator refers to? The rate under the Dingley law is practically the same as it is here.

Mr. NELSON. No; under the first bracket it is 50 cents.

Mr. ALDRICH. Three years old or less, 50 cents per thousand plants and 15 per cent ad valorem.

Mr. NELSON. It is 50 cents a thousand and 15 per cent under the Dingley law.

Mr. ALDRICH. It is not doubling the duty. The present duty is 50 cents and 15 per cent ad valorem, which may be more or less than a dollar.

Mr. NELSON. But you now have it $1 and 15 per cent ad valorem.

Mr. ALDRICH. No; a dollar without the 15 per cent. It is impossible to say at this moment whether it is an increase or a decrease. It certainly is not doubling the rate.

Mr. ROOT. Mr. President, I can contribute an item of information, although I do not want to be asked any questions. I have had many communications from nurserymen on the subject of this paragraph. Some of them are gentlemen of very high character, people from whom I have been buying nursery stock for many years and whom I know very well.

Mr. BACON. Without asking the Senator a question——

Mr. ROOT. I hope the Senator will not——

Mr. BACON. I am not going to ask a question. I just want to observe the number of farmers there are in this body.

Mr. ROOT. I hope the Senator will respect my request. The effect of the communications was that it would contribute greatly to the convenience both of the nurserymen raising this stock in this country and the importer if the compound duty could be changed to a simple specific duty by count. Elwanger & Barry and other great nurserymen have been writing to me on that subject, and their letters contain statements based upon evidence that this specific duty would be the equivalent of the 15 per cent ad valorem. This duty has been placed at the equivalent of the old duty. On the basis of this testimony, which I think is as good evidence as it is possible to get, the duty which is reported in this amendment will be the exact equivalent of the compound duty as it exists in the Payne bill.

Mr. BURKETT. I will say to the Senator that if he will look at the imports, on the valuation there, the highest of which it seems last year was $2.74, 15 per cent would be about 31 or 32 cents. Added to the 50 cents, it would make it 82 cents. The importations in 1906 were $1.58 on the average.

Mr. ALDRICH. The Senator, with all his accomplishments, is not a mathematician. Fifteen per cent of $2.74 is a good deal more than 30 cents.

Mr. BURKETT. It is somewhere between 30 and 40.

Mr. ALDRICH. It is 42 or 43 cents, and 50 cents and 41 or 42 cents would make 91 or 92 cents in place of a dollar. It shows that the statement of the Senator from New York is approximately correct—that these new rates are approximately the old ones.

Mr. BURKETT. That is the highest rate. The year before it was $1.58. The valuation varies a good deal.

Mr. BACON. I understood the Senator from Rhode Island to say the matter was to go over for the purpose——

Mr. ALDRICH. I ask that it may be agreed to and then go over.

Mr. BACON. I hope that before this important matter is disposed of we will know why it is that two classes of plum trees and one kind of cherry tree are picked out for this particular duty.

Mr. ALDRICH. I ask that the amendment may be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

EXECUTIVE SESSION.

Mr. ALDRICH. Several Senators desire an executive session. Therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 7 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, June 16, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 15, 1909.

COLLECTORS OF CUSTOMS.

Lawrence Bailliere, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland. (Reappointment.)

Orlando V. Hurt, of Oregon, to be collector of customs for the district of Yaquina, in the State of Oregon, in place of Charles B. Crosno, whose term of service expired by limitation January 26, 1909.

COMMISSIONER OF INDIAN AFFAIRS.

Robert G. Valentine, of Holliston, Mass. (now Assistant Commissioner of Indian Affairs), to be Commissioner of Indian Affairs, vice Francis E. Leupp, resigned.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Lawrence L. Bruff, Ordnance Department, to be colonel from June 13, 1909, vice Col. Frank Heath, retired from active service on that date.

Maj. Charles B. Wheeler, Ordnance Department, to be lieutenant-colonel from June 13, 1909, vice Lieut. Col. Lawrence L. Bruff, promoted.

APPOINTMENT IN THE ARMY.

CHAPLAIN.

Rev. Marinius Martin Londahl, of Minnesota, to be chaplain with the rank of first lieutenant from June 2, 1909, vice Patrick P. Carey, Coast Artillery Corps, who was retired from active service on December 2, 1908.

POSTMASTERS.

CONNECTICUT.

Leonard H. Forbes to be postmaster at Burnside, Conn. Office becomes presidential July 1, 1909.

HAWAII.

Arthur Waal to be postmaster at Labaina, Hawaii, in place of Arthur Waal. Incumbent's commission expired January 12, 1909.

ILLINOIS.

Moses C. Smith to be postmaster at Newman, Ill., in place of Charles Q. Whallon. Incumbent's commission expired December 12, 1908.

IDAHO.

Orin H. Barber to be postmaster at American Falls, Idaho. Office becomes presidential July 1, 1909.

John T. Witty to be postmaster at Shoshone, Idaho, in place of Henry A. Brown, resigned.

INDIANA.

Samuel E. Nicoles to be postmaster at Medaryville, Ind. Office became presidential January 1, 1909.

MICHIGAN.

Gilbert H. Hudson to be postmaster at Bloomingdale, Mich. Office becomes presidential July 1, 1909.

NEW JERSEY.

Ralph M. Collins to be postmaster at Barnegat, N. J. Office becomes presidential July 1, 1909.

Morris Davis to be postmaster at Bridgeton, N. J., in place of Henry Graham. Incumbent's commission expired January 20, 1909.

NEW YORK.

Charles J. Quick to be postmaster at Lestershire, N. Y., in place of William H. Hill, resigned.

OKLAHOMA.

James B. Miller to be postmaster at Fort Gibson, Okla., in place of Hubbard Ross. Incumbent's commission expired January 25, 1908.

PENNSYLVANIA.

R. K. Godding to be postmaster at Kane, Pa., in place of Lucius Rogers, deceased.

C. Penrose Hipple to be postmaster at Marietta, Pa., in place of Daniel G. Engle. Incumbent's commission expired April 27, 1908.

Jerome B. Lahr to be postmaster at Millerstown, Pa. Office becomes presidential July 1, 1909.

SOUTH DAKOTA.

Albert H. J. George to be postmaster at White Lake, S. Dak. Office became presidential July 1, 1907.

TENNESSEE.

William F. Littleton to be postmaster at Kingston, Tenn., in place of Gillis T. Johnston, removed.

Elisha Thomas McKinney to be postmaster at Harriman, Tenn., in place of Reuben Hurtt, removed.

Frank J. Nunn to be postmaster at Brownsville, Tenn., in place of Giles Rives, resigned.

Charles Shelley Wortham to be postmaster at Tullahoma, Tenn., in place of Abe L. Davidson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 15, 1909.

PROMOTIONS IN THE NAVY.

The following-named midshipmen to be ensigns in the navy:

Richard S. Galloway,
Clarence N. Hincamp,
Edgar A. Ewing,
Riley F. McConnell,
Joseph W. Jewell,
Ralph R. Stewart,
Robert L. Montgomery,
Charles E. Hovey,
Ralph C. Parker,
Ezra G. Allen,
Emanuel A. Lofquist,

Jere H. Brooks,
Henry C. Gearing, jr.,
Elmer W. Tod,
Thaddeus A. Thomson, jr.,
Virginius E. Clark,
George W. Simpson,
Reuben R. Smith,
Homer H. Norton,
Alfred H. Miles,
Reginald E. Gillmor,
Carl C. Krakow,
James Parker, jr.,
Charles F. Pousland,
John F. Cox,
Grattan C. Dichman,
Harry A. McClure,
Louis J. Gulliver,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Emory F. Clement,
Robert F. Gross,
Patrick N. L. Bellinger,
William T. Mallison,
Philip O. Griffiths,
Newton H. White, jr.,
Burton A. Strait,
Herbert A. Jones,
Samuel A. Clement, and
Richard F. Bernard.

First Lieut. William E. Smith to be a captain in the Marine Corps.

The following-named machinists to be chief machinists in the navy:

James H. Morrison,
Edward A. Manck,
Thomas O'Donnell,
Arthur Cottrell,
Kellum D. Grant, and
Ellwood W. Andrews.

WITHDRAWAL.

Executive nomination withdrawn from the Senate June 15, 1909.

G. L. Hamrick to be postmaster at Tuttle, in the State of Oklahoma.

SENATE.

WEDNESDAY, *June 16, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, D. D., of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. JONES. I present a letter from the secretary of the transportation bureau of the Seattle Chamber of Commerce, of Washington, together with a series of resolutions, relative to the valuation of railroad properties in the United States. I ask that the letter and accompanying resolutions be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the letter and accompanying resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

TRANSPORTATION BUREAU OF THE SEATTLE CHAMBER OF COMMERCE,
Seattle, Wash., June 11, 1909.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

DEAR SIR: Herewith copy of set of resolutions passed by the transportation bureau of the Seattle Chamber of Commerce at their meeting June 10, 1909.

You will note we request you to give your support to a bill making necessary appropriation to enable the Interstate Commerce Commission to have valuations made on all railroad properties in the United States.

The writer has had personal experience as to the testimony introduced by the railroads in such matters, having been one of the witnesses in both of the Spokane cases, and having heard the testimony (in the last hearing of the Spokane case in Portland, Oreg., in the spring of 1907) of the engineers of the Northern Pacific and Great Northern railways, wherein they placed the valuation on their lines between four and five hundred million dollars for each road. This testimony was so manifestly colored that perhaps it defeated the object. Nevertheless, it has been found practically impossible to get reliable data as to the original cost of the Northern Pacific or Great Northern railway, or the cost of reproducing same upon the present scale of prices.

The question of what is a just and reasonable rate can never be settled until some authoritative body has appraised railroad properties and it becomes definitely known what revenue they should receive in order to recompense the stockholders on a reasonable basis.

Trusting that you will vote for and use every effort possible to have this bill passed, I remain,

Yours, truly, W. A. MEARS, *Manager.*

Whereas the United States Supreme Court has held that in determining a reasonable rate for freight and passengers, the tribunal before which the case is tried must consider the cost of reproduction of the transportation line involved; and

Whereas on the hearing of various cases before the Interstate Commerce Commission the railroad companies have submitted evidence that seems not to be governed by actual statistics, but by the individual opinion of the person testifying; and

Whereas this testimony has been of such character as to warrant the belief that it is greatly exaggerated as to the amount, and is apparently put at as high a figure as possible, the method of producing such results appearing purely arbitrary; and

Whereas the information as to the cost of such roads lies wholly within the knowledge of the railroad companies, and it is manifestly impossible for an individual litigant to secure even an approximate estimate of the cost of rebuilding a railroad; and

Whereas no satisfactory knowledge upon this subject can be obtained until public authorities make a detailed valuation upon a uniform basis; and

Whereas the Interstate Commerce Commission now has authority to make such valuation, but has not the necessary money to have such valuations made: Now therefore be it

Resolved by the transportation bureau of the Seattle Chamber of Commerce:

First. That we urge upon the Congress of the United States to grant the necessary appropriation to enable the Interstate Commerce Commission to have such valuations made as soon as possible.

Second. That we respectfully request and urge upon our Senators and Members of Congress to support such appropriation and aid in every legitimate way in securing prompt enactment of legislation to this end.

Mr. DICK presented a petition of 49 members of Typographical Union No. 117, of Springfield, Ohio, praying that the change proposed by the Senate Finance Committee relative to the duty on print paper and wood pulp be accepted and approved, which was ordered to lie on the table.

Mr. DEPEW presented memorials of sundry citizens of New York, remonstrating against any reduction in the duty from the Dingley rates on news print paper and wood pulp, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying that a higher duty be placed on steel rails than proposed in the pending tariff bill, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

A bill (S. 2621) granting an increase of pension to Don Carlos Sinclair (with the accompanying papers); and

A bill (S. 2622) granting an increase of pension to Winfield S. Robinson (with the accompanying papers); to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 2623) to provide for the disposal of lands chiefly valuable for oil; to the Committee on Public Lands.

A bill (S. 2624) granting a pension to Jane Jameson (with the accompanying papers); to the Committee on Pensions.

THE LEATHER AND SHOE INDUSTRY.

On motion of Mr. DICK, it was

Ordered, That 5,000 copies of Senate Document No. 72, Sixty-first Congress, first session, entitled "Shall Hides Be Free?" be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. FOSTER. Mr. President——

Mr. PAYNTER. I desire to call attention to the fact that there is not a quorum of the Senate present.

The VICE-PRESIDENT. Apparently. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Clay	Frye	Oliver
Borah	Crane	Gallinger	Page
Brandegee	Crawford	Gamble	Paynter
Briggs	Cullom	Hale	Perkins
Bristow	Cummins	Hughes	Scott
Brown	Curtis	Johnson, N. Dak.	Simmons
Bulkeley	Davis	Jones	Smoot
Burkett	Dick	Kean	Stone
Burnham	Dillingham	La Follette	Sutherland
Burrows	Dolliver	McCumber	Tillman
Burton	Elkins	McLaurin	Warner
Carter	Fletcher	Martin	
Chamberlain	Flint	Nelson	
Clark, Wyo.	Foster	Nixon	

Mr. PAYNTER. I desire to state that my colleague [Mr. BRADLEY] is ill and unable to be present this morning.

Mr. JONES. My colleague [Mr. PILES] is temporarily detained from the Chamber on important public business.

The VICE-PRESIDENT. Fifty-three Senators have answered to the roll call. A quorum of the Senate is present.

Mr. SCOTT. Will the Senator from Louisiana yield to me for a moment before proceeding?

Mr. FOSTER. Certainly.

Mr. SCOTT. I should like to have the Secretary read the clipping I send to the desk.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

GOES TO THE WALL—STATE WINDOW GLASS COMPANY, OF BUCKHANNON, FILES BANKRUPTCY PETITION IN FEDERAL COURT.

PARKERSBURG, W. VA., *June 14.*

A voluntary petition in bankruptcy was filed before Judge Dayton in the United States court here this evening by the State Window Glass Company, of Buckhannon.

The assets and liabilities were not stated, but the latter are in the neighborhood of $75,000, it is said. Attorney F. C. Sifer, of Buckhannon, filed the petition.

The VICE-PRESIDENT. The Senator from Louisiana will proceed.

Mr. FOSTER. Mr. President, in supporting the amendment offered by the Senator from Florida [Mr. FLETCHER], I think I fully understand and appreciate the situation in this body.

I know that the President of the United States favors this provision of the bill, and that he earnestly desires its passage. I know he does not believe that the importation of the amount of sugar and tobacco provided for, free of duty, will in any manner affect injuriously those industries in this country, while, on the other hand, it will prove of immense benefit to the people of the Philippines.

I wish that I could agree with him, for I have the highest respect for his judgment and the greatest confidence and faith in his wisdom and patriotism. My opposition to, and convictions against, such legislation, however, are so deep and fixed that I feel it due to myself to protest against the adoption of such a policy by this Congress.

I am opposed to this paragraph for many reasons. In the first place, I am opposed to a policy on the part of this Government which will admit to the American markets any products of the Philippines, whether manufactured or agricultural, free of duty, when such products come in competition with similar products raised in this country, mainly on the ground that the American laborer, manufacturer, and farmer can not successfully compete with the cheap labor of the Orient.

In the second place, I am opposed to such a policy, because if we admit annually 300,000 tons of sugar, 300,000 pounds of wrapper tobacco, 2,000,000 pounds of filler tobacco, and 70,000,000 cigars, such legislation must logically culminate in the admission of all the sugar and tobacco raised in those islands free of duty.

Finally, my opposition is based on the belief that such a policy will ultimately result in the permanent annexation and incorporation of those islands and their people as an integral part of our territory and of our people, and thus destroy all hopes or prospects of their independence.

Mr. President, if the course we are about to follow was at all uncertain, if there was no warning light to guide us upon the troubled shore, if our fears were merely born of doubts, and this were in the nature of an experiment, I would willingly defer to the judgment of the President and his advisers.

But there can be no question as to what the future holds in store when we take this step. An accurate estimate of the results to be expected politically, industrially, and economically can be had when we consider other experiments where the conditions were almost similar.

Let us first see if our experience in other tropical adventures undertaken in recent years do not justify the gravest fears for our domestic industries as a result of this proposed legislation. We will first begin with Porto Rico. When that island was acquired in 1898, as part of the booty of the Spanish war, the production of sugar amounted to 53,000 tons. This has expanded by leaps and bounds until the crop of 1907–8 reached 217,000 tons, an increase of over 300 per cent in ten years, and it is still increasing.

Most Senators are familiar with the case of Cuba. You will recall the tearful stories of distress; the humbug about the moral obligations of this country; the glittering promises of trade; all of which was to be our own, in return for concessions to Cuban sugar. In response to those appeals the Cuban reciprocity treaty was entered into by the Fifty-seventh Congress, by which a reduction of 20 per cent was allowed on the importations from that island.

The trade monopoly that was to have been ours has proven a veritable will-o'-the-wisp. We have received no benefits other than would have come in the natural course of expanding trade, while, on the other hand, we have poured a golden stream into that island year after year without receiving any adequate benefits from the concessions we have made. The production of sugar has increased from 975,000 tons in 1893 to 1,449,316 tons in 1907, all of which has been exported to this country.

In the history of Hawaii, and especially in the commercial treaty we had with those islands and their final annexation, we should read a lesson and a warning against this legislation. I think it may be well to go back and examine with the resultant effects that first legislation enacted in behalf of foreign sugar.

When Hawaii was knocking at our door in 1876 for trade concessions, an act of Congress was necessary before the treaty could be made, inasmuch as the revenues were affected, and the debate, especially in the House, is full of interest, as indicating how conditions and the point of view have changed, as well as illustrating how completely the men who favored the treaty were mistaken or deceived.

On January 6, 1876, Mr. Luttrell, of California, introduced a bill to carry the convention into effect. It was reported favorably on March 2, and as the remission of duty on Hawaiian sugar was the principal change effected by the treaty, the majority report was an effort to prove that the limit of production had already been nearly reached; that the American domestic producers could not possibly be affected injuriously; and that the isolated condition of the people on the Pacific coast made it imperative that this source of supply be opened up to them.

The Pacific States are to receive from those islands—

Said the report—

what they do not produce, and the islands are to receive from the Pacific States in exchange therefor what they do not produce. * * * As sugar is the principal article released, it may be well to consider it especially in this connection. Some fears have been expressed as to the effect of this release from duty on the like products of the United States. * * * It can not be said that the admission of Hawaiian sugar will have the least influence upon the sugar market in the United States, for it is impossible that this sugar can in any way come in competition with it. * * * Imports of sugar from all countries into the Pacific States in the fiscal year ending June 30, 1875, was 66,446,470 pounds—33,000 tons—while the importation from the islands to the Pacific States was 17,888,000 pounds—8,944 tons—a trifle over one-quarter of the whole importation; so it will be seen that the whole importation from the islands can not affect the market in the Atlantic States. It is not possible that the Hawaiian sugar can ever find its way into the Atlantic States—the cost of transportation would exclude it; nor can there be fear of any great increase in the production of this sugar, in view of the steadily diminishing population of the islands.

Much weight was attached to a letter from the Secretary of the Treasury, in which, after pointing out that this country only imported 8,944 tons from the islands in 1875, he said:

The lack of natural facilities for developing the production of sugar in the islands would keep down the future importations.

He also placed the limit of stimulation as a result of free entry into this country at 12,500 tons.

Mr. Wood, of New York, who opened the debate in favor of the treaty, said:

There has been a gradual extinction of population, a gradual obliteration of the natives of the islands, leaving them as it were a prey to some more powerful nation to come in and occupy the ground which Providence has determined in His wisdom that they shall occupy no longer; and yet gentlemen are frightened at this product of a handful of starving natives, lest it will interfere with the revenue of this Nation. The population has decreased from 400,000 in 1779 to less than 50,000, including 6,000 foreigners, in 1875. And it was the native population that furnished the labor. No sugar can be produced except by the manual labor of the natives of those islands. The decrease in the population is a painfully remarkable fact. In round numbers, omitting fractions, in 1779 it was 400,000, 1832 it was 130,000, 1850 it was 84,000, in 1853 it was 73,000, in 1860 it was 69,000, in 1866 it was 62,000, in 1872 it was 49,044, of which 6,853 were foreigners, leaving only a little over 42,000 as a total native population of the Sandwich Islands.

The United States Government has continued this narrative of "a vanishing race" from the place where the gentleman left off in 1872. The sequel is even sadder than the narrative of Mr. Wood when we reflect what it means to American labor, American ideals of living, and American institutions. The story has been brought down to date, and later on I am going to read a brief extract from what the Bureau of Labor has to say about it.

There might have been some excuse for the legislation by which that treaty was entered into, however, as it was our first experience in exploiting the Tropics, but there is none for

this. Congress, too, was then influenced by domestic conditions that no longer exist, as is amply indicated by that debate.

There was at that time but one railroad to the Pacific, and in opening the discussion in favor of the treaty the hope was expressed that the child had already been born who would live to see other roads completed, while the support of western Congressmen was sought on the plea that at the preceding session friends of the treaty supported the bill to extend a telegraph line to the western border of Texas so the authorities might be informed of any Indian uprising.

Congress, therefore, in the exuberance of expanding strength, manifested in many ways at the time, frankly agreed to reverse our fiscal policy, to disregard the economic laws practiced in the east, and by entering into the Hawaiian treaty furnish the people of our western coast with a supply of sugar that it was thought could never be produced at home.

Even in that day, however, the danger of embarking upon an imperialistic course with respect to the islands of the Pacific was understood by some men with prophetic vision and statesmanlike views in both political parties.

Mr. Morrison, of Illinois, one of the most distinguished members of the House at that time and author of the tariff bill that bears his name, combated the proposition with all of his earnestness. He cited the opposition of Senators Fessenden and Grimes in 1867–68 to such a treaty, and quoted from a New England Senator as follows:

Our market for their sugars is the best they can possibly have, treaty or no treaty, charged with duty or not. The duty is a sheer loss to us and a sheer gain to the 25 owners of the sugar plantations, whether they reside in Hawaii or elsewhere. It is an immense subsidy to these wholly private interests, and far more obnoxious than any subsidy which has heretofore found congressional advocates. However honestly intended by the parties to the negotiation, I feel constrained to denounce it as a job, the chief result of which will be to put money into the purses of a few Hawaiian sugar planters, who have captured a good enough king to march at the head of their triumphant procession through the country at our expense, and who by and by is to issue his royal proclamation ratifying the treaty.

In discussing the Hawaiian treaty, and bearing upon this same thought, President Garfield, who participated in the debate, said:

I do not approve of the Hawaiian treaty, because it looks in the direction of securing possession of those islands. I wish to state distinctly on the general question of annexation of outlying islands or territory, except in the North—I make an exception there—that I trust we have seen the last of our annexation, and in this remark I include the whole group of West India Islands and the whole of the Mexican territory contiguous to the United States, inhabited, as it is, by a portion of the Latin races, strangely mixed and degenerated by their mixture with native races; a population occupying a belt of territory that naturally enfeebles man; a population and a territory that I earnestly hope may never be made an integral part of the people and territory of the United States. I can not more strongly state my view of that subject than by saying that if the island of Cuba was offered to us by the consent of all the powers of the world and $100,000,000 in gold offered as a bonus for its acceptance by the United States, I would unhesitatingly vote to decline the offer. We occupy a portion of that great northern zone which girdles the world, and which has been the theater of the greatest achievements of civilization, especially in the history of the Anglo-Saxon races; but should we extend our possessions into the tropical belt we should weaken the powers of our people and Government.

Hon. John H. Reagan, of Texas, then serving in the House, in warning his colleagues against the measure, said:

The sugar planters, when this treaty is made, will consult their own pecuniary interests, and not our national aggrandizement. What will their pecuniary interest rightly and necessarily induce them to do? They stand upon the half-way station between the western coast of America and the teeming millions of Asia, where labor is cheap. When those men go to make sugar, will they take there those engaged in the industrial pursuits of America to Americanize that island, so as to fit it to become an American colony at some future day? Who believes that they will pay double to American citizens less qualified for the duty than they would pay to the Asiatics, as well or better qualified for that duty? If then the capacity of that territory is sufficient to develop a large production of sugar and molasses—on which I do not propose to speak, for I have not informed myself particularly on that subject—the sugar planters there, following the instincts of interest, will apply to Asia for the labor that is to make the sugar and molasses which are to come here free. If they do that, and if there are productive fields in the Hawaiian Islands open for a large population, that population, instead of being American, will be Asiatic; and when once that Asiatic population is planted upon the Hawaiian Islands in large numbers, American emigration, except such capitalists as may proceed there who are connected with commerce or the sugar-producing interests, will not go there, can not go there, can not and will not mingle with the Asiatic population where it is in the ascendency, as the policy of this treaty in my judgment will place it. If I am right in this, we are not going to make an American colony on the Hawaiian Islands westward toward Asia, but we are to make an Asiatic colony eastward to the Hawaiian Islands, and plant there a population which will in future exclude the possibility of making there an American colony.

There was a good deal of mawkish sentiment indulged in about "the vanishing race of Sandwich Islanders," first mentioned by Mr. Wood, and it was claimed that their places would be taken by sturdy American colonists.

How this prophecy has been fulfilled is shown by the Third Report on Hawaii issued by the Bureau of Labor in September, 1906.

At page 11 it says:

Not only is the plantation working force overwhelmingly Asiatic, but a secondary Asiatic population, living largely on the first and supplying its needs, has come into the islands, has invaded all lines of industry, and the two combined now form the largest element in the total population. From a total Asiatic population of less than 6,000 in 1878, forming only 10.2 per cent of the population of the islands, the number of Asiatics had increased to 18,000 in 1884, and formed over 22 per cent of the total population. By 1890 the foreign-born Asiatics had increased to 27,000, and constituted over 30 per cent of the population. During the next six years their numbers had increased to over 41,000, and they formed over 38 per cent of the population. In June, 1900, the month in which the organic act creating Hawaii a Territory went into effect, the number of foreign-born Asiatics had increased to over 77,000, and formed more than 50 per cent of the entire population. * * *

The Asiatic preponderance in the population of Hawaii appears still more significantly in the figures giving adult males alone. In 1900 the total male population 18 years of age or over was 85,126, of which number Chinese and Japanese made up 63,444, or 74.52 per cent of the total.

The document says that "the total increase in the Caucasian population through immigration has been small at the best, and the figures of arrivals are, to a considerable extent, offset by the steady departure of whites, which has been going on since the cessation of the excitement attending annexation." The report says that out of a population of 106,369 males, the native and foreign born Asiatics taken together represent 69,804, or 65.6 per cent of the total population, as shown by the following figures taken from the Twelfth Census:

Population in 1900, by sex and color or race.

[The data included in this table have been taken from the records of the Twelfth Census.]

Color or race.	Males.	Females.	Total.
Hawaiian	15,642	14,157	29,799
Part Hawaiian	3,971	3,886	7,857
Caucasian	16,531	12,288	28,819
South Sea Islander	263	152	415
Negro	158	75	233
Chinese	22,296	3,471	25,767
Japanese	47,508	13,603	61,111
Total	106,369	47,632	154,001

The report of the bureau also says:

The preponderance of Asiatics is even more marked in the last census figures, taken in 1900, and showing sex. As will be seen from the following table, out of a population of 106,369 males, the native and foreign born Asiatic element taken together represent 69,804, or 65.6 per cent of the total male population:

Before leaving this phase of the question I wish to invite your attention to the figures given by Mr. Lorrin A. Thurston in a paper read before the Social Science Club of Honolulu, in April, 1906. He shows that the "Number and nationality of labor immigrants to Hawaii, 1852 to 1905, both inclusive," was as follows:

Koreans	6,908
Chinese (including Manchurians)	44,494
Japanese	111,137
South Sea Islanders	2,448
Norwegians	615
Germans	1,270
Italians	84
Austrians (Galicians)	372
Portuguese	11,440
Porto Ricans	5,000
Negroes	200
White Americans	100
Russians (February, 1906)	110
Total	184,187

Let us now see how the production of sugar has been stimulated by the introduction of this Asiatic horde. It has already been shown that when the treaty was being urged in 1876 the production of the islands was something less than 9,000 tons, and the Secretary of the Treasury solemnly assured Congress that the limit of production was 12,500 tons. How little he knew of what he spoke is illustrated by the fact that in thirty-two years the crop had expanded more than 40 times over, having reached a total of 441,000 tons in 1907, while the crop for 1908 is estimated at more than 500,000 tons.

The report of the Bureau of Labor from which I have just quoted says:

Almost all the business of the Territory is carried on by organized partnerships or joint stock companies. The number of general corporations in force August 28, 1901, was 314, their aggregate paid-up capital being $90,432,825; the number of foreign corporations in force on that date was 11, their aggregate paid-up capital being $29,036,500—

About a third of the whole. These figures do not include railroad corporations, and relate almost exclusively to the sugar industry.

The latest available official figures, showing how the holdings on the islands are divided, are to be found in the House

executive documents for the Fifty-third Congress. In a table of 22 unincorporated plantations, with an estimated value of $3,000,000, the various interests are classified as follows: American, $415,000; Hawaiian-born Americans, $500,000; British, $1,195,000; German, $515,000; Norwegian, $375,000.

Then follows a table showing the holdings in the 40 incorporated planting companies, with a capitalization of $28,594,695, which is divided as follows: American, $18,594,695; Hawaiian-born American, $2,960,280; American Hawaiian (half-caste), $88,900; British, $4,303,218; Hawaiian-born British, $196,200; British Hawaiian (half-caste), $160,098; German, $1,233,935; Hawaiian-born German, $39,165; German Hawaiian (half-caste), $2,058; Hawaiian, $38,991; Chinese, $259,700; Chinese Hawaiian and Portuguese Hawaiian (half-caste), $34,000; Portuguese, $49,500; all other foreign, $3,550; total amount stock issued, $27,964,290.

The statement issued by the Hawaiian and California Sugar Association, January 1, 1906, places the total amount then invested in the Hawaiian plantations at $83,000,000.

I wish now to invite the attention of the Senate to the enormous loss in revenue that this country has suffered from this so-called "reciprocal trade arrangement." The duty remitted on Hawaiian sugar, according to the statement furnished by the Bureau of Statistics, by this Government from 1876 to January 1, 1909, aggregates $193,151,634, and there has been a regular and progressive growth of these annual remissions, beginning with the year 1877, when they amounted to $986,475, until they reached the sum of $17,241,130 in 1908.

From the standpoint of trade alone the experiment has been disappointing if not disastrous, as will be demonstrated by the following facts:

In 1876, the year of the treaty, the imports into those islands amounted to $1,811,771, while the exports amounted to $2,241,042. Almost all of this trade was with the United States.

In 1898, the year of annexation, the imports from the United States were $8,695,592, and the exports to this country amounted to $17,256,084, while in 1908, the importations from the United States amounted to $15,038,155, while the exports to this country had grown to $41,636,505. The value of the imports those islands received from us that year was almost two and a half millions of dollars less than the duty that would have been collected on their sugar for that year alone, had their products not been admitted to this country free. In other words, we give them more than a dollar in order to sell them a dollar's worth of goods.

These figures show at a glance how much there has been in this arrangement for the Hawaiian planters and how little for the people of the United States.

A summary of the foregoing facts shows that since the ratification of the treaty with Hawaii the production of sugar in those islands has increased from 10,000 to 500,000 tons. The duty remitted on the sugar imported into this country during that period has amounted to $193,151,643.77, and the amount remitted during the year 1908 was $17,241,130, a sum greater by more than $2,000,000 than the entire exports to those islands during that year.

To whom has this money gone? To a little coterie of sugar planters, some of whom are foreigners, and the others American citizens who are exploiting the islands, and to the Japanese and Chinese, who constitute the bulk of the population.

Millions of dollars, the product of American skill and labor, are annually drained from the wealth of this country to maintain a few individuals in their ever-increasing riches and to support this Asiatic labor.

Instead of establishing an American colony, we have established a colony of Asiatics. Instead of opening up the wonderfully productive fields of those islands for the American citizen to build American homes, we have actually opened them for the Orientals. Instead of planting a colony where the spirit of American institutions will live and breathe and grow strong as the years roll by, we have been building up a colony of Orientals, who are opposed to every form and feature of our system of government, and who add nothing and can add nothing to the support or perpetuation of our republican institutions.

No white race is taking the place of the vanishing Hawaiian people. No American citizens are there to add to the wealth and prosperity of our country in time of peace, or to defend our country's flag in time of war.

Should the rude alarum of war be sounded over our land and the President of the United States issue his proclamation for volunteers to defend the country's honor and to uphold our nation's flag, not a battalion of American soldiers could be mustered in those far-off possessions.

Mr. President, this policy and its disastrous results ought to bring to reflecting people a realization of the consequences of such ill-advised legislation and mistaken policy.

The history of the development of cane culture in these tropical islands indisputably establishes the fact that they are susceptible of unlimited production; that the beneficiaries of such development are a few exploiters; that labor is abundant and cheap; that the white man can never colonize them, and that the system produces but two classes, the very rich and the very poor, or the master and the serf.

What has been said about the effect on the sugar industry and industrial conditions in these islands, especially Hawaii, will apply with equal force and truth to all the other islands of the sea we have been gathering in our train since Admiral Dewey steamed into Manila Bay that May morning eleven years ago, and the American people proceeded forthwith to forsake the warning of Washington and the fathers; decided to extend our institutions to the heterogeneous races of the Caribbean and the Pacific, and, flying in the face of universal experience, to neglect this great industry at home, while indulging a pleasing fancy beyond the seas.

Still, using Hawaii for the purpose of comparison, as conditions in that group more nearly approach those in the Philippines than do those of any of our other colonies, I call attention to the fact that the Philippines have a population of 7,635,426 as against 200,000 in Hawaii. There is an area of 73,345,415 acres awaiting exploitation in the Philippines, 68,405,415 of which are owned by the Government, and the evidence shows that 50,000,000 acres of this land are richer than the lands of either Hawaii or the United States.

According to the reports of the Bureau of Labor, the number of persons in these islands engaged in gainful occupations is over 3,000,000, or more than 43 per cent of the civilized population. The average monthly earnings of all classes of both sexes is $4.50 per month in gold, including rations. The number of males engaged in agriculture is over 1,000,000; in manufacturing and mechanical pursuits nearly 250,000; in domestic and personal service nearly 500,000; and in trade and transportation over 150,000.

The method of cultivation in the past has been of the crudest and most primitive nature, just as it was in Java and Hawaii, before the Dutch Government and our own introduced scientific and modern methods into those possessions. From a statement of the Manila Bulletin which is appended, it will be seen that with the introduction of the steam plow and modern methods of cultivation the production per acre in the Philippines will equal that of Hawaii and exceed that of Java. And why not? The soil, the labor, the climatic conditions are just as favorable in those islands as in the groups mentioned.

With these advantages and an additional bonus of $10,000,000 in the way of remission of duties, which goes to the producers of sugar and not to the Filipino people, it is almost an assured fact that the production in the Philippines will reach the 300,000 tons in a very few years, and when that amount is reached, I have no doubt but that all tariff restrictions will be removed from the importation of sugar and tobacco into this country free from those islands. This looks to me logical and inevitable.

The most avowed partisan of the Filipino must admit that as the sugar industry is developed in those islands the industry is threatened to that extent in our own country. There will be no diminution of production in Cuba, none in Hawaii, none in Porto Rico, but not so with our domestic industry.

In a few years the demands of the country for sugar will be supplied from these sources, while that great industry in this country must necessarily dwindle away and perish.

Why should we enter upon such a policy? We have already given the Filipino free markets in this country for all his noncompetitive products and have reduced the tariff 25 per cent on his sugar and tobacco.

It is true we have conquered these people; that we have taken possession of their territory, and national honor and national justice demand that we should treat them fairly and justly.

But our first duty is to our own country and our own people, and there is no law of good morals or of nations which requires us to sacrifice our industries or our people to them.

If it be for trade and commerce alone that this sacrifice is to be made, then I submit that after ten years' possession of the islands our experience does not warrant or justify such a policy.

The statistics submitted by the Department of Commerce and Labor, which I herewith append, show that the imports from

this country for the year 1907 amounted to $5,000,000, whereas their exports to this country amounted to some $12,000,000; while the last British Consular Reports, an extract from which is also appended, shows that the trade of these islands in cotton goods and yarns goes almost entirely to Great Britain and Japan; that their trade in iron and steel is almost equally divided between Great Britain and this country; that the trade in horses and cattle is exclusively with Australia and China, while Australian flour has almost banished American flour from the Filipino market, the importations having increased from 1½ per cent in 1903 to 62 per cent in 1907.

Now, Mr. President, I ask, in all fairness, should our own people, in the face of this showing, be called upon to make this tremendous sacrifice for the Filipino people?

It will be seen by reference to the appendix that instead of having deprived them of a market, we have always taken the bulk of their sugar, even under Spanish rule, although instead of turning their duties into our own coffers, as the Spaniards did, we have remitted a quarter of this tax to assist their planters, and sent back all that actually was collected to Manila, to be applied to the expenses of their local government.

This of itself is a heavy competing burden to place upon the American producer, who annually makes a new crop with the most expensive class of agricultural labor.

You now intend to inflict upon the American sugar producer a double calamity. You propose to strike off all of the duty just when the Filipino planters are beginning to follow in the path of modern and improved methods (see appendix)—when they are beginning to supplement their farm labor costing 10 cents per diem with steam plows that do the work of "100 carabao and 50 men and are operated for about 20 pesos per day."

Mr. President, in pursuit of the mistaken policy we are now asked to further enlarge upon, in the interest of the Philippine Islands, this country has already remitted to the Hawaiian group, to Porto Rico, Cuba, and the Philippines the enormous sum of $274,544,256.77 for sugar alone in a comparatively few years, and of this sum $32,891,304 was remitted in the fiscal year 1908.

Had the proper duties been imposed upon this tropical sugar, produced by pauper and cooly labor, and brought into this country to compete with the American farmer and laborer, we would now have a surplus instead of an empty Treasury; if we applied to sugar and the other products of these islands the rates exacted of our best customers among the nations of the earth when they send their produce to our shores, there would be, in contrast with the paralysis that now marks all of the departments for want of funds, a handsome balance in the Public Treasury insuring against a suspension of public work, and the Senate would not now be in a quandary as to what it should tax next, inheritances, incomes, or corporations, in order to raise sufficient revenue.

Does any Senator believe that this or any other nation can afford to indefinitely continue such a drain on its resources?

We saw when the sugar tariffs of Europe were being discussed a few days ago that not one of those countries admitted the products of its over-sea possessions to the full benefits of the home market, and that France is the only one that allows her colonies any concessions whatever.

When we began this short-sighted policy, a third of a century ago, there were some palliating circumstances, as we have seen, but they have ceased to exist at the present time.

At the time Hawaii was knocking at our door our country spread away in almost unbroken stretches from the Missouri to the Rockies, and herds of buffalo roamed the plains not yet wrested from hostile bands of Indians. Bismarck, who was overshadowing Europe like some Colossus, had just said that no other country could do what we had accomplished—disband the two greatest armies the world had yet seen without disturbance, and find homes for all of them, as well as for every immigrant who reached our shores.

Land was abundant, distances immense, and transportation crude. Our natural resources were as yet almost untouched, while many industries that to-day support millions of our people and annually add other millions to our wealth had scarcely started, much less been developed. The American sugar industry had not even made its appearance in the West or on the coast, except as an experiment.

To-day all the conditions that prompted that treaty are changed. From less than 44,000,000 our population has more than doubled; herds of buffalo no longer roam the western plains; the bands of hostile Indians have followed them to the "happy hunting grounds," and our lands have all been taken. Our forests have been cut down, and alarms are still vibrating that were sounded at the Congress for the Conservation of our Natural Resources held in this city a few weeks ago. Not only have children then born, but men who participated in that debate and are still here have lived to see half a dozen great railway systems span this continent to the coast, all clamorous for the trade of the Hawaiian planter, who lays his sugar down at Missouri River points and competes even in New York with the home producer for the American trade.

We are no longer the strident young giant of the West. We can no longer frankly and buoyantly disregard the economic and natural laws, feeling that there is an unlimited reserve to draw upon. We have filled up our waste places with a crowding population, whose wants are now taxing Congress to provide a revenue; we have joined the old nations of Europe in a scramble for colonies, and are now engaged in reaching out into the Pacific, beyond Hawaii, toward the teeming coasts of Asia.

I have heretofore dealt with the commercial and industrial aspect of the Philippine problem. I shall now deal with it from a broader point of view.

In my humble judgment, Mr. President, the ratification of the treaty of Paris, by which this Government acquired the Philippine Archipelago was, next to the fifteenth amendment to the Constitution, the greatest economic and political blunder that can be charged against the dominant party.

I believe that the fundamental principles upon which this Republic is founded can only be supported, maintained, and perpetuated by a people capable of self-government; that there is no other people upon the face of the earth except the white man competent to exercise this highest type of human government, and that whenever we seek to incorporate into the body politic of this Republic any people except the Caucasian we weaken the powers of our people and our Government. Whenever we attempt to govern a people other than by their consent, we depart from the constitutional landmarks of the Republic and menace the basic and structural principle of our free institutions.

Sovereignty under our form of government is lodged in the people. I do not want that sovereignty lodged in any other hands than those of the white man, because I honestly believe that only in such hands can the destiny of our Republic be safely confided.

I do not want this Government to hold any colony or any possession or any territory to which the white man of our country can not go and build up his home, and carry with him and plant there the great and sublime and inestimable principles of our Republic.

Mr. President, it is utterly impossible to build up a colony of Americans in any of the islands of the Philippines. Climatic conditions forbid it, and local environments would prevent it.

I have visited those islands, Mr. President, and their agricultural possibilities are practically unlimited. Those people are strictly Asiatics. They are Asiatic in their national life, in their civilization, in their hopes and aspirations, in their social usages and practices, and in their political thought. We can never impress upon those people the civilization and national ideals and aspirations of the western world.

I saw the splendid and humane work which our President, as governor, inaugurated years ago taken up and carried on by the civil officials of the insular government. I saw courts established for the administration of law and justice meted out to the poor peon and rich landowner alike. I saw schools established all over those islands, and thousands of children given the advantage of a public-school education. I saw the humane philanthropist at work in every direction, and a corps of able and learned army and civilian physicians mastering the deadly plagues that for centuries have afflicted those islands.

And yet, Mr. President, I saw a discontented, a restless, and a sullen people, whose opposition to our control was as great, if not greater, than it had been to the Spanish rule, and who would in a day throw off American supremacy were it not for the presence of the American Army in sufficient force to repress any uprising.

For over three hundred years these people were under the dominion of Spain. Whether right or wrong, they believed that they would have achieved their independence had Dewey's guns never been heard over the bright waters of Manila Bay. They believe to-day that they are capable of governing themselves in a manner best suited to their own advancement, interest, and happiness. Even "as the hart panteth after the water brooks," so these people yearn for freedom; and they will never be contented or satisfied until they achieve that freedom and their independence.

But what appealed to me as an insurmountable obstacle and difficulty in the solution of the Philippine problem was the bitter and irreconcilable race antagonism which exists between

the American and the Filipino. This prejudice is found in all stations and conditions of life. Instead of diminishing, it is becoming more intense and acute. It is as deep, if not deeper, and more bitter between the American and Filipino than between the white man and the negro in the South. It is deep seated and ineradicable. It is not only racial rivalry, but racial hatred, and will never be extinguished, eradicated, or mitigated. On the contrary, in my judgment, it will grow and increase as the years go by.

General Smith, the retiring governor-general of the Philippines, is quoted as saying in the course of a recent address before the Quill Club, of Manila:

> The man who will soon occupy the place I am now filling will have to contend with a thousand and one difficulties. Slowly but surely, and much to my deep regret, I have watched for the last few years the growing separation between the American and Filipino races. It is developing into bitter race prejudice.

The same idea is forcibly expressed in the following extract from a recent editorial in a Filipino newspaper:

> The least effort to promote the interests of the country was at first received with gratitude, for such an act of generosity and justice was most deeply felt. With childlike simplicity the people listened to hopeful assurances which fell like a benevolent rain upon their hearts. They applauded them and offered their help to give them practical form. * * * But now the racial division, which was nothing but a dividing line in the beginning, has grown into a mountain range, separating the nation from the Government, the Americans from the Filipinos.

The Anglo-Saxon, Mr. President, is a masterful race. The dynamic forces of his civilization brook no opposition, and wherever he plants his foot, whether upon line or pole, he will dominate and rule; and as long as this Government holds possession of that archipelago, just so long will the Americans rule and dominate that people as a subject race. If he does not rule the Filipino, the Filipino will certainly rule him. In my judgment there will never be a political or social equality between the two peoples.

The only method, however, of maintaining American supremacy is by force, and the presence of the United States Army is not only required for the present, but will be required as long as we hold these possessions and maintain our supremacy over these people.

Mr. President, I do not like the idea of governing any people by force and that force the American Army. It is contrary to the genius of our institutions; and if we must keep the people of those islands in subjection, it will not only cost us millions and hundreds of millions of dollars and the untimely death of thousands of our soldiers, but I am afraid that it will gradually undermine that respect and weaken that confidence which we have for a free government.

While the love and confidence of a people can not always be won by the application of just laws and fair treatment, yet the great mass of people are often influenced and dominated through their business and commercial interests. Open up the rich markets of this country to the products of the Philippines and we will in a very few years establish a commercial union which, in my judgment, is bound to beget a political union. Unite the people of these islands to us by the ligaments of trade and the bonds of commerce; complicate the fiscal systems of the two countries; establish interdependent trade relations between the two peoples by tariff laws, navigation laws, and other laws, and you make it almost impossible to sever the political ties which these conditions have produced. The commercial interests of this country and of the archipelago, looking to their own selfish aggrandizement, will insist and demand not only the maintenance of a commercial union, but a closer political union than now exists.

The history of the Philippines will be exactly what the history of Hawaii has been—we will have no Americans there except those who go to exploit these islands. We will have no great middle class of white men to enrich them by their labors and their endeavors. We will have but two classes—the very rich, composed of the American, the English, and the German exploiters, and the very poor, composed of the native Filipinos. We will have the product of oriental labor brought into competition with the products of our own labor. We will have the sugar and tobacco and other agricultural products of that country coming into competition with our own, and you practically bring in the Oriental himself when you bring in his products in free competition with the American laborer and the American farmer.

In response to an overwhelming demand of the American people, we excluded the Chinese from our shores because his presence was a menace and a danger to the American laborer.

Our Government is to-day making an effort to circumscribe, if not prohibit, the Japanese laborer from our country.

The same objection would be offered to the Filipino as to the Japanese and the Chinese if he would come here in sufficient numbers. Our tariff laws are specially constructed so as to prevent the free importation of Chinese and Japanese products in competition with those of our own land. If we had no such provision in our tariff law, our country would be inundated by the products of these two countries.

What a paradox it is to levy a tariff upon articles produced in China and Japan in order to exclude the products of the cheap labor of those countries from competing with the labor of this country and yet admit the products of the same class of labor from the Philippine Islands to come in competition with similar products raised in this country by American laborers and American farmers!

Give the security to capital and it will seek those fields of investment which will yield the best returns. Protect with the United States Army the sugar and tobacco exploiters in those islands, and at the same time permit their products a free market in our country, and you will find that capital not only from this country, but from England and Germany, organizing into powerful corporations and flowing to those islands for investment.

With the soil, the climate, and labor conditions, development will be phenomenal, and in a few years the similar industries in this country will be annihilated. The great agricultural interests of this country can not compete with the natural and labor conditions of those islands. The American laborer and the American farmer can not compete with the peon labor of the Philippines.

Mr. President, stimulate the development of the sugar and tobacco interests of those islands and open up free markets to their products in this country and similar industries in America will be overwhelmed and destroyed.

Mr. President, we can not raise sugar in this country, beet or cane, in competition with the cheap labor of the Tropics. It is no use to disguise this fact. The Philippines to-day, with proper cultivation, can ship their sugar into this market and pay the tariff and undersell the American producer; and I predict that with the encouragement of free trade this sugar in less than a decade will destroy the immense beet and cane interests of this country.

And, Mr. President, if the Philippine Islands themselves will not furnish sufficient labor for the full development of these agricultural interests, mark my prediction, Japan will do it, just as in Hawaii; or if Japan does not do it, the laws of this country will be so changed as to admit the Chinese.

The same virile forces which opposed Chinese immigration into this country will not be present to make similar opposition to their introduction into the Philippines. The great labor interests will not be there to oppose them. There will not be the potential opposition of the white man; but, on the other hand, large corporate interests that have located there will be demanding that the bars be lifted to admit Chinese laborers to cultivate and develop those fertile fields.

Mr. President, give these people free markets in this country, just as we did Hawaii under our first convention, and, just as in that case the concession was followed by annexation, as Mr. Garfield foresaw, so when you give the Filipinos the markets of this country free there will be interests springing up advocating a perpetual political union between this country and those islands.

These interests will oppose the independence of the islands. Their greed and lust for money and markets will be the mainspring of their action. These island interests will find able cohorts and powerful allies in this country. The refining interests, backed up by the great sugar trust and the great tobacco trust, want free raw materials, and with their potential influences will strike hands with similar powerful interests in the Philippines, and demand not only a closer commercial union, but a closer political union.

Mr. President, do not misunderstand me; as long as our Government has possession and holds these islands I want these people to receive a square deal; I want to see them treated justly, and every aid given them in the improvement of their social and governmental conditions, and every encouragement extended them for the development of their business and commerce. I wish to see everything done to promote social order for the establishment of orderly conduct in the affairs of the Government. But what I do mean to say is that I do not wish to see any interest of that country erected upon the ruins and destruction of similar interests in my country. I do not wish to see the farming interest of the American sacrificed to the farming interest of the Filipino. I do not wish to see the sugar interest forced into such an unequal contest. It is not fair to the American interest; it is not just to our own people. No other government in the world gives the people of its colonies a preference, or even equality, in its own markets with its own people.

Mr. President, reverse this proposition. Suppose these islands were a manufacturing instead of an agricultural people. Suppose they had cotton, wool, silk, paper, machinery, and other manufacturing industries, as in Japan; would the great manufacturing interests of this country for a moment tolerate the importation of the output of these factories free of duty? There would be thunders of protests from every labor union between the Atlantic and the Pacific denouncing such a policy, and every manufacturer from every section of the country would justly and loudly protest against such unjust legislation.

I do not wish this Congress to adopt any policy which will tend to strengthen the political ties between this country and the islands and which will make it more difficult to sever the bonds that now unite us. No matter how long we remain we will not establish an American colony in those far-off waters friendly and loyal to our free institutions, but, just as General Reagan said as to Hawaii, we will establish an Asiatic colony, bound to us by no ties of race or blood, hostile and antagonistic, and a colony that in years to come will prove a source of weakness instead of strength to our people and Government.

Mr. President, I want this Government to get out of the Philippines. Their people and enfeebling climate offer nothing of honor or profit to our people. We could not withdraw while the insurrection lasted; and our people then were also fired with the appeal that while any of our sons lay buried along the sands of Luzon no other flag should float above them to greet the morning in the Philippines.

Since then we have learned what a hollow mockery any military achievement is against these peoples in this age of scientific warfare. We have sickened at the idea of slaughtering with United States troops savage men, savage women, and even savage children armed with primitive bows and arrows, bolos, spears, and bamboo cannon.

And yet, as long as we stay there this warfare will continue. Race hatred and the deepest human passions will perpetuate the hostile feeling. The metropolitan journals are replete with trouble in our far-away possessions in the Pacific. From Hawaii comes the report of wholesale arrests of Japanese and the denial of writs of habeas corpus and possible international complications. From the Philippines we learn of the Visayan constabulary deserting our standard and retreating to their native fastnesses in the interior with their arms and accouterments.

Of course there can be no doubt as to what the result will be. There never has been and there never will be when the white man copes with the colored races; and the Japanese disturbers and the Filipino mutineers will learn that they must bear our presence in sullen silence as long as we care to remain in the Orient.

But, Mr. President, what profit is there in continuing to keep these people in subjection? To continue to stay there means to destroy the very traditions under which this Republic was born and has grown to its present commanding position among the nations of the earth.

If we stay there, we will have no American colony loyal to our country and faithful to its institutions, but an oriental colony, hostile to our Government and despising its flag.

As the years go by, their opposition to our rule will grow stronger; their hostility to our people will increase; the race war between the white man and the yellow man will become more bitter as the two peoples grow wider and wider apart.

The American and the Filipino never can and ought never to be assimilated. The immutable laws of nature forbid it. The two people can never be united; the twain can never meet. As Kipling has said:

> East is East, and West is West,
> And never the twain shall meet,
> Till earth and sky stand presently
> At God's great judgment seat.

APPENDIX A.

The compensation paid on the sugar plantations of Hawaii to the labor that has been brought to that group of islands, principally from Asia, to compete with the American farm labor engaged in the domestic-sugar industry is shown in the following table taken from the third report of the Bureau of Labor on Hawaii. The Caucasians mentioned were usually employed at special tasks requiring technical skill, which accounts for the higher wages.

Occupation.	Employees.	Sex.	Nationality.	Days per week.	Average wages per day.
Field hands	1,218	M.	Chinese	6	$0.65
	22	M.	German	6	.71½
	338	M.	Hawaiian	6	.74
	1	F.	do	6	.46
	1	M.	Part Hawaiian	6	.77
	2	M.	Italian	6	1.00
	11,820	M.	Japanese	6	.65
	2,091	F.	do	6	.44½
	3,039	M.	Korean	6	.65
	44	F.	do	6	.49
	1	M.	Polish	6	.84½
	1,005	M.	Porto Rican	6	.64

How completely orientalized the islands have become is also shown by the following table, giving distribution of labor on Hawaiian sugar plantations, by groups of occupations and nationality, 1902 and 1905:

Nationality.	Administration.	Cultivation.	Irrigation.	Manufacture.	Mechanical trades.
Caucasian: [a]					
1902	173	107	51	146	129
1905	195	96	38	146	114
Portuguese:					
1902	43	2,011	54	63	148
1905	43	2,076	49	85	154
Porto Ricans:					
1902	4	1,962	1	10	18
1905	4	1,722	.....	70	4
Hawaiians and part Hawaiians:					
1902	30	994	51	32	87
1905	39	861	36	39	84
South Sea Islanders and negroes:					
1902 [b]	.....	33	.....	.....	5
1905 [c]	.....	22	.....	.....	2
Chinese:					
1902	11	3,294	194	286	33
1905	5	3,962	69	269	11
Japanese:					
1902 [d]	121	25,849	809	1,640	751
1905	132	23,461	606	2,830	590
Koreans:					
1902	.....	.....	.....	.....	.....
1905	10	4,384	1	19	.....
Totals:					
1902	382	34,250	1,100	2,177	1,171
1905	428	36,584	801	3,458	959

Nationality.	Superintendence.	Transportation.	Unclassified.	Total.
Caucasian: [a]				
1902	353	50	23	1,032
1905	328	42	47	1,006
Portuguese:				
1902	202	117	31	2,669
1905	266	171	161	3,005
Porto Ricans:				
1902	11	29	1	2,036
1905	7	79	21	1,907
Hawaiians and part Hawaiians:				
1902	103	154	42	1,493
1905	114	193	86	1,452
South Sea Islanders and negroes:				
1902 [b]	.....	2	6	46
1905 [c]	1	4	3	32
Chinese:				
1902	28	64	31	3,881
1905	23	39	31	4,409
Japanese:				
1902 [d]	129	1,627	99	31,065
1905	121	3,709	284	31,735
Koreans:				
1902	.....	.....	.....	.....
1905	4	248	17	4,683
Totals:				
1902	826	2,043	233	42,242
1905	864	4,485	650	48,229

[a] Not including Porto Ricans and Portuguese.
[b] Including 7 Filipinos.
[c] Including 4 Filipinos.
[d] Including 445 Chinese and Japanese employed in cultivating; mostly Japanese.

The report of the Bureau of Labor for 1906 says:

The preponderance of Asiatics is even more marked in the last census figures, taken in 1900, and showing sex. As will be seen from the following table, out of a population of 106,269 males, the native and foreign-born Asiatic element taken together represent 69,804, or 65.6 per cent of the total male population:

APPENDIX B.

The enormous expansion of the sugar industry in Hawaii, especially since the ratification of the reciprocity treaty in 1875, by which the products of the islands were admitted to this country duty free, is shown in the following table taken from the December issue of the Planters' Monthly, of Honolulu. From 1837, the earliest available record, to 1877 the growth is shown at intervals of ten years, and the growth is shown by pounds from 1837 to 1891; subsequent to that date it is given in tons:

	Pounds.
1837	4,286
1847	594,516
1857	700,556
1867	17,127,187
1877	25,575,965
1878	38,431,458
1879	49,020,072
1880	63,584,871
1881	93,789,483
1882	114,177,938
1883	114,107,155
1884	142,654,923
1885	171,350,314
1886	216,223,613
1887	212,703,647
1888	235,888,346
1889	242,105,835
1890	259,789,462
1891	274,983,580

From 1891 to 1907 the production is shown in tons by the following table:

	Tons.
1891	146,174
1892	122,279
1893	152,621
1894	166,432
1895	149,627
1896	225,828
1897	251,126
1898	229,414
1899	282,807
1900	289,544
1901	360,038
1902	355,611
1903	437,991
1904	367,475
1905	426,248
1906	429,213
1907	440,017

APPENDIX C.

The duty remitted on Hawaiian sugar, according to the statement furnished by the Bureau of Statistics, by this Government from 1876 to January 1, 1909, aggregates $193,151,634, in the following annual amounts:

1877	$986,475
1878	989,602
1879	1,266,554
1880	1,881,563
1881	2,427,777
1882	3,314,938
1883	3,534,139
1884	2,959,913
1885	3,937,947
1886	4,435,091
1887	5,016,380
1888	5,007,200
1889	5,210,049
1890	4,804,477
1891	5,544,150
1892	(a)
1893	(a)
1894	(a)
1895	(a)
1896	4,535,392
1897	5,265,751
1898	7,996,269
1899	7,396,798
1900	8,075,410
1901	11,054,093
1902	11,528,854
1903	12,397,207
1904	11,783,873
1905	13,323,542
1906	11,945,642
1907	13,136,237
1908	17,241,130
1909 (six months)	6,135,181
Total	193,151,634

This, remember, was an outright gift, a bonus added to the purchase price of this sugar after it had been thrown upon the markets of the world and the American consumer had been compelled to buy it in open competition with the balance of mankind.

a Period of free imports of raw sugar.

APPENDIX D.

The Philippines have a population of 7,635,426 as against 200,000 in Hawaii. The last available figures show that there were 99,916 acres of sugar under cultivation in Hawaii, while Mr. W. C. Welborn, the government director of agriculture in the Philippines, when before the Senate committee in 1906 gave the following figures showing the area then in a crude state of cultivation in those islands: Sugar, 180,000 acres; rice, 1,600,000 acres; tobacco, 80,000 acres; sweet potatoes, 60,000 acres; plantains, 85,000 acres; hemp, 550,000 acres; cocoanuts, 375,000 acres; corn, 267,000 acres. "I made those figures myself," said Mr. Welborn, "and they are correct."

There has been a great deal of conflicting testimony as to the yield to be expected of this land, but perhaps there is no better way of approximating it than to hear what Mr. H. C. Prinsen-Geerligs, one of the authorities on sugar production in the Orient, has to say.

When the sugar fields of Java were threatened with extinction by a blight that struck that country, in the latter part of the eighties, the Javan planters appealed to the mother country for aid, and this distinguished scientist was sent out by the Holland Government to save the industry. He not only accomplished this, but built up the yield from a few hundred thousand tons to a million and a quarter tons, making Java the second tropical sugar-producing country in the world.

Mr. Truman G. Palmer, secretary of the American Beet Sugar Association, when that industry was threatened by importations from our island possessions, went abroad to discuss the sugar situation with the leading experts of all the continental countries and the Orient, including this distinguished Dutch scientist, Mr. Prinsen-Geerligs, who said:

They (the 177 Javan sugar planters, whose estates last year produced 1,210,197 tons of sugar) are all independent financially, but are all members of the Sugar Planters' Association and work together. Practically all of them live in Holland. They have all made money, but the people of the islands are just as poor as ever—30,000,000 natives, 60,000 Hollanders and half-castes. Thirty thousand Dutch and native soldiers in all the Dutch possessions. Wage rate: Men, 6d.; women, 2½d.; boys, 2d. per day. Women and boys do only light work. Abundance of people. When planters want laborers they send criers through the towns and get all they want. Pay off every few days, and natives spend their money quickly. The country was occupied one thousand two hundred years ago, but was given up later on. Ruins of most beautiful palaces are still there, but the natives deteriorated as soon as left to themselves. Every inch of ground now cultivated. One who had not been there in ten years would not recognize it. Far more generally cultivated than Holland and Belgium, yet believes that if left to themselves for ten years only rusty railroad tracks and ruins would indicate that civilization had ever been there. The Filipinos are practically the same race of people. Holland can not colonize Java; can merely hold it. The soil is very poor, far inferior to that of the Philippines, which is exceedingly rich. Largely by fertilization have doubled the sugar crop without greatly increasing the acreage. Use much ammonia and oil cake. Without any tariff favors Philippines can compete with the world in sugar production. In no event will the building up of the sugar industry benefit the people of the Philippines. The money will all go to absentee people of wealth. Java enjoys no tariff concessions and asks for none. She has driven European sugar out of China, largely out of India, and partly out of Persia. At 1½ cents per pound Java can make 40 per cent profit, and the Philippines can do much better with modern methods. Fears large production in Formosa. Java has good climate for sugar—always warm—but soil is very poor. Parties wanted him to go into a sugar enterprise in Porto Rico, but he declined for reason that we had not settled Philippine matters, and that if we encouraged Philippines they would eventually ruin Porto Rican sugar industry, as well as home beet and cane and Hawaii.

APPENDIX E.

In the various hearings had in both Houses of Congress, ample evidence has been adduced that agricultural labor is plentiful at 10 cents a day and up.

The government report on the labor conditions in the Philippines, issued in 1905, says that—

The number engaged in gainful occupations is 3,037,880, or 43.5 per cent of the total civilized population, as compared with 39.6 per cent in Cuba and 33.1 per cent in Porto Rico. The proportion of females is very large among the workers, but this is chiefly due to the fact that they are engaged in the domestic manufacture of textiles. Women are not employed largely in agricultural labor in the Philippines. The percentage of total population engaged in gainful occupations, according to sex and maturity, in the United States, Philippines, and West Indies is as follows:

Per cent of males and females and of children 10 to 14 years of age employed in gainful occupations in the Philippines, United States, Porto Rico, and Cuba.

Country.	Males.	Females.	10 to 14 years of age.
Philippines (1903)	57.6	29.4	16.8
United States (1900)	61.2	14.3	14.8
Porto Rico (1899)	56.9	9.9	22.4
Cuba (1899)	68.2	8.8	24.6

The following table shows the number employed, by sexes, in the 5 groups of occupations presented in the census classification:

Number and per cent of males and females employed in each group of occupations in the Philippines, 1903.

Occupation group.	Males.		Females.		Total.
	Number.	Per cent.	Number.	Per cent.	
Agriculture	1,163,777	92.8	90,286	7.2	1,254,063
Professional service	23,358	91.1	2,279	8.9	25,637
Domestic and personal service	431,388	75.4	140,567	24.6	571,955
Trade and transportation	150,989	66.6	75,566	33.4	226,555
Manufacturing and mechanical pursuits	243,081	25.3	716,589	74.7	959,670
Total	2,012,593	66.2	1,025,287	33.8	3,037,880
Not gainful	1,484,059	37.6	2,465,747	62.4	3,949,806

Per cent of persons in gainful occupations in the Philippines, Cuba, and the United States, by groups.

Occupation group.	Philippines (1903).			Cuba (1899).	United States (1900).
	Male.	Female.	Total.		
Agriculture	57.8	8.8	41.3	48.1	35.7
Professional service	1.2	.2	.8	1.4	4.3
Domestic and personal service	21.4	13.7	18.8	22.8	19.2
Trade and transportation	7.5	7.4	7.5	12.8	16.4
Manufacturing and mechanical pursuits	12.1	69.9	31.6	14.9	24.4

The Philippines, therefore, appear to stand about midway between the United States and Cuba in the proportion of workers employed in agriculture.

The average monthly earnings of workers of all classes and both sexes are 8.59 pesos. In the Philippine currency now in use, the cost of plantation and mill labor would be under the equivalent of $4.50 a month in gold. This rate is stated by the census authorities to include the value of rations served to the laborers.

Area and product of chief cultivated crops.

Crop.	Area cultivated (acres).	Product.
Rice	1,464,725	24,402,368 bushels.
Hemp	538,199	147,172,166 pounds.
Cocoanuts	a 366,313	94,434,767 pounds copra.[b]
Indian corn	266,821	3,391,776 bushels.
Sugar cane	177,628	397,311,047 pounds sugar.[c]
Tobacco	77,631	37,499,043 pounds.
Cotton	7,544	2,914,769 pounds.
Coffee	2,469	164,431 quarts.

a Not including isolated trees and uncultivated groves.
b Not including 12,033,765 quarts tuba, 1,660,162 quarts oil, and 2,323,148 nuts from the estimated annual product of cultivated trees.
c Unrefined sugar, not including 471,385 gallons of molasses.

The report continues:

The chief industries of the Philippines are agricultural, and the most important of these is the planting of hemp, sugar, tobacco, and coconuts—of the four industries thus emphasized, the cultivation of sugar presents the most conditions analogous to those occurring in other countries, where the problem of labor for tropical agriculture is important. It is the one that affords the most satisfactory data for a comparison of wages, labor efficiency, and standards of living with those prevailing elsewhere or at former periods in the same islands.

Sugar was for many years the most important article of export from the Philippines, and the United States was the principal buyer of this product. For the five years ending with 1887 the average annual exports were 175,775,792 kilos (193,759 tons), of which the United States took 115,252,460 kilos (127,044 tons), or over 65 per cent. During the subsequent five years the average yearly exports increased to 185,062,816 kilos (203,997 tons), but the American purchases fell to 67,303,243 kilos (74,189 tons) per annum, though they still exceeded by nearly 9,000,000 kilos (nearly 10,000 tons) those of any other single country and were fifteen times as great as those of Spain. * * * In Pampanga, which in 1890 exported $2,000,000 worth of sugar, wages, when hired labor was employed, were 25 cents silver currency a day, or at the rate of exchange then prevailing about 19 cents American currency. Sugar boilers were paid 75 cents silver currency a day, this probably being the highest plantation wage. At the present time wages in the Luzon sugar provinces are 40 to 50 cents silver currency (17 to 21 cents American currency) a day, not really higher than in 1890–1894, prior to the American occupation, though nominally nearly twice the former amount. The system of wages that has until recently prevailed on the sugar plantation of Negros is thus described:

Wage men were lodged in cuartels, or barracks, and received a rice or maize ration of 5 chupas (3¾ pints), worth about 6 cents silver currency, and 3 or 4 cents' worth of fish. The cash wages, in addition to rations, were from $0.75 to $1.50 silver currency (approximately $0.56 to $1.12½ American currency) a week, and were paid monthly in money.

The actual cash wage of a field laborer is the same or less for a week in the Philippines than for a day in the Hawaiian Islands. Though rations are provided in the former country and not in the latter, the Hawaiian planter has a far greater expense for importing labor, medical attendance, and for quarters and other living conveniences than has his Filipino rival, and he must pay interest on a much higher investment for each ton of sugar produced. The writer saw a nipa barrack capable of accommodating 50 Filipino plantation laborers that cost the planter between $25 and $30 American currency. The cost of producing a picul (one-sixteenth of a short ton) of muscovado sugar was given by the proprietors of two plantations in different locations and of different capacity at $3 silver currency ($1.26 American currency) a picul, and the cost of marketing at Iloilo at 50 cents silver currency (21 cents American currency) in each case. This would make the cost in American currency of sugar placed in the shipping market about $25.50 a ton as against an average cost—for a somewhat higher grade sugar—of over $45 a ton in Hawaii and $28 a ton in Java. The average selling price of sugar in the Iloilo market in the autumn of 1903 was about $32 American currency a ton.

The following comparative figures, in American currency, allow some inference to be made as to the relative cost of labor and the profits in sugar production in the Visayan district prior and subsequent to the American occupation:

Wages of field hands and profits in sugar production in Visayan district, 1893 and 1903.

	1893.	1903.
Weekly wages of field hands	$0.56 to $1.125	$0.42 to $0.63
Weekly rations of field hands	.50	.70
Iloilo price of sugar per ton	48.00	32.00
Planter's cost of sugar per ton	24.00	24.00
Planter's profit per ton	24.00	8.00

The imperfect methods of manufacture employed in the Philippines are the occasion of great waste, and the product of cane per acre might be indefinitely increased by scientific fertilizing, stripping, irrigation, cane selection, and possibly by deeper plowing and more thorough cultivation. On a single plantation visited the writer estimated that sugar to the value of $45,000 American currency was being burned up in the bagasse through imperfect extraction alone, and the governor of the province estimated that the loss from this source averaged 45 per cent of the sugar content of the cane. Foreman gives the averaged juice extraction as 56.37 per cent of the full weight of the cane and the weight of the dry bagasse as 26.84 per cent. This would mean that slightly more than 70 per cent of the total juice was extracted, as against 96½ per cent on Ewa plantation in Hawaii; but it is very doubtful if there is more than 55 to 60 per cent extracted in a majority of the Philippine mills.

The following table shows the wages given in the sugar producing provinces:

Average daily wages in selected occupations, by provinces and comandancias, 1903.

[From the Philippine census. The figures are given in pesos and equivalents in United States currency have not been computed on account of the fluctuations in value of the Philippine currency, as shown on page 739.]

Province or comandancia.	Average wages per day, in pesos, of—					
	Farm laborers.	Ordinary laborers.	Carpenters.	Masons.	Painters.	Blacksmiths.
Antique	0.52	0.80	0.51	0.42	0.71	———
Bataan	.71	.54	1.04	.99	1.01	2.00
Ilocos Sur	.46	.35	.67	.59	.84	.79
Iloilo	.44	.31	.53	.70	.82	.92
Negros Occidental	.33	.37	.54	.67	.91	1.05
Negros Oriental	.33	.34	.65	.63	.63	1.00
Nueva Ecija	.43	.40	.70	.63	.83	.90
Pampanga	.78	.43	.65	.73	1.01	.78
Pangasinan	.53	.45	.76	.71	.79	.76
Paragua	.25	.26	.33	.28	.25	.38
Rizal	1.09	.70	1.33	1.35	1.28	1.41
Philippine Islands	.55	.51	.90	.89	1.06	1.11

APPENDIX F.

What is being done to develop the sugar industry in the Philippines by modern methods is shown by the following extract from the Manila Bulletin for 1907:

THE EMPLOYMENT OF AMERICAN STEAM PLOWS IN THE DISTRICT HAS GREATLY INCREASED THE SUGAR OUTPUT, AND THE PLANTERS ARE NOW TRYING TO GET CAPITAL FOR A CENTRAL MILL.

Glance at the map of Negros. About three-fourths of the way down the east coast you will see two islands and back of them, on the mainland, the town of Bais. The level alluvial plain surrounding the town includes some 7,500 acres of the best sugar land, which at present, owing to conditions of capital, labor, tariff, etc., produces less than 90,000 piculs annually, while it might easily produce three times the amount.

Perhaps nowhere in the archipelago is the yield per acre greater than in this district. The hacenderos claim that the soil in the vicinity of Bais is, in many places, more than 12 feet deep. It is a rich black loam. Some of it has been under cultivation for thirty-five years and is still producing. When it is considered that with the obsolete wooden plows still much in use the soil is but poorly turned, the showing is remarkable. Two planters of Bais, however, have modern steam plows that plow to the depth of 14 inches, and their fields are producing like virgin soil.

Don Joaquin Montenegro was among the earliest settlers. He came to the Philippines as mate on shipboard and decided to cast his lot in the country. When he retired from active service, a few years ago, he divided a handsome fortune among his children, but retained his favorite hacienda, Cambullao, adjoining the the town of Bais, which is now farmed by his son, Señor Felix Moutenegro, and is the largest producing property in the district.

Cambullao contains 500 hectares, or about 12,500 acres, of rich sugar land, which now produces about 25,000 piculs of sugar annually.

Señor Felix Montenegro is not quite 30 years of age. He is progressive and a hard worker, and is considered one of the most up-to-date hacenderos on the island.

Señor Jose Bocanegra, a Spanish hacendero who is noted for his practical ideas, was the first to substitute a steam plow for the carabao. His brother-in-law, Señor Felix Montenegro, followed his example, and the modern implements have proven a grand success in every way. Señor Bocanegra's machine is a Buffalo-Pitts 35-horsepower traction engine, drawing a gang of six plows. It is really too big for his place, but he leases adjoining lands. The plow can turn the soil to a depth of 14 inches and breaks it up so thoroughly that no additional plowing and harrowing are necessary to prepare the ground for planting. The machine does the work of 100 carabao and 50 men, and can be operated for about 20 pesos per day.

Señor Montenegro's engine is of the same type, but of only 22 horsepower. He would not trade it for all the carabao in the country. He had a field of 7 hectares in which the land appeared to be worn out. Seven times he plowed it with the old-fashioned Chinese plow, but still it refused to yield. Last year the steam plow went over it once, plowing to a depth of 14 inches, and Señor Montenegro has just taken from the field a yield of 1,500 piculs of sugar. This year it has been replanted without additional plowing.

Neighboring planters have offered Señor Montenegro as high as 25 pesos per hectare to plow for them. The machine can do from 2½ to 3 hectares per day, managed and controlled entirely by Filipino labor. Such machines cost, delivered at Bais, about 9,500 pesos each.

In Italy the cane reaches its full strength in from twelve to fourteen months from planting. In most haciendas two ratoon crops are taken off before the ground is replanted. Señor Bocanegro says that if only a handful of fertilizer was put on each plant after the second ratoon, another crop could be taken off equal to the first.

The planters of Bais want capital to erect a central mill in the district, so that they can get out of the milling business and devote all of their time and efforts to planting cane.

APPENDIX G.

It is interesting to note what the Philippine Islands have been doing in the way of trade when their necessities have drawn them into the markets of the world to purchase those articles they do not produce at home to satisfy their limited wants.

There has been so much misinformation published to the American people concerning our trade relations with the islands, and the possibilities of its expansion, that it is well to look to some disinterested source for a true statement of these conditions. The plain unvarnished tale, given in the official language of the British diplomatic and consular reports, makes very different reading from the glowing accounts given to the American public by interests bent on exploiting the islands for their private gain.

In a "Report for the year 1907 on the trade and commerce of the Philippine Islands, edited at the foreign office and the board of trade * * * and presented to both Houses of Parliament by command of His Majesty, November, 1908," being No. 4171 of the series, we find the following:

The customs returns for the calendar year 1907, from which statistics are taken for this report, show a total trade volume of £12,711,135 ($63,555,675), with a balance of £528,011 ($2,640,055) in favor of the islands. These figures do not include gold and silver or government free entries. Imports exceed by £810,798 those of 1906, which was a year of depression, and revert to the figures of 1905. There is an increase of £91,005 in exports, which also revert to the position of 1905. The increase in imports is general, though marked activity is noted in cotton goods, which show an increase of nearly £400,000. * * * In 1907 the United Kingdom occupied the leading position in the trade of the islands, with a total of £3,227,390 ($16,186,995). The gain in 1907 was therefore £185,221 ($926,105). There were large increases in the importation of British cotton yarn and thread. Iron sheets and plates and condensed milk show large figures. With these exceptions, and the cruder forms of iron and steel, there are no articles peculiarly British, the trade with the United Kingdom being general rather than particular.

The American farmer will be especially interested to know where the Filipino makes his purchases when he goes into the markets to buy agricultural produce, as between our British cousins and ourselves. Take flour, for example. This official British publication says:

In 1903 the proportion of Australian flour was 1¼ per cent of the whole imports, while the figures for 1907 show that 52 per cent of the flour imports come from Australia. The following table will show clearly how Australia continues to advance steadily in the wheat-flour market, which in former years was exclusively American.

Country.	1903.	1904.	1905.	1906.	1907.
	£.	£.	£.	£.	£.
United States	161,302	143,747	104,573	99,464	78,230
Australia	237	7,231	48,404	86,425	129,940
Other countries	31	14	1,025	126	594
Total	161,570	150,992	154,002	177,015	208,764

Hear what the report says about timber:

Australia held the leading position in this trade in 1905, but fell away in 1906 in favor of America. In 1907 Australia again occupies the leading position.

FRUITS.

Though the importation of fresh fruits from Australia increases constantly, yet the figures are far from satisfactory. It must, of course, be remembered that California is a competitor in this market, but this is not sufficient reason for the backward state of the fruit trade with the South.

HORSES.

Practically all the foreign horses used in the islands, exclusive of the military stock, comes from Australia, and recently orders have been placed at Brisbane for the supply of over 600 horses for cavalry purposes. It is probable that the army mounts will in future be almost entirely obtained from Australia.

CATTLE.

Almost all the importations of cattle to the Philippine Islands come from southern China via Hongkong.

If these figures have little of consolation for the American farmer in them, there is if anything even less satisfaction for the American manufacturer in this British report, as will be seen from the the following excerpts:

CANNED SALMON.

Canada supplied 197,094 pounds of canned salmon, valued at £2,823, in 1907, thus marking her entry into a field which has been distinctively American hitherto.

IRON AND STEEL.

The imports of iron and steel are valued at nearly £500,000, over £50,000 in advance of the figures for 1906. The United Kingdom and the United States share about 70 per cent of this total, with a slight advantage in favor of the former. An examination of the remarks column of the imports table No. 1 will reveal the preponderance of the British trade in the cruder forms of these metals, while the United States is credited with manufactured articles of a more advanced degree. Germany is the only other competitor of importance, with a total of over £75,000.

COTTON PIECE GOODS AND YARNS.

In bleached goods, such as shirtings, drills, and yarns, imports are still almost exclusively British, but in gray goods (drills and sheetings) our manufactures are gradually disappearing from the market, finding it harder each year, apparently, to compete against the local mill (which is under British management) and Japan; while in gray yarns Japan seems to have largely monopolized the trade.

Competition from this quarter (Japan) would appear to be growing steadily, and by the introduction of certain fancy cloths (peculiarly Japanese) a considerable business is being worked up.

The official figures of this Government published in the Statistical Abstract, issued by the Department of Commerce and Labor, show how the balance of trade between this country and the Philippines has been steadily against the United States since we acquired that archipelago:

Imports and exports of merchandise into and from the Philippine Islands: Values, 1884 to 1907.

Year.	Imports.			Exports.		
	From United States.	From other countries.	Total.	To United States.	To other countries.	Total.
1884	$398,215	$18,149,753	$18,547,968			
1885	129,117	15,917,402	16,046,519			
1886	424,697	15,272,857	15,697,554			
1887	403,034	13,149,125	13,552,159			
1888	462,936	15,950,402	16,413,338			
1889	558,254	16,678,002	17,236,256			
1890	540,506	15,343,554	15,884,060			
1891	347,338	16,450,951	16,798,289			
1892	208,392	16,106,509	16,314,901			
1893	956,706	14,933,796	15,890,502			
1897	1,150,613	11,962,397	13,113,010	$3,540,894	$8,826,018	$12,366,912
1900	1,637,701	18,943,735	20,601,436	3,522,160	16,228,908	19,751,068
1901	2,855,685	27,423,721	30,279,406	2,572,021	20,642,927	23,214,948
1902	4,035,243	28,106,599	32,141,842	7,691,743	16,235,936	23,927,679
1903	3,944,098	29,027,784	32,971,882	13,863,059	19,258,731	33,121,790
1904	4,633,216	28,587,545	33,220,761	11,102,775	19,147,852	30,250,627
1905	5,761,496	25,114,852	30,876,350	15,668,026	16,684,589	32,352,615
1906	4,333,898	21,495,373	25,799,266	11,579,411	20,337,723	31,917,134
1907	5,155,359	23,630,496	28,785,855	12,079,204	21,634,153	33,713,357

This report shows that out of the total imports into the islands during the year 1907, amounting to $28,785,855, only $5,155,359 came from the United States, as against $23,630,496 from other countries, while the exports to the United States exceeded $12,000,000.

The VICE-PRESIDENT. The amendment offered by the Senator from Florida [Mr. FLETCHER] is the pending question. The Secretary will state it.

The SECRETARY. It is proposed to amend the substitute paragraph, on page 1, line 5, by striking out the colon after the word "countries" and adding the words "except as provided by existing law now in force," and by striking out the remainder of the substitute, so that it will read:

471d. There shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries, except as provided by existing law now in force.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida.

Mr. FLETCHER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GAMBLE (when his name was called). I am paired with the junior Senator from Indiana [Mr. SHIVELY]. I transfer my pair to the senior Senator from New York [Mr. DEPEW] and vote "nay."

The roll call was concluded.

Mr. NEWLANDS (after having voted in the affirmative). I find that I am paired with the senior Senator from Pennsylvania [Mr. PENROSE], and I withdraw my vote.

Mr. FOSTER (after having voted in the affirmative). I find that the Senator from North Dakota [Mr. MCCUMBER], with whom I am paired, is absent, and I withdraw my vote.

Mr. MONEY (after having voted in the affirmative). I find that the Senator from Wyoming [Mr. WARREN], with whom I am paired, is absent, so I withdraw my vote.

Mr. STONE (after having voted in the affirmative). I find that the Senator from Wyoming [Mr. CLARK], with whom I am paired, is absent. I withdraw my vote.

Mr. CLAY (after having voted in the affirmative). The Senator from Louisiana [Mr. FOSTER] is exceedingly anxious to be recorded on this vote. I myself will stand paired with the Senator from North Dakota [Mr. MCCUMBER], and the Senator from Louisiana can vote.

The VICE-PRESIDENT. The Senator from Georgia withdraws his vote.

Mr. FOSTER. I vote "yea."

The result was announced—yeas 26, nays 43, as follows:

YEAS—26.

Bacon	Davis	La Follette	Simmons
Bailey	Dixon	McEnery	Smith, Md.
Bankhead	Fletcher	Martin	Smith, S. C.
Borah	Foster	Overman	Taliaferro
Bristow	Gore	Owen	Tillman
Chamberlain	Hughes	Paynter	
Clapp	Johnston, Ala.	Rayner	

NAYS—43.

Aldrich	Carter	Frye	Oliver
Beveridge	Crane	Gallinger	Page
Bourne	Crawford	Gamble	Perkins
Brandegee	Cullom	Guggenheim	Piles
Briggs	Cummins	Heyburn	Root
Brown	Curtis	Johnson, N. Dak.	Scott
Bulkeley	Dick	Jones	Smoot
Burkett	Dillingham	Kean	Sutherland
Burnham	Dolliver	Lodge	Warner
Burrows	du Pont	Nelson	Wetmore
Burton	Elkins	Nixon	

NOT VOTING—22.

Bradley	Depew	Money	Stephenson
Clark, Wyo.	Flint	Newlands	Stone
Clarke, Ark.	Frazier	Penrose	Taylor
Clay	Hale	Richardson	Warren.
Culberson	McCumber	Shively	
Daniel	McLaurin	Smith, Mich.	

So Mr. FLETCHER's amendment was rejected.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended will be agreed to.

Mr. BRANDEGEE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Connecticut desire to offer an amendment to the paragraph?

Mr. BRANDEGEE. Yes, sir.

The VICE-PRESIDENT. The paragraph, then, is not agreed to. The Senator from Connecticut offers an amendment to the paragraph.

Mr. BRANDEGEE. I suggest to the chairman of the committee that on page 2 of the proposed amendment, at the end of line 16, the word "tons" is used, while in every other part of the proposed amendment, except in the instance to which I refer, in speaking of the number of tons the words "gross tons" are used. I do not know that it has any particular significance, but I think the language ought to be uniform in every case.

Mr. ALDRICH. What is the Senator's suggestion?

Mr. BRANDEGEE. The Senator from Rhode Island will notice on the first page of the amendment, in line 11, for instance, it says "gross tons."

Mr. ALDRICH. I think it should read "gross tons" in line 16.

Mr. BRANDEGEE. I suggest that the same language be employed in line 16.

Mr. ALDRICH. Very well.

The VICE-PRESIDENT. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 2, line 16, after the words "five hundred," add the word "gross."

The amendment was agreed to.

Mr. BRANDEGEE. I suggest also, in line 18, on page 2, that the word "exemptions" should be changed to the word "exceptions," because, if the Senator from Rhode Island will turn to page 1 of the proposed amendment, in line 9 it provides that these articles shall pay the regular rate, except, and so forth. It seems to me we should use the word "exceptions."

Mr. ALDRICH. There is no objection to that change.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2 of the printed amendment, line 18, strike out "exemptions" and insert in lieu the word "exceptions."

The amendment was agreed to.

Mr. GORE. The pending motion now is on agreeing to the amendment as amended?

The VICE-PRESIDENT. The pending proposition is to agree to the paragraph as amended.

Mr. GORE. I desire to submit an amendment to the paragraph.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On line 9, page 1, of the printed committee amendment strike out all after the second word, "except," in that line, down to and including the words "gross tons," on line 11, and insert:

Except sugar in excess of 300,000 gross tons during any one fiscal year: *Provided, however,* That the free importation of 300,000 gross tons per fiscal year shall not extend beyond July 1, 1911.

Mr. GORE. Mr. President, I wish to say that I would vote for any amendment to the pending bill which had any tendency, either direct or indirect, to cheapen the price of sugar to the American people. I will not, however, vote for any amendment which has a direct tendency to enhance the power and profits of the sugar trust without a compensating advantage to the American consumer. The chairman of the Finance Committee has admitted that this amendment, if adopted, will not reduce the price of sugar to the American people. He has also admitted that the adoption of this amendment will reduce the revenues coming into the Treasury of the United States.

Mr. President, it is suggested by the chairman that the only effect and the only benefit resulting from this amendment will inure to the people of the Philippine Islands. Sir, I cherish a deep and abiding sympathy for the unfortunate people of those islands, but I regret that these overflowing sympathies for those stricken people come into the Senate under a guise which justifies the belief that this sympathy for the Filipinos will be worth some eight or ten million dollars to the sugar trust.

I differ from the chairman of the Finance Committee. He believes that the benefits of this amendment will inure to the people of the Philippine Islands. For my own part, I believe that the principal, if not the only, beneficiary of this amendment will be the American sugar trust. During the last six or seven years we have admitted millions of pounds of sugar from Porto Rico free of duty, losing to our Treasury some $19,000,000 during that period. This concession to the sugar trust, while enhancing their profits, has not reduced the price of sugar to the consumer. We have granted a concession to Cuban sugar of 20 per cent below the Dingley rates. That concession, sir, has operated almost exclusively to the benefit of the sugar trust, and it has not conferred any substantial advantage upon the consumers of sugar in the United States.

I fear that the same consequences will flow from the pending amendment. It remits a duty, or will ultimately remit a duty, aggregating some eight or ten millions per annum. I believe, sir, that is a gift, a gratuity, to the American Sugar Refining Company, and will but slightly benefit the people of the Philippine Islands, and will in no measure prove beneficial to the people of this country.

Now, sir, I am not disposed to confer special favors upon this gigantic, upon this criminal, trust. I am aware that epithets can never take the place of arguments. Intemperate and violent language usually disappoints its own objects, but it is hard to speak with moderation of such immoderate plunderers. Sir,

I arraign the sugar trust at the bar of the Senate as a colossal thief.

That is not an idle, it is not an unsupported accusation. Only a few years ago the sugar trust was caught in the act of stealing water from the city of Brooklyn. It tapped the water main and actually stole water—the paltry pittance resulting from a cheapened water bill from the city which in part vouchsafed protection to its valuable properties. Not only that, Mr. President, but less than two years ago this sugar trust was a convicted criminal, and it paid fines and penalties amounting to $168,000 for criminal rebates received from the railroads. That is not the only count in this indictment, and it is not the only conviction or confession.

Within the last two months the American sugar trust has paid into the Treasury of the United States some two or three million dollars, stolen—deliberately stolen—from the Treasury, from the people, from the taxpayers of this country; stolen by falsifying its weights, a crime that belongs to the dark ages and which civilization has rarely heard of for the last two or three centuries, yet this colossal trust stands at the bar of the Senate and confesses theft to the amount of two or three million dollars.

These are the three counts which I desire here and now to urge against this mighty criminal. I have not yet heard that they have been accused of robbing a henroost or of rifling a grave, but perhaps they have been more fortunate and have merely escaped detection. It may be, in sooth, that the trust engages in these peculations in order to pay higher wages to its employees.

Now, sir, this issue is presented, in my judgment, by the pending amendment: Shall we confer a gratuity upon the sugar trust eventually amounting to eight or ten million dollars a year? Shall we confer that gift upon the trust at the expense of the Treasury and at the expense of the taxpayers? For if we remit this revenue on sugar, we must make it up by increasing taxes upon other necessaries of life. That is the issue presented.

If we desire to bestow this bounty upon this offending trust, then, sir, we ought to vote "yea," in favor of the committee's amendment. If we are not willing to augment their illicit loot by a gift of eight or ten million dollars, we ought to vote "nay."

The amendment which I have offered limits the operation of this committee amendment to two years. It would expire by the operation of law on July 1, 1911. That will afford us an opportunity to observe the practical results of this amendment. If it secures any advantages to the American people, there will be no difficulty in then extending it for a limited time or even indefinitely. If its operation inures to the benefit of the Filipinos, then, sir, it could easily be extended; but if this loot is limited to the sugar trust—if neither the American people nor the Filipinos are to be benefited by this gratuity—then let the gift terminate by the operation of law. Let us mark its practical operation, and if the committee has erred in their judgment and generosity, let this limitation be affixed to the pending amendment.

Mr. President, as shedding a little light on the sugar trust, I ask to have printed in the RECORD two clippings from newspapers of to-day and yesterday. I shall not tax the time of the Senate by asking to have them read.

The VICE-PRESIDENT. Without objection, the articles referred to by the Senator will be printed in the RECORD.

Mr. GORE. Mr. President, these articles illustrate what kindly consideration and indulgence have been manifested toward this trust in days gone by, and show that there is less excuse for the valuable favors about to be conferred upon that concern by the pending amendment.

Let me say here there is one character worse than the criminal himself, and that is the officer of the law charged with the prosecution of crime who neglects his duty, who winks at lawlessness, and who suffers the known criminal to go unwhipped of justice.

In 1894 a scandal grew out of sugar legislation in the United States Senate. Senators from two great States did not escape without soiled reputations. Profits were made, fortunes were enhanced by speculating in sugar stocks on the part of Senators who had inside information. Those practices belong to another and to a different age. No Senator in these times would be guilty of such reprehensible conduct; but speculators on the outside may avail themselves of the advantages of now investing in the securities of the American Sugar Refining Company.

If this amendment is adopted, I predict—and I am not familiar with stock juggling—that it will eventuate in enhancing the values of sugar stocks and securities, in the enhancement of their profits, and will result in absolutely no permanent advantage either to the people of the United States or to the unfortunate people of the Philippine Islands.

The articles referred to are as follows:

BIG TRUSTS LET ALONE—UNTERMYER SAYS GOVERNMENT HAS NOT ENFORCED LAW—RUNS FROM PUNISHING CRIME—SUGAR TRUST, ACCORDING TO NEW YORK CORPORATION LAWYER, A LAWBREAKER FROM ITS BIRTH, IS NOW A SCAPEGOAT, SINCE ITS "PRINCIPAL OFFENDERS ARE DEAD"—USELESS TO PUSH CHARGE.

[From the Washington Post.]

NEW YORK, *June 15.*

Before sailing for Europe on the *Kronprinzessin Cecilie* to-day, Samuel Untermyer, who was counsel for Adolph Segal in the recent suit against the sugar trust, has a few things to say in a typewritten statement about the possible prosecution of the trust on criminal charges. Mr. Untermyer issued the statement in reply to inquiries whether his client had decided to press such a prosecution or to take any active part in aiding it. Instead of answering these questions directly, Mr. Untermyer's statement consisted chiefly of an airing of his views on the general subject of "corporate dishonesty."

Said he, referring to the possibility of criminal prosecution of the sugar trust:

"What would be the use? The sugar company has been a consistent lawbreaker ever since its birth. Its activities in Congress have been one of the scandals of the country for many years. It has robbed the public and ruined its would-be competitors. But it is no worse than many of the others in its criminal methods, and not quite as bad as some.

NOW IT IS THE SCAPEGOAT.

"This suddenly aroused virtuous abhorrence of its methods is amusing. It accidentally happens at the moment to be the scapegoat, but as the Government has waited until after the principal offenders are dead, it does not much matter. Whenever the Government really wants to bring the criminal rich who are managing these conspiracies that are notoriously violating the criminal law within the penalties of that law, it will not be difficult. There never has been an honest, intelligent effort to enforce the ample provisions of the law against any of the monster monopolies.

"The Government has had no trouble in convicting and driving out of business a few poor, struggling, comparatively harmless combinations that were put together to prevent bankruptcy and secure a small profit. But the financial 'buccaneers' who have been holding up the country in the necessities of life, keeping out foreign competition through the tariff at one end and crushing home competition at the other, until the increase in the cost of living is alarming, have remained immune until every lawyer who has had to deal with this big question knows that the pretended enforcement of the law is a huge farce.

"Every time the Government has had a chance to enforce the criminal provisions of the law (which constitute the only effective part, the others being mainly academic), it has run.

MANY REASONS FOR NOT ACTING.

"There are always so many reasons for not doing things that it is never difficult to find one. We learned that lesson in the recent ventilation of corporate dishonesty, when every exposed criminal went unpunished—the most of them back at the old game on slightly modified lines, including the subsidizing of a part of the press through extravagant advertising at the policy holders' expense and jeering at discomfited muck rakers."

Mr. Untermyer adds that the evidence of criminal pools and conspiracies to control prices and restrict production have for years been available in this city if the public authorities had gone about their task with the energy that they do in ferreting out smugglers, counterfeiters, post-office thieves, and other classes of criminals. Mr. Untermyer feels sorry for the future, if it is true, as some Wall street men seem to think, that there has been a reaction in the public in regard to the attacks against criminal corporations. Says he:

"These pools and combinations are growing stronger and more numerous. Individual enterprise is being strangled. Unless they are brought within the clutch of the criminal law and destroyed, the future is fraught with danger. The only way to regulate them is to bury them. So long as the President of the United States can defy the law by giving them immunity and go unrebuked the sentiment of the country is callous. But until the public mind is aroused to a recognition of the extent of the evils from which we are suffering and the far greater dangers that are threatening us it is useless to attempt to bring these men within the law."

WEIGHERS' TRIALS MAY BE PUT OFF.

Whether the trial of the seven sugar-trust weighers, under indictment for conspiracy to defraud the Government, which was set to begin Thursday before Judge Holt in the United States court, will be begun Thursday or will be postponed is at present a matter of doubt. Counsel for the indicted weighers may apply for a postponement on the ground that just at this time their clients might suffer unjustly on trial, owing to the aroused public feeling against the American Sugar Refining Company. On the other hand, the government prosecutor believes that the trial should proceed.

The seven weighers are accused of using fraudulent scales on the docks of the American Sugar Refining Company at Williamsburg. Spitzer was superintendent of the Havemeyer and Elder docks for many years. The other six men were employed by the American Sugar Refining Company as checkers and weighers.

ROOSEVELT WAS WARNED IN 1906 OF SUGAR FRAUDS—RECEIVER EARLE ADMITS HE PLEADED WITH ADMINISTRATION TO PROSECUTE AND THAT HE DIVULGED BOTH THE WEIGHING FRAUDS IN NEW YORK AND THE REBATE PRACTICES—NOTHING IN FICTION TO EQUAL IT, SAYS EARLE—"MOST DRAMATIC, INTENSE, INTRICATE CRIME IN CUNNING EVER BROUGHT BEFORE ANY COURT IN MY TIME"—"I HAVE DETAILS; I IMPERATIVELY NEED YOUR AID," HE WROTE PRESIDENT.

[From the New York World.]

PHILADELPHIA, *June 15.*

"In common with every other good citizen, I am at the service of my country," said George H. Earle, jr., receiver of the Pennsylvania Sugar Refining Company, to-day, when asked whether he would aid the Government in a criminal prosecution directed against the heads of the sugar trust.

Those who know Mr. Earle keenly appreciated the irony of his remark when they recalled that he had pleaded with and petitioned President Roosevelt and Attorney-General Bonaparte in vain to institute or to permit him to institute just such criminal proceedings as are now threatened by the present Department of Justice. As long ago as November, 1906, Mr. Earle now admits, he warned President Roosevelt and his Attorney-General of the weighing frauds in New York and rebating practiced by the sugar trust, but no action was taken.

EARLE'S PERSONALITY.

Mr. Earle is the son of the late George H. Earle, sr., one of the foremost lawyers of the Philadelphia bar. The son, himself a lawyer, is the executive head of five of the largest banks in the city. He has rescued many concerns from the graveyard of high finance, was too busy to be mayor of Philadelphia, is not "against" trusts, is worth $5,000,000, but lives on one of his many salaries, and his hobbies are coins, first prints, and a model farm. He was offered $100,000 for reviving the Real Estate Trust Company and went into court and told the judge that his services were worth only $50,000, and he has not yet collected the $50,000 because "the company needs the money more than I do."

While a financial genius Mr. Earle has absolutely no ambition for great wealth or political preferment and no desire for social glories. Upon his unsupported word the 55,500 depositors of the defunct Real Estate Trust Company turned over to him all that was left of $7,500,000 deposits at the time of the crash, August 28, 1906, and every stockholder in the company assigned his property to Mr. Earle without "recourse or recovery," without a scratch of a pen to safeguard the equity.

"It would be manifestly improper for me to discuss any phase of the sugar-trust case at this time," said Mr. Earle, "because I am still an officer of the court in my capacity as receiver of the Pennsylvania Sugar Refining Company."

"Does the same apply to the Government and its agents?" he was asked.

"Oh, yes; I suppose so. They did not care to discuss the case two or three years ago, and I prefer not to talk about it now, for the more particular reason that we have agreed upon a settlement, and I consider it hardly fair to agree to a settlement and then participate in an exposé of the other party to the bargain. Then, too, I must keep in mind the fact that the court has yet to review the terms and conditions of our settlement, and I might be subjected to some criticism for commenting upon the case at this time."

GAVE WARNING IN 1906.

"Have you had any conferences with J. H. Graves, special assistant United States Attorney-General, or with E. V. Roadstrum, the special agent, both of whom are supposed to be gathering evidence against the sugar trust management with a view to criminal prosecutions?"

"Neither of the gentlemen you name have called upon me. I suppose they are studying up the documents in the case, which are full of meaty evidence."

"Is it true that you directed the attention of the Government to the scale frauds and rebating more than two years ago?"

"Mr. Frank L. Neall, of Peter Wright's Sons, told me about these frauds so long ago that I can not now fix the date, but I certainly wrote to the Attorney-General about them on November 8, 1906, as the papers in the Pennsylvania Refinery case show."

"Do you consider President Roosevelt and Mr. Bonaparte as being directly responsible for throttling a proper inquiry in 1906?"

"I am not fixing responsibilities. I am not naming men who performed their duties, nor am I pointing out anyone who failed to measure up to their responsibilities. I am merely 'pointing with pride' to the papers in the case, and, otherwise, I am engaged in preparing memoranda upon which to base my report to the court that named me receiver.

"I must not be placed in the position of discussing this case in any phase for publication. It would be discourteous to the court. What I have said I will stand by. What I would like to say is another matter. I will repeat, however, that fiction knows no story equal to the cold-blooded facts in the conspiracy which has been proved in this case, and I shall always consider myself amply repaid for my work in this matter if I get nothing more out of it than the satisfaction of having been a player in what I consider the most dramatic, intense, intricate crime in cunning ever brought before any court in my time.

"I am prepared to substantiate every charge I have made, but I will not enter into any discussion of the matter outside of the court for the reasons I have stated; first, because it would be discourteous to the court, and, next, it would be unkind, if not unfair, to those who have agreed to effect a satisfactory settlement of this issue."

If the managers of the sugar trust were cunning in devising the plan to gain control of the Pennsylvania Sugar Refining Company, to close up the great plant before steam was ever generated in one of its boilers, and to pave the way for disaster, disgrace, dishonesty, and death, George H. Earle, jr., was supercunning in getting the facts before the country first and then before the courts.

SPREAD ON SENATE RECORDS.

When President Roosevelt and Attorney-General Bonaparte declined or neglected to publish Mr. Earle's letters in the early days of this case, Senator CULBERSON, of Texas, asked in the Senate for all the documents in the case. Pennsylvania was represented in the Senate by Philander C. Knox, now Secretary of State, and BOIES PENROSE, whom Mr. Earle has known all his life. Just why the Senator from Texas should concern himself about a matter so intimately connected with Philadelphia and Pennsylvania is one more mystery of the many in the case. President Roosevelt and his Attorney-General, Mr. Bonaparte, forwarded the documents, as CULBERSON requested, and by this proceeding Mr. Earle spread upon the records the fact that the President was in possession of the cardinal facts in two great suspected crimes, and that neither he nor the Attorney-General had shown an inclination to act in the case.

That Mr. Earle put this "crime in cunning" squarely up to President Roosevelt soon after he learned of it is proved by his letter, dated September 21, 1906, in which Mr. Earle, addressing the President by name, said:

"I have all the details of this conspiracy. I believe I know all the individuals responsible for it. If I am to take this journey alone, I am determined to discharge the duties that my conscience places upon me without regard to the results to me personally; but I have every reason to believe that you whom I address are fortunately a man of like mettle, and I am absolutely convinced that you have a larger and greater duty to the public than I myself.

"I represent but a body of innocent stockholders and creditors, who have incidentally been crushed by an effort to plunder the whole people. You represent that people. I imperatively need your aid and cooperation. With it I feel assured that justice will be done; without it I may be myself crushed in the effort to obtain justice for the smaller body which I represent; but with it or without it, no consideration that I have been able to give this subject has enabled me to feel that I can possibly absolve myself from the duty of going on—with you, if such good fortune awaits me; without you, I must act alone.

DOCUMENTARY EVIDENCE.

"I have not gone into the details of this matter. The details I have, and they are at your service or that of the Attorney-General of the United States. Of course you will understand that all this I have upon information; but one of the peculiarities of this crime has been that the parties engaged in it, whether made reckless by past successes and immunities or not, have left a perfectly inconceivable amount of documentary evidence of what I believe to be their crimes.

"I am overwhelmed with the duties of this receivership. It is complicated and trying beyond words. But I trust that you will understand that I shall at any moment give up any time necessary to inform you of the conditions that I have found existing.

"One thing I wish to guard you against, and that is the impression that I am actuated in my part of this because of a prejudice against the sugar or any other trust, for I believe a large cooperation to be an absolutely essential thing in so great a country as ours. Cooperation means power and power advances the undertakings of man and civilization; but while I believe in creating and fostering the greatest amount of energy possible, I as strongly believe that the energy will become a curse instead of a blessing if it be permitted to be turned to base and criminal ends, by men intrusted with such duties as yourself on behalf of that greater power which is made up of all the people, cooperating through the state, of which you are the chief. And so I now appeal to you."

This letter to the President was written by one of the most learned lawyers in the land, by a man of many millions, and one whose word is good with more than 1,000,000 people in his home town.

EARLE APPEALED TO MOODY.

President Roosevelt acknowledged the receipt of the document through his secretary's secretary. Six weeks later Mr. Earle addressed a last appeal to the then Attorney-General, William A. Moody, who now sits upon the Supreme Bench of the United States. In his letter of appeal Mr. Earle gave Attorney-General Moody an outline of the essential evidence in his possession, and in closing said:

"Standing alone, is this a case that the Government of the United States can afford to ignore? Has there ever been another like it in wickedness?"

In justice to Mr. Moody, it is right to set out with particular emphasis the fact that he was then about to retire from the Roosevelt Cabinet to go upon the Supreme Court Bench.

It was agreed by all parties concerned that it would be manifestly improper for him as Attorney-General to pass upon a case which he, as a justice of the highest court in the land, might later have to pass upon as a judge.

In this same letter to Attorney-General Moody, which saw the light of day after Senator CULBERSON had demanded its publication, Mr. Earle, with brutal frankness, described the incidents that immediately led up to the suicide of Frank K. Hipple, president of the Real Estate Trust Company, in this city, the wreck of the Pennsylvania Sugar Refining Company, the collapse of all the great enterprises of Adolph Segal, except the Hotel Majestic, and many domestic tragedies.

Months later Attorney-General Bonaparte, after carefully reviewing the correspondence and without calling for the more detailed evidence at hand and at his service, solemnly wrote to Mr. Earle, setting out his belief "that the Knight case finally disposed of the matter under discussion." That was the end of it, so far as Mr. Bonaparte figured in the case. In the Knight case the essential point hinged on a question of legal or illegal consolidations.

In another communication addressed to the Attorney-General Mr. Earle said in part:

"My embarrassment does not result from scarcity of material, but from the fact that I do not wish to engage in writing what must read like a French detective story of crime, for in all my experience I have never known of anything quite so infamous as the case I have now to present to you. * * *

"I have come upon evidence that justifies the suspicion that they are strengthening their monopoly, not merely by rebating and like infractions of the law, but by the most serious frauds upon the customs of the Government.

"The brief which I am preparing for you as to the law is nearly completed. * * *

"I have written the President and your department again and again that we hold this evidence, and a mass of it, and have again and again requested that it be examined."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Oklahoma [Mr. GORE].

Mr. GORE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CRAWFORD. Mr. President, just for information, I ask if, this amendment should be voted down, it would leave the original one hundred and fifty millions to be imported?

The VICE-PRESIDENT. It would leave the amendment as it was before the amendment of the Senator from Oklahoma was proposed.

The Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. In his absence, I withhold my vote. If he were present, I should vote "nay."

Mr. FRYE (when his name was called). I transfer my pair with the senior Senator from Virginia [Mr. DANIEL] to my colleague [Mr. HALE] and vote. I vote "nay."

Mr. OLIVER (when Mr. PENROSE's name was called). I wish to state that my colleague [Mr. PENROSE] is necessarily absent to-day. He is paired with the Senator from Nevada [Mr. NEWLANDS].

Mr. BURROWS (when the name of Mr. SMITH of Michigan was called). My colleague [Mr. SMITH of Michigan] is paired with the Senator from Mississippi [Mr. MCLAURIN].

The roll call was concluded.

Mr. MONEY. My colleague [Mr. MCLAURIN] is necessarily absent for a moment. He is paired, as has just been stated, with the Senator from Michigan [Mr. SMITH]. If present, my colleague would vote "yea."

I think the language ought to be amended.

Mr. ALDRICH. What is the Senator's suggestion?

to speak with moderation of such immoderate plunderers. Sir.

Mr. FOSTER (after having voted in the affirmative). In the absence of the Senator from North Dakota [Mr. McCUMBER], with whom I am paired, I withdraw my vote.

Mr. STONE (after having voted in the affirmative). I have just been informed that the Senator from Wyoming [Mr. CLARK], with whom I am paired, has not voted.

The VICE-PRESIDENT. The Senator from Wyoming has not voted.

Mr. STONE. Then, I withdraw my vote.

The result was announced—yeas 25, nays 43, as follows:

YEAS—25.

Bacon	Davis	Martin	Smith, Md.
Bailey	Fletcher	Money	Smith, S. C.
Bankhead	Gore	Overman	Taliaferro
Bristow	Hughes	Owen	Tillman
Chamberlain	Johnston, Ala.	Paynter	
Clapp	La Follette	Rayner	
Cummins	McEnery	Simmons	

NAYS—43.

Aldrich	Crane	Gallinger	Page
Bourne	Crawford	Gamble	Perkins
Brandegee	Cullom	Guggenheim	Piles
Briggs	Curtis	Heyburn	Root
Brown	Dick	Johnson, N. Dak.	Scott
Bulkeley	Dillingham	Jones	Smoot
Burkett	Dixon	Kean	Sutherland
Burnham	Dolliver	Lodge	Warner
Burrows	du Pont	Nelson	Warren
Burton	Elkins	Nixon	Wetmore
Carter	Frye	Oliver	

NOT VOTING—23.

Beveridge	Culberson	Hale	Shively
Borah	Daniel	McCumber	Smith, Mich.
Bradley	Depew	McLaurin	Stephenson
Clark, Wyo.	Flint	Newlands	Stone
Clarke, Ark.	Foster	Penrose	Taylor
Clay	Frazier	Richardson	

So Mr. GORE's amendment was rejected.

Mr. DICK. I desire to offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. It is proposed to amend an amendment offered by Mr. SMOOT on the 11th day of June to paragraph 471d, page 180, by striking out commencing with the word "wrapper," in line 11, page 1, to and including the word "prescribed," in lines 4 and 5, page 2; and also the words "and tobacco," in line 6, page 2; and the words "and tobacco," in line 9, page 2.

Mr. DICK. Mr. President, the purpose of the amendment is to eliminate wrapper tobacco, filler tobacco, and manufactured cigars from the operation of the pending amendment if it be finally adopted.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio.

The amendment was rejected.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. ALDRICH and Mr. BACON called for the yeas and nays, and they were ordered.

Mr. BACON. Mr. President, there is a misapprehension as to what the vote is to be taken on.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. CRAWFORD. The paragraph as amended, as I understand, reduces the number of cigars which may be imported to 70,000,000?

Mr. ALDRICH. The question is on the paragraph as amended.

The VICE-PRESIDENT. The vote is now on agreeing to the paragraph as amended.

Mr. ALDRICH. The entire scheme.

Mr. CRAWFORD. As amended, it reduces the importation of cigars, as I understand, to 70,000,000.

The VICE-PRESIDENT. Certainly.

Mr. GALLINGER. Regular order!

The Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I again announce my pair with the senior Senator from Texas [Mr. CULBERSON]. If he were present, I should vote "yea."

Mr. MONEY (when Mr. McLAURIN's name was called). My colleague [Mr. McLAURIN] is necessarily absent, and is paired with the Senator from Michigan [Mr. SMITH]. If my colleague were present, he would vote "nay."

Mr. STONE (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK]. In his absence, I withhold my vote. If the Senator from Wyoming were present, I should vote "nay."

The roll call was concluded.

Mr. FOSTER. In the absence of my pair, the senior Senator from North Dakota [Mr. McCUMBER], I withhold my vote. If he were present, I should vote "nay."

Mr. NEWLANDS (after having voted in the negative). In the absence of my pair, the senior Senator from Pennsylvania [Mr. PENROSE], I withdraw my vote.

Mr. DANIEL (after having voted in the negative). I am paired with the senior Senator from Maine [Mr. HALE], and therefore desire to withdraw my vote. When I voted I did not notice the Senator from Maine was absent.

Mr. FLINT. I desire to transfer my pair with the senior Senator from Texas [Mr. CULBERSON] to the senior Senator from New York [Mr. DEPEW] and vote. I vote "yea."

The result was announced—yeas 42, nays 28, as follows:

YEAS—42.

Aldrich	Crane	Frye	Page
Bourne	Cullom	Gallinger	Perkins
Brandegee	Cummins	Guggenheim	Piles
Briggs	Curtis	Heyburn	Scott
Brown	Dick	Johnson, N. Dak.	Smoot
Bulkeley	Dillingham	Jones	Sutherland
Burkett	Dixon	Kean	Warner
Burnham	Dolliver	Lodge	Warren
Burrows	du Pont	Nelson	Wetmore
Burton	Elkins	Nixon	
Carter	Flint	Oliver	

NAYS—28.

Bacon	Clay	La Follette	Rayner
Bailey	Crawford	McEnery	Root
Bankhead	Davis	Martin	Simmons
Borah	Fletcher	Money	Smith, Md.
Bristow	Gore	Overman	Smith, S. C.
Chamberlain	Hughes	Owen	Taliaferro
Clapp	Johnston, Ala.	Paynter	Tillman

NOT VOTING—21.

Beveridge	Depew	McLaurin	Stephenson
Bradley	Foster	Newlands	Stone
Clark, Wyo.	Frazier	Penrose	Taylor
Clarke, Ark.	Gamble	Richardson	
Culberson	Hale	Shively	
Daniel	McCumber	Smith, Mich.	

So the paragraph as amended was agreed to.

Mr. PAYNTER obtained the floor.

Mr. ALDRICH. I ask the Senator to yield to me for a moment for the purpose of offering an amendment.

Mr. PAYNTER. Certainly; I yield to the Senator.

Mr. ALDRICH. In accordance with previous notice, I ask now to take up paragraph 190, on pages 66 and 67.

The VICE-PRESIDENT. In the absence of objection, paragraph 190 will now be taken up.

Mr. ALDRICH. I offer a substitute for paragraph 190.

The VICE-PRESIDENT. The Secretary will state the proposed substitute.

The SECRETARY. On page 66, paragraph 190, zinc, strike out paragraph 190, and insert in lieu thereof the following:

190. Zinc-bearing ore of all kinds, including calamine, containing less than 10 per cent of zinc, shall be admitted free of duty; containing 10 per cent or more of zinc and less than 20 per cent, one-quarter of 1 cent per pound on the zinc contained therein; containing 20 per cent or more of zinc and less than 25 per cent, one-half of 1 cent per pound on the zinc contained therein; containing 25 per cent of zinc, or more, 1 cent per pound on the zinc contained therein: *Provided*, That on all importations of zinc-bearing ores the duties shall be estimated at the port of entry, and a bond given in double the amount of such estimated duties for the transportation of the ores by common carriers bonded for the transportation of appraised or unappraised merchandise to properly equipped sampling or smelting establishments, whether designated as bonded warehouses or otherwise. On the arrival of the ores at such establishments they shall be sampled according to commercial methods under the supervision of government officers, who shall be stationed at such establishments, and who shall submit the samples thus obtained to a government assayer, designated by the Secretary of the Treasury, who shall make a proper assay of the sample, and report the result to the proper customs officers, and the import entries shall be liquidated thereon, except in case of ores that shall be removed to a bonded warehouse to be refined for exportation as provided by law. And the Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this paragraph.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. PAYNTER. I yield to the Senator from Missouri.

Mr. STONE. I offer the amendment which I send to the desk as an amendment to the amendment.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the figures "190," numbering the paragraph, strike out the remainder of the paragraph and insert:

Zinc in blocks or pigs; zinc, old and worn-out, fit only to be manufactured; oxide of zinc in whatever form or combination; and all manufactures made wholly of zinc, or of which zinc is a material component, shall be admitted free of duty.

Mr. PAYNTER. Mr. President, I shall detain the Senate but for a few moments; and I desire to express my regret that I have even to do that, as I trust our labors may be soon completed in the consideration of this bill.

It is not so much my purpose to make a defense of my vote to place a duty of 25 cents per ton on iron ore as it is to give the Senate some information which I have acquired. In the first

tariff bill a duty was placed on iron ore, and a much higher one than the one for which I voted has been maintained by all subsequent revenue bills, including the Wilson bill, which placed it at 40 cents per ton. Every Democrat in the Senate except one during the consideration of the Wilson bill voted against admitting iron ore free of duty. It has not been asserted in this Chamber that the duty of 25 cents per ton, which is about 8 to 10 per cent ad valorem, is anything but a revenue duty and that the imposition of which is not in accord with the repeated declarations of the Democratic party that the tariff duties should be levied and collected on a revenue basis. A free list has always been and will be maintained. As to what imported articles should be placed upon it is necessarily a matter for individual opinion and judgment of the members of the Democratic party who believe in imposing duties for revenue only.

A certain amount of revenue must be raised by means of tariff duties. If we increase the free list, we necessarily must make good the loss of revenue resulting from the free list by increasing the duty on other imported products, perhaps on cotton or woolen goods, thus increasing the cost of clothing to the consumers. So far as I am concerned, I would prefer to see the duty that will be collected on iron ore go into the Treasury than to see its equivalent go into the pockets of the manufacturers, as it would certainly go there if the ore is admitted free. No mathematician or statesman can show, by figures or otherwise, that the consumers would be able to buy the product of the iron manufacturer at a price that would save them the amount of duty paid on the iron ore from which it was produced. The manufacturers would be the gainers to the extent they did not pay a duty on iron ore, and the taxpayers would be compelled to make good the loss in the revenues. It would seem that to give the manufacturer free iron ore and protection on his manufactured product is the bestowal of a double blessing in the way of protection. At the time the Democratic party declared in favor of free raw material it was demanding that there should be a radical reduction in the duties on the manufactured product, the idea being that the manufacturer could stand the reduction on the manufactured product if he could get the raw material at a reduced price, and by that process enable the consumer to buy the product of the mills and factories cheaper.

No such reduction in the manufactured product has been made in the bill under consideration, nor will any subsequent reduction be made thereby; hence, the scheme has failed. It is folly to proclaim that duties are too high, that the manufacturers are overprotected, and then allow the duties which give protection to remain and pretend to give relief to the consumers by giving the favored manufacturers their raw material free, for in doing so there is an addition to his protection. The giving of free raw material does not compel the manufacturer to sell the manufactured product at a reduced price. It does not produce competition in the manufactured article. There may be cases where an exception to this rule should be recognized, as in the cases of monopolies. If the raw material in this country was controlled by a monopoly, or the finished product was so controlled, I should be inclined to vote in a way so as to destroy such monopoly. This statement brings me to the real question I arose to discuss.

As no Democratic Senator voted against placing iron ore on the dutiable list because 25 cents per ton was in excess of a revenue duty he must have been influenced to do so by some other cause. The junior Senator from Maryland [Mr. SMITH] did so because he was under the impression that the United States Steel Corporation wanted a duty on iron ore and the independent concerns wanted it free of duty. At the time I voted to place a duty on it, I did not know the wishes of the United States Steel Corporation or those of the independent concerns, as no one representing either had interviewed me upon the subject.

I was influenced entirely by the consideration that, as the Government needed the revenue, it was better to place the amounts that would result from a duty collected on iron ore in the depleted Treasury that must be replenished than to place it in the pockets of the United States Steel Corporation or those of the independent producers of iron or steel. After the junior Senator from Maryland [Mr. SMITH] made a statement as to what induced him to vote for free iron ore, I began a little investigation to see if I had made a mistake in casting my vote. I think I owe it to the country and to the Members of this body to give the result of my investigations. Mr. Joseph G. Butler, jr., represented before the Ways and Means Committee the independent iron-ore producers and 90 per cent of the manufacturers of merchant pig iron. After learning this fact, I approached him in quest of information. He answered my inquiries, and I requested him to do so by letter, which he did. I send to the Clerk's desk a copy of his letter and ask that it be read.

The VICE-PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

YOUNGSTOWN, OHIO.

MY DEAR SENATOR PAYNTER: Referring to our conversations of Thursday and Friday last, I write to say that at a meeting of iron-ore producers and merchant pig-iron manufacturers held in New York City on November 24, 1908, I was selected to represent the above interests and appear before the Ways and Means Committee.

At subsequent meetings, held on March 24 and on April 14, this authority was confirmed and continued, and at the last-named meeting there was added to the committee Mr. F. S. Witherbee, Mr. Leonard Peckitt, and Mr. J. H. Frantz.

Briefs were submitted on January 20, 1909, March 30, 1909, and April 29, 1909, and copies sent to all the United States Senators.

* * * * * * *

The independent iron-ore interests which I represent believe that the duty of 25 cents per ton as fixed in the Senate Finance bill is fair and equitable, and it meets with the approval of all the independent producers of iron ore and more than 90 per cent of the manufacturers of merchant pig iron. I consider, and the independent interests I represent believe, that it is inconsistent for the manufacturers of iron and steel in this country to ask and insist upon iron ore coming in free of duty and at the same time insist on their finished product bearing duty.

The assertion has frequently been made in the United States Senate that the United States Steel Corporation owns 80 per cent to 85 per cent of the iron ore in the United States. This statement is absolutely untrue, and I am hoping to be able to send you within a very few days a statement showing as nearly as it can be estimated the amount of available ore by districts in the United States and the ownership therein of the United States Steel Corporation.

I can say frankly now that in my judgment the United States Steel Corporation, I do not believe, owns more than 25 per cent of the iron ore in the United States, and I hope, when I obtain further figures added to those now in my possession, that I may be able to write you and give you a very close estimate.

I will be pleased to have your acknowledgment of this letter.

J. G. BUTLER, Jr.

Hon. T. H. PAYNTER,
Washington, D. C.

Mr. SMITH of Maryland. The statement I made was not that the United States Steel Corporation owned 80 or 85 per cent, but it was that it controlled 80 or 85 per cent of that west of the Allegheny Mountains. I did not state that they owned that much, but that they controlled it, which is a very different proposition.

Mr. PAYNTER. I did not quote the Senator at all upon that proposition.

Mr. SMITH of Maryland. This letter does.

Mr. PAYNTER. This letter does not quote the Senator from Maryland at all, and I was not pretending to give the words, but to give the effect of his statement as to what induced his vote on that question, not with a view of criticising the Senator from Maryland, but to show one of the considerations that influenced Senators upon the question.

Rogers, Brown & Co., whose principal office is in Cincinnati, conducts the largest iron-commission business in the world; they belong to the class known as the "independent" producers of iron, and are interested in 10 different furnace stacks.

I think their output is over 3,000 tons daily, and so I sought from them some information upon this subject, and in response to it I have this letter, which I send to the clerk's desk and ask to have read.

The Secretary read as follows:

ROGERS, BROWN & CO.,
Cincinnati, May 25, 1909.

Hon. T. H. PAYNTER,
Washington, D. C.

DEAR SIR: We most respectfully call your attention to the proposed reduction in the duty on iron ore. It has been expected that the tariff would be reduced and the iron men generally of the country have conceded that a cut of 15 cents per ton, from 40 cents down to 25 cents, could be made without serious detriment to the mining interests of the United States, and at this figure during the coming years the revenue to the Government may possibly be increased somewhat.

There seems to be an impression that any duty retained on ore will inure to the special benefit of the Steel Corporation, and that the independent interests of the country might be helped if the duty was entirely removed. The fact is, however, that during recent years the independent companies have made the bulk of the pig iron for the open market and have to a large extent interested themselves in ore properties and have put up many millions of dollars to develop them so that they would have sources of supply.

The furnace companies in which we are interested, with 10 different stacks, located in Illinois, Ohio, New York, and Pennsylvania, formed a company some time ago with $1,000,000 capital, and since then have formed another with $300,000 capital for the purpose of developing mines in the Lake Superior district. The Empire Steel and Iron Company, in Pennsylvania, of which the writer is a director, owning 8 blast furnaces, has spent a large amount of money also in developing local ore mines for its own use, and what we have done has been done by other blast-furnace people on a large scale.

While the Steel Corporation may be benefited by a duty on ore, its position is such that we believe it can do business at a profit at prices which would put the rest of us out of the running, and it is in behalf of the independents that we are writing you.

So far as we are able to learn free ore might help a few of the steel plants that have blast furnaces located on the seaboard or in the extreme East, who would draw their supply from Cuba and other points where they could get their mining done at prices for labor impossible in this country. If reports are true, those parties can well afford to pay a duty of 25 cents per ton on the ores they may bring in from Cuba and Spain, and the Government, we believe, is justly entitled to that amount of revenue from the ore imported. There is certainly no reason why the United States should foster and help develop mines in

other countries and by so doing either shut down the mines here or force a radical cut in wages.

We believe that a duty on ore is a legitimate means of raising money to help pay the expenses of the Government, and that it is a tax that is borne in a very slight degree, if at all, by the workingmen of this country, while to the extent that it increases our mining interests at home it is a direct benefit to the working classes.

We trust you may find it consistent to vote for a duty of 25 cents per ton on ore.

There has been considerable discussion about reducing the rate on imported scrap down to 50 cents per ton. This has apparently been brought about by the efforts of a comparatively few consumers in the East, who get protection on their manufactured output, but who desire to get their so-called "raw material" free. We believe that an investigation of this subject will convince you that as scrap is used in the place of pig iron it should bear the same rate of duty that may be fixed on pig iron, which we trust will not be less than $3 per ton.

Kindly pardon us for writing you at such length, but these matters directly concern hundreds of thousands of employees and many millions of dollars that have been invested by the manufacturers.

Very truly, yours.

ROGERS, BROWN & CO.,
By D. B. MEACHAM.

Mr. PAYNTER. From this letter it appears that Mr. D. B. Meacham, a member of the firm of Rogers, Brown & Co., is also a director in another corporation which owns some furnaces. These letters not only show that the independent iron manufacturers, except a few along the Atlantic coast, did not want free iron ore, but were of the opinion that it was inconsistent to ask for free iron ore and, at the same time, receive ample protection on their manufactured product. I regard the letters which I have had read as a valuable contribution to the discussion of the question, and that they will serve a useful purpose to preserve historical accuracy.

I hold in my hand an article from the Manufacturers' Record of May 27, 1909, which gives some very interesting information on the subject of iron ore. It is stated that the Spanish-American Iron Company (the stock of which is owned by the Pennsylvania Steel Company) owns 27,000 acres of iron-ore-bearing lands in Cuba; that the ore beds average from 10 to 19 feet in thickness; that it is estimated they contain 600,000,000 tons; that the ore can be mined and put on the cars with a steam shovel at a cost of 10 cents per ton; that the Pennsylvania Steel Company is under contract with the Spanish-American Company to take not less than 1,000,000 tons per annum, and that the Pennsylvania Steel Company is owned by the Pennsylvania Railroad Company and the Reading Company.

It also appears that the Bethlehem Steel Company, headed by Charles M. Schwab, owns a quantity of ore-bearing lands in Cuba equal in quantity and richness to that of the Spanish-American company, and that Mr. Carnegie is said to be backing the latter concern. The aggregate quantity of iron ore owned in Cuba by the two concerns named is said to be equal to the holdings of the United States Steel Corporation in the Lake Superior district.

The Pennsylvania Steel Company and the Bethlehem Steel Company might, perhaps, want free iron ore, because if they import as much iron ore as is predicted by the Manufacturers' Record they would save making a yearly contribution to the United States Treasury of the sum of $500,000, while the consumers of iron would not be benefited by granting them such privilege.

I ask to have the article from the Manufacturers' Record printed with my remarks, without reading.

Mr. BACON. Let it be read.

Mr. PAYNTER. It is a pretty long article, and I dislike to interrupt the proceedings of the Senate to that extent.

The VICE-PRESIDENT. Without objection, the article will be inserted in the RECORD.

The article referred to is as follows:

POSSIBLE RESULTS THAT WOULD FOLLOW A REDUCTION OF DUTY ON IRON ORE.

[Reprinted from Manufacturers' Record, May 27, 1909.]

The Pennsylvania Steel Company is under contract with the bondholders of the Spanish-American Iron Company to import not less than 1,000,000 tons of Cuban ore annually. This contract was made when the bonds of the Spanish-American Iron Company, the stock of which is owned by the Pennsylvania Steel Company, were sold to the public last year. Thus, regardless of whether the duty on these ores be 25 cents or 75 cents a ton, this million tons will come into the country. The agreement was that the Pennsylvania Steel Company would "take and pay for a minimum of 1,000,000 tons of ore annually." The aggregate might run far beyond 1,000,000 tons. There is no condition to the contract with relation to the question of duty. With an estimated quantity of 600,000,000 tons of high-grade ore which can be mined by steam shovels at a very low cost, a duty of 75 cents a ton would no more interfere with the importation of this ore than would a duty of 25 cents a ton. The contract stands without any loophole, and, as the Pennsylvania Steel Company is practically owned by the Pennsylvania Railroad and the Reading Railroad, there is ample financial backing to carry out not only this contract but any other contract that this company might desire to make. This ore is a great bed, covering many thousands of acres. It has no overburden and can be scooped up by steam shovels as easily as could a bed of gravel. A large contractor who has made a personal study of it says the ore can be put on the cars at a cost of 10 cents a ton for the steam shoveling. The Pennsylvania Company owns 27,000 acres of it, averaging 18 to 19 feet thick, and fully tested by thousands of drill holes.

Mr. Charles M. Schwab in his testimony before the Ways and Means Committee of the House of Representatives stated that the Bethlehem Steel Company had ceased to use domestic ore and was using nothing but Cuban ore. With a view to the use of Cuban ore the Bethlehem Steel Company has within the last year or two expended $17,000,000 or $18,000,000 in building new furnaces and in the enlargement of its plant. When this vast expenditure was made there was no reason to suppose that there would be any reduction in the duty on iron ore. In fact, Mr. Schwab at the same time testified that Cuban ore could be landed on the Atlantic coast and carried by rail to Pittsburg and delivered there as cheaply as Lake ores. His company claims to own as much Cuban ore as the Pennsylvania Steel Company has definitely proved up, or a minimum of 600,000,000 tons.

These are interesting facts previously published in the Manufacturers' Record, but they are worth repeating. With the Pennsylvania Steel Company committed to the use annually of 1,000,000 tons of Cuban ore as a minimum, and with the Bethlehem Steel Company spending $17,000,000 or $18,000,000 on the enlargement of its plant with a view to using Cuban ores exclusively, these two concerns would necessarily have to consume about 2,000,000 tons of Cuban ore as a minimum. They could afford to do so even with a duty of 75 cents a ton and thus add to the revenue of the Government to that extent. These two vast concerns—one backed by the Pennsylvania and the Reading railroads and the other supposedly backed by Mr. Carnegie—own, according to their own statements, about 600,000,000 tons each of Cuban ore, or in the aggregate about as much as the Steel Corporation is supposed to own in the Lake Superior district, even including the ores leased from Mr. James J. Hill and the Great Northern Railroad. These ores are mined in Cuba by poorly paid labor as compared with the wages of American miners. They are delivered on the Atlantic coast by water transportation. To the extent of the needs of these two companies these ores will be brought to this country, even if the duty should be 75 cents a ton. Moreover, on all of the finished products made out of these ores and exported there is a drawback of 99 per cent of the duty on the ores, so that the foreign trade of these two companies, already very large, would reduce the actual amount of duty paid by them to practically nothing on their foreign shipments. A reduction of the duty to 25 cents a ton would simply to that extent increase the value of the holdings of these two companies and give them the whip handle over the independent iron and steel people who are not so fortunate as to own Cuban ores.

It is not at all improbable that if a reduction of the duty on ore could be brought about these two companies might be in a situation to practically force a deal by which the United States Steel Corporation, in order to secure their vast holdings of iron ore, might be willing to pay them almost fabulous prices for their properties. Should this be done, the Steel Corporation would be still further strengthened in its iron-ore holdings and would then have a complete mastery practically of the world's iron and steel trade, and the independent iron and steel people in the North and West and South would then be able to live only by sufferance. Those who have been favoring free ore or a reduction might in this case be proven by time to have been working, wittingly or unwittingly, for the benefit of the Steel Corporation.

With vast supplies of ore in the South awaiting development, why should this section or any other part of America be willing to injure itself by voting for a reduction of the duty on ore simply to benefit the Pennsylvania and Reading railroads as owners of the Pennsylvania Steel Company and the Bethlehem Steel Company, which, judged by all indications, is being financially backed by Mr. Carnegie? On the strictly revenue-producing basis, a fairer basis of duty on iron ore would be 75 cents a ton instead of 25 cents. The Pennsylvania Steel Company, the Bethlehem Steel Company, and their allied interests, who are working for free ore for their own profit, regardless of the welfare of others, are injuring the whole iron and steel trade of the country by giving ground for the growing feeling that the duty on finished products should be reduced just as largely as the duty on the ore. They stand to lose far more in this way than they will gain by a reduction on ore, unless, perchance, their fight should result in forcing the Steel Corporation to buy them in order to control their ores. This would be a disaster to the whole country, for every section would feel its dire effects.

Mr. PAYNTER. Mr. President, I have said all I desire to say on this subject.

The VICE-PRESIDENT. The question is on agreeing to the substitute offered by the Senator from Missouri for the substitute offered by the Senator from Rhode Island.

Mr. KEAN. Let it be read.

The SECRETARY. After the figure "190," numbering the paragraph, strike out the remainder of the paragraph and insert:

Zinc in blocks or pigs; zinc, old and worn out, fit only to be manufactured; oxide of zinc in whatever form or combination; and all manufactures made wholly of zinc, or of which zinc is a material component, shall be admitted free of duty.

Mr. KEAN. I should like to ask the Senator from Missouri what is the object of the amendment?

Mr. STONE. The amendment speaks for itself.

Mr. ALDRICH. It seems to be perfectly clear and definite to my mind.

Mr. KEAN. I supposed it was for no other purpose than to try to put a duty on zinc ore.

Mr. STONE. Mr. President, zinc ore under existing law is on the free list. The House bill, known as the "Payne bill," fixed a duty on the zinc content of ore at 1 cent per pound. The amendment proposed by the Finance Committee provides for a graduated scale. If the amendment I offer should be agreed to, it would leave zinc ore still on the free list, and would in addition send the chief manufactures of zinc to the free list also, to keep company with the ore.

Mr. President, since this question has been under consideration by the committees of the two Houses there have been some powerful interests at work here to keep zinc ore on the free list. What is commonly known as the "zinc trust," located

in New Jersey, has been very persistent in the advocacy of free ore, and others have joined in that contention. I wish now to put these interests, and those who agree with them, to the test. I propose to leave zinc ore on the free list if the chief products of zinc shall also be placed on the free list. Are you willing to do that? If so, then vote for my amendment. Why should not that be done?

Mr. President, zinc mining represents a very large investment of both capital and labor. Moreover, the business of zinc mining is precarious; it involves more of chance as an investment than does the business of zinc manufacturing. It costs a large amount to prospect, to drill, to sink shafts, and to operate mines. The element of chance is always present, for there is always a probability of a quick exhaustion of the mine even after its development. And then the number of men employed as miners is very large, running into many thousands, and the perils of this class of labor are too well known to be elaborated. Whenever a miner goes down a shaft to do his day's work he takes his life in his hands, and the repeated disasters resulting in the loss of life and limb too well illustrate the hazardous character of this employment. The risk to investment in manufacturing is less, and the risk of life and limb to those employed in manufacturing is less. You could not run your zinc mills if there were no miners. Why should the mill be given a preference over the mine? If those who purchase and utilize the products of the mines want free ore I am willing that they shall have it on condition that the products of the mills shall be put upon an equal footing with the products of the mines.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. STONE. Certainly.

Mr. KEAN. I merely want to ask the Senator from Missouri if they do not have free zinc at the present time?

Mr. STONE. If the Senator from New Jersey is asking for information, if he does not know, I will inform him that under the present law zinc ore comes in free of duty.

Mr. KEAN. And has anyone suffered by reason of it?

Mr. STONE. There are many who think they have suffered by reason of it.

Mr. KEAN. But has the Senator been able to find anyone who has suffered by it?

Mr. STONE. I have found many who say they have.

Mr. HUGHES. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. STONE. In a moment; as soon as the Senator from New Jersey has completed his inquiry.

Mr. KEAN. I only wanted to say to the Senator, as representing a State that produces more zinc ore than any other State, that we have never suffered from foreign importations, nor are we in favor at the present time of a duty on zinc ore. We have never had any suffering because of the importation of zinc into this country, because the country at the present time does not produce sufficient to meet the demand.

Mr. STONE. Mr. President, I do not care now to discuss the question suggested by the Senator from New Jersey. That would be foreign to my present purpose. If my amendment is disagreed to, I may then have something to say about the supply and consumption of zinc in this country. I can better do that when I discuss the amendment proposed by the Finance Committee fixing a duty on zinc ore, which will come up if my proposition is voted down. What I am now striving to do is to get free zinc manufactures as well as free zinc ore for the benefit of American consumers.

Mr. KEAN. I am perfectly willing that the amendment of the Senator from Missouri shall be disposed of at any moment.

Mr. STONE. Very well; so am I. And so, Mr. President, I close by saying that if zinc ore is to be kept on the free list at the behest of this great New Jersey concern—aye, if it is desired to have the product of the Missouri zinc miner free, I will consent if you will also make free the products of your New Jersey mills. I am willing; are you? I am ready to vote.

Mr. BURTON. Mr. President, I desire to present an amendment.

Mr. KEAN. I suggest to the Senator from Ohio that we might as well dispose of the amendment of the Senator from Missouri.

Mr. BURTON. I merely wish to have it stated.

The VICE-PRESIDENT. Is it an amendment to the amendment of the Senator from Missouri?

Mr. BURTON. It is not. I ask that it be stated so that it may be understood.

The VICE-PRESIDENT. Without objection, the amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. It is proposed to strike out the whole of paragraph 190.

The VICE-PRESIDENT. Of course the paragraph must be perfected before a motion to strike out is in order. The question is on agreeing to the substitute offered by the Senator from Missouri [Mr. STONE] to the substitute offered by the Senator from Rhode Island [Mr. ALDRICH].

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLINT (when his name was called). I again announce my pair with the senior Senator from Texas [Mr. CULBERSON] and the transfer of that pair to the senior Senator from New York [Mr. DEPEW]. I vote "nay."

The roll call was concluded.

Mr. GAMBLE (after having voted in the negative). I voted "nay," but there seems to be some misunderstanding about my pair with the junior Senator from Indiana [Mr. SHIVELY]. I will withdraw my vote. It was my understanding that the pair terminated this morning.

Mr. MONEY. My colleague [Mr. MCLAURIN] is absent and is paired with the junior Senator from Michigan [Mr. SMITH]. If my colleague were present, he would vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I inquire if the senior Senator from South Carolina [Mr. TILLMAN] has voted.

The VICE-PRESIDENT. The senior Senator from South Carolina has not voted.

Mr. DILLINGHAM. Then I will withdraw my vote, having a general pair with that Senator.

The result was announced—yeas 16, nays 49, as follows:

YEAS—16.

Bacon	Davis	Money	Simmons
Chamberlain	Fletcher	Overman	Smith, S. C.
Clay	Foster	Owen	Stone
Daniel	Martin	Paynter	Taliaferro

NAYS—49.

Aldrich	Clapp	Gallinger	Page
Borah	Clark, Wyo.	Guggenheim	Perkins
Bourne	Crane	Heyburn	Piles
Brandegee	Crawford	Hughes	Root
Briggs	Cummins	Johnson, N. Dak.	Scott
Bristow	Curtis	Jones	Smoot
Brown	Dick	Kean	Sutherland
Bulkeley	Dixon	Lodge	Warner
Burkett	Dolliver	McCumber	Warren
Burnham	du Pont	McEnery	Wetmore
Burrows	Elkins	Nelson	
Burton	Flint	Nixon	
Carter	Frye	Oliver	

NOT VOTING—26.

Bailey	Depew	La Follette	Smith, Md.
Bankhead	Dillingham	McLaurin	Smith, Mich.
Beveridge	Frazier	Newlands	Stephenson
Bradley	Gamble	Penrose	Taylor
Clarke, Ark.	Gore	Rayner	Tillman
Culberson	Hale	Richardson	
Cullom	Johnston, Ala.	Shively	

So Mr. STONE's amendment to the amendment was rejected.

The VICE-PRESIDENT. The question is on agreeing to the substitute offered by the Senator from Rhode Island.

Mr. CURTIS. I should like to have read at this time a resolution of the legislature of the State of Kansas on this subject.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

House concurrent resolution 25 relating to tariff on zinc ores—Westcott.

Resolved by the house of representatives of Kansas (the senate concurring therein):

Whereas a large amount of the spelter manufactured in the United States is produced from ores mined in the State of Kansas; and

Whereas no zinc ore was imported prior to the year 1905, and during the last four years over 200,000 tons of Mexican zinc ores have been imported, which ores are produced by peon labor at one-third the cost of producing ores in the State of Kansas; and

Whereas the result of said importations of foreign ores is the curtailment of development and operation of zinc mines in the State of Kansas, and has recently resulted in the material reduction of wages, throwing out of employment a large number of wage-earners and the closing of many zinc mines in this State; and

Whereas no tariff, up to the present time, has been asked on zinc ores, owing to the fact that no foreign ores have been imported until recently; and

Whereas for the last forty years lead ore has been subject to an adequate tariff duty, the result of which is that the State of Kansas is to-day one of the largest lead-producing States in the Union, and since the cost of producing lead ore and zinc ore in the State of Kansas is the same: Now therefore be it

Resolved by the house of representatives (the senate concurring therein), That we favor a just and equitable import duty on all zinc ores, and that we request our Senators in the Senate of the United States and our Members of Congress to work and vote for such legislation as will save this important industry from destruction and produce a substantial revenue to the Government.

The above concurrent resolution was offered in the house, rules suspended, emergency declared, read second time, and adopted February 11, 1909. Message to senate read first time, rules suspended, emergency declared, read second time, and adopted February 11, 1909.

J. N. DOLLIER,
Speaker of House.

Attest:
W. T. BECK,
Chief Clerk of House.

W. J. FITZGERALD,
President of Senate.

Attest:
Z. E. WYANT,
Secretary of Senate.

Mr. SCOTT. I desire to have read a very short communication from the president of one of the largest foundries in this country, who had a contract to furnish the foundry work of the Pennsylvania Railroad Company in their effort to get into New York City.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

(Copy of telegram.)

CHICAGO, ILL., *April 14, 1909.*

WHEELING MOLD AND FOUNDRY COMPANY,
Wheeling, W. Va.:

If proposed tariff on zinc ores, hitherto admitted free of duty, is passed, it will make it impossible for us to operate intended plant. Are therefore obliged to ask that you cancel our contract for construction material.

MINERAL POINT ZINC CO.

WHEELING MOLD AND FOUNDRY COMPANY,
Wheeling, W. Va., April 15, 1909.

Hon. N. B. SCOTT,
United States Senate, Washington, D. C.

DEAR SIR: Inclosed please find copy of telegram received to-day, which is self-explanatory.

I will not go into the merits of tariff or free trade. That is too big a subject, but I will say that unless you have positive proof that a whole lot of good can be accomplished by changing the tariff I think it is a great mistake to agitate the subject.

This country, as far as I can see, has been, on an average, about as prosperous as any other in the world under the present tariff. It is, of course, all right to correct a real evil, but I do not see any use in disturbing things just for the sake of a change, especially when the first effect of such a change is from bad to worse usually.

Very respectfully, yours,

C. E. BLUE.

Mr. SCOTT. Without reading, I ask that the following letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WHEELING CORRUGATING COMPANY,
Wheeling, W. Va., April 24, 1909.

Hon. N. B. SCOTT,
Washington, D. C.

DEAR SENATOR: For our annual production of about 50,000 tons of galvanized sheets, galvanized roofings, and galvanized household ware we require 6,000 to 8,000 tons of spelter (zinc), or about 3 per cent to 4 per cent of all the zinc smelted in this country; and understanding that the Payne bill as it now stands provides for a duty of 1 cent per pound on the zinc contents of zinc ores, we ask that you use your influence to have these ores admitted free, or, at the most, with not more than one-fourth cent per pound tariff.

If the 1-cent rate becomes effective, it will be very hard on us, for under normal business conditions this country can not, so we understand and believe, produce enough ore to meet the demand for spelter, and, therefore, the importation of foreign ores is absolutely necessary, and it follows that the price of spelter will be very high, working a double hardship on us through having to pay a higher rate for spelter and having a lower rate fixed on galvanized sheets which are coated with it.

If a 1-cent per pound tax is levied on the zinc contents of foreign ores, it will probably mean an increase of about $25 per ton in the price of spelter, and this would make an increased cost on galvanized sheets of $4 to $5 per ton, and on galvanized ware, such as pails, tubs, and similar household articles, of $6 to $9 per ton.

We believe in the protection of American labor, but a duty of 1 cent per pound on the zinc contents of zinc ores will protect labor beyond all reasonable bounds, and back of this movement for this much of a duty are the mine owners, who own the zinc-bearing ground and charge all the way from 20 per cent to 25 per cent royalty on all ores taken from it. It is this outrageous tax levied by the mine owners that is working such a hardship on the actual miners, and it is the mine owners, not the miners, who will get most of the benefit if this proposed duty is made effective; but irrespective of who may receive the benefit of such an unnecessarily high duty, there is no doubt but what we will be very seriously injured. Therefore, if you can consistently use your influence in our behalf, it will be very much appreciated. We are to-day writing to Senator ELKINS and Mr. HUBBARD upon the same subject.

Because a large part of the spelter we use is consumed at our Martins Ferry (Ohio) works, we think it quite likely that the Senators from Ohio may feel disposed to work with you toward permitting foreign ores to be brought in free, or at the most with a duty of not more than one-fourth cent per pound on the zinc contents of zinc ores levied against them.

Very truly, yours,

WHEELING CORRUGATING COMPANY,
ALEX. GLASS, *Secretary.*

Mr. BURTON. Mr. President, it is hardly possible to frame a tariff act which will be entirely satisfactory to a majority or even to any of those who support it. Such a measure must include so great a variety of interests and of items that it must necessarily, to a considerable degree, be the result of compromise.

In my own judgment, the most objectionable feature which is likely to appear in the pending bill is the relation between raw materials and the finished product. Every country—at any rate, every European country—of advanced economic development has shown a general tendency toward freer raw material and, for the most part, to lower duties on food products and the elementary materials of life. For instance, seventy years ago there was a duty on wheat, or corn, as they call it in Great Britain, which was adjusted according to the price; it might reach a maximum of 77 cents per bushel. There was a similar duty on other kinds of grain. These duties have all been abolished.

There was also a duty on almost every variety of ore. But the duties on ores have not only been abandoned in England, but in France and Germany, so that zinc ore, lead ore, iron ore, and other like materials for manufacture all enter free of duty.

It should be stated also that in those countries, as compared with our own, there is a scarcity of these articles, a fact which affords some arguments for and some arguments against a duty here, though it certainly should be said that with the great abundance in our own country there is not the same basis for a protective duty on these ores as would be afforded by the conditions in Germany and France, or even in England.

I desire to state briefly some illustrations of the relation between raw and finished material in the pending bill. The duty of 1¼ cents on lead ore is figured at 78.8 per cent. The duty on white lead is about 50 per cent. On pig lead and other less advanced forms it is somewhat less than that. So here the duty on the raw ore is twice as great as the average duty on the finished product.

This proposed duty furnishes a more serious incongruity than that, for if the duty proposed in this paragraph is adopted, the ad valorem rate of duty on zinc ore will approximate 84 per cent, while the duty on the spelter, or pig zinc, will be slightly in excess of 20 per cent. Such a difference is not only an incongruity; it is an absurdity; because with every improved process by manufacture there is an increment of labor; an increased investment of capital is required, and an additional duty is demanded. That is the general rule running through this tariff bill and through every other tariff bill which has stood the test.

I do not deny that there should in some cases be duties on raw materials; that those which exist should be continued at lesser or greater rates; and that where a valid reason exists, even in case one has not already been imposed, one might be imposed. This statement, however, should be coupled with another, to the effect that the whole tendency in the most rational tariff legislation has been toward the removal of duties on raw materials.

Whatever may be the general principle, there is no justification whatever for a duty on zinc ore. Why is it needed? I want to give a few facts and figures. In the year 1900 the average price of ore at the Joplin mines was $26.50 per ton. The average price in 1907 was $44.36 a ton. Here was an increase in value in seven years of 67 per cent, or approximately from $26 to $44.

In 1897, when the Dingley bill was passed, the price at Joplin was $22.28. In 1894 it was $13.60. In thirteen years the price as compared with 1894 increased from $13.60 to $44.36, or to more than three times as much. Under these circumstances what need is there of any duty?

What is the reason for this increase in price? It is because of the healthy development of the industry of smelting zinc into spelter and into zinc sheets, and the very large use of these zinc products for brass, which requires about 16 per cent of the zinc made in the country; for galvanizing iron and steel, which requires about 65 per cent; and for zinc sheets, requiring about 13 per cent.

The industry of manufacturing spelter is protected by a duty of 1¼ cents for the zinc spelter or pig zinc, and 2 cents per pound for the sheet zinc. The price of the spelter has been slightly higher than that in the foreign market, usually about one-half of a cent per pound, thereby showing very conclusively that there has been no trust or combination in this business, because the producers have not taken advantage of the duty of 1¼ cents in the price which they have charged.

It will be noticed that the production of spelter has increased altogether out of proportion to the increase in zinc ore. Zinc ore in the Joplin district was worth, in 1900, $26.50, as I have said; and it is now worth $44.36. The mining or production has increased from 248,000 tons to 286,000 tons. The spelter produced in the United States has increased from 123,000 tons to 249,000 tons. It will thus be noticed that the Joplin ore has

increased in production only 15 per cent, while the production of spelter has increased 102 per cent. One has increased not quite one-sixth—that is, the ore—while the spelter has more than doubled.

This explains the increase in price. The manufacturers of the spelter have found it difficult, if not impossible, to obtain a sufficient supply in this country. While their production has doubled, their prices have increased only 35.8 per cent, as against an increase of 67 per cent in the price of the ore. That made it necessary to obtain sources of ore from other States or countries.

It is true this amendment differs somewhat from the House bill in the lower grades up to 25 per cent. There is a lower duty on the zinc contents, but that means nothing to the smelting trade. It may mean something to the manufacturer of zinc oxide, but in the manufacture of spelter anything under 20 per cent is mere dust; it is not available for the manufacture of zinc, and no ore under about 30 per cent can be profitably utilized for the manufacture of zinc spelter.

It has been necessary to go further afield, to go to Mexico and to other places, to obtain supplies of this ore. The manufacturers of zinc have not gone there because they desired to. Why? The Joplin or Missouri ore contains about 60 per cent of pure zinc; the Mexican ore only 30 to 35 per cent. That means that the cost is nearly twice as great in the smelting of the ore into the zinc. It means, in the next place, as against the whole proposition of imported Mexican ore, that they must pay $6.50 a ton for bringing in the ore from Mexico. It would seem that this alone was protection enough for domestic producers, the cost of freight on 3 tons or more of ore from Mexico amounting to $19.50.

So notwithstanding this rising market, in which zinc ore has increased from $13.60 in 1894 to $44.36 in 1907, they are not able to obtain sufficient for the smelters in the United States, and the owners of smelters have been forced to go outside. They have built up this business; they have increased the demand; and now what is the proposition pending here before you? Because these smelters have increased the production of zinc ore, because by their industry they have raised the price threefold, they must be fined for what they have accomplished by the imposition of a duty which will make their business not only much less prosperous, but perhaps absolutely unprofitable.

Mr. President, I protest against this. If it was an ore, or grain, or any raw product that was going down in price, if it was an article that merely held its own in price, or where the cost of labor had greatly increased, there might be some justification for putting on a duty; but when the price has increased so largely contemporaneously with an insufficient supply there is no justification whatever for placing this ore on the dutiable list.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER (Mr. ROOT in the chair). Does the Senator from Ohio yield to the Senator from Montana?

Mr. BURTON. Certainly.

Mr. DIXON. The Senator from Ohio states that the freight on the Mexican ore of $6 a ton ought to be protection enough. Applying the same rule, would not the freight on the Mexican spelter be protection enough for the spelter in this country?

Mr. BURTON. In the first place the spelter weighs only a third as much as the ore, and thus it could be transported much more readily; but I take it the Senator from Montana does not want to have the industry transferred to Mexico.

Mr. DIXON. The Senator from Ohio is perfectly right. Neither do I want the industry of mining zinc ore transferred to Mexico. I think that one position is just as tenable as the other.

Mr. BURTON. Mr. President, I have already shown—and I think the Senator from Montana will readily agree with me—that it is no desire to go to Mexico that has caused this importation, but it is because of the scarcity of the local supply; and the only effect of imposing this duty will be to raise the price to unusual figures.

What will be some of the results of this? First of all, there is a liability that this industry will be transferred to other countries, a liability that the ore of Mexico and of other countries may be taken to Belgium, and there made into spelter, and brought into the United States; for, when you raise the price of this ore beyond a certain figure, it is no longer profitable to reduce it in the United States.

But there is another fact in this connection which, it seems to me, is readily demonstrable—the very persons advocating this duty would find their object destroyed by its imposition. This is a great country of ours; we have metallic products, and when any one article reaches an unreasonable price, substitutes for it can be found. There are substitutes for sheet iron and for galvanized iron, such as the black iron, the terneplate; and if these prices go a little higher the demand for galvanized iron and the other products of which zinc is a part will fall off and other articles will take their place. Glass has been used as a substitute in certain cases. The imposition of this duty would mean that this article would rise in price out of all proportion to any other article in the metallic schedule; and, as it rises in price, and other articles do not show the same increase, the result will be that other metallic substances will be used in place of zinc and its price will fall. I make the prediction with entire confidence that if these prices continue rising—and they are increasing very rapidly now—the increased manufacture of zinc and the increased demand for it, which have both been characteristic of the trade in the last five or ten years, will experience a change; so that, instead of its being on an ascending plane, it will go on a descending plane.

There are some other things about the cost of zinc in this Missouri locality. I have received many letters from members of investing firms from my own State asking me to vote for this duty on zinc ore. What is the reason? An unusual number of mines, not all of them profitable for working, are being exploited by brokers and others. Again, an unduly high royalty is paid to the farmers or owners of the ground. It is in the first instance about 15 per cent of the value of the gross product.

Then, these leases, in which 15 per cent is the amount to be paid to the owner, have been frequently sublet. Each sublessee gets some added price—5 per cent more, then another 5 per cent—so that in some cases the price obtained by the owner of the fee is 25 per cent of the total gross value of the ore. I think I may challenge the citation of a case in this country where any mineral is mined and the percentage given to the owner of the ground is so large.

Mr. GUGGENHEIM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. BURTON. I do.

Mr. GUGGENHEIM. I am obliged to challenge the statement of the Senator from Ohio so far as the Rocky Mountain section is concerned.

I wish to remind the Senator that the conditions of which he speaks refer not to Colorado, but probably to Missouri. We do not pay such royalties in the Rocky Mountain mining region. Therefore the Senator's remarks should be confined to Missouri, and possibly to Kansas, in regard to the royalties.

Mr. BURTON. It is a very lean ore you have out there in Colorado, is it not?

Mr. GUGGENHEIM. We have a lean ore; and it is for that reason we require protection.

Mr. BURTON. Is it not true that the makers, both of spelter and oxide of zinc, have exploited some of those mines in the Senator's locality and given up trying to use them? I do not want to say anything derogatory to mines in the Senator's State, but I ask him if that is not true?

Mr. GUGGENHEIM. I will reply to that by saying that last year Colorado produced 25,000 tons of spelter, and that it is the second largest producer of zinc ore in this country. Therefore the Senator must be mistaken in his statement.

Mr. BURTON. Will the Senator not state whether they did not bring some of that ore in from outside the State?

Mr. GUGGENHEIM. There were no zinc oxide or sulphide ores brought from Mexico to Colorado. We are not dependent in Colorado on Mexican ores.

Mr. BURTON. It was brought in from States of the Union other than Colorado?

Mr. GUGGENHEIM. No. Most of the ore smelted in Colorado comes from Colorado mines; that is to say, zinc mines. The zinc manufactured is mined and mostly smelted in the State of Colorado.

Mr. BURTON. Do I understand the Senator from Colorado to say that 25,000 tons of ordinary zinc spelter were produced in his State, or were produced last year?

Mr. GUGGENHEIM. According to the statement of the Geological Survey for the year 1908, Colorado produced 24,885 tons of spelter, or about 150,000 tons of ore.

Mr. BURTON. Can the Senator state in what town that smelting is done?

Mr. GUGGENHEIM. Some of it is done in Canyon City and some in Pueblo, Colo.

Mr. BURTON. I must say to the Senator that I have not found those figures in any other work pertaining to the subject. I have the utmost respect for the Geological Survey, and they may be correct; but I have not found those figures elsewhere.

There is another phase of this question, to which I wish to call attention. This zinc ore is used very largely for galvanizing. There is a very large industry in the State of Ohio en-

gaged in the manufacture of galvanized sheet iron and sheet steel. I am receiving telegrams from those people to the effect that this rise in the cost of spelter, which has already occurred, increases very greatly the cost of galvanizing steel and iron sheets.

The average quantity of zinc used in galvanizing a ton of sheet steel or sheet iron is 325 pounds. This spelter has increased of late about $10 a ton, which means an increase per ton of their material, as they estimate, of nearly $2 a ton. There is a differential in paragraph 126 of this bill between ungalvanized and galvanized of two-tenths of a cent a pound. It was no doubt intended that a large share of that two-tenths of a cent would provide for additional labor; but if this duty is imposed the price of zinc will so increase that the actual difference in the material will be more than two-tenths of a cent a pound. So I must ask, if any duty is imposed, that the schedule with reference to galvanized iron shall be changed to meet the changed conditions.

Mr. President, the principle of protection does not demand that this duty be imposed. It is not a languishing industry; it is not an industry that requires a penny of duty to make it profitable and increasingly profitable in the years to come.

While its imposition will tend to destroy secondary industries which depend upon this for their raw material, the increase in price will also threaten not only a decrease in the quantity made, in the zinc that is smelted, and thus in the zinc ore which is taken from the mines, but the very decadence and almost destruction of the industry itself. I can hardly understand how those who are interested in zinc ore, who have certainly as profitable mining interests as any in the United States, the one that has shown the greatest increase in profits, should be coming here to Congress and asking for this absolutely unnecessary duty—a duty not only unnecessary to themselves, but hurtful to all the related industries. So I trust, Mr. President, that this paragraph will be stricken out of the bill, and that the law will be left as it is.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States, which will be read:

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clark, Wyo.	Gamble	Overman
Bacon	Clay	Gore	Page
Bailey	Crane	Guggenheim	Paynter
Bankhead	Crawford	Heyburn	Perkins
Borah	Culberson	Hughes	Piles
Bourne	Cullom	Johnson, N. Dak.	Rayner
Brandegee	Cummins	Johnston, Ala.	Root
Briggs	Curtis	Jones	Scott
Bristow	Daniel	Kean	Simmons
Brown	Davis	La Follette	Smith, Md.
Bulkeley	Dick	Lodge	Smith, S. C.
Burkett	Dillingham	McCumber	Smoot
Burnham	Dixon	McLaurin	Sutherland
Burrows	Dolliver	Martin	Taliaferro
Burton	du Pont	Money	Tillman
Carter	Elkins	Nelson	Warner
Chamberlain	Flint	Newlands	Wetmore
Clapp	Gallinger	Nixon	

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. A quorum of the Senate is present. The Secretary will read the message from the President of the United States.

The Secretary read as follows:

To the Senate and House of Representatives:

It is the constitutional duty of the President from time to time to recommend to the consideration of Congress such measures as he shall judge necessary and expedient. In my inaugural address, immediately preceding this present extraordinary session of Congress, I invited attention to the necessity for a revision of the tariff at this session, and stated the principles upon which I thought the revision should be effected. I referred to the then rapidly increasing deficit and pointed out the obligation on the part of the framers of the tariff bill to arrange the duty so as to secure an adequate income, and suggested that if it was not possible to do so by import duties, new kinds of taxation must be adopted, and among them I recommended a graduated inheritance tax as correct in principle and as certain and easy of collection. The House of Representatives has adopted the suggestion, and has provided in the bill it passed for the collection of such a tax. In the Senate the action of its Finance Committee and the course of the debate indicate that it may not agree to this provision, and it is now proposed to make up the deficit by the imposition of a general income tax, in form and substance of almost exactly the same character as that which in the case of Pollock v. Farmers' Loan and Trust Company (157 U. S., 429) was held by the Supreme Court to be a direct tax, and therefore not within the power of the Federal Government to impose unless apportioned among the several States according to population. This new proposal, which I did not discuss in my inaugural address or in my message at the opening of the present session, makes it appropriate for me to submit to the Congress certain additional recommendations.

The decision of the Supreme Court in the income-tax cases deprived the National Government of a power which, by reason of previous decisions of the court, it was generally supposed that Government had. It is undoubtedly a power the National Government ought to have. It might be indispensable to the Nation's life in great crises. Although I have not considered a constitutional amendment as necessary to the exercise of certain phases of this power, a mature consideration has satisfied me that an amendment is the only proper course for its establishment to its full extent. I therefore recommend to the Congress that both Houses, by a two-thirds vote, shall propose an amendment to the Constitution conferring the power to levy an income tax upon the National Government without apportionment among the States in proportion to population.

This course is much to be preferred to the one proposed of reenacting a law once judicially declared to be unconstitutional. For the Congress to assume that the court will reverse itself, and to enact legislation on such an assumption, will not strengthen popular confidence in the stability of judicial construction of the Constitution. It is much wiser policy to accept the decision and remedy the defect by amendment in due and regular course.

Again, it is clear that by the enactment of the proposed law the Congress will not be bringing money into the Treasury to meet the present deficiency, but by putting on the statute book a law already there and never repealed will simply be suggesting to the executive officers of the Government their possible duty to invoke litigation. If the court should maintain its former view, no tax would be collected at all. If it should ultimately reverse itself, still no taxes would have been collected until after protracted delay.

It is said the difficulty and delay in securing the approval of three-fourths of the States will destroy all chance of adopting the amendment. Of course, no one can speak with certainty upon this point, but I have become convinced that a great majority of the people of this country are in favor of vesting the National Government with power to levy an income tax, and that they will secure the adoption of the amendment in the States, if proposed to them.

Second, the decision in the Pollock case left power in the National Government to levy an excise tax, which accomplishes the same purpose as a corporation income tax and is free from certain objections urged to the proposed income-tax measure.

I therefore recommend an amendment to the tariff bill imposing upon all corporations and joint stock companies for profit, except national banks (otherwise taxed), savings banks, and building and loan associations, an excise tax measured by 2 per cent on the net income of such corporations. This is an excise tax upon the privilege of doing business as an artificial entity and of freedom from a general partnership liability enjoyed by those who own the stock.

I am informed that a 2 per cent tax of this character would bring into the Treasury of the United States not less than $25,000,000.

The decision of the Supreme Court in the case of Spreckels Sugar Refining Company against McClain (192 U. S., 397) seems clearly to establish the principle that such a tax as this is an excise tax upon privilege and not a direct tax on property, and is within the federal power without apportionment according to population. The tax on net income is preferable to one proportionate to a percentage of the gross receipts, because it is a tax upon success and not failure. It imposes a burden at the source of the income at a time when the corporation is well able to pay and when collection is easy.

Another merit of this tax is the federal supervision which must be exercised in order to make the law effective over the annual accounts and business transactions of all corporations. While the faculty of assuming a corporate form has been of the utmost utility in the business world, it is also true that substantially all of the abuses and all of the evils which have aroused the public to the necessity of reform were made possible by the use of this very faculty. If now, by a perfectly legitimate and effective system of taxation, we are incidentally able to possess the Government and the stockholders and the public of the knowledge of the real business transactions and the gains and profits of every corporation in the country, we have made a long step toward that supervisory control of corporations which may prevent a further abuse of power.

I recommend, then, first, the adoption of a joint resolution by two-thirds of both Houses, proposing to the States an amendment to the Constitution granting to the Federal Government the right to levy and collect an income tax without apportionment among the States according to population; and, second, the enactment, as part of the pending revenue measure, either as a substitute for, or in addition to, the inheritance tax, of an excise tax upon all corporations, measured by 2 per cent of their net income.

WM. H. TAFT.

THE WHITE HOUSE, *June 16, 1909.*

The PRESIDING OFFICER. Without objection, the message will be printed (S. Doc. No. 98) and referred to the Committee on Finance.

Mr. HEYBURN and Mr. GORE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho [Mr. HEYBURN] has the floor. He rose first, and has been recognized.

Mr. HEYBURN. I think I was recognized before the message was received.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. HEYBURN. For what purpose?

Mr. GORE. I wish to object to the reference. I should like to make a suggestion.

Mr. HEYBURN. I yield for the Senator to make his objection.

Mr. GORE. I desire to make a motion, Mr. President. I inquire if the Senator from Idaho has yielded?

The PRESIDING OFFICER. The Senator has yielded.

Mr. GORE. Mr. President, as I understand, the Chair proposed——

Mr. HEYBURN. I did not yield for remarks accompanying the motion. I thought the Senator merely desired an opportunity to object. I have the floor for the purpose of discussing another matter.

Mr. GORE. Mr. President, I did not want the announcement made that the message was referred, because I desired——

Mr. ALDRICH. It has already been referred.

The PRESIDING OFFICER. The reference has already been made, and the Senator from Idaho has been recognized upon another subject.

Mr. GORE. I was trying to get the attention of the Chair.

Mr. BACON. Mr. President, if you will pardon me a suggestion, the question of reference of a measure of any kind is always in the control of the Senate. It is the custom to yield that to the Chair, subject, of course, to the right of the Senate to decide that matter. I submit to the Chair that the Senator from Oklahoma was in time, because the Chair did not put any question with reference to it and there was no opportunity to make any objection.

Mr. HEYBURN. Mr. President, I had asked for and obtained recognition, if I am not entirely mistaken, before the message from the President was received.

Mr. BACON. Very well.

Mr. HEYBURN. And I merely yielded the floor for the purpose of having the message received and read.

The PRESIDING OFFICER. The Chair is of the opinion that the question of reference may be considered open. The Senator from Idaho [Mr. HEYBURN] had the floor. He yielded for the reading of the message, and if the yielding of the Senator from Idaho gave room for the reference of the message by consent, it gave room also for a motion regarding the reference or for an objection. So the Chair does not think that the question ought to be considered closed by the rather peremptory treatment of the subject, which is customary, and which ordinarily is treated as being subject to being open for any objection or motion. The Chair will recognize the Senator from Oklahoma for the purpose of making an objection to the reference of the message or a motion in regard to it.

Mr. GORE. Then, I move that the President's message just read be referred to the Committee on Finance, with instructions to that committee to report, on or before Friday next, a joint resolution proposing an amendment to the Constitution of the United States authorizing the levy and collection of an income tax in accordance with this message.

Mr. HEYBURN. I retain the floor, Mr. President.

Mr. McLAURIN. Is that debatable?

Mr. HEYBURN. If it is debatable, I have the floor.

Mr. McLAURIN. I understand.

Mr. ALDRICH. I move to lay the amendment upon the table.

Mr. GORE. I wish to modify the motion by striking out "in accordance with this message."

Mr. ALDRICH. I move to lay the motion on the table.

The PRESIDING OFFICER. The Senator will modify his motion in accordance with his own wishes. The question then will be upon agreeing to the motion of the Senator from Rhode Island.

Mr. ALDRICH. To lay the motion for instructions upon the table.

Mr. LODGE. To lay the motion for instructions upon the table.

Mr. GORE. Mr. President——

Mr. LODGE. That is not debatable.

Mr. GORE. Under the motion to table I have no right to discuss it, but by unanimous consent——

Mr. LODGE. The motion is to refer to the Committee on Finance. The Senator from Oklahoma proposes to amend it by adding instructions. The motion of the Senator from Rhode Island is to lay the amendment on the table.

Mr. TILLMAN. I think the Senator from Massachusetts is in error there. There is no motion in regard to this message at all, but it is the action of the Chair in having under the ordinary course referred it to the committee without a motion.

Mr. ALDRICH. The Senator, I think, is mistaken in that. The suggestion was made that it be referred to the Committee on Finance.

Mr. TILLMAN. By whom?

Mr. ALDRICH. By the Chair.

Mr. TILLMAN. But the Chair can not make a motion.

Mr. ALDRICH. That is the motion.

Mr. MONEY. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. ALDRICH. It goes there under the rule.

Mr. TILLMAN. But there is no motion.

Mr. MONEY. I understood that the Senator from Oklahoma had the floor to make a motion. He had a right to move, and he had a right to say what he pleased upon that subject; and who could take him off the floor by a motion to table? He had the floor. The motion to refer is not privileged. You can not take a Senator off the floor who has it by the recognition of the Chair——

Mr. HEYBURN. He had it by unanimous consent.

Mr. MONEY. Not by unanimous consent, but by the recognition of the Chair. You were on the floor for something else, as you stated yourself, and the Chair ruled you were not in order or did not have the floor because the matter of reference had not been concluded. The Chair then recognized the Senator from Oklahoma, who proceeded in his own right to make a motion to refer with instructions; and he has the right to say what he chooses on that subject, and can not be taken off the floor by some other Senator who wants to make a motion to table.

Mr. ALDRICH. The Senator from Oklahoma had taken his seat, and I was recognized in due course by the presiding officer and made the motion.

Mr. HEYBURN. I——

Mr. MONEY. I did not know that was the fact. I thought the Senator from Oklahoma was standing all the time——

Mr. ALDRICH. Oh, no.

Mr. MONEY (continuing). And waiting an opportunity to continue what he had to say. Of course if he had taken his seat and abandoned the floor, that is another question.

Mr. HEYBURN. I yielded the floor for a purpose that was expressed and limited. I had the floor before the message came into the Senate.

Mr. MONEY. I know you had.

Mr. HEYBURN. I yielded for the purpose of receiving it. I did not yield for the purpose of considering the question whether it should go to this committee or that committee, and all that has intervened since the reading of the message was concluded has been under a waiver on my part, as a matter of courtesy. I was proceeding to speak upon the question under consideration, which is not the message——

Mr. MONEY. The Chair has already ruled, as I understand, against the position of the Senator from Idaho; but whether he has or not, he certainly will rule that way when his attention is called to it, because, having the message here, the Senator can not resume the floor upon another question, and thus interrupt the proper reference of that message. He has no right to the floor until that is disposed of.

Mr. HEYBURN. The disposition of a message is not privileged. The receiving of a message is. I yielded to privileged business. I had not yielded to the question of the disposition of this message. That might involve a week's discussion; and having had the floor, I am entitled to retain it. I may yield

it within the rules of the Senate for a limited purpose, for a question, or for a more extended purpose. That is entirely——

The PRESIDING OFFICER. The Chair is of the opinion that the——

Mr. NELSON. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Minnesota will state his point of order.

Mr. NELSON. I make this suggestion to the Senator from Rhode Island: A motion to lay this amendment on the table lays the whole proposition on the table. That is the general rule of parliamentary law.

Mr. KEAN. Not in the Senate.

Mr. NELSON. The only exception to the rule is found in Rule XVI:

> Any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

This is not a general appropriation bill, and it does not come within the rule.

Mr. LODGE. If the Senator will excuse me, he is not quoting the rule which applies. It reads:

> When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

"Any pending measure."

Mr. NELSON. This is a motion to refer.

Mr. LODGE. This is a pending measure.

The PRESIDING OFFICER. The Chair is of the opinion that since the Senator from Idaho yielded to permit the reading of the message of the President and the reference of the message to the appropriate committee, or other disposition of the message, it is no longer within his power so to limit the opportunity as to say whether or not the Senator from Oklahoma has the right to discuss the proposition for the reference of the message. The Chair, however, understood the Senator from Oklahoma, having offered his resolution, which was in the nature of an amendment of the proposition to refer the message of the President to the Finance Committee, to yield the floor. He refrained from supplementing his motion by any observations.

Thereupon the Senator from Rhode Island rose and moved to lay on the table the amendment offered by the Senator from Oklahoma. That motion having been made, the Chair is of the opinion that it must be voted on by the Senate without debate, and that if the Senate refuses to lay the motion of the Senator from Oklahoma on the table, the Senator will then have the right to discuss it at such length as he desires.

Mr. McLAURIN. I should like to hear the motion of the Senator from Oklahoma reported.

Mr. MONEY. Wait a moment.

The PRESIDING OFFICER. The Secretary will report the motion of the Senator from Oklahoma.

Mr. MONEY. One moment.

Mr. HEYBURN. I will inquire of the Chair as to the status of my right to the floor. Have I lost it? If so, when?

The PRESIDING OFFICER. The Senator from Idaho has the floor, subject to the disposition by the Senate of the message of the President which has been read.

Mr. HEYBURN. I will resume the floor when that is concluded.

The PRESIDING OFFICER. The Secretary will report the resolution offered by the Senator from Oklahoma.

The SECRETARY. That the Finance Committee be instructed——

Mr. MONEY. Mr. President, I have something to say, if you will permit me for a moment. I want to explain to the Senate and the Chair that I think the Chair has ruled correctly upon this matter throughout. I apologize to the Senator from Rhode Island, because I was not aware that the Senator from Oklahoma had yielded the floor. I did not see him sit down, and consequently I was under the mistake of supposing that he was still on the floor, with the intention of submitting some remarks on this subject.

The PRESIDING OFFICER. The Secretary will report the resolution.

The SECRETARY. The Senator from Oklahoma moves that the Finance Committee be instructed to report on or before Friday, June 18 next, an income-tax amendment in accordance with the recommendations in the message of the President.

Mr. GORE. Mr. President——

Mr. McLAURIN. I just want to say that, as I caught the motion of the Senator from Oklahoma—and that is the reason I called for the reading of the motion—his motion was to refer to the Committee on Finance, and with these instructions. I think the stenographer's notes will bear that out.

Mr. ALDRICH. Question!

Mr. GORE. The statement made by the Secretary does not quite state my motion.

Mr. ALDRICH. I insist upon the regular order, Mr. President.

Mr. GORE. I wish to reform my motion.

Mr. ALDRICH. That is not possible now.

Mr. BAILEY. I hope the Senator from Rhode Island will not object to that. I will not vote for this motion as it is worded, because if they are to report a constitutional amendment to the Senate I shall insist on giving Congress the power to graduate the income tax, and I think we will give Senators on the other side a little more than they bargain for when we get to that proposition. The Senator from Oklahoma, I am sure, agrees with me that if we are to have the necessity of a long and tedious constitutional amendment it shall be one that will not need to be amended for many years to come.

I hope the Senator from Rhode Island will not insist upon the technical rule which will prevent the reformation of the Senator's motion in accordance with the Senator's views.

The PRESIDING OFFICER. The Chair is of the opinion that while the Senator from Oklahoma is not now at liberty to vary in any respect the motion which he actually made, if the Secretary has failed to correctly record the motion which was made, the Senator from Oklahoma may correct it.

Mr. GORE. I withdraw it, and make it in this shape. In fact, the Secretary did not report it as I suggested it. The motion was to instruct the Finance Committee to report a joint resolution submitting a constitutional amendment. The Secretary did not read it in that way. I wish to submit the motion in this shape, that the Finance Committee shall be instructed to report, on or before Friday next, a joint resolution submitting a constitutional amendment authorizing the levy and collection of an income tax.

Mr. CLAPP. The Senator from Oklahoma will allow me to call his attention——

Mr. ALDRICH. I must insist upon the regular order.

Mr. CLAPP. I rise to a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. CLAPP. The point of order is that the Chair had already announced in pro forma manner that the message would be referred to the Finance Committee. The Senator from Oklahoma rose, and when he got the opportunity to make his motion, his first words were—they struck some of us with surprise, because we supposed he wanted to refer the message to some other committee—that he moved to refer it to the Committee on Finance, with instructions.

Mr. McLAURIN. That is correct.

Mr. CLAPP. That is not an amendment to anything. There was no proposition before the Senate to refer it to any committee.

Mr. ALDRICH. I am quite willing that the vote shall be taken upon the proposition now made by the Senator from Oklahoma.

The PRESIDING OFFICER. The Chair is of the opinion that the message of the President having been referred to the Finance Committee without objection——

Mr. GORE. It was not without objection.

The PRESIDING OFFICER. The Senator will suspend for a minute until the Chair has stated the matter fully. That has been, by common consent, regarded as open, for the purpose of an objection or a motion in respect to the reference of the message. Inasmuch as the Senator from Oklahoma does not object to the reference to the Finance Committee or propose any other reference, his motion must be regarded as a motion pure and simple to instruct the Finance Committee. The question is now upon the motion of the Senator from Rhode Island to lay on the table the motion of the Senator from Oklahoma.

Mr. GORE. I desire the yeas and nays.

The yeas and nays were ordered.

Mr. GORE. I wish it understood——

The Secretary proceeded to call the roll.

Mr. GAMBLE (when his name was called). I am temporarily paired with the junior Senator from Indiana [Mr. SHIVELY]. I transfer the pair to the senior Senator from New York [Mr. DEPEW]. I make this announcement for the day. I will vote. I vote "yea."

Mr. McLAURIN (when his name was called). I am paired on this vote with the junior Senator from Michigan [Mr. SMITH]. If he were present, I should vote "nay." I announce this pair for the day.

Mr. NEWLANDS (when his name was called). I am paired with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer the pair to the senior Senator from Oklahoma [Mr. OWEN], and will vote. I vote "nay."

The roll call having been concluded, the result was announced—yeas 51, nays 25, as follows:

YEAS—51.

Aldrich	Clark, Wyo.	Frye	Nixon
Borah	Crane	Gallinger	Oliver
Brandegee	Crawford	Gamble	Page
Briggs	Cullom	Guggenheim	Perkins
Bristow	Cummins	Hale	Piles
Brown	Curtis	Heyburn	Root
Bulkeley	Dick	Johnson, N. Dak.	Scott
Burkett	Dillingham	Jones	Smoot
Burnham	Dixon	Kean	Sutherland
Burrows	Dolliver	La Follette	Warner
Burton	du Pont	Lodge	Warren
Carter	Elkins	McCumber	Wetmore
Clapp	Flint	Nelson	

NAYS—25.

Bacon	Davis	Martin	Smith, S. C.
Bailey	Fletcher	Money	Stone
Bankhead	Foster	Newlands	Taliaferro
Chamberlain	Gore	Overman	Tillman
Clay	Hughes	Paynter	
Culberson	Johnston, Ala.	Rayner	
Daniel	McEnery	Simmons	

NOT VOTING—15.

Beveridge	Depew	Penrose	Smith, Mich.
Bourne	Frazier	Richardson	Stephenson
Bradley	McLaurin	Shively	Taylor
Clarke, Ark.	Owen	Smith, Md.	

So the motion to table was agreed to.

The PRESIDING OFFICER. The message stands referred as upon the original declaration, and the Senator from Idaho is recognized.

Mr. BEVERIDGE subsequently said: Mr. President, I was necessarily absent when the vote was taken on the motion of the Senator from Oklahoma [Mr. GORE]. If I had been present, I should have voted "yea" upon the motion of the Senator from Rhode Island to lay that motion on the table.

Mr. HEYBURN. Mr. President——

Mr. BROWN. Will the Senator yield to me for a moment?

Mr. HEYBURN. I will yield for a moment, but for nothing that will displace the pending business.

Mr. BROWN. Out of order I offer a joint resolution.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. HEYBURN. I yield for the purpose of allowing the Senator to introduce a joint resolution.

The PRESIDING OFFICER. Out of order the Secretary will——

Mr. HEYBURN. Not for any comment.

Mr. BROWN. No.

Mr. BACON. Under the rule, the Senator can not yield for that purpose.

Mr. ALDRICH. That is true.

Mr. HEYBURN. I think that is true, but I did not care to suggest it.

The PRESIDING OFFICER. Except by unanimous consent——

Mr. BROWN. I ask unanimous consent.

Mr. BACON. The rule is that the Chair shall enforce it without any point of order being raised.

Mr. BROWN. I ask unanimous consent that the joint resolution——

Mr. HEYBURN. It can not be given.

The PRESIDING OFFICER. The Chair is of the opinion that it can not be done until the Senator from Idaho has yielded the floor and the Senator from Nebraska proceeds in his own right.

Mr. HEYBURN. Mr. President, I do not suppose there ever was an occasion in the history of the Senate where the conditions that confronted us and the questions to be determined changed so radically between the time that a Senator was recognized and the time that he came back five minutes later upon the floor. We were engaged in considering how we might raise revenue to conduct the affairs of this Government and, incidentally, protect the American people in the field of competition against foreigners.

Since I first addressed the Chair, about ten minutes ago, it would seem that one of these great questions was pretty nearly eliminated from consideration. When the Finance Committee first reported this bill, they reported correctly, in my judgment, that it would provide the revenue necessary to conduct the affairs of the Government. If that is true, and I believe it is true, where is the necessity of proposing these statutes providing for a tax upon the incomes of the people or a tax upon the gross earnings of corporations, or any other kind of a tax, in addition to those proposed in the bill, which already provides a sufficient fund for this Government?

I have never known such a revolution to occur in proposed legislation in the few minutes that have elapsed. I feel as though the Republican party were brought up in this moment face to face with the question whether or not they shall maintain the old protective tariff policy or whether they shall step aside and seek to carry out the vagaries of those whose idea of government is to get what the other man has and to keep all they themselves have. In other words, to make the statutes that are intended to affect the civil rights of the citizens penal statutes. In other words, to see whether or not you can not devise some means here to meet the demand not of those who think and who benefit by thinking, but of the great mass whose cry goes up at the dictate of a local leader. What occasion can there be, if the Government is provided with sufficient revenue under this law, of enacting some additional law that will provide a larger sum of money? What are we going to do with it? Has some one some covert idea of a new plan of government, by which we are going to branch out and spend more money than is required under the present system? If so, it should be disclosed.

What would you do with the revenue that was received from an income tax when you already have money enough in the Treasury to meet the Government's necessities? There is in my untamed bosom an idea. I would like to see an income tax levied upon certain things and for certain purposes and within certain limitations, but it does not emanate from the conscientious idea that I have of the duty which confronts me. We were not called together here for the purpose of getting even with somebody or punishing somebody. We were called together for the purpose of revising the revenue law that provides the money for the expenses of the Government, and in doing that the man who would allow the spirit of resentment or the spirit of opposition to interest to enter into it—well, in my judgment, he would have forgotten the duty that rested upon him.

I rose to discuss the zinc item in this bill, and in doing so it was my purpose to discuss it, first, from the standpoint of the revenue which we are here to provide, and, second, in its relation to those interested in that enterprise; and I will leave further consideration of the suggestions contained in the message for a future occasion. It may be that we will not succeed in passing any bill that will provide enough revenue through our custom-houses, and then we would be compelled to go out and resort to some other kind of taxation. But the founders of the Government never intended that that should be true. I was proposing to discuss this question along the lines of first intention on the part of the founders of the Government; and I will not enter upon a discussion of the principle of protection at this time, because we have already discussed that question.

Mr. President, it is my purpose to offer an amendment to the substitute offered by the Senator from Rhode Island, my amendment to provide in the beginning of the paragraph—

> Zinc contents contained in zinc-bearing ores of all kinds, 1 cent per pound.

I intend, if I can, to have the attention of those who will vote upon this question. I will not spend one minute upon this floor in order to make a record of what I say. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Frye	Page
Bacon	Crane	Gallinger	Paynter
Bailey	Crawford	Gamble	Rayner
Bankhead	Culberson	Gore	Root
Borah	Cullom	Guggenheim	Scott
Brandegee	Cummins	Heyburn	Simmons
Briggs	Curtis	Johnson, N. Dak.	Smith, Md.
Brown	Daniel	Johnston, Ala.	Smith, S. C.
Bulkeley	Davis	Jones	Smoot
Burkett	Dick	Kean	Stone
Burnham	Dixon	La Follette	Sutherland
Burrows	Dolliver	McCumber	Taliaferro
Burton	du Pont	McEnery	Tillman
Carter	Elkins	McLaurin	Warner
Chamberlain	Fletcher	Money	Warren
Clapp	Flint	Oliver	
Clark, Wyo.	Foster	Overman	

The VICE-PRESIDENT. Sixty-six Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Idaho will proceed.

Mr. HEYBURN. Mr. President, if I can have the attention of the Senate, the item of zinc in ore is as important as that of the cotton schedule, the wool schedule, the lumber schedule, or of any other schedule; and those who produce it and are interested in it are as large in numbers as those interested in other schedules.

The committee reported a duty of 1 cent per pound on the zinc contents of ore. We had a right to believe that the committee would stand for that report, first, because it was the report of the committee, and as well because it was just.

Mr. ALDRICH. Mr. President, in justice to the committee, I will have to say that the committee have on several occasions stated that they had not arrived at any conclusion about the duty on zinc ore. They made no report upon the subject until this one.

Mr. HEYBURN. Paragraph 190 in the bill provides for a duty on zinc ore.

Mr. ALDRICH. That is the House provision.

Mr. HEYBURN. It was reported here by the Senate committee, and it is figured out with considerable detail and care in the book of imports that accompanies it.

Mr. ALDRICH. Technically, of course, the Senator from Idaho is correct to that extent; but I think there is no Member of this body who does not know that the Committee on Finance have been struggling with this question ever since the bill was reported.

Mr. HEYBURN. I know it.

Mr. ALDRICH. It is the most difficult problem in the whole bill, and if we have satisfied any one Senator outside of the committee I shall be more or less disappointed. The committee, nevertheless, have presented their report, and have done the best they could in this provision.

Mr. HEYBURN. I welcome the statement of the Senator from Rhode Island that this is one of the most important items in the bill.

Mr. ALDRICH. What I said was the most difficult.

Mr. HEYBURN. Yes; and important.

Mr. ALDRICH. I will agree that it is important.

Mr. HEYBURN. It is not a trifling item in the commercial world of this country. For that reason, I took the liberty of inviting Senators who I am quite sure did not know it was under consideration to come in, that they might have an opportunity, at least, of being present.

The danger always in enacting this class of legislation is that when the bill gets well along in consideration so many people have obtained the concessions they want and have such a comfortable feeling about it they can not realize that anybody else can possibly want anything, and they rather feel as though we were all ready to go home because they have what they want. Now, we have in the air the lumber item, which affects a vast number of people. It might have been disposed of——

Mr. BACON. If the Senator will permit me to interrupt him for just a moment, I desire to say that the Senator in the last sentences has given a more important illustration of the relation which all these various interests bear to a protective tariff than any I have heretofore heard in the Senate.

Mr. HEYBURN. Yet I am not inclined at all——

Mr. BACON. A general graft game.

Mr. HEYBURN. I will indorse the first statement made by the Senator and which was doubtless made in sober thought, but the last one I will not indorse. There is a great deal of objection being made by a good many people who have very little interest and take very little interest in it to the time that is being consumed in considering this bill.

The joke sifters in the gallery, I will not say whose daily bread, but whose popularity at least is with the newspapers that they represent, are not interested in the zinc schedule. If you can get up some diverting controversy here that would verge upon a disregard of the rules of the body, then they are happy. I saw an item in the editorial column of a paper this morning—I think I threw it in my desk—which illustrates what I mean very well. I will find it. It suggested an ad valorem duty upon speeches made in the United States Senate. It came in the editorial columns of one of the daily morning papers published in this city, whose representative, by the courtesy of the Senate, occupies palatial and luxurious quarters here, and who is only here by the courtesy of the Senate, and whose other representatives, through some idea that I am not able to understand, walk on the floor of the Senate. They put themselves in the position of the guest who ridicules his host. When you see that in the fugitive columns of a paper away from editorial responsibility you do not pay any attention to it, because, as I say, we know that it merely comes from where it comes from; but when a newspaper editorially undertakes to criticise this body in the responsible performance of its duty, then it places itself in the position of a guest who misbehaves himself at his host's table.

Mr. President, zinc is produced under such a variety of circumstances that you can not possibly determine this question by the consideration of any one condition. I do not believe with those who say that a tariff must be regulated upon the basis of the most prosperous of those who are affected by it, but I believe that just the contrary is the rule. Idaho is a zinc-producing State. Some may possibly say, with some reason, that I bring Idaho into these debates pretty often, but I bring it in when it is a good illustration of the principle. We had not been importing zinc into the United States from Mexico; until within the last five years we never imported any at all. At the time the last tariff bill was enacted there was no occasion for mentioning it, because it was not an item in existence. You have been told here a dozen times within twenty-four hours that zinc in ore had always been on the free list, but no one has before suggested or seemed to understand that the reason why it was on the free list was because there was no zinc ore imported at the time of the enactment of the existing tariff law, or for many years afterwards.

The necessity had not arisen. It has arisen now. There have been developed in Mexico bodies of zinc ore that can be scooped up and put on the cars in vast quantities, and brought into this country, either in the shape of zinc or spelter. They can either bring it here as ore, or they can reduce it to spelter on that side of the line and bring in the spelter. In either event it comes into our market. When it comes into our market it comes in to undersell our product.

What if they can produce ore in certain zinc mines in the United States for practically a little more than it is produced in Mexico? Is the line of protection only to extend to that class of mines? There are zinc bodies in the United States where zinc can be produced nearly as cheaply as in those in Mexico. There is very little money invested in them. They require very little expense. But we have also in this country, and particularly in the State I represent, zinc ores that have to be mined, where, before you take out a pound of zinc, you must expend some hundreds of thousands of dollars. I speak of the Success mines, where the depth already reached is something over 700 feet, and they propose 400 more immediately. It is a mine equipped with a modern, up-to-date plant, for the purpose of concentrating and reducing the zinc, at an expense of some hundreds of thousands of dollars. Would you put those people on a parade with the Mexican zinc industry that can scoop it up and put it on the car for $2 a ton or $2.50? The Mexican zinc ore is nearly all produced in connection with lead ores. The lead is a by-product of value, which more than compensates them for the production of the zinc.

That is not true with our mines. I have here an accurate statement that I telegraphed for as to the character of those mines. I telegraphed to Mr. Samuels, who owns the Success mine, one of our foremost business men, a man who has been mining right in that camp for twenty years, and who is mining on a large scale and knows what he is talking about. He says:

> The Success mine zinc ore averages 10 to 15 per cent.
>
> That is the crude ore as it comes out of the ground.
>
> A ton of ore would have from 100 to 150 pounds of zinc in it. Concentrates average 45 per cent.

It takes 4 tons of crude ore on that basis to make 1 ton of concentrates, 45 per cent zinc, and the balance waste. That is the kind of zinc mining we are compelled to do. He says:

> Mill complete, ready to start at any time and ship 2,000 tons of concentrates per month—
>
> That is the capacity of that mill and that mine—
>
> when the price of zinc justifies—
>
> That is when they can do it. They can not ship that zinc except the price justifies them in doing so—
>
> 150,000 tons of ore blocked out.

That means that it has been blocked out in mining, levels run under it and above it, and up and down through it, until they are able to measure up the cubic feet of ore of a given quality in that mine, and all they have to do is to take it out. Of course they will not take it out until they know they have a market for it. Otherwise it would be a dead product on their hands.

He refers me to the official report of the mining inspector of Idaho for 1907 to verify these facts.

> The Sunset district, also Pine Creek, average 10 per cent zinc.

Now, the ores on Sunset Mountain and in Pine Creek are of immense value, but it is difficult, of course, to say how valuable a mine is until the ore has been explored and blocked out. He says:

> They are lying idle because of the low price of zinc; 1 cent duty, and all these properties will commence working.

Mr. President, that is a live transaction. Here is the statement made by another about that mine:

> The Success mine, on Nine-Mile, will not be operated until the tariff question is settled and the price of spelter not less than $5.25 per hundred at St. Louis, and $5.50 per hundred at New York, and a steady market assured.

That is the situation up there.

Can Senators wonder that we have a cause here and that we insist on presenting it? Why not protect zinc if you protect lead? Why not protect lead if you protect wheat or cotton or wool or anything? The conditions of zinc mining are exactly those of lead mining. These men are compelled to pay the same wages; the machinery is as expensive; the daily cost is as great as in any other mining.

Deep-shaft mining means expensive pumps, heavy hoisting machinery; and it not only means that, but it means transportation; it means concentration; and up until the time you have reduced that to a concentrate, you have to multiply the cost of producing one ton of ore by four, because it takes four tons of ore to make a ton of concentrates.

Now, it is proposed here to bring in all ore under 10 per cent zinc free of duty. That would exclude these mines from operation.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I yield.

Mr. SUTHERLAND. As the Senator from Idaho knows, I am just as anxious to protect these zinc-ore producers in this country as he is. I want to ask the Senator whether he thinks any ore can be imported into this country from Mexico or Australia or anywhere else carrying less than 10 per cent?

Mr. HEYBURN. Yes; it can be imported into this country from Mexico at great profit carrying less than 10 per cent. Ten per cent would be 200 pounds of zinc, and that would be about $12. It can be mined for $2 or two and a half, and can be brought into this country for about $4.75. There is more profit in $10 ore free or duty from Mexico than there is in $30 ore in our mining camp.

Mr. SUTHERLAND. Let me ask the Senator whether any such ore has ever been imported heretofore?

Mr. HEYBURN. There is no basis to refer to in the question of zinc ore. There was no zinc ore brought from Mexico four years ago.

Mr. SUTHERLAND. That is true.

Mr. HEYBURN. This proposition is all new; it is of yesterday.

Mr. SUTHERLAND. Will the Senator permit me still further?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. I call the Senator's attention to a very recent report made by the Department of Commerce, issued during the present year, dated February 28, 1909, dealing particularly with the zinc ores of Mexico. In the course of that report it stated:

> The average percentage of zinc content as shipped is between 35 and 40. The very best ore may have 45 per cent; the lowest grade contains rarely under 30 per cent. All ore has to be taken down carefully and sacked in the mine or hand sorted on the dump.

Mr. HEYBURN. That is all qualified by the two words "as shipped."

Mr. SUTHERLAND. My understanding is that up to the present time there has been no ore shipped into this country from Mexico which carries 10 per cent or under; that because of the freight rate it is impossible to do it. I think the Senator will agree with me that it is a practical impossibility to ship ore from his own State or to ship ore from the State of Utah to the Kansas smelters or any other smelters outside of the State in which it is mined.

Mr. HEYBURN. They are shipping it there already at a profit. I have the freight rates. I confess I am absolutely unable to understand the position of the Senator from Utah. While conditions are not just the same there as those existing elsewhere, yet there is a great degree of similarity between them. I have had all these arguments thrust at me that have been running around here for the last week. I suppose there has been more zinc in the air than there has been ozone in this city for the last ten days. I do not think there is any theory that has escaped my notice.

Mr. SUTHERLAND. Will the Senator answer my question?

Mr. HEYBURN. But the question would have to be a little more concrete than the Senator stated.

Mr. SUTHERLAND. My suggestion, rather. Is it possible to ship ore from Idaho to the Kansas smelters or to the Colorado smelters or any place outside of the Senator's own State?

Mr. HEYBURN. Does the Senator mean whether it is possible to ship ore concentrate to be smelted?

Mr. SUTHERLAND. I refer to ore carrying 10 per cent zinc. Is it possible to ship that ore at a profit? Is it not necessary, before the ore can be shipped, to concentrate it?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. The concentrates will carry 50 or 60 per cent?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. Then, if that is true, is it not equally true that it would be exceedingly unprofitable for the Mexican producer to ship crude ore containing 10 per cent or under to this country? In other words, is he not in the same position in that respect as we would be, and would it not be necessary for him to concentrate that character of ore there, which would carry 25 or 30 or 40 per cent, before it would be at all profitable for him to ship it into this country?

Mr. HEYBURN. No; there is no analogy between the two things at all. In the first place, a ton of ore produced at the Success mine represents the cost of mining 4 tons of ore, while a ton of ore produced in Mexico represents the cost of mining 1 ton of ore.

Mr. SMOOT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. I do.

Mr. SMOOT. Mr. President, I think the Senator from Idaho has not taken into consideration all the expenses on 10 per cent ore coming from Mexico. Ten per cent ore coming from Mexico would have 200 pounds of zinc contents, and the Senator figures now that upon the value of spelter, which is $5.30 per hundred, the value would be $10.60 per ton reduced to spelter; but he must understand that we first have to pay the freight rate from Mexico to the smelter, and then, in addition to that, we have to pay the smelting charges, and $10.60 would hardly be enough to pay those charges. So he must certainly see that it would be absolutely impossible to ship 10 per cent zinc ore from Mexico to any smelter in this country and get expenses back.

Mr. HEYBURN. Yes; I have allowed $22.43 for all those things. I have figured them all up. I have those figures.

Mr. SMOOT. It is 10 per cent ore.

Mr. HEYBURN. We can not reduce the ore for $2.43 a ton. You can not do it under any circumstances that exist or have existed.

Mr. SMOOT. The question was as to whether we could ship profitably 10 per cent zinc ore from Mexico. That is utterly impossible.

Mr. HEYBURN. It is easy to say that a thing is impossible.

Mr. SMOOT. I mean profitably.

Mr. HEYBURN. I understand that. It is not an argument to say that a thing is so. That argument involves the stating of why it is so. I have taken the items the Senator has stated. I am in a most peculiar position here. These Senators have gotten together and have agreed upon something that suits them, and they are undertaking to compel Idaho to submit to it. I propose to make a record of the proceedings in connection with this measure so that it will be a lasting one. I am speaking for Idaho and Idaho's product. Now, if they can live under such conditions as they represent, then they will make more money than Idaho does, but I propose that Idaho shall be in this procession of zinc producing.

Mr. GUGGENHEIM. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. HEYBURN. I do.

Mr. GUGGENHEIM. If that ore was shipped from Idaho or Mexico to any smelter, instead of being paid for the ore they would have to pay a bonus for the purpose of having it treated.

Mr. HEYBURN. Yes; I heard all that in the discussion of the lead schedule.

Mr. GUGGENHEIM. There is not a man who knows anything about mining who would ship ore of that kind.

Mr. HEYBURN. I have heard all that discussed in connection with the lead schedule. I have, perhaps, been intimately connected with mining quite as long as any of the Senators who are speaking, and I have had occasion to keep pretty well informed about it.

Mr. SMOOT. Mr. President, in answer to the Senator from Idaho, when he states that we have got together and agreed upon some proposition that would suit us, I want to say that, if there was only the question of manufacturing spelter, I would be perhaps in the same position as the Senator from Idaho.

Mr. HEYBURN. The Senator from Utah was in the same position until a day or two ago.

Mr. SMOOT. Oh, no, Mr. President. I offered an amendment here over a month ago, proposing a graduated scale. So the statement made by the Senator from Idaho is not altogether correct. But I want to say that there are other interests outside of the smelting interests which are concerned here. I refer to the oxide interest.

Mr. HEYBURN. I shall have to ask the Senator to defer the oxide question until he has the floor. I am not speaking for the oxide people; I am not speaking for the spelter people; but I am speaking for the men who own and work mines.

Mr. SMOOT. I was speaking for all the interests of the United States—every one of them—and that is what we had to take into consideration.

Mr. HEYBURN. If the Senator will permit me, I am not going to spend very much time on this question, because, inasmuch as these other zinc-producing States have made up their game, I am only going to make up my record.

Mr. KEAN. I have not made up mine yet.

Mr. HEYBURN. Yes; the Senator from New Jersey comes in with an entirely new proposition that is as wide as the poles apart from that submitted by this amicable arrangement between Utah and Colorado.

Mr. President, if Idaho stands alone to-day in a position peculiar to itself under the rule of protection, it is entitled to consideration. It may make for other States a little too much money. I do not object to the Senator from Colorado [Mr. GUGGENHEIM] or his constituents making a little more than they would make otherwise, or the Senator from Utah [Mr. SMOOT]. If they make a little more because it is necessary that they should do so in order that Idaho should make any at all, I will let them have the benefit of it. Why they should stand here and attempt to whittle and hew down a kindred interest in another State I am unable to understand. I might understand it probably if I were to investigate it.

Mr. President, I am going, at the proper time, to offer an amendment to restore the Dingley rates upon spelter and upon zinc products, and to amend by retaining the rate proposed in this bill as reported. I shall offer that amendment at the proper time. I am sorry that New York and Pennsylvania and Ohio and Illinois and some other States do not produce zinc. They would probably be more interested in it if they did. I do not know whether the great State of Rhode Island produces zinc or not. I have not heard the Senator from that State say whether it did produce zinc, but I infer from the circumstances surrounding the consideration of this question that that great Commonwealth does not produce zinc, Mr. President. [Laughter.]

Mr. KEAN. I did not quite understand the Senator. Did he refer to the State of New Jersey?

Mr. HEYBURN. No; I referred to Colorado and some States that are not known to produce zinc, and did not include the State so ably represented by the Senator from New Jersey.

I am watching this question of the enactment of a tariff law under the alias of "revision of the tariff" with a great deal of interest. I am beginning to realize that the Republican party organization will have to put out some watchmen and station some guards pretty soon, or the old lines will be lost. This is a question of protecting an interest that is of such vast importance to a State, where one mine will ship 250,000 tons of ore product every month in the year, and when, simply because some other States represented upon this floor by the members of the Finance Committee do not happen to produce that particular article, but do produce others. I think that the old Republican doctrine of protection, that should spread like a mantle over all the interests of the country, needs guards.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from New Jersey?

Mr. HEYBURN. I do.

Mr. KEAN. Would it interrupt the Senator if I asked him what the production of zinc ore was in Idaho?

Mr. HEYBURN. I call the Senator's attention—and I am only speaking now for one camp—to the fact that the Success mine, with the ore blocked out, the mill erected, and concentrators erected, has concentrated a very large quantity of ore, and can ship 2,000 tons of concentrates per month. That is 24,000 tons of concentrates that that one mill can ship in a year. There are a dozen others that can be put into the same position before the snow flies if the Republican party, true to its history and its principles, will protect that interest.

Mr. KEAN. Mr. President, I only had before me what I supposed to be the production of zinc ore, and I find that Idaho in 1904 produced none.

Mr. HEYBURN. No.

Mr. KEAN. In 1905 it produced 1,700 tons; in 1906, 2,150 tons; and in 1907 it produced 11,847 tons.

Mr. HEYBURN. The increase in Idaho, according to this same official table, was 600 per cent last year.

Mr. KEAN. What is the last year for which the Senator has the figures—1908?

Mr. HEYBURN. I have not the figures for 1908. I know what they are. They do not represent an increase of less than 600 per cent in that year.

We do not make comparisons against States here, because of a very wise rule that no Senator shall reflect upon a State represented by another, and I do not want, under any circumstances, to do it. But the increase in the production in the States of Missouri and Kansas was 9 per cent, in New Jersey it was 32 per cent, in Wisconsin it was 174 per cent, in Arkansas it was 115 per cent, and in Colorado it was 51 per cent. But it is a real, live, growing industry in Idaho. It increased 600 per cent in a year, and it would increase a great many times 600 per cent if you could get interest enough in this subject to treat it just as you treat other metals similarly situated. That is the proposition.

I do not know what has come over the spirit of the dream of Colorado and Utah in this matter. I am of an inquiring turn of mind and probably will know. When lead was at issue in this Chamber they were alive and awake, because that was an industry the development of which is not shrouded in any doubt or uncertainty.

I would not for a moment charge that any of these interests own mines in Mexico or are interested in the zinc business in Mexico; but if it should be that the interests did extend over the line, then I might understand it. I might understand how, with free ore, smelters would be constructed on the Rio Grande River, which is less than 60 miles from the great deposits of raw ore that can be put to the Rio Grande River—mining, freight, and everything—for $4 a ton, and there reduced to spelter that will come into the markets of this country without any duty whatever. It will be American-produced spelter out of free Mexican ore. Is not that plain enough to everyone?

It may be that men or combinations of men do want free ore because they own the ore fields and they can bring the ore across the line and save themselves against the spelter duty, but that is not Republican tariff making.

Mr. President, I have reached a period where I do not feel in quite so great a hurry as some of my associates in regard to the disposition of this question. It seems to me that this tariff bill has reached a position something like that described in the Pauper's Funeral. Great items and great interests are satisfied, and now they are rattling his bones over the stones to get him out of the way.

So far as I am concerned, I have time enough to perform what I conceive to be my duty in this legislation; and I shall take the liberty of occupying it even though they put an ad valorem duty on speeches. [Laughter.] I am going to give those who are present here an opportunity to hear and to think, and I am going to give those who are not present an opportunity to think, and they will come in and vote, I presume, on this question.

Mr. President, I propose the amendment which I send to the desk.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. NELSON. Will the Senator allow me to suggest the absence of a quorum?

Mr. HEYBURN. If it would——

Mr. NELSON. If it is not disagreeable to the Senator——

Mr. HEYBURN. Not at all. I should rather see Senators here.

Mr. NELSON. I suggest the absence of a quorum, Mr. President.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The SECRETARY called the roll, and the following Senators answered to their names:

Aldrich	Clay	Guggenheim	Paynter
Bacon	Crane	Hale	Perkins
Bailey	Culberson	Heyburn	Piles
Bankhead	Cullom	Hughes	Rayner
Borah	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Johnston, Ala.	Scott
Briggs	Daniel	Jones	Simmons
Brown	Davis	Kean	Smith, Md.
Bulkeley	Dick	La Follette	Smoot
Burkett	Dillingham	McLaurin	Sutherland
Burnham	Dolliver	Martin	Taliaferro
Burrows	du Pont	Nelson	Tillman
Burton	Elkins	Newlands	Warner
Carter	Fletcher	Nixon	Wetmore
Chamberlain	Flint	Oliver	
Clapp	Gamble	Overman	
Clark, Wyo.	Gore	Page	

The VICE-PRESIDENT. Sixty-five Senators have answered to the roll call. A quorum of the Senate is present. The amendment proposed by the Senator from Idaho will be stated.

The SECRETARY. On page 66, paragraph 190, lines 14 and 15, strike out down to and including the word "therein," in line 15, and insert:

Zinc contents contained in zinc-bearing ores of all kinds, 1 cent per pound.

Mr. HEYBURN. Mr. President, that is the language contained in the lead schedule, and there is no reason why it is not appropriate in the zinc schedule. If it is not appropriate in one, it is not appropriate in the other. We are competing against the wage scale of Mexico as much in zinc as we are in lead. We are competing against exactly the same conditions, and we are not asking as much by this amendment on zinc as was asked on lead, although we would be entirely justified in doing so. I will undertake to say that had there been any necessity of doing so at the time that the Dingley law was enacted, the same duty would have been put upon the zinc contents of the ore as was put upon the lead contents of the ore, because they were then dealing with a clear field; they were making a Republican tariff, and not revising one.

I notice that there is not that outspoken patriotic spirit of Republicanism displayed in revising this tariff that there was in making the existing law. They had then, right close in their memories, the experience of four years of Democratic tariff. It had been a lesson to them in every State in the Union, especially in the mining States; and when they were looking for the right thing to do they were not embarrassed by existing conditions. They were rather aided by the comparison between poverty and prosperity in those sections. That is what I am standing for to-day. A new condition has arisen demanding the same class of relief and assistance as existed at the time of the making of the Dingley law.

Mr. President, does anybody suppose that there would have been a Republican vote against this amendment had it been offered at the time of the making of the Dingley bill? No one would have been able to give a reason for it at all. Why do Senators oppose it? Do you want wages paid to the foreign miner and leave our own zinc ore in the ground? What for? On the ground of the conservation of the natural resources of the country? I can think of no other ground. Of course it would stay there all right. It would not rot like timber; it would not burn up like forests; and there is no Senator here on either side who would for a moment, after due consideration of this question, say that anyone would be benefited by leaving this ore in the ground and going down into American pockets and taking the price of your corn or your wheat to buy foreign zinc that represented foreign wages and foreign investments.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. I have looked over this book of Tariff Notes, and I do not find Idaho listed among the States producing zinc ore. Therefore I am very much surprised at the statement of the Senator from Idaho about the quantity of ore produced there. What I should like to know is, what is the grade of that ore? Is it a low-grade ore, spelter ore, or oxide ore?

Mr. HEYBURN. I will tell the Senator. First, there are two kinds of States—there are States that have a history and States that have a future. [Laughter.] Some have both. I was reading from the official report of the production, and, leaving out the Joplin district, Idaho stands on the Government's report as the third largest zinc-producing State in the Union. The Senator may not find it in the "Book of Estimates." I looked for some things there when that came here as the concentrated wisdom of the distinguished body at the other end of the Capitol. I did not find some things which I should have been very glad to have found there, and I found some things I regretted to find there. But we are here to act upon our wisdom, not the wisdom of the House. I will not say that I do not care for their opinion, for I care for the opinion of every man who has given any consideration to a question; but I am not bound by it.

I heard it stated here early in the consideration of this tariff bill that the presumption was in favor of the House bill. With all due consideration to the House and its prerogatives, I deny it. The presumption is in favor of the wisdom of the existing law. You can not get away from that proposition. Every presumption here is in favor of the sufficiency and the appropriateness of the existing tariff law, and I "must be shown" before I vote to change a single duty now provided for. Where new industries have grown up, they should be incorporated into the scheme of protection. I am not willing to join with those who would have you believe that at the time of the meeting of the Republican party in Chicago the country was in bankruptcy and in poverty. It was not. I am not one who will join with those who denounce the Dingley tariff law. It was and has been the best and greatest tariff law that ever was enacted, because it had the benefit of the experience of the time that had gone before, and it was the result of tried conditions.

And that a Republican should stand up here and attempt either to apologize for it or to denounce it puts me upon inquiry as to the conditon of his mind when he said to the constituents who elected him to participate in the proceedings of Congress that the Republican party was entitled to their suffrage and that he represented the principles of it, and that he would stand for them. If there is a man in this House or in the other who apologizes for the Republican party, he is not worthy to wear the honors that the people gave him. I am tired of these half-stated and often insinuated apologies for the wisdom of the party.

Mr. President, if you do not deal fairly with all the people of the country, you will only make the task the harder for those of us who participate in the political campaigns that result in Republican supremacy. If you think you can throw this State down and this interest down, remember you have to pay for it in some States in votes. I do not think you will have to pay for it in votes in Idaho, because the protective-tariff system is their law and their gospel, and no man can ever go into that State and make those people believe that it will not ultimately prevail. You may shake their confidence by slurring over this zinc schedule, and we may have to explain your action and apologize for it, but they will still vote the Republican ticket, having faith that the time will come when there will be a Republican party in Congress which will know Republicanism and how to apply it.

You want the lumber of Washington protected. Where would you sell it if you bankrupt a whole community? You would sell it to some other. Where, if you bankrupt the other? The prosperity of one community depends upon that of another. We are your market; you are our market, living only across the line.

Mr. President, I do not know that I can say much on this occasion that will influence the minds of those who are to determine it, but I have never believed in shirking a responsibility or a duty because some one else was apt to forget his. I never did take my moral code from somebody else, and I do not propose to take my political code from somebody else. This is the center of responsibility for legislation, right here upon this floor. Our judgment must control, and not that of any other. I am not going to vote for any alternative provision, with a view of supplying money to pay the expenses of this Government, until we have exhausted the constitutional method of providing that money through the custom-houses of the country and the internal-revenue resources. If, after we have enacted a revenue bill and it has been in operation for the period between now and the next session of Congress, it should be proved by experience that we did not have revenue enough, I would then be willing to take up any legitimate proposition for the purpose of meeting the deficit. But until that is demonstrated—demonstrated, not claimed or asserted, but demonstrated—I shall not support any of these measures that are recommended. If I had no other reason than that of sustaining the judgment of those who are responsible for this bill as it was presented to us, I would sustain them. I have supported them, not always with perfect accord, but I have supported them because that support was a part of a systematic method of enacting a sufficient statute to meet the requirements of the Government. I realize that legislation, as everything else in life, must be a matter of yielding some here and some there by either party. Otherwise it would mean that men were all of one mind, which they are not, and never will be, and should never be. Out of the differences of minds we gather that average wisdom which is best.

Mr. President, I am content to leave the zinc schedule, with the amendments which I have offered and two other amendments that I will now offer, for the consideration of the Senate, unless something should occur to prompt me to say something more.

The VICE-PRESIDENT. The Secretary will state the amendment submitted by the Senator from Idaho.

The SECRETARY. On page 66, lines 14 and 15, strike out down to and including the word "therein" in line 15 and insert "zinc contents contained in zinc-bearing ores of all kinds, 1 cent per pound."

Mr. HEYBURN. That simply restores the Dingley rate.

The VICE-PRESIDENT. For the information of the Senate, the Secretary will now state the other amendment.

Mr. KEAN. Does the Senator desire to have a vote on his amendment now?

The VICE-PRESIDENT. The Senator from Missouri desires to be heard prior to a vote.

Mr. HEYBURN. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gamble	Perkins
Bacon	Crawford	Guggenheim	Piles
Bankhead	Culberson	Heyburn	Rayner
Borah	Cummins	Hughes	Root
Brandegee	Curtis	Johnson, N. Dak.	Scott
Briggs	Daniel	Johnston, Ala.	Simmons
Bristow	Davis	Jones	Smith, Md.
Brown	Dick	Kean	Smoot
Bulkeley	Dillingham	La Follette	Stone
Burkett	Dixon	Lodge	Sutherland
Burnham	Dolliver	McEnery	Taliaferro
Burton	Elkins	McLaurin	Taylor
Carter	Fletcher	Martin	Warner
Chamberlain	Flint	Nelson	Warren
Clapp	Foster	Overman	Wetmore
Clark, Wyo.	Frye	Page	
Clay	Gallinger	Paynter	

The VICE-PRESIDENT. Sixty-six Senators have answered to the roll call. A quorum of the Senate is present.

Mr. STONE. I desire to ask the Senator from Idaho just what would be the difference in the effect between his amendment now pending and the provision in the House bill fixing the duty on zinc contents at 1 cent per pound?

Mr. HEYBURN. The provision in the House bill fails to include all classes of ores. The language is not so full and comprehensive as to fully protect against all zinc contents in zinc ores. The language was correctly stated in the lead schedule. It is merely made more comprehensive, so that there may be no opportunity for an adverse ruling on the question whether all zinc contents, in whatever form, are subject to a duty. Fully one-half are calamine. It is divided about evenly into two classes of ore.

Mr. STONE. Yes. I wish to inquire if the House provision should be agreed to and if the amendment proposed by the Finance Committee is voted down, what contents of what zinc ores would escape that tax?

Mr. HEYBURN. Is the Senator now referring to the provision suggested by the committee or to the House bill as it came over?

Mr. STONE. The House bill is the bill before the Senate.

Mr. HEYBURN. But the committee has submitted a substitute——

Mr. STONE. Yes.

Mr. HEYBURN (continuing). Which classifies the ore on the 10, 20, 25, and 40 per cent basis.

Mr. STONE. I understand that. If that is disagreed to, then the House provision would stand.

Mr. HEYBURN. Then the House bill should be amended as suggested by the amendment I have introduced, which is only in the interest of making the duty certain and making it cover all classes of contents.

Mr. STONE. The point I had in mind was that the amendment proposed by the Senator from Idaho would leave the matter substantially where it is under the House bill.

Mr. HEYBURN. No. The House bill is not sufficiently expressive to include the two principal classes of zinc ore which, so far as the zinc producer is concerned, stand upon the same basis, so far as the need of protection goes. Zinc ore is of a peculiar character. There is one class of zinc ore that has always been so classified, and the other has not been included in that classification. The Senator will find it is necessary, because of the classification of the ores.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Idaho.

Mr. KEAN. Would the Senator like to have a vote on the amendment?

Mr. HEYBURN. I expect it will be voted on at the proper time. I did not offer the amendment to lay it on the table. Whenever, in the orderly procedure of the disposition of this matter, the amendment comes to be voted on, I desire a vote.

The VICE-PRESIDENT. A vote is in order now unless some Senator wants to debate it. The question is on agreeing to the amendment of the Senator from Idaho.

The amendment was rejected.

The VICE-PRESIDENT. The other two amendments proposed by the Senator from Idaho seem to be to the following paragraphs and not to this paragraph.

Mr. HEYBURN. I see.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. KEAN. This is——

The VICE-PRESIDENT. Paragraph 190, the substitute of the committee.

Mr. KEAN. I understand the amendment before the Senate is the amendment offered by the Senator from Rhode Island.

Mr. ALDRICH. The substitute.

The VICE-PRESIDENT. As a substitute for the paragraph.

Mr. ALDRICH. Offered by me for the committee.

Mr. KEAN. So I understand.

Mr. President, I shall be brief. Zinc ore has never been on the dutiable list in any tariff of the United States save in the tariff acts of 1846 and 1857. It has always been free, and this departure, taking it from the free list to the dutiable list, to my mind is an extraordinary proceeding. I do not think it can be justified on any showing of facts or that any reason can be advanced for it, either in the interest of the producer of ore or in the use of the manufactured article. I believe the situation of the mines is such, with the freight rates against foreign ores, that a duty on the ore is unnecessary. I suppose the committee's amendment is a little better than the bill as it came from the House. But I do not see that it is very much better.

Zinc-bearing ore of all kinds, including calamine, containing less than 10 per cent of zinc, shall be admitted free of duty.

To my mind zinc ore, and so forth, containing less than 10 per cent of zinc, is nothing but dirt. But there are admitted into the United States some foreign ores that are smelted—of silver, gold, and copper—that have some 10 per cent of zinc in them. This exempts that class of ores, but I must say also that I think it is impossible for the smelter of that ore to save that 10 per cent of zinc, because it goes up in the furnace; it is lost. The next provision is:

Containing 20 per cent or more of zinc and less than 25 per cent—one-fourth of 1 cent.

That is ore which does not exist and is not used. It is not commercial in any way. It is not transported.

Containing 10 per cent or more of zinc and less than 20 per cent, one-half of 1 cent per pound on the zinc contained therein.

That duty would be absolutely prohibitory. No one could bring it in. And so on, up to 1 cent per pound for zinc, which is practically a duty of $12 a ton on 60 per cent ore, which is ordinarily known as the ore of commerce from the Joplin district of Missouri.

Mr. BURKETT. Let me ask the Senator a question. As the House passed the bill, it put all this ore at 1 cent a pound?

Mr. KEAN. It did. So far as the commercial aspect is concerned, it is generally rated at 60 per cent ore. That would be $12 a ton.

Mr. BURKETT. As I understood the Senator to state, the amendment which the committee have now suggested puts the highest grade, 25 per cent or above, at 1 cent a pound, and that which is less than that at something less than that rate.

Mr. KEAN. On the highest-grade ore, after it gets to 25 per cent, the rate is 1 cent per pound. That is really the only commercial ore. From 25 per cent up to 60 per cent is the only commercial ore. I know that the Senator from Colorado will say there are other ores, and so on, but they are not transported.

Mr. GUGGENHEIM. Mr. President——

Mr. BURKETT. Let me ask one more question in continuation. As a matter of practical purpose, while this appears to be a reduction it is practically the same as the bill as sent over from the House, if I understand what the Senator from New Jersey states.

Mr. KEAN. I think it is, almost.

Mr. BURKETT. If there are no imports below 25 per cent, if the importation of such grades is impracticable on account of business reasons, either because it is not transported or otherwise, then the rates are not reduced.

Mr. KEAN. I think the Mexican ores run from 28 to 35 per cent.

Mr. BURKETT. That would take the cent rate.

Mr. WARNER. I think the plea of the New Jersey people themselves before the Finance Committee was that they wanted these low-grade ores in order to make zinc oxides. I think I am right. Not that the zinc smelters wanted the graded scale, for they protested against it. But the committee thought it to be an act of justice to all.

Mr. KEAN. Does the Senator from Missouri contend that ore containing less than 20 per cent is commercial ore?

Mr. WARNER. I do, from the outside. It is only a question of getting it cheaply; and with the freight aside, I not only so contend, but the record will show, that these ores can be obtained from mines in old Mexico for 50 cents a ton; and if you get it free on board of the cars at $2—the cheap ore—the freight from the shipping point to the mines in Missouri is $6.50.

Mr. GUGGENHEIM. To remove an erroneous impression, I wish to say that the zinc ores of Missouri, known as "Joplin ores," and concentrated, contain about 1,200 pounds of metallic zinc. At 1 cent per pound, the duty would be about $12 per ton.

But the zinc ores from Mexico contain on an average 600 pounds of zinc. Therefore the duty under this bill would be $6 a ton.

Mr. KEAN. Not at all.

While the Senator from Ohio was speaking to-day the Senator from Colorado called attention to the production of spelter in the United States. He stated that there were 24,885 tons of spelter made in Colorado.

Mr. GUGGENHEIM. How many?

Mr. KEAN. Twenty-four thousand eight hundred and eighty-five tons. According to the statement which he read, and which I have here, he did not read the top of the page where it says "apportioned according to source of ore." That means there were 24,885 tons of spelter made in the United States out of ores that came from Colorado.

Mr. GUGGENHEIM. I was connected at one time with a zinc plant in Colorado that did produce and is producing now about 15,000 tons of spelter from Colorado ores. It is immaterial whether this ore was smelted in Colorado or not. Some of the ore does go to Illinois, Wisconsin, and Kansas. My statement about it having been produced in Colorado has nothing to do with this case, because it is really the amount of ore produced in the State of Colorado.

Mr. KEAN. Then also in this table I find "apportioned according to locality in which smelted." In the Eastern, Southern, and Western States there were smelted 35,817 tons; in Illinois, 50,244 tons; in Kansas, 99,298 tons; in Missouri, 10,201 tons; in Oklahoma, 14,864 tons; making a total of 210,424 tons.

Mr. GUGGENHEIM. Spelter?

Mr. KEAN. The ore smelted aggregated 210,424 tons. I fail to see that Colorado had any at all.

Mr. HUGHES. I should like to inquire of the Senator from New Jersey if he means to claim that they do not?

Mr. KEAN. Oh, no; nothing of the kind.

Mr. HUGHES. Those of us who live there——

Mr. KEAN. I know there is.

Mr. HUGHES. Know that the amount stated by the Senator from Colorado is under the quantity rather than over it.

Mr. KEAN. I only took the figures from the report of the Geological Survey.

Mr. GUGGENHEIM. Mr. President——

Mr. HUGHES. Was it for the purpose of giving information or misinformation?

Mr. GUGGENHEIM. I suggest that the Senator from New Jersey ask the Senators from Colorado for the facts.

Mr. DIXON. I merely want to ask my friend, the Senator from New Jersey——

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Montana?

Mr. KEAN. Certainly. I will try to answer the question.

Mr. DIXON. I wish to ask a question or two before he closes his argument. I have been very much interested in the mental attitude of the Senator from New Jersey and am a little bit surprised to see a new recruit to the tariff-revision-downward element of the Senate.

Mr. KEAN. I do not belong to the element the Senator thinks I do.

Mr. DIXON. I notice that paragraph 53 of the bill reads:

Zinc, oxide of, and white pigment containing zinc, but not containing lead, dry, 1 cent per pound; ground in oil, 1¼ cents per pound; sulfid of zinc white, or white sulphide of zinc, 1¼ cents per pound; chloride of zinc and sulphate of zinc, 1 cent per pound.

I should like to inquire of the Senator from New Jersey whether, in his opinion, the duties fixed on oxide and the manufactures of zinc are too high?

Mr. KEAN. As I understand it, if a duty is put on zinc ore another amendment will be reported changing those rates.

Mr. DIXON. No; but the Senator does not think that the duty fixed on oxide of zinc is at all too high?

Mr. KEAN. I am not discussing the question of oxide of zinc at present.

Mr. WARNER. Those articles are of common use.

Mr. KEAN. Of very common use; we are aware of that. But they have to be made from zinc ore. If you are going to put all the price on the zinc ore, how are you going to get the other things out of it?

Mr. DIXON. I really have been somewhat impressed with the universal line of fairness and consistency that I think the Finance Committee has pursued in the preparation of the bill. I think all along the line the general plan has been to give all things that we produce in this country a fair degree of protection, where it has been demonstrated that a difference in cost exists between here and abroad. I think that is the only theory on which the Senate can ever pass a protective-tariff bill. I can not conceive of the argument that where an industry is protected in its manufactured products it must not consistently carry a relative duty on the raw products of that industry. If the tariff duty on zinc oxide and the other products of zinc and pig zinc is to stand as parts of the protective tariff, the very small duty now carried by the Senate committee amendment certainly ought to go through in the same schedule.

Mr. KEAN. The Senator interrupted me for a question to make his little speech, which I am glad to have interjected into my few disconnected remarks.

Mr. President, I am opposed to this amendment because, in the first place, it puts zinc ore on the dutiable list and imposes a prohibitory duty on it. In the second place, I think the imposition of the duty is intended to protect the miners of the Joplin district and of the district in Idaho, and I do not believe they will ever get any benefit therefrom.

Mr. HEYBURN. Mr. President, that is a most astounding statement. The Senator from New Jersey says it must be admitted that the purpose of this amendment is to protect the zinc miners in Missouri and in Idaho, and he does not think they ought to be protected.

Mr. KEAN. I did not say that. I think that they will not receive the benefit of it.

Mr. HEYBURN. That is a subsequent statement. The Senator says he does not think the miners in Idaho and in Missouri would receive the benefit. Who would?

Mr. KEAN. Does the Senator want to know who I think would receive it? I think the foreign smelters would receive it.

Mr. HEYBURN. I think probably certain zinc institutions in New Jersey would receive the benefit of it.

Mr. WARNER. Mr. President——

The PRESIDING OFFICER (Mr. CARTER in the chair). Will the Senator from New Jersey yield to the Senator from Missouri?

Mr. KEAN. Certainly.

Mr. WARNER. The Senator says that the miners of Missouri would not get the benefit of this duty?

Mr. KEAN. I said, in my opinion, they would not.

Mr. WARNER. I do not know what information the Senator has as to the class of men who constitute the miners of the Joplin district in Missouri. There are 11,000 men there as intelligent and bright as any class of business men you could find in the State of New Jersey.

Mr. KEAN. Mr. President, I have no object in the world in reflecting upon citizens of Missouri.

Mr. WARNER. You could not.

Mr. KEAN. I would not want to. I think they are very hard working; they have built up a wonderful industry in Joplin. The zinc industry is a very marvelous production, and they have worked very hard to build it up. I think the freight rate on the Mexican ore is a sufficient protection for all. The freight rate on Mexican ore is about 60 per cent of the value of the ore, and therefore it is nearly within 25 per cent of the selling price of the manufactured product.

Then, again, there is not sufficient zinc ore produced in this country to supply the demand, and some has to be imported. Of course, after the Senator from Idaho gets that wonderful production of his State, producing 1,700 per cent more, perhaps they will be able to supply the home demand.

Mr. HEYBURN. The increase of 600 per cent is present history; the 1,700 per cent is assured future. We have already produced 11,000 tons. That is not a guess.

Mr. KEAN. I knew the past was secure, but I did not know the future was.

Then again, zinc ore is the only article in the tariff bill, I think, which has been taken out of the free list and at the same time has had really a prohibitive duty placed upon it. The reason why I say it is a prohibitive duty is because one of the chief witnesses in advocating a duty on zinc ore before the Committee on Ways and Means was a gentleman from Joplin, Mo., named A. O. Ihlseng. He seems to be an active gentleman, desiring to purchase ore. He seems to have come down here to Washington and to have made himself rather secure in his position, because he returned to Joplin, Mo., and he writes his friend down in Chihuahua, Mexico, stating what he proposes to do. He says:

JOPLIN, MO., *May 21, 1909.*

DEAR SIR: Some time since I had a communication from you with reference to zinc carbonates.

The tariff situation is such that it will be necessary to ship all these ores to Europe, and I should be pleased to hear from you as to what tonnage you can furnish on a long-time contract, sending me a general sample of your ore and an analysis.

Yours, very truly,

A. O. IHLSENG.

The letter is signed by the gentleman who was so desirous of having a duty put upon Mexican ores in order, to all appearances, that he might buy up Mexican ores and take them to Europe, thereby enhancing the price not only of our ores, but of the Mexican ores.

These facts, I think, are all I desire to state, except to offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey will be read by the Secretary.

The SECRETARY. On pages 66 and 67 strike out paragraph 190 and insert in lieu thereof a new paragraph, as follows:

190. Zinc ore and calamine containing not over 30 per cent zinc, 50 cents per ton; containing more than 30 per cent zinc and not over 40 per cent zinc, $1 per ton; containing more than 40 per cent zinc and not over 50 per cent zinc, $2 per ton; containing more than 50 per cent zinc and not over 55 per cent zinc, $3 per ton; containing more than 55 per cent zinc, $4 per ton.

Mr. SMOOT. Is the Senator from New Jersey through?

Mr. KEAN. Except that I have here a statement that I should like to have published in the RECORD.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

The statement referred to is as follows:

ZINC ORE UNDER THE PAYNE TARIFF BILL.

The production of zinc ore in the United States in the years 1904 to 1907 appears from the following table, taken from Mineral Industry for 1907 (Vol. XVI), at page 904:

State.	1904.	1905.	1906.	1907.
	Tons.	Tons.	Tons.	Tons.
Arkansas	[a]1,900	2,200	4,200	4,068
Colorado	[b]94,000	105,500	114,000	142,510
Idaho		1,700	2,150	11,847
Kentucky	[c]958	[c]414	975	1,005
Missouri-Kansas	[d]273,238	[d]258,500	[d]280,260	297,126
Montana		2,000	4,900	1,218
Nevada			7,080	4,593
New Mexico	[e]21,000	17,800	30,000	4,281
New Jersey	[e]230,029	[e]361,829	404,690	368,710
Oklahoma				3,240
Utah		9,265	10,700	9,043
Wisconsin	[e]19,300	32,690	42,130	53,011
Others	[f]2,600	[f]3,800	[g]850	[g]2,241
Total	693,025	795,698	905,175	902,923

[a] According to H. F. Bain, "Contributions to Economic Geology," 1904.
[b] Estimated.
[c] Report of state geologist; crude ore.
[d] Production of Joplin district plus output of southeastern Missouri, the latter as reported by the state mine inspector.
[e] Partly estimated.
[f] Arizona, Nevada, Illinois, Iowa, Tennessee, and Virginia.
[g] Virginia, Arizona, and California.

The above ores are of two kinds, viz, blende, which is the ore containing sulphide of zinc, and calamine, which includes the ore containing carbonates and silicates of zinc. Calamine has been on the free list in all the tariff acts since 1792, except in the tariff acts of 1846 and 1857. Originally, and until comparatively recent years, the term calamine has included all the ores of zinc that were commercially valuable. It is only within the past thirty-five years that the blende ores—that is, the ores containing sulphide of zinc—have been considered commercially valuable. Blende ores have been admitted free of duty under section 614 of the Dingley Act as crude minerals not otherwise provided for. It has, therefore, been the apparent policy of the Government from the earliest time to admit zinc ores free of duty; and experience has shown that this policy of the Government is sound. It has never appeared to be in any way a menace to domestic enterprises, and there is no ground for alarm on this score in the future.

I.

THE PRODUCTION OF ZINC ORE FROM THE JOPLIN DISTRICT, WHICH IS THE CHIEF DOMESTIC SOURCE OF SUPPLY OF ORE FOR METALLIC ZINC, HAS FALLEN FAR SHORT OF THE DEMAND.

The rapid development of domestic manufactures in which zinc is used has made the question of ore supply important. The following table shows that the production of domestic spelter, i. e., metallic zinc, has increased much more rapidly than the production of zinc ore from the Joplin district, in spite of the fact that the price of such ore has increased much more than the price of spelter. The figures are compiled from "Mineral Industry" for 1907.

Year.	Zinc ore produced in Joplin district (actual shipments).	Average price of ore at Joplin.	Spelter produced in United States.	Average price of spelter at New York.
1900	248,[illegible]	26.50	123,321	4.39
1901	258,[illegible]	24.21	140,823	4.07
1902	262,[illegible]	30.73	158,220	4.84
1904	234,[illegible]	34.44	178,502	5.40
1905	267,[illegible]	37.40	181,808	5.10
1906	232,[illegible]	47.40	201,749	5.86
1907	278,[illegible]	44.82	225,494	6.19
	288,[illegible]	44.36	249,612	5.96

It must be borne in mind that about 2 tons of Joplin ore are required to make 1 ton of spelter.

This table shows that while spelter production in the United States has increased 102.4 per cent in the past eight years, with an increase in price of 35.8 per cent, Joplin ore has increased in production by only 15.4 per cent, although its price has increased 67.4 per cent.

In 1907 the highest price paid for Joplin ores was $53.50, and in 1908, $47.

The striking discrepancy between the enormous increase in Joplin ore prices and the slight increase in the spelter prices shows that the smelters have given to the miners almost all the increase in profit due to improvements in smelting and increased demand for the metal. This condition has been unavoidable on account of the fierce competition for the ore and the shortage in the ore supply.

In addition to the figures given above, which tell their own story, it has been notorious in the trade that from a period long before the imported ores of Mexico and British Columbia were a subject of much interest the Joplin district was failing to meet the increasing demands upon its mines. We have not attempted to collect all the evidence on this subject, but we have collected a number of items from the Engineering and Mining Journal, an impartial and recognized authority, showing the conditions of the Joplin ore supply in the years 1904, 1905, and 1906. These items follow:

EXTRACTS FROM ENGINEERING AND MINING JOURNAL OF VARIOUS DATES.

January 7, 1904—Page 15.—Zinc in 1903, by W. R. Ingalls. "The decline in production in the Joplin district was due partly to the very wet weather in the spring which interfered with operations to some extent, but the chief cause is obviously the inability of the mines of the district to do any more than they have been doing. It appears that the productive capacity of the Joplin district has attained its maximum, even if it be not already on the wane."

August 4, 1904—Page 205.—Missouri ore market (special correspondent). * * * "Even then, with the new smelters in the field for the product of the Missouri mines, the output will barely meet the urgent demands of the capacity of all the works drawing a supply from this district."

September 8, 1904—Page 441.—Missouri ore market (special correspondent). * * * "As has been previously outlined in the Journal, the output is insufficient to meet the demand of the increased smelting capacity drawing a supply from this district, and in consequence the ore price has been about $4 per ton higher than the metal market for two months."

September 29, 1904—Page 534.—Missouri ore market. * * * "The effort to supply the demand of approximately 6,000 tons per week, with an output of approximately 5,000 tons, has resulted in cleaning up all the reserve ore in the district and forced buyers to contract largely ahead of the output."

October 6, 1904—Page 573.—Missouri ore market (special correspondent). * * * "There are just two things there is no apparent question about in the ore situation—the scarcity of zinc ore and the need of zinc ore."

November 24, 1904—Page 854.—Missouri ore market (special correspondent). * * * "The capacity of the smelters drawing ore from the Joplin district is greater than the mines are outputting, a fact that was pointed out in this column last July."

January 5, 1905—Page 14.—Zinc, by W. R. Ingalls. * * * "The direct cause of this has been of course the insufficiency of the Joplin ore supply to meet the present demand for spelter for consumption."

March 16, 1905—Page 543.—Missouri ore market. * * * "It was noted in this column last year that it was apparently a physical impossibility for this district to supply all the zinc ore needed to manufacture all spelter demanded by American consumers. Consequently, as this district does not keep pace with the increasing output of spelter, it becomes necessary each year to procure a larger proportion from some other source."

June 29, 1905—Page 1269.—Missouri ore market. * * * "So far the imported ore is of a grade that does not compare with the poorest ore of this district, and it is handled only because the output of this district is insufficient to meet the requirements of the smelter capacity of the United States."

January 6, 1906—Page 12.—Zinc. By W. R. Ingalls. * * * "It appears to be recognized that this district is now affording as large an output of ore as can reasonably be expected from it, and further supplies must be looked for in other quarters."

February 3, 1906—Page 234.—The Joplin district (editorial). * * * "It is to be feared that there will be a further falling off in the output of zinc ore this year, even if the price continues high, for the reason that the new openings of ore are not compensating for the exhaustion of the older mines."

Nearly all of the New Jersey zinc ore and some of the ore from other States goes into the manufacture of oxide of zinc.

We may conclude this point by repeating that it is and for years has been notorious in the trade that the United States can not produce enough zinc ore to keep the smelters supplied under normal business conditions, and this situation is pretty clearly demonstrated under the next heading.

II.

ENOUGH ORE IS NOT PRODUCED IN THE UNITED STATES TO KEEP THE SMELTERS SUPPLIED WHEN RUNNING AT FULL TIME.

According to Volume XVI of Mineral Industry, page 899, the spelter retorts in the United States number 89,560. The average consumption of ore is 40 pounds per diem for each retort. The capacity of the retorts in a year of three hundred and sixty days is 644,760 tons of ore. Before used in the retort all blende ore has to be roasted and in that process loses a percentage of weight, so that to keep the smelters in operation it would require not less than 758,000 tons of blende per annum. The largest production of domestic ore was in 1906, when 905,175 tons were produced. Of this production, after deducting only such portion of the New Jersey ores used chiefly for the manufacture of oxide of zinc and not available for spelter, and assuming what is beyond the fact, that every pound of other ore went to the smelters, there remain but 553,960 tons available for the smelters. This shows a balance of 204,040 tons of ore available for spelter to be produced from some source outside of the United States if all the smelters are in operation. The following table gives the foregoing facts in condensed form:

Total spelter retorts in United States in 1907	89,560
Average charge roasted ore per retort ... pounds per diem	40
Capacity of spelter retorts per year, roasted ore ... tons	644,760
Equivalent to ... tons blende unroasted	758,000
Total spelter ores produced in United States in 1906 (which was the year of largest production) ... tons	553,960
Ore required as above ... do	758,000
Ore available as above ... do	553,960
Ore which must be secured outside United States ... do	204,040

It must be borne in mind that the western manufacturers of oxide of zinc have also to be supplied. They purchased in 1907 93,000 tons of

zinc ore, which reduced, by that amount, the ore available for spelter manufacture. It should also not be overlooked that it is only the Joplin ores which can produce spelter at the rate of 1 ton for each 2 tons of ore. The ores from Wisconsin, Colorado, and all other districts are much leaner and must be used in much larger quantities to get the same yield of metal that the Joplin blende will produce.

It has been objected by Joplin interests that all the smelters have not been in operation at one time and that they are producing spelter in unnecessarily large quantities. The answer is that in eight years the consumption of spelter has doubled and that if the ore is obtainable there is no reason to doubt that the use of spelter will continue to increase in volume and in the same proportion. It is absurd to say that the smelter will knowingly make more spelter than the market will stand. It is equally absurd to say that there would be enough domestic ore if the smelters made less metal. Within the past eight years there has been no year in which the domestic consumption of spelter fell appreciably short of the domestic production of spelter, except in the year 1903, when great depression in the metal and all other industries caused the exportation of about 10,000 tons of spelter early in 1904. An accumulation of spelter again occurred with the advent of the panic of 1907. On September 1 of that year there was no stock of spelter. During the four following months practically 40,000 tons accumulated. but no reasonable person can dispute that the trade conditions at that time were abnormal in all industries and can not be attributed to the importation of Mexican zinc ore.

III.

THE JOPLIN DISTRICT IS SAFE FROM FOREIGN COMPETITION WITHOUT A PROTECTIVE TARIFF.

The inland location of the Joplin mines and the proximity of the smelters furnish Joplin with abundant protection.

The smelters of one-half the spelter produced in America are located close to Joplin in the Kansas gas belt. The freight from Mexico to Kansas for each ton of ore averages $6.50, or about 10 times the Joplin-Kansas rate.

The Joplin ores, which are the richest in the world, average, when concentrated for the market, about 57 per cent zinc contents and are sold on a basis of 60 per cent zinc contents, which is the standard. They often run even higher. The ores from Mexico may average about 35 per cent zinc. They may occasionally run to 40 per cent, while a large tonnage figures at only 32–33 per cent, and some even lower.

C. E. Siebenthal, Assistant Geologist of the United States Geological Survey, writes as follows:

"I have yours of March 15, inclosing clipping from the Joplin Globe, in which the statement is made that Mexican zinc ores imported in 1908 averaged 43 per cent zinc. The mining editor of the Globe evidently arrived at this result by dividing the spelter made from Mexican ores during that time, during 1908 by the importation of Mexican ores during that time. This makes two assumptions which are not warranted: (1) That all the zinc ore imported from Mexico is used in making spelter, which is not the fact; (2) that the spelter produced during 1908 was derived from ores imported during that year alone, which takes no account of stocks of ore on hand at the beginning of the year. According to the reports of the zinc smelters to me from 1907 and 1908, the average recovery of zinc from Mexican ore was 27 per cent for 1907 and 30½ per cent for 1908. Assuming that the smelting losses were 15 per cent, this would make the zinc contents of the ore approximately 32 per cent in 1907 and 36 per cent in 1908."

It is thus apparent that to get from Mexican ore the same amount of metal that a smelter can get from 1 ton of Joplin ore he must use more than 1 ton of Mexican ore. Taking, therefore, 1 ton of Joplin ore of the 60 per cent standard, it would take 1½ of the 40 per cent Mexican ore and nearly 2 tons of the 32 per cent Mexican ore to carry the same amount of zinc, according to the assay. There is another advantage in the Joplin ore, viz: The most efficient smelting practice may gain from the Joplin ore a maximum of 87½ per cent of the theoretical zinc contents, while equally efficient smelting of Mexican ore will yield a maximum of but 85 per cent of the theoretical zinc contents. The difference is due to the difference in the character of the ores. Still further, the furnace space required for the richer Mexican ores is obviously greater than that required for the lean Joplin ores to get approximately the same yield. This involves greater cost. The smelting charge of a ton of Joplin 60 per cent ore is $10.50. To get the same amount of metal from 40 per cent Mexican ore the smelter must treat 1½ tons, at a corresponding cost of over $15.75. To summarize: (1) The freight rates are against the Mexican ores; (2) The Mexican ores are leaner; (3) it is impossible to gain from the Mexican ores more than 85 per cent of their theoretical zinc contents; (4) there is greater cost in handling the Mexican ore in furnaces.

Let us consider the following examples:

EXAMPLE A.

In May, 1908, competent parties made an elaborate investigation of the cost of mining and concentrating at Joplin and the surrounding camps, which showed that the cost of a ton of concentrates averaged $28.54, excluding royalty. The average product of the district was 1 ton of galena (lead) to 7 tons of blende (zinc). Lead ore is now worth $52 a ton, so that the one-eighth ton of lead concentrates in each ton of concentrates is worth $6.50. Deducting this from the cost gives $22.04 as the net cost of seven-eighths of 1 tone of zinc concentrates, or $25.19 for 1 ton of blende, when all profits are deducted.

The blende concentrates average 57 per cent zinc. Spelter would then cost:

One ton of blende	$25.19
Freight to works	.65
Smelting	10.50
Total	36.34

One ton of 57 per cent ore contains 1,140 pounds of zinc, of which 87½ per cent is obtained as spelter, or 997½ pounds, costing 3.644 cents per pound.

One ton of 35 per cent Mexican ore will give a yield of 85 per cent, or 595 pounds of spelter. To make this at the same cost as the spelter made from Joplin ore as above—3.644 cents per pound—would give a total cost of $21.68. The costs to be deducted from this are:

Cartage to railroad	$4.00
Freight to smelter	6.50
Smelting	10.50
Total	21.00

Twenty-one dollars and sixty-eight cents less $21 leaves 68 cents as the cost of producing 1 ton of Mexican ore, which is impossible, and shows that Joplin needs no protection.

Or, taking the cost of producing a ton of Mexican ore at $4 (which is the figure put forward by the Joplin interests), the cost of spelter made from it would be:

Producing ore	$4.00
Cartage to railroad	4.00
Freight to smelter	6.50
Smelting	10.50
Total	25.00

make 595 pounds at a cost of 4.20 cents per pound, or higher than the cost of spelter made from Joplin ore when all profits are deducted.

EXAMPLE B.

Again, take actual market prices of a few days ago and compare the costs of Joplin and Mexican ores:

Joplin.

1 ton 60 per cent ore, delivered	$39.75
Smelting cost, 1 ton	10.50
Total	50.25

From this the smelter may get a maximum of 87½ per cent, 1,050 pounds of spelter.

Now, take Mexican ore, running 40 per cent zinc, which is far above the average. Obviously the smelter must buy 1½ tons of this to equal the metallic contents of his 1 ton of 60 per cent Joplin ore.

Mexico.

1 ton 40 per cent ore, delivered	$22.50
One-half ton 40 per cent ore, delivered	11.25
Smelting cost, 1½ tons	15.75
Total	49.50

From this the smelter may get a maximum of 85 per cent, or 1,020 pounds of spelter.

On the above figures, it would appear that the cost of Joplin spelter and Mexican spelter, when one had the benefit of the best Mexican ore, stood about as follows: Joplin, 0.478; Mexico, 0.485; giving Joplin an advantage of about one-tenth of a cent to every pound of spelter.

EXAMPLE C.

It takes approximately 2 tons of 60 per cent Joplin ore to make 1 ton of spelter. Therefore the smelter must charge against each ton of spelter made from Joplin ore the following sums in addition to the price of the ore:

Joplin:	
Freight to Kansas, 2 tons, at 65 cents per ton	$1.30
Smelting charges, 2 tons, at $10.50 per ton	21.00
Total	22.30

It takes approximately 3½ tons of 35 per cent Mexican ore to make 1 ton of spelter. Therefore the smelter must charge against each ton of spelter made from Mexican ore the following sums in addition to the price of the ore:

Mexico:	
Freight to Kansas, 3½ tons, at $6.50 per ton	$21.67
Smelting charges, 3½ tons, at $10.50 per ton	35.00
Total	56.67

This demonstration shows that there is a natural protection on the Joplin ore of $34.37 for each ton of spelter, or about 1½ cents for each pound of spelter made from Joplin ores as against the Mexican ores.

In neither case has any charge been made for cartage or expense in buying, but in both these items the amounts are heavily against the Mexican ores.

EXAMPLE D.

Lead-bearing ores of all kinds bear a duty of 1½ cents per pound on the lead contained therein. All Mexican zinc ore carries lead, and it averages about 4 per cent of the contents. The government assayers allow hereon 1½ units in the assay, so that only an average lead content of 2½ per cent is assessed for duty. This amounts to an assessment of 1½ cents per pound on 50 pounds in each ton, or 75 cents duty, collected on each ton, on the average. This item, though small, is a constant burden on the importation of Mexican zinc ores.

IV.

THE REAL SITUATION IN JOPLIN.

The entire zinc industry, including the Joplin producers, felt the depression of 1907–8, but they are in error in ascribing it to the importation of Mexican ore, if, as might have been inferred from the arguments of Mr. S. Duffield Mitchell and Mr. A. O. Thiseng, they do ascribe it. It is our belief that, had business remained normal during 1907 and 1908, the Joplin ore producers would not have noticed the importations of zinc ore. That it is an afterthought on the part of some of the interested parties to place the cause of poor business in 1907 and 1908 on Mexican ore is clear to anyone who will read the leading article in the Joplin Daily Globe of January 26, 1908. We quote from it the following:

"The panic has proved that the ores of Mexico can not be produced under a 5-cent spelter market, according to the highest authority, and correspondence from a leading reliable source conveys the information that the halcyon days of the Mexican production are of the past—a history and recollection only—that the immediate future has little hopes in store for an early resumption of outputting, while transportation matters have become a serious problem, except through a few months of the summer.

"The producing areas of the Rocky Mountain States practically ceased their production early in the panic; Wisconsin, with Joplin, continuing a small output to the end of the year.

"In writing of the year's record of zinc-ore production, Walter Renton Ingalls, in the Engineering and Mining Journal, concludes his resumé in these words: 'In any event, the experience of 1907 seems to show that these foreign ores are not serious competitors of the American, duty or no duty.' Mr. Ingalls might have added that no importations of ores were made except to supply a demand in excess of the domestic production.

"While the recent panic has proved that Mexican ores can not be produced under a 5-cent spelter market, it might be added thereto that Mexican ores are no competition to superior grade of ores mined in the

Joplin district, at any price for spelter. The ore

Senator from Colorado was present at

Joplin district, at any price for spelter. These ores will be imported only when the domestic supply of zinc is less than the demand of the smelters.

"Another lesson the panic has forced home to the producer of the Joplin district, and to the smelters reducing the ore of this district, is the fact that the market for Joplin zinc ore rules the price of spelter in normal conditions of business. This means that with conservative production the producers of the zinc ore of this district can maintain their own price for their commodity, without reference to any other producing area under the sun, so long as those demands are in harmony with the general business conditions of the country at large. * * *

"At the end of the first half of the year 1907 this average price was $46.82 per ton, and with anything like normal conditions during the last half of the year the average would have exceeded the banner year of 1905, notwithstanding the fact that the importations during 1907 were more than double the previous year."

This article we believe reflects the more intelligent sentiment of the United States ore producers, including those in Joplin. It should be appreciated, however, that if, as is generally understood, Mr. A. O. Ihlseng, who has been foremost in the demand for a duty on zinc ore, is largely interested in the buying of Mexican ore as the agent of European smelters, he and others similarly situated would derive a peculiar benefit from a duty which would cut out the United States as a competitive buyer of Mexican ore, but we do not feel that an agent for foreign ore buyers should receive special consideration from Congress.

Under free trade in zinc ore during 1907 the Joplin district produced 286,589 tons, its maximum production, and during that year the imports of foreign ore reached their maximum tonnage, viz, 109,957 tons. In 1908, when all industries suffered greatly, the Joplin ore production fell off only about 12½ per cent, while the importations of foreign ore fell off over 50 per cent.

But the most significant feature is the manner in which the Joplin zinc ores held up in price during 1908 as compared with the lead ores from that district. The average price in 1907 for Joplin zinc ore carrying 60 per cent zinc (which is the standard of ore on which prices are fixed) was $44.36. The average price of all zinc ores was $43.68. The average price of lead ores was $63.90. In 1908 these ores averaged in price $36.63, $34.31, and $53.90, respectively. It thus appears that the lead ores, protected by a duty of 1¼ cents per pound on the lead contents, which is the highest protection the Joplin zinc miners have ever suggested for zinc contents in ore, suffered a greater loss in price in 1908 as against 1907 than did the zinc ores which were admitted free of duty. Joplin ores running 60 per cent zinc fell off in price 17.4 per cent; zinc ores generally fell off 21.4 per cent; and lead ores fell off 21.7 per cent. (See Engineering and Mining Journal, Jan. 30, 1909, p. 297.) This seems in itself to refute clearly the need or value of protection on zinc ore.

We quote again from the Joplin Globe. In the issue of May 2, 1909, we read in large headlines: "District is now producing at the greatest rate in its history. Zinc ore market holds very steady at the $41 level throughout the week." In the text of the article we find that the highest price paid was $43.50. It should be borne in mind that this steady buying of Joplin ore and the high range of prices are maintained in the face of absolutely free importation of Mexican ore, stimulated by the threat of absolute prohibition of importation in the near future.

V.

IMPORTED ORE HAS NOT DIMINISHED THE OUTPUT OF THE JOPLIN DISTRICT.

Imports of zinc ore into the United States.

[In tons of 2,000 pounds.]

Source.	1904.	1905.	1906.	1907.
British Columbia	2,100	8,561	600	1,157
Mexico	(?)	*32,164	*88,900	108,800
Total	(?)	40,725	89,500	109,957

* The actual tonnage of ore imported was somewhat greater than this figure, but it included some mixed ore, which, for statistics' purposes, has been reduced to the zinc equivalent. This table is based on reports from the smelters of the ore received by them form these countries. (From "Mineral Industry," Vol. XVI, p. 904.)

From this last table it appears that the imports of 1907 exceeded those of 1906 by about 20,000 tons. Nevertheless, as appears by the first table, the Joplin district increased its production in 1907 over 1906 by 17,000 tons, while other districts seem to hold their own also. It would therefore seem clear that imported ore had not interfered with the domestic ore producers.

According to the Department of Commerce and Labor, only 46,351 tons of zinc ore were imported in 1908.

VI.

THE DANGER OF EXCLUDING AMERICAN ORE BUYERS FROM MEXICO.

It is clear that a duty which precludes our smelters from buying Mexican ores would directly result in depressing the price of the ores in Mexico and expose them for sale at a figure far below what European smelters must now pay for them. If the European smelters can get Mexican ore at a less price, they will make spelter for less, and may thus be able to put European spelter on the American market, in spite of the present spelter tariff of 1¼ cents per pound, at a figure below that at which our smelters can produce it.

These are dangers which must not be lost sight of. They have been most ably treated in a brief prepared by the Grasselli Chemical Company, of Cleveland, Ohio.

In view of recent great discoveries of cheap fuel in the shape of oil, gas, and coal near the Mexican mining centers, and if Mexico has the great deposits of zinc which the Joplin miners claim, there is grave danger that, with an import duty on ore, smelters will be established in Mexico and will ship spelter by water to New York, Boston, and Philadelphia, and enter it there, in spite of import duty, for sale at a less price than the domestic product can be sold for.

Realizing that it takes 3¼ tons of 55 per cent Mexican ore to make 1 ton of spelter, the saving of freight in smelting the ore at the mining centers would be $21.67 for each ton of spelter, or 1.08 cents per pound of spelter. The freight on spelter from Mexico to the American market is no higher than the freight from Kansas to the same market. Therefore the result of the proposed duty on ore would be to bring in Mexican ore in the form of spelter and thus defeat the very purpose of the Joplin mine owners. To prevent this and European importation, a prohibitive duty on spelter would be necessary, but such a duty on spelter would create inflated prices of spelter, work hardship to the consumers, and ultimately drive the consumers to the use of cheaper substitutes and completely check the development of the industry. This would necessarily injure the miner as well as the smelter.

The Monterey dispatches of April 29, 1909, report that a concession for the manufacture of spelter in Mexico has just been granted by the Mexican Government.

It will hardly be gainsaid that a restriction of the zinc-ore supply by a prohibitory tariff or the imposition of any duty at all will enhance the price of spelter to the consumers. With the very slight disparity heretofore existing between the price of spelter here and abroad it has been of some advantage to import spelter for the purposes of domestic manufactures and secure drawback on the exportation of the manufactured product. It is not known in what arts this practice has been followed, but the Treasury Department statistics show that drawbacks amounting to $10,610.13 were paid on the exportation of foreign-made spelter in 1906. If this practice has been profitable in the past, it will become much more profitable in the future if there is an import duty on ore and the price of domestic spelter rises, as it must, to a figure creating a much greater difference between it and the European spelter price. The natural effect of this practice on the American smelters and miners is clear.

VII.

EXPORTATION OF ZINC ORE.

A point has been made of the figures showing exportation of zinc ore from America. The exported ore consists wholly, we believe, of (1) ore sent from the Joplin district for the express purpose of creating a shortage in the domestic supply and thereby enhancing the price, and (2) willemite, a mineral produced from New Jersey ore by magnetic separation. Willemite is used only for one purpose, viz., the making of metal known in the trade as "high-grade" spelter. The demand for this material is very limited, and all that the domestic market will stand is manufactured each year. The surplus willemite is marketed to the best advantage abroad, where it is manufactured into "high-grade" spelter for the foreign market. Outside the items above mentioned, we believe there is no exportation of zinc ore.

VIII.

THE MEXICAN ZINC DEPOSITS.

The zinc ore heretofore imported from Mexico has consisted largely of gleanings from dumps of tailings at the old lead mines and from abandoned lead mines, where the ores were found to run too high in zinc for the uses of the lead smelters. From both of such sources the zinc ore was, from a mining standpoint, cheaply obtained, because the tailings were piled on the surface and had only to be shoveled into carts, or because the mine was already opened and ready for operation. For obvious reasons these two sources of zinc ore supply are but temporary, and are now, as we are advised, rapidly approaching an end. The alleged new discoveries of zinc deposits in Mexico have been greatly exaggerated. We have gone to considerable expense in the past five years in sending experts to search for such deposits in Mexico, but the results have been very disappointing. The known zinc deposits of importance in Mexico are comparatively few, and their working is sure to entail much greater expense than the working of the tailings dumps and the abandoned lead mines. In the majority of zinc-ore propositions in Mexico transportation has been, and for many years will be, a matter of serious moment.

We should think it a simple matter for the committee, through a disinterested expert who is acquainted with conditions in Mexico, to verify the above statements.

There is some pretense that a sincere effort was made to obtain reliable statistics regarding zinc-ore production in Mexico, and the Daily Consular Report of December 7, 1908, is brought forward by the Joplin interests as embodying the results of that effort. This report contained a letter from the United States consul at Chihuahua, Mexico, and purported to give a true statement of zinc-ore mines and costs of production of zinc ore in Mexico. The consul was not an expert, and he took as his authority one H. B. Pulsifer, an alleged mining expert. It now apears from the Chihuahua Enterprise of January 2, 1909, that the request for the consul's report emanated from Congressman Hackney, of the Joplin district, and that Pulsifer's expenses were paid by the Joplin mine owners.

IX.

SPELTER.

Spelter is the trade name of metallic zinc. It is made in the form of slabs. According to Mineral Industry for 1907, about 66 per cent of the spelter is used by the galvanizers, about 17 per cent by the brass makers, and 13 per cent by the sheet zinc makers. Its present price is a little under 5 cents per pound at St. Louis.

X.

ORE-BUYING.

The rule in the trade is that the price of ore varies with the price of spelter, and the smelter pays for his ore between 75 per cent and 80 per cent of what he gets for his spelter. If spelter sells for, say, 5 cents per pound, the smelter must pay for Joplin ore, assaying 60 per cent zinc contents, about $40 per ton. When spelter sells at 6 cents a pound, he must pay about $48 per ton for his ore. This is the rule under normal conditions. There is a variation of $1 for each 1 per cent variation in zinc contents up or down.

To explain the calculation, it may be assumed that the smelter gains from the ore a maximum of 87½ per cent of the metallic contents. Taking, then, 1 ton of 60 per cent ore containing 1,200 pounds of metal, the smelter could gain about 1,050 pounds of spelter, or about one-half ton. This he could sell at a 5-cent market for about $52.50. Seventy-six per cent of the sum would be about $40, the amount to be paid for 1 ton of ore.

The smelter, out of the 24 per cent left, i. e., $12.50, after paying for the ore, must pay freight on ore and spelter, smelting costs, interest on investment in plant, etc.

XI.

JOPLIN ROYALTY AND COSTS.

The brief of Otto Ruhl, editor of the Joplin Globe, says the average cost of Joplin ore is $37.29 delivered. He apparently would deduct 50 cents for hauling and 66 cents freight and get a result of $36.13 for the average cost in Joplin bins.

The brief of Messrs. Robinson and Caulkins, of Joplin, states that the average cost of mining Joplin ore is $37.76.

The brief of the Granby Smelting and Mining Company states that the cost of mining Joplin ore is $35.

A very careful investigation of this subject has shown that the average cost of Joplin zinc ore is but $25.19. The discrepancy is largely accounted for by two items improperly included as costs by the Joplin brief writers: (1) The royalty of approximately 15 per cent on the gross selling price, which is paid to the landowner and which is obviously a profit, and (2) the allowance for the lead concentrates amounting to about one-eighth of a ton in each ton of concentrates, worth $6.50. Fifteen per cent royalty on a selling price of $40 is $6, so that the total of the two items erroneously included in the costs of the Joplin brief writers is $12.50.

Taking, then, our figures of $25.19 as the real cost of a ton of zinc blende in Joplin bins and adding the items for lead profit and royalty, we have $37.69, which tallies approximately with the figures of Robinson and Caulkins and exceeds the figures of the two other briefs.

The fallacy of figuring the royalty as a cost arises from the circumstances that the owner of the fee and the owner of the mining lease are usually separate persons. If they are the same person, it would appear clearly that the item of royalty would be included in the mining profit.

XII.

A PROTECTIVE TARIFF ON ORES IS ECONOMICALLY UNSOUND.

A protective tariff on ores is equivalent to a premium on the speedy exhaustion of certain natural resources, which, once used, can never be reproduced. This objection has been urged against a duty on lumber which in time will grow again, but it applies most strongly to ores which do not grow.

Furthermore, if, as is claimed, the cost of mining in Joplin is greater than formerly, and if the call for protection is based on such claim, what limit can there be to the rate of duty? The cost of mining, as the miner is forced to deeper or leaner ground, is bound to increase. The theory of protection is to build up industries which can be helped. It is a prostitution of the theory of protection to apply it to an industry which from natural causes must inevitably work its own destruction. Mines are unlike factories. There must come a time when, with all the protection in the world, there is nothing left of a mine but a hole in the ground. Surely it can not seriously be claimed that the Government must follow the Joplin mines with a wall of protection reaching to the center of the earth. The truth is that the only legitimate protection that can be given to mines is the protection on the products. Zinc metal has been protected, and this has afforded protection to the zinc mines. The zinc-metal industry, with the protective tariff on zinc metal, has been the sole cause of the development of the Joplin zinc mines. Without the protection on the metal the mines would never have been opened. Mine owner and smelter have shared, but not equally, the benefits of the duty on spelter, most of the benefit having gone to the miner. A higher price for spelter means a corresponding increase in the price of ore and all possible additional profit is absorbed exclusively by the miner. It is quite without reason that the mine owners say they are without protection while the smelters are protected. A cutting off of the duty on spelter would quickly bring this home to every zinc mine owner in America.

CONCLUSION.

Zinc ore, a raw material, free of import duty for fifty years, is now scheduled for an absolutely prohibitory duty while the United States is unable to produce enough of this ore to meet the demand. The estimates of revenue under the Payne bill figure nearly $1,000,000 as the revenue likely to accrue from zinc ore on importations. This, while showing that a shortage of domestic ores is contemplated, is utterly beyond reason so far as the revenue item goes, for no ore can be imported at that rate of duty. The estimates are also misleading as to revenue under the existing law, for, while certain duties were collected, they were paid under protest, and the court has ordered a reliquidation with no duty. The estimates of the Finance Committee show that the proposed duty reaches an approximate ad valorem duty of 84 per cent, as against free entry for the past fifty years. It is believed that there is no other case similar to this in the entire Payne bill, and the feature is thrown into more glaring relief by the proposed large reduction in the duty on spelter and sheet zinc. (Dated Washington, D. C., May 10, 1909.)

Mr. SMOOT. Mr. President, I have given a great deal of time to this paragraph. I have had before me, as a member of the Finance Committee, all of the interests—the miners, the smelter men, the purchasers of spelter and people interested in oxide. I think I have given more time to this particular paragraph than to any other in the whole bill.

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. Certainly.

Mr. BURTON. I wish to ask a question for information: Did the manufacturers of galvanized steel sheet and iron sheet, or galvanized iron, appear before the committee?

Mr. SMOOT. At no meeting were the galvanized-iron men present.

Mr. HUGHES. Mr. President——

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. HUGHES. I should like to inquire whether at any time anybody claiming to represent those who mine zinc in Colorado were either before the committee or were heard upon the graduation of the duty as set forth in the committee's amendment?

Mr. SMOOT. I can not call to mind now any miner who appeared before the committee, but if they did not it was not because they did not have a chance, because in the public press notices were given of the meetings and intended meetings. I think as far as the miners generally were concerned they were very well represented.

Mr. HUGHES. I ask the question because——

Mr. SMOOT. I will say further to the Senator that in several of the hearings we had before us many of the Senators interested, and the senior Senator from Colorado was present at different times.

Mr. HUGHES. Did he represent the miners? That is my question.

Mr. SMOOT. From the position he has taken right along, I should think he did.

Mr. HUGHES. I know that the amendment as framed by the committee is not satisfactory to those who dig the ore, especially the low-grade part of it. It gives the higher duties to the ore that is needed least and gives the lower duty to the ore that needs protection most. That is the objection I have had presented to me by them when they heard of the form of amendment reported by the committee.

Mr. SMOOT. I think, if the Senator will wait until I finish, I will explain to his satisfaction the reason of this graduation. I am just as much interested in the mining of zinc ore as the Senator from Colorado, and if the mining of zinc ore was exactly in the same condition as the mining of lead ore, I would be occupying the same position as the Senator from Idaho to-day.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. HEYBURN. Wherein does it differ?

Mr. SMOOT. I will explain to the Senator wherein it differs.

Mr. HEYBURN. It does not differ in Idaho.

Mr. SMOOT. I will explain to the Senator wherein it differs; and I think as far as that is concerned, we are here legislating for the whole country and not for any one particular place.

Mr. HEYBURN. Idaho is a part of the country.

Mr. SMOOT. Absolutely, and so is every other State. Therefore we are legislating to take care of Idaho as well as all other States.

With this graduated scale I claim that Idaho will not be hurt, or Colorado or Utah. I will tell you wherein there is a difference. There is a difference in this particular, that in the zinc ores there are two classes of users—one is the oxide manufacturer and the other is the spelter manufacturer.

Now, Mr. President, I want to say that the low-grade ores according to the graduation proposed allows all ores below 10 per cent to come in free, and in so doing can hurt nobody, no State, no miner in the United States.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. HEYBURN. There would not be any mine to hurt in Idaho if you let the Mexican ore in here on the basis you propose. There would not be any zinc mines in Idaho. They probably would be raising wheat down in the Pelouse country.

Mr. SMOOT. I can explain it to the Senator in detail. Ten per cent ore means 200 pounds of zinc contents to the ton. Spelter to-day is worth $5.30 per hundred, so the 200 pounds would be worth $10.30 when converted into spelter. The Senator does not think for a moment that we can pay $6.85 a ton freight and pay for the smelting charges of the ore for $10.30? It will cost more than $10.30 for freight and smelting. Therefore no mine producing 10 per cent ore in the United States would be hurt by allowing 10 per cent ore to come in free.

There is another reason why the committee decided to let 10 per cent ore in free. Copper ores are imported into this country carrying sometimes as high as 10 per cent of zinc. In the smelting of copper ores it is impossible to recover the zinc, so the committee thought it was not right to have copper ores smelted in this country with 10 per cent of zinc content pay a duty when none of the zinc was recovered, so they decided that it would hurt no interest to allow 10 per cent zinc ores to come in free.

Mr. KEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. Certainly.

Mr. KEAN. In other words, as I understand the Senator, if the 10 per cent exception was not made there would be a duty on copper ore that contained zinc.

Mr. SMOOT. They would have to pay the duty on the zinc contents, at whatever rate we may fix.

Mr. KEAN. But, as I understand it, the zinc content of 10 per cent is so small that in the smelting it is impossible to retain the zinc.

Mr. SMOOT. It is not a question of being so small.

Mr. KEAN. It goes off in fumes.

Mr. SMOOT. It is a question of the mode of smelting that the zinc goes off into fumes. Now, referring to ores above 10 per cent and less than 20 per cent, we decided the duty ought to be a quarter of a cent a pound on the zinc contents.

I will state the reason for that. We wanted to put a duty on that class of ore sufficient to prevent it being brought into the country just across the border and concentrated and shipped to the smelter as concentrated ore.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. HEYBURN. Are we to understand that the first 10 per cent of the zinc in the copper ore would all be lost in smelting and go off in fumes?

Mr. SMOOT. Absolutely all of it in copper ores.

Mr. HEYBURN. So, if the ore would have only 10 per cent zinc, it would not then have any zinc in it at all?

Mr. SMOOT. You would not recover any zinc.

Mr. KEAN. Unless some method was discovered by which it was done.

Mr. HEYBURN. If it had 15 per cent zinc, it would still lose 10 per cent and have 5 per cent left?

Mr. SMOOT. The history shows that copper ores shipped to the United States for smelting do not carry 15 per cent in zinc, and I am only speaking of copper ores.

Mr. HEYBURN. The Senator is speaking of history. I can without any difficulty show him that some copper ore has more than 10 per cent.

Mr. SMOOT. The only protected copper ores that come in have 10 per cent of zinc in them.

Mr. KEAN. The Senator does not mean protected copper ores.

Mr. SMOOT. I mean protected in this way, by compelling them to pay a duty on the zinc that they do not recover.

Mr. HEYBURN. Oh, I see; this amendment is in the interest of the smelters.

Mr. SMOOT. It is in the interest of no one except the American workingman.

Mr. HEYBURN. He would not be benefited by vulcanizing this 10 per cent of zinc out of copper ore. How is he benefited?

Mr. SMOOT. If there was 10 per cent of zinc in the copper ore and the smelter was made to pay a cent a pound——

Mr. HEYBURN. Who would pay?

Mr. SMOOT. The smelters who imported their ores.

Mr. HEYBURN. I am not worrying about those miners if they are in some other country.

Mr. SMOOT. Nor am I.

Mr. HEYBURN. How are the American miners compelled to pay for it?

Mr. SMOOT. If the Senator will only wait a minute, I will tell him. If in the copper ore there was 10 per cent of zinc and the smelter had to pay a cent a pound on the zinc contents, every ton of that copper ore would have to pay $2 for the zinc contained in the copper ore that could not be recovered.

Mr. HEYBURN. Then the foreigner would have to pay it.

Mr. SMOOT. Wait a minute. Certainly the American smelting people would have to pay it, provided it was smelted in America, and if a provision is placed in this bill compelling them to pay $2, the ore would go to some foreign country to be smelted, because that country would have the advantage of the American smelter of $2 a ton. Therefore, instead of smelting that ore in this country, it would be smelted in a foreign country. That is how the American workingman gets the advantage in the smelting of this class of ore.

Mr. HEYBURN. I would be glad if the Senator would tell us where the American ore producer comes in—whether he would not have the market after we get these other people out of it?

Mr. SMOOT. There has never been a pound of zinc ore yet mined in America that was of sufficient value to profitably smelter or concentrate as in the Joplin district that has not found a ready market in this country, I care not how many tons mined. The fault that is found here is that there is not enough ore mined in this country, and the opponents of this measure claim that they should be allowed to go to Mexico to purchase ores, because they can not get ores produced in this country in sufficient quantities.

Mr. HEYBURN. I would ask the Senator, then, if he thinks it would be well——

Mr. GUGGENHEIM. Mr. President——

The PRESIDING OFFICER. Will the Senator yield, and to whom?

Mr. SMOOT. Certainly; to either Senator.

Mr. GUGGENHEIM. The ore in question, to which the Senator from Utah refers, I judge from what was said to me, is an exceptional ore. This copper ore is mined in South America and, containing zinc, does run exceeding 10 per cent zinc. The Senator from Idaho need have no fear that the copper ore in his State contains any zinc, for no such ore is known to exist at this time. However, under the circumstances, I think it is advisable to have the copper ores mentioned imported to this country, rather than to have them go to Europe, particularly Germany and England, where there is extreme competition for that class of material.

Mr. HEYBURN. I was just wondering, hearing the argument of the Senator from Utah, whether it would not be better for us to consider first how we can take care of the product of zinc of other countries, and then, should there not be enough brought in, mine some of our own.

Mr. SMOOT. In this bill we are taking care of the zinc product of this country.

Now, in relation to the ores carrying 20 to 25 per cent of zinc——

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. Certainly.

Mr. HUGHES. Before the Senator leaves that point, I wish to inquire whether it is his understanding that all of the ore bearing less than 10 per cent is copper ore, and if he does not know it to be true that there is much more zinc under 10 per cent than there is in copper ore brought in?

Mr. SMOOT. But it is a question of smelting. You can smelt the lead ores that have zinc and recover the lead and zinc, but you can not recover the zinc in copper ores.

Mr. HUGHES. But you recover the zinc contained in the lead ore.

Mr. SMOOT. Certainly, and recover the lead, too; but in the copper ores you can only recover the copper and not the zinc.

Mr. HUGHES. Then why does not the committee exclude copper ore bearing 10 per cent zinc which can not be recovered, if smelting is now conducted in that way, but which can be and is recovered——

Mr. SMOOT. Copper ore is on the free list to-day.

Mr. HUGHES. I understand.

Mr. KEAN. That is where zinc ore ought to be.

Mr. SMOOT. That is the Senator's opinion, of course.

Mr. HUGHES. That is the opinion of the free trader from New Jersey, but not of the tariff-for-revenue Democrat from Colorado.

Mr. KEAN. I beg the Senator's pardon; I did not hear what he said

Mr. HUGHES. I said, in the opinion of the free-trade Senator from New Jersey, zinc ought to be on the free list, but it is not where the tariff-for-revenue Democrat of Colorado would place it.

Mr. KEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. Certainly.

Mr. KEAN. Mr. President, I do not know whether the Senator from Colorado is a free trader or a tariff-for-revenue Democrat. I know what he always votes for. It is to put the highest possible duty on every product of the State of Colorado.

Mr. HUGHES. Not yet. I will say, however, that I do object to a classification of a duty which is pretending to give some service to the State and yet by its classifications largely destroys it, because I know that in the State of Colorado there is some zinc and some lead and a little silver, and that makes it possible to operate the mines. If the value is taken out of any one of the three components, they can not be operated. I know, further, that there is no industry in America which pays as high duties upon everything it uses, including its powder, its iron, its steel, its fuse, and everything else, as the mining industry of Colorado.

Mr. SMOOT. Mr. President, I know positively that the graduated scale here is not going to hurt the miners of the Joplin district, and it is not going to hurt the miners in Colorado, nor in any other State in the Union.

Mr. HEYBURN. What is it for?

Mr. SMOOT. I will tell the Senator what it is for. It is for the very purpose of allowing the oxide people who use the low-grade zinc ores to get their zinc ores from Mexico if they can not purchase them in the United States.

Mr. HEYBURN. The state engineer and geologist says that there are a million tons of ore in one district ready for mining if we can simply get the Mexican put to bed.

Mr. SMOOT. The Mexican never shipped a pound of ore here until a few years ago.

Mr. HEYBURN. He did not know that he had it.

Mr. SMOOT. Of course he did not know that he had it, and the reason why we are putting a duty to-day upon the ore is

because of the very fact that he has it and is shipping it here and displacing American ore. As far as I am concerned, I want the duty so high that he can not interfere with any miner in this country, and at the same time I do not want to destroy any industry in this country. If it were not for the oxide people requiring low-grade ores, I would be exactly in the same position as the Senator from Idaho, who claims it is necessary to have 1 cent a pound on the zinc contents no matter what percentage of zinc the ore may carry.

Mr. HEYBURN. I should like to know if the Senator then candidly proposes to let in that oxide ore free.

Mr. SMOOT. They will never ship that oxide ore here if they can get enough ores from the United States.

Mr. HEYBURN. But then——

Mr. SMOOT. But to-day they can not get it; it can not be purchased. The only place they can purchase it is in Mexico.

Mr. HEYBURN. Four years ago they did not know that it was in Mexico.

Mr. SMOOT. Many of the mines that they used to purchase from in Wisconsin they can not purchase from to-day, because conditions in the mines have changed. The ore is mined to-day below water level and the ores are sulphide ores and can not be used to manufacture oxide of zinc. This will be the case in almost every mining district in the United States

Mr. HEYBURN. I should like to ask the Senator candidly, then, if he does not propose to let in this Mexican ore because of its being oxide?

Mr. SMOOT. I propose that the ores that will not come in competition with ores that go into spelter shall come in here at the duty we have provided.

Mr. HEYBURN. That is the old story; I know just where they stand. They propose to cut our zinc market in two, because it is just about one-half on one side and one-half on the other. And they propose to give it to some interest that owns the mines in Mexico. They are not Mexicans. I know who own them.

Mr. SMOOT. The statement made by the Senator is drawn from his own imagination. No statement of that kind has ever been presented to the committee. No thought has ever come to the minds of the committee, and no smelter man even has suggested it.

Mr. HEYBURN. They generally do not suggest it.

Mr. SMOOT. They certainly suggest wherever their interests require.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. Certainly.

Mr. DIXON. I suggest, in connection with what the Senator from Utah has stated, that in copper ores, carrying a small per cent of zinc, the whole percentage of zinc is lost in smelting, and it would not be a matter of justice to charge the copper ore up with duty on the zinc contents, amounting in the case of 10 per cent zinc to $2 a ton, and then lose the entire contents in smelting. I want to suggest to the Senator from Idaho [Mr. HEYBURN], if he does not know it as a matter of fact, that in all the low-grade lead ores that carry 8 or 10 per cent of zinc, the smelters put on a penalty for the zinc contents. Instead of being added to the value of the ore, they always penalize lead ores that carry 8 or 10 per cent of zinc.

Mr. HEYBURN. With the consent of the Senator from Utah——

Mr. DIXON. That is what they do. They penalize at the rate of $1 a ton for each unit of zinc.

Mr. HEYBURN. I will answer the question that was suggested by the Senator from Montana. In the first place, what copper ores are shipped into this country that would come under this provision?

Mr. DIXON. I could not specify them, exactly.

Mr. HEYBURN. There are not enough of them to make figures for.

Mr. DIXON. I think the Senator is mistaken. I have always understood that there was a large importation of copper ore from Chile that carries a low per cent of zinc, which was lost in smelting, and which if not brought into this country to smelt here would go to European smelters.

Mr. HEYBURN. They would go up the chimney of the smelter. I know all about penalizing for zinc. We lived under those conditions for twenty years, when every calculation that was made as to what a carload of ore would pay in the net, we had, of course, to make deductions for the zinc; but that has passed.

Mr. DIXON. In some ores.

Mr. HEYBURN. It is in certain iron ores.

Mr. SMOOT. I know that it has not passed, because we are penalized to-day for every unit of the zinc in the recovery of ore in our State. That is the case; and it has been for years.

Mr. President, the committee also decided that there should be a proper differential between what was charged upon the ore and the spelter.

We went into the question carefully, and from all the testimony we decided the differential on the zinc in blocks or pigs should be one-third of a cent, or one and one-third of a cent on zinc spelter; on sheets, three-fourths of a cent; and so reported the amendment. The changes from the House bill were made by adding the differential, which was absolutely necessary in order to allow the smelting of the ores in this country and to prevent shipments of spelter from foreign countries.

Mr. President, I do not know that I have anything more to say on this subject, but I will add that I feel that the committee have taken all interests into consideration, not the mining interests alone, not the smelter interests only, not simply the owner of the mine, but all interests—the oxide manufacturers, the spelter manufacturers, the miner, and everyone who is interested in this question. So far as it was possible, we have given the Senate the facts as they were presented to us, and we hope and trust that the Senate will support the amendment as offered by the committee.

Mr. BURTON. Mr. President, I would say to the Senator from Utah that I have given my attention to opposing the duty on zinc ore, but it seems to me that it would be manifestly unjust to leave the differential between zinc ore and zinc in the pig at one-third of a cent a pound. I will ask the Senator from Utah is it not true that the actual amount of zinc obtained from a theoretical ton of zinc as represented by ore is only 87½ per cent?

Mr. SMOOT. That is absolutely true. I have always understood it was 87 per cent, but some say it is 87½ per cent. Granting, however, that it is 87 per cent, then it is also true that that recovery of ore is the same in all countries; in other words, if the ore is smelted in Germany, all they recover there is 87 per cent.

Mr. BURTON. I would suggest to the Senator from Utah that this is not really the question. The question is, At what price can zinc spelter be produced abroad? Is it not probable, with this high duty, which will be prohibitory on Mexican ores, that those ores and others will go to Europe to be smelted, and so be produced at a lower rate than ever before, and that one-third of a cent per pound would be absolutely inadequate?

Will the Senator from Utah state any other case in which the differential between the crude material or the ore and the finished material, the pig zinc or the spelter, is so small as one-third of a cent a pound either in the tariff of the United States or in the tariff of any other country?

Mr. SMOOT. Mr. President, we considered that question very thoroughly. I had the testimony of the smelter men themselves as to what the real difference was between the smelting of zinc ore in this country and abroad; and it runs all the way from 13 cents to 33 cents. Some claim that we can smelt zinc ore in this country cheaper than it can be smelted at any other place in the world. They give as the reason the fact that in Oklahoma and in Kansas, where most of the smelters are located, they have the cheapest gas on earth, and therefore can smelt ore as cheaply as can be done in any other country. But, Mr. President, the greater part of the testimony did not show that to be the fact. The committee wanted to allow a rate of duty sufficient to protect all interests, and decided a differential of one-third of a cent was necessary.

Mr. GUGGENHEIM. That is per pound, I believe?

Mr. SMOOT. That is per pound.

Mr. HEYBURN. One-third of a cent.

Mr. SMOOT. One-third of a cent a pound.

Mr. HEYBURN. I would say to the Senator from Utah that no such differential as that would cover the difference between the cost of the raw material and the finished material, in the expense of obtaining it or in maintaining a differential between the foreign cost and the domestic cost, or in the markets that will work out practically. It is conceded that the cost per ton is $10.50 for the reduction. All seem to agree upon the fact that it is $10.50 a ton of ore, which is very much higher, manifestly, than would be the foreign cost, which is estimated to be $7.28 to $8 a ton.

Mr. SMOOT. Mr. President, I will state to the Senator from Idaho that I talked with the smelter men themselves upon the subject. We took into consideration what the freight was from Mexico to our smelters, and what the freight rate was from the Mexican mines to Germany, and the freight back upon the spelter from Germany. We also took into consideration

the freight rate from the smelter to the place of sale, or, in other words, to the centers where the spelter is used; and there was no case in which it amounted to more than one-third of a cent, as I said before. So I feel absolutely certain that the spelter people will not be hurt with this differential of one-third of a cent per pound.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from New Jersey [Mr. KEAN] for the amendment proposed by the committee.

Mr. WARNER. Mr. President, I am reluctant to occupy the time of the Senate even for a minute, and I should not do so were it not for the deep interest which the people of my State have in this question; deeper, I think, than in any other schedule in the pending tariff bill, for the reason that in what is known as "the Joplin district," composing portions of Missouri, Kansas, Oklahoma, and Arkansas, 70 per cent of the spelter which is used in the United States is produced. Over 11,000 men, nearly all Americans, are engaged there in the mining industry. They are among the best paid laborers in the world; they are independent laborers; they are home builders, having their permanent residence in the mining district.

This and the importance of the zinc-mining industry in my State is enough to make me say something. But, Mr. President, back of that there is a bit of sentiment, from the fact that my father was a day laborer in the mines in Wisconsin, and as a boy I worked in and about the mines; and the deepest regret of my life, I think, was when, well-nigh three score years ago, I parted company at the mouth of the shaft from the old blind horse that I had for two years led in the winters' snows and the summers' suns in operating the whipsey-derry of a lead mine. I have therefore some familiarity with the mining industry.

And I have been hopeful that justice would be done to every section of this country in the matter of the duties on zinc. I have believed, and believe now, that the Committee on Ways and Means of the House of Representatives should have acceded to the claims of the miners, and that the committee should have given them the same protection that it gave the lead industry. The Ways and Means Committee, after careful consideration, placed the duty on zinc ore at 1 cent a pound. The bill giving that protection came over to the Senate. In my judgment, the Senate Committee on Finance should have reported the duty at 1 cent a pound on the zinc contents contained in the ore. It may be that I am overzealous on behalf of the men who work in the mines. Yet, while not getting all that I believe they should have gotten, I do not think any interest has received more careful consideration at the hands of the committee than has the zinc industry, taking into consideration even the men who are fighting it to-day—the oxide-zinc people and the smelters—who are here fighting against the granting of protection to the men who work in the mines, yet always looking for and demanding protection to their own interests.

Mr. President, I am no better protectionist than many other Republicans; but, sir, for nearly as long as the children of Israel wandered in the wilderness I have fought the battles of protection in Missouri against what seemed to be a hopeless majority, and I have yet to learn that free raw material is a cardinal principle of faith of the Republican party.

I regret that my genial friend, the distinguished Senator from New Jersey [Mr. KEAN], has appeared in a new rôle. The amendment which he has offered does not propose free trade; nor would it afford protection; but, in the language of the Good Book, it is neither hot nor cold, offering, as it does, the munificent sum—I will not go through with all the figures before me—of 50 cents a ton for certain grades of ore.

Mr. KEAN. It is $4 for the Missouri ore.

Mr. WARNER. Four dollars—most generous! But the Senator must know that no ore of that grade is imported. If there is a State in this Union that has its industries protected, New Jersey is that State. I am not here to complain of that; I am not here to complain because the industry of any State in this Union is protected, but I am here to demand that no industry in my State be penalized because it comes in conflict with the oxide interest of New Jersey or the galvanized-iron interests of Ohio or any other State. I think we have a right to ask for imposition on imported zinc ore of a duty that will equalize the wage scale in the zinc mines of the United States with that in the mines of Mexico—the rule of protection that has been our guide in determining the rate of duty applied to other industries affected by the pending bill.

I had laid out a good many papers here for a set speech, with statistics, but, if you will take my word for it without the statistics, I think it can be absolutely demonstrated that the duty of 1 cent a pound proposed by the committee is not an adequate protection under the rule which, I think, we have heard proclaimed many times in this Chamber during the past month. That is "in all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between cost of production at home and abroad, together with a reasonable profit to American industries." I demand the application of this rule that a square deal may be given to the zinc industry of Missouri.

In Mexico they dig 45 per cent zinc ore out of the side of the mountain, with a tunnel, using not a cent's worth of machinery, and at an expense of approximately $2 a ton. They carry it on the backs of burros and by ox teams, or on the backs of peons a few miles, and place it upon the railroad train. It costs them only $6.50 a ton to get that ore from the place where it is put on the train to the smelter in Kansas, Missouri, or Oklahoma; and to-day under this rate of duty 35 per cent Mexican ore has the advantage over 55 per cent Joplin ore. However, I shall not go into that.

It has been said that we have had no protection. The fact is we thought we had protection for zinc under the Dingley bill, and the Treasury Department thought we had protection amounting to 20 per cent ad valorem. The Treasury Department ruled to that effect in construing that act, but the importers sought to have that ruling set aside, and they succeeded in doing so in the courts. The case was decided in the district court, and, in January, in the court of appeals, in favor of the smelters; and up to the 20th of last month we had returned to the smelters in refunds out of the duties they had paid over $73,000. The importation of zinc ore continued, and had the 20 per cent ad valorem been collected upon the imports the amount collected would have equaled substantially the duty imposed upon such imports by the pending bill as sought to be amended by the pending amendment.

It was not until 1904 that a pound of Mexican zinc ore was shipped into the United States, and then there were shipped from Mexico 2,264 tons. In 1905 there were shipped from that country 18,074 tons, and in 1906 54,991 tons. It was then that the miners in the Joplin district began to see that they were being swamped with this foreign ore. It was brought here not for the purpose of being manufactured into oxide, but it was brought here by the smelters to be smelted to spelter, in competition with our own ores. In 1907 102,000 tons were imported from Mexico, and in 1908, when we had a slump, 46,000 tons.

Let me give a few figures more to show the importance of this matter. I became a little curious to know what our disinterested smelter friends were doing this year, in view of the prospective legislation putting a duty upon zinc ore. I find that in January they shipped 312 cars, or 9,360 tons, of Mexican ore. For February I have not the figures. In March they shipped 258 cars, or 7,740 tons; in April, 350 cars, or 10,500 tons. In May—mark it—531 cars, containing 18,585 tons.

At the rate of this importation from Mexico they would ship here in a year an amount equal to 223,000 tons, an amount equal to the entire output of the Joplin district last year, the chief zinc-producing section of the country, producing, as is suggested by the Senator from Utah [Mr. SUTHERLAND], about 70 per cent of the zinc ore of the United States.

According to the figures, the ore at the border cost the smelter, upon his own valuation, only $8.50.

There is one other item to be taken into consideration, and it has an influence in this case. The freight rate is $6.50 a ton for shipping zinc ore from any points of shipment in Mexico to the smelter in Oklahoma or Kansas. The railroads have not been idle. The annual shipments, according to the May figures, are 223,020 tons. Multiply that by $6.50, and, if my computation is correct, you have the comfortable sum paid to the lines of railroad for freight upon that ore of $1,449,000. I say to you, Senators, this freight rate of $6.50 will not be maintained. The railways will want this long haul, and they will adjust their rates to meet changed conditions so as not to lose this business.

I have no complaint to make of anything. I would have preferred the 1-cent rate. But I was looking, possibly, at one interest too much, just as a lawyer in trying a case differs from the judge upon the bench.

The committee investigated the entire question, consulted with the oxide people, the smelters, the producers, and the importers of copper, and came to the conclusion as reported here. Perhaps I ought to say that I am for a rate of 1 cent or nothing; but I am here to-day to say that I believe the adjustment made of this question by the Committee on Finance will not injure any American mine or industry, but will preserve to the American miner the wage advantage which he now possesses, and I shall therefore support the committee's amendment.

Mr. GUGGENHEIM. Mr. President, having the honor to represent in part the State of Colorado, which is interested in this schedule, I hope the Senate will not adopt the amendment proposed by the Senator from New Jersey [Mr. KEAN].

Colorado, as I previously stated, excluding the zinc-oxide product of New Jersey, is the second largest producer of zinc ores in the United States. Having had some personal business experience in the Republic of Mexico, residing some time there, also having mined in that country up to a few years ago and knowing the conditions prevailing, I trust that the producers of the United States will not have to longer meet the keen competition of the producers in the Republic of Mexico.

The Senator from New Jersey has made the statement that heretofore no duty has been imposed on zinc ores. That is true; but it has not been necessary to impose a duty on these ores up to the present time.

The zinc-ore shipments began coming from Mexico, as was stated by the Senator from Missouri [Mr. WARNER], in 1904, reaching a point when, in 1907, they amounted for that year to something like 110,000 tons.

From what I know of mining conditions in Mexico, its producers can just as readily ship 250,000 to 300,000 tons of ore annually from that Republic. Knowing mining conditions in the West, due in part to the higher wages we pay the miners in the mining of zinc ores, which are the same wages paid as in the mining of lead ores, I know such importations would be a menace before long and would probably close a great many zinc properties in the Rocky Mountain mining region if we do not impose a duty sufficient at least to protect the interests of the American producer and enable him to continue paying the present wage schedule, which at the best is not too remunerative for the American miner.

Personally, I should like to have seen the rate 1 cent per pound on all grades of zinc ore, but as the Committee on Finance have in their wisdom seen fit to make a slight reduction from the rate fixed by the House, I am willing to accept the rate now offered, feeling that it will not work any great injury to the mining interests of the West.

The zinc industry in Colorado and in the Rocky Mountain section is in its infancy. It is not so in Missouri, for zinc ores have been mined there for a great many years. We were obliged to take up the mining of zinc ores in Colorado and in the other Rocky Mountain States on account of the low price of silver. Many silver mines have been closed because of the low price, which at the present time is about 52 cents an ounce, a drop of 13 cents in the past two years. Now, I ask the Senate not to menace our zinc industry, which is in its infancy, but to give the State and the West all the protection to which they are justly entitled.

Within a few years zinc smelters have been established in Colorado. None had existed up to a few years ago; neither had the magnetic separators been installed, which are developing the zinc industry very rapidly and extensively. Therefore I want to say to those people now engaged in zinc smelting in Illinois, Kansas, Wisconsin, and elsewhere that they need not fear that they will not obtain sufficient ores in this country. The ore exists. All we want is a chance to develop it. The only reason some of those smelters to-day are making the keen and active fight to bring in the ores from Mexico practically free is the fact that they have gone to that Republic and made extensive and cheap contracts. Zinc ores exist there in large quantities, and as there are no zinc smelters and no home market the American buyers have gone there and made advantageous contracts.

It is therefore natural that they should be here to-day protesting against even a slight duty on zinc ores. If we are given a chance to develop the zinc industry in the Rocky Mountain region it will not be necessary for the Middle West smelters to go to Mexico for ores, as they will be able to get all the necessary ores in this country, and thereby enable us to build up our home industry and also protect the American miner.

The present contention of the smelting companies reminds me of the trouble that the Congress had in framing the tariff bills of 1890 and 1894. The lead-smelter owners at that time made the statement that it was necessary to import lead ore from Mexico for fluxing purposes. It was then stated by the American producers that with a proper tariff there would be sufficient lead ore produced in this country. That has proved to be the fact, for the reasonable duty imposed then upon importations of lead ore has stimulated lead-ore mining. I now make the statement unequivocally that such will be the result in the zinc-mining industry in this country if my appeal for a fair duty on zinc ores is granted and Colorado and other Western States accorded their just rights.

Mr. BURTON. Mr. President, I do not desire to detain the Senate for any length of time, but I am unwilling to see this item go on the dutiable list without a further statement of the case. If zinc ore, under the circumstances now existing, should be made dutiable, the Senate should impose a duty on copper ore, on tin ore, even on gold and silver ore. If any Senator votes for this duty, I do not see how he can refuse to vote for a duty on cotton as well.

With few exceptions, which have been named, the tariffs of 1846 and of 1857, this article has never been on the dutiable list. In 1890, when the McKinley bill was framed, when the price of ore was $20.90, it needed no protection. In 1894, when the price had fallen to $13.60, it obtained no protection. In 1897, when the price was $22.28, it needed no protection.

But now, when the price is almost exactly twice what it was in 1897, the insistent demand is made that there must be a duty of a cent a pound on the zinc contents of zinc ore.

I make bold to say that the imposition of such a duty would help no one and would seriously injure various lines of industry.

There is a principle which has been intimated, if not boldly advocated, this afternooon, to which I certainly can not give acceptance, and I think no one else should. It is that in framing a tariff bill you must arrange your schedules so as to enable the leanest and poorest mine to do business—not the best mine, not the average mine, but that mine which would not naturally be worked in any country and perhaps exists only in the imagination of some promoter.

If these mines were profitable nine years ago, in 1900, at $26.50; eight years ago, in 1901, at the price of $24.21, why do they need protection now at the price of $45? The plain reason is, as I stated in my remarks made earlier in the day, there has been a great increase in the manufacture of spelter and the products of zinc. We might as well eliminate all this confusion about the manufacturers of zinc oxide and the manufacturers of spelter. It is a plain business or economic proposition. Is the Senate willing to impose now practically for the first time on another article of raw material a duty which it did not receive when the price was half what it is now, or even less?

In order to show the increased demand, I will read briefly from the Engineering and Mining Journal, a standard publication, which has the confidence of all in the mining business. In 1904 it says this of the situation at Joplin:

> Even then, with the new smelters in the field for the product of the Missouri mines, the output will barely meet the urgent demands of the capacity of all the works drawing a supply from this district.

A little further on it says:

> As has been previously outlined in the Journal, the output is insufficient to meet the demand of the increased smelting capacity drawing a supply from this district, and in consequence the ore price has been about $4 per ton higher than the metal market for two months.

In 1905 it said:

> The direct cause of this has been, of course, the insufficiency of the Joplin ore supply to meet the present demand for spelter for consumption.

Again, in 1906:

> It is to be feared that there will be a further falling off in the output of zinc ore this year, even if the price continues high, for the reason that the new openings of ore are not compensating for the exhaustion of the older mines.

I would not wish to throw one obstacle in the way of the miners or others, for whom my friend the Senator from Missouri has made such an appeal. But are they not prosperous enough already? Is there any business in the country where the price of the product has increased more than it has in this instance? And it has increased by natural causes, by the added demand for the product. I submit it is hardly fair to insinuate that there is a conspiracy on the part of those who obtain ores from Mexico. They had no desire to go to Mexico; far from it. But the insufficiency of the supply of ores here made it necessary for them to go outside of the State and outside of the United States to seek another supply.

Mr. President, in any revision of the tariff it will be found that one of the chief obstacles arises from existing duties on raw material. No one who looks at this question as a business proposition will deny that the added labor of the factory, all the increased values given by labor, entitle the one who is engaged in manufacturing to an additional duty. There is a difference between the duty on a lump of iron ore as compared with that on a steel watch spring. The intervening rates are determined according to the amount of labor applied and the amount of capital invested.

Now, when the basis—the raw material—carries a high duty, it is extremely difficult to reduce the succeeding rates.

I have sometimes said that the tariff on raw wool was the sustaining arch of protection in this country. I think there are very few advocates on this floor of the removal or substantial reduction of the duties on wool. Why? Because it is so general an interest in the country, because the farmer, the manufacturer, and all these varied lines of activity have adjusted themselves to that duty.

The value of sheep, the value of land, all, in great degree, depend upon the duty on wool. But so long as the present duty on wool continues it will be extremely difficult, if not impossible, to decrease the duty on woolen goods.

For one I am decidedly opposed to bringing into the category of dutiable articles further items of raw material, because that will still further add to the difficulty of any reduction in duties. In saying that I do not mean to ignore for a minute the propriety or indeed the necessity of imposing duties on raw material when there is a proper ground for it, but in this case I believe there is no demand whatever. It will do no good to those who seek it, because it will lead to a reduced consumption of zinc and an increased consumption of competitive articles, because you are going to put this article up in price, clear out of proportion with competing products, and those competing products will displace the zinc, and the very men who are seeking the imposition of this duty will in the long run find they gain no benefit from it.

Mr. DANIEL. I wished very much to ask the Senator from Colorado, before he took his seat, the amount of freight that Mexican zinc ore would have to pay before it reaches a furnace in Colorado.

The PRESIDING OFFICER. The Senator from Virginia requests the attention of the Senator from Colorado.

Mr. DANIEL. I wish to ask the Senator a question. He can probably answer me. What is the amount of freight on the Mexican ore before it reaches the furnace in Colorado?

Mr. GUGGENHEIM. That ore does not go to Colorado. It is shipped to Illinois and Kansas.

Mr. DANIEL. How much would it have to pay from Mexico to the point where it is smelted?

Mr. GUGGENHEIM. I have a pamphlet in my desk stating that it is $3.85 per ton from the border to Kansas City. I get that from the pamphlet. Personally I do not know the exact rate.

Mr. WARNER. My information, after giving some attention to this subject, is that it is $2.65 from the other side to the border and $3.85 from the border to the smelter in Kansas.

Mr. DANIEL. Two dollars and sixty-five cents?

Mr. WARNER. Two dollars and sixty-five cents to the border of Mexico and $3.85 from the border to the smelter.

Mr. DANIEL. Two dollars and sixty-five cents to the border of the United States and $3.85 thereafter. If the advantage of $6 and upward per ton on ore, which exists in favor of this country, does not constitute a pretty high protection, I do not know what would be. As it seems to me, the attempt to put a cent a pound on this crude zinc ore coming into a country that needs it is nothing but the hard and cruel tax of a severe taskmaster, and that it should be done, and by a party that called for revision down, or aided and abetted by another which has historically stood for low taxes, is a paradox of political complication such as we had no right to expect to meet. The zinc makers of this country and the users of the ore are thirsty for it. They are crying aloud in the land for it. The manufacturers of the country are thirsty for it, and we are told here in the Senate of the United States, by a party that calls for revision down, that we must take a leap upward, high over the natural bulwarks and mountains and rivers and streams and oceans that lie between, and select this identical article for a specific tax on the pound. There is nothing more paradoxical in history, in politics, or even in tariffs, where we can find almost everything.

Mr. STONE. Mr. President, I believe in the old Democratic doctrine of a tariff for revenue, and not in levying a tax for protection per se. If the Democratic party was in control of Congress and making a tariff bill, I would favor imposing import duties on as great a number and variety of articles as possible, both raw material and manufactured products, varying the amount of the duty according to the circumstances of each case, having always in view the necessities of the Government for money with which to administer its great affairs. I would endeavor to secure a due proportion of that revenue through the imposition of revenue duties on imports.

I do not, as a general proposition, look with favor upon the action of free raw material, and certainly not when the products of the raw material are highly protected; and still less when the manufactured products are not only protected, but are controlled, or largely controlled, by a monopoly. The mere fact that a given article may have been put on the free list in one tariff law, or more than one tariff law, or the mere fact that a given article may have been on the dutiable list in one or more tariff laws, is not of itself in either case a matter of particular importance.

There may be at one time well-founded reasons for putting an article on the free list or for putting it on the dutiable list, according to the circumstances existing at the time. At one time the circumstances might be such as naturally and properly to take a given article to the free list, while ten years later the conditions might be wholly changed, and, vice versa, conditions might so change as to make it advisable to take some article from the free list to the dutiable list. That has been done in both ways over and over again in the course of tariff legislation. I see nothing, therefore, in the argument that zinc ore should forever remain on the free list because it is now on the free list. One thing is sure, that, no matter what party is in power, and no matter whether a tariff law is made on protective lines or revenue lines, we are bound to raise several hundred million dollars every year by the collection of tariff duties for the uses of the Treasury. The line of party cleavage lies between protective rates, with incidental revenue, on the one hand, and revenue rates, with incidental protection, on the other hand. Moreover, whether a tariff law be drawn on protection lines or revenue lines, it should be symmetrical and impartial. The case in hand furnishes an example. The law imposes a highly protective duty on the manufactured products of zinc, but we find those engaged in zinc manufacturing and who benefit by the tariff on their products are clamorous for no tariff on zinc as it comes from the mines. They have been here urging free trade on what they buy and protection on what they sell. I do not believe in that sort of thing. I have said to them that I would consent to free ore if they would consent to free manufactures of zinc ore. And so this morning, with a view of testing the question and trying the good faith of the protected manufacturers, I proposed an amendment leaving zinc ore on the free list and putting zinc oxide and other zinc manufactures on the free list and the amendment was defeated, the Democrats voting aye and the Republicans voting no. I knew, of course, that the Senators from New Jersey would object to putting zinc oxide on the free list. I knew that because zinc oxide is made by a great organization in that State, which, in large measure, dominates the zinc industry of this country. That organization has a high duty upon its productions, and, of course, it wants zinc ore to remain on the free list, or, failing in that, to have the rate placed as near to the line of no duty as possible. I have no antagonism to those who buy zinc ore and use it in any grade of manufacturing, but I believe in fair play, I believe in equality, and that all people should be treated alike and dealt with upon a plane of common justice. Mr. President, let us look at this subject a moment from this standpoint and make some comparisons. The Senate has put a duty of a cent and one-half per pound upon the lead contents of lead ore.

The House put a cent and one-half upon lead ore and a cent per pound on zinc ore. The House also fixed a duty of 1¼ cents per pound on pig lead and 1 cent per pound on zinc spelter. The Senate has left the House rate of a cent and a half per pound on lead ore, but, against my protest, raised the duty on pig lead to 2⅛ cents per pound, and the bill stands in that form to-day in so far as it affects lead ore and lead bullion. But now it is proposed by the Senate committee to change the duty fixed on zinc ore in the House bill by arranging a graduated scale of duties; that is, by imposing a duty of 1 cent per pound on zinc ore when the ore contains 25 per cent and over of zinc metal, and lower graduated rates upon lower grades containing less than 25 per cent of metal; and it is also proposed to raise the duty fixed in the House bill on spelter. Mr. President, I can see no good reason for imposing one rate upon one pound of zinc and a different rate upon another pound of zinc. I can, of course, understand why the New Jersey corporation wants that done, but I can see no other reason for it. And especially, Mr. President, am I unable to see why this marked discrimination should be made in favor of lead and against zinc. Both metals are mined on a large scale in Missouri. I am of course wholly impartial as between them. Each is a great industry, and combined they constitute one of the most important industries of the Commonwealth in which I live. Mr. President, Democrats are not making this bill; Republicans are making it; but I insist that it be framed so as to treat all alike, and deal with one as you deal with another. You can not conceive two mining propositions more nearly identical than the mining of lead and zinc. The same processes are employed. They prospect alike; they drill alike; they sink shafts alike, and men go down into

the subterranean dungeons they make to mine the one metal as they mine the other.

In the Joplin district lead and zinc are ordinarily taken from the same mine and are afterwards separated. Now you give to lead ore 1¼ cents duty per pound, while you propose to give to zinc ore more than a third less than that. The duty is a cent and a half in the one case, and less than a cent in the other case.

Mr. President, still greater quantities of lead are mined in the southeastern part of Missouri than in the southwestern, or Joplin, district. The lead ore taken from the mines of the Joplin district is of a higher grade than that mined in the southeast. The Joplin product will run approximately from 70 to 80 per cent lead.

Mr. SMOOT. Eighty per cent?

Mr. STONE. I am informed it often runs from 75 to 80 per cent lead in the Joplin mines. In the southeastern mines the quantity of lead runs less to the ton of ore.

Now, sir, here we find two mining propositions almost identical in the method of operating, in the cost of operating, and in the value of production. Recent Joplin quotations gave the current price of a ton of Joplin zinc ore, estimated to contain about 60 per cent of metal, at $38 to $39 per ton. At the same time a ton of lead ore running at about 55 to 60 per cent of metal was worth from $43 to $45 a ton. Joplin lead ore was quoted higher than that.

The Joplin ore is worth more because of its richness; but what I am trying to show is that if we compare the value of a ton of lead ore to that of a ton of zinc ore, the two tons running about the same per cent of metal, the ton of lead ore will sell for from $3 to $5 more than the ton of zinc ore; but after the two have been smelted, one put into lead bullion and the other into spelter, the spelter will have a higher market value than the pig lead.

After smelting the situation changes and the pig lead becomes less valuable than the zinc spelter, whereas the lead ore is more valuable than the zinc ore. That is due to the fact that it costs less to smelt the lead than it does to smelt the zinc, and there is less of waste in smelting lead than zinc.

Mr. President, I can not understand the theory upon which the Finance Committee or the Ways and Means Committee constructed these schedules. Dealing with two propositions so essentially the same, why should such a marked partiality be shown for the one over the other?

I do not know what influences operated to bring this about. The lead trust permeates the whole country. It is very powerful, and it ramifies everywhere. Years ago it succeeded in putting this duty of 1¼ cents on lead and higher rates upon the manufactured products of lead; and now the controlling organization in this zinc industry contends here first for free zinc ore, and failing in that, advocates an amendment which approximates as nearly as a duty could to the level of free ores.

Mr. President, I am opposed to that sort of discrimination. If we are to take zinc ore out of the free list and put it on the dutiable list, and I think zinc ought to be made dutiable for the revenue it would produce if for nothing else, it ought to be put on a par with lead ore when duties are laid. There is no justification for this wide and gross discrimination. I do not care on what theory a tariff law is made, whether primarily for protection or for revenue, these two propositions should be treated substantially alike.

Mr. President, I am going to vote for the House proposition, for as between the two I think it in every way the better one. Not only is it better in itself, but it would be an easier law to administer. To prevent fraud in administration, the flat rate is infinitely better than the graduated rate. And I am going to vote for the House rate because, under the circumstances of the case, I believe it would produce a larger revenue for the relief of the Treasury, now sorely distressed. I am a Democrat, in the minority, but still I am a Senator, interested in sensible legislation. Besides, the lower rate proposed for the lower grades of ore is not in the public interest, but in the interest of the New Jersey zinc trust.

Years ago when a high duty was laid on lead ore it was done, so it was said, to protect our lead mines against foreign competition. If so, then where did that competition come from? From Mexico, chiefly. Mr. President, if that was sound doctrine, then the economic conditions now prevailing make that old reasoning as applicable to zinc ore as to lead ore. I do not believe in protection per se, but I do think that even Republicans should show some respect for consistency. Ten years ago and less no zinc ore was imported into this country. Then a tariff on zinc would have made no difference, either as a matter of protection or of revenue. As no ore was imported, there was nothing to protect, and nothing from which to exact a revenue. But conditions in that behalf have changed wonderfully within the last five or six years. Enormous zinc deposits have been recently discovered in Mexico, where they are cheaply mined, and large quantities of this Mexican ore are now being annually imported into the United States. The situation is wholly changed from what it was a few years since. The lead situation and the zinc situation in this respect are again identical. Now a tariff on zinc ore to produce a needed public revenue might be levied, whereas ten years ago a tariff would have produced no revenue because then there were no importations.

Mr. President, the Senator from Ohio [Mr. BURTON], and the Senator from New Jersey [Mr. KEAN], who represent zinc manufacturers, said that the consumers of zinc ores went to Mexico for supplies because they could not obtain enough to meet their demand at home. That rests too much in mere assertion. I conferred with numerous gentlemen who came here representing both sides of this contention, many being constituents of mine. Of course both sides had their personal and selfish interests at heart. I have weighed what they said as well as I could. One or two men talked to me who impressed me as being particularly fair and impartial. One of them is the president of the Granby Mining and Smelting Company, one of the oldest and strongest institutions of that kind in the Middle West. This gentleman has had a long and varied experience in this business. He has been a student of it and is familiar with its every detail. He is interested on a large scale both in the mining and in the smelting of both lead and zinc. His company has large investments in mining both and in smelting both. With him I examined statistics he produced. On this particular question of American production and American consumption of zinc, he showed from authentic statistical data, this, among other things, that the total production of zinc in the United States in 1907 was 534,213 tons of ore. Calling this 50 per cent zinc, with an extraction of 85 per cent, there was produced that year 227,040 tons of spelter against a consumption that year of 222,494 tons, which was the year of our largest consumption.

This calculation leaves out of consideration the New Jersey zinc company's zinc production from its New Jersey mines, which amounted in 1907 to 368,710 tons of zinc ore. That, he said, should be eliminated in all fairness to the smelters, for but little of that production goes into the manufacture of spelter; the bulk going into zinc oxide, and the remainder being exported. It cuts but little or no figure in this discussion and should be eliminated.

Mr. President, I believe that the amount of revenue that would be realized for our hard-pressed Treasury from a 1-cent flat rate would be greater than would be derived from the graduated rate proposed by the committee; and when we take that into consideration in connection with the other considerations to which I have invited attention, it seems to me that the House proposition is in every way preferable.

Mr. President, since we are to have these duties on both lead and zinc, speaking for a constituency interested in both, I insist on equality of treatment in whatever you do, and I shall stand for that which approaches nearest to that level. I do not think it right or fair or just to make a discrimination against the zinc miners in favor of the lead miners, or in favor of the zinc miners against the lead miners. I want to see both treated alike and with absolute impartiality. So far as the ultimate consumers are concerned, the result will be the same whether you put on the one duty or the other. The form in which zinc reaches them is in paints, galvanized wire, zinc sheets, and the like. These manufactured products are highly protected, and most of them are controlled by monopolies. The same is true of lead and lead products. The price to the final consumer of these commodities will not, under existing economic conditions, be affected. From this point of view, the great question is whether these manufacturing monopolies shall have free raw materials on the one hand and tariff rates so high as to protect their products from foreign competition on the other hand; and that is a proposition wholly abhorrent to my sense of justice and fair play.

Mr. LA FOLLETTE. Mr. President, as I am confident that the amendment offered by the committee will be adopted, I shall take the time of the Senate to submit a brief statement.

The Senator from Ohio [Mr. BURTON] argued strongly against the duty upon the ground that when the value of the ore was very much less than at present no duty was required or sought. Why, sir, at that time there were no importations, and consequently no reason to ask Congress for a protective duty.

I know something of the cost of mining zinc ore in Wisconsin. With respect to Joplin, the cost of mining ore is fully

stated in the testimony taken by the Committee on Ways and Means.

A few years ago the cost of mining in Wisconsin was very much less than it is now. The mining was near the surface. At present it is from 100 to 200 feet below the surface, and in going down the miners encounter heavy water, which makes the mining very expensive.

The duty should be based on the difference in the cost of producing in this country and Mexico. The cost of production in both countries is definitely ascertained. It costs, in round numbers, $35 more per ton to lay down a ton of Wisconsin or Joplin ore at the Kansas smelter than a ton of Mexican ore. The labor cost in a ton of ore in Wisconsin is $24. A protective duty measuring the difference between the cost of production in Mexico and in Wisconsin, and in Joplin as well, would require a higher duty than that fixed by the House, and a higher duty than that submitted by the Senate committee to-day. With these facts before the Senate it can not refuse to adopt the committee amendment.

Mr. President, for reasons which I stated when the paragraph on lead ore was under consideration I am compelled to withhold my vote on all questions or amendments offered as to paragraph 190.

I am interested in property which I believe will be increased in value if zinc ore is made dutiable, as provided in the amendment proposed by the Finance Committee. For that reason I will ask to be excused from voting.

The PRESIDING OFFICER. Without objection, the Senator from Wisconsin will be excused.

The question is on agreeing to the amendment of the Senator from New Jersey [Mr. KEAN] as a substitute for the committee amendment.

Mr. KEAN. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment proposed by the committee, striking out paragraph 190 and inserting a substitute therefor.

The amendment was agreed to.

Mr. ALDRICH. The next amendment I offer is to paragraph 191.

The PRESIDING OFFICER. The amendment proposed by the committee to paragraph 191 will be read by the Secretary.

The SECRETARY. It is proposed to strike out the paragraph as printed in the bill and to insert in lieu thereof:

191. Zinc in blocks or pigs and zinc dust, 1½ cents per pound; in sheets, 1¾ cents per pound; in sheets, coated or plated with nickel or other metal or solutions, 2 cents per pound; old and worn out, fit only to be remanufactured, 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. CURTIS. Is there not an amendment pending to that paragraph?

The PRESIDING OFFICER. There is not.

Mr. CURTIS. I understood that the Senator from Idaho [Mr. HEYBURN] had offered an amendment to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. ALDRICH. I ask that the paragraphs of the silk schedule, numbering from 392 to 401, inclusive, reported from the committee yesterday, be adopted.

The PRESIDING OFFICER. The Senator from Rhode Island moves that the paragraphs referred to be adopted.

Mr. CUMMINS. Before that motion is put to the Senate, I should like to ask the chairman of the committee a question with reference to the amendments that were proposed yesterday.

Mr. BRISTOW. Mr. President, I desire to inquire what is the question now pending before the Senate?

The PRESIDING OFFICER. The question is on certain silk paragraphs offered by the chairman of the Committee on Finance, which he now moves be adopted.

Mr. CUMMINS. Mr. President, originally the Finance Committee reported that the equivalent ad valorem duty upon all the articles in this schedule in the present law was 52.33 per cent, and that the equivalent ad valorem that had been substituted by the Senate committee was 60.76 per cent, thus showing an increase of 8.43 per cent, or an increase over the former rates of substantially 16 per cent. The committee has now proposed to reduce some of these rates, which is very gratifying, I think, to all of us—and very justly to reduce them—but I should like to know how the reductions which are now proposed affect the general increase that I have mentioned.

Mr. ALDRICH. Mr. President, the reductions have been all along the line, as the Senator perhaps has seen from the statement which was furnished to him. I should think that the rates now before the Senate are not much, if any, in excess of the present law. The Senator from Utah [Mr. SMOOT] has a detailed statement of the reductions, which he can submit to the Senate. Of course, just what the effect will be no one can precisely tell; but I can say that the general effect of the silk schedule, if it is adopted as now presented, will be very little, if any, increase over the existing law.

Mr. CUMMINS. Mr. President, I have not had opportunity, even if I had the skill, to apply these rates to the importations of 1907. My view of it was that there was no occasion for materially increasing the duties upon either silk threads or silk fabrics. With the assurance which has just been given by the chairman of the Committee on Finance, which I understand is also the view of the Senator from Utah, I do not intend to urge any amendment to the silk schedule, although it was my original purpose to do so, in order that we might bring the duties more nearly to the law as it now is.

The PRESIDING OFFICER. In the absence of objection, the paragraphs referred to will be considered as agreed to.

Mr. KEAN. Mr. President, I desire to present a petition of the silk manufacturers of the United States, and ask that it may be printed in the RECORD. I shall not detain the Senate by asking that it be read.

The PRESIDING OFFICER. In the absence of objection, the petition will be printed in the RECORD.

The petition referred to is as follows:

Hon. JOHN KEAN,
United States Senate, Washington, D. C.:

The petition of the undersigned silk manufacturers of the United States of America respectfully represents as follows:

Whereas an effort is being made by importing interests to reduce the 50 per cent ad valorem clause contained in the silk schedule now before your honorable body;

Whereas a 50 per cent rate is needed to properly protect the silk industry of the United States and to offset the difference between cost of production in Europe and the United States;

Whereas the specific rates in the proposed silk schedule are of tremendous value to the silk industry, inasmuch as they prevent undervaluations which are of frequent occurrence, particularly in high-grade and fancy silks; and

Whereas an effort is now being made to have some of these specific rates reduced, on the plea that they amount to 70 or 80 per cent ad valorem;

Whereas they do in reality average no more than 40 per cent ad valorem, and in but few instances reach 50 per cent:

Therefore, we, the undersigned silk manufacturers of the United States, respectfully request that the silk schedule now before the Senate be passed without any changes in rates and with the 50 per cent ad valorem clause, as originally proposed by the Finance Committee of the United States Senate.

McCollom & Post, Paterson, N. J.; Cardinal & Becker; John Hollbach & Co.; Favorita Silk Company; T. J. Mitchell Company; Peigram & Meyer; Collins Silk Company; Sheldon & Leach; Samuel J. Aronsohn (Incorporated); Imperial Silk Company; The Hill Silk Manufacturing Company; Hamicheu Brothers Silk Company; Progressive Silk Company; Godfrey Wildener; Phoenix Silk Manufacturing Company; The Holzman Silk Manufacturing Company; Baker & Schofield Company, J. A. O'B. Baker, president; Appel Brothers Manufacturing Company, per Jos. Appel, president; Brilliant Silk Company, per W. E. Eaton; Kattermann & Mitchell Company; Naef Brothers Company, A. Schlaepfer, treasurer; Neuberger, Phillips Silk Company; Victory Silk Company, Samuel Bentley, president; Fred Schofield; Wolff & Silber; Paterson Silk Manufacturing Company, Ben S. Salkowitz, secretary and treasurer; Luvan Silk Company, Herbert Lubelski, president; Guthrie Silk Manufacturing Company, William Guthrie, president; Kane & Wilkinson Silk Company, John A. Kane, president; Enterprise Silk Company; David Lindsay; Holmes Silk Company, W. E. Phillips, president; Bentley Silk Company, John Bentley, secretary; American Silk Manufacturing Company, M. Wolf, vice-president; Siff & Cohen; Stern & Pohly, Paterson, N. J.; Israel R. Cohen; Schuh & Michels Manufacturing Company; H. Miedendorp; L. Lemlenz & Co.; Doherty & Wadsworth Company, H. Grouney, secretary; Berwyn Silk Company, J. B. Cooke, president; Post & Sheldon Corporation; Westerhoff Brothers & Napier Company, Peter D. Westerhoff, president; Reliance Silk Company, James F. Yates, president; Henry Doherty Silk Company, by Henry Doherty, president; Cardinal Silk Company, A. Cardinal, president; Spoer & McGinley; John Hand & Sons (Incorporated), William Hand, treasurer; Lake View Silk Mills, Geo. R. Meyers, manager; Jansen & Pretzfeld, S. Scheller, superintendent; Manhattan Silk Manufacturing Company; Ashley & Bailey Company; Glyernaud Brothers; Audiger & Meyer Silk Company; F. Neuenhaus; B. Edmund David; Joseph Paurz; Schottland & Young; A. Schottland; J. M. Potts Silk Company; Armor Silk Company, A. Wolf; Kaufman Brothers; Heubert Silk Company; Continental Silk Mills; Aronsohn Bloom Silk Company; Aronsohn Brothers Silk Company, B. Aronsohn, treasurer; Cedar Cliff Silk Company; Haledon Tapestry Company; Quakertown Silk Company, per W. Little, president; W. Little & Co., Paterson, N. J.; John Schwartz, jr., Silk Company, Paterson, N. J.; Demarest Silk Company, G. W. E. Demarest, treasurer; Reiling & Schoen.

Mr. ALDRICH. On page 87, in line 4, after the word "including," in paragraph 289——

The PRESIDING OFFICER. Will the Senator from Rhode Island kindly indicate to the Secretary the paragraphs covered in the silk schedule as approved?

Mr. ALDRICH. I have indicated them.

The SECRETARY. From paragraph 392 to paragraph 401, inclusive.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Iowa?

Mr. ALDRICH. I do.

Mr. DOLLIVER. Before the silk schedule is disposed of, I desire to call the attention of the chairman of the committee to a memorial, in the nature of a complaint, against the rates proposed between lines 12 and 23 of the committee amendment as printed, beginning with the words:

If weighing more than 2 ounces, but not more than 8 ounces per square yard——

The memorial to which I desire to call the Senator's attention is a memorial of a large number of people engaged in manufacturing umbrellas. They claim that these rates are substantial increases over the existing tariff. It appears, also, that the rates are very much higher in this cloth than the rates provided for on the finished product, I think the finished product being assessed at 45 per cent as a nonenumerated manufacture of silk; but these rates running up as high as 80 per cent, they seem to think that is not a proper adjustment.

Mr. ALDRICH. If the Senator from Iowa will send the memorial which he has to the committee we will examine the subject.

Mr. SMOOT. I call the attention of the Senator now to the fact that the rates on these very silks have been reduced. We have reduced the rates from $3.20 to $2.75 and from $2.50 to $2 in our proposed amendment, those being reductions from the rates fixed in the House bill.

Mr. ALDRICH. I think the memorial which the Senator has is based upon the rates as originally reported.

Mr. DOLLIVER. It is.

Mr. ALDRICH. If the Senator will give us the memorial, we will examine it.

Mr. DOLLIVER. The rates which are proposed in the last committee amendment for the whole schedule are in excess of the existing rates.

Mr. ALDRICH. The committee will make an examination and see.

Mr. DOLLIVER. I shall be glad to have this memorial printed in the RECORD, and to have the committee look into the matter.

Mr. ALDRICH. The committee will examine it.

The PRESIDING OFFICER. In the absence of objection, the memorial will be printed in the RECORD.

The memorial referred to is as follows:

NEW YORK, *March, 1909.*

Hon. S. E. PAYNE,
Chairman of the Committee on Ways and Means,
Washington, D. C.

DEAR SIR: The undersigned umbrella manufacturers of the United States hereby beg to strongly protest against the proposed increase in the pound duty on silk and cotton-mixed goods used in the manufacture of umbrellas.

As the present specific tariff rates are prohibitive on the lower grades, the increase proposed in the schedule presented by the committee of the Silk Association of America would seriously affect the better grades and interfere with our business to a very large extent.

Schedule L.—Woven fabrics in the piece, weighing not less than 1½ ounces and not over 8 ounces per square yard, if containing not more than 20 per cent in weight of silk—

	Cents.
Present tariff:	
If in the gum, per pound	50
If dyed in the piece, per pound	60
Proposed tariff:	
If in the gum, per pound	57½
If dyed in the piece, per pound	70

If containing over 20 per cent and not over 30 per cent in weight of silk—

	Cents.
Present tariff:	
If in the gum, per pound	65
If dyed in the piece, per pound	80
Proposed tariff:	
If in the gum, per pound	75
If dyed in the piece, per pound	90

NOTE.—The proposed tariff reads: "Weighing not less than 2 ounces per square yard." But we beg to state that the above goods used for umbrellas all weigh from 2 to 8 ounces per square yard.

Very respectfully, yours,

Allison & Lamson, 405 Broadway, New York City; Gans Brothers, Baltimore, Md.; B. O. Wright & Co., 385 Broadway, New York City; Rose Brothers & Co., Lancaster, Pa.; Simons & McGill, 58 White street, New York City; Arnold, Schiff & Co., 107–113 Franklin street, New York City; United States Umbrella Company, Elizabethport, N. J.; Anton Rusay & Co., Excelsior Umbrella Manufacturing Company, Boston, Mass.; William H. Rich & Son, New York City; Kiel & Arthe Company, Edward Kiel, president, New York City; Stoopack & Garbat, New York City; Connor Wallace & Co., New York City; Suplee, Reeves Whiting Company, F. E. Mitchell, treasurer, New York and Philadelphia; James Stokley & Co., Philadelphia; W. N. Stevenson & Co., New York City; Hulse Brothers & Daniel Company, New York City; L. P. Henryson & Co., New York City; Miller Brothers & Co., New York City; Peltz & Biderman, New York City; Kraut & Fluver Brothers, New York City; I. H. Weinberg & Co., New York City; Kreis & Hubbard, Chicago, Ill.; E. C. Kuhn, Cincinnati, Ohio; Hull Brothers Umbrella Company, Toledo, Ohio; J. Lazarus & Co., New York City; Herman Ramberger, New York City; Bogen, Berman & Co., New York City; Louis Heynman & Bros., New York City; W. W. Harrison Company, New York City; John H. Maloy, New York City; Moxey, Howlett & Co., Philadelphia, Pa.; Ades Brothers, Baltimore, Md.; William H. Bechler, Baltimore, Md.; Polan, Katz & Co., Baltimore, Md.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Oklahoma?

Mr. ALDRICH. For what purpose?

Mr. GORE. Mr. President, I merely wish to say, before we finally pass from the silk schedule, that I desire to offer an amendment in the form of an additional paragraph.

Mr. ALDRICH. The Senator from Oklahoma might as well offer it now as at any other time.

Mr. GORE. Very well. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment offered by the Senator from Oklahoma will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

—. All silks manufactured or otherwise imported into the United States in pursuance of this act which shall contain more than 20 per cent of other substances than pure silk shall be subjected to an additional duty amounting to three times the duty imposed by this act, and all silks fabricated or manufactured in the United States which shall contain more than 20 per cent of other substances than pure silk shall be subjected to an excise tax amounting to three times the duty imposed by this act on imported silks of the same character and description.

Mr. GORE. Mr. President, I shall say but a word in regard to this amendment. I feel sure that it will be voted down; but my object is to call attention to the fact that silk imported and manufactured in this country contains sometimes as much as 63 per cent of other substances than silk. The silks purchased by our grandmothers lasted for a generation; the silks now purchased by their granddaughters hardly last for a single season. The silkworm, however, is as good a spinner as in ancient times. The fault is attributable to the weaver of the present times; it is attributable to the manufacturer.

The same spirit that has changed the weights in our sugar, the same spirit which necessitated the enactment of a pure-food law to prevent the adulteration of food, has adulterated silks in this country. Mr. President, I hold in my hand a test made by the Bureau of Standards of the United States. I hold here [exhibiting] a sample of black silk. The analysis and test of this black silk discloses that there is only 37 per cent of real silk in the finished product. A great portion of the adulterant is tin oxide, gum, and grease of various kinds. When the bonnie brides of the country are rustling in imaginary silk, in fact it is tin which is affording the music which inspires their bridal march. [Laughter.]

I think the practice ought to be stopped, and I have proposed an amendment which will limit adulterations to not exceeding 20 per cent. I believe that usually there is about 10 per cent water in silk; but I desire to cut out this oxide of tin and these various other substances, which are introduced into the silk to give it weight and apparent substance. It is purely a fraud on the purchaser, and explains why silk now lasts so brief a time. It is a cheat which chivalry on the part of manhood ought to stop in behalf of beauty. I trust that the gallantry of the Committee on Finance will actuate them to accept this amendment.

I have several other samples of silk. Here [exhibiting] is the silk before the test was made and here [exhibiting] is the silk after the test was made. You see that its beauty, like the

glories of Ichabod, has departed. I do not know; perhaps we ought to allow them to cheat more than 20 per cent. I am willing to indulge a reasonable amount of fraud in this matter; but we ought to draw a line somewhere below 63 per cent. Therefore I offer the amendment, which has been read, and I ask to have printed in the RECORD this official test made by the Bureau of Standards of the Government of the United States.

The PRESIDING OFFICER. In the absence of objection, the document referred to will be printed in the RECORD.

The paper referred to is as follows:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF STANDARDS,
Washington, June 12, 1909.

Hon. T. P. GORE,
United States Senate, Washington, D. C.

DEAR SIR: The accompanying table gives the results of a partial analysis of three samples of silk recently submitted by you for examination.

We hope that this information will prove satisfactory to you.

Very truly, yours,

E. B. ROSA, *Acting Director.*

Report on the chemical analysis of three samples of silk submitted by Hon. T. P. Gore, United States Senate.

Color of sample.	White.	Black.	Brown.
	Per cent.	*Per cent.*	*Per cent.*
Ash (including ash of pure silk)	29.1	15.9	31.5
Moisture	9.5	12.0	9.0
Silk	58.4	37.3	54.1
Total determined	97.0	65.2	94.6
Undetermined material	3.0	34.8	5.4
Ratio of ash to weight of finished silk	29:100	16:100	32:100
Ratio of ash to weight of pure silk found	50:100	43:100	58:100
Material extracted by hot, 1 per cent, hydrochloric acid	24.5	27.8	23.5
The ash of pure silk is never more than 1 per cent. Deducting this maximum amount from the amount of ash found above, we get			
Mineral weighting matter	28.1	14.9	30.5
Ratio of mineral weighting to finished silk	28:100	15:100	31:100
Ratio of mineral weighting to pure silk found	48:100	40:100	56:100

The weighting material of mineral nature is tin oxide. This is deposited on the fiber from various tin salts. From the finished product it is impossible to say whether the chloride, sulphate, or some other salt of tin was used in the weighting process.

Moisture: Above 15 per cent is an abnormal content of water.

Silk: The percentage of pure silk was calculated from the nitrogen content. Pure silk contains 18.33 per cent of nitrogen.

Undetermined material: Probably organic weighting material, such as gum, grease, etc.

E. B. ROSA, *Acting Director.*

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Oklahoma [Mr. GORE].

The amendment was rejected.

Mr. ALDRICH. I now move the amendment which I send to the desk to paragraph 289, on page 87.

The SECRETARY. In paragraph 289, page 87, line 4, strike out the word "including" and insert in lieu thereof "refined, deodorized cocoanut oil, and."

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I now ask that we take up the paragraphs in the paper schedule, commencing with paragraph 407.

Mr. BRISTOW. Mr. President, I inquire what has been done with the silk schedule.

Mr. ALDRICH. It has been agreed to.

The PRESIDING OFFICER. The paragraphs in the silk schedule have been agreed to. The Secretary will state the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

The SECRETARY. On page 159, the committee proposes to strike out paragraph 407, as printed in the House text, and to insert a new paragraph 407—surface-coated paper, and so forth.

Mr. ALDRICH. I send the modified paragraph to the desk to be read in place of the printed amendment.

The PRESIDING OFFICER. The modification of the amendment will be stated.

The SECRETARY. It is proposed to modify the amendment of the committee by inserting a new paragraph in lieu of paragraph 407, as follows:

Amendment reported by Mr. ALDRICH from the Committee on Finance, to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes: Insert in lieu of paragraph 407 the following:

407. Flint glazed papers, 2½ cents per pound and 15 per cent ad valorem; all other surface-coated papers, not specially provided for in this section, 5 cents per pound; if printed by other than lithographic process, or wholly or partly covered with metal or its solutions, or with gelatin or flock, and marbled or marbleized hand-dipped paper, 5 cents per pound and 20 per cent ad valorem; parchment papers, imitation parchment and greaseproof papers, supercalendered or otherwise, by whatever name known, weighing 10 or more pounds per ream of 480 sheets, 20 by 30 inches in dimensions, 2 cents per pound and 10 per cent ad valorem; bags and envelopes made wholly or in chief value of imitation parchment or greaseproof paper, 2 cents per pound and 20 per cent ad valorem; plain basic photographic papers for albumenizing, sensitizing or baryta coating, and basic papers for solar and other light printing, valued at 20 cents per pound or more, 3 cents per pound and 10 per cent ad valorem; albumenized or sensitized paper, or paper otherwise surface coated for photographic purposes, 30 per cent ad valorem.

Mr. NELSON. Mr. President, it seems to me that we ought to have some explanation of this matter. It is quite a change from paragraph 407 as originally reported by the committee; and from what I could catch from the reading, I am satisfied it greatly increases the rates; at all events, the first portion of it does.

Mr. ALDRICH. No; the Senator is mistaken about that. It is not an increase; it is a readjustment and a rearrangement of the various items; but it is not an increase over the rates as presented by the committee originally. It is intended to be a better classification and a more accurate fixing of the various classes of paper which it covers. Of course the Senator——

Mr. NELSON. Wherein does it differ from the Payne bill?

Mr. ALDRICH. It is much better arranged and much better classified.

Mr. NELSON. Are the rates any higher than those of the original House bill?

Mr. ALDRICH. No; they are not.

Mr. NELSON. Are they any higher than the Dingley rates?

Mr. ALDRICH. They are higher than some Dingley rates and lower than others.

Mr. BACON. If the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I simply rose to say that I should like to have some explanation. This is a very complicated and extended amendment involving a new classification. I now yield the floor.

Mr. BRISTOW. I followed as carefully as I could the Dingley rates on the reading of the amendment at the desk, and I am very confident that there are some duties increased over those of the Dingley law.

Mr. ALDRICH. Mr. President, there are some rates unquestionably above the Dingley rates, but they are few; and there are some reductions below the Dingley rates. It is, in the opinion of the committee, a much better arranged and classified paragraph than the paragraph of the Dingley law. The fact is that of these manufactures of paper there are constantly new articles being imported. There has been a wonderful change in the last twelve years in the character of articles that are covered by this paragraph. Some of these surface-coated papers are artistic productions of the highest class, and——

Mr. BRISTOW. Could not the modified amendment be printed?

Mr. ALDRICH (continuing). And I think the Senator will find, by careful examination of the paragraph, that on the average the rates proposed are not increases over the present rates.

Mr. BRISTOW. Could it not be printed?

Mr. ALDRICH. The Senator from Utah [Mr. SMOOT] can give an explanation of some of the changes.

Mr. SMOOT. Mr. President, it will be noted from the amendment that there are different brackets on surface-coated paper. In the original amendment the rate was 2½ cents and 15 per cent ad valorem. The manufacture of surface-coated papers in this country is on the wane. As everybody knows, the industry is being curtailed and given up by reason of the immense increase of foreign importations. The House fixed the duty at 5 cents a pound on surface-coated papers of all kinds. We propose to change it to 2½ cents per pound and 15 per cent ad valorem, as first reported, by making two brackets, fixing a duty on part of them at 2½ cents and 15 per cent ad valorem, and the balance at 5 cents per pound, the rate the House had fixed on all of them.

Mr. BRISTOW. Mr. President, if the Senator——

Mr. SMOOT. Certainly, as a whole, it is a reduction from the House bill.

Mr. BRISTOW. Of course, I know there are a great many varieties of surface-coated paper. That is why I suggested that the amendment be printed, so that we could study it. Five cents a pound on surface-coated paper might be practically 100

per cent on its value, and it might not be. I am confident that there is a great deal of surface-coated paper upon which there is no occasion whatever for an increase of duty.

Mr. SMOOT. That is just what the committee has already done. They have separated them. They have put the lower grade at 2½ cents per pound and 15 per cent ad valorem, and the higher grade of surface-coated papers at 5 cents a pound, as I said before, reducing the rates on the lower grades from those which the House bill provides.

Mr. BRISTOW. If the amendment could be printed so that we could examine it, probably it might save a good deal of time.

Mr. ALDRICH. I have no objection to that course being taken. Let it be printed in the RECORD and printed as an amendment; and I can ask to have it taken up to-morrow morning.

Mr. BRISTOW. All right.

Mr. ALDRICH. But I desire to impress upon the Senate the fact that in all the kinds of paper covered by paragraphs 407, 408, and 409, the Germans have been rapidly encroaching upon the American manufacturers in the American markets. The importations are simply immense in some of these lines; and we have either got to strengthen our tariff by imposing specific duties, with increases in many cases, or else we have got to surrender this very valuable industry to our competitors abroad. Of course these papers call for the greatest amount of artistic talent in their preparation.

This paragraph covers thousands and thousands of different articles, many of which were not in use, not manufactured, and not known at all when the tariff act of 1897 was passed. Of course the same thing is much truer about the act of 1894 and the act of 1890. Under those acts there were one or two simple paragraphs in regard to paper, but now we have hundreds and thousands of different articles, all requiring different treatment. The committee, with the experts, with the manufacturers, and with the importers, have given a great deal of time and attention to the preparation of these three paragraphs, namely, 407, 408, and 409; and if there are any mistakes in them, if the rates are either too high or too low, the committee will be glad to consider any suggestion. We have given much thought and great time to all these paragraphs.

Mr. NELSON. Mr. President, do I understand the chairman of the committee correctly, to say that the pending amendment is a substitute for these three sections?

Mr. ALDRICH. Not for 409. We have no substitute for paragraph 409.

Mr. NELSON. Has the committee a substitute for paragraph 408?

Mr. ALDRICH. We have a substitute for paragraph 408.

Mr. NELSON. I suggest that it be submitted, so that it can be printed in order that we may have the benefit of it to-morrow.

Mr. BURKETT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Nebraska?

Mr. ALDRICH. I yield to the Senator from Nebraska.

Mr. BURKETT. As I understand, paragraph 408 is the one which covers lithographs?

Mr. ALDRICH. Lithographs, view cards, and so forth.

Mr. BURKETT. I will say that I have had several letters from the larger newspapers of my State, calling attention to the fact that the Senate committee bill as originally drawn did not extend to them the proper protection they should have. They stated that the House bill had in a measure done so, but that the Senate bill had changed the provisions and had put back the troublesome conditions of the Dingley law. I suppose the Senator has probably had similar communications from other publishers, printers, or lithographers, and has made these slight corrections in the amendments which he offers to-night.

Mr. ALDRICH. That has been arranged for, I think, to the satisfaction of all interests. We have tried as far as possible in these three paragraphs to compose the conflicting views of the parties in interest, having in mind all the time the carrying on of this industry in a reasonable and profitable way in the United States.

Mr. GALLINGER. Mr. President, I simply want to say, in a word, that I feel a very great interest in the lithographing industry, and I trust that the substitute the committee have prepared will take adequate care of that industry, which is now greatly imperiled.

The National Association of Employing Lithographers met in this city a little over a month ago, and they have given some statistics that are quite startling to me. They call attention to the very thing that the Senator from Nebraska suggested. They say:

The Payne bill, with two exceptions, provides a fair measure of protection to the lithographic industry. The Senate bill as introduced perpetuates the wrongs of the Dingley bill, which almost ruined an old industry; fair play demands a fair protection; we plead for it.

They show that this is an industry employing $50,000,000 capital and 20,000 workmen. In 1899 the imports were $799,745; in 1907, $3,968,542; and in 1908, $4,911,102; showing that in nine years the imports have increased almost seven times what they were in 1899. A great many lithographers, to my knowledge, are out of employment in this country. We are being flooded with German lithographic cards and every possible device, furnished to our people much cheaper than they can be produced in the United States.

I want, in just a word, to plead the cause of these skilled workmen and experts, and I hope that the committee have given them fair and adequate protection. I presume the committee have undertaken to do that.

Mr. SMOOT. Mr. President, answering the Senator from New Hampshire [Mr. GALLINGER], I will say that the committee have taken all the demands of the lithographers into consideration, and had meeting after meeting with them. While we could not consistently grant all that they demanded, we did finally report, or will report, amendments that are acceptable to that class of workmen.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. Certainly.

Mr. ROOT. Mr. President, I share the interest of the Senator from New Hampshire in the lithographic industry. There is, however, another class of workers in whom I am much interested, and those are the cigar makers; and there is a question arising under paragraph 408 that is many, many times more important to them than all this Philippine-cigar business that we have been talking about here for several days, and that is the question of the duty upon cigar bands and labels, which they are practically compelled to use by the fashion of the day. The labels injure the cigars, to my thinking, but the purchasing public does not seem to think so; so the makers have to use them.

The duty on those articles is now very high, and the imported bands are sold now at a much higher price than the domestic. I send up to the desk a number of petitions signed by cigar makers, and I ask to have one of them, for they are identical in terms, printed in the RECORD.

I hope that the committee has exercised a kindly protection for the interests of the cigar makers in the amendment which they are proposing to introduce.

The PRESIDING OFFICER. In the absence of objection, one of the petitions will be printed in the RECORD, as requested by the Senator from New York.

The petition is as follows:

JUNE 10, 1909.

Hon. ELIHU ROOT,
United States Senate, Washington, D. C.

SIR: The undersigned cigar manufacturers and cigar-box manufacturers of New York desire to call your attention to the effort which is being made in the interest of the lithographic trust to have the tariff on cigar labels, flaps, and bands increased above the already high Dingley rates in order to monopolize the whole business and be in a position to dictate prices and terms to the cigar and cigar-box manufacturers.

Under the existing law those articles are universally offered to us by the American manufacturers at prices much less than the prices of foreign cigar labels and bands, showing clearly that on these articles the American lithographic industry already has more than sufficient protection under the existing law. By reason of being able to undersell the foreign goods, the few American factories engaged in making cigar labels, flaps, and bands already control at least nine-tenths of the business in the United States, which is surely enough. Any increase, even the slightest, will mean a monopoly for these few factories, and the high rates which they have succeeded in getting into the Aldrich bill are proposed for this very purpose. They have taken advantage of unsatisfactory conditions in certain other parts of the lithographic industry to have the rates increased without discrimination on these articles, which are already overtaxed.

It may seem to you a small matter, but this one-tenth of imported cigar labels and bands is very important to us whether we use domestic goods or foreign goods in our business, since this remnant of possible competition is the only check on the trust to prevent it from arbitrarily dictating terms and prices to the cigar manufacturers, reducing the quality of the goods offered, and preventing the cigar manufacturers and box makers from obtaining the high-grade labels and bands which they consider essential to their industry.

We beg that you will use every effort to prevent any increase whatever from the Dingley rates, and we urge upon you to use your endeavors to obtain, if possible, a reduction in the existing rates on labels (as distinguished from bands) since the ad valorem tax on labels is very high and not more than one-tenth of the total importation consists of labels.

The following schedule shows the present duties and their ad valorem equivalents as well as the rates in the proposed Aldrich bill with their

ad valorem equivalents, and the rates which we petition to be adopted, with corresponding ad valorem equivalents:

	Rates which we ask.	Equivalent ad valorem.	Senate bill.	Equivalent ad valorem.	Dingley bill.	Equivalent ad valorem.
	Cents.	*Per ct.*	*Cents.*	*Per ct.*	*Cents.*	*Per ct.*
Labels, less than 8 colors	15	34½	25	57½	20	46
Bands, less than 8 colors	20	23	30	84½	20	23
Labels, 8 or more colors	25	48	30	57	30	57
Bands, 8 or more colors	30	33	35	38½	30	33
Labels, metal leaf	40	40	50	50	50	50
Bands, metal leaf	45	30	55	36	50	33

Bronze to be counted as two colors, as under the Dingley tariff.

There are 5,265 cigar factories in New York State, according to the report of the Commissioner of Internal Revenue for 1908, manufacturing more than a billion and a half of cigars, besides a large number of cigar-box factories, and these factories employ many thousands of workmen. You will therefore see that the interest of New York State in this matter is a very large one and entitled to protection from the rapacious demands of a few lithographic factories.

We beg that you will take up the question and prevent the Republican party from making a mistake which will cost it many thousands of votes. This petition, owing to the shortness of time still remaining for action, is signed only by a number of representative firms, but your assistance is asked for in the interest of all the cigar and cigar-box manufacturers of the State of New York.

Fitzpatrick & Draper, O'Connor & Elkenburgh, J. H. Broderick, J. J. Conway Tobacco Company, James McGahan & Brother, Quinn Brothers, Hess Brothers, Troy, N. Y.; J. W. Stevens, Metzner Brothers, B. Payn's Sons' Tobacco Company, Lawrence Goldberg, Dearstyne Brothers Tobacco Company, George E. Russell & Sons, John A. Davison Cigar Box Factory, White Brothers, Albany, N. Y.

Mr. SMOOT. The amendment that will be offered by the committee, so far as the labels and flaps are concerned, will be the old Dingley rate. But as far as the bands are concerned, there is an advance upon them; and I will state also that the cigar makers themselves, or representatives from the cigar makers, admitted that the rate upon the bands was too low. The importations show that.

There is another thing which must be taken into consideration, and that is this: When the law was enacted, the bands came in in a square shape. The white part of the band was cut out or cut away from the printed part. But now they print them in the figure in the band and cut every particle of the weight of the paper outside of just the printed or lithographed part, and the weight of the band has been reduced almost half. It is for that reason that the cigar makers themselves admit that the rate is too low, and that is the reason why we advance the rate upon the bands. But on the flaps and labels the rates are the same as the Dingley rate.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. SMOOT. Certainly.

Mr. BACON. Are the bands which accompany the foreign cigars printed also in this country?

Mr. SMOOT. On a foreign cigar? Oh, no.

Mr. BACON. Is it a band which represents them as a foreign cigar?

Mr. SMOOT. No; it does not represent them as a foreign cigar, but the band itself is a foreign band, and it is imported here because they want that particular kind of band.

Mr. LODGE. They are imported in large sheets.

Mr. BACON. I understand.

Mr. LODGE. For use on American cigars.

Mr. BACON. They are put upon American cigars and they are represented as American cigars?

Mr. LODGE. I suppose so.

Mr. BACON. The bands represent them as American cigars?

Mr. ALDRICH. Not necessarily.

Mr. LODGE. Not necessarily.

Mr. BACON. That is the point. It is whether or not the bands imported from abroad are brought here for the purpose of imposition, by placing them upon domestic cigars and thus palming them off as foreign cigars.

Mr. LODGE. I suppose they put on any effigy or sign the maker desires.

Mr. BACON. That is the point of the inquiry I made—whether those bands were bands printed abroad and representing the cigars to which they are affixed to be foreign cigars.

Mr. SMOOT. I never heard of any charge to that effect, even from the American lithographers. So I do not think it has ever been done.

Mr. BACON. Then there is no, or is there any, competition between these foreign bands and the domestic bands?

Mr. SMOOT. Oh, very strong competition, and of late years the importations have increased several hundred times over.

Mr. BACON. Then it must be that these are bands for domestic cigars and are so represented.

Mr. SMOOT. That is what I said before.

Mr. BACON. That is the point I was after.

Mr. LODGE. That is it.

Mr. ALDRICH. I send to the desk and ask to have read a proposed amendment to paragraph 408. After it is read, I will ask that it may go over.

Mr. SCOTT. Mr. Chairman, will you not have it printed?

Mr. ALDRICH. Let it be printed in the RECORD and as an amendment.

The SECRETARY. In lieu of the substitute for paragraph 408 insert:

408. Pictures, calendars, cards, labels, flaps, cigar bands, placards, and other articles, composed wholly or in chief value of paper lithographically printed in whole or in part from stone, metal, or material other than gelatin (except boxes, views of American scenery or objects, and music, and illustrations when forming part of a periodical or newspaper, or of bound or unbound books, accompanying the same, not specially provided for in this section), shall pay duty at the following rates: Labels and flaps, printed in less than eight colors (bronze printing to be counted as two colors), but not printed in whole or in part in metal leaf, 20 cents per pound; cigar bands of the same number of colors and printings, 30 cents per pound; labels and flaps printed in eight or more colors, but not printed in whole or in part in metal leaf, 30 cents per pound; cigar bands of the same number of colors and printings, 40 cents per pound; labels and flaps, printed in whole or in part in metal leaf, 50 cents per pound; cigar bands, printed in whole or in part in metal leaf, 55 cents per pound; all labels, flaps, and bands not exceeding 10 square inches cutting size in dimensions, if embossed or die cut, shall pay the same rate of duty as hereinbefore provided for cigar bands of the same number of colors and printings (but no extra duty shall be assessed on labels, flaps, and bands for embossing or die cutting); booklets, 7 cents per pound; books of paper or other material for children's use, not exceeding in weight 24 ounces each, 6 cents per pound; fashion magazines or periodicals, printed in whole or in part by lithographic process, or decorated by hand, 8 cents per pound; booklets, decorated in whole or in part by hand or by spraying, whether or not lithographed, 15 cents per pound; decalcomanias in ceramic colors, weighing not over 100 pounds per thousand sheets 20 by 30 inches in dimensions, 70 cents per pound and 15 per cent ad valorem; weighing over 100 pounds per thousand sheets 20 by 30 inches in dimensions, 22 cents per pound and 15 per cent ad valorem; if backed with metal leaf, 65 cents per pound; all other decalcomanias, except toy decalcomanias, 40 cents per pound; but all the foregoing, if containing less than one-half of 1 inch margin on any side, shall pay in addition to the rates herein provided, 10 per cent ad valorem; all other articles than those hereinbefore specifically provided for in this paragraph, not exceeding eight one-thousandths of 1 inch in thickness, 20 cents per pound; exceeding eight and not exceeding twenty one-thousandths of 1 inch in thickness, and less than 35 square inches cutting size in dimensions, 8½ cents per pound; exceeding 35 square inches cutting size in dimensions, 8 cents per pound, and in addition thereto on all of said articles exceeding eight and not exceeding twenty one-thousandths of 1 inch in thickness, if either die cut or embossed, one-half of 1 cent per pound; if both die cut and embossed, 1 cent per pound; exceeding twenty one-thousandths of 1 inch in thickness, 6 cents per pound: *Provided*, That in the case of articles hereinbefore specified the thickness which shall determine the rate of duty to be imposed shall be that of the thinnest material found in the article; but for the purposes of this paragraph the thickness of lithographs mounted or pasted upon paper, cardboard, or other material shall be the combined thickness of the lithograph and the foundation on which it is mounted or pasted.

The PRESIDING OFFICER. The amendment will be printed and the paragraph passed over.

Mr. ALDRICH. For paragraph 409 we have no substitute, but I ask to amend the paragraph in line 11 by striking out, after the word "three," the words "and one-half."

The SECRETARY. On page 165 in the committee amendment, line 11, after the word "three," strike out the words "and one-half," so as to read "3 cents per pound."

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. PILES. I should like to look into the matter. I have had some communications on the subject.

Mr. ALDRICH. If the Senator desires to have it go over until to-morrow, I am willing.

Mr. PILES. I should like to have it go over.

Mr. ALDRICH. Very well. Then I will ask that paragraph 410 be agreed to.

Mr. BROWN. I should like to ask the chairman of the committee——

The PRESIDING OFFICER. Paragraph 410 has been agreed to.

Mr. ALDRICH. On page 165, line 26, after the words "ad valorem," insert the words I send to the desk.

The SECRETARY. On page 165, paragraph 411, in line 25, after the words "ad valorem" and the semicolon, insert "cardboard and bristol board."

The amendment was agreed to.

The SECRETARY. On page 166, line 2, after the word "hanging," insert "with paper back or composed."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. We have an amendment to paragraph 412, in regard to view cards, which I send to the desk to be read. I shall not ask to have it acted upon to-night, but I ask that it may be printed with a view of having it brought to the attention of the Senate.

Mr. CLAY. With the Senator's permission, since he has asked that the amendment be printed, I ask the Senator whether or not the committee has agreed to make any changes in paragraph 405; and if so, has the Finance Committee reported the amendments to the Senate and have they been printed?

Mr. ALDRICH. The committee will take that matter up to-night, and I hope we will be able to report an amendment to-morrow morning.

Mr. CLAY. It is an important paragraph, and I have had many inquiries from my State in regard to it. I think we ought to know what amendment the committee agrees on, so that we may have it before us before it will be necessary to act upon it.

Mr. ALDRICH. The committee will take up that matter to-night and try to report the amendment to-morrow.

The PRESIDING OFFICER. The Secretary will read the amendment proposed by the Senator from Rhode Island.

The SECRETARY. At the end of paragraph 412, strike out the period and insert a semicolon and the following:

Views of any landscape, scene, building, place, or locality in the United States, on cardboard or paper, not thinner than eight one-thousandths of 1 inch, by whatever process printed or produced, including those wholly or in part produced by either lithographic or photogelatin process, except show cards and panels, occupying 35 square inches or less of surface per view, bound or unbound, or in any other form, 15 cents per pound and 25 per cent ad valorem; thinner than eight one-thousandths of 1 inch, $2 per thousand.

Mr. LODGE. I wish to offer an amendment to paragraph 657, to make it read correctly. We did not get it right. I want to strike out "regalia and gems," so that this paragraph will begin with the word "Statuary," with a capital S, and read "Statuary, and casts of sculpture, for use as models or for art or educational purposes only;" then insert "regalia and gems;" then at the end of the paragraph, line 24, insert "rosaries not composed wholly or in part of gold or precious stones."

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On page 117, line 5, paragraph 334, the 30 per cent ad valorem should be made 35 per cent ad valorem. The bill, as it passed the House, put flax, and so forth, on the free list, and the committee recommended that it be restored to the dutiable list. The Senate has voted in accordance with their suggestion. It was the intention of the committee to restore the duties, or some of the duties, on yarns and cloths to the rates which they bore under the old law, when there was a duty upon flax. But this one was omitted. It should be 35 per cent instead of 30 on yarns finer than No. 5.

The SECRETARY. On page 117, paragraph 334, line 5, strike out the word "thirty" and insert "thirty-five," so that it will read:

If finer than 5 lea or number, 35 per cent ad valorem.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. NELSON. I offer an amendment, to be inserted at the appropriate place in the administrative paragraphs of the bill. I think there is no objection to it. It is similar to the provisions in the existing law in reference to the St. Johns and St. Croix rivers in Maine. I offer it as an amendment, to be acted upon now, to be inserted at the proper place in the bill when it is made up.

Mr. ALDRICH. It may go into the free list, and we will put it in the right place hereafter.

Mr. NELSON. Yes; put it at the end of the free list now, and it can be put in at the proper place when they make up the bill finally.

Mr. KEAN. Let it be read.

The SECRETARY. It is proposed to insert the following:

That the produce of the forests of the State of Minnesota upon the Rainy River and its tributaries owned by American citizens and sawed or hewed or mechanically ground in the Province of Ontario by American citizens, the same being otherwise unmanufactured in whole or in part, shall be admitted into the ports of the United States free of duty, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

Mr. ALDRICH. There is no objection to that; it is the same provision that applies to the St. Croix River and the St. Johns River, in Maine. It may be agreed to.

The amendment was agreed to.

Mr. BURKETT. The Senate was on paragraph 657 a moment ago. I want to suggest an amendment in there, including the regalia, the paraphernalia, and so forth, of fraternal or beneficial organizations.

Mr. LODGE. Those are included now.

Mr. ALDRICH. I think so.

Mr. BURKETT. I have understood they were, but I have had some correspondence with the heads of some of those organizations, and they fear they are not included, and ask that they be enumerated.

Mr. GALLINGER. They ought to go in.

Mr. BURKETT. I have understood they were intended to be included, and I think, perhaps, there would be no objection to inserting in line 15 the words "fraternal or beneficial organizations," or "societies." "Fraternal and beneficial associations" probably would be better.

Mr. ALDRICH. There is no objection to that.

Mr. BURKETT. Let it come in in line 15.

Mr. ROOT. I suggest that it is a little dangerous to specify any organization. Here is a provision which has been the substance of the law for a long time. It has been applied generally to a certain number of organizations, and it is a dangerous thing to specify one lest you exclude the others.

Mr. BACON. I would like to suggest to the Senator from New York that we set the precedent when we specified certain kinds of plum trees.

Mr. ROOT. I understand the Senator from Kansas has discovered what that plum tree is.

Mr. BURKETT. I will not name any particular organization.

Mr. LODGE. Such as the Masonic order——

Mr. BURKETT. No; I shall not ask the insertion of the name of any particular organization. I have a letter from the head of an organization suggesting that they have had trouble with Canada over this matter—the admission of their paraphernalia there—and that if the words could be put in it would relieve the situation. The special order that I have in mind is that of the Modern Woodmen, I will say. The head of that organization wrote me.

Mr. LODGE. Fraternal associations.

Mr. BURKETT. Fraternal and beneficial associations.

Mr. GALLINGER. "Societies or associations."

Mr. LODGE. I want to say that my understanding of this paragraph is that the regalias of these orders—Masonic orders and the other orders—all come in free under this paragraph. I did not suppose any would be excluded. If it needs amendment, it ought to be in that direction.

Mr. BURKETT. I will be glad if this matter could go over, and I can sit down with the Senator in a moment and get the proper wording.

Mr. LODGE. Very well. If the Senator will let it go over, and if an amendment is necessary, we can agree on its proper wording.

REPORT UPON GERMAN MANUFACTURES.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read.

Mr. LA FOLLETTE. I ask that the message and the accompanying correspondence be printed as a document.

Mr. STONE. Just a moment. I should like to inquire if the present occupant of the chair can give the Senate any information as to when that German report will be laid before the Senate?

Mr. ALDRICH. I think the German report which the Senator from Missouri has in mind was printed eight or ten days ago, or two weeks perhaps. I have been expecting to have the attention of the Senate called to it by the Senator from Missouri.

Mr. STONE. There was a little pamphlet printed, that was prepared by the Senate Finance Committee.

Mr. ALDRICH. Oh, no; the report itself has been printed.

Mr. STONE. The entire report?

Mr. ALDRICH. I thought it had been received. I was not certain about it. It seems I am mistaken. The translation has not been completed. It is in the hands of the State Department for translation.

Mr. STONE. Can the Senator give me any information that will enlighten me?

Mr. ALDRICH. I will try to have some by to-morrow morning.

Mr. GALLINGER. I suggest to the Senator from Wisconsin that as this correspondence is not at all voluminous it be printed in the RECORD as well as in the form of a document (S. Doc. No. 99). It might take several days to get the document.

Mr. LA FOLLETTE. I think that is a good suggestion, and I include it in my request.

Mr. GALLINGER. I make that request.

The PRESIDING OFFICER. In the absence of objection, the request of the Senator from New Hampshire is agreed to.

To the Senate:

In response to the Senate's resolution of June 4, 1909, requesting the President, "if not incompatible in his judgment with the public interest, to transmit to the Senate copies of all the correspondence which passed between the Department of State and the German Government, or between any representative of the United States and officials of the German Government, having relation to the report upon German manufactures furnished by the German Government to the United States," I transmit herewith a report by the Acting Secretary of State, with accompanying papers.

WM. H. TAFT.

THE WHITE HOUSE, *June 16, 1909.*

The PRESIDENT:

The undersigned, Acting Secretary of State, to whom was referred the resolution adopted by the Senate on June 4, 1909, requesting the President, if not incompatible, in his judgment, with the public interest," to transmit to the Senate copies of all the correspondence which passed between the Department of State and the German Government, or between any representative of the United States and officials of the German Government, having relation to the report upon German manufactures furnished by the German Government to the United States," has the honor to submit herewith the copies requested and to report as follows:

Toward the end of the first session of the Sixtieth Congress, the House of Representatives, by resolution, authorized the Committee on Ways and Means to sit during the recess of Congress and to gather such information through United States government agents or otherwise as it might see fit looking to the preparation of a bill for the revision of the tariff.

On June 1, 1908, the chairman of the Committee on Ways and Means addressed the President in the following terms:

"It is the desire of the committee to obtain information from the various representatives abroad in regard to the cost of production, including the price of labor, rates of interest, and so forth, and the committee will be very glad to have the cooperation of the State Department in order to obtain this information. When reports are received from the various representatives of the Government abroad, it will be necessary to have them tabulated. If these reports can be placed at the disposal of the committee as soon as received, we could then take measures for their tabulation, and it is desirable that the committee be authorized to call upon any bureau of the Department of Commerce and Labor for this purpose."

The letter was referred by the President to the Secretary of State, by whose direction a circular instruction was prepared by the Bureau of Trade Relations of the Department of State, in collaboration with the clerk of the Committee on Ways and Means and the Bureau of Labor of the Department of Commerce and Labor, calling upon the consular officers to prepare and transmit at the earliest practicable date a report containing answers to certain questions concerning industries, labor conditions, cost of production, prices, exports to the United States, and foreign tariffs. This circular, a copy of which is among the papers submitted, was not confined to the consular officers in Germany, but was sent to all the principal American consular officers throughout the world. The reports were sent as received to the Committee on Ways and Means of the House of Representatives.

It appearing from a report from the consul-general at Berlin that, with respect to Germany, so much of the information sought by the Ways and Means Committee as related to cost of production could best be obtained through the diplomatic channel, the American ambassador at Berlin, acting under instructions from the department, presented the matter to the German Government. That Government responded favorably, and obtained the information on the understanding that the names of the individual establishments furnishing it would not be disclosed and that the information would not be used for administrative purposes.

The information thus courteously furnished by the German Government was received by the department in duplicate, one set through the American ambassador at Berlin and the other through the German ambassador at Washington. The department was thus enabled to supply a set not only to the Committee on Ways and Means, but to the Senate Committee on Finance as well.

This was the situation when, on May 25, 1909, the Senate, by resolution, requested the President, "if not incompatible, in his judgment, with the public interest, to transmit to the Senate the statement of the German Government or its officers in relation to the wages paid to German workmen, for the use of the Senate in connection with its consideration of the pending tariff bill."

Consequently, the Secretary of State, in reply to the reference of this resolution to him, was obliged to report to the President that all the information on this subject which had been received from the German Government had been transmitted by the Department of State to the Committee on Finance of the Senate. This report was transmitted to the Senate by the President on May 28, 1909. Later on that day the papers were returned to the Department of State from the Committee on Finance and were transmitted by the President to the Senate in further response to its resolution, and they are now before that body.

Respectfully submitted.

HUNTINGTON WILSON,
Acting Secretary of State.

DEPARTMENT OF STATE,
Washington, June 14, 1909.

LIST OF PAPERS.

Circular instruction to American consular officers, June 15, 1908.
Mr. Thackara (consul-general at Berlin) to Mr. Bacon, No. 178, September 10, 1908.
Mr. Adee to Mr. Cortelyou, October 31, 1908.
Mr. Cortelyou to Mr. Root, November 9, 1908.
Mr. Bacon to Mr. Hill, November 18, 1908.
Mr. Guenther (consul-general at Frankfort) to Mr. Bacon, November 28, 1908.
Mr. Root to Mr. Guenther, No. 305, December 18, 1908.
Mr. Hill to Mr. Root, No. 164, December 11, 1908.
Mr. Hill to Mr. Knox, No. 254, March 27, 1909.
Count von Bernstorff to Mr. Knox, March 31, 1909.
Mr. Hill to Mr. Knox, No. 264, April 13, 1909.
Mr. Hill to Mr. Knox, No. 266, April 13, 1909.
Count von Bernstorff to Mr. Knox, April 23, 1909.
Mr. Wilson to Count von Bernstorff, No. 48, April 23, 1909.
Mr. Wilson to Mr. Hill, No. 153, April 23, 1909.
Mr. Hill to Mr. Knox, May 6, 1909.

In reply refer to file No. 13911.

INDUSTRIAL CONDITIONS IN FOREIGN COUNTRIES.

DEPARTMENT OF STATE,
Washington, June 15, 1908.

To the American Consular Officers.

GENTLEMEN: The Committee on Ways and Means of the House of Representatives having been authorized to sit during the recess of Congress and to gather such information, through government agents or otherwise, as to it may seem fit looking toward the preparation of a bill for the revision of the tariff of the United States, you are instructed, at the request of its chairman, the Hon. SERENO E. PAYNE, Member of Congress, to prepare and transmit, at the earliest practicable date, a report, in duplicate, containing answers to the following questions:

I. INDUSTRIES.

(1) Describe briefly the principal industries of your respective districts, specifying, in the case of manufactures, the kind of goods manufactured; in agriculture, the articles produced; in mining, the product mined, etc.

(2) Principal foreign markets of such products as are exported in considerable quantities from your district.

(3) Sources of raw materials used by the manufacturing industries of your district.

(4) Mention any noteworthy changes that have taken place in the various manufacturing industries of your district since 1897, and explain the causes.

II. LABOR CONDITIONS.

(1) The department desires to obtain the prevailing rates of wages, the hours of labor per day, and the days usually worked per week, in the occupations named in Schedule A inclosed herewith.

The information should be obtained from employers directly or from authentic statistical reports of the locality, and for the year 1907 if possible.

Care should be taken that data are reported only for regular journeymen in the trades to which such term applies. For example, bakers (bread) should not include bakers' helpers, laborers, apprentices, or any persons employed in a bakery who are not journeymen bakers. Miners' laborers are called for specially. Notes are desired concerning farm laborers, stating the crops tended and the kind of work done. Extended notes are desired for coffee, rice, and sugar raising. The rates stated in the schedule proper should be for ordinary farm labor. If materially different rates are paid according to the season of the year, the facts should be noted.

The customary days worked per week are asked for each occupation. The desire is to ascertain the extent to which there is no rest day during the week.

Under "Hours worked per day" give the hours usually worked on the regular full day. If shorter hours are worked on any day of the week—for example, Saturday—the facts should be clearly stated in a note. "Hours worked" should be interpreted as in the United States, i. e., the hours the employees are on duty and presumably at work. Meal, lunch, or general resting time should not be included as hours worked.

Under "Rate of wages or earnings on full time" enter the prevailing wages for a full day's work or a full week's work, inserting the word day or week after the word "per." If there is a range of rates from a general low rate to a general high rate, the low and high rates may be given, but they should be followed always by the average rate; that is, the rate obtained by adding rates of the several employees and dividing the sum by the number of employees. Extreme high and low rates which are exceptional rather than representative should not be entered as high and low rates.

Perquisites and gratuities allowed in addition to rates shown should be set forth fully in notes, with estimates as to their value.

(2) To what extent is (*a*) female labor and (*b*) child labor employed in the different manufacturing industries of your district?

(3) Describe briefly the general condition of the working people in your district; cost and style of living; their homes, food, and clothes, and their ability to accumulate something for old age or sickness. The department desires that your reply to this question shall give a comprehensive view of the conditions surrounding and affecting labor in your district in order that a comparison of these conditions may be made with those which prevail in the United States.

III. COST OF PRODUCTION.

It is desired to obtain the cost of production of each of the articles named in the following list, and, in addition, of any other articles that are exported in considerable quantities from your district to the United States:

Automobiles; brass goods; brushes; buttons; carpets and rugs; cement; coal-tar colors and dyes; soda, nitrate of; chocolate; clocks and watches; bituminous coal; coke; cocoa, prepared; coffee; copper ore; copper, bars, ingots, or plates; cork, manufactures of; cotton—cotton cloth, knit goods and hosiery, laces; china, porcelain, parian, and bisque ware; fertilizers; fibers—flax fiber, hemp fiber, jute fiber; burlap; linen goods; fish, cured or preserved; glass, window; glass, bottles; glassware; fruit, prepared or preserved; hats; India-rubber goods; iron ore; iron, manufactures of—pig iron, bar iron, steel ingots, blooms, etc. tin and terne plates, steel rails, cutlery, machinery, needles; jewelry; lead ore; lead, pig and bar; leather and hides; matting; dairy products—butter, cheese; musical instruments; oilcloths; paint; paper; pencils; perfumery; rice milling; shoes; silk throwing; silk goods; stone quarrying; liquors—malt liquors, distilled liquors, wines; sugar—sugar making, sugar refining; tobacco—tobacco, chewing and smoking, cigars; toys; vegetables, prepared or preserved; wood, manufactures of—log cutting, lumber mills, wood pulp; woolen and worsted goods; and wool scouring.

You are instructed to obtain this information from the producing establishments in your district or from any other sources that may be available to you. Blank copies of Schedule B are inclosed herewith, upon which you are instructed to make returns.

The name of the establishment will not be disclosed. It is needed only for identification in case of further correspondence. The article

should be stated specifically; as, ladies' fine shoes, unbleached cotton sheetings, Bessemer steel rails.

The cost may be shown in some cases for one article, but generally it will be given for a quantity, as 1 ton (2,240 lbs.), 1 gross, 1,000 yards, etc.

Care should be taken to describe each article accurately and completely, in order that it may be recognized from the description. Consideration should be given to quality, style, size, finish, fineness of goods, etc. For example, in textiles give the number of yarn used in weft and warp, the picks to the inch of warp and weft, weight per square yard and grade of material used. When practicable, submit a sample or a picture of the article produced.

In the best regulated establishments cost sheets are frequently worked out. Such sheets should be inquired for and used in preparing the schedules.

Printed or written matter available relating to the subject should be submitted with the schedules.

When single articles are produced the getting of cost should be easy. When several articles are being produced at the same time in an establishment the task will be more difficult, and a prorated estimate may have to be made for the particular article reported.

The year for which the figures are given should be stated, preferably the latest for which data are available.

The period on which the cost is based should be, if possible, not less than three months; it need not exceed one year.

The two items *a* and *g* are vital and without replies thereto these schedules will be of no value; *b* to *f* may be combined if not obtainable separately; *h*, *i*, and *j* are wanted, if obtainable.

The cost of material means the cost as delivered at the establishment.

The cost shown at *g* means the money actually expended in producing the article itself. The total at *g* should show what the article could be sold for at the establishment without either profit or loss on the items named from *a* to *f*.

The grand total at *k* should not include profit or loss, but show only cost for items *a* to *f* and *h* to *j*.

In one factory material may be received in more finished form than another. The facts should be set forth under description of material, as one factory making cotton cloth may start from the bale of cotton, the other may buy its yarn and weave only. The quality of the material should be described as fully as the article produced. It is desired that your own statement shall accompany each schedule, giving your opinion as to the probable correctness of the statements on the schedule.

In filling out the schedule great care should be exercised to observe that the cost of items in inquiry 8 be for the quantity of the articles stated in inquiry 5. For example, if inquiry 5 reports 1,000 yards for which cost is shown, item *a* under inquiry 8 should report the cost of the labor in producing 1,000 yards.

IV. PRICES.

(1) Prices at date of your report in the currency of the country and in the United States equivalents of the necessaries of life and of industry, such as articles of clothing, tools and implements, hardware, drugs and medicines, and raw materials for manufacture.

(2) If these prices have been affected appreciably by the tariffs of the country in the last few years enumerate the articles and state to what extent prices have been affected.

V. EXPORTS TO THE UNITED STATES.

(1) Give comparative itemized statement of quantities and values of declared exports of merchandise from your district to the United States for the calendar years 1897 and 1907, showing the increase or decrease in any particular item.

(2) What effect, if any, has the present tariff of the United States had upon exportations from your district to the United States?

(3) Are there any items in the list of declared exports for 1907 that would be increased to any considerable extent, in your opinion, if the existing American duties thereon were reduced?

(4) Are there any articles of merchandise not appearing in the list of declared exports from your district which would probably be exported to the United States if the American duties were lower than at present?

VI. FOREIGN TARIFFS.

(1) Transmit a copy of the complete customs tariff of the country in which you are stationed, with all amendments up to date, including export duties, if any, as well as import duties, the customs regulations, and any bounty legislation relating to export of domestic products in the country of your official residence. This material may be sent as printed in the language of the country. In case an accurate English translation exists, it should be sent with the original text.

(2) Transmit a complete statement of the octroi and other local charges, other than regular customs duties, imposed on goods of foreign origin entering into consumption in your district.

In order to avoid needless duplication, the information relative to foreign tariffs need be furnished only by the consul-general or consul stationed at the capital of each country or colony, or, in the absence of such officer, by the consul-general or consul stationed at the principal commercial city of the country or colony.

The department desires that your report in answer to this circular instruction shall present a comprehensive, clear, and accurate picture of the general industrial conditions prevailing in your district. It should be transmitted to the department as soon as practicable in order that it may be placed at the disposition of the Committee on Ways and Means in time to afford opportunity for study and analysis of the material prior to the opening of the Congress in December, 1908.

I am, gentlemen,
Your obedient servant (for the Secretary of State),
WILBUR J. CARR, *Chief Clerk.*

Inclosures: Schedules.

SCHEDULE A.

WAGES AND HOURS OF LABOR.

Name of officer: ——— ———.
Official title: ——— ———.
Station: ———.
Prevailing conditions as to wages and hours of labor at ——— in 190—, in specified occupations.
Source of information: ———.

Occupation.	Sex.	Days worked per week.	Hours worked per day.	Rates of wages or earnings on full time. (Note all gratuities.)
Bakers, bread	M.			
Building trades:				
Bricklayers	M.			
Carpenters	M.			
Laborers	M.			
Painters	M.			
Plumbers	M.			
Stonecutters	M.			
Cigar makers	M.			
Clothing factory:				
Sewers, hand	F.			
Sewing-machine operators	F.			
Coal miners	M.			
Coal miners' laborers	M.			
Compositors	M.			
Farm laborers [a]	M. / F.			
Glass blowers:				
Flint bottle	M.			
Green bottle	M.			
Window	M.			
Horseshoers	M.			
Iron blowers, Bessemer	M.			
Iron heaters, bar iron	M.			
Iron rollers:				
Bar iron	M.			
Steel rail	M.			
Iron-vessel men, Bessemer	M.			
Kettle men, brewery	M.			
Jigger men, pottery	M.			
Laborers on street, hired by city	M.			
Lumber:				
Choppers and sawyers in forest	M.			
Sawyers, lumber mill	M.			
Machinery, etc.:				
Blacksmiths	M.			
Iron molders	M.			
Machinists	M.			
Paper mill:				
Beater tenders	M.			
Paper-machine tenders	M.			
Tanyard hands, tannery	M.			
Pattern makers, wood	M.			
Shoes:				
Closers on [b]	M.			
Upper cutters	M.			
Silk culture	M. / F.			
Textiles:				
Cotton spinners	M. / F.			
Silk spinners	M. / F.			
Woolen spinners	M. / F.			
Cotton weavers	M. / F.			
Silk weavers	M. / F.			
Woolen weavers	M. / F.			
Woodworking-machine tenders	M.			

[a] See instruction as to this occupation.
[b] Sewing linings to uppers, machine work.

SCHEDULE B.

COST OF PRODUCTION.

Name of officer: ——— ———.
Official title: ——— ———.
Station: ——— ———.
1. Country: ———.
2. Locality: ———.
3. Name of establishment: ———.
4. Article produced: ———.
5. Quantity of article for which cost is shown: ———.
6. Complete description of article: ———.
7. Year and length of period on which cost is based: ———.
8. Items of cost: ———.

	Cost for quantity named in question 5.
(a) Cost of labor	
(b) Cost of materials, net	
(c) Officials and clerks	
(d) Fuel or water power (specify which)	
(e) Supplies and repairs	
(f) Taxes	
(g) Total actual cost (a to f)	
(h) Interest on investment (— per cent)	
(i) Depreciation (— per cent)	
(j) Insurance	
(k) Grand total of cost (g to j)	

9. Description of material used and extent to which manufactured when received at this establishment: _____.
10. Actual working days in period named in question 7_____
11. Total expenditure for labor in period:
Males 16 and over_____
Females 16 and over_____
Children under 16_____
Total_____
12. Average number of persons employed during period:
Males 16 and over_____
Females 16 and over_____
Children under 16_____
Total_____
13. Hours of labor per day in this establishment_____
14. Days worked per week in this establishment_____
15. Hours of labor per week in this establishment_____

No. 178.

AMERICAN CONSULATE-GENERAL,
Berlin, Germany, September 10, 1908.

To the honorable the ASSISTANT SECRETARY OF STATE,
Washington.

SIR: Referring to department's circular instruction of June 15 last (File No. 13911), "Industrial conditions in foreign countries," I have the honor to state that, in my opinion, the most effective method of obtaining accurate and trustworthy information necessary to furnish the date asked for under Article III of said circular, "Cost of production," would be to cooperate with the German chambers of commerce.

Under the existing commercial agreement between the United States and Germany (Par. E, letter of the Secretary of State to the Imperial German ambassador at Washington of April 22, 1907), the confidential agents of the Treasury Department in their investigations of questions bearing upon customs administrations, are instructed to act in conjunction with the chambers of commerce of the districts in which the agents are located. Up to the present, at least as far as the confidential agent at Berlin is concerned, the practice has worked admirably. German manufacturers will open up their books more readily when asked to do so by their own chamber of commerce than when approached by a foreign outsider.

I have personally seen the president and secretary of the Berlin chamber, and both of these officers have informed me that they would aid me in the delicate and difficult task of getting the costs of production of certain German manufacturers, but that their organization being a semiofficial one, under the administration of the ministry of commerce, permission would have to be obtained from the higher authority. Unofficially I called upon one of the officials of the ministry and asked him if the desired permission could be obtained. He stated that the question was of such importance that he would have to consult his chief, the minister of commerce. Yesterday I received a note from the gentleman on whom I had called, in which he stated that as the matter was of great importance it should be brought to the attention of the German Government through diplomatic channels.

In a recent conversation with Mr. Hill, our ambassador, he fully agreed with me that the best, if not the only, method of obtaining the desired information would be through the chambers of commerce, and that if the department was in favor of this means of procedure, he would send a note to the imperial foreign office, asking that the chambers of commerce be requested to render the necessary assistance to American consular officers in their endeavors to obtain reliable and accurate data relating to the costs of production in Germany.

I would therefore respectfully ask the department, if the suggestion that the cooperation of the German chambers of commerce be requested meets with its approval, that cable instructions be sent to Ambassador Hill to make the necessary overtures to the German Government.

I have the honor to be, sir,
Your obedient servant,

A. M. THACKARA, *Consul-General.*

DEPARTMENT OF STATE,
Washington, October 31, 1908.

The honorable the SECRETARY OF THE TREASURY.

SIR: Referring to a circular instruction issued by the department to all American consular officers, under date of June 15, 1908, directing them to procure and transmit certain information for the use of the Committee on Ways and Means of the House of Representatives in connection with the proposed revision by the Congress of the tariff of the United States, copy of which circular is inclosed herewith for the confidential information of your department, I have the honor to transmit herewith copy of a dispatch from the American consul-general at Berlin, Germany, dated September 10, 1908, relative to the proposed cooperation of American consular officers with the German chambers of commerce in obtaining costs of production in Germany. It is suggested therein that the American ambassador at Berlin be instructed to take the matter up with the German Government, inviting the cooperation of the German chambers of commerce with the object stated.

The department would be pleased to have an expression of your views as to the expediency and feasibility of the plan proposed in the inclosed dispatch. An early reply would be much appreciated.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

Inclosures: 1. Circular to consular officers, June 15, 1908. 2. Dispatch No. 178, September 10, 1908, from American consulate-general at Berlin.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, November 9, 1908.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to acknowledge receipt of your letter of the 31st ultimo, transmitting, for an expression of my views, a copy of a communication from the consul-general at Berlin, in which, referring to the State Department's circular of June 15 last, calling for data of costs of production for the Ways and Means Committee, he proposes that the German foreign office be requested to ask the chambers of commerce to cooperate with the American officers in securing such data.

The importance of the matter appears to justify the course proposed by the consul-general, which is doubtless the one best calculated to obtain the desired results. It is suggested, however, that the overtures made to the German Government be accompanied by assurances that the names of industrial establishments will not be disclosed and that the information sought is for the legislative branch, not for the use of the customs officers under section 8 of the customs administrative act.

Respectfully,

GEO. B. CORTELYOU, *Secretary.*

No inclosure.

DEPARTMENT OF STATE,
Washington, November 16, 1908.

The Hon. DAVID J. HILL,
American Ambassador, Berlin.

SIR: The department incloses herewith copy of a dispatch from the American consul-general at Berlin, in which, referring to the department's circular of June 15, calling for data on costs of production for the Ways and Means Committee, he proposes that the German foreign office be requested to ask the chambers of commerce to cooperate with the American consular officers in securing such data. The department also incloses copy of a letter from the Secretary of the Treasury in regard to this proposition.

Understanding that you have advocated this course in your conference with the consul-general, the department authorizes you, in the exercise of your judgment as to its expediency, to present the matter to the German Government, with assurances, however, that the names of the industrial establishments will not be disclosed and that the information sought is for the legislative branch and not for the use of customs officers of the United States under section 8 of our customs administrative act.

I am, sir,
Your obedient servant,

ROBERT BACON,
Acting Secretary.

Inclosures: 1. Dispatch from American consulate-general, No. 178, September 10, 1908. 2. Secretary of the Treasury to Secretary of State, November 9, 1908.

No. 580.

AMERICAN CONSULATE-GENERAL,
Frankfort-on-the-Main, November 28, 1908.

The honorable ASSISTANT SECRETARY OF STATE,
Washington, D. C.

SIR: On October 9, 1908, I addressed a letter to each of the chambers of commerce in my consular district, namely, those at Frankfort, Hanau, Offenbach, Aschaffenburg, Darmstadt, Cassel, Wiesbaden, Mainz, Bingen, Coblenz, Trier, and Limburg, stating that I would be under great obligations if I could receive answers to certain questions contained under 1 and 2 (Industries and Labor Conditions), of department's circular of June 15, 1908, file No. 13911, Industrial Conditions in Foreign Countries, stating that I had been instructed by my Government to answer these questions for the use of the Committee on Ways and Means of the United States House of Representatives for the purpose of framing a bill for the revision of the United States tariff. Of the chambers of commerce addressed I received replies from only six of them, the chamber of commerce at Aschaffenburg stating, under date of October 30, that they were not in a position to make answers; the chamber of commerce at Darmstadt, which, under date of November 2, sent me the annual report of the Hessian Chambers of Commerce, and stated that they were not able to answer my questions except in a very unsatisfactory manner, and that therefore they believed it best not to attempt it. The chamber of commerce of this city wrote me on November 10 that in answer of my letter of October 9 they regretted not to be able to answer the questions submitted, but they would leave it to me to apply to the Government with reference to the subject; the three original letters from the chambers of commerce at Cassel, Mainz, and Offenbach I transmitted to the department with my report of October 22, 1908.

On November 23, I received a letter from the royal police presidency of this city, requesting me, in very polite language, to call at the office with reference to a matter of a confidential nature.

I complied with the request at once, and was told that the office had received a communication from the ministry at Berlin informing the police presidency that I had addressed a number of chambers of commerce stating the request contained in these letters; that the police president was instructed to furnish me with the information asked for, if such were available. I was informed that to their great regret they could not do so, as the necessary material was not available, except such data as I undoubtedly possessed myself.

I was also informed that in future similar information from the chambers of commerce or other public authorities should be procured through the diplomatic channel.

I have the honor to be, sir,
Your obedient servant,

RICHARD GUENTHER,
Consul-General.

DEPARTMENT OF STATE,
Washington, December 18, 1908.

RICHARD GUENTHER, Esq.,
American Consul-General,
Frankfort-on-Main, Germany.

SIR: I have to acknowledge the receipt of your dispatch, No. 580, of the 28th ultimo, procuring information regarding the cost of production, price of labor, etc.

In reply, I have to say that the ambassador at Berlin has been duly instructed in regard to approaching the German Government in the matter, at the suggestion of the consul-general at Berlin.

I am, sir,
Your obedient servant (for the Secretary of State),

W. J. CARR, *Chief Clerk.*

No. 164.

EMBASSY OF THE UNITED STATES,
Berlin, December 11, 1908.

The Hon. ELIHU ROOT,
Secretary of State, Washington, D. C.

SIR: I have the honor to acknowledge the receipt of the department's instruction of the 18th ultimo, authorizing me, in the exercise of my judgment as to its expediency, to present to the German Government a request that the German chambers of commerce cooperate with our

consular officers in this country with a view to securing the data relating to costs of production called for by the department's circular of June 15 last for the use of the Committee on Ways and Means of the House of Representatives.

After careful consideration and further conference with the consul-general in Berlin, I have addressed a note on the subject to the foreign office, of which a copy is appended hereto.

While this request may not result in procuring all the information desired, which it is probably impossible to obtain by any method, it will certainly not diminish the chances of obtaining it, and will, it is believed, leave the whole matter in a better position than it otherwise would be by showing that no secret inquisition has been intended. It will also exclude the possibility of complaint that our Government has employed untrustworthy data, since it will have employed all that can be obtained through official channels.

I have the honor to be, sir, your obedient servant,

DAVID J. HILL.

No. 193. (To accompany dispatch No. 164.)

EMBASSY OF THE UNITED STATES OF AMERICA,
Berlin, December 10, 1908.

The undersigned American ambassador has the honor to inform his excellency the imperial German secretary of state for foreign affairs that the Government of the United States of America, being about to consider the revision of its customs tariff, desires to obtain such authentic information as will best aid it in making such changes as the industrial and commercial conditions of the present time may seem to justify, and as will be most just toward other countries.

To this end the Committee on Ways and Means of the House of Representatives, which has this subject in charge, has requested such data to be collected as may be available regarding the cost of production of certain specified articles or classes of articles in foreign countries. It was at first thought that the most direct and convenient method of procuring this information might be through the immediate application of the consular officers of the United States to those manufacturers who might be able and willing to furnish it. In order to give more unity to the method of inquiry, to secure more uniform results, and to accompany the requests for information with proper assurances of the purposes for which it is intended to be used, the undersigned is directed to state that it is desired that this investigation be conducted under the observation, with the approval, and, it is hoped, with the cooperation of the various chambers of commerce. The undersigned therefore has the honor to lay before his excellency the request of his Government that the permission of the Imperial German Government be given to the chambers of commerce in the Empire to cooperate with the consular officers of the United States in this matter, and that the assurance may be communicated to the chambers of commerce, and through them to the various producers concerned, that the information sought is for the legislative branch, and not for the use of customs officers of the United States under section 8 of our customs administrative act. The undersigned is also authorized to say that the names of the industrial establishments furnishing the information desired will be treated confidentially and not disclosed.

The undersigned avails himself of the opportunity to renew to his excellency the assurance of his highest consideration.

DAVID J. HILL.

To his Excellency HERR VON SCHOEN,
Imperial Secretary of State for Foreign Affairs, etc.

No. 254.

EMBASSY OF THE UNITED STATES,
Berlin, March 27, 1909.

The Hon. P. C. KNOX,
Secretary of State, Washington, D. C.

SIR: With reference to the department's unnumbered instruction of November 18, 1908 (file No. —), authorizing me to endeavor to secure through the foreign office the data as to costs of production in Germany, called for by the department's circular instruction of June 15, 1908, for the use of the Ways and Means Committee, I have the honor to inform you that I have this morning received a note from the foreign office, of which a copy with translation is inclosed herewith, transmitting the data in question, which have been collected by the various German governments through the chambers of commerce and from individual firms. It will also be observed that the chambers of commerce have examined the reports of the hearings before the Ways and Means Committee and take exception to the accuracy and completeness of the material there presented.

In view of the fact that the embassy's mail pouch leaves this afternoon and that the material furnished by the foreign office will be of little use unless it reaches the committee promptly, I inclose only one copy of the same, without translation, retaining the other pending the receipt of instructions as to whether it should be translated at this embassy, where the facilities for executing such voluminous and technical translations with promptness and accuracy are limited, or whether it should also be forwarded without the English rendering.

I have the honor to be, sir,
Your obedient servant,

DAVID J. HILL.

Accompanying: 1. The German minister for foreign affairs to Mr. Hill, March 25, 1909. 2. One set of the duplicate inclosures accompanying the same.

(To accompany dispatch No. 254.)

Translation of a note from the Imperial German Foreign Office, dated March 25, 1909.

FOREIGN OFFICE.

With reference to the note of the 10th of December last, F. O. No. 193, on the subject of inquiries relative to the costs of production of the principal articles exported from Germany to the United States, and in supplement to the note of the foreign office dated January 13 last, No. 11 U 85, the undersigned has the honor to inform His Excellency Mr. David Jayne Hill, ambassador extraordinary and plenipotentiary of the United States of America, that the proper internal quarters have placed themselves in communication with the chambers of commerce and industrial associations concerned through the agency of the various federal governments. These have collected the pertinent material, which is inclosed in duplicate, together with three samples of silk embroidery (in an envelope, Schedule L).

The undersigned begs to make the following remarks on the subject: The chambers of commerce and industrial associations in collecting the material have consulted the protocols of the tariff hearings before the Committee on Ways and Means of the American House of Representatives, and have examined the statements contained therein relative to the costs of production in Germany. This examination has led to numerous exceptions to the statements asserted by the committee. Especially the following general points of view are continually brought up:

In the comparative tables on wages in the United States of America and Germany data concerning the German conditions have in many cases been utilized which cover conditions of many years ago and have no longer any significance for the present day; in calculating American wages the highest rates have been taken as a basis, while in computing German wages the lowest rates have been taken; the increase in cost of German production by social burdens has been left out of consideration; the comparison of absolute earnings gives an inaccurate impression, because the work accomplished by American laborers is perceptibly greater than that of the German laborers, partly in itself and partly through the more comprehensive employment of machine work; if the wages for piecework to be used for the manufacture of the separate article are calculated, the difference between the German and American wages is perceptibly less than would appear from the statements concerning wages on time; in comparing wages on time attention should be paid to the fact that it is customary in America to discharge a large number of the laborers in times of economic depression, and under certain circumstances to stop work wholly, while in Germany the employers restrict as far as possible the discharge of workmen and they use all possible means to keep the workmen in employment even during depression in business. It is often in Germany the case that old workmen who are no longer wholly capable continue to be employed under full wages. A number of firms which complained of insufficient tariff protection before the Committee on Ways and Means underbid German manufacturers in the interior market of Germany as well as in the American market (cf., among the inclosures the printed document relative to duties on productions of lithography, pp. 6 and 7, and the two inclosures belonging thereto). In many cases inaccurate statements have been made concerning the extent and duration of female and child labor, in contradiction to the regulations now in force in Germany.

As regards the last point, reference should be made to the statutory regulations concerning female and child labor in Germany (Reichsgesetzblatt No. 14, April 2, 1903, and supplement to No. 2 of the Ministerialblatt der Handels und Gewerbeverwaltung, January 23, 1909), two copies of which are attached, and to the compilation of the statutory regulations and ordinances of the federal council which, together with the law relative to child labor in industrial concerns, dated March 30, 1903, have remained in force; two copies of the compilation are inclosed. Since from this the employment of children under the age of 13 and of children of school age over 13 in factories, as well as in establishments mentioned in the compilation under I and in section 4 of the children's protection law, is absolutely prohibited; now, since compulsory school attendance generally lasts to the completion of the fourteenth year, the employment of children under the age of 14 in factories and in the industrial establishments mentioned is only a matter of a small number of children who for some special reasons have finished school before the completion of the fourteenth year, and even then it is only the question of a period of a few months. In so far as the employment of children in factories and the industrial establishments named comes into question at all according to the said laws, it is subject to restrictions laid down for youthful workmen mentioned under II in the compilation.

The undersigned avails himself of this opportunity to renew to his excellency the expression of his most distinguished consideration.

SCHOEN.

His Excellency Mr. DAVID JAYNE HILL,
Ambassador of the United States of America.

(Translation.)

GERMAN EMBASSY,
Washington, March 31, 1909.

Mr. SECRETARY OF STATE:

The United States ambassador at Berlin sometime ago requested the foreign office to procure reliable information regarding the cost of production of goods exported by Germany chiefly to the United States.

I took the liberty recently to transmit to the State Department duplicate copies of the matter which was furnished to His Excellency Mr. Hill, at Berlin, in compliance with his request.

I have the honor to inclose to your excellency some further information of this character which has been compiled by German commercial associations and officials.

In view of the present tariff discussion in Congress, I assume that these data will also be of interest to the United States Government.

Please accept, Mr. Secretary of State, the renewed assurance of my most distinguished consideration.

BERNSTORFF.

His Excellency Mr. P. C. KNOX,
Secretary of State of the United States, Washington, D. C.

EMBASSY OF THE UNITED STATES,
Berlin, April 13, 1909.

The Hon. P. C. KNOX,
Secretary of State, Washington, D. C.

SIR: Referring to my dispatch, No. 254, of March 27, 1909, and my telegram of the same date, I have the honor to inform you that, receiving no reply in answer to the question whether it was desired that the voluminous and technical inclosures from the German Government be translated here, I have sent the duplicate copy to the department by the hand of Consul-General Thackara, who wished to have the opportunity to examine them during his voyage to the United States. It is expected that he will have delivered the duplicate inclosures before the arrival of this dispatch.

It may be of interest to know that the German press has not entirely approved the action of the Imperial Government in furnishing for the use of the United States Congress the facts regarding cost of production of certain German manufactures, as is evident from the inclosure transmitted herewith, with translation, taken from the Berliner Tageblatt.

With regard to the insinuation that this information was sought in order to be given out by the American Government for the benefit of various American industries, these critics are probably not aware of the

terms of absolute confidence upon which these facts were asked for and furnished, by which a point of national honor is involved in the use made of the information given. It is not impossible that some of the facts stated in these documents may be given to the public at the instance of the German Government itself. In that case it would be advantageous, if possible, to know by whom and under what circumstances they were published, in order that the charge of bad faith on our side might not be made.

The attitude of the German Imperial Government toward the criticisms above cited is shown in the inclosed semiofficial statement made in the Berliner Lokal Anzeiger, of which a translation is also inclosed. It will be noticed that in this statement the motive which actuated the German Government in furnishing the information is said to be the desire to rectify and explain the erroneous data upon which it was believed our Congress was basing its conclusions.

I have the honor to be, sir,

Your obedient servant,

DAVID J. HILL.

(To accompany dispatch No. 264.)

TRANSLATION OF AN EXTRACT FROM THE BERLINER TAGEBLATT, EVENING EDITION OF APRIL 10, 1909—THE GERMAN GOVERNMENT AS A FELLOW-WORKER OF THE AMERICAN TARIFF BILL.

The Deutsche Exportrevue brings no less a charge against the foreign office than that of having given up the business secrets of the German industries so that they can be used in the preparation of the tariff bill. The article is based on an extract from the American Association of Commerce and Trade, issued in Berlin, and which in its last semi-monthly bulletin, of April 1, 1909, says:

"The German foreign office has, at the request of the American Department of State, forwarded to the American embassy in Berlin a type-written folio document of several inches in thickness, giving official information about wages and other costs of production of German manufactures which are affected by the American tariff.

"As the State Department came to the conclusion that the answers of the consuls to the circular issued in June of 1908 were not satisfactory, because the French, British, and German manufacturers were unwilling to give a trade rival facts on which to base a hostile tariff, therefore the State Department instructed the American ambassadors to obtain this information through the foreign offices of those countries to which they are accredited.

"It is understood that Ambassador Hill, in the beginning of December, approached the foreign office with the proposition that it would be to the interest of Germany to openly lay before the American Congress statements showing the cost of production of manufactures instead of only partial statements. The German foreign office accepted this view, and requested the governments of the confederation to gather the information, which had previously been requested of the chambers of commerce."

The Exportrevue makes the point that the tariff revision was only used as a blind, and that the entire action had primarily for its object, in an official way, to gather material which would be useful to American industries as against their competitors after the German and other manufacturers had refused to give up the desired information, which meant an exposition of their most essential business secrets. Even if the pretext were true, that this information was to be used by Congress as an aid in the discussion of the tariff revision, it would only result in an increase of the duties on such articles which can be manufactured much cheaper in Germany than in the United States; therefore the interests of the German industries would in all probability be considerably harmed. Unquestionably this information would be given to various American industries, which would make it easy for them to overcome the German industries exporting to the United States, and, eventually, to fight them on their own ground. It would be unheard of if the German foreign office had not taken such results into consideration, and it is hoped that the publication of the "American association" will meet with a decided denial.

We are informed that the Imperial Government will give out an official explanation of the matter.

(To accompany dispatch No. 264.)

TRANSLATION OF AN EXTRACT FROM THE BERLINER LOKAL-ANZEIGER OF APRIL 13, 1909.

With reference to the complaint that the foreign office had imparted to the American Government extensive material in regard to cost of production especially of goods exported to the United States and had exposed the business secrets of the German industries, it is semiofficially announced as follows: At the hearings in the fall of last year, which were had before the Finance Committee of the American House of Representatives, which committee was charged with the duty of revising the tariff, numerous mistaken statements were made by the manufacturers of America about the cost of production, and especially as to the wages paid to workmen, in that the costs were considerably underestimated. These facts, which the secretary of state of the foreign office explained, in answer to a question by a member of the Reichstag Stresemann, at the session of the Reichstag held on the 31st of last month, have been given special attention by the officials, and everything requisite was done to correct these mistakes through the chambers of commerce. The material sent in by the chambers of commerce was submitted to the American ambassador in Berlin, who had expressed the wish that trustworthy compilations of the questions at issue be submitted. The imperial ambassador in Washington also submitted this material to the American Department of State.

No. 266.

EMBASSY OF THE UNITED STATES,
Berlin, April 13, 1909.

(Confidential.)

The Hon. P. C. KNOX,
Secretary of State, Washington.

SIR: With reference to the department's unnumbered instruction of November 18, 1908 (File No. —), authorizing me to endeavor to secure through the foreign office the data as to costs of production in Germany, called for by the department's circular instruction of June 15, 1908, for the use of the Ways and Means Committee, I have the honor to inform you that I have received a note from the foreign office, of which a copy with translation is inclosed herewith, transmitting the further data in question, which have been collected by the various federated German Governments through the chambers of commerce and from individual firms.

In view of the fact that this matter has to be forwarded at once in order to be of value to the committee, I inclose only one copy of the same, without translation, retaining the other pending the receipt of instructions as to whether it should be translated at this embassy, where the facilities for executing such voluminous and technical translations with promptness and accuracy are limited, or whether it should also be forwarded without the English rendering.

It will be recalled that the terms upon which this information is furnished, like that which has preceded, are strictly confidential, the data being for the use of Congress only.

I have the honor to be, sir,

Your obedient servant,

DAVID J. HILL.

Accompanying: 1. Note verbale of the German foreign office. 2. One set of the duplicate inclosures accompanying the same.

(To accompany dispatch No. 266.)

TRANSLATION OF A NOTE FROM THE IMPERIAL GERMAN FOREIGN OFFICE DATED APRIL 9, 1909—NOTE VERBALE.

The foreign office has the honor to forward to the embassy of the United States of America, as an addition to the note of March 25—II. U. 1642—the following additional matter in regard to the cost of production of especially those goods exported to the United States of America, appending hereto two copies. The compilations regarding the lithographic products in these supplementary documents, are an addendum to the memorial on the same subject submitted by the * * *.

BERLIN, *April 9, 1909.*

To the EMBASSY OF THE UNITED STATES OF AMERICA.

(Translation.)

IMPERIAL GERMAN EMBASSY,
Washington, D. C., April 23, 1909.

Mr. SECRETARY OF STATE: In continuation of my letter of the 31st ultimo, I have the honor to forward herewith inclosed to your excellency a few additional reports compiled by German commercial companies and officials concerning the cost of production of various articles in Germany. This same material has been placed at the disposal of His Excellency Mr. Hill, in Berlin, and forms a supplement to the information furnished by me in due course to your excellency.

Accept, Mr. Secretary of State, the renewed assurance of my most distinguished high consideration.

For the Imperial Ambassador.

WEDEL.

Serial No. 48.]

DEPARTMENT OF STATE,
Washington, April 23, 1909.

His Excellency Count J. H. VON BERNSTORFF,
Imperial German Ambassador.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 31st ultimo, with which you were so good as to transmit duplicate copies of papers, furnished by your Government to the American ambassador at Berlin, with reference to costs of production in Germany, which data were desired for the use of the Committee on Ways and Means of the House of Representatives.

In reply I have the honor to say that, by reason of the additional copies of the documents furnished by you, the department was enabled not only to supply the needs of the Committee on Ways and Means, but those of the Committee on Finance of the Senate as well. Accordingly the department has to-day addressed an instruction to the American ambassador at Berlin, directing him to advise the Imperial Government of the disposition made of this material, at the same time conveying an expression of this Government's appreciation of and thanks for the courteous compliance with this department's request. In addition, I have the honor to express to you the department's thanks for the embassy's kindness in the matter.

Accept, excellency, the renewed assurances of my highest consideration.

HUNTINGTON WILSON,
Acting Secretary.

Serial No. 153.]

DEPARTMENT OF STATE,
Washington, April 23, 1909.

The Hon. DAVID J. HILL,
American Ambassador, Berlin.

SIR: I have to acknowledge the receipt of your No. 254 of the 27th ultimo, wherein, with reference to the department's unnumbered instruction of November 18, 1908, directing you to procure for the use of the Committee on Ways and Means certain data as to costs of production in Germany, you inclose translation of a note from the foreign office, transmitting the data in question, collected by the various German governments through the chambers of commerce and from individual firms.

Additional copies of the papers sent with your dispatch were also received by the department from the German embassy at this capital, so that the department was enabled to supply not only the Committee on Ways and Means with copies, but the Committee on Finance of the Senate as well.

You will advise the German Government of the disposition of this material, at the same time expressing this Government's appreciation of and thanks for its courteous compliance with the department's request.

I am, sir,

Your obedient servant,

HUNTINGTON WILSON,
Acting Secretary.

EMBASSY OF THE UNITED STATES,
Berlin, May 6, 1909.

The Hon. P. C. KNOX,
Secretary of State, Washington, D. C.

SIR: I have the honor to acknowledge the receipt of the department's instruction of the 23d ultimo (Serial No. 153, file No. 13911/805–807), relative to the data furnished by the German Government as to costs of production in Germany, and to inform you that I have not failed to advise the foreign office of the disposition of this material, at the same time expressing our Government's appreciation of and thanks for its courteous compliance with the department's request.

I have the honor to be, sir,

Your obedient servant,

DAVID J. HILL.

Mr. ALDRICH. It is my purpose to take up to-morrow the glass paragraphs, which have been passed over, and the matter of a duty on hides, and perhaps the paper paragraphs, and such other paragraphs as can be disposed of to-morrow.

Mr. GALLINGER. All to-morrow?

Mr. ALDRICH. I hope all to-morrow.

Mr. BACON. I would inquire whether it would be practicable, in connection with the window-glass amendment, to give us the ad valorem which is represented by these combined duties? I am not asking the Senator to make any reply, but if it is practicable, I should like to have that information.

Mr. ALDRICH. I think it is not practicable. We have changed the form of the classification. We put in paragraphs as to value per pound. I think it is not possible to make a comparison. It is possible, though, to compare the rates, because the rates are reduced, say, from 1⅜ to 1¼ cents on a certain paragraph.

Mr. BACON. There is an ad valorem equivalent specified in this document—Estimates of Revenues.

Mr. ALDRICH. Those are on the importations under the old law.

Mr. BACON. Yes.

Mr. ALDRICH. But there is a considerable reduction upon all the brackets in the new paragraphs.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After one minute spent in executive session the doors were reopened, and (at 7 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, June 17, 1909, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 16, 1909.

PROMOTIONS IN THE NAVY.

Lieut. Commander Harold K. Hines to be a commander in the navy from the 16th day of June, 1909, vice Commander Francis H. Sherman, promoted.

Ensigns Chandler K. Jones and Herbert H. Michael to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in present grade.

Lieuts. (Junior Grade) Chandler K. Jones and Herbert H. Michael to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date.

Surgs. Robert E. Ledbetter and Charles St. J. Butler to be surgeons in the navy from the 16th day of September, 1908, and the 19th day of September, 1908, respectively, to correct the date from which they take rank as previously confirmed.

Passed Asst. Surg. Fred M. Bogan to be a surgeon in the navy from the 2d day of September, 1908, vice Surg. Henry T. Percy, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 16, 1909.

DISTRICT JUDGES.

George W. Woodruff to be district judge for the Territory of Hawaii.

Peter D. Overfield to be judge of the district of Alaska, division No. 4.

UNITED STATES MARSHAL.

Thomas Cader Powell to be United States marshal for the district of Alaska, division No. 2.

COMMISSIONER OF INDIAN AFFAIRS.

Robert G. Valentine to be Commissioner of Indian Affairs.

PROMOTIONS IN THE ARMY.

GENERAL OFFICER.

Col. Marion P. Maus to be brigadier-general.

INFANTRY ARM.

Lieut. Col. Arthur Williams to be colonel.
Maj. Hunter Liggett to be lieutenant-colonel.
Capt. Frank L. Winn to be major.
First Lieut. Will H. Point to be captain.
First Lieut. Henry M. Bankhead to be captain.
First Lieut. Henry F. McFeely to be captain.
Second Lieut. Joseph M. Cummins to be first lieutenant.
Second Lieut. Thomas C. Musgrave to be first lieutenant.
Second Lieut. Converse R. Lewis to be first lieutenant.

MEDICAL CORPS.

The following-named first lieutenants to be first lieutenants in the Medical Corps of the Army:

Henry Clay Coburn, jr.,
Arnold Dwight Tuttle,
John Brockenbrough Harvie Waring,
William Richard Dear,
Charles Edward Doerr,
Daniel Parker Card,
Ralph Harvard Goldthwaite,
Frederick Starr Wright,
Daniel Warwick Harmon,
James Carre Magee,
Corydon Goodrich Snow,
Norman Lincoln McDiarmid,
Clarence Albert Treuholtz,
Eben Clayton Hill,
George Hudson McLellan,
Alexander Dwight Parce,
James Arthur Wilson,
Armin Mueller,
Thomas James Leary,
Morrison Clay Stayer,
Robert William Kerr,
Lee Roy Dumbar,
Leon Connallin Garcia,
William Stephens Shields,
Addison Dimmitt Davis,
William Hope Smith,
Clarence Elmer Fronk,
Rozier Clagett Bayly, and
George Dawson Heath, jr.

APPOINTMENT IN THE ARMY.

Rev. Robert R. Fleming, jr., to be chaplain.

PROMOTIONS IN THE NAVY.

Lieut. Commander Philip Andrews to be a commander.

The following-named lieutenant-commanders to be lieutenant-commanders (to correct the dates from which they take rank as previously confirmed):

Frank H. Brumby,
James P. Morton,
Frank P. Baldwin,
George L. P. Stone,
Rufus Z. Johnston, jr.,
Thomas D. Parker,
Jonas H. Holden,
Thomas T. Craven,
Daniel W. Wurtzbaugh,
Ralph Earle,
Gatewood S. Lincoln,
Ivan C. Wettengel,
Charles M. Tozer,
Wat T. Cluverius,
Albert W. Marshall,
Thomas A. Kearney,
Arthur MacArthur, jr., and
Frank E. Ridgely.

Lieut. Edward H. De Lany to be a lieutenant-commander.
Lieut. Cassius B. Barnes to be a lieutenant-commander.
Lieut. Michael J. McCormack to be a lieutenant-commander
Lieut. Ernest F. Eckhardt to be a lieutenant-commander.
Lieut. Duncan M. Wood to be a lieutenant-commander.
Lieut. Leigh C. Palmer to be a lieutenant-commander.
Lieut. Dudley W. Knox to be a lieutenant-commander.
Lieut. Edward McCauley, jr., to be a lieutenant-commander.

The following-named ensigns to be lieutenants (junior grade):

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named lieutenants (junior grade), to be lieutenants:

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named paymasters to be paymasters (to correct the date from which they take rank as previously confirmed):

George G. Seibels,
Edmund W. Bonnaffon,
Joseph Fyffe,
John H. Merriam,
Timothy S. O'Leary,
George Brown, jr.,
Walter B. Izard,
David Potter,
Samuel Bryan,
Arthur F. Huntington,
Harry H. Balthis,
Charles Conard,
William T. Gray,
George P. Dyer,
John W. Morse,
Robert H. Woods,
Robert H. Orr,
William A. Merritt,
John Irwin, jr.,
Webb V. H. Rose,
William H. Doherty,
Charles Morris, jr.,
Frederick K. Perkins, and
George C. Schafer.

Asst. Paymaster Kenneth C. McIntosh to be a passed assistant paymaster.

Naval Constructors Stuart F. Smith and William G. Groesbeck to be naval constructors (to correct the date from which they take rank as previously confirmed).

Naval Constructor Richard H. Robinson to be a naval constructor (to correct the date from which he takes rank as previously confirmed).

The following-named machinists to be chief machinists:

John E. Cleary,
Richard Jeffares,
Charles Hammond,
James W. Murray,
John Dexter,
Martin J. Clancy,
John J. Fuller,
John T. Pennycook,
James A. Hickey,
John T. Riley,
Benjamin F. Beers,
David Purdon,
Bernard Gebhardt,
George C. Ellerton,
Charles H. Gilhuley,
Murray S. Holloway,
William B. Stork,
Clarence R. Johnson,
Ben Smith,
William James,
Patrick Fernan,
Frank Risser,
John Bryce,
Rasmus Iversen,
Henry E. White,
Charles C. Holland,
Cornelius J. Collins,
Lee Grossenbaker, and
Daniel C. Beach.

POSTMASTERS.

COLORADO.

Mary S. Clark, at Akron, Colo.

ILLINOIS.

Moses C. Smith, at Newman, Ill.

KANSAS.

Olga A. Krehbiel, at Moundridge, Kans.

NEBRASKA.

Walter L. Minor, at Morrill, Nebr.
William H. Rood, at North Loup, Nebr.

NEW JERSEY.

Morris Davis, at Bridgeton, N. J.

OKLAHOMA.

John C. Byrd, at Wagoner, Okla.

SOUTH CAROLINA.

Della D. Carter, at Lake City, S. C.

UTAH.

Clifford I. Goff, at Midvale, Utah.
Albert E. Hopkinson, at Sunnyside, Utah.

WISCONSIN.

Louisa Whitcomb, at Albany, Wis.